PUBLICATION NO: 2575

REEL NO: 25

TITLE: FEDERAL REGISTER

VOLUME: 9 DATE: August 1, 1944-September 30, 1944

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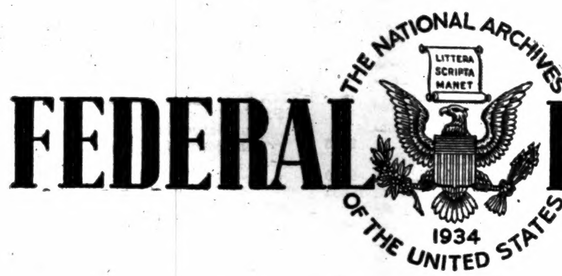

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U. S. GOVERNMENT PRINTING OFFICE: 1944

General
Deposited by U.S. Govt

FEDERAL REGISTER

VOLUME 9 NUMBER 152

Washington, Tuesday, August 1, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 62, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

FIGS

War Food Order No. 62, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 62, as issued by the Acting War Food Administrator on July 3, 1943, 8 F.R. 9177), is amended to read as follows:

§ 1405.12 *Restrictions relating to the use of figs*—(a) *Definitions.* (1) "Figs" means figs in the fresh, frozen, dried, or partially dried form, customarily marketed as the Calimyrna, Adriatic, Kadota, and Black Mission varieties produced in Butte, Colusa, Contra Costa, Fresno, Glenn, Kern, Kings, Madera, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter, Tehama, Tulare, Yuba, and Yolo Counties in the State of California.

(2) "Person" means any individual, partnership, corporation, or association, business trust or any organized group of persons, whether incorporated or not.

(3) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions.* (1) No person shall, unless specifically authorized by the Director, sell, deliver, purchase, accept delivery of, or use figs for conversion into brandy, alcohol, any concentrate, syrup, scent, flavoring, animal feed, or any other byproduct.

(2) No person shall sell or deliver figs with knowledge or reason to believe that such figs or any portion thereof thus sold or delivered are to be used in violation of this order.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of figs of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in figs.

(e) *Petitions for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be address to Order Administrator, War Food Order No. 62, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
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(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 62, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 29, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of July 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–11360; Filed, July 29, 1944; 1:23 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3388]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

VACU-MATIC CARBURETOR CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or services:* § 3.66 (h) *Misbranding or mislabeling—Qualities or properties.* In connection with offer, etc., in commerce, of respondent's "Vacu-matic" mechanical device, or any other similar device, representing, directly or by implication, (1) that the use of respondent's device on an automobile engine will result in quicker starting, faster acceleration or pick-up, increased power, or a smoother-running engine; (2) that the use of respondent's device on an automobile engine will result in any reduction in gasoline consumption or in any increase in mileage per unit of gasoline, unless such representation be expressly limited to those cases in which the fuel mixture, due to improper adjustment of the carburetor, is excessively rich and a small amount of additional air may serve to lean such mixture; or (3) that respondent's device performs any useful service in the carburetion of gasoline in an automobile engine in excess of such effect as it may have in leaning the fuel mixture in those cases above referred to; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Vacu-Matic Carburetor Company, Docket 3388, June 29, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of June, A. D. 1944.

In the Matter of Vacu-matic Carburetor Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, the respondent's answer thereto, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, original and supplemental reports of the trial examiners upon the evidence and the exceptions to such reports, briefs of the attorney for the Commission and the attorneys for the respondent, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Vacu-Matic Carburetor Company, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's mechanical device designated "Vacu-matic," or any other device of substantially similar construction or possessing substantially similar characteristics, whether sold under the same name or under any other name, do forthwith cease and desist from representing, directly or by implication:

1. That the use of respondent's device on an automobile engine will result in quicker starting, faster acceleration or pick-up, increased power, or a smoother-running engine.

2. That the use of respondent's device on an automobile engine will result in any reduction in gasoline consumption or in any increase in mileage per unit of gasoline, unless such representation be expressly limited to those cases in which

the fuel mixture, due to improper adjustment of the carburetor, is excessively rich and a small amount of additional air may serve to lean such mixture.

3. That respondent's device performs any useful service in the carburetion of gasoline in an automobile engine in excess of such effect as it may have in leaning the fuel mixture in those cases referred to in paragraph 2.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-11316; Filed, July 29, 1944; 10:19 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-8-1]

PART 702—PRIVATE WAR HOUSING

COMPLIANCE WITH STANDARDS OF WAR WORKER ELIGIBILITY FOR PRIVATE WAR HOUSING

Form NHA 60-9 is no longer used as provided in § 702.34.

Section 702.34 of NHA General Order 60-8 contains a request of owners of war housing begun prior to February 10, 1943, to provide the War Housing Center or the NHA Regional Office with certain information on Form NHA 60-9 as to the occupancy of the housing. The filing of such form is wholly voluntary. Following the submission of the form by the owner, it is to be transmitted to the local FHA office.

Experience has shown that continuance of this procedure and the use of Form NHA 60-9 are no longer necessary. Consequently, as of June 30, 1944, the use of Form NHA 60-9 is discontinued. Regional Offices and War Housing Centers shall not distribute such form to owners of war housing begun prior to February 10, 1943, and shall no longer require adherence to the provisions of § 702.34 of General Order 60-8.

(55 Stat. 838; 50 U.S.C. App., Supp., 601, E.O. 9070; 3 CFR)

This regulation shall be effective July 19, 1944.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-11302; Filed, July 29, 1944; 10:03 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Rev. VII, Cumulative Supp. 5]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 5 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F.R. 3285), is hereby promulgated.[1]

By direction of the President.

[SEAL]

CORDELL HULL,
Secretary of State.

WAYNE C. TAYLOR,
Acting Secretary of Commerce.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

LEO T. CROWLEY,
Administrator, Foreign Economic Administration.

FRANCIS BIDDLE,
Attorney General.

JOHN C. MCCLINTOCK,
Acting Coordinator of Inter-American Affairs.

JULY 28, 1944.

[F. R. Doc. 44-11361; Filed, July 29, 1944; 2:04 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 249, 2d Ed.]

PART 605—GENERAL ADMINISTRATION

CONFIDENTIAL INFORMATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 605.32 to read as follows:

§ 605.32 *Information not confidential as to certain persons.* No information in a registrant's file shall be confidential as to the persons designated in this section, and any information may be disclosed or furnished to or examined by such persons, namely:

(a) The registrant, or any person having written authority from the registrant.

(b) All personnel of the Selective Service System while engaged in the administration of the Selective Training and Service Act of 1940, as amended.

(c) United States Attorneys and their duly authorized representatives, including agents of the Federal Bureau of Investigation.

(d) Any other agency, official or employee, or class or group of officials or employees, of the United States or any State or subdivision thereof, but only when and to the extent specifically authorized in writing by the State Director of Selective Service or the Director of Selective Service.

2. Amend § 605.33 to read as follows:

§ 605.33 *Waiver of confidential nature of information.* The making or filing by or on behalf of a registrant of a claim or action for damages against the Government or any person, based on acts in the performance of which the record of a registrant or any part thereof was compiled, or the institution of any action against the Government or any representative thereof by or on behalf of a registrant involving his classification, selection or induction, shall be a waiver of the confidential nature of all selective service records of such registrant, and, in addition, all such records shall be produced and published in response to the subpoena or summons of the tribunal in which such claim or action is pending.

3. Amend § 605.40 by deleting paragraphs (b) and (c) thereof.

4. Amend the regulations by adding a new section to be known as § 605.40-1 to read as follows:

§ 605.40-1 *Searching or handling records.* Except as specifically provided in these regulations or by written authority of the Director of Selective Service, no person shall be entitled to search or handle any record.

5. Amend § 605.41 to read as follows:

§ 605.41 *Furnishing lists of registrants.* Lists of registrants may be prepared and posted or furnished only as provided in these regulations or in accordance with written instructions of the Director of Selective Service.

6. Amend § 605.42 to read as follows:

§ 605.42 *Furnishing information relative to quotas and calls prohibited.* Information concerning quotas or calls shall not be examined by or disclosed or furnished to anyone except when required in the administration of the Selective Training and Service Act of 1940, as amended, or in accordance with written instructions of the Director of Selective Service.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 27, 1944.

[F. R. Doc. 44-11362; Filed, July 29, 1944; 2:57 a. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

[Amdt. 949, 2d Ed.]

PART 608—EXPENDITURES OTHER THAN FOR PERSONAL SERVICES

PROPERTY, EQUIPMENT, SUPPLIES, AND SERVICES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 608.1 to read as follows:

§ 608.1 *Procurement.* (a) The procurement of necessary property, equipment, supplies, and services for the Selective Service System shall be accomplished only by duly authorized representatives designated by or pursuant to these regulations.

(b) Except when otherwise provided by these regulations, the function of procurement for the various boards and for State Headquarters for Selective Service, including the obtaining of necessary office space, shall be exercised only by the State procurement officer.

(c) No contract shall be negotiated or entered into for the procurement of supplies or services from any firm or company with which any person authorizing or making the purchase is in any way connected as a member, officer, agent, or employee.

(d) Except when individual circumstances justify other action, the procurement of property, equipment, and supplies shall be accomplished through the Treasury Department, Procurement Division.

(e) Purchase of supplies and equipment procured, mined, or manufactured outside the United States is prohibited by law.

(f) The selective service law permits the Selective Service System to obtain by loan or gift such equipment and supplies as may be needed. Such loans or gifts should be encouraged, but persons making such loans should be reminded that the Government is not responsible for the care or safekeeping of such articles.

2. Amend § 608.2 to read as follows:

§ 608.2 *Requisitions.* A Requisition for Supplies (Form 259) shall be used by properly authorized representatives of the Selective Service System in requesting a procurement officer to procure necessary property, equipment, supplies, and services.

3. Amend § 608.3 to read as follows:

§ 608.3 *Laboratory examinations and tests.* The State Director of Selective Service or a member of a medical advisory board may authorize laboratory examinations and tests within limitations and in accordance with procedures established by the Director of Selective Service.

4. Amend § 608.4 to read as follows:

§ 608.4 *Purchase Order.* A Purchase Order (Form 258) shall be used by procurement officers in procuring necessary property, equipment, supplies, and services unless otherwise authorized by the Director of Selective Service.

5. Amend § 608.5 to read as follows:

§ 608.5 *Bills and invoices.* Vendors shall be requested to submit bills and invoices in the required number of copies but only one original shall be requested and that original in all cases shall bear the following certificate, duly executed by the vendor:

I certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to American production and labor standards and all conditions of purchase applicable to the transactions have been complied with; and that State or local sales taxes are not included in the amount billed.

6. Amend § 608.6 to read as follows:

§ 608.6 *Receiving Report.* A Receiving Report (Form 264) shall be executed and transmitted promptly by accountable and responsible officers of the Selective Service System in acknowledging receipt of property, equipment, supplies, and services unless otherwise authorized by the Director of Selective Service.

7. Amend paragraph (a) of § 608.43 to read as follows:

§ 608.43 *Special provisions concerning travel and subsistence expenses.* (a) The travel of a person serving without compensation in the administration of the selective service law shall be specifically authorized, and such person so authorized may be reimbursed in accordance with applicable law and regulations governing travel of uncompensated personnel at Government expense for transportation and traveling expenses incurred while traveling on official business, including travel from home to the office of the board to which such person is assigned and return.

8. Amend § 608.44 to read as follows:

§ 608.44 *Government Requests for Transportation (Standard Form No. 1030); Use and preparation.* Government Requests for Transportation (Standard Form No. 1030) may be issued for both land and water transportation, including ocean travel, and for sleeping-car service. Requests shall be issued only by a local board or a duly authorized representative of the Director of Selective Service or of the State Director of Selective Service:

(a) When necessary in obtaining transportation of selected registrants from local boards for purposes of being examined or inducted by the armed forces.

(b) When it is necessary to transport a registrant for the purpose of obtaining specially authorized medical consultation and examination.

(c) Whenever practicable, when travel is performed by officers or employees incident to the provisions of the selective service law.

(d) When otherwise authorized by the Director of Selective Service.

9. Amend § 608.45 to read as follows:

§ 608.45 *Government Request for Meals or Lodgings for Civilian Registrants (Form 256).* Government Request for Meals or Lodgings for Civilian Registrants (Form 256) shall be issued only by a local board or a duly authorized representative of the Director of Selective Service or of the State Director of Selective Service to provide necessary meals or lodgings as follows:

(a) For registrants ordered to report to a station of the armed forces.

(b) For a registrant ordered to report for medical consultation and examination.

(c) When otherwise authorized by the Director of Selective Service.

(d) The value of such lodgings shall not exceed $1.50 per day per individual.

(e) The value of such meals shall not exceed $1.00 per meal per individual.

10. Amend the regulations by deleting § 608.46 in its entirety.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 28, 1944.

[F. R. Doc. 44-11363; Filed, July 29, 1944; 2:57 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1, as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 1120—NAPHTHALENE

[Conservation Order M-105, Revocation]

NAPHTHALENE

Section 1120.1 *Conservation Order M-105* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Crude and refined naphthalene is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 38, issued simultaneously with this revocation.

Prior to September 1, 1944, crude and refined naphthalene shall be delivered, accepted and used on the basis of applications and authorizations hitherto required by Order M-105 (revoked).

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11321; Filed, July 29, 1944; 11:30 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, AND MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule VII]

HACK SAW BLADES

§ 3114.8 *Schedule VII of Limitation Order L-216*—(a) *Definitions.* For the purpose of this schedule:

(1) "Hack saw blade" means any steel saw blade more than six inches in length, having a pinhole or pinholes near each end, the cutting edge or edges of which consist of teeth with set, and which is hardened or hardened and tempered by any process at the cutting edge or edges or throughout the entire blade.

(2) "Producer" means any person who manufactures hack saw blades.

(b) *Restrictions on production.* On and after July 29, 1944, no producer shall manufacture, sell, or deliver any hack saw blades unless such blades when completed are of the widths, thicknesses and number of teeth described in Appendix A to this schedule and conform with all other provisions of this schedule and the appendix.

(c) *Exemptions.* Notwithstanding any other provision of this schedule, its restrictions shall not apply to the manufacture, sale or delivery of the following types of hack saw blades:

(1) Any hack saw blades the production of which was commenced prior to July 29, 1944 and is completed prior to September 29, 1944.

(2) Any hack saw blades which are manufactured for experimental purposes. Such blades must be stamped or otherwise permanently marked "test" or "experimental." They may not be sold by the producer but may be delivered by him in reasonable quantities to users for test purposes only to be returned to the producer with a report of the results.

(3) Any partially fabricated hack saw blades which are sold or delivered by one producer to another producer. Such saw blades when completed and resold shall, however, conform with all of the provisions of this schedule and the appendix.

(d) *Necessity for filing specifications.* Each producer shall file with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VII, a letter in triplicate, indicating the type of tooth set, width of set, and tooth spacing which he has selected for each of the blades which he intends to manufacture under this schedule. This letter should be filed by August 29, 1944. Thereafter no producer may change the tooth set, width of set or tooth spacing which he has selected without the specific permission of the War Production Board. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Appeals by users.* Where any provision of this schedule prohibits the production of any hack saw blade and a user of such blade believes that this imposes an unreasonable hardship upon him, the user may apply for permission to have production of such blade continued. The user should file a letter in triplicate with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VII, giving a detailed description of the special hack saw blade which he requires, the quantity he needs, and the reason why he is unable to use a standard blade.

(f) *Termination of simplification letter of August 18, 1941.* This schedule supersedes the restrictions imposed by the letter, dated August 18, 1941, signed by the Chief of the Tools Section, Office of Production Management. Authorizations for the manufacture of special hack saw blades which were issued under that letter to designated blade users shall, however, remain in effect, subject to the terms and conditions of such special authorizations, provided that delivery in all such cases is made directly to the person for whom the manufacture of the blades was authorized.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—SCHEDULE VII TO LIMITATION ORDER L-216

(a) *Definitions.* For the purpose of this appendix:

(1) "Carbon type" means a hack saw blade all of which is made of steel known in the industry as "ordinary steel," "straight carbon steel," or "plain carbon steel," being that type of steel which owes its properties chiefly to the percentage of carbon and does not contain substantial amounts of other alloying elements.

(2) "Standard type" means a hack saw blade all of which is made of steel known in the industry as "standard" or "tungsten alloy," being that type of steel containing approximately but not more than 1¼ percent tungsten or approximately but not more than ¾ percent molybdenum and substantially no other alloying element.

(3) "Molybdenum type" means a hack saw blade all or the tooth section of which is made of alloy steel containing not less than 0.60 percent carbon and more than 3.0 percent molybdenum; or alloy steel containing not less than 0.60 percent carbon, 0.0 percent or less tungsten, and more than 3.0 percent molybdenum. Other alloying elements may be present.

(4) "18-4-1 type" means a hack saw blade all or the tooth section of which is made of alloy steel containing not less than 0.55 percent carbon and more than 12.0 percent tungsten. Other alloying elements may be present.

(5) "Welded and composite blade" means a hack saw blade made of two or more pieces of steel joined together.

(6) "Broach blade" means a hack saw blade no two teeth of which are alike, so that the pitch, i. e., the number of teeth per inch, decreases from the first to the last tooth.

(b) *General provisions*—(1) *Tooth set.* All hack saw blades having 24 or 32 teeth per inch shall have wavy set only, and all other blades shall have straight or regular set. Set for each tooth spacing or pitch shall be according to a single standard of the producer.

(2) *Width of set.* The width of set for each type, size and tooth number of hack saw blade shall be according to a single standard of the producer.

(3) *Starting teeth.* All hand frame sizes of hack saw blades permitted by this schedule may be made with starting teeth of greater pitch (i. e., number of teeth per inch) or closer spacing on the forward 2½ inches of the blade than is specified in the tables. Producers may also manufacture these sizes without starting teeth.

(4) *Edges.* Types and sizes of hack saw blades designated by the letter S in the column headed "Nominal length" shall be made only with single edge (i. e., with teeth on one edge only); blades designated by the letter D, only with double edge (i. e., with teeth on both edges); and those designated by the letters DS may be made with double edge and with single edge.

(5) *Width before milling of double-edge blades.* The width before milling of the blanks for double-edge hack saw blades may exceed that specified in the tables by not more than ¼ inch, except that the width before milling of the blank for the standard type shall be as specified.

(6) *Thickness tolerance.* The actual thickness shall be the nominal thickness plus or minus 0.003 inch, except that the actual thickness of carbon type and standard type blades shall be the nominal thickness plus 0.001 inch or minus 0.003 inch.

TABLE 1—REGULAR HACK SAW BLADES—Continued

HAND FRAME SIZES

(a) *Carbon type.*

Nominal dimensions: Length (inches)	Width	Thickness	Number of teeth per inch	Actual dimensions: Width before milling	Length over all	Center-to-center of pinholes	Pinhole diameter
	Inch	*Inch*		*Inch*	*Inches*	*Inches*	*Inch*
810	½	0.025	18, 24, 32	0.500	10½	9¼	⅛
812	½	.025	14, 18, 24, 32	.510	12½	11¼	⅛

POWER SIZES

Nominal dimensions: Length (inches)	Width	Thickness	Number of teeth per inch	Actual dimensions: Width before milling	Length over all	Center-to-center of pinholes	Pinhole diameter
	Inches	*Inch*		*Inch*	*Inches*	*Inches*	*Inch*
812	½	0.063	14, 18	0.625	12½	11¼	⅛
D812	½	.063	14	1.000	12½	11¼	⅛
D812	1	.063	18	1.000	12½	11¼	⅛
D814	1	.063	10, 14	1.000	14½	13¼	⅛
D814	1	.063	10	1.000	14½	13¼	⅛
D814	1¼	.063	4, 6, 10	1.250	14½	13¼	⅛
D817	1¼	.063	14	1.250	17½	16½	⅛
D817	1¼	.063	4, 6, 10	1.250	17½	16½	⅛
D817	1¾	.063	14	1.800	17½	16½	⅛
D818	1¾	.063	4, 6, 10	1.800	18½	17½	⅛
D818	1¾	.063	4, 6	1.800	18½	17½	⅛
D818	2	.063	4, 6	2.000	18½	17½	⅛
D821	2	.072	4, 6	2.000	21½	20½	⅛
D824	2	.072	4, 6	2.000	24½	23½	⅛
D824	2	.072	4, 6	2.000	24½	23½	⅛
D834	2	.100	4	2.000	34½	33½	⅛
D836	2½	.100	4	2.500	36½	35½	⅛

(b) *Standard type.*

Nominal dimensions: Length (inches)	Width	Thickness	Number of teeth per inch	Actual dimensions: Width before milling	Length over all	Center-to-center of pinholes	Pinhole diameter
	Inch	*Inch*		*Inch*	*Inches*	*Inches*	*Inch*
D810	½	0.025	18, 24, 32	0.500	10½	9¼	⅛
D812	½	.025	14, 18, 24, 32	.510	12½	11¼	⅛
D12	1	.025	14, 24	1.000	12½	11¼	⅛

(c) *Molybdenum type.*[1]

Nominal dimensions: Length (inches)	Width	Thickness	Number of teeth per inch	Actual dimensions: Width before milling	Length over all	Center-to-center of pinholes	Pinhole diameter
	Inches	*Inch*		*Inch*	*Inches*	*Inches*	*Inch*
810	½	0.025	18, 24, 32	0.500	10½	9¼	⅛
812	½	.025	14, 18, 24, 32	.510	12½	11¼	⅛

POWER SIZES

Nominal dimensions: Length (inches)	Width	Thickness	Number of teeth per inch	Actual dimensions: Width before milling	Length over all	Center-to-center of pinholes	Pinhole diameter
	Inches	*Inch*		*Inch*	*Inches*	*Inches*	*Inch*
812	½	0.063	14, 18	0.625	12½	11¼	⅛
D812	1	.063	14	1.000	12½	11¼	⅛
D812	1	.063	18	1.000	12½	11¼	⅛
D814	1	.063	10, 14	1.000	14½	13¼	⅛
D814	1	.063	10	1.000	14½	13¼	⅛
D814	1¼	.063	4, 6, 10	1.250	14½	13¼	⅛
D817	1¼	.063	14	1.250	17½	16½	⅛
D817	1¼	.063	4, 6, 10	1.250	17½	16½	⅛
D817	1¾	.063	14	1.800	17½	16½	⅛
D818	1¾	.063	4, 6, 10	1.800	18½	17½	⅛
D818	1¾	.063	4, 6	1.800	18½	17½	⅛
D818	2	.063	4, 6	2.000	18½	17½	⅛
D821	2	.072	4, 6	2.000	21½	20½	⅛
D824	2	.072	4, 6	2.000	24½	23½	⅛
D824	2	.072	4, 6	2.000	24½	23½	⅛
D834	2	.100	4	2.000	34½	33½	⅛
D836	2½	.100	4	2.500	36½	35½	⅛

[1] Welded and composite blades may be made in these sizes with the cutting edge of molybdenum type. Such blades shall be made single edge only. In lieu of the widths before milling specified, welded and composite blades may have actual over-all widths after milling as follows:

Nominal width (inches):	*Actual width after milling, (inches)*
¼	⅜
½	⅝
1	1⅛
1¼	1⅜
1½	1⅝
2	2⅛

TABLE 2—COARSE TOOTH HACK SAW BLADES

(a) *Molybdenum type and 18-4-1 type.*[1]

Nominal dimensions: Length (inches)	Width	Thickness	Actual dimensions: Width before milling	Length over all	Center-to-center of pinholes	Pinhole diameter
	Inches	*Inch*	*Inch*	*Inches*	*Inches*	*Inch*
814	½	0.063	0.625	14½	13½	⅛
818	½	.063	.625	18½	17½	⅛
821	½	.063	.625	21½	21	⅛
824	½	.063	.625	24½	24	⅛
836	½	.063	.625	36½	36	⅛
814	⅝	.063	.625	14½	13½	⅛
818	⅝	.063	.625	18½	17½	⅛
821	⅝	.063	.625	21½	21	⅛
824	⅝	.063	.625	24½	24	⅛
836	⅝	.063	.625	36½	36	⅛

[1] All sizes may be made with ¾ inch tooth spacing (point to point) or with 2½ teeth per inch, but no producer shall make any sizes with both spacings. Welded and composite blades may be made in these sizes with the cutting edge of molybdenum type or 18-4-1 type.

(a) *Molybdenum type and 18-4-1 type.*[4]

TABLE 3—BROACH BLADES

HAND FRAME SIZES

Nominal dimensions			Actual dimensions					
			Number of teeth per inch					
Length (inches)	Width	Thickness	First	Last	Width before milling	Length over all	Center-to-center of pinholes	Pinhole diameter
	Inches	*Inch*			*Inches*	*Inches*	*Inches*	*Inch*
810	½	0.025	18	14	0.500	10¾	9⅞	5/32
810	½	.025	24	20	.500	10¾	9⅞	9/32
812	½	.025	18	14	.510	12⅝	11⅞	5/32
812	½	.035	24	20	.510	12⅝	11⅞	9/32

POWER SIZES

812	1	0.065	10	6	1.000	12¾	11⅞	9/32
814	1	.065	10	6	1.000	14¾	13⅛	9/32
814	1¼	.065	10	6	1.260	14½	13⅛	9/32

[4] Welded and composite blades may be made in these sizes with the cutting edge of molybdenum type or 18-4-1 type. Such blades shall be made single edge only.

[F. R. Doc. 44-11322; Filed, July 29, 1944; 11:29 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANICS' HAND SERVICE TOOLS, FILES, HACK AND BAND SAWS, VISES, AND MACHINE TOOL ACCESSORIES

[Limitation Order L-216, Schedule VIII]

HARD EDGE FLEXIBLE BACK BAND SAWS

§ 3114.9 *Schedule VIII of Limitation Order L-216—(a) Definitions.* For the purpose of this schedule:

(1) "Hard edge flexible back band saw" means any saw made from strip steel with teeth on one edge, with or without set, the tooth edge of which is hardened or hardened and tempered by any process so that it is harder than some portion of the saw below the gullets of the teeth. These saws are generally classified as metal cutting band saws but as defined here the term includes all such saws irrespective of intended or actual use.

(2) "Producer" means any person who manufactures hard edge flexible back band saws.

(b) *Restrictions on production.* On and after July 29, 1944, no producer shall manufacture, sell, or deliver any hard edge flexible back band saws unless such saws when completed are of the width, thickness, and number of teeth described in Appendix A to this schedule and conform with all other provisions of this schedule and the appendix.

(c) *Exemptions.* Notwithstanding any other provisions of this schedule, its restrictions shall not apply to the manufacture, sale or delivery of the following types of saws:

(1) Any saws the production of which was commenced prior to July 29, 1944 and is completed prior to September 29, 1944.

(2) Any saws which are manufactured for experimental purposes. All such saws, except those ⅛" or less in width, must be stamped or otherwise permanently marked "test" or "experimental." Experimental saws ⅛" or less in width shall be tagged or otherwise identified as "test" or "experimental" in such manner as is practical and does not affect the efficiency of the saw. Experimental saws may not be sold by the producer, but may be delivered by him in reasonable quantities to users for test purposes only, to be returned to the producer with a report of the results.

(3) Any saws which are sold or delivered to the producers of hole saws, provided that the producer of hole saws shall use such saws only for the manufacture of hole saws and shall not sell or deliver any such saws to any person in lengths exceeding four feet.

(4) Any partially fabricated saws which are sold or delivered by one producer to another producer. Such saws when completed and resold shall, however, conform with all of the provisions of this schedule and the appendix.

(5) Any other saws which are sold or delivered in lengths four feet or less.

(d) *Necessity for filing specifications.* Each producer shall file with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VIII, a letter in triplicate, indicating the widths of set and the hardnesses which he has selected for each of the saws which he intends to manufacture under this schedule. This letter should be filed by August 29, 1944. Thereafter, no producer may change the width of set or hardness which he has selected without the specific permission of the War Production Board. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Appeals by users.* Where any provision of this schedule prohibits the production of any hard edge flexible back band saw and a user of such saw believes that this imposes an unreasonable hardship upon him, the user may apply for permission to have production of such saws continued. The user should file a letter in triplicate with the Tools Division, War Production Board, Washington 25, D. C., Ref. L-216, Schedule VIII, giving a detailed description of the special band saw which he requires, the quantity he needs, and the reason why he is unable to use a standard saw.

(f) *Termination of the simplification letter of August 18, 1941.* This schedule supersedes the restrictions imposed by the letter, dated August 18, 1941, signed by the Chief of the Tools Section, Office of Production Management. Authorizations for the manufacture of special band saws which were issued under that letter to designated saw users shall, however, remain in effect, subject to the terms and conditions of such special authorizations, provided that delivery in all such cases is made directly to the person for whom the manufacture of the saws was authorized.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—SCHEDULE VIII TO LIMITATION ORDER L-216

(1) *Type of tooth set.* All band saws having 32 teeth per inch, the teeth of which are set, shall have Wavy set only. All other band saws, the teeth of which are set, shall have Raker set only, except that ⅛-inch band saws with 8 teeth per inch and ⅜-inch band saws with 6 teeth per inch shall have Straight set only; and ¾-inch band saws with 3 teeth per inch and 1-inch band saws with 2, 3, or 6 teeth per inch may have both Raker set and Straight set.

(2) *Width of set.* The width of Raker set and Wavy set for each width, thickness and tooth space of saw permitted in Table 1, the teeth of which are set, shall be according to a single standard of the producer. The width of Straight set shall not be less than 0.061 inch for 0.025-inch thick saws, not less than 0.068 inch for 0.032-inch thick saws, and not less than 0.071 inch for 0.035-inch thick saws.

(3) *Hardness.* The hardness for each width, thickness and tooth space of saw, when tempered or drawn after hardening, shall be according to a single standard of the producer, and the hardness for each width, thickness and tooth space of saw, when not tempered or not drawn after hardening, shall be according to a single standard of the producer.

(4) *Tolerances.* The width after milling of a size shall be the width stated in Table 1 for such size, plus .000 inches or minus 1/64 of an inch. The actual thickness shall be the nominal thickness, plus or minus .001 of an inch.

TABLE 1—HARD EDGE FLEXIBLE BACK BAND SAWS

Width, (inch)	Nominal thickness, (inch)	Number of teeth per inch
1/8	0.025	18, 22.
1/4	.025	14, 18, 24.
3/8	.025	10, 14, 18, 24, 32.
1/2	.025	4, 6, 10, 12, 14, 18, 24, 32.
3/4	.025	8, 10, 14, 18, 24.
1	.025	3, 4, 6, 8, 10, 14, 18, 24.
1	.032	2, 3, 6, 8, 10, 14, 24.
1 1/4	.032	3, 6, 8, 10, 12, 14.
1	.035	2, 3, 6, 8, 10, 14.

[F. R. Doc. 44-11323; Filed, July 29, 1944; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-73, as Amended July 28, 1944]

WOOL

§ 3290.286 *Conservation Order M-73—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* In this order:

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Angora goat (mohair) or the Cashmere goat, camel, alpaca, llama, vicuna, and related fibers, including carpet wool, but does not include noils, waste, tanners' wool waste, reprocessed or reused wool, or yarn or cloth;

(2) "Waste" means the by-product resulting from carding, combing, spinning and subsequent operations on any system, but does not include the by-product resulting from scouring and carbonizing operations;

(3) "Put into process" means:

(i) On the worsted system, the first operation of drawing after combing;

(ii) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding, as the case may be;

(iii) On the woolen, felt, or any other system not using tops, the first operation after scouring, carbonizing, dusting or similar cleaning or preparatory process;

(4) [Deleted Nov. 19, 1943]

(c) *Restrictions.* (1) No person shall put into process any wool other than carpet wool or mohair for the manufacture of any floor covering.

(2) No person shall put into process or use any alpaca or tops therefrom (except alpaca seconds, llama, huarizo, pieces, low offsorts or locks), except for the manufacture of yarns or cloth to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(3) No spinner shall deliver on an unrated order any knitting yarn which he puts into process in the period from May 21, 1944 through July 30, 1944. No spinner shall deliver on unrated orders more than fifty per cent of the knitting yarn which he puts into process in the period from July 31, 1944, through October 29, 1944. (No spinner is hereby relieved from the requirements of Priorities Regulation 1 to accept and fill rated orders placed with him regardless of the percentage of his production covered by such orders.) He shall in each such period produce at least the same proportion of knitting yarn to all other Bradford yarn as he produced in the first calendar quarter in 1944.

In this subparagraph "yarn" means yarn containing wool, produced on spinning, twisting or roving frames on the Bradford system; "spinner" means a person who produced in the first calendar quarter in 1944, or who hereafter produces, such knitting yarn for use by himself or others; calculations shall be in pounds.

(d) *Prohibition against sales or deliveries.* No person shall sell, deliver, or accept any material if he knows, or has reason to believe, such material is to be used in violation of this order.

(e) *General exceptions.* The restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning and weaving of the cloth.

(f) *Equitable distribution.* It is the policy of the War Production Board that wool, noils, waste, tanners' wool waste, and reprocessed or reused wool, and yarns, cloth, felts and products containing any of the foregoing, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard shall be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Reports.* Every person classified below, to whom the form is sent by the War Production Board or by the Bureau of the Census, shall, within the period specified in the reporting form, file with the War Production Board, or the Bureau of the Census, whichever is specified in the form, each form applicable to him, giving the information required, as follows:

Who shall file:	*Form Number*
1. A person in the business of putting into process wool or wool tops, or who has wool or wool tops put into process by another for his account.	WPB-2857 (formerly PD-274).
2. A person in the business of operating woolen, worsted or felting machinery.	WPB-2857, WPB-1420.
3. An owner, or a consignee from a grower, of wool, noils, waste, tanners' wool waste, reprocessed or reused wool.	WPB-295, WPB-370.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-73.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11297; Filed, July 28, 1944; 4:38 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-84, Amdt. 1]

CORDAGE, FIBER, CORDAGE YARN AND CORDAGE

Section 3290.221 *Conservation Order M-84* is amended as follows:

In Schedule A, delete in the End use column "Falls-Lifeboat" as well as the definition and the words "Yes" in the Manila and Agave columns, and substitute:

End use	Definition	Manila	Agave
Falls—Lifeboat, oceangoing ships	A rope used generally in conjunction with a pair of davits, used to raise or lower lifeboats which contain people.	Yes	Yes.
Falls—Lifeboat, coastwise and Great Lakes ships.	Same as above		Yes.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11324; Filed, July 29, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-233, as Amended July 28, 1944]

PHOTOGRAPHIC FILM AND FILM BASE

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of critical materials and facilities used in the production of film and film base for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.265 *Limitation Order L–233—(a) Definitions.* For the purpose of this order:

(1) "Film" means any of the types of photographic film listed in Groups I through VI of paragraph (b) (1).

(2) "Unfinished film" means sensitized film base which requires further finishing in order to put it in a form ready to be sold for exposure.

(3) "Manufacturer" means any person engaged in the business of finishing film, or making unfinished film or film base.

(4) "To finish film" means the final act of putting unfinished film in a form in which it is ready to be sold for exposure. A person who purchases unfinished film and who cuts it, winds it, packages it, or performs any operation on it to put it into such form is finishing film. A person who purchases film which has already been finished and who recuts, respools, rewinds, and repackages it is not finishing film whether he performs any or all of these operations.

(5) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army, Navy, Maritime Commission, War Shipping Administration and any order for export. Orders from the Army or Marine Corps Post Exchanges or the Navy or Coast Guard Ships Service Departments are not preferred orders unless they carry a preference rating assigned on Form WPB–542, applied and, if necessary, extended pursuant to paragraph (c) (3) in this order.

(b) *Restrictions on finishing of film and on delivery of unfinished film and film base.* (1) During the calendar quarter beginning July 1, 1944 and during each calendar quarter after that:

(i) No manufacturer shall finish more film of the following groups:

"Group I"—Amateur and 35 mm. still camera roll film whether packaged in cartridges, spools, or in bulk.
"Group II"—Cut sheet film including film packs and graphic film in roll form but excluding x-ray film.
"Group III"—35 mm. motion picture film.
"Group IV"—8, 16, and 32 mm. film.
"Group V"—X-ray film.
"Group VI"—Aero film.

than according to a quota authorized in writing by the War Production Board; and

(ii) No manufacturer shall sell or deliver more unfinished film or film base in that form than according to a quota authorized in writing by the War Production Board.

(2) Each manufacturer who wants a quota shall file a letter in triplicate with the War Production Board on or before the 10th day of the month before the calendar quarter in which he wishes to finish film or to sell or deliver unfinished film or film base. This letter should show film in the groups listed in paragraph (b) (1), stating the amount of film (to the nearest thousand square feet) he wishes to finish in each group, separately for preferred orders and all other orders. Where request is made for a quota to sell or deliver unfinished film or film base, the letter should specify the amounts involved to the nearest thousand square feet.

(3) Before the start of each calendar quarter the War Production Board will notify each manufacturer who has applied what his quotas are. Quotas for the finishing of film will be assigned separately by group for preferred orders and all other orders. In assigning quotas for the finishing of Group I, Group II, and Group III film, it will be the general policy of the War Production Board not to authorize any manufacturer to finish in any calendar quarter more than 12½% of the Group I film finished by him in 1941 or more than 19% of the Group II or Group III film finished by him in 1941.

(4) The War Production Board will from time to time or upon the request of any manufacturer give the amounts of film by group which each manufacturer is authorized to finish.

(5) The War Production Board may from time to time change any quotas assigned by it and may direct any manufacturer to sell specific quantities of film, unfinished film or film base to specific persons or for specific uses. Any manufacturer who wishes to have a quota adjusted to take care of changing conditions during a quarter may make application to the War Production Board.

(c) *Special restrictions on distribution.* (1) No rating may be used to obtain film unless that rating has been assigned on Form WPB–541 or WPB–542. All other orders for film shall be treated as unrated orders.

(2) Ratings assigned on WPB–541 and WPB–542 (except on orders from the Army or Marine Corps Post Exchanges or the Navy or the Coast Guard Ships Service Departments) shall be applied and extended in the manner provided by Priorities Regulation 3, with the following added to the form of certification: "This rating his been assigned on Form WPB–541 (or WPB–542)".

(3) Ratings assigned on Form WPB–542 on film orders from the Army or Marine Corps Post Exchanges, or the Navy or Coast Guard Ships Service Departments, shall be applied and extended, in the manner provided by Priorities Regulation 3, but shall also bear the appropriate endorsement prescribed in Priorities Regulation 17.

(4) This order restricts the production of 35 mm. motion picture film but no restrictions in this order are applicable to the delivery of such film. The distribution of 35 mm. motion picture film is controlled by Order L–178.

(d) *Reports.* Each manufacturer shall file with the War Production Board on or before the twentieth day of April, July, October, and January Form WPB–1600 according to the instructions for filing that form.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L–233, referring to the particular provision appealed from and stating the grounds of the appeal.

(g) *Applicability of regulations and other orders.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of film, unfinished film, or film base to a greater extent than does this order the other order shall govern unless it states otherwise.

(h) *Communications.* All reports to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–233.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11282; Filed, July 28, 1944; 11:31 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–75, Revocation]

DIPHENYLAMINE

Section 3293.106 *Allocation Order M–75* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Diphenylamine is subject to allocation under General Allocation Order M–300 as an Appendix C material, subject to Schedule 39, issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of diphenylamine prior to September 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–75.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11325; Filed, July 29, 1944; 11:31 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 37]

ULTRAMARINE BLUE

§ 3293.1037 *Schedule 37 to General Allocation Order M–300—(a) Definition.* "Ultramarine blue" means the manufactured blue pigment approximating the composition of natural lapis lazuli. The term includes only those grades known in the trade as CUX, 4186 and 8268, meeting specification TT–U–450, (Navy grade)—Color Index 1290.[1]

(b) *General provisions.* Ultramarine blue is subject to the provisions of General Allocation Order M–300 as an Appendix B material. The initial allocation date is August 1, 1944. The allocation period is the calendar month. The small order exemption without use certificate is 25 pounds per person per month.

(c) *Suppliers' applications on WPB–2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB–2947 (formerly PD–602). Filing date is the 20th day of the month before the proposed delivery month, except that applications for use or delivery in August, 1944 may be filed as soon as possible after July 20, 1944. Send three copies (one certified) to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–37. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names for delivery on uncertified exempt small orders. Fill in Table II.

(d) *Certified statements of use.* Each person placing orders for delivery of more than 25 pounds of ultramarine blue per month in the aggregate from all suppliers shall furnish each supplier with a certified statement of proposed use in the form prescribed in Appendix D of Order M–300. End use should be specified in terms of primary product, specification number and government agency contract number. If the pigment is to be used in marine paints for MRO (maintenance, repair or operating supplies) in accordance with paragraph (d) (2) of Order P–65, the term "P–65 Marine Paints" may be used in place of the contract number. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders" or "for export" (specify destination and export license number).

(e) *One time base period report.* Each person (excluding suppliers) placing his first purchase order, pursuant to this schedule M–300–37, for delivery of more than 25 pounds of ultramarine blue shall within 5 days thereafter file one copy of a one time base period report on Form WPB–3442, with War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–37. Another copy should be retained. The report need only be filed once. Fill in the heading as indicated on the report. Leave section I blank, and fill in only Columns a, b and c of section II. In Column b of section II, actual stocks should be given as of the first of the month in which the report is filed, while in Column c estimated stocks should be given as of the first of the month after the month in which the report is filed.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–37.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11338; Filed, July 29, 1944; 11:30 a. m.]

[1] Society of Dyers and Colourists "Colour Index," Bradford, Yorkshire, January 1924.

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 38]

NAPHTHALENE

§ 3293.1038 *Schedule 38 to General Allocation Order M–300—(a) Definitions.* (1) "Naphthalene" means the chemical compound known by that name.

(2) "Naphthalene bearing oil" means any oil containing 20% or more naphthalene by weight as determined in accordance with paragraph (f) and having a melting point under 70° C.

(3) "Crude naphthalene" means any naphthalene-oil mixture having a melting point of 70° C. or higher but less than 79° C. Grade is determined by the following melting point ranges:

70° C. to less than 74° C.
74° C. to less than 76° C.
76° C. to less than 78° C.
78° C. to less than 79° C.

(4) "Refined naphthalene" means naphthalene or any naphthalene-oil mixture having a melting point of 79° C. or higher.

Crude and Refined Naphthalene Restrictions

(b) *General provisions.* (1) Crude naphthalene and refined naphthalene are subject to the provisions of General Allocation Order M–300 as Appendix A materials. The initial allocation date is June 1, 1942, when naphthalene first became subject to allocation under Order M–105 (revoked). The allocation period is the calendar month. The small order exemption per person per month is 250 lbs. in the aggregate of either crude or refined napthalene, or of any combination of crude and refined naphthalene.

(2) Any person who has been authorized to use naphthalene for a specified purpose may perform all intermediate operations to accomplish that purpose. For example, a person who has been authorized to accept delivery of crude naphthalene to make beta naphthol may refine the naphthalene and use it to produce beta naphthol without further application or authorization.

(3) Prior to September 1, 1944, crude and refined naphthalene shall be delivered, accepted and used on the basis of applications and authorizations hitherto required by Order M–105 (revoked).

(c) *Insecticides and repellents.* (1) Allocations of aggregate quantities of crude or refined naphthalene will be made to producers or refiners for distribution for moth and insect repellent purposes and for agricultural insecticide purposes. This naphthalene may then be prepared and delivered by the producer or refiner and may be received, redelivered and used by any person for these purposes without further application or further authorization under this order, but subject to all other applicable orders and regulations of the War Production Board.

(2) No producer or refiner shall package or process crude or refined naphthalene for repellent or insecticide purposes in advance of receiving an allocation of naphthalene for these purposes. Application for allocation should be made as provided in paragraph (h) below. The refining of naphthalene for these purposes is subject to the restrictions of paragraph (d) (2) below.

(3) Each person ordering over 250 pounds per month of crude or refined naphthalene for resale for any moth and insect repellent purpose, or for any agricultural insecticide purpose, shall furnish each of his suppliers with a signed statement that the naphthalene will be resold for one or both of these purposes (specify which purpose and if both, specify quantity for each). The statement should be followed by the certification prescribed in Appendix D of Order M–300. This statement need be filed only once with each supplier if the purchaser buys naphthalene exclusively for only one of these purposes and if the statement refers to future deliveries. This statement need not be filed when ordering in retail packages of 5 lbs. or less labeled for use as a moth or insect repellent or as an agricultural insecticide.

(4) No supplier who has been allocated crude or refined naphthalene for delivery on exempt small orders of 250 pounds or less shall deliver any part of this naphthalene to any person who he knows or has reason to believe is ordering it for moth and insect repellent or agricultural insecticide purposes.

(d) *Refining.* (1) Crude or refined naphthalene may be delivered and received for further refining to a higher melting point without specific authorization, if the person receiving it certifies to the person delivering it that the naphthalene will be further refined. The certificate should be filed as prescribed in Appendix D of Order M–300.

(2) Crude or refined naphthalene may be refined to remove impurities or to raise the melting point, without specific authorization, if no greater quantity is refined than is required to maintain a minimum practicable working inventory of naphthalene of that degree of refinement and to fill orders for which allocations have been made under this schedule.

Any refining of crude or refined naphthalene not exempt under this paragraph, or under paragraph (b) (2), constitutes a use which must be authorized under this order.

Naphthalene Bearing Oil Provisions

(e) *Refining of naphthalene bearing oil.* No person shall use, deliver or accept delivery of naphthalene bearing oil for any purpose other than further concentration of the naphthalene content or extraction of crude or refined naphthalene. Before delivering naphthalene bearing oil for these purposes the person making delivery must obtain from the person accepting delivery a certified statement that the oil is required for these purposes. The statement should be filed in the form prescribed in Appendix D of Order M-300. Application for exemption from these provisions may be made by letter (three copies) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38, specifying why exemption is requested.

(f) *Test method for naphthalene bearing oil.* The naphthalene content of an oil shall be determined from a representative sample of the oil by the following procedure: (1) The sample of the oil shall be distilled by Method A. S. T. M.-D246-42, and the oil distilled between the temperatures of 170° C and 235° C shall be removed and chilled to a temperature of 15° C plus or minus 1° C for a period of three hours. (2) The free oil shall then be separated from the naphthalene crystals and these crystals shall then be pressed to remove the remaining oil. The crystals shall be weighed, and this weight shall then be compared with the weight of the original naphthalene oil to determine the percentage of naphthalene content.

Applications for Crude or Refined Naphthalene

(g) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver crude or refined naphthalene shall file application on Form WPB-2946 (formerly PD-601). Note that certain deliveries are exempt under paragraphs (c) and (d) (1). Filing date is the 20th day of the month before the proposed delivery month. Separate applications shall be filed for each producing and distributing point. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38. Unit of measure is pounds. Grade shall be specified as "refined" or in the case of crude naphthalene, in terms of the ranges listed in paragraph (a) (3). Group customers by grades ordered. In Table I, first list all customers from whom copies of WPB-2945 applications have been received (including the name of the applicant supplier if he has filed application on Form WPB-2945 for use of his own stock). Second, an aggregate quantity may be requested, without specifying individual customers' names, for delivery on exempt small orders of 250 pounds or less per customer per month. Third, report all customers to whom it is expected exempt deliveries under paragraph (d) (1) will be made, including the name of applicant supplier if he expects to refine some of his own stock. Do not report names of customers exempt under paragraph (c). (If the applicant supplier is a producer or refiner seeking allocation for repellant or insecticide purposes, he should file application under paragraph (h) below). Fill in Table II as indicated, specifying separate quantities for each grade of naphthalene referred to in Column 3 of the application.

(h) *Customers' applications on WPB-2945.* Each person seeking authorization to use or accept delivery of crude or refined naphthalene, and each producer or refiner applying for an allocation of crude or refined naphthalene for moth and insect repellent or agricultural insecticide purposes, shall file application on Form WPB-2945 (formerly PD-600). Note that certain exemptions are provided in paragraphs (c) and (d). Filing date is the 15th day of the month preceding the requested allocation month. File separate sets of forms for each different supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Specify grade as "refined" or, in the case of crude naphthalene, in terms of the melting point range listed in paragraph (a) (3). Fill in Column 2 in terms of the following:

Phthalic anhydride.
Beta naphthol.
Other dye intermediates (specify).
Chlorinated naphthalene.
Oil additives.
Oil treating compounds.
Rubber chemicals (specify).
Chemical manufacturing (specify).
Wetting agents.
Tanning agents.
Moth and insect repellents.
Agricultural insecticides.
Other primary product (specify).
Inventory.
Export.
Resale.

Specify and use in Column 4 (in accordance with paragraph 11-a of Appendix E of Order M-300) and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(i) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to War Production Board.* Communications concerning this schedule shall be directed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-38.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11329; Filed, July 29, 1944; 11:30 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 39]

DIPHENYLAMINE

§ 3293.1039 *Schedule 39 to General Allocation Order M-300*—(a) *Definition.* "Diphenylamine" means phenyl aniline from whatever source derived.

(b) *General provisions.* Diphenylamine is subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is February 1, 1942, when diphenylamine first became subject to allocation under Order M-75 (revoked). The allocation period is the calendar month. The small order exemption per person per month is 50 pounds.

Customers must furnish use certificates when ordering between 50 and 5000 lbs. per month, and must file application on Form WPB-2945 when ordering over 5000 lbs. per month or when applying for specific authorization to use any quantity in inventory.

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to September 1, 1944, will be authorized on the basis of applications filed under Order M-75 (revoked).

Requirements for applications under M-75 and under this schedule are substantially identical except for reference to M-300-39 instead of to M-75, and except for the form of certification on orders for between 50 and 5000 lbs. per month.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-39. The unit of measure is pounds. In Table I, first, list in Column 1 the names of customers who have filed WPB-2946 forms with the applicant and in Column 1a specify "WPB-2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in the certificates; third, specify in Column 1 "Aggregate small order deliveries" and leave Column 1a blank; fill in other columns as indicated. Fill in Table II.

(e) *Customers' specifications on WPB-2945.* Each person seeking delivery of more than 5000 lbs. of diphenylamine per month in the aggregate from all suppliers, or seeking specific authorization to use diphenylamine, shall file application for authorization on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the month for which allocation is requested. Separate sets of forms shall be filed for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-39, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 2 in terms of the following:

Dynamite.	Anti-oxidants.
Smokeless powder.	Resins and plastics.
Diphenyl chloro-arsene.	Protective coatings.
Rubber chemicals (specify).	Other (specify).
Dyes.	Export (as diphenylamine).
Phenothiazine.	Resale (as diphenylamine).
Smear No. 62.	Inventory (as diphenylamine).
Soap	

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in the other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of between 50 lbs. and 5000 lbs. of diphenylamine per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use. Describe proposed use as shown in paragraph (e) above and certify in the form prescribed in Appendix D of Order M-300.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-39.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11330; Filed, July 29, 1944; 11:30 a. m.]

PART 3293—CHEMICALS

[Preference Rating Order P-89, as Amended July 29, 1944]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3293.521 *Preference Rating Order P-89*—(a) *Definitions.* For the purpose of this order:

(1) "Producer" means any person operating a plant engaged in the production of chemicals or allied products, who shall have received a serial number from the War Production Board pursuant to paragraph (b).

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Controlled material" means controlled material as defined in CMP Regulation No. 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(6) "Operating supplies" means any material which is essential to the operation of the producer's plant including, but not limited to, lubricants, catalysts, safety equipment worn by employees, hand tools and small perishable tools: *Provided, however,* That the term operating supplies shall not include;

(i) Any material which is physically or chemically incorporated, at any stage of production, in whole or in part, into any material which the producer manufactures.

(ii) Any material which, at any stage of production, enters into the chemical reaction necessary to the manufacture, or is used in the purification (including, among other things, washes, solvents, extractants, filter aids, and the like) of any material which the producer manufactures.

(7) Material for maintenance, repair and operating supplies shall include:

(i) Material for the improvement of the producer's plant through the replacement of material in the existing installation, but only when such equipment is beyond economical repair.

(ii) Material for the maintenance and repair of pressure cylinders.

(iii) Material, such as hand tools, customarily purchased by the particular employer for sale to his employees for use only in his business, provided such material would constitute an operating supply under established accounting practice if issued to employees without charge.

(iv) Material for maintenance, repair and operating supplies for general offices, branch offices, sales rooms and other facilities essential to the conduct of the business.

(8) In addition, there may be included as maintenance, repair and operating supplies minor capital additions, the cost of which does not exceed $500, excluding the producer's cost of labor, for any one complete addition which has not been subdivided for the purpose of coming within this definition.

Blanket ratings or allotments assigned under this order may be used to obtain material required for rearrangement of an existing installation, for adaptation of an existing installation to a different process, or for installation of new machinery or equipment, if the cost of the required material (not including cost of used material) does not exceed $1000 for each complete job.

Ratings and allotments under this order may also be used to obtain materials for installation or relocation of machinery or equipment permitted by Direction 2 under Order L-41.

(9) In addition, material for maintenance, repair and operating supplies may include material required to avoid losses of production below current rated capacity as a result of manpower losses by installation of labor-saving devices.

(10) "P-89 producer's cost of labor" means the cost of labor performed by employees of a producer registered under this order, and includes the labor cost of a contractor to the extent that the contractor's labor is performed on the premises of the producer.

(11) [Revoked July 29, 1944]

(b) *Application for assignment of serial number.* In order to become a producer subject to this order, any person operating a plant engaged in the production of chemicals or allied products, may apply by letter requesting assignment of a serial number under this order to specified plants. Such letter shall be addressed to War Production Board, Chemicals Division, Washington 25, D. C., Ref: P-89, and shall be accompanied by application on Form WPB-1765.

(c) [Deleted Jan. 14, 1944]

(d) *Assignment of preference rating, allotment symbol and purchase order quota.* (1) The blanket preference rating and allotment symbols under this order shall be those specifically assigned by the War Production Board to each producer on Form WPB-1765, or in some cases by letter. This rating may be applied for services to have the producer's plant, machinery or equipment repaired, as provided in Priorities Regulation 3. No producer shall apply the preference rating or allotment symbol assigned under this paragraph to any order for fabricated parts or material having a unit cost of $1000 or more, excluding the P-89 producer's cost of labor. For the purpose of determining unit cost, an item shall not be subdivided into its component parts. Unit cost shall be computed on the basis of the cost of each item ordered, and not on the basis of the total cost to the P-89 producer for each particular operation requiring maintenance, repair and operating supplies. Applications must be made pursuant to paragraph (e) for preference ratings or allotment symbols for parts or material having a unit cost of $1000 or more.

(2) No producer shall place orders during 1944 for maintenance, repair and operating supplies costing more than 120% of the cost of the maintenance, repair and operating supplies which he ordered during 1943. This refers to orders without ratings or allotments (unless specifically for postwar delivery), and to orders with ratings or allotments assigned independently of this order (as on Form WPB-541, formerly PD-1A), as well as to orders with blanket ratings or allotments under this order, whether for straight maintenance, repair or operating supplies or for minor capital additions or for installation materials under paragraph (a) (8). However, orders for items having a unit cost over $1000 (or

over $500 prior to July 29, 1944) approved upon application on Form WPB–1319 are not included, nor orders approved under paragraphs (e) or (f) of P–89. Orders for items on Lists A and B of Priorities Regulation 3 may be disregarded if not counted among either 1943 or 1944 purchases.

The producer may calculate his 1943 purchases under this paragraph on the basis of his normal accounting practice or on the basis of doubling the estimated dollar value of the quotas specifically assigned to him under this order for the 3rd and 4th quarters of 1943, including revisions.

Each producer must count against his quota all his purchase orders for maintenance, repair and operating supplies placed during 1944, even though he may have registered under P–89 after January 1, 1944.

Application for revision of 1944 quota may be made on Form WPB–1765 as prescribed therein.

(e) *Special applications.* (1) If the producer is unable to secure delivery of materials or services for maintenance, repair or operating supplies, including Class A products, because the preference ratings or allotment numbers or symbols assigned hereunder are insufficient, or because the unit cost limitation would be exceeded, the War Production Board may, upon written or telegraphic request, assign such special ratings or allotments as it deems proper. Such letters or telegrams shall be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: P–89, and shall contain the following information:

1. Plant location and P–89 serial number.
2. Fabricated item(s) or controlled material(s) being ordered. When a Class A product is being ordered specify weight of each controlled material. When controlled materials are ordered specify in what quarter needed.
3. Value of order.
4. How will item(s) be used by you upon receipt of order?
5. If a replacement, is the item a duplicate of the one being replaced? If not, explain the difference. How old is the replaced item?
6. (a) Amount of such material (or equivalent substitute) in inventory. (b) In the case of processing equipment, how many units in service?
7. (a) What is the average life of the item(s) being ordered? (b) How many hours per week is it used?
8. Name and address of the supplier.
9. Purchase order number and date (if placed).
10. Principal end uses of product or products affected.
11. Actual curtailment of entire plant production now.
12. Estimated curtailment of plant production if breakdown occurs before receipt of order.
13. Explain urgency of the order—is it for actual replacement on receipt, for inventory, or for expansion.
14. Requested rating and allotment.
15. Delivery date promised by supplier on basis of rating requested.

(2) If the request under paragraph (e) (1) above is for the kind of Class A facility covered by Direction 34 to CMP Regulation 1, the War Production Board will treat the request as an application under that direction and will, if the request is approved, assign a rating for the purchase of the facility and make an allotment on CMPL–150 of the controlled materials needed to make the facility. When a CMPL–150 is issued under this paragraph, the applicant and the manufacturer of the Class A facility should follow the procedure set forth in Direction 34 (paragraphs (e) and (f) in particular) to CMP Regulation 1, as if the CMPL–150 had been issued under that direction.

(f) *Special ratings for containers.* (1) Steel drums as defined in Limitation Order L–197, cans as defined in Conservation Order M–81, wooden or fibre containers as defined in Preference Rating Orders P–140 and P–146, glass containers as defined in the L–103 series of orders, and all other containers (and container parts) on List B of Priorities Regulation 3, may not be obtained by blanket or special ratings under this order.

(2) Other containers may not be obtained by use of the blanket rating assigned under paragraph (d) of this order, but application may be made to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: Chemicals Packaging Section, for special preference ratings under this order. The application shall be filed by letter in duplicate or by telegram and shall specify:

1. Product to be packaged.
2. Plant location and P–89 serial number.
3. Number of containers requested.
4. Specification of container.
5. Other sizes of containers used to package the product.
6. Average number of containers shipped per month (of the size ordered).
7. What substitute containers have been used or could be used.
8. Inventory position of the requested containers, including both new and used containers, and those out on deposit.
9. Name of container supplier and applicant's order number.
10. Total value.
11. Rating requested.
12. Delivery date promised by supplier on the basis of rating requested.

(g) *Procedure for applying preference ratings and allotment numbers or symbols to purchase orders.* (1) Ratings or allotments assigned under this order may be endorsed on or attached to purchase orders in the following form, signed manually or as provided in Priorities Regulation 7:

------ (Preference Rating) ------ (Allotment number or symbol)
------ (P–89 Serial Number)
Certified under P–89.

---------- (Name of purchaser)	---------- (Address)
By ---------- (Signature and title of duly authorized officer)	---------- (Address)

The certification provided in Priorities Regulation No. 7 may be used as an alternate procedure, provided the above information is added.

(2) An order bearing such certification shall be deemed an authorized controlled material order in the case of controlled materials, and in the case of all other materials shall have the same status as an order bearing an allotment number or symbol for the purposes of CMP Regulation No. 3 and all other applicable CMP regulations.

(3) No producer may apply the ratings assigned by or pursuant to this order to obtain delivery of the items set forth in Lists A and B attached to Priorities Regulation 3, as now or hereafter amended, except where the regulation permits the use of P–89 ratings for a particular item or where ratings are specifically assigned pursuant to paragraphs (e) or (f) of this order for specific kinds and quantities of List B items.

(h) *Inventory diversion.* No producer shall use material for maintenance, repair or operating supplies obtained with ratings or allotment numbers or symbols assigned by or pursuant to this order, except in that portion of his productive facilities to which a serial number under this order has been assigned.

(i) *Inventory restriction.* No producer shall accept delivery of any non-controlled material for maintenance, repair or operating supplies, whether or not obtained with preference ratings or allotment numbers or symbols assigned by or pursuant to this order, which would cause his inventory of such material for maintenance, repair or operating supplies to exceed a minimum practicable working inventory. Inventories of controlled materials held by producers are subject to the provisions of CMP Regulation No. 2.

(j) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time; *Provided, however,* That no producer shall be subject to the provisions of CMP Regulations No. 5 or No. 5A, and no producer shall obtain any material under the provisions of either of said regulations. Privileges under other WPB regulations and orders granted to persons on Schedules I and II of CMP Regulation 5 shall be considered as applicable to producers assigned an equal preference rating under this order (for example, Order E–5–a on gauges and precision measuring tools classifies a person on Schedules I and II of CMP Regulation 5 as an 'approved user'). For the purpose of this order a producer remains a producer from the time a serial number is granted to him until the time when the serial number is expressly revoked by the War Production Board.

(k) *Miscellaneous provisions.*—(1) *Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a producer placing any purchase order or contract rated or assigned a CMP allotment number or symbol hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts, or filed in such manner that they can be readily segregated for such inspection.

(2) *Reports.* The War Production Board may require each producer to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to Federal Reports Act of 1942, and may issue special directions to any producer with respect to preparing and filing Form WPB–1765.

(3) *Budget Bureau approval.* The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D.C.; Ref.: P–89.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11826; Filed, July 29, 1944; 11:30 a. m.]

PART 3293—CHEMICALS

[Preference Rating Order P–89, Revocation of Interpretation 1]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

Interpretation 1 to Preference Rating Order P–89 (§ 3293.521), which concerns application of P–89 ratings to containers and which was issued March 27, 1942, is revoked. This matter is covered by paragraph (f) of Order P–89, as amended.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11837; Filed, July 29, 1944; 11:29 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–591]

CHARLES MANOOG, INC.

Charles Manoog, Inc., a corporation substantially owned and managed by Charles Manoog, is a wholesale dealer in plumbing supplies in Worcester, Massachusetts. On or about September 15, 1943, it accepted delivery of forty-three bath tubs which it had purchased on the previous day at an auction sale, without preference ratings, in grossly negligent violation of General Limitation Order L–79. It sold and delivered four of the tubs on or about October 11, 1943, to a retail dealer in Portland, Maine, without a rated order, in wilful violation of Order L–79, and seven of the tubs on or about October 16, 1943, to Louis M. Kortick, a plumber, of Providence, Rhode Island, upon a consumer's P–84 certification stamped on the order by one of the company's salesmen, which he had reason to know was not true, in violation of Preference Rating Order P–84. On or about February 10, 1944, it delivered a Class B oil burner to a consumer for installation, which was not for replacement or a new installation for which the Petroleum Administrator for War had specifically approved delivery of fuel oil. This was a wilful violation of General Limitation Order L–74 in that the sale was in reckless disregard of the provisions of Order L–74.

Suspension Order S–151 was issued against the company on November 23, 1942. Its course of conduct demonstrates that it is an inefficient and wasteful conduit of scarce materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.591 *Suspension Order No. S–591.* (a) Deliveries of material to Charles Manoog, Inc., its successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order and no preference rating shall directly or indirectly be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this suspension order shall not apply to orders for maintenance or repair (excluding minor capital additions) as defined in CMP Regulations (as amended from time to time), nor to orders bearing a preference rating of AA–2X or higher.

(c) Nothing contained in this order shall be deemed to relieve Charles Manoog, Inc., and Charles Manoog individually, and their respective successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 29, 1944, and shall expire November 29, 1944.

Issued this 22d day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11879 Filed, July 29, 1944; 5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–592]

LOUIS M. KORTICK

Louis M. Kortick of 45 Pembroke Avenue, Providence, Rhode Island, is a dealer in plumbing supplies. On or about October 16, 1943, he accepted delivery of seven bathtubs from Charles Manoog, Inc., Worcester, Massachusetts, which he obtained upon a purchase order which either had no preference rating or a rating of AA–5 which he knew he was not entitled to apply or extend. The order also contained Kortick's certification that the equipment was needed by him to replace equipment worn out, damaged beyond repair or destroyed; this certification was not true for the bathtubs were purchased for Kortick's inventory as a dealer for the purpose of resale.

The acceptance of delivery of this plumbing equipment on an order not rated A–10 or higher was in violation of General Limitation Order L–79, and the execution of the false certificate was in violation of Preference Rating Order P–84. Louis M. Kortick was aware of these two orders governing his business and the violation of General Limitation Order L–79 was the result of gross negligence and the violation of Preference Rating Order P–84 was wilful. These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that

§ 1010.592 *Suspension Order No. S–592* (a) Deliveries of material to Louis M. Kortick, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned,

applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this suspension order shall not apply to orders for maintenance or repair (excluding minor capital additions) as defined in CMP Regulation 5 (as amended from time to time), nor to orders bearing a preference rating of AA-2X or higher.

(c) Nothing contained in this order shall be deemed to relieve Louis M. Kortick, his successors or assigns, from any restrictions, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on July 29, 1944, and shall expire on September 29, 1944.

Issued this 22d day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11380; Filed, July 29, 1944; 5:00 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-594]

EL CAMPO RICE MILLING CO., INC.

El Campo Rice Milling Company, Inc., El Campo, Texas, is a corporation engaged in the sale of rice and the manufacture and sale of mixed feeds in which molasses is customarily used as an ingredient. During the first three calendar quarters of 1943, it accepted delivery of 11,611 gallons of molasses in excess of the quota permitted by General Conservation Order M-54, but during the fourth calendar quarter it accepted delivery of 136 gallons less than its quota, so that its net receipts for the year 1943 exceeded its quota by 11,475 gallons of molasses, in violation of General Conservation Order M-54. During the first three calendar quarters of 1943, it used or consumed 13,267 gallons of molasses in excess of the quota permitted by General Conservation Order M-54, but during the fourth calendar quarter it used or consumed 3,776 gallons less than its quota, so that its net use or consumption for the year 1943 exceeded its quota by 9,491 gallons of molasses, in violation of General Conservation Order M-54. The responsible officials of El Campo Rice Milling Company, Inc., were familiar with the provisions of General Conservation Order M-54 and its actions were so grossly negligent that they must be deemed to constitute wilful violations of that order.

These violations of General Conservation Order M-54 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.594 *Suspension Order No. S-594.* (a) El Campo Rice Milling Company, Inc., its successors or assigns, during the third and fourth calendar quarters of 1944 shall reduce its total acceptance of delivery and use of molasses by 9,491 gallons under the quota it would otherwise be entitled to accept delivery of and use under General Conservation Order M-54 (as amended from time to time), unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve El Campo Rice Milling Company, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 29, 1944, and shall continue in effect until December 31, 1944.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11381; Filed, July 29, 1944; 5:00 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 24]

PURCHASE OF MACHINE TOOLS, MANUFACTURING MACHINERY, AND SIMILAR EQUIPMENT NEEDED FOR CIVILIAN PRODUCTION

§ 944.450 *Priorities Regulation 24*—(a) *What this regulation does.* This regulation tells how purchase orders for machine tools, manufacturing machinery, and similar equipment may be placed by companies who wish to get ready for the resumption or expansion of civilian production when this is possible without interfering with war or essential civilian production. Where suitable existing equipment is not available, this regulation modifies the restrictions on the acceptance and filling of unrated purchase orders which are imposed by the WPB orders listed at the end of this regulation. It is the policy of the War Production Board to encourage the purchase of such equipment primarily from existing excess stocks as they may be made available in order to avoid using scarce materials in making additional new equipment. When these are not available, it is the policy of the War Production Board to permit the placing of unrated orders for new equipment which will be needed for civilian production as long as the filling of these orders does not interfere in any way with direct or indirect war production. This regulation also explains when ratings may be assigned to orders for equipment needed for civilian production.

(b) *Removal of restrictions on placing, acceptance and delivery of certain purchase orders.* The various WPB orders shown on List A at the end of this regulation forbid the sale of items which they cover to fill unrated orders. Some of them require a rating before a purchase order may be placed and accepted, while others require a rating before an item may be produced or delivered to fill a purchase order. Many of them contain both kinds of restrictions. They may also require a special WPB form. This regulation overrides these restrictions and unrated purchase orders may now be placed, accepted and filled for items covered by the WPB orders mentioned in List A. This elimination of restrictions is subject to the following:

(1) The buyer must obtain the approval of the War Production Board as explained in paragraph (c) before he places the unrated purchase order.

(2) No producer of products covered by WPB orders on List A who accepts unrated orders under this regulation may put into production any unrated orders for such products without getting specific permission from the War Production Board. A producer who wants to begin production on unrated orders may apply for permission by filing Form WPB-3996 with his nearest War Production Board office.

(c) *How a purchaser gets WPB approval to place unrated orders.* A person who wishes to place an unrated order in spite of the restrictions of the WPB order on List A may apply for War Production Board approval by filing a letter in triplicate with his nearest War Production Board field office with a list in triplicate attached giving a description of the equipment which he wishes to get including make, type, size, and approximate price. Approval of the War Production Board will be given on Form GA-1977 if it finds that no suitable existing excess equipment is available. Upon receiving War Production Board approval, the person placing the unrated order must endorse the following statement on his purchase order, signed either manually or as provided in Priorities Regulation 7: "This order approved by the War Production Board in accordance with Priorities Regulation 24." The standard form of certification contained in Priorities Regulation 7 may not be used. Approval by the War Production Board under this paragraph does not give the purchase order a rating of AA-5 under Section 944.1 (b) of Priorities Regulation 1.

(d) *Record of unrated orders.* The War Production Board may wish to find out how much business a producer of any item covered by a WPB order on List A has accepted under paragraph (c). Each producer of equipment subject to any WPB order on List A must keep unrated purchase orders placed under this regulation filed so that they can be readily segregated and examined.

(e) *Effect of other WPB orders and regulations.* (1) This regulation does not relieve anyone from complying with the requirements of Priorities Regulation 1 with respect to the compulsory acceptance and filling of rated orders in preference to unrated orders.

(2) If an unrated order under this regulation is put into a production schedule it shall not become a part of any "frozen" schedule in spite of Priorities Regulation 18 or other War Production Board order, but shall be subject to postponement in favor of rated orders in accordance with Priorities Regulation 1.

(3) Attention is called to the fact that this regulation does not authorize any construction contrary to the provisions of Construction Order L-41.

(4) Except to the extent specifically provided in this regulation, it does not waive the restrictions or conditions of any other order or regulation of the War Production Board.

(f) *Other cases where unrated orders allowed.* Many types of machinery and equipment, including most jigs, dies, fixtures and special tooling, are not subject to a WPB order limiting or restricting the placing or filling of orders. Consequently, unrated orders for these items have always been permissible where they can be filled without interference with rated orders as provided in Priorities Regulation 1. Many types of machinery and equipment may be bought under Priorities Regulation 13 from somebody who is not in the business of selling such machinery and equipment without any preference rating or other authorization. Permission under this regulation is not required in the case of such purchases.

(g) *Ratings for equipment required for civilian production.* (1) The policy of the War Production Board is not to grant any ratings for equipment needed for resumption or expansion of civilian production where this equipment can be obtained out of existing available stocks or where unrated orders for it can be filled within a reasonable time. However, where this is not the case, and the equipment takes a long time to produce, the War Production Board will consider applications for ratings both for equipment covered by the WPB orders mentioned in List A and for other types of equipment.

(2) If you need equipment for war production or for civilian production which is currently authorized by the War Production Board during the war, you may apply for a rating in accordance with existing procedures and without regard to this regulation. However, if you want equipment for operations which are neither directly related to the war effort nor currently authorized by the War Production Board, you cannot get a rating except by applying on Form WPB-1319 to your War Production Board field office in accordance with the instructions printed at the end of this regulation. This is so whether the equipment you need is covered by the WPB orders on List A or not.

(3) If the War Production Board grants a rating under this regulation, it may be applied only for the make of equipment shown in the application Form WPB-1319. The rating may be applied by use of the standard certification in Priorities Regulation 7 but the following statement must be added: "This rating applied pursuant to Priorities Regulation 24." Such an order may be accepted and filled in spite of any War Production Board order requiring approval on a special form.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

E-1-b Machine tools.
E-9 Precision measuring instruments and testing machines.
E-11 Foundry equipment and metal melting furnaces.
L-89 Elevators and escalators.
L-123 General industrial equipment.
L-193 Conveying machinery and mechanical power transmission equipment.
L-221 Electric motors and generators.
L-226 Printing trades machinery.
L-250 Electric motor controllers.
L-263 Oxy-acetylene apparatus.
L-287 Portable conveyors.
L-286 Resistance welding equipment.
L-311 Logging, lumber and wood products machinery and equipment.
L-314 Lubrication equipment.
L-333 Container machinery.

INSTRUCTIONS FOR FILING FORM WPB-1319 (SEE PARAGRAPH (g))

Follow the general instructions appearing in the WPB-1319 instruction pamphlet except to the extent the instructions printed here conflict. The following general instructions will be added to the pamphlet as paragraph (12). When the new instructions are added to the pamphlet they will supersede the instructions printed here.

12. *Applications filed pursuant to Priorities Regulation 24.—General.* Four copies of applications under this regulation must be filed with the nearest WPB field office. You must use a single WPB-1319 for all items of equipment controlled by a single WPB order, or if the items are not controlled by a WPB order, by a single WPB division. Separate forms must be used for items controlled by separate WPB orders or by separate WPB divisions if there is no order. If you are not sure what WPB order or division controls the equipment, consult your nearest WPB office or the WPB publication "Products and Priorities." If possible, file together all applications for equipment required to produce one class of product. If you are unable to file these together, state this in item 20. If you are going to buy from several different suppliers equipment which may be included in a single application, you are not required to file separate applications for each supplier but may file one application.

The authorization on WPB-1319 limits you to the make of equipment shown but you may purchase this from any supplier. If you find that you can obtain sooner a make of equipment different than the one authorized, you may file a letter in duplicate with the War Production Board, Washington 25, D. C., identifying the case number and industry division listed in your original WPB-1319 application and requesting an amendment of the authorization.

Even if the installation of the equipment for which you are applying requires construction as defined in Order L-41, you must nevertheless use form WPB-1319 for the equipment. Note however that approval of your WPB-1319 does not remove the necessity for any approval of construction which may be required by Order L-41.

Special Instructions. Disregard the *special* instructions for individual items of equipment set forth in the WPB-1319 instruction pamphlet.

Do not fill in blocks 10, 13, 14, 16, 17B, or 19.

In block 6, insert "Priorities Regulation 24" and the WPB order, if any, controlling the equipment.

In block 7, state the industry division controlling the equipment.

In block 8, check the second space (marked "to receive").

In block 18, state also any efforts you have made to get the equipment on an unrated order and why such efforts were not successful.

In block 20, state:

(a) The approximate dollar value of equipment not covered by this application which is needed to resume or increase civilian production and for which preference ratings are necessary;

(b) The approximate dollar value of necessary equipment you can obtain without the use of preference ratings whether new or from excess stocks;

(c) Why you consider this equipment vital to your resumption or increase in civilian production;

(d) Any other pertinent information.

[F. R. Doc. 44-11378; Filed, July 29, 1944; 4:59 p. m.]

PART 933—COPPER

[Supplementary Order M-9-c-4, as Amended July 31, 1944]

INSTALLATION AND SALE OF PIPE, TUBING AND BUILDING MATERIAL [1]

§ 933.15 *Supplementary Conservation Order M-9-c-4*—(a) *Definitions.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy metal. It shall include alloy metal produced from scrap.

(3) "Copper or copper base alloy pipe or tubing" means any pipe, tube or tubing into which there has been incorporated any copper or copper base alloy (except as plating) or where the item contains less than 25% of copper or copper base alloy by weight).

(4) "Copper or copper base alloy building material" means any brass mill product [2] of the following types: Sheet,

[1] This order used also to apply to certain plumbing fixture fittings and trim. The use of copper or copper base alloy in the manufacture of all items of plumbing fixture fittings and trim is prohibited or restricted by Order M-9-c and Order L-42, Schedules V and XII. The change in this order releases for use only finished items. For restrictions on the manufacture and installation of copper and copper base alloy screening, see Conservation Order M-9-c.

[2] Order M-9-c prohibits the manufacture of many fabricated building materials from copper products or copper base alloy products.

plate, roll, strip, rod, bar, extruded shapes and wire into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 25% of copper or copper base alloy by weight).

NOTE: Paragraph (4) formerly paragraph (3) redesignated, July 31, 1944. Former paragraph (4) deleted July 31, 1944.

(b) *Restrictions on installations of certain copper products*—(1) *Restrictions.* Installation of certain copper and copper base alloy products is prohibited notwithstanding any contract or agreement of any person to make the installation and notwithstanding any preference rating or CMP allotment, in the following instances:

(i) The installation in place, of any copper or copper base alloy building material in or on any building or structure, or in or on any cooling tower or water tower.

(ii) The installation in place, for plumbing, heating or cooking purposes, of any copper or copper base alloy pipe or tubing, in any building or structure.

(iii) The installation in place, whether inside or outside of a building, of any copper or copper base alloy pipe or tubing in any water supply or water distribution system, in any water sprinkling system, in any underground gas supply or gas distribution system, or in or on any cooling tower or water tower.

(2) *Exceptions.* Notwithstanding the prohibitions against installation of paragraph (b) (1):

(i) Copper or copper base alloy building material may be installed in place when necessary to replace in or on a building, structure or system, like worn out items of copper or copper base alloy building material.

(ii) Copper or copper base alloy pipe or tubing in the possession of the person owning a building, structure or system, or in the inventory of a plumber, jobber, distributor, or warehouse other than a brass mill warehouse (which is authorized to replace deliveries from stock under the provisions of letter BM–36 (WPBI–505–Brass Mill warehouse replacement orders) of July 23, 1943), (a) may be installed in place when necessary to replace in, or on such building, structure or system, like worn out items of copper or copper base alloy pipe or tubing; and (b) may be installed in place when necessary to connect a new water heater which is being installed to replace a water heater worn out and damaged beyond repair, provided that copper or copper base alloy pipe or tubing was similarly used in the installation which is being replaced.

(iii) Copper or copper base alloy pipe and tubing which were, on January 1, 1944, in the inventory of a plumber, may be connected by the plumber in whose inventory the material was on that date, to a water supply or water distribution system or to any underground gas supply or gas distribution system, if the pipe or tubing are to be used both underground and outside of a building; and copper or copper base alloy pipe and tubing which were, on January 1, 1944, in the inventory of a water or gas utility may be connected by a utility to a water supply or water distribution system or to any underground gas supply or gas distribution system, if the pipe or tubing are to be used both underground and outside of a building.

(iv) Copper or copper base alloy tubing may be installed in place in a heat exchanger for a cooling tower.

(v) Copper or copper base alloy building material pipe and tubing purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration may be installed in place: *Provided, however,* That nothing in this order shall supersede any applicable instructions to any officers of the foregoing, including without limitation the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy, or the List of Prohibited Items for Construction Work dated April 1, 1942, issued by the Army and Navy Munitions Board, as amended from time to time.

(vi) Copper or copper base alloy building material, pipe and tubing may be installed in place, upon the written authorization of the War Production Board, authorizing the specific installation. Applications for such authorization may be made by letter setting forth the reasons why the person applying believes such material should be installed in or connected to a structure or system. If the applicant is applying for authorization to begin construction on Form WPB–617, he may apply for authorization under this order on that Form or in a supplemental letter attached thereto, and need not make a separate application.

(c) *Restrictions on delivery.* Notwithstanding any contract or agreement to the contrary or the receipt of any CMP order or a preference rating, no person shall deliver, sell or otherwise dispose of any copper or copper base alloy building material, pipe or tubing, if it is to be used for a purpose prohibited by this order; and no person shall accept delivery or a transfer of, or purchase, such building material, pipe or tubing unless the person making the delivery, sale or other disposition was permitted to do so. The foregoing shall not prevent:

(1) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by, a brass mill or a person regularly engaged in the business of selling copper or copper base alloy scrap.

(2) Delivery, sale or disposal to, or acceptance of delivery or transfer by or purchase by Defense Supplies Corporation, Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Act as amended (except Defense Plant Corporation) or any person acting as agent for any such corporation (except Defense Plant Corporation).

(3) Delivery, sale or disposal to, or acceptance of delivery or of transfer by or purchase by, any person upon the written authorization of the War Production Board permitting the specific delivery sale or disposal. Applications for authorization may be made by the person seeking to make delivery, sale or disposal, by letter setting forth the reasons why the person believes such material should be delivered, sold or otherwise disposed of.

(d) *Restrictions on sale and use of nails, tacks, screws, nuts, bolts, rivets, washers, and expansion shields.* (1) No manufacturer, warehouse, store or outlet, other than a retail store or retail outlet, shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA–5 or higher.

(2) No retail store or retail outlet shall sell or deliver, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers or expansion shields except on a preference rating of AA–5 or higher. However, each store or outlet may sell such products to fill unrated orders or orders rated lower than AA–5 provided that the total sales of such products after December 31, 1943, to fill unrated orders or rated lower than AA–5, does not exceed $25 in amount.

(3) No person engaged in the business of building or repairing a building, structure, cooling tower or water tower, and no corporation or other organization, shall install in place, without the specific authorization in writing of the War Production Board, any copper or copper base alloy nails, tacks, screws, nuts, bolts, rivets, washers, or expansion shields in a building, structure, cooling tower or water tower.

(4) The foregoing restrictions of this paragraph (d) are not applicable if the items have been placed in packages with builders' finished hardware items, such as locks and hinges, prior to June 24, 1943, for the purpose of attaching or installing the hardware, nor to iron or steel items which are plated or washed with copper.

(5) Application for specific authorization under this paragraph (d) shall be made by letter setting forth the reasons why the person applying believes the nails, tacks, screws, nuts, bolts, rivets, washers and expansion shields should be installed, or be sold or delivered to fill unrated orders or orders rated lower than AA–5.

(e) *Communications to the War Production Board.* All requests for authorization and communications referring to this order, shall unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C. Reference: M–9–c–4.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11418; Filed, July 31, 1944; 11:08 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–341]

COMMERCIAL TYPE ELECTRIC MOTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of electric motors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.140 *Limitation Order L–341*—(a) *Purpose and scope.* This order applies only to the following kinds of new electric motors (not including electric generators, but including such motors furnished in motor-generator sets):

(1) Fractional horsepower AC motors of all sizes and types, including universal (AC–DC) motors, except specially designed airborne and shock proof shipboard types; and

(2) Single phase AC motors in sizes one to five horsepower, inclusive, except specially designed airborne and shock proof shipboard types.

Motors of the kinds described above are referred to in this order as "commercial motors". Persons who wish to get more than certain quantities of commercial motors in any calendar quarter from all sources for any purpose except resale as such, must file an application with the War Production Board. Unless the Board takes some action upon the application by notice in writing to the applicant, he may continue to receive all motors which he has ordered and may continue to place his orders in advance, to the extent permitted by other orders and regulations of the Board.

This order also requires commercial motors obtained with ratings assigned on Form WPB–547 to be distributed after August 15, 1944 only for replacement purposes or for use by farmers.

(Additional rules concerning deliveries and receipts of these and other types and sizes of motors are contained in Limitation Order L–123 relating to fractional motors, Limitation Order L–221 relating to integral motors, and General Scheduling Order M–293).

(b) *Applications required for receipt of over 450 fractionals or 75 integrals per quarter.* Every person who has ordered or hereafter orders, for delivery from all of his suppliers during any one calendar quarter, a total of more than four hundred and fifty (450) fractional horsepower AC motors, or more than seventy-five (75) single phase AC motors in sizes one to five horsepower, must file application with the War Production Board if such motors are to be used for any one or more of the following purposes:

(1) For his own installation and use; or

(2) For incorporation into other products which he makes; or

(3) For sale as a driving unit or accessory for other products which he makes or purchases (even though the motors are not actually incorporated into such other products by him). A person who receives motors for this purpose, and also for distribution separately as such, need not file the application for those which he will distribute separately. If he is unable to know what number he will distribute separately, he must assume that the number he will sell as a driving unit or accessory will be equal to the number of items of such other products which he has ordered for delivery to him without motors, or plans to produce, during the same period. (If he has ordered less motors than the number of items of such other products which he will receive without motors or make during the same period, he must consider the entire quantity of motors as being ordered for sale as a driving unit or accessory.)

Use Form WPB–3825. Application must be made by the purchaser on Form WPB–3825, prepared in accordance with the instructions for that form. The applications must be filed on or before the 10th day of September, 1944, the 10th day of December, 1944, and so on quarterly. Each application must show all unfilled orders (whether previously reported or not).

Application required in addition to ratings. Any person who now or at any future time has outstanding unfilled orders for such motors for delivery during any immediate or future calendar quarter in quantities in excess of those stated above, is forbidden to receive any of them after September 10, 1944, even though he has a preference rating for them or has been authorized to receive them under some other order, regulation or certificate of the War Production Board, if he does not file the application on or before the dates indicated. However, if he reduces, postpones or cancels his orders to the extent necessary to bring all of his requested deliveries during each calendar quarter within the quantities specified above, and does not receive deliveries from his suppliers in excess of those quantities, he need not file the application.

This order applies also to intra-company receipts. The application must be filed to permit receipts by one department (a branch, division, or section) of a single organization from another department of the same organization when the motors are to be used by the department receiving them for any of the three purposes stated above, if that department's receipts in any quarter are to exceed the quantities indicated.

If requirements increase after filing dates. If any person who has not requested delivery of more than the quantities stated above during any calendar quarter, at the time required for filing, should after that time increase the quantities requested in any quarter to an amount in excess of that stated above, he must file the application immediately and may not receive delivery of any of the increased amount until at least fifteen days after he has filed.

Restrictions on suppliers. If any motor supplier knows or has reason to believe that any customer of his who should file an application under this order has not done so, he may not make any deliveries of such motors to such purchaser. If he knows or has reason to believe that a customer of his has been directed by the War Production Board to reduce, postpone or cancel his orders, by a direction issued pursuant to (d) below, and that the customer has not done so, he may not deliver commercial motors to the customer in excess of the quantities authorized by the direction. The War Production Board will notify the supplier when such a direction is issued to a customer of his.

Persons who supply motors, as such, do not file. This order does not apply to receipts of motors by a distributor or other supplier of motors which are intended to be and are resold as such by him (and are not to be utilized by him for any of the purposes stated in (1), (2), or (3) above). It does apply, however, to any person who receives motors from a motor supplier for any of the purposes stated.

(c) *Receipt of motors by a purchaser who has filed the application.* Unless otherwise notified by the War Production Board by action on his application, a purchaser who has filed his application may receive motors during the calendar quarter following his application, and may place orders or leave in effect orders previously placed for delivery of motors in future quarters, subject to any other applicable order, regulation or certificate of the War Production Board.

(d) *Individual directions.* The War Production Board may issue directions to any such purchaser requiring him to reduce, postpone or cancel his unfilled orders for delivery of such motors when it finds (1) that the deliveries which he has requested appear to be in excess of the minimum practicable amounts required to fulfill his authorized production schedules or in excess of the prac-

ticable minimum working inventory reasonably necessary to meet deliveries of the products which he produces or distributes, or (2) that some adjustment in receipts is necessary in order to distribute the available production of such motors equitably between him and other purchasers or assure the fulfillment of War Production Board programs.

If it is found that the aggregate of shipments requested are continuing in excess of the aggregate production, it will be the policy of the Board to require reductions in receipts of such motors to such extent as may be necessary to bring requested shipments and production in balance. As the motors covered by this order are more or less standardized types, the factors referred to in Interpretation 7 of Priorities Regulation 1 (Minimum Sale Quantities and Production Runs) will normally not be considered as justifying receipts in excess of the purchaser's minimum requirements.

(e) *Commercial motors distributed by WPB–547 ratings to be sold and used only for replacement purposes or for use by a farmer.* (1) Any distributor who gets, or has gotten, any commercial motors with ratings assigned on Form WPB–547 (formerly PD–1X) must not deliver any of them after August 15, 1944 unless he has marked each one, before delivering it, with a stamp or durable tag firmly attached to it and containing substantially the following statement in easily readable lettering:

This motor allocated by WPB and to be sold and used only as a replacement, or for use by a farmer. See WPB Order L–541.

After August 15, 1944 no distributor may deliver any commercial motors obtained with a WPB–547 rating if he knows or has reason to believe that the motors will be resold or used for any purpose except for replacement purposes, or for use by a farmer.

"Farmer" has the same meaning in this order as in Priorities Regulation 19.

(For the rules as to deliveries of fractional horsepower commercial motors to farmers, see Priorities Regulation 19 and Order L–123; as to integral horsepower commercial motors, see Order L–221).

(2) Any dealer, repair shop, ultimate consumer or other person who receives a commercial motor identified with the marking required under (e) (1) above, or which he knows or has reason to believe should be so marked, must not knowingly deliver, install or use it except to replace a worn out or defective motor, or for use by a farmer. The marking shall not be removed until the motor is installed.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: General Industrial Equipment Division, War Production Board, Washington 25, D. C., Ref.: L–341.

NOTE: The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11415; Filed, July 31, 1944; 11:07 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–277 as Amended July 31, 1944]

VEGETABLE TANNING MATERIALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported and domestic vegetable tanning materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.281 *General Conservation Order M–277*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all the applicable provisions of all the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Vegetable tanning materials" means the materials and extracts (including blends and combinations thereof) on the following list:

Domestic raw materials and extracts

California oak bark
Chestnut oak bark
Chestnut wood
Hemlock bark
Sumac

Foreign raw materials and extracts

Algarobilla (pods)
Divi-divi (pods)
Gambier
Hemlock bark
Mangrove bark
Myrobalans (nuts)
Quebracho wood
Sumac
Tara pods
Tara powder
Urunday
Valonia beards and cups
Wattle or mimosa bark

(3) "Processor" means any person who consumed during 1942, or who hereafter consumes, more than 500 tan units of chestnut extract or more than 2,500 tan units of all vegetable tanning materials during any one calendar month for the production of leather, furs, pharmaceuticals, crude petroleum oil or any product for treating water, or for any other purpose.

(4) "Inventory" means a processor's vegetable tanning materials within the continental United States (the 48 States and the District of Columbia), including materials in customs bond destined for use in the continental United States, except:

(i) Tan yard liquors.

(ii) Domestic wood, bark or other extract producing raw materials not yet delivered to the purchaser thereof.

(5) "Tan unit" means one pound of 100% tannin as determined by the analytical methods of the American Leather Chemists Association.

(6) "Tan yard liquor" means an aqueous infusion of vegetable tanning materials currently being used in contact with hides and skins to produce leather.

(7) "Supplier" means any person who produces vegetable tanning materials and any person (including a dealer but excluding governmental corporations) who purchases such materials for resale, with or without alteration or blending.

(c) *Non-applicability of inventory restrictions in other regulations and orders.* No person shall be subject to any inventory restrictions contained in any other regulation or order of the War Production Board in making or accepting deliveries of vegetable tanning materials: *Provided, however,* That no processor shall sell or deliver any part of his present or future inventory of any vegetable tanning material except as provided in Priorities Regulation No. 13.

(d) *Restrictions on the use of tanning materials.* Except as specifically permitted by the War Production Board in writing, (1) No processor shall use any vegetable tanning material for any purpose other than the following:

(i) The processing of leather.

(ii) The manufacture of pharmaceutical products.

(iii) The manufacture of tannic, gallic and pyrogallic acid.

(iv) The manufacture of water treatment materials (not containing chestnut extract).

(v) The drilling of wells by the petroleum industry (using only quebracho or urunday extract).

(2) [Deleted Nov. 25, 1943]

(e) *Restrictions on deliveries of chestnut extract.* (1) [Deleted July 31, 1944.]

(2) No supplier, except as may be authorized by the War Production Board, shall sell or make any delivery of chestnut extract (i) to any processor (ii) to another supplier, or (iii) to his own tannery or processing or blending plant. Application for such authorization shall be made by the supplier on Form WPB–3356 on or before the 15th day of the month preceding that during which he wishes to make delivery. Processors who desire to obtain chestnut extract should submit their purchase orders to their suppliers on or before the fifth day of the month preceding that during which delivery is desired.

(3) In authorizing deliveries to processors, the War Production Board will be guided by:

(i) The purpose for which the chestnut extract is to be used;

(ii) The quantities of hides and skins available to such processors, if such processors are tanners;

(iii) Current inventories of chestnut extract.

(4) In authorizing deliveries to suppliers, the War Production Board will be guided by:

(i) The purpose for which the chestnut extract is to be used;

(ii) Past purchases of chestnut extract by a given supplier relative to the total production of chestnut extract during the same period.

(5) Conditions relating to the use of chestnut extract may be made a part of any allocation.

(f) *Restrictions on use of chestnut extract in blends and sale thereof.* No supplier shall increase the proportion of chestnut extract in any blend for resale over the proportion used for such purposes during the calendar year 1942.

(g) *Equitable distribution.* In making sales or deliveries of any vegetable tanning material, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and credit requirements, or between customers' and his own consumption of said materials.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M–277.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(l) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A [Deleted Nov. 25, 1943]

[F. R. Doc. 44–11420; Filed, July 31, 1944; 11:08 a. m.]

PART 3293—CHEMICALS

[Conservation Order M–53, as Amended July 31, 1944]

PRINTING INK

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of printing ink for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3293.86 *Conservation Order M–53*—(a) *Definitions* (1) "Producer" means any person engaged in the manufacture of printing inks for sale to others or for his own consumption, but does not include the Government Printing Office or the Bureau of Engraving and Printing of the United States.

(2) "Printing ink" includes any fluid or viscous material or composition of materials used in printing, impressing, stamping or transferring upon paper or paper-like substances, wood, fabrics or metals by the recognized mechanical reproductive processes employed in printing, publishing and related service industries.

(3) "News ink" means any black ink made from mineral oil and carbon black, with or without rosin, used in the production of newspapers and newspaper comic supplements. The term shall not include ink used in the production of daily or weekly newspaper magazine supplements.

(4) "Non-scratch ink" means an ink containing resins for the purpose of increasing hardness and reducing abrasion.

(b) *Restrictions on use.* In the manufacture of printing ink, no producer shall:

(1) Use a toner of any form in news ink.

(2) Use any alkali blue or other organic toner as a toner for black ink in excess of eight percent (8%), by weight, of such black ink where such alkali blue or other organic toner is in paste form or, where in the form of dry color, then in excess of four percent (4%), by weight, of such black ink.

(3) Use any glycerol phthalate resins for the production of any gloss ink, non-scratch ink or gloss overprint varnish: *Provided, however,* That nothing contained in this paragraph (b) (3) shall restrict the use of varnishes containing such resins in the inventories of ink producers, printers, or manufacturers of varnishes for the printing ink industry, where such varnishes were manufactured prior to March 30, 1942, for use in the manufacture of printing ink.

(c) *Prohibitions against sales or deliveries of materials.* No person shall hereafter sell or deliver any of the materials named in paragraph (b) hereof to any other person if he knows or has reason to believe such material is to be used in violation of the terms of this order.

(d) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, with the appropriate field office of the War Production Board. The appeal should refer to the particular provisions appealed from and state fully the grounds of the appeal.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* Except as provided in paragraph (d) (2), all communications concerning this order shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–53.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11419; Filed, July 31, 1944; 11:08 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4501—COMMUNICATIONS

[Utilities Order U–9, Direction 1]

The following direction is issued pursuant to Utilities Order U–3:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application form WPB–2774, to authorizations issued to operators on form WPB–2774 before the revised application form came into use.

(b) *Provisions applicable to certain WPB–2774 authorizations.* Except as noted in paragraph (c) below, the following special provisions are hereby made applicable to all WPB–2774 authorizations issued to telephone operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB–2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB–2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction, installation or purchase authorized.

(2) The applicant is authorized to use the abbreviated allotment number U–2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1) above, except for purchase of:

(i) Carbon steel for jobs for which more than 100 tons of carbon steel have been allotted for all quarters;

(ii) Copper wire and cable for jobs for which more than 25,000 pounds of copper wire and cable have been allotted for all quarters.

Where specific allotments of these two materials have been made in quantities which exceed the quantities indicated, these specific allotments remain in force, subject to the provisions of CMP Regulation 6 and the authorization under which the allotment was made.

(3) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments other than those which remain in force under paragraph (b) (2) above.

(4) The applicant is hereby authorized to use the preference rating assigned in his approved application for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above.

(5) The abbreviated allotment number and preference rating authorized herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(6) The abbreviated allotment number and preference rating authorized herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction, installation, or purchase authorized.

(7) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U–2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U–2 for identification purposes.

(c) *Cases to which paragraph (b) does not apply.* The provisions of paragraph (b) above do not apply to authorizations which were revoked or on which all authorized work was completed prior to the effective date of this direction. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB–2774 application.

(d) *Section headings on WPB–2774.* References herein to "section III" and "section V" of form WPB–2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB–2774 prior to that of February 21, 1944.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11416; Filed, July 31, 1944; 11:07 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U–4, Direction 1]

The following direction is issued pursuant to Utilities Order U–4:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application form WPB–2774, to authorizations issued to operators on form WPB–2774 before the revised application form came into use.

(b) *Provisions applicable to certain WPB–2774 authorizations.* Except as noted in paragraph (c) below, the following special provisions are hereby made applicable to all WPB–2774 authorizations issued to telegraph operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB–2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB–2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction, installation or purchase authorized.

(2) The applicant is authorized to use the abbreviated allotment number U–2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1) above, except for purchase of:

(i) Carbon steel for jobs for which more than 100 tons of carbon steel have been allotted for all quarters;

(ii) Copper wire and cable for jobs for which more than 25,000 pounds of copper wire and cable have been allotted for all quarters.

Where specific allotments of these two materials have been made in quantities which exceed the quantities indicated, these specific allotments remain in force, subject to the provisions of CMP Regulation 6 and the authorization under which the allotment was made.

(3) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments other than those which remain in force under paragraph (b) (2) above.

(4) The applicant is hereby authorized to use the preference rating assigned in his approved application for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above.

(5) The abbreviated allotment number and preference rating authorized herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(6) The abbreviated allotment number and preference rating authorized herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction, installation or purchase authorized.

(7) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U–2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U–2 for identification purposes.

(c) *Cases to which paragraph (b) does not apply.* The provisions of paragraph (b) above do not apply to authorizations which were revoked or on which all authorized work was completed prior to the effective date of this direction. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB–2774 application.

(d) *Section headings on WPB–2774.* References herein to "section III" and "section V" of form WPB–2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB–2774 prior to that of February 21, 1944.

Issued this 31st day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11417; Filed, July 31, 1944; 11:07 a. m.]

Chapter XI—Office of Price Administration

PART 1361—FARM EQUIPMENT

[MPR 133,[1] Incl. Admts. 1–9]

RETAIL PRICES FOR FARM EQUIPMENT

This compilation of Maximum Price Regulation 133 includes Amendment 9, effective August 2, 1944. The text added or amended by Amendment 9 is underscored.

In the judgment of the Price Administrator retail prices of farm equipment have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of farm equipment prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Preamble amended by Supplementary Order 70, 8 F.R. 12556, effective 9–11–43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 133 is hereby issued.

Sec.

1361.1 Prohibition against sales at higher than maximum prices.
1361.2 Less than maximum prices.
1361.3 Maximum prices; new equipment.
1361.3a Maximum prices for used equipment.
1361.4 Evasion.
1361.5 Itemised invoices; new equipment.
1361.6 Records and reports.
1361.7 Enforcement.
1361.7a Licensing.
1361.8 Petitions for amendment.
1361.9 Definitions.
1361.10 Effective date.
1361.10a Effective dates of amendments.
1361.11 Appendix A: Form of guarantee to be furnished buyer of reconditioned and guaranteed equipment.

AUTHORITY: § 1361.1 to § 1361.11, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1361.1 *Prohibition against sales at higher than maximum prices.* (a) On and after May 11, 1942, regardless of any contract, agreement, lease or other obligation:

(1) No person shall sell, deliver or negotiate the sale of any farm equipment at a price higher than the maximum fixed by this regulation;

(2) No person in the course of trade or business shall buy or receive any farm equipment at a price higher than the maximum fixed by this regulation; and

(3) No person shall agree, offer, solicit or attempt to do any of the foregoing.

[Paragraph (a) amended by Am. 3, 8 F.R. 234, effective 1–9–43 and Am. 6, 8 F.R. 12093, effective 9–6–43]

(b) There may be added to the maximum prices established by this Maximum Price Regulation No. 133 the amount of any state or local sales, use, or gross receipts tax required or permitted to be paid by the purchaser: *Provided*, That the amount of such tax is stated separately on the invoice or sales check given to the purchaser.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1361.2 *Less than maximum prices.* Lower prices than those established in this Maximum Price Regulation No. 133 may be charged, demanded, paid or offered.

[§ 1361.2 amended by Am. 3, effective 1–9–43]

§ 1361.3 *Maximum prices; new equipment*—(a) *New complete equipment with suggested retail prices.* The maximum price applicable to the sale by any retail dealer of any new complete farm equipment for which the manufacturer has issued a suggested retail price shall be the sum of the following:

[Paragraph (a) amended by Am. 3, effective 1–9–43]

(1) The suggested retail price f. o. b. factory.

(2) Actual transportation costs paid by the dealer for shipment of the item of farm equipment from the factory to the dealer, less any allowances or rebates on transportation costs received by the dealer.

[Subparagraph (2) amended by Am. 3, effective 1–9–43 and Am. 5, 8 F.R. 10503, effective 7–31–43]

(3) The manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for freight.

[Subparagraph (3) amended by Am. 3, effective 1–9–43]

(4) An allowance for dealer's handling not to exceed the sum of the following:

(i) 5% of the manufacturer's suggested retail price f. o. b. factory up to $400, plus 2% of the amount by which the suggested retail price exceeds $400;

(ii) For each truck trip required for delivery to a purchaser located more than thirty road miles from the dealer, ten cents for each mile going and coming outside the thirty mile zone, on the basis of the most direct route:

Provided, That a reduction equivalent to the dealer's cost of the service shall be made in the maximum allowance for dealer's handling if any of the following services is not performed: (a) Erection of equipment; (b) Installation of all attachments; (c) Delivery of new equipment and carrying away trade-in equipment; (d) Gasoline and oil placed in equipment.

(5) A charge for special installation of fixed equipment, if such installation is required, not to exceed the charge customarily made for such installation on or before April 1, 1942: *Provided*, That such installation charge shall take the place of, and not be in addition to, the allowance for dealer's handling (subparagraph (4) of this section).

(6) The amount of any federal excise tax billed separately by the manufacturer and stated by the manufacturer not to be included in the suggested retail price.

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[1] 7 F.R. 3185.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 9 F.R. 8791.

(b) *New parts with suggested retail prices.* The maximum price applicable to the sale by any retail dealer of any new farm equipment part for which the manufacturer has issued a suggested retail price shall be the suggested retail price plus actual transportation costs paid by the dealer for shipment of the part from the factory to the dealer, less any allowances or rebates on transportation costs received by the dealer, plus the manufacturer's or wholesale distributor's handling charge paid by the dealer if not included in the manufacturer's or wholesale distributor's charge for transportation, plus any extra expense in connection with the sale, such as long distance telephone calls, incurred at the request of the purchaser.

[Paragraph (b) amended by Am. 3, 8 F.R. 234, effective 1-9-43 and Am. 5, 8 F.R. 10603, effective 7-31-43]

(c) *New complete equipment and parts without suggested retail prices*—(1) *Applicability of this paragraph.* This paragraph is applicable to any new complete farm equipment or part for which the manufacturer has not issued a suggested retail price.

(2) *Where the dealer dealt in the item on April 1, 1942*—(i) *Where the cost to the dealer has not increased.* The maximum price shall be the highest price at which the dealer sold or offered to sell the item on April 1, 1942.

(ii) *Where the cost to the dealer has increased.* If when the dealer established the price he was charging on April 1, 1942, his cost was lower than it now is, the maximum price shall be determined as follows: The dealer shall multiply the highest price at which he sold or offered to sell the item on April 1, 1942, by a certain percentage. This percentage shall be determined by dividing his present cost of the item (not to exceed the applicable maximum price) by the price he was paying for the item on the date on which he established his April 1, 1942, selling price.

(3) *Where the item was not dealt in on April 1, 1942.* If the dealer did not sell or offer to sell the item on April 1, 1942, its maximum price shall be determined as follows: The maximum price shall be the net cost of the item to the dealer plus a certain percentage of that price. The percentage markup used shall be the first of the following percentages that the dealer can determine:

(i) The percentage markup over net invoiced cost that the dealer realized on his last sale of the item before April 1, 1942.

(ii) The percentage markup over net invoiced cost that the dealer realized on his last sale of the most comparable item during the period January 1, 1941, to April 1, 1942, inclusive.

(iii) The average percentage markup over net invoiced cost that the dealer realized on sales of all farm equipment and parts during March, 1942.

[Paragraph (c) amended by Am. 1, 7 F.R. 9936, effective 9-5-42, Am. 3, 8 F.R. 234, effective 1-9-43 and Am. 6, 8 F.R. 12093, effective 9-6-43]

(d) *Sales by manufacturers.* Notwithstanding any other provisions of this Maximum Price Regulation No. 133, for any item of farm equipment which the manufacturer thereof sells exclusively at retail, his maximum price shall be determined pursuant to Maximum Price Regulation No. 246—Manufacturers' and Wholesale Prices for Farm Equipment; [1] for any item of farm equipment which the manufacturer sells both to distributors and dealers and at retail but for which he has not issued a suggested retail price, his maximum price for all sales of the item shall be determined pursuant to Maximum Price Regulation No. 246; for any item which the manufacturer sells both to distributors and dealers and at retail, and for which he has issued a suggested retail price, his maximum price for sales at retail shall be determined pursuant to this Maximum Price Regulation No. 133.

[Paragraph (d) amended by Am. 3, 8 F.R. 234, effective 1-9-43]

(e) [Revoked.]

[Paragraph (e) revoked by Am. 3, effective 1-9-43]

§ 1361.3a *Maximum prices for used equipment*—(a) *Applicability of this section.* This section is applicable to sales by all persons of the following items of used farm equipment:

(1) Combines.
(2) Corn binders.
(3) Corn pickers.
(4) Farm and garden tractors (except track-type tractors for which maximum prices are established by Maximum Price Regulation 136, as amended).
(5) Hay balers (motor or tractor operated).
(6) Hay loaders.
(7) Manure spreaders.
(8) Side delivery rakes.
(9) Tractor mounted mowers, including semi-mounted (power take-off driven) mowers.
(10) A combination of any of the items just listed with other items of farm equipment specifically designed for mounting thereon, where the combination is sold as a unit.

This section is also applicable to the sale of any complete item of farm equipment which has been purchased or acquired by the seller for resale. This regulation is not applicable to sales of used farm equipment parts.

[Paragraph (a) amended by Am. 9, effective 8-2-44.]

(b) *Maximum prices for sales by farmers, auctioneers, etc.* The maximum price for the sale of any item listed in subparagraphs (1) to (9), inclusive, of this paragraph (a), which has been purchased or acquired by the seller for his own use and not for resale, shall be determined as follows: If the item is sold within one year after sale new, the maximum price shall be 85% of the "base price". In any other case, the maximum price shall be 70% of the "base price". In the case of a combination sale referred to in paragraph (a) (10), the maximum price for the combination shall be equal to the sum of the maximum prices of each of the items of farm equipment sold as a part of the combination. These maximum prices shall be determined in the manner just set forth.

[Above paragraph amended by Am. 9, effective 8-2-44.]

(1) *Base price.* The "base price" which must be used in determining maximum prices shall be the first of the following which is available:

(i) The manufacturer's current suggested retail price for the item.

(ii) The last suggested retail price for the item that the manufacturer issued.

(iii) If the item never had a suggested retail price, the base price is the maximum price for which the same or nearest equivalent item would be sold new in the locality, minus carload freight from the plant of the manufacturer of the item.

(c) *Maximum prices for sales of items which were purchased or acquired by the seller for resale*—(1) *Maximum prices.* This paragraph is applicable to the sale of all used complete items of farm equipment which have been purchased or acquired by the seller for resale. However, this paragraph is not applicable to the sale by a service dealer to a user of any complete items of farm equipment that have been reconditioned and guaranteed by the service dealer in the manner set forth in the next paragraph (d). Except as limited in the next subparagraph (2), the maximum price for any item covered by this paragraph shall be the sum of the following:

[Headnote and subparagraph (1) amended by Am. 9, effective 8-2-44.]

(i) The trade-in allowance granted or purchase price paid by the seller, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company.

(ii) $15.00 or 5% of (i), whichever is the greater.

(iii) The maximum price established by the regulation for such parts as are needed and used in repairing the item.

(iv) A charge for other materials and for labor needed and used in repairing the item, not to exceed maximum prices determined in accordance with the applicable regulation issued by the Office of Price Administration.

(2) *Limit beyond which maximum prices may not go.* In no event shall the maximum price determined under this paragraph (c) for any item listed in subparagraphs (1) to (10), inclusive, of paragraph (a), exceed 95% of the base price, if the item is sold within one year after the sale new, or 70% of the base price in any other case, plus the addition for transportation costs permitted by (3) below. The base price shall be determined in accordance with paragraph (b) (1).

[Subparagraph (2) amended by Am. 8, 9 F.R. 796, effective 1-26-44 and Am. 9, effective 8-2-44]

(3) *Transportation costs.* Where the dealer transports the used item more than 100 miles from the place where he purchased it, he may add transportation costs to the maximum price determined under (1) and (2) above. These transportation costs shall be equal to the cost actually incurred by the dealer in transporting the used item from the place of purchase.

[Subparagraph (3) added by Am. 8, 9 F.R. 796, effective 1-26-44]

(d) *Maximum prices for sales by service dealers of reconditioned and guaranteed items*—(1) *Applicability of this paragraph.* This paragraph is applicable to the sale of reconditioned and guaranteed complete items of farm equipment by service dealers to users. In order to be considered "reconditioned and guaranteed" all parts of the item which should be replaced, repaired, adjusted, or aligned for satisfactory operation must be replaced, repaired, adjusted, or aligned. Also, the dealer must furnish the purchaser with a signed guarantee in the form set forth in Appendix A (§ 1361.11), containing the information called for in that form.

[Subparagraph (1) amended by Am. 9, effective 8-2-44]

(2) *Maximum prices.* Except as limited by subparagraph (3), the maximum price for the sale by any service dealer of any reconditioned and guaranteed complete item of farm equipment shall be the sum of the following:

(i) The trade-in allowance granted or purchase price paid by the dealer, or, in the case of a repossessed item, the balance due to the dealer, distributor, manufacturer, or finance company.

(ii) $15 or 25% of (i), whichever is the greater.

(iii) The maximum price established by this regulation for such parts as are needed and used in reconditioning the item.

(iv) A charge for other materials and for labor needed and used in reconditioning, not to exceed maximum prices determined in accordance with the applicable regulation issued by the Office of Price Administration.

(3) *Limit beyond which maximum price may not go.* In no event shall the maximum price determined under this paragraph (d) for any item listed in subparagraphs (1) to (10), inclusive, of paragraph (a), exceed 95% of the base price, plus the addition for transportation costs permitted by (4) below. The base price shall be determined in accordance with paragraph (b) (1).

[Subparagraph (3) amended by Am. 8, 9 F.R. 796, effective 1-26-44 and Am. 9, effective 8-2-44]

(4) *Transportation costs.* Where the dealer transports the used item more than 100 miles from the place where he purchased it, he may add transportation costs to the maximum price determined under (2) and (3) above. These transportation costs shall be equal to the cost actually incurred by the dealer in transporting the used item from the place of purchase.

[Subparagraph (4) added by Am. 8, 9 F.R. 796, effective 1-26-44]

(e) *Prohibition against joint sales of used farm equipment and other items.* Except as provided in paragraph (a) (10) of this section, each item of used farm equipment listed in subparagraphs (1) to (9), inclusive, of paragraph (a) of this section shall be sold separately; and

[Above paragraph amended by Am. 9, effective 8-2-44.]

(1) No retail dealer, service dealer, auctioneer, or any other person shall sell or negotiate the sale of any item of used farm equipment listed in subparagraphs (1) to (10), inclusive, of paragraph (a) of this section jointly with any commodity, property or service; and

[Subparagraph (1) amended by Am. 9, effective 8-2-44]

(2) No retail dealer, service dealer, auctioneer, or any other person shall sell or negotiate the sale of any commodity, property or service with the understanding that such purchase carries either an option to purchase or a gift of an item of farm equipment listed in subparagraphs (1) to (10), inclusive, of paragraph (a) of this section.

[Subparagraph (2) amended by Am. 9, effective 8-2-44]

[§ 1361.3a added by Am. 3, 8 F.R. 234, effective 1-9-43 and amended by Am. 4, 8 F.R. 2286, effective 2-26-43 and Am. 6, 8 F.R. 12093, effective 9-6-43]

§ 1361.4 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 133, shall not be evaded directly or indirectly by way of any commission; by way of excessive charges for services; by way of any change in discounts applicable to sales of items of farm equipment for which the manufacturer has issued no suggested retail price; by any change in credit terms or conditions of sale; by reducing the services provided during warranty period in accordance with factory policy; by reducing "free" services customarily provided; by removing any standard auxiliary equipment or in any other way lowering the quality of any equipment sold; by requiring the buyer to purchase any optional equipment, or to pay for any services not desired, or to agree to trade-in used equipment in part payment of the purchase price; by making arrangements with other dealers for the exchange of used equipment so as to increase the profits obtainable from the resale of used equipment; by undervaluing goods other than farm equipment received in trade; or by any other hidden or indirect price increases.

[§ 1361.4 amended by Am. 3, 8 F.R. 234, effective 1-9-43 and Am. 7, 8 F.R. 13176, effective 10-1-43]

§ 1361.5 *Itemized invoices; new equipment.* (a) In connection with every sale for $15 or more of any item of new complete farm equipment having a suggested retail price, every retail dealer shall supply to the purchaser a sales invoice or a copy of the purchase order signed by the dealer containing a separate statement of the following items:

(1) The suggested retail price.

(2) The charge for freight and manufacturer's or wholesale distributor's handling.

(3) The charge for dealer's handling, or the charge for special installation, if any.

(4) The charge for delivery beyond the thirty-mile zone, if any.

(5) The amount of excise tax, if any, billed separately to the dealer by the manufacturer.

(6) The amount of sales, use, or gross receipts tax, if any, required or permitted to be paid.

(b) Upon request from a purchaser, every retail dealer, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, the name of each commodity sold and the price received for it.

[Paragraph (a) amended and paragraph (b) added by Am. 3, effective 1-9-43]

§ 1361.6 *Records and reports.* (a) Every retail dealer shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each sale of farm equipment showing the date thereof, the make and model or part number, the total price received, and a copy of the invoice or sales check given to the customer. Whenever trade-in equipment is received in part payment of the purchase price of equipment, the dealer shall keep attached to the record of the original sale a complete record of the ensuing sales of trade-in equipment.

(b) Retail dealers shall submit such reports and shall keep such other records, in addition to or in the place of the records required in paragraph (a) of this section, as the Office of Price Administration may from time to time require in writing.

(c) Notwithstanding the provisions of paragraph (a) of this section, any retail dealer may, instead of keeping for inspection by the Office of Price Administration records of each sale of any item of farm equipment selling for less than $15, keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect the price lists or other data used by the dealer in establishing his maximum prices for such items.

[Paragraph (c) added by Am. 3, effective 1-9-43]

(d) Every auctioneer shall file a notice of every public or private auction sale of used farm equipment at least six days before the sale. This notice shall be sent to the nearest District Office of the Office of Price Administration. The notice shall include the place, date and time of the sale and a copy of any announcement of the sale.

[Paragraph (d) added by Am. 6, 8 F.R. 12093, effective 9-6-43]

[1] 7 F.R. 8587, 9089, 9248; 8 F.R. 206, 544, 8045, 8425, 7767, 9023, 9097, 11485.

(c) Every person who purchases or acquires used complete items of farm equipment for the purpose of resale shall keep records of the following with respect to any such used item for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect:

(1) The acquisition cost of the used item.

(2) A description of the used item, including model number and serial number, if any, and the type, size and special attachments.

(3) The name and address of the person from whom the used item was purchased.

(4) The date the used item was purchased.

(5) The disposition made of the used item, i. e., sale, lease, etc., and the date of that disposition.

(6) Where the used item is disposed of by a sale the total price received, the charges made for parts and labor, if any, and a copy of the invoice or sales check given to the purchaser.

[Paragraph (c) added by Am. 9, effective 9-2-44]

§ 1361.7 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 133 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

[Paragraph (a) amended by Am. 2, 7 F.R. 7899, effective 9-30-42]

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 133 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1361.7a *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1361.7a added by Am. 2, 7 F.R. 7899, effective 9-30-42; amended by Am. 6, 8 F.R. 12088, effective 9-6-43; and Supplementary Order No. 72, 8 F.R. 12344, effective 10-1-43]

§ 1361.8 *Petitions for amendment* Any person seeking an amendment of any provision of this Maximum Price Regulation 133 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1361.8 amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42]

[1] 8 F.R. 13240.

[NOTE: Supplementary Order No. 26 (7 F.R. 8948) provides for the filing of applications for adjustment or petitions for amendment based on pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1361.9 *Definitions.* (a) When used in this Maximum Price Regulation No. 133, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Retail dealer" means any person engaged in the business of selling farm equipment to users.

(3) "Farm equipment" means any equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, but does not include automobiles, trucks, general purpose tools, prefabricated farm buildings, building materials, electrical equipment (except fence controllers) sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors (except crawler tractors); garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeders; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hayloaders, stackers, balers, etc.); dairy farm equipment (milking machines, farm milk coolers, farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee-keepers' supplies; agricultural spraying equipment; barn and barnyard equipment; electric fence controllers; farm pumps and water systems; windmills; windmill generating sets; farm grain elevators, grain bins, corn cribs and silos; circular wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); buggies and farm wagons; harness and saddlery; portable galvanized irrigation pipe; wire fencing, poultry netting and barbed wire sold in lots of less than 2,500 pounds; wire bale ties sold in lots of less than 2,500 pounds; irrigation equipment, except home lawn sprinklers; logging sleds and logging wagons; and attachments and parts for all the foregoing.

[Subparagraph (3) amended by Am. 8, effective 1-9-43; Am. 6, 8 F.R. 12088, effective 9-6-43; and Am. 8, 9 F.R. 706, effective 1-26-44]

(4) "Complete farm equipment" includes any item of farm equipment which is a complete unit in itself although it may be used only in conjunction with other farm equipment.

(5) "Part" means any component part of, or attachment for, complete farm equipment.

(6) "Used farm equipment" means any farm equipment which has previously been used.

[Subparagraph (6) amended by Am. 8, effective 1-9-43]

(7) "Sale at retail" means any sale to a user.

(8) "Suggested retail price" means the price stated in the manufacturer's current list of suggested or recommended retail prices, f. o. b. factory, whether or not such list price is in the possession of the dealer. Prices issued by mail-order houses are not deemed to be "suggested retail prices"; as a result, maximum prices applicable to the sale of new equipment by mail-order houses, whether direct or through retail stores, shall be calculated in accordance with paragraph (c) of § 1361.3.

[Subparagraph (8) amended by Am. 8, effective 1-9-43 and Am. 7, effective 10-1-43]

(9) "Service dealer" means any dealer who, in addition to selling new or used farm equipment, is engaged in the business of repairing and reconditioning farm equipment.

[Subparagraph (9) added by Am. 8, effective 1-9-43]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1361.10 *Effective date.* This Maximum Price Regulation No. 133 (§§ 1361.1 to 1361.10, inclusive) shall become effective May 11, 1942. [Maximum Price Regulation No. 133 originally issued April 28, 1942.]

§ 1361.10a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

§ 1361.11 *Appendix A: Form of guarantee to be furnished buyer of reconditioned and guaranteed equipment.*

GUARANTEE

The seller hereby warrants that the machine or equipment described below has been thoroughly inspected and reconditioned; that all parts which should be replaced, repaired, adjusted, or aligned for satisfactory operation have been so replaced, repaired, adjusted, or aligned.

The seller guarantees that the machine or equipment described below is in good operating condition, and that it will remain so under normal use and service for a period of thirty days from the date of delivery. During this thirty-day period the seller agrees to replace and install any defective or missing parts free of charge and to correct free of charge any mechanical condition which prevents the machine or equipment from operating satisfactorily.

This guarantee does not extend to tires or tubes or to any repair or replacements made necessary by misuse, negligence, accidents, or collision.

The seller warrants that the following parts, materials, and labor were needed and actually used in reconditioning the machine or equipment since its last use. This work was started _____ 194_, and was completed _____, 194_.

Parts

(1) _____	$_____
(2) _____	_____
(3) _____	_____
(4) _____	_____
(5) _____	_____
(6) _____	_____
Total_____	$_____

Materials

(1) _____	$_____
(2) _____	_____
(3) _____	_____
(4) _____	_____
Total_____	$_____

Labor

_____ hours @ _____ per hour: Total_____ $_____

Total reconditioning_____ $_____

The prices shown do not exceed the undersigned's applicable maximum prices for parts, materials, and services.

Make of equipment_____
Date of delivery _____
Model or part No. _____
Total selling price $_____

(Signed)

(Address)

[§ 1361.11 added by Am. 3, 8 F.R. 234, effective 1-9-43]

NOTE: Under the provisions of Supplementary Order No. 44 (8 F.R. 5305) Maximum Price Regulation No. 133 is adopted and affirmed to be applicable to the Territory of Hawaii.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with Federal Reports Act of 1942.

Issued this 28th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11294; Filed, July 28, 1944; 4:30 p. m.]

[2] 8 F.R. 9532.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 163,[1] Incl. Amdts. 1-45]

PUERTO RICO

This compilation of Revised Maximum Price Regulation 163 includes Amendment 45, effective August 2, 1944. The text amended by Amendment 45 is underscored. Added or amended tables are indicated by notes.

In the judgment of the Price Administrator the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

§ 1418.1 *Maximum prices in the Territory of Puerto Rico.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Maximum Price Regulation 163 (Puerto Rico), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1418.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 163—PUERTO RICO

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21a. Maximum prices for certain fruit juices packed in the Territory of Puerto Rico.
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31. Maximum prices for rice sold or delivered in the Territory of Puerto Rico.
32. Maximum prices for edible fats and oil products sold or delivered in the Territory of Puerto Rico.
33. Maximum prices for cured fish sold or delivered in the Territory of Puerto Rico.
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35. Maximum prices for grains and cereals in bulk sold or delivered in the Territory of Puerto Rico.
36. Maximum prices for grains and cereals packaged, sold or delivered in the Territory of Puerto Rico.
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38. Maximum prices for kerosene sold or delivered in the Territory of Puerto Rico.
39. Maximum prices for macaroni, spaghetti and vermicelli sold or delivered in the Territory of Puerto Rico.
40. Maximum prices for manufactured dairy products sold or delivered in the Territory of Puerto Rico.
41. Maximum prices for matches sold or delivered in the Territory of Puerto Rico.
42. Maximum prices for miscellaneous grocery products sold or delivered in the Territory of Puerto Rico.
43. Maximum prices for fluid milk sold or delivered in the Territory of Puerto Rico.
44. Maximum prices for onions and garlic sold or delivered in the Territory of Puerto Rico.
45. Maximum prices for packing house products sold or delivered in the Territory of Puerto Rico.
46. Maximum prices for dry sausages sold or delivered in the Territory of Puerto Rico.
47. Maximum prices for soap and cleaners.
48. Maximum prices for southern Yellow Pine and Douglas Fir lumber on sales to ultimate consumers.
49. Maximum prices for second hand bags sold or delivered in the Territory of Puerto Rico.
50. Maximum prices for certain fresh vegetables sold or delivered in the Territory of Puerto Rico.
51. Maximum prices for Puerto Rican and Cuban corn brooms sold or delivered in the Territory of Puerto Rico.
52. Maximum prices for charcoal sold in the Territory of Puerto Rico.
53. Maximum prices for alarm clocks sold or delivered in the Territory of Puerto Rico.
54. Maximum prices for textile products sold or delivered in the Territory of Puerto Rico.
55. Maximum retail prices for toys and games.
56. Maximum prices for imported liquors, imported and certain locally produced beer and malt.
57. Maximum prices for poultry and shell eggs.
58. Maximum prices for machetes sold or delivered in the Territory of Puerto Rico.
59. Maximum prices for galvanized barbed wire.
60. Maximum prices for galvanized steel sheets sold or delivered in the Territory of Puerto Rico.

[1] Statements of consideration are also issued with amendments. Copies may be obtained from the Office of Price Administration.

Sec.
61. Maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material.
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63. Maximum prices for chewing gum.
64. Maximum prices for animal feed sold or delivered in the Territory of Puerto Rico.
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66. Maximum prices for nails sold or delivered in the Territory of Puerto Rico.
67. Maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico.
68. Maximum prices for cast iron cooking pots fabricated in Puerto Rico.
69. Maximum prices for composition notebooks.

ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in certain commodities at prices above the maximum.* Regardless of any contract, agreement, lease, or other obligation or of any price regulation or order heretofore issued by the Office of Price Administration, no person to whom this regulation is applicable shall sell or deliver and no person in the course of trade or business shall buy or receive in the Territory of Puerto Rico any of the commodities set forth in this regulation at a price higher than the maximum prices specified herein; and no person shall offer, solicit or attempt to do any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in this Revised Maximum Price Regulation 183 may be charged, demanded, paid or offered.

SEC. 3. *To what transactions, commodities and persons these ceilings apply*—(a) *What transactions are covered.* This regulation covers sales within the Territory of Puerto Rico of the commodities enumerated in the tables set forth below. The type of transaction covered whether to wholesalers, at wholesale, or at retail is specified in each table.

(b) *What products are covered.* This regulation covers the commodities listed in the tables set forth herein.

(c) *What persons are covered.* Any person who sells or in the course of trade or business buys any commodities listed in the tables set forth below is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of the foregoing.

(d) *Prices for comparable varieties.* The prices established in this regulation are intended to apply to all varieties of the commodities named and without regard to country of origin, unless the provisions with regard to such commodity limit the applicability of the prices to named brands, sizes, styles, packagings, point of origin, or other determinants of variety. Where a commodity, of a variety different from that priced herein, bears a normal and customary trade relation to a variety of the commodity for which maximum prices have been fixed in this regulation or is similar or comparable to such variety or differs from such variety only in the matter of size or packaging, the Director of the Office of Price Administration for the Territory of Puerto Rico may prescribe a maximum price for such commodity, which price shall be in line with the markups and maximum prices fixed on the varieties of the commodity herein regulated.

[Paragraph (d) added by Am. 35, 9 F.R. 8221, effective 8-15-44]

SEC. 4. *Relation to other regulations.* The sale of commodities not otherwise governed by this Revised Maximum Price Regulation 183 shall be covered by the General Maximum Price Regulation[8] and by such other maximum price regulations, price schedules and orders as are applicable to sales within the Territory of Puerto Rico. Sales for delivery in the Virgin Island of the United States of the commodities for which maximum prices are established herein shall not exceed the maximum prices in the Territory of Puerto Rico plus the transportation charges necessary to the shipment of such commodities of the Virgin Islands.

SEC. 5. *Federal, State and Territorial taxes.* (a) Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity imposed by any statute of the United States or statute or ordinance of any state, territory or subdivision thereof subsequent to such commodity becoming subject to this Revised Maximum Price Regulation 183, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto:

(1) If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased and in such cases the seller shall not include such amount in determining the maximum price under this Revised Maximum Price Regulation 183.

(2) Also, on sales of commodities covered by this regulation to the Insular or Municipal Governments of Puerto Rico, or to the agencies or instrumentalities of either, the seller may collect, in addition to the maximum prices established herein, the 3% excise tax levied on the amount of contracts of sales to the Insular or Municipal Governments by Subsection 4 of Act 25 enacted by the Legislature of Puerto Rico and approved December 4, 1942; providing that the seller actually states and collects the amount of such tax separately from the maximum price for the particular commodities involved in the contract.

[8] 9 F.R. 1385, 5169, 6106.

SEC. 6. *Geographical applicability.* The provisions of this Revised Maximum Price Regulation 183 shall be applicable to the Territory of Puerto Rico only.

ARTICLE II—ENFORCEMENT AND MISCELLANEOUS PROVISIONS

SEC. 7. *Evasion.* The maximum price established in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities covered herein, alone or in conjunction with any of the commodities or by way of commission, services, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement, combination sales, or other trade understanding or otherwise.

SEC. 8. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the director of the Office of Price Administration for the Territory of Puerto Rico, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. The authorizations will by the Director be given by order.

SEC. 9. *Gross prices.* The maximum prices established herein are gross prices to which no charges shall be added for transportation, commissions, containers, storage or services in connection with any commodity, unless otherwise hereinafter provided.

SEC. 10. *Price for divisible and indivisible units.* The maximum price for a quantity of a commodity which constitutes a fractional or multiple part of the unit in terms of which a commodity is priced in this regulation, shall be proportionately computed unless hereinafter otherwise provided.

SEC. 11. *Records and reports*—(a) *Records to be kept.* (1) Every person making sales to wholesalers and at wholesale of the commodities which are subject to this regulation, shall keep for inspection by the Office of Price Administration, for a period of not less than one year, complete and accurate records of each purchase and of each sale made by him. The record of purchases shall include: the date of the purchase, a clear description or identification of the commodity, the price paid for each commodity, the quantity which was purchased, and the name and address of the seller from whom such commodity was purchased. The record of sales shall include the date of the sale, a clear description or identification of the commodity, the price charged for such commodity, the quantity which was sold, and the name and address of the customer.

(2) Every person making sales at retail of the commodities which are subject to this regulation shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each purchase made by him. The record of purchases shall include: the date of the purchase, a clear description or identification of the commodity, the price paid for such commodity, the quantity which was purchased, and the name and address of the seller from whom such commodity was purchased.

(b) *Notification to retailers.* (1) On and after the date any commodity becomes subject to this Revised Maximum Price Regulation 183, or the maximum price of any commodity subject to this Revised Maximum Price Regulation No. 183 is changed, every person selling any such commodity, except at retail, shall with each delivery supply the purchaser with a statement of the maximum prices for the commodity or commodities delivered as follows: "The Office of Price Administration has established fixed maximum prices for (insert name of commodity) at $_____ on sales to wholesalers; at $_____ on sales at wholesale; and at $_____ on sales at retail."

(2) On and after the date any commodity becomes subject to this regulation, every person offering to sell any such commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to and understandable by the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form of "Ceiling price $_____", or "Our ceiling $_____", and "Our selling price $_____".

(c) *Sales slips and receipts.* (1) Every seller at retail, of the commodities subject to this regulation, who has customarily given purchasers sales or receipts shall continue to do so. Upon request from a purchaser, every seller of such commodities regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the quantity and description of the commodity sold, and the price received for it.

SEC. 12. *Registration.* Every person selling at wholesale, and every person who owns, or hereafter becomes the owner of, any business operating an establishment selling at retail any commodity for which a maximum price is established by this regulation, shall register with the Office of Price Administration at such time and in such manner as the Director of the Office of Price Administration for the Territory of Puerto Rico may hereafter by order or amendment prescribe, on forms which will be made available by the Office of Price Administration.

SEC. 13. *Enforcement and licensing.* (a) Persons violating any provision of this Revised Maximum Price Regulation 183 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest office of the Office of Price Administration.

(c) The provisions of Licensing Order No. 1[9] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Paragraph (c) amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 14. [Revoked].

[Sec. 14 revoked by Am. 1, 8 F.R. 10906, effective 7-15-43]

SEC. 15. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[9]: *Provided, however,* That any such petition shall be filed with the Director of the Office of Price Administration for the Territory of Puerto Rico at San Juan, Puerto Rico.

SEC. 16. *Applications for adjustment.* (a) Any seller or group of sellers who finds that the maximum price of a commodity established for him under the provisions of this Revised Maximum Price Regulation 183 or any order issued thereunder is abnormally low:

(1) Because of increased cost of importation resulting from increased rail and ocean freight and increased war risk insurance; or

(2) Because of the high cost of a commodity received by the seller on or before August 1, 1942; and that this abnormality subjects him to substantial hardship, may apply for adjustment of that maximum price. In establishing substantial hardship the applicant shall produce evidence showing the loss suffered on the particular commodity as a result of the maximum prices established and the effect of such loss on his over-all operations.

(b) Any seller or group of sellers may apply for adjustment of a maximum price of a commodity established for him or them by this Revised Maximum Price Regulation 183, or any order issued thereunder, when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity, which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices for such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[8] 8 F.R. 12240.

[9] 9 F.R. 8791.

SEC. 17. *Definitions.* (a) When used in this regulation, except as otherwise provided herein, the term:

(1) "Sale at wholesale" means a sale of a commodity by a person who sells it to any person other than an ultimate consumer and includes any sale to the United States, or any government, or any of its political subdivisions, any religious, educational, or charitable institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, commercial or industrial user, or any agency of the foregoing.

[Subparagraph (1) amended by Am. 31, 9 F.R. 3949, effective 4-17-44]

(2) "Sale at retail" means a sale or selling to an ultimate consumer.

(3) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller for shipment to the purchaser.

(4) "The direct cost to the importer" means the price which the importer paid for the commodity, less discounts allowed to the importer, plus all costs of shipment actually incurred by the importer, together with customs duties and entry fees: *Provided,* That, in computing the costs of shipment incurred by the importer, war risk insurance cost shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment; and that the costs of shipment shall not exceed the costs of a reasonably expeditious shipment, via the most efficient, readily and regular available route and means.

(5) "Importer" means any person in Puerto Rico who is a consignee of a commodity entering into the Territory of Puerto Rico from outside thereof.

(6) "Variety" means a particular brand, grade and style in a container or a particular type and size.

(7) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(8) "Packaged" means packed for sale at retail in a container of any sort, where the packaging has been done before arrival at the point of retail sale.

(9) "Bulk" refers to commodities which are not packaged.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 as amended, shall apply to the terms used herein.

ARTICLE III—TABLES OF MAXIMUM PRICES

SEC. 18. *Maximum prices for bread other than specialty bread sold or delivered in the Territory of Puerto Rico.* (1) "Bread" means the article of food, sold in standard loaves prepared by moistening, kneading and baking meal or flour usually with the addition of yeast or leaven, such as "pan francaise" or "pan de agua" (French bread), "pan de sandwich" (sandwich bread), and "pan sobado" (breaked bread (sic)).

(2) "Specialty bread" means raisin bread, cracked wheat bread or any variety of bread other than "pan fran-

caise", "pan de agua", "pan de sandwich" or "pan sobado", which constitutes 10% or less of the gross sales of the bread produced by the bakery during any month preceding the date of the sale of this type of bread.

TABLE 1—MAXIMUM PRICES FOR BREAD OTHER THAN SPECIALTY BREAD

To wholesaler	At bakery to retailers	Delivered to retailers	Delivered to institutional and commercial users	All sales at retail
Price per lb. $0.0775	*Price per lb.* $0.080	*Price per lb.* $0.085	*Price per lb.* $0.085	*Price per lb.* $0.10

NOTE: The maximum prices for specialty bread shall be established in accordance with the provisions of the General Maximum Price Regulation.

SEC. 19. *Maximum prices for bedding.*

TABLE 2—MAXIMUM PRICES FOR QUILTS AND PILLOWS MANUFACTURED BY LA INDUSTRIAL ALGODONERA, Inc.

	At wholesale	At retail
Quilts:	*Per dozen*	*Per item*
Cotton Batting covered with cretonne:		
Size 33" x 66"	$13.80	$1.80
Size 42" x 66"	16.00	1.80
Size 50" x 70"	18.00	2.00
Size 54" x 70"	19.00	2.15
Covered with sateen and cretonne:		
Size 54" x 70"	29.00	3.25
Size 60" x 74"	34.00	3.95
Pillows:		
Size 18" x 26"	7.00	.80
Size 15" x 20"	4.80	.50
Baby size	1.75	.20

SEC. 20. *Maximum prices for certain canned fruits sold or delivered in the Territory of Puerto Rico.*

TABLE 3—MAXIMUM PRICES FOR CANNED FRUITS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned apricots:				*Per can*
Del Monte (halves)	Case of 24 #2½ cans	$5.95	$6.84	$0.37
Del Monte (halves)	Case of 12 #2½ (glass)	3.50	4.06	.44
Del Monte (unpeeled whole)	Case of 12 #2½ (glass)	2.99	3.35	.38
Del Monte (peeled whole)	Case of 12 #2½ (glass)	3.30	3.80	.41
	(Case of 24 #1 Tall (glass)	4.00	4.60	.26
Signet (halves)	(Case of 12 #2½ (glass)	3.25	3.75	.40
	Case of 48 #1 tall cans	7.60	8.75	.24
Del Monte	Case of 48 #1 tall cans	8.05	9.25	.26
Exquisite	Case of 48 #1 tall cans	7.50	8.65	.28
Libby	Case of 48 #1 tall cans	9.15	10.50	.28
S. & W	Case of 48 #1 tall cans	7.70	8.85	.24
Signet	Case of 24 #2½ cans	3.90	4.05	.44
Signet	Case of 12 #2½ (glass)	6.65	7.65	.41
Libby	Case of 24 #2½ cans	8.20	9.55	.32
S. & W	Case of 24 #2½ cans	4.65	8.25	.29
Del Monte	Case of 24 #2 tall cans	6.65	7.65	.14
Del Monte	Case of 72 8 oz. cans	8.35	9.15	.17
S. & W	Case of 48 8 oz. cans	3.50	4.05	.44
Del Monte	Case of 12 #2½ (glass)	3.90	4.50	.40
Libby	Case of 12 #2½ (glass)	2.55	2.95	.32
Del Monte	Case of 12 #303 (glass)			
Canned fruit salad:				
Del Monte	Case of 24 #2½ cans	6.95	8.00	.46
Exquisite	Case of 24 #2½ cans	7.40	8.50	.46
Libby	Case of 24 #2½ cans	7.35	8.45	.46
S. & W	Case of 24 #2½ cans	9.50	10.95	.59
Signet	Case of 24 #2½ cans	7.20	8.30	.46
Del Monte	Case of 48 #1 tall cans	8.35	9.60	.26
Exquisite	Case of 48 #1 tall cans	8.65	9.95	.27
Libby	Case of 48 #1 tall cans	8.55	9.85	.27
S. & W	Case of 48 #1 tall cans	10.45	12.00	.33
Del Monte	Case of 24 #2 tall cans	8.15	8.93	.47
Del Monte	Case of 12 #2½ (glass)	3.80	4.38	.34
Libby	Case of 12 #2½ (glass)	4.20	4.95	.34
Signet	Case of 24 #1 tall (glass)	4.55	5.00	.30
Signet	Case of 12 #2½ (glass)	3.55	4.45	.46
Canned light cherries:				
Del Monte	Case of 12 #303 (glass)	2.95	3.40	.27
	Case of 12 #2½ (glass)	4.20	4.85	.38
Royal Anne cherries:				
Signet	Case of 24 #1 tall (glass)	4.75	5.45	.30
	Case of 12 #2½ (glass)	3.85	4.45	.46
Trupack	Case of 6/#10 cans	8.25	9.50	2.06

TABLE 3—MAXIMUM PRICES FOR CANNED FRUITS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Royal Ann sweet cherries:				
S. & W	Case of 24/#2½ cans	$9.20	$10.75	$0.56
Del Monte	Case of 12/#2½ glass	5.00	5.75	.60
Del Monte	Case of 12/#303 glass	3.20	3.80	.40
Del Monte	Case of 12/#2½ glass	4.00	4.35	.36
Libby				
Royal Ann fancy cherries:				
For You	Case of 24/2½ can		10.80	.56
Black Beauty, dark sweet cherries:				
Del Monte	Case of 12/#303 glass	3.35	3.95	.40
Del Monte	Case of 12/#2½ glass	4.25	4.90	.46
Dark sweet cherries:				
Libby	Case of 12/#2½ glass	4.25	4.90	.46
Royal Ann:				
White Rose	Case of 6/#10 tins	7.55	8.20	1.20
Superior	Case of 12/2½ glass		4.45	.36
Pitted Black:				
S. & W	Case of 24/#2½ cans	11.20	12.35	.65
Black Unpitted:				
S. & W	Case of 24/#2½ cans	10.35	11.35	.60
Premier	Case of 24/#2½ can	9.95	11.00	.60
Cherries, Maraschino style:				
Premier	Case of 12/28 oz. glass	3.85	4.20	1.25
Sunbeam	Case of 24/8 oz. glass	4.45	4.90	.75
Cherries, red maraschino style:				
Astoria	Case of 24/8 oz. glass	3.85	4.20	.75
Premier	Case of 12/8 oz. glass			
Canned peaches:				
Yellow Cling (halves):				
Del Monte	Case of 24 #2½ cans	6.60	6.60	.35
Exquisite	Case of 24 #2½ cans	6.10	7.00	.35
Libby	Case of 24 #2½ cans	5.90	6.45	.35
S. & W	Case of 24 #2½ cans	7.80	8.55	.35
Peerless	Case of 24 #2½ cans	5.50	6.25	.35
Libby	Case of 24 #2 cans	4.30	4.85	.26
Del Monte	Case of 12 #2½ (glass)	3.35	3.75	.34
Libby	Case of 12 #2½ (glass)	3.60	4.20	.34
Del Monte	Case of 72 #8 oz. cans	6.60	7.60	.15
Exquisite	Case of 72 #8 oz. cans	6.35	7.35	.15
Libby	Case of 72 #8 oz. cans	6.35	7.20	.15
Exquisite	Case of 48 #1 tall cans	7.30	8.60	.24
Supreme	Case of 24 #2½ cans		7.60	.41
Flotill	Case of 24 #2½ cans		7.60	.41
Cosmos	Case of 24 #2½ cans	6.10	6.85	.37
Mariposa	Case of 24 #2½ cans	5.30	6.20	.33
O H B CH	Case of 24 #2½ cans	5.60	6.40	.35
Yellow Cling (quartered):				
Signet	Case of 12 #2½ (glass)	3.20	3.70	.40
Yellow Cling (sliced):				
Del Monte	Case of 24 #2½ cans	6.95	6.75	.35
S. & W	Case of 24 #2½ cans	7.60	8.75	.35
Signet	Case of 24 #1 (glass)	4.05	4.65	.26
Del Monte	Case of 24 #2 cans	4.45	5.10	.26
Del Monte	Case of 12 #2½ (glass)	3.20	3.70	.34
Del Monte	Case of 12 #303 (glass)	2.35	2.70	.24
Libby	Case of 12 2½ (glass)	3.60	4.10	.34
Del Monte	Case of 12 #30 (glass)	2.45	2.75	.20
S. & W	Case of 24 #2½ cans	7.60	8.80	.47
Del Monte	Case of 48 #1 tins	7.55	8.65	.28
Palmdale	Case of 24 #2½ cans	6.45	7.00	.37
Sunworthy	Case of 24 #2½ cans	5.15	5.90	.32
O H B CH	Case of 24 #2½ cans	5.60	6.45	.35
Premier	Case of 12/2½ (glass)	3.65	4.10	.43
Trupack	Case of 24/#2½ cans		6.90	.37
Century Yellow Cling (halves):				
S. & W	Case of 6 #10 cans	5.75	6.45	1.35
Century Yellow Cling (sliced):				
S. & W	Case of 6 #10 cans	5.75	6.60	1.45
Yellow Cling Certified (cheekers)	Case of 6 #10 tins	5.20	5.70	1.25
Peaches, fancy (sliced):				
Elberta Star	Case of 24 #2½ tins	7.75	8.80	.46
Peaches, sliced, standard:				
Libby	Case of 24 #2½ cans	5.85	6.70	.36
Val-Vita	Case of 24 #2½ cans	5.10	5.85	.32
Libby	Case of 12 #2½ (glass)	3.55	4.05	.44
Prince	Case of 12/2½ (glass)		4.15	.45

TABLE 3—MAXIMUM PRICES FOR CANNED FRUITS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned peaches—Continued.				
Peaches, yellow cling second pieces sliced:				
World Wide	Case of 24 #2½ cans		$6.35	$0.34
Yellow free standard, halves:				
Sealed in	Case of 24 #2½ cans		7.25	.39
Standard Yolo	Case of 24/#2½ cans	$5.20	6.00	.33
Yellow freestone (halves):				
Granny's style	Case of 24/#2½ tins	6.90	7.70	.40
For pie:				
Soquel	Case of 24/#2½ cans	4.45	5.00	.27
Canned pears:				
Bartlett (Halves):				
Del Monte	Case of 24 #2½ cans	7.55	8.40	.45
Exquisite	Case of 24 #2½ cans	7.05	8.10	.44
Libby	Case of 24 #2½ cans	6.95	7.85	.42
S. & W	Case of 24 #2½ cans	8.40	9.60	.52
Peerless	Case of 24 #2½ cans	6.15	7.05	.38
Del Monte	Case of 24 #2 cans	5.15	5.90	.32
Libby	Case of 24 #2 cans	4.85	5.60	.30
Del Monte	Case of 72–8 oz. cans	7.30	8.40	.15
Exquisite	Case of 72–8 oz. cans	7.40	8.50	.15
Del Monte	Case of 12 #2½ (glass)	4.25	4.70	.30
Libby	Case of 12 #2½ (glass)	3.90	4.50	.40
Del Monte	Case of 12 #303 (glass)	2.85	3.20	.34
Tolo	Case of 24/#2½ cans	6.40	7.35	.30
Penwald	Case of 24/#2½ cans	6.00	6.90	.37
Jesso	Case of 24/#2½ cans	6.55	7.55	.41
True Mark	Case of 24/#2½ cans	6.55	7.55	.41
Supreme	Case of 24/#2½ cans		8.75	.47
Bartlett:				
Premier	12/#2½ (glass)	4.20	4.95	.30
Class A	Case of 24/#2½ cans		8.75	.47
Standard salad pieces:				
Cock Robin	Case of 24/#2½ cans		7.55	.40
Choice:				
Sacramento	Case of 6/#10 cans		7.55	1.70
Bartlett (Quartered):				
Signet	(Case of 24 #1 Tall (glass)	4.60	5.20	.28
	(Case of 12 #2½ (glass)	3.55	4.10	.44
Bartlett, mixed pieces:				
Ruby	Case of 6/#10 cans	4.90	5.80	1.20
Bartlett (Sliced):				
Del Monte	Case of 24 #2½ cans	6.55	7.55	.41
Del Monte	Case of 12 #2½ (glass)	3.55	4.10	.44
Del Monte	Case of 12 #303 (glass)	2.65	3.05	.33
Canned plums:				
Del Monte (De Luxe)	(Case of 12 #303 (glass)	2.15	2.40	.25
	(Case of 12 #2½ (glass)	2.80	3.15	.32
De Luxe:				
Libby	Case of 24/#2½ cans	4.05	4.65	.25
Del Monte	Case of 24/#2½ cans	4.65	5.30	.28
Green gage:				
Premier	Case of 12/2½ (glass)	3.55	4.00	.43
Purple Fancy:				
Sweet Life	Case of 6/#10 cans		4.75	1.00
Whole unpitted red tart:				
S. & W	Case of 12/#2½ (glass)	3.70	4.15	.45
Prunes (prepared):				
Signet	Case of 12 #2½ (glass)	2.60	3.00	.33
Prunes, fresh purple:				
Premier	Case of 24/#2½ tins	5.00	5.55	.30
Canned red raspberries:				
Del Monte	Case of 12 #303 (glass)	3.70	4.25	.46
Canned ripe figs:				
Del Monte (Whole)	(Case of 12 #303 (glass)	2.60	2.95	.31
	(Case of 12 #2½ (glass)	3.80	4.25	.43
Kadota figs:				
Signet	Case of 12 #2½ (glass)	3.30	3.80	.41
Kadota:				
Fancy F & P	Case of 48/#1 tins	7.80	8.60	.28
Delphia:				
S. & W	Case of 24/#2 can	8.70	9.50	.50
Libby	Case of 24/#2½ can	6.75	7.45	.40
Premier	Case of 12/#2½ (glass)	4.20	4.80	.51
Canned apples:				
Reddi Maid	Case 24/#2 cans	3.45	3.95	.21
Washington	Case 6/#10 cans	3.85	4.40	.95
S. & W. (BAK-A-Special)	Case of 6/#10 cans	5.20	5.85	1.25

[Table 3 corrected, 8 F.R. 10736, effective 7–15–43; amended by Am. 1, 8 F.R. 10906, effective 7–15–43; Am. 4, 8 F.R. 11847, effective 8–2–43; Am. 14, 8 F.R. 15704, effective 10–1–43; Am. 15, 8 F.R. 15741, effective 10–15–43; Am. 18, 8 F.R. 16034, effective 11–1–43; Am. 20, 9 F.R. 396, effective 1–14–44; Am. 25, 9 F.R. 1942, effective 2–17–44; Am. 27, 9 F.R. 2631, effective 3–20–44; Am. 28, 9 F.R. 3156, effective 3–28–44; Am. 31, 9 F.R. 3949, effective 4–17–44; Am 32, 9 F.R. 4820, effective 5–9–44; Am. 34, 9 F.R. 5255, effective 5–22–44; Am. 37, 9 F.R. 5256, effective 5–22–44; Am. 41, 9 F.R. 6884, effective 6–12–44; and Am. 43, 9 F.R. 7570, effective 7–10–44]

TABLE 3a—MAXIMUM PRICES FOR FRUIT SAUCES AND PRESERVES

Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price
Apple sauce:				*Per can*
Supreme	Case of 24/#2 cans		$4.10	$0.21
Dodge	Case of 6/#10 cans	$4.60	5.25	1.14
Premier	Case of 24/#2	3.90	4.50	.24
S. & W	Case of 24/#2 can	5.20	5.80	.32
Grape jam:				
Goodwin	Case of 24/1# jars		5.45	.28
Premier	Case of 24/16 oz. glass	4.65	5.20	.28
Sweet Life	Case of 24/1# glass		5.50	.28
Peach jam:				
Del Monte	Case of 24/1# jars	5.25	6.00	.32
Del Monte	Case of 12/2# jars	4.55	5.55	.60
Tibbet's Brook	Case of 24/1# jar		6.05	.32
Plum jam:				
Del Monte	Case of 24/1# jars	5.45	6.25	.33
Del Monte	Case of 12/2# jars	5.05	5.80	.62
Del Monte	Case of 6/5# tin	4.70	5.40	1.17
Spencer	Case of 24/1# jar		5.75	.31
Raspberry jam:				
Del Monte	Case of 24/1# jar	7.95	9.00	.49
Red Raspberry seeded jam:				
Premier	Case of 12/16 oz. glass	3.55	4.10	.44
Apple jelly:				
Spencer	Case of 24/1# jar		4.55	.26
Tibbet's Brook	Case of 24/1# jar		4.85	.26
Tibbet's Brook	Case of 12/2# jar		4.30	.46
Premier	Case of 24/16 oz. jar	3.80	4.35	.24
Clovernook	Case of 12/2# jars		4.00	.43
Fig Jam:				
Tropic Treat	Case of 12/35 oz. jar		6.35	.69
Marmalade, Grapefruit:				
Spear	Case of 12/2# jar		4.00	.43
Marmalade, Grapefruit and Orange:				
Acme	Case of 12/2# jar		4.00	.43
Marmalade, Orange:				
Spear	Case of 24/1# jar		4.65	.25

TABLE 3a.—MAXIMUM PRICES FOR FRUIT SPICES AND PRESERVES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Sauce, cranberry:				
S. & W	Case of 24/16 oz.	$5.28	$6.48	$0.30
Minot	Case of 24/1# jar		4.80	.28
E. O. C.	Case of 24/1# can		4.80	.28
Preserves:				
Peach Premier	Case of 24/16 oz. jar	5.40	6.10	.26
Pineapple Premier	Case of 24/16 oz. jar	4.50	6.15	.26
Blackberry Premier	Case of 24/16 oz. jar	6.40	7.10	.30
Red Raspberry Premier	Case of 24/16 oz. jar	6.25	7.10	.30
Apricot Premier	Case of 24/16 oz. jar	6.35	7.05	.30
Strawberry Premier	Case of 24/16 oz. jar	6.60	7.30	.40
Sweet Orange Premier	Case of 24/16 oz. glass	4.90	5.45	.29
Strawberry preserve:				
Anna Mergen	Case of 24/16 oz. jar		8.70	.47
Goodwin	Case of 24/16 oz.		8.70	.47
Guava jelly:				
Foss	Case of 24/16 oz. (glass)		6.90	.37
Apple-raspberry jelly:				
Goodwin	Case of 24/16 oz. (glass)		5.80	.31
Crab apple jelly:				
Premier	Case of 24/13 oz. (glass)	5.05	5.60	.30
Mint jelly:				
Premier	Case of 24/13 oz. (glass)	3.90	4.40	.24
Red Currant jelly:				
Premier	Case of 24/13 oz. (glass)	5.05	5.60	.30

[Table 3a added by Am. 20, 9 F.R. 398, effective 1-14-44; amended by Am. 31, 9 F.R. 8040, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 6262, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

SEC. 20a. *Maximum prices for certain canned fruits packed in the Territory of Puerto Rico.*

TABLE 2a.—MAXIMUM PRICES FOR CANNED PINEAPPLE

	To wholesalers (per dozen)			At wholesale (per dozen)			At retail (per can)		
	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10
Crushed, all brands:									
Natural (in juice)	$1.80	$2.55	$8.80	$2.05	$2.95	$9.80	$0.22	$0.32	$1.05
Sweetened, cut out of:									
20 to 24 Brix	2.00	2.80	8.80	2.30	3.20	10.05	.25	.35	1.10
24 to 26 Brix	2.35	3.25	10.80	2.70	3.75	12.10	.29	.40	1.31
Over 26 Brix	2.65	3.70	12.00	3.05	4.25	13.80	.33	.46	1.50
Fountain Topping									
Cut, all brands:									
Slices, chunks, tidbits	2.00	2.80	9.80	2.30	3.20	10.05	.25	.35	1.10

[Sec. 20a added by Am. 21, 9 F.R. 579, effective 1-19-44]

SEC. 21. *Maximum prices for certain fruit juices sold or delivered in the Territory of Puerto Rico.*

TABLE 4.—MAXIMUM PRICES FOR CERTAIN FRUIT JUICES

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Grapefruit juice:				Per container
Double HH Brand, natural unsweetened	Case of 24/#2 cans	$2.25	$2.65	$0.15
Pear juice:				
Golden Flow	Case of 24/12 oz. (glass)	2.95	3.40	.18
S. & W	Case of 24/12 oz. cans	2.50	2.95	.15
Libby	Case of 24/12 oz. bottles	3.40	3.90	.20
Peach juice:				
Golden Flow	Case of 24/12 oz. (glass)	2.95	3.40	.18

TABLE 4.—MAXIMUM PRICES FOR CERTAIN FRUIT JUICES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Orange juice:				
Premier	Case of 24/13 oz. tin	$4.95	$5.45	$0.30
Grape juice:				
Welch	Case of 48 pints (glass)	4.80	5.30	.34
Welch	Case of 12 quarts (glass)	4.55	5.00	.34
Apricot juice:				
S. & W	Case of 24/12 oz. cans	2.50	2.95	.15
Apricot Glorietta	Case of 24/12 oz. glass	3.60	4.20	.25
Apple juice:				
Premier	Case of 24/13 oz. tin	2.70	3.05	.16
Alameda	Case of 12/qt. glass		3.20	.17
S. & W	Case of 24/12 oz. bottles	4.30	4.95	.25
Hartmans	Case of 24/12 oz. bottles	2.75	3.15	.17
Motz	Case of 12 quarts		3.20	.17
Martinelli's Gold Medal	Case of 24/12 oz. bottles	3.00	3.60	.18
Martinelli's Gold Medal	Case of 12/32 oz. bottles	3.45	3.95	.21
Apple juice, liquid:				
S. & W	Case of 24/12 oz. bottles	4.40	5.00	.27
Prune juice:				
Air Line	Case of 24/13 oz. bottle	2.80	3.20	.16
Premier	Case of 24/13 oz. (glass)	3.55	4.05	.22
Sun-Rite	Case of 12/32 oz.	3.40	3.90	.21
Premier	Case of 12 qts. bottles		3.90	.21
Airline	Case of 12 quarts (bottles)			
Pear nectar:				
Pedestal	Case of 48/12 oz. tin	4.65	5.30	.28
Chevy Chase	Case of 100/5½ oz. tin		6.25	.34
Heart's Delight	Case of 48/1# tall tin		6.25	.34
E. O	Case of 48/12 oz.		5.10	.27
Pear nectar, fancy:				
Pacific Gold	Case of 48/12 oz. tins	4.65	5.30	.34 or 3 for .95
Fig juice:				
Sweetlife	Case of 24/13 oz.		3.95	.21
Grapelade:				
Welch	Case of 24/1# jar	4.40	5.00	.27

[Table 4 amended by Am. 4, 8 F.R. 11847, effective 8-8-43; Am. 18, 8 F.R. 15761, effective 10-18-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am 28, 9 F.R. 3156, effective 3-26-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4290, effective 5-9-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 40, 9 F.R. 6258, effective 6-14-44; Am. 41, 9 F.R. 6864, effective 6-12-44; and Am. 44, 9 F.R. 7579, effective 6-16-44]

SEC. 21a. *Maximum prices for certain fruit juices packed in the Territory of Puerto Rico.*

TABLE 4a.—MAXIMUM PRICES FOR GRAPEFRUIT JUICE

	To wholesalers price per case of—		At wholesale price per case of—		At retail price per can—	
	3 dozen #3 can	½ dozen #10 can	3 dozen #3 can	½ dozen #10 can	# 2 can	#[illegible] can
All brands:						
Natural, fancy	$2.40	$2.70	$2.80	$3.20	$0.18	$0.[illegible]
Unsweetened standard	2.20	2.45	2.55	2.90	.14	.[illegible]
Unsweetened, fancy	2.50	2.80	2.90	3.30	.18	.[illegible]
Sweetened, standard	2.30	2.60	2.65	3.00	.16	.[illegible]

(a) "Fancy grapefruit juice" means grapefruit juice processed in such a manner as to prevent the mixing of citrus oil with the juice.

(b) "Standard grapefruit juice" means all locally processed grapefruit juice other than fancy grapefruit juice.

[Sec. 21a added by Am. 19, 9 F.R. 300, effective 12-24-43]

TABLE 4b.—MAXIMUM PRICES FOR PINEAPPLE JUICE

	To wholesalers (per dozen)			At wholesale (per dozen)			At retail (per can)		
	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10
Natural, unsweetened	$1.55	.....	$7.00	$1.80	.....	$8.05	$0.20	.....	$0.87
Sweetened	1.65	.....	7.60	1.90	.....	8.50	.21	.....	.92

[Table 4b added by Am. 21, 9 F.R. 579, effective 1-19-44]

SEC. 22. *Maximum prices for certain canned meat products sold or delivered in the Territory of Puerto Rico.*

TABLE 5.—MAXIMUM PRICES FOR CANNED CORNED BEEF

	Sales at wholesale		Sales at retail	
	Per case of 48 12 oz. tins	Per case of 48 5 oz. tins	12 oz. tin	5 oz. tin
First grade	$13.00	$11.00	$0.33	$0.27
Second grade	11.25	9.50	.27	.23

TABLE 6.—MAXIMUM PRICES FOR CANNED VIENNA SAUSAGE

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Case of 48/4 oz. cans	Case of 48/4 oz. cans	Price per 4 oz. can
Canned Vienna ends	$3.27	$3.72	$0.10

TABLE 6.—MAXIMUM PRICES FOR CANNED VIENNA SAUSAGE—Continued

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Case of 24/20 oz. cans	Case of 24/20 oz. cans	Price per 20 oz. can
Canned Vienna ends	$3.20	$3.65	$0.18
	Case of 6/5 lb. cans	Case of 6/5 lb. cans	Price per 5 lb. can
Canned Vienna ends	$3.20	$3.95	$1.05
	Case of 24/24 oz. cans	Case of 24/24 oz. cans	Price per 24 oz. can
Canned Vienna whole	$16.00	$17.70	$0.95
	Case of 36/4 oz. cans	Case of 36/4 oz. cans	Price per 4 oz. can
Canned Vienna whole "Star" brand	$4.20	$4.65	$0.16
	Case of 48/4 oz. cans	Case of 48/4 oz. cans	Price per 4 oz. can
Canned Vienna whole "Libby" brand	$3.60	$3.20	$0.16
Canned Vienna whole "Andrews" brand	3.17	4.60	.12

TABLE 5a.—MAXIMUM PRICES FOR CANNED CORNED BEEF HASH AND CANNED STEW

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Corned beef hash:				Per unit
Stokeley Bros	Case of 24/24 oz. cans	$3.30	$3.90	$0.45
Stew meat and vegetables:				
Libby	Case of 24/28 oz. cans	5.80	6.30	.72

[Table 5a added by Am. 20, 9 F.R. 398, effective 1-14-44]

TABLE 6a.—MAXIMUM PRICES FOR CERTAIN CANNED PORK PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Deviled Ham:				
First grade	Case 24/2¼ oz. tin	$3.50	$3.80	$0.19
Second grade	Case 24/2¼ oz. tin	3.75	4.05	.16
Potted meat:				
First grade	Case 48/2¼ oz. tin	3.00	3.30	.00 or 3 for .17
Second grade	Case 48/2¼ oz. tin	2.35	2.60	.07
First grade	Case 24/5½ oz. tin	3.45	3.75	.13
Treet, Prem, Honey Mor	Case 24/12 oz. tin	3.10	3.75	.45
Spiced meat: Cream City	6 lbs. tins		.4338 lb.	.57 lb.
Spiced Ham: All brands	6 lbs. tins		.49 lb.	.61 lb.
Luncheon meat: All brands	6 lbs. tins		.46 lb.	.58 lb.
Luncheon meat: Premier	Case 24/12 oz. tin	5.75	9.45	.49
Pork luncheon tongue: All brands	6 lbs. tins		.54 lb.	.68
Pork luncheon tongue: All brands	Case 24/6 oz. tins	4.95	5.40	.29
Pork sausages: All brands	25 tins		.54 lb.	.68 lb.
Chorizos:				
El Baturro	Case 6/2 kilos tins		12.65	3.35
El Baturro	Case 12/1 kilo tins		15.15	1.60
Tamales: all brands	Case 12/10½ oz. tins	1.95	2.20	.22
Tamales: all brands	Case 12/20¼ oz. tins	1.90	2.15	.22
Tamales: all brands	Case 12/15 oz. tins	1.65	2.00	.20
Armour's:				
Assorted spreads	Cts. 24/3 oz. tin	2.45	2.65	.25
Chopped pressed ham	Cts. 24/13 oz. tin	3.90	4.05	.50
Ham spreads	Cts. 24/3 oz. tin	2.45	2.10	.16
Liver spread	Cts. 24/3 oz. tin	2.40	2.70	.13
Tongue spread	Cts. 24/3 oz. tin	2.45	2.65	.14
Veal and pork loaf	Cts. 24/7 oz. tin	5.35	5.80	.30
Sliced dried beef	Cts. 24/3 oz. tin	6.90	7.40	.38
Sliced dried beef	Cts. 24/2½ oz. tin	5.80	6.10	.28
Chili con carne: Van Camp's	24/17 oz. glass	6.90	7.30	.30
Frankfurters: Star	12/6 oz. glass	3.65	4.15	.44
Pork sausages, pure: Rath	48/8 oz. tins	13.00	14.15	.37
Spam: Hormel	24/12 oz.	8.55	9.25	.48
Ham O. K. B	6/10-11 lb. tin	Found .615	Found .67	Found .24

[Table 6a added by Am. 18, 8 F.R. 16034, effective 11-1-43; amended by Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4290, effective 5-9-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am 40, 9 F.R. 6258, effective 6-14-44; Am. 41, 9 F.R. 6864, effective 6-12-44; and Am. 44, 9 F.R. 7579, effective 6-16-44]

SEC. 23. *Maximum prices for canned soup sold or delivered in the Territory of Puerto Rico.*

TABLE 7.—MAXIMUM PRICES FOR CANNED SOUP

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Campbell	Case of 48:			Per can
Asparagus	10½ or 11 oz. cans	$5.20	$5.75	$0.15
Celery	10½ or 11 oz. cans	4.15	4.60	.12
Clam Chowder	10½ or 11 oz. cans	5.20	5.75	.15
Consomme Madrilene	10½ or 11 oz. cans	5.20	5.75	.15
Green Pea	10½ or 11 oz. cans	5.20	5.75	.15
Mock Turtle	10½ or 11 oz. cans	5.20	5.75	.15
Ox Tail	10½ or 11 oz. cans	5.20	5.75	.15
Pepper Pot	10½ or 11 oz. cans	5.20	5.75	.15
Vegetable	10½ or 11 oz. cans	5.20	5.75	.15
Beef	10½ or 11 oz. cans	6.43	7.07	.18
Bouillon	10½ or 11 oz. cans	6.43	7.07	.18
Chicken Gumbo	10½ or 11 oz. cans	6.43	7.07	.18
Chicken Noodle	10½ or 11 oz. cans	6.43	7.07	.18
Vegetable Beef	10½ or 11 oz. cans	6.43	7.07	.18
Tomato	10½ or 11 oz. cans	4.33	4.76	.12
Chicken	10½ or 11 oz. cans	7.15	7.87	.21
Vegetarian Vegetable	10½ or 11 oz. cans	5.20	5.75	.15
Vegetarian Vegetable	48/#1 cans	5.65	6.15	.16
Vegetable	48/#1 tin	5.65	6.15	.16 or 2 for .31

TABLE 7—MAXIMUM PRICES FOR CANNED SOUP—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per can
Clifford:	Case of:			
Pea	10½ or 11 oz. cans	$4.80	$4.95	$0.13
Tomato	10½ or 11 oz. cans	4.80	4.95	.13
Vegetable	10½ or 11 oz. cans	5.55	6.10	.16
College Inn:	Case of 24:			
Chicken gumbo	7 oz. cans	1.70	1.90	.10
Chicken noodle	7 oz. cans	1.70	1.90	.10
Cream of green pea	7 oz. cans	1.70	1.90	.10
Tomato	7 oz. cans	1.70	1.90	.10
Vegetable	7 oz. cans	1.70	1.90	.10
Crosse and Blackwell:	Case of 24:			
Asparagus	16 oz. cans	3.35	3.70	.19
Bean with bacon	16 oz. cans	3.35	3.70	.19
Beef	16 oz. cans	3.35	3.70	.19
Black bean	16 oz. cans	3.35	3.70	.19
Celery	16 oz. cans	3.35	3.70	.19
Chicken broth	16 oz. cans	4.20	4.60	.24
Chicken broth	11 oz. cans	3.35	3.70	.19
Chicken noodle	16 oz. cans	3.95	4.35	.23
Clam chowder	16 oz. cans	4.20	4.60	.24
Chicken noodle	11 oz. cans	3.35	3.70	.19
Consomme madrilene	13 oz. cans	3.35	3.70	.19
Cream pea	16 oz. cans	3.35	3.70	.19
Mushroom	16 oz. cans	3.35	3.70	.19
Onion	16 oz. cans	3.35	3.70	.19
Oyster	16 oz. cans	3.35	3.70	.19
Scotch broth	16 oz. cans	3.35	3.70	.19
Shrimp	16 oz. cans	3.35	3.70	.19
Spinach	16 oz. cans	3.35	3.70	.19
Tomato	16 oz. cans	3.35	3.70	.19
Vegetable	16 oz. cans	3.35	3.70	.19
Vegetarian Vegetable	16 oz. cans	3.35	3.70	.19
Vegetable beef	11 oz. cans	4.20	4.60	.24
Gibbs:	Case of 48:			
Asparagus	10½ oz. cans	2.65	2.95	.06
Bean	10½ oz. cans	2.65	2.95	.06
Tomato	10½ oz. cans	2.80	3.25	.09
Vegetable	10½ oz. cans	2.80	3.25	.09
Heinz:				
Asparagus	24 15 oz. cans	3.15	3.50	.15
Asparagus	36 9¼ oz. cans	3.20	3.55	.13
Asparagus	36/11 oz. cans	5.05	5.50	.19
Asparagus	36/11 oz. cans	5.00	5.50	.19
Bean soup	24 15 oz. cans	3.15	3.50	.15
Bean	24 15 oz. cans	3.20	3.55	.13
Bean	36 9¼ oz. cans	3.15	3.50	.15
Celery	24 15 oz. cans	3.20	3.55	.13
Celery	36 9¼ oz. cans	3.15	3.50	.15
Chicken noodle	24 15 oz. cans	3.20	3.55	.13
Chicken noodle	36 9¼ oz. cans	4.95	5.45	.19
Chicken noodle	36/11 oz. cans	3.15	3.50	.15
Chicken country style	24 15 oz. cans	3.20	3.56	.13
Chicken country style	36 9¼ oz. cans	3.15	3.50	.15
Chicken with rice	24 15 oz. cans	3.20	3.55	.13
Chicken with rice	36 9¼ oz. cans	4.20	4.65	.24
Consomme	24 15 oz. cans	4.20	4.65	.16
Consomme	36 9¼ oz. cans	3.15	3.50	.15
Corn chowder	24 15 oz. cans	3.20	3.55	.13
Corn chowder	36 9¼ oz. cans	4.20	4.65	.24
Clam chowder	24 15 oz. cans	4.20	4.65	.16
Clam chowder	36 9¼ oz. cans	3.15	3.50	.15
Genuine turtle	24 15 oz. cans	3.20	3.55	.13
Genuine turtle	36 9¼ oz. cans	3.15	3.50	.15
Green pea	24 15 oz. cans	3.20	3.55	.13
Green pea	36 9¼ oz. cans	3.15	3.50	.15
Gumbo creole	24 15 oz. cans	3.20	3.55	.13
Gumbo creole	36 9¼ oz. cans	4.70	5.20	.18
Gumbo creole	36/11 oz. cans	3.15	3.50	.15
Mushroom	24 15 oz. cans	3.20	3.55	.13
Mushroom	36 9¼ oz. cans	3.15	3.50	.15
Onion	24 15 oz. cans	3.20	3.55	.13
Onion	36 9¼ oz. cans	4.85	5.20	.18
Pea	36/11 oz. cans	3.15	3.50	.15
Pepper pot	24 15 oz. cans	3.20	3.55	.13
Pepper pot	36 9¼ oz. cans	3.15	3.50	.15
Scotch broth	24 15 oz. cans	3.20	3.55	.13
Scotch broth	36 9¼ oz. cans	4.85	5.20	.18
Scotch broth	36/11 oz. cans	3.15	3.50	.15
Spinach	24 15 oz. cans			

TABLE 7—MAXIMUM PRICES FOR CANNED SOUP—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per can
Heinz—Continued.	36 9¼ oz. cans	$2.20	$2.55	$0.13
Spinach	24 15 oz. cans	3.15	3.50	.13
Split pea	36 9¼ oz. cans	3.20	3.55	.13
Split pea	24 15 oz. cans	3.15	3.50	.13
Tomato	36 9¼ oz. cans	3.20	3.55	.13
Tomato	11 oz. cans	4.95	5.45	.19
Chicken noodle	11 oz. cans	3.80	4.20	.15
Tomato	11 oz. cans	4.55	5.00	.17
Vegetable	36/11 oz. cans	3.80	4.20	.15
Tomato	36/11 oz. cans	4.55	5.00	.17
Vegetable	24 15 oz. cans	3.15	3.50	.13
Vegetable	36 9¼ oz. cans	3.20	3.55	.13
Vegetable	24 15 oz. cans	3.15	3.50	.13
Vegetarian Vegetable	36 9¼ oz. cans	3.20	3.55	.13
Vegetarian Vegetable	36/11 oz. cans	4.70	5.20	.18
Vegetarian soup	24 15 oz. cans	3.15	3.50	.13
Vegetable beef	36 9¼ oz. cans	3.20	3.55	.13
Vegetable beef	36/11 oz. tin	5.20	5.65	.19
Condensed asparagus	36/11 oz. tin	5.20	5.65	.19
Condensed beans	36/10¾ oz. tin	5.75	6.20	.20
Condensed chicken noodle	36/11 oz. tin	5.20	5.65	.19
Condensed gumbo creole	36/11 oz. tin	5.20	5.65	.19
Condensed pea	36/11 oz. tin	5.20	5.65	.19
Condensed Scotch broth	36/11 oz. tin	4.35	4.75	.16
Condensed tomato	36/11 oz. tin	5.20	5.65	.19
Condensed vegetarian vegetable	36/11 oz. tin	5.20	5.65	.19
Condensed vegetable	36/11 oz. tin			
Vegetable beef	Case of 36: 11 oz. cans	5.25	5.80	.20
Hurff (new formula):	Case of 48:			
Pea	10½ oz. cans	4.70	5.20	.14
Tomato	10½ oz. cans	5.80	6.20	.20
Vegetable	10½ oz. cans	4.80	5.05	.20
Condensed vegetable	24/20 oz. cans			
	Case of 24:			
Pea	20 oz. cans	4.00	4.40	.25
Tomato	20 oz. cans	4.00	4.40	.25
Vegetable	20 oz. cans	4.00	4.40	.25
Libby:				
Asparagus	10½ oz. cans	1.90	2.05	.10
Tomato	10½ oz. cans	1.90	2.05	.10
Vegetable	10½ oz. cans	1.90	2.05	.10
McGrath:	Case of 48:			
Asparagus	10½ oz. cans	2.65	2.95	.06
Clam chowder	10½ oz. cans	2.65	2.95	.06
Pea	10½ oz. cans	2.65	2.95	.06
Tomato	10½ oz. cans	2.65	2.95	.06
Vegetable	10½ oz. cans	2.65	2.95	.06
Marion Houses:				
Consomme with noodles	10½ oz. cans	4.20	4.65	.12
Phillips:				
Tomato	10½ oz. cans	2.80	3.25	.09
Vegetable	10½ oz. cans	2.80	3.25	.09
Premier:				
Tomato	10½ oz. cans	2.65	2.95	.06
Vegetable	10½ oz. cans	2.65	2.95	.06
Vegetable	48/1 tin	5.05	5.50	.14
Rosche (new formula):				
Asparagus	10½ oz. cans	4.25	4.70	.12
Pea	10½ oz. cans	4.25	4.70	.12
Tomato	10½ oz. cans	4.25	4.70	.12
Vegetable	10½ oz. cans	4.25	4.70	.12
Chicken noodle	10½ oz. cans	3.80	3.85	.10
Saltex:				
Clam chowder	12/7½ tin		4.80	.50
Van Camp (old style):	Case of 24:			
Tomato	19 oz. cans	2.95	3.25	.17
Vegetable	10½ oz. cans	2.10	2.30	.12
Asparagus	10½ oz. cans	4.05	4.45	.12
Tomato (fancy)	10½ oz. cans	4.05	4.45	.12
Zesco:				
Vegetable, condensed minestrone	48/10½ oz.	6.75	7.30	.18

[Table 7 corrected, 8 FR. 10736, effective 7-15-43; amended by Am. 10, 8 F.R. 14765, effective 10-4-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 27, 9 F.R. 2331, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-30-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 41, 9 F.R. 6884, effective 6-12-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

(a) The maximum price for varieties of canned soups other than those enumerated above, shall be a price authorized by the Director of the Office of Price Administration for the Territory of

ment or order prescribing the maximum price for the applicant or for sellers of such canned soups generally, and shall be a price in line with the maximum

TABLE 8—MAXIMUM PRICES FOR CERTAIN TOMATO PRODUCTS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price

Pea	24 15 oz. cans	3.15	3.50	.13
Pepper pot	24 15 oz. cans	3.20	3.55	.13
Pepper pot	36 9¼ oz. cans	3.15	3.50	.10
Scotch broth	24 15 oz. cans	3.20	3.55	.13
Scotch broth	36 9¼ oz. cans	4.85	5.30	.16
Scotch broth	36 11 oz. cans	3.15	3.50	.13
Spinach	24 15 oz. cans			

[Table 7 corrected, 8 FR. 10736, effective 7-15-43; amended by Am. 10, 8 F.R. 14765, effective 10-4-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-29-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 41, 9 F.R. 6384, effective 6-12-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

(a) The maximum price for varieties of canned soups other than those enumerated above, shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of an amendment or order prescribing the maximum price for the applicant or for sellers of such canned soups generally, and shall be a price in line with the maximum price fixed on the above enumerated varieties.

TABLE 7a—MAXIMUM PRICES FOR DEHYDRATED SOUPS

Item and brand name	Unit	Price at wholesale	Retail price
All Brands (all varieties)	2¼ oz. or 2¾ oz. packages	*Per doz.* $1.15	*Per unit* $0.12

[Table 7a added by Am. 20, 9 F.R. 398, effective 1-14-44; amended by Am. 27, 9 F.R. 2831, effective 3-20-44; and Am. 45, effective 8-2-44]

SEC. 24. *Maximum prices for tomato products.*

TABLE 8—MAXIMUM PRICES FOR CERTAIN TOMATO PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Tomato ketchup:				*Per container*
Heins	Case of 24 14 oz. bottles	$6.80	$6.05	$0.33
Heins	Case of 24 8 oz. bottles	3.10	3.56	.19
Scott	Case of 24 14 oz. bottles	3.40	3.90	.21
Libby	Case of 24/14-ounce bottles	3.85	4.40	.24
Libby	Case of 24/8-ounce bottles	2.60	3.00	.16
Snider	Case of 24/14 oz. (glass)	4.25	4.90	.26
Del Monte	Case of 24/12 oz. (glass)	3.75	4.30	.23
Del Monte	Case of 24/8 oz. (glass)	2.65	3.05	.17
Del Monte	Case of 24 14 oz. bottles	3.75	4.30	.23
Our Favorite	Case of 24/14 oz. bottles		4.50	.24
Tasty	Case of 24/14 oz. bottles		5.00	.27
Dodge	24/14 oz. glass	3.75	4.30	.23
Premier	24/14 oz. glass	3.75	4.30	.23
Ritter	24/14 oz. bottle		5.00	.27
Van Camp	24/14 oz. bottle	3.85	4.45	.24
Yolo	24/14 oz. bottle	3.25	3.75	.20
Tomato paste:				
Signet	Case of 100 6 oz. cans	6.95	8.00	.10
S & W	Case of 72/8 oz. cans	4.25	4.90	.09
Green Bow	Case of 72/8 oz. cans	4.05	4.65	.09
Tomato sauce:				
Del Monte	Case of 72 8 oz. cans	4.15	4.65	.08
Eagle	Case of 48 8 oz. cans	2.65	3.05	.08
Heins	Case of 24 18 oz. cans	2.92	3.25	.18
Libby	Case of 72 8 oz. cans	3.55	4.05	.07
Libby	Case of 48 8 oz. cans	2.35	2.70	.07
Signet	Case of 72 8 oz. cans	3.90	4.50	.08
Libby Buffet	Case 72/8 oz. cans	3.63	4.17	.08
S & W	Case 72/8 oz. cans	3.72	4.28	.08
Val-Vita	Case of 72/10½ oz		6.50	.10
Cock Robin	Carton 72/8 oz. tins	4.35	4.90	.09
Hunt's Supreme	Case of 72/8 oz. tins	3.55	4.45	.08
Val-Vita	Case of 72/8 oz. tins	3.60	4.10	.07
Sacramento	Case of 72/8 oz. tins		4.80	.08
Above Par	Case of 72/8 oz. tins		4.65	.08
Sunblest	Case of 48/11 oz. tins		3.80	.10
Blue Bow	Case of 48/10½ oz. tins		4.00	.10
Blue Sky	Case of 72/8 oz. tins		4.80	.08
Allgood	Case of 72/8 oz. tin		4.75	.08
Taste-Tell	Case of 72/8 oz. tin		4.75	.08
Garden Side	Case of 72/8 oz. tin		4.75	.08
Lady Luck	Case of 48/10½ oz. tin		4.00	.10
Arture Sauce:				
Premier	Case of 24/8 oz. tin	3.00	3.20	.18
Tomato puree:				
S & W	Case of 6/#10 cans	4.40	5.05	1.10
Gibbs	Case of 48/10½ oz	3.00	3.40	.09
Sweet Life	Case of 24/2½ tin		5.20	.27
Palmdale	Case of 6/#10 can	3.95	4.50	.97

TABLE 8—MAXIMUM PRICES FOR CERTAIN TOMATO PRODUCTS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Chili Sauce:				
Premier	12/12 oz. glass	$2.40	$2.75	$0.20
Supreme	24/12 oz. glass		6.50	.35
Heins	12/62½ glass		3.45	.37
Libby	Case of 24/12 oz	5.15	5.90	.31
Puree:				
Rokeach	48/10¼ oz		4.25	.26
Sauce:				
Hunts	24/#2 tin	2.75	3.15	.17
Gala	72/8 oz. tin		4.75	.09
Rialto	72/8 oz. tin		4.75	.09
Trupack	48/8 oz. tin		3.40	.09
Uco	72/8 oz. tin		4.05	.09

[Table 8 amended by Am. 1, 8 F.R. 10806, effective 7-15-43; Am. 4, 8 F.R. 11647, effective 8-3-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am 18, 8 F.R. 16084, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 30, 9 F.R. 3514, effective 4-6-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-9-44; Am. 34, 9 F.R. 5253, effective 5-22-44; Am. 37, 9 F.R. 5266, effective 5-22-44; Am. 41, 9 F.R. 6384, effective 6-12-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 6-16-44]

TABLE 9—MAXIMUM PRICES FOR TOMATO JUICE AND TOMATO COCKTAIL

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned tomato juice:				*Per container*
Del Monte	Case of 24 #2 cans	$2.60	$2.80	$0.16
S & W		2.10	2.55	.12
Heins	Case of 24 16 oz. cans	2.05	2.50	.12
Del Monte	Case of 12 47 oz. cans	2.95	3.50	.27
Exquisite	Case of 48 10½ oz. cans	3.75	4.30	.12
Libby	Case of 48 #300 cans	4.20	4.95	.12
Libby	Case of 72 8 oz. cans	4.00	4.80	.08
Signet	Case of 48 12 oz. cans	3.80	4.35	.12
S & W	Case of 48 13 oz. cans	4.50	5.20	.14
	Case of 12 47 oz. cans	3.30	3.70	.40
	Case of 6 #10 cans	3.50	4.05	.88
C H B	Case of 48 12 oz. cans	3.60	4.05	.11
Loudon	Case of 6 #10 cans	2.95	3.40	.75
Curtiss	Case of 24/18 ounce cans	2.65	3.00	.16
Exquisite (fancy)	Case of 24/#303 cans	2.75	3.20	.17
Scott	Case of 48/9 ounce cans	3.50	4.00	.11
Stockleys	Case of 24/20 ounce cans	3.15	3.60	.20
Lily of the Valley	Case of 12/16 oz. glass	1.40	1.60	.17
Lily of the Valley	Case of 12/20 oz. tin	1.45	1.65	.18
Snider	Case of 12/26 oz. glass	2.20	2.55	.27
Snider	Case of 48/4 oz. glass	2.25	2.60	.07
Del Monte	Case of 6/#10 tin	2.80	3.25	.70
Libby	Case of 24/#2 cans	2.65	3.05	.16
Exquisite	Case of 24/#2 cans	2.85	3.25	.18
Hurff	Case of 24/#2 cans	2.60	3.00	.16
Hurff (fancy)	Case of 48/9 oz. tins	3.65	4.20	.11
Fame (fancy)	Case of 48/10½ oz. cans (Picnic)	3.75	4.30	.12
Hurff (fancy)	Case of 48–53/4 oz. tins	2.70	3.10	.08
Hurff	Case of 48/13½ oz	4.00	4.60	.12
Martel	Case of 24/20 oz. cans	3.15	3.60	.20
Punch	Case of 24/#2 tins	2.60	3.00	.16
Glorietta	Case of 48/12 oz. tins	3.90	4.35	.11
Hunts Supreme	Case of 24/18 oz. tins	2.60	3.00	.16
Pacific Gold (fancy)	Case of 24/#2 tins	2.60	3.00	.16
Phillips	Case of 48/10½ oz. tins	3.55	4.05	.11
Premier	Case of 24/18 oz. tin	2.90	3.35	.17
Pride of the Farm	Case of 48/6 oz. tin	2.10	2.35	.06
Sacramento	Case of 24/#2 Tall can		3.40	.18
Welch	Case of 12 qts. bot	2.50	2.90	.31
Welch	Case of 24/pints bot	2.75	3.15	.17
Tomato cocktail:				
Snider	Case of 48/4 oz. glass	2.25	2.60	.07
Snider	Case of 12/26 oz. glass	2.13	2.50	.27

[Table 9 amended by Am. 4, 8 F.R. 11847, effective 8-2-43; Am. 7, 8 F.R. 13165, effective 9-1-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 14, 8 F.R. 15704, effective 10-1-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 16, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 26, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2681, effective 3-20-41; Am 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 34, 9 FR. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-23-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

SEC. 25. *Maximum prices for certain canned vegetables sold or delivered in the Territory of Puerto Rico.*

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per container
Canned asparagus:				
Exquisite (all green)	Case of 24 #2 cans	$7.85	$9.05	$0.49
Libby		7.10	8.15	.44
Exquisite (medium green Tips)	Case of 24 #1 square cans	8.55	9.85	.53
Libby		8.00	9.20	.50
Exquisite	Case of 48 10½ oz. cans	10.15	11.65	.32
Supreme (Natural)	Case of 24/#2 tall	6.75	7.75	.43
Del Monte (Early garden)	Case of 24/#2 cans	7.60	8.65	.44
Mammoth blended green point:				
S & W	Case of 24/#2 rd. tin	8.90	10.25	.55
Palmdale	Case of 24/#2 rd. tin	8.90	10.25	.55
Cut, spear:				
Ritter	Case of 24/19 oz. cans	7.60	8.75	.47
Spears:				
Rialto	Case of 24/#2 can		8.75	.47
Center Cuts:				
Deerfield	Case of 24/#2 can		8.20	.38
Small spears:				
Flotill	Case of 24/#2 can		9.55	.49
Colossal Rialto	Case of 24/#2 tin		8.75	.47
Canned asparagus tips:				
Del Monte (Early garden)	Case of 24/#1 sq. cans	9.05	10.10	.54
Del Monte (Colossal green)	Case of 24/#1 sq cans	7.85	8.90	.48
Del Monte (Picnic small)	Case of 48/10½ oz. cans	7.35	8.45	.26
Del Monte (Picnic early garden)	Case of 48/10½ oz. cans	8.67	9.97	.27
Eagle	Case of 24/#1 sq. cans	6.62	7.61	.41
Premier (all green)	Case of 24/#2 tin	7.35	8.10	.44
Santa Cruz (green)	Case of 24—No. 1 square cans	8.00	9.20	.50
Rialto (green)	Case of 24—No. 1 square cans	7.80	8.90	.49
Rialto (white)	Case of 24—No. 1 square cans	8.20	9.40	.51
Rialto (green)	Case of 48—Picnic	7.80	9.00	.28
Rialto (white)	Case of 48—Picnic	8.30	9.55	.28
Canned beets:				
Sliced:				
Exquisite	Case of 24 #2 cans	3.70	4.25	.22
Calasia	Case of 24/#2 tins	3.46	3.90	.21
Dodge	Case of 24/#2 tins		3.75	.20
Premier	Case of 24/16 oz. glass	3.20	3.70	.20
Libby	Case of 12/16 oz. glass	1.65	1.90	.20
Libby (glass)	Case of 24/16 oz.	3.15	3.65	.20
S. & W	Case of 24/#2 cans	3.75	4.30	.23
Libby	Case of 24/#2 tins	2.96	3.40	.18
Del Monte	Case of 24/#2 tins	3.70	4.25	.23
Del Monte	Case of 12/#308 glass	3.20	3.68	.27
Lily of the Valley	Case of 12/16 oz. (glass)	1.40	1.60	.17
S & W	Case of 6/#10 can	4.30	4.95	1.00
Sweet Life	Case of 24/16 oz. can		3.45	.19
Premier	Case of 24/16 oz. can		4.05	.19
Whole:				
Libby	Case of 24/#2 cans	3.10	3.55	.19
Libby	Case of 24/16 oz. glass	4.00	4.50	.24
Del Monte	Case of 12/#308 glass	2.35	2.70	.20
Diced:				
S. & W	Case of 24/#2 cans	3.30	3.80	.19
Deerfield	Case of 6/#10 cans	2.60	3.00	.65
Del Monte	Case of 12/#308 glass	1.95	2.25	.24
Premier	Case of 24/#2 tin	3.30	3.75	.20
Premier	Case of 24/16 oz. glass	3.00	3.40	.18
Supreme	Case of 24/#2 can		3.19	.26
S & W	Case of 6/#10 can	3.60	4.00	.57
Snider	Case of 12/16 oz. (glass)	1.40	1.60	.17
Snider	Case of 24/#2 cans	2.40	2.75	.15
Lily of the Valley	Case of 24/#2 cans	2.40	2.75	.15
Small Rosebud whole:				
Lily of the Valley	Case of 24/#2 cans	3.35	3.85	.21
Lily of the Valley	Case of 24/#2½ cans	3.80	4.40	.24
Rosebud whole. Lily of the Valley	Case of 24/#2 cans	3.10	3.55	.19

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per container
Canned beets—Continued.				
Tiny Rosebud whole: Lily of the Valley.	Case of 24/#2 cans	$3.75	$4.30	$0.23
Extra small Rosebud: Lily of the Valley.	Case of 24/#2 cans	3.90	4.65	.22
Medium Rosebud whole: Lily of the Valley.	Case of 24/#2½ cans	3.35	3.85	.31
Shoestring: Snider	Case of 12/16 oz. (glass)	1.40	1.60	.17
Shoestring: Premier	Case of 24/16 oz. glass	3.00	3.40	.18
Small whole:				
S & W	Case of 24/#2 cans	5.05	5.80	.31
Julienne:				
S & W	Case of 24/#2 cans	3.20	3.65	.20
Whole midget:				
S & W	Case of 24/#2 cans	5.80	6.65	.36
Cut:				
Deerfield	Case of 24/#2½ cans	2.95	3.40	.18
Deerfield	Case of 24/#2 cans	2.60	2.95	.16
Libby	Case of 24/#2 tin	2.75	3.15	.17
Libby	Case of 12/16 oz. glass	1.65	1.90	.20
Canned carrots:				
Fancy, diced:				
Lily of the Valley				
Premier				
Royal Scarlett	Case of 24 #2 cans			
Snider				
S & W				
Country Queen	Case of 24 16 oz. cans			
Libby (glass)				
Lily of the Valley (glass)	Case of 24 #2 cans			
Snider	Case of 24 #303 cans			
Libby				
Lily of the Valley	Case of 24 19 oz. cans			
Royal Scarlett	Case of 72 8¼-oz. cans			
Premier	Case of 72 8¼-oz. cans			
S & W				
Lily of the Valley	Case of 72 8-oz. cans			
Premier				
Royal Scarlett				
Fancy, shoestring:				
Lily of the Valley	Case of 24 #2 cans			
Snider				
Lily of the Valley (glass)	Case of 12 16 oz. cans			
Snider				
Standard, diced:				
Foote	Case of 24 19 oz. cans			
McGrath				
Phillips				
Gibbs	Case of 24 20 oz. cans			
Summers, Charles G	Case of 48 10 oz. cans			
Gibbs				
Shoestring:	Case of 24 No. 2 cans			
Exquisite	Case of 24/#2 cans			
Raymal				
Cubes:	Case of 24/16 oz. glass			
Scott				
Diced:	Case of 12/#303 glass			
Del Monte	Case of 24/#2 tin			
S. & W	Case of 24/16 oz. glass			
Scott	Case of 24/#2 tin			
Orchard Farm	Case of 48/#1 tin			
Sunny Garden				
Julienne:	Case of 12/#303 glass			
Del Monte	Case of 24/#2 tin			
Leota Belle				
Cabbage, red:	Case of 12/16 oz. glass			
Premier				
Canned corn:				
American beauty:	Case of 24 #2 cans			
Standard White Cream				
Fancy golden sweet, cream style:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned corn—Continued.				
Fancy golden bantam, cream style:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, whole kernel:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, vacuum pack:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, whole kernel:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, vacuum pack:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, whole kernel:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, vacuum pack:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, whole kernel:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				
Fancy golden bantam, vacuum pack:				
Del Monte				
Exquisite				
Libby	Case of 24 #2 cans			
Lily of the Valley				
Royal Scarlett				
Snider				
S & W				

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned corn—Continued.				
Fancy golden sweet, cream style—Continued.				*Per container*
Del Maiz	Case of 24 #303 cans	$3.00	$3.40	$0.18
Del Monte (glass)		3.40	3.85	.20
Exquisite		3.40	3.85	.20
Libby		3.00	3.40	.18
Lily of the Valley		3.80	3.75	.20
Premier		3.40	3.85	.20
Royal Scarlett		4.00	4.55	.24
Snider		3.30	3.75	.20
Fancy golden sweet, whole kernel:				
Libby	Case of 24 #2 cans	3.35	3.80	.20
Premier		3.35	3.80	.20
Royal Scarlett		4.60	5.25	.27
S & W		4.00	5.25	.27
Del Monte (glass)	Case of 24 #303 cans	3.38	3.85	.20
Premier		2.45	2.85	.15
Royal Scarlett		4.10	4.65	.24
Fancy golden, cream style: Premier	Case of 72 8½ oz. cans	6.25	7.00	.22
Fancy golden, on cob:				
Libby	Case of 24 #2½ cans	4.00	4.55	.24
Royal Scarlett		5.50	6.25	.32
Lily of the Valley	Case of 24 #3 cans	5.05	5.75	.30
Snider		5.05	5.75	.30
Fancy golden, on cob (extra tall):				
Lily of the Valley	Case of 12 #3 cans	2.75	3.15	.32
Snider		2.75	3.15	.32
Fancy country gentleman or tiny kernel, cream:				
Libby	Case of 24 #2 cans	3.30	3.75	.19
Lily of the Valley		3.55	4.05	.21
Royal Scarlett		4.45	5.05	.26
Snider		3.55	4.05	.21
S & W		4.40	5.00	.26
Libby	Case of 24 #303 cans	2.95	3.35	.17
Royal Scarlett		4.00	4.55	.24
Standard golden cream:				
Olympia	Case of 24 #2 cans	2.20	2.60	.15
Phillips		2.20	2.60	.15
Standard white cream:				
Foote	Case of 24 #2 cans	2.75	3.15	.16
Maryland Chief		2.65	3.00	.16
McGrath		2.75	3.15	.16
Phillips		2.75	3.15	.16
Red Minn		2.75	3.15	.16
Red Moon		2.75	3.15	.16
Standard white cream whole kernel: Stokeley	Case of 48 11 oz. cans	4.00	4.60	.12
Fancy white sweet, cream style: Premier	Case of 24 16 oz. cans	4.10	4.65	.24
Deloro whole kernel: S & W	Case of 24/#2 cans	4.10	4.65	.24
Country Gentleman whole kernel: Libby	Case of 24/#2 cans	3.60	4.10	.21
Niblets Mexican	Case of 24 12 oz. tins	4.15	4.60	.23
Niblets	Case of 24 12-oz. tins	3.60	4.00	.20
White sweet corn, country gentleman: Lily of the Valley.	Case of 24/#2 cans	3.10	3.55	.18
Golden whole kernel: Lily of the Valley.	Case of 24/#2 cans	3.60	4.10	.21
Golden whole kernel: Premier	Case of 24/#2 tin	3.70	4.15	.21
Golden vacuum packed: Lily of the Valley.	Case of 24/12 oz. cans	2.85	3.25	.17
Golden Bantam whole kernel: Del Monte.	Carton 12/#303 glass	2.30	2.65	.27
Whole kernel golden, vacuum pack: Del Monte.	Case of 24/12 oz. cans	3.60	4.10	.22
Cream style, golden: Del Monte	Case of 24/#2 cans	3.95	4.50	.24
Golden Cream Style: Premier	Case of 24/#2 tin	3.60	4.10	.21
Squat Home style golden sweet: Libby.	Case of 24/#2 tin	3.00	3.40	.18
White Cream Style: Premier	Case of 24/#2 tin	3.35	3.85	.20
G. B. cream style: Palmdale	Case of 24/#2 can	3.75	4.25	.22
Whole cream style: Century	Case of 24/#2 can	3.65	4.10	.21
Whole corn, GB: World Favorite	Case of 24/#2 can		3.90	.20
Whole corn, GB: Kitchen Queen	Case of 24/#2 tin		4.30	.22
Mexican style: Premier	Case of 24/12 oz. tin	3.85	4.30	.22

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned peas:				
Dried:				*Per container*
Gibbs	Case of 24 #2 cans	$1.70	$1.95	$0.10
Glo-Ray		1.70	1.95	.10
La Panza		1.70	1.95	.10
Olympia		1.70	1.95	.10
Ridge Farm		1.70	1.95	.10
York Star		1.70	1.95	.10
Gibbs	Case of 24 19 oz. cans	1.70	2.00	.10
Sunset	Case of 24 18 oz. cans	1.70	1.95	.10
Gibbs	Case of 48 15½ oz. cans	3.00	3.45	.09
Olympia	Case of 48 10 oz. cans	2.20	2.70	.07
Olympia	Case of 72 6 oz. cans	3.05	3.50	.06
Prime	Case of 72 6 oz. cans	2.50	2.95	.05
Ruth		2.50	2.95	.05
Sunset		2.50	2.95	.05
Unico		2.50	2.95	.05
Dry Cooked: Gibbs	100/6 oz. tins		6.80	.08
Extra standard ungraded sugar:				
Brownie	Case of 24 #3 cans	4.15	4.75	.25
County Kist		3.80	4.35	.22
Minnesota Valley		3.20	3.70	.19
Brownie	Case of 24 #303 cans	3.25	3.70	.19
County Kist		3.20	3.75	.19
Lily of the Valley		3.40	3.90	.20
Snider		3.40	3.90	.20
Buffet fancy garden sugar:				
Del Monte	Case of 72 8 oz. cans	6.31	7.20	.12
Royal Scarlett		8.60	9.80	.17
Fancy garden sugar:				
Del Monte	Case of 24 #2 cans	4.10	4.65	.24
Exquisite		3.80	4.35	.22
Libby		3.75	4.30	.22
Del Monte	Case of 24 #303 cans	3.67	4.20	.22
Exquisite		3.30	3.75	.19
Garden Patch		3.70	4.20	.22
Libby		3.35	3.80	.20
Fancy garden sweet: Libby	Case of 24/#2 cans	3.80	4.10	.21
Garden Sugar: Libby	Case of 96/6 oz. cans	6.10	6.95	.09
Medium: S & W	Case of 6/#10 cans	5.65	6.45	1.33
Extra standard sweet: Seabright	Case of 24/#2 tins	3.15	3.60	.18
Extra standard ungraded sweet: Ruby	Case of 48/10½-ounce (picnic)	4.98	5.65	.15
Seabright	Case of 24/#2 cans	3.20	3.65	.19
Tender sweet: Lily of the Valley	Case of 24/#2 cans	3.30	3.75	.19
Early June: Hambrooks	Case of 24/#2 tins	3.75	4.00	.20
Early garden:				
Del Monte	Case of 72/5 oz. cans	6.15	7.00	.12
Del Monte	Case of 24/#2 cans	3.95	4.80	.23
Very small: Del Monte	Case of 24/#2 cans	4.25	4.85	.25
Blended #1 and #2 sieve E. J. Libby	Case of 24/#2 cans	3.65	4.15	.21
Blended: Palmdale	Case of 24/2 tins	3.75	4.00	.20
Rosedale blended #1 and #2 Libby	Case of 24/#2 cans	3.35	3.80	.20
Happyvale #4 sieve E. J. Libby	Case of 24/#2 cans	2.85	3.25	.17
Medium sugar green: S & W	Case of 24/#2 cans	4.70	5.35	.27
Sweet ungraded: Garden Patch	Case of 24/20 oz. cans	4.55	5.20	.26
No. 2 Sieve Alaskas: Le Seur Pearl	Case of 24/17 oz. cans	3.95	4.50	.23
Standard No. 4 Sieve Alaska: Motherwise.	Case of 24/#2 tins		4.10	.21
Medium small No. 2: April Showers.	Case of 24/17 oz. cans	3.75	4.25	.21
Green Giant	Case of 24/20 oz. cans	4.60	5.25	.27
Sweet: Supreme	Case of 24/#2 cans		5.10	.26
Green split: S & W	Case of 24/#1 cans	3.60	4.00	.20
Sub-standard, Alaska whole green: Western Grl.	Case of 24/#2 cans		3.35	.17
Sub-standard: Songstress	Case of 24/#2 tins		3.10	.16
Sub-standard No. 5 Sieve Sweet: Rolling Green.	Case of 24/#2 tins		3.35	.17
Extra Standard: Cosmos	Case of 24/#2 cans	3.55	4.00	.20
Extra-Standard blended: Cosmos	Case of 24/#2 tins	3.55	4.00	.20
Sweet Standard: Milton	Case of 36/#303 cans		4.55	.15
Chickpeas: Naples	Case of 24/20-oz. cans	3.50	4.00	.21
Chickpeas:				
Ceci	Case of 24/#2 tins		2.80	.15
Delicious	Case of 24/#2 tins		3.00	.16
Foote Best	Case of 24/16 oz. tins		3.00	.16
Princess Brand	Case of 24/#2 tins		3.20	.17
Family	Case of 24/#2 tins		3.20	.17
La Perla	Case of 24/#2 tins		3.20	.17

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per container
Canned peas—Continued.				
Chickpeas:				
Montague	Case of 24/#2 tins		$3.20	$0.17
Montezuma Peecy	Case of 24/#2 tins		2.35	.16
Deerfield	Case of 24/#2 can		2.85	.16
Rosedale	Case o' 24/#2 can		3.45	.18
Fancy #1 sieve E. V. or sugar:				
Del Monte	Case of 24 #2 cans	$4.61	5.25	.27
Libby		4.50	5.15	.27
Royal Scarlett		5.95	6.80	.33
Fancy #2 sieve E. V. or sugar:				
Exquisite	Case of 24 #2 cans	4.15	4.75	.25
Libby		4.30	4.90	.25
Lily of the Valley		4.00	4.55	.24
Snider		4.00	4.55	.24
S & W		5.60	6.40	.33
Fancy #3 sieve E. V. or sugar:				
Libby	Case of 24 #2 cans	3.75	4.30	.22
Lily of the Valley		3.70	4.20	.22
Royal Scarlett		5.20	5.95	.31
Snider		3.70	4.20	.22
S & W		4.80	5.45	.27
April Showers	Case of 24 #303 cans	3.70	4.20	.22
Libby		3.40	3.90	.20
Fancy #1 sieve E. V. or sugar: Libby	Case of 24 #303 cans	4.00	4.55	.24
Fancy #2 sieve E. V. or sugar: Libby	Case of 24 #303 cans	3.80	4.35	.22
Fancy #1 sieve sweet: Libby	Case of 24/#2 cans	3.90	4.45	.23
Fancy #1 sieve (tiomic) early variety or sugar:				
Del Monte	Case of 48 11 oz. cans	5.72	6.50	.17
Libby		5.50	6.25	.16
Royal Scarlett		7.25	8.25	.21
Fancy #4 sieve sugar:				
Libby	Case of 24 #2 cans	3.60	4.10	.21
Royal Scarlett		5.10	5.80	.30
Libby	Case of 24 #303 cans	3.20	3.65	.19
Royal Scarlett		4.65	5.30	.27
Fancy #5 or #6 sieve sugar:				
Libbys Jumbo	Case of 24 #2 cans	3.80	4.00	.21
Lily of the Valley		3.80	4.00	.21
Snider		3.50	4.00	.21
Libbys Jumbo	Case of 24 #303 cans	3.10	3.55	.18
Green Giant		4.00	4.55	.24
Niblets		4.00	4.55	.24
#5 sieve E. V.: LeSueur	Case of 48 8 oz. cans	5.80	5.70	.15
#6 sieve E. V.:				
April Showers	Case of 48 8 oz. cans	4.40	5.00	.13
Green giant	Case of 48 8 oz. cans	5.00	5.70	.15
Picnic fancy garden sugar:				
Del Monte	Case of 48 11 oz. cans	5.21	5.95	.15
Exquisite		4.90	5.60	.14
Libby		4.80	5.45	.14
Picnic fancy #5 sieve E. V. or sugar:				
Exquisite	Case of 48 11 oz. cans	5.00	5.70	.15
S & W		6.60	7.80	.19
Picnic fancy #6 sieve E. V. or sugar:				
Lily of the Valley	Case of 48 11 oz. cans	4.80	5.45	.14
Snider		4.80	5.45	.14
S & W		6.00	6.85	.18
Standard: Maryland Chief	Case of 48 10½ oz. cans	4.00	4.00	.12
Standard:				
Foote	Case of 24 20 oz. cans	2.70	3.10	.16
Phillips	Case of 48 10 oz. cans	2.70	3.10	.16
Phillips		4.00	4.60	.12
Canned tomatoes:				
Fancy, solid pack:				
Del Monte	Case of 24 #2 cans	3.60	4.10	.21
Libby		3.00	3.40	.18
Lily of the Valley		3.20	3.65	.20
Royal Scarlett		4.50	5.10	.28
Snider		3.50	4.10	.21
Del Monte	Case of 24 #2½ cans	4.87	5.55	.30
Libby		4.00	4.55	.25
Royal Scarlett		5.25	6.00	.33

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per container
Canned tomatoes—Continued.				$0.18
Fancy solid pack—Continued.				
Premier	Case of 24 19 oz. cans	$3.00	$3.40	.24
Lily of the Valley		1.95	2.20	.24
Snider	Case of 12 16 oz. cans	1.95	2.20	.27
Exquisite		4.50	5.00	.24
Lily of the Valley	Case of 24/#2½	3.90	4.45	.30
Palmdale	Case of 24/#2½ cans	5.10	5.60	.27
Fancy solid pack, (uniform): Lily of the Valley.	Case of 24/#2½ cans	4.60	5.00	
Standard:				
Happyvale	Case of 24 #2 cans	2.60	2.95	.16
Lily of the Valley		3.05	3.45	.19
Red Jay		3.65	4.15	.23
Snider		3.05	3.45	.19
Sweet Land		2.80	3.25	.18
American Wonder		2.65	3.00	.16
Gibbs	Case of 24 #3 cans	2.95	3.35	.18
McGrath		2.40	2.75	.15
Vallonia		2.65	3.00	.16
Cordova		1.80	2.05	.12
Driftwood	Case of 24 19 oz. cans	2.40	2.75	.15
Maryland Chief		2.40	2.75	.15
Phillips		2.40	2.75	.15
Palm Beach		2.50	2.85	.16
Happyvale	Case of 24 #2½ cans	2.85	3.25	.21
Mission		2.75	3.15	.17
Red Jay		3.70	4.20	.23
Silverdale	Case of 24/#2½ can	3.40	3.85	.22
Cosmos	Case of 24 No. 2½ cans	4.50	5.10	.28
Cock Robin (grade C)	Case of 24/#2½ tins	4.05	4.60	.24
Century	Case of 6/#10 cans			
Century S & W				
Fancy peeled:				
Premier	Case of 24/#2 tins	3.35	3.80	.20
Premier	Case of 24/#2½ tin	4.30	4.80	.26
Sunbeam	Case of 24/#2 tin	2.95	3.35	.18
Canned vegetables for salad:				
Exquisite	Case of 48 8 oz. cans	4.60	5.20	.27
Canned beans:				
Small whole gold wax: Lily of the Valley.	Case of 24/#2 cans	5.25	5.95	.33
Cut gold wax: Lily of the Valley	Case of 24/#2 cans	4.60	5.20	.27
Tiny whole green: Lily of the Valley	Case of 24/#2 cans	5.95	6.80	.37
Small whole green: Lily of the Valley.	Case of 24/#2 cans	5.50	6.20	.33
Medium whole green: Lily of the Valley.	Case of 24/#2 cans	4.95	5.60	.27
Vegetaria baked beans: Heins	Case of 24/17½ oz. jars	2.40	2.90	.21
Cut, green: Del Monte	Case of 12/#303 glass	2.15	2.45	.23
Stringless: Libby	Case of 24/#2 tins	3.65	4.20	.23
Pork and beans:				
Van Camp's	Case of 72/8 oz. cans	4.20	4.75	.09
Van Camp's	Case of 48/8 oz. cans	2.80	3.25	.09
Premier	Case of 24/17 oz. glass	3.50	3.90	.20
Van Camp's	Case of 24/#303 tall	3.30	3.75	.20
Van Camp's	Case of 24/#2 jumbo	2.90	4.45	.24
Chilford	Case of 48/16 oz.	4.35	4.90	.13
Hurff	Case of 24/17 oz. cans	2.50	2.85	.15
Hurff	Case of 24/20 oz. cans	3.00	3.40	.18
Van Camp	Case of 24/#300 (20 oz. can)	2.95	3.40	.18
Van Camp	Case of 48/10¼ oz. can	3.45	4.00	.11
Nor East	Case of 24/22 oz. can		3.55	.18
Phillip	Case of 24/#2 can	2.75	3.15	.17
Oven baked: S & W	Case of 24/28 oz. tins	4.90	5.40	.29
Baked: Puritan	Case of 24/28 oz. tin		4.20	.23
Green beans, fancy whole: Del Monte.	Case of 24/#2 tin	4.25	4.85	.25
Green beans, fancy cut: Del Monte	Case of 24/#2 tin	3.95	4.55	.24
Beans with tomato sauce: Gibbs	Case of 24/19 oz. tins	2.60	3.00	.16
Heins	Ctn. 24/17½ oz. jars	3.90	4.25	.22
Beans, deep brown:				
Libby	Case of 24/14 oz. tins	2.75	3.15	.17
Libby	Case of 24/17 oz. glass	3.75	4.20	.23
Green cut #3 sieve: Exquisite	Case of 24/#2 can	3.70	4.25	.22
Green cut #4 sieve: Exquisite	Case of 24/#2 can	3.60	4.15	.22
Green French style: Exquisite	Case of 24/#2 can	3.60	4.15	.22
Red Kidney: Gren Pac	Case of 24/#1 can		3.55	.18

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price

3-20-44; Am. 26, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4620, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-3-44; Am. 40, 9 F.R. 6258, effective 6-12-44; Am. 41, 9 F.R. 6284, effective 6-12-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 6-16-44]

(c) The maximum price for all other

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned beans—Continued.				
Red Kidney:				
Superfine	Case of 24/#2 tin		$3.20	$0.18
Sweet Life	Case of 24/#2 tin		3.20	.18
Premier	Case of 24/#2 tin		3.20	.18
Van Camps	Case of 24/300 tin	$3.00	3.50	.19
Foote Best	Case of 24/16 oz. tin		3.00	.16
Canned lima beans:				
Small: S & W	Case of 24/#2 cans	6.03	6.93	.37
Small green: Libby	Case of 24/#2 cans	4.05	4.65	.25
Baby green: S & W	Case of 24/#2 tin	6.75	7.50	.36
Early garden: Del Monte	Case of 24/#2 tin	4.50	5.20	.28
Medium green: Premier	Case of 24/#2 tin	5.75	6.35	.34
Regular Dried: Seaside	Case of 24/#2 pkgs	6.20	6.80	.37
Green: Del Monte	Case of 24/#2 tin	4.90	5.60	.30
Garden: Libby	Case of 24/#2 tins	3.90	4.50	.24
Medium green: Premier	Case of 24/#2 can	4.55	5.25	.28
Canned string beans:				
Cut:				
S & W	Case of 24/#2 cans	4.98	5.78	.31
Gibbs	Case of 24/#2 cans	3.05	3.50	.19
Vertical pack:				
S & W	Case of 24/#2 cans	5.40	6.20	.34
Extra Standard Florida Cut:				
Mountain fresh	Case of 24/#2 cans	3.65	4.20	.23
Cut sieve #2: S & W	Case of 24/#2 tin	5.25	6.05	.33
Cut sieve #3: S & W	Case of 6/#10 can	4.65	5.30	1.15
Julienne: S & W	Case of 24/#2 can	4.95	5.55	.30
Cut green:				
Premier	Case of 24/#2 can	4.15	4.85	.26
Ferndale	Case of 24/#2 can		4.10	.23
Fancy whole #3 Sieve green:				
Premier	Case of 24/#2 tin	4.20	4.70	.26
Canned peas and carrots:				
Lily of the Valley	Case of 24/#2 cans	3.55	4.05	.21
Libby	Case of 24/16 oz. (glass)	4.25	4.90	.26
Del Monte	Case of 12/#303 can	2.10	2.40	.26
Canned stringless green beans:				
Cut: Chilford	Case of 24/#2 cans	3.43	3.95	.21
Canned spinach:				
Maryland, chief	Case of 24/#2½ cans	4.00	4.60	.25
Lily of the Valley	Case of 24/#2½ cans	3.35	3.85	.21
Del Monte	Case of 24/#2½ cans	4.20	4.80	.26
Palmdale	Case of 24/#2½ tin	4.95	5.60	.29
Premier	Case of 24/#2½ tin	5.05	5.60	.30
Exquisite	Case of 24/#2½ tin	4.00	4.60	.25
Spinach, strained:				
Premier	Case of 24/#2 tin	5.20	5.75	.31
Canned mixed vegetables:				
Libby	Case of 24/#2 cans	3.60	4.05	.22
Supreme	Case of 24/#2 can		4.25	.23
Premier	Case of 24/#2 tin	3.90	4.30	.23
Gibbs	Case of 24/#2 tin		4.30	.23
Mushroom, kitchen:				
Royal Treat	Case of 24/16 oz. pkg		34.00	1.75
Mushrooms, stems and pieces:				
Premier	Case of 24/8 oz. tin	14.15	15.15	.80
Premier	Case of 24/4 oz. tin	7.15	7.90	.42
Turnips, green:				
Sunbeam	Case of 24/#2½ tin	3.70	4.10	.22
Canned pimientos:				
Old Mission	Case of 48/3 oz. tin	4.15	4.75	.12
Old Mission	Case of 48/4 oz. tin	4.25	4.85	.13
Pimientos, whole pod:				
Sunshine	Carton 24/7 oz. glass	3.75	4.30	.23
Miss Georgia	Carton 48/4 oz. can	4.25	4.85	.13
Alimosa	Carton 48/4 oz. can	4.25	4.85	.13
Georgia	Ctn. 24/7 oz. cans	3.75	4.30	.23
Dromedary	Ctn. 24/7 oz. jars	3.75	4.30	.23
Seville	Ctn. 48/4 oz. cans	4.25	4.85	.13
Pimientos, sliced:				
Ossago	Ctn. 24/7 oz. glass	3.75	4.30	.23

[Table 10 corrected, 8 F.R. 10736, 8 F.R. 10937, effective 7–15–43; Am. 4, 8 F.R. 11847, effective 8–2–43; Am. 7, 8 F.R. 13165, effective 9–1–43; Am. 9, 8 F.R. 14090, effective 10–4–43; Am. 15, 8 F.R. 15741, effective 10–15–43; Am. 18, 8 F.R. 16034, effective 11–1–43; Am 20, 9 F.R. 398, 849, effective 1–14–44; Am. 25, 9 F.R. 1942, effective 2–17–44; Am. 27, 9 F.R. 2831, effective 3–20–44; Am. 28, 9 F.R. 3156, effective 3–28–44; Am. 31, 9 F.R. 3949, effective 4–17–44; Am. 32, 9 F.R. 4820, effective 5–9–44; Am. 34, 9 F.R. 5255, effective 5–22–44; Am. 37, 9 F.R. 5256, effective 5–3–44; Am. 40, 9 F.R. 6258, effective 6–12–44; Am. 41, 9 F.R. 6884, effective 6–12–44; Am. 43, 9 F.R. 7570, effective 7–10–44; and Am. 44, 9 F.R. 7579, effective 6–16–44]

(a) The maximum price for all other varieties of commodities listed in Table 10 other than those enumerated therein, shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of an amendment or order prescribing the maximum price for the applicant or for sellers of the canned vegetables hereinabove referred to, and shall be a price in line with the maximum price fixed on the above enumerated varieties.

SEC. 25a. *Maximum prices for certain canned vegetable juices sold or delivered in the Territory of Puerto Rico.*

TABLE 10a—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLE JUICES

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price per can
V-Eight	Case 12/18 oz. cans	$1.80	$2.05	$0.22
	Case 12/46 oz. cans	3.83	4.40	.48
Snider Vegetable Cocktail	Case 24/#2 cans	3.00	3.45	.19
Hurff Vegetable Juice Cocktail	Case 48/12½ oz. cans	5.65	6.40	.17

[Sec. 25a, Table 10a added by Am. 1, 8 F.R. 10906, effective 7–15–43; Table 10a amended by Am. 15, 8 F.R. 15741, effective 10–15–43; Am. 20, 9 F.R. 398, effective 1–14–44]

SEC. 26. *Maximum prices for cattle and beef sold or delivered in the Territory of Puerto Rico.* (a) When used in this Table 11 the term:

[Heading amended by Am. 9, 8 F.R. 14090, effective 10–4–43]

(1) "Cattle" means all animals of the domesticated bovine species.

(2) "Cows" means only those female cattle which have conceived or which are five years or more of age.

(3) "Oxen" means castrated male cattle which are five years or more of age and which have been worked two years or more, or male cattle which are five years or more of age.

(4) "Arroba" means the live weight equivalent of 25 pounds of dressed meat.

(5) "Tenderloin" means filete.

(6) "Round meat" (carne de biftec) means lomillo, masa de cadera, masa redonda, masa larga, babilla and landrecilla.

(7) "Stew meat" (carne de guisar) means faldilla, pecho, cubrepecho, pescuezo, espalda and sobrelomo.

(8) "Soup meat" (carne de sopa) means garron, patas and bones with 25% or more of meat.

(9) "Meat" means tenderloin, round meat, stew meat and soup meat, as defined herein.

Table 11—Maximum prices for cattle sold for slaughter in Puerto Rico and beef at wholesale and at retail from cattle slaughtered in Puerto Rico.

(a) The maximum prices for cows and oxen sold for slaughter shall be $5.00 per arroba. For all other cattle sold for slaughter the maximum price shall be $6.25 per arroba.

(b) The maximum wholesale price for all meat derived from cattle slaughtered in the Territory of Puerto Rico shall be 21¢ per pound.

(c) The maximum prices at retail for all meat derived from cattle slaughtered in Puerto Rico shall be determined in accordance with either of the following two customary methods of sale:

(1) The meat shall be classified as tenderloin, round meat, stew meat and soup meat, and sold at prices no higher than the following:

	Sales at retail (per pound)
Tenderloin	$0.65
Round Meat	.45
Stew Meat	.25
Soup Meat	.12

(2) Where the meat is not classified as provided in the previous subsection, the maximum retail prices shall be:

	Sales at retail (per pound)
Tenderloin	$0.65
All meat excepting tenderloin	.27

NOTE: Meat sold at 27¢ per pound in accordance with this paragraph shall not contain more than 25% of bone. Any sale at retail otherwise than in accordance with the two classifications as above described, shall constitute a violation of this regulation.

SEC. 26a. *Maximum prices for Dominican beef sold or delivered in the Territory of Puerto Rico.* (a) The maximum price for Dominican beef sold at retail in accordance with the classifications indicated in section 26 for Puerto Rican beef shall be the prices fixed for sales of beef from cattle slaughtered in Puerto Rico.

[Sec. 26a added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 27. *Maximum prices for cigarettes sold or delivered in the Territory of Puerto Rico.*

TABLE 12—MAXIMUM PRICES FOR CIGARETTES

Brand	To wholesaler (per carton of 200)	At wholesale (per carton of 200)	At retail (per package of 20)
Chesterfield, Spud, Old Gold, Viceroy, Kool, Raleigh, Fleetwood, Camel, Phillip Morris, Lucky Strike, Mapleton, Chelsea	$1.80	$1.90	$0.22
Spur, Wings, Avalon, Southland, Roy, Domino, Medal, Tuxedo	1.70	1.74	.20
Rivalo	1.70	1.74	.20
Masterpiece	1.76	1.80	.21
Colectiva, Toro, Casino	1.67	1.60	.19
			(Per package of 10)
Violetas	1.57	1.60	.10 } 2 pkgs. .19.
Casino	1.57	1.60	.10 }
Yankee	1.70	1.74	.10 }
	(Per carton of 160)	(Per carton of 160)	(Per package of 16)
De Luxe	$1.47	$1.50	$0.17
	(Per carton of 100)	(Per carton of 100)	(Per carton of 100)
Colectiva Largo	$0.83	$0.85	$0.99
Rivalo Largo	.92	.95	1.10
Toro Largo	.83	.85	.99
Yankee Largo	.87	.90	1.05

(a) No sale of brands of cigarettes other than those enumerated above shall be made after the effective date of this regulation, until the maximum price for such cigarettes has been fixed by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of an amendment or of an order prescribing the maximum price for the applicant or for sellers of such cigarettes generally, and shall be a price in line with the maximum prices fixed above on enumerated brands.

(b) The maximum prices for cigarettes of the brands enumerated above sold individually shall be:

Number of cigarettes	On brands retailing at 22¢ per pkg.	On brands retailing at 21¢ per pkg.	On brands retailing at 20¢ per pkg.	On brands retailing at 10¢ and 19¢ per pkg.
19	$0.21	$0.20	$0.19	$0.18
18	.20	.19	.18	.18
17	.19	.18	.17	.17
16	.18	.17	.16	.16
15	.17	.16	.15	.15
14	.16	.14	.14	.14
13	.15	.13	.13	.13
12	.14	.12	.12	.12
11	.13	.11	.11	.11
10	.11	.10	.10	.10
9	.10	.09	.09	.09
8	.09	.08	.08	.08
7	.08	.07	.07	.07
6	.07	.06	.06	.06
5	.06	.05	.05	.06
4	.05	.04	.04	.04
3	.03	.03	.03	.03
2	.02	.02	.02	.02
1	.01	.01	.01	.01

(c) The maximum prices for De Luxe, Colectiva Largo, Rivalo Largo, Toro Largo and Yankee Largo sold individually shall be 1¢ per cigarette regardless of the quantity in which they are sold.

SEC. 28. *Maximum prices for coffee sold or delivered in the Territory of Puerto Rico.* (a) When used in this Table 13, the term:

(1) "Coffee" means dried parchment coffee, green coffee, roasted coffee and roasted-ground coffee.

(2) "Dried parchment coffee" means coffee from which the pulp has been removed, which has been fermented and washed but which still contains the endocarp or vellum covering the bean.

(3) "Green coffee" means dried parchment coffee from which the endocarp or vellum covering the bean has been removed.

(4) "Roasted coffee" means green coffee which has been subject to the process commonly known as torrefaction, consisting in exposing the beans in a mechanical device to artificially generated heat.

(5) "Roaster" means any person who is engaged in the business of roasting green coffee.

TABLE 13—MAXIMUM PRICES FOR COFFEE

	To wholesalers	At wholesale and to roasters and to retailers	At retail (per lb.)
Dried parchment	$23.70—122 lbs.	$24.70—122 lbs.	----------
Green	$24.00—100 lbs.	$25.00—100 lbs.	$0.25
Roasted			
in containers in excess of one pound	----------	$35.40—100 lbs.	.40
in containers of one pound or less	----------	$36.00—100 lbs.	.40

NOTE: All prices are delivered except for sales by wholesalers and at retail.

[Table 13 amended by Am. 23, 9 F.R. 1158, effective 1-1-44]

SEC. 29. *Maximum prices for crackers sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this Table 14, the term:

(1) "Soda crackers, family type" means crackers such as those sold under the trade names of "Delicious", "Corona", "Sea Spray", "Sunland", "Sunland Saltines", "Soda Familia" and "Family Special".

(2) "Soda crackers, standard type" means crackers such as those sold under the trade names of "Sport", "Borinquen", "Soda Rica", "Popular", "Boricua" and "Rovira".

(3) "Vanilla crackers" means crackers such as those sold under the trade names of "Princess", "Imperial", "Sunland", "Flor de Vainilla" and "Vanilla Biscuit".

(4) "Enumerated varieties of soda crackers or vanilla crackers" means varieties specified in Table 14 of this section.

TABLE 14—MAXIMUM PRICES FOR CRACKERS

Brand	Container, type, and size	To wholesalers (per dozen containers)	At wholesale (per dozen containers)	At retail (per container)
Soda crackers family type:				
Delicious, Corona, Sea Spray, Sunland, Sunland Saltines, Soda Familia, Family Special	4½-lb. tin	$12.27	$12.90	$0.65
	2 lb. container	4.33	4.55	.23
	1 lb. container	2.31	2.43	.13
Soda crackers, standard type:				
Sport, Borinquen, Soda Rica, Popular, Boricua, Rovira	4½ lb. tin	10.77	11.35	1.35
	2 lb. container	4.09	4.30	.24
	1 lb. container	2.06	2.26	.14
Vanilla crackers:				
Princess	7½ lb. tin	16.95	18.65	1.85
Imperial	4½ lb. tin	10.77	11.85	1.25
Sunland	4 lb. tin	9.54	10.50	1.10
Flor de Vainilla	3½ lb. tin	8.36	9.20	1.03
Vanilla Biscuit	1½ lb. container	3.09	4.30	.85
	3 lb. container	7.36	8.10	
Other varieties:				
Florencitas	2½ lb. container	7.00	8.05	0.84
Florencitas	3 lb. container	8.90	9.80	0.94
Borinquen Lunch	1½ lb. container	3.90	4.30	0.45
Borinquen Lunch	3 lb. container	7.20	7.90	0.82
Borinquen Lunch	5 lb. container	12.00	13.20	1.37

[Table 14 amended by Am. 20, 9 F.R. 398, effective 1-14-44]

(a) The maximum price for the above enumerated varieties of soda crackers and vanilla crackers sold loose shall be proportionately computed on the basis of the price fixed for the one pound containers of soda crackers (i. e., family type or standard type, whichever is applicable) and of the one and one-half pound containers of vanilla crackers respectively.

TABLE 15—MAXIMUM PRICES FOR ENUMERATED VARIETIES OF IMPORTED CRACKERS

Brand	Container, type and size	To wholesalers (per dozen containers)	At wholesale (per dozen containers)	At retail (per container)
Soda crackers family type:				
Delicious, Corona, Sea Spray, Sunland, Sunland Saltines, Soda Familia, Family Special	4½-lb. tin	$12.27	$12.90	$0.65
	2 lb. container	4.33	4.55	.23
	1 lb. container	2.31	2.43	.13
Soda crackers, standard type:				
Sport, Borinquen, Soda Rica, Popular, Boricua, Rovira	4½ lb. tin	10.77	11.35	1.35
	2 lb. container	4.09	4.30	.24
	1 lb. container	2.06	2.26	.14
Vanilla crackers:				
Princess	7½ lb. tin	16.95	18.65	1.85
Imperial	4½ lb. tin	10.77	11.85	1.25
Sunland	4 lb. tin	9.54	10.50	1.10
Flor de Vainilla	3½ lb. tin	8.36	9.20	1.03
Vanilla Biscuit	1½ lb. container	3.09	4.30	.85
	3 lb. container	7.36	8.10	
Other varieties:				
Florencitas	2½ lb. container	7.00	8.05	0.84
Florencitas	3 lb. container	8.90	9.80	0.94
Borinquen Lunch	1½ lb. container	3.90	4.30	0.45
Borinquen Lunch	3 lb. container	7.20	7.90	0.82
Borinquen Lunch	5 lb. container	12.00	13.20	1.37

TABLE 15—MAXIMUM PRICES FOR ENUMERATED VARIETIES OF IMPORTED CRACKERS—Continued

Brand	Container, type and size	To wholesalers (per dozen containers)	At wholesale (per dozen containers)	At retail (per container)
Other varieties—Continued:				
Tuc	2½ lb. container	$7.00	$8.05	$0.84
Tuc	3 lb. container	8.90	9.80	0.94
Tuc	1½ lb. container	3.90	4.30	0.45
Tuc	3 lb. container	7.20	7.90	0.82
Tuc	5 lb. container	12.00	13.20	1.37
Graham crackers	2½ lb. container	7.00	8.05	0.84
Graham crackers	3 lb. container	8.90	9.80	0.94
Graham crackers	1½ lb. container	3.90	4.30	0.45
Graham crackers	3 lb. container	7.20	7.90	0.82
Graham crackers	5 lb. container	12.00	13.20	1.37
Oyster	2½ lb. container	7.00	8.05	0.84
Oyster	3 lb. container	8.90	9.80	0.94
Oyster	1½ lb. container	3.90	4.30	0.45
Oyster	3 lb. container	7.20	7.90	0.82
Oyster	5 lb. container	12.00	13.20	1.37
Milk	2½ lb. container	7.00	8.05	0.84
Milk	3 lb. container	8.90	9.80	0.94
Milk	1½ lb. container	3.90	4.30	0.45
Milk	3 lb. container	7.20	7.90	0.82
Milk	5 lb. container	12.00	13.20	1.37
Cheese	2½ lb. container	7.00	8.05	0.84
Cheese	3 lb. container	8.90	9.80	0.94
Cheese	1½ lb. container	3.90	4.30	0.45
Cheese	3 lb. container	7.20	7.90	0.82
Cheese	5 lb. container	12.00	13.20	1.37
Butter	2½ lb. container	7.00	8.05	0.84
Butter	3 lb. container	8.90	9.80	0.94
Butter	1½ lb. container	3.90	4.30	0.45
Butter	3 lb. container	7.20	7.90	0.82
Butter	5 lb. container	12.00	13.20	1.37
Fruit	2½ lb. container	7.00	8.05	0.84
Fruit	3 lb. container	8.90	9.80	0.94
Fruit	1½ lb. container	3.90	4.30	0.45
Fruit	3 lb. container	7.20	7.90	0.82
Fruit	5 lb. container	12.00	13.20	1.37
Assorted	2½ lb. container	7.00	8.05	0.84
Assorted	3 lb. container	8.90	9.80	0.94
Assorted	1½ lb. container	3.90	4.30	0.45
Assorted	3 lb. container	7.20	7.90	0.82
Assorted	5 lb. container	12.00	13.20	1.37

Rivalo Largo	.83	.85	.99
Toro Largo	.83	.85	.99
Yankee Largo	.87	.90	1.05

(a) No sale of brands of cigarettes other than those enumerated above shall be made after the effective date of this

(4) "Roasted coffee" means green coffee which has been subject to the process commonly known as torrefaction, con-

ment coffee from which the endocarp or vellum covering the bean has been removed.

[Table 14 amended by Am. 20, 9 F.R. 398, effective 1-14-44]

(a) The maximum price for the above enumerated varieties of soda crackers and vanilla crackers sold loose shall be proportionately computed on the basis of the price fixed for the one pound containers of soda crackers (i. e., family type or standard type, whichever is applicable) and of the one and one-half pound containers of vanilla crackers respectively.

TABLE 15—MAXIMUM PRICES FOR ENUMERATED VARIETIES OF IMPORTED CRACKERS

Brand	Container, type and size	To wholesalers (per dozen containers)	At wholesale (per dozen containers)	At retail (per container)
Keebler	Case of 10 oz. cartons	$3.05	$3.25	$0.34
		Per carton		
Keebler Butter Thin Biscuits	Cartons 48/12 oz. pkgs	10.30	11.85	.30
Keebler Milk Lunch Biscuits	Cartons 24/16 oz. pkgs	5.50	6.05	.33
Keebler:				
Croydon Cookies, choc	24/16 oz. pkgs	3.05	3.35	.35
Croydon sugar cookies	24/16 oz. pkgs	3.05	3.35	.35
Croydon molasses cookies	24/16 oz. pkgs	3.05	3.35	.35
Rosemont Cookies, choc	48/15 oz. pkgs	3.05	3.35	.35
Rosemont Cookies, vanilla	48/15 oz. pkgs	3.05	3.35	.35
Saltines	48/7 oz. pkgs	1.35	1.50	.16
Saltines	24/16 oz. pkgs	2.40	2.65	.28
Graham Crackers	24/16 oz. pkgs	2.50	2.75	.29
Export Sodas	8/4 2/45 pkgs	11.20	12.20	1.27
Family cracker	Ctns. 24/14# package	2.35	2.60	.27
Sunshine	5 lb. tins	13.50	14.85	1.55
National Sodas	5 lb. tins	13.50	14.85	1.55
National Sodas	5 lb. carton	11.85	13.00	1.35
Veries:				
"Puritan"	3½ lb. tins	8.25	9.05	.85
Puritan Sodas	5 lb. carton	10.35	11.40	1.19
Superb assorted	Ctn. 42/1# pkg	2.75	3.00	.31
Tea ginger	Ctn. 48/7 oz. pkg	1.10	1.25	.13
Gems	Ctn. 8/4½# pkg	8.45	9.30	.96
Rica combination	Ctn. 8/4# pkg	8.80	9.60	1.00
Vanilla sandwiches	Ctn. 8/160's pkgs	12.70	14.00	1.60
Sandwich assorted	Ctn. 8/160's pkgs	11.95	13.15	1.36
Cheese squares	Ctn. 24/1# tins	3.40	3.75	.39
Animal crackers	Ctn. 48/7 oz. pkgs	.60	.75	.08
Tea wafer	Ctn. 6/5# pkgs	9.60	10.55	1.10
Imperial lunch	Ctn. 8/5# pkgs	10.45	11.50	1.19
Puritan sodas	Ctn. 6/4# pkgs	10.45	11.50	1.19
Cheese rarebits	48/7 oz. pkg	.60	.75	.08
Jumbo ginger snaps	48/7 oz. pkg	.60	.75	.08
Large grahams	48/6 ¾ oz. pkg	1.10	1.25	.13
Sandwich assortments	48/4 oz. pkg	1.10	1.25	.13
Acme sodas with salt (small)	48/3½ pkg	.65	.72	[4].08
Acme sodas with or without salt	12/1# pkg	2.35	2.60	.27
Acme sodas with or without salt	12/2# pkg	4.40	4.85	.50
Soda biscuits	48/3½ oz. pkg	.65	.72	[4].08
Loose Wiles:				
Cream lunch	Carton 4/8# cartons	18.35	20.70	2.15
Cream lunch	Cartons 24/1# pkg	2.75	3.00	.31
Yum-Yums	Cartons 24/1# tin	4.15	4.55	.47
Cheese Straws	Cartons 24/1# tin	4.40	4.85	.50
Lemon Snaps	Cartons 24/1# tin	4.15	4.55	.47
Animals	Cartons 24/1# tin	4.15	4.55	.47
Chocolate Nuggets	Cartons 18/1# tin	4.40	4.85	.50
Vanilla Wafers	Cartons 18/1# tin	4.15	4.55	.47
Hydrox #136	Contains 6 dos. /8 ounce	2.10	2.30	.24
Clover Leaves #136	6 dos. /8 ounce	2.10	2.30	.24
Clover Leaves #118	12 dos. /4 ounce	1.10	1.25	.13
Nobility Assortment	4 doz./12½ ounce	4.10	4.50	.47
Fancy Assortment	1 doz./2½#	18.20	20.00	2.08
Vienna fingers	4 cad. of 10# each	10.00	11.00	1.04
Hydrox	144/4 oz. pkg	13.55	14.90	.13
Matinee	72/5 oz. pkg	7.10	7.80	.14
Hi-Jo, Jr	72/6½ oz	7.70	8.45	.15
Dutch Rusks	36/5½ oz	5.70	6.25	.22
Zwieback	72/5¼ oz	12.30	13.25	.25
Hi-Jo	24/1#	5.15	5.60	.20
Soda	24/1#	4.60	5.10	.27
Advocate Creams	120/7½ oz. bags	16.90	18.30	.19
Cheese Straw	48/8 oz	7.40	8.10	.21
Vienna Fingers	60/8 oz	7.95	8.75	.18
Multi-Kreems	240/1¼ oz. bags	17.40	19.20	.10
Soda Crackers: Burry	Cartons 6/4# package	9.45	10.40	1.08
Export soda: Burry	Cartons 6/4# pkg	8.90	9.80	1.02
Nabisco Royal: Lunch	Cartons 6/7¼# pkgs	16.75	18.45	1.92
Nabisco gem biscuit: Small	Carton 6/3¾# tins	11.65	12.80	1.33
Megowen-Educator Food Co.:				
Crax	Ctn. of 24/1# pkg	2.70	3.00	.31
Crax	Ctn. of 24/8 oz. pkg	1.50	1.65	.17

TABLE 15—MAXIMUM PRICES FOR ENUMERATED VARIETIES OF IMPORTED CRACKERS—Continued

Brand	Container, type and size	To wholesalers (per dozen containers)	At wholesale (per dozen containers)	At retail (per container)
National Biscuit Co.:				
Ritz	Ctn. 36/1# pkg	$2.85	$3.15	$0.33
Ritz	Ctn. 72/ 1/2# pkg	1.75	1.85	.19
Social tea	Ctn. 120/5 oz. pkg	1.25	1.35	.14
Fig newton	Ctn. 9 dos. pkgs. 7¾ oz.	1.65	1.80	.19
Gem (small)	Ctn. 6/8# pkgs	10.95	11.95	1.26
Lay Trading Co.:				
Walnut cookies	Carton 3 dos. pkg. 8 oz.	1.35	1.50	.16
Oatmeal cookies	Carton 3 dos. pkg. 8 oz.	1.35	1.50	.16
Hexagon crackers	Carton 3 dos. pkg. 8 oz.	1.50	1.65	.17
Royal Flush crackers	Carton 3 dos. pkg. 8 oz.	1.50	1.65	.17
Burry:				
Van Highland Cream	Ctns. 1/8/4 dos. packages	10.15	11.20	[1].08
Chocolate Nut Cooky	Ctns. 1/8/4 dos. packages	10.15	11.20	[1].08
Van Highland Creams	1/8/48 pkgs	13.55	14.95	.08 per dos. or .05 per pkg.
Van Highland Chocolate Nut Cooky	1/8/48 pkgs	13.55	14.95	.08 per dos. or .05 per pkg.
Croix Bix	1/24/10 oz. pkgs	3.45	3.80	.19
Sugar Wafers	1/10/48 pkgs	10.85	12.05	.08 per dos. or .05 per pkg.
Homespun #1	1/24/1# pkgs	7.45	8.20	.43
Soya Pretz Stix	1/24 dos. pkgs	10.15	11.15	.08 per dos. or .05 per pkg.
Sniffles	1/12/7 oz. pkgs	4.80	5.30	.55
Better Pretz Stix	1/24/10 oz. pkgs	2.35	2.60	.14
Par Cheez	1/12/10 oz. pkgs	3.75	4.15	.43
Consolidated Cracker Co.:				
Crackin' Thin Shell Saltines	1/24/1# pkg	4.40	4.85	.26
Crackin' Good Milk Lunch	1/24/1# pkg	4.40	4.85	.26
Crackin' Good Choc. Snaps	1/24/12/oz. pkg	4.25	4.65	.24
Crackin' Good Ginger Snaps	1/24/1# pkg	4.25	4.65	.24
Crackin' Good Lemon Snaps	1/24/12 oz.	4.25	4.65	.24
Crackin' Good Butter Cookies	1/24/12 oz.	4.90	5.40	.28

[1] Per pound or 4 crackers for 5 cents.
[2] Per dozen packages or 5 cents per package.
[3] Per tin or 1 cent per cracker.
[4] Or 2 for 15 cents.

[Table 15 amended by Am. 16, 8 F.R. 16034, effective 11-1-43; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2631, effective 3-20-44; Am. 36, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am 37, 9 F.R. 5256, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 6-16-44]

SEC. 30. *Maximum prices for dried beans, dried peas and garbanzos sold in the Territory of Puerto Rico.*

	Sales to wholesalers	Sales at wholesale	Sales at retail
	Price per pound	*Price per pound*	*Price per pound*
All grades of dried beans and dried peas, except garbanzos, imported from the continental United States	$0.0655	$0.07	$0.08
All grades of red, pink, and mottled varieties of dried beans not imported from the continental United States	----------	.125	[1].13
All grades of white varieties of dried beans not imported from the continental United States	----------	.115	[1].14
Pigeon peas, not imported from the continental United States	----------	$.065	[1]$0.08
	Price per 110 lbs.	*Price per 110 lbs.*	*Price per lb.*
Garbanzos	$7.00	$8.00	$0.09

[1] On home delivered sales the maximum price at retail may be increased by 1 cent per pound.

[Sec. 30 amended by Am. 9, 8 F.R. 14090, effective 10-4-43]

NOTE: The above prices do not apply on sales of seeds to the Federal or Insular Government or to the agencies of either, which sales are exempted from price control.

[Note added by Am. 30, 9 F.R. 5691, effective 5-20-44]

SEC. 31. *Maximum prices for rice sold or delivered in the Territory of Puerto Rico.*

TABLE 17—MAXIMUM PRICES FOR IMPORTED RICE

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
All grades of imported milled rice	$0.0655	$0.07	$0.08

SEC. 32. *Maximum prices for edible fats and oil products sold or delivered in the Territory of Puerto Rico.*

TABLE 18—MAXIMUM PRICES FOR OLEOMARGARINE AND SHORTENING

Items	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Oleomargarine	in bulk	$0.195 lb.	$0.213 lb.	$0.25 lb.
Shortening, hydrogenated		.18 lb.	.1975 lb.	.25 lb.
Shortening	cn. 12/3 containers	8.00 cn.	8.55 cn.	.95 tin

[Table amended by Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 31, 9 F.R. 3949, effective 4-17-44; and Am. 45, effective 8-2-44.]

TABLE 18a—MAXIMUM PRICES FOR EDIBLE OILS

Brand	Container size and unit	At wholesale	At retail
			Per unit
Olive oil			
Benedetto	12 ¼-gallon cans	$46.45	$4.94
Delisio	6 1-gallon cans	43.75	8.75
Ehmann	48 4½-ounce bottles	17.28	.45
Ehmann	24 ½-pint bottles	13.75	.72
Ehmann	12 1-quart bottles	22.20	2.30
Ehmann	4 1-gallon bottles	26.90	8.00
Ehmann	12 ½-gallon tins	44.70	4.50
Iberia	24 ¼-gallon tins	45.40	2.20
Iberia	96 ⅛-gallon tins	47.55	.60
Iberia	12 32-ounce glass	24.20	2.52
Oberti	24 16-ounce glass	25.35	1.26
Oberti	24 1-pint tins	22.65	1.15
Romanza	24 1-pint tins	35.35	[1] 1.45
Smith Wellman	¼-gallon tin	44.60	8.75
Torino	6 1-gallon glass	44.75	4.45
Torino	12 ½-gallon glass	46.00	2.20
Torino	24 ¼-gallon glass	46.00	2.20
Torino	24¼ gal. tin	25.00	.64
Torino	48½ pt. tin	20.40	4.25
Torino	6 ½-gallon glass	20.95	2.15
Wrestler	12 one-quart glass	11.88	1.23
Wrestler	12 one-pint glass	82.90	4.00
Wrestler	24 1.5-liters tins	89.80	13.90
Ybarra	6 5-liters	10.00	.50
Ybarra	Ctns. 24/8 ounce tins	12.88	.65
Reumberto	Ctns. 24/8 ounce tins	12.65	1.26
Reumberto	Ctns. 12/16 ounce tins	5.25	.15
Reumberto	36/1¼ oz. tin	5.80	.20
Reumberto	24/3 oz. tin	18.80	.95
Reumberto	Case of 24/12 oz. bottles	19.25	1.00
Torino	24/12 oz. bot	19.80	1.00
Copa	24/12 oz. bot	26.00	1.30
Copa	24/16 oz. bot	41.75	8.26
Cellini	6/1 gal. tin	7.50	.36
Bellview	24/4 oz. glass	3.80	.20
Belleview	24/2 oz. bottle	7.10	.24
Cal-Crest	36/2 oz. glass	14.00	.26
Cal-Crest	72/2 oz. glass	8.00	.41
Cal-Crest	24/4 oz. glass	16.60	.41
Cal-Crest	48/4 oz. glass	14.40	.71
Cal-Crest	24/8 oz. glass	26.75	.71
Cal-Crest	48/8 oz. glass	13.70	1.35
Cal-Crest	12/pt. glass	27.40	1.35
Cal-Crest	24/pt. glass	27.00	2.65
Cal-Crest	12/qt. glass	10.20	.53
Genil	24/6 oz. bottle		
Fantis	6/1 gal. tin	$44.00	$8.75
Lindsay	2/5 gal. tin	57.00	16.50
Lindsay	12/qt. tin	19.90	2.05
Lindsay	24/pt. tin	21.00	1.10
Lindsay	24/4 oz. tin	5.70	.30
Lindsay	24/8 oz. tin	11.20	.58
Lindsay	24/16 oz. tin	24.00	1.20
Rome			
Vegetable oil			
Argo	4 1-gallon bottles	8.85	2.77
La Sultana	6 1-gallon bottles	14.35	3.60
La Sultana	4 1-gallon bottles	9.60	3.00
La Sultana	6 ½-gallon bottles	7.25	1.53
La Sultana	12 1-quart bottles	8.10	.85
La Sultana	24 12-ounce bottles	6.55	.34
La Sultana	24 8-ounce bottles	4.70	.24
La Sultana	24 4-ounce bottles	3.15	.16
La Sultana	6 1-gallon bottles	14.25	3.60
La Campana	4 1-gallon bottles	9.60	3.00
La Campana	6 ½-gallon bottles	7.35	1.53
La Campana	12 1-quart bottles	8.10	.85
La Campana	24 12-ounce bottles	6.55	.34
La Campana	24 8-ounce bottles	4.70	.24
La Campana	24 4-ounce bottles	3.15	.16
La Campana	4 1-gallon jugs	7.70	2.45
Masola	6 1-gallon tins	17.90	3.72
Ricola	6 1-gallon tins	15.25	3.20
Massola	4 1-gallon jugs	8.20	2.55
San Rocco	6 1-gallon cans	13.35	2.78
San Leo	4 1-gallon glass	8.55	2.65
Ko-K-Mora	6 1-gallon cans	8.90	2.05
Liberty Maisa	6 1-gallon cans	9.90	2.05
Wilson	24 1½ liter cans	33.85	1.82
Cipo	24 1½ liter cans	23.10	1.22
Alher	6 1-gallon	10.75	2.18
Ellen White	6 1-gallon glass	14.25	.47
Balbo (Green Label)	Case of 12/1 qt. bottles	8.55	.47
Argo	Case of 24/1 qt. bottles	9.15	.25
Argo	24/16 oz. bot	6.90	.67
Sweet Life	12/32 oz. bot	6.55	2.18
Sweet Life	4/1 gal. bot	7.20	1.12
Senora	6/½ gal. bot	5.40	.31
Senora	24/16 oz. bot	6.00	.20
Senora	24/8 oz. bot	3.75	.12
Senora	24/4 oz. bot	2.25	.15
Senora	36/1 oz. bot	1.40	1.05
Top Flight	6/½ gal. jug	5.30	1.10
Sayola	24/8 oz. bot	3.25	.16
Arcola	6/1 gal. tin	12.85	2.60
Riorcata	24/4 oz. bot	2.20	.12
Fiorella	24/8 oz. bot	3.00	.15
Fiorella	24/6 oz. bot	4.75	.24
Vencedor	24/8 oz. bot	6.00	.15
Vencedor	48/4 oz. bot	12.20	2.75
San Genaro	Ctns. 6/1 gallon tins	5.89	1.15
Senora	cs. 6/½ gal. tin	6.20	.33
Senora	cs. 24/16 oz. tin	3.95	.20
Senora	cs. 24/8 oz. tin	2.60	.13
Senora	cs. 24/4 oz. tin	12.85	2.65
Senora	cs. 6/1 gal. tin	10.00	2.05
Balbo	6/1 gal. tin	[2] 2.25	[*] .12
Como	Case 24/4 oz. bottle	2.20	.16
Sunbeam	24/6 oz. glass	13.40	2.80
Senora	6/1 gal. bottle	7.80	2.40
Violette	4/1 gal. bottle	7.25	.37
Wesson	24/pt. bottle		
Wesson			

[1] Per gallon.

[Table 18a added by Am. 7, 8 F.R. 13165, effective 9-1-43; amended by Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 16, 8 F.R. 16034, effective 11-1-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 26, 9 F.R. 1944, effective 2-18-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am 29, 9156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4830, effective 5-9-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 41, 9 F.R. 6884, effective 6-12-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 6-16-44]

[*Items amended by Am. 45, effective 8-2-44]

SEC. 33. *Maximum prices for cured fish sold or delivered in the Territory of Puerto Rico.*

TABLE 19—MAXIMUM PRICES FOR DRIED, SEMI-DRIED, SMOKED OR PICKLED FISH IN BULK

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Whitefish, Great Lakes	100 lb.	$12.00	$12.60	$0.15 lb.
Whitefish, Great Lakes	50 lb.	6.00	6.30	.15 lb.
Whitefish, Great Lakes	25 lb.	3.00	3.15	.15 lb.
Whitefish, Great Lakes	10 lb.	1.20	1.26	.15 lb.
Whitefish, Great Lakes	5 lb.	.60	.63	.15 lb.
Whitefish, Great Lakes	1 lb.	.12	.126

Cal-Crest	72/2 oz. glass	8.00	.41	
Cal-Crest	24/4 oz. glass	16.60	.41	
Cal-Crest	48/4 oz. glass	14.40	.71	
Cal-Crest	24/8 oz. glass	26.75	.71	
Cal-Crest	48/8 oz. glass	13.70	1.35	
Cal-Crest	12/pt. glass	27.40	1.35	
Cal-Crest	24/pt. glass	27.00	2.65	
Cal-Crest	12/qt. glass	10.20	.53	
Cal-Crest	24/6 oz. bottle			

Am. 20, 9 F.R. 1944, effective 2-18-44; Am. 21, 9 F.R. 2000, effective 2-25-44; Am. 26, 9 F.R. 3236, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 41, 9 F.R. 6684, effective 6-12-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 6-16-44]

[*Items amended by Am. 45, effective 8-2-44]

SEC. 33. *Maximum prices for cured fish sold or delivered in the Territory of Puerto Rico.*

TABLE 19—MAXIMUM PRICES FOR DRIED, SEMI-DRIED, SMOKED OR PICKLED FISH IN BULK

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
If hard-dried, semi dried or smoked	$0.14	$0.15	$0.18
Pickled herring	.0925	.105	.14
Pickled bonito fillet	*.12	*.1325	*.17
Pickled salmon	.20	.2125	.26
Pickled codfish fillet	.17	.1825	.23
All other pickled fish (except those specified)	.0825	.095	.13
Pilchards in brine	*.1150	*.1275	*.17

[Table 19 amended by Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 26, 9 F.R. 1944, effective 2-18-44; and Am. 32, 9 F.R. 4820, effective 5-9-44]

[* Items amended by Am. 45, effective 8-3-44]

SEC. 33a. *Maximum prices for canned fish sold or delivered in the Territory of Puerto Rico.*

TABLE 19A—MAXIMUM PRICES FOR CANNED FISH

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per unit
Sea-Sleeves:				
Portola (natural juice)	Case of 48/15 oz.	$8.35	$9.00	$0.24
Best-Ever (natural juice)	Case of 48/15 oz.	9.30	10.10	.27
La Campagnola (natural juice)	Case of 48/½ kg.	16.70	18.00	.49
Mackerels:				
La Campagnola	Case of 24/½ kg.	10.60	11.50	.62
La Campagnola (fillet in oil)	Case of 60/315 grms.	29.35	31.80	.67
Blue Fish:				
La Campagnola	Case of 24/½ kg.	10.60	11.50	.62
Tuna Fish:				
Nereida (in oil)	Case of 48/210 grms.	18.45	20.00	.54
La Campagnola (in oil)	Case of 48/1/8 kg.	19.90	21.50	.58
La Campagnola (Red Label, in oil).	Case of 48/1/4 kg.	25.00	26.75	.72
La Campagnola (Yellow Label, in oil).	Case of 48/1/4 kg.	19.90	21.50	.58
La Campagnola (fillet in oil)	Case of 100/140 grms.	28.30	30.10	.39
La Campagnola (fillet in tomato)	Case of 24/1/2 kg.	16.60	17.90	.93
Premier Sierra, white	Ctn. 48/¼ (7 oz.)		19.25	.50
Premier: white meat	48/½ tin (7 oz.)	19.00	20.50	.55
Mussels:				
Canot (natural)	Case of 48/1/4 kg.	11.30	12.20	.33
Kid glove	48/6 oz. tin		14.75	.40
Sea Bream:				
La Campagnola (fillet in oil)	Case of 24/550 grms.	16.40	16.60	.90
Hake:				
La Campagnola (in oil)	Case of 48/1/4 kg.	13.40	14.40	.39
La Campagnola (in tomato)	Case of 48/1/4 kg.	13.40	14.40	.39
Cuttlefish:				
La Campagnola (natural)	Case of 48/1/4 kg.	16.80	18.10	.49
Clams:				
La Campagnola (natural)	Case of 48/1/4 kg.	10.60	11.45	.31
Anchovies:				
La Campagnola (fillet in oil)	Case of 100/100 grms.	25.65	27.40	.35
Portuguese in olive oil:				
Rita	100/2 oz. flat tins		30.00	.40
Lisboa	100/2 oz. flat tins		27.00	.35
Anchovies rolled: Gold leaf	100/2 oz. tin		28.00	.36
Pilchards:				
Natural	Case of 96/8 oz. can	5.95	6.55	.09
Natural	Case of 48/#1 tall can	4.55	5.00	.14
Natural	Case of 100/5 oz. can	5.25	5.80	.08
Tomato	Case of 96/8 oz. can	6.20	6.80	.09
Tomato	Case of 48/#1 oval can	*5.35	*5.85	*.15
Tomato	Case of 48/#1 tall can	4.95	5.45	.14
Tomato (and olive oil)	Case of 48/#1 oval can	*5.35	**5.90	**.15
Sardines:				
Tomato sauce:				
Las Olas	Cartons 100/3 oz. can	5.60	6.15	.06
S & W	48/#1 oval tin	6.85	7.45	.20
Salmon:				
Red Alaska sockeye	Ctn. 48/1# tall cans	1.60	17.60	.48
Chinook	Ctn. 48/1# tall cans	14.20	15.20	.41
Pink	Ctn. 48/1# tall cans	9.50	10.45	.27
Chum	Ctn. 48/#1 tall cans	9.00	9.80	.26
Chum	48/8 oz. tin	6.00	6.60	.16
Keta	48/8 oz. tin	6.00	6.60	.16
Cohoe Salmon	48/1# talls	6.00	6.60	.16
Medium Red Salmon	48/#1 tin	12.50	13.75	.37
Red: S & W	48/½ tin	12.50	13.75	.37
Shrimps:		15.25	16.25	.43
Jumbo: S & W	48/7 oz. cans	16.60	17.75	.46
Squid in ink: Cordova	Carton 48/1 tall	6.85	7.85	.20
S & W	48/7 oz. tins	15.25	16.75	.45
Bonito fish: Premier	48/½ (6 oz. tin)	12.00	13.00	.35
Caviar, Russian:				
Volga	12/1 oz. glass		10.00	1.10
Lobster: Premier	48/½ T (6 oz.)	32.65	35.00	.95

[Sec. 33a, Table 19A added by Am. 19, 9 F.R. 300, effective 12-24-43; Table 19A amended by Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2836, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 5-9-44; Am. 32, 9 F.R. 4820, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

[* Items amended; * * Items added by Am. 45, effective 8-2-44]

SEC. 34. *Maximum prices for fowl sold or delivered in the Territory of Puerto Rico.*

TABLE 20—MAXIMUM PRICES FOR HARD CHILLED, DRESSED BUT NOT EVISCERATED, GRADE B, OLD AND YOUNG TURKEYS

	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Hens, 8 to 14 pound unit	$0.475	$0.60
Toms, 16 to 20 pound unit	.455	.60
Toms, over 20 pounds	.445	.60

SEC. 35. *Maximum prices for grains and cereals in bulk sold or delivered in the Territory of Puerto Rico.*

TABLE 21—MAXIMUM PRICES FOR WHEAT FLOUR

Item and brand name	Price to wholesalers, (price per pound)	Prices at wholesale (price per pound)	Retail price (price per pound)
All types of hard and soft wheat flour	$0.038	$0.042	$0.06

[Table 21 amended by Am. 31, 9 F.R. 3949, effective 4-17-44]

TABLE 22—MAXIMUM PRICES FOR CERTAIN CORN PRODUCTS

	Price to wholesalers (per 100 pounds)	Price at wholesale (per 100 pounds)	Price at retail	
			For 1 pound	For 2 pounds
Corn meal	$4.00	$4.35	$0.06	$0.11
Cracked corn	3.25	3.55	.06	.09
Whole corn	[1] 3.00	[1] 3.25	.04	.08

[1] This maximum price shall not apply to sales to the United States Government or its agencies.

[Table 22 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 9, 8 F.R. 14090, effective 10-4-43]

NOTE: The prices on corn seed do not apply on sales of such seed to the Federal or Insular Government or to the agencies of either, which sales are exempted from price control.

[Note added by Am. 39, 9 F.R. 5591, effective 5-29-44]

SEC. 36. *Maximum prices for grains and cereals packaged, sold or delivered in the Territory of Puerto Rico.*

TABLE 22—MAXIMUM PRICES FOR CERTAIN PACKAGED CEREALS AND GRAINS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per pkg.)
Breakfast cereals:				
Cream of wheat	Case of 36/28-ounce	$6.05	$9.10	$0.33
Cream of wheat	Case of 48/14-ounce	6.20	7.10	.19
Gold Medal:				
Wheaties	Case of 36/8-ounce	4.45	5.00	.18
Wheat flakes	Case of 24/8-ounce	2.31	2.61	.14
Wheat flakes	Case of 36/8-ounce	3.47	3.92	.14
Cheerioats	Case of 24/7-ounce	3.15	3.55	.19
Kix	Case of 24/7 oz. ctn	3.00	3.20	.17
Oats	Case of 24/14 oz. packages	3.25	3.65	.19
General Foods:				
Bran Flakes	Case of 24/8-ounce	2.75	3.10	.17
Grape Nuts	Case of 24/13-ounce	5.30	6.00	.32
Whole Bran Shreds	Case of 12/10-ounce	1.75	2.00	.21
Grape Nuts Flakes	Case of 24/7-ounce	2.60	2.95	.16
Post Tens	Case of 120/1-ounce	3.00	3.40	.04
Post Toasties	Case of 36/6-ounce	2.60	2.95	.10
GrapeNut Wheat Meal	Case of 12/16-ounce	1.95	2.20	.24
Grape Nuts	Carton 24/12 oz. pkg	3.65	4.10	.22
Grape Nuts	Case of 50/1 oz. pkg	1.20	1.35	.04
Grape Nut Flakes	Case of 50/1 oz. pkg	1.20	1.35	.04
Post Toasties	Case of 50/1 oz. pkg	1.20	1.35	.04
Kellogg:				
Variety	Case of 12/10-ounce	2.00	2.40	.37
Rice Krispies	Case of 24/5½-ounce	3.15	3.55	.19
All Bran	Case of 24/10-ounce	3.30	3.70	.19
Shredded Wheat	Case of 24/12-ounce	2.60	2.95	.20
Corn Flakes	Case of 36/6-ounce	4.30	4.80	.10
Pep	Case of 36/8-ounce package			.17
Pillsbury:		3.30	3.60	.39
Sno Sheen	Carton 13-23/4# pkg	2.35	2.00	.14
Hominy Grits	Carton 24/1½# pkg			
Farina:		2.85	3.15	.22
Pillsbury	Carton 18-12/4# pkg			
National Oats:			*3.60	*.25
3 Minutes Oat Flakes	Case of 18/20 ounce tin		*7.25	*.25
*3 Minutes Oat Flakes	Case of 36/20 oz. tins			
Quaker:		2.35	2.65	.14
Hominy Grits	Case of 24/24 ounce	3.05	3.45	.19
Puffed Rice Sparkies	Case of 24/4½ ounce	2.60	2.95	.16
Puffed Wheat	Case of 24/4 ounce	2.45	2.75	.15
Muffets	Case of 24/8 ounce	3.10	3.50	.38
Individual Assorted Cereals	Case of 12/10 ounce		*7.25	*.25
Oats	Case of 36/20 ounce tin	2.40	2.65	.14
White Cornmeal	Case of 24/24 oz. pkg	2.45	2.70	.28
Farina	Case of 12/28 oz. pkg	2.40	2.65	.14
Yellow Cornmeal	Case of 24/24 oz. pkg			
Corn meal:		1.15	1.30	.14
Quaker White	Case of 12/24 ounce			
Farina:		6.70	7.55	.27
Quaker	Case of 36/24 ounce tin	1.20	1.35	.15
Quaker	Case of 12/14 ounce	2.25	2.55	.28
Quaker	Case of 12/28 ounce	3.26	3.60	.18
Vitos	Case of 24/28 ounce	2.40	2.70	.15
Quaker	Case of 24/14 oz. pkg			
Flour:		2.80	3.15	.17
Aunt Jemima:	Case of 24/30 ounce	1.55	1.75	.19
Pancake flour	Case of 12/20 ounce			
Buckwheat		6.20	6.65	.43
Gold Medal:	Carton 20/5's O/C	3.05	3.35	.36
Gold Medal KT Wheat	Carton 12/44 oz. ctns	3.40	3.85	.20
Softasilk Wheat	Cartons 25/2# pkg			
Kitchen-Tested Wheat Flour		3.40	3.75	.19
Pillsbury:	Cartons 25/2# paper pkg	3.00	3.30	.42
Best Wheat	Cartons 10/5# paper pkg	2.85	3.15	.81
Best Wheat	Cartons 5/10# paper pkg	5.55	6.10	1.97
Best Wheat	Cartons 4/25# paper pkg	2.50	2.75	.15
Best Wheat	Cartons 24/1½# pkg	1.80	2.00	.21
Pancake	Cartons 12/1½# pkg		6.50	
Buckwheat Pancake	100# net cots		3.80	.39
Sno-Sheen Cake Flour	12/2¾# package	3.45	3.25	.22
Sno-Sheen Cake Flour	18/1¾# package	2.95	3.30	.18
Farina	24/1¾# package	3.00	2.30	.24
Pancake Flour	12/1½# package	2.10	2.70	.15
Buckwheat Pancake Flour	24/1½# package	2.35	7.00	.45
Yellow Cornmeal	Bales of 20/5 lb. bags	6.40		
American Beauty				

TABLE 22—MAXIMUM PRICES FOR CERTAIN PACKAGED CEREALS AND GRAINS—Continued

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per pkg.)
Pillsbury—Continued.				
Aunt Jemima: Pancake	Case of 24/20 oz. pkg	$2.20	$2.60	$0.19
Swansdown cake flour	Ctn. 12-22/4# pkg	3.20	3.60	.29
Premier:				
Cake and Pastry Flour	Ctn. 12/44 oz. pkg	2.95	3.35	.26
Coarse Barley	Ctn. 24/16 oz.	2.15	2.45	.13
4X Patent Flour	Ctn. 25/2# pkg	3.40	3.85	.29
General Mills:				
Purity Instant Oats	Ctn. 24/14 oz. pkg	2.75	3.09	.26
Purity Oats	Case of 12/42 oz. pkgs	3.00	3.40	.27
Purity Oats	Case of 24/20 oz. pkgs	3.25	2.70	.29
Nabisco:				
Shredded Wheat	Case of 36 12 oz.		5.75	.29
100% Bran	Case of 24 8 oz.	2.30	2.60	.14
Mother Hubbard:				
Golden Center Toasted: Wheat Germ	Case of 12/61 packages	3.15	3.50	.37
Premier:				
Barley (medium)	Cts. of 24/16 oz. pkg	2.30	2.60	.14
Barley (fine)	In 100# bags	9.22	10.42	[1] .14
Coarse Cracker Meal	In cases of 25#	2.30	2.60	[2] 2.40

[1] Per pound. [2] Per case.

[Table 22 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 1, 8 F.R. 10906, effective 7-15-43; Am. 7, 8 F.R. 13165, effective 9-1-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 14, 8 F.R. 15704, effective 10-1-43; Am. 18, 8 F.R. 16034, effective 11-1-43; Am 20, 9 F.R 398, effective 1-14-44; Am 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-9-44; Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5256; effective 5-22-44; and 43, 9 F.R. 7570, effective 7-10-44]

[* Items amended; ** Items added by Am. 45, effective 8-2-44]

SEC. 37. *Maximum prices for hemp rope sold or delivered in the Territory of Puerto Rico.*

TABLE 24.—MAXIMUM PRICES FOR HEMP ROPE IMPORTED FROM CUBA

At wholesale	$26.00 per cwt.
At retail	0.32 per lb.

SEC. 38. *Maximum prices for kerosene sold or delivered in the Territory of Puerto Rico.*

TABLE 25—MAXIMUM PRICES FOR KEROSENE

The maximum prices of kerosene at wholesale are established by Maximum Price Regulation No. 88.

The maximum prices of kerosene at retail establishments as provided in Maximum Price Regulation No. 137 shall be 18¢ per gallon, except that when a quantity of less than one gallon is sold the maximum price shall be 5¢ per quart.

SEC. 39. *Maximum prices for macaroni, spaghetti and vermicelli sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in Tables 26 and 27 the term:

(1) "Prepackaged" means an inner and outer sealed, cellophane or paper wrapped, paperboard package.

(2) "Macaroni, spaghetti and vermicelli in bulk" means macaroni, spaghetti and vermicelli that has not been prepackaged.

TABLE 26—MAXIMUM PRICES FOR MACARONI, SPAGHETTI AND VERMICELLI IN BULK

To wholesalers (per cwt.)	At wholesale (per cwt.)	At retail (per lb.)
$7.20	$7.70	$0.10

TABLE 27—MAXIMUM PRICES FOR PREPACKAGED MACARONI, SPAGHETTI AND VERMICELLI

	To wholesalers	At wholesale	At retail (per pkg.)
Cruz Roja de Malta, 32 pkgs. (7 oz. pkg.)	$1.80	$2.00	$0.06
Itali, 20 pkgs. (½ lb. pkg.)	1.15	1.25	.08
Itali, 20 pkgs. (1 lb. pkg.)	1.90	2.10	.14
Estrella Roja, 20 pkgs. (½ lb. pkg.)	1.80	1.95	.09
La Javanela (8 oz. package)	[1] 16.00	[1] 17.80	.11
La Javanela (16 oz. pkg.)	14.00	15.80	.19
La Vascongada, 32 pkgs. (8 oz. pkg.)	2.10	2.30	.09
La Vascongada, 80 pkgs. (8 oz. pkg.)	5.05	5.55	.09
Ego, 60 pkgs. (1 kilo)	17.20	19.05	.32
Tampieri, 28 pkgs. (1 lb. pkg.)	4.20	4.60	.21
Ronzoni Brand Naples Style 20 pkgs. (1 lb. pkg.)	2.55	2.80	.18
Ronzoni Brand Geneva Style 20 pkgs. (1 lb. pkg.)	2.95	3.25	.21

TABLE 27—MAXIMUM PRICES FOR PREPACKAGED MACARONI, SPAGHETTI AND VERMICELLI—Continued

	To wholesalers	At wholesale	At retail (per pkg.)
Ronzoni Brand Neapolitan Style 20 pkgs. (1 lb. pkg.)	$2.95	$3.25	$0.21
Ronzoni Brand Neapolitan Style 40 pkgs. (½ lb. pkg.)	2.95	3.25	.11
Ronzoni Brand Neapolitan Style 80 pkgs. (¼ lb. pkg.)	2.95	3.25	.06
Ronzoni Brand Neapolitan Style 160 pkgs. (2 oz. pkg.)	2.95	3.25	.03
Ronzoni Brand Neapolitan Style 240 pkgs. (1 oz. pkg.)	2.95	3.25	.02
Ronzoni Brand Neapolitan Style 480 pkgs. (½ oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 960 pkgs. (¼ oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1920 pkgs. (⅛ oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 3840 pkgs. (1/16 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 7680 pkgs. (1/32 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 15360 pkgs. (1/64 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 30720 pkgs. (1/128 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 61440 pkgs. (1/256 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 122880 pkgs. (1/512 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 245760 pkgs. (1/1024 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 491520 pkgs. (1/2048 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 983040 pkgs. (1/4096 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1966080 pkgs. (1/8192 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 3932160 pkgs. (1/16384 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 7864320 pkgs. (1/32768 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 15728640 pkgs. (1/65536 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 31457280 pkgs. (1/131072 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 62914560 pkgs. (1/262144 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 125829120 pkgs. (1/524288 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 251658240 pkgs. (1/1048576 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 503316480 pkgs. (1/2097152 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1006632960 pkgs. (1/4194304 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2013265920 pkgs. (1/8388608 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4026531840 pkgs. (1/16777216 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 8053063680 pkgs. (1/33554432 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 16106127360 pkgs. (1/67108864 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 32212254720 pkgs. (1/134217728 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 64424509440 pkgs. (1/268435456 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 128849018880 pkgs. (1/536870912 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 257698037760 pkgs. (1/1073741824 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 515396075520 pkgs. (1/2147483648 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1030792151040 pkgs. (1/4294967296 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2061584302080 pkgs. (1/8589934592 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4123168604160 pkgs. (1/17179869184 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 8246337208320 pkgs. (1/34359738368 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 16492674416640 pkgs. (1/68719476736 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 32985348833280 pkgs. (1/137438953472 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 65970697666560 pkgs. (1/274877906944 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 131941395333120 pkgs. (1/549755813888 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 263882790666240 pkgs. (1/1099511627776 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 527765581332480 pkgs. (1/2199023255552 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1055531162664960 pkgs. (1/4398046511104 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2111062325329920 pkgs. (1/8796093022208 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4222124650659840 pkgs. (1/17592186044416 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 8444249301319680 pkgs. (1/35184372088832 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 16888498602639360 pkgs. (1/70368744177664 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 33776997205278720 pkgs. (1/140737488355328 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 67553994410557440 pkgs. (1/281474976710656 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 135107988821114880 pkgs. (1/562949953421312 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 270215977642229760 pkgs. (1/1125899906842624 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 540431955284459520 pkgs. (1/2251799813685248 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1080863910568919040 pkgs. (1/4503599627370496 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2161727821137838080 pkgs. (1/9007199254740992 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4323455642275676160 pkgs. (1/18014398509481984 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 8646911284551352320 pkgs. (1/36028797018963968 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 17293822569102704640 pkgs. (1/72057594037927936 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 34587645138205409280 pkgs. (1/144115188075855872 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 69175290276410818560 pkgs. (1/288230376151711744 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 138350580552821637120 pkgs. (1/576460752303423488 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 276701161105643274240 pkgs. (1/1152921504606846976 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 553402322211286548480 pkgs. (1/2305843009213693952 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1106804644422573096960 pkgs. (1/4611686018427387904 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2213609288845146193920 pkgs. (1/9223372036854775808 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4427218577690292387840 pkgs. (1/18446744073709551616 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 8854437155380584775680 pkgs. (1/36893488147419103232 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 17708874310761169551360 pkgs. (1/73786976294838206464 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 35417748621522339102720 pkgs. (1/147573952589676412928 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 70835497243044678205440 pkgs. (1/295147905179352825856 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 141670994486089356410880 pkgs. (1/590295810358705651712 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 283341988972178712821760 pkgs. (1/1180591620717411303424 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 566683977944357425643520 pkgs. (1/2361183241434822606848 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1133367955888714851287040 pkgs. (1/4722366482869645213696 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2266735911777429702574080 pkgs. (1/9444732965739290427392 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4533471823554859405148160 pkgs. (1/18889465931478580854784 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 9066943647109718810296320 pkgs. (1/37778931862957161709568 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 18133887294219437620592640 pkgs. (1/75557863725914323419136 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 36267774588438875241185280 pkgs. (1/151115727451828646838272 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 72535549176877750482370560 pkgs. (1/302231454903657293676544 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 145071098353755500964741120 pkgs. (1/604462909807314587353088 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 290142196707511001929482240 pkgs. (1/1208925819614629174706176 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 580284393415022003858964480 pkgs. (1/2417851639229258349412352 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1160568786830044007717928960 pkgs. (1/4835703278458516698824704 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2321137573660088015435857920 pkgs. (1/9671406556917033397649408 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4642275147320176030871715840 pkgs. (1/19342813113834066795298816 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 9284550294640352061743431680 pkgs. (1/38685626227668133590597632 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 18569100589280704123486863360 pkgs. (1/77371252455336267181195264 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 37138201178561408246973726720 pkgs. (1/154742504910672534362390528 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 74276402357122816493947453440 pkgs. (1/309485009821345068724781056 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 148552804714245632987894906880 pkgs. (1/618970019642690137449562112 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 297105609428491265975789813760 pkgs. (1/1237940039285380274899124224 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 594211218856982531951579627520 pkgs. (1/2475880078570760549798248448 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1188422437713965063903159255040 pkgs. (1/4951760157141521099596496896 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2376844875427930127806318510080 pkgs. (1/9903520314283042199192993792 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4753689750855860255612637020160 pkgs. (1/19807040628566084398385987584 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 9507379501711720511225274040320 pkgs. (1/39614081257132168796771975168 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 19014759003423441022450548080640 pkgs. (1/79228162514264337593543950336 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 38029518006846882044901096161280 pkgs. (1/158456325028528675187087900672 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 76059036013693764089802192322560 pkgs. (1/316912650057057350374175801344 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 152118072027387528179604384645120 pkgs. (1/633825300114114700748351602688 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 304236144054775056359208769290240 pkgs. (1/1267650600228229401496703205376 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 608472288109550112718417538580480 pkgs. (1/2535301200456458802993406410752 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1216944576219100225436835077160960 pkgs. (1/5070602400912917605986812821504 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2433889152438200450873670154321920 pkgs. (1/10141204801825835211973625643008 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4867778304876400901747340308643840 pkgs. (1/20282409603651670423947251286016 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 9735556609752801803494680617287680 pkgs. (1/40564819207303340847894502572032 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 19471113219505603606989361234575360 pkgs. (1/81129638414606681695789005144064 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 38942226439011207213978722469150720 pkgs. (1/162259276829213363391578010288128 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 77884452878022414427957444938301440 pkgs. (1/324518553658426726783156020576256 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 155768905756044828855914889876602880 pkgs. (1/649037107316853453566312041152512 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 311537811512089657711829779753205760 pkgs. (1/1298074214633706907132624082305024 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 623075623024179315423659559506411520 pkgs. (1/2596148429267413814265248164610048 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1246151246048358630847319119012823040 pkgs. (1/5192296858534827628530496329220096 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2492302492096717261694638238025646080 pkgs. (1/10384593717069655257060992658440192 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 4984604984193434523389276476051292160 pkgs. (1/20769187434139310514121985316880384 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 9969209968386869046778552952102584320 pkgs. (1/41538374868278621028243970633760768 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 19938419936773738093557105904205168640 pkgs. (1/83076749736557242056487941267521536 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 39876839873547476187114211808410337280 pkgs. (1/166153499473114484112975882535043072 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 79753679747094952374228423616820674560 pkgs. (1/332306998946228968225951765070086144 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 159507359494189904748456847233641349120 pkgs. (1/664613997892457936451903530140172288 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 319014718988379809496913694467282698240 pkgs. (1/1329227995784915872903807060280344576 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 638029437976759618993827388934565396480 pkgs. (1/2658455991569831745807614120560689152 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1276058875953519237987654777869130792960 pkgs. (1/5316911983139663491615228241121378304 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2552117751907038475975309555738261585920 pkgs. (1/10633823966279326983230456482242756608 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 5104235503814076951950619111476523171840 pkgs. (1/21267647932558653966460912964485513216 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 10208471007628153903901238222953046343680 pkgs. (1/42535295865117307932921825928971026432 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 20416942015256307807802476445906092687360 pkgs. (1/85070591730234615865843651857942052864 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 40833884030512615615604952891812185374720 pkgs. (1/170141183460469231731687303715884105728 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 81667768061025231231209905783624370749440 pkgs. (1/340282366920938463463374607431768211456 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 163335536122050462462419811567248741498880 pkgs. (1/680564733841876926926749214863536422912 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 326671072244100924924839623134497482997760 pkgs. (1/1361129467683753853853498429727072845824 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 653342144488201849849679246268994965995520 pkgs. (1/2722258935367507707706996859454145691648 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1306684288976403699699358492537989931991040 pkgs. (1/5444517870735015415413993718908291383296 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2613368577952807399398716985075979863982080 pkgs. (1/10889035741470030830827987437816582766592 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 5226737155905614798797433970151959727964160 pkgs. (1/21778071482940061661655974875633165533184 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 10453474311811229597594867940303919455928320 pkgs. (1/43556142965880123323311949751266331066368 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 20906948623622459195189735880607838911856640 pkgs. (1/87112285931760246646623899502532662132736 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 41813897247244918390379471761215677823713280 pkgs. (1/174224571863520493293247799005065324265472 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 83627794494489836780758943522431355647426560 pkgs. (1/348449143727040986586495598010130648530944 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 167255588988979673561517887044862711294853120 pkgs. (1/696898287454081973172991196020261297061888 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 334511177977959347123035774089725422589706240 pkgs. (1/1393796574908163946345982392040522594123776 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 669022355955918694246071548179450845179412480 pkgs. (1/2787593149816327892691964784081045188247552 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 1338044711911837388492143096358901690358824960 pkgs. (1/5575186299632655785383929568162090376495104 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 2676089423823674776984286192717803380717649920 pkgs. (1/11150372599265311570767859136324180752990208 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 5352178847647349553968572385435606761435299840 pkgs. (1/22300745198530623141535718272648361505980416 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 10704357695294699107937144770871213522870599680 pkgs. (1/44601490397061246283071436545296723011960832 oz. pkg.)	2.95	3.25	.01
Ronzoni Brand Neapolitan Style 21408715390589398215874289

Pancake	Cartons 12/1¼# pkg.	1.80	2.00	.21
Buckwheat Pancake	Cartons 24/1¼# pkg.		6.60	
Sno-Sheen Cake Flour	100# net cots	3.45	3.80	.39
Sno-Sheen Cake Flour	12/2¾# package	2.95	3.25	.22
Farina	18/1¾# package	3.00	3.30	.18
Pancake Flour	24/1¾# package	2.10	2.30	.24
Buckwheat Pancake Flour	12/¾# package	2.35	2.70	.15
Yellow Cornmeal	24/1½# package	6.40	7.00	.45
American Beauty	Bales of 20/5 lb. bags			

(1) "Prepackaged" means an inner and outer sealed, cellophane or paper wrapped, paperboard package.

(2) "Macaroni, spaghetti and vermicelli in bulk" means macaroni, spaghetti

Ego, 60 pkgs. (1 kilo)	17.30	18.05	.30
Tampieri, 28 pkgs. (1 lb. pkg.)	4.20	4.60	.21
Ronzoni Brand Naples Style 20 pkgs. (1 lb. pkg.)	2.55	2.80	.18
Ronzoni Brand Geneva Style 20 pkgs. (1 lb. pkg.)	2.95	3.25	.21

TABLE 27—MAXIMUM PRICES FOR PREPACKAGED MACARONI, SPAGHETTI AND VERMICELLI—Continued

	To wholesalers	At wholesale	At retail (per pkg.)
Ronzoni Brand Egg Noodle Style 12 pkgs. (8 oz. pkg.)	$1.55	$1.70	$0.15
Justice (Ctns. of 10 pounds ea.)	.90	1.05	.13 lb.
Pure egg noodles, fine:			
El Yunque, 12/1# pkgs.	2.40	2.75	.29
El Yunque, 24/½# pkgs.	2.50	2.85	.15
Pure egg noodles, medium:			
El Yunque, 12/1# pkgs.	2.40	2.75	.29
El Yunque, 24/½# pkgs.	2.50	2.85	.15
Mueller Alphabetic with egg, 24/6 oz. pkg.		2.65	.16
Premier Noodles (egg-fine), 24/8 oz. pkg.	2.75	3.10	.17
Premier Egg Noodles (broad), 24/8 oz. pkg.	2.75	3.10	.17
Caruso Noodles (spinach), 12/8 oz.	1.80	2.05	.22
Caruso Noodles (egg), 24/8 oz. pkg.	2.45	2.80	.16
Caruso Tufoli, 10/1# pkg.	1.55	1.80	.28
Caruso Vermicelli extra fine, 10/1# pkg.	1.75	2.00	.26
Spaghetti (semolina):			
El Yunque, 24/1# pkgs.	2.55	2.90	.16
El Yunque, 48/½# pkgs.	2.70	3.10	.09
Mezzani:			
El Yunque, 24/1# pkgs.	2.60	3.00	.16
El Yunque, 48/½# pkgs.	2.80	3.20	.09
Spaghetti:			
4 Minutes Caruso, 24/8 oz. pkgs.	1.80	2.05	.11
Luxury, 48/7 oz. pkgs.	2.35	2.65	.07
Spaghetti dinner:			
Chef Boyardee, 12/1# pkg.		4.00	.44
Spaghetti: Caruso, 24/1# pkg.	2.80	2.60	.14
Luxury, cartons 24/16 oz. pkg.	2.60	2.95	.16
Premier, 24/8 oz. pkg.	1.75	2.00	.11
Premier, 24/1# pkg.	2.75	3.10	.17
Tenderoni: Van Camp, 24/6 oz. pkgs.	2.00	2.25	.12

TABLE 27—MAXIMUM PRICES FOR PREPACKAGED MACARONI, SPAGHETTI AND VERMICELLI—Continued

	To wholesalers	At wholesale	At retail (per pkg.)
Macaroni: Luxury, 48/7 oz. pkgs.	$2.35	$2.65	$0.07
Macaroni:			
Luxury (semolina), cartons 24/16 oz. pkg.	2.60	2.95	.16
Luxury 7 Minutes, cartons 24/8 oz. pkg.	1.80	1.80	[1] 2 for 17
Premier, 24/1# pkg.	2.75	3.10	.17
Premier, 24/8 oz. pkg.	1.75	2.00	.11
Caruso, 24/1# pkg. sq.	2.55	2.90	.16
Premier (Elbow), 24/8 pkg.	1.75	3.00	.11

[1] Per cwt. cents. Or 2 for 17

[Table 27 corrected, 8 F.R. 10736, effective 7–15–43; amended by Am. 9, 8 F.R. 14090, effective 10–4–43; Am. 26, 9 F.R. 3156, effective 3–28–44; Am. 31, 9 F.R. 3949, effective 4–17–44; Am. 34, 9 F.R. 5255, effective 5–22–44; and Am. 43, 9 F.R. 7570, effective 7–10–44]

(1) The maximum prices for varieties of prepackaged macaroni, spaghetti and vermicelli other than those enumerated above shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of an amendment or order prescribing the maximum price for the applicant or for sellers of such macaroni, spaghetti and vermicelli generally, and shall be a price in line with the maximum price fixed on the above enumerated varieties.

TABLE 27a—MAXIMUM PRICES FOR IMPORTED SPAGHETTI PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per lb.
Macarroni medium pastalina	15 kilos (bulk)	$6.59	$7.58	$0.30
Spaguetines pastalina	15 kilos (bulk)	6.59	7.58	.30
Soup paste pastalina (Finos roeca)	12 kilos (bulk)	5.28	6.07	.30
				Per 400 gms.
Entrefinos pastalina	20 kilos (50/400 gms. pkgs.)	9.21	10.59	.28
Espaguetines pastalina	20 kilos (50/400 gms. pkgs.)	9.21	10.59	.28

[Table 27a added by Am. 4, 8 F.R. 11847, effective 8–2–43]

SEC. 40. *Maximum prices for manufactured dairy products sold or delivered in the Territory of Puerto Rico.*

TABLE 29—MAXIMUM PRICES FOR TUBS AND PRINTS OF BUTTER

	To wholesalers (per pound)	At wholesale (per pound)	At retail (per pound)
Butter in boxes and tubes, Grade A	$0.83	$0.83	$0.79
Butter in prints, not in cartons, Grade A	.84	.89	.71
Butter in prints, in cartons, Grade A	.85	.91	.73

(1) The maximum prices for all butter other than that referred to above shall be established in accordance with the requirements of Maximum Price Regulation No. 280.

TABLE 29—MAXIMUM PRICES FOR CHEESE

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price
Kraft Cheddar Cheese	12/½# tins	$3.70	$4.00	$0.42 per unit.
Nemi, grated cheese	144/1½ oz.		12.00	.12 per unit.
Natural American Cheddar		.33 lb.	.355 lb.	.45 lb.
Processed Cheddar and Cheddar type		.36 lb.	.385 lb.	.46 lb.
Philadelphia Cream Cheese: Kraft	12/3 oz. pkg.		$1.40	.16 per unit.
Edam Cheese, 40% fat		.46 per lb.	.51 per lb.	.65 per lb.
Kraft Macaroni and Cheese Dinner	12/8 oz. pkgs.		$1.25	.14.

[Table 29 corrected 8 F.R. 10736, effective 7–15–43; amended by Am. 32, 9 F.R. 4820, effective 5–9–44; Am. 34, 9 F.R. 5255, effective 5–22–44; Am. 43, 9 F.R. 7570, effective 7–10–44; and Am. 44, 9 F.R. 7579, effective 6–16–44]

(1) The maximum prices for all types, grades, or varieties of cheese other than those listed above shall be established in accordance with the requirements of Maximum Price Regulation No. 280.

TABLE 30—MAXIMUM PRICES FOR EVAPORATED MILK

Items and brand names	Unit—Case of—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Evaporated Milk	72/5 oz. can	$3.65	$3.95	$0.06
Evaporated Milk	48/14½ oz. can	4.39	4.62	.11

[Table 30 corrected, 8 F.R. 10736, effective 7–15–43; amended by Am. 32, 9 F.R. 4820, effective 5–9–44]

TABLE 31—MAXIMUM PRICES FOR KLIM, NIDO, KRAFT, GOLDEN STATE AND DRYCO BRANDS OF POWDERED WHOLE MILK

	All sales except at retail (price per carton) sale of—			At retail (price per tin)
	1 to 4	5 to 19	20 or more cartons	
12 one-lb. tins	$8.80	$8.70	$8.60	$0.65
6 two-and-one-half lb. tins	7.45	7.35	7.15	1.40
6 five-lb. tins	13.70	13.60	13.20	2.50

[Table 31 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 15, 8 F.R. 15741, effective 10-15-43]

TABLE 31a—MAXIMUM PRICES FOR CERTAIN PREPARED POWDERED MILK

Brand	Price at wholesale	To wholesaler	At retail per unit
Lactogen, in cartons of 24 1 lb. tins:			
One to 4 dozen tins	$20.75	$19.75	$1.00
5 dozen tins and over	20.75	19.25	1.00
Lactogen in cartons or 12/2½ lb. tins	20.00	18.40	2.00
Avoset light cream, 36/½ pints		10.50	.36
Avoset milk mix, 24/cylinders		11.10	.60
Avoset heavy cream, 36/½ pts		12.45	.45

[Table 31a added by Am. 27, 9 F.R. 2831, effective 3-20-44; amended by Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 43, 9 F.R. 7570, effective 7-10-44; and Am. 44, 9 F.R. 7579, effective 6-16-44]

SEC. 41. *Maximum prices for matches sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in Table 32 the term:

(1) "Boxed wooden safety matches" means wooden matches, with a specially prepared head such as Signal Light, Palmer, Independence, Hav-a-lite, Red Stop and Criterion, which normally light only when struck on a specially prepared surface and which are packed in two piece wooden splint or paperboard boxes generally containing 35 to 50 matches.

TABLE 32—MAXIMUM PRICES FOR MATCHES

	At wholesale (per gross)	At retail (per box)
(1) All varieties of boxed wooden safety matches		
Sales at wholesale—$1.15 per gross, or a price derived by applying a mark-up over direct cost of 10¢ per gross, whichever results in a lower price		
Sales at retail—1¢ per box.		
(2) Certain cuban wax matches		
Yumuri No. 100	$6.42	$0.07
Yumuri No. 6	6.04	.06
Yumuri No. 2	3.95	.04
Faisan No. 100	6.06	.06
Candado No. A	3.31	.03

(a) The maximum prices for all varieties of Cuban wax matches other than those enumerated above, for folding book matches and for any other varieties of matches than those enumerated herein, shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. Such authorized price shall be established in the form of amendment or of order prescribing the maximum price for the applicant or for sellers of such matches generally and shall be a price in line with the maximum prices fixed above on enumerated brands.

SEC. 42. *Maximum prices for miscellaneous grocery products sold or delivered in the Territory of Puerto Rico.*

TABLE 33—MAXIMUM PRICES FOR CERTAIN COMMODITIES

	Unit	Sales to wholesaler	Sales at wholesale	Sales at retail
				Price per pkg.
National Starch Co. (edible)	Case 48/1# pkgs	$2.85	$2.85	$0.10
	Case 144/1# pkgs	8.20	10.25	.10
	Case 96/1# pkgs	6.20	6.80	.10
	Case 80/4 oz. pkg	1.65	1.90	.03
				(*Per 4 oz. pkg.*)
Meisens Duryea Brand Cornstarch (edible)	Case 48/1# pkg	3.65	4.60	.12
	Ctn. 80/3 oz. pkg	2.25	2.80	.04
Edible cornstarch: Meisel				

[Table 33 amended by Am. 1, 8 F.R. 10906, effective 7-15-43; Am. 31, 9 F.R. 3949, effective 5-9-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33a—MAXIMUM PRICES FOR INEDIBLE LAUNDRY STARCH

	To wholesalers (price per 100 pounds)	At wholesale (price per 100 pounds)	At retail (price per pound)
Inedible laundry starch	$6.00	$6.45	[1] $0.07

[1] Per pound, or 2 pounds for 13 cents.

[Table 33a added by Am. 9, 8 F.R. 14090, effective 10-4-43; amended by Am. 31, 9 F.R. 3949, effective 4-17-44]

TABLE 33b—MAXIMUM PRICES FOR GELATINE DESSERTS

	Sales at wholesale per dozen	Sales at retail per unit
Jello, all flavors	$0.75	$0.10
Royal, all flavors	.75	.10

[Table 33b added by Am. 19, 9 F.R. 300, effective 12-24-43]

TABLE 33c—MAXIMUM PRICES FOR VINEGAR

Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price per unit
Vinegar:				
Heins	Case 24/16 oz. bottle	$2.90	$3.25	$0.15
Heins	Case 12/32 oz. bottle	1.65	1.90	.20
National Food Product Co	5 gal. keg	1.10	1.40	.12
Wayne Product Co	Case 24/13 oz. bottle	2.00	2.20	.12
Sterling Cider Co	Case 4/1 gal. jugs	2.50	2.75	.20
Premier (cider)	Case 12/qts	2.65	2.85	.25
Wayne County	4/1 gal. jugs	2.20	2.45	.22
S & W	12/qt. bottles	2.75	3.00	.27
Monumental	4/1 gal. jugs	2.00	2.25	.22
Old Dominion	12/qt. bottles	2.25	2.50	.25
Cider:				
Majestic	Cartons of 4/1 gal. jugs	1.65	1.90	.25

[Table 33c added by Am. 19, 9 F.R. 300, effective 12-24-43; amended by Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 37, 9 F.R. 5256, effective 5-23-44; and Am. 43, 9 F.R. 1572, effective 7-10-42]

*Items amended by Am. 45, effective 8-3-44]

TABLE 33d—MAXIMUM PRICES FOR REFINED SALT

Item and brand name		Price to wholesaler	Price at wholesale	Retail price per unit
Table salt:				
Diamond Crystal	Ctn. of 24/26 oz. pkg	$1.80	$2.00	$0.11
Sterling	Ctn. of 24/2# pkg	1.70	1.90	.10
Sterling	Ctn. of 36/1½# pkg	1.40	1.60	.06
Carey's	Ctn. of 36/1½# pkg	1.40	1.60	.06
Carey's	Ctn. of 24/2# pkg	1.90	2.05	.11
Carey's Fine Salt	100# cot	1.70	1.85	.03
				or 2 for .05
Jefferson	Ctn. of 36/26 oz. pkg	1.45	1.60	.06
Jefferson	Ctn. of 24/2# pkg	2.00	2.20	.11
Jefferson	Ctn. of 36/1½# pkg	1.40	1.60	.06
Jefferson	100# cot	1.60	1.75	.03
				or 2 for .05
Myle's	Ctn. of 24/2# pkg	1.80	2.00	.11
Myles	100# bags	1.65	1.85	.03
News Hardy's	Ctn. of 24/2 lb. pkg	1.80	2.00	.11
Myles Rock	Ctn. of 36/1½ lb	1.45	1.65	.06
Gordy Evaporated Salt	Ctn. of 36/1½# pkg	1.45	1.65	.06
Watkins	Ctn. of 24/2# pkg	1.70	1.90	.10

[Table 33d added by Am. 19, 9 F.R. 300, effective 12-24-43; amended by Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 32, F.R. 4820, effective 5-9-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33e—MAXIMUM PRICES FOR SYRUPS

Items and brand name:	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Log cabin syrup	Ctn. 24/16 oz. bottles	$5.80	$6.35	$0.34

[Table 33e added by Am. 27, 9 F.R. 2831, effective 3-20-44]

TABLE 33f—MAXIMUM PRICES FOR MISCELLANEOUS GROCERY PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
				Per unit
Maxwell House Tea	Ctns. 24/4 oz. pkg	$5.55	$6.00	$0.33
Premium No. 1 Chocolate	Ctns. 48/½ lb	7.10	7.45	.20
Calumet Baking Powder	Ctns. 24/8 oz	1.95	2.25	.13
Calumet Baking Powder	Ctns. 24/25 oz	5.45	6.00	.33
Fleischman baking powder	10# cans		[1] .17	
Instant Postum	Ctns. 24/4 oz	5.55	6.00	.33
Gaines Dog Meal	Ctns. 12/2 pound bags		2.20	.25
Gaines Dog Meal	Ctns. 12/5 pound bags		4.60	.50
Gaines Kruncheon	Ctns. 12/2 pound bags		2.25	.25
Dog meal:				
Ken-L-Biskit small cakes	18/28 oz	4.10	4.75	.34
Ken-L-Biskit Kib. Med	18/2 lbs	4.60	5.20	.28
Ken-L-Meal	12/3 lbs	3.10	3.55	.38
**Pard—Dog Food	**Case 48/8 oz. pkgs		**4.75	**.13
Top Hat	Case of 48/8 oz. tin		4.00	.10

[1] Per pound.

[Table 33f added by Am. 28, 9 F.R. 3156, effective 3-28-44; amended by Am. 40, 9 F.R. 6258, effective 6-12-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

[**Items added by Am. 45, effective 8-2-44]

TABLE 33g—MAXIMUM PRICES FOR LAUNDRY BLUING

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Laundry bluing: All brands	Cases 12/1 gross sq Cases 100 ctns. of 22 sqs. each.	$12.00 22.25	$14.40 26.00	4 squares for 5¢.

[Table 33g added by Am. 31, 9 F.R. 3949, effective 4-17-44]

TABLE 33h—MAXIMUM PRICES FOR CERTAIN BOTTLED OLIVES AND CAPERS

Item and brand names	Unit (case of)—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Olives:				
Silvia Brand:				
Stuffed Manzanilla	24/2 oz	$3.05	$3.35	$0.18
Stuffed Manzanilla	24/4½ oz	5.70	6.15	.33
Stuffed Queen	12/14 oz	7.15	7.75	.84
Stuffed Queen	12/21 oz	9.85	10.65	1.15
Plain Queen	24/3 oz	2.80	3.05	.17
Plain Queen	24/5½ oz	4.70	5.20	.28
Plain Queen	12/14 oz	4.55	5.00	.53
Plain Queen	12/21 oz	6.25	6.75	.73
Libby Brand:				
Stuffed Manzanilla	24/5 cyl. 3 oz. net	4.35	4.80	.26
Queen Olives, thrown	12/32 mason jar (21 oz. net)	6.80	7.35	.80
Rosedale Stuffed Manzanilla, thrown	24/5 oz	3.95	4.25	.24
Rosedale, Stuffed Manzanilla, thrown	12/12	4.10	4.50	.48
Iberia Brand: Stuffed Olives	48/3⅛ oz	6.50	7.00	.19
Olives and Capers:				
Silvia Brand	24/2 oz	2.30	2.50	.14
Iberia Brand	48/3⅛ oz	5.45	5.90	.16

TABLE 33h—MAXIMUM PRICES FOR CERTAIN BOTTLED OLIVES AND CAPERS—Continued

Item and brand names	Unit (case of)—	Price to wholesaler	Price at wholesale	Retail price (per unit)
Stuffed Manzanilla Olives:				
Alameda	Case 24/6 Par. 5 oz. jar		$7.00	$0.37
Lippincott	12/11¼ oz. glass		9.00	.95
Lippincott	12/7¾ oz. glass		5.75	.60
Lippincott	24/3 oz. glass		6.00	.32
Premier	24/3 oz. glass		5.70	.30
Premier	24/3 oz. glass	$5.20	6.70	.36
Premier	24/5 oz. glass	6.25	8.45	.99
Premier	12/11½ oz. glass	7.85	6.00	.32
Manzanilla Olives: Lippincott	24/3 oz. cyl. #5		6.85	.37
Ripe Olives, Giant Libby	24/303 (9¼ oz.)	6.35	7.70	.44
Ripe Olives, Super Colossal: Premier	24/9 oz. glass	7.10		
Plain olives:				
Lindsay (extra large green ripe)	24/pts. glass	5.40	5.80	.31
Lindsay (ripe olives)	24/C pts. glass	4.50	4.90	.26
Amapola	12/11 oz. jars	4.30	4.70	.51
Amapola	24/3 oz. jars	3.55	3.90	.21
Stuffed olives: Bordelaise	4¾/5½ oz. glass	7.60	8.20	.22
Olive and capers: La Andaluza	24/5 oz.	3.15	3.50	.18
Olives and Capers:				
Amapola	Case 24/10 oz. avd. jar		7.15	.39
Amapola	24/8 oz. avd. jar		6.10	.33
Amapola	24/6 oz. avd. jar		5.05	.27
Capers: L'Aiglon	24/f2 glass	2.80	3.10	.17
Stuffed olives:				
Sweet Life	24/3 oz.		4.35	.22
Sweet Life	24/3 oz.		5.55	.29
Sweet Life	24/5 oz bot.		8.00	.40
Premier	24/3 oz. glass	5.30	5.80	.31
Lippincott	24/6¾ cyl. oz. glass		10.80	.58
Plain Queen olives:				
Sweet Life	24/3¾ oz.		2.60	.13
Sweet Life	24/7 oz.		6.85	.36
Premier	24/6¼ oz	4.10	5.60	.30
Lippincott	Case 24/4¾ oz. Paragon #8		5.60	.30
Lippincott	24/10 oz. Paragon 16		10.10	.55
Lippincott	24/5½ oz. Cyl. #10		6.70	.36
Queen Olives, Placed:				
Premier	Case 12/12¾ oz. glass	4.75	5.20	.56
Premier	24/3 oz. glass	3.25	3.50	.19
Premier	12/21 oz. glass	6.90	7.40	.80
Lippincott	24/4¾ oz. glass		8.80	.21
Queen Olives, thrown:				
Marti	12/15 oz. glass	5.00	5.50	.59
Marti	12/22 oz. glass	7.60	8.20	.86
Stuffed Queen Olives:				
Premier	12/9¼ oz. glass	6.45	7.00	.75
Premier	12/24 oz. glass	13.45	14.40	1.55
Lippincott	12/14 oz. glass		8.80	.96
Lippincott	12/11½ oz. glass		9.00	.98

[Table 33h added by Am. 31, 9 F.R. 3949, effective 4-17-44; amended by Am. 34, 9 F.R. 5255, effective 5-22-44; Am. 37, 9 F.R. 5206, effective 5-22-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33i—MAXIMUM PRICES FOR FOOD DRINKS

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Thompson Chocolate: Malted Milk	Ca. 12/1# tin		$4.40	$0.45
Ovaltine:				
Plain (small)	12/8 oz. in glass		3.80	.40
Chocolate (small)	12/8 oz. in glass		3.80	.40
Plain (large)	12/14 oz. in glass		7.10	.75
Chocolate (large)	12/16 oz. in glass		7.10	.75
Chocolate (hospital)	12/36 in glass		23.80	2.40
Cocomalt	24/8 oz. in glass		4.75	.30
Cocomalt	12/16 oz. in glass		**5.95	**.62
**Cocomalt	**Case 12/20 oz. tins		19.00	1.98
Kresto	Ctns. of 288 pkgs. of 3 envelopes of 15 grams.			

[1] Package of 3 envelopes.

[Table 33i added by Am. 31, 9 F.R. 3949, effective 4-17-44]
[**Items added by Am. 45, effective 8-2-44]

TABLE 33j—MAXIMUM PRICES FOR PACKAGED RAISINS

Item and brand names	Unit	Price at wholesale	Retail price (per unit)
Raisins: Trojan	Case of 48/15 oz. pkgs.	$7.25	$0.21

[Table 33j added by Am. 32, 9 F.R. 4820, effective 5-9-44]

TABLE 33k—MAXIMUM PRICES FOR BABY FOODS

Items and brand names	Unit, case of—	Price at wholesale (per doz.)	Retail price (per unit)
Strained or homogenized:			
All brands	12/4¼ or 4½ oz. tin	$0.90	$0.10
All brands	12/5 oz. glass	1.15	.12
Chopped or Juniors:			
All brands	12/6¼ oz. tin	1.15	.12
All brands	12/8 oz. tin	1.60	.20
Baby dry cereal & oatmeal:			
Gerber	24/8 oz. pkg	1.65	.16

[Table 33k added by Am. 34, 9 F.R. 5255, effective 5-22-44]

TABLE 33l—MAXIMUM PRICES FOR IMPORTED DRIED OR DEHYDRATED FRUITS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Prunes: Del Monte	25 lbs. ctn		$5.15	$0.23 lb.
Prunes:				
Hearts Delight 80/60	Case 25 lbs		4.65	23 lb.
Hearts Delight 20/30	Case 25 lbs		4.60	23 lb.
Iris 20/30	Case 25 lbs		4.60	23 lb.
Oro 70/80	Case 25 lbs		4.45	23 lb.
Premier Sta. Clara 40/50	Case 25 lbs	3.60	4.60	23 lb.
Premier Sta. Clara 18/24	Case 25 lbs	4.25	4.60	23 lb.
S & W 30/40	Case 25 lbs		4.70	23 lb.
S & W 40/50	Case 25 lbs			
Raisins:	Case of:			
Del Monte	48/15 oz		8.40	.36 lb.
Muscatel California 3 Crowns Seed Raisins	25 lbs		3.75	.20 lb.
S & W Seedless	25 lbs		3.65	.20 lb.
Atlas Sulphur Bleached	25 lbs		4.55	.26 lb.
Fiesta 3 Crowns Layer	20 lbs		4.90	.33 lb.
De Luxe Zante currants	25 lbs. ctn		8.50	.35	
Diabert	Case 48/15 oz. pkg		7.15	.20 pkg.
Muscatel Seedless Thompson 3 Crowns	30 lbs		5.55	.25 lb.
Sunkist	Case 48/15 oz. pkg		7.15	.20 pkg.
Fancy Seedless (Premier)	Case 36/15 oz. pkg	4.85	5.75	.22 pkg.
Choice Seedless (Premier)	25 lbs case	3.05	3.60	.19 lb.
Dates: S & W Fresh	15 lbs		11.55	1.04 lb.
Figs:	Case of:			
S & W Pulled Calimyrna	24/8 oz. pkg		7.20	.45 pkg.
S & W Pulled Calimyrna	24/1 lb. pkg		16.00	.90 pkg.
S & W Pulled Black	24/8 oz. pkg		5.35	.31 pkg.
S & W Pulled Black	24/1 lb. pkg		11.00	.62 pkg.
Premier Calimyrna	24/1# pkg	12.65	14.95	.84 pkg.
Premier Calimyrna	25/8 oz. pkg	6.25	7.50	.43 pkg.

[Table 33l added by Am. 37, 9 F.R. 5256, effective 5-22-44; amended by Am. 43, 9 F.R. 7570, effective 7-10-44]

TABLE 33m—MAXIMUM PRICES FOR PICKLES, RELISH AND CONDIMENTS

Items and brand names	Unit (case of)	Price at wholesale	Retail price (per unit)
Libby Brand:			
Mustard	24/9 oz. glass	$2.75	$0.15
Mustard	4/1 gal. glass	4.25	1.45
Dill pickles	4/105 (96 oz.) glass	3.75	1.22
Del Monte Brand:			
Pickles (all varieties)	24/8 oz. glass	3.25	.18
Relishes (all varieties)	24/12 oz. glass	5.70	.31
Relishes (all varieties)	12/21 oz. glass	4.50	.49
Midget sweet pickles	24/12 oz. glass	6.00	.33
Whole dill pickles	12/21 oz. glass	3.30	.36
Chow chow	12/21 oz. glass	3.90	.43

TABLE 33m—Continued

Items and brand names	Unit (case of)	Price at wholesale	Retail price (per unit)
Libby Brand:			
Sweet pickles	24/9 oz. glass	$4.25	$0.23
Sweet pickles	4/1 gal. glass	6.75	2.22
Sweet pickles	4/105 (96 oz.) glass	5.75	1.89
Sweet pickles	12/21 oz. glass	4.50	.49
Sweet pickles	24/12 oz. glass	6.00	.33
Sweet pickles	24/8 oz. glass	3.25	.18
Sweet mixed pickles	24/9 oz. glass	4.25	.23
Sweet mixed pickles	4/1 gal. glass	6.75	2.22
Sweet mixed pickles	4/105 (96 oz.) glass	5.75	1.89
Sweet mixed pickles	12/21 oz. glass	4.50	.49
Sweet mixed pickles	24/12 oz. glass	6.00	.33
Sweet mixed pickles	24/8 oz. glass	3.25	.18
Sweet relish	24/9 oz. glass	4.25	.23
Sweet relish	4/1 gal. glass	6.75	2.22
Sweet relish	4/105 (96 oz.) glass	5.75	1.89
Sweet relish	12/21 oz. glass	4.50	.49
Sweet relish	24/12 oz. glass	6.00	.33
Sweet relish	24/8 oz. glass	3.25	.18
Dill pickles	24/9 oz. glass	4.25	.23
Dill pickles	4/1 gal. glass	6.75	2.22
Dill pickles	4/105 (96 oz.) glass	5.75	1.89
Dill pickles	12/21 oz. glass	4.50	.49
Dill pickles	24/12 oz. glass	6.00	.33
Dill pickles	24/8 oz. glass	3.25	.18
Dill pickles	24/5 oz. glass	2.60	.14
Dill pickles	12/16 oz. glass	3.30	.36
Dill pickles	12/12 oz. glass	2.70	.30
Dill pickles	12/8 oz. glass	2.00	.22
Dill pickles	12/5 oz. glass	1.50	.17
Dill pickles	24/5 oz. glass	2.60	.14
Dill pickles	12/16 oz. glass	3.30	.36
Dill pickles	12/12 oz. glass	2.70	.30
Dill pickles	12/8 oz. glass	2.00	.22
Dill pickles	12/5 oz. glass	1.50	.17
Dill pickles	24/5 oz. glass	2.60	.14
Dill pickles	12/16 oz. glass	3.30	.36
Dill pickles	12/12 oz. glass	2.70	.30
Dill pickles	12/8 oz. glass	2.00	.22
Dill pickles	12/5 oz. glass	1.50	.17
Dill pickles	24/5 oz. glass	2.60	.14
Dill pickles	12/16 oz. glass	3.30	.36
Dill pickles	12/12 oz. glass	2.70	.30
Dill pickles	12/8 oz. glass	2.00	.22
Dill pickles	12/5 oz. glass	1.50	.17
Dill pickles	24/5 oz. glass	2.60	.14
Dill pickles	12/16 oz. glass	3.30	.36
Dill pickles	12/12 oz. glass	2.70	.30
Dill pickles	12/8 oz. glass	2.00	.22
Dill pickles	12/5 oz. glass	1.50	.17

upon Forms PRM 2 and PRM 3 duly filled out and signed either by himself or his properly authorized agent.

(b) When used in this Table 34 the

(12) "Zone I" means the following municipalities:

Aguadilla. Naguabo.
Bayamon. Ponce.

**Cocomalt	Ctns. of 288 pkgs. of 8 envelopes of 15 grams.		19.00	[1]
Kresto				

[1] Package of 3 envelopes.

[Table 33l added by Am. 31, 9 F.R. 3949, effective 4-17-44]
[**Items added by Am. 45, effective 8-2-44]

TABLE 33m—Continued

Items and brand names	Unit (case of)	Price at wholesale	Retail price (per unit)
Heinz brand:			
Tomato chutney	12/12¼ oz. glass	$3.45	$0.37
Mustards	24/7 oz. glass	2.70	.15
Mustard	36/7 oz. glass	4.20	.15
Mustard	4/#12 glass	5.35	1.75
Pickles	24/5 oz. glass	4.35	.24
"57" Sauce	12/8 oz. glass	2.65	.29
Worcestershire	12/6 oz. glass	2.65	.29
Horse radish	12/2¼ oz glass	2.00	.22
Cucumber pickles	24/11½ oz. glass	3.90	.27
Cucumber pickles	12/24 oz. glass	3.25	.35
Chow chow pickles	24/5 oz. glass	3.75	.20
Pickles (all varieties)	12/10 oz. glass	3.15	.34
Sweet mustard	12/10 oz. glass	3.15	.34
Pickles (all varieties)	12/24 oz. glass	5.00	.55
Relishes (all varieties)	12/24 oz. glass	5.00	.55
Sour pickles	12/24 oz. glass	4.35	.47
Sweet gherkins	12/24 oz. glass	5.20	.56
Sweet midget gherkins	12/9 oz. glass	5.45	.60
Sweet mustard	24/5 oz. glass	3.80	.20
Sweet mustard	12/24 oz. glass	5.00	.55
India relish	24/7¼ oz.	3.90	.22
Sweet relish	4/#10 jar	6.50	2.10
Colonial brand:			
Sour pickles	12/32 oz. glass	3.90	.42
Sweet pickles	12/32 oz.	4.75	.51
Libby brand:			
Party sweet, whole and mixed	24/12 oz.	6.60	.36
Family homemade	12/23 oz.	3.85	.42
Sweet pickles tomato relish	24/#303—16 oz.	6.80	.37
Premier brand:			
Mayonnaise	12/8 oz. glass	2.80	.27
Mayonnaise	12/16 oz. glass	4.65	.50
Red hot sauce	12/2 oz. glass	2.75	.30
Sweet pickles	4/1 gal. glass	9.65	3.14
Prepared mustard	24/9 oz. glass	2.80	.13
Other brands:			
Caconata, Progresso	100/5 oz. tin	13.50	.18
Spaghetti meat sauce, Zucca	48/10 oz. tin	8.55	.23
Mushroom sauce, Zucca	48/10 oz. tin	8.55	.23
Chop suey sauce, La Choy	24/6 ½ oz. glass	5.20	.28
French dressing, See Saw	24/8 oz. glass	7.70	.42
Worcestershire sauce, Lea & Perrins	36/5 oz. glass	11.50	.42
Red pepper sauce, Trappeys	24/3 oz. glass	2.10	.11
Green pepper sauce, Trappeys	24/3 oz. glass	2.15	.12
Sweet pickles, Sun Beam	24/8 oz. glass	3.70	.20
Sweet mixed pickles, Sun Beam	24/8 oz. glass	3.40	.18
Sour pickles, Sun Beam	24/8 oz. glass	3.60	.19
Sour mixed pickles, Sun Beam	24/8 oz. glass	3.40	.18
Sour pickles, Herco	0/1 gal. jar	5.60	1.25
Dill pickles, Anna Mayers	4/1 gal. jar	4.55	1.55
Chipico	24/16 oz. jar	4.90	.27
Chipico	12/32 oz. jar	4.70	.50
Mushroom sauce, Zucca	24/8 oz. glass	3.35	.18
Dill pickles			
Del Monte Brand:			
Pickles (all varieties)	24/8 oz. glass	3.25	.18
Relishes (all varieties)	24/12 oz. glass	5.70	.31
Relishes (all varieties)	12/21 oz. glass	4.50	.49
Midget sweet pickles	24/12 oz. glass	6.00	.33
Whole dill pickles	12/21 oz. glass	3.20	.36
Chow chow	12/21 oz. glass	3.90	.43

[Table 33m added by Am. 40, 9 F.R. 6258, effective 6-12-44; amended by Am. 41, 9 F.R. 6884, 7077, effective 6-12-44]

SEC. 43. *Maximum prices for fluid milk sold or delivered in the Territory of Puerto Rico.*—(a) *Registration and reports.* (1) Every distributor of milk and every store in which milk is sold shall file with the Office of Price Administration for the Territory of Puerto Rico at San Juan, Puerto Rico, on or before the 5th day of each successive month, a report of his operations for the preceding month upon Form No. PRM 1 duly filled out and signed either by himself or by his properly authorized agent.

(2) Every producer and distributor of milk and every store in which milk is sold which has not registered upon Forms PRM2 and PRM3 duly filled out and signed either by himself or his properly authorized agent, shall immediately register upon such forms with his Local Board.

(3) On and after the effective date of this regulation every person who becomes a producer, every person who becomes a distributor of milk, and every store which begins to sell milk shall immediately register at his Local Board upon Forms PRM 2 and PRM 3 duly filled out and signed either by himself or his properly authorized agent.

(b) When used in this Table 34 the term:

(1) "Milk" means cow's milk produced, processed, distributed, and sold for consumption in fluid form as whole milk.

(2) "Pasteurized milk" means milk that has been pasteurized by submitting it to a temperature between 142° F. and 145° F. for thirty minutes, and that has been immediately cooled and thereafter maintained at a maximum temperature of 53.6° F. or 12° C, and has not been repasteurized, and which is sold or served only in the original container in which it left the factory and in no less quantity than that contained in the original container.

(3) "Raw milk" means all milk that is not pasteurized milk.

(4) "Producer of milk" means any person who sells the milk which he produces to distributors and stores.

(5) "Distributor of milk" means any person not excluding a producer, but excluding a puesto or store, who is in the business of selling milk delivered to stores, to volume customers and to consumers.

(6) "Store" means any person including a puesto, booth, stall or stand, except a distributor who sells milk at retail.

(7) "Small container" means a container other than a paper container manufactured for the express purpose of containing milk, with a capacity of one quart, one pint, or one-half pint.

(8) "Paper container" means a paper or cardboard container manufactured for the express purpose of containing milk with a capacity of one quart.

(9) "Loose milk" means milk sold in any container furnished by the seller except a small container or a paper container, or in any container, including a small container or paper container furnished by the purchaser.

(10) "Volume customer" means institutions, the Armed Forces, eating establishments, or industrial users, and other similar users.

(11) "Point of use" means the location of the store or puesto or the location of the volume customer or consumer receiving delivery from a distributor.

(12) "Zone I" means the following municipalities:

Aguadilla.	Naguabo.
Bayamon.	Ponce.
Caguas.	Rio Piedras.
Catano.	San Juan.
Ceiba.	Toa Alta.
Fajardo.	Toa Baja.
Guaynabo.	Vieques.

[Subparagraph (12) amended by Am. 9, 8 F.R. 14090, effective 10-1-43]

(13) "Zone II" means the following municipalities:

Adjuntas.	Humacao.
Aguada.	Isabela.
Aguas Buenas.	Jayuya.
Aibonito.	Juncos.
Arecibo.	Lajas.
Arroyo.	Luquillo.
Barceloneta.	Manati.
Camuy.	Mayaguez.
Carolina.	Moca.
Cayey.	Naranjito.
Ciales.	Rio Grande.
Coamo.	Santa Isabel.
Corosal.	Trujillo Alto.
Dorado.	Utuado.
Guayanilla.	Vega Alta.
Guarbo.	Vega Baja.
Guayamo.	Yauco.
Hatillo.	

[Subparagraph (13) amended by Am. 9, 8 F.R. 14090, effective 10-1-43; Am. 15, 9 F.R. 15741, effective 11-1-43; Am. 31, 9 F.R. 3949, effective 4-17-44]

(14) "Zone III" means the following municipalities:

Anasco.	Maunabo.
Barranquitas.	Morovis.
Cabo Rojo.	Orocovis.
Cidra.	Patillas.
Comerio.	Penuelas.
Culebra.	Quebradillas.
Guanica.	Rincon.
Hormigueros.	Sabana Grande.
Juana Diaz.	San German.
Lares.	Salinas.
Las Marias.	San Lorenzo.
Loiza.	San Sebastian.
Las Piedras.	Villalba.
Maricao.	Yabucoa.

[Subparagraph (14) amended by Am. 15, 8 F.R. 15741, effective 11-1-43; Am. 31, 9 F.R. 3949, effective 4-17-44]

TABLE 34—MAXIMUM PRICES FOR MILK

1. Producers maximum prices for raw or pasteurized milk.

(a) For sales of milk by a producer to a store, the maximum price is the price set forth below for the zone in which the store is located.

Type of milk	Location of store	Maximum price per quart
Raw milk, loose	Zone I	$0.13
Raw milk, loose	Zone II	.11
Raw milk, loose	Zone III	.095
Pasteurized milk, loose	All zones	.13

(b) For sales of raw or pasteurized milk by a producer delivered to a consumer or volume customer, maximum prices for sales by the producer are the same as the maximum prices established for sales by distributors to a consumer or volume customer.

(c) For sales of milk by a producer to a distributor, the producer's maximum price shall be a weighted average price computed by the distributor on a monthly basis. Each distributor shall determine the maximum price to be paid to each of its producers at the end of the month on the basis of the total sales made by the distributor during the month. The type of milk, whether raw or pasteurized, whether it is loose or in small containers, and the point of use of the milk are the factors to be used by the distributor in determining the maximum price to be paid to producers. The distributor shall compute monthly the total value of the milk sold by him at the rate of $0.13 per quart for all pasteurized milk, $0.13 per quart for all raw milk whose point of use is in Zone I, $0.11 per quart for all raw milk whose point of use is in Zone II, and $0.095 per quart for all raw milk whose point of use is in Zone III. The distributor shall determine the weighted average price, which represents the maximum price which may be paid to producers, by dividing the total value of the milk sold by him during the month by the total number of quarts sold by him during the month; and in order to arrive at the maximum payment which may be made to each producer, shall multiply the weighted average price by the total number of quarts supplied by each producer.

(d) If, on sales of raw or pasteurized milk, to distributors or stores, the producer supplies a small container the producer's maximum price may be augmented by the following:

Size of container supplied by producer:	Maximum additions
Quart	$0.01 per quart.
Pint	.006 per pint.
Half pint	0.00375 per half pint.

(e) Distributors may make cash payments to producers at any time during a month, but such payments shall be subject to settlement at the end of such month by determining the difference between the cash payments and the maximum payments computed by the method set forth above. The cash payments which may be made during the month to each producer shall not exceed the amount computed by multiplying the maximum price per quart in the lowest price zone in which any of the milk sold by the distributor finds its point of use by the total number of quarts sold to the distributor by the producer during the month.

Example: During a given month Producers A, B, C, and D supplied Distributor X with milk in the following amounts:

Producer A— 3,500 quarts, loose.
Producer B— 2,000 quarts, in quart containers.
Producer C— 9,500 quarts, in pint containers.
Producer D— 9,000 quarts, in half pint containers.

24,000 quarts.

In addition to the 24,000 quarts received from these producers, Distributor X sold 1,000 quarts of milk he himself produced. The total number of quarts sold during July by Distributor X was 25,000. Of this total 10,000 quarts was pasteurized so the value of this portion shall be computed at the rate of $0.13 per quart. The point of use of the remaining 15,000 quarts was divided among the Zones as follows:

Zone I, 8,000 quarts (rate of $0.13 per quart).

Zone II, 5,000 quarts (rate of $0.11 per quart).

Zone III, 2,000 quarts (rate of $0.095 per quart).

The method to be used by Distributor X in computing the maximum price per quart of loose milk is set forth in the following table:

Type of milk	Point of use	Number of quarts sold by distributor	Rate	Value, computed by multiplying column 3 by column 4
Raw	Zone I	8,000	$0.13	$1,040.00
Raw	Zone II	5,000	.11	550.00
Raw	Zone III	2,000	.095	190.00
Pasteurized	All zones	10,000	.13	1,300.00
Total number of quarts sold		25,000		[1]3,080.00

[1]Total value.

The weighted average price per quart is determined by dividing the total value by the total number of quarts sold:

$\frac{3080}{25000}$ = .1232 maximum price per quart

Producer A's cash payment and total payment for the month is computed as follows:

3500 x .095 = $332.50 cash payment
3500 x .1232 = 431.20 total payment

Producer B's cash payment and total payment for the month is computed as follows:

2000 x .095 = $190.00 cash payment
2000 x .1232 = 246.40
2000 x .01 = 20.00 Maximum addition for quart containers

$266.40 total payment

Producer C's cash payment and total payment for the month is computed as follows:

9500 x .095 = $902.50 Cash payment
9500 x .0232 = 1170.40
19000 x .005 = 95.00 Maximum addition for pint containers—9,500 quarts equals 19,000 pints

$1265.40 Total payment

Producer D's cash payment and total payment for the month is computed as follows:

9000 x .095 = $855.00 Cash payment
9000 x .1232 = 1108.80
36000 x .00375 = 135.00 Maximum addition for half pint containers—9,000 quarts equals 36,000 half pints

$1243.80 Total payment

2. Distributors' and stores' maximum prices for pasteurized milk.

PASTEURIZED MILK

Sales by distributors	Quart	Pint	Half pint
	Cents	Cents	Cents
To volume customers and consumers (delivered):			
Loose	18		5
In small containers	19	10	
To volume customers and consumers, (not delivered):			
Loose	17		5
In small containers	18	9	
To stores in small containers (delivered or not delivered)	16	7½	4
Sales by stores (delivered or not delivered):			
To consumers in small containers	20	9	5

3. Distributors' and stores' maximum prices for raw milk.

RAW MILK

	Points of use								
	Zone I			Zone II			Zone III		
	Qt.	Pt.	½ Pt.	Qt.	Pt.	½ Pt.	Qt.	Pt.	½ Pt.
Sales by distributors									
To stores delivered or not delivered:	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Loose	13			11			9½		
In small containers	14	7	3½	12	6	3	10½	5½	2½
Sales by distributors and stores									
To volume customers delivered or not delivered:									
Loose	18½			13½			11½		
In small containers	16½	8½	4½	14½	7½	4	12½	6½	3½
To consumers delivered or not delivered:									
Loose	16	8	4	14	7	4	13	6	3
In small containers	17	9	5	15	8	4	13	7	4

NOTE: The maximum price for milk sold in paper containers shall be the prices fixed in the above tables for milk sold in small containers plus 2¢ per quart as an allowance for the additional cost of the container.

[Above note amended by Am. 25, 9 F.R. 1942, effective 2-17-44]

(a) *Deposit charges on containers.* No deposit charge shall be made for any milk container with the exception of glass small containers furnished by the seller in connection with the sale of bottled milk. On such bottles a deposit of 10¢ may be imposed, which shall be refunded to the depositor upon the return of the bottle.

(b) *Charges for long distance deliveries on pasteurized milk.* No charge for the transportation of milk shall be made or collected, except that in connection with the sale and delivery of pasteurized milk to the Armed Forces of the United States and to Municipal and Insular institutions the following charges shall be allowed:

(1) The Puerto Rico Dairy, Inc., and Las Tres Monjitas Dairy may charge and collect, in addition to the applicable maximum price for milk not delivered, the following amounts

(3) On deliveries other than those specified above, the Director of the Office of Price Administration for the Territory of Puerto Rico may, upon application, authorize the charge and collection of an amount per truck trip, in addition to the applicable max-

tive 10-15-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 40, 9 F.R. 6258, effective 6-12-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

[* Items amended by Am. 45, effective 8-2-44]

SEC. 46. *Maximum prices for dry sausages sold on delivery routes.*

Total number of quarts sold	26,000		[1]2,080.00

[1]Total value.

and Insular institutions the following charges shall be allowed:

(1) The Puerto Rico Dairy, Inc., and Las Tres Monjitas Dairy may charge and collect, in addition to the applicable maximum price for milk not delivered, the following amounts for each truck trip involved in the delivery of pasteurized milk from their plants in San Juan and Rio Piedras:

	Per truck trip
To Borinquen Field	$42.00
To Losey Feld	32.00
To Henry Barracks	16.75
To Camp Tortuguero	16.25
To Fort Buchanan	12.50

(2) In the event that delivery is made to more than one of the enumerated points in the course of a truck trip prior to returning to the plant, the total delivery charge shall not exceed the charge fixed per truck trip to the more distant point.

(3) On deliveries other than those specified above, the Director of the Office of Price Administration for the Territory of Puerto Rico may, upon application, authorize the charge and collection of an amount per truck trip, in addition to the applicable maximum price to cover the actual cost incurred in making such delivery.

SEC. 44. ***Maximum prices for onions and garlic sold or delivered in the Territory of Puerto Rico.***

TABLE 35—MAXIMUM PRICES FOR IMPORTED ONIONS

	Sales at wholesale (price per 50 lbs.)	Sales at retail (price per pound)
Imported onions	$3.75	$0.10

[Table 35 amended by Am. 45, effective 8-2-44]

TABLE 36—MAXIMUM PRICES FOR ALL GARLIC

	Sales to wholesalers (price per lb.)	Sales at wholesale (price per lb.)	Sales at retail
Garlic	$0.22	$0.25	($0.36 per lb. ($0.03 per head.

[Table 36 amended by Am. 4, 8 F.R. 11847, effective 8-2-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 45. ***Maximum prices for packing house products sold or delivered in the Territory of Puerto Rico.***

TABLE 37—MAXIMUM PRICES FOR PACKING HOUSE PRODUCTS

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Lard and rendered pork fat:			
Prints	$0.165	$0.1775	$0.21
Tierces and cases of 56 pounds	.16	[1].17	.20
Tins of 34 to 37 pounds	.1625	.1725	.20
Jerked beef		.2570	.30
Pork:			
Bacon, smoked, originating in the continental United States, commercial type	[2].30	[2].335	[2].44
Boston butts, all sizes	.3275	.37	.47
Briskets	.20	.2180	.27
Clear Plates	.1450	.1580	.19
Fat backs, dry salt	.1450	.1580	.19
Fat backs, pickled	.1450	.1580	.19
Heads and tails, pickled	.155	.170	.21
Jowl butts, pickled	.1450	.1580	.19
Neck bone, dry salt	.075	.082	.10
Picnic hams, smoked	.28	.31	[3].41
Pigs feet, dry salt	.075	.082	.10
Snouts, cured	.12	.13	.17
Spare ribs, cured	.1360	.15	.19
Smoked ham, skinned	.36	.40	[4].52
Regular hams, smoked	.34	.38	[4].50
Pavo Real (boxes 10/12 avg.)	.38	.4125	.52
Pork—Continued.			
Mess pork	$0.16	$0.1775	$0.22
Pork loins, frozen regular	[2].30	[2].33	[2].41
Pork loins, frozen semi-boneless	[2].36	[2].395	[2].49
Smoked pork tenderloin		.5140	.66
B. R. & T. smoked ham		.45	.65
Cooked skinless ham: Premium		.56	.73
Daisies ham, smoked: Premium		.45	.58
Whole hams: Hormel		.59	.76

[1] On sales of less than a full container the maximum wholesale price may be increased by one quarter of a cent ($0.0025 pound).

[2] On sales of less than four pounds the maximum retail price shall be $0.45 per pound.

[3] On sales of less than four pounds the maximum retail price shall be $0.56 per pound.

[4] On sales of less than four pounds the maximum retail price shall be $0.54.

[Table 37 corrected, 8 F.R. 10736, effective 7-15-43; amended by Am. 5, 8 F.R. 12549, effective 8-26-43; Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 15, 8 F.R. 15741, effective 10-15-43; Am. 20, 9 F.R. 398, effective 1-14-44; Am. 25, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2831, effective 3-20-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 40, 9 F.R. 6258, effective 6-12-44; and Am. 43, 9 F.R. 7570, effective 7-10-44]

[* Items amended by Am. 45, effective 8-2-44]

SEC. 46. ***Maximum prices for dry sausages sold or delivered in the Territory of Puerto Rico.***

TABLE 38—MAXIMUM PRICES FOR DRY AND FRESH SAUSAGES AND SALAMI

Items and brand names	Unit	Price to wholesaler (per pound)	Price at wholesale (per pound)	Retail price (per pound)
Dry sausages:				
Farmer	Pound	$0.47	$0.50	$0.65
Holstein	Pound	.47	.50	.65
Mortadella	Pound	.45	.48	.64
Gotemburg	Pound	.475	.505	.66
Salami, Genoa:				
First grade	Pound	.63	.66	.82
Second grade	Pound	.59	.62	.77
Third grade	Pound	.55	.58	.72
Salami BC first	Pound	.50	.53	.68
Salami second	Pound	.45	.48	.63
Salami Cotto BC	Pound		.3170	.44
Salami Tramonto	Pound	.39	.4160	.54
Frankfurters (loose):				
First grade S. C	Pound		.3650	.47
H. C. or skinless	Pound		.3360	.47
Second grade S. C	Pound		.3360	.47
H. C. or skinless	Pound		.3050	.43
Frankfurters in brine	Pound		.42	.58
(If prepackaged per pound add 1¢ more per pound.)				
Pork sausages first S. C			.3660	.47
Pork sausages H. C			.3650	.47
Pork sausages second S. C			.34	.44
Pork sausages H. C			.34	.44
(If prepackaged per pound add 1¢ more per pound.)				
Bologna:				
Long, large or ring:				
First grade			.3660	.47
Second grade			.3660	.47
Smoked liver sausage (liverwurst long ring, braunschweiger):				
First grade			.34	.45
Second grade			.32	.45
Fresh liver sausage:				
First grade			.31	.41
Second grade			.29	.41

[Table 38 amended by Am. 9, 8 F.R. 14090, effective 10-4-43; Am. 28, 9 F.R. 3156, effective 3-28-44; Am. 31, 9 F.R. 3949, effective 4-17-44; Am. 37, 9 F.R. 5256, effective 5-22-44; Am. 40, 9 F.R. 6258, effective 6-12-44]

SEC. 47. ***Maximum prices for soap and cleaners.***

TABLE 39—MAXIMUM PRICES FOR CERTAIN SOAPS AND CLEANERS

Items and brand names	Unit	Price at wholesale	Retail price
			Per unit
Laundry soap, cake	Per pound	$0.084	$0.10
Powdered, flakes or granulated: in bulk	Per pound	.14	
Toilet soap:			
Victory Brand	Per 144—3½ ounce bars	7.60	.07
Lux	Per 100/4 oz. bars	8.30	.10
Lux	Per 250 1¾ oz. bars	7.10	.04
Victoria	Per 144/3¾ oz. bars	7.60	.07
Casco	Case 144/3¾ oz	6.55	.06
Camay	Case 144/3¾ oz	10.20	.09
Palmolive, giant	Case 144/5½ oz	15.00	.13
Palmolive, regular	Case 144/3¾ oz	10.20	.09
Palmolive, popular	Case 144/2¾ oz	7.95	.07
Cashmere Bouquet, regular	Case 144/3¾ oz	12.55	.11
Parami	Case 144/3¾ oz	12.55	.11

TABLE 39—MAXIMUM PRICES FOR CERTAIN SOAPS AND CLEANERS—Continued

Items and brand names	Unit	Price at wholesale	Retail price
			Per unit
Toilet soap—Continued			
Lifebuoy	Ctn. 100/4 oz.	7.20	.09
Lifebuoy	Ctn. 144/3 oz.	6.48	.06 or 2 for 0.11
Lifebuoy	Ctn. 300/1 oz.	6.98	.02
Lifebuoy	Ctn. 100/regular	7.75	.10
Swan	Ctn. 144/1¾ oz.	6.70	.06
Cashmere Bouquet	Ctn. 144/3 oz. bars	8.70	.08
Palmolive	Ctn. 144/3¾ oz. bar	8.90	.08
Maxine	200/2 ounce cakes	8.14	.04
Lux	100/6 ounce cakes	8.35	.10
Ivory medium	100/10 ounce cakes	13.60	.17
Ivory large	300/1 oz. bar	10.20	.03 or 2 for 5c
Palmolive	300/1 oz. bar	7.60	.08
Lifebuoy			
Soap chips:			
Balloon Brand	Case of 8—4 pound, 10 ounce packages	4.65	.73
Lux Flakes (regular)	100 pkgs.—5 ounces	5.65	.13
Lux Flakes (regular)	50 pkgs.—5 ounces	4.80	.12
Lux Flakes (large)	30 pkgs.—12½ ounces	4.75	.19
Rinso (regular)	60 pkgs.—9 ounces	5.80	.12
Rinso (large)	24 pkgs.—1 pound, 5 ounces	5.80	1.20
Rinso (giant)	8 pkgs.—4 pounds, 5 ounces	5.80	.85
Easy Task	8 pkgs.—5 pounds	5.80	.12
Super Suds	Case of 60/5½ oz.	5.80	.86
Super Suds	Case of 24/1 lb. 5 oz.	6.05	1.13
Ivory Flakes	Case 60/5 oz.	6.05	.82
Ivory Flakes	Case 24/12½ oz.		
Powdered soap:			
Snowboy	100—7 ounces	3.19	.04
Gold Dust	100—7 ounces	3.75	.05 or 2 for 0.09
Victoria	Case of 24/2 lb. pkgs.	6.90	.36
Perfine	Case of 120/5 oz.	3.45	.04
Octagon	Ctn. 100/7 oz. pkg.	3.20	.04
Octagon	Ctn. 150/7 oz. pkg.	3.80	.04
Extracto Babbitt	Ctn. 144/5 oz. pkg.	3.19	.08
Cleaner:			
Babbitt Cleaner (fiber tops and bottoms)	48—14 ounces	2.80	.06
Bab-O (metal tops and bottoms)	48—14 ounces	4.60	.14
Bab-O	48—16 ounces	5.00	.08
Paleo	1.05 case		.13
Alum-Brite cleansing powder	ea. 12/8 oz. boxes	1.68	.20
Alum-Brite cleansing powder	ea. 12/16 oz. boxes	2.80	.07
Babbitt Cleaner (fiber tops and bottoms)	Case 48/14 oz.	2.95	.06
Paleo	Case 48/16 oz.	2.65	.07
Chlo	Case 48/14 oz.	2.50	.07
Crystal White	Case 48/13 oz.	2.65	.07
Faroh	Case 48/14 oz.	2.80	.07
Octagon	Case 48/13 oz.	4.50	.11
Volcanic	Case 50/14 oz. can	2.80	.07
Sunshine	Case 48/14 oz. can	4.80	.12
Big Boy Polishing Powder	Case 36/13 oz. can	4.90	.06
Limpia Mucho	Ctn. 100/10½ oz. cakes	3.40	.12
Sapolio	Ctn. 36/284 gums. cakes	2.75	.07
Kay-Tee	Ctn. 48/12 oz. pkg.	*3.36	*.36
Ahmglow	Ctn. 12/16 oz. glass		

[1] 2 for $0.25. [2] 3 for $0.13. [3] 2 for $0.15.

[Table 39 amended by Am. 7, 8 F.R. 13165, effective 9–1–43; Am. 9, 8 F.R. 14090, effective 10–4–43; Am. 18, 8 F.R. 15741, effective 10–1–43; Am. 18, 8 F.R. 16094, effective 11–1–43; Am. 20, 9 F.R. 398, effective 1–14–44; Am. 25, 9 F.R. 1942, effective 2–17–44; Am. 27, 9 F.R. 2831, effective 3–20–44; Am. 30, 9 F.R. 3156, effective 3–28–44; Am. 31, 9 F.R. 3949, effective 4–17–44; Am. 34, 9 F.R. 5255, effective 5–22–44; and Am. 41, 9 F.R. 6884, effective 6–12–44]

[*Items amended by Am. 45, effective 8–2–44]

(a) All laundry soap is included in Table 39. The maximum prices for toilet soap and soap chips of varieties other than those enumerated in the above Table 39 shall be established in accordance with the requirements of the General Maximum Price Regulation.

SEC. 48. *Maximum prices for Southern Yellow Pine, Douglas Fir, Oak and Gum lumber on sales to ultimate consumers.* (a) The maximum prices for Southern Yellow Pine, Douglas Fir, Oak and Gum lumber sold to an ultimate consumer shall be computed by adding to the "direct cost to the importer" (defined in section 17 (a) (4)) a markup of $12.50 per thousand board feet of such lumber and the actual transportation costs from the pier to the point at which the ultimate consumer receives delivery. For the purposes of this section the term: "ultimate consumer" includes the United States Government and the Insular Government or the agencies or instrumentalities of either, contractors or builders, or any person who purchases lumber for use rather than for resale as lumber.

(1) Regardless of the number of dealers or distributors handling the lumber the total amount of markups may not exceed $12.50 for each thousand board feet.

(2) The transportation cost may not exceed the customary carrier charge for a similar shipment, whether such transportation be accomplished by a common or contract carrier or by a dealer, distributor or seller.

(b) Within five days after receipt in Puerto Rico of a shipment of Southern Yellow Pine, Douglas Fir, Oak and Gum lumber for sale, the importer shall file with the Office of Price Administration for the Territory of Puerto Rico, San Juan, a statement setting forth in detail the direct cost to the importer, including the price the importer paid, all discounts allowed, all costs of shipment, customs and entry fees, and war risk insurance cost.

(c) Every person selling Southern Yellow Pine, Douglas Fir, Oak and Gum lumber shall accompany each sale of such lumber with an invoice on which shall be stated his name and address, the name of the person from whom the lumber was purchased, the date of such purchase, a description of the lumber, and a detailed calculation of the price charged as follows: the "direct cost to the importer" as reported to the Office of Price Administration pursuant to paragraph (b) above, the local transportation charges which have accrued, the charge for transportation to the purchaser, and the markup which has been added.

[Section heading and paragraphs (a), (b), and (c) amended by Am. 45, effective 8–2–44]

(d) The maximum price established in section 48 (a) is a gross price to which may be added no additional charges for breakage, warehousing, handling, or any other services or incidents of sale than those specifically authorized by this amendment.

(e) The direct cost of all lumber received in any one shipment shall be uniform despite variations in grade or dimensions unless the lumber has been purchased by the importer at different prices in accordance with varying grades and dimensions, in which case the differences in purchase price for such grades and dimensions may be reflected in the calculation of the direct cost.

[Sec. 48 added by Am. 2, 8 F.R. 11437, effective 8–21–43; paragraph (e) added by Am. 4, 8 F.R. 11847, effective 8–31–43]

SEC. 49. *Maximum prices for second hand bags sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this section 49 the term:

(1) "Second hand bag" means an empty container composed of burlap, jute, sisal, istle, cotton cloth, gunny cloth, or other textile material which has either been previously used to package any commodity or is manufactured from any such textile material which material itself has been previously used to package any commodity or for any other commercial purpose. The term shall include an "unmendable" bag. It shall not include a bag containing a commodity packaged therein nor a container composed of any of the above textile materials which material has deteriorated to an extent that it is no longer sufficiently sound for reuse as a container, commonly referred to by the trade as "junk" or "waste" material.

(2) "Collector" means any person who gathers second hand bags from persons, who remove the contents from the bags, known in the trade as "emptiers".

(3) "Bag dealer" means any person who processes, reconditions, or places second hand bags in condition for reuse.

(4) "Consumer" means any person who uses second hand bags for packaging a commodity therein.

(5) "Capacity" means the number of pounds of the product which the bag was constructed to contain.

(6) "Processed" or "in order" bag means a second hand bag of sound material which is clean and free from holes. A bag shall be considered free from holes if all holes including trier or probe holes, have been patched or mended.

(7) "Unprocessed" or "as rise" bag means second hand bag of sound material which is not clean or which requires patching or mending.

(8) "Unmendable" bag means, "unprocessed" bag of sound material which can be reused as a container but which is cut or torn from previous use to such an extent that it cannot feasibly be mended or patched to fit the specifications of a "processed" or "in order" bag.

TABLE 40—MAXIMUM PRICES FOR SECOND HAND BAGS

	Capacity 100 pounds or less (per bag)	Capacity Over 100 pounds (per bag)
To collectors:		
Processed bags	$0.12	$0.20
Unprocessed bags	.10	.18
Unmendable bags	.08	.15
To dealers (delivered):		
Processed bags	.14	.23
Unprocessed bags	.12	.21
Unmendable bags	.10	.18
To consumers (delivered):		
Unprocessed bags	.13	.23
Unmendable bags	.11	.20
Processed or "in order" bags	.165	.26

[Sec. 49 added by Am. 3, 8 F.R. 11847, effective 8–12–43; subparagraphs (6), (7) and (8) added and Table 40 amended by Am. 9, 8 F.R. 14090, effective 10–4–43]

SEC. 50. *Maximum prices for certain fresh vegetables sold or delivered in the Territory of Puerto Rico.*

(a) When used in this Table 41 the term:

(1) "Seed potatoes" means potatoes which are sold in their original container, which is marked seed potatoes, to wholesalers and to growers.

[Paragraph (a) and subparagraph (1) added by Am. 8, 8 F.R. 13847, effective 9–27–43]

(2) "Table potatoes" means all potatoes except seed potatoes.

(3) "Native tomatoes" means all wrinkled surface varieties of tomatoes produced in Puerto Rico.

(4) "Marglobe fancy tomato" means a tomato, no less than 2½ inches in diameter measured at a right angle from its axis, of a uniform shape and with a smooth surface, which is free from dirt, decay, insects and mechanical injury.

(5) "Marglobe first class tomato" means a tomato, no less than 1¾ inches in diameter measured at a right angle from its axis, of a fairly uniform shape and with a fairly smooth surface, which is free from dirt, decay, insects and mechanical injury.

(6) "Marglobe second class tomato" means a tomato, with an unwrinkled surface which does not fit the specifications for a marglobe fancy or a marglobe first class tomato.

(7) "Standard lug" means a wooden box measuring 6"x13.5"x16".

(b) *Trade practices.* On sales of marglobe fancy tomatoes at wholesale, when such tomatoes are packed in standard lugs, the seller shall be permitted a tolerance of not more than 5% in the size of the fruit and of not more than 5% for fruit damaged as the result of transportation; when such tomatoes are packed in containers other than standard lugs, the seller shall be permitted a tolerance of not more than 8% in the size of the fruit and of not more than 8% for fruit damaged as the result of transportation. On sales of marglobe first class tomatoes at wholesale when such tomatoes are packed in standard lugs, the seller shall be permitted a tolerance of not more than 5% in the size of the fruit and of not more than 8% for fruit damaged as the result of transportation; when such tomatoes are packed in containers other than standard lugs the seller shall be permitted a tolerance of not more than 10% in the size of the fruit and of not more than 10% for fruit damaged as the result of transportation. The minimum net weight of each standard lug shall be 28 pounds for fancy and 30 pounds for first class marglobe tomatoes.

[Subparagraphs (2), (3), (4), (5), (6) and (7) and paragraph (b) added by Am. 9, 8 F.R. 14090, effective 10–4–43]

TABLE 41—MAXIMUM PRICES FOR CERTAIN FRESH FRUITS AND VEGETABLES SOLD OR DELIVERED IN THE TERRITORY OF PUERTO RICO

Product	Sales to wholesalers (per 100 pounds)	Sales at wholesale (unit specified)	Sales at retail: Not delivered (per pound)	Sales at retail: Home delivered (per pound)
		Per 100 lbs. net		
Cabbage, including all varieties and grades		$4.50	$0.07	$0.08
Pigeon peas, green including all varieties and grades		10.00	.13	.14
Potatoes (imported from the continental United States):				
Seed	$3.80	4.20		
	3.25	3.55	.05	.06
		Per standard lug		
Tomatoes, "Native", including all grades		$3.92	.20	.22
		Per 100 lbs. net		
Tomatoes, "Marglobe" fancy		$12.00	.20	.22
		Per standard lug		
Tomatoes, "Marglobe" first class		$3.20	.16	.18
		Per 100 lbs. net		
Tomatoes, "Marglobe" first class		$10.00	.16	.18
Tomatoes, "Marglobe" second class		5.75	.09	.11
Beans, green including all varieties and grades not imported from the continental United States			.125	[1].15

[1] On home delivered sales the maximum price at retail may be increased by 1c per pound.

[Sec. 50 and Table 41 added by Am. 5, 8 F.R. 12549, effective 8–23–43; Table 41 amended by Am. 8, 8 F.R. 13847, effective 9–27–43; Am. 9, 8 F.R. 14090, effective 10–13–43; Am. 20, 9 F.R. 398, effective 1–14–44; amended by Am. 41, 9 F.R. 6884, 7060, effective 6–12–44]

TABLE 41a—MAXIMUM PRICES FOR TABLE POTATOES SOLD OR DELIVERED IN THE TERRITORY OF PUERTO RICO

	Sales to wholesalers (per 100 pounds)	Sales at wholesale: At sellers warehouse (per 100 pounds)	Sales at wholesale: Delivered to retailer (per 100 pounds)	Sales at retail (per pound)
Potatoes	$4.25	$4.55	$4.65	$0.06

SEC. 51. *Maximum prices for Puerto Rican and Cuban corn brooms sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this Table 42 the term:

(1) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms and brushes.

TABLE 42—MAXIMUM PRICES FOR BROOMS MADE OF BROOM CORN

Quality No. of strings	At wholesale (per dozen)	At retail (per broom)
2	$6.60	$0.09
3	7.50	0.78
4	8.75	0.91
5	10.00	1.04
6	10.85	1.13

[Sec. 51, Table 42 added by Am. 6, 8 F.R. 12632, effective 8–19–43; section headnote amended by Am. 27, 9 F.R. 2831, effective 3–20–44]

SEC. 52. *Maximum prices for charcoal sold in the Territory of Puerto Rico.*

TABLE 43—MAXIMUM PRICES FOR CHARCOAL

	From January 1 to May 31		From June 1 to December 31	
	Not delivered	Delivered	Not delivered	Delivered
One 100 lb. capacity [1] burlap bag	$0.60	$0.65	$0.70	$0.75
One 5 gallon tin [2]	.17	.19	.20	.22
One 4 pound capacity [3] paper bag	.04	.05	.05	.06

[1] Prices include the bag container.
[2] Prices do not include container.
[3] Prices include the paper bag container.

NOTE: A burlap bag used as a measure of content for sales of charcoal shall contain no less than 3 full five gallon tin measures. The 5 gallon tin must be undented and filled to capacity. The maximum price for charcoal sold in containers other than those specified above shall be a price proportionately computed on the basis of container of the nearest capacity.

[Sec. 52 and Table 43 added by Am. 9, 8 F.R. 14090, effective 10-10-43; Note amended by Am. 25, 9 F.R. 1942, effective 2-17-41.]

SEC. 53. *Maximum prices for alarm clocks sold or delivered in the Territory of Puerto Rico.*

TABLE 44—MAXIMUM PRICES FOR WAR ALARM CLOCKS

	At wholesale	At retail
War alarm clocks (Gross prices including all taxes)	$1.55	$2.00

[Sec. 53 and Table 44 added by Am. 10, 8 F.R. 14765, effective 10-13-43; Table amended by Am. 20, 9 F.R. 398, effective 1-14-44.]

SEC. 54. *Maximum prices for textile products sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this section, the term:

(1) "Textile product" means a manufactured material or article consisting in chief part of wool or other animal fibre, cotton, rayon, silk, linen or synthetic textile fibre by whatever process manufactured, which falls within either Group A, Group B, or Group C, as listed below:

GROUP A

Piece goods, yard goods or pound goods, and all garments with the exception of headwear and footwear and garments enumerated in Group B or Group C.

GROUP B

Aprons.
Arm bands.
Awnings.
Bandanas.
Bath mats.
Bedspreads.
Belts.
Bibs.
Blankets.
Canvas.
Chair slip covers.
Cleaning rags.
Clothes lines.
Collars.
Comforts.
Couch slip covers.
Counterpanes.
Cuffs.
Curtains.
Diapers.
Dinner sets.
Dish cloths.
Doilies.
Drapes.
Dress arm shields.
Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of less than $5.00 each.
Duffel bags.
Dust shields for garments.
Dusting cloths.
Elastic.
Garters.
Fishing line.
Gloves.
Handkerchiefs.
Hosiery.
Hot dish holders.
Hot pot holders.
Infant's binders.
Laundry bags.
Luncheon sets.
Mantillas.
Mattress covers.
Mattress pads.
Men's suits having a direct cost to the importer or factory price if locally produced of more than $13.00 each.
Mittens.
Mops.
Mosquito nets.
Napkins.
Neckties.
Oilcloth.
Pillow cases.
Polishing cloths.
Quilts.
Rugs.
Scarfs.
Seat covers.
Sewing thread.
Sheets.
Shawls.
Shoe bags.
Shower curtains.
Slacks having a direct cost to the importer or factory price if locally produced of more than $5.00 each.
Sport coats having a direct cost to the importer or factory price if locally produced of more than $10.00 each.
Suspenders.
Table cloths.
Table pads.
Tape measures.
Ticking.
Toilet seat covers.
Towels.
Umbrellas.
Veils.
Wash cloths.
Wrapping twine-string.
Yarn.

GROUP C

Dresses (women's and misses') having a direct cost to the importer or factory price if locally produced of $5.00 or more each.

Dresses and suits (children's) sizes 12 or under in dresses and 16 or under in suits, having a direct cost to the importer, or factory price if locally produced, of more than $18.00 per dozen.

Ribbon-dress, laces, lace edgings, rickracks, bias tape, garment bindings, embroidery and tape other than gummed or adhesive.

[Subparagraph (1), group A and B amended, and Group C added by Am. 22, 9 F.R. 686, effective 12-13-43; Group C amended by Am. 30, 9 F.R. 3514, effective 4-6-44.]

(2) "Job lot" means a single purchase of a group of units of textile products all of which in trade terms are "remnants", "shorts", "seconds", "pound goods", "imperfects", "close outs", or "substandards".

(3) "Textile reference book" means a book containing the seller's descriptive entries of the stock which he has on hand and which he is offering for sale.

(4) "Reference stock number" means the numbers employed by the manufacturer or supplier and the seller to identify a textile product.

(5) "Class of textile products" means a group of units of a textile product all of which are identically priced and which are received in one delivery.

(6) "Custom tailor" and "dressmaker" means manufacturers who sell to ultimate consumers in their own establishment, garments manufactured by them to individual specifications and at the special order of such ultimate consumer.

(b) *Maximum prices for imported textile products.* Seller's maximum prices for imported textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) For a product which is not part of a job lot and which has been imported by the seller, the maximum price shall be the direct cost to the importer multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.20	1.50
B	1.25	1.60
C	1.35	1.75

(2) For a product which is not part of a job lot and which has not been imported by the seller:

(i) The maximum price at wholesale shall be the price paid for it by the seller if he purchased it before December 13, 1943, and the price which the importer is permitted to charge for it under this regulation if the seller purchased it on or after December 13, 1943.

(ii) The maximum price at retail shall be the price paid by the retailer multiplied by:

Group:	*Sales at retail*
A	$1.25
B	1.30
C	1.40

[Subparagraphs (1) and (2) amended by Am. 22, 9 F.R. 686, 2341, effective 12-13-43]

(3) For a product received in a job lot part of which job lot has been sold prior to December 13, 1943, the maximum price shall continue to be established in accordance with the General Maximum Price Regulation.

[Subparagraph (3) amended by Am. 22, 9 F.R. 686, effective 12-13-43]

(4) For a job lot sold intact as received the maximum price shall be computed by multiplying the direct cost of the job lot by the applicable multiplier in accordance with section 54 (b) (1).

(5) For each product received in a job lot, the maximum price shall be the price fixed by the seller, provided that the total of the prices charged for each product within the job lot in which the particular product was received, does not exceed the maximum price for the job

lot, and provided that he notifies the Office of Price Administration of such prices in accordance with the requirements of section 54 (f).

(6) If a job lot consists of items falling within more than one of the groups of textile products set forth in section 54 (a) (1), the maximum price for the entire lot shall be computed by applying the lowest multiplier appropriate to any item in the lot.

[Subparagraph (5) amended and (6) added by Am. 22, 9 F.R. 686, effective 12-13-43]

(7) Notwithstanding the foregoing provisions, any seller who has continuously sold an imported textile product pursuant to the conditions and prices of a written resale price maintenance contract executed by him with the manufacturer prior to April 1942 without any deterioration in quality since that date may apply to the Director of the Office of Price Administration for an order permitting him and other sellers similarly situated to sell such product at the price specified in the contract, or at a price equal to the direct cost to the importer of such product multiplied by 1.67, whichever is lower.

(c) *Maximum prices at retail for locally manufactured textile products.* A seller's maximum prices for locally manufactured textile products sold or delivered in the Territory of Puerto Rico shall be:

(1) The maximum price at retail for a product which is not part of a job lot shall be the factory price paid by the retailer, multiplied by:

Group:	*Sales at retail*
A	$1.50
B	1.60
C	1.75

(2) The maximum price at retail for a product which is part of a job lot shall be the price fixed by the seller: *Provided*, That the total of the prices charged for each product within the job lot in which the particular product was received does not exceed the maximum price for the entire job lot determined in accordance with section 54 (c) (1): *And provided*, That he notifies the Office of Price Administration of such prices in accordance with the requirements of section 54 (f) as applicable.

(3) Sellers at retail of locally manufactured textile products shall request from the manufacturer a sales invoice showing the following information: (i) date of the sale, (ii) number and description of units sold, (iii) the price charged per unit or in the sale of a job lot the price charged for the entire lot.

(4) If a job lot consists of items falling within more than one of the groups of textile products set forth in section 54 (a) (1), the maximum price for the entire lot shall be computed by applying the lowest multiplier appropriate to any item in the lot.

(d) *Trade practices.* The markups authorized herein are gross markups which shall not be exceeded regardless of the number of sellers handling a textile product. No seller shall change his customary allowances, discounts or other price differentials or his customary alteration charges unless such change results in a lower net price.

(e) *Prohibited practices.* It shall be unlawful for any seller to improperly classify a textile product for the purpose of evading the appropriate pricing provision herein. It shall be unlawful for any seller to revise any maximum price fixed on a textile product and entered in his textile reference book except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots.* Within five days of his first sale of a textile product from a job lot the seller shall file a statement with the Territorial Office of Price Administration, San Juan, Puerto Rico, and a duplicate thereof with his local War Price and Rationing Board, which statement shall show (1) the name and address of the person from whom the job lot was purchased, (2) a description of the job lot, (3) the number of units included in each class of textile products, (4) the direct cost of the job lot to the seller if it was imported by the seller, or the price paid for the job lot if it was not imported by the seller, (5) the reference stock numbers assigned as provided in paragraph (f), (6) the selling price of each unit or group of units as determined in accordance with the pricing provisions of paragraph (b) of this section, and the over-all markup taken by the seller on the job lot.

(g) *Identification of textile products.* Every seller shall assign a separate reference stock number to each price classification of textile products and shall clearly identify the physical merchandise with the reference stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

[Paragraph (g) amended by Am. 30, 9 F.R. 3514, effective 4-6-44]

(h) *Textile reference book.* (1) Every person selling textile products shall prepare a textile reference book which he shall keep and make available for examination by the Office of Price Administration, in which shall be entered prior to the time any textile product is sold or offered for sale, the following information for each price classification of textile products in the seller's stock: (i) The reference stock number, (ii) a description of the units comprised, (iii) the name and address of the supplier, except in the case of merchandise from a job lot, (iv) the date of delivery except in the case of merchandise in a job lot, (v) the multiplier used in computing the maximum price, (vi) the direct cost to the seller or the price paid by the seller whichever price is material in accordance with the pricing provisions utilized, and (vii) the seller's selling price at wholesale or at retail depending upon the level at which he sells.

(2) The maximum price charged by each seller and entered in his textile reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the textile reference book shall be made in numerical sequence. Textile products received by the seller which are identical to products earlier entered into the reference book shall be re-entered under a new reference stock number.

(i) *Notification to customers.* Every person selling an imported textile product except at retail shall with each delivery supply the purchaser with a statement, which may be included in and made a part of the seller's invoice, specifying with respect to each price classification delivered: (1) the seller's reference stock number, (2) a notation of the pricing provision employed, (3) the number and description of units sold, and (4) the price charged. This provision supersedes section 11 (b) (1) of Revised Maximum Price Regulation 183 with respect to sales of imported textile products.

Section 14 ("Sales Slip and Receipts" of the General Maximum Price Regulation) apply to sales of textile products by local manufacturers.

[Paragraph (i) amended by Am. 22, 9 F.R. 686, effective 12-13-43]

(j) *Exemptions.* The provisions of this section 54 shall not apply to the following:

(1) Sales of textile products by religious or charitable institutions. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

(2) Sales of uniforms and accessories for the armed forces. Prices are established by the Army or Navy Uniform Services.

(3) Sales at retail by manufacturers, of textile products manufactured in their own factory. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

(4) Sales by custom tailors and dressmakers, as defined in paragraph (a) (6) of this section. These sales continue to be covered by the provisions of the General Maximum Price Regulation.

[Sec. 54 added by Am. 11, 8 F.R. 15195, effective 11-22-43; amended by Am. 38, 9 F.R. 5436, effective 5-22-44; and as otherwise noted]

SEC. 55. *Maximum retail prices for toys and games.* The maximum retail price for toys and games sold or delivered in the Territory of Puerto Rico shall be computed as follows:

(a) On imported toys and games the direct cost to the importer, as defined in section 17 (a) (4) may be multiplied by 1.75.

(b) On toys and games manufactured in the Territory of Puerto Rico the price charged by the manufacturer, which in no event may exceed the maximum price established by any applicable price regulation or order, may be multiplied by 1.75.

[Sec. 55 added by Am. 12, 8 F.R. 15969, effective 11-11-43]

SEC. 56. *Maximum prices for imported liquors, imported and certain locally produced beer, and malt.*

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS

Items and brands	Size	Importer-wholesaler	Retail per unit
Scotch whiskies:			
Vat 69	Case of 12/8ths	$41.75	$4.75
White Horse	Case of 12/5ths	41.75	4.75
Black & White	Case of 12/5ths	41.75	4.75
White Label	Case of 12/5ths	40.25	4.75
White Label	Case of 24/2	41.75	2.40
Queen Anne	Case of 12/4/5 quart	40.50	4.75
House of Lords	Case of 12/4/5 quart	40.50	4.75
King's Ransom	Case of 12/4/5 quart	47.00	5.50
The Antiquary	Case of 12/Imperial Liter	84.00	7.50
Johnnie Walker Red Label	Case of 24/4/5 pint	46.50	2.70
Johnnie Walker Red Label	Case of 12/4/5 quart	45.25	5.25
Johnnie Walker Black Label	Case of 24/4/5 pint	54.25	3.15
Johnnie Walker Black Label	Case of 12/4/5 quart	53.00	6.00
Weston's Special Reserve	Case of 12/Imperial Liter	86.00	6.50
McNairn	Case of 12/4/5 quart	42.00	4.75
Martins V. V. O	Ca. 12/4/5 qts	42.00	4.75
Martins DeLuxe (12 yrs.)	Ca. 12/4/5 qts	49.00	5.75
Martins DeLuxe (20 yrs.)	Ca. 12/4/5 qts	70.00	7.75
Old Angus	Ca. 12/5ths	42.00	4.75
Ballantine's	Ca. 12/4/5 qts	40.50	4.75
Hankey Bannister	Ca. 12/4/5 qts	45.25	5.25
Special Blend: Peter Dawson	Ca. 12/4/5 qts	44.00	5.00
Scotch type whiskey:			
Stuart Lloyds	Ca. 12/4/5 qts	37.25	3.15
Canadian whiskies:			
Seagram's V. O	Case of 12/8ths	30.00	4.50
Canadian Club	Case of 12/5ths	30.00	4.50
Canadian rye whiskey	Case of 12/4/5 qts	30.00	4.50
AMERICAN WHISKIES			
Rye:			
Mt. Vernon	Case of 12/8ths	20.25	2.60
Mt. Vernon	Case of 24/16 oz	21.60	1.80
Old Overholt	Case of 12/8ths	25.25	3.00
Old Crow	Case of 12/4/5 qts	27.50	3.20
Old Schenley	Ca. 12/4/5 qts	27.50	3.20
Old Schenley	Ca. 24 pints	23.00	2.00
Bourbon:			
Old Grand Dad	Case of 12/8ths	21.50	2.50
Old Grand Dad	Case of 24/16 oz	21.00	1.75
Old Crow	Case of 12/4/5 qts	27.50	3.20
Old Taylor	Case of 12/5ths	21.50	3.50
Old Taylor	Case of 24/pints	*28.60	*2.15
Old Log Cabin	Case of 12/5ths	28.00	2.50
Old Schenley	Ca. 12/4/5 qts	27.50	3.20
Old Schenley	Ca. 24 pints	23.00	2.00
Blended Bourbon:			
P. M. DeLuxe	Case of 12/5ths	23.25	2.05
P. M. DeLuxe	Case of 24/16 oz	27.50	1.55
Blended whiskey:			
Calvert Reserve	Case of 24/16 oz	27.00	2.10
Calvert Reserve	Case of 48/8 oz	23.25	1.10
Calvert Special	Case of 12/5ths	26.25	3.25
Calvert Reserve	Case of 12/4/5 qts	23.00	3.55
Schenley Red Label	Ca. 12/4/5 qts	23.00	2.70
Schenley Red Label	Ca. 24/pints	28.50	1.65
Schenley Red Label	Ca. 48/½ pints	30.00	.90
Schenley Black Label	Ca. 12/4/5 qts	26.00	3.25
Schenley Black Label	Ca. 24/pints	24.50	2.00
Schenley Black Label	Ca. 48/½ pints	26.00	1.05
Reserve blend	Ca. 12/4/5qts	24.75	2.75
Three Feathers Reserve	12/4/5 qt	20.00	2.50
Three Feathers (Aristocrat)	24/1 pt	27.50	1.60
King	12/4/5 qt	20.00	2.50
Old Forester	12/4/5 qt	23.00	2.75
Brandies:			
Domecq 3 Vines	Case of 12/8ths	41.00	5.00
Gonzalez Byass 3 Copas	Case of 12/5ths	36.25	4.60
Jerezana V. O	Case of 12/8ths	36.25	4.60
Florido 3 Escudos	Case of 12/5ths	39.50	4.75
El Vencedor	Case of 12/8ths	34.50	4.65
El Vencedor	Case of 24/2	36.50	2.40
Jerezana VVV	Case of 12/8ths	39.50	4.75
Florido FFF	Case of 12/5ths	40.25	4.85

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Brandies—Continued.			
Florido FFF	Case of 24/2	$41.75	$2.50
Domecq Fundador	Case of 12/8ths	30.60	4.00
Excelsior	Case of 12/8ths	44.00	5.30
Gonzalez Byass Extra	Case of 12/8ths	43.00	5.20
Florido	Case of 12/8ths	45.00	5.45
Triunfador	Case of 12/8ths	44.00	5.30
Triunfador	Case of 24/2	45.00	2.75
Centurion	Case of 12/8ths	48.00	5.75
Centurion	Case of 24/2	51.00	3.00
Florido Reserva Escorial	Case of 12/5ths	69.50	8.00
Florido Extravejisimo	Case of 12/5ths	32.75	4.35
Gonzalez Byass Soberano	Case of 12/5ths	45.50	5.00
Gonzalez Byass Insuperable	Case of 12/5ths	64.00	7.50
Carlos I—Domecq	Case of 12/5ths	130.00	19.00
Caballero	Case of 12/1	26.50	4.25
Caballero	Case of 24/2	37.25	2.25
Fernando A. de Terry:			
Terry Tipo Competidor	Case of 24/2	26.50	2.75
Terry Tipo Competidor	Case of 12/1	27.00	4.50
Terry Tipo 3 Estrellas	Case of 12/1	26.50	4.50
Terry Tipo 3 Estrellas	Case of 24/2	40.00	2.60
Terry Tipo Imperio	Case of 12/1	43.00	5.25
Domecq 3 vines	Ca. 24/½ pints	43.00	2.75
Sanchez Romate Hnos.:			
Romate Cuatro Torres-El Cesar	12/4/5 qt	25.00	4.00
Romate Especial	12/4/5 qt	37.00	4.50
Carlos V	12/4/5 qt	120.00	13.50
Cardenal Cisneros	12/4/5 qt	85.00	9.50
Brandy:			
Osborne Tres Cores	12/4/5 qt	26.50	4.25
Osborne Veterano	12/4/5 qt	45.00	7.50
Marques Del Real Tesoro:			
Manzanilla La Capitana	12/1	20.00	3.50
Manzanilla La Bralladora	12/1	21.00	3.50
Malaga Oscuro Dulce	12/1	21.00	3.50
Moscatel Vina Luisa	12/1	23.00	3.75
Malaga Blanco Dulce	12/1	21.00	3.50
Moscatel Solera	12/1	21.00	3.50
Jerez Oro	12/1	20.00	3.50
Fino Andalus	12/1	20.00	3.50
Ideal	12/1	22.00	3.75
Pedro J. Solera	12/1	21.00	3.50
Domecq-Furdador	24/4/5 pt. bot	20.00	2.50
Gladiador	12/1	49.00	8.00
Imported rums:			
Bacardi Carta Blanca	Case of 24/ 4/5 pint	23.50	2.50
Bacardi Carta De Oro	Case of 24/ 4/5 pint	25.00	2.70
Bacardi Carta Blanca	Case of 12/8ths	21.75	3.00
Bacardi Carta De Oro	Case of 12/8ths	23.00	3.25
Bacardi 773 Brand	Case of 12/5ths	23.50	3.50
Bacardi Anejo	Case of 12/5ths	40.00	5.50
Bacardi Elixir	Case of 12/5ths	28.00	3.75
Albuerne Blanco	Case of 12/5ths	28.00	3.75
Albuerne Extra	Case of 12/5ths	30.00	4.00
Albuerne Oro	Case of 12/5ths	29.25	3.95
Carta Castillo Blanco	Case of 12/5ths	31.00	4.25
Castillo Oriente Oro	Case of 12/5ths	33.00	4.50
Castillo Extra XXX	Case of 12/5ths	35.00	4.75
Castillo Elixir	Case of 12/5ths	31.00	4.25
Matusalem	Case of 12/5ths	30.00	4.00
Carta Camp			
American gin:			
Schenley's	Case of 12/8ths	23.00	1.50
Cloister's	Case of 12/8ths	26.00	3.50
Three Feathers	Ca. 12/4/5 qts	21.00	2.85
Calvert	12/4/5 qt	25.50	3.50
Ancient Bottles	12/4/5 qt	25.50	3.50
King Arthur	12/4/5 qt	27.00	3.75
Damos	Ca. 12/1 qt	28.00	3.85
Bols	Ca. 12/4/5 qt	34.00	4.50
Superior	24/2	10.25	1.50
Table wines (foreign):			
Armentia & Madrase:			
Spanish White Wine	12/1	17.00	1.90
Topacio White Sweet	12/1	18.50	2.10
Claret	12/1	16.25	1.80
Red Wine	12/1	17.00	1.90

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Rye:			
Mt. Vernon	Case of 12/8ths	20.25	2.60
Mt. Vernon	Case of 24/16 oz	21.60	1.80
Old Overholt	Case of 12/8ths	25.25	3.00
Old Crow	Case of 12/4/5 qts	27.50	3.20
Old Schenley	Ca. 12/4/5 qts	27.50	3.20
Old Schenley	Ca. 24 pints	23.00	2.00
Bourbon:			
Old Grand Dad	Case of 12/8ths	21.50	2.50
Old Grand Dad	Case of 24/16 oz	21.00	1.75
Old Crow	Case of 12/4/5 qts	27.50	3.20
Old Taylor	Case of 12/5ths	21.50	3.50
Old Taylor	Case of 24/pints	*28.60	*2.15
Old Log Cabin	Case of 12/5ths	28.00	2.50
Old Schenley	Ca. 12/4/5 qts	27.50	3.20
Old Schenley	Ca. 24 pints	23.00	2.00
Blended Bourbon:			
P. M. DeLuxe	Case of 12/5ths	23.25	2.05
P. M. DeLuxe	Case of 24/16 oz	27.50	1.55
Blended whiskey:			
Calvert Reserve	Case of 24/16 oz	27.00	2.10
Calvert Reserve	Case of 48/8 oz	23.25	1.10
Calvert Special	Case of 12/5ths	26.25	3.25
Calvert Reserve	Case of 12/4/5 qts	23.00	3.55
Schenley Red Label	Ca. 12/4/5 qts	23.00	2.70
Schenley Red Label	Ca. 24/pints	28.50	1.65
Schenley Red Label	Ca. 48/½ pints	30.00	.90
Schenley Black Label	Ca. 12/4/5 qts	26.00	3.25
Schenley Black Label	Ca. 24/pints	24.50	2.00
Schenley Black Label	Ca. 48/½ pints	26.00	1.05
Reserve blend	Ca. 12/4/5qts	24.75	2.75
Three Feathers Reserve	12/4/5 qt	20.00	2.50
Three Feathers (Aristocrat)	24/1 pt	27.50	1.60
King	12/4/5 qt	20.00	2.50
Old Forester	12/4/5 qt	23.00	2.75
Brandies:			
Domecq 3 Vines	Case of 12/8ths	41.00	5.00
Gonzalez Byass 3 Copas	Case of 12/5ths	36.25	4.60
Jerezana V. O	Case of 12/8ths	36.25	4.60
Florido 3 Escudos	Case of 12/5ths	39.50	4.75
El Vencedor	Case of 12/8ths	34.50	4.65
El Vencedor	Case of 24/2	36.50	2.40
Jerezana VVV	Case of 12/8ths	39.50	4.75
Florido FFF	Case of 12/5ths	40.25	4.85

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Brandies—Continued.			
Florido FFF	Case of 24/2	$41.75	$2.50
Domecq Fundador	Case of 12/8ths	30.60	4.00
Excelsior	Case of 12/8ths	44.00	5.30
Gonzalez Byass Extra	Case of 12/8ths	43.00	5.20
Florido	Case of 12/8ths	45.00	5.45
Triunfador	Case of 12/8ths	44.00	5.30
Triunfador	Case of 24/2	45.00	2.75
Centurion	Case of 12/8ths	48.00	5.75
Centurion	Case of 24/2	51.00	3.00
Florido Reserva Escorial	Case of 12/5ths	69.50	8.00
Florido Extravejisimo	Case of 12/5ths	32.75	4.35
Gonzalez Byass Soberano	Case of 12/5ths	45.50	5.00
Gonzalez Byass Insuperable	Case of 12/5ths	64.00	7.50
Carlos I—Domecq	Case of 12/5ths	130.00	19.00
Caballero	Case of 12/1	26.50	4.25
Caballero	Case of 24/2	37.25	2.25
Fernando A. de Terry:			
Terry Tipo Competidor	Case of 24/2	26.50	2.75
Terry Tipo Competidor	Case of 12/1	27.00	4.50
Terry Tipo 3 Estrellas	Case of 12/1	26.50	4.50
Terry Tipo 3 Estrellas	Case of 24/2	40.00	2.60
Terry Tipo Imperio	Case of 12/1	43.00	5.25
Domecq 3 vines	Ca. 24/½ pints	43.00	2.75
Sanchez Romate Hnos.:			
Romate Cuatro Torres-El Cesar	12/4/5 qt	25.00	4.00
Romate Especial	12/4/5 qt	37.00	4.50
Carlos V	12/4/5 qt	120.00	13.50
Cardenal Cisneros	12/4/5 qt	85.00	9.50
Brandy:			
Osborne Tres Cores	12/4/5 qt	26.50	4.25
Osborne Veterano	12/4/5 qt	45.00	7.50
Marques Del Real Tesoro:			
Manzanilla La Capitana	12/1	20.00	3.50
Manzanilla La Bralladora	12/1	21.00	3.50
Malaga Oscuro Dulce	12/1	21.00	3.50
Moscatel Vina Luisa	12/1	23.00	3.75
Malaga Blanco Dulce	12/1	21.00	3.50
Moscatel Solera	12/1	21.00	3.50
Jerez Oro	12/1	20.00	3.50
Fino Andalus	12/1	20.00	3.50
Ideal	12/1	22.00	3.75
Pedro J. Solera	12/1	21.00	3.50
Domecq-Furdador	24/4/5 pt. bot	20.00	2.50
Gladiador	12/1	49.00	8.00
Imported rums:			
Bacardi Carta Blanca	Case of 24/ 4/5 pint	23.50	2.50
Bacardi Carta De Oro	Case of 24/ 4/5 pint	25.00	2.70
Bacardi Carta Blanca	Case of 12/8ths	21.75	3.00
Bacardi Carta De Oro	Case of 12/8ths	23.00	3.25
Bacardi 773 Brand	Case of 12/5ths	23.50	3.50
Bacardi Anejo	Case of 12/5ths	40.00	5.50
Bacardi Elixir	Case of 12/5ths	28.00	3.75
Albuerne Blanco	Case of 12/5ths	28.00	3.75
Albuerne Extra	Case of 12/5ths	30.00	4.00
Albuerne Oro	Case of 12/5ths	29.25	3.95
Carta Castillo Blanco	Case of 12/5ths	31.00	4.25
Castillo Oriente Oro	Case of 12/5ths	33.00	4.50
Castillo Extra XXX	Case of 12/5ths	35.00	4.75
Castillo Elixir	Case of 12/5ths	31.00	4.25
Matusalem	Case of 12/5ths	30.00	4.00
Carta Camp			
American gin:			
Schenley's	Case of 12/8ths	23.00	1.50
Cloister's	Case of 12/8ths	26.00	3.50
Three Feathers	Ca. 12/4/5 qts	21.00	2.85
Calvert	12/4/5 qt	25.50	3.50
Ancient Bottles	12/4/5 qt	25.50	3.50
King Arthur	12/4/5 qt	27.00	3.75
Damos	Ca. 12/1 qt	28.00	3.85
Bols	Ca. 12/4/5 qt	34.00	4.50
Superior	24/2	10.25	1.50
Table wines (foreign):			
Armentia & Madrase:			
Spanish White Wine	12/1	17.00	1.90
Topacio White Sweet	12/1	18.50	2.10
Claret	12/1	16.25	1.80
Red Wine	12/1	17.00	1.90

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Table wines (foreign)—Can.			
Marques De La Puebla:			
Fino Macharnude	12/1	$25.75	$3.00
Manzanilla Especial	12/1	24.50	3.00
Pedro Ximenez Lagar	12/1	25.50	3.00
Muscatel Especial	12/1	26.25	3.00
Pedro Ximenez Puebla Sherry	12/1	42.00	4.90
Muscatel #1 sherry	12/1	27.50	3.25
Lagrimas sherry	12/1	26.25	3.00
Vino de Pasas	12/1	29.00	3.25
Spanish grape wine	12/1	25.75	3.00
Solera High Hat	12/1	31.25	3.50
Sevilla Cream sherry	12/1	40.00	4.70
Carlos Serres Blanco	Case of 12/1	15.75	1.75
Carlos Serres Tinto	Case of 12/1	15.00	1.75
Clarete Fino	Case of 12/1	16.50	1.75
Clarete Fino	Case of 24/2	19.75	1.10
Tinto Ederra	Case of 12/1	16.50	1.75
Tinto Ederra	Case of 24/2	17.75	1.10
Blanco Fino 1934	Case of 12/1	18.75	2.15
Blanco Fino 1934	Case of 24/2	19.75	1.10
Blanco Brillante 1931	Case of 12/1	19.75	2.25
Blanco Brillante 1931	Case of 24/2	21.00	1.25
Tinto Vina Pomal	Case of 12/1	19.75	2.25
Blanco Cepa De Oro	Case of 12/1	19.75	2.25
Tinto Bonaparte	Case of 12/1	14.25	1.60
Blanco Bonaparte	Case of 12/1	14.25	1.60
Sauternes El Cabildo	Case of 12/1	15.75	1.85
Tinto Rioja Predilecto Gomez Cruzado	Case of 12/1	16.50	1.85
Blanco Gomez Cruzado	Case of 12/1	16.50	1.85
Tinto Clarete Alambrado	Case of 12/1	19.75	2.25
Tinto Del Rhin Undurraga	Case of 12/1	16.50	1.85
Tinto Especial Concha y Toro	Case of 12/1	14.00	1.60
Blanco Especial Concha y Toro	Case of 12/1	14.00	1.60
Blanco Seco Argentino Tipo Cachet	Case of 12/1	9.25	1.10
Blanco Del Rhin, Trapiche	Case of 12/1	12.00	1.40
Blanco Del Rhin, Trapiche Demi-Sec	Case of 12/1	14.25	1.60
Tinto Rioja Superior (Bodegas Riojanas)	Case of 12/1 pint 8 oz	15.50	1.85
Tinto Rioja Superior (Bodegas Riojanas)	Case of 24/12 oz	16.50	1.00
Tinto Viña Albina	Case of 12/1 pint 8 oz	21.00	2.50
Blanco Viña Albina	Case of 12/1 pint 8 oz	21.00	2.50
Blanco Viña Albina	Case of 24/12 oz	22.75	1.25
Blanco Rioja Extrafino (Bodegas Riojanas)	Case of 12/1 pint 8 oz	18.75	2.15
Blanco Rioja Extrafino (Bodegas Riojanas)	Case of 24/12 oz	19.75	1.10
Blanco Rioja Seco (Bodegas Riojanas)	Case of 12/1 pint 8 oz	17.00	2.00
Blanco Rioja Seco (Bodegas Riojanas)	Case of 24/12 oz	18.75	1.60
Benegas Hnos. & Co. Ltd.:			
Derby	Case of 12/1	14.25	1.60
Tinto Reserva	Case of 12/1	13.00	1.50
Cia. Argentina de Intercambio:			
Vino Blanco	Case of 12/1	13.50	1.50
Vino Tinto 1937	Case of 12/1	13.00	1.45
Angel M. Espino e Hijos:			
Blanco Clubman	Case of 12/1	15.25	1.75
Tinto Cabernet Trovador	Case of 12/1	15.25	1.75
Sauternes Argentino	Case of 12/1	13.75	1.50
Sauternes Argentino	Case of 24/2	15.25	.90
Chianti Argentino	Case of 12/1	17.00	2.00
Chianti Argentino	Case of 24/2	17.50	1.00
Pierna de Perdiz (Sparkling)	Case of 12/1	26.00	3.25
Bodegas Bilbainas:			
Clarete Fino	Case of 12/1	18.00	2.10
Peters Hnos.:			
Sauternes Feudal	Case of 12/1	14.75	1.70
Claret Feudal	Case of 12/1	12.50	1.40
Martini & Rossi:			
Chianti Martini & Rossi	Case of 12/1	17.75	2.00
Chianti Martini & Rossi	Case of 24/2	20.00	1.15
Bodegas Vinicola Gallega:			
Tostado 4 Escudos	Case of 12/1	23.25	2.65
Tinto Mosteiro	Case of 12/1	16.00	1.85
Tinto Mosteiro	Case of 24/2	17.00	1.00
Blanco Mosteiro	Case of 12/1	16.00	1.85
Vino Espumoso:			
Chamart	Case of 12/1	29.00	3.40
Angel M. Espinose Hijo:			
Tinto Borgona	Case 12/1 pt. 8 oz	13.50	1.50

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
American:			
El Pavo	Case of 4/1 gal	$7.00	$2.40
El Pavo	Case of 24/12 oz	5.00	.30
El Pavo	Case of 12/24 oz	4.75	.85
El Pavo	Case of 12/32 oz	6.00	.70
El Canario	Case of 4/1 gal	7.50	2.60
El Canario	Case of 24/12 oz	5.25	.30
El Canario	Case of 12/24 oz	4.75	.55
El Canario	Case of 12/32 oz	6.00	.70
Roma Vs Claret	12/4/5 qt. bot	12.50	1.55
Roma Vs Sauterne	12/4/5 qt. bot	12.50	1.55
Turpial	24/12 oz	5.00	.30
Turpial	12/32 oz	6.00	.70
Estrella Tipo Oporto	24/12 oz	5.00	.30
Estrella Tipo Oporto	12/24 oz	4.75	.85
Estrella Tipo Oporto	12/32 oz	6.00	.70
Estrella Tipo Oporto	6/64 oz	6.00	1.40
Moscatel Pico de Oro	12/24 oz	10.00	1.20
Imperial (Moscatel)	24/12 oz	5.00	.30
Imperial Moscatel	12/24 oz	5.00	.85
Moscatel California	12/24 oz	6.00	.75
Moscatel California	24/12 oz	6.00	.35
El Sabrosito	24/12 oz	5.00	.30
El Sabrosito	12/24 oz	4.75	.55
Garret (Virginia Dare Type)	12/⅘ qt	11.50	1.30
Garret (Sauterne type)	12/⅘ qt	11.50	1.30
Garret (Burgundy type)	12/⅘ qt	11.50	1.30
Garret (Port type)	12/⅘ qt	11.50	1.30
Garret (Port white)	12/⅘ qt	11.50	1.30
Garret (Sherry type)	12/⅘ qt	11.50	1.30
Garret (Muscatel type)	12/⅘ qt	11.50	1.30
Garret (Pale Dry Sherry)	12/⅘ qt	12.00	1.35
Dessert wines (foreign):			
Vina 25 Domecq	Case of 12/1	28.75	3.35
Jerez Rey	Case of 12/1	25.50	3.00
Moscatel Solera, Palomino Vergara	Case of 12/1	20.50	2.50
Jerez Palido, Palomino Vergara	Case of 12/1	21.50	2.50
Jerez Oro, Palomino Vergara	Case of 12/1	21.50	2.50
Malaga Dulce Blanco, Palomino Vergara	Case of 12/1	23.00	2.65
Malaga Dulce Oscuro, Palomino Vergara	Case of 12/1	23.00	2.65
Oporto Lusitania, Palomino Vergara	Case of 12/1	23.00	2.65
Jerez Dulce, Palomino Vergara	Case of 12/1	23.00	2.65
Moscatel, Palomino Vergara	Case of 12/1	23.00	2.65
Moscatel Payaso, Palomino Vergara	Case of 12/1	31.75	3.65
Pedro Jimenez Superior, Palomino Vergara	Case of 12/1	23.00	2.50
Jerez Amoroso, Palomino Vergara	Case of 12/1	21.50	2.50
Manzanilla Fina, Palomino Vergara	Case of 12/1	22.00	2.00
Manzanilla Revoltosa, Palomino Vergara	Case of 12/1	26.50	3.00
Manzanilla Olorosa, Palomino Vergara	Case of 12/1	24.50	2.85
Vino Amontillado Fino, Palomino Vergara	Case of 12/1	23.00	2.85
Vino Amontillado Macharnudo, Palomino Vergara	Case of 12/1	27.50	3.20
Angel M. Espino e Hijos:			
Malaga Espino	Case of 12/1	15.00	1.75
Oporto Espino	Case of 12/1	16.00	1.85
Marsala Espino	Case of 12/1	15.00	1.75
Sherry Espino	Case of 12/1	16.75	1.95
Moscatel Espino (Alambrado)	Case of 12/1	19.25	2.25
Moscatel Espino (garrafas)	Case of 12/1	26.50	3.00
Peters Hnos:			
Oporto Argentino Templario	Case of 12/1	18.50	2.10
Dessert Wines, Florido Hnos.:			
Especial para Consagrar	12/4/5 qt	*25.00	*2.90
Pico Plata	12/4/5 qt	*25.00	*2.90
Malaga Especial	12/4/5 qt	*26.00	*3.00
Manzanilla Clasica	12/4/5 qt	*24.75	*2.90
Sanchez Romate Hnos.:			
Vino Sherry-Bombita	12/1 pt. 7 oz	26.00	3.00
Vino Pedro Ximenez de Consagrar	12/1 pt. 7 oz	23.00	2.65
Vino Fino-Macharnudo	12/1 pt. 7 oz	23.25	2.65
Vino Manzanilla Viva la Pepa	12/1 pt. 7 oz	22.00	2.50
Vino Pedro Ximenez Damas	12/1 pt. 7 oz	25.00	2.90
Vino Manzanilla Petenera	12/1 pt. 7 oz	24.00	2.80
Vino Romate Cream Sherry	12/1 pt. 7 oz	40.00	4.70
Vino Amontillado N. P. W. Sherry	12/1 pt. 7 oz	31.50	3.65
Vino Lagrima Sweet (Sherry Light)	12/1 pt. 7 oz	23.75	2.75
Vino Carlos V-Oloroso Sherry	12/1 pt. 7 oz	105.00	12.25
Vino Cob-nut Brown Sweet Sherry	12/1 pt. 7 oz	26.00	3.00
Vino Pedro Ximenez Cardenal Cisnero	12/1 pt. 7 oz	42.00	4.90

Bois	24/1	10.25	.85
Superior	24/1		
Table wines (foreign):			
Armantia & Madrasc:			
Spanish White Wine	12/1	17.00	1.90
Topacio White Sweet	12/1	15.50	1.80
Claret	12/1	16.25	1.80
Red Wine	12/1	17.00	1.90

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Sanches Romate Hnos—Continued.			
Vino Oloroso El Cesar	12/1 pt. 7 oz.	$70.00	$8.00
Vino Fino Marismeno Sherry	12/1 pt. 7 oz.	31.50	3.65
Vino Moscat o Gloria	12/1 pt. 7 oz.	25.00	2.90
Orange Flavor Sherry Wine	12/1 pt. 7 oz.	26.50	3.00
Muscatel Reina	12/1 pt. 7 oz.	32.00	3.75
Vino Muscatel Ambrosia	12/1 pt. 7 oz.	60.00	7.00
Vino Jerez Turina Duque	12/1 pt. 7 oz.	25.00	2.90
Grape Wine Fine Ruby	12/1 pt. 7 oz.	23.25	2.65
Jerez Seco Pelido	12/1 pt. 7 oz.	21.75	2.80
Muscatel Especial	12/1 pt. 7 oz.	23.75	2.75
Vino dos Palos Cortados Fandango Sherry	12/1 pt. 7 oz.	28.75	3.28
Vino Dry Solera Romate	12/1 pt. 7 oz.	28.75	3.25
Vino Dulce Superior Oscuro	12/1 pt. 7 oz.	24.00	2.80
Dessert Wines—Foreign:			
Vino de Pasas	12/1 pt. 7 oz.	26.50	3.00
Vino East India Sherry	12/1 pt. 7 oz.	52.00	6.00
Spanish Punch Romate	12/1 pt. 7 oz.	43.50	4.00
Champagne (foreign):			
D'chardon	Case of 12/1	50.00	6.25
Ambassador	Case of 12/1	48.00	6.00
Valdivieso	Case of 12/1	40.00	5.00
Champagne: Domeco Demi-Doux	12/26 oz. bot.	40.00	5.00
Angel M. Espino e Hijos:			
Angel M. Espino—Demi-sec	Case of 12/1	40.80	5.00
Angel M. Espino—Demi-sec	Case of 24/2	44.25	2.75
Angel M. Espino sec	Case of 12/1	42.50	5.25
Emperator	Case of 12/1	47.00	5.75
Duc de Saint Remy	12/⅘ qt.	44.00	5.80
Cuvillier, sec	12/⅘ qt.	48.00	6.00
Cuvillier, demi-sec	12/⅘ qt.	48.00	6.00
Cuvillier, Brut	12/⅘ qt.	50.00	6.25
Vermouth (foreign):			
Cinzano	12/20 oz. bot.	*16.45	*2.00
Mitre Sweet	Case of 12/1	16.00	2.00
Corbielle Dry	Case of 12/1	19.00	2.25
Cusenier	Case of 12/1	19.00	2.25
Cia. Industrial Financiera Argentina:			
Saturno	Case of 12/32 oz.	15.80	1.85
Saturno	Case of 24/16 oz.	17.20	1.00
Angel M. Espino e Hijos:			
Bandino (sweet)	Case of 12/1	17.80	2.00
Destileria Bodegas y Vinedos El Globo (sweet)	Case of 12/1	15.50	1.95
Martini & Rossi (Rerular dulce)	Case of 12/1 pt. 14 oz.	17.00	2.00
Martini & Rossi (Blanco dulce)	Case of 12/1 pt. 14 oz.	17.00	2.00
Chinano	Case 24/15 oz.	*18.10	*1.00
Pagani (sweet)	12/1 qt.	16.25	1.85
Remondini (sweet)	12/1 qt.	16.25	1.85
Busa (dry)	12/1 qt.	16.00	2.10
Tiare	12/1 qt.	14.00	1.65
Osacia	12/1 qt.	17.80	2.00
Ideal (Sweet)	12/1 qt.	14.80	1.65
L'Serd (Dry)	12/1 qt.	17.25	1.95
Challabert (Sweet)	12/1 qt.	15.80	1.85
El Globo (Dry)	12/32 oz.	17.15	2.00
Vermouth:			
Martini & Rossi, dry	12/1 pt. 14 oz.	17.00	2.00
Martini & Rossi, regular	24/1 pt. 14 oz.	20.00	1.15
Cordials (foreign):			
Cusenier Curacao Extra Seco	Case of 12/4/5 qt.	40.80	4.75
Cusenier Curacao Triple Seco	Case of 12/4/5 qt.	40.80	4.75
Cusenier Creme de Menta	Case of 12/4/5 qt.	40.80	4.75
Cusenier Cherry Liquor	Case of 12/4/5 qt.	40.80	4.75
Cusenier Maraino	Case of 12/4/5 qt.	40.80	4.75
Cusenier Apricot Liquor	Case of 12/4/5 qt.	40.80	4.75
Cusenier Anisete	Case of 12/4/5 qt.	40.80	4.75
Cusenier Creme de Cacao	Case of 12/4/5 qt.	40.80	4.75
Cusenier French Liquor	Case of 12/4/5 qt.	37.00	4.30
Bacardi Anis	Case of 12/4/5 qt.	45.00	5.25
Peters Manta	Case of 12/4/5 qt.	42.00	5.00
Peters Crema de Cacao	Case of 12/4/5 qt.	42.00	5.00
Peters Anis	Case of 12/4/5 qt.		
Cordials:			
Anis Oriental	24/2.	9.25	.55
Marques De La Fuebia Spanish Anisette	12/1.	48.50	5.75

TABLE 48—MAXIMUM PRICES FOR IMPORTED LIQUORS—Continued

Items and brands	Size	Importer-wholesaler	Retail per unit
AMERICAN WHISKIES—continued			
Erven Lucas Bols:			
Gold Liquer	12¼ qt.	$43.00	$5.00
Marrasquino	12¾ qt.	43.00	5.00
Peach Liquer	12½ qt.	43.00	5.00
Crema Cacao	12¾ qt.	43.00	5.00
Apricot Liquer	12¾ qt.	43.00	5.00
Monastique	12¾ qt.	43.00	5.00
Anisette	12¾ qt.	43.00	5.00
Crema Menta Verde	12¾ qt.	43.00	5.00
Crema Menta Blanca	12¾ qt.	43.00	5.00
Triple Sec	12¾ qt.	43.00	5.00
Sherry liquer	12/25 oz.	43.00	5.00
Advokaat	12/26 oz.		
Cordials (domestic):			
Anis El Pavo	Case of 24/13 oz.	8.25	.50
Anis El Canario	Case of 24/13 oz.	9.25	.55
Sanches, Romate Hros:			
Aniseete Romate Dulce	Case of 12/1 pt. 15 oz.	80.00	6.00
Cider (foreign):			
Tunuyan	Case of 12/1 pt. 10 oz.	13.80	1.80
Zarracina	Case of 12/23¼ oz.	13.80	1.80
Princess de Asturies	Case of 12/27 oz.	14.80	2.00
La Praviana	Case of 12/23 oz. fl.	14.80	1.90
Real Cima	Case of 12/23 oz. fl.	14.25	1.75
Sherry Wine: Vinas 24	24/13 oz.	28.75	1.75
Destileria Anis La Castellana:			
Anis "La Castellana"	12/1 qt.	46.80	5.75
Anis "La Castellana"	24/1 pt.	80.00	5.00

[Table 48 amended by Am. 21, 9 F.R. 579, effective 1-19-44; Am. 26, 9 F.R. 1942, effective 2-17-44; Am. 27, 9 F.R. 2231, effective 3-20-44; Am. 31, 9 F.R. 3049, effective 4-17-44; Am. 32, 9 F.R. 4820, effective 5-6-44; Am. 34, 9 F.R. 5225, effective 5-22-44; Am. 37, 9 F.R. 5256, effective 5-22-44; and Am. 43, 9 F.R. 7870, effective 7-10-44]

[*Items amended by Am. 45, effective 8-2-44]

TABLE 47—MAXIMUM PRICES FOR CERTAIN LOCALLY PRODUCED BEER AND MALT

Items and brands	Size	Price to wholesalers	Price at wholesale	Price at retail
Beer:				*Per unit*
Corona—India—Tropical	Case of 24/12 oz.	$2.70	$3.00	$0.15
	Case of 24/22 oz.	4.05	4.55	.20 or two for 5.35
	Case of 12/32 oz.	3.20	3.40	.35
	Kegs ½		11.20	
	Kegs ¼		6.00	
Malt	Case of 24/12 oz.	1.71	1.88	.10
	Case of 24/22 oz.	3.43	3.78	.18

[Table 47 amended by Am. 26, 9 F.R. 1942, effective 2-17-44]

TABLE 49—MAXIMUM PRICES FOR CERTAIN IMPORTED BEER

Items and brands	Size	Price to wholesalers	Price at wholesale	Price at retail
				Per unit
Beaver Brand	Case of 24/12 oz. tins	$6.80	$7.15	$0.35
Buenos Aires	Case of 72/12 oz. bot.	22.50	24.75	.45
Buenos Aires	Case of 48/22 oz. bot.	22.50	24.75	.65
C. Machen & Hudson Royal Jullies	Case of 24/11½ oz. bot.	8.10	8.90	.45
Monterrey	Case of 25/11.4 oz. bot.	7.75	8.50	.42

[Table 48 amended by Am. 21, 9 F.R. 579, effective 1-19-44; Am. 31, 9 F.R. 3049, effective 4-17-44]

FOOTNOTE 1: The prices specified include an allowance for bottle deposits at the rate of 35¢ per case of 24/12 oz.; 45¢ for a case of 24/22 oz.; 30¢ for a case of 12/32 oz.; and $5.00 per keg.

FOOTNOTE 2. Prices on sales by breweries to wholesalers or to retailers include delivery.

FOOTNOTE 3: No increase which has occurred since April 30, 1943, in the f. o. b. price charged by the foreign seller will be taken into account in establishing maximum prices for imported liquors and beer; except that if the item is produced in the continental United States the importer shall furnish a letter from the appropriate office of the Office of Price Administration having jurisdiction over his supplier, or other satisfactory evidence that his supplier's price for the item does not exceed a supplier's maximum price for the sale established under applicable OPA regulations.

[Sec. 56 added by Am. 13, 8 F.R. 15739, effective 11-23-43; former paragraph (a) redesignated footnote (1) and amended and footnotes (2) and (3) added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 57. *Maximum prices for poultry and shell eggs*—(a) *Definitions.* When used in this section 57 the term:

(1) "Poultry" means all fresh broilers, fryers, roasters, capons, old roosters and hens, turkeys, including live, dressed, drawn, and all other forms of the foregoing.

(2) "Dressed poultry" means poultry which has been killed, bled and plucked without regard to the method of plucking or finishing.

(3) "Drawn poultry" means dressed poultry from which the entrails, head and feet have been removed without contamination of the body cavity.

(4) "Shell eggs" means the eggs of the fowl known as the domestic or barnyard hen in their natural state, which have not been frozen.

(b) *Exemptions.* Hatching eggs and breeding poultry are exempt when sold by producers to buyers other than food dealers or consumers.

TABLE 49—MAXIMUM PRICES FOR POULTRY

Type	Live	Price per pound, dressed	Drawn
Chickens:			
Less than 13 weeks	$0.60	$0.75	$0.97
13 weeks to 1 year	0.65	0.80	1.05
1 year and over	0.45	0.55	0.72
Turkeys	0.65	0.80	1.05

TABLE 50—MAXIMUM PRICES FOR SHELL EGGS

Item and Brand Name	Price at wholesale	Retail price
	Each	*Each*
Eggs weighing 23 oz. or less per doz.	$0.05	$0.06
Eggs weighing more than 23 oz. per doz.		.06

[Sec. 57 added by Am. 16, 8 F.R. 15862, effective 11-26-43; Table 50 amended by Am. 25, 9 F.R. 1942, effective 2-17-44; and Am. 45, effective 8-2-44]

SEC. 58. *Maximum prices for machetes sold or delivered in the Territory of Puerto Rico.*

TABLE 51—MAXIMUM PRICES FOR MACHETES

Item	At wholesale	At retail
		Each
Machetes Collins #870-22" with handle or similar	$7.00	$0.85
Machetes Collins #871-25" with handle or similar	7.00	.85
Hojas Sables Collins #872-28" with handle	$11.28	*Each* $1.30
Machete Collins #30-22" with handle or similar	7.50	.90

[Sec. 58 added by Am. 17, 8 F.R. 15862, effective 11-26-43; Table amended by Am. 28, 9 F.R. 3156, effective 3-28-44]

SEC. 59. *Maximum prices for galvanized barbed wire*—(a) *Definitions.* When used in this section 59 the term:

(1) "Galvanized Special Barbed Wire No. 14" means No. 14 wire A. S. & W. Gauge Strands—2 pts. 4" spacing—Barbs #16 A. S. & W. Gauge.

(2) "Galvanized Barbed Wire No. 12½" means No. 12½ wire A. S. & W. Gauge Strands—4 pts. 5" spacing—Barbs #14 A. S. & W. Gauge.

TABLE 52—MAXIMUM PRICES FOR GALVANIZED BARBED WIRE

Description	Sales at wholesale	Sales at retail
No. 14 Galvanized Special Barbed Wire (82.5 lbs. spool gross weight)[1]	$6.70	$8.55
No. 12½ Galvanized Barbed Wire (87½ lbs. gross weight spool)[2]	5.45	6.13

[1] For sales involving less than one spool of 82.5 lbs. the price should be established on the basis of $0.12 per lb.
[2] For sales involving less than one spool of 87½ lbs. the price should be established on the basis of $0.11 per lb.

(b) For galvanized special barbed wire No. 14 and galvanized barbed wire No. 12½ on spools of gross weights other than those specified, the prices at wholesale and at retail shall be proportionately computed on the basis of the maximum prices established herein.

[Sec. 59 added by Am. 17, 8 F.R. 15862, effective 11-26-43]

SEC. 60. *Maximum prices for galvanized steel sheets sold or delivered in the Territory of Puerto Rico.*

TABLE 53—MAXIMUM PRICES FOR GALVANIZED STEEL SHEETS

Description of item	Sizes	U. S. S. G. or G. S. G. No.	Price at wholesale per hundred lbs.	Price at retail per hundred lbs.
Plain Galvanized Steel Sheets	36 x 72	16	$6.45	$7.65
Plain Galvanized Steel Sheets	36 x 72	22	6.35	7.45
Plain Galvanized Steel Sheets	36 x 72	22	6.40	7.55
Plain Galvanized Steel Sheets	36 x 72	24	6.45	7.65
Plain Galvanized Steel Sheets	36 x 72	26	6.75	8.10
Plain Galvanized Steel Sheets	36 x 72	28	6.35	8.80
Plain Galvanized Steel Sheets	36 x 72	30	7.00	8.80
Plain Galvanized Steel Sheets	36 x 96	20	6.65	7.80
Plain Galvanized Steel Sheets	36 x 96	22	6.70	8.00
Plain Galvanized Steel Sheets	36 x 96	24	6.75	8.10
Plain Galvanized Steel Sheets	36 x 96	26	6.10	8.80
Plain Galvanized Steel Sheets	36 x 96	28	6.65	9.30
Plain Galvanized Steel Sheets	36 x 96	30	7.30	10.20
Galvanized Plain Brick Siding (Steel Sheets)		29	6.75	9.40
Galvanized Rock Face Brick Siding (Steel Sheets)		29	6.75	9.40
Galvanized Corrugated Steel Sheets	5 to 10 ft. long		5.65	7.90
	12 ft long	26	5.80	8.10
Galvanized steel sheets	5 to 10 feet long	28	5.99	8.15
Galvanized steel sheets	12 feet long	28	6.60	8.25

NOTE: For plain brick siding, rock face brick siding or corrugated galvanized steel sheets of gauges and sizes other than those specified, the prices shall be determined on the basis of the gauge and size differentials appearing in the tables published by the Steel Export Association of America.

[Sec. 60 added by Am. 17, 9 F.R. 15862, effective 11-26-43; Table amended and footnotes added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 61. *Maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material*—(a) *Definitions.* When used in this section, the term:

(1) "Manufacturer" means a person who produces, mixes or processes, or who markets for his own account and under his own brand or trade name, mixed fertilizer, superphosphate, potash or nitrogenous material for use as an aid to the growth of crops or plants.

(2) "Dealer" means a person who purchases mixed fertilizer, superphosphate, potash or nitrogenous material and resells it to a consumer.

(3) "Consumer" means a person purchasing mixed fertilizer, superphosphate, potash or nitrogenous material for use in aiding the growth of crops or plants (and not for resale) including the Agricultural Adjustment Agency.

(4) "Mixed fertilizer" means any substance containing any two or more, of potash, superphosphate, and nitrogenous material, when marketed or sold as an aid to the growth of crops or plants.

(5) "Superphosphate" means any product which is obtained by mixing rock phosphate with either sulphuric acid or phosphoric acid or with both acids, when

marketed or sold as an aid to the growth of crops or plants.

(6) "Potash" means muriate, chloride or sulphate of potash, manure salts and any other substance containing potassium oxide (K_2O), when marketed or sold as an aid to the growth of crops or plants.

(7) "Nitrogenous material" means any organic or inorganic substance containing nitrogen, when marketed or sold as an aid to the growth of crops or plants.

(8) "Grade" means the minimum guarantee of the plant food content of mixed fertilizer, superphosphate, or potash, expressed in terms of ammonia, available phosphoric acid, and water-soluble potash, e. g. 4–12–4, 0–14–7, 0–20–0, 0–0–50.

(9) "Kind" as distinguished from the term "grade" refers only to mixed fertilizer and means the substances, and the proportions thereof, containing the guaranteed plant food content of mixed fertilizer—as, for example, in the case of nitrogenous material, 80% water soluble and 20% water-insoluble nitrogen; or in the case of potash, 75% sulphate of potash and 25% muriate of potash.

(10) "Price schedule" means any price list or statement, irrespective of form, issued or used by the seller, setting forth the prices, grades, kinds, terms of payment, types of containers or bags, method and conditions of delivery and any other provisions relating to sales of the commodities being priced.

(b) *Manufacturers' maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material*—(1) Maximum prices for sales of mixed fertilizer, superphosphate, and potash.

(i) *Delivered prices.* A manufacturer's maximum prices for sales of mixed fertilizer, superphosphate and potash delivered to any purchaser's premises or to the railroad shipping station located nearest to the purchaser shall be the prices set forth in his written or printed price schedule or list effective on October 15, 1941, denoted herein as the base period prices, subject to adjustment upward or downward each quarter year by an amount determined as follows:

On or before January 1, 1944, the manufacturer shall determine the average delivered-to-factory cost per unit for each of these four items used or received by him, as the case may be, during the period July 1 to December 31, 1941:

1. Ammonia.
2. Available phosphoric acid.
3. Potash.
4. Bags or containers.

Using these averages as cost figures the manufacturer shall determine, by use of his own formula, the total cost of the amounts of the first three items entering into a ton of his finished fertilizer. To this he shall add the cost (as determined above) of the number of bags of containers he has customarily used to contain one ton of his fertilizer. This final figure is hereafter referred to as "base cost". It is a figure that will be used each three months, and once verified, need not be recomputed.

On January 1, 1944, and quarter annually thereafter the manufacturer shall likewise determine the average delivered-to-factory cost per unit of each of the four items used or received by him, as the case may be, during the period of three months immediately preceding the date of computation.

Using these averages as cost figures the manufacturer shall determine, by use of his own formula, the total cost of the amounts of the first three items entering into a ton of his finished fertilizer. To this he shall add the cost (as determined above) of the number of bags or containers he has customarily used to contain one ton of his fertilizer. This final figure is hereafter referred to as "current cost".

If, during any three-month period one or more of the four items of raw material were not received by the manufacturer, he shall use as the price for such material in his quarterly computations the average price computed for the next preceding three-month period.

If on any quarter-annual date the current cost shall be less than the base cost, then for the succeeding three-month period the manufacturer's maximum price per ton shall be the price scheduled by him on October 15, 1941, less the difference between current cost and base cost.

If on any quarter-annual date the current cost be greater than the base cost, then for the succeeding three months' period the manufacturer's maximum price per ton shall be the price scheduled by him on October 15, 1941, plus the difference between current cost and base cost.

The manufacturer's maximum prices on quantities less than a ton shall preserve the same relative differentials as were present in his price schedule of October 15, 1941.

(ii) *F. o. b. prices.* A manufacturer's maximum prices for sales of mixed fertilizer, superphosphate and potash f. o. b. his plant or warehouse shall be determined by subtracting from his delivered prices the freight allowances which he included in his price schedule in effect on October 15, 1941.

(iii) *Prices for grades not listed.* A manufacturer's maximum prices for sales of a grade of mixed fertilizer, superphosphate and potash which was not listed in his price schedule effective on October 15, 1941 shall be a price authorized, upon application of the manufacturer, by the Order of the Director of the Office of Price Administration for Puerto Rico, and shall be a price in line with those established by this regulation for grades which were offered for sale by the manufacturer in his price schedule effective October 15, 1941.

(2) *Manufacturer's maximum prices for cash sales of nitrogenous fertilizer material.* The maximum price for a cash sale of nitrogenous fertilizer material by fertilizer manufacturers, direct or through agents, to a consumer shall be:

(i) The manufacturer's actual landed cost of the material, in the case of ammonium nitrate; or the manufacturer's weighted average landed cost of each material, calculated as of July 1, October 1, January 1 and April 1, in the case of sulphate of ammonia or any other nitrogenous fertilizer material, for all of the lots of each material received by him during the quarter-annual period last preceding the date of the calculation; or, if none was received in that period, the cost of the latest quarter-annual period in which material was received.

(ii) An additional amount equal to the fertilizer manufacturer's expenditure, if any, for transportation of the nitrogenous fertilizer material within the territory to the fertilizer manufacturer's plant or warehouse or direct to the buyer's delivery point.

(iii) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in and delivered from the fertilizer manufacturer's plant.

(iv) Plus the actual cost of bags used, and $1.00 per ton when such nitrogenous fertilizer material is received in bulk by the fertilizer manufacturer and resold in bags.

(v) An additional amount equal to the cost of governmental tax tags, if any, and the attaching thereof, or governmental tonnage or inspection tax, but no license cost or registration fee.

(vi) In addition a maximum margin of: $4.00 per ton if the cost (subdivisions (i) through (v)) is less than $40.00 per ton; $5.00 per ton if such cost is $40.00 or more but less than $50.00 per ton; $6.00 per ton if such cost is $50.00 or more but less than $60.00 per ton; $7.00 per ton if such cost is $60.00 or more but less than $70.00 per ton; $8.00 per ton if such cost is $70.00 or more per ton.

(vii) An additional 50 cents per ton if the nitrogenous fertilizer material is stored in, and delivered from a warehouse owned or operated by a fertilizer manufacturer or agent.

(viii) An additional amount equal to the actual transportation expense incurred in making delivery from a fertilizer manufacturer's plant or warehouse or from the buyer's delivery point, to the consumer.

(ix) An amount equal to the actual loading or handling charges incurred in making delivery to the buyer.

(3) *Manufacturer's maximum prices for credit sales of nitrogenous fertilizer material.* In the case of credit sales, credit terms shall not be more onerous on Spring season sales than those in effect and applicable to such dealer or consumer for the period from February 16, 1942, to February 20, 1942, inclusive, and for Fall season sales, credit terms shall not be more onerous than those in effect and applicable to such dealer or consumer for the period from October 1, 1941, to October 15, 1941, inclusive.

(c) *Dealers' maximum prices for mixed fertilizer, superphosphate, potash and nitrogenous material*—(1) *Cash prices.* A dealer's maximum cash prices for sales of mixed fertilizer, superphosphate, potash or nitrogenous material shall be determined by adding together the following factors:

(i) The manufacturer's maximum time price on a sale of the same quantity.

(ii) The actual transportation cost, if any, incurred by the dealer from the manufacturer's planter warehouse to the dealer's place of business: *Provided*, That such transportation cost may not exceed the customary carrier charge for a similar shipment, whether such transportation be accomplished by a common or contract carrier or any other person.

(iii) An amount equal to five percent of the sum of paragraphs (i) and (ii).

(2) *Time prices.* A dealer's maximum time prices for sales of fertilizer, superphosphate, potash and nitrogenous material shall be equal to his maximum cash prices, plus six percent.

(d) *Prohibited practices; general.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts, and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(e) *Filing of price schedules by manufacturers.* Not later than July 1, 1944, every manufacturer of mixed fertilizer, superphosphate, potash and nitrogenous material in Puerto Rico shall file with the Territorial Office of Price Administration, San Juan, Puerto Rico, a complete schedule of prices in effect on that date and thereafter shall file within five days of their effective date all supplements and amendments to price schedules in effect on July 1, 1944.

[Sec. 61 added by Am. 24, 9 F.R. 1486, effective 1-1-44; amended by Am. 42, 9 F.R. 7423, effective 7-1-44]

SEC. 62. *Maximum prices for frosted foods.*

TABLE 54—FROSTED FOODS

Items and brand names	Unit	Price at wholesale	Price at retail
Birdseye:			
Corn on Cob	2 ears to pkg	Per package $0.17	Per package $0.25
Baked Beans	16 oz. pkg		
Rhubarb	14 oz. pkg		
Squash	16 oz. pkg		
Green Beans	10 oz. pkg		
Corn cut	10 oz. pkg		
Spinach	14 oz. pkg	.20	.29
Peas and Carrots	12 oz. pkg		
Peas	12 oz. pkg		
Mixed Vegetables	12 oz. pkg		
Cauliflower	12 oz. pkg	.22	.31
Peaches	16 oz. pkg		
Brussel Sprouts	12 oz. pkg		
Broccoli	12 oz. pkg	.25	.35
Lima Beans	12 oz. pkg		
Raspberries	12 oz. pkg		
Blueberries	11 oz. pkg		
Mixed Fruits	16 oz. pkg	.30	.41
Cherries	16 oz. pkg		
Boysenberries	12 oz. pkg		
Strawberries	16 oz. pkg	.32	.44
Hook Lima Beans	12 oz. pkg		
Asparagus	12 oz. pkg	.35	.46

[Sec. 62 added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 63. *Maximum prices for chewing gum.*

TABLE 55—CHEWING GUM

	To wholesalers	At wholesale	At retail
All flavors:			
Cartons of 20 pkgs. of 5 sticks	$0.68	$0.65	$0.05 pkg. $0.01 stick.
Cartons of 100 pkgs. 2 nuggets	.68	.65	$0.01 2 nuggets.

[Sec. 63 added by Am. 25, 9 F.R. 1942, effective 2-17-44]

SEC. 64. *Maximum prices for animal feed sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this section, the term:

(1) "Mixed feed" means a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry except the following commodities:

(i) Those commodities listed in section 2.3 (m) and (n) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation as exempt from said regulation.

(ii) A mixture resulting from the blending or mixing of offals or byproducts from a single vegetable, plant or other agricultural product, and also screenings as defined in the official publication of the Association of the American Feed Control Officials, Inc. for 1942, which commodities shall be and remain subject to § 1499.2 and other applicable provisions of the General Maximum Price Regulation.

(iii) Cat and dog foods.

(2) "Straight feed" means an unmixed feed for the purpose of feeding animals and poultry.

(3) "Base price" means the direct cost to the importer of the first shipment of a brand, grade or variety of mixed feed received by him after February 1, 1944.

(b) *Maximum prices for imported mixed feed.* (1) The maximum prices for imported mixed feed sold by an importer, his agent or distributor shall be computed by adding to the base price for such feed a markup of 35¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the warehouse of the importer, his agent or distributor or 25¢ per 100 pound bag, whichever amount is the lower: *Provided*, That for each one dollar increase or decrease per ton in the direct cost to the importer of a brand, grade or variety of mixed feed received by the importer after his base price has been established, the Territorial Director of the Office of Price Administration at San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the importer's maximum price.

(2) The maximum prices for imported mixed dairy feed sold by a seller other than the importer, his agent or distributor shall be computed by adding to the importer's maximum price at the port of discharge a markup of 20¢ per 100 pound bag plus a transportation allowance not to exceed the actual cost of transporting the feed from the port of discharge to the seller's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(3) Prior to the first sale by the importer of imported mixed feed, and thereafter within five days after the receipt in Puerto Rico of a shipment of mixed feed for sale, the importer shall file with the Office of Price Administration for the territory of Puerto Rico, a statement setting forth in detail the direct cost to the importer, including the price the importer paid or discounts allowed, all costs of shipment, custom and entry fees, and war risk insurance cost.

(c) *Maximum prices for locally mixed feed sold by the manufacturer.*

TABLE 56—MAXIMUM PRICES FOR LOCALLY MIXED FEED SOLD BY THE MANUFACTURER

Puerto Rico brand:	*Per 100 pound bag*
20% Protein content	$3.50
24% Protein content	3.60
16% Protein content (dry freshing)	3.50
Calf meal	4.75
Oxen feed	3.60

[Table 56 amended by Am. 44, 9 F.R. 7579, effective 6-16-44]

(1) The maximum prices for locally mixed dairy feed sold by the manufacturer's agent or distributor shall be computed by adding to the price fixed in Table 56 a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the purchaser's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(2) The maximum prices for locally mixed dairy feed sold by a seller other than a manufacturer, his agent or distributor shall be computed by adding to the price fixed in Table 56 a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the seller's place of business or 25¢ per 100 pound bag, whichever amount is lower.

(d) *Maximum prices for straight feed.*

TABLE 57—MAXIMUM PRICES FOR STRAIGHT FEED

Oats (red or white):	*Per 100 lb. bag*
Sales to wholesalers	$3.80
Sales to others than wholesalers	4.20

[Sec. 64 added by Am. 29, 9 F.R. 8158, effective 8-26-44; Table 57 amended by Am. 31, 9 F.R. 8949, effective 8-17-44; and Am. 45, effective 8-2-44]

SEC. 65. *Maximum price for cane blackstrap molasses sold or delivered in the Territory of Puerto Rico*—(a) *Definition.* When used in this section 65, the term:

(1) Cane blackstrap molasses means the final by-product from sugar manufacturing after the extraction of all commercially available sucrose.

(b) The maximum price for cane blackstrap moolasses shall be 13.6¢ per gallon delivered at the mill or at the mill tank. This is a gross price to which may be added no additional charges for warehousing, handling, transportation from mill to mill tank, or between mills of the same company, or for any other service or incidents of sale except that a purchaser from a mill may on resale add the actual transportation charges incurred by him in transporting the molasses from the mill or mill tank to the point at which the buyer receives delivery.

[Paragraph (b) amended by Am. 45, effective 8-2-44]

[Sec. 65 added by Am. 32, 9 F.R. 4820, effective 5-9-44]

SEC. 66. *Maximum prices for nails sold or delivered in the Territory of Puerto Rico.*

TABLE 58—MAXIMUM WHOLESALE PRICES FOR WIRE NAILS

[Per hundred pounds]

Gauge	9½	9½	1	2	3	4	5	6	7	8	9	10	10¼	10½	11	11½	12	12½	13	13½	14	14½	15	16	17	18	19	20
Length:																												
½"																	7.05	7.15	7.25	7.30	7.45	7.70	7.95	12.95	14.00	15.10	17.20	19.30
⅝"																	6.80	6.95	7.05	7.15	7.25	7.30	7.55	10.30	10.30	12.25	14.85	17.20
¾"																	6.75	6.90	7.00	7.05	7.15	7.15	7.35	9.40	10.30	10.70	13.15	15.55
⅞"																	6.60	6.75	6.90	6.95	7.00	7.05	7.25	8.75	9.65	10.30	12.50	15.05
1"								6.15	6.15	6.15	6.15	6.35	6.35	6.35	6.55	6.55	6.45	6.60	6.75	6.90	6.95	7.00	7.25	8.55	9.65	10.30	12.40	
1¼"								6.05	6.05	6.05	6.05	6.25	6.25	6.25	6.30	6.40	6.30	6.45	6.60	6.75	6.90	6.95	7.00	8.20	9.40			
1½"								6.00	6.00	6.00	6.00	6.15	6.15	6.15	6.20	6.30	6.20	6.35	6.50	6.65	6.80	6.85	6.90	8.15	9.20			
1¾"								6.00	6.00	6.00	6.00	6.10	6.10	6.10	6.15	6.25	6.15	6.30	6.45	6.60	6.75	6.80	6.85	8.15	9.20			
1⅞"							5.80	5.75	5.75	5.75	5.75	5.85	5.85	5.85	5.90	5.90	5.90	6.05	6.20	6.40	6.55	6.65	6.70	8.15	9.20			
2"						5.80	5.70	5.70	5.70	5.70	5.70	5.80	5.80	5.80	5.80	5.80	5.80	5.90	6.05	6.25	6.40	6.55	6.65	8.15	9.20			
2¼"						5.60	5.60	5.60	5.60	5.60	5.60	5.70	5.70	5.70	5.75	5.75	5.75	5.90	6.05	6.25	6.40	6.55	6.65	8.15	9.20			
2½"						5.45	5.45	5.45	5.45	5.45	5.45	5.55	5.55	5.55	5.55	5.55	5.55	5.80	5.95	6.15	6.30	6.45	6.55	8.15	9.20			
2¾"						5.40	5.40	5.40	5.40	5.40	5.40	5.45	5.45	5.45	5.45	5.45	5.45	5.60	5.75	6.00	6.15	6.30	6.45	8.15	9.20			
3"						5.30	5.30	5.30	5.30	5.30	5.30	5.40	5.40	5.40	5.40	5.40	5.40	5.55	5.70	5.90	6.05	6.20	6.30	8.15	9.20			
3½"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
3¾"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
4"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
4½"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
5"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
5½"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
6"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
7"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
8"						5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.30	5.45	5.60	5.80	5.95	6.10	6.20	8.15	9.20			
9"						5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.65	5.80	6.00	6.15	6.30	6.45	8.15	9.20			
10"						5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.65	5.80	6.00	6.15	6.30	6.45	8.15	9.20			
11"						5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.65	5.80	6.00	6.15	6.30	6.45	8.15	9.20			
12"						5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.65	5.80	6.00	6.15	6.30	6.45	8.15	9.20			

TABLE 59—MAXIMUM RETAIL PRICES FOR WIRE NAILS

[Price per pound]

Gauge	9½	9½	1	2	3	4	5	6	7	8	9	10	10¼	10½	11	11½	12	12½	13	13½	14	14½	15	16	17	18	19	20
Length:																												
½"																	.11	.11	.11	.11	.11	.12	.12	.19	.21	.22	.26	.29
⅝"																	.10	.10	.11	.11	.11	.11	.11	.15	.18	.20	.22	.25
¾"												.09	.09	.09	.10	.10	.10	.10	.11	.11	.11	.11	.11	.13	.15	.16	.16	.21
⅞"												.09	.09	.09	.09	.10	.10	.10	.10	.11	.11	.11	.11	.13	.14	.15	.16	.21
1"								.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.10	.10	.10	.10	.11	.11	.13	.15	.16	.19	.22
1¼"								.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.10	.10	.10	.11	.13	.14	.15	.19	
1½"								.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.10	.12	.14			
1¾"								.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.12	.12			
1⅞"						.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.12				
2"						.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.12				
2¼"						.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
2½"						.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
2¾"						.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
3"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
3½"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
3¾"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
4"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
4½"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
5"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
5½"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
6"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
7"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
8"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
9"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
10"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
11"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					
12"	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09					

TABLE 60—MAXIMUM PRICES FOR GALVANIZED NAILS

Galvanized staples	Sales at wholesale (per hundred pounds)	Sales at retail (per pound)
¾" to 2¼" x No. 7 Ga.	$6.20	$0.09
¾" to 2½" x No. 8 Ga.	6.20	.09
¾" to 2½" x No. 9 Ga.	6.20	.09
¾" to 2½" x No. 10 Ga.	6.65	.10
¾" to 2" x No. 11 Ga.	6.90	.10
¾" to 2" x No. 12 Ga.	7.20	.11
¾" to 1½" x No. 13 Ga.	7.65	.11
¾" to 1½" x No. 14 Ga.	8.40	.12
¾" to 1½" x No. 15 Ga.	9.20	.14
¾" to 1" x No. 16 Ga.	10.50	.16
1"x 8 Lick Proof Roofing Nails	10.00	.15

[Sec. 66 added by Am. 33, 9 F.R. 4821, effective 5-9-44]

SEC. 67. *Maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico*—(a) *Definitions.* When used in this section 67, the term:

(1) "Shoes" means all types of covering for the human feet except hosiery.

(2) "Job lot" means a single purchase of a group of shoes all of which in trade terms are "seconds," "imperfects," "close outs," "sub-standards," "discontinued models" or "samples."

(3) "Shoe reference book" means a book containing the seller's descriptive entries of the shoes which he is offering for sale and the maximum prices authorized for them by this section.

(4) "Reference stock number" means the numbers employed by the manufacturer or supplier and the seller to identify a pair of shoes.

(5) A "price line of shoes" means a group of styles of footwear offered by a seller at the same price for each style in the group.

(6) "Group A" refers to all women's, misses' and growing girls' shoes which cost $3.00 or less per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost $4.00 or less per pair f. o. b. port of shipment.

(7) "Group B" refers to all women's, misses' and growing girls' shoes which cost more than $3.00 per pair f. o. b. port of shipment and all shoes other than women's, misses' and growing girls' which cost more than $4.00 per pair f. o. b. port of shipment.

(b) *Maximum prices for imported shoes.* Except as otherwise specified in paragraph (c) a seller's maximum prices for imported shoes sold or delivered in the Territory of Puerto Rico shall be:

(1) For shoes which have been imported by the seller and which were not received as a part of a job lot, the cost per pair f. o. b. port of shipment multiplied by:

Group	Sales at wholesale	Sales at retail
A	1.25	1.60
B	1.28	1.67

(2) For shoes which have not been imported by the seller and which were not received by him as a part of a job lot, the price paid to the importer multiplied by:

Group	Sales at retail
A	1.28
B	1.30

(3) For a job lot of shoes sold intact, the cost of the job lot, f. o. b. point of shipment, multiplied by 1.25. This markup may be taken only once, regardless of the number of sellers.

(4) For each pair of shoes received in a job lot, the price fixed by the seller: *Provided*, That the total of the prices charged for each pair of shoes within the job lot in which the shoes were received, shall not exceed the cost of the lot f. o. b. port of shipment multiplied by 1.25 at wholesale and 1.60 at retail on sales by importers, and the price paid to the importer multiplied by 1.28 on sales at retail by a merchant other than the importer.

(5) For shoes purchased in a job lot, part of which job lot has been sold prior to the effective date of this regulation, the price established and filed with the War Price and Rationing Boards in accordance with the requirements of the General Maximum Price Regulation. The seller's maximum price for shoes from a broken job lot which cannot be established by reference to such a price list shall be a maximum price, in line with the level of maximum prices established by this regulation, as determined by the Director of the Office of Price Administration at San Juan, Puerto Rico, on application of the seller.

(c) *Duty.* On all shoes on which duty is payable, the seller may add to the price of each pair of shoes the charge for duty which he has paid on them. The duty shall not be included in the cost price either by the importer or by the retailer for purposes of computing the markup to which the seller is entitled. Sales of imported shoes at wholesale on which duty has been paid shall be so invoiced as to state the amount of duty separately from the price charged for the shoes.

(d) *Trade practices.* The markups authorized herein are gross markups which shall not be exceeded regardless of any additional, unexpected, or unusual costs which the seller may have incurred or of the number of sellers handling the shoes. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower net price.

(e) *Prohibited practices.* It shall be unlawful for any seller to improperly classify a pair of shoes for the purpose of evading the pricing provision applicable to the sale of such shoes. It shall likewise be unlawful for any seller to revise the price entered in his shoe reference book for any pair of shoes except as otherwise provided in paragraph (h) (2).

(f) *Notification to OPA on sales of job lots.* Within five days of his first sale of a pair of shoes from a job lot the seller shall file a statement with the Territorial Office of the Office of Price Administration, San Juan, Puerto Rico, a copy with his local War Price and Rationing Board and retain a copy for his own files, which statement shall show:

(1) The name and address of the person from whom the lot was purchased;

(2) A description of the job lot;

(3) The number of pairs of shoes included within each price line;

(4) The reference stock number assigned as provided in paragraph (a);

(5) The f. o. b. port of shipment cost of the job lot to the seller, if imported by the seller, or the price paid to the importer for the job lot if not imported by the seller;

(6) The amount of duty, if any, paid by the importer;

(7) The selling price of each pair of shoes as determined in accordance with the pricing provision of paragraph (b) of this section; and

(8) Over-all markup taken by the seller on the job lot.

(g) *Identification of shoes.* Every seller shall assign a separate reference stock number to each price line of shoes and shall clearly mark on each pair of shoes the stock number by use of a label, tag, slip, sticker, mark, or other similar appropriate marking.

(h) *Shoe reference book.* (1) Every person selling shoes shall prepare a shoe reference book which he shall keep and make available for examination by the Office of Price Administration or by any person duly authorized by the Territorial Director of the Office of Price Administration, in which shall be entered prior to the time shoes are sold or offered for sale, the following information for each price classification of shoes in the seller's stock:

(i) The reference stock numbers;

(ii) A description of the units included;

(iii) The name and address of the supplier;

(iv) The date received;

(v) The cost to the seller or the price paid to the importer, whichever price is material in accordance with the pricing provision utilized, the duty if any paid by the importer;

(vi) The multiplier used in computing the maximum price; and

(vii) The selling price at wholesale or at retail depending upon the level at which the shoes are offered for sale.

(2) The maximum price charged by each seller and entered in his shoe reference book shall in no instance be altered except that should the seller have erroneously computed the price for an item entered in such book, the seller's Local War Price and Rationing Board may, after having received a written statement of the fact from the seller, if satisfied that the entry was the result of a miscalculation, authorize such seller to change the entry to correspond with the maximum price which he is authorized to charge in accordance with this regulation.

(3) All entries in the shoe reference book shall be made in numerical sequence. Shoes received by the seller which are identical to others earlier entered into the reference book shall be re-entered under a new reference stock number.

(i) *Notification to customers.* Every person selling shoes, except at retail, shall with each delivery supply the purchaser with a statement, which may be

included in and made a part of the seller's invoice, specifying with respect to each price classification delivered:

(1) The seller's reference stock number;

(2) A notation of the pricing provision employed;

(3) The number and description of units sold;

(4) The price charged; and

(5) The duty paid, if any.

The provisions of this paragraph (i) supersede section 11 (b) (1) of Revised Maximum Price Regulation 183 with respect to sales of shoes.

[Sec. 67 added by Am. 36, 9 F.R. 5167, effective 6-1-44]

SEC. 68. *Maximum prices for cast iron cooking pots fabricated in Puerto Rico.*

TABLE 61—MAXIMUM PRICES FOR CAST IRON COOKING POTS FABRICATED IN PUERTO RICO

Item and brand name	Price at wholesale	Price at retail
Cast iron cooking pot.	$0.15 per lb.	$0.225 per lb.

SEC. 69. *Maximum prices for composition notebooks.*

TABLE 62—MAXIMUM PRICES FOR COMPOSITION NOTEBOOKS

Description of Item

Composition Notebooks with the following specifications:

Groundwood: Tablet paper, Flexible cover "Imitation pressboard."

	Price at wholesale (per gross)
40 pages—20 leaves	$4.20
48 pages—24 leaves	4.45
60 pages—30 leaves	5.08
72 pages—36 leaves	5.72
80 pages—40 leaves	6.35
96 pages—48 leaves	7.00
100 pages—50 leaves	7.00
120 pages—60 leaves	8.25
200 pages—100 leaves	12.07

Woodfree paper: Flexible cover "Imitation pressboard."

	Price at wholesale (per gross)
40 pages—20 leaves	$4.45
48 pages—24 leaves	4.70
60 pages—30 leaves	5.38
72 pages—36 leaves	5.96
80 pages—40 leaves	6.60
96 pages—48 leaves	7.23
100 pages—50 leaves	7.43
120 pages—60 leaves	8.77
200 pages—100 leaves	12.70

NOTE: On sales of composition notebooks with "Hard marble" cover the maximum price may be increased 20¢ per gross.

[Secs. 68 and 69 added by Am. 45, effective 8-3-44]

This Revised Maximum Price Regulation 183 shall become effective July 15, 1943. [Revised Maximum Price Regulation 183 originally issued July 15, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11295; Filed, July 28, 1944; 4:30 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-10, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN LEXINGTON, KY. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by General Order No. 50, and by him delegated to the District Director of the Lexington, Kentucky District under the provisions of Delegation Order 1-A Revised, *It is hereby ordered*, That Restaurant Maximum Price Regulation 3-10 be, and the same is hereby amended by adding a new paragraph designated (e), following paragraph (d) of section 17—*Exemption* to read as follows:

(e) Eating and drinking places owned or operated by charitable, religious or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of Income Tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable or cultural purposes generally recognized as such in the community where the food items and meals are served by such organization.

This amendment shall become effective April 6, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681, General Order No. 50, 8 F.R. 4808)

Issued this 5th day of April 1944.

E. REED WILSON,
District Director.

[F. R. Doc. 44-11289; Filed, July 28, 1944; 4:33 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-6]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN TULSA, OKLA., DISTRICT

Restaurant Maximum Price Regulation No. 5-6 is redesignated as Revised Restaurant Maximum Price Regulation No. 5-6, and is revised and amended to read as follows:

In the judgment of the District Director of the Tulsa, Oklahoma District Office, Region V of the Office of Price Administration, the prices of food and beverages sold for immediate consumption in Muskogee, Oklahoma have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director of the Tulsa, Oklahoma District Office, Region V of the Office of Price Administration, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the District Director of the Tulsa, Oklahoma District Office, gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" (H. R. 7565), 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the Tulsa, Oklahoma District Office hereby issues this Revised Restaurant Maximum Price Regulation No. 5-6, establishing as maximum prices for food and drink sold for immediate consumption in Muskogee County, Oklahoma, the prices prevailing therefor during the seven-day period beginning April 4, 1943 and ending April 10, 1943.

§ 1448.406 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the Tulsa, Oklahoma District Office, Region V of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, and Region V Delegation Order No. 48, Revised Restaurant Maximum Price Regulation No. 5-6 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.406 issued under 56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808.

REVISED RESTAURANT MAXIMUM PRICE REGULATION NO. 5-6—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

Sec.
1. Sales at higher than ceiling prices prohibited.

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*Copies may be obtained from the Office of Price Administration.

Sec.
1. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943.
2. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.
3. How you figure your prices for seasonal items.
4. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
5. Substitution of food items in meals.
6. Prohibition against manipulation of meal offerings.
7. Evasion.
8. Rules for new proprietors.
9. Seasonal eating and drinking places.
10. Taxes.
11. Records.
12. Posting.
13. Operation of several places.
14. Relation to other maximum price regulations.
15. Geographical application.
16. Enforcement.
17. Exempt sales.
18. Adjustments.
19. Definitions and explanations.
20. Classes of food items and meals.
21. Special orders.
22. Licensing.
23. Revocation and amendment.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3).

You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure your prices for seasonal items.* First, determine your ceiling price for a "seasonal food item", defined in section 20 (e), in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item, provided that in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21 A class 24 a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at $1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is $1.50.

SEC. 6. *Substitution of food items in meals.* If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. *Prohibition against manipulation of meal offerings.* You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example: If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, $1.00, $1.10, $1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. *Evasion.* (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchased by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote

price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hote dinners at $1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at $1.10.

Example 2. If you offered table d'hote dinners during the base period at 85¢ to $1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to $1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful, except that less may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 9. *Rules for new proprietors.* (a) If you acquire another's business subsequent to the seven-day period and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor would have been had he continued to operate the business.

(1) If your acquisition was subsequent to the seven-day period but prior to the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. You may not, however, make such application after June 1, 1944.

(2) Prior to acquiring another's business after the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section.

If you are granted permission to price under paragraph (b) of this section, it will be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

SEC. 10. *Seasonal eating and drinking places*—(a) *Exempt places.* If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 80 percent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the administrator will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in section 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the Tulsa, Oklahoma District Office of the Office of Price Administration. Your application must be filed ten days prior to the date you plan to commence operations and present the following information.

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The name of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 12. *Records.* (a) You must observe all the record keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943 and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning April 1, 1944, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration regulation, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a con-

spicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter on this sign or poster your ceiling price for each meal or food item appearing thereon.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation do not supersede other regulations, including the General Maximum Price Regulation, and Revised Order No. G–1 under General Order No. 50 (Tulsa Beer Order), now or hereafter issued by the Office of Price Administration, in so far as they establish maximum prices for meals, food items and beverages sold by eating and drinking establishments.

SEC. 16. *Geographical application.* This Revised Restaurant Maximum Price Regulation No. 5–6 applies to the County of Muskogee in the State of Oklahoma.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation.

(a) Eating and drinking places operated in connection with Church, Sunday School and other religious occasions or activities, except when such places are operated as a regular business.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers, (when operated as such) including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to the Tulsa, Oklahoma District Office of the Office of Price Administration a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered, (such as cafeteria, table service, etc.) classes of meals offered, (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,[1] and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the Tulsa, Oklahoma District Office.

Applications for adjustment under this section shall be acted upon by the Director of the Tulsa, Oklahoma District Office.

SEC. 20. *Definitions and explanations.* (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shellfish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) "Eating or drinking place" means any place, establishment, business, or location, whether temporary or permanent, stationery or movable, including, but not limited to, a restaurant, hotel, cafe, cafeteria, boarding house, diner, coffee shop, tea room, private club, bar, tavern, delicatessen, soda fountain, cocktail lounge, catering business, or any other place from which any food items or meals are offered for sale or sold.

(g) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20.)

(a) *The classes of food items.*

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes, including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef; steaks and roasts.
11. Veal; steaks, chops and roasts.
12. Pork; loin, chops, steaks, roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
24a. Desserts: seasonal dessert specialties such as watermelon and canteloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters, and cordials.

[1] In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

SEC. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 24. *Revocation and amendment.* (a) This regulation may be amended, corrected, revised or revoked at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the Tulsa District Director.

This regulation shall become effective at 12:01 a. m., central wartime, April 1, 1944.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federaal Reports Act of 1942.

Issued at Tulsa, Oklahoma, this the 27th day of March 1944.

BEN O. KIRKPATRICK,
District Director.

[F. R. Doc. 44-11291; Filed, July 26, 1944; 4:34 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-11]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN SHREVEPORT, LA., DISTRICT

Restaurant Maximum Price Regulation No. 5-11 is redesignated as Revised Restaurant Maximum Price Regulation No. 5-11, and is revised and amended to read as follows:

In the judgment of the Shreveport, Louisiana, District Director, the prices of food and beverages sold for immediate consumption in the following Parishes of Louisiana: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, and Winn; have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Shreveport Louisiana, District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the Shreveport, Louisiana, District Director gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living," 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the Shreveport, Louisiana, District Director hereby issues this Revised Restaurant Maximum Price Regulation No. 5-11, establishing as maximum prices for food and drink sold for immediate consumption in the parishes mentioned above the prices prevailing therefore during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.411 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the Shreveport, Louisiana, District Director by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50, issued by the Office of Price Administration, Revised Restaurant Maximum Price Regulation No. 5-11 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made part hereof, is hereby issued.

AUTHORITY: § 1448.411 issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681.

REVISED RESTAURANT MAXIMUM PRICE REGULATION NO. 5-11—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

Sec.
1. Sales at higher than ceiling prices prohibited.
2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.
3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.
4. How you figure your prices for seasonal items.
5. No ceiling prices for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
6. Substitution of food items in meals.
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20. Definitions and explanations.
21. Classes of food items and meals.
22. Special orders.
23. Licensing.
24. Revocation and amendment.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage, except malt beverages) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

*Copies may be obtained from the Office of Price Administration.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently," as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure your prices for seasonal items.* First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule: *Provided*, The ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21A, Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at $1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is $1.50.

SEC. 6. *Substitution of food items in meals.* If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price: *Provided*, The new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. *Prohibition against manipulation of meal offerings.* You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example. If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, $1.00, $1.10, $1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. *Evasion.* (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price.

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period.

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hote dinners at $1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at $1.10.

Example 2. If you offered table d'hote dinners during the base period at 85¢ to $1.25 which included dessert and beverages, you may now offer the same off item excluding dessert and beverage at 65¢ to $1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one pat of butter per meal.

(2) You may reduce the quantity, or eliminate altogether, condiments such as catsup, chili sauce, etc., which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(3) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than one teaspoonful except that less than that may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catsup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 9. *Rules for new proprietors.* (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

SEC. 10. *Seasonal eating and drinking places.*—(a) *Exempt places.* If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4, to 10, 1943;

(2) Received 90 percent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order 50, and you are still subject to the provisions of section 23 of this regulation. Pursuant to this latter section the director will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3, and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the OPA District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 12. *Records.* (a) You must observe all the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation you must keep for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at the central office or the central offices of the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning April 1, 1944, each menu must have clearly and plainly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By the Office of Price Administration regulation, our ceilings are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available to customers in the seven-day period, you shall continue to make them available.

(c) In addition to requirements in (a) and (b) you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

(d) You must also post at or near the place where beverage items are offered for sale a notice, which will be plainly visible to your customers, as follows: "Amounts which may be added to existing ceilings by Federal Revenue Act of 1943: Effective April 1, 1944."

(1) Straight or mixed drinks containing distilled spirits of 80 proof or more.

(i) One-half ounce and not more than one ounce of such spirits—2 cents.

(ii) More than one ounce but less than 1¾ ounces of such spirits—3 cents.

(iii) 1¾ ounces or more of such spirits—4 cents.

(2) Straight or mixed drinks containing one ounce or more distilled spirits of less than 80 proof—2 cents.

(3) Drinks of 2½ ounces or more still wines 14–21 per cent alcohol—1 cent.

(4) Drinks of 3 ounces or more of champagne, sparkling wine, carbonated wine or wine based cordials—3 cents.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation do not supersede the General Maximum Price Regulation, the Shreveport, Louisiana, District Beer Order, or any other regulation affecting maximum prices for food items or meals sold by eating and drinking places.

SEC. 16. *Geographical application.* This Revised Restaurant Maximum Price Regulation No. 5–11 applies to the following parishes: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll and Winn.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) All sales of malt beverages.

(e) Eating and drinking places owned and operated by charitable, religious or cultural organization such as the United Service Organization, Red Cross or similar organizations selling food items or meals on a non-profit basis primarily to members of the Armed Forces.

(f) Bona fide fraternity or sorority houses located at a recognized school, college or university insofar as such houses sell only to members and bona fide guests of members. If such houses sell to persons other than members or bona fide guests of members, such houses shall be considered for all sales an eating or drinking place within the meaning of this regulation. No such house shall be considered to be exempt within the meaning

of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and it otherwise is operated as a fraternity or sorority house.

(g) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a non-profit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this subparagraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered students.

(h) Eating and drinking places operated on a non-profit basis by the school department of any parish, city or town, and like places operated on a non-profit basis by any private or religious organization, and serving food items or meals exclusively to pupils and teachers.

(i) Eating cooperatives formed by officers in the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to officers who are members of the cooperative.

(j) Bona fide private clubs insofar as such clubs sell only to members and bona fide guests of members. If such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking place within the meaning of this regulation. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and it otherwise is operated as a private club. No club organized after the effective date of this amendment shall be exempt unless and until it has filed a request for exemption with the Shreveport, Louisiana, District Office of the Office of Price Administration, furnishing such information as may be required, and has received communication from such office authorizing exemption as a private club.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation.

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfied the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,[1] and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the Shreveport, Louisiana, District Office Applications for adjustment under this section shall be acted upon by the Director of the Shreveport, Louisiana, District Office.

SEC. 20. *Definitions and explanations.* (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, any of its political subdivision, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages, except malt beverages) sold or served by an eating and drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food items" means a food item (including beverage, except malt beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20.)

(a) *The classes of food items.*

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juice.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish pastries, etc., served at breakfast.
7. All other breakfast dishes including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef; steaks and roasts.
11. Veal; steaks, chops, and roasts.
12. Pork; loin, chops, steaks, and roasts.
13. Lamb or mutton; chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries, and other baked goods.
24. Desserts: ice cream, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
24a. Desserts: Seasonal dessert specialties such as watermelon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishing, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea, and milk.

[1] In counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served.

BEVERAGES

Sec.
30. Non-alcoholic beverages, including sparkling and mineral waters.
31. Wines, including sparkling wines.
32. Liquors, including whiskeys, gins and brandies.
33. Cordials, including fruit liquours.
34. All other alcoholic beverages, except malt beverages.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when in the judgment of the Administrator, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended and Executive Orders Nos. 9250 and 9328.

SEC. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the District Director.

This regulation shall become effective April 1, 1944.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of March 1944.

J. E. BRUMFIELD,
District Director.

[F. R. Doc. 44-11290; Filed, July 28, 1944; 4:33 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200,[1] Amdt. 15]

RUBBER HEELS IN THE SHOE REPAIR TRADE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 200 is amended in the following respects:

1. The title of the regulation is amended to read as follows: "Rubber Heels in the Shoe Repair Trade".

2. In § 1315.1405 (a) (1) (ii) the following brand names and manufacturers' names are added to appear in alphabetical order:

Columbia	New Jersey Rubber Company
Fleetfoot	New Jersey Rubber Company
Fleetfoot 60	New Jersey Rubber Company
Tauko	New Jersey Rubber Company

and the brand name "O'Sullivan's" is amended to read "O'Sullivan's Safety Cushion".

3. Section 1315.1405 (a) (1) (iii) is amended by deleting the following brand name and corresponding manufacturer's name under the heading "Standard":

Fleetfoot 60	New Jersey Rubber Company

4. Section 1315.1405 (a) (1) (iv) is amended by deleting therefrom the following brand name and corresponding manufacturer's name under the heading "Competitive":

Fleetfoot	New Jersey Rubber Company

and by adding thereto the following brand name and corresponding manufacturer's name in alphabetical order:

Spartan	New Jersey Rubber Company

5. Section 1315.1405 (a) (1) (v) is amended by deleting therefrom the following brand names and their corresponding manufacturers' names under the heading "Special Competitive":

Columbia	New Jersey Rubber Company
Regent	U. S. Rubber Company
Reliance	U. S. Rubber Company
Spartan	New Jersey Rubber Company
Tauko	New Jersey Rubber Company

6. Section 1315.1405 (c) (1) is amended to read as follows:

(1) *Non-fiber heels.* The following are the physical tests that "non-fiber heels" sold by manufacturers must meet:

Grade	All types except whole heels		Whole heels	
	Minimum abrasion[1]	Tensile strength	Minimum abrasion[1]	Tensile strength
Super (V-1)	35	1,200	30	1,000
Standard (V-2)	30	1,000	20	700
Competitive (V-3)	20	700	15	600
Special Competitive (V-4)	10	400	10	400

[1] NOTE: A minus tolerance of 2 is permitted on Super (V-1), Standard (V-2), and Competitive (V-3) heels until January 1, 1945, after which time no minus tolerance shall be permitted. No minus tolerance is permitted on Special Competitive (V-4) heels.

Non-fiber heels are either heels which do not contain any fiber, or heels which contain fiber only in one or more plugs, which are placed in the area of greatest wear.

This amendment shall become effective August 3, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11344; Filed, July 29, 1944; 11:42 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 81]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (14) is amended to read as follows:

(14) "Tractor-implement tire" means a tire designed primarily for use on tractors or farm implements, but does not include an industrial-type tire. "Large" as applied to a tractor-implement tire means a cross-section size larger than 7.50, and "small" means a cross-section size of 7.50 or smaller.

2. Section 1315.201 (a) (39) is amended by inserting after the phrase "farm tractor," the phrase "farm wagon".

3. Section 1315.505 (b) is amended to read as follows:

(b) *List B.* (1) A certificate for a truck tire listed in the table below or for any grade of passenger tire may be issued for a commercial motor vehicle which meets the applicable conditions of §§ 1315.501 and 1315.504 and which is used exclusively by medical or dental laboratories, or for the transportation of apparel by dry cleaners, or for the transportation of laundry, drugs, medicinal supplies or essential food. The incidental transportation of other property simultaneously with any of the aforesaid commodities shall not remove eligibility if it involves no diversion from the vehicle's normal route or schedule.

New or Used	
32 x 4½	6.50–18
30 x 5	6.50–20
33 x 5	6.50–20/32 x 6—8 ply
34 x 5	7.00–15
35 x 5	7.00–16
32 x 6—8 ply	7.00–17
5.25/5.50–17	7.00–18
6.00–16	7.00–20—8 ply
6.00–17	7.50–15
6.00–18	7.50–16
6.00–20	7.50–17
6.00–20/30 x 5	7.50–18—8 ply
6.25–16	7.50–20—8 ply
6.50–16	7.50–24—8 ply
6.50–17	

Used
7.00–20/32 x 6

(2) A certificate for a used truck tire in the sizes and plies listed in the table in subparagraph (1) or for any grade of passenger tire may be issued for any commercial motor vehicle which meets the applicable requirements of §§ 1315.501 and 1315.504.

[1] 9 F.R. 5903.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724.

4. Section 1315.506 (a) (1) is amended to read as follows:

(1) A farm tractor, farm implement or farm wagon.

(i) These vehicles may be issued certificates only for tractor-implement, used truck-type or Grade III tires.

(ii) In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a small tractor-implement tire, a used truck-type tire or a Grade III tire, even though the tire to be replaced is recapable.

(iii) No Board may issue a certificate for tires for farm tractor, farm implement or farm wagon which was not equipped with wheels permitting operation on tires on August 2, 1944, unless approval to operate on tires has been secured from the War Food Administration through its appropriate county or State committee.

5. The second sentence of § 1315.511 (a) is amended to read as follows: "However, if the Board determines that a passenger-type tire would be an uneconomical use of rubber in view of the load to be carried, it may issue a certificate for a truck tire listed in the table in § 1315.505 (b) (1)."

6. Section 1315.513 is amended to read as follows:

§ 1315.513 *Eligibility for allotment of tractor-implement tires*—(a) *Who may obtain an allotment of tractor-implement tires.* Any dealer or any person who intends in good faith to become a dealer may obtain one allotment of tractor-implement tires: *Provided, however,* That no allotment shall be granted under this section for an establishment which received an allotment of rear wheel tractor tires prior to August 2, 1944.

(b) *Amount of allotment of tractor-implement tires.* The maximum allotment for an establishment shall be six tractor-implement tires. In determining the amount that may be granted to an applicant, the amount of unmounted tractor-implement tires held at the establishment must be deducted from the maximum allotment, and certificates may be issued for no more than the difference.

The District Director may refuse to authorize the allotment if granting it will defeat or impair the effectiveness or policy of this Ration Order No. 1A.

7. Section 1315.602 (i) is amended by deleting the phrase "rear wheel tractor tires and tubes" wherever it appears and substituting in lieu thereof in each instance the phrase "tractor-implement tires".

8. Section 1315.611 (c) is amended to read as follows:

(c) *Delivery pursuant to certificate.* If the foregoing requirements have been fulfilled, the dealer, manufacturer or warehouseman to whom the certificate has been surrendered may deliver to the person to whom the certificate was issued, or to his agent, the number of tires described thereon, except that the following variances are permitted:

(1) An industrial-type tire or a Grade I tire of any size suitable for use on the vehicle or equipment for which a certificate was issued may be delivered in exchange for a Grade I tire certificate.

(2) A Grade III tire of any size suitable for use on the vehicle or equipment for which a certificate was issued may be delivered in exchange for a Grade III tire certificate.

(3) An industrial-type tire or a Grade III tire may be delivered in exchange for a small tractor-implement tire certificate.

(4) A new 4.00–12 tractor-implement tire may be delivered in exchange for a certificate for a passenger-type tire size 4.25–12 or 4.50–12.

9. The replenishment table in § 1315.804 (c) (3) is amended to read as follows:

If Part B calls for—	*Dealer or manufacturer may replenish with—*
Any size Grade I tire	Any size Grade I or III tire
Any size Grade II tire	Any size Grade I or III tire
Any size Grade III tire	Any size Grade III tire
Any size Grade I or II tire only	Any size Grade I tire
Any size truck or large tractor - implement tire	Any size truck, tractor - implement or Grade III tire
Any size small tractor-implement tire	Any size small tractor - implement or Grade III tire

10. Section 1315.806 (p) (1) (ii) is amended to read as follows:

(ii) Used tractor-implement tires;

11. Section 1315.806 (p) (1) (iii) is revoked.

12. Section 1315.808 (a) (1) is amended by adding the phrase "the Office of Strategic Services," after the phrase "the Office of Scientific Research and Development".

13. Section 1315.808 (b) is amended to read as follows:

(b) *Transfer to manufacturer of vehicles or equipment.* (1) A dealer or manufacturer may transfer new tires to a manufacturer of vehicles or equipment only upon receiving from him the certification required to be made under Rubber Order R–1 and its appendices.

(2) A dealer or manufacturer may transfer used tires to a manufacturer of vehicles or equipment upon receiving a certification from him that the tires will, within 30 days of their acquisition, be mounted on vehicles or equipment manufactured by him.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective August 2, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11342; Filed, July 29, 1944; 11:41 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 82]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Sections 1315.607 (a) and (b) (1) are amended by inserting after the phrase "on OPA Form R–2 (Revised)" the phrase "or on OPA Form R–306".

2. Section 1315.607 (c) is added to read as follows:

(c) *When and how OPA Form R–306 is to be used.* (1) No Board or District Director may issue a certificate on OPA Form R–306 until the Board or District Director has been authorized to do so by the Regional Administrator. A Regional Administrator may authorize Boards and District Directors in his region to issue certificates for tires on OPA Form R–306 whenever the Deputy Administrator in charge of rationing approves such action.

(2) A Board or District Director in issuing a certificate on OPA Form R–306, shall make the following changes on the form:

(i) Delete from the name of the Form "Sugar Purchase" and insert in its place "Tire".

(ii) Delete the phrase "pounds of sugar pursuant to Rationing Order No. 3 (Sugar Rationing Regulations) of, and at a price not to exceed the maximum price established by, the Office of Price Administration".

(iii) Enter at the top of the original of the form the phrase "Replenishment Portion".

(iv) Delete the words "by local rationing Board" appearing at the bottom of the duplicate portion of the form and insert in their place the words "dealer or manufacturer".

3. Section 1315.609 (b) is amended by deleting the phrase "Part B" wherever it occurs and inserting in its place the phrase "the replenishment portion".

4. Section 1315.609 (c) is amended to read as follows:

(c) *Replenishment portion of used truck tire certificate to be voided.* When a Board issues a certificate for a used truck tire under § 1315.505 or § 1315.515

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724.

it shall mark the replenishment portion thereof "void for replenishment".

5. Section 1315.610 (b) is amended by adding after the second sentence a new sentence as follows: "Serial numbers appearing in the upper right hand corner of a certificate on OPA Form R–306 designate the tires to be turned in to a dealer or manufacturer pursuant to this paragraph."

6. Section 1315.610 (c) is amended to read as follows:

(c) *Signing of certificates.* The applicant or his agent shall sign all parts of a certificate on OPA Form R–2 in accordance with the instructions thereon and all parts of a certificate on OPA Form R–306 on the back thereof, prior to acquiring the tires specified on the certificate. The same person shall sign all parts of the certificate where the signature of the certificate holder is required. No member or employee of the Board issuing the certificate, no tire inspector and no dealer or manufacturer shall act as agent of the applicant in signing these certificates. However, in the case of purchase by mail, the dealer or manufacturer, on behalf of the certificate holder, may sign Parts B and D of OPA Form R–2 if the certificate holder has signed Part A, and may sign the duplicate and triplicate copies of OPA Form R–306 if the certificate holder has signed the original.

7. The last sentence of § 1315.611 (a) is deleted and the following sentence is added at the end of the paragraph: "The duplicate portion of a certificate for tires on OPA Form R–306 may be used for the same purpose as Part A of OPA Form R–2."

8. Section 1315.611 (b) is amended to read as follows:

(b) *Certificate to be completed.* No dealer, warehouseman or manufacturer shall transfer tires in exchange for a certificate on OPA Form R–2 until both he and the certificate holder have signed and executed the certificate in accordance with the instructions thereon.

No dealer, warehouseman or manufacturer shall transfer tires in exchange for a certificate on OPA Form R–306 until the certificate holder has signed it pursuant to § 1315.610 (c); the serial numbers of the tires transferred have been entered below the certificate holder's signature on each part of the certificate; and the name, address, and signature of the dealer, warehouseman or manufacturer and the date of transfer are entered below the serial numbers of the tires transferred.

9. Section 1315.804 (a) is amended by deleting the parenthetical phrase "Parts B" and by substituting the phrase "replenishment portions" for the phrase "Parts B" appearing in the third and fourth sentences.

10. Section 1315.804 (c) (2) is amended to read as follows:

(2) *Restrictions on transfer of replenishment portions.* No dealer or manufacturer shall transfer tires in exchange for the replenishment portion of OPA Form R–2, OPA Form R–46 or OPA Form R–306, unless the name and address of the transferor of the replenishment portion and the date of its transfer have been written thereon.

11. Section 1315.804 (c) (3) is amended by deleting the parenthetical phrase "Part B" and by substituting the phrase "replenishment portion" for the phrase "Part B" appearing in the heading of the replenishment table.

12. Section 1315.804 (l) is added to read as follows:

(l) *Disposition of replenishment portions when tire business is discontinued.* (1) A dealer who is discontinuing the sale of tires at an establishment may transfer the replenishment portions of certificates or receipts which he has there to a person who intends to sell tires from the same establishment, upon written authorization of the District Director serving the area where the establishment is located. Such replenishment portions shall not be transferred under the authorization unless the name and address of the transferor of the replenishment portions and the date of the transfer have been written thereon.

(2) Application to transfer replenishment portions under subparagraph (1) shall be made by the transferor and transferee jointly and shall state the address of the establishment, the number of replenishment portions to be transferred and the number, type and grade of tires represented thereby. The application shall include a separate statement of the transferee that he intends to sell tires from that establishment.

(3) An authorization granted pursuant to this paragraph shall not act as a waiver of any suspension order issued against either the transferor or transferee or as a condonation of any violation of this Order committed by the transferor or transferee.

(4) A dealer who is discontinuing the sale of tires from an establishment and who has not been authorized to transfer his stock of replenishment portions of certificates or receipts at the establishment shall surrender them to the District Director serving the area in which the establishment is located. The District Director shall cancel the replenishment portions and issue a receipt therefor to the dealer who surrendered them.

13. Section 1315.807 (e) is amended by substituting the phrase "replenishment portions" for the phrase "Parts B" appearing in the headnote and by deleting the parenthetical phrase "Parts B".

14. That part of the text of § 1315.1003 (a) (1) preceding the first semicolon appearing therein is amended to read as follows: "Part A of OPA Form R–2 (Revised), Part A of OPA Form R–46 and the duplicate portion of OPA Form R–306 shall be retained by the transferor as his record;"

15. Section 1315.1003 (a) (2) is amended to read as follows:

(2) *Part B.* Part B of OPA Form R–2 (Revised), OPA Form R–30, OPA Form R–46 and OPA Form R–12 (Revised) and the replenishment portion of OPA Form R–306 when transferred to a manufacturer for purposes of replenishment shall be marked "void except for replenishment by . . . . ." The name of the first manufacturer to whom the replenishment portion is surrendered shall be inserted in the blank and the replenishment portion shall be used for replenishment only by such manufacturer. Parts of certificates good for replenishment but which are not used by the manufacturer for that purpose must be retained by the manufacturer as his record.

16. Section 1315.1003 (a) (4) is amended by adding after the phrase "OPA Form R–12 (Revised)" the phrase "and the triplicate portion of OPA Form R–306".

This amendment shall become effective August 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11343; Filed, July 29, 1944; 11:41 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 112]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

In § 1340.231 (b) (4), the numeral 237 is inserted between the numerals 216 and 238.

This amendment shall become effective August 3, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11345; Filed, July 29, 1944; 11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 270,[1] Incl. Amdts. 1–3]

DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

This compilation of Second Revised Maximum Price Regulation 270 includes

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5042, 5375, 5587, 5826, 5915, 6432, 6451, 7261, 7574, 7602, 8047.

[2] 8 F.R. 16166.

Amendment 3, effective August 2, 1944. The text added or amended by Amendment 3 is underscored. Deletions are indicated by notes.

A statement of the considerations involved in the issuance of this Second Revised Maximum Price Regulation 270 has been issued and filed with the Division of the Federal Register.[1] Such grades, standards and specifications as are used in this regulation were, prior to the regulation, generally used in the trade or industry affected.

§ 1351.1201 *Maximum prices for certain sales of dry edible beans and certain other dry food commodities.* Under the authority vested by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, Second Revised Maximum Price Regulation 270 (Dry Edible Beans and Certain Other Dry Food Commodities) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.1201 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

SECOND REVISED MAXIMUM PRICE REGULATION 270—DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

ARTICLE I—EXPLANATION OF THE REGULATION

Sec.
1. Purpose of the regulation; commodities and types of sales covered; exempt sales; and geographical applicability.
2. Definitions.

ARTICLE II—PRICING PROVISIONS

3. Maximum prices for processors.
4. Maximum prices for all other sales.
5. Cost of transportation.
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7. Imported dry food commodities.
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9. Applicability of certain provisions of the General Maximum Price Regulation.
10. Statements to be made on invoices.
11. Notification of change in prices.
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13. Compliance with this regulation.
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ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *Purpose of the regulation; commodities and types of sales covered; exempt sales; and geographical applicability*—(a) *Purpose of the regulation.* The purpose of this regulation is to establish maximum prices for certain sales of dry edible beans and such other dry food commodities as may be added. These will be referred to as "listed commodities."

(b) *Commodities covered.* This regulation covers all dry edible beans, and all dry peas both whole and split.

[Paragraph (b) amended by Am. 1, 9 F.R. 795, effective 1–26–44]

(c) *Types of sales covered.* This regulation covers all sales of the listed commodities, except sales by wholesalers and retailers. "Wholesaler" and "retailer" mean the person respectively referred to as wholesalers and retailers, in Maximum Price Regulations Nos. 421,[2] 422,[3] and 423.[4]

(d) *Exempt sales.* The following sales are exempt from the provisions of this regulation:

(1) Sales by growers to processors or dealers.

[Subparagraph (1) amended by Am. 3, effective 8–3–44]

(2) Sales of "seed stock" for planting purposes;

(3) Export sales (see Second Revised Maximum Export Price Regulation).[5]

(4) [Deleted]

[Subparagraph (4) deleted by Am. 3, effective 8–3–44]

(e) *Geographical applicability.* This regulation applies to the 48 states of the United States and the District of Columbia.

SEC. 2. *Definitions.* (a) As used in this regulation the term:

[Paragraph deleted by Am. 3, effective 8–3–44]

"Country shipping point" means the first place where the listed commodity being priced is received from the grower and, having been split or screened, assorted, hand-picked, polished or otherwise cleaned is packed and stored in an elevator or other receiving station, or otherwise made ready for shipment from the producing area;

"Delivery" means (1) physical delivery of the goods to the buyer; (2) delivery of the goods to a carrier not owned or controlled by the seller for transmittal to the buyer; or (3) segregation and earmarking of the goods for the account of the buyer, at his request;

"Seed stock" means any of the listed commodities which are used for planting, and which comply with the Federal Seed Act or state seed acts, particularly with respect to labeling as to kind and variety, percentage of germination, and date of germination, and, if below Federal standard as set forth in the Federal Seed Act of 1939, are plainly marked "below standard."

[Above paragraph amended by Am. 3, effective 8–3–44]

"Process" means to split or screen, assort, hand-pick, polish, clean or otherwise prepare the listed commodity for shipment. In this industry the term "process" is used only in the limited sense set forth. It does not include operations such as cooking or otherwise preparing the goods for human consumption.

"Processor" means a person, other than a dealer, who owns the kind and variety (or class) of listed commodity being priced and processes it or causes it to be processed.

"Dealer" means a person (including a growers' cooperative association engaged in the business of processing and distributing commodities produced by its members) who (1) actively engages in the business of selling the kind and variety (or class) of listed commodity being priced to destination distributors, wholesalers, canners or freezers; (2) who owns the kind and variety (or class) of listed commodity being priced which he has caused to be processed or which he has purchased from a grower who caused it to be processed; (3) is registered and has reported under section 24.2 of Revised Ration Order No. 13 issued by the Office of Price Administration, if applicable; and (4) is licensed as a dealer by the state in which he purchased the kind and variety (or class) of the listed commodities, if that state requires such licensing. A dealer who also performs any or all of the functions of a processor or a destination distributor does not thereby become a processor or a destination distributor.

"Destination distributor" means a person, other than a processor or dealer, who is located in the terminal market or marketing area at the destination of carlot or trucklot shipments and who customarily purchases from dealers for his own account the kind and variety (or class) of the listed commodity and resells to wholesalers.

"Carlot" or "trucklot" means any quantity of the listed commodity which is contained in a car or truck and which takes the carlot or trucklot rate under the applicable tariff.

"Item" means any kind, variety (or class) and grade of the listed commodity.

"Sales ex-warehouse" means sales from a warehouse (1) which is not owned or controlled by any of the seller's customers; (2) into which the seller has actually received and stored the goods, and (3) which is located in a terminal market not at a country shipping point. No sale from a transit warehouse is a "sale ex-warehouse" unless the outbound transit privileges have been cancelled as to the particular goods being sold.

"Base price" means the sum of the processor's maximum price, f. o. b. country shipping point, for the item being priced (without the 10 cent deduction named for dry edible beans produced in the State of California) plus the allowable cost of transportation (See section 5) and plus the applicable packaging allowance (See section 6).

[Above 8 paragraphs added by Am. 3, effective 8–3–44]

[1] Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[2] 9 F.R. 5642.
[3] 9 F.R. 5656.
[4] 9 F.R. 5671.
[5] 8 F.R. 4182, 8967, 7062, 9066, 15193; 9 F.R. 1096.

(b) Unless the context otherwise requires, the definitions contained in section 302 of the Act and § 1499.20 of the General Maximum Price Regulation[1] shall apply to other terms used in this regulation.

ARTICLE II—PRICING PROVISIONS

SEC. 3. *Maximum prices for processors.*—(a) *Sales f. o. b. country shipping point.* The prices in the following tables are the maximum prices which processors may charge, f. o. b. country shipping point, for the listed commodities (except dry edible beans produced in California) packed in standard commercial containers. For dry edible beans produced in the State of California, the maximum price for each item is reduced by 10 cents per cwt. For goods sold in bulk or in containers supplied by the buyer, the price in each case is reduced by 15 cents per cwt.

TABLE I—CERTAIN DRY EDIBLE BEANS

Kind	*Maximum price per cwt.*
Peas and medium white beans (navy):	
U. S. choice hand picked	$6.15
U. S. No. 1	6.05
U. S. No. 2	5.90
U. S. No. 3 and lower	5.65
Marrow beans (not including red marrow):	
U. S. choice hand picked	7.50
U. S. No. 1	7.40
U. S. No. 2	7.25
U. S. No. 3 and lower	7.00
Great Northern beans:	
U. S. choice hand picked	6.15
U. S. No. 1	6.05
U. S. No. 2	5.90
U. S. No. 3 and lower	5.65
Large and small white beans (including flat small white):	
U. S. choice hand picked	6.15
U. S. No. 1	6.05
U. S. No. 2	5.90
U. S. No. 3 and lower	5.65
White kidney beans:	
U. S. Choice hand picked	8.20
U. S. No. 1	8.10
U. S. No. 2	7.95
U. S. No. 3 and lower	7.70
Red kidney beans:	
U. S. choice hand picked	6.65
U. S. No. 1	6.55
U. S. No. 2	6.40
U. S. No. 3 and lower	6.15
Yellow eye beans:	
U. S. choice hand picked	7.50
U. S. No. 1	7.40
U. S. No. 2	7.25
U. S. No. 3 and lower	7.00
Cranberry beans (other than western):	
U. S. choice hand picked	6.25
U. S. No. 1	6.15
U. S. No. 2	6.00
U. S. No. 3 and lower	5.75
Cranberry beans (western):	
U. S. choice hand picked	6.70
U. S. No. 1	6.60
U. S. No. 2	6.45
U. S. No. 3 and lower	6.20
Small red beans:	
U. S. choice hand picked	6.15
U. S. No. 1	6.05
U. S. No. 2	5.90
U. S. No. 3 and lower	5.65
Pink beans:	
U. S. choice hand picked	6.35
U. S. No. 1	6.25
U. S. No. 2	6.10
U. S. No. 3 and lower	5.85

[1] 9 F.R. 1385, 5169.

TABLE I—CERTAIN DRY EDIBLE BEANS—Con.

Kind	*Maximum price per cwt.*
Bayo beans:	
U. S. choice hand picked	$5.95
U. S. No. 1	5.85
U. S. No. 2	5.70
U. S. No. 3 and lower	5.45
Blackeye beans (Cow peas of the blackeye variety):	
U. S. choice hand picked	6.30
U. S. No. 1	6.20
U. S. No. 2	6.05
U. S. No. 3 and lower	5.70
Pinto beans:	
U. S. No. 1	6.15
U. S. No. 2	6.00
U. S. No. 3 and lower	5.75
Lima beans (standard):	
U. S. extra No. 1	8.35
U. S. No. 1	8.25
U. S. No. 2 and lower	8.10
Baby lima beans:	
U. S. extra No. 1	7.05
U. S. No. 1	6.95
U. S. No. 2 and lower	6.80

The processor's maximum price to a class of purchasers for any kind and variety of dry edible beans not mentioned in the foregoing table (including, for example, Fava beans, Garbanzos or Chick peas, Brown Swedes and dry edible soybeans) shall be the highest price he charged for that item to a purchaser of the same class during the period of September 1, 1943, to November 27, 1943, inclusive. If he did not deliver or offer to deliver the item during that period to a purchaser of the same class, his maximum price for the item shall be the highest price charged for the same item during that period by the most closely competitive seller to a purchaser of the same class.

TABLE II—DRY PEAS

Kind	*Maximum price per cwt.*
Smooth whole green peas:	
U. S. No. 1	$5.65
U. S. No. 2	5.40
U. S. No. 3 and lower	5.05
Smooth whole white peas:	
U. S. No. 1	5.65
U. S. No. 2	5.40
U. S. No. 3 and lower	5.05
Green split peas:	
U. S. No. 1	7.35
U. S. No. 2	7.05
U. S. No. 3 and lower (including "chips", "quarters" and "steelcuts")	6.50
Yellow split peas:	
U. S. No. 1	7.35
U. S. No. 2	7.05
U. S. No. 3 and lower (including "chips", "quarters" and "steelcuts")	6.50

(b) *Delivered sales.* (1) For sales on a delivered basis, the processor's maximum price in each case is the maximum price, f.o.b. country shipping point, for the item plus the cost of transportation.

(2) For sales by a processor delivered from the farm or country shipping point in his own truck to ultimate consumers or to retail stores where sales are made to ultimate consumers, the maximum price in each case is the delivered price for the item plus 30 cents per cwt. However, for any sale to one purchaser in a quantity of more than 1000 pounds of a listed commodity, the maximum price is the delivered price only.

"Ultimate consumer" means a person who buys for direct consumption, but the term does not include agencies of the United States or commercial, industrial or institutional users such as canners, hotels, restaurants, etc.

(c) *Sales to the United States or certain other purchasers.* For sales of those varieties of dry edible beans or peas designated in Commodity Credit Corporation Instructions of June 30, 1943,[1] or for which "support prices" are announced by the War Food Administration, made by processors to dealers, to "authorized purchasers" or to other agencies designated in the War Food Order No. 45, as amended, the maximum price in each case is either (1) the "support price" for the item plus the cost of transportation, plus any applicable packaging allowance, and plus storage or carrying charges permitted by section 8 (a) of this regulation, but without other markups, or (2) the maximum price for the item otherwise established by this regulation, whichever is higher.

Exception: In sales of dry edible beans produced in the state of California made to dealers, 10 cents per cwt. shall be deducted from the "support price" for the item in figuring the price under (1) above.

[Sec. 3 amended by Am. 1, 9 F.R. 795, effective 1-26-44 and Am. 3, effective 8-3-44]

SEC. 4. *Maximum prices for all other sales.*—(a) *Explanation and prohibition against sharing of markups.* This section establishes maximum prices for all sales of the listed commodities except those covered by sections 3 and 7. No seller shall share in or receive any part of the markup established by this regulation for another type of seller.

(b) *Sales by dealers to the United States or certain other purchasers.* For sales of those varieties of dry edible beans or peas designated in Commodity Credit Corporation Instructions of June 30, 1943, or for which "support prices" are announced by the War Food Administration, which are made by dealers to other dealers, to agencies of the United States, to "authorized purchasers" or to other agencies designated in War Food Order No. 45, as amended, the maximum price in each case is either (1) the "support price" for the item, plus the cost of transportation, plus any applicable packaging allowance, and plus storage or carrying charges permitted by section 8 (a) of this regulation, but without other markups, or (2) the maximum price for

[1] 8 F.R. 8998.

the item otherwise established by this regulation, whichever is higher.

Exception: In figuring the price under (1) above, for sales of dry edible beans, the dealer may add 10 cents per cwt. to the support price for the item if he is located in Michigan, or 15 cents per cwt. if he is located elsewhere, in any of the following cases: (1) In sales to another dealer; (2) In sales of goods which have been "set aside" pursuant to War Food Order No. 45, as amended; (3) In sales of goods which have been specifically ordered by any of the persons mentioned in paragraph (b) of this section.

In all such sales to dealers, the seller and buyer shall exchange and retain records showing their respective names and addresses, the varieties, quality and crop-year designation of the item sold, the selling price; and their respective registration numbers issued by the Food Rationing Division of the Office of Price Administration.

(c) *All other sales by dealers.* With respect to dry edible beans the dealer's maximum price for all other sales is the base price plus 10¢ per cwt. if he is located in Michigan or plus 15¢ per cwt. if he is located elsewhere, and plus 15¢ per cwt. for sales ex-warehouse in any quantity. With respect to dry peas the dealer's maximum price for all other sales is the base price only, plus 15¢ per cwt. for sales ex-warehouse in any quantity. In any sale of dry edible beans or dry peas by a dealer to a wholesaler made through a broker located in the terminal market or marketing area at the destination of carload or truckload shipments, the dealer may also add 10¢ per cwt. or the amount of the broker's maximum charge under Maximum Price Regulation 35, whichever is lower.

(d) *Sales by destination distributors.* A destination distributor's maximum price in each case is his supplier's maximum price for the item (not to exceed a dealer's maximum price for sales other than sales ex-warehouse) plus 25¢ per cwt. for sales ex-warehouse in any quantity, or plus 10¢ per cwt. for all other sales, including sales of carlots or truckloads and sales ex-car.

(e) *Special provisions for sales ex-warehouse in New York City.* In the case of sales ex-warehouse made by a dealer or destination distributor from a warehouse located in New York City to which the particular goods being sold were hauled from a railroad terminal, the seller may add the actual cost of such hauling not to exceed 15 cents per cwt.

(f) *All sales not otherwise provided for.* For all sales not otherwise provided for in this regulation the maximum price in each case is the supplier's maximum price plus incoming freight.

[Sec. 4 amended by Am. 3, effective 8-3-44]

SEC. 5. *Cost of transportation.* The cost of transportation which shall be added to the f. o. b. country shipping point price in arriving at the "base price" shall be determined as follows:

(a) If shipment is by a common carrier whose maximum rates and charges are regulated by the Interstate Commerce Commission or other Federal or State regulatory body, the cost of transportation which shall be added is the amount actually paid to the carrier in conformity with its lawfully established rates or charges, including the transportation tax imposed by any applicable revenue act.

If a car is stopped in transit to complete loading, 5 cents per cwt. may be added to the cost of transportation, and 5 cents per cwt. may also be added to the cost of transportation if a car is stopped in transit for partial unloading. The carrier's charges for each such stop may also be added, but charges for demurrage, out-of-line hauling, or back-haul may not be added.

If the goods are assorted in transit in compliance with the provisions of L. E. Kipp's I. C. C. No. A 3481 "Transit Rules and Regulations on Dried Beans, Dried Lentils or Dried Peas, Carlots", or such other tariff as may be applicable to the transit privileges, and the goods are actually warehoused, the carriers' charges for extending the transit privilege, together with 15 cents per cwt., may be added to the cost of transportation. This addition shall not be made on outbound carlots which contain more than 75 per cent of any one variety (or class) of the particular goods nor on any portion of the shipment on which "transit" is not used.

The allowances for stopping in transit to complete loading, for partial unloading and for assorting in transit are cumulative but not more than one of each of such allowances may be added regardless of the number of times the car is stopped or is assorted in transit.

[Paragraph (a) amended by Am. 3, effective 8-3-44]

(b) If shipment is by a carrier for hire other than a common carrier (such as a contract carrier) the cost of transportation which shall be added is the amount actually paid to the carrier, but not in excess of the maximum charges as determined by the General Maximum Price Regulation, amendments and supplementary regulations thereto, or such other regulations of the Office of Price Administration as may be applicable to the services of the carrier at the time of movement. Charges for accessorial services equivalent to rail services allowable under paragraph (a), above, shall be included if such services are actually performed. The amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(c) If shipment is by a means of transportation not included in (a) and (b) above (such as an unregulated common carrier or a private carrier), the cost of transportation which shall be added is the amount actually paid for transportation, but not in excess of an amount figured by applying to the actual weight of the shipment the lowest published rail carload rate between the rail stations nearest to the points of origin and destination and adding rail charges for the accessorial services allowed under paragraph (a) above, if equivalent services are performed. If the shipment is less than 20,000 pounds, an additional charge of 2 cents per 100 pounds may be made, provided that the total charge for shipment of less than 20,000 pounds shall not exceed the charge for a shipment of 20,000 pounds. In applying rail accessorial charges which are stated in amounts per car, the per-car charge may be made against a shipment of 20,000 pounds or more moving in a single conveyance, but only the proportion of such per-car charge which the weight of the shipment bears to 20,000 pounds may be made against a shipment of less than 20,000 pounds. The amount of transportation tax imposed by section 620 of the Revenue Act of 1942 may be included, if the shipment is subject to that tax.

SEC. 6. *Packaging allowances.* (a) For listed commodities packed in the following size containers, the following amounts shall be included in the seller's maximum price:

	Per cwt.
Up to and including 1 lb	$2.05
Over 1 lb. up to and including 2 lbs	1.65
Over 2 lbs. up to and including 3 lbs	1.35
Over 3 lbs. up to and including 5 lbs	1.10
Over 5 lbs. up to and including 10 lbs	.50
Over 10 lbs. up to and including 25 lbs	.40
Over 25 lbs. up to and including 50 lbs	.20
Over 50 lbs	Nothing

Each amount includes all allowances for outside or extra containers.

(b) In sales to agencies of the United States where containers other than standard commercial containers are specified by the buyer, the packaging allowance is the sum of the cost of the materials and labor required plus 8 cents per cwt.

[Sec. 6 amended by Am. 2, 9 F.R. 1325, effective 1-31-44 and Am. 3, effective 8-3-44]

SEC. 7. *Imported dry food commodities.* The maximum price, f. o. b. port of entry, for an item imported from any country shall be the maximum price under section 3 (a) of this regulation for the most closely similar domestic item

plus an amount equal to the lowest railroad freight rate from the closest country shipping point, from which domestic item is normally shipped, to the port of entry. Applicable packaging allowances and cost of transportation may be added. The total price so figured shall also be the base price for the item.

[Sec. 7 amended by Am. 3, effective 8-3-44]

SEC. 8. *Miscellaneous provisions affecting prices*—(a) *Storage.* In the case of sales to any agency of the United States, including those sales mentioned in sections 3 (c) and 4 (b), charges for storage furnished by the seller may be added in any case where a delay is occasioned by the buyer's failure to furnish adequate shipping instructions within a time reasonably sufficient to permit shipment on the appointed day named in the contract of sale. In such cases, charges may be added by the seller to the maximum prices at the rate of ⅛ of one cent per cwt. for each day's delay in shipment, beginning with the 31st day after the date of sale or the delivery date or end of the period specified in the contract of sale, whichever is later.

[Paragraph (a) amended by Am. 3, effective 8-3-44]

(b) *Position of brokers.* In accordance with existing trade customs, every broker shall be deemed to be the agent of the seller, and not of the buyer. In each case, any amount paid by the buyer to the broker, plus the amount paid by the buyer to the seller shall not exceed the seller's maximum price plus allowable transportation paid by the broker or the seller. The term "broker" includes a "finder".

However, this rule does not apply to the "country buyer" in California, who is the agent of the dealer. His compensation may be paid by the dealer, but the amount shall not be added to the dealer's maximum price.

[Above paragraph added by Am. 3, effective 8-3-44]

(c) *Fractions of cents.* If any maximum price figured under this regulation includes a fraction of a cent, the seller shall adjust the price to the nearest fractional unit (like 1 cent, ½ cent, ¼ cent, etc.) in which he has customarily quoted prices for the item.

(d) *Basing point prices.* Any dealer may sell the listed commodities on a basing point basis, but if he does, he must sell all the commodities handled by him on that basis, and no such price shall be in excess of the maximum price otherwise established by this regulation.

[Paragraph (d) amended by Am. 3, effective 8-3-44]

(e) *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action to be taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having the authority to act on such request for change in price, or to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

ARTICLE III—GENERAL PROVISIONS

SEC. 9. *Applicability of certain provisions of the General Maximum Price Regulation.* The following provisions of the General Maximum Price Regulation apply to the listed commodities and sellers covered by this regulation:

(a) Transfers of business or stock in trade (§1499.5).
(b) Federal and State taxes (§1499.7).
(c) Current records (§1499.12).
(d) Sales slips and receipts (§1499.14).

SEC. 10. *Statements to be made on invoices.* In every sale of a listed commodity, the seller shall state on the invoice or other document evidencing the sale, the kind and variety of the listed commodity being sold and its official United States grade, as established by the United States Department of Agriculture. If the state in which the sale is made requires, the appropriate state grade may also be stated. This information may also be set forth on the container, or on a tag or label attached to the container.

SEC. 11. *Notification of change in maximum prices.* This regulation will have the effect of altering some sellers' maximum prices for the listed commodities. Those sellers and all sellers whose maximum prices for any item are altered by this regulation or any amendment must comply with the provisions of this section. In each case when a seller's maximum price for an item has been changed pursuant to this regulation or any amendment he shall give notice of such change with the first shipment or delivery of the item after the change in price becomes effective, in the following manner. He shall:

(a) Supply each wholesaler and retailer who purchases from him with a written notice as set forth below:

_____
(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (*describe the item by the appropriate kind, grade, variety brand, quantity, container type and size, etc.*) has been changed by the OPA.

We are authorized to inform you that if you are a wholesaler or retailer pricing this item under MPRs 421, 422 and 423, you must refigure your ceiling price for this item on the first delivery of it to you containing this notification on or after (*insert here effective date of price change*). You must refigure your ceiling price following the rules of section 6 of MPRs 421, 422, or 423 whichever is applicable to you.

For a period of 60 days after the price change becomes effective, and with the first shipment or delivery of the item after that date, to each such purchaser who has not made a purchase of the item within that time, the seller shall include the notice set forth above in each case or carton containing the item or securely attach it to the case or carton or insert it on the invoice accompanying the shipment.

(b) Notify each purchaser who is a distributor other than a wholesaler or retailer of the change in price by a written notice attached to or written on the invoice issued in connection with the first transaction with such purchaser after such price which becomes effective as follows:

_____
(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (*Describe item by kind, brand, grade, variety and container type and size*) has been changed from $ to $. Under the provisions of 2nd Rev. MPR 270 you are required to notify all wholesalers and retailers purchasing the item from you after (*insert effective date of price change*) of any change in your maximum price. This notice must be made in a manner prescribed in section 11 (a) of 2nd Rev. MPR 270.

SEC. 12. *Records which sellers must keep.* As long as the Emergency Price Control Act of 1942, as amended, remains in effect, every seller covered by this regulation shall keep for examination by the Office of Price Administration, (a) records of the same kind as he has customarily kept relating to prices which he charged after the effective date of this regulation; (b) those records required to be kept by section 4 (b); (c) record of all sales of "seed stock" as defined in section 2 (a), which shall show in each case the date of sale, the amount, kind and variety sold, the sales price for each item, and the name and address of the purchaser; and (d) a statement (which he must prepare within sixty days after the effective date of this regulation) showing all of his customary allowances, discounts and other price differentials. This statement shall be available for examination by any person during ordinary business hours. However, any person who claims that he will be substantially injured by showing this statement to another person may file it with the appropriate field office of the Office of Price Administration. The information will not be divulged to anyone unless withholding it will be contrary to the purposes of the regulation.

[Sec. 12 amended by Am. 3 effective 8-3-44]

SEC. 13. *Compliance with this regulation*—(a) *No selling or buying above maximum prices.* On and after the effective date of this regulation, regardless of any contract or obligation, no person shall sell or deliver, or buy or receive in the course of trade or business any of the listed items at prices higher

than the maximum prices established by this regulation. However, prices lower than the maximum prices may be charged and paid.

[Paragraph (a) amended by Am. 3, effective 8-3-44]

(b) *Evasion.* No person shall evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying-agreement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling or packaging; or in any other way.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

[NOTE: Revised Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

(d) *Licensing.* The provisions of Licensing Order No. 1 [9] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 [10] and amendments.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5067, 5666) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 26 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

This regulation shall become effective November 27, 1943. [2d RMPR 270 originally issued November 27, 1943.]

[Effective dates of amendments are shown in notes following parts affected.]

[NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.]

Issued this 29th day of July 1944.

CHESTER BOWLES,
Administrator.

Approved:

ASHLEY SELLERS,
Acting War Food Administrator.

[F. R. Doc. 44-11347; Filed, July 29, 1944; 11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31 [1], Amdt. 21]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, items 5, 12, 19, 23, 24, 32, 38, 41, and 76 are amended and items 96, 97, 98, 99, 100, 101, 102, and 103 are added to read as follows:

(5) Colorado, Colorado, That portion of the State of Colorado not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Chaffee, Garfield, and Mesa.

(12) Kansas, Kansas, That portion of the State of Kansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Barton, Ellis, Finney, Ford, Gray, Russell, Pratt, and Reno.

(19) Minnesota, Minnesota, That portion of the State of Minnesota not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the County of Olmsted.

(23) Nebraska, Nebraska, That portion of the State of Nebraska not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Adams, Buffalo, Clay, Dakota, Fillmore, Jefferson, Redwillow, Thayer, and York.

(24) Nevada, Nevada, That portion of the State of Nevada not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except that portion of Elko County situated within a radius of three miles from the center of United States Highway 40, where the said highway crosses the Nevada-Utah State line, and those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.

(32) Oklahoma, Oklahoma, That portion of the State of Oklahoma not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Beckham, Canadian, Custer, Jackson, Pottawatomie, Tillman, and Washita.

(38) Texas, Texas, That portion of the State of Texas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Bee, Brazos, Brewster, Collin, Denton, Kinney, Kleberg, Lampasas, McCulloch, Nolan, Smith, Uvalde, Val Verde, and Webb, and Justices' Precincts 1, 6, and 7 in the County of Caldwell.

(41) Virginia, Virginia, that portion of the State of Virginia not designated prior to October 5, 1942, by the Price Administrator as part of any defense-rental area, except the Counties of Northampton and Warren.

(76) Great Bend, Kansas, Counties of Barton, Ellis, and Russell.

(96) Grand Junction, Colorado, County of Mesa.

(97) Rochester, Minnesota, County of Olmsted.

(98) Springfield, Missouri, County of Greene.

(99) Fairbury-York, Nebraska, Counties of Fillmore, Jefferson, Thayer, and York.

(100) Goldfield-Tonopah, Nevada, those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.

(101) Shawnee, Oklahoma, County of Pottawatomie.

(102) McKinney, Texas, County of Collin.

(103) Front Royal, Virginia, County of Warren.

This amendment shall become effective August 1, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11350; Filed, July 29, 1944; 11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[1] Amdt. 26]

DESIGNATION OF AREAS

Item 116a (Great Bend) of Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended and items 44a, 160a, 173a, 176a, 183a, 212c, 250a, 324b, 324c, and 341a, are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(44a) Grand Junction	Colorado	Mesa	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(116a) Great Bend	Kansas	Barton	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas	Ellis and Russell	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(160a) Rochester	Minnesota	Olmsted	Mar. 1, 1944	Aug. 1, 1944	Sept. 15, 1944
(173a) Springfield, Mo	Missouri	Greene	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(176a) Fairbury-York	Nebraska	Fillmore, Jefferson, Thayer, and York	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(183a) Goldfield-Tonopah	Nevada	Those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(212c) Charlotte	North Carolina	Mecklenburg	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(250a) Shawnee	Oklahoma	Pottawatomie	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324b) McKinney	Texas	Collin	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324c) Midland-Odessa	Texas	Ector and Midland	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(341a) Front Royal	Virginia	Warren	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944

[8] 8 F.R. 13240.
[9] 9 F.R. 5791.
[1] 9 F.R. 5823, 5915, 7329.
[1] 9 F.R. 2165, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6569, 7329.

This amendment shall become effective August 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11348; Filed, July 29, 1944; 11:44 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[1] Amdt. 80]

DESIGNATION OF AREAS

Item 116a (Great Bend) of Schedule A of the Rent Regulation for Housing is amended and items 44a, 160a, 173a, 176a, 183a, 212c, 250a, 324b, 324c, and 341a are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of Regulation	Date by which Registration Statement to be filed (inclusive)
(44a) Grand Junction	Colorado	Mesa	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(116a) Great Bend	Kansas	Barton	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas	Ellis and Russell	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(160a) Rochester	Minnesota	Olmsted	Mar. 1, 1944	Aug. 1, 1944	Sept. 15, 1944
(173a) Springfield, Missouri	Missouri	Greene	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(176a) Fairbury-York	Nebraska	Fillmore, Jefferson, Thayer, and York	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(183a) Goldfield-Tonopah	Nevada	Those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(212c) Charlotte	North Carolina	Mecklenburg	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(250a) Shawnee	Oklahoma	Pottawatomie	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324b) McKinney	Texas	Collin	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324c) Midland-Odessa	Texas	Ector and Midland	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(341a) Front Royal	Virginia	Warren	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944

This amendment shall become effective August 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11349; Filed, July 29, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[2] Amdt. 37]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.78 is added to read as follows:

§ 1407.78 *Adjustment for lost, damaged, destroyed, or stolen sugar*—(a) *How to apply.* A consumer whose sugar was lost, damaged, destroyed or stolen, or was taken away by legal process or order of a court, may apply for a certificate in an amount needed to replace such sugar. However, a consumer may apply for a certificate to replace such sugar only if he has given up valid evidences to acquire the sugar which is lost, damaged, destroyed, stolen or taken away. The application must be made on OPA Form R-315 to the Board for the place where he lives. The application must state:

(1) The amount of sugar he wishes to replace;

(2) The way in which the sugar was lost, damaged, destroyed, stolen or taken away; and

(3) That he gave up valid evidences for the sugar which was lost, damaged, destroyed, stolen, or taken away.

(b) *Action on application.* If the Board finds the statement made in the application to be true, it will issue to him a certificate in the amount needed to replace the sugar.

(c) *Recovery of lost or stolen sugar or sugar that was taken away.* If the applicant gets back any of the sugar covered by his application, he must give up to the Board, for cancellation, evidences equal in weight value to the amount of sugar he recovers.

This amendment shall become effective August 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11338; Filed, July 29, 1944; 11:41 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[3] Amdt. 24 to 2d Rev. Supp. 1]

PROCESSED FOODS

The Official Table of Point Values (No. 17), referred to in § 1407.1102 (a), is amended by deleting the words "thru July 29, 1944" from the bracket in the upper right corner.

This amendment shall become effective July 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11351; Filed, July 29, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[4] Amdt. 6 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 16), referred to in § 1407.3027 (a) is amended by deleting the words "thru July 29," from the bracket in the upper right corner.

2. The Official Table of Consumer Point Values for Kosher Meats (No. 16), referred to in § 1407.3027 (a), is amended by deleting the words "through July 29," from the bracket in the upper right corner.

This amendment shall become effective July 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5807, 5915, 6359, 6560, 6819, 7329.

[2] 9 F.R. 1433, 1534, 2283, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4009, 4350, 4474, 4980, 5220, 5254, 5166, 5426, 5346.

[3] 9 F.R. 173, 908, 1181, 2091, 2290, 2558, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4868, 5956, 6108, 6455, 6151, 7344, 7428, 7433.

[4] 9 F.R. 6772, 6825, 7262, 7433, 8147.

4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11352; Filed, July 29, 1944; 11:43 a. m.]

PART 1424—IMPORTED AND PACKAGED FOODS

[MPR 231,[1] Corr. to Amdt. 3]

RAW SPICES AND SPICE SEEDS

Amendment No. 3 to Maximum Price Regulation 231 is corrected in the following respect:

Section 1425.5 (c) is corrected to read § 1424.5 (c).

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11339; Filed, July 29, 1944; 11:40 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 5-10]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN ARKANSAS DISTRICT

Restaurant Maximum Price Regulation No. 5-10 is redesignated as Revised Restaurant Maximum Price Regulation No. 5-10, and is revised and amended to read as follows:

In the judgment of the Arkansas District Director the prices of food and beverages sold for immediate consumption in the State of Arkansas have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Arkansas District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the Arkansas District Director gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living," 77th Congress, second session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the Arkansas District Director hereby issues this Revised Restaurant Maximum Price Regulation No. 5-10, establishing as maximum prices for food and drink sold for immediate consumption in the State of Arkansas the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.410 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the Arkansas District Director by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, and Region V Delegation of Authority No. 48 and other authority, Revised Restaurant Maximum Price Regulation No. 5-10, (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made a part hereof, is issued.

AUTHORITY § 1448.410 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808.

REVISED RESTAURANT MAXIMUM PRICE REGULATION NO. 5-10—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

Sec.

1. Sales at higher than ceiling prices prohibited.
2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.
3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.
4. How you figure your prices for seasonal items.
5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.
6. Substitution of food items in meals.
7. Prohibition against manipulation of meal offerings.
8. Evasion.
9. Rules for new proprietors.
10. Seasonal eating and drinking places.
11. Taxes.
12. Records.
13. Posting.
14. Operation of several places.
15. Relation to other maximum price regulations.
16. Geographical application.
17. Enforcement.
18. Exempt sales.
19. Adjustments.
20. Definitions and explanations.
21. Classes of food items and meals.
22. Special orders.
23. Licensing.
24. Revocation and amendment.

SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage, except those domestic malt beverages covered by Order No. G-1 under General Order No. 50) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day-period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure you. prices for seasonal items.* First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price is based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the*

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7844, 9130.

highest ceiling price for a food item or meal of the same class in the base period. Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21 (a), Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 10 cents, you may not offer any other soup at a higher price than 10 cents.

Example 2. You served sirloin steak in March at $1.00. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is $1.00.

SEC. 6. *Substitution of food items in meals.* If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximtely as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. *Prohibition against manipulation of meal offerings.* You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example. If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 35¢, and one each at 50¢, 75¢, 90¢, and $1.00, you must continue to offer two week-day dinners at 35¢. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. *Evasion.* (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hote dinners at 75¢, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at 75¢.

Example 2. If you offered table d'hote dinners during the base period at 65¢ to $1.05 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 45¢ to 85¢, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catsup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful, except that less may be given if required by your available supply. You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 9. *Rules for new proprietors.* (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the District Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the District Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

SEC. 10. *Seasonal eating and drinking places*—(a) *Exempt places.* If you are the proprietor of a seasonal eating or drinking place that

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 per cent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50 and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the administrator will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) and (2) above, you must apply for a price to the OPA District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. *Taxes.* If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 12. *Records.* (a) You must observe all the record keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same item or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for these places at a central office or the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning July 8, 1943, in Pulaski County and beginning October 18, 1943, in the remainder of the State of Arkansas, each menu must have clearly written on or attached to it the following statement:

> All prices listed are our ceiling prices or below. By Office of Price Administration regluation, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) Cafeterias must post the selling prices for all items at or near the place where the item is offered for sale.

(d) In addition to the requirements in (a), (b), and (c), you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation shall supersede other regulations, including Restaurant Maximum Price Regulation 5–10 and the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, in so far as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation to the extent that it exceeded the maximum price established by another regulation applicable at that time nor to the extent it exceeded a price established by Order No. G–1 under General Order No. 50 (Dollars and Cents Ceiling Prices on Domestic Malt Beverages).

SEC. 16. *Geographical application.* This Revised Restaurant Maximum Price Regulation No. 5–10 applies to all of the State of Arkansas.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) Eating and drinking places operated by any school, college or university which is a non-profit institution (that is, where no part of the net earnings inures to the benefit of any private shareholder or individual), which sells food items or meals on a nonprofit or cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to students, faculty members and employees of such institution. For purposes of this paragraph, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy or any other part of the Armed Forces of the United States shall be considered students.

(e) Eating cooperatives formed by Officers in the Armed Forces (as for example, Officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to persons who are members of the cooperative.

(f) Bona fide private clubs which file with the appropriate OPA District Office a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than a merely nominal amount and are elected to membership by a governing board, membership committee or other body; and

(4) It is otherwise operated as a club.

Five days after filing such information or earlier if so notified by the District Director, a private club may consider itself exempt unless and until it is otherwise notified by the District Director.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operation unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all

restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfied the requirements specified above, you may file an application for adjustment with the Arkansas District Office of the Office of Price Administration. This application must be filed in duplicate and contain a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,[1] and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) Profit and loss statements for your restaurant business for the most recent three month accounting period, the same three month accounting period for the year 1942 and the entire year 1942, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the Arkansas District Office.

Applications for adjustment under this section will be acted upon by the Arkansas District Office.

SEC. 20. *Definitions and explanations.* (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverage, except those domestic malt beverages covered by Order No. G-1 under General Order No. 50) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage, except those domestic malt beverages by Order No. G-1 under General Order No. 50) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year.

Examples are certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20).

(a) *The classes of food items.*

BREAKFAST ITEMS

1. Fruits, juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Bread, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes, including jams, jellies, and preserves.

OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef: steaks and roasts.
11. Veals: steaks, chops and roasts.
12. Pork: loin, chops, steaks, roasts.
13. Lamb or mutton: chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetables platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries, and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
24a. Desserts: seasonal dessert specialties such as watermelon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters.
31. Alcoholic malt beverages, including beer and ale except those items covered by Order No. G-1 under General Order No. 50, which remain subject to its provisions.
32. Wines, including sparkling wines.
33. Liquors, including whiskeys, gins, and brandies.
34. Cordials, including fruit liqueurs.
35. All other alcoholic beverages.

(b) *The classes of meals.* For purposes of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner, and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

(c) *Legal holidays.* Your ceiling prices for food items or meals served on those days designated legal holidays by Federal law may be the same as your Sunday ceiling prices for such establishments.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Arkansas District Director, such action is necessary or desirable to prevent inflation, stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328.

SEC. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the Arkansas District Director.

This regulation shall become effective April 17, 1944.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

(Pub. Law 151, 78th Congress, E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued at Little Rock, Arkansas, this 15th day of April 1944.

ROBERT P. HALL,
District Director.

[F. R. Doc. 44-11353; Filed, July 29, 1944; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Amdt. 31]

CHEMICALS AND DRUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.75 (a) (18) is added to read as follows:

(18) *Chemicals and drugs.* Any manufacturer of a commodity under the jurisdiction of the Chemicals and Drugs Price Branch, Office of Price Administration, including, but not limited to, products of the type listed in subdivision (iv) hereof, may apply for an adjustment of his maximum prices established under and presently subject to the General Maximum Price Regulation, if it can be shown that the conditions prescribed in subdivision (i) hereof exist. Applications shall be made on OPA Form No. 692-992 and shall contain the information specified therein. Copies of this form may be obtained from the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C.

(i) *Circumstances under which an application will be considered:*

(*a*) The factory cost involved in the production of said commodity has increased so substantially since applicant's maximum price therefor was established that he cannot continue to produce and sell the product at such price. (As used in this § 1499.75 (a) (18), "factory cost" means and includes materials, labor and other manufacturing costs assignable to the production of the commodity.)

(*b*) There is no adequate alternative to the requested price adjustment, such as a reduction in operating costs; and

(*c*) Either that:

(*1*) The loss of applicant's production would force his customers to resort to higher priced sources of supply; or

(*2*) The War Production Board (or other governmental agency in charge of supply) has issued an order or other appropriate instrument requiring applicant to produce stated quantities of said commodity; or

(*3*) The Office of Price Administration has received from the War Production Board (or other governmental agency in charge of supply) certification that the supply of the commodity is or threatens to become inadequate for the war program or for civilian needs, but that for reasons stated therein:

(*i*) The commodity or local supply situation is of such minor importance, in relation to the other commodities or to the use of manpower and materials, as not to require use of production controls; or

(*ii*) Legal or technical reasons make it impracticable to use orders or other appropriate instruments requiring production of the necessary supply.

(ii) *Amount of adjustment.* No adjustment will be made under this section unless the Price Administrator finds that a price increase is necessary to aid in securing essential or low-priced supply. Furthermore, any such adjustment shall be limited as set forth below: (As used below "over-all profits" means over-all aggregate dollar profit, adjusted for changes in investment and before deduction of income and excess profits taxes, of applicant or, in the event applicant is a parent, subsidiary or affiliate of other corporations or business units, of the entire investment enterprise.)

(*a*) *Primary limitations.* Ordinarily adjustments made under this section shall in the first instance be limited to:

(*1*) An amount sufficient to make the adjusted price per unit equal to factory cost per unit where applicant's current over-all profits on an annual basis are favorable as judged by his own or the industry's historical experience.

(2) An amount sufficient to make the adjusted price per unit equal to factory costs per unit, plus general administrative and selling expenses per unit, where applicant's current over-all profits on an annual basis are normal as judged by his own or the industry's historical experience. However, the increase shall not ordinarily exceed an amount which will cause his current over-all profits on an annual basis to be more than normal as judged by his own or the industry's historical experience.

(3) An amount sufficient to make the adjusted price per unit equal to total cost per unit, plus an adequate margin of profit per unit, where applicant's current over-all profits on an annual basis are unfavorable as judged by his own or the industry's historical experience. However, the increase shall not ordinarily exceed an amount which will cause his current over-all profits on an annual basis to be more than normal as judged by his own or the industry's historical experience.

(*b*) *Special limitation in case of low-priced seller.* Any adjustment granted an applicant who seeks relief under subdivision (i) (*c*) (*1*) of this section on the ground that the loss of his production would force his customers to resort to higher priced sources of supply, shall not exceed the amount set out in subdivision (ii) (*a*) hereof and shall be further limited to an amount equal to the difference between applicant's maximum price and the selling price of the next higher competitive seller able to supply applicant's customers.

(*c*) *General limitation.* Notwithstanding limitations on the amount of adjustment listed in subdivisions (*a*) and (*b*) above, in no event shall any adjustment granted under this section exceed the difference between the factory cost of the commodity currently and at the time its maximum price was established.

(iii) *Orders issued under this section.* The Price Administrator may authorize or deny by order the maximum prices requested or any modification thereof, and may also adjust the maximum prices of resellers, processors and industrial users. He may require, in appropriate cases, a compensatory decrease in the maximum prices for another product or products manufactured by applicant.

Any order issued hereunder may be amended or revoked at any time.

(iv) *Commodities subject to the provisions of this section.*

NOTE: This section applies only, of course, to such of the following commodities as are subject to the General Maximum Price Regulation. Sellers of commodities subject to other price regulations should consult the latter to determine possibilities for adjustment of their maximum prices.

(*a*) Coal tar and coal tar derivatives.
(*b*) Heavy chemicals.
(*c*) Industrial paints and other industrial protective coatings.
(*d*) Resins and plastics.
(*e*) Soaps and cleansers.
(*f*) Miscellaneous chemicals, drugs, and cosmetics.

This amendment shall become effective August 3, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11341; Filed, July 29, 1944; 11:41 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 477 [1] incl. Amdts. 1-7]

SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES [2]

This compilation of Maximum Price Regulation 477 includes Amendment 7, effective August 3, 1944. The text amended (except tables) by Amendment 7 is underscored. The tables amended are indicated by rates.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

In so far as this regulation uses specifications and standards which were not prior to such use, in general use in the trade or industry affected, or in so far as their use was not lawfully required by another government agency, the Price Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14004.

[2] Title amended by Am. 2.

and filed with the Division of the Federal Register.[3]

§ 1315.1602 *Maximum prices for sales of rubber heels and soles in the shoe factory and home replacement trades.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 477 (Sales of Rubber Heels and Soles in the Shoe Factory and Home Replacement Trades) which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION 477—SALES OF RUBBER HEELS AND SOLES IN THE SHOE FACTORY AND HOME REPLACEMENT TRADES

ARTICLE I—SCOPE AND PROHIBITIONS

Sec.

1. What this regulation does.
2. Where this regulation applies.
3. Relation to other regulations.
4. Prohibition against dealing in heels and soles at prices above the maximum.
5. Less than maximum prices.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

Sec.

6. Maximum prices for sales in the shoe factory trade of heels and soles listed in Appendix A.
7. Maximum manufacturers' prices for sales in the shoe factory trade of heels and soles not listed in Appendix A.
8. Maximum prices for sales in the shoe factory trade of heels and soles not listed in Appendix A, by persons other than manufacturers.
9. Maximum prices for sales in the shoe factory trade of heels and soles that cannot be priced under sections 6, 7 and 8.
9a. Maximum prices for sales of heels and soles in the home replacement trade.
10. Federal and state taxes.
11. Terms and conditions of sale.
12. Fractions of a cent.
13. Transfers of business or stock in trade.

ARTICLE III—MISCELLANEOUS

14. Petitions for amendment.
15. Adjustable pricing.
16. Records.
17. Reports.
18. Notification by manufacturers.
19. Licensing.
20. Evasion.
21. Enforcement.
22. Definitions.

Appendix A
Appendix B

AUTHORITY: § 1315.1602 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATION

SECTION 1. *What this regulation does.* This regulation fixes maximum prices for all sales in the shoe factory and home replacement trades of heels and soles made in whole or in part of rubber. However, this regulation does not apply to heels or soles made primarily from paper, wood, rope, or whole fabrics. This regulation does apply to heels or soles made in part from cord, fabrics (other than whole fabrics), or other fibers, and in part of rubber. When used in this regulation, the term:

[Above paragraph amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(a) "Heel" includes all heels, heel bases, toplifts, and toplifting sheets, strips and blocks.

(b) "Sole" includes all taps, full soles, midsoles, and outsoling and midsoling sheets, strips and blocks.

(c) "Sale in the shoe factory trade" means a sale or offer for sale of heels or soles made in whole or in part of rubber (1) to persons who use those heels or soles in the manufacture of civilian (non-military) shoes, or (2) to persons who sell the heels or soles purchased by them to persons who use those heels or soles in the manufacture of civilian (non-military) shoes.

(d) "Sale in the home replacement trade" means any sale or offer for sale, except one in the shoe repair trade, of heels or soles made in whole or in part of rubber, which are used for the repair of civilian (non-military) shoes. A "sale in the shoe repair trade" is a sale or offer for sale by or to a shoe repairman, by wholesalers to the persons who sell rubber heels or soles to a shoe repairman, or by manufacturers to any of the persons just named.

[Paragraph (d) added by Am. 2, 9 F.R. 89, effective 1-7-44]

SEC. 2. *Where this regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and to the District of Columbia.

SEC. 3. *Relation to other regulations—(a) Regulations superseded.* Except as otherwise provided in this regulation, this regulation supersedes the General Maximum Price Regulation[4] and any other regulation issued by the Office of Price Administration with respect to sales, deliveries or transfers covered by this regulation.

(b) *Export sales.* The maximum price at which a person may make any export sales or sales to exporters in the shoe factory trade of heels and soles shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation[4] or any revisions thereto. When used in this paragraph the terms "export sale" and "exporter" have the meanings given to them by section 11 of the Second Revised Maximum Export Price Regulation.

SEC. 4. *Prohibition against dealing in heels and soles at prices above the maximum.* On and after November 1, 1943, the date this regulation takes effect, regardless of any contract or other obligation:

(a) No person is permitted to sell or deliver any heels or soles at a price which is higher than the maximum price fixed by this regulation.

(b) No person is permitted to buy or receive any heels or soles at a price which is higher than the maximum price. If the purchaser receives from the seller a written statement that the price does not exceed the maximum price fixed by this regulation and the purchaser has no reason to doubt the accuracy of that statement, the purchaser shall be deemed to have complied with this paragraph.

[Paragraphs (a) and (b) amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(c) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by paragraphs (a) or (b).

SEC. 5. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 6. *Maximum prices for sales in the shoe factory trade of heels and soles listed in Appendix A.* This section is applicable to all sales in the shoe factory trade of heels and soles listed in Appendix A. The seller shall determine the maximum price of a heel or sole covered by this section by deducting from the price for the heel or sole listed in Appendix A all discounts, allowances and any other deductions from the list price that he had in effect to a purchaser of the same class during March, 1942.

[Sec. 6 amended by Am. 2, 9 F.R. 89, effective 1-7-44]

SEC. 7. *Maximum manufacturers' prices for sales in the shoe factory trade of heels and soles not listed in Appendix A—(a) Maximum manufacturers' prices for heels and soles not listed in Appendix A which were dealt in by the manufacturer during the period October 1, 1941, to March 31, 1942, inclusive.* This paragraph is applicable to sales in the shoe factory trade of heels and soles not listed in Appendix A which are the same as a heel or sole delivered or offered for delivery in the shoe factory trade by the manufacturer during the period October 1, 1941, to March 31, 1942, inclusive. The maximum price for a heel or sole covered by this paragraph shall be the first applicable of the prices set forth in subparagraphs (1) to (4) below, less the deduction required by subparagraph (6) below, wherever applicable:

[Section heading and paragraph (a) amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(1) The highest price at which the manufacturer during March, 1942, delivered, or if no delivery was made, at which he offered to deliver during that month to a purchaser of the same class a heel or sole which is the same as the heel or sole being priced.

(2) The highest price at which the manufacturer during March, 1942, delivered, or if no delivery was made, at which he offered to deliver during that month to a purchaser of a different class a heel or sole which is the same as the heel or sole being priced, adjusted to reflect the seller's March, 1942, differential between the two classes of purchasers.

(3) The last price at which the manufacturer during the period October 1,

[3] Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] 9 F.R. 1385, 5169, 6106.
[4] 8 F.R. 4122, 5987, 7662, 9998, 15199; 9 F.R. 1036, 7201.

1941, to February 28, 1942, inclusive, delivered, or if no delivery was made, at which he offered to deliver during that period to a purchaser of the same class a heel or sole which is the same as the heel or sole being priced.

(4) The last price at which the manufacturer during the period October 1, 1941, to February 28, 1942, inclusive, delivered, or if no delivery was made, at which he offered to deliver during that period to a purchaser of a different class a heel or sole which is the same as the heel or sole being priced, adjusted to reflect the seller's March, 1942, differential between the two classes of purchasers.

(5) *Same heel or sole.* For the purposes of this section, the heel or sole being priced shall be deemed to be the same as a heel or sole delivered or offered for delivery by the manufacturer during the period October 1, 1941, to March 31, 1942, inclusive:

(i) If it is identical to a heel or sole delivered or offered for delivery by the manufacturer during that period;

(ii) If it is made in the same mold and is made for shoes of the same kind and price line as a heel or sole delivered or offered for delivery by the manufacturer during that period, and if its physical specifications are not lower than the physical specifications of that heel or sole on April 8, 1943; or

(iii) If it is the same as a heel or sole delivered or offered for delivery by the manufacturer during that period, except for the changes made necessary by the substitution of buna-S (GR–S) or butyl (GR–I) for natural rubber.

(6) *Deduction of federal excise tax.* If, during March 1942, the manufacturer did not customarily state and collect separately from the purchase price the federal excise tax on rubber commodities, he shall deduct the amount of such tax from the first applicable of the prices set forth in subparagraphs (1) to (4), inclusive.

(b) *Maximum manufacturers' prices for heels and soles not listed in Appendix A which are not the same as those dealt in by the manufacturer during October 1, 1941, to March 31, 1942, inclusive*—(1) *Maximum prices.* This paragraph is applicable to heels and soles not listed in Appendix A, which are not the same as a heel or sole delivered or offered for delivery in the shoe factory trade by a manufacturer during the period October 1, 1941, to March 31, 1942, inclusive. The phrase "the same as" is defined in subparagraph (5) of the preceding paragraph (a). The maximum manufacturer's price for a heel or sole covered by this paragraph shall be the maximum price established under paragraph (a) for the sale by the nearest competitive manufacturer to the same class of purchaser of a heel or sole made in approximately the same contour, iron, and size and to substantially the same physical specifications as the heel or sole being priced. For example, to price under this section, a men's non-fiber eight-nail reclaimed rubber half heel, size 12/13, made with a tensile strength of 800 and an abrasion of 18, it is necessary to take the maximum price of a competitor who during the base period of October 1, 1941, to March 31, 1942, delivered or offered for delivery a men's non-fiber, eight-nail reclaimed rubber half heel, size 12/13, with an approximate tensile strength of 800 and an abrasion of 18.

[Subparagraph (1) amended by Am. 2, 9 F.R. 89, effective 1–7–44; and Am. 6, 9 F.R. 6629, effective 6–20–44]

(2) *Report and approval of maximum prices.* Before or at the time of the first delivery after October 31, 1943. of a heel or sole priced under this paragraph (b) the manufacturer shall file a report with the Office of Price Administration, Washington, D. C. This report shall include:

(i) Four pairs of the heel or sole priced under this paragraph (b);

(ii) The maximum price determined by the seller; and

(iii) A statement of the reasons why the manufacturer selected the particular heel or sole produced by another manufacturer as the basis for establishing the maximum price of the heel or sole being priced.

The manufacturer may sell, offer to sell, deliver, transfer and receive payment for the heel or sole at the maximum price proposed by him. However, if the Office of Price Administration determines that that maximum price is not in line with the level of maximum prices established by this regulation, it will designate a different maximum price in writing (not to apply retroactively). The manufacturer may not sell, offer to sell, deliver or transfer the heel or sole at a price in excess of that so designated.

SEC. 8. *Maximum prices for sales in the shoe factory trade of heels and soles not listed in Appendix A by persons other than manufacturers.* This section is applicable to sales in the shoe factory trade of heels and soles that are not listed in Appendix A. The maximum price for a sale in the shoe factory trade by a person, other than a manufacturer, of such heels and soles shall be the maximum price established by section 7 for the sale of the heel or sole by the manufacturer to a purchaser of the same class. If the seller requests the manufacturer to notify him of that price, the manufacturer is required to do so in writing by paragraph (b) of section 18.

[Section heading amended by Am. 2, 9 F.R. 89, effective 1–7–44]

SEC. 9. *Maximum prices for sales in the shoe factory trade of heels and soles that can not be priced under sections 6, 7 and 8*—(a) *Report.* This section is applicable to sales in the shoe factory trade by all persons of heels and soles that can not be priced under section 6, 7 or 8 of this regulation. The maximum price for such sales shall be a price in line with the level of maximum prices established by this regulation, specifically authorized by the Office of Price Administration. A seller seeking such an authorization shall file a report with the Office of Price Administration, Washington, D. C. This report shall include 4 pairs of the heel or sole being priced and the following information:

[Section heading amended by Am. 2, 9 F.R. 89, effective 1–7–44]

(1) The physical specifications (abrasion index, tensile strength, hardness and rubber hydrocarbon content) of the heel or sole.

(2) The principal materials used in the production of the heel or sole.

(3) A statement of the reasons why the maximum price can not be determined under any other section of the regulation.

(4) The current estimated direct labor, direct materials, factory overhead and total costs of producing the heel or sole in the case of a manufacturer, and the current price the seller is paying for the heel or sole in the case of any other seller.

(5) The maximum price proposed by the seller.

(6) A statement of the reasons why the seller believes that this price is in line with the level of maximum prices established by this regulation.

(b) *Maximum prices.* The seller may sell, offer to sell, deliver and transfer the heel or sole at the maximum price proposed by him in the report. However, he may not receive payment for the heel or sole until the Office of Price Administration approves the proposed maximum price in writing or until twenty-one days have elapsed after the mailing of the report without the Office of Price Administration disapproving of the maximum price. If the Office of Price Administration disapproves of the proposed maximum price, it will designate a different maximum price in writing. The seller may not receive payment for the heel or sole at a price in excess of that so designated. The maximum price either approved or designated in the manner just set forth shall be the maximum price for all subsequent sales of the heel or sole to purchasers of the same class as the one for which the maximum price is established. However, the Office of Price Administration may establish in writing a different maximum price (not to apply retroactively).

SEC. 9a. *Maximum prices for sales of heels and soles in the home replacement trade*—(a) *Maximum prices for sales of heels in the home replacement trade*—(1) *Maximum prices.* The maximum prices for all sales of rubber heels in the home replacement trade shall be the prices listed in Table I of Appendix B. These prices vary, depending upon whether the heel in question is classed as a "standard", a "competitive", or a "special competitive" grade heel, according to specifications set forth in Table II of Appendix B. The classification of a heel for pricing purposes is dependent upon the physical tests the heel can meet. Accordingly, in order to be sold at the maximum prices for any of the particular grades in Appendix B, the heel must meet the specifications set forth in Appendix B for that grade of heel.

(2) *Modification.* Every manufacturer, wholesaler, distributor, and jobber shall give each person purchasing heels for sale in the home replacement trade a written notification of the grade of heel sold according to the specifications set forth in Table II of Appendix B. In

sales to wholesalers, distributors, and jobbers, the manufacturer shall also include the maximum wholesale and retail prices applicable thereto. In sales to retailers, this notification shall include the maximum retail price applicable thereto, unless the manufacturer has marked the maximum retail price on each pair of heels or on the unit of sale container in which each pair of heels is sold at retail.

[Paragraph (a) amended by Am. 4, 9 F.R. 5811, effective 5-24-44]

(b) *Maximum prices for sales of soles in the home replacement trade.* The maximum price for all sales of soles in the home replacement trade shall be determined in accordance with the provisions of the General Maximum Price Regulation.

[Sec. 9a added by Am. 2, 9 F.R. 89, effective 1-7-44]

SEC. 10. *Federal and state taxes.* Any tax upon or incident to, the sale, delivery or processing of heels or soles imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased. The tax on the transportation of all property imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any heel or sole, be treated as though it were an increase of 3 percent in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

SEC. 11. *Terms and conditions of sale*—(a) *Credit charges.* Charges for the extension of credit may be added to the maximum prices established by this regulation if: (1) The seller during March, 1942, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of the same or similar types of heels or soles; (2) the amount charged for the extension of credit is not in excess of the charge the seller had in effect during March, 1942, for extension of credit involving the same amount and term; and (3) such charges are quoted and billed separately. No seller may require as a condition of sale that the purchaser must buy on credit.

(b) *Transportation charges.* No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any heel or sole than the seller required purchasers of the same class to pay on deliveries of the same or similar types of heels or soles during March, 1942.

SEC. 12. *Fractions of a cent.* Notwithstanding any other provisions of this regulation, maximum prices established by this regulation shall be adjusted to the nearest fraction of a cent that the seller customarily used during March, 1942, in pricing heels or soles sold in the shoe factory trade.

SEC. 13. *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold, or otherwise transferred after March 31, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

ARTICLE III—MISCELLANEOUS

SEC. 14. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.*

SEC. 15. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production, and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator, or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated.

SEC. 16. *Records.* Every person subject to the provisions of this regulation is required to keep certain records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in three paragraphs as follows:

(a) *Records of sales.* Every person subject to this regulation shall keep accurate records of each sale (except sales at retail) of a heel or sole covered by the regulation. These records shall show:

[Paragraph (a) amended by Am. 2, 9 F.R. 89, effective 1-7-44]

(1) The date thereof.

(2) The name and address of the buyer.

(3) The quantity of each class, type, condition and grade of heel or sole sold.

(4) The price received per unit.

(b) *Records of the bases on which maximum prices are determined.* Every manufacturer subject to this regulation shall keep accurate records of the following:

(1) The prices charged by the manufacturer during the period October 1, 1941, to March 31, 1942, for each heel and sole covered by this regulation.

(2) Detailed cost estimate sheets and other data showing the calculation of the prices of all heels and soles for which the maximum prices must be determined under section 9 of this regulation.

(c) *Records of notifications of maximum prices given to resellers.* Every manufacturer subject to this regulation shall keep exact copies of all notifications of maximum prices given to resellers of heels and soles covered by this regulation.

SEC. 17. *Reports*—(a) *Price lists.* Every seller subject to the provisions of this regulation shall file with the Office of Price Administration, Washington, D. C., before December 1, 1943, his latest price lists for heels or soles sold in the shoe factory trade. Thereafter, whenever a seller subject to the provisions of this regulation issues a new price list, he shall file one copy with the Office of Price Administration, Washington, D. C., within 10 days after putting the new price list into effect.

(b) *Maximum prices.* In addition every seller subject to the provisions of this regulation shall file with the Office of Price Administration, Washington, D. C., before December 1, 1943, the maximum prices established by this regulation for all heels or soles sold or offered for sale in the shoe factory trade on November 1, 1943, which are not included in, or differ from, the filed price lists.

SEC. 18. *Notification by manufacturers*—(a) *Grades of heels made from HF Compound.* Every manufacturer of heels manufactured from HF Compound (as defined in War Production Board Order R-1 issued on June 18, 1943) after October 31, 1943, for sale in the shoe factory trade, shall notify the purchaser in writing of the grade of the heels in question. The grades shall be "HF-A", "HF-B", "HF-C", "HF-D", and "corded." Such notification shall appear either on the invoice or in the price list sent to the purchaser.

(1) *Meaning of "HF-A", "HF-B", "HF-C", "HF-D" and "corded."* (i) The symbols "HF-A", "HF-B", "HF-C", and "HF-D" mean heels manufactured after August 3, 1944 which can meet the following physical tests:

* 9 F.R. 5791.

Grade	All types except whole heels		Whole heels	
	Minimum abrasion [1]	Tensile strength	Minimum abrasion [1]	Tensile strength
HF-A	20	700	16	600
HF-B	15	600	12	550
HF-C	10	400	10	400
HF-D [2]	10	400	10	400

[1] No minus tolerance allowed. The methods of Federal specifications FA-ZZ-H-141 and ZZ-R-601a shall be applicable to these specifications.

[2] "HF-D" heels are all run-of-the-mill heels, not carefully trimmed or inspected.

[Subdivision (i) amended by Am. 7, effective 8-3-44.]

(ii) "Corded" heels are any heels containing clearly distinguishable whole cords which at any given level lie generally parallel to each other. The minimum abrasion of such heels must be 28.

(b) *Notification of maximum prices.* Every manufacturer of heels or soles covered by this regulation shall notify every reseller to whom he sells heels or soles of the maximum prices established by this regulation for the sale of the heels or soles by the manufacturer to the class or classes of purchasers to whom the reseller intends to sell the heels or soles. This notification shall be in writing and need be given only if the reseller specifically requests it.

SEC. 19. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 20. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to heels and soles covered by this regulation alone, or in conjunction with any other commodity by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement, or other trade understanding, or otherwise.

SEC. 21. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 22. *Definitions.* (a) When used in this regulation, the term:

(1) "Manufacturer" means any person engaged in the production of heels or soles.

(2) "Natural rubber" means all forms and types of crude rubber, natural latex, reclaimed rubber and scrap rubber.

(3) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(4) "Purchaser of the same class" and "class of purchaser" refers to the practice adopted by the seller in setting different prices for sales of heels and soles to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, public institution), or for purchasers located in different areas or for different quantities or grades, or under different conditions of sale.

(5) "Rubber" means all forms and types of natural, synthetic and balata rubber.

[Subparagraph (5) amended by Am. 3, 9 F.R. 794, effective 1-26-44]

(6) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(7) "Sale at retail" means a sale to an ultimate consumer.

(8) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer.

[Subparagraphs (7) and (8) added by Am. 2, 9 F.R. 89, effective 1-7-44]

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

[Paragraph (b) amended by Am. 3, 9 F.R. 794, effective 1-26-44]

APPENDIX A—PRICES FROM WHICH MARCH, 1942, DISCOUNTS MUST BE DEDUCTED

TABLE I—CERTAIN HEELS AND SOLES SOLD IN THE SHOE FACTORY TRADE [1]

[Prices from which March, 1942, discounts must be deducted [2]]

MEN'S HALF HEELS

Standard Washer—Carbon-black type

[Prices per 100 pair]

Grade [3]	Size	Thickness and price	
		1/16"	5/64"
HF-A	Sizes 1 3/4 and larger		$3.15
HF-A	All sizes to 1 3/4	$6.60	6.90
HF-B	All sizes to 1 3/4	6.15	6.45
HF-C	All sizes to 1 3/4	5.75	6.00
HF-D	All sizes to 1 3/4	5.50	5.75

APPENDIX A—Continued

TABLE I—Continued

MEN'S WHOLE HEELS

Standard Washer—Carbon-black type

Grade	Size	5/64"	
HF-A	Sizes 1 3/4 and larger	$9.50	
HF-A	All sizes to 1 3/4	9.00	
HF-B	All sizes to 1 3/4	7.60	
HF-C	All sizes to 1 3/4	7.00	
HF-D	All sizes to 1 3/4	6.50	

BOYS' WHOLE HEELS

Standard Carbon-black type

Grade	Size	5/64"	5/64"
HF-A	All sizes	$6.90	$7.50
HF-B	All sizes	6.65	7.15
HF-C	All sizes	6.00	6.50
HF-D	All sizes	5.25	5.60

[Subtitle amended by Am. 1, 8 F.R. 16198, effective 12-4-43]

MEN'S CORD HEELS

	Size	5/64" and 1 3/16"
	7-13	$8.00

BOYS' CORD HEELS

	Size	3/16" and 5/64"
	1-7	$8.00

SPORT HEELS

Standard Carbon-black Type

Grade	Size	5/64"	5/64"
HF-B	Men's	$10.00	$11.00
HF-C	Men's	9.00	10.00
HF-B	Boys'	9.00	
HF-C	Boys'	8.00	
HF-B	Women's	7.50	8.00
HF-C	Women's	6.50	7.00

WOMEN'S CUBAN HEELS

Standard Carbon-black Type

Grade	Size	5/64"	
HF-A	All regular sizes	$3.40	
HF-B	All regular sizes	3.15	
HF-C	All regular sizes	2.90	
HF-D	All regular sizes	2.50	

[Subtitles amended by Am. 1, 8 F.R. 16198, effective 12-4-43]

JUNIOR HEELS

Standard Carbon-black Type

Grade	Size	5/64"	1/16"
HF-A	21-22 and larger	$7.20	
HF-A	19-20	6.40	
HF-A	17-18	5.95	
HF-A	15-16	5.75	
HF-A	12-14	4.55	
HF-A	9-11	3.80	
HF-B	19 and larger	6.05	
HF-B	17-18	5.60	
HF-B	15-16	5.40	
HF-B	12-14	4.35	
HF-B	9-11	3.55	
HF-C	21-22 and larger	6.55	
HF-C	19-20	5.85	$6.50
HF-C	17-18	5.30	5.95
HF-C	15-16	5.05	5.45
HF-C	12-14	4.00	4.65
HF-C	9-11	3.25	
HF-D	21 and larger	6.00	
HF-D	19-20	5.35	6.00
HF-D	17-18	4.75	5.40
HF-D	15-16	4.25	4.65
HF-D	12-14	3.50	4.15
HF-D	9-11	2.90	

[Subtitles amended by Am. 1, 8 F.R. 16198, effective 12-4-43]

See footnotes at end of table.

See footnotes at end of table.

[1] 8 F.R. 13240.

APPENDIX A—Continued

TABLE I—Continued

JUNIOR WEDGES

Standard Carbon-black Type

Grade	Size	9/16" and 5/8"	
HF–A	8–6	$4.55	
HF–A	1–4	3.80	
HF–B	8–6	4.20	
HF–B	1–4	3.55	
HF–C	8–6	4.05	
HF–C	1–4	3.25	
HF–D	8–6	3.50	
HF–D	1–4	2.90	

HEEL BASES

Standard Carbon-black Type

Grade	Size	Thickness and price				
		9/16"	3/4"	2 1/4/8"	5/8"	3 1/4/8"
HF–C	Men's	$3.00	$3.25	$3.75	$4.25	$4.75
HF–A	Men's			3.50	3.75	4.25
HF–A	Women's				3.00	
HF–A	L G	2.75				
HF–A	Boys'		3.00	3.25	3.50	

[Prices per strip or per slab]

TOPLIFT STRIPS

Standard Carbon-black Type

Thickness	Size and price
	24" x 24"
14 Iron	$1.80
13 Iron	1.55
10½ Iron	1.40
9 Iron	1.25
8 Iron	1.15
7 Iron	1.10
6 Iron	1.05
5 Iron	1.00

[Subtitles amended by Am. 1, 8 F.R. 16196, effective 12–4–43]

COMPOSITION SOLING SLABS[1]

Standard Carbon-black Type

Thickness	Size and price		
	31" x 31"	24" x 30"	24" x 24"
14 Iron	$2.37	$2.13	$1.42
13 Iron	2.18	1.96	1.31
10½ Iron	2.00	1.80	1.20
9 Iron	1.80	1.62	1.08
8 Iron	1.60	1.44	.96
7 Iron	1.45	1.30	.87
6 Iron	1.25	1.21	.81
5 Iron	1.30	1.17	.78

[Subtitle amended by Am. 1, 8 F.R. 16196, effective 12–4–43; table amended by Am. 8, 9 F.R. 6256, effective 6–7–44]

FLAT CORD SOLING SLABS[1][2]

Thickness	Size and Price[3]		
	31" x 31"	24" x 30"	24" x 24"
14 Iron	$2.70	$2.45	$1.60
13 Iron	2.48	2.20	1.45
10½ Iron	2.25	2.05	1.35
9 Iron	2.05	1.85	1.20
8 Iron	1.80	1.65	1.10
7 Iron	1.60	1.45	1.00
6 Iron	1.60	1.35	.90
5 Iron	1.45	1.30	.85

[Table added by Am. 8, 9 F.R. 794, effective 1–26–44 and amended by Am. 7, effective 8–3–44]

See footnotes at end of table.

[Prices of Soles per Pair]

FULL SOLES—HM COMPOUND[4]

Standard Carbon-black Type

Men's:	
14 Iron	$0.245
13 Iron	.235
10½ Iron	.208
9 Iron	.19
Boy's:	
14 Iron	.208
13 Iron	.185
10½ Iron	.175
9 Iron	.166
Youths':	
12 Iron	.16
10½ Iron	.145
9 Iron	.135
Little gents':	
10½ Iron	.135
9 Iron	.126
Women's:	
9 Iron	.13
7 Iron	.12
Misses':	
9 Iron	.12
7 Iron	.11
Children's:	
9 Iron	.11
7 Iron	.10

[Table amended by Am. 5, 9 F.R. 6256, effective 6–7–44]

STANDARD FLAT CORD FULL SOLES

HM Compound or HL Compound

Men's:	
14 Iron	$0.29
12 Iron	.26
Boys':	
14 Iron	.24
12 Iron	.21
Youths':	
12 Iron	.17

STANDARD CORD-ON-END FULL SOLES

HM Compound or HL Compound

Men's:	
14 Iron	$0.34
12 Iron	.31
Boys':	
14 Iron	.29
12 Iron	.26
Youths':	
12 Iron	.22

[1] The prices given in this table are for standardized items only. The prices of specially designed or constructed heels and soles are not included. These prices also apply if buna–S (GR–S) or butyl (GR–I) is substituted for natural rubber in the standard items included in this table. For sizes or thicknesses which differ from the sizes and thicknesses given in this table for any type of heel or sole, the manufacturer shall add to or subtract from the maximum price for the size or thickness given in the table which is nearest (or if two, the lower) to the item being priced, the customary dollar-and-cent differential which the manufacturer had in effect during the base period October 1, 1941, through March 31, 1942, for the two items.

[Footnote 1 amended by Am. 1, 8 F.R. 16196, effective 12–4–43]

[2] Sec. 6 requires the seller to deduct from the prices listed in Appendix A all discounts, allowances and other deductions from the list price that he had in effect during March, 1942, to a purchaser of the same class.

[3] When used in Table I the symbols "HF–A", "HF–B", "HF–C" and "HF–D" have the meaning given to them by paragraph (a) (1) of section 18. The compounds HL Compound and HM Compound have the meaning given to them by Rubber Order R–1 issued by the War Production Board on June 18, 1943.

[4] No minimum abrasion required.

[5] Maximum prices for sizes of soling slabs not given in this table shall be determined by multiplying their area in square feet by the square foot price derived from the 24" x 24" slab of the same iron.

[Footnote 5 added by Am. 1, 8 F.R. 16196, effective 12–4–43]

[6] These maximum prices apply to flat cord soling slabs made from low grade friction scrap which at least equal the minimum specifications established by the War Production Board in Order M–217. However, such slabs which contain clearly discernible whole cords and have a minimum abrasion of 45 or more, a stitch tear test of 60 pounds or more (wet and dry), when tested by the National Bureau of Standards, Washington, D. C., may be priced by specific authorization of the Office of Price Administration, Washington, D. C., under section 9 of the regulation. A seller seeking such an authorization shall file a report in accordance with section 9.

[Footnote 6 added by Am. 3, 9 F.R. 794, effective 1–26–44; amended by Am. 5, 9 F.R. 6256, effective 6–7–44 and Am. 7, effective 8–3–44.]

[7] Maximum prices for sizes of soling slabs not given in this table shall be determined by multiplying their area in square feet by the square foot price derived from the 24" x 24" slab of the same iron.

[Footnote 7 added by Am. 3, 9 F.R. 794, effective 1–26–44; amended by Am. 5, 9 F.R. 6256, effective 6–7–44]

[8] The maximum prices for youths', little gents', misses' and children's sizes of full soles dinked out of fuel cell, belt and hose scrap shall be the same as that provided for corresponding size and iron of the standard carbon-black type. Infants' sizes shall be 1¢ less than children's sizes of the same iron. If a manufacturer did not have a customary differential from October 1, 1941, to March 31, 1942, for sizes not shown in the table he shall determine his price by interpolation.

[Footnote 8 added by Am. 3, 9 F.R. 794, effective 1–26–44]

APPENDIX B—HEELS SOLD IN THE HOME REPLACEMENT TRADE

TABLE I—MAXIMUM PRICES[1]

Type and trade	Manufacturers' prices[2] per doz. pair	Wholesalers' prices[3] per doz. pair	Retailers' prices per pair
Men's half heel:			
Q2 or standard grade	$1.30	$1.85	$0.25
Q3 or competitive grade	1.16	1.55	.20
Q4 or special competitive grade	.85	1.15	.15
Men's whole heel:			
Q2 or standard grade	1.65	2.20	.30
Q3 or competitive grade	1.43	1.90	.25
Q4 or special competitive grade	1.05	1.35	.15
Boys' whole heel:			
Q2 or standard grade	1.30	1.85	.25
Q3 or competitive grade	1.16	1.55	.20
Q4 or special competitive grade	.85	1.15	.15
Women's scoop heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.60	.90	.10
Junior heel:			
Q3 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.70	.90	.10
Junior wedge heel:			
Q3 or standard grade	1.05	1.40	.25
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.65	.85	.10
Women's cuban heel:			
Q2 or standard grade	1.05	1.40	.20
Q3 or competitive grade	.90	1.20	.15
Q4 or special competitive grade	.80	.65	.10
Toplift and French heel: Q4 or special competitive grade	.45	.60	.10

[1] Prices for Q2 and Q3 grades apply to heels individually boxed with nails. Q4 prices apply to bulk and boxed heels.

[2] Maximum manufacturers' prices are subject to a 5% cash discount and the manufacturer shall not reduce any transportation allowance he had in effect to a purchaser of the same class during March 1942.

[3] Maximum wholesalers' prices are subject to any cash discount and transportation allowance the wholesaler had in effect to a purchaser of the same class during March 1942.

TABLE II—SPECIFICATIONS

Grade	All types except whole heels		Whole heels	
	Minimum abrasion[1]	Tensile strength	Minimum abrasion[1]	Tensile strength
Q–2 or standard grade	30	1,000	20	700
Q–3 or competitive grade	20	700	15	600
Q–4 or special competitive grade	10	400	10	400

[1] A minus tolerance of 2 is permitted on Q–2 and Q–3 heels until January 1, 1945, after which time no minus tolerance is permitted. No tolerance is permitted on Q–4 heels. The method of Federal specifications EA–ZZ–H–141 and ZZ–R–601a shall be applicable to these specifications.

[Table II amended by Am. 7, effective 8–3–44.]

[Appendix B added by Am. 2, 9 F.R. 89, effective 1–7–44; amended by Am. 4, 9 F.R. 5811, effective 6–24–44]

Effective date. This regulation shall become effective November 1, 1943.

[MPR 477 originally issued October 12, 1943] [Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11373; Filed, July 29, 1944; 4:26 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 83]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[*]

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (49) is added to read as follows:

(49) "Emergency Truck Tire Board" means a Board to which a District Director has assigned a quota of new truck tires with a cross-section size 8.25 or larger.

2. Section 1315.303 (c) is added to read as follows:

(c) *Emergency Truck Tire Board.* An Emergency Truck Tire Board shall have jurisdiction to act upon applications for truck tires with a cross-section size 8.25 or larger filed with Truck Tire Boards and War Price and Rationing Boards in the area it serves.

3. Section 1315.305 (c) is added to read as follows:

(c) No Board other than an Emergency Truck Tire Board shall issue a certificate for a truck tire with a cross-section size 8.25 or larger, unless it has been instructed to do so by an Emergency Truck Tire Board.

4. Section 1315.602 (a) is amended to read as follows:

(a) *Tires for consumers.* Applications for certificates authorizing the acquisition of tires (other than to establish, increase or replenish an emergency reserve) shall be filed with the Board having jurisdiction under § 1315.302 or § 1315.303. A separate application must be filed on OPA Form R–1 (Revised) for each passenger automobile. One application may be made on OPA Form R–1 (Revised) for all commercial motor vehicles or equipment owned and operated by the same person, used for the same purposes and principally stationed or garaged at the same place, except that applications on OPA Form R–1 for truck tires with a cross-section size 8.25 or larger shall be filed separately from applications for other tires. Such an applicant shall attach a statement to OPA Form R–1 (Revised) stating the license number, state of registration, year, model, make and body type of each commercial motor vehicle or piece of equipment for which application is made.

In an area served by an Emergency Truck Tire Board the Board with which an application on OPA Form R–1 (Revised) for truck tires with a cross-section size 8.25 or larger is filed, shall forward the application to the Emergency Truck Tire Board serving its area, if the applicant has established need and eligibility under this order. However, an application shall not be forwarded when the Board has been instructed by the Emergency Truck Tire Board to issue a certificate to the applicant.

5. The text of § 1315.602 (b) preceding subparagraph (1) is amended by adding the following at the end thereof:

An application on OPA Form R–19 for truck tires with a cross-section size 8.25 or larger shall be filed separately from an application for other tires. In an area served by an Emergency Truck Tire Board, the Board with which application on OPA Form R–19 for truck tires having a cross-section size 8.25 or larger is filed shall forward the application to the Emergency Truck Tire Board serving its area, if the applicant has established need and eligibility under this order. However, an application shall not be forwarded when the Board has been instructed by the Emergency Truck Tire Board to issue a certificate to the applicant.

6. Section 1315.610 (a) is amended to read as follows:

(a) *Use of certificate.* A person to whom a properly executed certificate was issued may use it for the purposes specified thereon, except that a person who has been issued a certificate, dated prior to July 16, 1944, for a truck tire with a cross-section size 8.25 or larger, which he has not transferred to a dealer or manufacturer prior to July 30, 1944, must surrender the certificate to the issuing Board not later than August 10, 1944.

7. Section 1315.803 (a) is amended to read as follows:

(a) *By dealers.* A dealer may, in exchange for a certificate, transfer tires to a consumer: *Provided, however,* That a dealer may not transfer a truck tire with a cross-section size 8.25 or larger in exchange for a certificate dated prior to July 16, 1944.

8. Section 1315.803 (b) (1) is amended to read as follows:

(1) A manufacturer may, in exchange for a certificate, transfer tires to a consumer who acquired tires from a manufacturer between December 31, 1940 and August 6, 1943: *Provided, however,* That a manufacturer may not transfer a truck tire with a cross-section size 8.25 or larger in exchange for a certificate dated prior to July 16, 1944.

9. Section 1315.804 (c) (3) is amended to read as follows:

(3) *Permitted replenishment of tires.* Subject to the provisions of subparagraph (1) of this paragraph any dealer or manufacturer may, in exchange for a properly endorsed replenishment portion of a certificate or receipt, transfer to another dealer or manufacturer the number of tires authorized by the certificate or receipt in accordance with the table below:

If replenishment portion calls for—	*Dealer or manufacturer may replenish with—*
A Grade I tire	A Grade I or III tire.
A Grade II tire	A Grade I or III tire.
A Grade III tire	A Grade III tire.
A Grade I or II tire only.	A Grade I tire.
A truck tire with a cross-section size 7.50 or smaller.	A truck tire with a cross-section size 7.50 or smaller, or a small tractor-implement tire.
A truck tire with a cross-section size 8.25 or larger.	A truck tire with a cross-section size 8.25 or larger.
A small tractor-implement tire.	A small tractor implement tire, or a Grade III tire.
A large tractor-implement tire.	A tractor-implement or a Grade III tire.
A truck tire (no designated size—on OPA Form R–12 only).	A truck tire with a cross-section size 7.50 or smaller, or a small tractor-implement tire.

Provided, however, That no manufacturer shall transfer tires in exchange for the replenishment portion of a certificate or receipt which is dated prior to April 1, 1944, unless he received the replenishment portion on or before July 15, 1944: *And provided further,* That no dealer or manufacturer shall transfer truck tires with a cross-section size 8.25 or larger in exchange for a replenish-

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724.

ment portion of a certificate or receipt which is dated prior to July 16, 1944, except to dealers outside the continental United States.

10. Section 1315.1003 (b) is added to read as follows:

(b) *Certificates or receipts for truck tires dated prior to July 16, 1944.* (1) A dealer shall forward to the District Office serving the area in which each of his establishments is located, by August 10, 1944, the following certificates or parts of certificates or receipts for truck tires with a cross-section size 8.25 or larger which are dated prior to July 16, 1944;

(i) All replenishment portions of certificates or receipts, whether or not he has transferred a tire thereon;

(ii) All certificates and parts thereof received from a consumer for which no tire has been transferred to the consumer.

(2) If a Part B of OPA Form R–12, surrendered to a District Office in accordance with subparagraph (1), also calls for truck tires with a cross-section size 7.50 or smaller or for any other type of tire, a District Office shall issue to the dealer Parts B of OPA Form R–2 representing such tires.

11. A new § 1315.1004 is added to read as follows:

§ 1315.1004 *Records of dealers relating to certain truck tires 8.25 or larger.* Every dealer shall take, on July 30, 1944, as of the close of business on July 29, 1944, for each of his establishments, separate inventories of new and used truck tires with a cross-section size 8.25 or larger in his possession, and shall keep a record thereof. He shall also keep a record of the number of new and used truck tires with a cross-section size 8.25 or larger which were in transit to him on July 29, 1944, and which he received after that date.

This amendment shall become effective July 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 29th day of July 1944.[1]

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11374; Filed, July 29, 1944; 4:24 p. m.]

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 21]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 Carded Grey and Colored-Yarn Cotton Goods, is amended in the following respects:

1. In Table V of § 1316.61 (b) (4), the figure 17.00 in the column under the heading "Chambrays" and opposite the description "3.60 yards" is changed to read 18.25.

2. Footnote 1 to Table V of § 1316.61 (b) (4) is amended to read as follows:

[1] The maximum prices set forth herein are for fabrics 36 or more inches in width. The maximum price for a fabric of any lesser width shall be that price which stands in the same relation to the applicable price set forth herein (i. e., for the same cloth of 36-inch width) as does its width to 36 inches.

Maximum prices for cloths of weight other than those listed herein (for the same type of cloth) shall be determined in inverse proportion to the respective number of yards per pound from the maximum price in effect on June 29, 1944 for the cloth of that type and of the nearest weight: *Provided*, That, the price listed herein for 3.60 yd. sanforized carded fine yarn shirting chambray shall apply to goods no lighter than the actual weight which the individual seller has customarily delivered against contracts calling for the 3.60 weight; *And provided further*, That, goods delivered against contracts calling for the 3.60 weight chambray, which are of a weight other than that which a seller has customarily delivered against such contracts, shall be priced in inverse proportion to the yardage per pound customarily delivered.

This amendment shall become effective as of June 30, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11375; Filed, July 29, 1944; 4:24 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 18,[1] Amdt. 25 to 2d Rev. Supp. 1]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The point values of the items listed below, on the Official Table of Point Values (No. 17), referred to in § 1407.1102 (a), are amended to read as follows:

Canned or bottled	Over	0	7 oz.	10 oz.	14 oz.	1 lb. 2 oz.	1 lb. 6 oz.	2 lb.	No. 10 size containers	Sizes not listed per pound
	Including	7 oz.	10 oz.	14 oz.	1 lb. 2 oz.	1 lb. 6 oz.	2 lb.	8 lb.		
Vegetables (include purees): Corn, vacuum-packed whole kernel		2	3	3	5	6	9	14	20	5
Corn, (except vacuum-packed whole kernel, exclude corn on cob)		1	2	3	4	5	7	12	20	4
Spreads (whether or not hermetically sealed): Jams, preserves, or marmalades—pure or imitation (except marmalades containing only citrus fruits): (3) Grape, tomato (or in combination with apple or any other fruits or flavors except those listed in (1), (2) above)		0	0	0	0	0	0	0	0	0

This amendment shall become effective at 12:01 a. m., July 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11376; Filed, July 29, 1944; 4:24 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 7 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (c) (9) is added to read as follows:

(9) A5, B5, and C5 are valid beginning July 30, 1944.

This amendment shall become effective July 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11377; Filed, July 29, 1944; 4:25 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 339,[2] Amdt. 27]

EGGS AND EGG PRODUCTS

A statement of the considerations involved in the issuance of this amendment,

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1963, 3306, 15906, 16744, 9 F.R. 2020, 2237, 2477, 2790, 3339, 7700.

[1] 9 F.R. 6772, 6825, 7262, 7436.

[1] 9 F.R. 173, 908, 1181, 2091, 2260, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607.

[2] 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9300, 9879, 11381, 12095, 12478, 12632, 14093, 14400, 14855, 15459, 16199, 16999, 17485; 9 F.R. 1885, 2406, 2567, 2612.

issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.67a (e) is amended to read as follows:

(e) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in the basing point cities of New York, Seattle, Los Angeles, San Diego, Phoenix and Tucson.*

TABLE I—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH SEPTEMBER 30, 1944

Week beginning	Extras Nos. 1 and 2	Standards Nos. 1 and 2	Standards Nos. 3 and 4 and current receipts
July 31	44.5	39.5	37.5
Aug. 7	45.5	40.5	38.5
14	46.5	41.0	38.5
21	46.5	41.0	39
28	47.0	41.0	40
Sept. 4	47.5	42.0	40.5
11	48.5	42.0	41.0
18	49.5	42.5	42.5
25	50.5	43.0	43.0

Section 1429.67a (f) is amended to read as follows:

(f) *Maximum prices in cents per dozen by weeks for wholesale grades of shell eggs and current receipt eggs for civilian purchasers in Chicago, Illinois.*

TABLE II—WHOLESALE GRADES AND CURRENT RECEIPT EGGS FOR PERIOD THROUGH SEPTEMBER 30, 1944

Week beginning	Extras Nos. 1 and 2	Standards Nos. 1 and 2	Standards Nos. 3 and 4 and current receipts
July 31	42.5	37.9	35.9
Aug. 7	43.5	38.9	36.9
14	44.5	39.4	36.9
21	44.5	39.4	37.4
28	45.0	39.4	38.4
Sept. 4	45.5	40.4	38.9
11	46.5	40.4	39.4
18	47.5	40.9	40.4
25	48.5	41.4	41.4

3. Section 1429.67a (b) (2) is amended to read as follows:

(2) The "multiplier" to be used for calculating the transportation factor for wholesale grades of shell eggs and for current receipt eggs shall be 1.9 for standard grades and current receipts and 2.5 for specials and extras from July 31, 1944 through September 30, 1944.

4. Section 1429.67a (g) is amended to read as follows:

(g) *Variations in maximum prices for other cities and other grades*—(1) *Variations for other cities.* (i) The maximum prices in the basing point cities, San Francisco and Portland, (Oregon) are ½ cent lower than those in the above Table I.

(ii) The maximum prices in the basing point city, Miami, Florida, are 1½ cents higher than those in the above Table I.

(2) *Variations for other grades.* (i) From and after the third Sunday following the effective date of this amendment, wholesale grades of "specials" 1, 2, 3, and 4, large and extra large, may be sold at the prices set out herein only if they have been inspected as such by an authorized inspector of the United States Department of Agriculture, and if not so inspected they shall be sold at no more than the prices for "extras" 1 and 2.

(ii) The maximum prices for wholesale grades of "specials" 1 and 2 in the basing point cities and in Chicago, Illinois are 2 cents more than the maximum prices for "extras" 1 and 2 in such cities.

The maximum prices for wholesale grades of "specials" 3 and 4 in the basing point cities and in Chicago, Illinois, are 1 cent more than the maximum prices for "extras" 1 and 2 in such cities.

(iii) The maximum prices for wholesale grades of "extras" 3 and 4 in the basing point cities and in Chicago, Illinois, shall be the average of the maximum prices for large "extras" 1 and 2 and large "standards" 1 and 2 in such cities. (The average is the sum of the two prices, divided by 2.)

5. Section 1429.67a (h) is amended by adding subparagraph (7) to read as follows:

(7) "Light dirty" eggs, as defined by the Department of Agriculture in "Specifications for official U. S. Standards for quality of Individual Shell Eggs" may be sold to any person at not more than 1 cent less than Grade A prices for large or medium size eggs, but only upon compliance with all of the following conditions:

(i) Their sale within a region is found by the Regional Administrator to have been customary in the past;

(ii) Their sale within a region at that price has been specifically authorized by the Regional Administrator; and

(iii) They are sold in sealed cartons or other sealed containers bearing upon the seal the certificate of the United States Department of Agriculture certifying that the eggs are of an inferior quality of consumer grade A or better.

The Regional Administrator of each region covered by this regulation is hereby authorized to issue an order authorizing the sale, upon compliance with all of the above conditions of this subparagraph (7), of "light dirty" eggs at the prices named.

This amendment shall become effective July 29, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 28, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-11340; Filed, July 29, 1944; 11:40 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 129,[1] Corr.]

CERTAIN CONVERTED PAPER PRODUCTS AND CERTAIN INDUSTRIAL PAPERS

Section 1347.11 is corrected to read § 1347.20.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11346; Filed, July 29, 1944; 11:40 a. m.]

PART 1340—FUEL

[MPR 120,[2] Amdt. 111]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 120 is amended in the following respect:

Section 1340.218 is amended to read as follows:

§ 1340.218 *Appendix G: Maximum prices for bituminous coal produced in District No. 7.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

DISTRICT NO. 7—LOW VOLATILE COALS

(1) *Maximum prices in cents per net ton for low volatile coals for shipment to all destinations, for all uses and by all methods of transportation except as otherwise specifically provided in this appendix.*

PRICES AND SIZE GROUP NUMBERS

Price classifications	1 Lump	2 Egg	3 Stove	4 Nut	5 Pea	6 Screened run of mine	7 Straight run of mine	8 Screenings top size larger than ¾" x 0 but not exceeding 1¼" x 0	9 Screenings top size ⅜" x 0 but not exceeding ¾" x 0	10 Screenings ¾" x 0 and smaller
A	435	445	410	355	345	380	350	320	315	310
B	395	405	400	340	325	380	350	320	315	310
C	395	405	400	340	325	375	320	315	310	305
D	380	390	380	340	325	375	320	310	305	300
E	380	385	375	335	300	355	----	305	300	295
F	380	385	----	----	----	----	----	300	295	290
G	----	----	----	----	----	----	----	300	295	290
H	----	----	----	----	----	----	----	300	295	290
I	----	----	----	----	----	----	----	300	295	290
J	----	----	----	----	----	----	----	300	295	290
Mine Index Nos. 289, 316 and 703	500	510	495	440	410	475	415	380	----	----

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6825.

[2] 9 F.R. 5042, 5375, 5587.

(i) *Special price instructions.* (a) The maximum price for Mine Index No. 133 for 100 mesh x 0 dust shall be 300 cents per ton.

(b) The maximum price for refuse coal from Mine Index Nos. 21, 79, 93, 94, 117, 128 and 207 shall be 275 cents per ton.

(2) *Maximum prices in cents per net ton for low volatile coals for shipment by truck or wagon to all destinations for all uses.*

PRICES AND SIZE GROUP NUMBERS

	1	2	3	4	5	6
	All single-screened lump coals bottom size 3/4" and larger. All double-screened stove and egg coals top size larger than 1¼"	All double-screened nut and pea coals top size not exceeding 1¼"	Screened mine run from which no coal larger than 3/4" x 0 has been removed and all forked coal	Straight mine run, no fines removed, resultants and screenings larger than 1¼" x 0	Screenings larger than 3/4" x 0 but not exceeding 1¼" x 0	Screenings top size not exceeding 3/4"
For coals produced at any low volatile mine	465	385	415	380	335	330
Mine Index Nos. 289, 316 and 703	520	450	480	415	370	370

(3) *Maximum prices in cents per net ton for low volatile coals for railroad locomotive fuel.*

Any single-screened lump or double-screened coals—365. Run of mine—350.

Screenings, larger than 1¼" x 0 but not exceeding 2½" x 0—335.

Screenings 1¼" x 0 and smaller—310.

(4) *Maximum prices in cents per net ton for smithing coal.* The maximum price for smithing coal in any size group from any mine shall be 375 cents.

(5) *Specific description of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size group number and description

1. All single-screened lump coal bottom size 3/4" and larger.
2. All double-screened egg coal top size larger than 3".
3. All double-screened stove coal top size larger than 1¼" but not exceeding 3". All dedusted screenings top size larger than 1¼" but not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh. Modified screenings top size not exceeding 3", total consist containing not less than 15% 3/8" x 0 screenings.
4. All double-screened nut coal top size larger than 3/4" but not exceeding 1¼" and dedusted screenings top size larger than 3/4" but not exceeding 1½" and bottom size larger than 100 mesh but not exceeding 10 mesh.
5. All double-screened pea coal top size not exceeding 3/4". Dedusted screenings top size not exceeding 3/4" and bottom size larger than 100 mesh but not exceeding 10 mesh.
6. Screened run of mine. Straight run of mine from which all or part of the screenings, top size 3/8" or 3/4" as designated, have been removed from the following low volatile price classifications:

Classifications applicable to Size Group No. 6 and maximum size of removable screenings:

A	B	C	D	E
3/8" x 0	3/4" x 0	3/8" x 0	3/4" x 0	3/8" x 0

Or in the alternative; straight run of mine which, as shipped, shall contain at least the following percentages of screenings which shall pass through a 3/4" round hole screen—applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 6 and minimum percentage of 3/4" x 0:

A	B	C	D	E
40%	(1)	40%	40%	40%

[1] No minimum.

Straight run of mine. (This Size Group No. 7 applies to low volatile coals only when at least the following percentages of screenings will pass through a 3/4" roundhole screen—applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 7 and minimum percentage of 3/4" x 0:

A	B	C	D
90%	55%	60%	60%

Where less than the minimum percentage of screenings remains, the coal shall be priced the same as Size Group No. 6 or Size Group No. 1, depending upon the amount of screenings remaining). Altered run of mine (Straight run of mine from which any intermediate size has been removed but no coal smaller than 3/8" shall be removed).

Resultant run of mine larger than 2¾" x 0. Altered resultant run of mine. (Straight resultant run of mine larger than 2¾" x 0 from which any intermediate size has been removed but no coal smaller than 3/8" shall be removed).

Altered screenings. (Screenings with top size not exceeding 2¾" from which all of the 1" to 1¼" top size and 1/8" to 3/8" bottom coal has been removed).

Screenings top size larger than 1¼" x 0 but not exceeding 2¾" x 0.

8. Screenings larger than 3/4 x 0 but not exceeding 1¼" x 0.
9. Screenings larger than 3/8" x 0 but not exceeding 3/4" x 0.
10. Screenings 3/8" x 0 and smaller.

DISTRICT NO. 7—HIGH VOLATILE COALS

(6) *Maximum prices in cents per net ton for high volatile coals for shipment to all destinations, for all uses and by all methods of transportation except as otherwise specifically provided for in this appendix.* The Price classifications and Size Group Numbers 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications as set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and, for maximum price purposes, are for shipments to all destinations.

PRICES AND SIZE GROUP NUMBERS

Price classification	1 Lump and block (bottom size larger than 6")	2 Lump and double-screened egg coals (4" and 6" lump and 6" x 4")	3 Lump and double-screened egg coals (3" lump and 6" x 4")	4 Lump and double-screened egg coals (3" lump and 6" x 3")	5 Double-screened egg coals (6" x 3")	6 Double-screened egg coals (6" x 2" and 6" x 3")	7 Double-screened egg coals (4" x 2" and 6" x 3")	8 Double-screened stove coals (3" x 2" and 3" x 1¼")	9 Double-screened nut coals (top size larger than 1¼" but not exceeding 3")	10 Double-screened Stoker coals (top size not exceeding 1¼")	15, 16, 17 Mine Run, (screened, straight, and resultants larger than 2¾" x 0)	18 Screenings (dedusted and modified)	19 Screenings (larger than 2" x 0, but not exceeding 2¾" x 0)	20, 21 Screenings (larger than 3/8" x 0, but not exceeding 2" x 0)	22 Screenings (3/8" x 0 and smaller)	23 Low grade reject
A	440	440	440	420	400	375	355	340	310	410	310	310	310	305	290	270
B	440	415	415	395	375	350	315	310	305	375	310	310	310	305	285	265
C	420	400	400	395	375	350	315	310	305	375	305	305	305	305	280	265
D	410	400	400	385	375	350	315	310	305	375	305	305	305	295	270	250
E	400	390	390	375	375	345	315	310	300	375	300	300	295	295	270	250
F	390	385	375	375	360	345	315	310	300	350	300	300	290	290	265	----
G	390	380	365	365	350	340	315	310	300	350	300	300	290	285	255	----
H	385	380	365	365	350	340	315	310	295	345	----	300	290	285	250	----
I	380	375	365	365	350	340	310	310	295	345	----	300	290	285	250	----
K	370	365	355	355	350	340	310	310	290	345	----	300	290	285	250	----
L	355	355	350	350	325	325	310	310	290	345	----	290	285	285	245	----
M	355	355	350	350	325	320	310	310	290	345	----	290	285	280	245	----
N	355	355	350	350	325	320	310	300	----	----	----	290	285	280	245	----
O	350	345	330	330	315	305	295	295	----	----	----	290	285	280	235	----
P	335	330	325	325	310	305	295	----	----	----	----	270	265	260	210	----
Q	335	330	325	325	----	----	----	----	----	----	----	270	265	260	210	----
R	335	330	325	325	----	----	----	----	----	----	----	----	----	----	----	----
S	335	330	325	325	----	----	----	----	----	----	----	----	----	----	----	----

(7) *Maximum prices in cents per net ton for high volatile coals for shipments by truck or wagon to all destinations, for all uses.*

PRICES AND SIZE GROUP NUMBERS

	1 All single-screened lump coals bottom size 3/4" and larger. All double-screened stove and egg coals top size larger than 1¼"	2 All double-screened nut and pea coals top size not exceeding 1¼"	3 Screened mine run from which no coal larger than 3/4" x 0 has been removed and all forked coal	4 Straight mine run, no fines removed, resultants and screenings larger than 1¼" x 0	5 Screenings larger than 3/4" x 0 but not exceeding 1¼" x 0	6 Screenings top size not exceeding 3/4"
For coals produced at any high volatile mine	425	360	360	360	275	270

(8) *Maximum prices in cents per net ton for high volatile coals for railroad locomotive fuel.* (i) Any single-screened lump or double-screened coals—315.

Run of mine—300.

Resultant run of mine larger than 2½" x 0 but not exceeding 6" x 0—280.

Screenings 2½" x 0 and smaller—275.

(ii) Mines within Freight Origin Groups 16 and 70 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a 2¾" round hold screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of August 5, 1944, for all mines and as redetermined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a 2¾" round hold screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus 2¾ inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced. *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines' maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.218 (b) (8) (ii) of Maximum Price Regulation No. 120.

(9) *Specific description of size group numbers referred to in subparagraph (6) of this paragraph (b).*

Size group number and description

1. All single-screened block, bottom size larger than 5".
2. All single-screened lump, bottom size larger than 3", but not exceeding 5".

All double-screened egg coals, top sizes larger than 6" and bottom size larger than 3", but not exceeding 4".

All double-screened coals, top size 5" and larger, and bottom size larger than 4".

3. All single-screened lump, bottom size larger than 2", but not exceeding 3".

All double-screened egg coals, top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4".

4. All single-screened lump, bottom size larger than 3/4", but not exceeding 2".

All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".

5. All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.
6. All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3".
7. All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.
8. All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller.
9. All double-screened nut coals, top size larger than 1¼", but not exceeding 2", and bottom size smaller than 2".
10. All double-screened stoker coals, top size not exceeding 1¼", and bottom size less than 1¼".
15. Screen run of mine, bottom size 3/4" or smaller.
16. Straight run of mine.

Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed).

Resultant run of mine larger than 6" x 0.

Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed).

17. Straight resultant run of mine (larger than 2¾" x 0, but not exceeding 6" x 0).

Altered resultant run of mine (straight resultant run of mine larger than 2¾" x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed).

18. Dedusted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh.

Modified screenings (top size not exceeding 2" total consist containing not less than 15% 3/8" x 0 screenings).

19. Screenings larger than 2" x 0, but not exceeding 2¾" x 0.
20. Screenings larger than 3/4" x 0, but not exceeding 2" x 0.
21. Screenings larger than 3/8" x 0, but not exceeding 3/4" x 0.

Altered screenings (top size not exceeding 2¾" from which all of the 1" to 1¼" top and 1/8" to 3/8" bottom coal has been removed).

22. Screenings 3/8" x 0 and smaller.
23. Low grade reject; separated at the tipple or loaded separately in the mine.

(10) All orders of adjustment issued prior to August 5, 1944 and adjustments computed on OPA Form No. 653–638 under § 1340.207 (e) (added by Amendment No. 74 to this regulation) shall be void as of August 5, 1944.

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1–15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1–15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

This amendment shall become effective August 5, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11428; Filed, July 31, 1944; 11:42 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 113]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amend-

[1] 9 F.R. 5042, 5375, 5567.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 120 is amended in the following respects:

Section 1340.222 is amended to read as follows:

§ 1340.222 *Appendix K: Maximum prices for bituminous coal produced in District No. 11.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices for shipment to all destinations for all uses except for railroad locomotive fuel use and by all methods of transportation, except by truck or wagon.*

Prices and size group numbers

Price group number	Lump, egg, stove M/R			Nut and pea		Screenings				Carbon				Dust,	Breaker screenings	
	Washed or Raw		Washed or raw	Raw	Washed or air cleaned	Raw	Washed or air cleaned	Dry dedusted	Water dedusted	Raw	Washed or air cleaned	Dry dedusted	Water dedusted	Raw	Raw	Washed or air cleaned
	1, 2, 3	4, 5, 6, 8	7	9 to 13, incl.	17 to 22	13, 14	23, 24	26, 27	30, 31	15	25	28, 29	32	16	33	34
1	240	240	300	215	230	175	205	190	195	135	170	155	160	105	155	195
2 to 4, incl	240	240	300	225	230	180	210	195	200	140	175	160	165	110	160	200
5	240	240	300	215	230	180	205	195	200	140	175	160	165	110	160	200
9 to 13, incl	240	240	300	215	230	180	205	195	200	140	175	160	165	110		
7, 13 and 32	265	240	300	215	280	180	205	195	200	140	175	160	165	110		
8, 19 and 20	265	240	300	215	280	180	205	195	200	140	175	160	165	110		
10	300	275	280	255	270	205	230	220	225	165	200	185	190	130	175	215
15	300	275	285	265	280	205	230	220	225	160	195	180	185	130		
16	340	275	285	265	280	205	225	220	220	160	195	180	185	130		
18	340	275	285	265	280	205	225	220	220	165	200	185	190	130	185	225
6	300	300	285	300	315	210	235	225	230	165	200	185	190	130	185	225
14	300	300	295	295	310	210	235	225	230	145	180	165	170	120	155	195
Exceptions:																
Mine Index No. 88 (PG17)	355	345	345	335	350	260	225	215	220	160	195	180	185	130		
Mine Index No. 70 (PG13)	300	275	280	255	270	260	275	255	270	180	215	200	205	150	190	230
Mine Index No. 116 (PG16)	265	240	210	285	280	175	200	190	195	130	165	150	155	110	155	195

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

Prices and size group numbers—Continued

Price group number	Lump, egg, stove M/R			Nut and pea		Screenings				Carbon				Dust,	Breaker screenings	
	Washed or Raw		Washed or raw	Raw	Washed or air cleaned	Raw	Washed or air cleaned	Dry dedusted	Water dedusted	Raw	Washed or air cleaned	Dry dedusted	Water dedusted	Raw	Raw	Washed or air cleaned
	1, 2, 3	4, 5, 6, 8	7	9 to 13, incl.	17 to 22	13, 14	23, 24	26, 27	30, 31	15	25	28, 29	32	16	33	34
1	270	325	590	200	275	220	255	245	250	155	190	175	180	125		
2	320	305	255	245	260	225	250	240	245	160	195	180	185	130	190	230
3	345	325	290	260	275	240	265	255	260	185	220	205	210	155	210	260
4	310	290	245	240	255	210	235	225	230	145	180	165	170	115		
5	345	300	255	245	260	210	235	225	230	145	180	166	170	115		
6	295	315	280	260	265	220	255	245	250	155	190	175	180	125		
Exceptions:																
Mine Index No. 27[1]	400	365	335	325	340	295	320	310	315	240	275	260	265	210	270	310
Mine Index Nos. 39, 40 and 107	395	345	295	300	275	240	265	255	260	185	220	205	210	155	205	245
Mine Index No. 47	355	330	290	255	270	225	250	240	245	175	210	195	200	145	200	240
Mine Index No. 478	400	340	305	275		245				170				140		

[1] The exception for Mine Index No. 27 shall be void on and after January 1, 1945 and the maximum prices for Price Group No. 6 will apply thereafter.

(3) *Maximum prices for railroad fuel.* (i) The maximum prices for railroad locomotive fuel use are:

Mine Run, modified mine run and all lump and all double-screened coals	240
Screenings, top size not exceeding 2"	185

The maximum prices for coals shipped from Mine Index No. 70 for such use shall be the above respective prices, plus 20 cents per net ton.

(ii) Modified mine run shipped for railroad locomotive fuel use shall contain 15%, with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1¼" in diameter, or other shaped openings equivalent in area (1¼" screenings), and large lumps may be broken down; or modified mine run may be 6" x 1¼" egg coal with 15%, with a tolerance of 2% up or down, of 1¼" screenings, as described above.

(iii) The maximum prices for coal sold to railroads for other than locomotive fuel use are those set forth in paragraph (b) (1) for the size and grade shipped.

(iv) An amount not exceeding 15 cents per net ton may be added to the maximum prices for railroad locomotive fuel use when railroad locomotives are coaled at the mine tipple.

(4) The maximum prices for coals produced at mine which is either (i) an underground mine loading coal entirely by hand without the aid of any mechanical means, such as loading machines or conveyors inside the mine, or (ii) an underground truck mine without a rail siding or connection, shall be the specific prices for the grade and size and use of coal shipped as set forth in this paragraph (b), plus 15 cents per net ton.

(5) *Identification by counties and seams of mines in the truck price group numbers specified in subparagraph* (2) *above.* Following is a table of counties, seams and price group numbers. A seller of coal produced at a mine from any of these seams shall first determine the price group number applicable to the mine as indicated in this table. He shall then use the maximum price applicable to the mines in the same price group number as set forth in subparagraph (2) unless otherwise specifically provided therein. The same shall be true of any mine classified as to seam by the Office of Price Administration by an order issued prior to, or after August 5, 1944, under § 1340.210 (a) (6) of this regulation. The seams referred to below are the same as those set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

County	Seam	Truck price group No.
Clay	Brazil Block, Minshall and Semi-Brazil Block Veins.	1
	Fifth Vein	2
	Fourth Vein	3
	Third Vein	4
Davies	Fifth Vein	2
	Semi-Brazil Block, Fourth and Cannel Veins.	3
DuBois	All veins	2
Fountain	All veins	1
Gibson	All veins (except Mine Index No. 47).	2
Greene	Semi-Brazil Block Vein	6
	Fifth and Seventh Veins	2
	Fourth Vein	3
	Third Vein	4
	Sixth Vein	5
Knox	Fifth, Sixth (excluding Mine Index No. 117) and Seventh Veins.	2
	Mine Index No. 117 only	5
Martin	Brazil Block Vein	1
	Fourth, Fifth and Seventh Veins.	3
Owen	All veins	1
Parke	Brazil Block, Semi-Brazil Block and Minshall Veins.	1
	Fifth Vein	2
	Third Vein	4
Perry	All veins	2
Pike	All veins	2
Spencer	Brazil Block Vein	1
	Fifth and Sixth Veins	2
Sullivan	Fifth, Seventh Veins (except Mine Index Nos. 39, 40, and 107).	2
	Fourth Vein	3
	Sixth Vein	5
Vanderburgh	All veins	2
Vermillion	Brazil Block and Minshall Veins.	1
	Fifth Vein	2
	Fourth Vein	3
	Sixth Vein	4
Vigo	Brazil Block and Minshall Veins.	1
	Fifth, Sixth and Seventh, Veins, and Mine Index No. 90 in the Third Vein.	2
	Third Vein (except Mine Index No. 90).	4
	Fourth Vein	3
Warren	All veins	1
Warrick	All veins	2

(6) *Specific descriptions of size group numbers referred to in subparagraphs* (1) *and* (2) *of this paragraph.*

Size Group No.	Description
1, 2, 3	All lump and egg coals bottom size larger than 2" washed or raw.
4, 5, 6 and 8	All lump, egg and stove coals, bottom size 2" and smaller, washed or raw.
7	Straight mine run, modified mine run and resultants larger than 2" by 0, washed or raw.
9 to 13, incl	Raw nut and pea coal bottom size larger than 10 mesh or ¼" and top size not exceeding 2".
13, 14	Raw screenings larger than ¼" by 0 but not exceeding 2" by 0.
15	Raw carbon ¼" by 0 and smaller.
16	Raw dust top size not exceeding 20 mesh or ¼".
23	Raw breaker screenings top size not exceeding 2".
17 to 22, incl	Nut and pea coal, washed or air-cleaned, bottom size larger than one millimeter top size not exceeding 2".
25	Screenings top size not exceeding 2": Washed or air-cleaned.
26, 27	Dry dedusted.
30, 31	Water dedusted.
28	Carbon top size not exceeding ⅜": Washed or air-cleaned.
28, 29	Dry dedusted.
32	Water dedusted.
34	Washed or air cleaned breaker screenings top size not exceeding 2".

(7) Orders of adjustment and adjustments computed on Form OPA No. 653:638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation shall be void as follows: Where such orders or adjustments affect maximum prices for rail shipment, and were issued or computed prior to March 27, 1944, they shall be void as of March 27, 1944; where they affect maximum prices for truck shipments, and were issued or computed prior to August 5, 1944, they shall be void as of August 5, 1944 and, specifically, Order No. 766 shall be void as of this last date.

This amendment shall be come effective August 5, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11425; Filed, July 31, 1944; 11:41 a. m.]

*Copies may be obtained from the Office of Price Administration.

No. 153——13

PART 1358—TOBACCO

[MPR 549]

FLUE-CURED TOBACCO OF THE 1944 CROP

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

ARTICLE I—EXPLANATION OF THE REGULATION

Sec.
1. Explanation of the regulation.
2. General definitions.

ARTICLE II—PRICING PROVISIONS

3. Maximum prices for purchases of flue-cured tobacco on loose-leaf markets.
4. Maximum prices for sales of flue-cured tobacco by dealers.

ARTICLE III—MISCELLANEOUS PROVISIONS

5. Reports.
6. Records.
7. Compliance with this regulation.
8. Geographical applicability.
9. Export sales.
10. Petitions for amendment.

AUTHORITY: Secs. 1 to 10, inclusive (§ 1358.-260) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *Explanation of the regulation.* The purpose of this regulation is to establish maximum prices for sales and purchases of, and for certain services performed with respect to, flue-cured tobacco of the 1944 crop. This regulation fixes maximum prices which may be paid to growers and paid or received by dealers, manufacturers and other purchasers and sellers of that tobacco. Specific dollar and cents maximum prices are fixed for certain services performed by dealers for purchasers. The maximum prices and pricing methods are stated in sections 3 and 4.

SEC. 2. *General definitions.* (a) When used in this regulation, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

(2) "Flue-cured tobacco" means United States Types 11a, 11b, 12, 13 and 14 tobacco as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture. When used without specific reference to a particular year's crop, the term refers to that tobacco of the 1944 crop; when used with specific reference to one or more years' crops, the term refers to that tobacco of the specified years' crops.

(3) "Weighted average purchase price" means the total of prices actually paid in purchases on the loose-leaf market or otherwise, plus discounts allowed the purchaser for prompt payment and transportation charges paid by him, divided by the number of pounds of tobacco purchased. Prices actually paid shall include all commissions, fees or other compensation paid by or for the purchaser to a person at the seller's instance or request.

(4) "Weighted average selling price" means the gross dollar and cents amount the seller charged for the tobacco (excluding transportation charges paid by the seller for the account of the purchaser), divided by the number of pounds of tobacco sold. The gross dollar and cents amount charged shall include all commissions, fees or other compensation paid by or for the purchaser to a person at the seller's instance or request.

(5) "Farm scrap" means loose, tangled, untied and unstemmed tobacco salvaged as a by-product in harvesting, stripping, classing or tying on the farm, consisting principally of barn and striphouse floor sweepings and inferior quality leaves discarded by growers for auction marketing purposes because of being broken, burnt, worm-eaten, or diseased.

(6) "Auction scrap" means loose, untied and unstemmed tobacco consisting entirely of auction floor sweepings, loose and tangled leaves, or portions of leaves, accumulated from droppings or breakage in handling of tobacco on auction warehouse floors and salvaged as a by-product of auction marketing. The term does not include tobacco purchased at auction or directly or indirectly from growers.

*Copies may be obtained from the Office of Price Administration.

(7) "Drop leaves" refers to tobacco leaves, including broken leaves and scrap, resulting from the handling of tobacco in transit or while in receiving rooms, hanging rooms, packing rooms or green storage (but not on the auction warehouse floor or farm) which is not customarily processed with the grade being handled.

(8) "Dealer" means any person engaged in the business of buying flue-cured tobacco of any year's crop on the loose-leaf market or otherwise, for his own account or on direct order.

(b) Unless the context otherwise requires, the definitions in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

ARTICLE II—PRICING PROVISIONS

SEC. 3. *Maximum prices for purchases of flue-cured tobacco on loose-leaf markets*—(a) *In general.* The weighted average purchase price paid by any buyer for flue-cured tobacco on the loose-leaf markets shall not exceed:

$39.00 per cwt., green weight, for untied loose-leaf tobacco.

$43.50 per cwt., green weight, for tied loose-leaf tobacco.

$5.00 per cwt., green weight, for farm scrap tobacco.

In figuring a weighted average purchase price, purchases on direct order shall be deemed purchases by the buyer for whose ultimate account the tobacco is intended. Amounts paid for farm scrap and auction scrap tobacco shall not be used in figuring a weighted average purchase price for untied or tied loose-leaf tobacco.

NOTE: All buyers are warned that in paying more than $39.00 per cwt., green weight, for untied loose-leaf tobacco or $43.50 per cwt., green weight, for tied loose-leaf tobacco, they take the risk of violating this regulation, since inability to buy tobacco at lower prices in order to reduce their weighted average purchase prices will not constitute a defense.

(b) *Purchases not covered.* If a buyer makes a purchase of flue-cured tobacco for resale in substantially the same form on the loose-leaf market and the tobacco is so resold, his purchase is not covered by this regulation and shall not be included in computing his weighted average purchase price.

SEC. 4. *Maximum prices for sales of flue-cured tobacco by dealers.* As used in this section, "dried in the hogshead cost" means the total of the lawful amounts paid for green tobacco, costs of transporting it, and direct costs of handling and redrying. The term does not include charges for warehousing or storage. Elements of "dried in the hogshead cost" shall be figured in accordance with the dealer's customary accounting practices and in a consistent manner (e.g., if an element of cost is used in figuring "dried in the hogshead cost" of flue-cured tobacco of the 1944 crop, the same element of cost shall be used in determining the corresponding figure for tobacco of another crop year, etc.).

(a) *For tobacco purchased on loose-leaf markets other than on direct order*—(1) *Sales to manufacturers.* A dealer's maximum price to manufacturers for a sale of flue-cured tobacco purchased by him on the loose-leaf markets other than on direct order shall be an amount figured as follows:

(i) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold unstemmed to manufacturers up to and including June 30, 1942, by dividing his total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(ii) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold stemmed to manufacturers up to and including June 30, 1942 by dividing his total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(iii) The dealer shall ascertain his weighted average selling price per pound for his sales of unstemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to manufacturers up to and including June 30, 1942 by dividing his total selling price for unstemmed tobacco of those crops by the number of pounds, dried weight, of unstemmed tobacco of those crops he sold to manufacturers.

(iv) The dealer shall ascertain his weighted average selling price per pound for his sales of stemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to manufacturers up to and including June 30, 1942 by dividing his total selling price of stemmed tobacco of those crops by the number of pounds, dried weight, of stemmed tobacco of those crops he sold to manufacturers.

(v) The dealer shall then ascertain his markup factor for sales of unstemmed tobacco to manufacturer by dividing the resulting figure at (iii) by the resulting figure at (i), and his markup factor for sales of stemmed tobacco by dividing the resulting figure at (iv) by the resulting figure at (ii).

(vi) The dealer shall then multiply his dried in the hogshead cost, per pound, dried weight, of the flue-cured tobacco being priced by the appropriate markup factor obtained at (v) according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The resulting figure is the dealer's maximum price per pound to manufacturers.

(vii) The dealer may then add to his maximum price determined in (vi) above, the following:

(a) The actual amount of commission paid by the dealer to a tobacco broker doing business as such on or before June 30, 1944 for the broker's services in negotiating the sale of the tobacco to a manufacturer, but not in excess of 3% of the selling price.

(b) A charge for warehousing and carrying not in excess of 1% of his dried in the hogshead cost per pound, redried weight, for each full month beginning six months after the tobacco redried in hogsheads has been placed in storage.

(2) *Sales to dealers.* A dealer's maximum price for sales to dealers of flue-cured tobacco purchased by him on the loose-leaf markets other than on direct order shall be an amount figured as follows:

(i) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold unstemmed to dealers up to and including June 30, 1942, by dividing the total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(ii) The dealer shall ascertain his weighted average dried in the hogshead cost per pound for this tobacco of the 1937, 1938, 1939, 1940 and 1941 crops which he sold stemmed to dealers up to and including June 30, 1942, by dividing the total dried in the hogshead cost by the number of pounds, dried weight, thereof.

(iii) The dealer shall ascertain his weighted average selling price per pound for his sales of unstemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to dealers up to and including June 30, 1942 by dividing his total selling price for unstemmed tobacco of those crops by the number of pounds of unstemmed tobacco of those crops he sold to dealers.

(iv) The dealer shall ascertain his weighted average selling price per pound for his sales of stemmed tobacco of the 1937, 1938, 1939, 1940 and 1941 crops to dealers up to and including June 30, 1942 by dividing his total selling price for stemmed tobacco of those crops by the number of pounds of stemmed tobacco of those crops he sold to dealers.

(v) The dealer shall then ascertain his markup factor for sales of unstemmed tobacco to dealers by dividing the resulting figure at (iii) by the resulting figure at (i) and his markup factor for sales of stemmed tobacco by dividing the resulting figure at (iv) by the resulting figure at (ii).

(vi) The dealer shall then multiply his dried in the hogshead cost per pound to the flue-cured tobacco being priced by the appropriate markup factor obtained at (v) according to whether the tobacco being priced is to be sold as stemmed or unstemmed tobacco. The resulting figure is the dealer's maximum price per pound to dealers.

(vii) The dealer may then add to his maximum price determined in (vi) above, a charge for warehousing and carrying not in excess of 1% of his dried in the hogshead cost per pound, redried weight, for each full month beginning six months after the tobacco redried in hogshead has been placed in storage.

(b) *For tobacco purchased on loose-leaf markets on direct order*—(1) *Dealer's charges.* A dealer who purchases flue-cured tobacco on the loose-leaf markets on direct order may charge for services rendered in connection with the tobacco purchased, but not in excess of the following amounts:

Services	*Maximum charge per 100 pounds green weight*
Buying at auction	$0.50
Buying and sheeting (when dealer furnishes sheets)	.90
Buying and sheeting (when dealer does not furnish sheets)	.80
Buying and green prizing	1.65

Services	*Maximum charge per 100 pounds redried weight*
Redrying only	$2.50
Buying and redrying	3.00
Stemming only and redrying	6.50
Buying, stemming and redrying	7.00
Hand-stemming	7.50
Stemming loose leaves, drop leaves or scrap	7.50
Buying and hand-stemming	8.00
Buying and stemming loose leaves, drop leaves or scrap	8.00
Buying, handling and redrying farm scrap	3.50

NOTE: Redrying services include packing and cost of hogshead or other packing material. However, a premium of 50 cents per cwt. may be charged when the tobacco is packed in cases.

"Purchase on direct order" means a purchase made in conformity with an agreement to buy for a principal either in the principal's name or for his account.

(2) *Dealer's charge for supervisory services on direct order purchase.* A dealer performing supervisory services in the purchase on direct order of flue-cured tobacco for a particular buyer may charge a fee for such services, but not to exceed the highest customary fee charged by the dealer to the particular buyer for the same services performed with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent. If the dealer performed no supervisory services for the buyer with respect to purchases on direct order of the 1942 or 1941 year's crop of that type of tobacco, the fee charged by the dealer for such supervisory services shall not exceed the highest customary fee charged therefor by the dealer with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent, to other buyers of the same class. A dealer who performed no supervisory services for the particular buyer or for other buyers of the same class with respect to purchases on direct order of the 1942 or 1941 year's crop, shall apply by letter to the Office of Price Administration, Tobacco Section, Washington, D. C. for authorization to charge a fee for such services based on the fee charged by his most closely competitive dealer of the same class.

"Supervisory services" means services involving responsibility for establishment of proper grade standards, correlation of grading between the several markets, selection of markets affording the greatest abundance of suitable flue-cured tobacco, decisions as to the rate of buying from week to week and guiding purchases through frequent visits to the several markets.

(c) *For resales of redried tobacco.* (1) A dealer's maximum price for his sales of redried flue-cured tobacco purchased by him in redried form from its buyer on the loose-leaf market shall be an amount figured as follows:

(i) The dealer shall ascertain his weighted average purchase price for the redried flue-cured tobacco of the 1937, 1938, 1939, 1940, and 1941 crops he sold up to and including June 30, 1942 and his weighted average selling price of that tobacco.

(ii) The dealer shall ascertain his markup factor by dividing that weighted average selling price by that weighted average purchase price.

(iii) The dealer shall then multiply his purchase price for the redried tobacco being priced by the percentage obtained at (ii). The resulting figure is the dealer's maximum price, except that the dealer may add a charge for warehousing and carrying not in excess of 1% of his purchase price per pound, redried weight, of tobacco being priced for each full month beginning six months after that tobacco has been placed in storage by him.

(2) A dealer's maximum price for his sales of redried flue-cured tobacco previously owned in redried form by two or more dealers shall not exceed his purchase price for the tobacco being priced.

(d) *Certification by dealers.* On and after August 4, 1944 any dealer selling redried flue-cured tobacco shall place upon the invoice or other evidence of sale given by him to the purchaser a complete, correct and signed statement as follows:

The flue-cured tobacco covered by this invoice (if other evidence of sale is used, specify) in redried condition has been owned by (specify number) persons previous to this sale. The price charged for this tobacco does not exceed our maximum price under MPR No. 549 issued by the Office of Price Administration. The Office of Price Administration requires you to keep this statement for examination.

Seller.

(e) *Dealers unable otherwise to determine maximum prices.* If a dealer is unable to determine his maximum price for a particular sale of flue-cured tobacco under other provisions of this section, he shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a maximum price or a method of determining a maximum price for that sale shall be established. The letter shall set forth:

(1) The name and address of the dealer making the application.

(2) A description sufficient to identify the tobacco he wishes to sell including a statement of the manner in which he has acquired it, its location, the number of its former owners, the purchase price he paid for it and the quantity of tobacco to be priced.

(3) The reason why he is unable to determine the maximum price under other provisions of this section.

(4) The name and address of the persons to whom he desires to sell the tobacco.

(5) Any other pertinent information which the dealer desires to submit.

After receipt of the letter, the Office of Price Administration will by order establish a maximum price in line with maximum prices established under this section for similar sales of other dealers or prescribe a method for determining a maximum price. Until a maximum price or a method for determining it is thus established, the dealer may deliver the tobacco but may not receive payment for it.

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 5. *Reports.* (a) Not later than August 21, 1944, every dealer shall report by letter to the Office of Price Administration, Washington, D. C., the markup factors computed by him before that date to be used in determining his maximum prices under section 4. If the original report omits markup factors which the dealer thereafter computes, those new markup factors shall likewise be reported within ten days after computation.

(b) Within thirty days after the close of the marketing season, but in any event before February 1, 1945, every buyer of flue-cured tobacco shall file with the Office of Price Administration, Washington, D. C., a statement showing the following:

(1) The total amount of untied loose-leaf flue-cured tobacco in pounds, green weight, purchased by him and the total amount paid for it.

(2) The total amount of tied loose-leaf flue-cured tobacco in pounds, green weight, purchased by him and the total amount paid for it.

(3) The total amount of farm scrap tobacco in pounds, green weight, purchased by him and the total amount paid for it.

SEC. 6. *Records.* (a) Every buyer of flue-cured tobacco shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing with respect to each purchase of such tobacco:

(1) The name of the seller and the date of purchase

(2) The total number of pounds purchased

(3) The purchase price paid, and

(4) Any other records of the same kind that he has customarily kept relating to the prices he pays for flue-cured tobacco after the effective date of this regulation.

(b) Every dealer for whose sales of flue-cured tobacco maximum prices or a method of determining maximum prices are prescribed by this regulation must make and keep available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept showing the prices he charges for, and the persons to whom he sells, that tobacco, and the manner in which those prices were computed.

SEC. 7. *Compliance with this regulation*—(a) *No buying or selling above maximum prices.* On and after July 28, 1944 regardless of any contract, lease or other obligation, no dealer or other purchaser in the course of trade or business shall buy or receive, or agree, offer, solicit or attempt to buy or receive, and no person for whose sales of flue-cured tobacco maximum prices are established by this regulation, shall sell or deliver, or agree, offer, solicit or attempt to sell or deliver any flue-cured tobacco at prices higher than the appropriate maximum price established by this regulation. However, lower prices may be charged, paid, offered and received.

(b) *Evasion*—(1) *In general.* The price limitations in this regulation shall not be evaded, directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; or by tying agreement, by any change in manner of packing, any business practice or trade understanding, or in any other way.

(2) *Specific practices which are evasions.* Specifically, but not exclusively, the following practices are evasions:

(i) In the case of a dealer, reduction or elimination by the dealer of his customary discounts or initial credit terms allowed on his most recent sales of the 1937, 1938, 1939, 1940 and 1941 crops to the same purchaser, or if he made no sales of the 1937, 1938, 1939, 1940 or 1941 crops to the purchaser, reduction or elimination of his customary discounts or initial credit terms allowed on his most recent sales of the 1937, 1938, 1939, 1940 or 1941 crop to purchasers of the same class, except where accompanied by a compensating reduction in his maximum price.

"Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by the dealer and buyer at or prior to delivery of the tobacco.

(c) *Penalties for violations.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, apply to all sellers (except growers) of flue-cured tobacco. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 8. *Geographical applicability.* The provisions of this regulation are applicable in the forty-eight states of the United States and the District of Columbia.

SEC. 9. *Export sales.* The maximum price at which a person may export flue-cured tobacco shall be determined in accordance with the Second Revised Maximum Export Regulation,[2] issued by the Office of Price Administration.

SEC. 10. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective July 28, 1944.

Issued this 28th day of July 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: July 24, 1944.

MARVIN JONES,
War Food Administrator.

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the level of the maximum prices established by this regulation is necessary to aid in the effective prosecution of the war and hereby authorize its issuance.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-11293; Filed, July 28, 1944; 4:32 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 39]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.122 is amended by deleting the second sentence and inserting in place thereof the following: "He must also for a period of two years retain at his principal business office all statements received under § 1407.182a (b)."

2. Section 1407.122a is added to read as follows:

§ 1407.122a *Reports of primary distributors.* Each primary distributor who delivers sugar to the Army, Navy, or any of the persons or agencies listed in §§ 1407.182 (a) or 1407.183 (c) or for ships' or planes' stores in accordance with § 1407.182a (b) must, on or before the 10th day of each month, report in writing to the Washington Office of the Office of Price Administration all such deliveries made during the preceding month. The report for August 1944 shall include all deliveries to the Army or Navy or to the persons or agencies listed in §§ 1407.182 (a) or 1407.183 (c) made prior to August 1944 not reported to the District Office prior to August 4, 1944.

3. Section 1407.182a (b) is amended by inserting in the second sentence between the words "registering unit" and "may" the words "or primary distributor".

This amendment shall become effective August 4, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2968; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11426; Filed, July 31, 1944; 11:41 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 188,[2] Amdt. 46]

GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 188 is amended in the following respects:

1. Section 20 Table 3 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Marraschino Cherries—S & W	Case 48/6½ oz. glass	$11.20	$0.30
Fruit Cocktail:			
Stokely	Case 24/ # 2½ tin	8.00	.42
Fame	Case 48/ # 1 Tall	9.00	.24
Peaches, Yellow Cling, halves: Stokely	Case 24/ # 2½ tin	6.45	.35
Peaches, Yellow Cling, sliced:			
Ruby	Case 24/ # 2½ tin	6.10	.33
Stokely	Case 24/ # 2½ tin	6.45	.35
Exquisite	Case 24/ # 2½ tin	6.65	.36

2. Section 20 Table 3a is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Orange marmalade, S & W	Case 12/16 oz. jars	$2.75	$0.20

3. Section 21 Table 4 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Orange juice:			
Sunfilled	Case 24/ # 2 tin	$4.75	$0.25
Golden Nip	Case 24/18 oz. tin	4.75	.25

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13240

[2] 8 F.R. 4132, 5967, 7662, 9998, 15193.

[3] 8 F.R. 3813, 3833, 6173, 11806.

[1] 7 F.R. 1423, 1534, 2823, 2826, 2829, 3081, 3618, 3570, 3847, 3944, 4099.

[2] 8 F.R. 9333, 10782, 10906, 11437, 11847, 12549, 10697, 12532, 13165, 13847, 14090, 14765, 15196.

9. Section 29 Table 15 is amended by adding a new item to read as follows:

Brand	Container, type and size	Price to wholesaler	Price at wholesale	Retail price (per unit)
Lay Trading Co.: Nutky Chip	Case of 4 doz. pkg. 8 oz.	$1.80	$1.65	$0.17

10. Section 32 Table 18a is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Vegetable Oil: Sweet Life	Case 24/16 oz. bottles	$3.20	$0.16

11. Section 33a Table 19a is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Sardines in Tomato Sauce: Century	Case 48/# tall	$3.75	$0.15

12. Section 36 Table 21 is amended by adding new items to read as follows:

Items and brand name	Unit	Price at wholesale	Retail price (per unit)
Stoy-Soy Flour	Case 24/19 pkg.	$3.35	$0.18
Stoy-Soy Flour	Case 12/39 pkgs.	4.65	.50

13. Section 39 Table 27 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Spaghetti: Mueller	Case 24/9 oz. pkgs.	$3.80	$0.13
Spaghetti: Magic Chef	Case 24/9 oz. pkgs.	3.45	.37
Lido Club	12 pkgs.	3.65	.37

14. Section 40 Table 29 is amended by adding a new item to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Grated Parmesan Cheese: Premier	Case 24/1¾ oz. pkgs.	$2.20	$0.11

15. Section 42 Table 33 is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Edible Cornstarch: Premier	Case 48/16 oz. pkgs.	$3.60	$0.16

16. Section 42 Table 33d is amended by adding a new item to read as follows:

Items and brand name	Unit	Price at wholesale	Retail price (per unit)
Table Salt: Premier	100/ bags	$2.75	$0.05 per lb., 2 lbs. for $.10

17. Section 42 Table 33f is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Syrup:			
Golden Table	24/1½# bottle jars	$3.95	$0.21
Crystal White	24/1½# jars	3.35	.21
Baking Powder: Hearth Club	6/5# tins	1.90	.65

4. Section 22 Table 6a is amended by adding new items to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Chili con Carne: Wilson's Certified	Case 24/10 oz. jars		$4.20	$0.22
Ham Salad: Wilson's Certified	Case 24/5 oz. jars		7.20	.37
Ox Tongue:				
Wilson's Certified	Case 12/10 oz. jars		7.20	.75
Wilson's Certified	Case 12/12 oz. jars		7.60	.80
Wilson's Certified	Case 12/16 oz. jars		9.60	1.00
Wilson's Certified	Case 24/2 oz. jars		12.20	1.27
Blended Pig's Feet: Wilson's Certified	Case 24/2 oz. jars		4.80	.27
Selected Pig's Feet:				
Wilson's Certified	Case 12/14 oz. jars		2.55	.24
Wilson's Certified	Case 12/28 oz. jars		4.25	.41
Corned Beef Hash: Libby's	Case 24/# (16 oz.)		4.00	.21
			Prices[1]	
Canned Ham, boiled, skinless, boneless, sealed: Serv-Kwik	Case 8/13 lbs. avg. each		.66	.88

5. Section 23, Table 7 is amended by adding a new item to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Soups: Noodle and Chicken: Wilson's Certified	Case 12/16 oz. jars	$4.45	$0.45

6. Section 24 Table 8 is amended by adding a new item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Sauce: Presto	Case 48/10 oz. tin	$3.80	$0.10

7. Section 24 Table 9 is amended by adding new items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Tomato Juice:			
Cherry Chase	Case 48/# Tall tin	$6.25	$0.15
Cherry Chase	Case 24/23 tin	3.65	.19

8. Section 25 Table 10 is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Asparagus, blended: Hunt's Supreme	24/2 rd. tin	$8.00	$0.43
Asparagus, large all green: Flodill	24/2 tin	10.40	.57
Beans, pinto: Capo	24/2 tin	3.15	.18
Beets, diced: Premier	24/2 tin	3.60	.20
Beets, diced fancy: Exquisite	24/2 tin	3.60	.20
Beets, diced: Sweet Life	24/#303 glass	3.60	.20
Beets, sliced: Premier	24/#303 glass	3.70	.20
Beets, sliced: Premier	24/2 tin	3.70	.20
Chickpeas: Capo	24/2 tin	4.20	.23
Corn, golden bantam, garden: Sweet Life	24/#303 glass	3.75	.20
Corn, golden bantam: Del Monte	24/17 oz. jars	3.60	.19
Lima Beans, early garden: Del Monte	12/#303 glass	2.80	.15
Mixed Vegetables: Superfine	24/#303 glass	3.60	.19
Shrimp, wet: Alerton	24/1½ tin	4.80	.24
Spaghetti, canned: Alerton	24/16 oz. tins	4.80	.24
Succotash, canned: Valerose	24/16 oz. tins	6.75	.34

22. Section 56 Table 46 is amended by adding new items to read as follows:

Item & brand name	Unit—Case of—	Price (case wholesale)	Retail price (1 bottle)
Scotch Whiskey: Bell's Special Reserve	12/4/5 qts.	$44.00	$5.00
American Whiskey: Four Roses	12/4/5 qts.	22.00	2.70
Four Roses	24/pints	24.00	2.70
Paul Jones	12/4/5 qts.	22.00	2.70
Paul Jones	24/pints	24.00	2.70
Old Crow Bottled	12/26 oz. bottles	11.00	1.35
Gold Label	24/2	11.00	1.35
Cider: Zarnesa	24/2		.90

23. Section 60 Table 53 is amended by adding new items to read as follows:

Description of items	Size	Price at wholesale (per cwt.)	Retail price (per cwt.)
Plain galvanized steel sheets	26" x 100" #28 Gauge	$5.75	$7.75
Plain galvanized steel sheets	26" x 100" #27 Gauge	4.75	7.25
Plain galvanized steel sheets	26" x 100" #26 Gauge	4.75	7.25
Plain galvanized steel sheets	26" x 100" #26 Gauge	4.45	

1. Section 9a is added to read as follows:

SEC. 9a. *Maximum prices for commodities covered by this regulation which cannot be priced because of the seller's inability to determine his maximum price under the applicable pricing section contained in this regulation.* The maximum price for the sale of a commodity covered by this regulation for which the seller is unable to determine his maximum price under the pricing method established, or otherwise, shall be a maximum price in line with the level of maximum prices established by this regulation and shall be determined in the following manner:

Such seller shall file an application with the Office of Price Administration, Honolulu, T. H. (unless otherwise directed by a uniform pricing order) for approval of a proposed maximum price for the commodity. This application shall contain:

(a) A full description of the commodity to be priced. The description should include such matters, when relevant, as model, use, manufacturer's list name or number, trade category (e. g., food, hardware, men's clothing, etc.), materials, unit in which priced, size, weight, package, brand or manufacturer's name, and any other pertinent information.

(b) The name and address of the manufacturer and/or supplier of the commodity.

(c) A statement of the reasons why the maximum price for such commodity can not be determined under this regulation.

(d) The method used in figuring the proposed maximum price, including a breakdown of your costs and your proposed markup.

(e) The reasons why seller believes the proposed price is in line with the maximum prices otherwise established by this regulation.

He shall also furnish any additional information which the Office of Price Administration may require.

A commodity for which a maximum price is proposed under this section may not be sold until that price has been approved by the Office of Price Administration, but the proposed price shall be deemed to be approved 15 days after mailing the application (or all additional information which may have been requested) unless, within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

The Director of the Office of Price Administration for the Territory of Hawaii may at any time approve, disapprove or revise maximum prices proposed or established under this section so as to bring them in line with the level of maximum prices otherwise established by this regulation and may either in connection therewith or otherwise, issue orders establishing maximum prices or pricing methods for sale or resale of any commodity subject to this regulation.

This amendment shall become effective August 5, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11431; Filed, July 31, 1944; 11:43 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 73]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

2. Section 19b, Table H is amended by changing the price of "Ham Hocks (less than 4 pounds)" from "35¢ per pound" to "30¢ per pound" and by adding a new item to read as follows:

	Maximum price per drink cents
Plate Corned Beef, boneless: *Cents per pound*	
Grade AA	39
Grade A	39

3. Section 25a (b) (1) (iii) is amended to read as follows:

	Maximum price per drink cents
(iii) *Rum:*	
Imported Cuban Bacardi, straight or mixed	45
Imported Myers' Jamaica, straight or mixed	45
All other Imported, straight or mixed	40
Domestic, straight or mixed	40

4. Section 25a (b) (1) (vi) is added to read as follows:

	Maximum price per drink cents
(vi) *Neutral spirits:*	
Arechabalaya Cuban Specialty with Brandy Flavoring	45
Domador Cuban Specialty with Brandy Flavoring	45

This amendment shall become effective as follows:

a. As to section 9a, as of July 5, 1944.
b. As to section 19b, as of June 19, 1944.
c. As to section 25a, as of June 20, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11427; Filed, July 31, 1944; 11:41 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 74]

GROCERY ITEMS IN HAWAII

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by deleting the two carrot items and the item "Onions, dry, F. S. C. C. Reconditioned".

2. The table following section 21 (d) (1) as amended by adding two new grapefruit sizes and one new lemon size to read as follows:

	Price at wholesale	Price at retail
	Per box	
Grapefruit:		
126's	$5.35	$0.06 each.
150's	5.35	$0.05 each.
Lemons:		
252's	7.85	$0.50 per doz.

This amendment shall become effective as of July 8, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11429; Filed, July 31, 1944; 11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 45]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In paragraph (c) of Appendix I Table 8A is added immediately following Table 8 to read as follows:

TABLE 8A.—MAXIMUM PRICES FOR ISLE OF PINES GRAPEFRUIT[1]

Col. 1 Item	Col. 2 Types, variety, style of pack, etc.[2]	Col. 3 Unit	Col. 4 Season	Col. 5 Maximum prices f. o. b. port of entry[3]	Col. 6 Maximum prices for delivery at any wholesale receiving point in any quantity	Col. 7 Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer[4]
1	Isle of Pines grapefruit, place packed in Standard 1⅘ bushel container.	Standard 1⅘ bushel container.	August and September.	$4.42	Column 5 price plus freight (including 3% taxes) from Miami, Florida and plus 10¢ for protective services.[4]	Column 6 price plus 6¢.
2	Isle of Pines grapefruit in any other container, style of pack, or in bulk.	Pound	August and September.	$0.06	Maximum price above divided by 72.	Column 6 price plus 9/16¢ per pound.

[1] The prices in this table apply only to grapefruit, imported from the Isle of Pines for sale within the United States, which the importer has either shipped from the port of entry or delivered to the buyer at the port of entry during August and September, which is individually wrapped in wrappers bearing the printed words "Isle of Pines Grapefruit"—"Product of Cuba", or words to the same effect. The crates or other containers must be likewise marked. If not so marked, and for all other seasons, the maximum price is the applicable price for California white grapefruit in Column 6 of Table 4 of this appendix.

All reference in this appendix to country shippers and country shipping points are applicable to importers of Isle of Pines grapefruit and ports of entry of Isle of Pines grapefruit, respectively. An "importer" is the person who makes the first sale of the goods in the United States, and the "port of entry" is the place where the goods are received from the foreign source and loaded on a carrier.

[2] "Standard container" for Isle of Pines grapefruit means closed containers in which the fruit is placed packed, containing 1⅘ bushels.

[3] The prices in Column 5 are maximum prices, f. o. b. any port of entry, loaded on carrier, and include all costs and charges up to that point.

[4] For the sellers covered by Column 7 see general provisions of this appendix.

[5] The amount of tax to be included shall be figured on freight and the protective service allowances.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16428, 17872; 9 F.R. 790, 902, 1561, 2008, 2023, 2091, 2492, 4030, 4066, 4088, 4484, 4786, 4787, 4877, 5926, 6104, 6108, 6420, 6711, 7259, 7268, 7560, 7425, 7563, 7759, 7776, 7824, 8145, 9066.

18. Section 42 Table 33h is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Capers:	24/8 oz. Net glass jars	$4.20	$0.25
Cavelier[1]	48/3½ fld. oz. jars	7.20	.15
Rosemarie			
Plain Queen Olives:	12/20 oz. net Pint. glo	2.20	.25
Sunbeam	12/29 oz. mason jars net	10.80	1.25
Premier	4/1 gal. glo	2.40	.75
Premier	24/10 cyl. 6½ oz. net	4.80	.60
Libby's (glazed)	24/10 cyl. 6¾ oz. net	5.28	.60
Silvia	24/14 oz. net glo		
Sweet Life	24/24 oz. net glo	7.68	.85
Stuffed Manzanilla Olives:	24/4½ oz. cyl. net glo	3.12	.45
Sunbeam	24/5 oz. net cyl. glo	3.60	.45
Premier	24/5 cyl. 3 oz. net	4.80	.60
Rondale (thrown)	24/10 cyl. 6¾ oz. net	6.00	.75
Libby (glazed)	24/5 oz. net	4.80	.60
Silvia	24/10 cyl. 6 oz. net glo	7.20	.90
Stuffed Queen Olives: Libby			

19. Section 42 Table 331 is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Steak Sauce: Derby	24/8 oz. jars	$4.80	$0.80
Sauce: Wilson's Certified B. V.	24/4½ oz.	4.20	.30
Paprika: Premier	24/1¾ oz. tin	2.28	.35
Spaghetti Sauce: Chef Boyardee	24/8 oz. glo	5.88	.54
Pickles, Sweet: Premier	4/1 gal. jars	11.76	3.95
Pickles, Sweet: Premier	4/1 gal. jars	4.20	3.95
Pickles, Sweet: Premier	12/16 oz. count.		

20. Section 42 Table 33L is amended by adding new items to read as follows:

Items and brand names	Unit—case of—	Price at wholesale	Retail price (per unit)
Seedless Raisins: Boback	48/15 oz. pkgs.	$4.80	$0.15
Seedless Raisins: S & W	24/15 oz. pkgs.	4.32	.20
Ungraded Muscatel Raisins: Del Pino	25 lbs.	4.25	.19 per lb.
California Prunes: Golden Glow	25 lbs.	4.25	.19 per lb.
Dried Cherries: Palmdale	25 lbs.	4.25	.20 per lb.
Fresh Dates S & W	24/8 oz. pkgs.	3.60	.20
Dried Peaches, extra fancy: S & W	25 lbs.	11.75	.77 per lb.
Dressed Citron Peel: Premier	10 lbs. each	4.25	.50 per lb.
Dressed Orange Peel: Premier	10 lbs. each	4.25	.50 per lb.
Figs, California: Premier	10 lbs.	2.00	.25 per lb.
Whole and Broken Cherries: Premier	24/ pails	14.00	.95

21. Section 47. Table 39 is amended by revoking the price to wholesaler of the following items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price
Cleanser: Crystal White	13 oz. container	$0.63 per doz.	$0.07 per unit or 2 for 13¢.
Octagon	13 oz. container	$0.63 per doz.	$0.07 per unit or 2 for 13¢.

This amendment shall become effective August 1, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the prices established for Isle of Pines grapefruit are necessary as an aid to the effective prosecution of the war.

FRED M. VINSON,
Director, Office of Economic Stabilization.

[F. R. Doc. 44-11430; Filed, July 31, 1944; 11:42 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard; Inspection and Navigation

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 161—DECK OFFICERS, PROFICIENCY IN COMMUNICATIONS

By virtue of the authority vested in me by R.S. 4405, R.S. 4462, and R.S. 4463, as amended (46 U.S.C. 375, 416, 222) and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), and finding it to be necessary for the safe navigation of vessels departing under registry during the war, the inspection and navigation regulations are amended by the addition of a new part as follows:

Sec.
161.1 Certificates of inspection of certain vessels deemed to include requirements of proficiency in communications.
161.2 Exhibition of evidence of proficiency in communications.
161.3 Endorsements on licenses.
161.4 Navy certificates of proficiency in wartime merchant ship communications.

§ 161.1 *Certificates of inspection of certain vessels deemed to include requirements of proficiency in communications.* Effective on and after January 1, 1945, and for the duration of the war, the certificate of inspection of every United States vessel departing under registry from any port of the United States, including Alaska, Hawaii, Puerto Rico and the Virgin Islands whether issued prior to, or subsequent to such date, shall be deemed to have entered thereon the following provision: "The licensed deck officers, including the master, required by this certificate of inspection shall possess evidence satisfactory to the Commandant of the Coast Guard of proficiency in wartime merchant ship communication." Such provision need not be endorsed upon such certificate but shall be deemed to be included therein with the same force and effect as though physically written therein.

§ 161.2 *Exhibition of evidence of proficiency in communications.* The evidence of proficiency in wartime merchant ship communications required by the provision of certificates of inspection specified in § 161.1 shall be exhibited to the Coast Guard Shipping Commissioner at the time of signing on the vessel.

§ 161.3 *Endorsements on licenses.* Upon furnishing to any Coast Guard officer authorized to issue licenses to deck officers such evidence as the Commandant of the Coast Guard may require of proficiency in wartime merchant ship communications any licensed deck officer shall have his license endorsed "Qualified in wartime communications". Licenses so endorsed are approved as satisfactory evidence of proficiency in wartime merchant ship communications as required by the provision of certificates of inspection specified in § 161.1.

§ 161.4 *Navy certificates of proficiency in wartime merchant ship communications.* Certificates of Proficiency in Merchant Ship Communications for U. S. Masters and Mates issued by Navy certifying officers may be accepted by Coast Guard Shipping Commissioners and license issuing officers as satisfactory evidence of the proficiency in wartime merchant ship communications as required by the provision of certificates of inspection specified in § 161.1.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

JULY 28th, 1944.

[F. R. Doc. 44-11320; Filed, July 29, 1944; 10:13 a. m.]

Chapter III—War Shipping Administration

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

[G.O. 2, Supp. 6]

UNIFORM VOYAGE CHARTER FOR PRIVATE CARRIAGE OF DRY CARGOES

As of August 15, 1944, § 303.5 *Uniform voyage charter for private carriage of dry cargoes, "Warshipvoy 3/1/43"* (Supp. 4 and Supp. 4, Amendment 1 to General Order 2) (8 F.R. 2400, 2723) is revoked and superseded by the following § 303.4:

§ 303.4 *Uniform voyage charter for private carriage of dry cargoes, "Warshipvoy (Revised) 8/15/44."* (a) On and after August 15, 1944, all voyage charters or trip charters entered into by or on behalf of the War Shipping Administration for the private carriage (as distinct from common carriage) of all dry cargoes (except sugar in the West Indies sugar trade) on vessels operated by or on behalf of the War Shipping Administration shall be on the form designated Warshipvoy (Revised) 8/15/44.

(b) The said Warshipvoy (Revised) form of charter party shall be printed on one page in type no smaller than six-point, Part I being completely on the face of the form and Part II being completely on the reverse of the form.

(c) The right is reserved to approve other forms of voyage charters and make general amendments or amendments appropriate to specific trades.

(d) In printing the form and in preparing individual charter parties the Agent's attention is directed to Traffic Regulation No. 12 with particular reference to Part A which contains detailed instructions in connection with filling in the blank spaces in Part I of the charter party.

(e) Agents may upon advice to the War Shipping Administration, and upon previous approval by it, incorporate special provisions in Part I of the charter party appropriate and necessary to the particular commodity, vessel or trade. Special provisions intended for more or less general use in a particular trade will be authorized by Rate Orders or Traffic Regulations. Other special provisions may be authorized by letter or other written communication from the War Shipping Administration to the Agent.

(f) The form of cargo receipt attached to the charter party and referred to in Clause 18 thereof may be adapted to the requirements of a particular trade or to the description of a particular cargo, *Provided*, The form and contents of the said receipt are not substanally changed.

(g) Warshipvoy charter parties shall be in the following form:

Warshipvoy (Revised) 8/15/41

Contract No. _____

VOYAGE CHARTER PARTY

Charter party made as of _____, 194__, at _____ between the United States of America, acting by and through the Administrator, War Shipping Administration, (hereinafter called the "Owner") of the good _____ MS _____ SS _____ (hereinafter called the "Vessel") and _____, charterer (hereinafter called the "Charterer")

This Charter Party consists of Part I and Part II. Except to the extent otherwise provided in Part I, all the provisions of Part II shall be a part of this Charter Party as though fully set forth herein.

PART I

A. Description of vessel:
Net registered tonnage of vessel: _____
Classed: _____
Fully Loaded Draft (Summer Marks): _____
Capacity for cargo (including deck cargo, if any) _____ tons of 2240 lbs. (10 per cent more or less vessel's option).
Bale cubic capacity for cargo _____ cu. ft., under deck according to ship's plan, but not guaranteed by the Owner.
Number of hatches: _____
Number of winches and derricks: _____
B. Description of Cargo: _____
C. Loading Port(s): _____
D. Discharging Port(s): _____
E. Freight Rate: _____
Demurrage: _____
Despatch: _____
F. Stevedoring: _____
G. Loading Time: _____
H. Discharging Time: _____
I. Special Provisions: _____

Commission. Commission or brokerage, if any, is due and payable by the Owner in accordance with and to the extent of applicable regulations of the War Shipping Administration to _____

In witness whereof the parties hereto have executed this Agreement, in triplicate, as of the day and year first above written.

UNITED STATES OF AMERICA,
By WAR SHIPPING ADMINISTRATION,
By _____ *Agent.*
By _____
Witness the signature of:
_____
_____
Witness the signature of:
_____
_____

PART II

1. *Vessel and voyage.* The Vessel on tendering hereunder shall as far as due diligence can make her so, be tight, staunch, strong and ready for service. Because of prevailing conditions, it is agreed that the Vessel may be of a type not fitted, constructed or ordinarily employed for the contract voyage and the Owner shall not be responsible for any loss of, damage or delay to cargo arising from or due to the type or structure of the Vessel provided the same is not due to the Owner's failure to exercise due diligence, and all risk of loss, damage or delay inherent in such carriage or attributable to such use shall be borne by the Charterer. In the event the named Vessel is prevented from reporting for loading for any reason, Owners are to have the privilege of substituting another vessel of similar class, and, in the event the rate order provides for any alteration in rate, loading or discharging time, demurrage or despatch to cover the type of substituted vessel, the Charterer or Owner, whoever is affected, shall receive the benefit of such change or changes.

2. *Stevedoring and lighterage.* (a) Stevedoring and other expenses of loading and discharging, including any expense of tallying, winchmen, dunnage, cargo fittings, heavy lifts, dumping and trimming, removal of strongbacks with shore equipment where necessary are upon the basis set out in Part I. Unless otherwise agreed, dunnage and fittings placed aboard by the Charterer may be retained on board at the option of the Owner. If the Owner elects not to retain them on board, the cost of removal and discharge shall be borne by the Charterer, and time so used shall count as laytime. Where Charterer loads or discharges the Charterer shall be responsible for cleaning the cargo compartments at Charterer's expense and on his time. Cleaning shall mean swept holds with refuse removed except on cargo where custom provides more complete cleaning.

(b) The Vessel will permit the use of ship's winches and other appropriate gear actually on board. The Vessel will at all times provide power sufficient to run all the winches, or all necessary to be worked. Where loading or discharging is performable by the Charterer and it is necessary to employ the Vessel's crew to operate winches, the said members of the crew shall be deemed the agents of the Charterer and any wages or overtime payable to the Vessel's crew employed as winchmen shall be for Charterer's account and shall be covered by Charterer's compensation or other liability insurance ordinarily required by law or custom upon stevedores or other workmen. At any berth where the Charterer is to load or discharge at his expense, or at any berth used upon the request of the Charterer, the Charterer must supply adequate light for any work performed but may have the use of any lighting facilities aboard the Vessel.

(c) The Charterer agrees to provide and pay for workmen's compensation, job liability and other insurance required by law or custom upon stevedores or other workmen employed by or performing any of the duties of the Charterer hereunder at all ports or places of loading and discharging and will furnish the Owner upon demand a certificate of such insurance. The Charterer agrees to pay for all stevedore damage and to indemnify the Vessel and the Owner for any damage or expense caused by the act or neglect of the Charterer or its Agents or contractors appointed by the Charterer or performing any of its duties in the loading or discharging of the Vessel or from failure of equipment supplied by them.

(d) Lighterage, if any, to be at the risk and expense of the cargo.

3. *Loading port.* (a) The cargo described in Part I shall be loaded on the Vessel but in no case shall the cargo exceed what the Vessel can reasonably stow and carry, in the judgment of the Master, over and above the space and burthen necessary for Vessel's officers and crew, her cabin, tackle, apparel, furniture, provisions, fresh water, stores, necessary ballast and fuel. No cargo shall be carried on deck, unless provided in Part I hereof, and in such case the carriage of deck cargo shall be at the sole discretion of the Master and at the risk of the Charterer and Owners of such cargo. Any material required for securing deck cargo is to be furnished by the Charterer and for his account, but Charterer may have the use of any such material aboard the vessel.

(b) Loading port or ports to be named by the Charterer not later than upon signing this charter.

4. *Loading berth.* (a) The cargo described in Part I shall be loaded on the Vessel at such berth or berths that the Charterer may designate, always, however, subject to the approval of the War Shipping Administration. One loading berth only is contemplated, and permission of the Owner is required for any additional berths. If permission is obtained the Charterer shall pay all expenses, except wages of the Vessel's crew including overtime, fuel, and other usual vessel expenses incurred in shifting between or among berths and the time consumed shall count as used loading time.

(b) The Charterer warrants that such berth or place as may be designated by him shall be safe in all respects. Unless expressly provided in Part I that the Vessel may load safely aground, the Charterer warrants that such berth or berths shall have sufficient depth of water at all times and stages of tide to accommodate safely a vessel of the size and particulars designated in Part I hereof and that the Vessel can proceed to, remain thereat, and depart therefrom always safely afloat.

(c) The Charterer warrants that the berth shall be available immediately when the Vessel is ready to load. Any time lost to the Vessel while awaiting berth shall be counted as used time for loading. Where delay is due to routing instructions, bunching of vessels in convoy or other similar causes resulting from orders of the United States or the Owner, over which the Charterer has no control, the Owner reserves the right to exclude all or any part of the time the Vessel is so delayed from the lay time, if in the Owner's judgment, which shall be final and conclusive, the circumstances of the delay warrant such action.

5. *Loading time.* When the Vessel has arrived at the loading port and is in all respects ready to load, a notice of readiness to load shall be tendered by letter, telegram or phone to the Charterer or his agent whether or not during usual business hours and the despatch of such notice shall constitute notice whether or not it is received by the Charterer. The time for loading shall commence at the time stated below respectively, Vessel in or out of berth.

If the said notice is tendered between	*Time for loading shall commence*
12:01 a. m. to 8:00 a. m.	At 1:00 p. m. on the same day.
8:01 a. m. to 12:00 noon	4 hours after notice provided loading commences before the four hour period after notice has expired, but in no event later than 4:00 p. m. on the same day.
12:01 p. m. to 4:00 p. m.	4 hours after notice provided loading commences before the four hour period after notice has expired, but in no event later than 8:00 p. m. on the same day.
4:01 p. m. to 12:00 midnight	At 8:00 a. m. on the next day, unless loading commences before 12:00 midnight the day of tendering of notice in which event time starts 12:01 a. m. the next day.

6. *Freight.* (a) Full freight to the discharging port named in Part I shall be considered completely earned on cargo as same is loaded whether the freight be stated or intended to be prepaid or to be collected and the Owner shall be entitled to all freight and charges due hereunder whether actually paid or not and to receive and retain them irrevocably under all circumstances whatsoever s'hip and/or cargo lost or not lost, whether or not the cargo is damaged or unsound or the voyage broken up or abandoned. In the event the Vessel and/or cargo is lost, the loading quantity, weight or measurement at the rate specified in Part I and as indicated by cargo receipts, shall be conclusive.

(b) Freight shall be payable in United States currency in the United States upon completion of loading, without deductions for any cause, except for advances to the Master. In the event freight is to be determined on the outturned weight, 90% of the freight on the loading weight shall be paid upon the signing of cargo receipts; the balance payable upon ascertainment of the gross landed weights as determined by certificates of public weighers, railway scale weights or by other customary means not inconsistent with these. The Vessel may checkweight or measure at its own expense.

(c) Should the Charterer fail to supply the cargo stipulated in Part I hereof, the Vessel may at the Master's option, and shall, upon the request of the Charterer, proceed on her voyage: *Provided*, That she is, in the judgment of the Master, in a seaworthy condition as far as the quantity and stowage of the cargo is concerned. In that event, dead freight shall be paid upon the difference between the quantity loaded and the quantity she would have carried if loaded as contracted. Dead freight shall be subject to all of the stipulations as to freight generally hereunder.

(d) If this Charter Party is for successive voyages, the freight for each and every voyage after the first voyage shall be at the rate prescribed by the War Shipping Administration on or before the date of completion of loading for each such voyage. If the rate of freight and/or surcharge at the time of such loading is higher than the rate stated in Part I hereof, Charterer agrees to pay such increase and the Vessel shall have a lien upon the goods for any difference between such increased rate and surcharge and the rate and surcharge stated herein. Similarly

any reduction in the rate or surcharge will inure to the benefit of the Charterer.

(e) Notwithstanding any of the foregoing provisions of this clause, the Owner may repay or refund all or part of the freight, dead freight or charges including demurrage if in the judgment of the Owner, whose decision shall be final and conclusive, the circumstances are of a nature which requires the whole or partial absorption of the loss by the Owner rather than by the Charterer.

7. *Advances.* Cash shall be advanced by the Charter to the Master, if required, for ordinary disbursements at ports of loading and discharge against Master's receipt, and at current rates of exchange, free of interest, discount, commission, or insurance fees.

8 *Discharging port.* (a) If the port or ports of discharge are not specified in Part I hereof, such port or ports shall be named by the Charterer not later than the time of completion of loading. Any loss of time resulting from delay in naming the port of discharge shall count as used loading time.

(b) Diversion of the Vessel to another discharging port while en route to the first named port at the request of the Charterer may be permitted by the Owner on such terms and conditions as may be agreed upon, but not a less additional charge than if such option had originally been granted in Part I hereof. When the Vessel is diverted or the voyage frustrated by reason of government orders or under any of the circumstances specified in Clause #23 hereof, all the rights, liberties and immunities stated in Clause #23 shall be available to the Owner and the Owner shall have the right to receive or retain freight in accordance with Clause #6 (a) hereof except in cases where the Owner, whose decision shall be final and conclusive, determines that all or part of such freight should be refunded or reduced because the circumstances relating to the diversion or frustration are of a nature which properly requires the whole or partial absorption of the loss by the Owner rather than by the Charterer.

9. *Discharging berth.* (a) Cargo will be discharged at the berth or berths that the Charterer designates, always subject, however, to the approval of the War Shipping Administration. One discharging berth only is contemplated, and permission of the Owner is required for any additional berth. If permission is obtained, the Charterer shall pay all expenses, except wages of the Vessel's crew, including overtime, fuel, and other usual vessel expenses incurred in shifting between or among berths and the time consumed shall count as used discharging time.

(b) The Charterer warrants that such berth or place as may be designated by him shall be safe in all respects. Unless expressly provided in Part I that the Vessel may discharge safely aground, the Charterer warrants that such berth or berths shall have sufficient depth of water at all times and stages of tide to accommodate safely a vessel of the size and particulars designated in Part I hereof and that the Vessel can proceed to, remain thereat, and depart therefrom always safely afloat.

(c) The Charterer warrants that the berth will be available immediately upon Vessel being ready to discharge. Any time lost to the Vessel while awaiting berth shall be counted as used time for discharging. Where delay is due to routing instructions, bunching of vessels in convoy or other similar causes resulting from orders of the United States or the Owner, over which the Charterer has no control, the Owner reserves the right to exclude all or any part of the time the Vessel is so delayed from the lay time, if in the Owner's judgment, which shall be final and conclusive, the circumstances of the delay warrant such action.

10. *Discharging time.* When the Vessel has arrived at the discharging port and is in all respects ready to discharge, a notice of readiness to discharge will be tendered by letter, telegram or phone to the Charterer or his agent whether or not during usual business hours and the despatch of such notice shall constitute notice whether or not it is received by the Charterer. The time for discharging shall commence at the times stated below respectively, vessel in or out of berth.

If the said notice is tendered between	*Time for discharging shall commence*
12:01 a. m. to 8:00 a. m.	At 1:00 p. m. on the same day.
8:01 a. m. to 12:00 noon	4 hours after notice provided discharging commences before the four-hour period after notice has expired, but in no event later than 4:00 p. m.
12:01 p. m. to 4:00 p. m.	4 hours after notice provided discharging commences before the four-hour period after notice has expired, but in no event later than 8:00 p. m.
4:01 p. m. to 12:00 midnight	At 8:00 a. m. on the next day, unless discharging commences before 12:00 midnight the day of tendering of notice in which event time starts 12:01 a. m. the next day.

11. *Separation of cargo.* Unless otherwise stipulated in Part I all of the cargo loaded shall be of the same character and quality, and no separation thereof shall be required. Cargo may be discharged and landed as it comes to hand. In the event the Charterer should desire separation of cargo, such separation shall be at his risk and expense, and any material required shall be for Charterer's account. In any event the Owner shall not be responsible for delivery of cargo by quality, grade or marks.

12. *Demurrage, Despatch, Overtime.*—(a) *Laytime.* For purposes of computing laytime under this Charter the quantities stipulated in Part I hereof as the minimum loading or discharging rate, or the minimum rate for bringing cargo to or taking it from alongside the Vessel, shall be the factor to determine the number of lay days allowed for loading and discharging.

(b) *Demurrage.* Charterers shall pay demurrage at the rate stipulated in Part I hereof for each and every day and pro rata for any part of a day that the time of loading or discharging exceeds the allowed lay-time.

(c) *Despatch.* Charterer shall be entitled to despatch, if any, at the rate stipulated in Part I hereof for each and every day and pro rata for any part of a day for all lay-time saved in loading or discharging.

(d) *Lay days reversible.* Unless otherwise provided in Part I hereof lay days at Charterer's option are reversible, except that, if Charterer earns and elects at the time the bills of lading are signed to collect despatch at loading port, the Charterer is not entitled to a second election in the event demurrage accrues at the port of discharge.

(e) *Overtime—charterer loads or discharges.* If overtime is ordered by the Charterer, all overtime loading and discharging shall be at the Charterer's expense. If overtime is ordered by the Owner, the Owner shall pay or reimburse the Charterer for all overtime for stevedore labor or operators of cranes for loading from alongside the vessel at the end of ship's tackle or for discharging to the end of ship's tackle, but all overtime for placing cargo alongside or for taking it away from alongside the Vessel shall be for Charterer's account. Where overtime is ordered by the Owner, all overtime hours worked at the Owner's expense shall be deducted from any lay time saved in the event despatch is payable hereunder.

(f) *Overtime—Owner loads or discharges.* If overtime is ordered by the Charterer, as Charterer may do with the approval of the War Shipping Administration's Port Representative, to avoid or minimize demurrage, earn despatch, or otherwise for Charterer's convenience, the Charterer shall pay or reimburse the Owners for all overtime expense. If overtime is ordered by the Owner, all overtime for stevedore labor or crane operators for loading cargo from alongside the Vessel at the end of the ship's tackle or for discharging cargo to the end of the ship's tackle shall be for the Owner's account, but all overtime for placing cargo alongside or for taking it away from alongside the Vessel shall be for the Charterer's account.

(g) *Overtime—Vessel's crew.* Whether loading or discharging is performable by the Owner or by the Charterer, overtime of the Vessel's crew shall be for the Owner's account; except, that where the Charterer loads or discharges and employs the Vessel's crew to operate winches, any overtime of members of the crew operating the winches shall be for the Charterer's account.

(h) *Overtime—Right of owner to order.* Notwithstanding the fact that the quantity stipulated in Part I hereof may be loaded or discharged during or before the end of the usual working hour day, the Owner reserves the right to order the Vessel to load or discharge as fast as she can twenty-four consecutive hours per day, each and every day, Sundays and holidays included or during any part of any or all days beyond the usual working hours. In that event and if the Charterer refuses or neglects to use due diligence to perform during straight or overtime hours any of the obligations on its part to be performed pursuant to this Charter Party, the Charterer shall pay as liquidated damage a sum computed upon the rate of demurrage stipulated in Part I hereof for each and every hour of work requested by the Owner which is not worked without regard to the allowed or used lay time.

(i) *Strikes.* Any time lost through strikes, lockouts, or stoppages of work, not caused or promoted by the Charterer, shipper, consignee, or their agents, which prevent the Vessel from loading or discharging cargo, or which prevent the Charterer from bringing cargo, which is on the pier or lighter, alongside the Vessel, or prevents the Charterer from taking cargo from alongside the Vessel, is not to be computed as part of the time for loading or discharging; provided that the foregoing exceptions shall not apply to strikes, lockouts or stoppages of work existing at the berth at the time charterer designates such berth pursuant to Clause No. 4 (a) or No. 9 (a) hereof, or existing at the time the vessel, after arrival at port, tenders notice of readiness to load or discharge pursuant to Clauses No. 5 or No. 10 hereof.

(j) *Strikes—Loading port.* In the event the Vessel or loading of the Vessel is delayed by reason of strikes, lockouts, or stoppages of work, the Owner reserves the right at the loading port to despatch the Vessel with such portion of the cargo as may then be on board or at the Owner's option to terminate this Charter Party and withdraw the Vessel from service. In either case, the Charterer shall not be liable for dead freight or demurrage or both on cargo which is not loaded up to the time of the commencement of such strike, lockout or stoppage of work.

(k) *Strikes—Discharge port.* In the event the Vessel or discharge of the Vessel is delayed by reason of strike, lockout, or stoppage of work, the Owner reserved the right at the discharge port to discharge or dispose of the cargo still on board, at Charterer's risk and expense, in accordance with all the terms and liberties contained in Clause #23 hereof.

(l) *Strikes—Notice to—owner.* In the event a strike, lockout or stoppage of work is in effect at a particular designated port or berth to which the Vessel is proceeding to load or discharge, the Charterer shall immediately communicate with the Owner or its Agents at that port. If the notice is received by the Owner in less than three days before the scheduled or anticipated arrival of the Vessel at that port, the Owner may elect whether or not to proceed to that port or berth. In the event the Owner elects to proceed, the Vessel may tender notice of arrival and the provisions of Paragraphs j and k above shall not be applicable and time for loading or discharging shall not commence until four hours after the termination of the strike, lockout or stoppage of work. If the Owner elects not to proceed to the loading port, the Owner may terminate this Charter Party and withdraw the Vessel from service. If the Owner elects not to proceed to a discharge port the Owner shall be entitled to all the rights, liberties and immunities provided in Clause 23 and Clause 8 (b) hereof.

13. *Appointment of Agents.* The Owner's Agents will act for the Vessel at both loading and discharging ports.

14. *Dues, taxes, wharfage, etc.* The Vessel will be free of any wharf, dock, quay dues, or similar charges at both the port of loading and port of discharge. Custom's fees, entrance or clearance fees, whether measured by the volume of cargo or not, towing and tug charges, pilotage and other usual port charges on the vessel shall be paid by the Owner. All other dues, taxes or assessments of any sort, including but without limitation those against the Vessel which are measured by the volume of the cargo, shall be paid by the Charterer.

15. *Customs, weighers, etc.* All arrangements and expense for weighers, samplers and gauges, whether required by Customs, or to determine the quantity of cargo, the amount or adjustment of freight or otherwise and all other Customs' requirements in connection with the cargo to be paid by Charterer, and any delay resulting from failure to make such arrangements shall count as used lay time.

16. *Lien.* The Owner shall have an absolute lien on the cargo and upon all subfreights for all amounts due under this Charter including freight, dead freight, demurrage and costs and disbursements (including attorney's fees) of recovering the same, which lien shall continue after delivery of the cargo hereunder.

17. *Assignment.* Subject to the prior approval of War Shipping Administration the Charterer shall have the option of subletting or assigning this Charter to any individual or company, but the Charterer shall always remain responsible for the due fulfillment of this Charter and all its terms and conditions.

18. *Cargo receipt.* (a) Non-negotiable receipts substantially in the form appearing herein shall be issued and signed by the Master as requested. If a negotiable bill of lading is provided for in Part I, the bill of lading shall be in the form prescribed by General Order No. 18 and present and future supplements or amendments thereto (Warshipsading or Warshipshortlading) upon which the following clause shall be prominently placed: "Subject to all the terms, provisions conditions and exceptions of Warshipvoy Charter Party dated_____."

(b) Any receipt or bill of lading signed by or on behalf of the Master or Agent shall be without prejudice to the terms, conditions and exceptions of this Charter and subject to all of them. The Charterer hereby agrees to indemnify and hold harmless the Owner, the Master, and the Vessel of and from all consequences or liabilities that may arise from the Charterer or its agents or the Master signing or issuing receipts, bills of lading or other documents inconsistent with this Charter or from any irregularity in the papers supplied by the Charterer or its agents or from complying with Charterer's or its agents' orders.

19. *Limitation of liability.* (a) The Owner and the Vessel in all matters arising under this Charter Party shall be entitled to the like privileges and rights and immunities as are contained in Section 3 (6), Section 4, and Section 11 of the Carriage of Goods by Sea Act of the United States approved April 16, 1936. The aforesaid provisions (except as may be otherwise specifically provided herein) shall govern before the goods are loaded on and after they are discharged from the Vessel and throughout the entire time the goods are in the custody of the Owner or Vessel.

(b) Neither the Vessel or Owner, nor any corporation owned by, subsidiary to or associated or affiliated with the Vessel or Owner shall be liable to answer for or make good any loss or damage to the goods occurring at any time and even though before loading on or after discharge from the Vessel, by reason or by means of any fire whatsoever, unless such fire shall be caused by the owner's design or neglect.

(c) Any provision of this Charter to the contrary notwithstanding the Owner shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner by any statute or rule of law for the time being in force. The amount of the Owner's liability hereunder for or in connection with any cargo transported shall not exceed the value of the Owner's interest in the vessel and pending freight regardless of whether or not the Owner is within the purview of Sections 4281–4289 of the Revised Statutes of the United States.

20. *Both-to-blame collision clause.* If the Vessel comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the Master, Mariners, Pilot or the servants of the Owner of the Vessel in the navigation or in the management of the Vessel, the owners of the cargo carried hereunder will indemnify the Owner of the Vessel against all loss or liability to the other or non-carrying ship or her owners insofar as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said cargo, paid or payable by the other or non-carrying ship or her owners to the owners of said cargo and set-off, recouped or recovered by the other or non-carrying ship or her owners as part of their claim against the carrying Vessel or Owners. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.

21. *General average clause.* General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the Owner of the Vessel, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the Vessel. Average agreement or bond and such additional security, as may be required by the Owner, must be furnished before delivery of the cargo. Such cash deposit as the Owner or his Agents may deem sufficient as additional security for the contribution of the cargo and for any salvage and special charges thereon, shall, if required, be made by the cargo, shippers, consignees, or owners of the cargo to the Owner before delivery. Such deposit shall, at the option of the Owner, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money.

22. *Amended Jason clause.* In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the Owner is not responsible by statute, contract, or otherwise, the cargo, shippers, consignees, or owners of the cargo shall contribute with the Vessel and its Owner in General Average to the payment of any sacrifices, losses or expenses of a General Average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the cargo. If a salving vessel is owned or operated by the Owner, salvage shall be paid for as fully as if the salving vessel or vessels belong to strangers.

23. *Liberties clauses.* (a) In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the Owner or Master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the vessel or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the cargo at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the Owner or Master may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the cargo at port of shipment and upon their failure to do so, may warehouse the cargo at the risk and expense of the cargo; or the Owner or Master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the cargo there, may discharge the cargo into depot, lazaretto, craft or other place; or the Vessel may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the Master or the Owner may consider safe or advisable under the circumstances, and discharge the cargo, or any part thereof, at any such port or place; or the Owner or the Master may retain the cargo on board until the return trip or until such time as the Owner or the Master thinks advisable and discharge the cargo at any place whatsoever as herein provided or the Owner or the Master may discharge and forward the cargo by any means at the risk and expense of the cargo. The Owner or the Master is not required to give notice of discharge of the cargo, or the forwarding thereof as herein provided. When the cargo is discharged from the Vessel, as herein provided, it shall be at its own risk and expense; such discharge shall constitute complete delivery and performance under this Contract and the Owner and the Vessel shall be freed from any further responsibility. For any service rendered to the cargo as herein provided the Owner or the Vessel shall

be entitled to a reasonable extra compensation.

(b) The Owner, Master and Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the Vessel, the right to give such orders or directions. Delivery or other disposition of the cargo in accordance with such orders or directions shall be a fulfillment of the contract voyage. The Vessel may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

(c) In addition to all other liberties herein the Owner and the Vessel shall have the right to withhold delivery of, reship to, deposit or discharge the cargo at any place whatsoever, surrender or dispose of the cargo in accordance with any direction, condition or agreement imposed upon or exacted from the Owner or the Vessel by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the cargo shall be solely at its risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the cargo.

24. *Scope of voyage.* (a) The scope of voyage herein contracted for shall include usual or customary or advertised ports of call whether named in this contract or not, also ports in or out of the advertised, geographical, usual or ordinary route or order, even though in proceeding thereto the Vessel may sail beyond the port of discharge or in a direction contrary thereto or return to the original port, or depart from the direct or customary route, and include all canals, straits and other waters. The Vessel may call at any port for the purposes of the current voyage or of a prior or subsequent voyage. The Vessel may omit calling at any port or ports whether scheduled or not, and may call at the same port more than once; may for matters occurring before loading the cargo, known or unknown at the time of such loading and matters occurring after such loading, either with or without the cargo or passengers on board, and before or after proceeding toward the port of discharge, adjust compasses, dry dock, with or without cargo aboard go on ways or to repair yards, shift berths, make trial trips or tests, take fuel, passengers, crew or stores, remain in port, sail with or without pilots, tow and be towed, and save or attempt to save life or property; and all of the foregoing are included in the contract voyage.

(b) In view of the necessity for the expeditious employment of all the available Merchant Marine, the exercise by the carrier or master of any of the liberties granted herein with respect to loading, departure, scope of voyage, arrival, routes, ports of call, stoppage, discharge, destination, surrender, delivery, or otherwise, shall be presumed to be for the purposes of conserving and utilizing war time, sea mileage or shipping space, and therefore prima facie reasonable and necessary in the assembling, transportation or distribution of materials essential to the war effort.

25. *Exceptions.* The Vessel, her Master and Owner, shall not, unless otherwise in the Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder, arising or resulting from: Any act, neglect, default or barratry of the Master, Pilots, Mariners or other servants of the Owner in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the Owner, shipper or consignee of the cargo; their agents or representatives; insufficiency of packing, insufficiency or inadequacy of marks; explosion, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual personal fault or privity of the Owner. And neither the Vessel, the Master or Owner, nor the Charterer, shall, unless otherwise in the Charter expressly provided, be responsible for any loss or damage or delay or failure in performing hereunder arising or resulting from: Act of God, act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board or to repair or go on drydock either with or without cargo aboard. No exemption afforded to the Charterer under this clause shall diminish its obligations for payment of any sums due the Owner under the other provisions of this Charter.

26. *Ice clause.* The Vessel shall not be ordered to nor bound to enter any ice-bound place or any place where lights, lightships, marks and buoys on Vessel's arrival are or are likely to be withdrawn by reason of ice or where there is risk that ordinarily the Vessel will not be able on account of ice to enter, reach or leave the place. The Vessel shall not be obliged to force ice. If on account of ice the Master considers it dangerous to remain at the loading or discharging place for fear of the Vessel being frozen in and/or damaged, he has the liberty to sail to a convenient open place and await the Charterer's further instructions. Detention through any of the above causes to be for the Charterer's account.

27. *Definition of "owner."* Wherever the word "Owner" appears herein without further definition it refers to the Owner of the Vessel, and shall be deemed to include a Time Charterer, Demise Charterer, Requisition Charterer, Deponent Owner, or user.

28. *Part I and Part II.* This Charter Party consists of this Part II and of Part I on the reverse hereof. Unless in this Part II otherwise provided, all of the provisions of said Part I shall be part of this Charter Party as though fully incorporated herein. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

29. *Members of Congress.* No member of or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909.

FORM OF CARGO RECEIPT

Received in apparent good order and condition from ---------- on board Motorship the ---------- Steamship ---------- whereof ---------- ---------- is Master, at the port of ---------- ---------- to be delivered at the port of ---------- ---------- or so near thereto as the Vessel can safely get, always afloat, unto ---------- ----------

This shipment is carried under and pursuant to the terms of the Warshipvoy Charter dated ---------- at ---------- between ---------- and ----------, as Charterer, and all the terms, conditions, exceptions and exemptions whatsoever of the said Charter apply to and govern the rights of the parties concerned in this shipment.

In witness whereof, the Master has signed ---------- Receipts of this tenor and date.

Dated at ---------- this ---------- day of ----------.

Master

[SEAL]

E. S. LAND,
Administrator.

JULY 28, 1944.

[F. R. Doc. 44-11303; Filed, July 29, 1944; 9:50 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 71–85—TRANSPORTATION OF EXPLOSIVES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of July, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

Part 3—Regulations Applying to Shippers

Superseding and amending *sec. 261A*, order Aug. 16, 1940, as follows (*packing formic acid*) (change or add):

(b) In containers prescribed in sec. 246, except Spec. 5A metal barrels or drums.

(f) Spec. 5C.—Metal barrels or drums.

Appendix—Shipping Container Specifications

Superseding and amending pars. 15 (b) and 17, spec. 3A, order Aug. 16, 1940, to read as follows:

15 (b) Specimens must be: Gauge length 8 inches with width not over 1½ inches; or, gauge length 2 inches with width not over 1½ inches: *Provided*, That gauge length at least 24 times thickness with width not over 6 times thickness is authorized when cylinder wall is not over 5/16 inch thick. The specimen, exclusive of grip ends, must not be flattened. Grip ends may be flattened to within one inch of each end of the reduced section. Heating of specimen for any purpose is not authorized.

17. Leakage Test.—Every cylinder with the bottom closed in by the spinning process must be tested for leakage by gas or air pressure after the interior of the bottom has been cleaned and is free from all moisture. Pressure, approximately the same as but not less than service pressure, must be applied to the interior of the finished bottom over an area of at least 1/16 of the total area of the bottom but not less than ¾ inch in diameter, including the point of closure, for at least one minute, during which time the exterior of the bottom exposed to interior pressure must be covered with water and closely examined for indications of leakage. Leakers must not be repaired and must be rejected.

NOTE: As a safety precaution, if the manufacturer elects to make this test *before* the hydrostatic test, he should design his apparatus so that the pressure is applied to the smallest area practicable, around the point of closure, and so as to use the smallest possible volume of air or gas.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after July 24, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11436; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 159-A]

PART 95—CAR SERVICE

MOVEMENT OF COMBUSTIBLE LIQUIDS TO SALISBURY, MD.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of July, A. D. 1944.

Upon further consideration of Service Order No. 159 of October 12, 1943 (8 F.R. 14018), and good cause appearing therefor:

It is ordered, That, Service Order No. 159 of October 12, 1943, § 95.33, partially suspending the operation of section 8 of Rule 35 of the Consolidated Freight Classification No. 15, as amended, insofar as it applies to combustible liquids destined Salisbury, Maryland, be, and it is hereby vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 p. m., July 28, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11306; Filed, July 29, 1944; 10:50 a. m.]

[S. O. 104, Amdt. 6]

PART 95—CAR SERVICE

MOVEMENT OF REFRIGERATOR CARS TO DESIGNATED POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended (8 F.R. 5270; 8 F.R. 11852; 8 F.R. 12100–01; 8 F.R. 17428; 9 F.R. 947), and good cause appearing therefor:

It is ordered, That, Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended, be, and it is hereby, further amended by substituting the following provisions in lieu of the territorial description in paragarph (a) (1) (i) in Amendment No. 5 (9 F.R. 947) of § 95.304, Substitution of refrigerator cars, as amended:

(a) (1) • • • (i) westbound shipments in carloads originating at points shown as origin points in Agent L. E. Kipp's tariffs, I. C. C. Nos. 1492 and 1493, supplements thereto or reissues thereof, destined to points in the States of California, southern Idaho (on the Union Pacific main and branch lines across southern Idaho, including the line from Pocatello to the Montana-Idaho State line and the branches north of Blackfoot, Idaho), Arizona, Nevada, or Utah, or (ii) • • •. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., August 1, 1944; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11437; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 184, Amdt. 4]

PART 95—CAR SERVICE

REQUIREMENTS, CONCERNING BILL OF LADING FOR CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924; 9 F.R. 3594, 9 F.R. 4442) and good cause appearing therefor:

It is ordered, That: Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR § 95.333, as amended, be further amended by striking from the last ordering paragraph, as amended, the clause "That this order shall become effective at 7:00 a. m., August 3, 1944;" and by inserting in lieu thereof the following clause "That this order shall become effective at 7:00 a. m., September 9, 1944:". (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 7:00 a. m., August 3, 1944; that a copy of this order and direction shall be served upon each state railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11439; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 180, Amdt. 5]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 180 (9 F.R. 1598–99) of February 5, 1944, as suspended and amended (9 F.R. 1679–80; 9 F.R. 1827; 9 F.R. 2095; 9 F.R. 3747; 9 F.R. 4442) and good cause appearing therefor:

It is ordered, That, Service Order No. 180 (9 F.R. 1598–99) of February 5, 1944, 49 C.F.R. § 95.330, as suspended and amended be, and it is hereby, further suspended until September 9, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

And it is further ordered, That this order shall become effective August 5, 1944; that a copy of this order and direction shall be served upon each State Railroad Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–11438; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 188, Amdt. 4]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON INTRATERMINAL REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 188 (9 F.R. 3098) of March 18, 1944, as amended (9 F.R. 3396; 9 F.R. 3748; 9 F.R. 4728) and good cause appearing therefor:

It is ordered, That, Service Order No. 188 (9 F.R. 3098) of March 18, 1944, 49 CFR § 95.334, as amended, be, and it is hereby, further suspended until September 9, 1944. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective with August 5, 1944; that a copy of this order and direction shall be served upon the California State Railroad Commission and upon the State Belt Railroad of California; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–11440; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 221]

PART 95—CAR SERVICE

UTILIZATION OF ROUGH BOX CARS FOR LOADING SHINGLES FROM OREGON AND WASHINGTON

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

It appearing, that, due to the westbound loading of rough box cars into Oregon and Washington, there is a supply of these cars available at points in these States for shingles; the failure to utilize these rough box cars for transporting shingles from Oregon and Washington impeded the use, control, supply, movement, distribution, exchange, interchange, and return of cars; in the opinion of the Commission an emergency exists:

It is ordered, That: (a) *Definition.* The phrase "full visible capacity" means that each tier in a box car is loaded to the extent that another bundle or package of shingles of the smallest size loaded in the car cannot be placed between the top row of the tier and the inside top of the car.

(b) *Utilization of rough box cars.* Common carriers by railroads subject to the Interstate Commerce Act shall furnish, when available at points in the States of Oregon and Washington, one box car of less than 40' 6" in length inside measurements in lieu of each box car 40' 6" in length or longer ordered by a shipper or consignor for loading cedar shingles in straight carload shipments.

(c) *Loading.* Each car furnished in accordance with paragraph (b) of this section shall be loaded to full visible capacity.

(d) *Minimum weight.* The minimum weight applicable to shipments loaded into box cars furnished pursuant to paragraph (b) of this section shall be the actual weight of the shipment, but not less than 30,000 pounds.

(e) *Rates to be applied.* The rates to be applied on shipments loaded pursuant to this order shall be the tariff rates now applicable in connection with the tariff minimum weight of 36,000 pounds.

(g) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

It is further ordered, That this order shall become effective at 12:01 a. m., August 1, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–11442; Filed, July 31, 1944; 11:46 a. m.]

[S. O. 189, Amdt. 4]

PART 97—ROUTING OF TRAFFIC

EMBARGO OF GRAIN ROUTES AND TRANSIT ARRANGEMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon further consideration of Service Order No. 189 (9 F.R. 3357) of March 23, 1944, as amended, and good cause appearing therefor:

It is ordered, That, Service Order No. 189 (9 F.R. 3357) of March 23, 1944, 49 CFR, § 97.12, Embargo of routes and transit arrangements on grain and related articles, and Appendix "A" thereof, be, and it is hereby, further amended in the following respects:

Sheet 9, paragraph 17, Missouri Pacific Railroad tariff I. C. C. No. A–9626, Item 1092 is eliminated.

The Missouri Pacific Railroad (Guy A. Thompson, Trustee), 5 days before the effective date of this order shall publish, file, and post a supplement to its tariff affected hereby announcing the change in the embargo of routes and transit arrangements herein provided. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, That this amendment shall become effective at 12:01 a. m., August 8, 1944; that a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–11441; Filed, July 31, 1944; 11:46 p. m.]

Chapter II—Office of Defense Transportation

[Gen. Permit ODT 24–10]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

PASSENGER TRAIN OPERATIONS

Pursuant to § 500.42 of General Order ODT 24, as amended, it is hereby authorized, that:

§ 520.609 *Certain operations authorized for presidential and vice-presidential candidates.* Notwithstanding the provisions of § 500.41 of General Order ODT 24, as amended, any rail carrier may operate, during the period from July 30, 1944, to November 10, 1944, inclusive, special passenger trains, extra sections of regularly scheduled passenger trains, or special cars in any passenger train, for the exclusive service of any candidate who, during the current national political campaign, is duly nominated for the office of President of the United States or Vice-President of the United States by any political party.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; Gen. Order ODT 24, as amended, 7 F.R. 7814, 10484; 9 F.R. 7584)

Issued at Washington, D. C., this 29th day of July 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44–11338; Filed, July 29, 1944; 11:38 a. m.]

Notices

NAVY DEPARTMENT.

CALL FOR BIDS WITH RESPECT TO SALE OF PETROLEUM FROM ELK HILLS RESERVE, CALIF.

Invitation to qualified bidders to bid with respect to the public sale of petroleum from Naval Petroleum Reserve No. 1 (Elk Hills), Kern County, California.

1. Pursuant to the Act of June 4, 1920 as amended by Public Law No. 343, 78th Congress, 2d Sess., and the Joint Resolution of Congress No. 344, both of which were approved by the President of the United States June 17, 1944, the Secretary of the Navy (hereinafter referred to as Navy) will produce from said Reserve and have available for public sale to the highest qualified bidder petroleum in the estimated quantities, at the approximate times and at the place indicated below: *Bids for all or any part of such petroleum are requested in compliance with the terms of the above cited Act and Joint Resolution and the conditions and provisions to which reference is hereinafter made.*

2. The public sale will take place in the office of the District Supply Officer, Twelfth Naval District, Room 545, Federal Office–Building, San Francisco 2, California, at 10:00 a. m. (P. W. T.) August 15, 1944. Prior to such sale bidders must file with said officer certain statements showing qualifications to bid, which statements are described in detail in the specifications hereinafter mentioned. No one will be deemed a qualified bidder or be permitted to bid who has not filed such statements. All bids must be in writing. The bids and statements will be read aloud at said time and place and any interested person may be present and will be heard with respect to the subject matter. A bidder who has submitted a bid in accordance with the provisions of this Call and Specifications may forthwith, after all proposals have been read, change the price or any other terms of his bid and such change or changes shall immediately be written into his bid: *Provided, however*, That no changes will be permitted that will have the effect of lowering the prices bid. The bids will then be taken under advisement by Navy and an acceptance or acceptances made within 30 days thereafter subject, however, to the later approval of the President of the United States, which approval may not be obtained within such 30 day period. Navy reserves the right, in the public interest, to reject all bids and order a new public sale.

3. The maximum number of barrels of petroleum covered hereby is approximately 2,474,900 barrels. The quantities that will be available from time to time are subject to (a) speed of development work to increase present production, (b) a maximum authorized daily rate of production available to Navy of 50,000 barrels and (c) causes beyond the control of Navy. The principal place of delivery will be at U. S. Naval Fuel Annex, Elk Hills, in the South Half of Section 16, Township 31 South, Range 24 East, M. D. B. & M., Kern County, California.

4. Navy reserves the right to reduce or stop production at any time when it is no longer required for the national defense and more particularly for the meeting of the critical need for petroleum on the west coast to supply the armed services in the Pacific theater. Consequently, the contract of sale will contain provisions for partial or total cancellation by Navy.

5. Specifications containing detailed information on quantities offered for sale, form of bids, bond requirements, payments, deliveries, volume measurements, provisions respecting price, gravity determination, form of contract, information to be supplied by bidder, etc., can and should be obtained by prospective bidders from *Director, Naval Petroleum and Oil Shale Reserves, Navy Department, Washington, D. C., or the Inspector, Naval Petroleum Reserve in California, 402 United States Court House and Postoffice Bldg., Los Angeles 12, California*, or the *District Supply Officer, 12th Naval District, Federal Office Bldg., San Francisco 2, California.* All proposals must conform to such specifications.

RALPH A. BARD, *Acting Secretary of the Navy.*

JULY 25, 1944.

[F. R. Doc. 44–11365; Filed, July 29, 1944; 3:53 p. m.]

LABOR DEPARTMENT.

Office of the Secretary.

[WLD–29]

DES MOINES AUTOMOBILE DEALERS ASSN., ET AL.

FINDING AS TO CONTRACTS IN PROSECUTION OF THE WAR

In the matter of Des Moines Automobile Dealers Assn., Jensen-Dunn Co., Gambs Knorr Nash Co., Don Hardy Motor Co., Howard Sole Buick Co., Hudson Jones Co., Sanders Motor Co., Manbeck Motor Co., Brady Motor Co., Mid-Town Motor Co., Schooler Motor Co., Paul Manning Chevrolet, Crescent Chevrolet Co., O'Dea Chevrolet Co., Union Motor Co., Chambers Motor Co., and Owen Crist Auto Body Co., Des Moines, Iowa. (Case No. S–1104.)

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. Law 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER on August 14, 1943, and

Having been advised of the existence of a labor dispute involving Jensen-Dunn Company, Gambs Knorr Nash Company, Don Hardy Motor Company, Howard Sole Buick Company, Hudson Jones Company, Sanders Motor Company, Manbeck Motor Company, Brady Motor Company, Mid-Town Motor Company, Schooler Motor Company, Paul Manning Chevrolet, Crescent Chevrolet Company, O'Dea Chevrolet Company, Union Motor Company, Chambers Motor Company, and Owen Crist Auto Body Company, Des Moines, Iowa;

I find that the repair of motor trucks, other than those used merely for local retail deliveries, by any of the above companies pursuant to contract, whether oral or written, is contracted for in the prosecution of the war within the meanings of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 26th day of July 1944.

FRANCES PERKINS, *Secretary of Labor.*

[F. R. Doc. 44–11253; Filed, July 28, 1944; 11:40 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket 629, et al.]

NORTHWEST AIRLINES, ET AL.

NOTICE OF HEARING ON MILWAUKEE-CHICAGO-NEW YORK SERVICE

In the matter of the applications of Northwest Airlines, Inc., Transcontinental & Western Air, Inc., Colonial Airlines, Inc., American Airlines, Inc., Pennsylvania-Central Airlines Corporation, United Air Lines, Inc., Braniff Airways, Inc., and Chicago and Southern Air Lines, Inc., and Chicago and Southern Air Lines, Inc., for certificates and amendment of existing certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as

amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on August 31, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 27, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-11319; Filed, July 29, 1944; 11:06 a. m.]

[Docket 503, et al.]

BRANIFF AIRWAYS, INC., ET AL.

NOTICE OF HEARING ON MEMPHIS-OKLAHOMA CITY-EL PASO SERVICE

In the matter of the applications of Braniff Airways, Inc., American Airlines, Inc., Chicago & Southern Air Lines, Inc., Continental Air Lines, Inc. Delta Air Corporation, Eastern Air Lines, Inc., and the City of Birmingham, Alabama for certificates and amendment of existing certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, and investigation with respect to need for air transportation service.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, partiularly sections 401 and 1001 or said act, that oral argument in the above-entitled proceeding is assigned to be held in August 9, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated, Washington, D. C., July 27, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-11318; Filed, July 29, 1944; 11:06 a. m.]

[Docket 413, et al.]

TRANSCONTINENTAL AND WESTERN AIR, INC., AND AMERICAN AIRLINES, INC.

NOTICE OF HEARING ON JOPLIN-TULSA-OKLAHOMA CITY SERVICE

In the matter of the applications of Transcontinental and Western Air, Inc., and American Airlines, Inc., for amendment of existing certificates of public convenience and necessity so as to include Joplin, Mo., Tulsa, Okla., and Oklahoma City, Okla., as intermediate points.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on August 9, 1944, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 27, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-11317; Filed, July 29, 1944; 11:06 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6043]

UTICA OBSERVER-DISPATCH, INC.

NOTICE OF HEARING

In re application of Utica Observer-Dispatch, Inc. (New); date filed January 15, 1940; for construction permit; class of service, broadcast; class of station, broadcast; location, Utica, New York; operating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for further hearing to be consolidated with the application of Midstate Radio Corporation, Docket No. 6141, for the following reasons:

1. To determine the legal and technical qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services and media of mass communication are available to those areas and populations.

4. To determine whether a grant of this application would involve a concentration of control of media of mass communication in the proposed service areas contrary to the public interest.

5. To determine whether there is reasonable prospect that the proposed operation in the vicinity in question can be provided for without substantial delay.

6. To determine whether a grant of the instant application will serve an outstanding public need or national interest.

7. To determine whether a grant of the application will be consistent with the policy announced by the Commission in its Supplemental Statement of Policy of January 26, 1944.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through granting of this application, or the application of Midstate Radio Corporation (Docket No. 6141) or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Utica Observer-Dispatch, Inc., 221 Oriskany Plaza, Utica, New York.

Dated at Washington, D. C., July 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-11358; Filed, July 29, 1944; 12:12 p. m.]

[Docket No. 6141]

MIDSTATE RADIO CORPORATION

NOTICE OF HEARING

In re application of Midstate Radio Corporation (New); date filed, April 18, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Utica, New York; operating assignment specified: frequency 1450 kc, power 250 w, hours of operation unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for further hearing to be consolidated with the application of Utica Observer-Dispatch, Inc., Docket No. 6043, for the following reasons:

1. To determine the legal and technical qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

4. To determine whether there is reasonable prospect that the proposed operation in the vicinity in question can be provided for without substantial delay.

5. To determine whether a grant of the instant application will serve an outstanding public need or a national interest.

6. To determine whether a grant of the application will be consistent with the policy announced by the Commission in its Supplemental Statement of Policy of January 26, 1944.

7. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the

granting of this application, or the application of Utica Observer-Dispatch, Inc., (Docket No. 6043), or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Midstate Radio Corporation, 307–311 Paul Building, Utica, New York.

Dated at Washington, D. C., July 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–11359; Filed, July 29, 1944; 12:12 p. m.]

FEDERAL POWER COMMISSION.

[Project No. 405]

SUSQUEHANNA POWER CO. AND PHILADELPHIA ELECTRIC POWER CO.

ORDER STAYING FORMER ORDER AND GRANTING APPLICATION FOR REHEARING IN PART

JULY 26, 1944.

Upon consideration of the application of The Susquehanna Power Company and Philadelphia Electric Power Company, filed June 29, 1944, for a rehearing with respect to the Commission's Opinion No. 115 and order of May 23, 1944, (9 F.R. 6037) determining the actual legitimate original cost of Project No. 405, as of December 31, 1932, and prescribing the accounting therefor, and for a stay of the order of May 23, 1944, pending rehearing, and upon consideration of the entire record in this proceeding; and

It appearing to the Commission that: (a) The Licensees' application for rehearing sets forth contentions under Objection No. 3 concerning Interest During Construction—Post-License, and Objection No. 4 concerning Credit for Power Generated, on which a rehearing should be granted;

(b) With the exception of Objection No. 3 and Objection No. 4, the Licensees' application for rehearing does not present or allege any factual or legal contentions which would justify a rehearing;

(c) By Opinion No. 115 and paragraph (G) of the order of May 23, 1944, the Commission reserved consideration of the portions of the claimed cost totaling $1,301,042.05, incident to the construction of a second track roadbed for the Pennsylvania Railroad, and ordered a further hearing with respect thereto to be held on a date to be set by the Commission;

The Commission finds that: It is necessary and appropriate that the Licensees' application for rehearing and stay be disposed of as hereinafter provided.

The Commission orders that: (A) A rehearing be held on Objection No. 3 (Interest During Construction—Post-License) and Objection No. 4 (Credit for Power Generated) in the Licensees' application for rehearing, such rehearing to begin at 9:30 a. m. on the 26th day of September 1944, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(B) At the hearing to be held pursuant to paragraph (A) *supra*, the Licensees be given an opportunity to present additional evidence with respect to the portions of the claimed cost totaling $1,301,042.05 incident to the construction of a second track roadbed for the Pennsylvania Railroad, which were reserved for further hearing by the Commission's Opinion No. 115 and paragraph (G) of its order of May 23, 1944;

(C) The Commission's order of May 23, 1944, be and it hereby is stayed pending further order of the Commission;

(D) The Licensees' application for rehearing and stay, in all other respects, be and it hereby is denied.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–11301; Filed, July 29, 1944; 10:03 a. m.]

[Project No. 1835]

PLATTE VALLEY PUBLIC POWER AND IRRIGATION DISTRICT

ORDER GRANTING REHEARING

JULY 26, 1944.

Upon application filed July 15, 1944, by Platte Valley Public Power and Irrigation District for rehearing of the Commission's order of June 7, 1944, denying application for exemption from payment of annual charges due under the license for Project No. 1835 for the years 1941, 1942, and 1943.

The Commission finds that: The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1835 for the years in question;

It is ordered, That: (A) The application for rehearing be and it is hereby granted, and the order of June 7, 1944, requiring the payment of annual charges for the years ended December 31, 1941, 1942, and 1943 in the amounts of $1,863.53, $1,664.45, and $3,015.38, respectively, be and it is hereby stayed pending the final determination of the application for exemption;

(B) A hearing be held on the questions presented at such time and place as may hereafter be fixed by the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–11421; Filed, July 31, 1944; 11:04 a. m.]

[Docket No. IT–5648]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF APPLICATION

JULY 31, 1944.

Notice is hereby given that California Electric Power Company, of Riverside, California, has filed an application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U. S. C. 791–825r) for authority to export electric energy across the international boundary line between the United States and Mexico from Calexico, California, to Maxicali, Baja California, Mexico; from Andrade, California, to Algodones, Baja California, Mexico; and from Gadsden, Arizona, to San Luis, Sonora, Mexico, for public utility distribution.

Any person desiring to be heard or to make any protest with reference to said application should, on or before August 16, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations (under the Federal Power Act).

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–11422; Filed, July 31, 1944; 11:04 a. m.]

[Project No. 469]

MINNESOTA POWER & LIGHT CO.

ORDER POSTPONING HEARING

JULY 28, 1944.

It appearing to the Commission that: (a) On July 21, 1944, the Commission entered an order for hearing in the above-entitled matter to commence August 5, 1944;

(b) On July 27, 1944, the licensee, Minnesota Power & Light Company, filed its application for an indefinite postponement of the hearing scheduled for August 5, 1944.

The Commission finds that: Good cause exists for postponement of said hearing; and

The Commission orders that: The hearing heretofore set for August 5, 1944, in the above-entitled matter, be and the same hereby is postponed to 9:45 a. m., September 8, 1944, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44–11423; Filed, July 31, 1944; 11:04 a. m.]

[Project No. 346]

MINNESOTA POWER & LIGHT CO.

ORDER POSTPONING HEARING

JULY 28, 1944.

It appearing to the Commission that: (a) On July 21, 1944, the Commission entered an order for hearing in the above-entitled matter to commence August 5, 1944;

(b) On July 27, 1944, the licensee, Minnesota Power & Light Company, filed its application for an indefinite postponement of the hearing scheduled for August 5, 1944.

The Commission finds that: Good cause exists for postponement of said hearing; and

The Commission orders that: The hearing heretofore set for August 5, 1944, in the above-entitled matter, be and the same hereby is postponed to 9:30 a. m., September 8, 1944, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-11424; Filed, July 31, 1944; 11:05 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5197]

COAST FISHING CO.

NOTICE OF HEARING

Complaint. The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH ONE: Respondent Coast Fishing Company is a corporation, organized and existing under the laws of the State of California, with its principal office and place of business located at 621 S. Pries Avenue, Wilmington, California.

PAR. TWO: Respondent Coast Fishing Company is now engaged, and for many years prior hereto has engaged in the business of packing, distributing, and selling canned tuna, canned sardines and canned mackerel and other sea food products (all of which are hereinafter called sea food products) in its own name and for its own account for resale directly to buyers located in states other than the state in which the respondent is established. As a result of respondent's instructions, such sea food products are shipped and transported across state lines to such buyers who are located in various states of the United States, other than the state where the respondent is established.

The respondent, to distinguish its sea food products from the sea food products sold by competitors, and to facilitate sales, utilizes registered and unregistered trade-marks and brands for the various types and grades of sea food products it sells. Among and representative of respondent's well-known brands are:

Coast, Treasure, Abbey Biltmore, Satisfaction, Wave Kissed, King Solomon, Lucky Strike, Flakies.

PAR. THREE: The respondent, since June 19, 1936, in connection with the interstate sale and distribution of sea food products has been and is now paying or granting or has paid or granted, directly or indirectly, commissions, brokerage or other compensation or allowances or discounts in lieu thereof to buyers of said sea food products sold under its own labels, unlabeled and under buyers' labels.

PAR. FOUR: The respondent, since June 19, 1936, has distributed and sold and distributes and sells sea food products directly to certain buyers in interstate transactions as aforesaid and has paid to such buyers commissions or brokerage fees on purchases made by them in their respective names and for their respective accounts. The respondent's method of distribution and sale, as hereinafter illustrated, is representative of the sales methods of a number of West Coast distributors.

The respondent's buyers customarily designate themselves as "brokers", "merchandise brokers", or as "primary distributors", although they are known to the trade as "buying brokers" or "speculative brokers". Such "buying brokers" or "speculative brokers" customarily operate by placing orders for merchandise with those sellers, and only with those sellers, who will grant and pay them commissions or brokerage fees on their own purchases. Some such buyers are large scale buyers and sellers of sea food products distributed under their own private brands, which brands usually show the name and address of the buyer, but not the packer, and identify the merchandise as being the product of the particular buyer who owns the label.

Some such buyers customarily purchase their private brand sea food products from respondent and many other sellers and often during a given season, after shopping the market, will purchase such commodities under the same private brands from several competing sellers, placing their orders where they are able to secure the most favorable prices and terms.

Such buyers place their orders for merchandise with respondent and other sellers, who, on receiving and accepting such orders, deliver the merchandise to a common carrier for delivery, but require that the buyer pay the purchase price as a condition precedent to the delivery of the merchandise. If such merchandise is lost or damaged in transit, such buyers file claims in their own names and collect damages from the carrier for their own account.

On receipt of the merchandise, such buyers insure such merchandise and warehouse it in there own warehouses or in public warehouses, and thereafter generally utilize the warehouse receipts covering the merchandise, together with the insurance contract, as collateral or security to obtain bank loans.

Such buyers mask these operations under the fictionalized designation of "brokers", "merchandise brokers", or "primary distributors", for the sole purpose of coloring the name and method of their operation in order to collect commissions or brokerage fees from respondent and from other sellers who will pay such buyers commissions or brokerage fees on their own purchases, notwithstanding the fact that it is well known to be the custom of such buyers to invoice and sell such merchandise in their own names, for their own accounts, at their own prices, and on their own terms, and to assume full and complete credit risks.

PAR. FIVE: The acts and practices of the respondent in promoting sales of sea food products by paying to buyers, directly or indirectly, commissions, brokerage or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 27th day of July, A. D. 1944, issues its complaint against said respondent.

Notice. Notice is hereby given you, Coast Fishing Company, a corporation, respondent herein, that the 1st day of September A. D., 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

> In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.
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> Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.
>
> If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 27th day of July, A. D., 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-11315; Filed, July 29, 1944; 10:19 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 417]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 26, 1944, by Coony and Korshak Company, of car PFE 29684, onions, now on the Chicago Produce Terminal, to Zorovets and Kamfelbaum Company, Pittsburgh, Pennsylvania (P. R. R.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-11309; Filed, July 29, 1944; 10:50 a. m.]

[S. O. 70-A, Special Permit 418]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 26, 1944, by La Mantia Bros. Arrigo Company, of car PGE 15265, peaches, now on the Chicago and Eastern Illinois Railroad, to Shippers Service Company, Detroit, Michigan (Wab.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-11310; Filed, July 29, 1944; 10:50 a. m.]

[S. O. 70-A, Special Permit 419]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 26, 1944, by La Mantia Bros. Arrigo Company, of car WFE 67081, peaches, now on the Chicago Produce Terminal, to Levy Bros., Milwaukee, Wisconsin (Milw.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-11311; Filed, July 29, 1944; 10:50 a. m.]

[S. O. 70-A, Special Permit 420]

RECONSIGNMENT OF PEACHES AT COLUMBUS, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Columbus, Ohio, July 26, 1944, by Egan-Tickett and Company, of car FGE 60033, peaches, now on the New York Central Railroad, to Cleveland, Ohio (N. Y. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of July 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-11312; Filed, July 29, 1944; 10:50 a. m.]

[S. O. 178, 2d Amended Gen. Permit 10]

LOADING OF CANNED PROCESSED CHEESE IN REFRIGERATOR CARS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with processed cheese in glass or metal containers or the transportation or movement of refrigerator cars so loaded.

This permit shall become effective at 12:01 a. m., July 28, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of July 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-11313; Filed, July 29, 1944; 10:50 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 123, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LITTLE ROCK AND FORT SMITH, ARK.

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-123 (8 F.R. 16586), filed with the Office of Defense Transportation by the parties subject to said supplementary order, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-123 be, and it hereby is, revoked.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-11389; Filed, July 31, 1944; 10:17 a. m.]

[Supp. Order ODT 3, Rev. 246]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND POINTS IN MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject thereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. John Giarse, doing business as Lake Shore Motor Transit Lines, St. Joseph, Mich.
2. Oscar C. Selent, doing business as, Midwest Transit Lines, Benton Harbor, Mich.
3. William Edward Bell, doing business as Midway Transit Company, Benton Harbor, Mich.
4. Michigan Tri-State Motor Express (a corporation), Benton Harbor, Mich.
5. Michicago Motor Express (a corporation), Stevensville, Mich.

[F. R. Doc. 44-11390; Filed, July 31, 1944; 10:18 a. m.]

[Supp. Order ODT 3, Rev. 252]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN HOUSTON AND BEAUMONT, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July, 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Transit Company (a corporation), Oklahoma City, Okla.
E. G. Smith, doing business as Southern Motor Lines, Beaumont, Tex.

[F. R. Doc. 44-11391; Filed, July 31, 1944; 10:18 a. m.]

[Supp. Order ODT 3, Rev. 253]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN INDIANA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariff or supplements to filed tariffs, setting forth any changes in the rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversions, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of

[1] Filed as part of the original document.

the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July, 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

American Transport Co., Inc., Marion, Ind.
William S. Ellis and Fay O. Ellis, doing business as Ellis Trucking Company, Indianapolis, Inc.

[F. R. Doc. 44-11392, Filed, July 31, 1944; 10:18 a. m.]

[Supp. Order ODT 3, Rev. 264]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ILLINOIS, INDIANA AND MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William W. Brown, Emily Kiekbusch, Vance Pettenger, Edward Vassaw and Rex Allen, doing business as Saginaw Transfer Company, Saginaw, Mich.
Blue Arrow Transport Lines, Inc., Grand Rapids, Mich.

[F. R. Doc. 44-11393; Filed, July 31, 1944; 10:19 a. m.]

[Supp. Order ODT 3, Rev. 265]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NORTH CAROLINA AND TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require

[1] Filed as part of the original document.

any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Smith's Transfer Corporation, Lenoir, N. C.

2. Carolina Freight Carriers Corporation, Cherryville, N. C.

[F. R. Doc. 44-11394; Filed, July 31, 1944; 10:19 a. m.]

[Supp. Order ODT 3, Rev. 256]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersed any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or suppliments to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

F. S. Willey Company, Inc., doing business as Willey's Express, Cambridge, Mass.
Henry Jenkins Transportation Co., Inc., Mattapan, Mass.

[F. R. Doc. 44-11395; Filed, July 31, 1944; 10:19 a. m.]

[Supp. Order ODT 3, Rev. 257]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN SOUTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense

[1] Filed as part of the original document.

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall peform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Boineau's, Inc., Columbia, S. C.
2. Carolina Bonded Storage Company (A corporation), Columbia, S. C.
3. Checker Transportation and Storage Company (A corporation), Columbia, S. C.
4. E. W. Morris, doing business as E. W. Morris Trucking, Columbia, S. C.

[F. R. Doc. 44-11396; Filed, July 31, 1944; 10:20 a. m.]

[Supp. Order ODT 3, Rev. 258]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. C. L. Cox, doing business as Albany Storage & Furniture Company, Albany, Ga.
2. George E. Johnston, doing business as Albany Transfer Company, Albany, Ga.
3. Jim Denson, doing business as Jim Denson Transfer Company, Albany, Ga.

[F. R. Doc. 44-11397; Filed, July 31, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 259]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN SOUTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the

[1] Filed as part of the original document.

examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

McAlister Transfer Company, Charleston, S. C.
K. D. Brobston and J. J. Meeks, copartners, doing business as Carolina Dispatching Service, Charleston, S. C.

[F. R. Doc. 44-11398; Filed, July 31, 1944; 10:22 a. m.]

[Supp. Order ODT 3, Rev. 260]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NASHVILLE, TENN., AND ST. LOUIS, MO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the suc-

cessful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier by reason of a diversion, exchange, pooling or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hoover Motor Express Co., Inc. (a corporation), 414 Fifth Avenue, South Nashville, Tenn.

Service Lines, Inc., (a corporation), 606 Ninth Avenue, South, Nashville, Tenn.

Wilson Truck Co., Inc., (a corporation), 310 Fifth Avenue, South, Nashville, Tenn.

[F. R. Doc. 44-11399; Filed, July 31, 1944; 10:28 a. m.]

[Supp. Order ODT 3, Rev. 261]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN IOWA AND NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Ray S. Baldwin, Hamburg, Iowa.

W. D. Cross, doing business as W. D. Cross Transfer, Sidney, Iowa.

Bernard L. Johnson, doing business as Ben Johnson Coal and Transfer, Essex, Iowa.

R. K. Stevens, doing business as Stevens Transfer, Sidney, Iowa.

Raymond K. Stevens, doing business as Stevens Transfer, Sidney, Iowa.

Watson Bros. Transportation Co., Inc. (a corporation), 602 So. 14 St., Omaha, Nebraska.

[F. R. Doc. 44-11400; Filed, July 31, 1944; 10:23 a. m.]

[Supp. Order ODT 3, Rev. 266]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA, AND TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Great Southern Trucking Company (a corporation), Jacksonville, Fla.

The Mason & Dixon Lines, Incorporated, Kingsport, Tenn.

Smith's Transfer Corporation, Lenoir, N. C.

W. W. Raper, doing business as American Trucking Company, High Point, N. C.

W. W. Miller, Jr., doing business as Miller Motor Express, Charlotte, N. C.

[F. R. Doc. 44-11401; Filed, July 31, 1944; 10:24 a. m.]

[Supp. Order ODT 6A-32]

COMMON CARRIERS

COORDINATED OPERATIONS IN SHELBYVILLE, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–32" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Charles A. McLean, doing business as Goggin Truck Line, Shelbyville, Tenn.
2. Andrew B. Crichton, B. M. Crichton, C. N. Crichton, M. E. Crichton, R. B. Crichton and A. B. Crichton, Jr., doing business as Super Service Motor Freight Company, Nashville, Tenn.

[F. R. Doc. 44–11383; Filed, July 31, 1944; 10:24 a. m.]

[Supp. Order ODT 6A–33]

COMMON CARRIERS

COORDINATED OPERATIONS IN FAYETTE COUNTY, PA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–33" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Atlantic Freight Lines, Inc., Uniontown, Pa.
2. Walter Coldren, Uniontown, Pa.
3. Harry Dull, Connellsville, Pa.
4. Eastern Freight Lines, Inc., Uniontown, Pa.
5. Ralph C. Fike, Uniontown, Pa.
6. John Girard, doing business as John Girard Motor Express, Uniontown, Pa.
7. H. D. Ryan and Lindsay G. Howard, doing business as Keystone Transfer Company, Uniontown, Pa.
8. H. A. Parks and Alonso Parks, doing business as H. A. Parks & Son, Uniontown, Pa.

[1] Filed as part of the original document.

9. Samuel U. Williams and Harold Williams, doing business as Reliable Transfer Co., Uniontown, Pa.
10. Trolley Transfer Service, Inc., Pittsburgh, Pa.
11. P. J. Vesely and S. F. Vesely, doing business as Vesely Brothers, Fayette City, Pa.
12. J. B. Williams and Arthur R. Williams, doing business as J. B. Williams & Son, Uniontown, Pa.

[F. R. Doc. 44–11384; Filed, July 31, 1944; 10:25 a. m.]

[Supp. Order ODT 6A–34]

COMMON CARRIER

COORDINATED OPERATIONS IN TEXAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That;

1. The plain for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–34" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

W. A. Johnson, doing business as Johnson Motor Lines, Fort Worth, Tex.
L. F. Miller and F. D. Miller, doing business as Miller & Miller Motor Freight Lines, Wichita Falls, Tex.
Sunset Motor Lines, San Angelo, Tex.
Merchants Fast Motor Lines, Inc., Fort Worth, Tex.
Veda Mae Garrison Mann, doing business as Levelland Truck Lines, Lubbock, Tex.
Dalby Motor Freight Lines, Inc., Lubbock, Tex.

[F. R. Doc. 44–11385; Filed, July 31, 1944; 10:26 a. m.]

[Supp. Order ODT 6A–35]

COMMON CARRIERS

COORDINATED OPERATIONS IN TERRE HAUTE, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A 8 F.R. 8758, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for

examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–35" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Decatur Cartage Company (a corporation), Terre Haute, Ind.
Gerard Motor Express, Inc., Terre Haute, Ind.

[F. R. Doc. 44–11386; Filed, July 31, 1944; 10:26 a. m.]

[Supp. Order ODT 6A–36]

COMMON CARRIERS

COORDINATED OPERATIONS IN KEARNEY, NEBR.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–36" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John Brown and Alvin H. Brown, doing business as Brown Transfer, Kearney, Nebr.
E. W. Calvert, doing business as Calvert's Transfer, Kearney, Nebr.

[F. R. Doc. 44–11387; Filed, July 31, 1944; 10:27 a. m.]

[Supp. Order ODT 6A–37]

COMMON CARRIERS

COORDINATED OPERATIONS IN SEATTLE, WASH.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation to any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–37" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Inland Motor Freight (a corporation), Spokane, Wash.
Pacific Highway Transport, Inc., Seattle, Wash.

[F. R. Doc. 44–11388; Filed, July 31, 1944; 10:27 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1949]

PIANO PARTS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1949 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustable pricing on sales of certain piano parts.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Scope of this order.* This order applies only to sales by manufacturers of the piano parts covered by this order. The piano parts covered by this order are:

Keys, actions and action brackets.
Hammers.
Sounding boards.
Plates.
Pedals.
Tuning pins.
Custom-built wood parts and cases.

and all other piano parts which are used exclusively in the manufacture of pianos and whose sales are not covered by any price regulation issued by the Office of Price Administration other than Maximum Price Regulation No. 188.

This order does not cover:

Lumber (except custom-built wood parts and cases).
Glue.
Finishing materials.
Small hardware.

or any other part which is either not used exclusively in the manufacture of pianos or whose sales are covered by any price regulation issued by the Office of Price Administration other than Maximum Price Regulation No. 188.

This order applies only to sales made to manufacturers of pianos who will use the parts for the manufacture of new pianos and does not apply to sales of parts to purchasers who buy these parts for resale or for reconditioning of used pianos.

(b) *Adjustable pricing permitted by this order.* A manufacturer of piano parts may, after the effective date of this order, offer to sell, enter into contracts, and deliver the piano parts covered by this order at the existing maximum price and agree with the purchaser that the price charged for such parts may be increased to the extent that an increase in the maximum price for piano parts may be allowed by the Office of Price Administration by an order with an effective date within the calendar year 1944. Until such an order has been issued, the seller may not charge and the buyer may not pay any amount which exceeds the seller's existing maximum price.

(c) In order to be eligible for the adjustment, any manufacturer of piano parts, who proposes to collect the additional amount which may be allowed by the Office of Price Administration, must indicate on each invoice covering such parts, his intention to charge the additional amount by a statement in the following form:

The prices on this invoice are at or below the ceiling prices fixed in Office of Price Administration Maximum Price Regulation No. 188. In accordance with Order No. 1949 under that regulation, the purchaser is to pay any additional amount for piano parts permitted to be collected by the Office of Price Administration in an order effective during 1944.

(d) This Order No. 1949 may be revoked or amended by the Price Administrator at any time and expires on December 31, 1944.

This Order No. 1949 shall become effective July 28, 1944.

Issued this 28th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11288; Filed, July 28, 1944; 4:30 p. m.]

[MPR 120, Order 884]

BETHEL COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 884 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

BETHEL COAL COMPANY, 4516 COMMERCE ST., FAIRFIELD, ALA., BETHEL MINE, BLACK CREEK SEAM, MINE INDEX NO. 3037, WALKER COUNTY, ALA., RAIL SHIPPING POINT: DRUMMOND, ALA., STRIP MINE

	Size group Nos.							
	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23
Rail shipment and railroad fuel price group 7	555	515	505	440	430	430	420
Truck shipment price group 1	530	490	460	445	435	420	410

DAVIDSON COAL CO., 801 COMER BLDG., BIRMINGHAM, ALA., PALOS MINE, MARY LEE SEAM, MINE INDEX NO. 2026, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT: PALOS, ALA., DEEP MINE

	Size group Nos.						
	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 18	13, 19, 20, 21	17, 16	22, 23
Rail shipment and railroad fuel price group 2	435	425	395	390	340	345	305
Truck shipment price group 7	425	440	420	395	375	380	345

DEBARDELEBEN COAL CORPORATION, TRANSPORTATION BLDG., BIRMINGHAM (3), ALA., CORONA #18 MINE, CORONA SEAM, MINE INDEX NO. 2026, WALKER COUNTY, ALA., RAIL SHIPPING POINT: COAL VALLEY, ALA., STRIP MINE

Rail shipment and railroad fuel price group 4	425	415	405	405	395	395	385
Truck shipment price group 5	470	455	445	430	410	415	395

DEBARDELEBEN COAL CORPORATION, TRANSPORTATION BLDG., BIRMINGHAM (3), ALA., CORONA #19 MINE, CORONA SEAM, MINE INDEX NO. 2027, WALKER COUNTY, ALA., RAIL SHIPPING POINT: COAL VALLEY, ALA., DEEP MINE

Rail shipment and railroad fuel price group 4	425	415	405	405	395	395	385
Truck shipment price group 5	470	455	455	430	410	415	395

MITCHELL BROS. CONSTRUCTION CO., 3628 AVENUE A, BIRMINGHAM (6), ALA., MITCHELL #1 MINE CARTER SEAM, MINE INDEX NO. 2014, TUSCALOOSA, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., STRIP MINE

Rail shipment and railroad fuel price group 7	365	515	505	440	430	430	420
Truck shipment price group 3	500	490	470	440	430	430	410

MITCHELL BROS. CONSTRUCTION CO., 3628 AVENUE A, BIRMINGHAM (6), ALA., MITCHELL #2 MINE, MULDALE SEAM, MINE INDEX NO. 2024, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., STRIP MINE

Rail shipment and railroad fuel price group 7	365	515	505	440	430	430	420
Truck shipment price group 3	500	490	470	440	430	430	410

TAYLOR & ROBBINS COAL CO., ONEONTA, ALA., SOUTHVIEW MINE, UNDERWOOD SEAM, MINE INDEX NO. 2018, BLOUNT COUNTY, ALA., RAIL SHIPPING POINT: TAPIS GAP, ALA., STRIP MINE

Rail shipment and rail shipment fuel price group 9	485	460	450	410	400	400	380
Truck shipment price group 4	460	460	440	415	405	405	385

WADE & KERBY, P. O. BOX 762, BIRMINGHAM, ALA., NO. 1 MINE, BLACK CREEK SEAM, MINE INDEX NO. 2030, WALKER COUNTY, ALA., RAIL SHIPPING POINT: SUMITON, ALA., STRIP MINE

Rail shipment and rail shipment fuel price group 7	365	515	505	440	430	430	420
Truck shipment price group 1	350	490	490	445	435	430	410

NOTE: The maximum prices established by this order include the adjustment authorized by Amendment No. 106 to maximum price regulation No. 120 issued July 7, 1944. Effective July 12, 1944.

This order shall become effective July 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11370; Filed, July 29, 1944; 4:30 p. m.]

[MPR 475, Order 2]

DRIED FRUITS, 1943 AND LATER CROPS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 12 of Maximum Price Regulation No. 475, It is ordered:

(a) That sales and deliveries of the dried fruits named in Maximum Price Regulation No. 475 of the 1944 crop may be made by packers to government procurement agencies, subject to an agreement between the buyer and seller, in each case, that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In any such sale the packer shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of new maximum prices for the commodities referred to in paragraph (a).

This order may be revoked or amended by the Price Administrator at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11371; Filed, July 29, 1944; 4:27 p. m.]

[Max. Import Price Reg., Order 27]

POTATO BARRELS

AUTHORIZATION OF MAXIMUM PRICES

Order No. 27 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, *It is ordered:*

The Regional Administrator for Region I is authorized to establish maximum prices or pricing methods for the sale, by any person, in the State of Maine, of potato barrels manufactured in Canada and imported into the United States from Canada.

This order may be revoked or amended at any time.

This order shall become effective July 29, 1944.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11360; Filed, July 29, 1944; 4:26 p. m.]

[MPR 134, Amdt. 1 to Order 1]

BROWNING-FERRIS MACHINERY CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1 Under Maximum Price Regulation No. 134. Construction and road maintenance equipment, rental prices and operating or maintenance service charges. Browning-Ferris Machinery Co. Docket No. 3134-27.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) is amended to read as follows:

(a) The Browning-Ferris Machinery Co., 205 Exposition Avenue, Dallas, Texas, is authorized to increase its mechanics' service rates for the repair of construction and road maintenance equipment to an amount not to exceed $1.65 per hour for straight time, and $2.48 per hour for overtime.

This amendment shall be effective as of May 13, 1943.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11366; Filed, July 29, 1944; 4:25 p. m.]

[MPR 134, Amdt. 1 to Order 2]

MCCLURE-HARRIS CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 2 under Maximum Price Regulation 134. Construction and road maintenance equipment rental prices and operating or maintenance service charges. McClure-Harris Company. Docket No. 3134-28.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) is amended to read as follows:

(a) The McClure-Harris Company, 1324-26 West Erwin Street, Tyler, Texas, hereby is authorized to increase its mechanics' service rates for the repair of construction and road maintenance equipment to an amount not to exceed $1.65 per hour for straight time, and $2.48 per hour for overtime.

This amendment shall be effective as of May 13, 1943.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11367; Filed, July 29, 1944; 4:25 p. m.]

[MPR 134, Amdt. 1 to Order 3]

SHAW EQUIPMENT CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 3 under Maximum Price Regulation No. 134. Construction and road maintenance equipment rental prices and operating or maintenance service charges. Shaw Equipment Company Docket No. 3134-29.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) is amended to read as follows:

(a) The Shaw Equipment Company, 2510 South Lamar, Dallas, Texas, is authorized to increase its mechanics' service rates for the repair of construction and road maintenance equipment to an amount not to exceed $1.65 per hour for straight time, and $2.48 per hour for overtime.

This amendment shall be effective as of May 13, 1943.

Issued this 29th day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11368; Filed, July 29, 1944; 4:26 p. m.]

[MPR 188, Order 1975]

WESTING HOMECRAFT SHOP

APPROVAL OF MAXIMUM PRICES

Order No. 1975 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a folding nursery chair manufactured by Westing Homecraft Shop.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a folding nursery chair manufactured by Westing Homecraft Shop, 3611 Sixth Avenue, Des Moines, Iowa.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Folding Nursery Chair	----------	Each $2.18	Each $2.57

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Folding nursery chair	----------	Each $2.57

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-11433; Filed, July 31, 1944; 11:42 a. m.]

[MPR 188, Order 1976]

FLUORESCENT LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1976 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval

of maximum prices for sales of a play pen manufactured by Fluorescent Lighting Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a play pen manufactured by Fluorescent Lighting Company, 11 Pleasant Street, Monticello, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Play pen	-------	$4.00	$5.80

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Play-pen	-------	$5.80

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS,
Acting Administrator.

[F. R. Doc. 44–11434; Filed, July 31, 1944; 11:49 a. m.]

[MPR 188, Order 1977]

W. P. GUNN

APPROVAL OF MAXIMUM PRICES

Order No. 1977 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of juvenile table and chair sets and a juvenile porch swing manufactured by W. P. Gunn.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of juvenile table and chair sets and a juvenile porch swing manufactured by W. P. Gunn, Cornelia, Georgia.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile table and chair set	2E–3	$1.98	$2.33
Juvenile table and chair set	2E–4	2.48	2.93
Juvenile porch swing	2E–2	2.80	3.16

These prices are f. o. b. factory, and subject to a cash discount of two percent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model	Maximum price to retailers
		Each
Juvenile table and chair set	2E–3	$2.33
Juvenile table and chair set	2E–4	2.93
Juvenile porch swing	2E–2	3.16

These prices are subject to a cash discount of two percent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44–11435; Filed, July 31, 1944; 11:48 a. m.]

Regional and District Office Orders.

[Region II Order G–37 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DESIGNATED COUNTIES IN NEW YORK

Amendment No. 1 to Order No. G–37 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Ulster, Warren, and Washington Counties, State of New York, Coal Area VI.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G–37 is amended in the following respects:

1. Paragraph (a) (1) is amended by revising the description of Zones 1, 4, 6 and 7 to read as follows:

* * * * * * *

Zone 1. Zone 1 includes Albany County, except that portion lying north of Menands Road which is bounded on the west by Route 9; and includes the City of Rensselaer and the Towns of East Greenbush, Nassau, Sandlake, Shodack and Stephentown in Rensselaer County.

* * * * * * *

Zone 4. Zone 4 includes Fulton County.

* * * * * * *

Zone 6. Zone 6 includes all of Warren and Washington Counties, the Towns of Berlin, Hoosick and Petersburg in Rensselaer County and the Towns of Corinth, Day, Edinburgh, Hadley and Moreau in Saratoga County.

Zone 7. Zone 7 includes the City of Troy and the Towns of Brunswick, Grafton, North Greenbush, Pittstown, Poestenkill and Schaghticoke in Rensselaer County, the Towns of Waterford and Half Moon, and the City of Mechanicville in Saratoga County, and that portion of Albany County lying north of Menands Road which is bounded on the west by Route 9.

2. Paragraph (g) (1) is amended by revising the service charge for deliveries involving hauling beyond five miles from dealer's yard, to read as follows:

(g) *Schedule IV.*

Special service rendered at the request of the purchaser	Maximum Authorized Service Charges
* * * * * * * * * * *	
For deliveries involving hauling beyond five miles from dealer's yard.	15¢ per net ton for each mile or fraction thereof beyond five miles from dealer's yard, *Provided*, That dealers without direct rail facilities to their yard, who receive anthracite that has been shipped from the mine by rail (either by trucking it from a railroad siding or from another coal yard having direct rail facilities) shall calculate this charge on the basis of the haulage distance from the railroad siding or rail yard to the customer's premises: *Provided, further*, That the haulage charge shall in no event exceed $1.50 per net ton.

3. Paragraph (m) (1) is amended by revising the service charge for deliveries involving hauling beyond five miles from dealer's yard to read as follows:

(m) *Schedule X.*

Special service rendered at the request of the purchaser	Maximum Authorized Service Charges
* * * * * * * * * * *	
For deliveries involving hauling beyond five miles from dealer's yard.	50¢ per net ton for each five miles or fraction thereof beyond five miles from dealer's yard, *Provided*, That dealers without direct rail facilities to their yard, who receive anthracite that has been shipped from the mine by rail (either by trucking it from a railroad siding or from another coal yard having direct rail facilities) shall calculate this charge on the basis of the haulage distance from the railroad siding or rail yard to the consumer's premises: *Provided, further*, That the haulage charge shall in no event exceed $1.50 per net ton.

4. Paragraph (n) (1) is amended by revising the service charge for deliveries involving hauling beyond 2½ miles from dealer's yard, to read as follows:

(n) *Schedule XI.*

Special service rendered at the request of the purchaser	Maximum Authorized Service Charges
* * * * * * * * * * *	
For deliveries involving hauling beyond 2½ miles from dealer's yard.	10¢ per net ton for each mile or fraction thereof beyond 2½ miles from dealer's yard, *Provided*, That dealers without direct rail facilities to their yard, who receive anthracite that has been shipped from the mine by rail (either by trucking it from a railroad siding or from another coal yard having direct rail facilities) shall calculate this charge on the basis of the haulage distance from the railroad siding or rail yard to the consumer's premises: *Provided further*, That the haulage charge shall in no event exceed $1.50 per net ton.

This Amendment No. 1 to Order No. G–37 shall become effective July 20, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–11280; Filed, July 28, 1944; 1:38 p. m.]

[Region III Order G–11 Under RMPR 122]

SOLID FUELS IN DAYTON, OHIO

Order No. G–11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Dayton in the State of Ohio.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Dayton in the State of Ohio. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in the City of Dayton, in the State of Ohio; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or, business, buy solid fuels at prices higher than the maximum prices set by this Order No. G–11; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis. All prices are for sales on a net ton basis.

SCHEDULE I

Column I	Column II
I. High volatile bituminous coals from producing District No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, and northeastern Tennessee) excluding Mine Index Nos. 246, 213, 127 and 370:[1]	
A. Lump. Size Group Nos. 1 and 2 (larger than 3"):	
1. Mine Price Classifications B through J	$8.75
2. Mine Price Classifications K and lower	8.50
B. Egg. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) Mine Price Classifications B through N	8.40
C. Egg. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) Mine Price Classifications E through N	7.90
D. Stoker. Size Group No. 10 (top size 1¼" and smaller x bottom size ⅛" and larger) Mine Price Classifications B through E	8.25
E. To the prices stated in sections A, B, C and D of Part I may be added $.15 per ton provided the coal is mined in sub-district 6 of Producing District No. 8, and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	
II. High volatile lump coals from producing District No. 4 (Ohio) excluding Mine Index No. 73:	
A. Size Group No. 2 (bottom size larger than 2" but not exceeding 5") from the Hocking Freight Origin district	7.00
III. Low volatile bituminous coals from Producing District No. 7 (southern West Virginia and western Virginia) excluding Mine Index No. 73:[1]	
A. Lump and egg. Size group Nos. 1 and 2 (Lump: bottom size larger than screened run of mine; egg: top size larger than 3" x bottom size no limit):	
1. Mine Price Classification A	9.50
2. Mine Price Classifications B and C	9.35
B. Stove. Size Group No. 3 (Dedusted screenings: top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3") Mine Price Classification A	9.30
C. Stoker. Size Group No. 5 (Pea or dedusted screenings: top size not exceeding ¾" x bottom size smaller than ¾"), Mine Price Classification A	8.35

[1] In accordance with Regional Supplementary Order No. 3, $.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing, and if such a charge is separately stated on the dealer's invoice.

(2) *Discounts for yard sales.* All prices quoted in Column II shall be subject to a discount of $1.00 per ton to dealers buying for resale.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) *Prices for sales not covered by this order.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G–11 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel-in and carry from curb	$0.50
Carry up or down one flight of stairs	.75

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, it need not be so stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provisions thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Cincinnati District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, chuting or shoveling the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G–11 under Revised Maximum Price Regulation No. 122 shall become effective August 3, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 20, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–11281; Filed, July 28, 1944; 1:40 p. m.]

[Region III Order G–20 Under 18 (c), Amdt. 6]

FLUID MILK IN MICHIGAN

Amendment No. 6 to Order No. G–20 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, Order No. G–20 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended in the following respects:

(a) The counties of Branch, Hillsdale and Shiawassee are hereby deleted from the list of counties set forth in paragraph 2 of Schedule A and said counties are added to the list of counties set forth in paragraph 3 of Schedule A.

This amendment shall become effective July 20, 1944.

(56 Stat. 23, 765; 57, Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 20, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–11282; Filed, July 28, 1944; 1:39 p. m.]

[Region III Order G–21 Under RMPR 122, Amdt. 3]

SOLID FUELS IN ALLIANCE, OHIO

Amendment No. 3 to Order No. G–21 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Alliance, in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.254 and § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G–21 under Revised Maximum Price Regulation No. 122, be amended in the following respects:

The title heretofore used in Order No. G–21 and in amendments thereto, reading as follows: "Maximum Prices for Specified Solid Fuels in the City of Alliance in the State of Ohio," is amended by changing the same to read as follows: "Maximum Prices for Specified Solid Fuels in the Alliance, Ohio, Area."

Section (c) is amended to read as follows:

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum gross prices for sales of specified sizes, kinds and quantities of solid fuels on a "direct delivery" basis. All prices are for credit sales on a net ton basis subject to discounts hereinafter set forth.

ALLIANCE, OHIO, AREA—SCHEDULE I

	Maximum price per net ton
I. High volatile bituminous coals from producing District No. 8 (eastern Kentucky, southern West Virginia, western Virginia, and northeastern Tennessee)[1]	
A. Lump—Size group Nos. 1 and 2 (larger than 3")	
1. Mine Price Classifications E through J, excepting Mine Index No. 413)	$9.00
2. Mine Price Classifications K through O	8.80
B. Egg—Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")—Mine Price Classifications G through L	8.55
C. To the prices stated in paragraphs A and B of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	

ALLIANCE, OHIO, AREA—SCHEDULE I—Con.

	Maximum price per net ton
II. High volatile bituminous coals from producing District No. 4 (Ohio) excluding Mine Index Nos. 42 and 55:	
A. Lump:	
1. From the Ohio No. 8 Freight Origin District:	
a. Size group No. 1 (larger than 5")	$7.05
b. Size group No. 2 (larger 2" but not exceeding 5")	6.90
c. Size group No. 3 (larger than 1¼" but not exceeding 2")	6.65
2. From the Middle Freight Origin District:	
a. Size group No. 1 (larger than 5")	6.95
b. Size group No. 2 (larger than 2" but not exceeding 5")	6.85
c. Size group No. 3 (larger than 1¼" but not exceeding 2")	6.65
B. Egg—From the Ohio No. 8 Freight Origin District:	
1. Size group No. 2 (double screened; bottom size larger than 2")	6.90
2. Size group No. 3 (double screened; bottom size larger than 1½" but not exceeding 2")	6.60
C. Stoker—From the Ohio No. 8 Freight Origin District Size group No. 5 (double screened; top size 2" and smaller)	6.70
III. High volatile lump coals from producing District No. 2 (western Pennsylvania) Size group No. 2 (larger than 2" but not exceeding 5") Mine Price Classification A[1]	7.95

[1] In accordance with Regional Supplementary Order No. 3, $.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing and if such charge is separately stated on the dealer's invoice.

This Amendment No. 3 to Order No. G–21 under Revised Maximum Price Regulation No. 122 shall become effective July 20, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 20, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–11283; Filed, July 28, 1944; 1:39 p. m.]

[Region IV Order G–6 Under RMPR 122, Amdt. 1]

SOLID FUELS IN SAVANNAH, GA.

Amendment No. 1 to Order No. G–6 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered:* That sub-paragraph (c) (2) be amended to read as set forth below:

(2) *Sale of coal in sacks.* Dealer may charge not more than 75 cents for 80 lb. sack of any kind of coal—including

sack—listed in the above schedule. This price of 75 cents for 80 lb. sack of coal—including sack—is limited to quantities of not more than 5 sacks to a customer in a single delivery. Single deliveries of more than 5 sacks to a customer shall take the prices otherwise specified in the order.

This Amendment No. 1 to Order No. G–6 under Revised Maximum Price Regulation No. 122 shall become effective July 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this July 19, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–11284; Filed, July 28, 1944; 1:37 p. m.]

[Region VIII Order G–1 Under MPR 425]

BLACK RASPBERRIES IN SCHOLLS, ORE., AREA

Order No. G–1 under section 15 (b) of Maximum Price Regulation 425, as amended. Fresh fruits, berries, and vegetables for processing.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by section 15 (b) of Maximum Price Regulation 425, *It is hereby ordered:*

(a) That in the case of black raspberries produced in the area surrounding the town of Scholls in the State of Oregon, the definition of "delivered to customary receiving points" in section 3, and of "customary receiving point" in section 4 do not apply, and that for the producing area surrounding the town of Scholls in the State of Oregon, processor's customary receiving points are the places, where in the past, they have customarily received the raw materials, whether or not they maintain facilities for grading, weighing, repacking, and loading onto their own conveyances, at that point.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective July 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of July 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–11285; Filed, July 28, 1944; 1:43 p. m.]

[Region VIII Rev. Order G–7 Under 18 (c)]

FIREWOOD IN METROPOLITAN SEATTLE AREA, WASH.

Revised Order No. G–7 under § 1499.18 (c) as amended of the General Maximum Price Regulation.

For the reasons set forth in an opinion ion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32, and the authority reserved by paragraph (g) of Order Number G–7; *It is hereby ordered:*

(a) The maximum prices for sales and deliveries in the Metropolitan Seattle area of the types and kind of firewood specified in this Revised Order No. G–7 as established by § 1499.2 or § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted to the maximum prices provided in this Revised Order No. G–7: *Provided, however,* That the area maximum prices established by this Revised Order No. G–7 shall have no application to sales or delivery of the types and kinds of firewood by the producing mill.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below.

(1) "Metropolitan Seattle Area" means the area within the corporate limits of the City of Seattle, Washington; and the area within a radius of five miles of the City of Seattle, Washington, excluding, however, that portion of the area within a radius of five miles of the corporate limits of the City of Seattle which lies east of the eastern shoreline of Lake Washington and that portion east of Rainier Avenue or State Highway No. 5, south of Bryn Mawr, Washington.

(2) "Locally produced firewood" means all wood fuels of the types and kinds described in Revised Order No. G–7 produced by mills located within the corporate limits of the City of Seattle or within an area within a radius of five miles from the corporate limits of the City of Seattle, Washington.

(3) "Imported firewood" means all wood fuels of the types and kinds described in Revised Order No. G–7 produced by mills located outside the area within a radius of five miles of the corporate limits of the City of Seattle, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet of loose measure. Reference is made to the definition of the term "cord" set forth in section 19 of Chapter 194 of the Laws of the State of Washington, 1927, relating to Weights and Measures, which definition is incorporated herein by reference as if set forth in full.

(5) "Consumer" means all ultimate users including domestic, industrial and commercial users.

(6) "Dry wood" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air-dried wood may not be sold as dried wood unless it has been seasoned for a period of not less than three months.

(c) The maximum prices for the kinds and types of locally produced wood described in Table I set forth below, delivered to the premises of the consumer within the corporate limits of the City of Seattle shall be the prices set forth in the appropriate column and line of Table I.

TABLE I

LOCALLY PRODUCED WOOD—GREEN

Type of wood	Lengths	Maximum prices ¼ cord units	Maximum prices ⅓ cord units
Edgings	24" or less	$6.80	$8.75
Mixed mill or slabwood	24" or less	7.50	4.25
Inside block, light or heavy and planer ends	24" or less	9.50	5.25
Slabwood or mixed millwood light or heavy	4 foot	7.50	4.25

(d) The maximum prices for the kinds and types of imported firewood described in Table II set forth below, delivered to the premises of the consumer within the corporate limits of the City of Seattle shall be the prices set forth in the appropriate column and line of Table II: *Provided, however,* That the maximum prices set forth in Table II may be increased by $0.50 per cord where the dealer's cost includes rail transportation from the point of production to the dealer's yard at a rail carload transportation rate exclusive of rack charges or transportation tax in excess of $1.61 per cord.

TABLE II

IMPORTED FUELWOOD—GREEN

Type of wood	Lengths	Maximum prices ¼ cord units	Maximum prices ⅓ cord units
Mixed millwood or slabwood.	24" or less	$6.80	$4.75
	4 foot	8.00	4.50
Inside block or planer ends.	24" or less	9.50	5.25

(e) The maximum prices for the kinds and types of firewood described in Table III set forth below secured from all sources, delivered to the premises of the consumer within the corporate limits of the City of Seattle, shall be the prices set forth in the appropriate column and line of Table III.

TABLE III

DRY WOOD—ALL SOURCES

Type of wood	Lengths	Maximum prices		
		1 cord units	½ cord units	¼ cord
Edgings	24" or less	$10.80	$5.75	$3.40
Mixed millwood or slabwood; inside block; and planer ends.	24" or less	12.80	6.75	3.90
Mixed millwood or slabwood.	4 foot	10.80	5.75	-----

(f) *Additions.* (1) For sales delivered to the premises of the consumer outside the corporate limits of the City of Seattle but within a radius of 5 miles from the corporate limits of the City of Seattle excluding that portion of the area which lies east of the eastern shoreline of Lake Washington and that portion of the area which lies east of Rainier Avenue or State Highway No. 5, south of Bryn Mawr, Washington. The maximum prices shall be the prices set forth in paragraphs (c), (d), and (e), plus the sum of $.50 per cord.

(2) Where the physical conditions of the consumer's premises are such that the wood fuel can not be dumped on the premises of the consumer but must be thrown from the truck into the consumer's bin or other storage facility, the maximum prices provided in paragraphs (c), (d), and (e) may be increased by $.50 per cord if the sale is in cord units or by $.25 per ½ cord if the sale is in ½ cord units, or by $.15 per ¼ cord, if the sale is in ¼ cord units.

(g) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of firewood sold,

(4) Description of firewood sold, in the same manner as it is described in this order (This shall include the kind of wood, i. e., hard, soft, or mixed, and length of pieces of wood.),

(5) Place of sale (If the price is dependent on place of delivery, then the place of delivery shall be stated), and

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(h) This order may be revoked, amended or corrected at any time. The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order G–7 shall become effective July 14, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of July 1944.

R. E. MORGAN,
Acting District Director.

[F. R. Doc. 44–11286; Filed, July 28, 1944; 1:38 p. m.]

[Charlotte Order G–1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN CHARLOTTE, N. C.

Order No. G–1 under General Order No. 50. Maximum prices for malt and cereal beverages in certain areas.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Charlotte District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of North Carolina:

Alexander, Alleghany, Anson, Ashe, Avery, Buncombe, Burke, Cabarrus, Caldwell, Catawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Graham, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, Macon, Madison, McDowell, Mecklenburg, Mitchell, Montgomery, Polk, Randolph, Richmond, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Swain, Transylvania, Union, Watauga, Wilkes, Yadkin, and Yancey.

SEC. 3. *Ceiling prices.* (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage, you may make application to the Charlotte District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Charlotte District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seems to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B, if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943 also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and, if the nearest similar eating or drinking establishment of the same type as yours is one which is properly classified in Group 1–B or Group 2–B, you must file an application with the Charlotte District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5. Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured

your proper group under section 4 above, you must, on or before July 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the district in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the district.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No private club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment, you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order, you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment, you must post, and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer, you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order, you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means disposed by a seller at retail from any container of ½ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

(h) "Legal ceiling price" or "legally established ceiling price" means the maximum ceiling price as calculated under the provisions of Maximum Price Regulation No. 259, Domestic Malt Beverages. To determine your "legally established ceiling price" in effect during the base period April 4–10, 1943, for a particular brand and type of domestic malt beverage, you must use the pricing rules contained in Maximum Price Regulation No. 259.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Charlotte District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 10, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina, this 30th day of June 1944.

L. WILLIAM DRISCOLL,
District Director.

APPENDIX A

GROUP 1–B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Beer:		
Ballantine-Brucks	25	50
Barbarossa-Breidts	25	50
Blatz Pilsner	25	50
Budweiser	25	50
Canadian Ace	25	50
Miller's High Life	25	50
National Premium	25	50
Pabst Blue Ribbon	25	50
Schlitz	25	50
Tru-Blu	25	50
Ale:		
Ballantine	25	50
Ballantine Pale Dry Indian	25	50
Canadian Ace	25	50
Carling's Red Cap	25	50
Champ	25	50
Kreuger Cream	25	50
Red Top	25	50
Imported beer:		
Carta Blanca	30	------
All other brands not listed above, including unlabelled beer and ale	20	45

Draught beer (includes tax):

	Cents
6-ounce glass	7
8-ounce glass	10
10-ounce glass	12
12-ounce glass	14
14-ounce glass	16
16-ounce glass	18
20-ounce glass	22
24-ounce glass	26
All other sizes 1¢ per ounce.	

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2–B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Beer:		
Ballantine-Brucks	20	45
Barbarossa-Breidts	20	45
Blatz Pilsner	20	45
Budweiser	20	45
Canadian Ace	20	45
Miller's High Life	20	45
National Premium	20	45
Pabst Blue Ribbon	20	45
Schlitz	20	45
Tru-Blu	20	45
Ale:		
Ballantine	20	45
Ballantine Pale Dry Indian	20	45
Canadian Ace	20	45
Carling's Red Cap	20	45
Champ	20	45
Kreuger Cream	20	45
Red Top	20	45
Imported beer:		
Carta Blanca	30	------
All other brands not listed above, including unlabelled beer and ale	15	40

Draught beer (includes tax):

	Cents
6-ounce glass	6
8-ounce glass	09
10-ounce glass	11
12-ounce glass	13
14-ounce glass	15
16-ounce glass	17
20-ounce glass	21
24-ounce glass	25
All other sizes 1¢ per ounce.	

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3–B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Beer:		
Ballantine-Brucks	18	40
Barbarossa-Breidts	18	40
Blatz Pilsner	18	40
Budweiser	18	40
Canadian Ace	18	40
Miller's High Life	18	40
National Premium	18	40
Pabst Blue Ribbon	18	40
Schlitz	18	40
Tru-Blu	18	40
Ale:		
Ballantine	18	40
Ballantine Pale Dry Indian	18	40
Canadian Ace	18	40
Carling's Red Cap	18	40
Champ	18	40
Kreuger Cream	18	40
Red Top	18	40
Imported beer:		
Carta Blanca	30	------
All other brands not listed above, including unlabelled beer and ale	13	15

Draught beer (includes tax):

	Cents
6-ounce glass	6
8-ounce glass	9
10-ounce glass	11
12-ounce glass	13
14-ounce glass	15
16-ounce glass	17
20-ounce glass	21
24-ounce glass	25
All other sizes 1¢ per ounce.	

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44–11287; Filed, July 28, 1944; 4:32 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on July 25, 1944.

REGION I

Boston Order 6–F, Amendment 6, covering fresh fruits and vegetables in certain areas in Massachusetts, filed 3:44 p. m.

Connecticut Order 2–F, Amendment 18, covering fresh fruits and vegetables in Connecticut, filed 10:11 a. m.

REGION II

District of Columbia Order 1–F, adjusting fresh fruit and vegetable prices in District of Columbia Area, filed 10:29 a. m.

Newark Order 4–F, Amendment 10, covering fresh fruit and vegetable prices in Newark District, filed 10:13 a. m.

New York Order 1–F, Amendment 17, covering fresh fruits and vegetables in five boroughs of city of New York, filed 3:42 p. m.

New York Order 3–F, Amendment 4, covering fresh fruits and vegetables in Cities of Beacon, Middletown, Newburgh, Poughkeepsie and Goshen Village, filed 3:43 p. m.

New York Order 4–F, Amendment 4, covering fresh fruits and vegetables in certain areas in New York, filed 3:43 p. m.

Syracuse Order 1–F, Amendment 15, covering fresh fruits and vegetables in Syracuse, N. Y., filed 10:12 a. m.

Syracuse Order 2–F, covering fresh fruits and vegetables in Syracuse and certain surrounding areas, filed 10:12 a. m.

REGION III

Detroit Order 1–W, Amendment 2, covering certain food items in certain counties in Michigan, filed 10:05 a. m.

Detroit Order 11, Amendment 5, covering certain food items in designated counties in Michigan, filed 10:05 a. m.

Cleveland Order F-1 (Rev.), Amendment 1, covering fresh fruits and vegetables in certain counties in Ohio, filed 10:20 a. m.

Cleveland Rev. Order F-3, Amendment 1, covering fresh fruits and vegetables in certain counties in Ohio, filed 10:20 a. m.

Cleveland Rev. Order F-4, Amendment 1, covering fresh fruits and vegetables in certain counties in Ohio, filed 10:16 a. m.

Cleveland Rev. Order G-5, Amendment 1, covering fresh fruits and vegetables in certain counties in Cleveland District, filed 10:16 a. m.

Cincinnati Order 3-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Ohio, filed 10:21 a. m.

Columbus Order 3-F, Amendment 22, covering fresh fruits and vegetables in Columbus and Franklin Co., Ohio, filed 10:06 a. m.

Indianapolis Order 4-F, Amendment 22, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe, filed 3:40 p. m.

Indianapolis Order 5-F, Amendment 22, covering fresh fruits and vegetables in Wayne, Delaware and Allan, filed 3:40 p. m.

Indianapolis Order 6-F, Amendment 22, covering fresh fruits and vegetables in St. Joseph Co., filed 3:39 p. m.

Indianapolis Order 7-F, Amendment 9, covering fresh fruits and vegetables in Vanderburgh Co., filed 3:39 p. m.

Indianapolis Order 8-F, Amendment 22, covering fresh fruits and vegetables in certain designated areas, filed 3:38 p. m.

Indianapolis Order 9-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Indiana and Ohio, filed 3:38 p. m.

Indianapolis Order 10-F, Amendment 22, covering fresh fruits and vegetables in certain counties, filed 3:37 p. m.

Indianapolis Order 11-F, Amendment 22, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 3:37 p. m.

Indianapolis Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 3:36 p. m.

Louisville Order 1-F, Amendment 3, covering fresh fruits and vegetables in Jefferson Co., Ky., and Clark and Floyd Counties, Ind., filed 3:51 p. m.

Louisville Order 2-F, Amendment 3, covering fresh fruits and vegetables in McCracken Co., Ky., filed 3:51 p. m.

Louisville Order 3-F, Amendment 3, covering fresh fruits and vegetables in Daviess and Henderson Counties, Ky., filed 3:50 p. m.

Lexington Order 1-F, Amendment 39, covering fresh fruits and vegetables in Fayette Co., Ky., filed 10:15 a. m.

Lexington Order 2-F, Amendment 33, covering fresh fruits and vegetables in Campbell and Kenton Counties, Ky., filed 10:14 a. m.

Lexington Order 3-F, Amendment 30, covering fresh fruits and vegetables in Boyd Co., Ky., filed 10:13 a. m.

REGIONS IV AND V

Atlanta Order 1-F, Amendment 18, covering fresh fruits and vegetables in Bibb Co., Ga., filed 1:52 p. m.

Atlanta Order 4-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Atlanta District, filed 10:07 a. m.

Atlanta Order 5-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Ga. and Ala., filed 1:25 p. m.

Atlanta Order 6-F, Amendment 10, covering fresh fruits and vegetables in the Metropolitan Atlanta-Decatur Trade Area, filed 1:26 p. m.

Atlanta Order 13, Amendment 3, covering fresh dry food items and related items in North Georgia District Area and Phenix City, Ala., filed 10:07 a. m.

Jacksonville Order 6-F, Amendment 12, covering fresh fruits and vegetables in Jacksonville, Fla., filed 10:21 a. m.

Jacksonville Order 7-F, Amendment 11, covering fresh fruits and vegetables in certain cities and towns in Florida, filed 10:06 a. m.

Memphis Order 4-F, Amendment 43, covering fresh fruits and vegetables in Memphis and Shelby Co., filed 10:24 a. m.

Savannah Order 1-F, Amendment 45, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:24 a. m.

Savannah Order 2-F, Amendment 48, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:25 a. m.

Savannah Order 3-F, Amendment 38, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:25 a. m.

Savannah Order 4-F, Amendment 37, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:26 a. m.

Savannah Order 5-F, Amendment 18, covering fresh fruits and vegetables in designated counties in Georgia, filed 10:26 a. m.

Raleigh Order 2-W, covering dry groceries in certain areas in North Carolina, filed 10:00 a. m.

Fort Worth Order 1-F, Amendment 27, covering fresh fruits and vegetables in Wayne Co., filed 12:03 p. m.

Fort Worth Order 2-F, Amendment 27, covering fresh fruits and vegetables in Greene Co., filed 1:15 p. m.

Fort Worth Order 3-F, Amendment 27, covering fresh fruits and vegetables in Taylor Co., filed 1:21 p. m.

Fort Worth Order 4-F, Amendment 27, covering fresh fruits and vegetables in McLennan Co., filed 1:22 p. m.

Fort Worth Order 5-F, Amendment 27, covering fresh fruits and vegetables in Wichita Co., filed 1:22 p. m.

Fort Worth Order 13, Amendment 1, covering community food prices in named areas in Texas, filed 1:24 p. m.

Fort Worth Order 14, Amendment 1, covering community food prices in named areas in Texas, filed 1:24 p. m.

Kansas City Order 2-F, Amendment 15, covering fresh fruit and vegetables in certain areas in Kansas City District Area, filed 10:33 a. m.

Wichita Order 4-F, Amendment 6, covering fresh fruit and vegetables in certain areas in Kansas, filed 10:09 a. m.

Wichita Order G-24, Amendment 3, covering dry groceries and perishables in certain areas in Kansas, filed 10:10 a. m.

Wichita Order G-20, Amendment 2, covering dry groceries and perishables in certain areas in Kansas, filed 10:10 a. m.

REGION VI

Quad-Cities Order 32, Amendment 1, covering community food prices in Scott, Iowa and Rock Island, Ill., filed 1:43 p. m.

Quad-Cities Order 33, Amendment 1, covering community food prices in certain counties in Iowa, filed 1:43 p. m.

Quad-Cities Order 35, Amendment 1, covering community food prices in certain counties in Illinois, filed 1:42 p. m.

Quad-Cities Order 37, Amendment 1, covering community food prices in certain areas in Ill. and Iowa, filed 1:26 p. m.

Milwaukee Order 2-F, Amendment 24, covering fresh fruit and vegetables in Dane County, Ill., filed 3:53 p. m.

Milwaukee Order 3-F, Amendment 24, covering fresh fruits and vegetables in Milwaukee Co. and Racine and Kenosha, filed 3:52 p. m.

Sioux Falls Order 1-F, Revised, covering fresh fruits and vegetables in Sioux Falls District, filed 10:26 a. m.

REGION VII

Wyoming Order 1-B, covering retail food prices in State of Wyoming, filed 3:34 p. m.

Wyoming Order 4-W, Amendment 1, covering wholesale community food prices in the Laramie Area, filed 10:30 a. m.

Wyoming Order 6-W, Amendment 2, covering dry groceries in the Sheridan Area, filed 10:20 a. m.

Wyoming Order 1-F, Amendment 7, covering fresh fruits and vegetables in the Cheyenne Area, filed 10:31 a. m.

Wyoming Order 2-F, Amendment 5, covering fresh fruits and vegetables in the Laramie Area, filed 10:30 a. m.

Wyoming Order 3-F, Amendment 4, covering fresh fruits and vegetables in the Casper Area, filed 10:30 a. m.

Wyoming Order 4-F, Amendment 4, covering fresh fruits and vegetables in the Sheridan Area, filed 10:31 a. m.

Wyoming Order 5-F, Amendment 3, covering fresh fruits and vegetables in the Rock Springs Area, filed 10:31 a. m.

REGION VIII

Nevada Order 5-F, covering fresh fruits and vegetables in certain areas in Nevada, filed 10:31 a. m.

Phoenix Order 6, Amendment 5, covering community food prices in the "Phoenix-South Central Area", filed 1:45 p. m.

Phoenix Order 2-W, Amendment 2, covering dry groceries in the "Coconino-Yavapai Area", filed 1:45 p. m.

Phoenix Order 7-W, covering dry groceries in the "Tucson Area", filed 1:47 p. m.

Phoenix Order 8-W, covering dry groceries in the "Gila Valley Area", filed 1:48 p. m.

Phoenix Adopting Order 3, Amendment 2, covering community food prices in the "Coconino-Yavapai Area", filed 1:48 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-11337; Filed, July 29, 1944; 11:40 a. m.]

[Utah Order 1 Under 2d Rev. Restaurant MPR 7-1, Amdt. 1]

MALT BEVERAGES IN UTAH DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Utah District Office of Region VII by General Order No. 50, Region VII Revised Delegation Order No. 15 and section 20 of 2nd Revised Restaurant MPR 7-1; *It is hereby ordered:*

1. Section 2 (a) of Order No. 1 under 2d Revised Restaurant MPR 7-1 heretofore issued by the Utah District Office is amended to read as follows:

(a) *Bottled malt beverages.*

Brand	Maximum prices per bottle		
	12-ounce	32-ounce	64-ounce
	Cents	*Cents*	*Cents*
Acme Beer	17	37	65
Becker Beer	17	37	65
Coors Beer	17	37	----
Fisher Beer	17	37	65
Rainier Beer	17	37	----
Tivoli Beer	17	37	----
Uinta Club Beer	17	37	65
Walters Beer	17	37	65
Blatz Beer	22	43	----
Budweiser Beer	22	43	----
Millers High Life Beer	22	43	----
Pabst Blue Ribbon Beer	22	43	----
Schlitz Beer	22	45	----

2. Section 2 (b) of Special Order No. 1 is amended to read as follows:

(b) *Malt beverages on draft.*

Brand	Size serving	Price
	Ounce	*Cents*
Michelob Beer	8	11
All other brands	10	11

Other quantities of any or all brands of draft beer may be sold by any seller subject to this order provided such seller serves no less than one fluid ounce of beer for each one and one-tenth cents.

3. Section 2 (f) is hereby deleted.

4. Section 2 (g) is redesignated section 2 (f).

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

H. GRANT IVINS,
District Director.

[F. R. Doc. 44-11292; Filed, July 28, 1944; 4:33 p. m.]

[Atlanta Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Georgia: Baldwin, Banks, Barrow, Bartow, Bibb, Bleckley, Butts, Carroll, Catoosa, Chattahoochee, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Crawford, Crisp, Dade, Dawson, De Kalb, Dodge, Dooly, Douglas, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Hancock, Haralson, Harris, Hart, Heard, Henry, Houston, Jackson, Jasper, Johnson, Jones, Lamar, Laurens, Lee, Lincoln, Lumpkin, Macon, Madison, Marion, Meriwether, Monroe, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Peach, Pickens, Pike, Polk, Pulaski, Putnam, Quitman, Rabun, Randolph, Rockdale, Schley, Spalding, Stephens, Stewart, Sumter, Talbot, Taliaferro, Taylor, Terrell, Towns, Troup, Twiggs, Union, Upson, Walker, Walton, Washington, Webster, White, Whitfield, Wilcox, Wilkes, and Wilkinson.

SEC. 3. *Ceiling prices.* (a) On and after July 25, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above and beer or ale not bearing a brand label at time of sale" is not appropriate to such beverage, you may make application to the Atlanta District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Atlanta District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4–10, 1943, also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the Atlanta District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3B seller and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information.

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before August 10, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation No. 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking, or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943, to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking, or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order No. 50, as well as Restaurant Maximum Price Regulation No. 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post, and keep posted, the ceiling prices of the beverage subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1 B," "OPA 2 B," or "OPA 3 B," whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅓ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment, or location, whether temporary or permanent, in which any prepared food item or meal or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency rice Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance to the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Atlanta District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 25, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Atlanta, Georgia, this July 14, 1944.

E. A. THORNWELL,
District Director.

APPENDIX A

PART I

GROUP 1B

	Maximum price per bottle	
	12-ounce	32-ounce
Brand or trade name of beer:	*Cents*	*Cents*
Ambassador	25	60
Ballantine-Brucks	25	60
Barbarossa-Breiots	25	60
Blatz Pilsner	25	60
Budweiser	25	60
Burger Brau	25	60
Canadian Ace	25	60
Downs Arf & Arf	25	60
Embassy Club	25	60
Gold Coast	25	60
Kingsbury Pale	25	60
Miller's High Life	25	60
National Premium	25	60
Old Fashioned	25	60
Pabst Blue Ribbon	25	60
Piels	25	60
Schlitz	25	60
Trommer's White Label	25	60
Tru Blu	25	60
Tru Blu Old Fashioned	25	60
Van Merritt	25	60

APPENDIX A—Continued

PART I—continued

GROUP 1B—continued

	Maximum price per bottle	
	12-ounce	32-ounce
Brand or trade name of ale:	*Cents*	*Cents*
Ballantine	25	60
Ballantine Pale Dry Indian	25	60
Ballantine Porter	25	60
Carling's Red Cap	25	60
Canadian Ace	25	60
Champ	25	60
Kreuger Cream	25	60
Malz Brau	25	60
Red Top	25	60
Tru Blu	25	60
Imported beer:		
Carta Blanca	40	----------
All other brands not listed above and beer or ale not bearing a brand label at time of sale	20	50

Sellers may add to the above prices for 32 ounce bottles 1¢ per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2B

	Maximum price per bottle	
	12-ounce	32-ounce
Brand or trade name of beer:	*Cents*	*Cents*
Ambassador	20	50
Ballantine-Brucks	20	50
Barbarossa-Breidts	20	50
Blatz Pilsner	20	50
Budweiser	20	50
Burger Brau	20	50
Canadian Ace	20	50
Downs Arf & Arf	20	50
Embassy Club	20	50
Gold Coast	20	50
Kingsbury Pale	20	50
Miller's High Life	20	50
National Premium	20	50
Old Fashioned	20	50
Pabst Blue Ribbon	20	50
Piels	20	50
Schlitz	20	50
Trommer's White Label	20	50
Tru Blu	20	50
Tru Blu Old Fashioned	20	50
Van Merritt	20	50
Brand or trade name of ale:		
Ballantine	20	50
Ballantine Pale Dry Indian	20	50
Ballantine Porter	20	50
Carling's Red Cap	20	50
Canadian Ace	20	50
Champ	20	50
Kreuger Cream	20	50
Malz Brau	20	50
Red Top	20	50
Tru Blu	20	50
Imported beer:		
Carta Blanca	35	----------
All other brands not listed above and beer or ale not bearing a brand label at time of sale	15	40

Sellers may add to the above prices for 32 ounce bottles 1¢ per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

APPENDIX A—Continued

PART I—continued

GROUP 3B

	Maximum price per bottle	
	12-ounce	32-ounce
Brand or trade name of beer:	*Cents*	*Cents*
Ambassador	18	45
Ballantine-Brucks	18	45
Barbarossa-Breiots	18	45
Blatz Pilsner	18	45
Budweiser	18	45
Burger Brau	18	45
Canadian Ace	18	45
Downs Arf & Arf	18	45
Embassy Club	18	45
Gold Coast	18	45
Kingsbury Pale	18	45
Miller's High Life	18	45
National Premium	18	45
Old Fashioned	18	45
Pabst Blue Ribbon	18	45
Piels	18	45
Schlitz	18	45
Trommer's White Label	18	45
Tru Blu	18	45
Tru Blu Old Fashioned	18	45
Van Merritt	18	45
Brand or trade name of ale:		
Ballantine	18	45
Ballantine Pale Dry Indian	18	45
Ballantine Porter	18	45
Carling's Red Cap	18	45
Canadian Ace	18	45
Champ	18	45
Kreuger Cream	18	45
Malz Brau	18	45
Red Top	18	45
Tru Blu	18	45
Imported beer:		
Carta Blanca	22	----------
All other brands not listed above and beer or ale not bearing a brand label at time of sale	14	35

Sellers may add to the above prices for 32 ounce bottles 1¢ per bottle to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

PART II—DRAUGHT BEERS AND ALES

Brand or trade name	Size of container	Maximum prices for groups—		
		1B	2B	3B
		Cents	*Cents*	*Cents*
All brands	6 ounce	7	6	6
	8 ounce	9	8	8
	10 ounce	11	10	10
	12 ounce	13	12	12
	All other size containers	[1] 1.1	[1] 1	[1] 1

[1] Per ounce.

Sellers may add to the above prices for containers of 8 ounces or more 1¢ per container to reflect the increase in Federal tax effective April 1, 1944.

The above prices include all other Federal and State taxes except the Federal Excise Tax on cabarets. Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44–11355; Filed, July 29, 1944; 11:46 a.m.]

[Raleigh Order G–1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and

under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of North Carolina: Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Sampson, Scotland, Tyrrell, Robeson, Vance, Wake, Warren, Washington, Wayne and Wilson.

SEC. 3. *Ceiling prices.* (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "all other brands" is not appropriate to such beverage you may make application to the Raleigh, North Carolina District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Raleigh, North Carolina District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this Order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B, if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4–10, 1943 also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the Raleigh, North Carolina District Office of the Office of Price Administration requesting that your establisment be reclassified into the same group to which its nearest similar eating or drinking establisment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date in began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before July 5, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a nonprofit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1).

(e) Sales by the War Department or the Department of Navy of the United States through such Department's sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be consdered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provisions of this regulation you are subject to the criminal penalties, civil enforcement action, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof, or any other Government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for Amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Raleigh, North Carolina District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 1, 1944.

NOTE: The reporting and record keeping requirements of this Order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871,

E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Raleigh, North Carolina, this 27th day of June 1944.

THEODORE S. JOHNSON,
District Director.

APPENDIX A

PART I—BOTTLED BEERS AND ALES

GROUP 1B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Ballantine-Brucks	$0.25	$0.50
Barbarossa-Breidts	.25	.50
Blatz Pilsner	.25	.50
Budweiser	.25	.50
Canadian Ace	.25	.50
Miller's High Life	.25	.50
National Premium	.25	.50
Pabst Blue Ribbon	.25	.50
Schlitz	.25	.50
Tru-Blu	.25	.50
Ale:		
Ballantine	.25	.50
Canadian Ace	.25	.50
Carling's Red Cap	.25	.50
Krueger Cream	.25	.50
Red Top	.25	.50
Imported Beer:		
Carta Blanca	.35	
All other brands of domestic or imported beer and ale not listed above including unlabeled beer and ale	.30	.45

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this appendix for draft beer and ale.)

GROUP 2B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Ballantine-Brucks	$0.20	$0.45
Barbarossa-Breidts	.20	.45
Blatz Pilsner	.20	.45
Budweiser	.20	.45
Canadian Ace	.20	.45
Miller's High Life	.20	.45
National Premium	.20	.45
Pabst Blue Ribbon	.20	.45
Schlitz	.20	.45
Tru-Blu	.20	.45
Ale:		
Ballantine	.20	.45
Canadian Ace	.20	.45
Carling's Red Cap	.20	.45
Krueger Cream	.20	.45
Red Top	.20	.45
Imported beer:		
Carta Blanca	.30	
All other brands of domestic or imported beer and ale not listed above including unlabeled beer and ale	.15	.40

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this Appendix for draft beer and ale.)

APPENDIX A—Continued

PART I—BOTTLED BEERS AND ALES—continued

GROUP 3B

Commodity and brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Ballantine-Brucks	$0.17	$0.40
Barbarossa-Breidts	.17	.40
Blatz Pilsner	.17	.40
Budweiser	.17	.40
Canadian Ace	.17	.40
Miller's High Life	.17	.40
National Premium	.17	.40
Pabst Blue Ribbon	.17	.40
Schlitz	.17	.40
Tru-Blu	.17	.40
Ale:		
Ballantine	.17	.40
Canadian Ace	.17	.40
Carling's Red Cap	.17	.40
Krueger Cream	.17	.40
Red Top	.17	.40
Imported beer:		
Carta Blanca	.27	
All other brands of domestic or imported beer and ale not listed above including unlabeled beer and ale	.12	.35

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this Appendix for draft beer and ale.)

PART II—DRAFT BEERS AND ALES

Commodity and brand or trade name	Size of container	Maximum prices for groups		
		1B	2B	3B
	Ounce			
Draft beer and ale—all brands	6	$0.07	$0.06	$0.06
	8	.10	.09	.09
	10	.12	.11	.11
	12	.14	.13	.13
	14	.16	.15	.15
	16	.18	.17	.17
	20	.23	.21	.21
	24	.26	.25	.25

NOTE: For any size of container other than those set forth above the maximum price for sellers of all groups shall be 1¢ per ounce.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

[F. R. Doc. 44-11357; Filed, July 29, 1944; 11:48 a. m.]

[South Carolina Order 1B Under General Order 50]

MALT AND CEREAL BEVERAGES IN SOUTH CAROLINA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the South Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of all counties of the State of South Carolina.

SEC. 3. *Ceiling prices.* (a) On and after July 5, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this Order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage you may make application to the South Carolina District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the South Carolina District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular

group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B, if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this Order were the same as, or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this Order were the same as, or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this Order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4–10, 1943 also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may file an application with the South Carolina District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before July 5, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation)

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills

of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provisions of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt Beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal Beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On Draught" means dispensed by a seller at retail from any container of ⅓ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form of substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the South Carolina District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 5, 1944.

NOTE: The reporting and record keeping requirements of this Order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(Public Laws 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Columbia, South Carolina this 20th day of June 1944.

E. H. TALBERT,
District Director.

APPENDIX A

GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	25	60
Blatz Pilsner	25	60
Budweiser	25	60
Burger Brau	25	60
Canadian Ace	25	60
Champ Ale	25	60
Genesee	25	60
Krueger	25	60
Miller's High Life	25	60
National Premium	25	60
Old Fashioned	25	60
Pabst Blue Ribbon	25	60
Red Top Ale	25	60
Schlitz	25	60
Van Merritt	25	60
Van Wyck	25	60
All Other Brands	20	50
On draught:	*Cents*	
6 ounces	13	
8 ounces	15	
10 ounces	17	
In other quantities 2¢ for 1st ounce plus 1¢ for each additional ounce.		

A maximum deposit charge of $0.05 may be charged for any size bottle, but the deposit charged must be returned when the bottle is returned.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	20	50
Blatz Pilsner	20	50
Budweiser	20	50
Burger Brau	20	50
Canadian Ace	20	50
Champ Ale	20	50
Genesee	20	50
Krueger	20	50
Miller's High Life	20	50
National Premium	20	50
Old Fashioned	20	50
Pabst Blue Ribbon	20	50
Red Top Ale	20	50
Schlitz	20	50
Van Merritt	20	50
Van Wyck	20	50
All other brands	16	40
On draught:	*Cents*	
6 ounces	8	
8 ounces	10	
10 ounces	12	
In other quantities 3 cents for 1st ounce plus 1 cent for each additional ounce.		

A maximum deposit charge of $0.05 may be charged for any size bottle, but the deposit charged must be returned when the bottle is returned.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Ballantine Ale	17	41
Blatz Pilsner	17	41
Budweiser	17	41
Burger Brau	17	41
Canadian Ace	17	41
Champ Ale	17	41
Genesee	17	41
Krueger	17	41
Miller's High Life	17	41
National Premium	17	41
Old Fashioned	17	41
Pabst Blue Ribbon	17	41
Red Top Ale	17	41
Schlitz	17	41
Van Merritt	17	41
Van Wyck	17	41
All other brands	13	37
On draught:	*Cents*	
6 ounces	8	
8 ounces	10	
10 ounces	12	
In other quantities 2¢ for 1st ounce plus 1¢ for each additional ounce.		

A maximum deposit charge of $0.05 may be charged for any size bottle, but the deposit charged must be returned when the bottle is returned.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44–11356; Filed, July 29, 1944; 11:47 a. m.]

[Roanoke Order G–1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN ROANOKE, VA., DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, General Order No. 50, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and for the reasons set forth in the accompanying opinion, this order is issued:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer, and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Virginia:

Alleghany, Amherst, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Clarke, Craig, Dickenson, Fairfax, Fauquier, Floyd, Franklin, Frederick, Giles, Grayson, Halifax, Henry, Highland, Lee, Loudoun, Montgomery, Nelson, Pittsylvania, Page, Patrick, Prince William, Pulaski, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise, and Wythe,

together with all municipalities and towns located therein with the exception of the City of Bristol, Virginia.

SEC. 3. *Ceiling prices.* (a) On and after July 31, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage you may make application to the Roanoke (Virginia) District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Roanoke (Virginia) District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types, or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4–10, 1943 also belongs to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the Roanoke (Virginia) District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must on or before Aug. 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were

excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device: among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer, you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipt must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅓ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions or any agency of any of the foregoing.

(e) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Roanoke (Virginia) District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended or corrected at any time.

SEC. 20. *Effective atde.* This order shall become effective July 31, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Roanoke, Virginia, this 12th day of July 1944.

BERNARD C. GOODWIN,
District Director.

APPENDIX A

GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	*Cents*	*Cents*
Ambassador	25	50
Ballantine-Brucks	25	50
Barbarossa-Breidts	25	50
Blatz Pilsner	25	50
Budweiser	25	50
Canadian Ace	25	50
Downs Arf & Arf	25	50
Embassy Club	25	50
Gold Coast	25	50
Kingsbury Pale	25	50
Miller's High Life	25	50
National Premium	25	50
Pabst Blue Ribbon	25	50
Piels	25	50
Schlitz	25	50
Trommer's White Label	25	50
Tru Blu	25	50
Tru Blu Old Fashioned	25	50
Silver Fox Deluxe	25	50
All other brands of domestic or imported beer not listed above including unlabeled beer	20	40
Ale:		
Ballantine	25	50
Carling's Red Cap	25	50
Canadian Ace	25	50
Champ	25	50
Kreuger Cream	25	50
Red Top	25	50
Tru Blu	25	50
All other brands of domestic or imported ale not listed above including unlabeled ale	20	40
Draught beer:	*Cents*	
6-oz. glass	7	
8-oz. glass	10	
10-oz. glass	12	
12-oz. glass	14	
14-oz. glass	16	
16-oz. glass	18	
20 oz. glass	22	
24-oz. glass	25	
All other size containers per ounce	1	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	*Cents*	*Cents*
Ambassador	20	42
Ballantine-Brucks	20	42
Barbarossa-Breidts	20	42
Blatz Pilsner	20	42
Budweiser	20	42
Canadian Ace	20	42
Downs Arf & Arf	20	42
Embassy Club	20	42
Gold Coast	20	42
Kingsbury Pale	20	42
Miller's High Life	20	42
National Premium	20	42
Pabst Blue Ribbon	20	42
Piels	20	42
Schlitz	20	42
Trommer's White Label	20	42
Tru Blu	20	42
Tru Blu Old Fashioned	20	42
Silver Fox Deluxe	20	42
All other brands of domestic or imported beer not listed above including unlabeled beer	15	37
Ale:		
Ballantine	20	42
Carling's Red Cap	20	42
Canadian Ace	20	42
Champ	20	42
Kreuger Cream	20	42
Red Top	20	42
Tru Blu	20	42
All other brands of domestic or imported ale not listed above including unlabeled ale	15	37
Draught Beer:	*Cents*	
6-oz. glass	6	
8-oz. glass	9	
10-oz. glass	11	
12-oz. glass	13	
14-oz. glass	15	
16-oz. glass	17	
20-oz. glass	21	
24-oz. glass	25	
All other size containers, per ounce	1	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:	*Cents*	*Cents*
Ambassador	16	37
Ballantine-Brucks	16	37
Barbarossa-Breidts	16	37
Blatz Pilsner	16	37
Budweiser	16	37
Canadian Ace	16	37
Downs Arf & Arf	16	37
Embassy Club	16	37
Gold Coast	16	37
Kingsbury Pale	16	37
Miller's High Life	16	37
National Premium	16	37
Pabst Blue Ribbon	16	37
Piels	16	37
Schlitz	16	37
Trommer's White Label	16	37
Tru Blu	16	37
Tru Blu Old Fashioned	16	37
Silver Fox Deluxe	16	37
All other brands of domestic or imported beer not listed above including unlabeled beer.	11	32
Ale:		
Ballantine	16	37
Carling's Red Cap	16	37
Canadian Ace	16	37
Champ	16	37
Krueger Cream	16	37
Red Top	16	37
Tru Blu	16	37
All other brands of domestic or imported ale not listed above including unlabeled ale	11	32
Draught beer.	*Cents*	
6-oz. glass	06	
8-oz. glass	09	
10-oz. glass	11	
12-oz glass	13	
14-oz. glass	15	
16-oz. glass	17	
20-oz. glass	21	
24-oz. glass	26	
All other size containers (per oz.)	01	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44-11354; Filed, July 29, 1944; 11:45 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on July 26, 1944.

REGION I

Augusta Order 1-F, Amendment 4, covering fresh fruits and vegetables in Portland, S. Portland and Westbrook, Maine, filed 2:31 p. m.

REGION II

Buffalo Order 2-F, Amendment 14, covering fresh fruits and vegetables in Rochester, E. Rochester, Fairport and Pittsford, filed 2:32 p. m.

Camden Order 1-F, Amendment 16, covering fresh fruits and vegetables in Camden, Burlington, Gloucester, Salem, and Cumberland Counties, filed 2:47 p. m.

Camden Order 2-F, Amendment 13, covering fresh fruits and vegetables in Atlantic & Cape May Counties, N. J., filed 2:47 p. m.

Harrisburg Order 1-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 2:17 p. m.

Philadelphia Order 1-F, Amendment 15, covering fresh fruits and vegetables in City and County of Philadelphia, filed 2:17 p. m.

New York Order 1-F, Amendment 16, covering fresh fruits and vegetables in five boroughs of City of New York, filed 12:05 p. m.

New York Order 3-F, Amendment 3, covering fresh fruits and vegetables in designated areas in New York, filed 2:50 p. m.

New York Order 4-F, Amendment 3, covering fresh fruits and vegetables in designated areas in New York, filed 2:51 p. m.

New York Order 5-F, Amendment 1, covering fresh fruits and vegetables in Suffolk Co., N. Y., filed 2:52 p. m.

REGION III

Cincinnati Order 1-F, Amendment 40, covering fresh fruits and vegetables in Hamilton Co., Ohio, filed 4:24 p. m.

Cincinnati Order 2-F, Amendment 33, covering fresh fruits and vegetables in Butler, Clark, Montgomery and Scioto Counties in Ohio, filed 4:25 p. m.

Grand Rapids Order F-14-A, Amendment 27, covering fresh fruits and vegetables in Urban Area A, filed 2:56 p. m.

Grand Rapids Order F-14-B, Amendment 27, covering fresh fruits and vegetables in Urban Area B, filed 2:56 p. m.

Grand Rapids Order 4-W, covering dry groceries in certain counties in Michigan, filed 2:54 p. m.

Grand Rapids Order 5-W, covering dry groceries in certain counties in Michigan, filed 2:54 p. m.

Grand Rapids Order 6-W, covering dry food items in certain counties in Michigan, filed 2:55 p. m.

Indianapolis Order 9-W, covering dry groceries in Central Indiana, filed 2:16 p. m.

Indianapolis Order 10-W, community wholesale food prices in Southwestern Indiana, filed 2:19 p. m.

Indianapolis Order 11-W, community wholesale food prices in Northwestern Indiana, filed 2:20 p. m.

Indianapolis Order 12-W, Adjusts community wholesale prices for certain food items in Northeastern Indiana, filed 2:20 p. m.

Indianapolis Order 13-W, community food prices at wholesale in Southeastern Indiana, filed 2:21 p. m.

Lexington Order 12, Amendment 12, covering community food prices in designated counties of Kentucky, filed 2:45 p. m.

Escanaba Order 10–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:23 p. m.

Escanaba Order 11–F, Amendment 21, covering fresh fruits and vegetables in Escanaba, Gladstone and Delta, Michigan, filed 4:23 p. m.

Escanaba Order 12–F, Amendment 20, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:23 p. m.

Escanaba Order 13–F, Amendment 20, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:23 p. m.

Escanaba Order 14–F, Amendment 20, covering fresh fruits and vegetables in certain areas in Wisconsin and Michigan, filed 4:23 p. m.

Escanaba Order 15–F, Amendment 20, covering fresh fruits and vegetables in certain areas in Michigan and Wisconsin, filed 4:23 p. m.

Escanaba Order 16–F, Amendment 20, covering fresh fruits and vegetables in Saulte Ste. Marie, Michigan, Chippewa Co., filed 4:24 p. m.

Escanaba Order 17–F, Amendment 19, covering fresh fruits and vegetables in certain areas in Michigan, filed 4:24 p. m.

REGION IV

Jacksonville Order 7–F, Amendment 12, covering fresh fruits and vegetables in certain cities in Florida, filed 2:21 p. m.

Columbia Order 3–F, Amendment 17, covering fresh fruits and vegetables in 5 mile radius of county court houses of Spartanburg and Greenville, S. C., filed 2:16 p. m.

Columbia Order 1–F, (Rev.), Amendment 13, covering fresh fruits and vegetables in 7 miles radius of State House, Columbia, S. C., filed 2:17 p. m.

Columbia Rev. Order 2–F, Amendment 18, covering fresh fruits and vegetables in certain area in South Carolina, filed 2:16 p. m.

REGION V

Dallas Order 1–F, Amendment 25, covering fresh fruits and vegetables in certain areas in Dallas District, filed 2:22 p. m.

Dallas Order 2–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Dallas District, filed 2:23 p. m.

Dallas Order 3–F, Amendment 19, covering fresh fruits and vegetables in certain areas in Dallas District, filed 2:23 p. m.

Shreveport Order 2–F, Amendment 24, covering fresh fruits and vegetables in certain areas in Shreveport District, filed 2:22 p. m.

Shreveport Order 3–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Shreveport District, filed 2:22 p. m.

Kansas City Order 2–W, Amendment 1, covering wholesale community food prices in certain areas in Kansas, filed 12:05 p. m.

Kansas City Order G–17, Amendment 2, covering community food prices in the Kansas City District, filed 2:05 p. m.

Kansas City Order G–18, Amendment 2, covering community food prices in the Kansas City District, filed 12:04 p. m.

Houston Order 1–F, Amendment 19, covering community food prices in certain areas in Texas, filed 12:03 p. m.

Houston Order 3–F, Amendment 7, covering community food prices in certain areas in Texas, filed 12:03 p. m.

Oklahoma City Order 3–F, Amendment 23, covering fresh fruits and vegetables in Oklahoma City District, filed 2:25 p. m.

REGION VI

Des Moines Order 1–W, covering community food prices at wholesale in the Des Moines Area, filed 3:03 p. m.

Des Moines Order 3–W, Amendment 1, covering community food prices at wholesale in Cedar Rapids area, filed 3:06 p. m.

Des Moines Order 5–W, covering community wholesale food prices in the Mason City Area, filed 3:05 p. m.

Des Moines Order 6–W, covering community wholesale food prices in Fort Dodge Area, filed 3:05 p. m.

Fargo-Moorhead Order 17 (2nd Rev.), Amendment 1, covering community food prices in area described therein, filed 3:03 p. m.

Fargo-Moorhead 2d Rev. Order 18, Amendment 1, covering community food prices in area described therein, filed 3:00 p. m.

Fargo-Moorhead 2d Rev. Order 21, Amendment 1, covering community food prices in area described therein, filed 3:00 p. m.

Fargo-Moorhead 2d Rev. Order 22, Amendment 1, covering community food prices in certain areas in Fargo-Moorhead District, filed 2:59 p. m.

La Crosse Order 1–F, Amendment 25, covering fresh fruits and vegetables in La Crosse, Wis. and Winona, Minn., filed 2:29 p. m.

La Crosse Order 3–F, Amendment 21, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wis., filed 2:28 p. m.

La Crosse Order 4–F, Amendment 21, covering fresh fruits and vegetables in Sparta, Wis., filed 2:29 p. m.

La Crosse Order 5–F, Amendment 21, covering fresh fruits and vegetables in Rochester, Minn., filed 2:29 p. m.

Sioux Falls Adopting Order 4, covering retail community food prices in certain areas in South Dakota, Iowa and Minnesota, filed 12:04 p. m.

Sioux Falls Adopting Order 5, covering retail community food prices in certain areas in South Dakota and Minnesota, filed 2:24 p. m.

Sioux City Order 2–F, Amendment 26, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebr., filed 2:24 p. m.

Sioux City Order 3–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Iowa, South Dakota and Nebraska, filed 2:24 p. m.

Sioux City Order 4–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Nebraska, filed 2:25 p. m.

REGION VIII

Los Angeles Order 1–F, Amendment 24, covering fresh fruits and vegetables in the Los Angeles Metropolitan Area, filed 2:15 p. m.

Nevada Order 1–F, Amendment 16, covering fresh fruits and vegetables in the Reno and Sparks Area, filed 2:10 p. m.

Nevada Order 2–F, Amendment 6, covering fresh fruits and vegetables in certain communities in Nevada, filed 2:07 p. m.

Phoenix Order 1–W, Amendment 3, covering dry groceries in the "Phoenix Area", filed 2:13 p. m.

Phoenix Order 5–W, Amendment 1, covering dry groceries in the "Navajo-Apache Area", filed 2:11 p. m.

Phoenix Order 16, Amendment 1, covering community food prices in "Yuma Area", filed 2:13 p. m.

Seattle Order 70, covering community food prices in the Seattle Area, filed 2:02 p. m.

Seattle Order 71, covering community food prices in the Tacoma Area, filed 2:02 p. m.

Seattle Order 72, covering community food prices in the Everett Area, filed 2:04 p. m.

Seattle Order 73, covering community food prices in the Bremerton Area, filed 2:04 p. m.

Seattle Order 74, covering community food prices in the Bellingham Area, filed 2:04 p. m.

Seattle Order 75, covering community food prices in the Olympia Area, filed 2:05 p. m.

Seattle Order 76, covering community food prices in the Aberdeen-Hoquiam Area, filed 2:06 p. m.

Seattle Order 77, covering community food prices in the Centralia-Chehalis Area, filed 2:06 p. m.

Seattle Order 78, covering community food prices in the Wenatchee Area, filed 2:06 p. m.

Seattle Order 79, covering community food prices in the Yakima Area, filed 2:07 p. m.

Spokane Order 1–F, Amendment 18, covering fresh fruits and vegetables in certain areas in Spokane Co., Washington, filed 2:01 p. m.

Spokane Order 2–F, Amendment 15, covering fresh fruits and vegetables in certain areas in Kootenai Co., Idaho, filed 2:27 p. m.

Sacramento Order 1–F, Amendment 12, covering fresh fruits and vegetables in the Sacramento-Stockton Area, filed 2:07 p. m.

Sacramento Order 6–F, Amendment 10, covering fresh fruits and vegetables in the Sacramento District Central County Area, filed 2:15 p. m.

Sacramento Order 7–F, Amendment 10, covering fresh fruits and vegetables in the Sacramento District Northern County area, filed 2:14 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–11372; Filed, July 29, 1944; 4:24 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59–7]

CITIES SERVICE POWER & LIGHT COMPANY

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of July, A. D. 1944.

The Commission having entered its order dated August 17, 1943, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 directing that Cities Service Power & Light Company and Federal Light & Traction Company, respectively, confine their operations to certain designated integrated utility systems and to take such action in a manner consistent with the provisions of the act in order to comply with such order;

Notice is hereby given that Cities Service Power & Light Company and Federal Light & Traction Company have filed an application pursuant to section 11 (c) of said act requesting that the time for compliance with said order of the Commission dated August 17, 1943 be extended for an additional year.

All interested persons are referred to said application which is on file in the office of the Commission for details concerning said application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held to consider said application;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on the 11th day of August, 1944, at 10 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters:

1. Whether Cities Service Power & Light Company and Federal Light & Traction Company exercised due diligence to comply with the Commission's order of August 17, 1943;

2. Whether an extension of an additional year for compliance with said order of August 17, 1943 is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission, on or before August 8, 1944, his application therefor as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to Cities Service Power & Light Company and Federal Light & Traction Company, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–11298; Filed, July 28, 1944; 4:49 p. m.]

[File No. 70–917]

NEW ORLEANS PUBLIC SERVICE INC. AND ELECTRIC POWER & LIGHT CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of July, A. D., 1944.

Electric Power & Light Corporation, a registered holding company, and its subsidiary New Orleans Public Service Inc., a public utility company, having filed a joint application and declaration, with amendments thereto, under sections 6 (b), 12 (c), and 12 (d) with respect, among other things, to the issue and sale by New Orleans Public Service Inc., pursuant to the competitive bidding provisions of Rule U-50, of $34,500,000 principal amount of First Mortgage Bonds to mature in 1974 and of 77,798 shares of Preferred stock, $100 par value; and

The Commission having, by order dated July 18, 1944, granted said application and permitted said declaration to become effective, except as to the price to be paid for said bonds and preferred stock, the redemption prices thereof, the interest and dividend rates thereon, respectively, the underwriters' spreads and their allocation, and all legal fees to be paid in connection with the proposed transactions, as to which matters jurisdiction was reserved; and

New Orleans Public Service Inc., having filed a further amendment to the application and declaration, in which it is stated that in accordance with the permission granted by the said order of the Commission dated July 18, 1944, it offered such bonds and preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	For the bonds		
	Price to company	Interest or dividend rate	Cost to company
		Percent	
Halsey, Stuart & Co.	102.909	3½	2.98266
Dillon, Read & Co.	102.5699	3½	2.99451
	For the preferred stock		
Dillon, Read & Co.	103.5899	4½	4.58671
W. C. Langley & Co. and Glore, Forgan & Co.	103.26	4½	4.60003

The said amendment having further stated that New Orleans Public Service Inc. has accepted the bid of Halsey, Stuart & Co., for the bonds and the bid of Dillon, Read & Co. for the preferred stock, both as set out above, and that the bonds will be offered for sale to the public at a price of 103.875 resulting in an underwriters' spread of 1.066, and that the preferred stock will be offered to the public at a price of 106.5 resulting in an underwriters' spread of 2.9401.

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds and preferred stock, the redemption prices therefor, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation;

It is ordered, That the jurisdiction heretofore reserved over the prices to be paid for said bonds and preferred stock, the redemption prices therefor, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation be, and the same hereby is released and said application and declaration, be and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved over all legal fees to be paid in connection with the proposed transactions be continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–11299; Filed, July 28, 1944; 4:49 p. m.]

[File No. 70–933]

BIRMINGHAM ELECTRIC COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of July, A. D. 1944.

Notice is hereby given that an application has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under section 6 (b) thereof and Rule U-50 thereunder by Birmingham Electric Company ("Birmingham"), a utility subsidiary of National Power & Light Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Birmingham proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, $10,000,000 principal amount of First Mortgage Thirty-year Bonds, the bid or bids for such bonds to fix the interest rate and the price to be paid to the company. The proceeds of the sale of such bonds are to be applied, together with treasury cash, to redeem all of Birmingham's First Mortgage Bonds, 4½% Series, due 1968, in the principal amount of $10,000,000 at the redemption price of 101% of the principal amount thereof plus accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on August 11, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application should be granted. Notice is herby given of said hearing to the applicant herein, to the Alabama Public Service Commission, and to all interested parties, said notice to be given to said applicant and said Alabama Public Service Commission by registered mail and to all other persons by publication

in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before August 9, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds by Birmingham is solely for the purpose of financing the business in which it is engaged.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder.

(3) Whether the fees, commissions or other remunerations to be paid in connection with the proposed issue and sale of bonds are appropriate and reasonable.

It is further ordered, That, in the interest of expeditious procedure, all evidence contained in the record of the proceeding entitled "In the Matter of National Power & Light Company and Birmingham Electric Company, File No. 54-51, Application 5," so far as relevant to the issues above stated, shall be incorporated in the record of the proceeding herein ordered and shall be regarded as evidence duly adduced in the present proceeding, subject to the same objections and exceptions preserved in the record of the proceeding in which first introduced.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-11300; Filed, July 28, 1944; 4:49 p. m.]

[File No. 1-1706-1]

BATTLE CREEK AND STURGIS RAILWAY CO.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July A. D., 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the First Mortgage 3% Gold Bonds, due December 1, 1989, of Battle Creek and Sturgis Railway Company;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, August 7, 1944, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other dues in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-11331; Filed, July 29, 1944; 11:34 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.

NOTICE OF FILING OF AMENDMENT TO APPLICATION-DECLARATION AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July 1944.

Notice is hereby given that an amendment to an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company. All interested persons are referred to the said amendment to the application-declaration which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

Northern Indiana Public Service Company proposes to refinance its presently outstanding 220,078 shares of cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,715 shares of the 5½% series) by making an offer to the holders of such stock whereby they will be afforded the opportunity to exchange each share of presently held stock for one share of $100 par value 5% cumulative preferred stock of the company, plus a cash payment of the difference between the redemption price of such stock and $102, and a further adjustment for accrued dividends on the shares to be surrendered and the shares to be issued. Any shares not surrendered on exchange will be called for redemption at the redemption prices ($115 per share for the 7%, $107.50 for the 6%, and $105 for the 5½%, cumulative preferred stock), plus accrued dividends. Such number of the 220,078 shares of the $100 par value 5% cumulative preferred stock as have not been issued as a result of exchanges will be issued and sold either pursuant to the competitive bidding requirements of Rule U-50 or at private sale subject to the Commission's granting an exception from such requirements. The proposed exchange and redemption will, however, be consummated only if such shares of $100 par value 5% cumulative preferred stock, if any, as have not been issued on exchanges, are actually sold by applicant-declarant not later than September 30, 1944, at not less than the minimum price of $100 and if the initial public offering price (if there is a public offering) is not less than $102 per share plus accrued dividends. Northern Indiana Public Service Company proposes to enter into an agreement with The First Boston Corporation providing for its services in forming and managing a group of security dealers, including itself, for the purpose of obtaining acceptances of the exchange offer. Applicant-declarant proposes that, if the exchange is consummated, The First Boston Corporation be paid a manager's fee of $39,500, plus ten cents per share for each share exchanged, plus out-of-pocket expenses not in excess of $5,000. In addition, if the exchange is consummated, applicant-declarant proposes to pay a dealer's commission upon a graduated scale as follows for each share exchanged: (a) $1.00 if the aggregate number of shares so exchanged is less than 110,040, shares (50%); (b) $1.125 if the aggregate number of shares so exchanged exceeds 110,039 but does not exceed 132,047 shares (60%); (c) $1.25 if the aggregate number of shares so exchanged exceeds 132,047 but does not exceed 154,055 shares (70%); and (d) $1.375 if the aggregate number of shares so exchanged exceeds 154,055 shares. Furthermore, the dealer's commission with respect to exchanges by a holder of five shares or less will be determined in accordance with a schedule which provides for graduated fees depending upon the number of shares exchanged by such holder and the aggregate number of all shares exchanged. However, no dealer's commission will be paid without the approval of applicant-declarant with respect to such shares issuable in exchange to a holder whose letter of transmittal tendering his shares for exchange fails to show the name of the dealer soliciting the exchange.

Applicant-declarant has designated sections 6 (b) and 12 (c) of the act and Rules U-42 and U-50 as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be held on August

3, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file with the Secretary of this Commission on or before August 3, 1944, his request or an application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said amended application-declaration, particular attention will be directed at such hearing to the following matters and questions:

1. Whether, as to the issuance by means of exchanges of shares of the $100 par value 5% cumulative preferred stock, compliance with the requirements of paragraphs (b) and (c) Rule U-50 is not necessary or appropriate under the circumstances;

2. Whether the terms and conditions of the proposed agreement with The First Boston Corporation is in the public interests and the interest of investors and consumers;

3. Generally, whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, and, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11332; Filed, July 29, 1944; 11:34 a. m.]

[File No. 1-2869]

BUNTE BROTHERS

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July, A. D. 1944.

Bunte Brothers, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, $10 Par Value, from listing and registration on The Chicago Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 7, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11333; Filed, July 29, 1944; 11:34 a. m.]

[File No. 1-1174]

NORTHERN PAPER MILLS

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of July, A. D., 1944.

The Northern Paper Mills pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, from listing and registration on The Chicago Stock Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 7, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11334; Filed, July 29, 1944; 11:34 a. m.]

LEEDY, WHEELER & CO., ORLANDO, FLORIDA

ORDER SUSPENDING REGISTERED BROKER-DEALER FROM NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of July, A. D. 1944.

The Commission by order having instituted proceedings pursuant to section 15 (b) and section 15A (*l*) (2) of the Securities Exchange Act of 1934 to determine whether or not the registration of the respondent, Leedy, Wheeler & Company, as a broker-dealer should be revoked and whether or not the said Leedy, Wheeler & Company should be suspended or expelled from the National Association of Securities Dealers, Inc., a registered national securities association;

Hearings having been held after appropriate notice, and the Commission being duly advised and having this day filed its findings and opinion herein; on the basis of said findings and opinion;

It is ordered, Pursuant to section 15A (*l*) (2) of said act, that Leedy, Wheeler & Company be and it hereby is suspended from the National Association of Securities Dealers, Inc. for a period of ninety days, commencing ten days from the date hereof.

It is further ordered, That the proceeding with respect to said respondent under section 15 (b) of said act be and it hereby is discontinued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11335; Filed, July 29, 1944; 11:34 a. m.]

[File No. 70-785]

AMERICAN & FOREIGN POWER CO. INC. AND ELECTRIC BOND AND SHARE CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of July, A. D. 1944.

The Commission having on January 22, 1944 entered its order in the above-entitled matter (Holding Company Act Release No. 4855), among other things permitting the declaration therein respecting the acquisition by Electric Bond and Share Company of a portion of its outstanding $6 and $5 preferred stocks to become effective forthwith subject to the condition, among others, that no purchases of such stocks should be made after August 2, 1944 but with the right in Electric Bond and Share Company to apply for an extension or extensions of such period; and

Electric Bond and Share Company having filed the present application stating that of the total of $9,169,673.20 available to it for such reacquisition of its preferred stocks under the said order of January 22, 1944 it has expended the sum of $3,143,625.72 leaving a balance available for such purpose of $6,026,047.28 and having requested that the time within which it may expend the remainder of such funds for such purpose be extended for a further period of 5 months; and

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors that said extension of time be granted:

It is ordered, That the time within which Electric Bond and Share Company be permitted to acquire shares of its $6 and $5 preferred stocks in accordance with the order previously entered herein of January 22, 1944 be, and the same hereby is, extended to January 2, 1945, subject in all other respects to the same terms and conditions as were contained in the said Order of January 22, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11382; Filed, July 31, 1944; 10:29 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval of equipment is prescribed:

DISENGAGING APPARATUS FOR LIFEBOATS

Model R-3 Rottmer Releasing Gear (Dwg. No. 883-1-39, dated June 27, 1944) (Maximum working load of 9,100 pounds per hook; 18,200 pounds per set), submitted by the Imperial Lifeboat & Davit Corp., Athens, New York.

LIFE FLOAT

60-person, rectangular balsa wood life float (Dwg. Nos. 11-1-43 and 11-1-43, Revision A, dated 1 November, 1943), submitted by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, New York.

SIGNAL PISTOL

Signal pistol (Dwg. Nos. Z-100 and Z-101), submitted by Sklar Signal Pistol Co., 1017 Market Street, San Francisco, California.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

JULY 27, 1944.

[F.R. Doc. 44-11314; Filed, July 29, 1944; 10:13 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

[1944 CCC Cottonseed Form A]

COTTONSEED AND COTTONSEED PRODUCTS

OFFER TO PROCESSORS

AUGUST 1, 1944.

In order to support prices of cottonseed in accordance with the announcement of the War Food Administration on July 20, 1944, and to promote the orderly marketing of cottonseed and the production of cottonseed oil, cottonseed meal and cake, and cotton linters for war purposes, Commodity Credit Corporation (hereinafter called "Commodity") hereby offers to purchase such cottonseed products manufactured by any processor engaged in crushing cottonseed (hereinafter called the "Processor") on the following terms and conditions:

1. *Terms of acceptance.* The Processor shall notify Commodity of his acceptance of this offer in substantially the following form on or before September 1, 1944: *Provided*, That the terms of this offer shall not be binding upon Commodity unless such notice is forwarded by telegram or by registered mail to Commodity Credit Corporation, Oilseeds Division, United States Department of Agriculture, Washington 25, D. C.:

The undersigned Processor hereby accepts your Offer to Cottonseed Processors (1944 CCC Cottonseed Form A) dated August 1, 1944, for the following plants:

(Name plants or specify all plants)

The Processor understands that, by the acceptance of such offer, he becomes obligated to pay not less than the prices specified in the offer for cottonseed of the 1944 crop purchased during the period ending July 31, 1945, and processed at the plants named above.

If a person operates more than one cottonseed crushing plant, he may file one acceptance for those plants for which he desires to accept this offer and shall specify in the acceptance the names and locations of the plants covered by the acceptance. If he desires to accept this offer for all plants he shall so state in his acceptance. The acceptance of this offer with respect to more than one processing plant shall result in a separate contract between Commodity and the Processor with respect to cottonseed purchased for processing at, and cottonseed products manufactured at, each such plant. Commodity will acknowledge the receipt of each acceptance.

2. *Purchases of cottonseed by the processor*—(a) *Purchases on a grade basis.* All cottonseed which is purchased by the Processor on a chemical grade basis shall be graded on the basis of "United States Standard Grades," as amended July 18, 1939, in accordance with the rules, regulations, and standard methods governing the handling, sampling, and analysis of cottonseed for grading purposes established by the United States Department of Agriculture. The minimum prices to be paid by the Processor for such cottonseed f. o. b. shipping point shall be:

(1) For "basic grade" (100) cottonseed in lots of 5 tons or more:

(i) In Oklahoma, Texas (except Bowie County) and New Mexico—$56 per ton.

(ii) In other States and Bowie County, Texas—$56 per ton.

(2) For cottonseed grading above or below 100 in lots of 5 tons or more: the price stated in (1) plus or minus a percentage of such price equal to the percentage by which the grade of such cottonseed exceeds or is less than 100: *Provided*, That cottonseed grading "off quality" or "below grade" may be purchased by the Processor at such price as may be agreed upon by the Processor and the seller at the time of purchase.

(3) For cottonseed in lots of less than 5 tons; the prevailing price for bale lots in the locality where the cottonseed is purchased.

(b) *Purchases on a "flat" or "as is" basis.* The average price paid by the Processor for all cottonseed which is purchased by him on a "flat" or "as is" basis shall be not less than the average price which he would have paid if each lot had been purchased on a grade basis in accordance with subsection (a) of this section 2. The Processor shall keep complete books and records of analyses and of prices paid for such cottonseed, and shall, upon request in writing by Commodity, submit such information and certifications with respect therto as commodity may request.

3. *Purchase of chemical cotton linters by Commodity.* Commodity agrees to purchase, on the following terms and conditions, such chemical cotton linters as the Processor may offer prior to August 1, 1945, to sell to Commodity in minimum carlots: *Provided*, That Commodity shall be obligated hereunder to purchase only the quantity of such chemical linters that is allocated to Commodity pursuant to War Production Board General Preference Order M-12, including any amendments thereto: *Provided further*, That in any event, Commodity shall be obligated to purchase 65 percent of the Processor's production of linters during any portion of the period from August 1, 1944, to August 31, 1945, inclusive, if such linters are offered to Commodity prior to August 1, 1945, in minimum carlots.

Commodity may reduce the quantity of linters which it is otherwise obligated to purchase hereunder by such quantity of linters as Commodity determines to have been purchased and paid for by it in excess of the quantity Commodity was obligated to purchase from the Processor under this offer or 1943 CCC Cottonseed Form A, revised.

(a) *Price, f. o. b. carrier at shipping point*—(1) *Base price for chemical cotton linters.* $3.80 per 100 pounds gross weight for linters with a 73% cellulose yield, calculated on actual moisture basis, or, if the above base maximum price is increased by the Office of Price Administration, the base maximum price in effect at the time of purchase.

(2) *Premiums.* $0.009 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield above 73 percent.

(3) *Discounts.* $0.009 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield below 73 percent down to and including 70 percent, and $0.016 per 100 pounds gross weight for each 1/10 of one percent of cellulose yield below 70 percent.

(b) *Bagging.* Bales shall be well covered with close woven bagging. Sisal or paper covering will not be acceptable. Total tare shall not exceed 5 percent.

(c) *Quality.* Linters shall be clean, undamaged, free of excessive hull pepper, shale, and trash and shall not contain motes, sweepings, or any other foreign material and shall be suitable for chemical use as determined by Commodity or the consignee. Linters shall be subject to consignee's inspection and acceptance at the Processor's mill. ("Consignee", as used in this Section 3, means the Bleachery or other person designated by Commodity to inspect and accept delivery of the linters.) The Processor shall give consignee written notice when linters are ready for inspection, and consignee shall have a reasonable length of time in which to make such inspection and tag the bales. Immediately upon consignee's request, the Processor shall, at his expense, make the bales accessible so that each bale can be sampled, inspected, and tagged by consignee's inspector. The Processor shall make linters available for inspection in lots of at least 200 bales, unless a smaller number of bales are necessary to complete delivery under any particular shipping order or at the end of the season. Commodity shall not be obligated to purchase any linters until such linters have been inspected and accepted by the consignee. All linters shall be inspected by the consignee on or before August 31, 1945.

(d) *Cellulose yield.* Cellulose yield, calculated on actual moisture content, shall be determined upon the basis of samples drawn from bales as unloaded at consignee's plant or storage warehouse and tests run in the consignee's laboratory by a method approved by The American Oil Chemists Society. However, an approved Referee Chemist's analysis of cellulose yield calculated on actual moisture content will be acceptable to Commodity for purposes of settlement under this contract, provided the Processor arranges and pays for such analysis, without expense or delay in unloading to consignee, from samples drawn at the same time consignee draws its sample at unloading point.

(e) *Weight.* Where the consignee is a Bleachery or Public Warehouse, the destination weight before compression shall govern. Where the consignee is other than a Bleachery or Public Warehouse, the consignee shall be instructed by Commodity to notify the Processor by telegram if the destination weight is more than 1 percent below the weight as billed by the Processor, and the Processor shall have the option, if he notifies the consignee by telegram within 24 hours of the receipt of such notice, to have the shipment reweighed by an official weighmaster at the Processor's expense or to have the shipment reweighed by the consignee in the presence of a representative of the Processor, provided such representative arrives at the destination point within 72 hours after the receipt of such notice by the Processor.

(f) *Loading.* All cars shall be loaded to protect minimum freight rate. All cars shall be carefully swept and cleaned before loading. All linters shall be in such condition that common carrier will accept them for transportation to consignee's plant without any charges or expense other than freight. Such linters, when loaded, shall be in good condition, dry, and free from weather or other damage.

(g) *Shipment.* Shipments shall be made promptly after inspection and acceptance by consignee, subject to availability of storage space at consignee's plant or storage warehouse.

(h) *Shipping documents.* At the time of shipment, invoice (in quadruplicate), with original bill of lading and weight sheet attached, shall be mailed to the consignee. All shipments of any one day shall be included in a single invoice.

(i) *Payment and storage.* (1) Payment of the base price specified in subsection (a) of this section 3 shall be made by Commodity with respect to linters, other than linters stored as provided in (2) of this subsection, upon the receipt by Commodity from the consignee of approved shipping documents and such certifications as Commodity may prescribe and upon the basis of the weight shown in the invoice. Title and risk of loss or damage to such linters shall pass to Commodity upon issuance of a bill of lading or shipping receipt by a contract carrier. Final settlement for such linters shall be made after the receipt by Commodity from the consignee of the cellulose yield analysis and the certified destination out-turn weight of the linters.

(2) In the event the consignee is unable to accept linters for shipment promptly after inspection and acceptance at the Processor's plant, the Processor shall store such linters at his own expense in such manner that the linters are adequately protected against damage. Commodity shall advance to the Processor against the purchase price of such linters an amount equal to the base price specified in subsection (a) hereof, upon the receipt from the Processor of storage receipts, in form satisfactory to Commodity; an invoice showing the base price for such linters and approved by the consignee; and such certifications as Commodity may prescribe. Title to such linters shall pass to Commodity upon receipt of such documents. The Processor, however, shall be responsible, and shall reimburse Commodity, for any loss of or damage to such linters while so stored resulting from any cause whatsoever, and shall maintain insurance thereon, sufficient to protect Commodity's interest therein against risk of loss or damage by fire, lightning, windstorm, tornado, and other risks normally insured against by the Processor. The Processor shall furnish Commodity certificates of indorsement from insurance companies, acceptable to Commodity, showing Commodity to be fully covered for the maximum duration of storage of such linters. The consignee or Commodity shall send shipping instructions on or before September 1, 1945, for all linters so stored. Final settlement for such linters shall be made after the receipt by Commodity from the consignee of approved shipping documents, together with the cellulose yield analysis and the certified destination out-turn weight of the linters.

4. *Purchases of crude cottonseed oil by Commodity.* Commodity agrees to purchase, on the following terms and conditions, crude cottonseed oil which the Processor offers, prior to August 1, 1945, to sell to Commodity:

(a) *Base price.* ½ cent per pound below the applicable base maximum prices established by the Office of Price Administration, loaded in tank cars, f. o. b. Processor's plant, and in effect August 1, 1944.

(b) *Base grade.* "Basis prime crude cottonseed oil" as defined in the rules of the National Cottonseed Products Association in effect at the time of delivery.

(c) *Quality settlement basis.* The base price shall be adjusted for variance in quality in accordance with the provisions of the rules of the National Cottonseed Products Association in effect at the time of delivery.

(d) *Passage of title.* Title and risk of loss or damage to the oil shall pass to Commodity upon payment by Commodity to the Processor of the purchase price.

(e) *Storage and care.* Oil purchased by Commodity shall, without cost to Commodity, be stored by the Processor to the extent of available facilities at the plant until arrangements are made by Commodity for moving the oil. The Processor shall notify Commodity of any condition which may result in quality deterioration: *Provided*, That prime or basis prime, and offgrade crude cottonseed oil as defined in the rules of the National Cottonseed Products Association shall not be stored in the same storage tank.

(f) *Delivery.* Oil purchased by Commodity shall be shipped by the Processor in accordance with Commodity's instructions: *Provided*, That instructions for the prompt shipment of all such oil shall be given on or before September 1, 1945.

(g) *Payment of purchase price.* Payment of the purchase price shall, subject to the adjustment specified in subsection (h) of this section, be made upon the presentation to and approval by Commodity of:

(1) An invoice, in duplicate, showing the quantity and quality of the oil and the price thereof.

(2) Either (i) storage receipts, in form satisfactory to Commodity, representing the oil and identifying it by tank number or otherwise, each receipt representing not less than one or more than five tank car units of 60,000 pounds each or, (ii) if Commodity has furnished shipping instructions, straight bills of lading showing the oil has been shipped in accordance with Commodity's instructions, accompanied by official weight certificates: *Provided*, That one clean-up tank car of less than 60,000 pounds will be accepted by Commodity from the Processor if such Processor protects the carload freight rate.

(3) If the oil is stored by the Processor, a certificate of sampling and analysis issued by a chemist who has been certified by the National Cottonseed Products Association and approved by Commodity, such certificate to be obtained at the Processor's expense and to be identified with oil reprsented by a particular storage certificate.

(4) Such other certifications as Commodity may prescribe.

(h) *Final settlement.* Final settlement shall be made for each tank car of oil upon arrival at the destination specified by Commodity upon the basis of:

(1) *Weight.* The out-turn weight of the oil at destination as certified on consignee's sworn weight certifications;

(2) *Analysis.* If the oil is not stored by the Processor, the final settlement analysis as agreed upon between the consignee and the Processor.

5. *Purchase of cottonseed meal and cake by Commodity.* Commodity agrees to purchase, on the following terms and conditions, prime quality bulk cottonseed meal of 41 percent minimum protein content which the Processor offers, prior to August 1, 1945 to sell to Commodity in minimum car lots:

(a) *Price.*

Location of Processor's plant	*Purchase price per ton bulk basis, f. o. b. cars at Processor's plant location*
Louisiana, Mississippi, Arkansas, Tennessee, Missouri, Illinois, and Bowie County, Texas	$43
North Carolina, South Carolina, Georgia, Alabama, and Florida	44
Texas (except Bowie County), Oklahoma, New Mexico, Arizona, and California	45

Upon request by Commodity, the Processor shall supply sacked meal or, if available, sized cake in bags or loose slab cake of 41 percent minimum protein content, at the price differentials allowed in applicable regulations issued by the Office of Price Administration.

(b) *Quality.* Prime quality, as defined in the rules of the National Cottonseed Products Association in effect at the time of delivery, of not less than 41 percent protein content.

(c) *Passage of title.* Title and risk of loss or damage to the cake and meal shall pass to Commodity upon the payment by Commodity to the Processor of the purchase price.

(d) *Storage and care.* Cake and meal purchased by Commodity shall, without cost to Commodity, be stored by the Processor to the extent that the Processor's usual plant storage capacity for cake and meal will permit. In the event the Processor's usual plant storage capacity will not permit the storage of cake or meal offered to Commodity hereunder, the Processor shall, before selling such cake or meal to Commodity, arrange for other storage on terms and conditions satisfactory to Commodity. All warehouse charges in storage other than plant storage shall be paid by Commodity. The Processor shall not be liable for loss in quality not due to his fault or negligence after passage of title. The Processor shall notify Commodity of any conditions which may result in loss of quality.

(e) *Payment.* Payment of the purchase price shall be made upon the presentation to and approval by Commodity of:

(1) An invoice, in duplicate, showing the quantity and quality of cake or meal and the price thereof;

(2) Storage receipts, in form satisfactory to Commodity, representing the cake or meal and identifying it in place of storage, or, if Commodity has furnished shipping instructions, bills of lading, showing the meal or cake has been shipped in accordance with Commodity's instructions, accompanied by certified weights;

(3) A certificate of sampling and analysis issued by a chemist who has been certified by the National Cottonseed Products Association, and approved by Commodity, such certificate to be obtained at the Processor's expense and to be identified with cake or meal represented by a particular storage receipt or bill of lading;

(4) Such other certifications as Commodity may prescribe.

(f) *Weight adjustment.* If the cake or meal is stored, payment will be made on the basis of the weight shown on the storage receipts representing the cake or meal. However, if the certified weight of the cake or meal at the point of destination differs from the weight shown on such storage receipts, an adjustment of the amount paid by Commodity shall be made, based upon such difference in weight.

(g) *Loading out.* Upon receipt of shipping instructions from Commodity, the Processor shall, without cost to Commodity, load out from his plant or plant storage and place on carrier, in accordance with such instructions, any such cake and meal ordered loaded out by Commodity. Instructions for the prompt shipment of all such cake and meal shall be given on or before September 1, 1945.

6. *Segregation of stored products.* All cottonseed products which the Processor holds for the account of Commodity shall be segregated from any other cottonseed products, and the buildings, tanks, piles, bins, or other units in which such products are stored shall be marked in conspicuous places with appropriate signs and in such manner as will give public notice of Commodity's ownership of such products.

7. *Carrier and routing.* The Processor may select the originating carrier on shipments of cottonseed products but the lowest available transportation rate between the point of shipment and the point of destination named in Commodity's instructions shall not be exceeded and the routing and loading shall be in compliance with applicable regulations: *Provided*, That all shipments of cotton linters shall be made to Commodity at the point designated by the consignee on open bills of lading or contract carrier receipts, freight collect, and on consignee's routing, which shall not be altered without consignee's consent.

8. *Bond.* Upon Commodity's request, the Processor shall furnish to Commodity a bond conditioned upon the faithful performance by the Processor of his obligations hereunder with respect to the storage and delivery of cottonseed products held by him for the account of Commodity. Such bond shall be in such form, and in such amount, and with such sureties, as Commodity may prescribe.

9. *Movement of linters, oil, cake and meal.* Notwithstanding any provisions of sections 3, 4, and 5 hereof, Commodity shall not be responsible for any loss or injury caused the Processor by failure of Commodity or its consignees to move cottonseed products due to the unavailability of transportation or storage facilities, or due to any other cause beyond the control of Commodity or its consignees. Commodity shall not be responsible, except as is otherwise expressly provided herein, or except as such transportation or handling is requested by Commodity, for any cost in connection with the transportation or other handling of any cottonseed product held by the Processor for the account of Commodity.

10. *Liability limitations.* The Processor shall not be liable for any loss of or damage to any cottonseed oil, meal, or cake owned by Commodity unless such loss or damage is due to the fault or negligence of the Processor. Neither Commodity nor the Processor shall be liable for any failure to comply with this contract which results directly or indirectly from compliance with any regulations or orders issued pursuant to the authority contained in Title III of the Second War Powers Act, 1942, the Emergency Price Control Act of 1942, as amended, or any other statute, or Executive order.

11. *Books and records.* The Processor shall keep complete and accurate books, records, and accounts with respect to all purchases of cottonseed and all other transactions hereunder, and shall furnish Commodity such information and reports as Commodity may from time to time request. Commodity may at any time examine and audit the books, records, and accounts of the Processor insofar as they relate to any contract resulting from the Processor's acceptance of this offer.

12. *Termination of contract.* Any contract resulting from the Processor's acceptance of this offer may be terminated at any time by Commodity or the Processor, upon written notice to the other party, as to cottonseed purchased by the Processor after such termination and cottonseed products manufactured therefrom. Notwithstanding such termination, such contract shall continue in full force and effect with respect to cottonseed products which are manufactured by the Processor from cottonseed purchased by the Processor prior to such termination and offered to Commodity pursuant to sections 3, 4 and 5 hereof. Nothing contained in this section shall be construed to prevent the termination by Commodity of any such contract at any time for violation of any of the provisions thereof.

13. *Definitions.* As used in this contract:

(a) "Cottonseed" means cottonseed of the 1944 crop produced in the continental United States and purchased by the Processor during the period ending July 31, 1945.

(b) "Cotton linters" or "linters," "cottonseed oil" and "cottonseed meal and cake" means the linters, oil, and meal and cake, respectively, manufactured from cottonseed by the Processor during the period ending August 31, 1945.

(c) "Cottonseed products" means cotton linters, cottonseed oil, and cottonseed meal and cake.

NOTE: All reporting and record-keeping requirements of this offer have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[SEAL] COMMODITY CREDIT CORPORATION,
By J. B. HUTSON,
President.

Attest:
NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 44-11364; Filed, July 29, 1944; 8:24 p. m.]

WAR PRODUCTION BOARD.

BEN F. HUTCHINS

CONSENT ORDER

Ben F. Hutchins of Lawton, Oklahoma, is charged by the War Production Board with having begun the construction of an amusement park and related structures, the estimated cost of which was in excess of $75,000 at Lawton, Oklahoma, without securing approval from the War Production Board in wilful violation of Conservation Order L-41 and Supplementary Conservation Order L-41-a. Ben F. Hutchins admits having started the construction. He neither admits nor denies, but does not desire to contest the charge that the violation was wilful, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Ben F. Hutchins, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Ben F. Hutchins, his successors or assigns, nor any other person, shall do any construction on the property described as Blocks 5, 6, 7, 8, 17 and 18 in Radio City Park Addition, Lawton, Oklahoma, unless heretofore or hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Ben F. Hutchins, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11296; Filed, July 28, 1944; 4:38 p. m.]

WAR SHIPPING ADMINISTRATION.

"TEXAS No. 10"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel "Texas No. 10" (237540), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-11304; Filed, July 29, 1944; 9:59 a. m.]

"TEXAS No. 12"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel "Texas No. 12" (237985), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-11305; Filed, July 29, 1944; 9:59 a. m.]

"TEXAS No. 14"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel "Texas No. 14," (238028), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-11306; Filed, July 29, 1944; 9:59 a. m.]

"TEXAS No. 15"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 5, 1942, title to the vessel "Texas No. 15," (238029), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 28, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-11307; Filed, July 29, 1944; 9:59 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 153

Washington, Wednesday, August 2, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1944 C. C. C. Wheat Form 1—Instructions,[1] Amdt. 1]

PART 251—1944 WHEAT LOANS

INCREASE OF LOAN RATES ON WHEAT PRODUCED IN 1944

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of May 26, 1941 (55 Stat. 205, 7 U.S.C., 1940 ed., Supp. I, 1330), as amended by the Act of December 26, 1941 (55 Stat. 860), the Act of October 2, 1942 (56 Stat. 767; 50 U.S.C., 1940 ed., Supp. II, 968), and Public Law No. 240, 78th Congress, Commodity Credit Corporation has authorized the making of loans to eligible producers on eligible wheat stored on farms or in approved public grain warehouses, in accordance with the regulations in this part (1944 C.C.C. Wheat Form 1—Instructions). Such regulations are hereby amended as follows:

Section 251.3 *Loan rates,* is amended by adding at the end thereof, the following:

The loan rates set forth above and in State supplements (1944 C.C.C. Wheat Form 1—Supplement 2—Kansas, et cetera) are hereby increased 7 cents per bushel effective as of June 1, 1944. The 7 cents per bushel increase will be made available to producers who have already obtained loans secured by wheat produced in 1944 and to producers applying for loans in the future.

Dated: July 8, 1944.

J. B. HUTSON,
President.

[F. R. Doc. 44-11532; Filed, August 1, 1944; 11:12 a. m.]

[1] 9 F.R. 7243.

Chapter III—War Food Administration (Farm Security)

PART 300—GENERAL

DELEGATION OF AUTHORITY TO REGIONAL DIRECTORS

§ 300.13 *Delegation of authority to Regional Directors of Farm Security Administration to dispose of real and personal property, to release instruments of security, to execute deeds and other instruments of conveyance, and to perform other functions.* Pursuant to the authority vested in me by the War Food Administrator's Memorandum No. 37, dated March 13, 1944 (9 F.R. 2840), Regional Directors of Farm Security Administration are hereby empowered on behalf of the United States, to the extent provided in, and pursuant to and in accordance with the provisions of applicable FSA Instructions and specific authorizations from time to time issued or to be issued:

(a) To approve the sale and disposition of real and personal property or any interest therein acquired by defense relocation corporations and land purchasing and development associations under programs administered by Farm Security Administration; to release individual tracts of land from the security of the Government represented by mortgages or other liens on such acquired property; and to exercise, for and on behalf of United States of America, all rights, privileges and powers of the Government under the terms of any agreement or instrument heretofore or hereafter entered into in connection with the sale of such property, or taken in connection with such sale as security for the sale price.

(b) To determine whether any land held by the United States under the supervision of the Secretary of Agriculture or the War Food Administrator pursuant to Executive Order 7530, dated December 31, 1936, as amended by Executive Order 7557, dated February 19, 1937, is suitable for the purposes of Title I of

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27.

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the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1000–1008).

(c) Upon determination that lands referred to in (b) hereof are suitable for the purposes of Title I, to utilize such land for the purposes of said title; to sell and dispose of any such land pursuant to the authority contained in sec. 43 of the Bankhead-Jones Farm Tenant Act; to make loans for the necessary improvements thereon, upon such terms as shall be appropriate and in accordance with the provisions of said title; and to execute all deeds and other instruments necessary in connection with such sales.

(d) In the absence of the Regional Director of Farm Security Administration, or his inability to carry out the powers and functions hereby delegated, the authority conferred by this delegation may be exercised by the appropriate Acting Regional Director of the Farm Security Administration but may not be further redelegated.

(e) This authority shall be effective as of the 29th day of July 1944.

Issued this 29th day of July 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44–11478; Filed, July 31, 1944; 8:23 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 150—ARREST AND DEPORTATION

CUSTODY OF ARRESTED ALIENS

JULY 26, 1944.

Section 150.5, Title 8, Chapter I, Code of Federal Regulations is amended to read as follows:

§ 150.5 *Custody of arrested aliens—*(a) *Release on bond or personal recognizance.* An alien arrested in deportation proceedings may, pending final disposition of his case and in the discretion of the officer in charge of the office having custody of the alien, be released under bond, or on his own personal recognizance, or on parole, unless specific instructions to the contrary covering individual aliens or classes of aliens shall have been issued by the Central Office. When release is directed by the officer in charge of the office having custody of the alien under conditions other than those stated in the warrant of arrest, such officer shall make immediate report thereof in writing to the Central Office giving the reasons for the action taken.

(b) *Detention without bond.* If, in any case where the Central Office has not authorized detention without bond, the officer in charge of an office having custody of an alien has reason to believe that release should not be authorized under any condition, such alien may be continued in custody but a report shall promptly be made to the Central Office giving reasons for the action taken.

(c) *Delivery bonds.* If a delivery bond is required and accepted, the bond shall be in an amount that will insure the alien's appearance when wanted, but not less than $500. The approval of the form and execution of the bond by the district director or officer in charge shall be sufficient for the release of an alien, pending final approval of the bond by the Central Office. The sureties may justify in real estate or may deposit any public debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States, and which are not redeemable within one year from the date on which they are offered for deposit. The justification in real estate shall be by two owners, each in double the amount of the penalty of the bond over and above all encumbrances. A surety company authorized by the Treasury Department to transact federal bond business shall be an acceptable surety.

CROSS REFERENCE: For "Acceptance of bonds, notes or other obligations issued or guaranteed by the United States as security in lieu of surety or sureties on penal bonds", see 31 CFR Part 225 (Treasury Department Circular No. 154, revised February 6, 1935).

(d) *Detention facilities.* An alien under deportation proceedings not released on bond, or on personal recognizance, or on parole, may be confined only in a detention facility operated by the Service, or in a jail which has been approved by the Service as a detention facility or, upon approval from the Central Office, in some other suitable quarters. Children under eighteen years of age and women shall not be held in custody in jails unless absolutely unavoidable. Such aliens, when detention is necessary, may be detained in a private or other home or facility operated under contract with the Service for the maintenance of aliens, or in a home or other facility operated by a social welfare or philanthropic agency. Where detention of such aliens in a jail is unavoidable, a report thereof with the reasons therefor, shall be immediately submitted to the Central Office.

(e) *Institutional cases.* An alien confined in an institution shall not be removed therefrom, in the absence of special instructions, until a warrant of deportation has been served and the Service is completely ready to deport, except in the case of a criminal alien who has served his sentence and is subject to discharge from imprisonment.

(f) *Cost of maintenance pending deportation.* The cost of maintaining aliens in custody after arrest and pending deportation may be borne by the Government, except that where an alien is an inmate of a public or private institution at the time of the institution of deportation proceedings no expense shall be incurred by the Government until he is taken into physical custody by immigration officers.

EARL G. HARRISON,
Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44–11496; Filed, July 31, 1944; 4:41 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 20–1]

PART 20—PILOT CERTIFICATES

EXTENSION OF TIME

Extending the period from 60 to 90 days during which the administrator may recall a pilot certificate.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 27th day of July 1944.

Effective July 27, 1944, § 20.31 of the Civil Air Regulations is amended to read as follows:

§ 20.31 *Duration.* A pilot certificate shall be of 90 days' duration unless the holder thereof is otherwise notified by the Administrator within such period, and unless so notified shall thereafter continue in effect until otherwise specified by the Board. The certificate shall be automatically canceled at any time by the issuance of a new certificate of a different grade.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–11501; Filed, August 1, 1944; 10:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4454]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PREPARATORY TRAINING INSTITUTE

§ 3.6 (f) *Advertising falsely or misleadingly—Demand or business opportunities:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts:* § 3.72 (i 5) *Offering deceptive inducements to purchase or deal—Opportunities in product or service.* In connection with offer, etc., in commerce, of courses of study and instruction intended for preparing students thereof for examinations for Civil Service positions under the United States Government or any similar courses of study, and among other things, as in order set forth, representing directly or by implication, (1) that the number of positions available in the United States Civil Service or in any branch thereof is greater than is actually the fact; (2) that examinations for positions in the United States Civil Service are held at more frequent intervals than is actually the fact or that appointments to positions are made within a shorter period of time after the examination than is actually the fact; or (3) that certain specified Civil Service positions are open and available to students of said respondent's courses when in fact such positions are not open and available or when positions are such that students of respondent's courses cannot properly qualify; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) (Cease and desist order, Preparatory Training Institute, Docket 4454, June 29, 1944)

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Unique status or advantages:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Demand for or business opportunities:* § 3.72 (f 20) *Offering deceptive inducements to purchase or deal—Individual's special selection or situation:* § 3.72 (g) *Offering deceptive inducements to purchase or deal—Job guarantee and employment.* In connection with offer, etc., in commerce, of courses of study and instruction intended for preparing students thereof for examinations for Civil Service positions under the United States Government or any similar courses of study, and among other things, as in order set forth, representing directly or by implication, (1) that respondent controls or will procure Government jobs for students completing its courses of study; (2) that respondent has any connection with the Government of the United States or any branch thereof, including the Civil Service Commission; (3) that respondent is authorized by the Civil Service Commission to qualify applicants for Government positions; (4) that respondent has information with respect to places at, or dates on which, Civil Service examinations will be held which are not available to any person applying to the Civil Service Commission for such information; (5) that applicants or prospective purchasers of respondent's courses of study are especially selected; or (6) that appointments to positions in the Civil Service may or can be secured through respondent; or (7) misrepresenting in any manner the possibilities or opportunities for employment in Civil Service positions of students of respondent's courses of study; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Cease and desist order, Preparatory Training Institute, Docket 4454, June 29, 1944)

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Government connection:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private business as being educational, religious or research institution:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Personnel or staff:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business being educational, religious or research institution.* In connection with offer, etc., in commerce, of courses of

study and instruction intended for preparing students thereof for examinations for Civil Service positions under the United States Government or any similar courses of study, and among other things, as in order set forth, (1) using the term "Registrar" to designate or describe respondent's representatives and salesmen; or (2) using the word "Institute" or any abbreviation or simulation thereof as part of said respondent's trade name or as part of the name of respondent's school, or using the word "Institute" in any manner to designate, describe, or refer to respondent's business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) (Cease and desist order, Preparatory Training Institute, Docket 4454, June 29, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of June, A. D. 1944.

In the Matter of Preparatory Training Institute, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and amendment thereto, the answers of the respondent to the complaint and amendment, testimony and other evidence in support of and in opposition to the allegations of the complaint and the amendment thereto taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs in support of and in opposition to the complaint as amended, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Preparatory Training Institute, a corporation, and its officers, representatives, agents, and employees, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of courses of study and instruction intended for preparing students thereof for examinations for Civil Service positions under the United States Government of any similar courses of study, do forthwith cease and desist from:

1. Representing directly or by implication that the number of positions available in the United States Civil Service or in any branch thereof is greater than is actually the fact.

2. Representing directly or by implication that examinations for positions in the United States Civil Service are held at more frequent intervals than is actually the fact or that appointments to positions are made within a shorter period of time after the examination than is actually the fact.

3. Representing directly or by implication that certain specified Civil Service positions are open and available to students of said respondent's courses when in fact such positions are not open and available or when positions are such that students of respondent's courses cannot properly qualify.

4. Representing directly or by implication that respondent controls or will procure Government jobs for students completing its courses of study.

5. Representing directly or by implication that respondent has any connection with the Government of the United States or any branch thereof, including the Civil Service Commission.

6. Representing directly or by implication that respondent is authorized by the Civil Service Commission to qualify applicants for Government positions.

7. Representing directly or by implication that respondent has information with respect to places at, or dates on which, Civil Service examinations will be held which are not available to any person applying to the Civil Service Commission for such information.

8. Representing directly or by implication that applicants or prospective purchasers of respondent's courses of study are especially selected.

9. Representing directly or by implication that appointments to positions in the Civil Service may or can be secured through respondent.

10. Using the term "registrar" to designate or describe respondent's representatives and salesmen.

11. Using the word "institute" or any abbreviation or simulation thereof as part of said respondent's trade name or as part of the name of respondent's school, or using the word "institute" in any manner to designate, describe, or refer to respondent's business.

12. Misrepresenting in any manner the possibilities or opportunities for employment in Civil Service positions of students of respondent's courses of study.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] A. N. Ross,
Acting Secretary.

[F. R. Doc. 44-11500; Filed, August 1, 1944; 10:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 247, 2d Ed.]

Part 605—General Administration

Letters

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, Second Edition, are hereby amended in the following respect:

Amend § 605.12 to read as follows:

§ 605.12 *Letters.* Communication should generally be by letter. Official letters in execution of the selective service law may be sent in official penalty envelopes furnished or authorized by the Director of Selective Service.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

Lewis B. Hershey,
Director.

July 31, 1944.

[F. R. Doc. 44-11479; Filed, July 31, 1944; 3:37 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

Authority: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

Part 1010—Suspension Orders

[Suspension Order S-534, Revocation]

All State Pipe Supply Co.

Suspension Order S-534 was issued against Samuel Fletcher and Rose Fletcher, doing business as All State Pipe Supply Company, at 616 North Myrtle Avenue, Jacksonville, Florida, effective May 15, 1944. An appeal was filed with the Chief Compliance Commissioner on June 3, 1944. A stay was ordered effective June 15, 1944. The case was reviewed by the Chief Compliance Commissioner, as a result of which on July 31, 1944, the Chief Compliance Commissioner directed that Suspension Order S-534 be revoked forthwith.

In view of the foregoing: *It is hereby ordered*, That: § 1010.534 *Suspension Order No. S-534* be revoked.

Issued this 31st day of July 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-11480; Filed, July 31, 1944; 4:24 p. m.]

Part 944—Regulations Applicable to the Operation of the Priorities System

[PR 3, Direction 5, as Amended Aug. 1, 1944]

Ratings for Listed Chemicals and Other Materials

The following direction is issued pursuant to Priorities Reg. 3:

(a) *Purpose.* Owing to the fact that the supply of certain materials is controlled by peculiar factors including their interchangeability and their use both as production materials and for MRO (maintenance, repair and operating supplies), it is necessary to provide special rules for the use of ratings in getting these materials. The purpose of this Direction is to prohibit the use of AA-1 and AA-2 blanket MRO ratings for the materials on the attached list, and to substitute in the place of these ratings, the use of production materials ratings. Where no pro-

duction materials ratings are available, this direction assigns ratings which may be used in place of AA–1 and AA–2 blanket MRO ratings.

(b) *Restriction on use of certain blanket MRO ratings.* Blanket MRO ratings of AA–1 and AA–2 may not be used to get any of the materials on the attached list for any purpose. An exception to this prohibition, however, is a rating assigned under P–98–b when the rating is applied with the allotment symbol, MRO–P–3, and a rating assigned under P–66 where the rating is applied with the allotment symbol S–8. "Blanket MRO ratings" are defined in paragraph (e) (2) of Priorities Regulation No. 3.

(c) *What ratings may be used instead.* You may use any of the following ratings which may be applicable to your situation for the materials listed in this direction:

(1) *Production materials ratings.* If you have a rating for production materials to be physically incorporated in your product, you may use that rating to get the materials on the attached list as MRO. You may not use the MRO symbol in this case, but your allotment number and symbol, if any, assigned to your production schedule should be used. "Production materials" are defined in paragraph (b)(2) of Priorities Regulation No. 11B and Interpretation No. 1 of that regulation issued June 16, 1943, and also paragraph (b)(1) of CMP Regulation No. 3. For the purpose of this Direction, any rating assigned under Orders P–65 and P–135 are production materials ratings. The amount of these materials which are bought as MRO with any production materials rating must be deducted from your MRO quota under CMP Regulation No. 5, or any other regulation or order which places limits on your purchase of MRO.

(2) *Blanket MRO rating of AA–1 lowered to AA–2X.* If you have a blanket MRO rating of AA–1, you may use an AA–2X rating to get the materials listed in this direction for MRO. If a purchase order bearing a blanket MRO rating of AA–1 is served upon a seller for a product which does not appear on the attached list but which contains any materials listed under "Chemicals" on the attached list, the seller may not extend that AA–1 rating to get the necessary production materials (appearing on the attached list) to make that product. The seller may use a rating of AA–2X instead to get the necessary production materials.

(3) *Blanket MRO rating of AA–2 lowered to AA–3.* If you have a blanket MRO rating of AA–2, you may use an AA–3 rating to get the materials listed in this direction for MRO. If a purchase order bearing a blanket MRO rating of AA–2 is served upon a seller for a product which does not appear on the attached list but which contains any materials listed under "Chemicals" on the attached list, the seller may not extend that AA–2 rating to get the necessary production materials (appearing on the attached list) to make that product. The seller may use a rating of AA–3 instead to get the necessary production materials.

(4) *Ratings for construction projects.* If you have a rating for materials to be physically incorporated in a construction project, you may use that rating to get materials on the attached list for MRO for use in that construction project.

(5) *Specific ratings.* You may use any rating assigned by a preference rating certificate which specifically names the kinds and quantities of material rated to get the materials on the attached list.

(d) *Persons engaged in several activities.* If a person is engaged in several business activities to which different ratings are assigned and it is impracticable to apportion his needs for any material on the attached list between those activities, he must use the rating assigned to the activity in which he is principally engaged. For example, if a person has 75 per cent of his production devoted to filling orders bearing AA–1 production materials ratings, and 25 per cent of his production devoted to filling orders bearing other production materials ratings and it is impracticable to apportion his MRO needs between these, he may use his AA–1 production materials rating to procure items on the attached list to satisfy his entire MRO needs. Also if a person produces only one product but has more than one production rating for the materials going into that product, he must use the rating applicable to the greater portion of his production.

(e) *Applications for special assistance.* Any person who needs any material listed in this direction either as production material or for MRO, and is unable to get it with the rating which he has, may apply on Form WPB–541 (formerly PD–1A) to the nearest local office of the War Production Board for a higher rating.

Issued this 1st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST OF CHEMICALS AND OTHER MATERIALS

1. Coated fabric.
2. Paints, varnishes and lacquers.
3. Printing inks.
4. Chemicals:
   - Acetonyl acetone.
   - Acetylene dichloride.
   - Acetylene tetrachloride.
   - Acids:
     - Boric.
     - Butyric (all).
     - Chlorosulfonic.
     - Hydrochloric.
     - Hydrofluoric.
     - Hydrofluosilicic.
     - Lactic.
     - Monochloracetic.
     - Muriatic.
     - Phosphoric.
     - Propionic.
     - Sulfamic.
     - Tartaric.
     - Trichloracetic.
   - Alpha proteins.
   - Aluminum acetate.
   - Aluminum ammonium sulfate.
   - Aluminum chloride (not anhydrous).
   - Aluminum formate.
   - Aluminum hydroxide (light).
   - Aluminum nitrate.
   - Aluminum potassium sulfate.
   - Aluminum sulfate.
   - Ammonium aluminum sulfate.
   - Ammonium bicarbonate.
   - Ammonium bifluoride.
   - Ammonium fluoride.
   - Ammonium molybdate.
   - Ammonium persulfate.
   - Ammonium phosphates.
   - Ammonium silicofluoride.
   - Ammonium thiocyanate.
   - Amyl alcohols (all).
   - Amyl esters (all).
   - Antimony chloride.
   - Antimony trichloride.
   - Arsenic disulfide.
   - Barium carbonate.
   - Barium chloride.
   - Barium peroxide.
   - Barium silicofluoride.
   - Benzoyl peroxide.
   - Bordeaux mixture.
   - Butyl aldehydes (all).
   - Butyric acids (all).
   - Calcium acetate.
   - Calcium arsenate.
   - Calcium arsenite.
   - Calcium carbonate, precipitated.
   - Calcium chloride.
   - Calcium cyanide.
   - Calcium peroxide.
   - Calcium phosphates.
   - Camphor, synthetic.
   - Carbon bisulfide.
   - Carbon dioxide (gaseous, liquid, solid).
   - Caustic potash.
   - Caustic soda.
   - Cerium salts.
   - Chloral hydrate.
   - Chloramine B & T.
   - Chlorinated paraffin.
   - Chloroform.
   - Copper acetarsonite.
   - Courmarin.
   - Cumarone—indone resins.
   - Degreasing compounds.
   - Detergents and wetting agents, synthetic organic.
   - Dichloramine B & T.
   - Dichlorethyl formal.
   - Ethers (all).
   - Ester gum.
   - Ethyl chloride.
   - Ethyl silicate.
   - Ferric nitrate.
   - Ferric sulfate.
   - Ferrous chloride.
   - Gelatin.
   - Hexachlorbenzene.
   - Hexachlorethane.
   - Hydrogen cyanide.
   - Hydrogen peroxide.
   - Hydrogen sulfide.
   - Hydroquinone.
   - Isobutyl-undecylenamide.
   - Isopropyl butyrate.
   - Isopropyl propionate.
   - Ketones (except methyl ethyl and methyl isobutyl ketone).
   - Lanthanum oxide.
   - Lead acetate.
   - Lead arsenate.
   - Lead dioxide.
   - Lead nitrate.
   - Lead peroxide.
   - Lead silicate.
   - Lead thiocyanate (silfocyanide).
   - Lime and limestone.
   - Lime sulfur.
   - Limed rosin.
   - Magnesium carbonate.
   - Magnesium chloride.
   - Magnesium hydroxide.
   - Magnesium oxide.
   - Magnesium peroxide.
   - Magnesium silicofluoride.
   - Magnesium sulfate.
   - Manganese acetate.
   - Manganese chloride.
   - Manganese precipitated dioxide.
   - Manganese sulfate.
   - Mercuric chloride.
   - Mercuric cyanide.
   - Mercuric ethyl chloride.
   - Mercuric nitrate.
   - Mercuric oxide.
   - Mercuric sulfate.
   - Mercuric sulfide.
   - Mercurous chloride.
   - Mercurous chloride acetate.
   - Metallic driers
   - Metallic naphthenates.
   - Metallic stearates (except alkali stearates).
   - Methyl bromide.
   - Methyl cellulose.
   - Methyl chloride.
   - Methylene chloride.
   - Nicotine sulfate.
   - Nitrocellulose.
   - Organic intermediates for the following:
     - Rubber.
     - Explosives.
     - Dyes.
     - Medicinal chemicals.
     - Photographic chemicals.
     - Plastics and synthetic resins.
     - Refining.
     - Oil additives.

4. Chemicals—Continued.
Paris green.
Phosphorus oxychloride.
Phosphorus pentasulfide.
Pigments, colors and extenders.
Pine oil.
Pine tar.
Pine tar oil.
Potassium:
Acetate.
Aluminum sulfate.
Antimonate.
Carbonate.
Ferricyanide.
Ferrocyanide.
Hydroxide.
Permanganate.
Persulfate.
Thiocyanate.
Rare earth salts.
Red Squill.
Resins, natural.
Rosin, gum.
Rosin, wood.
Scandium salts.
Seed disinfectants.
Shellac (bleached only)
Silica gel.
Silver cyanide.
Silver nitrate.
Silver oxide.
Soda, modified.
Soda ash.
Sodium:
Acetate.
Acid pyrophosphate.
Aluminate.
Aluminum sulfate.
Antimonate.
Arsenate.
Arsenite.
Bicarbonate.
Bifluoride.
Bisulfate.
Bisulfite.
Ferricyanide.
Ferrocyanide.
Fluoride.
Fluosilicate.
Hydrosulfite.
Orthosilicate.
Pentachlorphenate.
Perborate.
Peroxide.
Sesquicarbonate (trona).
Sesquisilicate.
Silicate.
Silicofluoride.
Stannate.
Thiocyanate.
Soldering compounds.
Soluble dried blood.
Soya bean adhesives.
Stannic chloride (tin tetrachloride).
Stannic oxide
Stannic sulfate.
Stannous chloride.
Starch adhesives.
Sulfur chloride.
Superphosphate, regular and concentrated.
Terpene resins.
Titanium tetrachloride.
Thallium sulfate.
Thorium salts
Triethanolamine.
Turpentine, gum.
Turpentine, wood.
Urea peroxide.
Vanillin.
Waxes, vegetable:
Bees.
Carnauba.
Candelilla.
Ouricury.
Wetting agents, synthetic organic.
Yttrium salts.
Zeolites.
Zinc acetate.

4. Chemicals—Continued.
Zinc ammonium chloride.
Zinc chloride.
Zinc Cyanide.
Zinc hydrosulfite.
Zinc peroxide.
Zinc resinates.
Zinc phosphide.
Zinc sulfate.
Zirconium salts.

[F. R. Doc. 44-11502; Filed, August 1, 1944; 11:09 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-103, Schedule C, as Amended Aug. 1, 1944]

GLASS CONTAINER AND CLOSURE SIMPLIFICATION; GLASS CONTAINERS FOR CERTAIN FOOD PRODUCTS

§ 3270.49 *Schedule C to Limitation Order L-103*—(a) *Definition.* For the purposes of this schedule:

"Standard glass container" means any container constructed in accordance with the specifications and design prescribed by any exhibit set forth in Drawings 1 to 15, inclusive, annexed to Order L-103, which possesses the finish prescribed for such exhibit or, subject to the provisions of paragraph (b) (2) hereof, any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(Note that in accordance with the footnotes to Drawings 7, 8, 9 and 13 glass containers conforming to the specifications of the following exhibits constitute "standard glass containers" for the purposes of this schedule only if they are manufactured before December 20, 1943—16-80, 16-81, 17-09, 17-11, 17-22, 17-76, 18-06, 18-14, 51-87, 51-89, 51-93, 51-95, 51-97, 51-99.)

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after July 4, 1943, no person shall use a glass container for the packing for sale of any product listed in the annexed table, except a standard glass container, having a capacity equal to or greater than that specified for such product in column II of said table.

(2) Notwithstanding the provisions of paragraph (g) of Order L-103, no person shall use for the packing for sale of any product listed in the table annexed to this schedule any glass container with a "deep screw cap" finish, except as specifically permitted by an exhibit authorized for such product.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use, for the packing of any product listed in the annexed table, of any glass containers which were completely manufactured before the 4th day of July 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers with a capacity larger than 140 fluid ounces, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall prohibit any person who packed less than a total of 5,000 containers with all of the products listed in the annexed table during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, during any subsequent calendar year, a maximum of 5,000 glass containers for packing such products.

(4) Except as specifically permitted by the drawings and exhibits annexed to Order L-103 molded lettering or decoration on standard glass containers for the respective products listed in said table shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* (1) No person shall manufacture, sell, or deliver any glass container which he knows, or has reason to believe, will be used in violation of any provision of this schedule.

(2) On and after the 5th day of April 1943, no molds may be manufactured for a container for any of the products listed in the annexed table which does not conform to the specifications of a standard glass container usable for such product, nor may any mold for a container for a product listed in the annexed table be replaced—whether because of wear or for any other reason—except by a mold which conforms to said specifications.

Issued this 1st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE

NOTE: Item 19 amended August 1, 1944.

I. Product	*II. Minimum overflow capacity in fluid ounces*
1. Fruit butter	12
2. Preserves	12
3. Jelly	[1] 9
4. Salad dressings (including products using salad dressing as a base)	[1] 8
5. Olive oil	2
6. Edible oils (other than olive oil)	16
7. Shortenings	20
8. Maple syrup	12
9. Syrups (except chocolate and maple), including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups	16
10. Chocolate syrup	[1] 8
11. Tomato catsup	[2] 12

[1] Any tumbler may be used (in addition to standard) for packing the applicable product provided:

(i) Such tumbler was made from a mold that was actually in existence on or before April 5, 1943;

(ii) Such tumbler has no larger than a 70 mm. finish;

(iii) The capacity of such tumbler is no less than 8 fl. oz. and no greater than 9¾ fl. oz.

[2] Until completion of the 1943 packing season for tomato catsup, any bottle of a design previously used for tomato catsup may be used therefor, in addition to the specified standards, provided:

(i) Said bottle was made from a mold actually in existence on April 5, 1943;

(ii) Such bottle is made to hold 14 oz. by weight of tomato catsup;

(iii) The height of such bottle to the "fill point" does not exceed 7⅞ inches.

After completion of 1943 tomato catsup packing season, only the containers permitted for said product pursuant to paragraph (b) (1) of this schedule may be used.

1. Product	II. Minimum overflow capacity in fluid ounces
12. Chili sauce and cocktail sauce	10
13. Tomato paste Not less than 25% by weight dry tomato solids	[1] 6
14. Tomato pulp and puree Not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids	12
15. Vinegar	10
16. Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries	16
17. Honey	[1] 6
18. Pickles and relishes	[1] 8
19. Peanut butter	[1] 8
20. Fruit and vegetable juices and mixtures thereof	12
21. Olives, green	[1] 5
22. Maraschino cherries	[1] 7
23. Cranberries and cranberry sauce	[1] 8
24. Mustard, including, but not limited to, prepared mustard, horseradish mustard, compound mustard, and imitation mustard	[4] 6

[1] Standard glass containers having a capacity equal to or greater than 3 oz. (and less than 5 oz.) may be used for olives, and standard glass containers having a capacity equal to or greater than 4 oz. (and less than 7 oz.) may be used for maraschino cherries, provided these containers were completely manufactured on or before December 20, 1943.

[4] Nothing in this schedule shall prevent the use for the packing of mustard of any glass container which was completely manufactured before June 20, 1944.

[F. R. Doc. 44-11503; Filed, August 1, 1944; 11:00 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Direction 3 as Amended Aug. 1, 1944]

CAST IRON BATHTUBS

The following amended direction is issued pursuant to Order L-42:

(a) *What this direction does.* The War Production Board having determined upon a program of production of metal bathtubs for the remainder of the year 1944, has authorized the production of 50,000 bathtubs for the third quarter. This direction tells by whom and for what purposes bathtubs may be made without utilizing labor in critical labor areas in order to produce the required 50,000 metal bathtubs.

(b) *Production of bathtubs.* Prior to October 1, 1944, in addition to the bathtubs authorized by previous Directions to Limitation Order L-42, the following manufacturers may produce at their plants at the addresses indicated, recess type cast iron bathtubs, no longer than those commercially known as five foot, and in quantities not exceeding the number indicated opposite their names:

American Radiator & Standard Sanitary Corporation, Louisville, Kentucky	10,000
Crane Company, Chattanooga, Tennessee	10,000
Eljer Company, Salem, Ohio	10,000
Kohler Company, Kohler, Wisconsin	10,000
Richmond Radiator Company, Uniontown, Pennsylvania	10,000

(c) *Sale of bathtubs.* These bathtubs may be delivered only to fill orders (1) of or for ultimate delivery to the Army or Navy, (2) for export authorized by the Foreign Economic Administration, or (3) for approved installation in projects rated in the P-19 series authorized on Form GA-1456, in the P-55 series authorized on Form WPB-2896, or in the U-1 series authorized on Form WPB-2774. No jobber, or dealer, may accept delivery of any such bathtubs to place in his inventory, whether or not he has previously delivered bathtubs to fill such orders. No jobber or dealer may order, or accept delivery of any such bathtubs unless he has in his possession an actual order calling for the delivery of bathtubs to an authorized project or building with a specified completion date, to or for the account of the Army, or Navy, or for installation in a project rated by orders in the P-19, P-55, or U-1 series. Shipments for export may be made only if a license has actually been issued by the Foreign Economic Administration. A manufacturer may not accept a rating alone as evidence of his authority to deliver to a dealer, but must obtain, in addition to the standard certification accompanying the extension of the rating, applicable information of the following nature:

(1) For delivery to the Army or Navy: the contract purchase order, or rating certificate number.

(2) For delivery to an authorized project of the P-19, P-55, or U-1 series: the number and location of the project.

(3) For export authorized by the Foreign Economic Administration: the export license number.

(d) [Deleted Aug. 1, 1944]

(e) *Reports.* Each manufacturer named in paragraph (b) shall report by letter on or before the 10th day of each month to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., by size, the number of bathtubs produced and the number shipped under this direction during the preceding month. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Effect of other orders.* The restrictions of Schedule XII to Order L-42 are superseded to the extent necessary to give effect to this direction.

Issued this 1st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 4-11504; Filed, August 1, 1944; 11:09 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U-1, Direction 1 as Amended Aug. 1, 1944]

Direction 1 to Utilities Order U-1 is hereby amended to read as follows:

(a) No electric power producer, and no person for an electric power producer's account, shall place a purchase order with any supplier other than another producer for the delivery of new distribution transformers, 5 KVA and smaller, except as provided in paragraphs (b), (c) and (d) of this direction.

(b) After August 15, 1944, a producer's purchase order for the delivery of new distribution transformers, 5 KVA and smaller, may be placed only if the producer's purchase order is accompanied by a completed Form WPB-3782 approved over the signature of the Regional Utility Engineer in its region, or the signature of the Chief, Inventory Control Branch, Office of War Utilities, Washington, D. C.

(c) Until August 15, 1944, purchase orders for the delivery of new distribution transformers, 5 KVA and smaller, may be placed if the producer's inquiry to the Regional Utility Engineer has been stamped "Approved for Manufacture" over the signature of the Regional Utility Engineer in its region, or if the purchase order is accompanied by a completed Form WPB-3782 in the manner provided in paragraph (b) above.

(d) In an emergency, an electric power producer may receive authority to place a purchase order for the delivery of new distribution transformers, 5 KVA and smaller, by telegraph from the Regional Utility Engineer, or the Chief, Inventory Control Branch, Office of War Utilities, Washington, D. C. In each such case the producer shall attach to his purchase order the approval telegram.

Issued this 1st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11505; Filed, August 1, 1944; 11:00 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix IV as Amended Aug. 1, 1944]

TIRE ALLOTMENT PLAN

(a) *What this order does.* This order places truck-bus tires, tractor-implement tires, and industrial tires under allocation and prescribes a procedure for the distribution of these products among claimant agencies on a quarterly basis.

For convenient reference, a summary of the "dead line" dates provided in the order as applied to any quarterly period, follows:

Dead Line	Action required	Paragraph
Feb-May-Aug-Nov.:		
1	Claimants' requirements	(d)(1)
1	Producer's production estimates	(c)
15	Allotments to Claimants	(d)(2)
20	Claimants' break-down between original equipment and replacement.	(d)(3)
25	Production directive to producers	(e)
Mar-Jun-Sept-Dec.:		
1	Vehicle manufacturer's authorization	(g)
15	Vehicle manufacturer's certification to his supplier	(h)
	Procuring agency's certification for replacement	(i)
20	Unplaced orders referred to ORD	(j)
20	Producers' open capacity reports	(k)
Beginning of quarter	Placement of unplaced orders	(l)
	Freeze schedule	(n)

Definitions

(b) *Meaning of certain terms.* As used in this order:

(1) "Tires" means tires in the groups subject to allotment. These tire groups are defined in paragraph (d). Each group is divided into sub-groups.

(2) "Producer" means a manufacturer of tires in the groups subject to allotment.

(3) "Vehicle manufacturer" means a manufacturer of rubber-borne vehicles or equipment having tires in the groups subject to allotment as part of the original equipment.

(4) "Claimant agency" means any of the following Government Offices (identifying symbols are indicated):

Military Claimants

War Department (except Ordnance, which is identified by the Symbol (O)	(W)
Navy Department	(N)
Maritime Commission	(M)
Aircraft Resources Control Office	(C)
Foreign Economic Administration—Lend-Lease	(L)

Indirect Military Claimants

Office of Defense Transportation	(T)
Office of Operations Vice Chairman[1] Foreign Economic Administration—Economic Warfare	(E)
War Food Administration	(A)

[1] See Table 1 attached.

Requirements, Capacities and Allotments

(c) *Forward estimates of production by producers.* Two months preceding the quarter to be covered by allotments to the claimant agencies or on or before February 1, May 1, August 1, November 1, each producer shall submit by letter to the Office of Rubber Director forward estimates of his production for the quarterly period in each of the groups and sub-groups set forth in the following paragraph. In addition, each producer shall submit similar forward estimates of his production for the following three quarterly periods.

(d) *Allotments to claimant agencies.* (1) Two months preceding the quarter to be covered by the allotment or on or before February 1, May 1, August 1, November 1, each claimant agency shall transmit to the Office of Rubber Director its total requirements for the quarterly period in each of the following groups and sub-groups:

Group A—Truck-bus tires: (This group includes truck-bus type and special purpose type pneumatic tires in all treads, whether for use on trucks, buses, farm equipment, construction machinery or other vehicles. It also includes highway type solid tires for use on any vehicles or equipment.)

A-1—Combat tires.

A-2—Extra large size tires, 16.00 and larger cross-section.

A-3—Large size tires, 9.00 through 14.00 cross-section except 9.00 x 16, 8 ply; also the following tires: 7.50 x 15, 10–12 ply; 8.25 x 15—10, 12 and 14 ply.

A-4—Medium size tires (dual bead), all 10 ply up to and including 8.25 cross-section, excluding 7.50 x 15 and 8.25 x 15.

A-5—Small size truck type tires (single bead) 8 ply and under, and 9.00 x 16, 8 ply; but excluding tires described in subgroup A-6 below.

A-6—Tires with 15 inch and 16 inch rim diameters, up to and including 7.50 cross-section (4, 6 and 8 ply only).

A-7—Solid tires.

Group B—Tractor-implement tires: (This group includes pneumatic tractor-implement type tires over 21" rim diameter and also includes size 9.00 x 16, in all treads for use on any vehicles or equipment).

B-1—Tires over 21" rim diameter and size 9.00 x 16.

Group C—Industrial tires: (This group includes pneumatic and pressed-on solid tires designed for industrial equipment and also includes bogie rollers.)

C-1—Bogie rollers.

C-2—Pressed-on industrial type solids, including industrial-tractor pressed-on solids, all sizes.

C-3—(Deleted).

C-4—Industrial type pneumatic tires (all sizes).

These requirements shall be divided between original equipment and replacement for each group and sub-group.

In addition, each claimant agency shall furnish to the Office of Rubber Director its estimated requirements for each group and sub-group for the following three quarterly periods.

(2) Upon the basis of requirements submitted by each claimant agency to the Office of Rubber Director, War Production Board will allot on or before the 15th day of the second month preceding the quarter to be covered by the allotment, to each claimant a quantity of tires by groups and sub-groups for the following quarterly period and shall also make tentative allotments to each claimant for the following three quarterly periods.

(3) Within 5 days after receipt of its allotment, each claimant agency shall furnish to the Office of Rubber Director a statement showing the break-down of its allotment by group and sub-group between original equipment and replacement.

(e) *Issuance of production directives to producers.* Not later than 10 days after the time prescribed in the preceding paragraph for the issuance of allotments to the claimant agencies, War Production Board will issue to each producer a directive for the period covered by the allotments, prescribing the percentage of the producer's facilities by groups and sub-groups allocated to the production of the following classes of orders:

(1) Original equipment; (2) replacement by military claimants; (3) indirect military replacement.

"Indirect Military" refers to claimants not designated as military claimants in paragraph (b) (4).

(f) [Deleted May 31, 1944]

Original Equipment

(g) *Vehicle manufacturer's authorization.* (1) Each manufacturer of vehicles or equipment listed in Table I must file his application for original equipment tires on Form WPB-3663 with the appropriate industry division of the War Production Board in accordance with instructions accompanying the form, unless he is specifically excused from filing. A manufacturer of vehicles or equipment not listed in Table I need not file Form WPB-3663, unless he is specifically instructed to do so.

(2) On or before the first day of the month preceding each quarter, manufacturers of vehicles and equipment listed in Table I for which tires have been allotted, will be authorized by the War Production Board on Form GA-1733 to accept delivery of a specified number of tires by group and sub-group. In the case of tire mounted vehicles or equipment not listed in Table I, similar authorizations will be issued to vehicle manufacturers by the appropriate claimant agency.

(3) No manufacturer may accept delivery of tires for his production of vehicles or equipment (including tire mounted components of vehicles or equipment) unless he has been specifically authorized to accept such delivery under this order.

(h) *Vehicle manufacturer's certification to his supplier.* (1) In order to receive tires for original equipment, each vehicle manufacturer authorized under the preceding paragraph must certify to his supplier not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, in substantially the following form signed by an authorized official:

Agency identification number or symbol ---------. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is authorized to accept delivery of the following tires for his production during the quarterly period commencing -----, 1944; that the monthly deliveries specified will not result at any time in an inventory exceeding 10 days' supply based upon his total authorized monthly production:

Size Ply Type Quantity

The identification number shall consist of the appropriate symbol followed by the major program number (see Table I, unless authorization is issued by claimant agency).

No certification other than the above is required. The standard form of certification provided in Priorities Regulation 7 may not be substituted.

(2) By using the above certification, a vehicle manufacturer who buys tire mounted components for his production may authorize the manufacturer of the components to accept delivery of tires. On the basis of the certification received from his customer, the manufacturer of the tire mounted components shall use the same certification in placing his orders for tires with a producer. He must place his certified orders within the time prescribed for vehicle manufacturers.

(3) A vehicle manufacturer's authorization for tires may be reduced or cancelled at any time by the War Production

Board or claimant agency issuing the same. A manufacturer who is notified that his authorization has been reduced or cancelled must immediately reduce or cancel delivery orders which he has placed under his authorization to the extent necessary to bring scheduled deliveries within the authorized amount.

(4) A vehicle manufacturer's authorization for tires may be increased by the War Production Board or claimant agency issuing the same at any time during the quarter covered by the authorization.

In placing orders under an increase in authorization, a vehicle manufacturer must certify to the producer that he does so under "Increase dated _____," and in addition, must use the above certification for vehicle manufacturers signed by an authorized official. This may be done by preceding the certification with "Increase dated _____" (inserting date of increase). If the vehicle manufacturer is unable to place his certified order for additional tires, it may be referred to the Office of Rubber Director, War Production Board, for placement.

The procedure described in (2) above may be followed in authorizing a manufacturer of tire mounted components to receive tires under the increase, but the increase must be identified by date in the certification.

(5) No manufacturer shall certify an order for original equipment tires until he has received his authorization under this order.

Replacement

(i) *Replacement by procuring claimant agency.* In order to receive tires for replacement purposes under its allotment for any quarter, a claimant agency which purchases tires must certify to its supplier on or before the 15th day of the month preceding the quarter in substantially the following form signed by an authorized official:

Agency identification symbol _____. The undersigned certifies that the claimant agency identified by the above symbol is authorized to procure the following tires for replacement during the quarter commencing _____, 1944 and that the tires have been charged against its allotment for that period:

Size	*Ply*	*Type*	*Quantity*

Open Capacity and Unplaced Orders

(j) *Placement against open capacity.* Unplaced certified orders may be referred to the Office of Rubber Director, War Production Board, for placement on the basis of open capacity reports received from producers. Unplaced orders must be received by the Office of Rubber Director on or before the 20th day of the month preceding the first month of the quarter for which the orders are certified.

(k) *Report by producer of his open capacity.* Each producer shall report to the Office of Rubber Director, War Production Board, by letter not later than the 20th day of the month preceding the first month of the quarter, the open capacity he has available for the production of tires in each group and sub-group, after making provision for the scheduling of all orders placed with him as of the last day for placement of orders for production during the quarter. This report shall be based upon the percentage allocation of his production facilities made by directive issued to him under paragraph (e).

Producer's Acceptance and Shipment of Orders

(l) *General restrictions on acceptance.* Unless otherwise directed under the provisions of this order, no producer shall accept or fill any orders for tires except: (1) Orders certified under paragraphs (h) or (i) and presented to him within the prescribed time for placement; (2) orders for indirect military replacement.

Orders certified under paragraphs (h) or (i) must be presented not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, except certified orders based upon an increase in a vehicle manufacturer's authorization, which may be presented at any time during the quarter.

(m) *Acceptance or fulfillment of orders in excess of authorized production.* No producer shall accept or fill any orders for tires to be delivered in any quarter in excess of the percentage allocation of his facilities for the particular class of order established by his production directive issued under paragraph (e), unless otherwise directed under the provisions of this order. No producer shall accept orders in excess of 100% of his expected production for the quarter.

(n) *Limitation on size of shipments.* No producer may ship in any calendar month to a vehicle manufacturer or claimant agency more than 40% of the tires in any size or type scheduled by him for shipment during the quarter to the particular manufacturer or agency under certified orders unless he can do so without interfering with other certified orders on his schedule. Shipments for indirect military replacement may be made only to the extent that the shipments do not interfere with the producer's frozen schedule under paragraph (p).

Scheduling Provisions

(o) *Directions by claimant agency.* A claimant agency which purchases tires may issue the following written directions to a producer: (1) Diverting a particular shipment of tires scheduled for its account by the producer; (2) changing tire sizes to be produced for its account within a particular sub-group but only if the production capacity required and the total number of tires scheduled for its account are not increased by the change.

(p) *Frozen production schedule.* On the first day of the quarter, each producer's production schedule shall become a frozen schedule within the meaning of Priorities Regulation 18 for the quarterly period, and may not be altered except as provided in that regulation. A producer may, however, accept certified orders based upon an increase in a vehicle manufacturer's authorization unless the production or shipment of any such orders will interfere with his frozen schedule. In addition, written directions may be issued by a claimant agency under paragraph (o).

The following orders shall automatically become part of a producer's frozen schedule:

(1) Orders for original equipment tires which have been certified under paragraph (h) and which the producer has accepted and agreed to ship during the quarter.

(2) Orders placed with him by the Office of Rubber Director, War Production Board on the basis of his open capacity report for the quarterly period.

(3) Orders for replacement tires which he has accepted and agreed to fill during the quarterly period.

(q) *Other scheduling provisions.* With respect to the production or shipment of tires, the War Production Board may notwithstanding any other order, preference rating, directive, rule, or regulation (except Priorities Regulation No. 18) of the War Production Board or other Governmental agency:

(1) Direct the return or cancellation of any purchase order on the books of a producer.

(2) Direct changes in the production or shipping schedule of a producer.

(3) Cancel purchase orders placed with one producer and direct that they be placed with another producer.

Miscellaneous Provisions

(r) *Effect of preference ratings.* Within the limits established by his production directive, a producer shall accept orders certified under paragraphs (h) and (i) in the order in which they are received by him without regard to preference ratings.

(s) *Status of unfilled orders at end of quarter.* Unless authorized in writing by the Office of Rubber Director, War Production Board, no producer shall carry over any order which he has accepted for delivery during a particular quarter and which he has been unable to produce and ship during that quarter to the following quarter.

(t) *Duplication of orders.* No purchaser of tires shall duplicate an order for tires in any group or sub-group even though he intends to cancel or reduce his orders to the authorized or allotted amount prior to delivery.

(u) *Use of producer's interchangeable facilities.* A producer shall use his interchangeable facilities in accordance with List 6, Appendix II, Rubber Order R–1 as amended.

(v) [Deleted May 31, 1944.]

(w) *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(x) *Appeals.* Any appeal from the provisions of this order shall be made in writing to the Office of Rubber Director, War Production Board, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(y) *Communications.* All reports required to be filed under this order and all

communications concerning this order shall, unless otherwise directed, be addressed to the Production and Priorities Department, Office of Rubber Director, War Production Board, Washington 25, D. C., Reference: Order R-1.

Issued this 1st day of August 1944.

RUBBER DIRECTOR
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I

NOTE: Table I amended Aug. 1, 1944.

All original equipment tires for the following products and programs will be distributed by the War Production Board through its Industry Divisions and vehicle manufacturers should direct their applications to the War Production Board, Washington 25, D. C., Attention: the appropriate Industry Division, regardless of the claimant agency for which the vehicle will be produced.

The Office of Operations Vice Chairman is designated as the claimant for the programs listed in Table I to the extent that they involve the manufacture of rubber-borne vehicles and equipment (indirect military only) having tires in the groups subject to allotment as part of the original equipment, except for Foreign Economic Administration, Economic Warfare or as otherwise noted in the table:

AUTOMOTIVE DIVISION

Program [1] symbol	CMP code	Product description
B-4	251	Automotive maintenance equipment.
B-4	256	Aircraft ground servicing equipment.
B-4	400	Diesel and gasoline engine driven generator sets.

AUTOMOTIVE (C/O OCO-D) [2]

B-9	[4] 763	Trucks and truck-tractors, highway type. [5]
B-9	764	Off-the-highway motor vehicles.
B-9	[4] 765	Truck trailers, highway type. [6]
B-9	[4] 767	Third axle attachments for trucks. [6]
		Other vehicles scheduled on Form GA-1188.

BUILDING MATERIALS DIVISION

B-7	646	Hand tools (wheelbarrows).
B-7	742	House trailers.

CONSTRUCTION MACHINERY DIVISION

B-6	308	Construction equipment, tractor-mounted.
G-1	309	Construction equipment, specialized.
G-1	310	Construction material mixers, pavers, spreaders.
G-1	311	Construction material processing equipment.
B-6	312	Power, cranes, shovels, etc.
G-1	313	Scrapers, maintenance and graders.
B-6	316	Drilling and boring machinery.

CONSUMERS DURABLE GOODS DIVISION

G-2	110	Power cycles.
G-2	484	Lawn mowers.
G-2	883	Commercial food preparation and service equipment.

FARM MACHINERY AND EQUIPMENT DIVISION

A-2	[3] 319	Industrial tractors, wheel type. [3]
A-2	[3] 450	Earth working, fertilizing, spraying, etc. machinery. [3]
A-2	[3] 451	Farm elevators, harvesting, haying machinery. [3]
A-2	[3] 471	Wheeled tractors, farm. [7]
A-2	[3] 452	Farm wagons, irrigating equipment; pumps, etc.

See footnotes at end of table.

TABLE I—Continued

GENERAL INDUSTRIAL EQUIPMENT DIVISION

G-7	138	Compressors and dry vacuum pumps.
J-6	145	Conveyors and conveying systems.
J-6	147	Industrial hand-operated trucks and casters.
J-6	148	Industrial trucks and tractors, power-operated.
J-6	149	Industrial fans, blowers and exhausters.
J-6	163	Industrial spraying equipment.
J-6	167	Industrial lubricating equipment.
J-6	286	Logging and sawmill machinery and power pulpwood saws.
J-1	305	Welding equipment and apparatus, electric.
G-6	401	Portable motor generator sets.
J-3	406	Motor control equipment and portable rectifiers.

GOVERNMENT DIVISION

S-4	661	Sewer cleaning machinery.

MINING DIVISION

J-7	300	Shuttle cars.
J-7	301	Cutting machines (and trucks).
J-7	315	Coal drills and core drills.

OFFICE OF OPERATIONS VICE CHAIRMAN (C/O P., A., W.,) [8]

P-2	137	Petroleum dispensing pumps.
P-2	317	Petroleum machinery and equipment.

PLUMBING AND HEATING DIVISION

J-8	928	Portable unit heaters.

SAFETY AND TECHNICAL EQUIPMENT DIVISION

Program [1] symbol	CMP code	Product description
J-6	107	Motorized fire apparatus.
J-6	434	Mobile X-ray equipment.
J-6	613	Surgical and medical equipment.
J-6	689	Surgical and medical supplies.

SERVICE EQUIPMENT DIVISION

S-4	428	Vacuum cleaners.
S-4	483	Floor finishing equipment.

TOOLS DIVISION

K-7	146	Cranes and hoists.
K-7	363	Foundry machinery.

TRANSPORTATION EQUIPMENT DIVISION

K-6	164	Railroad and transit maintenance-of-way equipment.
K-9 or T-4	[4] 754	Motor buses. [6]
K-9 or T-4	[4] 756	Trolley buses. [6]

[1] This is the program symbol under which authorization for tires for original equipment in these groups will be issued, regardless of the symbol under which the order for the vehicle was placed.

[2] WPB-3663 applications for tires for vehicles in CMP codes 763, 764, 765, and 767 should be addressed to War Production Board, Automotive Division, c/o Office, Chief of Ordnance, Detroit 32, Michigan, and should be marked "Route Direct."

[3] WPB-3663 applications for tires for vehicles in CMP codes 137 and 317 should be addressed to the Petroleum Administrator for War, Washington 25, D. C.

[4] The Office of Defense Transportation is claimant for tires for highway vehicles in CMP codes 763, 765, 767, 754 and 756.

[5] The War Food Administration is claimant for tires for vehicles in CMP codes 319, 450, 451, and 471 for on-farm use within the United States.

Office of Operations Vice-Chairman is also designated as Claimant for replacement tires for miscellaneous off-the-highway (including in-plant) vehicles and equipment (indirect military only).

[F. R. Doc. 44-11506; Filed, August 1, 1944; 11:09 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 22]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. In section 39 (a), the item "Pears" is added in alphabetical order to list (2) in Table B-II to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

II. Food commodities	Allowed dollars-and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated
	Group 3. Retailer other than independent with annual volume under $250,000	Group 4. Any retailer with annual volume of $250,000 or more	
(2) Fresh fruits: Pears	*Cents* 4	*Cents* 4	1 pound.

2. In section 39 (b) (2) the following definition is added in alphabetical order:

"Pears" means all varieties of fresh pears, including, but not limited to, Bartlett, Hardy, Keiffer, Comice, Anjou, Bosc, and Winter Nelis. Excluded are Forelle and Seckel varieties. Each variety shall be considered a separate item and priced separately.

This amendment shall become effective August 10, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 22, 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-11527; Filed, August 1, 1944; 11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[2] Amdt. 23]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 423 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5654, 6828, 6951, 7339, 7820, 7937.

[2] 9 F.R. 5671, 6829, 7340, 7520, 7937.

1. In section 28 (a), the item "Pears" is added in alphabetical order to list (2) in Table B–II to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

	Allowed dollars-and-cents mark-ups per "selling unit"		"Selling unit" in which ceiling price must be calculated
II. Food Commodities	Independent retailers with annual volumes		
	Group 1. Under $50,000	Group 2. $50,000 but less than $250,000	
(2) Fresh fruits: Pears	*Cents* 4½	*Cents* 4½	1 pound.

2. In section 28 (b) (2) the following definition is added in alphabetical order:

"Pears" means all varieties of fresh pears, including, but not limited to, Bartlett, Hardy, Keiffer, Comice, Anjou, Bosc, and Winter Nelis. Excluded are Forelle and Seckel varieties. Each variety shall be considered a separate item and priced separately.

This amendment shall become effective August 10, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 22, 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–11528; Filed, August 1, 1944; 11:42 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 12,[1] Amdt. 4]

WAR RATION BOOK NO. 3

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 12 is amended in the following respects:

1. Section 2 (a) is amended by adding a paragraph (3) to read as follows:

(3) Persons brought into the Continental United States by a Federal Government Agency for the sole purpose of performing agricultural or other labor, except as provided by section 7.

2. Section 7 is amended by adding a paragraph (b) to read as follows:

(b) After August 5, 1944 War Ration Book No. 3 shall not be replaced for persons covered by this section. After August 5, 1944 a War Ration Book No. 3 shall not be issued if the applicant has been issued a special shoe stamp under the provisions of section 1.4 (d) of Ration Order 17. After August 15, 1944 a War Ration Book No. 3 shall not be issued under the provisions of this section.

This amendment shall become effective August 5, 1944.

(Pub. Laws 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9335, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005, War Food Order No. 58, 8 F.R. 2251, War Food Order No. 59, 8 F.R. 3471, War Food Order No. 64, 8 F.R. 7093)

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11518; Filed, August 1, 1944; 11:40 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 71]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sec. 2.13 (c) is amended to read as follows:

(c) All records required to be kept shall be kept at the place where the establishment is located and shall be made available for inspection by an authorized representative of the Office of Price Administration. However, a manufacturing establishment shall keep such records at the office where it prepares its monthly report as required by Supplement 1 to Ration Order 17.

This amendment shall become effective August 5, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11519; Filed, August 1, 1944; 11:40 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 72]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sec. 1.4 (d) is added to read as follows:

(d) *Stamps issued to imported laborers.* (1) Any person who is or has been brought into the continental United States by a federal government agency who has not been issued a War Ration Book 3 or who has surrendered it in accordance with General Ration Order 12 shall be eligible for one special shoe stamp in each period between the opening validity date of one war ration shoe stamp and the open validity date of the next war ration shoe stamp. A special shoe stamp shall be issued to each such person by the federal government agency or employer contracting for such services, or by a local Board or other office of the Office of Price Administration, upon the authorization and instructions of the National office of the Office of Price Administration.

(2) The person authorized to issue a stamp under this paragraph shall write on it the words "No Book". He shall not fill in either the date of issue or the date of expiration but shall write on the stamp the number of the war ration shoe stamp which last became valid for shoes. A stamp so issued shall be valid for the same period of time as the war ration shoe stamp whose number is written on it.

This amendment shall become effective August 5, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11520; Filed, August 1, 1944; 11:40 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 38]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407. 71a (h) is added to read as follows:

(h) *Additional sugar may be obtained by a person who used more than 250 pounds in 1941.* A person who during the 1944 home canning season has obtained 250 pounds of sugar under this section and who needs more sugar for the purposes of this section, may obtain an additional amount up to the amount which he used in 1941 in producing for sale "home processed foods" from fresh fruits and fruit juices. Applications under this paragraph shall be made to the Board on OPA Form R–315 in the way provided by paragraph (b). The application must with respect to the sugar applied for under this paragraph, state the information required under (b) except items (5), (6), (8) and (9), and in addition state the total amount of sugar used by the applicant in 1941 in producing for sale "home processed foods" from fresh fruits and fruit juices. The Board may not act on the application but shall send it to the District Office for decision. If the District Office finds that the applicant is entitled to a certificate under this paragraph, it shall instruct the Board to issue the certificate. If an ap-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7453, 11514, 17183.

[1] 8 F.R. 15839, 16605, 16996, 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 5254, 5491, 5805, 6233, 6455, 6647, 7080, 7773, 8254, 8339, 8340.

[1] 9 F.R. 1433, 1534, 2233, 2826, 3838, 3031, 3579, 3847, 3944, 4099.

plicant applies for sugar under paragraphs (b) and (h) at the same time, he may file one Form R–315 covering the total amount of sugar he needs.

2. Section 1407.87 (d) is added to read as follows:

(d) A provisional allowance of sugar may not be granted for producing "home processed foods" (as defined in section 26.1 of Revised Ration Order 13), or for processing, curing or packing meat to be delivered point-free under section 3.3 of Revised Ration Order 16.

3. Section 1407.89 (d) is added to read as follows:

(d) Sugar obtained as a provisional allowance may not be used to produce "home processed foods" (as defined in section 26.1 of Revised Ration Order 13) or for processing, curing or packing meat to be delivered point-free under section 3.3 of Revised Ration Order 16.

This amendment shall become effective August 5, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11521; Filed, August 1, 1944; 11:41 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 11]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. Section 2.4(a) is amended by deleting the word "essential" both times it appears in the first sentence.

2. Section 6.2 (a) (3) is added as follows:

(3) Conversion burners may be transferred to manufacturers, distributors or dealers certificate-free.

This amendment shall become effective on August 5, 1944.

(Pub. Law. 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, and Supp. Dir. 1–8, 8 F.R. 6018)

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11522; Filed, August 1, 1944; 11:41 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11564, 12749, 13060, 14049, 15254, 9 F.R. 92, 348, 3234, 3946, 6952.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 48]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The price table in § 1364.452 (p) (3) is amended by adding a new column 10 under the heading of "VII—Sliced dried beef" to read as follows:

Zone:	10 *Packed in 4 oz. cans price per dozen*
1	$1.89
2	1.94
3	1.77
4	1.77
5	1.80
6	1.82
7	1.84
8	1.86
9	1.88
10	1.89

This amendment shall become effective August 7, 1944, and shall terminate on December 5, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11524; Filed, August 1, 1944; 11:41 a. m.]

PART 1367—FERTILIZERS

[RMPR 205,[1] Amdt. 1]

FERTILIZER RAW MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Paragraph (a) of section 9 of RMPR 205 is amended to read as follows:

(a) *Washington, Oregon, California and Arizona.* The maximum price that may be charged for sulphate of ammonia delivered to any destination in Washington, Oregon, California and Arizona shall be $36.50 per ton in bulk and $38.00 per ton in bags: *Provided,* That on any shipments made to destinations in California or Arizona where the freight charges exceed $4.53 per ton from Shell Point, California, to such destination such excess may be added to the maximum price, and *Provided further,* That on any shipments from a Utah production point where the freight charges exceed $7.21 per ton, such excess freight charges may be for the account of the buyer.

This amendment shall become effective August 7, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11523; Filed, August 1, 1944; 11:41 a. m.]

[1] 8 F.R. 4097; 4787, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6945, 7199, 7200, 8011, 8677, 8756, 9066, 9300, 9095, 10363, 10671, 11298, 11445, 12749, 13249, 13181, 14009, 14305; 9 F.R. 1121, 2023, 2135, 3424, 4648, 4782, 5955.

*9 F.R. 7420.

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 19]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Table V in section 24 is amended as follows:

1. The Column under "producing area" for the period July 15–31; August and September, 1944, is amended in the following respects:

a. The item opposite Minnesota reading "Red River Valley" is amended to read: Counties of Traverse, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec, Pine, and all counties north thereof.

b. The item opposite Iowa, reading "Hollandale District" is amended to read: Winnebago, Worth, Mitchell, Howard, Hancock, Cerro Gordo, Floyd, Chickasaw, Winneshiek and Allamakee counties.

c. The item opposite Colorado reading "San Luis Valley" is amended to read: Saguache, Mineral, Archuleta, Rio Grande, Conejos, Alamosa, Costilla, Huerfano, Las Animas counties.

d. The item opposite Colorado reading "Western Slope" is amended to read: Counties of La Plata, Hinsdale, Gunnison, Pitkin, Eagle, Routt, and all counties West thereof.

e. The item opposite Colorado reading "Greely District" is amended to read: Rest of state.

2. The prices for August in the column "1944" are amended as follows:

Maine	$3.30
New Hampshire	3.75
Vermont	3.75
Massachusetts	3.75
Rhode Island	3.75
Connecticut	3.65
New York, Long Island	3.65
New York, rest of state	3.65
New Jersey	3.65
Pennsylvania	3.60
Ohio	3.60
West Virginia	3.60
Delaware	3.60
Maryland	3.60
Virginia	3.60
Tennessee	3.60
Kentucky	3.60

This amendment shall become effective August 1, 1944.

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved July 29, 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44–11481; Filed, July 31, 1944; 4:20 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Corr. to Amdt. 40[1]]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Amendment 40 to Maximum Price Regulation No. 426 is corrected by delet-

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931.

[1] 9 F.R. 7774.

ing the first sentence in footnote 3 to Table 14, which was inserted by inadvertence.

This correction shall become effective as of July 25, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11525; Filed, August 1, 1944; 11:41 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 2,[1] Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

A statement of the considerations involved in the issuance of this Amendment 1 to Restaurant Maximum Price Regulation 2 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Restaurant Maximum Price Regulation 2 is amended in the following respects:

1. In section 1 (a), (b) and (b) (2) the phrase "between April 4 and 10, 1943" is deleted and in each instance the words "during the week of April 4–10, 1943" are substituted therefor.

2. In section 1 the heading of paragraph (c) is amended to read "Special ceiling prices for coffee and milk"; the text of paragraph (c) is redesignated subparagraph (1) and the heading "Coffee" is added; the phrase "between October 4 and 10, 1942" in subparagraph (1) is deleted and the words "during the week of October 4–10, 1942" are substituted therefor; and paragraph (c) (2) is added to read as follows:

(2) *Milk.* Your ceiling price for sales of milk subject to this regulation is your legally established ceiling price during the week of June 18–24, 1944 for milk of the same kind, quantity or grade.

3. Section 8 is amended to read as follows:

SEC. 8. *Rules for seasonal operators.* If your establishment was in operation during April 4 to 10, 1943, and if more than 80 percent of your volume is customarily done in a seasonal period of not more than four months, you may, during that seasonal period, charge prices no higher than you charged for meals, food items, or beverages of the same class during the same seasonal period in 1943. If, however, your ceiling prices for such seasonal period of 1943 were frozen under a district or regional restaurant regulation at your highest prices charged during the base period of April 4 to 10, 1943, you may, if you desire, take as your seasonal ceiling prices the highest prices you charged for meals, food items, and beverages of the same class during the same seasonal period of 1942. In either case you must keep available for inspection menus or records of the prices you charged during the seasonal period in 1943 or 1942, whichever happens to be your base period. At the end of the season and until the season starts again, you may not charge more than your ceiling prices figured under section 1 of this regulation.

4. Section 10 is amended to read as follows:

SEC. 10. *Moving your establishment or changing type of operation.* If you move your establishment or change your type of operation, you must keep the same prices and observe the same requirements as before. However, if you make a major change in your type of operation and your ceiling prices cause you substantial hardship, then, upon application by you before you change your type of operation, the OPA may establish different prices. You must file such application with your District Office and furnish all the information required by paragraph (b) of section 2, and you must show how such major changes in your type of operation will result in such financial hardship as to cause a substantial threat to the continuance of your operation.

5. The text of section 18 preceding paragraph (a) is amended to read:

SEC. 18. *Exempt sales.* Sales of the following items, or sales by the following eating or drinking establishments, or persons, are specifically exempt from the provisions of this regulation:

6. Sections 18 (f), (g) and (h) are added to read as follows:

(f) Milk when sold as a separate item for consumption off the premises and not as part of a meal. Such off-premise sales shall remain subject to the General Maximum Price Regulation or other applicable price regulations.

(g) Beer, wines, liquors, and other alcoholic beverages when sold as a separate item for consumption off the premises and not as part of a meal. Such off-premise sales shall remain subject to the applicable price regulations.

(h) Packaged distilled spirits or wines, regardless of whether the seal or "strip stamp" is broken, made by on-premise licensee to a purchaser who removes such distilled spirits or wines or any part thereof in any container from licensee's premises. Such sales shall remain subject to Maximum Price Regulation 445.

7. Section 19 (l) is added to read as follows:

(l) "OPA" means the Regional, District or other properly authorized office of the Office of Price Administration.

8. Section 22 is amended to read as follows:

SEC. 22. *Authority of Local War Price and Rationing Boards.* Each Regional Administrator may instruct any or all of the War Price and Rationing Boards in his region to receive complaints from the public, investigate prices charged by proprietors, hold hearings on prices charged by proprietors either on complaint or on its own motion, make appropriate recommendations to its District Office, and exercise any other authority granted to them by the Price Administrator.

9. Section 23 is amended by adding the number 18 to the section numbers enumerated therein.

10. Section 25 (a) is amended to read as follows:

(a) This regulation supersedes and takes the place of all restaurant regulations issued by OPA Regional Administrators or District Directors. Since this regulation keeps many of the same basic pricing provisions, most of your ceiling prices under it will be the same as those you properly established under these restaurant regulations. This regulation shall not supersede Revised Maximum Price Regulation 319, Certain Bakery Products. It shall, however, supersede and take the place of all other price regulations insofar as they establish ceiling prices for food and drink sold in eating and drinking establishments for immediate consumption on or about the premises or put up to take out for consumption without further preparation. However, any price you charged during April 4 to 10, 1943 (or other appropriate base period) shall not be your ceiling price if it exceeded your ceiling price under any other regulation applicable at that time.

11. Appendix A, II is amended to read as follows:

II. Beverages:
1. Non-alcoholic beverages, including soft drinks not containing ice cream, sparkling and mineral waters.
2. Bottled malt beverages including beer, ale, near-beer, and similar beverages.
3. Draft malt beverages.
4. Wines, including sparkling wines, sold by the drink.
5. Bottled wines, including sparkling wines.
6. Cordials, including fruit liquors sold by the drink.
7. Bottled cordials, including fruit liquors.
8. Liquors, including whiskeys, gins, rums, brandies sold by the drink.
9. Bottled liquors, including whiskeys, gins, rums, brandies.
10. All other alcoholic beverages, including mixed drinks and cocktails sold by the drink.
11. All other bottled alcoholic beverages, including mixed drinks and cocktails.

This amendment shall become effective July 31, 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11483; Filed, July 31, 1944; 4:30 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 69]

MACHINES AND PARTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.8 (a) is amended to read as follows:

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7263.

(a) Machines and parts excluded from Maximum Price Regulation 136, as amended, by § 1390.2, paragraphs (g), (j), (k), (m), (n), and (q) thereof.

This amendment shall become effective August 7, 1944.

Issued this 1st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11526; Filed, August 1, 1944; 11:43 a. m.]

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

[Instruction 1-B]

VOCATIONAL REHABILITATION

PRINCIPLES AND PROCEDURE GOVERNING DETERMINATIONS AS TO VOCATIONAL HANDICAP AND AWARDING OF PENSION

Instruction No. 1-B, Public No. 16, 78th Congress, as amended (act of March 24, 1943). Principles and procedure governing determinations as to vocational handicap and the awarding of pension during the period of vocational rehabilitation under Public No. 16, 78th Congress, as amended.

Instructions Nos. 1 and 1-A, Public No. 16, 78th Congress, (8 F.R. 5351, 9480) are hereby canceled and this instruction issued in lieu thereof:

1. The adjudication division in each regional office or facility under the direction of an adjudication officer, and the claims division, veterans claims service, central office, under the direction of a chief, are vested with authority to determine whether a vocational handicap exists and award pension payable during the period of vocational rehabilitation.

2. Requirements for entitlement to vocational rehabilitation follow:

(a) Active military or naval service any time after September 15, 1940, and prior to the termination of the present war.

(b) A discharge under conditions other than dishonorable and under conditions other than those contained in section 300, Public No. 346, 78th Congress.

(c) A pensionable disability incurred in or aggravated by active service on or after September 16, 1940, and prior to the termination of hostilities in the present war.

(d) Vocational handicap due to such disability.

(e) Need for vocational rehabilitation to overcome such handicap.

3. Rating boards in the adjudication division, field office, area office, and the central disability board, claims division, veterans claims service, central office, will have original jurisdiction to determine whether a vocational handicap exists. Need for vocational rehabilitation to overcome the handicap will be determined by the vocational rehabilitation and education division.

4. A vocational handicap will be determined to exist when, upon the basis of the evidence of record as to the disabled person's education, occupational training and experience, it is found the disability will materially interfere with securing and pursuing employment comparable with that for which qualified by education, training and experience.

(a) It is to be distinctly borne in mind, in applying the above definition, that there is a clear distinction between average impairment in earning capacity for pension purposes and a vocational handicap requiring vocational rehabilitation to overcome the handicap. A person who is totally disabled on the basis of average impairment in earning capacity may nevertheless be fully able to secure and pursue employment in some occupation for which he is well qualified. Conversely, a person who has a very slight pensionable disability may, on account of peculiar relationships existing between specified skills and his occupational experience, have a vocational handicap which would require vocational rehabilitation to overcome. It should also be borne in mind that unemployment is not necessarily an indication that a vocational handicap exists, nor is employment alone sufficient to support a determination that no vocational handicap exists. Mere temporary employment, the tenure of which may be dubious or which is not suitable for the individual, or comparable with his education, occupational training and skill, is not incompatible with the existence of a vocational handicap. A disabled person may be able to follow occupations not comparable with the occupation pursued prior to service and still have a vocational handicap. By comparable is meant, substantially similar or on a parity with regard to remuneration, permanence of employment, opportunities for advancement, and environment. When, however, the disabled person's best interests will be served by seeking and pursuing employment for which he is qualified, that is, when this offers a suitable career, it may not be held that a vocational handicap exists.

(b) Determinations as to existence of a vocational handicap will be recorded by proper notation on the rating sheet as follows: "Vocational handicap exists, Public No. 16, 78th Congress, as amended," or "Vocational handicap does not exist, Public No. 16, 78th Congress, as amended."

(c) Determination as to existence of vocational handicap will not be made by the rating agencies unless it is determined the veteran has a pensionable disability incurred in or aggravated by active military or naval service on or after September 16, 1940, and prior to termination of hostilities in the present war.

5. Written notice of the decision of the rating board or central disability board will include a statement as to whether the service-connected pensionable disability produces a vocational handicap.

(a) In the event the determination is in the affirmative, the statement should be substantially as follows:

Public No. 16, 78th Congress, as amended, amended Veterans Regulation No. 1 (a), as amended, to provide among other things that any person who served in the active military or naval service at any time after September 15, 1940, and prior to the termination of the present war, who is discharged under conditions other than dishonorable or other than (1) by reason of the sentence of a general court martial, (2) on the ground that he was a conscientious objector who refused to perform military duty or refused to wear the uniform or otherwise to comply with lawful orders of competent military authority, (3) as a deserter or (4) of an officer by the acceptance of his resignation for the good of the service, and who has a disability incurred in or aggravated by such service for which pension is payable under laws administered by the Veterans Administration or would be but for receipt of retirement pay, and is in need of vocational rehabilitation to overcome the handicap of such disability, shall be entitled to such vocational rehabilitation as may be prescribed by the Administrator of Veterans Affairs to fit him for employment consistent with the degree of disablement. . . . In the event you are interested and consider vocational rehabilitation is necessary to overcome the handicap of your service-connected disability, the enclosed Form 1900, Application for Vocational Rehabilitation, should be prepared and returned to this office for consideration and determination as to whether you are in need of vocational rehabilitation.

(b) Should the determination be in the negative, the statement should be substantially as follows:

Public No. 16, 78th Congress, as amended, amended Veterans Regulation No. 1 (a), as amended, to provide among other things that any person who served in the active military or naval service at any time after September 15, 1940, and prior to the termination of the present war, who is discharged under conditions other than dishonorable or other than (1) by reason of the sentence of a general court martial, (2) on the ground that he was a conscientious objector who refused to perform military duty or refused to wear the uniform or otherwise to comply with lawful orders of competent military authority, (3) as a deserter or (4) of an officer by the acceptance of his resignation for the good of the service, and who has a disability incurred in or aggravated by such service for which pension is payable under laws administered by the Veterans Administration or would be but for receipt of retirement pay, and is in need of vocational rehabilitation to overcome the handicap of such disability, shall be entitled to such vocational rehabilitation as may be prescribed by the Administrator of Veterans Affairs to fit him for employment consistent with the degree of disablement . . . It has been determined that the service-connected pensionable disability does not constitute such a vocational handicap as to require vocational rehabilitation to overcome.

(See paragraph 11 of this instruction regarding notification to veteran of his right of appeal.)

(c) When Form 1900, Application for Vocational Rehabilitation, is received from the veteran, it will be attached to the claims folder and forwarded to the vocational rehabilitation and education division.

6. The authorization unit, adjudication division, field office, and the authorization subdivision, claims division, veterans claims service, central office, will have jurisdiction over determinations as to basic entitlement to monetary benefits payable on account of vocational rehabilitation.

(a) Immediately upon entrance of the disabled veteran into vocational training the vocational rehabilitation and education division will notify the adjudication division, field office, or claims division, central office, depending upon the jurisdiction of the claim, by appropriate form showing veteran's name, claim number, and date of entrance into, and type of, training, that is, whether on the job. The vocational rehabilitation and education division will also notify the adjudication division or claims division, by form, of any change in status which would affect the rate of pension.

(b) The monthly rate of pension payable while the disabled veteran is pursuing a course of vocational rehabilitation will, except as hereinafter provided, be as follows:

(1) If the disabled person has neither wife nor child, $80.00.

(2) If he has a wife, but no child, $90.00.

(3) If he has a wife and one child, $95.00, and $5.00 for each additional child.

(4) If he has no wife and one child, $90.00, and $5.00 for each additional child.

(5) If he has a mother or father, either or both dependent on him for support, then, in addition to the above amounts, $10.00 for each parent so dependent.

(The rates specified above are subject to the 15 percent increase provided by section 1, Public No. 312, 78th Congress.)

(6) The monthly rates of pension authorized in (1) to (5) above will be reduced to the extent of any forfeiture invoked as a penalty for breach of rules or regulations during training, upon notification from the vocational rehabilitation and education division.

(7) In no event will the monthly rate of pension payable while pursuing a course of vocational rehabilitation be less than the monthly rate of pension or retirement pay to which the disabled person would be entitled for service-connected disability.

(8) When the disabled person pursuing a course in vocational rehabilitation is furnished hospitalization by the United States Government or a political subdivision thereof, other than during approved leave, he will be entitled only to the monthly amount of pension or retirement pay authorized for the service-connected disability, and this disability pension or retirement pay will be subject to reduction or discontinuance as provided in § 35.06.

7. Pension payable on account of vocational rehabilitation will be apportioned as provided in §§ 3.1310–3.1317.

8. Awards adjusting the monthly rate of pension on account of vocational rehabilitation to the disabled person will be prepared upon Form 553 (c); apportioned awards to dependents, on Form 553 (a), citing "Public No. 16, 78th Congress, as amended," as authority for the award in the proper space.

(a) The effective date of an award of pension on account of vocational rehabilitation, shall be the date of entrance into vocational rehabilitation or reentrance, if interrupted.

(b) The effective date of an increased award of pension on account of vocational rehabilitation based on the marriage of the claimant, the birth or adoption of a child, or dependency of a parent, shall be the date of receipt of claim by the Veterans' Administration or the date the evidence of relationship or dependency shows entitlement, whichever is the later. In the event claimant's application is not complete, he will be advised of the evidence necessary to complete the application, and if such evidence is not received within one year from the date of request therefor, increased pension will not be paid by virtue of that application.

(c) Reduction of an award of pension payable on account of vocational rehabilitation shall be effective:

(1) In the event of death of a dependent, as of the date of death.

(2) In the event of divorce, the date preceding date of divorce.

(3) In case of a child, the date preceding the eighteenth anniversary of date of birth; or if attending school after age 18, the date of cessation of school attendance or the date preceding the twenty-first anniversary of the date of birth, whichever is the earlier; the date preceding date of marriage; in case of cessation of incapacity to support self by reason of mental or physical defect, last day of month in which reduction is approved.

(4) By reason of wages, compensation or other income received while training on the job, last day of month in which award effecting reduction is approved.

(d) Discontinuance of an award of pension payable on account of vocational rehabilitation because of interruption of course or employability determined, shall be effective:

(1) Interruption of course, date following date of interruption of course.

(2) Employability determined, first day of the third calendar month next succeeding that in which employability was determined.

9. Public No. 16, 78th Congress, as amended, provides, among other things, that—"Where any person while following a course of vocational rehabilitation as provided for in this part suffers an injury or aggravation of an injury, as a result of the pursuit of such course of vocational rehabilitation, and not the result of his or her own wilful misconduct, and such injury or aggravation results in additional disability to or death of such person, the benefits under laws applicable to veterans of the present war shall be awarded in the same manner and extent as if such disability, aggravation, or death were service-connected within the meaning of such laws; except that no benefits under this paragraph shall be awarded unless application be made therefor within two years after such injury or aggravation was suffered, or such death occurred."

(a) The benefits granted under that portion of Public No. 16, 78th Congress, as amended, quoted above, will not be awarded unless application is made therefor within two years after such injury or aggravation was suffered or such death occurred. Veterans Administration Form 526a, revised May 1943, will be used in filing claim for such benefits.

(b) Jurisdiction, determinations and adjudication action under this paragraph will be in accordance with the provisions of §§ 2.1122, 2.1123 and 2.1124, insofar as applicable.

10. Cases wherein the veteran served after September 15, 1940, and prior to December 7, 1941, will not be automatically reviewed. Upon receipt of a claim to reopen the case will be considered in accordance with the provisions of this instruction.

11. Public No. 16, 78th Congress, as amended, amends Title I, Public No. 2, 73d Congress, and § 35.01, as amended, accordingly, except as otherwise provided herein, the provisions of Regulations and Procedure, Veterans Administration, pertaining to definitions of relationship, dependency, jurisdiction, appeals, etc., under Public No. 2, 73d Congress, insofar as applicable, will control under this instruction. (July 21, 1944.) (57 Stat. 43; 58 Stat. 229, 38 U. S. C. 701, ch. 12 note; Pub. Law 346, 78th Cong.)

[SEAL] FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 44-11510; Filed, August 1, 1944; 11:26 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 222]

PART 97—ROUTING OF TRAFFIC

REROUTING OF GRAIN AND GRAIN PRODUCTS IN CARLOADS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of July, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee to the Office of Defense Transportation that certain routes now maintained in tariffs on non-transit carload shipments of grain, grain products, and related articles, also seeds described in Appendix A attached hereto and made a part hereof, be closed because of the time consumed in transporting this traffic over such routes as compared with more direct routes, the Office of Defense Transportation recommends that this Commission take such action as it deems necessary; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people.

It is ordered, That:

Routing of non-transit grain, grain products, and related articles, also seeds in carloads over certain routes prohibited. (a) No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move, carload shipments of non-transit grain, grain products, and related articles, also seeds from

and to the points and over the routes specified in Appendix A, attached hereto and made a part hereof until further order of the Commission, but not for a longer period than the present war and six (6) months thereafter.

(b) *Application.* The provisions of this order shall not apply to any carload of non-transit grain, grain products, or related articles or seeds loaded for transportation or movement or being transported or moved from and to the points and over the routes specified in Appendix A prior to the effective date of this order.

(c) *Notice of prohibited routing.* Each railroad, or its agent, 30 days before the effective date of this order, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the prohibition on routing specified in paragraph (a) of this section. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, That this order shall become effective at 12:01 a. m., September 10, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

APPENDIX A

Agent J. R. Peel's tariff I. C. C. No. 3601, Supplements thereto and reissues thereof.

From Atchison, Kans., Leavenworth, Kans., St. Joseph, Mo., Kansas City, Mo.-Kans., to Natchez, Miss.

Route No.	*Route*
302	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., T&P, Texarkana, Ark.-Tex., Mo. Pac., Vidalia, La., N&S.
2600	
315	AT&SF, Gulf Jct. or Purcell, Okla., Dallas or Farmersville, Tex., L&A,
2601	Vidalia, La., N&S.
314	AT&SF, Gulf Jct. or Purcell, Okla., GC&SF, Dallas or Farmersville, Tex., L&A, Shreveport, La., IC Sys.
733	CRI&P, Memphis, Tenn., IC Sys.
706	CRI&P, Dallas, Tex., L&A.
705	CRI&P, Alexandria, La., L&A, Vidalia,
2601	La., N&S.
706	CRI&P, Dallas, Tex., L&A, Vidalia, La.,
2601	N&S.
3135	StL–SF, Delta, Mo., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Hope, Ark., L&A, Sibley or Shreveport, La., IC Sys.
3135	StL–SF, Jonesboro, Ark., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Memphis, Tenn., StLSW, Shreveport, La., IC Sys.
2600	StL–SF, Claremore, Okla. or Ft. Gibson, Okla., or Van Buren, Ark., or Aurora, Mo., Mo. Pac., Vidalia, La., N&S.
3111	StL–SF, New Albany, Miss., GM&O, Wanilla, Miss., Miss. Cent.
3136	StL–SF State Line (Denison), StLSF&T, Sherman, Dallas, or Ft. Worth, Tex., StLSWofT, Shreveport, La., IC Sys.

From Atchison, Kans., Leavenworth, Kans., St. Joseph, Mo., Kansas City, Mo.-Kans., to New Orleans, La.

Route No.	*Route*
818	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Dallas or Farmersville, Tex., L&A.
806	AT&SF, Gulf Jct. or Purcell, Okla., GC&SF, Ft. Worth, Tex., T&P, Texarkana, Ark., Mo. Pac.
825	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Houston or Beaumont, Tex., Mo. Pac. Lines.
805	AT&SF, Gulf Jct. or Purcell, Okla., GC&SF, Beaumont or Ft. Worth, Tex., Sou. Pac. Lines.
733	CRI&P, Memphis, Tenn., IC Sys.
706	CRI&P, Dallas, Tex., L&A.
715	CRI&P, Ft. Worth, Tex., Mo. Pac. Lines.
722	CRI&P, Dallas or Ft. Worth, Tex., T&P.
1691	KCS, Shreveport, La., Sou. Pac. Lines.
706	StL–SF, Winter, Okla. or Hulbert, Ark., CRI&P, Alexandria, La., T&P.
3169	StL–SF, Necaho, Mo., KCS, Shreveport, La., Sou Pac. Lines.
3169	StL–SF, Necaho, Mo., KCS, Shreveport, La., L&A, Alexandria, La., Sou. Pac. Lines.
3163	StL–SF, Necaho, Mo., KCS, DeRidder or Lake Charles, La. or Beaumont, Tex., Sou. Pac. Lines.
3135	StL–SF, Delta, Mo., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Jonesboro, Ark., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Memphis, Tenn., StLSW, Shreveport, La., IC Sys.
3135	StL–SF State Line (Denison), StLSF&T, Sherman, Dallas or Ft. Worth, Tex., T&P, Shreveport, La., IC Sys.
3120	StL–SF, Claremore or Ft. Gibson, Okla., or Van Buren, Ark. or Aurora, Mo., Mo. Pac.

From Atchison, Kans., Leavenworth, Kans., St. Joseph, Mo., Kansas City, Mo.-Kans., to Vicksburg, Miss.

Route No.	*Route*
314	AT&SF, Gulf Jct. or Purcell, Okla., GC&SF, Dallas or Farmersville, Tex., L&A, Shreveport, La., IC Sys.
314	AT&SF, Gulf Jct. or Purcell, Okla., GC&SF, Ft. Worth, Tex., StLSW Lines, Shreveport, La., IC Sys.
824	AT&SF, Gulf Jct. or Purcell, Okla., GC&SF, Ft. Worth, Tex., T&P, Shreveport, La., IC Sys.
830	AT&SF, Gulf Jct. or Purcell, Okla., GC&SF, Ft. Worth, Tex., Sou. Pac. Lines, Shreveport, La., IC Sys.
733	CRI&P, Memphis, Tenn., IC Sys.
3135	StL–SF, Delta, Mo., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Jonesboro, Ark., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Memphis, Tenn., StLSW, Shreveport, La., IC Sys.
3126	StL–SF State Line (Denison), StLSF&T, Dallas or Ft. Worth, or Sherman, Tex., T&P, Shreveport, La., IC Sys.
3135	StL–SF State Line (Denison) StLSF&T, Sherman, Dallas, or Ft. Worth, Tex., StLSWofT, Shreveport, La., IC Sys.
752	CRI&P, Crossett, Ark., Monroe, La., IC Sys.

From St. Louis, Mo., and E. St. Louis, Ill., to Natchez, Miss.

Route No.	*Route*
2279	M–K–T, McAlester, Okla., CRI&P, Memphis, Tenn., IC Sys.
3135	StL–SF, Delta, Mo., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Jonesboro, Ark., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Memphis, Tenn., StLSW, Shreveport, La., IC Sys.
3126	StL–SF State Line (Denison), StLSF&T, Dallas or Ft. Worth, or Sherman, Tex., T&P, Shreveport, La., IC Sys.
3135	StL–SF State Line (Denison) StLSF&T, Sherman, Dallas, or Ft. Worth, Tex., StLSWofT, Shreveport, La., IC Sys.
752	CRI&P, Crossett, Ark., Monroe, La., IC Sys.

From St. Louis, Mo., and E. St. Louis, Ill., to New Orleans, La.

Route No.	*Route*
2279	M–K–T, McAlester, Okla., CRI&P, Memphis, Tenn., IC Sys.
2293	M–K–T, Greenville, Tex., StLSWofT, Shreveport, La., IC Sys.
2293	M–K–T, Greenville, Tex., L&A, Shreveport, La., IC Sys.
3135	StL–SF, Delta, Mo., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Hope, Ark., L&A, Sibley or Shreveport, La., IC Sys.
3135	StL–SF, Jonesboro, Ark., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Hulbert, Ark. or Memphis, Tenn., CRI&P, Ruston, La., IC Sys.
3163	StL–SF, Necaho, Mo., KCS, Shreveport, La., IC Sys.
3163	StL–SF, Necaho, Mo., KCS, Shreveport, La., L&A.
3163	StL–SF, Necaho, Mo., KCS, DeQuincy, La., Mo. Pac. Lines.
3163	StL–SF, Necaho, Mo., KCS, DeRidder, Lake Charles, La., or Beaumont, Tex., Sou. Pac. Lines.
708	StL–SF, Hulbert, Ark. or Memphis, Tenn., CRI&P, Alexandria, La., T&P.
3146	StL–SF, Hope, Ark., L&A, Alexandria, La., Sou. Pac. Lines.
3773	StLSW, Brinkley or Fordyce, Ark., CRI&P, Ruston, La., Y&MV (IC).

From St. Louis, Mo., and E. St. Louis, Ill., to Vicksburg, Miss.

Route No.	*Route*
2279	M–K–T, McAlester, Okla., CRI&P, Memphis, Tenn., IC Sys.
3126	StL–SF State Line (Denison), StLSF&T, Dallas, Ft. Worth or Sherman, Tex., T&P, Shreveport, La., IC Sys.
3135	StL–SF, Delta, Mo., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Hope, Ark., L&A, Sibley or Shreveport, La., IC Sys.
3135	StL–SF, Jonesboro, Ark., StLSW, Shreveport, La., IC Sys.
3135	StL–SF, Hulbert, Ark. or Memphis, Tenn., CRI&P, Ruston, La., IC Sys.
3163	StL–SF, Necaho, Mo., KCS, Shreveport, La., IC Sys.
3773	StLSW, Brinkley or Fordyce, Ark., CRI&P, Ruston, La., Y&MV (IC).

Agent J. R. Peel's tariff I. C. C. No. 3416 Supplements thereto and reissues thereof.

From Atchison, Kan., Leavenworth, Kan., St. Joseph, Mo., Kansas City, Mo.-Kan., to Fort Worth, Texas and North Fort Worth, Texas.

Route No.	*Route*
205	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., CRI&P.
225	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., FW&DC.
248	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Gainesville, Ft. Worth or Dallas, Tex., M–K–T.
201	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., Mo. Pac Lines.
252	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., StLSF&T.
234	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., No. Ft. Worth or Dallas, Tex., StLSWofT.
224	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Dallas, Tex., Sou. Pac. Lines, Sherman, Tex., StLSWofT.
254	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth or Dallas, Tex., Sou. Pac. Lines.

Route No.	*Route*
232	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth or Dallas, Tex., T&P.
232	AT&SF, Higgins, Tex., P&SF, Snyder, Tex., RS&P, Roscoe, Tex., T&P.
1389	KCS, Beaumont, Tex., Sou. Pac. Lines.
1640	M–K–T Lines, Mineola, Tex., Mo. Pac. Lines.
1691	M–K–T Lines, Waco, Tex., StLSWofT.
1692	M–K–T Lines, Denison, Sherman, Dallas, Greenville or Ft. Worth, Tex., Sou. Pac. Lines.
1698	M–K–T Lines, Waxahachie, Tex., CRI&P.
1699	M–K–T Lines, Waxahachie, Tex., FW&DC.
1674	M–K–T Lines, Gainesville or Dallas, Tex., GC&SF.
1946	Mo. Pac., Kinder, La., Mo. Pac. Lines.
1988	Mo. Pac., Okay, Okla., KO&G, Denison, Tex., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.
2120	Mo. Pac., Texarkana, Ark., T&P, Sherman, Tex., or Shreveport, La., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.
2120	Mo. Pac., Hope, Ark., L&A, Shreveport, La., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.

From Atchison, Kan., Leavenworth, Kan., St. Joseph, Mo., Kansas City, Mo.-Kan. to Houston, Texas.

Route No.	*Route*
201	AT&SF, Purcell or Gulf Jct., Okla. GC&SF, Ft. Worth, Tex., Mo. Pac. Lines (BS&W)
229	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Houston or Beaumont, Tex., Mo. Pac. Lines (BS&W).
255	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., CRI&P, Teague, Tex., B–RI or FW&DC, Teague, Tex., B–RI.
230	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Houston, Tex., GH&H.
230	AT&SF, Ranchland, Tex., P&SF, Sweetwater, Tex., GC&SF, Houston, Tex., GH&H.
201	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., Mo. Pac. Lines (I–GN)
248	AT&SF, Purcell or Gulf Jct. Okla., GC&SF, Gainesville, Ft. Worth, Dallas, Tex., M–K–TofT.
201	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., Mo. Pac. Lines (Sugarland Ry.).
275, 3223	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Sugarland Jct., Tex., Mo. Pac. Lines (Sugarland Ry.).
255, 3223	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, Tex., CRI&P or FtW&DC, Teague, Tex., B–RI, Houston, Tex., Mo. Pac. Lines (Sugarland Ry.).
248, 3223	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Gainesville or Ft. Worth or Dallas, Tex., M–K–TofT, Houston, Tex., Mo. Pac. Lines (Sugarland Ry.).
226	AT&SF, Purcell or Gulf Jct., Okla.,
245	GC&SF, Ft. Worth, or Dallas, Tex.,
254	Sou. Pac. Lines, Houston, Tex., Mo.
3223	Pac Lines (Sugarland Ry.).
226, 3223	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Cameron, Tex., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines (Sugarland, Ry.).
226, 245, 254	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Ft. Worth, or Dallas, Tex., Sou. Pac. Lines.
226	AT&SF, Purcell or Gulf Jct., Okla., GC&SF, Cameron, Tex., Sou. Pac. Lines.
1392	KCS, Texarkana, Ark.-Tex., StLSWofT, Hubbard, Tex., B–RI.
1397	KCS, Texarkana, Ark.-Tex., T&P, Bells, Whitesboro, Mineola, Dallas, Ft. Worth or Cisco, Tex., M–K–TofT.

Route No.	*Route*
1881	KCS, Texarkana, Ark.-Tex., StLSWofT or T&P, Ft. Worth, Tex., GC&SF.
1801	M–K–T, Muskogee, Okla., KO&G, Denison, Tex., M–K–TofT, Ft. Worth, Tex., Mo. Pac. Lines.
1874	M–K–T Lines, Gainesville, Dallas of Ft. Worth, Tex., GC&SF.

From Atchison, Kans., Leavenworth, Kans., St. Joseph, Mo., Kansas City, Mo.-Kans., to Houston, Texas:

Route No.	*Route*
1874	M–K–T Lines, Wichita Falls, Tex., WF&S, Graham, Tex., CRI&P, Ft. Worth, Tex., GC&SF.
1874	M–K–T Lines, Greenville, Tex., L&A, Farmersville, Tex., GC&SF.
1876	M–K–T Lines, Ft. Worth, Tex., T&P, Longview, Tex., GC&SF.
2688	StL–SF, Altus or Frederick, Okla., M–K–T Lines, San Antonio, Tex., Mo. Pac. Lines.
2650	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah, Tex., or Vernon, Tex., FtW&DC, Ft. Worth or Wichita Falls, Tex., M–K–TofT.
2650	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth or Wichita Falls, Tex., M–K–TofT.
2420	StL–SF, Delta, Mo., StLSW Lines, Tyler, Tex., Mo. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Ft. Worth, Tex., Mo. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Waco, Tex., Mo. Pac Lines.
2440	StL–SF, Altus or Frederick, Okla., M–K–T Lines, Ft. Worth, Tex., Mo. Pac. Lines.
2577	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FW&DC, Ft. Worth, Tex., Mo. Pac. Lines.
2597	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FW&DC, Ft. Worth, Tex., Mo. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Athens, Tex., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Shreveport, La., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Mt. Pleasant, Tex., P&MtP, Paris, Tex., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Corsicana, Tex., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Waco, Tex., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Commerce, Dallas, Greenville or Plano, Tex., Sou. Pac. Lines.
2610	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines.
2610	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines.
2610	StL–SF, Altus or Frederick, Okla., M–K–T Lines, Ft. Worth, Tex., Sou. Pac. Lines.
2595	StL–SF State Line (Denison), StLSF&T, Ft. Worth or Irving, Tex., FtW&DC, Teague, Tex., B–RI, Houston, Tex., Mo. Pac. Lines.
2610	StL–SF State Line (Denison), StLSF&T, Dallas or Ft. Worth or Irving, Tex., CRI&P, Teague, Tex., B–RI, Houston, Tex., Mo. Pac. Lines.
	StL–SF State Line (Denison), StLSF&T, Denison or Ft. Worth or Dallas, Tex., M–K–TofT, Houston, Tex., Mo. Pac. Lines.

From Atchison, Kans., Leavenworth, Kans., St. Joseph, Mo., Kansas City, Mo.-Kans., to Houston, Texas.

Route No.	*Route*
2443	StL–SF, Altus or Frederick, Okla., M–K–T Lines, Houston, Tex., Mo. Pac. Lines.

Route No.	*Route*
2577	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., Mo. Pac. Lines.
2581	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Teague, Tex., B–RI, Houston, Tex., Mo. Pac. Lines.
2581	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., M–K–TofT, Houston, Tex., Mo. Pac. Lines.
2592	StL–SF State Line (Kingola), StLSF&T, Vernon, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.
2596	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FtW&DC, Ft. Worth, Tex., M–K–TofT, Houston, Tex., Mo. Pac. Lines.
2597	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FtW&DC, Ft. Worth, Tex., Mo. Pac. Lines.
2598	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FtW&DC, Teague, Tex., B–RI, Houston, Tex., Mo. Pac. Lines.
2420	StL–SF State Line (Carnes), StLSF&T, Hubbard, Tex., B–RI.
2646	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FtW&DC, Teague, Tex., B–RI. StL–SF, Altus or Frederick, Okla., M–K–T Lines, Ft. Worth, Tex., CRI&P, Teague, Tex., B–RI or FtW&DC, Teague, Tex., B–RI. StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Teague, Tex., B–RI.
2615	StL–SF State Line (Denison), StLSF&T, Dallas, Ft. Worth, or Irving, Tex., CRI&P, Teague, Tex., B–RI, Houston, Tex., GH&H. StL–SF State Line (Denison), StLSF&T, Ft. Worth or Irving, Tex., FtW&DC, Teague, Tex., B–RI, Houston, Tex., GH&H. StL–SF State Line (Denison), StLSF&T, Ft. Worth, Tex., Mo. Pac. Lines, Houston, Tex., GH&H. StL–SF State Line (Denison), StLSF&T, Denison or Dallas or Ft. Worth, Tex., M–K–TofT, Houston, Tex., GH&H. StL–SF State Line (Denison), StLSF&T, Sherman or Dallas or Ft. Worth, Tex., Sou. Pac. Lines, Houston, Tex., GH&H.
2616	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines or Mo. Pac. Lines or M–K–TofT or FtW&DC, Teague, Tex., B–RI, Houston, Tex., GH&H.
2616	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines or Mo. Pac. Lines or M–K–TofT or FtW&DC, Teague, Tex., B–RI, Houston, Tex., GH&H.
2599	StL–SF State Line (Denison), StLSF&T, Sherman or Ft. Worth or Dallas, Tex., Sou. Pac. Lines, Houston or Sugarland, Tex., Mo. Pac. Lines, StL–SF State Line (Denison), StLSF&T, Ft. Worth, Tex., GC&SF, Sugarland Jct., Tex., Mo. Pac. Lines.

From Atchison, Kans., Leavenworth, Kans., St. Joseph, Mo., Kansas City, Mo.-Kans., to Houston, Texas.

Route No.	*Route*
2600	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines, Houston or Sugarland, Tex., Mo. Pac. Lines.
	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah, or Vernon, Tex., FtW&DC, Ft. Worth, Tex., GC&SF, Sugarland Jct., Tex., Mo. Pac. Lines.

Route No.	*Route*
	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines, Houston or Sugarland, Tex., Mo. Pac. Lines.
	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., GC&SF, Sugarland Jct., Tex., Mo. Pac. Lines.
2441	StL–SF, Altus or Frederick, Okla., M–K–T Lines, Waco, Tex., Sou. Pac. Lines.
2391	StL–SF, Hope, Ark., L&A, Shreveport, La., Sou. Pac. Lines.
2614	StL–SF State Line (Carnes), StLSF&T or QA&P, Vernon or Quanah, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines.
2614	StL–SF, Altus or Frederick, Okla., M–K–T Lines, Ft. Worth, Tex., Sou. Pac. Lines.
2614	StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines.
2594	StL–SF State Line (Denison), StLSF&T, Sherman or Ft. Worth, or Dallas, Tex., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.

From St. Louis, Mo., and E. St. Louis, Ill., to Ft. Worth, Texas and North Ft. Worth, Texas.

Route No.	*Route*
1840	M–K–T Lines, Mineola, Tex., Mo. Pac. Lines.
1946	Mo. Pac., Kinder, La., Mo. Pac. Lines.
1988	Mo. Pac., Okay, Okla., KO&G, Denison, Tex., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.
2120	Mo. Pac., Texarkana, Ark., T&P, Sherman, Tex., or Shreveport, La., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.
2120	Mo. Pac., Hope, Ark., L&A, Shreveport, La., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.
1963	Mo. Pac., New Orleans, La., Mo. Pac. Lines.
1210	IC Sys., New Orleans, La., Sou. Pac. Lines.
1210	IC Sys., New Orleans, La., Sou. Pac. Lines, Houston, Tex., M–K–TofT.
1164	IC Sys., New Orleans, La., Sou. Pac., Houston, Tex., Mo. Pac. Lines.
1150	IC Sys., Baton Rouge, La., Mo. Pac. Lines.
1212	IC Sys., Baton Rouge, La., Mo. Pac. Lines. Houston, Tex., M–K–TofT.

From St. Louis, Mo., and E. St. Louis, Ill., to Houston, Texas.

Route No.	*Route*
1163	IC Sys., New Orleans, La., Sou. Pac. Lines, San Antonio, Tex., Mo. Pac. Lines.
1220	IC Sys., New Orleans, La., Sou. Pac., Houston, Tex., M–K–TofT.
1212	IC Sys., Baton Rouge, La., Mo. Pac Lines, Houston, Tex., M–K–TofT.
1164	IC Sys., New Orleans, La., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Tyler, Tex., Mo. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Ft. Worth, Tex., Mo Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Waco, Tex., Mo. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Athens, Tex., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Shreveport, La., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Mt. Pleasant, Tex., P&MtP, Paris, Tex., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Corsicana, Tex., Sou. Pac. Lines.
2420	StL–SF, Delta, Mo., StLSW Lines, Waco, Tex., Sou. Pac. Lines.

Route No.	*Route*
2420	StL–SF, Delta, Mo., StLSW Lines, Commerce, Dallas, Greenville or Plano, Tex., Sou. Pac. Lines.
2429	StL–SF (Ord, Okla.) Red River, StL–SF&T, Paris, Tex., Sou. Pac. Lines.
2619	StL–SF State Line (Carnes), StLSF&T or QA&P, Quanah or Vernon, Tex., FtW&DC, Ft.Worth, Tex., Sou. Pac. Lines. StL–SF, Altus or Frederick, Okla., M–K–T Lines, Ft. Worth, Tex., Sou. Pac. Lines. StL–SF State Line (Carnes), QA&P, Quanah, Tex., FtW&DC, Ft. Worth, Tex., Sou. Pac. Lines.
2595	StL–SF State Line (Denison), StL–SF&T, Ft. Worth or Irving, Tex., FtW&DC, Teague, Tex., B–RI, Houston, Tex., Mo. Pac. Lines.
2610	StL–SF State Line (Denison), StL–SF&T, Dallas or Ft Worth or Irving, Tex., CRI&P, Teague, Tex., B–RI, Houston, Tex., Mo. Pac. Lines. StL–SF State Line (Denison), StLSF&T, Denison or Ft. Worth or Dallas, Tex., M–K–TofT, Houston, Tex., Mo. Pac. Lines.

From St. Louis, Mo., and E. St. Louis, Ill. to Houston, Texas.

Route No.	*Route*
2420	StL–SF, Delta, Mo., StLSW Lines, Hubbard, Tex., B–RI.
2430	StL–SF, Jonesboro, Ark., StLSW Lines, Hubbard, Tex., B–RI.
2420	StL–SF, Jonesboro, Ark., StLSW Lines, Ft. Worth or Corsicana, Tex., CRI&P or FtW&DC, Teague, Tex., B–RI.
2420	StL–SF, Delta, Mo., StLSW Lines, Ft. Worth or Corsicana, Tex., CRI&P or FtW&DC, Teague, Tex., B–RI.
2615	StL–SF State Line (Denison), StLSF&T, Dallas, Ft. Worth or Irving, Tex., CRI&P, Teague, Tex. B–RI, Houston, Tex., GH&H. StL–SF State Line (Denison), StLSF&T, Ft. Worth or Irving, Tex., FtW&DC, Teague, Tex., B–RI, Houston, Tex., GH&H. StL–SF State Line (Denison, Tex.), StLSF&T, Ft. Worth, Tex., Mo. Pac. Lines, Houston, Tex., GH&H. StL–SF State Line (Denison), StLSF&T, Denison or Dallas or Ft. Worth, Tex., M–K–TofT, Houston, Tex., GH&H. StL–SF State Line (Denison), StLSF&T, Sherman or Dallas or Ft. Worth, Tex., GH&H.
2599	StL–SF State Line (Denison), StLSF&T, Sherman or Ft. Worth or Dallas, Tex., Sou. Pac. Lines, Houston or Sugarland, Tex., Mo. Pac. Lines. StL–SF State Line (Denison), StLSF&T, Ft. Worth, Tex., GC&SF, Sugarland Jct., Tex., Mo. Pac. Lines.
2594	StL–SF State Line (Denison), StLSF&T, Sherman or Ft. Worth or Dallas, Tex., Sou. Pac. Lines, Houston, Tex., Mo. Pac. Lines.

Agent J. R. Peel's tariff I. C. C. No. 3555 Supplements thereto and reissues thereof.

From Atchison, Kans., Leavenworth, Kans., St. Joseph, Mo., Kansas City, Mo.-Kans., to Memphis, Tenn.

Route No.	*Route*
145	AT&SF, Arkansas City, Burrton, Wichita or Winfield, Kans., St. L–SF.
548	CRI&P direct through El Reno, Okla.
1136	KCS, Texarkana, Ark., StLSW.

From St. Louis, Mo. and E. St. Louis, Ill., to Memphis, Tenn.

Route No.	*Route*
1617	M–K–T, Oswego or Mound Valley, Kans., StL–SF.

[F. R. Doc. 44–11611; Filed, August 1, 1944; 11:32 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 17, Amdt. 2]

PART 503—ADMINISTRATION

PROCEDURES AND DELEGATIONS OF AUTHORITY UNDER GENERAL ORDER ODT 16A

Pursuant to the provisions of § 502.210 of General Order ODT 16A, subparagraph (1), paragraph (a), § 503.361 of Administrative Order ODT 17, as amended (9 F.R. 2751, 3810), is hereby amended to read as follows:

(1) Transportation Division, Bureau of Supplies and Accounts, Navy Department, Washington, D. C., may issue ODT unit permits covering the transportation of property originating at a point in the continental United States and consigned to the Navy Department or an officer representative thereof at any port area named in Appendix A hereof;

This Amendment 2 to Administrative Order ODT 17 shall become effective August 1, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 16A, 9 F.R. 2749)

Issued at Washington, D. C. this 31st day of July 1944.

HENRY F. MCCARTHY,
Assistant Director in charge of the Railway Transport Department.

[F. R. Doc. 44–11608; Filed, August 1, 1944; 11:15 a. m.]

[General Permit ODT 16A–2]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS AND PERMITS

FREIGHT SHIPMENTS TO OR WITHIN PORT OR STORAGE AREAS IN THE UNITED STATES, AND TO OR THROUGH THE DOMINION OF CANADA

Pursuant to the provisions of § 502.209 of General Order ODT 16A, it is hereby authorized that:

§ 522.656 *Truckload shipments and carload shipments by water when consigned to the Navy Department.* Notwithstanding the provisions of § 502.202 of General Order ODT 16A, any person may offer to a motor carrier or water carrier, for transportation, and any motor carrier or water carrier may accept for transportation and transport to or within any port area named in Appendix A of Administrative Order ODT 17, as amended (9 F.R. 2751, 3810), without observing the ODT unit permit requirements of General Order ODT 16A, any truckload shipment of overseas freight or any carload shipment by water of overseas freight, when any such shipment is consigned to the Navy Department or an officer representative thereof at any such port area.

This General Permit ODT 16A–2 shall become effective August 1, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; Gen. Order ODT 16A, 9 F.R. 2749)

Issued at Washington, D. C., this 31st day of July 1944.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 44–11607; Filed, August 1, 1944; 11:15 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 91—AMENDMENT OF ALASKA GAME REGULATIONS

GAME ANIMALS, FUR ANIMALS, GAME BIRDS, NONGAME BIRDS, AND GAME FISHES IN ALASKA

Pursuant to the authority and direction contained in section 9 of the Alaska Game Law of January 13, 1925 (43 Stat. 739), as amended July 1, 1943, 57 Stat. 301, I, Harold L. Ickes, Secretary of the Interior, upon consultation with and recommendation from the Alaska Game Commission, have determined when, to what extent, and by what means game animals may be taken or possessed in Alaska, and in accordance with such determination do hereby adopt the following, effective July 30, 1944, as a suitable amendatory regulation permitting and governing the taking of moose in Alaska:

Paragraph (a) (2) (ii) of § 91.9[1] *Open seasons, methods of taking, and limits on protected animals, birds, and game fishes,* is amended to read as follows:

(ii) Moose, bulls (except yearlings and calves).

North of the Alaska Range. September 1 to September 30 and December 1 to December 31. Limit, 1 during either or both periods.

South of the Alaska Range, but not in the Alaska No. 1 and Kenai No. 1 Peninsula areas and the Chilkoot and Chilkat River areas described in § 91.11 (f), (h), and (j), nor in Yakutat Bay Region between longitude 138° and 141°. November 16 to December 15 west of longitude 141° and September 1 to September 30 east of longitude 138°. Limit, 1 a season.

In testimony whereof I have hereunto set my hand and caused the official seal of the United States Department of the Interior to be affixed in the City of Washington this 26th day of July 1944.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44–11462; Filed, July 31, 1944; 12:02 p. m.]

[1] 9 F.R. 8272.

Chapter IV—Office of the Coordinator of Fisheries

[Order 1956, Area Coordinator's Gen. Direction H–2]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORT OF SEATTLE, WASH.

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944, (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", and pursuant especially to paragraphs (g) and (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H–2 is issued:

(a) A plan for supervised allocation of halibut among the dealers in the port of Seattle, Washington is hereby established in that port. Subject to reductions as provided for in the order, each of the permits issued for that port is assigned, from the halibut landings there available for allocation, the percentage set opposite the name of the permittee-dealer in the following schedule:

	Percent
Permit No. 1, Booth Fisheries Corporation	13½
Permit No. 2, Chase Fish Corporation	8
Permit No. 3, Dressel-Collins Fish Co.	8
Permit No. 4, Bardley Fish & Fillet Co.	8
Permit No. 5, McCallum-Legaz Fish Co., Inc.	5½
Permit No. 6, New England Fish Co.	10
Permit No. 7, Ozenberg Bros.	8
Permit No. 8, Edwin Ripley & Son	8
Permit No. 9, San Juan Fishing & Packing Co	15½
Permit No. 10, Sebastian-Stuart Fish Co.	13
Permit No. 11, Washington Fish & Oyster Co.	10½
Permit No. 12, Whis Fish Products Co.	18
	100

(b) The halibut landings available for such allocation at the port of Seattle, to which the above percentages are to be applied, are the total landings at the port for the season of 1944, excluding all troll-caught halibut taken incidentally to salmon fishing.

(c) Nothing in this direction shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in the allocation schedule above shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(d) The term "halibut" as used in this direction refers only to Pacific halibut, and not to the other species included within the term as defined in paragraph (c) (3) of the order.

(e) This general direction shall become effective immediately; and purchases by permittees from the beginning of the season shall be included in the computation of landings to which the assigned percentages shall be applied, as provided by paragraph (n) of the order, and consistent with the preceding paragraph (b) of this general direction.

Issued this 3d day of July 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44–11445; Filed, July 31, 1944; 12:02 p. m.]

[Order 1956, Area Coordinator's Gen. Direction H–3]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORT OF KETCHIKAN, ALASKA

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944, (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", and pursuant especially to paragraphs (g) and (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H–3 is issued:

(a) A plan for supervised allocation of halibut among the dealers in the port of Ketchikan, Alaska is hereby established in that port. Subject to reductions as provided for in the order, each of the permits issued for that port is assigned, from the halibut landings there available for allocation, the percentage set opposite the name of the permittee-dealer in the following schedule:

	Percent
Permit No. 30, Sigmund Einstoes	3
Permit No. 35, Alaska Fish Oil Extractors	10
Permit No. 36, Jack Bailey	2
Permit No. 37, Olaf Bernhoft	5
Permit No. 38, C. C. Cloudy	16
Permit No. 39, New England Fish Co.	34
Permit No. 40, E. C. Phillips	22
Permit No. 41, San Juan Fishing & Packing Co.	3
Permit No. 42, Whis Fish Products Co.	5

(b) The halibut landings available for such allocation at the port of Ketchikan, to which the above percentages are to be applied, are the total landings at the port for the season of 1944, excluding all troll-caught halibut taken incidentally to salmon fishing.

(c) Nothing in this direction shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in the allocation schedule above shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(d) The term "halibut" as used in this direction refers only to Pacific halibut, and not to the other species included within the terms as defined in paragraph (c) (3) of the order.

(e) This general direction shall become effective immediately; and purchases by permittees from the beginning of the season shall be included in the computation of

landings to which the assigned percentages shall be applied, as provided by paragraph (n) of the order, and consistent with the preceding paragraph (b) of this general direction.

Issued this 24th day of July 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-11446; Filed, July 31, 1944; 12:02 p. m.]

[Order 1956, Area Coordinator's Gen. Direction H-4]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORT OF PETERSBURG, ALASKA

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944, (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order," and pursuant especially to paragraphs (g) and (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H-4 is issued:

(a) A plan for supervised allocation of halibut among the dealers in the port of Petersburg, Alaska, is hereby established in that port. Subject to reductions as provided for in the order, each of the permits issued for that port is assigned, from the halibut landings there available for allocation, the percentage set opposite the name of the permittee-dealer in the following schedule:

	Percent
Permit No. 47, Marius Molver	8
Permit No. 48, Erick Ness (Einstoss)	5
Permit No. 49, New England Fish Co	17
Permit No. 50, Earl N. Ohmer	26
Permit No. 51, Knut Thompson	44

(b) The halibut landings available for such allocation at the port of Petersburg, to which the above percentages are to be applied, are the total landings at the port for the season of 1944, excluding all troll-caught halibut taken incidentally to salmon fishing.

(c) Nothing in this direction shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in the allocation schedule above shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(d) The term "halibut" as used in this direction refers only to Pacific halibut, and not to the other species included within the term as defined in paragraph (c) (3) of the order.

(e) This general direction shall become effective immediately; and purchases by permittees from the beginning of the season shall be included in the computation of landings to which the assigned percentages shall be applied, as provided by paragraph (n) of the order, and consistent with the preceding paragraph (b) of this general direction.

Issued this 15th day of July, 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-11447; Filed, July 31, 1944; 12:02 p. m.]

[Order 1956, Area Coordinator's Gen. Direction H-5]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORT OF SITKA, ALASKA

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944, (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", and pursuant especially to paragraphs (g) and (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H-5 is issued:

(a) A plan for supervised allocation of halibut among the dealers in the port of Sitka, Alaska is hereby established in that port. Subject to reductions as provided for in the order, each of the permits issued and expected to be issued for that port is assigned, from the halibut landings there available for allocation, the percentage set opposite the name of the permittee-dealer in the following schedule:

	Percent
Permit No. 52, Alaska Coast Fisheries	29
Permit No. 53, L. C. Berg	29
Permit No. 55, Malfred Soley (Einstoss)	5
Permit No. 56, McCallum-Legas Fish Company	19
Permit No. 57, New England Fish Company	18
	100

(b) The halibut landings available for such allocation at the port of Sitka, to which the above percentages are to be applied, are the total landings at the port for the season of 1944, excluding all troll-caught halibut taken incidentally to salmon fishing.

(c) Nothing in this direction shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in the allocation schedule above shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(d) The term "halibut" as used in this direction refers only to Pacific halibut, and not to the other species included within the term as defined in paragraph (c) (3) of the order.

(e) This general direction shall become effective immediately; and purchases by permittees from the beginning of the season shall be included in the computation of landings to which the assigned percentages shall be applied, as provided by paragraph (n) of the order, and consistent with the preceding paragraph (b) of this general direction.

Issued this 15th day of July 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-11448; Filed, July 31, 1944; 12:02 p. m.]

[Order 1956, Area Coordinator's Gen. Direction H-6]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORT OF JUNEAU, ALASKA

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944, (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", and pursuant especially to paragraphs (g) and (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H-6 is issued:

(a) A plan for supervised allocation of halibut among the dealers in the port of Juneau, Alaska is hereby established in that port. Subject to reductions as provided for in the order, each of the permits issued for that port is assigned, from the halibut landings there available for allocation, the percentage set opposite the name of the permittee-dealer in the following schedule:

	Percent
Permit No. 31, Alaska Coast Fisheries	42
Permit No. 32, Booth Fisheries Corporation	8
Permit No. 33, E. E. Engstrom	29
Permit No. 34, New England Fish Company	21

(b) The halibut landings available for such allocation at the port of Juneau, to which the above percentages are to be applied, are the total landings at the port for the season of 1944, excluding all troll-caught halibut taken incidentally to salmon fishing.

(c) Nothing in this direction shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in the allocation schedule above shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(d) The term "halibut" as used in this direction refers only to Pacific halibut, and not to the other species included within the term as defined in paragraph (c) (3) of the order.

(e) This general direction shall become effective immediately; and purchases by permittees from the beginning of the season shall be included in the computation of landings to which the assigned percentages shall be applied, as provided by paragraph (n) of the order, and consistent with the preceding paragraph (b) of this general direction.

Issued this 3d day of July 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-11449; Filed, July 31, 1944; 12:02 p. m.]

[Order 1956, Area Coordinator's Gen. Direction H-7]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORT OF PELICAN CITY, ALASKA

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944 (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", and pursuant especially to paragraphs (g) and (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H-7 is issued:

(a) A plan for supervised allocation of halibut among the dealers in the port of

Pelican City, Alaska is hereby established in that port. Subject to reductions as provided for in the order, each of the permits issued for that port is assigned, from the halibut landings there available for allocation, the percentage set opposite the name of the permittee-dealer in the following schedule:

	Percent
Permit No. 43, Don Milnes (Booth Fisheries Corporation)	22
Permit No. 44, William Pege (Sebastian Stuart Fish Co.)	41
Permit No. 45, Charles Raatikainen	15
Permit No. 46, Wm. Tichnor (Alaska Coast Fisheries)	22
	100

(b) The halibut landings available for such allocation at the port of Pelican City, to which the above percentages are to be applied, are the total landings at the port for the season of 1944, excluding all troll-caught halibut taken incidentally to salmon fishing.

(c) Nothing in this direction shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in the allocation schedule above shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(d) The term "halibut" as used in this direction refers only to Pacific halibut, and not to the other species included within the terms as defined in paragraph (c) (3) of the order.

(e) This general direction shall become effective immediately; and purchases by permittees from the beginning of the season shall be included in the computation of landings to which the assigned percentages shall be applied, as provided by paragraph (n) of the order, and consistent with the preceding paragraph (b) of this general direction.

Issued this 3d day of July 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-11450; Filed, July 31, 1944, 12:02 p. m.]

[Order 1956; Area Coordinator's Gen. Direction H-8]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORT OF WRANGELL, ALASKA

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944 (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", and pursuant especially to paragraphs (g) and (j) thereof, and because it is deemed necessary to accomplish the purposes of the order the following General Direction No. H-8 is issued:

(a) A plan for supervised allocation of halibut among the dealers in the port of Wrangell, Alaska is hereby established in that port. Subject to reductions as provided for in the order, each of the permits issued for that port is assigned, from the halibut landings there available for allocation, the percentage set opposite the name of the permittee-dealer in the following schedule:

	Percent
Permit No. 58, L. Engstrom	30
Permit No. 59, C. C. Mundy	70
	100

(b) The halibut landings available for such allocation at the port of Wrangell, to which the above percentages are to be applied, are the total landings at the port for the season of 1944, excluding all troll-caught halibut taken incidentally to salmon fishing.

(c) Nothing in this direction shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in the allocation schedule above shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(d) The term "halibut" as used in this direction refers only to Pacific halibut, and not to the other species included within the term as defined in paragraph (c) (3) of the order.

(e) This general direction shall become effective immediately; and purchases by permittees from the beginning of the season shall be included in the computation of landings to which the assigned percentages shall be applied, as provided by paragraph (n) of the order, and consistent with the preceding paragraph (b) of this general direction.

Issued this 3d day of July 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-11451; Filed, July 31, 1944; 12:03 p. m.]

[Order 1956; Area Coordinator's Gen. Direction H-9]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORTS

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944 (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", in accordance with paragraph (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H-9 is issued:

Paragraph (f) of Area Coordinator's General Direction No. H-1 (9 F.R. 7721) is amended to read as follows:

(f) (1) Where a load of halibut is purchased by a dealer at one port and delivered at another, if delivery is made in a fishing vessel, and if only one of the two ports is operating under a percentage allocation schedule, the load shall be considered a part of the percentage assigned to the dealer at such port. The same result shall follow however delivery is made if resorted to for the purpose of evading the allocation schedule.

(2) If a load is bought in one allocation port and delivered in another port which is also an allocation port, it shall be computed as a part of the allotment of the dealer at one port or the other in the discretion of the Field Supervisor.

(3) A load of halibut delivered to a person at one port as a result of arrangements made by or for him at another port shall be regarded, in applying this paragraph, as if purchased by him at such other port.

(4) In applying this paragraph, Prince Rupert shall be considered an allocation port if the load in question is received by a dealer who is receiving halibut at Prince Rupert under the voluntary allocation program operating as to some of the deliveries in that port.

(5) This paragraph shall not be construed to allow any person to purchase or take delivery of halibut at any port for which he has no permit.

Issued this 25th day of July 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-11452; Filed, July 31, 1944; 12:03 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

LOS ANGELES, CALIF., LAND DISTRICT

SMALL TRACT CLASSIFICATION NO. 52

JULY 26, 1944.

On May 26, 1944, the Secretary of the Interior classified and opened, under the act of June 1, 1938 (52 Stat. 609; 43 U. S. C. sec. 682a), for leasing as home, cabin, health, convalescent, recreational, and business sites, the following-described public land in the Los Angeles, California, land district:

CALIFORNIA No. 20

SAN BERNARDINO MERIDIAN

T. 4 N., R. 3 W., sec. 5,
E½ lot 1 of NW¼,
E½ lot 2 of NW¼,
NE¼SW¼ and W½SE¼,
199.64 acres.

These lands have an elevation of about 3,000 feet and are located in the southern part of what is known as Apple Valley in the Mohave Desert region, San Bernardino County, approximately 100 miles northeast of Los Angeles, about 40 miles northeast of San Bernardino, and seven miles southeast of Victorville.

The entire classified area is covered by 40 pending applications.

Lessees will be required to construct, within a reasonable time after execution of the lease, substantial improvements having a value of not less than $300. Leases will be for a period of 5 years, at an annual rental of $5 for home, cabin, health, convalescent, and recreational sites, payable in advance yearly. The rental for business sites will be in accordance with a schedule of graduated charges based on gross income. Leases will provide for ingress and egress.

The Register of the district land office will make appropriate notations upon

the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 44-11444; Filed, July 31, 1944; 12:02 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel learner regulations, September 7, 1940, (5 F.R. 3591), as amended by Administrative Order March 13, 1943, (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942, (7 F.R. 4724), as amended by Administrative Order March 13, 1943, (8 F.R. 3079), and Administrative Order June 7, 1943, (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940, (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940, (5 F.R. 3742) and as further amended by Administrative Order, March 13, 1943, (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940, (5 F.R. 3530), as amended by Administrative Order March 13, 1943, (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940, (5 F.R. 3982), as amended by Administrative Order, March 13, 1943, (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940, (5 F.R. 3392, 3393)

Textile Learner Regulations, May 16, 1941, (6 F.R. 2446) as amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Woolen Learner Regulations, October 30, 1940, (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941, (6 F.R. 3753)

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Fuller Uniform Company, Kaufman, Texas; men's shorts; 100 learners (E); effective July 28, 1944 expiring January 24, 1945.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

The Badger Raincoat Company, 209 Franklin Street, Port Washington, Wisconsin; mackinaws, jackets; 20 learners (AT); effective July 29, 1944; expiring January 28, 1945.

Co-Ed Frocks, Inc., Nokomis, Illinois; ladies' outer wearing apparel; 40 learners (E); effective July 29, 1944, expiring January 28, 1945.

Cornblest Brothers, Shawneetown, Illinois; cotton and rayon dresses; 10 percent (T); effective July 25, 1944, expiring July 24, 1945.

Dale Sportswear, Inc., Foley Building, Alto Pass, Illinois; women's apparel; 10 learners (T); effective July 26, 1944, expiring July 25, 1945.

Kim Manufacturing Company, Fredericksburg, Texas; clothing; 30 learners (E); effective July 31, 1944, expiring January 31, 1945.

Louis Nitishin, 1301 Iturbide Street, Laredo, Texas; infants' and children's dresses; 10 percent (T); effective July 29, 1944, expiring July 28, 1945.

Reade Manufacturing Company, 122 South Main Street, Memphis, Tennessee; shirts; 30 learners (AT); effective July 28, 1944, expiring October 27, 1944.

Woods Manufacturing Company, Fort Smith, Arkansas; trousers; 25 percent (AT); effective July 29, 1944, expiring January 23, 1945.

HOSIERY INDUSTRY

Acme Hosiery Dye Works, Inc., Pulaski, Virginia; full-fashioned hosiery; 10 learners (AT); effective July 26, 1944, expiring January 25, 1945.

DeKalb Hosiery Mills, Inc., Fort Payne, Alabama; seamless hosiery; 6 learners (AT); effective July 29, 1944, expiring May 1, 1945.

Harriman Hosiery Mills, Harriman, Tennessee; seamless hosiery; 200 learners (AT); effective July 27, 1944, expiring January 26, 1945.

Hewitt Hosiery Mills, Marion, North Carolina; Army socks, misses' and children's anklets; 10 learners (AT); effective July 24, 1944, expiring January 23, 1945.

Philadelphia Hosiery Mills, Philadelphia, Tennessee; infants' hosiery; 5 percent (T); effective July 26, 1944, expiring July 25, 1945.

Virginia Maid Hosiery Mills, Inc., Pulaski, Virginia; full-fashioned hosiery; 10 learners (AT); effective July 26, 1944, expiring January 25, 1945.

Wallner Silk Hosiery Mills, Inc., Pulaski, Virginia; full-fashioned hosiery; 20 learners (AT); effective July 26, 1944, expiring January 25, 1945.

TELEPHONE INDUSTRY

Commerce Telephone Company, Commerce, Georgia; to employ learners as commercial switchboard operators at its Commerce exchange, located at Commerce, Georgia; effective July 25, 1944, expiring July 24, 1945.

Hoopeston Telephone Company, Hoopeston, Illinois; to employ learners as commercial switchboard operators at its Hoopeston exchange, located at Hoopeston, Illinois; effective July 24, 1944, expiring July 23, 1945.

Mason City Telephone and Telegraph Company, Mason City, Illinois; to employ learners as commercial switchboard operators at its Mason City exchange, located at Mason City, Illinois; effective July 28, 1944, expiring July 27, 1945.

TEXTILE INDUSTRY

Copland Fabrics, Inc., Burlington, North Carolina; rayon cloth; 8 percent (T); effective July 26, 1944, expiring July 25, 1945.

Liberty Throwing Company, Inc., Pringle and Zerby Streets, Kingston, Pennsylvania; rayon yarns; 6 percent (AT); effective July 26, 1944, expiring January 25, 1945.

Liberty Throwing Company, Inc., 208 East Church Street, Nanticoke, Pennsylvania; rayon yarns; 6 percent (AT); effective July 26, 1944, expiring January 25, 1945.

Signed at New York, N. Y., this 29th day of July 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-11476; Filed, July 31, 1944; 2:38 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Frederick Press, Frederick, Oklahoma; printing; 2 learners (T); printers for a learning period of 1,000 hours, provided work and school hours in any week do not exceed 48, at 30 cents per hour for the first 500 hours and 35 cents per hour for the next 500 hours; effective July 24, 1944, expiring July 23, 1945.

Garland Candy Manufacturing Company, Texarkana, Arkansas; candy; 4 learners (T); candy dipping for a learning period of

240 hours at 35 cents per hour; effective July 31, 1944, expiring January 31, 1945.

Paragon Printing Works, Beaver Dam, Kentucky; printing and binding; 1 learner (T); printing and binding for a learning period of 480 hours at 30 cents per hour; effective July 24, 1944, expiring January 24, 1945.

Signed at New York, New York, this 29th day of July 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-11477; Filed, July 31, 1944; 2:38 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 421]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 27, 1944, by Julius Berman, of car SFRD 33273, lettuce, now on the Chicago Produce Terminal, to Hyman Goldsamt, New York, N. Y. via Erie.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of July 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-11512; Filed, August 1, 1944; 11:32 a. m.]

[S. O. 70-A, Special Permit 422]

RECONSIGNMENT OF HONEYDEW MELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 27, 1944, by La Mantia Bros. Arrigo of car ART 21602, honeydew melons, now on the Chicago Produce Terminal, to Shippers Service Company, Detroit, Michigan, via Wab.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of July 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-11513; Filed, August 1, 1944; 11:32 a. m.]

[S. O. 70-A, Special Permit 423]

RECONSIGNMENT OF WATERMELONS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, July 28, 1944, by C. H. Robinson Company, of car Santa Fe 52036, watermelons, now on the Missouri Pacific Railroad to C. H. Robinson Company, Chicago, Illinois, via Illinois Central Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of July 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-11514; Filed, August 1, 1944; 11:32 a. m.]

[S. O. 70-A, Special Permit 424]

RECONSIGNMENT OF HONEYDEW MELONS AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pa., July 28, 1944, by Star Produce Company of following cars honeydew melons, now on the Pennsylvania Railroad: PFE 50196 to Boston via PRR; NRC 14247 to New York via PRR.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of July 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-11515; Filed, August 1, 1944; 11:32 a. m.]

[S. O. 200, Special Permit 151]

REICING OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at Minneapolis, Minnesota, not later than July 30, 1944, SFRD 34707, potatoes, route inbound Northern Pacific Railway, out via Chicago, Burlington & Quincy to Albert Miller Company, Chicago, Illinois. Car originated in Oregon.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of July 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-11516; Filed, August 1, 1944; 11:32 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3859]

JULIUS GORINSCHECK AND FREDERICK GORINSCHECK

In re: Interests in real property and property insurance policies owned by Julius Gorinscheck and Frederick Gorinscheck.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Julius Gorinscheck and Frederick Gorinscheck is Budapest, Hungary, and that they are residents of Hungary and nationals of a designated enemy country (Hungary);

2. That Julius Gorinscheck and Frederick Gorinscheck are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-half interest in and to that certain real property situated in the County of Dallas, State of Texas, particularly described in Exhibit A, attached hereto and by reference made a part hereof, identified as that interest acquired by Julius Gorinscheck and Frederick Gorinscheck by virtue of their being the heirs at law of Alois Gorinscheck, deceased, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Julius Gorinscheck and Frederick Gorinscheck in and to:

(1) Fire and Extended Coverage Policy No. 51031 issued by the Albany Insurance Company, New York, New York, in the amount of $1,000, expiring March 14, 1947,

(2) Fire and Explosion Policy No. DC 28868 issued by the Anchor Insurance Company, Providence, Rhode Island, in the amount of $900, expiring June 4, 1944, and any and all extensions or renewals thereof,

(3) Fire and Explosion Policy No. 666070 issued by the Republic Insurance Company, Dallas, Texas, in the amount of $1,800, expiring December 24, 1946,

(4) Fire and Extended Coverage Policy No. 666073 issued by the Republic Insurance Company, Dallas, Texas, in the amount of $1,500, expiring September 13, 1945,

such policies insuring improvements on the property described in subparagraph 3-a hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Hungary);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such propery and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All those lots or parcels of land situate, lying, and being in the City and County of Dallas, State of Texas, together with improvements thereon, described as follows:

Parcel 1. Lot No. 4 and the southeast half of Lot No. 3 in J. H. Power's Subdivision of Block No. 20 of H. Harris' addition to the City of Dallas, Texas, fronting 75 feet on the southwest line of Fourth Avenue and running back between parallel lines 150 feet; said block being also known as Block No. 1551/20, according to the official map of the City of Dallas, Texas; said tract being being the same property conveyed to W. N. Wells by R. Shipp, a single man, by deed dated August 1st, 1919 recorded in Vol. 787, page 211, of the records of deeds of Dallas County, Texas.

Parcel 2. Lots Nos. 5 and 6 of J. H. Power's subdivision of Block 20 of H. Harris' addition to the City of Dallas, Texas; said block being also known as City Block 1551/20 according to the official map of the City of Dallas; said lots together fronting 100 ft. on the west line of Fourth Avenue and extending back between parallel lines along the north line of Kate Street 120 ft., being the same property conveyed to S. W. Cherry by J. H. Power by deed dated February 20th, 1909, recorded in Book 436, page 214 of the deed records of Dallas County, Texas.

Parcel 3. A lot 50 x 123½ x 50 x 124 feet, a part of Block No. 915/C according to the official map of the City of Dallas, Texas, being the west half of the tract of land conveyed to J. D. Parsons by A. S. Bawley and duly recorded in Vol. 92, page 506, of the records of deeds of Dallas County, Texas; said lot being more particularly described as follows, to-wit:

Beginning at the southwest corner of said tract;

Thence N. 45 E. along the northwest line of Seegar Street 50 feet

Thence N. 44½ W. 123½ feet to the southeast line of Hickory Street

Thence S. 45½ W. along the southeast line of said Hickory Street 50 feet to the northwest corner of said tract;

Thence S. 45½ E. 124 feet to the beginning;

Being the same property conveyed to Aaron Goldstein by Thomas M. MacDonnell and wife, Emma McDonnell, by warranty deed, dated October 15th, 1902 recorded in Vol. 295, page 311, of the records of deeds of Dallas County, Texas.

Parcel 4. Lot No. 2 and the northwest one-half of Lot No. 3 of J. H. Power's Subdivision of Block No. 20 of the H. Harris addition to the City of Dallas, Texas, according to the map or plat of said subdivision duly recorded in Vol. 1, page 176, of the map records of Dallas County, Texas; said Lot No. 2 and the northwest one-half of said Lot No. 3 together fronting 75 feet on the southwest line of Fourth Avenue and extending back between parallel lines a distance of 150 feet; said block being also known as Block No. 1551, according to the official map of the City of Dallas, Texas; and being the same property conveyed to R. L. Sneed by John W. Lynch and wife, Ivy Lynch, by deed dated May 13th, 1916, duly recorded in Vol. 679, page 370, of the deed records of Dallas County, Texas.

[F. R. Doc. 44-11402; Filed, July 31, 1944; 11:12 a. m.]

[Vesting Order 3861]

EMMA JETTER AND ELISABETH KRAFT

In re: Real property and interest in fire insurance policy owned by Emma Jetter, formerly known as Emma Ruff, and Elisabeth Kraft, formerly known as Elisabeth Ruff.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Emma Jetter, formerly known as Emma Ruff, and Elisabeth Kraft, formerly known as Elisabeth Ruff, are, respectively, Lindenstr. 11, Balingen, Germany, and Wilhelmstr. 4, Weingarten, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Emma Jetter, formerly known as Emma Ruff, and Elisabeth Kraft, formerly known as Elisabeth Ruff, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Queens County, New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Emma Jetter, formerly known as Emma Ruff, and Elisabeth Kraft, formerly known as Elisabeth Ruff, in and to fire insurance policy No. 100908 issued to Albert Bossert by the Northern Insurance Company of New York, New York, New York, insuring the improvements to the property described in subparagraph 3-a hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land, situate, lying and being in the 4th Ward, of the Borough of Queens, City of New York, County of Queens and State of New York, bounded and described as follows:

Beginning at a point on the northerly side of 91st Avenue (Carll Street) distant 21 feet easterly from the corner formed by the intersection of said northerly side of 91st Avenue with the easterly side of 138th Place (Rose Avenue), running thence northerly parallel with 138th Place 70 feet; thence easterly parallel with 91st Avenue 25 feet; thence southerly parallel with 138th Place 70 feet to the northerly side of 91st Avenue, and thence westerly along said side of 91st Avenue 25 feet to the point or place of beginning.

Together with all the right, title and interest of, in and to 91st Avenue, lying in front of and adjoining said premises to the center line thereof.

Together also with a right of way, upon and over the strip of land 3 feet 6 inches wide to a depth of 80 feet northerly from the northerly side of 91st Avenue adjoining the lot of land herein described on the east, and subject to a similar right of way, upon and over the easterly 4 feet to a depth as aforesaid of the lot of land described. Said two strips of land shall constitute and be a right of way 7 feet 6 inches wide to a depth of 80 feet from said side of 91st Avenue, for ingress and egress to and from the building erected on the lot of land herein described and the building erected on the lot of land adjoining on the east, and 91st Avenue, for the use and benefit in common of said respective premises and of all owners and occupants thereof.

[F. R. Doc. 44-11403; Filed, July 31, 1944; 11:12 a. m.]

[Vesting Order 3948]

WILLIAM FIRESTEIN

In re: Estate of William Firestein, deceased; File D-57-257; E. T. sec. 6220.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by C. Beach, Beattyville, Kentucky, Administrator, acting under the judicial supervision of the County Court of the State of Kentucky, in and for the County of Lee;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Rumania, namely,

National and Last Known Address

Kalman Firestein, Leova, Bessarabia.

And determining that—

(3) Kalman Firestein, a citizen or subject of a designated enemy country, Rumania, and within an enemy occupied area, Leova, Bessarabia, is a national of a designated enemy country, Rumania;

(4) To the extent that such national is a person not within a designated enemy country; the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Kalman Firestein in and to the estate of William Firestein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-11404; Filed, July 31, 1944; 11: 13 a. m.]

[Vesting Order 3963]

CLAIRE KLIPPER

In re: Estate of Claire Klipper, alias Clara Friedman, deceased; File D-6-1010; E. T. sec. 8145.

Under the authority of the Trading with the Enemy Act, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John T. Dempsey, 11 South LaSalle Street, Chicago, Illinois, Public Administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Sally Schmidt, Rumania.
Jeanette Klipper, Rumania.
Hudy Klipper, Rumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Sally Schmidt, Jeanette Klipper and Hudy Klipper, and each of them, in and to the estate of Claire Klipper, alias Clara Friedman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11405; Filed, July 31, 1944; 11:13 a. m.]

[Vesting Order 3967]

AGNES ACKERMAN

In re: Estate of Agnes Ackerman, deceased; File D–34–615; E. T. sec. 7188.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jeno Szabo, Executor, 2920 East 125th Street, Cleveland, Ohio, acting under judicial supervision of the Probate Court of Cuyahoga County, State of Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Julia Varga, Hungary.
Maria Szucs, Hungary.
Teresz Torda, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Julia Varga, Maria Szucs, and Teresz Torda, and each of them, in and to the estate of Agnes Ackerman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11406; Filed, July 31, 1944; 11:14 a. m.]

[Vesting Order 3968]

FLOY BARRY VS. MRS. MARIA HELD, ET AL.

In re: Partition Proceedings: Floy Barry vs. Mrs. Maria Held, et al.; File D–28–3981; E. T. sec. 6898–C.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Maria Held, Angela Held, Fritz Held, Anton Uhlenbrock, Joseph Uhlenbrock and Agnes Uhlenbrock, and each of them, in and to the proceeds of the real estate sold pursuant to court decree in the partition suit entitled "Floy Barry vs. Mrs. Maria Held, et al," being Case No. 69343 in the Pulaski Chancery Court, County of Pulaski, State of Arkansas,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Maria Held, Germany.
Angela Held, Germany.
Fritz Held, Germany.
Anton Uhlenbrock, Germany.
Joseph Uhlenbrock, Germany.
Agnes Uhlenbrock, Germany.

That such property is in the process of administration by H. S. Nixon, Clerk of the Court, Little Rock, Arkansas, as Commissioner in partition proceedings entitled "Floy Barry vs. Mrs. Maria Held, et al," acting under the judicial supervision of the Pulaski Chancery Court, County of Pulaski, State of Arkansas;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11407; Filed, July 31, 1944; 11:14 a. m.]

[Vesting Order 3969]

AUGUST BRUDER

In re: Estate of August Bruder, deceased; File D-28-2144; E. T. sec. 2689.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fort Wayne National Bank, 119-129 West Berry Street, Fort Wayne, Indiana, Administrator de bonis non with the Will Annexed, acting under the judicial supervision of the Allen Superior Court Number 2, in and for the County of Allen, State of Indiana;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Victor Bruder, Germany.
Joseph Bruder, Germany.
Paul Wintermantel, Germany.
Anna Wintermantel, Germany.
Marie Jones, Germany.
Lena Skolaude, also known as Lena Skolande, Germany.
Clara Bender, Germany.
Ernst Theodore Hogerich, also known as Ernst Otto Hogerich, Germany.
Walter Hogerich, Germany.
Alfred Hogerich, Germany.
Adolph Gerteis, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Victor Bruder, Joseph Bruder, Paul Wintermantel, Anna Wintermantel, Marie Jones, Lena Skolaude, also known as Lena Skolande, Clara Bender, Ernest Theodore Hogerich, also known as Ernest Otto Hogerich, Walter Hogerich, Alfred Hogerich, and Adolph Gerteis, and each of them, in and to the estate of August Bruder, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-11408; Filed, July 31, 1944; 11:14 a. m.]

[Vesting Order 3970]

JOSEPHINE DOLL

In re: Estate of Josephine Doll, deceased; File D-28-8786; E. T. sec. 10739.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Northern Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Augusta Gruber, Germany.
Mrs. Engelbert Herbster, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Augusta Gruber and Mrs. Engelbert Herbster, and each of them, in and to the estate of Josephine Doll, deceased,

to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-11409; Filed, July 31, 1944; 11:15 a. m.]

[Vesting Order 3971]

ANNA ENGELBRECHT

In re: Estate of Anna or Annie Engelbrecht, deceased; File D-28-8438; E. T. sec. 9865.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Kate Poeschel, Executrix, acting under the judicial supervision of the Hudson County Orphans' Court, County of Hudson, State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lizzette or Lisette Amthauer (nee Kluns), Germany.
Martha Fischer (nee Klunz), Germany.
Anna Hartmann (nee Klunz), Germany.
Marie Heinemann (nee Klunz), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lizzette or Lisette Amthauer (nee Kluns), Martha Fischer (nee Kluns), Anna Hartmann (nee Kluns) and Marie Heinemann (nee Kluns), and each of them, in and to the estate of Anna or Annie Engelbrecht, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the

Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11410; Filed, July 31, 1944; 11:15 a. m.]

[Vesting Order 3972]

MARIE GYALAY

In re: Estate of Marie Gyalay, deceased; File D–34–664; E. T. sec. 7898.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lester J. Farber, Administrator, 1156 Union Commerce Building, Cleveland, Ohio, or Infantry Company A, APO 15132, c/o Postmaster, San Francisco, California, acting under the judicial supervision of the Probate Court of Cuyahoga County, Ohio;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Istvan Gyalay, also known as Brother Gyalay, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Istvan Gyalay, also known as Brother Gyalay, in and to the estate of Marie Gyalay, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11411; Filed, July 31, 1944; 11:15 a. m.]

[Vesting Order 3973]

LUCY S. PECK

In re: Estate of Lucy S. Peck, deceased; File D–19–158; E.T. sec. 5691.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ilse Zinger, Administratrix, c. t. a., acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Georg (George) Strauss, Frankfort A/Main, Germany.

Nellie Hahne, Stuttgart, Wilhelmsbau, Germany.

Dr. "Henry" Wassermeyer, whose true first name is unknown, Alsbach, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Georg (George) Strauss, Nellie Hahne and Dr. "Henry" Wassermeyer, whose true first name is unknown, and each of them, in and to the Estate of Lucy S. Peck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian

[F. R. Doc. 44–11412; Filed, July 31, 1944; 11:16 a. m.]

[Vesting Order 3974]

FRED STERNBERG

In re: Estate of Fred Sternberg, also known as F. Sternberg, deceased; File D–28–8352; E. T. sec. 9812.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title and interest of Anna Sara Strauss and Elsie Sara Strauss, and each of them, in and to the Estate of Fred Sternberg also known as F. Sternberg, deceased, and in and to the trust estate created under the will of Fred Sternberg, deceased, and in and to any life annuity payable under annuity policy issued on the life of Anna Sara Strauss and on the life of Elsie Sara Strauss, pursuant to the provisions of the will of Fred Sternberg, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and last known address

Anna Sara Strauss, Germany.
Elsie Sara Strauss, Germany.

That such property is in the process of administration by Frank A. Anderson, as Executor of the Estate of Fred Sternberg, also known as F. Sternberg, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national in-

terest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11413; Filed, July 31, 1944; 11:16 a. m.]

[Vesting Order 3862]

TOSHIO JOJI, ET AL.

In re: Real property and a claim owned by Toshio Joji, Kenji Joji, Utaka Joji, also known as Yutaka Joji, and Kazuo Joji.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Toshio Joji, Kenji Joji, Utaka Joji, also known as Yutaka Joji, and Kazuo Joji is Japan, and that they are residents of Japan and nationals of a designated enemy country (Japan);

2. That Toshio Joji, Kenji Joji, Utaka Joji, also known as Yutaka Joji, and Kazuo Joji are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County of Santa Cruz, State of California, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Toshio Joji, Kenji Joji, Utaka Joji, also known as Yutaka Joji, and Kazuo Joji, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Toshio Joji, Kenji Joji, Utaka Joji, also known as Yutaka Joji, and Kazuo Joji, and each of them, by Y. Fujii and M. Fujii, Colorado River Relocation Project, Poston, Arizona, and each of them, including particularly but not limited to those sums arising by reason of rent from the real property described in subparagraph 3–a hereof, which sums are deposited in the Pajaro Valley National Bank, Watsonville, California, in an account entitled "Y. & M. Fujii", and any and all security rights in and to any and all collateral for any or all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3–b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Property situate in the County of Santa Cruz, State of California, bounded and more particularly described as follows, to wit:

Being a part of the Rancho Bolsa del Pajaro and beginning in the middle of the Beach Road, where the same is intersected by the center line of the San Andreas road, and running thence along the center line of said Beach Road South 47° West 12.35 chains to lands formerly owned by one Chalmers, now owned by one Judd; thence leaving said Beach Road and along the Easterly boundary of said lands now owned by Judd, North 38°54' West 17.11 chains to a post scribed "J-H & K-S"; thence leaving said Judd line North 47° East 13.69 chains to the middle of the San Andreas road, a post scribed "J-H & K-S" bears South 47° West 38 links distant; thence along the center line of said San Andreas road, South 34°30' East 17.25 chains to the place of beginning, and containing 22.22 acres of land.

Excepting therefrom the parcel of land described in the deed from Alfred Hughes to Watsonville Transportation Company, dated August 30, 1904, and recorded in Volume 166 of Deeds, at Page 96, Santa Cruz County Records as follows:

Being a part of the Rancho Bolsa del Pajaro and beginning at the intersection of the Northwest side of the Beach Road, so called, with the Southwest side of the San Andreas Road, and running thence along said Northwest side of said Beach Road South 47°5' West 443.50 feet to a stake; thence North 34½° West 100 feet; thence parallel to said Beach Road North 47°5' East 443.50 feet to the said San Andreas Road, and thence along said Southwest side thereof South 34½° East 100 feet to the place of beginning, and containing 1.00 acre of land; courses true, magnetic variation being 16½° East.

[F. R. Doc. 44–11498; Filed, August 1, 1944; 10:41 a. m.]

[Vesting Order 3938]

MARIA CASINI

In re: Compensation claim owned by Maria Casini.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Maria Casini is Piazza Al Serchio (or Pizza Allserchio or Piazza Al Serchio), Lucca, Italy, and that she is a resident of Italy and a national of a designated enemy country (Italy);

2. That Maria Casini is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: All right, title and interest of Maria Casini in and to any and all claims or causes of action of any name or nature whatsoever, arising out of the death of Pellegrino Casini, under the common law and any Federal or State statutes, including but not limited to those arising under the Workmen's Compensation Act of the State of Ohio, and any and all claims against the Arcrods Corporation, Cleveland, Ohio, and the State Insurance Fund of the Industrial Commission of the State of Ohio, including but not limited to all rights of compensation, indemnity, proceeds, awards and judgments, and specifically the right to file, prosecute, collect and enforce such claims, including but not limited to the right to file claim with the Industrial Commission of the State of Ohio, and the right to prosecute, enforce and collect such claim,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11499; Filed, August 1, 1944; 10:41 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 34 Under 19 (a)]

LUGGAGE FRAMES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 34 under § 1499.19a of General Maximum Price Regulation.

Applications have been filed by representative producers in the Pennsylvania, New Jersey and New York area for price relief on sales of luggage frames. It has been shown that authorization to use adjustable pricing, pending the establishment of a uniform schedule of prices for these items, is necessary to promote production and distribution of the commodity involved and that the granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 and in accordance with § 1499.19a of the General Maximum Price Regulation; *It is ordered:*

(a) Producers in the states of Pennsylvania, New Jersey and New York may sell and deliver and any person may buy and receive luggage frames at prices adjustable to those later established by the Office of Price Administration.

(b) However, prices in excess of the maximums currently established under the General Maximum Price Regulation may not be collected or paid, pending further action by this Office.

(c) This order shall expire at midnight of September 30, 1944.

This order shall become effective August 1, 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11485; Filed, July 31, 1944; 4:31 p. m.]

[MPR 188, Order 1978]

C. C. FURNITURE WORKS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1978 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a baby high chair manufactured by C. C. Furniture Works.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a baby high chair manufactured by C. C. Furniture Works, Thomasville, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Baby high chair	88	Each $1.22	Each $1.60

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Baby high chair	88	Each $1.60

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11487; Filed, July 31, 1944; 4:31 p. m.]

[MPR 188, Order 1979]

GENNETT LUMBER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1979 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a folding rocker type canvas lawn chair manufactured by Gennett Lumber Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended,

the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a folding rocker type canvas lawn chair manufactured by Gennett Lumber Co., 52 Page Avenue, Asheville, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Folding rocker type canvas lawn chair		*Each* $1.87	*Each* $2.20

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Folding rocker type canvas lawn chair		*Each* $2.20

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11488; Filed, July 31, 1944; 4:32 p. m.]

[MPR 188, Order 1980]

COLLEGE INDUSTRIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1980 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished dressing table and four items of unfinished chests of drawers manufactured by College Industries, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished dressing table and four items of unfinished chests of drawers manufactured by College Industries Inc., Collegedale, Tennessee.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished dressing table	836	*Each* $2.25	*Each* $2.65
Unfinished chest of drawers	312	2.90	3.41
Unfinished chest of drawers	315	3.95	4.65
Unfinished chest of drawers	415	4.75	5.59
Unfinished chest of drawers	515	5.50	6.47

These prices are f. o. b. factory, and subject to a cash discount of two percent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished dressing table	836	*Each* $2.65
Unfinished chest of drawers	312	3.41
	315	4.65
	415	5.59
	515	6.47

These prices are subject to a cash discount of two percent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11489; Filed, July 31, 1944; 4:33 p. m.]

[MPR 188, Order 1981]

R. & O. MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1981 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile boudoir chair manufactured by R. & O. Manufacturing Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile boudoir chair manufactured by R. & O. Manufacturing Co., Gardner, Massachusetts.

(1) (a) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile boudoir chair	----------	*Per unit* $4.96	*Per unit* $5.72

These maximum prices are f. o. b. factory and are subject to a discount of 2% for payment within 10 days, net 30 days.

(b) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (a) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (a) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile boudoir chair	----------	*Per unit* $5.72

This maximum price is subject to a discount of 2% for payment within 10 days, net 30 days.

(b) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11490; Filed, July 31, 1944; 4:34 p. m.]

[MPR 188, Order 1962]

WILLIAM LYONS NOVELTY CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1962 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of finished and two items of unfinished wall brackets manufactured by William Lyons Novelty Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of finished and two items of unfinished wall brackets manufactured by William Lyons Novelty Co., Inc., 122 Spring Street, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Unfinished wall bracket	420	$2.30	$2.81
Finished wall bracket	421	2.70	3.18
Unfinished wall bracket	430	3.19	3.75
Finished wall bracket	431	3.51	4.13

These prices are f. o. b. factory, and subject to a cash discount of two percent for payment within 10 days, E. O. M.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Unfinished wall bracket	420	$2.81
Finished wall bracket	421	3.18
Unfinished wall bracket	430	3.75
Finished wall bracket	431	4.13

These prices are subject to a cash discount of two percent for payment within ten days, E. O. M.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11491; Filed, July 31, 1944; 4:34 p. m.]

[MPR 188, Order 1963]

ADAMS NOVELTY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1963 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a three-piece adirondack set manufactured by Adams Novelty Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Conrol Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a three piece adirondack set manufactured by Adams Novelty Co., 1 Harmony Street, Adams, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Adirondack set	Three piece.	*Each* $6.84	*Each* $8.05

These prices are f. o. b. factory, and subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Adirondack set	Three piece.	*Each* $8.05

This price is subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11492; Filed, July 31, 1944; 4:35 p. m.]

[MPR 188, Order 1984]

BERKEY AND GAY FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1984 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of certain sewing cabinets manufactured by Berkey and Gay Furniture Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of two sewing cabinets manufactured by Berkey & Gay Furniture Company, Grand Rapids, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Sewing cabinet	400	*Per unit* $8.80	*Per unit* $10.35
	1000	13.52	15.90

These maximum prices are f. o. b. factory and are subject to a discount of two percent for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Sewing cabinet	400	*Per unit* $10.35
	1000	15.90

These maximum prices are subject to a discount of two percent for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11493; Filed, July 31, 1944; 4:36 p. m.]

[MPR 188, Order 1985]

G AND G MANUFACTURING CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1985 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of

a baby high chair manufactured by G and G Manufacturing Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a baby high chair manufactured by G and G Manufacturing Co., Inc., 70 West Colorado Ave., Memphis, Tennessee.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	Each
Baby high chair	----------	$4.26	$5.15

These prices are f. o. b. factory, and subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Baby high chair	----------	$5.15

This price is subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11494; Filed, July 31, 1944; 4:36 p. m.]

[MPR 188, Order 1966]

D AND G MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1966 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of ten items of hassocks manufactured by D and G Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of ten items of hassocks manufactured by D and G Manufacturing Company, 29 Glenwood Avenue, Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	Each
Hassock	16	$1.67	$2.00
	8900	2.75	3.25
	1200	3.74	4.40
	830	4.15	4.95
	1300½	3.74	4.40
	10	2.73	3.25
	9910	2.50	2.95
	840	2.65	3.25
	820	3.36	3.95
	2212	2.50	2.95

These prices are f. o. b. factory.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Hassock	16	$2.00
	8900	3.25
	1200	4.40
	830	4.95
	1300	4.40
	10	3.25
	9910	2.95
	840	3.25
	820	3.95
	2212	2.95

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Hassock	16	$2.00
	8900	3.25
	1200	4.40
	830	4.95
	1300	4.40
	10	3.25
	9910	2.95
	840	3.25
	820	3.95
	2212	2.95

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Hassock	16	$2.00
	8900	3.25
	1200	4.40
	830	4.95
	1300	4.40
	10	3.25
	9910	2.95
	840	3.25
	820	3.95
	2212	2.95

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11495; Filed, July 31, 1944; 4:38 p. m.]

[RPS 84, Order 14]

NATIONAL UNION RADIO CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 14 under § 1336.101 (d) of Revised Price Schedule No. 24. Radio receiver and phonograph parts. Approval of maximum prices for sales of sub-standard radio receiver tubes manufactured by National Union Radio Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders No. 9250 and 9328, *It is ordered:*

(a) This Order No. 14 sets maximum prices for all sales and deliveries of sub-standard radio receiver tubes manufactured by National Union Radio Corporation, Newark, New Jersey. A sub-standard radio receiver tube is a tube which does not meet the manufacturer's specifications for standard tubes.

(1) For all sales and deliveries by the manufacturer to distributors, the manufacturer shall allow a 15% discount on his properly established maximum price for sales of standard radio receiver tubes in effect immediately prior to the effective date of this order.

(2) For all sales and deliveries by persons who purchase for resale, the seller shall allow a 15% discount on his properly established maximum price for sales of standard tubes as established by Amendment No. 134 to Supplementary Regulation No. 14 of the General Maximum Price Regulation.

(b) The manufacturer, prior to the delivery of any sub-standard tubes, must plainly mark such tube or carton containing the tube, to plainly indicate that the radio receiving tube is sub-standard.

(c) At the time of, or prior to the first invoice to each purchaser for resale of sub-standard radio receiver tubes, the manufacturer shall furnish such purchaser a copy of the following notice:

The enclosed tube is not of standard National Union quality but is believed to be satisfactory for the use intended. It has been released by us in the interest of conserving critical materials and making the best possible use of every operable tube.

Since it is of sub-standard quality, it has been sold by us at a price that is reduced to reflect the average lowering of quality. Should you within 30 days from the date of sale to an ultimate consumer, find it unsatisfactory for your use, it may be returned for replacement in kind or for full credit. If retained for more than 30 days, our usual adjustment policy will apply.

(d) To every sub-standard radio receiving tube shipped to a purchaser for resale, the manufacturer shall attach a tag or label or mark the carton in which the tube is shipped, so that the retail ceiling price is plainly legible.

(e) The manufacturer shall notify every person who buys from it of the maximum prices set by this Order No. 14 for resales by the purchaser. This notice shall be given at or prior to the first invoice to each purchaser and may be given in any convenient form.

(f) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

This order shall become effective the 1st day of August 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11484; Filed, July 31, 1944; 4:38 p. m.]

[MPR 136, Order 261]

HALLICRAFTERS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 261 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. The Hallicrafters Co., Docket No. 3136-461.

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The Hallicrafters Co., 2611 Indiana Avenue, Chicago, Illinois, is authorized to sell each of the following short wave radio receiving sets, to distributors and purchasers other than distributors, (except when sold pursuant to price contracts with the United States or any agency thereof), at a price not to exceed the following applicable maximum price:

Model	Adjusted maximum list prices to purchasers other than distributors (subject to discounts and terms of delivery in effect on Mar. 31, 1942)	Adjusted maximum prices to distributors
ECI	$38.50	$30.65
S20R	60.00	42.55
SX28	187.00	129.55
SX28A	223.00	158.00

(b) All distributors are authorized to sell each of the sets at a price not to exceed the following applicable maximum price (subject to the discounts and terms of delivery in effect on March 31, 1942).

Model:	*Adjusted maximum price*
ECI	$28.50
S20R	60.00
SX28	187.00
SX28A	223.00

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended at any time by the Price Administrator.

This order shall become effective August 1, 1944.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11486; Filed, July 31, 1944; 4:39 p. m.]

[Supp. Order 73, Order 1]

JOSEPH A. MCTAGGART

APPROVAL OF REGISTRATION

Order No. 1 Under Supplementary Order No. 73. Exemption of damaged commodities from price control. Approval of registration of Joseph A. McTaggart.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,[1] and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, *It is ordered:*

(a) That the maximum price regulations of the Office of Price Administration shall have no application to sales or deliveries of damaged commodities by Joseph A. McTaggart, 2619 Aramingo Avenue, Philadelphia, Pennsylvania.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

This Order No. 1 shall become effective on the 2d day of August 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11530; Filed, August 1, 1944; 11:42 a. m.]

[Supp. Order 73, Order 2]

C. S. KAHN

APPROVAL OF REGISTRATION

Order No. 2 under Supplementary Order No. 73. Exemption of damaged commodities from price control. Approval of registration of C. S. Kahn.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,[1] and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and the Stabilization Act of 1942, as amended, *It is ordered:*

(a) That the maximum price regulations of the Office of Price Administration shall have no application to sales or deliveries of damaged commodities by C. S. Kahn, 1005-1007 Walnut Street, Cincinnati, Ohio.

(b) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

This Order No. 2 shall become effective on the 2d day of August 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11531; Filed, August 1, 1944; 11:42 a. m.]

[MPR 120, Order 878]

SOUTHERN COAL CORP., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 878 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, the following maximum prices are established for the sizes, uses and methods of shipment of bituminous coal from the mines, indicated by index number and name, all of which are in District No. 7, as follows:

[1] Copies may be obtained from the Office of Price Administration.

(a)

LOW VOLATILE COALS

Mine index number	Mine name	Sub-district	Price and size group numbers—Rail shipments										Locomotive fuel use				
			1	2	3	4	5	6	7	8	9	10	Smithing	Lump and double-screened	Mine run	2½" x 0	1¼" x 0
8	Amigo	3	330	390	400	355	345	390	350	335	320	325					
9	Ashland 6 and 9	3	370	390	400	355	345	375	320	310	305	300					
220	Asco #2	4	330	390	400	355	345	390	350	330	325	320					
8	Asco #1	4	355	390	400	355	345	390	350	330	325	320					
140	Penman	2	460	470	425	370	345	390	365	320	315	310					
35	Buckeye #3	5	390	395	375	340	345	390	350	335	330	325					
717	Pasley	1	390					390	400	315	310			295	290	265	240
37	Caretta #3	4	400	420	410	365	320	385	390	330	325			305	290	250	230
296	Fayette	2	465	475	440	395	375	410	390	360	345	340					
89	Dunedin	2	435	445	410	355	345	390	375	360	360	335					
116	Mason #1	2	435	445	410	355	345	390	375	360	360	335					
255	Gaston #3	5	390	395	375	340	345	390	365	345	340	335					
68	Exeter	4	395	405	410	365	320	390	375	360	360	355					
97	Lamar	3	365	365	385	340	335	390	365	335	320	325					
103	Lillybrook #3	5	390	390	400	355	350	385	375	345	345	345					
75	Green Siding	1	390	390	400	355	345	385	385	355	355						
117	Mead #2	5	340	395	395	320	345	390	350	320	325	310					
123	Mill Creek #1	2	435	445	410	390	390	390	390	315	310	305	380	380	380	360	330
210	Mullens	5	350	390	400	355	345	390	390	335	335	310					
135	Oswald	2	435	445	410	355	345	390	350	355	350	345					
170	Summerlee	2	435	445	410	355	345	390	350	355	350	345					
73	Glen Rogers #2	5	390	390	400	355	345	390	350	315	310	305					
164	Semoco	5	390	405	410	355	345	390	365	335	315	310					
28	Bradshaw	4	470	485	415	355	345	390	390	330	325						
201	Wenonah Modoc	3	365	370	370	350	325	390	350	330	325	320					
6	Arista	3	375	395	405	360	340	385	365	325	320	315		370	355	340	315

HIGH VOLATILE COALS

Mine index number	Mine name	Sub-district	Price and size group number—Rail shipments															Locomotive fuel use			
			1	2	3	4	5	6	7	8	9	10	15–17	18	19	20–21	22	Lump and double-screened	Mine run	3¼"x0 to 0"x0	3½"x0
1	Amsted	2	355	355	350	350	300	345	325	320	315	375	320	310	310	305	290				
337	Rich Creek #1	2	355	355	350	350	300	345	325	320	315	375	320	310	310	305	290				
338	Rich Creek #3	2	355	355	350	350	300	345	325	320	315	375	320	310	310	305	290		Same as rail		
204	Willis Branch	2	375	375	375	375	375	375	375	375	375	400	375	375	375	375	315				
109	Page	2	375	375	375	375	360	345	340	325	320	375	345	345	345	345		345	345	345	345
713	Pax	2											370	370	370	370		370	370	370	370

The size group numbers referred to herein are the same as those described in Amendment No. 111 to Maximum Price Regulation No. 120. Where no price appears for a certain use or a certain size, the maximum price provided in the schedule (as amended by Amendment No. 111) for District No. 7 shall apply; unless otherwise specifically provided herein; this is true of all prices for shipment by truck as well.

(b) Order Nos. 1, 9, 18, 20, 32, 37, 38, 39, 55, 64, 80, 85, 87, 124, 126, 127, 146, 190, 196, 201, 272, 336, 387, 399, 643, 655, 658, 689, 754 and 817 under Maximum Price Regulation No. 120, are revoked.

(c) This Order No. 878 may be amended or revoked at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This Order No. 878 shall become effective August 5, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11432; Filed, July 31, 1944; 11:41 a. m.]

Regional and District Office Orders.

[Region III Order G-49 Under RMPR 122, Amdt. 1]

SOLID FUELS IN CLEVELAND, OHIO, AREA

Amendment No. 1 to Order No. G-49 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Cleveland, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-49 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Section (a) is amended to read as follows:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the Cleveland, Ohio, area, defined to include all of Cuyahoga County, Ohio, with the exceptions of the municipalities of Berea and Chagrin Falls. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such Cleveland, Ohio, area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) Paragraph C of Part I in the Price Schedule, contained in section (c) (1), is amended to read as follows:

Column I

C. To the prices stated in sections A and B above may be added $.15 per ton provided the coal is mined in Sub-district 6 of Producing District 8 and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.

This Amendment No. 1 to Order No. G-49 under Revised Maximum Price Regulation No. 122 shall become effective July 24, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-11458; Filed, July 31, 1944; 1:28 p. m.]

[Region VI Order G–36 Under MPR 329, Amdt. 2]

FLUID MILK IN SPRINGFIELD, ILL.

Amendment No. 2 to Order No. G–36 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Springfield, Illinois.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered*, That paragraph (b) of Regional Order No. G–36 be amended to read as follows:

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Springfield, Illinois, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this Order purchased fluid milk during the period from June 1, 1943, to December 31, 1943, and are not applicable to purchases from producers who did not in that period sell to distributors covered by this Order. Maximum prices for purchases from producers from whom the distributors covered by this order did not purchase during such period, shall be the maximum prices established under Maximum Price Regulation No. 329.

This order shall become effective this 12th day of July 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–11463; Filed, July 31, 1944; 1:19 p. m.]

[Region VI Order G–37 Under MPR 329, Amdt. 1]

FLUID MILK IN DECATUR, ILL.

Amendment No. 1 to Order No. G–37 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producer milk prices in Decatur, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered*, That paragraph (b) of Regional Order No. G–37 be amended to read as follows:

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Decatur, Illinois, or who sell within that city 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from April 1, 1943, to December 31, 1943, and are not applicable to purchases from producers who did not in that period sell to distributors covered by this order. Maximum prices for purchases from producers from whom the distributors covered by this order did not purchase during such period, shall be the maximum prices established under Maximum Price Regulation No. 329.

This order shall become effective this 12th day of July 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–11464; Filed, July 31, 1944; 1:20 p. m.]

[Region VI Order G–46 Under MPR 329, Amdt. 1]

FLUID MILK IN NEW LONDON, WIS.

Amendment No. 1 to Regional Order No. G–46, formerly Order No. 58, issued under section 18 (c) of the General Maximum Price Regulation and under § 1351.408 of Maximum Price Regulation No. 329.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the General Maximum Price Regulation, Maximum Price Regulation No. 329, and Revised Procedural Regulation No. 1, *It is ordered*, That paragraph No. 1 of Regional Order No. G–46, formerly Order No. 58, be and the same is hereby amended to read as follows:

(1) The maximum price which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be $3.00 per cwt. for 3.5% butterfat test milk plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

The order has been approved by the Regional Director of the War Food Administrator.

This Amendment No. 1 to Order No. G–46, formerly Order No. 58, shall be effective July 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–11462; Filed, July 31, 1944; 1:19 p. m.]

[Region II Order G–1 Under SR 19 to MPR 165]

SERVICES IN WILMINGTON, DEL., METROPOLITAN AREA

Order No. G–1 under § 1499.671 (e) of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165 as amended. Services. Extension of "Wilmington, Delaware, Metropolitan Area".

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the Regional Administrator of Region II of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended and by § 1499.671 (e) of Revised Supplementary Service Regulation No. 19 to Maximum Price Regulation No. 165, as amended, services, *It is hereby ordered:* (1) That for the purposes of § 1499.671 (a) (5) (iii), the applicable city rate for the City of Wilmington, Delaware, a city of more than 100,000 but less than 500,000 population is extended to the "Wilmington Metropolitan Area" as defined in paragraph (2).

(2) "Wilmington Metropolitan Area" is defined as follows:

"The City of Wilmington, Delaware and all that area in the state of Delaware included within a distance of six miles from the city limits of Wilmington, Delaware; this includes, but is not limited to Claymont and New Castle, Delaware."

(3) Any and all applications by any oil burner service dealers that the "Wilmington Metropolitan Area" be extended beyond the area described in paragraph (2) are hereby denied.

(4) This order may be revoked, amended or corrected by the Regional Administrator of Region II or by the Price Administrator at any time.

This order shall become effective immediately.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–11453; Filed, July 31, 1944; 1:34 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on July 29, 1944.

REGION II

Altoona Order 1–F, Amendment 16, covering fresh fruits and vegetables in the Altoona & Johnstown War Price & Rationing Board Area, filed 9:53 a. m.

Delaware Order P–1, Amendment 4, covering fresh fish and seafood in the area north of the Chesapeake and Delaware Canal, filed 9:51 a. m.

District of Columbia Order 1–F, Amendment 18, covering fresh fruits and vegetables in designated area, filed 9:56 a. m.

Maryland Order 1–F, Amendment 17, covering fresh fruits and vegetables in the Baltimore, Maryland Area, filed 9:55 a. m.

Maryland Order 3–F, Amendment 4, covering fresh fruits and vegetables in the Hagerstown, Maryland Area, filed 9:55 a. m.

Philadelphia Order 13, Amendment 1, covering community food prices in certain counties in Pennsylvania, filed 9:46 a. m.

Scranton Order 3–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 9:56 a. m.

Syracuse Order 1–F, Amendment 16, covering fresh fruits and vegetables in certain areas in New York, filed 9:55 a. m.

Trenton Order 5–F, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth Counties, N. J., filed 9:54 a. m.

Williamsport Order 1–F, Amendment 17, covering fresh fruits and vegetables in Williamsport, Montoursville and Duboistown, Pa., filed 9:34 a. m.

Wilmington Order 2–F, Amendment 15, covering fresh fruits and vegetables in area North of New Castle and Newark to Delaware State Line, filed 9:51 a. m.

REGION III

Indianapolis Order 31, covering community poultry prices in the Indianapolis District, filed 9:49 a. m.

REGION IV

Jackson Order 2–F, Amendment 21, covering fresh fruits and vegetables in certain counties in Mississippi, filed 9:53 a. m.

Columbia Order 4–F, Amendment 4, covering fresh fruits and vegetables in South Carolina with exception of certain areas, filed 9:54 a. m.

Columbia Order 4–F, Amendment 6, covering fresh fruits and vegetables in South Carolina with exception of certain cities, filed 9:47 a. m.

Columbia Order 13, Amendment 1, covering community poultry prices in South Carolina, filed 9:44 a. m.

Columbia Order 13, Amendment 2, covering community poultry prices in South Carolina, filed 9:45 a. m.

Columbia Order 14, Amendment 3, covering eggs in South Carolina, filed 9:39 a. m.

Columbia Order 14, Amendment 4, covering eggs in South Carolina, filed 9:44 a. m.

REGION V

Lubbock Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Texas, filed 9:34 a. m.

REGION VI

Fargo-Moorhead Order 1–F, Amendment 6, covering fresh fruits and vegetables in Fargo, N. Dak., filed 9:37 a. m.

Fargo-Moorhead Order 3–F, Amendment 6, covering fresh fruits and vegetables in certain counties in North Dakota, filed 9:30 a. m.

Fargo-Moorhead Order 3–F, Amendment 6, covering fresh fruits and vegetables in certain counties in North Dakota, filed 9:37 a. m.

REGION VIII

Phoenix Order 2–F, Amendment 29, covering fresh fruits and vegetables within a 25 miles radius of the post office of Phoenix, filed 9:48 a. m.

Phoenix Order 4 under Order 1–E, Amendment 1, covering community food prices in the Central Navajo-Apache Area, filed 9:49 a. m.

San Diego Order 1–F, Amendment 52, covering fresh fruits and vegetables in certain areas in San Diego District, filed 9:35 a. m.

Spokane Order of Revocation of Revised Order 29, covering community food prices in certain areas in Washington, filed 9:50 a. m.

Nevada Order 2–F, Amendment 2, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:43 a. m.

Nevada Order 2–F, Amendment 3, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:41 a. m.

Nevada Order 2–F, Amendment 4, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:42 a. m.

Nevada Order 3–F, Amendment 5, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:43 a. m.

Nevada Order 3–F, Amendment 6, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:38 a. m.

Nevada Order 4–F, Amendment 2, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:41 a. m.

Nevada Order 4–F, Amendment 3, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:37 a. m.

Nevada Order 4–F, Amendment 4, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:40 a. m.

Nevada Order 4–F, Amendment 5, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:40 a. m.

Nevada Order 4–F, Amendment 6, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:46 a. m.

Nevada Order 5–F, Amendment 1, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:47 a. m.

Nevada Order 5–F, Amendment 2, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:47 a. m.

Nevada Order 6–F, Amendment 3, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:48 a. m.

Nevada Order 5–F, Amendment 4, covering fresh fruits and vegetables in certain communities in Nevada, filed 9:36 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc 44–11529; Filed, August 1, 1944; 11:40 a. m.]

WAR FOOD ADMINISTRATION.

MILK IN CLINTON, IOWA, MARKETING AREA

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement and to a proposed order regulating the handling of milk in the Clinton, Iowa, marketing area.

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of the filing with the hearing clerk of the report of the Director of Distribution, with respect to a marketing agreement and to an order regulating the handling of milk in the Clinton, Iowa, marketing area to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.). Interested parties may file exceptions to this report with the Hearing Clerk, Office of the Solicitor, Room 1331, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on August 12, 1944.

The hearing, on the record of which this proposed marketing agreement and order were formulated, was initiated by the Office of Distribution following receipt of a petition by the Clinton Cooperative Milk Producers' Association, and was conducted at Clinton, Iowa, on June 21 and 22, 1944, after the issuance of notice on May 25, 1944 (9 F. R. 5761).

The major issues developed at the hearing were: (1) whether there is interstate commerce in milk in the Clinton marketing area; (2) whether an order should be issued; (3) the extent of the marketing area; (4) the definitions of "producer" and "handler"; (5) the classification of milk and milk products; (6) the level of class prices and the method for determining such prices; (7) emergency milk; (8) the amount of the administrative assessment; (9) the amount of the deduction for marketing services; and (10) the administrative provisions common to all orders.

With respect to these issues it is concluded from the record that:

1. There is interstate commerce in milk in the Clinton, Iowa, marketing area. The testimony presented at the hearing indicates that out of approximately 180 producers supplying milk to the market, 35 produce milk on farms located in Illinois, the remaining farms being located in Iowa. The Illinois produced milk constitutes approximately 21 percent of the milk suplied to the market by nearby producers. The record further indicates that during the past three years it has been necessary, during the greater part of the year, to purchase milk outside the local supply in order to meet demands. The usual sources of this milk appear to have been Argo Fey, Morrison, and Erie, all in Illinois, and the Quad Cities. The latter area is an interstate market comprising territory in both Illinois and Iowa, and receiving milk from producers in both States. Hence, it appears certain that well over 20 percent of the milk disposed of by Clinton handlers originates outside the State of Iowa.

2. An order should be issued to regulate the handling of milk in the Clinton, Iowa, marketing area. The evidence presented at the hearing indicates that there has been a steady decline both in the volume of milk produced for sale in the Clinton market, and in the number of producers regularly supplying the market. This appears to have resulted largely from the fact that the manufacturing plants which compete with Clinton handlers for the local milk supply were paying upwards of 15 cents per hundredweight more for milk than was being paid by local handlers. Producers indicate that this price discrepancy was largely due to their inability to bargain effectively with handlers.

The record also shows that producers feel that they have, in some instances, been victimized by handlers. It was charged that some handlers required producers to accept surplus prices for a portion of their milk at times when the market was so short of milk that the local supply was insufficient to meet fluid requirements. It was also charged that some handlers were deliberately underreporting the butterfat test of producers' milk. Both these accusations were denied by the handlers.

From the above we feel that there is need for the issuance of an order to stabilize milk marketing in the Clinton

area. It appears that there is need of a pricing program which will maintain the price of fluid milk for the Clinton market in a proper relationship with the prices paid for milk by nearby manufacturing plants if the already limited supply of milk available to Clinton is not to be further depleted. It is also felt that the auditing of handlers' utilization of milk and the checking of weights and tests by an impartial agency established under an order will aid in establishing and maintaining orderly marketing by allaying the apparent suspicions of producers that they are not receiving a proper accounting for their milk.

3. The Clinton marketing area should include the city of Clinton and the eastern part of Camanche Township, all in Clinton County, Iowa. The area thus described includes the communities normally served by the Clinton handlers as well as certain large manufacturing establishments, also supplied by Clinton handlers, which utilize large quantities of milk.

4. The term, "producer," should be restricted to those farmers producing milk under certification from the health authorities of the city of Clinton. This restriction appears logical since there would be no purpose in including within the definition those farmers who produce milk only for manufacturing purposes. The definition will include all producers whose milk normally is sold in the marketing area for consumption in fluid form since all the handlers who would be subject to the order distribute a portion of their milk in the city of Clinton and thus are required to receive milk only from producers who hold approval from the city of Clinton.

The term, "handler," should include any person who disposes of milk as Class I (fluid milk, milk drinks, and cream) in the marketing area. This definition would include all persons who purchase milk from producers as defined above and who are engaged in the distribution and sale of those products normally associated with the "fluid milk industry." It would exclude those plants which are engaged exclusively in the manufacture and sale of ice cream and dairy products.

5. The classification of milk should be the same as was proposed in the notice of hearing. The evidence presented at the hearing indicates no need for more than two classes of milk, Class I, the fluid milk products such as milk, flavored milk drinks, and cream, which are the products normally associated with the fluid milk industry and which must come from milk which bears the approval of the local health authorities; and Class II, manufactured dairy products which require no health department approval.

While there was some discussion as to the advisability or need for establishing a separate class for cream on the grounds that the Class I price was too high for milk made into cream, we feel that this argument is not sound since the method of classification set forth in the order places only the cream in Class I if the skim milk is used for manufacturing. Thus the price of 100 pounds of milk used to make cream would not be the same as the price of 100 pounds of milk sold as milk unless the skim milk separated from the cream were disposed of in a Class I product. It was also proposed that cottage cheese be included in Class I or Class II if a three-class plan were adopted. While there appears to be some merit to this suggestion, since milk for cottage cheese apparently must meet the same stringent health requirements as milk for fluid consumption, we feel that there is insufficient evidence in the record to warrant such reclassification at this time.

There was no testimony presented to indicate any need for a change in the proposed methods of computing the volume of milk in each class, or determining the classification of producers' milk.

6. The class prices and the respective butterfat differentials should be the same as were proposed in the notice of hearing. The testimony presented at the hearing indicates that the principal competition for the Clinton milk supply comes from Illinois condenseries, Therefore, it seems only reasonable to base the Clinton Class I price on the average price paid by a group of these condenseries. Such a plan should cause the price of milk for the Clinton market to fluctuate with the prices paid for milk by the condenseries, and thus maintain a fixed relationship between the two. The 50-cent premium over the condensery price appears to be the minimum amount required to return to producers a blended price which will compensate for the added costs incurred by them in adapting their production to fluid market requirements, and in equipping and maintaining their dairy premises in accordance with the requirements of the health ordinance of the city of Clinton.

The Class II price should be based on the market quotations for butter and casein. From the testimony, it appears that these are the principal uses made by handlers of the milk which is received in excess of their fluid requirements. Therefore, it is only reasonable to base the price of such milk on the prices of those products which handlers normally manufacture from such milk. While this price is somewhat lower than the prices paid by the nearby condenseries, it is expected that, because of the small volume of Class II milk normally handled, the blended price returned to producers will be sufficiently above the condensery price during the greater part of the year to prevent a further diversion of milk away from the Clinton market.

The Class I and Class II butterfat differentials reflect the approximate value of the butterfat in milk when used to produce Class I and Class II products, respectively. In effect, the use of butterfat differentials in each class approximates separate pricing of the fat and skim milk in milk, the skim milk price being approximately the difference between the class price and the butterfat value. This system of pricing will insure equity among handlers by requiring each to pay exactly the same price for fat or skim milk used to produce the same product.

7. The provision relating to emergency milk should be retained as proposed in the notice of hearing. There should also be added to the order the provision proposed by the producers' association that all milk received from sources other than producers and other handlers except emergency milk should be considered Class II milk except for that portion of such milk which was needed to fulfill Class I requirements beyond the available supply of producers' milk.

8. The administrative assessment should be fixed as an amount not to exceed 5 cents per hundredweight. It appears that there will be needed approximately $300 per month to defray the costs of administering the order. From the record it appears that the average receipts of producer milk are approximately 600,000 pounds per month. Thus an assessment of 5 cents per hundredweight would be required to meet the expense of administering the order. Should experience prove that a lesser sum were sufficient, or should receipts increase to such an extent that the income exceeded needs, the market administrator, with the approval of the War Food Administrator, may reduce the assessment to an amount sufficient to meet the actual expenses.

9. The deduction for marketing services should be fixed at 5 cents per hundredweight. From the evidence presented it appears that the costs of checking the weight and butterfat test of producers' milk, and furnishing marketing information to producers will cost approximately $300 per month. An assessment of 5 cents per hundredweight would be required to provide this sum.

10. Emergency provisions should be made in the order (i) to provide a basis for computing class prices in the event the basic commodity price quotations are discontinued, or should fail to reflect the true value of the product to producers because of the payment of subsidies or for other reasons; and (ii) to enable the War Food Administrator to forestall any abrupt price change which might have the effect of bringing the proposed pricing program into conflict with the national program for economic stabilization. Although the latter part of the provision was not proposed as such at the hearing, it is felt that the testimony concerning the possibilities of such a conflict occurring necessitates the inclusion of such a provision in the proposed order.

The other provisions of the proposed order, mainly administrative in character, should remain about as proposed in the notice of hearing. Slight changes should be made in the phraseology to correct typographical errors or to provide greater clarity, but these changes would not affect the intent or effect of the provision.

The following proposed order is recommended as the detailed means by which the conclusions may be carried out. The proposed marketing agreement is not included in this report because its provisions are identical with those set forth in the proposed order.

PROPOSED ORDER REGULATING THE HANDLING OF MILK IN THE CLINTON, IOWA, MARKETING AREA

It is found upon the evidence introduced at the public hearing held in Clinton, Iowa, on June 21 and 22, 1944:

1. That this order regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

2. That the issuance of this order and all of the terms and conditions of the order tend to effectuate the declared policy of the act.

PROVISIONS

SECTION 1. *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may be authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Clinton, Iowa, marketing area," hereinafter called the "marketing area," means the territory lying within the corporate limits of the city of Clinton, and that part of Comanche Township, including the city of Comanche, lying east of sections 2, 11, 14, 23, 26, and 35, all in the State of Iowa.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who, under certification by the health authorities of the city of Clinton, produces milk which is received at a plant from which Class I milk is disposed of in the marketing area or which is caused to be diverted by a cooperative association from a plant from which Class I milk is disposed of in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers or other handlers, all or a portion of which milk is disposed of as Class I milk in the marketing area. This definition shall include a cooperative association with respect to the milk of any producer which it causes to be diverted from a plant from which milk is disposed of as Class I milk in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(g) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (1) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk are the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (2) the processing, packaging and distribution of the milk are the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(h) "Delivery period" means the period from the effective date hereof to and including the last day of that month. Subsequent to that month, "delivery period" means the period from the first to the last day of each month, both inclusive.

(i) "Market administrator" means the agency which is described in section 2 for the administration hereof.

(j) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

(k) "Emergency milk" means milk, skim milk, or cream received by a handler pursuant to section 6 from sources other than producers or other handlers.

SEC. 2. *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof.

(2) Investigate and report to the War Food Administrator complaints of violations of the provisions hereof.

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(2) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the War Food Administrator may designate.

(3) Submit his books and records to examination by the War Food Administrator at any and all times.

(4) Furnish such information and such varified reports as the War Food Administrator may request.

(5) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator.

(6) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 5 or (ii) made payments pursuant to section 8.

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof.

(8) Pay, out of the funds provided by section 9, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses necessarily incurred in the maintenance and functioning of his office.

(9) Promptly verify the information contained in reports submitted by handlers.

SEC. 3. *Classification of milk*—(a) *Basis of classification.* All milk, skim milk, or cream purchased or received by a handler or caused to be diverted by a cooperative association to a plant from which no milk is disposed of as Class I milk in the marketing areas shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) and (d) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, skim milk, or cream disposed of in the form of milk, skim milk, buttermilk, flavored milk and milk drinks, and cream, for consumption as cream (including any cream product in fluid form containing 6 percent or more butterfat), and all milk not specifically accounted for as Class II milk.

(2) Class II milk shall be all milk, skim milk, and cream used to produce a milk product other than those specified in Class I milk and milk accounted for as actual plant shrinkage: *Provided*, That allowance for such plant shrinkage shall not exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Transfers of milk and cream.* (1) Milk, skim milk, and cream shall be classified as Class I milk when moved from the plant of a handler (i) to the plant of another handler who receives milk from producers: *Provided*, That if such milk, skim milk, or cream was utilized in Class II, it shall be classified accordingly subject to verification by the market administrator; (ii) to the plant of a handler who receives no milk from producers other than milk of his own production; and (iii) to the plant of a person, other than a handler, who distributes milk, skim milk, or cream in fluid form for consumption as such.

(2) Milk, skim milk, and cream received at the plant of a handler from sources other than producers or other handlers shall be Class II milk except for such milk in excess of the total Class II utilization of the receiving handler.

(3) Milk, skim milk, and cream, disposed of by a handler to the plant of a person, other than a handler, who does not distribute milk, skim milk, or cream

for consumption in fluid form shall be classified as Class II milk.

(e) *Computation of the milk in each class.* For each delivery period, the market administrator shall compute in the case of each handler the amount of milk in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk received as follows: add into one sum the total pounds of milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: multiply by its average butterfat test the weight of the milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources. Add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to pounds the total quantity of milk, skim milk, and cream, disposed of in each of the several products of Class I; (ii) add together the resulting amounts; and (iii) if the quantity of milk so computed when added to the pounds of Class II milk computed pursuant to (5) (iv) of this paragraph is less than the total pounds of milk received in accordance with (1) of this paragraph, an amount equal to the difference shall be added to the sum obtained in (ii) of this subparagraph.

(4) Determine the total pounds of butterfat in Class I as follows: (i) multiply the actual weight of each of the several products of Class I by its average butterfat test; (ii) add together the resulting amounts; and (iii) if the quantity of butterfat so computed, when added to the pounds of butterfat in Class II computed pursuant to (6) (iv) of this paragraph is less than the total pounds of butterfat received in accordance with (2) of this paragraph, an amount equal to the difference shall be added to the sum obtained in (ii) of this subparagraph.

(5) Determine the total pounds of milk in Class II as follows: (i) compute the total pounds of milk, skim milk, and cream which were used to produce each of the several products of Class II; (ii) add together the resulting amounts; (iii) subtract the total pounds of milk computed pursuant to (3) (ii) of this paragraph and the total pounds of milk computed pursuant to (ii) of this subparagraph from the total pounds of milk computed pursuant to (1) of this paragraph, which resulting quantity, up to 3 percent of the total receipts of milk from producers, shall be allowed as plant shrinkage for the purposes of this paragraph; and (iv) add together the result obtained in (ii) of this subparagraph and the amount of plant shrinkage allowed pursuant to (iii) of this subparagraph.

(6) Determine the total pounds of butterfat in Class II as follows: (i) multiply the actual weight of each of the several products of Class II by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat computed pursuant to (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity, up to 3 percent of the total receipts of butterfat from producers shall be allowed as plant shrinkage for the purposes of this paragraph; and (iv) add together the results obtained in (ii) of this subparagraph and the amount of plant shrinkage allowed pursuant to (iii) of this subparagraph.

(7) Determine the classification of milk of producers as follows: (i) subtract from the pounds of milk in each class the pounds of milk, skim milk, and cream received from other handlers and allocated to each class in accordance with (d) of this section; (ii) subtract from the remaining pounds of milk in Class II the total pounds of milk, skim milk, and cream, except emergency milk, received from sources other than producers, own farm production, and other handlers: *Provided*, That if the quantity of milk, skim milk, and cream, so received, is greater than the remaining quantity of Class II milk of such handler, an amount equal to the difference shall be subtracted from the remaining pounds of Class I milk; (iii) subtract pro rata from the remaining pounds of milk in each class, the total pounds of milk which were received from the handler's own farm production and emergency milk; (iv) if the remaining quantity of milk is greater than, or contains a greater quantity of butterfat than the handler reported having received from producers, an amount equal to the difference shall be subtracted pro rata from the remaining pounds of milk or butterfat in each class; and (v) the result shall be known as the "net pooled milk" in each class.

SEC. 4. *Minimum prices*—(a) *Class prices.* Each handler shall, subject to the provisions of (b) of this section, pay at the time and in the manner set forth in section 8 not less than the prices set forth in this section per hundredweight of milk received during each delivery period at such handler's plant or caused by such handler to be delivered to a plant from which no milk is disposed of in the marketing area.

(1) For Class I milk—the price shall be 50 cents per hundredweight more than the price resulting from the following computation by the market administrator: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used in lieu of the above-stated price: (i) multiply by 6 the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function); (ii) add 2.4 times the average weekly prevailing price of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin (in the absence of such prices the prevailing price of "Twins" at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) shall be used); (iii) divide the resulting sum by 7; (iv) add 30 percent thereof; and (v) multiply the result by 3.5.

Amboy Milk Products Co., Amboy, Ill.
Borden Company, Dixon, Ill.
Borden Company, Sterling, Ill.
Carnation Milk Company, Oregon, Ill.
Dean Milk Company, Belvidere, Ill.
Dean Milk Company, Pearl City, Ill.
Dean Milk Company, Pecatonica, Ill.
Libby, McNeil and Libby Co., Morrison, Ill.
Pet Milk Company, Schullsburg, Wis.
United Milk Products Co., Argo Fey, Ill.

(2) For Class II milk, the price shall be the result of the following computation by the market administrator: multiply by 3.5 the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) during the delivery period in which such milk was received, add 20 percent thereof and add any plus amount resulting from the following calculation:

Subtract 6 cents from the average price per pound of casein and multiply such result by 2.3. The price per pound of casein to be used shall be the average of the carlot prices for unground casein f. o. b. drying plants in the Chicago area as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) during the delivery period in which such milk was received.

(b) *Butterfat differentials to handlers.* (1) If the average butterfat content of the milk of producers disposed of as Class I by any handler computed pursuant to section 3 (e) is more or less than 3.5 percent, such handler shall add to the Class I price per hundredweight computed pursuant to (a) (1) of this section for each one-tenth of 1 percent that the average butterfat content of such Class I milk is above 3.5 percent, or shall subtract from such Class I price for each one-tenth of 1 percent that the average butterfat content of such Class I milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture, or such other Federal agency as may be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, divide the result obtained by 10, and add 1.0 cent.

(2) If the average butterfat content of the milk of producers disposed of as Class II by any handler computed pursuant to section 3 (e) is more or less than 3.5 percent, such handler shall add to the Class II price per hundredweight computed pursuant to (a) (2) of this

section for each one-tenth of 1 percent that the average butterfat content of such Class II milk is above 3.5 percent, or shall subtract from such Class II price for each one-tenth of 1 percent that the average butterfat content of such Class II milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, and divide the result obtained by 10.

(c) *Emergency price provision.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk or product, associated with the price specified: *Provided*, That if for any reason, the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided*, That if the specified price is not reported or published and there is no applicable maximum uniform price or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the prices specified.

(2) Whenever the War Food Administrator finds and announces that the Class I price computed for any delivery period pursuant to (a) of this section is not in the public interest, the Class I price for such delivery period shall be the same as the Class I price for the previous delivery period: *Provided*, That if the War Food Administrator for two consecutive delivery periods finds and announces that the Class I price computed pursuant to (a) of this section is not in the public interest, he shall upon request of interested parties and pursuant to the applicable provisions of the act, issue notice of and opportunity for a hearing upon a proposed amendment to this section of the order.

SEC. 5. *Reports of handlers*—(a) *Periodic reports.* (1) On or before the 8th day after the end of each delivery period each handler, with respect to all milk or milk products which were, during such delivery period, (i) received from producers; (ii) received from other handlers; (iii) received from such handler's own farm production; (iv) received from any other sources; or (v) caused to be delivered to a plant from which no milk is disposed of in the marketing area, shall report to the market administrator, in the detail and on forms prescribed by him, as follows:

(*a*) The receipts at each plant from producers who are not handlers;

(*b*) The receipts at each plant from any other handler, including any handler who is also a producer;

(*c*) The receipts at each plant from such handler's own farm production;

(*d*) The receipts at each plant from any other source;

(*e*) The utilization of all milk and milk products disposed of;

(*f*) The quantity of milk and milk products on hand; and

(*g*) The respective butterfat content of each of the above.

(2) On or before the 5th day after the end of each delivery period, the receipts at each plant of emergency milk as follows; (i) the amount of such milk and the average butterfat content thereof; (ii) the date or dates upon which such milk was received during the delivery period; (iii) the plant from which such milk was shipped; (iv) the prices paid or to be paid for such milk; (v) the utilization of such milk; and (vi) such other information with respect thereto as the market administrator may request.

(b) *Reports as to producers.* Each handler shall report to the market administrator within 10 days after the market administrator's request with respect to any producer and with respect to a period of time designated by the market administrator: (i) the name and address; (ii) the total pounds of milk received; (iii) the average butterfat test of milk received; and (iv) the number of days upon which milk was received.

(c) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, each handler shall submit to the market administrator his producer pay roll for such delivery period, which shall show for each producer (i) the net amount of such producer's payments with the prices, deductions, and charges involved, and (ii) the total volume of milk received from such producer or caused by the handler to be delivered to a plant from which no milk is disposed of in the marketing area and the average butterfat test of such milk.

(d) *Reports of producer-handlers and handlers whose sole sources of supply are receipts from other handlers.* Producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(e) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audits of such handler's records and the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in the case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in section 8.

SEC. 6. *Application of provisions*—(a) *Handlers who receive no milk from producers.* Sections 4, 7, 8, 9, and 10 shall not apply to the handling of milk by handlers (1) whose sole sources of supply are receipts from other handlers or (2) who are producer-handlers pursuant to section 1 (g) as verified by the market administrator in the manner provided in (b) of this section.

(b) *Producer-handlers.* Handlers shall furnish to the market administrator for his verification, subject to review by the War Food Administrator, evidence of their qualifications as producer-handlers pursuant to section 1 (g), as of the effective date hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing their milk that affect their qualification as producer-handlers; such verification by the market administrator shall be made within 15 days of the date of receipt of the evidence and shall be effective retroactively to the effective date of the provisions hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(c) *Emergency milk.* During any delivery period when the market administrator determines that the supply of milk available to any handler from producers and handlers is not sufficient to fulfill the Class I requirements of such handler, such handler, after giving notice to the market administrator of his intention to purchase milk from other than such sources, may secure milk from emergency sources on terms and conditions other than those provided in section 4 hereof. Emergency milk shall be reported to the market administrator by the receiving handler separately from milk received from producers and handlers in accordance with section 5 (a) (2). The person from whom the handler received such milk shall not be considered a handler with respect to milk disposed of in the marketing area under the circumstances described in this paragraph.

(d) *Milk received from other sources.* If a handler has disposed of milk, skim milk, or cream, except emergency milk, which was received from sources other than producers, his own farm production, or other handlers, as Class I milk within the marketing area, the market administrator, in determining the net pool obligation of the handler pursuant to section 7 (a), shall add an amount equal to the difference between the value of such milk at the Class I price and the value of such milk at the Class II price. This provision shall not apply if the handler can prove to the market administrator that such milk, skim milk, or cream was

used only to the extent that milk of producers was not available.

(e) *Payment for excess milk or butterfat.* If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator in computing the net pool obligation of such handler pursuant to section 7 (a) shall add an amount equal to the value of such milk or butterfat in accordance with its utilization by the handler as determined pursuant to section 3 (e) (7) (iv).

SEC. 7. *Determination of uniform price to producers*—(a) *Net pool obligation of handlers.* The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of net pooled milk in each class computed pursuant to section 3 (e) by the class prices computed pursuant to section 4 (a) subject to the butterfat differentials set forth in section 4 (b), add together the resulting amounts, and add the value of any payments required to be made pursuant to paragraphs (d) and (e) of section 6.

(b) *Computation of the uniform price.* For each delivery period the market administrator shall compute the uniform price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by section 5 and who made the payments prescribed by section 8 for the previous delivery period;

(2) Add an amount equal to not less than one-half the cash balance in the producer-settlement fund;

(3) Subtract, if the average butterfat content of the net pooled milk of all handlers whose reports are included in this computation is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount computed as follows: multiply the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to section 8 (c), and multiply the result by the total hundredweight of net pooled milk of all handlers whose reports are included in this computation.

(4) Divide the resulting sum by the total quantity of net pooled milk of all handlers whose reports are included in this computation.

(5) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payment by handlers. The result shall be known as the "uniform price" per hundredweight for milk of producers containing 3.5 percent butterfat.

(c) *Announcement of prices.* On or before the 9th day after the end of each delivery period, the market administrator shall notify all handlers and make public announcement of the computation, pursuant to (b) of this section, of the uniform price per hundredweight of milk, of the Class I and Class II prices computed pursuant to section 4 (a) and of the butterfat differentials to handlers computed pursuant to section 4 (b) and of the butterfat differential to producers computed pursuant to section 8 (c).

(d) *Notification of handlers.* On or before the 9th day after the end of each delivery period, the market administrator shall notify each handler of the amount of his net pool obligation and of the amount by which such handler's net pool obligation is greater or less than the sum required to be paid producers by such handler pursuant to section 8 (a).

SEC. 8. *Payments for milk*—(a) *Time and method of payment.* Each handler shall make payment, subject to the butterfat differential set forth in (c) of this section, after deducting the amount of the payments made pursuant to (b) of this section for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer, except as set forth in (2) of this paragraph, on or before the 15th day after the end of the delivery period during which such milk was purchased or received, at not less than the uniform price per hundredweight computed pursuant to section 7 (b).

(2) To a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments, on or before the 12th day after the end of the delivery period during which such milk was purchased or received, of a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph.

(b) *Half delivery period payments.* (1) On or before the last day of each delivery period, each handler shall, except as set forth in (2) of this paragraph, make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of the delivery period, was received by such handler.

(2) At least 3 days before the end of each delivery period, each handler shall make payment to a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments for the approximate value of the milk which such cooperative association caused to be delivered to such handler during the first 15 days of the delivery period.

(c) *Butterfat differential to producers.* If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.5 percent, such handler, in making the payments prescribed in (a) (1) and (2) of this section, shall add to the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct from the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent not more than, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) add 20 percent, and divide the resulting sum by 10.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to (f) and (g) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler.

(e) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount by which the net pool obligation of such handler is greater than the sum required to be paid producers by such handler pursuant to (a) of this section.

(f) *Payments out of the producer-settlement fund.* (1) On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum required to be paid producers by such handler pursuant to (a) of this section is greater than the net pool obligation of such handler.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (e) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (f) of this section, the mar-

ket administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

SEC. 9. *Marketing service*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding 5 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the War Food Administrator) from the payments made to producers pursuant to section 8 with respect to all milk received by such handler during each delivery period from producers, and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the War Food Administrator, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the cooperative association rendering such services of which such producers are members.

SEC. 10. *Expense of administration*—(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator a sum not exceeding 5 cents per hundredweight with respect to all milk received during such delivery period producers or from a producer's cooperative association or produced by such handler, the exact sum to be determined by the market administrator subject to review by the War Food Administrator: *Provided*, That such handler which is a cooperative association shall pay such pro rata share of expense of administration on only that milk of producers received by such association or caused to be delivered by such association to a plant from which no milk is disposed of in the marketing area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

SEC. 11. *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The War Food Administrator may suspend or terminate this order or any provision hereof, whenever he finds that this order or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(1) The market administrator, or such other person as the War Food Administrator may designate, shall (a) continue in such capacity until discharged by the War Food Administrator, (b) from time to time account for all receipts and disbursements, and, when so directed by the War Food Administrator, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person, as the War Food Administrator may direct, and (c) if so directed by the War Food Administrator, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator may designate shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 12. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., this 1st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-11509; Filed, August 1, 1944; 11:12 a. m.]

Commodity Credit Corporation.

CHIEF, PEANUT SECTION, OILSEEDS DIVISION

DELEGATION OF AUTHORITY TO ADMINISTER WAR FOOD ORDER NO. 100

Pursuant to the provisions of War Food Order No. 100, dated May 9, 1944 (9 F.R. 4974), dealing with the purchase and sale of farmers' stock peanuts from the 1944 crop, and the delegation of authority to administer War Food Order No. 100 issued to me by the President of Commodity Credit Corporation on July 24, 1944, (9 F.R. 9130) and to effectuate the purposes of such order, W. T. Parker, Chief, Peanut Section, Oilseeds Division of the Commodity Credit Corporation, is hereby designated and authorized, within such limits and in accordance with such rules of procedure as may be approved from time to time by me, to authorize the cleaning, shelling, crushing, and otherwise changing of farmers' stock peanuts from their natural state by such persons and in such quantities as he may deem proper.

Mr. Parker shall be assisted in such function by such persons within the War Food Administration as he may designate.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; War Food Order No. 100, 9 F.R. 4974; Delegation of Authority to Administer WFO 100, 9 F.R. 9130)

Issued this 31st day of July 1944.

C. C. FARRINGTON,
Vice President.

[F. R. Doc. 44-11517; Filed, August 1, 1944; 11:12 a. m.]

AUG 8 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 154

Washington, Thursday, August 3, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter III—War Food Administration (Farm Security)

PART 300—GENERAL

DELEGATION OF AUTHORITY WITH RESPECT TO PROGRAMS OF FARM SECURITY ADMINISTRATION

By virtue of the authority vested in me by Title 5 U.S.C., Section 22, and Executive Order No. 9322, as amended by Executive Order No. 9334, it is hereby ordered as follows:

§ 300.14 *Delegation of authority with respect to programs of Farm Security Administration.* (a) The Administrator of Farm Security Administration (hereinafter referred to as the "Administrator") is hereby authorized and directed to do all things necessary to administer and supervise, in a manner consistent with law, the various programs and functions of the Farm Security Administration including, but not limited to (1) the rural rehabilitation, tenant purchase, water facilities, and water conservation and utilization programs and the liquidation and management, pending liquidation, of resettlement projects and rural rehabilitation projects for resettlement purposes, (2) the expenditure of funds heretofore or hereafter authorized or appropriated for any of such programs, and (3) the loans and other assets heretofore or hereafter acquired by the Farm Security Administration or the United States of America or the Secretary of Agriculture as trustee in connection with such programs or other programs for substantially similar purposes.

(b) The Administrator may, from time to time, prescribe such rules and regulations, consistent with law, as appear to him to be necessary or appropriate in carrying out the authority delegated hereby.

(c) Existing rules and regulations effective on the date of this order and relating to the funds and assets identified in (a) hereof and not in conflict herewith shall continue in effect until modified by me or by the Administrator acting pursuant to this order.

(d) In his discretion, the Administrator may delegate such of the authority as is hereby conferred upon him.

(e) In the absence of the Administrator or his inability to carry out the authority hereby delegated, such authority may be exercised by the Acting Administrator of Farm Security Administration.

(f) The authority delegated by this order is in addition to and does not supersede the authority conferred by War Food Administrator's Memorandum No. 37 of March 13, 1944 (9 F.R. 2840–2841).

(g) This order shall have effect as of July 1, 1944, and shall remain in effect until subsequent order.

(5 U.S.C. 22; E.O. 9322, 8 F.R. 3807, as amended by E.O. 9334, 8 F.R. 5423)

Issued this 2d day of August 1944.

MARVIN JONES,
War Food Administrator.

Approved: August 2, 1944.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44–11595; Filed, August 2, 1944; 11:10 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 61, Amdt. 2 to Supp. 1]

PART 1400—DELEGATIONS OF AUTHORITY

CIVILIAN MEAT RATIONING

War Food Order 61, Supplement 1, as amended (9 F.R. 9134) § 1400.12 (a), is amended to add the word "commercial" between the words "except" and "good" and to add the letter "B" before the letter "A" so that the entire order as amended reads as follows:

§ 1400.12 *Civilian meat rationing.* (a) The Office of Price Administration

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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is directed to remove all restrictions concerning the transfer from one person to another of all beef, except commercial, good, and choice (B, A, and AA) qualities of steaks and roasts, and is authorized to impose restrictions on the transfer from one person to another of pork hams and loins. This direction shall not otherwise affect the rationing of meat, meat products, or other foods. The removal of restrictions may be accomplished by reduction of point values to zero or by other means.

(b) This order shall be effective not later than 12:01 a. m., e. w. t., August 13, 1944.

(56 Stat. 23; 56 Stat. 765; P. L. 383, 78th Cong.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785)

Issued this 2d day of August 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–11569; Filed, August 2, 1944; 11:10 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3713]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

OVRHAUL COMPANY

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondent's "Ovrhaul", or any other similar product, representing, directly or by implication, (1) that the use of said product in an automobile motor is the equivalent of overhauling such motor; (2) that said product checks piston slap or oil pumping; (3) that said product fills scores in piston surfaces or cylinder walls, or plates worn parts; (4) that said product reduces oil or gasoline consumption, or increases gasoline mileage; (5) that the use of said product renders unnecessary the reboring of cylinders or the installation of new piston rings, or that it avoids the laying up of automobiles for repairs; or (6) that said product restores or increases the power or "pep" of an automobile motor; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Cease and desist order, Ovrhaul Company, Docket 3713, July 18, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of July, A. D. 1944.

In the Matter of B. L. Mellinger, an Individual Trading Under the Firm Name and Style of Ovrhaul Company

This proceeding having been heard by the Federal Trade Commission upon the

complaint of the Commission, the answer of respondent, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and briefs in support of and in opposition to the complain (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, B. L. Mellinger, individually and trading as Ovrhaul Company, or trading under any other name, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's product designated "Ovrhaul," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from representing, directly or by implication:

1. That the use of said product in an automobile motor is the equivalent of overhauling such motor.

2. That said product checks piston slap or oil pumping.

3. That said product fills scores in piston surfaces or cylinder walls, or plates worn parts.

4. That said product reduces oil or gasoline consumption, or increases gasoline mileage.

5. That the use of said product renders unnecessary the reboring of cylinders or the installation of new piston rings, or that it avoids the laying up of automobiles for repairs.

6. That said product restores or increases the power or "pep" of an automobile motor.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-11563; Filed, August 2, 1944; 11:08 a. m.]

[Docket No. 4635]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PABST CHEMICAL CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.71 (c 5) *Neglecting, unfairly or deceptively, to make material disclosure—Qualities or properties of product:* § 3.71 (e 5) *Neglecting, unfairly or deceptively, to make material disclosure—Scientific or other relevant facts.* In connection with offer, etc., of respondent's Pabst Okay Special or any other similar preparation, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said preparation, which advertisements represent, directly or through inference, (1) that respondent's preparation is a cure or remedy or constitutes a competent or adequate treatment for unnatural discharges due to infection of the urinary passage; (2) that respondent's preparation has any curative value or constitutes a competent or effective treatment for any venereal disease, including gonorrhea, the manifestations of which include infection of the urinary passage accompanied by unnatural discharge; (3) that respondent's preparation constitutes a competent or effective treatment for any condition generally recognized as a symptom of any venereal disease in such a manner as to represent or imply that said preparation constitutes a competent or effective treatment of the disease indicated by such symptoms; (4) that respondent's preparation constitutes a competent or effective treatment for any venereal disease; or (5) that the ingredients of respondent's preparation are recognized by physicians as being a competent or effective treatment for unnatural discharges due to infection of the urinary passage or any venereal disease of which unnatural discharge may be symptomatic; or which advertisements fail to reveal that the therapeutic value of respondent's preparation is limited to the reduction of the discharge of pus due to gonorrhea or other venereal diseases and that it will not cure such diseases or destroy the specific germ causing such diseases and that such diseases may be communicable to others even though the symptoms of discharge have apparently disappeared; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Cease and desist order, Pabst Chemical Company, Docket 4635, July 3, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of July, A. D. 1944.

In the Matter of Pabst Pharmaceutical Company, Inc., a Corporation, Doing Business Under the Name and Style of Pabst Chemical Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before trial examiners of the Commission theretofore duly designated by it, report of Trial Examiner John P. Bramhall upon the evidence, and brief filed in support of the complaint (no brief having been filed by the respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent, Pabst Chemical Company, a corporation, formerly known as Pabst Pharmaceutical Company, Inc., has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Pabst Chemical Company, a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of its preparation now designated Pabst Okay Special or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement represents directly or through inference—

a. That respondent's preparation is a cure or remedy or constitutes a competent or adequate treatment for unnatural discharges due to infection of the urinary passage.

b. That respondent's preparation has any curative value or constitutes a competent or effective treatment for any venereal disease, including gonorrhea, the manifestations of which include infection of the urinary passage accompanied by unnatural discharge.

c. That respondent's preparation constitutes a competent or effective treatment for any condition generally recognized as a symptom of any venereal disease in such a manner as to represent or imply that said preparation constitutes a competent or effective treatment of the disease indicated by such symptoms.

d. That respondent's preparation constitutes a competent or effective treatment for any venereal disease.

e. That the ingredients of respondent's preparation are recognized by physicians as being a competent or effective treatment for unnatural discharges due to infection of the urinary passage or any venereal disease of which unnatural discharge may be symptomatic.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement fails to reveal that the therapeutic value of respondent's preparation is limited to the reduction of the discharge of pus due to gonorrhea or other venereal diseases and that it will not cure such diseases or destroy the specific germ causing such diseases and that such diseases may be communicable to others even though the symptoms of discharge have apparently disappeared.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce directly or indirectly the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of respondent's preparation which advertisement contains any of the representations prohibited in paragraph 1 hereof and the

respective subdivisions thereof or which fails to comply with the requirements set forth in paragraph 2 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] A. N. Ross,
Acting Secretary.

[F. R. Doc. 44-11584; Filed, August 2, 1944; 11:08 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51103]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

EXEMPTION FROM COMMERCIAL AND CERTIFIED INVOICES

Section 8.15 (a) (15), Customs Regulations of 1943, relating to the exemption from commercial and certified invoices, amended.

Section 8.15 (a) (15), Customs Regulations of 1943 (19 CFR 8.15 (a) (15)), is hereby amended to read as follows:

(15) Articles exported from continuous customs custody within six months from the date of entry.

(Sec. 484, 46 Stat. 722, 759, sec. 12, 52 Stat. 1083, sec. 498, 46 Stat. 728; 19 U.S.C. 1484, 1498, 1624)

[SEAL] W. R. Johnson,
Commissioner of Customs.

Approved: July 31, 1944.

Herbert E. Gaston,
Acting Secretary of the Treasury.

[F. R. Doc. 44-11593; Filed, August 2, 1944; 11:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, as Amended Aug. 2, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of certain products for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote national defense:

§ 3208.1 *General Scheduling Order M-293*—(a) *Definitions.* For the purpose of this order:

(1) "M-293 product" means any item listed in the tables to this order except Table 1. These items are identified in the Tables as Class X; Class Y and undesignated. The same products may be designated X and Y and, if so, are subject to the provisions applying to each class. Class X, Class Y and undesignated products are subject to all other provisions of this order.

(2) "Manufacturer" means any person to the extent that he is engaged in making an M-293 product.

(b) *Operations reports.* Each manufacturer must file an operations report on the applicable form shown in Column 1 of the appropriate table in accordance with the instructions accompanying the form at the times there shown. If no form is designated in Column 1, no operations report need be filed.

(c) *Provisions covering Class X products*—(1) *Filing of shipping schedules of Class X products.* Each manufacturer of Class X products must file with the War Production Board each month his shipping schedule, beginning with shipments to be made on and after the first of the following month, and other information called for on the form shown in Column 2 of the appropriate table, at the time shown and in accordance with the instructions accompanying the form, except when he is excused from filing by the War Production Board. A manufacturer who is so excused from filing is not excused from complying with paragraph (f) or any of the other provisions of this order. A manufacturer who has been excused may, nevertheless, if he wishes, file the Column 2 form with the War Production Board just as if he had not been excused. In any case, unless otherwise directed by the War Production Board, the manufacturer in arranging the sequence of shipments on his shipping schedules shall be governed by Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. The shipping dates of purchase orders which are already part of a frozen schedule must not be changed. In preparing the Column 2 form for filing each month the manufacturer shall include all purchase orders received up to the close of business on a date which is as near as practicable to the date the form is due to be filed. Orders received after the close of business on that date shall not be included on the form for that month.

(2) *Maintaining shipping schedules of Class X products when not filed.* Each manufacturer of a Class X product who is excused from filing his shipping schedule by the War Production Board, must maintain his proposed shipping schedule on the forms shown in Column 2 of the appropriate table if so instructed by the War Production Board, otherwise in such manner that they can be readily transferred to that form. In arranging the sequence of shipments on his shipping schedule, unless otherwise directed by the War Production Board, the manufacturer shall be governed by Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. The shipping dates of purchase orders which are already part of a frozen schedule must not be changed.

(3) *Freezing of X product shipping schedules which are filed.* When a manufacturer who has not been excused from filing, or one who has been excused but still wishes to file, files his schedule, that schedule is automatically frozen under Priorities Regulation 18 on the date it is filed, for shipments to be made during the periods specified in Column 4 of the appropriate table. This period begins on the first day of the month after the schedule is filed. If a previously frozen schedule covers shipments to be made before the beginning of the period, those shipments remain part of the frozen schedule.

(4) *Freezing of X product shipping schedules of manufacturers who are excused from filing and do not file.* If a manufacturer is excused and does not file, his shipping schedule becomes frozen under Priorities Regulation 18 at the close of business on the date he would have had to file his schedule if he were not excused, and at the close of business on the same day of each month after that. The schedule is frozen for shipments to be made during a period of two months, unless a shorter period of time is specified in Column 4 of the appropriate table, in which case it is frozen for the shorter period. This period in either case begins on the first day of the month following the date on which he would have had to file his schedule if he were not excused. If a previously frozen schedule covers shipments to be made before the beginning of the period, those shipments remain part of the frozen schedule.

(5) *Production and shipment of X products.* When a shipping schedule has become frozen, the manufacturer must schedule his production and make his shipments so as to meet the schedule without regard to preference ratings or directions from any governmental agency, except that the schedule may be amended by the War Production Board as explained in Priorities Regulation 18 and paragraph (g) of this order.

(d) *Provisions covering Class Y products*—(1) *Authorization of orders required.* No person shall place a purchase order with a manufacturer and no manufacturer shall accept a purchase order for any Class Y product unless the purchase order is accompanied by specific authorization of the War Production Board obtained on the form shown in Column 3 of the appropriate table. If a time for shipment is specified in the authorization of the War Production Board, a manufacturer must not accept a purchase order specifying any other shipping time. He must not accept an order which will interfere with a previously frozen schedule or on which delivery cannot be made on the specified date because of the requirements of Priorities Regulation No. 1 or any other ap-

plicable order or regulation of the War Production Board.

(2) *Freezing of authorized orders for Y products.* All authorized purchase orders for Class Y products which the manufacturer accepts, automatically become a "frozen schedule" under Priorities Regulation No. 18, and the manufacturer must schedule his production and make his shipments so as to meet the schedule without regard to preference ratings or directions from any governmental agency, except that the schedule may be amended by the War Production Board as explained in Priorities Regulation 18 and paragraph (g) of this order.

(3) *Authorization of orders for Y products placed by distributors.* A distributor who places a purchase order for a Class Y product must accompany it by an authorization as provided in subparagraph (1) above. If he wants to buy for immediate resale, the information called for by the application for authorization must be given about the customer and not the distributor. The application may be filled out and filed either by the distributor or by the customer. In either case the distributor must forward the authorization with his purchase order to the manufacturer. If the distributor is buying for stock, he must say so on his application and give all information called for by the application form in terms of the type of customers to whom he expects to sell. A manufacturer must obtain authorization for the transfer of a Y product to a distribution outlet owned or controlled by him. The term "distributor" includes wholesalers, retailers, jobbers, sales agencies and consignees for sale.

(e) *Provisions covering undesignated products.* No manufacturer of an undesignated M-293 product need file the form shown in Column 2 of the appropriate table unless specifically directed to do so by the War Production Board or unless he chooses to do so. If the manufacturer is directed to file, the shipping schedule shown on the form becomes frozen in accordance with the direction. If the manufacturer is not directed, but chooses to file the form, the shipping schedule shown on it does not become a frozen schedule until the War Production Board specifically directs the manufacturer that it is one.

(f) *Special reporting provisions covering certain M-293 products*—(1) *Reports of requirements by purchasers of M-293 products.* Any claimant agency listed on Table 1 may instruct its prime contractor (or the prime contractor of a procuring agency which the claimant agency represents) who is purchasing M-293 products required in his prime contracts, or any other person purchasing M-293 products except for incorporation into other M-293 products manufactured by himself, to file with the claimant agency a report on Form WPB-3003 or other form approved for the purpose by the Bureau of the Budget. In such a case the person must file the form giving the information called for concerning the purchase orders which he has placed or will place for each specified M-293 product required under the Table 1 programs, except those which are indicated on the tables as being exempt from this paragraph. The report must state how many of each M-293 product will be used as spares.

(2) *Reports of shipping schedules.* A claimant agency listed on Table 1 may send to a manufacturer a Form WPB-3003, or other form approved for the purpose by the Bureau of the Budget, which shows the requirements of purchasers described in paragraph (f) (1) above covering all M-293 products for Table 1 programs, except those indicated on the tables as being exempt from the provisions of this paragraph. If a manufacturer receives such a form filled out and certified by the claimant agency in accordance with the accompanying instructions, he must fill in only the proposed shipping dates determined in accordance with Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. The shipping dates of purchase orders which already are part of a frozen schedule must not be changed. He must file copies of the form with the claimant agency in accordance with the accompanying instructions and also with the War Production Board when requested to do so by the appropriate industry division. This schedule does not become a frozen schedule unless the War Production Board specifically directs the manufacturer that it is one.

(g) *Other scheduling provisions.* With respect to any M-293 product, the War Production Board may, notwithstanding any other order, preference rating, directive, rule or regulation (except Priorities Regulation 18) of the War Production Board, or of any other government agency:

(1) Revoke any authorization or approval to place a purchase order granted by it under paragraph (d) above;

(2) Direct the return or cancellation of any purchase order on the books of a manufacturer;

(3) Direct the filing of shipping schedules by any manufacturer and direct changes in the shipping schedule of any manufacturer.

(4) Cancel purchase orders placed with one manufacturer and direct that they be placed on another manufacturer;

(5) Take such other action as it deems necessary with respect to the production of, the placing of purchase orders for, or the shipment of M-293 products.

(h) *Deviations from a frozen schedule.* If a manufacturer is unable to fulfill on time a frozen schedule of any M-293 product, he must make shipments, so far as practicable, in the sequence required by the schedule. In any case where the manufacturer foresees an appreciable delay in or acceleration of production, the manufacturer must notify the War Production Board of the reason for the delay or acceleration and the revised dates on which he expects to be able to make shipments under each purchase order affected. The manufacturer shall notify the War Production Board, either by letter or telegram, at his option.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(j) *Reports and communications.* The list of M-293 products is arranged so that the name of the Industry Division appears at the top of the table covering M-293 products for which it is primarily responsible. All reports and forms required by the order and all appeals should be addressed to the War Production Board, Washington 25, D. C., attention of the appropriate Industry Division so listed. All reports and forms required in paragraphs (b), (c), (d), (e), (f), (g), and (h) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Violations.* Any person who wilfully violates any provisions of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

Issued this 2d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11565; Filed, August 2, 1944; 11:23 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P-146 as Amended Aug. 2, 1944]

FIBRE SHIPPING CONTAINERS—RATINGS

To facilitate the acquisition of fibre shipping containers in the public interest and to promote the defense of the United States, preference ratings are hereby assigned to deliveries of such containers upon the following terms:

§ 3270.26 *Preference Rating Order P-146*—(a) *What this order does.* This order assigns preference ratings for new fibre shipping containers to persons who need them for various purposes. It also explains to what extent ratings assigned in other ways may be used to get new fibre shipping containers.

The ratings and rating systems described in this order are the only ones which may be used to get new fibre shipping containers. All others are barred for this purpose. Furthermore, this order only applies to the containers, sheets, rolls and parts covered by the definition of fibre shipping containers (paragraph (c)). It should not be construed to establish a rating system for any other types of containers.

Preference ratings may be used to get fibre shipping containers in accordance

with the provisions of this order regardless of any contrary provisions contained in paragraph (d) (4) of Priorities Regulation 3.

(b) *Suggested procedure for using this order.* The following procedure is suggested for determining the ratings you may use to get fibre shipping containers.

1. *For a product you manufacture.* Refer to Schedule A (paragraph (h)) to see if the product is listed there. Then refer to paragraph (i). Use the rating you are entitled to under either of these provisions.

2. *For a product you do not manufacture.* Refer to Schedule A (paragraph (h)), to see if the product is listed there. Then refer to paragraph (j). Use the rating you are entitled to under either of these provisions.

3. *If you are a manufacturer or jobber of inner containers or closures.* Refer to Schedule (s) (paragraph (h)). Then refer to paragraph (n). Paragraph (n) sets forth the only ways in which manufacturers and jobbers of inner containers or closures may use ratings for their fibre shipping container requirements.

4. *If you are a jobber of fibre shipping containers.* Refer to paragraph (o).

5. *For containers to be used for export shipment to specified agencies of products appearing on List A of Priorities Regulation 3.* Refer to paragraph (k) (2).

6. *For fibre shipping containers to be delivered empty to foreign countries other than Canada.* Refer to paragraph (p).

7. *For fibre shipping containers to be delivered empty to Canada.* Refer to paragraph (q).

8. *For empty fibre containers to be delivered to the Army, the Navy, the Maritime Commission or the War Shipping Administration.* Refer to paragraph (k) (1).

9. *For fibre shipping containers to be delivered on orders rated AAA.* Refer to paragraph (g).

10. *For a product for which you have no rating under any other provisions of this order.* Refer to paragraph (m).

10–a. *For combination packages (i. e. a package containing two or more products).* Refer to paragraphs (m) and (o–1).

11. *If, because of special circumstances, the ratings you may use under this order are inadequate.* Refer to paragraph (l). Note that the special ratings contemplated by this paragraph will be issued only in cases of extreme hardship or in special instances where it is determined that the war effort will be aided by so doing.

12. *If you are a sheet plant or a cleated box manufacturer.* Refer to paragraph (x).

13. *All persons.* Refer to paragraph (v) (Certification); paragraphs (d) through (f) (Over-all limitations on use of ratings); paragraphs (s) through (u); (Status of outstanding unfilled orders); paragraphs (y) through (dd) (Miscellaneous).

Definitions

(c) *Definitions.* "Fibre shipping container" means the following items:

(1) Any new box, crate, case, basket, drum, inner carton, hamper or sleeve, in set-up or knock-down form which is made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: Trunks, luggage, or military locker boxes; fibre cans, or tubes. It also does not include combination wood-and-fibre shipping containers consisting of 50% or more wood (by area).

(2) Any new solid fibre (.045 or heavier) or corrugated fibre sheet or any new corrugated fibre roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container manufacturing industry as "sheet plants" for their use in manufacturing fibre shipping containers. It also does not include corrugated or solid fibre sheets produced for delivery to cleated box manufacturers for use in manufacturing shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(3) Any new solid fibre (.045 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: Partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled).

Limits on Use of Ratings

(d) *Prohibition against use of other ratings.* No person may use any rating except as provided in this order, to get fibre shipping containers; for instance, a person may not use a rating which has been assigned to him for maintenance, repair or operating supplies for this purpose.

Likewise, if he is a manufacturer of fibre shipping containers, he may not use any ratings he may have received for production materials for such containers, pursuant to CMP-4B or WPB-2813 applications, to get fabricated items which are defined in paragraph (c) as "fibre shipping containers"—for instance "interior fittings". He is regarded as a "fibre shipping container jobber" in so far as such fabricated items are concerned, and must extend his customers' ratings in accordance with paragraph (o) to get them. He may do this, regardless of paragraph (d) of Priorities Regulation 11B and paragraph (e) of CMP Regulation 3.

(e) *Prohibition against use of ratings to obtain production materials for fibre shipping containers.* The ratings which this order allows a person to use to get fibre shipping containers may not be extended to obtain materials for use in the manufacture of containers.

(f) *Limitation on use of ratings by persons owning container production facilities.* No rated order for fibre shipping containers need be accepted if the person applying or extending the rating owns or controls facilities on which he can produce the containers covered by his purchase order. The only exception to this rule is where the purchaser's facilities are required to fill higher rated orders or previously received orders bearing equal rating, or where the War Production Board specifically directs the acceptance of the rated order.

In order to avail himself of the provisions of this paragraph (f) a person who gets a rated order must first notify the person applying or extending the rating of his claim that this paragraph excuses acceptance of the rated order.

Preference Ratings Which May Be Used to Get Fibre Shipping Containers

(g) *AAA ratings.* Any person who receives an order rated AAA may use that rating to get fibre shipping containers which he will actually use to deliver that order. This rating may not be used to replace containers in inventory except under the circumstances described in paragraphs (i) (2), (j), (k) (2) and (o) of this order.

(h) *Assignment of ratings.* Any person may use the preference rating shown opposite any product or use listed in Schedule A to get the fibre shipping containers he needs for commercially shipping or delivering that product or for that use. He may also use the rating to provide his suppliers of that product with fibre shipping containers in which to deliver the product to him.

(i) *Manufacturers may use production material ratings.* Any manufacturer (other than a manufacturer of inner containers or closures—see paragraph (n) who has a rating to get production materials [1] for a product, may use the same rating, within the limitations set forth in this paragraph to get the fibre shipping containers he needs to package that product or to replace fibre shipping containers so used in his inventory. If he has two or more ratings (i. e. split ratings) for production materials, he must use them in the same proportion in ordering fibre shipping containers. Furthermore the fibre shipping containers he may get with each rating, must be reduced by the number of wooden shipping containers (see Order P-140) he gets with the same rating.

Examples of the way in which ratings may be used under this paragraph are the following:

(1) If a manufacturer has a split rating of 25% AA–2 and 75% AA–5 for production materials for a certain product, he may use the AA–2 rating to get his fibre shipping container requirements for 25% of that product and the AA–5 for the balance.

This applies if he has gotten no wooden shipping containers for the product with the AA–2 rating. If he has, the fibre shipping containers plus the wooden shipping containers he gets with that rating, must not exceed the number of both kinds of containers he requires to ship 25 percent of the product in question.

(2) If a manufacturer receives a rated order and is not prohibited by any War Production Board regulation or order, (such as Priorities Regulation 11B or CMP Regulation 3 [2]) from using the rating to get his production material for the order, he may extend that rating to get the fibre shipping containers he will use to make delivery on the rated order or for inventory replacement purposes.

(j) *Non-manufacturers may extend customers' ratings.* A person who sells, on a rated order, material which he does not manufacture, may extend his customers' ratings to get fibre shipping containers to fill that order or for inventory replacement. This may be done regardless of the provisions of paragraph (d) (4) of Priorities Regulation 3.

(k) *Use of ratings assigned by certain agencies.*—(1) *Empty containers.* The Army, the Navy, the Maritime Commission and the War Shipping Administration may use ratings which they assign to get empty fibre shipping containers which will be packed either (i) in plants owned by them, or (ii) under their direction, in warehouses or other plants which did not produce the product packed and which are not normally responsible for the procurement of containers required for the fulfillment of their contracts. The rating described in this paragraph cannot be used to get fibre shipping containers which will be packed anywhere else whether on a contract, agency or other basis.

(2) *Containers for export shipment of products on List A of Priorities Regulation 3.* A person may use a rating, assigned specifically for fibre shipping containers by the Army, the Navy, the Maritime Commission, the War Shipping Administration, War Food Administration and the Foreign Economic Administration, only for the following purposes: To get fibre shipping containers which will be packed in the United States with a product appearing on List A of Priorities Regulation 3 and shipped to any point outside of the forty-eight states, the District of Columbia, Canada or Mexico, to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration or for lend-lease purchases. The same rating may be used to replace in inventory any fibre shipping containers used for such export shipment.

[1] "Production material" means, with respect to any person, material or products (including fabricated parts and subassemblies) which will be physically incorporated into his product and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line if such items do not represent more than 10% of his total sales. It does not include any items purchased by him as manufacturing equipment or for maintenance, repair or operating supplies as defined in CMP Regulation 5.

[2] Priorities Regulation 11B contains the following provision: "A person who has received a rating or ratings on Form WPB-2813 (formerly PD–670) for production materials for a specified product shall not extend ratings received from his customers to purchase production materials for the same product". CMP Regulation 3 contains the following provision: "A prime consumer who manufactures Class B products and has received an authorized production schedule for such manufacture, accompanied by a preference rating to be used with his allotment number, shall not extend any other rating received by him from a customer". Limited exceptions to these prohibitions are set forth in the respective regulations.

(l) *Special ratings.* The War Production Board may assign special ratings in addition to those described in paragraphs (h), (i), (j), (k), (m), and (n), for fibre shipping containers. Applications for such ratings should be filed on Form WPB–2408.

(m) *Catch-all ratings.* If a person (other than a manufacturer or jobber of inner containers or closures, see paragraph (o)) is not entitled to use a rating to get fibre shipping containers for a particular purpose or purposes under any other provision of this order, he may use the following ratings to get the fibre shipping containers he needs for that purpose or to replace fibre shipping containers used for that purpose in his inventory.

1. AA–2X—if he has a blanket MRO rating of AA–1.
2. AA–3—if he has a blanket MRO rating of AA–2.
3. AA–4—if he has a blanket MRO rating of AA–2X.
4. AA–5—if he has a blanket MRO rating of AA–3 or lower.

He may also use these ratings to get fibre shipping containers for "combination packages" (as defined in paragraph (o–1) if he is not entitled to use a rating to get fibre shipping containers under any other provision of this order for any one of the products included in such packages.

"Blanket MRO ratings" are defined in paragraph (e) (2) of Priorities Regulation 3.

(n) *Ratings for manufacturers or jobbers of inner containers or closures.* When used in this paragraph (n) the term "inner containers" shall, in all cases, include closures for containers.

Manufacturers or jobbers of inner containers, such as glass jars, folding boxes, cans, etc. may not use their production material rating (paragraph (i)) or a catch-all rating (paragraph (m)), to get fibre shipping containers for the delivery of empty inner containers. However, they may use, for this purpose, any rating which they are entitled to under paragraphs (g), (h-Schedule A), (j), (l) or (k) (2) of this order.

In addition, manufacturers or jobbers of inner containers may use the same ratings which their customers could use to get fibre shipping containers, within the following limits and under the following conditions:

(1) The customer must advise the manufacturer or jobber, in writing, that a specific number or all of the inner containers covered by his purchase order will be used for a purpose which would entitle him, under the terms of this order, to use a certain rating to get fibre shipping containers for shipping them after they (the inner containers) have been filled.

(2) When so advised, the manufacturer or jobber of the inner containers may use the same rating to get fibre shipping containers for delivering the specified number of empty inner containers to that customer, or to replace any fibre shipping containers so used in inventory.

(o) *Permitted extension of ratings by fibre shipping container jobbers.* A person who sells empty fibre shipping containers, which he does not make, or which, he merely assembles, may extend his customers' ratings to get fibre shipping containers for delivery on the rated order, or to replace any fibre shipping containers so delivered in inventory.

(o–1) *Combination packages.* For the purpose of this order a "combination package" is one in which two or more products are packed in the same fibre shipping container.

Fibre shipping containers for combination packages must be obtained with the lowest rating which could be used, under this order, to get fibre shipping containers if each product in the package were packed separately. For instance, if a retail store packs two products in the same fibre shipping containers and it could use an AA–3 to get fibre shipping containers for one of them (if packed separately) and an AA–5 for the other, it must use an AA–5 to get fibre shipping containers for the combination package.

Use of Ratings for Delivery of Empty Containers to Foreign Countries

(p) *Countries other than Canada.* No ratings except those assigned pursuant to paragraph (1) (Special ratings) may be used to get fibre shipping containers which will be delivered empty to any foreign country except Canada, unless the containers are to be delivered directly to and used directly by an agency of the United States Government.

(q) *Canada.* The ratings provided by this order may be used to get fibre shipping containers by persons in Canada only if they are authorized to do so in accordance with Priorities Regulation 22. Any person in Canada authorized to use a preference rating under this order shall use such rating in the manner provided by Priorities Regulation 22.

Directions

(r) *Special directions by the War Production Board.* The War Production Board may, from time to time, direct a producer to produce and deliver specific quantities and types of fibre shipping containers to specified persons. It may also direct the manner in which such production and delivery shall be effected. Such directions will be made to insure the satisfaction of war and essential civilian requirements, both direct and indirect, and shall take precedence, to the extent which may be indicated by the War Production Board in the Direction over any preference ratings.

Existing Unfilled Orders

(s) *Permitted re-rating of existing orders.* Preference ratings assigned or permitted to be used by this order may be applied or extended to any unfilled order for fibre shipping containers placed prior to August 2, 1944. Any rating so applied or extended is a re-

rating under the provisions of Priorities Regulation 12.

(t) *Compulsory rerating of unfilled orders*—(1) *Where a rating has been lowered by amendment of Schedule A.* Any person who has applied a rating under Schedule A (paragraph (h)) of this order to get fibre shipping containers must, if the containers covered by his order are not delivered or in transit to him within ten days after the rating has been lowered by an amendment to that Schedule, rerate his purchase order to the extent necessary to bring it into conformity with the provisions of this order as then amended. Thus a person who has used a Schedule A rating which was lowered by the amendment of August 2, 1944, must rerate his order to bring it into conformity with this order as amended unless the rated shipping containers are actually in transit to him before August 12, 1944.

2. *Where the production material rating has been lowered.* Where a person has placed orders for fibre shipping containers to which he has applied his production material rating (paragraph (i)) and that rating is subsequently lowered, he must rerate his unfilled orders for fibre shipping containers to the same extent (and only to the same extent) that he is required to rerate his outstanding orders for production materials.

(3) *Where ratings have changed in any other manner.* In any other case where the rating which a person has used to get fibre shipping containers is reratet downward, he must rerate his unfilled purchase orders for fibre shipping containers as provided in Priorities Regulation 12.

(u) *Cancellation of special ratings previously assigned.* No ratings assigned on Form WPB–2408, before February 29, 1944, may be applied to orders for containers placed after February 29, 1944.

Certification

(v) *How the ratings provided for in this order may be applied or extended.* The ratings assigned or permitted to be used by this order may be applied or extended only by use of a certificate in substantially the following form, signed manually or as provided in Priorities Regulation 7:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is entitled to apply or extend the preference rating set forth on this order and that such application or extension is in accordance with Priorities Regulation 3, and is justified by paragraph (...) of Order P–146.

Purchasers applying or extending ratings to get fibre shipping containers shall insert the appropriate paragraph letter of this order in the blank appearing in the last line of the above certificate.

(w) *Standard certification.* The standard certification provided for in paragraph (g) (1) of Priorities Regulation 3, and in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certification provided by paragraph (v) above; nor may the certification provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Sales of Sheet

(x) *Sales of sheet to sheet plants and to cleated box manufacturers.* A manufacturer of fibre shipping containers may supply corrugated or solid fibre sheets to sheet plants or cleated box manufacturers even though he has unfilled rated orders for fibre shipping containers to be made from such sheets. This does not mean that container manufacturers are required so to supply sheets or that sheet plants or cleated box manufacturers can extend ratings received from their customers to get sheets. It merely supersedes the provisions of Priorities Regulation 1 to the extent necessary (and only to that extent) to permit the sale of sheets to cleated box manufacturers and sheet plants regardless of whether this would prevent or delay the acceptance or fulfilment of rated orders for fibre shipping containers.

Miscellaneous

Use of different grades of ratings on one purchase order. If a person has two or more ratings of different grades which he can use to get fibre shipping containers under this order, he may apply or extend them to deliveries on one purchase order. However, the purchase order must show the amount of each type or design of container to which a particular grade of rating is applied or extended. In order to avoid production or delivery of containers in quantities smaller than the minimum commercially practicable, a person may combine ratings of different grades and apply or extend the rating of the lowest grade to the total delivery.

(y) *Limits on the scope of this order.* This order deals only with the items defined as "fibre shipping containers". It does not affect ratings applicable to any other kind of container. This order does not purport to define any containers or closures (including fibre shipping containers) as "production materials" for the product to be packed. Nor does it permit "production materials" ratings, or any other ratings described herein, to be used to get any containers or closures, except those defined in paragraph (c).

(z) *Restrictions on acceptance of ratings.* No persons receiving an order for fibre shipping containers shall give effect to any preference rating applied or extended thereto on or after February 29, 1944, if he knows or has reason to believe, that the rating has not been applied or extended in accordance with the provisions of this order.

(aa) *Applicability of regulations.* Except to the extent that this order specifies to the contrary, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time. For instance, when this order allows a rating to be used for inventory replacement, this must be done in accordance with Priorities Regulation 3.

(bb) *Effect of other orders.* This order does not authorize the delivery, receipt, manufacture or use of any materials in violation of any other order of the War Production Board. Attention is specifically directed to Order L–317 which restricts the manufacture and use of fibre shipping containers.

(cc) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(dd) *Communications.* All reports to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: P–146.

Issued this 2d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Table amended August 2, 1944.

These are the product ratings described in paragraph (h) of this order. The preference rating shown opposite each product may be used to get "fibre shipping containers" for it.

Rating procedures to get fibre shipping containers for products not appearing in the following list are described in paragraphs (g) through (p) of this order. Some of these procedures may, in appropriate cases, be used to get containers for listed products if the shipper prefers them to his listed rating. However, attention is called to the fact that the so-called "catch all" rating procedure, described in paragraph (m) of this order, may not be used to get containers for any listed product, except in the case of combination packages as provided in that paragraph and in paragraph (o–1).

The headings used in this table are only for the purpose of separating the items into groups of similar commodities.

Product:	*Rating*
BUILDING MATERIALS	
1. Acoustical tile	AA–3
2. Asphalt roofing cement	AA–3
3. Asphalt roof coating	AA–3
4. Asphalt shingles	AA–3
5. Asphalt tile	AA–3
6. Facing tile, glazed and unglazed	AA–3
7. Floor and wall tile, glazed and unglazed	AA–3
8. Industrial plaster	AA–3
9. Insulating tile	AA–3
10. Insulation material (non-rigid, batts and blankets)	AA–3
11. Mineral wool formed-blocks, and/or metal encased insulation	AA–2X
CHEMICALS AND ALLIED PRODUCTS	
12. Ascorbic acid	AA–3
13. Acrylic monomer and acrylic resin	AA–3
14. Alkali cleansers and washing compounds	AA–3

CHEMICALS AND ALLIED PRODUCTS—continued

Product:	Rating
15. Allyl chloride and allyl alcohol	AA-2
16. Aniline	AA-2
17. Arsenious acid	AA-2
18. Associated paint, varnish, and lacquer products such as stains and fillers, polishes, putty, patching plaster, and other surfacing compounds	AA-5
19. Bismuth chemicals	AA-2
20. Bleaches, hypochlorites, peroxide, and perborates	AA-3
21. Can enamels	AA-2
22. Candles (except religious)	AA-5
23. Cements and adhesives, household	AA-5
24. Chemical warfare agents	AA-2
25. Chrome pigments	AA-2
26. Chromium chemicals	AA-2
27. Cosmetics and toiletries	AA-5
28. Cotton linters	AA-2
29. Dentifrices	AA-3
30. Dichloro dithenyl tricholorethane (DDT)	AA-1
31. Drugs, medicinals and biologicals	AA-2X
32. Enamels (other than can enamels)	AA-3
33. Ethyl cellulose	AA-2
34. Explosives (exclusively military)	AA-1
35. Explosives (industrial)	AA-2
36. Furnace type and channel type carbon black	AA-2
37. Gasoline gum inhibitors	AA-2
38. Glass, fibrous, glass products only	AA-2X
39. Glass, vitreous and semi-vitreous china products for kitchen, commercial and industrial use and for the preparation and serving of food	AA-3
40. Glass, optical	AA-2
41. Glass, ornamental and novelty	AA-5
42. Glass, structural	AA-3
43. Glass, technical (military and industrial use)	AA-2X
44. Glycols	AA-3
45. Herahydric alcohols	AA-2
46. Higher aliphatic alcohols	AA-2
47. Household polishes and related preparations as follows:	AA-5
a. Automobile body polish	
b. Floor and furniture polish and wax	
c. Metal polish	
48. Hydraulic fluid (aircraft only)	AA-1
49. Hydraulic fluid (all military, except aircraft)	AA-2
50. Ink, except printing ink	AA-5
51. Ink, printers	AA-3
52. Insecticides and fungicides	AA-2X
53. Ipecac and emetine	AA-2
54. Lacquer	AA-3
55. Matches	AA-3
56. Metal polishes and buffing compounds (not abrasive)	AA-4
57. Miscellaneous chemicals (acetadol, ST-115, dehydrol -O-G-C-78, By Product H_3PO_4, oxidised petrolatum, hydrogenated methyl abietate)	AA-2
58. Nicotine acid	AA-2
59. Nylon	AA-2
60. Paint (except marine)	AA-3
61. Paint (marine)	AA-2X
62. Penicillin	AA-1
63. Phenolic resins and phenolic resin molding compounds	AA-2
64. Phthalic anhydride, maleic anhydride, and maleic acid	AA-2

CHEMICALS AND ALLIED PRODUCTS—continued

Product:	Rating
65. Pigment and colors (except titanium dioxide and chrome)	AA-3
66. Pitch	AA-3
67. Polyethylene	AA-1
68. Potash	AA-2X
69. Preservatives	AA-3
70. Pyridine	AA-2
71. Quinacrine (atabrine)	AA-1
72. Quinine and other drugs extracted from cinchona bark	AA-2
73. Rayon, high tenacity	AA-2
74. Rayon yarn, high tenacity (tire type)	AA-1
75. Reagent chemicals	AA-2
76. Riboflavin	AA-2
77. Salt	AA-2X
78. Textile assistants	AA-3
79. Thiamine hydrochloride	AA-2
80. Varnish	AA-3
81. Vinyl polymers and co-polymers	AA-2
82. Vitamin A	AA-2

CONTAINERS INNER AND CLOSURES

(As referred to in Paragraph (n) of this order)

83. Bags and sacks	AA-3
84. Bag ties	AA-3
85. Closures and hoods for containers not otherwise listed	AA-3
86. Collapsible tubes	AA-3
87. Fibre cans and tubes	AA-3
88. Folding and set-up boxes	AA-3
89. Glass containers, except as otherwise listed	AA-3
90. Glass jars for home canning and closures therefor	AA-2X
91. Glass milk bottles and closures therefor	AA-2X
92. Jelly glasses for home canning and closures therefor	AA-2X
93. Metal cans	AA-3
94. Paper caps for glass bottles and jars	AA-3
95. Paper cups and nested food containers	AA-3
96. Paper milk containers	AA-2X
97. Prescription bottles for prescription use and closures therefor	AA-2X
98. Seed envelopes	AA-3
99. Till baskets and berry cups	AA-2X

FOODS

100. Foods except those otherwise listed (note that beer, beverage compounds, concentrates and syrups, chewing gum, distilled spirits for beverage purposes, soft drinks and wines are listed under the miscellaneous section of Schedule A rather than under this heading)	AA-2X
101. Baked beans	AA-3
102. Cantaloupe and melons	AA-3
103. Cauliflower	AA-3
104. Caviar	AA-5
105. Celery	AA-3
106. Confectionery, except chocolate and cocoa but including chocolate bars	AA-4
107. Condiments	AA-5
108. Dessert products, as fillings (pie and cake), food coloring, marshmallow and marshmallow cream, and puddings	AA-4
109. Flavorings	AA-3
110. Horseradish	AA-5
111. Ice cream	AA-3
112. Lettuce	AA-3
113. Mustard	AA-3
114. Pet foods	AA-5
115. Popcorn, unpopped	AA-3

FOODS—continued

Product:	Rating
116. Popcorn, popped	AA-5
117. Potato chips	AA-5
118. Radishes	AA-3
119. Relishes, prepared	AA-5

FURNITURE

120. Furniture, wood and metal, except as listed below	AA-3
121. Barber shop furniture	AA-5
122. Beauty shop furniture	AA-5
123. Benches (wooden)	AA-5
124. Blinds (venetian)	AA-5
125. Book cases	AA-5
126. Bookracks	AA-5
127. Breakfast sets	AA-5
128. Bridge sets: furniture	AA-5
129. Cabinets: music	AA-5
130. Camp furniture	AA-5
131. Carvings: furniture	AA-5
132. Clothing display forms	AA-5
133. Coffee tables	AA-5
134. Console tables	AA-5
135. Costumers	AA-5
136. Counter display cases	AA-5
137. Display fixtures	AA-5
138. Display racks	AA-5
139. End tables	AA-5
140. Footstools	AA-5
141. Frames	AA-5
142. Hassocks	AA-5
143. Hatracks	AA-5
144. Inlays: wooden	AA-5
145. Lecterns: portable	AA-5
146. Magazine racks	AA-5
147. Novelty furniture	AA-5
148. Ottomans	AA-5
149. Phonograph and radio cabinets	AA-5
150. Porch furniture	AA-5
151. Racks: book, clothes, display, hat	AA-5
152. Silverware chests	AA-5
153. Stands: merchandise display, telephone, and furniture	AA-5
154. Swings: porch	AA-5
155. Tables: folding—fibreboard	AA-5
156. Tea tables	AA-5
157. Trays	AA-5

KITCHEN AND HOUSEHOLD UTENSILS

158. Kitchen and household utensils, except as listed below	AA-3
159. Barware	AA-5
160. Bars, towel	AA-5
161. Boot and shoe trees	AA-5
162. Bottle cappers, household	AA-5
163. Candle holders	AA-5
164. Candlesticks	AA-5
165. Canisters	AA-5
166. Carpet beaters	AA-5
167. Clothes racks	AA-5
168. Commodes	AA-5
169. Crumb sets	AA-5
170. Curtain fixtures and rods	AA-5
171. Dish drainers	AA-5
172. Door mats	AA-5
173. Drapery attachments and fixtures	AA-5
174. Fireplace hardware, grates, baskets and screens	AA-5
175. Fly swatters	AA-5
176. Grids, camp	AA-5
177. Hardware, drapery	AA-5
178. Holders, salt, soaps, toilet paper, tooth brush, etc.	AA-5
179. Ice crushers, cubers (domestic)	AA-5
180. Jar openers	AA-5
181. Juice extractors	AA-5
182. Mats, wire door	AA-5
183. Nut crackers	AA-5
184. Racks, tie, towel, clothes	AA-5
185. Soap dishes	AA-5
186. Spice sets	AA-5
187. Spittoons	AA-5
188. Sprayers, water, household	AA-5
189. Stretchers, curtain	AA-5
190. Woodenware, novelty	AA-5

PAPER AND PAPER PRODUCTS

(Ratings for items listed under this heading apply only when the items are made of paper.)

Product:	Rating
191. Abrasive papers	AA-2
192. Adding machine and business machine rolls and folds	AA-3
193. All paper for delivery to U. S. Bureau of Engraving & Printing	AA-2X
194. Automotive oil cartridges	AA-2X
195. Blue prints and direct line papers	AA-2
196. Books and directories	AA-3
197. Cable insulation	AA-1
198. Caps, pads, cushions, and guards for fruit and vegetable packing	AA-3
199. Carbon paper	AA-3
200. Carbonizing paper	AA-3
201. Chart paper	AA-2
202. Charts, rolls, and tape for communication and recording instruments	AA-2
203. Cigarette papers and cigarette paper books	AA-5
204. Clock backs and cases	AA-3
205. Clothing	AA-3
206. Condenser paper	AA-1
207. Control knobs and dials	AA-2X
208. Cores and core plugs	AA-2X
209. Crepe cellulose wadding	AA-3
210. Crepe wadding for packing	AA-3
211. Crepe paper and crepe paper products	AA-5
212. Cups	AA-3
213. Dental mouth wadding	AA-2X
214. Diaper linings	AA-3
215. Dishes, spoons, forks, plates, trays and mats	AA-5
216. Electrical insulation tissues	AA-1
217. Electrical insulation pressboard	AA-3
218. Envelopes in all styles except expansion	AA-3
219. Expanding envelopes or pockets	AA-3
220. Facial tissues	AA-3
221. Faces for gauges, clocks, and weighing equipment	AA-2X
222. Fibre conduit and fittings	AA-2X
223. File dividers and indexes	AA-3
224. Fillers—looseleaf except accounting	AA-3
225. Filter paper	AA-2
226. Fly paper	AA-3
227. Fly ribbons	AA-3
228. Folders—file	AA-3
229. Friction pulleys and wheels	AA-2X
230. Fuses and component parts thereof	AA-2X
231. Gaskets	AA-2X
232. Gears	AA-2X
233. Greeting cards	AA-5
234. Gummed flat paper	AA-3
235. Helmets and helmet accessories	AA-3
236. Hospital wadding	AA-2X
237. Household waxed paper, all styles	AA-5
238. Index cards, plain and ruled	AA-3
239. Instrument panels	AA-2X
240. Lens tissue	AA-1
241. Lithomat and photomat paper	AA-3
242. Map paper	AA-2
243. Mimeograph stencils	AA-3
244. Molded pulp products as paper machine articles	AA-5
245. Napkins (for industrial, commercial and institutional use)—bulk and dispenser type	AA-3

PAPER AND PAPER PRODUCTS—continued

Product:	Rating
246. Napkins (household) and table and tray covers	AA-5
247. Prepared tracing paper	AA-2
248. Pressure sensitive adhesive tape	AA-3
249. Reproduction papers—blueprint gelatine spirit process, photographing protective and other sensitized	AA-2
250. Scrap books and albums	AA-5
251. Stationery (papeterie, portfolio, and folder form)	AA-5
252. Stationery, except otherwise listed	AA-3
253. Stencil base stock	AA-3
254. Straws—soda and drinking	AA-5
255. Tablets, pads and notebook	AA-3
256. Tabulating cards	AA-3
257. Tags, commercial and industrial only	AA-3
258. Toilet seat covers	AA-5
259. Toilet tissue	AA-2X
260. Towels	AA-3
261. Vertical file pockets	AA-3
262. V-Mail blanks	AA-3
263. Waxed, oiled, greaseproof glassine and parchment paper, all types and grades other than household packages	AA-2X
264. Waxed paper, except industrial	AA-5
265. Wrapping paper, paper bags, except industrial and military	AA-5
266. Wrapping tissue and cellophane	AA-5

RUBBER AND RUBBER PRODUCTS, NATURAL AND SYNTHETIC

Product:	Rating
267. Artificial leather and upholstery	AA-5
268. Ash trays	AA-5
269. Bathroom equipment	AA-5
270. Belting, transmission and conveyor	AA-2X
271. Candy molds	AA-5
272. Cap covers	AA-5
273. Christmas tree lighting devices	AA-5
274. Clutch facings and brake linings	AA-2X
275. Cushions, upholstery mattresses (except invalid and hospital use)	AA-5
276. Desk and chair protection pads	AA-5
277. Desk sets	AA-5
278. Dish drainers	AA-5
279. Door checks and bumpers	AA-5
280. Door knob covers	AA-5
281. Exercise machine parts	AA-5
282. Fender protective plates	AA-5
283. Fish lures	AA-5
284. Flotation and life saving equipment	AA-2X
285. Fly swatters	AA-5
286. Foot bath trays	AA-5
287. Harvesting machinery parts	AA-2X
288. Industrial abrasive implements	AA-2X
289. Industrial tape, pressure sensitive and insulation	AA-2X
290. Inkwells and bottles	AA-5
291. Firemen's protective devices	AA-2X
292. Medical, surgical, dental drug sundries (for professional use only)	AA-2X
293. Milk and milking equipment	AA-2X
294. Mine and industrial safety equipment	AA-2X
295. Novelties	AA-5
296. Oil well specialties	AA-2X

RUBBER AND RUBBER PRODUCTS, NATURAL AND SYNTHETIC—continued

Product:	Rating
297. Packing, gaskets and grommets	AA-2X
298. Pipe coupling rings	AA-2X
299. Printers' supplies	AA-2X
300. Rubber covered rolls and roll coverings	AA-2X
301. Rubber protected industrial equipment and rubber linings	AA-5
302. Serving trays	AA-5
303. Sink pads, mats, sprays	AA-5
304. Storage battery parts	AA-2X
305. Synthetic rubber (Butyl type and non-mutual GR-S)	AA-1
306. Table tops	AA-5
307. Telephone bases and cord protectors	AA-5
308. Vibration mounts and shock absorbers	AA-2X
309. Window squeegees	AA-5
310. Wire and cable products	AA-2X

TEXTILES, CLOTHING AND LEATHER

311. Abrasive cloths	AA-2
312. Animal bristles and hair	AA-2X
313. Bedspreads, covers, comforters, curtains, tablecloths and similar articles	AA-5
314. Clothing, hats, gloves and all other outerwear and undergarments or apparel, except rationed footwear, if made in whole or in part of leather or textile yarn, staple fibre or fabrics	AA-3
315. Closures, apparel	AA-3
316. Combinations of cotton, wool, or synthetic fabrics; woven, knitted or braided	AA-2X
317. Combinations of cotton, wool or synthetic yarn	AA-2X
318. Cordage fibres (as defined in M-84)	AA-2X
319. Cotton fabrics; woven, knitted or braided	AA-2X
320. Cotton yarn	AA-2X
321. Dyestuffs	AA-2X
322. Findings, shoe (the materials, excepting leather, used in making shoes) for rationed footwear	AA-2X
323. Findings, shoe, for non-rationed footwear	AA-3
324. Footwear, rationed	AA-2X
325. Footwear, non-rationed	AA-3
326. Furs and products made therefrom	AA-3
327. Harness	AA-2X
328. Lace articles	AA-3
329. Leather for rationed footwear (limited to processed hides, skins and splits which have not been incorporated into any product)	AA-2X
330. Leather for uses other than rationed footwear (limited to processed hides, skins and splits which have not been incorporated into any product)	AA-3
331. Leather finishes	AA-3
332. Leather products as follows:	AA-5
a. Bill folds and wallets	
b. Card and key cases	
c. Cigar and cigarette cases and tobacco pouches	
d. Coin purses	
e. Desk sets	
f. Dog furnishings	
g. Luggage	
h. Purses	

TEXTILES, CLOTHING AND LEATHER—continued

Product:	Rating
333. Rayon—(except high tenacity)	AA-2X
334. Shoe adhesives	AA-3
335. Shoe leather, cut stock (repair taps, insoles, mid-soles, counters, boxtoes and welting)	AA-2X
336. Sponges	AA-3
337. Synthetic fabrics, woven, knitted or braided	AA-2X
338. Synthetic yarn	AA-2X
339. Textile fibres (animal and vegetable)	AA-2X
340. Tire cord and tire fabrics (rayon, cotton, nylon)	AA-1
341. Trimmings	AA-5
342. Vegetable tanning materials	AA-3
342. Wool fabrics: woven, knitted, felted or braided	AA-2X
344. Wool yarn	AA-2X

MISCELLANEOUS

345. Advertising prints	AA-5
346. Art goods	AA-5
347. Artists' supplies	AA-5
348. Automotive replacement parts (as defined in Order L-158 as amended)	AA-2X
349. Beer	AA-5
350. Beverage compounds, concentrates and syrups	AA-5
351. Buttons: military	AA-3
352. Buttons: except military	AA-5
353. Calendars	AA-5
354. Cement (refractories)	AA-2X
355. Chewing gum	AA-4
356. Chicks, baby	AA-2X
357. Christmas tree decorations and novelties	AA-5
358. Church goods (including products for religious use)	AA-3
359. Controlled materials (as defined in CMP Regulation 1)	AA-1
360. Desk sets and deskware	AA-5
361. Dental plaster	AA-2X
362. Diaries	AA-5
363. Distilled spirits for beverage purposes	AA-5
364. Fireworks	AA-5
365. Fluorspar	AA-2X
366. Fruit trees, berry bushes and vegetable plants	AA-2X
367. Hospital and dental equipment	AA-2X
368. Jewelry: military insignia only	AA-3
369. Jewelry: except military insignia	AA-5
370. Laundry starch	AA-3
371. Luggage	AA-5
372. Micro-crystalline wax and blends as defined in Order PDO-19	AA-3
373. Mirrors (other than integral part of furniture)	AA-5
374. Motion picture prints or films	AA-2X
375. Musical instruments	AA-4
376. Novelties, ornamental and decorative, wood, paper, textile, rubber, glass, plastic, leather, clay, etc	AA-5
377. Orthopedic plaster	AA-2X
378. Petroleum restricted products as defined in M-201 to be delivered directly to Army, Navy, Maritime Commission and War Shipping Administration	AA-1
379. Petroleum restricted products as defined in M-201 for deliveries other than described in preceding item	AA-2X

MISCELLANEOUS—continued

Product:	Rating
380. Plumbing accessories, miscellaneous for tub, shower and lavatory (wood, paper, textile, rubber, plastic and glass)	AA-5
381. Poultry, live	AA-2X
382. Printing plates and mats	AA-3
383. Purses	AA-5
384. Refractories	AA-2X
385. Safety equipment, clothing and devices as defined in Order L-114	AA-2X
386. Sanitary napkins and wadding stock	AA-2X
387. Seeds (vegetable)	AA-2X
388. Shoe polishes, dressings, creams, preservatives, cleaners and stains	AA-3
389. Smelting and refinery products	AA-2X
390. Soap	AA-3
391. Soft drinks	AA-5
392. Sporting goods	AA-4
393. Surgical dressings	AA-2X
394. Tableware: plastic, wood, paper	AA-5
395. Tacks and nails: cut nails made from tack plate, wire shoe nails, non-ferrous nails, tacks except thumb tacks	AA-2X
396. Talc (crayons and forms)	AA-2X
397. Tobacco and tobacco products	AA-4
398. Toys and games, wood, paper, textiles, rubber, plastic, clay, etc	AA-4
399. Wines	AA-5

[F. R. Doc. 44-11566; Filed, August 2, 1944; 11:25 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule XVI as Amended Aug. 2, 1944]

SPECIALTY PAPER AND BOARD

§ 3281.32 *Schedule XVI to Limitation Order L-120*—(a) *Definitions.* For the purpose of this schedule, including the appendix.

(1) The term "specialty paper and board" means and is limited to the kinds of paper and board commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) A "grade" means one particular quality within a kind of paper or board such grade having the essential properties peculiar to such kind and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any common property is emphasized, due only to a difference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or board or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "basis weight" means the weight in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) The term "thickness" means the thickness of a sheet of paper or board expressed either in terms of plies or by caliper in terms of thousandths of an inch measured by the Cady Micrometer.

(6) An "item" means a quantity of paper or board all of which is of the same size, grain, basis weight or thickness, finish, color and grade.

(7) The term "standard" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, a grade, color, basis weight or thickness, and size selected or specified under A of the appropriate caption in the appendix below.

(8) The term "special" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, any grade, color, basis weight or thickness, or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, converter or consumer.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) The terms "SU" and "WO" and similar terms as applied to tag stock refer to converter tag grades recognized by the trade as standard under A (1) of such caption by these terms, and, in conjunction with numbers indicating the thickness, also indicate certain technical standards and tolerances for weight, thickness and tear which apply thereto.

(12) The term "Converter Tag Board" means and is limited to those grades commonly sold to tag manufacturers and coating mills under the names and technical standards generally recognized by the "Tag Converting" industry.

(13) The term "Dealer Tag Board" means any grade of tag board other than converter tag board grades, commonly sold and distributed in the paper trade to others than tag manufacturers.

(b) *Identification of the paper or board subject to this schedule.* It shall be the duty of each person who manufactures paper or board to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix belongs each kind of paper and board manufactured by him. There shall be taken into account in such determination, and in any review and reclassification by the War Production Board the designation by which the manufacturer heretofore identified or distributed the paper or board in question, the common designation in the paper trade of similar papers or boards

selling within the same general price range as the paper or board in question, and the common designation in the paper trade of papers or boards possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper or board in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of paper or board, or whether a particular kind of paper or board is such a paper or board at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper or board, submitting with his application representative samples of the grade or grades in which he manufactures such paper or board, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of paper or board with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefore an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of paper or board shall select such "grade" or "grades" (if selection is indicated under the appropriate caption), not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB–1295 (formerly PD–589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board, in writing, the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the appendix below a manufacturer is permitted with respect to a particular grade of a kind of paper or board to select a number of colors and such selection is indicated, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manufacture, and shall immediately notify the War Production Board of such selection on Form WPB–1295 (formerly PD–589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of specialty paper and board in any grade, color, basis weight or thickness, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (if such standards are specified or selected under A of the appropriate caption) or contrary to any other provision under the appropriate caption. This general rule, is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under B in certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the greatest standard basis weight or thickness permitted under A of such caption unless specific exception is made therefor under B.

(6) Specialty paper and board in process of manufacture on May 27, 1944, may be completed otherwise than by pasting.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper or board under each caption of the appendix (with such exceptions as may be noted under the caption), and to the normal variations in quantity manufactured customarily acceptable in the paper trade for such kind. Nothing in this schedule shall restrict the remaking, because of faulty manufacture or excessive underrun, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, *Provided*, The parent size is manufactured in accordance with the provisions of this schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the appendix below.

(h) *Jobs and seconds.* Nothing in this schedule shall restrict the sale of "job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture paper and board according to the terms of this schedule, provided that the manufacturer clearly informs the purchaser that such paper or board is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this schedule and of the provisions of Limitation Order L–120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any kind of specialty paper or board in any size, basis weight or thickness required, regardless of quantity: *Provided*, All other provisions of this schedule are complied with and (if the basis weight or thickness is greater than permitted) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such basis weight or thickness.

(j) *Records and reports*—(1) *Standard samples.* Each person who manufactures any kind of specialty paper or board shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after May 27, 1944, each person who manufactures any "special making order" permitted under B of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after May 27, 1944, each person who manufactures specialty paper or board for export shall require from the buyer a statement on his purchase order to the effect that such paper or board is purchased for export, shall keep such statement, together with a complete record of the order against which such paper or board is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of this schedule have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 2d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX—SCHEDULE XVI TO L–120

CONVERTER TAG BOARDS

A. *Grades, colors, weights and sizes for regular manufacture.*

NOTE: "Converter Tag Board" grades may be sold by the manufacturer only to fill in-

dividual orders, each placed by a single buyer for use by a tag manufacturer, or for use by a coating mill in manufacturing coated tag board for a tag manufacturer.

(1) *Standard grades.* With respect to each manufacturer, any grade or grades manufactured subsequent to August 1, 1943 as a "converter tag board" grade according to established manufacturing standards, such grade or grades to be selected as standard for regular manufacture and the War Production Board advised thereof as provided in paragraph (c) of the foregoing schedule.

(2) *Standard colors.* No restrictions.

(3) *Standard thicknesses.* WO Grade: Caliper .013 only; SU grade: Calipers .006, .008, .010, .013; and, if for manufacturing tags for use exclusively on cotton bales or for wet strength overseas shipping tags for the Armed Forces or for use in automatic tag marking machines, caliper .015, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Other grades. With respect to each manufacturer and each standard grade of such manufacturer, any thickness made subsequent to August 1, 1943 in such standard grade is standard for such grade and such manufacturer. Each manufacturer shall report his standard thickness or thicknesses for each of his standard grades concurrently with his selection of his standard grades.

(4) *Standard size.* No restrictions.

(5) 20% tolerance on Elmendorf tear specifications instead of the usual 10% is permitted for "SU" and "WO" grades.

B. *Exceptions for special making orders to be sold under the provisions of the note under A of this caption*—(1) *Special grades.* A special grade of converter tag board may be manufactured by any manufacturer in a quantity of at least 10,000 pounds of a thickness and at least 5,000 pounds of each item, provided that such grade and such thickness is a standard grade and thickness for any other manufacturer.

(2) *Special thickness.* A special thickness may be manufactured in WO and SU grades to fill a special making order in a quantity of at least 10,000 pounds of a thickness in one grade, *Provided*, The thickness is no less than .006 and no greater than permitted under A. (3).

(3) [Deleted August 2, 1944.]

DEALER TAG BOARDS

(Including Grades Containing Rope, Jute or Special Fiber)

A. *Grades, colors, basis weights or thicknesses, and sizes for regular manufacture*—(1) *Standard grades.* Chemical woodpulp, rope, jute and special fibre not more than one in each kind; Groundwood content (minimum 25% groundwood): Not more than two; selected according to paragraph C of the foregoing schedule.

(2) *Standard colors.* White, natural, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard basis weights* (per 500 sheets 24" x 36"): Chemical wood pulp, rope, jute and special fibre: 80, 100, 125, 150; Groundwood content: 100, 125, 150, 175; and if for use as time-clock cards caliper .014 in Groundwood content regardless of weight, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is exclusively for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

(4) *Standard sizes* (in inches).

Sheets: 24 x 36, 22½ x 28½.

Rolls: Any dimension of a standard sheet size is a standard size for roll widths, and any roll width may be considered a standard size when manufactured as part of a full machine deckle.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule*—(1) *Specific grades.* None permitted.

(2) *Special colors.* A special color may be manufactured to fill a special making order in a standard grade and basis weight in a quantity of at least 10,000 pounds and in at least 5,000 pounds of each item.

(3) *Special basis weights.* A special basis weight may be manufactured to fill a special making order in a quantity of at least 10,000 pounds of a standard grade and in at least 5,000 pounds of each item, *Provided*, The basis weight is no lighter or heavier than permitted under A. (3) above.

(4) *Special sizes.* A special size may be manufactured to fill a special making order in a quantity of at least 2,000 pounds of an item, either sheet or roll.

(a) In a standard grade, standard color and standard basis weight, or

(b) In a special color in the quantities provided for under exception (2) above.

FILE FOLDER STOCK

A. *Grades, colors, basis weights or thicknesses, and sizes for regular manufacture*—(1) *Standard grades.* Not more than 3 selected according to paragraph (c) of the foregoing schedule.

(2) *Standard colors.* Natural only.

(3) *Standard thicknesses.* Calipers .008 and .0095.

(4) *Standard sizes.* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 5000 pounds of an item.

B. *Exceptions for special making orders as defined in (a) (9) of the foregoing schedule*—(1) *Special grades.* A special grade may be manufactured to fill a special making order in a quantity of at least 20,000 pounds in caliper .011, provided the chemical woodpulp fibre content does not exceed 50%.

(2) *Special colors.* None permitted.

(3) *Special thicknesses.*

(a) Caliper .011 may be manufactured only in a special grade as provided for under exception (1) above.

(b) *Special basis weights.* Basis weight 24" x 36"—200 may be manufactured to fill a special making order, provided that:

(1) The quantity is at least 10,000 pounds in one standard grade and color and with at least 5,000 pounds of each item; and

(2) The stock is for use in making guide cards, and before the sale thereof the manufacturer shall require from the buyer a statement that the order is exclusively for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

[NOTE: Paragraph (c) formerly (b) redesignated Aug. 2, 1944.]

(c) Caliper .017 may be manufactured to fill a special making order in any standard grade, *Provided*, That:

(1) The quantity is at least 20,000 pounds in one standard grade and color and at least 5000 pounds of each item, and

(ii) The stock is for use in making file folders to each of which is attached a metal or riveted celluloid index tab, and before the sale thereof the manufacturer of file folder stock shall require from the buyer a statement that the order is exclusively for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

[F. R. Doc. 44-11566; Filed, August 2, 1944; 11:23 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 40]

FERRO- AND FERRI-CYANIDES

§ 3293.1040 *Schedule 40 to General Allocation Order M-300*—(a) *Definition.* "Ferro- and ferri-cyanides" means any one of the following, in solid or solution form:

(1) Sodium ferro-cyanide (yellow prussiate of soda)

(2) Potassium ferro-cyanide (yellow prussiate of potash)

(3) Potassium ferri-cyanide (red prussiate of potash)

(4) Potassium-sodium ferri-cyanide (for example, "Redsol Crystals").

(b) *General restrictions.* Ferro- and ferri-cyanides are subject to the provisions of General Allocation Order M-300 as Appendix A materials. The initial allocation date is September 1, 1944. The allocation period is the calendar month. The small order exemption per person per month is as follows:

	Pounds
(1) Sodium ferro-cyanide	720
(2) Potassium ferro-cyanide	100
(3) Potassium ferri-cyanide	100
(4) Potassium-sodium ferri-cyanide	370

(c) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946. Filing date is the 15th day of the month before the proposed delivery month. File separate sets of forms for each ferro- and ferri-cyanide. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-40. Unit of measure is pounds. In Table I fill in Columns 1 through 4 and leave Column 5 blank. Report sizes of container in Column 5 (a) such as 360-pound barrels, 100-pound kegs, etc. An aggregate quantity may be requested as a separate item, without specifying customers' names, for delivery on exempt small orders. In Column 7 report total actual shipments on small orders during the latest month for which figures are available, indicating the month covered. In Table II fill in Columns 9 through 15 as indicated, leaving Columns 8 and 16 blank.

(d) *Customers' applications on WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945. File separate sets of forms for each ferri- and ferro-cyanide and for each supplier. Filing date is the 10th of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau,

Washington 25, D. C., Ref: M-300-40, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In Column 2 specify requirements for the next month only. Fill in Column 3 in terms of the following:

Iron blue.
Blue print paper.
Developer.
Other primary product (specify).
Inventory (in original form).
Export (in original form).
Resale (in original form).

In Column 4 specify and use in accordance with paragraph (11-a) of Appendix E of Order M-300.

In table II fill in Columns 13 through 16. If more than one primary product is produced show actual quantity of ferros or ferri-cyanide in the latest available month for each in Column 14, indicating in Column 11 the name of the primary product reported in Column 14. Fill in Table III as indicated and leave Tables IV and V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-40.

Issued this 2d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11567; Filed, August 2, 1944; 11:23 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 88, Amdt. 13]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 2.28 (b) is amended to read as follows:

(b) *Philadelphia, Pennsylvania area.* In the Metropolitan Philadelphia Area, comprising that section of the State of New Jersey which is within a radius of seventeen and one-half (17½) miles of the City Hall Building in the City of Philadelphia, Pennsylvania, maximum tank wagon prices of grades Nos. 5 and 6 fuel oil shall be as follows:

Grades:	*Cents per gallon*
Grade No. 5 fuel oil in single lots of 1,000 gallons or more	5.76
Grade No. 5 fuel oil in single lots of less than 1,000 gallons	6.26
Grade No. 6 fuel oil in any quantity	5.06

*Copies may be obtained from the Office of Price Administration.

2. Section 2.36 (b) is amended to read as follows:

(b) *Metropolitan Philadelphia area.* In the Metropolitan Philadelphia area comprising that section of the State of Pennsylvania which is within a radius of seventeen and one-half (17½) miles of the City Hall Building in the City of Philadelphia, Pennsylvania, maximum tank wagon prices of grades Nos. 5 and 6 fuel oil shall be as follows:

Grades:	*Cents per gallon*
Grade No. 5 fuel oil in single lots of 1,000 gallons or more	5.76
Grade No. 5 fuel oil in single lots of less than 1,000 gallons	6.26
Grade No. 6 fuel oil in any quantity	5.06

3. Article III is amended to read as follows:

ARTICLE III—MAXIMUM PRICES FOR HEAVY FUEL OIL FOR AREAS NOT LIMITED TO A SINGLE STATE OR TERRITORY

SEC. 3.1 *Products and area covered—*(a) *Heavy fuel oil—definition of.* The term heavy fuel oil as used in this Article means any of the following products, except diesel fuels, provided such products fall within Commercial Standard Specifications for fuel oils as to flash point, water, and sediment:

(1) Crude oil sold to tank wagon resellers for resale as fuel oil or gas enrichment oil or to consumers for use as fuel oil or gas enrichment oil;

(2) Residual fuel oil;

(3) Blends of (1) and (2) with each other;

(4) Blends of any of the foregoing with distillate fuel oils or other petroleum fractions.

(b) *Area covered.* The provisions of this article apply in the Continental United States, other than Petroleum Administration for War District No. 5.

SEC. 3.2 *Permissible increases for certain marketers—*(a) *On certain f. o. b. refinery shipments.* When made by an eligible marketer as defined in section 1.14 (j), the maximum price, on an f. o. b. refinery shipment from any point covered by section 3.4 to an ultimate destination other than in Petroleum Administration for War District 1, shall be the maximum f. o. b. refinery price established for the particular shipping point in such section plus 5.25 cents per barrel; or

(b) *On sales to governmental agencies pursuant to public bidding.* If bids are taken by a governmental agency on an f. o. b. shipping point price basis, then, on such a bid, if the bidder is an eligible marketer, as defined in section 1.14 (j), he may bid and charge, for an f. o. b. refinery shipment from any point covered by section 3.4 the maximum f. o. b. refinery price established for the particular shipping point in such section plus 10.5 cents per barrel, *Provided*, That the laid-down cost to such governmental agency does not exceed the sum of the maximum f. o. b. price of each person participating in the particular bidding as determined or established under any other section of this regulation for the shipping point from which each bidder proposes to make shipment plus the actual cost of transportation that would be incurred from such point to destination by such person.

SEC. 3.3 *Permissible brokerage charges to buyers.* The terms "broker," "eligible broker" and "brokerage commission" are defined in section 1.14 (k) of this regulation. Except as herein provided, a buyer may not be charged brokerage commission which will increase the buyer's cost on an f. o. b. refinery shipment from any point covered by section 3.4 to more than the maximum f. o. b. refinery price established for the particular shipping point in such section. When, however, an f. o. b. refinery shipment from any point covered by such section has been found or negotiated by an eligible broker or eligible brokers a buyer may be charged brokerage commission, which, added to the f. o. b. refinery price established for the particular shipping point under such section, will not increase the buyer's f. o. b. refinery cost to more than 5.25 cents per barrel above such maximum price.

SEC. 3.4 *Specific prices f. o. b. certain shipping points—*(a) *To whom applicable.* The maximum prices for heavy fuel oil within the Price Areas described in (b) below and set forth in this section shall apply as follows:

(1) In bulk lots f. o. b. refineries and seaboard tanker terminals for shipment to any destination;

(2) In bulk lots f. o. b. river tanker terminals at Albany, New York, and the Mississippi River up to and including Baton Rouge, Louisiana, for shipment to any destination;

(3) In bulk lots f. o. b. any bulk storage on sales of crude oil for shipment to any destination;

(4) In bulk lots f. o. b. any bulk storage outside Petroleum Administration for War District 1 for shipment to ultimate destinations in Petroleum Administration for War District 1.

(b) *No. 6 Commercial Standard Specifications fuel oil:*

Price area: [1]	*Dollars per 42-gallon barrel* [2]
A	1.02
B	0.97
C	0.97
D	0.97
E	1.14
F	1.51
G	1.56
H [3]	1.74
I	1.77
J	1.93
K [4]	2.16
L	1.97
M	1.77
N	1.73
O	1.63
P	1.27
Q	1.22
R	1.15
S	0.92
T	0.90
U	0.96
V	1.26
W	1.07

[1] On sales f. o. b. refineries located at any point not covered by the price areas described in the above table sellers shall file a tentative price with the Petroleum Branch of the Office of Price Administration in Washington, D. C., in accordance with the requirements of section 8.3 of this regulation.

[1] Prices in that portion of this price area within the States of Illinois and Indiana shall not be applicable on sales to tank wagon resellers located in the metropolitan Chicago area. Maximum shipping point prices to such tank wagon reseller must be filed without regard to the other provisions of this regulation in accordance with the requirements of section 8.3 of this regulation.

[2] Quantity adjustments for water and sediment shall be made in accordance with No. 6 Commercial Standard requirements.

[3] On sales f. o. b. refineries and terminals within the Schedule "D" area of Zone 6, as defined in section 1.14 (n), for shipment to ultimate destinations in Petroleum Administration for War District 1 outside of such Schedule "D" area the maximum price shall be the prices designated above less 30 cents per barrel.

Price Area A comprises Kansas, excluding, however, the area within a radius of 25 miles of Kansas City, Missouri.

B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall and Childress and El Paso County).

C comprises New Mexico (excluding, however, Dona Ana County) and Texas Panhandle (which is defined hereby as the portion of Texas north of the southern boundaries of Parmer, Castro, Swisher, Briscoe, Hall, and Childress).

D comprises Texas Gulf Coast ports and Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge.

E comprises the area within a radius of 25 miles of Kansas City, Missouri.

F comprises that part of Missouri within a radius of twenty-five miles of St. Louis, Missouri, and the following counties of Illinois: St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper.

G comprises the following counties of Kentucky: Union, Estill, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham; and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

H comprises the following counties of Illinois: Lake, Cook, Du Page and Will; the following counties of Indiana: Lake, Porter and La Porte; and the State of Michigan (excluding, however, the counties of Wayne and Monroe).

I comprises the area within a radius of 25 miles of Indianapolis, Indiana; the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs; and the following counties of Kentucky: Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup and Boyd.

J comprises the following counties of Michigan: Wayne and Monroe; and the following counties of Ohio: Lucas, Wood, Hancock, Putnam, Allen and Licking.

K comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, Columbiana; and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof; and West Virginia.

L comprises Albany, New York.

M comprises Portland, Maine; Portsmouth, New Hampshire; Boston and Fall River, Massachusetts; Tiverton and Providence, Rhode Island; New Haven, Connecticut; New York Harbor; Philadelphia Harbor; Baltimore, Maryland; and Norfolk, Virginia.

N comprises Wilmington, North Carolina; Charleston, South Carolina; Savannah, Georgia; Jacksonville and Miami, Florida.

O comprises Tampa, Florida.

P comprises Pensacola, Florida.

Q comprises Mobile, Alabama.

R comprises Colorado.

S comprises Wyoming.

T comprises the Montana counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon and counties of Montana east thereof.

U comprises the Montana counties of Hill, Chouteau, Judith Basin, Wheatland, Sweet Grass, Park and counties of Montana west thereof.

V comprises Utah.

W comprises Mississippi except Gulf Coast ports.

(c) *Fuel oil required to meet No. 5 Commercial Standard Specification fuel oil only:*

Price area as described in (a):	*Dollars per 42-gallon barrel*
"D"	1.05

(d) *Navy Grade Special fuel oil:*

Price area as described in (a):	
"D"	1.05
"M"	1.85

SEC. 3.5 *Formula prices for both shipping and delivery points, No. 6 Commercial Standard Specifications fuel oil.* Except as provided in section 3.4 above, a seller's maximum price or prices at a particular shipping or delivery point for No. 6 Commercial Standard Specifications shall be the sum of his maximum price or prices for No. 6 Commercial Standard Specifications fuel oil as determined under other provisions of this regulation, other than prices approved under Article VIII,[1] on a gravity scale basis, at such shipping or delivery point and the amount designated below:[2]

Price area:	*Amount of increase*
AA	0.12
BB	0.17
CC	0.06
DD	0.09
EE	0.20
FF	0.19
GG	0.16
HH	0.10
II	0.14

[1] If a seller's maximum price for heavy fuel oil has been established heretofore under Article VIII of this regulation, such seller's maximum price for No. 6 Commercial Standard Specifications fuel oil shall be the price approved under such article for such fuel oil of 13–15.9° API gravity.

[2] Other than at refineries and terminals covered by section 3.4, inventories on hand may be sold on the basis of maximum prices in effect prior to August 1, 1944 until September 1, 1944.

Price Area AA comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (excluding, however, counties of Chautauqua, Erie, Niagara, Cattaraugas, Allegany, Wyoming, Genesee and Orleans), Pennsylvania (excluding, however, counties of Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof), New Jersey, Maryland, District of Columbia, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi Gulf Coast Ports, Louisiana Gulf Coast ports, Louisiana, Mississippi River ports up to and including Baton Rouge, and Texas Gulf ports.

BB comprises Mississippi (excluding, however, Gulf Coast ports), Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports), Tennessee, Arkansas, New Mexico, Oklahoma, Kansas (excluding, however, the area within a radius of 25 miles of Kansas City, Missouri), Missouri (excluding, however, the areas within a radius of 25 miles of Kansas City, Missouri and St. Louis, Missouri), Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Nebraska, and Wyoming, except that for Wyoming opposite gravities 20.0° to 24.9° and 25.0° and above API add only 29¢.

CC comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter, LaPorte; Ohio (excluding, however, the following counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs); the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other counties of Pennsylvania west thereof; West Virginia; and Michigan.

DD comprises that part of Missouri within a radius of 25 miles of St. Louis, Missouri; Illinois (excluding, however, the counties of Lake, Cook, DuPage and Will); Indiana (excluding, however, the counties of Lake, Porter, and LaPorte); the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs; Kentucky.

EE comprises Colorado.

FF comprises Eastern Montana which is defined hereby as the portion of Montana east of the western boundaries of the counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon.

GG comprises Western Montana which is defined hereby as the portion of Montana west of the eastern boundaries of the counties of Hill, Chouteau, Judith Basin, Wheatland, Sweet Grass and Park, Idaho.

HH comprises Utah.

II comprises the area within a 25 mile radius of Kansas City, Missouri.

SEC. 3.6 *Formula prices for No. 5 Commercial Standard Specification fuel oil, other heavy fuel oils of lower viscosities than No. 6 Commercial Standard Specification fuel oil and heavy fuel oil when sold for use as gas enrichment oil.* A seller's maximum price or prices at a particular shipping or delivery point for heavy fuel oil which either meets No. 5 Commercial Standard Specification fuel oil or has a lower viscosity than No. 6 Commercial Standard Specification fuel oil or heavy fuel oil when sold for use as gas enrichment oil shall be determined as follows:

(a) If such heavy fuel oil is a grade that is specially required in the prosecution of the war such as Navy Grade Special, which was not being sold by a particular seller during the 60-day period preceding October 15, 1941 then such seller shall either adopt his maximum price for No. 6 Commercial Standard Specification as established in this Article III or he shall file a tentative maximum price in accordance with the provisions of section 8.3 of this regulation.

(b) If (a) above does not apply then a seller's maximum price or prices shall be either (1) the maximum price or prices established for such seller at such shipping or delivery point under this Article III for No. 6 Commercial Standard Specification fuel oil or (2) the maximum price at such shipping or delivery point for the same grade of fuel oil as deter-

mined under other provisions of this regulation except section 5.3, whichever is higher.

This amendment shall become effective August 1, 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11543; Filed, August 1, 1944; 4:52 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 140]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.7551 (a) (7) the second sentence is amended to read as follows: "The term includes Post Exchanges and Ships' Service Stores, and any person, other than a distributor, operating a tank truck or tank wagon for transfer of gasoline directly to consumers, who does not also maintain stationary gasoline storage tanks."

2. In § 1394.7551 (a) (10) the last sentence is amended to read as follows: "The term shall include coupons, checks, acknowledgments of delivery, gasoline purchase permits, inventory coupons, export certificates on Form OPA R-560, military receipts on Form OPA R-593, and gasoline deposit certificates when issued in lieu of inventory coupons.

3. In § 1394.7551 (a) (17) the first sentence is amended to read as follows: "Licensed distributor" means any person, except the Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, or any military or naval activity such as Post Exchanges and Ships' Service Stores, who transfers, receives or uses gasoline in such manner as to be required to account for the State motor fuel taxes imposed thereon directly to the motor fuel tax administration of a State."

4. Section 1394.7952 is amended to read as follows:

§ 1394.7952 *Acknowledgments of delivery and military receipts.* (a) Acknowledgments of Delivery (Form OPA R-594) and Military Receipts for Delivery of Gasoline (Form OPA R-593), to be used for the acquisition of gasoline by or on behalf of the Army, Navy, Marine Corps and Coast Guard, will be issued by the Washington Office to the Washington headquarters of such agencies. Such forms bearing the signature of an authorized officer, agent or employee of any such agency shall be valid as an authorization of the transfer of gasoline by any person to whom it is presented, to the extent of the gallonage thereon stated when such transfers are made in accordance with the provisions of § 1394.8154 (c) and (d).

(b) In the event that an Acknowledgment of Delivery form should not be available, gasoline may be acquired by or on behalf of such agencies in exchange for an Emergency Acknowledgment on official letterhead of the agency on whose behalf the gasoline is acquired, or on any other form if such a letterhead is unavailable. Such Emergency Acknowledgment shall be valid as an authorization of the transfer of gasoline by any person to whom it is presented to the extent of the gallonage thereon stated when such transfer is made in accordance with the provisions of § 1394.8154. Such Emergency Acknowledgment may be used as an evidence for the purpose of replenishment by the transferor. Such Emergency Acknowledgment shall contain the following:

(1) The name and address of the transferor.

(2) The date on which the transfer is made.

(3) The number of gallons of gasoline transferred.

(4) The description of the vehicle or vehicles which receive the transfer.

(5) Place of delivery.

(6) Signature of the receiving officer, agent or employee.

(7) A statement by such receiving officer, agent or employee that the gasoline transferred in exchange for such acknowledgment will be used exclusively by the Army, Navy, Marine Corps or Coast Guard.

5. Section 1394.8151 is amended by substituting for the phrase "except as provided in §§ 1394.8157, 1394.8158 and 1394.8210," the phrase "except as provided in §§ 1394.8154a, 1394.8157, 1394.8158, and 1394.8210."

6. In § 1394.8153 (c) the headnote is amended to read, "*Bulk transfers in exchange for ration checks*" and the first and second sentences in the text preceding subparagraph (1) are deleted.

7. Section 1394.8153 (c) (1) (iv) is added to read as follows:

(iv) When a transfer of gasoline is made to the Army, Navy, Marine Corps, Coast Guard, Maritime Commission or War Shipping Administration, a ration check need not be surrendered simultaneously with delivery, but may be forwarded by the transferee to the transferor as soon as practicable thereafter.

8. Section 1394.8154 is amended to read as follows:

§ 1394.8154 *Transfers in exchange for acknowledgments of delivery and military receipts.* (a) On and after April 21, 1944, an Acknowledgment of Delivery on Form OPA R-544, bearing a revision date earlier than April 15, 1943, shall be invalid for any purpose.

(b) On or before August 31, 1944, transfers may be made to the Army, Navy, Marine Corps, Coast Guard, Maritime Commission and War Shipping Administration of the United States in exchange for an Acknowledgment of Delivery on Form OPA R-544 Revised, bearing the revision date, April 15, 1943, or a later date.

(c) Transfers in exchange for an Acknowledgment of Delivery on Form OPA R-594 may be made by any person when such transfers are made directly into the fuel tanks of motor vehicles, motor boats or equipment which are owned or leased and operated by the Army, Navy, Marine Corps or Coast Guard, and are clearly identifiable as so owned or leased and operated. Each Acknowledgment of Delivery shall be signed by the officer, agent or employee who receives such transfer. In the event that an Acknowledgment of Delivery form is not available, such transfers may be made in exchange for an Emergency Acknowledgment which is prepared in accordance with the provisions of § 1394.7952.

(d) Transfers may be made in exchange for Military Receipts for the delivery of gasoline on Form OPA R-593 when such transfers are made directly into the fuel tanks of private passenger automobiles. Each Military Receipt shall be signed by the officer, agent or employee who receives such transfer. No transfer in exchange for any one Military Receipt may exceed five gallons.

9. Section 1394.8154a is added to read as follows:

§ 1394.8154a *Transfers by the armed forces.* The Army, Navy, Marine Corps or Coast Guard and any activity of such agencies other than Post Exchanges or Ships' Service Stores, may make transfers of gasoline in exchange for valid evidences without registering as a dealer or a distributor.

10. Section 1394.8206a (c) is amended to read as follows:

(c) Each Post Exchange and Ships' Service Store may open a gasoline ration bank account of the type described in General Ration Order 3A.

11. Section 1394.8206a (g) is added to read as follows:

(g) The Army, Navy, Marine Corps, Coast Guard, War Shipping Administration and Maritime Commission are authorized to open one or more gasoline ration bank accounts of the type described in General Ration Order 3B.

12. In § 1394.8206b (a) the text preceding subparagraph (1) is amended to read as follows: "Each distributor, Post Exchange and Ships' Service Store shall deposit in its account all gasoline coupons or other evidences (including checks) received by it, except as provided in paragraph (c) hereof: *Provided*, That such distributor, Post Exchange or Ships' Service Store shall not deposit:

13. Section 1394.8206b (a) (18) is added to read as follows:

(18) On and after September 21, 1944, any Acknowledgment of Delivery on Form OPA R-544 (Revised).

14. Section 1394.8207 (i) is added to read as follows:

(i) All provisions of this order which are applicable to transfers of gasoline by a dealer or distributor to a dealer shall be applicable to transfers between a Military or Naval Post or Station and such activities as Post Exchanges and Ships' Service Stores.

15. Section 1394.8210 (c) is revoked.

16. Section 1394.8212 is amended to read as follows:

§ 1394.8212 *Summaries and endorsement of acknowledgments, military receipts and gasoline purchase permits.* (a) Each dealer, and distributor shall attach the Acknowledgments of Delivery, Military Receipts for the delivery of gasoline and gasoline purchase permits delivered to him by authorized purchasers to a summary of coupons or other evidences (Form OPA R-541) on which he shall separately summarize the number of such acknowledgments and the number of gallons sold and the number of such receipts and the number of gallons sold, and the number of such permits and the number of gallons sold.

(b) Each dealer and distributor who accepts a gasoline purchase permit (Form OPA R-571), Acknowledgment of Delivery (Form OPA R-594) or Military Receipt (Form R-593) from a consumer in exchange for a transfer of gasoline shall write his name and the address of his place of business where the transfer was made on the back of such permit, acknowledgment or receipt before delivering it to a distributor or depositing it in his ration bank account.

17. Section 1394.8215 (i) is added to read as follows:

(i) (1) On or before September 11, 1944, each dealer who has in his possession or control Acknowledgments of Delivery issued on Form OPA R-544 bearing the revision date, 4-15-43, which he acquired before September 1, 1944, in exchange for lawful transfers of gasoline, shall surrender such acknowledgments to a distributor in exchange for a transfer of gasoline, or to a Board having jurisdiction over the area in which his place of business is located, in exchange for a gasoline deposit certificate equal in gallonage value to the acknowledgments so surrendered. Before making such surrender, each dealer shall attach such acknowledgments to a summary form (Form OPA R-541) on which he shall summarize the number of such acknowledgments and the number of gallons sold.

(2) After September 11, 1944, no distributor shall accept from any dealer or distributor Acknowledgments of Delivery issued on Form OPA R-544 bearing the revision date 4-15-43, nor shall any distributor make any transfers of gasoline in exchange for such evidences. On or before September 20, 1944, each distributor shall deposit in appropriate ration bank accounts maintained by him any such evidences received by him in exchange for a lawful transfer of gasoline on or before September 11, 1944.

18. Section 1394.8217 (a) (1) is amended by inserting in the text following the citation "§ 1394.8153 (c) (1) (i), (ii) or (iii)", the following provision, "bulk transfers to the Army, Navy, Marine Corps, Coast Guard, Maritime Commission or War Shipping Administration for which evidences have not been received,".

19. In § 1394.8218 (d) (1) the subdivision "(vii)" is redesignated "(viii)" and a new "(vii)" is added to read as follows:

(vii) Bulk transfers to Army, Navy, Marine Corps, Coast Guard, Maritime Commission and War Shipping Administration for which evidences have not been received.

20. Section 1394.8220 (b) is added to read as follows:

(b) On or before August 2, 1944, each Post Exchange and each Ships' Service Store shall make application for registration as a dealer as of the close of business on July 31, 1944, by filing Form OPA R-545 with the Board having jurisdiction over the area in which such Post Exchange or Ships' Service Store is located. Each such application shall be classed as an application for original registration. On or before August 31, 1944, each Post Exchange and each Ships' Service Store shall submit a report and reconciliation statement in accordance with § 1394.8218 for the month of July, 1944. Each such activity that maintains a ration bank account shall submit with such report a certified check in an amount equal to the total gallonage value of coupons or other evidences received by it in exchange for transfers of gasoline made prior to August 1, 1944, not previously remitted. Each such activity which does not maintain a ration bank account shall surrender to the Board all coupons and other evidences received by it in exchange for transfers of gasoline made prior to August 1, 1944, and the Board shall issue a receipt which shall contain the gallonage value of the coupons and other evidences surrendered. Such receipt shall be submitted with the report and reconciliation statement in lieu of a ration check.

This amendment shall become effective August 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11547; Filed, August 1, 1944; 4:58 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 18]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5454 (a) is amended to read as follows:

§ 1394.5454 *Acknowledgment of delivery.* (a) Acknowledgment of delivery on Form OPA R-544 (Revised) to be used for the acquisition of fuel oil by or for the account of the Army, Navy, Marine Corps, War Shipping Administration, Coast Guard and Maritime Commission of the United States or by the British Ministry of War Transport or any official war transport or war shipping agency of any United Nation requiring fuel oil for any official purpose will, prior to August 1, 1944, be issued by the Washington Office to the Washington headquarters of such agencies. Prior to September 1, 1944 any such form bearing the signature of an authorized officer, agent or employee of any of such agencies, shall be valid as an authorization of transfer of fuel oil to or for the account of such agency by any person to whom it is presented to the extent of the gallonage thereon stated. In the event an acknowledgment form is not available, a receipt on an official letterhead of such agency bearing such authorized signature and supplying the information required by Form OPA R-544 (Revised), may be used as an evidence in lieu of such acknowledgment form. On and after September 21, 1944 such form or receipt shall be void for all purposes.

2. Section 1394.5454 (d) is redesignated § 1394.5696 (e) and amended to read as set forth in paragraph 6 below.

3. Section 1394.5651 (a) is amended by changing in the parenthetical sentence, the reference to § 1394.5664 to read "§ 1394.5697."

4. Section 1394.5655 is revoked.

5. Section 1394.5664 is redesignated § 1394.5697 and amended to read as set forth in paragraph 7 below.

6. An undesignated center headnote immediately preceding § 1394.5696 and § 1394.5696 are added as follows:

EXEMPT AGENCIES AND OTHER SPECIAL CASES

§ 1394.5696 *How exempt agencies and certain other agencies may acquire fuel oil.*—(a) *General.* The Army, Navy, Marine Corps, Coast Guard, War Shipping Administration and Maritime Commission of the United States may acquire fuel oil in exchange for ration evidences equal in gallonage value to the amount of the fuel oil transferred. (These agen-

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2357.

cies are referred to in this order as "exempt agencies" and are exempt agencies for the purpose of General Ration Order 3B.) In addition, the British Ministry of War Transport, or any official war transport or war shipping agency of any United Nation may acquire fuel oil for any official purpose in exchange for ration evidences equal in gallonage value to the amount of the fuel oil transferred.

(b) *Bank accounts for exempt agencies.* Each of the exempt agencies mentioned in paragraph (a) of this section is authorized to open one or more exempt ration bank accounts of the type described in General Ration Order 3B. A ration check issued by any such agency in exchange for a transfer of fuel oil must be sent to the transferor by the time of delivery or as soon as practicable thereafter.

(c) *Use of ration checks by exempt agencies.* The Army, Navy, Marine Corps and Coast Guard may issue a ration check only in exchange for a transfer of fuel oil into stationary storage facilities (i. e. a bulk transfer. For other transfers, see paragraph (d) below). The War Shipping Administration and Maritime Commission may use ration checks for all their acquisitions of fuel oil. The War Shipping Administration may also authorize the British Ministry of War Transport and any official war transport or war shipping agency of any United Nation to draw checks on its account for acquisitions of fuel oil for any official purpose by such agencies. In this event, the check must be drawn in the name of the War Shipping Administration and signed by the agency as agent for the War Shipping Administration.

(d) *Use of R–594 by certain exempt agencies.* Acknowledgments of delivery on Form OPA R–594 may be issued by the Washington Office to the Washington headquarters of the Army, Navy, Marine Corps and Coast Guard. Such form shall be valid for use by such agencies only in accepting transfers of fuel oil other than into stationary storage facilities (i. e. transfers into the fuel supply tanks of vehicles, boats or equipment under the control of any such agency.) In the event that an acknowledgment form (OPA R–594) is not available, a receipt on an official letterhead of such agency, bearing the signature of an authorized officer, agent or employee of any of such agencies, and supplying the information required by Form OPA R–594, may be used as an evidence in lieu of such acknowledgment form. Any such form (OPA R–594) or receipt must be endorsed by each person to whom it is delivered in exchange for a transfer of fuel oil.

(e) *Use of other evidences.* Coupons or other evidences may also be issued by the Washington Office to the Washington headquarters of the agencies listed in paragraph (a) of this section, or to the law enforcement agencies of the United States, for the use of such agencies, or their officers, agents or employees, in the performance of official duties which depend upon secrecy. Application for such coupon sheets or other evidences may be made on the official letterhead of the applicant and shall set forth the class and number of the coupon sheets or other evidences required.

7. Section 1394.5697 is amended to read as follows:

§ 1394.5697 *Transfers by the Army, Navy, Marine Corps and Coast Guard.* The Army, Navy, Marine Corps and Coast Guard of the United States may transfer fuel oil to consumers, dealers or primary suppliers. Any such transfer must be in exchange for coupons or other evidences equal in gallonage value to the fuel oil transferred (except in the case of transfers to primary suppliers). The agency transferring fuel oil must report on its official letterhead to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office on or before the twenty-fifth (25) day of each month, the amount of fuel oil transferred during the preceding month to each supplier and the amount transferred respectively to dealers and consumers. (Such a transfer shall not constitute the agency a dealer or primary supplier.)

This amendment shall become effective on August 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11548; Filed, August 1, 1944; 4:53 p. m.]

PART 1385—NAVAL STORES

[TMPR 36]

GUM ROSIN

Correction

In F. R. Doc. 44–9475 appearing at page 7258 of the issue of Friday, June 30, 1944, the second sentence of section 10 (b) should read "To find your maximum price per 100 pounds for sale of any grade to any class of purchasers you proceed as explained below."

The last sentence of section 10 (b) should read "As used in this paragraph (b), 'differential' means a dollar and cents difference."

In section 10 (b) (1) the second sentence should read "This differential is the most favorable differential from the price for that grade listed on the Savannah Exchange which you received on any delivery of the same grade to a purchaser of the same class during the base period."

PART 1340—FUEL

[RMPR 436,[1] Amdt. 4]

CRUDE PETROLEUM AND NATURAL AND PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 436 is amended in the following respects:

1. Section 10 (a) (2) is amended to read as follows:

(2) *Smackover Field.* The maximum price at the receiving tank for crude petroleum produced in the Smackover Field, Ouachita and Union Counties, Arkansas, shall be a flat price of 98¢.

2. Section 12 is amended to read as follows:

SEC. 12. *Increases to maximum prices.*—(a) *Definition.* "Claimant" means a person who is designated as eligible to file a claim under the Stripper Well Compensatory Regulation of the Defense Supplies Corporation.

(b) The maximum price for crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to a claimant or to any person purchasing prior to a claimant shall be the maximum price as determined under section 10 or 11 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gal. barrel)
(1) Alabama.	
(2) Arizona.	
(3) Arkansas.	
Pool and county:	
El Dorado, East, Union	$0.25
El Dorado, South, Union	.35
Lewisville, Lafayette	.20
Lisbon, Union	.35
Nick Springs-Cotton Valley, Union	.35
Smackover, Ouachita, Union	.20
Stephens, Columbia, Nevada, Ouachita	.35
(4) California.	
(5) Colorado.	
Pool and county:	
Berthoud, Larimar	.20
Boulder, Boulder	.35
Florence, Fremont	.35
Orchard-Greaswood, Weld	.25
(6) Connecticut.	
(7) Delaware.	
(8) Florida.	
(9) Georgia.	
(10) Idaho.	
(11) Illinois.	
Pool and county:	
Barnhill, Wayne	.35
Bartelso, Clinton	.25
Bartelso-South, Clinton	.25
Beaver Creek, Bond	.20
Beman, Lawrence	.35
Browns-South, Edwards	.35
Burnt Prairie, White	.20
Carlyle, Clinton	.35
Centralia, Clinton, Marion	.25
Clone, Wayne	.25
Colmar-Plymouth, McDonough-Hancock	.35
Cordes, Washington	.25
Cowling, Edwards	.35
Cravat, Jefferson	.25
Dahlgren, Hamilton	.35
Du Bois, Washington	.35
Du Bois, West, Washington	.25
Dundas Consolidated, Richland and Jasper	.35
Dupo, St. Clair	.35
Eldorado, Saline	.35
Elkville, Jackson	.25

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6024, 7519, 7765, 8187.

(11) Illinois—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Gillespie Wyen, Macoupin	$0.35
Hoffman, Clinton	.35
Ingraham, Clay	.35
Inman, Gallatin	.25
Johnsonville-South, Wayne	.35
Junction, Gallatin	.35
Keensburg Consolidated, Wabash	.20
Lakewood, Shelby	.20
Lancaster, Wabash and Lawrence	.25
Leech, Wayne	.20
Litchfield, Montgomery	.35
Mason, Effingham	.35
Mt. Carmel-West Wabash	.25
Mt. Erie-North, Wayne	.25
Patoka, Marion	.20
St. Francisville, E., Lawrence	.20
Sainte Marie, Jasper	.20
Sesser, Franklin	.25
Southeastern Field, Lawrence, Clark, Crawford, and Wabash	.35
Stewardson, Shelby	.20
Storms, White	.20
Thompsonville, Franklin	.35
Toliver, Clay	.35
Wamac, Marion, Clinton and Washington	.35
Waterloo, Monroe	.35
Whittington-West, Franklin	.25
Woburn, Bond	.35
Xenia, Clay	.25
(12) Indiana. Pool and county:	
Bristow-old, Perry	.35
Bufkin, Posey	.20
Cannelburg-old, Daviess	.35
Caborn West, Posey	.35
Columbia, Gibson	.35
Enterprise, Spencer	.35
Evansville Area-old, Posey and Vanderburgh	.35
Francisco, E. & W., Gibson	.35
Grandview, Spencer	.35
Hatfield, Spencer	.20
Haselton-old, Gibson	.35
Hensler, Posey	.20
Hovery Lake, Posey	.20
Johnson, Gibson	.35
Kirksville, Gibson	.20
Mt. Carmel, Gibson	.20
Petersburg-old, Pike	.35
Rockport, Spencer	.25
St. Francisville, Knox	.35
St. Francisville E., Knox	.20
St. Thomas, Knox	.35
Shelburn-old, Sullivan	.35
Sisi, Sullivan and Vigo	.20
Somerville, Gibson and Pike	.35
Trenton Pool (Old), Jay, Blackford, Grant, Huntington, Wells, Adams, Wabash, Delaware, Madison	.35
Troy-old, Spencer	.35
Veale-old, Daviess	.35
Washington-old, Daviess	.35
Wheeling, Gibson	.35
(13) Iowa.	
(14) Kansas. Pool and county:	
All pools, Allen	.35
All pools, Anderson	.35
All pools, Chautauqua	.35
All pools, Franklin	.35
All pools, La Bette	.35
All pools, Linn	.35
All pools, Miami	.35
All pools, Montgomery	.35
All pools, Neosho	.35
All pools, Wilson	.35
All pools, Woodson	.35
Abbyville, Reno	.25
Augusta, Butler	.35
Augusta, North, Butler	.35
Baird, Cowley	.20
Baird, East, Cowley	.20
Bauminger, Butler	.35

(14) Kansas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Benton, Butler	$0.25
Bidde, Cowley	.35
Blackwell, Greenwood	.35
Blankenship, Butler	.35
Bridfeldt, West, Rice	.20
Bringar, Greenwood	.35
Browning, Greenwood	.35
Burden, Cowling	.35
Bush-Denton, Elk (West Half)	.35
Callyer, Elk (West Half)	.25
Chandler, Sumner	.25
Chindburg, McPherson	.25
Christy, Greenwood	.35
Churchill, Sumner	.25
Clark, Cowley	.20
Clever, Cowley	.25
Countrymen, Cowley	.35
Covert-Sellers, Marion	.25
David, Cowley	.20
David, South, Cowley	.35
Demaloris-Snowden, Greenwood	.25
Dory, Elk (West Half)	.35
Douglas, Butler	.35
Dunaway, Greenwood	.35
Dunkelberger, Elk (West Half)	.35
Eastborough, Sedgwick	.20
Eastman, Cowley	.35
Eckels, Butler	.20
Eichman, Russell	.35
El Dorado, Butler	.35
Eureka, Greenwood	.35
Fairfield, Russell	.25
Fall City, Cowley	.35
Halstead, Harvey	.20
Ferguson, East, Elk (West Half)	.20
Ferguson, West, Cowley	.35
Florence, Marion	.35
Fox Bush, Butler	.35
Garden, Butler	.35
Gelwick, Butler	.20
Gettysburg, Graham	.25
Graber, McPherson	.20
Graham, Cowley	.20
Grand Summit, Cowley	.35
Gueda Springs, Cowley	.25
Haller, Ellis	.25
Halstead, Harvey	.20
Hamilton, Greenwood	.35
Haverhill, Butler	.25
Heiken, Ellsworth	.35
Hinchman, Greenwood	.35
Hollis, Greenwood	.35
Hower, Cowley	.25
Jackson, Greenwood	.35
Keighley, Butler	.35
Keller, Greenwood	.35
Kramer-Stein, Butler	.35
Krilex, Rooks	.25
Lamont, Greenwood	.35
Leon, Butler	.35
Lerado, Reno	.35
Lost Springs, West, Marion	.25
Lyon, Harvey	.35
Lyons, Rice	.35
Madison, Greenwood	.35
Mahoney, Russel	.35
McCullough, Butler	.25
McPherson, McPherson	.25
Mills, Elk (West Half)	.35
Mohannah, Cowley	.35
Moline, Elk (West Half)	.35
Morrison, Clark	.35
Murphy, Cowley	.25
Nohl, Russel	.20
Olson, Cowley	.35
Otter Creek, Cowley	.35
Padgett, Sumner	.20
Peabody, Marion	.25
Penokee, Graham	.20
Pierce, Butler	.35
Pippes, Greenwood	.35
Polhamus, Greenwood	.35
Porter, Elk (West Half)	.35
Potwin, Butler	.25
Potwin, South, Butler	.20
Rainbow Bend, Cowley	.25

(14) Kansas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Reese, Greenwood	$0.35
Reiken, Ellsworth	.35
Reynolds-Schaffer, Butler	.20
Robbins, Sedgwick	.35
Rock, Cowley	.35
Rock, North, Cowley	.35
Ruder, Ellis	.20
Sallyards, Greenwood	.35
Scott, Greenwood	.35
Seeley-Wick, Greenwood	.35
Severy, Elk (West Half)	.35
Seward, Butler	.35
Slick-Carson, Cowley	.25
Smith, Cowley	.35
Smock-Sluss, Butler	.35
State, Cowley	.35
Steinhoff, Butler	.25
Teeter, Greenwood	.35
Teichgraber, Greenwood	.35
Thrall-Agard, Greenwood	.35
Thurlow, Cowley	.35
Trees, Cowley	.25
Tuiney, Greenwood	.35
Turner, Cowley	.25
Udall, Cowley	.25
Van Roy, Coffey	.35
Virgil, Greenwood	.35
Virgil, North, Greenwood	.35
Walker, Elk (West Half)	.35
Weathered, Cowley	.20
Weaver, Butler	.35
Webb, Elk (West Half)	.35
Welch, North, Rice	.25
Wellington, Sumner	.25
Wherry, Rice	.20
Wiggins, Greenwood	.35
Wilkerson, Greenwood	.35
Willard, Greenwood	.35
Winfield, Cowley	.35
Yoder, Reno	.35
Young, Butler	.25
Zurich, Rooks	.20
(15) Kentucky: Pool and county:	
Cairo, Henderson	.20
Coryden, Henderson	.20
Greenbriar, Henderson	.25
Hebbardsville, Henderson	.25
Sebree, Webster	.25
Spring Grove, Union	.20
Zion, Henderson	.25
All other pools in the State of Kentucky except Gilmore, Poole, Reed, Robards, Smith Mills and Spottsville Pools, Henderson County; Livermore Pool, McLean County; Hitesville, Morganfield, St. Vincent, Uniontown, Utley and Wathen Pools, Union County; East Poole and Pratt Pools, Webster County	.35
(16) Louisiana. Pool and parish:	
Bayou Bouillon, St. Martin	.35
Bellevue, Bossier	.35
Belle Isle, St. Mary	.25
Bisteneau, Bienville-Bossier	.35
Branch, Acadia	.35
Caddo, Caddo	.25
Carterville, Bossier-Webster	.35
Converse, Sabine	.25
Delta Duck Club, Plaquemines	.35
Driscoll, Bienville	.35
Edgerly, Calcasieu	.20
Elm Grove, Bossier-Caddo	.20
Homer, Claiborne	.20
Lake End, Red River	.35
Lake Hermitage, Plaquemines	.35
Logansport-Joaquin, De Sota	.20
Manifest, Catahoula	.25
Oakland, Union	.35
Perkins, Cameron	.35
Pleasant Hill, De Soto-Sabine	.35
Sibley, Webster	.25

(16) Louisiana—Con. Pool and county:	Amount of increase (dollars per 42-gal. barrel)
Simsboro, Lincoln	$0.20
Welsh, Jefferson Davis	.35

(17) Maine.
(18) Maryland.
(19) Massachusetts.

(20) Michigan.

Pool and county:	
Beaverton, Gladwin	.35
Bentley, Gladwin	.35
Birch Run, Saginaw	.35
Bloomington, Van Buren	.35
Casco, Allegan	.35
Clare City, Clare	.35
Columbia, Van Buren	.35
Crystal, Montcalm	.25
Dalton, Muskegon	.25
Deerfield, Monroe	.25
Diamond Springs, Allegan	.35
Dorr, Allegan	.35
Edenville, Midland	.35
Edmore, Montcalm	.35
Freeman, Clare	.20
Grant, Gladwin	.35
Hope, Barry	.25
Hopkins, Allegan	.35
Lakefield, Saginaw	.35
Leaton, Isabella	.25
Monterey, Allegan	.35
Mt. Pleasant and East Ext., Isabella	.35
Muskegon, Muskegon	.35
Muskrat Lake, Van Buren	.35
New Salem, Allegan	.35
Oberlsel, Allegan	.20
Otisville, Genesee	.25
Pine River, Gratiot	.20
Porter, Midland	.35
Saginaw, Saginaw	.35
Salem, Allegan	.20
Saubia, Lake	.35
Sherman, Isabella	.25
South Akron, Tuscola	.35
South Buckeye, Gladwin	.35
South Talmadge, Ottowa	.35
Trowbridge, Allegan	.25
Vernon, Isabella	.35
Walker, Kent	.35
West Branch, Ogemaw	.35
West Hopkins, Allegan	.35
Winfield, Montcalm	.20
Wise, Isabella	.35
Wyoming Park, Kent	.20
Yost-Jasper, Midland	

(21) Minnesota.
(22) Mississippi.

(23) Missouri.

All pools in the State of Missouri except Tarkio Pool, Atchison County	.35

(24) Montana.

Pool and county:	
Border, Toole	.35
Cat Creek, Petroleum	.35
Kevin Sunburst, Toole	.35
Pondera, Teton	.35
Reagan, Rose, Glacier	.25
Sweet Grass Hills Area, Toole	.35

(25) Nebraska.

Pool and county:	
Barada, Richardson	.20

(26) Nevada.
(27) New Hampshire.
(28) New Jersey.

(29) New Mexico.

Pool and county:	
Anderson, Eddy	.20
Artesia	.35
Aztec, San Juan	.35
Dayton, Eddy	.20
High Lonesome, Eddy	.35
Rattlesnake, San Juan	.35
Red Lakes, Eddy	.35
Turkey Track, Eddy	.35

(30) New York.	Amount of increase (dollars per 42-gal. barrel)
All pools producing Pennsylvania Grade crude in the State of New York	$0.75

(31) North Carolina.
(32) North Dakota.

(33) Ohio.

All pools producing Pennsylvania Grade crude in the State of Ohio	.75
All other pools in the State of Ohio	.85

(34) Oklahoma.

Pool and county:	
All pools, Craig	.35
All pools, Nowata	.35
All pools, Rogers	.35
All pools, Washington	.35
Ada, East, Pontotoc	.35
Alabama, Hughes	.35
Allen (Shallow) Pontotoc	.35
Almeda, Osage	.35
Alsuma, Tulsa	.35
Altus, Jackson	.35
Arno, Creek	.20
Asher, West, Pottawatomie	.20
Avant, Osage	.35
Avant, West, Osage	.35
Avery, Lincoln	.35
Aztec, Okmulgee	.35
Backius, Osage	.35
Bald Hill, Okmulgee	.35
Baltimore, North, Okfuskee	.35
Bandwheel, Osage	.35
Barker, Osage	.35
Barnes, Garfield	.35
Barnsdall, Osage	.35
Barnsdall, South, Osage	.35
Barnsdall, West, Osage	.35
Bartlesville, Osage	.35
Bebee, East, Pontotoc	.35
Begga, North Okmulgee	.35
Begga, South, Okmulgee	.35
Beidleman, Okfuskee	.35
Bethel, Seminole	.35
Bethel, Northeast, Seminole	.35
Big Horse, Osage	.35
Bilby, Wagoner	.35
Bird Creek, Tulsa	.35
Birch Creek, Osage	.35
Bixby, Tulsa	.35
Blackwell, Kay	.20
Boston, Osage	.20
Boston, North, Osage	.35
Bowring, Osage	.35
Boyle, Muskogee	.35
Boynton, Muskogee	.35
Braman, Kay	.25
Branstetter, Osage	.35
Brinton, Okmulgee	.35
Bristow, Creek	.25
Bristow, North, Creek	.35
Bristow, West, Creek	.35
Britton, Oklahoma	.20
Brock, Carter	.35
Broken Arrow, Tulsa	.35
Brown, Garfield	.35
Broyles, Payne	.25
Bruce, Creek	.35
Bruce, East, Creek	.35
Bruner-Vern, Tulsa	.35
Buell, Osage	.35
Bulldog, Osage	.35
Burbank (Osage), Osage	.35
Burbank (Kay), Osage	.20
Butler, Muskogee	.35
Candy Creek, Osage	.35
Carey, Okfuskee	.25
Castle, South, Okfuskee	.35
Clarita, Coal	.35
Clearview, Okfuskee	.35
Cleveland, Pawnee	.35
Coalton, Okmulgee	.35
Cole, Muskogee	.35
Collinsville, Tulsa	.35
Comanche, Stephens	.35
Conservation, Pontotoc	.35
Corine, Wagoner	.35

(34) Oklahoma—Con. Pool and county:	Amount of increase (dollars per 42-gal. barrel)
Council, Muskogee	$0.35
Country Club, Osage	.35
Coweta, Wagoner	.35
Cruce, Stephens	.35
Cushing, Creek	.35
Dalton, Osage	.35
Davenport, Lincoln	.35
Davenport, North, Lincoln	.35
Dawson, Tulsa	.35
Deaner, Okfuskee	.35
Deep Fork, Creek	.35
Deer Creek, Grant	.25
Dewey, Osage	.35
Dilworth, Kay	.20
Domes, Osage	.35
Donnelly, Creek	.20
Dora, Seminole	.25
Duncan, North, Stephens	.35
Duncan, West, Stephens	.35
Ed Cox, Carter	.35
Edgewood, Osage	.35
Edna, Creek	.20
Edna, East, Okmulgee	.35
Elgin, South, Osage	.35
Empire, Stephens	.25
Enfieco, Osage	.35
Enos, Marshall	.35
Eram, Okmulgee	.35
Fairfax, Osage	.35
Falls Dome, Osage	.35
Fields, Okfuskee	.35
Fisher, Tulsa	.35
Fitts, North, Pontotoc	.35
Fitts, South, Pontotoc	.25
Flat Rock, Osage	.35
Flesher, Osage	.35
Foraker, Osage	.20
Forty-five, Osage	.35
Fox, Carter	.20
Francis, West, Pontotoc	.35
Frederick, Tillman	.35
Garber, Garfield	.35
Garber, North, Garfield	.20
George, Wagoner	.35
Gessman, Lincoln	.20
Gillette, Wagoner	.35
Gilliland, Osage	.35
Glenn Pool, Creek	.35
Goble, Wagoner	.35
Graham, Carter	.35
Gregory, Okfuskee	.35
Gypsy Hill, Okfuskee	.35
Gypsy Hill, Northwest, Okmulgee	.35
Hallett, Pawnee	.35
Hamilton Switch, Okmulgee	.35
Hanbury, Comanche	.35
Happy Hollow, Osage	.35
Haskell, Muskogee	.35
Hector, Okmulgee	.35
Henryetta, Okmulgee	.35
Healdton, Carter	.35
Hewitt, Carter	.25
Hickory Creek, Osage	.35
Hickory Creek, South, Osage	.35
Hickory Grove, Creek	.25
Hobart, Kiowa	.25
Hoffman, McIntosh	.35
Holdenville, West, Hughes	.35
Hominy, Osage	.35
Hominy, East, Osage	.35
Hominy Falls, Osage	.35
Hominy, South, Osage	.25
Independent, Creek	.25
Ingalls, Northeast, Payne	.25
Iron Post, Creek	.35
Isom Springs, Marshall	.35
Jenks, Tulsa	.35
Jennings, Pawnee	.20
Josey, Okfuskee	.35
Kaziahke, Osage	.20
Kaw, Osage	.35
Kellyville, Creek	.35
Keystone, Pawnee	.35
Kingston, Marshall	.20
Konawa, Seminole	.25
Konawa, East, Seminole	

(34) Oklahoma—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Konawa, South, Seminole	$0.25
Knox, Grady	.25
Langston, South, Logan	.20
Lauderdale, Pawnee	.35
Lawton, Comanche	.35
Lee Dome, Osage	.35
Leonard, Tulsa	.35
Lincreek, Lincoln	.35
Link, Muskogee	.35
Little River, East, Seminole	.20
Loco, Stephens	.35
Lovell, Logan	.20
Lyons-Quinn, Okfuskee	.25
Madalene, Osage	.35
Madelene, East, Osage	.35
Madill, Marshall	.35
Manion, Osage	.35
Manion, North, Osage	.35
Mannford, Creek	.35
Maramec, Pawnee	.25
Markham, Payne	.35
Marshall, Logan	.20
Masham, Pawnee	.35
Maud, Pottawatomie	.20
Mehan, Payne	.35
Mercer, Creek	.25
Meridian, Logan	.20
Milroy, Stephens	.35
Montezuma, Okmulgee	.35
Morgan, Okfuskee	.25
Morris, Okmulgee	.35
Mounds, Creek	.35
Muskogee, Muskogee	.35
Natura, Okmulgee	.35
Nuyaka, South, Okmulgee	.35
Nuyaka, Southwest, Okmulgee	.35
New England, Osage	.35
Nicoma Park, Oklahoma	.20
Norfolk, Payne	.35
Norfolk, West, Payne	.20
Oakman, Pontotoc	.35
Ochelata, North, Osage	.35
Okemah, Okfuskee	.35
Okemah, West, Okfuskee	.35
Okesa, Osage	.35
Okfuskee, Okfuskee	.35
Oklahoma Central, Okmulgee	.35
Okmulgee, Okmulgee	.35
Olean, Creek	.35
Olive, Creek	.35
Olympic, Okfuskee	.35
Oneta, Wagoner	.35
Osage City, Osage	.35
Osage City, East, Osage	.35
Osage-Hominy, Osage	.35
Oscar, Jefferson	.25
Overbrook, Love	.20
Owasso, Tulsa	.35
Page, Osage	.35
Pollyanna, Okmulgee	.35
Papoose, Hughes	.20
Pawhuska, Osage	.35
Pawhuska, West, Osage	.35
Pershing, Osage	.35
Pettit, Osage	.35
Phillipsville, Okmulgee	.35
Pickett-Prairie, Creek	.35
Pine, Okmulgee	.35
Pioneer, Osage	.35
Ponca City, Kay	.25
Pond Creek, Osage	.35
Poor Farm, Creek	.35
Prue, Osage	.35
Quapaw, Osage	.35
Rainola, Stephens	.35
Ramona, Osage	.35
Red Bank, Creek	.20
Red Fork, Tulsa	.35
Red River Bed, Tillman	.35
Ripley, Payne	.20
Robberson, Garvin	.35
Sac & Fox, Lincoln	.35
Sacred Heart, Pottawatomie	.35
Sancho, Seminole	.25
Sand Springs, Tulsa	.35
Sapulpa, Creek	.35

(34) Oklahoma—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Sapulpa, South, Creek	$0.35
Sasakwa, East, Seminole	.25
Schulter, Okmulgee	.35
Searight, East, Seminole	.35
Seay, Jefferson	.35
Seltzer, Wagoner	.35
Seminole, East, Seminole	.20
Sheldon, Okfuskee	.35
Sheppard, Muskogee	.35
Sholem-Alechem, Carter	.25
Simmons-Black, Okmulgee	.35
Skedee, Pawnee	.35
Skellyville, Lincoln	.35
Skiatook, Osage	.35
Slick, Creek	.20
Spaulding, Hughes	.20
Spaulding, Southeast, Hughes	.35
Spencer, Okmulgee	.35
Stillwater, Payne	.25
St. Louis, East, Pottawatomie	.25
Stone Bluff, Wagoner	.35
Stroud, East, Creek	.25
Summers, Okmulgee	.35
Sunset, Osage	.35
Swan, Seminole	.25
Tatums, Carter	.20
Tecumseh, East, Pottawatomie	.25
Terlton, Pawnee	.35
Terlton, North, Pawnee	.35
Tibbens, Creek	.35
Tidal-Osage, Osage	.35
Tipton, Jackson	.25
Tonkawa, Kay	.20
Transcontinental, Muskogee	.35
Turkey Mountain, Tulsa	.35
Turley, Tulsa	.35
Tuskegee, Creek	.35
Velma, Stephens	.35
Walker, Creek	.25
Walker, West, Creek	.35
Walters, Cotton	.35
Webster, Wagoner	.35
Weleetka, Okfuskee	.25
Weleetka, South Okfuskee	.35
Wetley, Seminole	.35
Wetumka, Hughes	.20
Wetumka, South, Hughes	.35
Wheeler, Carter	.35
Wicey, Tulsa	.35
Whitetail, Osage	.35
Wilcox, Creek	.20
Wildhorse, Osage	.35
Wildhorse, North, Osage	.35
Wildhorse, South, Osage	.35
Woolaroc, Osago	.35
Woolsey, Stephens	.35
Wynona, Osage	.35
Yeager, North, Hughes	.20
Youngstown, Okmulgee	.35
(35) Oregon.	
(36) Pennsylvania.	
Pool and county:	
All pools producing Pennsylvania grade crude in the State of Pennsylvania	.75
All other pools in the State of Pennsylvania	.35
(37) Rhode Island	
(38) South Carolina.	
(39) South Dakota.	
(40) Tennessee.	
All pools in the State of Tennessee	.35
(41) Texas.	
Pool and county:	
All pools in Archer County	.35
Excepting: Burns Ickert, Cooper, Hull Silk Sikes, Hull Silk Sikes Caddo, Kadane, Kadane Shallow, Mankins, Scotland, Scotland Mississippi Lime, Vogtsberger.	
All pools in Baylor County	.35
Excepting: Rendham, Seymour.	
All pools in Brown County	.35

(41) Texas—Con. Pool and county:	*Amount of increase (dollars per 42 gal. barrel)*
All pools in Callaman County	$0.35
Excepting: Scranton.	
All pools in Clay County	.35
Excepting: Antelope, Antelope Mississippi Lime, Burns Browning, Burns Midway, Halsell, Hapgood, Joy Mississippi Lime, New York City Mississippi Lime, Ross, Stephens, Watson, Wynn.	
All pools in Coleman County	.35
Excepting: Ansac-Morris, Coker, Boyle, Goldsboro, Jim Ned, Novice, Novice North, Overall, Silver Valley.	
All pools in Comanche County	.35
All pools in Cooke County	.35
Excepting: Bindle, Bindle Ellenberger, Dangle, Fleitmann, Walnut Bend, Walnut Bend-Winger, Wilson.	
All pools in Eastland County	.25
Excepting: Carbon.	
All pools in Erath County	.35
All pools in Foard County	.25
Excepting: Johnson.	
All pools in Haskell County	.35
All pools in Jack County	.35
Excepting: Birdwell, East Bryson, Ellis, Hoefle, McDonald, Meyers, Peex, Weir, Wolfe, Worsham Steed.	
All pools in Jones County	.35
Excepting: Akard; Appling; Avoca; Avoca, North; Avoca, West; Griffin; Grogan; Hardy; Noodle, South; Sagles; Stitch; Strand; Triplett; Wimberly.	
All pools in Montague County	.35
Excepting: Benson, Bonita, Barners, Chapman McFarlin, Clingingsmith, Dobson, Forestburg, Hildreth, Hults and Owens, Illinois Bend, Mueller, Mueller Caddo, Ringold, Rogers & Rogers, Sanders, Stoneburg, Turner.	
All pools in Palo Pinto County	.35
All pools in Shackelford County	.35
Excepting: Joy, Nail, Roark-Nail.	
All pools in Stephens County	.35
Excepting: Brownville, Donnell, Hill, Loving.	
All pools in Taylor County	.20
Excepting: Bowles, Lake Kirby, Merkel, Reddin, Reddin Frazier, Trent.	
All pools in Throckmorton County	.35
Excepting: McKnight, Parratt.	
All pools in Wichita County	.35
Excepting: Airport, Davidson, K. M. A., K. M. A. Ellenberger, West.	
All pools in Wilbarger County	.35
Excepting: Consolidated, Electra-Ellenberger, Fargo, Harrold, Main, Potts-Ellenberger, Rock Crossing (Canyon), Rock Crossing (Ellenberger)	.3
All pools in Young County	.35
Excepting: Allar, Allar Caddo, Ansac-Graham, Briar Creek, Burns Larimore, Burns Ragland Mississippi Lime, Davis, Garvey, Halbert Caddo, James, Kerlyn Loving, Knight, Knox; Knox, North (Caddo); Knox, Mississippi Lime; Upton McLester, Murray, Murray Caddo, Padgett Mississippi Lime, Servell, Williamson.	
Adami, Webb	.35
Agua Prieta, Duval	.35
Angleton, Brazoria	.35
Appling, Jones	.25
Aviators, Webb	.35
Bateman, Bastrop	.20
Bateman, Ranch, King	.35
Bee Creek, Caldwell	.35

(41) Texas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Bennett, (W. S. Rotan), Fisher	$0.20
Bird Island, Kleberg	.25
Blackwell, Coke	.20
Bolivar, Denton	.35
Bolt, Kimble	.35
Bowles, Taylor	.35
Brenham, Austin	.35
Bruni, Webb	.35
Bruni, East, Webb	.35
Buchanan, Caldwell	.35
Burdette, Wells, Caldwell	.35
Burnell, South, Karnes	.20
Caesar, Bee	.35
Camada, Jim Wells	.35
Callihan, McMullen	.35
Carbon, Eastland	.35
Cedar Creek, Bastrop	.35
Chapman Abbott, Williamson	.35
Charamousca, South, Duval	.20
Charco Redona, Zapata	.35
Chicon Lake, Medina	.35
Chiltipin, Duval	.35
Clara Couch, Crockett	.20
Clark, Guadalupe	.25
Cole West, Webb	.25
Collinsville, Grayson	.35
Colmena, Duval	.20
Comitas, Zapata	.35
Corsicana Shallow, Navarro	.35
Cowden, Crane, Crane	.35
Crockett, Crockett	.25
Cuellar, Zapata	.35
Currie, Navarro	.25
Dale, Caldwell	.35
Dale, West, Caldwell	.35
Damon Mound, Branoria	.25
Deep Rock, Andrews	.25
Deupree, Bexar	.35
Diamond Half, Goliad	.25
Dobbs, Ward	.25
Dunlap, Guadalupe & Caldwell	.35
Eckert, Bexar	.35
Ellison Young, Caldwell	.35
El Tangue, Starr	.35
Emperor Deep, Winkler	.20
Encobas, Zapata	.35
Exsell, Live Oak & McMullen	.25
Fairfield, Bexar	.35
Fleitmann, Cooke	.25
Fostoria, Montgomery	.25
Fromme, Pecos	.25
Frost, Starr	.35
Garza, Garza	.20
Gas Ridge, Bexar	.35
Ginter, Angelina	.35
Goldsmith, North, Ector	.20
Grosbeck, Limestone	.25
Halley, Winkler	.20
Holbein, Jim Hogg	.20
Huntington, Angelina	.35
Humble, Harris	.25
Hurdle, Upton	.35
Jacob, McMullen	.35
James, Young	.20
Kermit, Winkler	.35
Killam, Webb	.35
Killam, North, Webb	.35
Knight, Young	.25
Knox, Young	.20
Kohler, Duval	.35
Lake Kirby, Taylor	.35
La Reforma, Starr	.25
Las Animas, Jim Hogg	.25
La Vernia, Guadalupe	.35
Lehn, Pecos	.35
Lentz, Bastrop	.20
Live Oak, Crockett	.35
Loma Novia, Duval	.20
Loma Vista, Duval	.35
Lopez, Webb	.20
Los Olmos, Starr	.35
Lost Lake, Chambers	.35
Luby Deep, Nueces	.20
Luling Branyon, Guadalupe & Caldwell	.25
Lykes, Webb	.35
Lytton Springs, Caldwell	.35

(41) Texas—Con. Pool and county:	*Amount of increase (dollars per 42-gal. barrel)*
Manila, Jim Hogg	$0.25
Marion Co. Shallow, Marion	.35
Masterson, Pecos	.35
Matthews, Williamson	.35
McMillan, Runnels	.35
Mexia, Limestone	.20
Minerva Rockdale, Milan	.35
Mirando City, Webb	.35
Mirando Valley, Zapata	.35
Moore, Howard	.25
Munson, McMullen	.35
Mykawa, Harris	.25
Netterville, Pecos	.35
Noack, Williamson	.35
Normanna, Bee	.35
O'Connor McFaddin, Refugia	.20
Oilton, Webb	.35
Old Batson, Hardin	.35
Orange, Orange	.20
Overall, Coleman	.20
Panola Co. (Bethany), Panola	.35
Payton, Pecos & Ward	.25
Pecos Valley L. G., Pecos	.35
Pecos Valley H. G., Pecos and Ward	.35
Peters, Duval	.20
Plummer, Bee	.25
Potter, Marion	.35
Pottsboro, Grayson	.35
Potts-Ellenberger, Willbarger	.25
Premont, Jim Wells	.25
Pruett, Ward	.35
Rancho Salo, Duval	.35
Rancho Salo Extension, Duval	.35
Randado, Jim Hogg	.35
Rhodes, Cochran	.35
Ricaby, Starr	.35
Richards, Cochran	.35
Richland, Navarro	.25
Rio Grande, Starr	.35
Riddle, Bastrop	.20
Robinson, Duval	.35
Roselyn, Harris	.35
Rotan, Fisher	.20
Royston, Fisher	.20
Sadler, Grayson	.35
Salt Flat, Caldwell	.20
Sam Fordyce, Hidalgo	.25
Sandhills, West, Crane	.20
Sandia, Jim Wells	.35
Sam Fordyce, North, Starr	.20
Saratoga, Hardin	.35
Sarnosa, Duval	.20
Scranton, Callahan	.25
Scarborough, Winkler	.20
Sharon Ridge, Mitchell and Scurry	.25
Shearer, Pecos	.20
Snyder, Howard	.25
Somerset, Bexar and Atascosa	.35
South Boeque, McLennan	.35
South Liberty, Liberty	.20
Southton, Bexar	.35
Spiller, Guadalupe	.35
Spindletop, Jefferson	.20
St. Charles, Aransas	.35
Taborg, Pecos	.25
Taylor Ina, Medina	.35
Tehuacana, Limestone	.20
Telferner, Victoria	.25
Thrall, Williamson	.35
Trent, Taylor	.35
Triplet, Jones	.25
Tuleta, Bee	.35
Tulsita, Bee	.35
Walnut Creek, Caldwell	.35
Ward, South, Ward	.35
Waskom, Harrison	.35
Webb Ray, Upton	.35
West Andrews, Andrews & Ector	.35
Westbrook, Mitchell	.20
White Creek, Live Oak	.25
Wortham Shallow, Freestone	.35
Van Shallow, Van Zandt	.35
Victoria, Victoria	.20
Vincent, Howard	.20
Von Ormy, Bexar	.35
Yoast, Bastrop	.35
Zaboroski, Guadalupe	.35

(42) Utah. (43) Vermont. (44) Virginia. (45) Washington. (46) West Virginia.	*Amount of increase (dollars per 42-gal. barrel)*
All pools producing Pennsylvania grade crude in the State of West Virginia	$0.75
(47) Wisconsin.	
(48) Wyoming. Pool and county:	
Big Muddy, Converse	.20
Dewey, Weston	.35
G. P. Lease, Carbon	.35
Grass Creek, Hot Springs	.20
Hidden Dome, Washakie	.35
Horse Creek, Laramie	.35
Iron Creek, Natrona	.35
Kirby Creek, Hot Springs	.35
Osage, Weston	.35
Poison Spider, Natrona	.25
Rex Lake, Albany	.25
Simpson Ridge, Carbon	.35
Spring Valley, Vinta	.35
Teapot, outside Naval Reserve, Natrona	.35
W. Mule Creek, Niobrara	.35
W. Warm Springs, Hot Springs	.35

(c) Maximum prices for crude petroleum produced from the pools listed in (a) above, except the Appalachian pools producing Pennsylvania Grade crude oil, have been increased in accordance with the following standards:

Daily average per well production of pool during month of December 1943 in terms of 42-gallon barrels (the number of wells to be considered the number of wells producing crude petroleum as of December 31, 1943):

	Amount of price increase (cents per 42-gallon barrel)
Less than 5	$0.35
5 and above but less than 7	.25
7 and above but less than 9	.20

(1) *Increases for unlisted pools.* The maximum price of crude petroleum from a pool not designated in (b) above may be revised by written order of the Price Administrator either:

(i) On the basis of the above standards where the daily average per well production during the month of December 1943 was less than nine barrels; or

(ii) On the basis of the above standards where the daily average per well production is less than 9 barrels, except that the period to be used in the computation of the daily average per well production shall be a period of one year preceding the date of application for the increase, and the number of wells to be used in the computation shall be determined by dividing by twelve the sum of the number of wells producing crude petroleum on the last day of each month during the year.

(2) *Adjustments or corrections for listed pools.* The Price Administrator by written order may revise maximum prices for designated pools in accordance with the standards set forth in (1) above.

This amendment shall become effective August 1, 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11544; Filed, August 1, 1944; 4:54 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 130,[1] Amdt. 9]

NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 130 is amended in the following respect:

1. Section 1347.283 (c) (2) is amended to read as follows:

(2) *Lightweight newsprint paper—(i) Price differential for newsprint paper ordered and made in 30-pound weight.* With respect to newsprint paper manufactured either within or outside the limits of the continental United States there may be added to the maximum price hereinabove established for 32 pound standard newsprint paper a price differential not in excess of $4.00 per ton for newsprint paper ordered and made in a weight of 30 pounds for 500 sheets 24 x 36 inches.

This amendment shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11545; Filed, August 1, 1944; 4:52 p. m.]

PART 1367—FERTILIZERS

[2d Rev. MPR 135, as Amended,[1] Amdt. 1]

RETAIL PRICES OF FERTILIZERS AND MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Schedule Q of Appendix A is amended as follows:

1. San Francisco is added to the list of counties in Column I.

2. The grade 5-10-10 and the prices therefor are deleted from the table.

3. The grade 4-10-10 and prices therefor are added to the table as follows:

Grade:	Price per ton I	II	III
4-10-10	$50.00	$51.00	$51.50

This amendment shall become effective August 1, 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11546; Filed, August 1, 1944; 4:53 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3183, 3521, 5139, 8943, 9251, 10255; 8 F.R. 1586, 2670, 7766, 11362, 16918; 9 F.R. 3560, 4540, 7079.

[1] 8 F.R. 15706; 9 F.R. 288, 5804, 9054.

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Amdt. 2]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The last paragraph of section 23 (a) (10) is amended to read as follows:

If in March 1942, you had an established practice of charging the same price to certain customers on the basis of standards (such as the nature of the buyer—wholesaler, retailer, etc., or the nature of the sale—large, small, cash, credit, etc.) you must place a new purchaser of the same service in the proper purchaser price class in accordance with such standards. If you had no such standards, or if the new purchaser does not correspond to any of such standards, you must establish a price for the new purchaser under section 5 of this regulation. However, in the case of any service which was supplied before the effective date of this regulation to a new purchaser, if you had no such standards or if the new purchaser did not correspond to any of such standards, the requirements of section 5 (a) will be satisfied if you submit the new purchaser's name and address; the service supplied; the price charged; and a brief statement indicating how it was determined. In such a case, the price for the service shall be deemed to be approved under section 5 (b), subject to revision at any time by OPA if such price is above the level of prices otherwise established by this regulation. For the purposes of this definition, a "new purchaser" means a purchaser to whom you did not supply or offer to supply the same service in March 1942.

This amendment shall become effective August 1, 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11541; Filed, August 1, 1944; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1[1] to GMPR, Amdt. 70]

PULPWOOD AND FIREWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment 65 to Revised Supplementary Regulation 1 is amended to read as follows:

Amendment 65 shall become effective July 8, 1944 and shall be suspended from August 1, 1944 to September 1, 1944.

[1] 9 F.R. 7439, 9107.

[2] 9 F.R. 4391, 4948, 5903, 5906, 7020, 6570, 6648, 7077, 7500, 7579.

This amendment shall become effective August 1, 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11542; Filed, August 1, 1944; 4:54 p. m.]

PART 1300—PROCEDURE

[Rev. PR 3,[1] Amdt. 8]

PROCEDURE FOR ADJUSTMENTS, AMENDMENT, PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

Revised Procedural Regulation No. 3 is amended in the following respects:

1. Section 1300.216 (c) is amended to read as follows:

(c) Protests shall be filed with the Secretary of the Office of Price Administration, Washington 25, D. C. A copy of the protest shall also be filed with the appropriate regional administrator or rent director as provided in § 1300.217 of this regulation.

2. Section 1300.217 is amended to read as follows:

§ 1300.217 *Form of protest.* (a) Every protest shall be clearly designated "Protest" and shall contain upon the first page thereof, (1) the name of the protestant and of the defense-rental area for which the maximum rent regulation or order protested was issued, (2) a statement whether the protest is against a maximum rent regulation or order, and (3) the date of issuance and the number of such maximum rent regulation or order.

(b) One original and five copies of the protest and of all accompanying documents and briefs shall be filed with the Secretary of the Office of Price Administration, Washington 25, D. C.

(c) In cases where the protest is directed against an order issued under § 1300.210 of this regulation, an additional copy of the protest, accompanying documents and briefs, shall be filed with the regional administrator issuing the order being protested.

(d) In cases where the protest is directed against either an order entered under section 5 (d) of any maximum rent regulation, or an order entered by the rent director under § 1300.207 of this regulation, and an application for review has not been filed, an additional copy of the protest, accompanying documents and briefs, shall be filed with the rent director issuing the order being protested.

(e) Each copy of the protest, accompanying documents and briefs, shall be printed, typewritten, mimeographed or prepared by similar process and should be plainly legible. Copies shall be double-spaced except that quotations shall be single-spaced and indented.

This amendment shall become effective August 9, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been

[1] 9 F.R. 1656, 3337, 7500, 7501.

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11584; Filed, August 2, 1944; 11:39 a. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 4,[1] Incl. Amdts. 1-2]

ISSUANCE OF RATIONING SUSPENSION ORDERS

This compilation of Revised Procedural Regulation 4 includes Amendment 2, effective August 7, 1944. The text amended by Amendment 2 is underscored. Revocations and redesignations are indicated by note.

§ 1300.151 *Procedure for issuance of rationing suspension orders.* Pursuant to the authority conferred upon the Administrator by Executive Order 9125, War Production Board Directive No. 1, as supplemented, and the Food Directives of the Secretary of Agriculture and the War Food Administrator, this Revised Procedural Regulation No. 4, which is annexed hereto and made a part hereof, is hereby issued.

REVISED PROCEDURAL REGULATION NO 4—ISSUANCE OF RATIONING SUSPENSION ORDERS

ARTICLE I—SCOPE AND APPLICATION OF REVISED PROCEDURAL REGULATION NO. 4

Sec.
1.1 Scope of regulation.

ARTICLE II—INSTITUTION AND CONDUCT OF PROCEEDINGS

2.1 Institution of proceedings.
2.2 Notice of hearing.
2.3 Conduct of hearing.
2.4 Rules of evidence.
2.5 Appearances.
2.6 Continuance o. adjournment of hearing.
2.7 Defaults.
2.8 Subpoenas.
2.9 Payment of witness fees and mileage.
2.10 Contemptuous conduct.
2.11 Transcript of hearings.
2.12 Presiding Officer's advisory report: service.
2.13 Briefs on Presiding Officer's advisory report.
2.14 Briefs after hearing before Hearing Commissioner.

ARTICLE III—ORDERS OF HEARING COMMISSIONERS

3.1 Suspension order of Hearing Commissioner.
3.2 Stay of operation of suspension order.
3.3 Consent order.
3.4 Application for modification, vacation or further hearing.
3.5 Order upon application.

[1] 9 F.R. 2559.

ARTICLE IV—APPEALS FROM ORDERS OF WAR PRICE AND RATIONING BOARDS OR SPECIAL HEARING OFFICERS

Sec.
4.1 Appeals from orders of Boards or Special Hearing Officers.

ARTICLE V—APPEALS TO, REVIEW AND HEARING BY HEARING ADMINISTRATOR

5.1 Hearing and order by the Hearing Administrator.
5.2 Petition for reconsideration of order of Hearing Administrator under section 5.1.
5.3 Appeals from orders of Hearing Commissioners.
5.4 Notice of appeal.
5.5 Stay pending appeal.
5.6 Record on appeal.
5.7 Briefs.
5.8 Oral argument.
5.9 Order on appeal.
5.10 Review on initiative of Hearing Administrator.

ARTICLE VI—MISCELLANEOUS

6.1 Service of papers.
6.2 Office hours of Office of Hearing Commissioners and Hearing Administrator: filing.
6.3 Definitions.
6.4 Effective date.

AUTHORITY: § 1300.151 issued pursuant to Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong.; and by Pub. Law 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as supplemented; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 5, 8 F.R. 2251; Food Dir. No. 6, 8 F.R. 3471, and Food Dir. No. 7, 8 F.R. 3471.

ARTICLE I—SCOPE AND APPLICATION OF REVISED PROCEDURAL REGULATION NO. 4

SECTION 1.1 *Scope of regulation.* It is the purpose of this regulation to prescribe the procedure used by the Office of Price Administration in the issuance of rationing suspension orders. This regulation does not apply to suspension proceedings before War Price and Rationing Boards or Special Hearing Officers, but Article IV prescribes the procedure on appeal from orders issued in such proceedings.

ARTICLE II—INSTITUTION AND CONDUCT OF PROCEEDINGS

SEC. 2.1 *Institution of proceedings.* A proceeding for the issuance of a suspension order shall be instituted by the service of a notice of hearing upon the respondent not less than seven (7) days before such hearing.

SEC. 2.2 *Notice of hearing.* (a) A notice of any hearing to be held pursuant to this regulation shall be issued by the District Enforcement Attorney. It shall set forth the time and place of hearing, a clear statement of the charges against the respondent with a reference to the particular section of the regulation or order involved or alleged to have been violated, and a statement of the purpose or purposes for which the hearing is to be held. The notice shall also state that a suspension order may be entered by default in case of failure to appear at the hearing.

(b) A copy of Revised Procedural Regulation No. 4 shall be attached to the notice of hearing served upon any respondent.

[Sec. 2.2 amended by Am. 1, 9 F.R. 5426, effective 5-27-44]

SEC. 2.3 *Conduct of hearing.* (a) Any hearing held pursuant to this regulation shall be conducted by a Hearing Commissioner or by a Presiding Officer designated by the Chief Hearing Commissioner to conduct the hearing. The Hearing Commissioner or Presiding Officer shall preside at the hearing, administer oaths and affirmations, and rule on the admission and exclusion of evidence.

(b) The hearing shall be so conducted as to permit the presentation of evidence and argument to the fullest extent compatible with fair and expeditious determination of the issues raised in the hearing. To this end:

(1) The respondent shall have the right to be represented by counsel of his own choosing.

(2) The Hearing Commissioner or Presiding Officer shall afford reasonable opportunity for cross-examination of witnesses.

(3) All hearings held pursuant to this regulation shall be public.

SEC. 2.4 *Rules of evidence.* The rules of evidence governing civil proceedings in matters not involving trial by jury in the courts of the United States shall govern all hearings: *Provided, however,* That such rules may be relaxed by the Hearing Commissioner or Presiding Officer where the ends of justice will be better served by so doing.

SEC. 2.5 *Appearances.* Any individual respondent may appear for himself; any partner may appear for a partnership if expressly or impliedly authorized to do so; any officer of a corporation or association may appear for such corporation or association. Any respondent may appear by an attorney. No other person may appear for a respondent unless specifically authorized in writing by such respondent. All appearances shall be noted on the record of the proceeding. Appearances of Office of Price Administration employees and former employees in a representative capacity shall be governed by the provisions of Procedural Regulation No. 14.[2]

SEC. 2.6 *Continuance or adjournment of hearing.* The hearing shall be held at the time and place specified by the notice of hearing but the Hearing Commissioner or Presiding Officer may continue or adjourn the hearing to a later date or to a different place. Notice of such adjournment or continuance shall be given either prior to or at the hearing.

SEC. 2.7 *Defaults.* (a) If a respondent fails to appear at a hearing the charges set forth in the notice of hearing may be deemed to be admitted by default, and a hearing need not be held. The District Enforcement Attorney shall, however, present evidence relevant to the deter-

[2] 9 F.R. 1594.

mination of the effective period of any suspension order.

[Paragraph (a) amended by Am. 1, 9 F.R. 5426 effective 5-27-44]

(b) At any time within ten (10) days after the service of an order issued after a default, the respondent may file with the Hearing Commissioner a petition for the reopening of the proceedings, setting forth the grounds on which he believes his default should be excused. A copy of such petition shall be served upon the District Enforcement Attorney at or prior to the time of filing. Within three (3) days after such service, the District Enforcement Attorney may file with the Hearing Commissioner affidavits and a brief in opposition, a copy of which shall be served on the respondent at or prior to the time of filing. The Hearing Commissioner shall grant or deny the petition by order. If the Hearing Commissioner grants the petition, his order shall set aside the order to which the petition is directed and shall set forth the time and place for the hearing.

SEC. 2.8 *Subpoenas.* (a) Any Hearing Commissioner may, upon proper application, issue subpoenas compelling the attendance and testimony of witnesses and the production of evidence at a hearing conducted under this regulation.

(b) An applicant for a subpoena shall specify the name and address of the witness and the nature of the facts to be proved by him, and, if calling for the production of evidence, shall specify the same with such particularity as will enable it to be identified for purposes of production.

(c) A subpoena may be served by any person, including a party, who is more than 18 years of age. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fee and mileage for one day's attendance. When the subpoena is issued on behalf of the Office of Price Administration, fees and mileage need not be tendered. The verified return of the person making the service shall be proof of service.

SEC. 2.9 *Payment of witness fees and mileage.* Witnesses summoned before a Hearing Commissioner or Presiding Officer at any hearing held pursuant to this regulation shall be paid the same fees and mileage as are paid witnesses in the District Courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witness appears.

SEC. 2.10 *Contemptuous conduct.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing.

[Sec. 2.10 amended by Am. 1, 9 F.R. 5426 effective 5-27-44]

SEC. 2.11 *Transcript of hearings.* (a) A stenographic report of all hearings shall be taken. The report shall be transcribed only if the transcription is requested by a party to the proceeding or the Hearing Commissioner, or if the case is heard by a Presiding Officer. Any party may obtain a copy of the transcript. The cost of a transcription requested by a respondent shall be borne by such respondent. If the report is transcribed at the request of the Hearing Commissioner or the District Enforcement Attorney, a copy shall be available for inspection by the respondent during business hours at the District Office or such other place as may be designated by the Hearing Commissioner. Argument of counsel shall not be included in the report except at the direction of the Hearing Commissioner or Presiding Officer.

(b) The parties may, by stipulation, agree upon corrections of inaccuracies in the transcript. The Hearing Commissioner or Presiding Officer, whichever presided at the hearing, shall, by written findings, resolve any dispute of the parties as to the accuracy of the transcript.

SEC. 2.12 *Presiding Officer's advisory report: service.* (a) A Presiding Officer who has conducted a hearing shall prepare an advisory report, which shall contain findings of fact and conclusions of law, and may contain recommendations with respect to the disposition of the matter.

(b) The advisory report shall be filed with the Hearing Commissioner, and copies thereof shall be served on the respondent and the District Enforcement Attorney.

SEC. 2.13 *Briefs on Presiding Officer's advisory report.* (a) Any party may submit to the Hearing Commissioner a brief in opposition to or in support of the report of the Presiding Officer.

(b) Such briefs shall be filed within five (5) days after the service of the Presiding Officer's report. The brief shall be filed with the Hearing Commissioner and a copy thereof served upon the opposing party at or before the time of filing.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Hearing Commissioner.

SEC. 2.14 *Briefs after hearing before Hearing Commissioner.* The Hearing Commissioner may, upon request of any party to a proceeding conducted by him, permit the filing of briefs or written argument. Such briefs or written argument shall be filed within such time as the Hearing Commissioner may prescribe.

ARTICLE III—ORDERS OF HEARING COMMISSIONERS

SEC. 3.1 *Suspension order of Hearing Commissioner.* (a) If the Hearing Commissioner determines that a respondent has violated a rationing regulation or order, he may issue a suspension order.

[Paragraph (a) amended by Am. 1, 9 F.R. 5426 effective 5-27-44 and Am. 2, effective 8-7-44]

(b) Any suspension order hereunder, except a consent order issued under section 3.3, shall set forth the findings of fact and conclusions of law upon which it is based and shall contain a statement of the reasons why a suspension order should be issued, unless such findings of fact, conclusions of law and statement of reasons are set forth in an opinion accompanying the order.

(c) If the Hearing Commissioner determines that no suspension order should be issued, he shall issue an order dismissing the proceeding or issue an admonitory order. The findings of fact, conclusions of law and a statement of the reasons why an order of dismissal or an admonitory order should be issued shall be set forth in the order or in an opinion accompanying the same.

(d) A suspension order under this section may contain such provisions as may be deemed appropriate to make it effective.

SEC. 3.2 *Stay of operation of suspension order.* (a) A Hearing Commissioner may, for good cause, provide in a suspension order that the operation thereof shall be stayed in whole or in part for so long as the respondent shall comply with rationing orders or the conditions set forth in the suspension order.

(b) The District Enforcement Attorney may at any time file an application with the Hearing Commissioner or, in the Hearing Commissioner's absence, with the Chief Hearing Commissioner to have such a stay vacated. Such application shall be served upon the respondent, shall set forth a detailed statement of charges of further violations of a ration order by the respondent, and shall contain affidavits or other proofs of such violations. The application shall contain a statement fixing a time, which shall not be less than seven (7) days after service, within which the respondent may file with the Hearing Commissioner or Chief Hearing Commissioner, as the case may be, answering affidavits, proofs, and written arguments.

(c) The Hearing Commissioner or Chief Hearing Commissioner, as the case may be, may, either upon the written proofs submitted by the parties or upon further hearing ordered by him, enter an order vacating the stay in whole or in part. All proofs submitted and the record of any further hearing shall become part of the record of the original proceeding.

(d) Any Hearing Commissioner may, in an order issued in a suspension proceeding under this regulation, vacate a stay of the operation of a suspension order previously issued against the same respondent.

SEC. 3.3 *Consent order.* If the Hearing Commissioner approves an agreement entered into by the District Enforcement Attorney and a respondent with respect to the terms of a suspension order, he shall issue the order agreed upon, and such order shall have the same force and effect as an order issued under section 3.1 except that no appeal to the Office of the Hearing Administrator may be taken therefrom.

SEC. 3.4 *Application for modification, vacation or further hearing.* (a) The District Enforcement Attorney or a respondent may file with the Hearing Commissioner an application for modification, vacation or further hearing of an order issued by the Hearing Commissioner under section 3.1, from which no appeal is pending. Any application so

filed shall be accompanied by proof of service upon the opposing party.

(b) The application may include affidavits or a brief in support thereof, shall state in detail the grounds upon which the order should be modified, vacated or set for re-hearing in accordance with section 3.5.

(c) The opposing party may, within three days of receipt of service of the application, or such longer period as the Hearing Commissioner may allow, file with the Hearing Commissioner a brief and affidavits in opposition to the application.

(d) At any time after the filing of such an application, the Hearing Commissioner may, in his discretion, stay the suspension order to which the application relates, pending determination of the application.

SEC. 3.5 *Order upon application.* (a) A Hearing Commissioner may by order, at any time, save when an appeal is pending or an order has been entered on appeal by the Hearing Administrator, modify or vacate an order issued by him to correct errors of fact or law disclosed by the record. No oral hearing will be held on such application.

(b) At any time after the issuance of a Hearing Commissioner's order or an order on appeal therefrom, except when an appeal is pending, the Hearing Commissioner may set the proceeding for a further hearing upon a showing to his satisfaction:

(1) That the applicant will produce additional material evidence which the applicant could not have produced at the original hearing by the exercise of reasonable diligence, or

(2) That material changes in conditions or circumstances cause the suspension order to be detrimental to the public interest.

(c) A Hearing Commissioner may, at any time, either upon his own motion or upon motion of either party, modify his order to correct a clerical error or omission, or to change the effective dates of the order.

(d) An order may not be modified, vacated, or set for further hearing by the Hearing Commissioner for reasons other than those stated in paragraphs (a), (b), and (c) of this section, unless it affirmatively appears to the Hearing Commissioner that refusal to take such action would be wholly inconsistent with the just and proper disposition of the proceeding.

ARTICLE IV—APPEALS FROM ORDERS OF WAR PRICE AND RATIONING BOARDS OR SPECIAL HEARING OFFICERS

SEC. 4.1 *Appeals from orders of Boards or Special Hearing Officers.* (a) Whenever a right to appeal to a Hearing Commissioner from an order of a War Price and Rationing Board or a Special Hearing Officer is granted by a rationing order or regulation, such appeal may be taken within the time and in the manner prescribed by the rationing order or regulation.

(b) The appeal shall be heard by the Hearing Commissioner or a Presiding Officer and determined by the Hearing Commissioner in the same manner as if it were an original proceeding instituted by a notice of hearing issued under section 3.1.

(c) The Hearing Commissioner may, for good cause shown upon application by the respondent, stay or suspend the operation of an order issued by a War Price and Rationing Board or a Special Hearing Officer pending the hearing and determination of the appeal.

(d) Any order issued by the Hearing Commissioner upon the determination of the appeal shall supersede the order from which the appeal was taken. No appeal may be taken to the Office of the Hearing Administrator from such an order issued by the Hearing Commissioner.

ARTICLE V—APPEALS TO, REVIEW AND HEARING BY HEARING ADMINISTRATOR

SEC. 5.1 *Hearing and order by the Hearing Administrator.* (a) At any time after the service of the notice of hearing and before the service of the order of the Hearing Commissioner, the Hearing Administrator may direct that the proceedings be brought before him.

(b) Notice that the proceedings are to be brought before the Hearing Administrator shall be served upon the District Enforcement Attorney, the respondent and the Hearing Commissioner.

(c) Proceedings brought before the Hearing Administrator shall be conducted in the same manner as if brought before a Hearing Commissioner.

SEC. 5.2 *Petition for reconsideration of order of Hearing Administrator under section 5.1.* (a) Any party may file with the Hearing Administrator a petition for reconsideration of an order issued by the Hearing Administrator under section 5.1.

(b) The petition for reconsideration shall be served and filed in the same manner as a notice of appeal under section 5.4, and such petition shall conform to the requirements for notices of appeal prescribed in section 5.4 (b). The procedures on such petition shall be the same as on an appeal.

SEC. 5.3 *Appeals from orders of Hearing Commissioners.* A respondent or the District Enforcement Attorney may appeal to the office of the Hearing Administrator from any order issued under section 3.1 or section 3.2 (c) other than an order entered by default. A respondent may appeal to the Office of the Hearing Administrator from an order issued under section 2.7, denying a petition to reopen a defaulted proceeding.

SEC. 5.4 *Notice of appeal.* (a) An appeal may be taken by serving a notice of appeal on the Hearing Commissioner and the other party or parties to the proceeding within ten (10) days (or in the case of orders issued in the Territories and Possessions, within thirty (30) days) after service of the order appealed from. A copy of the notice of appeal with proof of such service shall be filed at the Office of the Hearing Administrator, Washington, D. C., within five (5) days after the taking of the appeal. The Hearing Administrator, for good cause shown, may extend the time within which an appeal may be taken.

(b) The notice of appeal shall contain (1) a reference to the findings of fact and conclusions of law, if any, to which exception is taken, (2) a brief statement of the grounds for such exceptions, (3) the modifications proposed with respect to the order appealed from, and (4) a brief statement of the reasons supporting such proposed modifications. The Hearing Administrator may dismiss any appeal if the notice of appeal is deficient in such respects.

(c) The appealing party shall, within ten days after taking the appeal, or such longer period as the Chief Hearing Commissioner shall allow, file in the Office of the Chief Hearing Commissioner the transcript of the stenographic report of the hearing unless the preparation of the transcript was requested by the Hearing Commissioner or the case was heard by a Presiding Officer.

SEC. 5.5 *Stay pending appeal.* The taking of an appeal shall not automatically stay the operation of the order appealed from. A Hearing Commissioner may, however, for good cause shown, upon application of any party, stay or suspend the operation of an order pending the determination of the appeal. A copy of such application shall be served upon the opposing party at or before the time it is filed with the Hearing Commissioner. If the Hearing Commissioner does not act upon such application within three days after filing, or denies such application, the requesting party may apply for a stay to the Office of the Hearing Administrator, Washington, D. C.

SEC. 5.6 *Record on appeal.* The Chief Hearing Commissioner shall, within three (3) days after the receipt of the notice of appeal or the stenographic transcript, whichever is later, send to the Office of the Hearing Administrator the complete record in the case which shall include:

(a) The notice of hearing and proof of service thereof;

[Paragraph (b) revoked and former (c) through (g) redesignated (b) through (f), respectively, by Am. 2, effective 8-7-44]

(b) The transcript of testimony and all exhibits;

(c) The Presiding Officer's report and briefs in support and opposition thereto, if any;

(d) The order of the Hearing Commissioner with proof of service thereof and the accompanying opinion, if any;

(e) The stay order, if any; and

(f) All petitions, applications, or motions filed and orders issued in the proceeding.

SEC. 5.7 *Briefs.* (a) Any party to the appeal may submit to the Office of the Hearing Administrator a brief in support of or in opposition to the order of the Hearing Commissioner.

(b) Two copies of briefs submitted on behalf of an appealing party, together with proof of service of a copy thereof upon the opposing party, shall be filed with the Office of the Hearing Administrator, Washington, D. C., within ten (10) days after the taking of the appeal. Within five (5) days after receipt of a copy of the appealing party's brief, the opposing party shall file two copies of his brief, together with proof of service of a copy thereof, in the Office of the Hearing Administrator. In the case of an appeal from an order issued in a Territory or Possession twenty (20) days shall be added to the times specified for the filing of briefs. Reply briefs will not be allowed except with the permission of the Office of the Hearing Administrator.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Office of the Hearing Administrator.

SEC. 5.8 *Oral argument.* The Hearing Administrator may, upon application or upon his own motion, order that oral argument be heard before him, the Deputy Hearing Administrator, or any Assistant Hearing Administrator.

SEC. 5.9 *Order on appeal.* (a) The Hearing Administrator may affirm, reverse, or modify the order of the Hearing Commissioner, or remand the proceeding with directions.

(b) Copies of the order on appeal shall be served on the respondent and the District Enforcement Attorney.

(c) The provisions of this section applicable to the Hearing Administrator shall apply to the Deputy Hearing Administrator or any Assistant Hearing Administrator, when either is acting in lieu of the Hearing Administrator pursuant to paragraph (b) of Revised General Order No. 46, as amended.

SEC. 5.10 *Review on initiative of Hearing Administrator.* (a) If neither the District Enforcement Attorney nor the respondent appeals within the time prescribed in section 5.4, the Hearing Administrator may review the case on his own motion. The Hearing Administrator may review, on his own motion, any order issued by a Hearing Commissioner from which an appeal does not lie.

(b) The Hearing Administrator shall initiate a review under paragraph (a) of this section by serving a notice of intention to review on the District Enforcement Attorney and the respondent.

(c) A review proceeding under this section shall be conducted in the same manner as an appeal except that the time for filing briefs shall be computed from the time of service of the notice of intention to review.

ARTICLE VI—MISCELLANEOUS

SEC. 6.1 *Service of papers.* Notices, orders, and other process and papers may be served personally, or by leaving a copy thereof at the residence or during usual business hours at the principal office or place of business of the person to be served, or by registered mail or by telegraph. Service by registered mail or by telegraph is complete upon mailing or upon delivery of the text of the telegram to a telegraph office. The verified return of the person making the service, or where service is by registered mail or telegraph the verified return of the person making the service and the return post office or telegraph receipt shall be proof of service.

SEC. 6.2 *Office hours of Office of Hearing Commissioners and Hearing Administrator: filing.* The Offices of the Hearing Administrator and the Hearing Commissioners shall be open daily from 9 a. m. until 5 p. m. Any person desiring to file papers at any time other than the regular hours stated, may file a written application with the appropriate Hearing Commissioner or the Hearing Administrator, if such papers are to be filed with him, requesting permission therefor. Whenever service is required of papers submitted for filing, proof of such service must accompany the papers.

SEC. 6.3 *Definitions.* As used in this regulation, unless the context otherwise requires, the term:

(a) "Hearing Administrator" means the Hearing Administrator of the Office of Price Administration or any duly designated person temporarily so acting.

(b) "Office of the Hearing Administrator" includes the Hearing Administrator, the Deputy Hearing Administrator, and any Assistant Hearing Administrator of the Office of Price Administration, located at Washington, D. C.

(c) "Hearing Commissioner" means the Chief Hearing Commissioner of the Office of Price Administration for the region in which the proceeding is instituted, or such Hearing Commissioner as may be authorized to determine a proceeding held pursuant to this procedural regulation.

(d) "District Enforcement Attorney" means the Enforcement Attorney of the Office of Price Administration for the District in which the proceeding is instituted or an attorney authorized to act for the District Enforcement Attorney in any proceeding conducted pursuant to this regulation.

(e) "Suspension order" means an order of allocation which regulates or suspends for a period the acquisition, sale, transfer, delivery or other disposition or use of rationed commodities or facilities, issued against a person who has acted in violation of a ration order or regulation.

[Paragraph (e) amended by Am. 1, 9 F.R. 5126, effective 5-27-44 and Am. 2, effective 8-7-44]

(f) "Rationing order or regulation" means any order or regulation of the Office of Price Administration issued pursuant to War Production Board Directive No. 1, as supplemented or amended, or any Directive of the War Food Administrator or the Secretary of Agriculture, or any other delegation of authority conferred by section 2 (a) of the Second War Powers Act.

SEC. 6.4 *Effective date.* This Revised Procedural Regulation No. 4 shall become effective at 12:01 a. m. on April 1, 1944. It governs all proceedings in cases instituted on and after that date. Unless the Hearing Administrator otherwise directs, it shall also govern all future proceedings in cases then pending: *Provided, however,* That the procedure prescribed by Temporary Procedural Regulation No. 4 shall govern review of orders issued prior to March 1, 1943, and the provisions establishing such procedure are continued in effect for this purpose.

[Revised Procedural Regulation No. 4 originally issued March 6, 1944]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 2d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11570; Filed, August 2, 1944; 11:41 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 87, Revocation]

SALES OF SURPLUS COMMODITIES BY THE UNITED STATES GOVERNMENT OR ITS AGENCIES

A statement of the considerations involved in the issuance of this order of revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Order 87 is hereby revoked subject to the provisions of Supplementary Order 40.[1]

This order shall become effective September 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11585; Filed, August 2, 1944; 11:35 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 94]

SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1305.122 *Sales of commodities by Government agencies and resales by certain buyers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250, 9328, Supplementary Order No. 94 (Sales by Government Agencies and Resales by

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4325.

Certain Buyers), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1306.122 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

SUPPLEMENTARY ORDER No. 94—SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

Sec.

1. Scope and nature of this order.
2. Suggestions for the use of this order.
3. Exemption of certain sales.
4. Application of price regulations to sales by Government agencies.
5. Sales by Government agencies of new commodities at a price not to exceed acquisition or replacement cost.
6. Sales of war contract termination inventory.
7. Sales by Government agencies of new commodities at a price not to exceed manufacturer's, producer's, or processor's, adjusted list prices.
8. Sales of used commodities by Government agencies.
9. Sales of scrap by Government agencies.
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19. Records and reports.
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SECTION 1. *Scope and nature of this order.* This supplementary order grants exemptions from maximum price control, continues existing maximum prices, establishes maximum prices, and provides a procedure for obtaining maximum prices or exemptions, for sales by the United States Government or its agencies of all commodities except food commodities, and for resales by certain private buyers of such commodities. This supplementary order also applies to sales of all commodities except food commodities by a contractor or subcontractor whose contract has been terminated by a Government agency where such contractor or subcontractor has been authorized or directed by the Government agency to sell the commodities, and where the proceeds are paid or credited to the Government agency.

This supplementary order does not apply to sales of any commodities by any Government agency where the original purchase by the Government was for the sole purpose of resale in substantially the same form or of stockpiling. Such commodities shall be priced by Government agencies under applicable price regulations.

Resales by private sellers are governed by the existing applicable price regulations and not by this supplementary order, except where OPA issues an order under section 11 of this supplementary order covering resales of a particular commodity. If OPA issues such an order, the provisions of the order will apply instead of the regulation otherwise applicable. The order will either provide a maximum price or exempt the resale from price control.

SEC. 2. *Suggestions for the use of this supplementary order.* As explained in section 1, this order establishes procedures for determining exemptions from price control, and maximum prices for sales of "surplus commodities," whether new, used or scrap.

Certain transactions and commodities are exempt from price control. If not exempted, the transaction and commodity may be covered by a price ceiling stated in dollar-and-cents terms. If, however, no such specific price ceiling is established, a Government agency or a contractor acting on the Government's behalf, may sell at a price not to exceed acquisition or replacement cost of the commodity, or on the basis of adjusted price lists of private manufacturers or producers. Alternatively, where no dollar-and-cents price ceiling has been established, a Government agency may apply to OPA for a specific ceiling price or exemption.

The Government agency may itself ascertain the applicable maximum price or exemption, using the appropriate method or methods outlined below. It may, however, rely upon the buyer's certification as a means of determining the applicable ceiling price.

Since this order is intended to assure that no more than maximum prices are charged by Government agencies, its use in determining the maximum price applicable to a particular sale is not, of course, necessary where the Government agency has knowledge of market conditions for the commodity or commodities to be sold and has good reason to believe that prices obtainable at the time and place of sale are substantially below OPA ceiling prices.

In using this order, the following steps are suggested:

Determine the applicable regulations. (1) Find what regulation generally governs the sale of the particular commodity you are selling; the Directory of Commodities and Services issued by the OPA is a convenient guide for this purpose. (It may be secured from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C.)

Exemptions. (2) Refer to section 3 of this order to learn what types of sales and what commodities are exempt from price control.

Maximum prices on new commodities. (3) Refer to section 4 to learn whether or not a maximum price in dollar-and-cents terms is applicable.

(4) Where maximum prices in dollar-and-cents terms have not been established, sales may be made on the basis of cost of acquisition or replacement (section 5) or on the basis of adjusted list prices of private producers (section 7).

(5) Section 6 provides a special method for determining maximum prices for sales of war contract termination inventory.

Maximum prices of used commodities. (6) Refer to section 8 for a statement of methods by which to determine maximum prices for used commodities.

Maximum prices for scrap. (7) Refer to section 9 for the determination of maximum prices for scrap.

Applications for special maximum prices or exemptions. (8) Applications for the establishment of special maximum prices or for exemptions may be filed under section 10.

Reliance on buyer's certification. (9) If the Government agency does not wish to determine its maximum price or apply for a special price or exemption under the provisions of section 4 to 10 referred to above, it may rely upon the certifications of buyers as provided for in section 12.

Other provisions. (11) Additional provisions with respect to delegation to OPA field offices, geographical applicability, prohibitions, the charging of lower prices, definitions, effect on other regulations, records and reports, and enforcement are contained in sections 13 to 20.

EXEMPTIONS

SEC. 3. *Exemption of certain sales.* (a) *Exemptions based on the type of sale.* (1) *Sales by Government agencies.* A sale by a Government agency is exempt from price control by operation of this supplementary order where the sale is:

(i) To another Government agency;

(ii) To any foreign government or agency thereof;

(iii) To a contractor for use in carrying out his prime contract with a Government agency;

(iv) To any relief organization for donation or export sale;

(v) Of a single item or group of items where the sales price estimated to be obtainable for all substantially similar items available for sale at the place of sale does not exceed $300;

(vi) Of personal property when sold together with an interest in land or buildings in a single transaction;

(vii) Of all or substantially all the Government-owned contents of a factory or plant to the owner, lessee, or operator; or to any other single buyer purchasing for use.

(viii) Of building installations, facilities, appurtenances, equipment, and personal property attached to the land (except standing timber subject to MPR 460).

(2) *Further exemptions.* Upon application of a Government agency or on its own motion, the OPA, may by order, exempt such further types of sales as it deems necessary to facilitate the disposal of Government commodities if it appears that such exemptions will not have inflationary consequences.

(b) *Exemptions based on the commodity sold.* Sales by Government agencies of the commodities referred to

in Appendix A are exempt from price control by operation of this supplementary order. Part I of Appendix A lists exempt commodities by reference to the regulation which would otherwise govern their sale. Part II of Appendix A lists commodities and classes of commodities sales of which by Government agencies are exempt from maximum price control even though the regulation applicable is not listed in Appendix A, Part I.

SALES OF NEW COMMODITIES

SEC. 4. *Application of price regulations to sales by Government agencies*—(a) *Maximum prices for commodities governed by price regulations listed in Appendix B.* When a Government agency sells a commodity governed by a regulation listed in Appendix B, its maximum price for the sale is the price, if any, stated in dollar-and-cents terms, in the applicable regulation applying to sales by producers, manufacturers, or processors, adjusted for such geographical, quantity or other differentials as may be provided. If, however, the applicable regulation has established a maximum price for sales by Government agencies by express reference to such agencies (and not merely by a catch-all clause referring to sellers generally or by the common definition of the term "person" to include Government agencies), the maximum price for the selling agency shall be the maximum price so established.

A Government agency may sell at the maximum price applicable to sales by wholesalers or jobbers if the buyer from the agency generally buys the commodity from wholesalers or jobbers or from retailers. A Government agency may sell at the maximum price applicable to sales by retailers if the buyer from the agency generally buys the commodity from retailers.

To determine whether a buyer generally purchases a commodity from a given class of seller (e. g., wholesalers and jobbers, retailers), the Government agency may:

(1) Make such determination itself;

(2) Obtain from the buyer a written representation with regard thereto in the contract of sale or otherwise.

(b) *Maximum prices for commodities governed by price regulations listed in Appendix C.* When a Government agency sells a commodity governed by a regulation listed in Appendix C, its maximum price for the sale is the manufacturer's, producer's, or processor's net price to wholesalers or jobbers, that is, the list price, adjusted for all applicable extra charges, discounts, or allowances, for sales to wholesalers or jobbers. If, however, the applicable regulation has established a maximum price for sales by Government agencies by express reference to such agencies (and not merely by a catch-all clause referring to sellers generally or by the common definition of the term "person" to include Government agencies), the maximum price for the selling agency shall be the maximum price so established.

A Government agency may sell at the maximum price applicable to sales by wholesalers or jobbers if the buyer from the agency generally buys the commodity from wholesalers or jobbers or from retailers. A Government agency may sell at the maximum price applicable to sales by retailers if the buyer from the agency generally buys the commodity from retailers.

To determine whether a buyer generally purchases a commodity from a given class of seller (e. g., wholesalers and jobbers, retailers), the Government agency may:

(1) Make such determination itself;

(2) Obtain from the buyer a written representation with regard thereto in the contract of sale or otherwise.

(c) *When a maximum price cannot be determined by reference to Appendices B and C although the commodity is listed therein.* In such instances the Government agency may determine a maximum price under the succeeding sections. (For an explanation of the situations in which maximum prices cannot be determined, see text of Appendix B.)

(d) *Sales of a heterogeneous group of commodities.* (1) Where a heterogeneous group of *new* commodities held at one place is sold to one purchaser and where the determination of dollar-and-cents maximum prices would be unduly burdensome, the maximum price for the entire group of commodities may be determined under section 5.

(2) Where a heterogeneous group of new and used, or all used, commodities held at one place is sold to one purchaser and where the determination of dollar-and-cents maximum prices would be unduly burdensome, the maximum price for the entire group may be a price not to exceed 75 per cent of the acquisition or replacement cost (as defined in section 5) to the Government agency.

SEC. 5. *Sales by Government agencies of new commodities at a price not to exceed acquisition or replacement cost*—(a) *When Government agencies may sell at a price not to exceed acquisition or replacement cost.* When no maximum price has been expressly provided for the sale under section 4 and no exemption is provided in section 3 a Government agency may sell any new commodity at a price not to exceed its acquisition or replacement cost (as defined in (b) following) to the Government agency.

(b) *What is acquisition or replacement cost.* "Acquisition cost" means delivered cost to the Government or if this is unknown, or cannot reasonably be ascertained, the estimated delivered cost to the Government. "Delivered cost" may be averaged. Where the Government sales officer finds it practicable to determine, all other expenses, including handling, warehousing, costs of trans-shipment by the Government, contract termination allowances and interest charges, shall be excluded.

"Replacement cost" means estimated current replacement cost to the Government agency at the point of Government sale.

Where the Government agency sells a commodity "in place" or on an "installed basis," the expenses incurred by it in connection with the installation thereof may be included.

In calculating acquisition or replacement costs of consumer goods or cost of living items, as distinguished from industrial goods, the Government agency shall, where the Government sales officer finds it practicable to determine, eliminate that portion of such cost which is attributable to inclusion in the article of features which, while useful to the Government, do not add significantly to the article's value to a private consumer. On sales of war contract termination inventory (for a description of which see section 6 below) such costs need not be eliminated.

SEC. 6. *Sales of war contract termination inventory.* Notwithstanding any other pricing provision of this supplementary order, on sales of war contract termination inventory consisting of raw materials, supplies, component parts, semi-processed and semi-fabricated material, the Government agency which terminated the contract or the contractor selling in its behalf may, prior to the date on which such inventory is declared or assigned as surplus to a disposal agency, as authorized by regulations of the Surplus War Property Administrator, sell any item in such inventory at a price not to exceed the acquisition cost of the item. This section is not applicable to sales made subsequent to such date of declaration or assignment. Maximum prices for sales of war contract termination inventory may also be determined under any other applicable provision of this supplementary order.

For the purposes of this section "acquisition cost" means the purchase price plus freight, if any, paid by the contractor for the item, and may be averaged. Freight charges which cannot be definitely assigned or allocated to the item may be estimated. Where the item being sold has been fabricated or processed by the contractor, direct labor costs plus the appropriate allocable factory overhead (which may be estimated if actual figures are not available) may be added to the acquisition cost. The acquisition cost of property furnished to the contractor by the Government may be estimated, if the actual cost is unknown or cannot reasonably be ascertained.

SEC. 7. *Sales by Government agencies of new commodities at a price not to exceed manufacturer's, producer's, or processor's adjusted list prices.* (a) As an alternative to selling at a price not to exceed acquisition or replacement cost, a Government agency may sell at a price not to exceed the net price to wholesalers or jobbers contained in price lists and discount schedules of any manufacturer,

producer, or processor of the same commodity, minor differences in specifications and design being disregarded. "Net price to wholesaler" means the manufacturer's, producer's, or processor's list price adjusted for all applicable extra charges, discounts, or allowances, for sales to wholesalers or jobbers.

A Government agency may sell at the maximum price applicable to sales by wholesalers or jobbers if the buyer from the agency generally buys the commodity from wholesalers or jobbers or from retailers. A Government agency may sell at the maximum price applicable to sales by retailers if the buyer from the agency generally buys the commodity from retailers.

To determine whether a buyer generally purchases a commodity from a given class of seller (e. g., wholesalers and jobbers, retailers), the Government agency may:

(1) Make such determination itself;

(2) Obtain from the buyer a written representation with regard thereto in the contract of sale or otherwise.

Wherever practicable, the price list and discount schedule of the manufacturer of the particular commodity being sold should be used. Where there are significant geographical differences in the price of products to be sold, the price lists and discount schedules shall be those of a seller normally selling in the area or areas in which the Government agency intends to sell.

SALES OF USED COMMODITIES AND SCRAP

SEC. 8. *Sales of used commodities by Government agencies.* The maximum price of used commodities (exclusive of scrap) not exempt under section 3 of this order shall be determined by any one of the following methods which the selling agency may select:

(a) The maximum price may be that specified for used commodities by price regulations listed in Appendix D. Part I of Appendix D lists the regulations which specify maximum prices in terms of dollar-and-cents. Part II of Appendix D lists the regulations which provide for the establishment of maximum prices by formula.

(b) A Government agency may file with the OPA national office a formula or formulas which it proposes to use in establishing maximum prices for the sale of specified used commodities or groups of commodities. The formula must be related to the ceiling price of the commodity in new condition and must not exceed maximum prices applicable thereto, except that where such commodity or groups of commodities are sold "in place" or on an "installed basis," the Government agency may include the expenses incurred by it in connection with the installation thereof. If a formula is not disapproved or modified within 15 days of filing, sales may be made thereunder until such time as the OPA may modify, supersede, or suspend it.

The OPA's failure to disapprove, modify, supersede, or suspend any formula filed under this paragraph shall not be construed as indicating that higher maximum prices would not be approved if applied for under section 10.

SEC. 9. *Sales of scrap by Government agencies.* The maximum price for sales of scrap not exempt under section 3 shall be the price specified in the applicable regulation listed in Appendix E.

APPLICATION FOR PRICES OR EXEMPTIONS

SEC. 10. *Application by Government agencies for special maximum prices or exemptions*—(a) *When Government agency shall apply.* When the maximum price for a sale has not been expressly provided under section 4 or section 9 and the sale is not exempt under section 3, the Government agency, if it does not determine its maximum price by one of the methods provided in sections 5, 6, 7, 8, or 12, shall apply to the OPA for either a maximum price or an exemption.

(b) *Where to file applications.* The Government agency may file its application with the nearest OPA District or Regional Office or with the National Office.

(c) *What the application shall contain.* An application under this section shall contain the following:

(1) An accurate physical description and identification of the commodity or commodities to be priced, and the name and address of the manufacturer, if available, or, if not, the name and address of a distributor, if available.

(2) Its condition.

(3) The quantity to be sold.

(4) The type of sale contemplated, such as: auction, acceptance of sealed bids, negotiations.

(5) The types of purchasers to whom sales are contemplated, such as: manufacturers, industrial users, wholesalers, retailers, and non-industrial users. The OPA will establish a maximum price for sales by manufacturers unless the Government states that it desires a maximum price for sales by wholesalers, jobbers, or retailers.

(6) An estimate of "acquisition cost" or "replacement cost" of the commodity to the agency, if available. (These terms are defined in section 5.)

(7) A requested maximum price if the agency so desires, with an explanation of the basis for the requested price.

(8) A request for an exemption if the agency so desires, with an explanation of the reasons for the request.

(d) *When a requested maximum price may be deemed approved.* Any maximum price requested by the Government agency with reasons therefor, shall be deemed approved unless the OPA gives notice to the contrary within twenty days from the date the application is mailed or delivered to it.

(e) *Sales pending OPA approval of maximum price.* Upon the filing of an application under this section, the Government agency may, where the commodity is to be sold by negotiation, enter into a contract to sell at the requested price, subject to the approval of such price by OPA, and make delivery thereunder. If the Government agency collects the requested price it shall refund the difference between the price collected and any lower maximum price established by OPA.

(f) *Action by OPA on applications discretionary.* The OPA, in its discretion, may either grant a special exemption or establish a special maximum price, regardless of whether the Government selling agency had applied for a special exemption or a special maximum price.

(g) *When the OPA may grant exemptions.* The OPA may grant an exemption from price control limited to a particular sale of a designated commodity or commodities when, in its opinion, inflationary consequences will not result from the exemption because of market conditions, the use to which the commodity may be put, or the fact that the price charged will not tend to increase the cost of living or other prices.

(h) *When the OPA may establish special maximum prices.* If the Government agency's application satisfies the requirements of this section, the OPA may establish special maximum prices for the particular commodities covered by the application which are representative of, or in line with, the average or prevailing ceiling price or prices to which private sellers of these commodities are subject.

SEC. 11. *When OPA may establish special maximum prices or exemptions on its own motion.* The OPA, on its own motion, may, by order, establish special maximum prices or special exemptions, applicable to sales by Government agencies or to resales by private resellers of commodities purchased from Government agencies. Except where a special maximum price or special exemption for all or designated classes of resellers of a commodity has been provided by an order issued under this section 11, the maximum prices and exemptions applying to all such resales shall be determined by the applicable maximum price regulation.

RELIANCE ON BUYER'S CERTIFICATION

SEC. 12. *Sales in reliance upon buyer's representations*—(a) *Sales at or below customary purchase prices.* A Government agency may sell any commodity at a price not to exceed the maximum price applicable to purchases by the buyer, from usual sources of supply, of the commodity in the quantity and at the place that delivery is made: *Provided*, That the buyer certifies to the Government agency that the price paid, contracted for, or offered does not exceed such maximum price.

(b) *Sales to manufacturers, producers, or processors at or below maximum selling prices.* A Government agency may sell any commodity at a price not to exceed the maximum selling price applicable to sales by the buyer, in his capacity as a manufacturer, producer, or processor of the same commodity, dis-

regarding minor differences in specifications or design, in the quantity and at the place that delivery is made: *Provided*, That the buyer certifies to the Government agency that the price paid, contracted for, or offered does not exceed his maximum selling price.

(c) *Sales at or below acquisition or replacement cost.* A Government agency may sell any new commodity to a buyer at a price not to exceed acquisition or replacement cost as determined under section 5: *Provided*, That the buyer certifies to the Government agency that no maximum price for the sale of the commodity is established in dollar-and-cents terms by a price regulation listed in Appendix B or C of this supplementary order.

(d) *Accuracy of buyer's representations.* No Government selling agent shall make a sale under this section where he has reason to doubt the accuracy of the certificate. Every certificate furnished under this section shall constitute a representation both to the Government selling agency and to the Office of Price Administration.

OTHER PROVISIONS

SEC. 13. *Delegation to field offices.* The Price Administrator, or any Regional Administrator so authorized by the Deputy Administrator for Price, or any District Director so authorized by his Regional Administrator may issue special maximum prices and exemptions in the form of orders issued under sections 10 and 11 of this supplementary order.

SEC. 14. *Geographical applicability.* The provisions of this supplementary order shall be applicable in the 48 states of the United States and the District of Columbia.

SEC. 15. *What this supplementary order prohibits.* On and after September 1, 1944, or earlier at the option of the Government agency, regardless of any contract, option, or other agreement, except those lawfully in effect before the effective date of this supplementary order, no Government agency or official or employee thereof, and no person subject to an order applicable to private resellers issued hereunder, shall sell, deliver, or cause to be sold or delivered, and no person in the course of trade or business shall buy or receive, any commodity for which a maximum price has been authorized by this supplementary order, or any order issued hereunder, at a price higher than such maximum price; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 16. *Lower prices may be charged.* Lower prices than those established by this supplementary order may be charged, demanded, paid or offered, whether by way of discounts, allowances, or otherwise.

SEC. 17. *Definitions.* When used herein the following terms have the following meaning.

(a) "Person" means individual, corporation, partnership, association, government agency or any other organized group of persons, or legal successor or representative of any of the foregoing.

(b) "Government agency", "Government". Except where the context otherwise requires, "government agency" and "government" mean the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government. For the purposes of this supplementary order, "Government agency" and "Government" includes any contractor or subcontractor whose contract has been terminated by a Government agency, and who has been authorized or directed by the Government agency to sell commodities and where the proceeds are paid or credited to the Government agency. All the provisions of this supplementary order shall apply to such contractors or subcontractors except where specific provision is otherwise made.

(c) "Commodity" means all commodities, as defined in the Emergency Price Control Act of 1942, except food commodities. (Government sales of food commodities are subject to Supplementary Order No. 81.[1])

(d) "Price regulation," "regulation" mean a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any order issued pursuant to any such regulation or schedule.

(e) "Supplementary order" means an order amending, supplementing or superseding provisions of two or more price regulations.

(f) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser," shall be construed accordingly.

(g) "New commodities" includes damaged or deteriorated commodities.

(h) Other definitions. Unless the context otherwise requires, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to the terms used in this supplementary order.

SEC. 18. *Effect of this supplementary order on price regulations and other supplementary orders*—(a) *In general.* The provisions of this supplementary order as to Government agencies shall supersede the provisions of all maximum price regulations and supplementary orders previously issued to the extent that the latter are inconsistent with or contrary to any provisions of this supplementary order.

(b) *Effect on exemptions otherwise applicable to Government agencies.* Notwithstanding the provisions of any maximum price regulation, this supplementary order provides that sales by Government agencies are exempt from price control only when (1) such exemptions are provided in section 3 (a), or 3 (b) and indexed in Appendix A, or (2) when special exemptions governing particular Government sales have been established under section 10 or 11.

(c) *Examples of effect of this supplementary order on certain regulations.* (1) The provisions of Revised Maximum Price Regulation No. 204, Special Sales of Industrial Materials[2] are superseded by this supplementary order insofar as all sales by Government agencies of industrial materials are concerned.

(2) The maximum price provisions of the General Maximum Price Regulation[3] insofar as sales by Government agencies are concerned are superseded except when indexed in Appendices B, C, D or E by this supplementary order.

(3) Supplementary Order No. 87, being superseded by this supplementary order, is hereby revoked.

SEC. 19. *Records and reports*—(a) *Availability to Office of Price Administration of records of Government agencies selling commodities subject to this supplementary order.* All Government agencies that have made or propose to make sales of any commodities subject to this supplementary order shall make available to the Office of Price Administration on request, copies of bids, quotations and contracts pertaining to such sales.

(b) Every contractor or subcontractor whose contract has been terminated by a Government agency shall furnish the purchaser on each sale subject to this order an accurate description of the item or groups of items sold and the terms of sale. This shall include reference to such factors as the quality, size, grade and quantity of the item, the shipping point, the price per item, whether the shipment is prepaid or collect, and the name of carrier, if practicable and relevant. As to quality, size, grade, and quantity, the description may consist of information previously furnished to the contractor or subcontractor by his supplier. On sales made under section 4 (d) (2), the description need not be furnished to the buyer, unless requested by the buyer.

(c) All Government agencies making sales of commodities subject to this supplementary order and all resellers of such commodities shall keep such further records, and file such reports as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget, in accordance with the Federal Reports Act of 1942, where necessary.

SEC. 20. *Enforcement.* All violations of any provisions of this Supplementary Order are subject to the enforcement provisions of the Emergency Price Control Act of 1942, as amended.

Officials or employees of Government agencies making sales in reliance upon buyers' representations as provided in this supplementary order are exempted from any liability for the violation of any of the maximum price ceilings prescribed herein.

Where the maximum price for a sale by a Government agency is based upon

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[1] 9 F.R. 810.

[2] 7 F.R. 6479, 7366, 8948; 8 F.R. 4785, 11376, 21795.

[3] 9 F.R. 1385.

its acquisition cost as provided in this supplementary order, the buyer is exempted from any liability for paying more than such acquisition cost.

This Supplementary Order No. 94 shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

APPENDIX A—COMMODITIES EXEMPT FROM MAXIMUM PRICE CONTROL WHEN SOLD BY GOVERNMENT AGENCIES

This appendix identifies commodities (either by listing the regulation to which they are subject, Part I, or by name, Part II) which are exempt from maximum price control when sold by Government agencies. (For general exemptions of certain types of sales by Government agencies, see section 8 of this supplementary order.)

Part I—Regulations covering commodities exempt from maximum price control when sold by Government agencies. Where the exemption is qualified, the limiting condition is set forth in parentheses.

Regulation number	*Short title*
Revised Price Schedule 4 (all sales exempt except those to a consumer, and his broker).	Iron and steel scrap.
Revised Price Schedule 49 (exempts sales to reseller when no bids have been received from a consumer at the maximum prices established in the regulation).	Resale of iron and steel products.
Revised Price Schedule 93.	Mercury.
Revised Price Schedule 96.	Domestic fuel oil storage tanks.
Revised Price Schedule 100.	Cast iron soil pipe and fittings.
Revised Maximum Price Regulation 125 (except when sold for remelting in which case the applicable scrap regulation shall govern).	Nonferrous foundry products.
Maximum Price Regulation 175.	Rough rolled, figured wire and heat absorbing rolled glass.
Maximum Price Regulation 199.	Lead bullet rod.
Revised Maximum Price Regulation 206.	Vitrified clay sewer pipe and allied products.
Maximum Price Regulation 224.	Cement.
Maximum Price Regulation 225.	Printing and printed paper commodities.
Maximum Price Regulation 230 (exempts sales to resellers only).	Reusable iron and steel pipe and used structural pipe.
Maximum Price Regulation 276.	Asphalt tile.
Maximum Price Regulation 310 (exempts sales to resellers only).	Reusable structural steel shapes and plates, and shafting.
Maximum Price Regulation 321.	Feldspar fire extinguishers.
Maximum Price Regulation 377 (except when sold for remelting in which case the applicable scrap regulation shall govern.)	Die castings.
Maximum Price Regulation 382.	Wide mouth glass containers.
Maximum Price Regulation 416.	Basic refractory products.

Part II—Other commodities exempt from maximum price control when sold by Government agencies.

General. Any scrap, used, waste, or damaged materials otherwise subject to the General Maximum Price Regulation, except used airplanes powered with a single engine of not more than 500 horsepower.

Products having editorial or informational content. Books, magazines, motion pictures, periodicals, newspapers, pamphlets, leaflets, sheet music, music rolls, stamp albums, maps, charts, catalogues, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs, price lists, and globes.

Chemicals, drugs and paints. (1) Hog cholera virus and anti-hog cholera serum (products used in the immunization of swine against hog cholera), manufactured and marketed in compliance with the standards and regulations promulgated by the United States Department of Agriculture.

(2) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum as set forth below except sales and deliveries of benzol, toluol, and xylol derived as by-products from coal-carbonization or from the production of carbureted water-gas or oil-gas:

(a) Aviation gasoline of 87 octane rating or higher and, to the extent sold or delivered for use in the manufacture thereof, all components of aviation gasoline of 87 octane rating or higher, including but not limited to aromatic hydrocarbons and base stocks or fractions thereof; and catalysts.

(b) The following to the extent sold or delivered for use in the manufacture of synthetic rubbers: components of synthetic rubbers, including but not limited to styrene; hydrogen, acetaldehyde, acetylene, vinylacetylene, vinyl-chloride, vinyl acetate, sebacate esters, phthalate esters, tricresyl phosphate hydrochloric acid, calcium carbide, ethylene dichloride, dichlor-ethyl ether, sodium polysulfide, butylene glycol, acrylonitrile, and furfural, catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel:

The term "synthetic rubber," as used herein, means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperature ranging from 0° F. to 150° F. at any humidity.

(c) Toluene manufactured from petroleum, and, to the extent sold or delivered for use in the manufacture of such toluene, base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene, and catalysts.

(3) Domestic botanical drugs.

(4) Gum for naval stores and gum naval stores.

(5) Reagent chemicals, when sold for the purposes of scientific and medical research, for analytical and educational uses, and for quality control of industrial products.

(6) Core oils and core washing oils.

Rubber and rubber products. (1) Synthetic rubber and reclaimed synthetic rubber and their components, as specified above in paragraph (2) (b) under chemicals, drugs and paints.

(2) Crude rubber, guayule rubber and liquid latex.

Fuel, petroleum products and other oils. (1) Aviation gasoline of 87 octane ratings and higher and its components as specified above in paragraph (2) (a) under chemicals, drugs, and paints.

(2) Toluene manufactured from petroleum as specified above in paragraph (3) under chemicals, drugs and paints.

(3) Bituminous coal produced in Alaska.

(4) 80-Octane Army all-purpose gasoline.

Machinery, tools and equipment. (1) Instrument jewel bearings.

(2) Diamond dies smaller than .002 inches in diameter.

Metals and minerals. (1) Sales or deliveries of scrap metals to dealers in such materials purchasing for resale: *Provided,* (a) That the dealer certifies to the Government agency in his bid, quotation or otherwise that he is purchasing such materials for resale and that in reselling he will not exceed the applicable Office of Price Administration maximum prices, and

(b) That the selling officer has no reason to doubt the accuracy of the certificate.

(2) Block mica of strategic grades (i. e., block mica of a quality better than "heavy stained," as defined in Conservation Order No. M-101 issued by the War Production Board on March 6, 1942) and fabricated mica produced therefrom.

(3) Crude fluorspar ores.

(4) Blister copper.

(5) Lead bullion.

(6) Ores and ore concentrates other than chrome or manganese. The term "ores" means any mineral substances in a crude state used chiefly as a commercial source of metal contained therein. The term "or concentrates" means any ore after the removal of a part of the gangue, or a part of the nonmetallic elements, by either a physical or chemical process.

(7) Electrotype plates which are obsolete by reason of the time limitations of War Production Order M-99 or which may become obsolete within the definition of War Production Board Order M-99, and backing metal, composed of approximately 94% lead, 3% tin and 3% antimony obtained from these electrotype plates, sold by purchasers of the electrotype plates to the National Lead Company, acting as agent for the Metals Reserve Company.

(8) Pennsylvania anthracite when sold and delivered for use as a filter medium under the trade name "anthrafilt."

(9) Optical grades of fluorspar.

(10) Domestic battery or chemical manganese ores.

(11) Domestic metallurgical manganese ores when sold to dealers purchasing for resale or to users or processors who use it in the production of spiegeleisen or ferromanganese containing less than 75% manganese or who charge it directly in the production of steel or in foundry operation.

(12) Domestic chrome ores when sold to dealers.

(13) Glass-grade kyanite.

(14) Scrap mica and unground mica schist.

Forest products, lumber and building materials. (1) Bark obtained from hemlock, oak, chestnut and spruce.

(2) The following natural forest products used by florists: ferns, leaves, foliage and boughs.

(3) Wood for naval stores.

(4) Saw and veneer mill wood wastes, when sold for use as raw materials in wood distillation, including but not limited to slabs,

edgings, veneer log ends and cores, and ground wood.

(5) Any tree or plant, or part thereof, painted or unpainted, mounted or unmounted, which is used for decorative purposes during the Christmas season.

(6) Flat glass (all types).
(7) Glass blocks.
(8) Foamglas.
(9) Filtros plate.
(10) Mineral wool including fiberglas.
(11) Concrete products.
(12) Refractories and refractory cements.
(13) Mineral aggregates.
(14) Lightweight aggregates and slag.
(15) Dimension stone.
(16) Lime and limestone (except agricultural).
(17) Crude and calcined gypsum (except agricultural).
(18) Talc, pyrophyllite and soapstone.
(19) Plumbing specialties.
(20) Stokers. (Only those otherwise subject to Maximum Price Regulation 188).
(21) Heating specialties. (Only those otherwise subject to Maximum Price Regulation 188).
(22) Extended surface heating equipment.
(23) Automatic controls.
(24) Wood pipe.

Textiles, leather and apparel. (1) Wool skins (whether domestic or foreign)—i. e., the untanned skins of sheep or lambs, with the wool still on, other than shearlings or wool skins which are sold for use as furs.

Consumer items

(1) Tie racks, shoe racks.
(2) Pin cushions.
(3) Shoe horns.
(4) Comforter grippers.
(5) Comb cleaners.
(6) Book ends, portable door stops, and paper weights.
(7) Reading racks.
(8) Mirror table plateaus.
(9) Beverage coasters.
(10) Dinner bells and chimes.
(11) Figurines and ornamental statuary.
(12) Wood carved figures and animals.
(13) Music boxes.
(14) Bird houses.

Miscellaneous. (1) Animals of any kind, whether wild or domestic and whether living or dead, other than those slaughtered for food purposes, but this exception does not extend to pelts, furs or other parts of animals.

(2) Stamps and coins.

(3) Precious stones and mountings into which precious stones are set. The term "precious stones" means any ruby, sapphire, emerald, natural pearl, or any diamond (other than an industrial diamond). Synthetic stones and cultured pearls shall not be deemed "precious stones".

(4) Antiques.
(5) Knotted oriental rugs.
(6) Paintings, etchings, sculptures and other objects of art.
(7) Cattle warts.
(8) Domestic hog bristle, whether raw or dressed: *Provided*, That this exemption shall not apply to sales of dressed hog bristle to a manufacturer of brushes.
(9) Unginned Spanish moss.
(10) Vinyl acetate—vinyl chloride copolymer transcription records.
(11) Ammunition sold by Defense Supplies Corporation.
(12) Phonograph records sold by the recording laboratory of the Library of Congress.
(13) Temporary buildings sold apart from the land.
(14) Three dimensional sculptured or cast anatomical models (human, botanical, zoological) used for educational purposes.
(15) Floor-sweepings compounds.
(16) Sphagnum moss.
(17) Wrought iron fences.
(18) Wrought iron balustrades.
(19) Lightning rods.
(20) Weathervanes.
(21) Cast-iron cornices.
(22) Steel or iron marquees.
(23) Ornamental iron brackets.
(24) Architectural terra cotta.
(25) Changeable sign letters, and equipment for mounting such letters on theater marquees and in theater lobbies.
(26) Theater lobby display signs and transparencies, and equipment for mounting such signs and transparencies.
(27) Novelty pouring and measuring caps for liquor bottles.

Appendix B—Dollars and Cents Maximum Prices for Specified Commodities

This appendix identifies commodities (either by listing the regulation to which they are subject, Part I, or by name, Part II) for which dollar-and-cents maximum prices have been established for one or more of various levels of sale (i. e. manufacturer or producer, wholesaler or jobber, or retailer). The maximum prices applicable to sales by Government agencies shall be determined by reference to the listed regulation as follows:

First, where the listed regulation establishes dollar-and-cents maximum prices for Government agencies by express reference to such agencies such maximum prices shall govern sales by the Government agency or agencies expressly covered.

Second, where the listed regulation does not establish dollar-and-cents maximum prices for Government agencies by express reference, the maximum prices governing sales by Government agencies shall be determined under the rules set forth in section 4 (a) of this order.

Third, where the listed regulation does not establish dollar-and-cents maximum prices or alternatively the Government agency wishes to sell at levels of sale (e.g. manufacturing, wholesale or retail) for which maximum prices are not established in the regulation, such maximum prices shall be determined under section 5 or section 7 of this supplementary order. For example, the listed regulation may establish dollar-and-cents prices only at the manufacturing level, whereas the Government agency may intend to sell either at wholesale or retail levels, or the Government agency may wish to sell at the producer level while the listed regulation has established dollar-and-cents maximum prices only at the wholesale or retail levels. In such cases, under section 5 it could sell at a price not to exceed acquisition or replacement cost; or alternatively under section 10 it could apply for a maximum price.

It will be found in the case of some of the listed regulations that while dollar-and-cents maximum prices are established therein which are applicable to the bulk of the sales of the commodity, the Government agency may wish to dispose of special categories of the commodity for which no dollar-and-cents maximum prices are established in the listed regulation. In such case, the selling agency may sell at a price not to exceed acquisition or replacement cost under section 5, or apply for a maximum price under section 10.

Part I—Regulations establishing dollar-and-cents maximum prices at one or more levels of sale for all or most of the commodities subject to the regulation. They are listed under the appropriate general commodity classification.

Paper and Paper Products

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
RPS 32	Paperboard	x		
MPR 114	Woodpulp	(1)	(1)	(1)
RMPR 130	Newsprint	x	x	
MPR 140	Sanitary napkins and tampons	x	x	x
MPR 182	Kraft wrapping papers and certain bag papers and certain bags.	x	x	
RMPR 257	Pulpwood produced in the States of Minnesota, Michigan and Wisconsin.	(1)	(1)	(1)
MPR 266	Certain tissue paper products	x	x	
MPR 307	Waxed papers	x		
MPR 344	New cotton linen and underwear cuttings.	(1)	(1)	(1)
MPR 359	Certain converted paper products	x	x	
MPR 361	Pulpwood (produced in or sold into the States of Maine, Vermont, New Hampshire and New York).	(1)	(1)	(1)
MPR 369	Dry roofing and flooring felts	x		
RMPR 387	Pulpwood produced in the States of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana east of the Mississippi River.	(1)	(1)	(1)

[1] All sellers.

Paper and Paper Products—Continued

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
MPR 410	Pulpwood—Southwestern	(1)	(1)	(1)
MPR 433	Pulpwood—North Carolina	(1)	(1)	(1)
MPR 437	Pulpwood—Eastern Virginia	(1)	(1)	(1)
MPR 449	Groundwood—specialty papers	x		
MPR 450	Writing paper	x		
MPR 451	Book paper	x		
MPR 459	Gummed Kraft sealing tape	x		
RMPR 464	Pulpwood—Appalachian	(1)	(1)	(1)
MPR 484	Unwashed and washed wiping cloths	(1)	(1)	(1)

Chemicals, Drugs, and Paints

MPR 21	Formaldehyde	(1)	(1)	(1)
MPR 28	Ethyl alcohol (excluding West Coast ethyl alcohol).	x		
MPR 31	Acetic acid	(1)	(1)	(1)
MPR 34	Wood alcohol	(1)	(1)	(1)
MPR 36	Acetone	(1)	(1)	(1)
MPR 37	Butyl alcohol and esters thereof	(1)	(1)	(1)
MPR 38	Glycerine	(1)	(1)	(1)
MPR 68	Hide glue stock	(1)	(1)	(1)

[1] All sellers.

Chemicals, Drugs, and Paints—Continued

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established: Manufacturer or producer	Wholesaler or jobber	Retailer
RPS 76	Hide glue	(1)	(1)	(1)
RPS 78	Oxalic acid	(1)	(1)	(1)
RPS 80	Lithopone	(1)	(1)	(1)
RPS 98	Titanium pigments	(1)	(1)	(1)
RMPR 191	Cotton linters and hull fibers	(1)	(1)	(1)
MPR 203	Vitamin A natural oils and concentrates	(1)	(1)	(1)
MPR 245	Shellac	(1)	(1)	(1)
MPR 264	Industrial waxes	(1)	(1)	(1)
MPR 278	Totaquina and totaquina products	X	X	X
MPR 295	West Coast ethel alcohol	X	X	----
MPR 297	Natural resins	(1)	(1)	(1)
MPR 362	Chestnut extract	X	X	----
MPR 363	Certain fine chemicals	X	X	----
MPR 383	Certain sales of prairie bones	All sellers to industrial consumers.		
MPR 431	Charcoal	X	----	----
MPR 446	Pine tar and pine tar oil	X	----	----
MPR 472	Certain essential oils	X	X	----
MPR 474	Lanolin	----	X	----
MPR 519	Thermosetting plastic laminates	X	----	----
MPR 543	Certain barium chemicals	X	----	----

Rubber and Rubber Products

MPR 119	Original equipment tires and tubes	(1)	(1)	(1)
MPR 131	Camelback, and tire and tube repair materials	X	X	----
MPR 132	Rubber footwear	X	----	----
MPR 169	Rubber heels in shoe repair trade	X	X	X
MPR 229	Rubber footwear	----	X	X
MPR 309	Rubber drug sundries	X	----	----
MPR 391	Rubber drug sundries	----	X	X
MPR 415	Federal purchases of tires and tubes	(1)	(1)	(1)
MPR 435	Bicycle tires and tubes	X	X	X
MPR 477	Rubber heels and soles in shoe factory and home replacement trade	X	X	X

Fuel, Petroleum Products and Other Oils

RPS 42	Paraffin wax	(1)	(1)	(1)
MPR 88	Fuel oil, gasoline and liquefied petroleum gas	(1)	(1)	(1)
MPR 112	Pennsylvania anthracite	(1)	(1)	(1)
MPR 120	Bituminous coal delivered from mine or preparation plant	(1)	(1)	(1)
MPR 323	Asphalt and asphalt products	(1)	(1)	(1)
MPR 510	Lubricating oils, greases, and certain other petroleum products	(1)	(1)	(1)

Machinery, Tools and Equipment

RPS 85	New passenger automobiles	X	X	X

Metals and Minerals

1. *Iron and steel.*

RPS 10	Pig iron	(1)	(1)	(1)
RPS 29	By-product coke	(1)	(1)	(1)
RPS 41	Steel castings	X	----	----
MPR 46	Relaying rail, relaying girder rail, and used track accessories	X	X	X
RPS 49	Resale of iron and steel products (See Appendix H for sales of excess material)	(1)	(1)	(1)
MPR 77	Beehive oven coke	(1)	(1)	(1)
RMPR 113	Iron ore	(1)	(1)	(1)
RMPR 159	Fabricated concrete reinforcing bars	(1)	(1)	(1)
MPR 214	High alloy castings	X	----	----
MPR 275	Manganese steel castings and manganese steel castings products	(1)	(1)	(1)
MPR 350	Packers' tin cans	X	----	----

2. *Nonferrous metals.*

RPS 15	Copper	(1)	(1)	(1)
MPR 17	Tin	(1)	(1)	(1)
RPS 69	Primary lead	X	X	----
RPS 71	Primary and secondary cadmium	X	X	(1)
RPS 81	Primary slab zinc	X	X	----
RMPR 126	Fluorspar	X	X	(1)
RMPR 136	Ferromanganese and manganese alloys and metals	X	X	(1)
MPR 166	Zinc oxides	X	----	----
RMPR 198	Silver	X	X	(1)
MPR 202	Brass and bronze alloy ingot and shot	X	X	(1)
MPR 248	Manganese ores	X	X	(1)
MPR 258	Chrome ores	X	X	(1)
MPR 314	Magnesium and magnesium alloy ingot	X	X	(1)

[1] All sellers.

Metals and Minerals—Continued

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established: Manufacturer or producer	Wholesaler or jobber	Retailer
MPR 406	Ferrosilicon and silicon metal	(1)	(1)	(1)
MPR 407	Ferrochromium and chromium metal	(1)	(1)	(1)
MPR 489	Tungsten, molybdenum, vanadium, cobalt, etc.	(1)	(1)	(1)
MPR 497	Antimony metal	(1)	(1)	(1)

Forest Products, Lumber and Building Materials

1. *Lumber.*

2RMPR 13	Douglas fir plywood	X	X	X
RMPR 19	Southern pine lumber	(1)	(1)	(1)
RMPR 26	Douglas fir lumber	(1)	(1)	(1)
RPS 44	Douglas fir doors	X	----	----
RMPR 94	Western pine lumber	(1)	(1)	(1)
RMPR 97	Southern hardwood lumber	(1)	(1)	(1)
RMPR 109	Aircraft lumber	(1)	(1)	(1)
MPR 146	Appalachian hardwood lumber	(1)	(1)	(1)
MPR 155	Central hardwood lumber	(1)	(1)	(1)
RMPR 161	West Coast logs	(1)	(1)	(1)
MPR 164	Red cedar shingle	(1)	(1)	(1)
MPR 176	Rotary cut southern hardwood box lumber	(1)	(1)	(1)
RMPR 186	Western wooden agricultural containers	X	X	X
2RMPR 216	Eastern primary forest products	X	X	----
MPR 217	Walnut gunstock blanks	(1)	(1)	(1)
RMPR 219	Northeastern softwood lumber	(1)	(1)	(1)
2RMPR 222	Northern softwood lumber	(1)	(1)	(1)
MPR 228	Northern hardwood lumber	(1)	(1)	(1)
MPR 253	Redwood lumber and millwork	(1)	(1)	(1)
MPR 281	Navy oak, ship stock	X	X	X
RMPR 284	Western primary forest products	X	X	----
MPR 290	Sitka spruce lumber	(1)	(1)	(1)
RMPR 293	Stock millwork	X	----	----
MPR 320	Eastern and central wooden agricultural containers	X	X	X
RMPR 324	Fence posts	X	X	X
RMPR 338	Aircraft and No. 1 sheet stock veneer	(1)	(1)	(1)
RMPR 342	Nail kegs and nail keg staves and headings	X	X	----
RMPR 348	Aromatic red cedar logs	(1)	(1)	(1)
MPR 368	Northeastern hardwood lumber	X	X	X
MPR 381	Stock screen goods	(1)	(1)	(1)
MPR 402	Western red cedar lumber	(1)	(1)	(1)
MPR 412	Tidewater red cypress lumber	(1)	(1)	(1)
MPR 424	Tight cooperage stock and sawed tight cooperage	X	X	X
MPR 432	Northern hardwood flooring	(1)	(1)	(1)
MPR 454	Aromatic red cedar lumber	(1)	(1)	(1)
MPR 458	Oak, pecan and miscellaneous hardwood flooring	(1)	(1)	(1)
MPR 460	Western timber	(1)	(1)	(1)
MPR 481	Knife-cut slack staves, slack heading and slack cooperage	X	----	----
MPR 483	"General manager type" grain doors and temporary coal doors for box cars	(1)	(1)	(1)
MPR 491	Pressure preservative treatment for forest products	X	----	----
MPR 513	Yellow cypress	(1)	(1)	(1)
MPR 520	West Coast cooperage	(1)	(1)	(1)
MPR 525	Jobbers sales of stock millwork	----	X	----
MPR 533-1	Central logs	(1)	(1)	(1)
MPR 533-2	Lake States logs	(1)	(1)	(1)
MPR 533-3	Appalachian logs	(1)	(1)	(1)
MPR 533-4	Southern logs	(1)	(1)	(1)
MPR 533-5	Northeastern logs	(1)	(1)	(1)
MPR 533-6	Florida logs	(1)	(1)	(1)
MPR 534-1	Black walnut logs	(1)	(1)	(1)
MPR 534-2	Hickory and ash logs and other specialty woods	(1)	(1)	(1)
MPR 535-1	Insulation and felt cordwood and related products	(1)	(1)	(1)
MPR 535-2	Lake States cordwood	(1)	(1)	(1)
MPR 535-3	Excelsior wood	(1)	(1)	(1)
MPR 535-4	New England cordwood	(1)	(1)	(1)
MPR 535-5	Chestnut cordwood	(1)	(1)	(1)
MPR 535-6	Stave and heading bolts	(1)	(1)	(1)
MPR 535-7	Chemical cordwood	(1)	(1)	(1)
MPR 536	Western fence posts	X	X	X
MPR 538	Commercial veneer	(1)	(1)	(1)
MPR 539	Custom milling and kiln drying of western softwoods	X	----	----

2. *Building materials.*

RPS 45	Asphalt or tarred roofing products	X	----	----
RMPR 296	Special combination conversion grate units	----	----	X
MPR 273	Cast-iron boilers and cast-iron radiation (for radiation only)	X	X	X
MPR 317	Locks and lock sets	X	X	----
MPR 413	Hinges and butt hinges	X	X	----

[1] All sellers.

Textiles, Leather and Apparel

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
RPS 7	Combed cotton yarns	x	x	x
RPS 9	Hides, kips and calfskins	(1)	(1)	(1)
MPR 11	Fine cotton goods	x		
RPS 18	Burlap	(1)	(1)	(1)
RPS 23	Rayon grey goods	x	x	x
RPS 24	Washed cattle tail hair and winter hog hair.	(1)	(1)	(1)
MPR 33	Carded cotton yarns and the processing thereof.	x	x	
RPS 35	Carded gray and colored yarn-cotton goods.	x		
RPS 38	Wool and wool tops and yarns	(2)	(2)	(2)
RPS 39	Kapok	(2)	(2)	(2)
RPS 89	Bed linens	x		
MPR 90	Rayon waste	x		
MPR 95	Women's nylon hosiery	x	x	x
MPR 106	Domestic shorn wool	(2)	(2)	(2)
MPR 118	Cotton products	x		
MPR 141	Raw and tanned shearlings	(2)	(2)	(2)
MPR 167	Rayon yarn and staple fiber	x	x	
MPR 168	Converted rayon yarn and converting charges.	x		
MPR 208	Staple work clothing (War models of men's bib overalls, jackets and dungarees, and boys' "20 yard" minimum bib overalls).	x	x	x
MPR 274	Women's silk hosiery	x	x	x
RMPR 304	Specified utility shirts	x	x	x
MPR 325	Rayon tops and noils	x	x	
2RMPR 330	Women's rayon hosiery	x	x	x
MPR 340	Jute and istle yarn, rove and rope	(2)	(2)	(2)
MPR 357	India tanned goatskins	(2)	(2)	(2)
MPR 360	Binder twine	(2)	(2)	(2)
MPR 385	Specified military uniforms	x	x	x
MPR 420	Hardwood heel blocks and finished hardwood heels and wood shanks.	x		
MPR 468	Broomcorn	(2)	(2)	(2)
RMPR 504	Cotton hooked rug materials	(2)	(2)	(2)
RMPR 508	Maximum prices for staple work gloves.	x	x	x
MPR 508	Rayon knit fabrics and the knitting thereof.	x	x	

Consumer Durable Goods and Miscellaneous

MPR 111	New household vacuum cleaners and attachments.	x	x	x
2RMPR 213	Coil and flat bedsprings	x		x
MPR 318	Feathers and down	(1)	(1)	(1)
MPR 365	Wood matches and resale book matches.	x	x	x
MPR 499	Certain imported Swiss watches		x	x

Part II—Other commodities for which dollar-and-cents prices are established at one or more levels of sale.

Textiles, Leather and Apparel

Commodity	Regulation No.	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
Imported pickled sheepskin.	MPR 145	(1)	(1)	(1)
Cured deer and elk skins	Revised Supp. Reg. 14 sec. 3.9.	x	x	
Coffee urn bags	Revised Supp. Reg. 14 sec. 3.10.	x		
Cured hogskins and pigskins.	Revised Supp. Reg. 14 sec. 3.15.	x	x	

Chemicals, Drugs and Paints

Shellac varnish	Revised Supp. Reg. 14 sec. 4.2.	(1)	(1)	(1)
Superphosphate	Revised Supp. Reg. 14 sec. 4.4.	x		
Defluorinated phosphate	Revised Supp. Reg. 14 sec. 4.7.	x	x	x
Synthetic propionic acid	Revised Supp. Reg. 14 sec. 4.8.	x		
Guanidine carbonate	Revised Supp. Reg. 14 sec. 4.9.	x		
"War Grade" iron-free aluminum sulphate.	Revised Supp. Reg. 14 sec. 4.10.	x		
Potassium chlorate	Revised Supp. Reg. 14 sec. 4.11.	x		

[1] All sellers.

Chemicals, Drugs and Paints—Continued

Commodity	Regulation No.	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
Linseed replacement oil	Revised Supp. Reg. 14 sec. 4.12.	x		
Furfural	Revised Supp. Reg. 14 sec. 4.15.	x		
Boiled-down cottonseed oil soap stock.	Revised Supp. Reg. 14 sec. 4.19.	(1)	(1)	(1)
Powdered and granular castile soap, U. S. P. X.	Revised Supp. Reg. 14 sec. 4.21.	x		
Steam distilled turpentine dipentene.	Revised Supp. Reg. 14 sec. 4.27.	x		
Standard and substandard anti-freeze of types N, S, and C.	170	x	x	x
Dry colors	180	(1)	(1)	(1)
Listed brands of bar or cake toilet soaps, bar laundry soaps, cleansers, and scouring powders, washing powders.	301	x	x	
Carbon tetrachloride and blends with petroleum fractions and other chlorinated hyrocarbons.	70	(1)	(1)	(1)
Natural pine oil, alpha terpineol, synthetic pine oil, synthetic alpha terpineol, and light gravity pine oil.	179	(1)	(1)	(1)
Imported coal tar acids, both finished and crude.	192	(1)	(1)	(1)

Rubber and Rubber Products

Red tube reclaimed rubber	55	(1)	(1)	(1)
Rubber horseshoe pads manufactured by Dryden Rubber Co.	149	x		
Certain mechanical rubber goods of synthetic rubber.	149	x		
Army Reject raincoats	220	x	x	
New tires and tubes	528			x

Metals

Antimony metal	497	x	x	

Miscellaneous

Remington "Envoy" portable typewriter; sales to consumers.	Revised Supp. Reg. 14 sec. 6.4.	(1)	(1)	(1)
Ammunition	Revised Supp. Reg. 14 sec. 6.24.		x	x
Dogwood and persimmon shuttle blocks.	Revised Supp. Reg. 14 sec. 6.30.	(1)	(1)	(1)
Hand-hooked cottage rugs	Revised Supp. Reg. 14 sec. 6.32.	(1)	(1)	(1)
Pine wood excelsior produced in Virginia.	Revised Supp. Reg. 14 sec. 6.35.	x	x	
Lumberman's overs	Revised Supp. Reg. 14 sec. 6.39.	(1)	(1)	(1)
Ginned Spanish moss	Revised Supp. Reg. 14 sec. 6.40.	x	x	
Radio tubes	Revised Supp. Reg. 14 sec. 6.48.		x	x
New metal cots and double deck beds.	Order No. 1470 under MPR 188.	x		
Upholstered sofa beds, studio couches, and other upholstered dual purpose sleeping equipment.	Order No. 1509 under MPR 188.	x		
Inner-constructions for sofa beds, studio couches and other upholstered dual purpose sleeping equipment.	Order No. 1849 under MPR 188.	x		

[1] All sellers.

Appendix C—Regulations Establishing Dollar-and-Cents Maximum Prices by Reference to Price Lists

The following regulations establish dollar-and-cents maximum prices by incorporating specific price lists by reference. The maximum price can, for the most part, be ascertained only by using the regulation in conjunction with the price list specifically referred to therein.

When a Government agency sells a commodity covered by any of the regulations listed in this Appendix C, its maximum price is the net list price, if any, expressly specified in the applicable price

regulation as applying to sales by Government agencies. But if no such provision for sales by Government agencies is made in the regulation, then the maximum price for the sale is the manufacturer's, producer's or processor's net price to wholesalers or jobbers, which means list price, adjusted for all applicable extra charges, discounts, or allowances, for sales to manufacturers, processors, wholesalers or jobbers.

Regulation number	*Short title*
Revised Price Schedule 41	Steel Castings and Railroad Specialties.
Revised Price Schedule 49	Resale of Iron or Steel Products.
Maximum Price Regulation 147	Bolts, Nuts, Screws, and Rivets.
Maximum Price Regulation 254	New Small Firearms and Firearms Parts.
Maximum Price Regulation 263	New Phonograph Records and Record Scrap.
Maximum Price Regulation 272	Cast-Iron Boilers and Radiation (for boilers only).

APPENDIX D—REGULATIONS WHICH ESTABLISH MAXIMUM PRICES FOR USED COMMODITIES

Part I—Regulations establishing dollar-and-cents maximum prices at one or more levels of sale.

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
MPR 1	Second hand machine tools	(1)	(1)	(1)
MRP 43	Used steel drums	(1)	(1)	(1)
RPS 49	Resale of iron and steel products (see Appendix H for sales of excess material).	(1)	(1)	(1)
RMPR 55	Second-hand bags	(1)	(1)	(1)
RMPR 117	Used egg cases and used component parts.	x	x	x
MPR 129	Used household mechanical refrigerators.	(1)	(1)	(1)
RMPR 162	Ceiling prices for the sale and rental of used typewriters.	----------	x	x
RMPR 220	Reusable iron and steel pipe and used structural pipe.	(1)	(1)	(1)
MPR 294	Used household vacuum cleaners and attachments for used household vacuum cleaners.	----------	x	x
MPR 310	Reusable structural steel shapes and plates and shafting.	(1)	(1)	(1)
RMPR 341	Maximum price for used commercial motor vehicles.	----------	x	x
MPR 372	Used domestic washing machines	(1)	(1)	(1)
MPR 375	Used industrial sewing machines	(1)	(1)	(1)
MPR 380	Used metal coil and flat bedsprings	----------	x	x
MPR 411	Reusable steel storage tanks (field assembled).	(1)	(1)	(1)
RMPR 434	Used fruit and vegetable containers	x	x	x
MPR 465	Used pressure vessels	(1)	(1)	(1)
MPR 524	Used tight cooperage	x	x	x
MPR 516	Used photographic equipment	(1)	(1)	(1)
MPR 527	Used domestic gas cooking ranges	----------	x	x
MPR 528	Used tires and tubes	(1)	(1)	(1)
MPR 528	Recapped tires	----------	x	x
MPR 529	Second-hand paperboard—shipping containers.	(1)	(1)	(1)
MPR 540	Maximum prices for used passenger automobiles.	x	x	x

[1] All sellers.

APPENDIX D—Continued

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
MPR 546	Used and reconditioned plumbing and heating equipment.	----------	x	x
Rev. Supp., Reg. 14, sec. 6.34.	Used airplanes	(1)	(1)	(1)

Part II—Regulations which establish maximum prices for used commodities by formula.

The following regulations provide a formula by which Government selling agencies may calculate maximum prices for used commodities. In accordance with the terms of section 8 of this supplementary order, a Government selling agency may avail itself of the method set forth in the applicable one of the following regulations for the purpose of determining maximum prices for used items.

Regulation number	*Short title*
Maximum Price Regulation 136	Machines and Parts and Machinery Services.
Maximum Price Regulation 429	Ceiling Prices for Certain Used Consumer Durable Goods.
Maximum Price Regulation 453	Wholesalers' and Retailers' Prices for Automotive Parts.

APPENDIX E—REGULATIONS WHICH ESTABLISH MAXIMUM PRICES FOR SCRAP

Regulations establishing dollar-and-cents maximum prices at one or more levels.

Regulation number	Short title	Levels of sale for which dollars and cents maximum prices are established		
		Manufacturer or producer	Wholesaler or jobber	Retailer
MPR 2	Aluminum scrap and secondary aluminum ingot.	(1)	(1)	(1)
MPR 3	Zinc scrap and secondary zinc	(1)	(1)	(1)
RPS 4	Iron and steel scrap	(1)	(1)	(1)
RPS 8	Pure nickel scrap, monel metal scrap, stainless steel scrap	(1)	(1)	(1)
RPS 12	Brass mill scrap	(1)	(1)	(1)
RMPR 20	Copper scrap and copper alloy scrap	(1)	(1)	(1)
MPR 30	Wastepaper	(1)	(1)	(1)
MPR 47	Waste rags, waste ropes and waste strings.	(1)	(1)	(1)
MPR 70	Lead scrap materials, etc	(1)	(1)	(1)
RPS 87	Scrap rubber	(1)	(1)	(1)
MPR 123	Raw wool waste materials	(1)	(1)	(1)
RMPR 171	Film scrap	(1)	(1)	(1)
RMPR 198	Silver	(1)	(1)	(1)
MPR 302	Magnesium scrap and remelt ingot	(1)	(1)	(1)
MPR 345	Thermoplastic scrap	(1)	(1)	(1)
MPR 379	Tool steel scrap	(1)	(1)	(1)

[1] All sellers.

[F. R. Doc. 44-11583; Filed, August 2, 1944; 11:37 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Corr. to Amdt. 81]

TIRES, TUBES, RECAPPING AND CAMELBACK

Amendment No. 81 to Ration Order No. 1A is corrected in the following respects:

1. Item 9 which reads as follows is deleted:

If Part B calls for—	*Dealer or manufacturer may replenish with—*
Any size Grade I tire.	Any size Grade I or III tire.
Any size Grade II tire.	Any size Grade I or III tire.
Any size Grade III tire.	Any size Grade III tire.
Any size Grade I or II tire only.	Any size Grade I tire.
Any size truck or large tractor-implement tire.	Any size truck, tractor-implement or Grade III tire
Any size small tractor-implement tire.	Any size small tractor-implement or Grade III tire.

2. Items 10 to 13, inclusive, are redesignated Items 9 to 12, respectively.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 2d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11586; Filed, August 2, 1944; 11:41 a. m.]

[1] 7 F.R. 9160, 9392, 9724.

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 296,[1] Amdt. 4]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised MPR 296 is amended in the following respects:

1. Sec. 10 is amended to read as follows:

SEC. 10. *Exempt sales.* This regulation shall have no application to any purchase by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure, or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

2. The first paragraph of section 14 is amended to read as follows:

With the first delivery of any commodity listed in Appendix A, hereof, after a maximum price is changed pursuant to any provision of this regulation, or of any amendment, thereof, the miller or blender shall:

3. The second paragraph of paragraph (a) of section 14 is amended to read as follows:

For a period of 60 days after the maximum price of an item is changed, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the miller or blender shall place upon or attach to each invoice the written notice set forth above.

4. Appendix A—XVI is hereby deleted.

This amendment shall become effective August 7, 1944.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11574; Filed, August 2, 1944; 11:42 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16262, 17375; 9 F.R. 576, 2790, 5965.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 44]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. The first paragraph of § 1364.405 (g) is amended to read as follows:

(g) *Wholesalers' (Zone 1 or 2) adjustments affecting frozen boneless beef (Army Specifications).* Upon a unanimous finding by the Quartermaster General, War Food Administrator and Price Administrator (1) that the facilities of any wholesaler located in Zone 1 or 2 are essential for the purpose of increasing the total supply of frozen boneless beef (Army Specifications), and (2) that the production of frozen boneless beef by such wholesaler will not be accompanied by or cause a decrease in the production of frozen boneless beef (Army Specifications) by any other person, and will not therefore increase the cost of prosecuting the war without achieving a greater essential supply; and

2. Section 1364.452 (q) is added to read as follows:

(q) *Maximum prices for beef wholesale cuts, fabricated beef cuts and/or ground beef and miscellaneous beef items sold to operators of lake vessels, other than passenger boats, engaged in shipping upon the Great Lakes.* The maximum price for each grade of each beef wholesale cut, fabricated beef cut and/or ground beef and miscellaneous beef item shall be the maximum price determined as provided in subparagraph (1). On an dafter August 2, 1944, this paragraph (q) shall apply only to sales between a "Great Lakes marine supplier," as defined in subparagraph (13) and an "operator of a lake vessel," as defined in subparagraph (14) hereof, and no sale or delivery shall be made pursuant to the provisions of this paragraph (q) unless the "Great Lakes marine supplier" has complied with the filing requirements of subparagraph (8) hereof.

(1) *Maximum prices.* (i) The maximum price for each grade of each beef wholesale cut for sale or delivery by a Great Lakes Marine Supplier to an operator of a lake vessel shall be the applicable zone price determined in accordance with the provisions of subparagraph (2) hereof, and specified in subparagraph (9) plus the addition permitted by subparagraph (12), if applicable, minus the required deductions, if any, specified in Schedule II (incorporated herein as § 1364.453). The additions set forth in Schedule III (§ 1364.454) may not be charged.

(ii) The maximum price for each grade of fabricated beef cut for sale or delivery by a Great Lakes Marine Supplier to an operator of a lake vessel shall be the applicable zone price determined in accordance with the provisions of subparagraph (2) hereof and specified in subparagraph (10) plus the addition permitted by subparagraph (12), if applicable, minus the required deductions, if any, specified in Schedule II (§ 1364.453), substituting for the purposes of this subdivision (ii) the term "fabricated beef cut" wherever the words "wholesale cut" or "wholesale cuts" are used in Schedule II (§ 1364.453). The additions set forth in Schedule III (§ 1364.454) may not be charged.

(iii) The maximum price for each grade of ground beef and miscellaneous beef items for sale or delivery by a Great Lakes Marine Supplier to an operator of a lake vessel shall be the applicable zone price determined in accordance with the provisions of subparagraph (2) hereof and specified in subparagraph (11) plus the addition permitted by subparagraph (12), if applicable, minus the required deductions, if any, specified in Schedule II (§ 1364.453) substituting for the purposes of this subdivision (iii) the term "ground beef and miscellaneous beef items" wherever the words "wholesale cut" or "wholesale cuts" are used in Schedule II (§ 1364.453). The additions set forth in Schedule III (§ 1364.454) may not be charged.

(2) The applicable zone price shall be the price specified in subparagraphs (9), (10) or (11) for the zone in which is located the seller's distribution point:

(i) At which the buyer takes actual physical possession of the meat; or

(ii) From which the meat consigned to the buyer (*a*) is delivered to a common carrier other than a railroad, for shipment to the buyer, who pays the shipping charges directly to the carrier, or (*b*) is delivered to a railroad for shipment at the carload rate to the buyer who pays the shipping charges direotly to the carrier.

(iii) In the case of a less-than-carload shipment, other than an express shipment to a purveyor of meals, the applicable zone price shall be the price for the zone in which is located the rail unloading station nearest to the buyer's place of business.

(iv) On sales to purveyors of meals the distribution point may be, in addition to those listed, the point at which meat, consigned to the buyer, is delivered to a railway express company for shipment by express to the buyer who pays the shipping charges directly to the carrier.

(3) The applicable zone price shall be the delivered price anywhere within the zone to which such price applies. Schedule I (paragraphs (a) to (j), inclusive) incorporated in the regulation as § 1364.452, contains a statement describing the geographical limits of each price zone.

(4) Except as permitted in paragraph (l), (m), (n), (o) or (p) of Schedule I (§ 1364.452), regardless of any contract,

[1] 9 F.R. 1121, 2023, 2135, 3424, 4648, 4782, 5955.

agreement or other obligation, no Great Lakes marine supplier shall sell or deliver any beef carcass or any part or portion of any beef carcass, and no operator of a lake vessel in the course of trade or business shall buy or receive any beef carcass or any part or portion of any beef carcass unless such beef or part or portion is a beef carcass or a beef wholesale cut as defined in § 1364.455, for which applicable prices have been established.

(5) No Great Lakes marine supplier shall sell or deliver any fabricated beef cut, and no operator of a lake vessel in the course of trade or business shall buy or receive any fabricated beef cut unless such fabricated beef cut is a fabricated beef cut as defined in § 1364.455 (b) (3) for which applicable zone prices have been established.

(6) No Great Lakes marine supplier shall sell or deliver any ground, chopped or comminuted meat containing any proportion of beef or any miscellaneous beef item and no operator of a lake vessel in the course of trade or business shall buy or receive any ground, chopped or comminuted meat containing any proportion of beef or any miscellaneous beef item unless such ground, chopped or comminuted meat is ground beef and such miscellaneous beef item is a miscellaneous beef item as defined in § 1364.452 (p) for which applicable zone prices have been established.

(7) No Great Lakes marine supplier shall sell or deliver any beef wholesale cut, fabricated beef cut or ground beef and miscellaneous beef item and no operator of a lake vessel shall buy or receive in the course of trade or business any beef wholesale cut, fabricated beef cut or ground beef and miscellaneous beef item at a price higher than the maximum price permitted therefor in subparagraph (1) of § 1364.452 (q).

(8) No Great Lakes marine supplier shall make any sale or delivery of any beef wholesale cut, fabricated beef cut or ground beef and miscellaneous beef item pursuant to this paragraph (q) unless such Great Lakes marine supplier shall have filed with the appropriate Regional Office of the Office of Price Administration a statement, prior to the making of such sale or delivery, that he (i) is engaged in the business of buying beef carcasses and beef wholesale cuts for resale as beef wholesale cuts, fabricated beef cuts or ground beef and miscellaneous beef items to an operator of a lake vessel or vessels as defined in subparagraph (14), and (ii) sold or delivered to such lake vessel during the calendar year of 1943 at least 25 percent of the total volume by weight of meats or meat products sold or delivered from his selling establishment. The filing of such a statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement or of any action or proceedings arising from such investigation.

(9) (i) The beef wholesale cut prices applicable in Zones 3 and 4 shall be as follows:

[All prices are on a dollar per hundredweight basis. The price for any fraction of a hundredweight shall be reduced accordingly. The additions set forth in Schedule III (§ 1364.454) may not be charged.]

Beef wholesale cuts	Grades			
	Choice or AA	Good or A	Commercial or B	Utility or C
Steer or Heifer:				
1. Round	25.00	23.00	20.00	17.00
2. Trimmed full loin	33.00	31.00	25.50	22.00
3. Sirloin	30.00	29.00	23.00	20.00
4. Short loin	37.00	34.00	29.00	24.00
5. Flank	14.00	14.00	12.50	12.50
6. Regular chuck	22.00	21.00	19.00	17.00
7. Cross-cut chuck	20.50	19.75	17.75	15.75
8. Rib	27.00	25.00	23.00	20.00
9. Short plate	15.00	15.00	14.00	14.00
10. Brisket	18.00	18.00	15.00	15.00
11. Shank	13.00	13.00	13.00	13.00

(ii) The beef wholesale cut prices applicable in Zones 1 and 2 and 5 to 10 shall be the prices specified in subdivision (i) of this subparagraph (9) plus the following:

Zone:	
1	$1.75
2	1.00
5	.50
6	.75
7	1.00
8	1.25
9	1.50
10	1.75

(iii) All sales under this subparagraph (9) are made subject to the provisions of § 1364.452 (k). The applicable Zone 3 and 4 price of each cow wholesale cut of utility grade, commercial grade or good grade shall be the same as the Zone 3 and 4 price of the corresponding wholesale cut of steer or heifer of the same grade.

The applicable Zone 3 and 4 price of each stag wholesale cut of utility grade, commercial grade or good grade shall be the same as the Zone 3 and 4 price of the corresponding wholesale cut of steer or heifer of the same grade.

The applicable Zone 3 and 4 price of each bull wholesale cut of utility grade or commercial grade shall be the same as the Zone 3 and 4 price of the corresponding wholesale cut of steer or heifer of the same grade.

The applicable Zone 3 and 4 price of each beef wholesale cut which has not been graded or identified by sex mark (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered, shall be the price of the lowest priced corresponding wholesale cut.

(10) (i) The fabricated cut prices for a Great Lakes marine supplier applicable in Zones 3 and 4 shall be the prices listed in subparagraph (o) (4) of this § 1364.452.

(ii) The fabricated beef cut prices for a Great Lakes marine supplier applicable in Zones 1 and 2 and 5 to 10 shall be the prices listed in subparagraph (o) (4) of this § 1364.452 plus the following:

Zone:	
1	$1.75
2	1.00
5	.50
6	.75
7	1.00
8	1.25
9	1.50
10	1.75

(iii) All sales under this subparagraph (10) are made subject to the provisions of § 1364.452 (k). For the purposes of this subparagraph the term "fabricated beef cut" shall be substituted for the term "wholesale cut" in § 1364.452 (k).

(11) (i) The ground beef and miscellaneous beef item prices for a Great Lakes marine supplier applicable in Zones 3 and 4 shall be the prices listed in paragraph (o) (10) of this § 1364.452.

(ii) The ground beef and miscellaneous beef item prices for a Great Lakes marine supplier applicable in Zones 1 and 2 and 5 to 10 shall be the prices listed in paragraphs (o) (10) of this § 1364.452 plus the following:

Zone:	
1	$1.75
2	1.00
5	.50
6	.75
7	1.00
8	1.25
9	1.50
10	1.75

(iii) For any item subject to this subparagraph (11) which does not satisfy the specifications of § 1364.452 (p) or which is made from beef wholesale cuts, portions of beef or grades of beef not authorized, the zone price used for the determination of the maximum price shall be the applicable zone price of the lowest price of miscellaneous beef item.

(12) On a delivery of beef wholesale cuts, fabricated beef cuts or ground beef and miscellaneous beef items by a Great Lakes marine supplier to the operator of a lake vessel, made in the seller's motor launch, such seller may add 75 cents per hundredweight to the applicable zone price.

(13) *"Great Lakes marine supplier"* means a person operating a selling establishment from which he is engaged in the buying of beef carcasses and beef wholesale cuts for resale in the form of beef and veal wholesale cuts, fabricated beef and veal cuts, and ground beef and miscellaneous beef items to an operator or operators of a lake vessel or vessels for consumption aboard such vessel or vessels, and who during the calendar year of 1943 sold or delivered to such lake boats for consumption aboard such lake vessel or vessels at least 25 percent of the volume of meats and meat products sold or delivered from his selling establishment.

(14) *"Operator of a lake vessel"* means any person who owns or operates a lake vessel or vessels, other than a passenger boat, engaged in shipping upon the Great Lakes, and who in operating such vessel or vessels purchases or receives meats from a Great Lakes marine supplier for consumption aboard such vessel or vessels.

(15) The provisions of subparagraphs (2) and (3) of § 1364.407 (e) and the provisions of § 1364.415 shall not be applicable to sales or deliveries by a Great Lakes marine supplier of fabricated beef cuts and/or ground beef and miscellaneous beef items to an operator of a lake vessel.

3. Section 1364.467 (o) is added to read as follows:

(o) *Maximum prices for veal wholesale cuts and fabricated veal cuts sold to operators of lake vessels, other than passenger boats, engaged in shipping upon the Great Lakes.* The maximum price for each grade of each veal wholesale cut and fabricated veal cut shall be the maximum price determined as provided in subparagraph (1). On and after August 2, 1944, this paragraph (o) shall apply only to sales between a "Great Lakes marine supplier," as defined in subparagraph (13), and an "operator of a Lake vessel," as defined in subparagraph (14) hereof, and no sale or delivery shall be made pursuant to the provisions of this paragraph (o) unless the "Great Lakes marine supplier" has complied with the filing requirements of subparagraph (8) hereof.

(1) *Maximum prices.* (i) The maximum price for each grade of each veal wholesale cut for sale or delivery by a Great Lakes marine supplier to an operator of a lake vessel shall be the applicable zone price determined in accordance with the provisions of subparagraph (2) hereof and specified in subparagraph (8) plus the addition permitted by subparagraph (10), if applicable, minus the required deductions, if any, specified in Schedule V (incorporated herein as § 1364.468. The additions set forth in Schedule VI (§ 1364.469) may not be charged.

(ii) The maximum price for each grade of fabricated veal cuts for sale or delivery by a Great Lakes marine supplier to an operator of a lake vessel shall be the applicable zone price determined in accordance with the provisions of subparagraph (2) hereof and specified in subparagraph (9) plus the addition permitted by subparagraph (10), if applicable, minus the required deductions, if any, specified in Schedule V (§ 1364.468), substituting for the purposes of this subdivision (ii) the term "fabricated beef cut" wherever the words "wholesale cut" or "wholesale cuts" are used in Schedule V (§ 1364.468). The additions set forth in Schedule VI (§ 1364.469) may not be charged.

(2) The applicable zone price shall be the price specified in subparagraph (8) or (9) for the zone in which is located the seller's distribution point:

(i) At which the buyer takes actual physical possession of the meat; or

(ii) From which the meat consigned to the buyer (*a*) is delivered to a common carrier other than a railroad, for shipment to the buyer, who pays the shipping charges directly to the carrier, or (*b*) is delivered to a railroad for shipment at the carload rate to the buyer who pays the shipping charges directly to the carrier.

(iii) In the case of a less-than-carload shipment, other than an express shipment to a purveyor of meals, the applicable zone price shall be the price for the zone in which is located the rail unloading station nearest to the buyer's place of business.

(iv) On sales to purveyors of meals, the distribution point may be, in addition to those listed, the point at which meat, consigned to the buyer is delivered to a railway express company for shipment by express to the buyer who pays the shipping charges directly to the carrier.

(3) The applicable zone price shall be the delivered price anywhere within the zone to which such price applies. Schedule IV (paragraphs (a) to (j), inclusive) hereof, incorporated in the regulation as § 1364.467, contains a statement describing the geographical limits of each price zone.

(4) Except as permitted in paragraph (l), (m) or (n) of Schedule IV (§ 1364.467), regardless of any contract, agreement or other obligation, no Great Lakes marine supplier shall sell or deliver any veal carcass or any part or portion of any veal carcass and no operator of a lake vessel in the course of trade or business shall buy or receive any veal carcass or any part or portion of any veal carcass unless such veal or part or portion is a veal carcass or a veal wholesale cut as defined in § 1364.470, for which applicable prices have been established.

(5) No Great Lakes marine supplier shall sell or deliver any fabricated veal cut and no operator of a lake vessel in the course of trade or business shall buy or receive any fabricated veal cut unless such fabricated veal cut is a fabricated veal cut as defined in § 1364.470 (b) (3) for which applicable zone prices have been established.

(6) (i) On and after August 2, 1944, no Great Lakes marine supplier shall sell or deliver any veal wholesale cut or fabricated veal cut and no operator of a lake vessel in the course of trade or business shall buy or receive any veal wholesale cut or fabricated veal cut pursuant to the provisions of this paragraph (o) unless such seller is a "Great Lakes marine supplier" as defined in subparagraph (12), who has complied with the filing requirements of subparagraph (7) and the buyer thereof is an "operator of a lake vessel" as defined in subparagraph (13) hereof.

(ii) No Great Lakes marine supplier shall sell or deliver any veal wholesale cut or fabricated veal cut and no operator of a lake vessel shall buy or receive in the course of trade or business any veal wholesale cut or fabricated veal cut at a price higher than the maximum price permitted therefor in subparagraph (1) of this § 1364.467 (o).

(7) No Great Lakes marine supplier shall make any sale or delivery of any veal wholesale cut or fabricated veal cut pursuant to this paragraph (o) unless such Great Lakes marine supplier shall have filed with the appropriate Regional Office of the Office of Price Administration a statement, prior to the making of such sale or delivery, that the person (i) is engaged in the business of buying veal carcasses and veal wholesale cuts for resale as veal wholesale cuts or fabricated veal cuts to an operator of a lake vessel or vessels as defined in subparagraph (12), and (ii) sold or delivered to such lake vessels during the calendar year of 1943 at least 25 percent of the total volume of weight of meats or meat products sold or delivered from his selling establishment. The filing of such a statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement or of any action or proceedings arising from such investigation.

(8) (i) The veal wholesale cut prices applicable in Zone 4 shall be as follows:

[All prices are on a dollar per hundredweight basis. The price for any fraction of a hundredweight shall be reduced accordingly. The additions set forth in Schedule VI (§ 1364.469) may not be charged]

Veal wholesale cuts	Grades			
	Choice or AA	Good or A	Commercial or B	Utility or C
1. Foresaddle or forequarter	21.00	20.00	18.00	17.00
2. Hindsaddle or hindquarter	26.00	24.00	22.00	19.00
3. Loin, double or single	24.50	23.00	20.00	17.25
4. Legs or leg	26.00	24.25	21.50	18.75

(ii) The veal wholesale cut prices applicable in Zone 1 to 3 and 5 to 10 shall be the prices specified in subdivision (i) of this subparagraph (8) plus the following:

Zone:	
1	$2.50
2	1.50
3	.75
5	.50
6	.75
7	1.00
8	1.25
9	1.50
10	1.75

(iii) All sales under this subparagraph (8) are made subject to the provisions of § 1364.467 (k).

The applicable Zone 4 price of each veal wholesale cut which has not been graded or identified by sex mark (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered, shall be the price of the lowest priced corresponding wholesale cut.

(9) (i) The fabricated cut prices for a Great Lakes marine supplier applicable in Zone 4 shall be the prices listed in subparagraph (n) (4) of this § 1364.467.

(ii) The fabricated veal cut prices for a Great Lakes marine supplier applicable in Zones 1 to 3 and 5 to 10 shall be the prices listed in subparagraph (n) (4) of this § 1364.467 plus the following:

Zone:	
1	$2.50
2	1.50
3	.75
5	.50
6	.75
7	1.00
8	1.25
9	1.50
10	1.75

(iii) All sales under this subparagraph (9) are made subject to the provisions of § 1364.467 (k). For the purposes of this subparagraph the term "fabricated veal cut" shall be substituted for the term "wholesale cut" in § 1364.467 (k).

(10) On a delivery of veal wholesale cuts or fabricated veal cuts by a Great Lakes marine supplier to the operator of a lake vessel made in the seller's motor launch, such seller may add 75 cents per hundredweight to the applicable zone price.

(11) "Great Lakes marine supplier" means a person operating a selling establishment from which he is engaged in the buying of veal carcasses and veal wholesale cuts for resale in the form of veal wholesale cuts or fabricated veal cuts to an operator or operators of a lake vessel or vessels for consumption aboard such vessel or vessels, and who during the calendar year of 1943 sold or delivered to such lake boats for consumption aboard such lake vessel or vessels at least 25 percent of the volume of meats and meat products sold or delivered from his selling establishment.

(12) *"Operator of a lake vessel"* means any person who owns or operates a lake vessel or vessels, other than a passenger boat, engaged in shipping upon the Great Lakes, and who purchases or receives meats from a Great Lakes marine supplier for consumption aboard his vessel.

(13) The provisions of subparagraphs (2) and (3) of § 1364.407 (e) and the provisions of § 1364.415 shall not be applicable to sales or deliveries by a Great Lakes marine supplier of fabricated veal cuts to an operator of a lake vessel.

This amendment shall become effective August 2, 1944.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11571; Filed, August 2, 1944; 11:39 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[1] Amdt. 27]

ADJUSTMENTS

The first unnumbered paragraphs of section 5 of the Rent Regulation for Hotels and Rooming Houses are amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date or during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7) and (c) (4) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (4) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

This amendment shall become effective August 3, 1944.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11575; Filed, August 2, 1944; 11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami Area,[1] Amdt. 5]

ADJUSTMENTS

The first unnumbered paragraphs of section 5 of the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area are amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on September 1, 1943 the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date or during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7) and (c) (4), of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since September 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on September 1, 1943.

This amendment shall become effective August 3, 1944.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11576; Filed, August 2, 1944; 11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City Area,[1] Amdt. 10]

ADJUSTMENTS

The first unnumbered paragraphs of section 5 of the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area are amended to read as follows:

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1943 the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date or during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7), (c) (4), and (c) (5) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since March 1, 1943.

In cases under paragraphs (a) (7) and (c) (4) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for

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[1] 9 F.R. 2165, 2200, 3231, 3421, 4194, 4841, 5002, 5806, 5828, 5915, 6569.

[1] 8 F.R. 14043, 16088; 9 F.R. 3422, 5008.

[1] 8 F.R. 15581, 16219, 16698; 9 F.R. 2066, 3422, 5008.

comparable housing accommodations during the year ending on March 1, 1943.

In cases under paragraph (c) (5) of this section the adjustment shall be on the basis of the average rent during the period of occupancy of the lease or other rental agreement in effect on the date determining the maximum rent.

This amendment shall become effective August 3, 1944.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11577; Filed, August 2, 1944; 11:43 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 203, Corr. to Amdt. 2[1]]

VITAMIN A NATURAL OILS AND CONCENTRATES

Maximum Price Regulation 203, Amendment 2, is hereby corrected by adding thereto the following note immediately following the effective date, said note having been inadvertently omitted from the original statement:

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This correction shall become effective August 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11578; Filed, August 2, 1944; 11:44 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 6—NAVAL RESERVE

WOMEN'S RESERVE DISCHARGES

Section 6.12401 (8 F.R. 9712) is amended to read as follows:

§ 6.12401 *Discharges.* Enlisted members of the Women's Reserve discharged under unsatisfactory conditions or for inaptitude or unsuitability, as provided in Article D-9103, (Bureau of Naval Personnel Manual) shall not be provided with an outfit of civilian clothes in accordance with Article D-9115 (4) (Bureau of Naval Personnel Manual). Such members shall be allowed to retain articles of uniform in their possession, except havelocks, ties, and white or seersucker hat covers, after removal of distinctive Navy buttons, insignia, or marks, from suits, overcoats, and Navy blue hats. Such items of clothing may be worn by them in place of the civilian outfit furnished to an enlisted man discharged under similar conditions. The civilian clothing purchased under the authority of Article D-9115 (4) (Bureau of Naval Personnel Manual) and Article 1431-6 (Bureau of Supplies and Accounts Manual), in such cases will be limited to the plain buttons necessary for replacement of distinctive Navy uniform buttons. [Manual Circular Letter No. 41-44, July 10, 1944]

(52 Stat. 1175, 54 Stat. 162, 55 Stat. 3, 56 Stat. 266, 730, 739, Pub. Law 183, 78th Cong.; 34 U.S.C. 853, 854*e*, Supp. 855*f*, 855*o*, 857-857*g*, 853*c*, 853*e*, 855*d*)

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 44-11554; Filed, August 2, 1944; 10:03 a. m.]

PART 25—CONTRACT SETTLEMENT ACT

DELEGATIONS OF AUTHORITY

§ 25.1 *Delegations of authority.* (a) The Contract Settlement Act of 1944 (Public Law 395, 78th Congress, 2d Session) was signed by the President on 1 July 1944 and becomes effective 21 July 1944. The enactment of this legislation places specific responsibilities upon the Navy Department to carry out the policies and procedures established by the Congress for contracting agencies of the Government. The Chiefs of the several Bureaus, Boards, and Offices of the Navy Department, the Commandant, U. S. Marine Corps, and the Commandant, U. S. Coast Guard (all the foregoing being hereinafter for brevity referred to collectively as the Bureaus), and all officers and civilian employees of the Department charged with duties relating to contract terminations, termination settlements and interim financing shall see that the administration of the Act is accomplished in a manner to fulfill its declared objectives.

(b) Pursuant to section 23 (b) of the act, there is hereby delegated to the Chiefs of the several Bureaus, subject to the provisions of paragraph (c) of this section, all authority and discretion conferred upon the Secretary of the Navy or the Navy Department by or pursuant to the act necessary to the full exercise of their powers and responsibilities in respect of administering the termination of contracts, the disposition of property, both real and personal, and matters related thereto. The Chiefs of the several Bureaus may redelegate such authority and discretion and may authorize successive redelegations thereof.

(c) The authority and discretion delegated by paragraph (b) of this section shall be exercised by, or pursuant to the authority of, the Chiefs of the several Bureaus in conformity with such policies and procedures as may be established by the Chief of Procurement and Material, through the Assistant Chief for Industrial Readjustment or the Assistant Chief for Procurement within their respective cognizances. The authority to establish such policies and procedures may be redelegated, and successive redelegations thereof may be authorized, by said Assistant Chiefs respectively.

(d) All directives of general application proposed to be issued under the act by the Chiefs of the several Bureaus or pursuant to the authority of any of them, shall be submitted for approval, before issuance, to the Assistant Chief of Procurement and Material for Industrial Readjustment.

(e) The Procurement Legal Division is responsible for the legal interpretation of the act. Such questions of interpretation of the act arising in connection with its day to day administration by a Bureau shall be referred to counsel for the Bureau. Counsel, however, shall in turn refer any such questions involving a matter of general application to counsel assigned by the Procurement Legal Division as counsel for the Assistant Chief of Procurement and Material for Industrial Readjustment.

(f) Subject to such limitations as may from time to time be imposed by and in the discretion of their superior officers or officials, officers and civilian employees of the Navy Department are hereby authorized, pursuant to section 20 (f) of the act, as a part of their official duties, to advise, aid and assist war contractors in preparing and presenting termination claims, in obtaining interim financing, and in related matters; provided the officer or employee does not receive therefor benefit or compensation of any kind, directly or indirectly, from any war contractor.

(g) All policies and procedures relating to termination of war contracts, termination settlements, and interim financing, prescribed by the Secretary of the Navy, the Assistant Chief of Procurement and Material for Industrial Readjustment, the Assistant Chief of Procurement and Material for Procurement, the Chiefs of the several Bureaus, or pursuant to the authority of any of them, in effect upon the effective date of the act, and not inconsistent with the act, shall remain in full force and effect unless and until duly superseded.

(h) The Assistant Chief of Procurement and Material for Industrial and Readjustment is hereby designated as alternate or representative of the Secretary of the Navy on the Contract Settlement Advisory Board created pursuant to section 5 of the act.

(Pub. Law 395, 78th Cong., 2d Sess.)

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 44-11555; Filed August 2, 1944; 10:03 a. m.]

Notices

NAVY DEPARTMENT.

ADMIRALTY LITIGATION

PROCEEDINGS IN CONNECTION WITH SUSPENSION

Admiralty litigation, proceedings in connection with the suspension of litiga-

[1] 9 F. R. 8188.

tion under Public Law 417, 78th Congress, Second Session.

1. Public Law 417, 78th Congress, Second Session, provides, if the Secretary of the Navy shall certify to a Court in which a suit relating to a vessel of the Navy, arising under the Public Vessels Act is pending, that such suit would tend to endanger the security of naval operations in such war, or to interfere with such operations, all further proceedings in such suit shall forthwith be stayed." Section 4 of this act provides that the Secretary of the Navy, while the stay is in effect, may file with such Court a certificate extending or shortening the time stated in a prior certificate. It is further provided that the certificate filed by the Secretary of the Navy may, in his discretion, stay only the taking of the testimony of certain witnesses or evidence on certain subjects.

2. The act specifically provides (section 4) a procedure whereby any party, deeming himself adversely affected by a stay under the provisions of the act, may serve a written notice requesting the Secretary of the Navy to reconsider the stay previously issued and to issue a further certificate. The act provides that, within ten days after the receipt of such notice, the Secretary of the Navy, or some official designated by him, "shall hold in secret a hearing at which the claimant or his representative may present such facts and arguments as he may think material with respect to the question as to whether or not a stay should be issued or maintained."

3. The procedure to be followed by the Navy Department in compliance with the provisions of the act reads as follows:

A. *The filing of the initial certificate for a stay.* In the first instance, the Judge Advocate General, who has cognizance of matters of claims and litigation, on being advised of the existence of a situation where such certificate should appropriately be filed, is directed to initiate such investigation of the matter as is required to ascertain whether security interests are involved. He is to confer with Naval Intelligence and the Office of the Commander in Chief and then submit to the Secretary of the Navy, for execution, an appropriate certificate in keeping with the recommendations developed at such conference. Navy Department officials, who acquire knowledge of a situation where it is appropriate that a certificate be issued, are directed to advise the Office of the Judge Advocate General (Chief Admiralty Officer).

B. *Procedure on appeal on receipt of the notice for reconsideration by a libelant as specified by section 4 of the act.* Such matter shall be referred to the Judge Advocate General who shall arrange for a hearing of the claimant before a Board of Review. This Board will consist of an officer appointed by the Judge Advocate General, an officer appointed by the Security Officer (F-24) in the Office of the Commander in Chief, and a representative of Naval Intelligence (Op. 16B-4). The hearing accorded the claimant or libelant will then be held in secret, as provided by section 4 of the act. The preparation of a stenographic copy of such hearing shall be within the discretion of said Board of Review. Said Board, after the conclusion of the hearing, shall file its recommendation with the Secretary of the Navy, accompanied by such further certificate with respect to the prior action of the Secretary of the Navy, as the Board shall consider appropriate. There shall be attached to the recommendation of the Board which is submitted to the Secretary of the Navy, all memoranda or communications submitted by the claimant or attorneys appearing in connection with the hearing and any transcript prepared of the hearing.

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 44-11553; Filed, August 2, 1944; 10:03 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-522]

MEMPHIS NATURAL GAS CO.

ORDER GRANTING REHEARING AND FIXING DATE THEREOF

AUGUST 1, 1944.

Upon consideration of the application filed on July 10, 1944, by the Memphis Natural Gas Company requesting rehearing and reconsideration of the Commission's order of June 10, 1944, dismissing, without prejudice, the application of the Memphis Natural Gas Company for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended; and

It appearing to the Commission that: The Memphis Natural Gas Company desires to offer new and additional evidence in support of its application for a certificate of public convenience and necessity.

The Commission finds that: It is appropriate and in the public interest to grant a rehearing in this matter for the purpose of receiving further evidence with respect to the application of Memphis Natural Gas Company for a certificate of public convenience and necessity.

The Commission orders that: (A) The application of Memphis Natural Gas Company for rehearing and reconsideration of the Commission's order of June 10, 1944, in this matter be and the same is hereby granted, such rehearing to be held commencing on September 7, 1944, at 9:45 a. m. (e. w. t.) in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C.

(B) All interveners in this matter may participate in the proceedings on rehearing in accordance with leave heretofore granted by the Commission.

(C) Interested State Commissions may participate in the hearing as provided by § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11557; Filed, August 2, 1944; 11:40 a. m.]

FEDERAL TRADE COMMISSION.

MARINE PRODUCTS CO.

[Docket No. 5137]

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of July, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, October 3, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room, Federal Trade Commission Bulding, 6th and Pennsylvania Avenue, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-11558; Filed, August 2, 1944; 11:00 a. m.]

[Docket No. 5152]

H. A. IRVING CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of July, A. D. 1944.

In the matter of Harry A. Irving, A. L. Hoffman, Phelps E. Hollywood, William R. Ernst and Norma E. Irving, copartners trading as H. A. Irving Company.

This matter being at issue and ready for taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, October 5, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on

behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-11559; Filed, August 2, 1944; 11:08 a. m.]

[Docket No. 5164]

KETCHIKAN PACKING CO. AND WILLIAM H. STANLEY, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of July, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John L. Horner, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, October 6, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-11560; Filed, August 2, 1944; 11:08 a. m.]

[Docket No. 5173]

INTERSTATE HOME EQUIPMENT COMPANY, INC. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of July, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission.

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, August 10, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Court Room 308, Post Office Building, Providence, Rhode Island.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-11561; Filed, August 2, 1944; 11:09 a. m.]

[Docket No. 5174]

CONSUMERS HOME EQUIPMENT COMPANY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of July A. D., 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, August 28, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 859, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-11562; Filed, August 2, 1944; 11:09 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 425]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, July 29, 1944, by H. Fienerman Company, of cars PFE 60663, PFE 43329, cantaloupes, now on the Alton Railroad to Joe Weis & Son, Detroit, Michigan, via Wabash.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11588; Filed, August 2, 1944 11:45 a. m.]

[S. O. 70-A, Special Permit 426]

RECONSIGNMENT OF LETTUCE AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, July 29, 1944, by Yukon Produce Company of car PFE 70870, lettuce, now on the Union Pacific Railroad to L. Gillarde Company, Chicago, Illinois, via Wabash.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11589; Filed, August 2, 1944; 11:45 a. m.]

[S. O. 70-A, Special Permit 427]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, July 29, 1944, by H. Fiesserman Company of car PFE 31421, cantaloupes, now on the Chicago Produce Terminal, to Tony Vitrano, Baltimore, Maryland, via PRR.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11590; Filed, August 2, 1944; 11:45 a. m.]

[S. O. 178, Special Permit 128]

LOADING OF EMPTY BEER CONTAINERS AT TUCSON, ARIZ.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.329, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of ARLX refrigerator cars with empty beer containers by Buxton Smith Distributing Company, Tucson, Arizona, and movement of such cars to Golden, Colorado, effective July 31, 1944.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11591; Filed, August 2, 1944; 11:45 a. m.]

[S. O. 200, General Permit 14]

REICING OF POTATOES IN HEREFORD, TEX., DISTRICT

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing in transit, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point or points in the Hereford, Texas District.

This general permit shall become effective at 12:01 a. m., August 1, 1944, and shall expire at 12:01 a. m., September 15, 1944

This general permit shall apply to cars billed or rolling on or after the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11592; Filed, August 2, 1944; 11:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 800A–81]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C. on May 14, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright No.	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A. Foreign 12073	Tabellen der Zucker und Ihrer Derivate.	Hans Vogel und Alfred Georg of Switzerland	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Owner.
A. Foreign 44886	Lehrbuch der Hochfrequenstechnik	Fritz Vilbig of Germany (exact address not established).	Akademische Verlagsgesellschaft m. b. H., Sternwartenstr. 8, Leipzig, Germany (nationality: German).	Author and owner.
A. Foreign 36720	Molekülgrössen-Bestimmungen Hochpolymerer Naturstoffe.	Max Ulmann of Germany (exact address not established).	Theodor Steinkopff, Residenzstr. 32, Dresden, Germany (nationality: German).	Author and owner.
A. Foreign 34247	Die Hanse	A. Tschirch of Switzerland and Erich Stock of Germany (exact address not established).	Gerbrüder Borntraeger Koester Ufer 1a, Berlin, Germany (nationality: German).	Erich Stock and owner.
A. Foreign 27361	Die Harze	Prof. A. Tschirch of Switzerland	Gerbrüder Borntraeger Verlagsbuchhandlung, Schöneberger Ufer 12a Berlin W 35, Germany (nationality: German).	Owner.
A. Foreign 13096	Die Alkaloide	Georg Trier of Switzerland	Gerbrüder Borntraeger. Verlagsbuchhandlung, Schöneberger Ufer 12a, Berlin W. 35, Germany (nationality: German).	Owner.
A. Foreign 28396	Tollens-Elsner Kurzes Handbuch der Kohlenhydrate.	Horst Elsner of Germany (exact address not established).	Johann Ambrosius Barth, Salomonstr. 18, Leipzig, Germany (nationality: German).	Author and owner.
A. Foreign 46674	Moderne Mehrgitter-Elektronenröhren.	Maximilian Strutt of Holland (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 18220	Die Hochmolekularen organischen verbindungen.	Hermann Staudinger of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 39806	Virus und Viruskrankheiten	Gustav Seiffert of Germany (exact address not established).	Theodor Steinkopff, Residenzstr. 32, Dresden, Germany (nationality: German).	Author and owner.
A. Foreign 25116	Das Pyridin und Seine Derivate in Wissenschaft und Technik.	Hans Maier-Bode and Julius Aitpeter of Germany (except addreeres not established).	Wilhelm Knapp, Mühlweg 19, Halle/S., Germany (nationality: German).	Authors and owner.
A. Foreign 46779	Synthese der Kohlenstoffverbindungen Zweiter Teil.	Hans Meyer of Bohemia (exact address not established).	Julius Springer, Schottengasse 4, Wien, Germany (nationality: German).	Author and owner.
A. Foreign 39205	Synthese der Kohlenstoffverbindungen.	Hans Meyer of Czechoslovakia (exact address not established).	Julius Springer, Schottengasse 4, Wien, Austria (nationality: German).	Author and owner.
A. Foreign 22000	Lehrbuch der organischchemischen methodik.	Hans Meyer of Czechoslovakia (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 41357	Analyse und Konstitutionsermittlung organischer Verbindungen.	Hans Meyer of Czechoslovakia (exact address not established).	Julius Springer, Schottengasse 4, Wien, Austria (nationality: German).	Author and owner.
A. Foreign 44572	Werkstoffe für Gleitlager	Editor. R. Kühnel of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Editor and owner.
A. Foreign 41102	Das Wasserstoffsuperoxyd	Oscar Kausch of Germany (exact address not established).	Wilhelm Knapp, Mühlweg 19, Halle, Germany (nationality: German).	Author and owner.
A. Foreign 23348	Handbuch der Azetylzellulosen	Oskar Kausch of Germany (exact address not established).	J. F. Lehmanns, Verlag Paul Heyscstr. 26, München, Germany (nationality: German)	Author and owner.
A. Foreign 38308	Diffusion und chemische Reaktion in festen Stoffen.	Wilhelm Jost of Germany (exact address not established).	Theodor Steinkopff, Residenzstr. 32, Dresden, Grmany (nationality: German).	Author and owner.
A. Foreign 33894	Physik und technik der ultrakurzen wellen.	H. E. Hollmann of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 33568	Physik und Technik der ultrakurzen Wellen.	Hans Erich Hollmann of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin W. 9, Germany (nationality: German).	Author and owner.
A. Foreign 30008	Reaktionsfahigkeit fester Stoffe	Arvid Hedvall of Sweden	Johann Ambrosius Barth, Salomonstr. 18C, Leipzig, Germany (nationality: German).	Owner.
A. Foreign 47333	Anorganische Mikrogewichtsanalyse	Friedrich Hecht and Julius Donau of Germany (exact address not established).	Julius Springer, Schottengasse 4 Wien. Germany (nationality: German).	Authors and owner.
A. Foreign 33584	Der Aufbau der Zweistoffegierungen	Max Hansen of Germany (exact address not established).	Julius Springer, Linkstr. 23-24 Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 37090	Die Fluoreszenzanalyse in der Mikrochemie.	Max Haitinger of Germany (exact address not established).	Emil Haim & Co. (Publisher), Marie Theresienstr. Wien, Austria (nationality: German).	Author and owner.
A. Foreign 26708	Statik und Dynamik der schalen	Wilhelm Flügge of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 26406	Die Chemie des pyrrols	Hans Fischer and Hans Orth of Germany (exact addresses not established).	Akademische verlagsgesellschaft m. b. H. (publisher), Markgrafenstr. 6, Leipzig, Germany (nationality: German).	Authors and owner.
A. Foreign 44944	Die Chemie des Pyrrols	Hans Fischer and Hans Orth of Germany (exact addresses not established).	Akademische Verlagsgesellschaft m. b. H. (publisher), Sternwartenstr. 8, Leipzig, Germany (nationality: German).	Authors and owner.
A. Foreign 41285	Grundlegende Operationen der Farbenchemie.	Fiers-David, Hans Eduard and Louis Blangey of Switzerland.	Julius Springer, Schottengasse 4 Wien, Austria (nationality: German).	Owner.
A. Foreign 38984	Les applications pratiques de la luminescence fluorescence, phosphorescence, lumiere noire.	Maurice Deribere of France (exact address not established).	Dunod (publisher), 92 Rue Bonaparte, Paris, France (nationality: French).	Author and owner.
A. Foreign 44818	Textilhilfsmittel ihre Chemie, Kolloidchemie und Anwendung.	August Chwala of Germany (exact address not established) and Robert Haller of Switzerland.	Julius Springer, Schottengasse 4, Wien, Germany (nationality: German).	August Chwala anp owner.
A. Foreign 47094	Reine u. angewandte Metallkunde in Einzeldarstellungen.	Arthur Burkhardt of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 20432	Optik; ein lehrbuch der elektromagnetischen lichttheorie.	Wax Born of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.
A. Foreign 44887	Physikalische Methoden der Analytischen Chemie.	Editor. Wilhelm Böttger of Germany (exact address not established).	Akademische Verlagsgesellschaft m. b. H., Sternwartenstr. 8 Leipzig, Germany (nationality: German).	Editor and owner.
A. Foreign 33555	Sprengstoffe und Zündmittel	Carl Beyling and Karl Drekpof of Germany (exact addresses not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Authors and owner.
A. Foreign 47067	Elektronen-Übermikroskopie	Manfred von Ardenne of Germany (exact address not established).	Julius Springer, Linkstr. 23-24, Berlin, Germany (nationality: German).	Author and owner.

[F. R. Doc. 44-11414; Filed, July 31, 1944; 11:16 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 143, Amendment 2 to Order 14]

NEW RUBBER TIRES AND TUBES

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 2 to Order No. 14 under Revised Maximum Price Regulation 143. Wholesale prices for new rubber tires and tubes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 7 of Revised Maximum Price Regulation 143, *It is ordered*, That Order No. 14 be amended in the following respects:

1. The following sizes and maximum prices are added to Table 1 in paragraph (c), listing maximum retail prices for sales of imported natural rubber passenger car tires:

Size	Ply	Price
4.00/4.25 x 19	4	$9.05
6.50 x 15	4	20.30
6.50 x 15	6	25.40

2. The following sizes and maximum prices are added to Table 2 in paragraph (c), listing maximum retail prices for sales of imported natural rubber truck tires:

Size	Ply	Price
6.50 x 16	6	$24.20
7.00 x 16	6	29.00
10.00 x 18	12	99.65
6.00 x 20	8	27.70
6.50 x 20/32 x 6	8	35.30
7.50 x 20/34 x 7	10	63.40
8.25 x 20	10	67.65
8.25 x 20	12	77.90

Size	Ply	Price
9.00 x 20	10	$80.75
10.50 x 20	12	120.80
10.50 x 20	14	145.30
7.50 x 20	8	47.60
30 x 5	8	27.70
34 x 7	10	62.40
6.00 x 16—Mud and snow	6	22.00
34 x 7½—Mud and snow	10	66.45

3. The following sizes and maximum prices are added to Table 3 in paragraph (c), listing maximum retail prices for sales of imported natural rubber passenger car tubes:

Size:	Price
C–17 5.25/5.50/6.00 x 17	$3.85
D–17 7.50 x 17	5.10
B–17C 5.25/5.50 x 18	3.20
D–1 6.50/6.00/5.50 x 18 W. B	4.05
A–19 4.50/4.75/5.00 x 19	3.40
A–20–21 4.50/4.75/5.00 x 20—4.40/4.50/4.75 x 21	3.25
B–20 5.00/5.50 x 20	3.25

4. The following sizes and maximum prices are added to Table 4 in paragraph (c), listing maximum retail prices for sales of imported natural rubber truck tubes:

Size:	Price
ET–20 7.50 x 20/34 x 7	$8.90
X–16 6.00/6.25/6.50 x 16	4.05
D–17 6.50/7.00 x 17	4.75
Group G:	
6.00 x 20/30 x 5	4.15
7.50 x 20	8.90

This order shall become effective August 3, 1944.

Issued this 2d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11579; Filed, August 2, 1944; 11:41 a. m.]

[MPR 188, 2d Rev. Order 728]

MANTLE LAMP CO. OF AMERICA, INC.

ADJUSTMENT OF MAXIMUM PRICES

Second Revised Order No. 728 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Maximum prices for sales by manufacturers, wholesalers, and retailers of kerosene mantle lamps sold by the Mantle Lamp Company of America, Inc.

Revised Order No. 728 under § 1499.159b of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order fixes maximum prices for sales of unassembled kerosene mantle lamps, and component parts of mantle lamps, which are sold by the Mantle Lamp Company of America, Inc., Chicago, Illinois, hereafter called the Company, and which are shipped by the Company on and after the effective date of this revised order. This order also fixes maximum prices for sales of those lamps and those component parts of lamps by wholesalers and retailers.

(b) The maximum prices for sales at retail, at wholesale, and by the company for each model of unassembled mantle lamp are those set forth below:

(1) For sales at retail by any person, the maximum price for each lamp is the price set forth below opposite each model number:

Model no.:	Maximum retail price (each)
B–179	$5.85
B–153	5.25
B–222	6.75
B–53	5.45
B–75	5.95

(2) For sales to retailers by the Company, or by any jobber or wholesale distributor, the maximum prices are those determined by deducting the following percentage discounts from the maximum retail prices set forth in this order for each model lamp:

Discount of 40% in quantities of 12 or more units

Discount of 33⅓% in quantities of 6 to 11 units, inclusive

Discount of 30% in quantities of 3 to 5 units, inclusive

Discount of 25% in quantities of 1 or 2 units, inclusive

Discount of 33⅓% on orders consisting of 3 floor lamps, 3 hanging lamps, or 3 bracket lamps, alone or in combination.

(3) For sales to jobbers or other wholesale distributors by the Company, the maximum prices are those determined by deducting a discount of 30–20–5% from the maximum retail prices set forth in this order for each model lamp.

(c) The maximum prices for sales at retail, at wholesale, and by the Company for each component part of kerosene mantle lamps, are those set forth below:

(1) For sales at retail by any person, the maximum price for each component part is the price set forth below, opposite each article and model number:

Article and model no.:	Maximum retail price (each)
Burner Model "B"	$4.00
Burner Model "12"	3.75
Burner base Model "B"	1.85
Burner base Model "12"	1.60
Outer wick tubes	.60
Galleries	.70
Wick raiser	.25
Glass bowl No. 053	1.00
Glass bowl No. 073	1.25
Glass fount No. 0153	.75

(2) For sales to retailers by the Company or by any jobber or wholesale distributor, the maximum price for each component part is the price set forth below opposite each article and model number:

Article and model no.:	Maximum price to retailers (each)
Burner Model "B"	$2.60
Burner Model "12"	2.45
Burner base Model "B"	1.35
Burner base Model "12"	1.00
Outer wick tubes	.35
Galleries	.40
Wick raiser	.15
Glass bowl No. 053	.65
Glass bowl No. 075	.85
Glass fount No. 0153	.50

These prices are delivered prices in the case of sales by jobbers or wholesale distributors.

(3) For sales to jobbers or other wholesale distributors by the Company, the maximum price for each component part is the price set forth below opposite each article and model number:

Article and model no.:	Maximum price to wholesalers (each)
Burner Model "B"	$2.08
Burner Model "12"	1.95
Burner base Model "B"	1.08
Burner base Model "12"	.80
Outer wick tubes	.28
Galleries	.32
Wick raiser	.12
Glass bowl No. 053	.52
Glass bowl No. 075	.68
Glass fount No. 0153	.40

(d) On and after the effective date of this revised order the Company, before delivering any unassembled lamp subject to this order, shall attach to the burner of each lamp a tag or label which plainly sets forth the maximum retail price for the lamp, without any accessories, established by this revised order. A tag in the following form, with the blanks properly filled in, is satisfactory:

The O. P. A. retail ceiling price for this Model No. ------ lamp, without accessories, is $------.

(e) At the time of or prior to the first delivery, on and after the effective date of this order, of any lamp or component part covered by this order, the Company shall notify in writing every wholesaler and retailer to whom the Company sells an article priced under this order, of the maximum prices fixed herein for resales by the purchaser; and every wholesaler shall give like notice to every retailer to whom he sells those articles. This notice may be given in any convenient form. In addition, the company shall, within 15 days after the effective date of this order, file with the Office of Price Administration, Washington, D. C., a copy of each different notice which it issues to its purchasers for resale in accordance with this paragraph.

(f) This revised order may be revoked or amended by the Price Administrator at any time.

(g) This revised order shall become effective August 24, 1944.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11581; Filed, August 2, 1944; 11:42 a. m.]

[MPR 528; Order 9]

FIRESTONE TIRE AND RUBBER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 9 under Maximum Price Regulation 528. Tires and tubes, recapping and repairing.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528; *It is ordered:*

(a) The maximum retail price for a new 9.00–16, 10-ply Ground Grip Tread tire manufactured by The Firestone Tire

& Rubber Company of Akron, Ohio, shall be $78.65.

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective August 3, 1944.

Issued this 2d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11580; Filed, August 2, 1944; 11:41 a. m.]

[MPR 120, Order 830]

WALTER D. COBUN

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In F. R. Doc. 44-9368, appearing on page 7282 of the issue of Friday, June 30, 1944, the dollar signs should be deleted in the tables.

Regional and District Office Orders.

[Region II Rev. Order G-13 Under RMPR 122, Amdt. 3]

PENNSYLVANIA ANTHRACITE IN BRADFORD AND SULLIVAN COUNTIES, PA.

Amendment No. 3 to Revised Order G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Bradford County and Sullivan County, Commonwealth of Pennsylvania, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-13 is amended in the following respects:

1. Paragraph (a) (1) is amended to read as follows:

(a) *What this order does*—(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order sets the maximum prices which you may charge and, if you are a purchaser in the course of trade or business, this order sets the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Commonwealth of Pennsylvania—Coal Area IV. Coal Area IV comprises all of Bradford County and all of Sullivan County in the Commonwealth of Pennsylvania, falling into two zones as follows:

Zone 1. Zone 1 includes all of Sullivan County and that part of Bradford County not included in Zone 2.

Zone 2. Zone 2 includes the boroughs of Athens, Sayre, and South Waverly, and the Townships of Athens, Litchfield, Ridgebury, Windham, and Warren in Bradford County.

2. Paragraph (c) (1) is amended to read as follows:

(1) *Use the schedule which covers your sale.* (Schedule I contains a separate table of prices for "Direct Delivery" sales and "Yard Sales" within Zone 1. You will find Schedule 1 in paragraph (d). In like manner Schedule II contains a separate table of prices for "direct delivery" sales and "yard sales" within Zone 2. You will find Schedule II in paragraph (e).

3. Paragraph (c) (3) is amended to read as follows:

(3) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the foregoing figure no more than the maximum authorized service charges. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

4. Paragraph (d) is amended to read as follows:

(d) *Schedule I.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct delivery" sales and "yard sales".

(1) *Sales on a "direct delivery basis".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per 100 lb. (for sales of 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$12.10	$6.30	$0.85
Pea	10.75	5.65	.75
Buckwheat	8.75	4.65	.65
Rice	7.60	4.05	----------
Screenings	3.50	1.75	----------

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "wheel" (except for sales in 100 lb. lots, amounting to less than one-half ton).	50¢ per net ton and 30¢ per net ½ ton.
Carrying upstairs, for one full floor above the ground floor (except for sales in 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel".	75¢ per net ton.
Carrying upstairs for two full floors above the ground floor (except for sales in 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel."	$1.10 per net ton.

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs. for 100 lbs. or more but less than ½ ton	Per 50-lb. paper bag	Per 25-lb. paper bag
Broken, egg, stove, nut	$11.60	$0.70	$0.37	$0.21
Pea	10.25	.60	.32	---------
Buckwheat	8.25	.50	---------	---------
Rice	7.10	---------	---------	---------
Screenings	2.50	---------	---------	---------

5. Paragraph (e) is amended to read as follows:

(e) *Schedule II.* Schedule II establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$12.40	$6.45	$3.35	$0.85	$0.45
Pea	10.75	5.65	2.95	.75	.40
Buckwheat	9.05	4.80	2.55	.65	--------
Rice	7.90	4.20	2.25	----------	--------
Barley	6.90	3.70	2.00	----------	--------
Screenings	3.50	--------	--------	----------	--------

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or Wheel":	
Per net ton	$0.50
Per net ½ ton	.30
Per net ¼ ton	.20
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel":	
Per net ton	.75
Per net ½ ton	.50
Per net ¼ ton	.25

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 pounds (for 100 pounds or more but less than ½ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$11.90	$0.75	$0.40
Pea	10.25	.65	.35
Buckwheat	8.55	.55	----------
Rice	7.40	----------	----------
Barley	6.40	----------	----------
Screenings	2.50	----------	----------

This Amendment No. 3 to Revised Order Number G-13 shall become effective August 1st, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-11474; Filed, July 31, 1944; 1:30 p. m.]

[Region II Order G-45 Under RMPR 122]

Pennsylvania Anthracite in New York

Order No. G–45 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Sullivan, Tioga, Tompkins, and Yates Counties, and in designated portions of Broome County, State of New York. Coal Area IX.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices: Area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New York—Coal Area IX. That area comprises eleven counties in the State of New York, and part of a twelfth, falling into thirteen zones as follows:

Zone 1. Zone 1 includes all of Sullivan County.

Zone 2. Zone 2 includes all of Delaware County except the Towns of Andes, Davenport, Franklin, Harpersfield, Kortright, Middletown, Roxbury, and Stamford. It also includes the Town of Unadilla in Otsego County and the Towns of Afton and Bainbridge in Chenango County.

Zone 3. Zone 3 includes the City of Oneonta, and the Towns of Decatur, Hartwick, Laurens, Maryland, Middlefield, Milford, New Lisbon, Oneonta, Otego, Otsego, Westford, and Worcester in Otsego County; and the Town of Franklin in Delaware County.

Zone 4. Zone 4 includes the Towns of Andes, Davenport, Harpersfield, Kortright, Middletown, Roxbury, and Stamford in Delaware County; the Towns of Cherry Valley, Burlington, Butternuts, Edmeston, Exeter, Morris, Pittsfield, Plainfield, Richfield, Roseboom, and Springfield in Otsego County, and the Towns of Columbus, New Berlin, Sherburne, and Smyrna in Chenango County.

Zone 5. Zone 5 includes all of Cortland County, the City of Norwich, and the Towns of Coventry, German, Greene, Guilford, Lincklaen, McDonough, North Norwich, Norwich, Otselic, Oxford, Pharsalia, Pitcher, Plymouth, Preston, and Smithville in Chenango County; the Towns of Barker, Lisle, Nanticoke and Triangle in Broome County, and the Towns of Berkshire, Newark Valley, and Richford in Tioga County.

Zone 6. Zone 6 includes the Towns of Barton, Nichols, Owego, and Tioga in Tioga County, and the Town of Chemung in Chemung County.

Zone 7. Zone 7 includes all of Tompkins County; the Towns of Candor and Spencer in Tioga County, and the Town of Van Etten in Chemung County.

Zone 8. Zone 8 includes all of Chemung County except the Towns of Chemung and Van Etten.

Zone 9. Zone 9 includes the City of Corning and the Towns of Campbell, Caton, Corning, Erwin, and Hornby in Steuben County.

Zone 10. Zone 10 includes all of Schuyler County.

Zone 11. Zone 11 includes all of Yates County and the Towns of Prattsburg and Pulteney in Steuben County.

Zone 12. Zone 12 includes the Town of Bath in Steuben County.

Zone 13. Zone 13 includes all of Steuben County except the City of Corning and the Towns of Bath, Campbell, Caton, Corning, Erwin, Hornby, Prattsburg, and Pulteney.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 are set forth in Schedules I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the thirteen zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not: (1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I contains a separate table of prices for "direct-delivery" sales and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner Schedules II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII contain separate tables of prices for similar sales in Zones 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f), Schedule IV in paragraph (g), Schedule V in paragraph (h), Schedule VI in paragraph (i), Schedule VII in paragraph (j), Schedule VIII in paragraph (k), Schedule IX in paragraph (l), Schedule X in paragraph (m), Schedule XI in paragraph (n), Schedule XII in paragraph (o), and Schedule XIII in paragraph (p).

(2) Take the dollars-and-cents figure given in the applicable table of the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone I. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$13.45	$7.15	$3.75	$0.80	$0.45
Pea	11.80	6.30	3.35	.70	.40
Buckwheat	10.00	5.40	2.85	.55	------
Rice	9.00	4.90	2.60	------	------
Barley	8.00	4.40	2.35	------	------
Screenings	4.00	------	------	------	------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of $1.00 per net ton, 50¢ per net ½ ton and 25¢ per net ¼ ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel":	
Per net ton	$1.00
Per net ½ ton	.50
Per net ¼ ton	.25
Carrying upstairs or downstairs, for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel":	
Per net ton	1.00
Per net ½ ton	.50
Per net ¼ ton	.25

MAXIMUM AUTHORIZED SERVICE CHARGES—con.

Special service rendered at the request of the purchaser—continued

For deliveries involving hauling beyond five miles from dealer's yard, per net ton for each five miles or fraction thereof beyond five miles from dealer's yard	$0.50

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified to Dealers and to Consumers

Size	Per net ton for sales of ½ ton or more		Per 100 lbs. (for 100 lbs. or more, but less than ½ ton)	Per 50 lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	$11.05	$12.45	$0.70	$0.40
Pea	10.30	10.80	.60	.35
Buckwheat	8.80	9.00	.50	------
Rice	7.80	8.00	.45	------
Barley	6.80	7.00	------	------
Screenings	3.00	3.00	------	------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, a discount of $1.00 per net ton and 50¢ per net ½ ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

Schedule II. Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$12.95	$6.90	$3.60	$0.80	$0.45
Pea	11.20	6.05	3.20	.70	.40
Buckwheat	9.50	5.15	2.75	.60	------
Rice	8.50	4.65	2.50	.55	------
Barley	7.50	4.15	2.25	------	------
Screenings	4.00	------	------	------	------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 80¢ per net ton, 35¢ per net ½ ton and 15¢ per net ¼ ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel":	
Per net ton	$1.00
Per net ½ ton	.50
Per net ¼ ton	.25
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel":	
Per net ton	1.00
Per net ½ ton	.50
Per net ¼ ton	.25

MAXIMUM AUTHORIZED SERVICE CHARGES—con.

Special service rendered at the request of the purchaser—continued

For deliveries involving hauling beyond five miles from dealer's yard, per net ton for each five miles or fraction thereof beyond five miles from dealer's yard	$0.50

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified to Dealers and to Consumers

Size	Per net ton for sales of ½ ton or more		Per 100 pounds (for 100 pounds or more but less than ½ ton)	Per 50 pound paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	$11.45	$11.95	$0.70	$0.40
Pea	9.80	10.30	.60	.35
Buckwheat	8.00	8.60	.50	------
Rice	7.00	7.50	.45	------
Barley	6.00	6.50	------	------
Screenings	3.00	3.00	------	------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$13.05	$7.20	$3.75	$0.85	$0.475
Pea	12.15	6.45	3.40	.75	.425
Buckwheat	10.40	5.55	2.95	.65	------
Rice	9.40	5.05	2.70	.60	------
Barley	8.40	4.55	2.45	------	------
Screenings	4.00	------	------	------	------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 80¢ per net ton and 40¢ per net ½ ton for payment on delivery, or 60¢ per net ton. and 30¢ per net ½ ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel":	
Per net ton	$0.60
Per net ½ ton	.40
Per net ¼ ton	.30

MAXIMUM AUTHORIZED SERVICE CHARGES—con.

Special service rendered at the request of the purchaser—continued

Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel":	
Per net ton	$0.60
Per net ½ ton	.40
Per net ¼ ton	.30
For deliveries involving hauling beyond five miles from dealer's yard, per net ton for each five miles or fraction thereof beyond five miles from dealer's yard	.50

(2) *"Yard sales".*

For Sales of Anthracite of the Sizes and in the Quantities Specified to Dealers and to Consumers

Size	Per net ton for sales of ½ ton or more		Per 100 pounds (for 100 pounds or more, but less than ½ ton)	Per 50 pound paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	$12.15	$12.65	$0.75	$0.425
Pea	10.65	11.15	.65	.375
Buckwheat	8.90	9.40	.55	------
Rice	7.90	8.40	.50	------
Barley	6.90	7.40	------	------
Screenings	3.00	3.00	------	------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 80¢ per net ton for payment on delivery, or 60¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(g) *Schedule IV.* Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

For Sales of Anthracite of the Sizes and in the Quantities Specified

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 pounds (for sales of 100 pounds or more, but less than ¼ ton)	Per 50 pound paper bag
Broken egg, stove, nut	$13.90	$7.45	$4.00	$0.90	$0.50
Pea	12.05	6.55	3.80	.80	.45
Buckwheat	10.40	5.70	3.10	.70	------
Rice	9.35	5.20	2.85	.65	------
Barley	8.35	4.70	2.60	------	------
Screenings	4.00	------	------	------	------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton, 25¢ per net ½ ton and 15¢ per net ¼ ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel":
Per net ton $0.50
Per net ½ ton ..... .25
Per net ¼ ton ..... .15
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "carry" or "wheel":
Per net ton ..... .50
Per net ½ ton ..... .25
Per net ¼ ton ..... .15
For deliveries involving hauling beyond five miles from dealer's yard, per net ton for each five miles or fraction thereof beyond five miles from dealer's yard ..... .50

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton for sales of ½ ton or more		Per 100 lbs. (for 100 lbs. or more, but less than ½ ton)	Per 50 lb. paper bag
	To dealers	To consumers		
Broken, egg, stove, nut	$12.40	$12.90	$0.80	$0.45
Pea	10.55	11.05	.70	.40
Buckwheat	8.90	9.40	.60	.....
Rice	7.85	8.35	.55	.....
Barley	6.85	7.35	.....	.....
Screenings	3.00	3.00	.....	.....

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(h) *Schedule V.* Schedule V establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 5. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$13.65	$7.20	$3.75	$0.85	$0.45
Pea	11.95	6.35	3.35	.75	.40
Buckwheat	10.20	5.45	2.90	.65	.....
Rice	9.35	5.05	2.70	.60	.....
Barley	8.35	4.55	2.45	.....	.....
Screenings	4.00	.....	.....	.....	.....

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 80¢ per net ton, 25¢ per net ½ ton and 15¢ per net ¼ ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of purchaser

"Carry" or "Wheel":
Per net ton $0.50
Per net ½ ton ..... .25
Per net ¼ ton ..... .15
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "carry" or "wheel":
Per net ton ..... .60
Per net ½ ton ..... .30
Per net ¼ ton ..... .15
For deliveries involving hauling beyond five miles from dealer's yard, per net ton for each five miles or fraction thereof beyond five miles from dealer's yard ..... .50

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. (for 100 lbs. or more but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$11.90	$0.75	$0.40
Pea	10.25	.65	.35
Buckwheat	8.55	.55	.....
Rice	7.40	.....	.....
Barley	6.40	.....	.....
Screenings	2.80	.....	.....

(j) *Schedule VII.* Schedule VII establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 7. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.15	$7.00	$3.65	$0.75	$0.40
Pea	11.45	6.10	3.25	.65	.35
Buckwheat	9.70	5.15	2.70	.55	.....
Rice	8.85	4.70	2.45	.50	.....
Barley	7.85	4.20	2.25	.....	.....
Screenings	3.00	.....	.....	.....	.....

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(l) *Schedule VI.* Schedule VI establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 6. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$12.40	$6.45	$3.35	$0.85	$0.45
Pea	10.75	5.60	2.95	.75	.40
Buckwheat	9.05	4.80	2.55	.65	.....
Rice	7.90	4.20	2.25	.....	.....
Barley	6.90	3.70	2.00	.....	.....
Screenings	3.00	.....	.....	.....	.....

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel":
Per net ton $0.50
Per net ½ ton ..... .30
Per net ¼ ton ..... .20

MAXIMUM AUTHORIZED SERVICE CHARGES—con.

Special service rendered at the request of the purchaser—Continued

Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel":
Per net ton $0.75
Per net ½ ton ..... .50
Per net ¼ ton ..... .25

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. (for 100 lbs. or more but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$11.90	$0.75	$0.40
Pea	10.25	.65	.35
Buckwheat	8.55	.55	.....
Rice	7.40	.....	.....
Barley	6.40	.....	.....
Screenings	2.80	.....	.....

(k) *Schedule VIII.* Schedule VIII establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 8. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$13.30	$6.95	$3.85	$0.85	$0.45
Pea	11.60	6.05	3.35	.75	.40
Buckwheat	10.30	5.40	2.95	.65	.35
Rice	9.45	5.10	2.90	.60	.....
Barley	8.45	4.60	2.55	.....	.....
Screenings	4.00	.....	.....	.....	.....

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 60¢ per net ton, where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel," per net ton ..... 75¢
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel", per net ton ..... 25¢
For deliveries involving hauling beyond four miles from dealer's yard, per net ton for each four miles or fraction thereof beyond four miles from dealer's yard ..... 50¢

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. (for 100 lbs. or more but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$12.80	$0.75	$0.425
Pea	10.85	.65	.375
Buckwheat	8.70	.60	.....
Rice	7.85	.55	.....
Barley	6.85	.....	.....
Screenings	3.00	.....	.....

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(k) *Schedule VIII.* Schedule VIII establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 8. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)	Per 50 pound paper bag
Broken, egg, stove, nut	$13.30	$6.95	$3.85	$0.85	$0.45
Pea	11.60	6.05	3.35	.75	.40
Buckwheat	10.30	5.40	3.05	.65	.35
Rice	9.45	5.10	2.90	.60	.....
Barley	8.45	4.60	2.55	.....	.....
Screenings	4.00	.....	.....	.....	.....

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. (for 100 lbs. or more but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$12.80	$0.75	$0.40
Pea	11.25	.65	.35
Buckwheat	9.60	.55	.30
Rice	8.55	.50	.....
Barley	7.55	.....	.....
Screenings	3.00	.....	.....

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(m) *Schedule X.* Schedule X establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 10. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.05	$6.90	$3.75	.....	$0.95
Pea	11.30	6.00	3.40	.....	.85
Buckwheat	9.25	5.00	2.90	.....	.75
Rice	8.10	4.40	2.60	.....	.....
Barley	7.10	3.90	2.35	.....	.....
Screenings "A"	5.00	.....	.....	.....	.....
Screenings "B"	3.00	.....	.....	.....	.....

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel", per net ton $0.75
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel", per net ton ..... .75
For deliveries involving hauling beyond four miles from dealer's yard, per net ton for each four miles or fraction thereof beyond four miles from dealer's yard ..... .50

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 pounds (for 100 pounds or more but less than ½ ton)
Broken, egg, stove, nut	$12.55	$0.85
Pea	10.80	.75
Buckwheat	8.75	.65
Rice	7.60	.....
Barley	6.60	.....
Screenings "A"	4.00	.....
Screenings "B"	2.00	.....

(n) *Schedule XI.* Schedule XI establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 11. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$13.85	$7.25	$3.70	$0.85
Pea	12.15	6.40	3.30	.75
Buckwheat	10.35	5.50	2.85	.65
Rice	9.10	4.85	2.55	.60
Barley	8.10	4.35	2.30	
Screenings	4.00			

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel," per net ton	$0.50
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel", per net ton	.50
For deliveries involving hauling beyond four miles from dealer's yard, per net ton for each four miles or fraction thereof beyond four miles from dealer's yard	.50

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. (for 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$13.25	$0.75
Pea	11.65	.65
Buckwheat	9.85	.55
Rice	8.60	.50
Barley	7.60	
Screenings	3.00	

You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(o) *Schedule XII.* Schedule XII establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 12. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$13.45	$7.05	$3.65	$0.85
Pea	11.70	6.15	3.20	.75
Buckwheat	9.90	5.25	2.75	.65
Rice	8.85	4.75	2.45	.60
Barley	7.85	4.25	2.20	
Screenings	4.00			

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special Service Rendered at the Request of the Purchaser

"Carry" or "wheel", per net ton	$0.50
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "carry" or "wheel", per net ton	.50
For deliveries involving hauling beyond four miles from dealer's yard, per net ton for each four miles or fraction thereof beyond four miles from dealer's yard	.50

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. (for 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$12.95	$0.75
Pea	11.20	.65
Buckwheat	9.40	.55
Rice	8.35	.50
Barley	7.35	
Screenings	3.00	

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(p) *Schedule XIII.* Schedule XIII establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 13. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$13.70	$7.15	$3.70	$0.85
Pea	11.90	6.25	3.25	.75
Buckwheat	10.25	5.45	2.80	.65
Rice	9.10	4.85	2.55	.60
Barley	8.10	4.35	2.30	
Screenings	4.00			

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser

"Carry" or "Wheel", per net ton	$0.50
Carrying upstairs or downstairs for each full flight above or below the ground floor. This charge shall be in addition to any charge for "Carry" or "Wheel", per net ton	.50
For deliveries involving hauling beyond four miles from dealer's yard, per net ton for each four miles or fraction thereof beyond four miles from dealer's yard	.50

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton for sales of ½ ton or more	Per 100 lb. (for 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut	$13.20	$0.75
Pea	11.40	.65
Buckwheat	9.75	.55
Rice	8.60	.50
Barley	7.60	
Screenings	3.00	

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(q) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle

in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(r) *Ex Parte 148. Freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule price on account of freight rates.

(s) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(t) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the State of New York or any political subdivision thereof, you need not state this tax separately.

(u) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(v) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(w) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(x) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(y) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(z) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(a) (a) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Binghamton District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(b) (b) *Definitions and explanations.* When used in this Order No. G–45, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley, and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York—Coal Area IX with such designations during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

"Screenings A" are screenings derived from the primary or initial screening of egg, stove, nut, pea, and buckwheat sizes of anthracite, before any of these sizes have been reclaimed from screenings.

"Screenings B" are the resultant screenings after buckwheat and larger sizes of anthracite have been reclaimed from "Screenings A".

(6) "Direct delivery" means delivery to the buyer's bin or storage space.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(c) (c) *Effect of order on Revised Maximum Price Regulation No. 122.* This Order No. G–45 shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–45 shall become effective August 1, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-11454; Filed, July 31, 1944; 1:34 p. m.]

[Region IV Order G-6 Under MPR 188, Amdt. 1]

CHATTAHOOCHEE BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 1 to Order No. G-6 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Docket No. IV-188-47.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, *It is hereby ordered*, That section (a) of Order No. G-6, issued June 10, 1944 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188, be amended to read as set forth below:

(a) That on and after the effective date of this order the Chattahoochee Brick Company of Chattahoochee, Georgia, hereinafter referred to as Applicant, may sell and deliver common brick manufactured by it at a price not in excess of the prices hereinafter set forth to the different classes of purchasers:

Common brick	Maximum f. o. b. plant prices (per M)	Maximum prices delivered within metropolitan delivery zone (per M)
Dealer	$13.00	$14.50
Retail 5-10-M	14.25	15.75
Retail 1-4-M	15.25	16.75

This amendment to Order No. G-6 under Maximum Price Regulation No. 188 shall become effective July 24, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued July 19, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-11456; Filed, July 31, 1944; 1:17 p. m.]

[Region VI Order G-1 Under SR 14B]

A & E BAKING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-1 establishing maximum prices under Supplementary Regulation No. 14B to General Maximum Price Regulation for retail sales of bread manufactured by A & E Baking Company, Pekin, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 10 (b) of Supplementary Regulation No. 14B to the General Maximum Price Regulation, *It is ordered:*

(1) *Maximum prices for sales at retail.* The maximum prices for the retail sales of a loaf of 18-ounce bread manufactured by the A & E Baking Company of Pekin, Illinois, shall be as follows:

(a) *For sales in Bloomington and Clinton, Illinois.*

	Cents
(i) White Regular "Sunset Gold" brand, and Whole Wheat Regular "A & E" brand	8½
(ii) White Sandwich "Sunset Gold" brand, and Whole Wheat Sandwich "A & E" brand	9½

(b) *For sales in Champaign, Illinois.*

	Cents
(i) White Regular "Sunset Gold" brand, and Whole Wheat Regular "A & E" brand	9½
(ii) White Sandwich "Sunset Gold" brand, and Whole Wheat Sandwich "A & E" brand	10½

(c) *For sales in Mattoon and Charleston, Illinois.*

	Cents
(i) White Regular "Sunset Gold" brand, and Whole Wheat Regular "A & E" brand	10
(ii) White Sandwich "Sunset Gold" brand, and Whole Wheat Sandwich "A & E" brand	11

(d) *For sales in Pekin, Illinois.*

	Group 1 and 2 stores	Group 3 and 4 stores
	Cents	Cents
(i) White Regular "Sunset Gold" brand, and Whole Wheat Regular "A & E" brand	10	8½
(ii) White Sandwich "Sunset Gold" brand, and Whole Wheat Sandwich "A & E" brand	11	9½
(iii) White Regular "Vogel's Golden Crust" brand	-------	8½
(iv) White Sandwich "Vogel's Golden Crust" brand	-------	9½
(v) White Regular "Top Notch" brand	10	-------
(vi) White Sandwich "Top Notch" brand	11	-------
(vii) White Regular "Butterkist" brand	11	-------
(viii) White Sandwich "Butterkist" brand	12	-------

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price.

(2) *Definitions.* (a) "Sale at retail" shall mean a sale to an ultimate consumer.

(b) "Regular bread" and "sandwich bread" shall mean those shapes and styles of bread as are so customarily designated in the community.

(c) "Groups 1 and 2" and "Groups 3 and 4 stores" are those stores as defined in Maximum Price Regulations Nos. 422 and 423.

(3) *Relation to Office of Price Administration regulations.* Except as modified or otherwise provided herein, the provisions of Supplementary Regulation No. 14B to the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during the base period established by that regulation.

(4) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective July 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11457; Filed, July 31, 1944; 1:37 p. m.]

[Region VI Order G-1 Under RMPR 271, Amdt. 1]

POTATOES AND ONIONS IN CHICAGO REGION

Amendment No. 1 to Order No. G-1 under Revised Maximum Price Regulation No. 271. Order adjusting maximum prices of potatoes and onions sold by intermediate sellers in Region VI.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region VI of the Office of Price Administration, by § 1351.1001, Article II, section II (c) (7) of Revised Maximum Price Regulation No. 271: *It is hereby ordered*, That paragraph (1) of Schedule A of Regional Order No. G-1 under Revised Maximum Price Regulation No. 271 be amended to read as follows:

(1) Carlot or trucklot receivers	Onions 50 lbs.	Potatoes 100 lbs.
(a) Non-delivered sale from railroad car or truck	$0.08	$0.12
(b) Delivered from the railroad car or truck to the physical premises of another wholesaler, a retail store or a hotel, restaurant or institutional user within the seller's free delivery zone	.13	.20
(c) F. o. b. seller's warehouse sale to any purchaser provided that commodity shall have been removed from car or truck to a place in seller's warehouse or store	.18	.20
(d) Delivered from seller's warehouse to the physical premises of another wholesaler, a retail store or a hotel, restaurant or an institutional user within the seller's free delivery zone	.18	.25
(e) Delivered to the premises of any purchaser outside the seller's free delivery zone	The applicable price determined under (1) (b) or (1) (d) above, plus zone differential if such differential has been filed in accordance with section II (c) (7) of RMPR 271 with the appropriate district office of OPA.	

This order shall become effective on July 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11461; Filed, July 31, 1944; 1:17 p. m.]

[Region VI Order G-3 Under MPR 154]

Ice in Milwaukee County, Wis.

Order No. G-3 under Maximum Price Regulation No. 154, as amended. Ice. Adjusted maximum prices for the sale and delivery of ice in the County of Milwaukee, Wisconsin.

For the various reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration, by § 1393.8 of Maximum Price Regulation No. 154, as amended, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of block, sized, crushed, and cubed ice. The order applies to all ice delivered to any consumer's or dealer's premises located within Milwaukee County, Wisconsin, and to any sales by any manufacturer whose premises are located within Milwaukee County, Wisconsin.

(b) *Effect of wage increases.* 1. The maximum prices established by this order shall be effective as to any manufacturer only when, as, and if such manufacturer shall place into effect the wage increases referred to in War Labor Board Directive Order in case Nos. 6-9380 (24-213) 6-16831, 6-10604.

2. The ceiling prices provided in Column 1 of the schedule contained in paragraph (c) hereof, shall be the ceiling prices of any manufacturer only if such manufacturer shall have made the retroactive payments to his employees provided for by War Labor Board Directive Order in case Nos. 6-9380 (24-213) 6-16831, 6-10604. Until and unless such payments shall have been made, the ceiling prices shall be those provided for in Column 2 of the schedule contained in paragraph (c) hereof.

(c) The following are the maximum prices for ice of a type and size, and sold in the quantity and to the type of purchaser set forth below. The maximum price for sales of a type and size not covered by the schedule set forth below, shall be those established under Maximum Price Regulation No. 154 or any previous order issued by the Regional Office of the Office of Price Administration. The terms used in the schedule shall have the same meaning and connotation as is customarily employed in the ice trade in Milwaukee County, Wisconsin.

Schedule of Prices for the Purchase and Sale of Ice in the County of Milwaukee, Wisconsin

	Column 1: Maximum prices of ice to remain in effect until Dec. 31, 1944	Column 2: Maximum prices of ice to be in effect on and after Jan. 1, 1945
1. For sales by manufacturers of ice:		
(a) Retail delivered:		
Block ice—100 lbs.	$0.54	$0.52
Block ice—75 lbs.	.41	.39
Block ice—50 lbs.	.27	.26
Block ice—25 lbs.	.15	.15
Cubes—small tub (approx. 250)	[1] .65	[1] .65
Cubes—large tub (approx. 500)	[1] 1.10	[1] 1.10

[1] Per tub.

(d) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in Maximum Price Regulation No. 154, as amended, shall apply to the terms used herein. All provisions of Maximum Price Regulation No. 154, except as modified herein, shall be and remain in full force and effect and shall be applicable to all sales of ice provided for in this order.

This order may be revoked, amended or corrected at any time.

This order shall become effective as of July 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of July 1944.

Rae E. Walters,
Regional Administrator.

[F. R. Doc. 44-11458; Filed, July 31, 1944; 1:37 p. m.]

Schedule of Prices for the Purchase and Sale of Ice in the County of Milwaukee, Wisconsin—Con.

	Column 1: Maximum prices of ice to remain in effect until Dec. 31, 1944	Column 2: Maximum prices of ice to be in effect on and after Jan. 1, 1945
1. For sales by manufacturers of ice—Continued.		
(a) Retail delivered—Con.		
Cubes—paper bag (80 cubes)	[2] $0.30	[2] $0.30
Sized ice—all sizes—100 lbs.	.55	.55
Sized ice—all sizes—50 lbs.	.28	.28
Sized ice—all sizes—25 lbs.	.15	.15
(b) Commercial delivered:		
Block ice	[3] 8.80	[3] 8.40
Sized ice—pea, chestnut and stove overrun	[3] 11.00	[3] 11.00
Crushed ice—snow and crusher run	[3] 8.40	[3] 8.40
Cubes—small tub (approx. 250)	1.50	1.50
Cubes—large tub (approx. 500)	1.80	1.80
(c) Retail at platform:		
Block ice—100 lbs.	.40	.40
Block ice—75 lbs.	.30	.30
Block ice—50 lbs	.20	.20
Block ice—25 lbs.	.10	.10
(d) Industrial delivered:		
(1) To breweries:		
Deliveries at platform on cars:		
Annual volume less than 5,000 tons	[3] 3.80	[3] 3.80
Annual volume 5,000 to less than 7,500 tons	[3] 3.70	[3] 3.70
Annual volume 7,500 tons and over	[3] 3.65	[3] 3.65
Delivered and placed in bunkers:		
Annual volume less than 5,000 tons	[3] 4.10	[3] 4.10
Annual volume 5,000 to less than 7,500 tons	[3] 4.00	[3] 4.00
Annual volume 7,500 tons and over	[3] 3.90	[3] 3.90
(2) To railroads:		
Delivered and placed in bunkers	[3] 4.35	[3] 4.35
Loaded into cars (body icing)	[3] 4.75	[3] 4.75
2. For sales by dealers:		
(a) Retail delivered:		
Block ice—100 lbs.	.64	.62
Block ice—75 lbs.	.41	.39
Block ice—50 lbs.	.27	.26
Block ice—25 lbs.	.15	.15
Cubes—small tub (approx. 250)	1.65	1.65
Cubes—large tub (approx. 500)	[1] 1.10	[1] 1.10
Cubes—paper bag (80 cubes)	2.30	2.30
Sized ice—all sizes—100 lbs.	.55	.55
Sized ice—all sizes—50 lbs.	.28	.28
Sized ice—all sizes—25 lbs.	.15	.15
(b) Retail at cash station platform:		
Block ice—100 lbs.	.45	.45
Block ice—75 lbs.	.35	.35
Block ice—50 lbs.	.25	.25
Block ice—25 lbs.	.15	.15

[1] Per tub.
[2] Per bag.
[3] Per ton.

[Region VI Order G-3 Under MPR 154, Amdt. 1]

Ice in Milwaukee County, Wis.

Amendment No. 1 to Order No. G-3 under Maximum Price Regulation No. 154, as amended. Adjusted maximum prices for the sale and delivery of ice in the County of Milwaukee, Wisconsin.

For the various reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration, by § 1393.8 of Maximum Price Regulation No. 154, as amended, *It is hereby ordered,* That paragraph 1 (b) of the schedule of prices for the purchase and sale of ice in the County of Milwaukee, Wisconsin, in Regional Order No. G-3, under Maximum Price Regulation No. 154, as amended, be and the same is hereby amended to read as follows:

(b) *Commercial delivered.*

	Column 1: Maximum prices of ice to remain in effect until December 31, 1944	Column 2: Maximum prices of ice to be in effect on and after January 1, 1945
	Per ton	*Per ton*
Block ice	$8.80	$8.40
Sized ice—pea, chestnut and stove overrun	11.00	11.00
Crushed ice—snow and crusher run	8.80	8.40
Cubes:	*Per tub*	*Per tub*
Small tub (approx. 250)	.50	.50
Large tub (approx. 500)	.80	.80

This order shall become effective as of July 17, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of July 1944.

Rae E. Walters,
Regional Administrator.

[F. R. Doc. 44-11473; Filed, July 31, 1944; 1:28 p. m.]

[Region VI Order G-78 Under SR 15, MPR 280]

Fluid Milk in Designated Cities in Wisconsin

Order No. G-78 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under Maximum Price Regulation No. 280. Adjustment of fluid milk prices for McFarland, Deerfield and Cottage Grove, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration, by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by § 1351.807 (a) of Maximum Price Regulation No. 280; it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of

standard butterfat content fluid milk at wholesale and retail in McFarland, Deerfield and Cottage Grove, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, whichever is applicable, or the following prices, whichever shall be the higher:

Container Size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.43
½ gallon	.19	.22
Quart	.10	.11½
Pint	.06½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the McFarland, Deerfield and Cottage Grove, Wisconsin area shall mean:

1. All sales made within the city limits of McFarland, Deerfield and Cottage Grove, Wisconsin, and all sales at or from an establishment located in McFarland, Deerfield and Cottage Grove, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within McFarland, Deerfield and Cottage Grove, Wisconsin.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores and to restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army Canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280 and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicabl base period of such regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective July 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11460; Filed, July 31, 1944; 1:39 p. m.]

[Region VI Order G-79 Under SR 16, MPR 280 and MPR 329]

FLUID MILK IN DAWSON, MINN.

Order No. G-79 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation under Maximum Price Regulation No. 280 and under Maximum Price Regulation No. 329. Adjustment of fluid milk prices for Dawson, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) to the Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be $2.75 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Dawson, Minnesota, or who sell within this community 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943 to February 28, 1944 and are not applicable to purchases from producers who did not in that period sell to distributors located in Dawson, Minnesota.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Dawson, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.46
½ gallon	.19	.23
Quart	.09½	.11½
Pint	.05½	.06½
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Dawson, Minnesota, area shall mean:

1. All sales made within the city limits of Dawson, Minnesota, and all sales at or from an establishment located in Dawson, Minnesota.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Dawson, Minnesota.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers

than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective July 8th 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11465; Filed, July 31, 1944; 1:22 p. m.]

[Region VI Order G-80 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN DESIGNATED COUNTIES IN WISCONSIN

Order No. G-80 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation under Maximum Price Regulation No. 280 and under Maximum Price Regulation No. 329. Adjustment of fluid milk prices for Laona, Wabeno and Newald, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) to the Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be 70¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Laona, Wabeno and Newald, Wisconsin, or who sell within this community 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943 to December 31, 1943, and are not applicable to purchases from producers who did not in that period sell to distributors located in Laona, Wabeno and Newald, Wisconsin.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Laona, Wabeno and Newald, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.35	
Gallon	.35	$0.43
½ gallon	.18	.22
Quart	.09½	.11½
Pint	.06	.07
½ pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this orders, sales and deliveries within the Laona, Wabeno and Newald, Wisconsin, area shall mean:

1. All sales made within the city limits of Laona, Wabeno and Newald, Wisconsin, and all sales at or from an establishment located in Laona, Wabeno and Newald, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Laona, Wabeno and Newald, Wisconsin.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy mean the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration. This order shall become effective July 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11466; Filed, July 31, 1944; 1:22 p. m.]

[Region VI Order G-81 Under SR 15, MPR 280]

FLUID MILK IN STOUGHTON, WIS.

Order No. G-81 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under Maximum Price Regulation No. 280. Adjustment of fluid milk prices for Stoughton, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) to the Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Stoughton, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, or the following prices, whichever shall be the higher:

STANDARD BUTTERFAT CONTENT FLUID MILK

Container size	Wholesale	Retail
Gallon (in bulk)	$0.41	
Gallon	.41	$0.45
½ gallon	.21	.23
Quart	.11	.12
Pint	.06	.06½
½ pint	.03½	.04

GUERNSEY MILK

Gallon (in bulk)	$0.41	
Gallon	.41	$0.49
½ gallon	.21	.25
Quart	.11	.13
Pint	.06	.07
½ pint	.03½	.04½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Stoughton, Wisconsin, area shall mean:

1. All sales made within the city limits of Stoughton, Wisconsin, and all sales at or from an establishment located in Stoughton, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Stoughton, Wisconsin.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Guernsey milk shall mean cow's milk produced from Guernsey herds, having a butterfat content of not less than 4%.

3. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

4. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280, and of the General Maximum Price Regulation, shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective July 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11467; Filed, July 31, 1944; 1:23 p. m.]

[Region VI Order G-82 under SR 15, MPR 280, and MPR 329]

FLUID MILK IN CHILTON, WIS.

Order No. G-82 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation under Maximum Price Regulation No. 280 and under Maximum Price Regulation No. 329. Adjustment of fluid milk prices for Chilton, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) to the Maximum Price Regulation No. 280 and § 1351.409 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be 80¢ per pound of butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Chilton, Wisconsin, or who sell within this community 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943, to December 31, 1943, and are not applicable to purchases from producers who did not in that period sell to distributors located in Chilton, Wisconsin.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Chilton, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	----
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.06½	.06½
½ pint	.08	.08½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Chilton, Wisconsin, area shall mean:

1. All sales made within the city limits of Chilton, Wisconsin, and all sales at or from an establishment located in Chilton, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Chilton, Wisconsin.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation, shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers

has been approved by the Administrator of the War Food Administration.

This order shall be effective July 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11468; Filed, July 31, 1944; 1:25 p. m.]

[Region VI Order G-83 Under SR 15, MPR 280]

FLUID MILK IN ST. CROIX, MINN.

Order No. G-83 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under Maximum Price Regulation No. 280). Adjustment of fluid milk prices for Marine on St. Croix, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) to the Maximum Price Regulation No. 280; it is ordered:

(a) *Maximum distributor prices for sales to civilian purchases.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Marine on St. Croix, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail, delivered	Retail, out of store
Gallon (bulk)	$0.41		
Gallon	.41	$0.49	$0.45
½ gallon	.21	.25	.23
3 quarts		.25	.24
Quart	.11	.13	.12
Pint	.06	.07	.07
½ pint	.03½	.04	.04

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Marine on St. Croix, Minnesota, area shall mean:

1. All sales made within the city limits of Marine on St. Croix, Minnesota, and all sales at or from an establishment located in Marine on St. Croix, Minnesota.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Marine on St. Croix, Minnesota.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280 and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective July 18th 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11469; Filed, July 31, 1944; 1:24 p. m.]

[Region VI Order G-84 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN MANKATO, MINN.

Order No. G-84 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation under Maximum Price Regulation No. 280 and under Maximum Price Regulation No. 329. Adjustment of fluid milk prices for Mankato, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) to the Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be $2.80 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Mankato, Minnesota, or who sell within this community 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943 to January 31, 1944, and are not applicable to purchases from producers who did not in that period sell to distributors located in Mankato, Minnesota.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of Guernsey fluid milk at wholesale and retail in Mankato, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.41	
Gallon	.41	$0.49
½ gallon	.21	.25
Quart	.11	.13
Pint	.06	.07
½ pint	.03½	.04

All sales at wholesale shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Mankato, Minnesota, area shall mean:

1. All sales made within the city limits of Mankato, Minnesota, and all sales at or from an establishment located in Mankato, Minnesota.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Mankato, Minnesota.

(f) *Definition.* 1. Guernsey milk shall mean cow's milk produced from Guernsey herds, having a butterfat content of not less than 4%.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy

of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated at Army Canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280, of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective July 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11456; Filed, July 31, 1944; 1:38 p. m.]

[Region VI Order G-85 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN GENESEO, ILL.

Order No. G-85 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation under Maximum Price Regulation No. 280 and under Maximum Price Regulation No. 329. Adjustment of fluid milk priced for Geneseo, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) to the Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be $3.05 per cwt. for 4% milk, plus not more than 5¢ for each $\frac{1}{10}$ of a pound of butterfat in excess of 4% and minus not less than 5¢ for each $\frac{1}{10}$ of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Geneseo, Illinois, or who sell within this community 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from August 1, 1943, to December 31, 1943, and are not applicable to purchases from producers who did not in that period sell to distributors located in Geneseo, Illinois.

(c) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Geneseo, Illinois, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, of the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.25
Quart	.10	.12
Pint	.05½	.06½
½ pint	.03	.05

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Geneseo, Illinois, area shall mean:

1. All sales made within the city limits of Geneseo, Illinois, and all sales at or from an establishment located in Geneseo, Illinois.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Geneseo, Illinois.

(f) *Definitions.* 1. Standard butterfat content of milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280 of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation, shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the application base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

This order shall be effective July 18, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 13th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11470; Filed, July 31, 1944; 1:25 p. m.]

[Region VI Order G-86 Under SR 15, MPR 280]

FLUID MILK IN POLO, ILL.

Order No. G-86 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under Maximum Price Regulation No. 280. Adjustment of fluid milk prices for Polo, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) to the Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of standard butterfat content fluid milk at wholesale and retail in Polo, Illinois, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, whichever is applicable, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.25
Quart	.10	.12
Pint	.05½	.06½
½ pint	.03½	.05

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Polo, Illinois, area shall mean:

1. All sales made within the city limits of Polo, Illinois, and all sales at or from an establishment located in Polo, Illinois.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Polo, Illinois.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army Canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280 and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective July 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11471; Filed, July 31, 1944; 1:26 p. m.]

[Region VI Order G-87 Under SR 15, MPR 280]

FLUID MILK IN CRETE, NEBR.

Order No. G-87 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation under Maximum Price Regulation No. 280. Adjustment of fluid milk prices for Crete, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of Grade A fluid milk, Army Specifications, at wholesale and retail in Crete, Nebraska, shall be the maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.06	.07
½ pint	.03	.04

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Crete, Nebraska, area shall mean:

1. All sales made within the city limits of Crete, Nebraska, and all sales at or from an establishment located in Crete, Nebraska.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Crete, Nebraska.

(d) *Definitions.* 1. Grade A milk shall mean cow's milk complying with United States Army Specifications C-M-381-C.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280 and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of July 1944.

This order shall be effective July 18, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11472; Filed, July 31, 1944; 1:28 p. m.]

[Seattle Order G-9 Under 18 (c)]

PRESTO-LOGS IN WESTERN WASHINGTON

Order No. G-9 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Presto-logs sold in specified counties of western Washington.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32, *It is hereby ordered:*

(a) The maximum prices for sales and deliveries of Presto-Logs in the Counties of King, Pierce, Whatcom, Island, Skagit, Kitsap, and Snohomish, Washington, by any wholesale or retail seller whose place of business is located in any of the named Counties, as established by §§ 1499.2 and 1499.3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted so that the maximum prices therefore shall be the prices set forth in paragraph (b).

(b) The maximum price for sales of Presto-Logs shall be the price set forth

in the appropriate sub-division of this section for the type of seller and the type of sale involved:

(1) *Producers' sales.* The maximum price for sales of Presto-Logs to retail dealers located in each of the counties mentioned below shall be the price set forth opposite the county in which the retail dealer is located.

Location of dealer	Delivery condition	Maximum producers' price (per unit, 240 logs)
(i) King county, Pierce county, Whatcom county, Kitsap county.	F. o. b. producers' mill.	$8.28
(ii) Island county, Skagit county, Snohomish county.	F. o. b. producers' mill.	8.52

(2) Retail Sales.

CASH PRICES TO CONSUMERS F. O. B. DEALERS YARDS

Geographical coverage	1 unit, 240 logs	½ unit, 120 logs	¼ unit, 60 logs	1/10 unit, 24 logs	1/20 unit, 12 logs
(i) King county, Pierce county, Whatcom county, Skagit county, Island county, Kitsap county...	$9.50	$4.85	$2.45	$1.00	$0.55
(ii) Snohomish county: Dealers located within Everett, Wash., and a 12-mile radius	8.00	4.10	2.10	.85	.45
(iii) Snohomish: Dealers located in Snohomish but outside of Everett and a 12 mile radius thereof..	8.75	4.80	2.30	.95	.50

DELIVERED TO THE PREMISES OF THE CONSUMER

(iv) King county, Pierce county, Whatcom county, Skagit county, Island county, Kitsap county...	10.50	5.75	3.15	1.45	.80
(v) Dealers located within Everett, Wash., and a 12-mile radius	9.00	5.00	2.75	1.20	.70
(vi) Snohomish county: Dealers located in Snohomish county but outside of Everett and a 12-mile radius thereof	9.75	5.40	2.95	1.40	.75

(c) *Definitions.* 1. As used herein "retail sale" means a sale by a person who buys Presto-Logs from the producer for resale to an ultimate consumer other than an industrial or a commercial user.

(d) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by the order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale,

(2) The name and address of the buyer and seller,

(3) The quantity of Presto-Logs sold,

(4) Place of sale (If the price is dependent on place of delivery, then the place of delivery shall be stated.), and

(5) The total price of the Presto-Logs.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(e) No seller shall evade any of the provisions of the order by changing his discounts, allowances, or other price differentials, unless such change results in a lower price.

(f) This order may be revoked, amended or corrected at any time.

This order shall become effective July 14, 1944.

NOTE: The record-keeping provisions of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of July 1944.

R. E. MORGAN,
Acting District Director.

[F. R. Doc. 44-11475; Filed, July 31, 1944; 1:36 p. m.]

[Region I Order G-9 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN BOSTON, MASS.

Order No. G-9 under Section 8 (a) (7) of Maximum Price Regulation No. 426.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 8 (a) (7) of Maximum Price Regulation No. 426: *It is hereby ordered:*

(a) The total amounts which may be added to the maximum basing point prices of the commodities listed for freight (including the transportation tax imposed by section 620 of the Revenue Act of 1942) and protective services for the purpose of determining maximum selling prices thereof in the City of Boston, Commonwealth of Massachusetts, shall be the amounts set forth in Table A hereof.

TABLE A—FREIGHT AND PROTECTIVE SERVICE FROM BASING POINT TO CITY OF BOSTON

Commodity	Standard container and minimum contents	Basing point	Season	Freight and protective service allowance per container
Carrots:				
Bunched	L. A. crate, 72 bunches	El Centro, Calif.	Jan. 16-Mar. 31	$1.30
	Any container, per dozen bunches	El Centro, Calif.	Jan. 16-Mar. 31	.25
	L. A. crate, 72 bunches	El Centro, Calif.	Apr. 1-May 31	1.60
	Any container, 12 bunches	El Centro, Calif.	Apr. 1-May 31	.26½
	L. A. crate, 72 bunches	Salinas, Calif.	June 1-Nov. 30	1.68
	Any container, 12 bunches	Salinas, Calif.	June 1-Nov. 30	.28
	L. A. crate, 72 bunches	Salinas, Calif.	Dec. 1-Jan. 15	1.58
	Any container, 12 bunches	Salinas, Calif.	Dec. 1-Jan. 15	.26½
Topped	50 pounds	El Centro, Calif.	Jan. 16-Mar. 31	.90
	50 pounds	El Centro, Calif.	Apr. 1-May 31	.95
	50 pounds	Salinas, Calif.	June 1-Nov. 30	1.00
	50 pounds	Salinas, Calif.	Dec. 1-Jan. 15	.95
Spinach	Bushel, 18 pounds net	Crystal City, Tex.	Sept. 1-June 30	.46
Green peas	Bushel, 28 pounds net	Calipatria, Calif.	Sept. 1-Mar. 31	.73
	Bushel, 28 pounds net	Santa Barbara, Calif.	Apr. 1-Aug. 31	.81
Snap beans	Bushel, 28 pounds net	Pompano, Fla.	Nov. 1-June 30	.63
Egg plant	1⅑ bushels, 45 pounds net	Fort Meyers, Fla.	Jan. 1-July 15	.83
	1 bushel, 30 pounds net	Fort Meyers, Fla.	Jan. 1-July 15	.57
Sweet peppers	1½ bushels, 45 pounds net	Pompano, Fla.	Jan. 1-May 4	.74
	1½ bushels, 37 pounds net	Pompano, Fla.	May 5-July 15	.74
	Bushel, 30 pounds net	Pompano, Fla.	Jan. 1-May 4	.52
	Bushel, 25 pounds net		May 5-July 15	.52
Cucumbers:				
Field grown	Bushel, 48 pounds net	Wachula, Fla.	Nov. 1-June 10	.81
	Bushel, 48 pounds net	Ponchatoula, La.	June 11-June 30	.85
	Lug, 28 pounds net	Wachula, Fla.	Nov. 1-June 10	.45
	Lug, 28 pounds net	Ponchatoula, Fla.	June 11-June 30	.47
Hothouse	Per pound	Davenport, Iowa		.0267
Cabbage	Per pound	Brownsville, Tex.	Dec. 1-Feb.	.0125
	Per pound	Brownsville, Tex.	Mar. 1-Apr. 30	.0125
	Per pound	Brookhaven, Miss.	May 1-May 31	.01
Lettuce	L. A. crate 4-6 dozen heads	Salinas, Calif.	All year	1.44
	60 pounds net, per pound	Salinas, Calif.	All year	.0165
Onions	50 pound bags	Massachusetts	July 15 thru Apr. 1945.	.11
	50 pound bags	Connecticut	July 15 thru Apr. 1945.	.13
	50 pound bags	New York	July 15 thru Apr. 1945.	.17
	50 pound bags	New Jersey	July 15 thru Apr. 1945.	.17
	50 pound bags	Michigan	July 15 thru Apr. 1945.	.29
	50 pound bags	Indiana	July 15 thru Apr. 1945.	.31
	50 pound bags	Ohio	July 15 thru Apr. 1945.	.29
	50 pound bags	Wisconsin	July 15 thru Apr. 1945.	.37
	50 pound bags	Minnesota		
	50 pound bags	Idaho	July 15 thru Apr. 1945.	.70
	50 pound bags	Colorado	July 15 thru Apr. 1945.	.60
	50 pound bags	Utah	July 15 thru Apr. 1945.	.63
	50 pound bags	Washington	July 15 thru Apr. 1945.	.75
	50 pound bags	California	July 15 thru Apr. 1945.	.81
	50 pound bags	Texas	July 15 thru Apr. 1945.	.66
	50 pound bags	Oregon	July 15 thru Apr. 1945.	.79

TABLE A—FREIGHT AND PROTECTIVE SERVICE FROM BASING POINT TO CITY OF BOSTON—Continued

Commodity	Standard container and minimum contents	Basing point	Season	Freight and protective service allowance per container
Potatoes, Sweet	50 pounds (green), 45 pounds (cured)	Sunset, La	All year	$0.52
Potatoes, White Flesh.	100 pound bag	California	All year	1.52
		North Carolina	All year	.50
		South Carolina	All year	.54
		Virginia	All year	.42
		New Jersey	All year	.34
		New York (Long Island)	All year	.30
		Massachusetts	All year	.20
		Connecticut	All year	.15
		New Hampshire	All year	.15
		Rhode Island	All year	.20
		Maine	All year	.40
Oranges:				
California and Arizona.	1⅗ bushels, standard container	Los Angeles, Calif	Nov. 16–Apr. 20	1.23
	1⅗ bushels, standard container	Los Angeles, Calif	May 1–Nov. 15	1.40
	Per pound, other containers	Los Angeles, Calif	Nov. 16–Apr. 30	.0173
	Per pound, other containers	Los Angeles, Calif	May 1–Nov. 15	.0180
Florida, "Indian River."	1⅗ bushels, standard container	Homestead, Fla	Sept. 1–Aug. 31	1.03
	Per pound, other containers	Homestead, Fla	Sept. 1–Feb. 29	.0117
	Per pound, other containers	Homestead, Fla	Mar. 1–Aug. 31	.0120
	Half box, half box bag, standard place pack.	Homestead, Fla	Sept. 1–Feb. 29	.515
	Half box, half box bag, standard place pack.	Homestead, Fla	Mar. 1–Aug. 31	.515
Florida and Texas, other than Florida, "Indian River."	1⅗ bushels, standard container	Homestead, Fla	Sept. 1–Aug. 31	1.03
	Per pound, other container	Homestead, Fla	Sept. 1–Feb. 29	.0118
	Per pound, other container	Homestead, Fla	Mar. 1–Aug. 31	.0111
	Half box, half box bag, Standard place pack.	Homestead, Fla	Sept. 1–Aug. 31	.515
Lemons, all States	1⅗ bushels, standard container	Los Angeles, Calif	Nov. 4–Apr. 30	1.24
	1⅗ bushels, standard container	Los Angeles, Calif	May 1–Oct. 31	1.38
	Per pound, other container	Los Angeles, Calif	Nov. 1–Apr. 20	.0160
	Per pound, other container	Los Angeles, Calif	May 1–Oct. 31	.0180
Tangerines, Temples, Kings, etc., Florida and Texas.	1⅗ bushels, standard container	Homestead, Fla	All year	1.04
	Half box, half box bag	Homestead, Fla	All year	.52
	Per pound, other container	Homestead, Fla	All year	.0120
Grapefruit:				
White, California and Arizona.	1⅗ bushels, standard container	Los Angeles, Calif	Nov. 1–Apr. 30	1.20
	1⅗ bushels, standard container	Los Angeles, Calif	May 1–Oct. 31	1.27
	Per pound, other container	Los Angeles, Calif	Nov. 1–Apr. 30	.0177
	Per pound, other container	Los Angeles, Calif	May 1–Oct. 31	.0189
White Florida, "Indian River".	1⅗ bushels, standard container	Homestead, Fla	Sept. 1–Aug. 31	1.03
	Per pound, other container	Homestead, Fla	Sept. 1–Feb. 29	.0125
	Per pound, other container	Homestead, Fla	Mar. 1–Aug 31	.0128
	Half box bag	Homestead, Fla	Sept. 1–Aug. 31	.515
Florida, Texas	1⅗ bushels, standard container	Homestead, Fla	Sept. 1–Aug. 31	1.03
	Per pound, other container	Homestead, Fla	Sept. 1–Feb. 29	.0133
	Per pound, other container	Homestead, Fla	Mar. 1–Aug. 31	.0125
	Half box bag	Homestead, Fla	Sept. 1–Aug. 31	.515
Pink California and Arizona.	1⅗ bushels, standard container	Los Angeles, Calif	Nov. 1–Apr. 30	1.21
	1⅗ bushels, standard container	Los Angeles, Calif	May 1–Oct. 31	1.27
	Per pound, other container	Los Angeles, Calif	Nov. 1–Apr. 30	.0172
	Per pound, other container	Los Angeles, Calif	May 1–Oct. 30	.0182
Florida, Texas	1⅗ bushels, standard container	Westlaco, Tex	Sept. 1–Aug. 31	1.14
	Per pound, other container	Westlaco, Tex	Sept. 1–Feb. 29	.0143
	Per pound, other container	Westlaco, Tex	Mar. 1–Aug. 31	.0139
Italian prunes	½ bushel, 28–32 pounds net, graded and packed.	Yakima, Wash	All year	.64
	Standard prune box, 15–17 pounds net, graded and packed.	Yakima, Wash	All year	.40
	Other containers, graded and packed, per pound	Yakima, Wash	All year	.0213
Apricots:				
California	Brentwood lug, graded and packed, 24–26 pounds net.	Sacramento, Calif	All year	.56
	Any other container, graded and packed.	Sacramento, Calif	All year	.0228
All other States	North West lug, graded and packed, 13–15 pounds net.	Yakima, Wash	All year	.36
	Any other containers, graded and packed, per pound.	Yakima, Wash	All year	.0257

TABLE A—FREIGHT AND PROTECTIVE SERVICE FROM BASING POINT TO CITY OF BOSTON—Continued

Commodity	Standard container and minimum contents	Basing point	Season	Freight and protective service allowance per container
Plums:				
3 x 4	4 basket crate, 29–32 pounds net	Sacramento, Calif	All year	$0.69
3 x 4 x 4				
4 x 4	4 basket crate, 28–32 pounds net	Sacramento, Calif	All year	.66
3 x 4 x 5	4 basket crate, 26–30 pounds net	Sacramento, Calif	All year	.66
4 x 5	4 basket crate, 26–30 pounds net	Sacramento, Calif	All year	.60
5 x 5	4 basket crate, 24–28 pounds net	Sacramento, Calif	All year	.55
5 x 6				
6 x 6				
Melons:				
Cantaloupe or Honeyball.	Jumbo crate, 83 pounds net	Mendota, Calif	July 26–Nov. 26	1.92
California, Arizona	Standard crate, 68 pounds net	Mendota, Calif	July 26–Nov. 26	1.67
	Per pound, any other container	Mendota, Calif	July 26–Nov. 26	.0231
Cantaloupe or Honeyball:				
Colorado, New Mexico and Utah.	Per pound, any other container	Mendota, Calif	July 26–Nov. 26	.0266
Oregon, Washington.	Per pound, any other container	Mendota, Calif	July 26–Nov. 26	.0208
Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan and Oklahoma.	Per pound, any other container	Mendota, Calif	July 26–Nov. 26	.0208
Georgia, Ohio, North Carolina, South Carolina.	Per pound, any other container	Mendota, Calif	July 26–Nov. 26	.0204
Delaware, Maryland, New York, New Jersey.	Per pound, any other container	Mendota, Calif	July 26–Nov. 26	.0202
Honeydew	Jumbo Honeydew, crate, 39 pounds net.	Mendota, Calif	July 26–Nov. 26	1.10
	Standard, 39 pounds net	Mendota, Calif	July 26–Nov. 26	1.01
	Jumbo Cantaloupe, crate 58 pounds net.	Mendota, Calif	July 26–Nov. 26	1.92
	Any other container, per pound	Mendota, Calif	July 26–Nov. 26	.0282
Persian	Jumbo crate, 43 pounds net	Mendota, Calif	July 26–Nov. 26	1.31
	Standard crate, 37 pounds net	Mendota, Calif	July 26–Nov. 26	1.06
	Pony crate, 35 pounds net	Mendota, Calif	July 26–Nov. 26	.87
	Per pound, any other container	Mendota, Calif	July 25–Nov. 26	.0243
Casaba	Jumbo crate, 42 pounds net	Mendota, Calif	July 26–Nov. 26	1.10
	Standard crate, 42 pounds net	Mendota, Calif	July 26–Nov. 26	1.01
	Any other container, per pound	Mendota, Calif	July 26–Nov. 26	.0261
Crenshaw	Jumbo crate, 40 pounds net	Mendota, Calif	July 26–Nov 26	1.10
	Standard crate, 40 pounds net	Mendota, Calif	July 26–Nov. 26	1.01
	Per pound, any other container	Mendota, Calif	July 26–Nov. 26	.0275

(b) This order applies in the City of Boston, Commonwealth of Massachusetts.

(c) This order may be revoked, amended or corrected at any time.

This order becomes effective on July 26, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, R.G.O. 51, 8 F.R. 408)

Issued this 24th day of July 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–11535; Filed, August 1, 1944; 12:32 a. m.]

[Region V Order G–2 Under MPR 251]

CONSTRUCTION SERVICES AND EQUIPMENT IN MIAMI, OKLA.

Order No. G–2 under Maximum Price Regulation 251. Construction and Maintenance Services and Sales of Building and Industrial Equipment and Materials on an Installed or Erected Basis.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region V, Dallas, Texas, by § 1397.68 (b) of Maximum Price Regulation No. 251, *It is hereby ordered:*

(a) The maximum prices which sellers of plumbing, heating, electrical, electrical

refrigeration and pump repair services supplied in the town of Miami, Oklahoma, may charge are established to be as follows:

Service:	*Customer's hourly charge per man*
Plumbing	$1.55
Heating	1.55
Electrical	1.55
Electric refrigeration	1.80

Service:	*Customer's hourly charge for 2 men*
Pump repairs	$3.10

(b) Maximum prices hereinabove established in section (a) may be charged only when the following conditions are met and complied with:

(1) The hourly wage rate paid mechanics shall not be less than the following schedule:

Service:	*Hourly wage rates*
Plumbing	$1.00
Heating	1.00
Electrical	1.00
Electric refrigeration	1.00
Pump repairs (2 men)	2.00

(2) The seller performs the work described above within the area of Miami, Oklahoma.

(3) The seller employs less than eight employees and is not subject to jurisdiction of the War Labor Board in regard to wages paid to his employees.

(4) The seller continues his business practices and other trade discounts or differentials, as required by Maximum Price Regulation No. 251.

(5) For services not above specifically enumerated and priced a seller must continue to charge his present maximum prices as properly computed under the provisions of Maximum Price Regulation No. 251.

(c) Any person determining maximum prices subject to this order shall submit such reports as the Office of Price Administration from time to time may require.

(d) This Order No. G–2 is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(e) This order No. G–2 shall become effective July 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 22d day of July 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44–11536; Filed August 1, 1944; 12:32 p. m.]

[Region VI Order G–2 Under SR 14B]

SUNKIST BAKING CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. G–2 establishing maximum prices under Supplementary Regulation No. 14B to the General Maximum Price Regulation. For sales of bread manufactured by Sunkist Baking Company, Rock Island, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 10 of Supplementary Price Regulation No. 14B to the General Maximum Price Regulation; *It is ordered:*

1. The maximum prices for sales of bread at wholesale and retail manufactured by the Sunkist Baking Company of Rock Island, Illinois, shall be as follows:

"Sunkist" brand	Wholesale	Retail
20-ounce white	$0.09	$0.11
20-ounce sandwich	.09	.11
16-ounce Westhart	.09	.11
16-ounce whole wheat	.09	.11
16-ounce rye	.09	.11
16-ounce Vienna	.095	.12

2. *Definitions.* (a) "Sale at retail" shall mean a sale to an ultimate consumer.

(b) "Sale at wholesale" shall mean sales to retail stores, restaurants, and schools, hospitals, prisons and other institutions.

3. *Relation to Office of Price Administration regulations.* Except as modified herein, the provisions of Supplementary Regulation No. 14B to the Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business of trade practices in effect during the base period established by that regulation.

4. *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective July 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–11534; Filed, August 1, 1944; 12:32 p. m.]

[Region VI Order G–14 Under RMPR 122, Amdt. 8]

SOLID FUELS IN MILWAUKEE COUNTY, WIS.

Amendment No. 8 to Order No. G–14 Under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G–14, as issued and amended under Maximum Price Regulation No. 122, is amended by adding the following sentence as a part of and immediately following the price schedules appearing in paragraph (c) of the order:

Whenever a dealer selling coal at the dock purchases raw coal from a producer or supplier and subjects that coal to an oil treatment against dust at the dock, that dealer, in selling the coal so treated by him, may add to the applicable maximum prices set by this order, as amended, a treatment charge not in excess of 10 cents per ton: *Provided,* That such an addition may be made only with respect to those sales in which the purchaser requests oil treated coal: *And further provided,* That the treatment charge so made shall be stated separately from all other items on the dealer's invoice.

This amendment No. 8 to Order No. G–14 shall become effective July 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–11537; Filed, August 1, 1944; 12:32 p. m.]

[Region VI Order G–16 Under RMPR 122]

SOLID FUELS IN CHICAGO REGION

Order No. G–16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels within certain specified areas in Region VI.

Under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, and § 1340.209 of Maximum Price Regulation No. 120, and for the reasons set forth in an opinion issued simultaneously herewith, this Order No. G–16 is issued.

SECTION (a) *What this order does.* This order establishes dollars-and-cents maximum prices for, and provisions generally applicable to the pricing of, certain solid fuels, when sold in specified areas in Region VI.

The body of this order contains the general provisions which are applicable to all of the appendices hereto. The special provisions and specific prices applicable in particular areas will be set forth in appendices hereto, each of which will be issued as a part of this order and each of which will be numbered. Insofar as any provision contained in any appendix may be inconsistent with any provision contained in the body of this order, the provision contained in the appendix shall be controlling in the area governed by that appendix.

Where the applicable appendix does not contain a maximum price for a kind of sale or a specific kind, size or type of solid fuel, the maximum price shall be determined by the appropriate provisions of Revised Maximum Price Regulation No. 122.

SEC. (b) *Applicability of other regulations.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122. Insofar as any provision in this order may be inconsistent with any provision

of Revised Maximum Price Regulation No. 122, the provision contained in this order shall be controlling in the area governed by this order.

Dealers whose prices are established by this order are not required to file reports under § 1340.262 (c) of Revised Maximum Price Regulation No. 122 for those solid fuels for which specific maximum prices are established herein.

SEC. (c) *Geographical applicability.* (1) Specific maximum prices, established on a delivered basis by any appendix to this order, shall apply when delivery is received within the area covered by that appendix, regardless of whether or not the dealer is located within that area.

(2) Specific maximum prices which are established by an appendix to this order for sales at fixed locations (e. g. "yard sales," sales f. o. b. transportation at a dealer's yard or dock or sales at retail stores), shall apply to all such sales at points located in the area covered by the applicable Appendix, regardless of the ultimate destination of the fuel.

SEC. (d) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers making sales subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules, regulations, or orders thereunder. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. (e) *Enforcement.* Persons violating any provision of this order are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. (f) *What this order prohibits.* Regardless of any contract or other obligation, no person shall do any of the following:

(1) Sell, or, in the course of trade or business buy, solid fuels of the kinds and sizes covered by this order, at prices higher than the maximum prices established in the applicable appendix;

(2) Grant any discounts in lesser amounts or on less favorable terms than those specifically required by an applicable appendix;

(3) Charge for any service for which a charge is not specifically authorized by an applicable appendix;

(4) Charge more for a service than the amount authorized by an applicable appendix;

(5) Increase the maximum prices established herein to reflect, in whole or in part, increases in purchase costs or in suppliers' maximum prices. (It is within the discretion of the Regional Administrator to alter the maximum prices established herein to reflect any changes in the prices paid by dealers to their suppliers).

(6) Obtain a higher than maximum price by:

(i) Charging for a service not expressly requested by the buyer; or

(ii) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by any agency of the government of the United States of America; or,

(iii) Making any charge for the extension of credit except pursuant to the provisions of an applicable appendix; or

(iv) Using any other device by which a price higher than the established maximum price is obtained, either directly or indirectly.

SEC. (g) *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

SEC. (h) *Transportation tax.* With respect to any sales subject to this order, the dealer may, provided he states it separately, collect, in addition to the specified maximum price established herein, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any State government or any political subdivision thereof; *And provided further,* That no part of that tax may be collected in addition to the maximum price, on sales of lesser quantities than one-quarter ton or any sales of any quantity of bagged fuel.

SEC. (i) *Records.* (1) Each dealer shall continue to preserve for examination by the Office of Price Administration all his existing records relating to:

(i) The prices he charged on deliveries made by him during December, 1941;

(ii) His offering prices (as defined in Rule 1A of § 1340.254 of Revised Maximum Price Regulation No. 122) for delivery during the period December 15–31, 1941;

(iii) His customary allowances, discounts and other price differentials;

(iv) His charges for all special services and rates of interest on all forms of debts during December, 1941;

(v) The prices charged to him by all of his suppliers during the last month of 1941 in which he received each different size, kind and quality of solid fuel.

(2) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

SEC. (j) *Posting of maximum prices.* Every dealer making sales subject to this order shall post, in his place of business in a manner plainly visible to and understandable by the purchasing public, all of the maximum prices established hereby which apply to the types of sales made by him, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include discounts, service charges, credit terms, and all other terms of sale.

SEC. (k) *Sales slips and receipts.* (1) Every dealer making a sale subject to this order shall give to the purchaser an invoice or similar document showing:

(i) The date of the sale or delivery;

(ii) The name and address of the dealer;

(iii) The name and address of the buyer;

(iv) The kind, size and quantity of the solid fuel sold;

(v) The price charged;

(vi) The terms of sale; and

(vii) A statement, stated separately on the invoice, of any special services rendered and any other charges made, and the amounts charged therefor.

(2) In the case of all other sales, every dealer who, during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(3) Paragraph "(1)" above shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales: *Provided, however,* That in the case of a sale of bagged fuel, the invoice required by paragraph "(1)" shall be given on all sales to dealers and retail stores. The invoice given shall show both the price per bag and the total charge.

SEC. (l) *Definitions.* When used in this order, except where otherwise provided in an appendix hereto, the following terms shall have the meanings as set forth below. These definitions include only those terms which are used generally in this order and in a number of appendices. When necessary, other terms which are used in a particular appendix will be specifically defined therein. If any definition contained in any appendix is inconsistent with any definition contained in this order, the definition contained in the appendix shall be controlling in the area governed by that appendix.

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Dealer" means any person selling solid fuel, except a producer or distributor making sales at or from a mine, a preparation plant operated as an ad-

junct of any mine, a coke oven, or a briquette plant.

(3) "Sell" includes sell, dispose, barter, exchange, supply, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly.

(4) Whenever in this order or any appendix hereto, reference is made to "price classification," "minimum price schedule," "P. G. (production group)," "S. G. (size group)," "price group," "district No.," "sub-district," or "freight origin district," the reference shall be construed to have the meaning, definition, force and effect given those terms under the Bituminous Coal Act of 1937, or under any order, schedule, rule or regulation issued by the Bituminous Coal Division of the U. S. Department of the Interior and established or in effect as of midnight, August 23, 1943.

(5) "Delivery" or "delivered" refers to the dumping or chuting of fuel from the seller's vehicle directly into the buyer's bin or storage space; but, if this is physically impossible, the terms refer to the discharge of the fuel directly from the seller's vehicle at a point where this can be done and which is nearest and most accessible to the buyer's bin or storage space.

(6) "Yard sales" means deliveries made by the dealer in his customary manner at his yard or by any means other than by direct delivery.

(7) "Domestic sales" shall mean all sales of solid fuel other than commercial sales.

(8) "Carry," "wheel-in," "carry up or downstairs," "carry from curb," or "carry from curb up or downstairs" refers to the movement of fuel to the buyer's bin or storage place from the vehicle from which delivery is made or from the point of discharge therefrom, when the physical condition of the premises is such as to prevent dumping or unloading directly into the bin or storage space.

(9) "Mow-back," "pull-back," or "trimming" means to arrange and place fuel in the buyer's bin or storage place by rehandling the same for the purpose of filling the bin or storage place, and applies only to the amount of fuel actually rehandled.

(10) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(11) "High volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(12) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(13) "Egg," "stove," "stoker," etc., sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943. Where the applicable minimum price schedule does not make specific mention of any size designated in this order, such size designation shall refer to the size of bituminous coal sold as such during December, 1941, in the area covered by the appendix containing the price schedule.

(14) "Egg," "stove," "nut," etc., sizes of bituminous coal received via the Great Lakes refer to the sizes of coal sold at the docks under such designations during December, 1941.

(15) "Egg," "stove," "nut," "chestnut," etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee and effective December 15, 1941.

(16) Except as otherwise provided herein, or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942, as amended.

SEC. (m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order, including any provision of any appendix to this order, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator of the Chicago Regional Office of the Office of the Price Administration.

SEC. (n) *Power to amend, revoke, correct, or modify.* This order, or any provision thereof, including all or any portion of any appendix hereto, may be revoked, modified, amended, or corrected at any time.

This order No. G-16 shall become effective July 29th, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681; 57 Stat. 566, Pub. Law 383, 78th Cong.)

Issued this 24th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11538; Filed, August 1, 1944; 12:33 p. m.]

[Region II Order G-15 Under MPR 329]

FLUID MILK IN NEW YORK

Order No. G-15 under Maximum Price Regulation No. 329, as amended. Purchases of milk from producers for resale as fluid milk. Adjustment of the maximum prices for purchases of fluid milk from producers in the State of New York.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, as amended, and with the approval of the Regional Director of the Office of Distribution for the Northeastern Region of the War Food Administration; *It is hereby ordered:*

(a) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer fluid milk with a butterfat content of 3.5%, f. o. b. a receiving or processing plant within the State of New York, except those receiving or processing plants listed in paragraph (b) below, shall be:

(1) The uniform price per cwt. as computed and announced by the Market Administrator pursuant to the terms and provisions of Order No. 27, as presently amended, as described in paragraph (b) (1) (ii) hereof,

(2) Plus or minus the applicable transportation differential for each receiving or processing plant as set forth in Column B of the schedule in § 927.4 (c) (1) of said Order No. 27, as presently amended,

(3) Plus 5¢ per cwt.,

(4) Plus or minus 4¢ per cwt. for each 1/10 of 1% butterfat content in excess of or below 3.5%, as the case may be,

(5) Plus 25¢ per cwt. for fluid milk purchased or received at a receiving or processing plant located within the following counties in the State of New York: Columbia, Dutchess, Orange, Putnam or Rockland.

(b) The provisions of paragraph (a) shall not be applicable to:

(1) Those receiving or processing plants located within the State of New York operating under or directly subject to:

(i) Order No. 4, as presently amended, issued by the United States Secretary of Agriculture, and amended by the War Food Administrator, entitled "Order, as amended, regulating the handling of milk in the greater Boston, Massachusetts, Marketing Area";

(ii) Order No. 27, as presently amended, issued by the United States Secretary of Agriculture, and amended by the War Food Administrator, entitled "Order, as amended, regulating the handling of milk in the New York Metropolitan Marketing Area"; or

(iii) Order No. 61, as presently amended, issued by the United States Secretary of Agriculture and entitled "Order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, Marketing Area"; or

(2) Those receiving or processing plants located within the State of New York operating under or directly subject to:

(i) Revised Official Order No. 127, issued by the New York State Commissioner of Agriculture and Markets and entitled "Compilation of Revised Official Order No. 127 regulating the handling of milk in the Niagara Frontier Milk Marketing Area, as in effect July 1, 1944"; or

(ii) Revised Official Order No. 129, issued by the New York State Commissioner of Agriculture and Markets and entitled "Compilation of Revised Official Order No. 129, regulating the handling of milk in the Rochester Milk Marketing Area, as in effect July 1, 1944"; or

(3) Those receiving or processing plants located within either the "Niagara Frontier Milk Production Area", or the "Rochester Milk Production Area", as hereinafter defined.

(c) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer fluid milk at a receiving or processing plant within the State of New York, operating under or directly subject to said Orders Nos. 4, 27 and 61, all as presently amended, issued by the United States Secretary of Agriculture, and Revised Orders Nos. 127 and 129, as in effect July 1, 1944, issued by the New York State Commissioner of Agriculture and Markets, shall be determined under the provisions of Maximum Price Regulation No. 329, as amended.

(d) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer fluid milk with a butterfat content of 3.5% f. o. b. a receiving or processing plant within the "Niagara Frontier Milk Production Area", as hereinafter defined, shall be the uniform price per cwt. as announced by the New York State Commissioner of Agriculture and Markets in accordance with the terms and conditions of said Revised Order No. 127, as in effect July 1, 1944, plus or minus 4¢ for each 1/10 of 1% butterfat content in excess of or below 3.5% as the case may be.

(e) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer fluid milk with a butterfat content of 3.5% f. o. b. a receiving or processing plant within the "Rochester Milk Production Area", as hereinafter defined, shall be the uniform price per cwt. as announced by the New York State Commissioner of Agriculture and Markets in accordance with the terms and conditions of said Revised Order No. 129, as in effect July 1, 1944, minus fifteen cents per cwt., plus or minus 4¢ for each 1/10 of 1% butterfat content in excess of or below 3.5% as the case may be.

(f) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer, whose farm is located in the State of New York, fluid milk with a butterfat content of 3.5%, f. o. b. a receiving or processing plant outside the State of New York, except those receiving or processing plants operating under or directly subject to Federal Milk Marketing Orders Nos. 4, 27 or 61 regulating the Boston, New York, and Philadelphia markets, and except purchases from those producers described in paragraph (g) below, shall be,

(1) The uniform price per cwt. as computed and announced by the Market Administrator pursuant to the terms and provisions of said Order No. 27, as presently amended,

(2) Plus 5¢ per cwt.

(3) Plus or minus 4¢ per cwt. for each 1/10 of 1% butterfat content in excess of or below 3.5%, as the case may be,

(4) Minus transportation charges for hauling such fluid milk from the producer's farm in the State of New York to the nearest receiving or processing plant located within the State of New York, not to be less than the lowest of the following:

(i) The lowest available common carrier rate, or

(ii) The lowest available contract carrier rate, or

(iii) The reasonable value of such transportation,

(5) Plus transportation charges from the producer's farm in the State of New York to the receiving or processing plant outside the State of New York, not to exceed the lowest of any of the following:

(i) The lowest available common carrier rate, or

(ii) The lowest available contract carrier rate, or

(iii) When transportation is provided in trucks owned or controlled by the seller, the reasonable value of such transportation from the producer's farm to the receiving or processing plant of the purchaser,

Provided, however, That, where the purchaser receives the milk f. o. b. the producer's farm in the State of New York, the transportation charges set forth in this paragraph may not be added.

(g) The provisions of paragraph (f) shall not be applicable to purchases of fluid milk from:

(1) Those producers who held permits to, and who actually did ship fluid milk into the State of Connecticut during the month of June, 1944, and whose farms are located in the towns of Ancram, Chatham, Clancrack, Copake, Ghent, Hillsdale, Hudson, Kinderhook, Livingston, Stockport, Taghanic, Canaan, Greenport and Austerlitz in Columbia County; the towns of Amenia, Beckman, Dover, East Fishkill, La Grange, North East, Pawling, Pine Plains, Stanford, Unionvale and Washington in Dutchess County; the towns of Carmel, Kent, Patterson and South East in Putnam County; and the towns of Bedford, Lewisboro, North Salem and Poundridge, Somers and Yorktown in Westchester County; all in the State of New York, and

(2) Those producers whose farms are located in the State of New York and who actually did ship fluid milk into the following states during the month of June, 1944: Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

(h) *Definitions.* (1) "Fluid Milk" means liquid cows' milk in a raw, unprocessed state which is purchased for resale for human consumption as fluid milk, and at least satisfying the minimum butterfat content, sanitary and health requirements established by the appropriate governmental authorities.

(2) "F. o. b. purchaser's receiving or processing plant" means delivery to a receiving or processing plant which is either owned by the purchaser, or in which, with respect to the particular purchase, fluid milk purchased from the producer is actually received by such purchaser.

(3) "Niagara frontier milk production area" means the counties of Orlean and Wyoming; the county of Genessee, except the towns of Bergen, Leroy and Pavilion; the towns of Hanover and Villenova in the county of Chautauqua; the towns of Perrysburg, Dayton, Persia, Otto, East Otto, Ashford, Yorkshire and Freedom in the county of Cattaraugus; and the counties of Niagara and Erie, except those portions thereof defined as the Niagara Frontier Marketing Area in Revised Official Order No. 127, issued by the New York State Commissioner of Agriculture and Markets and entitled "Compilation of Revised Official Order No. 127 regulating the handling of milk in the Niagara Frontier Milk Marketing Area, as in effect July 1, 1944".

(4) "Rochester milk production area" means the towns of Bergen, Leroy and Pavilion in the county of Genessee; the towns of Caledonia, York, Lancaster, Avon, Genessee, Lima and Livonia in the county of Livingston; the towns of West Bloomfield, Victor, East Bloomfield, Farmington and Manchester in the county of Ontario; the towns of Ontario, Walworth, Macedon, Williamson, Marion, Palmyra, Sodus, Arcadia and Lyons in the county of Wayne; and the county of Monroe, except that portion thereof defined as the Rochester Marketing Area in Revised Official Order No. 129 issued by the New York State Commissioner of Agriculture and Markets and entitled "Compilation of Revised Official Order No. 129, regulating the handling of milk in the Rochester Marketing Area, as in effect July 1, 1944".

(i) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms herein.

(j) Order No. G-12 under Maximum Price Regulation No. 329, as amended, issued January 28, 1944, is hereby revoked.

(k) This order may be revoked, amended or corrected at any time.

This order shall become effective August 1st, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved this 31st day of July 1944.

F. D. CRONIN,
Regional Director,
Office of Distribution for the Northeastern Region of the War Food Administration.

[F. R. Doc. 44-11549; Filed, August 1, 1944; 4:56 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 1, 1944.

REGION I

Providence Order 7, Amendment 1, covering dry groceries and perishables in State of

Rhode Island except New Shoreham, filed 9:49 a. m.

REGION II

Albany Order 1–F, Amendment 17, covering fresh fruits and vegetables in certain cities in New York, filed 9:49 a. m.

Erie Order 12–F, covering fresh fruits and vegetables in Erie, Pa., filed 9:45 a. m.

New York Order 6–F, covering fresh fruits and vegetables in Nassau & Westchester Counties, N. Y., filed 9:41 a. m.

Philadelphia Order 2–F, covering fresh fruits and vegetables in Norristown, Montgomery Co. & Delaware Co., Pa., filed 9:44 a. m.

Philadelphia Order 3–F, covering fresh fruits and vegetables in certain cities, towns and boroughs of Pennsylvania, filed 9:45 a. m.

Pittsburgh Order 1–F, Amendment 16, covering fresh fruits and vegetables in certain communities surrounding Pittsburgh and Pittsburgh, filed 9:56 a. m.

Syracuse Order 1–F, Amendment 17, covering fresh fruits and vegetables in certain areas in New York, filed 9:56 a. m.

REGION III

Cincinnati Order 1–F, Amendment 41, covering fresh fruits and vegetables in Co. of Hamilton, Ohio, filed 9:52 a. m.

Detroit Order 1–F, Amendment 29, covering fresh fruits and vegetables in designated counties in Michigan, filed 9:53 a. m.

Lexington Order 1–F, Amendment 40, covering fresh fruits and vegetables in Fayette Co., Ky., filed 10:01 a. m.

Lexington Order 2–F, Amendment 34, covering fresh fruits and vegetables in Campbell and Kenton Counties, Ky., filed 10:02 a. m.

Lexington Order 3–F, Amendment 31, covering fresh fruits and vegetables in Boyd Co., Ky., filed 10:02 a. m.

Louisville Order 1–F, Amendment 4, covering fresh fruits and vegetables in Jefferson, Clark and Floyd Counties, Ind., filed 9:50 a. m.

Louisville Order 2–F, Amendment 4, covering fresh fruits and vegetables in McCracken Co., Ky., filed 9:50 a. m.

Louisville Order 3–F, Amendment 4, covering fresh fruits and vegetables in Daviess and Henderson Counties, Ky., filed 9:50 a. m.

REGION IV

Jacksonville Order 6–F, Amendment 13, covering fresh fruits and vegetables in Jacksonville, Fla., filed 9:55 a. m.

Jacksonville Order 7–F, Amendment 13, covering fresh fruits and vegetables in certain cities and towns of Florida, filed 10:04 a. m.

Nashville Order 3–F, Amendment 25, covering fresh fruits and vegetables in named counties in Virginia, filed 9:55 a. m.

Memphis Order 4–F, Amendment 44, covering fresh fruits and vegetables in Memphis and Shelby Counties, Tenn., filed 9:53 a. m.

Roanoke Order 3–F, Amendment 5, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:54 a. m.

Roanoke Order 4–F, Amendment 4, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:54 a. m.

Roanoke Order 5–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:54 a. m.

REGION V

Wichita Order 4–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Wichita District, filed 9:58 a. m.

REGION VI

Chicago Order 2–F, Amendment 21, covering fresh fruits and vegetables in certain counties in Indiana, filed 9:49 a. m.

Chicago Order 3–W, covering dry groceries in certain counties in Indiana and Illinois, filed 9:47 a. m.

La Crosse Order 1–F, Amendment 26, covering fresh fruits and vegetables in La Crosse, Wis., and Winona, Minn., filed 9:48 a. m.

La Crosse Order 3–F, Amendment 22, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wis., filed 9:48 a. m.

La Crosse Order 4–F, Amendment 22, covering fresh fruits and vegetables in Sparta, Wis., filed 9:47 a. m.

La Crosse Order 5–F, Amendment 22, covering fresh fruits and vegetables in Rochester, Minn., filed 9:46 a. m.

Milwaukee Order 2–F, Amendment 25, covering fresh fruits and vegetables in Dane County, filed 9:57 a. m.

Milwaukee Order 3–F, Amendment 25, covering fresh fruits and vegetables in Milwaukee Co., Racine and Kenosha, filed 9:58 a. m.

Milwaukee Order 5–F, Amendment 24, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, filed 9:57 a. m.

Peoria Order 1–F, Amendment 10, covering fresh fruits and vegetables in certain counties in Illinois, filed 9:59 a. m.

Peoria Order 2–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Illinois, filed 9:59 a. m.

Peoria Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain cities in Illinois, filed 10:00 a. m.

Peoria Order 3–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Illinois, filed 10:00 a. m.

Peoria Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain cities in Illinois, filed 10:01 a. m.

Springfield Order 7–F, covering fresh fruit and vegetable prices in the Springfield District, filed 9:44 a. m.

REGION VIII

Phoenix Adopting Order 1, Amendment 2, covering community food prices in the "Kingman Area", filed 9:40 a. m.

Phoenix Adopting Order 2, Amendment 2, covering community food prices in the Mohave Area, filed 9:41 a. m.

Phoenix Order 3–W, Amendment 1, covering dry groceries in the Yuma Area, filed 9:40 a. m.

Phoenix Order 4–W, Amendment 1, covering dry groceries in the Kingman-Mohave Area, filed 9:40 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–11582; Filed, August 2, 1944; 11:37 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–910]

CONSOLIDATED ELECTRIC AND GAS CO. AND PORTSMOUTH GAS CO.

ORDER POSTPONING HEARING AND DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of July, A. D. 1944.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and Portsmouth Gas Company ("Portsmouth"), its subsidiary, having hereto filed declarations or applications (or both) pursuant to the Public Utility Holding Company Act of 1935 regarding the proposed sale by Portsmouth to Allied New Hampshire Gas Company of all of its properties and other assets (except certain minor claims), the liquidation of Portsmouth, and the use of the proceeds of said sale by Consolidated (which owns all of the securities of Portsmouth) for the retirement of certain of its debt securities presently outstanding; and

The Commission having directed by order of July 24, 1944 that a hearing be held on August 4, 1944 in respect of the applications and declarations; and

Consolidated having requested that the hearing be postponed to August 7, 1944, and the Commission having considered the request and finding that it is appropriate to grant the requested postponement:

It is ordered, That the hearing in this matter previously set for August 4, 1944, at 10:00 a. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the Hearing Room Clerk in Room 318 will at that time advise, be, and the same is hereby, postponed to August 7, 1944 at the same hour and place.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing in lieu of the trial examiner heretofore designated. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–11589; Filed, August 1, 1944; 3:02 p. m.]

[File No. 70–867]

ENGINEERS PUBLIC SERVICE COMPANY

SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 31st day of July, A. D. 1944.

The Commission having on April 14, 1944 issued its findings and opinion and order (Holding Company Act Release No. 4997) permitting to become effective the declaration, as amended, of Engineers Public Service Company (Engineers), a registered holding company, pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder, regarding the expenditure of not more than $4,000,000 for the reacquisition of its outstanding preferred stocks by open market purchases or private purchases, said order imposing certain terms and conditions, including the condition that no purchases were to be made after four months from the date of order, subject, however, to the right of Engineers to

apply for an extension or extensions of said period; and

Engineers now having filed on July 22, 1944 a post-amendment to its declaration, as amended, requesting an extension of four months to December 14, 1944 of the time within which to complete the reacquisition program ($2,487,356.25 having been expended as of July 22, 1944, under the same terms and conditions as set forth in the order of April 14, 1944; and

The Commission having considered the request for extension and being duly advised in the premises:

It is ordered, That the requested extension to December 14, 1944 of the time within which to complete the reacquisition program be, and the same is hereby, granted, subject otherwise to the terms and conditions set forth in the order of April 14, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11556; Filed August 2, 1944; 10:51 a. m.]

[File Nos. 70-7 and 70-25]

COLUMBIA GAS AND ELECTRIC CORP., ET AL.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of July, 1944.

In the matter of Columbia Gas & Electric Corporation, The Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company, Greensboro Gas Company, and Fayette County Gas Company, File Nos. 70-7; 70-25.

Joint applications and declarations and amendments thereto having been filed with this Commission by Columbia Gas & Electric Corporation, a registered holding company, and certain of its subsidiaries, The Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company, Greensboro Gas Company and Fayette County Gas Company, pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder regarding the merger of The Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company, and Greensboro Gas Company to form Manufacturers Light and Heat Company, a new corporation, which will acquire the assets and assume the liabilities of Fayette County Gas Company, the latter thereupon to be dissolved, and other related transactions; and

The Commission having by order dated June 23, 1944 granted the applications and permitted the declarations to become effective subject to the terms and conditions prescribed in Rule U-24, which rule provides in part that, unless otherwise requested, the transactions proposed be carried out within sixty days of the Commission's order granting the applications and permitting the declarations to become effective; and

The applicants and declarants having advised the Commission of their unexpected inability to effectuate the proposed transactions within the sixty-day period provided by Rule U-24 due to the time required in order to comply with certain statutory regulations of the States of Ohio, Pennsylvania and West Virginia wherein the new corporation proposes to do business; and having requested that the terms and conditions of said rule be modified to the extent necessary to extend the time within which the transactions, as set forth in the applications and declarations, may be consummated; and the Commission deeming it appropriate that such request be granted;

It is ordered, That the terms and conditions contained in our order of June 23, 1944 (Holding Company Act Release No. 5128) be, and hereby are, modified to the extent necessary to extend the time within which such transactions may be consummated to November 20, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11557; Filed, August 2, 1944; 10:51 a. m.]

WAR PRODUCTION BOARD.

C. A. WAITE CO.

CONSENT ORDER

C. A. Waite and E. J. Carroll, individually, and doing business as C. A. Waite Company, operating a steel warehouse at 3201 Penn Avenue, Pittsburgh, Pennsylvania, were found on investigation by the War Production Board to have exceeded their quota in the amount of about 900 tons of carbon steel between March 1, 1942, and March 31, 1943, inclusive, in accepting deliveries into their steel warehouse stock of Schedule "A" products, namely, No. 7 Hot Rolled Bars-Carbon and No. 10 Cold Finished Bars, in violation of Supplementary Order M-21-b. C. A. Waite and E. J. Carroll, individually, and doing business as C. A. Waite Company, admit the receipt of steel into warehouse stock in excess of their quota, as stated, and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of C. A. Waite and E. J. Carroll, individually, and doing business as C. A. Waite Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner. *It is hereby ordered*, That:

(a) C. A. Waite and E. J. Carroll, individually, and doing business as C. A. Waite Company, or under any other name, their successors and assigns, shall not directly or indirectly order for delivery to or receive into their warehouse stock from producers, other distributors, holders of excess and idle stocks or any other source of supply, general steel products as defined in General Preference Order M-21-b-1, unless hereafter specifically authorized in writing by the War Production Board. These restrictions shall apply to the successors and assigns of C. A. Waite and E. J. Carroll, individually, and doing business as C. A. Waite Company.

(b) The provisions of this consent order shall not restrict said C. A. Waite and E. J. Carroll, individually, and doing business as C. A. Waite Company, from placing authorized controlled material orders for steel and from accepting delivery of steel for use in their present business of manufacturing steel forgings.

(c) Nothing contained in this order shall be deemed to relieve C. A. Waite and E. J. Carroll, individually, and doing business as C. A. Waite Company, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect as of August 1, 1944, and shall expire October 29, 1944.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11552; Filed, August 1, 1944; 4:49 p. m.]

WAR SHIPPING ADMINISTRATION.

"ALBATROSS"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on February 21, 1943, title to the vessel *Albatross*, (236246), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner, * * *; and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

[SEAL] E. S. LAND,
Administrator.

AUGUST 1, 1944.

[F. R. Doc. 44-11594; Filed August 2, 1944; 11:51 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 155

Washington, Friday, August 4, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79, Amdt. 3]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

War Food Order No. 79, amended, 9 F.R. 4321, 4319 (formerly known as Food Distribution Order No. 79, issued by the War Food Administrator on September 7, 1943, as amended, 8 F.R. 12426, 13283), is hereby further amended as follows:

1. By deleting therefrom the provisions of § 1401.28 (d) (v) and inserting, in lieu thereof, the following:

(v) Nursery, elementary, junior high, and high schools;

(vi) Hospitals; and

(vii) Any other agency or group named by the Director.

War food orders issued heretofore by the Director pursuant to War Food Order No. 79, as amended, not in agreement herewith, are hereby modified to agree with this amendment.

This amendment to said War Food Order No. 79, as amended, shall become effective at 12:01 a. m., e. w. t., Sept. 1, 1944. With respect to violations of said War Food Order No. 79, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violations, right, or liability.

Issued this 31st day of July 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-11533; Filed, August 1, 1944; 12:29 p. m.]

[WFO 79-78, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EVANSVILLE, IND., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-78 (8 F.R. 14599, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Evansville, Indiana, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.117 (e) (3) and inserting, in lieu thereof, the following:

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 104.5 percent; (ii) cream: 78.5 percent; (iii) butterfat in cream: 78.5 percent; (iv) milk byproducts other than cottage, pot, or baker's cheese: 78.5 percent; and (v) cottage, pot, or baker's cheese, 78.5 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., August 1, 1944. With respect to violations of said War Food Order No. 79-78, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-78, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 2d day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-11596; Filed, August 2, 1944; 1:29 p. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 802, 803, 804, 805, 806, 807, 809, 811, 812, 813, 814 and 815 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (9 F.R. 8363) as amended by change 38, 21 July 1944, the particular regulations amended being Nos. 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14 and 15.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Section 5a, National Defense Act, as amended, 41 Stat. 764; 54 Stat. 1225; 10 U.S.C. 1193–1196, and the First War Powers Act 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[Procurement Reg. 2]

PART 802—GENERAL PURCHASE POLICIES

SUBPART B—CONTRACT PLACEMENT

1. Section 802.221 (d) is amended to read as follows:

§ 802.221 *Purchase of used or second-hand materials.* • • •

(d) *Purchases through Procurement Division, Treasury Department.* In connection with the use of used or second hand materials, it is of the utmost importance that all procurement offices and agencies avail themselves of the facilities of the Procurement Division, Treasury Department as more fully set forth in §§ 806.613–806.613 (j). That division makes available to the War Department property which is surplus to the need of other Government agencies. Chiefs of technical services should see that all procurement offices and agencies under their direction obtain the catalog of available property referred to in § 806.613 (f) and that they keep in touch with the Regional Property Officers of the Procurement Division referred to in § 806.613 (e). In this way much used and second hand material can be obtained.

2. Section 802.222 (a) is amended to read as follows:

§ 802.222 *Time for placing contracts and scheduling deliveries*—(a) *General policies.* (1) At an earlier stage in the war program, procuring agencies were encouraged to place contracts at the earliest possible time and to require contractors to commence production or to place subcontracts immediately. That policy was desirable as long as Army procurement was directed primarily to the task of providing the initial equipment for the rapidly expanding requirements of the Army and of the United Nations. However, that phase of procurement is now approaching completion. Except for comparatively few items, procurement for the future is designed to meet estimated replacements and operational requirements. The paramount and governing policy is still to place contracts sufficiently in advance of the actual need for the supplies to assure that deliveries will be made on time and in the proper quantities. Subject to this guiding principle, conditions now make it advisable that in the placement of contracts consideration also be given (i) to restricting contract commitments to the practicable minimum both as to time and quantity, and (ii) to the use of contract forms which will provide for the maximum flexibility in production rates while at the same time assuring the availability of the production facilities needed to produce all known requirements. This change of emphasis is essential if useless surpluses and costly cancellation and termination charges are to be avoided.

(2) The scheduling of deliveries to correspond more closely with actual requirements is likewise essential in the present stage of the war program. Close scheduling tends to prevent the building up of surpluses and to diminish termination claims. It is also vital to the most efficient use of available industrial capacity. If manufacturers are

required to produce and deliver items long before they will actually be needed, they may be forced to increase the number of their employees abnormally or be unable to produce other items which will be needed sooner, and scarce materials may be tied up in inventory not currently needed. Thus the failure to schedule deliveries properly tends to disrupt the Army supply program and prevents industrial capacity from being used in the production of items as they are needed. Accordingly future contracts will be scheduled so that supplies will be delivered to synchronize with actual requirements, unless in a particular case efficient production requires otherwise. Existing contracts will also be reviewed with a view to rescheduling deliveries on the same basis.

SUBPART C—CONTRACT PRICE POLICIES

1. In § 802.232 (e) subpargraph (8) is added, as set forth below:

§ 802.232 *Cost-plus-a-fixed-fee contracts.* * * *

(e) *Existing contracts.* * * *

(8) The foregoing policies and considerations concerning conversion of cost-plus-a-fixed-fee contracts to a fixed-price basis are applicable to the conversion of cost-plus-a-fixed-fee subcontracts under cost-plus-a-fixed-fee prime contracts.

2. Section 802.239 is added as set forth below:

§ 802.239 *Subsidy prohibited.* None of the funds appropriated in the Military Appropriation Act, 1945 (Pub. Law 374, 78th Congress) shall be used for the payment of any subsidy on agricultural or other products. (See Section 1 of Pub. Law 374, 78th Congress, under subtitle "Subsistence of the Army".)

SUBPART D—NEGOTIATION OF CONTRACTS

Paragraphs (a) and (b) of § 802.246 are amended to read as follows:

§ 802.246 *Compulsory purchases.* * * *

(a) *Mandatory orders.* Under Section 9 of the Selective Training and Service Act of 1940 as amended, mandatory orders may be placed with producers requiring them to supply items of the nature and kind usually produced or readily capable of being produced by them. Payment for such items will be at prices determined by the Secretary of War to be reasonable. While the general use of such orders is not favored they will be resorted to when necessary under the circumstances described and outlined in § 814.1450 et seq. Thus, where a qualified producer whose products are required in the war effort refuses to produce and deliver upon terms which in the opinion of the contracting officer are fair and reasonable, the issuance of a mandatory order will normally follow. Specific reference should be made to § 814.1450 et seq. for detailed procedures covering this method of procurement.

(b) *Requisitioning.* When articles needed in the war effort are already in existence but for one reason or another cannot be purchased after reasonable negotiation, the procedure under the requisitioning acts, as outlined in § 814.1401 et seq., should be resorted to in order to obtain the required items.

[Procurement Reg. 8]

PART 803—CONTRACTS

SUBPART B—AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

1. Paragraph (e) (5) of § 803.306 is added, as set forth below:

§ 803.306 *Making and approval of contracts, supplemental agreements and change orders.* * * *

(e) *Supplemental agreements converting cost-plus-a-fixed-fee contracts to a fixed price basis.* * * *

(5) Any supplemental agreement, converting a cost-plus-a-fixed-fee subcontract to a fixed-price basis, if required to be approved by the contracting officer, shall, prior to such approval, be forwarded for approval of the Director, Purchases Division, Headquarters, Army Service Forces, accompanied by the information required by subparagraph (1) above.

2. Section 803.308h is added, as set forth below:

§ 803.308h *Defective, informal and quasi contracts*—(a) *Statutory provisions.* Section 17 of the Contract Settlement Act of 1944 reads as follows:

Sec. 17. (a) Where any person has arranged to furnish or furnished to a contracting agency or to a war contractor any materials, services, or facilities related to the prosecution of the war, without a formal contract, relying in good faith upon the apparent authority of an officer or agent of a contracting agency, written or oral instructions, or any other request to proceed from a contracting agency, the contracting agency shall pay such person fair compensation therefor.

(b) Whenever any formal or technical defect or omission in any prime contract, or in any grant of authority to an officer or agent of a contracting agency who ordered any materials, services, and facilities might invalidate the contract or commitment, the contracting agency (1) shall not take advantage of such defect or omission; (2) shall amend, confirm, or ratify such contract or commitment without consideration in order to cure such defect or omission; and (3) shall make a fair settlement of any obligation thereby created or incurred by such agency, whether expressed or implied, in fact or in law, or in the nature of an implied or quasi contract.

(c) Where a contracting agency fails to settle by agreement any claim asserted under this section, the dispute shall be subject to the provisions of section 13 of this Act.

(d) The Director shall require each contracting agency to formalize all such obligations and commitments within such period as the Director deems appropriate.

(b) *Investigation of claims under statute.* The chiefs of the several technical services will arrange for the prompt investigation of all claims which may come within the purview of secton 17 of the Contract Settlement Act of 1944. Any Claimant under section 17 shall reduce his claim to writing and may be required to make any such claim under oath, verified by the claimant or by a principal officer of the claimant. Each such claim should be accompanied by affidavits of the representatives of the claimant having knowledge of relevant circumstances. If the chief of the technical service concerned is of the opinion that any such claim is without merit, such claim will be denied by the chief of the technical service by written notice to the claimant which will be sent by registered mail, return receipt requested. A copy of each such notice together with a copy of the claim and supporting papers and a brief statement of the circumstances of the investigation made by the technical service will be transmitted to the Judge Advocate General (attention Litigation Division). Such brief statement should include the names and permanent addresses of any witnesses relied upon by the technical service in denying such claim.

(c) *Formalization of claims under existing procedures.* Insofar as specifically authorized by other provisions of these Procurement Regulations in effect prior to the effective date of the Contract Settlement Act of 1944, the chiefs of the technical services will continue to approve and formalize instructions given or requests made in the behalf of the technical service to furnish or arrange to furnish materials, services, or facilities. Approval or formalization of instructions or requests not authorized by these Procurement Regulations prior to the effective date of the Contract Settlement Act of 1944 pursuant to section 17 of that act will be dealt with in accordance with this section.

(d) *Action under section 17 by the technical service.* (1) The chief of any technical service may take or approve any action authorized by subsections (a) and (b) of section 17 of the Contract Settlement Act of 1944, if there was in existence at the time of the furnishing or arranging to furnish any materials, services and facilities in question, a valid, formal contract between the Government (acting through the technical service in question) and the person claiming the benefit of section 17, and also,

(i) Such person acted upon instructions from an officer or employee of such technical service;

(ii) Such instructions were of a type which, when given could properly be embodied in a change order or supplemental agreement under such existing contract;

(iii) Such person actually furnished or arranged to furnish materials, services or facilities which the Government in fact desired such person to furnish or to arrange to furnish in connection with such contract at the time such instructions were given; and

(iv) Such person (*a*) has not been paid for such materials, services or facilities or for arranging to furnish the same, (*b*) has no pending contractual arrangement for such payment by the Government, and (*c*) is willing to accept in complete discharge of all liability of the Government for furnishing or arranging to furnish such materials, services or facilities an amount which the chief of the technical service considers to be not in excess of fair compensation for what

such person has in fact done or furnished and which is not in excess of $5^0,000.

(2) Any action taken by the chief of the technical service pursuant to this paragraph will be embodied in a supplemental agreement to such existing contract. In each case involving the payment to the contractor of more than $50,000 by reason of such supplemental agreement, the agreement shall be subject to the prior written approval of the chief of the technical service in person or of any one or more employees or officers designated by him within the headquarters office of the technical service or in the case of the Air Forces, within the headquarters offices of the Air Forces or of one of its major component commands.

(3) The chief of the technical service will make a written report to the Director, Purchases Division, Headquarters, Army Service Forces, of each action taken pursuant to the authority granted by this paragraph. Such report will contain the following:

(i) A copy of the supplemental agreement constituting the action;

(ii) A brief statement of facts and evidence upon which such action is based and the reasons for such action;

(iii) A statement of the reasons why such instructions were not, at the time they were given, promptly embodied in a supplemental agreement or change order.

(4) The chief of the technical service concerned will require full records to be preserved containing the facts relevant to any action taken pursuant to this paragraph. Such records will include, so far as practicable, sworn statements by the representatives of the Government and of the contractor or claimant having knowledge of the relevant circumstances.

(5) The chief of each technical service will take adequate steps to make certain that the grant of authority contained in this paragraph does not lead to any relaxation of the efforts of the procurement offices within such technical service to formalize promptly all instructions and agreements with contractors as required by applicable regulations.

(e) *Action by Director, Purchases Division.* In any case not covered by paragraph (d), either because (1) no valid, formal contract existed between the Government and the contractor or (2) for any other reason, the chief of each technical service will not grant any claim or request for relief or action under section 17 of the Contract Settlement Act of 1944 without obtaining the prior written approval of the Director, Purchases Division, Headquarters, Army Service Forces. Each recommendation for such relief or action will be accompanied by an adequate statement of the circumstances which, in the opinion of the chief of the technical service, justify such relief or action and in addition the following:

(i) A copy of the proposed supplemental agreement granting such relief or taking such action;

(ii) A statement of the reasons why the proposed action was not, at the time of the circumstances upon which such action is based, promptly embodied in an appropriate supplemental agreement or change order;

(iii) A statement showing whether or not any claim relating to the matter is pending before or has been passed upon by the General Accounting Office;

(iv) A statement of the scope and nature of the investigation of the circumstances made by the technical service;

(v) A brief description of the contract or contracts, if any, to which such proposed relief or action is related;

(vi) The name, address and telephone number of the person in the War Department with detailed knowledge of the facts of the case.

(f) *Action by War Department Board of Contract Appeals.* The War Department Board of Contract Appeals in connection with any appeal pending before it under the "Disputes" article of a contract (see e. g. § 803.326) may authorize or direct the taking of any action pursuant to section 17 of the Contract Settlement Act of 1944 which in its opinion is required or authorized by that section.

SUBPART B—CONTRACT PROCEDURE WITHIN THE SERVICE COMMANDS

1. In § 803.318b, paragraphs (b), (d) and (e) (5) are amended as follows:

§ 803.318b *Contract procedure.* • • •

(b) *Service command contracts.* As indicated in § 803.318a (b), as a result of the service command reorganization much of the contracting done at posts, camps and stations located within service commands is done under the complete jurisdiction of the commanding generals of the service commands. Except as provided in § 803.318c (b) and except as staff officers of the Commanding General, Army Service Forces, the chiefs of technical services have no function to perform in connection with this contracting. Some of the contracting done at posts, camps and stations is still, however, under the jurisdiction of the chiefs of the technical services. In order clearly to differentiate contracts which are executed under the jurisdiction of the commanding generals of the service commands from those executed under the jurisdiction of the chiefs of the technical services, it is important that contracts of the former type be numbered and distributed in a manner different from technical service contracts. Accordingly, in the succeeding paragraphs a separate system of numbering and distribution is provided for contracts of the former type which, for convenience will be referred to as service command contracts.

• • • • •

(d) *Distribution of service command contracts.* The provisions of Subpart D of this part are applicable to service command contracts. In connection with service command contracts the term "chief of the technical service" is to be read as "commanding general of the service command." Except as required by § 803.318c (b), service command contracts (as that term is defined in paragraph (c)) should not be forwarded to the headquarters of the various technical services for legal review. If the chief of a technical service requests that copies of a particular type of service command contract be forwarded to his office in order to complete his technical records, such copies may be forwarded pursuant to subparagraph (5) of § 803.316 (a).

(e) *Numbering of service command contracts.* • • •

(5) *Contract of sale.* Reference is made to § 807.113. As indicated therein when a contract of sale, as distinguished from a contract of purchase, is executed, the letter "s" will be added after the parenthesis of the symbol specified in subparagraph (1) (iii) of this paragraph. The letter "s" will be so added not only in the case of contracts for the sale of property but also in the case of contracts for the sale of services.

2. Section 803.318c is added, as set forth below:

§ 803.318c *Service command utility contracts.* (a) For the purpose hereof, utility contracts are defined as those for the procurement of electricity, gas, water, sewage disposal and steam.

(b) All utility contracts and changes or supplemental agreements thereto entered into by service commands which require approval of higher authority pursuant to § 803.306 (a)–(d) because of material deviation from an approved form, failure to comply with the requirements of subpart H of this part, or because a matter or matters of policy beyond the jurisdiction of the chiefs of technical services are involved, will be referred by the commanding general of the service command direct to the Office of the Chief of Engineers, Attention: Repairs and Utilities Branch, New War Department Building, Washington 25, D. C. Such contracts will be reviewed by the Office of the Chief of Engineers for engineering and rate features, matters of policy and legal sufficiency and approved or returned for revision. Prior to reference to the Chief of Engineers such contracts will be referred to the Repairs and Utilities Divisions of the service command for review of engineering and rate features. The action taken and comments made by Repairs and Utilities Divisions will be made a part of the file forwarded to the Chief of Engineers for review.

Any such utility contract or modification thereof requiring approval pursuant to § 803.306 (a)–(d) will contain a provision that it is subject to the approval of the Chief of Engineers and will not be binding until so approved. Prior to such approval any required approval by the Purchases Division, Headquarters, Army Service Forces, will be obtained by the Chief of Engineers. Provisions of this paragraph shall not be construed to interfere with or supersede the provisions of § 803.394–803.394 (e), inclusive, and in accordance with § 803.394 (e) any utility contract which is of the character described in § 803.394 (b) will also contain a provision that it is subject to approval by the War Department Power Procurement Officer or the Deputy War Department Power Procurement Officer and will not be binding until so approved.

(c) *Service command utility contract procedure.* The procedure set forth in

paragraph (b) does not affect the execution, numbering and distribution of service command utility contracts as provided for in § 803.318b–803.318b (f).

SUBPART F—CONTRACT APPEALS

In § 803.318d, paragraph (g) is amended to read as follows:

§ 803.318d *War Department Board.* * * *

(g) *Powers of Board.* The Board has all powers necessary and incident to the proper performance of its duties and has the power with the approval of the Under Secretary of War to adopt its own methods of procedure and rules and regulations for its conduct and for the preparation and presentation of appeals. These rules and regulations are set forth in §§ 803.318e (a)–(e).

Memorandum of the Secretary of War, dated 4 July 1944, provided that in the consideration and disposition of appeals to the Secretary of War, the Board and the President of the Board, as representatives of the Secretary of War for the disposition of appeals, shall

(1) Exercise such delegable authority and discretion as the Secretary of War himself might exercise either through contractual power or otherwise in the consideration and disposition of appeals, to ratify or approve the acts of subordinates and to waive any contract requirement which the Secretary of War himself legally might waive, whenever in the discretion of the Board or the President of the Board, as the case may be, such action is deemed necessary or desirable to arrive at a just and equitable adjustment or disposition of the dispute involved in the appeal.

(2) Consider and administratively pass on appeals not specifically or impliedly authorized by the contract where the ruling appealed from is not thereby made final and conclusive, and the appeal is taken within the time fixed in the contract for appeals.

(3) Find and administratively determine the facts out of which a claim by a contractor arises for damages against the Government for breach of contract, without expressing opinion on the question of the Government's liability for damages.

SUBPART H—MANDATORY AND OPTIONAL CONTRACT PROVISIONS

1. In § 803.323, subparagraph (2) is amended to read as follows:

§ 803.323 *Convenant against contingent fees.* * * *

(2) As to contracts of sale, see General Provision 8 of W. D. Contract Form No. 26 (§ 813.1326).

2. In § 803.324 subparagraphs (1) to (6) are amended to read as follows:

§ 803.324 *Uniform termination article.* (1) There is set forth below the uniform termination article prescribed by the Office of War Mobilization for use in fixed price (lump sum) supply contracts (§§ 815.1001 and 815.1002). This article will be referred to hereafter in this section as the uniform article.

(2) The uniform article may be inserted in any lump sum supply contract.

(3) Every lump sum supply contract for the manufacture of supplies and equipment executed on and after 20 February 1944, except:

(i) Contracts to be completed in six months or less for an amount of less than $500,000,

(ii) Contracts for an amount of less than $50,000, regardless of the date of completion and

(iii) Requirement or open end contracts, will contain the uniform article without deviation.

(4) As provided in § 815.107 (a), the chief of any technical service, without approval of higher authority, may amend any existing lump sum supply contract to insert therein the uniform article. Such amendments will take place wherever possible prior to giving formal notice of termination. Inasmuch as it is in the interest of both the contractors and the Government that termination be effected under a uniform article, a vigorous policy will be pursued of promptly inserting by amendment the uniform article in existing contracts (other than those within the exceptions of subdivisions (i), (ii), and (iii) of subparagraph (3) above) not now containing it. This policy will be applied with special emphasis in the case of contracts for large amounts and contracts calling for deliveries over long periods of time.

(5) Prior to the adoption of the uniform article by the Office of War Mobilization there was in use by the War Department a standard termination article (see § 815.901a) for lump sum supply contracts which was contained in this paragraph. Certain of the instructions contained in Part 815 are based upon the former article. To the extent that such instructions are inconsistent with the uniform article they are to be deemed inapplicable to contracts containing it.

(6) Simultaneously with the issuance of the uniform article, the Office of War Mobilization published a "Statement of Principles for Determination of Costs Upon Termination of Government Fixed Price Supply Contracts". It will be noted that this statement is incorporated by reference by subparagraph (h) of the uniform article. The statement is set forth in full in §§ 815.480. For convenience the uniform article has been printed in § 815.901, as well as below in this section.

* * * * * *

3. Section 803.369 is added, as set forth below:

§ 803.369 *Release upon final payment under cost-plus-a-fixed-fee contracts.* To facilitate the prosecution of the war and the final settlement of war procurement contracts, authority is granted to the chiefs of technical services and their representatives, pursuant to the First War Powers Act, 1941, Executive Order No. 9001 and the Contract Settlement Act of 1944, to amend existing cost-plus-a-fixed-fee contracts, whether or not terminated or completed, but in no event after final payment thereunder has been made, to include substantially the following article, and concurrently to delete any existing provisions of such contracts which are inconsistent with the following article:

Article ..... *Release provisions.* 1. Prior to final payment and as a condition thereof the Contractor shall furnish the Government with a release of all claims against the Government arising under and by virtue of this contract, other than (a) such claims, if any, as may be specifically excepted by the Contractor from the operation of the release in stated amounts to be set forth therein, or in estimated amounts where the amounts are not susceptible of exact statement, and (b) any claim based upon responsibility of the Contractor to third parties arising out of the performance of this contract not known to the Contractor at the time of furnishing the release.

2. Even though the existence or amount thereof shall not be determined until after the furnishing of such release as is described next above, reimbursement to be made for payments made by the Contractor shall include, along with wages and salaries otherwise reimbursable, all additional amounts determined (either by approval of the Contracting Officer or by litigation as hereinafter provided) to be due and payable for overtime compensation and allowances under local, state or Federal laws in connection with such wages and salaries.

3. The Contractor shall promptly notify the Contracting Officer of any claims of the type described in paragraph 1 (b) above which are asserted subsequent to the execution of the release.

4. In the event the Contracting Officer shall determine that the best interests of the Government require that the Contractor initiate or defend litigation in connection with claims of third parties arising out of the performance of this contract, the Contractor will proceed with such litigation in good faith and the costs and expenses of such litigation, including judgments and court costs, allowances rendered or awarded in connection with suits for wages, overtime or salaries, and reasonable attorneys' fees for private counsel when the Government does not furnish Government counsel, shall be reimbursable under this contract. The term "litigation" shall include suits at law or in equity and proceedings before any Governmental agency having jurisdiction over the claim.

SUBPART L—MISCELLANEOUS

1. In § 803.394 that portion of paragraph (b) preceding subparagraph (1), and paragraph (e) are amended as follows:

§ 803.394 *Contracts for electric power.* * * *

(b) *War Department Power Procurement Officer.* Pursuant to the directives from the President, set forth in paragraph (a), the Secretary of War has designated Col. S. M. Weaver as War Department Power Procurement Officer and Lt. Col. C. McCabe as Deputy War Department Power Procurement Officer, with the following responsibilities for contracts of 1000 kilowatts or over for electric service to all installations where the War Department has an interest in the cost of electric service:

* * * * *

(e) *Required provision in contracts and supplements.* All contracts and supplements of the character referred to in paragraph (b) will contain a statement that the contract or supplement is subject to the approval of the War Department Power Procurement Officer or the Deputy War Department Power Procurement Officer and will not be binding until so approved. Such contracts and supplements will then be forwarded through the Repairs and Utilities

Division of the Service Command Engineer Office to the War Department Power Procurement Officer, Office of the Chief of Engineers, for such approval.

2. Section 803.395 (a) is amended to include provisions of the Military Appropriation Act, 1945.

§ 803.395 *Contracts within section 9, Military Appropriation Act, 1944 and 1945.* (a) • • •

Section 9, Military Appropriation Act, 1945 (Pub. Law 374, 78th Congress) provides:

Whenever, during the fiscal year ending June 30, 1945, the Secretary of War should deem it to be advantageous to the national defense, and if in his opinion the existing facilities of the War Department are inadequate, he is hereby authorized to employ, by contract or otherwise, without reference to section 3709, Revised Statutes, civil service or classification laws, or section 5 of the Act of April 6, 1914, (38 Stat. 335), and at such rates of compensation (not to exceed $25 per day and travel expenses, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized in travel orders or letters of appointment for individuals) as he may determine, the services of architects, engineers, or firms or corporations thereof, and other technical and professional personnel as may be necessary.

[Procurement Reg. 4]

PART 804—BONDS AND INSURANCE

SUBPART D—INSURANCE

Insurance in Connection With Lump Sum Contracts

1. That portion of § 804.451 preceding paragraph (a) is amended to read as follows:

§ 804.451 *Insurance on Government-owned property.* (1) The same general policy exists with respect to Government-owned property in the possession, care, custody or control of lump sum or unit price contractors as exists with respect to such property in the possession, care, custody or control of cost-plus-a-fixed-fee contractors (see § 804.434.) To implement this policy—under which the Government is in effect a self-insurer on its own property—there shall be inserted in lump sum or unit price contracts for the performance of which Government-owned property is furnished to contractors, the article set forth in § 803.365 (a–1), or, in case where Government-owned production machinery or other facilities are so furnished, the liability provisions of § 803.332.

(2) The contract articles referred to are intended to put the contractor in the same position he would occupy if he obtained commercial insurance policies providing broad coverage against the "expected perils" set forth in the contract article. In view of the protection thus afforded to the contractor by the Government in lieu of commercial insurance, the contractor has no liability for loss or destruction of or damage to Government-owned property caused by any "excepted peril" against which he may obtain commercial insurance, and the contractor is in fact required by the contract article to make the express representation (among others) that he is not maintaining and will not maintain insurance (including self-insurance funds or reserves) covering such liability.

(3) The policy described above rests to a large degree upon the savings to the Government obtained by the elimination of charges for commercial insurance, which savings are, of course, intended to be reflected in the contract price. When, by reason of special circumstances, it is not practicable to obtain such savings (for example, when Government interests are so far commingled with other interests as to be practically incapable of segregation) or the savings are trivial in amount, the chief of the technical service concerned may, in his discretion, determine that the general policy will not be applied. Typical cases where this determination has been made in the past are: service contracts such as laundry contracts; shoe, tent or tire repair contracts; machinery maintenance or repair contracts; fixed rate storage contracts. In such cases neither the contract article set forth in § 803.365 (a–1) nor the liability provision of § 803.332 will be used. In lieu thereof the following will be used:

(i) Instead of the article set forth in § 803.365 (a–1), a clause may be used stating in substance that except for reasonable wear and tear or depreciation or the utilization of the Government-owned property in connection with the contract, the contractor shall be liable for any loss or destruction of or damage to such property.

(ii) Instead of the liability provision appearing in § 803.332, a clause may be used stating in substance that except for reasonable wear and tear or depreciation, the Government-owned facilities shall be returned to the Government or delivered to the Government's designee, at the time elsewhere in the article provided, in as good condition as when received.

[Procurement Reg. 5]

PART 805—FOREIGN PURCHASES

1. In § 805.502, paragraph (a) (1) is amended to read as follows:

§ 805.502 *Buy American Act.* • • •

(a) *Restriction created by Appropriation Act.* (1) The Military Appropriation Act, 1945, approved 28 June 1944 (Public Law 374—78th Congress) contains a proviso that no part of any appropriation contained in that Act "shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of War shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto."

2. In § 805.503, paragraphs (c) and (d) are amended to read as follows:

§ 805.503 *Applicable only to food and clothing.* • • •

(c) *Items of food and clothing exempt without regard to country of origin.* The following items of food and clothing have been exempted without regard to country of origin.

Bananas.	Fish oils.
Brazil Nuts.	Flour.
Canned corned beef.	Green olives.
Canned roast beef.	Molasses.
Chewing gum.	Orange and lemon peel.
Chocolate.	Spices.
Cigars.	Sugar.
Citron.	Tapioca.
Cocoa.	Tea.
Coffee.	Vanilla.
Dried beans.	Wheat.
Dried peas.	

(d) *Items of food exempt when purchased from specified countries.* The following items of food have been exempted when purchased from the countries specified.

Canned fish—Mexico.
Fish fillet—Bahama Islands.
Fresh fish—Mexico and Iceland.
Frozen fish—Iceland.
Fresh fruits—Cuba, Mexico and Puerto Rico.
Fresh vegetables—Cuba, Mexico and Puerto Rico.
Guava puree—Cuba.
Guava concentrate—Cuba.

[Procurement Reg. 6]

PART 806—INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

SUBPART C—INTERDEPARTMENTAL PURCHASES

In § 806.608, paragraph (c) is amended to read as follows:

§ 806.608 *Purchases from Federal Prison Industries, Inc., Department of Justice.* • • •

(c) *General clearance.* The following general clearance, dated 18 May 1944, which covers purchases for the period 1 July to 31 December 1944, indicates not only the items as to which such clearance has been granted but also those items which are available, and, which, accordingly, must be purchased from Federal Prison Industries, Inc.:

The Under Secretary of War
Washington, D. C.
Dear Sir:

Subject to applicable conservation and limitation orders, the following articles and services are available and can be furnished by Federal Prison Industries, Inc., from industries established under the Act of Congress approved May 27, 1930 (46 Stat. 391):

Brushes: Tooth brushes for delivery after October 1, 1944.[1]

Canvas goods: Shell covers, tarpaulins, truck covers, truck curtains, barracks bags, shower curtains, bags, bandoleers.

Cargo nets.

Castings: Bomb noses; also manhole frames and covers, grates and grate bars, and gutter

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[1] This item is in the form appearing after amendment by letter, dated 7 July 1944, from Federal Prison Industries, Inc.

drains for delivery in Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania, New York, New Jersey, Maryland, West Virginia, Virginia, Kentucky, and the District of Columbia.

Fibre furniture.

Laundry services required by posts and stations within 25 miles of the Federal Correctional Institution, Tallahassee, Fla.; and by posts and stations within 100 miles of the United States Penitentiary, Alcatraz, Calif., the Federal Detention Headquarters, New York City, and the Federal Reformatory for Women, Alderson, W. Va.

Mattresses: Cotton felt.

Milk: 1,000 lbs. per day for delivery to Ft. Bliss, Texas, only.

Sheet metal products: Storage shelving, transfer cases, food trays, tool boxes, tool cabinets, tool racks, fin assemblies, end stops for bomb storage.

Other metal products: Bomb dunnage racks; welded metal specialties.

Printing: See Section 610.9, Army Procurement Regulation No. 6.

Wood furniture and specialties: Douglas, 4C, wide arm and side chairs; all stools except rotary type; desk trays; costumers; pallets.[1]

Boats, wooden, not in excess of 100' long, to be procured in the Ninth Service Command.

Clearance

C-24706

1. *Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., not listed above.*

2. *Clearance is granted to purchase from other sources articles manufactured or services rendered by Federal Prison Industries, Inc., including the items listed above,* in the following cases:

(a) By contractors or contracting officers under cost-plus-a-fixed-fee construction or supply contracts;

(b) By contracting officers under fixed-price (lump sum) construction or supply contracts, wherein the Government is required to furnish certain Government materials;

(c) When immediate delivery or performance is required by the public exigency;

(d) When suitable second hand or used articles can be procured;

(e) When required in small quantities and for delivery within ten days.

3. This clearance is to cover purchases made by the War Department only, and is effective for the period July 1 to December 31, 1944, inclusive.

4. Copy of this clearance should be attached to your contract or voucher when transmitted to the General Accounting Office, or reference made thereon to this clearance number.

Very truly yours,

FEDERAL PRISON INDUSTRIES, INC.,
By (Signed) A. H. COONER,
Associate Commissioner.

[Procurement Reg. 7]

PART 807—DISPOSITION OF PROPERTY

SUBPART B—DISPOSITION OF TERMINATION INVENTORIES

In § 807.206, a new subparagraph (4) is added to paragraph (c), as set forth below:

§ 807.206 *Specific price regulations.* * * *

(c) *Other sales of termination inventories.* * * *

(4) If efforts to find a user-buyer on a negotiated basis within a reasonable period of time under the provisions of subparagraph (3) above are unsuccessful, then, if the items are such as are not customarily sold for civilian use in their existing form, they may be offered on competitive bid, and sales made or approved to the highest bidder, unless all bids are rejected.

SUBPART C—DISPOSITION OF PROPERTY FOR PURPOSES DIRECTLY RELATED TO THE PROSECUTION OF THE WAR

1. In § 807.310 the head note is amended to read as set forth below, the first paragraph is designated (a), and a new paragraph (b) is added, as follows:

§ 807.310 *Transfers to other agencies*—(a) *Transfers to Civil Aeronautics Administration.* * * *

(b) *Transfers to the Veterans' Administration.* Any property may, by direction of the chief of the technical service having control thereof, be transferred to the Veterans' Administration upon written request, stating that the property is needed for authorized hospital care for veterans. (See Title I, Public Law 346, 78th Congress.) Such transfers will be made only with the approval or pursuant to regulations of the Commanding General, Army Service Forces, as to military property of Army Service Forces, and the Commanding General, Army Air Forces, or his delegate or delegates, as to military property of the Army Air Forces.

2. Section 807.315 is amended to read as follows:

§ 807.315 *Exchange of property.* The chiefs of technical services are authorized to make any exchanges of property which are authorized by the following statutes: 39 Stat. 535, 10 U.S.C. 1271; 40 Stat. 43, 849, 10 U.S.C. 1272; 38 Stat. 1064, 10 U.S.C. 1273; 38 Stat. 1161, 41 U.S.C. 26; 50 Stat. 64, 5 U.S.C. 118d; 53 Stat. 739, 10 U.S.C. 1271 (a); 44 Stat. 680, 10 U.S.C. 1209, 1210; Act of July 2, 1940, Public 703, 76th Congress, as extended by the Act of June 5, 1942, Public 580, 77th Congress; Section 203 of the Act approved June 26, 1943, Public Law No. 90, 78th Congress; Section 203 of the Act approved June 27, 1944, Public Law 358, 78th Congress. Any other exchanges will be submitted for the approval of the Director, Readjustment Division, Headquarters, Army Service Forces.

SUBPART D—DISPOSITION OF NON-REPAIRABLE PROPERTY

1. A new § 807.411 is added as follows:

§ 807.411 *Destruction of worthless property included in termination inventories.* Property included in termination inventories which is entirely worthless and unsalable may be destroyed, discarded or abandoned by the contractor in possession of the property with the approval of the contracting officer subject to the following conditions:

(a) Property which is deemed to be worthless will be offered for sale to at least three scrap dealers. If no bids are received, the contracting officer will submit his recommendation to a local Disposal Board with a certificate that an effort has been made to dispose of the property by sale without success, and that in his opinion it is unsalable and worthless.

(b) Upon the written approval of the Disposal Board, the contracting officer may authorize the contractor to destroy, discard or abandon the property.

(c) Where the total cost or the estimated cost of the property proposed to be destroyed is $5000 or more, Disposal Boards will not authorize its destruction, discard or abandonment without the written concurrence of a representative of Reconstruction Finance Corporation.

[Procurement Reg. 9]

PART 809—LABOR

SUBPART B—WALSH-HEALEY PUBLIC CONTRACTS LAW

1. Section 809.926 is amended to read as follows:

§ 809.926 *Dimension granite industry.* Including monumental stone, building stone, paving blocks, curbing, riprap, and rubble, but not crushed stone.

Date effective: January 15, 1938.

Wage: In Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York—57.5 cents per hour or $23.00 per week based on a 40-hour week, arrived at either on a time or piece work basis.

In North Carolina, Virginia, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Arkansas, and Texas—40 cents per hour or $16.00 per week based on a 40-hour week, arrived at either on a time or piece work basis. Effective July 8, 1944.

In Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, West Virginia, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, California, Oregon and Washington—42.5 cents per hour or $17.00 per week based on a 40-hour week, arrived at either on a time or piece work basis.

Monumental stone, building stone, paving blocks, curbing, riprap, and rubble, specifically made subject to the minimum wage determination for the dimension granite industry, are exclusively products of granite quarries, and such stones when the products of other quarries are not subject to the minimum wage determination for the dimension granite industry.

2. Section 809.946 is amended to read as follows:

§ 809.946 *Fertilizer industry.* Superphosphates, concentrated superphosphates, and concentrated fertilizer from superphosphates, potash, and ammoniates.

Date effective: July 8, 1944.

Wage: 40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis in all States and the District of Columbia other than New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon, and Washington, in which eleven States the prevailing minimum wage shall continue to be 50 cents an hour or $20.00 per week of 40 hours arrived at either upon a time or piece-

[1] This item is in the form appearing after amendment by letter, dated 11 July 1944, from Federal Prison Industries, Inc.

work basis, in accordance with the determination of August 15, 1939.

3. That portion of § 809.949 preceding the explanation by the Public Contracts Division is amended to read as follows:

§ 809.949 *Paper and pulp industry.* Pulp and other fiber and the primary conversion of pulp and other fiber into paper and paperboard, and in addition, the manufacture and conversion of primary paper into toilet paper and paper towels, coated book paper, and paper shipping sacks.

Date effective: Determined to be October 15, 1939.

Wage: For the States of Washington, Oregon, and California, 50 cents an hour or $20.00 per week of 40 hours, arrived at either upon a time or piece-work basis.

For all other States and the District of Columbia, 40 cents per hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis. Effective July 8, 1944.

The following explanation of this determination has been received from the Public Contracts Division, Department of Labor:

* * * * *

4. Section 809.951 is amended to read as follows:

§ 809.951 *Structural clay products industry.* Common brick, face brick (including glazed and enameled brick), salt glazed brick, manhole brick, structural clay tire (including glazed tile), unglazed face tile, paving brick, and clay or shale granules.

Date effective: July 8, 1944.

Wage: 40 cents per hour or $16.00 per week of 40 hours arrived at either upon a time or piece-work basis.

5. Section 809.954 is amended to read as follows:

§ 809.954 *Dental goods and equipment manufacturing industry* — (a) *Durable goods.*

Hand instruments, including forceps and pliers, broaches and cutting instruments, for dental use.
Dental chairs.
Dental cabinets.
Equipment units.
Dental sterilizers.
Dental gas apparatus.
Dental X-ray equipment.
Dental compressors, engines, and lathes.
Dental lights.
Dental laboratory equipment, other than laboratory furniture.

Date effective: September 23, 1941.

Wage: 40 cents an hour or $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis.

Apprentices may be employed at lower rates of pay if their employment conforms to the standards of the Federal Committee on Apprenticeship. Learners may be employed at lower rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938.

(b) *Consumable goods.*

Dental gold.
Dental alloy for amalgams.
Dental cement for filling materials.
Teeth, porcelain and gold.
Orthodontic appliances.
Waxes, compounds, and investments.
Rubber dental materials.
Denture materials other than rubber.
Burs, drills, and similar tools for use with handpieces.
Abrasive points, wheels, and disks.

Date effective: July 17, 1944.

Wage: 40 cents an hour of $16.00 per week of 40 hours, arrived at either upon a time or piece-work basis.

Learners may be employed as provided in paragraph (a).

6. Section 809.957 is amended to read as follows:

§ 809.957 *Evaporated milk industry.* Evaporated milk.

Date effective: November 3, 1941.

Wage: Arrived at either upon a time or piece work basis:

In the States of Washington, Oregon, and California, 50 cents per hour or $20.00 per week of 40 hours.

In all other States and the District of Columbia, 40 cents per hour or $16.00 per week of 40 hours. Effective July 8, 1944.

SUBPART C—WAGE AND SALARY STABILIZATION

1. Section 809.980f is amended to read as follows:

§ 809.980f *General Order No. 6.*

(a) The hiring of an individual at a wage or salary rate in excess of the rate properly established in the plant for employees of similar skill and productive ability within the classification in which the individual is employed is an increase in wages or salary within the meaning of Executive Order 9250, and the regulations of the Director of Economic Stabilization, and requires the approval of the National War Labor Board.

(b) The hiring of an individual at a wage or salary rate lower than the rate or the minimum of the range of rates properly established in the plant for the job classification in which the individual is employed is a decrease in wages or salary within the meaning of Executive Order No. 9250, and the regulations of the Director of Economic Stabilization, and requires the approval of the National War Labor Board.

(c) If a wage or salary rate or range of rates for a job classification has not theretofore been established by the employer for the plant involved, the rate or range of rates, may be established without the approval of the National War Labor Board if it bears the same relation to the rates or ranges of rates for similar classifications in the area as the existing rates or ranges of rates in the plant bear to comparable rates or ranges of rates in the area: *Provided, however,* That rates or rate ranges covering new plants or new departments within existing plants must be submitted to the National War Labor Board for approval.

2. Section 809.980h is amended to read as follows:

§ 809.980h *General Order No. 8.*

Exercising the authority vested in the National War Labor Board by Section 4001.19 of Part 4001, Regulations Relating to Wages and Salaries issued on October 27, 1942, as amended, by the Economic Stabilization Director and approved by the President, and deeming it necessary for the effective administration of the Act of Congress of October 2, 1942, the Board hereby determines that adjustments in any wages or salaries over which this Board has jurisdiction and which are paid in any territory or possession of the United States, except Alaska and the Territory of Hawaii, are exempted from the operation of the said Regulations and therefore made be made without the approval of the Board.

3. Section 809.980cc is amended, as follows:

§ 809.980cc *General Order No. 310.*

* * * * *

II. EMPLOYERS OF 31 OR MORE EMPLOYEES

* * * * *

F. Restrictions on hiring employees at rates in excess of the minimum rate of the properly established rate range for a given job classification.

1. *Existing establishments.* An employer shall hire employees at the minimum of the properly established rate range for a given job classification: *Provided, however,* That an employee who has special ability and experience may be hired at a rate within the range corresponding to such ability and experience. But an employer may not, within a given year (which shall be the same year as the one used by the employer in calculating the average amount of merit or length of service increases given under section II–C–1 of this General Order), hire more than 25 percent of all the employees hired for any job classification, at rates in excess of the minimum of the properly established rate range for that job classification. In any job classification in which fewer than four employees are hired within the year, one employee who has special ability and experience may be hired at a rate in excess of the minimum rate of the properly established rate range. If, before the effective date of this amendment, an employer has had a plan properly in existence (as defined in this General Order) which provides that some percentage of employees in excess of 25 percent may be hired at rates above the appropriate minimum rate, such provision may be continued in effect. All other employers are subject to the restrictions of this or the following subsection II–F–1 or II–F–2).

2. *New establishments or new departments in existing establishments.* An employer shall hire employees at the minimum of the properly established rate range for a given job classification: *Provided, however,* That an employee who has special ability and experience may be hired at a rate within the range corresponding to such ability and experience. But an employer may not, within the first year of operation hire more than 50 percent of all the employees hired for any job classification, at rates in excess of the minimum of the properly established rate range for that job classification. During all subsequent years of operation, no more than 25 percent of all the employees hired in any job classification may be hired at rates in excess of the minimum of the properly established rate range for that job classification. In any job classification in which fewer than four employees are hired within the year, one employee who has special ability and experience may be hired at a rate in excess of the minimum rate of the properly established rate range.

4. Section 809.980dd is amended to read as follows:

§ 809.980dd *General Order No. 36.*

(a) *Organization and jurisdiction.* (1) There is hereby created within the Territory of Hawaii the Territorial War Labor Board for Hawaii, to consist of the following members to be appointed by the National War Labor Board: Representatives of Labor, two of whom are to be available for service with the Territorial Board at any given time; Representatives of Industry, two of whom are to be available for service with the Territorial Board at any given time; and Representatives of the Public, two of whom are to be available for service with the Territorial Board at any given time. There shall be two Co-chairman and one or more Vice

Chairman, to be designated by the National War Labor Board from among the public representatives.

(2) The Territorial War Labor Board for Hawaii shall have jurisdiction over all labor disputes and voluntary wage and salary adjustments in Hawaii within the jurisdiction of the National War Labor Board. It shall have power, subject to the same review by the National War Labor Board as other Regional War Labor Boards, to issue final orders and rulings in such cases.

(3) The Territorial War Labor Board for Hawaii shall comply with all pertinent provisions of the rules of organization and procedure of the National War Labor Board, especially Part VI, entitled Jurisdiction and Procedure of Regional Boards. (§ 809.979): *Provided, however,* That the Territorial War Labor Board for Hawaii may by unanimous vote of its members, make such modifications in its procedures as are deemed by it to be necessary for its efficient administration. Such action shall be promptly reported to the National War Labor Board and shall be subject to the National War Labor Board's ultimate power of review.

(4) In acting hereunder on wage or salary adjustments, the Territorial War Labor Board for Hawaii shall comply with the terms of Executive Order 9250, dated October 3, 1942, Executive Order 9328, dated April 8, 1943, the Supplementary Directive of May 12, 1943 and all other Executive orders and regulations issued thereunder. The Territorial War Labor Board may make such recommendations as to appropriate policies to govern wage and salary adjustments as are adapted to the special circumstances obtaining in the Territory. Such recommendations shall be consistent with the Act of October 2, 1942. They shall be submitted for consideration of the National War Labor Board which will transmit to the Director of Economic Stabilization those recommendations deemed by it advisable and necessary.

(b) *Wage and salary adjustments which may be made effective without approval of Territorial War Labor Board for Hawaii.* (1) Adjustments in the wage and salary rates of individual employees as a result of (i) individual merit increases, (ii) individual increases based upon length-of-service, (iii) operation of an apprentice or trainee system, (iv) individual promotions or reclassifications, (v) increased productivity under piece work or incentive plans; *Provided, however,* That with respect to increases made under subdivisions (i), (ii) and (iii) of this section the total of such increases to any individual employee (subject to National War Labor Board jurisdiction) shall not exceed 10¢ per straight time hour during any year, and such increases during any such year shall not exceed an average of 5¢ per straight time hour for all the employees (subject to National War Labor Board jurisdiction) in the establishment.

(2) Increases in wage and salary rates made in compliance with any minimum wage statute or with any minimum wage order of the duly constituted authorities of the Territory of Hawaii.

(3) Adjustments in the wage and salary rates of governmental employees of the Territory of Hawaii. It is expected, however, that the authorities of the Territory of Hawaii will observe and abide by the same stabilization policies as are made applicable generally in the Territory.

(4) Establishment of a wage or salary rate or range of rates for a job classification not theretofore established for the plant involved, the rate or rate range so established to bear the same relation to rates or rate ranges for similar classifications in the area as the existing rates in the plant bear to comparable rates or rate ranges in the area: *Provided, however,* That rates for new establishments or new departments within existing establishments must be submitted for approval.

(5) The payment to employees, whose wage or salary increases are subject to the jurisdiction of the National War Labor Board, of a bonus, fee, gift, commission or other form of compensation customarily paid to such employees in the past: *Provided,* That:

(i) If in a fixed amount, the total amount so paid to an employee during the current bonus year does not exceed the total so paid to an employee for like work during the preceding bonus year, or

(ii) If computed on a percentage, incentive or other similar basis, the rate and the method of computation are not changed in the current bonus year so as to yield a greater amount than that in the preceding bonus year, but a greater amount when resulting from the same rate and method of computation may be paid.

(6) The Territorial War Labor Board for Hawaii may, in the case of small total wage or salary increases, provide for the making of such other adjustments without its approval as it deems necessary for the efficient administration of its duties hereunder. Such action shall be promptly reported to the National War Labor Board and shall be subject to the National War Labor Board's ultimate power of review but any modification or reversal thereof shall not be retroactive.

(7) No general order heretofore or hereafter issued by the National War Labor Board shall be applicable to the Territory of Hawaii unless expressly extended thereto by action of the National War Labor Board.

SUBPART K—FAIR EMPLOYMENT PRACTICE

Section 809.994a is amended by the addition of subparagraphs (10) and (11) to paragraph (a).

§ 809.994a *Interpretations of Executive Order No. 9346*—(a) *Contracts.* * * *

(10) The non-discrimination clause is not required in contracts renewed pursuant to an option to renew in accordance with the terms, conditions and provisions contained in the original contract.

(11) The requirement that parties to contracts with the Government of the United States (or agencies of said Government) include a non-discrimination clause "in all subcontracts" is not applicable to lessors of space in buildings except in cases where the Government of the United States (or any agency thereof) is the only tenant involved, or unless a sub-contract is entered into solely for the purpose of performing an obligation (or obligations) imposed by the Government lease.

[Procurement Reg. 11]

PART 811—MISCELLANEOUS PURCHASE INSTRUCTIONS

SUBPART D—PRICE REGULATIONS

Section 811.1133 (d) is amended to read as follows:

§ 811.1133 *Procedure for obtaining exemption under developmental and secret contracts and emergency purchases or for relief from a price regulation.* * * *

(d) *Procedure for obtaining relief.* (1) OPA Procedural Regulation No. 6, effective July 3, 1942, as amended, sets forth the procedure to be followed (except where OPA regulations specifically otherwise provide) to obtain prompt adjustments of maximum prices for commodities or services under Government contracts or subcontracts. The regulation provides that any seller who has entered into or proposes to enter into a Government contract, or a subcontract thereunder, who believes that his maximum price or prices impedes or threatens to impede the production, manufacture or distribution of a commodity or the supply of a service which is essential to the war program and which is or will be the subject of such contract or subcontract may apply for adjustment of his maximum price or prices. Any Government agency may appear as an interested party in the case of any such application. Upon the filing of an application for adjustment, or within five days prior thereto, and until final disposition of the application, contracts may be entered into or proposals and bids submitted at the price or prices requested in the application, and deliveries may be made under such contracts, except that the seller may not receive and the buyer may not pay the amount by which the price exceeds the maximum price unless and until an order granting a higher price has been issued. The seller shall include in any sale, contract to sell, or offer to sell at the price requested in the application the following: (i) the maximum price for the commodity or service in question; (ii) a statement that the quoted price is subject to approval of the Office of Price Administration; and (iii) a statement that an appropriate application has been filed, or will be filed within five days, with the Office of Price Administration. Applications involving contracts exceeding $5,000,000 in value must be filed with the OPA in Washington, D. C. Other applications (with a few exceptions) may be filed either with the appropriate regional office of the OPA or with the OPA in Washington, D. C.

(2) By amendments effective April 12, 1943, and June 25, 1943, respectively, special adjustment procedure is provided in MPR 136 (Machines and Parts, and Machinery Services), to which reference is made for complete details. This procedure is available to any person who has entered into a "war contract", defined as a contract for the sale of a machine or part purchased for the ultimate use of the armed forces of the United States or for lend-lease purposes, or for use in the production or manufacture of any such commodity. Provision is also made for adjustments of the maximum prices of machinery services.

SUBPART P—CONTRACTS INVOLVING RUBBER OR SYNTHETIC RUBBER

1. Subparagraph (4) of § 811.1150 is amended to read as follows:

§ 811.1150 *Agreement with Rubber Reserve Company.* * * *

(4) The War Department will pay Rubber Reserve Company the difference between these amounts and the prices fixed by Rubber Reserve Company specified in subparagraph (1) above, or such

lower prices as the Rubber Reserve Company may fix from time to time. This contract will remain in force until 30 June 1945 unless extended by the War Department or terminated on ninety days' notice before that date.

2. Section 811.1151 (c) is amended to read as follows:

§ 811.1151 *Administration of agreement.* • • •

(c) The chief of each technical service has been directed to make available to the Ordnance Department by special allotment or otherwise sufficient funds to cover the estimated amounts payable to Rubber Reserve Company under this agreement with respect to its contracts and subcontracts up to 30 June 1945. The Chief of Ordnance is authorized to issue such directives or instructions to the chiefs of the other technical services as he deems necessary for the administration of the agreement and the furnishing of such allotments.

SUBPART H—MISCELLANEOUS MATTERS

1. Section 811.1180 (d) is amended to read as follows:

§ 811.1180 *Discounts in purchasing.* • • •

(d) *Fiscal aspects of discounts.* Although as provided in paragraph (a) of this section, offers of discounts for cash or prompt payment are to be disregarded in deciding between two possible contractors, in many cases contracts awarded or invoices pursuant to such contracts will provide for such discounts. In such cases advantage should be taken of such discounts and procedures should be established to aid in reaching this result; provided interference does not result in the payment of accounts or transactions which do not provide for discounts. The preferred form of procedure for the taking of discounts is one in which originals and copies of purchase instruments involving discounts and used internally by the procurement office are suitably stamped "Discount—Expedite" by the initiating office and the discount terms shown on such instruments are underscored or circled in red to invite the attention of all concerned to the possible priority status of the instrument and allied documents. For fiscal aspects of cash discounts, see AR 35-6200.

2. Section 811.1183 is amended to read as follows:

§ 811.1183 *Procurement of spare parts.* Certain restrictions and procedures have been prescribed with respect to the procurement of spare parts, particularly initial concurrent spare parts. Such restrictions and procedures are set forth in W. D. Circular 227, 7 June 1944.

[Procurement Reg. 12]

PART 812—RENEGOTIATION AND PRICE ADJUSTMENT

SUBPART A—STATUTORY RENEGOTIATION

Renegotiation Statute and Exemptions

In § 812.1205 (g) subparagraph (2) (v) and subparagraph (6) are amended as follows:

§ 812.1205 *Discretionary power to exempt certain contracts and subcontracts.* • • •

(g) *Exemption of individual contracts and subcontracts for less than $5,000,000.* • • •

(2) • • •

(v) If the contract contains any of the articles set forth in §§ 803.341 (a), (b), 803.360a (a) and 803.360 (b), the initial period of production has been completed; and

• • • • •

(6) Where a contract contains a periodic pricing article (§§ 803.360 (a) and (b)) or an article like those set forth in § 803.360a and 803.360a (a), exemption from renegotiation should not be granted with respect to the entire contract but only until the next succeeding price adjustment. At the conclusion of the first pricing period under the articles set forth in §§ 803.360 (b) and 803.360a (a), exemption from renegotiation for the initial pricing period may be granted retroactively at the time of the amendment of the contract to fix the price for the next succeeding period, if such exemption from renegotiation is warranted in accordance with these regulations.

[Procurement Reg. 13]

PART 813—FORMS OF CONTRACT

Section 813.1302 is amended by the addition of an alternate Article 10, as follows:

§ 813.1302 *W. D. Contract Form No. 2.*

• • • • •

Article 10.[1] *Permits and responsibility for work.*—The Contractor shall obtain all required licenses and permits. He shall be responsible for all damages to persons that occur as a result of his fault or negligence in connection with the prosecution of the work. Except for "Government property", as defined in Article—(Liability for Government-owned Property), the responsibility for which is as stated in said article, the Contractor shall be responsible for all loss or destruction of or damage to property that occurs as a result of his fault or negligence in connection with the prosecution of the work, and shall be responsible for all materials delivered and work performed until completion and final acceptance. Upon completion of the contract the work shall be delivered complete and undamaged.

[Procurement Reg. 14]

PART 814—REQUISITIONING OF PERSONAL PROPERTY

SUBPART A—GENERAL

Section 814.1401 is amended to read as follows:

§ 814.1401 *Authority to requisition.* Authority to requisition personal property is conferred under (1) the Act of October 10, 1940 (54 Stat. 1090), as amended by the Act of July 2, 1942 (56 Stat. 467) and by the Act of June 28, 1944 (Public Law 379, 78th Congress); (2) the Act of October 16, 1941 (55 Stat. 742), as amended by the Act of March 27, 1942 (56 Stat. 181), by the Act of June 30, 1943 (Pub. Law 104, 78th Congress) and by the Act of June 28, 1944 (Public Law 378, 78th Congress) and (3) Executive Orders Nos. 8942 (6 F. R. 5909), 9024 (7 F. R. 329), 9040 (7 F. R. 527), 9138 (7 F. R. 2919), 9280 (7 F. R. 10179), 9294 (8 F. R. 221), 9322 (8 F. R. 3807) and 9334 (8 F. R. 5423). By such Executive Orders the President delegated to various persons, including the Secretary of War, the power to initiate requisitions under the Act. The Secretary of War, by Order dated December 11, 1941, assigned to the Under Secretary of War the functions, powers and duties so delegated to him. As a result of such delegation and assignment, the Under Secretary of War makes final determination as to the existence of statutory authority to requisition property desired to be requisitioned by the War Department and, if the Proposal to requisition and the proposed disposal of the property is approved by the Army and Navy Munitions Board and in proper cases, by the Chairman of the War Production Board, the War Food Administrator or the Office of Defense Transportation, issues the Requisition. He also makes final administrative determination as to the amount of compensation to be paid for property requisitioned by the War Department.

SUBPART B—ACQUISITION OF PROPERTY BY REQUISITION

Section 814.1405 is amended to read as follows:

§ 814.1405 *Statutory authority to requisition property.* (a) The Act of October 10, 1940, as amended, authorizes the taking of property by requisition when it is determined that:

(1) The property is military or naval equipment or munitions, or component parts thereof, or machinery, tools, or materials, or supplies necessary for the manufacture, servicing, or operation thereof;

(2) The property was ordered, manufactured, procured, or possessed for export purposes, and that the exportation thereof has been prohibited or curtailed in accordance with the provisions of Section 6 of the Act of July 2, 1940 (54 Stat. 714) as amended by the Act of June 30, 1942 (56 Stat 463, 50 U.S.C. App. 701), by the Act of July 1, 1944 (Public Law 397; 78th Congress) or by any other law; and

(3) It is necessary in the interest of national defense or prosecution of the war to requisition and take over the property for use or operation by the United States or in its interest.

(b) The Act of October 16, 1941, as amended, authorizes the taking of property, other than fire arms possessed by an individual for his personal protection or sport, possession of which is not prohibited by existing law, by requisition, if the taking will not impair or infringe in any manner the right of any individual to keep and bear arms, when it is determined that:

[1] This Alternate Article 10 will be inserted instead of the standard Article 10 when the contract contains § 803.365 (a-1). In such event, § 803.365 (a-1) will be modified to commence as follows:

"Except as otherwise specifically provided, the Contractor shall not be liable for loss or destruction of or damage to "Government property," (i. e., property of the Government in the possession or control of the Contractor in connection with this contract, other than property furnished by the Contractor title to which is vested in the Government by reason of the provisions of Article 16 (c) hereof entitled "Payments to Contractor") (1) caused by any peril • • •".

(1) The property is military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions;

(2) The use of the property is needed for the defense of the United States;

(3) Such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and

(4) All other means of obtaining the use of the property for the defense of the United States upon fair and reasonable terms have been exhausted.

SUBPART D—RETURN OF REQUISITIONED PROPERTY AND DISPOSITION OF PROCEEDS OF REQUISITIONED PROPERTY

1. Section 814.1415 is amended to read as follows:

§ 814.1415 *Return of requisitioned property to former owner under certain conditions.* The Act of October 16, 1941, as amended, provides that whenever it is determined that property requisitioned under that Act and retained is no longer needed for the defense of the United States it shall, if the original owner desires the property and pays the fair value thereof, be returned to such owner and that, in any event, property so acquired and retained shall, if such owner desires the property and pays the fair value thereof, be returned to him not later than December 31, 1945. Should a technical service determine that property requisitioned by it and retained is no longer needed for the defense of the United States it shall advise the Legal Branch, Director of Matériel, which will prescribe the procedure to be followed in effecting its return.

2. The caption "Subpart E—Requisitioning Forms is inserted immediately preceding § 814.1417.

[Procurement Reg. 15]

PART 815—TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

SUBPART A—POLICY AS TO TERMINATION OF CONTRACTS AND SUPERVISION OF TERMINATION SETTLEMENTS

Introduction

1. Paragraph (b) of § 815.100 is amended to read as follows:

§ 815.100 *Scope of part.* • • •

(b) Adjustments under the so-called "Changes" article in War Department contracts, consisting of changes in specifications, accelerations or extensions of delivery schedules, increases in quantities and similar matters. (See for example §§ 803.329a; 803.351 (c); 813.1301, Art. 2; 813.1302, Art. 3; 813.1303, Art. 1, sub-par. 5.) The relationship between quantity reductions made under "Changes" articles and terminations for convenience is explained in § 815.300 (c).

2. The first paragraph of § 815.104 is designated (a), and paragraphs (b) and (c) are added as follows:

§ 815.104 *Legal authority for terminations and settlements.* (a) • • •

(b) The Contract Settlement Act of 1944 confers on contracting agencies express authority to settle termination claims by agreement, by arbitration, and by determination without agreement, in accordance with the provisions of the Act, and authorizes the making and amending of contracts to carry out the provisions of the Act. Before the passage of the Act, the authority to make negotiated settlements has been held to exist under various court decisions and also rested on Public Law 703, as extended, and the First War Powers Act, 1941.

(c) The chief of each technical service may exercise the authority to terminate contracts and the authority and discretion under the Contract Settlement Act of 1944 to the extent authorized by these regulations.

3. That portion of § 815.107 preceding paragraph (a) is amended to read as follows:

§ 815.107 *Amendments of contracts to insert termination provisions.* (1) Section 6 (g) of the Contract Settlement Act of 1944 provides as follows:

Where any war contract does not provide for or provides against such fair compensation for its termination, the contracting agency, either before or after its termination, shall amend such war contract by agreement with the war contractor, or shall authorize, approve, or ratify an amendment of such war contract by the parties thereto, to provide for such fair compensation.

By the definition of "war contract" contained in the act this provision applies both to prime contracts and subcontracts.

(2) The approved termination articles currently authorized provide fair compensation for termination of contracts. Amendments of contracts to include such approved articles, whether or not they contain earlier forms of termination articles, will facilitate prompt settlements, promote uniform procedures, avoid delay and administrative difficulties, and carry out the objectives of the act.

(3) The chief of each technical service may make such amendments of contracts in accordance with paragraphs (a) and (b) and may authorize, approve or ratify such amendments of subcontracts in conformity with § 815.436. Each such amendment will recite that it is made pursuant to the Contract Settlement Act of 1944. A form of supplemental agreement appropriate for prime contracts is set out in § 815.926. Before making any such amendment the assent of each surety, guarantor, or assignee should be obtained.

4. Section 815.112 is amended to read as follows:

§ 815.112 *Requirement to expedite "hardship cases."* It is War Department policy to expedite settlement of all terminated contracts and subcontracts. Where the termination imposes unusual financial hardship on a contractor, the policy is to give his case special administrative priority.

5. Sections 815.113 to 815.115 are added, as follows:

§ 815.113 *Relief of Government officers and employees from personal liability.* (a) Section 15 of the Contract Settlement Act of 1944 provides as follows:

Sec. 15. (a) Whenever any payment is made from Government funds to any war contractor or other person as an advance, partial or final payment on any termination claim, or pursuant to any loan, guaranty, or agreement for the purchase of any loan, or any commitment in connection therewith, entered into by the Government, no officer or other Government agent authorizing or approving such payment or settlement, or certifying the voucher for such payment, or making the payment in accordance with a duly certified voucher, shall be personally liable for such payment, in the absence of fraud on his part. In settling the accounts of any disbursing officer the General Accounting Office shall allow any such disbursements made by him notwithstanding any other provisions of law.

(b) This provision relieves any Government officer or agent authorizing, approving, certifying, or making payment on any termination claim or on any interim financing, or authorizing or approving any settlement, from personal financial liability for such payment except for his own fraud. Thus, an officer or employee will not be personally liable for mistakes of judgment or errors made in good faith in connection with termination payments or settlements or interim financing.

§ 815.114 *Assistance in preparation of termination claims.* (a) Section 20 (f) of the Act provides as follows:

(f) Any contracting agency may authorize or direct its officers and employees, as a part of their official duties, to advise, aid, and assist war contractors in preparing and presenting termination claims, in obtaining interim financing, and in related matters, to such extent as it deems desirable. Such advice, aid, or assistance shall not constitute a violation of Section 109 of the Criminal Code (18 U.S.C. 198) or of any other law, provided the officer or employee does not receive therefor benefit or compensation of any kind, directly or indirectly, from any war contractor.

(b) As a part of their official duties War Department officers and employees will advise, aid and assist contractors and subcontractors as authorized or required by this regulation or by the chief of their technical service.

§ 815.115 *Prosecution of fraud.* In addition to the criminal provisions relating to preservation of records set out in § 815.408, the act provides (a) that fraud in connection with negotiation, termination and performance of a contract with the United States be punishable by fines and forfeitures, and (b) that 18 U.S.C. Section 80 shall apply broadly to all statements and representations under the act. The exact language of the act is as follows:

(1) Sec. 19 (c) (1):

Every person who makes or causes to be made, or presents or causes to be presented to any officer, agent, or employee of any Government agency any claim, bill, receipt, voucher, statement, account, certificate, affidavit, or deposition knowing the same to be

false, fraudulent, or fictitious or knowing the same to contain or to be based on any false, fraudulent, or fictitious statement or entry, or who shall cover up or conceal any material fact, or who shall use or engage in any other fraudulent trick, scheme, or device, for the purpose of securing or obtaining, or aiding to secure or obtain, for any person any benefit, payment, compensation, allowance, loan, advance, or emolument from the United States or any Government agency in connection with the termination, cancellation, settlement, payment, negotiation, renegotiation, performance, procurement, or award of a contract with the United States or with any other person, and every person who enters into an agreement, combination, or conspiracy so to do, (1) shall pay to the United States an amount equal to 25 per centum of any amount thereby sought to be wrongfully secured or obtained but not actually received, and (2) shall forfeit and refund any such benefit, payment, compensation, allowance, loan, advance, and emolument received as a result thereof, and (3) shall in addition pay to the United States the sum of $2,000 for each such act, and double the amount of any damage which the United States may have sustained by reason thereof, together with the costs of suit.

(2) Sec. 19 (d):

The provisions of section 35–A of the Criminal Code (18 U.S.C., sec. 80) shall apply to any statement, representation, bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition made or used or caused to be made or used for any purpose under this Act or under any regulations pursuant to this Act.

Section 80 of 18 U.S.C. reads as follows:

Whoever shall make or cause to be made or present or cause to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, any claim upon or against the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder, knowing such claim to be false, fictitious, or fraudulent; or whoever shall knowingly and wilfully falsify or conceal or cover up by any trick, scheme, or device a material fact, or make or cause to be made any false or fraudulent statements, or representations, or make or use or cause to be made or used any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry in any matter within the jurisdiction of any department or agency of the United States or of any corporation in which the United States of America is a stockholder, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

Definitions

6. In § 815.150, paragraphs (a) to (j) are amended, and paragraphs (k) to (r) are added, as follows:

§ 815.150 *Definitions.* The following terms as used in this part shall have the following meanings.

(a) *The act.* The term "the act" means the Contract Settlement Act of 1944 (Public 395, 78th Cong., approved 1 July 1944).

(b) *Chief of technical service.* The term "chief of a technical service" includes the chief of any one of the technical services of the Army Service Forces, the Commanding General, Army Air Forces, and the Commanding General of any Service Command, and except as otherwise expressly provided, includes any duly authorized representative of any of them (§§ 801.108 (d) and (e), and 815.206).

(c) *Common item.* The term "common item" means any materials which are normally usable both in connection with the terminated contract and in connection with other work of the war contractor.

(d) *Continued portion of contract.* The term "continued portion of contract" means that portion of a terminated contract not already completed which, in accordance with a notice of termination, the contractor must continue to perform.

(e) *Contracting officer.* The term "contracting officer" means the officer or employee who signs a contract on behalf of the Government and includes a duly appointed successor or authorized representative of such a contracting officer, all as set out in § 803.302 (c). The term shall have the same breadth of meaning as in § 803.302 (c).

(f) *Contractor.* The term "contractor" means the holder of a prime contract with the United States.

(g) *Interim financing.* The term "interim financing" includes advance payments, partial payments, loans, discounts, advances, and commitments in connection therewith, and guarantees of loans, discounts, advances, and commitments in connection therewith and any other type of financing made in contemplation of or related to termination of war contracts.

(h) *Material.* The term "material" includes any article, commodity, machinery, equipment, accessory, part, component, assembly, work in process, maintenance, repair and operating supplies, and any product of any kind.

(i) *Other work.* The term "other work" means any work, whether Government or commercial, being done by a contractor or subcontractor, other than that related to the terminated contract or subcontract under discussion.

(j) *Prime contract.* The term "prime contract" means any contract, agreement, purchase order, letter order, or letter of intent, heretofore or hereafter entered into by the War Department and connected with or related to the prosecution of the war.

(k) *Subcontract.* The term "subcontract" means any contract, agreement, or purchase order heretofore or hereafter entered into to perform any work, or to make or furnish any material to the extent that such work or material is required for the performance of any one or more prime contracts or of any one or more other subcontracts.

(l) *Subcontractor.* The term "subcontractor" means any holder of one or more subcontracts.

(m) *Termination.* The terms "termination" and "terminate" and "terminated" refer to the termination or cancellation, in whole or in part, of work under a prime contract for the convenience or at the option of the Government (except for default of the prime contractor) or of work under a subcontract for any reason except the default of the subcontractor.

(n) *Termination claim.* The term "termination claim" means any claim or demand by a war contractor for fair compensation for the termination of any war contract and any other claim under a terminated war contract, which this regulation authorizes to be asserted and settled in connection with any termination settlement.

(o) *Termination inventory.* The term "termination inventory" means any materials (including a proper part of any common items), properly allocable to the terminated portion of a war contract, except any machinery or equipment subject to a separate contract specifically governing the use or disposition thereof.

(p) *Uncompleted portion of the contract.* The term "uncompleted portion of the contract", when used with respect to a terminated lump-sum supply contract, means that portion of the contract which does not relate either (1) to completed supplies called for by the contract or (2) to any continued portion (see § 815.150 (d)) of the contract.

(q) *War contract.* The term "war contract" includes a prime contract and a subcontract.

(r) *War contractor.* The term "war contractor" means a holder of a war contract.

Organization and Responsibility for Terminations

7. Section 815.200 is added, as follows:

§ 815.200 *Office of Contract Settlement.* (a) The act establishes an Office of Contract Settlement headed by the Director of Contract Settlement, and a Contract Settlement Advisory Board composed of the Director and representatives of the principal contracting agencies and of the Department of Justice.

(b) The Director is responsible for insuring uniform and efficient administration of the provisions of the act. For this purpose he will issue general orders or general regulations prescribing policies, principles, methods, procedures and standards to govern the exercise of the authority and discretion and the performance of the duties and functions of the various Government agencies under the act.

(c) To the extent applicable to War Department activities, the regulations of the Director will be embodied or effectuated in this part. Consequently, the chiefs of technical services and contracting officers will not find it necessary to refer directly to the regulations of the Director but will confine themselves to these regulations for all instructions regarding terminations, termination settlements, and interim financing.

(d) The Readjustment Division, Headquarters, Army Service Forces, will maintain liaison between the War Department and the Office of the Director of Contract Settlement, and will clear all matters of policy arising in connection with that office.

8. Section 815.203 is amended to read as follows:

§ 815.203 *Decentralization and supervision of administration*—(a) *Decentralization.* The policy of the War Department is to delegate to the chiefs of the several technical services the administration of contract terminations as fully as possible. Subject to the provisions of this part in effect from time to time, the chief of each technical service may delegate such administration to such extent as he deems appropriate.

(b) *Supervision of administration.* (1) The act places directly on the War Department and other contracting agencies responsibility for protecting the Government's interest in making termination settlements and interim financing. The Comptroller General is authorized to investigate completed settlements for the purpose of reporting to Congress on whether the settlement methods and procedures used by the contracting agencies are designed to achieve expeditious and fair settlements and are followed with care and efficiency and adequately protect the interest of the Government.

(2) The chief of each technical service will establish procedures for regular checks of the administration of terminations by each procurement office, including review of samples of settlements and financing, to insure that its termination settlements are being made expeditiously and are fair to the Government and to contractors and conform to existing regulations.

(3) The chief of each technical service will be prepared to report periodically on the procedures established by him to discharge his responsibilities under this paragraph and on the results of the checks on individual procurement offices.

9. In § 815.220, paragraphs (a), (c) and (d) are amended as follows:

§ 815.220 *Provisions for review of termination settlement agreements.* (a) The chief of each technical service will establish for the assistance of contracting officers engaged in the settlement of termination cases, one or more settlement review boards composed of at least three responsible officers or civilian employees of the War Department. So far as is practicable in view of the volume of cases being handled and the availability of qualified personnel, such boards will be established at regional offices where responsibility for negotiation of settlements is placed. The duties of such boards may be assigned to the members of any boards or sections already in existence or already charged with other duties. No person will serve as a member of the settlement review board in reviewing a settlement in which he has participated.

* * * * *

(c) The review board will submit to the contracting officer a written recommendation with respect to each proposed settlement or other matter considered by the board. Any proposed settlement disapproved by the review board shall not be executed unless approved by the chief of the office in which the board is established. If the amount of the proposed settlement exceeds $500,000, it shall, after the approval by the review board, be submitted to such higher authority as the chief of the technical service concerned shall deem appropriate, and shall not be executed until approved by such authority acting personally or through such person or persons as he shall specifically designate to act for him. Review boards must act promptly with respect to all matters submitted for their consideration or approval. Failure of the review board to act upon any settlement within 30 days after its submission to the board shall operate as approval by the board.

(d) In determining, for purposes of this paragraph, whether review of any proposed settlement is required because of the amounts involved, no deduction shall be made on account of credits for property chargeable to the Government or for advance or partial payments, but amounts payable under such settlement agreement for completed articles or work at the contract price and for the discharge of the termination claims of subcontractors shall be deducted.

10. The introductory paragraph of § 815.222 is amended to read as follows:

§ 815.222 *Records to support final settlement.* It is the responsibility of the chiefs of the technical services to assure that adequate records will be kept in accordance with the standards of prudent business judgment to substantiate settlements made by contracting officers. Such records will be kept for at least (1) five years subsequent to final settlement of the terminated contract, or (2) five years subsequent to disposition of termination inventory relating to such contract, or (3) five years after termination of hostilities in the present war, as proclaimed by the President or by a concurrent resolution of the two Houses of Congress, whichever applicable period is longer.

* * * * *

SUBPART B—PROCEDURES RELATING TO TERMINATION OF LUMP SUM SUPPLY CONTRACTS

1. In § 815.300 the introductory paragraph is amended by deleting the last three sentences thereof and new paragraphs (b) and (c) are added; as follows:

§ 815.300 *Introductory.* The discussion in this subpart relates primarily to the termination of lump sum supply contracts. However, the procedures herein discussed are in many instances equally applicable to lump sum construction contracts and to cost-plus-a-fixed-fee contracts (to the extent indicated in the discussion of those types of contract) (see §§ 815.600 et seq., and 815.650 et seq.).

* * * * *

(b) *Alternative methods.* (1) The act authorizes each contracting agency to "establish methods and standards, suitable to the conditions of various war contractors, for determining fair compensation for the termination of war contracts on the basis of actual, standard, average, or estimated costs or of a percentage of the contract price based on the estimated percentage of completion of work under the terminated contract, or on any other equitable basis, as it deems appropriate."

(2) The procedures prescribed by this subpart contemplate the filing of a termination inventory for the termination claim, and of a statement of the costs of the work done on the terminated portion of the contract based on actual, standard, average, or estimated costs. In some instances these procedures may be unduly complicated or burdensome. For example, in the termination of contracts for standard supplies and ordinary commercial articles, other procedures may be more expeditious and equitable.

(3) Wherever the chief of any technical service considers that fair settlement in any case or class of cases will be expedited by basing it on a percentage of the contract price based on the estimated percentage of completion of work under the terminated contract, he is authorized, by general regulations or specific orders, to modify, or permit deviation from, the procedures prescribed by this subpart to the extent necessary to permit such methods to be used. The chief of the technical service will promptly report each such general regulation in writing to the Readjustment Division, Headquarters, Army Service Forces, with a brief statement of the reasons for its issuance.

(4) Whenever the chief of any technical service considers that fair settlement of any case or class of cases will be expedited by methods and standards for settlement, other than those prescribed by this subpart or authorized by subparagraph (3) above, he will submit to the Readjustment Division, Headquarters, Army Service Forces, a report (i) recommending an alternative method or standard for such settlements, and (ii) requesting authority for its use in the particular case or class of cases. Any such alternative method and standard shall be designed to compensate the contractor fairly for the preparations made and work done for the terminated portion of the contract, including a reasonable profit on such preparations and work.

(c) *Reduction under "Changes" article or by agreement.* (1) The special "Changes" article set forth in § 803.329a authorizes the Government, under certain conditions, to reduce by a change order the quantity of supplies to be delivered under the contract. Such a reduction is a method of partial termination.

(2) Where a reduction in the quantity of supplies to be delivered under a contract appears likely to involve substantial or complicated problems regarding termination inventories or claims by subcontractors, such reduction will usually be effected as a partial termination pursuant to the termination article contained in the contract (see *e. g.* §§ 803.324, 815.901, 815.901a). Where no such substantial or complicated problems relating to termination inventories or subcontractors' claims appear to be involved, such a reduction in the quantity of supplies should be effected under the

special "Changes" article (§ 803.329a) or any similar article. Where a contract does not contain such a "Changes" article reductions may be made under the same conditions by supplemental agreement with the consent of the contractor.

(3) When any such reduction is made under the "Changes" article or by supplemental agreement, the contractor may be compensated therefor by equitable adjustment in the contract price without conforming to the procedures in this part; but the provisions of this part may be used as a guide in making the adjustment. By such an equitable adjustment the contractor should receive fair compensation for the reduction. It is not intended that, in making such an equitable adjustment for a reduction, any of the types of costs, allocable to the reduction and payable in accordance with the Statement of Principles for Determination of Costs on Termination (see § 815.480 et seq.) shall be denied, although the Statement of Principles is not strictly applicable to adjustments under such change orders. In the event of any failure to agree on the adjustment, in any such case, the contracting officer will make formal findings substantially in accordance with § 815.560 and the following sections insofar as applicable. Since such reductions constitute a termination under the Act, the contractor will be entitled to appeal from such findings or sue in accordance with section 13 of the act.

Action To Be Taken Prior to Service of Termination Notice

2. In § 815.306 a new paragraph (a) is added, and former paragraphs (a) to (c) are redesignated (b) to (d).

§ 815.306 *Determination of scope of proposed termination.* (a) The Act provides as follows regarding proper cut-off points:

SEC. 11 (a) In order to facilitate the efficient use of materials, manpower, and facilities for war and civilian purposes, each contracting agency— • • •

(3) shall permit the continuation of some or all of the work under a terminated prime contract whenever the agency deems that such continuation will benefit the Government or is necessary to avoid substantial injury to the plant or property.

• • • • •

3. Section 815.310 is revoked, as follows:

§ 815.310 *Amendments to insert provisions for negotiated settlements.* [Revoked.]

4. Section 815.311 is amended to read as follows:

§ 815.311 *Settlements of contracts containing no termination articles.* (a) When the Government desires to terminate a contract containing no termination article and the contractor will not agree to insert an approved termination article by amendment, the chief of the technical service without the approval of higher authority may make an agreement for the discontinuance of performance and for settlement of the contract or provide for its settlement by reason of such termination in such form as he deems for the best interest of the Government.

(b) If no satisfactory agreement can be made for the termination of such a contract, the chief of the technical service concerned acting personally or through a duly authorized representative within his own headquarters office (or in the Army Air Forces within the headquarters office of any of the major component commands of the Army Air Forces), may authorize the contracting officer to order the contractor to discontinue further performance. Where speed is essential such authority may be granted by teletype or telegraph. In view of the War Department policy against breaches of contract, such action will be taken only in unusual cases where all other reasonable efforts to prevent unnecessary expense have been exhausted. In any such case special care will be taken to record and preserve a statement of the circumstances and reasons leading to the action and of the grounds on which such action was determined to be in the interest of the Government.

(c) Where the contractor has been ordered to discontinue performance under paragraph (b) above, the chief of the technical service may make a settlement agreement with the contractor in accordance with paragraph (a) above. Where the contractor refuses to agree to a settlement, the chief of the technical service will prepare and deliver to the contractor findings of the amount due on his termination claim in accordance with the formula prescribed in the uniform termination article (see § 815.560 et seq.).

5. Section 815.315 is amended to read as follows:

§ 815.315 *Suspensions of performance undesirable.* (a) Section 11 (b) of the act provides as follows:

Whenever a contracting agency hereafter directs a prime contractor to cease or suspend all or a substantial part of the work under a prime contract, without terminating the contract, then, unless the contract provides otherwise, (1) the contracting agency shall compensate the contractor for reasonable costs and expenses resulting from such cessation or suspension, and (2) if the cessation or suspension extends for thirty days or more, the contractor may elect to treat it as a termination by delivering written notice of his election so to do to the contracting agency, at any time before the contracting agency directs the prime contractor to resume work under the contract.

(b) The act does not alter established War Department policy against suspension of contracts. Contracting officers will continue to avoid directing a prime contractor to suspend performance while attempting to decide whether to terminate a particular contract. Generally, this course results in confusion to the contractor, increased costs to the Government, and disorganization of the contractor's working forces and operations.

(c) Occasionally, however, the possibility of termination may justify an order to a contractor to suspend performance. The contracting officer should not do so, however, unless he is sure that the resulting cost to the Government will be substantially less than either (1) allowing the performance of the contract to continue, or (2) effecting its immediate termination. Where a suspension is ordered it is suggested that the contracting officer:

(i) Should discuss with the contractor the nature and terms of the suspension and reduce such terms to writing and, if possible, obtain the contractor's consent to them; and

(ii) Should limit the duration of the suspension and not delay a decision as to termination.

(d) Whether the contract is reinstated or terminated, the reasonable costs of the contractor caused by the suspension should be paid either pursuant to an appropriate supplemental agreement or as a part of the termination settlement.

(e) In some instances, while working out with the contractor appropriate preliminary arrangements for a termination which has definitely been decided upon, a short suspension may be arranged by letter, conference or telegram (see form set out in § 815.911). The method should not be pursued except where it is certain that the contract will be terminated in whole or in part in the manner stated in the notice of suspension and is designed merely to afford an opportunity to make appropriate arrangements with the contractor prior to giving formal notice of termination (see e. g. § 815.312).

Service of Termination Notice and Action Connected Therewith

6. In § 815.322, paragraphs (a) and (c) are amended to read as follows:

§ 815.322 *Commencement of negotiations; initial conference with the contractor at the time of the service of the termination notice.* (a) In the case of each termination of a substantial contract, at the time of service of the termination notice, or as promptly as possible thereafter, a conference should be held with the contractor to negotiate the general outlines to be followed in making settlement and to develop a definite program to be followed by all parties participating in the work of settlement. Negotiations should be carried out at this conference sufficiently completely so that the basic terms on which settlement is to be effected are at least tentatively determined and so that there is a clear understanding as to what information is to be furnished by the contractor, what methods are to be pursued in disposing of property, what the general principles of settlements are to be and what accounting or other investigation is to be undertaken. The various methods of interim financing available to the contractor, and his need for such financing, should be carefully reviewed. If the contractor desires financing, a definite program should be developed at this conference. In addition, arrangements should be made with the contractor by which the needs of subcontractors for interim financing may be immediately ascertained and acted upon.

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(c) It is important that all interested groups in the office of the contracting officer should be represented at the initial conference. This will normally include the principal representative of the contracting officer, hereinafter mentioned, and also appropriate negotiating, technical, engineering, legal and accounting personnel. At or before the initial conference some one person will be designated by the contracting officer as his principal representative in connection with the particular termination, but it should be made wholly clear to the contractor that such representative is not authorized to agree finally upon a supplemental agreement making settlement of the amount, if any, due by reason of the termination. The contracting officer's representative should be given authority, either general or limited,

(1) To approve partial payments for the contractor and for subcontractors,

(2) To approve dispositions of property,

(3) To approve settlements with subcontractors up to some stated amount,

(4) To pass upon the miscellaneous minor questions which inevitably arise in connection with a termination settlement,

(5) To negotiate a settlement subject to any required approval.

7. Section 815.324 (a) is amended to read as follows:

§ 815.324 *Release of information concerning cutbacks.* * * *

(a) *Approval of large cutbacks; notification of cutbacks to other Government agencies.* Pursuant to order of the Director, Office of War Mobilization, dated 5 June 1944, certain authority with respect to the making of cutbacks and terminations has been conferred upon the War Production Board. Proposed cutbacks or terminations which involve a reduction of $1,000,000 or more of the total value of the items to be delivered in the current month or any one of the succeeding six months under all prime contracts for the same procurement item are required to be submitted to the War Production Board for approval prior to the sending of a formal notice of termination to the contractor. Any change in schedule under any one outstanding prime contract which reduces the value of items to be delivered during the current and succeeding three months by $200,000 or more is required to be reported to the War Production Board and certain other Government agencies as soon as possible, ordinarily not later than two days before the contractor is formally notified of such change. Detailed instructions[1] have been issued by Headquarters, Army Service Forces and Headquarters, Army Air Forces, with respect to the procedure to be followed, and War Production Board forms have been distributed for this purpose. Since this procedure is in a developmental stage, all circulars and instructions on this subject should be carefully checked for changes.

Preparation and Review of Contractors' and Subcontractors' Accounting Statements and Proposals for Settlement: Accounting Guides to a Negotiated Settlement

8. Section 815.408 is added, as follows:

§ 815.408 *Criminal law relating to contractors' records.* (a) Section 19 (a) of the act reads in part as follows:

> It shall be unlawful for any person willfully to secrete, mutilate, obliterate, or destroy, or cause to be secreted, mutilated, obliterated, or destroyed:
>
> (i) any records of a war contractor relating to the negotiation, award, performance, payment, interim financing cancellation or other termination, or settlement of a war contract of $25,000 or more; or
>
> (ii) any records of a war contractor and any purchaser relating to any disposition of termination inventory in which the consideration received by any war contractor or any Government agency is $5,000 or more,
>
> until (1) five years after such disposition of termination inventory by such war contractor or Government agency, or (2) five years after the final settlement of such war contract, or (3) five years after the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress, whichever applicable period is longer.
>
> As used in this subsection, the term "records" includes, but is not limited to, books, ledgers, checks and check stubs, pay-roll data, vouchers, memoranda, correspondence, inspection reports and certificates. Any corporation violating any provision of this subsection shall be fined not more than $50,000 and any natural person violating any provision of this subsection shall be fined not more than $10,000, or imprisoned for not more than five years, or both; *Provided, however*, That the Director, by regulation, may authorize the destruction of such records upon such terms and conditions as he deems appropriate, which may include the making and retaining of photographs or microphotographs.

(b) No regulations have as yet been issued by the Director authorizing destruction of such records, and consequently, contracting and disbursing officers and any other War Department officers having custody of such records (1) will observe the requirement of section 19 (a) of the act concerning such records and (2) will, to the extent feasible, bring this section to the attention of war contractors.

(c) Paragraph (h) of the uniform termination article (§§ 803.324, 815.901) requires the preservation of pertinent records for three years after final settlement, and in the case of any such records not covered by the act (see paragraph (a) above) this requirement will continue unchanged. In the case of all records which are covered by the act, the longer period of preservation prescribed by the act will be observed.

9. In § 815.436, paragraph (b) is amended, and paragraphs (c), (d), (e) and (f) are added, as follows:

§ 815.436 *Settlement of subcontractors' and suppliers' claims.* * * *

(b) At the time of making any fixed-price subcontract for the manufacture of supplies, any contractor or subcontractor may insert in it the approved subcontract termination article, if it is appropriate. Where any subcontract is a requirement or open end contract, the article will be made to apply only to termination before the purchase of any minimum quantity contracted for, or to a termination of a firm order issued under the subcontract.

(c) The approved subcontract termination article may be inserted by amendment at any time in any fixed-price subcontract for the manufacture of supplies for which it is appropriate. The profit percentages set forth in the approved article will generally be considered fair and reasonable, but when a subcontract is so amended after termination of the prime contract, the rate of profit, if any, fixed in subparagraph (2) (ii) of paragraph (b) of the article shall not exceed the rate of profit which the parties then estimate would have been realized had the subcontract been completed.

(d) Where, at the time of settlement, a subcontract does not contain the approved article, a settlement based upon a reasonable estimate by the parties of the aggregate amounts which would be due under subparagraphs (1), (2) and (3) of paragraph (b) of the approved subcontract article, will be considered fair and reasonable, unless the profit allowed, if any, exceeds the rate of profit which the parties then estimate would have been realized had the subcontract been completed.

(e) As far as possible, terminated subcontracts should be settled by negotiated agreement.

(f) In some instances, because of the terms of the particular subcontract being settled, the Government will be under an obligation either to make reimbursement for, or to assure the defense against, a demand by a subcontractor which is greater in amount than would be recognized by the principles of the approved subcontract article. On the submission to the contracting officer for his approval of a settlement which provides for the payment of such an amount, the contracting officer will decide whether the settlement should be approved or ratified and whether the Government should protect the prime contractor or intermediate subcontractor from the asserted liability. (See § 815.535.)

10. In § 815.437, paragraph (a) is redesignated (a–1), and a new paragraph (a) is added, as follows.

§ 815.437 *Subcontractors' and suppliers' claims; investigation and approval by Government personnel*—(a) *Statutory provisions.* Section 7 (a) of the Contract Settlement Act of 1944 provides as follows:

> Where, in connection with the settlement of any termination claim by a contracting agency, any war contractor makes settlements of the termination claims of his subcontractors, the contracting agency shall limit or omit its review of such settlements with subcontractors to the maximum extent compatible with the public interest. Any contracting agency (1) may approve, ratify, or authorize such settlements with subcontractors upon such evidence, terms, and conditions as it deems proper; (2) shall vary the

[1] See ASF Circular 209 dated 6 July 1944, and, for attachments only, ASF Circular No. 182, dated 16 June 1944; and letter from Headquarters, Army Air Forces, to Commanding General, Matériel Command, subject, "Procedures for Contract Cutbacks", dated 12 June 1944.

scope and intensity of its review of such settlements according to the reliability of the war contractor, the size, number, and complexity of such claims, and other relevant factors; and (3) shall authorize war contractors to make such settlements with subcontractors without review by the contracting agency, whenever the reliability of the war contractor, the amount or nature of the claims, or other reasons appear to the contracting agency to justify such action. Any such settlement of a subcontract approved, ratified, or authorized by a contracting agency shall be final and conclusive as to the amount due to the same extent as a settlement under subsection (c) of section 6 of this Act, and no war contractor shall be liable to the United States on account of any amounts paid thereon except for his own fraud.

(a–1) • • •

11. In § 815.437a paragraphs (a) (3) is amended, the undesignated paragraph following (a) (3) is amended, a new undesignated paragraph is added, and paragraph (d) is amended, as follows.

§ 815.437a *Authorizations to prime contractors and subcontractors to make subcontract settlements involving payments of not more than $10,000—(a) Authorizations of settlements by prime contractors.* • • •

(3) All the property allocable to the terminated portion of the subcontract or purchase order, the cost of which is included in the statement of charges, will be retained by the prime contractor or subcontractor at fair and reasonable values or sold by them at the best obtainable prices and the value or proceeds credited on the settlement.

Subparagraph (3) above is subject to the exception, however, that if the prime contractor or subcontractor can not sell part or all of the property at any price or considers the best obtainable price too low to be acceptable, taking into full consideration the difficulties to be encountered in the shipment and handling of small amounts of property if delivered to the Government, then the prime contractor may make special arrangements with the contracting officer for transfer of title and delivery to the Government of such unsold property.

The chief of each technical service will coordinate the granting of authority under this paragraph by the procurement officers of his service in order to avoid inconsistent action and to expedite settlements.

(d) *Paragraph applicable to cost-plus-a-fixed-fee prime contractors.* An authorization in accordance with this paragraph may be given in connection with the settlement of terminated subcontracts or purchase orders under cost-plus-a-fixed-fee prime contracts.

• • • • •

12. Sections 815.490 and 815.491 are added, as follows:

§ 815.490 *Interest on prime contractor's claim.* (a) Each settlement with a prime contractor will provide for interest at the rate of 2½ per centum per annum on the amount due and unpaid on the termination claim from time to time, computed in accordance with this paragraph.

(b) For the purpose of computing interest, the term "the date fixed for termination" means the date upon which the notice of termination requires the contractor (1) to reduce or stop deliveries under his contract or, (2) if no deliveries are being made or are called for under the contract, to reduce or stop performance under the contract.

(c) The amount due and unpaid on the claim from time to time shall be determined as follows:

(1) The contractor's own claim for termination expenses before deducting any disposal credits shall be treated as due 30 days after the date fixed for termination.

(2) Costs of settling termination claims of subcontractors, and allowable post-termination expenses shall be included as of the date on which the contractor pays them.

(3) Credits for disposal of termination inventory and partial payments shall be applied to reduce the amount due as of the date payment or disposal is made.

(d) Such interest shall be computed for a period beginning thirty days after the date fixed for termination or 21 July 1944, whichever date is later, and ending with the date of final payment to the contractor, with the following exceptions:

(1) If, in the opinion of the contracting officer, the prime contractor unreasonably delays settlement of his claim, interest shall not accrue for the period of such delay as determined by the contracting officer.

(2) If the contractor appeals or sues after a formula settlement, interest does not accrue after thirty days from the delivery of the findings, unless the amount allowed by the findings is increased upon the appeal or suit.

(e) Where interest for the period after termination on any advance payment or loan, made or guaranteed by the Government, has been waived for the benefit of the contractor, the amount of interest so waived which is allocable to the terminated contract shall be deducted from the interest otherwise payable under this paragraph.

(f) The settlement agreement will include an amount to cover the interest payable under this paragraph, based upon the estimate of the contracting officer as to the date of final payment, and will release all claims of the contractor for interest on the termination claim.

§ 815.491 *Interest on subcontractor's claims.* (a) Each prime contractor, in settling with his subcontractors, and each subcontractor, in settling with his own subcontractors, will allow interest substantially in accordance with the principles stated in § 815.490.

(b) In approving, ratifying, authorizing or making termination settlements with subcontractors, the contracting officer will allow interest on the termination claim of the subcontractor on substantially the same basis and conditions as are applicable to a prime contractor.

Interim Financing of Terminations

13. The following statutory provisions are inserted immediately preceding § 815.500.

(1) SECTION 1. The Congress hereby declares that the objectives of this Act are—

• • •

(b) To assure to prime contractors and subcontractors, small and large, speedy and equitable final settlement of claims under terminated war contracts, and adequate interim financing until such final settlement;

(2) SEC. 3. As used in this Act— • • •

(1) The term "interim financing" includes advance payments, partial payments, loans, discounts, advances, and commitments in connection therewith, and guaranties of loans, discounts, advances, and commitments in connection therewith and any other type of financing made in contemplation of or related to termination of war contracts.

(3) SEC. 7. (b) Whenever any contracting agency is satisfied of the inability of a war contractor to meet his obligations it shall exercise supervision or control over payments to the war contractor on account of termination claims of subcontractors of such war contractor to such extent and in such manner as it deems necessary or desirable for the purpose of assuring the receipt of the benefit of such payments by the subcontractors.

(4) SEC. 8. (a) It is the policy of the Government, and it shall be the responsibility of the contracting agencies and the Director, in accordance with and subject to the provisions of this Act, to provide war contractors having any termination claim or claims, pending their settlement, with adequate interim financing, within thirty days after proper application therefor.

(b) Each contracting agency shall, to the greatest extent it deems practicable, make available interim financing through loans and discounts, and commitments and guaranties in connection therewith, in contemplation of or related to termination of war contracts. Where interim financing is made by advance payments or partial payments, it shall, insofar as practicable, consist of the following:

(1) An amount equal to 100 per centum of the amount payable, at the contract price, on account of acceptable items completed prior to the termination date under the terms of the contract, or completed thereafter with the approval of the contracting agency; plus

(2) An amount equal to 90 per centum of the cost of raw materials, purchased parts, supplies, direct labor, and manufacturing overhead allocable to the terminated portion of the war contract; plus

(3) A reasonable percentage of other allowable costs, including administrative overhead, allocable to the terminated portion of the war contract not included in the foregoing; plus

(4) Such additional amounts, if any, as the contracting agency deems necessary to provide the war contractor with adequate interim financing.

(5) In lieu of the costs referred to in clauses (2) and (3) of this subsection, where a detailed ascertainment of such costs is not suitable to the conditions of any war contractor and is apt to cause delay in the obtaining of interim financing by him, that portion of such interim financing shall be equal to an amount not greater than 90 per centum of the estimated costs which are allocable to the terminated part or parts of the war contract or group of war contracts, and are ascertained in accordance with such methods and standards as the Director shall prescribe.

(6) There shall be deducted from the amount of such interim financing any unliquidated balances of advance and partial payments theretofore made to such war contractor, which are allocable to the terminated war contract or the terminated part of the war contract.

(c) The Director shall prescribe (1) the types of estimates, certificates, or other evidence to be required to support such interim financing; (2) the terms and conditions upon which such interim financing shall be made including the use of standard forms for agreements with respect to such interim financing to the extent practicable; (3) the classes of cases in which such interim financing shall be refused; and (4) such methods of supervision and control over such interim financing as he deems necessary or desirable to assure adequate and speedy interim financing to subcontractors of the war contractor. (See § 815.200 (c).

(d) In case of an overstatement by any war contractor of the amount due on his termination claim or claims in connection with any interim financing under this Act, such contractor shall pay to the United States, as a penalty, an amount equal to 6 per centum of the amount of the overstatement, but the Director may suspend or modify any such penalty if in his opinion the imposition thereof would be inequitable. Any penalty may be deducted from any amounts due the war contractor upon such termination claim or claims, or otherwise, or may be collected from the war contractor by suit. The obligation to pay any penalty imposed and to repay any interim financing made or assumed by the United States under this Act shall constitute a debt due to the United States within the meaning of Revised Statutes, section 3466 (31 U.S.C., sec. 191).

(e) Any contracting agency may allow any advance payments, previously made or authorized by it in connection with the performance of a war contract, to be used for payments and expenses related to the termination settlement of such contract, upon such terms and conditions as it deems necessary or appropriate to protect the interest of the Government.

(f) No interim financing shall be made by any contracting agency under this Act unless the terms of such financing provide for the liquidation by the war contractor of all loans, discounts, advance payments, or partial payments thereunder not later than the time of final payment of the amount due on the settlement of the termination claim or claims of the war contractor involved or such time thereafter as the contracting agency deems necessary for the liquidation of such interim financing in an orderly manner.

(g) Any contracting agency may settle, upon such terms and conditions as it deems proper, any claim or obligation due by or to the Government arising from or related to any interim financing made, acquired, or authorized by it. Any interim financing made, acquired, or authorized by any contracting agency before the effective date of this Act shall be valid to the extent it would be authorized under the provisions of this Act if made after its effective date.

(5) SEC. 9. (a) Any contracting agency may make advance or partial payments to any war contractor on account of any termination claim or claims, and may authorize, approve, or ratify any such advance or partial payments by any war contractor to his subcontractors, upon such conditions as it deems necessary to insure compliance with the provisions of subsection (b) of this section. Each contracting agency shall make final payments from time to time on partial settlements or on settlements fixing a minimum amount due before complete settlement, or as tentative payments before any settlement of the claim or claims.

(b) Where any such advance or partial payment is made to any war contractor by any contracting agency or by another war contractor under this section, except a final payment on a partial settlement, any amount in excess of the amount finally determined to be due on the termination claim shall be treated as a loan from the Government to the war contractor receiving it, and shall be payable upon demand together with a penalty computed at the rate of 6 per centum per annum, for the period from the date such excess advance or partial payment is received to the date on which such excess is repaid or extinguished. Where the advance or partial payment was made by a war contractor and authorized, approved, or ratified by any contracting agency, the war contractor making it shall not be liable for any such excess payment in the absence of fraud on his part and shall receive payment or credit from the Government for the amount of such excess payment.

(6) SEC. 10. (a) Any contracting agency is authorized— • • •

(1) To enter into contracts with any Federal Reserve bank, or other public or private financing institution, guaranteeing such financing institution against loss of principal or interest on loans, discounts, or advances or on commitments in connection therewith, which such financing institution may make to any war contractor or to any person who is or has been engaged in performing any operation deemed by such contracting agency to be connected with or related to war production, for the purpose of financing such war contractor or other person in connection with or in contemplation of the termination of one or more such war contracts or operations; and

(2) To make, enter into contracts to make, or to participate with any Government agency, any Federal Reserve bank or public or private financing institution in making loans, discounts, or advances, or commitments in connection therewith, for the purpose of financing any such war contractor or other person in connection with or in contemplation of the termination of such war contracts or operations.

(b) Any such loan, discount, advance, guaranty, or commitment in connection therewith may be secured by assignment of, or covenants to assign, some or all of the rights of such war contractor or other person in connection with the termination of such war contracts or operations, or in such other manner as the contracting agency may prescribe.

(c) Subject to such regulations as the Board of Governors of the Federal Reserve System may prescribe with the approval of the Director, any Federal Reserve bank is authorized to act, on behalf of the contracting agencies, as fiscal agent of the United States in carrying out the purposes of this Act.

(d) This section shall not limit or affect any authority of any contracting agency, under any other statute, to make loans, discounts, or advances, or commitments in connection therewith or guaranties thereof.

(7) SEC. 15. (b) For the purpose of making termination settlements or interim financing any Government agency is authorized to rely upon such certificates of war contractors as it deems proper and to permit war contractors and other persons to rely upon such certificates without financial liability in the absence of fraud on their part.

14. Section 815.505 (a) is amended to read as follows:

§ 815.505 *Partial payments—(a) Distinguished from final payment on partial settlement.* A partial payment within the meaning of section 9 (b) of the act and these regulations should be distinguished from a final payment on a partial settlement. A partial payment to the extent that it is in excess of the amount finally determined to be due on the termination claim, is treated as a loan from the Government to the contractor, payable upon demand together with a penalty computed at the rate of 6% per annum from the date such excess payment was made to the date on which the excess is repaid or extinguished. On the other hand, payments made pursuant to partial or final settlements cannot be recovered by the Government in the absence of fraud. Payments of this latter type will most frequently be made when it is desired to reimburse the prime contractor for final settlements with subcontractors which have been approved by the contracting officer, or made pursuant to authority delegated by him, prior to final settlement of the prime contract (see § 815.559).

15. In § 815.506, paragraphs (a), (b), and (c) are amended, and paragraphs (d), (e) and (f) added, as follows:

§ 815.506 *Partial payments for the benefit of prime contractors—(a) Types of payment authorized.* A partial payment of one of the following types shall be provided for prime contractors within thirty days from date of receipt of a proper application therefor provided the conditions set forth in these regulations are satisfied:

(1) Immediate partial payment based on preliminary estimates (paragraph (b));

(2) Cost-supported partial payment based on an adequate statement of costs (paragraph (c)); or

(3) Controlled partial payment to be deposited in a special controlled account and to be released as particular items of cost become established and are presented for payment (paragraph (f)).

(b) *Immediate partial payments.* (1) It is recognized that many contractors may desire or need partial payments within a short time after receipt of a notice of termination and before an adequate inventory or statement of costs can be prepared. For this purpose immediate partial payments are authorized whenever the contracting officer believes that the contractor has not had a reasonable opportunity to prepare a detailed statement of his costs. A contractor who desires an immediate partial payment for his own benefit should include with his request for such a payment a certificate that the amount of his own costs allocable to the contract and due as of the date of the certificate is not less than a specified figure, after excluding charges with respect to inventory which he intends to retain at no cost to the Government.[1] In accordance with the policy expressed in the Act that partial payments be promptly made, and in view of the provisions of the act that excess partial payments shall be treated as loans,

[1] Under section 8 (d) of the act a war contractor is subject to a penalty of 6% of the amount of an overstatement made in connection with interim financing.

the contracting officer should promptly grant the request for partial payment in the largest amount he believes reasonable under all the circumstances then known to him, but such amount together with all previous unliquidated advance or partial paymets allocable to the contractor's own costs, shall not exceed 90% of the amount stated in the contractor's certificate. In deciding the amount to be paid, the cotracting officer should consider the contractor's certificate in the light of:

(i) All relevant information affecting the amount due then readily available to the contracting officer.

(ii) The relation between the amount of the requested partial payment and the amount certified by the contractor as due, and

(iii) The general reputation of the contractor for honesty and fair dealing.

It is recognized that the contracting officer may have little or no opportunity, in view of the policy expressed in the act, to do more than consider the general reasonableness of the certificate, and, in such cases, the contracting officer may make his determination of the amount to be paid solely upon the basis of such consideration of the contractor's certificate.

(2) The contractor should also anticipate the needs of his subcontractors for prompt partial or final payments and submit to the contracting officer a request for the necessary funds with which to make such payments promptly, as provided in § 815.507 (b) (1).

(c) *Cost supported partial payments.* Partial payments upon proper application shall also be made after the contractor has submitted a partial or complete settlement proposal, supported by the data prescribed for the submission of termination claims. On the basis of only such preliminary review as the contracting officer deems essential, the contracting officer will authorize payment of all or such part of the following amounts as he believes are within the amount due the contractor on his claim:

(1) An amount equal to 100 per centum of the amount payable, at the contract price, on account of undelivered [1] acceptable items completed prior to the termination date under the terms of the contract, or completed thereafter with the approval of the contracting officer; plus

(2) An amount equal to 90 per centum of the cost of raw materials, purchased parts, supplies, direct labor, and manufacturing overhead allocable to the terminated part of the war contract; and plus

(3) A reasonable percentage of other allowable costs, including administrative overhead, allocable to the terminated portion of the war contract not included in the foregoing.

In determining whether the proposed payment is within the amount believed to be due, the contracting officer will take into account the amount of any unliquidated advance or partial payments previously made on the terminated portion of the contract.

(d) *Voucher for partial payments.* Partial payments of the types described in paragraphs (b) and (c) may be authorized on the basis of a voucher signed by the contractor and approved by the contracting officer. The voucher shall include substantially the following provision:

> The payment covered by this voucher is a partial payment of the amount due on the contractor's termination claim under Contract W———, made pursuant to Section 9 of the Contract Settlement Act of 1944 and expressly subject to subsection (b) of such Section. This payment shall be applied against the amount finally payable by the Government to the contractor on such claim.

The voucher shall also include a certificate by the contracting officer substantially as follows:

> This payment is authorized under the Contract Settlement Act of 1944.

(e) *Successive partial payments.* Successive immediate and cost-supported partial payments should be made as soon after the first partial payment as possible, whenever the contractor requests additional payment and the conditions set forth in paragraphs (b) or (c) are satisfied. There is no limit to the number of immediate or cost-supported partial payments that may be made on any one contract before execution of the final settlement agreement.

(f) *Controlled partial payments.* (1) In certain cases where the contractor is of doubtful financial responsibility or where the contractor's records are known to be inadequate, prompt and adequate partial payments ma, not be feasible under the procedures prescribed in paragraphs (b) and (c). In such cases the contracting officer may authorize partial payments to be made through a special controlled account for the purpose of insuring speedy and adequate interim financing consistent with adequate protection of the Government's interest.

(2) Such controlled partial payments shall be originally authorized by the execution of a supplemental agreement to the terminated contract substantially in the form set forth in § 815.922. Moneys deposited in a controlled account shall be made subject to a Government lien and subject to the direction of the contracting officer or his duly authorized representative. Under the general direction of the contracting officer, personnel of the Contract Financing Section will establish the controlled account and exercise prior approval of withdrawals therefrom for the purpose of assuring payment of costs allocable to the terminated portion of the war contracts against which the partial payments are made.

(3) The total amount of partial payments deposited in a controlled account with respect to any contract will not exceed the amount estimated to be due by reason of the termination less all unliquidated advance or partial payments previously made on the terminated portion of the contract. Subject to the above limitations, successive partial payments may be made into the controlled account on the basis of vouchers submitted in accordance with the terms of the supplemental agreement.

16. In § 815.507, paragraphs (a) to (d) are amended and paragraphs (e) and (f) added, as follows:

§ 815.507 *Partial payments for the benefit of subcontractors—(a) Direct payments not authorized.* Except as provided in § 815.569, contracting officers are not authorized to make partial payments directly to subcontractors, vendors or suppliers whose subcontracts or purchase orders have been terminated or cancelled as a result of the termination of a prime contract with the War Department. This policy is based on the following reasons (see § 815.325 (b)):

(1) There is no direct contractual relationship between the Government and the subcontractor.

(2) There is no assurance that counterclaims and set-offs by the prime contractor (or by intermediate subcontractors) against the subcontractor in question will have been taken into account by the contracting officer in making partial payment.

(3) There is no assurance that the amounts of such partial payments will be taken into account in determining the amount due the prime contractor.

(4) The administrative difficulties involved in attempting to deal directly with subcontractors will tend to delay the settlement of terminated contracts.

(b) *Types of payment authorized.* Partial payments for the benefit of subcontractors shall be provided for within thirty days from date of receipt by the contractors shall be provided for within tion. Partial payments to prime contractors may be made as follows:

(1) Partial payments may be made, in advance of actual requests by subcontractors, to place a prime contractor in funds with which to make prompt partial or final payments to subcontractors as the occasion arises. The prime contractor should constantly endeavor to anticipate the needs of his subcontractors and to have on hand at all time sufficient funds to meet their immediate requirements. To obtain a partial payment from the Government for this purpose, the prime contractor should include with his application a certificate that the amount of all subcontractors' charges allocable to the contract is not less than a specified figure. After giving consideration to the factors set forth in § 815.506 (b), the contracting officer should promptly grant the request for partial payment in the largest amount he believes reasonable under all the circumstances then known to him, but not exceeding 90 percent of the amount certified by the contractor as the minimum amount of all subcontractors' charges. The payment will be made to the prime contractor only upon his agreement to keep all funds received for this purpose in an account separate from his other funds. If the contracting officer is in doubt as to the financial responsibility of the prime contractor, he should utilize the controlled account procedure prescribed in § 815.506 (f).

(2) Partial payments may be made to provide a subcontractor in any tier with an immediate partial payment before he has had an opportunity to prepare an adequate inventory or statement of costs. The subcontractor who desires an immediate partial payment should include with his request for such a payment a certificate that the amount of his own costs allocable to the contract and due as of the date of the certificate is not less than a specified figure, after excluding charges with respect to inventory which he intends to retain at no cost to the Government. The application should be made by the subcontractor to the war contractor immediately above him, who will forward the application through contractual channels to the contracting officer. In forwarding the application, the prime contractor and any intermediate subcontractors should state (i) whether a partial payment is recommended and in what amount, (ii) the general reputation of the applicant for fair business practice, if known, (iii) such information as is readily available with respect to the amount of the applicant's termination claim, and (iv) the amount of any partial payments obtained in anticipation of the needs of subcontractors, as provided in subparagraph (1) above, the use which has been made of this fund, and whether the proposed partial payment can be made out of this fund. The contracting officer in authorizing the partial payment, and war contractors in passing upon the application, will be guided by the principles stated in § 815.506 (b).

(3) Partial payments may be made to provide a subcontractor in any tier with a cost-supported partial payment as promptly as possible after he has submitted a partial or complete settlement proposal, supported by the data prescribed for the submission of a termination claim. The application should be made and forwarded together with a copy of the settlement proposal and supporting papers, in accordance with the procedure set forth in subparagraph (2) above. In determining the amount of the partial payment to be authorized or recommended, the contracting officer authorizing the partial payment, as well as war contractors who pass upon the application, will be guided by the principles stated in § 815.506 (c).

(c) *Delegation of authority to make partial payments.* Authorizations to prime contractors and subcontractors to make settlements with subcontractors involving payment of not more than $10,000 in accordance with § 815.437a should generally include an express authorization to make partial payments up to 90 percent of the amount for which settlement is authorized. Where the authorization to make partial payments is granted in such cases, partial payments may be made in accordance with the terms of the authorization and without obtaining the contracting officer's approval of the particular payment. A partial payment made pursuant to a general delegation of authority from the contracting officer has the same effect as a payment made with his specific approval (paragraph (d)).

(d) *Effect of payment to subcontractors.* The war contractor making a partial payment to a subcontractor should see that the payment is made expressly subject to section 9 (b) of the act which provides that any excess payment over the final amount determined to be due shall be treated as a loan from the Government to the war contractor receiving it. Where this is done, and where the partial payment is authorized, approved, or ratified by the contracting officer, section 9 (b) of the act entitles the war contractor authorizing or making the payment, in the absence of fraud on his part, to receive payment or credit from the Government to the extent of any excess payment.

(e) *Voucher for partial payments.* Partial payments to prime contractors for the purpose of making payments to subcontractors may be authorized on the basis of a voucher signed by the prime contractor and approved by the contracting officer.

(1) Where the partial payment is made in accordance with subparagraph (1) of paragraph (b), the voucher shall include substantially the following provision:

> The payment covered by this voucher is a partial payment of the amount due on the contractor's termination claim under Contract W ———, made pursuant to Section 9 of the Contract Settlement Act of 1944 and expressly subject to subsection (b) of such Section. This payment shall be applied against the amount finally payable by the Government to the contractor on such claim. The contractor agrees to keep this payment and all other payments received for the same purpose in an account separate from his other funds and to use this payment only for the purpose of making payments to subcontractors. Any amount not so used shall be repaid to the Government upon demand, with interest at 6% per annum from the date of demand to the date of repayment.

(2) Where the payment is made in accordance with subparagraphs (2) or (3) of paragraph (b), the voucher shall include substantially the following provision:

> The payment covered by this voucher is a partial payment of the amount due on the contractor's termination claim under Contract W ———, made pursuant to Section 9 of the Contract Settlement Act of 1944 and expressly subject to subsection (b) of such Section. This payment shall be applied against the amount finally payable by the Government to the contractor on such claim. The contractor agrees to keep this payment and all other payments received for the same purpose in an account or accounts separate from his other funds and to pay over to the subcontractors listed below the amounts set opposite their names. Any amount not so paid over by the contractor shall be repaid to the Government upon demand with interest at 6% per annum from the date of demand to the date of repayment.

(3) In all cases the voucher shall also include a certificate by the contracting officer substantially as follows:

> This payment is authorized under the Contract Settlement Act of 1944.

(f) *Control over partial payments.* When the contracting officer is in doubt as to the financial responsibility of the prime contractor, he should, in order to assure the receipt of partial payments by subcontractors, follow the procedure prescribed in § 815.569.

Negotiation of Settlements

17. Section 815.559 is added as follows:

§ 815.559 *Partial settlement.* (a) The chief of each technical service, by general rule or delegation of authority or in specific cases, may authorize the use of partial settlement agreements, consistently with this paragraph.

(b) During the course of negotiations, the contracting officer from time to time will approve subcontract settlements and dispositions of property and credits arising therefrom in order to expedite or facilitate the settlement, and such approvals shall be final according to their terms, for the purpose of settling the terminated contract involved. With these exceptions, partial settlements covering particular items of the contractor's proposal may impede the negotiation of a complete final settlement, and should therefore not be made during the course of negotiations.

(c) When the contracting officer, after diligent effort, has been unable to negotiate a complete settlement of all matters related to the termination, it may be desirable to negotiate a partial settlement agreement covering all clearly separable issues as to which fair agreement can be reached without unreasonable concessions to the contractor. (See § 815.535.) Even in such cases the partial settlement should be used cautiously and should not be made if it will prejudice the interest of the Government in disposing of the issues left unsettled.

18. Section 815.560 is amended to read as follows:

§ 815.560 *Formula settlements—(a) When formula settlement is used.* (1) When, after diligent efforts to negotiate a settlement, any termination claim has not been settled by agreement or has been so settled only in part, the settlement will be made by formula. Whenever a contractor is unreasonably delaying a negotiated settlement by inaction or otherwise, the contracting officer will take action promptly to settle the claim by formula, especially where the interests of subcontractors may be adversely affected by the delay of the prime contractor.

(2) Where a contractor has submitted his termination claim in substantially the form prescribed by this regulation, he may make a written demand for findings of the amount due on his claim or the unsettled part thereof, under section 13 (a) of the act. Upon such demand, he is then entitled to such findings within ninety days after his demand. Section 13 (c) (3) of the act makes it clear, however, that the contractor is expected to negotiate in good faith for the settlement of his claim before demanding such findings.

(b) *Procedure.* (1) Where all or any part of any claim is to be settled by formula, the chief of the technical service will promptly so report in writing to the Readjustment Division, Headquarters, Army Service Forces, stating the issues involved. Action on the settle-

[1] Delivered articles should be billed and paid for in the regular manner.

ment will not await any action on the report.

(2) Where a settlement is made by formula, the contractor has the burden of establishing, by proof satisfactory to the contracting officer, the amount due him on his termination claim. For this purpose the contractor will not be required to furnish detailed evidence, vouchers, and other data, to the extent ordinarily required under cost-plus-a-fixed-fee contracts. The contracting officer should generally accept photostatic or other copies of documents and records, and should not request original documents unless their authenticity is in dispute. In making formula settlements, the cost principles stated in § 815.480 et seq. will be applied.

(3) The contracting officer will give the contractor not less than fifteen days' notice by registered mail to produce, on or before a stated date, his written evidence bearing on the amount due. The contractor may submit such vouchers, verified transcripts of books of account, affidavits and audit reports, and other documents as he may wish. The contracting officer may require the contractor to submit such additional documents and data as he considers necessary in the particular case, and may cause such accounting and other investigations and audits to be made as he deems appropriate. If the contractor wishes to present oral testimony, or if the contracting officer wishes testimony presented on behalf of the Government or by independent experts, or wishes to examine persons whose affidavits or reports have been submitted, the contracting officer in his discretion, may hold a hearing, after due notice in writing to the contractor. In all cases, the contractor should be given full opportunity to submit, within a reasonable time, such additional documents, records and other evidence as he deems appropriate to support his claim.

(4) The contracting officer shall retain in the files of the procurement office to which he is attached or in the office of the chief of the technical service, as the chief of the technical service may direct, a file containing copies of all written evidence and other data relied upon by him in making his findings and determination, except that original books of account and other original papers and documents may be returned to the contractor upon the contractor's agreement to preserve them in accordance with section 19 (a) of the act.

(c) *Basis of formula determination.* (1) The determination of the amount due shall be based upon the applicable formula in the termination article of the contract involved. Without duplicating amounts included in negotiated partial settlements, the findings and determination shall include the following items:

(i) A summary of the costs to be paid under the formula settlement. Such costs should ordinarily be summarized in substantially the same manner as the summary shown on Standard Form A–1 (§ 815.937 (a)) with the detailed supporting data shown in the summary on Standard Form B–1 (§ 815.938 (a)) or on Standard Form B–2 (§ 815.938 (b)) whichever is applicable. Such summary of costs, however, may be in such form as the contracting officer deems appropriate in the particular case.

(a) When the costs are presented on the "inventory basis", the figures on the cost summary should be supported by an inventory list. Where the inventory is comprised of more than three pages, a reasonable analysis only will be presented. This analysis (which should not require more than one or two pages) should show the description, quantity, prices (if appropriate) and extensions of the important classifications of inventory. For example, raw material may be listed by major groupings, and principal purchased components may be briefly described. Work-in-process will be listed to show the dollar amounts by departments or other appropriate classifications.

(b) When the cost summary is presented on the "total cost basis", each major element of cost on the summary should be supported by an short analysis or schedule of one or two pages. This analysis in respect to direct material will show to the extent practicable the several major classes as indicated by the contractor's records, such as steel, copper, lumber, etc., sub-divided as to grade for the major elements. Such a breakdown should seldom include more than 15 or 20 items. Direct labor may be summarized by plant operations, production centers or other appropriate classifications, if the contractor's accounting system so provides or if such an analysis can be readily obtained. Other direct charges if important, may be succinctly analyzed. Usually indirect factory expenses will be reflected in not more than 25 or 30 major accounts. The basis of allocation should be clearly described. A similar schedule should be submitted for administrative expenses and any other major groups shown on the cost summary if and to the extent deemed appropriate by the contracting officer.

(ii) A statement of the amount allowed by the contracting officer by way of profit. If the contract contains the new uniform termination article (§§ 803.324, 815.901), this item of profit should show separately (a) the amount allowed with respect to the cost of articles or materials not processed by the contractor, and (b) the amount allowed with respect to other costs of the contractor. If the contract contains the old standard form of termination article (see § 815.901a), the contracting officer will include a statement of his estimate of the profit which would have been realized on the uncompleted portion of the contract if the contract had been completed and his determination of the percentage of completion of the uncompleted portion of the contract, as well as the amount of profit allowed with respect to the work done on the uncompleted portion of the contract.

(iii) A supporting analysis of disposal credits, if substantial or if they cannot be appropriately explained in the summary, segregated as to those arising from property retained by the contractor and those arising from sales to outsiders. In no event is it expected that such analysis will require more than two or three pages.

(iv) A list of all settlements with immediate (first tier) subcontractors with the name and address of each subcontractor and the amount of each settlement as approved or authorized by the contracting officer.

(v) A schedule of settlement expenses (post-termination expenses) including the cost of preserving and protecting the property. This schedule will show the major items by classification followed by a description where necessary to clarify the figures and should seldom exceed one page.

(vi) The total amount found to be due to the contractor. (Any amounts payable to the contractor in connection with a partial negotiated settlement should be listed separately for purposes of information.)

(vii) In addition to the accounting statements and schedules enumerated above, the following supplemental or collateral data should be furnished:

(a) The administrative accounting reports to the contracting officer by Government accounting personnel.

(b) Copies of correspondence directly bearing on the findings of the contracting officer.

(c) An appropriate certificate by the contracting officer supporting his findings of fact and stating that the amount of the termination settlement agreement is in his judgment just and reasonable.

(2) In making a formula settlement the contracting officer will not reexamine settlements with subcontractors made with his approval before or after the breakdown of negotiations, and will allow the costs of such settlements to the contractor under the applicable termination article as part of the formula settlement. Similarly the contracting officer will treat as final for the formula settlement any other action (such as dispositions of property) taken by the contractor before or after the breakdown of negotiations in reliance upon the written approval of the contracting officer.

(3) After reviewing accounting information prepared by his own office and any additional data or evidence furnished by the contractor, the contracting officer will make his findings and determination on the issues still in dispute and will transmit a copy of such findings and determination to the contractor by registered mail. The findings and determination will refer the contractor to his right of appeal or suit in accordance with section 13 of the act.

(d) *Appeal from findings within the War Department.* (1) Under section 13 (c) of the act, the contractor in his discretion may resort to any procedure for appeal from such formula findings provided by the War Department, within the time specified in his contract or if no time is specified, within 30 days after the delivery of the findings to him. Furthermore, he must take such an appeal if so required by regulations of the Director, but no such regulations have as yet been issued. Any revision of the findings upon

appeal within the Department is treated as the findings of the Department for the purpose of any subsequent appeal or suit under the act.

(2) If the contractor does not take an appeal from the findings and determination of the contracting officer within the time specified in the Disputes article of the contract, or within the thirty days, they become the findings and determination of the War Department with respect to the amount due to the contractor on his termination claim or the unsettled part thereof.

(3) If the contractor appeals within the War Department from the decision of the contracting officer, the contracting officer will transmit to the appeals agency (through channels) a narrative statement of the action taken before the appeal and relevant to the issues raised therein. In his discretion, he may include such schedules, office reviews, audit reports and records as he deems appropriate. He will also transmit to the appeals agency a copy of his findings and determination together with any other documents and papers required by the rules of the appeals agency. Most such appeals will be to the War Department Board of Contract Appeals (see §§ 803.-381d–803.318f (e)) but some contracts made before the formation of that board provide for appeal to the chief of the technical service concerned. The determination by the appeals agency becomes the determination of the War Department with respect to the termination claim or unsettled part thereof.

(4) If the contractor does not accept the decision of the appeals agency within the War Department, the Act allows him to appeal to the Appeal Board established by section 13 of the act or to bring suit against the United States in the Court of Claims or in the United States District Court in accordance with subsection (20) of section 24 of the Judicial Code. This must be done within ninety days after delivery to him of the findings by the War Department, or within ninety days after the decision on his appeal within the Department or within one year after his demand for findings, if they are not delivered. In such suit or appeal, the findings of the War Department are prima facie correct, and the burden is on the contractor to establish that the amount due on his claim exceeds the amount allowed by the findings of the War Department.

(5) The pendency of any appeal within the War Department or before the statutory Appeal Board does not affect the authority of the chief of the technical service to make a settlement of the termination claim or any part thereof by a negotiated agreement with the war contractor at any time before the appeal is decided.

(6) The chief of the technical service will notify the Director, Readjustment Division, Headquarters, Army Service Forces, of each such appeal which is taken either to the chief of the technical service, the War Department Board of Contract Appeals, or to the statutory Appeal Board, and each suit under section 13 (b) of the act.

(e) *Payment on account.* (1) Within thirty days after delivering to the contractor the findings and determination in a formula settlement, the contracting officer will authorize a partial payment to the contractor of 90% of the amount determined to be due, after deducting from the 90% the amount of any outstanding advance payments and interim financing applicable to the contract involved. Before approving such a partial payment, the contracting officer may require the contractor to certify that the payment has not been assigned, or if it has been assigned, will require the written consent of the assignee to the making of the payment in accordance with § 815.510.

(2) Any such partial payment shall be made only upon a voucher containing substantially the following statement:

> The payment covered by this voucher is made pursuant to section 13 (a) of the Contract Settlement Act of 1944 and is a partial payment of the amount due on the contractor's termination claim under Contract W-_____, as determined by the War Department in findings dated_____. This payment shall be applied against the amount finally payable by the Government to the contractor on such claim. If this payment, together with all other payments made on such claim, exceeds the amount finally payable to the contractor on such claim, the contractor agrees to repay the excess to the Government on demand.

The voucher should also include a certificate by the contracting officer substantially as follows:

> This payment is authorized under the Contract Settlement Act of 1944.

(f) *Final payment.* When the amount due the contractor has been finally determined, a voucher will be prepared in the usual manner covering the portion of the amount so determined which remains unpaid and will be presented to the finance officer for payment. The finance officer will forward to the Office of the Fiscal Director, Headquarters, Army Service Forces, the voucher together with the findings, the determination and supporting papers and also any findings or opinion on appeal or suit. The Office of the Fiscal Director will review the file and take such steps as are necessary to establish the sufficiency of the supporting papers and will then return the file to the finance officer with appropriate instructions. The amount due will be paid to the contractor after execution of a supplemental agreement which will constitute a release by the contractor of all furtner charges under the contract.

19. Section 815.561 is amended to read as follows:

§ 815.561 *Disputes article.* (a) Section 13 (c) of the act expressly modifies the usual disputes article (§ 803.326) as applied to termination settlements. As stated in § 815.560 (d) the contractor may appeal within the War Department from any findings on termination but shall not be required to do so unless regulations of the Director so provide. Since no such regulations have been issued, the contractor may now appeal from the findings of the contracting officer directly to the Appeal Board established by the act or may sue. In either case the findings of the War Department are prima facie correct but are not conclusive even as to questions of fact.

(b) If the contracting officer refuses to make a negotiated settlement of all or any part of a termination claim, his action is not subject to appeal either under the Disputes article or otherwise. However, if the contractor demands findings on his claim in accordance with section 13 (a) of the act, and they are not delivered to him within 90 days after his demand, he is entitled to appeal or sue without such findings.

20. Section 815.569 is added as follows.

§ 815.569 *Supervision of payments for subcontractors.* (a) Section 7 (b) of the act provides:

> Whenever any contracting agency is satisfied of the inability of a war contractor to meet his obligations, it shall exercise supervision or control over payments to the war contractor on account of termination claims of subcontractors of such war contractor to such extent and in such manner as it deems necessary or desirable for the purpose of assuring the receipt of the benefit of such payments by the subcontractors.

(b) In the absence of any complaint or protest by a subcontractor, the contracting officer shall be under no duty to make an independent investigation of the financial condition of a war contractor; but if such complaint or protest is made, the contracting officer shall take reasonable steps to determine whether it is true.

(c) In determining whether a war contractor is unable to meet his obligations, the contracting officer is required to act only on the basis of substantial evidence indicating that the contractor is insolvent or bankrupt or is involved in pending proceedings in insolvency, bankruptcy, receivership or corporate reorganization, or is in imminent danger of such proceedings.

(d) Whenever the contracting officer is satisfied that a prime contractor, or a subcontractor with whom a direct settlement is made, is unable to meet his obligations, he shall either (1) follow substantially the procedure outlined in § 815.506 (f) in making payments to the contractor on account of termination claims of subcontractors, or (2) request authority to make such payments directly to the subcontractors entitled thereto, or to settle directly with them in accordance with § 815.570; or (3) take other appropriate action to assure that the subcontractors receive the benefit of payments on account of their claims. In his discretion, the contracting officer may take such action in other cases where he deems it necessary or desirable for the protection of the subcontractors.

21. Section 815.570 is added, as follows:

§ 815.570 *Direct settlement with subcontractors* (a) Section 7 (d) of the act authorizes the War Department to settle directly termination claims of subcontractors to the extent that it deems such action necessary or desirable for the expeditious and equitable settlement

of such claims; and prescribes certain action to be taken for this purpose.

(b) With the written approval of the officer or employee in charge of the procurement office which is administering the settlement of the related prime contract, acting personally or through a representative designated for the purpose, the contracting officer may settle directly the termination claim of any subcontractor in accordance with section 7 (d) of the act, if (1) the war contractor liable to the subcontractor is not in financial difficulties, and is not threatened with financial difficulties, so far as the contracting officer is aware, and (2) a maximum is stated for the amount of such direct settlement, so that the total payments under the terminated prime contract will not exceed any maximum limit set for payments under the termination article (see §§ 803.324–815.444a).

(c) The officer or employee approving the making of any such direct settlement, and the contracting officer making it, should satisfy themselves that the subcontractor's termination claim is allocable to the terminated portion of the prime contract, and should also consider the following matters: (1) possible rights of offset or counterclaim against the subcontractor which may be possessed by the war contractor liable to him; and (2) any assignments that may have been made by the subcontractor of amounts payable under the subcontract.

(d) Whenever the chief of any technical service desires to settle directly the termination claim of any subcontractor where the above conditions are not met, he will forward to the Director, Readjustment Division, Headquarters, Army Service Forces, a request for authority to make such settlement, stating the essential facts of the case. No such settlement will be made without such special authority.

(e) The authority under this section is not intended for widespread use of direct settlements with subcontractors as a general program. By the terms of their contracts with the Government, prime contractors are still obligated to settle the termination claims of their subcontractors and suppliers. The provisions of this paragraph are primarily to facilitate expeditious and equitable settlement of subcontractors' claims where that cannot be accomplished by settlement by the prime contractor.

22. Section 815.571 is added, as follows:

§ 815.571 *Supplemental payments to subcontractors.* (a) Section 7 (f) of the act provides:

> If any contracting agency determines that in the circumstances of a particular case equity and good conscience require fair compensation for the termination of a war contract to be paid to a subcontractor who has been deprived of and cannot otherwise reasonably secure such fair compensation, the contracting agency concerned may pay such compensation to him although such compensation already has been included and paid as part of a settlement with another war contractor.

(b) Whenever the chief of a technical service considers that a subcontractor is entitled to receive a payment of fair compensation under the provisions of this section of the act, he shall forward to the Director, Readjustment Division, Headquarters, Army Service Forces, a report stating the essential facts of the case and the reasons for requesting the approval of such a payment. No such payment shall be made without such approval.

SUBPART D—COST-PLUS-A-FIXED-FEE CONTRACTS

General

1. In § 815.651, paragraphs (b), (c), and (g) are amended, and paragraph (d–1) is added as follows:

§ 815.651 *Steps in the termination of cost-plus-a-fixed-fee contracts.* • • •

(b) *Termination and settlement of subcontracts.* The prime contractor will take steps forthwith upon receipt of the termination notice to terminate subcontracts and purchase orders in compliance with such notice, to obtain inventories, accounting data and cost statements and proposals for a negotiated settlement of any lump sum subcontracts and purchase orders. (See § 815.325 (c).) In the case of cost-plus-a-fixed-fee subcontracts, the prime contractor will obtain the accounting data and vouchers necessary (1) to permit final determination and payment of the reimbursable costs under such subcontract, and any necessary adjustment of the fixed fee thereunder, or (2) the negotiation of a settlement of such subcontract if that is appropriate.

(c) *Settlement of fixed price (lump sum) subcontracts, purchase orders and obligations.* • • •

(2) • • •

(iii) if the settlement in question is approved by the contracting officer as reasonable and proper and in the best interest of the Government, or if the settlement will call for the payment of not more than $10,000 (without deducting disposal credits) and has been made by the prime contractor (or a subcontractor) pursuant to an authorization to settle given in accordance with § 815.437a.

• • • • •

(d–1) *Subcontractors' and suppliers' claims; investigation, aproval and authorizations to make settlements.* In connection with the settlement of terminated cost-plus-a-fixed-fee contracts, the provisions of §§ 815.437 and 815.437a apply to the investigation and approval of subcontractors' claims and to authorizations to prime contractors and subcontractors to make subcontract settlements involving payments of not more than $10,000.

• • • • •

(g) *Negotiation of settlement with prime contractor.* (1) The contracting officer may negotiate a settlement with the prime contractor covering the whole or any part of the following:

(i) Costs incurred prior to the effective date of notice of termination for which the contractor has not been reimbursed, including, among others, any unreimbursed overhead or administrative costs, but not including any cost which is the subject of a General Accounting Office suspension cleared by deduction or remaining uncleared;

(ii) Settlements with subcontractors and suppliers;

(iii) Allowable post termination expenses;

(iv) Adjustment of the fixed fee.

Such negotiations shall be conducted substantially in the manner outlined in Subpart B of this part for settlement negotiations under lump sum supply contracts. For the purpose of this paragraph, advance, progress or partial payments shall not be considered to constitute reimbursement of any costs.

(2) If the contracting officer is unable to negotiate a settlement of the whole amount due to the prime contractor for the several items specified in subparagraph (1) above, he will determine the amount due to the contractor therefor under the contract substantially in accordance with the procedures set out in § 815.560 et seq.

(3) If the chief of the technical service concerned is of the opinion that it will expedite the settlement of the contract to include in the negotiations (i) any item or items of cost for which the contractor has been reimbursed, including those which may be in dispute, (ii) any item which is the subject of a General Accounting Office suspension cleared by deduction or remaining uncleared, and (iii) any item claimed by the contractor other than those specified in subparagraph (1), he may request authority from the Director, Readjustment Division, Headquarters, Army Service Forces, to effect such a negotiated settlement. Any such request by the chief of the technical service will be accompanied by his recommendations and a sufficiently complete statement of the facts to permit full consideration of the request.

2. Section 815.654 (a), is amended by the deletion of subparagraph (3).

3. Section 815.655 is amended to read as follows:

§ 815.655 *Final and partial settlement agreements.* Upon the settlement of the total amount due to the contractor in connection with the termination of the contract, including any amount due the contractor as payment of the fixed fee, the contracting officer and the contractor may execute a final settlement agreement,[1] in the form of a supplemental agreement to the contract (see § 815.934). Such supplemental agreement will set forth the amount of such final payment, will state the terms of any adjustment of the fixed fee, will state that all Government property under the contract and theretofore undisposed of has been delivered to the Government, will list such property or will incorporate a list thereof by reference, will normally embody a general release by the contractor

[1] No such final settlement agreement need be entered into where, as in the case of a cost-plus-a-fixed-fee construction contract, the problems incident to the termination are relatively simple and the terms of the termination article are self-operating.

and the Government of all claims against each other, and will state in detail all the exceptions to said release (see, for list of such possible deductions, exceptions and reservations, § 815.537 (b)). The chief of a technical service may authorize the execution of partial settlement agreements in appropriate cases in a manner consistent with § 815.550.

Cost-Plus-A-Fixed-Fee Construction Contracts

4. Section 815.664 is amended by designating the existing text paragraph (a) and by adding paragraph (b), as follows.

§ 815.664 *Stop orders.* (a) • • •

(b) In the issuance of stop orders, care should be exercised that the contractor is not unintentionally released from his contract through the provision of the act which gives the contractor the election to treat the contract as terminated for the convenience of the Government if a Government-ordered cessation or suspension of work extends for thirty days or more. (See § 815.315 quoting the act on this point.)

SUBPART F—REPORTS

1. Section 815.802 is amended to read as follows:

§ 815.802 *Matters to be covered.* The report will cover all terminations of contracts for the convenience of the Government, regardless of the type or amount of the contract, but will exclude reductions in quantity made in accordance with § 815.306 (c). It will cover all such terminations completed during the month and those still in process. If no such terminations have been completed and none are in process, a negative report will be made. When a final settlement has been made with a contractor and reflected in a monthly report, it will not be reflected in subsequent reports. Cost-plus-a-fixed-fee contract terminations will be reported separately. "Cost-plus-a-fixed-fee" will be typed immediately below the report title of such reports. Any portion of a supply contract pertaining to facilities to be acquired for Government account will be excluded from from each column of the report. (If no definite segregation is made in the contract, this instruction may be waived as to Column 7).

2. In § 815.806 paragraphs (h) and (i) are added, as follows:

§ 815.806 *Instructions with respect to the report form.* • • •

(h) *Suspended termination settlements.* In preparing the Monthly Contract Termination Status Report, the procurement office will segregate, under the heading "Suspended Termination Settlements," any case which has not been settled if:

(1) The terminated contract is in litigation; or

(2) The terminated contract is before the War Department Board of Contract Appeals, or another appeal agency; or

(3) The procurement office lacks authority to settle or is awaiting decision or action by authority higher than the technical service involved; or

(4) Other causes beyond the control of the technical service prevent settlement.

The decision of the procurement office to segregate any case on the report is subject to aproval by the chief of the technical service at the time the report is forwarded. Status of each segregated case will continue to be reported on the status report until finally settled.

(i) *Subcontract claims assumed by Government.* Where the prime contractor's claim has been completely settled except for the obligations to one or more subcontractors which have been assumed by the Government for direct settlement, the prime contract and all settled subcontract claims will be reported as settled uder the heading "Terminations Completed." Each of the obligations assumed by the Government will be reported as a separate termination made upon the effective date of the notice of termination from the higher tier contractor.

SUBPART F–1—REMOVAL OF PROPERTY FROM CONTRACTORS' PLANTS

1. Section 815.850 is amended to read as follows:

§ 815.850 *Introductory.* (a) This subpart contains instructions to be followed by the technical services in carrying out the provisions of section 12 of the Contract Settlement Act of 1944 for the expeditious removal from the plants of war contractors of property not to be retained or sold by them. General policies and procedures for the removal and storage of "termination inventory" are set forth in §§ 15.851–15.858; special instructions for fixed-price prime contracts are provided in §§ 15.859–15.863, for fixed-price subcontracts in § 15.864, and for cost-plus-a-fixed-fee supply contracts in § 15.867. § 15.868 is reserved for instructions to be issued with respect to Government-owned machinery, tools or equipment which are held under provisions of terminated contracts specifically governing their retention, storage, maintenance or disposition, or which become excess to the needs of the contractor other than by termination of war contracts.

(b) The instructions are designed primarily to implement the prescribed policies for prompt clearance of a contractor's plant prior to final settlement. Special instructions, however, have also been prescribed with reference (1) to the removal or storage of property which is to be taken over at the time of execution of the final settlement agreement, and (2) to the certification of final payment vouchers in so far as property which has been removed or stored is concerned.

General Policies and Procedures

2. Section 815.851 is amended to read as follows:

§ 815.851 *Provisions of the Contract Settlement Act of 1944 on removal and storage.* Section 12 of the act reads as follows:

(a) It is the policy of the Government, upon the termination of any war contract, to assure the expeditious removal from the plant of the war contractor of the termination inventory not to be retained or sold by the war contractor.

(b) Any war contractor may submit to the contracting agency concerned or to any other Government agency designated by the Director, one or more statements showing the materials which such war contractor claims to be termination inventory under one or more war contracts and desires to have removed by the Government. Such statements shall be prepared in such form and detail, shall be submitted in such manner, through the prime contractor or otherwise, and shall be supported by such certificates or other data, as may be prescribed under this act.

(c) Within sixty days after the submission of any such statement by a war contractor, or such shorter period as may be prescribed under this act, or within such longer period as the war contractor may agree, the Government agency concerned (1) shall arrange, upon such terms and conditions as may be agreed, for the storage by the war contractor on his own premises or elsewhere of all such claimed termination inventory which the war contractor does not retain or dispose of, except any part which may be determined not to be allocable to the terminated war contract or contracts, or (2) shall remove from the plant or plants of the war contractor all of such claimed termination inventory not retained, disposed of, or stored by the war contractor or determined not to be allocable to the terminated war contract or contracts.

(d) Upon the failure of the Government so to arrange for storage by the war contractor or to remove any termination inventory within the period specified under subsection (c) of this section, the war contractor, subject to regulations prescribed under this Act, may remove some or all of such termination inventory from his plant or plants and may store it on his own premises or elsewhere for the account and at the risk and expense of the Government, using reasonable care for its transportation and preservation. It any war contractor intends so to remove any claimed termination inventory, he shall deliver to the Government agency concerned written notice of the date fixed for removal and a statement showing the quantities and condition of the materials so to be removed, certified on behalf of the war contractor to have been prepared in accordance with a concurrent physical inventory of such materials. Such notice and statement shall be delivered at least twenty days in advance of the date fixed for removal and may be delivered before or after the expiration of the period specified under subsection (c) of this section. If the Government agency fails to check such materials, at or before the time of their removal by the war contractor, a certificate of the war contractor specifying the materials shown on such statement which were so removed, and filed with the Government agency concerned within thirty days after the date fixed for removal, shall constitute prima facie evidence against the United States as to the quantities and condition of the materials so removed, and the fact of their removal.

(e) Notwithstanding any other provisions of law, but subject to subsection (h) of this section, the contracting agency concerned or the Director, or any Government agency designated by him, on behalf of the United States, may, by the exercise of any contract rights or otherwise, acquire and take possession of any termination inventory of any war contractor, and any materials removed by the Government or stored for its account under subsections (c) and (d) of this section, whether or not such materials are finally determined not to constitute termination inventory. With respect to any such materials, the Government shall be liable to any war contractor concerned only for their return to such war contractor or for their disposal value at the time of their removal or

for the proceeds realized by the Government from their disposal, at the election of the Government agency concerned, unless the Government agency and the war contractor agree or have agreed on a different basis. Any amount so paid or payable to a war contractor for materials allocable to a terminated war contract shall be credited against the termination claim under such contract but shall not otherwise affect the amount due on the claim, unless the Government agency concerned and the war contractor agree or have agreed otherwise. Any materials to which the Director takes title under this section shall be delivered for disposal to any appropriate Government agency authorized to make such disposal.

(f) No contracting agency shall postpone or delay any termination settlement beyond the period specified in subsection (c) of this section for the purpose of awaiting disposal by the war contractor or the Government of any termination inventory reported in accordance with subsection (b) of this section.

(g) Whenever any war contractor no longer requires, for the performance of any war contract, any Government-owned machinery, tools, or equipment installed in his plant for the performance of one or more war contracts, the Government agency concerned, upon written demand by the war contractor, and within sixty days after such demand or such other period may be prescribed under this Act, and upon such conditions as may be so prescribed, shall remove or provide for the removal of such machinery, tools, or equipment from such plant, unless the Government agency concerned and the war contractor, by facilities contract or otherwise, have made or make other provisions for the retention, storage, maintenance, or disposition of such machinery, tools, or equipment. The Government agency concerned may waive or release on behalf of the United States any obligation of the war contractor with respect to such machinery, tools, or equipment upon such terms and conditions as the agency deems appropriate. Upon the failure of the Government so to remove or provide for removal of any such machinery, tools, or equipment, the war contractor, subject to regulations prescribed under this Act, may remove all or part of such machinery, tools, or equipment from his plant and may store it on his own premises or elsewhere, for the account and at the risk and expense of the Government, using reasonable care for its transportation and preservation.

(h) Nothing in this Act shall limit or affect the authority of the War Department, Navy Department, or Maritime Commission, respectively, to take over any termination inventories and to retain them for their use for any purpose or to dispose of such termination inventories for the purpose of war production, or to authorize any war contractor to retain or dispose of such termination inventories for the purpose of war production.

(i) Nothing in this section shall be construed to prevent the removal and storage of any termination inventory by any war contractor, at his own risk, at any time after termination of any war contract to which it is allocable.

It is provided in section 20 (e) of the act that any war contract, or term or provision thereof otherwise valid is not impaired or modified by the act.

3. Sections 815.853 and 815.854 are amended to read as follows:

§ 815.853 *Removal of property upon demand of the contractor.* (a) Termination inventory located in a plant of a war contractor not disposed of as provided in the preceding paragraph will, within sixty days or such longer period as the war contractor may agree, after demand of the war contractor accompanied by tender of title (see § 815.863) and by satisfactory inventory lists (see § 815.856) and unless the contract otherwise provides, be removed by the technical service concerned from the plant of the war contractor or a storage agreement entered into with him. (Certain special provisions with respect to subcontractors and cost-plus-a-fixed-fee contractors are contained in §§ 15.864 and 15.867.)

(b) Such removal or storage of property does not entitle the war contractor to direct payment for the property by the government. In the case of fixed-price prime contracts, the transfer of property allocable to the terminated portion of the contract is made by the contractor pursuant to his obligation under the Termination Article and payment is effected through the settlement of his termination claim. In the case of fixed-price subcontractors, the subcontractor is paid through settlement of his termination charge for the allocable property removed or stored. In turn, the settlement of the termination charge of the subcontractor is included in the termination charges of intervening subcontractors, if any, and of the applicable prime contractor—payment is thus accomplished through settlement of termination charges in the usual manner. Where the property is determined not to be allocable to the terminated prime contract, then the government will be liable to the war contractor concerned only for the return of the property to such war contractor or for its disposal value at the time of its removal or for the proceeds realized by the Government from its disposal, all at the election of the technical service concerned, unless the technical service and the contractor agree or have agreed on a different basis.

(c) A fixed-price prime or subcontractor may, unless the contract otherwise provides, at any time after receipt of notice of termination, remove the property and store it at his own risk and expense.

§ 815.854. *Arrangements for storage of property.* Property taken over from contractors and not otherwise disposed of may be stored (a) with the contractors concerned under a storage agreement entered into by the technical service terminating the contract; (b) in government-owned or leased installations available, or which are made available, to the technical services for storage purposes; (c) in commercial warehouses or other storage space on other contractors' premises under contracts to be negotiated by the technical service terminating the contract; or (d) in premises leased for storage purposes under current regulations. Any contract involving the acquisition of an interest in real estate will be executed by the Division Engineer in accordance with existing regulations. It is recognized that available warehouse space is wholly insufficient to store the large volume of property which may be involved in contract termination, and that appropriate contractual arrangements in most cases will have to be made for the storage of such property by the contractors whose contracts are terminated.

The technical services are authorized to enter into contracts for the storage of property with such contractors. Where this cannot be accomplished, the technical services will make arrangements for storage space and its operation in accordance with the applicable provisions of ASF Circular No. 214, 11 July 1944, concerning surplus and industrial storage space requirements. The use of commercial warehouse services for storage of surplus property will be kept to a minimum and technical services are authorized to enter into such contracts only where other necessary storage space is not available. In this connection, the technical services may obtain information on such available storage space, prevailing storage rates and commercial warehousing practices from commercial warehouse officers in regional Quartermaster and Army Service Forces depots. The technical services will consult with these officers before entering into contracts with commercial warehouses solely for the purposes of storage provided that such action will not unduly delay clearance of the contractor's plant. The Storage Branch, Storage & Distribution Division, Office of the Quartermaster General, Washington, D. C., will furnish the name and address of any or all of the commercial warehouse officers upon request. Both the contracts executed with contractors and those for warehouse services will be financed from funds available to the technical services concerned. To the extent, if any, that the provisions hereof are in conflict with ASF Circulars No. 65 (Section VIII) and No. 71 (Section III), 1944, the provisions hereof shall govern. Open storage will be utilized wherever consistent with the proper care and preservation of the property. Transportation and drayage costs will be kept to a minimum.

4. Section 815.856 is amended to read as follows:

§ 815.856 *Inventory lists to be submitted by contractors.* (a) The war contractor will be required to submit with his demand for removal inventory lists of the property requested to be removed. The inventory lists will be prepared on Inventory Schedules Numbers C–1, C–2 and C–3 (Forms, W. D., A. G. O. 247, 248 and 249) and will be certified as prescribed thereon adding to the certificate a statement that the property listed is on hand on the date thereof. In order to avoid unnecessary duplication of work, contractors should be encouraged to prepare these forms in as many copies as is anticipated will be needed by both the government and themselves in the termination proceedings.

(b) The contracting officer will require the contractor to submit with his demand for removal as many copies of the inventory lists as is anticipated will be needed to meet reasonable government requirements. As a minimum, five copies of the lists will normally be required for property disposition and property accounting purposes. The contracting

officer will retain one copy for filing in the War Department's permanent file relating to the contract termination settlement and will furnish the other four copies to the designated accountable property officer for use as follows: One copy for use by government personnel in checking the accuracy of the lists and for filing in the accountable property officer's jacket file (see § 815.858 (a)); where required, one copy to be receipted in accordance with the provisions of § 815.860 (b) and returned to the contractor for retention by him; and two copies for forwarding to the appropriate government agencies charged with disposal of property.

(c) Where several contracts with the same contractor are grouped for termination settlement purposes, the inventory lists need not segregate contractor-owned property by contracts, but only by locations.

Special Instructions With Respect to Fixed-Price Prime Contracts

5. In § 815.862 a new paragraph (b) is added, and former paragraph (b) is redesignated (c).

§ 815.862 *Procedures with respect to property neither removed from the contractor's premises nor stored with him pursuant to agreement.* * * *

(b) In the event a contractor who is entitled to have property removed by the Government (see § 815.853 (a)) gives notice of his election to exercise the privilege accorded him under the act to remove any such property and store it for the account and at the risk and expense of the Government (see § 815.851 (d)), the technical services will, in the exceptional event it is impossible to remove the property or arrange to store it with the contractor pursuant to agreement, check the quantities and condition of the property at the time of its removal by the contractor in accordance with the policies expressed in § 815.860 (a).

(c) * * *

Policies and Procedures With Respect to Fixed-Price Subcontracts

6. Section 815.864 is amended to read as follows:

§ 815.864 *Property in the hands of fixed-price subcontractors.* (a) The foregoing policies and procedures will apply to property in the hands of fixed-price subcontractors of any level under War Department fixed-price or cost-plus-a-fixed-fee prime supply contracts (when the property is not to be retained or disposed of by the prime contractor or a subcontractor) whenever the subcontractor's required inventory lists (accompanied by a certificate of the prime contractor as hereinafter provided or other satisfactory evidence of allocability) are submitted to the contracting officer of the applicable prime contract, together with the subcontractor's demand for removal. The form of storage agreement set forth in § 815.951, appropriately modified, will be used if the property is stored with the subcontractor. Such certificate of the prime contractor involved shall be to the effect that the subcontract had been terminated by reason of the termination of the prime contract and that the property involved is believed to be properly allocable to the prime contract, i. e., includible in the settlement of the prime contractor's claim. The lists must be forwarded to the prime contractor by the interested subcontractor through intermediate subcontractors, if any, unless the contracting officer otherwise directs. Contracting officers are authorized in their discretion to permit the lists to be forwarded directly to the contracting officer accompanied by such evidence of allocability other than the certificate of the prime contractor as the contracting officer deems satisfactory.

(b) The contracting officer under the terminated prime contract will require such physical check of the accuracy of the lists to be made by representatives of the Government as he deems necessary in accordance with policies expressed in § 815.860 (a) hereof. In determining what physical check of the accuracy of a subcontractor's lists shall be made by representatives of the government, the contracting officer shall give due consideration to the checks made by the superior subcontractor or by the prime contractor.

Policies and Procedures With Respect to Cost-Plus-a-Fixed-Fee Supply Contracts

7. In § 815.867 paragraphs (a) and (d) are amended to read as follows:

§ 815.867 *Removal of property under terminated cost-plus-a-fixed-fee supply contracts.* * * *

(a) Government-owned property located in the plant of a war contractor that is not otherwise disposed of within sixty days (or such longer period as the contractor may agree) after its removal has been requested in the prescribed manner by the contractor will be removed or a storage agreement entered into with the contractor for its storage unless the terminated contract otherwise provides. Contracting officers will arrange for the taking of the joint inventory by the Government and the contractor as prescribed in section X of the War Department Industrial Property Accounting Manual before the property is removed or a storage agreement entered into. Where the property is to be removed or a storage agreement entered into with the contractor within a reasonable period after termination, then for purposes of convenience to both the government and the contractor the joint inventory prescribed in the Manual may be delayed until the date that the property is removed or the storage agreement is executed.

* * * * *

(d) If property which the contractor is entitled to have removed by the Government under the provisions of paragraph (a) above, is not removed or stored with him pursuant to agreement, then the contractor may remove and store such property under the provisions and upon the conditions set forth in paragraph 12 (d) of the act, provided the contractor, regardless of any terms of the terminated contract providing for a lesser degree of responsibility for the care and preservation of property during performance of the contract, takes reasonable precautions for the protection of the property.

SUBPART C—FORMS

1. Paragraph (a) of § 815.912 is amended to read as follows:

Notice of Termination

§ 815.912 *Lump sum supply or construction contracts*—(a) *Form of termination notice to prime contractor.* In all cases where a lump-sum contract is to be terminated for the convenience of the Government, and even though a previous notice of termination has been given by telegram or otherwise, a termination notice in substantially the following form will be sent to the contractor by registered mail:

XYZ CORPORATION
New York, New York.

TERMINATION NOTICE

1. You are hereby notified that your Contract No. ------ is hereby terminated for the convenience of the Government. Such termination will be effective.

[Here insert either "immediately upon your receipt of this notice" *or* "on ---------- 194---" (inserting the date), *or* "as soon as you have delivered under the Contract the following number of each of the items listed below, including those heretofore completed, to wit: ----------," *or* "on ----------, 194---, on which date you are hereby directed to reduce the rate of delivery under the Contract as follows:" (here insert instructions as to reduced rate of delivery).]

2. The date on which such termination becomes effective shall be the "date fixed for termination" of the Contract for the purposes of Section 6 (f) of the Contract Settlement Act of 1944 relating to the payment of interest on termination claims.

3. A copy of "Instructions to Contractors", which summarizes your principal rights and obligations arising out of the termination of the Contract, is inclosed herewith.

4. You are hereby instructed, immediately upon receipt of this notice

(a) To stop all work and the placing of any orders in connection with the Contract, except (i) to the extent necessary to perform any portion thereof not terminated by this notice, or (ii) to the extent that you may wish to retain and continue any work in process for the cost of which you will make no claim against the Government, or (iii) as provided in subparagraph 6a of the enclosed Instructions, relating to work in process which you think it inadvisable to stop immediately; and

(b) To give notice of such termination to each of your immediate subcontractors (including suppliers) who will be affected thereby, (i) giving him the number of the Contract, (ii) stating that it has been terminated for the convenience of the Government, (iii) giving him the name and address of the office in charge of the settlement of your claim, as set forth below, (iv) instructing him to stop all work, to place no more orders, and to terminate all subcontracts, in connection with his subcontract with you, except to the extent necessary to enable him to perform any portion of such subcontract not terminated by the notice so given to him, and (v) requesting him to give similar notice and instructions to his immediate subcontractors.

5. You are authorized to retain or dispose of all property applicable to the terminated portion of the Contract in accordance with subparagraphs 10 (a) and 10 (b) of the inclosed Instructions, except for the following property:

(Here list all property which the Government wishes to take over.)

Similar authority should be extended to all subcontractors, except as to property of the class or classes listed above.

6. You are also required to settle with all your immediate subcontractors as promptly as possible. Each such settlement will be subject to the approval or ratification of the Contracting Officer, except as set forth in the inclosed Instructions.

7. The Government desires to settle your claim arising out of the termination of the Contract by negotiation, and on such terms as will speedily and fairly compensate you therefor. You are accordingly urged to prepare and submit as promptly as possible your Settlement Proposal and supporting papers, including inventory statements, to the following office, which will be in charge of the settlement of your claim:

Name of office

Address

8. The directions in this notice and in the inclosed Instructions may be modified from time to time, except as to any in reliance on which you have theretofore materially changed your position in a manner for which compensation cannot reasonably be given in your termination settlement.

9. Please acknowledge receipt of this notice by signing the original and one copy and returning them to this office at once. The other copy is for your files.

MAJOR JOHN DOE,
Contracting Officer.

The undersigned hereby acknowledges receipt of a copy of the foregoing notice on ----------, 194--

XYZ CORPORATION.
By ----------,
President.

Partial Payments

2. In § 815.921 footnote 4 is amended to read as follows:

4 Insert at this point in place of the first sentence of paragraph 2 the following sentence "In consideration of such payment said Subcontractor and the parties hereto, other than the United States, agree that, to the extent of such payment, they severally do release the United States and each of the other parties hereto against whom they severally have claim based upon said Subcontract or the termination thereof, retaining any such claim based upon said Subcontract only to the extent that such claim may be found by the Contracting Officer under Contract W------ord------ to exceed such payment. If such payment exceeds the amount finally determined to be payable to said Subcontractor in connection with said termination, said Subcontractor agrees to repay the excess to the Government on demand together with penalty thereon at the rate of 6 per cent per annum from the date of receipt of such excess payment by said Subcontractor to the date of the repayment of such excess.

3. Section 815.922 is amended to read as follows:

§ 815.922 *Form of supplemental agreement for partial payments when effected through controlled account.*

Supplemental agreement entered into this ------ day of ----------, 194--, by the United States of America, hereinafter called "the Government," represented by the contracting officer executing this agreement, and ----------, hereinafter called "the Contractor,"

Witnesseth that: Whereas, on ------ day of ----------, 194--, the parties hereto entered into Contract No. ------, and

Whereas, notice of termination of said contract has been given pursuant to Article ---------- thereof, and

Whereas, under the First War Powers Act, 1941, Executive Orders Numbers 9001 and 9112, and the Contract Settlement Act of 1944, payments may be made to the contractor in advance of final determination of the amount to which the contractor will be entitled by reason of such termination and

Whereas, the contractor hereby represents to the Government that at least the sum of $------ is due the contractor by reason of the termination of said contract and the Government desires to make a payment to the contractor pending the final determination of the amount payable by reason of such terminations:

ARTICLE I. Upon the execution of this supplemental agreement by the parties hereto, and upon the contractor's submission of a proper voucher therefor, the Government will pay to the contractor, subject to the provisions of Article IV, hereof, the sum of $------.

ARTICLE II. The payment provided for herein, together with any prior payments received by the contractor in connection with such termination shall be without prejudice to the right to receive any additional amounts to which the contractor may be entitled as a result of such termination.

ARTICLE III. Said payments shall be applied against the amount finally determined to be payable by the Government to the contractor in connection with such termination. If such payments exceed the amount finally determined to be payable to the contractor in connection with such termination, the contractor agrees to repay the excess to the Government on demand together with penalty thereon at the rate of 6% per annum from the date of receipt of such excess payment by the contractor to the date of the repayment of such excess. In the event that an excess payment results from credits arising in favor of the Government by reason of the retention or disposition of property by the contractor, the amount of penalty shall be computed from the date when such credits resulted in an excess payment.

ARTICLE IV. All funds advanced to the contractor as payments hereunder, together with the proceeds of the sale of any property related to the uncompleted portion of the contract, shall be deposited by the Government and the contractor in a special bank account or accounts at a member bank or banks of the Federal Reserve System, or any "insured bank" within the meaning of the Act creating the Federal Deposit Insurance Corporation (Act of July 23, 1935; 49 Stat. 684) as amended (12 U.S.C. 264) separate from the contractor's general or other funds. Such special bank account or accounts shall be so designated as to indicate clearly to the bank their special character and purpose, and the balances in such account or accounts shall be used by the contractor exclusively as a fund for meeting costs incurred in performance of the contract prior to receipt of termination notice, or thereafter as directed by the contracting officer. Withdrawals from such special account or accounts shall be subject to the prior written approval of the contracting officer and to countersignature of the contracting officer or his duly authorized representative to the extent that he shall notify the bank that it is required by him. Such countersignature may be of blanket checks to cover a number of approved expenditures. Any balances from time to time in such account or accounts shall secure the repayment of the advances in connection with which the account or accounts are opened, and the Government shall have a lien on such balances to secure the repayment of such advances, which lien shall be superior to the lien of the bank, or any other person, upon such account or accounts, by virtue of assignment to it of the principal contract or otherwise. The contractor hereby authorizes and instructs the bank to transfer, without notice of the contractor and without liability of any kind or nature for such action, the balance of funds on deposit in such special account at any time to the Government upon the written request of the contracting officer to the bank for such transfer. Upon receipt by the bank of any written directions from the contracting officer or his duly authorized representative, the bank shall act thereon and be under no liability to any party thereto for any action taken in accordance with said written directions. Any instructions or written directions received by the bank through the contracting officer upon War Department stationery and purporting to be signed by or by the direction of the contracting officer, or his duly authorized representative, shall, in so far as the rights, duties and liabilities of the bank are concerned be conclusively deemed to have been properly issued and filed with the bank by the contracting officer or his duly authorized representative.

In witness whereof, The parties hereto have executed this agreement as of the day and year first above written.

THE UNITED STATES OF AMERICA,
By ----------
Contracting Officer
By ----------
Title
By ----------
Title

Supplemental Agreements to Insert Current Termination Article in Contracts

4. In §§ 815.926, 815.931, 815.932 and 815.933 the "whereas" clauses, or the preambles to, forms of supplemental agreements set forth therein are amended by references to the Contract Settlement Act of 1944 or to the Renegotiation Act, as follows:

§ 815.926 *Lump sum contracts; supplemental agreement for use where contract contains no provision for the termination for the convenience of the Government or contains a termination article which does not provide for a negotiated settlement of the amount due in respect of the uncompleted portion of the contract.*

* * * * *

Whereas, this Supplemental Agreement is entered into pursuant to authority contained in the Contract Settlement Act of 1944.

* * * * *

Final Settlement Agreements

§ 815.931 *Settlement agreement for use where a lump sum supply contract contains a provision for termination for the convenience of the Government substantially in the form contained in §§ 803.324, 815.901 and permits settlement by negotiation of amount due with respect to uncompleted portion of the contract.*

This supplemental agreement, entered into pursuant to authority contained in the Contract Settlement Act of 1944, this ------ day of ----------, 194--, by the United States of America, hereinafter called "the Government" represented by ----------
(authorized officer)

executing this contract and _____ hereinafter called "the Contractor,"

* * * * *

ART. 4. * * *

(1) All rights of the Government to the recovery of excessive profits pursuant to the Renegotiation Act.

* * * * *

§ 815.932 *Settlement agreement for use where a lump sum construction contract contains a provision for termination for the convenience of the Government substantially in the form contained in § 803.324 (a).*

This supplemental agreement, entered into pursuant to the Contract Settlement Act of 1944, this _____ day of _____ 194__, by the United States of America, hereinafter called "The Government" represented by _____ executing
(authorized officer)
this contract and _____ hereinafter called "the Contractor",

* * * * *

§ 815.933 *Supplemental agreement for use where a lump sum supply or construction contract contains no article for termination for convenience of the Government and the contractor will not agree to amend the same by inserting the article contained in § 803.324 or § 803.324 a, Procurement Regulations, or where any such contracts do not contain termination for the convenience of the Government articles and a negotiated settlement can be effected:*

SUPPLEMENTAL AGREEMENT

* * * * *

Whereas, This contract is entered into pursuant to the Contract Settlement Act of 1944:

* * * * *

ART. 4. * * *

(4) All rights of the Government to the recovery of excessive profits pursuant to the Renegotiation Act.

* * * * *

5. In § 815.934 Article 4 of the form is amended by the revision of clause (1) and the addition of clauses (5), (6), and (7), as follows:

§ 815.934 *Cost-plus-a-fixed-fee supply Contracts.* * * *

ART. 4. * * *

(1) All rights of the Government to the recovery of excessive profits pursuant to the Renegotiation Act, as amended.

* * * * *

(5) Claims, if any, in stated amounts (or estimated amounts if amounts are not susceptible of exact statement) set forth below.

(6) Any claim based upon responsibility of the Contractor to third parties arising out of the performance of said contract not known to the Contractor at the date of this supplemental agreement.

(7) (Here add additional excepted matters, if any).

Instructions to Contractors

6. Section 815.936 is amended to read as follows:

§ 815.936 *Fixed-price contractors.* Instructions to Contractors in substantially the following form will accompany each notice of termination of a fixed-price supply contract for the convenience of the Government (see § 815.912 (a)):

INSTRUCTIONS TO CONTRACTORS IN REGARD TO TERMINATION OF FIXED PRICE (LUMP SUM) SUPPLY CONTRACTS

SECTION 1—INTRODUCTION

1. *Necessity for termination.* The constant changes in the requirements of our armed forces make it necessary to terminate certain contracts from time to time. Your contract is among these, and its termination is accordingly not to be taken as an indication that the War Department is in any way dissatisfied with your performance.

2. *Termination procedure policy.* It is the intention of the War Department to make a proper adjustment with you in accordance with customary commercial practice and the termination article in your contract. However, since public funds are involved, you must submit adequate accounting data to support your request for an adjustment based on the termination. This must be done before payment can be made. When this accounting data is received, the War Department will cooperate with you in endeavoring to reach a speedy and equitable negotiated settlement.

3. *Necessity for prompt action.* To expedite payment of your claim, you should submit to the Contracting Officer, as speedily as possible, your Settlement Proposal on the applicable Standard Forms and in accordance with the General Instructions for use of Standard Contractor's Proposal Forms in Presenting Settlement Proposals Arising From Total or Partial Termination of Fixed-Price Supply Contracts. A copy of these General Instructions is inclosed herewith, and copies of the Standard Forms, for your own use or for the use of your subcontractors, may be obtained by application to the Contracting Officer.

You should also, *without awaiting the preparation of your Settlement Proposal,* see to it that the taking of inventories is begun at once, and that schedules of charges and complete or partial inventory schedules are prepared as promptly as possible by your company and submitted to the Contracting Officer. You should also promptly submit to him for approval any *partial* settlement proposals relating to claims of subcontractors or to disposal of property. Submission of these papers in advance will enable you to pay your subcontractors more rapidly and will also hasten your own final settlement.

4. *Confirmation of oral approval.* Wherever in these instructions, or in the termination article which forms a part of your contract, the approval of the Contracting Officer is required as to any action to be taken by you, you should, for your records, require written confirmation of any such approval which has been given orally.

5. *Purpose and application of these instructions.* These instructions summarize your principal rights and duties arising from the termination of your contract. In general, they apply to subcontractors as well as prime contractors, except that the subcontractor stands in the same relationship to the contractor to or for whom he is delivering materials or performing services as that in which the prime contractor stands to the Government. To assist in effecting termination settlements, the War Department has prepared Procurement Regulation No. 15 and the Termination Accounting Manual (TM-14-1005) for Fixed-Price Supply Contracts, copies of both of which may be obtained from the Superintendent of Documents, Washington 25, D. C.

SECTION 2—ACTION TO BE TAKEN UPON RECEIPT OF NOTICE OF TERMINATION

6. *Cessation of work and notification to suppliers.* Immediately upon receipt of the Notice of Termination (with which these Instructions are sent) you should take the following steps:

a. On the effective date of the Notice, stop all the work and the placing of any orders in connection with the contract except to the extent necessary to perform any portion thereof not terminated by the Notice or to the extent that you may wish to retain and continue any work in process which the Government does not wish to take over and for the cost of which you will make no claim. If you believe it inadvisable for any reason to stop any portion of the work as required by the Notice, you should so advise the Contracting Officer immediately by telephone or personal conference, and obtain his instructions. Any delay in complying with the above directions will be at your own risk.

b. Notify all of your immediate subcontractors (including suppliers) who will be affected by the termination that your contract has been terminated for the convenience of the Government, give them the number of the contract and the name and address of the office charged with the settlement of your termination claim, order them (to the extent necessitated by the termination) to make no further commitments in connection with their subcontracts and request them to give similar notice to their immediate subcontractors. You should also request them to submit their inventory schedules and settlement proposals as promptly as possible in order to speed up settlement of their termination charges; and you should use your best efforts to arrive at negotiated settlements of their claims as quickly as possible.

c. Notify the Contracting Officer of the number of articles completed under the contract and still on hand, and arrange with him for their delivery or disposal.

d. Notify the Contracting Officer of any pending legal proceedings with respect to any subcontracts or purchase orders related to the terminated contract. (The Contracting Officer should also be promptly notified of any such proceedings brought after receipt of the Notice.)

7. *Initial conference with representatives of contracting officer.* As soon as possible after receipt of the Notice, you should arrange for a conference with the representatives of the Contracting Officer, at which you should be prepared to present a rough estimate of your inventory and of the principal items of your claim, and to indicate, as fully as possible, what property you desire to retain, what can be sold to others and what, in your opinion, should be scrapped. At this conference the basis of settlement should be at least tentatively determined, and a clear understanding should be reached as to what information is to be furnished by you, what methods are to be followed in disposing of property, what accounting or other investigation is to be undertaken, and what interim financing, if any, you will require.

8. *Notice to workers and cooperation with War Manpower Commission.* Contractors are urged by the Government, and requested to urge their subcontractors, in all cases where the termination is likely to result in the release of any substantial number of workers, to include a statement of the reasons for the cutback in a notification to the workers and their union representatives, if any, and to cooperate with the War Manpower Commission by making known their new net labor requirements and allowing the United States Employment Service representative to conduct job interviews at the plant if a considerable number of workers are to be displaced.

SECTION 3—DISPOSAL OF INVENTORIES

9. *Preparation of inventory schedules.* It is expected that in most cases inventory schedules on the applicable Form (See subparagraph 14a of these Instructions) can be

prepared and submitted before submission of the Settlement Proposal. The inventory schedules prepared by your company should include *all* materials owned by it even if located in the plants of subcontractors, unless there is some special reason for following a different procedure. For the purpose of this Section 3, the term "materials" includes work in process and completed articles on hand. A separate schedule, or separate schedules, should be made of the materials located in each plant; and separate schedules should also be made of all *Government-owned* materials. No item, however, in respect of which no charge is to be made to the Government need be included in these schedules.

10. *Methods of disposing of inventories.* It is the policy of the War Department, so far as possible, to dispose of inventories through normal commercial channels. Disposal will ordinarily be handled in one of the following ways:

a. *Materials to be retained by you or sold to others and as to which you will seek no reimbursement from the Government.* Except as otherwise explicitly directed by the Contracting Officer in the Notice or in some other written communication, you are authorized, subject to the existing regulations of the War Production Board and other Government agencies, to retain or sell all materials applicable to the terminated portion of the contract, title to which has not passed to the Government, if you are willing to seek no reimbursement from the Government with respect to the cost of such materials.

b. *Materials to be returned to suppliers for full credit.* You are also authorized, subject to the same limitations set forth in paragraph 10, to return any such materials to your suppliers if you are willing to seek no reimbursement from the Government with respect to their cost except for the freight charges for shipping such materials to you and their return to the suppliers, plus reasonable packing and handling charges.

c. *Materials to be retained by you, or sold to others, at less than cost.* None of the materials applicable to the uncompleted portion of the contract should, except as set forth in paragraph 10a and 10b, be retained for your own use or otherwise disposed of without the written approval of the Contracting Officer. Accordingly, if you propose to sell or retain any such materials, or to permit their retention by subcontractors, and to seek reimbursement from the Government for any part of their cost or for any part of such cost in excess of the price at which you propose to sell them, or in excess of the freight, packing and handling charges in the case of materials returned to your suppliers, you should first (unless the proposed sale or other disposition of such materials is covered by a general authorization previously given by the Contracting Officer) submit to him the following information:

(1) A complete description of the materials proposed to be retained or sold;

(2) The cost, or estimated cost, of such materials as shown by your books;

(3) The price at which you propose to retain or sell them; and

(4) A brief statement as to your reasons for believing that their disposition at the price stated would be for the best interest of the Government.

11. *Diversion of property or orders to other contracts.* It is desirable that all materials, equipment and supplies acquired for the performance of the contract, and which have become surplus because of its termination, be diverted so far as possible to other war production. If you have diverted any such property to the performance of another war contract, you will, to the extent that it is properly allocable to such other contract, be entitled to reimbursement from the Government if that contract is later terminated for its convenience. In order to effect a saving to the Government, where a diversion of property from a terminated contract to a continuing contract necessitates the cancellation of orders already given for the performance of the continuing contract, you may cancel such orders and either take the reasonable cost to you of such cancellations into consideration when calculating the amount at which such property is to be retained for the continuing contract, or, with the approval of the contracting officer, include such cost in the settlement of the terminated contract. You should also, whenever you can effect a saving to the Government by so doing, allow orders originally given in respect of a terminated contract to remain in effect and apply the property delivered thereunder to the performance of a continuing contract; and if this necessitates the cancellation of orders under the continuing contract, the reasonable cost to you of such cancellation may also be included in the settlement of the terminated contract.

12. *Obligations of contractors with respect to disposal of inventory.* By the terms of clause (b) (7) of the Uniform Termination Article, the contractor is obligated, after receipt of the notice, to "use his best efforts to sell, in the manner, to the extent, at the time, and at the price or prices directed or authorized by the contracting officer," the fabricated or unfabricated parts, work in process, completed work, supplies and other material produced as a part of, or acquired in respect of the performance of, the work terminated by the contract," except that the contractor is not required to extend credit to any purchaser, and may retain any such property at a price or prices approved by the contracting officer. The Government accordingly expects you to do everything within reason to aid in disposing of inventory as quickly as it may be feasible to do so.

13. *Plant clearance.* You may from time to time submit to the Contracting Officer one or more inventory lists in the prescribed form describing materials applicable to the terminated portion of the contract, together with your written statement that you wish to have such materials removed by the Government; and the Government is obligated, unless the contract otherwise provides, within 60 days thereafter either to arrange upon such terms as may be agreed on, for the storage of such materials by you on your premises or elsewhere, or for their removal from your plants. If the Government fails to arrange for the storage or removal of such materials within the 60 day period, you may at any time thereafter remove them from your plants and store them on your premises or elsewhere for the account and at the risk of the Government, using reasonable care for their transportation and preservation, but only if you have first given to the Contracting Officer at least 20 days' notice of your intention to do so on a specified date, accompanied by a statement showing the quantities and condition of the materials so to be removed, certified on your behalf to have been prepared in accordance with a concurrent physical inventory. You are also authorized, at any time after receipt of the Notice of Termination, to remove and store at your own expense and risk any materials applicable to the terminated portion of the contract.

SECTION 4—PREPARATION OF SETTLEMENT PROPOSAL

14. *Submission of proposal and supporting papers.* Work on your Settlement Proposal should be begun as promptly as possible after receipt of the Notice. The various papers which will make up your Proposal may be submitted to the Contracting Officer as prepared, and it is desirable to follow this procedure in most cases as a means of expediting settlement.

a. *Particular forms to be used.* If your Settlement Proposal is for less than $500, you may submit it on Form A–4. If it is for more than $500, but less than $10,000 before deducting disposal or other credits, you may use either Form A–2 or Form A–3. No additional inventory schedules on the Standard Forms will be required in the case of Settlement Proposals submitted on Form A–2, Form A–3, or Form A–4. If your Settlement Proposal is for more than $10,000, Form A–1 must be used; and this Form may also be used in the case of Settlement Proposals for less than $10,000 if you find it more convenient. If Form A–1 is used, it must be supported by a schedule of your own charges with respect to the terminated portion of the contract to date of termination, on Form B–1 or Form B–2, which in turn must be supported by inventory statements on Forms C–1, C–2 and C–3.

b. *Contractor's own charges.* A statement of the amount which you expect to claim for your own charges should be prepared as soon as possible after your receipt of the Notice, and be delivered to the Contracting Officer for checking purposes as soon as it is prepared. This statement will include the entries to appear, upon submission of your Settlement Proposal, on Schedule B–1 or B–2 if the Proposal is to be on Form A–1, on items 1 through 7 if it is to be on Form A–2, and on items 1 through 8 if it is to be on Form A–3. You will be required to certify to the correctness of this statement when it becomes a part of your Settlement Proposal.

c. *Other charges.* Other charges to be used in computing the amount of your Settlement Proposal should be determined as promptly as possible. These will normally include approved settlements with your subcontractors, costs incurred by you after termination, and the contract unit price of any articles completed by you in accordance with the terms of the contract, without unreasonable anticipation of production schedules, and for which you have not previously been paid.

SECTION 5—SUBCONTRACTORS AND SUPPLIERS

15. *Notification of subcontractors and suppliers.* No costs will be allowed to you in connection with the settlement which arises from failure on your part effectively to notify your immediate subcontractors (including your suppliers) of the complete or partial termination of their subcontracts or sales commitments, within a time which is found by the Contracting Officer to be reasonable under the circumstances.

16. *Statements and other papers to be obtained from subcontractors.* You should require from your immediate subcontractors the same type of statements covering inventories and expenses applicable to the termination, and the same type of settlement proposals, which the Government requires from you. Subcontractors, although not required to use the Standard Forms in submitting their proposals, should be urged to do so.

17. *Review of settlement proposals of subcontractors.* It is your primary responsibility to review or examine all statements of changes and settlement proposals delivered to you by your immediate subcontractors. Your duty in this regard is similar to that of the Government in passing upon the statements and settlement proposals submitted by you. You will be required at least to cause an office review to be made, by qualified accounting personnel in your employ, of each such statement and proposal; and you will also be required to cause a written report of each such office review to be made, and to be furnished to the Government upon its request. You should in every case make such examination as is reasonable under all the circumstances, and you will be held to the standard of scrutiny that a prudent business man would ordinarily employ in the conduct of his own affairs. You will not be required to warrant the accuracy of the facts presented by the subcontractors; but you will be required to certify that, on the basis of a review or examination which you believe to be adequate, you are of the opinion that settlements with your immediate subcontractors are fair and reasonable, and would be made by you if reimbursement by the Government were not involved.

18. *Settlement of subcontractors' claims.* You are required to *settle* all claims arising out of the termination of orders and subcontracts, subject to the ratification or approval of the Contracting Officer when required. The Contracting Officer may authorize you, or one or more subcontractors, to make final settlements of termination claims by your or their immediate subcontractors in cases where the settlement will not involve more than $10,000. Except in cases covered by such authority, you are required to submit to the Contracting Officer for his approval or ratification all settlements with your immediate subcontractors, and any settlement made by any subcontractor involving more than $25,000; and the Contracting Officer may require the submission to him of any settlement made by any subcontractor.

19. *Disposal of inventories by subcontractors.* Subcontractors are authorized to retain, return, sell, or otherwise dispose of inventory, subject to the same restrictions placed upon your company by the provisions in Paragraph 10.

SECTION 6—INTERIM FINANCING

20. It is the policy of the Government, pending the settlement of your claim, to provide you with adequate interim financing, within 30 days after proper application. Such financing may be effected by one or more of the following methods.

a. For contractors still in war production guaranteed V and VT Loans are now available which may be utilized to provide financing in the event of termination;

b. It is expected that a new simplified type of guaranteed T Loan, solely for use on termination, will shortly be made available;

c. Contractors will be given liberal partial payments while their terminated contracts are in process of settlement, which may be either (1) immediate payments based on an estimate of the amount due, or (2) cost-supported payments based on a statement of costs;

d. Advance payments authorized prior to termination may, with the approval of the Contracting Officer, be used to pay for items reimbursable under the termination article in your contract.

NOTE: For further information as to interim financing, reference is made to §§ 815.500 to 815.512.

SECTION 7—EXPENSES SUBSEQUENT TO TERMINATION

21. *Approval of expenditures.* You should submit to the Contracting Officer for his approval all costs incurred by you after the effective date of the Notice

a. For the protection of Government property, or

b. For other expenditures in connection with the terminated contract. (See the termination article in your contract.)

You must take adequate precaution to protect property in your possession in which the Government has or may have an interest.

SECTION 8—PRESERVATION OF RECORDS

22. *Penal provisions.* Section 19 (a) of the Contract of Settlement Act of 1944 makes it a crime, punishable by fine and imprisonment, to secrete, mutilate, obliterate or destroy

"(1) any records of a war contractor relating to the negotiation, award, performance, payment, interim financing, cancelation or other termination, or settlement of a war contract of $25,000 or more; or

"(ii) any records of a war contractor and any purchaser relating to any disposition of termination inventory in which the consideration received by any war contractor or any Government agency is $5,000 or more,

"until (1) five years after such disposition of termination inventory by such war contractors or Government Agency, or (2) five years after the final settlement of such war contract, or (3) five years after the termination of hostilities in the present war as proclaimed by the President or by a concurrent resolution of the two Houses of Congress, whichever applicable period is longer."

SECTION 9—NEGOTIATION OF SETTLEMENT

23. *"Contracting officer."* The term "Contracting Officer," as used in the foregoing instructions, refers to the Contracting Officer as the office charged with the settlement of your termination claim, as designated in the Notice. In most cases, he will act through the members of his staff, and will probably appoint one of them as the negotiator in charge of your settlement, who will not be authorized to agree finally on the terms of settlement, but will endeavor to obtain answers to any questions you may have and will advise you as to procedure. He will have such authority as may be delegated to him by the Contracting Officer to approve dispositions of property, settlements with subcontractors, and other terms of final settlement.

[F. R. Doc. 44–11497; Filed, August 1, 1944; 10:06 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter E—Credit to Indians

PART 28—KLAMATH TRIBAL LOAN FUND

COMPENSATION OF LOAN BOARD MEMBERS AND EMPLOYEES

Section 28.51 is amended to read as follows:

§ 28.51 *Compensation of members of the loan board and loan board employees.* Each duly elected and qualified member of the loan board shall be compensated for the time during which actually engaged upon the business of the Loan Board at the rate of $8 per day; *Provided*, That effective December 1, 1942, and up to and including June 30, 1945, an additional sum equal to 21.66 percent of such rate shall be paid such members, and an additional sum equal to 21.66 percent of the respective daily rates of pay of employees of the loan board, such as clerks, typists, etc., shall be paid such employees during the same period, unless otherwise rescinded or amended by the Klamath General Council or the Klamath Tribal Business Committee subject to the approval of the Secretary of the Interior. A day shall be deemed to consist of 8 hours.

(Sec. 2, 50 Stat. 872; 25 U.S.C. 532)

Dated: July 28, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44–11604; Filed, August 2, 1944; 4:13 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 203]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity	Department of Commerce No.	General license group
Office supplies, miscellaneous:		
Ink, printing and lithographic	9322.00	----------
Newspaper channel type carbon black	9322.00	K
Other printing and lithographic ink	9322.00	K

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 28, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44–11607; Filed, August 3, 1944; 10:18 a. m.]

[Amdt. 204]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity	Department of Commerce No.	General license group
Meat products:		
Poultry and game, fresh, not canned	0040.00	----------
Turkeys	0040.00	None
All other fresh poultry and game, not canned	0040.00	K

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported

under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall become effective August 10, 1944.

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: July 29, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-11608; Filed, August 3, 1944; 10:18 a. m.]

[Amdt. 205]

PART 811—BLANKET LICENSE "BLT"

ADDITION OF CARTRIDGES AND SHOTGUN SHELLS TO LIST

Paragraph (f) of § 811.2 *General provisions* is hereby amended by adding to the commodities listed therein the following commodities:

Commodity	Schedule B Number
Cartridges, 22 caliber and smaller	9481.01
Shotgun shells	9481.62

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: July 31, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-11609; Filed, August 3, 1944; 10:18 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-596]

RELIANCE MANUFACTURING CO.

Joseph A. Smith and Harry Shatkin are co-partners doing business as Reliance Manufacturing Company at 158 Pine Street, Providence, Rhode Island. Between February 22 and April 25, 1944, they purchased and accepted delivery of approximately 15,000 ounces fine of Treasury silver and put all but a small portion of this silver into process in the manufacture of expansion watch bracelets in violation of Conservation Order M-199. During the first quarter of 1944, they purchased and accepted delivery of 6,100 ounces fine of domestic silver, and during the second quarter of 1944 they purchased and accepted delivery of 415 ounces fine of domestic silver; they subsequently returned 1,343 ounces to their supplier but put most of the remainder of this domestic silver into process for the manufacture of expansion watch bracelets in violation of Conservation Order M-199. They had no quota as defined in Conservation Order M-199 for the receipt or use of silver for this purpose, and their appeal for a quota was denied by the War Production Board on January 15, 1944. Notwithstanding the denial of this appeal and their knowledge of Conservation Order M-199 they engaged in the actions above described in wilful violation of Conservation Order M-199.

These violations of Conservation Order M-199 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.596 *Suspension Order No. 596.* (a) For a period of four months from the effective date of this suspension order, neither Joseph A. Smith nor Harry Shatkin, doing business as Reliance Manufacturing Company or otherwise, their and its successors or assigns, shall purchase, accept delivery of, or put into process any silver as defined in or governed by Conservation Order M-199.

(b) Neither Joseph A. Smith nor Harry Shatkin, doing business as Reliance Manufacturing Company or otherwise, their and its successors or assigns, shall put into process or process any silver as defined in or governed by Conservation Order M-199 for the manufacture of expansion bracelets for watches, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Joseph A. Smith and Harry Shatkin, doing business as Reliance Manufacturing Company, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on August 2, 1944.

Issued this 2d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11606; Filed, August 2, 1944; 4:53 p. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, Supp. 1, as Amended Aug. 3, 1944]

NEWSPAPERS

Section 3133.6a *General Limitation Order L-240, Supplement No. 1* is hereby amended to read as follows:

§ 3133.6a *General Limitation Order L-240, Supplement No. 1*—(a) *Purpose of appeal clause.* The serious shortage in the supply of print paper available for newspapers makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-240. Such reductions may create serious hardships which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraphs (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) *No automatic adjustments.* Paragraph (f) of this supplement describes the types of hardships for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j) to (m) of Order L-240, unless he files an appeal for such relief and a grant is made in writing signed by the Recording Secretary of the War Production Board.

(c) *Adjustments of base tonnages.* Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War Production Board.

(d) *Effective date of base tonnage adjustments.* Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted, on appeal, does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any quarter before the issuance of the appeal grant.

(e) *Application of curtailments.* Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (k) of Order L-240 as amended from time to time.

(f) *Types of hardship for which relief shall be granted.* In passing upon appeals under Order L-240 the following standards shall govern:

(1) *Extraordinary population increase accompanied by circulation increase.* Where there has been extraordinary growth of population in a newspaper's trading area since December 31, 1942, its consumption quota shall be adjusted in order to permit the maintenance of adequate newspaper service in that trading area. The amount of tonnage to be granted shall be determined as follows: (i) the percentage of population growth in the newspaper's trading area since December 31, 1942 and the percentage of the newspaper's circulation growth in that area measured by the average for the first two quarters of 1944 over the average for the year of 1942, shall be

ascertained. (ii) The newspaper's consumption quota shall be increased to the extent that the lower of these two figures exceeds 7½%. In other words, a newspaper must absorb the first 7½% of both population and circulation increase, and it will be granted ex-quota paper only to the extent that population or circulation increase exceeds 7½%, whichever percentage increase is smaller.

Population increase shall be determined on the basis of the best available evidence. In making such determination consideration may be given not only to census figures but also to ration book records, estimates of military authorities, local government officials, postal authorities, telephone, gas and electric companies, housing authorities, employment and labor agencies, transportation agencies, Chambers of Commerce and others. In trading areas where evidence of population increase is inconclusive, weight may be given to circulation increase as evidence of population increase. Increased circulation resulting from promotional sales efforts shall not be included.

Additional adjustment shall be made for newspapers in trading areas whose population has increased more than 50% since the last decennial census, in order to maintain adequate newspaper service in the trading area.

(2) *Extraordinary circulation increase.* Where a newspaper's average circulation for the second quarter of 1943 exceeds its average circulation for the year 1942 by more than 10%, the newspaper's consumption quota shall be increased to the extent of such circulation increase in excess of 10%, without the necessity of establishing any population increase. Increased circulation resulting from promotional sales efforts shall not be included.

(3) *Discontinuance or merger of newspapers.* Adjustments in consumption quota shall be made in order to maintain adequate newspaper service in a community where there has been a discontinuance or merger of newspapers.

(4) *Supplements added in 1941 or 1942.* Adjustments in consumption quota shall be made for newspapers which added supplements in 1941 or 1942. Such adjustments shall be made only to the extent that the newspaper's total content was increased by the addition of the supplements and such increase was not reflected in its base tonnage.

(5) *Increased news content.* Adjustments in consumption quota shall be made for newspapers which substantially increased their news content in 1941 or 1942 and maintained such increased news content continuously until December 31, 1942.

(6) *Temporary suspension.* Newspapers which were forced to suspend publication temporarily during 1941 because of strikes, fires, or similar conditions shall be granted compensatory increases in their base tonnages, to the extent that it was impracticable to continue operations at another plant.

(7) *Change in roll size.* Publishers who reduced the width of their newsprint rolls in 1941 shall be granted compensatory increases in their base tonnages.

(8) *Increased frequency of issuance.* Publishers who increased the frequency of issuance of their newspapers in 1941 and 1942 shall be granted adjustments of their base tonnages to permit continued publication at the frequency of issuance established before Order L-240 was issued, on December 31, 1942.

(9) *Extraordinary hardships.* Appeal tonnage shall not be recommended by either the administrator or the Division Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (8) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) *Factors which shall not be considered as grounds for granting appeals.* The following is a list of some of the factors which shall not be considered as grounds for the granting of tonnage on appeal. This list is not exclusive.

(1) The nature of a newspaper's contents.

(2) Diminished base period consumption because of financial conditions.

(3) Suspension of publication in 1941 or 1942 except as provided in paragraph (f) (6).

(4) Population or circulation increase, except as provided in paragraph (k) (2) of Order L-240 or paragraphs (f) (1) or (f) (2) of this supplement.

(5) Retarded circulation growth caused by a price increase in 1941 or 1942.

(6) Conservation of paper at any time except as provided in paragraph (f) (7).

(7) Change in amount of news content at any time, except as provided in paragraphs (f) (3), (f) (4), and (f) (5).

(8) Change in number of advertising lines at any time, except as provided in paragraphs (f) (3) and (f) (4).

(9) Unsold copies or circulation returns.

(10) Special events such as war bond drives, recruiting drives, war news, political news, etc.

(11) Inability to maintain or increase advertising lines under existing quotas.

(12) The fact that additional tonnage was granted on appeal to a competitor.

(13) Request to use in a newspaper started since December 31, 1942, more tonnage than that permitted in paragraph (m) of Order L-240.

(14) Consumption of print paper in violation of Order L-240, whether or not such violation was wilful.

Procedure

(h) *How appeals are submitted.* Appeals from Order L-240 may be filed by addressing a letter in duplicate to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(i) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the subdivision of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) *Denials by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(k) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(l) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) *Recommendation of grant by the administrator.* The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence of each member of the Division Appeals Committee, consisting of himself, the administrators of Orders L-241, L-244, and L-245, the Assistant Director of the Printing and Publishing Division for Labor, and representatives of the Office of Civilian Requirements and the Conservation Division.

(n) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel although he may do so if he wishes.

(q) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

(r) *Finality of decisions.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) *Publication of grants.* Grants on appeals shall be announced publicly at least every two weeks.

(t) *Announcement of grounds of decision.* Whenever a grant is made for

"unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (9), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) *Amendment of supplement.* Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

(v) *Public files.* Public files shall be set up in all cases, including those filed before as well as after October 7, 1943, whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:

1. All papers filed by the appellant in support of the appeal except those portions which contain confidential data.
2. All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.
3. Copy of all letters of grant or denial.
4. A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) *False representations.* All grants on appeal are conditional upon the validity of the statements submitted in support thereof. Any person who wilfully conceals a material fact or furnishes false information in connection with an appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section (35) (A) of the United States Criminal Code.

Issued this 3d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11612; Filed, August 3, 1944; 10:58 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-244, Supp. 1, as Amended Aug. 3, 1944]

MAGAZINES

Section 3133.15a *General Limitation Order L-244, Supplement No. 1* is hereby amended to read as follows:

§ 3133.15a *General Limitation Order L-244, Supplement No. 1*—(a) *Purpose of appeal clause.* The serious shortage in the supply of print paper available for magazines makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-244. Such reductions may create serious hardships—which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraphs (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) *No automatic adjustments.* Paragraph (f) of this supplement describes the types of hardship for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j) and (k) of Order L-244, unless he files an appeal for such relief and a grant is made in writing, signed by the Recording Secretary of the War Production Board.

(c) *Adjustment of base tonnages.* Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War Production Board.

(d) *Effective date of base tonnage adjustments.* Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted on appeal does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any quarter before the issuance of the appeal grant.

(e) *Application of curtailments.* Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (j) of Order L-244 as amended from time to time.

(f) *Types of hardship for which relief shall be granted.* In passing upon appeals under Order L-244 the following standards shall govern:

(1) *New magazines issued by new publishers in 1942.* If a publisher first caused paper to be used in printing a magazine in 1942 (and did not publish any other magazine throughout that entire year) he shall be granted a constructive base tonnage. This shall be determined by averaging the tonnage of paper consumed in each issue printed in 1942 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance.

(2) *Publishers who used 25 tons or less in the first quarter of 1943.* If a publisher used 25 tons of paper or less in the first quarter of 1943 under that provision of Order L-244 (eliminated as of April 1, 1943) which exempted users of 25 tons per quarter or less, he shall be granted a constructive base tonnage, not to exceed 25 tons per quarter. This shall be determined by averaging the tonnage of paper used in the issues of each magazine printed during the first quarter of 1943 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance.

(3) *Reduction in basis weight and trim size.* Publishers who reduced the basis weight or trim size of their magazines in 1942 shall be granted compensatory increases in their base tonnages.

(4) *Increased frequency of issuance.* Publishers who increased the frequency of issuance of their magazines in 1942 shall be granted adjustments of their base tonnages to permit continued publication at the frequency of issuance established before Order L-244 was issued, on December 31, 1942.

(5) *Unusual seasonal variations.* Publishers whose schedules have unusual seasonal variations shall be granted permission to redistribute their quarterly consumption quotas within a calendar year.

(6) *Inter-company transfers.* Transfers of quotas under Order L-244 shall be permitted between corporations which have occupied the relationship of parent and wholly-owned subsidiary, or affiliates wholly owned by the same person prior to December 31, 1942, and continuously thereafter.

(7) *Temporary suspension.* Magazines which were forced to suspend publication temporarily during 1942 because of strikes, fires or similar conditions shall be granted compensatory increases in their base tonnage to the extent that it was impracticable to continue operations at another plant.

(8) *Extraordinary hardships.* Appeal tonnage shall not be recommended by either the administrator or the Division Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (7) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) *Factors which shall not be considered as grounds for granting of tonnage on appeals.* The following is a list of some of the factors which shall not be considered as grounds for the granting of appeals. This list is not exclusive.

(1) The nature of a magazine's contents.
(2) Diminished base period consumption because of financial conditions.
(3) Suspension of publication in 1942, except as provided in paragraph (f) (7).
(4) Consumption of more paper in any quarter of 1942 than in other quarters.
(5) Consumption of less paper in 1942 than in other years.
(6) Decrease in circulation, number of advertising pages, or number of editorial pages in 1942.
(7) Increase in trim size, basis weights, circulation, cover or subscription price, number of advertising pages, number of editorial pages, or other expansion measures in 1942 or thereafter.
(8) Publication of a new magazine in 1942 by a publisher who was in the magazine publishing business throughout that year.
(9) Special events such as war bond drives, recruiting drives, war news, political news, etc.
(10) Inability to maintain or increase advertising pages, editorial pages, or circulation under existing quotas.
(11) Increased demand for a magazine, even though it is published by a membership organization whose constitution requires that a copy be sent to every member.
(12) Request to use in a magazine publishing business commenced after May 31, 1944 more than 1¼ tons of paper per calendar quarter, as provided in paragraph (j) (2) of Order L-244.

(13) The fact that additional tonnage was granted on appeal to a competitor.

(14) Consumption of paper in violation of Order L-244, whether or not such violation was wilful.

Procedure

(h) *How appeals are submitted.* Appeals from Order L-244 may be filed by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244.

(i) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the subparagraph of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) *Denial by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(k) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(l) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) *Recommendation of grant by the administrator.* The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence of each member of the Division Appeals Committee, consisting of himself, the administrators of Orders L-240, L-241 and L-245, the Assistant Director of the Printing and Publishing Division for Labor, and representatives of the Office of Civilian Requirements and the Conservation Division.

(n) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file, it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(q) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

(r) *Finality of decision.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) *Publication of grants.* Grants on appeal shall be announced publicly at least every two weeks.

(t) *Announcement of grounds of decision.* Whenever a grant is made for "unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (8), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) *Amendment of supplement.* Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

(v) *Public files.* Public files shall be set up in all cases, including those filed before as well as after October 7, 1943 whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:

(1) All papers filed by the appellant in support of the appeal except those portions which contain confidential data.

(2) All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.

(3) Copies of all letters of grant or denial.

(4) A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) *False representations.* All grants on appeal are conditional upon the validity of the statements submitted in support thereof. Any person who wilfully conceals a material fact or furnishes false information in connection with an appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section 35A of the United States Criminal Code.

Issued this 3d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11613; Filed, August 8, 1944; 10:58 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-245, Supp. 1, as Amended Aug. 3, 1944]

BOOKS AND BOOKLETS

Section 3133.17a *General Limitation Order L-245, Supplement No. 1 is hereby* amended to read as follows:

§ 3133.17a *General Limitation Order L-245, Supplement No. 1*—(a) Purpose *of appeal clause.* The serious shortage in the supply of print paper available for books makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-245. Such reductions may create serious hardships—which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraph (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) *No automatic adjustments.* Paragraph (f) of this supplement describes the types of hardship for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j) and (k) of Order L-245, unless he files an appeal for such relief and a grant is made in writing signed by the Recording Secretary of the War Production Board.

(c) *Adjustment of base tonnages.* Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War Production Board.

(d) *Effective date of base tonnage adjustments.* Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted on appeal does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any year before the issuance of the appeal grant.

(e) *Application of curtailments.* Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (j) of Order L-245 as amended from time to time.

(f) *Types of hardship for which relief shall be granted.* In passing upon appeals under Order L-245 the following standards shall govern:

(1) *Incomplete base period.* If a person entered the book publishing business in 1942 by causing paper to be put into process in the production of books for the first time in that year, he shall be granted a constructive base tonnage. This shall be determined by averaging his consumption of paper in each of the calendar quarters of 1942 in which he caused paper to be put into process. This average shall be multiplied by the number of calendar quarters of 1942 in which he did not cause paper to be put into process. The total shall be added to his actual consumption in 1942, to determine his constructive base tonnage.

However, ex-quota tonnage shall not be granted under this subparagraph to a publisher whose business is of such a nature that he would normally cause paper to be put into process in only a portion of a calendar year.

(2) *The "intermittent" publisher.* An "intermittent" publisher is one who issues a particular type of publication, such as an encyclopedia, a multi-volume set, etc., which, as a matter of established business practice, is produced at regular intervals less frequent than annual. Ex-quota tonnage shall be granted to permit the continued issuance of such a publication, to the extent that the publisher's consumption quota is inadequate.

(3) *Abnormal base period.* A publisher who demonstrates that in 1942 he consumed an abnormally low tonnage of paper because of conditions beyond his control shall be granted a constructive base tonnage. This shall be determined by averaging his consumption in the years 1940, 1941, and 1942. If he consumed no paper in one of these three years, the adjustment shall be based on his average consumption in the remaining two years.

(4) *Temporary suspension.* A publisher whose consumption of paper in 1942 was reduced by temporary suspension of publication as the result of strikes, fires or similar conditions shall receive a compensatory increase in his base tonnage, to the extent that it was impracticable to continue operations at another plant.

(5) *Disproportionate commitments made prior to the issuance of Order L–245.* Appeal tonnage shall be granted to a publisher who demonstrates that his base tonnage is inequitable because of the following circumstances existing prior to the issuance of L–245 on January 8, 1943:

(i) Capital expenditures;

(ii) Advances on author royalties and publishing rights;

(iii) Expenditures in the manufacture of books;

(iv) Administrative and advertising expenses.

Adjustments under this paragraph (f) (5) shall not be made unless the publisher demonstrates that his quota, upon the issuance of Order L–245, was inadequate to produce conservative first printings sufficient to liquidate such prior commitments.

(6) *Inter-company transfers.* Transfers of quotas under Order L–245 shall be permitted between corporations which have occupied the relationship of parent and wholly-owned subsidiary, or affiliates wholly owned by the same person, prior to January 8, 1943, and continuously thereafter.

(7) *Extraordinary hardships.* Appeal tonnage shall not be recommended either by the administrator or the Division Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (6) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) *Factors which shall not be considered as grounds for granting appeals.* The following is a list of some of the factors which shall not be considered as grounds for the granting of appeals. This list is not exclusive.

(1) The nature of a book's contents.

(2) Diminished base period consumption because of financial conditions.

(3) Suspension of publishing activities, except as set forth in paragraph (f) (4).

(4) Increased demand for books, even though published by a membership organization whose constitution requires that a copy be sent to every member.

(5) Request to use in a book publishing business commenced after May 24, 1944 more than 5 tons of paper per calendar year as provided in paragraph (j) (2) of Order L–245.

(6) The fact that additional tonnage was granted on appeal to a competitor.

(7) Consumption of paper in violation of L–245, whether or not such violation was wilful.

Procedure

(h) *How appeals are submitted.* Appeals from Order L–245 may be filed by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C.: Ref: L–245.

(i) *Form of appeal.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the subdivision of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) *Denial by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(k) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L–245. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(l) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) *Recommendation of grant by the administrator.* The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence of each member of the Division Appeals Committee, consisting of himself, the administrators of orders L–240, L–241, and L–244, the Assistant Director of the Printing and Publishing Division for Labor, and representatives of the Office of Civilian Requirements and the Conservation Division.

(n) *Optional reference to Appeals Board by Administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(q) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

(r) *Finality of decision.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) *Publication of grants.* Grants on appeals shall be anounced publicly at least every two weeks.

(t) *Announcement of grounds of decision.* Whenever a grant is made on the basis of "unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (7), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) *Amendment of supplement.* Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

(v) *Public files.* Public files shall be set up in all cases, including those filed before as well as after October 7, 1943 whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:

1. All papers filed by the appellant in support of the appeal except those portions which contain confidential data.
2. All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.
3. Copies of all letters of grant or denial.
4. A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) *False representations.* All grants on appeal are conditional upon the validity of the statements submitted in support thereof. Any person who wilfully conceals a material fact or furnishes false information in connection with an

appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section 35A of the United States Criminal Code.

Issued this 3d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11614; Filed, August 3, 1944; 10:58 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.*

SUPPLEMENT 7 TO FOOD PRODUCTS REGULATION—PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.

1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Explanation of pricing methods for processors.
5. Maximum prices for sales by processors—Pricing Method No. 1.
6. Maximum prices for sales by processors—Pricing Method No. 2.
7. Maximum prices for secondary processors and repackers.
8. Maximum prices for sales by processors of prior years' pack of listed products which have been sold to them by government agencies.
9. Label and labor allowances.
10. Provisions of Article II of Food Products Regulation No. I applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

11. Grades and invoices.
12. Container sizes.
13. Reports which processors must file.
14. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE IV—PRICING APPENDICES

15. Appendices for packed vegetables priced under Pricing Method No. 1.
16. Appendices for packed fruits priced under Pricing Method No. 1.

AUTHORITY: Secs. 1 to 16, inclusive, (§ 1351.394) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement*—(a) *What products are covered by this supplement.* In general, this supplement establishes maximum prices for the 1944 and later packs of the canned fruits, berries and vegetables listed below, and others which may be added from time to time. It also covers other closely related packed food products. However, this supplement does not apply to any listed product which is packed and sold as "baby food", as "junior food", or as "soup". It covers most of the products which were covered by Maximum Price Regulation 306[2], Certain Packed Food Products plus certain additional products.

The general pricing provisions relating to all of the products covered by this supplement will be found in the section listed in Column 3 of the following table. Special pricing provisions which are applicable to particular products or groups of products are set forth in the sections and appendices listed in Column 4.

Column 1	Column 2	Column 3	Column 4	
Item No.	Product	Section	Section	Appendix
1	Spinach	5	15	A
2	Asparagus	5	15	B
3	Cherries (red sour pitted).	5	16	A

The provisions of this supplement apply to products packed during the year 1944 (and after), except that as to products on which a subsidy is payable the supplement applies to products packed during the period March 1, 1944 to April 30, 1945 (see section 5 (a) (1) (iii)). If the major portion of the pack of any product, other than a product on which a subsidy is payable, was packed during 1944, the product shall be deemed to be of the 1944 pack.

In addition, the supplement provides maximum prices for resale of earlier years' packs which have been purchased from the government (see section 8).

(b) *What sellers are covered by this supplement.* This supplement applies to sales by all persons except wholesalers and retailers.

However, sales and deliveries of products covered by this supplement by a processor in any calendar year in which his total volume of sales of the products does not exceed 1,500 quarts (or an equivalent amount in other container sizes) are not subject to the maximum prices or other requirements imposed by this supplement.

(c) *Where this supplement applies.* This supplement applies in the 48 states of the United States and the District of Columbia.

(d) *What this supplement supersedes.* This supplement supersedes the provisions of all other maximum price regulations and orders as to the commodities and sellers covered.

(e) *When this supplement is effective.* This supplement becomes effective July 31, 1944.

The "effective date" of this supplement as to any product covered by it shall be the date when the pricing provisions of the supplement first became applicable to it.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of the listed packed food products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "explanation of the regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed in appropriate places in the following sections (in each case, the section number set forth in parentheses is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement the term:

"Packed" means processed and enclosed in any container, whether or not hermetically sealed. However, the term does not include any product when processed by freezing, drying or dehydrating, or brining, nor does it include any of the packed products known as preserves, relishes or pickles.

"Packed fruits" means any specified packed fruit, mixture of fruits, juice and nectar or any mixture of juices, or products made from specified fruits.

"Packed berries" means any specified packed berry, mixture of berries, juice and nectar or any mixture of juices, or products made from specified berries.

"Packed vegetables" means any specified packed vegetable, mixture of vegetables, juice or any mixture of juices, or products made from specified vegetables.

"Secondary processor" means a processor who purchases the kind of processed product being priced in bulk, barrels or other large containers and further processes and repacks it in containers other than the original container in which the commodity was shipped to him.

"Price range" means the range of prices named in the applicable appendix for a particular grade, variety and container type and size of product within which all maximum prices for processors of items of that description must fall.

"F. O. B. shipping point" means f. o. b. factory in cases where the processor sold the item being priced on an f. o. b. factory basis during the applicable base period. It means f. o. b. branch warehouse in cases where he sold it from branch warehouses during that period.

(b) The definitions of the following terms, set forth in the designated sections

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6711.

[2] 8 F.R. 16896, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237, 4349, 5075, 6109, 7503.

of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (sec. 1.1 of FPR 1).
"Processor" (sec. 1.2 of FPR 1).
"Distributor" (sec. 1.3 of FPR 1).
"Repacker" (sec. 1.4 of FPR 1).
"Primary distributor" (sec. 1.5 of FPR 1).
"Wholesaler" and "retailer" (sec. 1.6 of FPR 1).
"Ultimate consumer" (sec. 1.7 of FPR 1).
"Item" (sec. 1.8 of FPR 1). Different subgrades of the same grade shall not constitute separate items.
"Container type" (sec. 1.9 of FPR 1).
"Sale" (sec. 1.10 of FPR 1).
"Price" (sec. 1.11 of FPR 1).
"Net delivered cost" (sec. 1.12 of FPR 1).
"Delivered to the customary receiving point" (sec. 1.13 of FPR 1).
"Records" (sec. 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Explanation of pricing methods for processors.* Processors' maximum prices for the products covered by this supplement are figured under two general methods.

(a) *Pricing Method No. 1.* Under Pricing Method No. 1, as set forth in section 5, the processor in most cases figures his maximum price by taking his weighted average selling price for the item being priced during the first 60 days after the beginning of the 1941 pack (or other base period named in the applicable appendix) and adding a specified permitted increase. The resulting figure is the processor's "gross maximum price" (that is, the maximum price before subtraction of any direct subsidy payable per unit of the finished product), provided that it falls within the price range fixed for the item in the appendix. If it is higher than the highest price named in the price range, the processor's gross maximum price is the highest price named in the price range. Likewise, if it is lower than the lowest price named in the price range, the processor's gross maximum price is the lowest price named in the price range.

For sales to government procurement agencies, the processor figures his maximum price by taking 96% of his gross maximum price. (Gross maximum prices, it should be remembered, must fall within the applicable price range).

If the processor sold the particular product during the base period, but only in a grade, style, or container type or size which is different from the one being priced, or for which no price range is provided, he figures his maximum price by the same general pricing method, supplemented by the use of conversion factors (for different container types and sizes, different styles, and different grades). In each case the conversion factors to be used are set forth in the appendix applicable to the product.

If the processor was not in business during 1941 or if he made no sales of the product during the base period, he figures his gross maximum price for the item being priced by using as his gross maximum price the specific dollars-and-cents price named in the applicable appendix. In cases where a specific dollars-and-cents price is not provided for the item, he figures his gross maximum price by applying the appropriate conversion factors to the specific dollars-and-cents price named for the nearest container size, style and grade of the product.

For any item of a product on which a direct subsidy is payable, the processor figures his maximum price for sales to purchasers other than government procurement agencies by subtracting from his gross maximum price the amount of the subsidy payable per unit of the finished product. The amount of the subsidy to be subtracted is specifically set forth in the applicable appendix for each container size for which a price range is established, and the amount of the subsidy for any other container size being priced must be figured by applying the appropriate conversion factors named in the appendix.

(b) *Pricing Method No. 1.* Products which are not priced under Pricing Method No. 1 will be priced under Pricing Method No. 2, to be set forth in section 6. The details of this pricing method will be announced later.

SEC. 5. *Maximum prices for sales by processors—Pricing Method No. 1; products covered by Pricing Method No. 1.* The products covered by Pricing Method No. 1 are listed below:

Packed fruits:
Apples.
Applesauce.
Apricots.
Cherries (red sour pitted).
Cherries (sweet).
Fruit cocktail.
Peaches.
Pears.
Prunes (packed from fresh prunes).
Packed vegetables:
Asparagus.
Beans (snap).
Beets.
Corn (sweet).
Peas.
Spinach.
Tomatoes.
Tomato juice.

NOTE: Not all of the packed fruits and vegetables above are covered by this supplement as originally issued. Others will be added later. A listed product may be priced under this supplement only on and after the effective date of the supplement or amendment (as the case may be) which provides an appendix covering that product (see section 1 for the list of products which this supplement covers).

(a) *Maximum prices for sales by processors to purchasers other than government procurement agencies of products sold during the base period.* For products sold in any form during the base period, the processor figures his maximum price for sales to purchasers other than government procurement agencies under this paragraph (a), under the particular subparagraph listed below which is applicable to the item being priced:

To price items sold during the base period and for which price ranges are provided. (See subparagraph (1) below).

To price items sold during the base period but for which price ranges are not provided. (See subparagraph (2) below).

To price items not sold during the base period but for which price ranges are provided. (See subparagraph (3) below).

To price items not sold during the base period and for which price ranges are not provided. (See subparagraph (4) below).

The processor who performs the wholesale or retail function with respect to the item being priced (that is by warehousing and selling it in less-than-carload quantities, from a branch warehouse owned or controlled by him, to retailers, or to commercial, industrial or institutional users) shall, in each case, figure his maximum price for sales in this manner under the general pricing methods of this paragraph (a) except that he shall not apply the limitations of the price range in any situation covered by this paragraph.

(1) *To price items sold during the base period and for which price ranges are provided.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, of an item which he sold during the base period, and for which a price range is provided, as follows. He shall:

(i) *Determine the base price.* First, the processor shall figure his weighted average price per dozen containers or other unit, f. o. b. shipping point, for the item being priced during the first 60 days after the beginning of the 1941 pack or other base period named in the appendix covering the particular product. (This average price will be called the "base price"). "Weighted average price" means the total gross sales dollars charged for the item during the base period divided by the number of dozens of containers or other units of that item sold. All sales made in the regular course of business during the base period shall be included, regardless of the date of delivery, except sales made to the armed forces of the United States. Sales contracts made at times other than during the base period shall not be included, even though delivery was made during the base period. The processor shall figure a separate weighted average price for each item, except that a single weighted average price shall be figured for items which differ only in brand name. (Subgrades shall also be ignored.)

(ii) *Add the permitted increase.* Next, the processor shall add to the base price the permitted increase named for the item in the applicable appendix. The resulting figure is the processor's "gross maximum price" per dozen containers or other unit, f. o. b. shipping point, for sales to purchasers other than government procurement agencies: *Provided,* That it falls within the applicable price range. However, if it is higher than the highest price named in the price range, the processor's gross maximum price is the highest price named in the price range. Likewise, if it is lower than the lowest price named in the price range, the processor's gross maximum price is the lowest price named in the price range.

(iii) *Subtract any direct subsidy payable per unit of the finished product.* Finally, as to any product for which a subsidy is payable, the processor shall subtract from his gross maximum price the amount of the direct subsidy payable per unit of the finished product.

The resulting figure is the processor's maximum price per dozen containers or other unit, f. o. b. shipping point, for sales

to purchasers other than government procurement agencies.

NOTE: The Commodity Credit Corporation's subsidy program covers certain canned foods as defined in the Definitions and Standards of Identity issued under the Federal Food, Drug and Cosmetic Act, packed from tomatoes, green peas, sweet corn and snap beans grown during the calendar year 1944 and sold and delivered to canners for canning during the period March 1, 1944 to April 30, 1945, inclusive.

Illustrations of how maximum prices are figured under subparagraph (1). Pricing items sold during the base period and for which price ranges are provided. The permitted increase provided in Table 3 of Appendix A (section 15) for processors whose factories are located in Area 3 for No. 2½ size cans of spinach is $.32. The range of prices in Table 3 for fancy spinach packed in No. 2½ size cans in this area is: lower limit of range $1.47 and upper limit of range $1.54.

Example 1. The X Canning Company whose factory is located in Arkansas has figured a weighted average price during the first 60 days after the beginning of the 1941 spring and fall packs of $1.27 per dozen for fancy spinach packed in No. 2½ size cans. To this figure the company adds $.32, the permitted increase named in Appendix A ($1.27 plus $.32 equals $1.59). Since this resulting figure of $1.59 is higher than the upper limit of the price range ($1.54), the X Canning Company's maximum price for sales to purchasers other than government procurement agencies is $1.54 per dozen. (No subsidy is payable as to this product).

Example 2. The Y Canning Company whose factory is also located in Arkansas has figured a weighted average price during the first 60 days after the beginning of the 1941 spring and fall packs of $1.05 per dozen for fancy spinach, packed in No. 2½ cans. To this figure the company adds the permitted increase of $.32 ($1.05 plus $.32 equals $1.37). Since the resulting figure of $1.37 is lower than the lowest price named in the price range, the Y Canning Company's maximum price for sales to purchasers other than government procurement agencies is $1.47 per dozen. (No subsidy is payable as to this product).

Example 3. The Z Canning Company whose factory is located in Arkansas has figured a weighted average price during the first 60 days after the beginning of the 1941 spring and fall packs of $1.18 per dozen for No. 2½ size cans of fancy spinach. To this figure the company adds $.32 ($1.18 plus $.32 equals $1.50). Since the resulting figure of $1.50 falls within the range of prices named for fancy spinach packed in No. 2½ cans in this area, the Z Canning Company's maximum price for sales to purchasers other than government procurement agencies for No. 2½ size cans of fancy spinach is $1.50 per dozen. (No subsidy is payable as to this product.)

(2) *To price items sold during the base period but for which price ranges are not provided.*

NOTE: In making conversions for grade, for style of pack, and for container type and size under subparagraph (2), (3) or (4), as a general rule steps in figuring the maximum price are to be taken in the following order (any variation from this order will be explained in the applicable appendix):

1. Convert for container type and size
2. Convert for style
3. Convert for grade
4. Add the permitted increase
5. Apply the limitations of the price range
6. Convert for grade
7. Convert for style
8. Convert for container type and size
9. Subtract any direct subsidy payable per unit of the finished product.

For sales to purchasers other than government procurement agencies the processor shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, of an item which he sold during the base period, and for which a price range is not provided, as follows. He shall:

(i) *Construct a base price.* First, the processor shall figure his weighted average price for the item being priced in the manner provided in paragraph (a) (1) (i), above. He shall then convert this weighted average price (by container type and size, by style and by grade, in the order named) to a base price for an item with an established price range which is nearest in container size to the item being priced, by applying the conversion factors named in the applicable appendix.

(ii) *Add the permitted increase.* Next, the processor shall add to the constructed base price the appropriate permitted increase named in the applicable appendix and apply to this figure the limitations of the applicable price range.

(iii) *Convert to a gross maximum price for the item being priced.* Next, the processor shall convert the price so figured (by grade, by style and by container type and size, in the order named) to a gross maximum price for the item being priced, by applying the conversion factors named in the applicable appendix.

(iv) *Subtract any direct subsidy payable per unit of the finished product.* Finally, the processor shall subtract any direct subsidy payable per unit of the finished product.

The resulting figure is the processor's maximum price for sales to purchasers other than government procurement agencies.

Illustrations of how maximum prices are figured under subparagraph (2)—Pricing items sold during the base period but for which price ranges are not provided:

Example 4. The B Canning Company whose factory is located in New York sold RSP cherries packed in water in No. 303 cans during the base period. It is now pricing RSP cherries in water in No. 303 cans. Since Table 3 in Section 16, Appendix A, does not provide a permitted increase and price range for No. 303 cans, the company must convert its weighted average price for the No. 303 size cans of the product to a base price for the nearest container size for which a price range is provided, which in this case is the No. 2 size cans. The company has figured a weighted average price during the base period for RSP cherries packed in No. 303 cans of $1.25. To convert this figure to a No. 2 size can, it multiplies it by 1.15 the conversion factor named in Table 5 of Appendix A ($1.25 times 1.15=$1.4375). To this figure the company adds $.53 the permitted increase named in Table 3. ($1.4375 plus $.53=$1.9675). Since this figure is lower than the lowest price named in the price range for No. 2 size cans of the product, it uses $1.97 the lowest price in the range, to continue its computations. It now converts the figure $1.97 to a maximum price for the No. 303 size can by multiplying it by .87 the conversion factor named in Table 5 for converting to a No. 303 size can ($1.97 times .87=$1.7139). The B Canning Company's maximum price for sales to purchasers other than government procurement agencies for No. 303 cans of RSP cherries in water is $1.71. (Subparagraph (iv) is not used in figuring the maximum price as to this product as no subsidy is payable on it).

(3) *To price items not sold during the base period but for which price ranges are provided.* (See note at beginning of subparagraph (2)). For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, of an item which he did not sell during the base period, but for which a price range is provided, as follows. He shall:

(i) *Construct a base price.* First, the processor shall select from the items of the product which he sold in the base period that item which is nearest in container size to the item being priced and figure its weighted average price in the manner provided in subdivision (a) (1) (i), above. He shall then convert this weighted average price (by container type and size, by style and by grade, in the order named) to a base price for the item being priced, by applying the conversion factors named in the applicable appendix.

(ii) *Add the permitted increase.* Next, the processor shall add to the constructed base price the appropriate permitted increase named in the applicable appendix and apply to this figure the limitations of the applicable price range.

(iii) *Subtract any direct subsidy payable per unit of the finished product.* Finally, the processor shall subtract any direct subsidy payable per unit of the finished product.

The resulting figure is the processor's maximum price for sales to purchasers other than government procurement agencies.

Illustrations of how maximum prices are figured under subparagraph (3)—Pricing items not sold during the base period but for which price ranges are provided:

Example 5. The C Canning Company whose factory is located in Michigan is now pricing standard, water pack RSP cherries packed in No. 2 cans. During the base period 1941 this company sold RSP cherries of the following grades, styles of pack, and container types and sizes:

Fancy RSP cherries 30° syrup in 303 cans.
Standard RSP cherries in water in #10 cans.

The C Company selects the No. 303 size cans of RSP cherries because it is the nearest in container size to the No. 2 size can which it is now pricing and figures its weighted average price to be $1.52. The company then converts this weighted average price for the No. 303 can to a base price for the No. 2 can by multiplying it by 1.15 the conversion factor named in Table 5 of Appendix A for converting from a No. 303 can to a No. 2 can. ($1.52 times 1.15=$1.7480). The resulting figure $1.7480 is a base price for No. 2 size cans of Fancy RSP cherries, 30° syrup. However, since the company is pricing #2 size can of Standard, Water pack RSP cherries, it must subtract from $1.7480 the differentials for syrup and grade specified in Tables 6 and 7 of Appendix A. (These are $0.20 for grade differences between fancy and standard; and $0.15 for syrup.) ($1.7480 minus $0.35=$1.3980.) To this base price the C Company adds $0.72 the permitted increase named in Table 3 of Appendix A for Area 2 ($1.3980+$0.72=$2.1180). Since the resulting figure is within the price range for Area 2, the company's maximum price is $2.12 for sales to purchasers other than government procurement agencies. (Subtraction of a subsidy is not involved as to this product.)

(4) *To price items not sold during the base period and for which price ranges are not provided.* (See note at beginning of subparagraph (2)).

Two different situations are involved when pricing under this subparagraph.

For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen containers or other unit, f. o. b. shipping point, of an item not sold during the base period, and for which a price range is not provided, as follows.

First situation: If during the base period the processor sold any of the items (of the same product) for which price ranges are provided, he shall figure his maximum price per dozen containers or other unit f. o. b. shipping point, for sales to purchasers other than government procurement agencies, as follows. He shall:

(i) *Construct a base price.* First, the processor shall select from the items sold during the base period that item for which a price range is provided which is nearest in container size to the item being priced and figure its weighted average price in the manner provided in subdivision (a) (1) (i), above.

(ii) *Add the permitted increase.* Next, the processor shall add to the constructed base price the appropriate permitted increase and apply to this figure the limitations of the applicable price range.

(iii) *Convert to a gross maximum price for the item being priced.* Next, the processor shall convert the price so figured for the selected item (by grade, by style, and by container type and size, in the order named) to a gross maximum price for the item being priced, by applying the conversion factors named in the applicable appendix.

(iv) *Subtract any direct subsidy payable per unit of the finished product.* Finally, the processor shall subtract any direct subsidy payable per unit of the finished product.

The resulting figure is the processor's maximum price for sales to purchasers other than government procurement agencies.

Second situation. If during the base period the processor did not sell any of the items (of the same product) for which price ranges are provided, he shall figure his maximum price per dozen containers or other unit f. o. b. shipping point, for sales to purchasers other than government procurement agencies, as follows. He shall:

(i) *Construct a base price.* First, the processor shall select from the items of the product which he sold in the base period that item which is nearest in container size to the item being priced and figure its weighted average price in the manner provided in subdivision (a) (1) (i) above. He shall then convert this weighted average price (by container type and size, by style and by grade, in the order named) to a weighted average price for the item nearest in container size for which a price range is provided by applying the conversion factors named in the applicable appendix.

(ii) *Add the permitted increase.* Next, the processor shall add to the constructed base price the appropriate permitted increase named in the applicable appendix and apply to this figure the limitations of the applicable price range.

(iii) *Convert to a gross maximum price for the item being priced.* Next, the processor shall convert the price so figured for the selected item (by grade, by style, and by container type and size, in the order named) to a gross maximum price for the item being priced, by applying the conversion factors named in the applicable appendix.

(iv) *Subtract any direct subsidy payable per unit of the finished product.* Finally, the processor shall subtract any direct subsidy payable per unit of the finished product.

The resulting figure is the processor's maximum price for sales to purchasers other than government procurement agencies.

Illustrations of how maximum prices are figured under subparagraph (4). Pricing items not sold during the base period and for which price ranges are not provided:

First situation

Example 6. The E Canning Company whose factory is located in Oregon is now pricing No. 1 (picnic) cans of standard spinach. During the base period 1941, this company sold spinach of the following grades, and container types and sizes:

Fancy spinach packed in No. 2 cans.

Fancy spinach packed in No. 10 cans.

The E Company selects the No. 2 can because it is the nearest container size for which a price range is provided to the No. 1 (picnic) can which is being priced. It then figures the weighted average price for the No. 2 can to be $.95 per dozen. To this figure the company adds $.38 the permitted increase named in Table 3, Appendix A, of section 18, ($.95 plus $.38=$1.33). Since this figure is lower than the lowest price named for fancy spinach in Area 2, the company uses $1.36, the lowest price in the price range, to continue its computation. The company subtracts $.10, the difference between Fancy and Standard grades of spinach named in Table 7 of Appendix A, from $1.36, ($1.26 minus $.10=$1.26). This figure is then converted to a maximum price for the No. 1 (picnic) can being priced by multiplying it by .65 the conversion factor named in Table 5, Appendix A for converting from a No. 2 to a 1 (picnic) can. ($1.26 times .65 = $.8190). The E Company's maximum price for No. 1 (picnic) cans of Standard spinach is $.82 per dozen for sales to purchasers other than government procurement agencies. (Subtraction of a subsidy is not involved as to this product).

Second situation

Example 7. The D Canning Company whose factory is located in Oregon is now pricing 8 ounce size cans of Fancy spinach. During the base period, 1941, this company sold spinach of the following grades, and container types and sizes.

Fancy spinach packed in No. 2½ cans.

Standard spinach packed in No. 1 (picnic) cans.

The D Company selects the No. 1 (picnic) can because it is nearest in container size to the 8 ounce size can which it is now pricing and figures its weighted average price to be $.70 per dozen. The company then converts this weighted average price for the No. 1 (picnic) can to a constructed base price for the No. 2 can by multiplying it by 1.54 the conversion factor named in Table 5, Appendix A, of section 18 for converting from a No. 1 (picnic) can to a No. 2 can ($.70 times 1.54=$1.0780). The resulting figure is a base price for No. 2 size cans of Standard spinach. To this figure the company adds $.10 ($1.078 plus $.10=$1.1780) the differential between grades named in Table 7 of Appendix A. Next the company adds $.38 the permitted increase named in Table 3 for Area 2. ($1.1780 plus $.38=$1.5580.) Since this figure falls within the price range for fancy spinach packed in No. 2 cans, the company uses it to continue its computation. The company then converts this figure for the No. 2 size can to a maximum price for the 8 ounce size can which is being priced by multiplying it by .60 the conversion factor named in Table 5 of Appendix A for converting from a No. 2 can to an 8 ounce size can. ($1.5580 times .60=, $.9348). The resulting figure is the D Company's maximum price for sales to purchasers other than government procurement agencies. (Subtraction of a subsidy is not involved as to this product.)

(b) *Products not sold during the base period.* For any product which was not sold in the base period, the processor shall figure his maximum price per dozen containers or other unit of the item, f. o. b. factory, for sales to purchasers other than government procurement agencies, in the following manner:

(1) *Grades, styles and container types and sizes for which specific dollars-and-cents prices are provided.* If the grade, style and container type and size of the item being priced is one for which a specific dollars-and-cents price is provided, the processor shall in each case;

(i) Take the specific dollars-and-cents price named for the item in the applicable appendix (this figure is the processor's gross maximum, f. o. b. factory), and

(ii) Subtract from it any direct subsidy payable per unit of the finished product.

The resulting figure is the processor's maximum price for sales to purchasers other than government procurement agencies. For a processor who performs the wholesale or retail function, this price shall be considered a "dollars-and-cents" maximum price for the purpose of section 10 (b).

(2) *Grades, styles and container types and sizes for which specific dollars-and-cents prices are not provided.* If the grade, style and container type and size of the item being priced is one for which a specific dollars-and-cents price is not provided, the processor shall in each case,

(i) Take the specific dollars-and-cents price named in the applicable appendix for that container size (of the same product) which is nearest in size to the item being priced.

(ii) Convert the resulting figure (by grade, by style and by container type and size, in the order named) to a gross maximum price for the item being priced, by applying the conversion factors named in the applicable appendix.

(iii) Subtract from it any direct subsidy payable per unit of the finished product.

The resulting figure is the processor's maximum price for sales to purchasers other than government procurement agencies. For a processor who performs the wholesale or retail function, this price shall be considered a "dollars-and-cents" maximum price for the purpose of section 10 (b).

(c) *Maximum prices figured on the basis of subgrades.* A processor who meets the conditions of section 11 (a) as to any item may, if he elects, figure maximum prices for the item on the basis of subgrades. Any such election applies only to that part of the pack which he has not sold and delivered prior to the filing of his election. When he makes this election as to any item, the processor may sell it at whatever prices he pleases, subject to the following limitations:

(1) The maximum price for his entire pack of the item shall not be higher than his maximum price for the item figured without regard to subgrades multiplied by the number of units sold.

(2) No selling price for any subgrade of the item shall be higher than the top of the price range applicable to the item.

(3) The processor shall not sell on the basis of subgrades, at prices higher than his maximum price for the item figured without regard to subgrades, until he has filed with the Office of Price Administra-

tion, Washington, D. C., a statement of his election naming (i) each subgrade and the proportion of his pack of the item which he elects to sell under it, (ii) the highest price at which he elects to sell each subgrade, (iii) the actual or anticipated amount of his pack of the item, and (iv) his maximum price for the item figured without regard to subgrades. If he names an anticipated amount of pack, he shall file a supplementary statement showing his actual pack of the item, within 10 days after its completion.

(4) The number of units sold in the highest-priced subgrade shall not exceed the total number of units included in that subgrade in the seller's statement of election, and the maximum price for the entire subgrade shall be the price stated therein for that subgrade multiplied by the number of units sold. The number of units sold in the next highest-priced subgrade shall not exceed the total number of units included in that subgrade in the seller's statement of election, plus the number of units, if any, included for the highest-priced subgrade which are sold at or below the price stated for the next highest-priced subgrade, and the maximum price for the entire subgrade, plus such additional units, if any, shall be the price stated for that subgrade multiplied by the number of units sold, plus such additional units, if any. The above rule shall apply to determine the total number of units which may be sold in any lower-priced subgrade and to determine the maximum price for any such subgrade.

SEC. 6. *Maximum price for sales by processors—Pricing Method No. 2.* The details of Pricing Method No. 2 and the products covered by it will be announced later.

SEC. 7. *Maximum prices for secondary processors and repackers.* The secondary processor or repacker shall figure his maximum prices per dozen containers or other unit, f. o. b. shipping point, for those products which are purchased by him in bulk, barrels or other large containers and further processed or repacked in other containers, in each case by adding to his maximum price for the item being priced, as established under the General Maximum Price Regulation, the difference between his customary supplier's maximum price under § 1499.2 of that regulation and his maximum price for the item, f. o. b. shipping point, as figured under this supplement, converted to the same units and adjusted where necessary to include incoming freight.

SEC. 8. *Maximum prices for sales by processors of prior years' packs of listed products which have been sold to them by government agencies.* The maximum price for sales by a processor, to purchasers other than government procurement agencies, of that portion of an item of any product listed in section 5 or 6 of this supplement, which was packed prior to 1944 and which has been sold to the processor by a government agency, shall be that processor's maximum price, f. o. b. shipping point, as established under this supplement for the same item when packed in 1944. However, differences in brand shall be ignored.

SEC. 9. *Label and labor allowances.* (a) Label and labor allowances shall be made by processors in the following circumstances and in the following amounts:

(1) When the processor sells any item covered by this supplement, unlabeled or labeled with labels supplied by the purchasers, in containers no greater in content than a No. 10 can, the maximum price established under this supplement shall be reduced by $1.50 per thousand labels used (label allowance).

(2) When any item covered by this supplement is sold unlabeled in containers no greater in content than a No. 10 can, the maximum price established under this supplement shall be reduced by one cent per case (labor allowance) in addition to the allowance provided in subparagraph (1), above.

(b) In each sale to a purchaser other than a government procurement agency, where a processor makes an allowance for labels or labor under this section, he shall separately state the selling price and the amount and nature of the allowance on the invoice accompanying the sale.

SEC. 10. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provision of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (sec. 2.2 of FPR 1). This section shall also apply to secondary processors.

(b) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (sec. 2.3 of FPR 1). This section applies to maximum prices figured under Section 5 (b).

(c) Elective pricing method for processor (sec. 2.4 of FPR 1). The maximum "mark-up percentage" figure is 175%.

(d) Individual authorization of maximum prices (sec. 2.5 of FPR 1). This section shall also apply to secondary processors.

(e) When the seller must figure a delivered price (sec. 2.6 of FPR 1). However, when figuring a delivered price, any processor whose transportation charges during the period January 1, 1941 to March 17, 1942 was based on the use of his own trucks, or on the use of ocean freight, and who is now compelled to use a common or contract carrier, or a different type of common or contract carrier, may add transportation charges by the new means of transportation to the same destination but under the freight tariff classification, and at the rate in effect during that period.

(f) Uniform prices where the processor or repacker has more than one factory (sec. 2.7 of FPR 1).

(g) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (sec. 2.8 of FPR 1).

(h) Maximum prices for sales by primary distributors (sec. 2.9 of FPR 1). The maximum markup is 8%.

(i) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (sec. 2.10 of FPR 1).

(j) Payment of brokers (sec. 2.11 of FPR 1).

(k) Maximum prices for sales to government procurement agencies in certain cases (sec. 2.12 of FPR 1). The amount of the subsidy payable per unit of the finished product is set forth in the appendix covering the product.

(l) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).

(m) Treatment of federal and state taxes (sec. 2.14 of FPR 1).

(n) Units of sale and fractions of a cent (sec. 2.15 of FPR 1).

(o) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 11. *Grades and invoices.* This section applies to all sellers covered by this supplement whether the goods are packed by them or purchased by them for resale.

(a) "Grade" means the established grade as commercially understood—for example, in the case of canned peas, standard, extra-standard and fancy. The Price Administrator finds that the most accurate and complete description of each of these grades is contained in the United States Standards for Grades of processed fruits and vegetables published by the United States Department of Agriculture. The sale of any processed fruit, vegetable, or berry at a price no higher than the seller's maximum price for the claimed grade thereof shall constitute compliance with this regulation, therefore, if the goods conform to the United States Standards for that grade. Failure of such goods to conform to the United States Standards for such grade shall constitute a violation of this regulation: *Provided, however,* That despite such failure the sale shall not constitute a violation of this regulation if it appears that the standards as generally understood in the trade differ in any material respect from the United States Standards and that the goods meet the requirement of the claimed grade as so understood in the trade.

"Subgrade" means a subdivision of a grade, determined in each case according to the regularly established way, during the base period, in which the particular processor reflected differences in quality (within that grade) in different selling prices for the item. Whether the processor had such a practice during the base period shall be determined from his invoices, and no processor who does not meet these conditions shall figure maximum prices for the item on the basis of subgrades.

If the particular processor's individual subgrade falls into more than one grade, as defined above, the individual subgrade shall be divided according to the commercial grades into which it falls.

(b) In the case of canned fruits packed in California, Oregon or Washington, paragraph (a) shall apply, except that the count range of the Canners League of California Specifications for California Canned Fruits shall be an element in grade determination for pricing purposes.

(c) A person who purchases from a processor shall not be subject to any criminal penalty or civil enforcement action under the Emergency Price Control Act of 1942, as amended, in connection with the resale of any item for failure of the item to conform to the grade

(and subgrade, if any) designated on the invoices, provided he can establish that he relied in good faith upon the grade designation on the invoice furnished him by the processor.

(d) On and after July 31, 1944, each processor shall furnish the purchaser, other than a government procurement agency, at or before the time of delivery, with an invoice describing the item and separately stating its grade and subgrade, if any. In addition, he shall also show the syrup or packing medium of any fruits or berries sold.

(e) Nothing in this supplement shall be construed to change any of the requirements of the Federal Food, Drug and Cosmetic Act, or any regulation issued under it.

SEC. 12. *Container sizes.* When used in this supplement the containers named below refer to containers of the dimensions or overflow capacity indicated.

METAL CONTAINERS

Name of container:	*Dimensions*
6 oz.—6 Z	202 x 308
8 oz.—8 Z Short	211 x 300
No. 55	211 x 300
8 Z Tall	211 x 304
No. 1 Picnic	211 x 400
No. 211 Cyl	211 x 414
No. 300	300 x 407
No. 300 Cyl	300 x 509
No. 1 Tall	301 x 411
No. 303	303 x 406
No. 303 Cyl	303 x 509
No. 95	307 x 400
No. 2 Vacuum	307 x 306
No. 2	307 x 409
No. 2 Cyl	307 x 512
No. 2½	401 x 411
No. 3 Vacuum	404 x 307
No. 3 Cyl	404 x 700
No. 10	603 x 700
No. 1 Square	300 x 306 x 306
No. 2½ Square	300 x 306 x 604

GLASS CONTAINERS

Size:	*Overflow capacity oz.*
No. 303	17.03
No. 2½	26.375
No. 10	105.6

SEC. 13. *Reports which processors must file.* (To be announced.)

SEC. 14. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (Section 3.1 of FPR 1).

(b) Storage (sec. 3.2 of FPR 1).

(c) Export sales (sec. 3.4 of FPR 1).

(d) Notification of new maximum price (sec. 3.5 of FPR 1). However, for the purpose of this section only, different subgrades of the same grade shall constitute separate items.

(e) Records which must be kept (sec. 3.6 of FPR 1).

(f) Sales slips and receipts (sec. 3.8 of FPR 1).

(g) Transfer of business or stock in trade (sec. 3.9 of FPR 1).

(h) How a figured maximum price is established and how an established maximum price may be changed (sec. 3.10 of FPR 1).

(i) Adjustable pricing (sec. 3.11 of FPR 1).

(j) Compliance with the applicable supplement (sec. 3.12 of FPR 1).

(k) Application for adjustment by sellers who have been found to have violated the Robinson-Patman Act (sec. 3.14 of FPR 1).

(l) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (sec. 3.15 of FPR 1).

(m) Petitions for amendment (sec. 3.16 of FPR 1).

ARTICLE IV—PRICING APPENDICES

SEC. 15. *Appendices for packed vegetables priced under Pricing Method No. 1.*

APPENDIX A—SPINACH

TABLE 1—AREAS

1. California.
2. Washington and Oregon.
3. Arkansas, Texas, Oklahoma, Missouri.
4. Mississippi, Louisiana.
5. Maryland, Virginia, Delaware, New Jersey, Southern Pennsylvania.*
6. All other states or areas.

TABLE 2—BASE PERIOD PRICES

Areas 1 and 2: Weighted average selling price for first 60 days after beginning of 1941 spring pack.

All other areas: Weighted average selling price for first 60 days after beginning of 1941 spring and fall packs.

*NOTE: The following counties are included in Southern Pennsylvania: Elk, Cameron, Clinton, Lycoming, Sullivan, Wyoming, Lackawanna, Pike, Monroe, Luzerne, Columbia, Montour, Union, Centre, Clearfield, Jefferson, Clarion, Butler, Lawrence, Beaver, Armstrong, Indiana, Allegheny, Washington, Greene, Fayette, Westmoreland, Somerset, Cambria, Blair, Bedford, Huntington, Fulton, Franklin, Mifflin, Snyder, Juniata, Perry, Cumberland, Adams, Dauphin, York, Northumberland, Lebanon, Schuylkill, Carbon, Northampton, Lehigh, Berks, Lancaster, Bucks, Montgomery, Chester, Delaware, Philadelphia.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED SPINACH WHO MADE SALES DURING THE BASE PERIOD

Area	No. 2 cans				No. 2½ cans				No. 10 cans			
	Permitted increase	Price ranges			Permitted increase	Price ranges			Permitted increase	Price ranges		
		Fancy	Ex. Standard	Standard		Fancy	Ex. Standard	Standard		Fancy	Ex. Standard	Standard
1	$0.30	$1.20–$1.44	$1.15–$1.39	$1.10–$1.34	$0.36	$1.45–$1.73	$1.39–$1.67	$1.33–$1.61	$1.15	$4.70–$5.70	$4.35–$5.35	$4.35–$5.35
2	.36	1.26– 1.80	1.21– 1.54	1.26– 1.49	.46	1.64– 1.93	1.58– 1.86	1.52– 1.80	1.80	5.36– 6.30	5.19– 6.10	4.96– 5.90
3	.34	1.12– 1.17	1.07– 1.12	1.02– 1.07	.43	1.47– 1.54	1.40– 1.47	1.34– 1.41	1.07	4.81– 5.60	4.61– 5.40	4.41– 5.20
4	.40	1.27– 1.32	1.22– 1.27	1.17– 1.22	.52	1.67– 1.74	1.60– 1.67	1.54– 1.61	1.75	5.49– 6.18	5.29– 5.98	5.09– 5.78
5	.53	1.43– 1.66	1.38– 1.61	1.33– 1.56	.66	1.88– 2.18	1.82– 2.12	1.76– 2.06	2.20	6.65– 7.17	6.45– 6.97	6.25– 6.77
6	.30	1.20– 1.81	1.15– 1.76	1.10– 1.71	.36	1.45– 2.18	1.39– 2.12	1.33– 2.06	1.15	4.70– 7.17	4.50– 6.97	4.30– 6.77

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SPINACH DURING THE BASE PERIOD

[Dollars per dozen]

Area	No. 2 can			No. 2½ can			No. 10 can			Area	No. 2 can			No. 2½ can			No. 10 can		
	Fancy	Extra standard	Standard	Fancy	Extra standard	Standard	Fancy	Extra standard	Standard		Fancy	Extra standard	Standard	Fancy	Extra standard	Standard	Fancy	Extra standard	Standard
1	$1.32	$1.27	$1.22	$1.30	$1.23	$1.17	$5.26	$5.06	$4.86	4	$1.30	$1.25	$1.20	$1.71	$1.64	$1.58	$5.84	$5.64	$5.44
2	1.46	1.43	1.38	1.78	1.72	1.66	5.84	5.64	5.44	5	1.84	1.40	1.44	2.08	1.97	1.91	6.91	6.71	6.51
3	1.16	1.10	1.06	1.61	1.44	1.38	5.21	5.01	4.81	6	1.81	1.46	1.41	1.83	1.76	1.70	5.97	5.77	5.57

TABLE 5—CONVERSION FACTORS METAL CONTAINERS
(Part 1) Areas 1, 2, and 6

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor					
	8 oz.	No. 1 picnic	No. 1 tall	No. 2	No. 2½	No. 10
8 oz.	------	------	------	1.66	2.00	6.56
No. 1 picnic	------	------	------	1.54	1.85	6.07
No. 1 tall	------	------	------	1.17	1.41	4.62
No. 2	.60	.65	.86	------	1.20	3.95
No. 2½	.50	.54	.71	.83	------	3.28
No. 10	.15	.16	.22	.25	.30	------

(Part 2) Areas 3 and 4

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor					
	8 oz.	No. 1 picnic	No. 1 tall	No. 2	No. 2½	No. 10
8 oz.	------	1.09	1.48	1.75	2.33	7.91
No. 1 picnic	.92	------	1.32	1.61	2.13	7.32
No. 1 tall	.70	.76	------	1.22	1.61	5.56
No. 2	.57	.62	.82	------	1.32	4.54
No. 2½	.43	.47	.62	.76	------	3.44
No. 10	.13	.14	.18	.22	.29	------

(Part 3) Area 5

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor					
	8 oz.	No. 1 picnic	No. 1 tall	No. 2	No. 2½	No. 10
8 oz.	------	1.09	1.45	1.54	2.00	7.14
No. 1 picnic	.92	------	1.32	1.41	1.85	6.67
No. 1 tall	.69	.76	------	1.06	1.39	5.00
No. 2	.65	.71	.94	------	1.31	4.72
No. 2½	.50	.54	.72	.76	------	3.64
No. 10	.14	.15	.20	.21	.28	------

TABLE 6—CONVERSION FROM TIN TO GLASS

If you can figure a price for a can size in this column	To get a price for a glass container size in this column
No. 2½ can	2½ glass—add $0.15 per dozen.
No. 2½ can	303 glass—subtract $0.13 per dozen.

TABLE 7—GRADE DIFFERENTIALS

	Differentials between successive grades (per dozen)		
	No. 2	No. 2½	No. 10
Fancy and Extra Standard	$0.05	$0.0625	$0.20
Extra Standard & Standard	.05	.0625	.20
Standard & Substandard	.10	.1250	.40

APPENDIX B—ASPARAGUS

Explanation and example of how maximum prices are figured for asparagus. In making conversions for grade, for style of pack, and for container type and size, under subparagraph (2), (3) or (4) of the supplement in the case of asparagus the order in which the steps in figuring the maximum price are to be taken differ from those specified in the note at the beginning of section 5 (a) (2) of the supplement. In figuring a maximum price under subparagraph (2), (3) or (4) for asparagus steps are to be taken in the order indicated below in all cases, although in many cases not all of the steps are necessary. In all cases, where the processor is figuring a maximum price for a different style of pack of asparagus than packed in the base period, he must add the permitted increase for the same style of pack as packed in the base period before converting for the change in style for the reason that the permitted increases for all styles of pack are different.

Order in which steps are to be taken in figuring a maximum price for asparagus under subparagraph (2), (3) and (4) of section 5 (a).

1. Convert for container type and size.
2. Add permitted increase specified in Table 8 for style of pack sold in base period.
3. Convert for style.
4. Convert for grade.
5. Apply the limitations of the price range.
6. Convert for container types and size.

Example. The A Canning Company whose factory is located in Washington sold Fancy, All Green Colossal Asparagus Spears in #1 picnic cans during the base period. This company is now pricing Standard All Green Cut Spears in 8 oz. cans.

The A company figures its weighted average price for No. 1 picnic cans during the base period to be $1.95 per dozen. The company then converts this figure to a base price for a No. 2 can, the nearest container size for which a price range is provided by multiplying it by 1.60 the conversion factor named in Table 5 (part 2) for converting from a No. 1 picnic to a No. 2 can ($1.95×1.60=$3.12). To this figure the company adds the permitted increase of $.90 specified in Table 8 (part 2) for this area for all Green Colossal Spears in No. 2 cans. ($3.12 plus 90¢=$4.02). From this figure the company subtracts $.50 the style difference between All Green Colossal Spears and Cut Spears specified in Table 6 (part 2) ($4.02−50¢=$3.52). From the resulting figure the company subtracts 20¢ the grade difference between Fancy and Standard specified in Table 7. ($3.52−20¢=$3.32). The company then checks this figure to see if it falls within the price range specified in Table 8 (part 2) for All Green Cut Spears, Standard Grade in No. 2 cans for Area 2. Since the resulting figure is higher than the highest price named in the range for this item, the company used $2.79 the highest price named in the price range, to continue its computation. The company then converts this figure to a maximum price for the 8 oz. size can which is being priced by multiplying it by .46 the conversion factor named in Table 5 (part 2) for converting from No. 2 can to an 8 oz. can ($2.79 times .46=$1.2834). The A company's maximum price for sales to purchasers other than government procurement agencies for All Green Cut Spears Standard Grade packed in 8 oz. cans is $1.28 per dozen.

TABLE 1—AREAS

1. California.
2. Washington and Oregon.
3. Illinois, Michigan, Minnesota, Iowa, Nebraska, Wisconsin, Ohio and Indiana.
4. New Jersey, Delaware and Maryland.
5. All other states.

TABLE 2—BASE PERIOD PRICES (ALL AREAS)

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 8—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED ASPARAGUS WHO MADE SALES DURING THE BASE PERIOD

PART 1: AREA 1

Item No.	Item No. and variety	Style and size	No. 2 can			No. 2½ can			No. 10 can		
			Permitted increase	Price ranges		Permitted increase	Price ranges		Permitted increase	Price ranges	
				Fancy	Standard		Fancy	Standard		Fancy	Standard
	All green	Whole Spears:									
1		Colossal	$0.85	$3.78–$3.84	$3.68–$3.64						
2		Mammoth	.80	3.69–3.79	3.49–3.59						
3		Large	.75	3.59–3.69	3.39–3.49						
4		Medium	.65	3.37–3.45	3.17–3.25						
5		Small	.55	3.18–3.26	2.98–3.06						
		Blended Spears:									
6		Mammoth/Large	.78	3.64–3.74	3.44–3.54						
7		Mam./Large/Med	.73	3.55–3.64	3.35–3.44						
8		Large/Medium	.70	3.48–3.57	3.28–3.37						
9		Medium/Small	.60	3.28–3.35	3.08–3.15						
10		Cut Spears	.54	3.00–3.06	2.80–2.86				$2.62	$15.24–$15.84	$14.24–$14.64
11		Center Cuts	.19	------	1.25–1.33				.94	------	6.20–6.60
12		Soup Cuts	.48	------	2.74–2.82				2.22	------	12.97–13.33
13		Salad points	.36	4.16–4.24	3.96–4.04				4.06	19.20–19.60	18.20–18.60
	Other than all green										
		Whole Spears:									
14		Colossal	.80	2.94–3.02	2.74–2.82						
15		Mammoth	.86	2.94–3.02	2.74–2.82						
16		Large	.86	2.94–3.02	2.74–2.82						
17		Medium	.86	2.91–2.99	2.71–2.79						
18		Small	.86	2.74–2.82	2.54–2.62						

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED ASPARAGUS WHO MADE SALES DURING THE BASE PERIOD—Continued

(PART 1) AREA 1

Item No. and variety	Style and size	No. 2 can			No. 2½ can			No. 10 can		
		Permitted increase	Price ranges		Permitted increase	Price ranges		Permitted increase	Price ranges	
			Fancy	Standard		Fancy	Standard		Fancy	Standard
19	Blended Spears:									
20	Mamm./Large/Med.	.86	2.96- 3.02	2.74- 2.83						
21	Large/Medium	.86	2.96- 3.01	2.73- 2.81						
22	Medium/Small	.86	2.83- 2.91	2.63- 2.71						
23	Cut Spears	.80	2.89- 2.89	2.23- 2.96				2.43	12.80- 13.84	11.80- 11.84
24	Center Cuts	.15		2.96- 2.96				.74		4.65- 4.79
25	Soup Cuts	.45		2.10- 2.15	$2.61		$2.83- 2.91	2.10		9.73- 9.97
26	Salad Points	.78	3.96- 4.07	3.76- 3.87				3.60	18.35- 18.53	17.35- 17.85

(PART 2) AREA 2

Item No. and variety	Style and size	No. 2 can		No. 10 can		
		Permitted increase	Price ranges		Permitted increase	Price ranges	
			Fancy	Standard		Fancy	Standard
All green	Whole Spears:						
1	Colossal	$0.99	$3.41-$3.51	$3.21-$3.31			
2	Mammoth	.89	3.36- 3.46	3.18- 3.28			
3	Large	.86	3.33- 3.43	3.13- 3.23			
4	Medium	.94	3.20- 3.28	3.00- 3.08			
5	Small	.83	2.99- 2.97	2.89- 2.77			
6	Blended Spears:						
7	Mammoth/Large	.97	3.26- 3.46	3.16- 3.28			
8	Mammoth/Large/Med.	.86	3.26- 3.40	3.10- 3.20			
9	Large/Medium	.85	3.27- 3.36	3.07- 3.16			
10	Medium/Small	.82	3.05- 3.13	2.85- 2.93			
11	Cut Spears	.79	2.99- 2.99	2.73- 2.79	$2.70	$12.89-$14.19	$12.89-$13.19
12	Center Cuts	.43		1.39- 1.43	1.90		6.30- 6.49
13	Soup Cuts	.45		2.04- 2.10	2.00		9.90- 10.15

(PART 3) AREA 3

Item No. and variety	Style and size	No. 2 can			No. 10 can		
		Permitted increase	Price ranges		Permitted increase	Price ranges	
			Fancy	Standard		Fancy	Standard
All green	Whole Spears:						
1	Colossal	$0.89	$3.35-$3.99	$3.35-$3.79			
2	Mammoth	.85	3.63- 3.77	3.43- 3.57			
3	Large	.81	3.45- 3.55	3.25- 3.35			
4	Medium	.77	3.25- 3.35	3.05- 3.15			
5	Small	.73	3.09- 3.17	2.89- 2.97			
6	Blended Spears:						
7	Mammoth/Large	.83	3.54- 3.66	3.34- 3.46			
8	Mammoth/Large/Med.	.81	3.44- 3.56	3.24- 3.36			
9	Large/Medium	.79	3.35- 3.45	3.15- 3.25			
10	Medium/Small	.75	3.17- 3.25	2.97- 3.06			
11	Cut Spears	.76	2.71- 2.77	2.51- 2.57	$2.70	$13.53-$13.81	$12.53-$12.81
12	Center Cuts	.89		2.07- 2.13	2.26		9.33- 9.81

(PART 4) AREA 4

Item No. and variety	Style and size	No. 2 can			No. 10 can		
		Permitted increase	Price ranges		Permitted increase	Price ranges	
			Fancy	Standard		Fancy	Standard
All green	Whole Spears:						
1	Colossal	$1.14	$3.67-$3.81	$3.47-$3.61			
2	Mammoth	1.10	3.69- 3.76	3.43- 3.56			
3	Large	1.06	3.50- 3.60	3.30- 3.40			
4	Medium	1.02	3.38- 3.46	3.18- 3.25			
5	Small	.96	3.27- 3.35	3.07- 3.15			
6	Blended Spears:						
7	Mammoth/Large	1.06	3.56- 3.66	3.36- 3.46			
8	Mammoth/Large/Medium	1.06	3.50- 3.62	3.30- 3.42			
9	Large/Medium	1.04	3.44- 3.54	3.24- 3.34			
10	Medium/Small	1.00	3.33- 3.43	3.13- 3.22			
11	Cut Spears	1.00	3.02- 3.07	2.71- 2.77	$4.89	$13.30-$13.57	$12.30-$12.57
12	Center Cuts	.62		1.73- 1.78	2.81		7.74- 8.02

(PART 5) AREA 5

Item No. and variety	Style and size	No. 2 can			No. 10 can		
		Permitted increase	Price ranges		Permitted increase	Price ranges	
			Fancy	Standard		Fancy	Standard
All green	Whole Spears:						
1	Colossal	$0.89	$3.35-$3.99	$3.35-$3.79			
2	Mammoth	.85	3.63- 3.77	3.43- 3.57			
3	Large	.81	3.45- 3.55	3.25- 3.35			
4	Medium	.77	3.25- 3.35	3.05- 3.15			
5	Small	.73	3.09- 3.17	2.89- 2.97			
6	Blended Spears:						
7	Mammoth/Large	.83	3.54- 3.66	3.34- 3.46			
8	Mammoth/Large/Med.	.81	3.44- 3.56	3.24- 3.36			
9	Large/Medium	.79	3.35- 3.45	3.15- 3.25			
10	Medium/Small	.75	3.17- 3.25	2.97- 3.06			
11	Cut Spears	.76	2.71- 2.77	2.51- 2.57	$2.70	$13.53-$13.81	$12.53-$12.81
12	Center Cuts	.89		2.07- 2.13	2.26		9.33- 9.81

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED ASPARAGUS DURING THE BASE PERIOD

(PART 1) AREA 1

(Dollars per dozen)

Item No. and variety	Style and size	No. 2 can		No. 2½ can	No. 10 can		Item No. and variety	Style and size	No. 2 can		No. 2½ can	No. 10 can	
		Fancy	Standard	Standard	Fancy	Standard			Fancy	Standard	Standard	Fancy	Standard
All green	Whole Spears:						*Other than all green*	Whole Spears:					
1	Colossal	$3.81	$3.61				14	Colossal	$2.98	$2.78			
2	Mammoth	3.74	3.54				15	Mammoth	2.98	2.78			
3	Large	3.64	3.44				16	Large	2.98	2.78			
4	Medium	3.41	3.21				17	Medium	2.90	2.70			
5	Small	3.22	3.02				18	Small	2.78	2.68			
6	Blended Spears:							Blended Spears:					
7	Mammoth/Large	3.60	3.40				19	Mammoth /Large	2.98	2.78			
8	Mam./Large/Medium	3.60	3.40				20	Mam./Large/Medium	2.97	2.77			
9	Large/Medium	3.53	3.33				21	Large/Medium	2.97	2.77			
10	Medium/Small	3.33	3.13				22	Medium/Small	2.87	2.67			
11	Cut Spears	3.04	2.84		$15.44	$14.44	23	Cut Spears	2.56	2.36		$12.67	$11.67
12	Center Cuts		1.29			6.40	24	Center Cuts		.97			4.72
13	Soup Cuts		2.78			13.15	25	Soup Cuts		2.13	$2.87		9.84
	Salad Points	4.20	4.00		19.40	18.40	26	Salad Points	4.01	3.81		18.60	17.69

(PART 2) AREA 2

Item number and variety	Style and size	No. 2 can		No. 10 can		Item number and variety	Style and size	No. 2 can		No. 10 can	
		Fancy	Standard	Fancy	Standard			Fancy	Standard	Fancy	Standard
All green	Whole Spears:					*All green*	Blended Spears:				
1	Colossal	$3.46	$3.26			6	Mammoth/Large	$3.41	$3.21		
2	Mammoth	3.43	3.23			7	Mam./Large/Medium	3.35	3.15		
3	Large	3.36	3.16			8	Large/Medium	3.32	3.12		
4	Medium	3.24	3.04			9	Medium/Small	3.09	2.89		
5	Small	2.98	2.78			10	Cut Spears	2.96	2.76	$14.04	$13.04
						11	Center Cuts		1.41		6.40
						12	Soup Cuts		2.07		10.04

(PART 3) AREA 3

All green	Whole Spears:					*All green*	Blended Spears:				
1	Colossal	$3.92	$3.72			6	Mammoth/Large	$3.60	$3.40		
2	Mammoth	3.70	3.50			7	Mam./Large/Medium	3.50	3.30		
3	Large	3.50	3.30			8	Large/Medium	3.40	3.20		
4	Medium	3.30	3.10			9	Medium/Small	3.22	3.02		
5	Small	3.13	2.93			10	Cut Spears	2.74	2.54	$13.67	$12.67
						11	Center Cuts		2.10		9.67

(PART 4) AREA 4

Item number and variety	Style and size	No. 2 can		No. 10 can		Item number and variety	Style and size	No. 2 can		No. 10 can	
		Fancy	Standard	Fancy	Standard			Fancy	Standard	Fancy	Standard
All green	Whole Spears:					*All green*	Blended Spears:				
1	Colossal	$3.74	$3.54			6	Mammoth/Large	$3.62	$3.42		
2	Mammoth	3.69	3.49			7	Mam./Large/medium	3.56	3.36		
3	Large	3.55	3.35			8	Large/Medium	3.49	3.29		
4	Medium	3.43	3.23			9	Medium/Small	3.37	3.17		
5	Small	3.31	3.11			10	Cut Spears	2.94	2.74	$13.42	$12.42
						11	Center Cuts		1.75		7.88

(PART 5) AREA 5

All green	Whole Spears:					*All green*	Blended Spears:				
1	Colossal	$3.92	$3.72			6	Mammoth/Large	$3.60	$3.40		
2	Mammoth	3.70	3.50			7	Mam./Large/Medium	3.50	3.30		
3	Large	3.50	3.30			8	Large/Medium	3.40	3.20		
4	Medium	3.30	3.10			9	Medium/Small	3.22	3.02		
5	Small	3.13	2.93			10	Cut Spears	2.74	2.54	$13.67	$12.67
						11	Center Cuts		2.10		9.67

TABLE 5—CONVERSION FACTORS METAL CONTAINERS

(PART 1) AREA 1

All green variety

To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor—					
	8-oz.	No. 1 picnic	No. 1 tall	No. 2	No. 1 square	No. 10
Whole Spears:						
No. 1 picnic				1.55	2.02	
No. 1 tall				1.22	1.71	
No. 2		.64	.76		1.90	
No. 1 square		.49	.58	.77		
Cut Spears and Soup Cuts:						
8-ounce				2.23		10.31
Cut Spears and Soup Cuts—Con.						
No. 1 picnic				1.60		7.36
No. 2	.45	.63				4.95
No. 10	.10	.14		.21		
Center Cuts:						
No. 2						4.95
No. 10				.20		

(PART 1) AREA 1

Other than all green variety

To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor—							
	8-oz.	No. 1 picnic	No. 1 tall	No. 2	No. 2½ square	No. 1 square	No. 2½ regular	No. 10
Whole Spears:								
8-ounce				2.54				
No. 1 Picnic				1.69				
No. 1 Tall				1.36				
No. 2	.55	.67	.78		1.21	1.25	1.38	
No. 2½ Square				.93				
No. 1 Square				.80				
No. 2½ Regular				.73				
Cut Spears and Soup Cuts:								
8-ounce				2.23				10.31
No. 1 Picnic				1.59				7.36
No. 2	.45	.63						4.95
No. 10	.10	.14		.21				
Center Cuts:								
No. 2								4.95
No. 10				.20				

(PART 2) AREAS 2, 3, 4, AND 5

All green variety

To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor—					
	8-oz.	No. 1 picnic	No. 300	No. 1 tall	No. 2	No. 10
Whole Spears:						
No. 1 picnic					1.90	
No. 300					1.27	
No. 1 tall					1.18	
No. 2		.62	.78	.84		
Cut Spears and Soup Cuts:						
8 ounce					2.15	10.20
No. 1 picnic					1.61	7.63
Cut Spears and Soup Cuts—Con.						
No. 2	.46	.62				4.74
No. 10	.10	.13			.21	
Center Cuts:						
No. 300					1.28	5.80
No. 2			.78			4.53
No. 10			.17		.22	

TABLE 6—DIFFERENCES BETWEEN STYLES (DOLLARS PER DOZEN CONTAINERS)

PART 1: AREA

All green variety

No. 2 cans

To convert from a style in this column—	To a style listed at the head of a column below add (or subtract as indicated) the stated difference—												
	Salad points	Whole spears									Cut spears	Soup cuts	Center cuts
		Colossal	Mammoth	Mammoth/large	Large	Mam/large/medium	Large/medium	Medium	Med/sm. blended	Small			
Salad Points	0	−$0.89	−$0.46	−$0.81	−$0.86	−$0.60	−$0.67	−$0.70	−$0.88	−$0.98	−$1.16	−$1.22	−$2.71
Whole Spears:													
Colossal	+$0.89	0	−.07	−.12	−.17	−.21	−.28	−.40	−.49	−.59	−.77	−.83	−2.32
Mammoth	+.46	+.07	0	−.06	−.10	−.14	−.21	−.33	−.42	−.52	−.70	−.76	−2.25
Mammoth/Large	+.81	+.12	+.05	0	−.05	−.09	−.16	−.28	−.37	−.47	−.65	−.71	−2.20
Large	+.86	+.17	+.10	+.05	0	−.04	−.11	−.23	−.32	−.42	−.60	−.66	−2.15
Mammoth/Large/Medium	+.60	+.21	+.14	+.09	+.04	0	−.07	−.19	−.28	−.38	−.56	−.62	−2.11
Large/Medium	+.67	+.28	+.21	+.16	+.11	+.07	0	−.12	−.21	−.31	−.49	−.55	−2.04
Medium	+.79	+.40	+.33	+.28	+.23	+.19	+.12	0	−.09	−.19	−.37	−.43	−1.92
Medium/Small	+.88	+.49	+.43	+.37	+.33	+.28	+.21	+.09	0	−.10	−.28	−.34	−1.83
Small	+.98	+.59	+.52	+.47	+.42	+.38	+.31	+.19	+.10	0	−.18	−.24	−1.73
Cut Spears	+1.16	+.77	+.70	+.65	+.60	+.56	+.49	+.37	+.28	+.18	0	−.06	−1.55
Soup Cuts	+1.22	+.83	+.76	+.71	+.66	+.62	+.55	+.43	+.34	+.24	+.06	0	−1.49
Center Cuts	+2.71	+2.32	+2.25	+2.20	+2.15	+2.11	+2.04	+1.92	+1.83	+1.73	+1.55	+1.49	0

TABLE 6—DIFFERENCES BETWEEN STYLES (DOLLARS PER DOZEN CONTAINERS)—Continued

PART 1: AREA 1—continued

All green variety—Continued

No. 10 cans

Style	Salad points	Cut spears	Soup cuts	Center cuts	Style	Salad points	Cut spears	Soup cuts	Center cuts
Salad Points	80	$—8.98	$—5.26	$—12.00	Soup Cuts	+5.26	+1.29	0	—6.75
Cut Spears	+3.98	0	—1.29	—8.04	Center Cuts	+12.00	+8.04	+6.75	0

Other than all green variety

No. 2 cans

To convert from a style in this column—	To a style listed at the head of a column below, add (or subtract as indicated) the stated difference—											
		Whole spears										
	Salad points	Colossal	Mammoth	Mammoth/ large	Large	Mam/ Large/ medium	Large/ medium	Medium	Medium/ small	Small	Cut spears	Soup cuts	Center cuts
Salad Points	0	$—1.03	$—1.03	$—1.03	$—1.03	$—1.04	$—1.04	$—1.06	$—1.14	$—1.22	$—1.45	$—1.68	$—2.84
Whole Spears:													
Colossal	$+1.03	0	0	0	0	—.01	—.01	—.03	—.11	—.20	—.42	—.65	—1.81
Mammoth	+1.03	0	0	0	0	—.01	—.01	—.03	—.11	—.20	—.42	—.65	—1.81
Large	+1.03	0	0	0	0	—.01	—.01	—.03	—.11	—.20	—.42	—.65	—1.81
Mammoth/Large	+1.03	0	0	0	0	—.01	—.01	—.03	—.11	—.20	—.42	—.65	—1.81
Mammoth/Large/Medium	+1.04	+.01	+.01	+.01	+.01	0	0	—.02	—.10	—.19	—.41	—.64	—1.80
Large/Medium	+1.04	+.01	+.01	+.01	+.01	0	0	—.02	—.10	—.19	—.41	—.64	—1.80
Medium	+1.06	+.03	+.03	+.03	+.03	+.02	+.02	0	—.08	—.17	—.39	—.62	—1.78
Medium/Small	+1.14	+.11	+.11	+.11	+.11	+.10	+.10	+.08	0	—.09	—.31	—.54	—1.70
Small	+1.22	+.20	+.20	+.20	+.20	+.19	+.19	+.17	+.09	0	—.22	—.45	—1.61
Cut Spears	+1.45	+.42	+.42	+.42	+.42	+.41	+.41	+.39	+.31	+.22	0	—.23	—1.39
Soup Cuts	+1.68	+.65	+.65	+.65	+.65	+.64	+.64	+.62	+.54	+.45	+.23	0	—1.16
Center Cuts	+2.84	+1.81	+1.81	+1.81	+1.81	+1.80	+1.80	+1.78	+1.70	+1.61	+1.39	+1.16	0

No. 10 cans

Style	Salad points	Cut spears	Soup cuts	Center cuts	Style	Salad points	Cut spears	Soup cuts	Center cuts
Salad Points	0	—$5.93	—$7.76	—$12.88	Soup Cuts	+$7.76	+$1.83	0	—5.12
Cut Spears	+$5.93	0	—1.83	—6.95	Center Cuts	+12.88	+6.95	+5.12	0

PART 2: AREA II

All green variety

No. 2 cans

To convert from a style in this column—	To a style listed at the head of a column below, add (or subtract as indicated) the stated difference—											
	Whole spears								Cut spears	Small spears	Soup cuts	Center cuts
	Colossal	Mammoth	Mammoth/ large	Large	Mam/ Large/ medium	Large/ medium	Medium	Medium/ small				
Whole Spears:												
Colossal	0	$—0.08	$—0.05	$—0.08	$—0.11	$—0.14	$—0.22	$—0.37	$—0.50	$—0.53	$—1.19	$—1.85
Mammoth	$+.03	0	—.02	—.05	—.08	—.11	—.19	—.34	—.47	—.50	—1.16	—1.82
Mammoth/Large	+.05	+.02	0	—.03	—.06	—.09	—.17	—.32	—.45	—.48	—1.14	—1.80
Large	+.08	+.05	+.03	0	—.03	—.06	—.14	—.29	—.42	—.45	—1.11	—1.77
Mammoth/Large/Medium	+.11	+.08	+.06	+.03	0	—.03	—.11	—.26	—.39	—.42	—1.08	—1.74
Large/Medium	+.14	+.11	+.09	+.06	+.03	0	—.08	—.23	—.36	—.39	—1.06	—1.71
Medium	+.22	+.19	+.17	+.14	+.11	+.08	0	—.15	—.28	—.31	—.97	—1.63
Medium/Small	+.37	+.34	+.32	+.29	+.26	+.23	+.15	0	—.13	—.16	—.82	—1.48
Cut Spears	+.50	+.47	+.45	+.42	+.39	+.36	+.28	+.13	0	—.03	—.69	—1.35
Small Spears	+.53	+.50	+.48	+.45	+.42	+.39	+.31	+.16	+.03	0	—.66	—1.32
Soup Cuts	+1.19	+1.16	+1.14	+1.11	+1.08	+1.05	+.97	+.82	+.69	+.66	0	—.66
Center Cuts	+1.85	+1.82	+1.80	+1.77	+1.74	+1.71	+1.63	+1.48	+1.35	+1.32	+.66	0

TABLE 6—DIFFERENCES BETWEEN STYLES (DOLLARS PER DOZEN CONTAINERS)—Continued

PART 2: AREA II—continued

All green variety—Continued

No. 10 cans

Style	Cut spears	Soup cuts	Center cuts
Cut Spears	0	$—3.00	$—0.64
Soup Cuts	$+3.00	0	—3.64
Center Cuts	+0.64	+3.64	0

PART 3: AREA III

All green variety

No. 2 cans

To convert from a style in this column—	To a style listed at the head of a column below, add (or subtract as indicated) the stated difference—									
	Whole spears								Cut spears	Center cuts
	Colossal	Mammoth	Mammoth/ large	Large	Large/ medium	Medium	Medium/ small	Small		
Whole Spears:										
Colossal	0	$—0.22	$—0.32	$—0.42	$—0.52	$—0.62	$—0.70	$—0.79	$—1.18	$—1.62
Mammoth	$+.22	0	—.10	—.20	—.30	—.40	—.48	—.57	—.96	—1.40
Mammoth/Large	+.32	+.10	0	—.10	—.20	—.30	—.38	—.47	—.86	—1.30
Large	+.42	+.20	+.10	0	—.10	—.20	—.28	—.37	—.76	—1.20
Large/Medium	+.52	+.30	+.20	+.10	0	—.10	—.18	—.27	—.66	—1.10
Medium	+.62	+.40	+.30	+.20	+.10	0	—.08	—.17	—.56	—1.00
Medium/Small	+.70	+.48	+.38	+.28	+.18	+.08	0	—.09	—.48	—.92
Small	+.79	+.57	+.47	+.37	+.27	+.17	+.09	0	—.39	—.83
Cut Spears	+1.18	+.96	+.86	+.76	+.66	+.56	+.48	+.39	0	—.44
Center Cuts	+1.62	+1.40	+1.30	+1.20	+1.10	+1.00	+.92	+.83	+.44	0

No. 10 cans. Difference between Cut spears and Center cuts, $3.00.

PART 4: AREA IV

All green variety

No. 2 cans

To convert from a style in this column—	To a style listed at the head of a column below, add (or subtract as indicated) the stated difference—									
	Whole spears								Cut Spears	Center Cuts
	Colossal	Mammoth	Mammoth/ large	Mam./ large/ medium	Large	Large/ medium	Medium	Medium/ small	Small	
Whole Spears:										
Colossal	0	$—0.06	$—0.12	$—0.18	$—0.19	$—0.25	$—0.31	$—0.31	$—0.43	$—0.80	$—1.79
Mammoth	$+0.06	0	—.07	—.13	—.14	—.20	—.26	—.32	—.38	—.75	—1.74
Mammoth/Large	+.13	+.07	0	—.06	—.07	—.13	—.19	—.25	—.31	—.68	—1.67
Mammoth/Large/Med	+.18	+.13	+.06	0	—.01	—.07	—.13	—.19	—.25	—.62	—1.61
Large	+.19	+.14	+.07	+.01	0	—.06	—.12	—.18	—.24	—.61	—1.60
Large/Medium	+.25	+.20	+.13	+.07	+.06	0	—.06	—.12	—.18	—.55	—1.54
Medium	+.31	+.26	+.19	+.13	+.12	+.06	0	—.06	—.12	—.49	—1.48
Medium/Small	+.37	+.32	+.25	+.19	+.18	+.12	+.06	0	—.06	—.43	—1.42
Small	+.43	+.38	+.31	+.25	+.24	+.18	+.12	+.06	0	—.37	—1.36
Cut Spears	+.80	+.75	+.68	+.62	+.61	+.55	+.49	+.43	+.37	0	—.99
Center Cuts	+1.79	+1.74	+1.67	+1.61	+1.60	+1.54	+1.48	+1.42	+1.36	+.99	0

No. 10 cans. Difference between Cut Spears and Center Cuts, $1.54.

No. 10 cans. Difference between Cut Spears and Center Cuts, $1.54.

TABLE 6—DIFFERENCES BETWEEN STYLES (DOLLARS PER DOZEN CONTAINERS)—Continued

PART 5: AREA V

All green variety

No. 2 cans

To convert from a style in this column—	To a style listed at the head of a column below, add (or subtract as indicated) the stated difference—									
	Whole spears								Cut spears	Center cuts
	Colossal	Mammoth	Mammoth/large	Large	Large/medium	Medium	Medium/small	Small		
Whole Spears:										
Colossal	0	$−0.22	$−0.32	$−0.42	$−0.52	$−0.62	$−0.70	$−0.79	$−1.18	$−1.62
Mammoth	$+0.22	0	−.10	−.20	−.30	−.40	−.48	−.57	−.96	−1.40
Mammoth/Large	+.32	+.10	0	−.10	−.20	−.30	−.38	−.47	−.86	−1.30
Large	+.42	+.20	+.10	0	−.10	−.20	−.28	−.37	−.76	−1.20
Large/Medium	+.52	+.30	+.20	+.10	0	−.10	−.18	−.27	−.66	−1.10
Medium	+.62	+.40	+.30	+.20	+.10	0	−.08	−.17	−.56	−1.00
Medium/Small	+.70	+.48	+.38	+.28	+.18	+.08	0	−.09	−.48	−.92
Small	+.79	+.57	+.47	+.37	+.27	+.17	+.09	0	−.39	−.83
Cut Spears	+1.18	+.96	+.86	+.76	+.66	+.56	+.48	+.39	0	−.44
Center Cuts	+1.62	+1.40	+1.30	+1.20	+1.10	+1.00	+.92	+.83	+.44	0

No. 10 cans. Difference between Cut spears and Center cuts, $3.00.

TABLE 7—GRADE DIFFERENTIALS

All areas, all green and natural varieties, all styles

	Differential between standard and fancy grades
Can size:	
No. 2	$0.20
No. 10	1.00

SEC. 16. ***Appendices for packed fruits priced under Pricing Method No. 1:***

APPENDIX A—*Red Sour Pitted Cherries*

TABLE 1—AREAS

1. New York and Pennsylvania.
2. Michigan, Ohio and Wisconsin.
3. Washington.
4. Montana.
5. Oregon, Idaho and California.
6. Utah and Colorado.
7. All other states.

TABLE 2—BASE PERIOD PRICES (ALL AREAS)

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS WHO MADE SALES OF PACKED RED SOUR PITTED CHERRIES DURING THE BASE PERIOD.

STANDARD GRADE WATER PACK

Area	No. 2 cans		No. 10 cans	
	Permitted increase	Price range	Permitted increase	Price range
1	$0.53	$1.97–$2.18	$2.70	$10.07–$11.13
2	.72	1.97– 2.18	3.65	10.07– 11.13
3	.48	1.91– 2.15	2.45	9.77– 10.97
4	1.06	2.50– 2.55	5.40	12.78– 13.00
5	.83	2.18– 2.40	4.22	11.11– 12.25
6	.80	2.09– 2.19	4.06	10.67– 11.17
7	.72	1.97– 2.18	3.65	10.07– 11.13

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED RSP CHERRIES DURING THE BASE PERIOD.

Area	No. 2 cans	No. 10 cans
1	$2.08	$10.60
2	2.08	10.60
3	2.03	10.37
4	2.53	12.89
5	2.29	11.68
6	2.14	10.92
7	2.08	10.00

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor:		
	303	2	10
303		1.15	5.90
2	.87		5.10
10	.17	.20	

TABLE 6—GRADE DIFFERENTIALS

Differences between successive grades (per dozen containers)

	No. 303	No. 2	No. 10 can
Fancy and Choice	$0.085	$0.10	$0.50
Choice and Standard	.085	.10	.50
Standard and Substandard	.085	.10	.50

TABLE 7—SYRUP DIFFERENTIALS

For each 10° of syrup (figured on the basis of put-in density) the processor shall add 25 cents to the price per dozen of Standard, Water pack for No. 10 Cans, 5 cents for No. 2 cans and 4 cents for No. 303 cans.

Effective date. **This supplement shall become effective July 31, 1944.**

NOTE: All record-keeping and reporting requirements of this supplement have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 31st day of July 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11482; Filed, July 31, 1944; 4:28 p. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445,[1] Amdt. 17]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 445 is amended in the following respects:

1. Section 1.11 is amended to read as follows:

SEC. 1.11 *Dates on which this article shall apply.* This article shall apply to all sales or offers to sell of bulk or packaged imported distilled spirits and wine made by an importer on and after August 30, 1943: *Provided*, That this article shall not apply to any sale which an importer is required by statute, ordinance or regulation to make at a price posted or listed prior to August 14, 1943, with a state or other public authority (if the price so posted or listed is greater or less than that established by this article for such sale) until on and after the first effective date for prices so posted or listed at the

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 4687, 7708.

first opportunity after August 19, 1943: *And provided further*, That an amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment.

2. The headnote and section 2.3 is amended to read as follows: "SEC. 2.3 *Maximum prices for bulk domestic whiskey, bulk domestic brandy, bulk domestic gin and bulk domestic vodka.*"

3. Section 2.3 (c) (1) and (2) are amended to read as follows:

(c) *Maximum price tables*—(1) *For bulk domestic whiskey sold on an original proof gallon basis.*

Age (months)		Column 1	Column 2
More than—	Not more than—	Maximum prices per original proof gallon; distilled at any time except during August 1944 and stored in either new or used cooperage; distilled during August 1944 and stored in used cooperage	Maximum prices per original proof gallon; distilled during August 1944 and stored in new cooperage
0	2	$0.69	$0.93
2	4	.73	.86
4	6	.77	.91
6	8	.81	.93
8	10	.85	.95
10	12	.89	.97
12	14	.93	.99
14	16	.97	1.01
16	18	1.01	1.03
18	21	1.07	1.07
21	24	1.13	1.13
24	27	1.19	1.19
27	30	1.25	1.25
30	33	1.31	1.31
33	36	1.36	1.36
36	39	1.41	1.41
39	42	1.46	1.46
42	45	1.51	1.51
45	48	1.56	1.56
48	51	1.61	1.61
51	54	1.65	1.65
54	57	1.69	1.69
57	60	1.72	1.72
60	63	1.75	1.75
63	66	1.78	1.78
66	69	1.81	1.81
69	72	1.84	1.84
72	75	1.87	1.87
75	78	1.90	1.90
78	81	1.93	1.93
81	84	1.96	1.96
84	90	1.98	1.98
90		2.00	2.00

NOTE: Maximum prices set forth above include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1943 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

(2) *For bulk domestic whiskey sold on a regauged proof gallon basis.*

Age (months)		Column 1	Column 2	Column 3	Column 4
More than—	Not more than—	Maximum prices for regauged proof gallon in bond; distilled at any time except during August 1944 and stored in either new or used cooperage; distilled during August 1944 and stored in used cooperage	Maximum prices for regauged proof gallon tax paid; distilled at any time except during August 1944 and stored in either new or used cooperage; distilled during August 1944 and stored in used cooperage	Maximum prices for regauged proof gallon in bond; distilled during August 1944 and stored in new cooperage only	Maximum prices for regauged proof gallon tax paid; distilled during August 1944 and stored in new cooperage only
0	2	$6.712	$6.712	$6.877	$6.877
2	4	.770	6.770	.928	6.928
4	6	.821	6.821	.970	6.970
6	8	.874	6.874	1.033	7.033
8	10	.927	6.926	1.026	7.026
10	12	.962	6.962	1.070	7.070
12	14	1.038	7.038	1.105	7.105
14	16	1.096	7.096	1.141	7.141
16	18	1.154	7.154	1.177	7.177
18	21	1.238	7.238	1.238	7.238
21	24	1.323	7.323	1.323	7.323
24	27	1.410	7.410	1.410	7.410
27	30	1.500	7.500	1.500	7.500
30	33	1.592	7.592	1.592	7.592
33	36	1.674	7.674	1.674	7.674
36	39	1.738	7.738	1.738	7.738
39	42	1.844	7.844	1.844	7.844
42	45	1.933	7.933	1.933	7.933
45	48	2.024	8.024	2.024	8.024
48	51	2.117	8.117	2.117	8.117
51	54	2.200	8.200	2.200	8.200
54	57	2.265	8.265	2.265	8.265
57	60	2.309	8.309	2.309	8.309
60	63	2.435	8.435	2.435	8.435
63	66	2.513	8.513	2.513	8.513
66	69	2.593	8.593	2.593	8.593
69	72	2.676	8.676	2.676	8.676
72	75	2.762	8.762	2.762	8.762
75	78	2.850	8.850	2.850	8.850
78	81	2.941	8.941	2.941	8.941
81	84	3.035	9.035	3.035	9.035
84	90	3.116	9.116	3.116	9.116
90		3.200	9.200	3.200	9.200

NOTE: Maximum prices in columns 1, 2, 3 and 4 include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942; and storage and all other charges applicable to the quantity being priced and accrued to date of sale, together with brokerage commissions, if any, paid by the seller incident to the particular sale. Maximum prices set forth in columns 2 and 4 also include the amount of United States excise taxes at rates in effect on November 2, 1943

4. Section 2.3 (i) is added to read as follows:

(i) *Maximum prices for bulk domestic gin and bulk domestic vodka.* Any seller's maximum price per proof gallon of bulk domestic gin and bulk domestic vodka for sales in any quantity to a customer of any class shall be the total of the following amounts applicable to the quantity being priced.

(1) *Seller's price.* 69½¢ per proof gallon, naked, f. o. b. seller's premises. This amount for bulk domestic gin includes Federal rectification taxes.

(2) *Container cost.* If the seller furnishes the containers in which the bulk domestic gin or bulk domestic vodka is packed and such containers become the property of the customer upon delivery of such gin or vodka, the seller may make a separate charge for the containers not in excess of his maximum price therefor.

(3) *Freight.* For sales on a delivered basis, the seller may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid (exclusive of expense of hauling, drayage or handling within the metropolitan area of such point of place).

(4) *Tax paid sales.* (i) With respect to bulk domestic vodka, the amount of United States excise taxes and Federal rectification taxes paid by the seller to the taxing authority or to a prior vendor.

(ii) With respect to bulk domestic gin, the amount of United States excise taxes paid by the seller to the taxing authority or the prior vendor.

NOTE: The maximum price set forth above includes all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1942 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

5. Section 2.4a is amended to read as follows:

SEC. 2.4a *Maximum prices for bulk domestic neutral spirits produced from any material and bulk domestic high wines manufactured from cane or grain.* (a) Any seller's maximum price to any class of customers for sales of bulk domestic neutral spirits produced from any material except grain or for sales of bulk domestic high wines manufactured from cane or grain (as defined in section 7.12 (a) (44) and (48) shall be his maximum price therefor established under § 1499.2 (a) (1) of the General Maximum Price Regulation. Sellers who are unable to establish maximum prices for these items pursuant to § 1499.2 (a) (1) of the General Maximum Price Regulation shall determine their maximum prices by application pursuant to section 2.2 (c).

(b) Any seller's maximum price per proof gallon for sales of bulk domestic neutral spirits produced from grain in any quantity to any class of customers shall be the total of the following amounts applicable to the quantity being priced:

(1) *Seller's price.* 59½¢ per proof gallon, naked, f. o. b. seller's premises.

(2) *Container cost.* If the seller furnishes the containers in which the bulk domestic neutral spirits are packed and such containers become the property of the customer upon delivery of such spirits, the seller may make a separate charge for the containers not in excess of the following amounts:

(i) 2½¢ per proof gallon, where barrels are used; or

(ii) 3½¢ per proof gallon where steel drums are used.

(3) *Freight.* For sales on a delivered basis the seller may add transportation charges per proof gallon from his point of shipment to the place of delivery at the rate actually paid (exclusive of expense of hauling, draying or handling within the metropolitan area of such point or place.

NOTE: Maximum prices set forth above include all excise and processing taxes of any state or subdivision thereof at rates in effect on November 2, 1943 and storage and all other charges applicable to the quantity being priced and accrued to date of sale together with brokerage commissions, if any, paid by the seller incident to the particular sale.

6. Section 2.6a is added to read as follows:

SEC. 2.6a *Grain neutral spirits acquired by custom processing.* If a person acquires grain neutral spirits for which maximum prices are established by this regulation by separately purchasing the raw material and the service by which the raw material is converted into grain neutral spirits, the total amount paid by him for the raw material and the service may not exceed the maximum price that would apply if the grain neutral spirits were sold to him by the person furnishing the service.

7. Section 2.7 is amended to read as follows:

SEC. 2.7 *Dates on which this article shall apply.* This article shall apply to all sales, and offers to sell and deliveries of the commodities specified therein made on and after October 7, 1943: *Provided*, That this article shall not apply to deliveries made on and before October 21, 1943 pursuant to sales or contracts to sell made prior to October 1, 1943: *And provided further*, That an amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment.

8. Section 3.2 (a) (3) of Article III is revoked and a new section 3.2 (a) (3) is substituted therefor to read as follows:

(3) For domestic gin and domestic vodka only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix H; or

9. Section 3.2 (a) (4) of Article III is added to read as follows:

(4) For all classifications of domestic distilled spirits (except where a maximum price can be established under Appendix A or where the processor elects or is required to establish a prescribed uniform maximum price under either Appendix E or Appendix H), the special maximum price by authorization determined as provided in Appendix F.

9a. Section 3.2 (b) (2) is amended by adding the words "domestic vodka" following the words "domestic gin".

10. Section 3.2 (b) (5), to but not including the note, is revoked and the note is transferred following section 3.2 (b) (6), and a new section 3.2 (b) (5) is substituted to read as follows:

(5) For domestic gin and domestic vodka only, the processor may elect to establish a prescribed uniform maximum price determined as provided in Appendix H.

11. Section 3.2 (b) (6) is added to read as follows:

(6) For all classifications of domestic distilled spirits (except where a maximum price can be established under appendices B through D, inclusive, or where the processor elects or is required to establish a prescribed uniform maximum price under Appendix E or Appendix H, the special maximum price by authorization determined as provided in Appendix F.

12. Section 3.2 (c) (2) is revoked and a new section 3.2 (c) (2) is added to read as follows:

(2) For domestic gin and domestic vodka only, the prescribed uniform maximum prices determined as provided in Appendix H.

13. Section 3.2 (c) (3) is added to read as follows:

(3) For all classifications of domestic distilled spirits (except for sales of domestic whiskey, for which maximum prices can be established under Appendix E, and domestic gin and domestic vodka, for which maximum prices can be established under Appendix H), the special maximum price by authorization determined as provided in Appendix F.

14. Section 3.3 (a) (1) is amended to read as follows:

(1) Article III provides several pricing methods for processors sales of items of packaged domestic distilled spirits. Those pricing methods are set forth in detail in appendices A through H and specific rules are provided therein for each pricing method. One of those methods requires processors of items of domestic whiskey of a brand name not sold or offered for sale by the processor during March 1942 to establish a prescribed uniform maximum price for the item. That method, set forth in Appendix E, applies only to items of domestic whiskey. Another method, which applies only to items of domestic gin and domestic vodka, requires processors of these commodities of a brand name, not sold or offered for sale by the processor during March 1942, to establish a prescribed uniform maximum price for the items under Appendix H. From time to time appendices will be added in which prescribed uniform maximum prices will likewise be provided for items of other classifications of domestic distilled spirits such as brandy, rum, cordials and liqueurs. Until such time as prescribed uniform maximum prices for these classifications are added to this article, processors of items of those classifications, of a brand name not sold or offered for sale during March 1942 must establish special maximum prices by authorization in accordance with the provisions of Appendix F.

15. Section 3.3 (a) (2) is amended to read as follows:

(2) Processors of items of a brand name, container size and formula (including proof) which they sold or offered for sale during March 1942, regardless of the classification thereof, are required to establish March 1942 maximum prices under Appendix A for sales to customers of a particular class to which the item was sold or offered for sale by the processor during March 1942. Where the sale is to a customer of a different class, the processor must establish a special maximum price by authorization under Appendix F. However, for items of domestic whiskey, the processor may elect to establish prescribed uniform maximum prices under Appendix E and for items of domestic gin and domestic vodka the processor may elect to establish prescribed uniform maximum prices under Appendix H. Where the processor elects to establish a prescribed uniform maximum price for any item of domestic whiskey, domestic gin or domestic vodka he must, after making a sale at such price, establish prescribed uniform maximum prices for all sales thereafter to any purchaser of any item of the same classification bearing the same brand name.

16. Section 3.3 (c) (1) (iii) is amended by adding the phrase "or appendix H" following the words "Appendix E" in the third line.

17. Section 3.7 is amended by adding the clause "*And provided further*, That an amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment."

17a. Paragraphs (a) (1), (a) (2) and (a) (3) of Appendix G are amended by inserting the words "or Appendix H," following the word "inclusive" which appears in each such paragraph.

18. "Appendix H" is added to read as follows:

APPENDIX H—PRESCRIBED UNIFORM MAXIMUM PRICES

(a) *Rules for establishing maximum prices under Appendix H.* (1) The *prescribed uniform maximum prices* provided in this appendix are applicable only to items of domestic gin and domestic vodka. All other classifications of domestic distilled spirits must be priced under other applicable provisions of Article III.

(2) All items of domestic gin and domestic vodka of a brand name not sold or offered for sale by the processor during March 1942 must be priced under this appendix. Any item of domestic gin or domestic vodka whether or not sold or offered for sale by the processor during March 1942 may be priced under this appendix. However, after once making a sale of an item of domestic gin or domestic vodka at a prescribed uni-

form maximum price provided in this appendix, maximum prices for all sales thereafter of any item of the same classification bearing the same brand name, of any proof or in any container size must be established under this appendix.

(3) Any change whatsoever in the brand name of an item of domestic gin or domestic vodka sold or offered for sale by the processor during March 1942 shall be deemed to be a new brand name, and the item so changed must be priced under this appendix.

(4) Prescribed uniform maximum prices are applicable only to the particular classes of customers specified in this appendix. For all other classes of customers a special maximum price by authorization must be established under Appendix F.

(b) *Procedures for establishing prescribed uniform maximum prices.* The processor's maximum price per case, for sales of an item of packaged domestic gin or packaged domestic vodka to customers of the classes specified below, shall be the prescribed uniform maximum prices determined as follows:

(1) *Processors' sales to wholesalers and monopoly states* (i) Ascertain from Table I (for gin) or Table II (for vodka) the applicable maximum price per case of quarts or fifths, respectively at 80° proof.

NOTE: The prices shown in Tables I and II are at 80° proof in quarts and fifths. They are completed prices for items at 80° proof in quarts and fifths, except for applicable state and local taxes for which see (iv) below.

(ii) Where the proof of the item to be priced is greater than 80°, ascertain from Table I (for gin) or Table II (for vodka) the applicable proof adjustment in accordance with the container size, and multiply such proof adjustment figure by a figure equal to the difference between 80 and the number of degrees of proof of the item to be priced. Add the resulting figure to the amount determined in (i).

(iii) Where the container sizes to be priced are either pints or half-pints, add to the resulting figure in (ii) per case of quarts $.60 if pints are to be priced and $1.35 if half-pints.

(iv) Where state or local excise taxes apply, add to the figure obtained in (i), (ii) or (iii), the applicable amount of any state or local excise tax in effect on November 2, 1942: *Provided*, That the amount of such tax imposed is actually paid or has accrued and become payable by the processor to the proper taxing authority or to any prior vendor: *And provided further*, That the amount of such tax once so added shall not again be added to the maximum prices established under subparagraphs (2), (3) and (4) of this paragraph (b).

The resulting figure in (i), (ii), (iii) or (iv), as the case may be, is the processor's prescribed uniform maximum price, f. o. b. bottling plant, for sales to wholesalers and monopoly states of an item of packaged domestic gin or packaged domestic vodka.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(2) *Processors' sales to primary distributing agents.* The processor's prescribed uniform maximum price per case, f. o. b. bottling plant, of packaged domestic gin or packaged domestic vodka for sales to primary distributing agents shall be the processor's prescribed uniform maximum price per case, f. o. b. bottling plant, for sales of the item to wholesalers and monopoly states (determined as provided in subparagraph (1) above), subject to any discount, allowance or price differential agreed upon by the particular processor and primary distributing agent.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price may be added to that price in accordance with section 7.3.

(3) *Processors' sales to retailers*—(i) *Sales of items shipped directly to the retailer's premises from the bottling plant.* The processor's prescribed uniform maximum price per case of packaged domestic gin or packaged domestic vodka for sales of an item shipped directly to the retailer's premises from the bottling plant shall be figured by the processor as follows:

(a) Determine the prescribed uniform maximum price per case, f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(b) Add to the figure so obtained the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(c) Multiply the resulting figure in (b) by the percentage markup provided in section 5.4 (b) (1) (i) of Article V for sales of packaged gin and vodka by wholesalers to retailers.

(d) Add to the resulting figure in (c) the actual amount of transportation charges paid by the processor if such charges are prepaid by him.

The resulting figure in (c) or (d), as the case may be, is the processor's prescribed uniform maximum price per case for sales of an item shipped directly to the retailer's premises from the bottling plant.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(ii) *Sales of items shipped to the retailer's premises from the processor's zone warehouse.* The processor's prescribed uniform maximum price for sales of an item of packaged domestic gin or vodka shipped to the retailer's premises from the processor's zone warehouse shall be figured by the processor as follows:

(a) Determine the prescribed uniform maximum price per case, f. o. b. bottling plant, in accordance with subparagraph (1) above, for his sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942).

(b) Add to the figure so obtained the actual amount of transportation charges paid by the processor for shipment from the bottling plant to his zone warehouse. No amount shall be included for local hauling, loading, unloading, drayage or other handling.

(c) Add to the resulting figure in (b), the applicable amount of any state or local excise tax at rates in effect on November 2, 1942: *Provided*, That the amount of such tax is actually paid by the processor.

(d) Multiply the resulting figure in (c) by the percentage markup provided in section 5.4 (b) (1) (i) of Article V for sales of packaged gin and vodka by wholesalers to retailers.

The resulting figure in (d) is the processor's prescribed uniform maximum price per case, delivered to the retailer's premises, for his sales of an item to a retailer located within the area of the processor's zone warehouse, and it is also the processor's prescribed uniform maximum price per case, f. o. b. zone warehouse, for sales of an item to a retailer located outside of the metropolitan area of such warehouse.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944, in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(4) *Processors' sales to consumers.* The processor's prescribed uniform maximum price provided in subparagraph (1) for sales of the item to wholesalers and monopoly states (excluding, however, the increase effective April 1, 1944, in Federal excise taxes or new or increased state or local excise taxes effective after November 2, 1942) plus the additions provided in section 5.3 (b) (2) and (3) (i) of Article V and the total thereof multiplied by the percentage markup provided in section 5.5 (b) (1) (i) of Article V for sales of packaged gin and vodka by retailers to consumers, shall be the processor's prescribed uniform maximum price for sales of the item to consumers.

NOTE: The maximum prices so figured include applicable Federal, state or local excise taxes through November 2, 1942. The increase effective April 1, 1944 in Federal excise taxes, or new or increased state or local excise taxes not otherwise included in the prescribed uniform maximum price, may be added to that price in accordance with section 7.3.

(c) *Reports required to be filed.* On or before the date of making the first sale of an item at a prescribed uniform maximum price established under this appendix, the processor shall, by letter to the Office of Price Administration, Beverage Section, Washington, D. C., report the maximum price so established. The letter-report shall contain the following:

(1) The name and address of the processor filing the report.

(2) A statement that the report is filed under Appendix H to Article III of MPR 445.

(3) The brand name, container size and proof of the item which is the subject of the report. (Attach front and back labels to letter-report.)

(4) The prescribed uniform maximum price for the item which is the subject of the report, and a statement showing the steps taken by the processor to figure such price, in accordance with the procedures provided in this appendix.

(5) A list of all items of the same brand name sold or offered for sale by the processor during March 1942, if any.

Neither acceptance nor failure to act upon a letter-report filed under this paragraph shall constitute approval by the Office of Price Administration of the maximum prices so reported.

TABLE I—PROCESSORS' PRESCRIBED UNIFORM MAXIMUM PRICES FOR PACKAGED DOMESTIC GIN

	3 gallon case of quarts	2.4 gallon case of fifths
Price at 80° proof	$19.28	$15.72
Adjustment per degree of proof	.2222	.1778

NOTE: The prices in Table I include applicable Federal excise taxes in effect on November 2, 1942 and Federal Rectification Tax. These prices do not include any local or state taxes or the increase in Federal excise taxes effective April 1, 1944.

TABLE II—PROCESSORS' PRESCRIBED UNIFORM MAXIMUM PRICES FOR PACKAGED DOMESTIC VODKA

	3 gallon case of quarts	2.4 gallon case of fifths
Price at 80° proof	$20.09	$16.37
Adjustment per degree of proof	.2324	.1859

NOTE: The prices in Table II include applicable Federal excise taxes in effect on November 2, 1942 and Federal Rectification Tax. These prices do not include any local or state taxes or the increase in Federal excise taxes effective April 1, 1944.

(d) *Determining amount of increase effective April 1, 1944 in Federal excise taxes.* The amount of the increase effective April 1, 1944, in Federal excise taxes which a processor may add to prescribed uniform maximum prices determined under this appendix shall, in each instance, be figured by multiplying $3.00 by the number of proof gallons in the case being priced.

19. Section 4.12 (c) is amended by adding a sentence thereto to read as follows: "An amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment."

20. Section 5.3 (b) (3) (i) (*a*) is added to read as follows:

(*a*) With respect to purchases by a wholesaler from another wholesaler, state and local excise taxes at rates in effect on November 2, 1942 of the state in which either the purchasing wholesaler or the selling wholesaler has his principal place of business, whichever is lower.

21. Section 5.4 (b) (1) is amended by adding the phrase "except from another wholesaler" following the word "supplier."

22. Section 5.11 is amended by adding the following clause: "*And provided further*, That an amendment to this article shall not apply to any deliveries made prior to the effective date of such amendment."

23. Section 7.12 (a) is amended by adding subparagraphs (51) and (52) to read as follows:

(51) "Domestic gin" means gin (either distilled or compound) as defined in Article II, Class 3 of Regulations No. 5[1] produced within the continental United States.

(52) "Domestic vodka" means vodka as defined under the terms of Article III, section 34, of Regulations No. 5, so labeled, and produced within the continental United States.

This amendment shall become effective August 1, 1944.

Issued this 1st day of August 1944.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, I find that the level of maximum prices for packaged gin established by the accompanying amendment is necessary to correct a gross inequality, and hereby authorize its issuance.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-11540; Filed, August 1, 1944; 4:54 p. m.]

[1] 7 F.R. 10770.

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 46]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15 of Maximum Price Regulation 426 is amended in the following respects

1. Appendix D is revoked.

2. Appendix K is amended in the following respects:

a. In paragraph (a) the word "Grapes" is added under the word "Peaches".

b. Paragraph (b) (3) is amended by adding an undesignated paragraph to read as follows:

"Standard container" in the case of grapes means (i) a closed lug box (WPB L232 No. 46), packed with table grapes produced in Riverside or Imperial County, California, or in Arizona, with a net weight of 24 pounds or more, or (ii) a closed lug box (WPB L232 No. 46), packed with table grapes produced in any other area, with a net weight of 28 pounds or more.

c. Paragraphs (c), (d) and (e) are amended to read as follows:

(c) *Classification of standard containers*—(1) *As to peaches.* For the purpose of this appendix, standard containers shall be classified as follows:

Class A	(1) Bushel basket of 2150.42 cu. in. capacity (2) One-half bushel basket of 1075.71 cu. in. capacity	Closed and packed "fairly tight" or tighter.
Class B	(1) Fruit box (WPB L232 No. 35) (2) Fruit box (WPB L232 No. 36) (3) Sanger Lug Box (WPB L232 No. 46)	Closed with a net weight within applicable weight ranges in Column 2 of the applicable table in paragraph (f).

(2) *As to grapes.* For the purposes of this appendix, standard containers shall be classified as follows:

Class C	(1)	A closed lug box (WPB L232 No. 46), packed with table grapes produced in Riverside or Imperial County, California, or in Arizona, with a net weight of 24 pounds or more.
	(2)	A closed lug box (WPB L232 No. 46), packed with table grapes produced in any other area, with a net weight of 28 pounds or more.

(d) *Marking requirements.* The grower-packer shall plainly mark each container sold by him in accordance with the requirements of State and Federal Grades and Standards Laws and of the Federal Food, Drug and Cosmetic Act, and

(1) *As to standard containers in Class A.* The grower-packer shall plainly mark each standard container in Class A sold by him to show the following:

(1) The name and address of the grower-packer.

(2) The volume of the contents.

(2) *As to standard containers in Class B.* The grower-packer shall plainly mark each standard container in Class B sold by him to show the following:

(1) The name and address of the grower-packer.

(2) A minimum net weight. This may be lower, but in no case higher, than the actual weight at the time of shipment from the shipping point.

The grower-packer may determine the actual net weight of contents of standard containers noted in Class B and mark the actual net weight in pounds on each container. Some grower-packers may not wish to weigh each container before marking and selling it. In order to make possible the use of reasonable estimated net weights, weight ranges have been provided for the standard containers listed above in Class B within which maximum prices do not vary. However, a grower-packer who sells without weighing all containers takes the risk that the estimated minimum net weight may exceed the actual net weight, which would be a violation of the regu-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6106, 6420, 6711, 7259, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090.

lation. Subsequent sellers, however, may rely on the minimum net weight marked on the container and figure their maximum prices on the basis of it.

(3) *As to standard containers in Class C.* The grower-packer shall plainly mark each standard container in Class C sold by him to show the following:

(1) The name and address of the grower-packer.

(2) A minimum net weight. This may be lower, but in no case higher, than the actual weight at the time of shipment from the shipping point. Subsequent sellers, however, may rely on the minimum net weight marked on the container and figure their maximum prices on the basis of it.

(4) *As to non-standard containers.* If a container would be a standard container in Class A except for the fact that it is not packed "fairly tight" or tighter, or if a container would be a standard container in Class B except for the fact that it has a net weight not within the weight ranges for the particular container, or if a container would be a standard container in Class C except for the fact that it has a net weight less than that specified for that particular container, or if the fruit is in any other closed container, the grower-packer shall mark the container to show the following:

(1) The name and address of the grower-packer.

(2) A minimum net weight. This may be lower, but in no case higher than the actual weight at the time of shipment from the shipping point. Subsequent sellers, however, may rely on the minimum net weight marked on the container and figure their maximum prices on the basis of it.

The weight marking requirement does not apply to open containers. (Section 14a (a) does not apply to this appendix.)

(e) *How maximum prices are figured—*(1) *Standard containers in Class A.* For standard containers in Class A, the maximum price in each case is named in columns 5 or 6 of the applicable table in paragraph (f). However, the maximum price for any container which would be a standard container except for the fact that it is not packed "fairly tight," or tighter, shall in no event be greater than the maximum price for the standard container.

(2) *Standard containers in Class B.* A grower-packer obtains his maximum price for any of the types of containers listed in Class B by first determining whether the net weight of the container being priced falls within any of the weight ranges established by the appendix for that type of container. If the net weight falls within an applicable weight range, the maximum price named in the price table for that container is on a container basis and it applies to all weights within that range. On the other hand, if the net weight falls outside the applicable weight ranges, the maximum price is figured by the seller on the basis of actual net weight.

(3) *Standard containers in Class C.* A grower-packer obtains his maximum prices for any of the types of containers listed in Class C by first determining whether the minimum net weight of the container being priced complies with the minimum net weight established by the appendix for that type of container. If it does, the maximum prices named in the price table for that container apply. On the other hand, if the net weight falls below the minimum net weight requirement, the maximum price is figured by the seller on the basis of actual net weight.

(4) *Non-standard container.* (i) All fruit offered for sale in closed containers which do not meet the requirements of standard containers in Class A, Class B or Class C shall be sold on the basis of actual net weight.

(ii) All fruit offered for sale in bulk or open containers shall be sold on a basis of actual net weight.

(5) The weight requirements provided in this Appendix are based on weights existing at the time of shipment from the shipping point, in the case of closed containers, and at the time of sale, in the case of open containers, unless otherwise specifically provided.

d. In paragraph (f) Table 2 is added to read as follows:

TABLE 2.—MAXIMUM PRICES FOR TABLE GRAPES

Col. number 1 / Item number	Col. number 2 / Type, variety, style of pack, area of production, etc.	Col. number 3 / Unit	Col. number 4 / Season	Col. number 5 / Maximum prices for fruit loaded on car or truck at shipping point.	Col. number 6 / Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Col. number 7 / Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[4]
1	Table grapes produced in Riverside and Imperial Counties of California and in Arizona and packed in lug boxes (WPB L.222 No. 46) with a net weight of 24 pounds or more.	Per lug	All season	$2.45	Col. 5 price plus actual cost of transportation (including 3% transportation tax) from shipping point and plus actual cost of protective services.[3]	Col. 6 price plus 10 cents.
2	Table grapes produced in Riverside and Imperial Counties of California and in Arizona and packed in lug boxes (WPB L.222 No. 46) with a net weight of less than 24 pounds and in all other containers.[5]	Per pound	All season	14.4 cents	Maximum price for item 1 above divided by 24.	Col. 6 price plus 10/24 cents.
3 4 5 6 7 8 9 10	Table grapes produced in all other areas and packed in lug boxes (WPB L.222 No. 46) with a net weight of 28 pounds or more.	Per lug	Beginning of season–Aug. 15 Aug. 16–Oct. 31 Nov. 1–Dec. 10 Dec. 11–end of season	$2.60 $1.85 California $2.10 $2.40	Col. 5 price plus freight (including 3% transportation tax) from Bakersfield, California plus protective services.[4]	Col. 6 price plus 10 cents.
	Table grapes produced in all other areas and packed in lug boxes (WPB L.222 No. 46) with a net weight of less than 28 pounds and in all other containers.[5]	Per pound	Beginning of season–Aug. 15 Aug. 16–Oct. 31 Nov. 1–Dec. 10 Dec. 11–end of season	9.3 cents 6.6 cents California 7.5 cents 8.6 cents	Maximum price for the applicable season above (Items 3–6) divided by 28.	Col. 6 price plus 10/28 cents.

[1] Includes all varieties of the vinifera type except the following: Alicante, Barberone, Aramon, Burger, Burgundy, Carignane, Chianti, Cinsaut, Gregano, Grenache, Juice Malaga, Malvoisie, Mataro, Mission, Muscat, Petite Bouschet, Petite Sirah, Valdepena, Zinfandel. This regulation includes all varieties of imported grapes.

[2] The maximum price for table grapes sold in bulk (loose without containers, or in containers furnished by the buyer) shall be 2.7 cents per pound less than the maximum prices per pound listed for items 2, 7, 8, 9, and 10 in columns 5, 6 and 7.

[3] Protective service allowances shall be the actual cost of protective services furnished not to exceed the lowest common carrier charge for the same service (including 3% transportation tax).

[4] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points.

Wholesale receiving points	Allowance for protective services (includes 3% tax)
	Per lug
1. In all States wholly east of the Mississippi River, except in Wisconsin and Illinois	$0.12
2. In all other States, except in California, Oregon, and Washington	.00
3. In Oregon and Washington	.04
4. In California	.00

[5] For sellers covered by column 7, see general provisions of this Appendix.

e. In Table A in paragraph (g), item 2 is added to read as follows:

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY GROWER-PACKERS, SHIPPING POINT DISTRIBUTORS, AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

(See Column 5 or 6 of Tables in Paragraph (F))[1]

Col. 1	2	3	4	5	6	7	8	9	10	11	12
			Sales by grower-packers				Sales by any person (including grower-packers) through a grower's sales agent and sales by shipping point distributors				
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or trucklots	Through a commission merchant in less-than-carlots or less-than-trucklots		Through an auction in less-than-carlots or less-than-trucklots	Direct sales (without the use of broker or any other agent)	Through a broker or salaried representative in any quantity, or through a commission merchant in carlots or trucklots	Through an auction in less-than-carlots or less-than-trucklots	Through a commission merchant in less-than-carlots or less-than-trucklots	
				Ex-dock, car or truck or terminal sales platform	Ex-store or warehouse					Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse
2	Table grapes	Riverside, Imperial Counties of California and Arizona. (Items 1-2 Table 2):									
		Lug box with a net weight of 24 pounds or more.	$0.08	$0.18	$0.40	$0.11	$0.10	$0.13	$0.21	$0.28	$0.50.
		Lug box with a net weight of less than 24 pounds, and grapes packed in all other containers or in bulk, per pound.	½ cent	¾ cent	1¾ cents.	½ cent	⅛ cent	⅛ cent	⅛ cent	1⅛ cents.	2 cents.
		All other areas (items 3-10, table 2)									
		Lug box with a net weight of 28 pounds or more.	$0.08	$0.13	$0.27	$0.08	$0.10	$0.13	$0.18	$0.22	$0.37.
		Lug box with a net weight of less than 28 pounds and grapes packed in all other containers or in bulk, per pound.	½ cent	⅛ cent	1 cent	¼ cent	¼ cent	⅛ cent	⅜ cent	⅝ cent	1¼ cents.

[1] The agents' actual charges (not to exceed the maximum allowable charges under MPR 165) shall be used instead of the mark-ups listed if the total of such actual charges lower than the mark-up shown.

f. In Table B in paragraph (g) item 2 is added to read as follows:

TABLE B—MAXIMUM MARK UPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN GROWER-PACKERS, SHIPPING POINT DISTRIBUTORS AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM DELIVERED PRICES

[See column 6 of tables in paragraph (F)][1]

Col. 1	2	3	4	5	6	7	8	9
				Sales by primary receivers in less-than-carlots or less-than-trucklots			Sales by service wholesalers delivered to premises of any retail store, Government procurement agency or institutional buyer within the free delivery zone	
Item No.	Commodity	Unit	Sales by carlot distributors[2]	Through an auction or ex-car, dock, truck or terminal sales platform	Ex-store or ex-warehouse	Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Original container and quantities in excess of ½ of original container	Half original container or less
2	Table grapes	Riverside, Imperial Counties of California and Arizona (Items 1–2, Table 2):						
		Lug box with a net weight of 24 pounds or more	$0.24	$0.31	$0.53	$0.85	$0.85	
		Lug box with a net weight of less than 24 pounds and grapes packed in all other containers or in bulk—per pound.	1 cent	1⅓ cents	2¼ cents	3½ cents	3½ cents	3½ cents.
		All other areas (items 3–10 Table 2):						
		Lug box with a net weight of 28 pounds or more	$0.20	$0.35	$0.40	$0.62	$0.62	
		Lug box with a net weight of less than 28 pounds and grapes packed in all other containers or in bulk—per pound.	⅞ cent	⅞ cent	1⅛ cents	2¼ cents	2¼ cents	2¼ cents.

[1] A carlot distributor who resells on an f. o. b. basis may add the markup named in column 4 to the maximum f. o. b. price (see column 5 of the applicable table in paragraph (F)).

[2] The column 4 markup may be used only by a person who has purchased the grapes being priced from any person other than a grower or grower-packer selling direct or through a broker and sells in unbroken carlots or unbroken trucklots. A person who has purchased the grapes being priced from a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots shall use the markups named in the applicable columns in Table A for sales by a "shipping point distributor."

This amendment shall become effective as to maximum prices f. o. b. shipping point on 12:01 a. m., August 4, 1944, and as to all other maximum prices as follows:

(1) On August 18, 1944 for all states wholly east of the Mississippi River except Illinois and Wisconsin;

(2) On August 13, 1944 for all other states except California, Oregon and Washington;

(3) On August 7, 1944 for California, Oregon and Washington.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved July 31, 1944.

MARVIN JONES,
War Food Administrator.

Pursuant to the authority vested in me by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, I hereby approve the prices established by the foregoing amendment and find that they are necessary as an aid to the effective prosecution of the war.

FRED M. VINSON,
Director,
Office of Economic Stabilization.

[F. R. Doc. 44-11572; Filed, August 2, 1944; 11:38 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 47]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15 of Maximum Price Regulation 426 is amended in the following respects:

1. In Appendix H, Table 10 in paragraph (b) is amended by adding item 8a to read as follows:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Types, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer.
•	•	•	•	•	•	•
7	Cantaloup or honeyball melons in pony crates with a net weight of 67 lbs. or more.	Pony crate.	May 1–June 25.	$2.70	Col. 5 price plus freight from El Centro, California, plus protective services stated in Table A below.	Col. 6 price plus 70¢
8			June 26–July 25.	2.25		
8a			July 26–Nov. 26.	1.80	Col. 5 price plus freight from Mendota, Calif. plus protective services stated in Table A below.	
•	•	•	•	•	•	•

2. In Table A of paragraph (e) of Appendix J item 1 in Column 3 is amended in the following respect:

a. The parenthetical statement following the word "California" and reading "(items 1–6, Tables 1, 1a)" is amended to read: (items 1–9, Tables 1, 1a).

b. The parenthetical statement following the words "All other states" and reading "(items 11–14, Tables 1, 1a)" is amended to read: (items 16–21, Tables 1, 1a).

c. The parenthetical statement following the words "All states" and reading: "(items 7–10, 15–18, Tables 1, 1a)" is amended to read: (items 10–15, 22–27, Tables 1, 1a).

3. In Appendix K subparagraph (r) (5) is redesignated paragraph (s).

This amendmend shall become effective at 10:01 a. m. August 3, 1944.

Issued this 2d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 31, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–11573; Filed, August 2, 1944; 11:35 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7580, 7425, 7583, 7759, 7774, 7934, 8148, 9066, 9090.

PART 1305—ADMINISTRATION

[Gen. RO 11,[1] Amdt. 18]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 2.4 (c) (1) (i) (ii) and (iii) are revoked, and section 2.4 (c) (1) is amended to read as follows:

(1) An applicant for replacement of rationed food used in products acquired by a naval vessel or naval activity of the United Nations (other than the United States), or by the Navy, Army and Air Force Institutes (of Great Britain) must attach to his application a receipt signed by an authorized officer or agent of the vessel, activity or agency which acquired the products, showing the nature and quantity of the products and the date of their acquisition.

This amendment shall become effective August 7, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WPB Supp. Dir. 1–E, 7 F.R. 2965; WPB Supp. Dir. 1–M, 7 F.R. 8234; WPB Supp. Dir. 1–R, 7 F.R. 9684; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 853, 9 F.R. 4319)

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–11615; Filed, August 3, 1944; 11:30 a. m.]

[1] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16840; 9 F.R. 848, 1053, 3076, 17511, 4010, 5374, 6638.

PART 1340—FUEL

[MPR 120, Amdt. 114[1]]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. In § 1340.226 (b) (1), the table of production group numbers, prices and size group numbers, is amended by adding a new production group No. 14, and prices for all size groups as follows:

Production Group No.	Prices and Size Group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
14	590	590	590	560	------	460	------	335	420	225	------	------	------	290	------

2. In § 1340.226 (b) (2), the period at the end of the paragraph is deleted and a comma and the following are added to read as follows:

, except that such prices for Production Group No. 14 shall be:

Prices and Size Group Nos.														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
510	510	510	460	------	410	------	285	270	240	------	------	------	215	----

3. In § 1340.226 (b) (3), the table of Size Group Numbers, prices and production group numbers is amended by adding a new production group, No. 14, and prices for sizes of coal, as follows:

	Prices and Production Group Nos.
Sizes of coal	14
Railroad locomotive fuel (any size not specifically listed below)	270

[1] 9 F.R. 5042, 5375, 5887.

4. In § 1340.226 (b) (4) (f), the table of production group numbers, prices and Size Group Numbers is amended by adding a new production group, No. 14, after production group No. 13 and before the word "exceptions", and by adding the prices for the Size Group Numbers as follows:

Production group number	Prices and size group numbers														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
14	590	590	590	510	------	460	------	335	420	225	------	------	------	290	------

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7580, 7425, 7563, 7759, 7774, 7834, 8148, 9066, 9090.

are revoked, and section 2.4 (c) (1) is amended to read as follows:

[1] 8 F.R. 9008, 9625, 10419, 11671, 12558, 12711, 13171, 13920, 16840; 9 F.R. 848, 1053, 3076, 17511, 4010, 5374, 6638.

Sizes of coal	
Railroad locomotive fuel (any size not specifically listed below)	270

[1] 9 F.R. 5042, 5375, 5587.

word "exceptions", and by adding the prices for the Size Group Numbers as follows:

Production group number	Prices and size group numbers															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
14	590	590	560	510	------	460	------	335	420	225	------	------	------	190	------	

5. In § 1340.226 (b) (4) (ii), the table of prices and production group numbers for railroad locomotive fuel is amended by adding a new production group, No. 14, and a price as follows:

	Price and production group numbers
	14
Railroad locomotive fuel (applicable to any size coal)	320

6. In § 1340.226 (b) new subparagraph (6) is added to read as follows:

(6) When used in this paragraph (b), production group No. 14 shall include all mines located in all counties in Texas.

This amendment shall become effective August 8, 1944.

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11616; Filed, August 3, 1944; 11:31 a. m.]

PART 1381—SOFTWOOD LUMBER

[3d Rev. MPR 219, Corr.]

NORTHEASTERN SOFTWOOD LUMBER

In section 7 (a) (4), section "10" should read section "4".

Footnote 6 to Table 1 should read "S2S & Match, S4S" instead of "S2S Match".

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11617; Filed, August 3, 1944; 11:30 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[1] Amdt. 31]

IMPERIAL COUNTY, CALIF., AND SHREVEPORT, LA.

Items 27b and 134a are added to Schedule A of the Rent Regulation for Housing to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(27b) Imperial County	California	Imperial	Mar. 1, 1943	Sept. 1, 1944	Oct. 15, 1944
(134a) Shreveport	Louisiana	Parishes of Bossier and Caddo.	July 1, 1943	Sept. 1, 1944	Oct. 15, 1944

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11618; Filed, August 3, 1944; 11:29 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[2] Amdt. 28]

IMPERIAL COUNTY, CALIF., AND SHREVEPORT, LA.

Items 27b and 134a are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5807, 5915, 6359, 6569, 6819, 7329.

[2] 9 F.R. 2165, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6569, 7329.

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(27b) Imperial County	California	Imperial	Mar. 1, 1943	Sept. 1, 1944	Oct. 15, 1944
(134a) Shreveport	Louisiana	Parishes of Bossier and Caddo.	July 1, 1943	Sept. 1, 1944	Oct. 15, 1944

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11619; Filed, August 3, 1944; 11:29 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amdt. 22]

IMPERIAL COUNTY, CALIF.

In § 1388.1341 of Designation and Rent Declaration 31, item 4 is amended and item 104 is added to read as follows:

(4) California, California. That portion of the State of California not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the County of Imperial.

(104) Imperial, California, County of Imperial.

This amendment shall become effective September 1, 1944.

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11620; Filed, August 3, 1944; 11:30 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 30]

OLEOMARGARINE AND VEGETABLE OIL IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 19, Table V is amended by changing the title of one item, by adding a new item, and by changing the prices of several items to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Oleomargarine, colored, domestic, type B	1 lb	$0.25	$0.25	$0.26
Vegetable oil, hydrogenated (shortening):				
In 50# cans and tierces	1 lb	.23	.23	.24
Type II, in 48# can	1 lb	.23	.23	.24
Type I, in 3# can	1 lb	.28	.28	.30
Type I, in 6# can	1 lb	.31	.32	.34

This amendment shall become effective as of July 24, 1944.

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11621; Filed, August 3, 1944; 11:31 a. m.]

[1] 9 F.R. 5823, 5915, 7329.

[2] 8 F.R. 6621, 8673, 9996, 11438, 12661, 13345, 14144, 15865, 17052, 16296, 16793; 9 F.R. 1398.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amdt. 39]

EDIBLE FATS AND OILS IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation 288 is amended in the following respects:

1. Subparagraph (2) of § 1418.363 (f) is amended to read as follows:

(2) The maximum prices for edible fats and oils sold at retail shall be:

	Ketchikan	Wrangell-Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova-Valdez-Seward	Kodiak	Anchorage	Palmer and points on the Alaska R. R. north of Anchorage and south of Curry	Curry and points on Alaska R. R. north of Curry, including Fairbanks	Nome
Lard:											
Armour's 1-lb. carton	$0.27	$0.27	$0.27	$0.27	$0.27	$0.27	$0.27	$0.29	$0.29	$0.31	$0.28
Armour's 2-lb. carton	.53	.53	.53	.53	.53	.54	.54	.57	.56	.61	.56
Armour's 4-lb. carton	1.04	1.04	1.04	1.05	1.05	1.07	1.07	1.13	1.13	1.19	1.11
Armour's 8-lb. pail	2.04	2.06	2.07	2.09	2.10	2.14	2.14	2.26	2.20	2.32	2.22
Carsten's 1-lb. carton	.25	.25	.25	.25	.25	.26	.26	.27	.27	.29	.27
Carsten's 2-lb. bag	.49	.49	.49	.49	.50	.50	.51	.53	.54	.57	.53
Carsten's 4-lb. carton	.97	.98	.98	.98	.99	1.00	1.02	1.05	1.07	1.13	1.04
Carsten's 4-lb. pail	1.05	1.06	1.06	1.06	1.07	1.09	1.10	1.13	1.13	1.20	1.13
Carsten's 8-lb. pail	2.00	2.00	2.00	2.00	2.00	2.08	2.08	2.13	2.16	2.28	2.16
Gibson's 1-lb. carton	.28	.29	.29	.29	.29	.29	.29	.31	.31	.33	.30
Gibson's 4-lb. bag	1.09	1.10	1.10	1.10	1.11	1.13	1.13	1.17	1.10	1.25	1.17
Gibson's 4-lb. pail	1.13	1.13	1.14	1.15	1.15	1.16	1.16	1.20	1.23	1.28	1.20
Swift's 1-lb. carton	.26	.28	.26	.26	.26	.26	.26	.28	.28	.30	.27
Swift's 2-lb. carton	.50	.50	.51	.51	.51	.52	.52	.55	.56	.59	.54
Swift's 4-lb. carton	.99	1.00	1.00	1.01	1.01	1.03	1.03	1.08	1.09	1.15	1.07
Hydrogenated shortening:											
Crisco, Spry and Snowdrift 1-lb. glass	.34	.35	.35	.35	.35	.36	.36	.36	.37	.40	.36
Crisco and Spry 1-lb. carton	.34	.34	.34	.34	.34	.35	.35	.35	.35	.37	.35
Crisco, Spry and Snowdrift 3-lb. glass	.94	.95	.95	.96	.96	.98	.98	1.00	1.00	1.05	1.05
Standard shortening:											
Fluffo, 1-lb. carton	.28	.28	.28	.27	.27	.27	.27	.28	.28	.30	.29
Fluffo, 3-lb. carton	.77	.77	.78	.78	.79	.80	.80	.83	.83	.88	.84

2. In § 1418.363 (f), subparagraph (3) following the table of prices, incorrectly designated as "(2)", is deleted.

This amendment shall become effective August 8, 1944.

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-11622; Filed, August 3, 1944; 11:32 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 346,[2] Amdt. 4]

CORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Section 20 (d) (3) is amended by adding to the list of interior barge loading points and the formula prices at such points the following:

Warsaw, Ill.	$1.14½

This amendment shall become effective August 8, 1944.

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 25, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-11623; Filed, August 3, 1944; 11:30 a. m.]

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10581, 11012; 8 F.R. 22, 567, 2158, 2445, 6064, 8844, 8184, 12549, 13166, 13305, 16514, 16626, 16627, 16865, 16966, 16793; 9 F.R. 301, 849, 1715, 2095, 2409, 4029, 4199, 4245, 4985.

[2] 8 F.R. 16606, 17512; 9 F.R. 2021, 3426, 4610.

Notices

CIVIL AERONAUTICS BOARD.

[Dockets Nos. 1360 and 1373]

BRANIFF AIRWAYS, INC. AND T. E. BRANIFF

NOTICE OF HEARING

In the matter of the applications of Braniff Airways, Inc., and T. E. Braniff for approval, under section 408 of the Civil Aeronautics Act of 1938, as amended, of the acquisition of control of Aerovias Braniff, S. A.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on September 5, 1944, at 10 a. m. (eastern war time) in Room 3237 Post Office Building, Pennsylvania Avenue between 12th and 13th Streets NW, Washington, D. C., before Examiner William F. Cusick.

Dated Washington, D. C., July 31, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11610; Filed, August 3, 1944; 10:25 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-568]

UNITED NATURAL GAS COMPANY

NOTICE OF APPLICATION

AUGUST 3, 1944.

Notice is hereby given that on July 31, 1942, United Natural Gas Company, a Pennsylvania corporation having its principal place of business in Oil City, Pennsylvania, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate approximately 37½ miles of 12¾-inch O. D. pipe line beginning at the point of delivery of gas to it near the Ellwood City compressing station of The Manufacturers Light and Heat Company in Beaver County, Pennsylvania, and extending in a northerly direction to Applicant's Mineral compressing station in Venango County, Pennsylvania.

Applicant asserts that The Manufacturers Light and Heat Company heretofore filed an application with the Federal Power Commission, Docket No. G-510, for authority to construct and operate certain facilities, which would, among other things, permit the sale and delivery of ten million cubic feet of natural gas daily to Applicant, and that on July 22, 1944, an order was entered authorizing such sale. Applicant claims that the facilities described above will be required in order that it may receive and transport such gas.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 19th day of August 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11640; Filed, August 3, 1944; 11:52 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 428]

RECONSIGNMENT OF ONIONS AT CINCINNATI, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Cincinnati, Ohio, July 31, 1944, by S. A. Gerrard Company, of car SFRD 31297, onions, now on the Pennsylvania Railroad, to Thomas Dougherty, New York, New York, via Erie.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of July 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11636; Filed, August 3, 1944; 11:49 a. m.]

[S. O. 70-A, Special Permit 429]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 1, 1944, by Pienerman & Son of car PFE 76010, cantaloupes, now on the Chicago Produce Terminal, to Joe Weiss, Detroit, Michigan, via Wabash.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11636; Filed, August 3, 1944; 11:49 a. m.]

[2d Rev. S. O. 210, General Permit 1]

REFRIGERATION OF PEACHES FROM DESIGNATED STATES

Pursuant to the authority vested in me by paragraph (f) of Second Revised Service Order No. 210 of July 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on refrigerator cars loaded with peaches originating in North Carolina, South Carolina, Virginia and West Virginia, and to fill the bunkers to capacity when initial icing or reicing such cars of peaches.

This general permit shall become effective at 6:00 p. m., August 1, 1944, and shall apply on cars loaded or rolling at that time.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11639; Filed, August 3, 1944; 11:49 a. m.]

[2d Rev. S. O. 210, General Permit 1, Amended]

REFRIGERATION OF PEACHES FROM DESIGNATED STATES

Pursuant to the authority vested in me by paragraph (f) of Second Revised Service Order No. 210 of July 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on refrigerator cars loaded with peaches originating in Alabama, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, Virginia and West Virginia, and to fill the bunkers to capacity when initial icing or reicing such cars of peaches.

This general permit shall become effective at 6:00 p. m., August 1, 1944, and shall apply on cars loaded or rolling at that time.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11638; Filed, August 3, 1944; 11:49 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3918]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

In re: Copyright interests held by certain foreign-nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11635; Filed, August 3, 1944; 11:44 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Gen. Order 46, Amdt. 1]

HEARING ADMINISTRATOR AND HEARING COMMISSIONERS

DELEGATION OF AUTHORITY

Revised General Order 46 [1] is amended in the following respects:

Paragraph (a) 1 is amended to read as follows:

[1] Issued 3–5–44, 9 F.R. 4911 (effective 3–6–44).

1. To determine whether any person has violated any regulation or order heretofore or hereafter issued by the Office of Price Administration or the Administrator pursuant to War Production Board Directive No. 1, as heretofore or hereafter supplemented, or pursuant to any Food Directive heretofore or hereafter issued to the Office of Price Administration or the Administrator, by the Secretary of Agriculture or the War Food Administrator; and upon such determination to issue such suspension orders and take such other action as may be appropriate in the premises.

This amendment shall become effective on the 7th day of August 1944.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong.; and by Pub. Law 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as supplemented; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 5, 8 F.R. 2251; Food Dir. No. 6, 8 F.R. 3471, and Food Dir. No. 7, 8 F.R. 3471)

Issued this 2d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11606; Filed, August 2, 1944; 4:31 p. m.]

[MPR 64, Order 153]

KING STOVE AND RANGE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 153 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for sales of a magazine type coal heater manufactured by King Stove and Range Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with sections 7 and 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) King Stove and Range Company, Sheffield, Alabama, may sell and deliver the model No. 160 King-O-Heat magazine coal heater which it manufactures at prices no higher than the following:

To wholesale distributors, $19.10 each in carload lots.

To wholesale distributors, $21.87 each in less than carload lots.

To retailers, $21.00 each in carload lots.

To retailers, $24.39 each in less than carload lots.

These prices are for sales and deliveries made within the area described in paragraph (e) below and include delivery to the distributor or retailer. These prices are also subject to terms, discounts, and allowances no less favorable than those granted with respect to the comparable model No. 19 King Oak heater.

(b) Any wholesale distributor may sell and deliver to retailers the model No. 160 King-O-Heat magazine coal heater manufactured by the King Stove and Range Company at a price no higher than $25.39 each. This price is for sales and deliveries made within the area described below in paragraph (e) and includes delivery to the retailer.

(c) Any person may sell and deliver at retail the model No. 160 King-O-Heat magazine coal heater manufactured by King Stove and Range Company at a price no higher than $39.50 each. This price is for sales made within the area described below in paragraph (e).

(d) At the time of or prior to the first invoice for a sale of the stove listed in this order to each purchaser for resale, on and after the effective date of this order, King Stove and Range Company, and every wholesale distributor, shall notify the purchaser, in writing, of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form. In addition King Stove and Range Company shall, before delivering any stove for which maximum prices are established by this order, attach securely to each stove a tag or label which plainly states the retail ceiling price established by this order for the particular model. This tag or label shall be attached to the front of each stove.

(e) The maximum prices established by this order are for sales and deliveries of the model No. 160 King-O-Heat magazine coal heater only within the District of Columbia and all States except Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, California, Arizona, Washington, Idaho, Utah, Nevada, Oregon, New Mexico, Colorado, Wyoming, and Montana.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 4, 1944.

Issued this 3d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc, 44–11627; Filed, August 3, 1944; 11:32 a. m.]

[MPR 188, Order 1994]

BOYPOWER, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1994 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a nest of tables manufactured by Boypower, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a nest of tables manufactured by Boypower, Inc., 1940 South Main, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Nest of tables		$17.04	$20.05

These prices are f. o. b. factory, and subject to a cash discount of one percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Nest of tables		$20.05

This price is subject to a cash discount of one percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 4th day of August 1944.

Issued this 3d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11626; Filed, August 3, 1944; 11:31 a. m.]

[MPR 188, Order 1995]

HOME BUILDING CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1995 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of utility cabinets manufactured by Home Building Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of two utility cabinets manufactured by Home Building Corporation, 4534 Main, Kansas City, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Utility Cabinet	202	$4.85	$5.71
	204	7.58	8.92

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for these sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Utility Cabinet	202	$5.71
	204	8.92

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 4th day of August 1944.

Issued this 3d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11625; Filed, August 3, 1944; 11:31 a. m.]

[2d Rev. MPR 346, Revocation of Order 2]

CORN

ADJUSTMENT OF MAXIMUM PRICES

Order revoking Order No. 2 under section 13 of Second Revised Maximum Price Regulation 346.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of section 13 of Second Revised Maximum Price Regulation 346; *It is hereby ordered:*

That Order No. 2 under section 13 of Second Revised Maximum Price Regulation 346 is herewith revoked.

This order shall become effective August 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-11624; Filed, August 3, 1944; 11:29 a. m.]

Regional and District Office Orders.

[Region VI Order G–16 Under RMPR 122, Appendix I]

Solid Fuels in Sioux Falls, S. Dak.

Appendix No. I to Order No. G–16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Sioux Falls, South Dakota.

(a) This Appendix No. I applies to domestic delivered sales and to yard sales, when the delivery is received or the yard is located within the corporate limits of the City of Sioux Falls, Minnehaha County, South Dakota.

(b) Immediately below and as part of this paragraph (b) is a price schedule which sets forth maximum prices for domestic delivered sales of specified sizes, kinds and quantities of solid fuels. When yard sales of the sizes, kinds and quantities of solid fuels specified in the price schedule below are made, the maximum prices for such sales shall be the prices established by the price schedule below for sales by direct delivery, minus 50¢ per ton.

Price Schedule

	Domestic delivered	
	1 ton	½ ton
I. Low Volatile Bituminous Coal from District No. 7 (W. Va.):		
1. Lump and Egg, Size Groups Nos. 1 & 2	$15.85	$8.20
2. Stove, Size Group No. 3 (top size larger than 1¼" but not exceeding 2"; bottom size smaller than 2")	14.35	7.45
3. Nut, Size Group No. 4 (top size larger than ¾" but not exceeding 1¼"; bottom size smaller than 1¼")	13.60	7.05
4. Pea, Size Group No. 5 (top size not exceeding ¾"; bottom size smaller than ¾")	13.10	6.80
5. Screenings, Size Group No. 9 (larger than ½" x 0" but not exceeding ¾" x 0")	12.00	6.25
II. High Volatile Bituminous Coal from District No. 8 (E. Ky.):		
1. Lump and Egg, Price Classification A and coal from Millers Creek, and Jellico seams, in Size Group Nos. 1 and 2	15.00	7.75
2. Stoker, Price Classification A, Size Group No. 10 (top size 1¼" and smaller; bottom size smaller than 1¼")	12.60	6.55
III. High Volatile Bituminous Coal from District No. 9 (W. Ky.):		
A. Sixth Seam Mines:		
1. Stoker Screenings, 1", Size Group No. 26–2S inclusive (dry dedusted screenings, top size not exceeding 3")	10.05	5.20
IV. High Volatile Bituminous Coal from District No. 10 (Illinois):		
A. Southern subdistrict, Price Group Nos. 1 and 2:		
1. Lump or Egg, Size Group Nos. 1–3 (including 6" x 3" egg)	11.45	6.05
2. Stove, Size Group No. 3 (top size 2" to larger than 1½"; bottom size smaller than 2" to larger than ¾")	10.30	5.40
V. High Volatile Bituminous Coal from District No. 14:		
A. Production Group Nos. 3 and 5 (All mines in the "Paris field" of Logan County, mines in Franklin County located in Paris Basin, and all mines in Sebastian County, Arkansas):		
1. Furnace ("lump" or "egg") Size Group 6 and 7 in Price Classification A; Size Group No. 7 in Price Classification B–E. (All double screened coals with (a) bottom size larger than 4"; or (b) top size larger than 4" and bottom size larger than 2½" but not larger than 4")	14.80	7.60
2. Lump, 10", size-group No. 1, Price Classification A (solid shot; lump screened over bar screens spaced more than ¾" apart)	14.80	7.80
3. Egg, 6" x 3", Size group No. 3, Price Classification A (All double-screened coals with (a) top size larger than 3" but not larger than 4", bottom size 2" and smaller; or (b) top size larger than 3½" but not larger than 3½" and bottom size larger than 1¾" but not larger than 3")	14.35	7.45
B. Production Group No. 1 (All mines in Pope County, all mines in the "Spadra field" of Johnson County, Arkansas):		
1. Furnace (or "Egg") size group No. 7, Price Classification A (All double-screened coals with top size larger than 4" bottom size larger than 2½" but not larger than 4")	14.40	7.45
2. Egg, Size group No. 3, Price Classification A (for screen sizes, see description for item A–4 above)	14.35	7.70
C. Production Group No. 7 (Mines in the "Bokoshe and Milton field" of LeFlore County, Oklahoma, mines in the McCurtain field of Haskell County, and all mines in Sequoyah County, Oklahoma):		
1. Furnace ("grate", "lump") in size group Nos. 6 and 7, Price Classification B (for screen sizes, see description for item V–A–1 above)	14.00	7.25
VI. Pennsylvania Anthracite: 1. Egg Stove, Nut	19.05	9.70
VII. By Product Coke	17.00	8.75
VIII. Briquettes:		
1. Standard	14.35	7.45
2. Low Volatile (made from Classification A District No. 7 low volatile coal)	15.25	7.90

Price Schedule—Continued

	Domestic delivered	
	1 ton	½ ton
V. High Volatile Bituminous Coal from District No. 14—Con.		
3. Lump, 5" size group No. 4, Price Classification C (machine-cut; lump screened over perforated plates with round holes 2½" and larger)	$14.10	$7.30
4. Egg, 5" x 3½", size group No. 8, Price Classification A (All double-screened coals with (a) top size larger than 4", bottom size 2½" and smaller; or (b) top size larger than 3" but not larger than 4", bottom size larger than 2" but not larger than 4")	14.60	7.55
5. Egg, 4" x 3", Size group No. 9, Price Classification A (All double-screened coals with (a) top size larger than 3" but not larger than 4", bottom size 2" and smaller; or (b) top size larger than 3½" but not larger than 3½" and bottom size larger than 1¾" but not larger than 3")	14.35	7.43
B. Production Group No. 1 (All mines in Pope County, all mines in the "Spadra field" of Johnson County, Arkansas):		
1. Furnace (or "Egg") size group No. 7, Price Classification A (All double-screened coals with top size larger than 4" bottom size larger than 2½" but not larger than 4")	14.40	7.45
2. Egg, Size group No. 3, Price Classification A (for screen sizes, see description for item A–4 above)	14.35	7.70
C. Production Group No. 7 (Mines in the "Bokoshe and Milton field" of LeFlore County, Oklahoma, mines in the McCurtain field of Haskell County, and all mines in Sequoyah County, Oklahoma):		
1. Furnace ("grate", "lump") in size group Nos. 6 and 7, Price Classification B (for screen sizes, see description for item V–A–1 above)	14.00	7.25
VI. Pennsylvania Anthracite: 1. Egg Stove, Nut	19.05	9.70
VII. By Product Coke	17.00	8.75
VIII. Briquettes:		
1. Standard	14.35	7.45
2. Low Volatile (made from Classification A District No. 7 low volatile coal)	15.25	7.90

(c) *Service charges.* Immediately below and as a part of this paragraph (c) is a schedule of service charges which sets forth maximum prices which a dealer may charge for the special services described, when rendered in connection with sales of solid fuel covered by this appendix. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service pursuant to such request. These service charges shall be separately stated in the dealer's invoice.

Schedule of Service Charges

	Per ton
a. Trimming	$0.75
b. Carry from curb	.75
c. Carry up or downstairs	1.00
d. Wheel-in	.50

(d) *Treatment charges.* When a dealer purchases bituminous coal directly from a producer who has added a charge for the chemical or oil treatment thereof in accordance with the applicable provisions of Maximum Price Regulation 120, that dealer, in selling that coal, may add to the applicable maximum prices set by this appendix a treatment charge in an amount not in excess of 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

(e) *Discounts for cash.* The maximum prices provided for in this appendix shall be reduced by 50¢ a ton if payment is made upon delivery or within 5 days from the date of delivery.

(f) *Definitions.* When in this appendix, reference is made to "domestic delivered sales," that term shall refer to sales by direct delivery made to private residences or to apartment buildings of 3 units or less.

This Appendix No. 1 to Order No. G–16 shall be effective July 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of July 1944.

Rae E. Walters,
Regional Administrator.

[F. R. Doc. 44–11550; Filed August 1, 1944; 4:52 p. m.]

[Region VI Order G–16 Under RMPR 122, Appendix II]

Solid Fuels in Sioux City, Iowa, Area

Appendix No. II to Order No. G–16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Sioux City, Iowa, area.

(a) This Appendix No. II applies to sales of solid fuels made by dealers in the Sioux City, Iowa, area, that area being the territory located within the corporate limits of Sioux City, Iowa, and the suburban areas of Riverside, Leeds and Morningside, Iowa, and South Sioux City, Nebraska.

(b) *Maximum prices.* Immediately below and as part of this paragraph (b) is a price schedule which sets forth maximum prices for domestic delivered sales of specified sizes, kinds and quantities of solid fuels.

(1) *Price schedule.*

	Domestic delivered to consumer	
	1 ton or more	½ ton
I. High Volatile Bituminous Coal from District No. 10 (Illinois):		
A. Southern subdistrict—Price Group Nos. 1 and 2:		
1. Lump—Size Group 1, 5" and larger	$11.80	$6.25
2. Egg—Size Group 3, including 6" x 3", 7" x 3", 8" x 3"	11.45	6.05
3. Stove—Size Group 3, including 2" x 1½"	10.95	5.60
4. Stoker Nut—Size Group 22, including ¾" to 1" x 10 mesh (treated)	10.20	5.60
II. High Volatile Bituminous Coal from District No. 12 (Iowa):		
A. Centerville subdistrict:		
1. Chunk or Lump, Size Group Nos. 1 and 2	10.10	5.35
III. High Volatile Bituminous Coal from District No. 14 (Arkansas-Oklahoma):		
A. Production Group No. 3 (Includes all mines in the "Paris field" of Logan County, Arkansas, and mines in Franklin County located in Paris Basin):		
1. Grate—Size Group 6 (All double screened coals with a bottom size larger than 4")	13.70	6.95
2. Furnace—Size Group 7 (All double screened coals with a top size larger than 4" and a bottom size larger than 2½" but not larger than 4")	14.65	7.95

	Domestic delivered to consumer	
	1 ton or more	½ ton
III. High Volatile Bituminous Coal from District No. 14—Con.		
A. Production Group No. 3—Con.		
3. Egg—Size Group 8 (All double screened coal with a top size larger than 4" and a bottom size 2½" and smaller; also all double screened coal with a top size larger than 3" but not larger than 4" and a bottom size larger than 2" but not larger than 4")	$14.85	$7.95
B. Production Group No. 5 (Includes all mines in Sebastian County, Arkansas):		
1. Lump (Machine Out)—Size Group 4 (All lump coal 2½" and larger)	15.05	8.05
2. Egg—Size Group 8 (For dimensions see III–A–3 above)	14.95	8.00
3. Nut—Size Group 11 (All double screened coals with a top size larger than 1¼" but not larger than 2½" and a bottom size larger than ¾" but not larger than 1¼")	13.95	7.30
C. Production Group No. 6 (Includes all mines in the "Panama field" of LeFlore County, Oklahoma):		
1. Lump (Machine Out)—Size Group 4 and Grate, Size Group 6 (All lump coal 2½" and larger; and all double screened coals with a bottom size larger than 4")	14.70	7.85
2. Egg—Size Group 8 (For dimensions see III–A–3 above)	14.45	7.75
IV. High Volatile Bituminous Coal from District No. 15 (Kansas, Missouri, and part of Oklahoma):		
A. Production Group No. 1 (All mines located in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kansas; and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri):		
1. Furnace or Egg—Size Group 8 (Double screened coals with a top size not larger than 10" but larger than 2" and a bottom size larger than 1¼")	10.15	5.60
2. Special Stoker—Size Group 11 (Double screened coals with a top size 1¼" and smaller and a bottom size larger than ¼" but not larger than ¾")	8.75	4.90
B. Production Group No. 3 (All mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Charlton, Schuyler, Putnam Cole, Howard, Monroe, Warren, Lincoln, Sullivan and Rails Counties in Missouri):		
1. Fancy Nut—Size Group 5 (Double screened coals with a top size not larger than 2" but larger than 2" and a bottom size larger than 1¼")	8.85	4.95
2. Standard Nut—Size Group 6 (Double screened coals with a top size not larger than 2" but larger than 2" and a bottom size 1¼" and smaller)	8.65	4.85
3. Special Stoker—Size Group 11 (For dimensions see IV–A–2 above)	8.30	4.65
4. Washed Screenings—Size Group 13 (Including 1¼" x 0 and smaller)	7.50	4.25
C. Production Group No. 10 (All mines located in McIntosh and in Okmulgee Counties, Oklahoma):		
1. Special Stoker—Size Group 11 (For dimensions see IV–A–2 above)	9.70	5.35
V. High Volatile Bituminous Coal from District No. 19 (Wyoming):		
A. Subdistrict No. 2—Rock Springs (Sweetwater and Sublette Counties):		
2. Slack and Stoker Screenings, treated, Size Group Nos. 15 and 16, including sizes 1⅜" x 0 and 1" x 0	10.80	5.90
VI. Briquettes:		
1. Berwind and Stott	16.10	8.55
2. Standard	14.00	7.80

(2) When yard sales of the sizes, kinds and quantities of solid fuels specified in the price schedule appearing in paragraph (b) (1) above are made to consumers, the maximum prices for such sales shall be the prices established by that price schedule, minus $1.00 per ton.

(3) When yard sales of the sizes, kinds and quantities of solid fuels specified in the price schedule appearing in paragraph (b) (1) above are made to resellers, the maximum prices for such sales shall be the prices established by that price schedule, minus $2.00 per ton.

(4) When commercial sales of the sizes, kinds and quantities of solid fuels specified in the price schedule appearing in paragraph (b) (1) above are made, the maximum prices for such sales shall be the prices established by that price schedule, minus 50 cents per ton.

(5) When industrial sales of the sizes, kinds and quantities of solid fuels specified in the price schedule appearing in paragraph (b) (1) above are made, the maximum prices for such sales shall be the prices established by that price schedule, minus $1.00 per ton.

(c) *Service charges.* Immediately below and as a part of this paragraph (c) is a schedule of service charges which sets forth maximum prices which a dealer may charge for the special services described, when rendered in connection with sales of solid fuel covered by this appendix. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service pursuant to such request. These service charges shall be separately stated in the dealer's invoice.

Schedule of Service Charges

	Per ton
Carry from curb	$0.55
Carry up or down stairs	.55
Double carry or wheel-in	1.10

(d) *Discounts for payment upon delivery.* The maximum prices provided for in this appendix shall be reduced by 50 cents per ton if payment is made upon delivery.

(e) *Definitions.* When used in this appendix, the following terms shall have the meanings set forth below.

(1) "Commercial sales" include the following:

(a) Sales for apartment buildings having from 3 to (and including) 6 units and having a single heating plant.

(b) Sales to business establishments using twenty-five tons or less annually.

(2) "Industrial sales" refers to sales to users of more than twenty-five tons annually.

(3) "Double carry or wheel-in" refers to the movement of fuel in those situations where the buyer's bin or storage space is so located within the building or structure, that the fuel cannot be moved from the vehicle to the bin or storage space in one operation, but must be carried or wheeled to the building, dropped within it, and must then be picked up and wheeled or carried to the bin or storage space.

This Appendix No. II to Order No. G–16 shall become effective July 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of July 1944.

Rae E. Walters,
Regional Administrator.

[F. R. Doc. 44–11551; Filed, August 1, 1944; 4:52 p. m.]

[Region I Order G–72 Under RMPR 122]

Beehive Oven Coke in Boston Region

Order No. G–72 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Beehive oven coke sold by dealers in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G–72 under Revised Maximum Price Regulation No. 122 is hereby issued.

(a) *What this order does.* This order establishes maximum prices for all sales of beehive oven coke, both fresh and reclaimed, by dealers in Region I (the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut) when such coke is sold for use as fuel, or for resale as fuel. It provides a pricing method which is to be used in place of the pricing rules which are set forth in § 1340.254 (b) of Revised Maximum Price Regulation No. 122, but all other provisions of Revised Maximum Price Regulation No. 122 remain applicable to sales by dealers of these solid fuels. The maximum prices for all sales pursuant to which the purchaser takes delivery of the beehive coke in Region I must be determined hereunder.

(b) *Maximum price.* The maximum prices for the sales and deliveries of beehive oven coke (fresh or reclaimed) described in paragraph (a) hereof shall be the sum of:

(1) The net cost, f. o. b. supplier's shipping point (exclusive of the $.04 per net ton referred to in section 11 (b) of Maximum Price Regulation No. 77, when the supplier adds that $.04);

(2) The actual transportation cost from supplier's shipping point to the dealer's yard, dock or other terminal facility, when such transportation is by common or contract carrier; or the actual cost of such transportation, not to exceed the truck common carrier rate for an identical shipment, when the dealer transports the coke in his own trucks; and

(3) The margin over delivered cost on the dealer's similar sale of Pennsylvania Anthracite most nearly like the sale of the coke for which a maximum price is being calculated hereunder, taking into account the size, use and quantity of fuel, class of purchaser, method of purchase and delivery and terms of delivery.

Provided, That when the coke is purchased f. o. b. truck and delivered directly to the purchaser, item (2) shall be eliminated and the maximum price shall be the sum of item (1) and item (3), using as item (3) the margin on a sale of Pennsylvania Anthracite which is so purchased and delivered.

(c) *Determination of margin in certain cases.* If the dealer does not himself handle Pennsylvania anthracite and so has no actual margin from his own experience for use under paragraph (b) hereof, he may nevertheless price hereunder. In such case, the margin to be used shall be determined as follows:

(1) If there is an area price order under § 1340.260 of Revised Maximum Price Regulation No. 122 which establishes specific maximum prices for the type of sale of Pennsylvania anthracite which is similar to the proposed sale of coke the margin shall be that which the dealer would obtain were he to deal in Pennsylvania anthracite.

(2) If there is no such area price order in effect, and if the dealer handles other kinds of coke from the prices of which an appropriate margin could be determined, the dealer may at his option either:

(i) Use such coke margin; or

(ii) May apply by letter to his District Office of the Office of Price Administration, stating that he does not handle Pennsylvania anthracite and giving the name and address of his most closely competitive dealer of the same class who does handle it. The District Office will then notify the dealer by letter of the margin he may use.

(3) If no margin is available from an area price order, the dealer cannot or does not wish to use the margin on another coke, and the dealer cannot find a closely competitive dealer who handles Pennsylvania anthracite, the dealer shall apply to his District Office of the Office of Price Administration stating why he is unable to price under the other provisions of this order, and a margin for his use hereunder will be supplied by letter.

(d) *Records and reports.* (1) Every dealer who prices beehive coke under paragraph (b) of this order shall preserve all invoices and other records of his purchases of said coke, and shall keep a record of all sales showing the date, the name and address of the buyer (if known), the price charged and the coke sold. The record shall also separately state each service rendered and the charge made for it.

(2) Every dealer who prices beehive coke under this order, shall within ten days after he determines or redetermines any maximum price hereunder file a report with his District Office of the Office of Price Administration containing a description of the coke, the maximum price thereof to each class of purchaser to whom it is sold and a detailed showing of the method of computation of said maximum prices, including each item entering into such computation. Separate reports must be filed for each purchase which varies in cost from any beehive coke previously reported by the dealer.

(e) *Terms of sale and charges for services.* Terms of sale and charges for services shall be those applicable to the sale of the anthracite (or, if a coke margin is used under paragraph (c) (2) (i), the coke) which is used to determine the margin to be used in calculating the maximum price under this order.

(f) *Transportation tax.* Under section 11 (b) of Maximum Price Regulation No. 77, a producer of beehive oven coke is permitted to add to his maximum price an amount not in excess of $0.04 per net ton of coke, to the extent that he incurred a tax on the transportation of coal under section 620 of the Revenue Act of 1942, and if he separately states the amount thereof in sales to purchasers other than governmental agencies. Distributors and other resellers are permitted to pass that charge on to their purchasers, either under said section of Maximum Price Regulation No. 77 or under Revised Maximum Price Regulation No. 122. Any dealer subject to this order may collect said $0.04 per net ton, in addition to the maximum prices established by this order, to the extent and in the manner provided by § 1340.265 (b) of Revised Maximum Price Regulation No. 122.

(g) *Definitions.* When used in this Order G–72, the term:

(1) "Beehive oven coke" means all coke made in beehive ovens, including beehive oven coke reclaimed from dumps.

(2) A dealer's "District Office of the Office of Price Administration" shall mean the respective District Offices in the case of dealers located in Maine, New Hampshire, Vermont, Rhode Island and Connecticut, and the Regional Office for Region I, Boston, Massachusetts, in the case of dealers located in Massachusetts.

(3) "Margin over delivered cost on the dealer's similar sale of Pennsylvania anthracite coal" shall mean the difference between (a) the dealer's maximum price of Pennsylvania anthracite of the most nearly similar size to the same class of purchaser, and (b) the total of (i) the dealer's supplier's maximum price for that anthracite (gross, before any cash or other discounts), and (ii) the actual transportation cost to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for compensator; adjustment on anthracite coal under Revised Compensatory Adjustment Regulation No. 1). In the case of beehive coke purchased f. o. b. truck at the yard of another dealer and delivered direct to the purchaser, the margin used shall be the margin available on anthracite which is so purchased and delivered. "Taking into account class of purchaser, method of delivery and terms of delivery" means, by way of illustration, that there shall be taken into consideration differences in maximum prices for sales of anthracite delivered to consumers, sold at the yard to consumers, and sold at the yard to other dealers, both equipped and unequipped; and differences in margins available on sales of anthracite purchased f. o. b. mine and received by rail or barge at the dealer's yard or dock, and on sales of anthracite purchased at the yard of another dealer and delivered to the consumer. In no case, however, shall the dealer use a margin available on a Pennsylvania anthracite coal which has a mine price higher than those set forth in § 1340.200 (a) (1) of Maximum Price Regulation No. 112, if that margin differs from his margin on anthracite which is priced under that section at the mines; nor shall he use any higher margin which is available on any separately named and priced anthracite which is priced under that section at the mines.

(4) Except as is otherwise specifically provided herein, and unless the context otherwise requires, the definitions set forth in §§ 1340.225 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Lower prices permitted.* Lower prices than those provided for herein may be charged, paid or offered.

(i) This order may be revoked, amended, or corrected at any time.

This Order No. G–72 shall become effective August 7, 1944: *Provided, however,* That it shall become effective immediately as to any dealer who elects to price hereunder prior to said date.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 29th day of July 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–11598; Filed, August 2, 1944; 1:26 p. m.]

[District of Columbia Order G–1 Under MPR 165]

LAUNDRY SERVICES IN DISTRICT OF COLUMBIA AREA

Order No. G–1 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, Services, Adjustment of laundry service prices in Washington, D. C. area.

An application for permission to increase its present maximum prices for all its laundry linen supply, dry cleaning and storage services, as established under Maximum Price Regulation No. 165, as amended, Services, has been filed with the District of Columbia District Office of the Office of Price Administration by National Laundry Company, Inc., of 21 Pierce Street, N.W., Washington, D. C., which supplies such services in the Washington, D. C. area. After due consideration of this application and other available information, it has been decided that the application should be granted in part and denied in part for the reasons set forth in the accompanying Opinion.

Accordingly, pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, Services, *It is hereby ordered:*

(a) The application of the National Laundry Company, Inc. is granted to the extent that it is permitted to increase its present legal maximum prices for all its laundry, linen supply, dry cleaning, and related services, including commercial services, by the amount of six (6%) per cent.

(b) The applicant is permitted to add to its present legal maximum price to agent drivers and retail hand laundry establishments supplied by it the percentage price increase granted to it in paragraph (a). Agent drivers and retail hand laundry establishments, any of whose laundry services are supplied by the applicant, are permited to add to their retail prices for such services one-half only of the percentage increase herein granted to their supplier, in the manner provided by paragraph (c) of this order. They shall be subject to all the other provisions of this order which are applicable to their circumstances.

(c) The percentage increases permitted to any laundry establishment by this order shall be applied only to the total amount of the bill rendered to each customer for any service afforded (as it would be computed under existing lawful maximum prices). Such increases may not be applied to individual items of service. Existing price lists shall not be altered. If the increased prices so arrived at include a fraction of a cent less than one-half, the price that may be charged shall be reduced to the next lower cent. If, however, the increased price includes a fraction equal to or more than one-half cent, the seller shall be permitted to charge the next higher cent.

(d) The applicant and any retail hand laundry establishment and any driver agent of the applicant which has been granted a price increase by this order shall give notification of such price increase as follows: (1) furnish each customer within 15 days after the effective date of this order with a statement describing its services, and specifying its lawful ceiling prices, and the percentage increase permitted it by the order; (2) file a copy of the same statement with the District of Columbia District Office of the Office of Price Administration within 15 days after the effective date of this order, together with a statement signed by a responsible official of the laundry establishment certifying that the applicant has complied with section (1) above; (3) indicate on each bill rendered the amount of the permitted increase either in terms of the percentage plus the dollar amount or in dollar amount without stating the percentage; and (4) give all new customers as acquired the same notification as hereinabove provided for existing customers.

(e) In addition, the applicant shall immediately advise its agent driver and retail hand laundry customers of the amount of permitted price increase which the latter may add to their total bills under the provisions of paragraph (c) of the order, and of the manner in which such permitted increase shall be computed.

(f) Customary allowances, discounts, or other price differentials may not be changed by any of the laundry service suppliers named or otherwise referred to in this order, unless such change results in prices lower than the prices permitted by this order, after applying the supplier's customary allowances, discounts, or other price differentials; and all laundry service suppliers named or otherwise referred to herein shall maintain all of their legal current pricing and other business practices.

(g) The applicant shall keep this order and the accompanying opinion in its establishment, together with the statement required by § 1499.108 of Maximum Price Regulation No. 165, as amended, and make them available for inspection by any person during business hours.

(h) Except as expressly provided by this order, the applicant shall remain in all respects subject to all of the provisions of Maximum Price Regulation No. 165, as amended.

(i) This order may be revoked or amended by the District Director, the Regional Administrator of Region II, or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(j) Any relief requested by the applicant not expressly granted herein is denied. To the extent that the application has been denied, the applicant may, within sixty (60) days after the date on which this order was issued, request the Regional Administrator of Region II to review such order of denial in the manner provided by Revised Procedural Regulation No. 1.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This order shall become effective June 29th, 1944.

Issued June 19th, 1944.

ROBERT K. THOMPSON,
District Director.

[F. R. Doc. 44–11597; Filed, August 2, 1944; 1:25 p. m.]

[Region III Order G–4 Under MPR 188]

SHALE AND CLAY BUILDING BRICK IN CUYAHOGA COUNTY, OHIO

Order No. G–4 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Order adjusting maximum prices for shale and clay building brick produced in Cuyahoga County, Ohio.

An opinion accompanying this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Under the authority vested in the Regional Administrator of Region III of the Office of Price Administration, by § 1499.161 of Maximum Price Regulation No. 188 and § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) (1) On and after July 26, 1944, any manufacturer located in Cuyahoga County, Ohio, producing standard size shale and clay building brick (smooth, sanded or wire cut) may increase his maximum prices established by Maximum Price Regulation No. 188 and in effect on June 14, 1943, by an amount not in excess of $3.00 per thousand on sales f. o. b. plant or delivered to destination except, however, if the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick he may convert the adjustment granted herein for standard size brick, to non-standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick.

(a) On and after July 26, 1944, any person who purchases shale and clay building brick for the purpose of resale from any manufacturer located in Cuyahoga County, Ohio, whose maximum price has been adjusted pursuant to subdivision (1) may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation in effect on June 14, 1943, by an amount not in excess of the dollar-and-cent increase in cost to him resulting from the adjustment permitted herein to producers.

(b) Every producer of shale and clay building brick, taking advantage of the adjustment permitted in this order, shall invoice his customers at prices in effect on June 14, 1943 and shall show on such invoices, separately stated, any amount charged in addition thereto under the provisions of this order.

(c) Every producer of shale and clay building brick, taking advantage of the adjustment permitted in this order, shall, with or prior to the first delivery of shale and clay building brick to any person who purchases the same for resale, advise the purchaser of the contents of paragraphs (a) (2) and (f) of this order.

(d) The maximum prices fixed herein shall be subject to at least the same extension of cash, quantity, and other discounts, transportation allowances, and the same rendition of transportation and other services as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(e) Any adjustments granted by the Office of Price Administration subsequent to June 14, 1943, and prior to July 26, 1944, adjusting maximum prices for any manufacturers located in Cuyahoga County, Ohio, producing shale and clay building brick and building tile, are hereby revoked insofar as all such orders are applicable to shale and clay building brick and building tile.

(f) Any adjustments granted by the Office of Price Administration subsequent to June 14, 1943 and prior to July 26, 1944, adjusting maximum prices for resale of shale and clay building brick and building tile purchased from manufacturers located in Cuyahoga County, Ohio, are revoked insofar as such orders are applicable to shale and clay building brick and building tile.

This order may be modified, amended or revoked by the Office of Price Administration at any time.

This order shall become effective July 26, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–11600; Filed, August 2, 1944; 1:25 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 4-84]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

ORDER TEMPORARILY PROHIBITING SOLICITATION, PENDING HEARING, AND DESIGNATING DATE FOR HEARING TO DETERMINE WHETHER SOLICITATION SHALL BE PROHIBITED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of August 1944.

The Commission having applied, pursuant to section 11 (d) of the Public Utility Holding Company Act of 1935, to the United States District Court for the District of Massachusetts, and said Court after hearing on said application having entered its decree on October 11, 1943, to enforce compliance with an order of this Commission dated July 21, 1942, directing that International Hydro-Electric System, a registered holding company, liquidate and dissolve in accordance with the requirements of section 11 (b) of the act; and said Court by said decree for the purpose of enforcement of the Commission's order of July 21, 1942 having taken and retained exclusive jurisdiction of International Hydro-Electric System and the assets thereof wherever located and having permitted International Hydro-Electric System to retain possession of its assets and to continue the operation of its business through its directors, officers and employees in accordance with its Declaration of Trust, except as otherwise provided by the decree or any subsequent decree or order thereafter entered by said Court; and

International Hydro-Electric System having filed with the Commission and with the United States District Court for the District of Massachusetts, under date of July 13, 1944, a certified copy of a resolution adopted by its board of directors as follows:

Whereas the legal custody and administration of the affairs of this Trust are now subject to the jurisdiction and control of the United States District Court, and whereas it is the consensus of opinion of this Board that in view of the present situation it is for the best interest of the administration of the Trust that no meeting of shareholders be now held, now therefore be it

Resolved: That no date now be fixed or call issued for a meeting of shareholders until further action by this Board or direction in respect thereto by the Court; and that the proper officers be authorized to file a copy of this resolution with the Court having jurisdiction and with the Securities and Exchange Commission and to incorporate notice of this action in the Annual Report to the shareholders.

and

It now appearing to the Commission that International Hydro-Electric System has not set a date or issued a call for a meeting of shareholders for the election of directors or other action of such shareholders; that the United States District Court for the District of Massachusetts has not determined or directed that any such meeting of shareholders be held; and that a certain shareholder of International Hydro-Electric System is proposing to solicit proxies and authorizations for the election of a new board of directors and has submitted pursuant to Rule U-61 of the rules and regulations promulgated under the Public Utility Holding Company Act of 1935 and particularly section 12 (e) of the act, solicitation material with a view to imminent transmission thereof to shareholders of International Hydro-Electric System; and

It further appearing to the Commission that it may be appropriate in the public interest and in the interest of investors and consumers that no person solicit or permit the use of his or its name to solicit, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, any proxy, power of attorney, consent, or authorization regarding the voting of any security of International Hydro-Electric System unless and until such time as the United States District Court for the District of Massachusetts may determine or direct that a meeting of shareholders be held for the purpose of election of directors or other action of such shareholders; and

The Commission deeming it appropriate that a hearing be held to determine whether or not it should issue an order under the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules thereunder, particularly section 12 (e) of the act and Rule U-100, prohibiting any person to solicit, or permit the use of his or its name to solicit, any proxy, power of attorney, consent, or authorization regarding the voting of any security of International Hydro-Electric System except by order of this Commission unless and until the United States District Court for the District of Massachusetts may determine or direct that a meeting of shareholders be held for the election of directors or for some other purpose, and to determine whether Rule U-61 should not be withdrawn or modified in its application to any such solicitation.

Notice is hereby given of a hearing to be held for the purpose of making this determination indicated in the preceding paragraph of this order. Said hearing will be held on August 22, 1944 at 10:00 a. m., e. w. t. in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa., in such room as may be designated by the hearing room clerk in Room 318. All persons desiring to be heard in the proceeding shall notify the Commission on or before August 17, 1944;

Notice is also given and, *It is ordered*, That pending said hearing and pending further order of the Commission after said hearing all persons are prohibited from soliciting, or permitting the use of their names to solicit, by use of the mails or any means of instrumentality of interstate commerce, or otherwise, any proxy, power of attorney, consent, or authorization regarding the voting of any security of International Hydro-Electric System unless and until the United States District Court for the District of Massachusetts may determine or direct that a meeting of shareholders be held for the election of directors or for some other purpose, and Rule U-61 shall be and hereby is withdrawn in its application to any such solicitation; and

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice; and

It is further ordered, That the Secretary of this Commission shall serve a copy of this order by registered mail on all parties and participants in the proceeding entitled "In the Matter of the Application of the Securities and Exchange Commission to Enforce Compliance with an Order under section 11 (b) of the Public Utility Holding Company Act of 1935 with Respect to International Hydro-Electric System" being Civil Action No. 2430 in the United States District Court for the District of Massachusetts.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11611; Filed, August 3, 1944; 10:56 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 156

Washington, Saturday, August 5, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR 1944 DOMESTIC BEET SUGAR CROP

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.17g *Determination of proportionate shares for farms in the domestic beet sugar area for the 1944 crop.* The proportionate share for the 1944 crop for each farm in the domestic beet sugar area shall be the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1944 crop season. (Sec. 302, 50 Stat. 910; 7 U.S.C. 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 3d day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-11645; Filed, August 3, 1944; 3:26 p. m.]

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR 1945 MAINLAND CANE SUGAR CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.26g *Proportionate shares for the mainland cane sugar area for the 1945 crop*—(a) *Farm proportionate share.* The proportionate share for the 1945 crop for each sugarcane farm in the mainland cane sugar area shall be the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1945 crop season.

(b) *Tenant and sharecropper protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) above, eligibility for payment of any producer on the farm shall be subject to the following conditions:

(1) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producers any payment to which tenants or sharecroppers would be entitled if their 1944 leasing or cropping agreements were in effect.

(2) That such producer shall not have interfered with any contracts entered into by tenants or sharecroppers for the sale of their sugarcane or their share of the sugarcane produced on the farm.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 3rd day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-11646; Filed, August 3, 1944; 3:26 p. m.]

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR 1945 SUGARCANE CROP IN HAWAII

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.36h *Proportionate shares for sugarcane farms in the Territory of Hawaii for the 1945 crop*—(a) *Farm proportionate share.* The proportionate share for each farm in the Territory of Hawaii for the 1945 crop shall be the

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

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Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1945.

(b) *Adherent planter protection.* The provisions of this determination shall be subject to the following conditions:

(1) That no changes in the planter-plantation sugarcane and sugar production relationship shall have been made, and

(2) That no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Branch, Office of Distribution, and the Chief of the Agricultural Adjustment Agency, acting either jointly or severally.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 3d day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–11647; Filed, August 3, 1944; 3:26 p. m.]

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR 1944–1945 SUGARCANE CROP IN PUERTO RICO

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.46e *Proportionate shares for sugarcane farms in Puerto Rico for the 1944–45 crop*—(a) *Farm proportionate share.* The proportionate share for each farm in Puerto Rico for the 1944–45 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the 1944–45 crop season.

This determination supersedes the "Determination of Proportionate Shares for Sugarcane Farms in Puerto Rico, Pursuant to the Sugar Act of 1937, as Amended," issued December 31, 1942, insofar as that determination related to proportionate shares for the 1944–45 crop.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 3d day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–11648; Filed, August 3, 1944; 3:26 p. m.]

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR 1945 SUGARCANE CROP IN THE VIRGIN ISLANDS

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.50c *Proportionate shares for sugarcane farms in the Virgin Islands for the 1945 crop*—(a) *Farm proportionate share.* The proportionate share for each sugarcane farm in the Virgin Islands for the 1945 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on the farm and marketed (or processed by the producer) for the extraction of sugar during the 1945 crop.

(b) *Tenant and sharecropper protection.* The provisions of this determination are subject to the following conditions:

(1) That no change shall have been made in the leasing or cropping agreements for the purpose of, or which shall have the effect of, diverting to any producer, any payments to which tenants or sharecroppers would be entitled if the 1943–44 leasing or cropping agreements were in effect.

(2) That there shall have been no interference by any producer with contracts entered into by tenants or sharecroppers for the sale of their sugarcane.

(c) *Designation of agent.* The Chief, or the Acting Chief, of the Sugar Branch of the Office of Distribution, and the Officer in Charge of the San Juan Office of the Agricultural Adjustment Agency, or the Acting Officer in Charge thereof, are hereby designated to act, jointly or severally, as agents of the War Food Administrator in administering the provisions of this determination.

(Sec. 302, 50 Stat. 910; 7 U.S.C., 1940 ed. 1132; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 3d day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-11649; Filed, August 3, 1944; 8:26 p. m.]

PART 802—SUGAR DETERMINATION

FARMING PRACTICES FOR 1945 SUGAR CANE CROP IN VIRGIN ISLANDS

Determination of farming practices to be carried out in connection with the production of sugarcane during the 1945 crop year in the Virgin Islands, pursuant to the Sugar Act of 1937, as amended.

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.55c *Farming practices to be carried out in connection with the production of sugarcane during the 1945 crop year.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to any farm in the Virgin Islands if the tops and trash cut from the sugarcane during the 1945 harvest season are applied to the land from which the sugarcane is harvested.

(Sec. 301, 50 Stat. 910; 7 U.S.C. 1940 ed. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C. this 3d day August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-11644; Filed, August 3, 1944; 8:26 p. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 14, Rev. Supp. Order 6]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW SHEET METAL WATER WELL CASING

Supplementary Order No. 6 (8 F.R. 16776) to War Food Order No. 14 (formerly Food Production Order No. 14) (8 F.R. 17456, 9 F.R. 4319, 7739) is hereby revised and amended in its entirety to read as follows:

§ 1202.451 *Purpose of this supplementary order.* This supplementary order explains the procedure to be followed in rationing new sheet metal water well casings (which are rationed farm equipment as defined in War Food Order No. 14) for agricultural use and it also sets forth the requirements of the rationing program which are of special importance to persons desiring such equipment. This supplementary order should be read in conjunction with War Food Order No. 14 which establishes the general rationing program, and which contains definitions of certain terms used herein.

§ 1202.452 *Scope.* This supplementary order deals with new sheet metal water well casing manufactured for farm use (Item No. 218, War Production Board Order No. L–257, as amended (9 F.R. 7924, 7930).) Such casing is rolled from sheet metal and welded or riveted into sections of casing. This supplementary order does not deal with standard water well casing fabricated by pipe mills.

§ 1202.453 *Transfer of water well casing for agricultural use.* (a) No person other than a Federal agency shall make a transfer or accept a transfer of new sheet metal water well casing for agricultural use, except pursuant to a purchase certificate issued by a county farm rationing committee: *Provided, however,* That no purchase certificate shall be required when the transfer is for an amount of casing with a retail price of $100.00 or less and such casing is all that is needed for one well.

(b) If an application is approved, a purchase certificate shall be issued to cover the full amount of casing needed for one well. No purchase certificate will be issued, however, for this purpose unless the applicant can show to the satisfaction of the county farm rationing committee that he has or will have pumping and power facilities necessary to operate the well in which the casing is to be used.

§ 1202.454 *Transfers to Federal agencies and for non-agricultural use.* (a) Purchase certificates will not be issued to Federal agencies for new sheet metal water well casing. If a Federal agency wants such casing for agricultural use in the United States, it must obtain a written authorization from the Director. If a Federal agency wants such casing for non-agricultural use, or for export, it must comply with War Production Board Order No. L–257, as amended, or L–257a, as amended (9 F.R. 6218), and any other applicable War Production Board regulations.

(b) If any person other than a Federal agency wants new sheet metal water well casing for non-agricultural use, he must comply with War Production Board Order No. L–257, as amended, and any other applicable War Production Board regulations.

§ 1202.455 *Manufacturers' reports.* Each manufacturer of new sheet metal water well casing shall, on or before October 10, 1944, January 10, 1945, April 10, 1945, and July 10, 1945, submit a written report to the Director, setting forth the quantity (in pounds of steel) of such casing transferred by him into each State during the three calendar months preceding the month in which the report is made. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

§ 1202.456 *Communications.* All communications concerning this supplementary order shall, unless otherwise directed, be addressed to the Director of the Office of Materials and Facilities, War Food Administration, Washington 25, D. C., Ref.: WFO 14, Supp. 6.

§ 1202.457 *Incorporation into War Food Order No. 14.* This Supplementary Order No. 6 shall be added to and become a part of War Food Order No. 14, and any violation of this Supplementary Order No. 6 shall be deemed to be a violation of War Food Order No. 14.

(54 Stat. 676, 55 Stat. 236, 56 Stat 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-11642; Filed, August 3, 1944; 8:26 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 54-4, Amdt. 3]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, issued by the Acting Director of Distribution on May 1, 1944 (9 F. R. 4675), as amended, is further amended as follows:

By deleting the provisions of § 1401.179 (b) and inserting, in lieu thereof, the following:

(b) *Percentages of dried skim milk to be set aside.* Each person who is required to set aside dried skim milk pursuant to the provisions of WFO 54 shall set aside in the calendar months of August and September 1944, (1) a quantity of spray dried skim milk equal to 60 percent of all spray dried skim milk produced by such person during each such month, and (2) a quantity of roller-dried skim milk equal to 35 percent of all roller dried skim milk produced by such person during each such month.

This order shall become effective at 12:01 a. m., e. w. t., August 1, 1944. With respect to any violation of said War Food Order No. 54-4, as amended, rights accrued, liabilities incurred, or appeals taken thereunder, prior to the effective time of this amendment, said War Food Order No. 54-4 shall continue in full force and effect for the purpose of sustaining any suit, action or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 54, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319)

Issued this 3d day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-11643; Filed, August 3, 1944; 3:38 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 317]

NORTHEAST AIRLINES, INC.

NONCOMPLIANCE WITH PILOT REQUIREMENTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to Northeast Airlines, Inc., for the route between Boston, Massachusetts, and Montreal, Province of Quebec, Canada.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of August 1944.

The following Special Civil Air Regulation is made and promulgated to become effective August 15, 1944:

Any first pilot listed in Northeast Airlines, Inc., operating certificate on July 1, 1944, who was listed in Northeast Airlines operating certificate on May 31, 1942, as qualified to operate in scheduled air transportation between Boston, Massachusetts, and Montreal, Province of Quebec, Canada, via Manchester and Concord, New Hampshire, and Montpelier and Burlington, Vermont, will be deemed competent to pilot aircraft in scheduled air transportation on this route upon completion of two one-way trips one of which must be made between one hour after sunset and one hour before sunrise. Each pilot must have made at least one landing at each scheduled stop on the route.

(52 Stat. 984, 1007; U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11666; Filed, August 4, 1944; 10:22 a. m.]

[Regs., Serial No. 318]

STUDENT PILOTS

NONCOMPLIANCE WITH AGE REQUIREMENTS

Noncompliance with the age requirements of § 20.100 of the Civil Air Regulations.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of August 1944.

The following Special Civil Air Regulation is made and promulgated to become effective August 1, 1944:

Any person who is at least 15 years of age and who is listed in the records of the Institute of Aviation Psychology—National Research Council, University of Tennessee, Knoxville, Tennessee, as a trainee in an experimental course of specialized flight instruction may be issued a limited student pilot certificate subject to the following provisions:

(a) Such person shall adhere to all the Civil Air Regulations except as above provided;

(b) Such person shall pilot aircraft in solo flight only when and to the extent authorized by the Institute of Aviation Psychology—National Research Council, University of Tennessee.

This regulation shall terminate on June 15, 1945.

(52 Stat. 984, 1007; U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11667; Filed, August 4, 1944; 10:22 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51106]

LANDING OF HALIBUT CATCH IN ALASKA BY CANADIAN VESSELS

WAIVER OF PROVISION GOVERNING VESSELS EMPLOYED IN COASTING TRADE FOR FISHERIES[1]

AUGUST 2, 1944.

Section 4311 R. S. (46 U.S.C. 251) waived to extent necessary to permit Canadian halibut fishing vessels to land catch of halibut in Alaska.

[1] Affects § 4.96.

Upon the written recommendation of the Secretary of State and by virtue of the authority vested in me by section 501 of the Second War Powers Act, 1942 (Public Law 507, 77th Congress), I hereby waive compliance with the provisions of section 4311 R. S. (46 U.S.C. 251) to the extent necessary, for the duration of the calendar year 1944, to permit Canadian fishing vessels engaging in the North Pacific halibut fishery only to land their catch of halibut in ports of entry in Alaska upon compliance with the applicable customs laws. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-11668; Filed, August 4, 1944; 10:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

[Administrative Order 49]

PART 800—ORDERS AND DELEGATIONS OF AUTHORITY

APPEARANCES OF EMPLOYEES AND FORMER EMPLOYEES AS REPRESENTATIVES OF THIRD PERSONS

JULY 18, 1944.

§ 800.79 *Appearances of employees and former employees as representatives of third persons*—(a) *Purpose.* The purpose of this order is to regulate appearances before the Foreign Economic Administration of employees and former employees as representatives of third persons.

(b) *Prohibition against appearance of employees and former employees before the Foreign Economic Administration.* No individual shall appear or be permitted to appear before the Foreign Economic Administration as the agent, attorney or representative of any person, if such individual:

(1) Is, or at any time within one year prior thereto was, a full-time or part-time, compensated or uncompensated officer or employee of the Foreign Economic Administration or any of its predecessor or constituent agencies; or

(2) Has at any time been officially associated with the specific case or matter to which such appearance relates, as a full-time or part-time, compensated or uncompensated officer or employee of the Foreign Economic Administration or any of its predecessor or constituent agencies.

(c) *Special exceptions.* Notwithstanding the prohibition contained in paragraph (b) hereof, any officer specially designated for the purpose by the Administrator may, in exceptional cases and upon receipt of a sworn written application setting forth the facts, grant to a former officer or employee disqualified under paragraph (b) (1) written permission to appear before the Foreign Economic Administration on behalf of another person for a specific or limited purpose, where in his opinion such permission is necessary to prevent an injustice or unnecessary hardship.

(d) *Definitions.* As used herein:

(1) The term "person" means any individual, corporation, partnership, association or any other organized group or body of persons, however designated, but shall not include the United States or any department or agency thereof or any foreign government.

(2) The words "appear before the Foreign Economic Administration" mean (i) the submission of applications for export licenses, release certificates, or other documents required to be filed with the Foreign Economic Administration, or the execution of same; (ii) conferences or other communication with officers or employees of the Foreign Economic Administration for the purpose of soliciting or expediting approval by the Foreign Economic Administration of applications for export licenses, release certificates or other documents pertaining to matters within the jurisdiction of the Foreign Economic Administration; (iii) participation with officers or employees of the Foreign Economic Administration in the preparation, negotiation or execution of contracts pertaining to any matter within the jurisdiction of the Foreign Economic Administration; (iv) participation in any proceeding pending before the Foreign Economic Administration involving the requisitioning of property in behalf of the United States or involving charges of violation of the Act of July 2, 1940, as amended (Export Control Law), or the rules and regulations adopted thereunder.

(e) *Effective date.* This order shall take effect immediately.

LEO T. CROWLEY,
Administrator.

[F. R. Doc. 44-11641; Filed, August 3, 1944; 2:14 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 933—COPPER

[Conservation Order M-9-c, as Amended May 26, 1944, Amdt. 4]

Section 933.4 *Conservation Order M-9-c* is hereby amended as follows:

(a) By amending paragraph (g) (2) to read as follows:

(2) *Insect screening.* This order does not restrict the sale or delivery of used or second-hand insect screening. However, no person shall sell or deliver to any one person more than 50 sq. ft. of any other copper or copper base alloy insect screening unless the sale or delivery is made to: (i) A jobber, wholesaler or retailer; (ii) the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation); or (iii) any person upon specific authorization of the War Production Board. Applications for specific authorization shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C., Ref: M-9-c. Nothing contained in this paragraph (g) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening with copper products or copper base alloy products under paragraph (a) and the combined list. (See the item "insect screening" under the heading "Miscellaneous" on the combined list.)

(b) By changing the item on the combined list under the heading "Building Supplies" which now reads:

Doors, door and window frames and sills and parts excluding door handles and knobs. For door handles and door knbs, see under the heading "Hardware".

to read as follows:

Doors, windows, door and window frames and sills and parts excluding door handles and knobs. (This does not prohibit the use of copper or copper base alloy insect screening to make or repair screen doors or window screens if the only copper or copper base alloy used is insect screening). For door handles and knobs, see under the heading "Hardware". For prohibition on manufacturing of copper or copper base alloy insect screening, see "Insect screening" under the heading "Miscellaneous" on this list.

(c) By adding at the end of the list of articles enumerated in paragraph (g) (3), the following:

Gold filled and rolled gold plate governed by Direction 2 to Order M-199.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11679; Filed, August 4, 1944; 11:31 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, as Amended Aug. 4, 1944]

FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77 *General Limitation Order L-292*—(a) *Definitions.* For the purpose of this order:

(1) "Processor" means any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution, including the operation of a food processing plant on a farm. It does not include (i) a person to the extent that he engages in the production or raising of crops, livestock, or other farm produce; or (ii) a person to the extent that he prepares food for consumption on the premises (such as a hotel or restaurant), or distributes it at retail (such as a grocery or retail meat market); or (iii) governmental agencies processing food for governmental use, hospitals, charitable institutions processing food for their own use, or educational institutions.

(2) "Food processing machinery" means new machinery and equipment, of the kinds specified in Schedule A with a retail sales value of $50 or more for each machine or piece of equipment, excluding (i) refrigerating machinery and equipment as defined in Limitation Order L-38, (ii) machinery and equipment used on a farm for production of food or tobacco or on a fishing vessel for handling food, prior to delivery to a processor, (iii) scales and balances as defined in limitation Order L-190, (iv) conveying machinery as defined in Limitation Order L-193, (v) machinery and equipment used for packaging, filling or labelling containers, except as otherwise indicated in Schedule A, (vi) oil processing machinery and equipment used in processing animal, fish and vegetable fats, oils and greases, and (vii) water filters as water-treating equipment.

(3) "Manufacturer" means any person engaged in the making or assembling of food processing machinery; and includes his subsidiaries and affiliates in the same business.

(4) "Dealer" means any person except a manufacturer engaged in the business of buying and reselling food processing machinery.

(5) "Approved order" means any order for delivery (under sale, lease, consignment or otherwise) of food processing machinery bearing (i) a rating of AA-5 or higher assigned on any WPB Form listed in paragraph (c) or (ii) a CMP Regulation 5 or 5A rating applied to replace an existing piece of machinery of substantially the same size and capacity, worn out or damaged beyond repair.

(b) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of food processing machinery except on an approved order. Any person who places an approved order shall in addition to the certification used in applying the rating (Priorities Regulation 3 or 7) give the form number upon which he received the rating, or if the rating was assigned by CMP Regulation 5 or 5A, he shall add to the certification a statement substantially as follows: "This rating was assigned by CMP Regulation 5 (or 5A) and the machinery is ordered to replace other machinery of substantially the same size and capacity, worn out or damaged beyond repair."

(2) The restrictions of subparagraph (1) above shall not apply to: (i) deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace in in-

ventory machinery delivered by him to fill approved orders, (ii) delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commission, or War Shipping Administration, or (iii) delivery to a manufacturer of food processing machinery to be incorporated into other food processing machinery.

(c) *Instructions for obtaining an approved order other than pursuant to a CMP Regulation.* (1) Processors seeking food processing machinery for delivery within the United States or Canada, in order to get a rating should file:

(i) Form WPB–617 with the War Production Board for any food processing machinery which is to be installed as part of a project approved under Order L–41.

(ii) Form WPB–748 with the War Food Administration for all other dairy, egg or poultry processing equipment.

(iii) Form WPB–576 with the War Food Administration for all other canning machinery or equipment.

(iv) Form WPB–3155 with the War Food Administration for all other meat canning, meat packing and meat processing machinery or equipment.

(v) Form WPB–541 with the War Production Board for any other food processing machinery.

(2) All persons, other than processors, seeking any food processing machinery for delivery within the United States or Canada should file Form WPB–541 with the War Production Board.

(3) All persons, including processors, seeking any food processing machinery for export by them to other than Canada should file Form WPB–541 with the War Production Board.

(d) *Restrictions on manufacture.* No manufacturer shall make or assemble any new food processing machinery or equipment of the kinds listed on Schedule B except as permitted by production quotas assigned under paragraph (f) of this order. The limitations and restrictions of this paragraph shall not apply to the manufacture of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were made before June 5, 1943.

(e) *Conservation of critical materials.* No person shall use stainless steel or tin, copper or copper base alloys, secondary copper-nickel alloys (white metal) made from scrap or remelt, nickel or chromium, in the manufacture or assembly of any food processing machinery except in contact parts or corrosion points. (As used herein "contact parts" means those parts which come in direct contact with any food products. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.) These restrictions on the use of materials shall not apply to repair parts for food processing machinery produced before June 30, 1943, if parts made of other material would not be interchangeable with the parts to be repaired or replaced. This paragraph also does not restrict the use of copper and copper-base alloys in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers.

(f) *Production quotas.* The War Production Board may at any time issue schedules as amendments to this order, fixing production quotas for certain types of food processing machinery. From the effective date of any such schedule no manufacturer may carry on production except as permitted by the schedule or schedules applicable to the food processing machinery made or assembled by him. The reference to "quota provisions of paragraph (g) (2) (ii) of Order L–292" in schedules issued by the War Production Board before March 11, 1944 shall, for the purpose of such schedules, mean this paragraph (f) of Order L–292.

(g) *Miscellaneous provisions.*—(1) *Reports.* On or before the 20th day of each calendar month, each manufacturer shall file a report on Form WPB–2721. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L–292.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery" under paragraph (a) (2).

1. Baking and macaroni processing machinery and equipment. This term includes all preparation and processing machinery and equipment, and slicing and wrapping machinery used in commercial bakeries.

2. Brewing and winery machinery and equipment, including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, freezing, and fresh packing of fruits, vegetables, fishery products including fishery by-products) and all other human or animal food. It also includes preparation machinery and equipment used for dehydrating such foods. It does not include (i) preparation equipment for meat and meat products (ii) home canning and home dehydrating equipment (iii) container sealing and closing and jar capping machines (iv) refrigerating equipment, and (v) steam jacketed kettles regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, as governed by Limitation Order L–182. (Machinery for filling, labeling and casing dehydrated foods is covered by Order L–332.)

4. Coconut shredding and processing equipment.

5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.

6. Confectionery machinery and equipment.

7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, eggs and poultry, including bottling, bottle capping and bottle labeling machinery and equipment and wrapping machinery but excluding (i) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (ii) machinery or equipment covered by the provisions of Limitation Order L–257.

8. Flour, grain, feed milling and processing machinery and equipment and seed cleaning equipment.

9. [Deleted Nov. 22, 1943]

10. [Deleted Mar. 11, 1944]

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes power-driven disc and blade saws (of fractional horsepower or more), band saws (1 horsepower or more), slicers (1 horsepower or more), and grinders (1 horsepower or more), and all other machinery and equipment used in the preparation and processing of meat products, filling, labelling and casing machinery, except (i) home canning equipment, (ii) container sealing and closing and jar capping machines, and (iii) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labelling machinery and equipment but excluding refrigeration machinery and equipment.
13. Sugar processing machinery and equipment.
14. Tobacco processing machinery and equipment, including wrapping machinery.
15. [Deleted Mar. 11, 1944]

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless specifically provided for under the terms of paragraph (f).
1. [Deleted Mar. 11, 1944]
2. [Deleted Mar. 11, 1944]
3. All coconut shredding and processing equipment.
4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated coffee.
5. All confectionery machinery.
6. [Deleted Mar. 11, 1944]
7. [Deleted Mar. 11, 1944]
8. [Deleted Mar. 11, 1944]
9. [Deleted Mar. 11, 1944]
10. [Deleted Mar. 11, 1944]
11. [Deleted Mar. 11, 1944]
12. [Deleted Mar. 11, 1944]
13. [Deleted Mar. 11, 1944]
14. Tobacco processing machinery and equipment, including wrapping machinery.

SCHEDULE C

[Deleted Mar. 11, 1944]

SCHEDULE D

[Deleted Mar. 11, 1944]

INTERPRETATION 1

FOOD PROCESSING MACHINERY

Paragraph (a) (5), in defining "approved orders" for food processing machinery, includes orders bearing a preference rating of AA-5 or higher assigned on certain specified forms (WPB-617, 576, 748, etc.). These forms in some cases call for the name and address of the supplier.

In these cases, the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-per-minute dairy can washer costing $1000 may not be used to get a 6-can-per-minute can washer costing $2500. Similarly, a rating for a copper lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited. [Issued March 31, 1944.]

INTERPRETATION 2

FOOD PROCESSING MACHINERY

In accordance with paragraph (f) of General Limitation Order L-292, as amended, certain quota schedules have been established limiting the amount of controlled materials which may be used in manufacturing certain classes of food processing machinery during a specified quota period. The quota is a percentage of the average annual amount of such material consumed during a specified base period. The percentage applies to each controlled material (steel, copper or aluminum) separately. No part of the percentage of one controlled material shall be added to the total percentage of another. However, the permitted percentage of a particular controlled material may be divided in any way between the several categories of such material. For example: where a manufacturer is permitted to consume during the quota period 110% of the average annual amount of steel and copper he consumed during the base period, he is not permitted to apply part or all of his steel quota to his copper quota and thereby exceed his copper quota of 110%. However, he may consume during the quota period such amount of carbon steel and such amount of alloy steel as he chooses provided the aggregate does not exceed 110% of the average annual amount of steel consumed during the base period. This rule is subject to the restriction of any order of the War Production Board against the use of a higher grade or larger quantity of material than is necessary (for example, see paragraph (c) (1) of Order M-9-c, dealing with copper). [Issued April 3, 1944.]

[F. R. Doc. 44-11680; Filed, August 4, 1944; 11:31 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 23]

Interpretation 23 is amended to read as follows:

Definition of steel. The word "steel" as used in CMP regulations has the same meaning as "steel" as defined in Order M-21, as amended from time to time, except that it includes only those forms and shapes listed in Schedule I of CMP Regulation No. 1.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11682; Filed, August 4, 1944; 11:31 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Interpretation 3 as Amended Aug. 4, 1944]

PURCHASE OF LUMBER UNDER ORDER L-335

The following interpretation is issued with respect to CMP Regulation 9A:

(a) A repairman using lumber on a construction job he does for another person is not entitled to certify his lumber orders that he places with lumber suppliers. Under Order L-335, which governs the distribution of lumber, a contractor doing construction for another person is not considered the consumer of the lumber that he uses. The person for whom the construction work is being done is considered the consumer of the lumber and he is the one that is entitled to place the certification on the lumber order that the contractor places with his supplier. This provision also applies to a repairman that does construction work for another person. Construction means the putting up, altering or repairing of any sort of a structure including a building, road, bridge, dam, sewer and similar jobs. It also includes the installation of equipment or fixtures in such a structure. A consumer may authorize the contractor or repairman to act as his agent in certifying a lumber delivery order and in such a case the contractor or the repairman signs the required certification "as duly authorized official" of the consumer. The contractor does not use his rating but the rating of the person for whom the construction work is being done. Even though a repairman may himself have a rating he cannot use it to get lumber for that construction job. After August, the effective date of Order L-335, repairmen placing orders for lumber required on construction jobs they do for other persons must either certify as agents for the persons for whom they do the work or have their lumber order certified by such persons. Lumber distributors have been allocated a small amount of lumber for civilian repairs and maintenance work and this lumber can be sold on uncertified and unrated orders. Repairmen may buy that type of lumber from lumber distributors the same as any other person, but only a limited amount of such lumber is available to distributors.

(b) A repairman doing other repair which is not construction, may use the CMP-9A rating and the certification under paragraph (q) (1) of L-335 to get lumber needed for such repairs, provided he does not get more than 50,000 board feet a calendar quarter for all purposes (except construction). In such a case, he should apply on Form WPB-3640.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11681; Filed, August 4, 1944; 11:31 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317 as Amended Aug. 4, 1944]

FIBRE SHIPPING CONTAINERS; MANUFACTURE AND USE

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of fibre shipping containers for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.6 *Limitation Order L–317—(a) "Fibre shipping container".* For purposes of this order, the term "fibre shipping container" means the following items:

(1) Any box, crate, case, basket, inner carton, hamper or sleeve in set-up or knock-down form which is made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: trunks, luggage, or military locker boxes; fibre cans, tubes or drums. It also does not include combination wood-and-fibre shipping containers consisting of fifty per cent or more wood (by area).

(2) Any solid fibre (.045 or heavier) or corrugated fibre sheet or any corrugated fibre roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container manufacturing industry as "sheet plants" for their use in manufacturing fibre shipping containers. It also does not include corrugated or solid fibre sheets produced for delivery to cleated box manufacturers for use in manufacturing shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(3) Any solid fibre (.045 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled).

(b) *"User".* The term "user" means any person who uses fibre shipping containers for the shipment or delivery of materials in connection with his business.

(c) *"Containerboard content".* The term "containerboard content" means the amount of solid fibre (.045 or heavier) or corrugated fibre containerboard in a fibre shipping container. This amount is computed both in terms of weight and in terms of square feet.

Manufacture and Delivery Prohibitions

(d) *General.* No person shall manufacture or deliver any new fibre shipping container which he has reason to believe will be used or accepted in violation of any provision of this order. No person shall deliver any new fibre shipping container (including "reshippers" defined in paragraph (m)) to any user except the Army or Navy unless the user furnishes with each purchase order a certification, signed as provided in Priorities Regulation 7, in substantially the following form:

> The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L–317 of the War Production Board, and that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of that order.

If the user places a rated order, instead of the foregoing certification he may add to the certification of the rating (paragraph (v) of P–146) the following sentence: "The undersigned also certifies that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of Order L–317". The person receiving either certification shall be entitled to rely on it as a representation of the user unless he knows or has reason to know that it is false. The standard certification in Priorities Regulation 7 may not be used instead of the certification required by this paragraph.

(e) *Prohibited types (Schedule I).* No person shall manufacture, from solid fibre (.045 or heavier) or corrugated fibre, any container of the types listed in Schedule I of this order.

Use Prohibitions

(f) *Prohibited uses—(1) Schedule II.* Schedule II of this order lists certain products which may not be packed in new fibre shipping containers and certain other products which may not be packed in less than specified quantities, in new fibre shipping containers. No user shall accept or use any new fibre shipping container for any product in violation of Schedule II. This restriction does not apply to (i) containers used for wholesalers' or retailers' deliveries (as defined in Schedule III of this order), (ii) empty containers used by the Army or Navy, or (iii) containers which are quota exempt under paragraph (t) below.

(2) *Carlining.* No person shall use in the shipping of any product any new solid fibre (.045 or heavier) or corrugated fibre sheet or roll as carlining except where needed for door-blocking. When such sheet or roll is used for door-blocking, only the necessary practicable minimum quantity shall be used.

(g) *V-boxes.* No user shall use any new V-box for packing any product except for delivery against military or Lend-Lease orders which specify that V-boxes be used. No user shall accept delivery of any V-boxes unless he has reason to believe that he will need them for the use permitted in this paragraph. The restrictions of this paragraph shall not apply to empty V-boxes used by the Army and Navy. The term "V-boxes" means shipping containers of the types designated as V–1, 2 and 3, in Army Specification O. Q. M. G. No. 93, dated December 2, 1942, and of the similar types described in Navy Department Specification 53B11 (INT.) and in Food Distribution Administration Specification 1742–C.

Quota Restrictions

(h) *Quota products (Schedule III).* Schedule III of this order lists certain products, and certain types of container uses. Beginning as of October 1, 1943, users are permitted to accept delivery of or use only a limited amount of new fibre shipping containers for packing any of the listed products (or for any of the listed uses), during each 3-month period (exclusive of amounts which are quota-exempt under paragraph (t) below). The limited amounts are called "quotas". The 3-month periods are called "quota periods". As explained below, there are two types of quotas—"footage quotas" and "tonnage quotas".

(h–1) [Deleted Aug. 4, 1944.]

(i) *Quota restriction.* During any 3-month quota period, the total containerboard content of the new fibre shipping containers accepted or used by any user for packing any Schedule III product (or for any Schedule III use) shall exceed neither his footage quota nor his tonnage quota. Quotas are to be computed in accordance with the next five paragraphs below. (The restrictions of this paragraph shall not apply to empty containers used by the Army or Navy or to containers which are quota-exempt under paragraph (t) below).

(i–1) *General rules pertaining to quota computations—(1) Interchanging of quotas.* Quotas are not interchangeable as between separately listed Schedule III items. However, where several products are included within the same Schedule III item (as for instance "CDGS–651–Jewelry, Toilet Sets, Cigarette Holders, etc.—50%") the user may distribute his quota for that item among those products as he sees fit. In computing his quota for any Schedule III item (other than "retailers' or wholesalers' deliveries" as defined in Schedule III) the user must not include in his base, the amount of containerboard used during the base period for packing any Schedule II product which is included in the item.

(2) *Quota bases.* It will be noted that alternative quota bases may be selected under paragraphs (j) through (m). A user must use the same quota base for all purposes, for the same Schedule III item. For instance, he cannot use the corresponding calendar quarter of the base year for figuring his footage quota under paragraph (j) and twenty-five per cent of the entire base year for the purpose of figuring his tonnage quota for the same item under paragraph (k). Likewise a user may not change his method of computing his quota in the course of any calendar year except that he may switch from the quarterly to the calendar year base for the third and fourth quarters of 1944; *Provided,* That he does this for both quarters.

(j) *Computing footage quotas.* A user's "footage quota" for any calendar quarter for any Schedule III item (or use) shall be computed by applying the quota percentage listed in Schedule III for that item (or use) to either of the two following bases at the user's option:

(1) The containerboard content (in terms of square feet) of the new fibre shipping containers, used by him during the corresponding three-month period in 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

(2) Twenty-five per cent of the containerboard content (in terms of square feet) of the new fibre shipping containers used by him during all of 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

(k) *Computing tonnage quota.* A user's "tonnage quota" for any calendar quarter for any Schedule III item (or use) shall be computed by applying the quota percentage listed in Schedule III for that item (or use) to either of the two following bases at the user's option:

(1) The containerboard content (in terms of weight) of the new fibre shipping containers used by him during the corresponding three-month period in 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

(2) Twenty-five per cent of the containerboard content (in terms of weight) of the new fibre shipping containers used by him during all of 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

In the case of a Schedule III item, the amount resulting from the computation required by this paragraph may be increased to the extent permitted in the next paragraph.

(l) *Minimum-pack allowance.* In order to take advantage of this paragraph a user must waive the privilege, given to him by paragraph (i–1) of this order, of distributing his quota for an item among the several products included in the item as he sees fit. He must distribute his quota (both footage and tonnage) among those products in exactly the same proportion as he did during the base period he has selected. If he does this, and if his tonnage quota for any particular product (within the item) is not enough for a "minimum pack" of that product, his tonnage quota for that product is increased to the extent needed for a "minimum pack". However, the footage quota for that product is not increased.

"Minimum pack" means the amount of a particular Schedule III product (within an item) packed in new fibre shipping containers by the user, during the corresponding three-month period of the base year applicable to that product (or twenty-five per cent of the amount so packed during the entire base year if he has chosen this base for his tonnage and footage quotas) multiplied by the quota percentage listed in Schedule III for that product.

(m) *Adjustments for "reshippers".* For quota purposes, "reshippers" shall be treated as though they were new fibre shipping containers. Accordingly, the containerboard content of all reshippers used by a user during the corresponding quarter of the base year (or twenty-five per cent of that used by him during the entire base year if he has chosen this method of computing his footage and tonnage quotas) for packing the products included in a Schedule III item may be included in figuring his footage and tonnage quotas for that item (paragraphs (j) and (k) above). Likewise, the containerboard content of all reshippers accepted or used by a user during any quota period for packing the products in any Schedule III item shall be charged to his footage and tonnage quotas for that item. The term "reshippers" means new fibre shipping containers in which empty inner containers (such as glass jars, cans, etc.) are shipped to a packer and which are then used by the packer for shipping or delivering inner containers packed by him with some product. Paragraph (d) prohibits any person from delivering reshippers to any user unless the user furnishes with each purchase order the certification required by that paragraph.

Packing specifications

(m–1) *Packing specifications for certain products—Schedule IV.* Schedule IV lists products which may only be packed in new fibre shipping containers in accordance with the provisions of that schedule. No user (except a "small user"—see paragraph (s)) shall pack those products in new fibre shipping containers except in accordance with those provisions.

Furthermore, no user shall use for packing any Schedule IV item, any new fibre shipping container of a style or design requiring the use of more containerboard, per unit packed, in its manufacture than those he most commonly used for that item during the season when he last packed it. The only exceptions to this paragraph (m–1) are the following:

1. Until September 1, 1944, any fibre shipping container which was in process of manufacture on or before August 4, 1944 may be used to pack any Schedule IV product without regard to the provisions of that schedule or of this paragraph.

2. The provisions of this paragraph and those of Schedule IV do not apply to the use of fibre shipping containers to make deliveries to the Army, the Navy, the Maritime Commission, the War Shipping Administration or any United States agency making Lend-Lease purchases, when packaging specifications received in connection with such deliveries require deviations from the standards set forth in that schedule.

3. The provisions of this paragraph and of Schedule IV do not apply to the use of empty containers by the Army or the Navy.

Inventory Restrictions

(n) *Inventory restrictions.* No person shall accept delivery of, or have set aside for his account, any containers which will increase his inventory of unfilled new fibre shipping containers (including those held by others for his account as well as those he has on hand) to more than his maximum permitted inventory. He may figure his maximum permitted inventory in either (but not both) of two ways—"over-all" basis or "individual-item" basis.

(o) *Over-all basis.* On the over-all basis, his maximum permitted inventory of all sizes and types shall be no more than a combined total of 1½ carloads.

(p) *Individual-item basis.* On the individual-item basis he figures a separate inventory for each "container item class." In each class he figures how many he will need to meet his reasonably anticipated requirements in the next 30 days (as restricted by a quota on Schedule III, if any). If that is more than 1200 complete sets of that class his inventory for that class is his 30-day requirement; if not, it is 1200. The total of all his classes figured in this way will be his maximum permitted inventory, which he may divide among his several sizes and types as he sees fit. A "container item class" includes all new fibre shipping containers of the same or similar sizes and types currently being used by him. (A variation in size or type which does not make a container unsuitable for shipping the same amount of a product in substantially the same shape and form shall not be considered as representing a different size or type.)

(q) *Seasonal-foods and military exceptions.* The 30 day supply maximum in paragraph (p) above shall not apply to requirements for packing seasonal foods or to the Army's or Navy's requirements for empty new fibre shipping containers. Instead the "practicable minimum working inventory" provision in § 944.14 of Priorities Regulation 1 (and Interpretation 1a of that regulation) shall apply in those cases.

Multiple-Unit Organizations

(r) *Multiple-unit organizations.* Any user who uses new fibre shipping containers at more than one place may choose to apply the quota and inventory restrictions and the percentage specifications of Schedule IV of this order either to the operations of each place separately or to the collective operations of all his places. The same choice as to the inventory restrictions is available to any container-distributor who deals in new fibre shipping containers at more than one place. After making his choice, no person shall thereafter change it unless authorized by the War Production Board. Any user or container-distributor organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single user or distributor for the purposes of this paragraph.

Exceptions and Exemptions

(s) *Small-user exception.* The quota restrictions of paragraph (i) and the packing specifications of paragraph (m–1) above do not apply to any user during any calendar year in which he accepts no more than a total of $500 worth (cost price to him) of new fibre shipping containers for all products (whether or not on Schedule III or IV).

(t) *Use and quota exemptions for certain government orders.* The use prohibitions of paragraph (f) above and the quota restrictions of paragraph (i) above do not apply to new fibre shipping containers which are used by any user (whether a manufacturer or a distributor) for delivering any product to any of the following persons or which are used by any user for delivering any product to be redelivered by another party (without further processing, fabrication, or incorporation into any other product, exclusive of wholesalers' and retailers' minor finishing or decorative operations as mentioned in Schedule III) to any of the following persons:

(1) The U. S. Army or Navy (exclusive of post exchanges or ship's service departments located within the 48 states and the District of Columbia).

(2) The Maritime Commission; the War Shipping Administration; or to other persons pursuant to authorization by the Maritime Commission on Form WPB–646 (formerly PD–300).

(3) Any U. S. agency making Lend-Lease purchases.

New fibre shipping containers used for those purposes may be regarded as being in addition to the user's quota for the product involved.

(u) *Exceptions for stocks in transit or on hand.* Any user may use for the purpose for which he acquired them any new fibre shipping containers which were in his possession or which were in transit to him on or before October 11, 1943. In the case of any product added to Schedule II after that date he may use for that product the containers which he had acquired or which were in transit to him for that product on or before the date on which the item was added to the schedule. These exceptions are subject to the quota restrictions of paragraph (i).

Miscellaneous Provisions

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(w) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L–317.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—PROHIBITED TYPES OF CONTAINERS

Paragraph (e) of Order L–317 prohibits the manufacture of the following types of containers from solid fibre (.045 or heavier) or corrugated fibre.

a. Bottle and can carry-outs
b. Counter boxes
c. Display-shippers
d. Laundry boxes and laundry shells
e. Retail gift boxes

SCHEDULE II—PROHIBITED USES

[NOTE: Schedule II amended 8–4–44.]

Pursuant to paragraph (f) of Order L–317, users' acceptance or use of new fibre shipping containers for packing the products listed below (or, where specified below, for packing less than a specified quantity of certain products listed below) is prohibited. Some exceptions from this prohibition are allowed in paragraphs (t) and (u) of the order. In addition, paragraph (f) specifies that its prohibition does not apply to containers used for wholesalers' or retailers' deliveries (as defined in Schedule III). However, new fibre shipping containers so used for any product below must be charged to the wholesaler's or the retailer's over-all quota under Schedule III.

a. Paper products:
  Catalogues.
  Magazines, including house organs.
  Posters.
  Punch boards.
b. Fresh fruits and vegetables, except apples, grapes, limes, mushrooms, pears and rhubarb.
c. Building Materials:
  Building brick (except glass brick).
  Cement—except household.
  Corks—except pipe coverings and insulation board.
  Flooring, wood, molding, mopboards, trim and wainscoting.
  Insulation board, rigid (except insulating tile and panel and cork insulation board.
  Non-rigid insulation—(except blocks, batts, blankets, and formed and/or metal-encased insulation)
  Plaster—cement, lime, gypsum (this does not include dental, orthopedic, and industrial-mold grades)
  Sash and doors, except glazed, not finished further than primed
  Shingles (except asbestos siding shingles and asphalt shingles which are on Schedule III)
  Tile—except acoustical, asphalt, and glazed or unglazed floor, wall or facing tile
d. Textiles (except clothing):
  Awnings
  Blankets and comforters—less than 6 per package
  Carpets and carpeting
  Mattresses—less than 4" thick
  Rugs
  Tents
  Waste wiping rags
e. Hardware:
  Buckets and pails—wood or metal (except metal pails manufactured solely for use as dairy and milk pails and except porcelain-enameled pails)
  Cans—refuse, garbage
  Garden and farm tools, 18" or more in length—including but not limited to: Hose, rakes, shovels
  Handles, 18" or more in length—including but not limited to: shovels, picks, axes, etc.
  Wash tubs—wood or metal
f. Glass products:
  1-pt. home canning jars—less than 24 per case

g. Horticultural items:
Bulbs
Ornamental shrubs
Seeds (flower)
h. Miscellaneous:
Advertising displays of all kinds, including but not limited to floor, window and counter displays, dispenser type displays and sign boards.
Athletic uniforms
Ball bats
Baskets—wicker, splint, etc.
Bridles
Brooms and broom handles, except as listed on Schedule III.
Charcoal—except activated carbon
Coal
Cones—fir or pine
Fertilizers
Furniture—lawn and porch (except glass parts)
Furniture—unfinished, set-up (except glass parts)
Horse collars
Hose—rubber and fabric, except wire inserted
Ironing boards
Ladders
Linoleum and printed floor coverings—rugs and rolls
Mops—except oil mops
Nuts: unshelled, except soft shelled English Walnuts (of Mayette, Willson Wonder, Klondike, Bijou, and Momnoth Mayette varieties), Schley Pecan and Non-pareil Almonds.
Peanuts, unshelled
Peat moss
Playground equipment—wood, metal
Rope, string and twine
Saddles
Trunks (in carload lots)
Whips and crops

Schedule III—Products and Uses Subject to Quotas

[Note: Schedule III amended 8-4-44.]

Paragraph (i) of Order L-317 places quotas on the amount of new fibre shipping containers (including reshippers as defined in paragraph (m) of the order) that may be accepted or used for packing the products or for the types of uses listed below. The percentage listed opposite the item is to be used in figuring the quotas. The base year is 1942, unless another year is specified in the schedule, for example, "Mirrors (1943)". As explained in paragraphs (i-1) through (m), alternative bases (100 per cent of the corresponding three-month period in the base year or twenty-five per cent of the entire base year) may be selected for quota computations.

Code numbers in front of some items (for example, CDGS-429 Batteries: dry cell) refer to the code numbers on the Official CMP Product List set out in "Products and Priorities" published monthly by the War Production Board, the latest copy of which may be found in any War Production Board office or obtained from the United States Government Printing Office. Each such item covers every product listed under that code number and group name in the list. In order to find out whether any product is covered by a code number, follow the directions in the front of "Products and Priorities". The restrictions of this order apply to the product even though it may not contain copper, steel or aluminum (controlled materials). An asterisk indicates that there is no code number for the product.

Quotas must be computed and kept separately for each separately listed item in this Schedule. They may not be transferred from one such item to another. However, where a listed item covers several different products (as is the case with most code numbered items and some asterisked items) quotas may be computed for the item as a whole and distributed among the various products within the item as the user sees fit. For further rules which must be followed in figuring and making charges against quotas, see paragraphs (h) through (m).

The products listed below do not include repair parts, which are not restricted by the order.

Note: Items marked with an asterisk cover products that are not covered by code numbers.

Restricted Products

Code	Product	Quota
		Percent
(*)	Adhesives, household: including but not limited to glue, paste, etc.	70
PLUM-586	Air (warm) distribution equipment: registers, smoke pipe, ducts, 1943	70
(*)	Albums, scrap books, diaries, drawing books, cutouts	60
(*)	Amusement equipment: automatic phonographs and gaming machines as defined in L-21, pool and billiards	80
(*)	Animal proprietary drug remedies	80
CDGS-424	Appliances, cooking or heating; commercial electric	70
CDGS-425	Appliances, cooking or heating; domestic electric	60
CDGS-426	Appliances, not cooking or heating; commercial electric (1943)	70
CDGS-627	Appliances not cooking or heating: domestic electric (except flat irons)	60
(*)	Art supplies	70
(*)	Artificial fruit, flowers and plants	60
(*)	Athletic equipment and sporting goods not otherwise listed on Schedule II or III	70
(*)	Automotive polish, waxes and cleaners	70
CDGS-675	Baby carriages and other baby conveyances	70
(*)	Bags: school, shopping	60
TEX-907	Baskets, hampers: canvas	85
CDGS-429	Batteries: dry cell	80
CDGS-543	Bed springs and inner-spring mattresses	60
CDGS-694	Beds, couches: dual sleeping and seating equipment	70
CDGS-657	Bells and gongs: not electric	70
(*)	Beverages: distilled spirits, as defined in Schedule VI of Order L-103-b	70
(*)	Beverages: malt, as defined in Schedule VI of Order L-103-b	70
(*)	Beverages: wines	70
(*)	Beverages: non-alcoholic, as defined in Schedule VI of Order L-103-b	70
(*)	Books	70
TEXT-679	Brushes, floor sweeps, brooms: wire, bristle (synthetic and natural), fibre, broomcorn, hair, fabric (except those listed in Schedule II)	70
CORK-721	Building material accessories, asbestos (except as otherwise listed)	80
BLDG-723	Building products: non-metallic: metal reinforced (except items on Schedule II)	80
BLDG-705	Building products: sheet metal	80
BLDG-700	Building products: wire fabricated	80
LUMB-743	Buildings: prefabricated wooden	80
(*)	Building products and materials not otherwise listed, except cork insulation board	80
PLUM-591	Burners: gas conversion: domestic	80
PLUM-592	Burners: oil: domestic	(*)
(*)	Calendars, blotters	80
(*)	Candles	70
(*)	Cases: for personal use for holding such articles as combs, files, knives, toilet sets, manicuring sets, and spectacles (not shipping containers or luggage)	60
CDGS-685	Castiron ware	80
(*)	Chewing gum	80
(*)	Chinaware, glassware, porcelainware, plasticware, woodenware, clay and pottery-ware (for food preparation and serving): including but not limited to plates, dishes, cups, saucers, bowls, platters, baking dishes and pitchers (except tumblers other than cut, footed or stem)	70
	baking dishes, and pitchers	70
(*)	China, glass, porcelain, wooden, plastic, clay and pottery-ware (not for food preparation and serving), including but not limited to vases, pots, statues, decorative products, and art products (but not including scientific, laboratory, hospital and industrial ware, or shades and reflectors, lantern globes and lamp chimneys)	80
(*)	Cleaning preparations—household, including but not limited to: polishes, waxes, bleaches, bluing, laundry starch, water softening compounds, cleaning compounds, wall paper cleaner, glass cleaner, deodorants, toilet bowl cleaner and drain pipe solvents	80
CDGS-654	Clocks, watches, chronometers (except alarm clocks)	70
CONT-640	Closures: metal: not home canning: and crowns: metal: not beverage: for glass containers	85
(*)	Clothing and clothing accessories (not otherwise listed), including but not limited to suits, overcoats, topcoats, raincoats, shirts, ties, gloves (except rubber), overshoes (except rubber), underwear, socks, stockings, dresses, blouses, bedroom slippers, belts, garters, veils, hats, hose, mufflers, scarfs, aprons, slips, brassieres, work clothes, but excluding safety clothes and shoes as defined in Order L-114	70
(*)	Combs	70
PLUM-609	Controls: combustion, heat generation and distribution: not industrial, 1941	70
PLUM-579	Convectors: heating: steel, copper or aluminum	80
PLUM-582	Cooking equipment: commercial; not electric	85
CDGS-544	Cots, bunks, berths, metal: not shipboard	70
CONT-623	Crowns: metal: beverage	85
(*)	Cushions, pillows, stuffed stools, hassocks and ottomans	60
CDGS-648	Cutlery	70
CDGS-110	Cycles: power: not motorcycles	85
(*)	Decalcomanias and transfers: except industrial	80
(*)	Dentifrices	70
PLUM-474	Dishwashing and glass washing machinery: commercial	85
BLDG-701	Doors, windows, metal, metal clad: not shipboard, transportation vehicle	70
CDGS-660	Emblems, pin tickets, tags: not military (1943)	70
CDGS-684	Enamelware (except hospital enamelware as defined in Order L-30-b)	70
(*)	Feathers and cotton batting: packed for domestic use	70
TOOLS-664	Files and rasps	85
CDGS-583	Flashlight cases and portable electric lanterns: incandescent	70
(*)	Floor covering: including mats, pads and runners, except items on Schedule II	70
(*)	Flowers and plants: cut or potted	60

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
CDGS-653	Food preparation and serving fixtures, equipment, appliances: commercial: not cooking	85
(*)	Food products (each product listed is a separate "item." The quotas are not interchangeable):	
	Bakery goods, such as crackers, pretzels, cookies, cakes, bread	100
	Beans, peas and lentils: dried edible	90
	Beans, with or without pork (from dried beans) (1941)	45
	Beverage compounds, concentrates and syrups including but not limited to drink powders and soft drink concentrates	80
	Butter	80
	Caviar	40
	Cereals	100
	Coffee, tea and spices (1941)	85
	Confectionery	80
	Corn meal	90
	Dessert products	85
	Dried fruits	100
	Filling, pie and cake	85
	Flavorings	85
	Flour (except home baking mixes)	100
	Food coloring	85
	Horseradish	80
	Macaroni	90
	Marshmallow and marshmallow cream	85
	Mustard	80
	Noodles	90
	Oleomargarine	100
	Pectin	90
	Popcorn—candied and otherwise, except unpopped	85
	Popcorn, unpopped	80
	Potato chips	85
	Puddings	85
	Relishes	80
	Rice	90
	Salad Dressings	80
	Salt (for all purposes)	80
	Spaghetti	90
	Sugar	80
	Vermicelli	90
	All other foods, except fishery products, dairy products, meat and meat products (which are controlled by Schedule IV), poultry, eggs and fresh fruits and vegetables (that is, fruits and vegetables not previously preserved) which are packed in a container and are preserved by the medium of heat or freezing	85
PLUM-667	Furnaces: warm air	85
CDGS-645	Furniture: wooden, except as listed in Schedule II	70
(*)	Furniture: not otherwise listed	70
CDGS-683	Galvanized ware and nonmetal coated metal articles: buckets, tubs, wash boilers, fire shovels, funnels, storage cans, pails, not garbage pails (except those listed in Schedule II)	85
CDGS-682	Galvanized ware and nonmetal coated metal articles: garbage pails, garbage cans, ash cans, except those listed in Schedule II	85
(*)	Games and toys, including masquerade accessories, playing cards, dice, sleds, children's vehicles, children's playing equipment, dolls, toy furniture and all other articles and devices defined as games and toys in Limitation Order L-81	80
(*)	Greeting cards and illustrated post cards, as defined in Order L-269	80
(*)	Hair tonics, shampoos and hair dressing preparations	60
BLDG-706	Hardware, builders	70
BLDG-708	Hardware: casket, furniture, ladder, locker, luggage, refrigerator, hose fittings, not fire hose or flexible metal hose, screw eyes, and other bright wire goods	75
PLUM-694	Heating facilities: low pressure steam and hot water	85
PLUM-685	Heaters, (Unit) and unit heating ventilators: not direct fired	80
PLUM-696	Heaters: water: not electric	60

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
TEXT-662	Hooks, eyes, slide and snap fasteners, buckles, buttons, miscellaneous apparel and shoe findings	70
(*)	Ink, all types	70
(*)	Incense, odor neutralizers: except industrial	60
(*)	Insecticides, fungicides, disinfectants and other pest control compounds. This does not include preparations for pest control on crops, fowl or animals (except pet), nor compounds specifically prepared for use in governmental projects	80
(*)	Insulation, building: tile, panels, blocks, bats, blankets, formed insulation, metal encased insulation (except as otherwise listed in Schedule II)	70
CDGS-651	Jewelry, toilet sets, cigaret holders, etc	80
(*)	Lace and ribbon	80
CDGS-637	Lamps and lanterns: liquid fuel	85
CDGS-638	Lamps: portable electric: incandescent: not industrial bench machine or physiotherapy	80
(*)	Leather: goat, kid, cabretta; kangaroo	70
(*)	Leather: all other	50
PRIN-212	Looseleaf binders and parts	70
(*)	Luggage as defined in Limitation Order L-284	60
CDGS-665	Marking devices	70
(*)	Matches	70
(*)	Mattresses: (except as listed in Schedule II)	60
BLDG-741	Millwork: woodwork (except as listed in Schedule II)	70
CDGS-666	Mirrors (1943)	80
CDGS-670	Morticians goods	85
SERV-647	Motion picture projection equipment: 35 MM	70
CDGS-671	Musical instruments (as defined in L-37-a)	80
TEXT-715	Nails and tacks: cut nails made from tack plate, wire shoe nails, non-ferrous nails, tacks	85
CDGS-668	Needles: domestic	70
CDGS-672	Office supplies	70
(*)	Ornaments—made of glass, plastic, pottery, china, metal, wood, paper, or leather (except those listed in Schedule II or III)	80
(*)	Paper or paper products not otherwise listed in Schedule I, II or III, except component parts of industrial products, condenser tissues, closures, inner-containers, cups and dishes	70
(*)	Paint, varnishes, roof coatings and cements. This item includes but is not limited to pigmented oil or oleoresinous: ready mixed, semipaste or paste, white lead in oil, colors in oil, pigmented or clear lacquers, resin emulsion paste, caseinpaste, vegetable protein paste; casein and calcimine paints in dry form or other paints and paint materials in dry form	70
(*)	Party and festivities materials; including but not limited to: favors, tallies, horns, masquerade supplies, party napkins, score pads, place cards, decorative paper dishes and holders, crepe paper, crepe paper products, banners, flags, streamers, decorations, festivity costume supplies	80
CDGS-673	Pens and pencils	70
(*)	Pet foods: dry (except proprietary drug remedies)	50
(*)	Pet furnishings: including but not limited to dog collars, muzzles, blankets, food serving utensils, treated bones, and beds, except those listed in Schedule II	50
PRIN-220	Photo-engravings	85
CDGS-648	Photographic equipment, accessories: not 35 mm motion picture projection equipment	70
(*)	Pictures, plaques, tapestries, mountings, folders	80
CDGS-664	Pins: common, safety	70
CDGS-661	Pins: Hairpins, bobbie pins, and hair curlers (1943)	70
BLDG-708	Plastering bases and plastering accessories	70
PLUM-671	Plumbing fixture fittings and plumbing fixture trim	70

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
PLUM-670	Plumbing: sanitary ware, 1943	70
(*)	Pocketbooks and all types of purses, billfolds, handbags (not luggage), pocket notebooks, key holders, identification holders, and other personal flat goods not otherwise listed in Schedule III	60
(*)	Printing and publishing products except products otherwise listed in Schedules II and III	70
PRIN-226	Printing trades machinery and equipment	85
PLUM-610	Pumps: low pressure heating	85
PLUM-660	Radiators: cast iron	60
CDGS-660	Razor blades	80
CDGS-649	Razors: not electric (1943)	70
(*)	Records: phonograph	50
CDGS-630	Refrigerators: ice: domestic (1943)	10
(*)	Sanitary tissue products: toilet tissue, towels, napkins (plain), facial tissue, sanitary napkins and medicinal tissue	85
BLDG-704	Screen cloth: insect: metal	70
(*)	Shades (cloth or paper) and shade rollers; window and door	60
(*)	Shaving creams and soap	70
(*)	Shingles and siding, asbestos and asphalt	70
(*)	Shoes (except rubber)	85
(*)	Shoe polish, cleaners, creams, dressings, dyes and preservatives	70
CDGS-652	Silverware: plated (1943)	70
CDGS-653	Silverware: sterling	80
(*)	Smoking accessories, not otherwise listed in Schedule III	80
(*)	Soap, except industrial and shaving	80
(*)	Souvenirs, novelties and pennants (not otherwise listed in Schedules II or III)	80
(*)	Sponges: natural or artificial, except industrial	60
CDGS-677	Sporting goods: except those listed in Schedule II; not mechanical rubber goods	70
CDGS-666	Staples and staplers: cohered staples and rolls of wire for hand operated stitchers: staple driving tackers: hand or foot operated stapling devices: hand operated stitchers	70
PLUM-681	Stoves and ranges, cooking: domestic: not electric, 1941	60
PLUM-684	Stoves, heating: domestic: not electric, 1941	60
PLUM-693	Stokers: grate area 36 feet or less	70
CONT-716	Strapping and seals: metal: round, flat	85
PLUM-696	Tanks, hot water storage	80
(*)	Tape, gummed, gummed-cloth, paper or seal: over 500 ft. rolls	80
(*)	Textile, household: covers, draperies, curtains, mats, doilies, pads, ironing board covers	60
(*)	Textiles, household: sheets, pillow cases, towels, work rags, napkins, table cloths, dish cloths, blankets, quilts, comforts	70
(*)	Tobacco and tobacco products	75
(*)	Toilet articles and equipment (other than toiletries and cosmetics), including, but not limited to, manicuring, hair fixing, massage and bathing, except articles otherwise listed in Schedule III	60
(*)	Toiletries and cosmetics: including but not limited to perfume, make-up, lotions, skin food, hair remover, manicuring preparations, astringents, deodorants, hair bleach and dye, face and body powder except products otherwise listed in Schedules II or III	60
BLDG-645	Tools: edge	85
BLDG-646	Tools: hand: not mechanics hand service: Except those listed in Schedule II	85
TOOLS-647	Tools: mechanical: hand	85
CDGS-656	Traps and cages: animal, bird, and insect except as listed in Schedule II and except mouse and rat traps	70
CDGS-674	Umbrellas and parasols	80
CDGS-691	Utensils: aluminumware: household, kitchen (1943)	70
CDGS-659	Utensils: kitchen and household: miscellaneous	80
(*)	Wall paper	70

Restricted Uses	*Quota (percent)*
Wholesalers' deliveries	70
Retailers' deliveries: mail, express and common carrier	70
Retailers' deliveries: other than mail, express and common carrier	60

These "restricted uses" items relate only to deliveries made by persons who have not produced the products delivered nor done any fabrication or processing work on them other than minor finishing or decorative operations usually performed by wholesalers and retailers (such as assembly of knocked-down furniture, monogramming of linen and jewelry, alteration of clothing). "Retailers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at retail. "Wholesalers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at wholesale. The quota for each type of use represents the maximum total amount of containers which can be so used for all products (whether or not listed in Schedule III). The quota takes the place of a separate quota for each Schedule III product.

SCHEDULE IV—PACKING SPECIFICATIONS

TABLE I—SPECIFICATIONS OF FIBRE SHIPPING CONTAINERS (SOLID OR CORRUGATED) PERMITTED FOR PACKING MEAT AND OTHER PACKING HOUSE PRODUCTS

A user may choose to limit himself to a quota of 85 per cent of his 1943 new fibre shipping container usage (computed in accordance with paragraphs (h) through (m) of this order) for packing all of the products listed in this table. If he does this, he need not pay any attention to the rest of this schedule; but can pack said products in fibre shipping containers of any "specification" and size he sees fit. Users must decide, once and for all, whether they will limit their usage of fibre shipping containers under this paragraph or under the balance of this table; for they may not change from one method of operation to another.

Subject to the preceding paragraph and the exceptions listed in paragraph (m–1) of this order, the products listed below may only be packed in fibre shipping containers in accordance with the provisions of this table. The provisions listed under "Class A" apply to all shipments from processing or manufacturing units to units other than retail stores, and the provisions listed under "Class B" apply to all shipments to retailers from processing or manufacturing units. Except where otherwise specified, listed percentages and other provisions of this table are applicable to each class separately.

Unless an exception is provided in Column 7, the products listed in this table may not be shipped in new fibre shipping containers in any amounts except those listed for the product in Columns 1 and 4. Likewise they may not be packed in new fibre shipping containers exceeding the maximum specifications in Columns 2 and 5. However, solid fibre containers may be substituted for corrugated wherever the former have an equivalent or lower Mullen test than those of the specified corrugated containers. (In this connection, attention is called to Direction 2 to Order M–290 which restricts the manufacture of solid fibre containers.)

No containerboard interior packing or fittings may be used except as specifically indicated in Column 7.

Percentage figures appearing in Columns 3 and 6 mean that no more than the indicated percentage of the amount of the affected product which a user packs in new fibre shipping containers during the period between August 4 and September 30, 1944, and during each calendar quarter after that, may be packed in new fibre shipping containers of the capacity and specifications to which the percentage applies. Attention is called to various exceptions from this table set forth in paragraph (m–1) of Order L–317. Percentages should be computed without regard to any shipments made in accordance with these exceptions.

"Specifications" indicate the Mullen test and type of containerboard which may be used. "COR" means corrugated fibre. "F" means solid fibre.

FRESH AND FROZEN PORK

Product	Class A—Branch house, wholesale, and jobbers shipments				Class B—Direct shipments to retailers				
	(1) Capacity		(2)	(3)	(4) Capacity		(5)	(6)	(7)
	Minimum weight of contents	Maximum gross weight including container	Maximum specifications	Percent of production	Minimum weight of contents	Maximum gross weight including container	Maximum specifications	Percent of production	Exceptions
					Pounds	*Pounds*			
Pork loins	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited					
Butts	50 pound	65 pound	275-pound cor or 200-pound F	do					
Shoulders	50 pound	65 pound	275-pound cor or 200-pound F	do					
Hams	50 pound	65 pound	275-pound cor or 200 pound F	do					
BRT hams	50 pound	65 pound	275-pound cor or 200-pound F	do					
Picnics	50 pound	65 pound	275-pound cor or 200-pound F	do	15	20	125-pound cor		
Fresh bellies	50 pound	65 pound	275-pound cor or 200-pound F	do	30	40	175-pound cor		
Spareribs	30 pound	40 pound	175-pound cor	50 percent	50	65	275-pound cor or 200-pound F	Unlimited	None.
Spareribs	50 pound	65 pound	275 pound cor or 200-pound F	Unlimited					
Pork feet	30 pound	40 pounds	175-pound cor	50 percent	90	120	350-pound cor or 275-pound F		
Pork feet	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited	110	150	350-pound F		
Pork tails	30 pound	40 pound	175-pound cor	50 percent					
Pork tails	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited					
Pork hocks	30 pound	40 pound	175-pound cor	50 percent					
Pork hocks	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited					
Neck bones	50 pound	65 pound	275-pound cor or 200-pound F	do					
Trimmings and boneless shoulders	110 pound	180 pound	350-pound F	do					
Tenderloins	10 pound		200-pound cor	do	10		200-pound cor	Unlimited	None

SMOKED MEATS

Smoked hams, bone-in.	80 pounds	65 pounds	200-pound cor	Unlimited					
Precooked hams	80 pounds	65 pounds	200-pound cor	do					
Hams in casings	80 pounds	65 pounds	200-pound cor	do					
Dry salt belly bacon	80 pounds	65 pounds	200-pound cor	do					
Bacon squares	80 pounds	65 pounds	200-pound cor	do					
Smoked briskets	80 pounds	65 pounds	200-pound cor	do	15	20	125-pound cor	Unlimited	None.
Smoked jowl butts	80 pounds	65 pounds	200-pound cor	do	20	40	175-pound cor		
Smoked picnics	80 pounds	65 pounds	200-pound cor	do	50	65	200-pound cor		
Smoked canned bacon (except cooked canned bacon).	80 pounds	65 pounds	200-pound cor	do	90	120	250-pound cor or 275-pound F		
Smoked hocks and miscellaneous smoked meats.	80 pounds	65 pounds	200-pound cor	do					
Slab bacon	80 pounds	65 pounds	200 pound cor	do					
Smoked boneless butts	18 pounds	20 pounds	125-pound cor	do					Percentages may be applied to combined total of class A and class B shipments.
Sliced bacon	12 pounds		175-pound cor	60 percent	12		175-pound cor	60 percent	
Sliced bacon	18 pounds	30 pounds	175 pound cor	40 percent	18	20	175 pound cor	40 percent	

BEEF AND SMALL STOCK CUTS

Bone-in beef cuts	80 pounds	65 pounds	275-pound cor or 200-pound F	Unlimited					Sliced dried beef in bulk permitted in 5-pound net containers on direct shipments to retailers. 125-pound corrugated. Sliced dried beef in 4-ounce cello. permitted in 3-pound net containers on direct shipments to retailers 125-pound corrugated.
Bone-in veal and mutton cuts.	80 pounds	65 pounds	275-pound cor or 200-pound F						
Boneless veal and mutton cuts.	80 pounds	65 pounds			15	20	125-pound cor		
Smo. dried beef	80 pounds	65 pounds	275-pound cor or 200-pound F		20	40	175-pound cor		
Bulk hamburger	80 pounds	65 pounds	275-pound tel. cor. or 200-pound tel. F		50	65	275-pound cor or 200-pound F	Unlimited	
Boneless beef cuts	110 pounds	150 pounds			90	120	350-pound cor or 275-pound F		
Sausage matl. (bull and cow meat, trimgs, and boneless veal).	110 pounds	150 pounds	350-pound tel. F	Unlimited	110	150	350-pound F		
Fresh tongues to freezer.	110 pounds	150 pounds	dbl. dbl						
Hamburger patties	18 pounds	20 pounds	200-pound cor	Unlimited					
Smo. tongues	30 pounds	40 pounds	175-pound cor	do					
Sliced dried beef (bulk)	30 pounds	40 pounds	175-pound cor	do					
Sliced dried beef (4 oz. cello. pkd.)	30 pounds	40 pounds	175-pound cor	do					

VARIETY MEATS

**Brains	10 pounds	20 pounds	125-pound cor	Unlimited					
**Cutlets	10 pounds	20 pounds	125-pound cor	do					
**Veal and lamb sweetbreads.	10 pounds	20 pounds	125-pound cor	do					
Veal and lamb livers	10 pounds		125-pound cor	do					
Chitterlings	10 pounds	20 pounds	125-pound cor	do					
*Hearts	25 pounds	40 pounds	175-pound cor	10 percent					
*Snouts	25 pounds	40 pounds	175-pound cor	10 percent					
*Hog stomachs	25 pounds	40 pounds	175-pound cor	10 percent					
*Melts—all kinds	25 pounds	40 pounds	175-pound cor	10 percent					
*Beef cheek meat	25 pounds	40 pounds	175-pound cor	10 percent					
*Pork tongues	25 pounds	40 pounds	175-pound cor	10 percent					
*Pork ears	25 pounds	40 pounds	175-pound cor	75 percent					
*Livers	25 pounds	40 pounds	175-pound cor	75 percent					
Oxtails	25 pounds	40 pounds	175-pound cor	Unlimited	Same as branch house wholesale, and jobber shipments. Percentages to apply to entire company's operations.		Same as branch house wholesale and jobber shipments. Percentages to apply to entire company's operations.	Same as branch house wholesale and jobber shipments. Percentages to apply to entire company's operations.	*Balance not packed in 25-pound boxes to be packed in 110-pound net 150-pound gross weight boxes to the visible capacity of the box 350-pound fibre.
Split oxtail joints	25 pounds	40 pounds	175-pound cor	do					
Veal tails	25 pounds	40 pounds	175-pound cor	do					
Kidneys	25 pounds	40 pounds	175-pound cor	do					
Fries	25 pounds	40 pounds	175-pound cor	do					
Honeycomb tripe	25 pounds	40 pounds	175-pound cor	do					
**Beef heart sweetbreads.	25 pounds	40 pounds	175-pound cor	do					
**Sweetbreads prs. pkd. in inner containers: brains	25 pounds	40 pounds	175-pound cor	do					**5-pound net capacity box, 125-pound test corrugated permitted for direct shipments to retailers.
cutlets	40 pounds	65 pounds	200-pound cor	do					
veal and lamb sweetbreads	40 pounds	65 pounds	200-pound cor	do					
chitterlings	40 pounds	65 pounds	200-pound cor	do					
veal and lamb livers	40 pounds	65 pounds	200-pound cor	do					
Balance of variety meat items listed in OPA Order 398.	110 pounds	150 pounds	350-pound F	do					Pharmaceutical glands may be shipped in any type or size container.

DRY SAUSAGE

Pepperoni and cervelat—small pieces.	15 pounds	20 pounds	125-pound cor	Unlimited	10	20	125-pound cor	Unlimited	Single pieces of thuringer and cooked salami may be packed in individual boxes, 125-pound test corrugated, on direct shipments to retailers.
					20	40	175-pound cor		
All other dry and semi-dry sausage.	80 pounds	65 pounds	275-pound cor or 200-pound F.	do	50	65	275-pound cor or 200-pound F.		

FRESH SAUSAGE

Pork sausage	12 pounds	20 pounds	125-pound cor	80 percent				Liver loaf, liver sausage, cooked loin roll, cooked Canadian bacon, cooked hams may be shipped in individual boxes, 125-pounds test corrugated, on direct shipments to retailers. *To include ten 6 pound cartons, even though gross weight exceeds 65 pounds provided Classification Committee approves exception.
Pork sausage	50 pounds	65 pounds	200-pound cor	Unlimited				
Smoked pork sausage	12 pounds	20 pounds	125-pound cor	50 percent				
Smoked pork sausage	50 pounds	65 pounds	200-pound cor	Unlimited				
Polish sausage	12 pounds	20 pounds	125-pound cor	50 percent				
Polish sausage	50 pounds	65 pounds	200-pound cor	Unlimited				
Chili	12 pounds	20 pounds	125-pound cor	do				
Liver loaf	1 piece		125-pound cor	do				
Liver sausage	50 pounds	65 pounds	200-pound cor	do				
Head cheese	18 pounds	20 pounds	125-pound cor	50 percent				
Head cheese	50 pounds	65 pounds	200-pound cor	Unlimited				
Blood sausage	18 pounds	20 pounds	125-pound cor	50 percent	10	20	125-pound cor	Unlimited
Blood sausage	50 pounds	65 pounds	200-pound cor	Unlimited	20	40	175-pound cor	
Souse	18 pounds	20 pounds	125-pound cor	50 percent	60	65	200-pound cor	
Souse	50 pounds	65 pounds	200-pound cor	Unlimited				
Loaf-type products	18 pounds	20 pounds	125-pound cor	50 percent				
Loaf-type products	50 pounds	65 pounds	200-pound cor	Unlimited				
*Frankfurters	30 pounds	65 pounds	200-pound cor	do				
*Bologna	30 pounds	65 pounds	200-pound cor	do				
*Luncheon meats	30 pounds	65 pounds	200-pound cor	do				
Cooked loin rolls	30 pounds	65 pounds	200-pound cor	do				
Cooked loin rolls	18 pounds	20 pounds	125-pound cor	25 percent				
Cooked can bacon	18 pounds	20 pounds	125-pound cor	25 percent				
Cooked can bacon	30 pounds	65 pounds	200-pound cor	Unlimited				
Cooked hams	30 pounds	65 pounds	200-pound cor	do				

CANNED MEATS

1-ounce cans	24 pieces		126-pound cor	Unlimited	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Unlimited	*175-pound test corr. recommended provided exception is authorised under Rule 41, Consolidated Frt. Classifications; otherwise, 200-pound test required. **1 piece and 2 piece units, 6-pound oblong and 8-10-pound Pullman in 125-pound test corr. permitted on direct shipments to retailers. **1-piece pear shape hams permitted in 175-pound corr. on direct shipments to retailers. **175-pound test dividers permitted for 4 and 6 can packs. **125-pound test dividers permitted on 9 piece 6-pound oblong and 2 piece 6-pound oblong
2½-ounce cans	48 pieces		125-pound cor	Unlimited				
3½-5½-ounce cans	48 pieces		175-pound cor	Unlimited				
5-8-ounce cans	24 pieces		125-pound cor	Unlimited				
10½-11-ounce cans	24 pieces		175-pound cor	Unlimited				
12-ounce cans	24 pieces		175-pound cor	Unlimited				
13-16-ounce cans	24 pieces		175-pound cor	Unlimited				
12-ounce cans	12 pieces		175-pound cor	Unlimited				
*24-ounce cans	24 pieces		175-pound cor	Unlimited				
32-ounce cans	12 pieces		175-pound cor	Unlimited				
**8-pound oblong cans	9 pieces		275-pound cor or 200-pound F	Unlimited				
8-pound round cans	6 pieces		200-pound cor	Unlimited				
**8-10-pound Pullman cans	6 pieces	55 pounds	200-pound cor	Unlimited				
**8-10-pound Pullman cans	6 pieces	55 pounds to 90 pounds.	275-pound cor or 200-pound F	Unlimited				
Individual hams:								
**Pear shape cans	4 pieces		275-pound cor or 200-pound F	25 percent				
**Pear shape cans	6 pieces	55 pounds to 90 pounds.	275-pound cor or 200-pound F	Unlimited				
**Pear shape cans	6 pieces	90 pounds to 120 pounds.	350-pound cor or 275-pound F	Unlimited				

LARD

1-pound cartons	38 pounds	40 pounds	175-pound cor	Unlimited	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Unlimited	None.
1-pound cartons and larger.	55 pounds	55 pounds	200-pound cor	do					
Bulk lard	50 pounds	65 pounds	275-pound cor with inner 200 pound cor. liners	do					

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

The restrictions of L-317 (§ 3270.6) are applicable only to new fibre shipping containers. A question has arisen as to the status of such containers which have been rejected during the course of manufacture or upon delivery because of errors in size, printing, etc. Such containers are new containers and subject to the restrictions contained in the order until they have been used for the packing of a product (Issued Nov. 6, 1943)

INTERPRETATION 2

APPLICABILITY OF INVENTORY RESTRICTIONS TO V-BOXES

(a) *Applicability of inventory restrictions to V-boxes.* It has been called to the attention of the War Production Board that there is, in certain quarters, a misimpression to the effect that V-boxes are exempted from the Inventory Restrictions of Order L-317. This impression is completely unfounded. Inventories of V-boxes are controlled to the same extent as other fibre shipping containers by the provisions of paragraph (n) through (q) of Order L-317 and paragraph (b) of Direction 1 of that order.

(b) *Cancellation of excessive V-box orders.* V-box orders are also subject to the restrictions against placing excessive orders set forth in paragraphs (c) and (d) of Direction 1 of Order L-317. Therefore, all orders for V-boxes in excess of the amount which a person would be entitled to receive within these inventory limitations must be cancelled immediately.

(c) *Responsibility of box manufacturers.* Attention is called to the fact that box manufacturers share responsibility for seeing to it that no V-boxes (as well as other fibre shipping containers) are delivered which will cause a customer to exceed his permitted inventory, because under paragraph (d) of Order L-317 they are prohibited from manufacturing, selling, or delivering any new fibre shipping containers which they know or have reason to believe will be used or accepted in violation of the order. (Issued May 26, 1944)

[F. R. Doc. 44-11688; Filed, August 4, 1944; 11:21 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-326, Schedule I, as Amended Aug. 4, 1944]

SOLID TOOTH CIRCULAR SAWS FOR CUTTING WOOD

§ 3284.117 *Schedule I to Limitation Order L-326*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or in any way fabricates circular saws.

(2) "Saw" means a solid tooth circular saw designed and manufactured for the cutting of wood. This schedule does not apply to metal cutting saws.

(b) *Simplified practices.* (1) After November 23, 1943, no producer may begin the manufacture or fabrication of any saw which does not conform to the kinds, diameters, gages, numbers and types of teeth, and numbers of grades set forth in Appendix A of this schedule. Notwithstanding this provision, however, a producer may manufacture and fabricate non-conforming saws to fill

TABLE 8—CUT OFF SAWS—Continued

| Diameter, inches | Gage and number of teeth | | | | | | | |

orders which were on his books before November 23, 1943. Non-conforming saws may not be delivered or shipped by a producer after May 23, 1944.

(c) *Exemptions.* The following are exempt from the restrictions established by this schedule:

(1) Inserted tooth saws.

(2) Segment saws.

(3) Solid tooth circular saws less than 8 inches in diameter which are ⅛ inch or less thick.

(4) Fillers for dado heads which are already in use on November 23, 1943.

(5) Concave saws and chamfering saws for use with concave saws.

(6) Lock corner saws.*

(7) Beveled lock corner fillers.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Gage designations and gage tolerances. Gages given herein are Birmingham or Stubs' wire gages.

Flat ground saws are designated by a single gage number, which sets the thickness of every part of the saw. Some saws over 38 inches in diameter, including bolters, head or log saws, and some common rip saws, are approximately one gage heavier at the center than at the rim, and are designated by two gage numbers. Shingle and heading saws are flat ground on one side and taper on the other from the collar to the rim, and are designated by two gage numbers. Resaws, which are tapered on both sides from the collar to the rim, and in some instances are flat on one side and tapered on the other, are also designated by two gage numbers.

Hollow ground saws, which are ground thinner in back of the rim for clearance, are designated by three gage numbers: gage at rim, gage at thinnest circle, and gage at collar.

The gages specified are subject to the following tolerances, except where otherwise provided.

Flat ground saws—

38 inches in diameter and less: Plus or minus ½ gage.

Over 38 inches in diameter: Rim—plus or minus ½ gage.

Center—plus one gage, minus 0.010 inch.

Shingle, heading, head or log saws, and resaws—

Rim—plus or minus ½ gage.

Center—plus one gage, minus 0.010 inch.

Hollow ground saws—

Rim—plus or minus ½ gage.

Thinnest circle—plus or minus ½ gage.

Collar—plus two gages, minus ½ gage.

Diameter tolerances. Except where otherwise provided, the diameters specified herein are subject to the following tolerances: Plus or minus ⅛ inch for saws 24 inches or less in diameter, and plus or minus 3/16 inch for saws more than 24 inches in diameter.

Kinds of saws. All varieties of saws permitted to be produced under this schedule are identified in the following tables by diameter, gage or gages, number of teeth and type of teeth, or, in the case of certain kinds which are less restricted, they are described in more general terms. No other kinds or varieties may be produced.

Types of teeth. Permitted types of teeth are identified in the tables by letters which refer to illustrations shown at the end of this appendix.[1] The profiles of teeth made by individual producers may vary slightly from those illustrated, but this permissible variation shall not be construed as permitting any producer to put more than one shape of tooth on any one size and gage saw of a given kind.

[1] Filed as part of the original document.

Grades. Certain saws designated herein by an asterisk are permitted to be made in two grades. No producer shall make any of the saws so designated in more than two grades, or any of the remainder in more than one grade.

Cut-in-half saws. Any rip, cut off, or smooth trimmer saw may be furnished cut in half, with or without collar.

Slots. The rims of any saws may be provided with expansion slots.

TABLE 1—RIP SAWS, COMMON

NOTE: Table 1 amended Aug. 4, 1944.

All common rip saws are to be made with type A or type E teeth, or both, except those designated by letter to take type B, C, or D. Saws designated to take type B teeth may also be made with type E teeth.

Diameter (inches)	Gage and number of teeth								
	22	20	18	16	14	13	12	11	10
6	30		*40	36	30	20			
	24		36		12				
			C24						
6 3/16			40						
6½			36						
			C24						
7		12	*40		30	20			
			36		20	16			
			12						
7 3/16			40						
7½			40						
			C28						
8		24	*36		30		24		
			24		24		12		
			C30		16				
8 3/16			44						
8½			36	36					
9		24	24	40	24		30		
				36					
				30					
9 3/16			44						
9½			44	24	20				16
9 5/16			C36						
9⅝				36					
10			*36	*36	36	30	36		30
			30	30	30	24	30		20
				24	24	16	24		
				20			20		
10 3/16			52						
10¼				C36					
10⅜				C36					
11 3/16				52					
11⅜				36					
12		44	36	44	56	36	36	30	40
				*36	*36	24	30	24	30
				C36	*30		24		24
					24		20		20
13						30	24		
14					44	36	36	D30	36
					*36	D30	D30		D30
					D30	D24	D24		D24
						D20	D20		D20
16			D24		40	36	30	36	36
					*36	D30	36		D30
					D30		D30		

Diameter, inches	Gage and number of teeth										
	14	13	12	11	10	9	8-9	8	7-8	7	6-7
18		*36	36		36						
		30	30		30						
20		*36	B60		30						
			30								
			30								
22		C60	*36								
		D20									
24	C60		C60	C60	36						
				*36							
26			C50	*36	36						
28			C60		*36						
30		C60		C60	*36						
32			B60		B60						
					*36						
34					B60	*36					
36	B60		B60	36	B60	*36		B70			
					36			30			
38					B70	*36					
40					B60	*40		40			
42					B60	B60		*40		30	
						40					
						36					
44					B60	B60		*40			
						40					
46						40			*40		
48						B60			*40		
						40					
50							50		*40		
							40				
52							40	B60	40	30	*30
								50			
54							44	50	50		
								B60			
								50			

TABLE 2—BOLTERS, RIP

All rip bolters are to be made with type A or type F teeth, or both.

Diameter (ins.)	Gage and number of teeth	
	9-10	8-9
42	40	
44	40	
46	40	
48	40	
50	40	
52	44	40
54		44

TABLE 3—HEAD OR LOG RIP SAWS

All head or log rip saws are to be made with type G or type E teeth or both, except those designated by letter to take type A or B.

Diameter, inches	Gage and number of teeth							
	9-0	8	7-8	7	6-7	6	5-6	5
58	70	80	40	90		90		
	A60	70		80		80		
	A40	A60		70				
		A50		A60				
				B60				
60	80	80	80	80	90	90		
	70	70	80	80	80	*80		
	A60	A60	70	B60				
	A40		A60					
			A40					
62			80	80	80			
			70	80				
			A60	70				
64	80		80	80	90	90		
			A60	80		80		
66			A60	80	90	*B60	90	
				B60	80			
72						B60		*80
84								B60

TABLE 4—EDGERS

All edgers are to be made with type H teeth, except those designated by letter to take type A.

Diameter, inches	Gage and number of teeth				
	10	9	8	7	6
12		A24	A20		
14	*A24	A30			
16		*A30			
		A24			
18		*A30	30	A30	
		A24	24	A24	
20		30	30	30	
			24	20	
22			30	30	
				24	
24			36	36	30
			30	30	24
26			30	36	30
			24	30	
28			30		
30					30

TABLE 5—GLUE-JOINT RIP

All glue-joint rip saws are to be made with type I teeth, except the one designated by letter to take type J.

Diameter, inches	Gage and number of teeth		
	12	11	10
12	26		
	24		
13	30		J24
14	30	30	24
	30		
16	36	36	
		30	
18		36	

TABLE 6—CUT OFF SAWS—continued

Diameter, inches	Gage and number of teeth							
	12	11	10	9	8	7	6	5
42								
44								
46								
48								
50								
52								
54								

TABLE 7—CUT OFF SAWS

NOTE: Table 7 amended Aug. 4, 1944.

All common cut off saws may be made with type I, or type M teeth or both, except those designated by letter to be made with type N or P.

Diameter, inches	Gage and number of teeth							
	12	11	10	9	8	7	6	5
12								
14								
16								
18								
20								
22								
24								
26								
28								
30								
32								
34								
36								
38								
40								
42								
44								
46								
48								
50								
52								
54								

TABLE 8—SHINGLE AND HEADING SAWS

NOTE: Table 8 amended Aug. 4, 1944.

All shingle and heading saws are to be made with type A teeth, except those designated by letter to take type K.

Diameter, inches	Gage and number of teeth							
	12	11	10	9	8	7	6	5
12								
14								
16								
18								
20								
22								
24								
26								
28								
30								
32								
34								
36								
38								
40								
42								
44								
46								
48								
50								
52								
54								

TABLE 10—SMOOTH TRIMMERS

All smooth trimmer saws may be made with type L or type P teeth or both, except those designated by letter to take types N and Q.

Diameter, inches	Gage and number of teeth																	
	14 18 14	13 17 13	12 16 12	12 15 12	11 15 11	10 15 10	10 14 10	9 14 9	9 13 9	8 13 8	8 12 8	8 11 8	7 12 7	7 11 7	6 11 6	6 10 6	5 13 5	5 9 5
8	100																	
10		100				150		120										
12			150		180	150												
			120															
13												Q80					Q80	
14				N170	170		140			120							Q80	
					150		100											
					140		Q70											
					120													
					Q60													
16					160	100	150		120									
							130											
18							80		180 150	90	150							
20											160		100	150				
											150			130				
											N150			100				
											130							
22														180	100			
24														200 150	120	180 150		
														120				
26														160 110	130	180		
28																170 118		180
30																		150 130

TABLE 11—CORDWOOD SAWS

All cordwood saws are to be made with type R or type L teeth, but no producer shall make any size with both types of teeth.

Diameter, inches	Gage and number of teeth			
	13	11	10	9
20	52			
24		60		
26		64		
28			70	
30			76	
32			80	
36				80

TABLE 12—MITRE SAWS

All mitre saws may be made with types L or M teeth, or both.

Diameter, inches	Gage and number of teeth				
	16 19 16	14 17 14	13 16 13	12 15 12	11 14 11
6	150				
7	150				
8	150				
10		180			
12	200		150		
14				200	
16				200	
18					200

TABLE 13—COMBINATION, HOLLOW GROUND SAWS

NOTE: Table 13 amended in its entirety Aug. 4, 1944.

All combination, hollow ground saws are to be made with type S teeth as shown, except the saw designated by the letter T, which takes 100 type T teeth. No producer shall make any combination saw of a given diameter and grade with more than one number of sections or more than one number of cutters per section.

Diameter, Inches	Gage and type of teeth											
	16 19 16	14 17 14	14 16 14	13 16 13	13 15 13	12 16 12	12 15 12	11 14 11	10 14 10	10 13 10	9 13 9	9 12 9
5	S											
5½	S											
6	*S											
6½	S											
7	*S	S										
7¼		S										
7½		*S										
8	*T	*S	*S									
	*S											
	S											
8¼	S	S										
8 15/16		S										
9		*S										
9¼		S										
9⅝		S										
9⅞		S										
10		*S		S	*S	S						
10¼			S									
11				S								
12				*S			S					
14				S			S	S	S	S	S	
16				S			S	S	S		S	S
18				S			S	S			S	S
20				S			S	S				S
24												S

TABLE 14.—COMBINATION, FLAT GROUND SAWS WITH REGULAR TEETH

NOTE: Table 14 amended Aug. 4, 1944.

All saws in this table are to be made with type V or type C teeth, except those designated by letter to take type T, W, or X. No producer shall make any size with both V and C type teeth.

Diameter, inches	Gage and number of teeth									
	20	18	16	14	13	12	11	10	9	8
5		*44								
		24								
5¾		36								
6		*44								
		*40								
		30								
6 1/16		60								
6½		*44								
		*40								
		26								
7		T60								
		*44								
		X40								
		*40								
7¼		62								
		40								
		26								
7½		*44								
		32								
7 11/16		44								
8		T60	*44							
		*44	W44							
		X40								
		*40								
		*36								
8¼		36								
8 1/16		64								
8¼		40								
8½		*44								
		40								
8 11/16			44							
9	X40		*44							
			36							
9 1/16		68								
9¼		36								
9½		44								
9⅝		40								
9⅞			44							
10			84	*36	60					
			*44							
			*40							
			*36							
10 9/16		70								
10¼			36							
10⅝			40							
10½			44							
11			44							
11 3/16			70							
11⅞			44							
12			40	76						
				48						
				*44						
				*40						
				*36						
12¼				44						
14				56	88	*36				
					44					
				*44	*36					
				36						
16				64	100	*44				
				48	44					
				*44	48					

Diameter, inches	Gage and number of teeth									
	20	18	16	14	13	12	11	10	9	8
18					112	*44	*44			
					*48					
					44					
20					*48	84	*44			
					*44	*44				
22						*52	44			
						44				
24						76	*60	44		
							44			
26							*60			
28, 30, 32								*60		
34, 36, 38, 40									*60	
42, 44, 46, 48										*60

TABLE 15—COMBINATION, FLAT GROUND SAWS WITH CUTTER AND RAKER SECTIONS

All type S sections on these saws shall have 4 cutters and one raker per section, and all type U sections shall have two cutters and one raker per section.

NOTE: Table 15 is amended Aug. 4, 1944.

Diameter, inches	Gage and type of sections							
	18	16	14	13	12	9	8	7
5	*S	------	------	------	------	------	------	------
6	*S	------	------	------	------	------	------	------
7	*S	------	------	------	------	------	------	------
7½	*S	------	------	------	------	------	------	------
8	*S	------	------	------	------	------	------	------
	*U	------	------	------	------	------	------	------
9	*S	*U	------	------	------	------	------	------
9½	------	*S	------	------	------	------	------	------
10	------	*S	------	------	------	------	------	------
	------	*U	------	------	------	------	------	------
11	------	*S	------	------	------	------	------	------
12	------	------	*S	------	------	------	------	------
	------	------	*U	------	------	------	------	------
14	------	------	*S	*S	------	------	------	------
	------	------	*U	*U	------	------	------	------
16	------	------	*S	*S	------	------	------	------
	------	------	------	*U	------	------	------	------
18	------	------	------	S	U	------	------	------
	------	------	------	U				
20	------	------	------	------	U	U	------	------
22	------	------	------	------	------	------	U	------
24	------	------	------	------	------	------	U	------
26	------	------	------	------	------	U	------	------
44	------	------	------	------	------	------	------	U

TABLE 16—DADO SAWS

Number of sections or teeth is optional, but no producer shall make any dado of a given diameter and grade with more than one number of teeth or sections or cutters per section.

Diameter, inches	1st grade		2nd grade	
	Thickness	Tooth type	Thickness	Tooth type
	Inch		*Inch*	
4	3/32	Y	1/16	O
5	1/8	Y	------	------
5½	3/32	Y	3/32	Z
6	1/8	Y	1/8	AA and Y
7	1/8	Y	------	------
8	1/8	Y	1/8	AA
9	1/8	Y	------	------
10	1/8	Y	------	------
11	1/8	Y	------	------
12	1/8	Y	------	------
14	1/8	Y	------	------
16	1/8	Y	------	------
18	1/8	Y	------	------

Tolerances—
Diameter: Plus 1/32 inch, minus 1/16 inch.
Thickness: Plus or minus 0.003 inch.

TABLE 17—DADO FILLERS

Diameter, inches	Thickness and tooth type			Number of grades
	1/16 in.	1/8 in.	1/4 in.	
4	BB & CC	------	------	2
5	do	BB & CC	BB & CC	1
5½	do	------	------	2
6	do	BB & CC	BB & CC	2
7	do	do	do	1
8	do	do	do	2
9	do	do	do	1
10	do	do	do	1
11	do	do	do	1
12	do	do	do	1
14	do	do	do	1
16	do	do	do	1
18	do	do	do	1

Tolerances—
Diameter: Plus 1/32 inch, minus 1/16 inch.
Thickness: For 1st grade saws, plus 0.010 inch, minus 0.005 inch; for 2d grade saws, plus or minus 0.015 inch.

TABLE 18—REGULAR SOLID GROOVERS

NOTE: Table 18 amended Aug. 4, 1944.

Diameter	Thicknesses	Number and type of teeth
3 to 14 inches, inclusive.	1/16 to 5/16 inch inclusive	6, 8, 10, and 12 type DD teeth

TABLE 19—SMOOTH CUTTING SOLID GROOVERS

NOTE: Table 19 amended Aug. 4, 1944.

Diameter	Thicknesses	Type of sections
3 to 14 inches, inclusive.	1/16 to 5/16 inch, inclusive.	Y

TABLE 20—END MACHINES

NOTE: Table 20 amended Aug. 4, 1944.

Diameter, inches	Thicknessed	Type of sections
6 7 8 10 12 14 16	1/16 to 5/16 inch, inclusive.	EE

TABLE 21—LATHE SAWS, BLACK

Diameter, inches	Thickness	Number and type of teeth
8	9 gage	28, type FF teeth.
9	8 gage	
10	7 gage	
11	7 gage	
12	6 gage	
13	6, 4, 3, and 1 gage	
14	6, 4, 3, 2, and 1 gage, and 3/8 inch.	
15	5 gage	
16	5 gage	

Tolerance—
Diameter: Plus or minus 1/4 inch.
Thickness: Plus or minus 1/16 inch.

TABLE 22—CLOTHES PIN SAWS

These saws have irregular slots in the body for the insertion of clothes pin knives.

Diameter, inches	Gages	Number and type of teeth
12	12	40 type L teeth.
14	11	40 type X teeth.
14	9	4 sections consisting of 6 type A teeth and a raker.

Tolerance—
Diameter: Plus or minus 1/4 inch.
Thickness: Plus or minus 0.003 inch.

TABLE 23—FEED SAWS

Feed saws shall not be ground. They may be made in any diameters within the limits set forth below.

Diameter, inches	Thickness	Tooth type	Tooth spacing
3 to 8, incl.	3/32 1/8 5/32	M	Min. 1/16 in., max. 1/4 in.

Tolerances—
Thickness: Plus or minus 1/16 inch.

TABLE 24—THIN RIM SAWS

A thin rim saw is defined as one having a rim at least 4 gages thinner than the body or collar. Both the rim and collar shall be flat ground, and the collar shall not be smaller than 1/3 the diameter of the saw. It may be made in any diameters and gages within the limits set forth below.

Diameter, inches	Gage				Tooth types	Tooth spacing, inches
	Rim		Collar			
	Min.	Max.	Min.	Max.		
9 to 18 incl.	25	14	20	9	L, M, A, S.	min. 1/16. max. 1/4.

TABLE 25—FORMED AND BEVELED TOOTH GROOVER SAWS

A formed or beveled tooth groover saw is defined as one designed to cut a special profile other than a straight line at right angles to its plane of rotation. It may be made in any sizes and thicknesses within the limits set forth below.

Diameter, inches:
3½ to 20, inclusive.
Thickness, inches:
3/32 to 1 1/4, inclusive.

[F. R. Doc. 44-11684; Filed, August 4, 1944; 11:32 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-326, Schedule II, as Amended Aug. 4, 1944]

WIDE BAND SAWS

§ 3284.118 *Schedule II to Limitation Order L-326*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or in any way fabricates wide band saws.

(2) "Saw" means a band saw two or more inches wide designed and manufactured for the cutting of wood. This schedule does not apply to metal cutting saws.

(b) *Simplified practices.* (1) After November 23, 1943, no producer may begin the manufacture or fabrication of any saw which does not conform to the kinds, widths, gages, numbers and types of teeth, and numbers of grades set forth in Appendix A of this schedule. Notwithstanding this provision, however, a producer may manufacture and fabricate non-conforming saws to fill orders which were on his books before November 23, 1943. Non-conforming saws may not be delivered or shipped by a producer after May 23, 1944.

Issued this 4th day of August, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

NOTE: Appendix A amended by deleting paragraph entitled "Length of Saws," Aug. 4, 1944.

Gage designations and gage tolerances. Gages given herein are Birmingham or Stubs' wire gages. Thicknesses are subject to a tolerance of plus or minus 0.002 inch.

Width tolerances. The widths specified herein are subject to a tolerance of plus ⅛ inch, minus 0.010 inch.

Grades. Saws designated herein by an asterisk are permitted to be made in two grades. No producer may make any of the saws so designated in more than two grades, or any of the remainder in more than one grade.

Kinds of saws. All saws permitted to be produced under this schedule are identified in the following table by width, gage, and type of teeth. No other kinds or varieties may be produced, except that any of the saws listed may be furnished with the same type of teeth on both edges, with sliver teeth, or with perforations.

Types of teeth. Permitted types of teeth are identified in the table by letters which refer to illustrations[1] shown at the end of this appendix. A producer's standard profile for any type of tooth specified herein may vary slightly from the contours illustrated, but no producer shall have more than one profile for any type of tooth specified herein.

TABLE 1—WIDE BAND SAWS

Width, inches	Gage	Type of teeth
2	21	
	20	BA* BB BE BS DA* DB* DC* DD* DD* DF* DF* DF*
	19	BA BB BS
	18	BA BB BS DF*
	17	DF*
2¼	21	BA* DF*
	20	BA* DE* DF* V
2½	20	BA* BB*
	19	BA BB BE BS BU
	18	BA BC BS DF*
3	20	BA* BB* BC BS BX
	19	BA* BB* BC BS BX
3¼	20	BA* BC BX
	19	BA* BB* BC BD BE BU
	18	BC BW
4	23	BW
	22	BB BW BX
	21	BB BW BX
	20	BA* BB* BC BS BT BW BX
	19	BA* BB* BC BD BE
	18	BB BC BD
	17	BA BC BW
4¼	23	BW BX
	22	BE BW BX
	21	BW BX
	20	BB BC BS BW
	19	BA* BB* BC BD BE* BS BW
	18	BA BB BC BW BX
5	22	BX
	21	BB BW
	20	BA BB BE BW
	19	BA BB* bb BC BD bd BE* BU
	18	BA BB* bb BD BE* BX
5¼	19	BX
6	20	BE BU
	19	BB BD* BE* BT BU
	18	BB bb BC BD* BE* BF BG BI BT BU
	17	BB BD* BE* BG BU V
	16	BB
7	19	BA BC BD BE BU
	18	BB BC BD* BE* BF BG BH BU
	17	BA BB BC BD* BE* BG BI* BU
	16	BD

Width, inches	Gage	Type of teeth
7¼	18	BD* BE* BI*
	17	BD* BE*
8	19	BG BU
	18	BD* BE* BG
	17	BE* BF BG* BI* BJ BK BR
	16	BF BG* BH BI* BK
	15	BG
9	18	BG
	17	BG BI
	16	BG BH BI BJ
	15	BG BH BI BN
	14	BG BK
10	17	BH
	16	BF BG BH BI BJ BK BR
	15	BF BG BH BI BJ BK BN
	14	BF BG BH BI BK BN
11	17	BN
	16	BH BN
	15	BH BK BN
	14	BH BK BN BT
	13	BN
12	15	BH BN CH
	14	BF BH BI BK BM BN BR BT
	13	BK BM BN
	12	BN
13	16	BK ch
	15	BK BN BR BT
	14	BK BN BR
	13	BH BM ch
	12	
14	15	BK BN
	14	BK BM BP BR BT CH
	13	BN BP BQ BR BT BZ
	12	BN BP BQ BR BT BZ
15	13	BM BP BQ bq BR BT BZ
	12	BQ
	11	
16	13	BM BR BS BZ
	12	BQ bq BZ
	11	BQ
17	11	

[F. R. Doc. 44-11685; Filed, August 4, 1944; 11:32 a. m.]

[1] Filed as part of the original document.

PART 3284—BUILDING MATERIALS

[Limitation Order L–326, Schedule III, as Amended Aug. 4, 1944]

NARROW BAND SAWS

§ 3284.119 *Schedule III to Limitation Order L–326*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures or in any way fabricates narrow band saws.

(2) "Saw" means a band saw less than two inches wide designed and manufactured for the cutting of wood. This schedule does not apply to metal cutting saws or hard edge flexible back band as defined in Schedule VIII to Limitation Order L–216.

(b) *Simplified practices.* (1) After November 23, 1943, no producer may begin the manufacture or fabrication of any saw which does not conform to the kinds, widths, gages, numbers and types of teeth set forth in Appendix "A" of this schedule. Notwithstanding this provision, however, a producer may manufacture and fabricate non-conforming saws to fill orders which were on his books before November 23, 1943. Non-conforming saws may not be delivered or shipped by a producer after May 23, 1944.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

NOTE: Appendix A amended Aug. 4, 1944.

Gage designations and gage tolerances. Gages given herein are Birmingham or Stubs' wire gages. Thicknesses are subject to a tolerance of plus or minus 0.002 inch.

Width tolerances. The widths specified herein are subject to a tolerance of plus or minus 10 percent.

Grades. No producer shall make any of the saws permitted under this schedule in more than one grade.

Varieties of saws. All varieties of saws permitted to be produced under this schedule are identified in the following table by width, gage, and types of teeth and number per inch. No other varieties may be produced.

Type of teeth. All narrow band saws shall have teeth of the type illustrated at the end of this appendix.[1]

NARROW BAND SAWS

Width, inches	Gages and number of teeth per inch			
	25	22	21	20
3/16	6	4, 6		
1/4	6	4, 6	4, 5	
5/16	6	4, 5	4, 5	
3/8	6	3, 4, 5, 6	4, 5	
7/16		4	3, 4	
1/2		3, 4	3, 4	3
5/8		4	3, 4	2, 3, 4
3/4				2, 3
1 1/4				2
1 1/2				2

[F. R. Doc. 44–11686; Filed, August 4, 1944; 11:32 a. m.]

[1] Filed as part of the original document.

PART 3284—BUILDING MATERIALS

[Limitation Order L–327, as Amended Aug. 4, 1944]

AIRCRAFT LIGHTING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used to produce aircraft lighting equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.48 *Limitation Order L–327*—(a) *Definitions.* For the purposes of this order "aircraft lighting equipment" means any light or lamp assemblies (whether portable or not) specifically designed or constructed for use on aircraft, either for purposes of illumination or indication. The term includes all parts, equipment, and devices specifically designed or constructed for use in conjunction with such light or lamp assemblies. The following are examples of types of assemblies included in this definition:

(1) "Landing light," meaning a light or lamp assembly, including any retractable mechanism or adapter, designed to illuminate the ground or other area for the purpose of facilitating the landing of aircraft;

(2) "Position light," meaning a light or lamp assembly used on aircraft to indicate its position and direction of motion;

(3) "Anchor or riding light," meaning a light or lamp assembly used on floating aircraft to indicate its position when anchored;

(4) "Formation light," meaning a light or lamp assembly used to facilitate formation flying;

(5) "Recognition light," meaning a light or lamp assembly used for the identification of friendly aircraft;

(6) "Instrument light," meaning a light or lamp assembly used to illuminate or irradiate aircraft instruments;

(7) "Cabin light," meaning a light or lamp assembly designed for the purpose of illuminating the interior of aircraft;

(8) "Signal light," meaning a light or lamp assembly designed to be operated manually for the purpose of signaling from aircraft;

(9) "Indicator light," meaning a light or lamp assembly which indicates a condition or the functioning of a device or indicates some action taken or to be taken;

(10) "Approach light," meaning a light or lamp assembly mounted on aircraft and designed for the purpose of facilitating the landing of aircraft on aircraft carriers.

The term "aircraft lighting equipment" does not include pyrotechnic devices, gunsights or bombsights, indicator lights incorporated as an integral part of radio and radar apparatus, or aviation ground lighting equipment as defined in Order L–235.

(b) *Restrictions on manufacture, sale, and delivery.* On and after April 10, 1944, no person may manufacture, assemble, sell or deliver any aircraft lighting equipment except:

(1) Aircraft lighting equipment certified by The Aeronautical Board of the United States, Washington, D. C., as conforming to specifications or drawings issued by such Board, or

(2) Aircraft lighting equipment certified by the Matériel Command of the Army Air Forces of the United States, Wright Field, Dayton, Ohio, as conforming to specifications or drawings issued by or acceptable to such Command, to the extent that Aeronautical Board specifications or drawings are not applicable, or where Aeronautical Board specifications or drawings are applicable, pending the completion of qualification tests and issuance of notice to that effect by The Aeronautical Board, or

(3) Aircraft lighting equipment certified by the Bureau of Aeronautics of the Navy Department of the United States, Washington, D. C., as conforming to specifications or drawings issued by or acceptable to such Bureau, to the extent that Aeronautical Board specifications or drawings are not applicable, or where Aeronautical Board specifications or drawings are applicable, pending the completion of qualification tests and issuance of notice to that effect by The Aeronautical Board, or

(4) Aircraft lighting equipment certified by the Civil Aeronautics Administration of the U. S. Department of Commerce, Washington, D. C., as conforming to the Civil Air Regulations, or

(5) Aircraft lighting equipment to be used only for purposes of experimentation, research and development, or test, or

(6) Aircraft lighting equipment specifically authorized in writing by the War Production Board. (Each person filing a request for authorization pursuant to this subparagraph shall provide information by letter in triplicate, including the following: Description of lighting equipment and/or accessories, giving type, specification, drawing numbers, and value; quantity; customer's name and location; purchase order number and date received; delivery schedule; prime contract number; and reasons why equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order cannot be used), or

(7) Parts required for the maintenance and repair of existing aircraft lighting equipment, and complete assemblies where required for replacement of aircraft lighting equipment damaged beyond repair, to the extent that equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order is impracticable for such replacement.

(c) *Restrictions on installation.* On and after April 10, 1944, no person may install any aircraft lighting equipment unless the manufacture, assembly, sale, and delivery of such equipment is permitted under the provisions of paragraph (b) of this order or unless specific au-

thorization to install such equipment has been obtained from the War Production Board in the manner prescribed in paragraph (b) (6) of this order.

(d) *Table of acceptable aircraft lighting equipment.*[1] The table supplementing this order lists certain types, drawings, and specifications of acceptable aircraft lighting equipment and manufacturers whose products have been certified under paragraphs (b) (1), (b) (2), (b) (3), and (b) (4) of this order. This table will be brought up to date from time to time to include new certifications granted subsequent to the latest revision of this table.

(e) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(f) *Appeals.* Any appeal under the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(g) *Communications.* All communications and appeals concerning this order shall be addressed to War Production Board, Building Materials Division, Lighting and Fixtures Section, Washington 25, D C., Ref: L–327.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11687; Filed, August 4, 1944; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328B, Direction 2]

CHILDREN'S SNOW SUITS PLAN NO. 1

The following direction is issued pursuant to M–328B:

1. The time within which persons who were assigned a preference rating under Children's Snow Suits Plan No. 1 of Schedule A are required to purchase materials for which a preference rating was assigned is hereby extended to September 1, 1944.

2. The time within which persons who were assigned a preference rating under Children's Apparel Plan No. 2 of Schedule A are required to purchase materials for which a preference rating was assigned is hereby extended to August 15, 1944; and the time within which they are required to produce and accept and fill orders for the garments they are required to manufacture from such materials is hereby extended to September 15, 1944.

3. The time within which persons who were assigned a preference rating under Supplements I, II, III or IV of Schedule A are required to purchase materials for which a preference rating was assigned is hereby extended to September 15, 1944; and the time within which they are required to produce and accept and fill orders for the garments they are required to manufacture from such materials is hereby extended to October 30, 1944.

4. All individual directions heretofore issued under the above mentioned Special Programs are hereby amended to conform with the above.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11688; Filed, August 4, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–71, as Amended Aug. 4, 1944]

DRY CELL BATTERIES AND PORTABLE ELECTRIC LIGHTS OPERATED BY DRY CELL BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and certain facilities used in the production of dry cell batteries, zinc shells for dry cell batteries and portable electric lights for defense for private account and for export and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.125 *Limitation Order L–71*—(a) *Definitions.* For the purpose of this order:

(1) "Circular C435" means Circular C435 of the National Bureau of Standards, issued February 18, 1942, entitled "American Standard Specification for Dry Cells and Batteries."

(2) "Dry cell battery" means any primary cell or assembly of cells in which the electrolyte is nonspillable and in which electric current is produced by electrochemical action.

(3) "Portable electric light" means any flashlight or other portable electric light operated by one or more dry cell batteries. It does not include bulbs, dry cell batteries, electric flares covered by L–158, aviation ground lighting equipment covered by L–235, aircraft lighting equipment covered by L–327, or devices specifically designed and built for use in military operations, marine navigation or lifesaving.

(4) "Manufacturer" means any person engaged in the business of making or assembling dry cell batteries, zinc shells for dry cell batteries or portable electric lights.

(b) *Restrictions on use of materials in the manufacture of portable electric lights.* No manufacturer shall use any metal or crude, reclaimed or synthetic rubber in the manufacture of portable electric lights or parts for portable electric lights, except

(1) Iron and steel, provided that no steel except tin mill blackplate rejects and wasters is used in the manufacture of tubes for flashlight cases.

(2) Aluminum.

(3) Copper and copper base alloy for plating current carrying parts other than cases.

(4) Tin in solder.

(5) Zinc for plating, electrical contact fittings and reflectors.

(6) Crude, reclaimed or synthetic rubber as permitted by Rubber Order R–1.

(c) *General restrictions on production and delivery.* (1) No manufacturer shall make or deliver any dry cell batteries or portable electric lights except according to a quota authorized by the War Production Board on Form WPB–2719 (formerly PD–880).

(2) Each manufacturer must file this form with the War Production Board on or before the 10th day of March, June, September and December, showing his proposed production and delivery.

(3) Manufacture of portable electric lights will be authorized to qualified manufacturers so that total production will not exceed the approved War Production Board program and so that production in any one plant or labor requirements therefor will not interfere with the war production in that plant or in any plant located in the same area.

(4) The War Production Board when assigning quotas on Form WPB–2719 (formerly PD–880) or at any other time, may direct any manufacturer in writing to distribute specified amounts of his production for certain purposes or for certain end uses. If at any time the War Production Board finds that the supply of zinc shells for the production of dry cell batteries authorized under paragraph (c) (1) is not sufficient to complete that production, it may direct any manufacturer of dry cell batteries to reduce or cancel his orders for zinc shells, or it may limit the number and type of zinc shells which may be received and used by such manufacturer.

(d) *Special restrictions on delivery.* (1) No manufacturer shall sell any new portable electric lights except to fill orders rated AA–5 or higher.

(2) No person shall resell any new portable electric lights which he bought from a manufacturer after July 18, 1944, except to fill orders rated AA–5 or higher or orders certified under Priorities Regulation No. 19 as amended from time to time.

(3) No manufacturer shall sell any dry cell batteries knowing or having reason to believe that they will ultimately be used in a radio set designed primarily for the reception of broadcasts on standard wave lengths 550 to 1500 KC, except (i) Batteries having cells designated "D" in Table 1 of Circular C435 with modifications as permitted in section 2.2 of that circular, or larger sized cells than those designated "D", (ii) "C" batteries as described in Table 8 of Circular C435.

(e) *Special exemptions.* The restrictions contained in paragraphs (b) and (d) do not apply to the manufacture

[1] Filed as part of the original document.

or sale of dry cell batteries or portable electric lights made to fill specific orders calling for delivery to or for the account of the Army, Navy, Maritime Commission, War Shipping Administration, Office of Scientific Research and Development, Panama Canal, Coast and Geodetic Survey, or orders approved by the Maritime Commission on Form WPB–646 (formerly PD–300).

(f) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other orders of the War Production Board limits the use of any material in the production of dry cell batteries or portable electric lights to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Appeal.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 in triplicate with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board. Consumers Durable Goods Division, Washington 25, D. C., Ref: L–71.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11677; Filed, August 4, 1944; 11:31 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–575, Stay of Execution]

ATLAS FURNACE & ENGINEERING, INC.

The Atlas Furnace & Engineering, Inc., of Minneapolis, Minnesota, has appealed the provisions of Suspension Order No. S–575, issued the 15th day of July 1944 (§ 1010.575), and has requested a stay on the ground that irreparable harm would be done its business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner. In view of the foregoing: *It is hereby ordered*, That:

The provisions of Suspension Order No. S–575, issued July 15, 1944, are hereby stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

Issued this 3d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11656; Filed, August 3, 1944; 4:51 p. m.]

Subchapter C—Director of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS AND CENTRAL STEAM HEAT

[Utilities Order U–7, as Amended Aug. 4, 1944]

NATURAL GAS

Whereas, increased gas requirements for war production and civilian uses, coupled with scarcity of materials for the construction of pipelines and other facilities, have resulted in shortages of natural gas in certain areas of the United States and are threatened in others; during periods of adverse weather conditions the demand for natural gas in almost all areas increases beyond the capacity of existing facilities to meet such demands; and the following order is deemed necessary to conserve existing reserves of natural gas and to safeguard deliveries to war industries and essential civilian services, and in other respects is necessary and appropriate in the public interest and to promote the war effort;

§ 4500.10 *Utilities Order U–7*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Natural gas" means any combustible natural gas or gases and fuel gas derivatives of natural gases, fuel gas derivatives of petroleum produced as by-products in the production, refining or processing of petroleum, or mixtures of any of the aforesaid gases with blue gas, carburetted water gas, coke oven gas, producer gas, blast furnace gas, oil gas, or any other manufactured gas; but does not include liquefied petroleum gas in the liquid phase.

(3) "Utility" means any person supplying natural gas for general use by the public.

(4) "Non-utility supplier" means any person supplying or capable of supplying natural gas or who owns or operates natural or manufactured gas production, transmission, or distribution facilities and who is not included in the definition of "utility" in paragraph (a) (3): *Provided*, That no person engaged in the production, refining or processing of petroleum or natural gas shall be considered a non-utility supplier, except as to the use or disposition of natural gas as a combustible fuel gas after completion of such production, refining or processing.

(5) "Consumer" means any ultimate user of gas produced, transmitted or distributed by any "utility" or "non-utility supplier", including any utility or non-utility supplier which is itself an ultimate user of gas.

(6) "Stand-by facilities" means equipment capable of utilizing electrical energy, oil, coal or any other fuel or energy to replace natural gas and for the operation of which a supply of such fuel or energy is obtainable or could have been obtained in the exercise of reasonable diligence.

(7) "Premises" means any building or structure and its adjuncts: *Provided*, That in the case of "consumer" who receive deliveries of gas for the operation of equipment not contained within a building, any delivery point and the confines of the area supplied with natural gas from such delivery point shall be deemed a "premises".

(8) "Residential consumer" means any "consumer" receiving natural gas for the operation of space heating, hot water heating, cooking or refrigeration equipment used for residential purposes, where the total input capacity of the space heating equipment does not exceed 250,000 B. T. U. per hour.

(9) "Non-residential consumer" means any "consumer" other than a residential consumer as defined in (a) (8).

(b) *Integration of gas system operations.* (1) Each utility or non-utility supplier shall, as far as practicable, so operate and maintain its transmission, storage, distribution and gas manufacturing facilities as to achieve maximum deliverability of natural gas in any area or areas in which a shortage exists or is imminent and to conserve existing gas reserves; and no utility or non-utility supplier shall abandon any such facilities except upon specific authorization of the War Production Board. Where necessary for such purposes, the War Production Board may, from time to time, issue specific directions as to the operation of gas manufacturing, transmission, storage and distribution facilities.

(2) Each utility or non-utility supplier shall maintain in operating condition all gas manufacturing facilities owned or operated by such utility or non-utility supplier which were in operating condition on November 12, 1942. Each utility or non-utility supplier shall repair and maintain in operating condition such other facilities including gas manufacturing facilities owned or operated by such utility or non-utility supplier as the War Production Board may, from time to time, direct. Wherever repair and maintenance of gas facilities requires the use of materials in excess of

those available under any order issued by the War Production Board, application for authority to use or acquire such materials should be made to the War Production Board in accordance with established procedures.

(3) The War Production Board may, from time to time, issue specific directions respecting the delivery of natural gas from one utility or non-utility supplier to another or to any consumer, and respecting the interconnection of any facilities; and no utility or non-utility supplier shall deliver or accept or fail to deliver or accept deliveries of gas or fail to interconnect facilities in violation of any such direction. Subject to such directions and to the provisions of paragraph (b) (5), each utility or non-utility supplier shall so interchange natural gas with its interconnected utilities or non-utility suppliers as to achieve, directly or indirectly, the maximum deliverability in any area or areas in which a shortage exists or is imminent.

(4) Upon specific direction of the War Production Board, utilities or non-utility suppliers shall curtail gas deliveries to specified classes of consumers on their systems if necessary in order to make available gas for delivery to utilities or non-utility suppliers on whose systems there exists a shortage which adversely affects or threatens service to war producers or other essential consumers. Any utility or non-utility supplier may request the War Production Board to direct another utility or non-utility supplier to deliver gas to it, on the ground that such delivery will safeguard service to war producers or essential consumers, or will otherwise be in the interest of the war effort.

(5) No utility shall deliver natural gas to any other utility or non-utility supplier not theretofore regularly supplied by such utility (except emergency deliveries to relieve a shortage resulting from the failure or breakdown of gas production, transmission or distribution facilities), without specific approval of the War Production Board. Any utility making such emergency deliveries shall report directly to the War Production Board, Office of War Utilities, Natural Gas Division, Ref.: U–7, the nature of the emergency and the amount and duration of such deliveries.

(6) Each non-utility supplier in any area served by any utility with which such non-utility supplier is interconnected or is capable of being interconnected, shall upon notice from the War Production Board so order its operations as to make available to such utility, or to any essential war producer or other consumer, all natural or manufactured gas which it is capable of producing or supplying in excess of the minimum requirements of its own essential operations. Any non-utility supplier which on October 1, 1943 was supplying natural gas to a utility in an area in which a shortage exists or is imminent shall not discontinue deliveries to such utility without the approval of the War Production Board, unless it is no longer capable of making such deliveries, or pursuant to the provisions of paragraph (c) (1).

(c) *Operations during gas shortages.* (1) In the event of an existing or imminent gas shortage in any area, each utility or non-utility supplier supplying such area shall conduct its operations and reduce deliveries to non-residential consumers in accordance with the following schedule, subject to such further or special directions as the War Production Board may from time to time issue: *Provided*, That to the extent, if any, required by the emergency nature of the shortage such utility or non-utility supplier may, in the first instance, reduce deliveries without regard to such schedule, but shall, as soon as possible thereafter, readjust its operations and deliveries to conform in all respects to such schedule during the continuance of the gas shortage period. The utility or non-utility supplier shall:

(i) First, within the limit of contractual rights, reduce deliveries to all consumers purchasing natural gas under contracts permitting the supplier to interrupt deliveries: *Provided*, That deliveries of gas to exempted consumers, as defined in paragraph (c) (6), shall be reduced only to the extent that the fuel requirements of such consumers can be supplied from the consumer's stand-by facilities: *And provided*, That deliveries shall be maintained to any consumer to the minimum extent necessary to prevent permanent damage to production and service facilities, except that such deliveries shall be interrupted under paragraph (c) (1) (v) below.

(ii) Second, if such action has not previously been taken, operate utility's or non-utility supplier's stand-by gas manufacturing facilities up to their maximum operating capacity: *Provided*, That any utility may request the War Production Board to direct the operation of specific consumer stand-by facilities (in addition to those provided above) prior to the operation of such utility's stand-by manufacturing facilities, upon the ground that such action would relieve the gas shortage more expeditiously, or with less use of critical fuels, or would otherwise be in the interest of the war effort.

(iii) Third, reduce deliveries without regard to the supplier's contractual rights or those of any consumer to all remaining consumers having stand-by facilities, to the extent of the capacity of stand-by facilities.

(iv) Fourth, if such action has not previously been taken, notify all domestic and other consumers by radio, newspaper, or any other available means of general communication, that a temporary gas emergency in the area exists or is imminent and appeal for the immediate institution of voluntary curtailment by all gas consumers, to be maintained until notification that the emergency has passed.

(v) Fifth, interrupt deliveries within the limits of contractual rights to any consumers purchasing gas under contracts permitting the supplier to interrupt deliveries, who have not been fully curtailed under previous steps: *Provided*, That deliveries of gas to exempted consumers shall be reduced only to the extent that the full requirements of such consumers can be supplied from the consumers' stand-by facilities.

(vi) Sixth, reduce deliveries to all consumers not fully curtailed under previous steps, without regard to the supplier's contractual rights or those of any consumer or the non-existence of stand-by facilities: *Provided*, That deliveries of gas to exempted consumers shall be reduced only to the extent that the full requirements of such consumers can be supplied from the consumers' stand-by facilities.

(vii) Seventh, reduce deliveries to exempted consumers on a uniform proportionate basis so far as practicable pending receipt of special directions from the War Production Board.

(2) A "gas shortage" shall be deemed to exist whenever (i) a utility or non-utility supplier finds it necessary to reduce deliveries to its consumers, or (ii) the utility or non-utility supplier is able to maintain full deliveries to all consumers only by excessive withdrawals from storage or reserves which impair its ability to meet its forthcoming peak-day requirements to the usual extent, or (iii) the War Production Board notifies a utility or non-utility supplier that it considers a shortage to exist on such system.

(3) Deliveries to residential consumers during gas shortages shall be made pursuant to such directions as the War Production Board may from time to time issue: *Provided*, That any utility may at any time submit to the War Production Board a practicable program for the curtailment of its domestic consumers during such gas shortages and request that it be declared operative by the War Production Board among consumers of such utility.

(4) Except as set forth in the proviso of the first paragraph of paragraph (c) (1), or pursuant to special directions of the War Production Board, deliveries to any consumer in the respective groups defined above in paragraphs (c) (1) (i) to (c) (1) (vii) inclusive, shall not be reduced until deliveries to all consumers in prior groups have been fully suspended in accordance with the specific provisions of such paragraph: *Provided*, That deliveries to consumers in any group who consume less than 3000 mcf of gas per month need not be suspended before commencing curtailment of successive groups where such consumers are scattered or for other reasons not susceptible of speedy curtailment. Reductions to consumers defined in paragraph (c) (1) (i) shall be on such basis as will relieve the shortage most expeditiously; reduction to consumers within all groups defined in paragraph (c) (1) (iii) to (c) (1) (vii) inclusive shall so far as practicable be made on a uniform proportionate basis: *Provided*, That any utility or non-utility supplier may request the War Production Board to approve a specific program for such interruptions within any class of consumers, on a geographic or other basis which will relieve gas shortages more expeditiously.

(5) Each utility or non-utility supplier shall classify each of its non-residential consumers subject to probable curtailment within the applicable grouping set forth in paragraphs (c) (1) (i) to (c) (1) (vi), inclusive. Certain utility or non-utility suppliers will be required by the War Production Board to submit such a classification of non-residential consumers using 3000 MCF or more per month on Form WPB–619, together with the other data relative to operations during shortages required by such form. Only the War Production Board can classify consumers as 'exempted consumers'. Unless modified or revised by direction of the War Production Board, such consumer classification lists submitted on Form WPB–619 shall determine the grouping of each consumer in the application of the curtailment schedule set forth in paragraph (c) (1). At the direction of the war Production Board specific consumers or classes of consumers may at any time be classified in any of the groups defined in paragraphs (c) (1) (i) to (c) (1) (vii), inclusive, or in any special group, without regard to size, nature, or terms of delivery, whenever such action will assist in relieving gas shortage more expeditiously, or with less use of critical fuels, or in other respects will be in the interest of the war effort.

(6) An "exempted consumer" means a non-residential consumer whose operations have been determined by the War Production Board to be so important that an interruption of gas deliveries would seriously impair the war effort. The War Production Board will from time to time provide each supplier with a list of the exempted consumers on its system.

[Note: Paragraphs (7), (8), (9) formerly (6), (7), (8) redesignated 8–4–44.]

(7) Whenever, pursuant to any of the provisions of this order, or any special direction of the War Production Board, a utility or non-utility supplier is required to reduce deliveries to any consumer, it shall notify such consumer accordingly. Upon receipt of such notification each consumer shall reduce his acceptance of gas deliveries in accordance therewith.

(8) Notwithstanding any provisions of this order, if the War Production Board, after investigation, shall determine that any consumer having stand-by facilities, has failed to provide himself with an adequate supply of fuel for the operation of such stand-by facilities despite the availability of such fuel, the War Production Board may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such stand-by facilities.

(9) The following reports shall be filed with the War Production Board relative to gas shortages:

(i) Whenever any utility or non-utility supplier reduces deliveries of gas to any consumer pursuant to paragraph (c) (1) (v) above or any subsequent subparagraph of (c) (1), such utility or non-utility supplier shall immediately notify the War Production Board, Office of War Utilities, Natural Gas Division, Ref.: U–7, by telegram, of the extent of such reduction.

(ii) On or before the 15th day of each month following a calendar month during which reductions in delivery have occurred, each affected utility or non-utility supplier shall submit a report on Form WPB–620 of the aggregate volumes of natural gas conserved by such reductions in delivery and the volumes of natural gas replaced by consumer stand-by facilities and by utility or non-utility supplier gas manufacturing stand-by facilities.

(iii) On or before the 15th day of each month, each utility or non-utility supplier in certain areas specifically designated by the War Production Board shall submit on Form WPB–2077 a report of natural gas underground storage operations, summarizing such operations for the calendar month preceding the date of reporting.

(d) *Restrictions on deliveries of natural gas to non-residential consumers.* (1) No utility or non-utility supplier shall deliver natural gas to any non-residential consumer for the operation of any gas-fired equipment (including space heating equipment) and no non-residential consumer shall accept such deliveries, in any area listed on Exhibit B or Exhibit C, except in cases described in paragraphs (d) (2) or (d) (3) below, or unless:

(i) Such equipment was installed and in regular operation at the same premises prior to November 30, 1942: *Provided*, Deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L–31, or

(ii) Such equipment was converted from some other fuel to natural gas, and such conversion was completed and in regular operation at the same premises prior to November 30, 1942: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L–31, or

(iii) Such equipment replaces gas-fired equipment of equal or greater capacity previously installed and regularly operated at the same premises for the same purposes: *Provided*, That non-space heating equipment is not replaced with space heating equipment, or

(iv) Such deliveries have been specifically approved by the War Production Board: *Provided*, That deliveries of natural gas may be made where necessary for the operation of oil well or gas well drilling equipment.

(2) In any area listed on Exhibit B, a utility or non-utility supplier may deliver and any non-residential consumer may accept deliveries of natural gas for the operation of any gas-fired equipment when all of the following conditions are met:

(i) The aggregate input capacity of such equipment plus the aggregate input capacity of all other gas-fired equipment installed on the premises of the consumer since March 1, 1942 is less than 500,000 Btu per hour; .

(ii) Such equipment is not used primarily for space heating purposes;

(iii) Such equipment cannot, for technological reasons, utilize fuel other than natural gas or liquefied petroleum gases;

(iv) Such equipment does not replace, and is not intended to replace, equipment utilizing fuels other than natural gas;

(v) Such equipment has not been converted from some other fuel to natural gas unless such conversion was completed prior to November 1, 1943, at the same premises and deliveries of natural gas for the operation thereof were not prohibited prior to that date.

(3) In any area listed on Exhibit C, a utility or non-utility supplier may deliver and any non-residential consumer may accept deliveries of natural gas for the operation of any gas-fired equipment when all of the following conditions are met:

(i) The aggregate input capacity of such equipment plus the aggregate input capacity of all other gas-fired equipment installed on the premises of the consumer since March 1, 1942 is less than 1,500,000 Btu per hour;

(ii) Such equipment is not used primarily for space heating purposes;

(iii) Such equipment does not replace, and is not intended to replace, equipment utilizing a fuel other than natural gas;

(iv) Such equipment has not been converted from some other fuel to natural gas unless such conversion was completed prior to November 1, 1943, at the same premises and deliveries of natural gas for the operation thereof were not prohibited prior to that date.

[Note: Paragraph (4) formerly (2) redesignated Aug. 4, 1944.]

(4) The War Production Board may, by specific direction, establish monthly delivery quotas, limit increases in or require decreases of the monthly volume of natural gas which may be delivered to or accepted by any non-residential consumer in certain gas shortage areas, whenever it is determined that such action is necessary or appropriate; and upon the issuance of such directions no person shall make or accept deliveries which are not in conformance therewith.

(e) *Restrictions on deliveries of natural gas to residential consumers.* No utility or non-utility supplier shall deliver to any residential consumer, and no

residential consumer shall accept delivery of natural gas for the operation of any space heating equipment, unless:

(1) In any area listed on Exhibit B:

(i) Such equipment was installed and in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to the same date by Limitation Order L–31; or

(ii) Such equipment was converted from some other fuel to natural gas, and such conversion was completed and in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to the same date by Limitation Order L–31; or

(iii) In the case of new construction, such equipment was specified in the construction contract and was installed prior to March 1, 1943: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L–31; or

(iv) Such equipment replaces gas-fired equipment of equal or greater input capacity installed and regularly operated at the same premises, whether by the same or another consumer; or

(v) Such deliveries have been specifically approved by the War Production Board.

(2) In any area listed on Exhibit C, any of the five conditions set forth in (e) (1) above exists, or the utility, after investigation, certifies on the applicant's Form WPB–3314 that

(i) The equipment was installed in new residential premises whose foundation was completed after May 31, 1944; or

(ii) The existing heating equipment using a fuel other than natural gas has become worn out or unavoidably damaged beyond repair.

(3) In any area listed on Exhibit B or Exhibit C, the utility certifies that on the basis of information submitted by applicant on Form WPB–3314, the case falls into one of the following categories:

(i) Applications from persons transferring from one place of residence to another, who have owned gas-fired equipment which had been installed in the previous premises where its operation was permissible under Limitation Order L–31 or Utilities Qrder U–7: *Provided*, That the new premises in which the equipment is to be installed are piped for gas and are not presently equipped with other space-heating equipment capable of utilizing a fuel other than natural gas.

(ii) Applications from persons moving into residential premises not equipped with any space-heating equipment, and which can be heated only by gas-fired equipment either because the premises lack flues or fuel storage facilities necessary for the operation of space-heating equipment utilizing a fuel other than natural gas, or because such alternative equipment as would be practicable is not procurable in the locality.

(iii) Applications from persons moving into residential premises already piped for gas, whether or not such premises are equipped with other space-heating equipment, in cases where the applicant owns a room-size space heater having an input capacity not in excess of 25,000 BTU per hour, which the applicant had owned and operated in the previous premises and the operation of which was permitted under Limitation Order L–31 or Utilities Order U–7. (This category does not apply in the State of California.)

(iv) Applications from persons owning or leasing a structure which has been, or is being, converted into dwelling units which have no space-heating facilities and cannot be practicably heated with equipment using a fuel other than natural gas: *Provided*, That the total input capacity of the equipment covered by the application plus the capacity of all other gas-fired space-heating equipment supplying the residential portion of the premises, does not exceed 250,000 BTU per hour.

(4) In any area listed on Exhibit B or Exhibit C an application is filed by the consumer with the utility supplier on Form WPB–3314 and is supported by the following certifications to and by the utility:

(i) A certification by the physician in attendance that the household has no member or employee physically able, or able without injury to health, to tend coal-fired heating equipment; and

(ii) A certification by the applicant on the Form WPB–3314 application that the hardship claimed cannot be relieved by a partial conversion to gas or the installation of an auxiliary single-room gas-fired heater or circulator; and

(iii) A certification by the utility on the Form WPB–3314 application that the case has been investigated, that the facts alleged by the applicant are correct and that it is not possible to alleviate the hardship claimed by installing auxiliary heating equipment using a smaller quantity of gas.

(f) *Conversions and prohibited installations.* (1) No person shall install or cause to be installed gas-fired equipment designed to receive deliveries of natural gas from any utility if such deliveries are prohibited by paragraphs (d) or (e) of this order.

(2) If the War Production Board, after investigation, shall determine:

(i) That the gas-fired equipment owned or operated by any person can, without exceptional expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available, and

(ii) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war producers or essential civilian services, the War Production Board may upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of natural gas for the operation of such gas-fired equipment.

(g) *Conservation for war needs.* When the War Production Board by special direction prohibits or limits the use of natural gas for specific purposes in order to safeguard essential gas supplies in the interest of the war effort, no person shall use, deliver, or accept natural gas in violation of restrictions thus established.

(h) *Appeals and applications.* (1) Any person affected by this order, or any direction issued thereunder, who considers that compliance therewith or the operation thereof would work an exceptional and unreasonable hardship, or would in other respects be prejudicial, may appeal for relief by letter to the War Production Board.

(2) Any person who considers that any reduction in or prohibition of deliveries of natural gas made, or proposed to be made pursuant to any provision of this order, or any direction issued thereunder, interferes or will interfere materially with war production or essential civilian service, may apply to the War Production Board for relief by letter communication setting forth all relevant details.

(3) In areas listed on Exhibit B or Exhibit C, applications for new deliveries of gas under paragraphs (d) and (e) shall be filed with the utility or non-utility supplier on Form WPB–3314.

(i) New deliveries to non-residential consumers which are clearly permissible under the provisions of paragraph (d) may be made by the utility without referring the application to the pipe line supplier or the War Production Board, but such applications shall be kept in the utility's file with the action taken indicated under Item 15 for inspection by the War Production Board. All other applications for new non-residential deliveries not clearly permissible under the provisions of paragraph (d) must be referred to the pipe line supplier for transmittal to the War Production Board

after completion of Item 16 on Form WPB–3314.

(ii) New deliveries to residential consumers which are clearly permissible under the provisions of paragraph (e) may be made by the utility without referring the application to the pipe line supplier or the War Production Board but such applications shall be kept in the utility's file with the action taken indicated under Item 15 for inspection by the War Production Board. All other applications for new residential deliveries which are not clearly permissible under the provisions of paragraph (e) must be sent to the War Production Board for approval before deliveries can be made, but such applications need not be referred to the pipe line supplier for completion of Item 16 on Form WPB–3314.

(4) Any utility affected by this order which considers that the gas situation in its area warrants a change in classification with respect to Exhibits B and C may apply for such reclassification by a letter addressed to the War Production Board, Ref: U–7, stating the reasons therefor, including its system supply and demand data.

(i) *Reports and information.* (1) Each utility and non-utility supplier shall keep and preserve for not less than two years accurate and complete records concerning deliveries of natural gas to consumers or to other utilities or non-utility suppliers. Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(2) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Office of War Utilities, Washington 25, D. C. Ref.: U–7.

(k) *Violations.* Any person who wilfully violates any provision of this order or any direction issued hereunder, or who, in connection with such order or direction wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 4th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[NOTE: Exhibit A revoked August 4, 1944.]

EXHIBIT B

[NOTE: Exhibit B amended August 4, 1944.]

New York.
New Jersey.
Pennsylvania.
Maryland.
Virginia.
District of Columbia.
West Virginia.
Kentucky.
Ohio.
Indiana.
Michigan.
Wisconsin.
Illinois (only the area supplied by the Natural Gas Pipe Line Co. of America in the following counties: Boone, Bureau, Cook, De Kalb, Du Page, Grundy, Henry, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Livingston, McHenry, Ogle, Whiteside, Will, Winnebago, and the area supplied by the Panhandle Eastern Pipe Line Co. in the following counties: Champaign, Christian, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Effingham, Fulton, Greene, Knox, Lawrence, Logan, Macon, Mason, McLean, Morgan, Moultrie, Peoria, Piatt, Pike, Richland, Sangamon, Scott, Shelby, Tazewell, Vermilion and McDonough).
Missouri (only the area supplied by the Panhandle Eastern Pipe Line Co.).
Wyoming (only the area supplied by the Mountain Fuel Supply Co.).
Utah.
California (only the area supplied by the San Diego Gas and Electric Co.).

EXHIBIT C

[NOTE: Exhibit C added August 4, 1944.]

Arizona.
New Mexico (only the area supplied by the El Paso Natural Gas Co. in Hidalgo, Grant, Luna and Dona Ana Counties).
Colorado (only the area supplied by the Colorado Interstate Gas Co.).
Wyoming (only the area supplied by the Colorado Interstate Gas Co.).
Nebraska (only the area supplied by the Northern Natural Gas Co. and the Natural Gas Pipe Line Co. of America).
Iowa.
Minnesota.
Kansas (except the area supplied by the Kansas-Nebraska Natural Gas Co., Inc.).
Oklahoma (only the area supplied by the Cities Service Gas Co.).
Missouri (except the area supplied by the Panhandle Eastern Pipe Line Co.).
Arkansas (only the area supplied by the Mississippi River Fuel Corporation).
Illinois (except the area supplied by the Natural Gas Pipe Line Co. of America in the following counties: Boone, Bureau, Cook, De Kalb, Du Page, Grundy, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Livingston, McHenry, Ogle, Whiteside, Will, Winnebago and Henry, and the area supplied by the Panhandle Eastern Pipe Line Co. in the following counties: Champaign, Christian, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Effingham, Fulton, Greene, Knox, Lawrence, Logan, Macon, Mason, McLean, Morgan, Moultrie, Peoria, Piatt, Pike, Richland, Sangamon, Scott, Shelby, Tazewell, Vermilion and McDonough).
Tennessee.
Mississippi (only the area supplied by the Southern Natural Gas Co.).
Alabama (only the area supplied by the Southern Natural Gas Co.).
Georgia (only the area supplied by the Southern Natural Gas Co.).
California (except the area supplied by the San Diego Gas and Electric Co.).

[F. R. Doc. 44–11678; Filed, August 4, 1944; 11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 63]

SKI TROOP EQUIPMENT, ETC.

Correction

In F. R. Doc. 44–9680, appearing on page 7425 of the issue of Tuesday, July 4, 1944, the section number following paragraph (f) should be "section 4.3 (k)".

PART 1439—UNPROCESSED AGRICULTURE COMMODITIES

[MPR 426,[1] Amdt. 48]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15 is amended in the following respects:

1. In Table A in paragraph (e) of Appendix J, the prices for item 5 in Columns 7 and 10 are amended to read as follows:

1	•	7	•	10
5	•	0.15	•	0.30.
	•	0.15	•	0.20.
	•	0.09	•	0.13.
		⅜ cents	•	1⅜ cents.

2. In Table A and Table B in paragraph (e) in Appendix J, item 5 in Column 3 in each case is amended as follows: The terms

46–50 pounds.
44–48 pounds.

are amended, respectively, to read:

46–50 pounds, California, and Josephine and Jackson counties, Oregon.
44–48 pounds, all other areas.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2498, 4080, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356.

3. In Appendix K, Table 1 in paragraph (f) is amended by adding Tennessee to the list of states in Column 2 preceding items 1 through 8, and to the list of states for item 7, 8 in Column 2.

This amendment shall become effective August 4, 1944.

Issued this 3d day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 2, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-11650; Filed, August 3, 1944; 4:29 p. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 11, Supp. 5]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

SPECIAL REQUISITION TIME CHARTER FOR DRY CARGO VESSELS

§ 302.49 *Special time charter for requisitioned dry cargo vessels "Warshiptime (Special)".* In accordance with "Revised Program of Ship Requisition, Charter and Operation" Notice of October 15, 1943, as revised November 24, 1943, (8 F.R. 14251, 16089, 16491) and pursuant to the terms of the uniform letter agreement, Form No. 2, attached to and a part of said notice, the Administrator, War Shipping Administration, adopts the following standard form of special time charter for requisitioned dry cargo vesels, to be effective from the date of delivery of subject vessels to the termination date provided by said charter, said charter to be known as "WARSHIPTIME (Special)":

Form No. 101 Contract No._____
Warshiptime (Special)
7/3/44

WAR SHIPPING ADMINISTRATION

REQUISITION TIME CHARTER FOR DRY CARGO VESSEL

Time charter as of_____, 1944, between_____
Address_____
Owner of the good steel_____
(herein called the "Vessel"), with hull, machinery and equipment in a thoroughly efficient state, as far as the exercise of due diligence can make her so, and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer:

The Vessel's particulars as follows:

Deadweight capacity for cargo, fresh water and stores about _____tons (2240 lbs.), including Permanent Bunkers for fuel_____ on mean draft (_____ Normal Summer Freeboard) _____feet, inches_____ Classed_____.

Bale capacity of refrigerated cargo space in cubic feet, about_____

• • • • •

Owner agrees to let and CHARTERER agrees to hire the VESSEL, from time of delivery for trading subject to the following terms:

PART I

A. Period of charter. From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President May 27, 1941; *Provided*, That after August 15, 1944, either party may sooner terminate this Charter (the Vessel to be redelivered as hereinafter provided) upon not less than 30 days' written or telegraphic notice.

B. Trading limits. World-wide.

C. Port and date of delivery.

D. Rate—Option I A. The hire, from the time of delivery to and including November 30, 1943, shall be $_____ per calendar month or pro rata for any portion thereof.

The hire stated above has been computed by the Administrator so as to include an allowance of $125 per diem for the Owner's overhead expense.

Option II A. 75 per centum of the full rate stated in Option I A above and such further sum, if any, judicially determined, as added to such 75 per centum will make up such amount as will be just compensation under the applicable laws and the Constitution of the United States, for the use of the Vessel and the services required under the terms of this Charter.

Option I B. The hire, from and including December 1, 1943, shall be $_____ per calendar month or pro rata for any portion thereof.

The hire stated above has been computed by the Administrator so as to include an allowance of $63 per diem for the Owner's overhead expense.

Option II B. 75 per centum of the full rate stated in Option I B above and such further sum, if any, judicially determined, as added to such 75 per centum will make up such amount as will be just compensation under the applicable laws and the Constitution of the United States, for the use of the Vessel and the services required under the terms of this Charter.

E. War risk insurance valuation—Option I. The sum of $_____ effective from the date of execution of this Charter by the Owner, provided, however, that if no valuation is set forth in this Option I, or, if the Vessel has been lost prior to the date of execution hereof by the Owner, then Option I shall not be in effect and Option II shall apply.

If Option I is effective, the Owner may place additional insurance at Owner's expense in commercial or other markets beyond the amount of the foregoing valuation, but the cost of such insurance shall not be the basis of any claim against the Administrator, nor shall the existence of such additional coverage be construed as evidence as to the value of the Vessel. All such additional coverage shall be reported to the Administrator as soon as practicable. The Administrator, by written notice, may terminate in whole or in part, the foregoing provisions with respect to such additional coverage for the period subsequent to execution hereof.

Option II. Just compensation to be determined in accordance with the applicable laws and the Constitution of the United States for any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

For the purposes of this Charter and any insurance undertaken by the Charterer, if the Vessel is subject to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended, the Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national defense features), less the depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel depreciation shall be computed on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

By mutual agreement the valuation provisions of this Clause D may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

F. Port of redelivery. Not less favorable to either party than the port of delivery, unless otherwise agreed.

G. Notice of redelivery. Fifteen (15) days.

H. Uniform terms. 1. This charter consists of:

(a) This Part I.

(b) Part II of the Uniform Time Charter Terms and Conditions for Dry Cargo Vessels, published in the FEDERAL REGISTER of May 16, 1942.

(c) The Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions published in the FEDERAL REGISTER of March 31, 1944, as corrected by Orders published in the FEDERAL REGISTER of April 18, 1944, and June 8, 1944, which addendum shall be deemed to have been executed by the parties hereto simultaneously with the execution of this Part I.

2. Unless in this Part I otherwise expressly provided, all of the provisions of said Part II and of said Uniform Addendum to Time Charter shall be part of this Charter and shall have the same effect as though fully incorporated and set forth herein.

3. The provisions of this Charter shall supersede all agreements, charters or other arrangements heretofore made for the use of the Vessel for the period covered by this Charter and all sums heretofore received as payments in advance or on account of charter hire shall be accounted for hereunder;

I. Revised time charter program. 1. If in accordance with paragraph 4 of the letter dated April 15, 1944, from the Secretary of the War Shipping Administration to the Owner or by other mutual agreement the Owner shall have agreed to accept or shall agree to accept the standard form of Addendum (Amended Time Charter) set forth in General Order 11, Supplement 3, published in the FEDERAL REGISTER of April 8, 1944, then, unless otherwise agreed, on the effective date specified in Clause J, Part I, of said Addendum (Amended Time Charter), the terms of this Charter shall be deemed amended to the extent provided for by said Addendum as corrected by Order published in the FEDERAL REGISTER of May 11, 1944, and as amended by Order published in the FEDERAL REGISTER of June 6, 1944, except for the second and third "Whereas" recitals thereof, which shall be deemed deleted. As soon as practicable the Administrator shall transmit to the Owner for execution a form of such Addendum, as so corrected and amended, and concurrently therewith, in conformity with said paragraph 4 of said letter, shall tender for Owner's election to acceptance or non-acceptance a statement of the rate which in the Administrator's judgment will be just compensation for the use of the Vessel and for the services required under the terms of said Addendum commencing with the effective date and subject to all of the terms thereof and subject to the terms of said Addendum, shall also tender a statement of the valuation of the Vessel which in the opinion of the Administrator will constitute just compensation for the loss of or damage to the Vessel occurring after said effective date.

2. If the Owner shall not have accepted or agreed to accept said Addendum, operation and payment of hire under this Charter shall terminate, unless otherwise agreed or sooner terminated on the date fixed in Clause J, paragraph 6.

J. Special provisions. 1. Part II hereof shall be deemed to include a provision under which the costs incurred by the Owner on and after December 1, 1943, by applying the provisions of Operations Regulation No. 64 of the War Shipping Administration to the Vessel, will be for the account of the Charterer.

2. Nothing in this Charter shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter or to any other Charter executed by the Owner except where such Charter specifically provides therein for renegotiation: *Provided, however*, That all rights, if any, which the Administrator may have to renegotiate any Charter hire or other sums are hereby reserved by the Administrator.

3. The insurance on the Vessel to be provided or assumed by the Charterer pursuant to Clause 20 (1) of Part II hereof shall be the full form of Standard Hull War Risk Insurance Policy of the War Shipping Administration as set forth in General Order 6, Revised, as published in the FEDERAL REGISTER of March 20, 1943.

4. The rate of hire and the war risk insurance valuation, if any, set forth in this Charter are tendered to the Owner with the understanding that acceptance by the Owner of either such rate of hire or such insurance valuation shall not be deemed to be an agreement or admission that either such hire or such valuation constitute the proper standards of the just compensation to which the Owner is entitled under the laws and the Constitution of the United States, and an acceptance thereof shall not be used as the basis or standard for determining such just compensation or allocation of any portion of hire as overhead under any other Charter heretofore or hereafter made by the Owner with the United States acting by and through the Administrator, War Shipping Administration.

In witness whereof, the Owner has executed this Charter in quadruplicate the _____ day of _____, 1944, and has elected Hire Options _____ and Valuation Options _____ and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 1944.

As to execution for Owner.

_____
By _____
ATTEST:
_____
or if *not incorporated*
In the presence of:

_____
Witness
and
_____
Witness
and
_____
Witness

UNITED STATES OF AMERICA,
By E. S. LAND, *Administrator*
War Shipping Administration.
By _____
For the Administrator
Approved as to Form:
_____
Assistant General Counsel,
War Shipping Administration.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JULY 10, 1944.

[F. R. Doc. 44-11609; Filed, August 4, 1944; 11:27 a. m.]

[G. O. 11, Supp. 6]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

SPECIAL REQUISITION TIME CHARTER FOR TANK VESSELS

§ 302.54 *Special time charter for requisitioned tank vessels "WARSHIPOIL-TIME (Special)".* In accordance with "Revised Program of Ship Requisition, Charter and Operation" Notice of October 15, 1943, as revised November 24, 1943 (8 F.R. 14251, 16089, 16491) and pursuant to the terms of the uniform letter agreement, Form No. 2, attached to and a part of said notice, the Administrator, War Shipping Administration, adopts the following standard form of special time charter for requisitioned tank vessels, to be effective from the date of delivery of subject vessels to the termination date provided by said charter, said charter to be known as "WARSHIPOIL TIME (Special)":

Form No. 102 Contract No. _____
Warshipoiltime (Special)
7/3/44

WAR SHIPPING ADMINISTRATION

REQUISITION TIME CHARTER FOR TANK VESSELS

Time charter as of _____, 1944, between _____ Address _____ Owner of the good _____ (herein called the "Vessel"), with hull, machinery and equipment in a thoroughly efficient state, as far as the exercise of due diligence can make her so, and United States of America, acting by and through the Administrator, War Shipping Administration, Charterer.

The Vessel's particulars are as follows: Deadweight capacity for cargo, fresh water and stores about _____ tons (2240 lbs.), including Permanent Bunkers for fuel _____ on mean draft (assigned summer freeboard, 1930 convention) _____ feet, _____ inches. Classed_____. Bale capacity of refrigerated cargo space in cubic feet _____. Discharge capacity all pumps per hour _____. Tanks coiled _____. Last two successive cargoes _____. Panama canal transit highest grade products under current regulations _____. Constructed and equipped Sues Canal transit with crude petroleum or products in bulk.

• • • • •

Owner agrees to let and charterer agrees to hire the vessel, from time of delivery for trading subject to the following terms:

PART I

A. Period of charter: From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President May 27, 1941; *Provided*, That after August 15, 1944; either party may sooner terminate this Charter (the vessel to be redelivered as hereinafter provided) upon not less than 30 days' written or telegraphic notice.

B. Trading limits: World-wide.

C. Port and date of delivery:

D. Rates:

Option I A. The hire, from the time of delivery to and including November 30, 1943, shall be $_____ per calendar month or pro rata for any portion thereof.

Option II A. 75 per centum of the full rate stated in Option I A above and such further sum, if any, judicially determined, as added to such 75 per centum will make up such amount as will be just compensation under the applicable laws and the Constitution of the United States, for the use of the Vessel and the services required under the terms of this Charter.

Option I B. The hire, from and including December 1, 1943, shall be $_____ per calendar month or pro rata for any portion thereof.

Option II B. 75 per centum of the full rate stated in Option I B above and such further sum, if any, judicially determined, as added to such 75 per centum will make up such amount as will be just compensation under the applicable laws and the Constitution of the United States for the use of the Vessel and the services required under the terms of this Charter.

E. War risk insurance valuation—Option I. The sum of $_____ effective from the date of execution of this Charter by the Owner: *Provided, however*, That if no valuation is set forth in this Option I, or, if the Vessel has been lost prior to the date of execution hereof by the Owner, then Option I shall not be in effect and Option II shall apply.

If Option I is effective, the Owner may place additional insurance at Owner's expense in commercial or other markets beyond the amount of the foregoing valuation, but the cost of such insurance shall not be the basis of any claim against the Administrator, nor shall the existence of such additional coverage be construed as evidence as to the value of the Vessel. All such additional coverage shall be reported to the Administrator as soon as practicable. The Administrator, by written notice, may terminate in whole or in part the foregoing provisions with respect to such additional coverage for the period subsequent to execution hereof.

Option II. Just compensation to be determined in accordance with the applicable laws and the Constitution of the United States for any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

For the purposes of this Charter, and any insurance undertaken by the Charterer, if the Vessel is subject to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended, the Vessel shall be valued as of the date of loss at the actual depreciated construction cost of the Vessel (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national defense features), less the depreciated amount of construction differential subsidy theretofore paid incident to the construction or reconditioning of such Vessel, or the fair and reasonable scrap value of such Vessel as determined by the Charterer, whichever is greater. In computing the depreciated value of the Vessel, depreciation shall be computed on the Vessel on the schedule adopted by the Bureau of Internal Revenue for income tax purposes.

By mutual agreement the valuation provisions of this Clause D may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

F. Port of Redelivery. Not less favorable to either party than the port of delivery unless otherwise agreed.

G. Notice of Redelivery. Fifteen (15) days.

H. Uniform terms. 1. This Charter consists of:

(a) This Part I.

(b) Part II of the Uniform Time Charter Terms and Conditions for Tank Vessels published in the FEDERAL REGISTER of June 19, 1942.

(c) The Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions published in the FEDERAL REGISTER of March 31, 1944, as corrected by Orders published in the FEDERAL REGISTER of April 18, 1944, and June 8, 1944, which

Addendum shall be deemed to have been executed by the parties hereto simultaneously with the execution of this Part I.

2. Unless in this Part I otherwise expressly provided, all of the provisions of said Part II and of said Uniform Addendum to Time Charter shall be part of this Charter and shall have the same effect as though fully incorporated and set forth herein.

3. The provisions of this Charter shall supersede all agreements, charters or other arrangements heretofore made for the use of the Vessel for the period covered by this Charter and all sums heretofore received as payments in advance or on account of the charter hire shall be accounted for hereunder.

I. *Revised time charter program.* 1. If in accordance with paragraph 4 of the letter dated April 15, 1944, from the Secretary of the War Shipping Administration to the Owner or by other mutual agreement, the Owner shall have agreed to accept or shall agree to accept the standard form of Addendum (Amended Time Charter) set forth in General Order 11, Supplement 4, published in the FEDERAL REGISTER of April 8, 1944, then, unless otherwise agreed, on the effective date specified in Class J, Part I of said Addendum (Amended Time Charter) the terms of this Charter shall be deemed amended to the extent provided for by said Addendum, as corrected by Order published in the FEDERAL REGISTER of May 11, 1944, as amended by Order published in the FEDERAL REGISTER of June 6, 1944, except for the second and third "Whereas" recitals thereof, which shall be deemed deleted. As soon as practicable, the Administrator shall transmit to the Owner for execution a form of such Addendum as so corrected and amended, and, concurrently therewith, in conformity with said paragraph 4 of said letter, shall tender for Owner's election as to acceptance or non-acceptance, a statement of the rate which in the Administrator's judgment will be just compensation for the use of the Vessel and for the services required under the terms of said Addendum commencing with the effective date and subject to all the terms thereof, and subject to the terms of said Addendum, shall also tender a statement of the valuation of the Vessel which in the opinion of the Administrator will constitute just compensation for the loss of or damage to the Vessel occurring after said effective date.

2. If the Owner shall not have accepted or agreed to accept said Addendum, operation and payment of hire under this Charter shall terminate, unless otherwise agreed or sooner terminated on the date fixed in Clause J, Paragraph 8.

J. *Special provisions.* 1. Part II hereof shall be deemed to include a provision under which the costs incurred by the Owner on and after December 1, 1943, by applying the provisions of Operations Regulation No. 64 of the War Shipping Administration to the Vessel, will be for the account of the Charterer.

2. Nothing in this Charter shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter or to any other Charter executed by the Owner except where such Charter specifically provides therein for renegotiation: *Provided, however,* That all rights, if any, which the Administrator may have to renegotiate any Charter hire or other sums are hereby reserved by the Administrator

3. The insurance on the Vessel to be provided or assumed by the Charterer pursuant to Clause 20 (i) of Part II hereof shall be the full form of Standard Hull War Risk Insurance Policy of the War Shipping Administration as set forth in General Order 6, Revised, as published in the FEDERAL REGISTER of March 20, 1943.

4. The rate of hire and the war risk insurance valuation, if any, set forth in this Charter are tendered to the Owner with the understanding that acceptance by the Owner of either such rate of hire or such insurance valuation shall not be deemed to be an agreement or admission that either such hire or such valuation constitute the proper standards of the just compensation to which the Owner is entitled under the laws and the Constitution of the United States, and an acceptance thereof shall not be used as the basis or standard for determining such just compensation or allocation of any portion of hire as overhead under any other Charter heretofore or hereafter made by the Owner with the United States acting by and through the Administrator, War Shipping Administration.

In witness whereof, the Owner has executed this Charter in quadruplicate the _____ day of _____, 1944, and has elected Hire Options _____ and Valuation Options _____ and the Charterer has executed this Charter in quadruplicate the _____day of _____ 1944.

As to execution for Owner

_____

By _____

Attest:

_____

or if *not incorporated*

In the presence of:

_____

Witness

and

_____

Witness

and

_____

Witness

UNITED STATES OF AMERICA,
By E. S. LAND, *Administrator,*
War Shipping Administration.

By _____
For the Administrator

Approved as to Form:

_____
Assistant General Counsel,
War Shipping Administration.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

JULY 10, 1944.

[F. R. Doc. 44-11670; Filed, August 4, 1944; 11:27 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 63—EXTENSION OF LINES AND DISCONTINUANCE OF SERVICE BY CARRIERS

DISCONTINUANCE, REDUCTION AND IMPAIRMENT OF TELEGRAPH SERVICE

The Commission, pursuant to oral argument in Docket No. 6608, on July 26, 1944, effective immediately, adopted a new § 63.31, which reads as follows:

§ 63.31 *Publication and posting of notices.* (a) For the purposes of this section the following definitions shall apply:

(1) "Class 1 telegraph office." Company-operated direct office, which is only office or principal office in the community.

(2) "Class 2 telegraph offices." Company-operated branch office subordinate to a Class 1 office in the same community.

(3) "Class 3 telegraph office." Same as Class 2 but located in adjacent separate municipality.

(b) Upon the filing of an application for authority to close a Class 1, 2 or 3 public telegraph office (except an office located at the site of a United States Army camp when such camp has been closed or moved) or to reduce hours of telegraph service at such an office, the applicant shall post a public notice at least two feet (2') by three feet (3') with letters of commensurate size in a conspicuous place at the office affected for at least fourteen (14) days, which notice shall be in the following form:

_____
(Date of first posting of notice)

Notice is hereby given, that application was made on the _____day of_____, 19_____, by_____ Company to the Federal Communications Commission to close this office (or reduce the hours of service from the present hours of service _____m. to _____m. to the hours _____m. to _____m.) If the application is granted, substituted service will be available from _____m. to _____m. at the _____ office, located at _____ (or give other appropriate general description of substituted service). Any member of the public desiring to protest or support the closing of this office (or the reduction of the hours of service) may communicate in writing, with the Federal Communications Commission, Washington 25, D. C. on or before _____ (fill in date which is 20 days after the date of the first posting of notice).

(c) The applicant shall also cause to be published a notice not less than four (4) column inches in size containing information similar to the notice form specified in (b) above at least once during each of two consecutive weeks in some newspaper of general circulation in the community or part of the community affected.

(d) Upon the filing of an application for authority to close a telegraph office of any other class (except an office located at the site of a United States Army camp when such camp has been closed or moved) or to reduce the hours of telegraph service at such an office, applicant shall post a public notice at least eleven inches (11") by seventeen inches (17") as provided in (b) above or, in lieu thereof, applicant shall cause to be published a newspaper notice as provided in paragraph (c).

(e) When such posting and publication have been completed, applicant shall certify such fact to the Commission, stating the name of the newspaper in which publication was made and the dates of publication and posting.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i), Sec. 214, 48 Stat. 1075; 47 U.S.C. 214)

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-11692; Filed, August 4, 1944; 12:00 m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 80, Amdt. 20]

PART 95—CAR SERVICE

MOVEMENT OF GRAIN AT DENVER, COLO., APPOINTMENT OF AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of August, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 80, as amended (codified as § 95.19 of Title 49 CFR):

It is ordered, That F. R. Houlton of the Denver Grain Exchange Association is hereby designated and appointed as Agent of the Commission to issue permits for the movement of grain under the terms of this order at the Denver, Colorado, market in lieu of H. G. Mundhenk. The appointment of H. G. Mundhenk is hereby vacated. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this amendment shall become effective August 10, 1944; that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11690; Filed, August 4, 1944; 11:47 a. m.]

[S. O. 221, Amdt.]

PART 95—CAR SERVICE

UTILIZATION OF ROUGH BOX CARS FOR LOADING SHINGLES FROM OREGON AND WASHINGTON

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of August, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 221 of July 29, 1944, and good cause appearing therefor:

It is ordered, That Service Order No. 221 of July 29, 1944, be, and it is hereby, amended by substituting the following paragraph in lieu of paragraph (e) thereof:

(e) *Rates to be applied.* The rates to be applied on shipments loaded pursuant to this order shall be the tariff rates on cedar shingles in connection with the tariff minimum weight of 34,000 pounds now provided when cars are loaded to full visible capacity.

It is further ordered, That this order shall become effective 12:01 a. m., August 5, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11691; Filed, August 4, 1944; 11:47 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6627]

THAMES BROADCASTING CORP.

NOTICE OF HEARING

In re application of Thames Broadcasting Corporation (WNLC), date filed April 24, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, New London, Connecticut; operating assignment specified: Frequency, 1240 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the areas and populations which would gain primary service from the operation of Station WNLC, as proposed, and what other broadcast services are available to these areas and populations.

2. To determine the extent of any interference which would result from the simultaneous operation of Station WNLC, as proposed, and Stations WGBB, Freeport, N. Y., and WOCB, West Yarmouth, Mass.

3. To determine the areas and populations which may be expected to lose primary service, particularly from Stations WGBB and WOCB should Station WNLC operate as proposed, and what other broadcast services are available to those areas and populations.

4. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by Section 307 (b) of the Communications Act of 1934 as amended.

5. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

6. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant, unless already made a party to this proceeding, who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Thames Broadcasting Corporation, Radio Station WNLC, Mohican Hotel, 281 State Street, New London, Connecticut.

The following were made parties to this proceeding and are subject to the provisions of § 1.141 of the Commission's rules: Harry H. Carman, Radio Station WGBB, 44 South Grove Street, Freeport, New York; E. Anthony & Sons, Inc., Radio Station WOCB, 575 Pleasant Street, New Bedford, Mass.

Dated at Washington, D. C., August 1, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-11693; Filed, August 4, 1944; 12:00 m.]

[Docket No. 6628]

ASHBACKER RADIO CORP.

NOTICE OF HEARING

In re application of Ashbacker Radio Corporation (WKBZ), date filed May 1, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Muskegon, Michigan; operating assignment specified: Frequency, 1230 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

2. To determine the areas and populations which would gain primary service should Station WKBZ operate as proposed, and what other broadcast services are available to those areas and populations.

3. To determine the extent of any interference which would result from the simultaneous operation of Station WKBZ as proposed, and Stations WHBY, WJOB, and WJEF.

4. To determine the areas and populations which would be deprived of primary service, particularly from Stations WHBY, WJOB, and WJEF as a result

of the operation of Station WKBZ as proposed, and what other broadcast services are available to those areas and populations.

5. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

6. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience, or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Ashbacker Radio Corporation, Radio Station WKBZ, WKBZ Auditorium, 424–432 Apple Avenue, Muskegon, Michigan.

Dated at Washington, D. C., August 1, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–11694; Filed, August 4, 1944; 12:00 m.]

[Docket No. 6633]

VALLEY BROADCASTING CO.

NOTICE OF HEARING

In re application of Myron E. Kluge, Earle E. Williams and C. Harvey Haas, a partnership, d/b as Valley Broadcasting Company (New), date filed May 5, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Pomona, California; operating assignment specified; frequency, 1580 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

3. To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement (Appendix 1 Table 2 and Appendix 2 Table 1).

4. To determine whether the assignment requested represents the most efficient use of the 1580 kc channel in the southwest portion of the United States.

5. To determine whether the proposed station would provide primary service to (a) business district, (b) residential districts, and (c) the metropolitan district of Los Angeles, California, as contemplated by the Standards of Good Engineering Practice.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

7. To determine the interest, if any, that the applicants, or any of them, have in any station or stations rendering primary service to any portion of the area proposed to be served under the instant application.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Myron E. Kluge, Earle E. Williams and C. Harvey Haas, a partnership d/b as Valley Broadcasting Company, Post Office Box 495, Pomona, California.

Dated at Washington, D. C., August 1, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–11695; Filed August 4, 1944, 12:00 m.]

[Docket No. 6637]

DURHAM BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Durham Broadcasting Co., Inc. (New); date filed March 25, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Durham, North Carolina; operating assignment specified: frequency, 1580 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing to be consolidated with the application of Harold H. Thoms, Docket No. 6638, for the following reasons:

1. To determine the qualifications of the applicant corporation to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would receive primary service in the operation of the proposed station, and what other broadcast services are available to these areas and populations.

4. To determine whether the proposed station would render primary service to a substantial portion of the primary service area of Station WRAL, Raleigh, North Carolina.

5. To determine whether a grant of this application would be consistent with the provisions of § 3.35 of the Commission's regulations.

6. To determine whether the operation of the proposed station would result in an interfering signal of .025 mv/m inside the Canadian border.

7. To determine whether the operation of the proposed station would be consistent with the provisions of the North American Regional Broadcasting Agreement.

8. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion, dated April 27, 1942, or any subsequent modifications thereof.

9. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

10. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application, the application of Harold H. Thoms, File No. B3–P–3579, or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Durham Broadcasting Co., Inc., Attention A. J. Fletcher, P. O. Box 1406, Raleigh, North Carolina.

Dated at Washington, D. C., July 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–11696; Filed August 4, 1944; 12:00 m.]

[Docket No. 6638]

HAROLD H. THOMS

NOTICE OF HEARING

In re application of Harold H. Thoms (New), date filed, February 18, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Durham, North Carolina; operating assignment specified: Frequency, 1580 kc.; power, 1 kw.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing to be consolidated with the application of Durham Broadcasting Company, Inc., Docket No. 6637, for the following reasons:

1. To determine the qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would receive primary service in the operation of the proposed station, and what other broadcast services are available to these areas and populations.

4. To determine whether the operation of the proposed station would result in an interfering signal of .025 mv/m inside the Canadian border.

5. To determine whether the operation of the proposed station would be consistent with the provisions of the North American Regional Broadcasting Agreement.

6. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion, dated April 27, 1942, or any subsequent modifications thereof.

7. To determine whether the granting of this application would tend toward a fair efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application, the application of the Durham Broadcasting Co., Inc., File No. B3-P-3592, or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Harold H. Thoms, 89 College Street, Asheville, North Carolina.

Dated at Washington, D. C., July 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-11697; Filed, August 4, 1944; 12:00 m.]

FEDERAL POWER COMMISSION.

[Docket No. G-545]

MISSOURI WESTERN GAS CO.

NOTICE OF AMENDMENT TO APPLICATION

AUGUST 3, 1944.

On June 28, 1944, a hearing was held in the above-entitled matter in Kansas City, Missouri, concerning the application of Missouri Western Gas Company for a certificate of public convenience and necessity to authorize the construction and operation of approximately 21 miles of 3½ and 4-inch diameter pipe line extending from Panhandle Eastern Pipe Line Company's measuring station located 1½ miles north of Harrisonville, Cass County, Missouri, to the 4-inch transmission pipe line of applicant at Adrian, Missouri, together with a regulator station.

The evidence adduced at the hearing showed that the following facilities were abandoned and partially removed without first having obtained authorization from this Commission for such abandonment under section 7 (b) of the Natural Gas Act:

(a) A transmission pipe line extending west from the Town of Amoret to the Missouri-Kansas State line, across such State line to a point on U. S. Highway 69, then, in a northwesterly direction to a point two miles south of La Cygne, Kansas;

(b) A transmission pipe line extending from said point on Highway 69 southwesterly to the point of connection with the Commercial Gas Pipeline Company near Pleasanton, Kansas.

On July 3, 1944, applicant filed a supplement to its application for the purpose of conforming it to the evidence presented at the hearing with respect to the facilities described in (a) and (b) and requested permission and approval of the Commission to abandon such pipe lines.

Any person desiring to be heard or to make any protest with respect to the abandonment and removal of the aforesaid pipe lines should, on or before the 21st day of August 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-11700; Filed, August 4, 1944; 12:10 p. m.]

[Docket No. G-103]

UNITED GAS CORP.

NOTICE OF APPLICATION

AUGUST 4, 1944.

Notice is hereby given that on July 31, 1944, an application was filed with the Federal Power Commission by United Gas Corporation ("applicant"), a Delaware corporation authorized to do business in the State of Texas, and having its operating division office at Houston, Texas, seeking a Presidential Permit, pursuant to Executive Order No. 8202, for the construction, operation and maintenance at the International Boundary of the United States of facilities for the exportation of natural gas to the Republic of Mexico.

Applicant has heretofore been operating and maintaining facilities for the exportation of natural gas to the Republic of Mexico at Laredo, Texas, for distribution in the City of Nuevo Laredo, State of Tamaulipas, and environs, pursuant to a Presidential Permit issued to it on September 5, 1940. Said Presidential Permit authorized applicant to operate and maintain two four-inch natural gas pipe lines, one extending from a point on the American shore in the City of Laredo, Texas, and thence on and along The Texas Mexican Railway Company's railroad bridge across the Rio Grande River to the International Boundary Line of the United States and the Republic of Mexico, and the other extending from applicant's distribution system in the City of Laredo, Texas, and thence along Salinas and Water Streets in said city to a point on the north bank of the Rio Grande, and authorized a physical connection at the border of the United States and Mexico with pipe lines of the Compania de Gas de Nuevo Laredo, S. A., a Mexican corporation domiciled in the City of Nuevo Laredo, Mexico. Such operation, maintenance and connection of facilities for the exportation of natural gas was authorized by said Presidential Permit in accordance with the terms of an original contract for the purchase and sale of natural gas dated September 30, 1931, between Texas Border Gas Company (predecessor of applicant) as seller and Compania de Gas de Nuevo Laredo, S. A., as buyer, as amended by letter dated October 10, 1934, to Compania de Gas de Nuevo Laredo, S. A., from United Gas Public Service Company (predecessor of applicant).

The application recites that Applicant proposes to enter into a new contract with Compania de Gas de Nuevo Laredo, S. A., which is to replace and supersede its previous contract; that the present facilities are inadequate to supply the present and the increased loads expected to be added by the Compania de Gas de Nuevo Laredo, S. A.; and that Applicant desires to replace that portion of the four-inch line extending from a point at Lincoln and Vidaurri Streets in the City of Laredo with a six-inch line extending from the same point to The Texas Mexican Railway Company's railroad bridge

and thence paralleling the present four-inch line on and along the bridge to the International Boundary.

Any person desiring to be heard or to make any protest with reference to said application, should, on or before the 21st day of August, 1944, file with the Federal Power Commission a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11698; Filed, August 4, 1944; 12:19 p. m.]

[Docket No. G-422]

WEST TEXAS GAS CO.

NOTICE OF APPLICATION

AUGUST 3, 1944.

On September 17, 1942, West Texas Gas Company filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the construction and operation of the following described facilities:

(1) 6.3 miles of 10¾-inch O. D. loop line in Hale County, Texas, extending in a southerly direction from a point near the north line of the northwest quarter of section 36, block A-1, E. L. & R. R. Survey, to a point near the southwest corner of section 3, block A-4, E. L. & R. R. Survey; and

(2) A 500 B. H. P. compressor station located near the northeast corner of the southeast quarter of section 113, block 6, I. & G. N. Survey, Randall County, Texas, together with appurtenant facilities.

The applicant stated that such facilities were required to render adequate service to its present customers.

By order entered October 10, 1942, the Commission issued a limited certificate authorizing the construction and operation of the aforesaid facilities. The loop line and the compressor station were placed in operation on February 8, 1943, and June 27, 1943, respectively.

Pursuant to the Commission's order of June 1, 1944, entered *In the Matter of West Texas Gas Company*, Docket Nos. G-489 and G-550, and after appropriate notice thereof had been given, a public hearing was held at Ft. Worth, Texas, on June 23, 1944. At such hearing evidence was adduced with respect to the above-described facilities in addition to the facilities involved in Docket Nos. G-489 and G-550.

Any person desiring to be heard, or to make any protest with respect to the application in Docket No. G-442 should, on or before the 21st day of August 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11699; Filed August 4, 1944; 12:19 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 200, Gen. Permit 15]

REICING OF POTATOES IN DESIGNATED COUNTIES IN NEW MEXICO

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once any refrigerator car loaded with potatoes originating at points in Quay, Curry and Roosevelt Counties, New Mexico, the reicing may be accorded at stations designated by shippers, or at carriers' option, at the first station on either side of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., August 3, 1944, and shall expire at 12:01 a. m., September 15, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11689; Filed August 4, 1944; 11:47 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 500A-92]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special accounting pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Archiv Für Technisches Messen	Unknown (periodical publication)	R. Oldenbourg, Schliessfach 31, Munich 1, Germany (nationality: German).	Owner.
Unknown	Ergebnisse der Exakten Naturwissenschaften.	Unknown (periodical publication)	Julius Springer, Linkstr. 22/24, Berlin W 9, Germany (nationality: German).	Owner.
Unknown	Jahrbuch der Aegforschung	Unknown (periodical publication)	Julius Springer, Linkstr. 22/24, Berlin W 9, Germany (nationality: German).	Owner.

[F. R. Doc. 44–11628; Filed, August 3, 1944; 11:42 a. m.]

[Vesting Order 800A–93]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Iran das Neue Persien, 1937	Axel von Graefe (nationality not established).	Atlantis, Berlin-Zurich, Germany (nationality: German).	Owner.
Unknown	Zeiss Nachrichten, July 1930	von A. Kohler (nationality not established).	Gustav Fischer Jena, Germany (nationality: German).	Owner.
Unknown	Die Elastischen Platten, 1926	Dr.-Ing. A. Nadai (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Handbuch der Gasindustrie, Band 2, 1940	Karl Horst Bruckner (nationality not established).	R. Oldenbourg, Muneben und Berlin, Germany (nationality: German).	Owner.

EXHIBIT A—Continued

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified personas whose interests are being vested
Unknown	Regler fur Druck und Menge, 1930	Guido Wunsch (nationality not established).	R. Oldenbourg, Munchen and Berlin, Germany (nationality: German).	Owner.
Unknown	Grundlagen der Technischen Rontgendurchstrahlung, 1930.	Dr.-Ing Rudolf Berthold (nationality not established).	Johann Ambrosius Barth, Leipzig, Germany (nationality: German).	Owner.
Unknown	Das Prinzip-Geographischer Rassenkreise und das Problem der Artbildung, 1929.	Bernhard Rensch (nationality not established).	Gebruder Borntraeger, Berlin, Germany (nationality: German).	Owner.
Unknown	Magnesium und Seine Legierungen, 1939	Dr.-Ing E. h. Adolf Beck (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Vergleichende Morphologie der hoheren Pflanzen, 1939.	Dr. Wilhelm Troll (nationality not established).	Gebruder Borntraeger, Berlin, Germany (nationality: German).	Owner.
Unknown	Diamant-Werkzeuge, darstellung der anwendung des diamanten, 1936.	Dip.-Ing Paul Grodzinski (nationality not established).	M. Krayn, Berlin W-35, Germany; (nationality: German).	Owner.
Unknown	Der Baum Gedichte, 1926	Karl Zuchmayer (nationality not established).	Propylaen G. m. b. H., Berlin, Germany (nationality: German).	Owner.
Unknown	Wissenschaftliche Veroffentlichungen aus den Siemens-Werken, 1940.	F. Horst Miller (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Zeitschrift furdie Gesamte Experimentelle Medizin, 1939.	Walter Seitz (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Handbuch der Gasindustrie, 1940	Karl Horst Bruckner (nationality not established).	R. Oldenbourg, Munchen und Berlin, Germany (nationality: German).	Owner.

[F. R. Doc. 44-11629; Filed, August 3, 1944; 11:42 a. m.]

[Vesting Order 500A-94]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatizaton and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwies asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A-For. 17888.....	Sechsstellige trigonometrische Tafel alter Kreisteilung für Berechnungen mit der Rechenmaschine, 1932.	Hermann Brandenburg, of Germany (nationality: German).	Albert Lorentz inhaber: dr. H. C. Ernst Weigandt, Kurprinzenstr 10, Leipzig, Germany (nationalities: German).	Owner.
Unknown.....	Variationsrechnung und partielle Differentialgleichungen erster Ordnung, 1935.	Constantin Caratheodory (nationality not established).	B. G. Teubner, Leipzig, Germany (nationality: German).	Owner.
Unknown.....	Einführung in die Statik, 1942.....	Fritz Ghmelka and Ernst Melan (nationality not established).	Julius Springer, Wien, Germany (nationality: German).	Owner.
Unknown.....	Vektoren, 1941.....	Heinrich Dörrie (nationality not established).	R. Oldenbourg, München and Berlin, Germany (nationality: German).	Owner.
Unknown.....	Die technischen Ammoniumsalze. Unter Mitwirkung von Theodor Geuther. (Sammlung chemischer und chemisch-technischer Vorträge N. F. H. 38) 1938.	Kurt Drews (nationality not established)...	F. Enke, Stuttgart, Germany (nationality: German).	Owner.
Unknown.....	Grundlegende Operationen der Farbenchemie, 1943.	Hans Eduard Fierz-David and Louis Blangey (nationalities not established).	Julius Springer, Wien, Germany (nationality: German).	Owner.
A-For. 47717.....	Elektrometrische pH-Messung mit kleinen Lösungsmengen, 1941.	Franz Fuhrmann (nationality not established).	Julius Springer, Wien, Germany (nationality: German).	Owner.
A-For. 46671.....	Reine u angewandte Metallkunde in Einseldarstellungen band 2. Metalle u Legierungen fur hohe Temperaturen 1 Teil, 1940.	Werner Hessenbruch of Germany (nationality: German).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A-For. 43705.....	Die Differentialgleichungen der Technik und Physik. 3. Aufl. des Lehrbuches Die Differentialgleichungen des Ingenieurs, 1939.	Wilhelm Hort and Alfred Thoma (nationalities not established).	Johann Ambrosius, Barth, Leipzig, Germany (nationality: German).	Owner.
Unknown.....	Fortschritte der Heilstoffchemie, 1926-39.....	Joseph Houben (nationality not established).	Walter de Gruyter, Berlin, Germany (nationality: German).	Owner.
Unknown.....	Elektrochemisches Praktikum. 6., veränderte Aufl., 1942.	Max Erich Müller (nationality not established).	T. Steinkopff, Dresden, Germany (nationality: German).	Owner.
Unknown.....	Viskosität der Kolloide (Handbuch der Kolloidwissenschaften in Einseldarstellungen. Bd. IX). 1942.	Wladimir Philipoff (nationality not established).	T. Steinkopff Dresden, Germany (nationality: German).	Owner.
Unknown.....	Hochwertiges Gusseisen, seine Eigenschaften und die physikalische Metallurgie seiner Herstellung, 1942.	Eugen Piwowarsky (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A-For. 46529.....	Die Wechselrichter und Umrichter, ihre Berechnung und Arbeitsweise, 1940.	Walter Schilling (nationality not established).	R. Oldenbourg, München, Germany (nationality: German).	Owner.
Unknown.....	Die Brüfung der Elektrizitäts-Zähler, Messerinrichtungen, Messmethoden und Schaltungen, 3. völlig neubearb. Aufl., 1940.	Karl Schmiedel (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A-For. 29915.....	Molekülspektren und ihre Anwendung auf chemische Problemei(Struktur und Eigenschaften der Materie, Bd. XV, XVI), 1935-36.	Hertha Sponer of Germany (nationality: German).	Julius Springer, Berlin, Germany (nationality: German).	Author and owner.

[F. R. Doc. 44-11630; Filed, August 3, 1944; 11:42 a. m.]

[Vesting Order 500A-95]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territroy occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing:

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share or profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if

and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A for. 41378	Grundlagen der Atomphysik. Eine einführung in das studium der Wellenmechanik. Mit 154 abbildungen, v. 20 zahlentafeln im text. 1938.	Hans Adolf Bauer, of Germany (nationality: German).	Julius Springer, Schottengasse 4, Wien, Austria (nationality: German).	Author and owner.
A for. 28806	Einführung in die organische-chemische laboratoriumstechnik. 1934.	Konrad Bernhauer, of Czechoslovakia (nationality: Czechoslovakian).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Owner.
A for. 21606	Grundzüge der chemie und biochemie der Zuckerarten. 1933.	Konrad Bernhauer, of Czechoslovakia (nationality: Czechoslovakian).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Owner
A for. 26662	Theorie und berechnung der eisernen brücken. 1924.	Friedrich Bleich, of Austria (nationality: Austrian).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Owner
A for. 43274	Wasser und luft. (Erster teil. Technologie des wassers) (Mit 421 abbildungen) (Handbuch lebensmittelchemie, achter band. Begründet von A. Bomer & others, hrsg. von A. Juckenack & others). 1933.	Friedrich Sierp; Arthur Splittgerber & others, compilers; B. Bleyer & W. Diemar, editors of Germany (nationalities: German).	Julius Springer, Linkstr. 23/24 Berlin, Germany (nationality: German).	Authors and owner.
A for. 13870	Siebschaltungen. 1931.	Wilhelm Cauer of Germany (nationality: German).	V. D. I. Verlag, g. m. b. h., Dorchester 31, Berlin, Germany (nationality: German).	Author and owner.
A for. 1106	Graphic darstellung der Spektren von Atomen und Ionen mit ein zwei und drei valenzelektronen. 1, 2, T. 1928.	W. Grotrian of Germany (nationality: German).	Julius Springer, Linkstr. 23/24 Berlin, Germany (nationality: German).	Author and owner.
A for. 28885	Analyse der Fette und Wachse. 1. bd. 1925.	Adolf Grun of Austria (nationality: Austrian).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Owner.
A for. 6930	Analyse der Fette und Wachse. 2 bd. Systematik, analysenergebnisse bibliographie der naturlichen fette und Wachse. 1929.	Adolf Grun & Wilhelm Halden, of Germany (nationalities: German).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Authors and owner.
A for. 40958	Rahmentragwerke und Durchlaufträger. 1940.	Richard Guldan of Germany (nationality: German).	Julius Springer Wien, Germany (nationality: German).	Author and owner.
A for. 28618	Hagers handbuch der pharmaceutischen praxis . . . vollstandig neu bearb. und hrsg. von dr. G. Frerichs, G. Arends, Dr. H. Zornig. 1. bd., 1925.	G. Frerichs, G. Arends, u. a., hrsg. of Germany (nationalities: German).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Authors and owner.
A for. 37709	Hagers handbuch der pharmaceutischen praxis . . . Vollstandig neu bearb. und hrsg. 2 bd., 1927.	Hrsg. G. Frerichs, G. Arends, H. Zornig of Germany (nationalities: German).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Authors and owner.
A for. 46452	Grundlagen und analytischer Aufbau der projektiven, euklidischen, nichteuklidischen Geometrie. 1940.	Lothar Heffter, of Germany (nationality: German).	B. G. Teubner, Poststr. 3–5, Leipzig, Germany (nationality: German).	Author and owner.
A for. 16138	Die Trockentechnik. 2. Aufl. 1932.	Moritz Hirsch, of Germany (nationality: German).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Author and owner.
A for. 42606	Chemie der organischen Kunststoffe. 1939.	Wilhelm Huntenburg, of Germany (nationality: German).	Johann Ambrosius Barth, Salomonstr. 18b, Leipzig, Germany (nationality: German).	Author and owner.
A for. 47556	Radioaktivität. I Grundlagen und Messmethoden. 1940.	H. Israel, of Germany (nationality: German).	Johann Ambrosius Barth, Leipzig, Germany (nationality: German).	Author and owner.
A for. 20144	Röntgen-Ganzaufnahmen des Menschen. Darstellungen des normalen skeletts, seine ererbten und erworbenen Veränderungen. Mit. 1934.	Robert Janker, of Germany (nationality: German).	Johann Ambrosius Barth, Salomonstr. 18, Leipzig, Germany (nationality: German).	Author and owner.
A for. 40868	Die Herstelling, verwendung und aufbewahrung von flüssiger Luft, 6 aufl. 1928.	Oscar Kausch, of Germany (nationality: German).	Carl Steinert Weimar, Germany (nationality: German).	Author and owner.
A for. 21287	Einführung in die elektronik. 1933.	Otto Klemperer, of Germany (nationality: German).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Author and owner.
A for. 31009	Praktische physik 17 aufl. (F. Kohlrausch). 1935.	Sigmund Irk & Eduard Justi, u. a., of Germany (nationalities: German).	B. G. Teubner, Poststr. 3–5, Leipzig, C1, Germany (nationality: German).	Authors and owner.
A for. 26594	Der Sensitive beziehungswahn. 2 aufl. 1927.	Ernst Kretschmer, of Germany (nationality: German).	J. Springer, Berlin, Germany (nationality: German).	Author and owner.
A for. 28407	Zelluloseacetate und die anderen organischen Ester der Zellulose. 1928.	D. Kruger, of Germany (nationality: German).	Theodor Steinkopff, Residenestr. 32, Dresden, Germany (nationality: German).	Author and owner.
A for. 9637	Schwingungstechnik; ein Handbuch für Ingenieure. 1 bd. Grundlagen. 1930.	Ernst Lehr, of Germany (nationality: German).	Julius Springer, Berlin, Germany (nationality: German).	Author and owner.
A for. 24993	Schwingungstechnik, ein handbuch für engenieure, 2. bd, Schwingungen eingliedriger systeme mit stetiger energiezufuhr. 1934.	Ernst Lehr, of Germany (nationality: German).	Julius Springer, Berlin, Germany (nationality: German).	Author and owner.
A for. 29854	Der Aufbau der atomkerne; natürliche und künstliche kernumwandlungen. 1935.	Lise Meitner u Max Delbrück, of Germany (nationalities: German).	Julius Springer, Berlin, Germany (nationality: German).	Authors and owner.
A for. 11313	Praktikum der physikalischen chemie insbesondere der kolloidchemie. 4 aufl. 1930.	Leonor Michaelis and Peter Rona, of Germany (nationalities: German).	Julius Springer, Linkstr. 23/24, Berlin, Germany (nationality: German).	Authors and owner.
A for. 46721	Lehrbuch der elektrotechnik bd. II. Rechenverfahren und allgemeine theorien der elektrotechnik. 1940.	Gunther Oberdorfer, of Germany (nationality: German).	R. Oldenbourg, Munchen, Germany (nationality: German).	Author and owner.
A for. 2172	Sechsstellige Tafel der trignometrischen Funktionen. 1926.	J. Peters, of Germany (nationality: German).	Ferd. Dümmlers verlag, Berlin, Germany (Nationality: German).	Owner and G. Szegö
A for. 37459	Aufgaben und lehrsätze aus der analysis. 1 bd. 1925.	Georg Polya, of Switzerland, and G. Szegö, of Germany (nationalities: Swiss and German).	Julius Springer, Berlin, Germany (nationality: German).	Owner and G. Szegö
A for. 28267	Aufgaben und lehrsätze aus der analysis. 2 bd. 1925.	G. Polya, of Switzerland, and G. Szegö, of Germany (nationalities: Swiss and German).	Julius Springer, Berlin, Germany (nationality: German).	Author and owner.
A for. 11790	Werkstoffe: physikalische eigenschaften und korrosion. bd. 1, 2. 2 bd. 1931.	Erich Rabald, of Germany (nationality: German).	Otto Spamer, Heinrichstr. 9, Leipzig, Germany (nationality: German).	Author and owner.
A for. 13660	Die glykoside; chemische monographie der pflanzenglykoside von dr. J. J. L. van Rijn. 2. organzte und neubearb. aufl. von dr. Hugo Dieterle. 1931.	Prof. Dr. H. Dieterle, of Germany (nationality: German).	Gebrüder Borntraeger, Berlin W. 35, Germany (nationality: German).	Author and owner.

EXHIBIT A—Continued

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified personsa whose interests are being vested
A for. 40208	Piezoelektrizität des Quarzes, Wissensch Forschungsberichte, bd. 45, 1938.	Adolf Scheibe, of Germany (nationality: German).	Theodor Steinkopff, Residenzstr. 32, Dresden, Germany (nationality: German).	Author and owner.
A for. 44146	Spannungsmessung an Werkstücken. Ergebnisse der technischen Röntgenkunde, Bd. 6, 1938.	E. Schiebold, of Germany (nationality; German).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality: German).	Author and owner.
A for. 21883	Die schiess und sprengstoffe, mit einem anhang, 2 aufl. 1933.	Alfred Stettbacher, of Switzerland (nationality: Swiss).	Johann Ambrosius Barth, Salomonstr. 18 b. Leipzig, Germany (nationality: German).	Owner.
A for. 17445	Röntgendiagnostik des schädels bei erkrankungen des auges unde seiner nachbarorgane. Text u Abbildungen (2 bde). 1932.	Rudolf Thiel, of Germany (nationality: German).	Julius Springer, Berlin, Germany (nationality: German).	Author and owner.
A for. 12042	Handbuch der pharmakognosie. 2 aufl. 1 bd. Allgemeine pharmakognosie. 1930.	Bearb. Alexander Tschirch, u. a., of Germany (nationality: German).	Bernhard Tauchnitz, Dresdner Str. 5, Leipzig, Germany (nationality: German).	Author and owner.
A for. 16450	Handbuch der pharmakognosie. 2 aufl. 1 bd. Allgemeine pharmakognosie 2 abt. 1932.	Bearb. A. Tschirch, E. Gilg, u. a., of Germany (nationality: German).	Bernhard Tauchnitz, Leipzig, Germany (nationality: German).	Authors and owner.
A for. 25612	Handbuch der pharmakognosie. 2 aufl. 1 bd. Allgemeine pharmakognosie 3 abt. 1933.	Bearb. A. Tschirch, u. a., of Germany (nationality: German).	Bernhard Tauchnitz, Leipzig, Germany (nationality: German).	Author and owner.
A for. 30364	Die fusarien, ihre beschreibung, schadwirkung und bekampfung. 1935.	Dr. H. W. Wollenweber, of Germany, and Dr. O. A. Reinking of U. S. A. (nationalties: German and American).	Paul Parey, Hedemannstr. 28/29, Berlin SW 11, Germany (nationality: German).	Owner and Dr. H. W. Wollenweber.

[F. R. Doc. 44–11631; Filed, August 3, 1944; 11:43 a. m.]

[Vesting Order 500A–96]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A for. 29150	Der grosse Duden, vol. 3. Grammatik der deutschen Sprache. Eine Anleitung zum Verstaendnis unserer Muttersprache. 1936.	Ottos Basler, editor of Germany (nationality: German).	Bibliographisches Institut, Leipzig, Germany (nationality: German).	Author and owner.

[F. R. Doc. 44–11632; Filed, August 3, 1944; 11:43 a. m.]

[Vesting Order 500A-97]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A for. 31966	Topologie 1. 1935. (Grundlehren der mathematischen Wissenschaften. Bd. 45).	Paul Alexandroff and Heinz Topf (nationalities not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Praxis der magnetischen Messungen. 1942	B. Book (nationality not established)	Gebruder Borntraeger, Berlin, Germany (nationality: German).	Owner.
Unknown	Verschleiss, Betriebszahlen und Wirtschaftlichkeit von Verbrennungskraftmaschinen (Die Verbrennungskraftmaschine H. 14), 1943.	Carl Englisch (nationality not established).	Julius Springer, Wien, Germany (nationality: German).	Owner.
Unknown	Die Lösungsmittel und Weichhaltungsmittel (Monographien aus dem gebiete der Fettchemie. Bd. I). 1943.	Hellmut Gnamm (nationality not established).	Wissenschaftliche Verlagsgesellschaft, Stuttgart, Germany (nationality: German).	Owner.
Unknown	Handbuch der tropischen und subtropischen Landwirtschaft. Hrsg. von Georg A. Schmidt and August Marcus. 1943.	Unknown	S. Mittler, Berlin, Germany (nationality: German).	Owner.
A for. 14628	Strahlenoptik. 1931. (Grundlehren der mathematischen Wissenschaften. Bd. 25).	Max Herzberger (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Adsorptionsmethoden im chemischen Laboratorium. 1943.	Gerhard Hesse (nationality not established).	Walter de Gruyter, Berlin, Germany (nationality: German).	Owner.
A for. 23512	Vorlesungen über projektive Geometrie. 1934 (Grundlehren der mathematischen Wissenschaften. Bd. 42).	Christian Juel (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A for. 22001	Vorlesungen über die hypergeometrische Funktion. 1933 (Grundlehren der mathematischen Wissenschaften. Bd. 39).	Felix Klein (nationality not established)	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Ramanspektren (Eucken, A., Handund Jahrbuch. Bd. 9), 1943.	K. W. F. Kohlrausch (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality: German).	Owner.
Unknown	Der Aufbau schnellaufender Verbrennungskraftmaschinen für kraftjahrzeuge und Triebwagen (Die Verbrennungskraftmaschine. H. 11), 1942.	Hans Kremser (nationality not established).	Julius Springer, Wien, Germany (nationality: German).	Owner.
Unknown	Kolorimetrische Analyse. 1941	Bruno Lange (nationality not established).	Verlag Chemie, Berlin, Germany (nationality: German).	Owner.
Unknown	Physik und Technik des Tonfilms. 2., erweit. Aufl. 1943.	Hugo Lichte and Albert Marath (nationalities not established).	S. Hirzel, Leipzig, Germany (nationality: German).	Owner.
A for. 4090	Grundlagen der Hydromechanik. 1929 (Grundlehren der mathematischen Wissenschaften. Bd. 30).	Leon Lichtenstein (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Optische Messungen des Chemikers und Mediziners (Technische Forschungsberichte. Bd. 46) 1943.	Fritz Löwe (nationality not established)	T. Steinkopff, Dresden, Germany (nationality: German).	Owner.
Unknown	Die Gewinnung von Fetten und fettige Oles (Technische Fortschrittsberichte. Bd. 47) 1943.	Reinhard Lüde (nationality not established).	T. Steinkopff, Dresden, Germany (nationality: German).	Owner.

EXHIBIT A—Continued

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A for. 30912	Vorlesungen über elementare Mechanik. 1935 (Grundlehren der mathematischen Wissenschaften. Bd. 44).	Jakob Nielsen (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A for. 20434	Vorlesungen über Differenzenrechnung. 1924 (Grundlehren der mathematischen Wissenschaften. Bd. 13).	Niels Erik Nörlund (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A for. 34320	Vorlesungen über neuere Geometrie. 2 Aufl. 1926. (Grundlehren der mathematischen Wissenschaften. Bd. 23).	Moritz Pasch (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A for. 9402	Vorlesungen über Grundlagen der Geometrie. 1930 (Grundlehren der mathematischen Wissenschaften. Bd. 32).	Kurt Reidemeister (nationality not established).	Julius Springer, Berlin Germany (nationality German).	Owner.
Unknown	Photogrammetrie (Handbuch fü das Vermessungswesen. Bd. 4) 1940.	Kurt Rube (nationality not established)	Otto Elsner Verlagsgesellschaft, Berlin, Germany (nationality: German).	Owner.
A for. 11219	Einführung in die analytische Geometrie der Ebene und des Raumes. 2 Aufl. 1931 (Grundlehren der mathematischen Wissenschaften. Bd. 21).	Arthur Schoenflies (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A for. 25800	Der Ricci-Kalkül. 1924. (Grundlehren der mathematischen Wissenschaften. Bd. 10).	Jan Arnoldus Schouten (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
A for. 12920	Farbstofftabellen 1931-1939. 7 Anfl. Neuebearb. von Ludwig Lehmann.	Gustav Schultz (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality: German).	Owner.
A for. 25072	Vorlesungen über die Theorie der Polyeder unter Einschluss der Elemente der Topologie. 1934 (Grundlehren der mathematischen Wissenschaften. Bd. 41).	Ernst Steinitz (nationality not established).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown	Die natürlichen Pflanzenfamilien nebst ihren Gattungen und wichtigeren Arton, insbesondere den Nutzpflanzen. Only vol. 14 e. Reihe Graminese. Bearb. v. R. Pilger, 1940.	Adolf Engler and K. Prantl (nationalities not established).	Wilhelm Engelmann, Leipzig, Germany (nationality: German).	Owner.
Unknown	Werkstoffe Ratgeber. 1939	Herwarth von Renesse (nationality not established).	W. Girardet, Essen, Germany (nationality: German).	Owner.

[F. R. Doc. 44–11633; Filed, August 3, 1944, 11:43 a. m.]

[Vesting Order 500A–08]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Lehrbuch der organischen Chemie. 8 aufl. 1942.	Paul Karrer, of Switzerland (nationality: Swiss).	Georg Thieme, Antonstr. 15-19, Leipzig, Germany (nationality: German).	Owner.
Unknown	Moraltheologie. 1929	Heribert Jone, of Germany (nationality: German).	Ferdinand Schoeningh, Paderborn, Germany (nationality: German).	Owner and author.

[F. R. Doc. 44-11634; Filed, August 3, 1944; 11:44 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 892]

BETHLEHEM FAIRMONT COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 892 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices for mixed coals of Bethlehem Fairmont Coal Company.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Bethlehem Fairmont Coal Company in Size Group Nos. 1 to 5, inclusive, at its Scott No. 2 Mine, Mine Index No. 136 in District No. 3, when loaded as a mixture consisting of approximately 69 percent from this mine and 31 percent of similar coals produced at the Scott No. 3 Mine, Mine Index No. 2045, of Hallett Coal Company, for rail shipments, including railroad fuel, may be purchased and sold at per net ton prices f. o. b. the rail shipping point not exceeding the following:

	Size Group				
	1	2	3	4	5
Maximum Prices	$2.88	$2.84	$2.81	$2.61	$2.57

(b) The mixed coals described in paragraph (e) above are hereby assigned Mine Index No. 2054. This number shall be used by applicant in connection with all sales of coal priced under this order.

(c) Order No. 783, as amended by Amendment No. 1 thereto, is hereby revoked.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order shall not be effective after February 28, 1945, and it may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective as of August 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11673; Filed, August 4, 1944; 11:23 a. m.]

[MPR 188, Order 3 Under Order 1052]

B. F. HUNTLEY FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 3 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by B. F. Huntley Furniture Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order permits the manufacturer, B. F. Huntley Manufacturing Company, Winston-Salem, North Carolina, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052) established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) *Manufacturer's maximum prices.* B. F. Huntley Furniture Company may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 1% of its maximum prices for such sales established in Order No. 1052. The permitted adjustment of 1% may be made only if separately stated.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge allowed by this order for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 5th day of August 1944.

Issued this 4th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11672; Filed, August 4, 1944; 11:24 a. m.]

[MPR 188, Order 2027]

M & D CABINET MAKERS

APPROVAL OF MAXIMUM PRICES

Order No. 2027 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of finished and two items of unfinished wardrobes manufactured by M & D Cabinet Makers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of finished and two items of unfinished wardrobes manufactured by M & D Cabinet Makers, 1221 Rockaway Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Finished wardrobe	Single door	$8.03	$9.45
Unfinished wardrobe	Single door	6.83	8.03
Finished wardrobe	Double door	9.75	11.47
Unfinished wardrobe	Double door	8.29	9.75

These prices are f. o.b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision 1 (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Finished wardrobe	Single door	$9.45
Unfinished wardrobe	Single door	8.03
Finished wardrobe	Double door	11.47
Unfinished wardrobe	Double door	9.75

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 5th day of August 1944.

Issued this 4th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11674; Filed, August 4, 1944; 11:23 a. m.]

[MPR 188, Order 2028]

WOODCRAFT MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2028 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a clothes dryer manufactured by the Woodcraft Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a clothes dryer manufactured by the Woodcraft Manufacturing Company, 421 West Los Feliz Road, Glendale 4, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Clothes dryer		$0.90	$1.06

These prices are subject to a freight allowance of 60¢ per cwt. for 200 lbs. or more and to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article:	*Maximum price to retailers*
Clothes Dryer	$1.06 each.

These prices are subject to a cash discount of 2% on payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 5th day of August 1944.

Issued this 4th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11675; Filed, August 4, 1944; 11:23 a. m.]

[MPR 188, Order 2029]

ROSS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2029 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers goods other than apparel. Approval of maximum prices for sales of folding wooden step stool manufactured by Ross Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of folding wooden step stools manufactured by Ross Mfg. Company, 2617 West 16th Street, Little Rock, Arkansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Wooden step stool	24	$1.73	$2.04

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March

1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Wooden step stool	24	$2.04

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 5th day of August 1944.

Issued this 4th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11676; Filed, August 4, 1944; 11:23 a. m.]

[Rev. SR 14, Order 2]

KATHLINE WYATT

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2 under § 6.32 (g) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation. Commodities and services. Approval of maximum prices for sales of Gloria hand-hooked cotton rugs.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, *It is ordered:*

(a) Miss Kathline Wyatt, Lake Lure, North Carolina, may sell and deliver to jobbers the "Gloria" line of hand-hooked cotton rugs as described in the application (and as evidenced by samples submitted to the Office of Price Administration, Washington, D. C.) packed suitable for freight shipment at maximum prices no higher than 58¢ per square foot. This maximum price is net f. o. b. Asheville, North Carolina.

(b) On and after the effective date of this order, the maximum price for all sales and deliveries at wholesale by jobbers of the "Gloria" hand-hooked cotton rugs as described in paragraph (a) above shall be 78¢ per square foot. This maximum price is f. o. b. jobber's place of business and is subject to a cash discount of 4% for payment within 10 days, 60 days extra, net 70 days.

(c) On and after the effective date of this order, any person may sell and deliver at retail "Gloria" hand-hooked cotton rugs as described in paragraph (a) above at $1.28 per square foot. This maximum price includes all services furnished by the seller. On retail sales West of the Mississippi River, a freight charge may be added as follows: 10¢ for sizes 24" x 48" or smaller; 20¢ for larger sizes up to but not including 48" x 72" and 35¢ for size 48" x 72".

(d) This Order No. 2 does not supersede the provisions of section 6.32 other than paragraphs (a), (e) and (f) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) At the time of the first invoice, Miss Kathline Wyatt, Lake Lure, North Carolina, shall notify in writing each purchaser who buys from her of the maximum prices established by this order for resales by the purchaser. Since this order, also, establishes maximum prices for sales by all jobbers and retailers, each jobber who resells the commodity by this order must notify the purchaser of the maximum price established by this order for sales by the purchaser. These written notices may be given in any convenient form.

(f) This order shall become effective on the 5th day of August 1944.

Issued this 4th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11671; Filed, August 4, 1944; 11:24 a. m.]

Regional and District Office Orders.

[Region VI Order G-16 Under RMPR 122, Appendix III]

SOLID FUELS IN DULUTH, MINN.

Appendix No. III to Order No. G-16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Duluth, Minnesota.

(a) This Appendix No. III applies to delivered and yard sales to domestic and commercial consumers, and to yard sales to dealers making domestic and commercial sales, where the delivery is received or the yard or dock is located within the city limits of Duluth, Minnesota.

(b) Immediately below and as a part of this paragraph (b) is a price schedule that sets maximum prices for delivered and yard sales of specified kinds and sizes of solid fuels. Column 1 describes the fuel for which prices are established; Columns 2, 3, 4, 5, 6, and 7, shows maximum prices per net ton for the types of sales, and to the classes of purchasers, indicated by each column heading.

PRICE SCHEDULE

Description	Delivered		At yard		Dealer at yard	
	Domestic	Commercial	Domestic	Commercial	Domestic	Commercial
1	2	3	4	5	6	7
I. Bituminous Coal from Dist. #2 (Pa.):						
1. Lump	$10.85	$9.40	$9.95	$9.00	$8.00	$7.90
2. Egg	10.65	9.20	9.75	8.80	7.80	7.70
3. Stove	10.50	9.05	9.60	8.65	7.65	7.55
4. Stoker	9.10	7.80	8.20	7.40	6.70	6.60
5. Screenings	8.90	7.80	7.90	7.40	6.70	6.60
II. Low Volatile Bituminous Coal from District #7 (Eastern W. Va. and Va.):						
1. Lump	13.30	----------	12.60	----------	10.30	----------
2. Egg	13.85	----------	12.95	----------	10.85	----------
3. Stove	13.50	----------	12.60	----------	10.50	----------
4. Nut	12.30	----------	11.40	----------	9.30	----------
5. Stoker	10.20	9.20	9.20	8.30	8.10	8.00
6. Screenings	8.30	8.30	8.40	7.90	7.20	7.10
II. High Volatile Bituminous Coal from Dist. #8 (Eastern Ky., Northern Tennessee and parts of Va. and W. Va.):						
A. Lump:						
1. Millers Creek	12.30	10.85	11.40	10.45	9.45	9.35
2. Elkhorn	11.90	10.45	11.00	10.05	9.05	8.95
3. Dorothy	11.55	10.10	10.65	9.70	8.70	8.60
4. Island Creek	11.35	9.95	10.45	9.55	8.50	8.40
B. Egg:						
1. Millers Creek	12.10	10.65	11.20	10.25	9.25	9.15
2. Elkhorn	11.70	10.25	10.80	9.85	8.85	8.75
3. Dorothy	11.35	9.90	10.45	9.50	8.50	8.40
4. Island Creek	11.15	9.70	10.25	9.30	8.30	8.20
C. Stove:						
1. Millers Creek	11.95	10.50	11.05	10.10	9.10	9.00
2. Elkhorn	11.55	10.10	10.65	9.70	8.70	8.60
3. Dorothy	11.20	9.75	10.30	9.35	8.35	8.25
4. Island Creek	11.00	9.55	10.10	9.15	8.15	8.05
D. Stoker:						
1. Millers Creek & Elkhorn	10.25	8.85	9.35	8.85	8.15	8.05
2. Island Creek	10.10	8.10	9.20	8.70	8.00	7.90
E. Screenings:						
1. Millers Creek & Elkhorn	9.20	8.20	8.20	7.80	7.10	7.00
2. Dorothy	9.05	8.05	8.15	7.65	6.95	6.85
3. Island Creek & Hazard	8.95	7.95	8.05	7.55	6.85	6.75

(c) *Service charges.* A dealer may charge 75¢ per ton for carry from curb, when this service is rendered in connection with sales of solid fuel covered by this appendix. This charge may be made only if the buyer requests such service of the dealer and only when the dealer renders the service pursuant to such a request. This service charge shall be separately stated in the dealer's invoice.

(d) *Definitions.* Whenever in this appendix reference is made to:

(1) "Commercial or steam sales," that term shall refer to sales to all licensed rooming houses, hotels, apartments, fourplexes with one heating plant or any business operation with one central heating plant, which take their coal in Duluth in delivered lots of unadjusted weights in excess of three tons;

(2) "Lump," "stove," "stoker," "egg," "nut," etc., that term shall refer to the sizes of coals which are re-screened, prepared and sold at the docks under such designations and sizes and shall be the same sizes and designations as were prepared at the docks during December, 1941;

(3) "Miller's Creek," "Dorothy," "Island Creek," "Elkhorn," and "Hazard," that term shall refer to coal from those seams in Producing District No. 8.

This Appendix No. III to Order No. G-16 shall be effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11601; Filed, August 2, 1944; 1:25 p. m.]

[Region VI Order G-105 Under 18 (c)]

BREAD IN CLINTON, IOWA

Order No. G-105 establishing maximum prices under § 1499.18 (c) of the General Maximum Price Regulation for sales of bread in Clinton, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of General Maximum Price Regulation, *It is ordered:*

1. The maximum prices for sales of bread at wholesale and retail in Clinton, Iowa, shall be as follows:

	Wholesale	Retail
½-ounce white bread	$0.09	$0.11
½-ounce whole wheat bread	.09	.11
½-ounce cracked wheat bread	.09	.11
½-ounce rye bread	.09	.11

2. *Definitions.* (a) "Sale at retail" shall mean a sale to an ultimate consumer.

(b) "Sale at wholesale" shall mean sales to retail stores, restaurants and to schools, hospitals, prisons and other institutions.

3. *Relation to Office of Price Administration regulations.* Except as modified herein, the provisions of Supplementary Regulation No. 14B to the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the business or trade practices in effect during the base period established by that regulation.

4. *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective July 22 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-11603; Filed, August 2, 1944; 1:27 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 9]

SOLID FUELS IN DENVER REGION

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 9. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 9 is issued.

1. The Table of Maximum Prices, as set forth in paragraph (3) of Appendix XII, Billings Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind, letter designation, and size	Part 1—Delivered prices		Part 2—yard prices
	Per ton	Per ½ ton	Per ton
Bituminous coal produced in District 19:			
Sub-district 7, Sheridan:			
(A) #2—7" lump	$7.45	$4.25	$6.45
(B) #3—5" lump and 10" x 3" egg	7.05	4.05	6.05
(C) #5—8" x 3" stove, #6—3" x 1½" nut	7.25	4.15	6.25
Bituminous coal produced in District 22:			
Sub-district 2, Red Lodge:			
(D) #1—8" lump, 12" x 4" egg, 8" x 4" grate, #5—6" x 2" grate	8.80	4.90	7.80
(E) #7—2" x 1¼" nut	6.55	3.80	5.55
(F) #9—1¼" x ½" pea	5.80	3.40	4.80

This is the first and only amendment to Order No. G-26 that makes any change whatsoever in Appendix XII.

2. The table of Maximum Prices, as set forth in paragraph (3) of Appendix XIII, Butte Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind, letter designation, and size	Delivered prices	
	Per ton	Per ½-ton
Bituminous coal produced in District 19:		
Subdistrict 2, Rock Springs:		
(A) #1—10" x 5" grate, #3—10" x 3" grate, #5—8" x 3" egg	$11.45	$6.25
(B) #15—1½" x 0" slack	7.65	4.35
Subdistrict 5, Gebo-Kirby:		
(C) #1—8" lump	12.50	6.75
(D) #3—10" x 3" grate, #5—8" x 3" egg	11.95	6.20
(E) #6—3" x 1½" nut	10.35	5.70
(F) #9—1½" x 1" pea	8.85	4.95
Sub-district 7, Sheridan:		
(G) #3—10" x 3" grate, #6—7" x 3" stove	9.20	5.10
(H) #6—3" x 1½" nut	8.70	4.85
Bituminous coal produced in District 22:		
Sub-district 1, Roundup:		
(I) #1—6" lump	10.65	5.85
(J) #3—9" x 6" furnace	10.40	5.70
(K) #5—6" x 2" stove	10.40	5.70
(L) #7—2" x 1¼" nut	8.85	4.95
(M) #8—1¼" x 1" pea	8.60	4.80
(N) #9—1¼" x ½" pea	7.25	4.15
(O) #10—1¼" x 0" slack	6.15	3.60
Sub-district 2, Red Lodge: (P) #5—6" x 2" stove	10.90	5.95

This is the first and only amendment to Order No. G-26 that makes any change whatsoever in Appendix XIII.

3. The Table of Maximum Prices, as set forth in paragraph (3) of Appendix XIV, Great Falls Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind, letter, designation, and size	Part 1—Delivered prices		Part 2—Yard prices
	Per ton	Per ½ ton	Per ton
Bituminous coal produced in District 19:			
Sub-district 7, Sheridan:			
(A) #1—10" lump	$8.85	$4.95	$8.10
(B) #3—10" x 3" grate	8.45	4.75	7.70
(C) #8—2½" x 1½" nut	8.20	4.60	7.45
Bituminous coal produced in District 22:			
Sub-district 1, Roundup:			
(D) #1—9" lump	9.45	5.25	8.70
(E) #3—9" x 6" furnace, #5—6" x 2" stove	8.90	4.95	8.15
(F) #7—2" x 1¼" nut	8.40	4.70	7.65
(G) #9—1¼" x ½" pea	7.50	4.25	6.75
Sub-district 2, Red Lodge:			
(H) #5—6" x 2" stove	9.90	5.45	9.15
(I) #7—2½" x 1¼" nut	8.45	4.80	7.70
Sub-district 9, Bull Mountain:			
(J) #5—6" x 2" stove	9.30	5.15	8.55
Sub-district 7, Great Falls #1:			
(K) #2—2" lump, #3—9" x 6" egg	7.45	4.25	6.70
(L) #6—3" x 2" nut	6.75	3.90	----
(M) #10—1¼" x 0" slack	3.95	2.50	----

This is the first and only amendment to Order No. G-26 that makes any change whatsoever in Appendix XIV.

4. The Table of Maximum Prices, as set forth in paragraph (3) of Appendix XV, Missoula Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind, letter designation and size	Delivered prices	
	Per ton	Per ¼-ton
Bituminous coal produced in District 22:		
Sub-district 2, Red Lodge:		
(A) #8—6" x 6" furnace	$12.00	$6.30
(B) #5—6" x 2" grate	12.00	6.30
(C) #7—2" x 1¼" nut	9.55	5.30
Sub-district 1, Roundup:		
(D) #8—6" x 6" furnace	11.65	6.35
(E) #5—6" x 2" stove	11.65	6.35
(F) #7—2" x 1¼" nut	9.85	5.45
(G) #9—1¼" x ¼" pea	8.40	4.70
(H) #10—1¼" x 0" slack	7.80	4.15
Bituminous coal produced in District 20:		
Sub-district 1, Castlegate-Hiawatha:		
(I) #11—1" x 0" slack	9.55	5.30
(J) #8—10" x 3" stove	12.75	6.90
Bituminous coal produced in District 19:		
Sub-district 7, Sheridan:		
(K) #8—6" x 1½" nut	10.10	5.55
(L) #5—10" x 3" stove	10.10	5.55
(M) #15—1¼" x 0" slack	7.85	4.45
Sub-district 5, Gebo-Kirby:		
(N) #1—6" lump, #8—6" lump, and 10" x 3" stove	13.25	7.15
(O) #8—6" x 1¼" nut	11.95	6.80
Sub-district 2, Rock Springs:		
(P) #8—6" x 1½" nut	11.90	6.45
(Q) #15—1¼" x 0" slack	9.80	5.25

This is the first and only amendment to Order No. G–26 that makes any change whatsoever in Appendix XV.

5. The Table of Maximum Prices, as set forth in paragraph (3) of Appendix XVI, Helena Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind, letter designation, and size	Part 1—Delivered prices		Part 2—Yard prices
	Per ton	Per ¼-ton	Per ton
Bituminous coal produced in District 22:			
Sub-districts 1 and 2, Roundup and Red Lodge:			
(A) #1—6" lump	$10.35	$6.05	$9.25
(B) #8—6" x 6" furnace	10.05	5.80	9.05
(C) #5—6" x 2" stove	9.90	5.70	8.90
(D) #7—2" x 1¼" nut	8.35	4.95	7.35
(E) #9—1¼" x ¼" pea	8.45	4.90	
(F) #10—1¼" x 0" slack	8.40	5.45	

This is the first and only amendment to Order No. G–26 that makes any change whatsoever in Appendix XVI.

6. *Effective date.* This Amendment No. 9 shall become effective on August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of July 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–11602; Filed, August 2, 1944; 1:27 p. m.]

[Region II Order G–2 Under MPR 280 and SR 15]

FLUID MILK IN PINE TOWNSHIP, MERCER COUNTY, PA.

Order No. G–2 under Maximum Price Regulation 280, as amended, maximum prices for specific food products, and § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation. Adjusted maximum prices for the sale of fluid milk in glass or paper containers and in bulk to stores, hotels, restaurants and institutions in Pine Township, Mercer County, Pennsylvania.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.807 of MPR 280, as amended, and § 1499.75 (a) (9) of Supplementary Regulation 15 to the GMPR, *It is hereby ordered:*

(a) The maximum price of fluid milk sold and delivered at retail and at wholesale in Pine Township, Mercer County, Pennsylvania, shall be as follows:

(1) For sales in glass or paper containers at retail and for sales in glass or paper containers at wholesale to any person (including sub-dealers and industrial or commercial users) other than the ultimate consumer, the seller's maximum price shall be his maximum price as determined under § 1499.2, General Provisions, of the GMPR, or the applicable adjusted maximum price specified in Schedule A, hereto annexed, whichever is higher.

(2) For sales in other than glass or paper containers at wholesale to stores, hotels, restaurants and institutions, the seller's maximum price shall be his maximum price as determined under § 1351.803 (a) of MPR 280, as amended, or the applicable adjusted maximum price specified in Schedule A, hereto annexed, whichever is higher.

(b) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter, or by supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(c) Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a cent, or where only one unit is sold, the seller shall adjust the maximum price to the nearest full cent, except that if the fraction should be a half cent, the seller shall adjust the maximum price to the next higher full cent (for example, a maximum price of 15½¢ for one unit shall be adjusted to 16¢ for one unit, 31¢ for two units, 47¢ for three units, etc.; a maximum price of 14¼¢ for one unit shall be adjusted to 14¢ for one unit, 29¢ for two units, 43¢ for three units, etc.).

(d) Where fluid milk is sold and delivered in a container larger than the largest size of the specified unit container for which an adjusted maximum price is specified in Schedule A hereof, the seller's adjusted maximum price for the sale and delivery of fluid milk in such larger container shall be increased proportionately.

(e) *Geographical applicability.* This order applies to all sales and deliveries of fluid milk as specified in paragraph (a) hereof in Pine Township, Mercer County, Pennsylvania.

(f) The adjusted maximum prices established herein replace and supersede the adjusted maximum prices established in Order G–3 issued February 1, 1943 under § 1499.18 (c) of the GMPR and § 1351.807 of MPR 280 for the sale and delivery of fluid milk in Pine Township, Mercer County, Pennsylvania, described in said Order No. G–3 as being situated in the "State-Wide Milk Marketing Area".

(g) *Definitions.* When used in this order the term:

(1) "Sub-dealer" means any milk dealer handling milk within the Commonwealth of Pennsylvania, who sells all such milk to consumers or stores in the same containers as those in which he purchased it from other milk dealers.

(2) "Fluid milk" means cow's milk produced, processed, distributed and sold for human consumption in fluid form as whole or skim milk.

This order shall become effective May 8, 1944.

Issued this 5th day of May 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

SCHEDULE A

(a) The adjusted maximum prices for fluid milk sold and delivered in glass or paper containers in Pine Township, Mercer County, Pennsylvania, except as provided in paragraphs (b) and (c) below, shall be as follows:

Type and container size	Adjusted maximum prices (in cents)			
	At retail out-of-store and to the home	At retail for consumption on the premises	At wholesale to other than sub-dealers	At wholesale to sub-dealers
Grade "A":				
Exceeding 4% butterfat content:				
Quart	17	17	15½	13¾
Pint		10	9	8
Half pint		6	5	5
Grade "B":				
(1) 4% butterfat content or less:				
Quart	14	15	13½	11¾
Pint		9	8	7½
Half pint		5	4	4
(2) Exceeding 4% butterfat content but not exceeding 6% butterfat content:				
Quart	16	16	14½	12¾
Pint		10	9	8
Half pint		6	4½	4½
Relief Milk—Grade "B":				
3.5%–4% butterfat content:				
Quart	15	15		
Pint		9		
Half pint				
Chocolate milk, flavored milk or milk drink:				
(1) .5% butterfat content or less:				
Quart	15	15	13½	11¾
Pint		9	8	7½
Half pint		5	4½	4
(2) Exceeding .5% butterfat content:				
Quart	16	16	14½	12¾
Pint		10	9	8
Half pint		6	4½	4½
Skim milk:				
Gallon	35		30	25
Quart	11	11	10	9
Buttermilk:				
(1) Cream:				
Quart	16	16	14½	12¾
Pint		10	9	8
Half pint		6	4½	4½
(2) Plain:				
Gallon	40		35	30
Quart	12	12	10½	9¼
Pint		7	6	5½
Half pint		5	4	3½

(b) The adjusted maximum prices per half-pint for the types of fluid milk specified below, when sold and delivered at wholesale in glass or paper containers in public or private, elementary, secondary or high schools, shall be as follows:

Type	Adjusted maximum prices (in cents)	
	Where seller does provide ice, straws, or special boxes	Where seller does not provide ice, straws or special boxes
Grade "B"—Not exceeding 4% butterfat content	3¾	3½
Chocolate milk	4	3¾

(c) The adjusted maximum price for fluid milk sold and delivered at wholesale in other than glass or paper containers to stores, hotels, restaurants, and institutions shall be determined by the quantity of the average daily delivery [1] made by the wholesale seller during the month and shall be as follows:

Adjusted maximum per quart (cents)

Type	Quantity of the average daily delivery during month			
	10 qts. or less	Over 10 qts. but not over 40 qts.	Over 40 qts. but not over 200 qts.	Over 200 quarts
Grade "A"	16½	15	14½	14½
Grade "B":				
(1) 4% butterfat content or less	14½	13	12½	12¼
(2) Exceeding 4% butterfat content	15	13½	13	12¾
Buttermilk:				
(1) Plain	9	8	7½	7½
(2) Cream	14½	13½	13¼	13
Skim milk for human consumption	10	7	6	5
Chocolate milk, other flavored milk, chocolate drink, or other flavored milk drink	14½	13½	13¼	13

[1] Average daily delivery during the month shall be computed by dividing the total volume of milk delivered during the month by the number of days upon which deliveries are actually made under the terms of the sale.

[F. R. Doc. 44–11599; Filed, August 2, 1944; 126 p. m.]

List of Community Ceiling Price Orders

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on August 1, 1944.

Region I

Augusta Order 1–F, Amendment 5, covering fresh fruits and vegetables in Portland, South Portland and Westbrook, Maine, filed 1:25 p. m.

Providence Order W–1, Amendment 3, covering wholesale food prices in Rhode Island, except New Shoreham, filed 1:18 p. m.

Providence Order 1–F, Amendment 10, covering fresh fruits and vegetables in the Providence, R. I., Metropolitan Area, filed 1:31 p. m.

Providence Order 2–F, Amendment 10, covering fresh fruits and vegetables in R. I. except certain areas, filed 1:19 p. m.

Region II

Albany Order 1–F, Amendment 18, covering fresh fruits and vegetables in certain cities in the Albany District, filed 1:27 p. m.

Binghamton District Office Order 1–F, Amendment 16, covering fresh fruits and vegetables in certain areas in New York, filed 1:31 p. m.

Newark Order 4–F, Amendment 11, covering fresh fruits and vegetables in designated counties in New Jersey, filed 1:19 p. m.

New York Order 1–F, Amendment 18, covering fresh fruits and vegetables in the five boroughs of the City of New York, filed 1:26 p. m.

New York Order 3–F, Amendment 5, covering fresh fruits and vegetables in designated areas in New York, filed 1:26 p. m.

Philadelphia Order 1–F, Amendment 16, covering fresh fruits and vegetables in the City and County of Philadelphia, filed 1:30 p. m.

Region III

Detroit Order 1–F, Corr. to Amendment 29 to the order, covering fresh fruits and vegetables in designated counties in Michigan, filed 1:21 p. m.

Detroit Order 10, Amendment 8, community retail food prices in designated counties in Michigan, filed 1:27 p. m.

Cleveland Rev. Order F–1, Amendment 2, covering fresh fruits and vegetables in certain areas in the Cleveland District, filed 1:29 p. m.

Cleveland Rev. Order F–3, Amendment 2, covering fresh fruits and vegetables in certain areas in the Cleveland District, filed 1:28 p. m.

Cleveland Rev. Order F–4, Amendment 2, covering fresh fruits and vegetables in certain areas in the Cleveland District, filed 1:39 p. m.

Escanaba Order 9–F, Amendment 22, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:22 p. m.

Escanaba Order 10–F, Amendment 22, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:24 p. m.

Escanaba Order 11–F, Amendment 22, covering fresh fruits and vegetables in certain areas in Michigan, filed 1:22 p. m.

Escanaba Order 12–F, Amendment 21, covering fresh fruits and vegetables in designated areas in Escanaba District, filed 1:23 p. m.

Escanaba Order 13–F, Amendment 21, covering fresh fruits and vegetables in designated areas in Michigan, filed 1:23 p. m.

Escanaba Order 14–F, Amendment 21, covering fresh fruits and vegetables in designated areas in Wisconsin and Michigan, filed 1:23 p. m.

Escanaba Order 15–F, Amendment 21, covering fresh fruits and vegetables in desig-

nated areas in Wisconsin and Michigan, filed 1:22 p. m.

Escanaba Order 16–F, Amendment 21, covering fresh fruits and vegetables in Sault Ste. Marie, Chippewa County, Mich., filed 1:24 p. m.

Escanaba Order 17–F, Amendment 20, covering fresh fruits and vegetables in designated areas in Michigan, filed 1:23 p. m.

REGION IV

Jacksonville Order 3–F, Amendment 13, covering fresh fruits and vegetables in Tampa, Florida. Filed 1:15 p. m.

REGION V

Fort Worth Order 1–F, Amendment 26, covering fresh fruits and vegetables in Tarrant County, Tex., filed 1:16 p. m.

Fort Worth Order 2–F, Amendment 28, covering fresh fruits and vegetables in Taylor County, Tex., filed 1:16 p. m.

Fort Worth Order 3–F, Amendment 26, covering fresh fruits and vegetables in Green County, Tex., filed 1:16 p. m.

Fort Worth Order 4–F, Amendment 26, covering fresh fruits and vegetables in McLennan County, Tex., filed 1:15 p. m.

Fort Worth Order 5–F, Amendment 26, covering fresh fruits and vegetables in Wichita County, Tex., filed 1:16 p. m.

Tulsa Order 6–F, Amendment 14, covering fresh fruits and vegetables in certain areas in Tulsa District, filed 1:24 p. m.

Tulsa Order 8–F, Amendment 14, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 1:24 p. m.

REGION VI

Duluth-Superior Order 1–F, Amendment 27, covering fresh fruits and vegetables in Duluth, Proctor, and City and Town of Superior, filed 1:17 p. m.

Quad-Cities Order 2–F, Amendment 20, covering fresh fruits and vegetables in certain areas in Illinois and Iowa, filed 1:17 p. m.

Quad-Cities Order 3–F, Amendment 7, covering fresh fruits and vegetables in certain counties in the Quad-Cities District, filed 1:17 p. m.

Peoria Order 4–F, Amendment 7, covering fresh fruits and vegetables in Bloomington and Normal in McLean County, Ill., filed 1:21 p. m.

Sioux City Order 2–F, Amendment 27, covering fresh fruits and vegetables in Sioux City, Iowa and Sioux City, Nebr., filed 1:20 p. m.

Twin Cities Order 1–F, Amendment 18, covering fresh fruits and vegetables in St. Paul and Minneapolis and adjoining municipalities, filed 1:26 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–11651; Filed, August 3, 1944; 4:29 p. m.]

[Region I Order G–64 Under RMPR 122, Amdt. 2]

SOLID FUELS IN NEW BEDFORD, MASS., AREA

Amendment No. 2 to Order No. G–64 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels in New Bedford, Massachusetts, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, subparagraph (b) (5) of Region I Order No. G–64 under Revised Maximum Price Regulation No. 122 is hereby amended by deleting the provisions therein for "Franklin" and "Salem Hill" and inserting in place thereof the following:

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lbs.
Franklin or Salem Hill:				
Broken and chestnut	$0.75	$0.40	$0.20	$0.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None

This Amendment No. 2 shall become effective August 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 29th day of July 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–11653; Filed, August 3, 1944; 4:29 p. m.]

[Region VIII Orders G–1, G–2 Under MPR 426, Corr.]

FRESH FRUITS AND VEGETABLES IN SAN FRANCISCO REGION

Region VIII orders under Maximum Price Regulation 426, as amended.

Fresh fruits, berries, and vegetables for processing.

On July 14, 1944, an order entitled Order No. G–1 under Section 15 (a) of Maximum Price Regulation 426, as amended, was issued effective July 19, 1944. The title of this document should read "Order No. G–1 under Maximum Price Regulation 426, as amended."

On July 20, 1944, an order entitled Order No. G–1 under section 15 (b) of Maximum Price Regulation 426, as amended, was issued effective July 25, 1944. The title of this document should read "Order No. G–2 under Maximum Price Regulation 426, as amended."

Issued this 26th day of July 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–11658; Filed, August 3, 1944; 4:29 p. m.]

[Region VIII Order G–2 Under RMPR 122, Amdt. "3]

BITUMINOUS COAL IN SEATTLE, WASH., AREA

Amendment No. 3 to Order No. G–2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for certain sales of bituminous coal in the Seattle, Washington, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Order No. G–2 under Revised Maximum Price Regulation No. 122 be amended in the following particulars:

Tables VII and VIII in paragraph (b) (1) are amended to read as follows:

TABLE VII

DISTRICT 10, MONTANA, SUBDISTRICT 1, "ROUNDUP"

Size groups	Delivered f. o. b. yard		Delivered to buyer's premises					
	100# bag	Loose per ton	100# bag	½ ton	1 ton	2 tons	8 tons	5 tons
1 to 6, incl., lump sizes	$0.80	$13.85	$0.85	$8.00	$14.85	$14.30	$14.05	
7 and 8, nut sizes	.75	11.95	.80	7.35	12.95	12.70	12.45	
9, screened stoker coals	.65	10.95	.70	6.75	11.95	11.70	11.45	$11.20
10, slack	.60	9.85	.65	6.20	10.85	10.60	10.35	10.10
11, slack	.60	9.60	.65	6.00	10.60	10.35	10.00	9.75
12, slack	.60	9.60	.65	6.00	10.60	10.35	10.00	
13, mine run	.70	11.15	.75	6.60	12.15	11.90	11.65	

TABLE VIII

DISTRICT 20, MONTANA, SUBDISTRICT 2, "REDLODGE" "BEARCREEK"

1 to 6 incl., lump furnace sizes	$0.90	$13.95	$0.95	$8.25	$14.95	$14.70	$14.45	
7 and 8, nut sizes	.70	11.90	.75	7.20	12.90	12.65	12.40	
9, screened stoker coals	.65	10.60	.70	6.55	11.60	11.35	11.10	$10.85
10, slack	.65	10.00	.70	6.25	11.00	10.75	10.50	10.25
11, slack	.60	9.70	.65	6.10	10.70	10.45	10.20	9.95
13, mine run	.65	11.45	.75	7.00	12.45	12.20	11.95	

NOTE.—SIZE GROUPS

1 to 6.....All single screened lump coals bottom size larger than ¾". All double screened coals top size large than 3" and bottom size 1¼" and larger.

7 and 8.....All double screened nut coals top size not exceeding 3" and bottom size larger than ¾", but not exceeding 1¼".

9.....All double screened stocker coals top size not exceeding 1¼" and bottom size not exceeding ¾".

10.....Slack or screenings larger than 1 x 0" but not exceeding 1¼ x 0".

11.....Slack or screenings ¾ x 0", but not exceeding 1 x 0".

12.....Slack or screenings top size not exceeding ¾".

13.....Straight run of mine not altered or modified.

This amendment No. 3 to Order No. G–2 shall become effective August 1, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681).

Issued this 28th day of July 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44–11654; Filed, August 3, 1944; 4:29 p. m.]

[Region VIII Order G–4 Under MPR 136, Amdt. 1]

OGDEN PERFECTION FILTER CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. G–4 under Maximum Price Regulation No. 136, as amended. Machines and parts and machinery services. Adjusted maximum prices for filtering and bottling equipment manufactured by Ogden Perfection Filter Co.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1390.25a of Maximum Price Regulation No. 136 as amended, Order No. G–4 under Maximum Price Regulation No. 136 as amended is hereby amended in the following particulars:

Paragraph "C" is amended to read as follows:

(c) This order may be amended, revoked, or corrected at any time and shall expire December 31, 1944.

This amendment shall become effective as of June 23, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1944.

BEN. C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44–11655; Filed, August 3, 1944; 4:30 p. m.]

[Region V Order G–9 Under MPR 333]

EGGS AND EGG PRODUCTS IN STATE OF LOUISIANA

Correction

In F. R. Doc. 44–9709, appearing at page 7485 of the issue of Tuesday, July 4, 1944, in Table C, the first figures under July 3, should be "45.5".

[Region II Order G–37 Under RMPR 122]

SOLID FUELS IN DESIGNATED COUNTIES IN NEW YORK

Correction

In F. R. Doc. 44–9706, appearing at page 7479 of the issue of Tuesday, July 4, 1944, in the table headed "Sales on a 'direct-delivery' basis" in Schedule IX the sales per net ton for barley should be "$8.60".

In the first table in Schedule XI the price for rice under per net ton should be "$9.85".

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 43–156, 56–4, 32–94, 46–102]

NORTHERN STATES POWER CO. (DEL.), ET AL.

NOTICE OF ORAL ARGUMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2nd day of August 1944.

In the matter of Northern States Power Company (Delaware), File Nos. 43–156 and 56–4; Northern States Power Company (Wisconsin), File No. 32–94, and Northern States Power Company (Minnesota), File No. 46–102.

Notice of filing of application for supplemental order and of motion to dismiss same and order setting said application and motion for oral argument.

Notice is hereby given that on July 27, 1944, Standard Gas and Electric Company, a registered holding company and the owner of substantially all of the Class B common stock of Northern States Power Company (Delaware), filed an "Application for Supplemental Order" in the above-styled and numbered proceeding; that said application seeks primarily a modification of that portion of the order of the Commission entered in said proceedings on December 27, 1938, reading as follows:

It is further ordered, That all the outstanding shares of Class B common stock of Northern States Power Company, a Delaware corporation, shall be cancelled not later than January 1, 1944, and, for the purpose of facilitating such cancellation all certificates for said shares of Class B common stock shall be surrendered to said corporation not later than January 1, 1944 for cancellation, UNLESS on or prior to said date this Commission shall have entered an order finding that during any period of twelve consecutive calendar months ending after January 1, 1939, and prior to January 1, 1944, the consolidated net income of the Delaware Company and its subsidiaries available for dividends after provision for fair and reasonable depreciation shall have exceeded the sum of (a) the dividend requirements for such period and dividends in arrears at the end of such period on any stock of the Company and of any of its subsidiaries entitled to a preference in the distribution of earnings (other than stock owned by the Company or any of its subsidiaries) and (b) the net income applicable to minority interests in the common stocks of its subsidiaries.

by amending said paragraph to read substantially as follows:

It is further ordered, That all the outstanding shares of Class B common stock of Northern States Power Company, a Delaware corporation, shall be cancelled not later than the date specified in the next sentence and, for the purpose of facilitating such cancellation all certificates for said shares of Class B common stock shall be surrendered to said corporation not later than such date for cancellation, unless on or prior to said date this Commission shall have entered an order finding that during any period of twelve consecutive calendar months ending after January 1, 1939, and prior to January 1, 1944, the consolidated net income of the Delaware Company and its subsidiaries available for dividends after provision for fair and reasonable depreciation shall have exceeded the sum of (a) the dividend requirements for such period on any stock of the Company and of any of its subsidiaries entitled to a preference in the distribution of earnings (other than stock owned by the Company or any of its subsidiaries) and (b) the net income applicable to minority interests in the common stock of its subsidiaries: *Provided,* That at the first day of such period of twelve months, the consolidated earnings subsequent to dates of recapitalization of the Delaware Company and its subsidiaries shall have exceeded all dividends in arrears at such date on any such preferred stock. The date specified in the foregoing sentence for cancellation of said stock and within which the specified finding shall be made shall be the date of the issuance of the Findings and Opinion and Order approving or disapproving, in whole or in part, the liquidation plan filed by Northern States Power Company (Delaware) et al., (File No. 54–54) or until the further order of the Commission.

that in the alternative, said application requests that the Commission enter an order that the provisions and restrictions contained in said order of December 27, 1938, as modified by an order of November 30, 1943, have been satisfied and fulfilled in each of the calendar years 1940 and 1941.

Notice is further given that on July 31, 1944, E. M. Calkin, attorney for the Public Utilities Division of the Commission, filed a motion to dismiss the said application on the grounds (a) that said application does not allege facts sufficient to entitle the applicant to the requested relief, and (b) that the Commission is without statutory authority to grant the relief requested by said application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that oral argument be heard by the Commission with respect to the matters raised by aforesaid application for supplemental order and motion to dismiss;

It is ordered, That an oral argument on the matters raised by the aforesaid application for supplemental order and motion to dismiss be heard in conjuction with the oral argument on the issues in the proceedings on amended plan, filed pursuant to section 11 (e) of the Public Utility Holding Company Act of of 1935, for the liquidation of Northern States Power Company (Delaware) and related matters (File Nos. 54–54, 70–559 and 59–50) and that such oral argument be held on August 17, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such oral argument will be heard.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–11665; Filed, August 4, 1944; 10:05 a. m.]

[File Nos. 70–869, 70–872]

SOUTHWESTERN PUBLIC SERVICE CO., ET AL.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 3d day of August, A. D. 1944.

In the matter of Southwestern Public Service Company, Gulf Public Service Company, File No. 70-869; in the matter of Glenn C. Hyde, File No. 70-872.

Southwestern Public Service Company, a registered holding company, and its wholly owned subsidiary company, Gulf Public Service Company, having filed declarations with the Commission, pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 12 (d) and 12 (c) thereof, and Rules U-44 and U-46 of the general rules and regulations thereunder, regarding the proposed sale by Southwestern Public Service Company of all the outstanding securities of Gulf Public Service Company, consisting of $2,800,000 principal amount of 5% Unsecured Notes, due October 1, 1966, and 3,000 shares of common stock, par value $100 per share, to Glenn C. Hyde, an individual, for a base consideration of $4,660,000 in cash, subject to certain adjustments to the date of sale, and the proposed payment by Gulf Public Service Company to Southwestern Public Service Company of a dividend, in the amount of its net current assets, to be charged, in part, to Gulf Public Service Company's capital surplus account:

Said Southwestern Public Service Company having incorporated in said declarations an application for an order exempting said proposed sale of securities, pursuant to paragraph (a) (5) of Rule U-50, from the competitive bidding requirements of paragraph (b) of said rule;

Said Glenn C. Hyde having filed an application with the Commission, pursuant to sections 9 (a) (2) and 10 of said act, for approval of the acquisition by him of the securities so proposed to be sold by Southwestern Public Service Company for the consideration hereinabove recited;

Proceedings upon said declarations and application of Southwestern Public Service Company and Gulf Public Service Company and upon said application of Glenn C. Hyde having been consolidated for the purpose of hearing, a public hearing on such consolidated proceedings having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the said declarations of Southwestern Public Service Company and Gulf Public Service Company be, and hereby are, permitted to become effective forthwith; and that the said applications of Southwestern Public Service Company and of Glenn C. Hyde be, and hereby are, granted, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered and recited, That the sale and transfer by Southwestern Public Service Company of all the outstanding securities of Gulf Public Service Company, consisting of $2,800,000 principal amount of 5% Unsecured Notes, due October 1, 1966, and 3,000 shares of common stock, par value $100 per share, is necessary and appropriate to the integration and simplification of the Southwestern Public Service holding company system, and is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-11659; Filed, August 4, 1944; 10:08 a. m.]

[File Nos. 54-45 and 59-48]

SOUTHERN UNION GAS COMPANY, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3rd day of August, A. D. 1944.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Southern Union Gas Company ("Southern Union"), its subsidiary, Southern Union Production Company ("Production Company"), and certain stockholders of Southern Union in the form of an amendment designated as Amendment No. 14 to the application of Southern Union, heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a Plan to effectuate the provisions of section 11 (b) of the act. This Commission, by order dated September 19, 1942, and subsequent supplemental orders, has approved said Plan as heretofore modified.

All interested persons are referred to said Amendment No. 14, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

As a step in further compliance with the order of the Commission dated September 19, 1942, Southern Union and Production Company propose to divest themselves of all interest in, and all ownership and control of, the physical properties and other assets located in southeastern Texas used in connection with the operation of the natural gas distribution system, termed the "South Texas District", serving eight cities and towns located in the counties of Austin, Washington, Grimes, Waller, and Colorado, Texas.

Southern Union proposes to acquire all of the capital stock of a new corporation ("New Company") to be organized under the laws of Texas, being 97,170 shares of common stock, par value $1, for a cash consideration of $350,000. Southern Union then proposes to sell to the New Company the South Texas properties for a cash consideration of $800,000 and Production Company will assign all its rights and interests under its existing gas purchase contracts and reservations used in connection with the South Texas District to the New Company for a nominal consideration. The New Company proposes to secure additional funds for the purchase of the physical properties and other assets from Southern Union and Production Company by the issuance and sale of $500,000 principal amount of first mortgage 3¾% sinking fund bonds.

Southern Union further proposes to declare a dividend of the 97,170 shares of common stock of the New Company distributable to the holders of its common stock in the ratio of one share of the New Company for each ten shares of Southern Union common stock. The amendment states that the New Company will agree to distribute its common stock to the Southern Union stockholders after irrevocable instructions and transfer of its stock have been made by Southern Union. Such instructions will provide that the New Company may pay cash at the rate of $3.50 per share in lieu of issuing certificates for fractional shares of stock in making the distribution.

Southern Union further proposes to deposit the entire consideration received from the sale of the properties with the Trustees for its bonds for retirement of bonds, independently of the sinking fund, in accordance with the provisions of the indenture.

Five stockholders of Southern Union, who by virtue of their individual holdings of more than 5% of the common stock of Southern Union are affiliates of said company under the act, have joined in the filing made by Southern Union for approval of the acquisition of the securities of the New Company distributable to them under the proposed transaction.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect to such matters; and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission:

It is ordered, That the proceedings in this matter be reconvened and a hearing under the applicable provisions of said Act and the Rules of the Commission thereunder be held on August 18, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locusts Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before August 14, 1944;

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all power granted to the Commission under section 18 (c) of said act and to the trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues, particular attention will be directed at such hearing to the following matters:

1. Whether the proposed formation of the New Company and distribution of the common stock of the New Company is in furtherance of, and not inconsistent with, the order of this Commission dated September 19, 1942, and is necessary to enable Southern Union to comply with the provisions of section 11 (b) of the act.

2. Whether the proposed acquisition of the stock of the New Company by the stockholders of Southern Union, who are affiliates of such company, meet the standards of section 10, particularly subsections (b) and (c) thereof.

3. Whether the proposed payments in cash, in lieu of issuing fractional shares, are fair and equitable to the common stockholders of Southern Union and the stockholders of the New Company.

4. Whether the proposed accounting entries and adjustments on the books of Southern Union and the New Company are appropriate.

5. Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That notice of this hearing be given to the applicants or declarants, and to all other persons, said notice to be given to the applicants or declarants and to the Railroad Commission of Texas by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11658; Filed, August 4, 1944; 10:05 a. m.]

[File No. 70-908]

CITIES SERVICE POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of August, A. D. 1944.

Cities Service Power & Light Company, a registered holding company, having filed a declaration pursuant to sections 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder regarding the sale of all of the outstanding common stock of City Light & Traction Company, a public utility subsidiary of Cities Service Power & Light Company, consisting of 10,000 shares of $100 par value for a base consideration of $1,257,000 in cash and a donation by Cities Service Power & Light Company to City Light & Traction Company of two 6% demand notes of City Light & Traction Company which are payable to Cities Service Power & Light Company in the respective principal amounts of $1,231,588 and $26,000; and

Cities Service Power & Light Company having requested the Commission to issue an appropriate order and findings in connection with said transactions conforming to the requirements of sections 371 and 1808 of the Internal Revenue Code; and

Public hearings with respect to said declaration having been held after appropriate notice and the Commission having considered the record of the proceedings and having entered its findings and opinion herein: *It is ordered*, That said declaration be and the same hereby is permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the proposed sale and use of proceeds as set forth in said declaration are necessary to effectuate the provisions of section 11 (b) and are fair and equitable to the persons affected.

By the Commission.

[SEAL] ORVAL L. DUBOIS.
Secretary.

[F. R. Doc. 44-11660; Filed, August 4, 1944; 10:05 a. m.]

[File Nos. 7-728, 7-729, 7-730]

PHILADELPHIA STOCK EXCHANGE

ORDER GRANTING APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of August, A. D. 1944.

In the matter of applications by the Philadelphia Stock Exchange to extend unlisted trading privileges to Consolidated Natural Gas Company, Capital Stock, $15 Par Value, File No. 7-728; Farnsworth Television & Radio Corporation, Common Stock, $1 Par Value, File No. 7-729; Libby, McNeill & Libby, Common Stock, $7 Par Value, File No. 7-730.

The Philadelphia Stock Exchange having made application to the Commission, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to the Capital Stock, $15 Par Value, of Consolidated Natural Gas Company, the Common Stock, $1 Par Value, of Farnsworth Television & Radio Corporation, and the Common Stock, $7 Par Value, of Libby, McNeill & Libby;

After appropriate notice a hearing having been held in this matter at the Philadelphia office of the Commission;

The Commission having this day made and filed its Findings and Opinion herein;

It is ordered, Pursuant to Section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Philadelphia Stock Exchange for permission to extend unlisted trading privileges to the Capital Stock, $15 Par Value of Consolidated Natural Gas Company, the Common Stock, $1 Par Value of Farnsworth Television & Radio Corporation, and the Common Stock, $7 Par Value, of Libby, McNeill & Libby be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11661; Filed, August 4, 1944; 10:05 a. m.]

[File No. 7-731]

BOSTON STOCK EXCHANGE

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of August, A. D. 1944.

In the matter of application by the Boston Stock Exchange for permission to extend unlisted trading privileges to Consolidated Natural Gas Company Capital Stock, $15 Par Value, File No. 7-731.

The Boston Stock Exchange having made application to the Commission, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to the Capital Stock, $15 Par Value, of Consolidated Natural Gas Company;

After appropriate notice a hearing having been held in this matter at the Boston Regional Office of the Commission; and

The Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Boston Stock Exchange for permission to extend unlisted trading privileges to the Capital Stock, $15 Par Value, of Consolidated Natural Gas Company be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11662; Filed, August 4, 1944; 10:06 a. m.]

[File Nos. 7-735, 7-736]

SAN FRANCISCO STOCK EXCHANGE

ORDER GRANTING APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of August, A. D. 1944.

In the matter of applications by the San Francisco Stock Exchange to extend unlisted trading privileges to Consolidated Natural Gas Company, Capital Stock, $15 Par Value, File No. 7-735; Northern Pacific Railway Company, Capital Stock, $100 Par Value, File No. 7-736.

The San Francisco Stock Exchange having made application to the Commission, pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to the Capital Stock, $15 Par Value, of Consolidated Natural Gas Company and the Capital

Stock, $100 Par Value, of Northern Pacific Railway Company;

After appropriate notice a hearing having been held in this matter at the San Francisco Regional Office of the Commission; and

The Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the applications of the San Francisco Stock Exchange for permission to extend unlisted trading privileges to the Capital Stock, $15 Par Value, of Consolidated Natural Gas Company and the Capital Stock, $100 Par Value, of Northern Pacific Railway Company be and the same are hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11663; Filed, August 4, 1944; 10:06 a. m.]

[File No. 7-737]

CLEVELAND STOCK EXCHANGE

ORDER GRANTING APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of Aug., A. D. 1944.

In the matter of application by the Cleveland Stock Exchange to extend unlisted trading privileges to Detroit and Cleveland Navigation Company, Common Stock, $5 Par Value, File No. 7-737.

The Cleveland Stock Exchange having made application to the Commission, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to the Common Stock, $5 Par Value of Detroit and Cleveland Navigation Company;

After appropriate notice a hearing having been held in this matter at the Cleveland Regional Office of the Commission; and

The Commission having this day made and filed its Findings and Opinion herein;

It is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Cleveland Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, $5 Par Value, of Detroit and Cleveland Navigation Company be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11664; Filed August 4, 1944; 10:06 a. m.]

WAR PRODUCTION BOARD.

CHARLES HAMAD

CONSENT ORDER

Charles Hamad is engaged in the business of processing hatters furs, fur and textile by-products and in the cutting of rabbits' skins and other fur by-products. On or about April 1, 1944, he began construction of a factory on East Franklin St., Danbury, Conn., the estimated cost of which would be in excess of the $5000. limit permitted by Conservation Order L-41, and with a factory floor space to be in excess of 10,000 sq. ft. Mr. Charles Hamad admits this violation but denies that it was wilful and does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Charles Hamad, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Charles Hamad, his successors and assigns, shall not directly or indirectly order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material or construction plant in order to continue or complete construction on the premises at East Franklin Street, Danbury, Conn., unless such construction is hereafter specifically authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Charles Hamad, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 3d day of August 1944.

Issued this 3d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11657; Filed, August 3, 1944; 4:51 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 157

Washington, Tuesday, August 8, 1944

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 12—REMOVALS AND REDUCTIONS

REDUCTION-IN-FORCE REGULATIONS

By virtue of the authority vested in the United States Civil Service Commission by the Veterans' Preference Act of 1944 (Act of June 27, 1944, Pub. 359, 78th Congress, 2d Session) the following regulations are promulgated and the regulations approved July 31, 1943, governing reductions in force (8 F.R. 10921) are hereby revoked as of September 1, 1944.

BASIC CONSIDERATIONS

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12.301 Extent of regulations.
12.302 Policy.
12.303 Definition.

ADVANCE PLANNING

12.304 Preventive measures.
12.305 Use of transfer processes.
12.306 Completion of employee records.
12.307 Determination of restoration, reemployment and retention rights; statutory.
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12.309 Determination of restoration, reemployment and retention rights; priorities.
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ACTIVITIES IN PREPARING FOR A REDUCTION IN FORCE

12.311 Preliminary decisions.
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12.319 Terminations at administrative discretion.
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12.321 Sequence of selection—where an efficiency rating system approved by the Commission is used.
12.322 Sequence of selection; where an efficiency rating system is used under administrative authority and provides evaluations comparable to approved systems.
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12.330 Reduction-in-force actions; furloughs.
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12.333 Reduction-in-force actions; notice to employees.
12.334 Submission of reduction-in-force list to the Commission.

POSTAUDITS AND APPEALS

12.335 Rights of employees to inspect reduction-in-force list and records and to appeal action taken.
12.336 Appeals.
12.337 Resulting action after appeal or postaudit.
12.338 Effective date.

AUTHORITY: §§ 12.301 to 12.338, inclusive, issued under authority of sec. 12 of the Veterans' Preference Act of 1944 (Act of June 27, 1944, Pub. 359, 78th Cong., 2d Sess.).

§ 12.301 *Extent of regulations.* Pursuant to the provisions of the Veterans' Preference Act of 1944 (Public Law 359, 78th Congress, 2d Session), the following regulations are promulgated to govern reductions in force in the civilian service in all departments in the executive branch of the Federal Government. Nothing in these regulations is intended to apply to any position or appointment which is required to be confirmed by, or made with, the advice and consent of the United States Senate, or to any ap-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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pointment made personally by the President of the United States without confirmation by the Senate.

§ 12.302 *Policy.* It is the duty of every administrator to curtail his working force whenever he has a surplus of employees. Reduction-in-force regulations do not make this task easier but they help to give proper weight to the different factors which must be considered. These regulations were prepared with a great deal of care and are issued with the hope that they provide an answer to most of the problems that will arise. They are complex because there are so many factors which must be considered. Underlying policies should be kept in mind in applying the rules to individual cases. The most important policies are as follows:

(a) Looking ahead for changes in work loads, available funds and employee turnover, and restricting appointments in certain lines of work may prevent a surplus in workers which would otherwise occur. It is better practice to keep a working staff down to the number re-

quired than to cut down an oversize staff of employees.

(b) Employees who are not giving satisfactory service should be separated by appropriate methods or shifted to positions where they can give satisfactory service before it is necessary to reduce the force. Employees who are separated in a reduction in force should not be made to feel that their work has been unsatisfactory.

(c) When it can be seen that a reduction in force seems to be necessary, this fact should be made known to workers in each group where there is a surplus to give them an opportunity to take up the slack by voluntary resignations or transfers. At the same time, shifts in personnel should be planned which will enable the organization to work on the reduced basis. Frankness in dealing with employees will avoid many controversies later.

(d) All plans should provide for the return of members of the working force who are absent on furlough in the military services or in the Merchant Marine, and employees transferred with reemployment rights to other departments where their services are more vital to the war effort. Many of these employees will return to claim their former positions and there should be no delay in restoring those with proper claims.

(e) When involuntary separations are necessary in order to reduce the working force those with the least claims to retention should be separated first in any group where there is a surplus of workers. Career employees should not be separated as long as any employees who are not in the career service are retained in positions which the career employees can fill.

(f) Congress has specified that employees who have risked their lives by serving their country in the military services, the widows of veterans, and the wives of disabled veterans, must be given preference for retention in civilian positions, whenever there is a reduction in force.

(g) More outstanding employees must be preferred for retention over employees who are not so outstanding in a reduction in force.

(h) Those who have served faithfully for long periods of years should have preference over those who have served for shorter periods of time, in a reduction in force.

(i) The foregoing rules can be applied only when the area of competition is broad enough to permit interchange of personnel to protect career workers, to safeguard veteran preference, to keep the best workers, and to give proper consideration to seniority.

(j) Employees who are in danger of losing their positions in a reduction in force should have as much notice as possible and should be fully informed as to the reasons why they were selected for separation while others are retained. Frankness in dealing with employees is always a good policy.

(k) There must be an opportunity for employees who feel that their rights have been violated to have appeals considered by an impartial department. The Commission has been designated as the agency to consider such appeals.

§ 12.303 *Definitions.* For the purpose of these regulations, the following definitions are given for the words, terms, and phrases listed below.

(a) "Reduction in force" means the involuntary separation from the rolls of a department, or furlough in excess of ninety days, of one or more employees in order to reduce personnel. Reduction of personnel may have to be made because of lack of funds, personnel ceilings, reorganization, or decrease of work, to make a position available for a former employee with established reemployment or restoration rights, or for other reasons.

(b) "Career employee" means: (1) the occupant of a position which is in the classified (competitive) service who has a classified (competitive) civil service status, unless he is serving under an appointment limited to one year or less. For the purpose of these regulations, recalled annuitants, employees continued beyond the involuntary retirement age, and employees appointed on a when-actually-employed (WAE) basis (see § 12.319), are not considered as career employees.

(2) The occupant of a position which is excepted from the classified (competitive) service who has the maximum permanency of tenure, not conditioned upon the war period or other circumstances, attainable in his agency.

(c) "Transitory employee" means (1) The occupant of a position which is in the classified (competitive) service who does not have a classified (competitive) status but who is serving under an indefinite probational, or trial-period appointment. This includes status quo employees and war service appointees, unless otherwise specified. However, the term does not apply to employees whose appointments are limited to one year or less, to recalled annuitants, to employees continued beyond the involuntary retirement age, or to employees appointed on a when-actually-employed (WAE) basis; for these special cases see § 12.319.

(2) The occupant of a position which is excepted from the classified (competitive) service who is serving under an appointment not limited to one year or less, but whose appointment is conditioned upon the war period or other circumstances.

(d) "Temporary employee" means an employee who is serving under an appointment limited to a specific period of one year or less, regardless of whether he may have a classified (competitive) civil service status as a result of prior service.

(e) "Veteran preference employee" means an employee entitled to veteran preference under the Veterans' Preference Act of 1944 (Public Law 359, 78th Congress, 2d Session). Such persons are:

(1) Those ex-service men and women who have served on active duty in any branch of the armed forces of the United States and have been separated therefrom under honorable conditions and who have established the present existence of a service-connected disability or who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the Veterans' Administration, the War Department, or the Navy Department;

(2) The wives of such service-connected disabled ex-service men as have themselves been unable to qualify for any civil service appointment;

(3) The unmarried widows of deceased ex-servicemen who served on active duty in any branch of the armed forces of the United States during any war or in any campaign or expedition (for which a campaign badge has been authorized), and who were separated therefrom under honorable conditions;

(4) Those ex-service men and women who have served on active duty in any branch of the armed forces of the United States during any war or in any campaign or expedition (for which a campaign badge has been authorized), and have been separated therefrom under honorable conditions; and

(5) Those who on the date upon which the Veterans' Preference Act of 1944 (Public Law 359, 78th Congress, 2d Session) became effective, June 27, 1944, were entitled to veteran preference and were in Federal employment or on an eligible register of the Commission or other department authorized to compile eligible registers.

(f) "Restoration or reemployment rights" means the legal right of an employee to be restored to or reemployed in his prior position or a position of like seniority, status, and pay, or similar rights granted under published regulations.

(g) "Department" means an executive department, parent organization, independent establishment, government-owned or government-controlled corporation of the Federal Government, the municipal government of the District of Columbia, or any other such organization or separate governmental agency of the executive branch of the Federal Government created by act of Congress or Executive order.

(h) "Governmental entity" means an executive department, bureau of an executive department, parent organization, constituent agency, independent establishment, entire field installation, regional office, or field station, a department of the municipal government of the District of Columbia, or any other such organization or separate governmental agency of the Federal Government created by act of Congress or Executive order.

(i) "Competitive level" means all positions allocated to the same class, service, and grade, and all positions of the same grade (although designated by different titles) that are sufficiently alike for interchange of personnel to be feasible.

(j) "Occupational group" means all ungraded positions at the same level in the same trade or occupation (for example: in the trade of electrician, at the level of helper, at the level of journeyman, etc.) although there may be two or more rates of pay in such occupational level.

§ 12.304 *Preventive measures.* In the public interest and in the interest of employees, it is the distinct responsi-

bility of heads of departments and governmental entities always to be alert to evidences of overstaffing, diminishing work loads, appropriation and allotment restrictions, and other indications that reductions in force may be necessary. Wherever possible, they should take remedial action which will avoid the more drastic action of making a reduction in force. Some of the measures which are effective in avoiding reductions in force are restrictions on new appointments, shifting of personnel to meet changes in work loads, and encouraging employees whose services can be spared to seek transfers. Representatives of the Commission will cooperate in these activities.

§ 12.305 *Use of transfer processes.* Many employees in groups where there is a surplus of workers may be shifted to other work assignments where their services are needed, in the same department, or in other departments. Personnel officers in each department are expected to arrange transfers for the benefit of these employees whenever this can be done within the department. Representatives of the Commission both in Washington and in the field will work with designated representatives of each department in transferring employees who are declared available to other departments wherever their services are needed and they can be utilized effectively by other departments. Special efforts must be made to retransfer to their former positions all employees transferred under War Service Regulations to positions where their services were more vital to the war effort, who are no longer needed in the positions to which transferred.

§ 12.306 *Completion of employee records.* Departments shall take immediate steps to complete all records of employees which do not fully indicate their status, veteran preference, or entire Federal employment. After a careful examination of the personnel records in the department, including Form 2806, inquiries may have to be made of the Commission concerning doubtful cases. No inquiry should be made concerning those about whom there is complete information. For example, no inquiry need be made about a war-service appointee who had no prior Federal service and no military service; he is clearly without a classified (competitive) civil service status or veteran preference, and his length of service is shown in the department's records. It would be impractical for the Commission to check the status, veteran preference or service of all employees of every department. Therefore, it is necessary that careful screening be done so that requests for additional information will be limited to cases in which items are missing from the department's records. In the interest of avoiding a last-minute rush, departments are urged to begin now to examine the records of their employees.

Department records no doubt show that veteran preference has been granted in many cases. However, there may be many employees who have had military service but have not filed a claim for veteran preference. Departments are urged to circularize their employees in order to locate those who have had military service but have not been granted veteran preference. Every such employee should be urged to submit proof of separation from active service in the armed forces of the United States to his personnel officer. For reduction-in-force purposes, and no other, the Commission hereby authorizes personnel officers to record veteran preference on the personnel records of employees who present proof of honorable separation from last military service. (See § 12.303 (e) of this part.) Proof other than the certificate of honorable discharge or the certificate of satisfactory service, and all claims of wives and widows of veterans, should be forwarded to the Commission's Central Office or the appropriate regional office with the employee's claim to preference (Form 14) for official action. (Claims may be submitted to branch offices, representatives of regional offices and rating boards of the Commission who have authority to handle the majority of preference claims.)

Verification of classified (competitive) civil service status and length of service will be facilitated if the following groupings are made: (a) those who clearly have a classified civil service status but whose records of service are incomplete; (b) those who clearly do not have a classified civil service status but whose records of service are incomplete; (c) those whose status is unknown but whose records of service are complete; and (d) those whose records are incomplete as to status and service.

Departments desiring to obtain information from the Commission regarding employees' status, veteran preference, and service shall use Standard Form 66, which is available at the Government Printing Office and may be procured from that office in the usual manner. The department will complete section A of this form, check the items requested, supply the name and birth date of the employee concerned, enter service if verification is needed, and forward the form to the Commission, Service Record Division, Washington 25, D. C. The question concerning veteran preference should be checked only when military service is shown unless wife or widow preference is claimed. The Commission will complete section B in accordance with the information requested and return the form to the department. Verification by the Commission of service claimed by employees will hereafter be limited to that shown in the Commission's records. Requests for verification (Form 66) need no longer be submitted in duplicate. In any case in which the Commission is unable to verify service from its records it will be the responsibility of the department to obtain verification from the department in which the unverified service is claimed. In such cases it is requested that the verification be obtained in duplicate and that one copy be forwarded to the Commission, attention Service Record Division, for incorporation into the employee's service record. For reduction-in-force purposes where no service prior to March 16, 1942 is claimed, except military service, departments may rely on statements by employees when supported by affidavit.

Departments shall also make certain that their records of employees clearly indicate the present and former employees who have restoration or reemployment rights in the department and the employees who have restoration rights in other departments.

§ 12.307 *Determination of restoration, reemployment and retention rights; statutory.* Certain employees who left positions other than temporary to serve in the armed forces or Merchant Marine and who are returning to civilian employment have statutory rights to return to the government service. They must have been members of land or naval reserve components ordered into active duty before May 1, 1940, or must have been in active military service after that date. Employees who entered the Merchant Marine after May 1, 1940, also have statutory rights to restoration. Under existing policy, these employees must be considered first for assignment to positions to which they would have been promoted or for restoration to the positions they left. Failing that, they are entitled to reemployment in positions of like seniority, status, and pay. The statutory right to return includes the right to be retained in the service for one year from the date of restoration to duty, unless discharged for cause.

§ 12.308 *Determination of restoration and reemployment rights under regulations.* By regulations, certain employees who transferred from nontemporary positions to private industry or between departments where their services were determined to be more vital to the war effort were given rights to return to their former positions, or to positions similar as to seniority, status and pay, at the same location in the same department.

§ 12.309 *Determination of restoration, reemployment and retention rights; priorities.* Restoration and reemployment rights of returning veterans and merchant seamen and those entitled by regulation to reemployment may conflict with each other and will conflict with the rights of other employees. These conflicts must be resolved in deciding which position is to be filled by a returning employee in deciding what assignments are to be made as a matter of placement, transfer, or promotion, and in deciding whether a reduction in force is necessary. In resolving the conflicts, the following order of priority shall be recognized, those in higher priority groups having superior rights to those in any lower priority groups:

(a) Career employees with statutory restoration, reemployment, or retention rights. Priority for this group extends for one year from the date of restoration. Within the group, those who served in the armed forces have priority over those who served in the Merchant Marine.

(b) Transitory employees (not including war-service appointees) with statutory restoration, reemployment, or retention rights. Priority for this group extends for one year from the date of restoration. Within the group, those who served in the armed forces have priority over those who served in the Merchant Marine.

(c) Career employees who have veteran preference, other than those in group (a).

(d) Career employees who do not have veteran preference.

(e) Transitory employees who have veteran preference, other than those in group (b).

(f) Transitory employees who do not have veteran preference.

The rights of competing employees, having been determined according to the above priority groups, establish the position which a particular employee shall occupy. This does not necessarily result in the separation of a displaced incumbent from the service. Retention of any displaced incumbent in the department will then depend upon the possibilities of placement in other positions or upon the order of selection established in these regulations in other positions or upon the order of selection established in these regulations governing reduction in force. The so-called "tagging" of positions, which has been followed in some departments, may also identify a specific position to which an employee with restoration or reemployment rights may be returned.

§ 12.310 *Clearance of plans of competitive areas for future use.* Departments shall give immediate consideration to the governmental entities which are the minimum areas of competition for reductions in force. If there is doubt as to the size and scope of these governmental entities, or if it is desired to establish smaller areas of competition as a standard practice for reductions in force, departments shall submit proposed plans of such competitive areas within sixty days after the issuance of these regulations, to the Central Office of the Commission, for the attention of the Personnel Classification Division. When approved, subsequent clearance with the Commission will not be necessary unless (a) a proposed competitive area does not conform to the plan, (b) department reorganization has affected the plan, or (c) the facts upon which the plan was originally based differ from the facts at the time of the reduction in force.

§ 12.311 *Preliminary decisions.* Consideration of the factors motivating a reduction in force necessarily is an administrative responsibility of the department concerned. Such factors include nature and location of function to be curtailed, number of personnel to be released, nature and extent of any reorganization and related subjects.

§ 12.312 *Determination of competitive area.* When it is administratively determined that a reduction in force must be effected, it becomes the duty of the department to establish, in accordance with these regulations, the area within which the mechanics of the reduction procedure shall operate and have uniform application. The area over which the reduction-in-force procedure is to apply and operate should be a governmental entity as defined in § 12.303 (h) of this part. No reduction in force affecting career or transitory employees shall be made in any smaller area without obtaining prior approval from the Central Office of the Commission in the Washington, D. C., area, or from the appropriate regional office of the Commission outside the Washington, D. C., area. Approval by the Commission of any proposed smaller area will be given if the area is large enough to prevent the loss of highly efficient employees, to allow true competition to exist, and to require the retention of career employees and employee entitled to veteran preference. In approving or disapproving any such smaller area, consideration will be given to whether any employees of the competitive level or occupational group to be affected are outside the area, whether the area has independence of operation, work functions, and personnel administration (although policies may be established in higher department levels), whether the staff of the area is separately organized and clearly distinguishable from other areas of the governmental entity, and whether it is geographically situated within local commuting distance of other areas of the governmental entity.

Questions concerning competitive areas for reduction-in-force purposes in the Washington, D. C., area, whether the positions are field or departmental service, shall be submitted to the Personnel Classification Division of the Commission's Central Office for clearance and approval. Outside the Washington, D. C., area, such questions shall be submitted to the appropriate regional office of the Commission, whether the positions are field or departmental, except that when a plan of competitive areas for the department has been cleared in advance with the Central Office of the Commission, questions concerning them shall be referred through administrative channels to the Central Office.

§ 12.313 *Determination of competitive level or occupational group.* Within the determined competitive area, there shall be further determined the competitive level or occupational group in which the contemplated reduction in force is to be made. If the reduction in force is to be made in more than one level or group, each level or group shall be treated separately.

Each employee whose official position is in such competitive level or occupation group shall be considered in competition for reduction-in-force purposes, whether he is in a duty or leave status, pay or nonpay status, or actually engaged on work in another department, another competitive area, or in another competitive level or occupational group; except that there shall be excluded the names of persons in the active military service of the United States or in the merchant marine, persons on furlough to private industry or public enterprise under provisions of § 18.9 (d) of this chapter, persons on terminal leave, and persons regarding whom action to be taken has been determined as a result of prior reduction in force.

§ 12.314 *Determination of veteran preference.* Employees entitled to veteran preference are those included in § 12.303 (e) of this part. It is incumbent upon the department to ascertain which among the employees affected are entitled to veteran preference. Such preference accorded in the department will not be questioned by the Commission unless challenged by employees adversely affected.

§ 12.315 *Determination of length of service.* The length of service shall be the total of all periods of service that are eligible for consideration for civil service retirement purposes, without regard to whether the employee is eligible or will be eligible, actually to receive retirement benefits. This service includes active military service, whether or not veteran preference is given therefor. Total service shall consist only of full years of creditable service; however, fractions of a year shall be considered in arriving at the total.

§ 12.316 *Reassignment of career employees to permanent positions.* Before any formal application of the reduction-in-force procedures, each career employee in a competitive area in which a reduction in force is necessary, who has been transferred or promoted in the department on a temporary or war-service basis and whose services in his present assignment is no longer necessary, shall be transferred to a position that is to be continued, at the same geographical location wherever possible, with seniority, status and pay at least equal to that of the permanent position from which transferred on a temporary or war-service basis (see § 12.332 of this part).

§ 12.317 *Informal notice to employees.* In order that employees may have an opportunity to make personal adjustments, information that a reduction in force is anticipated shall be made known to employees generally in competitive areas likely to be affected. Such general information should be given as soon as a department has reason to anticipate a curtailment of personnel, with a suggestion that employees interested in finding other employment will be given all possible assistance. Statements of availability and releases should be furnished to any employees requesting them.

§ 12.318 *Special provisions relating to consolidations and mergers.* Before any reduction in force is made as the result of the transfer of any or all of the functions of one department to another continuing department, all preference employees, all permanent or indefinite employees serving their first year after restoration following war service in the merchant marine, and all other career employees who are qualified to perform the duties of any noncareer employee in the continuing department shall be transferred to such continuing department.

§ 12.319 *Termination at administrative discretion.* Because of the type of their appointments, certain employees may be separated at administrative discretion within certain limits. Accordingly, temporary employees, when-actually-employed (WAE) employees, annuitants who have been recalled from a retired status, and employees continued beyond the involuntary retirement age may be separated whenever their services are no longer required. However, in separating the above types of employees to

reduce personnel, they shall be separated with thirty days' notice (see § 12.333 of this part) before any other employees, and in the following order:

(a) Recalled annuitants and employees continued beyond the involuntary retirement age shall be the first to go, and then temporary and when-actually-employed (WAE) employees;

(b) Employees without veteran preference shall be separated before veteran-preference employees serving under similar types of appointment;

(c) Subject to the foregoing, less efficient employees shall be separated before more efficient employees;

(d) As between persons of equal preference and efficiency, length of service shall determine the order of separation.

§ 12.320 *Categories of competition.* Within each determined competitive level or occupational group in each determined competitive area, all employees referred to in § 12.319 of this part shall be separated first unless special or exceptional circumstances warrant the retention of particular employees. If any further reduction in force is necessary, (a) transitory and (b) career employees shall be considered in the order named. These two categories shall constitute separate and distinct categories of competition. Employees within each category shall be in competition only with other employees in the same category. Seasonal employees shall be considered in competition only with other seasonal employees in the same line of work. Reduction in force within this group shall be effected in the order of categories above prescribed.

§ 12.321 *Sequence of selection; where an efficiency rating system approved by the Commission is used.* Within each of the respective categories, the sequence of selection for action shall be determined by consideration of veteran preference and reduction credits based on efficiency ratings and length of service with the Federal Government, including active military service. The order of reduction in force within each category shall be:

First, employees without veteran preference who have "Fair" efficiency ratings, in ascending order of reduction credits.

Second, employees with veteran preference who have "Fair" efficiency ratings, in ascending order of reduction credits.

Third, employees without veteran preference who have efficiency ratings of "Good" or better, in ascending order of reduction credits.

And last, employees with veteran preference who have efficiency ratings of "Good" or better, in ascending order of reduction credits.

(a) Reduction credits shall be computed by giving a numerical value of 80 for a "Good" efficiency rating, 88 for a "Very Good" efficiency rating, and 96 for an "Excellent" efficiency rating, and adding one credit for each full year of service with the Federal Government, including active military service. No numerical value shall be given for a "Fair" efficiency rating, but reduction credits for length of service shall be given as above.

(b) The efficiency rating used shall be the current appropriate official rating. In accordance with section 5 of the Efficiency Rating Manual (Civil Service Commission Form 3823, Revised [1]) as clarified by section 2 of Departmental Circular No. 474 [1] and by section 2 of Departmental Circular No. 486,[1] special ratings shall be given to each employee whose performance is evaluated under the uniform efficiency rating system approved by the Commission whenever such employee does not have a current official efficiency rating based on performance in a position of the competitive level or occupational group in which the reduction in force is being made. If a reduction in force necessitates the separation of all employees in a category of competition, the making of special ratings for employees in such category is not required.

(c) No credits shall be allowed for dependency, official conduct, or like factors. They shall be considered, however, when two or more employees are tied for position in the order of reduction in force and one or more but not all employees so tied for position are to be reached for action. If they are still tied, the date of entrance on duty shall be considered.

§ 12.322 *Sequence of selection; where an efficiency rating system is used under administrative authority and provides evaluations comparable to approved systems.* The procedure outlined in § 12.321 of this part shall be followed. Reduction credit shall be given, and the order of reduction in force within each category shall be determined upon the basis of ratings evaluated according to the following efficiency rating definitions:

"Fair": Performance that conforms generally to that reasonably required, with certain deficient performance not compensated by other outstanding performance.

"Good": Performance that conforms generally to that reasonably required with deficient performance in any phases compensated by outstanding performance in other phases.

"Very Good": Performance that is distinctly better than that reasonably required in at least half of the especially important phases, provided no deficient performance is present in any phase.

"Excellent": Performance that is distinctly better than that reasonably required in all especially important phases, provided no deficient performance is present in any phase.

§ 12.323 *Sequence of selection; where no efficiency rating system is used or where the system used does not provide evaluations comparable to approved systems.* The order of reduction in force within each category shall be:

First, employees without veteran preference, in ascending order of length of service.

And then, employees with veteran preference, in ascending order of length of service.

In computing length of service, one credit shall be given for each full year of service with the Federal Government, including military service.

§ 12.324 *Sequence of selection; exceptions, statutory retention rights.* Whenever a restored employee having the statutory retention rights indicated in § 12.307 of this part is reached for action in a reduction in force which is to become effective within one year from the date of his restoration to service, he shall be retained in preference to employees who are higher in sequence of selection but who are in a lower priority group as indicated in § 12.309 of this part.

§ 12.325 *Sequence of selection; exceptions, special cases.* Except as provided in § 12.324 of this part, no employee shall be retained in preference to an employee higher in the sequence of selection except under the following conditions: If the position of an employee is not to be abolished and its duties cannot be satisfactorily performed by any available employee higher in the sequence of selection after a reasonable training period, he may be retained in preference to such employee. In such case, a brief statement of the facts must be made in the "Remarks" column on the reduction-in-force list for consideration in connection with postaudits and appeals.

§ 12.326 *Preparation of reduction-in-force list; requirements.* A reduction-in-force list shall be prepared in triplicate for each determined competitive level or occupational group in each determined competitive area in which a reduction in force affecting transitory and career employees is to be made. It shall list all employees in categories (a) transitory employees, and (b) career employees, as provided in § 12.320 of this part, in the order in which action is to be taken. The categories shall be arranged on the list in descending order; that is, the category of career employees at the top and the category of transitory employees at the bottom. However, if only employees in category (a) are affected, the names of employees in category (b) need not be listed. The names of employees shall be so arranged that those first to be reached for action shall be at the bottom of the list. The list shall not contain the names of employees separated in accordance with § 12.319 of this part, "Terminations at Administrative Discretion"; but if any employees subject to such termination are retained under special circumstances warranting such retention and action is to be taken on employees in categories (a) or (b), their names and the reasons for the retention shall be reported to the Commission at the time the list is submitted.

§ 12.327 *Preparation of reduction-in-force list; itemized information.* The list shall contain:

(a) *The heading.* This shall show (1) the occupational or class title, (2) the department, and (3) the competitive area and its address.

(b) *Name of employee.* (List names in the order in which action is to be taken, placing at the bottom of the list

[1] Not filed with Division of Federal Register.

the name of the employee first to be reached for action.)

(e) *Position title.* This should be shown only where the customary office or shop title is different from the class or occupational title shown in the heading.

(d) *Salary rate.* (Basic rate, excluding overtime.)

(e) *Veteran preference.* (Enter the word "Yes" where applicable. No entry need be made for employees not entitled to veteran preference.)

(f) *Efficiency rating.* ("E" for excellent, "VG" for Very Good, "G" for Good, "F" for Fair.)

(g) *Service (years).* (Total of creditable service, including active military service.)

(h) *Reduction credits.*

(i) *Action.* (Enter the letter "S" if the employee is to be separated, "F" if the employee is to be furloughed, and "D" if employee is to be demoted to a position of lower competitive level or occupational group. If the employee is to be retained in preference to other employees, enter an asterisk. To indicate any other type of action, use any convenient symbol, and explain it on the form.)

(j) *Remarks.* (Enter brief explanations or references to footnotes or separate memoranda, regarding basis for breaking ties, retention in preference to employees higher on the list, special efficiency ratings, or any other matters which should be clarified.)

The names of recalled annuitants, employees continued beyond the involuntary retirement age, temporary employees, when - actually - employed (WAE) employees, shall not be listed, but if any such employees are being retained their names must be shown at the bottom of the list with explanations as to the reasons for their retention.

§ 12.328 *Reduction - in - force certificate.* The reduction-in-force list shall bear substantially the following certificate by the head of the department or some person authorized to act for him:

I certify that I have complied with all the provisions of regulations governing reductions in force and that the foregoing list contains all of the information required by such regulations.

The actions indicated in the list submitted herewith will be effective upon the expiration of accrued leave after the last day of active duty, which will be ----------, 19----, unless otherwise indicated. The employees affected were notified of the action to be taken in their cases on ----------, 19----.

(Date)

(Signed) ----------

Actions may be made effective on the date indicated in the certificate without the prior approval of the Commission, but they will be subject to a postaudit, in the Commission's discretion, and they will be subject to appeal to the Commission by any transitory or career employee or by any employee subject to termination at administrative discretion who feels that his rights under veteran preference laws have been violated. Any department desiring to do so may request the Commission to preaudit the reduction in force and approve the actions proposed thereunder. In so far as possible, and upon request, the Commission will assist departments in planning a reduction in force to insure compliance with these regulations.

§ 12.329 *Reduction-in-force actions; separations and demotions.* Where the reduction in force is permanent, as nearly as can reasonably be determined administratively, the affected employees shall be separated unless they have restoration rights to lower-grade positions or unless there is an administrative policy to demote employees in higher-grade positions to lower-grade positions, in either of which cases they may be demoted. If demotions and separations are to be made in a particular competitive level or occupational group, selections of those to be demoted in lieu of separation shall be determined in accordance with the priorities indicated in § 12.309 of this part. Employees who are separated shall be furnished statements of availability.

§ 12.330 *Reduction-in-force actions; furloughs.* Employees may be furloughed in excess of ninety days if the reduction is the result of a temporary condition that will exist for less than one year. Employees placed on furlough shall be furnished statements of availability. Where tenure is limited by the type of appointment, the furlough period shall not exceed the unexpired portion of the period of appointment and in no case shall the furlough period exceed one year. In the event that vacancies are to be filled in positions of the competitive level or occupational group and competitive area from which employees have been furloughed, the furloughed employees shall be given opportunity to return to duty before any original appointments are made to such positions. The order in which offers of recall to duty are made shall be the reverse of the list order in which the employees were furloughed. Employees who are not recalled to duty within the furlough period shall be separated from the service.

§ 12.331 *Reduction-in-force actions; exceptions, statutory retention.* Whenever a restored employee having the statutory retention rights indicated in § 12.307 of this part is reached for action in a reduction in force which is to become effective within one year from the date of his restoration to service, he shall be placed in some other position of like seniority, status, and pay elsewhere in the department if his position is being abolished or if he cannot be retained in preference to employees higher in sequence of selection as provided in § 12.324 of this part.

§ 12.332 *Reduction-in-force actions; exceptions, career employees.* Whenever it is finally determined in a reduction in force that a career employee reached for action is to be separated from the rolls or furloughed in excess of ninety days, and there is within the department at the same geographical location a position not occupied by a career employee which the career employee so reached is qualified to fill, the career employee so reached shall be transferred or assigned to such position.

Retention on the rolls of the department of an employee who is displaced by a career employee will then depend upon the possibilities of placement in other positions, or upon the sequence of selection established in these regulations governing reduction in force.

§ 12.333 *Reduction in force actions—notice to employees.* Each employee affected by a reduction in force shall be given individual notice in writing at least thirty days before the action becomes effective. Wherever possible, this notice shall be given thirty days before the employee is relieved from active duty, and the employee shall be continued in a pay status until his accrued annual leave is exhausted. Where there is insufficient work to continue the employee in an active-duty status for thirty days, he shall have the greatest notice possible before he is relieved from active duty, and shall thereafter be carried in a pay status until his accrued leave is exhausted. If the period of active duty after notice is given and the period of accrued leave total less than thirty days, the employee shall be carried in a nonpay status for the remainder of the thirty day period. In no case shall an employee be taken off the rolls in a reduction in force without thirty days' notice in advance of such separation. Besides specifying the nature of the action and the date of termination of active duty, the notice shall inform the employee of:

(a) His right to be continued in a pay status until accrued leave is exhausted.

(b) The proper office or official of the organization through which the employee may examine a copy of these regulations and inspect the reduction-in-force list and records,

(c) His right to appeal the proposed action to the Commission (Washington employees to the Central Office and others to the appropriate regional office) within ten days from the receipt of the notice, and

(d) Any restoration or reemployment-list rights he may have, and the channels (departmental and field) through which the employee may apply for other government employment.

§ 12.334 *Submission of reduction-in-force list to the Commission.* As soon as employees are notified of the proposed action, and within the ten day period allowed for the filing of appeals, two signed copies of the reduction-in-force list and the names and reasons for retention of employees who are subject to termination at administrative discretion and have not been so terminated, shall be transmitted to the appropriate office of the Commission (Central Office in the case of employees stationed in Washington and vicinity, and regional office in the case of employees stationed outside of Washington and vicinity).

Whenever a department finds it necessary to separate, demote or furlough employees whose names with complete information, have already appeared on a reduction-in-force list that has been certified to the Commission during the same efficiency rating period in connection with action on other cases, it shall be necessary only for the department to notify the Commission regarding such cases, referring to the list on which the names appear, and certifying as to the notices to employees.

§ 12.335 *Rights of employees to inspect reduction-in-force list and records and to appeal action taken.* Employees affected by a reduction in force are entitled to full compliance with these regulations, and to appeal to the Commission within ten days of receipt of notice of any action which they believe to be in violation of these regulations. In order that they may be informed of the facts on which action is based they shall have the right to examine a copy of these regulations and to inspect the records and the reduction-in-force list on which their names appear. No appeal will be entertained by the Commission from employees who are subject to termination at administrative discretion except in cases of specific allegations of violation of veteran preference requirements.

§ 12.336 *Appeals.* Any transitory or career employee who feels that his rights under the veteran preference laws, or under these regulations have been violated, and any employee subject to termination at administrative discretion who feels that his rights under veteran preference laws have been violated, may appeal to the Commission (Central Office in the case of Washington employees, and otherwise to the appropriate regional office) within ten days from the receipt of notice of the action to be taken. This time limit may be extended only upon a showing by the employee that circumstances beyond his control prevented him from filing his appeal within the prescribed ten days.

§ 12.337 *Resulting action after appeal or postaudit.* Whenever the Commission, as the result of a postaudit or by a decision on the appeal of an employee, disapproves the action taken under these regulations, the head of the department shall cancel the notice of such action if the employee is still carried on the rolls in an active duty status, leave status, or nonpay status. Where the employee is in a leave or nonpay status, he shall be restored to active duty.

(a) If the employee has been separated from the rolls before the department is advised of the disapproval of the action by the Commission, the head of the department shall promptly restore the employee to the position from which separated.

(b) In the case of the disapproval of a demotion, the employee shall be restored to the position from which he was demoted.

(c) In the case of the disapproval of a furlough in excess of ninety days, restoration to active duty shall take place as follows: (1) if the furlough has been in effect for ninety days—immediately; (2) if the furlough has not been in effect for ninety days—within ninety-one days of the time the employee entered a nonpay status.

(d) If additional separations, demotions, or furloughs in excess of ninety days are necessary as a result of disapproval of cases by the Commission, they shall be made in accordance with these reduction-in-force regulations.

With respect to reductions in force outside of the Washington, D. C., area, the decision of the Commission's regional director is the decision of the Commission on appeals and postaudits.

§ 12.338 *Effective date.* These regulations shall be in effect on and after September 1, 1944.

NOTE: *Miscellaneous information. Commission points of contact.* Inquiries and correspondence concerning reductions in force outside the Washington, D. C., area, except matters involving an established plan of competitive areas for the department, shall be addressed to the appropriate regional office of the Commission.

Departments and employees desiring to contact the Central Office of the Commission for information concerning these regulations shall address inquiries and correspondence as follows:

Questions regarding transfer processes—Civil Service Representative of Department, Room 11, 820 7th Street NW., Washington 25, D. C.

Questions regarding civil-service status of employees—Service Record Division, U. S. Civil Service Commission, Washington 25, D. C.

Questions regarding veteran preference—Veteran Preference Sub-unit Service Section, Examining and Personnel Utilization Division, Room 315 Main Building, U. S. Civil Service Commission, 8th and F Streets NW., Washington 25, D. C.

Questions regarding creditable service—legal Section, Retirement Division, Room 1018 Mather Building, 916 G Street NW., Washington 25, D. C.

Questions regarding submission of reduction-in-force lists, appeals from employees, all other questions—Efficiency Ratings Administration Section, Personnel Classification Division, Room 901 Victor Building 724 9th Street NW., Washington 25, D. C.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

JULY 31, 1944.

[F. R. Doc. 44-11701; Filed, August 4, 1944; 4:16 p. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9-6, Amdt. 11]

PART 1220—FEED

LIMITATIONS ON MIXED FEED MANUFACTURERS

War Food Order No. 9-6 (9 F.R. 1481, 4319) is hereby revised and amended in its entirety to read as follows:

Pursuant to the authority vested in me by the War Food Order No. 9 (formerly Food Production Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319, 8767)), issued on December 18, 1943, to effectuate the purposes of such order pertaining to the use of protein meal in the manufacture of mixed feeds and to promote the orderly distribution of protein meal; it is hereby ordered, that:

§ 1220.8 *Quarterly limitation on the use of protein meal in the manufacture of mixed feed.* During any quarter (beginning January 1, April 1, July 1 or October 1) of the calendar year 1944, no mixed feed manufacturer shall use any quantity of protein meal in the manufacture of mixed feeds in excess of (1) the average quantity of protein meal used by such manufacturer in the manufacture of mixed feeds in the corresponding quarters of the calendar years 1942 and 1943, or (2) 30 percent of the maximum quantity of protein meal which the manufacturer is permitted to use in the manufacture of mixed feeds during the calendar year 1944 under the provisions of paragraph (d) of War Food Order No. 9, whichever is greater: *Provided, however,* That, in computing the maximum quantity of protein meal which may be used by a manufacturer, during the quarter beginning July 1, 1944, in the manufacture of mixed feeds under this order, any protein meal used in the manufacture of cubes or pellets containing not less than 30 percent protein for the feeding of cattle or sheep on the range, which is in excess of the average quantity of protein meal used for such purpose during the corresponding quarters of the years 1942 and 1943, need not be taken into account: *Provided, further,* That this order shall not apply to any mixed feed manufacturer who uses no more than 60 tons of protein meal in the manufacture of mixed feeds during the calendar year 1944. Nothing herein shall be construed to permit any mixed feed manufacturer, during the calendar year 1944, to use any quantity of protein meal in the manufacture of mixed feeds in excess of the maximum quantity permitted under paragraph (d) of War Food Order No. 9.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767)

Issued this 5th day of August 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-11737; Filed, August 5, 1944; 3:29 p. m.]

[WFO 9-12]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR SEPTEMBER 1944

Pursuant to the authority vested in me by War Food Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319, 8767), issued on December 18, 1943, and to effectuate the pur-

poses of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that

§ 1220.15 *Set aside requirements for processors of oilseed for September 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during September 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop," and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed Management Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

No. _____
State and County Code and Order Number
Date Issued _____ 1944...

CERTIFICATE OF DESIGNATED BUYER

_____ is authorized to
Name and address
purchase and accept delivery of _____
(tons—pounds) of _____ oilseed
(Kind)
_____ from amounts set
(Meal—cake or pellet)
aside by _____
(Name of Processor)
of _____ to be ordered
(Address of Processor)
through _____ pursuant
(Name, address of jobber)
to the order of the Director of Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

OFFICE OF PRODUCTION,
J. B. HUTSON,
Director.

_____
(Agricultural Conservation Committee)
of _____
(Address)
By _____
(Chairman or designated member)
Expiration Date _____

(2) Agricultural Conservation Committees may commence issuing Certificates of Designated Buyers pursuant to this order during August 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during August 1944. A processor shall be entitled to credit such deliveries made in August 1944 against the quantity of oilseed meal which he is required to set aside in September 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(5) No processor shall be required to honor a Certificate of Designated Buyer for oilseed meal set aside pursuant to this order unless the designated buyer furnishes the processor or his agent with (i) shipping intructions, and, in the case of a designated buyer other than a feeder, (ii) the statement required by paragraph (h) of War Food Order No. 9 before midnight of the expiration date shown on the certificate. If a processor elects not to honor a Certificate of Designated Buyer pursuant to this paragraph, he shall return such certificate to the issuing officer and he may dispose of the oilseed meal covered by such certificate free from the restrictions of this order. The expiration date for any Certificate of Designated Buyer issued under this order shall be not later than September 15, 1944, unless a later date (but in no event later than September 20, 1944) is authorized by the Chief of the Feed Management Branch, Office of Production, War Food Administration. No processor, however, shall be required to honor any certificate bearing an expiration date later than September 15, 1944, unless required to do so by notice from the Chief of the Feed Management Branch received before midnight of that date. In such case, the processor will be required to honor Certificates of Designated Buyers bearing expiration dates later than September 15, 1944, but not later than September 20, 1944. Any oilseed meal set aside pursuant to this order for which the processor has received no certificate before midnight of September 15, 1944 (or later, but not later than September 20, 1944, if the notice provided for herein is received from the Chief of the Feed Management Branch), may be disposed of by the processor free from the restrictions of this order: *Provided, however,* That the provisions of this paragraph shall not apply to oilseed meal required to be set aside by this order which has not heretofore been reported to the Director.

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than 20 percent of the oilseed meal covered by any such contract.

(d) *Processor's reports*—(1) *Report of tonnage for August delivery for credit against September set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in August 1944 for credit against his set aside in September 1944, he must report to the Director in writing (or by telegraph) not later than August 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in August 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than October 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee:

(f) *Release of oilseed meal set aside under prior orders.* Any processor who has on hand oilseed meal, which has been reported pursuant to any set aside order prior to War Food Order No. 9–11 (9 F.R. 7639) as set aside for sale and delivery to designated buyers and for which the processor has received no shipping instructions from the designated buyers prior to the issuance of this order, may sell and deliver such oilseed meal free from the restrictions of the order under which it was set aside.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref: WFO 9–12.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423, E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767)

Issued this 5th day of August 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44–11760; Filed, August 7, 1944; 11:18 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[War Food Orders, Amendments[1]]

Amendment of Violations Paragraph in Certain Orders

The paragraph entitled "Violations" in each of the War Food Orders numbered 1, 2, 3, 4, 6, 7, 8, 11, 13, 15, 16, 18, 19, 21, 22, 25, 29, 30, 35, 37, 38, 39, 42, 43, 44, 45, 47, 48, 50, 51, 53, 54, 66, 67, 69, 70, 72, 76, 80, 81, 82, 86, 87, 89, 90, 92, 93, 94, 95, 96, 101, 102, and 103, is hereby amended to read as follows:

Violations. Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This order shall become effective at 12:01 a. m., e. w. t., August 7, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 5th day of August 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-11736; Filed, August 5, 1944; 9:28 p. m.]

[WFO 8, Amdt. 4]

Part 1401—Dairy Products

Frozen Dairy Foods and Mix

War Food Order No. 8, as amended (8 F.R. 953, 12163, 9 F.R. 4321, 4319, 4735, 5333, and 5767), is further amended to read as follows:

1. By deleting therefrom § 1401.31 (b) (3).

2. By deleting therefrom § 1401.31 (a) (8) and inserting, in lieu thereof, the following:

(8) The term "Director" means the Director of Distribution, War Food Administration.

3. By inserting therein, after § 1401.31 (a) (10), the following:

(11) "Dairy and Poultry Branch Field Representative" means the person in charge of the appropriate Dairy and Poultry Branch field office as follows:

(i) For the States of California, Washington, Oregon, Nevada, Arizona, Wyoming, Utah, Idaho, and Montana:

Western Field Office,
Dairy and Poultry Branch,
Office of Distribution,
821 Market Street,
San Francisco, California.

(ii) For the States of Arkansas, Colorado, Kansas, Louisiana, New Mexico, Texas, and Oklahoma:

Southwest Field Office,
Dairy and Poultry Branch,
Office of Distribution,
425 Wilson Building,
Dallas, Texas.

(iii) For the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia:

Southern Field Office,
Dairy and Poultry Branch,
Office of Distribution,
Western Union Building,
Atlanta, Georgia.

(iv) For the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin:

Midwest Field Office,
Dairy and Poultry Branch,
Office of Distribution,
5 South Wabash Avenue,
Chicago, Illinois.

(v) For the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia:

Northeast Field Office,
Dairy and Poultry Branch,
Office of Distribution,
150 Broadway,
New York, New York.

4. By deleting therefrom § 1401.31 (d) and inserting, in lieu thereof, the following:

(d) It is hereby declared to be the policy of the War Food Administration that every processor shall make equitable distribution among those persons supplied by such processor during the base period of the frozen dairy foods and mix manufactured by such processor. All processors shall observe such policy in selling or distributing the frozen dairy foods and mix which they process. In the event the Director finds that the distribution made by a processor in any particular instance is not equitable, the Director may prohibit the particular processor from making any further distribution of such frozen dairy foods and mix except such as may be specified by the Director as being equitable. Any failure to observe such a direction by the Director shall be a violation of this order.

5. By deleting therefrom § 1401.31 (f) and inserting, in lieu thereof, the following:

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his production and transactions in frozen dairy foods and mix.

6. By deleting therefrom § 1401.31 (i) and (j) and inserting, in lieu thereof, the following:

(i) *Petition for relief from hardship.* Any person affected by this order, who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief with the Dairy and Poultry Branch Field Representative serving the area in which such person resides or does business. Petitions for such relief shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on the petition by the Dairy and Poultry Branch Field Representative, he may, by requesting the Dairy and Poultry Branch Field Representative therefor, secure a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, and such action shall be final.

(j) *Communications.* All reports required to be filed hereunder shall be addressed in conformity with the instructions specified in the respective form required to be submitted. All other communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Dairy and Poultry Branch Field Representative serving the area in which the person affected by this order resides or does business.

This amendment shall become effective at 12:01 a. m., e. w. t., August 5, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 8, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 8, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

Note: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 5th day of August 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-11735; Filed, August 5, 1944; 9:33 p. m.]

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[1] War Food Orders Nos. 1, Amend. 10; 2, Amend. 3; 3, Amend. 4; 4, Amend. 3; 6, Amend. 1; 7, Amend. 2; 8, Amend. 5; 11, Amend. 4; 13, Amend. 3; 15, Amend. 3; 16, Amend. 2; 18, Amend. 4; 19, Amend. 3; 21, Amend. 3; 22, Amend. 2; 25, Amend. 1; 29, Amend. 7; 30, Amend. 5; 35, Amend. 2; 37, Amend. 3; 38, Amend. 1; 39, Amend. 2; 42, Amend. 10; 43, Amend. 1; 44, Amend. 4; 45, Amend. 4; 47, Amend. 2; 48, Amend. 2; 50, Amend. 3; 51, Amend. 2; 53, Amend. 5; 54, Amend. 2; 66, Amend. 3; 67, Amend. 4; 69, Amend. 4; 70, Amend. 4; 72, Amend. 3; 76, Amend. 2; 80, Amend. 2; 81, Amend. 3; 82, Amend. 2; 86, Amend. 2; 87, Amend. 3; 89, Amend. 1; 90, Amend. 2; 92, Amend. 1; 93, Amend. 1; 94, Amend. 5; 95, Amend. 1; 96, Amend. 1; 101, Amend. 1; 102, Amend. 1; and 103, Amend. 1.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 3, 6, 7, 9, 11, 13, 15]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations, contained in Parts 803, 806, 807, 809, 811, 813, and 815 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (9 F.R. 8363) as amended by change 39, 4 August 1944,[1] the particular regulations amended being Nos. 3, 6, 7, 9, 11, 13, and 15.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Section 5a, National Defense Act, as amended, 41 Stat. 764; 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[Procurement Reg. 3]

PART 803—CONTRACTS

SUBPART A—GENERAL

In § 803.303a the first paragraph is designated (1) and the second paragraph is designated (2) and amended to read as follows:

§ 803.303a *Letters of intent and letter orders*—(1) *Use.* • • •

(2) *Report on letters of intent, etc.* (i) On or before the 10th of each month the chief of each technical service will file with the Director, Purchases Division, Headquarters, Army Service Forces, a report of each letter of intent, letter order, letter purchase order, etc. outstanding at the close of the preceding month. This report is titled "Letters of Intent, Etc. Outstanding" and assigned Control Approval Symbol PDS–16. The first report shall be due 10 August 1944 for the period ending 31 July 1944. This report does not conflict with the reports of negotiated purchase actions in excess of $10,000, Control Approval Symbol ICY–33, required by § 802.293.

[1] Change 38 appears at 9 F.R. 9459.

(ii) The reports of letters of intent, etc. outstanding, Control Approval Symbol PDS–16, will be submitted, original only, on an unclassified basis. Negative reports and letters of transmittal will not be submitted. Chiefs of technical services, where necessary, will obtain appropriate data from their procurement district offices using the same reporting method as required for their report to the Purchases Division, Headquarters, Army Service Forces. These reports shall set forth the following information:

(*a*) Contract number.

(*b*) Name of contractor.

(*c*) Amount of expenditure authorized under the letter of intent, letter order, letter purchase order, etc. (Only the amount authorized to be obligated is desired. The amount which it is estimated will be finally obligated under the definitive contract should not be reported.)

(*d*) A brief description of the item or items being procured.

(*e*) Date of letter of intent, letter order, letter purchase order, etc.

(*f*) A brief statement of the reasons why a letter of intent, letter order, letter purchase order, etc. was issued in the first place. (Applies only to agreements made after 30 June 1944.)

(*g*) A brief statement of the reasons why each letter of intent, etc. which had been outstanding more than 60 days as of the end of the reporting period had not been converted into a definitive contract.

(iii) It is intended that letters of commitment (see W. D. Contract Form No. 28 and §§ 802.222 (g) and 813.1328) will be included in these reports but they will either be listed separately or clearly marked to indicate their nature.

SUBPART C—FORMALITIES IN CONNECTION WITH EXECUTION OF CONTRACTS AND MODIFICATIONS THEREOF

In § 803.309, paragraph (d) is amended to read as follows:

§ 803.309 *Numbering contracts.* • • •

(d) *Effect of War Department Fiscal Code.* (1) Under date of 1 January 1944, the War Department Fiscal Code was issued as TM 14–700.

(2) Chapter 8 of the aforementioned code sets forth list of procurement station numbers presently prescribed. These station numbers are to be used in numbering contracts (as required by paragraph (b) (2) of this section and by § 803.318b (e) (1) (ii)).

(3) It is to be noted that Chapter 7 of the aforementioned code contains code numbers designating the various technical services as well as the various service commands. These code numbers are not to be substituted, in the numbering of contracts, for the letters used to designate the technical services and the service commands (as required by paragraph (b) (3) of this section and by § 803.318b (e) (1) (iii)), since symbol letters used in the numbering of contracts to designate the technical services must be approved, prior to their use, by the Comptroller General of the United States.

SUBPART H—MANDATORY AND OPTIONAL CONTRACT PROVISIONS

In § 803.338, paragraph (j) of the plant protection clause is amended to read as follows:

§ 803.338 *Plant protection clause.*
• • •

(j) The Contractor, upon request of the Contracting Officer, shall suspend from access to work under this contract any officer or employee whose continued employment is deemed by the Contracting Officer to endanger the security of the war effort.

[Procurement Reg. 6]

PART 806—INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

SUBPART B—INTERBRANCH PROCUREMENT

Section 806.605d is amended to read as follows:

§ 806.605d *Indefinite quantity contracts executed by the Office of the Quartermaster General.* The tabulation set forth below contains certain information with respect to all indefinite quantity contracts executed by the Office of the Quartermaster General, which are applicable to purchases made by activities outside the jurisdiction of the Quartermaster General. More complete information as to these contracts is contained in the War Department supply bulletins referred to in the tabulation. These supply bulletins are available at Adjutant General Depots.

INDEFINITE QUANTITY CONTRACTS EXECUTED BY OFFICE OF QUARTERMASTER GENERAL

Supply bulletin No.	Date	Commodity	Contract period	Contract symbol No.	Contractor	Area serviced	Applicability
10-81	1 Jul 44	Oil, engine (United States Army Spec. 2-104 B, amendment No. 2).	1 July 1944 to 31 December 1944.	W 44-109-qm-13	The Texas Co.	Continental United States, exclusive of California, Nevada, Oregon, Utah and Washington.	All War Department activities within continental United States for domestic consumption, exclusive of maneuvers ordered by Army Ground Force Headquarters.
				W 44-109-qm-14	Shell Oil Co., Inc.	California, Oregon, and Washington.	
				W 44-109-qm-15	Standard Oil Co. of California	Nevada and Utah	
10-87	5 Jul 44	Books	Fiscal year 1945.	See Supply Bulletin No. 10-87		Continental United States and its possessions.	General utilization by the War Department except the Medical Corps.
10-89	7 Jul 44	Malt	1 July 1944 to 30 September.	W 11-009-qm-19650	Haselton Syrup Company, Haselton, Pa.	1st Service Command	All Branches of the War Department.
				W 11-009-qm-19651	Malt-Diastase Co., Wyckoff Ave. and Decatur St., Brooklyn, N. Y.	2d and 3d Service Commands; Military District of Washington.	
				W 11-009-qm-19652	Anheuser-Busch, Inc., 721 Pestalozzi St., St. Louis, Mo.	4th Service Command	
				W 11-009-qm-19653	Pabst Sales Co., 221 N. LaSalle St., Chicago, Ill.	5th Service Command	
				W 11-009-qm-19654	Birk Bros. Brewing Co., 2117 N. Wayne St., Chicago, Ill.	6th Service Command	
				W 11-009-qm-19655	The Wander Co., 360 N. Michigan Ave., Chicago, Ill.	7th Service Command	
				W 11-009-qm-19656	Standard Brands, Inc., War Prod. & Supply Dept., 595 Madison Ave., New York, N. Y.	8th and 9th Service Commands.	
10-94		Compressed yeast.	Fiscal year 1945.	W 11-009-qm-19505	Federal Yeast Corp., Colgate Creek, Highlandtown, P. O., Baltimore, Md.	3d Service Command	All Branches of the War Department.
				W 11-009-qm-19508	Capitol Yeast Co., 105 Cambridge St., Boston, Mass.	1st Service Command	
				W 11-009-qm-19730	Standard Brands, Incorporated, 595 Madison Ave., N. Y., N. Y.	4th, 8th and 9th Service Commands.	
				W 11-009-qm-19731	Anheuser-Busch, Inc., 721 Pestalozzi St., St. Louis, Mo.	2d and 7th Service Commands and Military District of Washington.	
				W 11-009-qm-19732	Red Star Yeast Products Co., 221 E. Buffalo St., Milwaukee, Wis.	5th and 6th Service Commands.	
10-90		Paper rolls, for cash registers.	Fiscal year 1945.	W 28-021-qm-15523	The National Cash Register Co., Main and K Sts., Dayton, Ohio.	See Supply Bulletin No. 10-90.	All posts, camps and stations.

SUBPART C—INTERDEPARTMENTAL PURCHASES

In § 806.606 (g) the last item in the schedule is deleted, and the preceding two items are amended to read as follows:

§ 806.606 *Purchases under contracts of Procurement Division, Treasury Department.* • • •

(g) *Mandatory schedules.* • • •

Description of item	*Schedule of supplies*	*Period*
Household and quarters furniture	(Part 1)	August 1, 1944 to January 31, 1945.
Household and quarters furniture	(Part 2)	August 1, 1944 to January 31, 1945.

[Procurement Reg. 7]

PART 807—DISPOSITION OF PROPERTY

SUBPART A—GENERAL

In § 807.103, paragraph (a) is added as follows:

§ 807.103 *Statement of the War Department policy.* • • •

(a) *War Department policy on direct sales.* Under regulations prescribed by the Surplus War Property Administration pursuant to Executive Order No. 9425, general responsibility for disposal of surplus Government property has been assigned to certain disposal agencies, as more fully explained in Subpart G of this part. It is the policy of the War Department to have these disposal agencies dispose of surplus War Department property to the fullest extent provided by the regulations of the Surplus War Property Administration, and to limit direct disposal by the War Department to those categories for which the War Department is clearly responsible. Accordingly, sales by the War Department will be limited to the following:

(1) Sales of termination inventories as provided in Subpart B of this part.

(2) Sales of nominal quantities of surplus property as provided in § 807.701.

(3) Sales to War Contractors, other government agencies and other limited classes of transferees as provided in Subpart C of this part.

(4) Sales of salvage, scrap and waste.

SUBPART B—DISPOSITION OF TERMINATION INVENTORIES

1. In § 807.206 paragraph (d) is added, as follows:

§ 807.206 *Specific price regulations.* • • •

(d) *Consultation with Regional Offices of Reconstruction Finance Corporation.* Regional Managers of Reconstruction Finance Corporation (see paragraph § 807.907 for names and addresses) are available at all times for consultation as to the application of the price policies set forth in this section. Their advice should be obtained by contracting officers, Disposal Boards and other War Department representatives concerned with disposal of termination inventories in all cases of doubt.

2. Section 807.211 is added as follows:

§ 807.211 *Inter-service relationship with respect to selected contractors.* (a) In furtherance of the declared policy of the War Department (see § 807.205) to effect prompt disposition of termination inventory, the Director, Readjustment Division, Headquarters, Army Service Forces, may, from time to time, in ac-

cordance with § 815.223, select a contractor holding several War Department prime and subcontracts and assign it for purposes of this section to the chief of a particular technical service.

(b) The chief of a technical service to which such contractor is assigned will be responsible for the prompt disposal of all its termination inventory (held by it as prime contractor or subcontractor) arising from the termination of contracts by any technical service of the War Department, and is authorized to take such action for the disposal thereof as the chief of the technical service terminating the prime contract is authorized to take under applicable regulations. The prices at which any such termination inventory may be retained or disposed of by a contractor with the approval of the chief of the designated technical service or his duly authorized representative under authority of this paragraph will be recognized and accepted for all purposes, including any termination settlement made with a contracting officer of another technical service. No authorization which might otherwise be exercised by prime contractors under § 815.437a (relating to accounting examinations and approval of property disposals in subcontract settlements involving less than $10,000) should be exercised in settling a subcontract of a contractor now or hereafter assigned to a designated technical service pursuant to § 815.223, except with the approval of that service; but if any action has been taken pursuant to such authorization, it will nevertheless be valid and binding.

(c) Significant items included in a termination inventory will be submitted to the chief of the technical service terminating the contract for determination as to whether such items may be utilized within that service for military supply or industrial or other purposes. However, as provided in § 807.203, such reference will not be permitted to delay or limit local disposition.

(d) Responsibility for the storage or removal of property transferred to the Government in accordance with applicable regulations remains in the chief of the technical service terminating the prime contract.

SUBPART D—DISPOSITION OF NON-REPAIRABLE PROPERTY

In § 807.410, paragraph (c) is added, as follows:

§ 807.410 *Pricing policies on sales of non-repairable property included in termination inventory.* • • •

(c) *Consultation with Regional Office of Reconstruction Finance Corporation.* Metals Reserves Company agents in the Regional Offices of Reconstruction Finance Corporation are authorized to act as consultants in connection with scrapping determinations and disposal of scrap included in termination inventories. Advisory panels have been established to provide technical information and assistance to these agents. Metals Reserve Company agents and their advisory panels should be consulted by contracting officers, Disposal Boards, and other War Department representatives concerned with scrapping determinations and disposal of scrap included in termination inventories in all cases of doubt. To the fullest extent practicable, local disposal agencies of the War Department should arrange with Metals Reserve Company agents for "on the spot" assistance. Requests for consultation and assistance should be communicated to Metals Reserve Company agent, in care of Regional Manager of Reconstruction Finance Corporation (see § 807.207 for addresses).

[Procurement Reg. 9]

PART 809—LABOR

SUBPART G—WAGE AND SALARY STABILIZATION

In § 809.980d, subparagraphs (28) to (31) are added to General Order No. 4, as follows:

§ 809.980d *General Order No. 4.* • • •

(d) • • •

(28) Firms in the automotive repair and tire industry in Region X of the National War Labor Board, embracing the States of California, Nevada and Arizona (approved, July 4, 1944).

(29) Jewelry stores and watch repair establishments in Region IX, embracing the States of Colorado, Montana, New Mexico, Wyoming, Utah and Idaho (approved, July 11, 1944).

(30) Jewelry industry in Region X (approved July 11, 1944).

(31) All contractors in the building and construction industry in the United States (approved, July 7, 1944).

[Procurement Reg. 11]

PART 811—MISCELLANEOUS PURCHASE INSTRUCTIONS

SUBPART B—PATENTS

In § 811.1112 paragraphs (a) through (t) are amended, and paragraphs (u) to (aa) are added; §§ 811.1113 and 811.1114 are added, as follows:

§ 811.1112 *Adjustment of royalties for use of inventions.*—(a) *Definitions.* Where used in §§ 811.1112 to 811.1114 hereof, inclusive, the following terms have the meanings here assigned to them:

(1) "The act" means the Royalty Adjustment Act 1942 (Public No. 768, 77th Congress; 35 U.S.C. 89–96).

(2) "Notice" means the written notice specified in section 1 of the act and described in paragraph (c) below.

(3) "Order" means the order of the Secretary of War specified in section 1 of the act and described in paragraph (d) below.

(4) "Director" means the Director (or in his absence the Acting Director), Purchases Division, Headquarters, Army Service Forces. In respect of any action taken by the Army Air Forces, the term "Director" means the Special Representative of the Under Secretary of War (see subparagraph (2) of § 801.108 (d)).

(5) "Delegate" means the offices and boards specified in paragraph (i) and in subparagraph (1) of paragraph (j), together with any other office, board or individual to whom any of the powers, duties and authorities of the Secretary of War under the act have been or may be delegated.

(6) "Originating technical service" means (i) the technical service (as defined in subparagraph (2) of §801.108 (d)) of the delegate which has given notice under the act, or (ii) the technical service which has been directed by the Director to take necessary action in relation to a notice contemplated or given.

(7) "Licensor" includes the grantor in a patent license agreement as well as the transferor of the entire right, title and interest in and to a patented or unpatented invention upon consideration including future payments based upon the extent of manufacture, use, sale or other disposition of the invention.

(8) "Licensee" includes the grantee in a patent license agreement as well as the transferee of the entire right, title and interest in and to a patented or unpatented invention upon consideration including future payments based upon the extent of manufacture, use, sale or other disposition of the invention.

(b) *Basic statute.* The act makes provision for adjusting royalties for the use of inventions for the benefit of the United States, in aid of the prosecution of the war, and for other purposes. Paragraphs (c) to (h) inclusive, contain a summary of the provisions of the Act as applied to the War Department. Sections 811.1112 (i) to 811.1114 (b), inclusive, contain the rules and regulations prescribed thereunder for exercise of such of the powers, duties and authorities of the Secretary of War under the Act as have been or may hereafter be delegated by him.

(c) *Applicability and notice.* Whenever an invention, whether patented or unpatented, is manufactured, used, sold or otherwise disposed of for the United States under the conditions set forth in the Act and the license includes provisions for the payment of royalties, the rates or amounts of which are believed to be unreasonable or excessive by the Secretary of War, the Secretary of War shall give notice of such fact to the licensor and the licensee. By definition, the manufacturer, use, sale or other disposition of an invention, whether patented or unpatented, by a contractor, subcontractor, or any person, firm, or corporation for the Government and with the authorization or consent of the Government is construed as manufacturer, use, sale or other disposition for the United States.

(d) *Fixing of rates and order.* The act further provides that within a reasonable time after the effective date of the notice, in no event less than ten days, the Secretary of War shall by order fix and specify such rates or amounts of royalties, if any, as he shall determine are fair and just, taking into account the conditions of wartime production, and shall authorize the payment thereof by the licensee to the licensor on account of such manufacture, use, sale or other disposition. Either the licensor or the licensee may, if he so requests within ten days from the effective date of the notice, present within thirty days from the date of his request, in writing or in

person, any facts or circumstances which may in his opinion have a bearing upon the rates of amount of royalties, if any, to be determined, fixed, and specified as aforesaid. Any order fixing the rates and amounts of any royalties shall be issued within a reasonable time after such presentation.

(e) *Prohibition against payment of excessive royalties.* The licensee shall not after the effective date of the notice (upon receipt of notice, or five days after the mailing thereof, whichever date is earlier) pay to the licensor, nor charge directly or indirectly to the United States, a royalty in excess of that subsequently specified in the order. It is provided that, whenever a reduction in the rates or amounts of royalties is effected by order, the reduction shall inure to the benefit of the Government by way of a corresponding reduction in the contract price to be paid directly or indirectly for such manufacture, use, sale, or other disposition of such inventions, or by way of refund if already paid to the licensee.

(f) *Remedies of licensor.* The act contains certain provisions as to the remedies of the licensor, which, in general, limit him to a suit against the United States in the Court of Claims or a District Court of the United States.

(g) *Settlement of claims.* The Secretary of War is authorized, before suit has been instituted against the United States, to enter into an agreement with the owner or licensor of an invention, in full settlement and compromise of any claim accruing under the provisions of the Act or any other law, and for compensation to be paid such owner or licensor based upon future manufacture, use, sale, or other disposition of said invention.

(h) *Authority of Secretary of War to delegate powers and issue regulations under act.* The Secretary of War is authorized in his discretion and under such rules and regulations as he may prescribe, to delegate any powers conferred by the act to such qualified and responsible officers, boards, agents or persons as he may designate or appoint. He is also authorized to issue such rules and regulations and to require such information as may be necessary and proper to carry out the provisions of the act. In accordance with the provisions of the act, rules and regulations have been issued, the terms of which are set forth in the succeeding paragraphs.

(i) *Delegations.* The Secretary of War has delegated to each of the following:

a. Commanding General, Army Service Forces.
b. Commanding General, Army Air Forces.
c. Assistant Chief of Air Staff, Material and Services.
d. Chief, Procurement Division, Office of Assistant Chief of Air Staff, Material and Services.
e. Commanding General, Material Command, Army Air Forces.
f. Director, Purchases Division, Headquarters, Army Service Forces.
g. Chiefs of the Technical Services, Army Service Forces.
h. Royalty Adjustment Board, Material Command, Army Air Forces.

in the matters properly before them and for action under the direction of the Under Secretary of War, the following powers, duties and authorities conferred upon him by the act:

(1) To determine that notice should be given and to give notice of the fact that the rates or amounts of royalties are believed to be unreasonable or excessive;

(2) To receive and hear such facts and circumstances as may be presented by the licensee or licensor, and such other facts and circumstances as are relevant to an evaluation of the factors specified in paragraph (k), and to recommend appropriate action;

(3) To negotiate voluntary adjustments of royalties or settlements of infringement claims against the United States, before suit against the United States has been instituted, and to withdraw any notice given under subparagraph (1) above, provided that no such notice shall be withdrawn unless the licensor(s) shall have first agreed substantially as follows:

> The undersigned hereby consents to the withdrawal of the notice issued ------ [date of notice] ------ under the Royalty Adjustment Act 1942 (Public No. 768, 77th Congress; 35 U.S.C. 89–96) and in consideration of such withdrawal hereby releases any and all claims or demands now held by the undersigned against the United States, or any officer or agent thereof, arising out of the issuance of said notice.

but in particular cases for good cause shown the Director may authorize substantial deviation from or omission of the foregoing consent and release.

(4) To fix and specify, by order, fair and just rates or amounts of royalties, and to authorize the payment thereof, if any royalty be allowed, by the licensee to the licensor, subject, however, to the approval of such order by the Director; and

(5) To enter into an agreement, before suit against the United States has been instituted, with the owner or licensor of an invention, or of the Letters Patent therefor, effecting a voluntary adjustment of royalties charged or chargeable to the United States, or in settlement and compromise of any claim against the United States accruing to such owner or licensor under the provisions of the Act or any other law by reason of the manufacture, use, sale or other disposition referred to in paragraph (c) or for compensation to be paid such owner or licensor based upon future manufacture, use, sale or other disposition of such invention, subject, however, to the approval of the Director in each case where that approval is required by subparagraphs (4) or (5) of § 811.1113 (c), subparagraph (1) of § 811.1113 (g) or § 811.1114 (a) hereof.

(j) *Further delegations.* (1) The Secretary of War has further delegated the powers, duties and authorities described in subparagraphs (1), (2) and (3) of paragraph (i) for action in matters properly before them and under the direction of the Under Secretary of War, to each of the following:

a. All Division Engineers of the Corps of Engineers.
b. Assistant Aid Judge Advocate, Headquarters, Army Air Forces.
c. Chief, Legal Division, Office of the Chief of Transportation.
d. Assistant Chief, Engineering and Technical Service, Office of the Chief Signal Officer.
e. Royalty Adjustment Board, Office of the Surgeon General.

(2) The Secretary of War has further delegated to certain individual officers and to certain specially created boards substantially the powers, duties and authorities referred to in subparagraphs (2) and (4) of paragraph (i), but limited to the exercise thereof in respect of the particular inventions or license agreements specified in each such delegation and, insofar as concerns the powers, duties and authorities referred to in subparagraph (4) of paragraph (i), subject also to the approval of the chief of the technical service concerned.

(3) If the chief of any technical service desires that further delegation be made of the powers, duties and authorities of the Secretary of War either (a) as set forth in subparagraph (1) above, or (b) as set forth in subparagraph (2) above in respect of any specified inventions or license agreements, a request to that effect may be transmitted to the Director specifying the delegate to which such delegation is to be made and the extent of the delegation desired. Requests under (a) above will specify the proposed delegate by the name of an office or board and not by the name of any individual or individuals occupying the same. Requests under (b) above may specify one or more individuals by name.

(4) In each case where the powers, duties and authorities referred to in subparagraphs (1), (2), (3), (4) or (5) of paragraph (i) have been or may hereafter be delegated to a board designated as a "Royalty Adjustment Board," the said board shall, unless otherwise expressly provided in the instrument of delegation, consist of three qualified and responsible officers designated by the chief of the service or command concerned, who shall have power from time to time to remove any such officer and to fill any vacancy occurring in said board. Unless otherwise provided in the instrument of delegation, (a) a majority of said board shall determine its action, (b) all notices and recommendations of the board may be signed in its name by any member if duly authorized thereto by a majority of such board, and (c) any two members of such board shall constitute a quorum.

(5) The powers, duties and authorities referred to in paragraph (i) and in this paragraph shall not be redelegated by any delegate under the general authority to redelegate conferred in § 801.107 (i).

(k) *Factors to be considered before notice is given and in the making of an order.* Before notice is given there will be taken into account so far as practicable, and in the making of any order there will be taken into account, the following factors:

(1) The conditions of wartime production;
(2) The production and use of the invention prior to any increase due to wartime procurement, including
(i) Any established royalty rate,

(ii) The volume on which royalty was paid,

(iii) The yearly aggregate royalty paid, and

(iv) The circumstances under which the licensing and the establishment of the royalty rate occurred;

(3) The character of the invention and any patent protection therefor, the value of its contribution to the art in which it is used, and the character and expense of research and development that have been devoted to the invention;

(4) The extent of use and proposed use of the invention by other departments or agencies of the Government and the amounts of royalties involved in the aggregate in such use; and

(5) All other considerations which are ordinarily and properly taken into account in determining fair and just royalties or which appear to be appropriate to the particular case.

(l) *Duties of the technical services.* Subject to the rules and regulations set forth in §§ 811.1112 to 811.1114 (b), inclusive, the chiefs of the technical services are, in matters properly before them and acting under the direction of the Under Secretary of War, under the duty of causing the powers, duties and authorities delegated under the act to be exercised in such manner and at such times as may be necessary to prevent unreasonable or excessive royalties from being charged to the War Department. This duty may be discharged pursuant to such instructions as may be issued by the chiefs of the technical services for the guidance of their respective services.

(m) *Policy of the War Department in the administration of the act.* The policy of the War Department is (a) that, so far as practicable, a licensor shall not be subjected to duplicating interrogation by two or more technical services in relation to his royalty receipts from the use of a particular invention or series of related inventions; and (b) that, so far as practicable, each licensor shall, where such royalties are believed to be unreasonable or excessive, be given fair opportunity to effect a voluntary adjustment thereof before notice is given. The regulations set forth in paragraph (n) and §§ 811.1113–811.1113 (k), inclusive, are designed to effectuate this policy.

(n) *Procedure in the giving of notice.* (1) An initial inquiry may be sent to a licensor or a licensee requesting all or any part of the following and no more—(a) the names and addresses of licensor and licensee(s), (b) a copy of the license agreement, (c) a list of patents and patent applications involved, and (d) a statement of the royalties received (or paid) under such license during each year for the years 1936 to date of inquiry. Such inquiry shall include a provision to relieve the addressee from compiling information previously supplied upon an inquiry of any other branch of the War Department or of any other department or agency of the Government by permitting the addressee to respond by sending a copy of the reply to the previous inquiry or the name and address of the person who made the previous inquiry. Such inquiry to a licensee shall not be sent to any contractor who has furnished the relevant patent royalty information upon the War Department Standard Procurement Form (§ 813.1327 (b) or in renegotiation proceedings.

(2) If, upon consideration of the reply to the initial inquiry, further investigation is believed by the delegate to be advisable he shall, prior to making such further investigation, request from the Director clearance to do so, and the office of the Director may grant such clearance as appears proper in the light of the information which the records of that office contain regarding the issuance by any other technical service of the War Department or by any other department or agency of the Government of a notice in the same matter, or the consideration which has been or is being given to the issuance of such a notice. The request for clearance shall state the name and address of licensor, and the inventive subject matter, and so far as known and practicable the name(s) and address(es) of the licensee(s) and the numbers of the patent(s) and patent application(s) concerned. A clearance once given remains in force till modified or revoked by the Director.

(3) If, upon such investigation as appears proper (after clearance from the Director), the delegate having the matter in hand believes that the royalties in question are not unreasonable or excessive, he shall transmit to the Director a report (in triplicate) stating his findings and conclusions, including so far as practicable the data specified in paragraph (aa).

(4) If, upon such investigation as appears proper (after clearance from the Director), the delegate having the matter in hand believes that the royalties are unreasonable or excessive, he shall (unless he has previously been expressly authorized by the Director to omit such action) afford licensor fair opportunity to effect a voluntary adjustment thereof. Where, in the opinion of the delegate, fair opportunity has been afforded and a satisfactory adjustment cannot be effected, such delegate thereupon may issue notice in respect of the royalties in question, subject however to the requirements of paragraphs (o) and (p) hereof. Where, however, the delegate believes that circumstances exist making it necessary or desirable in the interests of the War Department that notice should be given without first affording licensor an opportunity to effect a voluntary adjustment, the delegate may issue notice in such case provided he has first obtained from the Director authority to do so.

(5) Promptly upon the giving of notice under the act, the delegate who issued the notice shall transmit to the Director a report (in triplicate) giving the names and addresses of licensor and licensee and three copies of each notice issued.

(o) *Procedure when a department or agency, other than the War Department, is concerned.* Inasmuch as any order entered by or under the authority of the Secretary of War affects only those royalties which are charged or chargeable to the War Department, every reasonable effort shall be made, before and after the giving of any notice, to determine what, if any, departments or agencies of the Government other than the War Department are or may be concerned in the payment of royalties for the same invention. If, at any time after clearance has been given as provided in subparagraph (2) of paragraph (n), it appears that a department or agency other than the War Department is so concerned, the service having the matter in hand shall forthwith communicate with such other department or agency and shall thereafter coordinate all further proceedings with such department or agency.

(p) *Procedure when more than one technical service of the War Department is concerned.* Any delegate to whom the authority referred to in subparagraph (1) of paragraph (i) has been or may hereafter be delegated shall exercise such authority, under the direction of the Director, in respect to all such royalties which are charged or chargeable to any and all technical services of the War Department. If, at any time after clearance has been given to a technical service as provided in subparagraph (2) of paragraph (n), it appears that more than one technical service of the War Department is concerned, that fact shall be reported forthwith to the Director and shall be accompanied by a recommendation of the reporting service as to the service believed to be in the best position to carry on the proceeding. The Director may thereupon give directions as to how, and by whom, the authority referred to in subparagraphs (1), (2), (3), (4) and (5) of paragraph (i) shall be exercised on behalf of the Secretary of War.

(q) *Form of the notice.* The following form of notice is approved for use subject to such deviations as may be necessary or appropriate in any given case:

[Letterhead of Delegate]

NOTICE

In the Matter of ——————, [et al.] Licensor(s)
and
——————————, [et al.] Licensee(s)

To: Licensor(s) and Licensee(s): You and each of you will hereby take notice, that:

Pursuant to the Royalty Adjustment Act 1942 (Public No. 168, 77th Congress; 35 U.S.C., 89–96), notice is hereby given that the royalties which are charged or chargeable directly or indirectly to the War Department on account of the manufacture, use or sale to or for the United States of the alleged inventions relating to ———— [subject-matter] ————, by virtue of the license agreement(s) between ——————, as licensor, and the following licensees, are believed to be unreasonable or excessive:

[Names of all licensees]

——————————————————————

——————————————————————

This Notice becomes effective upon its receipt by you or five (5) days after the mailing hereof, whichever date is the earlier.

The licensor or any licensee, if he so requests within ten (10 days from the effective date of this Notice, may within thirty (30) days from the date of such request present in writing or in person any facts or circumstances which may, in his opinion, have a bearing upon the rates or amounts of royal-

ties, if any, to be determined, fixed and specified.

From and after the effective date of this notice and until the making of an order under said act, each licensee is hereby directed (a) not to pay to licensor any royalties under said license(s) which are charged or chargeable directly or indirectly to the War Department and (b) to segregate said royalties from licensee's general funds and safely keep the same until such time as the disposition thereof is directed by such order.

The foregoing Notice is hereby given in behalf of the Secretary of War.

By direction of the Under Secretary of War:

.....

[Signature (and title) of delegate]

The foregoing notice is directed to the following:

[Names and addresses of all licensors and licensees]

.....

.....

.....

The foregoing notice shall be forwarded by registered mail, return receipt requested, to the last known address of each licensee and licensor named therein.

(r) *Forwarding of copies of notice.* Copies of all notices issued shall be forwarded forthwith to:

(1) The Chief of each technical service of the War Department.

(2) The Director (in triplicate).

(s) *Withdrawal of notice previously given.* (1) Notice under the act once given by any delegate shall not be vacated or withdrawn, in whole or in part, otherwise than under the provisions of and in the manner prescribed in subparagraph (3) of paragraph (i). Upon execution by a licensor of the form of consent and release specified in subparagraph (3) of paragraph (i), three copies of the instrument vacating and withdrawing the notice and one copy duly executed by the licensor of the said form of consent and release shall be promptly transmitted to the Director.

(2) In the event a licensor refuses to execute said form of consent and release or an approved deviation therefrom and the Director has not authorized the omission thereof, an order shall be made and submitted for approval in the manner hereinafter specified.

(t) *Form of the order.* The following form of order is approved for use subject to such deviations as may be necessary or appropriate in any given case and subject to the instructions contained in paragraph (u).

WAR DEPARTMENT

WASHINGTON

ROYALTY ADJUSTMENT ORDER No. W —

In the Matter of

.....

[Insert name of each Licensor]

Licensor(s),

—and—

.....

[Insert name of each Licensee]

Licensee(s).

War Department Contract Nos. .....

[Insert the identifying number of each War Department contract, if ascertained, which it is believed will be affected by the order; if no contract is ascertained, omit the above heading]

Contractor: .....

[Insert names of Contractors in respect of each of the above identified contracts; if no contract is identified, omit the above heading]

Whereas, pursuant to authority contained in the Royalty Adjustment Act 1942, Public No. 768, 77th Cong.; 35 U.S.C., 89–96, written notice was given on or about the .....

[Insert date of notice] to .....

[Insert name of each licensor] .....

(individually and collectively hereinafter called "Licensor") and to .....

[Insert name of each licensee] .....

(individually and collectively hereinafter called "Licensee") that the royalties, provision for the payment of which by Licensee to Licensor is included in the [license(s) dated .....] [licenses specified in Column 4 of Schedule A annexed hereto and by this reference made a part hereof],[1] and which said royalties are charged or chargeable directly or indirectly to the War Department for or on account of the manufacture, use or sale to or for the United States of certain alleged inventions [pertaining to .....] [specified in Columns 1, 2 and 3 of said Schedule A], were believed to be unreasonable or excessive, and that until the making of an order herein no royalties were to be paid by Licensee to Licensor under the license(s) above referred to which are charged or chargeable directly or indirectly to the War Department, and

Whereas, Licensor and Licensee, upon their request, have presented in writing and in person such facts and circumstances as they desired having a bearing upon the rates or amounts of royalties to be determined, fixed and specified by order pursuant to said Act;

Now, therefore, pursuant to the authority of and for the purposes set forth in said Act, and upon taking into account the facts and circumstances presented as aforesaid, the conditions of wartime production, and such other facts and circumstances as are proper to be considered in determining a fair and just rate or amount of royalties in the premises, it is hereby *Ordered* as follows, viz:

(1) that fair and just rates or amounts of royalties for the manufacture, use, sale or other disposition for the War Department of the said alleged inventions are hereby determined, fixed and specified to be [.....] [the rates or amounts set forth in Column 5 of said Schedule A];

(2) that, until further order, Licensee is hereby authorized to pay to Licensor, on account of the manufacture, use, sale or other disposition of said alleged inventions for the War Department heretofore occurred, or hereafter occurring while Sections 1 and 2 of said Act remain in force, royalties, if any, at the rates or in the amounts determined, fixed and specified in paragraph (1) hereof, and no more, under

(a) the said license(s) [dated .....] [identified in Column 4 of said Schedule A], [and]

(b) any license between them, entered into on or after the effective date of said notice and so long as Sections 1 and 2 of said Act remain in force, which in any respect continues, supplements, modifies or supersedes [the license] [any of the licenses] referred to in subparagraph (a) hereof, [and

(c) any license between them, entered into on or after the effective date of said notice and prior to the date of this Order, which grants rights to practice the said alleged inventions;][2]

[Alternate A]

(3) that Licensee is hereby directed to pay over to the Treasurer of the United States (through .....) the balance, in excess of the payments authorized by paragraph (2) next above, of all royalties specified in the licenses referred to in said paragraph (2) which were due to Licensor and were unpaid on the effective date of said notice, and which since said date have or may hereafter become due to Licensor, for or on account of the manufacturer, use, sale or other disposition of said alleged inventions for the War Department heretofore occurred or hereafter occurring while Sections 1 and 2 of said Act remain in force, and demand is hereby made for payment forthwith of the monies so directed to be paid; and

[Alternate B]

(3) that Licensee is hereby directed

(a) to pay over to the Treasurer of the United States (through .....) the balance, in excess of the payments authorized by paragraph (2) next above, of all royalties specified in the licenses referred to in said paragraph (2) which were due to Licensor and were unpaid on the effective date of said notice, and which since said date have accrued or may hereafter accrue in respect of supplies, equipment, materials or parts thereof delivered to or for the War Department prior to the tenth (10th) day next following the receipt of this order by the Licensee, and demand is hereby made for payment forthwith of the monies so directed to be paid; and

(b) to reduce the contract price of all supplies, equipment, materials and parts thereof delivered to or for the War Department on and after the tenth (10th) day next following the receipt of this order by the Licensee, to the extent necessary to secure to the Government the full benefit of the reduction in royalties effected by this order; and

(4) that reservation is hereby expressly made of the right to amend, modify, revoke or extend this Order and of the right of the head of any department or agency of the Government, including but not limited to the War Department, to take such other, further and different action as may be authorized by any statute of the United States with respect to the subject matter.

It is recommended that the Secretary of War make the foregoing Order.

.....

[Signature (and title) of the delegate who recommends the making of the order, if different from the delegate who signs next below]

The foregoing Order is hereby made.

.....

[Signature (and title) of a delegate specified in paragraph 1112.9]

The foregoing Order is hereby approved in behalf of the Secretary of War.

[1] As to use of Schedule A see paragraph (u) (1) of this section.

[2] As to use of subclause (c), see paragraph (u) (5) of this section.

By direction of the Under Secretary of War:

[Leave two lines blank]
Director, Purchases Division Headquarters, Army Service Forces[1]
Dated: Washington, D. C.
----------, 194--.

(u) *Preparation of the order.* The following instructions are prescribed for use in the preparation of suitable orders in various types of cases, based upon use of the form of order set forth in paragraph (t), without prejudice to such other deviations from that form as may be necessary and appropriate in any given case.

(1) Schedule A is to be used only when it is impracticable to include the same information in the text of the order.

(2) To the extent that the licensee is a War Department prime contractor, the order shall (unless the Director otherwise directs) be drawn in such manner as to require that the benefits of any adjustment of royalties accruing after the date of the order will inure to the War Department in the form of a corresponding price reduction. To accomplish this purpose, Alternate B of clause (3) of the form of order as given in paragraph (t) would be used. Clauses (1), (2) and (4) would be used substantially as set forth.

(3) To the extent that the licensee is a subcontractor for the War Department, or for the War Department and other departments, the order may be drawn in such manner as either (i) to effect reduction of the price paid to the licensee for articles or services furnished by licensee to or for War Department contractors or subcontractors where by reason of contract provisions or otherwise there is assurance that the benefits of the order will be transmitted by such contractors or subcontractors to the War Department, or (u) to effect running recapture of excess royalties from the licensee by direct payment by him to the Treasurer of the United States when and as royalty payments fall due. In either case provision will be made requiring the licensee to pay over to the Treasurer of the United States the balance, in excess of royalty payments allowed by the order, of the accumulated fund in the hands of the licensee on the date of the order.

(4) In a case of the kind mentioned in subparagraph (3) above,

(i) If it is believed preferable to effect price reductions, Alternate B of clause (3) of the form given in paragraph (t) would be used.

(ii) If it is believed preferable to make running recapture of excess royalties from the licensee when and as royalty payments fall due, without price reduction, Alternate A of clause (3) of the form given in paragraph (t) would be used.

In either of these cases clauses (1), (2) and (4) of the form would be used substantially as set forth.

(5) Normally subclause (c) of clause (2) of the form given in paragraph (t) would be omitted. Subclause (c) is intended for use solely in those cases where the identified license specified in subclause (a) is limited by its terms so as to convey rights for the performance of one or more specified War Department contracts and no others, or is for a fixed term expiring during the pendency of proceedings, and where it is deemed likely that prior to issuance of the order another license has been or will be entered into between licensor and licensee conveying rights under the same inventions for the performance of subsequent War Department contracts.

(6) Appropriate provisions may be inserted in special cases, for example, where there are a plurality of licensees and the amount of royalties found to be fair and just is a fixed maximum sum to be received by licensor within each specified (e. g. annual) period, or where the War and Navy Departments make contemporaneous orders each referring to the other, etc.

(v) *Submission of order for approval.* In submitting an order to the Director for approval, the delegate or originating technical service shall prepare and transmit to the Director the following papers:

(1) A memorandum of transmittal showing action taken in compliance with the applicable requirements of paragraph (n);

(2) Two copies of each notice issued (additional to any copies previously transmitted);

(3) Two copies of the transcript or minutes of the hearing if any held on the request of; and two copies of any papers not incorporated in such transcript submitted by, licensor or licensee;

(4) Two copies of any additional data basically relied upon;

(5) Three copies of an official report, statement or memorandum containing the following information:

(i) The date on which the notice is found to have become effective under the statute;

(ii) The manner in which and the extent to which the invention is being utilized by or for the War Department;

(iii) If the invention is patented, or the subject of a patent application, the number of all patents and patent applications pertaining thereto;

(iv) The identifying number of each War Department contract, so far as known, whose price is reduced by the order;

(v) The parties, terms, date and a copy, if obtainable (unless a copy is included among the papers mentioned in subparagraph (3) above), of each instrument of license which is affected by the order;

(vi) The facts and circumstances upon which are based the conclusion set forth in the order that the rates or amounts of royalty, if any, fixed in the order are deemed fair and just taking into account the conditions of wartime production and other pertinent facts and circumstances;

(vii) A statement of estimated savings or benefits to the War Department if the order be approved; and

(viii) A statement of reasons why it is deemed desirable under the circumstances that the future benefits of the order shall inure to the War Department in the form (as the case may be) of price reduction or running recapture of excess royalties from the licensee; and a statement of the methods proposed for supervision and control of the course adopted.

(6) The order signed by the delegate or delegates exercising authority in the matter.

(w) *Copies to the Chief, Patents Division, Office of The Judge Advocate General.* One copy of each of the documents mentioned in subparagraphs (1), (2), (3), (4), (5) and (6) of paragraph (v) shall be forwarded to the Chief, Patents Division, Office of The Judge Advocate General, concurrently with the transmittal of copies of the same documents to the Director.

(x) *Procedure upon approval of an order.* Upon approval and execution of an order by the Director, the following procedure will be observed subject to such deviation as may be necessary and proper:

(1) The Director will transmit to The Adjutant General the original order, and sufficient copies thereof for certification, together with one copy of each of the papers mentioned in subparagraphs (2), (3), (4) and (5) of said paragraph (v).

(2) The Adjutant General will retain, as the War Department's permanent file in the matter, the original of the order (subparagraph (6) of paragraph (v)) and the copies transmitted to him of the papers mentioned in subparagraphs (2), (3), (4) and (5) of said paragraph; and he will certify the required number of copies of the order (one for each party named therein as licensor or licensee) and transmit the same to the Director, who will forward them to the originating technical service or delegate.

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[1] In the case of orders originating in the Army Air Forces the legend should be as follows:

[Leave two lines blank]
Special Representative of the Under Secretary of War

SCHEDULE A

Column 1	Column 2	Column 3	Column 4			Column 5	
Title or short description of invention	Patent Nos. or app. ser. Nos.	Issue dates or filing dates	Instrument(s) in which royalties are stipulated			[1] Fair and just royalties	
			Effective date	*Licensor*	*Licensee*	*Rate*	*Amount*

(3) The originating technical service or delegate will forward a certified copy of the order to each party named therein at his last known address, by registered mail, return receipt requested.

(4) The Director will cause to be distributed a copy of the order to each of the following:

Navy Department.
Treasury Department.
Maritime Commission.
Reconstruction Finance Corporation..
Office of Strategic Services.
War Department; Price Adjustment Board.
Chief, Patents Division, Office of The Judge Advocate General.
Chief patent officer of each of the Technical Services.
Air Judge Advocate.
All Royalty Adjustment Boards.

(y) *Monies recovered from licensees or licensors.* Monies received by any technical service of the War Department from any source, either as a result of an order or pursuant to an agreement effecting a voluntary adjustment of royalties, shall be paid to the Treasurer of the United States and deposited to the credit of Miscellaneous Receipts under Treasury Symbol No. 214238, "Refund of Royalties". Provision may be made in any order, or any contract adjusting royalties (see § 811.1113) for transmittal of remittances through any designated officer.

(z) *Rehearing or reconsideration.* Any delegate who recommended or made an order may reconsider such order, permit the licensor or licensee to present further facts or circumstances having a bearing upon the matters dealt with therein, and recommend or make an order supplemental thereto within the scope of the delegate's existing authority as set forth in paragraphs (i) or (j).

(aa) *Action required upon a determination that royalties are fair and reasonable.* (1) In every case which has been cleared for investigation under subparagraph (2) of paragraph (n) where the delegate having the matter in hand finds upon investigation that the royalties in question are fair and reasonable, a closing report shall be transmitted to the Director (in triplicate), including so far as practicable the following information:

a. Name(s) and address(es) of licensor(s).
b. Name(s) and address(es) of licensee(s).
c. Identification of patents or applications for patent, or other rights involved.
d. Brief description of the subject matter of the invention involved.
e. If several patents or applications are involved, which, if any, dominate the Government procurement involved and which, if any, are not involved therein.
f. Date of the license agreement, a copy thereof or a brief summary of its provisions, including the scope and limitations of grant, all royalty provisions and price fixing provisions, if any.
g. Summary of any pertinent interviews or correspondence with or statements submitted by the licensor, or a statement that the licensor was not interrogated.
h. Statements of:
(1) Total royalties received, preferably annually from 1936 to the latest period available.
(2) Segregation of royalties between Government and non-Government, during the period when the licensed subject matter was affected by wartime production, so far as readily obtainable from the licenses concerned.
i. Reasons for concluding that royalties are fair and reasonable, and a statement of any relevant facts in support thereof.

§ 811.1113 *Voluntary adjustments of royalties effected before an order is made*—(a) *Available procedures for voluntary adjustment.* The delegate or technical service having the matter in hand may, subject to the conditions set forth in paragraphs (b), (c) and (g), negotiate a voluntary adjustment of royalties before an order is made, in any of the following manners:

(1) Before notice under the act has been given:

(i) By receiving a copy of a supplemental agreement entered into between licensor and licensee(s) and executed by each of them;

(ii) By accepting a unilateral agreement executed by licensor (see paragraph 1113.9); or

(iii) By causing the United States to enter into a contract with licensor alone, or with licensor and all licensees materially affected, in the manners provided in paragraphs (g) and (h).

(2) After notice under the act has been given (but before an order is made):

In any of the manners above set forth provided, in addition, the notice is withdrawn in the manner provided in subparagraph (3) of § 811.1112 (i).

(b) *Delegate not to prejudice the Government's rights.* Where prior to the making of an order the licensor voluntarily agrees to reduce the rates or amounts of any royalties which are charged or chargeable to the War Department, and the Government does not execute the agreement which effects such reduction, the delegate or technical service having the matter in hand shall not, in correspondence or otherwise, purport to agree that the Secretary of War or the head of any other department or agency of the Government will for any period forbear to exercise his powers under the act.

(c) *Voluntary adjustments executed by the Government*—(1) Contracts which effect a voluntary adjustment of royalties may, provided no order has been made under the act and under the conditions stated in the following subparagraphs, be executed on behalf of the United States. Such contracts may be prepared in substantial conformity with War Department Contract Form No. 29 (see § 813.1329 hereof). The following subparagraphs apply whether or not that form is used.

(2) If entered into before a notice under the act has been given, such contract (a) may include as parties (in addition to the United States) either the licensor alone, or the licensor and all licensees materially affected, (b) shall be executed on behalf of the United States by a delegate having authority in the matter, and (c) does not require approval of the Director except where that approval is expressly required by subparagraphs (4) or (5) below or by subparagraph (1) of paragraph (g). If the contract is with licensor alone, the provisions of paragraph (h) apply; if the contract is with licensor and licensee(s), the provisions of paragraph (g) apply.

(3) If entered into after a notice under the act has been given (but before an order is made), such contract is subject to the provisions of subparagraph (2) above, and in addition shall contain or be accompanied by a signed consent or release substantially conforming to the form thereof set forth in subparagraph (3) of § 811.1112 (i), unless the Director has authorized a deviation from or omission of the same.

(4) No such contract shall, without the approval of the Director, contain any provision which would prejudice or impair in any way the right of the head of any department or agency of the Government to make other or further adjustment of the rate or amount of royalties specified in the original license or in the contract adjusting the royalties.

(5) Any such contract containing provision whereby, in consideration of substantial reduction in royalties, the Secretary of War agrees not to make further adjustment of the rates or amounts of the royalties in question is subject to the written approval of the Director, and may be approved by him provided the total amount of royalties which will be charged to the War Department while the Secretary of War is thus bound is a fixed amount or an amount determinable at the time the contract is executed, and there is reason to believe that such amount is not and will not become unreasonable or excessive.

(d) *Contract articles providing for royalty refund or price reduction.* (1) It is contemplated that, in the use of War Department Contract Form No. 29, the royalty adjustment would ordinarily take effect as of some convenient past date (for example, the beginning of one of the quarterly royalty periods provided in the license) and that the adjustment will apply to all government royalties accruing since that date. Provision is made in Form No. 29 for a definition of the term "subject royalties" in such manner that, when the agreed past date is inserted in one of the definitions forming a part of the contract (see especially subparagraphs (e) and (f) of § 813.1329, Art. 1), the term "subject royalties" may then be used in other articles of the contract without repeating the definition. The contract articles appearing below are intended for use only when accompanied by the definitions set forth in § 813.1329, Art. 1, with an agreed date inserted.

(2) The following contract articles providing for royalty refund or price reduction, when accompanied by the definitions of terms used therein as set forth in § 813.1329, Art. 1, are appropriate for use in the manner set forth in paragraphs (g) to (i) below:

ARTICLE ____ *Refund of royalties.* A. Licensor agrees forthwith to deliver to [name and address of officer or board] a written report signed by Licensor showing the amount and manner of computation of that part of the subject royalties which have prior to the date of this contract been received by Licensor and, at the same time and place, to pay to the Treasurer of the United

States so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

B. Licensor agrees that, forthwith upon receipt by Licensor on or after the date of this contract of any of the subject royalties, Licensor shall (a) deliver to [name and address of officer or board] a written report signed by Licensor showing the amount and manner of computation of said royalties, and (b) pay to the Treasurer of the United States so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

C. Licensor agrees forthwith to direct and hereby authorizes Licensee [or, the licensee named in said license] to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of that part of the subject royalties which are due for payment to Licensor and have not been paid prior to the date of this contract and, at the same time and place, to pay to the Treasurer of the United States so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

D. Licensor agrees forthwith to direct and hereby authorizes Licensee [or, the licensee named in said license], as and when any of the subject royalties fall due for payment to Licensor on or after the date of this contract, (a) to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of the said subject royalties and (b) at the same time and place, to pay to the Treasurer of the United States so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

E. Licensee agrees forthwith to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of that part of the subject royalties which are due for payment to Licensor and have not been paid prior to the date of this contract and, at the same time and place, to pay to the Treasurer of the United States so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

F. Licensee agrees that, as and when any of the subject royalties fall due for payment to Licensor on or after the date of this contract, Licensee (a) shall forthwith deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of the said subject royalties and (b) at the same time and place, shall pay to the Treasurer of the United States so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

ARTICLE _____. *Refund of royalties and price reduction.* G. (a) Licensee agrees (i) to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of that part of the subject royalties not heretofore paid to Licensor, which have heretofore accrued or may hereafter accrue in respect of supplies, equipment, materials or parts thereof delivered prior to _____, 194_ [date when price reduction is to become effective] and (ii) at the same time and place, to pay to the Treasurer of the United States so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

(b) Licensee agrees (1) to reduce the contract price of all supplies, equipment, material and parts thereof delivered to the Government on and after the date set forth in clause (a) of this Article, to the extent necessary to secure to the Government the full benefit of the reduced royalties specified in Article 2 hereof, and (ii) to pay or credit to the Government, as the Contracting Officer concerned may direct, the amount of such price reduction.

(e) *Contract articles providing for release of infringement claims.* In preparing royalty adjustment contracts which contain a definition of the term "said inventions" (see clauses (a) and (b) of § 813.1329, Art. 1), the following contract articles are appropriate for release of infringement claims in the cases specified below:

(1) If the license whose royalties are being adjusted is *non-exclusive*, the following contract article is appropriate whether or not licensee is a party to the contract:

ARTICLE _____. *Release of past infringement.* Licensor hereby releases each and every claim and demand which Licensor now has or may hereafter have against the Government, its officers, agents, servants and employees, for infringement of any patent covering the said inventions by reason of the manufacture, use or sale of any article or material or the use of any process prior to the date of this contract or the use or sale thereafter of any article or material so manufactured.

(2) If the licensee, whose royalties are being adjusted is *exclusive*, the following contract article is appropriate provided both Licensor and Licensee are parties to the contract:

ARTICLE _____. *Release of past infringement.* Licensor and Licensee hereby jointly and severally release each and every claim which they or either of them now have or may hereafter have against the Government, its officers, agents, servants and employees, for infringement of any patent covering the said inventions by reason of the manufacture, use or sale of any article or material or the use of any process prior to the date of this contract or the use or sale thereafter of any article or material so manufactured.

(f) *Mandatory contract articles in royalty adjustment agreements executed by the Government.* (1) The "Officials not to Benefit" article (§ 803.322) and the "Covenant against Contingent Fees" article (§ 803.323) are required in every royalty adjustment contract which is executed by the Government.

(2) The "Anti-discrimination" article (§ 803.325) is required in contracts executed by the Government except where the performance of the contract does not involve the employment of persons (see subparagraph (8) of § 809.994a (a)).

(3) The "Assignment of Rights" article (§ 803.355) is required if the contract is executed by the Government and provides for payments by the Government aggregating $1,000 or more (see §803.-355).

(g) *Contracts between the Government, the licensor and the licensee.* (1) Where the licensee uses the licensed inventions solely in connection with articles which he sells directly to the Government, and the licensee is party to the contract adjusting the royalties, the contract shall (unless the Director otherwise directs) provide that the future benefits of the royalty adjustment shall inure to the Government in the form of a corresponding price reduction. In such case the appropriate contract articles are articles A and G of paragraph (d).

(2) Where the licensee uses the licensed inventions solely in connection with articles which he sells to contractors or subcontractors for the Government, the contract may provide either (a) for price reduction (using articles A and G of paragraph (d), the latter suitably modified in subclause (b) thereof to provide that the price reduction applies to deliveries "to contractors and subcontractors for the Government"), or (b) to effect running recapture from licensee of excess royalties (using articles A, E and F of paragraph (d).

(3) If licensee uses the licensed inventions in part in connection with articles which he sells directly to the Government and in part in connection with articles which he sells to contractors and subcontractors for the Government, the contract may provide either (i) for segregation by licensee of the two aspects of his business, with price reduction applied to the first-mentioned part and running recapture from licensee of excess royalties applied to the second-mentioned part, or (ii) for running recapture from licensee of excess royalties in respect of both parts without price reduction or segregation. In such cases the appropriate contract articles are those mentioned in subparagraphs (1) and (2) above, suitably modified as circumstances require.

(4) Attention is called to the provisions of paragraphs (e) and (f) relating to release of infringement claims and mandatory articles in royalty adjustment contracts to which both the licensee and the Government are party.

(h) *Contracts between the Government and the licensor which are not executed by the licensee.* (1) Where the excessive portion of the future royalties is to be refunded by the licensor, and the licensee is not a party to the contract, the appropriate contract articles are articles A and B of paragraph (d).

(2) Where the excessive portion of future royalties is to be refunded by the licensee, and the licensee is not a party to the contract, the appropriate contract articles are articles A, C and D of paragraph (d).

(3) Contracts executed by the Government and the licensor, and not executed by the licensee, are not appropriate where the license is exclusive and a release of past infringement claims is to be obtained, since an exclusive licensee should join in giving such a release.

(4) Attention is called to the provisions of paragraph (f) relating to the use of mandatory articles in royalty adjustment contracts to which the Government is a party.

(i) *Unilateral agreements executed by licensor alone.* Voluntary adjustments of royalty may be informally and expeditiously accomplished by a form of unilateral agreement executed by the licensor alone and not by the licensee or the Government. Such agreements may be prepared using War Department Contract Form No. 29 as a basis, subject to the following modifications:

(1) The preamble and "Now, Therefore" clauses should be rewritten in form appropriate to a unilateral agreement.

(2) The first "Whereas" clause of § 813.1329 should be modified to substitute the name and address of licensee in place of the word "Licensee".

(3) The second and third "Whereas" clauses of § 813.1329 should be used without substantial change. It is advisable

to recite (as in the third "Whereas" clause) that licensor has requested the Secretary of War to forebear from giving notice under the Act, in order that there will be consideration for the licensor's promise.

(4) The fourth "Whereas" clause of § 813.1329 should be omitted.

(5) In § 813.1329, Art. 3 the appropriate articles would be those specified in subparagraphs (1) or (2) of paragraph (h).

(6) The provisions of § 813.1329, Articles 5 and 7 should be omitted.

(7) Provision should be made at the foot of the contract for execution by licensor alone.

(j) *Action required when royalties have been voluntarily adjusted.* When royalties chargeable to the War Department have been voluntarily adjusted with the participation of any delegate, he or the chief of the technical service concerned shall promptly report the adjustment to the Director. Such report is required whether or not the United States is party to any contract in connection therewith, and whether or not the Director's approval is required for such contract. The report shall include:

(1) A memorandum of facts (in triplicate), containing so far as practicable and appropriate the information listed in § 811.1112 (aa) and, in addition, a statement of:

(i) The nature and extent of the adjustment.

(ii) Estimated benefits to the Government.

(iii) Methods proposed for supervision or control of the Government's interest.

(iv) Future action contemplated.

(2) Sufficient copies of the agreement for distribution by the Director to interested agencies (a total number equal to the number of licensors and licensees, plus three).

(3) Three copies of the withdrawal of notice (if a notice had previously been given) and three copies (one duly executed by the licensor) of the consent and release specified in subparagraph (3) of § 811.1112 (i).

(4) If the adjustment is embodied in a contract executed on behalf of the Government and requiring approval of the Director, the contract shall be transmitted in form ready for signature by the Director accompanied by the recommendations of the delegate or technical service having the matter in hand.

(k) *Copies to the Chief, Patents Division, Office of The Judge Advocate General.* In the case only of an adjustment which is embodied in a contract executed on behalf of the Government and requiring approval of the Director, a copy of each document required in that case by paragraph (j) to be transmitted to the Director, shall be forwarded to the Chief, Patents Division, Office of The Judge Advocate General, concurrently with the transmittal of the originals thereof to the Director.

§ 811.1114 *Agreements in settlement and compromise after an order is made and before suit against the United States has been instituted.* (See § 811.1112 (g).)

(a) *Approval required.* Every agreement in settlement and compromise of a claim against the United States accruing in consequence of the making of an order under the Act is subject to the approval of the Director.

(b) *Submission for approval.* (1) The contract in an appropriate number of copies each executed by all necessary parties and by a delegate on behalf of the United States, shall be transmitted to the Director ready for execution by him, accompanied by a report containing:

(i) A full statement of all relevant facts and circumstances, and

(ii) The recommendations of the chief or deputy chief of the originating technical service that the contract be approved.

(2) One copy of the proposed agreement and of the report accompanying the same shall be forwarded to the Chief, Patents Division, Office of The Judge Advocate General, concurrently with the transmittal of the originals thereof to the Director.

SUBPART H—MISCELLANEOUS MATTERS

In § 811.1188 paragraph (c) is amended to read as follows:

§ 811.1188 *Advertising.* • • •

(c) *Ratification.* Prior to the promulgation on 3 September 1943 of paragraph (b), the chiefs of the technical services had not expressly been delegated authority to authorize advertising. The Judge Advocate General, however, in the opinion referred to in paragraph (a) expressed the view that the delegations set forth in § 801.107 (f) gave the Director, Purchases Division, Headquarters, Army Service Forces authority to approve advertising; and that the action of the chiefs of the technical service in authorizing advertising may "be ratified by the Director of the Purchases Division, if it is determined that such action facilitated the prosecution of the war". Accordingly, if any advertising was done subsequent to 29 June 1942 and prior to 3 September 1943, without approval of the Director, Purchases Division, Headquarters, Army Service Forces (or some higher authority) a request may be made to said Director that such advertising be ratified; the request should be accompanied by a full statement of the facts and a determination by the chief of the technical service that such advertising facilitated the prosecution of the war. Advertising done on or subsequent to 3 September 1943 may be authorized or ratified by the Chiefs of the technical services, without the necessity of submission to the Director, Purchases Division, Headquarters, Army Service Forces.

[Procurement Reg. 13]

PART 813—FORMS OF CONTRACTS

Section 813.1329 is added, as follows:

§ 813.1329 *W. D. Contract Form No. 29.*

WAR DEPARTMENT CONTRACT ADJUSTING ROYALTIES

Contract No. ------
Negotiated

This contract, entered into this ------ day of ----------, 194----, by the United States of America (hereinafter called the Government), represented by the officer executing this contract, and----------, ---------- (hereinafter called Licensor), [1] a corporation organized and existing under the laws of the State of ----------
[1] a partnership consisting of ----------
----
a partnership consisting of ----------
----
[1] an individual trading as ----------
of the City of ---------- in the State of ----------, and ------
----
---------- (hereinafter called Licensee), [1] a corporation organized and existing under the laws of the State of ----------
----
[1] a partnership consisting of ----------

----
[1] an individual trading as ----------, ----------, of the City of ----------, in the State of ---------- witnesseth that

Whereas, on or about the ---------- day of ----------, 19----, Licensor and Licensee entered into an instrument of license, a copy of which is annexed hereto and marked Schedule A, which provides for the payment to Licensor of royalties at the rates or in the amounts therein specified;

Whereas, said royalties are charged or chargeable to the Government in connection with procurement of supplies, equipment or materials delivered or to be delivered to or for the War Department, and the Secretary of War has made inquiry whether said royalties are unreasonable or excessive and contemplates giving notice under the Royalty Adjustment Act in respect thereto [*or*, the Secretary of War believing said royalties to be unreasonable and excessive has, on or about the ------ day of ----------, 19----, given notice in respect thereto under the Royalty Adjustment Act];

Whereas, Licensor has requested the Secretary of War to forbear from giving notice under the Act [*or*, has requested the Secretary of War to forbear from making an order under the Act] and, in consideration of and during the continuance of such forbearance, Licensor is willing to adjust the rates or amounts of said royalties in the manner and to the extent herein set forth; and

Whereas, this contract is authorized by Sec. 3 of the Royalty Adjustment Act;

Now, therefore, the parties have agreed as follows:

ARTICLE 1. *Definitions.* Where used in this contract, the following terms have the meanings here assigned to them, viz:

(a) "said license" means the instrument of which a copy is annexed hereto and marked Schedule A;

(b) "said inventions" means each and all of the inventions whose practice is licensed in and by said license;

[1] Delete all lines which do not apply.

(c) "the Act" and "Royalty Adjustment Act" means the Royalty Adjustment Act 1942 (Public No. 768, 77th Congress; 35 U. S. C. 89–96);

(d) "notice under the Act" means the notice contemplated by Section 1 of the Act;

(e) "period of this agreement" means the period of time beginning the _____ day of _____ 19____ [date as of which the royalty adjustment is to take effect] and ending when the head of any department or agency of the Government gives notice under the Act that the reduced royalties specified in this contract are believed to be unreasonable or excessive, but in any event ending when Sections 1 and 2 of the Act are no longer in force;

(f) "subject royalties" means royalties at the rates or in the amounts specified in said license, and in any other license heretofore granted by Licensor, accruing in respect to the practice of said inventions during the period of this agreement, which said royalties are charged or chargeable to the Government; and

(g) "Secretary of War" includes any officer or board exercising the powers, duties and authorities of the Secretary of War under the Act in respect of said license or said inventions.

ART. 2. *Royalty reduction.* Licensor agrees that the subject royalties shall be and they are hereby reduced to _____% [*or*, reduced to an amount not exceeding $_____ in any calendar year], and Licensor acknowledges that the reduced royalties herein specified are fair and just taking into account the conditions of wartime production.

ART. 3. *Royalty refund* (see § 811.1113 (d), (g) and (h)).

ART. 4. *Release of past infringements* (see § 811.1113 (e)).

ART. 5. *Withdrawal of notice and release* (for use only if a notice under the Act has previously been given).

The notice under the Act, heretofore on or about the _____ day of _____, 19____ issued on behalf of the Secretary of War in respect of the royalties specified in said license, is hereby withdrawn and Licensor consents to such withdrawal and, in consideration thereof, hereby releases any and all claims or demands now held by the Licensor against the United States, or any officer or agent thereof, arising out of the issuance of said notice.

ART. 6. *Reserved rights.*

Nothing herein contained shall limit the right of the head of any department or agency of the Government, including but not limited to the Secretary of War, to give notice [or, further notice] under the Act if at any time it is believed that the reduced royalties specified in Article 2 hereof are unreasonable or excessive, nor shall the Government be deemed to have approved the rates or amounts of said reduced royalties or be estopped at any time to contest the validity or scope of, or the title to, any patent in respect of which said royalties are payable.

ART. 7. *General provisions.*

(a) *Officials not to benefit* (see subparagraph (1) of § 811.1113 (f)).

(b) *Covenant against contingent fees* (see subparagraph (1) of § 811.1113 (f)).

(c) *Anti-discrimination* (see subparagraph (2) of § 811.1113 (f)).

(d) *Assignment of rights hereunder* (see subparagraph (3) of § 811.1113 (f)).

ART. 8. *Successors and assigns.* This agreement shall be binding upon the parties, their successors and assigns, and shall not be affected in the event that any provision of the Act or the application thereof to any person or circumstance is held invalid.

In witness whereof, the parties hereto have executed this contract as of the day and year first above written.

THE UNITED STATES OF AMERICA,
By _____
(Signature (and title) of delegate)

Two witnesses:

_____ _____
(Licensor)

_____ _____
(Address) (Business address)

_____ _____
(Licensee)

_____ _____
(Address) (Business address)

[1] The foregoing contract is hereby approved in behalf of the Secretary of War.

[1] By direction of the Under Secretary of War:

_____
_____
[Leave two lines blank]
[1] Director, Purchases
Division Headquarters, Army
Service Forces.

[Procurement Reg. 15]

PART 815—TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

SUBPART A—POLICY AS TO TERMINATION OF CONTRACTS AND SUPERVISION OF TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

Organization and Responsibility for Terminations

Section 815.223 is added, as follows:

§ 815.223 *Inter-service relationship in settlement of terminated contracts.* (a) In order to avoid duplication of effort on the part of Government and contractor personnel, complete responsibility for accounting examinations and for approving disposition of termination inventory in the settlement of terminated contracts of selected contractors may be assigned by the Readjustment Division, Headquarters, Army Service Forces, to designated technical services. A list of contractors now assigned to designated technical services is set forth in § 815.492 (j). Further assignments will be made after consultation with the chiefs of the technical services concerned.

(b) The designated technical service will (1) make all accounting examinations and (2) approve all dispositions of termination inventory (prior to any acquisition of title by the Government), in connection with settlement proposals of the particular contractor arising from the termination of its prime contracts with the War Department or subcontracts which it holds under prime contracts of the War Department. The nature of the accounting examination to be required in each particular case will be determined by the designated technical service, in the absence of specific instructions of the contracting officer having jurisdiction of the terminated contracts or subcontract (see § 815.424).

(c) Contracting officers of the War Department, prime contractors of the War Department, and subcontractors under prime contracts of the War Department, will rely on accounting reports made under authority of this paragraph, and the prices at which termination inventory is retained or disposed of by a contractor with the approval of the chief of the designated technical service under authority of this paragraph, or his duly authorized representative, will be recognized and accepted for all purposes, including any termination settlement made with a contracting officer of another technical service. No authorization which might otherwise be exercised by prime contractors under § 815.437a (relating to accounting examinations and approval of property disposals in subcontract settlements involving less than $10,000) will be exercised in settling a subcontract of a contractor now or hereafter assigned to a designated technical service pursuant to this paragraph, except with the approval of that service; but if any action has been taken pursuant to such authorization, it will nevertheless be valid and binding.

(d) Instructions relating to accounting examinations and to disposition of termination inventory as authorized under this paragraph, are set forth in § 815.492 et seq. and §807.211, respectively.

(e) The chief of a technical service to which a contractor is assigned under this paragraph may designate a district or depot or other local office to carry out the duties imposed under this paragraph. Any such district, depot or other local office may—to the extent authorized by the chief—communicate directly with other contractors, contracting officer, or procurement offices in connection with any matters arising from the terminated contracts or subcontracts of the contractor in question.

(f) A. S. F. Circular No. 80, dated 21 March 1944, Part Two, Section V, sets forth a memorandum dated 18 March 1944, signed by (then) Acting Secretary of the Navy Forrestal and the Under Secretary of War, on the subject of joint contract termination field accounting representatives for the War and Navy Departments. The foregoing memorandum is in no way modified or superseded by this section; but it is intended that the program outlined in this paragraph shall go forward as between the technical services of the War Department.

SUBPART B—PROCEDURES RELATING TO TERMINATION OF LUMP SUM SUPPLY CONTRACTS

Preparation and review for contractors' and subcontractors' accounting statements and proposals for settlements: Accounting guides to a negotiated settlement

Section 815.492 is added, as follows:

§ 815.492 *Accounting examinations under interservice plan*—(a) *Initiation of accounting examination.* The technical service to which a particular contractor has been assigned pursuant to § 815.223 should proceed with an accounting examination whenever it is

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[1] Delete all lines which do not apply.

[1] To be added if the contract is subject to approval by the Director, see subparagraph (2) of § 811.1113 (c). Agreements originating in the Army Air Forces should carry the legend specified for an order, see § 812.1112 (t).

satisfied that a termination claim of such contractor under a war contract of the War Department has arisen. Also at the request of any contracting officer of a technical service which has terminated a contract with such a contractor, the technical service to which the contractor has been assigned will proceed at once with such accounting examination.

(b) *When accounting reports should be submitted.* (1) When a proposal for settlement of a prime contract is to be reviewed, the report of the accounting examination may properly be prepared and submitted to the contracting officer having jurisdiction, subject to later application of disposal credits. Where termination inventory is disposed of after the making of a report, the contracting officer may request a supplemental report showing the application of disposal credits and the adjusted net amount of the settlement proposal.

(2) Where a proposal for settlement of a subcontract is to be reviewed, the report of the accounting examination should not, in general, be submitted to the contracting officer until (i) all termination inventory has been disposed of by the contractor or (ii) an agreement has been reached for storage or removal of such inventory pursuant to Subpart F–1 of this part. A preliminary report may, however, be requested at any time by a contracting officer as an aid to negotiation or in connection with the making of a partial payment, or for any other purpose. A preliminary report may also be prepared for the contracting officer when, in the opinion of the chief of the responsible technical service, such action will expedite settlement. The extent to which information, contained in such reports, should be transmitted to the purchaser named therein, will, in cases of doubt, be determined by the contracting officer.

(c) *Allowance of profit in settlement proposals of subcontractors.* Each settlement proposal of a subcontractor will indicate the amount of profit, if any, which is sought by the subcontractor, and the accounting report, without passing upon its reasonableness, will contain clear reference thereto. The amount of profit to be allowed will be the subject of negotiation between the subcontractor and his customer (see § 815.436), and is subject to the approval of the contracting officer in conformity with the provisions of § 815.437.

(d) *Uniform rates of profit recommended.* The technical service to which a particular contractor has been assigned pursuant to § 815.223 should, where possible, secure from such contractor a statement of policy with respect to the rates of profit to be claimed by it under its prime contracts and under its subcontracts. Any such statement, together with the recommendation of the designated technical service as to the reasonableness of the rate or rates claimed, should be communicated to the contracting officers concerned. The setting of uniform rates of profit on comparable contracts will, it is believed, expedite approvals by contracting officers. With respect to the setting of rates of profit to be claimed on subcontracts, the principles set forth in § 815.436 will be observed.

(e) *Reports of accounting examinations of prime contractors' claims.* (1) Reports of accounting examinations of claims arising from termination of prime contracts will be made in the manner and form prescribed in TM 14–1005, chapter 4, section 11 "Reports." Copies of such reports should be submitted to the contracting officer.

(2) Every effort should be made to resolve all questions of an accounting nature prior to making the report of the accounting examination. Consultation with the contracting officer may eliminate questions which would otherwise delay or qualify the report.

(f) *Reports of accounting examinations of subcontractors' claims.* (1) Ordinarily it will be possible to prepare an unqualified short form report of the accounting examination made of a claim arising from termination of a subcontract. Copies of such reports should be submitted directly to the subcontractor and the contracting officer having jurisdiction. The subcontractor may then transmit its settlement proposal to its customer, accompanied by the accounting report on which the customer is authorized by § 815.223 to rely. The contracting officer will retain his copy of the report for use in the event that the settlement is submitted to him for approval or ratification in conformity with § 815.437.

(2) As in the case of reports relating to prime contracts every effort should be made, in consultation with the contracting officer if necesary or desirable, to resolve all questions of an accounting nature prior to making the report of the accounting examination.

(3) A short form report of accounting examination in substantially the following form will be acceptable:

REPORT OF ACCOUNTING EXAMINATION OF SUBCONTRACT

An accounting review has been made of the settlement proposal of _____ in the amount of $_____ arising from termination of purchase order No. _____ issued by _____ to _____ dated _____, the same being stated by claimant to be a subcontract under a prime contract between the United States and _____ bearing No. W _____. In respect to costs, the settlement proposal appears to have been prepared on an acceptable accounting basis. Profit of $_____ is claimed, but no opinion is here expressed regarding the reasonableness of such claimed profit. The inclusion of any amount agreed upon in settlement of this subcontract, in a termination settlement of a prime contract with the Government, is contingent upon the establishment of its relationship through intervening contracts and upon any required approval of the contracting officer administering the prime contract. Contracting officers and intervening contractors are authorized to rely on this report without instituting an additional accounting examination.

In making its settlement proposal, the buyer named above will rely upon this report and may qualify accordingly his own certificate as to the extent of his examination of this settlement proposal.

_____
Signature of person authorized by responsible technical service to execute this report.

Date _____

(4) In the event that the settlement proposal of a subcontractor with respect to a subcontract includes items not susceptible of an accounting determination, the accounting report should be prepared in the form and manner prescribed for reports of accounting examinations of settlement proposals relating to prime contracts. (See paragraph (e) above).

(g) *Identification of contracts.* The coding in a contract number may be utilized as a means of indicating the contracting agency concerned. War Department contracts are numbered to indicate the technical service involved by use of letter designations as follows:

Transportation Corps	(TC)
Medical Corps	(MD)
Signal Corps	(SC)
Chemical Warfare Service	(CWS)
Quartermaster	(QM)
Engineer Corps	(Eng.)
Ordnance	(Ord.)
Army Air Forces	(AC)

In addition War Department contracts are numbered in a manner to indicate the contracting office involved as identified in Chapter 8 of the War Department Fiscal Code.

An example of numbering war contracts by the technical services follows:

W 30—075 Eng. 123

Interpreting the above example, "W" represents War Department, the digits "30" signify the State of New York, the digits "075" signify District Engineer, New York City; the abbreviation "Eng." signifies Corps of Engineers, and the digits "123" the number allotted to the contract, either by the district or a sub-office. The first and second digits will always be the same for a district, regardless of the number of sub-offices in that district. Except for training school contracts, Army Air Forces contract numbers will not indicate the district to which the contract is applicable, making it necessary to review the contents of the contract to determine the district involved. Copies of the War Department Fiscal Code (TM 14–700) may be obtained by requisitioning the appropriate local Adjutant General or Air Service Command Depot.

(h) *Control records.* Appropriate control records will be maintained covering the individual settlement proposals processed for each contractor assigned. Suggested information to record may include:

Serial number of claim assigned by field auditor.
Identification number assigned contractor.
Number of Government prime contract affected.
Contractor's job order number.
Name of service.
Name and address of Contractor's customer.
Customer's purchase order or contract number.
Date contract terminated.
Amount of gross charges.
Date received for accounting review.
Date review of gross charges completed.
Date receipt of property disposition data.
Amount of net settlement proposal reviewed.
Date net settlement proposal reviewed.
Date report released.

(i) *Administrative reports.* Reports of progress for each contractor assigned to a technical service pursuant to § 815.223 will be prepared in accordance with prescribed instructions of that service and will be delivered to an office or officer designated by the chief of that service, so as to be available for review by higher authority. It is contemplated that reports of progress should be required at least monthly and should include the following as a minimum:

(1) Number and dollar volume of settlement proposals.

(i) On hand at the beginning of the month;

(ii) Received during the current month;

(iii) Covered by reports released during month;

(iv) On hand at end of the month.

(2) Segregation of settlement proposals on hand at end of the month ((1) (v) above) as follows:

(i) Number and dollar volume of settlement proposals for which accounting reviews have been made but on which final report is being held, pending receipt of property disposition data.

(ii) Number and dollar volume of settlement proposals for which accounting reviews of gross charges have not been completed. These proposals should be aged for number and dollar amount from the date received in accordance with the following classifications: Under thirty days; thirty to sixty days; and over sixty days.

(i) *Schedule of contractors.* The contractors named in the following schedule have been assigned to the technical services designated for operation of the plan described in the preceding paragraphs and in §§ 815.223 and 807.211.

Contractor, Technical Service, Contracting Office, and Effective Date
AC Spark Plug Div., General Motors Corp., Flint, Mich.; Ordnance Department; Detroit Ordnance District; 8 Feb. 1944.
Allis Chalmers Mfg. Corp., West Allis, Wis.; Ordnance Department; Chicago Ordnance District; 27 Jan. 1944.
Aluminum Co. of America, Pittsburgh, Pa.; Army Air Forces; Eastern Procurement District; 1 Feb. 1944.
A. O. Smith Corp., Milwaukee, Wis.; Army Air Forces; Mid-Central Procurement District; 1 June 1944.
American Car and Foundry Co., Berwick, Pa.; Ordnance Department; Philadelphia Ordnance District; 1 Apr. 1944.
Bendix Aviation Corp., Philadelphia Division, Philadelphia, Pa.; Army Air Forces; Eastern Procurement District; 15 Feb. 1944.
Bendix Aviation Corp., Eclipse Pioneer Div., Teterboro, N. J.; Army Air Forces; Eastern Procurement District; 1 Feb. 1944.
Bendix Aviation Corp., South Bend, Ind.; Army Air Forces; Mid-Central Procurement District; 25 Jan. 1944.
Eaton Manufacturing Co., Cleveland, Ohio; Army Air Forces; Central Procurement District; 15 Apr. 1944.
Goodrich Tire & Rubber Co., Akron, Ohio; Ordnance Department; Cleveland Ordnance District; 15 May 1944.
Goodyear Tire & Rubber Co., Akron, Ohio; Army Air Forces; Central Procurement District; 15 Apr. 1944.
International Harvester Co., Chicago, Ill.; Ordnance Department; Chicago Ordnance District; 17 Apr. 1944.
Pump Engineering Service Co., Cleveland, Ohio; Army Air Forces; Central Procurement District; 15 Apr. 1944.
Sperry Gyroscope Co., Brooklyn, N. Y.; Army Air Forces; Eastern Procurement District; 15 Aug. 1944.
Thompson Products Co., Cleveland, Ohio; Army Air Forces; Central Procurement District; 15 Apr. 1944.
Wright Aeronautical Co., Paterson, N. J.; Army Air Forces; Eastern Procurement District; 15 Aug. 1944.
Zenith Radio Corp., Chicago, Ill.; Signal Corps; Philadelphia Procurement District; 1 June 1944.

SUBPART F–1—REMOVAL OF PROPERTY FROM CONTRACTORS' PLANTS

1. The caption for Subpart F–1 is amended to read as set forth above.

2. The centered caption appearing immediately before § 815.868 is deleted, and § 815.868 is revoked,[1] as follows:

§ 815.868 *Government-owned facilities.* [Revoked]

SUBPART G—FORMS

The centered caption appearing immediately before § 815.936 is amended to read as follows: "Instructions to Contractors".

[F. R. Doc. 44–11745; Filed, August 7, 1944; 10:14 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4693]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

RUDOLF LESCH FINE ARTS, INC., ET AL.

§ 3.24 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of art pictures, prints, etchings, reproductions of paintings, and allied products, and on the part of the six respondent corporations, and their officers, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to (1) fix or establish uniform discounts, or adhere to or maintain any discounts so fixed or established; (2) establish or maintain classifications of customers or prospective customers, or fix or maintain discounts predicated upon such classifications; (3) circulate or exchange among themselves lists showing classifications of customers or prospective customers; (4) hold meetings or otherwise confer among themselves for the purpose of establishing or maintaining uniform discounts or classifications of customers or prospective customers; or (5) engage in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform discounts or classifications of customers or prospective customers; prohibited. (Sec. 6, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Cease and desist order, Rudolf Lesch Fine Arts, Inc., et al., Docket 4693, July 19, 1944)

[1] The revocation of § 815.868 was effected by Change 28, 9 July 1944.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of July, A. D. 1944.

In the Matter of Rudolf Lesch Fine Arts, Inc., a Corporation, New York Graphic Society, Inc., a Corporation, Erich S. Herrmann, Inc., a Corporation, David Ashley, Inc., a Corporation, Raymond & Raymond, Inc., a Corporation, International Art Publishing Company, Inc., a Corporation, Reinthal & Newman, Inc., a Corporation, and International Frame and Picture Company, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers thereto, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, brief in support of the complaint, and briefs in opposition thereto on behalf of respondents Rudolf Lesch Fine Arts, Inc., and International Frame and Picture Company, Inc. (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that certain of the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Rudolf Lesch Fine Arts, Inc., New York Graphic Society, Inc., Erich S. Herrmann, Inc., David Ashley, Inc., Raymond & Raymond, Inc., and International Art Publishing Company, Inc., corporations, and their officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of art pictures, prints, etchings, reproductions of paintings, and allied products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to do or perform any of the following acts or things:

1. Fixing or establishing uniform discounts, or adhering to or maintaining any discounts so fixed or established.

2. Establishing or maintaining classifications of customers or prospective customers, or fixing or maintaining discounts predicated upon such classifications.

3. Circulating or exchanging among themselves lists showing classifications of customers or prospective customers.

4. Holding meetings or otherwise conferring among themselves for the purpose of establishing or maintaining uni-

form discounts or classifications of customers or prospective customers.

5. Engaging in any act or practice substantially similar to those set out in this order with the purpose or effect of establishing or maintaining uniform discounts or classifications of customers or prospective customers.

It is further ordered, That these respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to respondents Reinthal & Newman, Inc., and International Frame and Picture Company, Inc.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-11752; Filed, August 7, 1944; 10:21 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 19, Amdt. 1]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING AND CUTTING PEACHES IN CERTAIN CALIFORNIA COUNTIES

Section 1102.12 (9 F.R. 7377) is hereby amended as set forth below:

Paragraph (b) (1) is revised and amended to exclude from the term "Area A" that portion of Merced County lying north of Merced River and east of San Joaquin River.

Paragraph (b) (2) is revised and amended to include within the term "Area B" that portion of Merced County lying north of Merced River and east of San Joaquin River.

(56 Stat. 765, 50 U. S. C. App. Supp. 961 et seq., 57 Stat. 63; Pub. Law 34; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 831, 6011)

Issued this 5th day of August 1944.

PHILIP BRUTON,
Director of Labor.

[F. R. Doc. 44-11713; Filed, August 5, 1944; 11:07 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 250, 2d Ed.]

PART 622—CLASSIFICATION

IDENTIFICATION OF CERTAIN REGISTRANTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 622.81 to read as follows:

§ 622.81 *Identifying classified registrants over 38 years of age and under 45 years of age.* Whenever a classified registrant, except certain registrants in Class IV-E described below, has reached or hereafter reaches the thirty-eighth anniversary of the day of his birth and has not attained the forty-fifth anniversary of the day of his birth, he shall be identified in all records by following his classification with the letter "(H)." For example: If such registrant is in Class I-A, he shall be identified thus, "Class I-A (H)." If such registrant is in Class II-B, he shall be identified thus, "Class II-B (H)." The identification "(H)" shall be used for each such registrant regardless of his classification except that a registrant in Class IV-E who has been assigned to work of national importance under civilian direction shall not be so identified prior to his release from such assignment.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 5, 1944.

[F. R. Doc. 44-11738; Filed, August 5, 1944; 4:11 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 1 to Direction 8]

RATINGS FOR FLAT WICK LAMP BURNERS

The following interpretation is issued with respect to Direction 8 of Priorities Reg. 3:

Direction 8 of Priorities Regulation 3 invalidates all preference ratings lower than AA-3 issued for the purchase of flat wick lamp burners. It specifically states that persons receiving orders bearing such ratings may fill them as unrated orders. This includes orders for flat wick lamp burners with ratings lower than AA-3 received prior to the date of the direction as well as orders subsequently received. In other words, if the flat wick lamp burners had not been shipped by the date of the direction, the unfilled orders rated lower than AA-3 must be treated as unrated.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11799; Filed, August 7, 1944; 11:57 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Revocation of Direction 17]

Direction No. 17 to CMP Regulation No. 1 is hereby revoked.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11800; Filed, August 7, 1944; 11:57 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Schedule A, as Amended August 7, 1944]

CONSTRUCTION LIMITATIONS

§ 3175.6a *Schedule A of CMP Regulation 6—(a) Principles governing war-time construction.* The principles governing war-time construction are defined in the Directive for War-Time Construction, dated May 20, 1942. The War Production Board and the Army-Navy Munitions Board interpret these principles as limiting all construction to a design of the simplest type consistent with structural stability and sufficient only to meet the immediate minimum functional requirements.

The guiding principle should always be to utilize those materials which are most plentiful and which, in the ultimate analysis, will cause the least interference with the production of combat matériel and the utilization of transportation and power.

(b) *What these construction limitations do.* These construction limitations apply to construction authorized on Form GA-1456. They do not apply to any other kind of construction. Construction authorized on Form GA-1456 must be performed in accordance with the provisions of Appendix I and Appendix II (which are part of this schedule) unless a waiver is granted on the authorization.

These construction limitations restrict the use of the materials and equipment listed, including materials to be incorporated in products where the materials are purchased through a fabricator or supplier by using the assigned allotment symbol or preference rating. They do not apply to:

The use of used materials except where specifically restricted.

The use by manufacturers of materials directly allocated to manufacturers for incorporation into "B" products (as defined in CMP Reg. 1).

The use of materials incorporated in "A" products of the kind required to be listed in section III of Form WPB-617 (manufacturing, processing or service equipment).

(c) *Amendments to construction limitations.* The Construction Limitations

may be amended from time to time. When a restriction on the use of an item is changed or removed by an amendment to the Construction Limitations issued after an authorization, the builder may, if he chooses, disregard the old restriction and follow the new provision. This applies to builders who have received authorizations on Form GA-1456, subject to the Construction Limitations dated February 1, 1944, or subject to Schedule A to CMP Regulation 6. It does not apply to changes made in Appendix II (formerly Appendix A) of the Construction Limitations.

(d) *Exceptions.* If any exceptions to the restrictions are required, the exceptions must be stated and justified in the application for authority to acquire or construct facilities (WPB-617). Authorization will be made on Form GA-1456 or GA-1456A.

(e) *Structural design.* All building construction using more than 5 tons of structural steel or more than 5 tons of reinforcing steel (including mesh) or any stress grade lumber shall be designed in accordance with the applicable provisions of the War Production Board Directive No. 8 "National Emergency Specifications for the Design, Fabrication and Erection of Structural Steel for Buildings" as amended, and/or Directive No. 9 "Design of Reinforced Concrete Buildings" as amended, and/or Directive No. 29 "Design, Fabrication and Erection of Stress Grade Lumber and its Fastenings for Buildings" as amended. If any waiver of the provisions of the above directives is required, the reasons for requesting such waiver must be stated in the application.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX I—RESTRICTIONS

NOTE: Appendix I amended Aug. 7, 1944.

A. *Structural steel.*

Construction requiring the use of structural steel should not be employed when masonry or plain or reinforced concrete using forms as called for under K-3 below can be used.

1. Junior beams may not be used.

B. *Steel plates.*

1. Plates may not be used except for:
a. Closed pressure tanks.
b. Structural connections.
c. Column bases and bearing plates.
d. Where necessary for connections and reinforcing when used for repair and strengthening of bridges.

C. *Steel sheet and strip (produced from a sheet or strip mill).*

1. The use of steel sheet and strip, plain or formed, is prohibited except for the following:

a. Evacuation tubes, superimposed upon fans, not exceeding 30 feet in height.

2. The use of the following manufactured items (purchased as such) when made from sheet or strip is prohibited:

Bins
Bookstacks
Bridge Splash Guards
Culverts
Concrete Pile Casings
Corner, door and column guards
Flooring
Joists
Portable Buildings
Roofing and Siding
Shower Stalls
Scuppers
Smoke Stacks
Termite Shields heavier than No. 24 U. S. gauge
Trench Covers
Ventilation and heating ducts except for transitions, fittings, connections, and changes in direction, and for straight runs where metal is required by applicable building codes

D. *Railroad track and craneways.*

1. Except for operating railroads, the following are prohibited:
a. New rails over 60 pounds per yard.
b. New metal ties and tie plates.
c. Used tie plates, except for rails weighing 60 pounds or less per yard, and turnouts, crossovers, curves of more than 4 degrees, and bridge track of any weight.

E. *Hardware.*

1. The use of checking floor hinges and hydraulic door closers is prohibited except as follows:
a. Where self-closing function is required by applicable fire regulations.
b. For exterior entrance and exterior exit doors of public and industrial buildings.
c. Where essential in hospitals.

F. *Metal lath.*

1. The use of metal plastering base and accessories is prohibited for exterior use, except as permitted in paragraph 3 below.

2. The use of metal plastering base and accessories is prohibited for interior use except:
a. Cornerite, stripite, corner bead and flush base screed
b. In hospitals, detention, asylum and school buildings
(1) Under wood joists subject to fire hazard (as defined by applicable building codes), and under bar or concrete joists, and where furred ceilings are required
(2) For resistance to earthquakes where required by applicable codes
(3) For chases, pipe furring and wood stairways
(4) Where Portland cement plaster is used as a functional requirement

3. The restrictions in 1 and 2 above do not restrict the use of (1) combination form and reinforcement for cast-in-place slabs (2) woven or welded steel wire, cloth, fabric or netting without paper or other backing for exterior stucco base.

G. *Aluminum.*

1. The use of aluminum and aluminum products is prohibited:
a. For ornamental and decorative work
b. In any of the forms and shapes described as a controlled material in CMP Regulation 1 except:
(i) For electric bus bars, electrical conductors and current carrying accessories for conductors.
(ii) Where essential for processing.

H. *Copper and copper-base alloys.*

The use of copper and copper-base alloys (new or used) is prohibited for the following:

1. Pipe or tubing including fittings except:
a. Where essential for processing
b. Solder nipples or ferrules

2. Building materials, whether fabricated or unfabricated, as follows:
Access panels
Anchors and dowels
Cornices
Drip pans
Fences and gates
Cooling towers, except for current carrying parts and bearings and worm gears for speed reducers and heat exchangers
Decorative metal work
Flashings and flashing valley lining
Gravel stops and snow guards
Grilles, grids and gratings
Gutters, leaders, downspouts, sheet metal expansion joints and accessories thereto
Lightning rods, cables and accessories
Louvers and marquees
Mouldings and trim
Nails, bolts, screws, nuts, rivets, washers and expansion shields
Ornamental metal work
Partitions
Railings
Reglets
Radiator shields and covers
Roofs, roofing and other roofing items
Sheet, roll, strip and rod for construction
Sinks and drain boards
Stair treads, nosing and edgings
Store fronts
Strip for laying linoleum
Terrazzo strip
Termite shields
Thresholds and saddles
Tie rods
Ventilators and skylights
Vents
Weatherstripping and insulation
Window frames and sills

I. *Tin.* The use of tin and tin products is prohibited except as follows:

1. Solder:

a. Not over 40% tin in solder (i) for wiping water service pipe, connecting the piping of a structure with the outside water main, (ii) for assembly and repair of galvanized iron or zinc tanks.

b. Not over 35% tin in solder (i) for assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron", (ii) for wiping lead sheathed cable joints or lead pipe joints.

c. Solder for electrical connections may be used only to the extent that solderless connectors; not containing copper or copper-base alloys, will not serve, and then not over 35% tin content.

d. Not over 30% tin in solder for all other uses not covered above, and then only to the extent that substitution of either a less critical material or use of less tin content is impracticable.

2. Roofing—but only terne plate for repair purposes.

3. Fuses, fuse plugs, and sprinkler head fuses.

J. *Zinc.* 1. The use of zinc and zinc products is prohibited:

a. For ornamental and decorative work

b. In the form of sheet, strip and rod except:

(i) Where essential for processing

(ii) Where the use of chemicals requires it.

K. *Lumber and lumber products.* Construction requiring the use of lumber 2" nominal thickness or less for framing of walls, floors, partitions, ceilings, and roofs should not be employed where other types of construction can be used.

1. The use of lumber is prohibited for the following:

a. Sheathing of walls and roofs.

b. Facing of partitions and ceilings.

c. Siding.

d. Fencing.

e. Sub-floors.

2. Forms for concrete construction are restricted to the use of metal forms, used

lumber, reusable forms (including traveling), and highly water resistant plywood (see 5 below). To the extent that these types of forms are not available, lumber in any size may be used subject to the provisions of the next paragraph.

3. Where the use of lumber is not prohibited by these limitations or when an exception to a restricted use specified in K1 or K2 is authorized by the War Production Board, all lumber 2" nominal thickness less than 8" nominal width and all lumber less than 2" nominal thickness shall only be obtained from cutting local wood lots or from resawing or ripping sizes larger than 2 x 6 specifically for the project, unless a specific exception to this paragraph is granted in the authorization. (This restriction does not apply to the use of less than 2,500 board feet nor does it apply to finished flooring, mill work and trim.)

4. All lumber less than 2" nominal thickness, other than that used for finished floor, mill work and trim, shall be square edge.

5. The use of common grades of any kind of wood is prohibited for mill work and trim.

6. The use of end grain block flooring is prohibited except for repair and maintenance of existing floors of this type.

7. The use of Hardboard is prohibited.

8. The use of softwood plywood is prohibited except highly water resistant type when used for concrete forms (maximum reuse), but the use of softwood or hardwood plywood of any type is prohibited for concrete form liner.

The salvage of all reusable lumber, not specifically incorporated in a structure, is mandatory and its destruction is prohibited. Such lumber shall be made immediately available for reuse.

L. *Plumbing and heating.* 1. The use of pipe of weights heavier than required to meet maximum working pressure at the site is prohibited.

2. The use of metal sewer pipe outside the building is prohibited except for:

a. Vents
b. Within 5 feet of the building
c. Cast iron pressure mains

3. The use of valves over 2" size with brass or bronze bodies is prohibited.

4. The use of condensate and vacuum pumps is prohibited except that a single pump is permitted on any heating system where the condensate cannot return to the boiler by gravity or when the design of the heating system requires that a high vacuum must be maintained.

M. *Mechanical ventilation.* 1. The use of mechanical ventilation is prohibited except for:

a. Areas without natural ventilation
b. Hospital spaces
c. Spaces where industrial processes make its use mandatory.
d. Interior toilet rooms and kitchens where gravity ventilation will not suffice

2. Ventilation systems for winter operation in locations as outlined above shall be of the re-circulatory type, with quantity of make-up and exhaust air reduced to the minimum required to meet health requirements.

N. *Electrical work.* 1. The use of electrical wire and cable in sizes larger than the minimum size permitted by the 1940 National Electrical Code as amended is prohibited.

2. The use of rigid metallic conduit is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. In any size when the installation is in a hazardous location as defined by the 1940 National Electrical Code, Classes 1 to 4 inclusive.

b. In sizes over 2".

(1) For safety purposes as protection against mechanical injury.

(2) In wet locations as defined in Article 100 of the 1940 National Electrical Code.

(3) Where electrical conductors are to be enclosed within concrete or masonry.

c. In sizes 2" and under to suspend an industrial lighting fixture.

3. The use of electrical metallic tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. For safety purposes as protection against mechanical injury.

b. Where electrical conductors are to be enclosed within concrete or masonry.

c. When run in elevator hoistways for elevator power, control and signal wiring.

d. In wet locations as defined in Article 100 of the 1940 National Electrical Code.

e. To suspend an industrial lighting fixture.

4. The use of flexible metallic conduit or tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. To provide a flexible enclosure for:

(1) Electric wire or cable which is a component part of a machine.

(2) Electric wire or cable extending less than twelve (12) feet from electrical systems to current consuming devices or control equipment.

5. Armored cable (BX cable) may be used only for:

a. Uses permitted for flexible metallic conduit in Item N-4.

b. Remodeling and conversion of fireproof structures.

c. Control systems in connection with boilers.

6. Exterior lighting is prohibited except when mounted on buildings.

O. *Standby and emergency equipment.* Standby and emergency equipment is prohibited.

Appendix II—Equipment Requiring Specific Approval Including Equipment for Which a Special Application Form is Required

Note: Appendix II amended Aug. 7, 1944.

A. All equipment, except equipment used in building services such as plumbing, heating, ventilating, lighting, and similar fixed installations, required for the project must be listed in section III of the application form. Incidental items of equipment costing less than $500 for each item may be grouped in section III under general descriptive headings. Authorization to purchase or install items so grouped will be limited to the dollar value approved. Items shown under B and C of this appendix must be specifically listed as directed and may not be grouped.

B. For the following equipment the separate application form shown must be used and authority to purchase must be secured under the terms of the governing order. Such equipment must also be listed in section III of the application form. The special application form designated should be prepared and filed with the project application form whenever possible.

	Governing order	Separate WPB form
Animal, fish, and vegetable oil machinery and equipment.	M-293	1319
Boilers, power	M-293	2645
Chemical machinery and other machinery covered by M-293, table 15.	M-293	1319
Construction machinery (unused) listed on Sch. A of L-192.	L-192	1319
Construction machinery (used) listed on Sch. A of L-196.	L-196	1319
Dumb-waiters, electrically operated (replacement).	L-89	1236
Elevators (replacement)	L-89	1236
Fans, electric, for hospitals and industrial firms.	L-176	1319
Floor servicing machinery	L-222	1319
Furniture, office, metal	L-13-a	1319
Laboratory instruments on List A of L-144 (not industrial equipment).	L-144	1319
Liquefied petroleum gas equipment.	L-86	809
Motion picture projection equipment and accessories, 35 mm.	L-226	(3253 or 3254
Office machinery, adding, tabulating, addressing, calculating machines, etc.	L-54-c	1666
Plastic molding machinery	M-293	1319
Ranges, domestic, electrical	L-22-b	1319
Refrigerators, domestic, mechanical.	L-5-d	682
Rubber processing equipment	L-143-a	1277
Tire retreading, recapping and repair equipment.	L-61	1319
Tracklaying tractors (unused)	L-53	1319
Tracklaying tractors, tractor mounted equipment (used) listed on Sch. A of L-196.	L-196	1319
Transformers, distribution or power, which are either: (a) 250 KVA and larger, or (b) Smaller than 250 KVA, having special features, design characteristics or accessories as defined in Paragraph a of Block 4 of the instructions on Form WPB-2643.	M-293	2643
Trucks, power or mobile hoists	L-112	1319
Typewriters, new	L-54-e	1319
Vacuum cleaners, industrial	L-222	1319
Wire intercommunicating systems, telephonic.	U-5 or U-8	1319

C. For the following equipment application is ordinarily made on a separate form, but where the equipment is required for a project for which authorization is given on Form GA-1456 no separate application form is needed. Such equipment, however, must be listed in section III of the project application form and must be justified under section I "Exceptions to the Construction Limitations".

	Governing order
Air-conditioning and refrigerating equipment	L-38
Cooking equipment, commercial, electric appliances	L-65
Cooking equipment, commercial, heated by oil, wood, coal, or gas, including coffee urns, steam tables, ranges, etc., new or used	L-183
Dishwasher, commercial, new or used	L-249
Dumb-waiters, electrically operated, new	L-89
Elevators, new	L-89
Fire protective signal and alarm equipment	L-96
Laundry equipment	L-91
Pneumatic tube delivery systems	L-198
Scales, if $50 or more for any single scale	L-198
Signal, public address, and intercommunication systems (electronic)	L-266
Sterilizer equipment	L-266
Stokers, Class A, grate area under 36 sq. ft., over 60 pounds capacity per hour	L-76

	Governing order
Telephonic switching equipment or carrier equipment costing in excess of $2,500	U–6
Teletypewriters, telegraph repeaters, telegraph switching or carrier equipment costing in excess of $2,500	U–6
Vault doors	L–142

[F. R. Doc. 44–11801; Filed, August 7, 1944; 11:58 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 14, as Amended Aug. 7, 1944]

PINE TAR

§ 3293.1014 *Schedule 14 to General Allocation Order M–300*—(a) *Definition.* "Pine tar" means the liquid pine tar and tar oil, of all grades and weights which is obtained by distillation of pine wood by the retort or kiln process.

(b) *General provisions.* Pine tar is subject to allocation under General Allocation Order M-300, as an Appendix A material. The initial allocation date is May 1, 1944. The allocation period is the calendar month. The small order exemption is fifty-four gallons per person per month.

(c) *Special exemption.* Any producer who produces less than 500 gallons in any month after the initial allocation date, except by toll arrangement, and any person who purchases pine tar from such a producer shall be exempt for that month from the requirement of obtaining authorization from the War Production Board for the delivery, acceptance of delivery or use of any pine tar so produced or of any stocks of pine tar in the hands of such producer on the initial allocation date.

(d) *Suppliers' applications on Form WPB–2946.* (1) Each supplier seeking authorization to deliver pine tar shall file application on Form WPB–2946 (formerly PD–601) on or before the 20th day of the month preceding the month in which delivery is proposed.

(2) Form WPB–2946 should be completely filled in. The unit of measure is gallons.

(3) List individually the names of customers who have ordered more than the quantity permitted for small orders. No such order shall be listed or filled unless the customer has filed with the supplier the required Form WPB–2945. An aggregate quantity may be requested for "small orders" without listing the names of the individuals placing the small orders.

(4) Normally the War Production Board will issue its authorizations and directions for delivery by returning Form WPB–2946 to the supplier showing the amount which may be delivered to each customer and the aggregate amount which may be delivered to fill small orders.

(e) *Customers' applications on Form WPB–2945.* (1) Each person (including any supplier) seeking authorization to use or accept delivery of pine tar shall file application on Form WPB–2945 (formerly PD–600) on or before the 15th day of the month preceding the month in which acceptance of delivery or use is proposed. Form WPB–2945 should be completely filled in. The unit of measure is gallons. Three copies (one certified) should be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300, Schedule 14; one copy should be sent to the supplier; and one copy should be retained.

(2) Normally the War Production Board will issue its authorizations and directions for acceptance of delivery or use by returning Form WPB–2945 showing the amount of pine tar which may be accepted or used during the month.

(f) *Communications to War Production Board.* Reports and communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300, Schedule 14.

NOTE: Forms WPB–2945 and WPB–2946 and the instructions in this schedule and in the appendices of Order M–300 for applications and reports regarding pine tar have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11803; Filed, August 7, 1944; 11:57 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 15 as Amended Aug. 7, 1944]

GLYCOLS

§ 3293.1015 *Schedule 15 to General Allocation Order M–300*—(a) *Definition.* "Glycols" means ethylene glycol, triethylene glycol, and physical mixtures containing ethylene glycol or triethylene glycol mixed with each other or mixed with propylene glycol or diethylene glycol. Special provisions for straight propylene and diethylene glycols are contained in paragraph (h) below.

(b) *General provisions.* Glycols are subject to the provisions of General Allocation Order M–300 as Appendix C materials. The initial allocation date is October 1, 1942, when glycols were first put under allocation by Order M–215 (revoked). The allocation period is the calendar month. The small order exemption per person per month is each and all of the following:

NOTE: "Propylene glycol" and "diethylene glycol" deleted from list Aug. 7, 1944.

	Pounds
Ethylene glycol	5,000
Triethylene glycol	600
Mixed glycols	1,000

Customers must furnish use certificates when ordering glycols in amounts described in paragraph (g) and must file on Form WPB–2945 when ordering glycols in amounts described in paragraph (f).

(c) [Revoked Aug. 7, 1944.]

(d) *Special anti-freeze provisions.* The restrictions of Order M–300 and of this schedule shall govern the use of glycols by any supplier in the manufacture of anti-freeze or motor coolant preparations, provided that:

(1) Any supplier may deliver completed anti-freeze or motor coolant preparations containing glycols without specific authorization under this order; and

(2) Nothing contained in this order shall be construed to permit the manufacture of anti-freeze in violation of General Limitation Order L–51 (§3293.11).

(e) *Supplier's applications on Form WPB–2947.* Each supplier seeking authorization to deliver glycols shall file application on Form WPB–2947. The filing date is the 19th of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–15. The unit of measure is pounds. File a separate set of forms for each kind of glycol. A consolidated set of forms for each kind of glycol may be filed for all plants. In Table I, first list in Column 1 the names of customers who have filed WPB–2945 forms with the applicant and in Column 1a specify "WPB–2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in such certificates; third, specify in Column 1 "aggregate small deliveries" and leave Column 1a blank; fill in other columns as indicated. Leave columns blank relating to rolling stock requirements. Fill in Table II as indicated. Inventory of glycol previously allocated for the supplier's own manufacturing use should not be reported on Form WPB–2947 (but should be reported in Table II of Form WPB–2945).

(f) *Customers' applications for authorization on WPB–2945.* Each person seeking delivery of glycols in excess of the following amounts shall file application for authorization on Form WPB–2945:

NOTE: "Propylene glycol" and "diethylene glycol" deleted from list Aug. 7, 1944.

	Pounds
Ethylene glycol	75,000
Triethylene glycol	2,600
Mixed glycols	5,000

The filing date is the 12th of the month preceding the month for which allocation is requested. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–15, one copy (reverse side blank) to the supplier and retain one copy. The unit of measure is pounds. File a separate set of forms for each kind of glycol. In Column 3 specify primary product according to the following classifications:

Anti-freeze (specify military or civilian in Col. 4)
Air for gas dehydration
Brake, hydraulic and de-icer fluids
Cellophane plasticizer
Coolant (specify in Col. 4 military or industrial)
Cosmetics
Cutting oils

Dentifrices and mouth washes
Drugs
Dynamite
Foods and flavors
General plasticizer (specify in Col. 4: cork crowns, cork gaskets, adhesives, coatings, glue or other)
General textile manufacture (specify in Col. 4: coupling agent, soluble oil, dye solvent, softener, rayon yarn processing, or other)
Molding and binder
Radio condenser fluid
Synthetic resin or chemical manufacture (identify product in Col. 3 and use in Col. 4)
Tobacco humectant
Wood stain
Export (as glycol)
Inventory (as glycol)
Miscellaneous (describe briefly in Col. 4)
Resale (as glycol)

Leave Column 4 blank except as noted above.

Fill in Table II as indicated, specifying inventory on a physical basis regardless of authorizations or exemptions. However, a supplier who keeps separate inventories of glycol, both physically and on his books, for the purpose of sale and for his own manufacturing use, shall report in Table II only his inventory for his own use. Leave Tables III, IV and V blank.

(g) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of glycols between the following amounts per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use in the form prescribed in Appendix D of General Allocation Order M-300, and describing proposed use as shown in paragraph (f) above:

NOTE: "Propylene glycol" and "diethylene glycol" deleted from list Aug. 7, 1944.

	Pounds
Ethylene glycol	5,000–75,000
Triethylene glycol	600– 2,600
Mixed glycols	1,000– 5,000

(h) *Production reports and directions regarding diethylene and propylene glycols.* (1) Each producer of diethylene glycol or propylene glycol shall file a report in triplicate on Form WPB–2947 with the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M–300–15, on or before the 19th day of each month, commencing with August 19, 1944. The heading of the form shall be filled in, Table I shall be left blank, and in Table II the producer shall specify diethylene glycol and propylene glycol and shall fill in Columns 9 through 14 accordingly. This report may be filed separately or may be included in any report filed under paragraph (e) above.

(2) The War Production Board may from time to time issue special directions with respect to production of diethylene or propylene glycol.

NOTE: Paragraphs (i) and (j), formerly (h) and (i), redesignated Aug. 7, 1944.

(i) *Approval of reporting requirements.* The above reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–15.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11804; Filed, August 7, 1944; 11:57 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 19, as Amended Aug. 7, 1944]

POLYSTYRENE AND POLYDICHLOROSTYRENE

§ 3293.1019 *Schedule 19 to General Allocation Order M–300*—(a) *Definitions.* (1) "Polystyrene" means the polymers of styrene (vinyl benzene), but does not include the copolymers of styrene with other monomers such as butadiene or methyl methacrylate. The term "Polystyrene" does not include fabricated forms of polystyrene such as sheets, rods, tubes, molded parts, fibers, filaments or coated fabric, and does not include polystyrene scrap or polystyrene consisting entirely of reprocessed scrap.

(2) "Polydichlorostyrene" means the polymers of dichlorostyrene, but does not include the copolymers of dichlorostyrenes with other monomers such as butadiene or methyl methacrylate. The term "polydichlorostyrene" does not include fabricated forms of polydichlorostyrene such as sheets, rods, tubes, molded parts, fibers, filaments or coated fabric, and does not include polydichlorostyrene scrap or polydichlorostyrene consisting entirely of reprocessed scrap.

(b) *General provisions.* Polystyrene and polydichlorostyrene are subject to the provisions of General Allocation Order M–300 as Appendix A materials. The initial allocation date for polydichlorostyrene is June 1, 1944, and for polystyrene is May 1, 1943, when polystyrene first became subject to allocation under Order M–170–a (revoked). The allocation period is the calendar month, and the small order exemption per person is 100 lbs. of polystyrene and 5 lbs. of polydichlorostyrene.

Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which polystyrene or polydichlorostyrene has been allocated, notwithstanding paragraph (p) (2) of Order M–300. There shall be no limitations on duration of authority for use under this schedule, notwithstanding paragraph (v) of Order M–300.

NOTE: Paragraphs (c) through (f), formerly (d) through (g), redesignated, and former paragraph (c) revoked August 7, 1944.

(c) *Suppliers' applications on Form WPB–2946.* Each supplier seeking authorization to deliver polystyrene or polydichlorostyrene shall file application on Form WPB–2946 (formerly FD–601). The filing date is the 22nd day of the month before the proposed delivery month. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M–300–19. File separate sets of forms for polystyrene and polydichlorostyrene. The unit of measure is pounds. Specify grade or physical form as stated in the customer's application. An aggregate quantity may be requested, without specifying individual customers' names for delivery on exempt small orders. Fill in Table II.

(d) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery of polystyrene or polydichlorostyrene shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 15th day of the month before the requested allocation month. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–19, and one copy (reverse side blank) to the supplier if any. File separate sets of forms for polystyrene and polydichlorostyrene, and for each different supplier. The unit of measure is pounds.

In Column 3 specify each primary product, or specify "resale" or "Exports", if the polystyrene or polydichlorostyrene is to be resold or exported as such. In Column 4 specify the end use of each primary product, giving military contract numbers if practicable. In the case of exports specify the country of destination and export license number. Fill in the balance of Table I and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–19.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11805; Filed, August 7, 1944; 11:57 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Conservation Order M-126 as Amended Aug. 7, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3294.63 *General Conservation Order M-126*—(a) *Definitions.* For the purposes of this order:

(1) The term "iron or steel" does not include "tin plate" and "terne plate" as defined by Supplementary Order M-21—(e), as amended, or screws, nails, rivets, bolts, wire, strapping or small hardware for joining or other similar essential purposes. The term does include stainless steel.

(2) The term "stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10 per cent or more of chromium with or without nickel and/or other alloying elements.

(3) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin or otherwise shape.

(4) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(5) The term "assemble" does not include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" also does not include adding finished parts to an otherwise finished article when the location of one or more of the added parts, or the size or type of one or more of the added parts, is determined by the use to which the ultimate consumer is to put the article.

(6) The term "Bessemer processed steel" means steel made by a process, in which air is blown through molten cast iron contained in a converter.

(7) The term "top cut" means that portion of a steel ingot rejected because it is not of sufficiently high quality for use on the order for which the ingot was melted, but which is normally used for some other purpose.

(b) *Restrictions with respect to List A products*—(1) *Raw material deliveries.* No person shall deliver or accept delivery of any iron or steel (including stainless steel) which he knows or has reason to know will be used to make any item on List A, any part thereof or repair part therefor.

(2) *Fabrication: prohibition.* No person shall process any iron or steel (including stainless steel) to make any item on List A, any part thereof or repair part therefor.

(3) *Assembly.* No person shall assemble any item on List A, any part thereof or repair part therefor, if it contains any iron or steel (including stainless steel).

(4) *Finished item deliveries.* No person shall deliver or accept delivery of any item on List A, any part thereof or repair part therefor, which he knows or has reason to know was made, assembled or delivered in violation of any applicable provisions of this order as amended from time to time.

(c) *Exemption for Army-Navy-Maritime orders*—(1) *List C items.* In the case of any item on List C ordered by or for the account of the Army or Navy of the United States, the United States Maritime Commission and the War Shipping Administration, or to other persons pursuant to the authorization by the Maritime Commission on Form WPB-646 (formerly PD-300) or ordered for physical incorporation into material to be purchased by or for the account of such agencies, the kind and amount of iron or steel required by the specifications (including performance specifications) applicable to the purchase order or contract may be delivered for and used in the manufacture of the item unless List C says otherwise. However, no stainless steel shall be used unless List C specifically says that it may.

(2) *Other items.* In the case of all articles or parts not governed by List A or C (including those articles and parts excepted from List A), when specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration call for a particular kind or amount of iron or steel (including stainless steel) the iron or steel specified may be used.

(d) *Restrictions on manufacture when the use of iron and steel is not elsewhere prohibited in this order.* No person shall use any iron or steel to make any article or part for which it would be practicable to use other less scarce material.[1] No person shall use more iron or steel in making any article or part than is necessary. No person shall use any alloy steel (including stainless steel) to make any article or part for which it is practicable to use carbon steel or iron (other than iron included under the definition of stainless steel).

(e) *Restrictions with respect to other scarce materials.* No person shall use as a substitute for any iron or steel (including stainless steel) any material more critical[1] than the material which he is prevented from using by this order.

(f) *Disposition of frozen and excessive inventories.* The disposition of frozen and excessive inventories containing iron or steel (including stainless steel) shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order must be made on Form WPB-1477 (formerly Form PD-500) and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on, or subsequent to May 5, 1942, or pursuant to a contract supported by a preference rating or allotment insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) *Intra-company deliveries.* The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Installation.* The restrictions of this order shall not apply to the installation of an item or part for the ultimate consumer on his premises or to any putting into process, processing or assembling of the item or part incidental to the installation when done on the premises of the ultimate consumer.

(7) *Repair.* The restrictions of this order (other than those contained in paragraph (d)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use iron or steel weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair. This para-

[1] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply".

graph (g) (7) does not limit the manufacture of repair and maintenance parts when List A permits the making of such parts.

(8) *Restrictions on manufacturing in certain labor areas.* When List A indicates that the manufacture of a particular item is subject to this paragraph (g) (8), no person shall put into process, process, or assemble any iron or steel (including stainless steel) to make any such item or any part thereof, unless such processing or assembling is to take place in a manufacturing establishment located in groups 3 or 4 of the labor market areas as may be from time to time designated by the War Manpower Commission.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A amended August 7, 1944.

"A" Frames and booms for lighters of 15 ton capacity and under.
Access panels—except as required by Underwriters Codes.
Accessories, soda fountain.*
Acoustical ceilings.
Advertising novelties.
Air-conditioning systems—except as may be permitted under Limitation Orders L–38 and L–126.
Amusement park devices and roller coasters.*
Area walls.
Ash sieves—except as may be permitted under limitation orders in the L–30 series.
Asparagus tongs.
Atomizers, perfume-boudoir.
Attic fans.
Automotive accessories—except those items the production of which as automotive replacement parts is permitted under Limitation Order L–158, as amended from time to time, whether produced as replacement parts or as original or optional equipment for new vehicles.
Automotive heaters—except when produced as replacement parts under Limitation Order L–158.
Awning frames and supports—except that a person may process during the year 1944, in the manufacture of all awning frames and supports not more than 75% of the amount of iron and steel used by him in making awning frames and supports during the year 1941. All iron and steel used must be from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board, or must be scrap.
Bag, purse and pocketbook frames—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Balers, paper, for household use.
Ball park equipment including but not limited to:
  Cages.*
  Fences.
  Lighting systems—except lamp bulbs.
  Metal bases.
  Protective netting.*
  Railings.
  Rollers.
  Score boards.
  Screens.*
  Seats.*
  Tampers.
Banks, personal, toy, miniature.
Barber and beauty shop furniture.
Barber and beauty shop supplies, machines and equipment.*
Barn pushers and scrapers.
Barrel hoops and fittings—except when made with iron or steel other than stainless steel.
Barware and bar accessories.
Bases on refrigerating machines below one H P—except as may be permitted under Limitation Orders L–38 and L–126.
Baskets—(i) except for commercial cooking, industrial and laboratory uses; (ii) except baskets of the type used in self-service food markets; (iii) except as may be permitted under Limitation Orders in the L–30 series; and (iv) except for agricultural purposes as may be permitted under Limitation Order L–257. Stainless steel may not be used for any basket except for baskets for heat-treating, pickling and plating and for repair and maintenance parts.
Baths, steam, all types.
Bath tubs—except as may be permitted under Limitation Order L–42.
B-B shot for air rifles.
Beach umbrellas—except as may be permitted under Limitation Order L–62.
Bed pans—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–30–b.
Beds—(i) except hospital beds, and (ii) except other beds as may be permitted under Limitation Order L–49.
Bed spring frames—except as may be permitted under Limitation Order L–49.
Beer kegs—except hoops and fittings for wooden kegs.
Beer mugs.
Beer stands.
Beer steins.
Bench legs—except industrial.
Beverage bottle cases, including but not limited to beer and all soft drinks.
Bicycle racks.
Binding, linoleum—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Binoculars—except for U. S. Government Agencies.
Bins and screens—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Bird cages and bird cage stands.
Bird houses and feeders.
Biscuit boxes—except as may be permitted under Limitation Orders in the L–30 series.
Blackboards.
Blade stroppers, mechanical.
Bleachers and grandstands.*
Blocks, hat.
Blue print machines—(i) except parts coming in contact with chemicals; and (ii) except for other parts when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Boards, sounding.
Boat hooks.
Bobbin heads—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–90.
Boiler casings—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L–42, L–185, L–187 and L–199.
Book ends.
Boot jacks.
Bottle coolers—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–38.
Bottle holders—except hospital.
Bowling alleys, bowling pins and accessories.*
Boxes and trays for jewelry, cutlery, combs and toilet sets.
Boxes, meter, for household use—(i) except covers; and (ii) except reinforcing for concrete.
Braces, extensible steel, trench.
Branding, marking, and labeling devices—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L–83 and L–292.
Bread and cake boxes, household—except as may be permitted under Limitation Orders in the L–30 series.
Bread slicers for home use—(i) except knives; and (ii) except as may be permitted under Limitation Orders in the L–30 series.
Brewing, distilling, and processing equipment for alcoholic and non-alcoholic beverages, including bottling equipment—except when their production is permitted under Schedule VIII of Limitation Order L–292 and when made in accordance with Limitation Order L–292.
Bridge splash guards.
Brush-backs—(i) except industrial; and (ii) except brush-backs other than industrial when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Buckets and pails—(i) except to fill orders of chemical plants and plants handling explosives and (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L–30 series, L–214, L–257 and Schedule IV of L–292 to fill other orders.
Buckles for clothing—except as may be permitted under Limitation Order L–68.
Buckles for pocketbooks and shoes—except as may be permitted under Limitation Order L–68.
Builders' hardware—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–236.
Builders' supplies—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Building ornaments.
Buildings, portable.
Burial lowering devices.
Butter chips.
Butter knives.
Buttons for clothing—except as may be permitted under Limitation Order L–68.
Cabinets—except as may be permitted under Limitation Orders L–13–a, L–62, L–91 and under Schedule 3 to Limitation Order L–214.
Cafeteria and restaurant equipment—except when made with iron or steel other than stainless steel provided that stainless steel may be used for operating parts for repair and maintenance purposes.
Cake cutters.
Cake icing equipment.
Cake tongs.
Calendar and memo pad stands—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.

*Maintenance and repair parts excepted.

Calliopes or steam organs.
Candy display dishes.
Canes.
Canopies, hoods and supports—except brooder canopies.
Cans, containers and closures—except (i) shipping packages; and (ii) cans, containers and closures as may be permitted under Orders M-81, L-103-b and L-197.
Car washing machines—except as may be permitted under Limitation Order L-270.
Carillons.
Carpet rods.
Carriers, casket.*
Carrousels (Merry-go-rounds).*
Carving set holders.
Cash boxes.
Cash registers.*
Casket hardware—except as may be permitted under Limitation Order L-64.
Casket trucks, undertaker's—except wheels.
Ceilings.
Chafing dishes.
Chains and cables—(i) except for heat-treating, pickling and plating; and (ii) except for all other uses when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Chamber pots—except as may be permitted under Limitation Orders in the L-30 series.
Cheese dishes.
Cheese vats—except when their production is permitted by Schedule I of Limitation Order L-292 and when made in accordance with Limitation Order L-292.
Chicken crates.
Chicken house scrapers.
Christmas tree holders.
Christmas tree ornaments—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Cigar and cigarette holders and cases.
Cigar clippers.
Cigarette lighters—(i) except for spark wheels and springs; and (ii) except for all parts other than spark wheels and springs when made from iron or steel (including stainless steel) acquired from idle or excessive inventories reported to Steel Recovery Corporation or to the War Production Board, and then only subject to the provisions of paragraph (g) (8) of this order.
Cigarette package holders.
Cigarette making machines, hand.
Circus and carnival apparatus, equipment* and devices, including but not limited to:
  Animal cages.*
  Animal stands.
  Tent standers.
  Trailers.*
  Trapeze bars.
Clamps, hair, including barrettes, decorative clips and fasteners (but not including common bob and hair pins and clamps for hair curling or waving)—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Clips for attaching baggage tags.
Clock cases—except on recording and controlling industrial instruments and heating system control equipment, and then only if made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Clocks, parts other than cases—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Clothes hampers.
Clothes lines.
Clothes line pulleys.
Clothes line reels.
Clothes racks and clothes dryers.
Clothes trees.
Clothing trim and dress ornaments—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Coal chutes and doors, household.
Coal pans.
Coasters and trivets for glass and hot containers.
Cocktail glasses.
Cocktail sets.
Cocktail shakers.
Coffee pots—except when made from iron and steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.
Combs, hair—except curry combs.
Compacts.
Control levers—except when made from iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Convectors, local and unit heaters—(i) except for heat controls; and (ii) except for parts other than heat controls when made with iron or steel other than stainless steel and in accordance with Limitation Order L-107.
Conveyors and conveyor chutes—(i) except where subject to high temperature or corrosive action, and (ii) except when made of iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Cooking stoves, commercial, electric—except as may be permitted under Limitation Order L-65.
Copy holders.
Corn poppers and machines.
Cosmetics and toiletries—except as may be permitted under Supplementary Order L-108-b.
Counter tops and edgings.
Covers for automotive leaf-type springs.
Covers and frames, manhole—(1) except for reinforcing for concrete covers.
Covers, meter frame—except for industrial use.
Crochet hooks.
Croquet sets.
Crumb trays—except as may be permitted under Limitation Orders in the L-30 series.
Crutches.
Culverts, including conduits, corrugated pipe and corrugated plates and arches for culverts—(i) except from top cuts and discard steel; (ii) except reinforcing bars for poured concrete; (iii) except other reinforcing made with iron or steel in the form of re-rolled rail stock, top cuts and discard steels; (iv) except nestable culverts for use outside of the continental limits of the United States; and (v) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Cups, drinking, of all kinds—(i) except for livestock; and (ii) except as may be permitted under Limitation Orders in the L-30 series.
Cups, other than drinking—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.
Curb guards.
Curler, hair, non-electric—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order
Curtain stretchers.
Dampers, fireplace—except as may be specified by the War Housing Critical List.
Darners, sock.
Decorative iron products.
Deodorizing dispensers.
Desk equipment, including but not limited to:
  Desk sets.
  Desk pads.
  Fountain pen and pencil stands.
  Letter openers.
  Name plates.
  Paper weights.
Diaper cans, containers, and receptacles.
Dictaphone racks.
Dinner bells.
Dishes, saucers and plates—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.
Dishwashing machines—except commercial dishwashing machines as may be permitted under Limitation Order L-248.
Dishwashing racks, household.
Dispensers, hand, for:
  Hand lotions.
  Paper products.
  Soap.
  Straws.
Display forms.
Document stands.
Door chimes.
Door closers—except as may be permitted under Limitation Order L-236.
Door handles—except as may be permitted under Limitation Order L-236.
Door knockers.
Door mats.
Door stops—except as may be permitted under Limitation Order L-236.
Drain boards—except as may be permitted under Limitation Order L-42.
Drawer pulls—except as may be permitted under Limitation Orders L-13-a and L-260-a.
Dress forms.
Dummy police.
Dust collecting systems and equipment*—except on preference rating of AA-5 or higher.
Dust covers and enclosures*—except industrial.
Dyeing equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-215; and (ii) except for repair and maintenance parts as may be permitted under Limitation Order L-215.
Easels, all types.
Edgings, furniture and linoleum—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before December 5, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Ediphone racks.
Egg slicers.
Electric drinking water coolers—except as may be permitted under Limitation Orders L-38 and L-126.
Elevators, including doors and trim—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-89 and L-257.
Embalming tables.*
Enameled tile sheets and squares.
Enamel store fronts.
Erasing knives.
Erasing shields.
Escalators.*
Exercise and reducing machines.*

*Maintenance and repair parts excepted.

Exhibition and fair apparatus and equipment,* including but not limited to:
Lighting equipment.
Racks.
Stands.
Fan stands, all types.
Fans, (i) except industrial; or (ii) except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-170.
Farm machinery and replacement parts therefor—(i) except high pressure sprayer valves, valve seats and nozzles; and (ii) except other parts when made with iron or steel other than stainless steel and in accordance with Limitation Order L-257.
Feed troughs, except as may be permitted under Limitation Order L-257.
Fences of all kinds, except:
(1) Plain, barbed, or twisted wire; woven or welded wire fence (except lawn and other ornamental fence); wire netting; wire flooring.
(2) Chain link fence, weighing not more than two pounds per lineal foot and not more than 0.33 pounds per square foot, for industrial plant protection only.
Fence posts—except as may be permitted under Schedule 14 of Limitation Order L-211.
Ferneries, metal.
Finger bowls.
Fireplace equipment, including but not limited to: andirons, fireplace screens, fireplace accessories and ash dumps but not including dampers and grates. See also the items "Dampers x x" and "Fireplace grates x x" on List A hereof.
Fireplace grates—except grates weighing not more than 40 lbs. each. No person shall process during the year 1944 in the manufacture of all fireplace grates weighing 40 lbs. each or less, more than 50% of the amount of iron and steel used by him in making all fireplace grates during the year 1941.
First aid kit boxes—except of the industrial type.
Fish aquariums.
Fishing tackle and equipment other than commercial—except as may be permitted under Limitation Order L-92.
Flag holders.
Flag poles.
Flashlights—except as may be permitted under Limitation Order L-71.
Floats for pageants, parades, advertising, etc.—except trucks.
Floor and counter covering trim—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Floor plates and floor coverings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Floor scrapers—except power driven.
Floral tools and floral hoes.
Florist supplies—except that iron or steel wire may be used which was drawn prior to June 19, 1942 or was sold to the manufacturer of florist supplies as scrap.
Flour, salt and pepper shakers—except as may be permitted under Limitation Orders in the L-30 series.
Flower boxes, pot holders and vases.
Flower shears.
Fly traps.
Food vending machines, including automats.
Foot baths—except as may be permitted under Limitation Order L-42.
Foot scrapers.

*Maintenance and repair parts excepted.

Forms for concrete construction—except concrete road forms when their production is permitted under Limitation Order L-192.
Fountains—(i) except fountains (other than ornamental fountains) when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-83 and L-42; and (ii) except for replacement parts for soda fountains of the following types: covers, breaker strips, milk cans and ice pans which may be made with any iron or steel including stainless steel.
Fountains, ornamental.
Frames, catch basin and grater, all types—(i) except when made from low-grade cast iron; and (ii) except for reinforcing for concrete covers.
Frames, clothes drying.
Frames for artists' canvas, darning and needle work.
Frames, steel blocking.
Fruit juice extractors, household—except as may be permitted under Limitation Orders in the L-30 series and L-65.
Furniture*—except as may be permitted under Limitation Orders L-13-a, L-62, Schedule 3 of L-214, L-226, L-249, L-254, and L-260-a, but subject to the prohibition on the use of stainless steel in "Mechanical drawing and drafting equipment" on this List A.
Furniture, hardware—except when made with iron or steel other than stainless steel and as may be permitted under Limitation Orders L-13-a, L-62, L-214, and L-260-a.
Galley and mess equipment—except when made with iron or steel other than stainless steel, provided that stainless steel may be used for operating parts for repair and maintenance purposes.
Galley, kitchen, cafeteria and restaurant paneling—except when made with iron or steel other than stainless steel.
Game and gambling devices.
Garage hoists, car lifts and racks—except as may be permitted under Limitation Order L-270.
Garbage grinders, household.*
Garden trowels.
Gas toasters, household.
Gates for fences*—(i) except as permitted under Limitation Order L-257; and (ii) except for use in connection with a construction project that has been authorized by the War Production Board, and in such case the purchaser should place the following certification (in addition to the certification in Priorities Regulation No. 7): Delivery approved on Form GA-1456 (or on Form WPB-2774 in the case of utilities).
Glassware holders and trim—except on cooking utensils.
Golf bag supports.
Grass shears.
Grass whips.
Grave markers.
Grilles, ornamental.
Grilles, sewers—except when made from low-grade cast-iron.
Grills, outdoor.
Guards for guy wires.
Gutters, spouting, conductor pipe and fittings for dwellings two stories or less in height*—except when the installation has been approved by the War Production Board.
H-Bar units.
Hair dryers, hand. See also the item "Barber and beauty shop, supplies, machines and equipment" on this List A for other hair dryers.
Hand seals for documents.
Hand weeders.
Handles, broom and mop.
Hangers, all types—(i) except X-ray film hangers; and (ii) except for other types of hangers when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders. See the next item below for a type of hanger which may not be made with any iron or steel.
Hangers and track for garage doors for private use.
Hanger rings on brushes, brooms, etc.
Harness and saddlery fittings—except for draft, work and ranch animals.
Hat frames—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Hat-making machinery.*
Heat resisting pads for household use.
Hedge shears.
Highway crossing protection devices, electrical or mechanical.*
Highway guard rail, wire, strip and posts.*
Highway guard rail reflectors.
Hitching posts.
Holders, wire, all types—except as may be permitted under Limitation Orders in the L-30 series.
Hoops, galvanized wire for flower garden trim.
Hose clamps—except when made with iron or steel other than stainless steel.
Hose reels—(i) except fire fighting equipment; (ii) except for industrial use in direct fire hazard areas; and (iii) except as may be permitted under Limitation Order L-314.
Hospital, medical, dental and related equipment—only items listed elsewhere on this List A are restricted by any provisions of this order other than paragraph (d).
Hot water heaters, tanks and coils—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-65, L-185 and L-199.
House numerals.
Houses, poultry—except wire netting and except reinforcing for concrete, and except as permitted in the P-19 series of Orders.
Houses, tool and hog—except reinforcing for concrete, and except as permitted in the P-19 series of Orders.
Humidification devices—except as may be permitted under Limitation Orders L-96 and L-126.
Humidors.
Ice box exteriors—except as may be permitted under Limitation Orders L-7-c, L-38 and L-126.
Ice box parts other than exteriors—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-7-c, L-38 and L-126.
Ice cream cabinets (see Item "Cabinets x x" on this List A).
Ice cream freezers, household.
Ice cream molds.
Ice cube trays.
Identification tags and badges (see "Tags and badges x x x" on this List A).
Incinerators—except for industrial or commercial use and except for housing as may be permitted by the War Housing Critical List.
Ink well holders.
Inlets, gutter, all types—except reinforcing for concrete.
Inlets, sewer, all types—except reinforcing for concrete.
Instrument dials and cases—except when made with iron or steel other than stainless steel and in accordance with other applicable War Production Board orders.
Insulation, metal reflecting type.
Ironing boards and stands—except as may be permitted under Limitation Order L-91.
Jam boxes—except as may be permitted under Limitation Orders in the L-30 series.

Jelly molds—except as may be permitted under Limitation Orders in the L-30 series.
Jewelry.
Jewelry cases.
Jugs, picnic, all types.
Kaleidoscopes.
Key chains, cases and rings.
Kitchenware—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L-30 series.
Knitting needles.
Ladders and hoists, including fittings—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Ladders, step.
Lanterns and lamps—(i) except valves, controls and mantle-holders and except for miners' lamps; and (ii) except for parts of lamps other than valves, controls and mantle-holders and for all parts of lamps other than miners' lamps, when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Lanterns, magic.
Lard or vegetable oil tubs—except of a capacity of 8 pounds and over.
Laundry chutes.
Laundry trays—except as may be permitted under Limitation Order L-42.
Lavatories—(i) except for railway cars; (ii) except for hangers; and (iii) except as may be permitted under Limitation Order L-42.
Lavatory equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-42.
Lawn brooms.
Lawn edgers.
Lawn rakes.
Lawn rollers.*
Lawn tampers.
Lawn seeders.*
Lawn sprinklers.
Letter chutes.
Letter openers.
Letter trays.
Lighting equipment—(i) except when made with iron or steel other than stainless steel and in accordance with Limitation Orders L-78, L-168, L-212, L-235 and L-259; and (ii) except for use in floodlights, searchlights and other outdoor lighting equipment used in connection with aerial and marine navigation.
Lighting poles and standards.*
Linen hampers—except for frames.
Lipstick holders—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Livestock and poultry equipment—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-257.
Lockers—(i) except for oil refinery use; and (ii) except as permitted under Limitation Order L-13-a.
Locks—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L-236.
Logs, artificial for gas—except as may be permitted under Limitation Order L-23-c.
Logs, artificial for electric fireplaces.
Luggage*—except as may be permitted under Limitation Order L-284.
Lunch boxes—except as may be permitted under Limitation Orders in the L-30 series.
Mail boxes—except as required by U. S. postal regulations.
Mailing tubes or cases—except for transportation of bacteria, cultures, serums, plasma and biological specimens.

*Maintenance and repair parts excepted.

(Marine hardware for pleasure boats.)*
Marquees.
Match boxes.
Match and pattern plates, matrices and flasks—except when made with iron or steel other than stainless steel and in accordance with any applicable War Production Board orders.
Material for housing not otherwise specified in this order—(i) except as may be specified by the War Housing Critical List; (ii) except metal windows as may be permitted under Limitation Order L-77; and (iii) except metal doors and metal door frames as may be permitted under Limitation Order L-142.
Measuring pumps and dispensers* (except those designed for use on trucks)—for gasoline station, garage and household uses including but not limited to:
Air pumps—except as may be permitted under Limitation Order L-270.
Grease guns—except as may be permitted under Limitation Order L-314.
Grease pumps—except as may be permitted under Limitation Order L-314.
Gasoline dispensing pumps.
Kerosene pumps.
Oil pumps—(i) except barrel pumps and lubesters; and (ii) except as may be permitted under Limitation Order L-314.
Meat molds—except when their production is permitted under Schedule VII of Limitation Order L-292 and when made in accordance with Limitation Order L-292.
Mechanical drawing and drafting equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Memorial tablets.
Menu holders.
Metal cloths—except insect screening and hardware cloth and for industrial processing.
Metal dust covers and enclosures—except for industrial use.
Milk bottle cases—but only if the manufacturer uses in any quarter more than an average of 4½ pounds of iron and steel per case (counting joining and essential hardware but not counting iron or steel acquired from idle and excessive inventories reported to Steel Recovery Corporation or the War Production Board, whether or not it is such hardware).
Millinery wire and gimps—except for hat brims.
Mirrors, hand.
Monograms and initials.
Mop wringers, household type.
Mortician's supplies and equipment—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Motion picture cameras,* except that for motion picture cameras of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.
Motion picture projectors and projection equipment*—(i) except for motion picture projectors and projection equipment of the types the production and distribution of which is regulated by Limitation Order L-325; and (ii) except that for motion picture projectors and projection equipment of the types regulated by Limitation Order L-267, iron or steel may be used to the extent permitted under that order.
Motion picture screen stands.

*The items in parenthesis have been deleted. Their manufacture is prohibited or regulated by Limitation Order L-236 in the case of "Marine hardware for pleasure boats" and by Limitation Order L-190 in the case of "Scales, coin operated."

Motion picture sound reproducing equipment—except for motion picture sound reproducing equipment of the types the production and distribution of which is regulated by Limitation Order L-325.
Mud scrapers.
Music stands.
Name, data and instruction plates for machinery and equipment—except when made from iron or steel other than stainless steel or when made from any steel obtained from idle or excessive inventory listed with Steel Recovery Corporation and, in each case, in accordance with any applicable orders of the War Production Board.
Napkin rings.
Necktie racks—except as may be permitted under Limitation Orders in the L-30 series.
Newspaper boxes or holders.
Novelties and souvenirs of all kinds—except that the assembling of artificial leaves, fruits, and flowers, and of feather ornaments shall be permitted when any iron or steel wire to be used was drawn on or before June 19, 1942, or was sold to the manufacturer of the artificial leaves, fruits, flowers, or feather ornaments as scrap.
Ornamental hardware and moldings.
Outdoor fireplace parts.
Outing spades.
Packing twine holders.
Pail clasps.
Paint spray outfits—except for industrial use.
Paper rollers, household—except as may be permitted under Limitation Order L-120.
Parasols, shafts and handles.
Park and recreational benches.
Parking meters.
Partitions.
Partition studs.
Pegs, tent.
Pencil holders.
Permanent wave machines.*
Pet beds.
Pet cages.
Pet dishes.
Pet equipment (except license tags) including but not limited to:
Carriers.
Chains.
Collars.
Feeders.
Houses.
Leashes.
Muzzles.*
Phonograph motors, hand wound.
Phonograph record blanks.
Photographic accessories—(i) except accessories used in connection with X-ray; and (ii) except that for photographic accessories of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order.
Photographic equipment*—(i) except printing and publishing equipment as may be permitted under Limitation Order L-226; (ii) except X-ray film developing equipment; (iii) except that for photographic equipment of the types regulated by Order L-267, iron or steel may be used to the extent permitted under that order; and (iv) except document copying machines and equipment therefor (other than blue print machines) for business purposes and for use by government agencies. See also the item "Blue print machines * * *" on this List A.
Physical reducing machines.
Picnic and outing boxes and accessories.
Picture and mirror hardware.
Pie plates—except as may be permitted under Limitation Orders in the L-30 series.
Pipe cases.
Pipe cleaner knives.
Pipe posts.
Pitchers—except for hospital use.
Plant and flower supports.
Plates, light switch—except for cast conduit bodies.

Playground equipment—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before October 8, 1942, and then only subject to the provisions of paragraph (g) (8) of this order and only for sale to public recreation areas and Defense Housing projects.
Play pens (except casters), boxes and enclosures, children's.
Pleasure boats.
Pleasure boat equipment and accessories.
Plumbing and heating equipment:
  Gas conversion burners.*
  Gas fired boiler-burner units—except as may be permitted under Limitation Order L-187.
  Gas fired furnace-burner units—except as may be permitted under Limitation Order L-22.
  Oil fired boiler-burner units—except as may be permitted under Limitation Order L-187.
  Oil fired furnace-burner units—except as may be permitted under Limitation Order L-22.
  Steel heating boilers of 129 sq. ft. or less of heating surface.*
Pneumatic tube delivery systems*—except industrial.
Pocketbook ornaments.
Pole-line hardware—except when made with iron or steel other than stainless steel.
Polishing-wax applicators—except industrial as may be permitted under Limitation Order L-222.
Polishing-wax sprayers.
Portable bath tubs.
Poultry incubator cabinets—except as may be permitted under Limitation Order L-257.
Pulp, paper, paper products and converter machinery and equipment*—(i) except graphic arts machinery or equipment when its production is permitted under Limitation Order L-226; and (ii) except paper mill machinery as defined in Limitation Order L-83 and container machinery of the types listed on Schedule A of Limitation Order L-332.
Pumps, fresh water—(i) except industrial; and (ii) except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Push carts.
Push plates and kick plates, door.
Race track apparatus and equipment,* including but not limited to:
  Mutuel ticket machines.
  Pari-mutuel boards.
  Race finish photographic equipment.
  Starting gates.
Racks, display.
Racquets.
Radiator enclosures.
Radio antennas—except when made with iron or steel other than stainless steel.
Radio antenna poles*—except on preference ratings of AA-5 or higher.
Railings and barriers—(i) except for industrial use; (ii) except for metal fire escapes and fire towers; (iii) except for railing as may be permitted by the War Housing Critical List; (iv) except for the maintenance and repair of bridges; and (v) except for use in connection with a construction project that has been authorized by the War Production Board, and in such case the purchaser should place the following certification (in addition to the certification in Priorities Regulation No. 7): Delivery approved on Form GA-1456 (or on Form WPB-2774 in the case of utilities).
Railroad rail joint angle bars over 24" in length*—(i) except for replacement on used rails; and (ii) except for rail weighing more than 110 lbs. per yard.
Reading stands.
Reels, cable and rope.
Refrigerator boxes, walk-in—except as may be permitted under Limitation Orders L-38 and L-126.
Refrigerator containers and trays, household.
Refrigerator and refrigeration equipment—(i) except essential machinery parts; and (ii) except for parts other than essential machinery parts when made with iron or steel other than stainless steel. This item is subject to the provisions of the two previous items on this List.
Regalia.
Registers, hand tally.
Rodeo equipment, including but not limited to:
  Animal trappings.
  Fences.
  Gates.*
Rolling boardwalk chairs.*
Rolling pins—except as may be permitted under Limitation Orders in the L-30 series.
Rotary door bells.
Rubber moulds—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Rug scrubbing and shampooing machines.*
Safety zone posts, rails, cables and platforms.
Salesmen's display cases and sales kits.
Salt and pepper holders—except as may be permitted under Limitation Orders in the L-30 series.
Sample boxes.
Sand boats.
Scaffolding—except for use in shipyards and industrial plants.
(Scales, coin operated.)*
Scenery and stage hardware equipment* (except lamp bulbs) for dramatic, theatrical and operatic use, including but not limited to:
  Battens.
  Cables.
  Lighting equipment.
  Stage drops.
Score boards.
Screen frames—(i) except for industrial processing; and (ii) except when made from material in the inventory of the manufacturer which was put into process to make this item on or before June 18, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Scrubbing boards.
Semaphores, traffic signal—except railroad.
Service food trays.
Sewer pipe, exterior installations*—(i) except for vents and within 5 feet of buildings; (ii) except for cast iron pressure mains; and (iii) except for reinforcing for concrete made from iron or steel in the form of re-rolled rail stock, "top cuts", or discard steel.
Shades, window and roller type—(i) except for railroad passenger cars, street cars, and busses; and (ii) except for roller mechanism on shades for all uses.
Sheet iron or hoop iron packings for cookies and sweet goods.
Shelves for domestic ice refrigerators, as defined by Limitation Order L-7-c.
Shelves, other than shelves for domestic ice refrigerators—except as may be made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Shirt and stocking dryers.
Shoe cleaning kits.
Shoe ornaments.
Show window lighting and display equipment.
Shower receptors and stalls—except as may be permitted under Limitation Order L-42.
Shutters, window *—except as may be permitted under Limitation Order L-142.
Sidewalk scrapers.
Sign hanger frames.
Sign posts.
Signets.
Silos—except as may be permitted under Limitation Order L-257.
Sinks, sink aprons and sink legs—(i) except scullery sinks; and (ii) except as may be permitted under Limitation Order L-42.
Sink drainboards, both integral and removable—except as may be permitted under Limitation Order L-42.
Siphon chargers—except as may be permitted under Limitation Order M-233.
Sitz baths—except as may be permitted under Limitation Order L-42.
Skates, roller and ice, except when ordered by a public skating rink.
Skating rink apparatus and equipment.*
Skewers, all types.
Ski racks.
Sleds and sleighs—except runners.
Slide fasteners—except as may be permitted under Limitation Order L-68.
Slides, loops and slide-loops for work clothing—except as may be permitted under Limitation Order L-68.
Smokers' accessories—except pipe cleaners.
Snow shovels and pushers, hand—except as may be permitted under Limitation Order L-157.
Sod lifters.
Spading forks—children's.
Special industrial machinery of the following types:
  Ceramic making machinery*—except as may be permitted under Limitation Order L-123.
  Collapsible tube filling machines.*
  Cosmetic machinery.
  Coupon inserting machines.
  Cut and monumental stone machinery.
  Milk can machinery.*
  Steel drum machinery—except for export purposes.
  Tobacco machinery.*
Spittoons—except as may be permitted under Limitation Orders in the L-30 series.
Spools, for cord, ribbon or tape—except for adhesive tape and inked ribbon.
Spools for wire—(i) except traverse spools and spools used in industrial processing; (ii) except spools for solder; and (iii) except other spools when made from strip or sheet classified as seconds or rejects, or from idle and excessive inventories reported to Steel Recovery Corporation or the War Production Board.
Sporting and athletic goods—(i) except cleats and spikes for athletic shoes; (ii) fishing tackle as permitted under Limitation Order L-92; and (iii) gymnasium equipment for programs approved by the United States Office of Education. Fully fabricated skates may be attached to athletic shoes without restrictions since the order does not regulate such assembly (see paragraph (a) (5)).
Spray containers, household.
Sprinkling cans, garden.
Stadiums.*
Stair and threshold treads,* household, institutional and commercial buildings—except for fire escape, fire towers and essential industrial use.
Stamped bakery equipment—except as may be permitted under Limitation Orders in the L-30 series.
Stands, all types—(i) except for essential industrial use; and (ii) except as may be permitted under Limitation Order L-54-c and L-199, and Schedule 3 of Limitation Order L-214.
Staple removers—except as may be permitted under Limitation Order L-73.
Staples—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.

*Maintenance and repair parts excepted.

*The items in parenthesis have been deleted. Their manufacture is prohibited or regulated by Limitation Order L-236 in the case of "Marine hardware for pleasure boats" and by Limitation Order L-190 in the case of "Scales, coin operated."

Starter shingle strips.
Statues.
Stokers, after August 31, 1943—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–75.
Storage racks, racks, cabinets or lockers—except when made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board.
Store display equipment and show cases.
Store fronts.
Stretchers, carpet.
Stretchers, glove, sock and sweater.
Subway turnstiles.*
Sugar cube dryer trays.
Sugar holders—except as may be permitted under Limitation Orders in the L–30 series.
Sun dials.
Sun lamps and infra-red lamps—except as may be permitted under Limitation Order L–259.
Swimming pool equipment*, including but not limited to:
Diving boards.
Diving stands.
Ladders.
Slides.
Table name-card holders.
Table tops for household use—except as may be permitted under Limitation Order L–62.
Tablets.
Tags and badges, key; name; price; identification—(i) except personnel identification tags or badges where metal tags or badges are required for the protection of government agencies provided they are made with iron or steel other than stainless steel; (ii) except personnel identification tags or badges containing not more than ¾ ounce of iron and steel where metal tags or badges are required for protection of industrial plants provided they are made with iron or steel other than stainless steel; (iii) except metal tags required for identification of livestock and poultry and products made therefrom provided they are made with iron or steel other than stainless steel; (iv) except pin attached or wire attached tickets for price marking of soft goods; (v) except metal tags for marking and identification of metals in its production, shipment and application provided they are made with iron or steel other than stainless steel; (vi) except license tags for pets; (vii) except name, data, identification and instruction plates for machinery and equipment provided they are made with iron or steel other than stainless steel and in accordance with any applicable orders of the War Production Board; and (viii) except for laundry and dry cleaning identification.
Tanks (strapping excluded) for agricultural use—except as may be permitted under Limitation Order L–257.
Tanks, storage (strapping excluded) for beer.
Tanks (strapping excluded) for water*—(i) except for use in tropical climates; (ii) except of a height in excess of 100 feet; (iii) except for range boilers and hot water storage; and (iv) except pneumatic pressure tanks.
Tank towers (i) except over 20 feet in height supporting more than 100 tons; and (ii) except over 50 feet in height.
Teapots—except as may be permitted under Limitation Orders in the L–30 series.
Telephone bell boxes—except bases and where required for safety.
Telephone booths.
Telescopes—except for U. S. Government Agencies.
Tent frames and supports.
Termite shields—except as may be specified by the War Housing Critical List.
Terrazzo spacers and decorative strips—except hospital operating rooms.

*Maintenance and repair parts excepted.

Textile machinery—except as may be permitted under Limitation Order L–215.
Thermometer bases, household—except when made from iron or steel classified as seconds or rejects or from iron or steel taken from idle or excessive inventories listed with Steel Recovery Corporation or the War Production Board.
Thermos or insulated jugs and bottles over one quart size.
Thimbles, sewing.
Tickers, stock.
Ticket vending machines*—except for public transportation.
Tile, steel-back.
Toilet floats, cistern and low water-floats—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–42.
Tongs, for food handling or for household use.
Tool boxes and cases—except for industrial use.
Tool handles—except for power driven tools and hand tools.
Traffic lane markers.
Trailer bodies—except as may be permitted under Limitation Order L–253.
Transplanting trowels—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Trophies.
Truck bodies—except as may be permitted under Limitation Order L–253.
Trunks*—except as may be permitted under Limitation Order L–284.
Tub covers.
Tubs, washing—except when made with iron or steel other than stainless steel and in accordance with Limitation Orders of the L–30 series.
Turf edgers.
Typewriter mechanism for pedestal and drop-head desks.
Umbrellas, garden—except as may be permitted under Limitation Order L–62.
Urinals—except as may be permitted under Limitation Order L–42.
Valve handles—except when made with iron or steel other than stainless steel.
Vanity cases—except when made from material in the inventory of the manufacturer which was put into process to make this item on or before August 14, 1942, and then only subject to the provisions of paragraph (g) (8) of this order.
Vending machines for sanitary napkins*—except as may be permitted under Limitation Order L–27.
Ventilators other than louver ventilators of the residential type, for use in walls,—except when made with iron or steel other than stainless steel and in accordance with Limitation Order L–142 and other applicable orders of the War Production Board.
Ventilators, louver, for use in walls, residential type—except when made from shop shearings or trimmings.
Vibrators, electric—except for industrial use.
Voting machines.
Wagon bodies and frames—(i) except for construction use; and (ii) except for agricultural use as may be permitted under Limitation Order L–257.
Wardrobe trunks—except as may be permitted under Limitation Order L–284.
Waste paper receptacles.
Watch straps.
Water color paint boxes.
Water stills, household.
Water troughs—except as may be permitted under Limitation Order L–257.
Weather stripping—except for railroad cars.
Weather vanes.
Weed cutters and pullers, including dandelion, thistle and dock cutters and pullers—except when made from steel in the form of re-rolled rail stock or from idle or excessive inventory listed with Steel Recovery Corporation.
Wheelbarrow* (parts other than wheels) except for farm and dairy use; food processing; fish handling; coal yards and mines; for handling chemicals; hot materials, forgings and castings.
Wheel chairs—except frames and wheels.
Whiskey service sets.
Window display advertising.
Window shade rollers. See item "Shades xxx" on List A hereof.
Window stools.
Window ventilators—except for industrial and hospital use.
Wine coolers.
Wine service sets.
Wire parcel handles and holders.
Wire racks—(i) except for animal cages for biological work; (ii) except for industrial use; (iii) except for scientific laboratory equipment; (iv) except for agricultural use as may be permitted under Limitation Order L–257; and (v) except as may be permitted under Limitation Orders L–23–c and L–182, and under Directions to Orders in the L–30 series.
Work benches—(i) except for shipboard use; and (ii) except for industrial use where required for safety.

List C

Note: List C amended Aug. 7, 1944.

Access panels—for use on board ship, on military vehicles and artillery items and where climatic or safety conditions make necessary.
Access panels of stainless steel for radio equipment.
Accessories, soda fountain—for use on board ship.
Acoustical ceilings—for use on board ship.
Attic fans*—where climatic conditions make necessary.
Automotive accessories.
Automotive heaters—where specified for military vehicles.
Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.
Barber chairs—for use on board ship.
Barber shop supplies.
Baskets*—for cooking and manufacturing uses and for ordnance operations.
Baths, steam—for use on board ship.
B–B shot—for training and shot blast cleaning purposes.
Bench legs.
Binoculars.
Bird cages—for carrier pigeons.
Bird feeders—for carrier pigeons.
Bleachers and grandstands—but only straps and necessary fasteners for demountable wooden bleachers and grandstands.
Boat hooks.
Bobbin heads of non-nickel bearing stainless steel—for use on board ship.
Boiler casings of stainless steel*—for use on board destroyers and where required for corrosion or heat resistance on board ship.
Bottle holders—for use on board ship and in hospitals.
Boxes, meter, and covers.
Brush-backs for bore brushes.
Buckets and pails.**
Buildings, portable.
Cabinets* for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, and as may be permitted under Limitation Orders L–13–a, L–62, L–91, and Schedule 3 of L–214.
Cabinets of stainless steel for radar equipment.
Cable terminals, fittings and turnbuckles of stainless steel—for aircraft and use on board ship.

**Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

Canopies, hoods, and supports.
Cash boxes.
Ceilings—for use on board ship.
Chains and cables.**
Cigarette lighters—when ordered by the Army Exchange Service, the Quartermaster Corps, the Bureau of Naval Personnel and the Marine Corps, for use by the Army, Navy, Marine Corps, Coast Guard, U. S. Maritime Commission, and War Shipping Administration.
Clock bases.
Clothes hampers—for use on board ship.
Clothing trim.
Control levers of stainless steel for aircraft.
Conveyor and conveyor chutes for artillery equipment—stainless steel permitted where required.
Counter tops and edgings—for use on board ship.
Covers and frames, manhole.
Covers, meter frame.
Culverts—for airports, for use outside continental limits of the U. S., and where certified to the manufacturer or supplier as necessary by the Army or Navy engineer in charge.
Cups of all kinds, drinking.
Door stops.
Dust collecting systems and equipment.
Dust covers and enclosures—when specified for military vehicles and artillery items.
Erasing knives.
Pans of stainless steel—for use on board ship and where required for corrosion resistance.
Fences, including chain link, weighing not more than 2 pounds per lineal foot and not more than 0.33 pound per square foot.
Fence posts produced from iron or steel in the form of re-rolled rail stock, top cuts or discard billets, or from idle or excessive inventories reported to Steel Recovery Corporation or the War Production Board.
First aid kit boxes.
Flag holders.
Flag staffs and flag masts—for use on board ship, and on military vehicles.
Flashlights and portable electric lights on fire control instruments.
Fountains, portable, of stainless steel—for use on board ship.
Furniture—for use on board ship.
Galley and mess equipment of stainless steel as follows:
  Canteens.
  Coffee urns.
  Cold storage space on board ship.
  Compartment mess trays.
  Dishwashing machines.
  Kettles, steam jacketed.
  Meat cans and covers.
  Metal sponges.
  Portable water coolers, liners only.
  Pressure cookers.
  Sinks and dresser tops for use on board ship and aircraft.
  Steam tables, warming pans and inserts.
  Stock pots.
Games.
Gates for fences.
Grilles—sewer.
Hand seals for documents.
Harness and saddlery fittings.
Hat frames, wire and gimps.
Hat-making machinery, but only—
  Blocking machines with complete sets of blocks.
  Sets or dies for cutting parts.
Hose clamps of stainless steel—for aircraft.
Hose reels.
Hot water heater tanks and coils of stainless steel—for aircraft and military vehicles.
Ice cube trays.
Incinerators.
Instrument dials and cases of stainless steel.
Ironing boards and stands—for use on board hospital ships.
Ladders, step.
Ladders and hoists of stainless steel—for aircraft.
Lavatories and lavatory equipment of stainless steel—for aircraft and for use on board ship.
Lighting equipment (i) for theatres and recreational buildings for the armed forces; and (ii) of stainless steel for aircraft.
Lighting poles and standards for fire control instruments.
Lockers—for office equipment as limited under Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of U. S. and in ordnance plants.
Mail boxes—for use on board ship.
Measuring pumps and dispensers for gasoline stations and garages, including but not limited to—
  Air pumps.
  Gasoline dispensing pumps.
  Grease guns.
  Grease pumps.
  Kerosene pumps.
  Oil pumps.
Mechanical drawing and drafting equipment of stainless steel.
Metal cloths.
Mirrors, hand—for signal use.
Motion picture cameras, projectors and projection equipment—stainless steel permitted for sprockets and aperture plates.
Motion picture screen stands.
Motion picture sound reproducing equipment.
Music stands—for use on board ship.
Name, data and instruction plates for machinery, equipment and aircraft—stainless steel permitted.
Paint spray outfits—stainless steel permitted for nozzle tips and needle valves.
Partitions—for use in hospitals and on board ship.
Partition studs for radar equipment.
Pegs, tent.
Phonograph motors, hand wound.
Phonograph record blanks.
Photographic equipment and accessories.**
Pipe posts.
Pitchers.
Plates, light switch, for use on board ship and for artillery and mobile items.
Pneumatic tube delivery systems.
Portable bathtubs.
Pumps, fresh water, for use on board ship.**
Pump shafts of stainless steel.
Push carts—for ordnance and combat organizations.
Radiator enclosures for use on board ship, on military vehicles and on artillery items.
Radio antenna of stainless steel.
Radio antenna poles—stainless steel permitted for submarines and aircraft.
Railings—for use on board ship.
Reels, cable and rope—for combat and field training purposes and for use on board ship.
Scaffolding—for use in airfields and other places where use of wood scaffolding is impracticable.
Screen frames.
Sewer pipe for pressure lines in exterior installations—cast iron only may be used.
Shirt and stocking dryers of cast iron only.
Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.
Skewers, all types.
Spools for wire—for combat and field training purposes.
Sporting and athletic goods.
Stair and threshold treads—for use on board ship.
Swimming pool equipment for training purposes.
Tags—
  For marking ammunition and military equipment.
  Identification tags and badges for personnel.**
Tanks, storage, water—but only for use on board ship, mobile units, range boilers and water storage, of a height in excess of 100 feet, or for pneumatic pressure tanks, or for use outside continental limits of U. S.
Tanks, water storage, of stainless steel—for use in aircraft.
Telephone bell boxes—for use on board ship or where climatic or safety conditions make necessary.
Telephone booths, acoustically treated—for use on board ship.
Tent frames and supports.
Termite shields—for use outside continental limits of U. S.
Thermos or insulated jugs and bottles—stainless steel permitted.
Tile, steel back—for ladder treads, step plates and use off board ship.
Tool boxes and cases
Tool handles.
Typewriter mechanism for pedestal and drophead desks—for use on board ship.
Waste paper receptacles—for hospital use.
Water troughs—frame and support only.
Wheel barrows.
Wire racks.
Workbenches.

**Stainless steel also permitted but only where required for corrosion or heat resistance or non-magnetic properties.

[F. R. Doc. 44-11806; Filed, August 7, 1944; 11:57 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M-199, Direction 2]

MANUFACTURE OF ROLLED GOLD PLATE AND GOLD FILLED STOCK CONTAINING MORE THAN ½ OF 1% OF SILVER BY WEIGHT, EXCLUSIVE OF THE SILVER CONTENT OF THE KARAT GOLD, IF ANY

The following direction is issued pursuant to Conservation Order M-199:

This direction tells how rolled gold plate and gold filled stock, which come within the definition of "silver" under Conservation Order M-199, may be made. It places restrictions upon the use of copper and copper base alloy in such manufacturing.

(a) *Definitions.* For the purposes of this direction:

(1) "Rolled gold plate and gold-filled stock" include only materials of that description which contain more than ½ of 1% of silver by weight exclusive of the silver content of the karat gold, if any.

(2) "Karat gold" means alloyed gold produced in accordance with U. S. Commercial Standard CS67-33 (issued by the National Bureau of Standards).

(3) "Copper" means unalloyed copper.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include metal alloy made from scrap. Copper base alloy does not include "karat gold."

(5) "Inter-liner" means any copper or copper base alloy used between karat gold and silver or other metal in the manufacture of gold filled stock and rolled gold plate.

(b) *Restrictions covering rolled gold plate and gold filled stock.* After August 7, 1944, no person shall make, sell, accept delivery of, or use rolled gold plate or gold filled stock, in which the base metal is copper or copper base alloy or in which the copper or copper base alloy inter-liner or inter-liners equals or exceeds 10% of the total weight of the finished rolled gold plate or

gold filled stock, for any purpose for which the use, delivery or acceptance of delivery of copper is prohibited by Orders M–9–c, M–9–c–2, or any other War Production Board order. Rolled gold plate or gold filled stock in which the base is not copper or copper base alloy, and in which the total weight of the inter-liner or inter-liners is less than 10% of the total weight of the finished rolled gold plate or gold filled stock, shall not be considered a copper material and hence shall not be subject to Orders M–9–c, or M–9–c–2, or other War Production Board orders relating to copper or copper base alloy, but the use of copper base alloy containing tin for such inter-liner is prohibited in any event.

(c) *Application of other orders.* After August 7, 1944, the provisions of this Direction with respect to rolled gold plate and gold filled stock shall govern in any case where they are inconsistent with the provisions of Order M–9–c, M–9–c–2, or any other order of the War Production Board restricting the use of copper or copper base alloy. In all other respects, any more restrictive provisions of an order of the War Production Board shall prevail. Particular attention is called to the provisions of Limitation Order L–45 relating to jewelry. No provision of this direction shall be deemed to relieve any person from complying with any of the restrictions of Order M–199.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–11802; Filed, August 7, 1944; 11:57 a. m.]

Chapter XI—Office of Price Administration

PART 1309—COPPER

[RPS 12,[1] Amdt. 9]

BRASS MILL SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 12 is amended in the following respects:

1. Section 1309.18 (b) is amended to read as follows:

(b) Brass mill scrap includes all kinds and grades of non-ferrous scrap materials which are the waste or by-product of any kind of fabrication of new sheet, tube, rod or other brass mill products. It also includes any unused sheet, tube, rod or other brass mill products sold for remelting whether such brass mill products are in the form originally sold by the brass mill or have been further fabricated, processed, altered or assembled. However, it does not include any material which meets the foregoing provisions of this definition but is unsuitable for brass mill use.

This amendment shall become effective August 10, 1944.

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11720; Filed, August 5, 1944; 11:52 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1294, 2132, 3520, 5515, 8650, 8948, 9392; 8 F.R. 3189, 3852, 4928; 9 F.R. 2019.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Restriction Order 7]

KEROSENE IN PUERTO RICO

Preamble: According to the information obtained from the Petroleum Supply Committee for Latin America the quantity of kerosene that will be available for Puerto Rico during the calendar year 1944 will not be sufficient to cover the island needs. Kerosene is an extremely important commodity in Puerto Rico because the great majority of the population use kerosene exclusively for lighting and for cooking. The increase in the demand for kerosene in Puerto Rico has been caused mainly by the increase in the price of charcoal commonly used for cooking, by an increase in the purchasing power of the people, and by the use of kerosene in many cases as a substitute for gasoline, which has been rationed since 1942. This order restricts the monthly deliveries of kerosene to be made by importers, wholesalers and retailers in Puerto Rico, and it is thereby hoped that an equitable distribution of kerosene will be assured which will make consumer rationing unnecessary.

RESTRICTION ORDER 7—KEROSENE IN PUERTO RICO

ARTICLE I—HOW KEROSENE IS TRANSFERRED

Sec.
1.1 Restriction on transfers of kerosene.
1.2 Exceptions to limitation of transfers of kerosene.

ARTICLE II—REPORTS

2.1 Importer's initial report.
2.2 Importer's monthly report.
2.3 Customer's initial report.
2.4 Wholesaler's monthly report.
2.5 Customer may not acquire kerosene if he does not file his initial report.
2.6 Wholesaler may not acquire kerosene if he does not file his monthly report.

ARTICLE III—PROHIBITED ACTS

3.1 Discrimination.
3.2 Transfers in violation of Restriction Order No. 7.
3.3 False statements or entries.
3.4 Offer, attempt or agreement to violate this order.

ARTICLE IV—ENFORCEMENT

4.1 Suspension order.

ARTICLE V—SCOPE OF ORDER

5.1 Territorial Limitations.
5.2 Fuel covered by this order.

ARTICLE VI—DEFINITIONS

6.1 Terms explained.

AUTHORITY: Sections 1.1 to 6.1, inclusive, (1394.2002) issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9250, 7 F.R. 7871, WPB Directive 1, Supp. Dir. 1–J, 7 F.R. 562, 5043, 8731; Rev. Gen. Order 20, 8 F.R. 2516.

ARTICLE I—HOW KEROSENE IS TRANSFERRED

SECTION 1.1 *Restriction on transfer of kerosene.* (a) No importer or wholesaler shall transfer kerosene to any person who was not his customer during any of the first five (5) months of the calendar year 1944, and shall not transfer to any one of his customers for any one given month more than eighty-five (85) per cent of the average monthly transfers made to that customer during the first five months of the calendar year 1944, unless authorized in writing by the Office of Price Administration for Puerto Rico.

(b) No retailer shall transfer to any one of his customers for any one given month more than eighty (80) per cent of the average monthly transfers made to that customer during the first five (5) months of the calendar year 1944, and shall not transfer among new customers who did not acquire transfers of kerosene from such retailer during the first five (5) months of the calendar year 1944, more than five (5) per cent of the quantity of kerosene transferred to such retailer by the importer or wholesaler: *Provided,* That if no new customers apply for transfer of kerosene from a retailer, said retailer may transfer for any one given month to the customers who acquired kerosene from him during the first five (5) months of the year 1944, eighty-five (85) per cent of the average monthly transfers made to such customers during said period.

SEC. 1.2 *Exceptions to limitation of transfers of kerosene*—(a) *Transfer in excess of monthly quota.* Whenever an importer's or wholesaler's distribution system of kerosene is made on the basis of a certain unit, such as a drum of 53 or 54 gallons, and the monthly quota of a customer is less than such unit, the importer or wholesaler may nevertheless transfer to such customer a full unit. However, the amount of kerosene transferred in excess of the customer's monthly quota, shall be charged to his succeeding monthly quota and no further transfers of kerosene shall be made to him until the quantity of kerosene transferred has been used in accordance with his monthly allowable quota.

(b) *Allocation of quota not delivered to customer.* When a customer for any reason fails to take delivery of any quantity of kerosene which he is entitled to obtain during any one given month, the importer, wholesaler or retailer may transfer that customer's allocation to one or more of his customers for delivery during the month immediately following, if such transfer will not result in the acquisition by such customer for any one given month of more than one hundred (100) per cent of the average monthly transfers of kerosene made to him during the first five months of the calendar year 1944. An importer or wholesaler who transfers to one or more of its customers the allocation of kerosene which another customer failed to take delivery of, shall notify the Office of Price Administration in writing of such transfers.

(c) *Exempt agencies.* Nothing in this Order shall be construed to limit the quantity of kerosene which may be transferred to the Army and Navy of the United States, United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics and the Office of Scientific Research and Development.

(d) *Director may grant authorizations for the acquisition of kerosene.* A person who must use kerosene for the performance of services essential to the welfare of the community or the war effort, and who prior to the effective date

of this order was not a kerosene consumer, or who can not perform said essential services with the allotted quantity of kerosene to which he is entitled, may be authorized by the Director to acquire the kerosene required by him for the performance of such essential services. Applications by such consumers shall be made in writing to the Office of Price Administration at San Juan, Puerto Rico.

ARTICLE II—REPORTS

SEC. 2.1 *Importer's initial report.* Every importer must file an initial report with the Office of Price Administration at San Juan, Puerto Rico, indicating the name of its kerosene customers and the quantity of kerosene transferred to each one of them during the first five months of the calendar year 1944.

SEC. 2.2 *Importer's monthly report.* Every importer must file with the Office of Price Administration at San Juan, Puerto Rico, not later than the fifth day of every month after the effective date of this order, a monthly report indicating the names of its kerosene customers and the quantity of transfers of kerosene made to each one of them during said month.

SEC. 2.3 *Customer's initial report.* Every customer of any importer must file, through the importer, an initial report on OPA Form PR–R–198, indicating the transfers of kerosene obtained by him from such importer during the first five months of the calendar year 1944, and stating whether he is a wholesaler, retailer or consumer. If such customer is a wholesaler he shall state in his report the names of his customers during the first five months of the calendar year 1944; if he is a retailer, he shall state the manner in which his sales are made; and if he is a consumer, he shall state the use made of the kerosene. The information given by such customer as to the transfers of kerosene obtained during the first five months of the calendar year 1944 shall be certified as correct by the importer.

SEC. 2.4 *Wholesaler's monthly report.* Every wholesaler must file with the Office of Price Administration at San Juan, Puerto Rico, not later than the fifth day of every month after the effective date of this order, a report on OPA Form PR–R–199, indicating the name of his supplier and the quantity of kerosene obtained by him during said month, the names of his customers and the quantity of kerosene transferred to each one of them during said month.

SEC. 2.5 *Customer may not acquire kerosene if he does not file his initial report.* No customer of an importer shall obtain his allowable quota of kerosene unless he files his initial report.

SEC. 2.6 *Wholesaler may not acquire kerosene if he does not file his monthly report.* No wholesaler shall obtain his monthly allowable quota unless he files the monthly reports required of him by this order.

ARTICLE III—PROHIBITED ACTS

SEC. 3.1 *Discrimination.* No importer, wholesaler or retailer shall discriminate in the transfer of kerosene among customers entitled to receive transfers under this order.

SEC. 3.2 *Transfers in violation of this order.* No importer, wholesaler or retailer shall transfer kerosene except in accordance with this order.

SEC. 3.3 *False statements or entries.* No person shall make any false statement or entry in any document or record required to be filed or kept by him under this order.

SEC. 3.4 *Offer, attempt or agreement to violate this order.* No person shall offer, solicit, attempt or agree to do or do any act in violation of this order.

ARTICLE IV—ENFORCEMENT

SEC. 4.1 *Suspension order.* Any person who violates this order may by administrative suspension order be prohibited from receiving or making any transfer of kerosene or in any way using or disposing of kerosene or any other rationed commodity. Proceedings for suspension orders shall be instituted and governed by the provisions of Procedural Regulation 4 issued by the Office of Price Administration.

ARTICLE V—SCOPE OF ORDER

SEC. 5.1 *Territorial limitations.* This order shall apply to the Territory of Puerto Rico.

SEC. 5.2 *Fuel covered by this order.* The fuel covered by this order is kerosene.

ARTICLE VI—DEFINITIONS

SEC. 6.1 *Terms explained.* When used in this order, the term (a) "Kerosene" means refined mineral oil known as (but not limited to) kerosene oil, coal oil, refined oil and gas used mainly as fuel for lighting, cooking, in some internal combustion engines and in the concoction of insecticides.

(b) "Importer" means any person who imports kerosene into the Territory of Puerto Rico.

(c) "Wholesaler" means any person except an importer who sells kerosene to any person other than a consumer.

(d) "Retailer" means any person who sells kerosene to a consumer.

(e) "Consumer" means any person acquiring kerosene for use, including use as a component part of any manufactured article, material or compound.

(f) "Transfer" means sell, give, exchange, lend, deliver, supply or furnish.

(g) "Director" means the Director of the Office of Price Administration for Puerto Rico, any person duly authorized to act in his place, or any person to whom he may delegate his authority to act hereunder.

Effective date. This order shall become effective at 8:00 a. m. July 6, 1944.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of August 1944.

JORGE L. CORDOVA,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44–11721; Filed, August 8, 1944; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 156]

WOOD ROSIN SIZE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.27 is amended in the following respects:

1. Section 4.27 (a) (1) (ii) (*b*) (*1*) is amended to read as follows:

(*1*) Direct material cost per 100 pounds during the first quarter of 1944, except as noted below with respect to purchased wood rosin. In computing the cost of the quantity of the grade of wood rosin contained in 100 pounds of the wood rosin size being priced, a weighted average, based on the percentage of that grade of wood rosin the manufacturer purchased and the percentage the manufacturer himself produced during the second calendar month preceding date of mailing the report required by (*c*) below, shall be used. The cost per 100 pounds of such grade of wood rosin purchased shall be the delivered price per 100 pounds in the customary quantities and containers the manufacturer is currently required to pay (not in excess of the supplier's maximum price plus transportation costs, if any). The cost per 100 pounds of such grade of wood rosin the manufacturer himself produced shall be the lowest price per 100 pounds f. o. b. plant he charged for such grade of wood rosin during the first quarter of 1944 (not in excess of his maximum price), less his selling and administrative expense per 100 pounds during the first quarter of 1944.

2. Section 4.27 (a) (1) (ii) (*c*) (*1*) (*i*) is amended to read as follows:

(*i*) Amount used in size being priced during second calendar month preceding date of mailing report required by this subdivision (*c*) broken down as follows:

This amendment shall become effective August 10, 1944.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11722; Filed, August 8, 1944; 11:52 a. m.]

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*Copies may be obtained from the Office of Price Administration.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 1 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment to Supplement 7 to Food Products Regulation No. 1, has been issued and filed with the Division of the Federal Register.*

1. Section 11 is amended to read as follows:

SEC. 11. *Grades and invoices.* This section applies to all sellers covered by this supplement whether the goods are packed by them or purchased by them for resale.

(a) "Grade" means the established grade as commercially understood, for example, in the case of canned peas, standard, extra-standard and fancy.

(b) "Subgrade" means a subdivision of a grade, determined in each case according to the regularly established way, during the base period, in which the particular processor reflected differences in quality (within that grade) in different selling prices for the item. Whether the processor had such a practice during the base period shall be determined from his invoices, and no processor who does not meet these conditions shall figure maximum prices for the item on the basis of subgrades.

If the particular processor's individual subgrade falls into more than one grade, as defined above, the individual subgrade shall be divided according to the commercial grades into which it falls.

(c) A person who purchases from a processor shall not be subject to any criminal penalty or civil enforcement action under the Emergency Price Control Act of 1942, as amended, in connection with the resale of any item for failure of the item to conform to the grade (and subgrade, if any) designated on the invoices, provided he can establish that he relied in good faith upon the grade designation on the invoice furnished him by the processor.

(d) On and after July 31, 1944, each processor shall furnish the purchaser, other than a government procurement agency, at or before the time of delivery, with an invoice describing the item and separately stating its grade and subgrade, if any. In addition, he shall also show the syrup or packing medium of any fruits or berries sold.

(e) Nothing in this supplement shall be construed to change any of the requirements of the Federal Food, Drug and Cosmetic Act, of any regulation issued under it.

2. In the first paragraph of section 5 (c) the reference to section 11 (a) is amended to refer to section 11 (b).

This amendment shall be become effective as of July 31, 1944.

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11741; Filed, August 5, 1944; 4:44 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9493.

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[MPR 145,[1] Amdt. 8]

PICKLED SHEEPSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 145 is amended in the following respects:

1. The second sentence of § 1314.151 is amended to read as follows: "Notwithstanding the provisions of this section, imported pickled sheepskins purchased pursuant to a written contract executed prior to August 7, 1944 in accordance with the provisions of this regulation may be sold and delivered at the maximum prices in effect on August 6, 1944, *Provided*, That delivery thereof is made prior to November 10, 1944.

2. Section 1314.153 (a) is amended by inserting after the words "maximum prices for resales of pickled sheepskins" the words "other than the brands specified in §§ 1314.164 and 1314.165" and by deleting from subparagraph (2) the words "or § 1314.164, whichever is applicable".

3. Section 1314.164 (a) is amended to read as follows:

(a) *Maximum prices for sales, deliveries or purchases.* Except as otherwise provided in this section, the maximum prices at which any person may sell, offer to sell, deliver or purchase certain specified brands of New Zealand pickled sheepskins are set forth below. In addition, the domestic purchaser or his agent may pay to the producer or foreign seller the amount by which the actual charges incurred by the producer or foreign seller for inland or coastal transportation to the present port of loading exceeds the current cost of an identical shipment to his customary port of loading.

The prices listed are per dozen skins, net cash, f. o. b. New Zealand port of shipment, New Zealand currency, conversion to be based on the rate of $3.26 to the New Zealand pound.

Brand	Maximum prices	
	Produced from lamb pelts	Produced from sheep pelts
Westfield	31s., 0d.	50s., 0d.
Patea	31s., 0d.	50s., 0d.
Tomoana	29s., 9d.	50s., 0d.
Gear	29s., 6d.	50s., 0d.
Waitara	29s., 6d.	50s., 0d.
W. M. E.	29s., 9d.	50s., 0d.
Longburn	29s., 3d.	50s., 0d.
Fielding	28s., 9d.	48s., 0d.
Waingawa	28s., 9d.	48s., 0d.
Imlay	29s., 0d.	50s., 0d.
Patea Clients	28s., 9d.	48s., 0d.
Hellaby	28s., 3d.	48s., 0d.
H. B. M. C.	28s., 3d.	48s., 0d.
Tomoana Clients	28s., 3d.	48s., 0d.
A. F. F. Co.	28s., 3d.	48s., 0d.
Kaiti	27s., 0d.	46s., 0d.
Toko	27s., 0d.	46s., 0d.
Wairoa	27s., 0d.	46s., 0d.
Picton	26s., 9d.	35s., 6d.
Nelson	26s., 9d.	35s., 6d.
S. O. F. Co.	29s., 9d.	39s., 6d.

Brand	Maximum prices	
	Produced from lamb pelts	Produced from sheep pelts
C. F. M.	29s., 9d.	39s., 6d.
Islington	29s., 0d.	39s., 0d.
T. B. & S. Canterbury	28s., 3d.	38s., 3d.
N. C. F.	28s., 3d.	38s., 3d.
Wallacetown	32s., 3d.	42s., 6d.
R. W. Gore	31s., 6d.	41s., 9d.
Ocean Beach	31s., 6d.	41s., 6d.

4. Section 1314.164 (b) is amended to read as follows:

(b) *Buying commission.* A maximum buying commission of 2½% of the purchase price (not to exceed the applicable maximum price set forth in paragraph (a) of this section) may be paid by a domestic purchaser to a dealer or broker acting as his agent. Such purchases may be financed by the domestic purchaser.

5. Section 1314.164 (c) is redesignated § 1314.164 (d) and is amended by deleting from the subparagraph designated "Step 3" the words "for the applicable brand set fourth in Column B of § 1314.164 (b)", and substituting therefor the words, "for a spot sale of the applicable brand computed in accordance with the provisions of paragraph (c) of this section", and by deleting from the example the parenthetical phrase "(Column 'B' price of $5.50)" and substituting therefor the parenthetical phrase "(spot sale price of $5.50)."

6. A new § 1314.164 (c) is added to read as follows:

(c) *Maximum prices for spot sales.* The term "spot sale", as used in this paragraph, means a sale of New Zealand pickled sheepskins of the brands specified in paragraph (a) of this section, made by a domestic dealer or importer who purchased them for his own account and financed their importation into the continental United States and who sells them after they are loaded on a vessel for shipment to the continental United States, payment by the purchaser to be made not before delivery to him of the inland bill of lading or delivery order.

The maximum prices for spot sales by a domestic dealer or importer shall be the sum of: (i) The applicable maximum price set forth in paragraph (a) of this section, (ii) an amount not in excess of 5% of such price, (iii) the amount by which the actual charges incurred by the producer or foreign seller for inland or coastal transportation to the present port of loading exceeds the current cost of an identical shipment to his customary port of loading, (iv) ocean freight charges actually paid, (v) war risk and marine insurance premiums actually paid and (vi) inland freight charges actually paid from the continental United States or Canadian port of entry to the domestic dealer's or importer's receiving point.

7. Section 1314.164 (d) is redesignated § 1314.164 (e).

8. Section 1314.165 (a) is amended to read as follows:

(a) *Maximum prices for sales, deliveries or purchases.* Except as otherwise provided in this section, the maximum prices at which any person may sell, offer to sell, deliver or purchase certain

* Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3746, 3889, 8771, 5835, 8948, 11074; 8 F.R. 5724; 9 F.R. 1595, 7936.

specified brands of South American pickled sheepskins are set forth below.

The prices listed are per dozen skins, net cash, c. & f. continental United States or Canadian port of entry, and include customs fees, wharfage and all other charges, except that the amounts actually paid for war risk and marine insurance premiums may be added. These prices are based on an ocean freight rate of $20 per long ton plus 35% surcharge and must be adjusted to reflect any change in the cost of ocean freight.

Brand	Maximum price
Armour La Plata:	
Sheep	$9.15
Heavy lambs	8.25
Regular lambs	6.55
Spring lambs	5.05
Sm. spring lambs	3.25
Swift:	
Swift La Plata:	
Heavy sheep	9.85
Light sheep	8.00
Heavy lambs	8.95
Regular lambs	6.40
Spring lambs	4.85
Swift Montevideo (regular):	
Sheep	7.55
Lambs	5.40
Spring lambs	3.95
Reject "B"	2.45
Reject	1.45
Swift:	
Swift Montevideo (dry):	
Sheep	6.20
Lambs	4.75
Spring lambs	3.50
Reject "A"	2.30
Reject "B"	.60
Swift Yale:	
Sheep	7.55
Lambs	5.40
Spring lambs	3.95
Smithfield:	
Sheep:	
XX BD	9.00
XXX BD	8.00
XX LM	8.00
XXX LM	7.00
2 CBL	7.50
3 CBL	6.50
2 LSM	7.00
3 LSM	6.00
HS	9.50
HS 3	8.50
HSD	8.50
HSD 3	7.50
Lambs:	
2 SCB	7.00
3 SCB	6.00
2 SBX	6.50
3 SBX	5.50
2 SMX	6.50
3 SMX	5.50
2 CLX	4.50
3 CLX	3.50
C. A. P.:	
Sheep	7.35
Lambs	6.00
Galy & Erviti:	
Heavy Sheep:	
A 1	10.50
A 2	9.50
A 3	8.00
A 4	7.00
AR—AS	4.50
Medium Sheep:	
B 1	8.50
B 2	7.25
B 3	6.00
B 4	5.00
BR—BS	3.75

Brand	Maximum price
Galy & Erviti—Con.	
Light Sheep:	
C 1	$7.25
C 2	6.50
C 3	5.75
C 4	4.50
CR—CS	3.25
Lambs:	
LB 1	6.50
LB 2	5.75
LB 3	5.00
LB 4	4.00
LBR—LBS	3.00
Spring Lambs:	
CR 1	5.25
CR 2	4.75
CR 3	3.75
CR 4	3.25
CRR—CRS	2.25
Small Spring Lambs:	
M 1	4.25
M 2	3.75
M 3	3.25
M 4	2.75
MR—MS	1.75
Heavy Sheep:	
G 1, G 2, G 3, G 4	7.75
Medium Sheep:	
F 1, F 2, F 3, F 4	6.00
Light Sheep:	
S 1, S 2, S 3, S 4	5.30
Lambs:	
B 1 S, B 2 S, B 3 S, B 4 S	4.60
Spring Lambs:	
H 1, H 2, H 3, H 4	3.70
Small Spr. Lambs:	
J 1, J 2, J 3, J 4	2.80
Anglo Argentine (Frigorifico):	
H. Sheepskins:	
XH	12.25
H	11.50
MXH	11.75
MH	10.75
FFF	11.75
FF	10.75
SS	9.50
RR	9.00
SSL	7.375
SRS	7.375
TSH	8.00
TSM	7.375
Light Sheepskins:	
XC	11.50
C	10.50
MI	9.00
F	9.00
R	7.00
SSL	7.75
TSL	6.00
Large Lambs:	
XXXX	9.50
XXXXM	9.00
Regular Lambs:	
XXX	8.50
XX	8.00
XXXM	8.50
XXM	8.00
FL	7.125

Brand	Maximum price
Anglo Argentine (Frigorifico)—Continued.	
Regular lambs—Con.	
RL	$7.125
SL	6.25
SRL	6.25
T	5.625
FT	2.625
Spring Lambs:	
X	8.00
XS	7.625
XM	7.625
XMM	6.75
XXMM	5.875
FLL	6.00
RSL	6.00
LSL	5.625
SRM	5.125
TL	3.875
MAM	3.125
Anglo Argentine (Campe):	
Sheepskins:	
HHX	6.875
HX	5.875
HH2	6.50
H2	5.875
HR	4.75
H3	4.75
H4	3.875
H5	1.625
HR2	2.625
Lambs:	
LL2	6.75
LLX	7.125
L2	5.875
L3	5.875
LR	4.75
L4	3.25
L5	3.00
LR2	2.625
XL2	4.75
XL3	4.50
XL4	3.875
XXL	1.75
Anglo Uruguayan (Frigorifico):	
Sheepskins:	
XH	11.25
MXH	10.75
MH	9.75
FFF	10.75
FF	9.75
SS	8.00
RR	8.50
TSH	7.00
ML	9.00
F	8.50
R	6.875
TSL	6.00
Regular Lambs:	
XXXXM	8.00
XXXM	7.125
XXM	6.75
FL	5.875
RL	5.875
SLL	5.00
SRL	4.25
Spring Lambs:	
XM	6.25
XMM	5.375
XXMM	4.50
FLL	4.50
RSL	4.125
LSL	4.125
T	3.375
TXS	2.625
Anglo Uruguayan (Campe)—Con.	
Sheepskins:	
HHX	$6.50
HX	5.375
HH2	5.875
H2	5.125
HR	4.25
H3	4.25
H4	3.50
H5	1.375
HR2	2.50

Brand	Maximum price
Anglo Uruguayan (Campa)—Con.	
Lambs:	
LLX	$6.25
LL2	5.875
L2	4.25
L3	3.75
LR	4.125
L4	3.375
XL2	2.00
XL3	1.75
L5	2.50
LR2	3.375
Soulas (Argentine):	
Large Lambs:	
1 LB	9.00
2 LB	8.50
3 LB	7.50
Regular Lambs:	
3 XBR	8.25
2 XBR	7.25
XBR	6.25
RL	6.25
3 XRL	6.50
2 XRL	6.00
XRL	5.00
RCL	5.25
Spring Lambs:	
1 LC	7.25
2 LC	6.25
3 LC	5.25
Wilson & Co. (S. A.):	
4X Spec. Sheep	12.00
3X Rib Sheep	10.00
2X Rib Sheep	9.00
#1 Spec. Sheep	11.00
#1 Sheep	10.00
#2 Sheep	8.50
#3 Sheep	6.75
#3 H. R. Sheep	5.50
#1 Rib Sheep	9.00
Seedy Sheep	6.875
Rib Lambs	7.625
H. R. Lambs	7.375
Spring Lambs	6.25
H. R. Spr. Lambs	5.875
M. Lambs	3.375
H. R. M. Lambs	3.00
Seedy Medium	6.50
Seedy Small	5.00
Seedy Small H. S	3.50
HR Lambs Special	6.875
HR Spr. Lambs Special	5.375
#1 Culls	4.25
Frigorifico National:	
Sheep:	
HXG	10.00
HXM	9.50
HXP	8.50
HXI	8.25
HXPI	8.00
HLC	8.50
HLM	8.00
HLJ	7.375
HCG	7.375
HCM	7.125
HCI	6.50
HD	5.50
HFX 1st	6.00
HFX 2d	5.00
HFR 1st	5.00
HFR 2d	4.50
Lambs:	
BXG	7.50
BXM	7.00
BXI	6.50
BLG	7.00
BLM	6.50
BLI	6.00
BCG	6.00
BCM	5.50
BCI	5.00
BD	4.50
BF 1st	4.50
BF 2d	4.00

Brand	Maximum price
Frigorifico National—Con.	
Spring Lambs:	
CX	$6.00
CDI	5.50
CMX	5.00
CMI	4.50
CD	3.50
CF 1st	3.50
CF 2d	3.00

9. Section 1314.165 (b) is amended to read as follows:

(b) *Buying commission.* A maximum buying commission of 2½% of the purchase price (not to exceed the applicable maximum price set forth in paragraph (a) of this section) may be paid by a domestic purchaser to a dealer or broker acting as his agent. Such purchases may be financed by the domestic purchaser.

10. Section 1314.165 (c) is added to read as follows:

(c) *Maximum prices for spot sales.* The term "spot sale", as used in this paragraph, means a sale of South American pickled sheepskins of the brands specified in paragraph (a) of this section, made by a domestic dealer or importer who purchased them for his own account and financed their importation into the continental United States and who sells them after they are loaded on a vessel for shipment to the continental United States, payment by the purchaser to be made not before delivery to him of the inland bill of lading or delivery order.

The maximum prices for spot sales by a domestic dealer or importer shall be the sum of: (i) The applicable maximum price set forth in paragraph (a) of this section, (ii) an amount not in excess of 4% of such price, (iii) war risk and marine insurance premiums actually paid and (iv) inland freight charges actually paid from the continental United States or Canadian port of entry to the domestic dealer's or importer's receiving point.

This amendment shall become effective August 12, 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11786; Filed, August 7, 1944; 11:45 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1B,[1] Amdt. 9]

MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1B is amended in the following respects:

1. Section 2.4 (b) (2) is amended to read as follows:

(2) Notwithstanding the above provisions, a certificate may be issued for Grade I tires and new passenger-type tubes to equip a light truck which can be efficiently operated with such type of tires and tubes.

2. Section 2.23 (a) is amended to read as follows:

(a) *Vehicles subject to inspection.* Every person controlling the use of a vehicle equipped with truck-type tires shall be issued a Tire Inspection Record (OPA Form PR-R-534) executed in accordance with the instructions thereon, the Part B of which shall be duly certified and filed with the Local Board, and shall have the tires mounted on such vehicle inspected by a tire inspector appointed by the Director upon the recommendation of a Board. The record must be kept with the vehicle when in operation, unless its removal is permitted by Office of Price Administration order or authorization, and must be presented for inspection at any time to, and at the request of, an inspector of the Office of Price Administration or of any person whom the Director may designate for that purpose. Upon transfer of any motor vehicle to which the provisions of this section apply, the record pertaining to the vehicle, and Parts D for tires mounted on the vehicle, must be transferred with it. The tires, at the time of inspection, shall be mounted on the vehicle for which the Tire Inspection Record has been issued. The provisions of this section shall not apply to:

(1) Vehicles operated solely on special gasoline rations.

(2) Vehicles not registered for use on the highway.

(3) Farm tractor, farm implements, road-graders, earthmovers, or other industrial, mining or construction equipment not designed primarily for use on the highway.

(4) Vehicles operated by the armed forces of the United States.

(5) Tires reported on OPA Form PRR-17 by any person required to file such form.

(6) Tires obtained pursuant to section 2.7.

3. Section 2.23 (b) is amended to read as follows:

(b) *Time of inspection.* The time for periodic inspection shall be as follows:

Type of coupon book issued	*Inspections must be made within 2 week period as follows:*
S-2	July 31-Aug. 12, 1944; Oct. 23-Nov. 4, 1944.
S-3 and S-4 (except vehicles equipped with passenger-type tires).	Aug. 14-26, 1944; Nov. 6-18, 1944.
S-5 (except vehicles equipped with passenger-type tires).	Sept. 11-23, 1944; Dec. 4-16, 1944.
Bulk (except vehicles equipped with passenger-type tires).	According to type of ration identification.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9551, 12695, 14153; 9 F.R. 219, 1318, 1945, 3849, 6629, 7434.

4. Sections 2.23 (e) and (f) are added to read as follows:

(e) Every person controlling the use of a vehicle equipped with passenger-type tires shall keep the periodic tire inspection record already issued to the same. The record must be kept with the vehicle when in operation, unless its removal is permitted by Office of Price Administration order or authorization, and must be presented to the Board whenever any of the tires therein declared are replaced by a tire for which a certificate has been issued. The Board shall then issue a new tire inspection record.

(f) Every person who acquires a vehicle equipped with passenger-type tires, shall turn in the tire inspection record of the prior owner to the Board at which application for a gasoline ration is made and thereupon a new tire inspection record shall be issued by the Board to such transferee: *Provided*, That if no tire inspection record has been issued, the transferee shall submit to the Board a sworn statement from the transferor specifying the serial numbers of the tires mounted on the vehicle, and the reasons for not having obtained a tire inspection record: *Provided further*, That the owner of a vehicle equipped with passenger-type tires for which no tire inspection record has been issued shall submit to the Board at which application for a gasoline ration is made, a sworn statement specifying the serial numbers of the tires mounted on the vehicle, and the reasons for not having obtained a tire inspection record. If the Board is satisfied that there is good cause for not having obtained a tire inspection record, the Board may thereupon issue a new tire inspection record to such transferee or owner.

5. Section 2.24 (a) is amended to read as follows:

(a) In addition to the periodic inspection, every consumer who acquires a vehicle equipped with truck-type tires, if such vehicle is not exempted under section 2.23 (a), shall have the tires inspected within ten days after they have been acquired. The Tire Inspection Record of the transferor shall be turned in by the transferee to the Board to which application for a gasoline ration is made and thereupon a new Tire Inspection Record may be delivered by the Board to such transferee: *Provided*, That if such tires are mounted on a vehicle equipped with truck-type tires for which no Tire Inspection Record has been issued, the transferee shall present to the Board a statement from the transferor specifying the serial numbers of the tires mounted on the vehicle. The Board may thereupon issue a new Tire Inspection Record to such transferee.

6. Section 2.26 (a) is amended to read as follows:

(a) *Prohibition.* No person shall mount on any passenger automobile or commercial motor vehicle to which the provisions of section 2.23 apply any tire not duly entered upon the Tire Inspection Record for such vehicle, or acquired in exchange for a certificate issued to equip such vehicle, except as provided in paragraphs (b) and (c), or as authorized in writing by the Director.

This amendment shall become effective as of August 1, 1944.

Issued this 7th day of August 1944.

JORGE L. CORDOVA,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-11787; Filed, August 7, 1944; 11:47 a. m.]

PART 1316—COTTON TEXTILES

[RPS 89,[1] Amdt. 13]

BED LINENS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 89 is amended in the following respects:

1. Section 1316.111 (b) is amended to read as follows:

(b) *Determination of maximum price.* Except as otherwise provided herein, the maximum price for any bed linens shall be determined by the application of the appropriate plus or minus percentage in Table III to the base prices listed in Table II.

2. Table III of § 1316.111 (c) is amended to read as follows:

TABLE III—MAXIMUM PRICES FOR MANUFACTURERS, CONVERTERS OR FINISHERS

(Plus or minus percentage to be applied to base prices in Table II.)

Type 180	Type 140	Type 128	Type 112	Back-filled type
+0.9%.....	−0.3%	+3.4%	+6.1%	−5.3%

This amendment shall become effective as of June 30, 1944.

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11739; Filed, August 5, 1944; 4:34 p. m.]

PART 1336—RADIO, X-RAY AND COMMUNICATION APPARATUS

[RPS 84, Amdt. 8]

RADIO RECEIVER AND PHONOGRAPH PARTS

A statement of the considerations involved in the issuance of this Amendment 8 to Revised Price Schedule No. 84 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1375, 2107, 2000, 2132, 2299, 2789, 3163, 3327, 3447, 3962, 4176, 4732, 7599, 8937, 8948; 8 F.R. 8070, 11245; 9 F.R. 1717.

Paragraph (d) in § 1336.101 is amended to read as set forth below:

(d) *Pricing by specific authorization of the Office of Price Administration.* The maximum price, exclusive of federal excise tax, for any part other than a part referred to in paragraphs (a), (b), and (c) of this section, or which cannot be determined by reference to paragraphs (a), (b), and (c) of this section, shall be in line with the net price, exclusive of federal excise tax, which the manufacturer of such part would have charged for it at any time during the period from October 1 to October 15, 1941, if such price had been calculated upon cost prevailing during such period by use of procedures and standards then employed in estimating costs and determining prices. No such part shall be offered for sale until the proposed price thereof has been approved by the Office of Price Administration on the basis of the report submitted pursuant to § 1336.101 (b). Such approval may also establish maximum prices which sellers of the parts generally may charge, including wholesalers and retailers of the parts.

This amendment shall become effective August 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11788; Filed, August 7, 1944; 11:49 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,[1] Amdt. 16]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 32 is amended in the following respects:

1. In § 1347.63, Appendix C (a), subparagraph (10) is amended to read as follows:

(10) Sheathing paper (20 lbs. and heavier per 500 sq. ft.)

2. In § 1347.63, Appendix C (a), subparagraph (11) is added to read as follows:

(11) Miscellaneous paperboard and specialty paperboard not covered elsewhere in this schedule.

This amendment shall become effective August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11789; Filed, August 7, 1944; 11:48 a. m.]

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[1] 9 F.R. 8331, 8482, 7261, 8061.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 45]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.405 (f) (1) is amended to read as follows:

1. Any person who has increased production or has actually undertaken the production of frozen boneless beef (Army Specifications) at the request of a War Procurement Agency, and who shows by records covering his production of frozen boneless beef (Army Specifications) for a period of not less than two weeks that: (1) his direct labor costs are higher than the average of the direct labor costs heretofore filed with the Office of Price Administration by representative and substantial suppliers of frozen boneless beef (Army Specifications) and (2) such higher direct labor costs incurred in the increased or new production of frozen boneless beef (Army Specifications) are caused by the use of inexperienced labor or overtime work, may file an application in duplicate for adjustment either of the applicable maximum f. o. b. boning plant price established in § 1364.452 (m) or the maximum price for government contract boning established in § 1364.405 (e) to cover such excess of direct labor costs. Such application shall be made on Form No. 636–590, a copy of which is contained in § 1364.531 of this regulation, and shall be filed with the appropriate regional office of the Office of Price Administration. The Regional Administrator shall, within 21 days after receipt of the application, issue an order either denying the application or granting it, in whole or in part. In no event shall an adjustment be granted for more than $1.00 per cwt. under § 1364.452 (m) or $0.72 per cwt. under § 1364.405 (e). Such order shall be issued for a period of not more than 90 days. At the end of 60 days from the issuance thereof, the applicant, if he desires a further adjustment, shall file another application in duplicate on a form similar to Form 636–590 in which he shall submit his operating records for the 60 day period. The Regional Administrator shall, within 21 days after receipt of such application, issue an order either denying the application or granting it, in whole or in part as he deems appropriate, but in no event shall the adjustment be granted for more than $1.00 per cwt. under § 1364.452 (m) of $0.72 per cwt. under § 1364.405 (e). In determining the appropriate adjustment to be made, the Regional Administrator shall give consideration only to direct labor costs. The direct labor costs that may be appropriately considered are wages paid for breaking and boning of carcasses, trimming, grinding, packing, strapping, stapling, labeling, weighing, utility work in the boning rooms, and other labor directly involved in preparation of the boneless beef for freezing. Applicants operating more than one plant shall file separately for each plant at which adjustment is sought. Following the issuance of an order pursuant to this paragraph (f) the Regional Administrator shall forward to the Administrator at Washington, D. C. for review a copy of the application together with a copy of the order and such other data as were considered in connection with the application. After review, the Regional Administrator shall modify, or revoke the order if the Administrator deems such modification or revocation appropriate. However, the provisions of the Regional Administrator's order shall remain in full force and effect until such time as they are modified or revoked.

2. Section 1364.406 (d) is amended to read as follows:

(d) A payment by a buyer to a broker of not to exceed $0.125 per cwt. in excess of the maximum prices fixed by this regulation for services rendered by the broker to the buyer in connection with a sale of beef and veal carcasses and wholesale cuts shall not be deemed an evasion if the broker has no business affiliation with the seller, and if the total compensation received by the broker from both buyer and seller in connection with the sale does not exceed $0.125 per cwt.

3. The date "February 24, 1944" contained in paragraph (e) (2) of § 1364.407 is amended to read "September 1, 1944."

4. The words "other than to war procurement agencies" contained in subdivisions (ii) and (iii) of paragraph (e) (2) in § 1364.407 are hereby deleted and the words "other than to contract schools" are substituted therefor.

5. Section 1364.407 (f) is amended as follows:

(f) Whenever used in this paragraph (f), the term "shipment" shall mean all commodities which are consigned to a single buyer as part of a single freight car or truck movement for delivery to the place of business or warehouse of the buyer, other than a consignment for delivery of the entire content of a common carrier freight car or truck to a war procurement agency.

(1) Except as provided in paragraph (f) (2) of this § 1364.407, every person making a sale of any beef carcass, beef wholesale cut, veal carcass, veal wholesale cut, processed product or other meat item subject to this revised regulation, shall furnish to the purchaser at the time of delivery a written statement setting forth the name and address of the buyer and seller; identifying each such item sold; setting forth the quantity, grade, including sex identification of beef as to stag or bull, the weight thereof, and the price charged and/or received therefor, including a separate statement of the transportation and local delivery charge as required by § 1364.454 (a) (7).

(2) (i) In the case of any shipment made to a buyer located within a radius of 25 miles from the seller's distribution point, and in the case of any C. O. D. shipment made, irrespective of the distance, each person shipping any of the meat items subject to this revised regulation, shall send with each such shipment, a copy of the written statement referred to in paragraph (f) (1) hereof.

(ii) In the case of a shipment made to a buyer located beyond a radius of 25 miles from the seller's distribution point, other than a C. O. D. shipment, each person shipping any of the meat items subject to this regulation, shall send with each such shipment, a copy of the written statement referred to in paragraph (f) (1) hereof: *Provided, however,* That if the shipment made to the buyer is commenced before 12 o'clock noon, that portion of the statement with respect to the price charged or received therefor, and the separate statement of the transportation and/or local delivery charge, may be omitted but must be mailed to the buyer on the same day. If the shipment made to the buyer is commenced after 12 o'clock noon that portion of the statement with respect to the price charged or received therefor, and the separate statement of the transportation and/or local delivery charge may be omitted but must be mailed to the buyer before 12 o'clock noon of the following business day.

(iii) Where the shipment made constitutes the entire content of a common carrier freight car or truck, the copy of the statement referred to in paragraph (f) (1) shall be posted in the freight car or truck near or on the door. Where the shipment made constitutes only a part of the content of a common carrier freight car or truck, the copy shall be securely attached in a conspicuous place to one of the items included within the shipment. Where the shipment made is by a vehicle other than a common carrier, the copy referred to shall be given to and carried by the driver and he shall be authorized to display it to enforcement officers on request.

(iv) Every person transferring any of the meat items subject to this regulation to a business establishment or warehouse controlled or operated by him, which constitute the entire content of a vehicle, shall send with each vehicle making such transfer, a statement showing the name and address of the owner, the point of destination and that the meat items are not being transferred to a buyer in connection with a sale. The transfer must be identified in the same manner as required in the foregoing subparagraph (2) (iii) of this paragraph (f) except that the statement with respect to price or transportation and/or local delivery charge shall not be required.

6. The introductory paragraph of § 1364.411 (c) is amended to read as follows:

(c) *Duty to identify product by sex marks.* The sex identification shall be stamped on all bull and stag carcasses and wholesale cuts. The prescribed sex

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4097, 4767, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6943, 7199, 8011, 8677, 8756, 9066, 9300, 9995, 10364, 10671, 11296, 11445.

identification of each beef carcass and wholesale cut as to stag or bull and the grade of each beef carcass and wholesale cut and veal carcass and wholesale cut must appear on the seller's invoice.

7. Section 1364.413 (c) is added to read as follows:

(c) Any order issued prior to August 7, 1944, pursuant to the provisions of paragraph (b) of § 1364.415 is revoked as of August 31, 1944, and each Regional Administrator shall notify every person affected by this paragraph of the revocation.

8. The words "other than to war procurement agencies" contained in paragraph (a) of § 1364.415 are hereby deleted and the words "other than to contract schools (in no event shall a war procurement agency be deemed to be a purveyor of meals)", are substituted therefor.

9. Section 1364.415 (b) is amended to read as follows:

(b) Any selling establishment which has established a quota pursuant to paragraph (a) of this § 1364.415, may, subject to the conditions hereinafter set forth, redetermine its quota for sales to purveyors of meals for each three month quota period beginning September 1, 1944, on the basis of its sales to purveyors of meals during the corresponding three month period of 1942, *Provided*, That such selling establishment shall fix its quotas for each three month quota period thereafter, other than the period beginning December 1, by reference to sales made by it during the corresponding three month period of 1942. For the three month quota period beginning December 1, such selling establishment shall determine its quota on the basis of its sales to purveyors of meals during the three month period beginning December 1, 1941. Any selling establishment which elects to fix its quotas for sales to purveyors of meals, pursuant to the alternative method stated herein, shall file not later than September 1, 1944, the reports required under § 1364.407 (e) for each three month period beginning December 1, 1941, and ending November 30, 1942. The right to elect the alternative method of computing quotas shall be exercised on or before September 1, 1944, and such election shall be made by the filing of the alternative quota data required herein. After September 1, 1944, no selling establishment may elect the alternative quota and any selling establishment which has failed to file the alternative quota reports as required herein shall remain subject to the quota computed by reference to sales made from September 15, 1942, through December 15, 1942. Sales or deliveries by any selling establishment during the three month quota period beginning September 1, shall not exceed the quota fixed on the basis of sales made from September 15, 1942, through December 15, 1942, unless the alternative method of computation has been elected through the timely filing of the alternative quota computations and such computations permit a higher quota. If the alternative quota computation for the three month period beginning September 1, is less than the quota computed by reference to sales made by it from September 15, through December 15, 1942, sales during the quota period beginning September 1, shall not exceed the lower quota.

10. The first paragraph immediately following the table contained in § 1364.452 (d) (2) is amended to read as follows:

The applicable zone 4 price of each cow carcass or wholesale cut of cutter and canner grade, utility grade, commercial grade or good grade, shall be the same as the zone 4 price of the carcass or corresponding wholesale cut of steer or heifer of the same grade.

11. The first paragraph immediately following the introductory paragraph of § 1364.452 (d) (3) is amended to read as follows:

The applicable zone 4 price of each kosher cow wholesale cut of cutter and canner grade, utility grade, commercial grade or good grade shall be the same as the zone 4 price of the corresponding kosher wholesale cut of steer and heifer of the same grade.

12. Section 1364.452 (l) (2) is amended to read as follows:

(2) The maximum delivered [10a] price for boneless beef for Army canned meat in each of the following price zones shall be:

Price zone:	*Zone price per cwt. frozen and boned* [1]
1	$19.50
2	18.75
3	17.75
4	18.25
5	18.50
6	18.75
7	19.00
8	19.25
9	19.50
10	

[1] If packed in a V-1, full telescope, weatherproof fiber board box, with a minimum of .100 caliper inches and a minimum dry bursting strength of 750 pounds per square inch, $0.25 additional boxing charge may be made.

[10a] If boneless beef for Army canned meat is sold on an f. o. b. boning plant basis, the seller shall reduce the price specified above for the zone in which the boning plant is located by 25 cents per cwt. and the result shall be the seller's f. o. b. boning plant price.

12a. Section 1364.452 (l) (5) is hereby revoked.

12b. Section 1364.452 (l) (6) is hereby redesignated (l) (5).

13. Section 1364.452 (m) (3) is amended to read as follows:

(3) "Frozen boneless beef (Army specifications)" as used in this paragraph (m) means beef, frozen and boneless, derived from steers and heifers of the grades choice, good, commercial or utility and satisfying the specifications and requirements contained in "C. Q. D. No. 11 K—Specifications for Beef, Boneless, Frozen" issued March 24, 1944 by the Chicago Quartermaster Depot of the United States Army. Any frozen boneless beef which has been rejected by the purchasing agency of a war procurement agency shall not be sold as frozen boneless beef (Army specifications).

14. Section 1364.452 (m) (6) is amended to read as follows:

(6) "Frozen boneless beef (hindquarters) (Army specifications)" as used in this paragraph (m) means hindquarters of beef, frozen and boneless, derived from steers and heifers of the grades choice, good or commercial and satisfying the specifications and requirements contained in "C. Q. D. No. 11 K—Specifications for Beef: Boneless, Frozen", issued March 24, 1944, by the Chicago Quartermaster Depot of the United States Army. Any frozen boneless beef (hindquarters) which has been rejected by the purchasing agency of a war procurement agency shall not be sold as frozen boneless beef (Army specifications).

15. Section 1364.452 (n) (1) is amended to read as follows:

(1) On and after August 12, 1944, regardless of any contract agreement, or other obligation, no person shall sell or deliver any boneless processing beef, and no person shall buy or receive any boneless processing beef at a price higher than the maximum price permitted therefor in paragraph (n) (2) of this section.

16. Section 1364.452 (n) (2) is amended by the addition of a footnote 10b to read as set forth below and the reference to footnote 10b to appear after the word "delivered" in the subparagraph immediately preceding the table headnote, all to read as follows:

(2) The maximum delivered 10b price for each of the following items of boneless processing beef shall be:

[10b] If boneless processing beef is sold on an f. o. b. boning plant basis, the seller shall reduce the price specified above for the zone in which the boning plant is located by 25 cents per cwt., and the result shall be the selling f. o. b. boning plant price.

17. Section 1364.452 (o) (10) is amended by the addition of footnote 10c to read as set forth below and the reference to footnote 10c to appear immediately preceding the table headnote.

[10c] The zone prices for ground beef and miscellaneous beef items applicable in zones 3 and 4 for sales by a hotel supply house to any purchasing agency of a war procurement agency are specified in § 1364.452 (p) (3). Any hotel supply house which sells or delivers ground beef or miscellaneous beef items to a war procurement agency at a zone price in excess of the zone prices specified in § 1364.452 (p) (3) shall no longer be deemed to be a hotel supply house and shall thereafter use the prices specified in § 1364.452 (o) (5) on sales or deliveries of fabricated beef cuts to purveyors of meals.

18. Section 1364.452 (p) (2) is amended to read as follows:

(2) Subject to the pricing instructions contained in paragraph (a) of § 1364.451, the maximum price for ground beef or each grade of each miscellaneous beef item shall be the applicable zone price determined in accordance with the provisions of said paragraph (a) of § 1364.451 and specified in paragraph (p) (3)

hereof, minus the required deductions, if any, specified in this paragraph (p) and in Schedule II (§ 1364.453) applicable to beef carcasses and wholesale cuts, plus the permitted additions, if any, specified in this paragraph (p) and in Schedule III (§ 1364.454).

19. In the table of § 1364.452 (p) (3), the heading to columns I and II and footnotes 1 and 2 are amended to read as follows:

I	II	• • •
Ground beef, quick frozen and packaged in fiber or wooden containers.[1]	Ground beef patties, quick frozen and packaged in fiber or wooden containers.[2]	

[1] If ground beef is not quick frozen, the applicable zone price shall be reduced 75 cents per cwt. If ground beef is unpackaged or packaged otherwise than in fiber or wooden containers, the applicable zone price shall be reduced 25 cents per cwt.

[2] If ground beef patties are not quick frozen, the applicable zone price shall be reduced 75 cents per cwt. If ground beef patties are unpackaged or packaged otherwise than in fiber or wooden containers, the applicable zone price shall be reduced 25 cents per cwt. For ground beef patties, quick frozen and packaged in double corrugated cartons containing 10 or 20 pounds of product which is wrapped in white wax paper and shipped with dry ice to assure delivery in a frozen condition, $1.00 per cwt. may be added to the applicable zone price.

20. Section 1364.454 (a) (1) is amended to read as follows:

(1) For transportation from the point at which the meat was slaughtered in Price Zone 3 or 4 to a distribution point located in either of those price zones other than another slaughtering or packing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 75 cents per hundredweight.

21. Section 1364.454 (a) (2) is amended to read as follows:

(2) For transportation from the point at which the meat was slaughtered in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10 to a distribution point located in the same price zone as the slaughter point, other than another slaughtering or packing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 25 cents per hundredweight.

22. Section 1364.454 (a) (6) is redesignated (a) (7) and the first sentence thereof is amended to read as follows:

(7) Notwithstanding any of the provisions of paragraph (a) (1) to (a) (6), inclusive, of this Section 1364.454, nothing therein contained shall be construed to permit a total charge for transportation and/or local delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50 cents per cwt. in Price Zone 1, 2, 5, 6, 7, 8, 9, or 10, inclusive, or $1.00 per cwt. in Price Zones 3 and 4.

23. Section 1364.454(a) (6) is added to read as follows:

(6) If the seller is a packer's branch house, wholesaler or hotel supply house, who has paid a charge under paragraph (a) of this section for local delivery and/or transportation, he may upon the resale of beef carcasses and/or beef wholesale cuts upon which the charge has been made, add the amount of such charge up to $.50 per cwt. on sales made from a distribution point located in Price Zones 1, 2, 5, 6, 7, 8, 9, or 10 inclusive, and up to $1.00 per cwt. in Price Zones 3 and 4.

24. Section 1364.454(e) is amended to read as follows:

(e) *Freezing and/or packaging for war procurement agencies.* On sales of beef carcasses and/or beef wholesale cuts to a war procurement agency, the seller may add for packaging or wrapping (U. S. Government Specifications) 15 cents per cwt. and/or for freezing, 35 cents per cwt.

25. Section 1364.454(g) is amended to read as follows:

(g) *Peddler-truck selling addition.* On a peddler-truck sale involving delivery of not more than 100 pounds of beef in a total delivery of not more than 150 pounds of meats and meat products in any one day from such peddler-truck to any buyer's store door, a peddler may add to the prices specified in § 1364.452 (Schedule I), the sum of $1.25 per cwt. If such sale involves a delivery of more than one hundred pounds of beef or a total delivery of more than 150 pounds of meats and meat products, the peddler may add to the prices specified in § 1364.452 (Schedule I) an amount not in excess of 75 cents per cwt. applicable to the total delivery of beef in the one day from such peddler-truck to the buyer's store door. These additions shall be in lieu of any local delivery and/or transportation addition permitted in §1364.454.

26. Section 1364.455 (b) (1) is amended to read as follows:

(1) "Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of beef carcasses and/or beef wholesale cuts, ground beef and miscellaneous beef items, variety meats and edible by-products and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products and/or processed meat products to ultimate consumers pursuant to the provisions of § 1364.416 of this regulation; and which during the period of September 15, through December 15, 1942, sold and/or delivered to purveyors of meals, not less than 70 percent of the total volume by weight of all meats, variety meats and edible by-products and/or sausage and similar products thereof, sold or delivered by it, other than to war procurement agencies. The status of any selling establishment as a hotel supply house shall not be affected where such establishment is physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment, but is not owned or controlled by, or does not own or control such packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment. "Own or control" within the meaning of this definition means to own or control directly or indirectly a partnership equity or in excess of 10% of any class of outstanding stock or to have made loans or advances in excess of 5% of the other person's monthly sales. Any selling establishment which satisfies the definition herein contained and which in addition sells or delivers frozen boneless beef (Army Specifications) and/or ground beef and miscellaneous beef items to any purchasing agency of a war procurement agency shall nevertheless be deemed to be a hotel supply house.

27. Item (vii) of the Table contained in § 1364.467 (d) (2) is amended to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cull or D
• • • • • •	•	•	•	•	•
(i) Kosher foresaddle or forequarter [1]	18.50	18.00	16.50	15.00	11.75

28. Item (viii) of the Table contained in § 1364.467 (m) (2) is amended to read as follows:

	Zones									
	1	2	3	4	5	6	7	8	9	10
• • •	•	•	•	•	•	•	•	•	•	•
(viii) Boneless Kosher veal forequarter. Note 1.	22.50	21.50	20.75	20.00	20.50	20.75	21.00	21.25	21.50	21.75

29. Section 1364.467 (m) (2) is redesignated § 1364.467 (m) (3), and the first paragraph thereof is amended to read as follows:

(3) The applicable zone price for each boneless or miscellaneous veal cut, in each price zone shall be:

30. Section 1364.467 (m) (2) is added to read as follows:

(2) Subject to the pricing instructions contained in paragraph (a) of § 1364.466, the maximum price for boneless and miscellaneous veal cuts shall be the applicable zone price determined in accordance with the provisions of said paragraph (a) of § 1364.466 and specified in paragraph (m) (3) hereof, minus the required deductions, if any, specified in Schedule V (§ 1364.468) applicable to veal carcasses and wholesale cuts, plus the permitted additions, if any, specified in Schedule VI (§ 1364.469).

31. Section 1364.469 (a) (1) is amended to read as follows:

(1) For transportation from the point at which the calf or calves were slaughtered in Price Zone 4 to a distribution point located in this price zone other than another slaughtering or packing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 75 cents per hundredweight.

32. Section 1364.469 (a) (2) is amended to read as follows:

(2) For transportation from the point at which the calf or calves were slaughtered in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10 to a distribution point located in the same price zone as the slaughter point other than another slaughtering or packing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 25 cents per hundredweight.

33. Section 1364.469 (a) (6) is redesignated as (a) (7) and the first sentence thereof is amended to read as follows:

(7) Notwithstanding any of the provisions of paragraphs (a) (1) to (6), inclusive of this § 1364.469, nothing therein contained shall be construed to permit a total charge for transportation and/or local delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50 cents per hundredweight in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10, or $1.00 per hundredweight in Price Zone 4.

34. Section 1364.469 (a) (6) is added to read as follows:

(6) If the seller is a packer's branch house, wholesaler or hotel supply house who has paid a charge under paragraph (a) of this section for local delivery and/or transportation, he may upon the resale of the veal carcasses and/or veal wholesale cuts upon which the charge has been made add the amount of such charge up to 50 cents per hundredweight on sales made from a distribution point located in Price Zone 1, 2, 3, 5, 6, 7, 8, 9, or 10, inclusive, and up to $1.00 per hundredweight in Price Zone 4.

35. Section 1364.469 (i) is amended to read as follows:

(i) *Peddler-truck selling addition.* Where the seller makes a peddler-truck sale involving delivery of not more than 100 pounds of veal in a total delivery of not more than 150 pounds of meat and meat products in any one day from such peddler-truck to any buyer's store door, he may add to the price specified in § 1364.467 (Schedule IV) the sum of $1.25 per cwt. If such sale involves a delivery of more than 100 pounds of veal or a total delivery of more than 150 pounds of meat and meat products, the peddler may add to the prices specified in § 1364.467 (Schedule IV), an amount not in excess of 75 cents per cwt. applicable to the total delivery of veal in the one day from such peddler truck to the buyer's store door. These additions shall be in lieu of any local delivery and/or transportation addition permitted in § 1364.469.

36. Section 1364.470 (b) (1) is amended to read as follows:

(1) "Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of veal carcasses and/or veal wholesale cuts, boneless and miscellaneous veal cuts, variety meats and edible by-products and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products and/or processed meat products to ultimate consumers pursuant to the provisions of § 1364.416 of this regulation; and which during the period of September 15, 1942 through December 15, 1942, sold and/or delivered to purveyors of meals not less than 70% of the total volume by weight of all meats, variety meats and edible by-products and/or sausage and similar products thereof, sold or delivered by it, other than to war procurement agencies. The status of any selling establishment as a hotel supply house shall not be affected where such establishment is physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment, but is not owned or controlled by, or does not own or control such packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment. "Own or control" within the meaning of this definition means to own or control directly or indirectly a partnership equity or in excess of 10% of any class of outstanding stock or to have made loans or advances in excess of 5 percent of the other person's monthly sales. Any selling establishment which satisfies the definition herein contained and which in addition sells or delivers frozen boneless beef (Army Specifications) and/or ground beef and miscellaneous beef items to any purchasing agency of a war procurement agency shall nevertheless be deemed to be a hotel supply house.

This amendment shall become effective August 12, 1944.

NOTE: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11790; Filed, August 7, 1944; 11:46 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 20]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5363 (a) (2) is amended to read as follows:

(2) Where portable or non-portable space heaters are to be used, not more than 550 square feet of floor area may be counted for each such space heater, except that in Zone D, and in that part of sub-zone 15A located in Virginia, and in the municipality of Richmond, Virginia not more than 950 square feet of floor area may be counted for each non-portable space heater, and not more than 850 square feet of floor area may be counted in Zones A3, B3 and C3 for each non-portable circulating space heater having an output of 50,000 or more British Thermal Units; and

This amendment shall become effective on August 7, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11791; Filed, August 7, 1944; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, Amdt. 157]

DOMINION ELECTRICAL MFG., INC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 6.54 is added to read as follows:

SEC. 6.54 *Maximum prices for resales of an electric iron manufactured by Dominion Electrical Mfg. Inc.*—(a) *Maximum prices.* This section fixes maximum prices for resales of the Model No. 242A "Handyhot" electric iron with aluminum alloy sole plate manufactured by Dominion Electrical Mfg. Inc., Mansfield, Ohio, as follows:

(1) For all sales and deliveries on and after August 12, 1944, by the Chicago Electric Manufacturing Company, 6333 West 65th Street, Chicago 38, Illinois, the maximum prices are those set forth below, inclusive of Federal Excise Tax:

	Each
To jobbers	$3.04
To retailers	3.982

These prices are f. o. b. Chicago, Illinois or Galion, Ohio, and are subject to terms, discounts, and allowances no less favorable than those in effect during March 1942 on sales of similar articles by the seller.

(2) For all sales and deliveries on and after August 12, 1944, by jobbers to retailers, the maximum price shall be $3.982 each, inclusive of Federal Excise Tax. This price is f. o. b. seller's place of business and is subject to terms, discounts, and allowances no less favorable than those in effect during March 1942 on sales of similar articles by the seller.

(3) For all sales and deliveries by any person at retail, the maximum price is $6.50 each, inclusive of Federal Excise Tax.

(b) *Tagging.* To every Model 242A "Handyhot" electric iron which it delivers on and after August 12, 1944 Chicago Electric Manufacturing Co. shall attach a tag or label which plainly states the retail ceiling price established by this section. A statement in the following form will be satisfactory:

O. P. A. Retail Ceiling Price..... $6.50

(c) *Notification.* At the time of or prior to the first invoice on and after August 12, 1944, covering a sale of the electric iron described above, Chicago Electric Manufacturing Co. and every jobber shall notify, in writing, their purchasers for resale of the maximum prices and conditions set by this section for resales by the purchaser. This notice may be given in any convenient form.

This section shall become effective on the 12th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11792; Filed, August 7, 1944; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 159]

MUSSEL SHELLS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respects:

Section 6.45 is amended to read as follows:

SEC. 6.45 *Mussel shells.* Diggers of mussel shells used in the production of pearl buttons may sell and deliver "Pigtoe", "Washboard", "Niggerhead" and "Sandshell" shells secured along the banks of the Tennessee River and Ohio River at prices not to exceed the following maximum prices:

For "Pigtoe" shells, 125% of the maximum prices established under the General Maximum Price Regulation, or $40.00 per ton, whichever is lower, f. o. b. river bank.

For all "Washboard" shells: 125% of the maximum prices established under the General Maximum Price Regulation, or $18.75 per ton, whichever is lower, f. o. b. river bank.

For "Niggerhead" shells: 125% of the maximum prices established under the General Maximum Price Regulation, or $62.50 per ton, whichever is lower, f. o. b. river bank.

For "Sandshell" shells: 125% of the maximum prices established under the General Maximum Price Regulation, or $75.00 per ton, whichever is lower, f. o. b. river bank.

This section shall expire on December 31, 1944.

This amendment shall become effective August 5, 1944.

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11740; Filed, August 5, 1944; 4:34 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 30—UNIFORM AND INSIGNIA OF THE UNITED STATES CADET NURSE CORPS

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in Public Law 74, 78th Congress, approved June 15, 1943, and Public Law 248, 78th Congress, approved March 4, 1944, authorizing the Surgeon General to prescribe uniforms and distinctive insignia for the United States Cadet Nurse Corps, §§ 30.2 (c) and 30.8 (9 F.R. 4246) of the regulations of the Surgeon General governing the uniform and insignia of the United States Cadet Nurse Corps are hereby amended to read as follows:

§ 30.2 *Prescribed distinctive insignia.*

* * *

(c) *Shoulder epaulet markings.*

Pre-Cadet Nurse: Plain epaulets.

Junior Cadet Nurse: One silver or white embroidered Maltese cross centered on each epaulet.

Senior Cadet Nurse: Two silver or white embroidered Maltese crosses on each epaulet placed ¾ of an inch front and back of shoulder seam.

Graduate Cadet Nurses Engaged in Essential Civilian Nursing Services: Three silver or white embroidered Maltese crosses spaced evenly on each epaulet.

§ 30.8 *Persons eligible to wear the uniform without the designated distinctive insignia under § 30.2 (d).* Nurses receiving post-graduate instruction under Public Law 74, 78th Congress, graduate nurses who are employed in the training of U. S. Cadet Nurses, and persons employed in connection with the administration of Public Law 74, 78th Congress, and any amendments thereto, and who have been authorized by the Surgeon General may wear the uniform and insignia designated or prescribed in these regulations without the designated distinctive insignia under § 30.2 (d): *Provided, however,* That they shall purchase the uniforms at their own expense; *And further provided,* That they shall replace the words "Cadet Nurse" with the words "Nurse Education" on the sleeve markings and shall wear shoulder epaulets containing three silver or white embroidered Maltese crosses spaced evenly on each epaulet.

Dated: August 4, 1944.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: August 4, 1944.

WATSON B. MILLER,
Acting Federal Security Administrator.

[F. R. Doc. 44-11715; Filed, August 5, 1944; 11:22 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167, 54 Stat. 1028 (46 U. S. C. 375, 391a, 404, 481, 489, 367, 526–526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations and approval of equipment are prescribed:

Subchapter D—Tank Vessels

PART 33—LIFESAVING APPLIANCES

EQUIPMENT; LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

Section 33.3–1 (d) is amended to read as follows:

§ 33.3–1 *Tank ship lifeboat equipment; ocean and coastwise—T/OC.* * * *

(d) *Compass and mounting.* One efficient liquid compass with not less than a 2-inch card. On and after January 1, 1945, all compasses and mountings for new installations or replacements shall be of an approved type. The Coast Guard specification for such approved

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[1] 9 F.R. 2357.

*Copies may be obtained from the Office of Price Administration.

*Copies may be obtained from the Office of Price Administration.

*Copies may be obtained from the Office of Price Administration.

type, which requires a card of not less than 3¾ inches in diameter, will be made available upon request.

PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

LIFEBOATS, LIFE RAFTS, BUOYANT APPARATUS, AND DAVITS

Section 37.1–4 *Lifeboat davits—TB/ALL* (6 F.R. 6704, 9 F.R. 5997) is amended by changing A. S. T. M. specifications designations in paragraphs (d), (e), and (f) from A 27–39 and A 215–39T to A 27–42 and A 215–41, respectively.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.3 *Strength and operation of davits* is amended by changing A. S. T. M. specifications designations in paragraphs (j), (k), and (l) from A 27–30 and A 215–39T to A 27–42 and A 215–41, respectively.

Section 59.11 (d) is amended to read as follows:

§ 59.11 *Lifeboat equipment.* • • •

(d) *Compass and mounting.* One efficient liquid compass with not less than a 2-inch card. On and after January 1, 1945, all compasses and mountings for new installations or replacements shall be of an approved type. The Coast Guard specification for such approved type, which requires a card of not less than 3¾ inches in diameter, will be made available upon request.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.9 (d) is amended to read as follows:

§ 60.9 *Lifeboat equipment.* • • •

(d) *Compass and mounting.* (See § 59.11 (d) of this chapter which is identical with this section.)

Section 60.21 *How lifeboats shall be carried; davits and cranes required* is amended by changing A. S. T. M. specifications designations from A 27–39 and A 215–39T to A 27–42 and A 215–41, respectively.

Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 76.15 *How lifeboats shall be carried; davits and cranes required* is amended by changing the A. S. T. M. specifications designations from A 27–39 and A 215–39T to A 27–42 and A 215–41, respectively.

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 94.14 *How lifeboats shall be carried; davits and cranes required* is amended by changing the A. S. T. M. specifications designations from A 27–39 and A 215–39T to A 27–42 and A 215–41, respectively.

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.23 *How lifeboats shall be carried; davits and cranes required* is amended by changing the A. S. T. M. specifications designations from A 27–39 and A 215–39T to A 27–42 and A 215–41, respectively.

APPROVAL OF EQUIPMENT

FIRE INDICATING AND ALARM SYSTEM

Fire Detecting System, MacKenzie Marine Double Action Spot Fire Lowecating System (Dwgs. Nos. MSFLS–16–A, Alt. A; MSFLS–7–C, Alt. C; MSFLS–11–A, Alt. A; MSFLS–12–A; Alt. A; MSFLS–5–B–O, Alt. O; MSFLS–5–B, Alt. B; MSFLS–10–A, Alt. A; MSFLS–16–A, Alt. A; Cat. No. N–101000; Cat. No. N–354000; Cat. No. N–353000; Cat. No. M–356000; and Cat. No. M–357000), submitted by Anderson & McKenzie, 153 Mercer Street, New York 12, N. Y.

FLASHLIGHT

Flashlight, Model 3451, (Assembly Dwg. No. 3451, dated 11 November, 1943, and material list 3451, dated 12 May, 1944), submitted by Usona Manufacturing Company, 24 Eleventh Street, Toledo, Ohio.

LIFEBOATS

31′ x 11′ 3″ x 4′ 6″ metallic hand propelled lifeboat (990 cu. ft. capacity) (Construction and Arrangement Dwg. No. 2665, dated 31 July, 1943), constructed by the Welin Davit & Boat Corp., Perth Amboy, N. J. (This replaces approval 8 F.R. 12518, September 11, 1943.)

24′ x 7′ x 3′ metallic car-propelled lifeboat (302 cu. ft. capacity) (General Arrangement & Construction Dwg. No. 2435, dated 19 June, 1944), submitted by Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, N. Y.

LIFE FLOAT

25-person, solid rectangular balsa wood life float, (Dwg. No. F–101, dated 29 May, 1944), submitted by Modecraft Co., Inc., 300 Wyckoff Avenue, Brooklyn, N. Y.

LIFE PRESERVERS

Model No. 1, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944) Approval No. B–229, manufactured by Grand Novelty Co., 273 State Street, Brooklyn, N. Y. (For general use.)

Model No. 2, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B–230, manufactured by Grand Novelty Co., 273 State Street, Brooklyn, New York. (For general use.)

Model No. 3, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B–231, manufactured by Grand Novelty Co., 273 State Street, Brooklyn, N. Y. (For use with rubber lifesaving suits.)

Adult kapok life preserver (Standard Navy type 23P12) (Navy Bureau of Ships Drawing No. 83927, Alt. I, 83928, Alt. G, and Ad Interim Specification 23P12), Approval No. B–228, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, New York. (For general use.)

TELEPHONE SYSTEMS

Sound powered telephone for wheelhouse, splashproof, Type A, Model W, Drawing No. 1, Alt. O; Sound powered telephone for engine room, splashproof, Type A, Model E, Drawing No. 3, Alt. O; Sound powered telephone and relay for engine room, splashproof, Type A, Model E, Drawing No. 4, Alt. O; Sound powered telephone for crow's nest only, watertight, bulkhead mounting, 3-inch W. T. bell, Type A, Model W. T., Drawing No. 5, Alt. O; Sound powered telephone, watertight, bulkhead mounting, 6-inch W. T. bell, Type A, Model W. T., Drawing No. 6, Alt. O; Sound powered telephone, watertight, pedestal mounting, 6-, 8- or 10-inch bell, Type A, Model W. T. P., Drawing No. 8, Alt. O; submitted by the Hose-McCann Telephone Co., Inc., 177 Pacific Street, Brooklyn, New York. (These approvals replace the approvals of telephone systems of same types and model numbers made in 1936.)

R. R. WAESCHE,
Vice Admiral, USCG, Commandant.

AUGUST 5, 1944.

[F. R. Doc. 44–11742; Filed, August 7, 1944; 8:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S.O. 200, Amdt. 2]

PART 95—CAR SERVICE

REFRIGERATION OF POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of August, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960), and good cause appearing therefor:

It is ordered, That Service Order No. 200 of April 22, 1944, be, and it is hereby, further amended by adding the following exception to paragraph (a) (1) of § 95.337, thereof:

Exception: Bunkers may be filled for the first or initial icing, except on refrigerator cars originating in Quay, Curry and Roosevelt Counties, New Mexico, or in the Hereford District of the Texas Panhandle (Cochran, Hockley, Lubbock, Crosby, Dickens, King Counties and north thereof), the first or initial icing shall be limited to the amount of ice that will fill each bunker to not more than three-fourths of that bunker's capacity.

It is further ordered, That this order shall become effective 12:01 a. m., August 5, 1944, and shall expire at 12:01 a. m., September 15, 1944; that a copy of this order and direction shall be served upon the State Commission of each State specified in the exception herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-11719; Filed, August 8, 1944, 11:45 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Q—Alaska Commercial Fisheries

PART 205—ALASKA PENINSULA AREA FISHERIES

AREAS OPEN TO SALMON TRAPS

Effective only through December 31, 1944, § 205.17 *Areas open to salmon traps,* is amended as follows:

Subsection (f) is hereby suspended, and subsection (a) is hereby amended to read as follows:

(a) Unimak Island: Along the coast on the west and south sides of Ikatan Bay (1) from a point on False Pass (Isanotski Strait) at 54 degrees 48 minutes 54 seconds north latitude, 163 degrees 22 minutes 18 seconds west longitude, to a point at 54 degrees 46 minutes 44 seconds north latitude, 163 degrees 21 minutes 32 seconds west longitude, and (2) from a point at 54 degrees 45 minutes 18 seconds north latitude, 163 degrees 17 minutes 30 seconds west longitude, to a point on Louisiana Cove at 54 degrees 46 minutes 3 seconds north latitude, 163 degrees 10 minutes west longitude.

OSCAR L. CHAPMAN,
Assistant Secretary.

Approved: August 1, 1944.

[F. R. Doc. 44-11758; Filed, August 7, 1944; 11:16 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

WYOMING

WITHDRAWAL OF PUBLIC LANDS

Stock Driveway Withdrawal No. 144, Wyoming No. 18, modified; Stock Driveway Withdrawal No. 158, Wyoming No. 26, redesignated and included in Stock Driveway Withdrawal No. 144, Wyoming No. 18.

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300), it is ordered as follows:

The following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 144, Wyoming No. 18:

SIXTH PRINCIPAL MERIDIAN

T. 29 N., R. 80 W.,
Sec. 12, SE¼NW¼.
T. 30 N., R. 80 W.,
Sec. 7, lot 21.
T. 40 N., R. 80 W.,
Sec. 28, N½NW¼ and SW¼NW¼.
T. 38 N., R. 81 W.,
Sec. 21, W½W½; Sec. 29, NE¼ and N½SE¼.
T. 39 N., R. 81 W.,
Sec. 1, NW¼SE¼.

The areas described aggregate 636.87 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and such regulations as have been or may be issued thereunder.

The order of the First Assistant Secretary of the Interior of April 20, 1921, establishing Stock Driveway Withdrawal No. 144, Wyoming No. 18, is hereby revoked so far as it affects the following-described land:

SIXTH PRINCIPAL MERIDIAN

T. 37 N., R. 81 W.,
Sec. 5, NE¼.

The area described contains 160.62 acres.

Stock Driveway Withdrawal No. 158, Wyoming No. 26, as established by the order of the Acting Secretary of the Interior of July 1, 1922, and consisting of the following-described land, is hereby redesignated as a part of Stock Driveway Withdrawal No. 144, Wyoming No. 18:

SIXTH PRINCIPAL MERIDIAN

T. 31 N., R. 82 W.,
Sec. 14, E½SW¼ and W½SE¼;
Sec. 23, W½NE¼ and E½NW¼.

The areas described aggregate 320 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 1, 1944.

[F. R. Doc. 44-11759; Filed, August 7, 1944; 11:16 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-30]

BUTLER BROTHERS CO.

FINDING AS TO CONTRACTS IN PROSECUTION OF THE WAR

Finding of the Secretary, No. WLD-30 (Case No. S-1120).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. Law 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER on August 14, 1943, and

Having been advised of the existence of a labor dispute involving Butler Brothers Company, Minneapolis, Minnesota:

I find that the storing and warehousing of general merchandise by the Butler Brothers Company pursuant to any contract, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 5th day of August 1944.

D. W. TRACY,
Acting Secretary.

[F. R. Doc. 44-11779; Filed, August 7, 1944; 11:46 a. m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Acme Cloth Reel Company, 214 West McBee Avenue, Greenville, South Carolina; cloth reels and cloth winding boards; 2 learners (T); reinforcing ends of cloth reels and pasting lettered labels for a learning period of 240 hours at 35 cents per hour; effective August 8, 1944, expiring February 8, 1945.

Colonial Felt Mills, 223 E. Fourth Street, St. Paul, Minnesota; hand woven rugs and pillows; 76 learners (T); weaving and stringing, cutting, measuring, and sewing for a learning period of 320 hours at 35 cents per hour; effective July 31, 1944, expiring January 31, 1945.

Latin American Trading Company, Tampa, Florida; desiccating and dehydrating fresh coconut meat; 16 learners (T); coconut peeling for a learning period of 240 hours at 30 cents per hour for the first 160 hours and 35 cents per hour for the next 80 hours; effective August 7, 1944, expiring February 7, 1945.

Rentz Banking Company, Rentz, Georgia; banking; 1 learner (T); posting machine operator—bookkeeper for a learning period of 160 hours at 35 cents per hour; effective August 7, 1944, expiring September 11, 1944.

Signed at New York, New York, this 5th day of August 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-11755; Filed, August 7, 1944; 10:51 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 1890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3783).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES
SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY
The Badger Raincoat Company, 942 North Water Street, Milwaukee, Wisconsin; mackinaws and jackets; 3 learners (T); effective August 2, 1944, expiring August 2, 1945.
Dixie Dress Manufacturing Company, 116 Mitchell Street, S. W., Atlanta, Georgia; dresses, uniforms, shirts and blouses; 10 learners (T); effective August 5, 1944, expiring August 4, 1945.
Forest City Manufacturing Company, 1641 Washington Avenue, St. Louis, Missouri; women's apparel; 90 learners (E); effective August 1, 1944, expiring January 31, 1945.
Fox Knapp Manufacturing Company, Tremont, Pennsylvania; work clothing; 10 percent (T); effective August 5, 1944, expiring August 4, 1945.
Kings Dresses, Glasco, New York; dresses and housecoats; 10 percent (T); effective August 3, 1944, expiring August 2, 1945.
Louis Lewin Company, 1108 South Fourth Street, Clinton, Indiana; work clothing; 10 percent (T); effective August 3, 1944, expiring August 2, 1945.
M. & R. Shirt Company, 226 New Brunswick Avenue, Perth Amboy, New Jersey; Men's dress and sport shirts; 5 learners (T); effective July 31, 1944, expiring January 30, 1945.
Southern Garment Manufacturing Company, Inc., Culpeper, Virginia; work pants; 10 percent (T); effective August 1, 1944, expiring July 31, 1945.
Sweet Manufacturing Company, 1100 Commerce Street, Dallas, Texas; sport shirts, neckwear; 10 percent (T); effective August 2, 1944, expiring August 1, 1945.
GLOVE INDUSTRY
The Boss Manufacturing Company, Cisco Texas; work gloves; 50 learners (E); effective August 1, 1944, expiring January 31, 1945.
HOSIERY INDUSTRY
Crystal Hosiery Mill, Denton, North Carolina; seamless hosiery; 8 learners (T); effective August 3, 1944, expiring August 2, 1945.
Quality Hosiery Mills, 224 Main Street, Smithville, Tennessee; seamless hosiery; 26 learners (E); effective August 1, 1944, expiring January 31, 1945.
Union Manufacturing Company, Union Point, Georgia; seamless hosiery; 10 percent (AT); effective August 2, 1944, expiring February 1, 1945.
TELEPHONE INDUSTRY
Aitkin-Deerwood Telephone Company, Aitkin, Minnesota; to employ learners as commercial switchboard operators at its Aitkin exchange, located at Aitkin, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Aitkin-Deerwood Telephone Company, Crosby, Minnesota; to employ learners as commercial switchboard operators at its Crosby exchange, located at Crosby, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Ashland Home Telephone Company, Catlettsburg, Kentucky; to employ learners as commercial switchboard operators at its Catlettsburg exchange, located at Catlettsburg, Kentucky; effective August 7, 1944, expiring August 6, 1945.
Ashland Home Telephone Company, Ashland, Kentucky; to employ learners as commercial switchboard operators at its Ashland exchange, located at Ashland, Kentucky; effective August 7, 1944, expiring August 6, 1945.
Ashland Home Telephone Company, Berea, Kentucky; to employ learners as commercial switchboard operators at its Berea exchange, located at Berea, Kentucky; effective August 7, 1944, expiring August 6, 1945.
Ashland Home Telephone Company, Flemingsburg, Kentucky; to employ learners as commercial switchboard operators at its Flemingsburg exchange, located at Flemingsburg, Kentucky; effective August 7, 1944, expiring August 6, 1945.
Ashland Home Telephone Company, Hazard, Kentucky; to employ learners as commercial switchboard operators at its Hazard exchange, located at Hazard, Kentucky; effective August 7, 1944, expiring August 6, 1945.
Ashland Home Telephone Company, Morehead, Kentucky; to employ learners as commercial switchboard operators at its Morehead exchange, located at Morehead, Kentucky; effective August 7, 1944, expiring August 6, 1945.
Ashland Home Telephone Company, Russell, Kentucky; to employ learners as commercial switchboard operators at its Russell exchange, located at Russell, Kentucky; effective August 7, 1944, expiring August 6, 1945.
Carver County Telephone Company, Chaska, Minnesota; to employ learners as commercial switchboard operators at its Chaska exchange, located at Chaska, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Carver County Telephone Company, Norwood, Minnesota; to employ learners as commercial switchboard operators at its Norwood exchange, located at Norwood, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Casenovia Telephone Corporation, Casenovia, New York; to employ learners as commercial switchboard operators at its Casenovia exchange, located at Casenovia, New York; effective August 4, 1944, expiring August 3, 1945.
Eastern Illinois Telephone Company, Rantoul, Illinois; to employ learners as commercial switchboard operators at its Rantoul exchange, located at Rantoul, Illinois; effective August 3, 1944, expiring August 1, 1945.
Farmers New Era Telephone Company, Hebron, Illinois; to employ learners as commercial switchboard operators at its Hebron exchange, located at Hebron, Illinois; effective August 4, 1944, expiring August 3, 1945.
Howato Telephone Company, Cokato, Minnesota; to employ learners as commercial switchboard operators at its Cokato exchange, located at Cokato, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Long Prairie Telephone Company, Long Prairie, Minnesota; to employ learners as commercial switchboard operators at its Long Prairie exchange, located at Long Prairie, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Mid-West States Telephone Company, Oakfield, Wisconsin; to employ learners as commercial switchboard operators at its Oakfield exchange, located at Oakfield, Wisconsin; effective August 4, 1944, expiring August 3, 1945.
Ohio Standard Telephone Company, Brookville, Ohio; to employ learners as commercial switchboard operators at its Brookville exchange, located at Brookville, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Carrollton, Ohio; to employ learners as commercial switchboard operators at its Carrollton exchange, located at Carrollton, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Hicksville, Ohio; to employ learners as commercial switchboard operators at its Hicksville, Ohio exchange, located at Hicksville, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Georgetown, Ohio; to employ learners as commercial switchboard operators at its Georgetown exchange, located at Georgetown, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Jackson, Ohio; to employ learners as commercial switchboard operators at its Jackson exchange, located at Jackson, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone, Mechanicsburg, Ohio; to employ learners as commercial switchboard operators at its Mechanicsburg exchange, located at Mechanicsburg, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Minerva, Ohio; to employ learners as commercial switchboard operators at its Minerva exchange, located at Minerva, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, New Lebanon, Ohio; to employ learners as commercial switchboard operators at its New Lebanon exchange, located at New Lebanon, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Oxford, Ohio; to employ learners as commercial switchboard operators at its Oxford exchange, located at Oxford, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Plain City, Ohio; to employ learners as commercial switchboard operators at its Plain City exchange, located at Plain City, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Pomeroy, Ohio; to employ learners as commercial switchboard operators at its Pomeroy exchange, located at Pomeroy, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, Trotwood, Ohio; to employ learners as commercial switchboard operators at its Trotwood exchange, located at Trotwood, Ohio; effective August 7, 1944, expiring August 6, 1945.
Ohio Standard Telephone Company, West Milton, Ohio; to employ learners as commercial switchboard operators at its West Milton exchange, located at West Milton, Ohio; effective August 7, 1944, expiring August 6, 1945.
Primghar Telephone Company, Primghar, Iowa; to employ learners as commercial switchboard operators at its Primghar exchange, located at Primghar, Ohio; effective August 4, 1944, expiring August 3, 1945.
Ohio Standard Telephone Company, Wellston, Ohio; to employ learners as commercial switchboard operators at its Wellston exchange, located at Wellston, Ohio; effective August 7, 1944, expiring August 6, 1945.
Rural Telephone Company, Osseo, Minnesota; to employ learners as commercial switchboard operators at its Osseo, Minnesota exchange, located at Osseo, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Swift County Telephone Corporation, Benson, Minnesota; to employ learners as commercial switchboard operators at its Benson exchange, located at Benson, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Taylor County Service Company, Bedford, Iowa; to employ learners as commercial switchboard operators at its Bedford exchange, located at Bedford, Iowa; effective August 4, 1944, expiring August 3, 1945.
Telephone Exchange, Prescott, Arkansas; to employ learners as commercial switchboard operators at its Prescott exchange, located at Prescott, Arkansas; effective August 4, 1944, expiring August 3, 1945.
Wabasha County Telephone Company, Plainview, Minnesota; to employ learners as commercial switchboard operators at its Plainview exchange, located at Plainview, Minnesota; effective August 2, 1944, expiring August 1, 1945.
Winnebago County Telephone Company, Rockton, Illinois; to employ learners as commercial switchboard operators at its Rockton exchange, located at Rockton, Illinois; effective August 4, 1944, expiring August 3, 1945.
Winona County Telephone Company, Lewiston, Minnesota; to employ learners as commercial switchboard operators at its Lewiston exchange, located at Lewiston, Minnesota; effective August 2, 1944, expiring August 1, 1945.
TEXTILE INDUSTRY
Cabin Handicrafters, Inc., Clayton, Georgia; cotton rugs, mats and bags; 3 learners (T); effective August 8, 1944, expiring February 7, 1945.

Signed at New York, N. Y., this 5th day of August 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-11756; Filed, August 7, 1944; 10:51 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 13-401-B-1]

NORTHEAST AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Northeast Airlines, Inc., to amend its certificate of public convenience and necessity for route No. 27 to include Lawrence, Massachusetts, as an intermediate point under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of the said act, that a public hearing in the above-entitled proceeding is assigned to be heard at 10 a. m. (eastern war time), August 11, 1944, Room 5417 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Thomas L. Wrenn.

Dated Washington, D. C., August 2, 1944.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11712; Filed, August 5, 1944; 11:08 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-562]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

AUGUST 4, 1944.

Notice is hereby given that on July 31, 1944, an application was filed with the Federal Power Commission by Consolidated Gas Utilities Corporation ("Applicant"), a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma, for a temporary and a permanent certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the Applicant to construct and operate a 6⅝ inch O. D. natural gas pipe line approximately 2½ miles in length, extending in a generally northerly direction from a gas well known as the Ben Gralapp et al. Collinson No. 1, located in Section 29, Township 34 South, Range 3 East, Cowley County, Kansas, to a point of connection with Applicant's existing double 6-inch line in Section 17, Township 34 South, Range 3 East, Cowley County, Kansas, together with necessary appurtenant facilities and a measuring station to be located adjacent to the above well, or in the alternative, that the Commission determine that it has no jurisdiction over the proposed construction.

Applicant asserts that, in order to adequately supply the needs of its customers on its system during the 1944-1945 heating season, it is necessary that the line be completed by November 1, 1944.

Applicant further recites that the gas transported through the proposed pipe line will be used for general service, but principally to supply the city of Winfield, Kansas, and the United States Army Air Base near Winfield, Kansas.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 24th day of August, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11717; Filed, August 5, 1944; 11:34 a. m.]

FEDERAL POWER COMMISSION.

[Project No. 1903]

CONCORD ELECTRIC CO.

ORDER GRANTING REHEARING AND STAY

AUGUST 1, 1944.

Upon application filed July 20, 1944, by Concord Electric Company for rehearing on the Commission's order of June 22, 1944, authorizing issuance of a license (major) for the constructed Sewalls Falls project located on the Merrimack River at Concord, New Hampshire, Project No. 1903; and

It appearing that the petitioner requests a rehearing with respect to its contentions that:

(a) The finding that the existing power plant is obsolete should be eliminated from the Commission's order of June 22, 1944;

(b) The requirement for a fish ladder should be modified to require its construction only when substantial alterations or repairs are made to the dam;

(c) The requirement that the licensee shall reconstruct the project upon order of the Commission should be eliminated;

The Commission finds that: Upon the circumstances it is necessary and appropriate to grant the application for rehearing and to stay the Commission's order of June 22, 1944, as hereinafter provided;

It is ordered, That: (A) The application for a rehearing on the Commission's order of June 22, 1944, be and it is hereby granted, such rehearing to be held at a time and place to be hereafter fixed by the Commission;

(B) The order of June 22, 1944, be and it is hereby stayed until further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11743; Filed, August 7, 1944; 10:13 a. m.]

[Docket No. G-560]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

AUGUST 4, 1944.

Notice is hereby given that on July 28, 1944, an application was filed with the Federal Power Commission by Consolidated Gas Utilities Corporation ("Applicant"), a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma, for a temporary and a permanent certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to install and operate at its Pitsch compressor station in Wheeler County, Texas, a 400 H. P. gas compressor unit, and water and gas cooling coils and other auxiliary equipment to supplement its principal cooling facilities and other necessary miscellaneous equipment.

Applicant asserts that the installation of the additional facilities in its Pitsch compresor station is required to enable Applicant to maintain general gas service to its existing customers served from its pipe line system having as its termini Wheeler County, Texas, and Lyons, Kansas, due to the fact that the wells in the east end of the Panhandle Gas Field have declined in pressures since the original installation of the Pitsch compressor station.

It is further asserted by the Applicant that it is imperative that the proposed installation of the facilities above referred to commence as soon as possible in order to increase the deliverability of its Pitsch compressor station to meet the demands upon its system during the 1944–1945 heating season.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 24th day of August, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-11744; Filed, August 7, 1944; 10:13 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 430]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, August 2 or 3, 1944, by Phil Malot Company, Inc., of car WFEX 60324, potatoes, now on the CRIAP, to Morris Goldman, Inc., Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11718; Filed, August 5, 1944; 11:45 a. m.]

[S. O. 70-A, Special Permit 431]

RECONSIGNMENT OF CANTALOUPES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, August 3, 1944, by Shapiro Brothers Inc., of car PFE 75971, cantaloupes, now on the Frisco to Galinsky Fruit Company, Sioux City, Iowa, via CB&Q.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11780; Filed, August 7, 1944; 11:41 a. m.]

[S. O. 70-A, Special Permit 432]

RECONSIGNMENT OF WATERMELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 3, 1944, by Cohan & Gordon of car L&N 98068, watermelons, now on the Chicago Produce Terminal, to Harry Kupay, Milwaukee, Wisconsin, via C&NW.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11781; Filed, August 7, 1944; 11:41 a. m.]

[S. O. 70-A, Special Permit 433]

RECONSIGNMENT OF HONEYDEW MELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 4, 1944, by Kaiser Brothers of car PFE 97074, honeydew melons, now on the Chicago Produce Terminal, to New York, New York, via Erie Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11782; Filed, August 7, 1944; 11:41 a. m.]

[S. O. 70-A, Special Permit 434]

RECONSIGNMENT OF APPLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 4, 1944, by La Mantia Brothers Arrigo of car PGE 51390, apples, now on the Pennsylvania Railroad to L. Singer & Sons Produce Company, Kansas City, Missouri-Kansas, via Wabash.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11783; Filed, August 7, 1944; 11:41 a. m.]

[S. O. 200, Amended General Permit 14]

REICING OF POTATOES IN HEREFORD, TEX., DISTRICT

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing with only so much ice as is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity, on any refrigerator car loaded with potatoes originating at any point or points in the Hereford, Texas District (includes counties in Texas Panhandle, Cochran, Hockley, Lubbock, Crosby, Dickens, King and north thereof). The reicing may be accorded at stations designated by shippers, or at carriers option, at the first station on either side of such designated station.

This general permit shall become effective at 12:01 a. m., August 5, 1944, and shall expire at 12:01 a. m., September 15, 1944.

This general permit shall apply to cars billed or rolling on or after the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of August 1944.

V. C. CLINGER,
Director, Bureau of Service.

[F. R. Doc. 44-11784; Filed, August 7, 1944; 11:42 a. m.]

[S. O. 200, Amended General Permit 15]

REICING OF POTATOES IN DESIGNATED COUNTIES IN NEW MEXICO

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, with only so much ice as is necessary to bring the ice in each bunker up to, but not above three-fourths of that bunker's capacity, any refrigerator car loaded with potatoes originating at points in Quay, Curry and Roosevelt Counties, New Mexico. The reicing may be accorded at stations designated by shippers, or at carriers' option, at the first station on either side of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., August 5, 1944, and shall expire at 12:01 a. m., September 15, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-11785; Filed, August 7, 1944; 11:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 12, Amdt. 1]

ALTHAUSER EXPRESS AND VAN CO., ET AL.

REGISTRATION OFFICE AT NEW YORK, NEW YORK, FOR HOUSEHOLD GOODS MOTOR CARRIERS

Harry Althauser and Catherine Althauser, doing business as Althauser Express and Van Co., et al.

Upon consideration of a petition for amendment of Supplementary Order ODT 3, Revised-12 (8 F.R. 1046), filed with the Office of Defense Transportation by the president of New York Movers Registration Office, Inc., which registration office was created pursuant to the above-named supplementary order, and good cause appearing therefor,

It is hereby ordered, That the first paragraph of item 1 of Supplementary Order ODT 3, Revised-12, be, and it hereby is, amended to read as follows:

1. The carriers, and each of them, named in the appendix hereof (hereinafter collectively called "carriers"), respectively, in the transportation of household goods as a common carrier by motor vehicle or in the collection of shipments of household goods which will be transported by rail, water, freight forwarder, or air, shall establish an office (hereinafter referred to as "registration office") at New York, New York, to facilitate the movement of shipments of household goods, in the following manner:

* * * * *

Issued at Washington, D. C., this 7th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-11753; Filed, August 7, 1944; 10:55 a. m.]

[Special Order ODT B-56]

QUAKER CITY BUS CO.

SUSPENSION OF OPERATIONS BETWEEN NEW YORK, N. Y., AND BOSTON, MASS.

Pursuant to the act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfilment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. Quaker City Bus Co., Camden, New Jersey (hereinafter called "carrier"), in the transportation of passengers as a common carrier by motor vehicle, shall suspend operations between New York, New York, and Boston, Massachusetts, and to, from or between points intermediate thereto.

2. The carrier shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B–56".

This Special Order ODT B–56 shall become effective August 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 7th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-11754; Filed, August 7, 1944; 10:55 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 893]

McGINNIS & GRAFE AND FLOYD R. HYER

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 893 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 15. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

This order shall become effective August 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11723; Filed, August 5, 1944; 11:49 a. m.]

[MPR 120, Order 894]

NEGLEY FIRE CLAY CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 894 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

McGINNIS & GRAFE, CONTINENTAL BLDG., DALLAS 1, TEX., COLGATE #2 MINE, UPPER & LOWER MCALESTER SEAMS, MINE INDEX NO. 2017, COAL COUNTY, OKLA., RAIL SHIPPING POINT: PHILLIPS, OKLA., STRIP MINE, CLASSIFIED IN PRODUCTION GROUP NO. 9

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Rail shipment	500	500	500	440	400	290	325	300	140		
Truck shipment	510	510	510	460	410	285	370	340	215		
Railroad locomotive fuel	(All size groups) 270										

FLOYD R. HYER, 606 COMMERCE BLDG., OKMULGEE, OKLA., HYER STRIP PIT MINE, BOYNTON SEAM, MINE INDEX NO. 2012, MUSKOGEE COUNTY, OKLA., STRIP MINE, CLASSIFIED IN PRODUCTION GROUP NO. 11

	Size group Nos. 1	2	3	4	6	8	9	10	11	14
Truck shipment	405	405	405	375	345	225	295	215	225	190

THE NEGLEY FIRE CLAY CO., NEGLEY, OHIO, CHILDS MINE, UPPER KITTANNING SEAM, MINE INDEX NO. 4138, BEAVER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: NEGLEY, OHIO, STRIP MINE

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	B	B	B	B	B		
Rail shipment	310	310	310	310	310	300	275	275	260		
Railroad fuel price group 10	310	310	310	310	300	275	275	270	245	245	
Truck shipment	415	415	415	400	375	375	375	305	305	265	265

THE NEGLEY FIRE CLAY CO., NEGLEY, OHIO, HYER MINE, LOWER KITTANNING SEAM, MINE INDEX NO. 4087, BEAVER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: NEGLEY, OHIO, STRIP MINE

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	B	B	B	B	B		
Rail shipment	310	310	310	310	310	300	275	275	260		
Railroad fuel price group 10	310	310	310	310	310	300	275	275	260	245	
Truck shipment	415	415	415	400	375	375	375	305	265	265	245

PLEASANT HILLS COAL CO., ROUTE 51, JEFFERSON TOWNSHIP, PITTSBURGH (10), PA., PLEASANT HILLS MINE, PITTSBURGH SEAM, MINE INDEX NO. 4065, ALLEGHENY COUNTY, PA., SUB-DISTRICT 7

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Truck shipment	425	425	425	380	360	360	360	335	285	285	280

REM COAL COMPANY, 800 E. LEASURE AVE., NEW CASTLE, PA., NESBIT MINE, KITTANNING SEAM, MINE INDEX NO. 4147, LAWRENCE COUNTY, PA., SUB-DISTRICT 1, STRIP MINE

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Truck shipment	435	435	435	400	395	395	395	330	285	265	240

LACE BROTHERS COAL CO., 102 HAMM ST., VANDERGRIFT, PA., LACE BROS. MINE, FREEPORT SEAM, MINE INDEX NO. 4090, ARMSTRONG COUNTY, PA., SUB-DISTRICT 2, RAIL SHIPPING POINT: VANDERGRIFT, PA., DEEP MINE

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	E	E	E	E	F	F	F		
Rail shipment	310	310	305	305	305	295	275	275	260		
Railroad fuel price group 20	315	315	315	315	315	300	275	275	270	270	
Truck shipment	395	395	395	365	360	360	360	295	275	275	265

THE LAMB SHIELDS MINING CO., 620 MAIN ST., MT. PLEASANT, PA., YOUNGWOOD MINE, PITTSBURGH SEAM, MINE INDEX NO. 4162, WESTMORELAND COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: YOUNGWOOD, PA., STRIP MINE

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	B	B	B	B	B		
Rail shipment	310	310	310	310	310	300	275	275	260		
Railroad fuel price group 10	310	310	310	310	310	300	275	275	260	245	
Truck shipment	415	415	415	400	375	375	375	305	305	265	265

ROBEL & JANTZ COAL CO., 309 MCMILLEN ST., JOHNSTOWN, PA., FORT PALMER NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4077, WESTMORELAND COUNTY, PA., SUB-DIST. 6, RAIL SHIPPING POINT: FORT PALMER, PA., STRIP MINE

	Size group Nos. 1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	B	B	B	B	B		
Rail shipment	310	310	310	310	310	300	275	275	260		
Railroad fuel price group 10	310	310	310	310	310	300	275	275	260	245	
Truck shipment	415	415	415	400	375	375	375	305	305	265	265

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipment	405	405	405	375	345	235	295	215	225	190	

Price classification	F	F	E	E	E	E	F	F	F		
Rail shipment	310	310	305	305	305	305	275	275	260		
Railroad fuel price group 20	315	315	315	315	315	300	275	275	270	270	
Truck shipment	395	395	395	365	360	360	360	295	275	275	255

THE LAWRENCEVILLE MINING CO., 620 MAIN ST., MT. PLEASANT, PA., YOUNGWOOD MINE, PITTSBURGH SEAM, MINE INDEX NO. 4163, WESTMORELAND COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: YOUNGWOOD, PA., STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	C	D	D	D	D		
Rail shipment	310	310	310	310	310	290	270	270	245		
Railroad fuel price group 6	310	310	310	310	310	290	270	270	245	245	
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

M. G. LYNCH, 647 MCKAIN AVE., DONORA, PA., JOYCE MINE, PITTSBURGH SEAM, MINE INDEX NO. 4108, WESTMORELAND COUNTY, PA., SUB-DISTRICT 9, RAIL AND RIVER SHIPPING POINT: SOMERS, PA., AND LOCK NO. 3, PA., STRIP MINE

Price classification	E	E	C	C	C	C	C	C	C		
Rail and river shipment	310	310	310	310	310	300	275	275	255		
Railroad fuel price group 1	310	310	310	310	310	300	275	275	255	245	
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

LOGANS FERRY COAL CO., 33 FRANKFORD LANE, NEW KENSINGTON, PA., LOGANS FERRY HILL STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4148, ALLEGHENY COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT: NEW KENSINGTON, PA., STRIP MINE

Price classification	D	D	C	C	C	C	D	D	D		
Rail shipment	310	310	310	310	310	300	270	270	245		
Railroad fuel price group 9	310	310	310	310	310	300	270	270	245	245	
Truck shipment	425	425	425	390	360	360	360	325	285	285	270

MCANULTY COAL CO., 216 W. NORTH AVE., PITTSBURGH (12), PA., WALTERSBURG DEEP MINE, FREEPORT SEAM, MINE INDEX NO. 4132, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: WALTERSBURG, PA., DEEP MINE

Price classification	F	F	E	E	E	E	E	E	E		
Rail shipment	310	310	305	305	305	295	275	275	260		
Railroad fuel price group 6	315	315	315	315	315	300	275	275	270	270	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

MCANULTY COAL CO., 216 W. NORTH AVE., PITTSBURGH (12), PA., WALTERSBURG STRIP MINE, FREEPORT SEAM, MINE INDEX NO. 4133, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: WALTERSBURG, PA., STRIP MINE

Price classification	F	F	E	E	E	E	E	E	E		
Rail shipment	285	285	280	280	280	270	250	250	235		
Railroad fuel price group 6	290	290	290	290	290	275	250	250	245	245	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

MOROCCO & WARREN COAL CO., 629 6TH ST., TRAFFORD, PA., BUSSARD STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4149, WESTMORELAND COUNTY, PA., SUB-DIST. 9, RAIL SHIPPING POINT: ARONA, PA., STRIP MINE

Price classification	D	D	C	C	C	C	C	C	C		
Rail shipment	310	310	310	310	310	300	275	275	255		
Railroad fuel price group 1	310	310	310	310	310	300	275	275	255	245	
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

MOROCCO & WARREN COAL CO., 629 6TH ST., TRAFFORD, PA., BUSSARD DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 1615, WESTMORELAND COUNTY, PA., SUB-DIST. 9, RAIL SHIPPING POINT: ARONA, PA., DEEP MINE

Price classification	D	D	C	C	C	C	C	C	C		
Rail shipment	335	335	335	335	335	325	300	300	280		
Railroad fuel price group 1	335	335	335	335	335	325	300	300	280	270	
Truck shipment [1]	415	415	415	395	365	365	365	305	285	285	255

[1] Previously established.

ROBEL & JEANTE COAL CO., 830 MCMILLEN ST., JOHNSTOWN, PA., FORT PALMER NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4077, WESTMORELAND COUNTY, PA., SUB-DIST. 6, RAIL SHIPPING POINT: FORT PALMER, PA., STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	G	G	G	G	H	H	G	G	G		
Rail shipment	285	285	275	275	270	260	245	245	230		
Railroad fuel price group 14	290	290	290	290	290	275	245	245	235	235	
Truck shipment [1]	415	415	415	395	365	365	365	305	285	285	255

ROXBY COAL CO., BOX 172, DUNLO, PA., ROXBY NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4124, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: FOOTEDALE, PA., STRIP MINE

Price classification	E	E	C	C	B	B	C	C	C		
Rail shipment	310	310	310	310	310	300	275	275	255		
Railroad fuel price group 7	310	310	310	310	310	300	275	275	255	240	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

ELMER A. SNYDER, R. F. D. #2 BOX 304 CONNELLSVILLE, PA., SNYDER STRIP #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4112, WESTMORELAND COUNTY, PA., SUB-DISTRICT 9, RAIL SHIPPING POINT: WYANO, PA., STRIP MINE

Price classification	D	D	C	C	C	C	C	C	C		
Rail shipment	310	310	310	310	310	300	275	275	255		
Railroad fuel price group 1	310	310	310	310	310	300	275	275	255	245	
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

STANDARD COAL CO., GRANT BLDG., PITTSBURGH, PA., STANDARD #8 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4152, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: RACCOON, PA., STRIP MINE

Price classification	J	J	H	H	H	H	J	J	J		
Rail shipment	285	285	270	270	270	260	235	235	225		
Railroad fuel price group 2	290	290	290	290	290	275	235	235	235	235	
Truck shipment	425	425	425	385	375	375	375	325	290	290	265

BULGER BLOCK COAL CO., UNION TRUST BLDG., PITTSBURGH, PA., BULGER NO. 3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4114, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: BULGER, PA., STRIP MINE

Price classification	A	A	C	C	F	F	H	H	H		
Rail shipment	330	330	310	310	275	265	235	235	225		
Railroad fuel price group 2	330	330	310	310	290	275	235	235	235	235	
Truck shipment	425	425	425	385	375	375	375	325	290	290	265

CORNISH AND DICKERSON COAL CO., UNIONTOWN, PA., GLEBA #2 MINE, SEWICKLEY SEAM, MINE INDEX NO 4145, FAYETTE COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT: COAL LICK RUN BRANCH, PA., STRIP MINE.

Price classification	J	J	H	H	H	H	H	H	H		
Rail shipment	285	285	270	270	270	260	235	235	225		
Railroad fuel price group 8	285	285	270	270	270	260	235	235	230	230	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

HELEN R. DUNCAN, 126 W. MAIN ST., UNIONTOWN, PA., HELEN NO. 3 STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4116, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: SMOCK, PA., STRIP MINE

Price classification	E	E	C	C	B	B	C	C	C		
Rail shipment	310	310	310	310	310	300	275	275	255		
Railroad fuel price group 6	310	310	310	310	310	300	275	275	255	245	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

HELEN R. DUNCAN, 126 W. MAIN ST., UNIONTOWN, PA., HELEN NO. 3 DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4117, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: SMOCK, PA., DEEP MINE

Price classification	E	E	C	C	B	B	C	C	C		
Rail shipment	335	335	335	335	335	325	300	300	280		
Railroad fuel price group 6	335	335	335	335	335	325	300	300	280	270	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

C. W. DELOW, CALUMET, PA., BRINKERTON MINE, REDSTONE SEAM, MINE INDEX NO. 4127, WESTMORELAND COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: CALUMET, PA., STRIP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	G	G	G	G	G	G	G	G	G	-------	-------
Rail shipment	285	285	275	275	275	265	245	245	230	-------	-------
Railroad fuel price group 2	290	290	290	290	290	275	245	245	235	235	-------
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

GALIARDI COAL & COKE CO., SECOND NATIONAL BANK BLDG., CONNELLSVILLE, PA., CRAWFORD NO. 16 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4144, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: GILMORE, PA., DEEP MINE

Price classification	E	E	C	C	B	B	C	C	C	-------	-------
Rail shipment	335	335	335	335	335	325	300	300	280	-------	-------
Railroad fuel price group 6	335	335	335	335	335	325	300	300	280	270	-------
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

JAMES GILMORE, 935 HESLEP AVE., DONORA, PA., GILMORE EQUITABLE MINE, PITTSBURGH SEAM, MINE INDEX NO. 4109, WESTMORELAND COUNTY, PA., SUB-DISTRICT 9, RAIL SHIPPING POINT: DONORA, PA., DEEP MINE

Price Classification	E	E	C	C	C	C	C	C	C	-------	-------
Rail Shipment	335	335	335	335	335	325	300	300	280	-------	-------
R. R. Fuel Price Group 1	335	335	335	335	335	325	300	300	280	270	-------
Truck Shipment	415	415	415	395	365	365	365	305	285	285	255

GLADYS COAL CO., BOX 369, DAWSON, PA., RUSH MINE, PITTSBURGH SEAM, MINE INDEX NO. 4111, FAYETTE COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT: DICKERSON RUN, PA., STRIP MINE

Price Classification	E	E	C	C	C	D	C	C	C	-------	-------
Rail Shipment	310	310	310	310	310	290	275	275	255	-------	-------
R. R. Fuel Price Group 6	310	310	310	310	310	290	275	275	255	245	-------
Truck Shipment	415	415	415	385	375	375	375	310	290	290	265

BALKAN COAL CO., R. F. D. WEST BROWNSVILLE, PA., BALKAN #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4090, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: ELRAMA, PA., DEEP MINE

Price classification	D	D	C	C	C	C	C	C	C	-------	-------
Rail shipment	335	335	335	335	335	325	300	300	280	-------	-------
Railroad fuel price group 1	335	335	335	335	335	325	300	300	280	270	-------
Truck shipment	425	425	425	390	360	360	360	325	295	295	270

BARNES COAL CO., 309 S. MAIN ST., MASONTOWN, PA., POLAND #1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4103, GREENE COUNTY, PA., SUBDISTRICT 3, RAIL AND RIVER SHIPPING POINT: POLAND, PA., AND MOFFITT-STERLING DOCK, PA., DEEP MINE

Price classification	F	F	E	E	E	E	E	E	E	-------	-------
Rail and river shipment	310	310	305	305	305	295	275	275	260	-------	-------
Railroad fuel price group 7	310	310	305	305	305	295	275	275	265	265	-------
Truck shipment	390	390	390	360	340	340	340	290	260	260	230

BEACON FUEL CO., 417 BOULEVARD OF THE ALLIES, PITTSBURGH (22), PA., BEACON #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4065, FAYETTE COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT: KEISTER SIDING, PA., STRIP MINE

Price classification	E	E	C	C	B	B	C	C	C	-------	-------
Rail shipment	310	310	310	310	310	300	275	275	255	-------	-------
Railroad fuel price group 6	310	310	310	310	310	300	275	275	255	245	-------
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

SAM BERTONE, 1319 FAWCETT AVE., EXTENSION, MCKEESPORT, PA., NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4120, ALLEGHENY COUNTY, PA., SUB-DISTRICT 9, DEEP MINE

Truck shipment	425	425	425	390	360	360	360	325	295	295	270

P. R. BRIDGE, 1726 LINCOLN AVE., LATROBE, PA., BRIDGE MINE, PITTSBURGH SEAM, MINE INDEX NO. 2900, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT: KINGSTON, PA., DEEP MINE

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	G	G	G	G	H	H	G	G	G	-------	-------
Rail shipment	310	310	300	300	295	285	270	270	255	-------	-------
Railroad fuel price group 14	315	315	315	315	300	270	270	260	260	-------	-------
Truck shipment [1]	415	415	415	395	365	365	365	305	285	285	255

JOHN M. WUNDERLEY, 308 LOCUST ST., MCKEESPORT, PA., STOOPS MINE, PITTSBURGH SEAM, MINE INDEX NO. 4027, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, WYLIE, PA., AND MCKEESPORT, PA., FOR RIVER SHIPMENTS, STRIP MINE

Price classification	D	D	C	C	C	C	C	C	C	-------	-------
Rail and river shipment	310	310	310	310	310	300	275	275	255	-------	-------
Railroad fuel price group 1	310	310	310	310	310	300	275	275	255	245	-------
Truck shipment [1]	425	425	425	390	360	360	360	325	295	295	270

This order shall become effective August 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11724; Filed, August 5, 1944; 11:52 a. m.]

[MPR 120, Order 895]

HOOPER CONSTRUCTION CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 895 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index number, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

HOOPER CONSTRUCTION CO., BOX 111, FAIRFIELD, ALA., HOOPER NO. 1 MINE, MILLDALE SEAM, MINE INDEX NO. 2032, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., STRIP MINE

	1-2-3-4-5	6, 8, 10	7, 9, 11	12, 14-15-16	13, 19-20-21	17-18	22-23
Rail shipments and railroad fuel price group No. 7	505	515	505	440	430	430	420
Truck shipment price group No. 3	500	490	470	440	430	420	410

HOOPER CONSTRUCTION CO., BOX 111, FAIRFIELD, ALA., HOOPER NO. 2 MINE, BROOKWOOD SEAM, MINE INDEX NO. 2029, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: TRAVILLA, ALA., STRIP MINE

Rail shipments and railroad fuel price group No. 1	355	355	345	350	340	345	335
Truck shipment price group No. 7	425	440	420	385	375	380	345

[1] Previously established.

FRANKLIN COAL MINING CO., 805 PROTECTIVE LIFE BLDG., BIRMINGHAM 2, ALA., POWHATAN STRIP MINE, MARY LEE SEAM, MINE INDEX NO. 2028, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT: POWHATAN, ALA., STRIP MINE

Rail shipments and railroad fuel price group No. 1	355	355	345	350	340	345	335
Truck shipment price group No. 7	425	440	420	385	375	380	345

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and ship-

SAM BERTONE, 1319 FAWCETT AVE., EXTENSION, MCKEESPORT, PA., NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4120, ALLEGHENY COUNTY, PA., SUB-DISTRICT 9, DEEP MINE

Truck shipment	425	425	425	390	360	360	360	325	285	285	270

Rail shipments and railroad fuel price group No. 1	355	355	345	350	340	345	335
Truck shipment price group No. 7	425	440	420	385	375	380	345

[1] Previously established.

FRANKLIN COAL MINING CO., 806 PROTECTIVE LIFE BLDG., BIRMINGHAM 3, ALA., POWHATAN STRIP MINE, MARY LEE SEAM, MINE INDEX NO. 2028, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT: POWHATAN, ALA., STRIP MINE

Rail shipments and railroad fuel price group No. 1	355	355	345	350	340	345	335
Truck shipment price group No. 7	425	440	420	385	375	380	345

(MRS.) S. J. WITHERSPOON, ROUTE 2, CARBON HILL, ALA., WITHERSPOON NO. 1 MINE, JAGGER SEAM, MINE INDEX NO. 2033, WALKER COUNTY, ALA., RAIL SHIPPING POINT: CARBON HILL, ALA., DEEP MINE

Rail shipments and railroad fuel price group No. 1	355	355	345	350	340	345	335
Truck shipment price group No. 7	425	440	420	385	375	380	345

WEBSTER STEADMAN, AMERICA, ALA., STANDARD MINE, AMERICAN SEAM, MINE INDEX NO. 2038, WALKER COUNTY, ALA., RAIL SHIPPING POINT: PARRISH, ALA., DEEP MINE

Rail shipments and railroad fuel price group No. 4	425	415	405	405	395	395	385
Truck shipment price group No. 6	435	430	420	400	390	405	385

NOTE: The maximum price established by this order includes the increase in maximum prices authorized by Amendment No. 106 to Maximum Price Regulation No. 120 which became effective July 12, 1944.

This order shall become effective August 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11725; Filed, August 5, 1944; 11:49 a. m.]

[MPR 120, Order 896]

PARIS COAL WASHERY, INC.

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MAXIMUM PRICES

Order No. 896 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or separation plant.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Paris Coal Washery, Inc., located in Logan County, Arkansas, in District No. 14, is hereby assigned Mine Index No. 1000 for the identification of its washed coal as defined herein.

(b) Coals washed and prepared at the Paris Coal Washery, Inc., washery plant, located in Logan County, Arkansas in District No. 14 for rail and truck shipment may be sold and purchased in cents per net ton prices not exceeding the following:

Size Groups		
11	13	17
$4.20	$4.05	$3.40

Size Group 16: ¾" x 0, $2.55; ¾" x 0, $2.05.

(c) The maximum prices established herein are f. o. b. the Paris Coal Washery, Inc., washery and preparation plant for truck and rail shipments.

(d) This order may be revoked or amended at any time.

(e) All prayers of applicant not granted herein are hereby denied.

(f) The terms "washed coal" used herein shall mean coal that has been submerged in or thoroughly flushed with water and cleaned by flotation or flushing process in coal washeries. Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to all other terms used herein.

This order shall become effective August 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11726; Filed, August 5, 1944; 11:51 a. m.]

[MPR 120, Order 897]

CONTINENTAL MINING AND SMELTING CORP., AND POIRIER & MCLANE CORP.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 897 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

CONTINENTAL MINING & SMELTING CORP., 335 HICKMAN ST., CLARKSBURG, W. VA., BASSELL No. 2 MINE, REDSTONE SEAM, MINE INDEX NO. 2064, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: LOST CREEK, W. VA., STRIP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification	F	F	H	F	F
Rail shipments and railroad fuel	275	275	260	260	240
Truck shipment P. G. 3	310	310	295	275	255

CONTINENTAL MINING & SMELTING CORP., 335 HICKMAN ST., CLARKSBURG, W. VA., BASSELL No. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2063, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: LOST CREEK, W. VA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipments and railroad fuel	275	275	260	260	240
Truck shipment P. G. 3	310	310	295	275	255

POIRIER & MCLANE CORPORATION, ARROGAST BLDG., ELKINS, W. VA., WILLIAMS No. 1 MINE, H. V. KITTANNING SEAM, MINE INDEX NO. 2041, RANDOLPH COUNTY, W. VA., RAIL SHIPPING POINT: MABIE, W. VA., STRIP MINE

Price classification	J	J	J	H	H
Rail shipments and railroad fuel	260	260	250	250	240
Truck shipment P. G. 4	285	280	255	245	225

NOTE: The size group numbers referred to herein for rail shipments and for railroad fuel are those described in the table of prices in Amendment No. 95 to Maximum Price Regulation No. 120, and for truck shipments as described in the table of prices in Amendment No. 105 to Maximum Price Regulation No. 120.

This order shall become effective August 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11727; Filed, August 5, 1944; 11:52 a. m.]

[MPR 120, Order 849]

COLWELL MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

Correction

In F.R. Doc. 44-10136, appearing on page 7795 of the issue for Wednesday, July 12, 1944, the designation "F Seam" in the heading of the table for the Stineman Coal & Coke Company should read "C' Seam."

[MPR 136, Order 264]

R. G. WRIGHT CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 264 Under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. R. G. Wright Company, Inc. (Docket No. 3136-460).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

(a) The maximum prices for sales of the dairy equipment listed below by the R. G. Wright Company, Inc., Buffalo, New York, shall be determined as follows:

(1) The manufacturer shall determine the maximum price for all sales, except those made to users, by multiplying the net price he had in effect to a purchaser of the same class on October 1, 1941, by the applicable percentage set forth below:

Item:	*Percentage*
Coolers	108
Pasteurizers	114
Weigh cans	111
Wash sinks	128
Rotary can washers	125
Straightway can washers	119
Bottle washers	119

(2) The manufacturer shall determine the maximum price for sales to users by adding to the net price he had in effect to users on October 1, 1941, the amount by which this order permits him to increase his October 1, 1941, net price to that class of resellers which received the longest discount on October 1, 1941.

(b) Resellers of dairy equipment manufactured by the R. G. Wright Company, Inc., shall determine their maximum prices for the dairy equipment, listed in (a), as follows:

The reseller shall add to his net price in effect to a purchaser of the same class on October 1, 1941, the same dollar amount by which the reseller's costs have been increased due to the adjustment granted the R. G. Wright Company, Inc., by this order.

(c) The R. G. Wright Company, Inc., shall notify those customers who buy dairy equipment for resale of the amount by which this order permits resellers to increase their maximum net selling prices.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 7, 1944.

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11728; Filed, August 5, 1944; 11:51 a. m.]

[MPR 64, Order 149]

MARTIN STOVE AND RANGE CO.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In F. R. Doc. 44-9956, appearing at page 7621 of the issue of Saturday, July 8, 1944, the eleventh price under "Maximum list prices" in the table should be "$9.60".

[MPR 136, Order 265]

HEIL COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 265 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum list prices of The Heil Company, Milwaukee, Wisconsin, for the cable power control units, cable controlled bulldozers and trailbuilders of its manufacture, shall be as follows:

	List price f. o. b. Milwaukee (not inc. Power control unit)
Bulldozer model:	
C9BW	$630.00
C14BW	950.00
C18BW	1,120.00
Trailbuilder model:	
C9TW	920.00
C14TW	1,240.00
C18TW	1,420.00
Grading shoes (all models), per set	20.00
Push-loading plate attachment (all models)	50.00

Cable power control unit model:	*List price f. o. b. Milwaukee (incl. drive adapter)*
LD-1	$520.00
LD-2	850.00
S-1	630.00
S-2	970.00

The list prices above enumerated shall be subject to the same schedule of discounts heretofore in effect on sales to purchasers of the classes to whom these units were sold at discounts from list prices.

(b) The maximum list prices of the dealers and distributors of The Heil Company shall be the prices set forth in paragraph (a) above for the items therein listed subject to all discounts which the said dealers and distributors of The Heil Company heretofore had in effect on sales to purchasers of the classes to whom these units were sold at discounts from list prices.

(c) All requests not granted herein are denied.

(d) It is understood that this order may be revoked or amended by the Price Administrator at any time.

Issued and effective this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11729; Filed, August 5, 1944; 11:51 a. m.]

[RMPR 506, Order 27]

ADVANCE GLOVE MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In the table under paragraph (a) of F.R. Doc. 44-10393, appearing at page 7973 of the issue for Saturday, July 15, 1944, the glove description of the first style number should read: "Men's 10 ounce canton flannel mitten single thickness back & palm mitten 4½" single (1 ply thickness) gauntlet."

[MPR 188, Amdt. 1 to Order 1539]

HOMER FURNACE AND FOUNDRY CORP., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1539 under § 1499.158 of MPR 188, Amendment No. 1. Authorization of maximum prices for the Homer Furnace and Foundry Corporation, its national distributor (The Rudy Furnace Company) and its jobbers.

An opinion issued simultaneously herewith setting forth the basis for this amendment has been filed with the Division of the Federal Register.

Order No. 1539 under § 1499.158 of Maximum Price Regulation No. 188 is amended in the following respects:

1. Paragraph (b) is amended to read as follows:

(b) The maximum net prices established in paragraph (a) shall be subject to the extension of cash, quantity and prompt payment discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which The Rudy Furnace Company extended, rendered or absorbed or would have extended, rendered or absorbed during the month of March 1942.

2. Paragraph (d) is amended to read as follows:

(d) The maximum net prices established in paragraph (c) shall be subject to the extension of cash, quantity and prompt payment discounts, the rendition of services and the absorption of transportation charges most favorable to purchasers of the same class which the national distributor (The Rudy Furnace Company) or each jobber extended, rendered or absorbed or would have extended, rendered or absorbed during the month of March 1942.

This Amendment shall be effective as of April 25, 1944.

Issued this 5th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11730; Filed, August 5, 1944; 11:49 a. m.]

[MPR 367, Rev. Order 4]

MEAT RATION CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 4 under Maximum Price Regulation No. 367. Horsemeat. Docket No. N6363-2367-4-7. Establishing maximum prices for sale of "Doggies' Meat Loaf Meal" by Meat Ration Company and other sellers.

Order No. 4 under MPR 367 is revised and amended to read as follows:

On May 25, 1944, Meat Ration Company, 459 Como Avenue, St. Paul, Minnesota, filed in the form of a letter its application for revision of Order No. 4 under section 10 of Maximum Price Regulation No. 367. Due consideration has been given to the petition, and an opinion in support of this Revised Order No. 4 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, E.O. 9250 and E.O. 9328; *It is hereby ordered:*

(a) Meat Ration Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds and grades of "Doggies' Meat Loaf Meal" set forth in paragraph (b) of this order to peddler truck operators, wholesalers or retailers at prices not in excess of those stated therein. Any person who is a peddler-truck operator, a wholesaler or a retailer may buy and receive, and agree, offer, solicit and attempt to buy and receive such kinds and grades of "Doggies' Meat Loaf Meal" at such prices from Meat Ration Company.

(b) The maximum price for "Doggies' Meat Loaf Meal" shall be:

(1) For sales made by Meat Ration Company as follows:

(i) to peddler-truck operators, wholesalers, or retailers, 1-pound loaf, 10 cents; 2-pound loaf, 19 cents.

(ii) to wholesalers or retailers, delivered to their place of business, 1-pound loaf, 10½ cents; 2-pound loaf, 20 cents.

(2) For sales made by a peddler truck operator shall be as follows:

(i) 1 pound loaf, 12½ cents plus actual freight costs incurred by the peddler truck operator in acquiring the product, the total to be rounded to the nearest one-half cent.

(ii) 2 pound loaf, 24 cents plus actual freight costs incurred by the peddler truck operator in acquiring the product, the total to be rounded to the nearest one-half cent.

(3) For sales made by a wholesaler shall be determined pursuant to the provisions of Maximum Price Regulation No. 421.

(4) For sales made by a retailer in Group 3 or Group 4 shall be determined pursuant to the provisions of Maximum Price Regulation No. 422.

(5) For sales made by a retailer in Group 1 or Group 2 shall be determined pursuant to the provisions of Maximum Price Regulation No. 423.

(c) The permission granted to Meat Ration Company in this Revised Order No. 4 is subject to the following conditions:

(1) The pet food product sold under the name of "Doggies' Meat Loaf Meal" must conform to the formula specifications set forth in its application for the determination of maximum prices therefor, filed in the National Office of the Office of Price Administration, Washington, D. C.

(2) Meat Ration Company shall provide each peddler truck operator, wholesaler, or retailer making his initial purchase of "Doggies' Meat Loaf Meal" with a notice in the following form:

The Office of Price Administration has authorized Meat Ration Company to sell "Doggies' Meat Loaf Meal" at or below the following maximum prices:

To peddler-truck operators, wholesalers, or retailers, f. o. b. our plant, 1 pound loaf, 10 cents; 2 pound loaf, 19 cents.
To wholesalers or retailers, delivered to their place of business, 1 pound loaf, 10½ cents; 2 pound loaf, 20 cents.

If you are a peddler-truck operator the maximum prices at which you may sell "Doggies' Meat Loaf Meal" are:

1 pound loaf: 12½ cents plus actual freight costs incurred by the peddler truck operator in acquiring the product, the total to be rounded to the nearest one-half cent.
2 pound loaf: 24 cents plus actual freight cost incurred by the peddler-truck operator in acquiring the product, the total to be rounded to the nearest one-half cent.

If you are a wholesaler or retailer, you shall determine your maximum selling price for "Doggies' Meat Loaf Meal" in accordance with the provisions of Maximum Price Regulations No. 421, No. 422, or No. 423, whichever is appropriate.

(d) All prayers of the application not granted herein are denied.

(e) This Revised Order No. 4 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in section 14 of Maximum Price Regulation No. 367 shall apply to terms used herein.

This Revised Order No. 4 shall become effective August 8, 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11795; Filed August 7, 1944, 11:45 a. m.]

[MPR 426,[1] Order 2]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

For the reasons set forth in an opinion issued at the same time as this order, and in accordance with section 13 of Maximum Price Regulation 426, *It is ordered:*

(a) Growers or country shippers covered by Maximum Price Regulation 426, Appendix I, selling through persons, who, but for the fact they pack the particular citrus fruit being sold, would be growers' "sales agents" or "brokers", are authorized to sell and deliver citrus fruits covered by Appendix I at the maximum prices in effect at the date of delivery subject to an agreement with the buyer in each case to adjust such selling prices up to new maximum prices for sales by growers or country shippers selling through growers' sales agents or brokers to be established by the Office of Price Administration after delivery, but in no event to exceed the presently established maximum prices provided for sales through growers' sales agents or brokers.

In any such sale the seller shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of new maximum prices for the commodities named in paragraph (a). This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 8, 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11793; Filed, August 7, 1944; 11:48 a. m.]

[MPR 493, Order 5]

DRIED AND PROCESSED APPLES AND APPLE PRODUCTS, 1943 CROP AND AFTER

For the reasons set forth in an opinion issued and filed with the Division of the Federal Register, and in accordance with section 24 of Maximum Price Regulation 493, *It is ordered:*

(a) That sales and deliveries of packed apples, dried apples and apple sauce of the 1944 pack may be made by processors to government procurement agencies, subject to an agreement between the buyer and seller, in each case, that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In each sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price, until permitted by action taken by the Office of Price Administration.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of new maximum prices for the commodities named in paragraph (a).

This order may be revoked or amended by the Price Administrator at any time.

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[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2006, 2023, 2091, 2493, 4030, 4066, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268.

This Order No. 5 shall become effective August 8, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11794; Filed, August 7, 1944; 11:47 a. m.]

Regional and District Office Orders.

[Region II Order G–3 Under MPR 426, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN DESIGNATED COUNTIES IN NEW YORK

Amendment No. 1 to Order No. G–3 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables in Certain Counties of New York.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, Order No. G–3 is amended as follows:

1. Section 3 is amended by deleting the appendix attached thereto and substituting therefor the appendix marked "B", attached to this amendment.

2. *Effective date.* This amendment shall become effective on July 4, 1944 as to the County of Westchester, and on July 15, 1944 as to Suffolk County.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409, 9 F.R. 790, 902)

Issued this 4th day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX B—FREIGHT TO ALL WHOLESALE RECEIVING POINTS, EXCEPT NEW YORK CITY[1]

Commodity in standard containers packed as in Appendix A	For any wholesale receiving point in Nassau, Putnam, Rockland, and Westchester Counties	For any wholesale receiving point in Dutchess, Orange, and Suffolk Counties[1]
Carrots, bunched	$0.25	$0.40
All citrus fruits, standard containers (1⅗ or 1⅘ bushel)	.25	.40
Cucumbers, except hothouse	.15	.20
Eggplant, bushel or crate (1⅑ bushel)	.15	.20
Green peas	.15	.20
Lettuce, iceberg	.25	.40
Snap beans	.15	.20
Spinach	.15	.20
Sweet peppers, bushel or crate (1⅑ bushel)	.15	.20

[1] To determine the full amount of freight from basing point to any wholesale receiving point, except New York City, add to appropriate amount named in this Appendix B to the appropriate amount named for the item in Appendix A.

[F. R. Doc. 44–10919; Filed, July 21, 1944; 1:02 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–725, 59–11, 59–17, 54–25]

NORTHERN INDIANA PUBLIC SERVICE CO., ET AL.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

In the matter of Northern Indiana Public Service Company, La Porte Heat Corporation, File No. 70–725; The United Light and Power Company, et al., La Porte Gas and Electric Company, File Nos. 59–11, 59–17, 54–25; Application No. 16.

The United Light and Power Company, a registered holding company, and La Porte Gas and Electric Company (La Porte), a subsidiary thereof, having filed applications and declarations and amendments thereto pursuant to sections 11, 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rules U-42, U-43, U-44 and U-46 promulgated thereunder with respect to the sale by La Porte of its electric, gas and heat properties to Northern Indiana Public Service Company (Northern), a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, and La Porte Heat Corporation (Heat Corporation), a subsidiary of Northern, and with respect to the dissolution and liquidation of La Porte; and

Northern and Heat Corporation having filed applications and declarations and amendments thereto, pursuant to sections 6 (b), 9 (a), 10, and 12 of the act and Rule U-44 promulgated thereunder, with respect to the issue and sale by Northern of $1,400,000 principal amount of serial notes of a maturity of seven years or less, and by Heat Corporation of 3,750 shares of its common stock of the par value of $100 per share, and with respect to the acquisition by Northern of such common stock and the acquisition by Heat Corporation of the heat properties of La Porte; and

The Commission having by order dated December 7, 1943, granted the applications and permitted the declarations to become effective subject to the terms and conditions, among others, prescribed in Rule U-24; and having by subsequent orders extended the time within which the transactions might be consummated to August 5, 1944; and

A request having been made that the time, within which the transactions as set forth in the applications and declarations may be consummated, be further extended to October 5, 1944; and

The Commission having considered such request and deeming it appropriate that it be granted;

It is ordered, That the conditions contained in the order of December 7, 1943, be and hereby are modified to the extent necessary to extend the time within which such transactions may be consummated to October 5, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–11732; Filed, August 5, 1944; 2:30 p. m.]

[File No. 70–936]

GEORGIA POWER AND LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of August 1944.

Notice is hereby given that Georgia Power and Light Company, a subsidiary of General Gas & Electric Corporation, a registered holding company, has filed an application or declaration pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Georgia Power and Light Company proposes to issue and sell, at private sale, to Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, $2,500,000 principal amount of first mortgage bonds, the proceeds of which, together with other corporate funds, are to be used to redeem or otherwise retire a like principal amount of the company's outstanding first mortgage bonds, 5% series, due 1978. (At the time of redemption it is contemplated that this will be the total aggregate amount of such bonds outstanding. In connection with pending proceedings involving the recapitalization of Georgia Power and Light Company (File No. 54–95), provision is made for reducing Georgia's present indebtedness to $2,500,000 principal amount.) The proposed purchaser, owning at the present time in excess of $850,000 principal amount of first mortgage bonds, 5% series due 1978, of Georgia Power and Light Company, has agreed to buy the $2,500,000 principal amount of new first mortgage bonds at 103½% of par, and with an interest rate of 3⅝% per annum.

Section 6 (b) of the act has been designated in the filing as applicable to the proposed issue and sale, and an exception is requested from the competitive bidding requirements of Rule U-50.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing should not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and the rules of this Commission promulgated thereunder, be held on August 29, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with these proceedings or otherwise wishing to participate shall file with the Secretary of the Commission, on or before August 24, 1944, his request or application therefor, as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at such hearing to the following matters and questions:

1. Whether the issue and sale of the proposed first mortgage bonds are solely for the purpose of financing the business of Georgia Power and Light Company and have been expressly authorized by the Public Service Commission of Georgia;

2. Whether compliance with the requirements of paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate under the circumstances in respect to the proposed issue and sale of the securities;

3. Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms or conditions in connection with the proposed issue and sale of securities.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–11733; Filed, August 5, 1944, 2:30 p. m.]

[File No. 70–939]

MISSISSIPPI POWER & LIGHT CO. AND ELECTRIC POWER & LIGHT CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of August, A. D. 1944.

Notice is hereby given that a joint application and declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under sections 6, 7, 9, 10, and 12 and Rule U–50 promulgated thereunder, by Electric Power & Light Corporation ("Electric"), a registered holding company, and its subsidiary, Mississippi Power & Light Company ("Mississippi"), a public utility company.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein propcsed, which are summarized as follows:

Pursuant to a condition contained in the order of this Commission of May 13, 1944, in Electric Power & Light Corporation, File No. 70–752, permitting Electric to acquire shares of the $6 preferred stock of Mississippi, Electric will transfer to Mississippi 20,182 shares of such stock, being all of the shares so acquired, and in return, Mississippi, upon its acquisition and cancellation of such stock, will change the stated value of its presently outstanding 500,000 shares of common stock, all of which is owned by Electric, from $2,500,000 to $4,750,000, by transferring to the common capital account $2,018,200, the present stated value of the above preferred stock, $680, comprising all of Mississippi's present capital surplus and $231,120 of its earned surplus.

Mississippi will issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U–50, $12,000,000 principal amount of First Mortage Bonds to mature in 1974, the bid or bids for such bonds to fix the interest rate and the price to be paid to the company. In addition, Mississippi will issue and sell at private sale $2,000,000 principal amount of promissory notes, payable in 20 equal semi-annual installments.

The proceeds of the sale of the above securities are to be applied, together with treasury cash to redeem all of Mississipi's First Mortgage Gold Bonds, 5% Series due 1957, in the principal amount of $15,000,000 at the redemption price of 102½% of the principal amount thereof plus accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on August 16, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail, a copy of this order on the applicants and declarants herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before August 14, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed mortgage bonds and promissory notes are reasonably adapted to the earning power and the security structure of Mississippi and are necessary and appropriate to the economical and efficient operation of the business or businesses in which Mississippi is presently engaged.

(2) Whether the fees, commissions, or other remunerations to be paid in connection with the issue, sale or distribution of said securities are reasonable.

(3) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interests of investors or consumers.

(4) Generally whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

(5) Whether in the event the application and declaration shall be granted and permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–11734; Filed, August 5, 1944; 2:30 p. m.]

[File No. 70–902]

EMPIRE DISTRICT ELECTRIC CO., ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 1st day of August, A. D. 1944.

In the matter of the Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company, Benton County Utilities Corporation and Cities Service Power & Light Company, File No. 70–902.

The Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company and Benton County Utilities Corporation, public utility companies and subsidiaries of Cities Service Power & Light Company and Cities Service Company, registered holding companies, together with Cities Service Power & Light Company having filed a joint application and declaration and amendments thereto, pursuant to sections 6 (a), 7, 9 (a), 9 (b), 10, 11 (e), 11 (g), 12 (c), 12 (d), 12 (e), and 12 (f) of the Public Utility Holding Company Act of 1935, with respect to the proposed merger of Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company and Benton County Utilities Corporation into The Empire District Electric Company, the issuance and sale by the surviving corporation of $10,600,000 principal amount first mortgage bonds at competitive bidding and 6,500 shares of $100 par value 5% cumulative preferred stock at private sale, the issuance of 32,518 shares of $100 par value 5% cumulative preferred stock to be offered in exchange for 32,518 shares of the $100 par value 6% cumulative preferred stock of The Empire District Electric Company now outstanding and held by others than

Cities Service Power & Light Company, the issuance and sale by the surviving corporation to Cities Service Power & Light Company of 350,000 shares of $10 par value common stock, the sale by Cities Service Power & Light Company to the public of said 350,000 shares of $10 par value common stock of the surviving corporation at competitive bidding, the acquisition by the Empire District Electric Company of the properties of Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company and Benton County Utilities Corporation, and the sales of such properties by such corporations to The Empire District Electric Company, the sale by Cities Service Power & Light Company and the acquisition by the surviving corporation of the securities of The Empire District Electric Company held by Cities Service Power & Light Company and the solicitation by The Empire District Electric Company of the holders of its preferred stock other than Cities Service Power & Light Company for proxies approving the proposed merger agreement, without filing a statement on Form U-R-1 in connection therewith; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That said application and declaration, as amended, be and the same hereby is granted and permitted to become effective, except, however, as to the terms and conditions of the proposed sales of securities at competitive bidding and private sale, and except with respect to fees, commissions and other remuneration to be paid in respect of the proposed transactions as to which matters jurisdiction is hereby reserved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11750; Filed, August 7, 1944; 10:13 a. m.]

[File No. 70-862]

NORTHERN INDIANA PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of August 1944.

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company, having filed an amendment to an application-declaration under section 6 and 12 of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder, with respect to the refinancing of 220,078 shares of its $100 par value cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,715 shares of the 5½% series) as follows:

1. The present holders of such stock will be offered the opportunity to exchange each share of such stock for one share of $100 par value 5% cumulative preferred stock of the company, plus a cash payment in an amount representing the difference between the redemption prices of the stocks outstanding at present and $102, with proper adjustments for accrued dividends upon the stock to be surrendered and upon the shares to be issued;

2. Any shares not surrendered by way of exchange will be called for redemption at redemption prices, plus accrued dividends;

3. Such number of the 220,078 shares of the $100 par value 5% cumulative preferred stock as have not been issued by way of exchange will be issued and sold either pursuant to the competitive bidding requirements of Rule U-50 or at private sale if an exception is granted from the competitive bidding requirements of such rule; and

4. In connection with the foregoing program, Northern Indiana Public Service Company proposes to engage The First Boston Corporation to form and manage a group of security dealers, including itself, for the purpose of effecting the exchanges and that, as compensation, The First Boston Corporation and the dealers receive certain specified fees and expenses.

Northern Indiana Public Service Company having requested that the Commission enter an order finding that, with respect to such number of the 220,078 shares of its $100 per value 5% cumulative preferred stock as are issued by way of exchange, compliance with paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its supplemental findings and opinion herein; and

The Commission finding that, with respect to such number of the 220,078 shares of the $100 per value 5% cumulative preferred stock of the company as are issued by way of exchange, an exception from the requirements of Rule U-50 is appropriate;

It is ordered, That said amendment to the application-declaration be and hereby is granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

It is further ordered, That jurisdiction be and is hereby reserved over:

1. The issuance and sale of such number of the 220,078 shares of the $100 par value 5% cumulative preferred stock of Northern Indiana Public Service Company as are not issued by way of exchange for shares of its $100 par value 7%, 6%, and 5½% series cumulative preferred stock; and

2. The payment of any fees and expenses to Stone & Webster and Blodget, Inc.; Harriman, Ripley & Co., Inc; and to Willkie, Owen, Otis, Farr & Gallagher, as counsel for The First Boston Corporation and as independent counsel for prospective bidders.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11751; Filed, August 7, 1944; 10:14 a. m.]

[File No. 68-13]

BUFFALO, NIAGARA AND EASTERN POWER CORP.

ORDER PERMITTING SECOND POST AMENDMENT TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of August 1944.

In the matter of George B. Bassett, et al., acting as a protective committee for holders of the $1.60 2nd preferred stock of Buffalo, Niagara and Eastern Power Corporation, File No. 68-13.

The Commission on November 14, 1942 having permitted the declaration, as amended, of the above declarants to become effective pursuant to Rule U-62, promulgated under the Public Utility Holding Company Act of 1935, regarding the solicitation by declarants, as a Stockholders' Protective Committee, for the holders of the $1.60 2nd Preferred Stock of Buffalo, Niagara and Eastern Power Corporation; and

The Commission on March 4, 1943 having permitted a post amendment to said declaration, filed pursuant to Rule U-62, to become effective regarding the supplementary solicitation of the holders of said preferred stock; and

Declarants having filed on July 17, 1944 a second post amendment to said declaration, pursuant to Rule U-62, regarding the proposed additional supplementary solicitation of the holders of said preferred stock; and an amendment thereto having been filed on August 1, 1944; and

The Commission having considered said second post amendment, as amended, and finding that the requirements of Rule U-62 are complied with and deeming it appropriate, in the public interest and in the interests of investors, to permit said second post amendment to become effective;

It is ordered, That said second post amendment, as amended, be permitted to become effective forthwith in the matter and on the terms set forth therein and in said declaration, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11746; Filed, August 7, 1944; 10:13 a. m.]

[File No. 70-938]

NORTH AMERICAN CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 4th day of August 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company, a registered holding company.

Notice is further given that any interested person may, not later than August 18, 1944, at 5:30 P. M., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The North American Company proposes to pay on October 2, 1944, a dividend to its holders of common stock of record on September 1, 1944. Such dividend will be payable in the common stock of Pacific Gas and Electric Company having a par value of $25 per share, owned by The North American Company at the rate of one share of common stock of Pacific Gas and Electric Company on each 100 shares of the common stock of The North American Company outstanding. No certificates will be issued for fractions of shares of stock of Pacific Gas and Electric Company, but, in lieu thereof, cash will be paid at the rate of 33 cents for each 1/100th of a share of stock of Pacific Gas and Electric Company, this rate being based on the approximate market price as of July 28, 1944, the date the proposed dividend was declared. The North American Company estimates that the payment of the above-mentioned dividend will involve the distribution of not more than 75,000 shares of the 1,639,804 shares of common stock of Pacific Gas and Electric Company owned by it and use of not more than $450,000 of cash; and that the payment of such dividend will result in a charge of approximately $2,850,000 to earned surplus.

The North American Company has requested that the Commission enter an order permitting said declaration to become effective or granting said application on or before August 28, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11747; Filed August 7, 1944; 10:13 a. m.]

[File No. 70-918]

AMERICAN GAS AND ELECTRIC CO., ET AL.

MEMORANDUM FINDINGS, OPINION AND ORDER

In the matter of American Gas and Electric Company, Indiana & Michigan Electric Company, St. Joseph Heating Company, File No. 70-918.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of August, A. D. 1944.

American Gas and Electric Company ("American Gas"),[1] a registered holding company, Indiana & Michigan Electric Company ("Indiana & Michigan"), an electric utility subsidiary, and St. Joseph Heating Company ("St. Joseph"), a non-utility subsidiary, have filed applications and declarations and amendments thereto pursuant to sections 9, 10 and 12 of the Public Utility Holding Company Act of 1935 requesting permission to consummate the following transactions:

(1) St. Joseph will sell and Indiana & Michigan will purchase all of the physical property owned by St. Joseph used or held for use in the distribution of steam for heating and other purposes at a price equal to the cash cost incurred by St. Joseph in the organization of the company and the construction of such properties less accrued depreciation as shown on the books of St. Joseph at the close of the month preceding the sale or at a price of $35,000, whichever is the lower. At April 30, 1944 such cost amounted to $191,675.18 and the depreciation reserve amounted to $165,879.44 or a net amount of $25,795.74.

(2) St. Joseph will sell and Indiana & Michigan will purchase a depreciation fund in the amount of $165,879.44 accumulated by St. Joseph in the operation of the steam heating property and consisting of cash in the amount of $56,764.09, U. S. Treasury Bonds with a carrying value of $76,983.94, Indiana & Michigan 7% preferred stock of a par value of $31,000, and miscellaneous items amounting to $1,131.41. Such fund will be purchased for an amount equivalent to the cash therein plus the cost or market value, whichever is lower, of the securities as of the close of the month preceding the date of the sale.

(3) St. Joseph will thereupon liquidate the remainder of its assets, discharge its obligations to its creditors (other than to American Gas) and dissolve, transferring its assets, to consist of cash in the estimated amount of $218,690.85 and preferred stock of Indiana & Michigan, having a par value of $3000, to American Gas in satisfaction of advances in the amount of $222,400.98 and in exchange for all its capital stock having a stated value of $300.

A public hearing on said joint applications and declarations, as amended, was duly held and having considered the record we make the following findings:

Indiana & Michigan is an electric utility company organized under the laws of the State of Indiana engaged in the generation, transmission, distribution and sale of electric energy in the cities of South Bend, Indiana and Benton Harbor, Michigan and adjacent communities. It is subject to the jurisdiction of the Indiana Public Service Commission, the Michigan Public Service Commission and the Federal Power Commission. American Gas is the corporate parent of Indiana & Michigan owning all of the outstanding common stock in which is vested all normal voting power.

St. Joseph, organized under the laws of the State of Indiana, owns and operates steam heating distribution properties in the city of South Bend, Indiana subject to the jurisdiction of the Indiana Public Service Commission. All of its outstanding securities, consisting of three shares of capital stock having a par value of $100, are owned by American Gas.

St. Joseph's operations consist exclusively of supplying steam for heating purposes to approximately 175 customers within reach of its distribution system. St. Joseph does not now have nor has it ever had facilities for the production of steam. It obtains the steam which it distributes from the main header at the South Bend generating station of Indiana & Michigan, maintained by Indiana & Michigan as "secondary plant capacity".

The record indicates that American Gas presently has an investment in St. Jospeh of $222,400.98 consisting of a nominal amount of $1 in the capital stock and a balance of open account cash advances made to St. Joseph over the course of the years since American Gas acquired the property. The record indicates that after the sale of the physical property and depreciation fund to Indiana & Michigan and the discharge of certain current liabilities there will remain $218,690.85 in cash and $3,000 par amount of Indiana & Michigan 7% Preferred Stock to apply on the loan account of American Gas in the foregoing amount of $222,400.98. American Gas will charge the estimated loss of $710.13 on its investment to its earned surplus account.

It is estimated that expenses in connection with the proposed transactions, including all counsel fees, will not exceed $500. The proposed transactions have been approved by the Public Service Commission of Indiana.

Under all the circumstances, we will approve the presently proposed step of eliminating St. Joseph as an unnecessary corporate complexity and the vesting of the title to the assets used in the distribution of steam directly in Indiana & Michigan as constituting an acquisition not detrimental to the carrying out of the provisions of section 11 and therefore in compliance with section 10 (c) (1) of the act. The proposed purchase prices and the estimated fees do not appear to be unreasonable and we make no adverse findings under Section 10 (b) (2). We also conclude that no adverse findings are necessary under the other applicable provisions of section 10 (b) nor the provisions of section 12 (c) and 12 (f).

The acquisition by American Gas of the remaining assets of St. Joseph, con-

[1] American Gas is a subsidiary of Electric Bond and Share Company, a registered holding company.

sisting of cash and 30 shares of the 7% Preferred Stock of Indiana & Michigan, in final liquidation of the latter company, and the acquisition by such latter company of its own securities likewise comply with the requirements of section 10 and require no adverse findings under section 12 (f).

It is therefore ordered, That said applications and declarations, as amended, are granted and permitted to become effective subject to the terms and conditions prescribed in Rule U-24 promulgated pursuant to the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11748; Filed, August 7, 1944; 10:13 a. m.]

WAR FOOD ADMINISTRATION.

JONESBORO STOCKYARDS, JULIAN, ARK.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Jonesboro Stockyards, Post Office address, Jonesboro, Arkansas, posted on June 20, 1941, and designated as being located at Jonesboro, Arkansas, should be designated as being located at Julian, Arkansas. Therefore, the designated location of the stockyard is changed to Julian, Arkansas, Post Office address, Jonesboro, Arkansas, and notice of such fact is given to its owner, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 4th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-11714; Filed, August 5, 1944; 11:07 a. m.]

WAR PRODUCTION BOARD.

SYDNEY PLUMBING SUPPLY CO.

CONSENT ORDER

J. T. Sydney is the sole owner and proprietor of Sydney Plumbing Supply Company, and is engaged in the wholesale plumbing business at 12 Jackson Street, Providence, Rhode Island. He is charged by the War Production Board with violations of CMP Regulation 9A, Direction 1, and Conservation Order M-9-c-4 in that between January 3, 1944, and March 24, 1944, he purchased copper tubing in excess of permitted amounts and sold such copper tubing to unauthorized persons without certification and for unauthorized uses.

J. T. Sydney, trading as Sydney Plumbing Supply Company, admits that in the first calendar quarter of 1944 he purchased 1568 pounds of copper tubing in excess of the limit permitted by CMP Regulation 9A and that he sold such copper tubing to unauthorized persons and without certificates in violation of the Regulation, and further that during said period he sold such copper tubing for uses prohibited by Order M-9-c-4 in violation of the order.

Wherefore, upon the agreement and consent of J. T. Sydney, trading as Sydney Plumbing Supply Company, and the Regional Compliance Chief, and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) J. T. Sydney, trading as Sydney Plumbing Supply Company, his successors or assigns, shall not purchase, receive, sell, or deliver any pipe or tubing containing copper or copper base alloy, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve J. T. Sydney, trading as Sydney Plumbing Supply Company, his successors or assigns, from any restriction, prohibition, or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 4, 1944, and shall expire on December 31, 1944.

Issued this 28th day of July 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11702; Filed, August 4, 1944; 4:20 p. m.]

[Certificate 207]

DISTRIBUTION OF FOOD STORES TO ALLIED OCEAN VESSELS

APPROVAL OF FORM OF CONTRACT

The ATTORNEY GENERAL:

I submit herewith a copy of a form of contract [1] proposed to be entered into by the United States, represented by the Administrator of the War Shipping Administration, with certain group representatives of ship's stores suppliers for the purpose of carrying out a program for the distribution of food stores to ocean vessels under the flag or control of the United States or the United Nations.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the proposed form of contract; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in accordance with the program above referred to and in compliance with the terms of a contract the substantive provisions of which are those of the form submitted herewith, is requisite to the prosecution of the war.

[1] Filed as part of the original document.

Dated: August 2, 1944.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 44-11737; Filed, August 7, 1944; 11:14 a. m.]

WAR SHIPPING ADMINISTRATION.

"ADIOS"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on June 16, 1942, title to the vessel "Adios," (236433), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

> (b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. • • •

and whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: August 4, 1944.

E. S. LAND,
Administrator.

[F. R. Doc. 44-11716; Filed, August 5, 1944; 11:20 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 158

Washington, Wednesday, August 9, 1944

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5063]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

RESEARCH MFG. CORP., ET AL.

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (c 5) *Neglecting, unfairly or deceptively, to make material disclosure—Qualities or properties.* In connection with offer, etc., in commerce, of respondents' "Fre-Zex" or any other similar product, representing directly or by implication that said product, (1) is a safe or dependable antifreeze preparation for use in the cooling systems of automobile engines; (2) is a superior type of antifreeze preparation; (3) will protect the cooling systems of automobile engines against corrosion, rust, or other deterioration; (4) will not cause rust, corrosion, or other damage to the cooling systems of automobile engines or damage to such engines or to radiators or hose connections or the exterior finish of automobiles; (5) will not evaporate in use or clog passages in the cooling systems of automobile engines; (6) will not injure, rust, or corrode aluminum, brass, copper, iron, or other metals, or injure the rubber parts of the cooling systems of automobile engines; or (7) is an antifreeze preparation for use in the cooling systems of automobile engines, without affirmatively disclosing in a clear and conspicuous manner in immediate connection with such representation, that said preparation will rust and corode the cooling systems of automobile engines and may clog the passages in such systems; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Cease and desist order, Research Manufacturing Corporation et al., Docket 5063, July 20, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of July, A. D. 1944.

In the Matter of Research Manufacturing Corporation, a Corporation, Harold S. Guy, Individually and as President of Research Manufacturing Corporation, and J. L. Seat, an Individual

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answers of the respondents, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, and brief in support of the complaint (no brief having been filed by the respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Research Manufacturing Corporation, a corporation, and its officers, representatives, agents, and employees, and the individual respondents, Harold S. Guy and J. L. Seat, and their representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of their product designated "Fre-Zex" or any other product of substantially similar composition, whether sold under the same name or under any other name, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or by implication:

1. That said product is a safe or dependable antifreeze preparation for use in the cooling systems of automobile engines.

2. That said product is a superior type of antifreeze preparation.

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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3. That said product will protect the cooling systems of automobile engines against corrosion, rust, or other deterioration.

4. That said product will not cause rust, corrosion, or other damage to the cooling systems of automobile engines or damage to such engines or to radiators or hose connections or the exterior finish of automobiles.

5. That said product will not evaporate in use or clog passages in the cooling system of automobile engines.

6. That said product will not injure, rust, or corrode aluminum, brass, copper, iron, or other metals, or injure the rubber parts of the cooling systems of automobile engines.

7. That said product is an antifreeze preparation for use in the cooling systems of automobile engines, without affirmatively disclosing in a clear and conspicuous manner in immediate connection with such representation, that said preparation will rust and corrode the cooling systems of automobile engines and may clog the passages in such systems.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-11836; Filed, August 8, 1944; 10:40 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51107]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

CREW AND PASSENGER LISTS

AUGUST 5, 1944.

The third sentence of paragraph (b), § 4.9, Customs Regulations of 1943 (8 F.R. 8121), is hereby rescinded and the following is substituted therefor:

The collector may give the master a certificate of deposit on customs Form 1370. If the collector gives the master such a certificate, it shall be exchanged for the vessel's document upon clearance of the vessel, or upon its departure if clearance is not required. (Secs. 434, 435, 624, 46 Stat. 711, 759, sec. 301, 49 Stat. 527; 19 U.S.C. 1434, 1435, 1624. E.O. 9083; 7 F.R. 1609)

The first sentence of paragraph (a) of § 4.50, Customs Regulations of 1943 (8 F.R. 8130), is hereby amended to read as follows:

The master of every vessel arriving at a port of the United States from foreign territory and required to make entry shall submit for inspection to the customs officer who first makes a demand therefor, and shall subsequently deliver with his inward foreign manifest on entry of the vessel, a correct list in duplicate on customs Form 1440, signed and verified under oath by the master, of all passengers on board, specifying the name of each passenger; the age of each child of 8 years or under; sex; whether married or single; location of compartment or space occupied during the voyage, if the passenger be other than a cabin passenger; whether a citizen of the United States; and the number of pieces of his baggage. (R.S. 161, sec. 9, 22 Stat. 189, sec. 2, 23 Stat. 118, sec. 1, 33 Stat. 711, sec. 1, 37 Stat. 736, sec. 431, 46 Stat. 710; 5 U.S.C. 22, 19 U.S.C. 1431, 46 U.S.C. 2, 158, E.O. 9083; 7 F.R. 1609)

FRANK DOW,
Acting Commissioner of Customs.

Approved:

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-11883; Filed, August 7, 1944; 4:09 p. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[General Order 1, Amdt. 8]

PART 901—TRANSPORTATION OF WORKERS

TRANSPORTATION OF WORKERS TO NON-FERROUS METAL AND LUMBER PRODUCING AREAS

Section 901.6 of the "Regulations Governing Transportation of Workers to Non-Ferrous Metal and Lumber Producing Areas" (7 F.R. 8457, 10253; 8 F.R. 839, 4943, 17339) promulgated by the Chairman of the War Manpower Commission on October 17, 1942, pursuant to the letter of the President dated October 8, 1942, allocating certain sums from the Emergency Fund for the President to the War Manpower Commission, as amended by Amendment No. 1, dated December 4, 1942, Amendment No. 2, dated January 14, 1943, Amendment No. 3, dated April 14, 1943, and Amendment No. 4, dated December 22, 1943 is further amended by adding at the end of said § 901.6 two new paragraphs (f) and (g) as follows:

(f) Notwithstanding anything in these regulations to the contrary, any worker:

(1) Who has heretofore been transported to the place of employment under a contract of employment which conforms to the provisions of section 2 of these regulations, and

(2) Who by reason of the failure of the War Manpower Commission to provide transportation in accordance with its obligations under the contract, or in reliance upon erroneous instructions or information received from the office of the United States Employment Service of the War Manpower Commission concerning the prescribed procedure for obtaining transportation of dependents or household effects at government expense has, at his own expense, provided transportation for his dependents designated in the contract of employment or household effects described in the contract of employment, and

(3) Who would have been entitled to such transportation at government expense, or to reimbursement for the cost thereof, if the prescribed procedure under these regulations had been observed,

shall be reimbursed for the cost of such transportation upon presentation to the United States Employment Service office nearest to the place of employment, on or before October 15, 1944, of a standard voucher setting forth in detail the actual transportation thus provided and the cost thereof. Such reimbursement shall be paid only after certification by an officer or employee of the United States Employment Service that the transportation was provided and that payment should be made; and, in no event, shall payment be made pursuant to this subsection in excess of the cost which would have been incurred by the government had such transportation been afforded pursuant to the prescribed procedure therefor.

(g) Paragraph (f) of this section shall be effective August 15, 1944, and shall be applicable only to transportation which was provided at the worker's own expense prior to August 15, 1944.

PAUL V. MCNUTT,
Chairman.

AUGUST 4, 1944.

[F. R. Doc. 44-11825; Filed, August 7, 1944; 8:14 p. m.]

Chapter IX—War Food Administration (Agricultural Labor)

PART 1100—REGULATIONS RELATIVE TO SALARIES AND WAGES OF AGRICULTURAL LABOR

ESTABLISHMENT OF WAGE CEILINGS

The regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944 (9 F.R. 655) and amended on June 1, 1944 (9 F.R. 6011) and on July 1, 1944 (9 F.R. 7378) are hereby amended as follows:

1. Section 1100.8 is amended to read as follows:

§ 1100.8 *Procedure for recommending establishment of wage ceilings.* Whenever it is requested in writing, by petition or otherwise, by a majority of the producers of any commodity in a particular area which would be affected by a specific wage ceiling regulation relative to that particular commodity and area, the wage board having jurisdiction over that area shall hold a public hearing for the purpose of aiding the Administrator in establishing a specific wage ceiling regulation, as described in § 1100.7 hereof, *Provided, however*, That a wage board may, without receiving such a prior request from such producers, hold a hearing for the purpose of establishing such a specific wage ceiling regulation, if, after such a hearing and before the wage board recommends a particular specific wage ceiling regulation to the Administration, a majority of such producers request in writing a specific wage ceiling regulation for such commodity in such area.

For the purpose of such a hearing a member of the staff of the Office of Labor, sitting as a non-voting member of the board, may be appointed. The board shall give public notice of such hearing at least three days prior to the hearing. Such public notice shall be given by posting in prominent places in the area to be affected, and by publication in local newspapers of general circulation. The hearing shall be conducted by two or more members of the board as the board shall direct. The hearing shall be informal. Testimony shall be taken concerning the type of work to be controlled, the exact areas to be subject to control, the crop or crops to be affected, the wage rates paid, and all related matters relative to the establishment of a wage ceiling. All interested persons may appear and testify. A transcript of the record shall be kept. The presiding officer shall open the hearing with a statement of its purpose and the rules which will govern. As soon as possible after the hearing is concluded, the board shall prepare its recommendations (which must be approved by at least a majority of the board) as to the type of employment, wage rates to be paid, crop or crops to be affected, the extent of the area to be subject to control, and other related matters, and forward the report together with the transcript of the hearing to the Administrator. Neither the testimony received nor the recommendations of the board are binding upon the Administrator in establishing a specific wage ceiling regulation. Any interested person may file a petition for reconsideration of a specific wage ceiling regulation with the wage board administering the regulation or with the Administrator. If such petition is filed with a wage board, such board shall forward the petition together with its recommendations to the Administrator.

(56 Stat. 765, 50 U.S.C. Supp. II 961 et seq., as amended by Pub. Law 34, 78th Cong.; E.O. 9328, 8 F.R. 9681, regulations of Economic Stabilization Director, dated August 28, 1943, as amended, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035)

Issued this 8th day of August 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-11850; Filed, August 8, 1944; 11:21 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 251, 2d Ed.]

PART 619—CANCELLATION OF REGISTRATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Reg-

ulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by adding a new part to be known as Part 619 to read as follows:

Sec. DUPLICATE REGISTRATIONS

619.1 Cancellation when registrant inducted.
619.2 Cancellation when registrant found unacceptable for service.
619.3 Cancellation when registrant enlisted or inducted while registered with another local board.
619.4 Cancellation when registrant improperly registered.
619.5 Cancellation when registrant prosecuted and convicted for delinquency.
619.6 Notification to State Director of Selective Service.

CANCELLATION BY DIRECTOR OF SELECTIVE SERVICE

619.11 When cancellation authorized by Director of Selective Service.

AUTHORITY: §§ 619.1 to 619.11, inclusive, issued under 54 Stat. 885, as amended; 50 U.S.C. App., and Sup. 301–318.

DUPLICATE REGISTRATIONS

§ 619.1 *Cancellation when registrant inducted.* If a registrant who is registered with two or more local boards has responded to an Order to Report for Induction (Form 150) and has been inducted from one of such local boards, the other local board or local boards with which he is registered, upon learning of his induction, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled — Duplicate Registration — Inducted Local Board No. _____ (identify the local board from which inducted) Date _____," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board from which he was inducted for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.2 *Cancellation when registrant found unacceptable for service.* If a registrant who is registered with two or more local boards has responded to an Order to Report—Preinduction Physical Examination (Form 215) or to an Order to Report for Induction (Form 150) from one of such local boards and has been found disqualified for military service, the other local board or local boards with which he is registered, upon learning of his rejection for service, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled — Duplicate Registration — Delivered Local Board No. _____ (identify the local board which delivered him) Date _____, and Rejected," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board from which he was delivered and rejected for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.3 *Cancellation when registrant enlisted or inducted while registered with another local board.* If a registrant enlists or is inducted in the armed forces while registered with one local board and, upon being separated from the armed forces, registers with another local board or local boards, the local board or local boards with which he registered after being separated from the armed forces, upon learning that he had enlisted or been inducted while registered with another local board, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Duplicate Registration—Enlisted (or Inducted) Local Board No. _____ (identify the local board with which he was registered when enlisted or inducted) Date _____," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board with which he was registered when he enlisted or was inducted for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.4 *Cancellation when registrant improperly registered.* If a registrant has registered improperly with a local board at a time when he was not required by law to present himself for and submit to registration and such registrant subsequently registers properly with another local board which has jurisdiction over his place of residence at a time when he is required by law to present himself for and submit to registration, the local board with which he registered improperly, upon learning that such registration was improper and that he has properly registered with another local board, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Duplicate Registration—Improperly Registered—Properly Registered Local Board No. _____ (identify the local board at which he has properly registered) Date _____," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board at which he is properly registered for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.5 *Cancellation when registrant prosecuted and convicted for delinquency.* If a registrant who is registered with two or more local boards has become delinquent with one such local board and has been prosecuted and convicted for such delinquency, the other local board or local boards with which he is registered, upon learning of his prosecution and conviction, shall (1) cancel his registration and write across the face of his Registration Card (Form 1) "Cancelled—Prosecuted and Convicted for Delinquency from Local Board No. _____ (identify the local board from which he was prosecuted and convicted) Date _____," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, and (3) report the cancellation on Local Board Action Report (Form 110). The cancelled Registration Card (Form 1) and Registration Certificate (Form 2) shall be retained in the files of the local board which cancels them, but the remainder of the registrant's file shall be transmitted to the local board from which he was prosecuted and convicted for inclusion in the registrant's Cover Sheet (Form 53) with that local board.

§ 619.6 *Notification to State Director of Selective Service.* A local board shall report immediately to the State Director of Selective Service its action in cancelling the registration of a registrant under any of the foregoing sections of this part of these regulations, and such action shall constitute a determination by the local board subject to appeal under § 627.1.

CANCELLATION BY DIRECTOR OF SELECTIVE SERVICE

§ 619.11 *When cancellation authorized by Director of Selective Service.* The Director of Selective Service may authorize the cancellation by a local board of the registration of any person whenever the Director of Selective Service determines that such registrant is either a person not required by law to be registered or a person properly registered with another local board. The local board so authorized shall (1) cancel the registration of such registrant and write across the face of his Registration Card (Form 1) "Cancelled—Authorized by Director—(if registered with another local board, so state and identify such local board) Date _____," (2) take up and cancel the Registration Certificate (Form 2) if issued and available, (3) report the cancellation on Local Board Action Report (Form 110), and (4) retain the entire file of the registrant unless specifically instructed by the Director of Selective Service to transmit such file, or some portion thereof, to another local board with which the registrant has also registered.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental

limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 7, 1944.

[F. R. Doc. 44-11826; Filed, August 7, 1944; 2:59 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-527, Amdt. 2]

BLOOMFIELD MFG. CO.

Upon further consideration of the appeal of the Bloomfield Manufacturing Company, the Chief Compliance Commissioner has directed that Suspension Order No. S-527, as amended June 17, 1944, be amended. In view of the foregoing: It is hereby ordered that:

Section 1010.527 *Suspension Order No. S-527*, issued April 25, 1944, as amended June 17, 1944, be and hereby is amended, by striking out paragraph (f) and substituting therefor the following:

(f) The provisions of this suspension order shall not apply to contracts or purchase orders bearing preference ratings of AA-1 or higher.

Issued this 7th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11827; Filed, August 7, 1944; 4:20 p. m.]

PART 1044—CADMIUM

[General Preference Order M-65, as Amended Aug. 8, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cadmium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1044.1 *General Preference Order M-65*—(a) *Scope of this order.* This order controls deliveries of cadmium from a producer or distributor. No producer or distributor shall deliver cadmium to any person, and no person shall accept delivery of cadmium from any producer or distributor, except as provided in this order. The order also restricts the use which may be made of cadmium or cadmium products. The permitted uses will be found listed below in paragraphs (d) and (e).

(b) *Definitions.* For the purposes of this order:

(1) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material; or cadmium-bearing materials suitable for the manufacture of pigments.

(2) "Cadmium product" means an electroplated coating of cadmium.

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

(c) *Deliveries of cadmium.* Producers and distributors may deliver cadmium, and persons may accept delivery of cadmium from a producer or distributor in the following cases only:

(1) *Small order delivery.* Deliveries of cadmium from a producer or distributor may be made and accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of cadmium to the purchaser during that calendar month, from whatever source, will not aggregate more than 100 pounds of contained cadmium; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of cadmium in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The cadmium purchased will be used only as permitted in paragraphs (d) and (e) of this order and not for resale; (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a 30-day supply on the basis of his current method and rate of operation; and (v) The producer or distributor may make deliveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of this paragraph (c) (1) or that the cadmium delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to distributors.* Deliveries of cadmium may be made to and accepted by distributors.

(3) *Deliveries to Metals Reserve Company.* Deliveries of cadmium may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Deliveries to laboratories.* Deliveries of cadmium may be made to and accepted by laboratories.

(5) *WPB Authorization.* Other deliveries of cadmium may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB-945. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contract or orders. Authorization certificates will be issued on or about the first of each month for this purpose: An authorization certificate will authorize the holder to accept from a producer or distributor deliveries of specified amounts of cadmium shipped during the month for which the certificate is issued. The producer or distributor may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-945 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restrictions on the use of cadmium.* No person may use in any fashion any cadmium except for one or more of the following purposes, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product, and to maintain a thirty-day supply of the cadmium containing item on the basis of current rate of deliveries for permitted uses. No person who uses cadmium may deliver the cadmium containing item to any person except on receipt by him, directly or through a dealer, from the person who will receive delivery of the cadmium containing item, of a certification substantially in the form prescribed by Priorities Regulation No. 7 that the cadmium containing item to be delivered will be used for one or more of the following purposes:

(1) For the manufacture of pigments for the following:

Luminescent paint for military uses
Luminescent printing ink for military uses
Luminescent paper for military uses
Luminescent plastic for military uses
Signal and illuminating glass ware for safety, religious, military and industrial uses only
Thermometer tubing
Rubber sea buoys
Dental rubber
Artist's colors
X-ray fluoroscopic screens for medical purposes
Luminescent glass for cathode ray tubes.

(2) For the manufacture of silver brazing alloys containing no more than 11% by weight of cadmium to be used for military and industrial purposes to the extent that the use of a less critical material is impracticable except that silver brazing alloys containing up to 19% may be manufactured for applications specifically required by the Armed Services and for identical industrial applications.

(3) For the manufacture of copper base alloys containing no more than 1¼% by weight of cadmium for the following:

(i) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.

(ii) Parts inside electronic tubes.

(iii) Resistance welding electrodes.

(iv) Overhead electrical contact wire for repair and replacement in railway, street car and trolley bus systems.

(v) Multistrand railroad signal bond wire.

(vi) Shunt wire leads for motors and generators.

(vii) Flexible terminals of resistors, condensers and field coils.

(4) For the manufacture of bearings for the following:

(i) Internal combustion engines for the propulsion of naval vessels when specifically required by the U. S. Navy.

(ii) In radio and radar equipment.

(5) For the manufacture of low melting point alloys for the following:

(i) On dry type rectifier elements.

(ii) In fire protective systems, safety devices and electrical fuses.

NOTE: Subdivisions (iii) and (iv), formerly (iv) and (vi), redesignated, and former subdivisions (iii) and (v) deleted Aug. 8, 1944.

(iii) Plugs for screwless fasteners in rimless metal spectacles.

(iv) Dental use.

(6) For the manufacture of low melting point alloys containing no more than 10% by weight of cadmium for the following:

(i) In plastic fire control instruments for the mounting of optics.

(ii) Seals between brass and glass parts of liquid high voltage fuses.

(iii) In the manufacture of inspection gauges.

(iv) Bending of thin wall tubes.

(v) Bending of finished roll-formed and extruded shapes.

(7) For the manufacture of low melting point alloys containing no more than 6.5% by weight of cadmium for the following:

(i) Anchorage for bushings in drill jigs and punch press dies.

(ii) Location of control points and surfaces (except floor grouting) in construction of fixtures.

(8) For the manufacture of zinc base alloy, containing no more than .5% by weight of cadmium, for rolling.

(9) For the manufacture of type metal containing no more than .5% by weight of cadmium.

NOTE: Paragraphs (10) through (17) formerly (6) through (13) redesignated Aug. 8, 1944.

(10) For the manufacture of a lead base alloy containing no more than 3% by weight of cadmium for the coating of copper wire;

(11) For the manufacture of any cadmium product permitted by paragraph (e).

(12) For the manufacture of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Services has been filed with the first request for allocation for this use on Form WPB–945.

(13) For the manufacture of standard cells.

(14) For the manufacture of electrolytic testers for storage batteries.

(15) For the manufacture of cadmium impregnated carbon or of cadmium-silver alloys for use as contacts in electric current interruption devices.

(16) For use in laboratories for research, control, analysis, assaying, or educational work.

(17) For the manufacture of cadmium chemicals.

(e) *Restrictions on the use of cadmium products.* No person may use in any fashion any cadmium product except as permitted in subparagraphs (1) to (22), and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product:

(1) On functional parts which in service are subjected to frequent and extended periods of alternate immersion in sea water or wet spray of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance;

(2) On heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable;

(3) On ferrous hardware parts in direct contact with fabric or leather when used on the following:

Aircraft parachutes.
Aircraft safety belts.
Aircraft shoulder harnesses.
Aircraft bomb slings.

(4) On moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts, to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(5) On electric controllers and switches incorporated into underground mining machinery as required by the safety regulations of the Bureau of Mines;

(6) On the following ferrous parts which in service reach a temperature of 500° F. or higher and on parts in contact with such ferrous parts:

(i) Aircraft parts requiring corrosion protection;

(ii) Functional parts subject to the combined effect of corrosion and stress.

(7) On parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium or their alloys;

(8) On electrical contact parts of aircraft ignition harnesses and propeller hubs;

(9) On parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of noncorrosive fluxes and other finishes do not provide required corrosion protection.

(10) On the following parts of electronic equipment when required by the Armed Services, the Maritime Commission and War Shipping Administration:

(i) Surfaces involved in unsoldered butt joints which must remain constant in electrical and radio frequency resistance or both.

(ii) Surfaces which require good conductivity for radio frequency current.

(iii) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(11) On ferrous nuts, bolts, machine screws and washers for use in aircraft except for self-locking nuts designed for application below 250° F;

(12) On nuts, bolts, machine screws and studs having threads ⅝ inch diameter and smaller and/or having sixteen or more threads per inch for use by the United States Navy, Maritime Commission or War Shipping Administration and for use by the United States Army in ship construction.

(13) On parts subject to frictional contact at least one of which is a moving part, to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure or binding.

(14) On parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(15) On parts of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Service has been filed with the first request for Allocation for this use on Form WPB–945.

(16) On high carbon steel springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to both alternating stresses of a magnitude approaching the fatigue limit of the steel and to corrosive influences requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Flat springs of a thickness of 3/32 inch or less;

(ii) Springs made of wire of a diameter of ⅛ inch or less;

(iii) Valve springs for marine Diesel engines; or

(iv) Springs for aircraft landing gear.

(17) On ferrous springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to corrosive influence requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Detent springs of fuses when cadmium is specifically required by the cognizant Armed Service;

(ii) Spring parts of cowl fasteners for aircraft use;

(iii) Snap rings of a wire diameter of ⅛ inch or less for military and industrial uses; or

(iv) Lock washers and lock clips of a thickness of 3/32 inch or less for military and industrial uses.

(18) On carburetor and magneto parts for aircraft engines.

(19) On external parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, and lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly designed parts performing similar functions.

(20) On hydraulic fitting coupling sleeves made of copper alloys for use in aircraft.

(21) On electrical contact parts which touch parts of aluminum, magnesium or their alloys.

(22) On torpedo parts.

(f) *Certification on purchase orders.* No person shall place an order for, deliver or accept delivery of any cadmium or cadmium product, unless the purchaser

shall have certified in substantially the form set forth in Priorities Regulation No. 7 that the cadmium products to be delivered will be used for a purpose permitted by this order.

(g) *Appeals.* Any person may appeal from the provisions of paragraphs (d) and (e) of this order. Only prohibited items should be included in an appeal. Appeals should be made in letter form, in triplicate, and must be filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates, setting forth essentially the following information:

(1) Period of time, not exceeding six months, for which relief is requested;

(2) Monthly schedule of the amount of contained cadmium required;

(3) Description (and for cadmium containing alloys also the alloy composition), function, number, and cadmium requirement of each part or of each group of parts fulfilling related functions;

(4) Prime contract number, including symbol, if the item on appeal is covered by an Army, Navy, Maritime Commission or War Shipping Administration contract;

(5) Justification, including the reasons why substitutes are unsatisfactory because of performance, lack of facilities or manpower. An unsupported opinion is seldom sufficient justification.

The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the sources, destination, or amounts of cadmium or cadmium products to be shipped and delivered by any producer or distributor or received by any person, and the War Production Board may also specifically direct the manner and quantities in which such cadmium or cadmium product may be processed.

(i) *Reports.* All producers, distributors and consumers of cadmium shall file reports with the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, at such time and in such manner and form as it may prescribe, showing inventory, production, purchases, sales and consumption and such other information that the War Production Board may require.

(j) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, other than appeals from the provisions of paragraphs (d) and (e), shall be addressed to: War Production Board, Tin, Lead and Zinc Division WPB Dept. 7512, Washington 25, D. C.; Ref.: M-65.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11843; Filed, August 8, 1944; 10:59 a. m.]

PART 1046—SUPPLIERS

[Limitation Order L-63, as Amended Aug. 8, 1944]

§ 1046.1 *Suppliers' Inventory Limitation Order L-63*—(a) *Definitions.* (1) "Supplies" means all the supplies listed below:

(i) Automotive supplies.
(ii) Aviation supplies.
(iii) Builders' supplies.
(iv) Construction supplies.
(v) Dairy supplies.
(vi) Electrical supplies.
(vii) Farm supplies.
(viii) Foundry supplies.
(ix) Grain elevator supplies.
(x) Hardware supplies.
(xi) Industrial supplies.
(xii) Plumbing & heating supplies.
(xiii) Refrigeration supplies.
(xiv) Restaurant supplies.
(xv) Textile mill supplies.
(xvi) Transmission supplies.
(xvii) Welding & cutting supplies.

even though such items or materials may be "consumers' goods" within the meaning of that term as used in Limitation Order L-219; but supplies shall not be deemed to include any of the items or materials set forth in List A.

(2) "Supplier" means any person (other than a producer) located in the 48 states or the District of Columbia, whose business consists, in whole or in part, of the sale from stock or inventory of supplies. "Supplier" includes wholesalers, distributors, jobbers, dealers, retailers, branch warehouses of producers and other persons performing a similar function.

(3) "Producer" means any person including any branch, division or section of any enterprise, which manufactures, processes, fabricates, assembles or otherwise physically changes any material.

(4) "Sales" means sales from stock, including consigned stocks and excluding direct shipments (i. e., excluding sales made by a supplier of supplies which such supplier has never received delivery of but has ordered from the producer thereof with instructions that they be shipped directly to the supplier's customer).

(5) "Seasonal lines" means any line of supplies in which a minimum of 40% of the supplier's total annual sales are made during a period of 90 days, or less.

(6) "Maximum permissible inventory" means:

(i) In the case of a supplier located in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas, an inventory (owned or consigned to him) of supplies of a total dollar value at cost (by physical or book inventory, at the option of the supplier) equal to the sales of such supplies at net sales figures, shipped from his inventory, during the four preceding calendar months.

(ii) In the case of a supplier located in the District of Columbia or any of the forty-eight states not enumerated in paragraph (a) (6) (i) above, an inventory (owned or consigned to him) of supplies of a total dollar value at cost (by physical or book inventory, at the option of the supplier) equal to sales of such supplies at net sales figures shipped from his inventory during the three preceding calendar months.

(b) *Limitation of supplier's inventories.* (1) Except as provided in paragraph (b) (3), (4), (5), and (6), no supplier shall accept any delivery of supplies from any person which will effect an increase in the inventories of the supplier above his maximum permissible inventory; and

(2) Except as provided in paragraphs (b) (3), (4), (5) and (6), no person shall make to any supplier any delivery of supplies which such person knows or has reason to believe will effect an increase in such supplier's inventory of supplies above the supplier's maximum permissible inventory.

(3) Any supplier, regardless of where located, shall be permitted to purchase and store an amount of seasonal lines equal to those which he purchased in the peak period of a comparable period of the previous year, but this peak period shall not exceed 120 days.

(4) A supplier may accept delivery of supplies which will increase his stock above the maximum permissible inventory, if such supplier's inventory of supplies is at the time of delivery less than his maximum permissible inventory and the delivery of the minimum quantity of such supplies that can be commercially procured.

(5) A supplier may accept delivery of specific items of supplies when his stock of all items in the aggregate exceeds, or will by virtue of such acceptance exceed, his maximum permissible inventory, but only to the extent necessary to bring such supplier's inventory of those specific items (owned or consigned to him) up to a total dollar value equal to the sales of such items shipped from such supplier's inventories during the preceding month.

(6) The War Production Board may, from time to time, exempt specified suppliers or classes of suppliers from the provisions of this order, subject to such restrictions as the War Production Board may impose application for exemption should be made by letter.

(7) The provisions of this order shall not apply to any supplier whose total inventory at cost, including consigned stocks, of all supplies is less than $35,000.

(c) *Provisions of other orders.* No provision of this order shall be construed to permit the accumulation of inventories of any item of material in contravention of the provisions of any other applicable order or orders issued by the War Production Board or heretofore issued by the Office of Production Management.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Records and reports.* Each supplier (other than those who are exempt under paragraph (b) (6) or (b) (7)) must keep an up-to-date record of his total net monthly sales of supplies from stock, and his total inventory of supplies at the end of each month. He need not keep a separate record of his sales and inventory of each type of supplies. A record of his sales and inventory of all kinds of supplies in the aggregate will be satisfactory. In preparing his sales record he should use net selling prices, including sales from consigned stock and excluding direct shipments. His inventory record may be based either on book inventory or physical count. Inventory valuations must be at cost and must include consigned stock. The sales and inventory data required by this paragraph must be preserved for a period of at least two years, available for inspection by authorized representatives of the War Production Board. This record keeping plan has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Subject to the approval of the Bureau of the Budget, the War Production Board may at any time ask for the submission of this data.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(g) *Communications.* All communications concerning this order shall be addressed to War Production Board, Wholesale and Retail Trade Division, Washington 25, D. C., Ref.: L–63.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The types of material set forth below are not deemed to be supplies within the meaning of paragraph (a) (1). Accordingly, these materials may be excluded from the monthly report required by paragraph (e), and are not subject to the inventory restrictions required by paragraph (b), provided that sales of such materials are not included in computing maximum permissible inventory as defined in paragraph (a) (6).

(1) All General Steel Products listed in Schedule A of General Preference Order M–21–b–1 and all Merchant Trade Products listed in Schedule I of General Preference Order M–21–b–2.

(2) Materials made of aluminum, provided such materials were acquired by the supplier pursuant to allocation or other specific authorization of the War Production Board.

(3) Automotive replacement parts as defined in Limitation Order L–158, and Automotive replacement batteries as defined in Limitation Order L–180.

(4) Replacement parts specially designed to fit only one model and brand of machinery or equipment, and adaptable to no other use: *Provided*, That in no event shall the supplier accept delivery of any such parts where his inventory thereof is, or will by virtue of such delivery become in excess of six times his sales of such parts during the second preceding calendar month;

(5) Machinery or equipment which is purchased by the supplier at a cost per unit in excess of $500;

(6) Any material which is subject to rationing by the Office of Price Administration;

(7) The following building materials: Portland and natural cement, lime, gypsum and gypsum products, bituminous roofing materials, concrete pipe, cut stone, sand and gravel, crushed stone, clay products, insulation board, acoustical materials, mineral wool, paving materials, concrete products, glass, lumber wooden mill work.

(8) Domestic mechanical refrigerators, as defined in Limitation Order L–5–d.

(9) Bare or insulated wire or cable for electrical conduction made from copper or copper base alloy.

(10) Industrial materials and finished products sold to the supplier by a special sale under Priorities Regulation No. 13.

(11) Repair and replacement parts for commercial and industrial refrigeration equipment.

INTERPRETATION 1

"Supplies" as listed in paragraph (a) (1) of Limitation Order L–63 do not include seeds, plants, livestock, fertilizer, clocks, watches, sporting goods, furniture, pottery, china, or glassware. (Issued May 15, 1942.)

[F. R. Doc. 44–11844; Filed, August 8, 1944; 10:59 a. m.]

PART 3281—PULP AND PAPER [1]

[Limitation Order L–279, as Amended Aug. 8, 1944]

PAPER SHIPPING SACKS

§ 3281.91 [1] *Limitation Order L–279*—(a) *Definitions.* For the purposes of this order:

(1) "Paper shipping sack" means any new single-wall, duplex, or multi-wall paper sack designed for use as (a) a primary container for packing a particular commodity for storage or shipment, (b) a container shipping sack for combining a number of packages of a particular commodity into a single shipping unit, or (c) an overslip shipping sack for covering a single package of a particular commodity for shipment. This does not include the following: sacks designed as liners for outer containers, combination textile-paper bags (bags made of textile laminated with paper), grocers and variety bags (as defined in Order L–261), bags made wholly from cellophane, glassine, parchment, or waxed paper, or flat envelope types of containers made on envelope machines (such as lithographic seed envelopes).

(2) "Single-wall sack", "duplex sack", and "multi-wall sack" mean, respectively paper shipping sacks made with one wall, with two walls, and with more than two walls.

(3) "Sack manufacturer" means any person engaged in the business of manufacturing paper shipping sacks for sale or for his own use in packing any commodity produced or processed by him.

(4) "Commercial user" means any person who uses paper shipping sacks for packing any commodity produced or processed by him.

Restrictions

(b) *Restrictions on manufacture and use*—(1) *Restrictions on use of pulp and on deliveries of shipping sack papers.* All pulp allocated on Form WPB–2973, Sub-Schedule D–2 Items #054100 and #054900 must be used only for the manufacture of shipping sack paper. No paper manufacturer shall deliver shipping sack paper if he knows or has reason to know that it will be used other than in the manufacture of paper shipping sacks. No sack manufacturer or commercial user may receive or use shipping sack paper for any purpose other than to manufacture paper shipping sacks.

(2) *Restrictions on paper manufacture.* No sack manufacturer shall manufacture any paper shipping sack made of shipping sack paper which does not conform to all applicable restrictions of each schedule of this order.

(3) *Restrictions on use.* No commercial user may use a paper shipping sack made of shipping sack paper for any other purpose than those listed on Appendix A. However, any commercial user who used paper shipping sacks made of shipping sack paper prior to August 8, 1944, to package any commodity not listed on Appendix A may continue to use them for such purpose for 45 days after August 8, 1944. The provisions of this paragraph shall not apply to paper shipping sacks used for delivery to the Army, Navy, Maritime Commission or War Shipping Administration, nor to the Foreign Economic Administration for empty shipping sacks when shipped to or for the Armed Forces of the United States.

(c) *Restrictions on users' inventories.* No commercial user shall, at any time, accept delivery of paper shipping sacks which will increase his supply to more than the larger of the following amounts (this restriction applies to all paper shipping sacks, whether or not of the sizes and styles or for the commodities specifically mentioned in any schedule of this order):

(1) A total of 1½ carloads of all sizes and styles for all commodities (exclusive of sacks then in transit to him); or

(2) Reasonably anticipated requirements of each size and style for any particular non-seasonal commodity during

[1] Formerly Part 3270, § 3270.25.

the next 60 days after the delivery of the sacks or any particular seasonal commodity during the next 120 days after the delivery of the sacks (with a ½-car leeway in either case, where necessary to round out a full car).

(d) *Inventories of multiple-unit organizations.* Any commercial user who maintains an inventory of paper shipping sacks at more than one location may, at his option, apply the inventory restrictions of paragraph (c) above either to the inventory of each such location separately or to the collective inventory of all such locations.

Wet Strength Paper Markings

(e) *Wet strength paper markings after December 1, 1943.* All wet strength paper used in the manufacture of single-wall, duplex and multi-wall paper shipping sacks must be distinctly colored, stained, printed or marked for identification purposes with longitudinal stripes, spaced not less than 2" nor more than 10" centers across the paper width and each stripe is to be not less than ⅛" in width. No other grade of paper used in such shipping sacks is to be striped as above. When wet strength paper is used as the outer ply of the shipping sacks, the identification must appear on the external surface. The provisions of this paragraph shall not apply to stocks on hand on October 27, 1943.

Miscellaneous Provisions

(f) *Certification to the seller of paper shipping sacks by the buyer.* No commercial user may order or accept delivery of paper shipping sacks, and no person may deliver paper shipping sacks to a commercial user unless the buyer furnishes, or has previously furnished, to the person making delivery, certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose.

> The undersigned certifies, subject to the penalty of section 35A of the U. S. Criminal Code, to the seller and to the War Production Board that he is familiar with the order L-279 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

The above certificate must be used and the certification provided for in Priorities Regulation Number 7 may not be used in its place and stead.

This is a one-time certification and need not accompany each individual order for paper shipping sacks.

NOTE: Paragraphs (g), (h), (i) and (j) formerly (f), (g), (h) and (i) redesignated Aug. 8, 1944.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paper Division, Washington 25, D. C., Ref: L-279.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I: *General Restrictions*—(a) *Applicability.* Except as otherwise specifically stated in this schedule, the provisions of this schedule shall apply, on and after July 19, 1943, to the manufacture of any paper shipping sack designed for packing the following:

(1) Sugar and lime in any quantity of 25 lbs. or more.

(2) Flour and cereal products in any quantity over 50 lbs.

(3) Any other commodity in any quantity over 25 lbs.

These restrictions are in addition to all other applicable restrictions of this order and all schedules of this order.

(b) *Prohibited paper finishes.* No paper with embossed, super-calendared, or special machine finish shall be used for the sacks of the kinds described in paragraph (a) of this schedule.

(c) [Deleted, Oct. 27, 1943]

(d) *Permitted paper grades.* No paper of any grade except the following shall be used for the sacks of the kinds described in paragraph (a) of this schedule.

Plain natural kraft and colored kraft.
Kraft-and-hard fibre combinations (for single-wall and duplex sacks only).
Mildew-proof paper.
Oil-treated paper.
Water-repellent paper.
Wet-strength paper.
Paper especially processed for protecting commodities (such as asphalt, chemicals, molten rosin) which, because of their physical or chemical characteristics, require the protection of such paper.

NOTE: "Asphalted paper * * *", "Paraffined paper" deleted from paragraph (d) Aug. 8, 1944.

(e) *Permitted paper grades for Appendix B.* Asphalted paper (paper laminated, impregnated, coated or infused with asphaltic compounds), paraffined paper and moisture-proof paper may only be used for paper shipping sacks to package the items listed on Appendix B.

(f) *Permitted basis weights.* Basis weights shall be computed on the basis of 500 24" x 36" sheets per ream, with a tolerance of 5% (plus or minus).

(1) *For single-wall and duplex sacks.* No plain natural kraft, plain bleached kraft, kraft-and-hard-fibre combination, or wet-strength paper of any basis weight except the following shall be used for single-wall and duplex sacks of the kinds described in paragraph (a) of this schedule:

30, 40, 50, 60, 70, 80, 90, 100, 110, 120, 125, 130 lbs., and, for packing carbon black only, 35 lbs. also.

(2) *Multi-wall sacks.* No plain natural kraft or wet-strength paper of any basis weight except the following shall be used for multi-wall sacks of the kinds described in paragraph (a) of this schedule:

40, 50, 60, and 70 lbs. only.

(g) [Deleted, Oct. 27, 1943]

SCHEDULE II: *Additional restrictions for certain sacks*—(a) *Applicability.* The restrictions of this Schedule are in addition to any other applicable restrictions of this order and all schedules of this order.

(b) *Restrictions on sack sizes.* No sack manufacturer shall manufacture any paper shipping sack designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

Sack designed for packing commodity specified (1)	Sack size (net weight capacity unless otherwise specified) (2)
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland).	94 lbs.
Flour (milled wheat) [1]	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill).	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-4-10-25-50-100 lbs.
Seeds [2]	2-5-10-25-50-100 lbs. 1, 2 bu.
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet).	2-5-10-25-50-100 lbs.

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, bromated, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] Additional sizes are permitted as follows: ½ bu. for hybrid seed corn: 3 bu. for cotton seed.

(c) *Exceptions.* The size restrictions of paragraph (b) above shall not apply to the manufacture of paper shipping sacks which are:

(1) To be exported, empty, by the sack manufacturer.

(2) Ordered by a user for packaging any listed commodity to be exported by him, provided the sack manufacturer receives from the user a statement on the purchase order that the sacks ordered for the packing of the listed commodities are for export.

(3) Manufactured to meet the packaging specifications of and for delivery to, or for the account of, the Army, Navy, Maritime Commission, War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(4) Of the container or overslip types of sacks.

(d) [Deleted, Oct. 27, 1943]

APPENDIX A

AGRICULTURAL PRODUCTS

NOTE: Appendix A added Aug. 8, 1944.

Alfalfa meal, bulk, 25 lbs. or more.
Apples fresh or dry, bulk, 25 lbs. or more.
Baking powder, bulk, 25 lbs. or more.
Barley, bulk, 25 lbs. or more.

Beans and peas—Not less than 50 lbs. when packed in container shipping sacks.
Beet pulp, bulk, 25 lbs. or more.
Blood, bulk, 25 lbs. or more.
Candy (export liners only), bulk, 25 lbs. or more.
Cereals, bulk, 25 lbs. or more.
Cigars and cigarettes (export liners only), bulk, 25 lbs. or more.
Coco, bulk, 25 lbs. or more.
Cocoa, bulk, 25 lbs. or more.
Coffee, bulk, 25 lbs. or more.
Copra meal, bulk, 25 lbs. or more.
Corn-dry, bulk, 25 lbs. or more.
Corn flour cereal binder, bulk, 25 lbs. or more.
Corn meal—Not less than 50 lbs. when packed in container shipping sacks.
Corn sugar, bulk, 25 lbs. or more.
Cotton seed, bulk, 25 lbs. or more.
Cottonseed meal, cake and hulls, bulk, 25 lbs. or more.
Distillers dried grains and solubles, bulk, 25 lbs. or more.
Dough improver, bulk, 25 lbs. or more.
Doughnut mix, bulk, 25 lbs. or more.
Fat, hard, bulk, 25 lbs. or more.
Feed or food:
Pet—Not less than 50 lbs. when packed in container shipping sacks.
Livestock and poultry—Not less than 50 lbs. when packed in container shipping sacks.
Mineral—Not less than 50 lbs. when packed in container shipping sacks.
Oyster shell grits—Not less than 50 lbs. when packed in container shipping sacks.
Flour—Not less than 50 lbs. when packed in container shipping sacks.
Goldenrod, bulk, 25 lbs. or more.
Linseed meal, bulk, 25 lbs. or more.
Malt dextrine, bulk, 25 lbs. or more.
Malt syrup, dried, bulk, 25 lbs. or more.
Mascin, bulk, 25 lbs. or more.
Meal, cracker—Not less than 50 lbs. when packed in container shipping sacks.
Meal, fish—Not less than 50 lbs. when packed in container shipping sacks.
Milk, dried and powdered, bulk, 25 lbs. or more.
Molasses, dry, bulk, 25 lbs. or more.
Orange pulp, bulk, 25 lbs. or more.
Peanuts, shelled, bulk, 25 lbs. or more.
Peanut meal, bulk, 25 lbs. or more.
Peat, bulk, 25 lbs. or more.
Potatoes—Not less than 50 lbs. when packed in container shipping sacks.
Rice—Not less than 50 lbs. when packed in container shipping sacks.
Seeds—Not less than 50 lbs. when packed in container shipping sacks.
Soap, industrial, bulk, 50 lbs. or more.
Soup powder, bulk, 25 lbs. or more.
Soya bean flour and meal, bulk, 25 lbs. or more.
Soya milk, bulk, 25 lbs. or more.
Spices, bulk, 25 lbs. or more.
Starch—Not less than 50 lbs. when packed in container shipping sacks.
Stearic acid, bulk, 25 lbs. or more.
Stearine, bulk, 25 lbs. or more.
Sugar—Not less than 60 lbs. when packed in container shipping sacks.
Vegetables, dehydrated.

BUILDING MATERIALS

Calsomine, bulk, 5 lbs. or more.
Cement, bulk:
Portland.
High early.
White portland.
Oil well.
Insulating.
Plastic.
Waterproof.
Masonry.
Glass wool, bulk, 25 lbs. or more.
Gypsum, bulk, 2 lbs. or more.
Masonry mortars, bulk, 25 lbs. or more.
Mineral wool, bulk, 25 lbs. or more.
Mortar, bulk, 25 lbs. or more.
Mortar mix, bulk, 25 lbs. or more.
Plaster, bulk, 2 lbs. or more.
Plaster of Paris, bulk, 2 lbs. or more.
Stucco, bulk, 25 lbs. or more.
Whitewash, bulk, 5 lbs. or more.

CHEMICALS AND PIGMENTS

Alpha floc.
Alpha protein.
Activated alum.
Activated carbon.
Agar-agar.
Alum.
Aluminum hydrate.
Aluminum salts.
Aluminum stearate.
Ammonium salts.
Bark, tanning.
Basic slag.
Bicarbonate of soda (sodium bicarbonate).
Bichromate of soda.
Bone black.
Borax.
Boric acid.
Calcium arsenate.
Calcium carbide.
Calcium salts.
Calcium silicate.
Carbon black.
Casein.
Catalysts.
Charcoal.
Citric acid.
Colors.
Copper sulfate.
Cupric chloride.
Cyanamid.
Detergents, alkaline.
Disinfectants and germicides.
Drugs.
Dye intermediate.
Ferric sulfate.
Ferrous sulfate.
Fertilizer, including super phosphate.
Fire extinguisher charger.
Flux.
Gums, natural and synthetic.
Hexachlorethane.
Insecticides and fungicides.
Iron oxide.
Kelp.
Lead arsenate.
Lead silicate.
Lead sulfate.
Lime, (hydrated).
Lime, (quick).
Limestone.
Lithopone.
Magnesium salts.
Manganese salts.
Moulding material.
Naphthalene.
Paint.
Phthalic anhydride.
Pigments.
Pitch.
Plaster of Paris.
Potash salts.
Quebracho.
Resins, natural and synthetic.
Riboflavin.
Rosin size.
Rubber accelerators.
Salt (sodium chloride).
Silica gel, silicic acid.
Smoke mix.
Sodium salts.
Strontium carbonate.
Sulfate—lead.
Sulfur.
Tanning extracts.
Thermit.
Titanium dioxide.
TNT.
Ultramarine blue.
Urea.
White lead.
Whiting ($Ca\ Co_3$).
Zinc borate.
Zinc sulphate.
Zirconium salts.

MINERALS

Abrasives, bulk, 25 lbs. or more.
Alluvial silt, bulk, 25 lbs. or more.
Aluminum alloys, bulk, 25 lbs. or more.
Aluminum flake, bulk, 25 lbs. or more.
Aluminum magnesium, bulk, 25 lbs. or more.
Alumite, bulk, 25 lbs. or more.
Amijel, bulk, 25 lbs. or more.
Antimony oxide, bulk, 25 lbs. or more.
Aplite rock, bulk, 25 lbs. or more.
Asbestos, bulk, 25 lbs. or more.
Asphalt filler, bulk, 25 lbs. or more.
Barytes and other barium products, bulk, 25 lbs. or more.
Bauxite, bulk, 25 lbs. or more.
Bindarene flour, bulk, 25 lbs. or more.
Carbonettes, bulk, 25 lbs. or more.
Cement, carbide, bulk, 25 lbs. or more.
Cement, refractory, bulk, 25 lbs. or more.
Cement, silica, bulk, 25 lbs. or more.
Chrome ore and chromite, bulk, 25 lbs. or more.
Clay, fire, bulk, 25 lbs. or more.
Clay and talc, bulk, 25 lbs. or more.
Core compound, bulk, 25 lbs. or more.
Cryolite, bulk, 25 lbs or more.
Cyanite (kyanite), bulk, 25 lbs. or more.
Diatomaceous earth, bulk, 25 lbs. or more.
Drilling mud, bulk, 25 lbs. or more.
Feldspar, bulk, 25 lbs. or more.
Ferroalloys and alloying metals, bulk, 25 lbs. or more.
Flint, bulk, 25 lbs. or more.
Fluorspar, bulk, 25 lbs. or more.
Frit, bulk, 25 lbs. or more.
Glass spar, bulk, 25 lbs. or more.
Graphite, bulk, 25 lbs. or more.
Magnesite, bulk, 25 lbs. or more.
Magnesium oxide, bulk, 25 lbs. or more.
Magnesium, bulk, 25 lbs. or more.
Magnesol, bulk, 25 lbs. or more.
Manganese ore, bulk, 25 lbs. or more.
Mica, bulk, 25 lbs. or more.
Nickel salts, bulk, 25 lbs. or more.
Pumice, bulk, 25 lbs. or more.
Pumicite, bulk, 25 lbs. or more.
Pyrophillite, bulk, 25 lbs. or more.
Quartz, bulk, 25 lbs. or more.
Roofing granules, bulk, 25 lbs. or more.
Silica, bulk, 25 lbs. or more.
Silica flour, bulk, 25 lbs. or more.
Slate flour (dust or granules), bulk, 25 lbs. or more.
Soapstone, bulk, 25 lbs. or more.
Spar, bulk, 25 lbs. or more.
Sprayed asbestos, bulk, 25 lbs. or more.
Tungsten ore, bulk, 25 lbs. or more.

MISCELLANEOUS

Activated sponge, bulk, 25 lbs. or more.
Aluminum powder, bulk, 25 lbs. or more.
Antimony oxide, bulk, 25 lbs. or more.
Asphalt, bulk, 25 lbs. or more.
Bags, empty.
Binder twine.
Cadmium dust, bulk, 25 lbs. or more.
Coal.
Coke.
Copper dust, bulk, 25 lbs. or more.
Cork, bulk, 25 lbs. or more.
Corn cob meal, bran and flakes, bulk, 25 lbs. or more.
Dry ice.
Emery.
Ferro manganese, bulk, 25 lbs. or more.
Fire clay, bulk, 25 lbs. or more.
Glass globules, bulk, 25 lbs. or more.
Glues and pastes, dry.
Lead wool, bulk, 25 lbs. or more.
Metal cans, empty.
Rubber dust, bulk, 25 lbs. or more.
Rubber reclaimed, bulk, 25 lbs. or more.
Rubber, synthetic and guayule, bulk, 25 lbs. or more.

Seacoal, bulk, 25 lbs. or more.
Waxes and greases, bulk, 25 lbs. or more.
Wood flour, bulk, 25 lbs. or more.
Zinc oxide, bulk, 25 lbs. or more.

APPENDIX B—ASPHALTED, PARAFFINED AND MOISTURE-PROOF PAPER

NOTE: Appendix B added Aug. 8, 1944.

These types of paper may only be used in the manufacture of paper shipping sacks designed to package the following products:

NOTE: Asphalted, paraffined and moisture-proof papers may be used in any paper shipping sack used for the shipment of any commodity by or to the Army, Navy, Maritime Commission and War Shipping Administration for either domestic or export shipment. The use of these papers is permitted in paper shipping sacks used to ship commodities for commercial export.

These papers may be used by Foreign Economic Administration in any empty shipping sack shipped by Foreign Economic Administration to or for the Armed Forces of the United States. All other Foreign Economic Administration requirements for empty paper shipping sacks are subject to the restrictions of Appendix B.

Activated carbon.
Alpha protein.
Ammonium chloride.
Ammonium nitrate.
Antimony oxide.
Asphalt.
Baking powder.
Bichromate of soda.
Bindarene flour (core compound Lignin Pitch).
Calcium arsenate.
Calcium chloride.
Calcium magnesium chloride.
Calcium oxide (quicklime).
Cement (high early, oil well, white portland, insulating, plastic, waterproof and refractory).
Coconut shredded.
Copper sulfate.
Corn sugar.
Cotton seed.
Cupric chloride.
Cyanamid.
Dessert preparations—dry.
Disinfectants and germicides.
Di-sodium phosphate.
Distillers dried grains and solubles.
Dough improver.
Doughnut mix.
Ferric sulfate.
Ferro manganese.
Ferrous sulfate.
Fertilizer.
Fire clay.
Insecticides and fungicides.
Lead arsenate.
Licorice extract (dry, powdered).
Limestone, (ground (used for mine dust only)).
Magnesium oxide.
Manganese sulfate.
Malt dextrine.
Milk, skimmed (powdered).
Molasses (dry, powdered).
Monocalcium phosphate.
Naphthalene flakes.
Peat.
Pectin.
Phthalic anhydride.
Potassium chloride.
Potassium nitrate.
Potatoes, dehydrated.
Quebracho and myrobalin.
Rosin size (hygroscopic types).
Salt (sodium chloride).
Smoke mix.
Sodium flourosilicate.
Sodium metasilicate.
Sodium nitrate.
Sodium sulfate (glaubers salt).
Sodium sulfide.
Soups.
Sugars (brown, pulverized and fine grained granulated).
Tanning extract (dry).
Tetro sodium pyrophosphate.
Tri-sodium phosphate.
Truline binder.
Urea.
Vegetables, dehydrated.
Zinc sulfate.

[F. R. Doc. 44-11845; Filed, August 8, 1944; 10:59 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-199 as Amended Aug. 8, 1944]

PLUMBING AND HEATING TANKS

§ 3288.6 *General Limitation Order L-199*—(a) *Definitions.* For the purpose of this order:

(1) "Tank" means any metal expansion tank, metal hot water storage tank and metal range boiler, if the tank or range boiler is used in hot water supply systems or in hot water space heating systems. The term does not include any tank used as an integral part of a direct fired water heater or indirect water heater, the manufacture of which is covered by Limitation Order L-185.

(2) "Hot water supply system" means any system for supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(3) "Hot water space heating system" means any system which is designed for the purposes of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Base period" means the calendar year 1941.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication or assembly of any tank, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts;

(2) For temperature, pressure, and vacuum safety valves;

(3) For tank spuds or tappings.

(c) *Restrictions on sizes and design of tanks.* No person may fabricate, manufacture, or assemble black iron, galvanized iron, or porcelain enameled range boilers or black iron or galvanized iron expansion tanks, except in accordance with the specifications in Schedules A, B and C.

(d) *Use of non-ferrous tanks for replacement.* No person may deliver or install copper, copper base alloy or monel metal tanks in existing inventories except to replace a non-ferrous tank of similar capacity or larger.

(e) *Restrictions on production.* No person shall manufacture or assemble more tanks than his quota, which, for each calendar year, shall be determined by the percentage indicated below of his base period unit production of the same classification of tanks. However, regardless of the number of tanks he may have produced before June 2, 1944, the quota for the period from that date through December 31, 1944 shall be 7/12 the quota for each calendar year:

	Percent
Range boilers and expansion tanks	70
Storage tanks	75

Any person may request authorization to exceed his quota by addressing a letter to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., stating his proposed additional production in units per quarter, and the War Production Board may authorize additional production on Form GA-1850, if additional production is necessary to fulfill the approved War Production Program. Where the applicant will need controlled materials in order to produce the additional equipment, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials.

(f) *General exceptions.* The restrictions of paragraphs (b) and (c) do not apply to the production of articles or parts not available in the producer's inventory for use in ships, boats, planes or advance bases when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board, for the district in which is located the plant or branch of the person filing the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-199.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 8th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

BLACK IRON OR GALVANIZED RANGE BOILERS—STANDARD, EXTRA HEAVY, AND DOUBLE EXTRA HEAVY—PERMITTED SPECIFICATIONS

Inside diameter of tank	Length of shell (length of sheet—not over-all length)	Nominal capacity	Tappings pipe size	Tappings
Inches	*Inches*	*U. S. Gals.*	*Inches*	*Number*
12	30	15	1	6
12	60	30	1	6
14	60	40	1	6
18	60	66	1	6
20	60	82	1	6
24	60	120	1¼	6

Construction: Welded seams only.
Hand Holes and Manholes: None permitted.
Inspection Tappings: None permitted.
Tappings: Six tappings: One side tapping, 6 inches from the top edge of sheet, and one 6 inches from the bottom edge of sheet in line; two tappings in the top; one tapping in the bottom; and one tapping on the side at 180° from the line of the other two side tappings—15 gallon size tanks to have such tappings 9 inches from the bottom edge of sheet, all other size tanks to have such tapping 15 inches from the bottom edge of sheet.

SCHEDULE B

PORCELAIN ENAMELED RANGE BOILERS—PERMITTED SIZES (NOMINAL CAPACITY)

30 U. S. Gallons.
40 U. S. Gallons.
52 U. S. Gallons.

SCHEDULE C

EXPANSION TANKS—PERMITTED SPECIFICATIONS

Inside diameter	Length of shell (length of sheet—not over-all length) (inches)	Nominal capacity (U. S. gal.)
12	20	10
12	30	15
12	60	30
14	30	20
14	60	40

Construction: Welded seams only.

INTERPRETATION 1: Superseded November 22, 1943.

INTERPRETATION 2: Superseded June 2, 1944.

[F. R. Doc. 44-11848; Filed, August 8, 1944; 10:59 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,[1] Amdt. 17]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 220 is amended in the following respects:

1. The following sections are amended by substituting "§§ 1315.1556, 1315.1557, 1315.1557b, or 1315.1557c" for "§§ 1315.1556 or 1315.1557" wherever the latter appear in: §§ 1315.1552 (a) (2); 1315.1558 (a); and 1315.1559 (a).

2. Section 1315.1557b is added to read as follows:

§ 1315.1557b *Maximum manufacturers' prices for elastic webbing, braid, and cord*—(a) *Applicability of this section.* This section, and not §§ 1315.1553 to 1315.1557, inclusive, establishes maximum prices for sales by manufacturers of elastic webbing, braid, and cord.

(b) *Maximum prices.* The maximum price for a sale of elastic webbing, braid, or cord by a manufacturer shall be the sum total of direct labor and materials costs, waste and gross margin, computed in accordance with paragraph (c).

(c) *Computation of the maximum price*—(1) *Direct labor costs.* Direct labor costs shall be those labor costs which were treated as such in the manufacturer's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the elastic webbing, braid, or cord being priced, by the highest wage rate in effect in the manufacturer's plant during March 1942 for that type of labor. If the manufacturer did not employ a given class of labor during March 1942, he shall use the wage rate paid during March 1942 by the nearest employer operating under comparable conditions who employed that class of labor during that period.

(2) *Direct materials costs.* Direct materials costs shall be those materials costs which were treated as such in the manufacturer's accounting system in effect on March 1, 1942, and shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the elastic webbing, braid, or cord, by the following material prices:

(i) For synthetic rubber, the manufacturer shall use the net price, not to exceed the maximum price, for the material in effect to him on the date on which he calculates his maximum price;

(ii) For all other materials, the manufacturer shall use the highest net materials prices in effect to him, or, if no price was in effect to him, the highest net materials price in effect to a purchaser of the same class as the manufacturer, during March 1942. If there was no March 1942 price of any such material, the materials cost to be used in determining the maximum price shall be the first ascertainable net price (not exceeding the maximum price) in effect to the manufacturer after March 31, 1942.

(3) *Waste.* Waste costs shall be determined by applying the same methods as were used by the manufacturer in similar production during October 1, 1941, adjusted to reflect the estimated quantity of waste in the production of the elastic webbing, braid, or cord being priced.

(4) *Gross margin.* Gross margin, other than waste, shall be calculated by the methods and rates used by the manufacturer on October 1, 1941, for his sales of elastic webbing, braid, or cord. These methods and rates shall be filed with the Office of Price Administration in accordance with the provisions of paragraph (e) of this section.

(d) *Recomputation of the maximum price.* If an elastic webbing, braid, or cord priced under paragraph (c) is produced or supplied by the manufacturer for a period of two months after being priced, its maximum price shall be redetermined by substituting actual labor hours and actual quantity of materials for the estimated hours and estimated quantity of materials used in the original computation of the maximum price. This redetermination of the maximum price shall be made between 60 and 75 days after the manufacturer begins production of the commodity. At the time of recomputation, the redetermined maximum price, and the details of its computation, shall be reported to the Office of Price Administration. If the manufacturer's production experience during the first two months of production is inadequate to determine his costs accurately, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period for recomputation. This request must be made at the time of the first recomputation.

(e) *Reports.* Every manufacturer subject to the provisions of this section shall file with the Office of Price Administration, Washington, D. C.:

(1) On or before August 28, 1944, the price determining methods and rates in effect in each of his plants on October 1, 1941, for the determination of gross margin on elastic webbing, braid, or cord.

(2) On or before August 28, 1944, all discounts and other allowances in effect in each of his plants on October 1, 1941, for sales of elastic webbing, braid, or cord to each class of purchaser.

(3) Within 10 days after a purchaser first agrees to buy an elastic webbing, braid, or cord, the maximum price of which must be determined under paragraph (c) of this section, a description of the elastic webbing, braid, or cord being priced, the maximum price of each such article and the calculations used in the determination of the maximum price, including the dates on which the prices and rates used in the calculations were in effect in each of his plants.

(f) *Approval of reported prices.* The manufacturer may not accept payment for any elastic webbing, braid, or cord priced under paragraph (c) until the reported price has been approved in writing by the Office of Price Administration, or until 15 days have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this 15-day period, the price so reported shall be subject to adjustment by the Price Administrator. Subsequent to this 15-day period, such price shall be subject to adjustment (not to apply retroactively) at any time by the Price Administrator.

(g) *Elastic webbing, braid, or cord which cannot be priced under paragraphs (b) and (c).* The maximum price for any elastic webbing, braid, or cord which cannot be priced under paragraphs (b) and (c) of this section, shall be determined in accordance with the provisions of § 1315.1558.

3. Section 1315.1557c is added to read as follows:

§ 1315.1557c *Maximum wholesalers' prices for elastic webbing, braid, and cord*—(a) *Applicability.* This section establishes maximum prices for all sales by wholesalers of elastic webbing, braid, and cord.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16669; 9 F.R. 1116, 6431, 7198.

(b) *Maximum wholesalers' prices for elastic webbing, braid, or cord which the wholesaler buys from a manufacturer*—(1) *How the wholesaler calculates the maximum price.* The maximum price for a sale by a wholesaler of any elastic webbing, braid, or cord which the wholesaler buys from the manufacturer thereof, shall be calculated by multiplying the percentage determined in accordance with subparagraph (2) by:

(i) The wholesaler's net invoiced cost before cash discounts of the commodity, if available, not to exceed the applicable maximum price; or

(ii) If actual cost is not available, the net invoiced cost before cash discounts of the commodity as estimated by the wholesaler's supplier: *Provided*, That the wholesaler has no reason to believe that the price so estimated exceeds the maximum price.

(iii) If the cost determined under subparagraphs (i) or (ii) above is not on a delivered basis, the wholesaler shall add the actual cost of transportation to his place of business.

(2) *How the wholesaler determines the percentage which must be used in determining the maximum price.* The percentage which the wholesaler must use in determining the maximum price shall be determined as follows:

(i) The wholesaler shall first determine what elastic webbing, braid, or cord he must use in determining the percentage. This shall be the first applicable of the following which he sold or offered for sale on October 1, 1941:

(*a*) The elastic webbing, braid, or cord which is the same as the one being priced;

(*b*) The elastic webbing, braid, or cord which has the same use as the one being priced. If there are more than one which have the same use as the commodity being priced, the wholesaler shall use that one whose purchase price is nearest to the purchase price of the commodity being price. The purchase price shall be determined in accordance with subparagraph (1) above;

(*c*) The elastic webbing, braid, or cord whose purchase price is nearest to the purchase price of the commodity being priced. The purchase price shall be determined in accordance with subparagraph (1) above.

(ii) The wholesaler shall then determine the price at which on October 1, 1941, he was offering to sell that elastic webbing, braid, or cord to a purchaser of the same class.

(iii) The wholesaler shall then determine the percentage by dividing this selling price by the purchase price in effect to him on the date on which he established this selling price.

(3) *Reports of proposed maximum prices.* The wholesaler shall file a report with the Regional Office of the Office of Price Administration for the region in which he is located within 5 days after he first offers for sale an elastic webbing, braid, or cord, the maximum price of which must be established under paragraph (b) of this section. This report shall contain:

(i) A description of the elastic webbing, braid, or cord being priced;

(ii) The purchase price of such commodity and the name of the supplier; and

(iii) A description of the elastic webbing, braid, or cord which he must select in accordance with paragraph (b) (2) of this section for purposes of determining his percentage margin, and the reasons for the selection of this commodity.

(4) *Approval of reported prices.* The wholesaler may not accept payment for any elastic webbing, braid, or cord priced under paragraph (b) until the reported price has been approved in writing by the Office of Price Administration, or until 21 days shall have elapsed after the mailing of the report without the Office of Price Administration objecting to the maximum price reported. Within this 21-day period, the price so reported shall be subject to adjustment by the Price Administrator or the Regional Administrator. Subsequent to this 21-day period, such price shall be subject to adjustment (not to apply retroactively) at any time by the Price Administrator or the Regional Administrator. However, orders may be accepted and invoices issued at the proposed price subject to approval or adjustment by the Office of Price Administration. A notation that the price is subject to the approval of the Office of Price Administration must be made on all quotations and invoices until the proposed price is approved or adjusted. The wholesaler shall prepare and send to the customers affected corrected invoices in all cases where the price approved by the Administrator or the Regional Administrator differs from the price proposed by the wholesaler.

(c) *Wholesale maximum prices which cannot be determined under paragraph (b).* The wholesale maximum price for any elastic webbing, braid, or cord which cannot be priced under paragraph (b) above, shall be a price consistent with the level of maximum prices established by this regulation, specifically authorized by the Office of Price Administration. Prior to first offering the commodity for sale, the wholesaler shall submit to the Regional Office of the Office of Price Administration for the region in which he is located, a report applying for a specific authorization of the maximum price. The report shall contain:

(1) A description in detail of the commodity;

(2) A statement of the facts which make it necessary to price a commodity under this paragraph;

(3) A proposed pricing method and the price for the commodity determined in accordance with this method; and

(4) A statement of the reasons why the wholesaler believes that the use of this method results in prices which are in line with the level of prices established by this regulation.

The Price Administrator or any Regional Administrator may approve or disapprove, and may at any time after approval correct maximum prices proposed or established under this paragraph, so as to make them consistent with the level of maximum prices otherwise established by this regulation.

(d) *Reports of base period selling prices and purchase costs.* Every wholesaler subject to the provisions of this section shall file with the Regional Office of the Office of Price Administration for the region in which he is located, on or before August 28, 1944:

(1) A list of the elastic webbings, braids, or cords which he was offering to sell on October 1, 1941, and the price at which he was offering to sell each on that date to each class of purchaser.

(2) The purchase price of each such elastic webbing, braid, or cord in effect to the wholesaler at the time the price listed in subparagraph (1) above was established.

4. Section 1315.1567 (d) (6) is revoked.

5. In § 1315.1567 (f), items (12) and (13) are revoked.

6. Section 1315.1567 (h) (5) is amended to read as follows:

(5) Elastic webbing, braid, and cord.

This amendment shall become effective August 14, 1944.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11855; Filed, August 8, 1944; 11:25 a. m.]

PART 1340—FUEL

[RMPR 137, Amdt. 4]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. Section 5 (b) is amended to read as follows:

(b) *Adjustments because of Fair Trade Acts.* Maximum prices established under this regulation may be adjusted in the case of any seller at retail who shows:

1. Either that his maximum price for any commodity established under this regulation is less than the minimum price at which he was lawfully required to sell the commodity during March 1942 pursuant to the provisions of a State Fair Trade Act; or that he has been permanently enjoined by a court from selling the commodity at less than such minimum price; and also

2. That the commodity was generally sold at retail during March 1942 at prices no lower than such minimum price within the locality in which his selling establishment is located.

In such cases, the maximum price of the seller will be increased to such minimum price. Applications for adjustment

*Copies may be obtained from the Office of Price Administration.

shall be filed in accordance with Revised Procedural Regulation No. 1.

Each Regional Administrator of the Office of Price Administration and such District Directors of the Office of Price Administration as may be designated by the appropriate Regional Administrator are hereby authorized to make adjustments or act upon applications for adjustment under this paragraph (b).

2. Section 9 (b) (6) is amended to read as follows:

(6) NEW JERSEY

(i) Within the counties of Union, Middlesex, Essex, Hudson, Bergen, and Passaic, State of New Jersey, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be 14.0 cents per gallon.

(ii) Within the counties of Morris and Sussex, State of New Jersey, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be 14.5 cents per gallon.

This amendment shall become effective August 14, 1944.

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11856; Filed, August 8, 1944; 11:26 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53[1] Incl. Amdts. 1-31]

FATS AND OILS

This compilation of Maximum Price Regulation 53 includes Amendment 31, effective August 14, 1944. The text added or amended by Amendment 31 is underscored.

The Administrator has deemed it necessary to establish maximum prices for fats and oils under this Maximum Price Regulation No. 53. A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

§ 1351.151 *Maximum prices for fats and oils.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 53 (Fats and Oils), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.151 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 53—FATS AND OILS

ARTICLE I—GENERAL PROVISIONS

Sec.
1.1 Prohibition against dealing in fats and oils at prices above the maximum.
1.2 Exempt sales.
1.3 Exempt governmental purchases of foreign fats and oils.
1.4 Application for determination of a maximum price.
1.5 Imports and exports, adjustment of maximum prices caused by variances in freight and insurance charges.
1.6 Brokers' commissions paid by buyers.
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1.8 Petitions for amendment.
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ARTICLE V—SOYBEAN OIL

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ARTICLE VI—CORN OIL

6.1 Maximum prices.

ARTICLE VII—LINSEED OIL

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ARTICLE VIII—OLIVE OIL

8.1 Maximum prices of domestic olive oil.
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8.4 Differentials.
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ARTICLE XIX—OLEOMARGARINE; MAXIMUM PRICES OF PROCESSORS

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19.3 These maximum prices are for processors or manufacturers only.
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ARTICLE I—GENERAL PROVISIONS

SECTION 1.1 *Prohibition against dealing in fats and oils at prices above the maximum.* No person shall sell, offer to sell, deliver, or transfer, and no person in the course of trade or business shall buy or receive, fats or oils at prices higher than the maximum prices, except that contracts entered into prior to December 13, 1941, providing for a higher price than the maximum prices may be carried out at the contract price. The maximum prices shall include commissions and all other charges. Lower prices than the maximum prices established by this Maximum Price Regulation No. 53 may be charged, demanded, paid, or offered.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1313, 8702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 1.2 *Exempt sales.* Sales of fats and oils products in the finished form,

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[1] 8 F.R. 11150.

[2] Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

sales of refined fats and oils (except coconut oil) destined for use or consumption without further processing or packing by the buyer, and sales of lard destined for human consumption without further processing are exempt from the operation of this Maximum Price Regulation No. 53, unless a maximum price for such fats or oils product, or refined fat or oil, or lard, is enumerated in terms of dollars and cents, or a method for computing a maximum price for such fats or oils product, or refined fat or oil, or lard, is set forth in Article II or any subsequent article of this regulation.

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

SEC. 1.3 *Exempt Governmental purchases of foreign fats and oils.* All purchases of fats and oils located in any foreign country by the United States Government or any agency thereof, or by an agent, broker or other representative purchasing for the account of the United States Government or any agency thereof, shall be exempt from the operation of this Maximum Price Regulation No. 53, whether the purchase is made directly in the foreign country or through an agent, broker or other representative of the foreign seller located in the United States. Where fats and oils located in a foreign country are purchased by an agent, broker or other representative of the United States Government or any agency thereof who has a contract to resell the fats and oils so purchased to the United States or any agency thereof, such resale shall be exempt from the operation of this Maximum Price Regulation No. 53. This provision shall have no application to purchases by the United States Government or any agency thereof of fats and oils located in the United States which have been imported into this country without a contract to resell the fats and oils so imported to the United States Government or any agency thereof.

SEC. 1.4 *Application for determination of a maximum price.* If the maximum price on a particular fat or oil covered by this Maximum Price Regulation No. 53 cannot be determined under the provisions of this Maximum Price Regulation No. 53, the affected party shall file an application with the Office of Price Administration in Washington, D. C., containing:

(a) A description of the fat or oil and showing wherein it is impossible to determine a maximum price therefor;

(b) A statement of the facts of all transactions since January 1, 1941, of the applicant and all information he may have obtained concerning transactions of others from said date in the fat or oil in question in any form or state of processing including transactions in the oil bearing material, raw product, and crude oil.

(c) (1) An itemized statement of the applicant's total cost of said fat or oil (including any manufacturing or processing costs), (2) the applicant's maximum price for that commodity presently sold by the applicant that has a maximum price presently determinable and that is most nearly similar to the fat or oil for which a maximum price is sought and (3) an itemized statement of the applicant's total cost of such most nearly similar commodity (including any manufacturing or processing costs).

Upon receipt of such application the Office of Price Administration will proceed to fix a maximum price or instruct the applicant as to the method of determining the same and for reporting the price he may determine. Any price fixed or determined under this paragraph shall be subject to adjustment at any time by the Office of Price Administration.

SEC. 1.5 *Imports and exports, adjustment of maximum prices caused by variances in freight and insurance charges.* (a) The maximum prices hereinafter established by this Maximum Price Regulation No. 53 for fats and oils shipped into the United States by ocean transportation shall include the charges prevailing on October 1, 1941, for freight, war risk insurance, and marine insurance connected with such transportation.

Increase in such charges may be added only if such charges have been actually incurred by the seller on such sale. Decreases in such charges shall be subtracted from the maximum prices hereinafter established by this Maximum Price Regulation No. 53.

(b) The maximum prices at which a person may export fats and oils for which maximum prices are established by this Maximum Price Regulation No. 53 outside the continental limits of the United States shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation [3] issued by the Office of Price Administration.

[Sec. 1.5 amended by Am. 26, 9 F.R. 7420, effective 7-8-44]

SEC. 1.6 *Brokers' commissions paid by buyers.* (a) Where the buyer pays a broker or other person a commission or other contingent compensation for services in bringing about, or otherwise connected with, any purchase, sale, delivery, acquisition, or other transfer of any fats or oils for which a maximum price is established by this Maximum Price Regulation No. 53, (1) the maximum total price that the buyer may pay for the fats or oils and as such commission or other contingent compensation, shall be the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53, and (2) the maximum price that the seller may receive for the fats or oils sold shall be that sum which, when added to such commission or other contingent compensation paid by the buyer, equals the maximum prices for such fats or oils specified in this Maximum Price Regulation No. 53.

(b) *Exception.* The provisions of paragraph (a) of this section 1.6 shall not apply to purchases made from the United States Government, or any state, municipal or other governmental unit, or any agencies of any of them, where the buyer customarily has paid broker's commissions or fees during the two years preceding the month of March 1942; in such case the buyer, in addition to paying the broker's commissions or fees, may pay the seller, and the seller may receive, the maximum prices specified in this Maximum Price Regulation No. 53.

SEC. 1.7 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 1.8 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 53 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 1.9 *Evasion*—(a) *General.* The price limitations set forth in this Maximum Price Regulation No. 53 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of fats or oils, or by way of premium, commission, service, transportation or other charge, or by any other trade understanding or by any other means.

(b) *By purchasing oil-bearing materials and paying for processing.* The purchase of oil-bearing materials from a processor who is to process the oil-bearing materials for the purchaser is forbidden, if the combined cost of (1) the oil-bearing materials and (2) the processing toll exceeds the maximum price established by this Maximum Price Regulation No. 53 for the type and quantity of oil produced from the oil-bearing materials. If the meal or other by-products produced from the oil-bear-

[3] 8 F.R. 4132, 5987, 7662, 9998, 15198, 9 F.R. 1066.

[4] 9 F.R. 5791.

ing materials are to be retained by the processor, the value of the meal or other by-product retained must be considered in determining the cost of the processing toll.

SEC. 1.10 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 53 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 1.11 *Records and reports.* Every person making any sale of fats or oils, except sales exempted under sections 1.2 and 1.3 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale, including the date thereof, the name of the purchaser, the price paid or received, and the grade, quality and amount sold.

Every person affected by this Maximum Price Regulation No. 53 shall submit such reports to the Office of Price Administration as it may from time to time require, subject to the approval of the Bureau of the Budget.

SEC. 1.12 *Geographic applicability of the regulation.* This Maximum Price Regulation No. 53 shall apply in, and only in, the District of Columbia and the forty-eight states of the United States.

SEC. 1.13 *Definitions.* When used in this Maximum Price Regulation No. 53, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

(b) "Fats and oils" means all of the raw, crude, and refined fats and oils, their by-products and derivatives, and greases, except "essential oils", mineral oils, butter, cocoa butter, and poultry fat.

[Paragraph (b) amended by Am. 18, 9 F.R. 2087, effective 2-15-44.]

(c) "Fats and oils products in the finished form" means those products the whole or substantial part of which are manufactured from fats or oils, which are sold for use or consumption without further processing and the manufacturing process of which includes more than filtering, refining, or deodorizing, or splitting, or dividing into component parts, for example, shortening, soap, paint, margarine, salad dressing, and mayonnaise.

(d) "Refined fats and oils" means those fats and oils which have been cleaned, deodorized, or purified by settling, straining, filtering, distilling, treating with chemicals, or by any other means, and which at the conclusion of the refining process do not contain any added substance other than is necessary as a preservative, for example, margarine oil, salad oil, prime summer yellow, and/or bleachable cottonseed oil, oleo oil, and oils used for the technical and protective coating trades.

(e) In the phrase, "similar amount to a similar purchaser," the word "similar" means that amount and that type of purchaser with respect to which the same price did apply or would have applied under the seller's trade practices on October 1, 1941.

SEC. 1.14 *Licensing.* The provisions of Licensing Order No. 1[*] licensing all persons who makes sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 1.14 added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

ARTICLE II—MAXIMUM PRICES FOR FATS AND OILS FOR WHICH NO MAXIMUM PRICES IN TERMS OF DOLLARS AND CENTS ARE PROVIDED

SEC. 2.1 *Maximum prices.* (a) The maximum price for any kind, grade or quality of fat or oil for which a maximum price is not specifically provided in any of the following articles of this Maximum Price Regulation No. 53, shall be the highest price at which the seller sold such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser on October 1, 1941, for delivery within sixty days.

(b) If the maximum price of such fat or oil cannot be determined under paragraph (a) of this section 2.1, the maximum price shall be the highest price at which the seller sold the same kind of fat or oil of a different grade or quality or in a different amount or to a different type of purchaser on October 1, 1941, for delivery within sixty days, making the necessary adjustments for differences in grade, quality, amount or type of purchaser in accordance with the seller's practice for determining price differentials existing on October 1, 1941.

(c) If the maximum price cannot be determined under either paragraphs (a) or (b) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the locality of the seller's shipping point on October 1, 1941, for delivery within sixty days.

(d) If the maximum price cannot be determined under paragraphs (a), (b) or (c) of this section 2.1, the maximum price shall be the price at which such kind of fat or oil of the same grade and quality in a similar amount to a similar purchaser was sold in the nearest market in which such sale was made on October 1, 1941, making adjustments for the customary differential between the price in such markets and the price in the locality of the seller's shipping point.

(e) If the maximum price determined under the above paragraphs of this section 2.1 is less than 111 percent of the price at which the same kind of fat or oil of the same grade and quality was sold by the seller, or was sold in the locality of the seller's shipping point, or in the nearest market, as the case may be, in a similar amount and to a similar purchaser on November 26, 1941, for delivery within sixty days, the maximum price shall be 111 percent of such November 26 price.

SEC. 2.2 *Inclusion of transportation and other charges in maximum prices.* The maximum prices for both domestic and imported fats and oils determined under section 2.1 hereof, shall include at least the same absorption of transportation and other charges as were or would have been absorbed by the seller on comparable shipments to the same place of destination on October 1, 1941.

SEC. 2.3 *Evasion.* The price limitations set forth in section 2.1 hereof, shall not be evaded by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on October 1, 1941, or by any other direct or indirect means.

ARTICLE III—COTTONSEED OIL

SEC. 3.1 *Maximum prices.* The maximum prices of cottonseed oil shall be the following prices:

(a) *Crude cottonseed oil.* F. o. b. mill, in tank cars in cents per pound, as follows:

California (except Los Angeles)	13.125
Los Angeles, California	13.40
Arizona	12.875
Illinois, North Carolina, South Carolina, Tennessee, Crittenden and Mississippi Counties, Arkansas, New Madrid and Scott Counties, Missouri, Morgan County, Alabama	12.75
Alabama (except Morgan County), Arkansas (except Crittenden and Mississippi Counties), Florida, Georgia, Louisiana, Mississippi, Missouri (except New Madrid and Scott Counties), New Mexico, Muskogee and Tulsa Counties, Oklahoma, Bowie, Dallas, El Paso and Tarrant Counties, Texas	12.625
Oklahoma (except Muskogee and Tulsa Counties), Texas (except Bowie, Dallas, El Paso and Tarrant Counties)	12.50

(1) These crude cottonseed oil maximum prices shall be adjusted on a 99% settlement basis as provided in Rule 142 of the 1942-1943 rules of the National Cottonseed Products Association, Inc.

(2) Where (i) crude cottonseed oil is sold and delivered to a buyer to whom it may be shipped for no more than a switching charge, and (ii) where prior to price control it was customary for such oil to take a premium when sold by a seller in that locality to a buyer located within that locality's switching limits, the maximum price shall be the prices set forth above, plus the premium that customarily prevailed in that locality on such sales prior to price control.

[Paragraph (a) amended by Am. 6, 8 F.R. 12642, effective 9-16-43.]

(b) Refined cottonseed oil and bleachable cottonseed oil stearine, produced from cottonseed obtained from the 1942-1943 cotton crop, delivered in tank cars, as follows:

[*] 8 F.R. 13240.

[Cents per pound]

	Bleachable cottonseed oil stearine	Bleachable prime summer yellow oil	Refined bleached and undeodorized oil	Refined deodorized and unbleached oil	Cooking or deodorized white, bleached, summer oil	Salad or winterized oil	Hydrogenated or margarine oil	High titre hydrogenated oil
Albany, N. Y.	13.75	14.00	14.32	14.35	14.67	15.05	15.25	15.40
Atlanta, Ga.	13.37	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Baltimore, Md.	13.66	13.91	14.23	14.26	14.58	14.96	15.16	15.31
Boston, Mass.	13.74	13.99	14.31	14.34	14.66	15.04	15.24	15.39
Buffalo, N. Y.	13.78	14.03	14.35	14.38	14.70	15.08	15.28	15.43
Charlotte, N. C.	13.49	13.74	14.06	14.09	14.41	14.79	14.99	15.14
Chattanooga, Tenn.	13.54	13.79	14.11	14.14	14.46	14.84	15.04	15.19
Chicago, Ill.	13.63	13.88	14.20	14.23	14.55	14.93	15.13	15.28
Cincinnati, Ohio	13.63	13.88	14.20	14.23	14.55	14.93	15.13	15.28
Columbus, Ohio	13.66	13.91	14.23	14.26	14.60	14.96	15.18	15.33
Cudahy, Wis.	13.65	13.90	14.22	14.25	14.57	14.95	15.15	15.30
Dallas, Tex.	13.22	13.47	13.79	13.82	14.14	14.52	14.72	14.87
Denison, Tex.	13.26	13.51	13.83	13.86	14.18	14.56	14.76	14.91
Denver, Colo.	13.68	13.93	14.25	14.28	14.60	14.98	15.18	15.33
El Paso, Tex.	13.55	13.80	14.12	14.15	14.47	14.85	15.05	15.20
Fort Worth, Tex.	13.24	13.49	13.81	13.84	14.16	14.54	14.74	14.89
Houston, Tex.	13.26	13.53	13.85	13.88	14.20	14.58	14.78	14.93
Indianapolis, Ind.	13.60	13.85	14.17	14.20	14.52	14.90	15.10	15.25
Jacksonville, Fla.	13.47	13.72	14.04	14.07	14.39	14.77	14.97	15.12
Kansas City, Mo.	13.49	13.74	14.06	14.09	14.41	14.79	14.99	15.14
Los Angeles, Calif.	13.90	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Louisville, Ky.	13.59	13.84	14.16	14.19	14.51	14.89	15.09	15.24
Macon, Ga.	13.37	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Memphis, Tenn.	13.59	13.64	13.96	13.99	14.31	14.69	14.89	15.04
New Orleans, La.	13.46	13.71	14.03	14.06	14.38	14.76	14.96	15.11
New York, N. Y.	13.70	13.95	14.27	14.30	14.62	15.00	15.20	15.35
Oklahoma City, Okla.	13.37	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Philadelphia, Pa.	13.66	13.91	14.23	14.26	14.60	14.98	15.18	15.33
St. Louis, Mo.	13.54	13.79	14.11	14.14	14.46	14.84	15.04	15.19
San Antonio, Tex.	13.28	13.53	13.85	13.88	14.20	14.58	14.78	14.93
San Francisco, Calif.	13.90	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Savannah, Ga.	13.45	13.70	14.02	14.05	14.37	14.75	14.95	15.10
Seattle, Wash.	13.90	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Sherman, Tex.	13.24	13.49	13.81	13.84	14.16	14.54	14.74	14.89
Terre Haute, Ind.	13.58	13.83	14.15	14.18	14.50	14.88	15.08	15.23

(1) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (b) amended by Am. 10, 8 F.R. 17227, effective 12-28-43.]

(c) Refined cottonseed oil and bleachable cottonseed oil stearine produced from cottonseed obtained from the 1943–1944 cotton crop, or any subsequent cotton crop, delivered in tankcars, as follows:

[Cents per pound]

	Bleachable cottonseed oil stearine	Bleachable prime summer yellow oil	Refined bleached and undeodorized oil	Refined deodorized and unbleached oil	Cooking or deodorized white bleached summer oil	Salad or winterized oil	Hydrogenated or margarine oil	High titre hydrogenated oil
Albany, N. Y.	14.11	14.36	14.50	14.59	14.75	15.15	15.45	15.60
Atlanta, Ga.	13.73	13.98	14.12	14.21	14.37	14.77	15.07	15.12
Baltimore, Md.	14.02	14.27	14.41	14.50	14.66	15.06	15.36	15.41
Boston, Mass.	14.10	14.35	14.49	14.58	14.74	15.14	15.44	15.49
Buffalo, N. Y.	14.14	14.39	14.53	14.62	14.78	15.18	15.48	15.53
Charlotte, N. C.	13.85	14.10	14.24	14.33	14.49	14.89	15.19	15.24
Chattanooga, Tenn.	13.90	14.15	14.29	14.38	14.54	14.94	15.24	15.29
Chicago, Ill.	13.90	14.24	14.38	14.47	14.62	15.03	15.33	15.38
Cincinnati, Ohio	13.90	14.24	14.38	14.47	14.63	15.03	15.33	15.38
Columbus, Ohio	14.04	14.29	14.43	14.52	14.68	15.08	15.38	15.43
Cudahy, Wis.	14.01	14.26	14.40	14.49	14.65	15.05	15.35	15.40
Dallas, Tex.	13.58	13.83	13.97	14.06	14.22	14.62	14.92	14.97
Denison, Tex.	13.62	13.87	14.01	14.10	14.26	14.66	14.96	15.01
Denver, Colo.	14.04	14.29	14.43	14.52	14.68	15.08	15.38	15.43
El Paso, Tex.	13.91	14.16	14.30	14.39	14.55	14.95	15.25	15.30
Fort Worth, Tex.	13.60	13.85	13.99	14.08	14.24	14.64	14.94	14.99
Houston, Tex.	13.64	13.89	14.03	14.12	14.28	14.68	14.98	15.03
Indianapolis, Ind.	13.96	14.21	14.35	14.44	14.60	15.00	15.30	15.35
Jacksonville, Fla.	13.83	14.08	14.22	14.31	14.47	14.87	15.17	15.22
Kansas City, Mo.	13.85	14.10	14.24	14.33	14.49	14.89	15.19	15.24
Los Angeles, Calif.	14.26	14.51	14.65	14.74	14.90	15.30	15.60	15.65
Louisville, Ky.	13.95	14.20	14.34	14.43	14.59	14.99	15.29	15.34
Macon, Ga.	13.73	13.98	14.12	14.21	14.37	14.77	15.07	15.12
Memphis, Tenn.	13.75	14.00	14.14	14.23	14.39	14.79	15.09	15.14
New Orleans, La.	13.82	14.07	14.21	14.30	14.46	14.86	15.16	15.21
New York, N. Y.	14.06	14.31	14.45	14.54	14.70	15.10	15.40	15.45
Oklahoma City, Okla.	13.73	13.98	14.12	14.21	14.37	14.77	15.07	15.12
Philadelphia, Pa.	14.04	14.29	14.43	14.52	14.68	15.08	15.38	15.43
St. Louis, Mo.	13.90	14.15	14.29	14.38	14.54	14.94	15.24	15.29
San Antonio, Tex.	13.64	13.89	14.03	14.12	14.28	14.68	14.98	15.03
San Francisco, Calif.	14.26	14.51	14.65	14.74	14.90	15.30	15.60	15.65
Savannah, Ga.	13.81	14.06	14.20	14.29	14.45	14.85	15.15	15.20
Seattle, Wash.	14.26	14.51	14.65	14.74	14.90	15.30	15.60	15.65
Sherman, Tex.	13.60	13.85	13.99	14.08	14.24	14.64	14.94	14.99
Terre Haute, Ind.	13.94	14.19	14.33	14.42	14.58	14.98	15.28	15.33

(1) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 10, 8 F.R. 17227, effective 12-28-43; amended by Am. 17, 9 F.R. 2020, effective 2-26-44.]

SEC. 3.2 *Refined cottonseed oil produced from the 1942–1943 cotton crop and sold for industrial use.* When refined cottonseed oil produced from cottonseed obtained from the 1942–1943 cotton crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add ½¢ per pound to the maximum prices established for such oil by section 3.1 (b) hereof.

[Sec. 3.2 amended by Am. 10, 8 F.R. 17227, effective 12-28-43.]

SEC. 3.3 *Cottonseed oil futures contracts.* The maximum prices established in sections 3.1 and 3.2 hereof, shall be the maximum prices for cottonseed oil futures contracts traded after May 11, 1942 on the New York Produce Exchange and on the New Orleans Cotton Exchange.

SEC. 3.4 *Purchases of cottonseed oil by the Commodity Credit Corporation.* The Commodity Credit Corporation is free to purchase bleachable prime summer yellow cottonseed oil at any price, whether that price is above or below the maximum price for bleachable prime summer yellow cottonseed oil established by this schedule.

ARTICLE IV—PEANUT OIL

SEC. 4.1 *Maximum prices.* The maximum prices of peanut oil shall be the following prices:

(a) Crude peanut oil f. o. b. mill in tankcars:

	Cents per pound
California (except Los Angeles)	13.50
Los Angeles, California	13.775
Chicago, Illinois	13.50
Arizona and Virginia	13.25
Tennessee	13.125
Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina and South Carolina	13.00
Texas and Oklahoma	12.875

(1) These crude peanut oil maximum prices shall be adjusted on a 5 percent settlement basis as provided in Rule 142 of the 1942–1943 Rules of the National Cottonseed Products Association, Inc.

(2) The usual or normal location differentials shall continue to apply.

[Paragraph (a) amended by Am. 30, 9 F.R. 8146, effective 7-24-44]

(b) Refined peanut oil produced from the 1942–43 peanut crop—delivered in tank cars, as follows:

[Above paragraph amended by Am. 16, 9 F.R. 1882, effective 2-21-44.]

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.	14.38	14.70	14.73	15.05	15.68	15.78
Atlanta, Ga.	14.00	14.32	14.35	14.67	15.26	15.40
Baltimore, Md.	14.29	14.61	14.64	14.96	15.54	15.69
Boston, Mass.	14.37	14.69	14.72	15.04	15.62	15.77
Buffalo, N. Y.	14.41	14.73	14.76	15.08	15.66	15.81
Charlotte, N. C.	14.12	14.44	14.47	14.79	15.37	15.52
Chattanooga, Tenn.	14.17	14.49	14.52	14.84	15.42	15.57
Chicago, Ill.	14.26	14.58	14.61	14.93	15.51	15.66
Cincinnati, Ohio	14.26	14.58	14.61	14.93	15.51	15.66
Columbus, Ohio	14.31	14.63	14.66	14.98	15.56	15.71
Cudahy, Wis.	14.28	14.60	14.63	14.95	15.53	15.68
Dallas, Tex.	13.85	14.17	14.20	14.52	15.10	15.25
Denison, Tex.	13.89	14.21	14.24	14.56	15.14	15.29
Denver, Colo.	14.31	14.63	14.66	14.98	15.56	15.71
El Paso, Tex.	14.15	14.50	14.53	14.85	15.43	15.58
Fort Worth, Tex.	13.87	14.19	14.22	14.54	15.12	15.27
Houston, Tex.	13.91	14.23	14.26	14.58	15.16	15.31
Indianapolis, Ind.	14.23	14.55	14.58	14.90	15.48	15.63
Jacksonville, Fla.	14.10	14.42	14.45	14.77	15.35	15.50
Kansas City, Mo.	14.12	14.44	14.47	14.79	15.37	15.52
Los Angeles, Calif.	14.53	14.85	14.88	15.20	15.78	15.93
Louisville, Ky.	14.22	14.54	14.57	14.89	15.47	15.62
Macon, Ga.	14.00	14.32	14.35	14.67	15.25	15.40
Memphis, Tenn.	14.02	14.34	14.37	14.69	15.27	15.42
New Orleans, La.	14.09	14.41	14.44	14.76	15.34	15.49
New York, N. Y.	14.33	14.65	14.68	15.00	15.58	15.73
Oklahoma City, Okla.	14.00	14.32	14.35	14.67	15.25	15.40
Philadelphia, Pa.	14.31	14.63	14.66	14.98	15.56	15.71
St. Louis, Mo.	14.17	14.49	14.52	14.84	15.42	15.57
San Antonio, Tex.	13.91	14.23	14.26	14.58	15.16	15.31
San Francisco, Calif.	14.53	14.85	14.88	15.20	15.78	15.93
Savannah, Ga.	14.08	14.40	14.43	14.75	15.33	15.48
Seattle, Wash.	14.53	14.85	14.88	15.20	15.78	15.93
Sherman, Tex.	13.87	14.19	14.22	14.54	15.12	15.27
Terre Haute, Ind.	14.21	14.53	14.56	14.88	15.46	15.61

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

(c) Refined peanut oil produced from the 1943–44 peanut crop or any subsequent peanut crop—delivered in tank cars, as follows:

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.	14.69	14.83	14.92	15.06	15.73	15.83
Atlanta, Ga.	14.31	14.43	14.54	14.68	15.40	15.45
Baltimore, Md.	14.60	14.74	14.83	14.97	15.69	15.74
Boston, Mass.	14.68	14.82	14.91	15.05	15.77	15.82
Buffalo, N. Y.	14.72	14.86	14.95	15.09	15.81	15.86
Charlotte N. C.	14.43	14.57	14.66	14.80	15.52	15.57
Chattanooga, Tenn.	14.48	14.62	14.71	14.85	15.57	15.62
Chicago, Ill.	14.57	14.71	14.80	14.94	15.66	15.71
Cincinnati, Ohio	14.57	14.71	14.80	14.94	15.66	15.71
Columbus, Ohio	14.62	14.76	14.85	14.99	15.71	15.76
Cudahy, Wis.	14.59	14.73	14.82	14.96	15.68	15.73
Dallas, Tex.	14.16	14.30	14.39	14.53	15.25	15.30
Denison, Tex.	14.20	14.34	14.43	14.57	15.29	15.34
Denver, Colo.	14.62	14.76	14.85	14.99	15.71	15.76
El Paso, Tex.	14.49	14.63	14.72	14.86	15.58	15.63
Fort Worth, Tex.	14.18	14.32	14.41	14.55	15.27	15.32
Houston, Tex.	14.22	14.36	14.45	14.59	15.31	15.36
Indianapolis, Ind.	14.54	14.68	14.77	14.91	15.63	15.68
Jacksonville, Fla.	14.41	14.55	14.64	14.78	15.50	15.55
Kansas City, Mo.	14.43	14.57	14.66	14.80	15.52	15.57
Los Angeles, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Louisville, Ky.	14.53	14.67	14.76	14.90	15.62	15.67
Macon, Ga.	14.31	14.45	14.54	14.68	15.40	15.45
Memphis, Tenn.	14.33	14.47	14.56	14.70	15.42	15.47
New Orleans, La.	14.40	14.54	14.63	14.77	15.49	15.54
New York, N. Y.	14.64	14.78	14.87	15.01	15.73	15.78
Oklahoma City, Okla.	14.31	14.45	14.54	14.68	15.40	15.45
Philadelphia, Pa.	14.63	14.76	14.85	14.99	15.71	15.76
St. Louis, Mo.	14.48	14.62	14.71	14.85	15.57	15.62
San Antonio, Tex.	14.22	14.36	14.45	14.59	15.31	15.36
San Francisco, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Savannah, Ga.	14.30	14.53	14.62	14.76	15.48	15.53
Seattle, Wash.	14.84	14.98	15.07	15.21	15.93	15.98
Sherman, Tex.	14.13	14.27	14.41	14.55	15.27	15.32
Terre Haute, Ind.	14.52	14.66	14.75	14.89	15.61	15.66

(1) The usual or normal differentials above or below these delivered prices, shall apply to all other destinations.

(2) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(3) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 16, 9 F.R. 1882, effective 2-21-44.]

SEC. 4.2 *Refined peanut oil produced from the 1942–1943 peanut crop and sold for industrial use.* When refined peanut oil produced from the 1942–1943 peanut crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add ½ cent per pound to the maximum prices established for such oil by section 4.1 (b) hereof.

[Sec. 4.2 amended by Am. 16, 9 F.R. 1882, effective 2-21-44.]

ARTICLE V—SOYBEAN OIL

SEC. 5.1 *Maximum prices.* The maximum prices of soybean oil shall be the following prices:

(a) Crude soybean oil—in tank cars:

F. o. b. mills located in:	Cents per pound
California, Oregon and Washington	12.50
Arizona	12.125
Edgewater, New Jersey; Houston, Texas; New Orleans, Louisiana; Savannah, Georgia	12.00
Michigan, New Jersey (except Edgewater), New Mexico, New York, North Carolina, Ohio, Pennsylvania, Virginia	11.875
Alabama, Arkansas, Florida, Georgia (except Savannah), Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana (except New Orleans), Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, South Carolina, Tennessee, Texas (except Houston), Wisconsin	11.75

[Table amended by Am. 14, 9 F.R. 1522, effective 2-11-44.]

(1) The maximum price of crude soybean oil that does not meet the standard specifications set forth in Rule 102 of the Year Book and Trading Rules 1941–1942 of the National Soy Bean Processors Association, is the price set forth above, less the allowances provided in said Rule 102 for crude soybean oil of the kind and quality being delivered.

(b) Refined soybean oil produced from the 1942–43 soybean crop—in tank cars, basis f. o. b. Decatur, Illinois:

[Above paragraph amended by Am. 13, 9 F.R. 1054, effective 2-8-44.]

(a) *Raw linseed oil and linseed oil products, delivered in Zone 1.* Linseed oil and linseed oil products, in tank cars, delivered in Zone 1, as follows:

(Cents per pound)	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Hydrogenated margarine soybean oil	Winterized soybean oil	High titre hydrogenated soybean oil	Color	Viscosity	Spec. gravity	Sapon value	Iodine value	Acid value	Cents per pound
F. o. b. Decatur, Ill.	12.50													

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
F. o. b. Decatur, Ill.	12.30	12.57	12.60	12.87	13.00	13.45	13.60

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

(c) Refined soybean oil produced from the 1943–1944 soybean crop, or any subsequent soybean crop—in tankcars, basis f. o. b. Decatur, Illinois:

[Above paragraph amended by Am. 17, 9 F.R. 2020, effective 2–26–44.]

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
F. o. b. Decatur, Ill.	12.89	12.73	12.80	12.94	13.40	13.80	13.95

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

[Paragraph (c) added by Am. 13, 9 F.R. 1054, effective 2–2–44.]

SEC. 5.2 *Refined soybean oil produced from the 1942–43 soybean crop and sold for industrial use.* Where refined soybean oil produced from the 1942–43 soybean crop is sold to be used ultimately for industrial usages and not for edible purposes, the seller may add ½ cent per pound to the maximum prices established for such oil by section 5.1 (b) hereof.

[Sec. 5.2 amended by Am. 13, 9 F.R. 1054, effective 2–2–44.]

ARTICLE VI—CORN OIL

SEC. 6.1 *Maximum prices.* The maximum prices of corn oil shall be the following prices:

(a) Crude corn oil—in tank cars:

	Cents per pound
F. O. B. Midwestern Mills	12.75

(b) Refined corn oil—in tank cars, basis f. o. b. Chicago:

[Cents per pound]

	Deodorized bleached corn oil	Winterized corn oil	Hydrogenated margarine corn oil	High titre hydrogenated corn oil
F. o. b. Chicago, Ill.	14.77	14.50	14.95	15.10

(1) The usual or normal differentials for grade, above or below these basic grades, shall continue to apply.

(2) The usual or normal differentials for type of container shall continue to apply.

ARTICLE VII—LINSEED OIL

SEC. 7.1 *Maximum prices.* The maximum prices of the following linseed oils and linseed oil products shall be the following prices:

(a) *Raw linseed oil and linseed oil products, delivered in Zone 1.* Linseed oil and linseed oil products, in tank cars, delivered in Zone 1, as follows:

	Color	Acid value	Iodine value	Sapon value	Spec. gravity	Viscosity	Cents per pound
Linseed oil	11–13	4 max.	170–190	188–196	.931–.935	A	14.5
GRINDING OILS							
Raw plus 10% bodied oil	10–13	2–4	165–187	189–196	.934–.937	A–B	14.5
Containing organic superoxide	9–11	1–4	170–190	188–196	.931–.936	A	15.0
Semi-refined and bleached varnish and grinding oil	4–6	2–5	170–190	188–196	.931–.935	A	15.5
Mechanically refined grinding oil (no chemicals used)	4–7	1–4	170–190	188–196	.931–.935	A	15.5
Mechanically refined + 10% polymerized oil	6–7	2–5	165–180	192–206	.934–.944	C–D	15.5
Alkali refined grinding oil	5–7	2–4	170–190	188–196	.931–.935	A	15.5
Acid refined grinding oil	5–6	3–6	170–190	188–196	.931–.935	A	15.5
Acid refined grinding oil	5–7	8–12	170–190	188–196	.930–.935	A	15.5
Acid refined grinding oil	5–7	12–16	170–190	188–196	.930–.935	A	15.5
VARNISH OILS							
Dispersed-brera oil	10–14	2–9	170–190	188–196	.931–.935	A	15.0
Semi-refined varnish and grinding	10–14	2–5	170–190	188–196	.931–.935	A	15.0
Alkali refined, not refrigerated	4–7	1.5–3	170–190	188–196	.931–.935	A	15.5
Alkali refined, not refrigerated	4–7	0–0.5	170–190	188–196	.931–.935	A	15.5
Alkali refined, neutral-refrigerated	5–6	0–0.3	170–190	188–196	.931–.934	A	15.7
Alkali refined, neutral-refrigerated catalyst	5–6	0–0.4	170–190	188–196	.931–.935	A	15.7
Alkali refined, refrigerated	5–6	2–4	170–190	188–196	.931–.935	A	15.7
Bleached cold pressed	4–6	0.5–2.0	170–190	188–196	.931–.935	A	15.7
Alkali refined, slightly oxidized	5–6	1.5–4.0	168–185	190–202	.944–.950	C–E	15.7
Slightly oxidized raw	7–10	2–6	160–178	194–200	.948–.955	C–E	14.8
Semi-oxidized oil	9–12	4–6	165–175	192–196	.940–.945	B–D	14.9
BOILED OILS							
Raw driers bodied oil	11–13	3–6	165–190	188–196	.934–.941	B	14.9
Old style boiled	12–18	5–7.5	165–185	189–196	.935–.942	B–C	14.9
Slightly oxidized raw driers	12–18	3–7	165–185	189–196	.936–.944	B	15.1
Raw Cobalt drier	12–16	3–6	168–190	188–196	.931–.940	A	15.3
Acid refined driers	6–9	6–8	170–185	188–196	.931–.934	A	15.7
Mechanically refined + driers	5–8	2.5–5	165–190	188–196	.931–.938	A	15.7
Partially oxidized acid refined + driers	5–8	4–6	166–185	188–196	.932–.938	A	15.7
OXIDIZED OILS							
X–Z2 oxidized with and without driers	8–13	4–8	115–155	205–230	.970–.998	X–Z2	15.0
Z2–Z3 oxidized with and without driers	7–11	4–8	115–140	210–230	.980–.996	Z2–Z3	15.3
Z1–Z3 oxidized acid refined	6–8	6–12	115–140	210–230	.994–.996	Z1–Z3	15.6
Polymerized + oxidized	7–9	5–8	120–135	200–210	.994–.996	Z2–Z3	14.9
POLYMERIZED OIL							
Polymerized high acid	3–7	12–22	115–150	190–196	.948–.971	Q–Z4	12.6
Polymerized low acid	3–7	1–3	115–160	190–196	.930–.975	Poises (20–1000)	20.5
FATTY ACID							
Linseed fatty acids	10–14	180–198	175–190	194–200	.906–.914	A–	17.2
Distilled linseed fatty acids	2–4	194–205	175–195	194–208	.906–.913	A–	19.5
MISCELLANEOUS							
Sulphur chloride treated + 30% thinner	6–8	2–4	60–70	122–132	.878–.884	A	15.5
Sulphur chloride treated + 7% thinner	77–9	4–7	110–120	200–210	.980–.984	Z–Z2	17.0
Alkali refined edible oil base	11 max.	0–.3	170–190	188–196	.931–.935	A	15.5
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Raw, 40%–50% polymerized linseed oil+60%–50% raw linseed oil	8–10	4–8	140–160	190–196	.940–.960	N–P	17
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Boiled, 40%–50% polymerized linseed oil+58%–50% raw linseed oildriers.	8–12	4–8	140–160	190–196	.940–.960	N–P	17.5

[Table corrected, 8 F.R. 12873; amended by Am. 4, 8 F.R. 11739, effective 8–28–43.]

(1) *Discounts for prompt payment.* The above prices are before any discounts for prompt payment. Sellers shall continue to allow the same discounts for prompt payment as those they customarily allowed prior to May 21, 1943.

[Subparagraph (1) added by Am. 9, 8 F.R. 15670, effective 11-22-43; former (1), (2) and (3) redesignated (2), (3) and (4) respectively by Am. 9.]

(2) *Grade differentials.* The usual or normal differential for types or grades with specifications other than those listed above shall continue to apply.

(3) *Crushers' container and quantity differentials*—(i) *Returnable drums, carlots.* The maximum delivered prices of the above linseed oil products delivered by crushers in Zone 1, in returnable drums, carlot quantities, shall be the prices set forth above, plus .4¢ per pound.

(ii) *Returnable drums in less than carlot quantities*—(a) *Delivered by crushers in city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 within the corporate limits of a city in which the seller has a warehouse, shall be the prices set forth in section 7.1 (a) above, plus the differentials hereinafter set forth for the particular quantity sold:

	Differential to be added to specified prices (Cents per pound)
Quantity sold (returnable drums):	
Carlots, in more than one delivery of 10 drums each	0.6
5 to 9 drums, one delivery	1.0
1 to 4 drums, one delivery	1.4

(b) *Delivered by crushers outside city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products, delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 outside of the corporate limits of the city in which the seller's nearest warehouse is located, shall be the maximum prices provided in the preceding subparagraph hereof (section 7.1 (a) (3) (ii) (a)), plus the actual cost of transporting said linseed oil products from the seller's nearest warehouse to the buyer.

(iii) *Other containers.* When linseed oil products are sold by crushers in containers other than tank cars or returnable drums, the maximum delivered prices for such oil products in such other containers, delivered in Zone 1, shall be the tank car price specified above, plus the usual or normal differential for the type of container in which the oil is sold.

(iv) *Other quantities.* When linseed oil products are sold by crushers in quantities other than those listed in section 7.1 (a) (3) above, the usual or normal differential for the particular quantity sold shall continue to apply.

[Subparagraph (3), formerly (2), amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) *Container and quantity differentials for sellers who are not crushers.* The maximum delivered prices of the above linseed oil products sold by sellers who are not crushers, shall be the tank car prices set forth above, plus the seller's usual and normal differential for such linseed oil products when delivered in the container and quantity that is being delivered. In and only in those cases where sellers who are not crushers customarily sold on an f. o. b. basis, there may also be added the actual cost of delivery to the buyer.

[Subparagraph (4), formerly (3), added by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(b) *Raw linseed oil and linseed oil products, delivered in zones 2 to 9, inclusive.* To determine his maximum delivered price for the above enumerated linseed oil products delivered in Zones 2 to 9, inclusive, the seller shall,

(1) Calculate his maximum price for such linseed oil products under the preceding paragraphs of this Article VII—(section 7.1 (a)), assuming for the purpose of such calculation that the delivery is being made in Zone 1.

(2) Add to the maximum price thus arrived at the differentials hereinafter set forth for the particular zone in which the oil actually is being delivered:

Zone:	*Differentials to be added Cents per pound*
2	0.2
3	.4
4	.6
5	.5
6	.5
7	.6
8	.5
9	None

(3) In those cases, and only those cases, where such linseed oil products are being delivered by crushers, in returnable drums in less than carlot quantities, within the corporate limits of the cities of Los Angeles, Calif., San Francisco, Calif., Portland, Ore., Seattle, Wash., and Spokane, Wash., add the actual cost of transporting such linseed oil product from the seller's nearest warehouse to the buyer.

The total thus arrived at shall be the seller's maximum delivered price at the place where delivery actually is made.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(c) *Sales to agencies of the United States that require prices on an f. o. b. basis.* Where, and only where, linseed oil products are sold to any agency of the United States that specifies that bids to, and contracts with, it shall be made on an f. o. b. basis, the maximum price of such linseed oil shall be on an f. o. b. basis. The maximum price of such linseed oil product, f. o. b. producer's plant, shall be equal to the maximum delivered price of a similar linseed oil product, in similar containers, sold in similar quantities to any other purchaser in the city in which the seller has his plant, minus .3 cents per pound.

(d) *Definitions.* When used in this Article VII, the following terms shall have the following meanings:

(1) "Zone 1" means the area included in the states of Minnesota, Iowa, Missouri, Illinois and Wisconsin.

(2) "Zone 2" means the area included in the states of Michigan, Indiana, Ohio and West Virginia, in all that portion of New York west of and including the counties of Niagara, Erie, and Cattaraugus, and in that portion of Pennsylvania west of and including the counties of McKean, Cameron, Clearfield, Cambria and Somerset.

(3) "Zone 3" means the area included in the states of Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware and Maryland, in all that portion of New York east of and including the counties of Orleans, Genesee, Wyoming, Allegany, and in all that portion of Pennsylvania east of and including the counties of Potter, Clinton, Centre Blair and Bedford and in the District of Columbia.

[Subparagraph (3) amended by Am. 5, 8 F.R. 12022, effective 9-4-43.]

(4) "Zone 4" means the area included in the state of Florida, and also the following port cities: Charleston, South Carolina; Savannah, Georgia; Brunswick, Georgia, and Mobile, Alabama.

(5) "Zone 5" means the area included in the states of Kentucky, Virginia, Tennessee, North Carolina, Mississippi, Alabama (except Mobile), Georgia (except Savannah and Brunswick), and South Carolina (except Charleston).

(6) "Zone 6" means the area included in the states of Montana, North Dakota, Wyoming, South Dakota, Nebraska, Colorado and Kansas.

(7) "Zone 7" means the area included in the states of New Mexico, Oklahoma, Arkansas, Texas, and Louisiana.

(8) "Zone 8" means the area included in the states of Washington, Oregon, Idaho, Nevada, Utah and Arizona.

(9) "Zone 9" means the area included in the state of California.

ARTICLE VIII—OLIVE OIL

SEC. 8.1 *Maximum prices of domestic olive oil.* The maximum prices of the following described domestic olive oils shall be the following prices:

(a) *Pure pressed edible domestic olive oil, f. o. b. producer's plant in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (Max.):	*Dollars per gallon*
.50	4.80
1.00	4.70
1.41 (U. S. P.)	4.60
1.50	4.575
1.75	4.55
2.00	4.50
2.25	4.45
2.50	4.40
2.75	4.35
3.00	4.30

(b) *Pure pressed domestic olive oil, f. o. b. producer's plant, in returnable drums, carlots or less than carlots, as follows:*

Percent F. F. A. (range):	*Dollars per gallon*
3.01 to 3.50	4.25
3.51 to 4.00	4.20
4.01 to 5.00	4.15
5.01 to 6.00	4.10
6.01 to 7.00	4.05
7.01 to 8.00	4.00
8.01 or more	4.00, less 12¢ for each 1% or fraction of 1% of F. F. A. over 8%.

(c) *Refined, bleached, and deodorized domestic olive oil, f. o. b. producer's*

plant, in returnable drums, carlots or less than carlots, as follows:

Percent F. F. A. (max.):	*Dollars per gallon*
.50	4.75

SEC. 8.2 *Differentials.* The maximum prices of domestic olive oil when sold in the following described containers, shall be the prices set forth above for such oil in returnable drums, plus not more than, or minus at least, the differentials set forth below:

Container:	*Differential*
Tankcars	6½¢ per gallon less than olive oil in returnable drums.
Wooden barrels	10¢ per gallon more than olive oil in returnable drums.
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than olive oil in returnable drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than olive oil in returnable drums.

SEC. 8.3 *Maximum prices of imported olive oil.* The maximum price of imported olive oil, in drums with duties and taxes paid, f. o. b. port of entry, shall be the maximum price, in returnable drums at the producer's plant, of domestic olive oil of the same F. F. A., plus 61½¢ per gallon.

SEC. 8.4 *Differentials.* The maximum price of imported olive oil when sold in the following described containers, shall be the price set forth above for such oil in drums, plus the differentials set forth below:

Container:	*Differential*
Drums or other metal containers holding less than 55 gallons and more than 6 gallons.	None.
Tin or other metal containers holding less than 7 gallons and more than 1 gallon.	10¢ per gallon more than such oil in drums.
Glass containers holding less than 7 gallons and more than 1 gallon.	15¢ per gallon more than such oil in drums.

SEC. 8.5 *Limitation.* The maximum prices for domestic olive oil and for imported olive oil established by this Article VIII are the maximum prices for such olive oils when sold in containers holding more than one gallon; they are not the maximum prices for such olive oils when sold in containers holding one gallon or less.

ARTICLE IX—IMPORTED VEGETABLE OILS

SEC. 9.1 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, bulk, in cents per pound;

	c. i. f. New York	c. i. f. Pacific Coast ports	c. i. f. Gulf ports
Coconut oil:			
Crude, Manila	8.35	8.00	-------
Crude, Ceylon	8.35	8.50	-------
Cochin type	8.35	9.00	-------
	f. o. b. New York	f. o. b. Pacific Coast ports	
Refined edible coconut oil, ex tax	9.85	9.50	-------
	c. i. f. New York	c. i. f. Pacific Coast ports	
Palm oil—African:			
Soft, basis 12% F. F. A	8.25	-------	-------
Semi, basis 35% F. F. A	8.25	-------	-------
Niger, or hard, basis over 45% F. F. A	8.25	-------	-------
Congo Plantation, basis 10% F. F. A	8.32	-------	-------
Malayan and Sumatra, basis 5% F. F. A	8.50	-------	-------
Palm kernel oil, crude	8.25	-------	-------
Rapeseed oil, denatured	11.50	11.50	11.50
Teaseed oil, crude, in drums	30.00	-------	-------

[Table amended by Am. 19, 9 F.R. 4200, effective 4-24-44]

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) Duties, processing taxes and excise taxes may be added to the above c. i. f. prices, and to the prices of refined edible coconut oil.

(e) *Container differentials for coconut oil.* The maximum price of imported coconut oil when sold in the following described containers shall be the prices set forth for such oil in bulk plus the differentials set forth below:

Quantity sold (returnable drums):	*Differential to be added to bulk price (cents per pound)*
Carlots	0.5
Carlots in more than one delivery of 10 drums each	0.7
5 to 9 drums, one delivery	1.1
1 to 4 drums, one delivery	1.5

If the oil is shipped in non-returnable drums, .5 cents per pound may be added to the above prices.

[Paragraph (e) added by Am. 29, 9 F.R. 7771, effective 7-17-44]

SEC. 9.2 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

Imported vegetable oils, f. o. b. ports shown below, duties and taxes paid, in cents per pound.

	New York		Pacific coast ports		Gulf ports	
	Tankcars	Drums, carlots	Tankcars	Drums, carlots	Tankcars	Drums, carlots
Andiroba	-------	11.00	-------	-------	-------	-------
Babassu oil	11.10	-------	11.10	-------	11.10	-------
Castor oil:						
No. 1	13.05	-------	13.50	-------	-------	-------
No. 3	12.75	-------	13.20	-------	-------	-------
Dehydrated, bodied	17.85	-------	-------	-------	-------	-------
Chiasced oil	-------	-------	24.00	-------	-------	-------
Cohune oil	11.10	-------	-------	-------	11.10	-------
Coyol oil	11.10	-------	11.10	-------	11.10	-------
Garcia nutans oil	-------	-------	-------	39.00	-------	-------
Muru-muru oil	14.03	-------	-------	-------	14.03	-------
Oiticica oil:						
Commercial grade, liquid	24.50	-------	25.00	-------	24.50	-------
Condensed, crude, solid	-------	23.00	-------	23.50	-------	23.00
Ouricuri oil	11.10	-------	-------	-------	11.10	-------
Pataua oil	40.00	-------	-------	-------	-------	-------
Perilla oil crude	24.50	-------	-------	-------	-------	-------
Sesame oil	14.30	-------	15.15	-------	-------	-------
Tucum oil	12.68	-------	-------	-------	12.68	-------
Tung oil (Chinawood oil)	-------	39.00	-------	39.00	-------	39.00
Ucuhuba crude vegetable tallow, barrels or drums, carlots	-------	8.75	-------	-------	-------	8.75

[Table and preceding text amended by Am. 19, 9 F.R. 4200, effective 4-24-44; table amended by Am. 23, 9 F.R. 6452, effective 6-17-44]

(a) The above prices are for basic grades. The usual or normal differentials for grades above or below these basic grades shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) The usual or normal differentials, above or below these prices, shall continue to apply for all other shipping points.

(d) *Tung oil in less than carlot quantities.* Where tung oil is sold in less than carlot quantities, the seller may add to the carlot price set forth above, the differentials hereinafter set forth for the particular quantity sold:

Quantity sold (returnable drums):	*Differential to be added (cents per pound)*
Carlots, in more than one delivery of 10 drums each	1.00
5 to 9 drums, one delivery	1.50
1 to 4 drums, one delivery	2.00

If the oil is shipped in non-returnable drums, the cost of the drums may also be added to the above prices.

[Paragraph (d) added by Am. 19, 9 F.R. 4200, effective 4-24-44]

SEC. 9.3 *Maximum prices of imported sunflower seed oil.* The maximum prices of imported sunflower seed oil, delivered in tankcars, shall be the following prices:

[Cents per pound]

	Semi-refined oil	Completely refined oil	Refined bleached and undeodorized oil	Refined deodorized and unbleached oil	Refined bleached and deodorized (cooking oil)	Salad or winterized oil	Hydrogenated or margarine oil	High titre hydrogenated oil
Albany, N. Y.	14.26	14.73	14.57	14.94	15.08	15.54	15.79	15.84
Atlanta, Ga.	13.97	14.25	14.49	14.86	14.70	15.16	15.41	15.46
Baltimore, Md.	14.26	14.64	14.78	14.86	14.99	15.45	15.70	15.75
Boston, Mass.	14.34	14.72	14.86	14.93	15.07	15.53	15.78	15.83
Buffalo, N. Y.	14.26	14.76	14.90	14.97	15.11	15.57	15.82	15.87
Charlotte, N. C.	14.00	14.47	14.61	14.68	14.82	15.28	15.53	15.58
Chattanooga, Tenn.	14.14	14.52	14.66	14.73	14.87	15.33	15.58	15.63
Chicago, Ill.	14.23	14.61	14.75	14.82	14.96	15.42	15.67	15.72
Cincinnati, Ohio	14.23	14.61	14.75	14.82	14.96	15.42	15.67	15.72
Columbus, Ohio	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.77
Cudahy, Wis.	14.25	14.63	14.77	14.84	14.98	15.44	15.69	15.74
Dallas, Tex.	13.83	14.20	14.34	14.41	14.55	15.01	15.26	15.31
Denison, Tex.	13.86	14.24	14.38	14.45	14.59	15.05	15.30	15.35
Denver, Colo.	14.23	14.61	14.80	14.87	15.01	15.47	15.72	15.77
El Paso, Tex.	14.15	14.53	14.67	14.74	14.88	15.34	15.59	15.64
Fort Worth, Tex.	13.84	14.22	14.36	14.43	14.57	15.03	15.28	15.33
Houston, Tex.	13.86	14.26	14.40	14.47	14.61	15.07	15.32	15.37
Indianapolis, Ind.	14.20	14.58	14.72	14.79	14.93	15.39	15.64	15.69
Jacksonville, Fla.	14.07	14.45	14.59	14.66	14.80	15.26	15.51	15.56
Kansas City, Mo.	14.09	14.47	14.61	14.68	14.82	15.28	15.53	15.58
Los Angeles, Calif.	14.59	14.98	15.02	15.09	15.23	15.69	15.94	15.99
Louisville, Ky.	14.19	14.57	14.71	14.78	14.92	15.38	15.63	15.68
Macon, Ga.	13.97	14.35	14.49	14.56	14.70	15.16	15.41	15.46
Memphis, Tenn.	13.99	14.37	14.51	14.58	14.72	15.18	15.43	15.48
New Orleans, La.	14.06	14.44	14.58	14.65	14.79	15.25	15.50	15.55
New York, N. Y.	14.30	14.68	14.82	14.89	15.03	15.49	15.74	15.79
Oklahoma City, Okla.	13.97	14.35	14.49	14.56	14.70	15.16	15.41	15.46
Philadelphia, Pa.	14.28	14.66	14.80	14.87	15.01	15.47	15.72	15.77
St. Louis, Mo.	14.14	14.52	14.66	14.73	14.87	15.33	15.58	15.63
San Antonio, Tex.	13.86	14.26	14.40	14.47	14.61	15.07	15.32	15.37
San Francisco, Calif.	14.80	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Savannah, Ga.	14.05	14.43	14.57	14.64	14.78	15.24	15.49	15.54
Seattle, Wash.	14.80	14.88	15.02	15.09	15.23	15.69	15.94	15.99
Sherman, Tex.	13.84	14.22	14.36	14.43	14.57	15.03	15.28	15.33
Terre Haute, Ind.	14.18	14.56	14.70	14.77	14.91	15.37	15.62	15.67

(a) The maximum price of sunflower seed oil, delivered to other destinations, shall be the maximum price specified above for the oil at the point nearest the destination to which the oil is being shipped, plus or minus the differential usually and normally prevailing on cottonseed oil prices between the destination to which the oil is being shipped and the nearest point specified above.

(b) Where the sunflower seed oil is shipped in containers other than tankcars, the maximum price shall be the price set forth above, plus the differential usually or normally prevailing between the price of cottonseed oil in similar containers and the price of cottonseed oil in tankcars.

[Sec. 9.3 added by Am. 23, 9 F.R. 6452, effective 6-17-44]

ARTICLE X—SHORTENING AND COOKING AND SALAD OILS

SEC. 10.1 *Maximum prices of processors.* The maximum prices of processors for the following shortenings and cooking and salad oils shall be the following prices:

(a) *Standard shortening.* The maximum delivered prices of Swift's "Jewel" and "Sanco"; Armour's "Vegetole"; Lookout's "Domino"; Wilson's "Advance"; Atlantic Lard's "Royal Aster"; Procter and Gamble's "Flakewhite" and "Fluffo"; Southern's "Scoco" and "Kneedit"; South Texas' "Crustene"; Gulf and Valley's "Blue Plate"; Interstate's "Mrs. Tucker"; Lever Brothers' "Hydora" and Humko's "Humko" and all other brands of standard shortening manufactured or distributed by the processors of these brands shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound)	*Cents* 16.50	*Cents* 16.25	*Cents* 16.75
Cartons:	*Dollars*	*Dollars*	*Dollars*
(1) 12/4 lbs. (per case)	$8.10	$8.00	$8.20
(2) 48/1 lbs. (per case)	8.25	8.15	8.35

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(b) *Hydrogenated shortening.* (1) The maximum delivered prices of Procter and Gamble's "Primex"; Lever Brothers' "Cove"; Southern's "Heavy Duty MFB"; Swift's "Vream"; Armour's "Kremit"; and Wilson's "Bakerite" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound)	*Cents* 17.75	*Cents* 17.75	*Cents* 17.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(2) The maximum delivered prices of Procter and Gamble's "Sweetex"; Lever Brothers' "Covo Super Mix"; Southern's "Quik Blend"; Swift's "Vreamay"; Armour's "Kremor"; and Wilson's "Bakerite 140" shall be the following prices:

	North	South	Pacific coast
Drums, tierces, or fibre containers of more than 45 pounds (per pound)	*Cents* 18.75	*Cents* 18.75	*Cents* 18.75

[Table amended by Am. 12, 9 F.R. 795, effective 1-26-44.]

(3) The maximum delivered prices of Lever Brothers' "Spry" and Procter and Gamble's "Crisco" shall be the following prices:

	North	South	Pacific coast
Three and six pound airtight containers (per case)	$7.74	$7.74	$7.74

(c) *Salad oil.* The maximum delivered prices of Southern's "77" and "Angela Mia"; Gulf and Valley's "Blue Plate"; Procter and Gamble's "Puritan" and "Fluffo"; Swift's "Jewel"; Armour's "Star"; Wilson's "Certified"; South Texas' "Crustene"; Interstate's "Mrs. Tucker" and Humko's "Humko" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound)	16.80¢	16.80¢	17.00¢
(2) 1/5 gal. can (per can)	$6.65	$6.55	$6.75
(3) 6/1 gal. can (per case)	$8.20	$8.10	$8.30

The maximum delivered prices of Southern's "Wesson Oil" shall be the following prices:

	North	South	Pacific coast
(4) 12/1 qt. cans (per case)	$8.40	$8.35	$8.50
(5) 24/1 pint cans (per case)	8.60	8.60	8.65

(d) *Cooking oil.* The maximum delivered prices of Procter and Gamble's "Marigold"; Southern's "88"; Gulf and Valley's "Clarola"; Swift's "Golden West"; Armour's "Supreme"; Wilson's "Laurel"; South Texas' "Magnolia" and

Interstate's "White Beauty" shall be the following prices:

	North	South	Pacific coast
(1) Drums (per pound)	16.00¢	16.00¢	16.50¢
(2) 1/5-gal. can (per can)	$6.45	$6.35	$6.55
(3) 6/1-gal. cans (per case)	$7.95	$7.85	$8.25

SEC. 10.2 *Differentials*—(a) *Quantity.* The maximum delivered prices of hydrogenated and standard shortenings, established in section 10.1 above, are the maximum delivered prices for hydrogenated and standard shortenings when shipped in (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists. When hydrogenated and standard shortenings are shipped in less than (1) carlots or (2) the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential for such a quantity shall continue to apply.

(b) *Quantity.* The maximum delivered prices of salad and cooking oils, established in section 10.1 above, are the maximum prices for salad and cooking oils when shipped in the quantities usually named in the processor's published lists. When salad and cooking oils are shipped in carlots on which a refining in transit privilege is applicable the usual or normal discount (if any) from the maximum prices established in the schedule shall continue to apply. When shipped in a quantity less than the quantity to which the lowest price is usually applied in the processor's published lists, the usual or normal differential over the maximum prices established in this schedule shall continue to apply.

(c) *Container.* When hydrogenated and standard shortenings and salad and cooking oils are sold in containers of different sizes from the container sizes named in section 10.1, the usual or normal differential for size of container shall continue to apply.

(d) *Cash discounts.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are the maximum prices before cash discounts. The usual or normal discount for the receipt of payment within the period usually specified in the processor's published lists shall continue to apply.

(e) *Area.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in section 10.1, are basic prices for the three areas named (North, South, and Pacific Coast). The usual or normal differentials which have applied in the past over base prices to some points within these areas shall continue to apply.

(f) *Limitation.* The maximum prices of hydrogenated and standard shortenings and salad and cooking oils, established in this Article X are the maximum prices on sales made by processors. These prices are not the maximum prices on sales made by wholesalers and retailers.

(g) The maximum prices established in section 10.1, shall apply to sales to any person.

(h) The usual or normal differentials for type of purchaser shall continue to apply.

(i) *Branch houses and car routes.* Where a processor sells a brand of standard or hydrogenated shortening enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 106% of the lesser of (i) the amount that he bills his branch house or car route for the shortening so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the shortening so sold.

(j) *Branch houses and car routes.* Where a processor sells a brand of salad or cooking oil enumerated in section 10.1 hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 110% of the lesser of (i) the amount that he bills his branch house or car route for the oil so sold, or (ii) the maximum price permitted him by sections 10.1 to 10.2 (h) inclusive, for carlot shipments of the oil so sold.

SEC. 10.3 *Maximum prices of brands for which maximum prices are not established in section 10.1.* (a) The maximum price of a brand of shortening, the maximum price of which is not established in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation [6] except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

(b) The maximum price of a brand of salad or cooking oil, which is not specifically named in section 10.1, shall be determined according to the provisions of the General Maximum Price Regulation, except that the period from January 16, 1942 to January 31, 1942 inclusive shall be substituted for the period of the month of March 1942 in determining the highest price which may be charged in accordance with §§ 1499.2 and 1499.3 thereof.

SEC. 10.4 *Applications for adjustment of maximum prices by processors.* If the processor of a brand of shortening, or of a brand of salad or cooking oil, the maximum price of which is not established in section 10.1, feels that his brand should command the same maximum price as those brands for which a maximum price is established in section 10.1, or if he feels that the maximum price for his brand, as computed under section 10.3, is unduly low in relation to the maximum prices of those brands the maximum prices of which are established in section 10.1, he should file an application for adjustment with the Office of Price Administration in accordance with the procedure set forth in Revised Procedural Regulation No. 1. Such application should set forth in detail the reasons why the applicant believes his brand should command the maximum price requested by the applicant in his application. The application should also set forth in detail the price relationship between the applicant's brand and one of the brands specifically named in section 10.1.

SEC. 10.5 *Sales of bulk shortening to government agencies.* On sales of standard or hydrogenated shortening in drums or tierces holding 300 pounds or more, to the Army, Navy, Lend-Lease Adminstration, or any other government agency, the maximum price shall be the maximum price as determined under the preceding sections of this Article X, plus in the case of standard shortening, .4¢ per pound for each pound of vegetable oil contained in such standard shortening and, in the case of hydrogenated shortening, .2¢ per pound for each pound of hydrogenated shortening so sold.

[Sec. 10.5 added by Am. 12, 9 F.R. 795, effective 1-26-44. Former 10.5 redesignated 10.6 by Am. 12.]

SEC. 10.6 *Definitions.* When used in this Article X, the following terms shall have the following meanings:

(a) "Standard shortening" means a shortening which is (1) made from hardened vegetable oil or (2) made from a mixture of vegetable oil and animal fat and/or hardened marine animal oils. It must conform with the following specifications:

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.3% (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roschen and Irwin; Oil and Soap, 10, 105, June, 1933).

Plasticity: The shortening must remain solid, and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.3% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

[6] 9 F.R. 1285, 5169.

(b) "Hydrogenated shortening" means a shortening made entirely from vegetable oils, each of which has been hydrogenated to some extent. It must conform with the following specifications:

No free oils: The shortening must contain no free oils.

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor and sourness.

Moisture: The moisture must not exceed 0.2% (Vacuum Oven Method Official Agricultural Chemists Association, 6th ed., 1940, p. 428).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roschen and Irwin; Oil and Soap 10, 105, June, 1933).

Plasticity: The shortening must remain solid and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.12% (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 426).

Iodine number: The iodine number must not exceed 80 (Hanus Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 429).

(c) The term "North" includes the following states:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Colorado, Wyoming.

The term "South" includes the following states:

Delaware, Maryland, Washington, D. C., West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Missouri, Arkansas, Louisiana, Kansas, Oklahoma, Texas, New Mexico.

The term "Pacific Coast" includes the following states:

Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona.

(d) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of the foregoing.

ARTICLE XI—LARD

SEC. 11.1 *Maximum prices.* The maximum prices of lard shall be the prices computed as follows:

(a) *Chicago and East St. Louis basing points area.* This area shall include that part of the continental United States east of the Mississippi River and north of the northern boundaries of Tennessee and North Carolina, except Minnesota. Chicago and East St. Louis basing points maximum prices:

(1) Loose lard 12.80 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.55 cents per pound, in tierces, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area outside the corporate limits of the basing points, shall be 12.80 cents per pound, plus the tankcar freight rate per pound on loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.55 cents per pound, plus the packing house product freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

(b) *Kansas City basing point area.* This area shall include that part of the continental United States east of the Mississippi River and south of the southern boundaries of Kentucky and Virginia. Kansas City basing point maximum prices:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of Kansas City.

(2) Base or standard commercial refined lard, 14.30 cents per pound, in tierces, delivered within corporate limits of Kansas City.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area shall be 12.55 cents per pound, plus the tank-car freight rate per pound on loose lard from the basing point for this area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area shall be 14.30 cents per pound, plus the packing house product freight rate, tare added, between the basing point and the community of sale. No other charges may be added to this delivered price.

(c) *Multiple basing point area.* This area shall include that part of the continental United States west of the Mississippi River and all of the State of Minnesota. Basing points shall be as follows:

Iowa: Cedar Rapids, Davenport, Des Moines, Dubuque, Fort Dodge, Marshalltown, Mason City, Ottumwa, Waterloo.

Minnesota: Albert Lea, Austin, Duluth, South St. Paul, St. Paul, Winona.

Missouri: Joplin, Kansas City, South St. Joseph, Springfield.

Nebraska: South Omaha, Omaha.

Maximum prices at each of these basing points shall be as follows:

(1) Loose lard, 12.55 cents per pound, in tank cars, delivered within corporate limits of basing points.

(2) Base or standard commercial refined lard, 14.30 cents per pound, delivered within corporate limits of basing points.

(i) The maximum price that may be charged by any processor for loose lard, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 12.55 cents per pound, plus the tank-car freight rate per pound or loose lard from the nearest basing point in the area to the community of sale. No other charges may be added to this delivered price.

(ii) The maximum price at which a processor may sell base or standard commercial refined lard in tierces, delivered, at any community in this area, outside the corporate limits of the basing points, shall be 14.30 cents per pound, plus the packing house products freight rate, tare added, between the nearest basing point and the community of sale. No other charges may be added to this delivered price.

SEC. 11.2 *Quality differentials.* To determine his maximum price for lard other than loose lard or base or standard commercial refined lard in tierces, the processor should determine his maximum price for base or standard commercial refined lard in tierces, in accordance with this schedule, and to this figure add no more than, or, subtract at least the quality differentials hereinafter set forth for the appropriate type of lard, irrespective of area, quantity or type of package:

Prime steam	¾ cent per pound under base or standard commercial refined lard.
Rendered pork fat	1 cent per pound under base or standard commercial refined lard.
Refined rendered pork fat.	⅛ cent per pound under base or standard commercial refined lard.
Base or standard commercial refined lard.	None.
Special refined hardened lard.	⅛ cent per pound over base or standard commercial refined lard.
Open kettle rendered lard.	⅛ cent per pound over base or standard commercial refined lard.
Neutral lard	1 cent per pound over base or standard commercial refined lard.
Edible lard oil	1½ cents per pound over base or standard commercial refined lard.
Lard flakes	1½ cents per pound over base or standard commercial refined lard.
Rendered pork fat flakes.	1½ cents per pound over rendered pork fat.
Specialty lard	4/10 cent per pound over base or standard commercial refined lard.
Hydrogenated lard	1¼ cents per pound over base or standard commercial refined lard.

[Table amended by Am. 20, 9 F.R. 5314, effective 5-23-44 and Am. 31, effective 8-14-44]

SEC. 11.3 *Container differentials.* (a) To determine his maximum price for lard sold in other than tierces, the processor should first compute his maximum price for the particular type of lard involved, in accordance with the above provisions of this schedule, than, to this figure he may add a sum equal to, but no more

than, the differential hereinafter set forth for the appropriate type of package, irrespective of area, quantity or quality:

	Cents per lb.
Tierces	None
400 pound non-returnable steel drums	None
120 pound non-returnable steel drums	None
57 pound tubs	None
65 pound hardwood tubs	⅛
50 pound tins	¼
25 pound tins	½
20 pound tins	1
16 pound tins	1
20 pound wooden pails	1
8 pound tins	1
4 pound tins	1¼
3 pound tin or fibre containers	1¼
8 pound cartons	¼
4 pound cartons	¼
2 pound cartons	¼
1 pound cartons	¼

(b) If a processor sells lard in a type of package not listed in section 11.3 (a) above, his maximum price for lard sold in such type of package shall be his maximum price for the particular type of lard involved, in accordance with this schedule plus the usual or normal differential for such type of package.

SEC. 11.4 *Quantity differentials.* (a) The maximum prices for processors, established by sections 11.1 to 11.3 of this schedule, are maximum prices for carload sales of a lard commodity or combination of lard commodities where such carload is sold to one buyer and shipped in one shipment whether a through car shipment, single destination, or a stopover joint car shipment, more than one destination.

(b) The processor's maximum price for less than carload sales shall be the processor's maximum delivered price at the community of sale, as established by section 11.1 to 11.3 of this schedule, plus ¼ cent per pound.

(c) Section 11.4 shall apply whether the sale is made direct or through branch house or car route activity or similar form of selling, so long as such selling unit is processor-owned or operated.

SEC. 11.5 *Cash lard.* The maximum price for cash lard shall be 13.80 cents per pound, Chicago basis, and the maximum price for lard futures contracts traded on the Chicago Board of Trade shall be 13.80 cents per pound.

SEC. 11.6 *F. S. C. C. lard.* The maximum price per pound, f. o. b. shipping point, for lard sold to the Federal Surplus Commodity Corporation shall be the maximum delivered price, per pound, permitted by this schedule for carload quantities of similar lard, similarly packed, sold to other purchasers, and delivered at the point of shipment.

SEC. 11.7 *Lard flakes.* Where a Chicago processor sells lard flakes to another processor who is to use such lard flakes in the manufacture of war lard and the purchasing processor's maximum selling price on base or standard commercial refined lard, as established under this Article XI, is lower than the maximum price on base or standard commercial refined lard, as established for the corporate limits of Chicago under section 11.1 (a), the maximum price on such lard flakes shall be the maximum price on lard flakes, as established for the corporate limits of Chicago under section 11.1 (a), plus the actual cost of freight from the seller's plant to the buyer's plant. Where the maximum price on lard flakes is computed under this section 11.7, the maximum selling price of the purchasing processor on war lard, in whose manufacture such lard flakes are used, shall be the maximum price on war lard, as established for the corporate limits of Chicago under section 11.1 (a), plus ⅛ cent per pound.

SEC. 11.8 *Lard or pork fat sold for inedible use by certain sellers.* Where an edible pork fat or lard product is sold by a seller who sold a similar pork fat or lard product prior to January 1, 1943, and who, prior to said January 1, 1943 customarily sold over 75% of his production of such pork fat or lard product for inedible use, the maximum price of such pork fat or lard product shall be:

(a) On sales of such pork fat or lard product for edible use, the maximum prices for such products set forth in this Article XI.

(b) On sales of such pork fat or lard product for inedible use, the maximum price established by Article XIV hereof for the type and grade of inedible grease that the seller designated such product as being when he sold such product for inedible use prior to January 1, 1943, or, if no such designation was then made, the maximum price established by Article XIV hereof for that type and grade of inedible grease to which the product being sold would be most similar if it were inedible.

[Sec. 11.8 added by Am. 8, 8 F.R. 15523, effective 11-17-43. Former 11.8 and 11.9 redesignated 11.9 and 11.10 respectively by Am. 8.]

SEC. 11.9 *Definitions.* When used in this Article XI, the term:

(a) "Loose lard" means lard conforming with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture regardless of rendering method and not refined or packaged.

(b) "Prime steam lard" shall be considered the same as loose lard both as to definition and price consideration except that it shall be rendered in steam tanks.

(c) "Cash lard" means prime steam lard in tierces conforming with the requirements of paragraph 1479, pages 183–184, of the rules and regulations of Board of Trade of City of Chicago, March 8, 1941.

(d) "Rendered pork fat" means those rendered edible pork fats, regardless of rendering method, not eligible for lard as such, in accordance with paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(e) "Refined rendered pork fat" means rendered pork fat, as defined above, regardless of rendering method used in processing such pork fats, refined under standard commercial practice to conform to the following specifications:

Moisture: Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists.

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5% as tested by method of the Association of Official Agricultural Chemists.

Taste and odor: Shall be mild, sweet and normal.

Stability: Not less than three hours, as determined by active oxygen method. (King, Roschen & Irwin, Oil and Soap 10, 105, June, 1933.)

(f) "Base or standard commercial refined lard" means that kind of lard produced from loose lard, regardless of rendering method used in making the loose lard, and refined under standard commercial practice to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5%. (Same test as above.)

Taste and odor: Shall be mild, sweet and normal for pure lard.

Stability: Not less than three hours as determined by active oxygen method.

Plasticity: Shall remain solid and be plastic and workable at ordinary temperatures.

(g) "Special refined hardened lard" means lard which conforms to the requirements of base or standard commercial refined lard, as above defined, with the addition of a minimum of 8% lard flakes which have a minimum titre of 57° C. and shall conform to the following specifications:

Moisture: Not to exceed 0.2%. (Same test as above).

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5%. (Same test as above.)

Taste and odor: Shall be mild, sweet and normal for pure lard.

Stability: Not less than three hours as determined by active oxygen method.

Melting point: Not less than 45° C., as tested by Wiley Method of the Association of Official Agricultural Chemists.

(h) "Open kettle rendered lard" means that kind of lard which is produced from 100% leaf fat or any mixture of leaf fat and back fat down to a minimum of 40% leaf fat, and is kettle rendered in a regular commercial manner to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Shall be less than 0.5%. (Same test as above.)

Taste and odor: Shall have a characteristic kettle rendered flavor.

Stability: Not less than five hours as determined by active oxygen method.

Plasticity: Shall remain solid and be plastic and workable at ordinary temperatures.

(i) "Neutral lard" means that kind of lard from fresh chilled leaf fat only, rendered at a temperature not exceeding 130° F., to conform to the following specifications:

Moisture: Not to exceed 0.3%. (Same test as above.)

Suspended matter: Shall be free from appreciable amounts of suspended matter.

F. F. A.: Not to exceed 0.5%. (Same test as above.)

Taste and odor: Shall be neutral in flavor.

Stability: Not less than ten hours as determined by active oxygen method.

(j) "Lard flakes" means hydrogenated lard which conforms with paragraph 29, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture. The titre shall not be less than 57° C. and free fatty acid shall not exceed 0.2%.

(k) "Rendered pork fat flakes" means hydrogenated rendered pork fat conforming to paragraph 30, section 1, Regulation 1 of the Meat Inspection Regulations of the United States Department of Agriculture.

(l) "Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard that has a minimum stability of seven hours measured by the active oxygen method and that has been previously conditioned by seeding under controlled temperatures, which oil conforms to the following specifications:

Moisture: Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists, 6th ed., 1940, P. 423.

Suspended matter: Shall be free from any appreciable amount of suspended matter.

F. F. A.: Shall not exceed 0.5% as tested by Association of Official Agricultural Chemists, 6th ed., 1940, P. 436.

Taste and odor: Shall be mild, sweet, and normal for pure lard.

Viscosity: At 100° F., Saybolt Method, shall be not more than 300 seconds.

(m) "Tare" means 15% of the packing house product freight rate, whether carload sale or less than carload sale and regardless of package or type of lard.

(n) "Packing house product freight rate" means the packing house product freight rate, published in public tariffs for minimum 30,000 pound weight packing house products (except canned meats) or if no rate for 30,000 pound minimum weight same class is available the nearest minimum weight carload established for same class shall apply in computing maximum prices under this Article XI.

(o) *Community of sale.* (1) Except as otherwise provided in sections 11.9 (o) (2) and 11.9 (o) (3), "community of sale" means that point at which the purchaser from the processor resells the lard so purchased, regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place.

[Subparagraph (1) amended by Am. 24, 9 F.R. 6817, effective 6-22-44]

(2) Where the purchaser of the lard is the owner of four or more retail stores at which the lard ultimately will be resold by him, and has the lard delivered by the seller to a warehouse for storage until he (the purchaser) reships it to his retail stores for resale, or to another warehouse for storage and subsequent reshipment to his retail stores for resale, and is unable to determine, at the time the lard is delivered by the seller to such warehouse, the particular retail stores from which the lard will be resold by him, then, in such case, and only in such case, "community of sale" means the place where the warehouse to which the lard is delivered by the seller is located.

(3) Where lard is purchased from a processor for purposes other than reselling it as lard (such as, but not limited to, purchases for consumption, or for use in manufacturing another product, etc.), "community of sale" means the place where is located the buyer's premises in which the lard is consumed, or employed in manufacturing another product, or otherwise used.

[Subparagraph (3) amended by Am. 24, 9 F.R. 6817, effective 6-22-44.]

[Paragraph (o) amended by Am. 2, 8 F.R. 11509, effective 8-24-43 and as otherwise noted]

(p) "The maximum price delivered" means the maximum price delivered at the community of sale, as established by section 11.1 (a) (b) and (c), regardless of the method of shipment and regardless of the point at which actual delivery of the lard from the processor to the purchaser takes place. It also means the actual dollars and cents figure, as computed decimally under this Article XI, and no higher price may be charged, although the processor may adjust this maximum price downward to the next nearest eighth of a cent or lower figure, if he so desires.

(q) *Hydrogenated lard.* (1) "Hydrogenated lard" means lard, all of which has been hydrogenated to some extent, to which no anti-oxidant or preservative has been added, and which conforms at least to the following specifications:

Stability: Not less than 30 hours as determined by the active oxygen method.
Smoke point: Not less than 420° F.
Moisture: Not to exceed 0.01 percent.
Plasticity: Shall remain solid and be plastic and workable at 65-95° F.
F. F. A: Not over 0.05 percent.
Taste and oder: Bland.
Suspended matter: Shall be free from appreciable amounts of suspended matter.

(2) The fact that for the purposes of, or under the regulations or rulings of any other Government agency, lard, all of which is hydrogenated to some extent, may not be described or labelled as lard, shall not prevent its being deemed to be lard within the meaning of that word as used in this Article XI. Such lard, all of which is hydrogenated to some extent, shall be deemed to be lard within the meaning of that word as it is used in this Article XI, and shall be priced as lard.

[Paragraph (q) added by Am. 20, 9 F.R. 5314, effective 5-22-44.]

(r) *Specialty lard.* (1) "Specialty lard" means lard that is bleached and deodorized, to which an approved anti-oxidant may be added, which conforms to the following specifications:

Moisture: Not to exceed 0.1% (same test as above).
Suspended matter: Shall be free from appreciable amounts of suspended matter.
F. F. A.: Not to exceed 0.1%.
Tast and odor: Shall be free from taste and odor.
Stability: No less than 15 hours, as determined by active oxygen method (King, Roschen and Irwin, Oil and Soap 10,105, June 1933)
Plasticity: Shall remain solid and be plastic and workable at 45°F-90°F.
Smoke point: Not less than 420° F.

[Paragraph (r) added by Am. 31, effective 8-14-44]

SEC. 11.10 *Denatured edible lard.* Where (a) denatured edible lard is sold for use in making an inedible product, and (b) where such lard is delivered by the seller on or before the 31st day of October 1943, the maximum price of such denatured edible lard shall be the same as the maximum price set forth above for similar edible lard that is not denatured.

[Sec. 11.10, formerly 11.9 added by Am. 3, 8 F.R. 11296, effective 8-14-43]

SEC. 11.11 *Loose prime steam lard sold to processors located in basing points.* Where loose prime steam lard is sold and delivered in tankcars or tanktrucks to a processor who is located within the corporate limits of any of the above basing points, and is delivered by the seller from a plant located within the railroad switching limits of the same basing point, the seller may add to the maximum prices hereinabove set forth the railroad switching charge incurred where delivery is in tankcars, or, where delivery is in tanktrucks, an amount, per pound, not greater than the sum that would be charged, per pound, by a railroad carrier for the most comparable switching movement of a tankcar containing 60,000 pounds.

[Sec. 11.11 added by Am. 11, 9 F.R. 840, effective 1-18-44; amended by Am. 21, 9 F.R. 6232, effective 6-12-44]

SEC. 11.12 *Maximum prices are for processors and for other sellers who would otherwise have lower ceilings.* The above maximum prices are maximum prices for processors. They are also the maximum prices for any other sellers whose maximum prices, as established under any other regulation, would be less than the maximum prices hereinabove established for processors.

[Sec. 11.12 added by Am. 25, 9 F.R. 7420, effective 7-8-44]

ARTICLE XII—OLEO

SEC. 12.1 *Maximum prices.* The maximum prices of the following fats and oils shall be the following prices:

Oleo—Packed in used drums or barrels, f. o. b. Chicago:	*Cents per pound*
Extra oleo stock	12.75
Prime oleo stock	12.50
Extra oleo oil	13.04
Prime oleo oil	12.75
Prime oleo stearine	10.61

(a) The usual or normal differentials for grade, quantity, container and type of purchaser, above or below these prices for basic grades, shall continue to apply.

(b) The usual or normal differentials, above or below these f. o. b. Chicago prices, shall continue to apply for all other shipping points.

ARTICLE XIII—WOOL GREASE

SEC. 13.1 *Maximum prices.* The maximum prices of the following fats and oils shall be the following prices:

Wool grease: f. o. b. producer's plant, in returnable drums, carlots.

	Cents per pound
U. S. P. lanolin, anhydrous cosmetic grade	35
U. S. P. lanolin, pharmaceutical type	33
U. S. P. lanolin, hydrous	32
Technical lanolin, bleached and deodorized, ash maximum 1/10 of 1%, moisture maximum 1/4 of 1%, acid maximum 1/4 of 1%, 1 1/2 % loss with petroleum ether extraction, color 3 1/2 A. S. T. M. standard	31
Neutral wool grease, fully refined, acid maximum 2%, ash maximum 1/10 of 1%, moisture maximum 1%	29
Neutral wool grease, fully refined, over 2% acid, ash maximum 1/10 of 1%, moisture maximum 1%	27 1/2
Crude centrifugal wool grease, known as dry, moisture maximum 2 1/2 %, ash maximum 1/4 of 1%, maximum 1 1/2 F. F. A.	20
Crude centrifugal wool grease, known as wet, over 5% moisture, maximum 2 1/2 F. F. A., not refined, anhydrous grease basis	17
Common Degras, moisture maximum 2 1/2 %, 1/4 to 1% ash, maximum 11% F. F. A.	12
Common Degras, moisture maximum 2 1/2 %, 1/4 to 1% ash, maximum 20% F. F. A.	11
Common Degras, moisture maximum 2 1/2 %, 1/4 to 1% ash, maximum 30% F. F. A.	10

(a) The usual or normal differential for type of container shall continue to apply.

(b) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

(c) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(d) The maximum price of an imported wool grease, duties and taxes paid, shall be the maximum price established above for the closest grade of domestic wool grease.

ARTICLE XIV—TALLOWS AND GREASES

SEC. 14.1 *Maximum prices.* The maximum prices of the following tallows and greases shall be the following prices:

Tallows and greases. F. o. b. producer's plant, in tank cars or tank trucks, or in returnable or non-returnable drums, barrels, or tierces, carlots:

	Titre minimum	F. F. A. maximum	M. I. U. basis (percent)	F. A. C. maximum untreated and unbleached	Cents per pound
TALLOWS					
Edible	41.5	1	1	5	9 1/8
Fancy	41.5	4	1	7	8 7/8
Choice	41	8	1	9	8 3/4
Prime, renderers prime, prime packers, or extra	40.5	6	1	13 or 11B	8 5/8
Special	40.5	10	1	19 or 11C	8 1/2
No. 1	40.5	15	2	23	8 3/8
No. 2	40.5	20	2	37	8 1/4
No. 2	40	35	2	No color	8 1/4
Naphtha extracted bone	40	50	3	No color	7 3/8
GREASES					
Choice white	37	4	1	13 or 11B	8 7/8
A, white	37	8	1	15	8 3/4
B, white	36	10	2	19 or 11C	8 1/2
Yellow	36	15	2	37	8 3/8
House	37.5	20	2	39	8 1/4
Brown	36	50	2	No color	7 3/4
Fleshing and/or Glue grease No. 1	36	15	1	15	8 3/4
Fleshing and/or Glue grease No. 2	36	40	2	21	8
No. 1 pig skin & Pigsfoot	34	2	1	9	9 1/8
Garbage grease	34	60	3	No color	7

(a) Materials of less than 40 titre shall be deemed greases and shall be priced only on the basis of the maximum prices set forth above for greases; and materials of more than 39.9 titre shall be deemed tallows and shall be priced only on the basis of the maximum prices set forth above for tallows.

(b) Each type or grade of tallow or grease must be designated by the name customarily applied to it by the trade prior to August 1, 1942, and must be priced on the basis of the specifications prescribed in section 14.1 for such type or grade.

(c) The usual or normal differentials for grades, or grades with specifications other than those listed above, shall continue to apply. Bleaching qualities of any material, however, do not constitute any better grade, and do not justify any premium.

(d) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(e) When any of the above named tallows or greases are sold in drums, barrels or tierces (1) to a buyer who has obtained a priority rating or priority order for such tallows or greases from the Food Distribution Administration, (2) by a seller who customarily has charged a premium for tallows or greases when sold in drums, barrels or tierces to a person engaged in a business similar to that in which the buyer is engaged, the maximum prices of such tallows or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container in which the tallows or greases are shipped:

Container	*Differentials to be added in cents per pound*
Returnable drums, barrels or tierces	3/8
Non-returnable drums, barrels or tierces	1

(f) The maximum prices for sales of the above tallows and greases to the Federal Surplus Commodity Corporation, in non-returnable tierces, shall be the prices set forth in section 14.1 above, plus 1¢ per pound.

SEC. 14.2 *Imported tallows and greases.* The maximum prices of imported tallows and greases, with duties and taxes paid, f. o. b. port of entry, shall be the maximum prices set forth above for the nearest domestic grade at the producer's plant.

ARTICLE XV—SOAPSTOCKS AND FATTY ACIDS

SEC. 15.1 *Maximum prices of raw soapstocks.* The maximum prices of the following raw soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW SOAPSTOCKS—BASIS 50% T. F. A.

[Cents per pound]

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Cottonseed foots	3.625	3.50	3.50
Corn foots	3.50	3.375	3.375
Soybean foots	3.50	3.375	3.375
Peanut foots	3.875	3.75	3.75

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

[Sec. 15.1 amended by Am. 1, 8 F.R. 11508, effective 8-24-43.]

SEC. 15.2 *Maximum prices of recovered or acidulated soapstocks.* The maximum prices of the following recovered or acidulated soapstocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW OR ACIDULATED SOAPSTOCKS

[Cents per pound]

	New York	Chicago & Cincinnati	Los Angeles & San Francisco
Acidulated cottonseed foots (black grease), basis 95% T. F. A.	7.375	7.25	7.25
Corn oil, basis 95% T. F. A.	7.25	7.00	7.00
Soybean oil, basis 95% T. F. A.	7.25	7.00	7.00
Peanut oil, basis 95% T. F. A.	8.00	7.75	7.75
Coconut oil, 99% saponifiable	10.125	10.125	10.125

(a) Where any of the above soapstocks are delivered to other destinations, the maximum price shall be the price set forth above for the city nearest the point to which the soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(b) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

(c) The usual or normal differential for type of container shall continue to apply.

[Sec. 15.2 amended by Am. 1, 8 F.R. 11508, effective 8-24-43.]

SEC. 15.3 *Maximum prices of distilled fatty acids.* The maximum prices of the following distilled fatty acids shall be the following prices:

	Cents per lb. delivered, tank cars	Cents per lb. delivered, carloads, in returnable drums or nonreturnable packages
Tallow:		
East	12	12¾
Texas and Oklahoma	12½	13¼
West of Rockies	13	13¾
Cottonseed, single distilled:		
East	11¾	12
Texas and Oklahoma	11¾	12½
West of Rockies	12¼	13
Cottonseed, double distilled:		
East	11¾	12¼
Texas and Oklahoma	12¼	13
West of Rockies	12¾	13¼
Coconut, undistilled, #2 grade	12⅜	----------
Coconut, distilled, #1 grade	----------	18⅜
Coconut, triple distilled, special light color	----------	16¾

	Cents per lb. f. o. b. producer's plant, tankcars	Cents per lb. f. o. b. producer's plant, carloads, in returnable drums or nonreturnable packages
Soya bean oil, from foots	11	11⅝
Soya bean oil, from crude	15¾	16⅛
Corn oil, from foots	11	11⅝
Peanut oil, from foots	11⅜	12

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grade above or below the listed grades shall continue to apply.

(d) The maximum prices of fractionated fatty acids shall be computed in accordance with the provisions of Article II of this Maximum Price Regulation No. 53.

SEC. 15.4 *Maximum prices of split fatty acids*—(a) *Tolling charge for splitting fats and oils.* The maximum toll which may be charged for splitting fats and oils shall be (in addition to the retention of the glycerin for the account of the splitter) 75c. per 100 pounds in tankcar lots for all material testing under 20 F. F. A. and $1.00 per 100 pounds in tankcar lots for all material testing 20 F. F. A. and over. All freight shall be for the account of the owner. The normal premium for less than tankcar lots shall continue to apply.

(b) *Maximum prices for split fatty acids.* The maximum price of split fatty acids, tankcars, f. o. b. seller's plant, shall be the cost, on a tankcar basis, of the raw materials from which the split fatty acids are made, delivered the seller's plant, plus 75c. per 100 pounds for raw materials testing under 20 F. F. A., or plus $1.00 per 100 pounds for raw materials testing 20 F. F. A. and over.

(1) When shipped in less than carload lots, the usual or normal premium for fatty acids so shipped shall continue to apply.

(2) When shipped in containers other than tankcars, the usual or normal differential for fatty acids when shipped in such other type of container shall continue to apply.

SEC. 15.5 *Maximum prices of stearic acid and oleic acid.* The maximum prices of the following stearic acids and oleic acids shall be the following prices:

	Cents per lb. del'd east of Rockies	Cents per lb. del'd Texas and Oklahoma	Cents per lb. del'd west of Rockies
Stearic acid, carloads, in bags:			
Single pressed	15⅝	15⅞	16⅛
Double pressed	15⅞	16⅛	16⅜
Triple pressed	18⅝	19⅛	19⅝
Oleic acid:			
Tankcars	12⅝	13	13⅜
Carloads, in returnable drums or barrels	13⅜	13⅝	14⅛
Double distilled oleic acid:			
Carloads, in returnable drums	15⅜	16⅛	16⅝
Carloads, in special drums or barrels (packages included)	16⅝	17⅜	17⅝
Hydrogenated fish oil fatty acid, 52° titre, carloads, in bags	14⅜	15⅛	15⅝

(a) When shipped in less than carload lots, the usual or normal premium shall continue to apply.

(b) The usual or normal differential for type of container shall continue to apply.

(c) The usual or normal differentials for grades above or below the listed grades shall continue to apply.

ARTICLE XVI—MARINE ANIMAL OILS

SEC. 16.1 *Maximum prices.* The maximum prices of the following oils shall be the following prices:

Marine animal oils—tank cars, all duties and taxes paid:

	Cents per pound
Whale oil, crude, No. 1, f. o. b. American ports	11.25
Sperm oil, crude, No. 1, f. o. b. American ports	7.75
Seal oil, No. 1, f. o. b. American ports	8.90
Menhaden, crude, f. o. b. producer's plant, Atlantic coast	8.90
Sardine oil, crude, f. o. b. producer's plant, Pacific coast	8.90
Sardine oil, hydrogenated 52°, f. o. b. producer's plant, Pacific coast	10.90
Light, cold pressed fish oil (Menhaden and Sardine), fair average quality, delivered	12.25
Herring oil, crude, f. o. b. Seattle	8.90

(a) The usual or normal differentials for grades, above or below those listed, shall continue to apply.

(b) The usual or normal differentials for type of container shall continue to apply.

(c) No marine animal oil shall be sold at a premium because of its vitamin content, unless such oil is purchased for use because of its vitamin content and contains more than 75 vitamin D units per gram. If purchased for its vitamin content, it may command the usual and normal premium for such vitamin oil, which it commanded on October 1, or November 26, 1941: *Provided*, That this schedule shall not apply to any vitamin oil for which a maximum price has been or may be established by a maximum price regulation.

(d) *Sales by FDA or FSCC.* On sales of any of the above oils by the Food Distribution Administration or Federal Surplus Commodities Corporation, which oils have actually been stored by the Food Distribution Administration or Federal Surplus Commodity Corporation, there may be added to the maximum prices specified in section 16.1 above, the following storage charges:

(1) On oil stored on the East Coast, .0735¢ per pound for the first month's, or fraction of a month's, storage, plus .0275¢ per pound for each additional month's, or fraction of a month's, storage.

(2) On oil stored on the West Coast, .0750¢ per pound for the first month's, or fraction of a month's, storage plus .0250¢ per pound for each additional month's, or fraction of a month's, storage.

In determining the length of time for which the particular oil being sold has been stored, the "first-in, first-out" method of inventory accounting shall be used.

[Paragraph (d) added by Am. 15, 9 F.R. 1374, effective 2-14-44.]

ARTICLE XVII—LINSEED OIL SHORTENING AND LINSEED OIL MARGARINE

SEC. 17.1 *Maximum prices.* The maximum prices of linseed oil shortening and linseed oil margarine, f. o. b. producer's plant, shall be the following prices:

	Cents per pound
Linseed oil shortening (produced wholly from linseed oil) in tierces	19.75
Linseed oil margarine (in No. 10 tins)	19.94

[Article XVII amended by Am. 7, 8 F.R. 12569, effective 9-11-43; Am. 22, 9 F.R. 6434, effective 6-15-44]

ARTICLE XVIII—DOMESTIC TUNG OIL

SEC. 18.1 *Maximum prices of domestic tung oil (Chinawood oil).* The maximum prices of domestic tung oil, f. o. b. New York, Gulf ports or Pacific Coast ports, shall be the following prices:

	Cents per pound
Tankcars	38.375
Returnable drums, carlots	39.00

(a) *Quantity differentials.* When tung oil is sold in returnable drums in less than carlot quantities, the seller may add to the carlot price set forth above, the differentials hereinafter set forth for the particular quantity sold:

Quantity sold:	Differential to be added (cents per pound)
Carlots, in more than one delivery of 10 drums each	1.00
5 to 9 drums, one delivery	1.50
1 to 4 drums, one delivery	2.00

(b) *Container differentials.* (1) If the oil is shipped in nonreturnable drums, the cost of the drums may be added to the above returnable drum prices.

(2) The usual or normal differentials for containers other than tankcars or drums shall continue to apply.

[Article XVIII added by Am. 27, 9 F.R. 7878, effective 7-11-44]

ARTICLE XIX—OLEOMARGARINE; MAXIMUM PRICES OF PROCESSORS

SEC. 19.1 *Maximum prices.* Processor's maximum prices for oleomargarine shall be determined under the provisions of the General Maximum Price Regulation, excepting that:

(a) *No maximum prices to be determined under section 1499.2 (b).* No maximum price shall be determined for any margarine under the provisions of section 1499.2 (b) of the General Maximum Price Regulation.

Where maximum prices for any margarine have been determined, or purport to have been determined, under the provisions of § 1499.2 (b) of the General Maximum Price Regulation prior to August 22, 1944, maximum prices for such margarine shall be recalculated and redetermined in accordance with the provisions of sections 19.1 (b) and (c) hereof.

(b) *Maximum prices of brands that were not sold or offered during March 1942, and that are now sold by processors who sold or offered any margarine during March 1942.* The maximum price of a brand of margarine that was not sold or offered for sale by the processor during March 1942, and that is now sold by a processor who sold or offered for sale any margarine during March 1942, shall be the highest price charged by the processor during March 1942 for the most nearly equivalent margarine sold or offered by such processor during March 1942.

(c) *Maximum prices of brands that were not sold during March 1942 and that are now sold by processors who did not sell or offer any margarine during March 1942.* The maximum price of a brand of margarine that was not sold or offered for sale during March 1942, and that is now sold by a processor who, did not sell or offer any margarine during March 1942, shall be determined under the provisions of Order No. 375 under § 1499.3 (b) of the General Maximum Price Regulation, excepting that in no case may a maximum price so determined be above the general level of prices prevailing for similar margarine in the same general area as that in which it is proposed to distribute the margarine.

(d) *Application for adjustment in certain cases of increased costs resulting from changes in method of manufacture or distribution.* (1) Where a processor, since March 1942, has changed and substantially improved the method of manufacture or distribution of any brand of margarine, or where a processor makes a new brand of margarine that is manufactured or distributed by a different and substantially better method than that under which the most nearly equivalent brand made by him during March 1942 was manufactured or distributed, such processor may apply to the Office of Price Administration, Washington, D. C., for an adjustment in his maximum price.

(2) In any such application the processor shall specify the exact changes and improvements in method of manufacture or distribution claimed to have been made since March 1942, the old and new method of manufacture or distribution, the exact cost (as of the date of the application) of making and distributing the margarine under the method of manufacture and distribution that was used in March 1942, and the exact cost of making and distributing the margarine under the method of manufacture and distribution used at the time of the application.

(3) Any adjustment granted under this section 19.1 (d) will in no case exceed the increase in the total direct cost of manufacture and distribution that is due to the change in method of manufacture or distribution, and will in no case be to a price above the general level of prices prevailing for similar products in the same general area as that in which the product is distributed.

(e) *Application for adjustment in certain cases of hardship.* A processor may apply to the Office of Price Administration, Washington, D. C., for an adjustment in his maximum price of margarine where

(1) His maximum price is below the general price level prevailing for similar products, and

(2) He is or will be unable to maintain his production at his maximum price or prices, and

(3) The loss of his production would result in consumers having to pay higher prices for the most nearly similar substitute product available, and

(4) An increase in his maximum price or prices will enable him to continue production, and

(5) The Administrator is of the opinion that an increase in his maximum price or prices would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act, as amended.

The maximum price increase that may be granted to a processor or manufacturer under the provisions of this section 19.1 (e) shall not cause his price to exceed the general price level prevailing for similar products. Subject to this limitation, an increase may be granted not to exceed the total cost of the product, or if the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period", adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed estimated to yield such a profit margin.

A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal prewar (December 7, 1941) period, some other period may be used but its use must be positively justified in the application.

SEC. 19.2 *Maximum prices for brands for which maximum prices have been fixed by previous orders of the OPA.* This amendment shall not affect the maximum prices for brands for which dollar-and-cents ceiling prices have been fixed by orders of the Office of Price Administration previously issued; such orders shall continue in full force and effect.

SEC. 19.3 *These maximum prices are for processors or manufacturers only.* The maximum prices established by this amendment are maximum prices for processors or manufacturers only. They are not the maximum prices for wholesalers, distributors, retailers or other sellers.

SEC. 19.4 *Definitions.* When used in this Article XIX:

(a) "Processor" means (1) the manufacturer or processor, (2) any predecessor in title of, or any corporation or person that conveyed its assets, business, stock-in-trade, good will or trademarks to, the manufacturer or processor, or (3) any corporation, a majority of whose voting stock is owned or controlled by the manufacturer or processor or which owns or controls a majority of the voting stock of the manufacturer or processor.

[Article XIX added by Am. 28, 9 F.R. 7770, effective 8-22-44]

Effective date. This regulation shall become effective August 14, 1943. [MPR 53 originally issued August 9, 1943.]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11857; Filed, August 8, 1944; 11:24 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 329,[1] Amdt. 20]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.408 (g) is added to read as follows:

(g) *Authorization in writing from the National Administrator.* Any regional office, when specifically so authorized in writing by the Administrator, may adjust or establish in accordance with such authority, any maximum price under this Maximum Price Regulation No. 329 for purchases of "milk" from producers.

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[1] 8 F.R. 2038, 2874, 3252, 3621, 4726, 5933, 5907, 6737, 8069, 9884, 10731, 13721, 15704, 16296; 9 F.R. 611, 2007, 7852.

This amendment shall become effective August 14, 1944.

Issued this 8th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: July 29, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-11856; Filed, August 8, 1944; 11:26 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 161,[1] Incl. Amdts. 1–15]

WEST COAST LOGS

This compilation of Revised Maximum Price Regulation 161 includes Amendment 15, effective August 14, 1944. The text added or amended by Amendment 15 is underscored. The tables amended and redesignated are indicated by notes.

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of west coast logs, as herein defined, which differ in certain respects, from those established by Maximum Price Regulation 161. The Price Administrator has ascertained and given due consideration to the prices of west coast logs prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.[3]

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Preamble amended by Am. 7, 8 F.R. 11509, effective 8–24–43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1[4] issued by the Office of Price Administration, Revised Maximum Price Regulation No. 161 is hereby issued.

Sec.

1381.151 Sale of west coast logs at higher than maximum prices prohibited.
1381.152 What logs are covered.
1381.153 Explanation of maximum price tables.
1381.154 Tables of maximum prices for west coast logs.
1381.155 Long and short lengths and special logs.
1381.156 The "overtime addition."
1381.157 Resale under allocation.
1381.158 Grading and scaling.
1381.159 Prohibited practices.
1381.160 Records.
1381.161 Species and extras not specifically listed.
1381.162 Petitions for amendment and adjustment.
1381.163 Enforcement.
1381.164 Licensing.
1381.165 Definition.
1381.166 Effective date.
Appendix A—Grading and scaling rules.

AUTHORITY: §§ 1381.151 through 1381.166, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1381.151 *Sale of west coast logs at higher than maximum prices prohibited.* (a) On and after January 22, 1943, regardless of any contract or other obligation, no person shall sell or deliver west coast logs, and no person shall buy or receive west coast logs in the course of trade or business, at prices higher than the maximum prices fixed by this regulation; and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may be charged and paid.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1381.152 *What logs are covered.* This regulation covers under the name of "West Coast Logs" all logs produced in those parts of Oregon, Washington, and Canada west of the crest of the Cascade Mountains and in Skamania and Klickitat Counties in Washington and Hood River and Wasco Counties in Oregon.

[§ 1381.152 amended by Am. 8, 8 F.R. 16602, effective 12–13–43; Am. 13, 9 F.R. 5165, effective 5–18–44; and Am. 15, effective 8–14–44]

§ 1381.153 *Explanation of maximum price tables.*—(a) *Prices are delivered to towable waters.* (1) Except in the Southern Oregon-Tillamook District, the full maximum prices in the Price Table may be charged and paid only when the logs are delivered to towable waters, dumped, boomed, rafted, and prepared for towing at the seller's expense.

If any of these services are not performed at the seller's expense, its cost must be deducted from the maximum prices. "Towable waters" means any year-round towable waters along the coast of Oregon, the Skagit River, Puget Sound, Willapa Bay, Grays Harbor, Columbia River, and Willamette River. Specifically, the Willamette River shall be considered as towable water from its mouth to a point one mile south of Albany, Oregon; the Skagit River from its mouth to Lyman's Ferry; and the Columbia River from its mouth to Hood River, Oregon.

[Above paragraph amended by Am. 12, 9 F.R. 3848, effective 4–7–44; and Am. 15, effective 8–14–44]

(2) In the Southern-Oregon-Tillamook District, the maximum prices given in the Price Tables apply only when logs are sold

(i) Delivered in towable waters, dumped, boomed and rafted and prepared for towing,

(ii) Loaded on common carrier rail cars,

(iii) Delivered to mill dumped in the mill pond,

(iv) Loaded on trucks at a receiving point, sorting pond or mill pond where logs are received and sorted for reshipment, but only after such logs have been dumped, sorted and reloaded for further transportation by trucks, or

(v) Loaded on trucks at towable waters where rail facilities are not available, provided the maximum price is reduced by the cost of dumping, booming, rafting, and preparing for towing.

[Subparagraph (2) amended by Am. 15, effective 8–14–44]

(b) *Deduction for non-delivery to towable waters.* Except in the Southern-Oregon-Tillamook District if the buyer does not take delivery in towable waters, but elects to take delivery at some other point (except that in no case may delivery take place at the spar tree, logging road, logging railroad, or any other point in the immediate vicinity of or connected with the logging operation), the maximum price shall be determined as follows:

(1) From the maximum prices in the tables in the next section subtract the costs (calculated under subparagraph (3) below), including transportation, booming and rafting charges, which would have been incurred if the logs had moved to the towable waters of the particular district.

(2) Then add the cost (calculated under subparagraph (3) below) of delivering to the destination specified by the buyer, including cost of loading on rail cars or dumping in mill pond.

For example: Assume that the buyer takes delivery at a railhead, and that it would have cost $2.00 to transport the logs to towable waters and $0.75 for booming and rafting. Assume the cost of delivering the logs to the railhead to be $1.00 for trucking and $1.00 for loading on cars. The ceiling price would then be $38.50 less $2.75, plus $2.00, or $37.75. The intent of this provision is that the log seller should get the same spartree realization no matter where he delivers the logs in a particular district. If he finds that within the district it is more profitable to sell to one buyer than another, he has wrongly applied this section.

(3) In figuring transportation, delivery, booming, rafting and loading charges under this paragraph, the following rates must be used, regardless of actual charges paid or applicable:

(i) *Rail:* Common carrier rail rates.

(ii) *Truck:* A base rate of $1.06 per M feet, to which shall be added the following rates per M feet per mile or fraction thereof:

Class "A" Roads, 8½ cents;
Class "A–1" Roads, 9½ cents;
Class "B" Roads, 13 cents;
Class "C" Roads, 16 cents;
Class "D" Roads, 27 cents.

The classes of roads are defined as follows:

Class "A". Paved or macadamized, not exceeding grades of 6 percent;

Class "A–1". Permanently and continuously maintained fine gravel, smooth surfaced, free from chuck holes, ruts, "washboard" condition and other hazards, not exceeding grades of 6 percent;

Class "B". Graveled, other than specifications in Class "A–1"; also paved, macadamized, or permanently and continuously maintained fine gravel, smooth surface, free from chuck holes, ruts, "washboard" conditions and other hazards, with grades exceeding 6 percent but not exceeding 12 percent; also good plank not exceeding grades of 12 percent;

Class "C". All roads with grades exceeding 12 percent but not exceeding 16 percent; also all dirt, rock or plank other than good plank, not exceeding grades of 16 percent;

Class "D". All roads with grades exceeding 16 percent; also roads consisting of mud or water to a depth of 8 or more inches, or any road that cannot be negotiated by the truck under its own motive power.

(iii) *Booming, rafting, or loading on cars.* The rate charged by the nearest commercial booming, rafting, or loading facility.

[Paragraph (b) amended by Am. 4, 8 F.R. 6619, effective 5–24–43, and Am. 15, effective 8–14–44]

(c) *Scaling expense.* The entire cost of scaling and grading is included in the maximum prices and may not be added to those prices; except that by agreement between the buyer and seller, the buyer may pay one half of the scaling fee above the ceiling price. The maximum prices for scaling fees in the area covered by this regulation are set forth in § 1499.666, paragraph (c) of Supplementary Services Regulation No. 16[4] to Maximum Price Regulation No. 165.[5]

[Paragraph (c) amended by Am. 7, 8 F.R. 11509, effective 8–24–43]

(d) *Credit practices and cash discounts.* Changing credit practices from what they were in October 1941, is specifically prohibited. This includes decreasing credit periods, or making greater charges for extension of credit.

If the sale is on cash terms, the maximum price must be reduced by the same amount which would have been allowed for similar cash terms on October 1, 1941. For example, if the maximum price without cash discount is $30.00, and if this seller's cash discount on October 1, 1941, was 1%, the maximum price now for sales on similar cash terms is $29.70.

(e) *Explanation of districts.* (1) Puget Sound district means the part of Washington west of the crest of the Cascade Mountains, except Grays Harbor, Pacific, Wahkiakum, Cowlitz, Clark and Skamania Counties.

(2) Willapa Bay-Grays Harbor district means the counties of Grays Harbor and Pacific, in Washington.

(3) Columbia River District consists of the counties of Wahkiakum, Cowlitz, Clark, Skamania and Klickitat in Washington and Benton, Clackamas, Clatsop, Columbia, Hood River, Linn, Marion, Multnomah, Polk, Wasco, Washington, and Yamhill counties in Oregon.

[Subparagraph (3) amended by Am. 13, 9 F.R. 5165, effective 5–18–44]

(4) Southern Oregon-Tillamook district means Lincoln and Tillamook Counties, Oregon and that part of Oregon west of the crest of the Cascade Mountains and south of the northern boundary of Lane County.

(f) *Sale into other districts.* When logs are sold out of one district for delivery in another district, the maximum prices and the grades are those of the district in which the buyer takes delivery of the logs. In the case of logs produced in Lincoln County, Oregon, north of the Siletz River, and in Tillamook County, Oregon, south of a line running east and west through Hebo, Oregon, however, deliveries may be made to a railhead or in a mill pond in the Columbia River District at the maximum prices of the Southern Oregon-Tillamook District.

[Paragraph (f) amended by Am. 6, 8 F.R. 10660, effective 8–4–43]

§ 1381.154 *Tables of maximum prices.* The maximum delivered prices per 1,000 ft. log scale for west coast logs shall be as follows:

(a) DOUGLAS FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
No 1 peeler	$40.00	$40.00	$40.00	$38.00
No. 2 peeler	35.00	35.00	35.00	33.00
No. 3 peeler	27.00	27.00	27.00	25.00
No. 1 sawmill log	31.00	29.00	29.00	27.00
No. 2 sawmill log, old growth	23.00	23.00	23.00	21.00
No. 2 sawmill log, second growth	22.00	22.00	22.00	20.00
No. 3 sawmill log—old growth	20.00	20.00	20.00	18.00
Camp-run (ungraded) and No. 3 second growth sawmill	18.00	18.00	18.00	16.00

[Table (A) amended by Am. 7, 8 F.R. 11509, effective 8–24–43, Am. 12, 9 F.R. 3848, effective 4–7–44, and Am. 15, effective 8–14–44]

(b) WESTERN RED CEDAR

	Puget Sound district	Willapa Bay Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
Lumber Grade	$36.00	$33.00	$33.00	$31.00
Shingle Grade	21.00	21.00	21.00	19.00
Camp Run (ungraded)	21.00	21.00	21.00	19.00

[Table (B) amended by Am. 7, 8 F.R. 11509, effective 8–24–43]

(c) WESTERN HEMLOCK

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Suitable for peeling and better	$27.00	$27.00	$27.00	$25.00
No. 1	23.00	23.00	23.00	21.00
No. 2	21.50	21.50	21.50	19.50
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

[Table (C) amended by Am. 10, 8 F.R. 17327, effective 12–30–43, Am. 12, 9 F.R. 3848, effective 4–7–44]

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[1] Copies may be obtained from the Office of Price Administration.

[2] 8 F.R. 1117.

[3] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] 9 F.R. 5791, 7501, 8058.

[5] 8 F.R. 6750, 9386, 10483.

[4] Revised: 9 F.R. 7439, 9107, 9411.

(D) WESTERN WHITE FIR

	Puget Sound district	Willapa Bay Grays Harbor district	Columbia River district	Tillamook
Suitable for peeling	$27.00	$26.00	$26.00	$24.00
No. 1	23.00	22.00	22.00	20.00
No. 2	21.50	21.50	21.50	19.50
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

(E) SITKA SPRUCE

Select	$45.00	$45.00	$45.00	$43.00
No. 1	30.00	30.00	30.00	28.00
No. 2	24.00	24.00	24.00	22.00
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

(F) NOBLE FIR

Suitable for peeling	$35.00	$35.00	$35.00	$33.00
No. 1	23.00	23.00	23.00	21.00
No. 2	21.50	21.50	21.50	19.50
No. 3	20.00	20.00	20.00	18.00
Camp-run (ungraded)	20.00	20.00	20.00	18.00

[Tables (D), (E) and (F) amended by Am. 12, 9 F.R. 3848, effective 4-7-44; Table (E) amended by Am. 15, effective 8-14-44]

(G) DOUGLAS FIR SPECIAL SHIP SPAR LOGS

Specially selected for ship spars, booms, and mast: and of following lengths	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
42 to 54 feet	$30.00	$30.00	$30.00	$28.00
56 to 70 feet	40.00	40.00	40.00	38.00
72 to 80 feet	42.50	42.50	42.50	40.50
82 to 90 feet	45.00	45.00	45.00	43.00
92 to 100 feet	50.00	50.00	50.00	48.00
102 to 116 feet	55.00	55.00	55.00	53.00
Over 116 feet	75.00	75.00	75.00	73.00

[Table (G) amended by Am. 5, 8 F.R. 9381, effective 7-13-43]

(H) WOOD LOGS

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
No. 1 Douglas fir wood logs	$16.00	$16.00	$16.00	$14.00
Wood logs—No. 2 fir and all other species except cedar	11.00	11.00	11.00	9.00

[Table (H) amended by Am. 7, 8 F.R. 11509, effective 8-24-43 and Am. 12, 9 F.R. 3848, effective 4-7-44]

TABLE (J)—WESTERN WHITE PINE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district
No. 1	$34.00	$34.00	$34.00	$32.00
No. 2	25.00	25.00	25.00	23.00
No. 3	19.00	19.00	19.00	17.00
Camp-run	19.00	19.00	19.00	17.00

[Table (J) added by Am. 8, 8 F.R. 16602, effective 12-13-43]

TABLE (K)—PONDEROSA PINE

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Southern Oregon-Tillamook district*
No. 1	$27.00	$27.00	$27.00	$25.00
No. 2	21.00	21.00	21.00	19.00
No. 3	19.00	19.00	19.00	17.00
Camp-run (ungraded)	19.00	19.00	19.00	17.00

*These prices apply in the entire district except in Jackson and Josephine Counties.

[Table (K) added by Am. 13, 9 F.R. 5165, effective 5-18-44 and amended by Am. 14, 9 F.R. 5956, effective 6-30-44]

§ 1381.155 *Long and short lengths and special logs*—(a) *Additions for long length.* For Nos. 1 and 2 Sawmill Logs (all species except Western red cedar) and Douglas fir peewee logs over 42 feet in length, (after allowance for trim) the following additions may be made to the prices in the above tables:

	Per 1,000 feet
42 to 50 feet	$1.00
52 to 60 feet	2.00
62 to 70 feet	3.00
72 to 80 feet	4.00

For example, the maximum price on a No. 1 Douglas fir sawmill log 54 feet long in Puget Sound District is $33.00 per thousand feet. Authorizations for special prices on long length under the previous provisions of this paragraph will continue in effect for the quantity of logs to which the authorization extended. Note that the long log addition may not be made on Aircraft Grade Logs, Peeler Logs, Douglas Fir Special Ship Spar Logs, Ponton Logs, or logs sold on a camp run basis.

(b) *Special logs.* For sawmill logs over 80 feet selected to fill particular orders for long timbers or lumber or other specific purpose actually requiring long logs, or for logs of necessary extra specifications that cannot be priced under paragraph (G) of the preceding § 1381.154, the buyer and seller jointly shall file with the Lumber Branch, Office of Price Administration, Washington, D. C., the species, grade, specifications, and quantity of the particular logs, the requirement therefor, and the proposed price. This proposed price must be submitted within ten days of its first use. If, within 15 days of the receipt of the request for approval, the Office of Price Administration does not disapprove the requested price, such price shall thereafter be the maximum price for that seller for that item. Pending such approval or action by the Office of Price Administration, the seller may deliver the item and receive payment therefor, subject to the condition that a refund will be made if the price is in excess of that approved by the Office of Price Administration. Adjustment for approval of such prices may be made by letter or telegram by the Lumber Branch of the Office of Price Administration.

(c) *Short lengths.* For blocks of peeler logs in lengths of less than 16 feet, which otherwise meet the requirements of the standard peeler grades, deduct $5.00 per 1,000 feet, log scale, from the maximum prices in the price tables of § 1381.154 above.

[Paragraph (c) amended by Am. 7, 8 F.R. 11509, effective 8-24-43]

[§ 1381.155 amended by Am. 4, 8 F.R. 8619, effective 8-24-43; Am. 5, 8 F.R. 9381, effective 7-13-43; and as otherwise noted]

(d) *Cull logs.* Any logs not specifically priced in the above tables shall be "culled out", and the maximum price at which they may be sold or purchased shall be $1.00 per thousand feet, log scale.

[Paragraph (d) added by Am. 7, 8 F.R. 11509, effective 8-24-43]

§ 1381.156 *The "overtime addition."* The following additions may be made by any seller to the maximum price of any west coast logs produced by any company whose entire logging operation is operated the following number of hours per week in actual production:

Hours of operation:	*Addition per M ft. l. s.*
48 to 53 hours	$1.00
54 to 59 hours	1.50
60 hours or more	2.00

This addition is subject to all of the following conditions and provisions except that operators claiming the 48 hour addition are not subject to the requirements of paragraphs (a) and (b) relating to applications for certifications and monthly reports:

[Above sentence amended by Am. 12, 9 F.R. 3843, effective 4-7-44]

(a) *Application.* Any person intending to claim the overtime addition must first file a statement with the Office of Price Administration, Washington, D. C., that the company regularly maintains the required number of hours in all its logging operations. On and after the effective date of the order granting the right to make the addition, the person may add the amount authorized to the maximum prices otherwise established by the regulation. The addition may be made only so long as the required number of hours is worked, unless specific exceptions have been granted under paragraph (f) below. The right to make the addition may be terminated at any time either for failure to maintain the required number of hours or failure to observe any other provision of this regulation. For example, the right may be withdrawn at any time from any company or person which permits false grading and scaling to be practiced or fails to submit reports. The right shall terminate from the effective date specified in the order.

(b) *Report.* Not later than the 15th of every month in which the overtime addition is claimed, the company must file a statement with the Lumber Branch, Office of Price Administration, Washington, D. C., containing the following:

(1) A statement that the required hours prevailed during the preceding month;

(2) The company's production figures by log scale, by species, for the month;

(3) The amount of logs sold during the month on which the overtime addition was claimed, by species, both log scale and total value.

(4) The amount of logs, log scale, by species, used in the seller's own mill.

(c) *Monthly average.* The requirement relating to weekly hours of production will be considered satisfied if at the end of each monthly period the average weekly hours are equal or above the required number of hours; that is, if the total number of hours for the month divided by the number of weeks or fractions thereof results in a figure equal to or above the required number of weekly hours.

(d) *Operation requirement.* Only the hours devoted to actual log production may be counted for purposes of this section. Actual log production does not include such operations as maintenance and repair work, road building, and similar operations incidental to logging. Every camp and logging side operated by that company must maintain the required number of hours.

(e) *Invoices.* The overtime addition must be shown as a separate charge on all invoices, and labeled "overtime addition." The invoice must further show the name and address of the company producing the logs. Copies of these invoices shall be preserved by the company and shall, if required, be submitted to the Office of Price Administration.

(f) *Exceptions from requirement.* The Lumber Branch, Office of Price Administration, Washington, D. C., may by letter or telegram grant exceptions from the strict requirements of this section on the "overtime addition" when a company which has previously had its name published as an overtime company, and which is in good faith attempting to operate on a regular overtime basis, finds that in a particular month it is impossible for particular sides or its entire operation to meet the requirements, due to weather conditions or other circumstances beyond its control. The request for such an exception must show not that regular overtime operation would have been inconvenient or costly by peacetime standards, but that it was impossible in the light of the standards of operation demanded by wartime conditions and in the light of the critical lumber requirements of the military services.

(g) *Contract logging.* When figuring the ceiling price on contract logging services under Maximum Price Regulation No. 503, the overtime addition may not be included in estimating the value of the logs produced. However, where the contractor operates the required number of hours, the additions permitted by this section may be separately paid to the contractor.

[Paragraph (g) added by Am. 3, 8 F.R. 5678, effective 5-5-43; amended by Am. 5, 8 F.R. 9381, effective 7-13-43; Am. 11, 9 F.R. 694, effetcive 1-22-44; and Am. 12, 9 F.R. 3843, effective 4-7-44]

§ 1381.157 *Resales by mills or other users.*—(a) *Resales under allocation.* In the case of resale by mills or other users of West Coast logs pursuant to the direction of the War Production Board (or any other Government agency) requiring the allocation or requisitioning of the logs, the maximum price shall be the sum of the following:

(1) Maximum delivered price to the first buyer as established by this regulation.

(2) Actual cost of transportation which has been incurred from the point at which delivered price was computed; sorting, booming, rafting, scaling, reloading, and such other direct costs incurred by the first buyer as are necessary to the proper preparation of the logs for resale; and

(3) Any overtime addition actually paid by the first buyer to a seller who has been permitted to charge the overtime addition.

The resulting maximum price is f. o. b. the reseller's mill or plant, and the second buyer shall bear the cost of transporting the logs to his own plant.

The additions apply only when the resale takes place in the course of a going business, and when the reseller expects to buy other logs to replace those resold. If, however, this is not the case, as where a stock of logs is sold by a mill going out of business, the transaction is not subject to this regulation but to Revised Maximum Price Regulation 204—Special Sales of Industrial Materials.[*]

(b) *Accommodation sales from log storage at mill.* In the case of resales by mills or other users of West Coast logs to another user in emergency situations where the purchasing mill cannot obtain logs from its regular source, the buyer and seller may apply to the Lumber Branch, Office of Price Administration, Washington, D. C. for permission to add to the maximum prices for such logs a service charge to recompense the seller for inbound costs on the logs not included in the maximum price and to cover the cost of removing the logs from the seller's storage and hauling them to the buyer's mill. The application should state these charges in detail and the reasons why the sale is necessary. The Lumber Branch may grant the permission by letter or telegram.

[§ 1381.157 amended by Am. 15, effective 8-14-44]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1381.157a [Revoked.]

[§ 1381.157a added by Am. 4, 8 F.R. 6619, effective 5-24-43; revoked by Am. 7, 8 F.R. 11509, effective 8-24-43]

§ 1381.158 *Grading and scaling.* (a) On and after August 14, 1944, no one may buy or sell West Coast logs unless the logs have been graded and scaled in accordance with the rules set forth in Appendix A.

(b) Each lot or raft of logs must be covered by a Scale Bill or Scale Certificate as required by § 1381.160 below.

(c) In Appendix B are listed "approved" independent graders and scalers

[*] 8 F.R. 11376, 12795; 9 F.R. 5376, 6819, 7077.

and bureaus found to be qualified to perform the service of grading and scaling. When buyers and sellers have their logs graded and scaled by such "approved" graders and scalers, the buyers and sellers will not be held responsible for inaccurate grades or scales. Where graders and scalers other than those listed in Appendix B are used, however, and subsequent rescale or check scale shows more than 5% variation in value from the original grade or scale, the buyer and seller shall be chargeable with the full responsibility for such incorrect grade or scale and subject to the penalties provided for violation of this regulation.

(d) Where a rescale or check scale of logs which have originally been scaled and graded by an "approved" scaler indicates a variation greater than 5% in value between the original and check scale, the Portland District Office may notify the approved scaler that an investigation will be conducted to determine whether that particular scaler is performing his duties satisfactorily. As a part of such investigation the scaler must be afforded a reasonable opportunity to be heard and to justify his original scale. If it appears from this investigation that the scaler is not performing the duties of scaler and grader in such a manner as to warrant continued approval by the Administrator, the Administrator may by appropriate amendment remove the original scaler's name from the approved list.

(e) Persons desiring to be added to the list of "approved" scalers may make application to the OPA District Office at Portland, Oregon, listing their experience and qualifications and showing that they will operate as independent scalers and not as an employee of any buyer or seller. If, upon investigation, it is found that the applicant possesses the necessary qualifications and ability to do a reasonably accurate and acceptable job of log-scaling under the rules of this regulation, the Administrator will by an amendment add the applicant's name to Appendix B of this regulation.

[§ 1381.158 amended by Am. 7, 8 F.R. 11509, effective 8-24-43, and Am. 15, effective 8-14-44]

§ 1381.159 *Prohibited practices*—(a) *General.* Any practice which obtains the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright overceiling price. This applies to the use of commissions, services, grading and scaling manipulations, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

(b) *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

[Paragraph (b) amended by Supplementary Order No. 80 and Am. 1 thereto, 8 F.R. 10586, 14310, effective 7-27-43]

(c) *Service commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating logs, or for any related service (such as "expediting") which does not involve actual physical handling of logs, if the commission plus the purchase price results in a total payment by the buyer of logs which is higher than the maximum price of the logs. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the logs in connection with which the service is performed.

[Paragraph (c) added by Am. 2, 8 F.R. 2092, effective 2-15-43]

(d) *Specific practices.* The following are among the specific practices prohibited:

(1) A buyer or seller attempting to influence in any way the judgment of the scaler.

[Paragraph (d) added by Am. 7, 8 F.R. 11509, effective 8-24-43]

§ 1381.160 *Records*—(a) *All sellers and buyers.* All sellers of west coast logs must keep all scaling certificates or statements, and invoices which will show a complete description of the logs sold, the name and address of the buyer, the date of sale, and the price. Buyers must keep similar records, including the seller's name and address. These records must be kept for any month in which the seller or buyer sold or bought 100,000 ft., log scale, or more, of west coast logs. They must be kept for two years, for inspection by the Office of Price Administration.

(b) *Grades and scales.* All original scale records shall show gross and net measurements in diameter and length, and shall designate the type of defect by appropriate symbols.

[Paragraph (b) amended by Am. 15, effective 8-14-44]

(c) *Grade and scale certificate.* On and after August 14, 1944, a scale and grade certificate or statement must accompany every sale of West Coast logs subject to this Regulation. The statement must be in the form customarily used in the particular district and must be signed by the person who scaled and graded the logs, or by the manager of one of the authorized scaling bureaus, and it must indicate the grade and scale of the logs in accordance with the grading and scaling rules set out in Appendix A. A copy of this certificate or statement must be filed within 10 days after the scaling and grading of the logs with the District Office of the Office of Price Administration at Portland, Oregon.

[Paragraph (c) added by Am. 15, effective 8-14-44]

§ 1381.161 *Species and extras not specifically listed.* If a seller wishes to sell or a buyer wishes to buy species of logs not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington, D. C. for approval of a maximum price. He must provide the following information:

(a) The requested price;

(b) A complete description of the item for which approval is desired:

(1) If a species of log, he shall supply a complete description of the grades and the grading rules pertaining to the species;

(2) If an extra, a description of the service performed or the thing for which an extra charge is to be made.

(c) The price differential between it and the most nearly comparable item priced in the regulation, between January 22, 1943, and April 11, 1944, from the seller's or buyer's own records, or if that is not possible, from the experience of other sellers or buyers. If no price differential exists, a detailed analysis of comparative value shall be furnished.

As soon as request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approval may be made by telegram or letter.

If the above directions for getting approval of a requested price for "unlisted" logs are not followed, the seller shall use as his maximum price the lowest price given in the regulation for any log, regardless of species or grade.

[§ 1381.161 added by Am. 15, effective 8-14-44]

§ 1381.162 *Petitions for amendment and adjustment*—(a) *Government contracts.* See Procedural Regulation No. 6[1] for adjustment provisions on certain government contracts or subcontracts.

[Paragraph (a) amended by Supplementary Order No. 83, 9 F.R. 973, effective 2-1-44]

[1] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12234; 9 F.R. 6256.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1, issued by the Office of Price Administration.

[NOTE: Supplementary Order No. 26 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[§ 1381.162, formerly § 1381.161, redesignated by Am. 15, effective 8-14-44]

§ 1381.163 *Enforcement.* (a) Persons violating any provision of this Revised Maximum Price Regulation No. 161 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 161 or any price schedule, regulation or order issued by the Office of Price Administration, are urged to communicate with the nearest District, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

[§ 1381.163, formerly § 1381.162, redesignated by Am. 15, effective 8-14-44]

§ 1381.164 *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1381.164, formerly § 1381.162a, added by Supplementary Order No. 72, 8 F.R. 13344, effective 10-1-43, and redesignated by Am. 15, effective 8-14-44]

§ 1381.165 *Definition.* The term "person" includes an individual, corporation, partnership, association, or any other organized group, their legal successors or representatives; the United States, or any government, or any of their political subdivisions; or any agency of any of the foregoing.

[§ 1381.165, formerly §1381.163, redesignated by Am. 15, effective 8-14-44]

§ 1381.166 *Effective date.* (a) This Revised Maximum Price Regulation No. 161 (§§ 1381.151 to 1381.164, inclusive) shall become effective January 22, 1943.

(b) If logs have been received before January 22, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to the buyer, that shipment is not subject to this revised regulation. It remains subject to the earlier version of this regulation which was in effect at the time the logs were turned over to the carrier.

(c) Notwithstanding any other provision of this revised regulation, the requirements of § 1381.153 (a) and (b) as to delivery shall not apply to No. 1 and No. 2 grades of Sitka Spruce logs produced under the two contracts described below. As to these grades and species of logs produced under these contracts, the maximum prices applying to those logs as listed in the price tables of § 1381.154 shall be f. o. b. rail cars at Forks, Washington, loaded at the seller's expense:

(1) Contract No. 1, dated August 7, 1942, between the State of Washington and Olympic Logging Company (formerly Eagle Logging Company) of Seattle, Washington, covering 2,400,000 ft., log scale, of spruce timber located in Section 30, Township 27 North, Range 10 West, W. M., in Jefferson County, Washington.

(2) Contract No. 3, dated August 7, 1942, between the State of Washington and Noon and Crippen, of Port Angeles, Washington, covering 1,250,000 feet, log scale, of spruce timber located in Section 19, Township 27 North, Range 11 West, W. M., in Jefferson County, Washington.

[Paragraph (c) added by Am. 1, 8 F.R. 2992, effective 3-15-43]

[§ 1381.166, formerly § 1381.164, redesignated by Am. 15, effective 8-14-44]

[RMPR 161 originally issued January 22, 1943]

[NOTE: Effective dates of amendments are shown in notes following the parts affected]

APPENDIX A—GRADING AND SCALING RULES

All west coast logs must be graded and scaled in accordance with the following rules:

(a) *Grading rules.* The following rules set forth the *minimum* requirements for each grade. In grading logs the scale shall not be deducted in content in order to raise the grade; this means that if a log has a defect which is not permissible in a given grade, it may not be placed in that grade by merely deducting the defect from the scale. Logs may be designated as "camp run" where the entire production cut from a particular operation is sold without any prior selection (except wood logs or cull logs) either at the spar-tree, booming and rafting point, or elsewhere. If any graded logs such as peelers, have been segregated from the raft or particular lot of logs, the entire lot must be sold on grade.

[Paragraph headed "Douglas Fir Ponton Logs" deleted by Am. 13, 9 F.R. 5165, effective 5-18-44]

DOUGLAS FIR SAWMILL LOGS

No. 1 Douglas Fir sawmill logs. No. 1 Douglas fir sawmill logs shall be logs which are suitable for the manufacture of lumber in the grades of No. 2 Clear and Better or B and Better to an amount of not less than 50 percent of the scaled contents, and shall not be less than 16 feet in gross length (after allowance for trim) and shall not be less than 30 inches in gross diameter inside the bark at the small end.

No. 1 logs shall be old growth logs and shall contain not less than eight annual rings to the inch in any part of the outer portion of the log equal to one-half of the scale contents, ring count and measurement to be taken at the top end of the log, and shall be straight grained to the extent of a variation for a space of 6 lineal feet equidistant from each end of the log of not more than 1 inch per foot in logs to and including 35 inches in diameter, 1½ inches per foot in logs 36 inches to 50 inches in diameter, 2 inches per foot in logs 51 inches to 60 inches in diameter, 2½ inches per foot in logs 61 inches and over.

Rings, rot, or any other defects that are deducted in the scale are permitted in a No. 1 log providing their size and location do not prevent the log producing the required amount of No. 2 Clear and Better or B and Better lumber. Visible pitch-pockets, rings and knots must be located so that they do not prevent the production of the required amount of No. 2 Clear and Better or B and Better lumber.

No. 2 Douglas Fir sawmill logs. No. 2 Douglas fir sawmill logs shall not be less than 12 feet in length and not less than 12 inches in diameter below the grade of a No. 1 log but which will be suitable in grade:

(a) For the manufacture of lumber in the grades of at least 65 percent No. 1 Common or Better lumber, or

(b) For the manufacture of lumber in the grades of 25 percent No. 2 Clear and Better or B and Better or an equivalent value in combination of grades.

No. 3 Douglas Fir sawmill logs. No. 3 Douglas fir sawmill logs shall be not less than 12 feet in length, having defects which prevent their grading No. 2, but which are suitable for the manufacture of not less than 50 percent of the net scaled contents of the No. 3 Common and Better grades of lumber. Logs in this class shall be scaled down to and including an 8-inch diameter.

Logs having excessive slope of grain and/or logs having an excessive number of visible pitch-pockets shall be included in this grade.

SPRUCE SAWMILL LOGS

Select spruce sawmill logs. Select spruce sawmill logs shall be logs which are suitable for the manufacture of lumber in the grades of No. 2 Clear and Better or B and Better to an amount of not less than 50 percent of the scaled contents, and shall not be less than 16 feet in gross length (after allowance for trim) and shall not be less than 30 inches in gross diameter inside the bark at the small end.

Select logs shall be old growth logs and shall contain not less than eight annual rings to the inch in any part of the outer portion of the log equal to one-half of the scale contents, ring count and measurement to be taken at the top end of the log, and shall be straight grained to the extent of a variation for a space of 6 lineal feet equidistant from each end of the log of not more than 1 inch per foot in logs to and including 35 inches in diameter, 1½ inches per foot in logs 36 inches to 50 inches in diameter, 2 inches per foot in logs 51 inches to 60 inches in diameter, 2½ inches per foot in logs 61 inches and over.

Rings, rot, or any other defects that are deducted in the scale are permitted in a No. 1 log providing their size and location do not prevent the log producing the required amount of No. 2 Clear and Better or B and Better lumber. Visible pitch-pockets, rings and knots must be located so that they do not prevent the production of the required amount of No. 2 Clear and Better or B and Better lumber.

[1] 8 F.R. 12240.

No. 1 Sitka Spruce Logs: (a) No. 1 Sitka spruce logs shall be not less than 26 inches in diameter and suitable for the manufacture of lumber in the grades of 25% No. 2 Clear and Better, or B and Better Clear.

(b) The slope of grain shall not exceed:

1 inch per foot on logs 26" to 35" in diameter.

1½ inch per foot on logs 36" to 50" in diameter.

2 inches per foot on logs 51" to 60" in diameter.

2½ inches per foot on logs 61" and over in diameter.

(c) The rate of growth shall not be less than 8 annual rings per inch in the clear portion of the log at the scaling end.

In addition to the above if the log meets the grade requirements of a Select spruce log in all respects other than slope of grain, such logs may be graded No. 1 providing the slope of grain does not exceed 3 inches per foot.

No. 2 Sitka spruce logs: No. 2 Sitka spruce logs are those which do not meet the above requirements for No. 1 but which qualify as follows:

(a) Shall be not less than 12 feet in length and not less than 16 inches in diameter;

(b) Must be suitable in quality for the manufacture of 65% No. 1 Common or Better lumber

No. 3 Spruce sawmill logs: No. 3 Spruce sawmill logs shall be not less than 12 feet in length, having defects which prevent their grading as No. 2 logs, but which are suitable principally for the manufacture of lumber grades of No. 2 and No. 3 common or box cutting, minimum diameter—10 inches.

Logs having excessive slope of grain and/or logs having an excessive number of visible pitch-pockets shall be included in this grade.

[Paragraphs headed "Douglas Fir Sawmill Logs" and "Spruce Sawmill Logs" amended by Am. 12, 9 F.R. 3848, effective 4-7-44, and Am. 15, effective 8-14-44]

DOUGLAS FIR PEELER LOGS

No. 1 Douglas fir peeler logs. No. 1 Douglas fir peeler logs shall be of Old Growth Fir and meeting the qualifications of a No. 1 sawmill log and must be suitable for the manufacture of clear, uniform colored veneer or plywood stock to an amount of not less than 50 percent of the scaled content, selected for rotary cutting, and which do not contain defects that will prevent their being held and turned in a lathe. No. 1 peeler logs shall be at least 90 percent surface clear.

No. 2 Douglas fir peeler logs. No. 2 Douglas fir peeler logs shall be good quality No. 2 Douglas fir sawmill logs suitable for the manufacture of clear uniform colored veneer or plywood stock to an amount of not less than 35 percent of the scaled content, selected for rotary cutting which do not contain defects that will prevent their being held or turned in a lathe. Slope of grain shall not exceed three inches per lineal foot.

No. 2 peeler logs shall be at least 30 inches in gross diameter inside the bark at the small end and 16 feet or more in length.

No. 2 peeler logs shall contain not less than eight annual growth rings to the inch in the outer portion of the log, equal to 50 percent of the scaled content; all ring count and measurement shall be taken at the top end of the log.

Visible pitch-pockets which do not prevent the production of the required amount of clear face stock are permitted in No. 2 Douglas fir peeler logs. A short piece of ring, not to exceed one-half of a full ring, is permitted in each end of the log, provided that any heart check or spangles are confined to the heart portion of the log.

No. 3 Douglas fir peeler logs. No. 3 Douglas fir peeler logs shall be good quality No. 3 sawmill logs suitable for the manufacture of veneer or plywood stock to be used for center core, cross core and backs, and shall not contain defects that will prevent them being held and turned in a lathe. Minimum length 16 feet, and minimum diameter 24 inches.

Douglas fir peeler blocks. When scaling peeler blocks under 16 feet in length the same scaling and grading rules shall be used as when determining the grade and content of a peeler log, but they shall be graded as No. 1, No. 2, or No. 3 peeler blocks.

[Paragraph headed "Aircraft Grades Noble Fir and Hemlock" deleted by Am. 13, 9 F.R. 5165, effective 8-18-44]

HEMLOCK LOGS

Peeler grade hemlock. Peeler grade hemlock logs shall be suitable for rotary cutting and shall be capable of producing not less than 50 percent No. 2 Clear and Better lumber, of uniform quality, and not less than 16 feet in length and 24 inches in diameter.

No. 1 Hemlock. No. 1 hemlock logs shall be logs of good uniform quality not less than 16 feet in length and 24 inches in diameter. No. 1 logs must be capable of producing not less than 35 percent of the gross content No. 2 Clear and Better lumber.

No. 2 Hemlock. No. 2 hemlock logs shall be logs not less than 12 feet in length and not less than 14 inches in diameter. Logs in this grade must produce not less than 65 percent of the gross contents in No. 1 common lumber.

No. 3 Hemlock. No. 3 hemlock logs shall be logs not less than 12 feet in length and not less than 8 inches in diameter, having defects which prevent them grading No. 2 grade, but which are suitable for the manufacture of not less than 60 percent of the gross contents in the common grades of lumber.

OTHER SPECIES

The foregoing grading rules for peeler and sawmill hemlock shall apply to White Fir, Silver Fir, Noble Fir, and other allied species; with the exception of Aircraft Noble Fir grade. Ponderosa pine logs shall be scaled and graded on the basis of the above rules for hemlock logs.

[Paragraph amended by Am. 13, 9 F.R. 5165, effective 8-18-44]

CEDAR LOGS

Lumber Grade. Lumber Grade Cedar logs shall be such logs 16 feet and over in gross length, 26 inches and over in diameter which are suitable for the manufacture of No. 2 Clear and Better lumber to an amount of not less than 50 percent of the scaled contents. Slabs or parts of large logs, the greater part of which is suitable for the production of one inch No. 2 Clear and Better lumber, can be put into this grade down to and including pieces 14 inches thick provided that the scale content of each slab or part is more than 700 board feet.

Shingle Grade. Shingle grade cedar logs shall be such logs or parts of logs that do not meet the requirements of the Lumber Cedar log grades, but will produce No. 2 twelve inch clear or better shingles or common cedar lumber. For shingle cedar logs having less than 50% of clear cuttings, 24 inches between knots lengthwise of log and less than 10 inches crosswise of log on any quadrant, a reduction in scale shall be made of one inch in diameter for each quadrant so affected if the knots are two inches or less in diameter, and a reduction in scale of two inches in diameter for each quadrant so affected if knots are larger than two inches in diameter.

Any logs having knots over two inches in diameter on more than one quadrant but not on the full two quadrants shall be cut three inches in diameter.

Small Cedar logs under 16" in diameter, when sorted separately, may be scaled on the basis of Common Cedar lumber production.

[Above paragraph added by Am. 9, 8 F.R. 16608, effective 12-13-43]

WESTERN WHITE PINE

No. 1 Grade. Logs shall be 24 inches or over in diameter and 16 feet or over in length. They shall be reasonably straight grained and of a character which in the judgment of the scaler are capable of producing not less than 25 percent of the net scaled contents of C Clear and Better Lumber.

No. 2 Grade. Logs shall be not less than 12 feet in length and not less than 15" in diameter, below the grade of No. 1 log but which will be suitable in grade for the manufacture of lumber principally in the grades of No. 2 Common lumber.

No. 3 Grade. This grade shall consist of logs below the grade of No. 2 and shall be not less than 12 feet long and not less than 6 inches in diameter which will be suitable in grade for the manufacture of the inferior grades of lumber.

[Paragraphs headed Western White Pine added by Am. 8, 8 F.R. 16602, effective 12-13-43]

WOOD LOGS—ALL SPECIES

No. 1 Douglas Fir Wood Logs shall be logs 30 inches and over in diameter, containing sound stain and/or worm holes, that otherwise would meet the requirements of a No. 2 Fir log.

No. 2 Douglas Fir Wood Logs shall be such logs that do not meet the requirements of the above grades but have a net scale lumber content after deductions as specified in the wood log scaling rules of at least 33⅓% of the gross scale.

Wood logs—all other species (except cedar) shall be logs which meet the minimum requirements of the No. 2 Douglas Fir Wood Log Grade.

Culls: Any logs failing to meet the minimum requirements for a No. 2 Fir Wood Log must be culled out.

[Paragraphs headed "Wood Logs—All Species" amended by Am. 12, 9 F.R. 3848, effective 4-7-44]

LONG LOG SCALING AND GRADING

All species—excepting cedar. Long logs are defined as being logs which are 42 feet and over in length.

All long logs, whatever the species, should be scaled to grade, the grade requirement being the same as for short logs. The scale on these logs should be made by using the top diameter for the top log only; second, third and fourth logs should be scaled by adding to the top diameter an allowance of 1 inch for taper in each 10 feet of length.

Logs from 42 to 80 feet inclusive in length shall be scaled as two logs of as nearly equal length in even feet as possible and in case the two logs are not exactly even length in even feet, the longer of the two shall carry the smaller diameter.

Logs from 82 feet to 120 feet inclusive shall be scaled in the same manner except that they shall be scaled as three logs.

Logs in excess of 120 feet shall be scaled in the same manner except that they shall be scaled as four or more logs, it being the intent of having the maximum length of any one log 40 feet.

The scaling or grading of any segment of a long log shall be based entirely on the merits of the segment under consideration.

GENERAL RULES—PEELER LOGS

Slope of grain:
All grades: As defined in rule.
Pitch-pockets and hard pitch:
No. 1 peeler: Will allow some well-scattered pitch-pockets and/or hard pitch streaks, if in the judgment of the scaler, the number and character will not prevent the recovery of the required amount of No. 2 Clear or B Clear and/or Better.
No. 2 peeler: Permitted to an extent that they do not prevent the production of the required amount of clear face stock.
Core: Will allow to an amount not quite sufficient to justify de-grading to a No. 3 sawmill log.
Burls or knot clusters:
All grades: Permissible if so located that standard peeler blocks can be obtained on either side of defect.
Pitch rings:
All grades: Permissible if parts of rings are so located that the required peelable content can be obtained with a minimum of waste at the lathe. Complete rings allowable if located in sap area or within the heart area of the log.
Breaks:
All grades: Permissible if the defect can be eliminated by a normal deduction of up to ½ of the log length.
Heart checks, cross checks, crow's foot, or flaky heart:
All grades: Permissible if not in conjunction with pitch-rings or breaks to a degree that makes the resulting peeler blocks unsuitable for turning.
Sound stain:
All grades: Permissible if veneer stock of the quality and amount required for that specific grade is obtainable from the log in question.
Heart off-center:
All grades: Shall be a determining factor in grading peelable logs only when, in the judgment of the scaler, the heart off-center, in conjunction with other defects, renders the log impracticable for peeling.

GENERAL RULES—WOOD LOGS

A log that in the judgment of the scaler is a Wood Log as defined for the particular species shall be scaled for its net lumber content exclusive of bark, under the following deduction requirements:

Diameters: Take full diameter inside the bark or decayed sap at the top end of the log.

Lengths: Where logs have bucked ends, the standard gross lengths shall be used.

Where logs have badly broken or shattered ends, the lengths on such logs shall be taken inside the breakage to a point that will yield that longest, usable, standard length log or block.

Deductible defects: Any portion of a wood log that will not produce No. 4 or better lumber shall have the unsuitable portion of the log eliminated by sufficient deduction. Such defects are:

Hollow ends
Badly decomposed wood originating from Butt-rot, Top-rot or conk
Slab breaks
Shatter breaks
Saddle-burns
Rotted spots that penetrate beyond the normal sap
Excessive roughness or pitch-rings that will not permit the production of lumber.

Permissible defects:

Pitch-rings
Firm stain
Firm conk
Knots
Worm holes
Straight splits
Heart checks
Cross checks

[Paragraphs headed "General Rules—Wood Logs" added by Am. 12, 9 F.R. 3848, effective 4-7-44]

GENERAL RULES—OTHER LOGS

Log diameters. Log diameters shall be measured inside the bark at the small end of the log with the scale stick held in the vertical position except in cases in which damage to the log, or knots, burls, depressions, etc., prevent taking a correct diameter measurement. In the latter cases, the diameter is to be taken in as nearly a vertical position as possible. The actual scale shall be in accordance with either the Spaulding Log Rule or the Revised Scribener Decimal C Log Rule.

Log lengths. To allow for trimming, the actual minimum lengths of each log shall exceed the stated length as follows:

	Inch trim
40 feet and under	8
42 feet to 50 feet	10
52 feet to 60 feet	12
62 feet to 70 feet	14
72 feet to 80 feet	16
82 feet to 90 feet	18
90 feet and over	20

Length measurement to be taken on the short side of the log.

For example, to meet a minimum length requirement of 16 feet, the log must measure not less than 16 feet 8 inches.

(b) *Scaling rules or instructions to scalers.*

(1) The scaler must exercise independent judgment in fulfilling his duties.

[Subparagraph (1) amended by Am. 15, effective 8-14-44]

(2) The log scaler's duties shall include a careful study of the natural defects of the different logs produced by the districts in which he works. A scaler shall also note carefully any other defect, such as breaks or damage caused in the process of felling, bucking, or any other part of the logging operation. The ability to judge what a log will produce in the finished product, as to grade, also requires a general knowledge of the manufacture of lumber.

(3) Scalers shall spend sufficient time at the mills to compare their scaling with the results obtained in manufacturing the logs. For the purpose of identification, logs to be observed shall be marked in accordance with the scale bill before they are sawed.

(4) Each log shall be scaled individually upon its own merits. After careful examination of any log, if no waste or defect is found, such log shall be scaled at its full diameter inside the bark, and full length with necessary trim. When waste or defect is found in any log, a deduction in scale shall be made which will completely eliminate the waste.

(5) All deductions shall be made in inches in diameter and feet in length. When required original scale records shall show full and net measurements in diameter and length, and designate the type of defect by specified symbols. In grading logs the scale shall not be deducted in content in order to raise the grade. When scaling bleached logs, or logs covered with dirt, the spud on the scaling stick shall be used to chop into the end of the log to uncover any hidden defect. In measuring the diameter of a log, any fraction over the inch is to be dropped.

(6) A reduction in length shall be made for defects such as end brooming, breakage, crook, stump shake, dry rot, sweep, split, stump rot, pitch spangle, conk or other advanced decay.

(7) Reduction in diameter shall be made for defects, such as sap rot, cat face, roughness, season checks, pitch rings and heart checks.

(8) Any logs so rough that the side cut will not produce No. 2 Common or Better lumber shall have deduction in scale of a sufficient amount to eliminate the No. 3 Common lumber in squaring up the log. This rule is to be applied only to extremely rough logs, especially knotty tops, and does not imply deductions on sound tight knotted logs.

(9) Logs with sap rot, sap stain and surface weather checks shall show the gross and net diameters. The net diameter shall be taken inside the defects, and the log graded on the quality of the net volume scaled.

(10) Broken ends and bucking breaks shall be allowed for in the scale by measuring only such part of the log as is free from break, in even feet in length. Care must be taken to see that the scaled part of the log represents the actual part of the log suitable for the production of lumber. Deduction for broken logs shall be sufficient for the waste involved. Deduction for splits in falling which show in the butt, or large end, shall be made as follows:

In large logs, and in logs containing excessive taper, straight splits through the heart shall be eliminated by reductions from diameter in the same manner as for heart checks. Reductions for badly split, or stump shot ends, are made by reductions in length of sufficient amount to eliminate the waste.

(11) Logs containing grub worms shall have the portion containing such defect eliminated from the scale, and the remaining portion shall be graded according to the class of lumber it will produce.

(12) A pitch ring in a log causes a loss in the amount of lumber produced according to its location. A general rule to be used as a basis for deductions for pitch rings is as follows:

A deduction of 1 inch from the diameter for each half ring or less visible in one end of the log only, and a deduction of 2 inches when visible in both ends. A deduction of 2 inches for a complete ring visible in one end of the log only, and a deduction of 4 inches when visible in both ends. The exceptions to this basic rule are as follows:

(i) A log containing a pitch ring 3 inches or less from the perimeter shall be scaled by taking the diameter inside the ring.

(ii) A deduction of 1 inch shall be made for a pitch ring located in the heart of the log, when in one end only, and a deduction of 2 inches when the ring extends through the log. Inner one-third the diameter of the log is to be considered as the heart area.

(iii) An open pitch ring located in the clear portion of the log where it causes the maximum amount of waste may, in the judgment of the scaler, receive an additional deduction of 1 inch when visible in one end only, and an additional deduction of 2 inches when such defect extends through the log.

(13) One inch is deducted for an open check in one end, or a straight close check showing in both ends. Two inches for cross checks, or double checks showing in one end, four inches if showing in both ends. Heart checks are often an indication of flaky heart. Deduction shall be made for waste caused thereby. For spangles, a cut in length shall be made in proportion to the amount of the log actually affected.

(14) In any No. 1 log where the maximum twist allowable prevails, the log shall be otherwise free from any other grade defects.

Rescales or check scales. If either the buyer or seller is dissatisfied with the scale or grade of any logs which have been scaled or graded, either party may call for a rescale. If the original scale was made by an Authorized Bureau, the request for rescale shall be made to that Bureau which shall notify in writing both the buyer and the seller of such request and the approximate date of such rescale which shall be made by the Chief Scaler of the Bureau. If the original scale was made by a person other than a Bureau scaler, the buyer and seller shall select another authorized scaler to perform the rescale; if they cannot agree on the selection of the rescaler, they may request the district office of the Office of Price Administration at Portland, Oregon, to select one from the authorized list. In either instance, the rescale shall be made without representation from either the buyer or seller and the rescale shall be the final scale and grade for the particular lot of logs.

The cost of the rescale shall be determined by agreement between the buyer and seller in accordance with past custom. If an Authorized Bureau is involved in the rescale, the cost shall be borne in accordance with the usual practice of that Bureau.

[Appendix A added by Am. 7, 8 F.R. 11509, effective 8-24-43]

APPENDIX B—APPROVED SCALERS AND GRADERS

The approved grading and scaling bureaus and the approved independent graders and scalers are:

Pudget Sound Log Scaling and Grading Bureau, Seattle, Washington.

Grays Harbor Log Scaling and Grading Bureau, Aberdeen, Washington.

Columbia River Log Scaling and Grading Bureau, Portland, Oregon.

Archer, William R., P. O. Box 1127, Bunker Hill Station, Marshfield, Oregon.

Arvey, William A., 911 Lowman Bldg., Seattle, Washington.

Calavan, Mac, 122 Cowing Street, Silverton, Oregon.

Campbell, Everett, Cascade Log Scaling Bureau, Sweethome, Oregon.

Carney, T. O., Lumberman's Bldg., Portland, Oregon.

Cox, J. E., Mapleton, Oregon.

Day, Rube, Marshfield, Oregon.

Edlund, J. V., Morton, Washington.

Eskola, Garfield, 4214 N. Borthwick Ave., Portland, Oregon.

Evanson, Frank T., Olympic Log Scaling Bureau, Aberdeen, Washington.

Fesum, Howard, Cascade Log Scaling Bureau, Sweethome, Oregon.

Foster, Charles L., Route 4, Eugene, Oregon.

Fowler, Freeman, 205 W. 5th Street, Tillamook, Oregon.

Fransen, Fred W. 3016 N. 19th Street, Tacoma, Washington.

Greene, Raleigh D., Marshfield, Oregon.

Handler, J. F. Jr., 237 Pittock Block, Portland, Oregon.

Haugen, Howard E., Roseburg, Oregon.

Herlihey, Roy, 237 Pittock Block, Portland, Oregon.

Jennings, E. W., East Burcham Street, Kelso, Washington.

Johnson W. G., Pacific Log Scaling Bureau, 4234 S.W. Macadam Avenue, Portland, Oregon.

Kinder, W. J., 237 Pittock Block, Salem, Oregon.

Lamb, H. C., 1625 S.E. 39th Avenue, Portland, Oregon.

Lawrence, Elmer T., 2301 S.E. 39th Avenue, Portland, Oregon.

Lindsell, William C., 1003 Columbia Street, Olympia, Washington.

McIntyre, R. W., 406 Rust Bldg., Tacoma, Washington.

Morgan, Kiry, 237 Pittock Block, Portland, Oregon.

Morgan, Griffith, 690 5th Street, Astoria, Oregon.

Oswald, Henry J., 237 Pittock Block, Portland, Oregon.

Oswald, William M., 237 Pittock Block, Portland, Oregon.

Palmerton, Sam, Idanha, Oregon.

Patchell, Frank, Cascade Log Scaling Bureau, Sweethome, Oregon.

Rahm, S. J., P. O. Box 131, Morton, Washington.

Rhoades, C. B., Olympia, Washington.

Rowe, S. S., 2205 Second Avenue, Seattle, Washington.

Schnieder, A. V., 237 Pittock Block, Portland, Oregon.

Scott, W. R., 237 Pittock Block, Portland, Oregon.

Sheridan, Clyde E., P. O. Box 143, Olympia, Washington.

Smith, Irving, Jr., 205 W. 5th Street, Tillamook, Oregon.

Trattner, Harold J., 205 West 5th Street, Tillamook, Oregon.

Waldner, Henry A., 2526 N.E. 29th Avenue, Portland, Oregon.

[Appendix B added by Am. 15, effective 8-14-44]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11859; Filed, August 8, 1944; 11:24 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 139]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respect:

Section 1394.7851 (b) (2) (v) is revoked.

This amendment shall become effective August 15, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11853; Filed, August 8, 1944; 11:25 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[2] Amdt. 40]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.241, Schedule A, Table IV is amended by inserting between the next to the last and the last item, the following item:

Product	Unit (quantity of fruit) (Pounds)	Quantity of sugar allowed in pounds per unit of fruit. Packed in containers of 20-lb. weight or greater	Packed in wrapped packages
Mixed Fruit, Fruit Cocktail, or Fruits for Salads	8	1	1

This amendment shall become effective August 12, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11854; Filed, August 8, 1944; 11:25 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING STANDARD BROADCAST STATIONS

NOTE: The "Standards of Good Engineering Practice Concerning Standard Broadcast Stations (550-1600 k. c.) effective August 1, 1939 (revised to July 20, 1940)," has been filed with the Division of the Federal Register.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 223]

CONSTRUCTION MATERIALS FOR ARMY AIR BASE, WOODLAWN, NEBR.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of August, A. D. 1944.

It appearing that shipments of sand, gravel, or aggregates in carloads originating at South Bend, Nebraska, and destined to Army Air Base, Woodlawn, Nebraska, for use on government construction at Woodlawn are being weighed on railroad track scales, thus impeding the use, control, supply, movement, and distribution of cars; in the opinion of the Commission an emer-

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

[2] 8 F.R. 1433, 1594, 2233, 2626, 3626, 3681, 3513, 3579, 3847, 3944, 4090, 4360, 4474, 4880, 5220, 5244, 5166, 5426, 5846.

gency exists requiring immediate action to avoid a shortage of equipment and congestion of traffic: It is ordered, That:

Carloads of sand, gravel, or aggregates destined to Woodlawn, Nebraska, for use on government construction at the Army Air Base, not to be weighed. (a) No common carrier by railroad subject to the Interstate Commerce Act shall weigh, or permit to be weighed, any shipment of sand, gravel, or aggregates in carloads, on any railroad track scales when such traffic originates on or after the effective date of this order at South Bend, Nebraska, and is destined to Woodlawn, Nebraska, for use on government construction at the Army Air Base, except that a representative number, not to exceed 15 percent of the number of cars shipped, may be weighed to obtain average weights. The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(b) *Announcement of suspension.* Each of such railroads shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 announcing the suspension of provisions in such tariffs conflicting with this order. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 5:00 p. m., August 7, 1944, and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–11851; Filed, August 8, 1944; 11:21 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G–559]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

ORDER FIXING DATE OF HEARING

AUGUST 7, 1944.

Upon consideration of the application filed on July 3, 1944, by the Kansas-Nebraska Natural Gas Company, Inc., a Kansas corporation having its principal place of business at Phillipsburg, Kansas, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 16 miles of 12¾-inch O. D. natural gas steel pipe line extending from its compressor station west of Stockton, in Rooks County, Kansas, northwardly adjoining the route of its existing 6⅝-inch O. D. natural gas pipe line to replace the latter, and to remove and abandon the 6⅝-inch pipe line;

The Commission *orders,* That: (a) A public hearing be held, commencing on August 18, 1944, at 9:45 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(b) Interested State Commissions may participate in this hearing, as provided in section 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–11860; Filed, August 8, 1944; 11:44 a. m.]

[Docket No. G–564]

CANADIAN RIVER GAS CO.

NOTICE OF APPLICATION

AUGUST 8, 1944.

Notice is hereby given that on August 3, 1944, an application was filed with the Federal Power Commission by Canadian River Gas Company ("Applicant"), a Delaware corporation, having its principal place of business in Amarillo, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to install and operate a 600 horsepower gas engine driven natural gas compressor, a 125 kva gas engine driven electric generator, and other necessary equipment in its Dalhart Compressor Station near Dalhart, Texas, all of which are more fully described in its application.

Applicant asserts that the installation of the above facilities is to assure maintenance of existing natural gas deliveries to Colorado Interstate Gas Company on peak days, which company, in turn, sells such gas for resale in Pueblo, Colorado Springs, Denver, and other communities in Colorado, to Colorado-Wyoming Gas Company, and to Colorado Fuel and Iron Company and other industrial consumers for their own consumption in the State of Colorado.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 26th day of August 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–11861; Filed, August 8, 1944; 11:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3769]

DAIJINGU TEMPLE

In re: Real property and bank account owned by Daijingu Temple of Hawaii.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the Daijingu Temple of Hawaii is a non-stock membership corporation organized under the laws of the Territory of Hawaii, whose address is 1503 Liliha Street, Honolulu, T. H.;

2. That the Daijingu Temple of Hawaii is acting or purporting to act directly or indirectly for the benefit, or on behalf of, a designated enemy country (Japan), and that it is a national of a designated enemy country (Japan);

3. That the Daijingu Temple of Hawaii is the owner of the property described in subparagraph 4 hereof;

4. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, and real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described as:

All of that certain parcel of land (portion of the land described in Land Patent Grant Number 4617 to W. P. Thomas), situate, lying and being at Wahiawa, in the District of Wahiawa, being Lot Number Twelve (12) of the tract of land known as the "Yamato Tract", as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number Two Hundred Eighty One (281),

together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain bank account with the Bishop National Bank of Hawaii, Wahiawa Branch, which is due and owing to, and held for the Daijingu Temple of Hawaii, in the name of "Wahiawa Shibu (Branch) Daijingu"; including but not limited to all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 4–b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 4–a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And determining that the Daijingu Temple of Hawaii is controlled by, or acting for or on behalf of, a designated enemy country (Japan), or a person within such country, and is a national of a designated enemy country (Japan);

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 4–b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First: All of that certain parcel of land (portion of the land described in and covered by Royal Patent Number 7197, Land Commission Award Number 1173, Apana 1 to Leau), situate, lying and being on the Southeast side of Liliha Street at Koiulu, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at a point on the Southeast side of Liliha Street, and at the north corner of the land conveyed by W. H. Crawford and wife to Robert W. Shingle by deed dated October 25th, 1911, said North corner being North 311.25 feet East, and 392.3 feet from a Government Survey Street Monument near the East corner of Vineyard and Liliha Streets, and running by true azimuths:

1. 327°25' 137.8 feet along a fence;
2. 46°58' 43 feet along a fence;
3. 142°51' 139.2 feet along land conveyed to W. H. Crawford;
4. 230°03' 58.8 feet along Liliha Street to the point of beginning.

Second: All of that certain parcel of land (portion of the land described in and covered by Royal Patent Number 7197, Land Commission Award Number 1173, Apana 1 to Leau and also a portion of the land described in and covered by Land Commission Award Number 6236 to Kaaiawaawa), situate, lying and being on the Southeast side of Liliha Street at Koiulu, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at the southeast side of Liliha Street at the North corner of land conveyed to Charles Long by D. P. Trus by deed dated March 20, 1876, said initial point being North 311.25 feet and East 392.3 feet from a Government Street Monument near the East corner of Vineyard and Liliha Streets, and running by true azimuths:

1. 327°33' 138.0 feet along fence along aforesaid land conveyed to Charles Long;
2. 46°58' 79.0 feet along same;
3. 319°30' 99.1 feet along fence along L. C. A. 7129 to Kamohoula;
4. 235°31' 47.0 feet along Kauluwela, L. C. A. 7713 Ap. 49 to V. Kamamalu;
5. 229°40' 91.2 feet along fence along L. C. A. 2099, Ap. 1 to Kalewemauuu;
6. 147°06' 345.9 feet along fence along Grant 180 to Kekuapanio;
7. 50°02' 72.2 feet along Liliha Street to the initial point.

Excepting and reserving from the above described parcels of land ("First" and "Second") all those portions thereof conveyed by the Trustees of the Dai Jingu Temple of Hawaii, an eleemosynary corporation, to the City and County of Honolulu, a municipal corporation, by Deed dated November 18th, 1925 and recorded in said Registry Office on December 24th, 1925 at 9:35 o'clock A. M. in Liber 804, Pages 167–169, to-wit:

"Beginning at the southwest corner of this piece of land on the new southeast line of Liliha Street, the true azimuth and distance to the new east corner of Liliha and Vineyard Streets being 50°35'20" 436.32 feet, and from a Government Survey Street Monument, near the East corner of Liliha and Vineyard Streets, the true azimuth and distance to the new east corner of Liliha and Vineyard Streets being 286°00' 18.18 feet said monument is on an offset of 15 feet to the new Southeast side of Liliha Street, and on an offset of 10 feet to the northeast side of Vineyard Street, and running by true azimuths from the above described initial point:

1. 141°40' 4.30 feet along fence to the present southeast line of Liliha Street;
2. 229°53' 58.8 feet along the present southeast line of Liliha Street;
3. 230°03'30" 62.2 feet along same;
4. 327°06' 5.27 feet along fence along the southwest side of Lane to the new southeast line of Liliha Street;
5. 50°25'20" 115.44 feet along the new southeast line of Liliha Street to the point of beginning and containing an area of 557 square feet.

Same being a portion of L. C. A. 1173 Apana 1 to Leau and a portion of L. C. A. 6236 Apana 6 to Kaaiawaawa, situated on the southeast side of Liliha Street, Honolulu, Oahu, T. H."

[F. R. Doc. 44–11761; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3923]

FREDERIK F. BIERLEE

In re: Unfiled Patent Applications of Frederik F. Bierlee.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Frederik F. Bierlee is a citizen of and resident of Netherlands East Indies and is a national of a foreign country (Netherlands East Indies);

2. That the property identified in subparagraph 3 hereof is property of Frederik F. Bierlee;

3. That the property described as follows: Patent applications identified as follows:

TC Number, Inventor and Title.

1088, Frederik F. Bierlee, Metal puppets.
1090, Frederik F. Bierlee, Hair comb.
1091, Frederik F. Bierlee, Radio receiver,

is property of a national of a foreign country (Netherlands East Indies);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11762; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3924]

HEINRICH GOCKEL

In re: Interest of Heinrich Gockel in an agreement with Horace M. Weir.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Gockel is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Heinrich Gockel;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Heinrich Gockel by virtue of an agreement dated July 23, 1938 (including all modifications thereof and supplements thereto, if any) by and between Dr. Heinrich Gockel and Horace M. Weir, which agreement relates, among other things, to United States Letters Patent No. 2,297,212,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11763; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3925]

I. G. FARBENINDUSTRIE A. G.

In re: 44 patents of I. G. Farbenindustrie Aktiengesellschaft.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patents which are identified as follows:

Patent No., Date, Inventor and Title

Re. 17,548, 12-31-29, Richard Michel, condensation products from olefines and hydrocarbons of the Naphthalene series and process of making same.

1,602,500, 10-12-26, Max Nuss, continuous-absorption apparatus.

1,614,615, 1-18-27, Josef Jannek, G. Wietzel, et al., recovery of volatile substances.

1,656,572, 1-17-28, Hermann Sigismund Schultze, method of agglomerating pulverulent materials.

1,679,256, 7-31-28, Carl Muller, W. Frankenburger, F. Grassner, purifying organic liquid.

1,682,588, 8-28-28, Gustav Wietzel, F. Stoewener, production of dry gases.

1,695,666, 12-18-28, Karl Schirmacher, F. Stolz, H. Schlichenmaier, W. Krohs, process of producing a new catalyst.

1,696,358, 12-25-28, Wolf J. Muller, H. Carstens, J. Drucker, process for the extraction and drying of jellies.

1,704,751, 3-12-29, Martin Luther, H. Jochheim, separation of compounds from mixtures of oxygen-containing organic compounds.

1,744,180, 1-21-30, Eduard Tschunkur, A. Klamroth, process for the publication of synthetic methyl alcohol.

1,776,920, 9-30-30, Alwin Mittasch, M. Muller-Cunradi, iron carbonyl compositions and their manufacture.

1,783,662, 12--2-30, Karl Marx, H. Behncke, K. Brodersen, highly-active catalyst.

1,791,562, 2-10-31, Fritz Hofmann, C. Wulff, cracking oils.

1,796,766, 3-31-31, Fritz Stoewener, manufacture of active adsorbents.

1,802,155, 4-21-31, Martin Muller-Cunradi, A. Kossuth, stable iron carbonyl composition.

1,806,690, 5-26-31, Gerhard Kroner, F. W. Stauf, process for the regeneration of active silica gel.

1,813,478, 7-7-31, Leonid Andrussow, P. Duerr, production of catalysts.

1,814,493, 7-14-31, Adolf Pfannenstiehl, H. Kautsky, catalyst for chemical reactions.

1,815,781, 7-21-31, Gerhard Kroner, manufacture of finely divided active carbon.

1,815,790, 7-21-31, Karl Marx, H. Behncke, H. Zobel, manufacture of finely subdivided metals.

1,816,525, 7-28-31, Richard Gutensohn, process of washing gases and vapors.

1,822,358, 9-8-31, Richard Michel, process of separating ethylene from the higher homologues thereof in gaseous mixtures containing olefines.

1,830,705, 11-3-31, Karl Marx, H. Behncke, K. Brodersen, catalysts.

1,832,153, 11-17-31, Fritz Stoewener, manufacture of inorganic active masses.

1,836,927, 12-15-31, Eduard Linchk, H. Hauber, removal of acetylene from gases.

1,860,624, 5-31-32, Karl Sauerwein, production of ethylene from acetylene.

1,870,357, 8-9-32, Alfred Dierichs, new catalyst.

1,871,051, 8-9-32, Hans Franzen, distillation.

1,882,816, 10-18-32, Max Hagedorn, process of enhancing the viscosity of technical oils.

1,889,157, 11-29-32, Julius Soll, C. Runkel, process of chlorinating hydrocarbons.

1,894,792, 1-17-33, Leo Schlecht, H. Roetger, manufacture of valuable products from gaseous unsaturated hydrocarbons.

1,899,339, 2-28-33, Ludwig Klebert, process for the preparation of granulated active charcoal.

1,917,323, 7-11-33, Mathias Pier, R. Wietzel, K. Winkler, producing oxygenated organic compounds.

1,934,123, 11-7-33, Fritz Hofmann, A. Michael, process for the manufacture of condensation products from diolefines and hydrocarbons.

1,962,564, 6-12-34, Friedrich Kuhrmann, O. Siebert, fluorescent hydrocarbon.

1,986,339, 1-5-35, Fritz Winkler, H. Haeuber, production of valuable hydrocarbons from gaseous hydrocarbons.

2,005,840, 6-25-35, Rudolf Engelhardt, insulating material.

2,067,331, 1-12-37, Josef M. Michel, anti-knocking motor fuel.

2,067,511, 1-12-37, Georg Stern, W. Hoess, recovery of valuable products from hydrocarbons.

2,071,521, 2-23-37, Hans Hartmann, H. Rabe, production of fluorescence producing substances soluble in hydrocarbon oils.

2,087,614, 7-20-37, Ernst Burgin, binding agent for road construction.

2,090,394, 8-17-37, Alfred Sirot, G. Wick, tars for use in road construction.

2,095,508, 10-12-37, Friedrich Meidert, process of manufacturing naphthenates.

2,113,144, 4-5-38, Alfred Sirot, tars for use in road construction.

[F. R. Doc. 44–11764; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3926]

ERICH KNOLLER

In re: Interest of Erich Knoller in agreements with General Motors Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Erich Knoller is a resident of Vienna, Austria (Germany) and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Erich Knoller;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Erich Knoller by virtue of two agreements each dated August 30, 1930 (including all modifications thereof and supplements thereto, if any) by and between Erich Knoller and General Motors Corporation, which agreements relate, among other things, to Patent No. 1,656,508,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11765; Filed, August 7, 1944; 11:32 a. m.]

[Vesting Order 3927]

KONRAD KURS

In re: Interest of Konrad Kurs in an agreement with Hastings & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Konrad Kurs is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Konrad Kurs;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Konrad Kurs by virtue of an agreement dated June 6, 1936 (including all modifications thereof and supplements thereto, if any) by and between Konrad Kurs and Hastings & Company, which agreement relates, among other things, to certain United States Letters Patent,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11766; Filed, August 7, 1944; 11:32 a. m.]

[Vesting Order 3928]

MANTELET ET BOUCHER

In re: Interest of Mantelet et Boucher (Societe en nom Collectif) in an agreement with Foley Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Mantelet et Boucher (Societe en nom Collectif) is a business organization organized under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Mantelet et Boucher (Societe en nom Collectif);

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Mantelet et Boucher (Societe en nom Collectif) by virtue of an agreement dated January 4, 1934 and March 6, 1934 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a supplemental agreement dated November 3, 1934 and April 28, 1935, and a further supplemental agreement entered into by correspondence and relating to Patent No. 2,054,038) by and between the said Mantelet et Boucher (Societe en nom Collectif) and Foley Manufacturing Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,921,936,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11767; Filed, August 7, 1944; 11:32 a. m.]

[Vesting Order 3929]

ALEXANDER MELCHIOR

In re: Interest of Alexander Melchior in an agreement with General Motors Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Alexander Melchior is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Alexander Melchior;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Alexander Melchior by virtue of an agreement dated November 4, 1932 (including all modifications thereof and supplements thereto, if any) by and between Alexander Melchior and General Motors Corporation, which agreement relates, among other things, to Patent No. 2,095,569,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11768; Filed, August 7, 1944; 11:32 a. m.]

[Vesting Order 3930]

GIUSEPPE PECAR

In re: Unfiled patent application of Giuseppe Pecar.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Giuseppe Pecar is a citizen of Italy and a resident of France and is a national of foreign countries (Italy and France);

2. That the property identified in subparagraph 3 hereof is property of Giuseppe Pecar;

3. That the property described as follows:

The unfiled patent application identified as follows:

TC Number, Date, Inventor, and Title

1093, 7–13–39, Giuseppe Pecar, hinge for fastening or locking devices, particularly suitable for furniture.

together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such application,

is property of a national of foreign countries (Italy and France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11769; Filed, August 7, 1944; 11:33 a. m.]

[Vesting Order 3931]

SIEMENS & HALSKE A. G.

In re: Interest of Siemens & Halske Aktiengesellschaft in an agreement dated November 1, 1938 with Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Siemens & Halske Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens & Halske Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens & Halske Aktiengesellschaft by virtue of an agreement dated November 1, 1938 (including all modifications thereof and supplements thereto, if any) by and between Westinghouse Electric & Manufacturing Company and Siemens & Halske Aktiengesellschaft, which agreement relates, among other things, to Patent Number 1,940,300,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11770; Filed, August 7, 1944; 11:33 a. m.]

[Vesting Order 3932]

KALMAN VON KANDO

In re: Interests of the heirs of Kalman von Kando in an agreement between Kalman von Kando and Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kalman von Kando, deceased, was a citizen and resident of Hungary and was a national of a foreign country (Hungary);

2. That all of the executors, administrators, heirs and assigns of Kalman von Kando are residents of Hungary and are nationals of a foreign country (Hungary) or, if they are not residents of such foreign country, are acting with respect to the property described in subparagraph 4 hereof for the benefit of a resident of such foreign country and are to that extent nationals of such foreign country;

3. That the property described in subparagraph 4 hereof is property of the executors, administrators, heirs and assigns of Kalman von Kando;

4. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Kalman von Kando by virtue of an agreement dated December 3, 1926 (including all modifications thereof and supplements thereto, if any) by and between Kalman von Kando and the Westinghouse Electric & Manufacturing Company, relating, among other things, to United States Letters Patent No. 1,871,286,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11771; Filed, August 7, 1944; 11:33 a. m.]

[Vesting Order 3944]

BURMEISTER & WAIN'S MASKIN-OG-SKIBSBYGGERI

In re: Patents and interest of Burmeister & Wain's Maskin-og-Skibsbyggeri in agreements with Nordberg Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Burmeister & Wain's Maskin-og-Skibsbyggeri is a corporation organized under the laws of and having its principal place of business in Denmark and is a national of a foreign country (Denmark);

2. That all of the individuals to whom reference is made in the column headed "Inventors" in Exhibit A attached hereto and made a part hereof are residents of Denmark and are nationals of a foreign country (Denmark);

3. That the patents described in subparagraph 5 (a) hereof are property of Burmeister & Wain's Maskin-og-Skibsbyggeri and/or the persons whose names appear in the column headed "Inventors" opposite the respective numbers thereof in said Exhibit A;

4. That the property described in subparagraph 5 (b) hereof is property of Burmeister & Wain's Maskin-og-Skibsbyggeri;

5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Burmeister & Wain's Maskin-og-Skibsbyggeri by virtue of an agreement dated September 1, 1936 (including all modifications thereof and supplements thereto, including, but not by way of limitation, supplemental agreements dated respectively July 18, 1938 and November 1, 1939) by and between said Burmeister & Wain's Maskin-og-Skibsbyggeri and Nordberg Manufacturing Company, which agreement relates, among other things, to certain United States Letters Patent,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Denmark);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor, and Title

1,747,935, 2-18-30, Torkild V. Hemmingsen, fuel valve for internal-combustion engines.

1,759,367, 5-20-30, Ove Petersen, injection valve for internal combustion engines.

1,792,444, 2-10-31, Ove Petersen, double-acting internal combustion engines.

1,803,250, 4-28-31, Torkild V. Hemmingsen, internal combustion engine.

1,823,399, 9-15-31, Torkild V. Hemmingsen, scavenging for two-stroke I. C. engines.

1,841,764, 1-19-32, Einar Solver, gudgeon pin especially for trunk pistons in I. C. engines.

1,875,457, 9–6–32, Torkild V. Hemmingsen, cooling device for injection nozzles of I. C. engines.

1,900,605, 3-7-33, Torkild V. Hemmingsen, controlling device for controlling pistons of internal combustion engines.

1,904,056, 4-18-33, Viggo A. Kjaer, reversible rotary blower or pump.

1,916,482, 7-4-33, Viggo A. Kjaer, yieldable gearing.

1,925,755, 9-5-33, Torkild V. Hemmingsen, shaft angularity adjusting device.

1,943,143, 1-9-34, Ove Petersen, double-acting internal combustion engine.

1,958,148, 5-8-34, Viggo A. Kjaer, device for counter-balancing or diminishing the vibrations occurring in the stationary parts of engine plants and the like.

2,002,115, 5-21-35, Viggo A. Kjaer, resilient coupling.

2,028,459, 1-21-36, Viggo A. Kjaer, device for reducing torsional vibrations in shafts.

2,049,841, 8-4-36, Viggo A. Kjaer, chain.

2,103,161, 12-21-37, Viggo A. Kjaer, lubricating device for driving chains.

2,116,025, 5-3-38, Torkild V. Hemmingsen, engine speed governor.

2,116,192, 5-3-38, Per Draminsky, elastic coupling.

2,217,549, 10-8-40, Torkild V. Hemmingsen, valve spring for engines.

2,217,550, 10-8-40, Torkild V. Hemmingsen, crankshaft.

2,219,093, 10-22-40, Otto Lund and Ove Petersen, two-stroke I. C. engine.

2,223,898, 12-3-40, Ove Petersen and Einar Solver, two-stroke internal combustion engine.

2,248,681, 7-8-41, Torkild V. Hemmingsen, welded frame and bedplate for vertical piston machines.

2,250,376, 7-22-41, Torkild V. Hemmingsen, cylinder construction for I. C. engines.

2,250,378, 7-22-41, Adolf Houmoller, cylinder construction for I. C. engines.

2,254,410, 9-2-41, Haakon C. H. Andresen, multicylinder, single-acting, two-stroke-cycle internal combustion engine of the cross-head type.

[F. R. Doc. 44-11772; Filed, August 7, 1944; 11:33 a. m.]

[Vesting Order 3945]

SIEMENS-SCHUCKERTWERKE A. G.

In re: Patent and interest of Siemens-Schuckertwerke A. G. in agreements with Benson Super-Power Corporation and Westinghouse Electric and Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Richard Biersack and Karl Schroder are citizens and residents of Germany and are nationals of a foreign country (Germany);

2. That Siemens-Schuckertwerke A. G. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5a hereof is property of Richard Biersack and Karl Schroder;

4. That the property described in subparagraphs 5b and 5c hereof is property of Siemens-Schuckertwerke A. G.;

5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

2,037,493, 4-14-36, Richard Biersack and Karl Schroder, heavy duty steam generators.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens-Schuckertwerke A. G. by virtue of an agreement marked "B" and dated October 21, 1937 (including all modifications thereof and supplements thereto, if any) by and between Siemens-Schuckertwerke A. G. and Benson Super-Power Corporation, relating, among other things, to certain United States Letters Patent, including Patent No. 2,037,493.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Internationale Benson-Patent-Verwertungs A. G. by virtue of a letter agreement dated October 14 and 16, 1933 (including all modifications thereof and supplements thereto, if any) by and between Internationale Benson-Patent-Verwertungs A. G. and Westinghouse Electric and Manufacturing Company, relating, among other things, to certain United States Letters Patent, including Patent No. 2,126,248,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States: *Provided, however*, That the property herein vested shall not include any right, title or interest of Benson Super-Power Corporation in and to the agreement identified in subparagraph 5c hereof, nor shall such vesting disturb in any way the rights of said Benson Super-Power Corporation with respect to such agreement or affect adversely in any way any right, title, interest or privilege which it may have with respect thereto.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-11773; Filed August 7, 1944; 11:33 a. m.]

[Vesting Order 3980]

ANNE SOPHIE DOROTHEA BOECKMANN

In re: Trust under the will of and estate of Anne Sophie Dorothea Boechmann, also known as Anna Sophia Dorothea Beeckmann, Sophie Boeckmann, Sophie G. Boeckmann, Mrs. Sophie Boeckmann, Mrs. Sophie G. Boeckmann, and Sophie Gill Boeckmann, deceased; File D-28-3712; E. T. sec. 6177).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Dr. Egil Boeckmann, 366 Summit Avenue, St. Paul, Minnesota, Trustee, acting under the judicial supervision of the District Court of Ramsey County, Second Judicial District, Minnesota;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Helga Seyler, Germany.

Issue, name or names unknown, of Mrs. Helga Seyler, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Helga Seyler, and issue, name or names unknown, of Mrs. Helga Seyler, and each of them, in and to the Trust under the Will of and in and to the Estate of Anne Sophie Dorothea Boeckmann, also known as Anna Sophia Dorothea Boeckmann, Sophie Boeckmann, Sophie G. Boeckmann, Mrs. Sophie Boeckmann, Mrs. Sophie G. Boeckmann, and Sophie Gill Boeckmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11775; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3981]

ANTON BRAUN AND MINNIE BRAUN

In re: Mortgage Participation Certificate No. 303 of Series N–66 issued by New York Title and Mortgage Company to Anton Braun and Minnie Braun, having a face value of $4,000; File No. F–28–2122; E.T. sec. 897.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Brooklyn Trust Company, 215 Montague Street, Brooklyn, New York, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals and Last Known Address

Anton Braun, Steiermark, Germany.
Minnie Braun, Steiermark, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anton Braun and Minnie Braun, and each of them, in and to the mortgage participation certificate No. 303 of Series N–66, having a face value of $4,000, issued by the New York Title and Mortgage Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11776; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3982]

ADOLPH SIEBRECHT

In re: Estate of Adolph Siebrecht, deceased; File D–28–7738; E. T. sec. 3601.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frieda Maydag, 850 Herkimer Street, Brooklyn, New York, Executrix, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Addresses

Dorette Punck and her children, Hamburg, Germany.

Hermine Burmester and her children, Harburg, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dorette Punck, and her children, and Hermine Burmester, and her children, and each of them, in and to the estate of Adolph Siebrecht, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: July 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–11777; Filed, August 7, 1944; 11:31 a. m.]

[Vesting Order 3609, Amdt.]

N. Y. HAMBURGER GUMMI-WAAREN COMPAGNIE AND DEUTSCHE TORNESIT G. M. B. H.

Vesting Order Number 3609 of May 6, 1944 is hereby amended as follows and not otherwise:

By changing subparagraphs 2 and 3 thereof to read as follows:

2. That the property described in subparagraph 4a hereof is property of Deutsche Tornesit-Gesellschaft m. b. H;

3. That the property described in subparagraph 4b hereof is property of New York Hamburger Gummi-Waaren Compagnie

and/or Deutsche Tornesit-Gesellschaft m. b. H;

All other provisions of said Vesting Order Number 3609 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-11774; Filed, August 7, 1944; 11:33 a. m.]

C. MARTIN RIEDEL

NOTICE OF HEARING

Order for and notice of hearing before Vested Property Claims Committee, in the matter of C. Martin Riedel.

Whereas, by Vesting Order No. 141 of September 8, 1942 (7 F.R. 8311) and Vesting Order No. 201 of October 2, 1942 (8 F.R. 625), the Alien Property Custodian vested, among other things, the following described property:

All right, title, interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation, or government for past infringements thereof, in and to United States Patents No. 1,815,876, 1,820,722, and 1,846,815 registered in the United States Patent Office in the name of Siemens-Bauunion G. m. b. H. Kommanditgesellschaft; United States Patent No. 1,827,238 registered in the names of Hugo Joosten, Tiefbau and Kalteindustrie A. G. vorm. Gebhardt and Koenig, and Siemens Bauunion G. m. b. H. Kommanditgesellschaft; and United States Patent No. 2,061,541 registered in the name of Hugo Joosten; the registrants all of Germany.

Whereas C. Martin Riedel has filed Notices of Claims Nos. 130, 815 and 1332 wherein he asserts that he is a resident and citizen of the United States and is the owner of and/or has an interest in said patents and/or the royalties accrued and to accrue therefrom.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Thursday, August 17, 1944, at 10:00 a. m. central war time, at the Office of the Alien Property Custodian, Room 648, 135 South La Salle Street, Chicago, Illinois, to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimants and upon the person designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW., Washington, (25), D. C., on or before August 14, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

Dated: August 3, 1944.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

[F. R. Doc. 44-11778; Filed, August 7, 1944; 11:33 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Administrative Order ODT 18-1]

DIVISION DIRECTOR, PROPERTY OPERATIONS DIVISION, HIGHWAY TRANSPORT DEPARTMENT

DELEGATION OF AUTHORITY

Pursuant to § 503.375 of Administrative Order ODT 18 (9 F.R. 5997):

1. *Delegation of authority.* The Division Director, Property Operations Division, Highway Transport Department, Office of Defense Transportation, hereby is authorized and directed as follows:

(a) *Transportation of dairy products.* To administer the provisions of Administrative Order ODT 19 (9 F.R. 2693), having full power and authority:

(i) To approve the election of Area Dairy Industry Transportation Advisory Committees, including the members and officers thereof;

(ii) To approve the designation of the area within which any such committee proposes to act;

(iii) To withdraw, in whole or in part, any approval granted pursuant to the provisions of subparagraphs (i) and (ii) of this subparagraph (a);

(iv) To designate an area, or areas, within which a district manager is authorized to administer the provisions of § 501.101 of General Order ODT 21, as amended (7 F.R. 7100; 8 F.R. 2510) pursuant to the provisions of § 503.389 of Administrative Order ODT 19;

(v) To approve the issuance of directions by district managers within the purview of the limitations prescribed by paragraphs (b), (c), and (d) of § 503.391 of Administrative Order ODT 19; and,

(vi) In his discretion, at any time, to exercise the right of general control, supervision, modification, or revocation in any specific case;

(b) *Transportation of farm products.* To administrater the provisions of Administrative Order ODT 26 (9 F.R. 7456) having full power and authority:

(i) To approve the election of industry transportation advisory committees, including the members and officers thereof;

(ii) To approve the designation of the area within which any such committee proposes to act;

(iii) To approve the segments of the industry represented on any such committee;

(iv) To withdraw, in whole or in part, any approval granted pursuant to the provisions of subparagraphs (i), (ii), and (iii) of this subparagraph (b);

(v) To designate an area, or areas, within which a district manager is authorized to administer the provisions of § 501.101 of General Order ODT 21, as amended, pursuant to the provisions of § 503.454 of Administrative Order ODT 26;

(vi) To approve the issuance of directions by district managers within the purview of the limitations prescribed by subparagraph (a) of § 503.456 of Administrative Order ODT 26; and,

(vii) In his discretion, at any time, to exercise the right of general control, supervision, modification, or revocation in any specific case;

(c) *Industry transportation plans.* To administer the provisions of the recommendation for industry transportation plans for transportation of agricultural commodities and products, as amended, issued March 22, 1943, by the Director of the Office of Defense Transportation to the Chairman of the War Production Board, and duly approved and certified said Chairman to the Attorney General pursuant to the provisions of Section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) by Certificate 28, as amended, (8 F.R. 1668, 3747), having full power and authority:

(i) To approve or disapprove industry transportation committees as constituted;

(ii) To exercise the right reserved by the Office of Defense Transportation to remove any person selected as a member of any such committee subsequent to approval of such committee;

(iii) To recognize and authorize such committees to act within the areas designated by them in the formulation of industry transportation plans;

(iv) To designate an employee of the Office of Defense Transportation to act as administrator of any such industry transportation plan; and,

(v) To decide appeals from the decisions of district managers in respect of complaints of motor carriers participating in such industry transportation plans;

(d) *Transportation of livestock.* To administer the provisions of the recommendation for transportation of livestock by commercial motor vehicle, issued August 20, 1943, by the Director of the Office of Defense Transportation to the Chairman of the War Production Board, and duly approved and certified by said Chairman to the Attorney General pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357) by Certificate No. 115 (8 F.R. 11702), having full power and authority:

(i) To approve designations of areas other than those described for districts of the Highway Transport Department by Administrative Order ODT 6A, as corrected, (9 F.R. 7451, 8150) within which area livestock industry transpor-

tation advisory committees may function;

(ii) To approve the election or selection of area livestock industry transportation advisory committees;

(iii) To remove, at any time, any person elected or selected as a member of any such committee;

(iv) To recognize such committees as exclusively authorized to act within designated areas in effectuating the purposes and provisions of said recommendation;

(v) To appoint employees of the Office of Defense Transportation as administrators provided by paragraph numbered 6 of said recommendation; and,

(vi) To decide appeals from the decisions of regional directors in respect of the complaints of producers, motor carriers, dealers, or processors as to acts performed by such administrators or committees;

(e) *General authorization.* To do any or all things, whether or not herein enumerated, that are necessary or proper for the complete exercise of the powers specifically or generally delegated by subparagraphs (a) to (d), inclusive, of this paragraph 1.

2. *Supervision and reservation.* The exercise of the authority hereby conferred shall, in all things, be subject to the general control and supervision, and the right of modification or revocation in any specific case, of the Assistant Director in charge of the Highway Transport Department, Office of Defense Transportation. Notwithstanding any of the provisions of this order, the said Assistant Director may, in his discretion, exercise from time to time the authority or perform any of the functions or duties delegated by this order.

This Supplementary Administrative Order ODT 18–1 shall become effective August 4, 1944.

Issued at Washington, D. C., this 4th day of August 1944.

GUY A. RICHARDSON,
Assistant Director in Charge of Highway Transport Department, Office of Defense Transportation.

[F. R. Doc. 44–11837; Filed, August 8, 1944; 10:38 a. m.]

[Supp. Order ODT 20A–155]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TICONDEROGA, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to cordinate their taxicab operations within the area of Ticonderoga, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–155" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany 7, New York.

8. This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John J. Fortino, Ticonderoga, New York.
Tony Fortino, Ticonderoga, New York.
Alden Porter, Ticonderoga, New York.
James J. Malaney, Ticonderoga, New York.
Martin W. Hogle, Ticonderoga, New York.
Guy W. Delano, Ticonderoga, New York.

[F. R. Doc. 44–11838; Filed, August 8, 1944; 10:38 a. m.]

[Supp. Order ODT 20A–156]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE ABERDEEN, S. DAK., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Aberdeen, South Dakota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this

[1] Filed as part of the original document.

order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Sioux Falls, South Dakota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–156" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Sioux Falls, South Dakota.

8. This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Cab Lines, 15 Third Avenue SE., Aberdeen, South Dakota.

City Cab Line, 522 South Main Street, Aberdeen, South Dakota.

[F. R. Doc. 44–11839; Filed, August 8, 1944; 10:38 a. m.]

[Supp. Order ODT 20A–157]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ENFIELD, N. H., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators purpose, by the plan, to coordinate their taxicab operations within the area of Enfield, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above refered to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the apropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–157" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Stillman F. Graves, Lake Street, Enfield, New Hampshire.

George W. Campbell, Main Street, Enfield, New Hampshire.

[F. R. Doc. 44–11840; Filed, August 8, 1944; 10:38 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 900]

BEAVER FORK COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 900 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

[1] Filed as part of original document.

THE BEAVER FORK COAL CO., 203 YO. TERMINAL BLDG., YOUNGSTOWN, OHIO, BEAVER FORK MINE, NO. 8 SEAM, MINE INDEX NO. 2531, MAHONING COUNTY, OHIO, SUB-DIST. 4, STRIP MINE

Price Classification	Middle F. O. District		Railroad fuel price group No. 113					Rail shipping point: Sebring, Ohio				
Size Group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail Shipments and Railroad Fuel..	330	325	300	295	290	290	290	240	280	235	.....	280
Truck Shipment*.....	370	360	345	320	320	290	235	245	.....	.....	.....	.....

*Previously established.

THE BEAVER FORK COAL CO., 203 YO. TERMINAL BLDG., YOUNGSTOWN, OHIO, PARRAL MINE, NO. 8 SEAM, MINE INDEX NO. 2532, TUSCARAWAS COUNTY, OHIO, SUB-DIST. 4, STRIP MINE

Price Classification	Middle F. O. District		Railroad fuel price group No. 102					Rail shipping point: Dover, Ohio				
Size Group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail Shipments and Railroad Fuel..	330	325	300	295	290	290	290	240	280	235	.....	280
Truck Shipment*.....	360	350	335	320	320	280	255	245	.....	.....	.....	.....

*Previously established.

CENTRAL STATES CONSTRUCTION CO., NEW PLYMOUTH, OHIO, ORIAND MINE, 4A SEAM, MINE INDEX NO. 4058, VINTON COUNTY, OHIO, SUB-DIST. 7, STRIP MINE

Price Classification	Jackson F. O. District		Railroad fuel price group No. 104					Rail shipping point: Orland, Ohio				
Size Group Nos.	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel....	330	345	305	305	305	275	255	245	275	245	.....	275
Truck shipment.....	360	370	360	335	330	295	230	220	.....	.....	.....	.....

THE FINLEY BROTHERS CLAY CO., SUGARCREEK, OHIO, FINLEY STRIP MINE, 3 A SEAM, MINE INDEX NO. 4056, TUSCARAWAS COUNTY, OHIO, SUB-DIST. 4, STRIP MINE. PRICE CLASSIFICATION, MIDDLE F. O. DISTRICT, RAILROAD FUEL PRICE GROUP NO. 119, RAIL SHIPPING POINT: SUGARCREEK, OHIO

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel....	330	325	300	295	290	290	250	240	280	235	.....	280
Truck shipment.....	360	350	325	320	320	280	255	245	.....	.....	.....	.....

JAMESON COAL CO., 1404 TRACTION BLDG., CINCINNATI 2, OHIO, JAMESON MINE, NO. 6 SEAM, MINE INDEX NO. 4062, PERRY COUNTY, OHIO, SUB-DIST. 5, STRIP MINE. PRICE CLASSIFICATIONS: HOCKING F. O. DISTRICT, RAILROAD FUEL PRICE GROUPS NO. 102-113-104, RAIL SHIPPING POINT: SHAWNEE, OHIO AND NEW STRAITSVILLE, OHIO

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel....	330	345	305	305	305	275	255	245	275	245	.....	275
Truck shipment.....	365	355	345	330	315	295	230	220	.....	.....	.....	.....

This order shall become effective August 8, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11795; Filed, August 7, 1944; 11:45 a. m.]

[MPR 120, Order 899]

BEUNIER BROTHERS COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 899 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

BEUNIER BROTHERS COAL CO., 615 MAGEE AVE., PATTON, PA., ASHCROFT #35 MINE, D SEAM, MINE INDEX NO. 5086, CAMBRIA COUNTY, PA., SUBDISTRICT 17, RAIL SHIPPING POINT: PATTON, PA., DEEP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

CARMARCO AND MILLER, P. O. BOX 44, PUNXSUTAWNEY, PA., NO. 2 MINE, C' SEAM, MINE INDEX NO. 5107, INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT: SIDING 116 PA., STRIP MINE

Price classification.....	G	G	G	G	G
Rail shipment.....	330	330	315	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	335	330	320	310

CLEAR COAL CO., CARE OF JOSEPH WAROQUIER, 131 W. 5TH AVE., CLEARFIELD, PA., CLEAR MINE, D SEAM, MINE INDEX NO. 5116, CLEARFIELD COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: WOODLAND, PA., STRIP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	335	335	325	315

O AND C COAL CO., 209 N. FRONT ST. PHILIPSBURG, PA., NO. 1 MINE, D SEAM, MINE INDEX NO. 4005, CLEARFIELD COUNTY, PA., SUB-DISTRICT 19, RAIL SHIPPING POINT: IRVONA, PA., STRIP MINE

Price classification.....	C	C	C	C	C
Rail shipment.....	370	365	345	330	330
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	375	350	350	340	320

GODIN AND SARICKS, KURTZ BLDG., CLEARFIELD, PA., G AND S NO. 3 DEEP MINE, D SEAM, MINE INDEX NO. 5126, CLEARFIELD COUNTY, PA., SUB-DISTRICT 19, RAIL SHIPPING POINT: LA JOSE, PA., DEEP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

GODIN AND SARICKS, KURTZ BLDG., CLEARFIELD, PA., G AND S NO. 3 STRIP MINE, D SEAM, MINE INDEX NO. 5127, CLEARFIELD COUNTY, PA., SUB-DISTRICT 15, RAIL SHIPPING POINT: LA JOSE, PA., STRIP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

HESS COAL CO., DIXONVILLE, PA., HESS NO. 4 MINE, D SEAM, MINE INDEX NO. 5115, INDIANA COUNTY, PA., SUB-DISTRICT 15, RAIL SHIPPING POINT: CLYMER AND DIXONVILLE, PA., STRIP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

HILL BROTHERS (COAL), LOCK BOX 235, MORRISDALE, PA., HILL NO. 7-E MINE, E SEAM, MINE INDEX NO. 5140, CLEARFIELD COUNTY, PA., SUB-DISTRICT 21, RAIL SHIPPING POINT: JAMESVILLE, PA., STRIP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

MCINTOSH COAL CO., 417 JUNIATA ST., DU BOIS, PA., MCINTOSH MINE, D SEAM, MINE INDEX NO. 5104, JEFFERSON COUNTY, PA., SUB-DISTRICT 6, RAIL SHIPPING POINT: REYNOLDSVILLE, PA., STRIP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

MARION COAL CO., BEAVERDALE, PA., FRANCIS #1 MINE, D SEAM, MINE INDEX NO. 5130, INDIANA COUNTY, PA., SUB-DISTRICT 15, RAIL SHIPPING POINT: SAVAN, PA., STRIP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

MARION COAL CO., BEAVERDALE, PA., FRANCIS NO. 2 MINE, C' SEAM, MINE INDEX NO. 5161, INDIANA COUNTY PA., SUB-DISTRICT 15, RAIL SHIPPING POINT: SAVAN, PA., STRIP MINE

Price classification.....	G	G	G	G	G
Rail shipment.....	330	330	315	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	345	330	330	320	310

E. M. REED CONTRACTOR AND CO., DUTANT, PA., TRAINER NO. 1 MINE, B SEAM, MINE INDEX NO. 5166, CLARION COUNTY PA., SUB-DISTRICT 4, RAIL SHIPPING POINT: RIMERSBURG, PA., STRIP MINE

Price classification.....	G	G	G	H	H
Rail shipment.....	330	330	315	285	285
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	355	330	330	315	305

RIDDLESBURG COAL AND COKE CO., SAXTON, PA., BACON #5 MINE, KELLEY SEAM, MINE INDEX NO. 5168, BEDFORD COUNTY PA., SUB-DISTRICT 39, RAIL SHIPPING POINT: BACON #5 SDG., PA., DEEP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....	425	425	390	365	350

RIDDLESBURG COAL AND COKE CO., SAXTON, PA., SHANNON TRACT BARNETT MINE, BARNETT SEAM, MINE INDEX NO. 5142, HUNTINGDON COUNTY PA., SUB-DISTRICT 39, RAIL SHIPPING POINT: JILL RAMP NO. 1, PA., STRIP MINE

Price classification.....	B	B	B	B	B
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....	425	425	390	365	350

RIDDLESBURG COAL AND COKE CO., SAXTON, PA., SHANNON TRACT FULTON MINE, FULTON SEAM, MINE INDEX NO. 5143, HUNTINGDON COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT: JILL RAMP NO. 1, PA., STRIP MINE

Price classification.....	B	B	B	B	B
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....	425	425	390	365	350

SEANOR COAL CO., CARE OF CLARENCE F. HART, SEANOR, PA., SEANOR MINE, B SEAM, MINE INDEX NO. 5141, SOMERSET COUNTY, PA., SUBDISTRICT 32, DEEP MINE

Truck shipment.....	365	340	340	330	320

SOMERSET CONSTRUCTION CO., 1301 TOWSON ST., BALTIMORE 30, MD., BACKBONE NO. 1 MINE, E SEAM, MINE INDEX NO. 5147, GARRETT COUNTY, PA., SUBDISTRICT 45, RAIL SHIPPING POINT: GORMAN, MD., STRIP MINE

Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

TOMER COAL COMPANY, 295 N. 6TH ST., INDIANA, PA., TOMER NO. 8 MINE, D SEAM, MINE INDEX NO. 5183, INDIANA COUNTY, PA., SUBDISTRICT 15, RAIL SHIPPING POINT: OLYMER, PA., STRIP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

TRI-STATE MINES, INC., 326 SOUTH ST., CLARION, PA., TRI-STATE #1 MINE, B SEAM, MINE INDEX NO. 5139, CLARION COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: HOLDEN, PA., STRIP MINE

Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

WEIGLE BROS., SHANKSVILLE, PA., WEIGLE #2 MINE, C' SEAM, MINE INDEX NO. 5150, SOMERSET COUNTY, PA., SUBDISTRICT 37, RAIL SHIPPING POINT: FRIEDENS, PA., DEEP MINE

Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

This order shall become effective August 8, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11832; Filed, August 7, 1944; 4:41 p. m.]

[MPR 188, Order 4 Under Order 1052]

SHOWERS BROTHERS CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 4 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by Showers Brothers Company, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order permits the manufacturer, Showers Brothers Company, Inc., of 601 North Morton Street, Bloomington, Indiana, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052), established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) *Manufacturer's maximum prices.* Showers Brothers Company, Inc., may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 3% of its maximum prices for such sales established in Order 1052. The permitted adjustment of 3% may be made only if separately stated.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjusted charge allowed by this order for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11826; Filed, August 7, 1944; 4:39 p.m.]

[MPR 188, Rev. Order 1545]

MARTIN LEATHERMAN MFG. CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1545 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of canvas folding chairs manufactured by Martin Leatherman Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, is revised and amended to read as follows:

(a) This revised order establishes maximum prices for sales and deliveries of two models of canvas folding chairs manufactured by Martin Leatherman Manufacturing Company, Little Rock, Arkansas.

(1) (a) For all sales and deliveries by the manufacturer to retailers, and to per-

sons other than retailers who resell the article the maximum prices are those set forth below:

Article	Model No.	Maximum price to wholesalers who carry stock	Maximum price to wholesalers who sell from manufacturer's stock	Maximum price to retailers
		Per doz.	*Per doz.*	*Per doz.*
Folding canvas chair	1	$15.48	$16.42	$19.32
Folding canvas chair	3	13.08	13.87	16.32

These maximum prices are net, f. o. b. factory.

(b) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (a) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (a) For all sales and deliveries to retailers by persons other than the manufacturer, the maximum prices set forth below, f. o. b. factory;

Article	Model No.	Maximum price to retailers
		Per doz.
Folding canvas chair	1	$19.32
Folding canvas chair	3	16.32

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturers' stock, or from his own stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11830; Filed, August 7, 1944; 4:40 p. m.]

[MPR 188, Order 2052]

WILLIAM B. COGGIN, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 2052 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of juvenile table and chair sets manufactured by William B. Coggin, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of juvenile table and chair sets manufactured by William B. Coggin, Inc., 224 South Michigan Avenue, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile table and chair set	8	$4.45	$5.28
Juvenile table and chair set	1031	5.25	6.18

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Juvenile table and chair set	8	$5.28
Juvenile table and chair set	1031	6.18

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11831; Filed, August 7, 1944; 4:41 p. m.]

[MPR 188, Order 2053]

RADOLITE MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2053 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of wooden clothes dryer and a laundry bench manufactured by the Radolite Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of wooden clothes dryers and a laundry bench manufactured by the Radolite Manufacturing Company, 810 South Gallatin Street, Jackson, Mississippi.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
	Feet	*Each*	*Each*
Clothes Dryer	30	$0.6694	$0.75
Clothes Dryer	40	.90	1.08
Laundry Bench	----------	.87	1.02

These prices are f. o. b. factory and are subject to a cash discount of 2% on payment within 10 days, not 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory.

Article	Model No.	Maximum price to retailers
	Feet	*Each*
Clothes Dryer	30	$0.75
Clothes Dryer	40	1.08
Laundry Bench	----------	1.02

These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, not 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of August 1944.

Issued this 7th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11829; Filed, August 7, 1944; 4:40 p. m.]

Regional and District Office Orders.

[Region I Rev. Supp. Order 2 Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

Amendment No. 2 to Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracites.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) In every instance where one of the following sizes of a named Pennsylvania anthracite coal is not specifically priced in the Region I Orders under Revised Maximum Price Regulation No. 122 which are designated in paragraph (c) hereof, the specific maximum prices in said orders for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold in conformance with the conditions hereinafter set forth:

Kind and size	Amount of addition— Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Franklin:				
Broken	.75	.40	.20	$0.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.80	.15	.05	None
Rice	.10	.05	None	None
Greenwood:				
Egg, stove, chestnut and pea	.25	.15	.05	None
Salem Hill:				
Egg and stove	.85	.45	.20	.05
Chestnut	.45	.25	.10	None
Brooder nut	.70	.35	.20	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None
Legits Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.65	.35	.15	None
Buckwheat	.80	.25	.15	None
Rice	.10	.05	None	None
Reppler:				
Broken, egg, stove, chestnut and pea	.80	.35	.15	None
Buckwheat, rice and barley	.40	.20	.10	None
East Bear Ridge:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
Barley	.15	.10	None	None
Dial Rock:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.85	.15	.05	None
Steele or Alden:				
Broken, egg, stove, chestnut, pea and buckwheat	.15	.15	.05	None
Rice	.10	.05	None	None
Raven Run, Orange Disc or Delano:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None

2. Subparagraphs (17), (18) and (19) are added to paragraph (e), to read as follows:

(17) "Reppler" means that Pennsylvania Anthracite which is produced and prepared by Reppler Coal Company at its New Castle Colliery and which meets the quality and preparation standards established by Order No. 15 under Maximum Price Regulation No. 112.

(18) "Steele" means that Pennsylvania Anthracite which is produced and prepared by T. F. Steele Coal Company, Junedale, Pennsylvania, and which meets the quality and preparation standards established by Order No. 16 under Maximum Price Regulation No. 112.

(19) "Alden" means that Pennsylvania Anthracite which is produced and prepared by Alden Coal Company, Wilkes-Barre, Pennsylvania, and which meets the quality and preparation standards established by Order No. 17 under Maximum Price Regulation No. 112.

3. Subparagraph (12) of paragraph (e) is revoked.

4. In subparagraph (10) of paragraph (e), the words "Revised Order No. 5 under Maximum Price Regulation No. 112" are deleted and the words "Order No. 18 under Maximum Price Regulation No. 112" are inserted in place thereof.

This Amendment No. 2 shall become effective August 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11705; Filed, August 4, 1944; 4:40 p. m.]

[Wilmington Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN WILMINGTON, DEL., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Wilmington District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that the items can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Wilmington District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383; 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

CHARLES W. HARDESTY,
District Director.

APPENDIX A—FOOD ITEMS AND MEALS COVERED BY POSTING ORDER

Appetizer. Tomato or Fruit Juice.

Soup. Chicken Soup, Vegetable Soup.

Egg Dishes. Bacon or Ham and Eggs; Two Eggs, any style.

Fish Entrees. Filet of Sole and 2 Vegetables, Fish Cakes, Fried Fish, Oyster Stew.

Miscellaneous. Hot Cakes and Syrup, Baked Spaghetti or Macaroni, Pork and Beans, Vegetable Plate, Cereals—Hot or Cold.

Meat Entrees. Liver and Bacon; Pork Chop and 2 Vegetables; Hamburger Steak and 2 Vegetables; Roast Beef and 2 Vegetables; Roast Loin of Pork and 2 Vegetables; Corned Beef Hash with Poached Egg; Lamb or Beef Stew; Chicken, fried; Lamb Chops (2).

Meals. Club Breakfast: Fruit or Cereal, 2 Eggs with Ham or Bacon, Toast and Coffee.

Vegetable Luncheon: (Soup or Appetizer, Vegetable Plate, Dessert and Coffee.)

Chicken Dinner: Soup or Appetizer, Entree with Vegetables or Salad, Dessert and Coffee.

Sandwiches. Ham, Ham and Egg (or Bacon and Egg), Cream Cheese and Jelly, Lettuce and Tomato, Hamburger, Ham and Cheese, Hot Beef Sandwich, Frankfurter.

Desserts. Apple Pie, Ice Cream, Rice Pudding.

Beverages. Coffee (cup or pot), Tea (cup or pot), Milk (half pint).

[F. R. Doc. 44-11710; Filed, August 4, 1944; 4:38 p. m.]

[Philadelphia Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN PHILADELPHIA, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Philadelphia District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal; for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Philadelphia District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Restaurant Maximum Price Regulation No. 2 and this Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

FRANK J. LOFTUS,
District Director.

APPENDIX A—LIST OF 40 BASIC MEALS OR FOOD ITEMS REQUIRED TO BE POSTED

1. Tomato juice.
2. Fruit cocktail.
3. Cold cereals with milk.
4. Hot cakes and syrup.

5. Bacon and eggs.
6. Two eggs (boiled, fried or scrambled).
7. Club breakfast (fruit, toast and coffee).
8. Coffee (cup).
9. Milk (half-pint).
10. Vegetable soup.
11. Beef liver and bacon.
12. Hamburger steak.
13. Pork chops (2).
14. Pot roast of beef.
15. Beef stew.
16. Sirloin steak.
17. Breaded veal cutlet.
18. Roast leg of lamb.
19. Chicken a la King.
20. Baked ham luncheon (2 vegetables, dessert and coffee).
21. Vegetable luncheon (dessert and coffee).
22. Roast chicken dinner (full-course).
23. Roast leg of lamb dinner (full-course).
24. Haddock.
25. Deviled crab.
26. Cold-Cut platter.
27. Hot vegetable platter.
28. Combination salad.
29. Fruit salad.
30. Spaghetti and meatballs.
31. Chow Mein.
32. Hot roast beef sandwich.
33. Frankfurter sandwich.
34. Boiled ham sandwich.
35. Lettuce and tomato sandwich.
36. Hamburger sandwich.
37. Apple pie.
38. Ice cream (plate).
39. Ice cream soda.
40. Rice pudding.

[F. R. Doc. 44-11711; Filed, August 4, 1944; 4:38 p. m.]

[Syracuse Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SYRACUSE, N. Y. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Syracuse District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling prices for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Syracuse District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

STEPHEN P. TOADVINE,
District Director.

APPENDIX A

1. Tomato juice.
2. Fruit cocktail.
3. Vegetable soup.
4. Ham and eggs.
5. Two eggs, any style.
6. Fried haddock.
7. Spaghetti and meat balls.
8. Baked beans.
9. Vegetable plate.
10. Cereals—hot or cold.
11. Frankfurt and roll.
12. Corned beef hash.
13. Cold cuts and salad.
14. Ham sandwich.
15. Ham and egg sandwich.
16. American cheese sandwich.
17. Lettuce and tomato sandwich.
18. Hamburger sandwich.
19. Ham and cheese sandwich.
20. Fish salad sandwich.
21. Hot beef sandwich.
22. Potato salad.
23. Apple pie.
24. Ice cream.
25. Coffee.
26. Milk.
27. Club breakfast—fruit juice, toast and coffee.
28. Chicken pie luncheon—3 courses.
29. Beef stew luncheon—3 courses.
30. Pork chop luncheon—3 courses.
31. Hamburger steak luncheon—3 courses.
32. Calves liver and bacon dinner—5 courses.
33. Roast beef dinner—5 courses.
34. Roast pork dinner—5 courses.
35. Roast chicken dinner—5 courses.
36. Sirloin steak dinner—5 courses.
37. Swiss steak dinner—5 courses.
38. Veal cutlet dinner—5 courses.
39. Roast lamb dinner—5 courses.
40. Roast turkey dinner—5 courses.

[F. R. Doc. 44-11709; Filed, August 4, 1944; 4:39 p. m.]

[Trenton Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN TRENTON, N. J., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Trenton District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food

items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located wfthin the Counties of Mercer, Hunterdon, Ocean, Middlesex, Monmouth, Warren and Somerset in the State of New Jersey, which counties comprise the Trenton District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

RALPH W. HACKETT,
District Director.

APPENDIX A

The following are the 40 items referred to in section 1:

1. Tomato or fruit juice.
2. Fruit cocktail.
3. Soup du jour (soup of the day).
4. Bacon or ham and eggs.
5. Plain omelette.
6. Filet of sole.
7. Broiled mackerel.
8. Fish cakes.
9. Hot cakes and syrup.
10. Baked spaghetti or macaroni.
11. Vegetable plate.
12. Cereal—hot with milk.
13. Cereal—cold with milk.
14. Frankfurter.
15. Liver and bacon.
16. Pork chop.
17. Hamburger steak.
18. Roast beef (prime ribs).
19. Roast beef (sirloin).
20. Roast pork or ham.
21. Corned beef hash or any meat hash.
22. Lamb stew or any meat stew.
23. Ham sandwich.
24. Ham and egg or (bacon and egg) sandwich.
25. American cheese sandwich.
26. Cream cheese and jelly sandwich.
27. Lettuce and tomato sandwich.
28. Hamburger sandwich.
29. Ham and cheese sandwich.
30. Fish salad sandwich.
31. Frankfurter and roll sandwich.
32. Hot meat sandwich.
33. Fruit salad.
34. Chicken salad.
35. Apple pie.
36. Ice cream.
37. Coffee.
38. Tea.
39. Milk.
40. Club breakfast—fruit, toast and coffee.

[F. R. Doc. 44-11708; Filed, August 4, 1944; 4:39 p. m.]

[Maryland Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MARYLAND DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Maryland District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting Requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand-lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the State of Maryland.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have beep approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

LEO H. MCCORMICK,
District Director.

APPENDIX A

1. Tomato juice.
2. Fruit cocktail.
3. Vegetable soup.
4. Bacon and eggs.
5. Two eggs, fried.
6. Filet of sole.
7. Fish cakes.
8. Liver and bacon.
9. Pork chop.
10. Hamburger steak.
11. Roast beef.
12. Roast pork.
13. Corned beef hash.
14. Beef stew.
15. Chicken, fried.
16. Veal cutlet.
17. Ham sandwich.
18. Bacon and egg sandwich.
19. American cheese sandwich.
20. Lettuce and tomato sandwich.
21. Hamburger sandwich.
22. Ham and cheese sandwich.
23. Tuna fish salad sandwich.
24. Hot roast beef sandwich.
25. Hot cakes and syrup.

24. Pork and beans.
27. Vegetable plate.
28. Cereals—cold.
29. Chicken croquettes.
30. Lettuce and tomato salad.
31. Fruit salad.
32. Chicken salad.
33. Tuna fish salad.
34. Apple pie.
35. Ice cream.
36. Layer cake.
37. Coffee, hot, cup.
38. Tea, hot, cup.
39. Milk.
40. Ice cream soda.

[F. R. Doc. 44-11707; Filed August 4, 1944; 4:40 p. m.]

[Newark Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN NEWARK, N. J., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Newark District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must on or before August 16, 1944 show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale, and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer, and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree, and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled, or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union, New Jersey, which Counties comprise the Newark District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

RICHARD J. TARRANT,
District Director.

APPENDIX A

1. Tomato or fruit juice.
2. Fruit cocktail.
3. Soup.
4. Ham and eggs.
5. Two eggs (any style).
6. Filet of sole (fried).
7. Broiled mackerel.
8. Fish cakes.
9. Wheat cakes and syrup.
10. Spaghetti and meat balls.
11. Baked beans.
12. Vegetable plate (hot).
13. Cereals (hot or cold).
14. Veal cutlet.
15. Pork chops.
16. Hamburger steak.
17. Roast prime ribs of beef.
18. Roast fresh ham.
19. Corned beef hash.
20. Lamb stew.
21. Ham sandwich.
22. Ham and egg or bacon and egg sandwich.
23. American cheese sandwich.
24. Cream cheese and jelly sandwich.
25. Lettuce and tomato sandwich.
26. Hamburger sandwich.
27. Ham and cheese sandwich.
28. Tuna fish salad sandwich.
29. Western egg sandwich.
30. Chicken sandwich.
31. Combination salad.
32. Chicken salad.
33. Apple pie.
34. Ice cream.
35. Coffee (cup).
36. Tea (cup).
37. Milk (half pint).
38. Club breakfast, fruit, toast and coffee.
39. Omelet luncheon (specify number of courses).
40. Roast chicken dinner (specify number of courses).

[F. R. Doc. 44-11706; Filed, August 4, 1944; 4:40 p. m.]

[Montgomery Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN DESIGNATED COUNTIES IN ALABAMA

Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in the counties of Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike, and Russell, in the State of Alabama.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Montgomery District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer in containers by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Alabama: Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike and Russell.

SEC. 3. *Ceiling prices.* (a) On and after July 29, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage, you may make application to the Montgomery District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Montgomery District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1 B.* Your establishment belongs to Group 1 B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1 B establishments.

(2) *Group 2 B.* Your establishment belongs to Group 2 B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2 B establishments, but were less than those provided in Appendix A for Group 1 B establishments.

(3) *Group 3 B.* Your establishment belongs to Group 3 B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2 B establishments. All establishments not in operation during the base period of April 4–10, 1943 also belong to Group 3 B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1 B or Group 2 B, you may file an application with the Montgomery District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3 B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

5. Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before August 10, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the district in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the district.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the armed forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the armed forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales shall be governed by Restaurant Maximum Price Regulation 2 on and after July 31, 1944).

(e) Sales by the War Department or the Department of Navy of the United States through such departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50 as well as the provisions of Restaurant Maximum Price Regulation No. 2 (which shall become effective July 31, 1944) or as these may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary food records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate

of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of Prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, sold.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B," "OPA 2B," or "OPA 3B," whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other Maximum Price Regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal shall be governed by the provisions of Restaurant Maximum Price Regulation No. 2 on and after July 31, 1944.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(d) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(e) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(f) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Montgomery District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 29, 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G. O. 50, 8 F.R. 4808)

Issued at Montgomery, Alabama, this 21st day of July 1944.

A. H. COLLINS,
District Director.

APPENDIX A

GROUP 1 B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Barbarossa	25	45
Budweiser	25	45
Burger-Brau	25	45
Carling's Red Cap Ale	25	45
Down's Arf & Arf	25	45
Pabst	25	45
Red Top Ale	25	45
Schlitz	25	45
Spearman's English Ale	25	45
Imported Beer		
Carta Blanca	32	----------
Corona	32	----------
Monterey	32	----------
All other brands not listed above	20	40

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

GROUP 2 B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Barbarossa	20	40
Budweiser	20	40
Burger-Brau	20	40
Carling's Red Cap Ale	20	40
Down's Arf & Arf	20	40
Pabst	20	40
Red Top Ale	20	40
Schlitz	20	40
Spearman's English Ale	20	40
IMPORTED BEER		
Carta Blanca	30	----------
Corona	30	----------
Monterey	30	----------
All Other Brands Not Listed Above	15	35

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

GROUP 3 B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Barbarossa	17	35
Budweiser	17	35
Burger-Brau	17	35
Carling's Red Cap Ale	17	35
Down's Arf & Arf	17	35
Pabst	17	35
Red Top Ale	17	35
Schlitz	17	35
Spearman's English Ale	17	35
IMPORTED BEER		
Carta Blanca	28	----------
Corona	28	----------
Monterey	28	----------
All Other Brands Not Listed Above	18	30

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this order may be added to the above prices.

[F. R. Doc. 44-11704; Filed, August 4, 1944; 4:41 p. m.]

[Richmond Order 1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN VIRGINIA

Order Number 1 under General Order Number 50. Maximum prices for malt and cereal beverages in certain areas.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Richmond District Office of Region IV of the Office of Price Administration by General Order Number 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order Number 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the following portion of Virginia:

The counties of: Accomack, Albemarle, Amelia, Brunswick, Buckingham, Caroline, Charles City, Chesterfield, Culpeper, Cumberland, Dinwiddie, Elizabeth City, Essex, Fluvanna, Gloucester, Goochland, Greene, Greensville, Hanover, Henrico, Isle of Wight, James City, King George, King and Queen, King William, Lancaster, Louisa, Lunenburg, Madison, Mathews, Mecklenburg, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Powhatan, Prince Edward, Prince George, Princess Anne, Richmond, Southampton, Spottsylvania, Stafford, Surry, Sussex, Warwick, Westmoreland, and York.

All towns and municipalities in the said counties, and the cities or towns of: Charlottesville, Fredericksburg, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Phoebus, Portsmouth, Richmond, South Norfolk, Suffolk, Williamsburg, and Yorktown.

SEC. 3. *Ceiling prices.* (a) On and after July 10, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the caption: "All other brands" or "All brands in all other container sizes" is not appropriate to such beverages, you may make application to the Richmond District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Richmond District Office of the Office of Price Administration may at any time and from time to time add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in Appendix A hereof.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period. (b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B, if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as or more than the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943, also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may file an application with the Richmond District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.

2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

3. The selling prices by brand name of all beverages sold since the beginning of its operation.

4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this Order.

5. Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must on or before July 6, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces

(as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchange, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club. No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943, to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50 are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1–B", "OPA 2–B", or "OPA 3–B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order Number 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation Number 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer."

(c) "On draught" means dispensed by a seller at retail from any container of one-eighth (⅛) barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the

premises, are specifically excluded from this definition.

(g) "Other definitions." Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation Number 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Richmond District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 1, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(Public Laws 56 Stat. 23, 765; Public Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued at Richmond, Virginia, this 29th day of June 1944.

J. FULMER BRIGHT,
District Director.

APPENDIX A

SECTION 1. *Maximum prices for Group One–B.*

	Price per bottle		
	8–11 oz. inclusive	12-oz.	32-oz.
Bottle beer, etc.:			
Beer:	*Cents*	*Cents*	*Cents*
Ambassador	15	25	50
Ballantine—Brucks	15	25	50
Bonbarasse—Breidts	15	25	50
Budweiser	15	25	50
Canadian Ace	15	25	50
Downs Arl and Arl	15	25	50
Embassy Club	15	25	50
Gold Coast	15	25	50
Kingsbury Pole	15	25	50
Miller's High Life	15	25	50
National Premium	15	25	50
Old Fashioned	15	25	50
Pabst Blue Ribbon	15	25	50
Piels	15	25	50
Schlitz	15	25	50
Trommer's White Label	15	25	50
Van Merritt	15	25	50
Blats Pilsner	15	25	50
Ale:			
Ballantine	15	25	50
Ballantine Porter	15	25	50
Ballantine Pale Dry Indian	15	25	50
Carling's Red Cap	15	25	50
Canadian Ace	15	25	50
Champ	15	25	50
Kreuger Cream	15	25	50
Red Top	15	25	50
Malz Brau	15	25	50
All other brands (including all bottles with no labels)	10	16	37

All brands in all other container sizes, 10 cents.

Draft Beer	*Price (cents)*
Size of glass:	
6 ounces	7
8 ounces	10
10 ounces	12
12 ounces	14
14 ounces	16
16 ounces	18
20 ounces	22
24 ounces	26

All other quantities—1 cent per ounce.

Cases: Multiply number of bottles in case by price established above for particular brand and size of bottle contained in case.

NOTE: Sellers who are required to pay a federal excise tax on cabarets may add it to above prices if such tax is separately stated and collected. No other tax may be added or collected.

SEC. 2. *Maximum prices for Group Two–B.*

	Price per bottle		
	8–11 oz. inclusive	12-oz.	32-oz.
Bottle beer, etc.:			
Beer:	*Cents*	*Cents*	*Cents*
Ambassador	13	20	42
Ballantine—Brucks	13	20	42
Bonbarasse—Breidts	13	20	42
Blats Pilsner	13	20	42
Budweiser	13	20	42
Canadian Ace	13	20	42
Downs Arl & Arl	13	20	42
Embassy Club	13	20	42
Gold Coast	13	20	42
Kingsbury Pole	13	20	42
Miller's High Life	13	20	42
National Premium	13	20	42
Old Fashioned	13	20	42
Pabst Blue Ribbon	13	20	42
Piels	13	20	42
Schlitz	13	20	42
Trommer's White Label	13	20	42
Van Merritt	13	20	42
Ale:			
Ballantine	13	20	42
Ballantine Porter	13	20	42
Ballantine Pale Dry Indian	13	20	42
Carling's Red Cap	13	20	42
Canadian Ace	13	20	42
Champ	13	20	42
Kreuger Cream	13	20	42
Red Top	13	20	42
Malz Brau	13	20	42
All other brands (including all bottles with no labels)	10	16	37

All brands in all other container sizes, 10 cents.

Draft Beer	*Price (cents)*
Size of glass:	
6 ounces	6
8 ounces	9
10 ounces	11
12 ounces	13
14 ounces	15
16 ounces	17
20 ounces	21
24 ounces	25

All other quantities—1 cent per ounce.

Cases—multiply number of bottles in case by price established above for particular brand and size of bottle contained in case.

NOTE: Sellers who are required to pay a federal excise tax on cabarets may add it to above prices if such tax is separately stated and collected. No other tax may be added or collected.

[F. R. Doc. 44-11703; Filed, August 4, 1944; 4:38 p. m.]

Maximum prices for Group Three–B.

	Price per bottle		
	8–11 oz. inclusive	12-oz.	32-oz.
Bottle beer, etc.:			
Beer:	*Cents*	*Cents*	*Cents*
Ambassador	10	16	37
Ballantine-Brucks	10	16	37
Bonbarasse-Breidts	10	16	37
Blats Pilsner	10	16	37
Budweiser	10	16	37
Canadian Ace	10	16	37
Downs Arl and Arl	10	16	37
Embassy Club	10	16	37
Gold Coast	10	16	37
Kingsbury Pole	10	16	37
Miller's High Life	10	16	37
National Premium	10	16	37
Old Fashioned	10	16	37
Pabst Blue Ribbon	10	16	37
Piels	10	16	37
Schlitz	10	16	37
Trommer's White Label	10	16	37
Van Merritt	10	16	37
Ale:			
Ballantine	10	16	37
Balantine Porter	10	16	37
Ballantine Pale Dry Indian	10	16	37
Carling's Red Cap	10	16	37
Canadian Ace	10	16	37
Champ	10	16	37
Kreuger Cream	10	16	37
Red Top	10	16	37
Malz Brau	10	16	37
All other brands (including all bottles with no labels)	7	11	32

All brands in all other container sizes, 10 cents.

Draft Beer	*Price (cents)*
Size of glass:	
6 ounces	6
8 ounces	9
10 ounces	11
12 ounces	13
14 ounces	15
16 ounces	17
20 ounces	21
24 ounces	25

All other quantities—1¢ per ounce.

Cases—Multiply number of bottles in case by price established above for particular brand and size of bottle contained in case.

NOTE: Sellers who are required to pay a federal excise tax on cabarets may add it to above prices if such tax is separately stated and collected. No other tax may be added or collected.

[Region III Order G-9 Under RMPR 122, Amdt. 6]

SOLID FUELS IN MARION COUNTY, IND.

Correction

The table under paragraph (a) in F.R. Doc. 44-10280, appearing on page 7979 of the issue for Saturday, July 15, 1944, should read as follows:

Column I	Column II	Column III
C. Stoker, Size Group No. 10 (top size 1½" and smaller x bottom size ½" and larger):		
1. Mine Price Classification A:		
a. Treated	$9.40	$8.75
b. Untreated	9.30	8.65
2. Mine Price Classifications B through E:		
a. Treated	9.10	8.40
b. Untreated	9.00	8.30
3. Mine Price Classifications F through lower:		
a. Treated	8.90	8.10
b. Untreated	8.80	8.00

[Region VII Rev. Order G-24 Under RMPR 122, Amdt. 1]

HI-HEAT COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. G-24 under Revised Maximum Price Regulation No. 122, Amendment No. 1. Solid fuels sold and delivered by dealers. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 to Revised Order No. G-24 under Revised Maximum Price Regulation No. 122 is issued.

1. Paragraph (d), Appendix A, III (1) is amended to read as follows:

Operator	Subdistrict No.	Index No.	Size groups	Amount	Effective date
(1) Hi-Heat Coal Co., Rains No. 2	1	17	(1 through 9, (10 through 15	*Cent* 40 35	4- 5-44 7-17-44

2. *Effective date.* This Amendment No. 1 shall become effective on the 28th day of July 1944.

(56 Stat. 23, 765; 57 Stat. 506; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-11731; Filed, August 5, 1944; 11:49 a. m.]

[Region III Order G-25 Under RMPR 122]

SOLID FUELS IN ANDERSON, IND.

Correction

In paragraph (c) of F.R. Doc. 44-10285, appearing at page 7980 of the issue for Saturday, July 15, 1944, the second sentence should read as follows: "Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on sales on a 'direct delivery' basis; Column III shows maximum prices for cash or credit 'yard sales' to dealers reselling coal."

[Tulsa Rev. Order 1 Under Rev. Restaurant MPR 5-6]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN TULSA, OKLA., DISTRICT

Revised Order No. 1 under Revised Restaurant MPR 5-6. Food and drink sold for immediate consumption. Specific prices for certain food items and meals.

Order No. 1 under Restaurant MPR 5-6 is redesignated as Revised Order No. 1 under Revised Restaurant MPR 5-6, and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority reserved in the District Director of the Tulsa District Office of Region V of the Office of Price Administration by section 22 of Revised Restaurant MPR No. 5-6, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for certain food items, beverages and certain meals sold by eating or drinking places, except boarding houses, covered by Revised Restaurant MPR No. 5-6, in the City of Muskogee, Oklahoma.

SEC. 2. *Your ceiling prices.* Your ceiling prices for the food items listed in Appendix A and for the meals required to be served by section 5 are the prices entered in Appendix A for the group of eating or drinking places to which your establishment belongs. The meals are further described in Appendix B. The ceiling prices listed in Appendix A will prevail over the prices established under Revised Restaurant MPR No. 5-6 for these food items or meals. Your ceiling prices for all other food items or meals will continue to be those established under the regulation. Lower prices than those established by Appendix A may, of course, be charged.

SEC. 3. *Taxes.* The dollars-and-cents maximum prices for the meals and food items listed in Appendix A hereof include all Municipal, State, and Federal Taxes except the Oklahoma consumers sales tax and the Federal cabaret tax. In addition to the prices listed in Appendix A, you may charge the amount of:

(a) The Oklahoma consumers sales tax.

(b) The Federal cabaret tax, provided the following conditions are met:

(1) You are liable for payment of the cabaret tax on the sale being made.

(2) You actually pay the additional amount collected for this purpose.

(3) You state and collect the tax separately.

When the amount of the total sale, plus the exact amount of the cabaret tax results in a figure with a fractional cent, the amount to be collected shall be raised or lowered to the nearer even cent.

SEC. 4. *Classifications*—(a) *The groups.* This order classifies eating or drinking places into six groups and establishes ceiling prices applicable to each group. The groups are as follows:

(1) Any eating or drinking place operated by or in connection with a drug store belongs to group 1.

(2) Any eating or drinking place, other than those operated by or in connection with a drug store, belongs to either group 2 or group 3 if it derives the greatest percentage of its dollar volume of business from sales of sandwiches and drinks. It belongs to group 2 if the prices which it charged during the seven-day period from April 4 to April 10, 1943 correspond more closely to the ceiling prices listed in Appendix A for group 2 places than they do to the ceiling prices listed in that Appendix for group 3 places. Conversely, it belongs to group 3 if its April 4–10 prices correspond more closely to the group 3 than to the group 2 ceiling prices.

(3) Any other eating or drinking place belongs to either group 4, group 5, or group 6. It belongs to group 4 if the prices which it charged during the seven-day period from April 4 to April 10, 1943 correspond most closely to the ceiling prices listed in Appendix A for group 4 places; to group 5 if its April 4–10 prices correspond most closely to the ceiling prices established for that group; and to group 6 if its April 4–10 prices correspond most closely to the ceiling prices established for group 6.

(4) Any eating or drinking place which during the period April 4–10, 1943 did not sell any items contained in Appendix A shall be in the same group as other establishments in the vicinity having substantially the same clientele, the same service and the same quality of food.

(b) *Determination.* The District Director of the Office of Price Administration will determine the group to which your eating or drinking place belongs and will notify you of his determination. If, however, you have received no such notice by the effective date of this order or by the date when your place is first open, whichever is later, you must immediately inform the District Director and request him to determine your proper classification. When you have made such a request you may sell at the ceiling prices for the group to which you believe your place belongs under the terms of paragraph (a), until such time as the District Director notifies you of your proper classification. If you fail to request the District Director to determine your proper classification, your place is automatically classified in group 4, and you must not charge prices higher than the ceiling prices established for this group.

(c) *Review of determination.* If you believe you have been improperly classified by the District Director you may apply for a reconsideration of his determination. Your application must be filed within thirty days after you receive notice of the classification.

SEC. 5. *Duty to serve certain meals.* (a) If you serve noon-day luncheons, whether table d'hote or a la carte, and if your place belongs to a group for which a noon-day luncheon price is listed in Appendix A, you must offer each day at or below the price so listed at least two different luncheon selections of a content and quality equal or superior to the luncheons described in Appendix B. You may quote the price for these two luncheon selections either as a table d'hote price for the complete luncheon or as a la carte prices for each item entering

into the luncheon. However, if you quote prices for each item separately, the sum of these prices must not be more than the price listed in Appendix A for the complete luncheon.

(b) If you serve evening luncheons or dinners, whether table d'hote or a la carte, and if your place belongs to a group for which an evening luncheon or dinner price is listed in Appendix A, you must offer each day at or below the price so listed at least two evening luncheon or dinner selections of a content and quality equal to or superior to the evening luncheons or dinners described in Appendix B. You may quote the price for these two evening luncheon or dinner selections either as a table d'hote price for the complete evening luncheon or dinner or a la carte prices for each item entering into the meal. However, if you quote prices for each item separately, the sum of these prices must not be more than the price listed in Appendix A for the complete evening luncheon or dinner.

(c) If your eating or drinking place is in Group 4 or Group 5 and if you can show:

(1) That you did not serve evening luncheons during the seven-day period from April 4–10, to 1943 at or about the price listed in Appendix A for such evening luncheons, and

(2) That the requirement that you must now serve such luncheons will seriously change your customary operating practices,

you may apply to the Director to be relieved of the obligation to serve the evening luncheon described in Appendix B.

(d) If during the seven-day period from April 4–10, 1943, your establishment served no luncheons or dinners other than specialty meals such as steak dinners, chicken dinners, barbecued beef, or Mexican and Chinese dishes, you may apply to the District Director for relief from the obligation to serve the meals described in Appendix B.

SEC. 6. *Posting.* (a) In addition to the posting required by Revised Restaurant MPR No. 5–6 you must post in a conspicuous place your classification as determined by the District Director and copy of the prices applicable to your establishment under this order.

(b) If you have been relieved of the necessity of serving meals under Section 5 of this order, you must post in a conspicuous place in your establishment the certificate of the District Director relieving you of that necessity.

SEC. 7. *Definitions.* (a) "Noon-day luncheon" means any entree or main dish served separately or in combination with other food items or beverages as a mid-day meal.

(b) "Evening luncheon or dinner" means any entree or main dish sold separately or in combination with other food items or beverages sold as an evening meal.

(c) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, the General Maximum Price Regulation, and Revised Restaurant MPR No. 5–6 shall apply to the other terms used herein.

This order shall become effective at 12:01 a. m., central war time, April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808)

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Tulsa, Oklahoma, this 27th day of March 1944.

BEN O. KIRKPATRICK,
District Director.

APPENDIX A

Food item or meal	Group 1	Group 2	Group 3	Group 4	Group 5	Group 6
	ct.	ct.	ct.	ct.	ct.	ct.
Luncheons—Dinners:						
Noon luncheon				30	40	50
Evening luncheon				30	40	50
Vegetable luncheon				30	40	45
Vegetable dinner				30	40	45
Breakfasts:						
Cereal—with milk or half and half	15	15	20	15	20	20
Toast	05	10	10	10	10	10
1 egg—toast and coffee	20	20	25	20	25	25
2 eggs—toast and coffee	30	30	35	25	30	35
Bacon, ham, or sausage with 1 egg, toast and coffee	25	30	40	30	35	40
Bacon, ham, or sausage with 2 eggs, toast and coffee	45	40	50	35	45	50
Hot cakes	20	15	20	20	20	25
Waffle	25	25	25	25	25	25
Sandwiches:						
Bacon and tomato	15	20	20	15	20	25
Lettuce and tomato	15	15	20	15	15	20
Barbecue—Beef or pork	20	20	25	20	20	25
American cheese	15	15	20	15	15	20
Beef or pork	20	20	25	20	20	25
Fried, baked, or boiled ham	20	20	25	20	20	25
Goose liver	20	15	20	15	20	20
Chicken salad	20	25	30	20	25	35
Hamburger	15	10	15	15	15	20
Egg	10	15	15	15	15	20
Hot beef with potatoes and gravy	30	25	35	25	30	35
Hot pork with potatoes and gravy	30	30	30	25	30	35
Steak	20	20	25	20	25	30
Soup, pie, rolls, etc.:						
Chili with beans, bread or crackers	20	20	20	20	20	20
Chili straight, with bread or crackers	25	25	25	25	25	25
Beef stew with bread or crackers	20	20	25	20	20	25
Home-made soup with bread or crackers	15	10	15	15	15	15
Canned soup with bread or crackers	20	20	20	20	25	25
Doughnut	05	05	05	05	05	05
Sweet Roll	05	05	05	05	05	05
Toasted sweet roll	05	05	10	05	05	10
Pie	10	10	10	10	10	10
Cake	10	10	10	10	10	10
Beverages:						
Coffee	05	05	05	05	05	05
Iced coffee	05	05	10	05	05	10
Hot tea	05	05	05	05	05	05
Iced tea	05	05	10	05	05	10
Sweet milk	06	06	07	06	07	07
Buttermilk	05	05	05	05	05	05
Fountain items:						
Milk shake	15	15	15	15	15	15
Malted milk	20	20	20	20	20	20
Ice cream soda	15	15	15	15	15	15
Ice cream sundae	15	15	15	15	15	15
Dish of ice cream	10	10	10	10	10	10
Milk chocolate	15	15	15	15	15	15
Fruit—vegetable juices:						
Orange juice	15	10	15	10	10	15
Tomato juice	10	10	10	10	10	10
Grapefruit juice	10	10	10	10	10	10

APPENDIX B

DESCRIPTION OF ITEMS

Noon and Evening Luncheon Combination

Choice of one entree

1. Hamburger Steak.
2. Meat Loaf (Ham, Veal, etc.)
3. Chicken Fried Steak.
4. Roast Beef.
5. Roast Pork.
6. Beef Stew.
7. Fillet of Perch.
8. Cat Fish.
9. Chicken and Dumplings.
10. Chicken Pie.
11. Chicken a la King.
12. Liver and Onions.
13. Croquettes (Ham, Chicken or Salmon).
14. Short Ribs.
15. Barbecued Beef or Pork.

Choice of

2 vegetables—one of which may be potatoes
Bread and Butter
Drink

Vegetable Luncheon

Choice of 4 vegetables or 3 vegetables & salad
Bread and Butter
Drink

[F. R. Doc. 44–11797; Filed, August 7, 1944; 11:46 a. m.]

[Detroit Order G–5 Under MPR 426, Amdt. 2]

SWEET CHERRIES IN WAYNE COUNTY, MICH.

Amendment No. 2 to Order No. G–5 under Maximum Price Regulation No. 426. Order adjusting maximum wholesale prices of sweet cherries sold in Wayne County, Michigan.

The approval of the Regional Director of Food Distribution to Detroit District Office Order No. G–5 as amended, under Maximum Price Regulation No. 426 is added to read as follows:

Approved:

E. O. POLLACK,
Regional Director of Food Distribution.

Effective: August 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

W. E. FITZGERALD,
District Director.

[F. R. Doc. 44–11808; Filed, August 7, 1944; 1:19 p. m.]

[Detroit Order G–6 Under MPR 426, Amdt. 2]

CERTAIN DECIDUOUS TREE FRUITS IN WAYNE COUNTY, MICH.

Amendment No. 2 to Order No. G–6 under Maximum Price Regulation No. 426. Adjusting certain maximum mark-ups of certain deciduous three fruits sold in Wayne County, Michigan.

The approval of the Regional Director of Food Distribution to Detroit District Office Order No. G–6 as amended, under Maximum Price Regulation No. 426 is added to read as follows:

Approved:

E. O. POLLACK.
Regional Director of Food Distribution.

Effective August 2, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

W. E. FITZGERALD,
District Director.

[F. R. Doc. 44–11809; Filed, August 7, 1944; 1:19 p. m.]

[Jackson Order G–1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN MISSISSIPPI

Amendment 1 to Order No. G–1 under General Order No. 50. Maximum prices for malt and cereal beverages in the State of Mississippi.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, this Amendment 1 to Order No. G–1, issued by the Jackson (Mississippi) District Office of the Office of Price Administration under General Order No. 50, is hereby issued.

(a) Appendix A is hereby amended by adding under Group 1 B the following brand or trade name and maximum prices, to-wit:

Brand or trade name	Maximum prices per bottle	
	12-ounce	32-ounce
Birk's Trophy	*Cents* 26	*Cents* 51

(b) Appendix A is further amended by adding under Group 2B the following brand or trade name and maximum prices, to-wit:

Brand or trade name	Maximum prices per bottle	
	12-ounce	32-ounce
Birk's Trophy	*Cents* 21	*Cents* 47

(c) Appendix A is further amended by adding under Group 3B the following brand or trade name and maximum prices, to-wit:

Brand or trade name	Maximum prices per bottle	
	12 ounce	32 ounce
Birk's Trophy	*Cents* 20	*Cents* 42

Effective date. This amendment becomes effective on and after June 14, 1944.

(Pub. Law 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued this 14th day of June 1944.

DEWEY S. DEARMAN,
Acting District Director.

[F. R. Doc. 44–11821; Filed, August 7, 1944; 1:22 p. m.]

[Jackson Order G–1 Under Gen. Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN MISSISSIPPI

Amendment 2 to Order No. G–1 under General Order No. 50. Maximum prices for malt and cereal beverages in the State of Mississippi.

For the reasons set forth in an Opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, this Amendment 2 to Order No. G–1, issued by the Jackson (Mississippi) District Office of the Office of Price Administration under General Order No. 50, is hereby issued.

(a) Appendix A is hereby amended by adding under Group 1 B the following brand or trade name and maximum price, to-wit:

Maximum Price Per Bottle, 12-Ounce

Brand or trade name:	*Cents*
Carta Blanca	35

(b) Appendix A is further amended by adding under Group 2 B the following brand or trade name and maximum price, to-wit:

Maximum Price Per Bottle, 12-Ounce

Brand or trade name:	*Cents*
Carta Blanca	32

(c) Appendix A is further amended by adding under Group 3 B the following brand or trade name and maximum price, to-wit:

Maximum Price Per Bottle, 12-Ounce

Brand or trade name:	*Cents*
Carta Blanca	30

Effective date. This amendment becomes effective on and after July 13, 1944.

(Pub. Law 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order 50, 8 F.R. 4808)

Issued this 12th day of July 1944.

DEWEY S. DEARMAN,
Acting District Director.

[F. R. Doc. 44–11822; Filed, August 7, 1944; 1:21 p. m.]

[Region VI Order G–61 Under SR 15, MPR 280 and MPR 329, Amdt. 2]

FLUID MILK IN BRAINERD, MINN.

Correction

In paragraph (c) (2) of F.R. Doc. 44–10220, appearing on page 7902 of the issue for Friday, July 14, 1944, the fourth line under the table should read: "be increased to the next even cent. An."

[Region VIII Order G–10 Under 3 (c)]

PLASTIC DIE & TOOL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. G–10 under § 1499.3 (c) as amended of the General Maximum Price Regulation. Plastic container for sanitary napkins. Maximum prices for sales and deliveries of plastic container for sanitary napkins manufactured by Plastic Die & Tool Company.

For the reasons set forth in the accompanying opinion, and under the authority conferred upon the Regional Administrator by section 3 (c) of the General Maximum Price Regulation, as amended, and Revised General Order 32, the following maximum prices are established for sales and deliveries of a plastic container for sanitary napkins manufactured by Plastic Die & Tool Co. of Los Angeles, California, and known as "Purse Pack" by sellers subject to the General Maximum Price Regulation who did not sell the same, a "similar" or "comparable" commodity in March 1942, and whose competitors did not sell the same or a similar commodity in March 1942:

$0.39 per container for sales other than at retail.

$0.65 per container for "sales at retail".

The terms "similar" and "comparable" shall have the meaning of those terms as used in the General Maximum Price Regulation; "sales at retail" mean sales to ultimate consumers.

This order shall apply to all sales and deliveries in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This order may be amended, corrected, or revoked at any time.

This order shall take effect August 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44–11811; Filed, August 7, 1944; 1:18 p. m.]

[Region VII Rev. Order G–24 Under RMPR 122]

SOLID FUELS IN DENVER REGION

Correction

The heading of Table II in F.R. Doc. 44–10225, appearing at page 7905 of the issue for Friday, July 14, 1944, should read "II. Mines in District 19".

[Region VIII Order G-11 Under § (c)]

OCCIDENTAL MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. G-11 under § 1499.3 (c) as amended of the general maximum price regulation. Slumber shades.

Maximum prices for sales of slumber shades manufactured by Occidental Manufacturing Co.

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by section 3 (c) of the General Maximum Price Regulation and Revised General Order 32 the following order is issued:

a. The maximum price for sales by "jobbers" of slumber shades manufactured by Occidental Mfg. Co., 310 N. Ogden Drive, Los Angeles, California, shall be $3.80 per dozen.

b. "Jobbers" means sellers who purchase slumber shades and resell them to persons other than ultimate consumers.

c. This order shall apply to all sales and deliveries in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho by "jobbers" who did not sell the same, similar or comparable commodities in March 1942 and whose closest competitors did not sell the same or similar commodities in March 1942.

This order may be amended, corrected, or revoked at any time.

This order shall take effect August 2, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44-11812; Filed, August 7, 1944; 1:19 p. m.]

[Region II Order G-44 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN WESTCHESTER COUNTY, EXCEPT CITY OF YONKERS, N. Y.

Correction

In F.R. Doc. 44-9905, appearing at page 7623 of the issue of Saturday, July 8, 1944, the reference to Coal Area K in paragraph (d) (1) (iii) should be "Coal Area X".

[Peoria District Order G-2 Under MPR 426 and MPR 280]

FRESH FRUITS AND VEGETABLES IN JOLIET, ILL., AREA

Order No. G-2 under § 1439.3-15, Appendix H (f) Appendix I (g) of Maximum Price Regulation No. 426 and §1351.1254a (a) of Maximum Price Regulation No. 285. Delivery differentials for wholesalers of certain fresh fruits and vegetables in Joliet, Illinois, and vicinity.

For the reasons set forth in the accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Peoria District Office of the Office of Price Administration by § 1439.3-15, Appendix H (f), Appendix I (g) of Maximum Price Regulation 426 and § 1351.-1254a (a) of Maximum Price Regulation 285, Order No. G-2 is hereby issued.

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of Joliet, Illinois and vicinity. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of MPR 285 and Appendices H and I of Maximum Price Regulation 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation 285 and secondary jobbers and service wholesalers, as those terms are used in Appendices H and I of Maximum Price Regulation 426.

(b) *Establishment of delivery zones.* (1) The free delivery zone established by this order shall be the area comprising the City of Joliet, including the subdivision of Ridgewood and the Village of Rockdale, all of which are located in the County of Will and State of Illinois.

(2) The zone in which charges may be made for delivery is the area outside the free delivery zone.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation 426*—(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone 5¢ per container for standard shipping containers weighing under 50 lbs. gross weight and 10¢ per container for standard shipping container weighing 50 lbs. or over gross weight.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation 426, for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the seller may add to the maximum price for delivered sales in the free delivery zone the sum of 25¢ per cwt. The cwt. charge on commodities covered by Appendix H and Appendix I shall be figured on the basis of gross weight.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation 285*—(1) *Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and for delivered sales in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation 285 for the type of sale being made. Discounts and price differentials including any differentials or discount for f. o. b. non-delivered sales must be maintained.

(2) *Delivered sales beyond the free delivery zone.* For delivered sales beyond the free delivery zone, the wholesaler may add 25¢ per cwt. The cwt. charge on bananas shall be figured on a net weight basis.

(e) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution.

Unless the context otherwise requires, the terms used therein shall have the same meaning as given them in Maximum Price Regulation 285 and Maximum Price Regulation 426.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) This order shall become effective on the 26th day of June, 1944.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

JAS. A. CARRUTHERS,
District Director.

Approved:

E. O. POLLOCK,
Regional Director,
War Food Administration.

[F. R. Doc. 44-10925; Filed, July 21, 1944; 1:06 p. m.]

[Colorado Order G-1 Under MPR 165]

CLEANING SERVICES IN DENVER AREA

Correction

In F.R. Doc. 44-9906, appearing on page 7634 of the issue of Saturday, July 8, 1944, the fifth sentence of paragraph (b) should read "The following services constitute the cleaning, checking and oiling of a stoker: Removing coal from hopper and worm housing; painting hopper and worm housing to prevent rust; cleaning plenum chamber; cleaning and oiling motor; checking thoroughly fan unit; flushing gear case and refilling it with approved oil; and inspecting and adjusting 'V' belts".

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 4, 1944.

REGION II

Altoona Order 12, Amendment 2, covering community food prices in certain areas in the Altoona District, filed 9:53 a. m.

Concord Order 16, Amendment 1, covering poultry items in certain areas in New Hampshire, filed 3:45 p. m.

District of Columbia Order 1-F, Amendment 19, covering fresh fruits and vegetables in designated area of the District of Columbia Area, filed 9:53 a. m.

Harrisburg Order 1-F, Amendment 8, covering fresh fruits and vegetables in named counties in Penna., filed 9:52 a. m.

Maryland Order 1-F, Amendment 18, covering fresh fruits and vegetables in Baltimore City and suburban communities, filed 9:50 a. m.

Maryland Order 3-F, Amendment 5, covering fresh fruits and vegetables in Hagerstown, Md., filed 9:51 a. m.

Pittsburgh Order 1-F, Amendment 17, covering fresh fruits and vegetables in Pittsburgh and certain suburban communities, filed 9:49 a. m.

Providence Order 2-F, Amendment 11, covering fresh fruits and vegetables in Rhode Island except certain areas, filed 3:45 p. m.

Providence Order 1-F, Amendment 11, covering fresh fruits and vegetables in the Providence, R. I. Metropolitan Area, filed 3:45 p. m.

Trenton Order 5-F, Amendment 1, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth, filed 9:52 a. m.

Wilmington Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain named areas, filed 9:52 a. m.

Williamsport Order 1-F, Amendment 18, covering fresh fruits and vegetables in named counties in Penna., filed 9:52 a. m.

REGION III

Cincinnati Order 2-F, Amendment 35, covering fresh fruits and vegetables in Butler, Clark, Montgomery and Scioto in Ohio, filed 9:50 a. m.

Cincinnati Order 3-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Ohio, filed 9:50 a. m.

Indianapolis Order 9-W, Amendment 1, covering dry groceries in Central Indiana, filed 3:46 p. m.

Indianapolis Order 10-W, Amendment 1, covering dry groceries in Southwestern Indiana, filed 3:56 p. m.

Indianapolis Order 11-W, Amendment 1, covering dry groceries in Northwestern Indiana, filed 3:47 p. m.

Indianapolis Order 12-W, Amendment 1, covering dry groceries in Northeastern Indiana, filed 3:47 p. m.

Indianapolis Order 13-W, Amendment 1, covering dry groceries in Southeastern Indiana, filed 3:47 p. m.

Indianapolis Order 26, Amendment 1, covering dry groceries in Central Indiana, filed 3:46 p. m.

Indianapolis Order 27, Amendment 1, covering dry groceries in Southwestern Indiana, filed 3:46 p. m.

Indianapolis Order 28, Amendment 1, covering dry groceries in Northwestern Indiana, filed 3:46 p. m.

Indianapolis Order 29, Amendment 1, covering dry groceries in Northeastern Indiana, filed 3:46 p. m.

Indianapolis Order 30, Amendment 1, covering dry groceries in Southeastern Indiana, filed 3:46 p. m.

Indianapolis Order 4-F, Amendment 23, covering fresh fruits and vegetables in Marion, Vigb and Tippecanoe, filed 9:55 a. m.

Indianapolis Order 5-F, Amendment 23, covering fresh fruits and vegetables in Wayne, Delaware and Allen, filed 9:47 a. m.

Indianapolis Order 6-F, Amendment 23, covering fresh fruits and vegetables in St. Joseph, filed 9:48 a. m.

Indianapolis Order 7-F, Amendment 10, covering fresh fruits and vegetables in Vanderburgh, filed 9:48 a. m.

Indianapolis Order 8-F, Amendment 23, covering fresh fruits and vegetables in certain named counties, filed 9:48 a. m.

Indianapolis Order 9-F, Amendment 23, covering fresh fruits and vegetables in certain counties in Ohio, filed 9:48 a. m.

Indianapolis Order 10-F, Amendment 23, covering fresh fruits and vegetables in named counties in Indianapolis District, filed 9:48 a. m.

Indianapolis Order 11-F, Amendment 23, covering fresh fruits and vegetables in named counties in Indianapolis District, filed 9:49 a. m.

Indianapolis Order 12-F, Amendment 8, covering fresh fruits and vegetables in named counties in Indianapolis District, filed 9:49 a. m.

Louisville Order 4-F, Amendment 1, covering fresh fruits and vegetables in named counties in Ky., filed 9:55 a. m.

Louisville Order 5-F, Amendment 1, covering fresh fruits and vegetables in named counties in Ky., filed 9:55 a. m.

Louisville Order 6-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Ky., filed 9:55 a. m.

Louisville Order 7-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Ky., filed 9:55 a. m.

Saginaw Order 2-F, Amendment 29, covering fresh fruits and vegetables in certain counties in Michigan.

REGION IV

Jackson Order 3-F, Amendment 4, covering fresh fruits and vegetables in certain counties in the Jackson, Miss. District Area, filed 9:50 a. m.

Jacksonville Order 4-F, Amendment 5, covering fresh fruits and vegetables in designated counties in Florida, filed 9:43 a. m.

Jacksonville Order 5-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Florida, filed 9:41 a. m.

REGION V

Houston Order 2-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Houston District, filed 9:41 a. m.

Kansas City Order G-19, covering community food prices in certain areas in Kansas, filed 9:56 a. m.

Kansas City Order G-20, covering community food prices in certain areas in Kansas, filed 9:56 a. m.

Kansas City Order 3-W, covering community food prices in a certain definite area in Mo. and certain counties in Kansas, filed 9:56 a. m.

St. Louis Order 3-F, Amendment 12, covering fresh fruits and vegetables in certain areas in St. Louis District, filed 9:41 a. m.

REGION VI

Chicago Order 2-W, Amendment 1, covering dry groceries in Chicago Metropolitan District, filed 9:50 a. m.

Chicago Order 8, Amendment 1, covering dry groceries and certain perishables in certain areas in Ill., filed 9:50 a. m.

Green Bay Order 2-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Wis., filed 9:43 a. m.

Green Bay Order 3-F, Amendment 17, covering fresh fruits and vegetables in certain areas in Wis., filed 9:43 a. m.

Duluth-Superior Order 2-F, Amendment 6, covering fresh fruits and vegetables in certain areas in Minn. and Wis., filed 9:41 a. m.

Springfield Order 1-FS, Amendment 2, covering fresh fruits and vegetables in Springfield, Sangamon Co., Ill, filed 9:43 a. m.

Sioux Falls Adopting Order 6, covering retail community food prices in certain counties in S. Dakota, filed 9:44 a. m.

REGION VII

Wyoming Order 1-F, Amendment 8, covering fresh fruits and vegetables in the Cheyenne Area, filed 10:35 a. m.

Wyoming Order 2-F, Amendment 6, covering fresh fruits and vegetables in the Laramie Area, filed 10:36 a. m.

Wyoming Order 3-F, Amendment 5, covering fresh fruits and vegetables in the Casper Area, filed 10:35 a. m.

Wyoming Order 4-F, Amendment 5, covering fresh fruits and vegetables in the Sheridan Area, filed 10:35 a. m.

Wyoming Order 5-F, Amendment 4, covering fresh fruits and vegetables in the Rock Springs Area, filed 10:36 a. m.

REGION VIII

Los Angeles Order 1-F, Amendment 25, covering fresh fruits and vegetables in the Santa Barbara-Ventura Area.

Fresno Order 1-F, Amendment 28, covering fresh fruits and vegetables in Fresno, Calif., filed 10:38 a. m.

Fresno Order 2-F, Amendment 18, covering fresh fruits and vegetables in Modesto, Stanislaus, Calif., filed 10:38 a. m.

Fresno Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Calif., filed 10:37 a. m.

Sacramento Order 14, Amendment 5, covering community prices of poultry in Sacramento District, filed 10:37 a. m.

Spokane Order 1-F, Amendment 19, covering community fresh fruits and vegetables in certain areas in Spokane Co., Wash., filed 10:35 a. m.

Spokane Order 2-F, Amendment 16, covering community fresh fruits and vegetables in certain areas of Kootenai Co., Idaho, filed 10:35 a. m.

Seattle Order 1-W, Amendment 1, covering dry groceries in certain counties in Wash., filed 10:37 a. m.

Seattle Order 80, covering community food prices in the Seattle Area, filed 9:44 a. m.

Seattle Order 81, covering community food prices in the Tacoma Area, filed 9:45 a. m.

Amendment 1 to Order 81 of Seattle, covering community food prices in the Tacoma Area, filed 10:36 a. m.

Seattle Order 82, covering community food prices in the Everett Area, filed 9:45 a. m.

Seattle Order 83, covering community food prices in the Bremerton Area, filed 9:46 a. m.

Seattle Order 84, covering community food prices in the Bellingham Area, filed 9:47 a. m.

Seattle Order 85, covering community food prices in the Olympia Area, filed 9:46 a. m.

Seattle Order 86, covering community food prices in the Aberdeen-Hoquiam Area, filed 9:46 a. m.

Seattle Order 87, covering community food prices in the Centralia-Chehalis Area, filed 9:46 a. m.

Seattle Order 88, covering community food prices in the Wenatchee Area, filed 9:47 a. m.

Seattle Order 89, covering community food prices in the Yakima Area, filed 9:47 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-11798; Filed, August 7, 1944; 11:46 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 5, 1944.

REGION I

Boston Order 6-F, Amendment 7, covering fresh fruits and vegetables in named areas in Boston District Area, filed 9:43 a. m.

Connecticut Order 2-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Connecticut, filed 9:44 a. m.

REGION II

Philadelphia Order 2-F, Amendment 1, covering fresh fruits and vegetables in Montgomery and Delaware Counties, Penna., filed 9:44 a. m.

Philadelphia Order 8-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Penna., filed 9:44 a. m.

Syracuse Order F-2, Amendment 1, covering fresh fish and seafood in named cities in New York, filed 9:45 a. m.

Syracuse Order F-2, Amendment 2, covering fresh fish and seafood in named cities in New York, filed 9:45 a. m.

Syracuse Order F-3, Amendment 1, covering fresh fish and seafood in named areas in New York, filed 9:45 a. m.

Syracuse Order F-3, Amendment 2, covering fresh fish and seafood in named areas in New York, filed 9:45 a. m.

Syracuse Order 2-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New York, filed 9:45 a. m.

REGION III

Cincinnati Order 8-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Ohio, filed 9:46 a. m.

Charleston Order 2-F, Amendment 83, covering fresh fruits and vegetables in named counties in W. Vir., filed 9:46 a. m.

Charleston Order 7-F, Amendment 18, covering fresh fruits and vegetables in named areas in W. Vir., filed 9:47 a. m.

Charleston Order 8-F, Amendment 18, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:47 a. m.

Charleston Order 9-F, Amendment 17, covering fresh fruits and vegetables in certain areas in W. Virginia, filed 9:47 a. m.

Charleston Order 10-F, Amendment 17, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:47 a. m.

Charleston Order 11-F, Amendment 8, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan, W. Vir., filed 9:47 a. m.

Charleston Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:48 a. m.

Charleston Order 13-F, Amendment 2, covering fresh fruits and vegetables in certain counties in W. Vir., filed 9:48 a. m.

Columbus Order 8, Amendment 11, covering community food prices in certain areas in Ohio, filed 9:48 a. m.

REGION VI

Des Moines Order 1-F, Amendment 27, covering fresh fruits and vegetables in the Des Moines Area.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-11852; Filed, August 8, 1944; 11:24 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-17, 59-11, 54-25]

UNITED LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of August A. D. 1944.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light and Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, respondents, File No. 59-17; The United Light and Power Company and Its Subsidiary Companies, respondents, File No. 59-11; The United Light and Power Company, applicant, File No. 54-25.

Notice is hereby given, that The United Light and Power Company ("Power"), a registered holding company, and The United Light and Railways Company ("Railways"), also a registered holding company and a subsidiary of Power, have filed with this Commission an application, designated as "Application No. 14A", pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 with respect to a proposal to effect an interim distribution of common stock of Railways to the preferred stockholders of Power prior to final court review of pending plan for the liquidation and dissolution of Power.

By order dated April 6, 1943, this Commission approved a plan under section 11 (e) of the act for the liquidation and dissolution of Power as required by the Commission's order dated March 20, 1941. The plan provides, among other things, that 94.52% of the common stock of Railways should be distributed to the preferred stockholders of Power and 5.48% of the common stock of Railways should be distributed to Power's common stockholders, the distribution to be made on or after the thirtieth day following the date upon which the order approving the plan is no longer subject to judicial review. On August 4, 1943, the District Court for the District of Delaware entered an order approving and enforcing the plan, and on April 20, 1944, the United States Circuit Court of Appeals for the Third Circuit affirmed the action of the District Court upon appeal by Otis & Co., a preferred stockholder of Power. On June 12, 1944, the United States Supreme Court granted a petition by Otis & Co. for a writ of certiorari to review the judgment of the Circuit Court.

The question raised by Otis & Co. in its appeal to the Supreme Court is whether the common stockholders of Power are entitled to any participation in the distribution of the common stock of Railways. Application 14A has been filed for the stated purpose of effecting an interim distribution to the preferred stockholders of Power without awaiting final court determination of the foregoing question, on the theory that the pending litigation does not raise any question with respect to the propriety of the distribution of 94.52% of Railways common stock to which all parties to the litigation concede Power's preferred stockholders are entitled, and that, therefore, the interim distribution will not be prejudicial to any persons whose rights are being determined in the appeal. The application states that the proposed distribution will place Power's preferred stockholders in a position to receive dividends to the extent earnings are available, will accomplish a more equitable distribution of the voting power of the holding company system and will tend to create orderly markets for the common stock of Railways.

All interested persons are referred to said Application No. 14A, which is on file at the office of this Commission, for a full statement of the transactions therein proposed which are summarized as follows:

(1) The authorized common stock of Railways, now consisting of 1,000,000 shares of the par value of $35 each, shall be changed into 3,500,000 shares of common stock having a par value of $7 each; the 708,520 shares of common stock of Railways, now outstanding and held by Power, shall be exchanged for 3,173,638 shares of the new common stock; and the capital of Railways shall be reduced $2,581,334 by reducing the amount of capital represented by the outstanding common stock from $24,798,200 to $22,216,866, the amount of the reduction to be credited to paid-in surplus.

(2) As soon as practicable after the entry of an order by the Commission and by the United States District Court for the District of Delaware, upon application thereto by the Commission, approving the distribution, Power shall deposit with a Depositary and cause it to distribute to the preferred stockholders of Power, five shares of the new common stock of Railways for each share of preferred stock of Power.

(3) The 173,838 shares of common stock of Railways received by Power in the exchange and which are not to be distributed to the preferred stockholders of Power, together with all dividends paid on such stock, shall be held by Power for distribution to its common stockholders in accordance with the plan heretofore approved in these proceedings if it is approved by the United States Supreme Court. If the plan is not so approved, said shares and the dividends received thereon by Power shall be disposed of in such manner as the Commission and the United States District Court for the District of Delaware shall direct by subsequent order.

(4) Neither the failure to object to the entry of the order by the Commission hereby requested, nor the acceptance by Power of the common stock of Railways will constitute an approval of or acquiescence by the preferred stockholders of Power in the plan now pending on appeal, nor shall the common stockholders be prejudiced in any way by failing to object to the entry of the order hereby requested.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said Application No. 14A, and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing be held with respect to the said Application No. 14A on August 23, 1944 at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule No. XVII, on or before August 18, 1944.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed interim distribution is necessary or appropriate to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons to be affected thereby.

(2) Whether the proposed interim distribution and the accompanying transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder.

It is further ordered, That notice of said hearing be given to Power, Railways and Otis & Co. by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11749; Filed, August 7, 1944; 10:13 a. m.]

[File Nos. 54-67, 59-64]

PEOPLES LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND ORDER RECONVENING HEARING

In the matters of Peoples Light and Power Company, and Subsidiary Companies, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Farm Company, Texas Public Service Company, and West Coast Power Company, File No. 59-64.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of August 1944.

The Commission having, on March 9, 1943 (Holding Company Act Release No. 4159), instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 involving Peoples Light and Power Company ("Peoples"), a registered holding company and its subsidiaries; and said proceedings having been consolidated for the purpose of hearing with an application heretofore filed by Peoples pursuant to section 11 (e) of said act for approval of a Plan for compliance with sections 11 (b) (1) and 11 (b) (2) of said act; hearings having been held in respect of such consolidated proceedings and having been adjourned subject to call of the trial examiner;

Notice is hereby given that declarations and applications have been filed with this Commission pursuant to the Act by Peoples and its wholly-owned subsidiary, namely, West Coast Power Company ("West Coast"), designated as Amendments Nos. 28 and 29 to the aforementioned application for approval of a Plan. All interested persons are referred to said documents which are on file in the office of the Commission for a full statement of the transactions therein proposed, which may be summarized as follows:

1. West Coast proposes to sell to Idaho Power Company all of West Coast's electric property in the State of Idaho, including materials and supplies, merchandise held for sale and accounts receivable, but exclusive of cash, for a cash consideration of $685,000 subject to closing adjustments.

2. West Coast proposes to sell to the City of Hailey, Idaho, all of West Coast's water property and assets in the City of Hailey, Idaho, including materials and supplies and accounts receivable, but exclusive of cash, for the sum of $65,000 subject to closing adjustments.

3. West Coast proposes to redeem $386,000 principal amount of its outstanding first mortgage bonds with a portion of the proceeds received from the sale of its Idaho electric properties, and amend the provisions of its Indenture of Mortgage to Provident Trust Company of Philadelphia and Carl W. Fenninger, as Trustees, dated June 1, 1940, by a supplemental indenture so as to (a) permit the payment of dividends and/or the making of a distribution in partial liquidation to Peoples aggregating approximately $540,000; (b) provide for the release of the Idaho assets from the lien of the West Coast Mortgage; and (c) effect certain other modifications necessitated by the proposed transactions.

4. In connection with the proposed distribution in partial liquidation, West Coast will effect a reduction in its capital and stated value of its 11,500 shares of no par capital stock, pursuant to the laws of Delaware, consistent with the amount of such distribution.

The owner of all the presently issued and outstanding West Coast Bonds has agreed to retail $200,000 principal amount of West Coast Bonds and to the proposed modifications of the West Coast Mortgage.

5. Peoples proposes to sell to A. E. Fimmel all of the issued and outstanding shares of no par value Capital Stock (11,500 shares) of West Coast for a cash consideration of $115,000 subject to the terms and provisions of the Agreement between Peoples and Fimmel, dated July 14, 1944. The sale of the West Coast stock is conditioned expressly, among other things, on the consummation of the sales of the Idaho assets and the receipt by Peoples from West Coast of dividends and/or a distribution in partial liquidation aggregating not less than $500,000.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held in respect of the amendments hereinabove described and that the declarations with respect thereto shall not become effective nor said applications be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that the hearing in respect of File Nos. 54-67 and 59-64, heretofore adjourned subject to the call of the trial examiner, should be reconvened;

It is ordered, That a hearing under the applicable provisions of the act and the rules of the Commission thereunder be reconvened on the 24th day of August, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before August 21, 1944.

It is further ordered, That Robert P. Reeder or any other officer or officers designated by the Commission to preside at such hearing, shall exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by these proceedings, attention will be directed at the hearing to consideration of the following matters and questions:

(1) Whether the proposed consideration to be received for the West Coast properties, assets and common stock is reasonable and bears a fair relation to the sums invested in, or the earning capacity of, the assets to be sold.

(2) Whether the proposed redemption of $386,000 of First Mortgage Bonds by West Coast and the modification of the West Coast Indenture of Mortgage complies with the applicable sections of the Act or the rules thereunder.

(3) Whether the proposed dividend out of earned surplus and the distribution in partial liquidation aggregating approximately $540,000 by West Coast to Peoples is in compliance with the applicable sections of the act and the rules thereunder.

(4) Whether the proposed reduction in the stated value of the common stock of West Coast meets the applicable standards of the act.

(5) What, if any, terms and conditions with respect to the proposed transaction should be prescribed in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to the applicants and declarants and to the Public Utility Commission of Idaho, and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all per-

sons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL DUBOIS, *Secretary.*

[F. R. Doc. 44-11842; Filed, August 8, 1944; 11:01 a. m.]

[File Nos. 54-42, 54-69, 59-65, 70-927, 70-928]

CENTRAL STATES UTILITIES CORP., ET AL.

NOTICE OF FILING AND ORDER RECONVENING HEARING AND DIRECTING CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of August, A. D. 1944.

In the matters of Central States Utilities Corporation, Central States Power & Light Corporation, Missouri Electric Power Company, Ogden Corporation, File No. 54-42; Ogden Corporation and Subsidiary Companies, File No. 54-69; Ogden Corporation and Subsidiary Companies, File No. 59-65; Interstate Power Company, File No. 70-927; and Interstate Power Company, File No. 70-928.

Ogden Corporation ("Ogden"), a registered holding company, together with its subsidiary holding company, Central States Utilities Corporation ("Central Utilities"), and the latter's subsidiary, Central States Power & Light Corporation ("Central States"), having heretofore filed an application and amendments thereto, pursuant to section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to a plan of liquidation of Central Utilities and Central States (File No. 54-42);

The Commission having entered an order dated May 20, 1943 approving a plan filed by Ogden and subsidiaries pursuant to section 11 (e) of the act designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of the act, said plan providing for, among other things, the liquidation and dissolution of Central Utilities and Central States, and having directed, pursuant to section 11 (b), that the said companies take certain action to comply with the provisions of section 11 (b) (File Nos. 54—69 and 59-65); and

The proceedings in respect to the Plan filed by Central Utilities, Central States, and Ogden, pursuant to section 11 (e) of the act (File No. 54-42), and proceedings in respect of the Plan filed by Ogden and subsidiary companies pursuant to section 11 (e) of the act (File No. 54-69), and the proceedings instituted by the Commission directed to Ogden and subsidiary companies, respondents, pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the act (File No. 59-65), having heretofore been consolidated, and hearings having been held in respect of such consolidated proceedings and having been continued subject to call of the trial examiner;

Notice is hereby given that an amendment to the aforesaid amended application (File No. 54-42) has been filed by Central Utilities, Central States, and Ogden pursuant to the applicable sections of the act and the rules promulgated thereunder.

Notice is further given that an application and declarations have been filed by Interstate Power Company ("Interstate"), a holding-operating subsidiary company of Ogden, pursuant to the applicable sections of the act and the rules promulgated thereunder.

All interested persons are referred to the said amendment (File No. 54-42) and the said application (File No. 70-927) and declarations (File No. 70-928) which are on file in the office of the Commission for a full statement of the transactions proposed therein, which may be summarized as follows:

1. Central States proposes to sell and Interstate proposes to buy the remaining physical properties, and other assets pertinent thereto, of Central States, known as its "Iowa-Minnesota properties", for a base price of $2,750,000 in cash, subject to certain adjustments to the date of sale. The properties involved consist primarily of electric generation, transmission, and distribution systems operated in northern Iowa and southern Minnesota.

2. Central States proposes to apply a portion of the proceeds of the aforesaid sale to discharge all of its then outstanding First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953, ($919,770 unpaid principal amount outstanding as of July 1, 1944), by the payment to the holders thereof of an amount equal to the unpaid principal amount of such bonds and accrued interest thereon up to the date of such payment, but without the payment to such holders of any redemption premium in respect of such bonds. The balance of the proceeds of said sale remaining after the payment and discharge of all the outstanding 5½% Bonds as aforesaid, together with any additional assets of Central States, will be distributed to the holders of the securities junior to said 5½% Bonds in accordance with an amendment to the plan of Central States to be hereafter filed with this Commission.

3. Central States requests the Commission to approve the transactions proposed in said amendment to its plan (File No. 54-42) as a separate proposal or plan under section 11 (e) of the act, and then to apply to the United States District Court for the District of Delaware (which has previously approved other aspects of Central States' plan) pursuant to section 18 (f) of the act, to enforce and carry out the terms and provisions of such separate proposal or plan.

4. Interstate proposes to sell, and Otter Tail Power Company, a non-affiliated public utility company proposes to buy, Interstate's electric and water properties and other assets pertinent thereto, known as Interstate's "Bemidji-Crookston Districts", for a base price of $3,000,000 in cash, subject to certain adjustments to the date of sale. The properties involved are operated in the counties of Cass, Beltram, Clearwater, Clay, Norman, Polk, Red Lake, Marshall, Kittston, and Roseau, in the State of Minnesota. Interstate proposes to utilize approximately $2,750,000 of the proceeds of said sale to purchase Central States' "Iowa-Minnesota properties".

5. The obligations of Central States and Interstate under the contract of sale, referred to in paragraph 1 above, are conditioned upon, among other things, the following:

(a) The execution by The Chase National Bank of the City of New York as Trustee under the Trust Indenture securing Central Utilities' Ten-Year 6% Secured Gold Bonds of its consent in writing as a holder of all the common stock of Central States (pledged under said indenture), or the voting of such stock in such manner as shall authorize and enable Central States to carry out the provisions of the contract;

(b) The consummation of the aforesaid sale by Interstate of its "Bemidji-Crookston Districts" to Otter Tail Power Company, referred to in paragraph 4 above, and receipt of the cash consideration therefor, on or before the closing date specified in the said contract of sale between Central States and Interstate.

6. The obligations of Interstate and Otter Tail Power Company under the contract of sale, referred to in paragraph 4 above, are conditioned upon, among other things, the obtaining by Otter Tail Power Company of all necessary approvals of the North Dakota Public Service Commission and of the Federal Power Commission.

The filings designate sections 11 (b), 11 (e), 12 (d), 12 (f), 12 (c), 9 (a) (1) and 10 as applicable to the proposed transactions.

It appearing to the Commission that the hearing herein (File Nos. 54-42, 54-69 and 59-65) previously continued should be reconvened for the purpose of taking additional testimony necessitated by the amendment filed by Central Utilities, Central States and Ogden;

It further appearing to the Commission that the proceedings heretofore consolidated in respect of the plan filed pursuant to section 11 (e) of the act by Central Utilities, Central States and Ogden (File No. 54-42), the plan filed pursuant to section 11 (e) of the act by Ogden and subsidiary companies (File No. 54-69), and the proceedings instituted by the Commission directed to Ogden and subsidiary companies, respondents, pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the act (File No. 59-65), and the proceedings relating to the application and declarations filed by Interstate (File Nos. 70-927 and 70-928) involve common questions of law and fact and should be consolidated;

It is ordered, That such proceedings be and the same hereby are consolidated, the Commission reserving the right to separate, either in whole or in part, or to dispose of in whole or in part, any of the issues or questions which may arise in these proceedings and to take such action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That a hearing on said matters so consolidated be held on the 17th day of August, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before August 14, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act, and to a trial examiner under the Commission's rules of practice.

Notice is hereby given of said consolidated hearing to the above-named applicants and declarants, the Federal Power Commission, the North Dakota Public Service Commission, The Chase National Bank of the City of New York, Indenture Trustee of Central States' First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953, and Indenture Trustee of Central Utilities' Ten-Year 6% Secured Gold Bonds, and the Continental Illinois National Bank and Trust Company of Chicago, Indenture Trustee of Central States' 5% Debentures, and to all interested persons; said notice to be given to said applicants and declarants and to the Federal Power Commission, the North Dakota Public Service Commission, The Chase National Bank of the City of New York, and the Continental Illinois National Bank and Trust Company of Chicago by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That Central States shall give additional notice of said hearing to all known holders of its First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953, by causing a copy of this notice and order to be mailed to such holders at their last known addresses, such mailing to be made not less than ten days prior to the date of said hearing.

It is further ordered, That without limiting the scope of the issues presented by said amendment of Central States and said application and declarations of Interstate and otherwise to be considered in these proceedings, particular attention shall be directed at the hearing to the following matters and questions:

1. Whether the considerations involved in the said sales are reasonable and bear a fair relation to the sums invested in or the earning capacities of such assets;

2. Whether the proposed acquisition by Interstate of Central States' "Iowa-Minnesota properties" will tend toward the economical and efficient development of an integrated public utility system and whether such acquisition will tend toward interlocking relations or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or to the interest of investors and consumers;

3. Whether competitive conditions were maintained in respect of each of the aforesaid sales;

4. Whether the proposed sale by Central States of its "Iowa-Minnesota properties" is necessary to effectuate the provisions of Section 11 (b) of the act and is fair and equitable to the persons affected thereby;

5. Whether the proposed use by Central States of a portion of the proceeds of its aforesaid contemplated sale to discharge its said 5½% Bonds without the payment to holders thereof of any redemption premium is fair and equitable to the persons affected thereby;

6. Whether the fees and expenses to be paid in connection with the proposed transactions are reasonable and appropriate;

7. Whether the accounting adjustments and entries proposed to be made in connection with the proposed transactions are proper and are in accordance with sound accounting practices;

8. Whether, if the proposed transactions, or any of them, are authorized, it is necessary or appropriate that terms and conditions be imposed in the public interest or for the protection of investors and consumers in connection with such authorization;

9. Generally, whether in any respect such transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or of any rules or regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11847; Filed, August 8, 1944; 11:01 a. m.]

[File No. 70-736]

FEDERAL WATER AND GAS CORP. AND ALABAMA WATER SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of August, A. D., 1944.

Notice is hereby given that Amendment No. 2 to applications and declarations previously filed has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Federal Water and Gas Corporation ("Federal"), a registered holding company, and by its subsidiary, Alabama Water Service Company ("Alabama"). All interested persons are referred to said amendment to said applications and declarations, which is on file at the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

(1) Federal will borrow $750,000 and will issue a one-day unsecured note therefor.

(2) Federal will contribute $1,350,000 to the paid-in surplus of Alabama.

(3) Alabama, with the consent of its sole three bondholders, will secure the release of its electric properties from the lien of its mortgage by depositing with the Trustee sufficient funds to retire $1,008,000 principal amount of its bonds at a call price of 103.9% of par. In order to accomplish this, Alabama, with the consent of its three bondholders, proposes to execute and deliver a Supplemental Indenture which will provide (a) for the release of the electric properties upon the retirement of the bonds as stated above, (b) that upon the sale of its largest remaining water property (located at Bessemer) all of the remaining bonds will be retired, and (c) that the present annual sinking fund of $21,000 will be maintained over the life of the bonds instead of being increased as is contemplated by the original indenture.

(4) Alabama will retire 6,793 shares of its $6 preferred stock (being all of said stock now in the hands of the public) at the call price of $105 per share, such retirement of stock requiring an expenditure of $713,265 by Alabama. The 3,643 shares of $6 preferred stock held by Federal are to remain outstanding.

(5) Alabama will distribute to Federal (then Alabama's sole stockholder) Alabama's electric utility properties including materials, supplies and accounts receivable pertaining to said properties without the surrender by Federal of any of Alabama's stock owned by Federal.

(6) Federal will sell the said electric properties including materials, supplies and accounts receivable of the Cities of Andalusia, Elba, and Opp and the Alabama Electric Cooperative, Inc. for $2,500,000 subject to certain adjustments for construction, retirements, depreciation, and current assets between December 1, 1943 and the date of closing; the respective prices to be paid before considering closing adjustments being:

Andalusia	$302,175
Elba	40,925
Opp	81,900
Cooperative	2,075,000
Total	2,500,000

(7) Federal will use the proceeds from said sale, or an amount equivalent thereto, to retire Federal's debentures within 24 months from the date of said sale. Federal will immediately, upon the consummation of said sale, repay its one day bank loan of $750,000 and at the next following redemption date will call for redemption $1,750,000 principal amount of its debentures and will within 24 months from the date of said sale call for redemption an additional $750,000 principal amount of its debentures.

The proposed transactions are stated to be steps in the consummation of Federal's plan for the divestment by it of its interests in the businesses and properties of Alabama Water Service Company, which plan in this respect was previously approved by the Commission (Holding Company Act Release No. 4113 (1943)).

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to Amendment No. 2 to said dec-

larations and applications and that Amendment No. 2 to said declarations and applications should not become effective or be granted, except pursuant to further order of the Commission;

It is ordered, That a hearing be held upon said matters on the 18th day of August, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such Amendment No. 2 may be granted, or become effective.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said Amendment No. 2 to said applications and declarations, particular attention will be directed at the said hearing to the following matters and questions:

(1) Whether the proposed transactions are consistent with, and appropriate to carry out, Federal's plan as heretofore approved by the Commission in its order dated February 10, 1943 (Holding Company Act Release No. 4113), and are in conformity with the provisions of the said order requiring the divestment by Federal of its interests in Alabama;

(2) Whether the proposed transactions are necessary to effectuate the provisions of section 11 (b) and fair and equitable to the persons affected thereby;

(3) Whether the terms of the proposed supplemental indenture are detrimental to the interests of investors;

(4) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act and the rules and regulations or orders promulgated thereunder.

Notice of such hearing is hereby given to Federal Water and Gas Corporation and Alabama Water Service Company, to the Alabama Public Service Commission, and to any other person whose participation in such proceedings may be in the public interest and for the protection of investors and consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceedings shall file with the Secretary of this Commission, on or before August 15, 1944, his request or an application therefor as provided in Rule XVII of the rules and practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11849; Filed, August 8, 1944; 11:01 a. m].

WAR MANPOWER COMMISSION.

[G. O. 10 Revocation]

LIST OF CRITICAL OCCUPATIONS

By virtue of the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 (7 F.R. 2919) and 9279 (7 F.R. 10177), War Manpower Commission General Order No. 10, as amended, (8 F.R. 11420, 9 F.R. 6144), List of Critical Occupations, is hereby rescinded, effective August 4, 1944.

PAUL V. McNUTT,
Chairman.

AUGUST 4, 1944.

[F. R. Doc. 44-11824; Filed, August 7, 1944; 3:14 p. m.]

DESIGNATED AREAS IN WISCONSIN

MINIMUM WARTIME WORKWEEK

Designation of certain areas in the State of Wisconsin as subject to Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours", and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the following areas as subject to the provisions of Executive Order No. 9301:

Dane County, Sauk County, and the Townships of Arlington, Caledonia, Dekorra, Fort Winnebago, Leeds, Lewiston, Lodi, Lowville, Marcellon, Newport, Pacific, West Point and Wyocena in Columbia County.

I. The effective date of this designation is August 1, 1944.

II. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

"Minimum wartime workweek" as used in this order means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases, "minimum wartime workweek" means the greatest number of hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

Date of issuance: July 3, 1944.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 44-11835; Filed, August 8, 1944; 9:41 a. m.]

NEW ORLEANS, LA., AREA

MINIMUM WARTIME WORKWEEK

Designation of the New Orleans, Louisiana, area as subject to Executive Order No. 9301 (8 F.R. 1825).

By virtue of the authority vested in me as Regional Manpower Director of Region No. X by § 903.2 of the War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours", (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the New Orleans, Louisiana Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the New Orleans, Louisiana, area shall include:

Orleans Parish, Wards 1, 2, 3, 4, 7, and 8 of Jefferson Parish and Wards 1, 2, 3, and 4 of St. Bernard Parish.

II. The effective date of this designation is July 20, 1944.

III. Not later than the effective date, each employer in the New Orleans, Louisiana, area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: June 20, 1944.

J. H. BOND,
Regional Director.

[F. R. Doc. 44-11834; Filed, August 8, 1944; 9:41 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 150

Washington, Thursday, August 10, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9-11. Amdt. 1]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR AUGUST, 1944

Paragraph (b) (5), § 1220.14, of War Food Order No. 9.11 (9 F.R. 7639) is hereby amended to read as follows:

(5) No processor shall be required to honor a certificate of Designated Buyer for oilseed meal set aside pursuant to this order unless the designated buyer furnishes the processor or his agent with (i) shipping instructions, and, in the case of a designated buyer other than a feeder, (ii) the statement required by paragraph (h) of War Food Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319, 8767) before midnight of the expiration date shown on the certificate. If a processor elects not to honor a certificate of Designated Buyer pursuant to this paragraph, he shall return such certificate to the issuing office and he may dispose of the oilseed meal covered by such certificate free from the restrictions of this order. The expiration date for any certificate of Designated Buyer issued under this order shall be not later than August 15, 1944, unless a later date (but in no event later than August 21, 1944) is authorized by the Chief of the Feed Management Branch, Office of Production, War Food Administration. No processor, however, shall be required to honor any certificate bearing an expiration date later than August 15, 1944, unless required to do so by notice from the Chief of the Feed Management Branch received before midnight of that date. In such case, the processor will be required to honor Certificates of Designated Buyers bearing expiration dates later than August 15, 1944, but not later than August 21, 1944. Any oilseed meal set aside pursuant to this order for which the processor has received no certificate before midnight of August 15, 1944 (or later, but not later than August 21, 1944, if the notice provided for herein is received from the Chief of the Feed Management Branch), may be disposed of by the processor free from the restrictions of this order: *Provided, however,* That the provisions of this paragraph shall not apply to oilseed meal required to be set aside by this order which has not heretofore been reported to the Director.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960; 9 F.R. 3475, 4319, 8767)

Issued this 5th day of August 1944.

D. A. FITZGERALD,
Acting Director of Production.

[F. R. Doc. 44-11901; Filed, August 9, 1944; 11:13 a. m.]

[WFO 9-13]

PART 1220—FEED

APPROVAL OF DELIVERIES OF PROTEIN MEAL IN TEXAS, OKLAHOMA AND NEW MEXICO

Pursuant to the authority vested in me by War Food Order No. 9 (formerly Food Production Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319, 8767)) it is hereby ordered, that:

§ 1220.16 *Approval of deliveries of protein meal in Texas, Oklahoma, and New Mexico.* Effective September 1, 1944, no processor in Texas, Oklahoma or New Mexico shall deliver to any person, including a feeder, more than 500 pounds of protein meal within any thirty-day period unless such person, including a feeder, tenders at or before the time of delivery a signed statement approved, in the case of a feeder, by the County Agricultural Conservation Committee for the county in which the farm or ranch is located and, in the case of any other person, by the County Agricultural Conservation Committee for the county in which his place of business is located: *Provided, however,* That the requirements of this order shall not apply to deliveries of protein meal by a processor

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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to a holder of a Certificate of Designated Buyer issued pursuant to War Food Order No. 9. The signed statement of the person receiving meal from any processor, and the approval of such statement by the County Agricultural Conservation Committee, shall be in substantially the following form:

The undersigned declares to his vendor and to the War Food Administration that he is familiar with the provisions of War Food Order No. 9 and 9-13 and that this purchase, acquisition, or acceptance of protein meal from such vendor is in compliance with the provisions of such orders.

_____
Purchaser

_____ _____
Date Address

Approved for_____ of protein meal
(tons) (pounds)

By_____
For the County Agricultural Conservation Committee of _____
County, _____

_____
Date

Approval on behalf of the County Agricultural Conservation Committee as herein provided may be given by any member of the committee or by the administrative officer of the County Agricultural Conservation Association. The approval on behalf of the county committee shall be for a specified quantity of protein meal and such approval shall be given only if the delivery of such quantity is in accordance with the provisions of War Food Order No. 9.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767)

Issued this 7th day of August 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-11800; Filed, August 9, 1944; 11:13 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 808]

GRADUATES OF NAVAL TRAINING SCHOOL, FORT WORTH, TEX.

ISSUANCE OF COMMERCIAL PILOT CERTIFICATES AND INSTRUMENT RATINGS

Repeal of Regulation Serial Number 231. Special civil air regulation.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of May 1944.

Effective May 3, 1944, Regulation Serial Number 231 relating to the issuance of commercial pilot certificates and instrument ratings to graduates of the special course for the operation of Douglas DC-3 aircraft given at the Naval Training School, Fort Worth, Texas, adopted by the Civil Aeronautics Board on July 11, 1942, is hereby repealed.

(52 Stat. 984, 1007; U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-11890; Filed, August 9, 1944; 10:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 208]

PART 802—GENERAL LICENSES

CONTROLLED MATERIALS

Part 802 *General Licenses* is hereby amended by adding thereto § 802.31 as follows:

§ 802.31 *General License "GCMP"*—(a) *Definitions.* When used in this section:

1. "Controlled material" shall mean the material listed in paragraph (b) of this section, in each case only, in the forms and shapes specified in Schedule 1 to CMP Regulation No. 1 of the War Production Board or as the same may be amended from time to time.

(b) Direction 53 to CMP Regulation No. 1 of the War Production Board provides that exporters may buy for shipment on general license in each calendar quarter not more than the amount of controlled material listed below for each single consignee by the use of the allotment symbol E-2. An exporter may buy this material only if he knows or has reason to believe that the consignee will use it for maintenance, repair or operating supplies (not including capital additions).

	Pounds
Carbon steel (including wrought iron)	6,000
Alloy steel	1,200
Copper and copper base alloy	300
Aluminum	500

(c) A general license designated "GCMP", is hereby granted authorizing the exportation to destinations in Group K as set forth in paragraph (a) of § 802.3 of this part, of controlled material which has been purchased in accordance with the provisions of Direction 53 to said CMP Regulation No. 1: *Provided*, That for each shipment made under this general license the following certification shall be endorsed on each Shipper's Export Declaration:

The undersigned certifies to the Foreign Economic Administration (1) that the materials covered by this shipment have been purchased in accordance with the provisions of Direction 53 for CMP Regulation No. 1 of the War Production Board and (2) that, to the best of his knowledge and belief, these materials will be used by the consignee only for maintenance, repair, and operating supplies (not including capital additions) and such use will be in accordance with existing conservation and limitation orders of the War Production Board.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: August 1, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch
Bureau of Supplies.

[F. R. Doc. 44-11887; Filed, August 9, 1944; 10:30 a. m.]

PART 802—GENERAL LICENSES

GENERAL LICENSE FOR MEXICAN BORDER ZONE

Subparagraph (4) of paragraph (a) of § 802.27 *General License "G-MB"* is hereby amended by deleting therefrom the words "which are obtainable without a preference rating issued or authorized by the War Production Board."

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: August 5, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch
Bureau of Supplies.

[F. R. Doc. 44-11885; Filed, August 9, 1944; 10:30 a. m.]

[Amdt. 208]

PART 802—GENERAL LICENSES

GIFTS TO PRISONERS OF WAR AND INTERNEES

Section 802.16 *General License, gifts to prisoners of war and internees* is hereby amended in the following particulars:

Subparagraph (3) of paragraph (a) is hereby amended to read as follows:

(3) Only one gift parcel shall be sent to each prisoner or internee within any sixty day period, except that in addition to any other gift parcel one gift parcel of books weighing not more than five pounds may be sent by the same donor to the same prisoner or internee within any thirty day period, and two gift parcels of tobacco may be sent within any sixty day period to each prisoner or internee.

Subparagraph (4) of paragraph (a) is hereby amended to read as follows:

(4) There shall be affixed to each gift parcel except those containing books, an official label furnished the next of kin or beneficiary of the prisoner or internee by the U. S. Provost Marshal General's Office or a certificate or label furnished such next of kin or beneficiary by an appropriate recognized agency of the British Dominions and colonies. Each label shall be properly filled in according to the instructions of such office or agency. Wherever duplicate copies of a label are furnished one copy shall be placed inside the parcel.

Paragraph (b) is hereby amended to read as follows:

(b) *Special provisions for "tobacco" gifts.* Gifts of tobacco may be exported pursuant to this general license, provided the exportation is made, on behalf of a donor, by any tobacco company designated by the U. S. Provost Marshal General's Office and in accordance with the provisions of paragraph (a) of this section.

Paragraph (c) is hereby amended to read as follows:

(c) *Special provisions for "book" gifts.* Gifts of books may be exported pursuant to this general license, provided the exportation (1) is made, on behalf of a donor, by a bona fide book dealer or publisher, (2) contains no technical data as defined in § 806.1 of this subchapter, (3) conforms to the requirements of the U. S. Office of Censorship, and (4) is made in accordance with the provisions of paragraph (a) of this section.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: August 5, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-11886; Filed, August 9, 1944; 10:30 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3292—AUTOMOTIVE VEHICLE PARTS AND EQUIPMENT

[Limitation Order L-158, as Amended Aug. 9, 1944]

PRODUCTION OF REPLACEMENT PARTS FOR MOTOR VEHICLES

Section 3292.46 *Limitation Order L-158* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of chromium, copper, nickel, and other materials required for the production of replacement parts for light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment and passenger automobiles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.46 *Limitation Order L-158*—(a) *Definitions.* For the purpose of this order:

(1) "Replacement parts" for light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment and passenger automobiles, means only the parts and assemblies listed on Schedules I and II to this Order, and the components entering into such items, produced for use in the repair, maintenance or improvement of these vehicles; but the term replacement parts does not include any parts specially designed for military vehicles. Schedules I and II may be amended from time to time.

(2) "Component" means any of the integral pieces or parts of the items listed on Schedules I or II. Components include products of types which, while used in automotive parts, are not so used exclusively. Parts which have no

functional duty in the operation of the vehicle or are only ornamental or decorative are not considered components of the authorized parts and may not be produced.

(3) "Rebuilt or reconditioned parts" means any replacement parts listed in Schedules I or II which have been used and restored for use through rebuilding or reconditioning operations.

(4) "Parts consumed in use" means those parts whose function in the operation of the vehicle results in a dissipation or deterioration of material, either in whole or in part, so that the residue has little or no salvage value.

(5) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(6) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(7) "Medium and heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(8) "Truck trailer" means a complete semi-trailer or full trailer designed for transportation of property or persons, or the chassis therefor.

(9) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(10) "Off-the-highway motor vehicle" means a motor truck, truck tractor or trailer operating off the public highway, normally on rubber tires, and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects, or the chassis therefor.

(11) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(12) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of replacement parts, as defined in paragraph (a) (1) above.

(13) "Supplier" means a person who supplies a producer with materials or the component parts for the production or assembly of replacement parts.

(14) "Distributor" means any person not a producer or supplier whose business consists, in whole or in part, of the sale of replacement parts, as defined in paragraph (a) (1) above, from inventory. Distributor includes wholesalers, jobbers; dealers, retailers and other persons performing a similar function including garages and service stations.

(15) "Consumer" means the owner or operator of the automotive vehicle for which replacement parts are required, or the user of such replacement parts for any other purpose, not including the Army or Navy of the United States, the United States Maritime Commission, and other agencies listed in paragraph (p) (1) below.

(16) "Inventory" means a stock of new replacement parts held by a distributor for his own account. Inventory does not include any "as is", rebuilt, reconditioned or reconditionable parts, and does not include Army surplus stocks of replacement parts purchased from the Procurement Division of the Treasury Department.

Provisions Relating to Production

(b) *Preference ratings of AA-1 assigned for truck and bus parts and AA-2X for passenger car and light truck parts.* A preference rating of AA-1 is assigned to producers of replacement parts and to manufacturers of the components of such parts, enumerated in Schedules I and II to this order, except those parts and components for light trucks and passenger automobiles for the production of which a preference rating of AA-2X is hereby assigned.

(c) *Special provisions for production of replacement parts and components.* Priorities and CMP Regulations may be disregarded in applying the provisions of the following subparagraphs (1) and (2). This exemption, however, does not apply where the production authorized by these subparagraphs will interfere with any "frozen" schedule of Component Consumption Requirements issued under Order L-1-e or any other "frozen" schedule, as defined in Priorities Regulation No. 10.

(1) *Parts producers.* To provide for the production of automotive replacement parts to maintain civilian automotive transportation, each producer of automotive parts for original equipment and for replacement use is authorized to use in any month for the production of those automotive replacement parts on Schedule I up to five per cent (5%) of his total productive man or machine hours, or both, which were devoted during the preceding month to the production of automotive parts for original equipment and replacement use.

(2) *Other manufacturers.* Each manufacturer of the components of the automotive replacement parts on the list designated Schedule I is authorized to use in any month for the production of such components up to five per cent (5%) of his total productive man or machine hours, or both, which were devoted during the preceding month to the production of automotive type components. Each manufacturer of automotive type components is authorized to ship each month against orders from producers of automotive replacement parts up to five per cent (5%) of his total monthly production of such components.

(3) *Basis for calculation.* The calculation in respect to productive man or machine hours or both may be made on the basis of a calendar month or any successive period of one month, beginning at any time.

(4) *Notice of prospective interference with military orders.* Paragraphs (c) (1) and (2) shall not be applied by any producer of replacement parts or manufacturer of components for such parts in such a way as to interfere with the production of orders of the Army or Navy of the United States. Where interference with Army or Navy orders prevents or will prevent the producer of parts or the manufacturer of components from applying subparagraphs (1) and (2) above, the producer or manufacturer shall immediately notify the Automotive Division, War Production Board, in order that adjustments may be at once considered.

(5) *Parts actually critical to be produced.* The purpose of paragraphs (c) (1) and (2) is primarily to secure more critical replacement parts for civilian use, as enumerated on Schedule I. Production should be made of those Schedule I parts which are critical, against back orders where they exist. It is not the purpose of subparagraphs (1) and (2) to limit the use of facilities for production of parts or components to five per cent (5%) where additional facilities are available for this production.

(d) *Correction of critical shortages.* Whenever the War Production Board determines that a critical shortage exists in respect to replacement parts, the Board may order any producer or supplier to schedule and deliver his production in such manner as will relieve the shortage; and in addition, may direct any producer or distributor to deliver or sell to any other person, at regularly established prices and terms, such quantities of replacement parts available for civilian distribution as the War Production Board may determine.

(e) *Production restricted to listed replacement parts.* (1) No person shall manufacture any parts for use in the repair, maintenance or improvement of light, medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment or passenger automobiles, except the items, and their components, on Schedule I and Schedule II to this order, as the same may be amended from time to time.

(2) In the production of such parts no materials shall be used which are prohibited by any orders, regulations or other restrictions on the use of critical materials now or hereafter issued by the War Production Board.

Standardization and Simplification Provisions

(f) *Pistons and bearings.* Producers shall make replacement pistons, piston pins, piston rings and engine bearings as components of engines, only according to the following standards:

(1) Pistons as components of engines only in standard sizes and the following oversizes: .005, .020, .030, .040, .060, and semi-finished.

(2) Piston pins as components of engines only in standard sizes and the following oversizes: .003, .005, .010.

(3) Piston rings as components of engines only in standard sizes and the following oversizes: .020, .030, .040, .060; and in addition, for medium and heavy trucks and busses, .030, .100.

(4) Engine bearings as components of engines only in standard sizes and the following undersizes: .002, .010, .020, .030, .040, .030, .090 and semi-finished. In addition, connecting rod bearings with oversize outside diameter, and the "special length Ford main bearings."

Provisions Relating to Distributors' Inventories

(g) *Restrictions on distributors' inventories.* (1) No distributor of replacement parts whose place of business is located in the eastern or central wartime zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a sixty-day (60) supply. Sixty-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding two months period.

(2) No distributor of replacement parts whose place of business is located in any other wartime zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a ninety-day (90) supply. Ninety-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding three months period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts even though his inventory then exceeds, or will by reason of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above. The quantity of such specific items in dollar cost value shall not exceed the dollar cost value of his sales of such items during the preceding thirty days or the last thirty-day period in which a sale was made if the distributor is located in the eastern or central war time zones, and forty-five days in all other zones.

(h) *Initial inventory for new distributors.* Notwithstanding the restrictions of paragraph (g) above, any person may establish an initial inventory of replacement parts not to exceed one thousand ($1,000) dollars at dollar cost value for the purpose of selling replacement parts as a distributor.

(i) *Return of new replacement parts.* New replacement parts, returned by a distributor to another distributor, if not included in the inventory of the person receiving the parts during the calendar quarter in which received, shall be included in his inventory in the next succeeding calendar quarter.

(j) *Disposition of traded-in used parts.* No distributor may keep in his inventory, in his possession or under his control any used replacements parts which have been traded in and cannot be reconditioned, for a period of more than thirty (30) days after they have been determined to be unserviceable, but he must dispose of them through customary disposal or scrap channels. Traded-in parts which can be reconditioned must be reconditioned, or returned to be reconditioned, as quickly as minimum quantities will permit.

Provisions Relating to Distribution

(k) *No preference ratings required for delivery of replacement parts for resale.* No producer or distributor need require any preference rating for the delivery of finished replacement parts for resale as such or for use by a consumer, except on Army, Navy, Maritime Commission and War Shipping Administration orders as provided in paragraph (m). All deliveries of such parts for resale or to consumers may be made as if the orders therefor bore the preference ratings assigned to their production in paragraph (b), and without regard to orders bearing a lower rating. In addition, the provisions of this paragraph are applicable to orders for finished parts required for rebuilding or reconditioning operations.

(l) *Parts for emergency repairs—(1) How to order parts.* Notwithstanding the provisions of paragraph (g) above, a distributor may order and accept delivery of replacement parts which he does not have in stock when required by a consumer for the emergency repair of a particular vehicle which cannot be operated without such parts. In such emergency, a distributor must file with his order to the producer a certificate in the following form:

CERTIFICATE FOR EMERGENCY REPAIR ORDER AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation that the replacement parts specified in the attached order are essential for the repair of the following vehicle, which cannot now be operated without such parts:

Make _____ Engine Number _____

Signed _____

(Firm, partnership or corporation)

By _____

(Name and title of individual)

_____

(Address of firm, partnership or corporation)

Dated _____

A copy of the certificate must be retained by the distributor issuing it as a part of his records.

The standard form of certificate described in Priorities Regulation No. 7 may not be used in place of the above certificate.

(2) *Emergency repair orders take preference.* A producer receiving an order accompanied by a certificate for Emergency Repair must give such order precedence in shipment over other orders not of an emergency nature, and in ordering finished parts from suppliers should indicate quantity of such parts required to fill orders of this type.

(3) *Use of certificate restricted.* The Certificate for Emergency Repair may be used only to secure essential replacement parts for emergency repairs as described in this paragraph (l). It must not under any circumstances be used by a distributor to replenish his stock.

(m) *Preference ratings of AA-2X or higher required on sales by distributors to Army, Navy and Maritime Commission.* Irrespective of the provisions of this order, no distributor shall sell or deliver any replacement parts to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration except upon receipt of an order bearing a preference rating of AA-2X or higher.

(1) *Special provisions for Army orders.* No distributor may accept a purchase order for replacement parts, except parts for "post exchange" and "contractor vehicles" (Army owned but contractor operated as defined in War Department Circular 285, dated November 6, 1943), submitted to him by the Army unless the order specifies in accordance with War Department instructions the type, manufacturer, model and United States Army registration number of the vehicles covered by the purchase order; and the order must carry a certification that such vehicles are "dead-lined" for emergency repair. Neither the registration number of the vehicle nor a certification that the vehicle is "dead-lined" for emergency repair is required if the Army certifies instead that the registration number is unavailable and that a survey has been made of Army stocks in accordance with War Department Circular No. 209, dated September 13, or other specified circular, and that the parts are needed to effect immediate shipment overseas. Delivery by distributors of replacement parts against such orders for the Army must be restricted to parts in the distributors' inventory which are in his stock and are available for immediate delivery at the time the order is received from the Army. It is not sufficient that they are in inventory immediately before delivery.

(n) *Restrictions on sales to consumers—(1) No sale of new parts where old can be rebuilt or reconditioned.* No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can rebuild or recondition by use of available local reconditioning facilities. The provisions of this paragraph shall not apply to any replacement parts sold to a consumer where the old part is traded in on a unit exchange basis.

(2) *Used parts to be turned in.* No producer or distributor shall sell or deliver any replacement part either new, used or rebuilt, to a consumer unless the consumer turns in to the producer or distributor, concurrently with his purchase, a used replacement part of similar kind for each such replacement part delivered to the consumer. However, a used replacement part need not be turned in in the following cases:

(i) Where the used part has been consumed in use, lost or stolen;

(ii) Where the used part is a cab assembly;

(iii) Where the consumer is a Federal or Territorial Department, Bureau or Agency, or a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts;

(iv) Where the new or rebuilt part is ordered by telephone, telegraph or mail, or is to be installed by the purchaser;

(v) Where the new part to be purchased by the consumer will improve the efficiency of the vehicle, its capacity or usefulness, such parts being as follows: for all vehicles—oil filters, governors, shims, piston and piston ring expanders, and balance weights; for medium and heavy trucks, truck trailers, passenger

carriers, off-the-highway motor vehicles, motorized fire and police equipment—auxiliary and heavier springs, differentials, trailer connections, brakes, fifth wheels for truck tractors, auxiliary fuel tanks, landing gears, heavy duty generators, auxiliary transmissions, two-speed and attachment third axles, power take-offs; heavy duty trailer axles, front wheel drive conversion units, frame extensions, wheels and rim markers, clearance and identification lamps, spot lamps, fog lamps, and backup lamps, signaling devices, reflex reflectors, windshield defrosters, truck and bus traction sanders; for off-the-highway motor vehicles—power steering booster devices.

(3) *Use of consumer's certificates.* In any of the cases provided for in subparagraphs (2), (ii), (iv) and (v) above, in which the consumer is not required to turn in a used part, he must sign and deliver to the producer or distributor concurrently with each purchase, or on the written confirmation thereof if the order is placed by telephone or telegraph, a Consumer's Certificate in the following form:

CONSUMER'S CERTIFICATE

AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that: (a) the replacement parts covered by this certificate are essential for the maintenance, repair or improvement of equipment he now owns or operates; (b) these parts will be used to replace parts which, to the best of his knowledge, cannot be rebuilt or reconditioned by use of available facilities; and (c) he will, within thirty days after receiving the parts, dispose of the old parts, if any, through scrap channels.

Signed_____
Vehicle owner or operator
Date_____ Address_____

The foregoing Consumer's Certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

The standard form of certificate described in Priorities Regulation No. 7 may not be used in place of the above certificate.

(4) *Emergency Stocks for Fleet Operators.* Any owner or operator of a fleet of twenty-five (25) or more medium or heavy trucks, passenger carriers, off-the-highway motor vehicles or taxicabs may, without turning in a similar used part or filing a Consumer's Certificate, purchase engines (less starting, ignition and fuel systems); radiators; clutch assemblies; transmission assemblies; front axle assemblies; and rear axle assemblies; in quantities that will not result in his possession of an inventory which exceeds one each such assembly for every twenty-five (25) such vehicles, or multiples of twenty-five (25), which he maintains in service currently licensed.

Miscellaneous Provisions

(o) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(p) *Exceptions to applicability of this order.* (1) The terms and restrictions of this order, except as provided for in paragraphs (d) and (m) above, shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development.

(2) The terms and restrictions of this order under the headings "Provisions Relating to Distributors' Inventories" and "Provisions Relating to Distribution" shall not apply to any person located outside of the forty-eight states and the District of Columbia.

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(r) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board nearest appellant's place of business, referring to the particular provision appealed from and stating fully the grounds for appeal.

(s) *Communications.* All communications concerning this order shall, unless otherwise directed be addressed to: War Production Board, Automative Division, Washington 25, D. C., Ref: Order L-158.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

(See pars. (a), (b), (c), (e) of this order)

For all vehicles: (1) engines, (component parts only); (2) clutches; (3) transmissions; (4) propeller shafts and universal joints; (5) axles; (6) braking systems; (7) wheels; (8) springs; (9) steering apparatus; (10) cooling systems; (11) fuel systems; (12) electrical systems, including generators, starters and motors.

SCHEDULE II

(See pars. (a), (b), (e) of this order)

For all vehicles: (13) engines, less starting, ignition and fuel systems; (14) tire valve assemblies; (15) mechanical starting apparatus; (16) frame and spring assemblies, except spring covers and spring clip spacer tubes; (17) shock absorbers; (18) speedometers; (19) driving mirrors; (20) windshield wiper assemblies; (21) exhaust systems; (22) radiator shells supporting radiator cores; (23) lubricating systems, including fittings; (24) lamps (but not bulbs), signal horns, and bulk and spool (a) primary wire (b) spark plug wire and (c) battery cable, the last three items only in lengths of 100 ft. maximum; (25) safety glass and channels; (26) hood, door, window and rear deck actuating mechanisms; (27) front fenders, but only types which house or hold headlights; (28) windshield defrosters (components only); (29) heater hose; (30) governors.

In addition, but only for medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment: (31) power dividers and power take-offs; (32) transfer cases; (33) coupling devices; (34) trailer landing gears; (35) cabs and seats; (36) attachment third axles; (37) front fenders without limitation as to type; (38) hoods; (39) liquid measuring gauges; (40) body mechanical and hydraulic hoists (component parts only); (41) tachometers; (42) doors and door hardware; (43) markers, clearance and identification lamps, spot lamps, (internally controlled only), fog lamps and back-up lamps; (44) fuses and flares; (45) signaling devices; (46) reflex reflectors; (47) windshield defrosters; (48) truck and bus traction sanders.

In addition, but only for passenger carriers and motorized fire equipment: (49) body structural repair parts; (50) sash; (51) destination signs; (52) fare boxes; (53) guards and grab rails; (54) door-operating mechanisms; (55) heating and ventilating equipment.

INTERPRETATION 1—RESIZING OF ENGINE PISTONS AND BEARINGS BY PRODUCERS' BRANCHES

The question of resizing engine pistons and bearings in the field to sizes other than those specified in paragraphs (f) (1) and (f) (4), respectively, of § 3292.46. Limitation Order L-158, has been the subject of some uncertainty in the industry. In order to clarify the order, with respect to the intent of these paragraphs, the following interpretation is hereby issued:

Producers' direct factory branches of warehouses, wholly owned or controlled by them, may finish engine pistons and bearings to any intermediate sizes not specified in paragraphs (f) (1) and (f) (4), respectively, of Limitation Order L-158, when ordered from the factory branch by a customer for immediate use in a specific engine. None of these intermediate sizes may be ordered from a factory branch for stock or to be held in inventory. A certificate for emergency order, as provided for in Order L-158, paragraph (1), should accompany each order placed with the factory branch for the intermediate sizes other than those specified in the paragraphs mentioned above, as a means of identifying the need for the part in a specific vehicle. (Issued Oct. 1, 1943.)

DIRECTION 2—PARTS FOR BRITISH MILITARY VEHICLES

Notwithstanding the provisions of Limitation Order L-158, which prohibit the production of automotive replacement parts specially designed for military vehicles, producers of automotive parts are hereby authorized to produce parts as ordered by the British Army Staff—British Ministry of Supply Mission, to maintain military vehicles classified as "Supply/Mech" of the models and made by the manufacturers described below:

Model of Vehicle and Manufacturer

American Bantam, B.R.C. ¼ Ton, 4 x 4, American Bantam Car Co., Butler, Penna.

Aqua-Cheetah, XAC-2-5 Amphibian, 4 x 4, Amphibian Car Corp, Buffalo, New York.

Auto Car, U-70, 1600 Gal. Refueller, 6 ton, 4 x 2, Auto Car Co., Ardmore, Penna.

Brockway, Model 156, 10 ton 4 x 2 with S/Trailer Model 146X, 1000 Gal. 3 ton 4 x 2 Gas Tanker, Model 166 S, 2000 Gal. 6 ton 4 x 2 Gas Tanker, Model 260a, 10 ton, 4 x 2

Dump, Brockway Motor Truck Co., Inc., 1939 Shira, Cortland, New York.

Clark Airdrome Tractors, 4 x 2, Code Mill 44, Clark Truck-tractor Division, Clark Equipment Co., Battle Creek, Michigan.

Case Co., Airdrome Tractors, 4 x 2, LA7, Case Co., 700 State Street, Racine, Wisconsin.

Chevrolet, ½ ton Pick-up, Thornton, Tandem, 2 ton, 6 x 4, 1½ ton, 160" WB. Model 4403, 4 x 2, Chevrolet Motor Division, General Motors Corporation, General Motors Bldg., Detroit, Michigan.

Davis, Gas Tank 900 Gal., Davis Welding & Mfg. Co., 1110 Richmond Street, Cincinnati, Ohio.

Dodge, T-203-B 1½ ton, 4 x 4, VK-62-B, 3 ton, 4 x 2, WK-60 Wrecker, 6 x 4, 3 ton Fargo, WF-32, 1½ ton 4 x 4, Dodge Division, Chrysler Corporation, 7900 Jos. Campau Ave., Detroit, Michigan.

Federal, 89K-145-167, C.O.E. Fire Fighter, Federal Motor Truck Co., 5760 Federal Avenue, Detroit, Michigan.

Ford, 1½ ton, 4 x 2, 158" W. B. Model 118-T, 1½ ton, 4 x 2, 158" W. B. Model 198-T, 1½ ton, 4 x 2, 158" W. B. Model 196-W, 1½ ton, 4 x 2, 138" W. B. Model 11-T, 1½ ton, 4 x 2, 132" W. B. Model 11-D, 1½ ton, 4 x 2, 158" W. B. (R. H. D.) CKD, 1½ ton, 4 x 4, Cargo, Ford Motor Co., 3674 Schaefer Road, Dearborn, Michigan.

Carl H. Frink, 159-S snow plough, Carl H. Frink, Clayton, Thousand Islands, N. Y.

Fruehauf, Model 220, 2 Dual Wheels, 10 ton, 4 wheeled, 30 ton Low Loading, Fruehauf Trailer Co., 10940 Harper Avenue, Detroit, Michigan.

F. W. D., Timber Tractors, 4 x 4, C. U., S. U. Medium Artillery Tractor, 4 x 4, Timber Hauling Tractor C. U. 4 x 4, 126" W. B., 5-6 ton Truck 4 x 4, G. S., SU-COE, Four Wheel Drive Auto Co., Clintonville, Wisconsin.

G. M. C., AFW-809, 10 ton, 6 x 4, ACK-353, 1½ ton, 4 x 4 Cargo, ACX-504, 5 ton, 4 x 2, ADF-855 10 ton, G. S., 4 x 2, General Motors Truck & Coach Div., Yellow Truck & Coach Mfg. Co., 660 South Blvd., Pontiac, Michigan.

Heil Body Co., Semi-Trailers W/2000 Gal. Tanks, F2A, Heil Company, 3000 W. Montana Street, Milwaukee, Wisconsin.

Hug, 51-6, Hug Company, Highland, Illinois.

International, KR-6, 179" W. B. 4 x 2, 3 ton G. S. Dump, KR-10, 5 ton, cargo, 4 x 2, K-6, Gas Refueller, 550 Gal. 1½ ton 4 x 2, Tractor Truck with s/T 2½ ton 4 x 2, KR-8R, 161" W. B. 2½-3 ton Dump KR-8R, R. H. D. 137" W. B. 3 ton 4 x 2, K-8R, 149" W. B., 3 ton 4 x 2 Dump 19, 4 x 2 w/P. T. O. Tractor, K-6 Fire Tender, International Harvester Co., 180 N. Michigan Avenue, Chicago, Illinois.

Mack, EHT Tractor with S/T 10 ton 4 x 2, EXBX, 15 ton 6 x 4 (4800 Gal.), LMSW-23 Wrecker Truck, 6 x 2, 5 ton, LMSW-39, Wrecker Truck, 6 ton 6 x 4, FT, 10 ton Dump Truck, Mack Mfg. Corporation, 34th St. & 48th Ave., Long Island City, L. I., New York.

Rogers-Winter Weiss, 30 ton Tank Transport Trailer, H30-L-F-1, 12 Wheeled, H10-L-84 "Low Bed" Tank Transport, Trailer, 10 ton, 8 Wheeled, Rogers Bros. Corp., Albion, Penna. and Winter Weiss Corporation, Denver, Colorado.

Snogo Plows, LTR, Klauer Mfg. Co., Dubuque, Iowa.

Studebaker, M. 15, 128" W/B, 4 x 4; M. 16, 195" W. B. 4 x 2; Studebaker Corporation, Main & Bronson Streets, South Bend, Indiana.

Trailer Co. of America, B44-HWP Special, 10 ton, 4 Wheeled, Trailer Co. of America, 31st & Robertson Avenues, Oakley, Cincinnati, Ohio.

Trask, Re-fuelling Trailers, R. L. Trask Equipment Co., 90 Brookline Ave., Boston Mass.

Truck Engineering Corp., 5 P. T.-S. W. Trailer Trains, Truck Engineering Corp., 1265 W. 70th Street, Cleveland, Ohio.

White, 922, 10 ton 6 x 4, 920D, 920, 15 ton, 6 x 4, G. S. (920-4755 Gal. Tanker), 760, 10 ton, 4 x 2, 3430-Gal. Tanker, White Motor Co., 842 E. 79th Street, Cleveland, Ohio.

Willamette-Hyster Co., Fairlead D4, Logging Sulkies, Willamette-Hyster Co., Portland, Oregon. (Issued April 21, 1944.)

[F. R. Doc. 44-11902; Filed, August 9, 1944; 11:19 a. m.]

PART 3292—AUTOMOTIVE VEHICLE PARTS AND EQUIPMENT

[Limitation Order L-158, Interpretation 2, as Amended Aug. 9, 1944]

The following amended interpretation is issued with respect to Limitation Order L-158:

PRODUCTION OF DECORATIVE HUB CAPS, WHEEL CAPS AND WHEEL TRIM RINGS NOT PERMITTED UNDER ORDER L-158

Hub caps, wheel caps and wheel trim rings which serve only as ornamental or decorative items are not considered components of wheels, Item (7) Schedule 1 to Limitation Order L-158. Consequently, they may not be produced. However, hub caps which serve as grease retainers are considered components of wheels and may be produced.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11905; Filed, August 9, 1944; 11:19 a. m.]

PART 3292—AUTOMOTIVE VEHICLE PARTS AND EQUIPMENT

[Limitation Order L-158, Revocation of Interpretation 3]

Interpretation 3 of Order L-158 is incorporated in paragraph (m) (1) of that order as amended August 9, 1944.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11904; Filed August 9, 1944; 11:19 a. m.]

PART 3292—AUTOMOTIVE VEHICLE PARTS AND EQUIPMENT

[Limitation Order L-158, Revocation of Direction 1]

Direction 1 to Order L-158 is incorporated in paragraph (m) (1) of the order as amended August 9, 1944.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11903; Filed, August 9, 1944; 11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 88, Amdt. 14]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 2.14 (a) (1) is amended to read as follows:

(1) *State of Kansas (except Kansas City area).* In the State of Kansas, except that part of the state which is within a radius of 25 miles from the center of Kansas City, Missouri, the maximum prices [1] of the products listed below [2] f. o. b. refineries and pipeline terminals,[3] and loaded into tank cars, motor transports and pipelines [4] for shipment to the destinations indicated below, shall be as follows:

Products	For shipment to ultimate destinations		
	Column 1 Kansas	Column 2 PAW District 1	Column 3 Other States
Kerosene and distillate fuel oils:	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
42-44 API Gravity W. W. Kerosene	4.7	4.625	4.7
41-43 API Gravity W. W. Kerosene	4.6	4.5	4.6
Range or Stove Oil	4.2	4.125	4.2
No. 1 P. W. Distillate (Fuel Oil)	4.1	4.0	4.1
No. 1 Straw Fuel Oil	4.0	3.875	4.0
No. 2 Fuel Oil	3.9	3.75	3.8
No. 3 Fuel Oil	3.7	3.625	3.7
Diesel fuel (distillate):[5] All grades (except Navy Department Specification 7-0-2)	4.2	4.125	4.2
Tractor fuels (distillate):			
Low flash (Gasoline Type)	5.2	-------	5.2
High flash (Special) [6]	4.8	-------	4.8
Other grades [7]	4.8	-------	4.8

[1] Column 3 prices do not apply at Shallow Water and Phillipsburg.

[2] For any refined distillate or overhead petroleum product of lower than 41° API gravity not listed above (except lube distillates or naphthas sold for blending with gasoline or natural gasoline) a seller must apply for a maximum price under section 8.3.

[3] Column 2 applies to all other shipping points in the area covered by this section 2.14 (a) (1).

[4] Products loaded into all types of transportation facilities for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

[5] These prices apply only to fuels sold for use in Diesel engines.

[6] This product shall have a minimum octane rating of 30 ASTM and shall otherwise conform in specifications to the requirements of the buyer.

[7] "Other grades" of tractor fuel shall take the maximum price of the product listed above of the most nearly similar specifications.

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*Copies may be obtained from the Office of Price Administration.

2. Section 2.28 (a) is amended to read as follows:

(a) *State of New Jersey.* In the State of New Jersey, at points designated below, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil, range or stove oil:

WHOLESALE F. O. B. PRICES

[All prices in cents per gallon]

	F. o. b. terminals in bulk lots loaded into barges	F. o. b. refineries, seaboard tanker terminals and pipeline terminals in bulk lots loaded into tank cars and motor transports in single lots of 3,000 gallons or over	Loaded into buyer's tank wagon in single lots of less than 3,000 gallons
For delivery within:			
Union County	7.0	7.1	7.6
Middlesex County	7.0	7.1	7.6
Excepting town of Dunellen			7.7
Essex County	7.0	7.1	7.8
Excepting storage facilities situated on Doremus Avenue, city of Newark	7.0	7.1	7.6
Hudson County	7.0	7.1	7.8
Bergen County	7.0	7.1	7.9
Excepting:			
Borough of Edgewater	7.0	7.1	7.6
Borough of North Arlington and township of Lyndhurst			7.8
Passaic County			7.9
Morris County			8.0
Sussex County			8.0

DELIVERED PRICES

[All prices in cents per gallon]

	For tank wagon delivery to resellers in any quantity	For tank wagon delivery to consumers in quantities of 25 gallons or over	For tank wagon delivery to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons [1]
For delivery within:			
Union County	10.0	10.5	12.0
Middlesex County	10.0	10.5	12.0
Essex County	10.0	10.5	12.0
Excepting:			
Towns of Caldwell, Essex Fells, West Caldwell, North Caldwell, Roseland, Livingston, Verona, West Orange and Caldwell Township.	10.5	11.0	12.5
Hudson County	10.0	10.5	12.0
Bergen County	10.0	10.5	12.0
Passaic County	10.0	10.5	12.0
Morris County	10.5	11.0	12.5
Sussex County	10.5	11.0	12.5

[1] Excepting truck deliveries in containers in quantities of 5 gallons or less within Morris and Sussex Counties where the maximum price for such deliveries shall be 14.5 cents per gallon.

3. Section 4.05 (b) is added to read as follows:

(b) *Dolores and Mancos tank wagon areas.* Maximum tank wagon prices of gasoline to dealers and consumers in the Dolores and Mancos tank wagon areas in the State of Colorado shall be as follows:

	Cents per gallon
Premium grade	13.5
Regular grade	12.0
Third grade	11.0

4. Section 4.14 (a) is amended to read as follows:

(a) *State of Kansas (except Kansas City area).* In the State of Kansas, except that part of the state which is within a radius of 25 miles of the center of Kansas City, Missouri, maximum prices [1] of gasoline according to the specifications listed below f. o. b. refineries and pipe line terminals [2] and loaded into tank cars, motor transports and pipe lines [3] for shipment to the destinations indicated below shall be as follows:

Specifications	For shipment to ultimate destinations		
	Column 1 Kansas	Column 2 PAW District 1	Column 3 Other States
Gasoline:	*Cents per gallon*	*Cents per gallon*	*Cents per gallon*
80–82 Octane ASTM and Ethyl Grade	7.3	6.875	6.95
72–74 Octane ASTM	6.3	6.125	6.20
63–66 Octane ASTM	5.9	5.75	5.83
60–62 Octane ASTM and below	5.5	5.375	5.45

[1] Column 3 prices do not apply at Shallow Water and Phillipsburg.

[2] Column 2 applies to all other shipping points in the area covered by this Section 4.14 (a).

[3] Products loaded into all types of transportation facilities for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

5. Section 4.29 (c) is added to read as follows:

(c) *Farmington tank wagon area.* Maximum tank wagon prices of gasoline shall be as follows:

	Cents per gallon
Premium grade	12.0
Regular grade	10.5
Third grade	9.5

6. Section 4.29 (d) is added to read as follows:

(d) *Aztec tank wagon area.* Maximum tank wagon prices of gasoline shall be as follows:

	Cents per gallon
Premium grade	12.5
Regular grade	11.0
Third grade	10.0

This amendment shall become effective August 14, 1944.

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11874; Filed, August 8, 1944; 4:10 p. m.]

PART 1340—FUEL

[MPR 189,[1] Amdt. 24]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considérations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation No. 189 is amended in the following respects:

Section 1340.313 (h) is added to read as follows:

(h) *Maximum prices for deliveries of bituminous coal at Pensacola Harbor, Florida, Mobile Harbor, Alabama and New Orleans Harbor, Louisiana for direct use as bunker fuel*—(1) *Maximum prices for deliveries of bunker fuel in Pensacola Harbor, Florida and Mobile Harbor, Alabama.* The maximum prices in the following table are in cents per net ton and are f. o. b. oceangoing vessels (exclusive of trimming charge) when delivered directly from railroad cars through coal tipples, chutes, conveyors or bins to vessels alongside such facilities in Pensacola Harbor, Florida and Mobile Harbor, Alabama.

For coals produced at any mine in District No. 13 in the following maximum price group numbers	Maximum price for any grade or size of bunker coal delivered	
	Washed	Raw
1	591	581
2	611	601
3	621	611
4	636	626
5	656	646
6	616	606
7	681	671
8	666	656
9	641	631
Exceptions:		
Mine Index No. 11	641	631
Mine Index No. 36	661	651

(2) *Maximum prices for deliveries of bunker coal to tugboats, fire tugs, steam lighters, dredges, ferries, and other floating equipment (except vessels indicated in subparagraph (1)) for consumption thereon.* Such maximum prices shall be the above applicable maximum price, plus 50 cents per ton.

(3) *Maximum prices for ex-lighter, ex-barge or ex-collier deliveries.* The maximum prices for ex-lighter, ex-barge or ex-collier deliveries to vessels shall be the above applicable maximum prices plus 55 cents per ton.

(4) *Maximum price for deliveries of bunker coal to vessels from facilities in the New Orleans Harbor, Louisiana.* Such maximum prices shall be the above applicable maximum price plus 25 cents per ton.

(i) In addition to the above prices, where bunker coal is supplied from ground storage facilities, the bunker supplier may add no more than 25 cents per ton.

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15317, 16520, 9 F.R. 2692, 5216, 6231, 6451.

(5) *Permissible additions to prices set forth in subparagraphs (1), (2), (3) and (4) above.* (i) In addition to the above prices, a bunker supplier may add no more than 40 cents per net ton to the f. o. b. vessel price for trimming.

(ii) In addition to the above prices, the bunker supplier may add no more than 10 cents per ton for deliveries prior to 8 a. m. and after 5 p. m. or on Sundays or holidays.

(iii) In addition to the above prices, the bunker supplier may add no more than $10.00 per vessel dockage charge for deliveries of less than 150 net tons.

(6) *Formula for addition of excess coal and transportation costs to base delivered cost.* When the delivered cost f. o. b. cars of any grade of bunker coal exceeds the sum of the applicable f. o. b. mine maximum price in effect July 1, 1944, and the rail freight rate (including tippling charge to the bunker loading facilities), the supplier may add such excess cost to his applicable maximum price on a weighted average basis on each delivery.

(7) *Conversions.* Conversions from gross to net tons, or vice versa, shall be made to the nearest cent, as shall computations of an excess made under subparagraph (5) on a weighted average basis.

(8) *Definitions of terms used in this paragraph (h).* Terms used in this paragraph, such as District No., washed, raw, etc., shall have the same meaning as those and other terms as used in the minimum price schedule for District No. 13 (as in effect at midnight August 23, 1943) and in Maximum Price Regulation No. 120.—Bituminous Coal Delivered from Mine or Preparation Plant.

(9) Only to the extent to which this paragraph (h) of § 1340.313 is inconsistent with other provisions of this regulation shall this paragraph supersede other provisions of this regulation. The provisions of §§ 1340.310 and 1340.313 (c) (1) (i) shall not apply to this paragraph (h).

This amendment shall become effective August 14, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11895; Filed, August 9, 1944; 11:16 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 11]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *What wholesalers are covered.* Your business is classified under this regulation, if, prior to the effective date of the regulation you were and still are a wholesaler, the larger part of whose food sales are of food products which you purchase for resale and distribute from your warehouse without materially changing their form, to independent retail stores, or to commercial, industrial or institutional users. This regulation does not apply, however, to "wagon wholesalers", "flour jobbers", or to sales of "cookies, crackers, toast and crumbs" by "cookie and cracker wholesalers."

2. Section 23 is amended to read as follows:

SEC. 23. *Special pricing provisions for manufacturers selling some commodities at wholesale.* Any person the larger part of whose business consists of the manufacturing or processing of foods but (a) his entire business in connection with a particular commodity consists of the purchase and resale of such commodity without substantially changing its form and (b) the larger part of his sales of such commodity are made to independent retail stores, may figure his ceiling price under this regulation for sales of such commodities to retailers and commercial, industrial or institutional users, if the particular goods sold have been warehoused and are being sold in less-than-carload lots.

3. Section 30 (h) is added to read as follows:

(h) A "cookie and cracker wholesaler" is a wholesaler the larger part of whose food sales were, prior to the effective date of the regulation, and still are of "cookies, crackers, toast and crumbs" which he purchases for resale and distributes from a warehouse, to independent retail stores, or to commercial, industrial or institutional users.

4. Section 32 (b) (31) is amended to read as follows:

(31) "Syrups" means all malt, molasses, cane, maple, and table corn syrups and imitations and blends. Excluded are chocolate and ice cream sundae syrups, fruit syrups for making beverages, molasses sold for feed purposes, sorghum syrup and unmixed corn syrup.

5. In section 32 (b) (37), the item "Fruit syrups for making beverages" is amended to read as follows:

Fruit syrups for making beverages. (Excluded are fruit syrups used by rectifiers, blenders, restaurants and bars for making alcoholic mixed drinks.)

6. In section 32 (c), the following item is added in alphabetical order to the list of commodities excluded.

Corn syrup, unmixed.

This amendment shall become effective August 14, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11896; Filed, August 9, 1944; 11:16 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 23]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 11 is amended to read as follows:

SEC. 11. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase, you must continue to do so. Furthermore, regardless of your custom, you must give any customer who asks for it a receipt showing the date, your name and address, and quantity and name of each food item sold, and the price you charged for it.

2. Section 16 (d) is added to read as follows:

(d) If prior to August 14, 1944, your ceiling price for any item of "cookies, crackers, toast and crumbs" was based upon a delivery received from a "cookie and cracker wholesaler" as defined in Maximum Price Regulation No. 421,[2] and you still purchase such item from such a wholesaler, you must refigure your ceiling price for any such item in accordance with the rules in sections 3 and 4, basing your "net cost", however, on the first delivery to you of the item from such a wholesaler on and after August 14, 1944.

3. A new section 21a is added to read as follows:

SEC. 21a. *Ceiling prices for fish bought "pan-frozen" in blocks or cakes.* If you purchase whole fish, round, drawn, or dressed which has been "pan-frozen" in a solid cake or block of 10 pounds or more, and if prior to offering for sale you break or separate the individual fish from the cake or block, and offer it for sale as whole fish, round, drawn or dressed, you may add 1 cent per pound to your "net cost."

4. Section 38 (b) (31) is amended to read as follows:

(31) "Syrups" means all malt, molasses, cane, maple, and table corn syrups and imitations and blends. Excluded are chocolate and ice cream sundae syrups, fruit syrups for making beverages, molasses sold for feed purposes, sorghum syrup and unmixed corn syrup.

5. In section 38 (b) (37), the item "Fruit syrups for making beverages" is amended to read as follows:

Fruit syrups for making beverages. (Excluded are fruit syrups used by rectifiers, blenders, restaurants and bars for making alcoholic mixed drinks.)

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5648.

[2] 9 F.R. 5656, 6828, 6951, 7339, 7520, 7937, 9354.

6. In section 38 (c), the following item is added in alphabetical order to the list of commodities excluded:

Corn syrup, unmixed.

7. Section 39 (b) (5) is amended to read as follows:

(5) *Frozen fish and seafood.* "Frozen fish and seafood" means any fish or seafood which has been artificially frozen or frozen by exposure to the elements for preservation. Unless the context otherwise requires, the definitions set forth in section 12 of Maximum Price Regulation No. 364 [1] shall apply to terms used herein wherever applicable.

This amendment shall become effective August 14, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11897; Filed, August 9, 1944; 11:15 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423 [1], Amdt. 24]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 423 is amended in the following respects:

1. Section 12 is amended to read as follows:

SEC. 12. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt or similar evidence of purchase, you must continue to do so. Furthermore, regardless of your custom, you must give any customer who asks for it a receipt showing the date, your name and address, the quantity and name of each food item sold, and the price you charged for it.

2. Section 17 (d) is added to read as follows:

(d) If prior to August 14, 1944, your ceiling price for any item of "cookies, crackers, toast and crumbs", was based upon a delivery received from a "cookie and cracker wholesaler" as defined in Maximum Price Regulation No. 421,[2] and you still purchase such item from such a wholesaler, you must refigure your ceiling price for any such item in accordance with the rules in sections 3 and 4, basing your "net cost", however, on the first delivery to you of the item from such a wholesaler on and after August 14, 1944.

3. Section 18 (k) is added to read as follows:

(k) Section 21a. *Ceiling prices for fish bought "pan-frozen" in blocks or cakes.* (Applies to you if you buy whole fish "pan-frozen" in solid blocks or cakes, and separate them prior to sale.)

4. Section 27 (b) (31) is amended to read as follows:

(31) "Syrups" means all malt, molasses, cane, maple, and table corn syrups and imitations and blends. Excluded are chocolate and ice cream sundae syrups, fruit syrups for making beverages, molasses sold for feed purposes, sorghum syrup and unmixed corn syrup.

5. In section 27 (b) (27), the item "Fruit syrups for making beverages" is amended to read as follows:

Fruit syrups for making beverages. (Excluded are fruit syrups used by rectifiers, blenders, restaurants and bars for making alcoholic mixed drinks.)

6. In section 27 (c), the following item is added in alphabetical order to the list of commodities excluded.

Corn syrup, unmixed.

7. Section 28 (b) (5) is amended to read as follows:

(5) *Frozen fish and seafood.* "Frozen fish and seafood" means any fish or seafood which has been artificially frozen or frozen by exposure to the elements for preservation. Unless the context otherwise requires, the definitions set forth in section 12 of Maximum Price Regulation No. 344 [3] shall apply to terms used herein wherever applicable.

This amendment shall become effective August 14, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11898; Filed, August 9, 1944; 11:15 a. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 26, [4] Amdt. 9]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 26 is amended in the following respects:

1. Section 8 (c) is amended to read as follows:

(c) For the purpose of paragraph (b), the following classifications of lumber of any different species constitute separate items:

(1) Boards, shiplap or strips, dimension, plank and small timber, and timbers (one or all these classifications constitute one item).
(2) Flooring.
(3) Siding.
(4) Ceiling and partition.
(5) Finish and rough clears.
(6) Stepping.
(7) Mouldings.
(8) Silo stock.
(9) Gutter.
(10) Cribbing.
(11) Lath and shingle band sticks.
(12) Casing and base.
(13) Shingles—any species (minimum 20 squares).

2. Section 16 (d) is amended to read as follows:

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest grade in the combination. For example, the maximum price for lumber sold as No. 2 and better is the maximum price fixed for No. 2. It is, however, permissible to quote with specified higher or lower grades developed to be shipped at the respective maximum price for each grade actually developed. Where shipments are made in this manner, each piece (or bundle if bundled) shall bear some symbol of grade identification, and each grade shall be separately invoiced and the identification symbol used on the lumber shall be shown opposite the respective grade on the invoice. Alternatively, shipper may separate grades in loading and clearly identify by symbol the grade of each separate lot in the shipment and on the invoice. Shop grades when sold to millwork manufacturers are exempt from the requirements of this paragraph.

3. In section 23, the paragraph preceding the price tables is amended to read as follows:

SEC. 23. *Douglas Fir.* The maximum prices for Douglas Fir lumber per 1000 feet board measure (or other designated measures where so indicated) shall be as shown in the following price tables, f. o. b. car at mill, f. o. b. normal loading dock, or at mill's customary rail shipping point when mill is located away from railroad. Where possession of lumber is acquired f. o. b. truck at a mill not located on railroad, the prices set forth in this section (except on direct retail sales) shall be reduced by the cost of transportation from mill to customary railroad loading out point in accordance with the computation of such costs as set forth under section 7 (b) or (c).

4. In section 23, Table 1, footnote 10a is added to read as follows:

[10a] Surfacing to ¾", when required by buyer, S2S or S4S, price same as S4S, A. L. S.: S1S or Hit and Miss deduct $5.00 from price of S4S, A. L. S.

5. In section 23, Table 10 (exclusive of footnotes) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5671, 8829, 7340, 7520, 7937, 9354.

[2] 9 F.R. 5643.

[3] 8 F.R. 4040, 5566, 7592, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16096; 9 F.R. 183, 948, 2023, 3389, 3459, 3424, 4183, 4650, 5163, 7420.

*Copies may be obtained from the Office of Price Administration.

[4] 8 F.R. 1016, 3513, 4227, 7505.

TABLE 10—CASING AND BASE

B/L, all patterns dry	B and better V. G.	B and better F. G.	C-V. G.	C-F. G.	D-V. G.	D-F. G.
1 x 3"——	$74	$64	$70	$60	$55	$47
1 x 4"——	70	58	65	55	50	44
1 x 5"——	78	66	71	60	57	47
1 x 6"——	78	63	68	57	53	46
1 x 8"——	74	63	69	57	54	46
1 x 10"——	80	66	73	59	56	47
1 x 12"——	85	68	76	61	58	48

6. In section 23, Table 11, footnote 5a is amended and footnotes 9a and 9b are added, to read as follows:

[5a] For random lengths where a specified average of not over 20' nor under 14' is required, the price shall be the specified length price of the length specified as average. If average required is longer than 20' the price shall be the 6/20 B/L price, plus 75 per cent of the specified length addition applicable to the length specified as an average. No addition may be made for the elimination of shorts in either case.

[9a] 1/16", ½" or 9/16" Surfaced or full thickness rough, $7.00 less than 1" of corresponding grade and width; ¾" or 11/16", $5.00 less than 1" of corresponding grade and width.

[9b] Surfacing to ¾", when required by buyer, S2S or S4S price same as S4S, A. L. S.; S1S or Hit and Miss deduct $5.00 from price of S4S, A. L. S.

7. In section 23, Table 12, a new footnote 2a is added to read as follows:

[2a] "D" grade deduct $17.00 per M from price of B and Better of corresponding size.

8. In section 23, Table 12, footnote 7b is amended to read as follows:

[7b] For random lengths in any specified range with an average length required greater than the mean average of the range specified, the price shall be the specified length price of the length specified as an average. No addition permissible under footnote 4.

Where the average specified is the mean average or less of the range of lengths required, the price shall be the bracket price of the lengths shipped with any permissible addition under footnote 4. When a definite average is not specified on order at time of placement, the lengths shipped must be priced at bracket price in which they fall.

9. In section 23, Table 20, the table heading is amended to read "Ship Decking, Paragraph 286 and Margin Pieces When Graded under Paragraph 286—Rough Green"; the subcaption reading "Rough green, paragraph 286 and Margin Pieces" is deleted; and a footnote 14 is added to read as follows:

[14] The maximum prices shown in Table 20 apply only to direct mill shipments (See section 3 (a)) and only where final delivery is to shipyard operations, builders or repairers of ships, barges or other water transportation facilities, except on specific individual approval of the Lumber Branch.

10. In section 25, *General notes*, Notes XVI and XIX are amended and a new note XXII is added, to read as follows:

XVI. Extra Standard Surfacing: When required by buyer, surfacing standard nominal sizes, as shown in List WCLA Grading and Dressing Rules, thicker or wider than A. L. S. finished sizes, add $2.00 per M except that this charge may not be made where surfacing is "Hit and Miss". Where machine is set to full nominal rough size as shown in List 12, width and/or thickness, such material must be sold at rough price.

NOTE: Wherever the application of this note would conflict with a footnote under any price table, the table footnote governs.

XIX. For stenciling 10 per cent or more pieces, bundles or packages, of any shipments, when required by buyer, add 50 cents per M feet to price of items on which stenciling is required. This charge may not be made for grade-marking or for identification of items or lots even though a stencil is employed for such marking.

XXII. For any surfacing that does not remove sides surfaced from being classified as rough lumber, and where rough weight may be used in computing freight, if rough weight used, no charge may be made for surfacing. Alternatively, mill may charge for surfacing (where table permits) but in doing so, freight charges must be estimated on net surfaced nominal size under "Shipping Weight" formula for sizes not listed.

12. In Article VII, Tables of Estimated Weights, wherever the term "rough or S1E" appears, it is amended to read: "rough, S1E or S2E to A. L. S.".

This amendment shall become effective August 14, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11899; Filed, August 9, 1944; 11:16 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A, [1] Amdt. 12]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. Section 1.1 (a) is amended by adding the word "naphtha," before the word "kerosene", and by changing the last sentence to read: "This order does not cover any equipment which has been used more than 60 days, nor does it apply to electric, charcoal or alcohol stoves, gas hot plates, gas laundry stoves, coal-wood burning laundry stoves, furnaces, waterheaters, wick-lamp cooking stoves, gasoline camp stoves, or wood-burning sheet metal heating stoves which are not equipped with grates or cast iron base or cast iron linings, or equipment designed for commercial, industrial, agricultural or institutional use, or gas cooking stoves which have asbestos or other non-metallic outside panels."

2. Section 1.2 (a) is amended by adding the word "naphtha," before the word "kerosene," each time it appears.

3. Section 3.11 is added as follows:

SEC. 3.11 *Dealers and distributors must report inventories*—(a) *Stoves removed from rationing.* Within 10 days after any stove ceases to be a rationed stove, every dealer and distributor shall report to the Board with which he is registered, on OPA Form R-908, the number of such stoves in stock or in transit to him as of the close of business on the last day such stoves are rationed. Upon receipt of OPA Form R-908, giving all of the information required by the form, the Board may at the request of the dealer or distributor issue certificates for the same type not in excess of the number of stoves reported.

4. Section 3.12 is added as follows:

SEC. 3.12 *Boards to issue certificates to dealers or distributors only for excess over debt to it.* (a) Unless specifically provided to the contrary, whenever a certificate is to be issued to a dealer or distributor because of inventory increases or because stoves were damaged and sold or transferred certificate-free, or for any other reason, and the dealer or distributor currently owes the Board any certificates for the same type of stoves because of excess inventory or for any other reason, the Board may issue only the number of certificates in excess of those currently due and shall reduce the debt accordingly. If the number due the dealer or distributor is the same as or less than the number currently owing by him, the Board shall reduce the debt by that number and issue no certificates.

5. Section 6.11 is added as follows:

SEC. 6.11 *Return of certificates when stoves are removed from rationing.* (a) When a manufacturer, distributor, or dealer has received a certificate with an order for a stove which has not been transferred, delivered, or shipped on or before the day the stove ordered ceases to be a rationed stove, he shall return a certificate for the same type of stove to the person placing the order within 3 days after such stove ceases to be a rationed stove, or if by that time he has no certificate for that type of stove, as soon as he gets such a certificate. If a certificate other than the one issued to him is returned to a consumer, he shall promptly surrender it to his Board and he may, if he is still eligible, apply for a certificate to replace it.

6. Section 13.1 (a) (17) (ii) is amended by adding the word "naphtha," before the word "kerosene."

7. Section 13.1 (a) (17) (v) is amended by adding the word "naphtha," before the word "kerosene."

8. The undesignated paragraph following section 13.1 (a) (17) (viii) is amended to read: "The term includes a radiant heater, a sheet metal heating stove with grates or with a cast iron base or cast iron lining, and a portable oil stove. It does not include electric, charcoal or alcohol stoves, gas hot plates, gas laundry stoves, coal-wood burning laundry stoves, furnaces, waterheaters, wick-lamp cooking stove, or a gasoline camp stove, or gas cooking stoves which have asbestos or other non-metallic outside panels."

This amendment shall become effective August 15, 1944.

NOTE: All reporting and record keeping requirements of this amendment have been

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11564, 12749, 13060, 14049, 15254, 9 F.R. 93, 348, 908, 3234, 3946, 6952, 9017, 9356.

approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; W.P.B. Directive 1, 7 F.R. 562, and Supp. Dir. 1–3, 8 F.R. 6018)

Issued this 9th day of August, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11892; Filed, August 9, 1944; 11:16 a. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Amdt. 1 to Order 24]

TOBACCO STICKS

For the reasons set forth in an opinion issued simultaneously herewith Order No. 24 under § 1499.18 (c) of the General Maximum Price Regulation is amended to read as follows:

§ 1499.1524 *Adjustment of maximum prices for tobacco sticks produced in the States of Indiana, Kentucky, Michigan, Ohio, West Virginia, Virginia, Maryland, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Mississippi*—(a) *Product covered.* This order covers, under the term "tobacco sticks," sticks made in the dimensions of ¾" x 1" x 52" or 54" and 1" x 1" x 52" or 54" of any suitable species and which are of the quality (grade) required for use in the curing of tobacco.

(b) *Maximum price for sales by manufacturers.* The maximum price for sales of tobacco sticks by manufacturers in the following sizes shall be as set forth below. These prices are f. o. b. mill.

Size:	*Per 1,000 pieces*
1" x 1"—52" or 54"	$16.00
¾" x 1"—52" or 54"	12.00

(c) *Maximum price for sales by dealers or distributors.* The maximum price for sales of tobacco sticks by dealers or distributors, other than manufacturers, shall be the f. o. b. yard or delivered cost plus $4.00 per thousand sticks.

(d) *Addition for delivery.* The seller may add to the maximum price established in paragraph (b) or (c) above the actual charge or cost paid or incurred by the seller in making delivery to the purchaser.

(e) *Application of order.* This order applies to all sales of tobacco sticks produced in the States of Indiana, Kentucky, Michigan, Ohio, West Virginia, Virginia, Maryland, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Mississippi.

(f) This Order No. 24 may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective August 10, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11893; Filed, August 9, 1944; 11:15 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

SNOHOMISH RIVER AND STEAMBOAT SLOUGH, WASH.

Section 203.805 *Snohomish River, Wash.; Northern Pacific Railway and Great Northern Railway bridges and the State of Washington highway bridge at Snohomish, Wash.* Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.805 are hereby extended to include the railroad and highway bridges across Steamboat Slough, near Marysville, Washington, and the highway bridge across the Snohomish River, at the foot of Hewitt Avenue, Everett, Washington, and are hereby further amended, both as to title and regulations, to read as follows:

§ 203.805 *Snohomish River and Steamboat Slough, Wash.; bridges where constant attendance of draw tenders is not required.* (a) The owners of or agencies controlling the bridges listed below will not be required to keep draw tenders in constant attendance.

(b) Whenever a vessel, unable to pass under a closed bridge, desires to pass through the draw, advance notice, as specified, of the time the opening is required shall be given to the authorized representative of the owner of or agency controlling the bridge.

(c) Upon receipt of such advance notice, the authorized representative of the owner of or agency controlling the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owners of or agencies controlling the bridges shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can easily be read at any time, a copy of these regulations together with a notice stating exactly how the representatives specified in paragraph (b) may be reached.

(e) The operating machinery of the draws shall be maintained in a serviceable condition, and the draws shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation.

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows:

Snohomish River, Wash.; State of Washington Department of Highways bridge at the foot of Hewitt Avenue, Everett, Wash. (At least twelve hours' advance notice required: *Provided*, That during freshets a draw tender shall be kept in constant attendance upon order of the District Engineer of the Engineer Department at Large in charge of the locality.

Snohomish River, Wash.; bridges of the State of Washington Department of Highways, the Northern Pacific Railway Company, and the Great Northern Railway Company at Snohomish, Wash. (At least twenty-four hours' advance notice required.)

Steamboat Slough, Wash.; bridges of the Great Northern Railway Company and the State of Washington Department of Highways near Marysville, Wash. (At least four hours' advance notice required.) (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362; 33 U.S.C. 499) [Regs. February 5, 1941 (CE 823 (Snohomish R.—Snohomish Wash.) (Mile 15)–SPEON) as amended 29 August 1944, (CE 823.01 (Snohomish River-Steamboat-Ebey Sloughs, Wash.)–SPEWR)]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-11873; Filed, August 8, 1944; 2:51 p. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 11, Supp. 7]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTER FOR FOREIGN FLAG DRY CARGO VESSELS

§ 302.48 *Amended time charter for foreign flag dry cargo vessels "Warshiptime (Rev.) Forflag".* The Administrator, War Shipping Administration, adopts the following standard form of addendum for time charters, for such foreign flag dry cargo vessels as the administrator in his discretion may determine, heretofore entered into by the United States of America acting by and through the Administrator, to be known as "Warshiptime (Rev.) Forflag":

Contract No.

FORM NO. 102 (REV.) FORFLAG
8/5/44
WARSHIPTIME (REV.) FORFLAG

WAR SHIPPING ADMINISTRATION AMENDED TIME CHARTER FOR DRY CARGO VESSELS

WHEREAS, the Owner and the Charterer have heretofore entered into a charter agreement dated as of _____, 1942, providing for the charter of the Vessel upon the terms and conditions therein set forth, and

WHEREAS, the Charterer has found that in order to facilitate the prosecution of the war and otherwise to benefit the interests of the United States, it is necessary and desirable that the Charter be further amended to the extent provided for by this Addendum,

NOW, THEREFORE, the Charterer and the Owner do mutually agree to amend the Charter effective upon the date hereinafter set forth so that such Charter will be as follows:

AMENDED TIME CHARTER (hereinafter sometimes referred to as the Charter), dated as of _____, 19__, between _____
Address _____
OWNER of the SS/MS_____
(herein called the "Vessel"), and UNITED STATES OF AMERICA, acting by and through the Administrator, War Shipping Administration,

CHARTERER, the terms of the Charter being as follows:

PART I (REVISED)

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

DEADWEIGHT capacity, as defined in Clause 8, Part II.

CLASSED _____

BALE CAPACITY of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer _____ cubic feet.

YEAR BUILT _____

* * * * *

CLAUSE A. PERIOD OF CHARTER: From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. TRADING LIMITS: As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. The hire shall be $_____ per calendar month or pro rata for any portion thereof, of which the sum of $_____ per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

RATE REVISION: At any time, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other, but no rate redetermination prior to July 1, 1945 shall involve a change in the use rate factor of the charter hire. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and the Charterer shall make a redetermination of the rate of hire which shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

In the event of such termination by either party, the Charterer may, at its option, defer compliance with any or all of its redelivery obligations hereunder: *Provided, however,* That compliance with such obligations shall not be extended beyond the expiration of the emergency proclaimed by the President of the United States on May 27, 1941.

CLAUSE D. For the period ending noon, E. W. T., April 20, 1945, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $ _____. For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by _____.

By mutual agreement the valuation provisions of this Clause may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

CLAUSE E. PORT OF DELIVERY:

CLAUSE F. TIME AND DATE OF DELIVERY:

CLAUSE G, PORT OF REDELIVERY: Port of delivery, unless otherwise agreed: *Provided, however,* That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains it principal operating headquarters.

CLAUSE H. NOTICE OF REDELIVERY: The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. UNIFORM TERMS: This Charter consists of this Part I and Part II, conforming to the Amended Time Charter for Tank Vessels, published in the FEDERAL REGISTER of April , 1944.

The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions, of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. EFFECTIVE DATE OF THIS AMENDED CHARTER: Unless otherwise agreed this Amend- Charter (Addendum) shall, conditioned upon the Vessel being in every way fitted for service as required by Clause 1 of Part II, be effective upon completion of discharge of the Vessel in a port in the Continental United States, excluding Alaska, on the voyage current on _____, 1944, or if the Vessel be in a port in the Continental United States, excluding Alaska, on _____, 1944, then effective _____, 1944, or if the Vessel has not returned to a port in the Continental United States, excluding Alaska, prior to _____, 1944, then effective _____, 1944, if the Vessel be in any port at that date, otherwise effective upon the Vessel's safe arrival at the Vessel's next port of call.

CLAUSE K. SPECIAL PROVISIONS: (1) With respect to reimbursement of war bonuses by the Charterer under any provisions of this Charter the individual war bonuses paid to the crew (including the Master and officers), shall not be in excess of the same percentage relation to the individual basic wages paid as exist between the individual basic wages and war bonuses paid on an American-flag ship with a like complement in the same service: *Provided,* That in no event shall the war bonuses for each member of the crew exceed those payable to the corresponding individual crew members of an American-flag vessel (including the Master and officers) with a like complement in the same service. If the Owner's arrangement is for the payment of a flat rate of wage per man (including the war bonuses), the Charterer agrees to reimburse the Owner the aggregate amount by which the aggregate flat wages paid by the Owner to the Master, officers or crew of the Vessel during the period of this Charter, exceed the aggregate wages (excluding the war bonuses) which would have been payable to the Master, officers and crew of an American-flag ship with a like complement in the same service: *Provided,* That in no event shall any aggregate amount so to be reimbursed be in excess of the aggregate of the war bonuses which would have been payable to the Master, officers and crew of an American-flag ship in the same service.

IN WITNESS WHEREOF, the Owner has executed this Charter in quadruplicate the __ day of _____, 19__, and the Charterer has executed this Charter in quadruplicate the __ day of _____, 19__.

As to execution for OWNER

ATTEST

_____
or if not incorporated

In the presence of:

_____
Witness.

and

_____
Witness.

Approved as to form:

_____
Assistant general counsel.

By: _____

UNITED STATES OF AMERICA,

By: E. S. LAND, *Administrator,*
War Shipping Administration,

By: _____
For the Administrator.

I, _____, certify that I am ____ the duly chosen, qualified, and acting Secretary of _____ a corporation organized and existing under the laws of the State of _____ and having its principal place of business at _____ a party to ths Charter, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Charter on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Charter in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Charter is within the scope of the corporate and lawful powers of this corporation.

_____
Secretary

(CORPORATE SEAL)

Form No. 101 (Rev.) FORFLAG
WARSHIPTIME (Rev.) FORFLAG

WAR SHIPPING ADMINISTRATION

UNIFORM TIME CHARTER TERMS AND CONDITIONS FOR DRY CARGO VESSELS

(PART II)—(REVISED)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availibility of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery shall be ready to receive cargo with cleanswept holds and, as far as due diligence can make her so, tight, staunch, strong, and in every way fitted for normal commercial service for a vessel of her size, type, and description, having winches and power sufficient to run all the winches at one and the same time and a Master, and a sufficient complement of officers and crew (hereinafter referred to collectively as the crew) for a vessel of her tonnage, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter.

The Vessel shall be employed in carrying passengers (to the extent permitted by law and available accommodations) and lawful merchandise, including petroleum or its products in proper containers, in lawful trades between safe ports or places, as the Charterer or its agents may direct.

The Vessel may be employed to tow or may be towed, but the Charterer shall indemnify the Owner for any loss, damage, claims or expenses resulting from any such use of the Vessel.

For the purpose of this Charter the Owner shall be entitled to the benefits of all waivers in the navigation and inspection laws granted by an authorized officer or by law or regulation.

If radio or other equipment is required to enable the Vessel to comply with this Clause and such equipment is leased by the Owner, it shall pay the rental and maintenance charges therefor, or if such charges are paid by the Charterer, such charges may be deducted from the hire.

CLAUSE 2. The whole reach and burthen of the Vessel's hold, decks, and usual places of loading (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal, reserving only space

proper and sufficient in the opinion of the Master for Vessel's crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores and fuel.

CLAUSE 3. A. Commencing with the time this Amended Charter becomes effective, the Charterer shall (except as otherwise expressly provided in this Charter) pay hire for the use of the Vessel and for the services required under the terms of this Charter at the rate provided in Clause C, of Part I of this Amended Charter and, subject to the provisions of said Clause C, in either case such hire shall continue until the time of the redelivery of the Vessel to the Owner as in this Charter provided, unless the parties hereto otherwise agree: *Provided, however,* That if the Vessel shall be an actual total loss, such hire or payments on account shall continue until the time of her loss, if known, or if the Vessel is unreported, such hire or payments shall continue for one-half the calculated time necessary for the Vessel to proceed from her last known position to the next port of call, but not exceeding 14 days. If the Vessel is a constructive total loss under the terms of any insurance thereon or is declared a constructive total loss by the Charterer under the provisions of Schedule A, such hire or payments shall continue until Noon (EWT) of the day of the last casualty resulting in or causing or contributing to her loss, except as otherwise provided in Clause 31 of this Charter.

CLAUSE 3. B. If at the time of redelivery under this Charter, the Vessel shall require repairs of any damage arising from risks insured against or assumed by the Charterer or for which the Charterer is otherwise liable, hire as herein provided shall continue until completion by the Charterer of such repairs and of any work required of the Charterer by Clause 11, Part II, subject to the provisions of Clause C, Part I and Clause 11 D, Part II hereof.

CLAUSE 3. C. On the first day of each calendar month, the hire provided for in this Amended Charter and all other monies accruing during the preceding month in favor of the Owner, shall be due and payable.

CLAUSE 3. D. The Charter or its agents may advance currency or perform any services, or furnish any supplies or equipment, which are required by the Owner and are for the Owner's account under this Charter, and the Owner, upon being furnished evidence thereof, shall reimburse or secure the Charterer for the fair and reasonable dollar value of any currency so advanced, services so performed, or supplies and equipment so furnished, or at the Charterer's election the equivalent thereof may be deducted from the hire. It is understood that any such advances made or services performed or supplied and equipment furnished by the government of any country as aid to or for the account of the United States shall be deemed currency advanced, services performed, or supplies and equipment furnished by the Charterer.

CLAUSE 4 In the event that the Vessel is detained because of the happening of any event caused or contributed to by another vessel, person, corporation, or others, for which detention such third parties are or may be liable (the period of such detention to include the time necessary to proceed to, survey, and effect repairs unaccomplished upon the date of redelivery of the Vessel under this Charter), then for such period of detention the Charterer's obligation to the Owner for hire and for other sums otherwise accruing hereunder shall cease: *Provided, however,* That the Charterer shall indemnify and save the Owner harmless from any loss whatsoever by reason of the cessation of such obligations, and notwithstanding said cessation shall pay to the Owner a sum not less than the amount which would otherwise be payable to the Owner for such obligations in the same manner and to the same extent as if such cessation had not occurred, but on performance of this indemnity the Charterer shall immediately become subrogated, to the extent of such indemnity, to all rights whatsoever of the Owner to recover for such detention from or against such vessel, person, corporation, or others, and the Charterer shall be entitled to bring and maintain suit or suits thereon in its own name or in the name of the Owner as the Charterer may see fit: *Provided, however,* That on the written request of the Charterer, the Owner shall in each instance, assert and prosecute such claims in the name of the Owner, but for and on behalf of the Charterer and at the Charterer's expense, such claims to be in a sum not less than the amount of the indemnity paid by the Charterer.

CLAUSE 5. A. Insofar as it is a factor in the Vessel's rate and valuation, deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2,240 lbs.) for cargo, fuel, fresh water, spare parts and stores but exclusive of permanent ballast. Deadweight shall be calculated without deduction for weight lost by reason of cargo refrigeration installation heretofore made, if any, and weight added by installation of refrigerated cargo capacity (including offsetting permanent ballast required thereby), arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other extraordinary wartime installation or equipment, including permanent ballast, heretofore or hereafter made or required by the Charterer or any other agency of the United States.

CLAUSE 5. B. In the event that the Vessel's deadweight or bale cubic refrigerated capacity, when finally determined as herein provided, shall not be in accord with the description contained in Part I hereof, the hire and valuation shall be equitably adjusted to be appropriate for the Vessel's deadweight and bale cubic refrigerated capacity. Certificates of deadweight or bale cubic refrigerated capacity, in satisfactory form, heretofore or hereafter furnished by the American Bureau of Shipping shall be accepted as final proof of deadweight capacity and bale cubic refrigerated capacity.

CLAUSE 6. Except as otherwise provided in this Charter:

(a) The Owner shall provide and pay for

(1) Wages of Master and crew;

(2) Subsistence;

(3) Galley, cabin, deck and engine room stores, supplies and equipment (except all water and fuel for any purpose);

(4) Maintenance and repair of Vessel and equipment to the extent required of the Owner under this Charter;

(5) Sales or other taxes based on the foregoing items; and

(6) Owner's overhead expenses.

(b) The Charterer shall provide and pay for all other charges and expenses whatsoever reasonably and properly incurred in the use, operation or employment of the Vessel hereunder.

For the purposes of this Charter:

(1) The term "wages" as used herein shall include all basic and emergency wages, bonuses for seniority or length of service, overtime and vacation allowances, life, health, retirement or other insurance benefits which are not required to be provided or paid for by the Charterer hereunder.

(2) The term "subsistence" shall include the cost, including delivery, loading and inspection charges thereon, of all edibles for consumption by Master and crew, and other persons covered by Clause 7 C hereof, and shall also include board and room allowances to Master and crew in lieu of subsistence and lodging aboard the Vessel.

(3) The term "galley, cabin, deck and engine room stores, supplies and equipment" shall mean those items referred to under the headings of "(15)" and "(24) Stores, Supplies and Equipment", page 8, of the General Financial Statement of the U. S. Maritime Commission, approved by the Budget Bureau No. 62-R.O. 10-42.

(4) The term "maintenance and repair of Vessel and equipment" shall mean the items referred to under the headings "(25) Other Maintenance Expense" and "(40)" and "(49) Repairs", page 8 of said General Financial Statement.

(5) The term "overhead expense" shall include administrative and general expenses as presently itemized in General Order No. 22 of the U. S. Maritime Commission, Owner's advertising expenses, Owner's taxes (except sales and similar taxes, taxes assessed or based upon freights earned, and other taxes of any kind determined by the Charterer to be properly classifiable as voyage expenses), and the cost of employing agents or branch houses to perform any of the services required of the Owner under this Charter.

CLAUSE 7. A. The Charterer shall reimburse the Owner for actual out-of-pocket expenses, including all taxes paid by the Owner with respect to such expenses, for:

(1) All war bonuses (war risk compensation) paid to the master and crew (which term as used in this Clause 7 shall refer to the actual crew on board, even though in excess of the normal complement) in the manner and to the extent provided for in applicable decisions or advices of the Maritime War Emergency Board, as amended or modified from time to time, or in judicial decisions relating hereto.

(2) All extra compensation, including overtime, paid to the crew for services performed by the crew (a) in connection with cargo, at sea or in port, (b) in connection with shifting of Vessel in port for Charterer's purposes, or (c) preparatory to loading or discharging or sailing in convoy. If the Vessel operates in the Alaska trade, the Charterer shall also pay the extra crew costs exceeding costs that would have been incurred in similar operations in other ocean-going trades.

(3) All wages, and overtime paid to any extra crew members beyond the normal complement of the Vessel, or to other persons carried, who are required to be employed by the Owner because of (a) the Vessel's service under this Charter, (b) the loading or discharging of cargo, or (c) to care for any persons covered by Clause 7 C hereof. Extra wages or overtime paid to the normal complement of the Vessel in lieu of employing extra crew members or persons for the purposes above set forth shall also be reimbursed to Owner. The term "normal complement" as used in this Charter shall refer to the normal peacetime complement for off shore foreign trading for the average vessel of the same size, type and description as the Vessel chartered hereunder, as determined by the Administrator.

(4) All wages and overtime paid to security watchmen provided in compliance with any security requirements of any United States or other Government agency, and all overtime or additional wages paid to the crew by reason of compliance with such requirements.

(5) All extra clothing or effects for the Master and crew necessitated by the Vessel's service under this Charter (Charterer to have title to such extra clothing and effects).

CLAUSE 7. B. The Charterer shall, to the extent the Owner is not reimbursed under the provisions of Schedule A attached hereto, reimburse the Owner for out-of-pocket expenses or disbursements made on behalf of the Master or crew, or payments made to the Master or crew, for repatriation transportation (including return to port of shipment), and for wages and subsistence while awaiting

and during such transportation, where such expenses, disbursements, or payments are assumed by the terms of the Ship's Articles, the Owner's collective bargaining agreements or found by the Owner to be reasonably necessary or desirable. The Owner shall also be reimbursed for the cost reasonably incurred in furnishing men to replace members of the crew whose employment has terminated at ports in Alaska or outside the continental United States except the country of the vessel's registry, where suitable replacements are not readily available.

CLAUSE 7. C. The Charterer shall pay the Owner at the rate of $1.50 per day per person (not in excess of fifty (50) persons) for providing subsistence aboard the Vessel for any person carried at the request of the Charterer or any agency of the United States or the military authorities of any Allied Government, or any extra crew members beyond the Vessel's normal complement required because of the Vessel's service under this Charter, and $1.50 per day per person for providing subsistence aboard the Vessel for any extra complement thereby required. If a total of more than 50 extra persons referred to in this Clause 7 C are carried on the Vessel at any one time, the Owner shall be reimbursed for his actual costs for subsistence of the number in excess of 50, unless subsistence rates or schedules applicable to such excess number have been agreed upon between the Owner and the Charterer, in which event such rates or schedules shall govern. The term "subsistence" as used in this subsection shall include victualling, supplying with linens, bedding, laundry, and similar services, but the Owner shall not be obliged to furnish linens and bedding for such extra persons in excess of 50, unless otherwise agreed.

CLAUSE 8. A. The Charterer may disallow in whole or in part, as may be appropriate, and deny reimbursement for any expenses for which it is required to reimburse the Owner which are in contravention of the terms of this Charter, or are otherwise improvident or excessive.

CLAUSE 8. B. The Charterer shall reimburse the Owner for any additional extraordinary costs incurred which the Charterer, in its discretion, may allow upon finding that such costs are not intended to be covered in the allowance for services hereunder. In the event the Vessel is assigned by the Charterer for service between foreign ports, the Charterer shall make such adjustment, if any, as it deems appropriate to allow for increased cost of operation.

CLAUSE 8. C. In the event the Vessel is physically incapable of working for a period in excess of twenty (20) days while in a Continental United States port (excluding Alaska) or for a period of thirty (30) days while in Alaska or outside the Continental United States, the charter hire otherwise payable hereunder shall be reduced for the excess period by an amount equal to twenty (20) percent of the service rate, plus eighty (80) percent of the actual savings in wages for Master and crew during the entire period of layup. The Owner shall furnish reports of wage savings as soon as practicable after the termination of each month of such lay-up.

CLAUSE 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings and materials requisite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards and fittings and materials already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. Upon redelivery of the Vessel, the Charterer shall make good any damage to or shortage of shifting boards, fittings or materials which are on board at delivery.

CLAUSE 10. The Charterer shall pay for all fuel on board upon delivery, and the Owner shall pay for all fuel on board on redelivery not in excess of Owner's normal requirements, at market prices current at the ports and times of delivery and redelivery, respectively.

CLAUSE 11. A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions or changes, whether such installations, alterations, additions or changes were made under this Charter or prior to delivery under this Charter, except as may be otherwise provided herein.

CLAUSE 11. B. Commencing with the time this Amended Charter becomes effective, the Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peace-time standards, then or thereafter set forth in sub-chapter O of Chapter I of the Regulations of the United States Coast Guard (Title 46, U.S.C.R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by subsequent increases and changes in wartime Governmental requirements: *Provided, however,* That if the Owner has not entered into a form of addendum to the original time charter covering this Vessel designated as "Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions" and has not entered into a special agreement as and if contemplated in Paragraph Fourth of said addendum, then the obligations of the Charterer under this Clause 11–B shall be limited to items hereafter required and shall not cover items heretofore required as aforesaid. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11–A of the charter. The payments provided for in this paragraph shall be made in the same manner and shall not exceed in amount those payable to like American-flag vessels operating under similar Warshiptime (Rev.) or Warshipoiltime (Rev.) charters containing a clause substantially the same as the foregoing provisions of this paragraph.

CLAUSE 11. C. Any equipment, furniture, furnishings, or appliances belonging to the Vessel and not required by the Charterer may be removed by the Charterer, at the Charterer's expense, and upon termination of the Charter, unless the Vessel has been lost or requisitioned for title, any such removals are to be replaced on board the Vessel or made good by the Charterer at its expense. Storage charges arising from such removal shall be paid for by the Charterer.

CLAUSE 11. D. If, at the time of redelivery under this Charter the Vessel shall require any work or repairs of any damage arising from risks insured against or assumed by the Charter, or for which the Charterer is otherwise liable under this Clause, Clause 11 A or any other Clause hereunder, the Charterer may, at its option, discharge such obligations by payment to the Owner in advance of an amount for reconditioning sufficient to provide for such work or repairs, which amount shall also include compensation at the rate of hire that would otherwise have been payable under this Charter, for the time reasonably required under then existing conditions to complete such work or repairs and compensation for other expenses incident to such work or repairs. If the Owner and Charterer agree such obligations may be discharged by a mutually satisfactory agreement.

CLAUSE 12. The Owner agrees at its expense to drydock the Vessel for the purpose of cleaning and painting her bottom, when necessary and not less than once in every nine months unless the Charterer otherwise agrees, and, when drydocking is due, the Charterer agrees to send the Vessel to a port where she can so drydock, clean and paint. All towage, pilotage, and other expenses incidental to such drydocking and all port charges incurred in connection therewith, shall be for the Owner's account regardless of whether Charterer's repairs are concurrently made.

CLAUSE 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master, to the extent permitted by governmental orders or directions, shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its agents, and furnish the Charterer or its agents, when required and to the extent permitted by governmental orders or directions, with a true copy of port and daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

CLAUSE 14. Subject always to the directions of the Charterer the Master shall prosecute his voyages with the utmost dispatch and shall render all customary assistance with Ship's crew and boats; and shall use due diligence in caring for and ventilating the cargo. The Master (although employed by the Owner) shall be under the orders and directions of the Charterer as regards employment, agency and prosecution of the voyages; and the Charterer shall load, stow, trim and discharge the cargo at its expense under the supervision of the Master, who, if requested, is to sign bills of lading for cargo as presented, in conformity with Mate's or Tally Clerk's receipts. Bills of lading are to be signed in the form and at any rate of freight that Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify the Owner against all consequences or liabilities that may arise from the Charterer or its agents (including the Master) signing bills of lading or other documents inconsistent with this Charter, or from any irregularities in papers supplied by the Charterer or its agents.

CLAUSE 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its agents may direct, provided that the Vessel can safely lie afloat at any time of tide.

CLAUSE 16. The Owner shall provide and maintain gear for all derricks and shall maintain the gear of the ship as fitted, and shall also provide ropes, falls and blocks customary in normal commercial operation. The Owner shall also provide on the Vessel lanterns and oil for night work, and give the use of electric lights when the Vessel is so fitted. The Charterer shall have the use of any gear on board the Vessel, including slings.

CLAUSE 17. The Vessel shall work night and day, if required by the Charterer, and all winches are to be at the Charterer's disposal during loading and discharging. Shore winchmen, when available and where required, shall be provided and paid by the Charterer.

CLAUSE 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(i) *Clause Paramount:*

"This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnent to said Act to any extent, such term shall be void to that extent but no further."

(ii) *Both-to-Blame Collision Clause:*

"If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact."

(iii) *General Average Clause:*

"General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money."

(iv) *Amended "Jason" Clause:*

"In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salvaging ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salvaging ship or ships belong to strangers."

(v) *Liberties Clauses:*

"In any situation whatsoever and whereso-ever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

"The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

"In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods."

This Charter shall also be subject to the provisions of (ii), (iii), and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner, in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosions, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped, and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter arising or resulting from: Act of God; act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this Clause shall diminish its obligations for hire under the other provisions of this Charter.

CLAUSE 20. The Insurance, Indemnity and Waiver program set forth in Schedule A annexed is hereby incorporated by reference in and made part of this Charter as though fully set forth in this Clause.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer, after deducting the Master and crew's shares, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expenses sustained as a result of the service, which shall always be a first charge on such moneys: *Provided, however,* That to the extent necessary to effectuate the purposes of the Insurance, Indemnity and Waiver program (Schedule A), claims for salvage on behalf of the Owner shall be made solely at the discretion of the Charterer.

CLAUSE 22. If the Charterer shall notify the Owner that the employment or the continued employment of the Master or any member of the crew or any agent of the Owner is prejudicial to the interests of the United States in the prosecuting of the war, the Owner shall make any changes necessary in the appointment.

If the Charterer shall have reason to be dissatisfied with the conduct of any member of the crew, the Owner shall, on receiving particulars of the complaint, investigate and make any changes practicable in the appointments or practices aboard the Vessel with respect to the maintenance of proper dis-

cipline, necessary to eliminate the reasons for such dissatisfaction by the Charterer.

CLAUSE 23. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force. Nothing herein shall be deemed to affect the Charterer's right of limitation or exemption from liability accorded under the provisions of section 4 of Public Law 17, 78th Congress.

CLAUSE 24. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 25. Liability for nonperformance of this Charter shall be proved damages.

CLAUSE 26. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 27. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 28. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, and if by reason of or in compliance with any such orders or directions anything is done or its not done, such shall not be deemed a deviation or breech of orders or neglect of duty by the Master or the Vessel: *Provided, however,* That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained: *Provided further, however,* That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, and the Vessel, her crew and cargo.

CLAUSE 29. If after redelivery the Vessel is arrested or attached upon any cause of action arising or alleged to have arisen from previous possessions or operation of the Vessel by the Charterer, or any subcharterer, or for which the Charterer is liable, the Charterer undertakes to use its best efforts to cause the release of the Vessel under the Suits in Admiralty Act or any other special remedy available to the Charterer, subject to the approval of the Attorney General of the United States.

CLAUSE 30. The Charterer (except as to matters affecting only the stability of the Vessel) shall be exclusively responsible for proper loading, stowage and discharge of goods of an inflammable, explosive or dangerous nature, and shall comply with all applicable regulations and furnish any necessary fittings.

CLAUSE 31. The Charterer shall reimburse the Owner for all expenses for wages, bonuses and subsistence of the Master and crew and other out-of-pocket costs incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel or under this Charter of otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charterer, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 8½ percent per annum on the then current valuation of the Vessel, commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b) if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

CLAUSE 32. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (1) (4) of the said Act. Nothing in this Clause 32 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other WAR RISK TIME or WAR SHIPPING CLAUSE Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 32 shall be applicable only from the effective date of this Amended Charter. Nothing in this Clause 32 shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter for the period prior to the effective date of this Amended Charter or to any charter hire or other sums accruing prior to the effective date of this Amended Charter: *Provided, however,* That all rights, if any, which the Administrator may have to renegotiate any charter hire or other sums accruing prior to the effective date of this Amended Charter are hereby reserved by the Administrator.

CLAUSE 33. A. No member of or delegate to Congress or Resident Commissioner is or shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except to the extent allowed by Title 18 U. S. Code, Section 206. The Owner agrees not to employ any member of or delegate to Congress or Resident Commissioner, either with or without compensation, as an attorney, agent, officer or director.

CLAUSE 33. B. The Owner shall not employ any person who advocates, or who is a member of an organization that advocates, the overthrow of the government of the United States by force or violence, to perform any work under this Charter. As a condition to the employment of any person for the performance of such work, the Owner shall, if the Charter so directs, require each person to execute and file an affidavit in such form as to satisfy the requirements of Public Law No. 678, 77th Congress, or Public Law No. 23, 77th Congress, but the execution and filing of such affidavit shall be without prejudice to the right of the Charterer to require such further evidence in the premises as may be in the possession of the Owner as the Charterer may deem desirable.

CLAUSE 33. C. The Owner agrees that in performing the work required of it by this Charter, it will not discriminate against any worker because of race, creed, color, or national origin.

CLAUSE 33. D. The Owner shall not employ any person undergoing sentence of imprisonment at hard labor.

CLAUSE 33. E. The Owner warrants that it has not employed any person to solicit or secure this Charter upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Charterer the right to annul this Charter or in its discretion, to deduct from any sums payable under this Charter the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by the Owner upon agreements or sales secured or made through bona fide established commercial or selling agencies maintained by the Owner for the purpose of securing business.

CLAUSE 34. Failure of the Master or Owner to protest against any act or omission of the Charterer, or any other agency of the United States, including any act, omission or order which in the opinion of the Master may affect the Vessel's seaworthiness or may be in contravention of the laws or regulations of the United States shall not prejudice the rights of the Owner under this Charter.

CLAUSE 35. Unless otherwise provided in this Charter or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I, and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 36. A. In the event that this form of time charter is modified by the Charterer at any time prior to Oct 1, 1944, the owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charterer, of any obligations imposed in conjunction with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

CLAUSE 36. B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 37. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

SCHEDULE A (FORFLAG)—INSURANCE INDEMNITY AND WAIVER PROGRAM

I. INSURANCE

(A) Unless otherwise mutually arranged, at all times during the currency of this Charter the Charterer shall provide and pay for or assume as insurer:

(1) Insurance on the Vessel under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration, (designated as Warshipreq. (FOR.), a copy of which is attached hereto) in the amount of the agreed value under this Charter, and covering only war risks (including malicious damage, sabotage, strikes, riots, and civil commotion.)

It is specially agreed, however:

(a) That the Owner, at its own expense except as provided in subparagraph (b) below will insure the Vessel with the American Marine Hull Insurance Syndicate in an amount to be determined by the Owner, and under the conditions of AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) which insurance shall include the interest of War Shipping Administration as Charterer.

(b) That the Charterer will reimburse the Owner for premiums paid on insurance taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to subparagraph (a) above: *Provided, however,* Such reimbursement shall not exceed the amount of premiums payable on the value set forth in the Charter on the attachment of said insurance and at the time any further annual premium is due and payable. In consideration of such reimbursement, any recapture of profits from said Syndicate shall accrue to the sole benefit of the Charterer, and any return of premiums under the insurance procured by the Owner shall, to the extent that they represent premiums originally reimbursed by the Charterer, be repayable to the Charterer.

(c) That the Owner (at its option and expense) may procure excess insurance, including liability insurance, (without benefit of salvage, subrogation or right of contribution) above the limits of the insurance so procured, but such insurance shall not be on terms inconsistent with the provisions of this Charter or with the provisions of the insurance provided for above.

(d) That the insurance procured by the Owner pursuant to subparagraph (a) hereof as well as any additional insurance procured by the Owner pursuant to subparagraph (c) hereof, and any amount of self-insurance carried by the Owner in excess of the limits of the insurance procured pursuant to subparagraph (a) hereof, shall be subject to the provisions of Clause II of this Schedule A. In consideration of the foregoing, the Charterer hereby insures the Owner against any claim by the United States for damage to property or vessels of the United States or for loss of freight, demurrage or other claims covered by the collision clause in the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) policy, arising out of collision with the Vessel.

(e) That in the event of cancellation or termination of the insurance referred to in subparagraph (a) above (except for nonpayment of premium), or upon thirty (30) days written notice from Charterer to the Owner, the Vessel shall thereafter be insured for marine risks by the Charterer under the terms and conditions of the full form of standard hull policy of the War Shipping Administration (designated as Warshipreq. (FOR.) for the amount of the agreed value under this Charter.

(f) The Charterer hereby insures the Owner for payments of (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, not recoverable under the insurance on the Vessel taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to sub-paragraph (a) above solely by reason of the insured valuation of said policies being insufficient to provide complete indemnity to the vessel Owner in respect of the liabilities specifically referred to in this sub-paragraph (f), and not recoverable under insurance arranged pursuant to sub-paragraph (c) above: *Provided, however,* That the liability of the Charterer under this subparagraph (f), in respect of any one such class of liabilities, shall be limited for any one collision, casualty or occurrence to the amount, if any, by which the market value of the Vessel in sound condition at the date of such collision, casualty or occurrence, plus the Vessel's then pending freight, exceeds the insured value of the Vessel for total loss purposes under the insurance taken out by the Owner pursuant to subparagraph (a) above; it being understood that the amount of the Charterer's liability hereunder, if any, shall be applicable separately to each of the foregoing three classes of liabilities, with the full amount open for each.

(g) Without limiting the liability of the Charterer as insurer under this Charter, all repairs to the Vessel coming within the terms of the insurance assumed by the Charterer or procured by the Owner pursuant to this Schedule A shall be subject to the approval of the Charterer as to the extent, time and place of repairs. All repairs shall be carried out under the supervision of the Owner.

(h) In the event the Vessel is covered by a mortgage or lien held by any department or instrumentality of the United States, then any sum or sums payable by virtue of the provisions of this Clause I of Schedule A shall be payable for distribution to such department or instrumentality and/or the persons entitled thereto as their interests may appear.

(2) All insurance which the Owner may be obligated to provide, covering the crew with respect to loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations, and loss of or damage to personal effects. Unless otherwise directed by the Charterer, the Owner shall agree with the crew to provide the war risk insurance covering such items afforded by the Decisions of the Maritime War Emergency Board (as amended or modified from time to time) and the marine risk insurance covering such items afforded by the Second Seamen's War Risk Policy (published in the FEDERAL REGISTER of March 20, 1943, as Decision 1A of the Maritime War Emergency Board), as amended from time to time, and such Decisions and Policy shall be the measure and limit of the Charter's liability under this Clause. The Owner shall give effect to the foregoing by inserting the following language, or such other language as the Charterer may from time to time direct, in the form of a rider or otherwise, in the Ship's Articles or other contract of employment on all voyages of the Vessel under this Charter:

"It is agreed that the Master, Officers, and Members of the Crew shall be furnished the war risk insurance protection covering loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations and loss of or damage to personal effects, required by the Decisions of the Maritime War Emergency Board, as amended or modified from time to time, and the marine risk insurance afforded by the Second Seamen's War Risk Policy, as amended from time to time."

(3) War risk protection and indemnity insurance under the terms and conditions of the standard WAR RISK PROTECTION AND INDEMNITY policy prescribed by the War Shipping Administration, a copy of which is attached hereto, for the benefit of the Owner and the Charterer, as their interests may appear.

It is specially agreed, however,

(a) That the Owner, unless otherwise agreed, shall procure marine protection and indemnity insurance under the terms and conditions of the WARTIMEPANDI Policy (Requisitioned Vessels 1943) from an American Protection and Indemnity Underwriter approved by the Charterer which issues said form of policy, which insurance shall include the interests of the Charterer and its Time Charter Agents under Service Agreements, Berth Agents and Sub-Agents acting on their behalf. The Charterer shall reimburse the Owner for all premiums paid on such insurance in consideration of which any readjustment of premiums and any return premium shall be for account of the Charterer.

(b) That to the extent that cargo claims are recoverable under said insurance or are reimbursable to the Owner under the terms of this Charter, the Charterer, and its duly authorized Agents are authorized by the Owner to attend to the adjustment and settlement of or otherwise dispose of cargo claims in such manner (not inconsistent with the terms of said Protection and Indemnity Insurance) as may be determined by the Charterer.

(c) That in the event of cancellation (except for nonpayment of premium) of the insurance referred to in subparagraph (a) above by the Protection and Indemnity Underwriters, or upon thirty days' written notice from the Charterer to the Owner of its intention to terminate such insurance, the Charterer will then provide and pay for or assume as insurer, identical marine protection and indemnity insurance for the benefit of the Owner and the Charterer and the Charterer's Agents as their interests may appear.

(d) That the Charterer assumes as insurer any liability of the Owner or the Charterer on account of loss, damage or expense in respect of lend lease cargo or cargo owned by the United States or any agency or department thereof, including but not limited to the War Department, Navy Department, Metal Reserves Company, Rubber Reserves Company, Defense Supplies Corporation, Reconstruction Finance Corporation or Foreign Economic Administration, which would be recoverable under the WARTIMEPANDI Policy (Requisitioned Vessels 1943) in the absence of the specific exclusion relating thereto, therein.

(e) That the Charterer hereby insures the Owner for excess protection and indemnity liabilities on said Vessel on terms and conditions identical to that provided by WARTIMEPANDI Policy (Requisitioned Vessels 1943) to the extent that said WARTIMEPANDI Policy (by reason of the insured amounts in said policy) does not provide the Owner with complete protection and indemnity. *Provided, however,* That the liability of the Charterer under this subparagraph (e) in respect of any one accident or occurrence shall be limited to the amount, if any, by which the market value of the vessel in sound condition at the date of such accident or occurrence plus the vessel's then pending freight exceeds the insured amounts in said WARTIMEPANDI Policy.

(f) That the Owner (at its option and expense) may procure additional insurance in excess of the limits of the insurance procured or provided pursuant to subparagraphs (a) and (e) hereof, but such insurance shall not be on terms inconsistent with the provisions of this Charter.

(g) That the Charterer shall reimburse the Owner for all claims paid by the Owner and not recoverable pursuant to the provisions of the standard WAR RISK PROTECTION AND INDEMNITY Policy, and WARTIMEPANDI Policy (Requisitioned Vessels 1943) referred to above, solely by reason of deductible

average, franchise or other similar deductions appearing in such policies.

(h) That the Charterer hereby insures the Owner for marine and war risk insurance against all carrier's liabilities with respect to cargo to be carried, carried, or which has been carried on board the Vessel directly incurred in consequence of the operation of the Vessel and not covered by the standard protection and indemnity insurance provided or procured pursuant to this paragraph (3), including, but not limited to, liability for deviation or overcarriage, liability for drydocking with cargo on board the Vessel, liability under ad valorem Bills of Lading, and liability for carrying on deck, cargo covered by under deck Bills of Lading.

(4) Marine and war risk insurance covering the Owner's actual loss (or in the case of slop chests, the actual loss of the owner thereof) as determined by the Charterer, for (i) slop chests, (ii) cash carried on board the Vessel but not in excess of $5000 unless otherwise agreed, and (iii) consumable stores. "Consumable Stores" within the meaning of this paragraph (4) shall mean all consumable and subsistence stores, (but not radio supplies, spares, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A and 7919A (Revised Forms 1939).

(B) (a) If the Charterer elects to insure with commercial underwriters any of the risks assumed or insured against by it pursuant to this Schedule A, the Owner agrees, if so instructed by the Charterer, to file with such underwriters on behalf of the Charterer, reports, declarations, claims and the customary insurance documents, it being understood that except to the extent of any payment to the Owner by the underwriters such action on the part of the Owner shall in no way affect the Charterer's direct liability to the Owner with respect to risks assumed or insured against by the Charterer under this Charter.

(b) As soon as practicable after attachment of this insurance, the Owner shall furnish to the Charterer a statement of all unrepaired damage known to the Owner existing at the time of attachment of this insurance, together with a report of all casualties known to the Owner which may have given rise to damage subsequent to the last drydocking in a U. S. Continental Port. Upon the request of the Charterer, the Owner shall also furnish to the Charterer copies of, or at Charterer's option permit it to inspect, all deck and engine room logs, if available, and all surveys made at or subsequent to the last drydocking of the Vessel in a U. S. Continental Port.

(c) In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

(d) Insurance heretofore provided by the Charterer under this Charter shall terminate upon the attachment of this insurance: *Provided, however*, That claims for unrepaired damage under said prior insurance shall not be due and payable until the repairs are effected or if not so effected, until the termination of this insurance, but in no case shall the Charterer, as Charterer or insurer, be liable for such unrepaired damage in addition to a subsequent total or constructive total loss under this insurance or Charter.

(e) General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Charterer's agents who shall be entitled to receive the usual charges and commissions.

II. WAIVERS

(a) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any vessel (1) owned by the United States, or (2) under charter to the United States on terms which would make the United States liable as Charterer, insurer or otherwise for such claims or (3) under charter to the United States and insured under the terms of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

(b) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any other vessel owned by or under charter to any Government, and against any cargo carried on any such vessel or on any vessel described in subparagraph (a) above, to the extent such waiver may be required by the Charterer in any specific case or cases in order to give effect to any agreement for mutual or reciprocal waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

(c) The waivers provided in this Clause II of Schedule A shall be effective only as to claims relating to the Vessel and arising out of her use or operation under this Charter, and such waivers shall not relieve the Charterer of any liability it may have to the Owner under the terms of this Charter.

(d) The Owner shall and does hereby waive any claim against any ship repairer, based on negligence or otherwise, arising out of repair or custody of the Vessel during the period of this Charter, to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the repairer; *Provided, however*, That such waiver shall not preclude recovery by the Owner against the repairer for amounts less than the customary contractual limit of $300,000 on the repairer's liability, nor for any claim by the Owner for proper replacement of defective workmanship or material in connection with any repairs which are for the Owner's account under the terms of this Charter.

(e) The Owner shall and does hereby waive any claim for loss of or damage to the vessel against any stevedore to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the stevedore, except with respect to claims which the Owner cannot recover under the provisions of Clause I, (A), (1) (a) of this Schedule A, by reason of the franchise in the insurance provided pursuant to said Clause.

III. INDEMNITY AND INSURANCE

(a) The Charterer shall insure the Owner for and against any loss or damage suffered, or liabilities incurred, by the Owner for which claim is waived under the provisions of Clause II of this Schedule A (except claims for salvage in excess of actual cost in connection therewith), and which is not recovered by the Owner under any other provision of this Charter; *Provided, however*, That this indemnity shall not entitle the Owner to recover for loss or damage to the Vessel in an aggregate sum in excess of the agreed valuation; *And provided further*, That this indemnity shall not entitle the Owner to recover for any period of detention or loss of use of the Vessel an aggregate sum in excess of the amount which would be payable to the Owner under the other terms of this Charter for such period.

(b) The Charterer shall reimburse, indemnify, and hold harmless the Owner, the Master and the Vessel for or from all consequences, losses and liabilities whatsoever directly resulting from compliance with or efforts to comply with any orders or directions of the Charterer, its agents, representatives or employees, or any other agency of the United States or of any allied government, or orders or directions given as provided in Clause 28 of this Charter, unless properly chargeable to the Owners under this Charter or Schedule, or recoverable under (or within the franchise of) any of the insurance procured pursuant to the terms of this Schedule A. The Owner shall, as far as may be practicable, keep the Charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

(c) The Charterer hereby assumes and indemnifies the Owner for any loss or liability, if not covered by the terms and conditions of any of the insurances provided for in this Schedule A, arising out of performance of services under any towage or pilotage contract customarily in use in the trades in which the Charterer uses the Vessel or which is specially agreed to by the Owner upon request or instructions of the Charterer.

IV. CONSTRUCTIVE TOTAL LOSS DECLARATION BY CHARTERER

If the Charterer finds, in case of casualty or serious damage or injury to the Vessel during the period of this Charter, not constituting an actual or constructive total loss under the insurance provided in this Schedule A, that the continuation of the Charter is inadvisable because of the probable high cost of repairs or indefinite loss of use of the Vessel then the Charterer nonetheless shall have the option of declaring her a constructive total loss by so notifying the Owner in writing as soon as practicable after the occurrence causing such damage or injury. In the event of such a declaration by the Charterer, the Charterer as insurer, shall forthwith pay or cause to be paid to the Owner an amount to be determined in accordance with the valuation provisions of this Charter as though the Vessel were an actual total loss: *Provided, however*, If the Vessel is in fact a constructive total loss within the terms of the insurance provided by the Owner pursuant to this Schedule A, no such payment shall be made by or on behalf of the Charterer, or if the Owner shall have elected to recover for the estimated cost of repairing the damage to the Vessel under the terms and conditions of American Hull Form Revised (Requisitioned Vessels 1943) the amount payable by the Charterer to the Owner shall be reduced by the amount payable under such insurance. If the Owner does not so elect or shall not have so elected within ninety (90) days of declaration of a constructive total loss by the Charterer then the Charterer shall be subrogated to all of the rights of the Owner under such insurance. Against any such payments received by the Owner from the Charterer or the Owner's assurer, as the case may be, the Owner will, if the Charterer elects to take title, give such releases and instruments granting the Vessel or the property of her remaining to the Charterer as the Charterer may require and that are not inconsistent with the terms and conditions of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective, and the insurance *to be provided* by the Charterer hereunder shall attach simultaneously with the effective date and time of this Amended Charter (Addendum) to which it is affixed: *Provided, however*, If the Vessel be then at sea the insurance provided by the Charterer shall not attach until Vessel's next arrival in safe port.

8/5/44 WARSHIPBRO (FOR.) POLICY

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION

Charter No. ---------- No. H. ----------
Date ----------

BY THIS POLICY OF INSURANCE DOES, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured, lost or not lost:

ON THE STEAMER (or Motor Vessel) called the ---------- (or by whatsoever name or names the said Vessel is or shall be called), under charter to the War Shipping Administration pursuant to Charter Number----------.

Loss, if any, payable to the person entitled thereto, or order.

IN A SUM as provided for in the Charter Party referred to above.

AT AND FROM ----------
to the day and hour of redelivery of the Vessel under, or to the termination of, the Charter referred to above, whichever shall first occur.

SPECIAL CONDITIONS:

A. THE FOLLOWING CONDITIONS SHALL APPLY TO ALL VESSELS INSURED HEREUNDER.

1. (a) This policy shall respond for payments of general average, salvage, and collision liabilities incurred by the vessel, if covered hereby, even though the amount of such charges or liabilities may exceed the sum insured hereby or the contributory value or limitation of liability value may be greater than the value named herein; provided, however, except as provided in subparagraph (b) hereof, the total amount payable hereunder in respect of all claims arising out of any one occurrence or disaster, for liabilities under the Collision Clause and liabilities for salvage and general average shall not exceed, in the aggregate, double the amount insured on the vessel, plus any expenses of litigation incurred with the written consent of the War Shipping Administration; but (in addition to the foregoing limitation on the aggregate amount payable) in the case of vessels built in 1934 or thereafter neither (a) the amount recoverable in respect of liabilities under the Collision Clause nor (b) the aggregate amount recoverable in respect of salvage and general average shall (in respect of any one occurrence or disaster), exceed 110% of the amount insured, plus the amount of any such expenses of litigation.

(b) It is further agreed that the limits of liability as stated above and sue and labor charges recoverable under this policy shall be increased by the amount, if any, by which the market value of the vessel in sound condition at the time of such collision, casualty or occurrence, plus the vessel's then pending freight, exceeds the insured value hereunder for total loss purposes; it being understood that the amount of such additional coverage shall be applicable separately to (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, with the full amount open for each.

(c) Nothing contained in this Clause I shall be construed as increasing the amount recoverable in respect of claims for physical loss of or damage to the insured vessel.

2. This insurance shall not be prejudiced by the participation of the Assured in any agreement as to the Waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

3. With respect to the risks and perils insured against hereunder, it is warranted that no insurance in excess of the value hereinafter provided for, whether for hull, machinery, disbursements, or other similar interests however described, exists or will be placed during the currency of this insurance except as permission to place additional insurance is granted by the Administrator, and then only in accordance with the terms of such permission. *Provided always* that a breach of this warranty shall not afford the Assurers any defense to a claim by mortgagees or other third parties who may have accepted this Policy without notice of such breach of warranty, nor shall it restrict the right of the Assured and/or their managers to insure in addition General Average and/or Salvage Disbursements whilst at risk, or general average, salvage or collision liabilities.

4. This insurance shall be subject to the following clauses:

(a) With leave to sail or navigate with or without pilots, to go on trial trips and to assist or tow vessels or craft whether customary or in distress or not, and whether under a pre-arranged contract or not, or be towed, all at no additional premium.

(b) This insurance shall not be subject to any Trading Warranties.

(c) Any notice required by the terms of this policy shall be transmitted by the Assured to the Director of Wartime Insurance as soon as may be reasonably practicable. In transmitting such notice the Assured shall comply with all relevant Security Orders of the War Shipping Administration.

(d) Radio apparatus and equipment and other apparatus or equipment used for the purposes of communication or as aids to navigation or safety devices shall be covered by this insurance and included within the amount insured on the vessel as hereinbefore set forth, even when not owned by the vessel owner, provided the vessel owner has prior to date of loss assumed liability therefor; but the liability of underwriters (either as to amount or as to the risks covered) shall not exceed the vessel owner's liability or the liability to which underwriters would be subject if the property were fully owned by the vessel owner, whichever shall be the lesser.

5. In the event of claims arising from collision between the insured vessel and a sister-ship, or in the event of claims for salvage services rendered to the insured vessel by a sister-ship the sister-ship salvage clause and the sister-ship collision clause contained in the attached form of policy shall be deemed deleted therefrom in any case where the assured by any charter, or other agreement entered into by the War Shipping Administration and binding upon the Assured, would be bound to waive such claims if the vessels were not sister-ships.

6. This policy is issued pursuant to the obligation assumed by the War Shipping Administration in Clause I of Schedule A of the Charter Party referred to herein, and shall not be deemed to govern the relationship between the War Shipping Administration and the owner except as to such obligation nor to override any other provisions of the Charter Party.

7. It is agreed that liability for damage to cargo arising under any agreement to which the War Shipping Administration is a party or is bound, for the waiver or adjustment of collision claims, shall be among the liabilities covered by the Collision Clause herein, subject, however, to the same limitations and conditions which apply to other liabilities covered by the same clause. It is further agreed that where, under any such agreement, cargo's liability for General Average is waived, the cargo's proportion of any General Average sacrifices and expenses incurred by the vessel shall be payable under this policy as part of the hull's proportion of General Average, to the extent provided in Special Condition No. 1 hereinabove.

8. As between this Policy and any other policy covering the same or similar risks on the insured Vessel, such other policy shall be deemed primary and this insurance secondary. It is agreed, nevertheless, that any losses which would be payable hereunder in the absence of such other insurance shall be advanced under this Policy if the Assured is unable to collect them under such other policy within 60 days after filing the usual proofs of loss and interest. Thereafter the Assured shall, at the expense and under the direction of the Administrator, take whatever steps the Administrator may deem necessary or advisable for the collection of such loss under such other policy; and the net recovery under such other policy shall be applied, so far as necessary to the reimbursement of the amount advanced by the Administrator.

9. Where, under the terms of the Charter Party, the Administrator has a right to declare and does declare the vessel a constructive total loss as between himself and the Assured, the Assurer shall not be liable for unrepaired damage.

B. This insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses).

C. Said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this policy, is and shall be valued at the amount in accordance with the provisions of the Charter Party, referred to above.

Unless deleted or superseded by the Underwriters the following warranty shall be paramount, and shall supersede and nullify any contrary provision of the policy:

F. C. & S. CLAUSE:

(1) Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking of the vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom.

(2) For the purpose of this warranty the term "consequences of hostilities or warlike operations" shall be deemed to include the following:

(a) Collision caused by failure, in compliance with wartime regulations, of the insured vessel or any vessel with which she is in collision to show the usual full peacetime navigation or anchorage lights.

(b) Stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations.

(c) Stranding caused by the failure of the insured vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime but in which the employment of a pilot is dispensed with in compliance with military, naval or other Governmental orders, or with a view to avoiding imminent enemy attack.

For the purposes of this Paragraph (2) any such failure to show lights, or absence of lights, buoys, or similar peacetime aids to navigation, or failure to employ a pilot, shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land.

(d) Collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service.

(e) Stranding, collision or contact with any external substances other than water (ice included) as a result of deliberately placing

the vessel in jeopardy in compliance with military, naval or other Governmental orders in order to avoid imminent enemy attack, or as an act or measure of war taken in actual process of embarking or disembarking troops or material of war.

(3) The fact that the insured vessel or any vessel with which she is in collision is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to exclude from this policy any claim which is not excluded under the terms of Paragraph (2) above.

(4) Where by reason of any of the foregoing provisions damage sustained by the insured vessel in collision would not be payable under this policy, it is understood and agreed that liability of the assured for damage caused in such collision shall not be covered by the Collision Clause in the Policy.

(5) It is agreed for the purposes of subdivision (2) (d) above all vessels manned and operated by the Department of the Navy of the United States of America shall be treated as though designed to be employed primarily in armed combat service.

This Policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are specially referred to and made part of this policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

IN WITNESS WHEREOF, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

----------,
Administrator.

Countersigned at Washington, D. C., this ------ day of ----------, 19--,

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Beginning the Adventure. Beginning the Adventure upon the said Vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charters, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

Notice of Accident and Survey. In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey, so that they may appoint their own surveyor if they so desire. *All repairs shall be subject to the approval of the Assurer as to the extent, time and place of repairs and without limiting the foregoing* the Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

Adventures and Perils—Sue and Labor. Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, or quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting, however, such of the foregoing perils as may be excluded by provisions elsewhere in the policy or by endorsement, and in case of any Loss or Misfortune, it shall be lawful for the Assured, Their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expressly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

Latent Defect and Negligence. This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers, breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots: *Provided*, Such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers, Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

Sister-Ship Salvage. And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General Average. General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision, or there be no contract of affreightment, payable in accordance with the law and Usages of the Port of New York: *Provided always*, That when an adjustment according to the laws and usages of the port of destination is properly demanded by the owners of the cargo, General Average shall be paid in accordance with same.

G. A. and S. Liability. When the contributory value of the Vessel is greater than the valuation herein, the liability of the Assurers for General Average contribution (except in respect to amount made good to the vessel) or Salvage shall not exceed that proportion of the total contribution due from the Vessel that the amount insured hereunder bears to the contributory value; and if because of damage for which the Assurers are liable as Particular Average the value of the Vessel has been reduced for the purpose of contribution, the amount of the Particular Average claim under this policy shall be deducted from the amount insured hereunder and the Assurers shall be liable only for the proportion which such net amount bears to the contributory value.

S., S. C., and S. and L. Liability. In the event of expenditure for Salvage, Salvage Charges, or under the Sue and Labor Clause, this Policy shall only be liable for its share of such proportion of the amount chargeable to the property hereby insured as the insured value, less loss and/or damage, if any, for which the Assurers are liable, bears to the value of the salved property. *Provided*, That where there are no proceeds or there are expenses in excess of the proceeds, the expenses, or the excess of the expenses, as the case may be, shall be apportioned upon the basis of the sound value of the property at the time of the accident and this policy without any deduction for loss and/or damage shall bear its pro rata share of such expenses or excess of expenses accordingly.

Average Warranty. Notwithstanding anything herein contained to the contrary, this Policy is warranted free from Particular Average under 3 percent, or unless amounting to $4,850; but nevertheless when the Vessel shall have been stranded, sunk, on fire, or in collision with any other Ship or Vessel, the Assurers shall pay the damage occasioned thereby, and the expense of sighting the bottom after stranding shall be paid, if reasonably incurred, even if no damage be found.

Grounding in the Panama Canal, Suez, or in the Manchester Ship Canal or its connections, or in the River Mersey above Rock Ferry Slip, or in the River Plate (above a line drawn from the North Basin, Buenos Aires, to the Mouth of the San Pedro River) or its tributaries, or in the Danube or Demerara Rivers, or on the Yenikale Bar, shall not be deemed to be a stranding.

Average payable on each valuation separately or on the whole, without deduction of thirds, new for old, whether the Average be Particular or General.

No claim shall in any case be allowed in respect of scraping or painting the Vessel's bottom.

Voyage. The Warranty and conditions as to Average under 3 percent to be applicable to each voyage as if separately insured, and a voyage shall be deemed to commence at one of the following periods to be selected by the Assured when making up the claim, viz: at any time at which the Vessel (1) begins to load cargo or (2) sails in ballast to a loading port. Such voyage shall be deemed to continue during the ensuing period until either she has made one outward and one homeward passage (including an intermediate ballast passage, if made) or has carried and discharged two cargoes, whichever may first happen, and further in either case, until she begins to load a subsequent cargo or sails in ballast for a loading port. When the Vessel sails in ballast to effect damage repair such sailing shall not be deemed to be a sailing for a loading port although she loads at the repairing port. In calculating the 3 percent above referred to, Particular Average occurring outside the period covered by this Policy may be added to Particular Average occurring within such period provided it occur upon the same voyage (as above defined), but only that portion of the claim arising within such period shall be recoverable hereon. The commencement of a voyage shall not be so fixed as to overlap another voyage on which

a claim is made on this or the preceding policy.

Constructive Total Loss. No recovery for a Constructive Total Loss shall be had hereunder unless the expense of recovering and repairing the Vessel shall exceed the insured value.

In ascertaining whether the Vessel is a Constructive Total Loss, the insured value shall be taken as the repaired value, and nothing in respect of the damaged or break-up value of the Vessel or wreck shall be taken into account.

In the event of Total or Constructive Total Loss, no claim to be made by the Assurers for freight, whether notice of abandonment has been given or not.

Unrepaired Damage. In no case shall the Assurers be liable for unrepaired damage in addition to a subsequent Total Loss sustained during the term covered by this Policy.

Full Collision—Sister-Ship Collision. And it is further agreed that if the Vessel hereby insured shall come into collision with any other ship or vessel and the Owners or Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, the Assurers will pay the Owners or Charterers such proportion of such sum or sums so paid as the Assurers' subscription hereto bears to the value of the Vessel hereby insured: *Provided always*, That their liability in respect of any one such collision shall not exceed their proportionate part of the value of the Vessel hereby insured. And in cases where the liability of the Vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, the Assurers will also pay a like proportion of the costs which the Owners or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principle of Cross-Liabilities as if the Owners or Charterers of each Vessel had been compelled to pay to the Owners or Charterers of the other of such Vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Owners or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both Vessels are the property in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two Vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of Arbitrators, one to be appointed by the Managing Owners or Charterers of both Vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. *Provided always* that this clause shall in no case extend to any sum which the Owners or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers for injury to harbors, wharves, piers, stages and similar structures, consequent on such collision, or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury: *And provided also*, That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this Policy at the time of the Collision in question, would not be subject, nor to a greater extent than the Shipowners would be entitled in such event to recover.

WAR RISK CLAUSES

It is agreed that this insurance also covers those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained therein but which are excluded by that warranty.

This insurance, insofar as it relates to war risks, is also subject to the following warranties and additional clauses:

The Adventures and Perils Clause shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, floating and/or stationary mines and/or torpedoes whether derelict or not, and/or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention, until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, or confiscation by the Government of the United States of America or any State or political subdivision thereof or any government which is or may become party signatory of the "United Nations Pact", promulgated on or about January 2, 1943.

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include or cover any loss, damage, or expense caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention, or loss of use.

Where, as a result of a risk or peril hereby insured against, damage sustained by the insured vessel in collision would be payable under the provisions of this policy, liability of the Assured for damage caused by such collision shall be deemed to be covered hereunder subject to the terms and provisions of the Collision Clause of this policy.

WAR RISK PROTECTION AND INDEMNITY — Policy No. WPI
Charter No. ---------

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

IN CONSIDERATION OF THE STIPULATIONS herein agreed and the terms of the charter referred to above, does insure in accordance with applicable provisions of law ---------- ---------- Hereinafter called the Assured, in respect to the vessel called ----------, in the maximum amount of $175 per gross registered ton, if the insured vessel is a dry cargo or tank vessel completed prior to January 1, 1938; or in the maximum amount of $250 per gross registered ton if the vessel does not come within the foregoing description or if it is a fully refrigerated vessel or seatrain: *Provided however*, That the maximum amount of insurance hereunder with respect to any one accident or occurrence shall be the sound market value of the insured vessel on the date of the accident or occurrence plus her then pending freight, if such sound market value plus pending freight shall exceed $175 per gross registered ton, or $250 per gross registered ton, whichever figure is applicable to the insured vessel at and from ---------- to the day and hour of redelivery of the vessel under, or to the termination of, the charter referred to above, whichever shall first occur, subject to the terms and conditions hereinafter set forth against liabilities as hereinafter described,

Loss if any payable to ----------

WAR RISK ONLY CLAUSES

The following War Risk only Clauses (Clauses A, B and C) shall be deemed to over-ride P. & I. Clauses (Articles 1 to 25 inclusive) wherever they may be in conflict.

Clause A. This insurance covers only those liabilities which would be covered by this Policy under Articles 1 to 25 inclusive in the absence of the F. C. & S. Clause (Article 25 (d)), but which are excluded by that Clause. The Assurer agrees to indemnify the Assured against loss, damage or expense as aforesaid which the Assured shall become liable to pay and shall by reason of the fact that the Assured is the owner, or charterer, or the general or time charter agent or agent or berth-agent or sub-agent of the owner or Charterer (mortgagee, trustee, or receiver thereof as the case may be) of the insured vessel.

Clause B. The Assurer shall also indemnify the Assured against losses arising as a result of the Assured's contractual liability, or against costs incurred by the Assured at the direction or in conformity with the wishes of the War Shipping Administration or any other Governmental agency, for repatriation of the crew to a United States port, as required, resulting from capture, seizure, arrest, restraint or detainment, or the consequences thereof or of any attempt thereat, or the consequences of hostilities or warlike operations, whether before or after declaration of war.

Clause C. This Policy is warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, requisition or confiscation by the Government of the United States of America, or any state or political sub-division thereunder, or any Government which is, or may become a party signatory of the "United Nations Pact" promulgated on or about January 2nd, 1942.

"P. AND I. CLAUSES"

(1) *Loss of life, injury and illness.* Liability for life salvage, loss of life of, or personal

injury to, or illness of, any person, not including, however, unless otherwise agreed by endorsement hereon, liability to an employee (other than a seaman) of the assured, or in case of his death to his beneficiaries, under any compensation act. Liability hereunder shall also include burial expenses not exceeding $200, where reasonably incurred by the assured for the burial of any seaman. The term Person as aforesaid shall include any Person or Persons carried on the insured vessel.

(a) Insurance hereunder, shall cover the liability of the assured for claims under any compensation act (other than hereafter excepted) in respect of employees (i) who are members of the crew of the insured vessel, or (ii) who are placed on board the insured vessel with the intention of becoming a member of her crew, or (iii) who, in the event of the vessel being laid up and out of commission, or engaged in the upkeep, maintenance or watching of the insured vessel, or (iv) who are engaged by the insured vessel or its Master to perform stevedoring work in connection with the vessel's cargo at ports in Alaska and ports outside the Continental United States where contract stevedores are not readily available. This insurance, however, shall not be considered as a qualification under any Compensation Act, but, without diminishing in any way the liability of the Assurer under this policy, the Assured may have in effect policies covering such liabilities. All claims under such Compensation Acts for which the Assurer is liable under the terms of this policy are to be paid without regard to such other policies.

(b) Insurance hereunder shall not cover any liability under the provisions of the Act of Congress approved September 7th, 1916 and as amended, Public Act #267, Sixty Fourth Congress, known as the U. S. Employees Compensation Act.

(c) Insurance hereunder in connection with the handling of cargo for the insured vessel shall commence from the time of receipt by the Assured of the cargo on dock or wharf, or on craft alongside for loading, and shall continue until due delivery thereof from dock or wharf of discharge or until discharge from the insured vessel on to a craft alongside.

(d) Notwithstanding anything to the contrary contained in Paragraph (20), liability hereunder shall be extended to cover claims of seamen under any Workmen's Compensation Act whether the liability of the Assured for such claims arises under contract or otherwise.

(2) *Repatriation Expenses.* Liability for expenses reasonably incurred in necessarily repatriating any member of the crew or any other person employed on board the insured vessel: *Provided, however, That the Assurer's liability for repatriation expenses shall be no greater than if the vessel were privately owned by an American Citizen or than if the employer were a private American Shipowner,* and that the Assured shall not be entitled to recover any such expenses incurred by reason of the expiration of the shipping agreement, other than by sea perils, or by *reason of* the voluntary termination of the agreement. Wages shall be included in such expenses when payable under statutory obligation during unemployment due to the wreck or loss of the insured vessel

(3) *Collision.* Liability for loss or damage arising from collision of the insured vessel with another ship or vessel insofar as such liability is excluded from the liabilities insured under the Four-fourths Collision Clause in the American Institute Hull Form of policy: "And it is further agreed that if the vessel hereby insured shall come into collision with any other ship or vessel and the Assured or the Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, we, the Underwriters, will pay the Assured or Charterers such proportion of such sum or sums so paid as our respective subscriptions hereto bear to the value of the vessel hereby insured, provided always that our liability in respect of any one such collision shall not exceed our proportionate part of the value of the vessel hereby insured. And in cases where the liability of the vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, we will also pay a like proportion of the costs which the Assured or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then, unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principal of Cross-Liabilities as if the Owners or Charterers of each vessel had been compelled to pay to the Owners or Charterers of the other of such vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Assured or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both vessels are the property, in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of arbitrators, one to be appointed by the Managing Owners or Charterers of both vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. Provided always that this clause shall in no case extend to any sum which the Assured or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers, for injury to harbors, wharves, piers, stages and a similar structures, consequent on such collision, or in respect of the cargo or engagement of the insured vessel, or for loss of life, or personal injury."

Provided, however, That insurance hereunder shall not extend to any liability, whether direct or indirect, in respect of the engagements of or the detention or loss of time of the insured vessel.

(a) Claims hereunder shall be settled on the principles of Cross-Liabilities to the same extent only as provided in the four-fourths Collision Clause above mentioned.

(b) Claims hereunder shall be separated among the several classes enumerated in this policy and each class shall be subject to the special conditions applicable in respect to such class.

(c) Notwithstanding the foregoing, the Assurer shall not be liable for any claims hereunder where the various liabilities resulting from such collision, or any of them, have been compromised, settled or adjusted without the written consent of the Assurer.

(4) *Damage Caused otherwise than by Collision.* Liability for loss of or damage to any other vessel or craft, or to property on board such other vessel or craft, caused otherwise than by collision.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(5) *Damage to Docks, Buoys, etc.* Liability for damage to any dock, pier, jetty, bridge harbor, breakwater, structure, beacon, buoy, lighthouse, cable or to any fixed or movable object or property whatsoever, except another vessel or craft or property on another vessel or craft or on the insured vessel unless elsewhere covered herein.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(b) Insurance hereunder shall cover all liabilities for said damages that the insured vessel or her owners would have if she were privately owned by an American citizen and irrespective of the ownership of any property the vessel may damage: *Provided, however,* That the rights of the Assurer shall be the same as though the vessel were privately owned.

(6) *Wreck removal.* Liability for costs or expenses of or incidental to the removal of the wreck of the insured vessel if legally liable therefore; *Provided, however,* That:

(a) From such costs and expenses shall be deducted the value of any salvage from or which might have been recovered from the wreck inuring, or which might have inured, to the benefit of the Assured;

(b) The Assurer shall not be liable for any costs or expenses which would be covered by full insurance under the American Institute Hull form of policy, 7/1/41 issued by the American Marine Hull Insurance Syndicate;

(c) *The Assurer shall not be liable for any costs or expenses for which a private American vessel owner would not be legally liable; or for any costs or expenses from which a private American vessel owner could relieve himself by abandonment of the wreck to the United States Government or by other appropriate action.*

(7) *Cargo.* Liability for loss of or damage to or in connection with cargo or other property (except mail or parcels post), including baggage and personal effects of persons other than members of the crew, and not exceeding $100 per person, to be carried, carried or which has been carried on board the insured vessel; *Provided, however,* That no liability shall exist hereunder for:

(a) *Specie, bullion, jewelry, etc.* Loss, damage or expense incurred in connection with the custody, carriage or delivery of specie, bullion, precious metals, precious stones, jewelry, silks, furs, bank notes, bonds or other negotiable documents, or similar valuable property.

(b) *Refrigeration.* Loss, damage or expense arising out of or in connection with the care, custody, carriage or delivery of cargo requiring refrigeration, unless the spaces, apparatus, and means used for the care, custody and carriage thereof have been surveyed by a classification or other competent disinterested surveyor under working conditions before the commencement of each round voyage and found in all respects fit, and unless the Assurer has approved in writing the form of contract under which such cargo is accepted for transportation;

(c) *Deviation.* Loss, damage or expense arising from any deviation or proposed deviation, not authorized by the contract of affreightment, known to the Assured in time to insure specifically the liability therefore, unless notice thereof is given to the Assurer and the Assurer agrees, in writing, that such insurance is unnecessary. Knowledge of the United States Governmental Departments or Agencies, other than the War Shipping Administration, its General or Time Charter Agents or Berth Agents in the conti-

nental United States, shall not be considered as knowledge of the Assured in respect to deviation or proposed deviation; furthermore, the Assured shall not be prejudiced in respect to insurance hereunder in event of delay in reporting any deviation to the Assurer due to laws or governmental regulations or practices due to military reasons.

(d) *Stowage in Improper Spaces.* Loss, damage or expense arising with respect to under deck cargo stowed on deck or with respect to cargo stowed in spaces not suitable for its carriage, unless the Assured shall show that every reasonable precaution has been taken by him to prevent such improper stowage;

(e) *Misdescription of Goods.* Loss, damage, or expense arising out of or as a result of the issuance of bills of lading which, to the knowledge of the Assured, improperly described the goods or their containers as to condition or quantity;

(f) Loss, damage or expense arising from issuance of clean bills of lading for goods known to be missing, unsound or damaged;

(g) Loss, damage or expense arising from the intentional issuance of bills of lading prior to receipt of the goods described therein, or covering goods not received at all;

(h) Loss, damage or expense arising from delivery of cargo without surrender of order bills of lading;

(i) *Freight.* Freight on cargo short-delivered, whether or not prepaid or whether or not included in the claim and paid by the Assured; *And provided further,* That:

(j) Liability hereunder shall in no event exceed that which would be imposed by law in the absence of contract;

(k) *Protective clauses required in contract of affreightment.* Liability hereunder shall be limited to such as would exist if the charter party, bill of lading, or contract of affreightment contained (i) a negligence general average clause in the form hereinafter specified under paragraph (12); (ii) a clause providing that any provision of the charter party, bill of lading, or contract of affreightment to the contrary notwithstanding, the Assured and the insured vessel shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner of vessels by any statute or rule of law for the time being in force; (iii) such clauses, if any, as are required by law to be stated therein; (iv) and such other protective clauses as are generally in use in the particular trade;

(l) *Carriage of Goods by Sea Act.* When cargo carried by the insured vessel is under a bill of lading or similar document of title subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as is imposed by said Act or law, and if the Assured or the insured vessel assumes any greater liability or obligation, either in respect of the valuation of the cargo or in any other respect, then the minimum liabilities and obligations imposed by said Act or law, such greater liability or obligation shall not be covered hereunder;

(m) *Limit of $500 per package.* When cargo carried by the insured vessel is under a charter party, bill of lading, or contract of affreightment not subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as would exist if said charter party, bill of lading, or contract of affreightment contained a clause exempting the Assured and the insured vessel from liability for losses arising from unseaworthiness provided that due diligence shall have been exercised to make the vessel seaworthy and properly manned, equipped and supplied, and a clause limiting the Assured's liability for total loss or damage to goods shipped to $500 per package, or in case of goods not shipped in packages, per customary freight unit, and providing for pro rata adjustment on such basis for partial loss or damage. The provisions of clauses (k), (l) and (m) herein may, however, be waived or altered by the Assurer on terms agreed, in writing.

(n) *Oral contract.* In the event cargo is carried under an arrangement not reduced to writing, such cargo shall be deemed to be carried under a charter party, bill of lading, or contract of affreightment incorporating the terms and conditions of the War Shipping Administration uniform bill of lading in the present form as published in Vol. 7, No. 134, p. 5246–5251 of the FEDERAL REGISTER or as modified by the War Shipping Administration;

(o) *Assured's.* Where cargo on board the insured vessel is the property of the Assured, such cargo shall be deemed to be carried under a contract containing the protective clauses described in clauses (k), (l) and (m) herein; and such cargo shall be deemed to be fully insured under the usual form of cargo policy, and in case of loss of or damage to such cargo the Assured shall be insured hereunder in respect of such loss or damage only to the extent that he would have been if the cargo had belonged to another, but only in the event and to the extent that the loss or damage would not be recoverable from marine insurers under a cargo policy as above specified;

(p) *Land transportation.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo being transported on land or on another vessel;

(q) *Cargo on dock.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo before loading on or after discharge from the insured vessel caused by flood, tide, windstorm, earthquake, fire, explosion, heat, cold, deterioration, collapse of wharf, leaky shed, theft or pilferage unless such loss, damage or expense is caused directly by the insured vessel, her master, officers or crew;

(8) *Fines and penalties.* Liability for fines and penalties for the violation of any laws of the United States, or of any state thereof, or of any foreign country: *Provided, however,* That the Assurer shall not be liable to indemnify the Assured against any such fines or penalties resulting directly or indirectly from the failure, neglect or fault of the Assured or its managing officers to exercise the highest degree of diligence to prevent a violation of any such laws.

(9) *Mutiny misconduct.* Liability for expenses incurred in resisting any unfounded claim by the master or crew or other persons employed on board the insured vessel, or in prosecuting such persons or persons in case of mutiny or other misconduct; not including, however, costs which would not reasonably be incurred by a private American vessel owner under similar circumstances, nor costs of successfully defending claims elsewhere protected in this policy.

(10) *Quarantine expenses.* Liability for extraordinary expenses, incurred in consequence of the outbreak of plague or other disease on the insured vessel, for disinfection of the vessel or of persons on board, or for quarantine expenses, not being the ordinary expenses of loading or discharging, nor the wages or provisions of crew or passengers: *Provided, however,* That no liability shall exist hereunder if the vessel be ordered to proceed to a port where it is known that she will be subjected to quarantine:

(11) *Putting in expenses.* Liability for port charges incurred solely for the purpose of putting in to land an injured or sick seaman, and the net loss to the Assured in respect of bunkers, insurance stores and provisions as the result of the deviation.

(12) *Cargo's propn. G/A.* Liability for Cargo's proportion of General Average, including special charges, so far as the Assured cannot recover the same from any other source; *Provided, however,* That if the charter party, bill of lading or contract of affreightment does not contain the negligence general average clause quoted below, the Assurer's liability hereunder shall be limited to such as would exist if such clause were contained therein, viz:

Negligence G/A. clause. "In the event of accident, danger, damage or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers."

(13) *Expenses and law costs.* Liability for costs, charges and expenses reasonably incurred and paid by the Assured in connection with any liability insured under this policy, provided that the Assured shall not be entitled to indemnity for the cost or expense of prosecuting or defending any claim or suit unless the same shall have been incurred with the approval in writing of the Assurer, or the Assurer shall be satisfied that such approval could not have been obtained under the circumstances without unreasonable delay, or that the expenses were reasonably and properly incurred. The cost and expense of prosecuting any claim in which the Assurer shall have an interest by subrogation or otherwise, shall be divided between the Assured and the Assurer, in proportion to the amounts which they would have been entitled to receive respectively, if the suit should be successful.

(14) If the master of the insured vessel shall be sued by reason of any event which imposes on the Assured a liability against which the Assured is indemnified under this policy, the Assurer will pay the costs and expenses of the defense of such suit subject to the provisions of paragraph (13), and will indemnify the master of such vessel to the same extent as though he were an assured under this policy: *Provided, however,* That the Assurer shall not be liable to indemnify the master in excess of the amount (a) for which the owner of said vessel would have been liable, or to which such owner could have limited liability, if such owner has been sued instead of the master, or (b) for which the Assurer would be liable under this policy had the suit been brought against the owner of the vessel.

(15) Expenses which the Assured may incur under authorization of the Assurer in the interest of the Assurer.

GENERAL CONDITIONS AND LIMITATIONS

(16) *Prompt notice of claim.* In the event of any happening which may result in loss, damage or expense for which the Assurer may become liable, prompt notice thereof, on being known to the Assured, shall be given by the Assured to the Assurer, but failure to give such prompt notice because of wartime emergency conditions shall not prejudice this insurance.

The assurer shall not be liable for any claim not presented to the Assurer with proper proofs of loss within twelve (12) months after payment by the Assured.

(17) *Time for suit.* In no event shall suit on any claim be maintainable against the Assurer unless commenced within eighteen (18) months after the loss, damage or expenses resulting from liabilities, risks, events,

occurrences and expenditures specified under this policy shall have been paid by the Assured.

(18) *Settlement of claims.* The Assured shall not make any admission of liability, either before or after any occurrence which may result in a claim for which the Assurer may be liable. The Assured shall not interfere in any negotiations of the Assurer for settlement of any legal proceedings in respect of any occurrences for which the Assurer is liable under this policy: *Provided, however,* That in respect of any occurrence likely to give rise to a claim under this Policy, the Assured is obligated to and shall take such steps to protect his and the Assurer's interests as would reasonably be taken in the absence of this or similar insurance. If the Assured shall fail or refuse to settle any claim as authorized by Assurer, the liability of the Assurer to the Assured shall be limited to the amount for which settlement could have been made.

(19) *Defense of Claims.* Whenever required by the Assurer, the Assured shall aid in securing information and evidence, subject to any governmental limitations as to the confidential character of such information or evidence, and in obtaining witnesses and shall cooperate with the Assurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

(20) *Assumed Contractual Liability.* Unless otherwise agreed by endorsement hereon, the Assurer's liability shall in no event exceed that which would be imposed on the Assured by law in the absence of contract; provided, however, that the acceptance by the Assured of towage contract or agreement limiting the liability of towboats or their owners shall not affect the Assured's right of indemnity from the Assurer for any liability, loss, damage or expense covered under this policy.

(21) *Assignment.* No claim or demand against the Assurer shall be assigned or transferred, and no person, other than a receiver of the property or the estate of the Assured, shall acquire any right against the Assurer without the express consent of the Assurer: *Provided, however,* That this shall not affect the rights of any assignee under an assignment made by virtue of any governmental order or decree, in which event such assignee shall have and possess all of the rights of its predecessor in assignment.

(22) *Subrogation.* The Assurer shall be subrogated to all the rights which the Assured may have against any other person or entity, in respect of any payment made under this policy, to the extent of such payment, and the Assured shall, upon the request of the Assurer, execute all documents necessary to secure to the Assurer such rights.

(23) *Double Insurance.* The Assurer shall not be liable for any loss or damage against which, but for the insurance hereunder, the Assured is or would be insured under existing insurance excepting as provided in Paragraph (1) (a) hereof.

(24) *Limitation of liability.* If and when the Assured under this policy has any interest other than as an owner or bare boat charterer of the insured vessel, in no event shall the Assurer be liable hereunder to any greater extent than if such Assured were the owner or bareboat charterer and were entitled to all the rights of limitation to which a shipowner is entitled.

(25) Notwithstanding anything to the contrary contained in this policy, the Assurer shall not be liable for any loss, damage, or expense sustained, directly or indirectly, by reason of:

(a) Loss, damage or expense to hull, machinery, equipment or fittings of the insured vessel, including refrigerating apparatus and wireless equipment, whether or not owned by the Assured;

(b) Cancelment or breach of any charter or contract, detention of the vessel, bad debts, insolvency, fraud of agents, loss of freight, passage money, hire, demurrage, or any other loss of revenue;

(c) Any loss, damage, sacrifice, or expense which would be payable under the terms of the American Institute Hull form of policy, 7/1/44 issued by the America Marine Hull Insurance Syndicate on hull, machinery, etc., whether or not the insured vessel is fully covered by insurance sufficient in amount to pay such loss, damage, sacrifice or expense.

(d) Capture, seizure, arrest, restraint or detainment, or the consequences thereof, or of any attempt thereat, or the consequences of hostilities or war-like operations, whether before or after the declaration of war;

(e) The insured vessel towing any other vessel or craft, unless such towage was to assist such other vessel or craft in distress to a port or place of safety; *Provided, however,* That this exception shall not apply to claims covered under paragraph (1) of this policy.

(f) For any claim for loss of life, personal injury or illness in relation to the handling of cargo where such claim arises under a contract of indemnity between the Assured and his sub-contractor.

IN WITNESS WHEREOF, the War Shipping Administration has caused this policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Countersigned at Washington, D. C., this ------ day of ----------, 19---.

E. S. LAND,
Administrator.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

AUGUST 5, 1944.

[F. R. Doc. 44-11841; Filed, Aug. 8, 1944; 10:56 a. m.]

[G. O. 11, Supp. 8]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTER FOR FOREIGN FLAG TANK VESSELS

§ 302.53 *Amended time charter for foreign flag tank vessels "Warshipoiltime (Rev.) Forflag".* The Administrator, War Shipping Administration, adopts the following standard form of addendum for time charters, for such foreign flag tank vessels as the Administrator in his discretion may determine, heretofore entered into by the United States of America, acting by and through the Administrator, to be known as "Warshipoiltime (Rev.) Forflag":

Contract No. ----

Form No. 102 (Rev.) Forflag
8/5/44
WARSHIPOILTIME (Rev.) FORFLAG

WAR SHIPPING ADMINISTRATION AMENDED TIME CHARTER FOR TANK VESSELS

WHEREAS, the Owner and the Charterer have heretofore entered into a charter agreement dated as of ----------, 1942, providing for the charter of the Vessel upon terms and conditions therein set forth, and

WHEREAS, the Charterer has found that in order to facilitate the prosecution of the war and otherwise to benefit the interests of the United States, it is necessary and desirable that the Charter be further amended to the extent provided for by this Addendum,

NOW, THEREFORE, the Charterer and the Owner do mutually agree to amend the Charter effective upon the date hereinafter set forth so that such Charter will be as follows:.

AMENDED TIME CHARTER (hereinafter sometimes referred to as the Charter), dated as of ----------, 19---, between----------
Address ----------
owner of the SS/MS ---------- (herein called the "Vessel"), and UNITED STATES OF AMERICA, acting by and through the Administrator, War Shipping Administration, CHARTERER, the terms of the Charter being as follows:

PART I (REVISED)

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

DEADWEIGHT capacity, as defined in Clause 5, Part II.

CLASSED

BALE CAPACITY of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer ---------- cubic feet

YEAR BUILT

CLAUSE A. PERIOD OF CHARTER: From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941; *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. TRADING LIMITS: As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. The hire shall be $--------- per calendar month or pro rata for any portion thereof, of which the sum of $--------- per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

RATE REVISION: At any time, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other, but no rate redetermination prior to July 1, 1945 shall involve a change in the use rate factor of the charter hire. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within any such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and the Charterer shall make a redetermination of the rate of hire which shall apply for the balance of the period of this Charter. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

In the event of such termination by either party, the Charterer may, at its option, defer compliance with any or all of its redelivery obligations hereunder; *Provided, however,* That compliance with such obligations shall not be extended beyond the expiration of

the emergency proclaimed by the President of the United States on May 27, 1941.

CLAUSE D. For the period ending noon, E. W. T., April 20, 1945, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $_____. For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by_____.

By mutual agreement the valuation provisions of this Clause may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

CLAUSE E. PORT OF DELIVERY:

CLAUSE F. TIME AND DATE OF DELIVERY:

CLAUSE G. PORT OF REDELIVERY: Port of delivery, unless otherwise agreed; *Provided, however*, That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. NOTICE OF REDELIVERY: The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. UNIFORM TERMS: This Charter consists of this Part I and Part II, conforming to the Amended Time Charter for Tank Vessels, published in the FEDERAL REGISTER of April __, 1944.

The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions, of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. EFFECTIVE DATE OF THIS AMENDED CHARTER: Unless otherwise agreed this Amended Charter (Addendum) shall, conditioned upon the Vessel being in every way fitted for service as required by Clause 1 of Part II, be effective upon completion of discharge of the Vessel in a port in the Continental United States, excluding Alaska, on the voyage current on ————, 1944, or if the Vessel be in port in the Continental United States, excluding Alaska, on ————, 1944, then effective ————, 1944, or if the Vessel has not returned to a port in the Continental United States, excluding Alaska, prior to ————, 1944, then effective ———— 1944 if the Vessel be in any port at that date, otherwise effective upon the Vessel's next port of call.

CLAUSE K. SPECIAL PROVISIONS: (1) With respect to reimbursement of war bonuses by the Charterer under any provisions of this Charter the individual war bonuses paid to the crew, (including the Master and officers), shall not be in excess of the same percentage relation to the individual basic wages paid as exist between the individual basic wages and war bonuses paid on an American flag ship with a like complement in the same service: *Provided*, That in no event shall the war bonuses for each member of the crew exceed those payable to the corresponding individual crew members of an American flag vessel (including the Master and officers) with a like complement in the same service. If the Owner's arrangement is for the payment of a flat rate of wage per man (including the war bonuses), the Charterer agrees to reimburse the Owner the aggregate amount by which the aggregate flat wages paid by the Owner to the Master, officers or crew of the Vessel during the period of this Charter, exceed the aggregate wages (excluding the war bonuses) which would have been payable to the Master, officers and crew of an American-flag ship with a like complement in the same service: *Provided*, That in no event shall any aggregate amount so to be reimbursed be in excess of the aggregate of the war bonuses which would have been payable to the Master, officers and crew of an American-flag ship in the same service.

IN WITNESS WHEREOF, the Owner has executed this Charter in quadruplicate the _____ day of _____, 19____, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19____.

As to execution for OWNER

_____

By _____

UNITED STATES OF AMERICA

By E. S. LAND, ADMINISTRATOR
WAR SHIPPING ADMINISTRATION

By _____
For the Administrator

ATTEST:

_____
or if not incorporated

In the presence of:

_____
Witness

and

_____
Witness

Approved as to form:

_____
Assistant General Counsel

I, _____, certify that I am the duly chosen, qualified, and acting Secretary of _____ a corporation organized and existing under the laws of the State of _____ and having its principal place of business at _____ a party to this Charter, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Charter on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Charter in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Charter is within the scope of the corporate and lawful powers of this corporation.

_____
Secretary

[CORPORATE SEAL]

Form No. 102 (Rev.) FORFLAG
8/5/44
WARSHIPFORTIME (Rev.) FORFLAG

WAR SHIPPING ADMINISTRATION

UNIFORM TIME CHARTER TERMS AND CONDITIONS FOR TANK VESSELS

(PART II) (REVISED)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availability of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery, as far as due diligence can make her so, shall be ready to receive cargo with pipe lines and pumps in good working condition, and tight, staunch, strong, and in every way fitted for normal service for a Vessel of her size, type and description with a Master, and a sufficient complement of officers and crew (hereinafter referred to collectively as the crew) for a Vessel of her tonnage, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter.

The Vessel shall be employed in carrying petroleum or its products in bulk, in lawful trades between safe ports or places, as the Charterer or its agents may direct.

The Vessel may be employed to tow or may be towed, but the Charterer shall indemnify the Owner for any loss, damage, claims or expenses, resulting from any such use of the Vessel.

For the purpose of this Charter the Owner shall be entitled to the benefits of all waivers in the navigation and inspection laws granted by an authorized officer or by law or regulation.

If radio or other equipment is required to enable the Vessel to comply with this Clause and such equipment is leased by the Owner, it shall pay the rental and maintenance charges therefor or, if such charges are paid by the Charterer, such charges may be deducted from the hire.

CLAUSE 2. The whole reach and burthen of the Vessel's holds, decks, and usual places of carriage (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal reserving only space proper and sufficient in the opinion of the Master for Vessel's crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores, and fuel. The Charterer shall have the option of shipping lawful merchandise in cases, can or other packages in the Vessel's forehold, 'tween decks or other suitable space available, subject, however, to the Master's approval as to kind, character, amount and stowage, and to the extent that the Owner is not required thereby to obtain a certificate of convenience and necessity therefor under the Transportation Act of 1940. All expenses for dunnage, loading, stowing and discharging so incurred shall be paid by the Charterer, but the Owner is not to provide any equipment not already on board for handling such cargo, and such merchandise shall be shipped at the Charterer's risk and peril.

CLAUSE 3.A. Commencing with the time this Amended Charter becomes effective, the Charterer shall (except as otherwise expressly provided in this Charter) pay hire for the use of the Vessel and for the services required under the terms of this Charter at the rate provided in Clause C, of Part I of this Amended Charter, and subject to the provisions of said Clause C, such hire shall continue until the time of the redelivery of the Vessel to the Owner as in this Charter provided, unless the parties hereto otherwise agree: *Provided, however*, That if the Vessel shall be an actual total loss, such hire or payments on account shall continue until the time of her loss, if known, or if the date of loss cannot be ascertained, or if the Vessel is unreported, such hire or payments shall continue for one-half the calculated time necessary for the Vessel to proceed from her last known position to the next port of call, but not exceeding 14 days. If the Vessel is a constructive total loss under the terms of any insurance thereon or is declared a constructive total loss by the Charterer under the provisions of Schedule A, such hire or payments shall continue until Noon (EWT) of the day of the last casualty resulting in or causing or contributing to her loss, except as otherwise provided in Clause 30 of this Charter.

CLAUSE 3.B. If at the time of redelivery under this Charter, the Vessel shall require repairs of any damage arising from risks insured against or assumed by the Charterer or for which the Charterer is otherwise liable, hire as herein provided shall continue until completion by the Charterer of such repairs and of any work required of the Charterer by Clause 11, Part II; subject to the provisions of Clause C, Part I and Clause 11 D, Part II hereof.

CLAUSE 3. C. On the first day of each calendar month, the hire provided for in this Amended Charter, and all other monies accruing during the preceding month in favor of the Owner, shall be due and payable.

CLAUSE 3. D. The Charterer or its agents may advance currency or perform any services, or furnish any supplies or equipment, which are required by the Owner and are for the Owner's account under this Charter, and

the Owner, upon being furnished evidence thereof, shall reimburse or secure the Charterer for the fair and reasonable dollar value of any currency so advanced, services so performed, or supplies and equipment so furnished, or at the Charterer's election the equivalent thereof may be deducted from the hire. It is understood that any such advances made or services performed or supplies and equipment furnished by the government of any country as aid to or for the account of the United States shall be deemed currency advanced, services performed, or supplies and equipment furnished by the Charterer.

CLAUSE 4. In the event that the Vessel is detained because of the happening of any event caused or contributed to by another vessel, person, corporation, or others, for which detention such third parties are or may be liable (the period of such detention to include the time necessary to proceed to, survey, and effect repairs unaccomplished upon the date of redelivery of the Vessel under this Charter), then for such period of detention the Charterer's obligation to the Owner for hire and for other sums otherwise accruing hereunder shall cease: *Provided, however,* That the Charterer shall indemnify and save the Owner harmless from any loss whatsoever by reason of the cessation of such obligations, and notwitstanding said cessation shall pay to the Owner a sum not less than the amount which would otherwise be payable to the Owner for such obligations in the same manner and to the same extent as if such cessation had not occurred, but on performance of this indemnity the Charterer shall immediately become subrogated, to the extent of such indemnity, to all rights whatsoever of the Owner to recover for such detention from or against such vessel, person, corporation, or others, and the Charterer shall be entitled to bring and maintain suit or suits thereon in its own name or in the name of the Owner as the Charterer may see fit: *Provided, however,* That on the written request of the Charterer, the Owner shall in each instance, assert and prosecute such claims in the name of the Owner, but for and on behalf of the Charterer and at the Charterer's expense, such claims to be in a sum not less than the amount of the indemnity paid by the Charterer.

CLAUSE 5. A. Insofar as it is a factor in the Vessel's rate and valuation, deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2240 lbs.) for cargo, fuel, fresh water, spare parts and stores but exclusive of permanent ballast. Deadweight shall be calculated without deduction for weight lost by reason of cargo refrigeration installation heretofore made, if any, and weight added by installation of refrigerated cargo capacity (including offsetting permanent ballast required thereby), arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other extraordinary wartime installation or equipment, including permanent ballast, heretofore or hereafter made or required by the Charterer, or any other agency of the United States.

CLAUSE 5. B. In the event that the Vessel's deadweight or bale cubic refrigerated capacity, when finally determined as herein provided, shall not be in accord with the description contained in Part I hereof, the hire and valuation shall be equitably adjusted to be appropriate for the Vessel's deadweight and bale cubic refrigerated capacity. Certificates of deadweight or bale cubic refrigerated capacity, in satisfactory form, heretofore or hereafter furnished by the American Bureau of Shipping shall be accepted as final proof of deadweight capacity and bale cubic refrigerated capacity.

CLAUSE 6. Except as otherwise provided in this Charter:

(a) The Owner shall provide and pay for

(1) Wages of Master and crew;

(2) Subsistence;

(3) Galley, cabin, deck and engine room stores, supplies and equipment (except all water and fuel for any purpose);

(4) Maintenance and repair of Vessel and equipment to the extent required of the Owner under this Charter;

(5) Sales or other taxes based on the foregoing items; and

(6) Owner's overhead expenses.

(b) The Charterer shall provide and pay for all other charges and expenses whatsoever reasonably and properly incurred in the use, operation or employment of the Vessel hereunder.

For the purposes of this Charter:

(1) The term "wages" as used herein shall include all basic and emergency wages, bonuses for seniority or length of service, overtime and vacation allowances, life, health, retirement or other insurance benefits which are not required to be provided or paid for by the Charterer hereunder.

(2) The term "subsistence" shall include the cost, including delivery, loading and inspection charges thereon, of all edibles for consumption by Master and crew, and other persons covered by clause 7 C hereof, and shall also include board and room allowances to Master and crew in lieu of subsistence and lodging aboard the Vessel.

(3) The term "galley, cabin, deck and engine room stores, supplies and equipment" shall mean those items referred to under the heading of "(15)" and "(24) Stores, Supplies and Equipment", page 8, of the General Financial Statement of the U. S. Maritime Commission, approved by the Budget Bureau No. 62-RO, 10-42.

(4) The term "maintenance and repair of Vessel and equipment" shall mean the items referred to under the headings "(25) Other Maintenance Expense" and "(40)" and "(49) Repairs", page 8 of said General Financial Statement.

(5) The term "overhead expense" shall include administrative and general expenses as presently itemized in General Order No. 22 of the U. S. Maritime Commission, Owner's advertising expenses, Owner's taxes (except sales and similar taxes, taxes assessed or based upon freights earned, and other taxes of any kind determined by the Charterer to be properly classifiable as voyage expenses), and the cost of employing agents or branch houses to perform any of the services required of the Owner under this Charter.

CLAUSE 7. A. The Charterer shall reimburse the Owner for actual out-of-pocket expenses, including all taxes paid by the Owner with respect to such expenses, for:

(1) All war bonuses (war risk compensation) paid to the master and crew (which term as used in this Clause 7 shall refer to the actual crew on board even though in excess of normal complement), in the manner and to the extent provided for in applicable decisions or advices of the Maritime War Emergency Board, as amended or modified from time to time, or in judicial decisions relating thereto.

(2) All extra compensation, including overtime, paid to the crew for services performed by the crew (a) in connection with cargo, at sea or in port, (b) in connection with shifting of Vessel in port for Charterer's purposes, or (c) preparatory to loading or discharging or sailing in convoy. If the Vessel operates in the Alaska trade, the Charterer shall also pay the extra crew costs exceeding costs that would have been incurred in similar operations in other ocean-going trades.

(3) All wages and overtime paid to any extra crew members beyond the normal complement of the Vessel, or to other persons carried, who are required to be employed by the Owner because of (a) the Vessel's service under this Charter, (b) the loading or discharging of cargo, or (c) to care for any persons covered by Clause 7 C hereof. Extra wages or overtime paid to the normal complement of the Vessel in lieu of employing extra crew members or other persons for the purposes above set forth shall also be reimbursed to the Owner. The term "normal complement" as used in this Charter shall refer to the normal peacetime complement for off shore foreign trading for the average vessel of the same size, type and description as the Vessel chartered hereunder, as determined by the Administrator.

(4) All wages and overtime paid to security watchmen, provided in compliance with any security requirements of any United States or other Government agency, and all overtime or additional wages paid to the crew by reason of compliance with such requirements.

(5) All extra clothing or effects for the Master and crew necessitated by the Vessel's service under this Charter (Charterer to have title to such extra clothing and effects).

CLAUSE 7. B. The Charterer shall, to the extent the Owner is not reimbursed under the provisions of Schedule A attached hereto, reimburse the Owner for out-of-pocket expenses or disbursements made on behalf of the Master or crew, or payments made to the Master or crew, for repatriation transportation (including return to port of shipment), and for wages and subsistence while awaiting and during such transportation, where such expenses, disbursements, or payments are assumed by the terms of the Ship's Articles, the Owner's collective bargaining agreements or found by the Owner to be reasonably necessary or desirable. The Owner shall also be reimbursed for the cost reasonably incurred in furnishing men to replace members of the crew whose employment has terminated at ports in Alaska or outside the Continental United States, except the country of the Vessel's registry, where suitable replacements are not readily available.

CLAUSE 7. C. The Charterer shall pay the Owner at the rate of $1.50 per day per person (not in excess of fifty (50) persons) for providing subsistence aboard the Vessel for any person carried at the request of the Charterer or any agency of the United States or the military authorities of any Allied Government, or any extra crew members beyond the Vessel's normal complement required because of the Vessel's service under this Charter and $1.50 per day per person for providing subsistence aboard the Vessel for any extra complement thereby required. If a total of more than 50 extra persons referred to in this Clause 7 C are carried on the Vessel at any one time, the Owner shall be reimbursed for his actual costs for subsistence of the number in excess of 50, unless subsistence rates or schedules applicable to such excess number have been agreed upon between the Owner and the Charterer, in which event such rates or schedules shall govern. The term "subsistence" as used in this subsection shall include victualling, supplying with linens, bedding, laundry, and similar services, but the Owner shall not be obliged to furnish linens and bedding for such extra persons in excess of 50, unless otherwise agreed.

CLAUSE 8. A. The Charterer may disallow in whole or in part, as may be appropriate, and deny reimbursement for any expenses for which it is required to reimburse the Owner which are in contravention of the terms of this Charter, or are otherwise improvident or excessive.

CLAUSE 8. B. The Charterer shall reimburse the Owner for any additional extraordinary costs incurred which the Charterer, in its discretion, may allow upon finding that

such costs are not intended to be covered in the allowance for services hereunder. In the event the Vessel is assigned by the Charterer for service between foreign ports, the Charterer shall make such adjustment, if any, as it deems appropriate to allow for increased cost of operation.

CLAUSE 8. C. In the event the Vessel is physically incapable of working for a period in excess of twenty (20) days while in a Continental United States port (excluding Alaska) or for a period of thirty (30) days while in Alaska or outside the Continental United States, the charter hire otherwise payable hereunder shall be reduced for the excess period by an amount equal to twenty (20) percent of the service rate, plus eighty (80) percent of the actual savings in wages for Master and crew during the entire period of lay-up. The Owner shall furnish reports of wage savings as soon as practicable after the termination of each month of such lay-up.

CLAUSE 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings and materials requisite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards and fittings and materials already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. Upon redelivery of the Vessel, the Charterer shall make good any damage to or shortage of shifting boards, fittings or materials which are on board at delivery.

CLAUSE 10. The Charterer shall pay for all fuel on board upon delivery, and the Owner shall pay for all fuel on board on redelivery not in excess of Owner's normal requirements, at market prices current at the ports and times of delivery and redelivery, respectively.

CLAUSE 11. A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions or changes, whether such installations, alterations, additions or changes were made under this Charter or prior to delivery under this Charter, except as may be otherwise provided herein.

CLAUSE 11.B. Commencing with the time this Amended Charter becomes effective, the Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peace-time standards, then or thereafter set forth in sub-chapter O of Chapter I of the Regulations of the United States Coast Guard (Title 46, U. S. C. R.) or in other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by subsequent increases and changes in wartime Governmental requirements: *Provided, however*, That if the Owner has not entered into a form of addendum to the original time charter covering this Vessel designated as "Uniform Addendum To Time Charter Covering Adjustments of Certain Disputed Questions" and has not entered into a special agreement as and if contemplated in Paragraph Fourth of said addendum, then the obligations of the Charterer under this Clause 11-B shall be limited to items hereafter required and shall not cover items heretofore required as aforesaid. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

The payments provided for in this paragraph shall be made in the same manner and shall not exceed in amount those payable to like American-flag vessels operating under similar Warshiptime (Rev.) or Warshipoiltime (Rev.) charters containing a clause substantially the same as the foregoing provisions of this paragraph.

CLAUSE 11. C. Any equipment, furniture, furnishings or appliances belonging to the Vessel and not required by the Charterer may be removed by the Charterer, at the Charterer's expense, and, upon termination of the Charter, unless the Vessel has been lost or requisitioned for title, any such removals are to be replaced on board the Vessel or made good by the Charterer at its expense. Storage charges arising from such removal shall be paid for by the Charterer.

CLAUSE 11. D. If, at the time of redelivery under this Charter, the Vessel shall require any work or repairs of any damage arising from risks insured against or assumed by the Charterer, or for which the Charterer is otherwise liable under this Clause, Clause 11A or any other Clause hereunder, the Charterer may, at its option, discharge such obligations by payment to the Owner in advance, of an amount for reconditioning sufficient to provide for such work or repairs, which amount shall also include compensation at the rate of hire that would otherwise have been payable under this Charter, for the time reasonably required under then existing conditions to complete such work or repairs and compensation for other expenses incident to such work or repairs. If the Owner and Charterer agree such obligations may be discharged by a mutually satisfactory agreement.

CLAUSE 12. The Owner agrees at its expense to drydock the Vessel for the purpose of cleaning and painting her bottom, when necessary, but not less than once in every nine (9) months unless the Charterer otherwise agrees, and, when drydocking is due, the Charterer agrees to send the Vessel to a port where she can so drydock, clean and paint. The Owner undertakes to put the Vessel in drydock for cleaning and painting the bottom as soon thereafter as the Vessel is at the Owner's disposal, clear of oil and gas, at the port having suitable accommodations for the purpose. The Owner is always and solely responsible for clearing the Vessel of oil and gas but the expense and time thereof shall be for the Charterer's account. The expenses incidental to sending the Vessel to drydock for painting her bottom and all port charges incurred therein shall be for the Owner's account.

Except as otherwise provided herein the expense of clearing the Vessel of oil and gas as well as all other expenses incidental to sending the Vessel to drydock or repair yard and all port charges incurred therein shall be:

(1) For Owner's account when required primarily for Owner's repairs, or

(2) For Charterer's account when required primarily for Charterer's repairs, or

(3) For account of both Owner and Charterer when repairs under (1) and (2) above are carried out concurrently and such expense shall be apportioned in accordance with normal commercial practice.

CLAUSE 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master, to the extent permitted by governmental orders or directions, shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its agents, and furnish the Charterer or its agents, when required and to the extent permitted by governmental orders or directions, with a true copy of port and daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

CLAUSE 14. Subject always to the directions of the Charterer the Master shall prosecute his voyages with the utmost dispatch and shall render all customary assistance with Ship's crew and boats; and shall use due diligence in caring for the cargo. The Master (although employed by the Owner) shall be under the orders and directions of the Charterer as regards employment, agency and prosecution of the voyages. Bills of lading are, if requested by the Charterer, to be signed by the Master in the form and at any rate of freight that Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify the Owner against all consequences or liabilities that may arise from the Charterer or its agents (including the Master) signing bills of lading or other documents inconsistent with this Charter, or from any irregularities in papers supplied by the Charterer or its agents.

CLAUSE 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its Agents may direct, *Provided*, That the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat.

CLAUSE 16. Neither the Owner nor the Vessel shall be responsible for any admixture, if more than one quality of oil is shipped nor for leakage, contamination or deterioration in quality of the cargo. No injurious cargoes, including acids that are injurious to the Vessel, are to be shipped, it being understood that gasoline, Ethyl gasoline, benzol, creosote, molasses, and the various vegetable oils, customarily carried in tank vessels, are not to be considered as injurious. Charterer undertakes in case it employs the Vessel to carry any other cargo than petroleum and its products in bulk to indemnify the Owner against any damage that may arise to such cargo owing to the Vessel having previously loaded oil, or to oil after having loaded other cargo. If the Vessel's tanks at the time of delivery are gas free and clean and fit for the transportation of clean products, such as refined petroleum or naphtha, the Vessel is to be redelivered in the same condition as on delivery. Similarly, if her tanks are soiled at the time of delivery the Vessel may be redelivered with tanks in like condition.

CLAUSE 17. No petroleum product shall be shipped which fails to meet one or the other of the two following requirements: (1) The vapor pressure at one-hundred degrees Fahrenheit (100° F.) shall not exceed thirteen pounds (13 lbs.) as determined by the A. S. T. M. Method (Reid Method) identified as D-323 current at the time shipment is made. (2) The distillation loss shall not exceed four per cent (4%) and the sum of the distillation loss and the distillate collected in the receiving graduate shall not exceed ten per cent (10%) when the thermometer reads one-hundred twenty-two degrees Fahrenheit (122° F.). Note—The distillation test shall be made by A. S. T. M. Method identified as D-86 current at the time shipment is made. When products other than

naphtha or gasoline are tested, the distillation loss may be determined by distilling not less than twenty-five per cent (25%) and deducting from one-hundred per cent (100%) the sum of the volumes of the distillate and the residue in the flask (cooled to a temperature of sixty degrees Fahrenheit (60° F.)).

CLAUSE 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(i) *Clause Paramount.* "This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further."

(ii) *Both-To-Blame Collision Clause.* "If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact."

(iii) *General Average Clause.* "General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money."

(iv) *Amended "Jason" Clause.* "In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers."

(v) *Liberties Clauses:* "In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

"The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, muntions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

"In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods."

This Charter shall also be subject to the provisions of (ii), (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner, in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality of vice of the cargo; any act or omission of the Charterer, the owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing, insufficiency or inadequacy of marks; explosions, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter arising or resulting from: Act of God; act of war; act of public enemies, pirates, or assailing thieves; arrest or restaint of princes, rulers of people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this Clause shall diminish its obligations for hire under the other provisions of this Charter.

CLAUSE 20. The Insurance, Indemnity and Waiver program set forth in Schedule A annexed is hereby incorporated by reference in and made a part of this Charter as though fully set forth in this Clause.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer, after deducting the Master and crew's shares, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expense sustained as a result of the service, which shall always be a first charge on such money: *Provided, however,* That to the extent necessary to effectuate the purposes of the Insurance, Indemnity and Waiver program (Schedule A), claims for salvage on behalf of the Owner shall be made solely at the discretion of the Charterer.

CLAUSE 22. If the Charterer shall notify the Owner that the employment or the continued employment of the Master or any member of the crew or any agent of the Owner is prejudicial to the interests of the United States in the prosecuting of the war, the Owner shall make any changes necessary in the appointment.

If the Charterer shall have reason to be dissatisfied with the conduct of any member of the crew, the Owner shall, on receiving particulars of the complaint, investigate and make any changes practicable in the appointments or practices aboard the Vessel with respect to the maintenance of proper discipline, necessary to eliminate the reasons for such dissatisfaction by the Charterer.

CLAUSE 23. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force. Nothing herein shall be deemed to affect the Charterer's right of limitation or exemption from liability accorded under the provisions of Section 4 of Public Law 17, 78th Congress.

CLAUSE 24. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 25. Liability for nonperformance of this Charter shall be proved damages.

CLAUSE 26. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 27. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 28. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destinations, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, and if by reason of or in compliance with any such orders or directions anything is done or in not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel: *Provided, however,* That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained: *Provided further, however,* That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, and the Vessel, her crew and cargo.

CLAUSE 29. If after redelivery the Vessel is arrested or attached upon any claims of action arising or alleged to have arisen from previous possessions or operation of the Vessel by the Charterer, or any subcharterer, or for which the Charterer is liable, the Charterer undertakes to use its best efforts to cause the release of the Vessel under the Suits in Admiralty Act or any other special remedy available to the Charterer, subject to the approval of the Attorney General of the United States.

CLAUSE 30. The Charterer shall reimburse the Owner for all expenses for wages, for bonuses and subsistence of the Master and crew and other out-of-pocket costs incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel, or under this Charter or otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charter, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 3½ percent per annum on the then current vaulation of the Vessel commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b) if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

CLAUSE 31. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 31 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other WAR-SHIPTIMES or WARSHIPONTIMES Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 31 shall be applicable only from the effective date of this Amended Charter. Nothing in this Clause 31 shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter for the period prior to the effective date of this Amended Charter or to any charter hire or other sums accruing prior to the effective date of this Amended Charter: *Provided, however,* That all rights, if any, which the Administrator may have to renegotiate any charter hire or other sums accruing prior to the effective date of this Amended Charter are hereby reserved by the Administrator.

CLAUSE 32. A. No member of or delegate to Congress or Resident Commissioner is or shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except to the extent allowed by Title 18 U. S. Code, Section 206. The Owner agrees not to employ any member of or delegate to Congress or Resident Commissioner, either with or without compensation, as an attorney, agent, officer or director.

CLAUSE 32. B. The Owner shall not employ any person who advocates or who is a member of an organization that advocates the overthrow of the government of the United States by force or violence to perform any work under this Charter. As a condition to the employment of any person for the performance of such work the Owner shall if the Charterer so directs require each person to execute and file an affidavit in such form as to satisfy the requirements of Public Law No. 678 77th Congress or Public Law No. 22, 77th Congress, but the execution and filing of such affidavit shall be without prejudice to the right of the Charterer to require such further evidence in the premises as may be in the possession of the Owner as the Charterer may deem desirable.

CLAUSE 32. C. The Owner agrees that in performing the work required of it by this Charter, it will not discriminate against any worker because of race, creed, color, or national origin.

CLAUSE 32. D. The Owner shall not employ any person undergoing sentence of imprisonment at hard labor.

CLAUSE 32. E. The Owner warrants that it has not employed any person to solicit or secure this Charter upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Charterer the right to annul this Charter or, in its discretion, to deduct from any sums payable under this Charter the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by the Owner upon agreements or sales secured or made through bona fide established commercial or selling agencies maintained by the Owner for the purpose of securing business.

CLAUSE 33. Failure of the Master or Owner to protest against any act or omission of the Charterer, or any other agency of the United States, including any act, omission or order which in the opinion of the Master may affect the Vessel's seaworthiness or may be in contravention of the laws or regulations of the United States shall not prejudice the rights of the Owner under this Charter.

CLAUSE 34. Unless otherwise provided in this Charter or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I, and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 35. A. In the event that this form of time charter is modified by the Charterer at any time prior to October 1, 1944 the Owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charterer, of any obligations imposed in conjunction with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

CLAUSE 35. B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 36. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

SCHEDULE A (FORPLAC)—INSURANCE INDEMNITY AND WAIVER PROGRAM

I. INSURANCE

(A) Unless otherwise mutually arranged, at all times during the currency of this Charter the Charterer shall provide and pay for or assume as insurer:

(1) Insurance on the Vessel under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration, (designated as Warshipreq (FOR.), a copy of which is attached hereto) in the amount of the agreed value under this Charter, and covering only war risks (including malicious damage, sabotage, strikes, riots, and civil commotion).

It is specially agreed, however:

(a) That the Owner, at its own expense except as provided in subparagraph (b) below will insure the Vessel with the American Marine Hull Insurance Syndicate in an amount to be determined by the Owner, and under the conditions of AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) which insurance shall include the interest of War Shipping Administration as Charterer.

(b) That the Charterer will reimburse the Owner for premiums paid on insurance taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to subparagraph (a) above, *Provided, however,* Such reimbursement shall not exceed the amount of premiums payable on the value set forth in the Charter on the attachment of said insurance and at the time any further annual premium is due and payable. In consideration of such reimbursement, any recapture of profits from said Syndicate shall accrue to the sole benefit of the Charterer, and any return of premiums under the insurance procured by the Owner shall, to the extent that they represent premiums originally reimbursed by the Charterer, be repayable to the Charterer.

(c) That the Owner (at its option and expense) may procure excess insurance, including liability insurance (without benefit of salvage, subrogation or right of contribution), above the limits of the insurance so procured, but such insurance shall not be on terms inconsistent with the provisions of this Charter or with the provisions of the insurance provided for above.

(d) That the insurance procured by the Owner pursuant to subparagraph (a) hereof as well as any additional insurance procured by the Owner pursuant to subparagraph (c) hereof, and any amount of self-insurance carried by the Owner in excess of the limits of the insurance procured pursuant to subparagraph (a) hereof, shall be subject to the provisions of Clause II of this Schedule A. In consideration of the foregoing, the Charterer hereby insures the Owner against any claim by the United States for damage to property or vessels of the United States or for loss of freight, demurrage or other claims covered by the collision clause in the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) policy, arising out of collision with the Vessel.

(e) That in the event of cancellation or termination of the insurance referred to in subparagraph (a) above (except for nonpayment of premium), or upon thirty (30) days written notice from Charterer to the Owner, the Vessel shall thereafter be insured for marine risks by the Charterer under the terms and conditions of the full form of standard hull policy of the War Shipping Administration (designated as Warshipreq (FOR.)) for the amount of the agreed value under this Charter.

(f) The Charterer hereby insures the Owner for payments of (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, not recoverable under the insurance on the Vessel taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to sub-paragraph (a) above solely by reason of the insured valuation of said policies being insufficient to provide complete indemnity to the vessel Owner in respect of the liabilities specifically referred to in this sub-paragraph (f), and not recoverabe under insurance arranged pursuant to sub-paragraph (c) above. *Provided, however,* That the liability of the Charterer under this subparagraph (f), in respect of any one such class of liabilities, shall be limited for any one collision, casualty or occurrence to the amount, if any, by which the market value of the Vessel in sound condition at the date of such collision, casualty or occurrence, plus the Vessel's then pending freight, exceeds the insured value of the Vessel for total loss purposes under the insurance taken out by the Owner pursuant to subparagraph (a) above; it being understood that the amount of the Charterer's liability hereunder, if any, shall be applicable separately to each of the foregoing three classes of liabilities, with the full amount open for each.

(g) Without limiting the liability of the Charterer as insurer under this Charter, all repairs to the Vessel coming within the terms of the insurance assumed by the Charterer or procured by the Owner pursuant to this Schedule A shall be subject to the approval of the Charterer as to the extent, time and place of repairs. All repairs shall be carried out under the supervision of the Owner.

(h) In the event the Vessel is covered by a mortgage or lien held by any department or instrumentality of the United States, then any sum or sums payable by virtue of the provisions of this Clause I of Schedule A shall be payable for distribution to such department or instrumentality and/or the persons entitled thereto as their interests may appear.

(2) All insurance which the Owner may be obligated to provide, covering the crew with respect to loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations, and loss of or damage to personal effects. Unless otherwise directed by the Charterer, the Owner shall agree with the crew to provide the war risk insurance covering such items afforded by the Decisions of the Maritime War Emergency Board (as amended or modified from time to time) and the marine risk insurance covering such items afforded by the Second Seamen's War Risk Policy (published in the FEDERAL REGISTER of March 20, 1943, as Decision 1A of the Maritime War Emergency Board), as amended from time to time, and such Decisions and Policy shall be the measure and limit of the Charterer's liability under this Clause. The Owner shall give effect to the foregoing by inserting the following language or such other language as the Charterer may from time to time direct, in the form of a rider or otherwise, in the Ship's Articles or other contract of employment on all voyages of the Vessel under this Charter:

"It is agreed that the Master, Officers, and members of the Crew shall be furnished the war risk insurance protection covering loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations and loss of or damage to personal effects, required by the Decisions of the Maritime War Emergency Board, as amended or modified from time to time, and the marine risk insurance afforded by the Second Seamen's War Risk Policy, as amended from time to time."

(3) War risk protection and indemnity insurance under the terms and conditions of the standard war risk protection and indemnity policy prescribed by the War Shipping Administration, a copy of which is attached hereto, for the benefit of the Owner and the Charterer, as their interests may appear.

It is specially agreed, however,

(a) That the Owner, unless otherwise agreed, shall procure marine protection and indemnity insurance under the terms and conditions of the WARTIMEPAFMI Policy (Requisitioned Vessels 1943) from an American Protection and Indemnity Underwriter approved by the Charterer which issues said form of policy, which insurance shall include the interests of the Charterer and its Time Charter Agents under Service Agreements, Berth Agents and Sub-Agents acting on their behalf. The Charterer shall reimburse the Owner for all premiums paid on such insurance in consideration of which any readjustment of premiums and any return premium shall be for account of the Charterer.

(b) That to the extent that cargo claims are recoverable under said insurance or are reimbursable to the Owner under the terms of this Charter, the Charterer, and its duly authorized Agents are authorized by the Owner to attend to the adjustment and settlement of or otherwise dispose of cargo claims in such manner (not inconsistent with the terms of said Protection and Indemnity Insurance) as may be determined by the Charterer.

(c) That in the event of cancellation (except for nonpayment of premium) of the insurance referred to in subparagraph (a) above by the Protection and Indemnity Underwriters, or upon thirty days' written notice from the Charterer to the Owner of its intention to terminate such insurance, the Charterer will then provide and pay for or assume as insurer, identical marine protection and indemnity insurance for the benefit of the Owner and the Charterer and the Charterer's Agents as their interests may appear.

(d) That the Charterer assumes as insurer any liability of the Owner or the Charterer on account of loss, damage or expense in respect of lend lease cargo or cargo owned by the United States or any agency or department thereof, including but not limited to the War Department, Navy Department, Metal Reserves Company, Rubber Reserves Company, Defense Supplies Corporation, Reconstruction Finance Corporation or Foreign Economic Administration, which would be recoverable under the WARTIMEPANDI Policy (Requisitioned Vessels 1943) in the absence of the specific exclusion relating thereto, therein.

(e) That the Charterer hereby insures the Owner for excess protection and indemnity liabilities on said Vessel on terms and conditions identical to that provided by WARTIMEPANDI Policy (Requisitioned Vessels 1943) to the extent that said WARTIMEPANDI Policy (by reason of the insured amounts in said policy does not provide the Owner with complete protection and indemnity. *Provided, however,* That the liability of the Charterer under this subparagraph (e) in respect of any one accident or occurrence shall be limited to the amount, if any, by which the market value of the vessel in sound condition at the date of such accident or occurrence plus the vessel's then pending freight exceeds the insured amounts in said WARTIMEPANDI Policy.

(f) That the Owner (at its option and expense) may procure additional insurance in excess of the limits of the insurance procured or provided pursuant to subparagraphs (a) and (e) hereof, but such insurance shall not be on terms inconsistent with the provisions of this Charter.

(g) That the Charterer shall reimburse the Owner for all claims paid by the Owner and not recoverable pursuant to the provisions of the standard WAR RISK PROTECTION AND INDEMNITY Policy, and WARTIMEPANDI Policy (Requisitioned Vessels 1943) referred to above, solely by reason of deductible average, franchise or other similar deductions appearing in such policies.

(h) That the Charterer hereby insures the Owner for marine and war risk insurance against all carrier's liabilities with respect to cargo to be carried, carried, or which has been carried on board the Vessel directly incurred in consequence of the operation of the Vessel and not covered by the standard protection and indemnity insurance provided or procured pursuant to this paragraph (3), including, but not limited to, liability for deviation or overcarriage, liability for drydocking with cargo on board the Vessel, liability under ad valorem Bills of Lading, and liability for carrying on deck, cargo covered by under deck Bills of Lading.

(4) Marine and war risk insurance covering the Owner's actual loss (or in the case of slop chests, the actual loss of the owner thereof) as determined by the Charterer, for (i) slop chests, (ii) cash carried on board the Vessel but not in excess of $5000 unless otherwise agreed, and (iii) consumable stores. "Consumable Stores" within the meaning of this paragraph (4) shall mean all consumable and subsistance stores (but not radio supplies, spares, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A and 1919A (Revised Forms 1939).

(B) (a) If the Charterer elects to insure with commercial underwriters any of the risks assumed or insured against by it pursuant to this Schedule A, the Owner agrees, if so instructed by the Charterer, to file with such underwriters, on behalf of the Charterer, reports, declarations, claims and the customary insurance documents, it being understood that except to the extent of any payment to the Owner by the underwriters such action on the part of the Owner shall in no way affect the Charterer's direct liability to the Owner with respect to risks assumed or insured against by the Charterer under this Charter.

(b) As soon as practicable after attachment of this insurance, the Owner shall furnish to the Charterer a statement of all unrepaired damage known to the Owner existing at the time of attachment of this insurance, together with a report of all casualties known to the Owner which may have given rise to damage subsequent to the last drydocking in a U. S. Continental Port. Upon the request of the Charterer, the Owner shall also furnish to the Charterer copies of, or at Charterer's option permit it to inspect, all deck and engine room logs, if available, and all surveys made at or subsequent to the last drydocking of the Vessel in a U. S. Continental Port.

(c) In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

(d) Insurance heretofore provided by the Charterer under this Charter shall terminate upon the attachment of this insurance: *Provided, however,* That claims for unrepaired damage under said prior insurance shall not be due and payable until the repairs are effected or if not so effected, until the termination of this insurance, but in no case shall the Charterer, as Charterer or insurer, be liable for such unrepaired damage in addition to a subsequent total or constructive total loss under this insurance or Charter.

(e) General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Charterer's agents who shall be entitled to receive the usual charges and commissions.

II. WAIVERS

(a) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any vessel (1) owned by the United States, or (2) under charter to the United States on terms which would make the United States liable as Charterer, insurer or otherwise for such claims or (3) under charter to the United States and insured under the terms of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

(b) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any other vessel owned by or under charter to any Government, and against any cargo carried on any such vessel or on any vessel described in subparagraph (a) above, to the extent such waiver may be required by the Charterer in any specific case or cases in order to give effect to any agreement for mutual or reciprocal waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

(c) The waivers provided in this Clause II of Schedule A shall be effective only as to claims relating to the Vessel and arising out of her use or operation under this Charter, and such waivers shall not relieve the Charterer of any liability it may have to the Owner under the terms of this Charter.

(d) The Owner shall and does hereby waive any claim against any ship repairer, based on negligence or otherwise, arising out of repair or custody of the Vessel during the period of this Charter, to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the repairer: *Provided, however,* That such waiver shall not preclude recovery by the Owner against the repairer for amounts less than the customary contractual limit of $300,000 on the repairer's liability, nor for any claim by the Owner for proper replacement of defective workmanship or material in connection with any repairs which are for the Owner's account under the terms of this Charter.

(e) The Owner shall and does hereby waive any claim for loss of or damage to the vessel against any stevedore to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the stevedore, except with respect to claims which the Owner cannot recover under the provisions of Clause I, (A), (1) (a) of this Schedule A, by reason of the franchise in the insurance provided pursuant to said Clause.

III. INDEMNITY AND INSURANCE

(a) The Charterer shall insure the Owner for and against any loss or damage suffered, or liabilities incurred, by the Owner for which claim is waived under the provisions of Clause II of this Schedule A (except claims for salvage in excess of actual cost in connection therewith), and which is not recovered by the Owner under any other provision of this Charter: *Provided, however,* That this indemnity shall not entitle the Owner to recover for loss or damage to the Vessel in an aggregate sum in excess of the agreed valuation: *And provided further,* That this indemnity shall not entitle the Owner to recover for any period of detention or loss of use of the Vessel an aggregate sum in excess of the amount which would be payable to the Owner under the other terms of this Charter for such period.

(b) The Charterer shall reimburse, indemnify, and hold harmless the Owner, the Master and the Vessel for or from all consequences, losses and liabilities whatsoever directly resulting from compliance with or efforts to comply with any orders or directions of the Charterer, its agents, representatives or employees, or any other agency of the United States or of any allied government, or orders or directions given as provided in Clause 28 of this Charter, unless properly chargeable to the Owners under this Charter or Schedule, or recoverable under (or within the franchise of) any of the insurance procured pursuant to the terms of this Schedule A. The Owner shall, as far as may be practicable, keep the Charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

(c) The Charterer hereby assumes and indemnifies the Owner for any loss or liability, if not covered by the terms and conditions of any of the insurances provided for in this Schedule A, arising out of performance of services under any towage or pilotage contract customarily in use in the trades in which the Charterer uses the Vessel or which is especially agreed to by the Owner upon request or instructions of the Charterer.

IV. CONSTRUCTIVE TOTAL LOSS DECLARATION BY CHARTERER

If the Charterer finds, in case of casualty or serious damage or injury to the Vessel during the period of this Charter, not constituting an actual or constructive total loss under the insurance provided in this Schedule A, that the continuation of the Charter is inadvisable because of the probable high cost of repairs or indefinite loss of use of the Vessel then the Charterer nonetheless shall have the option of declaring her a constructive total loss by so notifying the Owner in writing as soon as practicable after the occurrence causing such damage or injury. In the event of such a declaration by the Charterer, the Charterer as insurer, shall forthwith pay or cause to be paid to the Owner an amount to be determined in accordance with the valuation provisions of this Charter as though the Vessel were an actual total loss: *Provided, however,* If the Vessel is in fact a constructive total loss within the terms of the insurance provided by the Owner pursuant to this Schedule A, no such payment shall be made by or on behalf of the Charterer, or if the Owner shall have elected to recover for the estimated cost of repairing the damage to the Vessel under the terms and conditions of American Hull Form Revised (Requisitioned Vessels 1943) the amount payable by the Charterer to the Owner shall be reduced by the amount payable under such insurance. If the Owner does not so elect or shall not have so elected within ninety (90) days of declaration of a constructive total loss by the Charterer then the Charterer shall be subrogated to all of the rights of the Owner under such insurance. Against any such payments received by the Owner from the Charterer or the Owner's assurer, as the case may be, the Owner will, if the Charterer elects to take title, give such releases and instruments granting the Vessel or the property of her remaining to the Charterer as the Charterer may require and that are not inconsistent with the terms and conditions of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective, and the insurance to be provided by the Charterer hereunder shall attach simultaneously with the effective date and time of this Amended Charter (Addendum) to which it is affixed: *Provided, however,* If the Vessel be then at sea the insurance provided by the Charterer shall not attach until Vessel's next arrival in safe port.

WARSHIPBRQ (FOR) POLICY

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Charter Number .....

No. H. .....

Date .....

BY THIS POLICY OF INSURANCE DOES, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured, lost or not lost: .....

ON THE STEAMER (or Motor Vessel) called the .....

(or by whatsoever name or names the said Vessel is or shall be called), under charter to the War Shipping Administration pursuant to Charter Number .....

Loss, if any, payable to the person entitled thereto, or order.

IN A SUM as provided for in the Charter Party referred to above.

AT AND FROM .....

to the day and hour of redelivery of the Vessel under, or to the termination of, the Charter referred to above, whichever shall first occur.

SPECIAL CONDITIONS:

A. THE FOLLOWING CONDITIONS SHALL APPLY TO ALL VESSELS INSURED HEREUNDER: 1. (a) This policy shall respond for payments of general average, salvage, and collision liabilities incurred by the vessel, if covered hereby, even though the amount of such charges or liabilities may exceed the sum insured hereby or the contributory value or limitation of liability value may be greater than the value named herein: *Provided, however,* Except as provided in subparagraph (b) hereof, the total amount payable hereunder in respect of all claims arising out of any one occurrence or disaster, for liabilities under the Collision Clause and liabilities for salvage and general average shall not exceed, in the aggregate, double the amount insured on the vessel, plus any expenses of litigation incurred with the written consent of the War Shipping Administration; but (in addition to the foregoing limitation on the aggregate amount payable) in the case of vessels built in 1934 or thereafter neither (a) the amount recoverable in respect of liabilities under the Collision Clause nor (b) the aggregate amount recoverable in respect of salvage and general average shall (in respect of any one occurrence or disaster), exceed 110% of the amount insured, plus the amount of any such expenses of litigation.

(b) It is further agreed that the limits of liability as stated above and sue and labor charges recoverable under this policy shall be increased by the amount, if any, by which the market value of the vessel in sound condition at the time of such collision, casualty or occurrence, plus the vessel's then pending freight, exceeds the insured value hereunder for total loss purposes; it being understood that the amount of such additional coverage shall be applicable separately to (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, with the full amount open for each.

(c) Nothing contained in this Clause I shall be construed as increasing the amount recoverable in respect of claims for physical loss of or damage to the insured vessel.

2. This insurance shall not be prejudiced by the participation of the Assured in any agreement as to the Waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

3. With respect to the risks and perils insured against herunder, it is warranted that no insurance in excess of the value hereinafter provided for, whether for hull, machinery, disbursements, or other similar interests however described, exists or will be placed during the currency of this insurance except as permission to place additional insurance is granted by the Administrator, and then only in accordance with the terms of such permission. *Provided always,* That a breach of this warranty shall not afford the assurers any defense to a claim by mortgagees or other third parties who may have accepted this Policy without notice of such breach of warranty, nor shall it restrict the right of the Assured and/or their managers to insure in addition General Average and/or Salvage Disbursements whilst at risk, or general average, salvage or collision liabilities.

4. This insurance shall be subject to the following clauses:

(a) With leave to sail or navigate with or without pilots, to go on trial trips and to assist or tow vessels or craft whether customary or in distress or not, and whether under a pre-arranged contract or not, or be towed, all at no additional premium.

(b) This insurance shall not be subject to any Trading Warranties.

(c) Any notice required by the terms of this policy shall be transmitted by the Assured to the Director of Wartime Insurance as soon as may be reasonably practicable. In transmitting such notice the Assured shall comply with all relevant Security Orders of the War Shipping Administration.

(d) Radio apparatus and equipment and other apparatus or equipment used for the purposes of communication or as aids to navigation or safety devices shall be covered by this insurance and included within the amount insured on the vessel as hereinbefore set forth, even when not owned by the vessel owner: *Provided* The vessel owner has prior to date of loss assumed liability therefor; but the liability of underwriters (either as to amount or as to the risks covered) shall not exceed the vessel owner's liability or the liability to which underwriters would be subject if the property were fully owned by the vessel owner, whichever shall be the lesser.

5. In the event of claims arising from collision between the insured vessel and a sister-ship, or in the event of claims for salvage services rendered to the insured vessel by a sister-ship the sister-ship salvage clause and the sister-ship collision clause contained in the attached form of policy shall be deemed deleted therefrom in any case where the assured by any charter, or other agreement entered into by the War Shipping Administration and binding upon the Assured, would be bound to waive such claims if the vessels were not sister-ships.

6. This policy is issued pursuant to the obligation assumed by the War Shipping Administration in Clause I of Schedule A of the Charter Party referred to herein, and shall not be deemed to govern the relationship between the War Shipping Administration and the owner except as to such obligation nor to override any other provisions of the Charter Party.

7. It is agreed that liability for damage to cargo arising under any agreement to which the War Shipping Administration is a party or is bound, for the waiver or adjustment of collision claims, shall be among the liabilities covered by the Collision Clause herein, subject, however, to the same limitations and conditions which apply to other liabilities covered by the same clause. It is further agreed that where, under any such agreement, cargo's liability for General Average is waived, the cargo's proportion of any General Average sacrifices and expenses incurred by the vessel shall be payable under this policy as part of the hull's proportion of General Average, to the extent provided in Special Condition No. 1 hereinabove.

8. As between this Policy and any other policy covering the same or similar risks on the insured Vessel, such other policy shall be deemed primary and this insurance secondary. It is agreed, nevertheless, that any losses which would be payable hereunder in the absence of such other insurance shall be advanced under this Policy if the Assured is unable to collect them under such other policy within 60 days after filing the usual proofs of loss and interest. Thereafter the Assured shall, at the expense and under the direction of the Administrator, take whatever steps the Administrator may deem necessary or advisable for the collection of such loss under such other policy; and the net recovery under such other policy shall be applied, so far as necessary to the reimbursement of the amount advanced by the Administrator.

9. Where, under the terms of the Charter Party, the Administrator has a right to declare and does declare the vessel a constructive total loss as between himself and the Assured, the Assurer shall not be liable for unrepaired damage.

B. This insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses).

C. Said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this policy, is and shall be valued at the amount in accordance with the provisions of the Charter Party, referred to above.

Unless deleted or superseded by the Underwriters the following warranty shall be paramount, and shall supersede and nullify any contrary provision of the policy:

F. C. & S. CLAUSE. (1) Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking of the vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom.

(2) For the purpose of this warranty the term "consequences of hostilities or warlike operations" shall be deemed to include the following:

(a) Collision caused by failure, in compliance with wartime regulations, of the insured vessel or any vessel with which she is in collision to show the usual full peacetime navigation or anchorage lights.

(b) Stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations.

(c) Stranding caused by the failure of the insured vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime but in which the employment of a pilot is dispensed with in compliance with military, naval or other Governmental orders, or with a view to avoiding imminent enemy attack. For the purposes of this Paragraph (2) any such failure to show lights, or absence of lights, bouys, or similar peacetime aids to navigation, or failure to employ a pilot, shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land.

(d) Collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service.

(e) Stranding, collision or contact with any external substances other than water (ice included) as a result of deliberately placing the vessel in jeopardy in compliance with military, naval or other Governmental

orders in order to avoid imminent enemy attack, or as an act or measure of war taken in actual process of embarking or disembarking troops or material of war.

(3) The fact that the insured vessel or any vessel with which she is in collision is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to exclude from this policy any claim which is not excluded under the terms of Paragraph (2) above.

(4) Where by reason of any of the foregoing provisions damage sustained by the insured vessel in collision would not be payable under this policy, it is understood and agreed that liability of the assured for damage caused in such collision shall not be covered by the Collision Clause in the Policy.

(5) It is agreed for the purposes of subdivision (2) (d) above all vessels manned and operated by the Department of the Navy of the United States of America shall be treated as though designed to be employed primarily in armed combat service.

This Policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are specially referred to and made part of this policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

IN WITNESS WHEREOF, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Administrator.

Countersigned at Washington, D. C., this ____ day of _____, 19__.

Beginning the Adventure. Beginning the adventure upon the said Vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charterers, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

Notice of Accident and Survey. In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey so that they may appoint their own surveyor if they so desire. *All repairs shall be subject to the approval of the Assurer as to the extent, time and place of repairs and without limiting the foregoing* the Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

Adventures and Perils—Sue and Labor. Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, or quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting, however, such of the foregoing perils as may be excluded by provisions elsewhere in the policy or by endorsement. And in case of any Loss or Misfortune, it shall be lawful for the Assured, their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expressly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

Latent Defect and Negligence. This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers, breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots: *Provided*, Such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers, Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

Sister-Ship Salvage. And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel, belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General Average. General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision, or there be no contract of affreightment, payable in accordance with the law and Usages of the Port of New York; *Provided always*, That when an adjustment according to the laws and usages of the port of destination is properly demanded by the owners of the cargo, General Average shall be paid in accordance with same.

G. A. and S. Liability. When the contributory value of the Vessel is greater than the valuation herein, the liability of the Assurers for General Average contribution (except in respect to amount made good to the vessel) or Salvage shall not exceed that proportion of the total contribution due from the Vessel that the amount insured hereunder bears to the contributory value; and if because of damage for which the Assurers are liable as Particular Average the value of the Vessel has been reduced for the purpose of contribution, the amount of the Particular Average claim under this policy shall be deducted from the amount insured hereunder and the Assurers shall be liable only for the proportion which such net amount bears to the contributory value.

S., S. C., and S. and L. Liability. In the event of expenditure for Salvage, Salvage Charges, or under the Sue and Labor Clause, this Policy shall only be liable for its share of such proportion of the amount chargeable to the property hereby insured as the insured value, less loss and/or damage, if any, for which the Assurers are liable, bears to the value of the salved property. *Provided*, That where there are no proceeds or there are expenses in excess of the proceeds, the expenses, or the excess of the expenses, as the case may be, shall be apportioned upon the basis of the sound value of the property at the time of the accident and this policy without any deduction for loss and/or damage shall bear its pro rata share of such expenses or excess of expenses accordingly.

Average Warranty. Notwithstanding anything herein contained to the contrary, this Policy is warranted free from Particular Average under 3 percent, or less amounting to $4,850; but nevertheless when the Vessel shall have been stranded, sunk, on fire, or in collision with any other Ship or Vessel, the Assurers shall pay the damage occasioned thereby, and the expense of sighting the bottom after stranding shall be paid, if reasonably incurred, even if no damage be found.

Grounding in the Panama Canal, Suez Canal, or in the Manchester Ship Canal or its connections, or in the River Mersey above Rock Ferry Slip, or in the River Plate (above a line drawn from the North Basin, Buenos Aires, to the Mouth of the San Pedro River) or its tributaries, or in the Danube or Demerara Rivers, or on the Yenikale Bare, shall not be deemed to be a stranding.

Average payable on each valuation separately or on the whole, without deduction of thirds, new for old, whether the Average be Particular or General.

No claim shall in any case be allowed in respect of scraping or painting the Vessel's bottom.

Voyage. The Warranty and conditions as to Average under 3 percent to be applicable to each voyage as if separately insured, and a voyage shall be deemed to commence at one of the following periods to be selected by the Assured when making up the claim, viz: at any time at which the Vessel (1) begins to load cargo or (2) sails in ballast to a loading port. Such voyage shall be deemed to continue during the ensuing period until either she has made one outward and one homeward passage (including an intermediate ballast passage, if made) or has carried and discharged two cargoes, whichever may first happen, and further in either case, until she begins to load a subsequent cargo or sails in ballast for a loading port. When the Vessel sails in ballast to effect damage repair such sailing shall not be deemed to be a sailing for a loading port although she loads at the repairing port. In calculating the 3 percent above referred to, Particular Average occurring outside the period covered by this Policy may be added to Particular Average occurring within such period provided it occur upon the same voyage (as above defined), but only that portion of the claim arising within such period shall be recoverable hereon. The commencement of a voyage shall not be so fixed as to overlap another voyage on which a claim is made on this or the preceding policy.

Constructive Total Loss. No recovery for a Constructive Total Loss shall be had hereunder unless the expense of recovering and

repairing the Vessel shall exceed the insured value.

In ascertaining whether the Vessel is a Constructive Total Loss, the insured value shall be taken as the repaired value, and nothing in respect of the damaged or break-up value of the Vessel or wreck shall be taken into account.

In the event of Total or Constructive Total Loss, no claim to be made by the Assurers for freight, whether notice of abandonment has been given or not.

Unrepaired Damage. In no case shall the Assurers be liable for unrepaired damage in addition to a subsequent Total Loss sustained during the term covered by this Policy.

Full Collision—Sister-Ship Collision. And it is further agreed that if the Vessel hereby insured shall come into collision with any other ship or vessel and the Owners or Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, the Assurers will pay the Owners or Charterers such proportion of such sum or sums so paid as the Assurers' subscription hereto bears to the value of the Vessel hereby insured, provided always that their liability in respect of any one such collision shall not exceed their proportionate part of the value of the Vessel hereby insured. And in cases where the liability of the Vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, the Assurers will also pay a like proportion of the costs which the Owners or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principle of Cross-Liabilities as if the Owners or Charterers of each Vessel had been compelled to pay to the Owners or Charterers of the other of such Vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Owners or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both Vessels are the property in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two Vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of Arbitrators, one to be appointed by the Managing Owners or Charterers of both Vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. *Provided always*, that this clause shall in no case extend to any sum which the Owners or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers for injury to harbors, wharves, piers, stages and similar structures, consequent on such collision, or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury. *And provided also*, That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this Policy at the time of the Collision in question, would not be subject, nor to a greater extent than the Shipowners would be entitled in such event to recover.

WAR RISK CLAUSES

It is agreed that this insurance also covers those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained therein but which are excluded by that warranty.

This insurance, insofar as it relates to war risks, is also subject to the following warranties and additional clauses:

The Adventures and Perils Clause shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefor, floating and/or stationary mines and/or torpedoes whether derelict or not, and/or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, presumption, or confiscation by the government of the United States of America or any State or political subdivision thereof or any government which is or may become party signatory of the "United Nations Pact," promulgated on or about January 2, 1943.

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include or cover any loss, damage, or expense caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention, or loss of use.

Where, as a result of a risk or peril hereby insured against, damage sustained by the insured vessel in collision would be payable under the provisions of this policy, liability of the Assured for damage caused by such collision shall be deemed to be covered hereunder subject to the terms and provisions of the Collision Clause of this policy.

Policy No. WPI
Charter No. ____

WAR RISK PROTECTION AND INDEMNITY

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

IN CONSIDERATION OF THE STIPULATIONS herein agreed and the terms of the charter referred to above, does insure in accordance with applicable provisions of law_____ _____ Hereinafter called the Assured, in respect to the vessel called _____, in the maximum amount of $175 per gross registered ton, if the insured vessel is a dry cargo or tank vessel completed prior to January 1, 1938; *or* in the maximum amount of $250 per gross registered ton if the vessel does not come within the foregoing description or if it is a fully refrigerated vessel or seatrain: *Provided, however,* That the maximum amount of insurance hereunder with respect to any one accident or occurrence shall be the sound market value of the insured vessel on the date of the accident or occurrence plus her then pending freight, if such sound market value plus pending freight shall exceed $175 per gross registered ton, or $250 per gross registered ton, whichever figure is applicable to the insured vessel at and from_____ to the day and hour of redelivery of the vessel under, or to the termination of, the charter referred to above, whichever shall first occur, subject to the terms and conditions hereinafter set forth against liabilities as hereinafter described _____
Loss if any payable to_____

WAR RISK ONLY CLAUSES

The following War Risk only Clauses (Clauses A, B and C) shall be deemed to over-ride P. & I. Clauses (Articles 1 to 25 inclusive) wherever they may be in conflict.

CLAUSE A. This insurance covers only those liabilities which would be covered by this Policy under Articles 1 to 25 inclusive in the absence of the F. C. & S. Clause (Article 25 (d)), but which are excluded by that Clause. The Assurer agrees to indemnify the Assured against loss, damage or expense as aforesaid which the Assured shall become liable to pay and shall pay by reason of the fact that the Assured is the owner, or charterer, or the general or time charter agent or agent or berth-agent or sub-agent of the owner or charterer (mortgagee, trustee, or receiver thereof as the case may be) of the insured vessel.

CLAUSE B. The Assurer shall also indemnify the Assured against losses arising as a result of the Assured's contractual liability, or against costs incurred by the Assured at the direction or in conformity with the wishes of the War Shipping Administration or any other Governmental agency, for repatriation of the crew to a United States port, as required, resulting from capture, seizure, arrest, restraint or detainment, or the consequences thereof or of any attempt thereat, or the consequences of hostilities or warlike operations, whether before or after declaration of war.

CLAUSE C. This Policy is warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, requisition or confiscation by the Government of the United States of America, or any state or political sub-division thereunder, or any Government which is, or may become a party signatory of the "United Nations Pact" promulgated on or about January 2nd, 1942.

"P. AND I. CLAUSES"

(1) *Loss of Life, Injury and Illness.* Liability for life salvage, loss of life of, or personal injury to, or illness of, any person, not including, however, unless otherwise agreed by endorsement hereon, liability to an employee (other than a seaman) of the

assured, or in case of his death to his beneficiaries, under any compensation act. Liability hereunder shall also include burial expenses not exceeding $200, where reasonably incurred by the assured for the burial of any seaman. The term Person as aforesaid shall include any Person or Persons carried on the insured vessel.

(a) Insurance hereunder, shall cover the liability of the assured for claims under any compensation act (other than hereafter excepted) in respect of employees (i) who are members of the crew of the insured vessel, or (ii) who are placed on board the insured vessel with the intention of becoming a member of her crew, or (iii) who, in the event of the vessel being laid up and out of commission, or engaged in the upkeep, maintenance or watching of the insured vessel, or (iv) who are engaged by the insured vessel or its Master to perform stevedoring work in connection with the vessel's cargo at ports in Alaska and ports outside the Continental United States where contract stevedores are not readily available. This insurance, however, shall not be considered as a qualification under any Compensation Act, but, without diminishing in any way the liability of the Assurer under this policy, the Assured may have in effect policies covering such liabilities. All claims under such Compensation Acts for which the Assurer is liable under the terms of this policy are to be paid without regard to such other policies.

(b) Insurance hereunder shall not cover any liability under the provisions of the Act of Congress approved September 7th, 1916 and as amended, Public Act #267, Sixty Fourth Congress, known as the U. S. Employees Compensation Act.

(c) Insurance hereunder in connection with the handling of cargo for the insured vessel shall commence from the time of receipt by the Assured of the cargo on dock or wharf, or on craft alongside for loading, and shall continue until due delivery thereof from dock or wharf of discharge or until discharge from the insured vessel on to a craft alongside.

(d) Notwithstanding anything to the contrary contained in Paragraph (20), liability hereunder shall be extended to cover claims of seamen under any Workmen's Compensation Act whether the liability of the Assured for such claims arises under contract or otherwise.

(2) *Repatriation Expenses.* Liability for expenses reasonably incurred in necessarily repatriating any member of the crew or any other person employed on board the insured vessel; *provided, however, that the Assurer's liability for repatriation expenses shall be no greater than if the vessel were privately owned by an American Citizen or than if the employer were a private American Shipowner,* and that the Assured shall not be entitled to recover any such expenses incurred by reason of the expiration of the shipping agreement, other than by sea perils, or by reason of the voluntary termination of the agreement. Wages shall be included in such expenses when payable under statutory obligation during unemployment due to the wreck or loss of the insured vessel.

(3) *Collision.* Liability for loss or damage arising from collision of the insured vessel with another ship or vessel insofar as such liability is excluded from the liabilities insured under the Four-fourths Collision Clause in the American Institute Hull Form of policy: "And it is further agreed that if the vessel hereby insured shall come into collision with any other ship or vessel and the Assured or the Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, we, the Underwriters, will pay the Assured or Charterers such proportion of such sum or sums so paid as our respective subscriptions hereto bear to the value of the vessel hereby insured, provided always that our liability in respect of any one such collision shall not exceed our proportionate part of the value of the vessel hereby insured. And in no cases where the liability of the vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, we will also pay a like proportion of the costs which the Assured or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then, unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principal of Cross-Liabilities as if the Owners or Charterers of each vessel had been compelled to pay to the Owners or Charterers of the other of such vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Assured or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both vessels are the property, in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of arbitrators, one to be appointed by the Managing Owners or Charterers of both vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. Provided always that this clause shall in no case extend to any sum which the Assured or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers, for injury to harbors, wharves, piers, stages and a similar structures, consequent on such collision, or in respect of the cargo or engagement of the insured vessel, or for loss of life, or personal injury."

Provided, however, That insurance hereunder shall not extend to any liability, whether direct or indirect, in respect of the engagements of or the detention or loss of time of the insured vessel.

(a) Claims hereunder shall be settled on the principles of Cross-Liabilities to the same extent only as provided in the four-fourths Collision Clause above mentioned.

(b) Claims hereunder shall be separated among the several classes enumerated in this policy and each class shall be subject to the special conditions applicable in respect to such class.

(c) Notwithstanding the foregoing, the Assurer shall not be liable for any claims hereunder where the various liabilities resulting from such collision, or any of them, have been compromised, settled or adjusted without the written consent of the Assurer.

(4) *Damage caused otherwise than by Collision.* Liability for loss of or damage to any other vessel or craft, or to property on board such other vessel or craft caused otherwise than by collision.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(5) *Damage to Docks, Buoys, etc.* Liability for damage to any dock, pier, jetty, bridge, harbor, breakwater, structure, beacon, buoy, lighthouse, cable or to any fixed or movable object or property whatsoever, except another vessel or craft or property on another vessel or craft or on the insured vessel unless otherwise covered herein.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(b) Insurance hereunder shall cover all liabilities for said damages that the insured vessel or her owners would have if she were privately owned by an American citizen and irrespective of the ownership of any property the vessel may damage, *Provided, however,* That the rights of the Assurer shall be the same as though the vessel were privately owned.

(6) *Wreck Removal.* Liability for costs or expenses of or incidental to the removal of the wreck of the insured vessel if legally liable therefore; *Provided, however,* That:

(a) From such costs and expenses shall be deducted the value of any salvage from or which might have been recovered from the wreck inuring, or which might have inured, to the benefit of the Assured;

(b) The Assurer shall not be liable for any costs or expenses which would be covered by full insurance under the American Institute Hull form of policy, 7/1/41 issued by the American Marine Hull Insurance Syndicate;

(c) *The Assurer shall not be liable for any costs or expenses for which a private American vessel owner would not be legally liable, or for any costs or expenses from which a private American vessel owner could relieve himself by abandonment of the wreck to the United States Government or by other appropriate action.*

(7) *Cargo.* Liability for loss of or damage to or in connection with cargo or other property (except mail or parcels post), including baggage and personal effects of persons other than members of the crew, and not exceeding $100. per person, to be carried, carried or which has been carried on board the insured vessel; *Provided, however,* That no liability shall exist hereunder for:

(a) *Specie, Bullion, Jewelry, etc.* Loss, damage or expense incurred in connection with the custody, carriage or delivery of specie, bullion, precious metals, precious stones, jewelry, silks, furs, banknotes, bonds or other negotiable documents, or similar valuable property.

(b) *Refrigeration.* Loss, damage or expense arising out of or in connection with the care, custody, carriage or delivery of cargo requiring refrigeration, unless the spaces, apparatus, and means used for the care, custody and carriage thereof have been surveyed by a classification or other competent disinterested surveyor under working conditions before the commencement of each *round* voyage and found in all respects fit, and unless the Assurer has approved in writing the form of contract under which such cargo is accepted for transportation;

(c) *Deviation.* Loss, damage or expense arising from any deviation or proposed deviation, not authorized by the contract of affreightment, known to the Assured in time to assure specifically the liability therefore, unless notice thereof is given to the Assurer and the Assurer agrees, in writing, that such insurance is unnecessary. Knowledge of the United States Governmental Departments or Agencies, other than the War Shipping Administration, its General or Time Charter Agents or Berth Agents in the continental United States, shall not be considered as

knowledge of the Assured in respect to deviation or proposed deviation; furthermore, the Assured shall not be prejudiced in respect to insurance hereunder in event of delay in reporting any deviation to the Assurer due to laws or governmental regulations or practices due to military reasons.

(d) *Stowage in Improper Spaces.* Loss, damage or expense arising *with respect to under deck cargo stowed on deck or with respect to* cargo stowed in spaces not suitable for its carriage, unless the Assured shall show that every reasonable precaution has been taken by him to prevent such improper stowage;

(e) *Misdescription of Goods.* Loss, damage, or expense arising out of or as a result of the issuance of bills of lading which, to the knowledge of the Assured, improperly described the goods or their containers as to condition or quantity;

(f) Loss, damage or expense arising from issuance of clean bills of lading for goods known to be missing, unsound or damaged;

(g) Loss, damage or expense arising from the intentional issuance of bills of lading prior to receipt of the goods described therein, or covering goods not received at all;

(h) Loss, damage or expense arising from delivery of cargo without surrender of *order* bills of lading;

(i) *Freight.* Freight on cargo short-delivered, whether or not prepaid or whether or not included in the claim and paid by the Assured: *And provided further* That:

(j) Liability hereunder shall in no event exceed that which would be imposed by law in the absence of contract;

(k) *Protective Clauses Required in Contract of Affreightment.* Liability hereunder shall be limited to such as would exist if the charter party, bill of lading, or contract of affreightment contained (i) a negligence general average clause in the form hereinafter specified under paragraph (12); (ii) a clause providing that any provision of the charter party, bill of lading, or contract of affreightment to the contrary notwithstanding, the Assured and the insured vessel shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner of vessels by any statute or rule of law for the time being in force; (iii) such clauses, if any, as are required by law to be stated therein; (iv) and such other protective clauses as are *generally* in use in the particular trade;

(l) *Carriage of Goods by Sea Act.* When cargo carried by the insured vessel is under a bill of lading or similar document of title subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as is imposed by said Act or law, and if the Assured or the insured vessel assumes any greater liability or obligation, either in respect of the valuation of the cargo or in any other respect, then the minimum liabilities and obligations imposed by said Act or law, such greater liability or obligation shall not be covered hereunder;

(m) *Limit of $500 per Package.* When cargo carried by the insured vessel is under a charter party, bill of lading, or contract of affreightment not subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country or similar import, liability hereunder shall be limited to such as would exist if said charter party, bill of lading, or contract of affreightment contained a clause exempting the Assured and the insured vessel from liability for losses arising from unseaworthiness provided that due diligence shall have been exercised to make the vessel seaworthy and properly manned, equipped and supplied, and a clause limiting the Assured's liability for total loss or damage to goods shipped to $500 per package, or in case of goods not shipped in packages, per customary freight unit, and providing for pro rata adjustment on such basis for partial loss or damage. The provisions of clauses (k), (l) and (m) herein may, however, be waived or altered by the Assurer on terms agreed, in writing.

(n) *Oral Contract.* In the event cargo is carried under an arrangement not reduced to writing, such cargo shall be deemed to be carried under a charter party, bill of lading, or contract of affreightment incorporating the terms and conditions of the War Shipping Administration uniform bill of lading in the present form as published in Vol. 7, No. 134, p. 5246–5251 of the FEDERAL REGISTER or as modified by the War Shipping Administration;

(o) *Assured's.* Where cargo on board the insured vessel is the property of the Assured, such cargo shall be deemed to be carried under a contract containing the protective clauses described in clauses (k), (l) and (m) herein; and such cargo shall be deemed to be fully insured under the usual form of cargo policy, and in case of loss of or damage to such cargo the Assured shall be insured hereunder in respect of such loss or damage only to the extent that he would have been if the cargo had belonged to another, but only in the event and to the extent that the loss or damage would not be recoverable from marine insurers under a cargo policy as above specified;

(p) *Land Transportation.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo being transported on land or on another vessel;

(q) *Cargo on Dock.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo before loading on or after discharge from the insured vessel caused by flood, tide, windstorm, earthquake, fire, explosion, heat, cold, deterioration, collapse of wharf, leaky shed, theft or pilferage unless such loss, damage or expense is caused directly by the insured vessel, her master, officers or crew;

(8) *Fines and Penalties.* Liability for fines and penalties for the violation of any laws of the United States, or of any state thereof, or of any foreign country: *Provided, however,* That the Assurer shall not be liable to indemnify the Assured against any such fines or penalties resulting directly or indirectly from the failure, neglect or fault of the Assured or its managing officers to exercise the highest degree of diligence to prevent a violation of any such laws.

(9) *Mutiny Misconduct.* Liability for expenses incurred in resisting any unfounded claim by the master or crew or other persons employed on board the insured vessel, or in prosecuting such persons or persons in case of mutiny or other misconduct; not including, however, *costs which would not reasonably be incurred by a private American vessel owner under similar circumstances, nor* costs of successfully defending claims elsewhere protected in this policy.

(10) *Quarantine Expenses.* Liability for extraordinary expenses, incurred in consequence of the outbreak of plague or other disease on the insured vessel, for disinfection of the vessel or of persons on board, or for quarantine expenses, not being the ordinary expenses of loading or discharging, nor the wages or provisions of crew or passengers: *Provided, however,* That no liability shall exist hereunder if the vessel be ordered to proceed to a port where it is known that she will be subjected to quarantine:

(11) *Putting in Expenses.* Liability for port charges incurred solely for the purpose of putting in to land an injured or sick seaman, and the net loss to the Assured in respect of bunkers, insurance stores and provisions as the result of the deviation.

(12) *Cargo's Propn. G/A.* Liability for Cargo's proportion of General Average, including special charges, so far as the Assured cannot recover the same from any other source: *Provided, however,* That if the charter party, bill of lading or contract of affreightment does not contain the negligence general average clause quoted below, the Assurer's liability hereunder shall be limited to such as would exist if such clause were contained therein, viz.:

Negligence G/A. Clause. "In the event of accident, danger, damage or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers."

(13) *Expenses and Law Costs.* Liability for costs, charges and expenses reasonably incurred and paid by the Assured in connection with any liability insured under this policy, provided that the Assured shall not be entitled to indemnity for the cost or expense of prosecuting or defending any claim or suit unless the same shall have been incurred with the approval in writing of the Assurer, or the Assurer shall be satisfied that such approval could not have been obtained under the circumstances without unreasonable delay, or that the expenses were reasonably and properly incurred. The cost and expense of prosecuting any claim in which the Assurer shall have an interest by subrogation or otherwise, shall be divided between the Assured and the Assurer, in proportion to the amounts which they would have been entitled to receive respectively, if the suit should be successful.

(14) If the master of the insured vessel shall be sued by reason of any event which imposes on the Assured a liability against which the Assured is indemnified under this policy, the Assured will pay the costs and expenses of the defense of such suit subject to the provisions of paragraph (13), and will indemnify the master of such vessel to the same extent as though he were an assured under this policy: *Provided, however,* That the Assurer shall not be liable to indemnify the master in excess of the amount (a) for which the owner of said vessel would have been liable, or to which such owner could have limited liability, if such owner has been sued instead of the master, or (b) for which the Assurer would be liable under this policy had the suit been brought against the owner of the vessel.

(15) Expenses which the Assured may incur under authorization of the Assurer in the interest of the Assurer.

GENERAL CONDITIONS AND LIMITATIONS

(16) *Prompt Notice of Claim.* In the event of any happening which may result in loss, damage or expense for which the Assurer may become liable, prompt notice thereof, on being known to the Assured, shall be given by the Assured to the Assurer, but failure to give such prompt notice because of wartime emergency conditions shall not prejudice this insurance.

The Assurer shall not be liable for any claim not presented to the Assurer with proper proofs of loss within twelve (12) months after payment by the Assured.

(17) *Time for Suit.* In no event shall suit on any claim be maintainable against the

Assurer unless commenced within eighteen (18) months after the loss, damage or expenses resulting from liabilities, risks, events, occurrences and expenditures specified under this policy shall have been paid by the Assured.

(18) *Settlement of Claims.* The Assured shall not make any admission of liability, either before or after any occurrence which may result in a claim for which the Assurer may be liable. The Assured shall not interfere in any negotiations of the Assurer for settlement of any legal proceedings in respect of any occurrences for which the Assurer is liable under this policy: *Provided, however,* That in respect of any occurrence likely to give rise to a claim under this Policy, the Assured is obligated to and shall take such steps to protect his and the Assurer's interests as would reasonably be taken in the absence of this or similar insurance. If the Assured shall fail or refuse to settle any claim as authorized by Assurer, the liability of the Assurer to the Assured shall be limited to the amount for which settlement could have been made.

(19) *Defense of Claims.* Whenever required by the Assurer, the Assured shall aid in securing information and evidence, *subject to any governmental limitations as to the confidential character of* such information or evidence, and in obtaining witnesses and shall cooperate with the Assurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

(20) *Assumed Contractual Liability.* Unless otherwise agreed by endorsement hereon, the Assurer's liability shall in no event exceed that which would be imposed on the Assured by law in the absence of contract: *Provided, however,* That the acceptance by the Assured of towage contract or agreement limiting the liability of towboats or their owners shall not affect the Assured's right of indemnity from the Assurer for any liability, loss, damage or expense covered under this policy.

(21) *Assignment.* No claim or demand against the Assurer shall be assigned or transferred, and no person, other than a receiver of the property or the estate of the Assured, shall acquire any right against the Assurer without the express consent of the Assurer: *Provided, however,* That this shall not affect the rights of any assignee under an assignment made by virtue of any governmental order or decree, in which event such assignee shall have and possess all of the rights of its predecessor in assignment.

(22) *Subrogation.* The Assurer shall be subrogated to all the rights which the Assured may have against any other person or entity, in respect of any payment made under this policy, to the extent of such payment, and the Assured shall, upon the request of the Assurer, execute all documents necessary to secure to the Assurer such rights.

(23) *Double Insurance.* The Assurer shall not be liable for any loss or damage against which, but for the insurance hereunder, the Assured is or would be insured under existing insurance excepting as provided in Paragraph (4) (a) hereof.

(24) *Limitation of Liability.* If and when the Assured under this policy has any interest other than as an owner or *bareboat charterer* of the insured vessel, in no event shall the Assurer be liable hereunder to any greater extent than if such Assured were the owner or *bareboat charterer* and were entitled to all the rights of limitation to which a shipowner is entitled.

(25) Notwithstanding anything to the contrary contained in this policy, the Assurer shall not be liable for any loss, damage, or expense sustained, directly or indirectly, by reason of:

(a) Loss, damage or expense to hull, machinery, equipment or fittings of the insured vessel, including refrigerating apparatus and wireless equipment, whether or not owned by the Assured;

(b) Cancelment or breach of any charter or contract, detention of the vessel, bad debts, insolvency, fraud of agents, loss of freight, passage money, hire, demurrage, or any other loss of revenue;

(c) Any loss, damage, sacrifice, or expense which would be payable under the terms of the American Institute Hull form of policy, 7/1/44 issued by the America Marine Hull Insurance Syndicate on hull, machinery, etc., whether or not the insured vessel is fully covered by insurance sufficient in amount to pay such loss, damage, sacrifice or expense.

(d) Capture, seizure, arrest, restraint or detainment, or the consequences thereof, or of any attempt thereat, or the consequences of hostilities or war-like operations, whether before or after the declaration of war;

(e) The insured vessel towing any other vessel or craft, unless such towage was to assist such other vessel or craft in distress to a port or place of safety: *Provided, however,* That this exception shall not apply to claims covered under paragraph (1) of this policy.

(f) For any claim for loss of life, personal injury or illness in relation to the handling of cargo where such claim arises under a contract of indemnity between the Assured and his sub-contractor.

In witness whereof, the War Shipping Administration has caused this policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Countersigned at Washington, D. C., this ---------- day of ----------, 19---.

E. S. LAND,
Administrator.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

AUGUST 5, 1944.

[F. R. Doc. 44-11842; Filed, August 8, 1944; 10:56 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[2d Rev. S. O. 210]

PART 95—CAR SERVICE

ICING AND REICING OF FRUITS AND VEGETABLES IN DESIGNATED SOUTHERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of July, A. D. 1944.

It appearing, that there is an acute shortage of ice in the South which is adversely affecting the movement of fruits and vegetables in refrigerator cars originating in the States of Alabama, Florida, Georgia, Kentucky, Mississippi, Louisiana (east of the Mississippi River), North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, resulting in congestion of traffic; in the opinion of the Commission an emergency exists requiring immediate action: It is ordered, That:

Half-stage icing—(a) (1) *Definition.* The term half-stage icing as used herein means using only the upper halves of the bunkers of refrigerator cars for carrying ice, this being accomplished by setting the ice grates at a point approximately midway between the bottom and top of the bunkers.

(a) (2) *Furnishing refrigerator cars equipped for half-stage icing for loading with Florida citrus.* When refrigerator cars equipped for half-stage icing are available at the point of origin when shipment is ordered to be initially iced after loading, and at the icing station where cars are to be initially iced when initial icing is ordered prior to loading, and the railroads can so furnish refrigerator cars equipped for half-stage icing without additional switching service in excess of that normally required for initial icing, all common carriers by railroad subject to the Interstate Commerce Act operating in the State of Florida, in complying with a shipper's order for a refrigerator car, shall give priority to the furnishing of and shall furnish refrigerator cars equipped for half-stage icing for loading with citrus fruit originating in the State of Florida, and shall furnish refrigerator cars not equipped for half-stage icing only when cars so equipped are not available as specified in this paragraph.

(a) (3) *Carriers required to furnish half-stage icing service on refrigerator cars equipped for half-stage icing.* No common carriers by railroad subject to the Interstate Commerce Act shall permit, accord or authorize other than half-stage icing service on any refrigerator car equipped for half-stage icing, ordered for loading with, or loaded with citrus fruit originating in the State of Florida when available and furnished in accordance with the provisions of paragraph (a) (2).

(b) *Icing and reicing on fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating in the States of Alabama, Florida, Georgia, Kentucky, Mississippi, Louisiana (east of the Mississippi River), South Carolina, North Carolina, Tennessee, Virginia, or West Virginia, shall initially ice or reice, or allow or permit initial icing or reicing, with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity. This paragraph shall have no application on cars restricted to half-stage icing under the provisions of paragraphs (a) (2) and (3).

(c) *Application.* The provisions of this order shall apply only to shipments billed on and after the effective date of this order originating in the States listed in paragraph (b) hereof, except that when a shipment has been unloaded under a transit arrangement the provisions of this order shall apply to such shipment if billed at the transit point on or after the effective date of this order.

(d) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected thereby, in

substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., July 23, 1944, and shall supersede Revised Service Order No. 210 on the effective date hereof; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-11906; Filed, August 9, 1944; 11:32 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838, Amdt. 3]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Section 401.2 of Order No. 1838; Amendment No. 2 of the Secretary of the Interior, issued June 23, 1944 (9 F.R. 7171), is amended by inserting at the end of paragraph (t) the following:

The foregoing provisions of this paragraph concerning the requirement of permits are subject to the following exceptions.

(1) Any pilchard vessel which has been chartered prior to July 23, 1944 for use in Alaskan waters as a salmon cannery tender or salmon packer or has been used for transporting salmon during any part of the month of July 1944, may continue operations necessary in the salmon industry pursuant to the terms of the charter, without obtaining a permit, from July 23, 1944 until that charter expires.

(2) Any pilchard vessel which has been used in fishing for herring in Alaskan waters during any part of the month of July 1944 may continue operations in that fishery without obtaining a permit from July 23, 1944 to September 30, 1944, but not beyond the end of the herring fishing season in any district where the vessel shall be fishing.

Issued this 4th day of August 1944.

HAROLD L. ICKES, *Secretary of the Interior.*

[F. R. Doc. 44-11883; Filed, August 9, 1944; 10:12 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs.

WIND RIVER RESERVATION, WYOMING

ORDER OF RESTORATION

Whereas, pursuant to the provisions of the Act of March 3, 1905 (33 Stat. 1016), the Shoshone-Arapahoe Tribes of Indians in Wyoming ceded to the United States a large area of their reservation in the State of Wyoming, established under the Treaty of July 3, 1868 (15 Stat. 673), and

Whereas, within twenty-one land use districts there are certain undisposed-of ceded or "opened" lands described as follows:

WIND RIVER MERIDIAN

LAND USE DISTRICT NO. 1

Description	*Acreage*
T. 5 N., R. 2 W.,	
Secs. 1 to 17, inclusive	10,874.88
Sec. 18, E½, E½W½	480.00
Sec. 19, SE¼	160.00
Secs. 20 to 28, inclusive	5,760.00
Sec. 29, E½, E½W½	480.00
Sec. 32	640.00
Sec. 33, N½	320.00
Sec. 34, N½	320.00
Sec. 35, N½	320.00
Sec. 36, N½	320.00
T. 5 N., R. 3 W.,	
Sec. 1, lots 1, 2, 3, 4, S½N½, SE¼, N½SW¼	560.57
Sec. 2, lot 1	40.32
Sec. 12, E½	320.00
T. 6 N., R. 1 W.,	
Sec. 6, lots 3, 4, 5, 6, 7, SE¼NW¼, E½SW¼	249.16
Sec. 7, lots 1, 2, 3, 4	234.68
Sec. 18, lots 1, 2	117.68
T. 6 N., R. 2 W.,	
Secs. 2 to 33, inclusive	20,549.30
Sec. 34, NE¼, N½NW¼, SW¼NW¼, NW¼SW¼, S½SW¼, S½SE¼, NE¼SE¼	520.00
Secs. 35 and 36	1,275.68
T. 6 N., R. 3 W.,	
Sec. 1	600.20
Sec. 2, lots 1, 2, 3, S½NE¼, NE¼SE¼	210.52
Sec. 11, S½SE¼	80.00
Sec. 12, NE¼, NE¼NW¼, NE¼SE¼	240.00
Sec. 13	640.00
Sec. 14, E½, SW¼, E½NW¼, SW¼NW¼	600.00
Sec. 15, E½SE¼	80.00
Sec. 22, E½NE¼	80.00
Sec. 23, N½, SE¼, E½SW¼, NW¼SW¼	600.00
Secs. 24 and 25	1,280.00
Sec. 26, E½, E½W½	480.00
Sec. 35, E½	320.00
Sec. 36	640.00
T. 7 N., R. 1 W.,	
Sec. 31, lots 3, 4, E½SW¼	154.47
T. 7 N., R. 2 W.,	
Secs. 19 to 21, inclusive	1,908.56
Sec. 22, S½N½, S½	480.00
Sec. 23, S½, S½N½	480.00
Sec. 24, W½SW¼, SE¼SW¼	120.00
Secs. 25 to 34, inclusive	6,380.64
Sec. 35, NW¼NW¼, NE¼NE¼, S½	400.00
Sec. 36, N½NW¼, SE¼NW¼, NE¼, N½SE¼, SE¼SE¼	400.00
T. 7 N., R. 3 W.,	
Secs. 1 to 4, inclusive	2,554.56
Sec. 5, lots 2, 3, 4, S½NW¼, SW¼NE¼, SW¼, W½SE¼, SE¼SE¼	519.54
Sec. 6, lots 1, 2, 3, 4, 5, SE¼NW¼, S½NE¼, SE¼	469.05
Sec. 7, SE¼SE¼	40.00
Sec. 8	640.00
Sec. 9, N½, SE¼, N½SW¼, SW¼SW¼	600.00
Sec. 10	640.00
Sec. 11, W½, W½E½, NE¼NE¼, SE¼SE¼	560.00
Sec. 12, N½, S½SW¼, NW¼SE¼	440.00
Sec. 13, W½, SE¼, SW¼NE¼	520.00
Secs. 14 and 15	1,280.00
Sec. 16, E½, W½W½, SE¼SW¼	520.00
Sec. 17, E½, NW¼	480.00
Sec. 21, N½, SE¼, E½SW¼	560.00
Sec. 22, N½, SE¼, E½SW¼	560.00
Secs. 23 to 26, inclusive	2,560.00
Sec. 27, E½, E½NW¼, SW¼	560.00
Sec. 28, NE¼, E½NW¼, N½SE¼, SE¼SE¼	360.00
Sec. 34, NE¼, N½NW¼, E½SE¼	320.00
Secs. 35 and 36	1,280.00
T. 7 N., R. 4 W.,	
Sec. 1, lots 1, 2, S½NE¼	160.05
T. 8 N., R. 3 W.,	
Sec. 6, lot 1	55.80
Sec. 7, lots 3, 4, E½NW¼	145.16
Sec. 30, lots 3, 4, E½SW¼	147.20
Sec. 31	615.56
Sec. 32, W½, SE¼	480.00
T. 8 N., R. 4 W.,	
Sec. 1	460.57
Secs. 2 to 4, inclusive	1,920.92
Sec. 5, lots 1, 2, S½NE¼, SE¼	320.39
Sec. 9, N½	320.00
Secs. 10 and 11	1,280.00
Sec. 12, W½, NE¼	480.00
Sec. 14, W½	320.00
Sec. 15, E½	320.00
Sec. 22, E½	320.00
Sec. 23	640.00
Sec. 24, SW¼	160.00
Secs. 25 and 26	1,280.00
Sec. 27, E½	320.00
Sec. 34, N½, N½S½	480.00
Secs. 35 and 36	1,280.00
T. 9 N., R. 4 W.,	
Secs. 15 to 17, inclusive	249.25
Sec. 20	541.22
Sec. 21	640.00
Secs. 22, 23 and 26	666.43
Secs. 27 to 29, inclusive	1,920.00
Secs. 32 to 34, inclusive	1,920.00
Secs. 35 and 36	511.23

LAND USE DISTRICT NO. 8

T. 5 N., R. 2 W.,	
Sec. 19, lots 3, 4, E½SW¼	159.24
T. 5 N., R. 3 W.,	
Sec. 2, lots 3, 4, S½NW¼, SW¼, W½SE¼, SE¼SE¼	440.74
Secs. 3 to 11, inclusive	5,747.50
Sec. 12, W½NW¼, SW¼	240.00
Secs. 13 to 24, inclusive	7,675.00
T. 5 N., R. 4 W.,	
Secs. 1 and 2	1,275.76
Sec. 3, lots 1, 2, S½NE¼, NE¼SE¼	198.92

Description	Acreage
T. 5 N., R. 4 W.—Continued.	
Secs. 11 to 13, inclusive	1,920.00
Sec. 14, E½, E½NW¼, NE¼SW¼	440.00
Sec. 23, NE¼	160.00
Sec. 24	640.00
T. 6 N., R. 3 W.,	
Sec. 3, lots 2, 3, 4, S½NW¼, S½NE¼, S½	371.46
Secs. 4 and 5	1,208.96
Sec. 6, lots 1 to 7, inclusive, SE¼ NE¼, SE¼NW¼, E½SW¼, E½SE¼	498.51
Sec. 7, lots 1, 2, 3, 4, E½W½, E½NE¼, SW¼NE¼, NE¼ SE¼	481.68
Sec. 8	640.00
Sec. 9, N½, SE¼, N½SW¼, SE¼ SW¼	600.00
Sec. 10	640.00
Sec. 11, W½NW¼, NW¼SW¼	120.00
Sec. 15, W½NE¼, N½NW¼, SW¼SW¼, NW¼SE¼	240.00
Sec. 16, NE¼NE¼, SW¼NW¼, S½	440.00
Sec. 17, S½N½, S½	480.00
Sec. 18, lots 1, 2, 3, 4, E½W½, W½NE¼, SE¼NE¼, SE¼	602.34
Secs. 19 and 20	1,281.92
Sec. 21, W½W½, NE¼NW¼, SE¼SW¼, S½SE¼, NE¼	480.00
Sec. 22, W½, SW¼SE¼	360.00
Sec. 27, W½NE¼, SE¼NE¼, SE¼, W½	600.00
Secs. 28 to 34, inclusive	4,485.86
Sec. 35, W½SW¼	640.00
T. 6 N., R. 4 W.,	
Secs. 1 to 3, inclusive	1,919.44
Secs. 10 to 15, inclusive	3,840.00
Secs. 22 to 27, inclusive	3,840.00
Sec. 34, N½, SE¼, E½SW¼	560.00
Secs. 35 and 36	1,280.00
T. 7 N., R. 3 W.,	Acreage
Sec. 6, lots 6, 7, E½SW¼	148.80
Sec. 7, lots 1, 2, 3, 4, SW¼NE¼, W½SE¼, E½W½	418.08
Sec. 17, SW¼	160.00
Secs. 19 and 20	1,218.72
Sec. 28, W½SW¼	80.00
Sec. 29	640.00
Sec. 30, lots 1, 2, 3, E½ lot 4, E½W½, E½	601.86
Sec. 31, lots 2, 3, 4, NE¼NW¼, SE¼SW¼, S½NE¼SW¼, NW¼NE¼SW¼, NE¼, E½SE¼, SW¼SE¼, S½NW¼SE¼, NE¼NW¼SE¼	524.70
Sec. 32	640.00
Sec. 33, W½, SE¼, SW¼NE¼	520.00
Sec. 34, W½SW¼, SE¼SW¼	120.00
T. 7 N., R. 4 W.,	
Sec. 1, lots 3, 4, S½NW¼, S½	480.15
Secs. 2 and 3	1,281.32
Secs. 5 to 7, inclusive	1,899.92
Sec. 8, S½	320.00
Sec. 10, N½, SE¼, N½SW¼, SE¼SW¼	600.00
Secs. 11 and 12	1,280.00
Sec. 13, N½, SW¼SE¼, SE¼-SW¼	400.00
Sec. 14, N½	320.00
Sec. 15, E½, SW¼, S½NW¼, NE¼NW¼	600.00
Sec. 16	640.00
Sec. 18, lots 1, 2, E½NW¼, NE¼	195.41
Sec. 19, NE¼NW¼, N½NE¼, SE¼NE¼	160.00
Sec. 20, SE¼NE¼, SE¼	200.00
Sec. 21, SW¼NW¼	40.00
Sec. 22, S½NW¼, NE¼SW¼, NW¼SE¼	160.00
Secs. 23 and 24	1,280.00
Sec. 25, N½NE¼, E½SE¼NE¼, N½NW¼, SW¼NW¼, SW¼, W½SE¼, W½SE¼SE¼	460.00
Secs. 26 to 28, inclusive	1,920.00
Sec. 29, E½	320.00
Sec. 33, E½NW¼, W½NE¼, NW¼SE¼, S½SE¼	280.00
Secs. 34 to 36, inclusive	1,920.00

Description	Acreage
T. 7 N., R. 5 W.,	
Secs. 1 and 12	1,281.20
Sec. 13, N½	320.00
T. 8 N., R. 4 W.,	
Sec. 5, lots 2, 3, S½NW¼, SW¼-SE¼	200.34
Secs. 6 to 8, inclusive	1,869.95
Sec. 9, S½	320.00
Sec. 15, W½	320.00
Secs. 16 to 21, inclusive	3,813.96
Sec. 22, W½	320.00
Sec. 27, W½	320.00
Secs. 28 to 32, inclusive	2,176.08
Sec. 34, S½S½	160.00
T. 9 N., R. 4 W.,	
Sec. 19	67.85
Sec. 30	348.79
Sec. 31	639.20
T. 6 N., R. 5 W.,	
Sec. 1	640.48
Sec. 2	598.68
Secs. 12 and 13	1,280.00
Sec. 24, E½	320.00
Sec. 25, NE¼, E½	480.00
Sec. 36	640.00
T. 9 N., R. 5 W.,	
Secs. 25, 36 and 35	704.16
LAND USE DISTRICT NO. 7	
T. 5 N., R. 6 W.,	
Sec. 1	640.48
Sec. 2, lots 1, 2, 3, 4, 6, 7, 10, S½NE¼, SE¼	384.03
Sec. 3, lots 1 to 5, inclusive	110.51
Sec. 11, lots 1, 4, 5, NE¼, N½SE¼, SE¼SE¼	389.52
Sec. 12, lots 1, 2, N½, SW¼, W½SE¼	584.19
Sec. 13, lots 1, 2 and 3	59.16
T. 6 N., R. 5 W.,	
Sec. 3, lot 1, SW¼SE¼	80.04
Secs. 4 to 9, inclusive	3,810.96
Sec. 10, NW¼NE¼	40.00
Sec. 14, S½	320.00
Secs. 15 to 18, inclusive	2,547.52
T. 6 N., R. 6 W.,	
Secs. 1 and 2	1,280.56
Sec. 3, lots 1, 2, 3, 4, S½NE¼, SE¼	277.96
Secs. 11 to 14, inclusive	2,560.00
Sec. 15, SE¼, E½SW¼	240.00
Sec. 34, lots 2, 3 and 4, NE¼-NW¼, NE¼SW¼, E½	518.43
Secs. 35 and 36	1,280.00
T. 7 N., R. 5 W.,	
Sec. 8, lot 4, SE¼NW¼, S½-NE¼, S½	477.20
Sec. 6	138.95
Sec. 7, E½, SE¼NW¼, E½SW¼-SE¼	440.00
Sec. 8	640.00
Sec. 9, S½	320.00
Sec. 10, S½	320.00
Secs. 15 to 17, inclusive	1,920.00
Sec. 18, E½, E½W½	480.00
Sec. 19, E½, E½W½	480.00
Secs. 20 and 21	1,280.00
Sec. 22, N½, W½SW¼	400.00
Sec. 27, NW¼NW¼, S½	360.00
Sec. 28, N½, SW¼, W½SE¼, SE¼SE¼	600.00
Sec. 29	640.00
Sec. 30, E½, E½W½	480.00
Sec. 31, E½, E½W½	480.00
Secs. 32 to 34, inclusive	1,920.00
LAND USE DISTRICT NO. 8	
T. 7 N., R. 5 W.,	
Sec. 5, lots 1, 2 and 3	137.63
T. 8 N., R. 5 W.,	
Sec. 32, lots 2, 3 and 4, S½NE¼, SE¼	342.48
LAND USE DISTRICT NO. 11	
T. 5 N., R. 4 W.,	
Sec. 3, SW¼NW¼, W½SW¼, SE¼SW¼	160.00
Secs. 4 and 5	1,276.96
Sec. 6, lots 1 and 2, S½NE¼	159.59
Sec. 9	640.00
Sec. 10, W½, W½SE¼	400.00

Description	Acreage
T. 6 N., R. 4 W.,	
Secs. 4 and 5	1,277.56
Sec. 6, lots 1 to 7, inclusive, SE¼NW¼, S½NE¼, E½SW¼, W½SE¼	551.12
Sec. 7, lots 1 and 2, E½NW¼, W½NE¼	235.36
Sec. 8, N½SE¼	80.00
Sec. 9, S½	320.00
Sec. 16, E½W½, SW¼SW¼	200.00
Sec. 18, lots 3 and 4, E½SW¼, SE¼	316.26
Sec. 19	633.44
Sec. 20, W½SW¼, SE¼SW¼, SW¼SE¼	160.00
Sec. 21, N½NW¼, SE¼NW¼, NE¼SW¼, E½	480.00
Sec. 28, W½NW¼, SW¼	240.00
Sec. 29, N½NE¼, SW¼NE¼, SW¼SE¼, W½	480.00
Secs. 30 to 32, inclusive	1,909.44
Sec. 33, W½, W½SE¼, SE¼ SE¼	440.00
T. 6 N., R. 5 W.,	
Secs. 1 and 2	1,280.56
Sec. 10, E½NE¼	80.00
Sec. 11, N½	320.00
Secs. 12 and 13	1,280.00
Sec. 23, NE¼	160.00
Sec. 24	640.00
Sec. 25, E½	320.00
Sec. 36	160.00
T. 7 N., R. 4 W.,	
Sec. 19, lots 3 and 4, E½SW¼, SE¼	315.65
Sec. 20, SW¼	160.00
Sec. 29, W½	320.00
Secs. 30 to 32, inclusive	1,904.04
Sec. 33, W½NW¼, SW¼	240.00
T. 7 N., R. 5 W.,	
Sec. 23, E½SW¼, SE¼, SE¼ NE¼	280.00
Secs. 24 to 26, inclusive	1,920.00
Secs. 35 and 36	1,280.00
LAND USE DISTRICT NO. 13	
T. 4 N., R. 3 W.,	
Sec. 1, lots 1 to 4, inclusive, S½N½	336.80
Sec. 2, lots 1 to 4, inclusive, S½N½	337.13
Sec. 4, lots 1 to 4, inclusive, S½N½	338.17
Sec. 5, lots 1 to 4, inclusive, S½N½, N½S½, SE¼SW¼, SE¼	619.15
Sec. 6, lots 1, 8, 6 and 7, E½SW¼, SW¼SE¼	276.37
Sec. 7, lot 1, NE¼NW¼	75.51
Sec. 8, E½	320.00
Sec. 9, S½	320.00
Sec. 15, S½	320.00
Sec. 16	640.00
Sec. 17, E½NE¼	80.00
T. 4 N., R. 4 W.,	
Sec. 1, lots 1 to 5, inclusive, SE¼NW¼, S½NE¼, N½SE¼, NE¼SW¼	454.43
Sec. 2, lots 1 and 2	63.82
T. 5 N., R. 2 W.,	
Sec. 30, lots 1 and 2, E½NW¼, W½NE¼	239.29
T. 5 N., R. 3 W.,	
Secs. 25 to 30, inclusive	3,836.80
Sec. 31, lot 1, E½NW¼, E½	439.87
Secs. 32 to 36, inclusive	3,200.00
T. 5 N., R. 4 W.,	
Sec. 6, lots 3 to 7, inclusive, SE¼NW¼, E½SW¼, SE¼	475.06
Secs. 7 and 8	1,277.16
Sec. 14, SW¼SW¼	40.00
Sec. 15, W½NE¼, SE¼, W½	560.00
Secs. 16 and 17	1,280.00
Sec. 18, lots 1 and 2, E½NW¼, NE¼SW¼, E½	518.77
Sec. 19, NE¼, N½SE¼	240.00
Sec. 20, N½, SE¼, E½SW¼, NW¼SW¼	600.00
Secs. 21 and 22	1,280.00
Sec. 23, W½NW¼	80.00

Description	Acreage
T. 5 N., R. 4 W.—Continued.	
Sec. 25, N½, N½SE¼	400.00
Sec. 26, S½	320.00
Sec. 27, N½, SE¼, E½SW¼, NW¼SW¼	600.00
Sec. 28, NE¼, E½NW¼, NW¼NW¼	360.00
Sec. 34, N½NE¼	80.00
Sec. 35, lot 3, SE¼SE¼, N½SE¼, NE¼SW¼, N½	513.70
Sec. 36, W½, SE¼, SW¼NE¼	520.00
T. 5 N., R. 5 W.,	
Secs. 1 and 2	1,280.68
Sec. 3, lots 1, 2, 3, 4 and 6, S½N½, N½SW¼, SE¼	600.85
Sec. 10, lot 1	40.00
Sec. 11, N½, SE¼, NE¼SW¼	520.00
Sec. 12	640.00
T. 6 N., R. 5 W.,	
Sec. 22	640.00
Sec. 23, W½, SE¼	480.00
Sec. 25, W½	320.00
Secs. 26 and 27	1,280.00
Secs. 34 and 35	1,280.00
Sec. 36, W½, SE¼	480.00
LAND USE DISTRICT NO. 14	
T. 5 N., R. 1 W.,	
Sec. 1, lots 1 to 4, inclusive, S½N½	219.16
T. 6 N., R. 1 W.,	
Sec. 1, lots 1 and 2, S½NE¼, SE¼, E½SW¼	418.61
Sec. 12, NE¼, NE¼NW¼, W½SW¼, SE¼	440.00
Sec. 13, N½NE¼, SW¼NE¼, W½, W½SE¼, SE¼SE¼	560.00
Sec. 14, S½S½	160.00
Secs. 23 to 25, inclusive	1,920.00
Sec. 26, E½	320.00
Sec. 36	640.00
T. 5 N., R. 1 E.,	
Sec. 5, lots 1 to 4, inclusive, S½N½	318.32
Sec. 6, lots 1 to 7, inclusive, S½NE¼, SE¼NW¼, E½SW¼	474.44
Sec. 7, lots 1 and 2, E½NW¼	157.69
T. 6 N., R. 1 E.,	
Sec. 2, lots 1 to 4, inclusive, S½NW¼, SW¼NE¼, W½SE¼, SW¼	520.72
Sec. 3, lots 1, 2 and 4, SW¼NW¼, S½NE¼, N½SE¼, SE¼SE¼, W½SW¼	440.06
Sec. 4	640.24
Sec. 5, lots 2, 3 and 4, S½NW¼, SW¼NE¼, S½	560.53
Secs. 6 to 8, inclusive	1,902.88
Sec. 9, W½	320.00
Sec. 16, W½NW¼	80.00
Sec. 17, NE¼, N½NW¼, SW¼NW¼, W½SW¼, E½SE¼	440.00
Sec. 18, lots 1, 2 and 4, SE¼SW¼, E½NW¼, E½	552.86
Sec. 19	630.88
Sec. 20, S½, E½NE¼, SE¼NW¼, W½NW¼	520.00
Sec. 29, N½N½, SW¼NW¼, SE¼NE¼, SW¼, S½SE¼	480.00
Secs. 30 to 32, inclusive	1,907.97
Sec. 14, N½, N½SW¼, SW¼ SW¼, SE¼SE¼	480.00
Sec. 15, E½	320.00
Sec. 22, E½	320.00
Sec. 23, W½NW¼, SE¼NW¼, NE¼, S½	600.00
Sec. 26	640.00
Sec. 27, E½, SW¼	480.00
Sec. 28, S½	320.00
Sec. 29, S½, S½NW¼	400.00
Secs. 30 and 31	1,264.56
Sec. 32, W½, NE¼, W½SE¼	560.00
Sec. 33	640.00
Sec. 34, N½, SE¼, N½SW¼, SW¼SW¼	600.00
Sec. 35	640.00
T. 5 N., R. 1 E.,	
Secs. 1 and 2	1,279.44
Sec. 3, lots 3 and 4, S½NW¼, S½	480.31
Sec. 4	629.28

Description	Acreage
LAND USE DISTRICT NO. 16	
T. 5 N., R. 1 E.—Continued.	
Sec. 5, S½	320.00
Sec. 6, SE¼	160.00
Sec. 7, NE¼	160.00
Secs. 8 to 10, inclusive	1,920.00
Sec. 11, W½, SE¼, W½NE¼	560.00
Secs. 14 to 16, inclusive	1,920.00
Sec. 17, N½	320.00
T. 5 N., R. 2 E.,	
Sec. 4, lots 1 to 4, inclusive, S½N½, SE¼, S½SW¼, NW¼SW¼	600.64
Secs. 5 and 6	1,276.24
T. 6 N., R. 1 E.,	
Sec. 1, lots 1 to 4, inclusive, S½NE¼, N½SW¼NW¼, N½SE¼NW¼, SE¼SE¼NW¼, NE¼NE¼SW¼, S½NE¼SW¼, SW¼SE¼	400.48
Sec. 9, E½	320.00
Sec. 10, W½, SE¼, E½NE¼	560.00
Sec. 11	640.00
Sec. 12, N½N½, SE¼NE¼, SW¼NW¼, SW¼, SW¼SE¼, E½SE¼	520.00
Secs. 13 and 14	1,280.00
Sec. 15, N½, SW¼, W½SE¼	560.00
Sec. 16, E½, SW¼, E½NW¼	560.00
Sec. 21	640.00
Sec. 22, W½, SE¼, W½NE¼	560.00
Secs. 23 to 28, inclusive	3,840.00
Sec. 33, W½, SE¼, S½NE¼	560.00
Sec. 34, E½NW¼, N½NE¼, SE¼NE¼, N½S½, SW¼SW¼	400.00
Secs. 35 and 36	1,280.00
T. 6 N., R. 2 E.,	
Sec. 3, lots 1 to 4, inclusive, S½N½, SW¼, N½SE¼, SW¼SE¼	599.28
Secs. 4 and 5	1,276.96
Sec. 6, lots 1 to 6, inclusive, S½NE¼, SE¼NW¼, W½NE¼SW¼, N½SE¼, SE¼SE¼, E½SW¼SE¼, E½W½SW¼SE¼, W½SW¼	520.54
Sec. 7, lots 1 to 4, inclusive, SE¼NW¼, S½NE¼, NE¼NE¼, E½NW¼NE¼, E½W½NW¼NE¼, SE¼	669.32
Secs. 8 and 9	1,280.00
Sec. 10, W½, W½NE¼	400.00
Sec. 15, W½	320.00
Secs. 16 and 17	1,280.00
Sec. 18, lots 1 to 4, inclusive, E½SW¼, E½	550.60
Sec. 19, lots 1 to 4, inclusive, E½W½, W½E½, SE¼SE¼	511.84
Sec. 20, E½, E½W½, NW¼NW¼	520.00
Sec. 21	640.00
Sec. 28	640.00
Sec. 29, S½, NE¼, NE¼NW¼	520.00
Secs. 30 and 31	1,267.12
Sec. 32, W½, NW¼NE¼, S½SE¼, NE¼SE¼	480.00
Sec. 33	640.00
T. 7 N., R. 1 E.,	
Sec. 25, N½NE¼, SE¼NE¼, S½	440.00
Sec. 36	640.00
T. 7 N., R. 2 E.,	
Sec. 21, N½, SW¼, NE¼SE¼	520.00
Sec. 22	640.00
Sec. 27, N½, SE¼, E½SW¼, NW¼SW¼	600.00
Sec. 28, SE¼NE¼, NE¼SE¼, W½E½, W½	560.00
Sec. 29, W½NE¼, SE¼, W½	560.00
Secs. 30 to 33, inclusive	2,536.04
Sec. 34, E½NW¼, SW¼	240.00
LAND USE DISTRICT NO. 21	
T. 4 N., R. 1 E.,	
Secs. 1, 2 and 3	1,809.36
Secs. 11 and 12	1,280.00
T. 5 N., R. 1 E.,	
Sec. 12, S½SE¼, NW¼SE¼, SW¼	280.00
Sec. 13	640.00
Sec. 21, N½, SE¼	480.00
Secs. 22 to 27, inclusive	3,840.00

Description	Acreage
T. 5 N., R. 1 E.—Continued.	
Secs. 28, NE¼, N½SE¼	240.00
Sec. 33	640.00
Sec. 34	640.00
T. 5 N., R. 2 E.,	
Secs. 1 and 3	1,280.92
Sec. 7, lots 1, 2, and 4, E½NW¼, NE¼	357.17
Secs. 8 to 15, inclusive	5,120.00
Sec. 27, NE¼, SE¼SE¼, NE¼SW¼	440.00
Sec. 17, N½NE¼, SE¼NE¼, SW¼SE¼, SW¼	320.00
Sec. 18, lots 1 to 4, inclusive, E½W½, SE¼, S½NE¼, NW¼NE¼	597.28
Secs. 19 and 20	1,278.08
Sec. 21, SW¼, S½NW¼, NW¼-NW¼, E½NE¼	360.00
Sec. 22, NE¼, E½NW¼, SW¼-NW¼	280.00
Secs. 23 to 25, inclusive	1,920.00
Sec. 26, E½	320.00
Sec. 28, W½	320.00
Secs. 29 to 32, inclusive	2,558.40
Sec. 33, W½	320.00
T. 5 N., R. 3 E.,	
Secs. 4 to 11, inclusive	5,111.84
Secs. 14 to 23, inclusive	6,394.16
Secs. 26 to 35, inclusive	6,397.28
T. 6 N., R. 2 E.,	
Secs. 1 and 2	1,278.56
Sec. 10, S½SE¼	80.00
Sec. 11, S½, NE¼, E½NW¼	560.00
Secs. 12 and 13	1,280.00
Sec. 14, N½, SE¼, E½SW¼, NW¼SW¼	600.00
Sec. 15, NE¼, NE¼SE¼	200.00
Sec. 22	640.00
Sec. 23, SW¼SW¼, E½W½, E½	520.00
Secs. 24 to 26, inclusive	1,920.00
Sec. 27, NE¼, SE¼SE¼, NE¼NW¼, W½W½	400.00
Sec. 34, W½NW¼, NE¼NW¼, S½, E½NE¼	520.00
Secs. 35 and 36	1,280.00
T. 6 N., R. 3 E.,	
Sec. 6	641.76
Sec. 7	639.92
Sec. 17, SW¼SW¼	40.00
Sec. 18, lots 1 to 4, inclusive, E½W½, NE¼, N½SE¼, SW¼SE¼	600.32
Sec. 19, lots 1 to 4, inclusive, E½W½, W½E½, SE¼SE¼	520.80
Sec. 20	640.00
Secs. 28 to 33, inclusive	3,840.56
T. 7 N., R. 2 E.,	
Sec. 23	640.00
Sec. 24, S½, NE¼, S½NW¼, NW¼NW¼	600.00
Secs. 25 and 26	1,280.00
Sec. 34, E½	320.00
Secs. 35 and 36	1,280.00
T. 7 N., R. 3 E.,	
Sec. 31, lots 3 and 4, E½SW¼, SE¼	479.77
LAND USE DISTRICT NO. 22	
T. 5 N., R. 2 E.,	
Sec. 1	640.60
Sec. 2, lots 1, 2 and 3, SE¼NW¼, S½NE¼, S½	600.83
Sec. 3	640.88
Secs. 12 and 13	1,280.00
Sec. 24	640.00
Sec. 25	640.00
Sec. 36	640.00
T. 5 N., R. 4 E.,	
Sec. 2, lots 3 and 4, S½NW¼, S½	478.24
Secs. 3 and 4	1,275.06
Sec. 5, lots 1, 2 and 4, S½N½, S½	598.62
Secs. 6 to 10, inclusive	3,190.25
Sec. 11, N½, SW¼, W½SE¼, NE¼SE¼	600.00
Sec. 14, SE¼SE¼, W½E½, W½	520.00
Secs. 15 to 23, inclusive	6,394.48
Secs. 26 to 35, inclusive	7,408.08

Description	Acreage
T. 6 N., R. 3 E.,	
Secs. 1 to 5, inclusive	3,204.26
Secs. 8 to 12, inclusive	3,200.00
Sec. 13, N½, NW¼SE¼, N½ SW¼	440.00
Secs. 14, 15 and 16	1,920.00
Sec. 17, N½, SE¼, E½SW¼, NW¼SW¼	600.00
Sec. 21	640.00
Sec. 22, S½	320.00
Sec. 23, S½	320.00
Secs. 24 to 27, inclusive	2,560.00
Sec. 34, N½, SW¼	480.00
Sec. 35, N½, SE¼, E½SW¼	560.00
Sec. 36	640.00
T. 6 N., R. 4 E.,	
Secs. 1 to 12, inclusive	7,849.07
Sec. 13, NW¼	160.00
Secs. 14 to 17, inclusive	2,560.00
Sec. 18, lots 1, 2 and 3, E½W½, E½	593.74
Sec. 19, lots 3 and 4, E½W½, E½	556.51
Secs. 20, 21 and 22	1,920.00
Sec. 23, N½	320.00
Secs. 25 to 28, inclusive	2,560.00
Sec. 29, E½, E½NW¼, NW¼ NW¼, E½SW¼NW¼, W½ NW¼SW¼, SW¼SW¼, NE¼ SW¼	560.00
Sec. 30, lots 1 to 4, inclusive, E½ W½, SW¼SE¼, NE¼, N½ SE¼	504.08
Sec. 31, lots 1 to 4, inclusive, E½ W½, W½E½, SE¼SE¼	515.48
Sec. 32, W½W½, E½	480.00
Secs. 33, 34 and 35	1,920.00
T. 7 N., R. 2 E.,	
Secs. 1, 2 and 3	1,998.96
Sec. 4, lots 1 and 2, S½NE¼, SE¼	322.58
Sec. 9, NE¼, N½SE¼, SE¼ SE¼	280.00
Secs. 10, 11 and 12	1,920.00
Sec. 13, N½, E½SE¼, NE¼ SW¼, W½SW¼	360.00
Secs. 14 and 15	1,280.00
Sec. 16, S½, E½NE¼, SW¼ NE¼	440.00
T. 7 N., R. 3 E.,	
Sec. 1, lots 1, 2 and 4, S½N½, S½	323.92
Sec. 2	643.16
Sec. 3, lots 1 to 4, inclusive, S½N½, SE¼, E½SW¼, NW¼ SW¼	305.82
Secs. 4, 5 and 6	1,920.17
Sec. 7, lots 1 to 4, inclusive, E½ W½, W½NE¼, NE¼NE¼, SE¼	593.12
Sec. 8, NW¼NW¼, NE¼, S½	520.00
Sec. 9, NW¼, NW¼SW¼, W½ E½, NE¼SE¼	400.00
Sec. 10, E½W½, E½	480.00
Secs. 11 to 14, inclusive	2,560.00
Sec. 15, E½, NE¼NW¼, W½ NW¼, NW¼SW¼	480.00
Sec. 16, E½, SW¼, SE¼NW¼	320.00
Sec. 17, S½, NW¼, N½NE¼	560.00
Sec. 18	635.04
Sec. 19, lots 1 to 4, inclusive, E½ W½, NE¼, N½SE¼, SE¼ SE¼	596.96
Secs. 20 to 29, inclusive	6,400.00
Sec. 30, lots 1 to 4, inclusive, SE¼NW¼, E½SW¼, SE¼, E½NE¼	317.32
Sec. 31, lots 1 and 2, E½NW¼, NE¼	319.39
Secs. 32, 33 and 34	1,920.00
Sec. 35, W½, SE¼, SE¼NE¼	520.00
Sec. 36, S½, NE¼, E½NW¼, SW¼NW¼	600.00
T. 7 N., R. 4 E.,	
Secs. 25, 26 and 27	1,920.00
Sec. 28, N½, W½SW¼, NE¼ SW¼, SE¼SE¼	480.00
Secs. 29 to 36, inclusive	5,094.24
T. 8 N., R. 2 E.,	
Secs. 1 and 2	1,283.20
Sec. 11	640.00
Sec. 12, E½, SE¼NW¼, E½ SW¼, SW¼SW¼	480.00
Secs. 13 and 14	1,280.00
Sec. 21, E½	320.00
Secs. 22, 23 and 24	1,920.00
Sec. 26, N½, SW¼, NW¼SE¼	320.00
Sec. 25, N½NW¼, SE¼NE¼, SW¼, W½SE¼, NE¼SE¼	400.00
Sec. 27	640.00
Sec. 28, E½	320.00
Sec. 33, E½	320.00
Sec. 34, W½NW¼, SE¼SW¼, SE¼, S½NE¼, NE¼NE¼	400.00
Sec. 35, SW¼SW¼, W½NW¼, NE¼NW¼, SW¼NE¼, E½ NE¼, SE¼	440.00
Sec. 36, W½, W½NE¼, SE¼	560.00
T. 8 N., R. 3 E.,	
Sec. 3, SW¼, W½SE¼, NE¼ SE¼	280.00
Sec. 4, lots 2, 3, and 4, S½N½, S½	600.06
Secs. 5 to 10, inclusive	8,383.16
Sec. 11, W½, SE¼, S½NE¼, NW¼NE¼	600.00
Sec. 14, NE¼, E½NW¼, NW¼NW¼, SW¼SW¼	320.00
Sec. 15, N½N½, NW¼SE¼, NE¼SW¼, S½S½	440.00
Sec. 16	640.00
Sec. 17, N½, SW¼, N½SE¼	560.00
Sec. 18	631.00
Sec. 19, lots 1 to 4, inclusive, E½NW¼, NE¼SW¼, NE¼, SE¼SE¼	471.00
Sec. 20, S½, S½N½, NW¼NW¼, NE¼NE¼	560.00
Secs. 21 to 23, inclusive	1,920.00
Sec. 24, S½, W½NW¼, SE¼NW¼, SW¼NE¼	480.00
Sec. 25, N½NE¼, W½, SE¼	560.00
Sec. 26, N½N½, SE¼NE¼, SE¼, S½SW¼	440.00
Sec. 27, NE¼, E½NW¼, NW¼NW¼, SE¼SW¼, S½SE¼	400.00
Sec. 28, N½, NW¼SW¼	360.00
Sec. 29	640.00
Sec. 30, E½, E½W½	480.00
Sec. 31	631.76
Sec. 32, W½, SE¼, NW¼NE¼, N½SW¼, S½NW¼, NE¼NW¼, E½SE¼	520.00
Sec. 34	280.00
Sec. 35, W½, S½SE¼, W½NE¼, NE¼NE¼	640.00
Sec. 36, NW¼NW¼, W½SW¼, NE¼SW¼, E½SE¼, S½NE¼	520.00
T. 8 N., R. 4 E.,	
Sec. 19, lots 3 and 4, SE¼SW¼	110.84
Sec. 30, lots 1, 2 and 4, NE¼NW¼, E½SW¼, E½	546.61
Sec. 31	623.12
T. 9 N., R. 2 E.,	
Sec. 25, SE¼SE¼	40.00
Sec. 36, SE¼NW¼, E½SW¼, E½NE¼, SW¼NE¼, SE¼	400.00
T. 9 N., R. 3 E.,	
Sec. 31, lots 1 to 4, inclusive, E½W½, SE¼, S½NE¼, NW¼NE¼	599.60
Sec. 32, SW¼, W½SE¼, SE¼ SE¼	280.00
Sec. 33, S½SW¼	80.00
T. 7 N., R. 4 E.,	
Sec. 1	79.00
Sec. 2	640.80
Sec. 3, lots 2, 3 and 4, S½N½, S½	601.20
Sec. 4	640.80
Sec. 5	640.20
Secs. 6 to 11, inclusive	2,560.00
Sec. 12	78.72
Sec. 13, lot 1	89.83
Sec. 14, N½	320.00
Sec. 15, N½	320.00
Sec. 16, N½	320.00
Secs. 17 and 18	1,266.24
Sec. 19, lots 1 to 4, inclusive, SE¼NW¼, E½SW¼, SW¼ SE¼, E½E½	467.84
Sec. 20, W½, W½NE¼, SE¼	480.00
Sec. 21, W½, W½E½, SE¼	480.00
Sec. 22, S½	320.00
Sec. 23, W½, W½E½, SE¼	480.00
Sec. 24, W½, W½E½, SE¼	480.00
Sec. 25, N½, N½SW¼, SE¼ SW¼, SE¼	440.00
Sec. 26, N½, N½SW¼, SE¼ SW¼, SE¼	440.00
Sec. 27, N½, SE¼, N½SW¼, SW¼SW¼	440.00
Sec. 28, E½, E½W½, SW¼ SW¼	480.00
Sec. 29, E½, E½W½, SW¼ SW¼	480.00
Sec. 30, E½, E½W½, SW¼ SW¼	480.00
Sec. 31, E½, E½W½, SW¼ SW¼	480.00
Sec. 32, E½, E½W½, SW¼ SW¼	480.00
Sec. 33, E½, E½W½, SW¼ SW¼	480.00
Sec. 34, E½, E½W½, SW¼ SW¼	480.00
Sec. 35, E½, E½W½, SW¼ SW¼	480.00
Sec. 36, E½, E½W½, SW¼ SW¼	480.00
T. 8 N., R. 5 E.,	
Sec. 31, lots 1 to 4, inclusive, E½W½, E½	480.00
T. 7 N., R. 4 E.,	
Sec. 20, N½, SE¼, N½SW¼, SW¼SW¼	600.00
T. 8 N., R. 4 E.,	
Sec. 23, NE¼, W½SE¼, SW¼, SE¼NW¼	440.00
Sec. 25	80.20
Sec. 26	640.00
Sec. 27, S½, NE¼, S½NW¼	560.00
Sec. 28, S½, S½N½	480.00
Sec. 29, S½, S½N½	480.00
Sec. 32	640.00
Sec. 33, N½NW¼, E½SW¼, E½	480.00
Secs. 34 and 35	1,280.00
Sec. 36	79.80

LAND USE DISTRICT NO. 24

T. 4 N., R. 1 E.,	
Secs. 4 to 10, inclusive	4,323.48
Secs. 16 to 21, inclusive	3,796.88
Secs. 28 to 33, inclusive	3,876.39
T. 3 N., R. 2 W.,	
Sec. 1, SW¼NW¼	40.00
T. 4 N., R. 1 W.,	
Sec. 1	640.12
Sec. 11, S½SE¼	80.00
T. 4 N., R. 2 W.,	
Sec. 6, E½NE¼	80.00
Sec. 9, SW¼NW¼, NW¼SW¼	80.00
Sec. 20, S½	320.00
Sec. 21, NE¼NE¼	40.00
Sec. 29	640.00
T. 4 N., R. 3 W.,	
Sec. 27, NW¼SE¼	40.00

LAND USE DISTRICT NO. 25

T. 1 S., R. 3 E.,	
Sec. 26, lot 2, N½NW¼NE¼	57.56
T. 1 S., R. 4 E.,	
Sec. 14, SW¼NW¼, SW¼, SW¼ SE¼	240.00
Sec. 15, S½N½, S½	480.00
Sec. 16, N½SE¼	80.00
Sec. 20, SE¼SE¼	40.00
Sec. 21, E½, S½SW¼	400.00
Secs. 22 and 23	1,280.00
Sec. 24, SW¼NW¼, SW¼, SW¼ SE¼	240.00
Secs. 25 26 and 27	1,280.00
Sec. 28, E½, NW¼, E½SW¼	560.00
Sec. 33, N½NE¼, SE¼NE¼	120.00
Secs. 34, 35 and 36	1,280.00
T. 2 S., R. 4 E.,	
Sec. 1, N½	320.00
Sec. 2, N½	320.00
Sec. 3, E½NE¼	80.00

LAND USE DISTRICT NO. 29

T. 1 N., R. 3 E.,	
Sec. 3, W½NE¼, NE¼SE¼	120.00
Sec. 16, N½NE¼, SE¼NE¼	120.00
Sec. 22, N½NE¼, SE¼NE¼	120.00
Sec. 23, NW¼SW¼	40.00
T. 2 N., R. 4 E.,	
Sec. 20, NE¼SE¼	40.00
Sec. 31, E½	320.00

LAND USE DISTRICT NO. 34

T. 1 N., R. 3 E.,	
Sec. 25, NW¼	160.00
Sec. 26, NE¼NE¼, S½NE¼, NE¼SE¼	160.00
T. 1 N., R. 4 E.,	
Sec. 3, SE¼NW¼	40.00
Sec. 19, lot 3	39.88
Sec. 20, E½SW¼	80.00
Sec. 29, NW¼NW¼	40.00
Sec. 30, N½NE¼, SE¼NE¼, lot 2	159.76
T. 1 N., R. 5 E.,	
Sec. 5, lot 4, SW¼NW¼	81.19
Sec. 6, lot 1, SE¼NE¼, N½SE¼, SW¼SE¼, SE¼SE¼	240.86
T. 2 N., R. 2 E.,	
Sec. 31, lot 1	0.38
Sec. 32, lots 1, 2 and 3, NE¼ NE¼	140.34
Sec. 33, S½NW¼, NW¼, S½ SE¼NW¼, S½SW¼NE¼, E½ NW¼SE¼, N½NW¼NW¼ SE¼	85.60

Description	Acreage
T. 2 N., R. 4 E.,	
Sec. 26, SE¼SE¼	40.00
Sec. 27, N½NW¼	80.00
Sec. 28, NE¼NE¼, NW¼NW¼	80.00
Sec. 29, N½NE¼	80.00
Sec. 32, S½SW¼, SW¼SE¼	120.00
T. 2 N., R. 5 E.,	
Sec. 19, lots 2, 3 and 4, SE¼NW¼, NE¼SW¼, NE¼, N½SE¼	434.39
Sec. 20, N½	320.00
Sec. 21, N½, E½SE¼	400.00
Sec. 22	640.00
Sec. 23, NW¼, N½SW¼	240.00
Sec. 29, N½NE¼, NE¼SW¼	120.00
T. 1 S., R. 4 E.,	
Sec. 1, lot 3	40.25
LAND USE DISTRICT NO. 26	
T. 3 N., R. 6 E.,	
Sec. 3	276.06
Sec. 4, lots 1, 2, 3, 6, 7 and 10, S½NE¼, N½SE¼, SE¼SE¼	359.66
Sec. 10, lots 1 to 4, inclusive, W½SW¼	201.14
Sec. 15	282.96
Sec. 16, E½NE¼, SE¼	240.00
Sec. 21, E½E½SW¼	400.00
Sec. 22, lots 1, 2 and 3, W½NW¼, NW¼SW¼	313.96
Sec. 28, NE¼NE¼, W½E½	240.00
Sec. 29, lot 5	21.25
T. 4 N., R. 6 E.,	
Sec. 3, lots 1 to 4, inclusive	121.24
Sec. 4, lots 9, 12 and 13	66.56
Sec. 9, lot 3	7.66
Sec. 10, lots 1 to 4, inclusive, SW¼SW¼	149.80
Sec. 15, lots 1 and 2, W½NW¼	135.42
Sec. 16, NE¼SE¼, SW¼SE¼	80.00
LAND USE DISTRICT NO. 2	
T. 5 N., R. 1 E.,	
Sec. 7, lots 3 and 4, E½SW¼, SE¼	317.91
Sec. 17, S½	320.00
Secs. 18, 19 and 20	1,914.08
Sec. 21, SW¼	160.00
Sec. 28, NW¼, N½SW¼	120.00
Sec. 29, N½, N½S½	480.00
Secs. 30 and 31	1,277.84
T. 5 N., R. 1 W.,	
Sec. 1, S½	320.00
Sec. 2	639.52
Sec. 3, S½	320.00
Secs. 4 and 5	1,276.24
Sec. 6, lots 1, 2, 4 to 7, inclusive, SE¼NE¼, SE¼, E½SW¼	440.44
Secs. 7 to 22, inclusive	10,018.80
Sec. 23, N½N½, SE¼NE¼, S½	520.00
Sec. 24, S½	320.00
Sec. 25	640.00
Sec. 26, N½	320.00
Sec. 27, N½	320.00
Secs. 28, 29 and 30	1,851.76
Sec. 36, N½	320.00
T. 6 N., R. 1 W.,	
Sec. 1, lot 3, S½NW¼	129.55
Sec. 2, SW¼NW¼, W½SW¼, SE¼SW¼	160.00
Secs. 3, 4 and 5	2,033.60
Sec. 6, lots 1 and 2, S½NE¼, SE¼	338.41
Sec. 7, E½	320.00
Sec. 8, N½, SE¼, E½SW¼, SW¼SW¼	600.00
Secs. 9, 10 and 11	1,920.00
Sec. 14, N½, N½SW¼, N½SE¼	480.00
Secs. 15, 16 and 17	1,920.00
Sec. 18, lot 4, E½, lot 3	436.94
Secs. 19 to 22, inclusive	2,476.40
Sec. 26, W½	320.00
Secs. 27 to 35, inclusive	5,596.56
T. 7 N., R. 1 W.,	
Secs. 7 to 10, inclusive	2,545.84
Sec. 15, N½, SW¼, N½SE¼	560.00
Sec. 16	640.00
Sec. 17, N½, N½S½, SW¼SW¼, SE¼SE¼	560.00
Secs. 18 and 19	1,254.12
Sec. 20, NE¼NW¼, W½NW¼, SW¼, SW¼SE¼, E½E½	480.00
Sec. 21	640.00
Sec. 22, W½W½, SE¼SW¼, E½E½	360.00
Sec. 23, W½SW¼	80.00
Sec. 25, E½E½, NW¼, W½SW¼, NE¼SW¼	440.00
Sec. 26, E½	320.00
Sec. 27, NW¼, E½SW¼, W½SE¼, SE¼SE¼	360.00
Sec. 28, N½, SW¼	480.00
Sec. 29	640.00
Sec. 30, lots 3 and 4, E½SW¼, SE¼, E½NE¼, NW¼NE¼	434.36
Sec. 31, lots 1 and 2, E½NW¼, E½	474.45
Secs. 32, 33 and 34	1,920.00
Sec. 35, NE¼	160.00
Sec. 36, NW¼NW¼, SE¼NW¼, E½SW¼, SE¼, E½NE¼	400.00
T. 7 N., R. 2 W.,	
Secs. 1 and 2	1,378.06
Sec. 3, lots 1, 2 and 4, S½N½, S½	578.89
Secs. 4 to 14, inclusive	7,404.56
Sec. 15, N½, N½SW¼, SW¼SW¼, SE¼	600.00
Secs. 16, 17 and 18	1,886.48
Sec. 22, N½N½	160.00
Sec. 23, N½N½	160.00
Sec. 24, N½, SE¼, NE¼SW¼	520.00
T. 7 N., R. 3 W.,	
Sec. 12, E½SE¼	80.00
T. 8 N., R. 2 W.,	
Sec. 30	72.66
Sec. 31, lots 1 to 4, inclusive, S½NE¼, E½NW¼, E½SW¼, SE¼	523.17
Secs. 32 and 33	839.86
Sec. 34, lots 1 to 4, inclusive	171.10
Secs. 35 and 36	520.93
T. 8 N., R. 3 W.,	
Sec. 6, E½ lot 1 (area approximated)	19.00
Sec. 7, lots 1, 2, 5 and 6, E½SW¼, S½NE¼, SE¼	132.93
Sec. 8	552.65
Sec. 9, lots 1 to 4, inclusive	141.54
Sec. 10, lot 1	33.40
Sec. 14, lots 1 and 2	71.25
Sec. 15, lots 1 to 4, inclusive	166.73
Sec. 16, S½	320.00
Secs. 17 to 20, inclusive	2,504.12
Sec. 21, S½, N½NE¼	400.00
Sec. 22, S½, N½N½	480.00
Sec. 23, lots 1, 2 and 3, NW¼NW¼, SW¼NE¼, SE¼SE¼, W½SE¼, SW¼	488.29
Sec. 24, lots 1 and 2	62.55
Sec. 25	523.35
Secs. 26 and 27	1,280.00
Sec. 28, S½	320.00
Sec. 29, NE¼NE¼, S½	360.00
Sec. 30, lots 1 and 2, E½NW¼, E½	466.80
Sec. 32, NE¼	160.00
Secs. 33, 34 and 35	1,920.00
Sec. 36, N½, SW¼, S½SE¼	560.00
T. 8 N., R. 4 W.,	
Sec. 12, SE¼	160.00
Sec. 13	640.00
Sec. 14, E½	320.00
Sec. 24, N½, SE¼	480.00
LAND USE DISTRICT NO. 30	
T. 5 N., R. 1 E.,	
Sec. 28, S½S½	160.00
Sec. 29, S½SE¼	80.00
Sec. 32	640.00
Sec. 33, N½	320.00
LAND USE DISTRICT NO. 6	
T. 1 N., R. 5 E.,	
Sec. 1	647.64
Sec. 2, lots 1 and 2, SE¼NW¼, S½NE¼, S½	524.16
Sec. 3, lot 4, S½	362.18
Sec. 4, lot 1, S½SE¼, SE¼SW¼	162.14
Sec. 5, lots 1, 6, 7, 10 and 11	126.78
Sec. 8, SE¼	160.00
Secs. 9 to 16, inclusive	5,120.00
T. 1 N., R. 5 E.—Continued.	
Sec. 17, N½, E½SE¼, SW¼SE¼	440.00
Sec. 18, SE¼SE¼	40.00
Sec. 19, lot 9, E½NE¼, SW¼NE¼, SE¼	304.98
Sec. 20	640.00
Sec. 21, N½	320.00
Secs. 22 to 26, inclusive	3,200.00
Sec. 27, S½	320.00
Sec. 29	640.00
Sec. 30, lot 1, E½	337.57
Sec. 31, lots 3 and 4, E½W½, E½	559.37
Sec. 32	640.00
Secs. 34, 35 and 36	1,920.00
T. 1 N., R. 6 E.,	
All fractional township	13,239.37
T. 2 N., R. 5 E.,	
Sec. 25, S½SE¼, SE¼SW¼	120.00
Sec. 34, NE¼SE¼	40.00
Sec. 35, NW¼SW¼, NW¼NE¼, S½NE¼, SE¼	320.00
Sec. 36, S½, S½N½	480.00
T. 2 N., R. 6 E.,	
Sec. 3	283.04
Sec. 4, lots 1 and 2, S½NE¼, SE¼, N½SW¼, SE¼SW¼	441.28
Sec. 5, lot 7	15.53
Sec. 6, lots 5 and 8	13.56
Sec. 9, E½, E½W½	480.00
Sec. 10	283.20
Sec. 15	283.96
Sec. 16	640.00
Sec. 17, lots 5 and 8	25.12
Sec. 20, lots 2 and 5, SE¼NE¼, E½SE¼	138.78
Sec. 21, SW¼, E½NW¼, E½	560.00
Sec. 22	283.68
Sec. 27	285.00
Sec. 28	640.00
Sec. 29, lot 4, E½NE¼, SW¼NE¼, SE¼, E½SW¼, SW¼SW¼	435.51
Sec. 30, lots 9 and 10, NE¼SW¼, SE¼	280.94
Sec. 31, lots 2, 3 and 4, E½W½, E½	597.07
Secs. 32 and 33	1,280.00
Sec. 34	287.12
T. 3 N., R. 6 E.,	
Sec. 33, S½SE¼, NE¼SE¼	120.00
Sec. 34, lots 3 and 4, W½SW¼	144.40
LAND USE DISTRICT NO. 17	
T. 7 N., R. 1 E.,	
Sec. 2, lots 3 and 4, S½N½, E½SW¼, SE¼	496.60
Sec. 3, lot 4, SW¼NW¼, SW¼, W½SE¼, SE¼SE¼	370.18
Sec. 10	640.00
Sec. 11, S½, NE¼, E½NW¼, SW¼NW¼	600.00
T. 8 N., R. 1 E.,	
Sec. 13, NE¼, S½NW¼, N½SW¼, SW¼SW¼, N½SE¼, SW¼SE¼	480.00
Sec. 14, SE¼, SE¼SW¼	200.00
Sec. 22, SE¼NE¼, SE¼SW¼, SE¼	240.00
Sec. 23	640.00
Sec. 24, W½W½, SE¼SW¼, W½SE¼, SE¼SE¼	320.00
Sec. 25, W½	320.00
Sec. 26, N½NW¼, S½SW¼	160.00
Sec. 27, N½NE¼, SW¼NE¼, E½NW¼, SW¼NW¼, NE¼SW¼, NW¼SE¼	320.00
Sec. 34, N½, N½SE¼	400.00
Sec. 35, N½, N½SW¼, SE¼	560.00
T. 8 N., R. 2 E.,	
Sec. 18, lots 2, 3, and 4	106.26
Sec. 19, lots 1, 2 and 3	107.00
LAND USE DISTRICT NO. 19	
T. 7 N., R. 2 E.,	
Sec. 6, lots 6 and 7, NE¼SW¼	112.24
Total	625,298.82

Whereas no part of the land use districts involved is under lease or permit to non-Indians, and

Whereas the Shoshone-Arapahoe Tribes of Indians of the Wind River

Reservation require additional grazing lands to support their expanded livestock industry, and

Whereas the Superintendent of the Wind River Reservation and the Commissioner of Indian Affairs have recommended the restoration of the undisposed-of, ceded lands located within the aforesaid land use districts.

Now, Therefore, by virtue of authority vested in the Secretary of the Interior by section 5 of the Act of July 27, 1939 (53 Stat. 1128–1130), I hereby find that restoration to tribal ownership of the lands described above, which are classified as undisposed-of, ceded lands of the Wind River Reservation, Wyoming, and which total 625,298.82 acres more or less, will be in the tribal interest, and they are hereby restored to tribal ownership for the use and benefit of the Shoshone-Arapahoe Tribes of Indians of the Wind River Reservation, Wyoming, and are added to and made a part of the existing Wind River Reservation, subject to any valid existing rights.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

APRIL 12, 1944.

[F. R. Doc. 44-11864; Filed, August 9, 1944; 10:12 a. m.]

Office of the Secretary.

BIG BEND NATIONAL PARK, TEX.

POLICE JURISDICTION ASSUMED BY U. S.

JULY 22, 1944.

GOVERNOR STEVENSON: The United States has acquired under the authority of the Act of Congress approved June 20, 1935 (49 Stat. 393, 16 U.S.C. secs. 156–158), 691,338.95 acres of land in Brewster County, Texas, for the establishment of the Big Bend National Park. The lands thus acquired by the Federal Government are more particularly described in the deed of August 26, 1943, which was recorded on September 3, 1943, in the land records of Brewster County, Texas, in volume 103, page 606, et seq., and in the deed of cession ceding jurisdiction over the lands which was executed by you as Governor of the State of Texas on December 30, 1943. A copy of the deed of cession has been filed for record in the Office of the Secretary of State of the State of Texas.

Notice is hereby given, in accordance with the provisions of the Act of Congress, approved October 9, 1940 (54 Stat. 1083, 40 U.S.C. sec. 255), that the United States accepts the cession of jurisdiction by the State of Texas and will assume police jurisdiction over the said lands, effective as of the 15th day of August 1944, at 12 m., Central Wartime. The transfer of such jurisdiction to the United States was made pursuant to section 8 of Senate bill No. 123, 46 Legislature, State of Texas, Regular Session, approved May 12, 1939, authorizing such cession in conformity with the provisions of Article 5247 of the Revised Statutes of Texas, 1925.

It is requested that you endorse the attached duplicate original of this notice of acceptance, indicating the date of its receipt, and return the same to this Department. There is enclosed for your convenience a self-addressed envelope which requires no postage.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

The HONORABLE COKE R. STEVENSON,
Governor of Texas,
Austin, Texas.

Enclosure 195.

Received this 26th day of July 1944, at 4 p. m.

COKE R. STEVENSON,
Governor of Texas.

[F. R. Doc. 44-11862; Filed, August 9, 1944; 10:03 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-41]

TOLERANCES FOR FLUORINE SPRAY RESIDUE ON APPLES AND PEARS

PROPOSED REGULATION

It is proposed that, by virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act (secs. 406, 701 (e); 52 Stat. 1046, 1055; 21 U.S.C. 346, 371 (e), 1940 ed.); the Reorganization Act of 1939 (53 Stat. 51 ff.; 5 U.S.C. 133–133v (Supp. V. 1939)); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234); and upon the basis of evidence of record at the hearing duly held pursuant to the notice issued on May 1, 1944 (9 F.R. 4654), the following order be made:

Findings of Fact

1. Fluorine is a gaseous chemical element. It and many of its compounds, among which are cryolite and other insecticides, are poisonous and deleterious substances. The fluorine in such compounds, even in small quantities, interferes with fundamental processes of living cells. Individuals vary in their susceptibility to its toxic effects. (R. pp. 81–82, 227, 230–238, 241, 244, 246–247, 250, 256–258, 259–261, 280, 317–322, 362, 369–388, 449–454, 456–458, 474, 483–486, 489, 613–614)[1]

2. When fluorine compounds are taken into the body in small amounts, most, if not all, of the fluorine is excreted, but when intake exceeds excretion storage of fluorine in the body results. When storage of fluorine occurs, injury to health may be anticipated. Fluorine is stored primarily in the bones and teeth, and its deleterious effects are most easily detected in those tissues. These effects are mottling of the enamel of the teeth, and abnormalities, including osteosclerosis, of the bones of the pelvis and the lumbar region of the spine, and of the tendenous insertions of bones. (R. pp. 237, 248–250, 259–268, 303–306, 449–454, 543–576, 709, 715–718, Govt. Ex. No. 17)

3. During their production apples and pears are subject to a number of insect pests, and different kinds of sprays are used to control different kinds of insects. Unless the insects are controlled by sprays the fruit becomes wormy and unmarketable. The codling moth causes the greatest difficulty and requires the most spraying for effective control. (R. pp. 9–15, 44)

4. For control of the codling moth, sprays made from lead arsenate or from cryolite are the only ones that are effective and practical. To these mineral oil is commonly added and acts in part as a codling moth ovicide. In the Northwest, where a large proportion of the apple and pear crops are produced, lead arsenate and cryolite are equally effective, whether used alone or in split schedules using lead arsenate for some sprays and cryolite for others. The methods and equipment used are the same for both types of spray. There are certain disadvantages in the use of lead arsenate spray which do not accompany the use of cryolite spray. (R. pp. 10, 12–20, 24, 44, 45, 46, 48–51, 53, 54, 65, 66, 81–82, 116, 130, 134, 725–726, 775–776, 778, 782)

5. The effectiveness of spray programs depends on the completeness of coverage of the fruit with the insecticide and the amount thereof which adheres to the fruit. Complete and sufficient coverage is obtained by repeating the sprays, and by adding oil and other materials to the spray. The number of sprays required depends on the season, geographic location, local situations, the time of ripening of the fruit, and the care used in applying the spray. A spray schedule effective for apples is also effective for pears. Ordinarily from 1 to 6 sprays are required for pears and 4 to 9 sprays are required for apples. Occasionally more than 9 sprays are required for apples. (R. pp. 17, 20–22, 23–27, 41, 46, 47, 52, 75, 83–86, 744–745)

6. The amount of fluorine in spray residue remaining on apples and pears at time of harvest increases with the number of fluorine sprays used, the decreasing length of time elapsing between the last of such sprays and harvest, and the use of substances which cause greater adherence of the spray to the fruit. The proportion of fluorine remaining on apples ranges from a few milligrams per kilogram to over 50 milligrams per kilogram. It is possible, therefore, for one fruit to bear more than 7 milligrams of fluorine. (R. pp. 76–80, 82–88, 159–164, 176–179, Govt. Exs. Nos. 6 and 7)

7. The spray residue remains on the surface of the fruit and most of it can be removed by washing processes in common use in the industry. One process uses only one washing and rinsing operation. In such process dilute hydrochloric acid is used as the washing solution. This process is efficient in removing spray residues from apples and pears grown under light spray schedules. In another process two washing and rinsing operations are used. In this process the fruit is first washed in a sodium silicate or soda ash solution and then in a dilute hydrochloric acid solution. This process is efficient in removing spray residues from such fruits grown under a heavy spray schedule, or when oils and stickers are added to the spray material, or when the spraying is continued late into the growing season. In both washing processes the spray residue is removed more effectively when the washing solutions are heated. The heating of the solutions tends to cause injury to the fruit which increases as the heat is increased. When the solutions are not heated to over 100° Fahrenheit, the amount of injury to the fruit is not material. The washing processes for apples are at least equally effective for pears. Efficient washing usually removes spray residue to such extent that the fluorine remaining on apples and pears is about 5 milligrams or less per kilogram without risk of excessive injury to the fruit. It can be reduced in practically all lots to 7 milligrams per kilogram without such risk. (R. pp. 60–65, 66–69, 74, 75, 76, 79–80, 82–88, 109, 141–142, 143, 145–148, 151–157, 171–172, 175, Govt. Exs. Nos. 4, 5, 6, and 7, O. P. Ex. No. 1)

8. Mottling from fluorine results only when intake of toxic amounts occurs during the process of growth and calcification of the teeth. In man the teeth are in the process of calcification during the first 12 years. Mottling differs greatly in degree. Very mild degrees disclose chalky white spots without transiucency. As the degree of severity increases the spots are more noticeable, become stained with a brownish color, and the enamel becomes brittle and pitted. When the fluorine intake is very low teeth are produced that are less resistant to caries than teeth produced on a somewhat higher fluorine intake. However, the margin between optimum and toxic amounts is very narrow. The toxic effect of fluorine increases as the intake is increased, regardless of whether it is ingested in food or water or both. At the lower levels of fluorine intake that produce toxic effects there are no material differences in the absorption, toxicity, and storage of the fluorine of the various fluorine compounds, including cryolite. At materially higher levels the absorption and storage decrease with the decreasing solubility of such compounds. (R. pp. 266–274, 279–280, 303, 317–319, 320–327, 339–340, 351–353, 359–360, 369–371, 390, 397–403, 405–411, 416–425, 429, 430–432, 434–443, 460–461, 474–475, 481–483, 534–535, 546–556, 591–601, 604–613, 655–660, 685–687, Govt. Exs. Nos. 8, 9, 10, and 16)

9. Fluorine compounds may enter the body by ingestion in water and food and by industrial exposure. The water supplies of several million persons in the United States contain 1 part per million or more of fluorine. The areas having such water supplies are distributed widely over the country. About a half million persons live in areas where the fluorine content of the water is 5 parts per million or more. Fluorine is a natural component of many common foods, and in the process of cooking food in fluorine-bearing water some of the fluorine in the water is transferred to the food. However, the amount of fluorine added to the diet by cooking is not significant unless the fluorine content of the water is very high. Industrial exposure is to mists, dusts, and fumes containing fluorine. A substantial number of persons are subjected to such exposure. The exposure of some of these persons is such that they are storing fluorine. The record does not show in what proportion of those exposed storage is occurring. (R. pp. 201–207, 209–210, 229–230, 303, 331–335, 358, 411–415, 443–446, 449, 471, 503–505, 528–534, 671–675, 675–680, 713–714, Govt. Exs. Nos. 11, 13, and 14)

10. When children ingest a sufficient amount of fluorine during the critical age period mottling results. The amount of drinking water ordinarily consumed by children during this period ranges from 390 cubic centimeters to 1,600 cubic centimeters per day. Such mottling occurs when the drinking water contains 1 part per million of fluorine or more. The ordinary adult daily diet, when the fluorine content of the water used in cooking is 0.3 part per million or less, contains approximately 0.5 milligram and not more than 1 milligram of fluorine. It is probable, therefore, that mottling of the enamel of the teeth results from a daily ingestion of somewhat less than 2 milligrams of fluorine per day. (R. pp. 329–331, 337, 359–360, 363–364, 411–415, 503–505, 520–528, 531–532, 533–534, 675–676, Govt. Exs. Nos. 12, 13, and 14)

11. The amount of apples and pears eaten as fresh fruit varies with the individual consumer and season of the year. Many persons consume few or no apples or pears, and some consume many. Apples vary in size, but ordinarily weigh from 1/7 to 1/10 of a kilogram each. The record does not disclose the proportions of apples and pears that are pealed before consumption. (R. pp. 501–503, 620–644, Govt. Ex. No. 15)

12. Whether the toxicity of fluorine to man is affected by or affects the toxicity of other substances is not known. Fluorine is rendered more toxic to rats by desiccated thyroid and the thyrotropic hormone of the anterior pituitary gland, and its toxicity is additive to that of cadmium. There is some industrial and consumer exposure to cadmium. (R. pp. 210–212, 475–481)

Conclusions

1. Fluorine and many of its compounds, including those used as insecticides for apples and pears, are poisonous and deleterious substances.

2. The addition of fluorine-containing sprays to apples and pears is required in the production of a large proportion of such fruits and residues thereof are unavoidable.

3. With efficient spraying and the efficient use of the washing processes so far developed it is not practicable to reduce the fluorine remaining as such residue on apples and pears below 7 milligrams per kilogram of fruit.

4. A considerable portion of the population is exposed to quantities of fluorine compounds that are toxic or near-toxic and any added amount of fluorine increases the hazard or degree of injury to which they are subjected. It is necessary for the protection of public health that the fluorine remaining as insecticidal residue on apples and pears shall be as low as is practicable.

Proposed Regulation

§ 120.1 *Limit for the quantity of fluorine remaining as insecticidal residue on apples and pears.* The quantity of fluorine remaining as insecticidal residue on apples and pears is hereby limited to not more than 7 milligrams of fluorine, calculated as F, per kilogram of each such fruit.

Any interested person whose appearance was filed at the hearing may, within 30 days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Hearing Clerk of the Federal Security Agency, Office of the Assistant General Counsel, Room 4148, South Building, 12th Street and Independence Avenue SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs should be submitted in quintuplicate.

Dated: August 4, 1944.

[SEAL] WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 44-11886; Filed, August 9, 1944; 10:33 a. m.]

[1] This and all similar references are to pages of the transcript of testimony and exhibits constituting the evidence of record. The findings are based on the entire record, references being for the convenience of the reader only.

OFFICE OF ALIEN PROPERTY CUSTODIAN.

DOROTHY KRETS LEHMANN

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 29 of June 18, 1942, (7 F. R. 4633) the Alien Property Custodian vested 1,225 shares of the common stock of J. M. Lehmann Company, Inc., a New York corporation, registered in the name of Franz B. Lehmann as property of nationals of a foreign country designated in Executive Order No. 8389, as amended; and

Whereas, Dorothy Krets Lehmann has filed a notice of claim, No. 398, which asserts that she is a citizen and resident of the United States and that she has an interest in and a lien on the aforesaid 1,225 shares of the common stock of J. M. Lehmann Company, Inc., so vested.

Now therefore, *It is ordered*, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (8 F. R. 16709), that a hearing on said claim be held before the Vested Property Claims Committee or any member or members thereof on Wednesday, August 23, 1944, at 10:00 a. m. eastern war time, at the Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington, D. C., to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notice of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets N.W., Washington (25), D. C., on or before August 19, 1944.

The foregoing characterization of the claim is for information purposes only, and shall not be construed to constitute

an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

AUGUST 8, 1944.

[F. R. Doc. 44-11907; Filed August 9, 1944; 11:36 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 6A-19, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS IN GREATER KANSAS CITY, KANS. AND MO.

Upon consideration of a petition for the amendment of Appendix 2 to Supplementary Order ODT 6A-19, filed with the Office of Defense Transportation, and good cause appearing therefor, it is hereby ordered, that paragraphs 2 and 3 of Appendix 2 thereto be, and they are hereby, amended to read as follows:

2. *Area affected.* This plan shall be effective within the corporate limits of Kansas City and North Kansas City in Missouri, and Kansas City in Kansas. In addition thereto, the plan shall be made operative between the three named cities and such points in the suburban territory thereof insofar as it becomes possible to pool the movements of commodities by carriers operating regularly between points over established routes or territories. The suburban territory shall be the Kansas City Commercial Zone, as defined by the Interstate Commerce Commission in *Kansas City, Mo.-Kansas City, Kans., Commercial Zone*, 31 M. C. C. 5.

3. *Contemplated action.* In order to achieve further utilization of their transportation facilities, the carriers, parties hereto, shall place in effect the following plan of joint action for the purpose of handling all surplus tonnage and all unallocated freight except as provided in paragraph (c) with respect to collection and delivery service for the railroads and highway carriers and general call-and-demand service within that area defined in paragraph 2 of this plan. "Surplus tonnage" shall be defined to mean any tonnage that cannot be handled by any carrier from or to any railroad depot on the day in which the order for its movement is placed: *And provided further*, Such shipment is available prior to 12 noon of the day originated. Any other tonnage may be registered for handling by the Central Clearing Office.

(a) For the purpose of administering the provisions of this Joint Action Plan a Central Clearing Office shall be established at 405 Waltower Building. The cost of operating such Central Clearing Office shall be borne by the members participating in the plan on a pro-rata basis per truck operated.

(b) When any carrier shall by reason of any regular service to a shipper, file a routing order with the Central Clearing Office on such shipper, the Central Clearing Office shall honor such order and shall assign such transportation from or to such shipper's place of business to the carrier who filed the routing order.

(c) Where no such routing order has been filed with the Central Clearing Office on a shipper, or where any shipper shall cancel his routing order, then such business hauled from or to such shipper shall be handled by the carrier who shall be assigned to cover the territory in which shipment originates or to which such shipment is destined: *Provided*, That, (1) this paragraph (c) shall not be construed so as to guarantee any carrier the exclusive handling of merchandise originating within or destined to any territory and (2) that this paragraph (c) shall allow any shipper or railroad to designate two or more carriers to service the same shipper or railroad when practicable.

(d) Territories shall be allocated, insofar as possible, to reduce waste in operation. Upon assignment of a given territory to a carrier, such carrier shall be required to service within a reasonable time, such territory with respect to reported "surplus tonnage" originating within such zone or destined thereto and all unallocated freight except as provided in paragraph (c). A reasonable time shall be construed to mean not more than 24 hours for any shipment to or from any point within Kansas City or North Kansas City, Missouri, or Kansas City, Kansas, except points south of 48th Street in Kansas City, Missouri, where an additional 24 hours may be allowed for the handling of such traffic.

(e) Due to changes in conditions territories may be changed, for good cause, from time to time with the consent of the members participating in this plan. The initial territorial allotment of each of the participants to this plan shall be as shown on the map attached hereto.

(f) It shall be the duty of the Central Clearing Office to assign equipment to handle all "surplus tonnage" and it shall be the duty of every member to register all known "surplus tonnage" with the Central Clearing Office.

This Amendment 1 shall become effective August 9, 1944.

Issued at Washington, D. C., this 9th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-11889; Filed, August 9, 1944; 10:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 165, Amdt. 1 to Order 18]

LAUNDRY AND DRY CLEANING SERVICES

ADJUSTMENT OF MAXIMUM PRICES

An opinion involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The first sentence of paragraph (a) is amended by changing the words "sellers of laundry service" to read "sellers of laundry or dry cleaning service".

This amendment shall become effective August 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11880; Filed, August 8, 1944; 4:10 p. m.]

[Administrative Notice 4]

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES FOR CABBAGE

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers of cabbage of the maximum prices he proposes to establish for cabbage:

F. o. b. shipping point price[1] of $55 per ton for the months of December through April; $50 per ton for the months of May through August; and $44 per ton for the months of September through November.

The prices named include all costs of harvesting, hauling, packing and inspection, and no additional charge may be made for containers or for any other materials furnished or services rendered. For sales in bulk the prices will be 3/10 of a cent less per pound than the named prices.

No person who does not pack and ship cabbage and who does not regularly operate a packing and shipping plant for that commodity, will be permitted to purchase acreage at a price which, after the cost of harvesting, hauling, packing and inspection, have been added, results in a price higher than the maximum price f. o. b. shipping point.

The above prices will be incorporated in an amendment having substantially the same form as Appendix H of Maximum Price Regulation No. 426, except that for each major producing area of cabbage a maximum price for f. o. b. shipping point sales will be provided.

However, for the periods between December through May, the Price Administrator, in addition, may name basing points, for sales delivered to wholesale receiving points, in any one or more of the following states, namely, California, Florida, Texas and Mississippi.

As in Appendix H of Maximum Price Regulation No. 426, maximum prices for sales delivered to wholesale receiving points will be the applicable shipping point price plus freight from the shipping point and plus protective services: *Provided, however*, That if the Price Administrator names basing points, the maximum prices will be the applicable shipping point price plus freight from the particular named basing point and plus protective services.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11891; Filed, August 9, 1944; 11:14 a. m.]

[1] "Shipping point" means the place in or near the producing area where the cabbage being priced is prepared for shipment and first loaded on cars for rail shipment or on trucks for truck shipment. Prices established for shipping points are not grower ceiling prices unless the grower is the shipper.

Regional and District Office Orders.

[Region I Supp. Order 8 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BOSTON REGION

Amendment No. 1 to Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Changes in prices for Pennsylvania anthracite in certain area price orders.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region 1 Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The provisions for "Legitts Creek or Black Stork", "East Bear Ridge" and "Dial Rock" in paragraph (c) are amended to read as follows:

Kind and size	Amount of addition			
	Per net ton	Per ¼ ton	Per ½ ton	Per 100 lbs.
Legitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	$0.65	$0.35	$0.15	None
Buckwheat	.50	.25	.15	None
Rice	.10	.05	None	None
East Bear Ridge:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
Barley	.15	.10	None	None
Dial Rock:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None

2. The following is added to the list of orders in paragraph (d):

Order Number	Area	Paragraph
Subparagraph (3) of paragraph (o) of G-70 (Appendix 3).	Pittsfield, Mass.	(f).

This Amendment No. 1 shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11807; Filed, August 7, 1944; 1:18 p. m.]

[Nashville Order G-1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN NASHVILLE, TENN., AREA

Amendment No. 1 to District Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages.

For the reasons set forth in opinion issued simultaneously herewith, and under the authority vested in the District Director of the Nashville District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV, Revised Delegation Order No. 17, issued May 5, 1944, Amendment 1 to District Order No. G-1 under General Order No. 50 is hereby issued.

In Appendix A of District Order No. G-1, the items set forth below are amended to read as follows:

APPENDIX A
(As Amended)
GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Carta Blanca—Mexican Beer	35	55
Doran's Export Beer and Ale	35	55
Ballantine Ale	25	50
Barbarossa Beer	25	50
Budweiser Beer	25	50
Embassy Club Beer	25	50
Millers Hi Life Beer	25	50
Pabst Blue Ribbon Beer	25	50
Red Top Ale	25	50
Schlitz Beer	25	50
All other brands not listed above	20	40
Draught beer:		
6-ounce glass	08	----------
8-ounce glass	10	----------
10-ounce glass	12	----------
12-ounce glass	14	----------
14-ounce glass	16	----------
16-ounce glass	18	----------
Any other ounce than listed shall be 0.01¼ per ounce.		

GROUP 2B

	Cents	*Cents*
Carta Blanca—Mexican Beer	30	50
Doran's Export Beer and Ale	30	50
Ballantine Ale	20	45
Barbarossa Beer	20	45
Budweiser Beer	20	45
Millers Hi-Life Beer	20	45
Embassy Club Beer	20	45
Pabst Blue Ribbon Beer	20	45
Red Top Ale	20	45
Schlitz Beer	20	45
All other brands not listed above	15	35
Draught beer:		
6-ounce glass	6	----------
8-ounce glass	8	----------
10-ounce glass	10	----------
12-ounce glass	12	----------
14-ounce glass	14	----------
16-ounce glass	16	----------
Any other ounce than listed shall be .01 per ounce.		

GROUP 3B

	Cents	*Cents*
Carta Blanca—Mexican Beer	27	45
Doran's Export Beer and Ale	27	45
Ballantine Ale	17	40
Barbarossa Beer	17	40
Budweiser Beer	17	40
Embassy Club Beer	17	40
Millers Hi-Life Beer	17	40
Pabst Blue Ribbon Beer	17	40
Red Top Ale	17	40
Schlitz Beer	17	40
All other brands not listed above	12	30
Draught beer:		
6-ounce glass	06	----------
8-ounce glass	08	----------
10-ounce glass	10	----------
12-ounce glass	12	----------
14-ounce glass	14	----------
16-ounce glass	16	----------
Any other ounce than listed shall be 0.01 per ounce.		

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

This amendment shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Nashville, Tennessee, this 22d day of June 1944.

SAM M. BONEY,
District Director.

[F. R. Doc. 44-11819; Filed, August 7, 1944; 1:21 p. m.]

[Nashville Order G-1 Under Gen. Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN NASHVILLE, TENN., AREA

Amendment No. 2 to District Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Nashville District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV, Revised Delegation Order No. 17, issued May 5, 1944, Amendment 2 to District Order No. G-1 under General Order No. 50 is hereby issued.

In appendix of District Order No. G-1, the items set forth below are amended to read as follows:

APPENDIX A
(As Amended)
GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Carta Blanca—Mexican Beer	.35	.55
Doran's Export Beer and Ale	.25	.55
Arf & Arf Brew	.25	.50
Ballantine Ale	.25	.50
Barbarossa Beer	.25	.50
Brucks Pale Ale	.25	.50
Buckingham Ale	.25	.50
Budweiser Beer	.25	.50
Embassy Club Beer	.25	.50
Millers Hi-Life Beer	.25	.50
Pabst Blue Ribbon Beer	.25	.50
Red Top Ale	.25	.50
Schlitz Beer	.25	.50
All other brands not listed above	.20	.40
Draught beer:		
6-ounce glass	.08	----------
8-ounce glass	.10	----------
10-ounce glass	.12	----------
12-ounce glass	.14	----------
14-ounce glass	.16	----------
16-ounce glass	.18	----------
Any other ounce than listed shall be .01¼ per ounce, except Michelob Beer, which shall have a maximum price of 1.6¢ per ounce for any size.		

GROUP 2B

	Cents	*Cents*
Carta Blanca—Mexican Beer	30	50
Doran's Export Beer and Ale	30	50
Arf & Arf Brew	20	45
Ballantine Ale	20	45
Barbarossa Beer	20	45
Brucks Pale Ale	20	45
Buckingham Ale	20	45
Budweiser Beer	20	45
Embassy Club Beer	20	45
Millers Hi-Life Beer	20	45

GROUP 2B—Continued

Brand or trade name	Maximum price per bottle	
	12-ounce	28-ounce
	Cents	*Cents*
Pabst Blue Ribbon Beer	20	45
Red Top Ale	20	45
Schlitz Beer	20	45
All other brands not listed above	15	35
Draught beer:		
6-ounce glass	06	
8-ounce glass	08	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16 ounce glass	16	
Any other ounce than listed shall be 1¢ per ounce, except Michelob Beer, which shall have a maximum price of 1.4¢ per ounce for any size.		

GROUP 2C

Brand or trade name		
	Cents	*Cents*
Carta Blanca—Mexican Beer	27	45
Doran's Export Beer and Ale	27	45
Arf & Arf Brew	17	40
Ballantine Ale	17	40
Barbarossa Beer	17	40
Brucks Pale Ale	17	40
Buckingham Ale	17	40
Budweiser Beer	17	40
Embassy Club Beer	17	40
Millers Hi-Life Beer	17	40
Pabst Blue Ribbon Beer	17	40
Red Top Ale	17	40
Schlitz Beer	17	40
All other brands not listed above	12	30
Draught beer:		
6-ounce glass	06	
8-ounce glass	08	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	
Any other ounce than listed shall be 1¢ per ounce for any size.		

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

This amendment shall become effective July 14, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; R.G.O. 51, 9 F.R. 4808)

Issued at Nashville, Tennessee, this 13th day of July 1944.

SAM M. BONEY,
District Director.

[F. R. Doc. 44-11820; Filed, August 7, 1944; 1:21 p. m.]

[Jackson Order G-1 Under Gen. Order 50, Amdt. 3]

MALT AND CEREAL BEVERAGES IN MISSISSIPPI

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, this Amendment 3 to Order No. G-1, issued by the Jackson (Mississippi) District Office of the Office of Price Administration under General Order No. 50, is hereby issued.

(a) Appendix A, as amended, is hereby amended so that the same shall read as follows:

APPENDIX A

GROUP 1B

Brand or trade name	Maximum price per bottle		
	7-ounce	12-ounce	28-ounce
	Cents	*Cents*	*Cents*
Barbarosa Beer		25	51
Birk's Trophy Beer		25	51
Budweiser Beer		25	51
Burger Brau Beer		25	51
Canadian Ace Beer		25	51
Downs ARF & ARF Beer		25	51
Embassy Club Beer		25	51
Gold Coast Beer		25	51
Gold Label Beer (Frontier Brewery)		25	51
Pabst Blue Ribbon Beer		25	51
Sepp'l Brau Beer		25	51
Schlitz Beer		25	51
Silver Fox Beer		25	51
Silver Fox Deluxe Beer		25	51
Van Wyck Beer		25	51
Ziegler's 520 Beer		25	51
Ballentine Ale		25	51
Carling's Red Cap Ale		25	51
Carta Blanca (Mexican Beer)		25	
Downs Special Lager Beer (7 oz. bottles only)	18		
All Other Brands of beer and ale not listed above (including all bottles without labels)		20	46
Draught beer:			
8 ounce glass		09	
10 ounce glass		11	
12 ounce glass		13	
14 ounce glass		15	
16 ounce glass		17	

Sellers who are required to pay a Federal excise tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi sales tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢, one cent or 10 mills (tokens) may be added to the listed maximum price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 session thereof, may add same to the maximum price listed above, if separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle		
	7 ounce	12 ounce	28 ounce
	Cents	*Cents*	*Cents*
Barbarosa Beer		21	47
Birk's Trophy Beer		21	47
Budweiser Beer		21	47
Burger Brau Beer		21	47
Canadian Ace Beer		21	47
Downs ARF & ARF Beer		21	47
Embassy Club Beer		21	47
Gold Coast Beer		21	47
Gold Label Beer (Frontier Brewery)		21	47
Pabst Blue Ribbon Beer		21	47
Sepp'l Brau Beer		21	47
Schlitz Beer		21	47
Silver Fox Beer		21	47
Silver Fox De Luxe Beer		21	47
Van Wyck Beer		21	47
Ziegler's 520		21	47
Ballentine Ale		21	47
Carling's Red Cap Ale		21	47
Carta Blanca (Mexican Beer)		22	
Downs Special Lager Beer (7-oz. bottles only)	14		
All other brands of beer and ale not listed above (including all bottles without labels)		16	41
Draught beer:			
8 ounce glass		08	
10 ounce glass		10	
12 ounce glass		12	
14 ounce glass		14	
16 ounce glass		16	

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi sales tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 4 mills (or tokens) may be added to a maximum listed price of 21¢; 9 mills (tokens) may be added to the listed maximum price of 47¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 session thereof, may add same to the maximum price listed above, if separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle		
	7 ounce	12 ounce	28 ounce
	Cents	*Cents*	*Cents*
Barbarosa Beer		20	42
Birk's Trophy Beer		20	42
Budweiser Beer		20	42
Burger Brau Beer		20	42
Canadian Ace Beer		20	42
Downs ARF & ARF Beer		20	42
Embassy Club Beer		20	42
Gold Coast Beer		20	
Gold Label Beer (Frontier Brewery)		20	42
Pabst Blue Ribbon Beer		20	42
Sepp'l Brau Beer		20	42
Schlitz Beer		20	42
Silver Fox beer		20	42
Silver Fox DeLuxe beer		20	42
Van Wyck beer		20	42
Ziegler's 520 beer		20	42
Ballantine ale		20	42
Carling's Red Cap ale		20	42
Carta Blanca (Mexican beer)		20	
Downs Special Lager beer (7-oz. bottles only)	13		
All other brands of beer and ale not listed above (including all bottles without labels)		15	37
Draught beer:			
8-ounce glass		08	
10-ounce glass		10	
12-ounce glass		12	
14-ounce glass		14	
16-ounce glass		16	

Sellers who are required to pay a Federal excise tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi sales tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 4 mills (or tokens) may be added to a maximum listed price of 20¢; 8 mills (tokens) may be added to the listed maximum price of 42¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 session thereof, may add same to the maximum price listed above, if separately stated and collected.

Effective date. This amendment becomes effective on and after July 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued this 27th day of July 1944.

WILLIAM E. HOLCOMB,
District Director.

[F. R. Doc. 44-11823; Filed, August 7, 1944; 1:21 p. m.]

[Savannah Order G–1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN SAVANNAH, GA., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Savannah District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944. It is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties of the State of Georgia: Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Brooks, Bryan, Bulloch, Burke, Calhoun, Camden, Candler, Charlton, Chatham, Clay, Clinch, Coffee, Colquitt, Columbia, Cook, Decatur, Dougherty, Early, Echols, Effingham, Emanuel, Evans, Glascock, Glynn, Grady, Irwin, Jeff Davis, Jefferson, Jenkins, Liberty, Lanier, Long, Lowndes, McDuffie, McIntosh, Miller, Mitchell, Montgomery, Pierce, Richmond, Screven, Seminole, Tattnall, Telfair, Tift, Thomas, Toombs, Treutlen, Turner, Ware, Warren, Wayne, Wheeler and Worth.

SEC. 3. *Ceiling prices.* (a) On and after June 15, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "All other brands not listed above" is not appropriate to such beverage, you may make application to the Savannah District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Savannah District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set forth in appendix hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. You must figure the group to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A hereof for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if during the base period of April 4–10, 1943 your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943 also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may file an application with the Savannah District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that Group in Appendix A hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before July 1, 1944, file with your War Price and Rationing Board a signed statement with name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meals, (Such sales remain under Restaurant Maximum Price Regulation 4–1).

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guest of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 4–1, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1–B", "OPA 2–B" or "OPA 3–B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipt or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relations to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 359 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal remain subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designed as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅙ barrel or larger size.

(d) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon by the District Director of the Savannah District Office.

SEC. 19. *Taxes.* Sellers who are required to pay a Federal Excise Tax on cabarets may add the same to the prices shown in Appendix A, provided such tax is separately stated and collected. All other Federal and State Taxes are included in the prices shown in Appendix A hereof.

SEC. 20. *Revocation and Amendments.* This order may be revoked, amended, or corrected at any time.

SEC. 21. *Effective Date.* This order shall become effective on the 15th day of June, 1944.

NOTE: The reporting and record keeping requirements of this Order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Savannah, Georgia, this the 10th day of June 1944.

R. E. THORPE,
District Director.

APPENDIX A

GROUP 1B

Trade name of beer	Maximum Prices: 12 ounce bottle	Maximum Prices: 32 ounce bottle
	Cents	*Cents*
Ballantine Ale	25	60
Barbarossa Beer	25	60
Budweiser Beer	25	60
Burger Brau Beer	25	60
Canadian Ace Ale	25	60
Carling's Red Cap Ale	25	60
Carta Blanca Beer (Imported)	30	-------
Miller's High Life Beer	25	60
National Premium Beer	25	60
Pabst Blue Ribbon Beer	25	60
Red Top Ale	25	60
Schlitz Beer	25	60
Silver Fox Beer	25	60
Tru-Blu Ale	25	60
Tru-Blu Old Fashioned Beer	25	60
All other brands	20	50
Draft beer:		
6 ounce glass	10	-------
8 ounce glass	13	-------
10 ounce glass	16	-------
12 ounce glass	19	-------
Other size glasses	[1] L 6	-------

[1] Per ounce.

Sellers who are required to pay Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2B

	Cents	*Cents*
Ballantine Ale	20	50
Barbarossa Beer	20	50
Budweiser Beer	20	50
Burger Brau Beer	20	50
Canadian Ace Ale	20	50
Carling's Red Cap Ale	20	50
Carta Blanca Beer (Imported)	25	-------
Miller's High Life Beer	20	50
National Premium Beer	20	50
Pabst Blue Ribbon Beer	20	50
Red Top Ale	20	50
Schlitz Beer	20	50
Silver Fox Beer	20	50
Tru-Blu Ale	20	50
Tru-Blu Old Fashioned Beer	20	50
All other brands	15	40
Draft beer:		
6-ounce glass	8	-------
8-ounce glass	10	-------
10-ounce glass	13	-------
12-ounce glass	14	-------
Other size glasses	[1] L 3	-------

[1] Per ounce.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 3B

Trade name of beer	Maximum Prices: 12 ounce bottle	Maximum Prices: 32 ounce bottle
	Cents	*Cents*
Ballantine Ale	18	48
Barbarossa Beer	18	48
Budweiser Beer	18	48
Burger Brau Beer	18	48
Canadian Ace Ale	18	48
Carling's Red Cap Ale	18	48
Carta Blanca Beer (Imported)	25	-------
Miller's High Life Beer	18	48
National Premium Beer	18	48
Pabst Blue Ribbon Beer	18	48
Red Top Ale	18	48
Schlitz Beer	18	48
Silver Fox Beer	18	48
Tru-Blu Ale	18	48
Tru-Blu Old Fashioned Beer	18	48
All other brands	13	35
Draft beer:		
6-ounce glass	6	-------
8-ounce glass	8	-------
10-ounce glass	10	-------
12-ounce glass	12	-------
Other size glasses	[1] L	-------

[1] Per ounce.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44–11817; Filed, August 7, 1944; 1:19 p. m.]

[Savannah Order G–1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN SAVANNAH, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Savannah, Georgia, District Office of Region IV, of the Office of Price Administration, by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17 issued May 5, 1944:

It is hereby ordered, That Appendix A to Order No. G–1, under General Order No. 50, be amended to read as set forth in Appendix A, attached hereto and hereby made a part hereof.

The prices for all malt and cereal beverages, including beer, ale and near-beer, as set forth in Appendix A of Order G–1, are hereby revoked, and the prices as set forth in Appendix A attached hereto are the applicable prices for the brands of beer, ale or near-beer therein listed. All other provisions of said order remain unchanged and in full force and effect as issued.

This amendment shall become effective July 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R 4808)

Issued this 25th day of July 1944.

R. L. SCHLEY,
Acting District Director.

APPENDIX A

GROUP 1B

Trade name of beer	Maximum Prices: 12 ounce bottle	Maximum Prices: 32 ounce bottle
	Cents	*Cents*
Arf and Arf Beer	30	-------
Ballantine Ale	25	60
Barbarossa Beer	25	60
Budweiser Beer	25	60
Burger Brau Beer	25	60
Canadian Ace Ale	25	60
Carling's Red Cap Ale	25	60
Carta Blanca Beer (Imported)	35	-------
Holland Beer	25	60
Lion Beer	25	60
Loewer's Beer	25	60
Miller's High Life Beer	25	60
National Premium Beer	25	60
Pabst Blue Ribbon Beer	25	60
Red Top Ale	25	60
Schlitz Beer	25	60
Silver Fox Beer	25	60
Spearman's English Type Ale	25	60
Tru-Blu Ale	25	60
Tru-Blu Old Fashioned Beer	25	60
All other brands	20	60
Draft beer:		
6 ounce glass	10	-------
8 ounce glass	13	-------
10 ounce glass	16	-------
12 ounce glass	19	-------
Other size glasses	[1] L 6	-------

GROUP 2B

	Cents	*Cents*
Arf and Arf Beer	25	-------
Ballantine Ale	20	50
Barbarossa Beer	20	50
Budweiser Beer	20	50
Burger Brau Beer	20	50
Canadian Ace Ale	20	50
Carling's Red Cap Ale	20	50
Carta Blanca Beer (Imported)	30	-------
Holland Beer	20	50
Lion Beer	20	50
Loewer's Beer	20	50
Miller's High Life Beer	20	50
National Premium Beer	20	50
Pabst Blue Ribbon Beer	20	50
Red Top Ale	20	50
Schlitz Beer	20	50
Silver Fox Beer	20	50
Spearman's English Type Ale	20	50
Tru-Blu Ale	20	50
Tru-Blu Old Fashioned Beer	20	50
All other brands	16	40
Draft beer:		
6-ounce glass	8	-------
8-ounce glass	10	-------
10-ounce glass	12	-------
12-ounce glass	14	-------
Other size glasses	[1] L 3	-------

GROUP 3B

	Cents	*Cents*
Arf and Arf Beer	22	-------
Ballantine Ale	18	48
Barbarossa Beer	18	48
Budweiser Beer	18	48
Burger Brau Beer	18	48
Canadian Ace Ale	18	48
Carling's Red Cap Ale	18	48
Carta Blanca Beer (Imported)	26	-------
Holland Beer	18	48
Lion Beer	18	48
Loewer's Beer	18	48
Miller's High Life Beer	18	48
National Premium Beer	18	48
Pabst Blue Ribbon Beer	18	48
Red Top Ale	18	48
Schlitz Beer	18	48
Silver Fox Beer	18	48
Spearman's English Type Ale	18	48
Tru-Blu Ale	18	48
Tru-Blu Old Fashioned Beer	18	35
All other brands	13	48

[1] Per ounce.

APPENDIX A

GROUP 22—continued

Trade name of beer	Maximum Prices	
	12 ounce bottle	32 ounce bottle
Draft beer:	*Cents*	*Cents*
6 ounce glass	6	
8 ounce glass	8	
10 ounce glass	10	
12 ounce glass	12	
Other size glasses	[1]	

[1] Per ounce.

No tax except cabaret tax, which is collected separately, may be added to these prices.

[F. R. Doc. 44-11818; Filed, August 7, 1944; 1:19 p. m.]

[Oklahoma City Rev. Order G-1 Under Gen. Order 50]

MALT BEVERAGES IN OKLAHOMA CITY, OKLA., AREA

Revised Order No. G-1 under General Order No. 50. Maximum dollars-and-cents prices for domestic malt beverages.

Domestic Malt Beverage Order No. 5-G-1 is redesignated as Revised Order No. G-1 under General Order No. 50.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Oklahoma City, Oklahoma District Office of Region V of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region V Delegation Order dated March 23, 1944, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of General Order No. 50, this order establishes in section 9 hereof, "dollars-and-cents" maximum prices for certain beverage items offered for sale or sold by any "person" owning or operating an "Eating or Drinking Place" located in the Oklahoma City District, composed of the following counties in the State of Oklahoma:

Alfalfa, Atoka, Beaver, Beckham, Blaine, Bryan, Caddo, Canadian, Carter, Choctaw, Cimarron, Cleveland, Coal, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Jackson, Jefferson, Johnston, Kay, Kingfisher, Kiowa, Lincoln, Logan, Love, McClain, McCurtain, Major, Marshall, Murray, Noble, Oklahoma, Payne, Pontotoc, Pottawatomie, Pushmataha, Roger Mills, Seminole, Stephens, Texas, Tillman, Washita, Woods, Woodward.

SEC. 2. *What this order covers.* The beverage items to which this order applies are:

(a) Domestic malt beverages as defined in section 7 hereof, and commonly known as beer or ale.

SEC. 3. *Prohibition against sales of beverage items above maximum prices.* (a) On and after the effective date of this order, regardless of any contract, agreement, lease, or other obligation:

(1) No person shall sell or deliver any beverage item subject to this order at higher prices than the maximum prices set forth in this order.

(2) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 4. *Posting.*—(a) *Selling prices.* All persons subject to this order must post in the "eating or drinking place", plainly visible to their customers, their selling prices for the beverage items listed in section 9 hereof, at or near the place where the beverage item is offered for sale.

(b) *Maximum prices.* All persons subject to this order must post in a conspicuous place in the "eating or drinking place" a list of the "dollars-and-cents" maximum prices of the beverage items offered for sale, so that such list will be plainly visible to their customers.

SEC. 5. *Applicability of General Order No. 50.* This order is subject to all the provisions of General Order No. 50 which are hereby made a part of this order.

SEC. 6. *Applicability of General Maximum Price Regulation.* The following sections of the General Maximum Price Regulation, as well as amendments thereto, shall be applicable to all "eating or drinking places", subject to this order:

(a) Sales slips and receipts—§ 1499.14.
(b) Licensing—§ 1499.16.

SEC. 7. *Definitions.* (a) "Domestic malt beverage" shall mean any and all malt beverages produced within the Continental United States, or its territories and possessions, made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(b) "Domestic malt beverage sold on draught" means domestic malt beverage dispensed from a barrel, keg, or other container by a "person" owning or operating an "eating or drinking place" subject to this order.

(c) "Person" includes an individual, corporation, partnership, trust, or estate, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any state, county, or municipal government, or any of its political subdivisions, and any agencies of any of the foregoing: *Provided*, That no punishment provided by this order shall apply to the United States, or to any such government, political subdivision, or agency.

(d) "Eating or drinking place" means any place, establishment, business, or location, whether temporary or permanent, stationary or movable, including, but not limited to, a restaurant, hotel, cafe, boarding house, diner, coffee shop, tea room, private club, dining car, bar, tavern, delicatessen, soda fountain, cocktail lounge, catering business, or any place from which any beverage item subject to this Order is offered for sale or sold, except those places which are specifically exempted in Section 8 hereof.

(e) "Beverage items" listed herein shall include all domestic malt beverages sold or served by "eating or drinking places" for consumption in or about the place or to be taken out for consumption, without additional preparation other than cooling.

(f) "Hotel room service sale" means a sale to a guest or guests in a hotel room when delivery is made to a guest's hotel room.

(g) "Hotel" means any establishment generally regarded as such in its community and used predominately for transient occupancy.

(h) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 8. *Exempt sales.* Sales by the following "eating or drinking places" are specifically exempt from the provisions of this order:

(a) Eating and drinking places (when operated as such) located on board common carriers, including railroad dining cars, club, bar, and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(b) Hospitals, except for beverage items served to persons other than patients.

(c) Hotel room service sales.

Such aforesaid sales, not otherwise exempt from Price Control, shall remain subject to the appropriate Maximum Price Regulation or Order.

SEC. 9. *Maximum "dollars-and-cents" prices.* (a) The maximum "dollars-and-cents" prices which may be charged for the beverage items subject to this order, are:

(1) *In bottles.*

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Ct.	Ct.
Barbarossa Domestic Malt Beverage (beer)	10	26
Blatz Domestic Malt Beverage (beer)	10	26
Budweiser Domestic Malt Beverage (beer)	10	26
Canadian Ace Domestic Malt Beverage (beer)	10	26
Coors Domestic Malt Beverage (beer)	10	26
Country Club Domestic Malt Beverage (beer)	10	26
Grain Belt Domestic Malt Beverage (beer)	10	26
Hamm's Preferred Domestic Malt Beverage (beer)	10	26
Kingsbury Pale Domestic Malt Beverage (beer)	10	26
Millers-High Life Domestic Malt Beverage (beer)	10	26
Muehlebach Domestic Malt Beverage (beer)	10	26
Old Style Lager Domestic Malt Beverage (beer)	10	26
Pabst Blue Ribbon Domestic Malt Beverage (beer)	10	26
Pilsner Club Domestic Malt Beverage (beer)	10	26
Schlitz Domestic Malt Beverage (beer)	10	26
Schoot's Highland Domestic Malt Beverage (beer)	10	26
Silver Fox Domestic Malt Beverage (beer)	10	26
Zollers-Topping Domestic Malt Beverage (beer)	10	26
Red Top Ale Domestic Malt Beverage (ale)	10	26
A B C Domestic Malt Beverage (beer)	11	26
Alpen Brau Domestic Malt Beverage (beer)	11	26
Berlin Domestic Malt Beverage (beer)	11	26
Blue Bonnet Domestic Malt Beverage (beer)	11	26
Bohemian Style Domestic Malt Beverage (beer)	11	26
Embassy Club Domestic Malt Beverage (beer)	11	26
Falstaff Domestic Malt Beverage (beer)	11	26
Gold Seal Domestic Malt Beverage (beer)	11	26
Grand Prize Domestic Malt Beverage (beer)	11	26
Griesedieck Domestic Malt Beverage (beer)	11	26
Haas Domestic Malt Beverage (beer)	11	26
High Brau Domestic Malt Beverage (beer)	11	26
Jax Domestic Malt Beverage (beer)	11	26
Koller Domestic Malt Beverage (beer)	11	26
Lang Domestic Malt Beverage (beer)	11	26
Lone Star Domestic Malt Beverage (beer)	11	26
Mallow Brew Domestic Malt Beverage (beer)	11	26
Millers-Export Domestic Malt Beverage (beer)	11	26
Mountain Top Domestic Malt Beverage (beer)	11	26
Muskegon Domestic Malt Beverage (beer)	11	26
Old Gold Domestic Malt Beverage (beer)	11	26
Old King Domestic Malt Beverage (beer)	11	26
Pearl Domestic Malt Beverage (beer)	11	26
Pioneer Domestic Malt Beverage (beer)	11	26
Polo Domestic Malt Beverage (beer)	11	26
Prima Domestic Malt Beverage (beer)	11	26
Progress Domestic Malt Beverage (beer)	11	26
Reebuck Domestic Malt Beverage (beer)	11	26
Shiner Domestic Malt Beverage (beer)	11	26
Silver Cream Domestic Malt Beverage (beer)	11	26
Southern Select Domestic Malt Beverage (beer)	11	26
Stag Domestic Malt Beverage (beer)	11	26
Stein Domestic Malt Beverage (beer)	11	26
Stern Brau Domestic Malt Beverage (beer)	11	26
Topaz Domestic Malt Beverage (beer)	11	26
Wis Seal Domestic Malt Beverage (beer)	11	26
Zollers-Blackhawk Domestic Malt Beverage (beer)	11	26
Zollers-Filsener Domestic Malt Beverage (beer)	11	26
Pom Roy Domestic Malt Beverage (beer)	11	26

(2) *On draught.* Any or all brands of domestic malt beverages (beer or ale) sold on draught by any "eating or drinking place" to which this Order applies, may be sold at a price not in excess of 1¢ for each fluid ounce, exclusive of foam. *Provided, however,* That "Michelob" brand beer may be sold at 10¢ per eight (8) ounces, exclusive of foam. *Provided, further,* That on the sale of draught beer in quantities of eight (8) ounces or more, an additional 1¢ may be added to the total price.

(3) *Non-labeled bottles.* Any domestic malt beverage item (beer or ale) offered for sale or sold in bottles by any "eating or drinking place" subject to this order, which does not have the manufacturer's label affixed thereto, or the trade name or brand stamped, printed, or engraved or appearing in raised letters on the cap or bottle as proper identification, shall not be offered for sale or sold at a price higher than the lowest maximum price fixed herein for the size of bottle of domestic malt beverage (beer or ale) offered for sale or sold.

SEC. 10. *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

SEC. 11. *Other brands of domestic malt beverages.* Any person subject to this order desiring to sell any domestic malt beverage of a trade name or brand not specifically priced by section 9 herein, shall determine the price of such domestic malt beverages in the following manner:

If the bona fide net cost of the unlisted brand of domestic malt beverage is $1.99 or less per case of 24 12-ounce bottles, the maximum retail ceiling price shall be 11¢ per 12 ounce bottle. Such unlisted brands of domestic malt beverage in the 32 ounce size, shall have a maximum retail ceiling price of 26¢ per 32 ounce bottle.

If the bona fide net cost of the unlisted brand of domestic malt beverage is $2.00 or more, per 24–12 ounce bottles, the maximum retail ceiling price shall be 16¢ per 12 ounce bottle. Such unlisted brands of domestic malt beverage in the 32 ounce size shall have a maximum retail ceiling price of 36¢ per 32 ounce bottle.

Domestic malt beverage served in any container other than 12 ounce or 32 ounce shall be priced on an exact quantity ratio basis adjusted to the nearest cent; such ratio shall be to either the 12 ounce size or the 32 ounce size of the same brand, whichever is most nearly comparable in size.

The retailer is required to maintain and make available to any authorized representative of the Office of Price Administration invoices, receipts, or other prima facie evidence, to substantiate such net cost, and, in addition, such evidence must identify the source of supply by name and address.

"Net cost" as that term is used herein, means the price charged by the wholesale supplier of domestic malt beverage to the retailer provided that such price is not in excess of the wholesale supplier's maximum ceiling price as determined under Maximum Price Regulation No. 259.

Within five days after determining the price for a new brand of malt beverage the seller shall report the price so determined to the Price Panel of the War Price and Rationing Board of the county in which said place of business is located, setting forth the brand, unit package, and net cost, and also the source of supply, whether jobber, wholesaler, manufacturer or distributor. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

SEC. 12. *Taxes.* The dollars-and-cents maximum prices for the beverage items listed in Section 9 hereof include all municipal, state and federal taxes except the federal cabaret tax. In addition to the prices listed herein the seller may charge the amount of the cabaret tax provided the following conditions are met:

(1) The seller is liable for payment of the cabaret tax on the sale being made.

(2) The seller actually pays the additional amount collected for this purpose.

(3) The seller states and collects the tax separately.

When the amount of the total sale, plus the exact amount of the tax results in a figure with a fractional cent, the amount to be collected shall be raised or lowered to the nearer even cent.

SEC. 13. *Evasion.* The price limitations set forth in this order shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of any beverage item, alone or in connection with any other commodity or by way of commission, service, transportation, or any charge or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means, manner, method, device, scheme, or artifice or otherwise.

SEC. 14. *Enforcement.* "Persons" violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages, provided by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Petition for amendment.* Any person seeking an amendment of any provision of this order, may file a petition for amendment, in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the District Director.

SEC. 16. *Licensing.* The provisions of Licensing Order No. 1, requiring and automatically granting, a license to all persons who make sales under Price Control, are applicable to all sellers subject to this Regulation. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 17. *Effective date.* This order becomes effective April 1, 1944.

SEC. 18. *Revocation.* This order may be amended, corrected, revised, or revoked at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808).

Issued at Oklahoma City, Oklahoma this 27th day of March 1944.

REX A. HAYES,
District Director.

[F. R. Doc. 44-11814; Filed, August 7, 1944; 1:20 p. m.]

[Tulsa Rev. Order G-1 Under Gen. Order 50]

DOMESTIC MALT BEVERAGES IN TULSA, OKLA., AREA

Revised Order No. G-1 under General Order No. 50. Maximum dollars-and-cents prices for domestic malt beverages.

Order No. G-1 under General Order No. 50 is redesignated as Revised Order No. G-1 under General Order No. 50, and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Tulsa, Oklahoma, District Office of Region V of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region V Delegation Order No. 48, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of Gen-

eral Order No. 50, this order establishes in section 9 hereof, "dollars-and-cents" maximum prices for certain beverage items offered for sale or sold by any "person" owning or operating an "eating or drinking place" located in the Tulsa District, composed of the following counties in the State of Oklahoma:

Adair, Cherokee, Craig, Creek, Delaware, Haskell, Hughes, Latimer, LeFlore, McIntosh, Mayes, Muskogee, Nowata, Okfuskee, Okmulgee, Osage, Ottawa, Pawnee, Pittsburg, Rogers, Sequoyah, Tulsa, Wagoner, and Washington.

SEC. 2. *What this order covers.* The beverage items to which this order applies are:

(a) Domestic malt beverages as defined in section 7 hereof and commonly known as beer or ale.

SEC. 3. *Prohibition against sales of beverage items above maximum prices.* (a) On and after the effective date of this order, regardless of any contract, agreement, lease, or other obligation:

(1) No person shall sell or deliver any beverage item subject to this order at higher prices than the maximum prices set forth in this order.

(2) No person shall buy or receive any beverage item subject to this order in the course of trade or business at higher prices than the maximum prices set forth in this order.

(3) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 4. *Posting*—(a) *Selling prices.* All persons subject to this order must post in the "eating or drinking place," plainly visible to their customers, their selling prices for the beverage items listed in section 9 hereof, at or near the place where the beverage item is offered for sale.

(b) *Maximum prices.* All persons subject to this order must post in a conspicuous place in the "eating or drinking place" a list of the "dollars-and-cents" maximum prices of the beverage items offered for sale, so that such list will be plainly visible to their customers.

SEC. 5. *Applicability of General Order No. 50.* This order is subject to all the provisions of General Order No. 50 which are hereby made a part hereof.

SEC. 6. *Applicability of General Maximum Price Regulation.* The following sections of the General Maximum Price Regulation, as well as amendments thereto, shall be applicable to all "eating or drinking places", subject to this order:

(a) Sales slips and receipts—§ 1499.14.

SEC. 7. *Definitions.* (a) "Domestic malt beverage" shall mean any and all malt beverages produced within the continental United States, or its territories and possessions, made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(b) "Domestic malt beverage sold on draught" means domestic malt beverage dispensed from a barrel, keg, or other container by a "person" owning or operating an "eating or drinking place" subject to this order.

(c) "Person" includes an individual, corporation, partnership, trust or estate, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any state, county, or municipal government, or any of its political subdivisions, and any agencies of any of the foregoing: *Provided*, That no punishment provided by this order shall apply to the United States, or to any such government, political subdivision, or agency.

(d) "Eating or drinking place" means any place, establishment, business, or location, whether temporary or permanent, stationary or movable, including, but not limited to, a restaurant, hotel, cafe, boarding house, coffee shop, tea room, private club, bar, tavern, delicatessen, soda fountain, cocktail lounge, catering business, or any other place from which any beverage item subject to this Order is offered for sale or sold, except those places which are specifically exempt in section 8 hereof.

(e) "Beverage items" listed herein shall include all domestic malt beverages sold or served by "eating or drinking places" for consumption in or about the place or to be taken out for consumption, without additional preparation other than cooling.

(f) "Hotel room service sale" means sale to a guest or guests in a hotel room when delivery is made to a guest's hotel room.

(g) "Hotel" means any establishment generally regarded as such in its community and used predominantly for transient occupancy.

(h) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 8. *Exempt sales.* Sale by the following "eating or drinking places" are specifically exempt from the provisions of this order:

(a) Eating and drinking places (when operated as such) located on board common carriers, including railroad dining cars, club, bar, and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(b) Hospitals, except for beverage items served to persons other than patients.

(c) Hotel room service sales.

Such aforesaid sales, not otherwise exempt from Price Control, shall remain subject to the appropriate Maximum Price Regulation or Order.

SEC. 9. *Maximum "dollars-and-cents" prices.*

(a) The maximum "dollars-and-cents" prices which may be charged for the beverage items subject to this Order are:

(1) *In bottles.*

Brand or trade name	Maximum price per bottle: 12-ounce	32-ounce
	Ct.	Ct.
Barbarossa Domestic Malt Beverage (beer)	10	26
Blatz Domestic Malt Beverage (beer)	10	26
Budweiser Domestic Malt Beverage (beer)	10	26
Coors Domestic Malt Beverage (beer)	10	26
Country Club Domestic Malt Beverage (beer)	10	...
Grain Belt Domestic Malt Beverage (beer)	10	26
Millers-High Life Domestic Malt Beverage (beer)	10	26
Muehlebach Domestic Malt Beverage (beer)	10	26
Old Style Lager Domestic Malt Beverage (beer)	10	26
Pabst Blue Ribbon Domestic Malt Beverage (beer)	10	26
Schlitz Domestic Malt Beverage (beer)	10	26
Zollers-Topping Domestic Malt Beverage (beer)	10	26
Alpen Brau Domestic Malt Beverage (beer)	11	28
Falstaff Domestic Malt Beverage (beer)	11	28
Gold Seal Domestic Malt Beverage (beer)	11	28
Griesedieck Domestic Malt Beverage (beer)	11	28
Old King Domestic Malt Beverage (beer)	11	28
Pom-Roy Domestic Malt Beverage (beer)	11	28
Progress Domestic Malt Beverage (beer)	11	28
Millers-Export Domestic Malt Beverage (beer)	11	28
Stag Domestic Malt Beverage (beer)	11	28
State Domestic Malt Beverage (beer)	11	28
Stern Brau Domestic Malt Beverage (beer)	11	28
Zollers-Blackhawk Domestic Malt Beverage (beer)	11	28
Zollers-Pilsener Domestic Malt Beverage (beer)	11	28
Red Top Ale Domestic Malt Beverage (ale)	10	26

(2) *On draught.* Any or all brands of domestic malt beverage (beer or ale), sold on draught by any "eating or drinking place" to which this order applies, may be sold at a price not in excess of one (1) cent for each fluid ounce, exclusive of foam. *Provided, however,* That "Michelob" brand beer may be sold for ten (10) cents per eight (8) fluid ounces, exclusive of foam; *and Provided further,* That on the sale of draught beer in quantities of eight (8) ounces or more an additional one (1) cent may be added to the total price.

(3) *Non-labeled bottles.* Any domestic malt beverage item (beer or ale) offered for sale or sold in bottles by any "eating or drinking place" subject to this order, which does not have the manufacturer's label affixed thereto, or the trade name or brand stamped, printed, or engraved or appearing in raised letters on the cap or bottle as proper identification, shall not be offered for sale or sold at a price higher than the lowest maximum price fixed herein for the size of bottle of domestic malt beverage (beer or ale) offered for sale or sold.

SEC. 10. *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid, or offered.

SEC. 11. *Other brands of domestic malt beverages.* Any person subject to this order desiring to sell any other trade name or brand of domestic malt beverage not specifically priced by section 9 herein, shall, before offering such domestic malt beverage for sale, apply to and receive from the Director of the Tulsa District Office of the Office of Price Administration a maximum price for such beverage.

Such application need not be in any particular form, but must contain the

following information: Name and address of applicant, location and type of "Eating or Drinking Place", trade name or brand of domestic malt beverage, size of bottle, and cost per case, delivered. The Director of the Tulsa District Office of the Office of Price Administration shall then fix the maximum price for such trade name or brand of domestic malt beverage, and shall notify such applicant accordingly. The price so fixed shall be the maximum price for which such trade name or brand of domestic malt beverage may be sold by such applicant.

SEC. 12. *Taxes.* The dollars-and-cents maximum prices for the beverage items listed in section 9 hereof include all municipal, state and federal taxes except the federal cabaret tax. In addition to the prices listed herein the seller may charge the amount of the cabaret tax provided the following conditions are met:

(1) The seller is liable for payment of the cabaret tax on the sale being made.

(2) The seller actually pays the additional amount collected for this purpose.

(3) The seller states and collects the tax separately.

When the amount of the total sale, plus the exact amount of the tax results in a figure with a fractional cent, the amount to be collected shall be raised or lowered to the nearer even cent.

SEC. 13. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Evasion.* The price limitations set forth in this order shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of any beverage item, alone or in connection with any other commodity or by way of commission, service, transportation, or any charge or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means, manner, device, scheme, or artifice, or otherwise.

SEC. 15. *Enforcement.* "Persons" violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages, provided by the Emergency Price Control Act of 1942, as amended.

SEC. 16. *Petition for amendment.* Any person seeking an amendment of any provisions of this order, may file a petition for amendment, in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the District Director.

SEC. 17. *Effective date.* This order shall become effective at 12:01 a. m., central war time, April 1, 1944.

SEC. 18. *Revocation.* This order may be amended, corrected, revised, or revoked at any time.

NOTE: The report and record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808)

Issued at Tulsa, Oklahoma, this 27th day of March 1944.

BEN O. KIRKPATRICK,
District Director.

[F. R. Doc. 44-11815; Filed, August 7, 1944; 1:20 p. m.]

[Shreveport Order G-1 Under Gen. Order 50]

MALT BEVERAGES IN SHREVEPORT, LA., DISTRICT

Order No. G-1 under General Order 50. Filing of prices by restaurants and similar establishments: Delegation of authority to fix maximum prices. Dollars-and-cents ceiling prices for malt beverages.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Shreveport, Louisiana District Office of Region V of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region V Delegation Order dated March 23, 1944, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of General Order No. 50, this order establishes in section 9 hereof, "dollars-and-cents" maximum prices for certain beverage items offered for sale or sold by any "person" owning or operating an "eating or drinking place" located in the Shreveport District—composed of the following parishes in the State of Louisiana: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, and Winn.

SEC. 2. *What this order covers.* The beverage items to which this order applies are:

(a) Malt beverages, both domestic and imported, as defined in section 7 hereof, and commonly known as beer or ale.

SEC. 3. *Prohibition against sales of beverage items above maximum prices.* (a) On and after the effective date of this order, regardless of any contract, agreement, lease, or other obligation:

(1) No person shall sell or deliver any beverage item subject to this order at higher prices than the maximum prices set forth in this order.

(2) No person shall buy or receive any beverage item subject to this order in the course of trade or business at higher prices than the maximum prices set forth in this order.

(3) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 4. *Posting*—(a) *Selling prices.* All persons subject to this order must post in the "eating or drinking place" plainly visible to their customers, their selling prices for the beverage items listed in section 9 hereof, at or near the place where the beverage item is offered for sale.

(b) *Maximum prices.* All persons subject to this order must post in a conspicuous place in the "eating or drinking place" a list of the "dollars-and-cents" maximum prices of the beverage items offered for sale, so that such list will be plainly visible to their customers.

SEC. 5. *Applicability of General Order No. 50.* This order is subject to all the provisions of General Order No. 50, which are hereby made a part of this order.

SEC. 6. *Applicability of General Maximum Price Regulation.* The following sections of the General Maximum Price Regulation, as well as amendments thereto, shall be applicable to all "eating and drinking places" subject to this order:

(a) Sales Slips and Receipts—§ 1499.14.

(b) Registration—§ 1499.15.

(c) Licensing—§ 1499.16.

SEC. 7. *Definitions.* (a) "Malt beverage" shall mean any and all malt beverages, both domestic and imported, made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(b) "Malt beverage sold on draught" means malt beverage dispensed from a barrel, keg or other container by a "person" owning or operating an "eating or drinking place" subject to this order.

(c) "Person" includes an individual, corporation, partnership, trust or estate, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any state, county, or municipal government, or any of its political subdivisions, and any agencies of any of the foregoing: *Provided,* That no punishment provided by this order shall apply to the United States, or to any such government, political subdivision, or agency.

(d) "Eating or drinking place" means any place, establishment, business, or location, whether temporary or permanent, stationary or movable, including, but not limited to, a restaurant, hotel, cafe, boarding house, diner, coffee shop, tea room, private club, dining car, bar, tavern, delicatessen, soda fountain, cocktail lounge, catering business, or any other place from which any beverage item subject to this order is offered for sale or sold, except those places which

are specifically exempted in section 8 hereof.

(e) "Beverage items" listed herein shall include all malt beverages, both domestic and imported, sold or served by "eating or drinking places" for consumption in or about the place, without additional preparation other than cooling.

(f) "Hotel room service sale" means sale to a guest or guests in a hotel room when delivery is made to guest's hotel room.

(g) "Hotel" means any establishment generally regarded as such in its community and used predominantly for transient occupancy.

(h) *Other definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 8. *Exempt sales.* Sales by the following are specifically exempt from the provisions of this order:

(a) Eating and drinking places (when operated as such) located on board common carriers, including railroad dining cars, club, bar, and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(b) Hospitals, except for beverage items served to persons other than patients.

(c) Hotel room service sales.

(d) Any place of business which does not sell malt beverages for consumption on or about the premises where sold.

Such aforesaid sales, not otherwise exempt from price control, shall remain subject to the appropriate maximum price regulation or order.

SEC. 9. *Maximum "dollars-and-cents" prices.* (a) The maximum "dollars-and cents" prices which may be charged for the beverage items subject to this order are:

(1) *In bottles.*

Brand or trade name	Maximum price per bottle		
	7-ounce	12-ounce	32-ounce
	Cents	*Cents*	*Cents*
Blatz Pilsener (beer)	-------	17	40
Birks (beer)	-------	13	30
Birks Trophy (beer)	10	17	40
Birks Silver Fox (beer)	-------	17	40
Birks Fox Deluxe (beer)	-------	13	30
Budweiser (beer)	-------	17	40
Burger Brau (beer)	-------	17	-------
Burger Beer (beer)	-------	13	-------
Burger Ale (ale)	-------	13	30
Champ-Velvet (beer)	-------	13	30
Eagle (beer)	-------	13	30
Falstaff (beer)	-------	17	40
Fortune (beer)	-------	13	30
Gold Crest (beer)	-------	13	30
Hapsburg (beer)	-------	13	30
Jax (beer)	-------	17	40
Muelbach (beer)	-------	17	-------
Prima (beer)	-------	17	40
Pabst (beer)	-------	17	-------
Red Cap Ale (ale)	-------	13	30
Regal (beer)	-------	17	40
Schlitz (beer)	-------	13	30
Stag (beer)	-------	13	30
78-Ale (ale)	-------		

(2) *On draught.* All brands of malt beverage (beer or ale) ten (10) fluid ounces, exclusive of foam, for ten (10¢), or in other quantities at the rate of one cent (1¢) per ounce, exclusive of foam.

(3) *Non-labeled bottles.* Any malt beverage item (beer or ale) offered for sale or sold in bottles by any "eating or drinking place" subject to this order, which does not have the manufacturer's label affixed thereto, or the trade name or brand stamped, printed, or engraved, or appearing in raised letters on the cap or bottle as proper identification, shall not be offered for sale or sold at a price higher than the lowest maximum price fixed herein for the size of bottle of malt beverage (beer or ale) offered for sale or sold.

SEC. 10. *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

SEC. 11. *Other brands of malt beverages.* Any person subject to this order desiring to sell any other trade name or brand of malt beverage not specifically priced by section 9 herein, shall, before offering such malt beverage for sale, apply to and receive from the Shreveport, Louisiana District Office of the Office of Price Administration a maximum price for such beverage.

Such application need not be in any particular form, but must contain the following information: Name and address of applicant, location and type of "eating or drinking place," class of "person," trade name or brand of malt beverage, size of bottle, and cost per case delivered. The Shreveport, Louisiana District Office of the Office of Price Administration shall then fix the maximum price for such trade name or brand of malt beverage, and shall notify such applicant accordingly. The price so fixed shall be the maximum price for which such trade name or brand of malt beverage may be sold by such applicant.

SEC. 12. *Taxes.* The dollars-and-cents maximum prices for the beverage items listed in section 9 hereof include all municipal, state and federal taxes except state sales taxes, and except the federal cabaret tax. In addition to the prices listed herein the seller may charge the amount of the state sales tax, and the cabaret tax, provided the following conditions are met:

(1) The seller is liable for payment of the cabaret tax on the sale being made.

(2) The seller actually pays the additional amount collected for this purpose.

(3) The seller states and collects the cabaret tax separately.

When the amount of the total sale, plus the exact amount of the tax results in a figure with a fractional cent, the amount to be collected shall be raised or lowered to the nearer even cent.

On draught. On the sale of draught beer in quantities of eight (8) ounces or more, an additional 1¢ may be added to the total price.

SEC. 13. *Evasion.* The price limitations set forth in this order shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of any beverage item, alone or in connection with any other commodity or by way of commission, service, transporation, or any charge or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means, manner, method device, scheme, or artifice, or otherwise.

SEC. 14. *Enforcement.* "Persons" violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages, provided by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Petition for amendment.* Any person seeking an amendment of any provisions of this order, may file a petition for amendment, in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the District Director.

SEC. 16. *Effective date.* This order becomes effective at 12:01 A. M., Central War Time, April 1, 1944.

SEC. 17. *Revocation.* This order may be amended, corrected, revised, or revoked at any time.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued at Shreveport, Louisiana, this 27th day of March 1944.

J. E. BRUMFIELD,
District Director.

[F. R. Doc. 44-11816; Filed, August 7, 1944; 1:20 p. m.]

[Spokane Rev. Order 6-B Under MPR 426]

PLUMS IN SPOKANE, WASH., DISTRICT

First Revised Order No. 6-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Plums.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point, in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said Method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in

connection with such transportation; and in line (1), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Plums 4 (4X5 size) Baskets in Crate.
(b) Basing Point: Sacramento, California.
(c) Wholesale receiving point: Spokane, Washington.
(d) Method of transportation: Carlot to Portland—LCL to Spokane.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.53 cwt.

	Per unit of sale	
	Per crate of 32 pounds gross	Per pound graded and packed
(f) Freight charge by Method (d)	$0.49	$0.0150
(g) Basing-point cost	2.88	.1030
(h) Protective services	.04	.0033
(i) Maximum price in wholesale receiving point (sum of "f", "g," and "h")	3.41	.1213

NOTE: Adjust price for other sizes as given in Amendment 44 to MPR 426.

This order shall become effective July 27, 1944, and may be revoked, amended, or corrected at any time. Order No. 6–B is hereby revoked.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44–11810; Filed, August 7, 1944; 1:18 p. m.]

[Region VIII Order G–98 Under 18 (c)]

LUMBER IN SAN FRANCISCO REGION

Order No. G–98 under section 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for mill-sales of alder, maple and cottonwood lumber.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices which producers or wholesalers may charge for lumber (as described herein) made from alder, maple and cottonwood are as shown herein.

(b) *Area application.* This order applies to all such sales of such lumber manufactured in the States of California, Washington, Nevada, Oregon except Malheur County, Arizona except those portions of Coconino and Mohave counties lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(c) The maximum prices per 1,000 feet board measure are set forth herein. All prices (except as provided in paragraph (6)) are for random widths resulting from normal milling and are for the thicknesses shown. The thickness is described in terms of quarter inches, as ¼", ⅝" etc.

(1) For ¼" rough, green, culls out:

	Alder	Maple	Cottonwood
Millrun, 4/4" rough, green, culls out	$42.50	$46.50	$32.50
No. 3, 4/4" rough, green, culls out	18.25	22.25	8.25
No. 2, 4/4" rough, green, culls out	38.75	42.75	28.75
No. 1, 4/4" rough, green, culls out	57.75	61.75	47.75
No. 2 or better, 4/4" rough, green, culls out	54.40	58.40	44.40
No. 1 or better, 4/4" rough, green, culls out	67.15	71.15	57.15
Clear one face, 4/4" rough, green, culls out	98.75	102.75	88.75

(2) For other thicknesses, adjust the price of the same grade of lumber of 4/4" thickness as follows:

If thickness is:	*Multiply price for 4/4 inch by*
5/4 inch	102%
6/4 inch	103%
8/4 inch	107%
10/4 inch	115%
12/4 inch	125%

Even out to nearest quarter dollar.

(3) For any lumber which has been surfaced on either two or four sides add $3.00 per thousand feet Board Measure to the price determined above.

(4) For air dried lumber add $5.00 per thousand feet Board Measure to the appropriate price for green lumber as determined under paragraphs (1), (2), and (3) above.

(5) For Kiln Dried lumber add to the appropriate price for green lumber determined under paragraphs (1), (2), and (3) above: $10.00 per thousand feet Board Measure if in sizes of 4/4", 5/4" and 6/4". $15.00 per thousand feet Board Measure if 8/4" or thicker.

"Kiln dried lumber" means lumber which is kiln dried, according to Standard Kiln Dried Lumber Rules of the National Hardware Lumber Association issued as of January, 1944, to the extent that the moisture content shall not exceed 8%.

All lumber rough or surfaced shall be of Standard thickness in accordance with paragraphs 13 and 14 of National Hardwood Lumber Association rules and shall be as follows:

Rough size:	*Size when surfaced on two sides (inches)*
4/4 inch	13/16
5/4 inch	1–1/16
6/4 inch	1–5/16
8/4 inch	1–3/4
10/4 inch	2–1/4
12/4 inch	2–3/4

(6) For orders calling for a specified width add $5.00 per thousand feet Board Measure to the appropriate maximum price determined under paragraphs (1) to (5) above.

(7) The above prices are f. o. b. mill. If the sale is made on a delivered basis to any other point, an addition may be made for the actual transportation cost incurred by the seller from the mill to destination, not exceeding the lowest common carrier rate for the haul.

(d) The adjusted maximum prices herein established are subject to the particular dealer's customary discounts and allowances.

(e) This order may be revoked, amended or corrected at any time.

(f) This order shall become effective July 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of July 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–11813; Filed, August 7, 1944; 1:18 p. m.]

[Scranton Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SCRANTON, PA., DISTRICT

Order No. 1 under Restaurant Maximum Price Regulation No. 2. Posting order.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Scranton District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte item first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep the copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Scranton District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

HOWARD F. ORTH,
Acting District Director.

APPENDIX A

1. Tomato or Fruit Juice.
2. Fruit Cocktail.
3. Soup de jour.
4. Ham Sandwich.
5. Ham & Egg Sandwich.
6. American Cheese Sandwich.
7. Lettuce & Tomato Sandwich.
8. Hamburger Sandwich.
9. Ham & Cheese Sandwich.
10. Hot Roast Beef Sandwich.
11. Bacon or Ham & Eggs.
12. Two Eggs, fried, boiled or scrambled.
13. Fillet of Sole.
14. Broiled Mackerel.
15. Broiled Halibut.
16. Calves Liver and Bacon.
17. Two Pork Chops.
18. Hamburger Steak.
19. Roast Rib of Beef.
20. Roast Pork or Ham.
21. Lamb Stew—or any meat stew.
22. Roast Chicken.
23. Two Lamb Chops.
24. Tenderloin Steak.
25. Sirloin Steak.
26. Veal Cutlet.
27. Cold Cuts & Salad.
28. Hot Cakes and Syrup.
29. Vegetable Plate.
30. Combination Salad.
31. 3-Course Mackerel Luncheon.
32. 3-Course Beef Stew Luncheon.
33. 5-Course Chicken Dinner.
34. 5-Course Roast Beef Dinner.
35. Club Breakfast—fruit, toast and coffee.
36. Milk.
37. Coffee.
38. Apple Pie.
39. Ice Cream.
40. Layer Cake.

[F. R. Doc. 44-11867; Filed August 8, 1944; 1:15 p. m.]

[Region II Rev. Order G-34 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

Amendment No. 1 to Revised Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuel sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-34 is amended in the following respects:

1. Paragraph (c) is amended to read as follows:

(c) *Application for additional price increase.* Any dealer whose receipts of Group I anthracite during the previous calendar month exceeded 75 percent, or whose receipts of Group II anthracite during the previous calendar month exceeded 30 percent, of all anthracite received by him during that month, may apply to the District Office of the Office of Price Administration, within whose jurisdiction he sells anthracite, for an additional increase. An application may also be filed where the dealer feels that the combined percentage of Group I and Group II anthracite received during the previous calendar month warrants an adjustment in maximum price beyond that authorized by the automatic increase provisions of paragraph (b).

Applications may be filed under this paragraph (c) between the first and tenth day of each month, based upon the proportions of anthracite having different mine costs received during the previous calendar month, and should request an adjustment for a one-month period. Such application shall be in writing and set forth the following:

(i) Total tonnage of anthracite received by the dealer during the previous calendar month.

(ii) Tonnage of Group I and Group II anthracite specified in paragraph (a) received during the previous calendar month, identified as described therein.

(iii) Proposed increases on anthracite sales above area ceiling prices.

(iv) Any other pertinent information the District Director may request.

The District Director will either grant or deny the application, in whole or in part, in the light of the estimated average increase in supplier's maximum prices for anthracite, based on dealer's total anthracite receipts during the previous calendar month, as compared with supplier's maximum prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112. The order may incorporate appropriate provisions for recalculation of the permitted increase based upon changing mine costs.

2. Paragraph (d) is amended by adding the following order to the list of orders there enumerated.

Order No. G-45 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 1 to Revised Order No. G-34 shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; Issued this 26th day of July 1944.

Issued this 26th day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-11868; Filed, August 8, 1944; 1:13 p. m.]

[Region II Rev. Order G-34 Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

Amendment No. 2 to Revised Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to area dollars-and-cents orders, based on higher mine costs for specified anthracite.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-34 is amended in the following respects:

1. Paragraph (a) is amended by adding the following anthracite to the anthracite specified under "Group II":

Anthracite produced by T. E. Steel Coal Company and prepared at its Central Breaker located at Junedale, Pennsylvania.

Anthracite produced and prepared by the Alden Coal Company at its Alden Operation located in Newport Township, Luzerne County, Pennsylvania.

This Amendment No. 2 to Revised Order No. G-34 shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-11869; Filed, August 8, 1944; 1:13 p. m.]

[Region II 2d Rev. Order G-26 Under RMPR 122, Amdt. 2]

ANTHRACITE COAL IN NEW YORK REGION

Amendment No. 2 to Second Revised Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Silver Brook", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-26 is amended in the following respects:

1. Paragraph (b) is amended to read as follows:

(b) *Alternative pricing provision; application for a price.* Dealers making sales of the anthracite specified in paragraph (a) (1), in communities subject to the area dollars-and-cents orders listed in paragraph (d), who prefer to commingle such anthracite with other anthracite and not to keep it separate in storage and delivery, and who would thereby not be eligible to take the automatic increases permitted under paragraph (a) hereof, may apply to the District Office of the Office of Price Administration, within whose jurisdiction they sell anthracite, for adjustment of their maximum prices for all anthracite sales to compensate for the increased cost of such specified anthracite.

An application may be filed between the first and tenth day of each month based upon the proportions of anthracite having different mine costs received during the previous calendar month and should request an adjusted price for a one-month period. Such application shall be in writing and set forth the following:

(i) Total tonnage of all anthracite received by the dealer during the previous calendar month.

(ii) Tonnage of anthracite specified in paragraph (a) (1) received during the previous calendar month.

(iii) State separately the tonnage of any higher cost anthracite received during the previous calendar month and subject to Regional Order No. G-34 (or any revisions thereof) under Revised Maximum Price Regulation No. 122, identifying such in the manner described therein.

(iv) Proposed increase above area ceiling price.

(v) A statement declaring that the applicant did not segregate higher cost anthracite during the previous calendar month and avail himself of the automatic increases under paragraph (a) hereof.

(vi) Any other pertinent information the District Director may request.

The District Director will either grant or deny the application, in whole or in part, in the light of the estimated average increase in supplier's maximum prices for anthracite, based on dealer's total anthracite receipts during the previous calendar month, as compared with supplier's maximum prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112. The order may incorporate appropriate provisions for recalculation of the permitted increase based upon changing mine costs.

2. Paragraph (d) is amended by adding the following order to the list of orders there enumerated.

Order No. G-45 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 2 to Second Revised Order No. G-26 shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-11865; Filed, August 8, 1944; 1:13 p. m.]

[Region II 2d Rev. Order G-26 Under RMPR 122, Amdt. 3]

ANTHRACITE COAL IN NEW YORK REGION

Amendment No. 3 to Second Revised Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Silver Brook", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-26 is amended in the following respects:

Paragraph (a) (1) is amended by revising the permitted increases for sales of anthracite "produced and prepared by Penn Collieries Company" to read as follows:

For Sales of Anthracite "Produced and Prepared by Penn Collieries Company"

Size:	*Permitted net net ton increase above applicable area ceiling price for anthracite*
Broken, egg, stove, nut and pea	$0.65
Buckwheat	.50
Rice	.10

This Amendment No. 3 to Second Revised Order No. G-26 shall become effective August 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-11866; Filed, August 8, 1944; 1:14 p. m.]

[Cleveland Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN CLEVELAND, OHIO, DISTRICT

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the District Director of the Cleveland District Office of the Office of Price Administration by Section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as required by this Order and as set forth in Appendix A, hereto annexed.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly

soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Cleveland District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this Order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this first day of August 1944.

CLINTON M. FISKE,
District Director.

APPENDIX A

1. Orange Juice, — oz.
2. Half Grapefruit.
3. Dry Cereal with Milk.
4. Two Eggs.
5. Bacon and Two Eggs.
6. Combination Breakfast (Juice—2 Eggs—Toast and Coffee).
7. Toast.
8. Griddle Cakes.
9. Vegetable Soup.
10. Creamed Chicken—complete luncheon.
11. Hamburger.
12. Meat Loaf.
13. Fish (name kind).
14. Beef Stew.
15. Vegetable Plate.
16. Roast Beef.
17. Veal Cutlet.
18. Fried Chicken.
19. Liver and (Onions) or (Bacon).
20. Hamburger sandwich.
21. Ham Sandwich.
22. American Cheese Sandwich.
23. Hot Roast Beef Sandwich.
24. Spaghetti with Meat Sauce.
25. Baked Beans.
26. Potatoes (name kind).
27. Head Lettuce.
28. Oyster Stew.
29. Chow Mein.
30. Chop Suey.
31. Roast Pork—Complete Dinner.
32. Pork Chops.
33. Steak (name kind).
34. Leg of Lamb.
35. Apple Pie.
36. Ice Cream.
37. Gelatin Dessert.
38. Doughnuts.
39. Coffee.
40. Milk.

[F. R. Doc. 44-11862; Filed, August 8, 1944; 1:15 p. m.]

[Region IV Order G-10 Under SR 15]

FLUID MILK IN FARMVILLE, VA.

Order No. G-10 under § 1499.75 (a) (9) (i) of the General Maximum Price Regulation, Supplementary Regulation No. 15. Adjustment of approved fluid milk prices in Farmville, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV by § 1499.75 (a) (9) (i) of the General Maximum Price Regulation, it is hereby ordered:

(a) *Adjustment of maximum prices for approved fluid milk in Farmville, Virginia.* On and after August 1, 1944 the maximum prices for approved fluid milk sold and delivered to any person within Farmville, Virginia at wholesale or retail in glass containers of one quart or less shall be:

	Quarts	Pints	½ Quarts	Half-Pints
	Cents	*Cents*	*Cents*	*Cents*
Wholesale	14	8	8½	4
Retail home delivered	10	9	7	5
Retail out-of-store	10	9	7	5

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart and two cents per half-pint.

(b) *Applicability of the General Maximum Price Regulation and other supplementary regulations and orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to this Order remain subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have heretofore or may hereafter be issued. Specifically, but not by way of limitation, unless the context of this order otherwise requires, the provisions of § 1499.73a (a) (1) (viii) (b), (c), (d), (e), (f) and (g) and § 1499.73a (a) (1) (xi) (Supplementary Regulation No. 14A to the General Maximum Price Regulation as amended) shall be applicable and are made a part of this order. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the provisions of § 1499.20 of the General Maximum Price Regulation, as amended.

(c) This order may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued: July 29, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-11863; Filed, August 8, 1944; 1:14 p. m.]

[San Antonio Rev. Order 1 Under Rev. Restaurant MPR 5-3]

MALT BEVERAGES IN SAN ANTONIO, TEX., DISTRICT

Revised Order No. 1 under Revised Restaurant Maximum Price Regulation No. 5-3. Food and drink sold for immediate consumption. Maximum prices for malt beverages sold for immediate consumption in the areas covered by Revised Restaurant Maximum Price Regulation No. 5-3.

Order No. 1 under Restaurant Maximum Price Regulation 5-3 is redesignated as Revised Order No. 1 under Revised Restaurant Maximum Price Regulation 5-3, and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Antonio, Texas, District of the Office of Price Administration by General Order 50, issued by the Administrator of the Office of Price Administration, and Region V Delegation Order, and pursuant to Section 22 of Revised Restaurant Maximum Price Regulation 5-3, it is hereby ordered:

SECTION 1. *What this order requires.* If you are a person covered by Revised Restaurant Maximum Price Regulation 5-3, or if you are a proprietor of a seasonal eating or drinking place described in section 10, paragraph (a), of such Regulation, you must, notwithstanding the provisions of any other order or regulation, observe the ceiling prices established by this order for malt beverages and post prices subsequently specified.

SEC. 2. *Your ceiling prices.* Your ceiling prices for malt beverages are set forth below:

(a) *Bottled malt beverages.*

Brand or trade name	Maximum price per bottle		
	12 oz.	24 oz.	32 oz.
Domestic Beer	*Cents*	*Cents*	*Cents*
A. B. C.	13		30
Alpen Brau	13		30
Berlin	13		30
Birks	13		30
Blue Bonnet	13		30
Falstaff	13		30
Grand Prize	13		30
Gold Seal	13		30
Griesdieck	13		30
Haas	13		
High Brau	13		30
Jax	13		30
Jefferson	13		
Koller	13		
Lang	13		30
Lemp Red Label	13		
Lone Star	13		30
Mellow Brew	13		
Mountain Top	13		
Muskegon	13		30
Old Gold	13		30
Old King	13		30
Pearl	13		30
Prima	13		30
Progress	13		30
Regal	13		
Roebuck	13		
Shiner	13		30
Southern Select	13		30
Stag	13		30
Stag	13		
Stern Brau	13		
Topaz	13		
White Seal	13		30
Zollers-Blackhawk	13		30
Zollers-Filsaner	13		30
Barbarosa	18		40
Birks Trophy	18		40
Blats	18		40
Blats Pilsener	18		40

Brand or trade name	Maximum price per bottle		
	12 oz.	24 oz.	32 oz.
	Cents	*Cents*	*Cents*
Buckingham Ale	18		40
Budweiser	18		40
Canadian Ace	18		40
Commander Pilsner	18		
Coors	18		40
Country Club	18		40
Embassy Club	18		
Ruiberg	18		
Gold Label	18		
Grain Belt	18		40
Hamm's Preferred	18		
Jung Pilsener	18		
Kingsbury Pale	18		40
Lemp Black Label	18		40
Millers High Life	18		40
Muehlebach Pilsener	18		40
Old Style Lager	18		40
Old Timer	18		40
Pabst Blue Ribbon	18		40
Pearless	18		
Pilsner Club	18		40
Pioneer	18	30	40
Polo	18	30	40
Port	18		40
Pom-Roy	18		40
Schlitz	18		40
Schoot's Highland	18		40
Silver Cream	18		40
Silver Fox	18		40
Six Horses	13		40
Staats	18		40
Storck	18		40
Victory	18		40
Red Top Ale	20		44
Pabst Ale	23		
Van Merrit	25		
Corona	23		
Carta Blanca	23		
Monterrey	23		
Nortena	23		
Bohemia (6.8 oz. 18¢)	25		

(b) *Malt beverages on draught.* Any or all brands of domestic malt beverage (beer or ale) sold on draught by any "eating or drinking place", to which this Order applies, may be sold at a price not in excess of one cent (1¢) for each fluid ounce, exclusive of foam; *Provided, however,* That Michelob brand draught beer may be sold for one and one-half cents (1½¢) for each fluid ounce, exclusive of foam: *Provided further,* That on the sale of draught beer in quantities of eight ounces or more, an additional 1 cent (1¢) may be added to the total price.

(c) *Unbranded beverages.* Your ceiling price for any bottled malt beverage which does not carry a brand or trade name at the time of sale shall be the lowest ceiling price established by paragraph (a) above for the same size bottle of malt beverage.

(d) *New and unlisted brands.* Your ceiling prices for new brands of malt beverages or brands which are not listed above must be determined in advance of sale by making application to the District Office of the Office of Price Administration. This office will establish your ceiling price or prices and notify you accordingly. Your application need not be in any set form but must include your name and address; the location and type of eating and drinking place; the trade name or brand of the beverage or drink for which you apply for a ceiling price; the size of the bottle or glass sold to consumers; and a description of the unit of purchase and the delivered cost per unit to you.

(e) *Addition of taxes.* The dollars-and-cents maximum prices for the beverage items listed in the preceding paragraphs of this section include all municipal, state and federal taxes, except the federal cabaret tax. In addition to the prices listed herein, you may charge the amount of cabaret tax provided the following conditions are met:

(1) You are liable for payment of a cabaret tax on the sale being made;

(2) You actually pay the additional amount collected for this purpose; and

(3) You state and collect the tax separately.

When the amount of the total sale plus the exact amount of the tax results in a figure with a fractional cent, the amount to be collected shall be raised to the next higher cent if the fraction is one-half cent or more and shall be reduced to the nearest lower cent if the fraction is less than one-half cent.

(f) *Evasion.* You must not evade the ceiling prices established by this section by any type of evasion, scheme or device. Among other things, you must not:

(1) Make any charge for the icing or cooling of the malt beverages covered by this order;

(2) Increase any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or any other special charges, or make such charges when they were not in effect in the seven-day period April 4 to April 10, 1943, except that a cover or minimum charge in effect during such period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(3) Require as a condition of sale of a beverage item covered by this order the purchase of other items or meals when such condition was not in effect during the period April 4 to April 10, 1943.

SEC. 3. *You must post prices.* You must post the prices of the malt beverages sold by you either by:

(a) Supplying menus or bills of fare to your customers containing the brand name, quantity and price of all malt beverages which are sold by you subject to this order, or

(b) Posting a sign in a place where it can easily be read by your customers. On the sign, you must show the brand name, quantity and prices of the malt beverages you are selling subject to this order.

SEC. 4. *Exempt sales.* Sales which are exempt by section 18 of Revised Restaurant Maximum Price Regulation 5-3 are likewise exempt by this order. Hotel room service sales are also exempt from this order, but remain subject to Revised Restaurant Maximum Price Regulation 5-3.

SEC. 5. *Licensing.* By Licensing Order 1, which is hereby incorporated in this order by reference, you are required to have a license with which you are automatically vested. No steps need be taken by you to procure this license, but if you violate this order, the license may be suspended so as to make it unlawful for you to do business during the period of suspension.

SEC. 6. *Definitions.* (a) "Malt beverage" means any malt beverage produced either within or without the continental United States which commonly goes by the name of beer or ale.

(b) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(c) "Hotel room service" means sale to a guest or guests in a hotel room when delivery is made to a guest's hotel room.

(d) "Hotel" means any establishment generally regarded as such in its community and used predominantly for transient occupancy.

(e) *Other definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 7. *Enforcement.* "Persons" violating any provisions of this order are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages, provided by the Emergency Price Control Act of 1942, as amended.

SEC. 8. *Adjustment, revocation and amendment.* (a) Section 19 of Revised Restaurant Maximum Price Regulation 5-3, relating to adjustment, shall not be applicable to the items covered by this order, but this order may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this order (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the District Director.

SEC. 9. *Effective date.* This order becomes effective at 12:01 a. m., central war time, April 17, 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808; and Revised Restaurant MPR 5-3)

Issued at San Antonio, Texas, this 13th day of April 1944.

FRANK M. COVERT, Jr.,
District Director.

[F. R. Doc. 44-11864; Filed, August 8, 1944; 1:14 p. m.]

[Region VIII Order G-12 Under 3 (c)]

TIRES IN DESIGNATED WESTERN STATES

Order No. G-12 under § 1499.3 (c) as amended of the General Maximum Price Regulation. Continuous and noncontinuous tread tires. Maximum prices for

sales at retail of continuous and non-continuous tread tires.

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by section 3 (c) of the General Maximum Price Regulation and Revised General Order 32, it is ordered as follows:

a. The maximum prices for sales at retail by sellers of the following commodities who did not sell the same, similar, or comparable commodities in March, 1942 and whose closest competitors did not sell the same or similar commodities in March, 1942 shall be as follows:

Item	*Maximum price*
Continuous tread tires in sound condition:	
13.00 x 24—8 ply Earth Movers	$51.95
9.00 x 16—8 ply Truck Tires	31.66
30 x 3½—4 ply Passenger Car Tires	9.80

b. Tires of the sizes and description hereby priced but which do not have continuous tread and are not in sound condition shall be priced under the General Maximum Price Regulation.

c. This order shall apply to all sales and deliveries in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nes Perce, Shoshone, and Idaho.

This order shall take effect July 31, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of July 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-11871; Filed August 8, 1944; 1:14 p. m.]

[Region VIII Order G-97 Under 18 (c)]

BEAGLE PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICE

Order No. G-97 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales by certain sellers of rice hull ash.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, it is hereby ordered:

(a) The adjusted maximum price at which any purchaser, who purchases rice hull ash from Beagle Products Company, 3327 Cutter Way, Sacramento, California, may sell such rice hull ash to any person shall be the price of such purchaser as determined under § 1499.2 of the General Maximum Price Regulation, plus $3.50 per ton.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective five days after its issuance.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law. 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

CHAS. R. BAIRD,
Regional Administrator,

[F. R. Doc. 44-11870; Filed, August 8, 1944; 1:14 p. m.]

[Richmond Order 1 Under Gen. Order 50, Amdt. 4]

MALT AND CEREAL BEVERAGES IN RICHMOND, VA., DISTRICT

Pursuant to instructions of the Regional Administrator, Region IV, and under the authority vested in the District Director of the Richmond District Office of Region IV of the Office of Price Administration by General Order Number 50, issued by the Administrator of the Office of Price Administration, and Revised Regional Delegation Order Number 17, issued May 5, 1944, *It is hereby ordered:*

1. In further amendment of Order Number 1 (as issued June 29, 1944, under General Order Number 50 and as amended) amendments numbers 1, 2 and 3 thereof, issued and effective July 24, 1944, are hereby revoked, but to the extent only that the same became and have been effective within that portion of the Commonwealth of Virginia described in paragraph 2 hereof.

2. The provisions of this amendment extend to all eating and drinking places or establishments located within the counties of Elizabeth City, Nansemond, Norfolk, Princess Anne and Warwick, all towns and municipalities in the said counties and the cities or towns of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk and Suffolk.

3. The said amendments 1, 2 and 3 having been revoked as aforesaid, the said Order Number 1, as first issued, is made fully effective within the area described in paragraph 2.

4. This amendment becomes effective immediately upon issuance.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; GO 50, 8 F.R. 4808; Rev. Reg. Deleg. Order 17)

Issued July 28, 1944.

J. FULMER BRIGHT,
District Director.

[F. R. Doc. 44-11875; Filed, August 8, 1944; 4:11 p. m.]

[Region VIII Order G-3 Under 18 (c), Amdt. 42]

FLUID MILK IN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator, *It is hereby ordered,* That Order No. G-3 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Section (1) is hereby amended by adding to the schedule of prices at the end thereof, the following:

Port Ludlow

	Wholesale	Retail—home delivered
Quart	$0.11	$0.13
Pint		.07

(b) Section 5 (d) of Order No. 4 is amended to read as follows:

(a) *Spokane,* including an area within a radius of 15 miles thereof.

(b) *Pasco,* and including an area within a radius of 10 miles thereof.

(c) *Kennewick,* including an area within a radius of 10 miles thereof.

(d) *Everett,* and including an area within a radius of 10 miles thereof; excepting, however, any part of Whidby Island or Camaino Island.

(e) *Port Ludlow,* and including an area within a radius of 5 miles thereof.

(f) Including an area within a radius of 3 miles of any other city named herein. All radii are to be determined from the corporate limits of any city named herein.

This amendment shall become effective August 8th 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

BEN C. DUNIWAY,
Acting Regional Administrator

[F. R. Doc. 44-11879; Filed, August 8, 1944; 4:10 p. m.]

[Spokane Order 9-B Under MPR 426]

PLUMS IN SPOKANE, WASH., DISTRICT

Order No. 9-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Plums.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

	Per unit of sale	
	Per crate of 32 pounds gross	Per pound, graded and packed
(f) Freight charge by Method (d)	$0.33	$0.010
(g) Basing-point cost	2.88	.103
(h) Protective services	.04	.003
(i) Maximum prices in wholesale receiving point (sum of "f," "g," and "h")	3.25	.116

NOTE: Adjust prices for other sizes as given in Amendment 44 to MPR 426.

This order shall become effective July 27, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-11876; Filed, August 8, 1944; 4:10 p. m.]

[Spokane Order 10-B Under MPR 426]

PLUMS IN SPOKANE, WASH., DISTRICT

Order No. 10-B under section 8 (a) (7) of Maximum Price Regulation No. 426, as amended. Plums.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

	Per unit of sale	
	Per crate of 32 pounds gross	Per pound, graded and packed
(f) Freight charge by Method (d)	$0.39	$0.012
(g) Basing-point cost	2.88	.103
(h) Protective services	.04	.003
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.31	.118

NOTE: Adjust price for other sizes as given in Amendment 44 to MPR 426.

This order shall become effective July 27, 1944, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-11877; Filed, August 8, 1944; 4:11 p. m.]

[Spokane Order 11-B Under MPR 426]

CANTALOUPES IN SPOKANE, WASH., DISTRICT

Order No. 11-B under section 8 (a) (7) of Maximum Price Regulation No. 426 as amended. Cantaloupes.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing Point: Mendota, California.
(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: Carlot to Portland—LCL to Lewiston.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.86 per cwt.

	Per unit of sale	
	Per standard crate of 68 pounds	Per pound
(f) Freight charge by Method (d)	$0.95	----------
(g) Basing-point cost	2.80	----------
(h) Protective services	.84	----------
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.89	$0.052

This order shall become effective August 1, 1944, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-11878; Filed, August 8, 1944; 4:11 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 8, 1944.

REGION I

Boston Order P-1, covering fresh fish and seafood in certain areas in Calif., filed 9:51 a. m.

REGION II

Albany Order 1-F, Amendment 10, covering fresh fruits and vegetables in certain cities in New York, filed 10:42 a. m.

Buffalo Order 1-F, Amendment 15, covering fresh fruits and vegetables in certain named cities and towns in New York, filed 10:42 a. m.

Buffalo Order 1–F, Amendment 16, covering fresh fruits and vegetables in designated cities and town in New York, filed 10:40 a. m.

Buffalo Order 3–F, Amendment 17, covering fresh fruits and vegetables in Rochester, E. Rochester, Fairport and Pittsford, filed 10:40 a. m.

Philadelphia Order 1–F, Amendment 17, covering fresh fruits and vegetables in city and County of Philadelphia, filed 10:42 a. m.

Philadelphia Order 3–F, Amendment 2, covering fresh fruits and vegetables in designated areas in Penna., filed 10:42 a. m.

Philadelphia Order 3–F, Amendment 2, covering fresh fruits and vegetables in designated areas in Penna., filed 10:42 a. m.

Philadelphia Order 4–F, covering fresh fruits and vegetables in Bucks, Chester and Montgomery, Penna., filed 9:51 a. m.

Philadelphia Order 5–F, covering fresh fruits and vegetables in certain counties in Penna., filed 9:51 a. m.

REGION III

Cincinnati Order 1–F, Amendment 42, covering fresh fruits and vegetables in Hamilton, Ohio, filed 10:43 a. m.

Lexington Order 1–F, Amendment 41, covering fresh fruits and vegetables in Fayette County, Kentucky, filed 10:43 a. m.

Lexington Order 2–F, Amendment 35, covering fresh fruits and vegetables in Campbell and Kenton, Kentucky, filed 10:43 a. m.

Lexington Order 3–F, Amendment 32, covering fresh fruits and vegetables in Boyd, Kentucky, filed 10:45 a. m.

Lexington Order 12, Amendment 13, covering community Food prices in certain areas in Kentucky, filed 10:45 a. m.

Louisville Order 1–F, Amendment 5, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana, filed 10:40 a. m.

Louisville Order 2–F, Amendment 5, covering fresh fruits and vegetables in McCracken, Kentucky, filed 10:36 a. m.

Louisville Order 3–F, Amendment 5, covering fresh fruits and vegetables in Daviess and Henderson, Kentucky, filed 10:36 a. m.

REGION IV

Jacksonville Order 3–F, Amendment 13, covering fresh fruits and vegetables in Tampa, Florida, filed 9:57 a. m.

Jacksonville Order 6–F, Amendment 14, covering fresh fruits and vegetables in Jacksonville, Florida, filed 9:57 a. m.

Nashville Order 5–F, Amendment 26, covering fresh fruits and vegetables in certain counties in Virginia, filed 10:36 a. m.

Nashville Order 8–F, Amendment 27, covering fresh fruits and vegetables in certain counties in Virginia, filed 10:36 a. m.

Nashville Order 10–F, Amendment 7, covering fresh fruits and vegetables in certain counties in Nashville District, filed 9:57 a. m.

REGION V

Shreveport Order G–13, Amendment 3, covering poultry in certain parishes in Louisiana, filed 10:45 a. m.

Shreveport Order G–14, Amendment 4, covering poultry in certain parishes in Louisiana, filed 9:56 a. m.

REGION VI

Duluth-Superior Order 1–F, Amendment 23, covering fresh fruits and vegetables in Duluth, Proctor and Superior, filed 9:54 a. m.

La Crosse Order 1–F, Amendment 27, covering fresh fruits and vegetables in La Crosse, Wisc., and Winona, Minn., filed 9:56 a. m.

La Crosse Order 3–F, Amendment 23, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin, filed 9:56 a. m.

La Crosse Order 4–F, Amendment 23, covering fresh fruits and vegetables in Sparta, Wisc., filed 9:56 a. m.

La Crosse Order 5–F, Amendment 23, covering fresh fruits and vegetables in Rochester, Minn., filed 9:55 a. m.

La Crosse Order 8–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Wisc., filed 9:55 a. m.

Peoria Order 1–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Ill., filed 9:53 a. m.

Peoria Order 2–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Tazewell, Ill., filed 9:45 a. m.

Peoria Order 3–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Will, Ill., filed 9:53 a. m.

Peoria Order 4–F, Amendment 8, covering fresh fruits and vegetables in certain areas in McLean, Ill., filed 9:53 a. m.

Sioux Order 2–F, Amendment 28, covering fresh fruits and vegetables in certain areas in Nebraska, filed 9:55 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–11894; Filed, August 9, 1944; 11:16 a. m.]

WAR FOOD ADMINISTRATION.

DESIGNATION OF PERSONS TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The name of Aram D. Manuelian is hereby added to the list of persons appearing in paragraph (A) of the "Designation of Persons to Hold Hearings, to Sign and Issue Subpenas, and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592), and the said Aram D. Manuelian is authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 8th day of August 1944.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.
ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–11872; Filed, August 8, 1944; 3:09 p. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Directive, July 17, 1944,[1] Amdt. 1]

CANNED VEGETABLES, 1944

SUBSIDY PAYMENTS

The War Food Administrator having submitted certain information and recommendations to me on July 6, 1944, and the Price Administrator having submitted certain information and recommendations to me on July 15, 1944, with reference to a program for the payment of subsidies on eligible sales made during the period March 1, 1944 to April 30, 1945, both dates inclusive, on products processed from green peas, snap beans, sweet corn, and tomatoes I hereby find that:

1. The payment of the subsidy on canned green peas, snap beans, sweet corn, tomatoes, and tomato juice and on such other products of the four major vegetables as may later be included, will effectuate the purposes of the hold-the-line order, specifically, the policy established by Executive Orders 9250 and 9328;

2. The payment of the subsidy on completed sales of the specified canned products will greatly facilitate the administration of the subsidy program;

3. Under Maximum Price Regulation 306, which continues in effect, canners cannot comply with increases over 1943 support prices established by the 1944 grower support program without provision for a correspondingly higher subsidy;

4. The agreed pricing method for the 1944 pack of canned fruits and vegetables will be fulfilled.

The Office of Price Administration is hereby authorized and directed:

1. To establish civilian maximum prices for canned green peas, snap beans, sweet corn, tomatoes and tomato juice which will reflect approximately the average of prices established for such products in 1943;

2. To establish for all other products, except canned tomato soup and canned green pea soup, produced wholly or in part from the four major vegetables, civilian maximum prices at a level reflecting increases in raw material and other costs pursuant to my Directive of April 6, 1944;

3. To determine and furnish to the War Food Administration, as soon as calculations have been completed, the amount of subsidy necessary to maintain the 1943 level of prices;

4. To calculate this subsidy by computing the difference between the 1943 average price for civilian sales and the mid-point of the 1944 range of gross maximum prices.

The War Food Administration is hereby authorized and directed:

1. To absorb by the use of Commodity Credit Corporation funds the differential from the 1944 gross maximum price established by the Office of Price Administration for civilian sales of the five products named above;

2. To subsidize these five products, until the effective date of the new regulation for the 1944 pack of canned fruits and vegetables, by absorbing the increased cost of the raw material of the four major vegetables;

3. To subsidize canned tomato soup and canned green pea soup by continuing to absorb the increase by area between the average prices paid in 1942 and the 1944 grower support prices for processing for tomatoes and green peas used in producing these soups.

Dated this 8th day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44–11881; Filed, August 8, 1944; 4:25 p. m.]

[1] 9 F.R. 8221.

FEDERAL REGISTER

VOLUME 9 NUMBER 160

Washington, Friday, August 11, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9–6, Amdt. 1]

PART 1220—FEED

LIMITATIONS ON MIXED FEED MANUFACTURERS

Correction

In F. R. Doc. 44–11737, appearing on page 9582 of the issue for August 8, 1944, the bracketed document designation should read as set forth above.

Chapter XI—War Food Administration (Distribution Orders)

[WFO 10–1]

PART 1432—RICE

REQUIREMENT OF REPORTS

Pursuant to the authority vested in me by the provisions of War Food Order No. 10 as amended (9 F.R. 8174), it is hereby ordered that:

§ 1432.2 *Reports of production and shipments*—(a) *Reports required.* Every person who is a "miller" as defined in War Food Order No. 10, as amended, shall file with the Administrator of said order, War Food Administration, Washington 25, D. C., prior to the 15th day of each month (on Form FDO 10–2, furnished by the said Order Administrator) a report for the preceding calendar month showing:

(1) The quantity of rough rice milled by him;

(2) The quantities of brown rice and of milled rice produced by him;

(3) The quantity of brown and milled rice shipped by him (i) to governmental agencies; (ii) to the export trade; and (iii) to domestic civilian trade;

(4) The quantities of milled rice shipped by him to each of the governmental agencies specified in the report form;

(5) The quantity of milled rice sold to governmental agencies since October 1, 1944, which remains unshipped at the end of the month for which the report is made.

(b) *Effective date.* This order shall become effective at 12:01 a. m., e.w.t., August 9, 1944.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 10, Amdt. 5, 9 F.R. 8174)

Issued this 8th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–11908; Filed, August 9, 1944; 12:06 p. m.]

[WFO 45, Amdt. 5]

PART 1491—BEANS

RESTRICTIONS ON DELIVERIES OF BEANS

War Food Order No. 45, as amended (8 F.R. 14880, 9 F.R. 4319), is further amended to read as follows:

§ 1491.1 *Beans required to be set aside*—(a) *Definitions.* (1) "Beans" means dry threshed beans of the following classes, as defined in the United States Standards for Beans, as revised, effective September 1, 1941: Pea beans; Great Northern beans; Small White beans; Flat Small White beans; Light Red Kidney beans; Dark Red Kidney beans; Pink beans; Western Red Kidney beans; Cranberry beans; Small Red beans; Pinto beans; and Baby Lima beans.

(2) "Authorized purchaser" means any person who holds an existing contract to sell or deliver to a governmental agency products prepared, in whole or in part, from beans.

(3) "Country shipper" means any person whose total deliveries of beans, exclusive of his deliveries thereof to another country shipper, during any calendar month subsequent to July 1, 1943, has exceeded or exceeds 20,000 pounds, and who (i) owns beans, in whole or in part,

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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which he has caused to be screened, sorted, hand-picked, polished, or otherwise cleaned for delivery in the dry, uncooked state, whether for his own account or the joint account of himself and another; or (ii) purchases, for his own account or for the joint account of himself and another, beans from a grower who caused such beans to be screened, sorted, hand-picked, polished, or otherwise cleaned for delivery in the dry, uncooked state. Any person who once qualifies as a country shipper within this definition shall thereafter be deemed to be a country shipper and subject to the terms and conditions of this order, regardless of the volume of his deliveries in succeeding months, unless he obtains a release from the Director.

(4) "Delivery" means the physical transfer of beans from a country shipper to a buyer. The transfer of beans by a country shipper to a carrier, truck, railroad car, or other vehicle for transportation to the buyer, regardless of the ownership or control of the carrier or vehicle being used for such transportation, shall constitute a delivery.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(6) "Director" means the Director of Distribution, War Food Administration.

(7) "Governmental agency" means (i) the armed services of the United States; (ii) the War Food Administration (including but not restricted to any corporate agency thereof); and (iii) any other instrumentality or agency designated by the War Food Administration.

(8) "Armed services of the United States" means the Army, Navy, Marine Corps, and Coast Guard of the United States, excluding, however, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations.

(9) "Deliveries into civilian channels" means any delivery of beans to persons other than (i) governmental agencies; (ii) authorized purchasers; (iii) country shippers; or (iv) users of such beans for feed or seed purposes.

(b) *Restrictions on country shippers.* (1) Every country shipper shall, during each calendar month, set aside and thereafter hold for delivery to governmental agencies or authorized purchasers a quantity of Pea beans, Great Northern beans, Flat Small White beans, Cranberry beans, Small Red beans or Pinto beans equal to at least 25 percent of his total deliveries of such classes of beans into civilian channels during such calendar month, and a quantity of Small White beans, Light Red Kidney beans, Dark Red Kidney beans, Western Red Kidney beans, Pink beans or Baby Limas beans equal to at least 100 percent of his total deliveries of such classes of beans into civilian channels during such calendar month.

(2) The beans set aside pursuant to the provisions hereof shall be of U. S. No. 2 grade or better, as specified in the United States Standards for Beans.

(3) Beans set aside under this order may be sold to:

(i) Any governmental agency in response to announcements or notices by such agencies that offers for beans will be received;

(ii) Any authorized purchaser who furnishes a certificate in accordance with (c) hereof; or

(iii) Any country shipper who acquires such beans for the express purpose of resale and delivery to an authorized purchaser or governmental agency, and who furnishes a certificate in accordance with (c) hereof.

(4) Nothing in this order shall be applicable to beans sold and delivered exclusively for use as seed, in compliance with State and Federal seed laws, or exclusively for use as feed for poultry or livestock, provided the purchaser of such beans furnishes a certificate in accordance with (c) hereof.

(c) *Certificates required.* Every authorized purchaser or country shipper who purchases or accepts delivery of beans which have been set aside under this order, and every person who purchases or accepts delivery of any beans for use as seed or as feed for poultry or livestock, shall furnish to the seller a certificate in the form attached hereto as Exhibit A. A separate certificate shall be furnished for each delivery. Each certificate shall be signed by the buyer or his authorized representative and shall constitute a representation to the War Food Administrator. One copy of the certificate shall be delivered to the country shipper and one copy retained by the purchaser. All certificates shall be retained by the country shipper, for at least two years, for inspection by and delivery to the Director upon request. No country shipper shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(d) *Contracts.* The restrictions hereof shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or deliveries of beans made prior to the effective date hereof. This order shall not, however, be construed as reducing the amount of beans which any person is required to set aside or deliver or to have set aside and held for delivery to governmental agencies under the provisions of this order prior to the effective date of this amendment or any existing contract made with a governmental agency, but any quantity of beans delivered after the effective date of this order to any governmental agency or authorized purchaser, except beans required to be set aside pursuant to the provisions of this order prior to the effective date of this amendment for delivery to governmental agencies, shall be allowed as a credit to such person in determining the quantity of beans required to be set aside and held for delivery to governmental agencies pursuant to the provisions hereof.

(e) *Prior restrictions modified.* Beans in quantities less than a carlot (80,000 pounds) required to be set aside pursuant to the provisions of this order prior to July 1, 1943, may be sold and delivered to a country shipper if such country shipper certifies to the seller (and such certification shall be deemed to be a representation to an agency of the United States) that he will set aside and hold such beans, or a quantity of beans equivalent thereto, for delivery to a governmental agency in addition to the quantity of beans he is otherwise required to set aside under this order, as amended. Beans set aside prior to July 1, 1943, in quantities in excess of a carlot (80,000 pounds) may be sold and delivered in accordance with the provisions of paragraphs (b) (3) and (c) of this order, as amended.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in beans.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises, or stocks of beans of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using beans. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Releases.* (1) The Director may, notwithstanding any of the provisions hereof, release any or all of the beans set aside pursuant to the provisions of this order.

(2) Upon application, the Director may release any person from the classification of a "country shipper" if the person seeking removal from such classification shows to the satisfaction of the Director (i) that his total deliveries of beans during each of the two calendar months next preceding the date of his application, exclusive of his deliveries to any country shipper, have not exceeded 20,000 pounds; (ii) that he is currently in compliance with the provisions of the order; (iii) that he has delivered or contracted to deliver to governmental agencies or authorized purchasers all of the beans required to be set aside except a quantity of less than a carlot; and (iv) that he does not intend to operate as a country shipper.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the Order Administrator, War Food Order No. 45, Grain Products Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Ref.: WFO 45.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director, and may be redelegated by him to any employee of the United States Department of Agriculture.

(m) *Release of set aside peas and split peas.* Peas and split peas, set aside pursuant to the provisions of War Food Order No. 45, as amended, are hereby released and may be disposed of without regard to the restrictions of this order in effect prior to the effective date of this amendment.

(n) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(o) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., August 10, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 45, as amended, prior to said date, all provisions of said War Food Order No. 45, as amended, in effect prior hereto shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

EXHIBIT A—CERTIFICATE REQUIRED BY PARAGRAPH (c) OF WAR FOOD ORDER NO. 45 COVERING BEANS PURCHASED BY AUTHORIZED PURCHASERS, COUNTRY SHIPPERS, OR FOR SEED OR FEED PURPOSES

Name of government agency and contract number

Name of authorized purchaser to whom delivery will be made

Use (If for feed or seed purposes, indicate which)

Commodity and Class

Grade

Quantity

Date

In accordance with War Food Order No. 45, the undersigned hereby certifies that he is familiar with the terms of War Food Order No. 45 (as originally issued or subsequently amended), that the purchase of beans described above from

Name of seller Address of seller

is authorized under War Food Order No. 45, and that the beans described above will be:

*Used in fulfillment of the above-specified contract with a governmental agency,

*Delivered to the above-named authorized purchaser,

*Delivered to the above-named governmental agency,

*Used for feed or seed purposes.

Name of buyer

By

Title of person executing certificate

Address of buyer

*Strike inapplicable provisions.

[F. R. Doc. 44-11909; Filed, August 9, 1944; 3:40 p. m.]

[WFO 80, 80-1, Termination]

PART 1405—FRUITS AND VEGETABLES

CONCORD GRAPES

War Food Orders Nos. 80 (8 F.R. 12527; 9 F.R. 4321, 4319) and 80-1 (8 F.R. 12963; 9 F.R. 4321, 4319) are hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., August 11, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under the aforesaid orders, respectively, prior to the effective time hereof, all provisions of such orders in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any action, suit, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-11910; Filed, August 9, 1944; 3:46 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

RULINGS BY NATIONAL WAGE STABILIZATION DIRECTOR

The following section has been added to the rules of procedure of the National War Labor Board:

§ 802.50 *Rulings by National Wage Stabilization Director.* (a) The National Wage Stabilization Director is authorized to approve or disapprove those voluntary applications for wage or salary adjustments properly before the National Board which, in his judgment, do not involve questions of sufficient importance or novelty to warrant presentation to the National Board.

(b) If the National Wage Stabilization Director disapproves the application, or approves a lesser increase than that requested, the applicant or applicants may within fourteen days after the date of issuance of the ruling file with the National War Labor Board a petition for review by that Board of the action of the National Wage Stabilization Director. Upon receipt of such a petition the National Board shall rule upon the application on the basis of the entire record of the case and such other information as may be available to it.

(E.O. 9250, 7 F.R. 7871)

Approved: July 17, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-11929; Filed, August 10, 1944; 10:07 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 207]

PART 802—GENERAL LICENSES

GENERAL LICENSE FOR MEXICAN BORDER ZONE

Correction

In F.R. Doc. 44-11885, appearing on page 9713 of the issue for Thursday, August 10, 1944, the amendment number should appear in the heading of the document as set forth above.

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-598]

FRANK COLLEY, SR.

Frank Colley, Sr., of Butler, Pennsylvania, in December, 1943, began and thereafter continued construction without permission of the War Production Board in remodeling a brick and frame two-story building to be used as a retail store and two-family apartment at a cost of approximately $8,000. This was a violation of Conservation Order L-41, which placed a limit of $200 on such construction. Frank Colley, Sr., in October, 1943, had filed an application with the War Production Board for authority to begin construction on these premises, which was denied about November 13, 1943, and his beginning and carrying on this construction was in willful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.598 *Suspension Order No. S-598.* (a) Neither Frank Colley, Sr., his successors or assigns, nor any other person, shall do any construction on the premises at 324 South Main Street, Butler, Pennsylvania, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Frank Colley, Sr., his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11914; Filed, August 9, 1944; 4:19 p. m.]

PART 1075—CONSTRUCTION

[Limited Preference Order P-55-c, Interpretation 1]

RULES GOVERNING CONSTRUCTION OF HOUSING PROJECTS AUTHORIZED BEFORE THE EFFECTIVE DATE OF P-55-C

The following interpretation is issued with respect to Limited Preference Order P-55-c:

Under paragraph (g) of P-55-c housing projects authorized before the effective date of P-55-c may be constructed under the provisions of the specific authorization or under the provisions of P-55-c, at the election of the owner. This means that the owner may, if he wishes, take advantage of any relaxation in the War Housing Critical List or War Housing Construction Standards appearing in Schedules I and II of P-55-c. He may also, if he wishes, take advantage of the method of using the preference rating and allotment symbol outlined in paragraphs (d) and (e) of P-55-c.

Paragraph (g) of P-55-c does not however authorize anyone to build a different kind of house than that authorized by the approval of his application except as explained above. The house must be built at the same location for which it was approved on the application; it must contain the same number of rooms, and must otherwise conform with the description of the project contained in the application as approved.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11965; Filed, August 10, 1944; 11:18 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, as Amended Aug. 10, 1944]

NEWSPAPERS

§ 3133.6 *Limitation Order L-240—(a) The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports customarily filed by the publisher with the Audit Bureau of Circulations will be controlling, in the absence of special circumstances. Thus, if a publisher filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper.* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A roll of print paper is considered "used" when it is first opened and placed in production.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit, and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location.

(i) *Transfer of quotas—(1) Quotas established by different orders.* Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Orders L-241 (commercial printing), L-244 (magazines) or L-245 (books) and he may not permit any part of his consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is limited by this order. The amount of print paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L-241.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

Consumption Quota

(j) *Allowable consumption.* In the first quarter of 1944, and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k), plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota—(1) Base tonnages.* Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 4% of the amount over 25 tons but not over 125 tons.
(ii) Deduct 8% of the amount over 125 tons but not over 250 tons.
(iii) Deduct 12% of the amount over 250 tons but not over 500 tons.
(iv) Deduct 20% of the amount over 500 tons but not over 1000 tons.
(v) Deduct 24% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota in any succeeding quarter.

(m) *Exceptions for small newspapers.* The restrictions on the consumption of print paper established by this order do not apply to:

(1) *Special types of newspapers.* Any newspaper containing eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies.

(2) *Newspapers using less than 25 tons per quarter.* Any newspaper which shall consume less than 25 tons of print paper in a calendar quarter, regardless of the tonnage of paper consumed previously. The publisher of any such newspaper is authorized, in addition, to increase his permitted usage by the tonnage of print paper consumed in printing copies of his newspaper furnished to the Armed Services of the United States, whether such copies are sold or are distributed free of charge.

Delivery Quota

(n) *Computation of delivery quota.* In January, 1944, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* Total the publisher's consumption quotas for the third and fourth quarters of 1944. Add the ex-quota tonnage, if any, which may have been granted on appeal for use in the third and fourth quarters of 1944. Subtract the publisher's consumption in July 1944. Divide by 5.

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, at the end of the current calendar quarter, greater than: (i) 40 days' supply for publishers in the states named in List A, (ii) 65 days' supply for publishers in the states named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

List A

Connecticut.	Nebraska.
District of Columbia.	New Hampshire.
Delaware.	New Jersey.
Illinois.	New York.
Indiana.	North Dakota.
Iowa.	Ohio.
Kansas.	Pennsylvania.
Kentucky.	Rhode Island.
Maine.	South Dakota.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
Minnesota.	Wisconsin.
Missouri.	

List B

Alabama.	New Mexico.
Arizona.	Nevada.
Arkansas.	North Carolina.
California.	Oklahoma.
Colorado.	Oregon.
Florida.	South Carolina.
Georgia.	Tennessee.
Idaho.	Texas.
Louisiana.	Utah.
Montana.	Washington.
Mississippi.	Wyoming.

In computing the maximum tonnage which a publisher may have in his inventory, he shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters.

(3) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the first six months of 1944.

(4) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload it may be increased to one full carload. If it is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(5) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(6) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 5 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(o) *Exceptions.* (1) The provisions of paragraphs (n) (1), (n) (2), and (n) (3) do not apply to a publisher who receives print paper by Great Lakes or coastal water-borne shipments. Such a publisher may not order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and the closed navigation season) in excess of his allowable consumption for that calendar year, and his inventory may not exceed 40 days' supply on May 1 of each calendar year.

(2) Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (n) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(p) *Certification.* On and after December 24, 1943, each order by a publisher for delivery of print paper shall contain substantially the following certification, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, and to receive the item(s) ordered for the purpose for which ordered.

No person may deliver print paper to a publisher except upon a delivery order which bears the above certification.

(q) *Copies of orders.* On and after March 1, 1944, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board copies of all orders for the delivery of print paper placed by him or for his account. Such copies must be mailed within three days after the orders are placed. On or before March 15, 1944, every such publisher shall mail to the War Production Board copies of all orders for the delivery of print paper placed by him or for his account since January 1, 1944. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(r) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

Miscellaneous Provisions

(s) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(t) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(u) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(v) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(w) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Dec. 24, 1943.
INTERPRETATION 2: Revoked Dec. 24, 1943.
INTERPRETATION 3: Revoked Dec. 24, 1943.

[F. R. Doc. 44-11954; Filed, August 10, 1944; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Conservation Order M-328, as Amended Aug. 10, 1944]

PROVISIONS APPLICABLE TO TEXTILES, CLOTHING AND RELATED PRODUCTS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, leather and related products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.118 *Conservation Order M-328—(a) Restrictions on preference ratings for textiles, clothing, leather, etc.* (This paragraph states conditions which must be met to make ratings for items on Schedule A valid. However, even though a rating is not valid for the items, this does not prevent anyone from filling a purchase order if he can do so without disregarding valid ratings on other purchase orders or disregarding other orders or directions of the War Production Board.)

No person shall apply, extend or give any effect to any preference rating heretofore or hereafter assigned, applied, or extended to the delivery of any item on Schedule A unless:

(1) The rating has been assigned by a preference rating form or letter issued by or under the authority of the War Production Board to a named applicant and the form or letter specifically describes the item and specifies the quantity, description and type which may be obtained by the rating. No rating assigned by any L, M, P or other order or by any regulation (such as CMP-5 or CMP-5A) shall be valid for any item on Schedule A, except as permitted by paragraphs (a) (2), (a) (3) or (a) (4). For example, the rating for any fabric to comply with this subparagraph must be assigned on a War Production Board form or letter naming the person to whom the rating is assigned and stating the yardage, type and construction of the fabric for which the rating is assigned. Ratings assigned on Forms CMPL-150, CMPL-200 or CMPL-201 are not valid for any Schedule A item unless the item is for military delivery as described in paragraph (a) (2), below.

(2) The rating has been assigned by or pursuant to a form, order or regulation of the War Production Board and is used to obtain the item for direct or ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priorities Regulation 17), the Maritime Commission or War Shipping Administration. A delivery to an establishment or ship operated under contract with one of those agencies is not in itself a direct or ultimate delivery to the Army, Navy, Maritime Commission or War Shipping Administration.

(3) The rating has been assigned by or pursuant to any supplement to this order or the particular order specified after the item on Schedule A.

(4) The material to be delivered is actually required as, or is required for incorporation in, a functioning part of industrial machinery and is one of the following numbered items on Schedule A: 1, 3 (except Seine cord, hawser cord and other cabled cord), 4, 12.

SCHEDULE A—MATERIALS AND PRODUCTS COVERED BY CONSERVATION ORDER M-328

NOTE: Schedule A amended Aug. 10, 1944.

1. Animal bristles and hair.

2. Clothing, footwear (including safety shoes, hats, gloves, and all other outer or under garments or apparel, if made in whole or in part of leather or textile yarn, staple fiber or fabrics. However, this order does not apply to rubber footwear, professional rubber gloves, or to the following items when such items are specifically designed and used to furnish protection against occupational hazards (other than weather).

Asbestos clothing.
Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.
Metal mesh gloves, aprons and sleeves.
Other safety leather gloves or mittens, but only if steel-stitched or steel-reinforced.
Plastic and fiber safety helmets.
Safety belts and harnesses.
Safety clothing impregnated or coated for the purposes of making the same resistant against fire, acids or other chemicals or abrasives.
Safety industrial leather clothing other than gloves or mittens.
Safety industrial rubber gloves and hoods, and linemen's rubber gloves and sleeves.

3. Cotton, wool and synthetic yarns and blends of the foregoing L-282, M-317.

4. Woven, felted, knitted and braided fabrics of cotton, wool or synthetic yarns and blends of the foregoing, including but not limited to:
Bedsheets.
Pillow cases.
Blankets.
Towels.
Diapers.
Face cloths.
Table 'linens' M-166, M-298, M-317, M-885, P-116.

6. Dyestuffs (defined in Conservation Order M-108).

6. The following metal shoe findings:
Arch supports.
Box toes and caps.
Heel rims and plates.
Heel washers.
Shoe shanks.
Toe rims and plates.
Steel wire shoe nails.

7. Hides, skins, furs and leather and products made primarily therefrom (subject to additional restrictions of M-310).

8. Manilla, sisal, istle, hemp (cannabis sativa), Sunn hemp, raffia, flax, jute, coir yarn and other fibers, when used for cordage (rope and twine), and cordage products made primarily therefrom. P-56, P-98-b, M-84.

9. Mops.

10. Slide fasteners.

11. Sponges, marine and loofa.

12. Textile fibers (animal, vegetable, or synthetic, including curled istle) and products made primarily from textile fibers or textiles. This order does not apply to fabrics after they have been coated, or impregnated, fire hose, fire hose jackets, sisal processors' mill waste or sisal bagasse. M-85, M-317.

13. Steel tacks (except thumb tacks).

14. Synthetic rubber thread and products made therefrom.

(b) *How ratings must be applied and extended.* (1) Priorities Regulation 3 states rules and restrictions on the use of all preference ratings. When a rating is used, the standard certification described in Priorities Regulation 7 or the certification described in Priorities Regulation 3 must be put on a purchase order for a Schedule A item. In addition, the purchaser must use one of the following applicable certifications (with the blanks properly filled in):

(i) If the rating is assigned by an order listed on Schedule A, the special certification, if any, required by that order shall be added.

(ii) If the rating is assigned by an order listed on Schedule A, but the listed order does not require a special certification, the following shall be added:

This rating is assigned by Order _____.
[Insert number of order listed opposite the item on Schedule A.]

(iii) If the rating is assigned through the Foreign Economic Administration, the following shall be added:

This rating is assigned in connection with Export License No. _____ or Release Certificate No. _____.
[Insert license or release certificate number.]

(iv) In all other cases the following shall be added:

This rating can be used under M-328.

(2) No rating permitted by paragraph (a) (1), (a) (3) or (a) (4) above, which is applied to get a Schedule A item, shall be extended for any other Schedule A item. However, in the case of ratings permitted by paragraph (a) (1), the rating may be extended if the form or letter specifically permits the extension of the rating for and fully describes the other Schedule A item. (For example, a rating which is applied to get fabric may not be extended to get yarn, except that in a case where the rating is permitted by paragraph (a) (1), the rating may be extended if the form or letter states that it may and also states the specific quantity, count, etc. The rating may also be extended for yarn if the fabric is for an Army, Navy, Maritime Commission or War Shipping Administration order, as permitted by paragraph (a) (2). This paragraph shall not prevent the extension of a rating for finished fabrics to get fabrics in the gray state.

(c) *Specific directives.* The war Production Board may issue specific directions to individual producers or processors of items listed in Schedule A, with respect to the production, fabrication, processing or delivery of items to meet particular military or civilian requirements, and no producer or processor shall produce, fabricate, process, deliver or accept delivery contrary to directions.

(d) *Equitable distribution.* (This paragraph does not apply to sales by retailers, inasmuch as the Fair Distribution Policy for retailers is defined in Declaration of Policy of July 15, 1943.) Preference ratings are given to certain orders to further the war program. It is the policy of the War Production Board that items listed in Schedule A not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filing of orders as between persons who meet the seller's regularly established prices and terms of sale or payment.

Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets.

It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(e) *Rejects, over-runs and seconds*—(1) *Definitions.* "Reject" means a Schedule A item which was obtained or produced with priorities assistance and which cannot be used for the purpose for which the priorities assistance was given, or which was made to fill a rated order and (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects, failure to deliver on time, or termination of the procurement of the United States Government or any of its agencies for which the product was ordered. The term includes seconds, over-runs, and by-products, but does not include waste, scrap or cuttings normally generated in a manufacturing process.

A "Second" is a Schedule A item which was obtained or produced with priorities assistance and which cannot be used for the purpose for which the priorities assistance was given, or which was made to fill a rated order, but not actually offered or tendered to the purchaser because not first quality goods.

An "Over-run" is a Schedule A item which was obtained or produced with priorities assistance and which cannot be used for the purpose for which the priorities assistance was given, or which was made to fill a rated order but not delivered because it is in excess of the quantity actually needed for the order which it was made to fill.

A "By-product" is anything produced in whole or in part from another reject.

"Priorities assistance" means a preference rating, allocation, specific direction, CMP allotment, or any other action of the War Production Board used to obtain a material or product.

(2) *No one may purposely make a reject.* No manufacturer, processor or converter shall manufacture, process or order any product on Schedule A which he knows or should know will be a reject. This paragraph does not prohibit the production of seconds, over-runs or by-products to the extent that they are unavoidable in the manufacturer's operations.

(3) *Restrictions on the disposition of rejects.* No manufacturer, processor or converter shall sell or deliver a reject listed on Schedules B or C, and no one may accept delivery of such reject except as permitted by this subparagraph (e) (3) or by the schedule on which it is listed.

NOTE: Undesignated paragraph under subparagraph (3) deleted Aug. 10, 1944.

Any item listed on Schedule A, but not listed on Schedules B or C, or covered as to disposition of rejects by M-310 or by any direction issued pursuant to this order, may be disposed of for use in the United States or to fill a rated order without regard to the limitations of § 944.11 of Priorities Regulation 1.

(4) *How to get needed permission to dispose of a reject.* Any manufacturer who under the terms of this order needs specific permission to dispose of a reject may apply by letter to the War Production Board stating (where applicable) the number of the contract, the amount of material to be produced under it, the kinds of such material, a detailed statement of quantities and kinds of rejects, a copy of the rejection, and a statement of the efforts he has made to dispose of the rejects to the buyer. If the War Production Board decides he ought to be allowed to dispose of the reject, it will give him specific instructions.

(5) *Effect of specific instructions on disposition.* The War Production Board may issue specific instructions in writing to anyone respecting the use and disposition of rejects. These instructions may relate to rejects not yet manufactured on the date of their issuance. They must be obeyed even if they conflict with other provisions of this order.

(6) *Reports.* Manufacturers of textile, clothing and leather products shall report their rejects at such times and in such manner as the War Production Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(7) *Records.* All persons affected by this order shall keep for at least two (2) years records showing the quantities and kinds of rejects produced by them and the disposition thereof.

SCHEDULE B—REJECTS WHICH MAY BE DELIVERED ONLY ON SPECIFIC AUTHORIZATION OF THE WAR PRODUCTION BOARD

NOTE: Schedule B amended Aug. 10, 1944.

Equipage: Military luggage and sleeping bags.
Plain print cloth, 80 sley and higher, finished and unfinished, if not seconds or shorts.
Slide fasteners, made of copper bearing material.
Silk and nylon yarn, silk and nylon woven, knitted and braided fabrics.
Material obtained under Conservation Order M-385 or M-328B.

SCHEDULE C—REJECTS, IF NOT SECONDS OR SHORTS, WHICH MAY BE DELIVERED ONLY FOR USE IN THE UNITED STATES AND ONLY FOR THE SPECIFIED END USES STATED BELOW, OR TO FILL A RATED ORDER

8.5 oz. herringbone twill for footwear and foundation garments.
8.2 oz. twill, Types I, II, III, IV and V, for footwear, foundation garments and clothing.
30" 2.50 drill and pro-rata widths, for mattress or pillow tickings, pocketings, footwear and clothing.
6 oz. combed twill for clothing.

7.5 oz combed navy twill for footwear and foundation garments.

8 oz. wind resistant poplin for foundation garments and clothing.

9 oz. sateen for foundation garments, footwear and clothing.

(f) *Exceptions from restrictions on "cutbacks" or terminations.* The War Production Board in any case where it finds that, by reason of cut-backs or terminations of Government contracts or subcontracts, compliance with any restriction on the manufacture, use, sale or delivery of any item on Schedule A would cause a loss of production or interfere with the filling of civilian orders, may grant temporary exceptions from such restriction.

NOTE: Paragraph (g), formerly (f), redesignated Aug. 10, 1944.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref: M-326.

(4) *Appeals.* Any appeal from the provisions of paragraphs (c), (d) or (e) of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal. An appeal for suspension of a direction under paragraph (c) may be made on the ground that compliance with the direction will result in production at a loss, provided that an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, requirements of a direction for increases above current production will be suspended until the decision by the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

No. 160——2

INTERPRETATION 1

RATIONS FOR TWINE AND WRAPPING MATERIALS

Ratings for twine and other materials on Schedule A of M-326 used for wrapping must conform to the conditions specified in paragraph (a) of the order to be valid.

Such materials used to wrap products are not incorporated into the product which is wrapped. Therefore, a rating which can be used to get material to be incorporated into a product cannot be used to get twine with which to wrap the product even though the product is going to be delivered to one of the Government agencies mentioned in paragraph (a) (2). [Issued March 23, 1944].

[F. R. Doc. 44-11863; Filed, August 10, 1944; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262,[1] Amdt. 16]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation 262 is amended in the following respects:

1. Subparagraphs (9) and (11) of paragraph (a) are hereby deleted from § 1351.965.

2. The phrase "Christmas cookies . . . November-December, 1944" is hereby deleted from § 1351.968.

3. The phrases "raisin filled or topped biscuits and crackers" and "pretzels" are hereby deleted from § 1351.969.

This amendment shall become effective this 15th day of August 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11967; Filed, August 10, 1944; 11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[2] Amdt. 20]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In Table V of section 14 the prices for August in the column "1944" are amended in the following respects:

State	Producing area	1944 August
Nebraska	• • •	[1] 3.20
Kansas	• • •	[1] 3.05
Missouri	Counties of Lincoln, Warren.	[1] 3.20
	Rest of State	[1] 3.05
Georgia	• • •	[1] 3.60
North Carolina	• • •	[1] 3.60
South Carolina	• • •	[1] 3.60
Texas	• • •	[1] 3.20

[1] This price is effective from August 10 to August 31, 944, inclusive.

This amendment shall become effective at 12.01 a. m., August 10, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 8, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-11917; Filed, August 9, 1944; 4:38 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 495]

MISCELLANEOUS BAKERY PRODUCTS

Maximum Price Regulation No. 495[1] is redesignated Revised Maximum Price Regulation No. 495 and is revised and amended to read as follows:

In the judgment of the Price Administrator the prices herein established will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

REVISED MAXIMUM PRICE REGULATION 495—MISCELLANEOUS BAKERY PRODUCTS

Sec.

1. Sales at other than maximum prices.
2. Applicability.
3. Evasion.
4. Licensing.
5. Enforcement.
6. Petitions for amendment.
7. Records and reports.
8. Notification of change or establishment of maximum prices.
9. Definitions.
10. Maximum prices for miscellaneous bakery products.

AUTHORITY: Sections 1 to 10, inclusive (§ 1351.270) issued under 56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales at other than maximum prices.* (a) Regardless of any

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9244, 10944; 8 F.R. 973.

[2] 8 F.R. 15557, 15663; 9 F.R. 2298, 3580, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356.

[1] 8 F.R. 15936, 16289, 17296.

contract or obligation no person shall sell or deliver and no person shall in the course of trade or business buy or receive any of the commodities covered by this regulation at prices above the maximum prices herein established, nor shall any person agree, solicit, offer, or attempt to do any of the foregoing.

(b) Prices lower than the maximum prices established by this regulation may be charged or paid.

SEC. 2. *Applicability.* Except as otherwise provided in paragraphs (a), (b) and (c) of this section, this regulation shall apply to all sales of the commodities covered hereby within the forty-eight states and the District of Columbia.

(a) The maximum prices for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation,[2] issued by the Office of Price Administration.

(b) On sales and deliveries of any commodity subject to this regulation to a procurement agency of the United States involving extra packing expenses, the seller or any subcontractor under the seller's contract with the United States may add to the maximum prices specified herein the appropriate amounts for special packing as provided in Revised Supplementary Order No. 34.[3]

(c) Whenever circumstances of emergency make the purchase of any commodity subject to this regulation by the United States or any of its agencies imperative and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1[4] to the General Maximum Price Regulation, as amended.[5] *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

SEC. 3. *Evasion.* The provisions of this regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of any commodity covered by this regulation alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge or discount, premium or other privilege or by tying agreement or other trade understanding or by any other means.

SEC. 4. *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons to make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not during the period of suspension make any sale for which his license has been suspended.

SEC. 5. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

SEC. 6. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[7] issued by the Office of Price Administration.

SEC. 7. *Records and reports.* Every person subject to this regulation making a sale or purchase of any commodity covered by this regulation, in the course of trade or business, shall keep such records of such sales and purchases as he customarily kept on the effective date of this regulation for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, or the Stabilization Act of 1942, as amended, remain in effect.

SEC. 8. *Notification of change or establishment of maximum prices.* With the first delivery of any commodity listed in Section 10 hereof, after a seller determines a maximum price or his maximum price is changed pursuant to any provisions of this regulation or of any amendment thereto he shall:

(a) Supply each wholesaler and retailer subject to the provision of Maximum Price Regulation Nos. 421,[8] 422,[9] or 423[10] who purchased from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS SUBJECT TO MAXIMUM PRICE REGULATION NOS. 421, 422 OR 423

Our OPA ceiling price for (*describe item by kind, variety, brand and container type and size*) has been established (or changed) by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation Nos. 421, 422 or 423 you must figure (or refigure) your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification on or after (*insert date when new price becomes effective*). You must figure (or refigure) your ceiling price following the rules in Section 6 of Maximum Price Regulation Nos. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after the establishment or change of the maximum price of an item and with the first shipment after the sixty-day period to each person who has not made a purchase within that time the seller shall include in each case or carton containing the item the written notice set forth above or firmly attach it to each case or carton in an envelope bearing the words "notice of maximum price contained herein."

(b) Notify each purchaser of the item from him who is a distributor, wholesaler or retailer not subject to Maximum Price Regulation Nos. 421, 422 or 423 of the establishment or change in maximum price by the following written notice attached to or written on the invoice issued in connection with his first transaction with such purchaser after the new price becomes effective.

(Insert date)

NOTICE TO DISTRIBUTORS, WHOLESALERS OR RETAILERS NOT SUBJECT TO MAXIMUM PRICE REGULATION NOS. 421, 422 OR 423

Our OPA ceiling price for (*describe item by kind, variety, brand and container type and size*) has been established at $_____ (or changed from $_____ to $_____) under the provisions of Revised Maximum Price Regulation No. 495. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you after (*insert date when new price becomes effective*) of any new maximum price established for you (or of any allowable change in your maximum price). This notice must be made in the manner prescribed in section 8 of Revised Maximum Price Regulation No. 495.

Upon receipt of such notice, the wholesaler or retailer, not subject to Maximum Price Regulation Nos. 421, 422 or 423 shall recalculate his maximum price by adding to, or substracting from it the amount of any change made in his supplier's maximum price.

SEC. 9. *Definitions.* (a) When used in this revised regulation:

(1) "Person" means any individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing and includes the United States or any agency thereof, any other government or any of its political subdivisions and any agency of any of the foregoing.

(2) "Producer" means, with respect to any lot of the commodities covered by this regulation, the person who baked, manufactured, produced or processed the same in the operation of a business.

(3) A "wholesaler" or "retailer" respectively shall be deemed to be a person making "sales at wholesale" or "sales at retail" as defined under the General Maximum Price Regulation.

(4) "Fig bars" means biscuits containing a minimum of 20 percent by weight of fig paste, ground figs or whole figs as an ingredient in the filling placed between two crusts of dough.

(5) "Christmas cookies" means novelty cookies baked from special formulae or baked in special shapes exclusively for the holiday season which begins with Thanksgiving and ends with New Year's Day.

(6) "Raisin filled or topped biscuits and crackers" are biscuits or crackers in which at least 20 percent of their ingredient weight consists of raisins.

SEC. 10. *Maximum prices for miscellaneous bakery products.* (a) (1) If you

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[2] 8 F.R. 4132, 5997, 7662, 9000.
[3] 8 F.R. 12404, 14073.
[4] 9 F.R. 3581, 3590, 4391, 4948.
[5] 9 F.R. 5169.
[6] 8 F.R. 13240.
[7] 7 F.R. 13240.
[8] 8 F.R. 9388, 10569, 10987, 13293.
[9] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294.
[10] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294.

are a producer, or a wholesaler (but not a wholesaler who is subject to Maximum Price Regulation No. 421) your maximum price for all sales of chocolate coated ice cream cones shall be as follows:

	Maximum price per thousand
4½ inches	$6.55
4 inches	6.10
3½ inches	4.50

(2) If you make your sale in the states of California, Idaho, Nevada, Oregon or Washington, your maximum price, as set forth in sub-paragraph (1) shall be increased by 45 cents, per thousand.

(b) (1) If you are a producer, wholesaler or retailer, your maximum price for all sales of Passover matzo products shall be the sum of all transportation costs actually incurred in connection with the particular lot of Passover matzo products and the appropriate amount, set forth below:

Commodity	Sales by producers other than at wholesale and retail	Sales at wholesale	Sales at retail
For packages of 1 pound or more of Passover matzo products, except Passover egg and whole wheat matzo products, per pound	*Cents* 15½	*Cents* 18	*Cents* 21
For each package of Passover matzo products of from 10 to 15 ounces, inclusive, except Passover egg and whole wheat matzo products	15	17½	20
For packages of 1 pound or more of Passover whole wheat matzo products, per pound	16½	19½	22
For each package of Passover whole wheat matzo products of from 10 to 15 ounces, inclusive	16½	19½	22
For each package of Passover egg matzo products of 11 ounces or over	27	31	36
For each package of Schmura Matzos	65	74½	86

(2) When you make any sale of Passover matzo products as a producer or wholesaler, you shall set forth, separately, on the invoice of your sale, the amount of any transportation costs included in the price you charge your buyer, and you shall deliver one copy of the invoice to your buyer and you shall retain one copy of it for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, remains in effect.

(c) Before you sell any chocolate coated ice cream cones or Passover matzo products in sizes other than those specified in paragraphs (a) and (b) of this section, you shall apply to the Office of Price Administration to have it establish your maximum price on such sale in accordance with the provisions of paragraph (d) of Order No. 375 under § 1499.3 of the General Maximum Price Regulation."

(d) (1) If you are a producer, wholesaler or retailer, and you sold Christmas cookies, raisin filled or topped biscuits and crackers, pretzels, or non-Passover matzo products prior to the effective date of this regulation, your maximum prices for such sales have been determined under Maximum Price Regulation No. 262,[1] or under Revised Supplementary Regulation No. 14[2] to the General Maximum Price Regulation. This regulation continues those maximum prices without change.

(2) If you are a producer, wholesaler or retailer of cracknells (egg biscuits), fig bars, ice cream cones (except chocolate coated ice cream cones), or Trenton oyster crackers, and you sold these commodities prior to the effective date of this regulation, your maximum prices for such sales have been determined by (i) taking your appropriate maximum price, in each case, in accordance with the provisions of the General Maximum Price Regulation, and (ii) adding, thereto, the following increases in accordance with the provisions of Maximum Price Regulation No. 262:

Commodity	*Permitted increase*
Cracknells (egg biscuits)	2 cents per pound.
Fig bars:	
Packaged (2 pounds or under)	4 cents per pound.
Packaged (over 2 pounds) and bulk	3 cents per pound.
Ice cream cones (except chocolate coated ice cream cones):	
Cake cones	25 cents per thousand.
Sugar rolled cones	40 cents per thousand.
Cups	40 cents per thousand.
Trenton oyster crackers	2½ cents per pound.

(Maximum prices for Trenton oyster crackers shall in no case exceed 18½ cents per pound if sold in bulk (over 1 pound); $2.46 per dozen packages if sold in 1 pound packages or $1.23 per dozen packages if sold in one-half pound packages.)

This regulation continues such maximum prices, computed as aforesaid, without change.

(3) If you did not determine your maximum price for the sale of any of the products listed or described in paragraph (d) of this section, prior to the effective date of this regulation, then, before you make a sale of any of said commodities, you shall determine your maximum price on such sale in accordance with the provisions of Order No. 375 under § 1499.3 of the General Maximum Price Regulation.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

This regulation shall become effective on August 15, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11966; Filed, August 10, 1944; 11:38 a. m.]

[1] 7 F.R. 9244, 10844; 8 F.R. 973.
[2] 8 F.R. 16664.

[1] 8 F.R. 4734, 14473.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16[1], Amdt. 8 to 2d Rev. Supp. 1]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.3027 (e) (10) is added to read as follows:

(10) D5 is valid beginning August 13, 1944.

This amendment shall become effective August 13, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 9234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11970; Filed, August 10, 1944; 11:41 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[2] Amdt. 49]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15 of Maximum Price Regulation 426 is amended in the following respects:

1. Appendix G is revoked.

2. Appendix K in section 15 of Maximum Price Regulation 426 is amended in the following respects:

a. In paragraph (a) the phrase "Apples (except lady apples and crab apples)" is added under the word "Grapes".

b. Paragraph (b) (3) is amended by adding an undesignated paragraph to read as follows:

"Standard container", in the case of apples, means any of the following listed containers which is closed and packed in accordance with the requirements specified for each:

Bushel basket of 2150.42 cu. in. capacity, faced and filled packed, "slightly slack" or tighter, with graded apples.

United States standard barrel of 7056 cu. in. capacity, faced and filled packed, "fairly tight" or tighter, with graded apples.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278.

[2] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4066, 4068, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6106, 6420, 6711, 7259, 7268, 7580, 7425, 7583, 7750, 7774, 7834, 8148, 9066, 9090.

Apple box WPB–L232 No. 1, with flexible top and bottom, tier-packed, "fairly tight" or tighter, with graded and individually wrapped apples.

Apple box WLB–L232 No. 2, Apple box WPB–L232 No. 3[1], Apple box WPB–L232 No. 58 — tier-packed or faced and filled packed, "fairly tight" or tighter, with graded apples.

[1] Apple box WPB–L232 No. 3 when packed with graded McIntosh apples, need not be tier-packed or faced and filled packed, but must be packed "fairly tight" or tighter with graded apples.

"Slightly slack", in the case of baskets, means that the apples are not below the level of the top of the basket but there is still some movement of the apples within the basket upon handling.

"Fairly tight", in the case of barrels, means that the pack is tight enough to prevent apples from moving within the barrel sufficiently to cause injury, but not as ideal as a tight pack, and likely to loosen sooner than normally should be the case. There will be very little bruising or crushing at the tail.

"Fairly tight", in the case of apple box WPB–L232 No. 1, means that the apples are packed tight enough to prevent them moving within the package sufficiently to cause injury under ordinary handling conditions.

"Fairly tight", in the case of apple box WPB–L232 No. 2, No. 3 and No. 58, means that the package is sufficiently filled to prevent any appreciable movement of the apples, and that the apples are in contact with the lid or cover.

To be a standard container the container must be packed "slightly slack" or tighter, or "fairly tight" or tighter, as the case may be, at the time of shipment from the shipping point, and thereafter until a government inspection certificate is secured showing that the container is "slightly slack" or tighter, "fairly tight" or tighter, as required for the particular standard container, and the container is marked with a lot number which is also described in the government inspection certificate. However, the condition that the container be packed "slightly slack" or tighter, or "fairly tight" or tighter, at the time of shipment from the shipping point shall be deemed satisfied where the particular goods are sold and placed in storage by the buyer prior to shipment from the shipping point, if the container is packed "slightly slack" or tighter, or "fairly tight" or tighter, as the case may be, at the time of delivery to the buyer.

c. A new subparagraph (3) is added to paragraph (c) to read as follows:

(3) *As to apples.* For the purposes of this appendix, standard containers shall be classified as follows:

CLASS D

(1) Bushel basket of 2150.42 cu. in. capacity — closed and faced and filled packed "slightly slack" or tighter.

(2) United States standard barrel of 7056 cu. in. capacity — closed and faced and filled packed "fairly tight" or tighter.

(3) Apple box WPB–L232 No. 1 — closed and tier-packed "fairly tight" or tighter.

(4) Apple box WPB–L232 No. 2, (5) Apple box WPB–L232 No. 3[1], (6) Produce box WPB–L232 No. 58 — closed and tier-packed or faced and filled packed "fairly tight" or tighter.

[1] Apple box WPB–L232 No. 3, when packed with graded McIntosh apples, need not be tier-packed or faced and filled packed, but must be packed "fairly tight" or tighter.

d. Paragraph (d) (4) is revoked and new subparagraphs (4) and (5) added to paragraph (d) to read as follows:

(4) *As to standard containers in Class D.* (i) The grower-packer shall plainly mark each standard container in Class D sold by him to show the following:

(1) The name and address of the grower-packer.

(2) The volume of the contents.

(ii) In addition, where apples have been placed in storage, each seller, including a grower-packer, shipping point distributor or carlot distributor, who ships the particular fruit being priced from the shipping point shall, at the time of shipment, plainly mark each standard container to show the following:

(1) The name and address of the shipper.

(2) The volume of the contents.

(5) *As to non-standard containers.* If a container would be a standard container in Class A except for the fact that it is not packed "fairly tight" or tighter, or if a container would be a standard container in Class B except for the fact that it has a net weight not within the weight ranges for the particular container, or if a container would be a standard container in Class C except for the fact that it has a net weight less than that specified for the particular container, or if the container would be a standard container in Class D except for the fact that it is not packed "slightly slack" or tighter, or "fairly tight" or tighter, as specified for the particular container, or if the fruit is in any other closed container, each seller, including a grower-packer, shipping point distributor or carlot distributor, prior to and including time of shipment from the shipping point, shall plainly mark the container to show the following:

(1) The name and address of the seller.

(2) A minimum net weight. This may be lower, but in no case higher than the actual net weight (a) at the time of sale, or (b) at the time of shipment from shipping point in the case of shipment before sale.

The weight-marking requirement does not apply to open containers. Section 14a (a) does not apply to this appendix.

e. Paragraph (e) (4) is revoked, paragraph (e) (5) is redesignated (e) (6), and subparagraphs (4) and (5) are added to paragraph (e) to read as follows:

(4) *Standard containers in Class D.* For standard containers in Class D, the maximum price is named in Column 5 or 6 of the applicable table in paragraph (f). However, the maximum price for any container which would be a standard container except for the fact that it is not packed in accordance with the requirements specified for standard containers of apples (see paragraph (b) (3)) shall in no event be greater than the maximum price for the standard container.

(5) *Non-standard containers.* (i) All fruit offered for sale in closed containers which do not meet the requirements of standard containers in Class A, Class B, Class C, or Class D shall be sold on the basis of actual net weight.

(ii) All fruit offered for sale in bulk or open containers shall be sold on a basis of actual net weight.

f. In paragraph (f), Table 3 is added to read as follows:

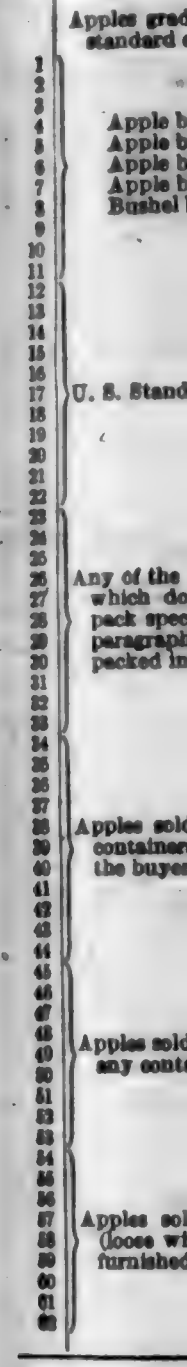

TABLE 3—MAXIMUM PRICES FOR APPLES

Col. 1 Item No.	2 Type, variety, style of pack, etc.	3 Unit	4 Season	Maximum prices for fruit loaded on car or truck at shipping point	6 Maximum prices for sales delivered to any wholesale receiving point in any quantity[1]	7 Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer[1]
1	Apples graded and packed in the following standard containers:		Beginning of season–August 19	$2.85		
2			August 20–October 31	2.75		
3			November 1–November 15	2.85		
4	Apple box (WPB L232 No. 1)	Per box or bushel.	November 16–November 30	2.90	Col. 5 price plus freight (including 3% transportation tax) from shipping point and plus protective service allowances.[2]	Col. 6 price plus 70 cents.
5	Apple box (WPB L232 No. 2)		December 1–January 5	2.98		
6	Apple box (WPB L232 No. 3)		January 6–February 5	3.01		
7	Apple box (WPB L232 No. 58)		February 6–March 5	3.04		
8	Bushel basket (2150.42 Cu. inches)		March 6–April 5	3.07		
9			April 6–May 5	3.12		
10			May 6–June 5	3.17		
11			June 6–end of season	3.22		
12			Beginning of season–August 19	8.55		
13			August 20–October 31	8.25		
14			November 1–November 15	8.55		
15			November 16–November 30	8.70		
16			December 1–January 5	8.94		
17	U. S. Standard Barrel (7056 Cu. inches)	Per barrel	January 6–February 5	9.03	do[2]	Col. 6 price plus $2.10.
18			February 6–March 5	9.12		
19			March 6–April 5	9.21		
20			April 6–May 5	9.26		
21			May 6–June 5	9.51		
22			June 6–end of season	9.66		
23			Beginning of season–August 19	.063		
24			August 20–October 31	.061		
25			November 1–November 15	.063		
26	Any of the above containers, the contents of which do not meet the requirements of pack specified for standard containers (see paragraph (b) (3)); and apples graded and packed in any other container.		November 16–November 30	.064		
27			December 1–January 5	.066		
28		Per pound	January 6–February 5	.067	do[2]	Col. 6 price plus 1⅓ cents.
29			February 6–March 5	.0675		
30			March 6–April 5	.068		
31			April 6–May 5	.069		
32			May 6–June 5	.07		
33			June 6–end of season	.071		
34			Beginning of season–August 19	.0545		
35			August 20–October 31	.0525		
36			November 1–November 15	.0545		
37			November 16–November 30	.0555		
38	Apples sold graded in bulk (loose without containers or in containers furnished by the buyer.)		December 1–January 5	.0575		
39		Per pound	January 6–February 5	.0585	do[2]	Col. 6 price plus 1⅓ cents.
40			February 6–March 5	.059		
41			March 6–April 5	.0595		
42			April 6–May 5	.0605		
43			May 6–June 5	.0615		
44			June 6–end of season	.0625		
45			Beginning of season–August 19	.049		
46			August 20–October 31	.047		
47			November 1–November 15	.049		
48			November 16–November 30	.050		
49	Apples sold loose and ungraded (tree-run) in any container.	Per pound	December 1–January 5	.052	do.[2]	Col. 6 price plus 1⅓ cents.
50			January 6–February 5	.053		
51			February 6–March 5	.0535		
52			March 6–April 5	.054		
53			April 6–end of season	.055		
54			Beginning of season–August 19	.045		
55			August 20–October 31	.043		
56			November 1–November 15	.045		
57	Apples sold ungraded (tree run) in bulk (loose without containers or in containers furnished by the buyer).		November 16–November 30	.046		
58		Per pound	December 1–January 5	.048	do.[2]	Col. 6 price plus 1⅓ cents.
59			January 6–February 5	.049		
60			February 6–March 5	.0495		
61			March 6–April 5	.05		
62			April 6–end of season	.051		

[1] The prices named in Columns 6 and 7 are maximum prices for each individual lot or shipment of apples received and sold by the particular seller. For sellers covered by Column 7 see general provisions of this appendix.

[2] Protective services allowance shall be the actual cost of protective services furnished (exclusive of precooling) not to exceed the lowest common carrier charge for the same services (including 3% transportation tax). No separate charge shall be made for precooling since an allowance for precooling is included in the f. o. b. price (see paragraph (h)).

g. In Table A in paragraph (g), item 3 is added to read as follows:

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY GROWER-PACKERS, SHIPPING POINT DISTRIBUTORS, AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT, OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

(See column 5 or 6 of tables in paragraph (f))[1]

Col. 1	2	3	4	5	6	7	8	9	10	11	12
Item No.	Commodity	Unit	Sales by grower-packers				Sales by any person (including grower-packers) through a grower's sales agent and sales by shipping point distributors				
			Through a broker in any quantity or through a commission merchant in carlots or trucklots	Through a commission merchant in less-than-carlots or less-than-trucklots		Through an auction in less-than-carlots or less-than-trucklots	Direct sales (without the use of broker or any other agent)	Through a broker or salaried representative in any quantity, or through a commission merchant in carlots or trucklots	Through an auction in less-than-carlots or less-than-trucklots	Through a commission merchant in less-than-carlots or less-than-trucklots	
				Ex-dock, car or truck or terminal sales platform	Ex-store or warehouse					Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse
3	Apples	Standard Boxes, bushels (Items 1-11) Standard Barrels (Items 12-22) Above containers, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3)); apples packed in all other containers; and those sold loose and ungraded in any container, or in bulk—per pound.	$0.06 $0.15 1/10 cent	$0.14 $0.42 1/10 cent	$0.20 $0.60 2/10 cent	$0.13 $0.39 1/10 cent	$0.10 $0.30 1/10 cent	$0.15 $0.45 1/10 cent	$0.23 $0.69 1/10 cent	$0.24 $0.72 1/10 cent	$0.40 $1.20 1/10 cent

[1] The agents' actual charge (not to exceed the maximum charge under MPR 426) shall be used instead of the markups listed if the total of such actual charges is lower than the markup shown.

h. In Table B in paragraph (g), item 3 is added to read as follows:

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN GROWER-PACKERS, SHIPPING POINT DISTRIBUTORS AND THEIR AGENTS TO BE ADDED TO THE APPLICABLE MAXIMUM DELIVERED PRICES

(See column 6 of tables in Paragraph (f))[1]

Col. 1	2	3	4	5	6	7	8	9
Item No.	Commodity	Unit	Sales by carlot distributors[2]	Sales by primary receivers in less-than-carlots or less-than-trucklots		Sales by secondary jobbers in any quantity delivered to premises of the purchaser	Sales by service wholesalers delivered to premises of any retail store, government procurement agency or institutional buyer within the free delivery zone	
				Through an auction or ex-car, dock, truck or terminal sales platform	Ex-store or ex-warehouse		Original container and quantities in excess of ½ of original container	Half original container or less
3	Apples	Standard boxes, bushels (Items 1-11) U. S. Standard barrel (Items 12-22) Above containers, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3)); apples packed in all other containers; and those sold loose and ungraded in any container, or in bulk—per pound.	$0.23 $0.69 1/2 cent	$0.29 $0.87 6/10 cent	$0.45 $1.35 1 cent	$0.70 $2.10 1 5/10 cents	$0.70 $2.10 1 5/10 cents	1 5/10 cents

[1] A carlot distributor who resells on an f. o. b. basis may add the markup named in Column 4 to the maximum f. o. b. price. (See column 5 of the applicable table in paragraph (f)).

[2] The column 4 markup may be used only by a person who has purchased the apples being priced from any person other than a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots. A person who has purchased the apples being priced from a grower or grower-packer selling direct or through a broker, and sells in unbroken carlots or unbroken trucklots shall use the markups named in the applicable columns in table A for sales by a "shipping point distributor."

This amendment shall become effective on August 16, 1944, except for apples shipped from the shipping point and actually sold before August 16, 1944, and except for apples shipped from the shipping point (whether sold or unsold) before August 9, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 9, 1944.

MARVIN JONES,
War Food Administrator.

Pursuant to the authority vested in me by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, I hereby approve the prices established by the foregoing amendment and find that they are necessary as an aid to the effective prosecution of the war.

FRED M. VINSON,
Director,
Office of Economic Stabilization.

[F. R. Doc. 44-11916; Filed, August 9, 1944; 4:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14[1] to GMPR,[2] Amdt. 188]

MATZOS PRODUCTS

A statement of the considerations involved in the issuance of this amendment, has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

1. Section 1.21 of Revised Supplementary Regulation No. 14 (matzos products) is deleted therefrom.

This amendment shall become effective on the 15th day of August 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11968; Filed, August 10, 1944; 11:39 a. m.]

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[1] 8 F.R. 9787.

[2] 9 F.R. 1385.

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[SR 14B[1] to GMPR,[2] Amdt. 4]

BREAD AND BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued, simultaneously herewith, and filed with the Division of the Federal Register.[3]

Supplementary Regulation No. 14B is amended in the following respects:

1. The first paragraph of the preamble is amended to read, as follows:

The purpose of Supplementary Regulation 14B to the General Maximum Price Regulation is to provide a more logical and convenient arrangement for certain provisions which modify the General Maximum Price Regulation so far as it applies to bread and other bakery products. Supplementary Regulation 14B does not apply to the bakery products that are subject to Revised Maximum Price Regulations Nos. 319 and 495.

2. Section 1 is amended to read as follows:

SECTION 1. *Maximum prices.* All sales of bread and bakery products shall be and remain subject to the General Maximum Price Regulation save as otherwise provided herein and save as to such products as are subject to Revised Maximum Price Regulations Nos. 319 and 495, and save as to sales subject to Maximum Price Regulations Nos. 421, 422 and 423.

This amendment shall become effective August 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11969; Filed, August 10, 1944; 11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Rev. Supp. Service Reg. 30]

COMMISSION SELLING OF COAL

Supplementary Service Regulation No. 30 is redesignated Revised Supplementary Service Regulation No. 30 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Revised Supplementary Service Regulation No. 30, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328 Revised Supplementary Service Regulation No. 30 is hereby issued.

[1] Copies may be obtained from the Office of Price Administration.

[2] 8 F.R. 16794; 9 F.R. 584, 4606, 6107.

[3] 9 F.R. 1385.

§ 1499.2263 *Modification of maximum prices established by Revised Maximum Price Regulation No. 165 for commission selling of bituminous coal or Pennsylvania anthracite.* (a) If you engage in commission selling of bituminous coal or Pennsylvania anthracite, you are subject to this Revised Supplementary Service Regulation No. 30.

If, prior to November 29, 1943 and during any part of that year, you had in effect a contract with a mine specifying a commission in terms of percentage rate or rates of selling price by size, use or method of shipment, your maximum commission shall be such percentage rate or rates applied to the applicable October 1943 maximum price for sales of the corresponding sizes, uses and methods of shipment currently made from the same mine. If the commission was specified in terms of cents per ton for sales by sizes, uses or method of shipment, your maximum commission shall be such cents per ton for sales of the same sizes, uses or method of shipment currently made from the same mine.

If during October 1943 you sold none of the coals of a mine or if no coals of a size, or for a use, or by a method of shipment were covered by a contract you had in effect in October 1943 with a mine, your maximum commission shall be your maximum commission under Revised Maximum Price Regulation No. 165 applied to the same mine's applicable maximum price in effect in October 1943 by size, use or method of shipment, as the case may be, of the coals sold by you. Where the mine's maximum prices were first set after October 1943, your maximum commission shall be your maximum commission under Revised Maximum Price Regulation No. 165 applied to the schedule applicable maximum price in October 1943 for the price designation assigned the coals of such mine by the Office of Price Administration (as by price classification, price group, production group, or subdistrict number), or for the price designation applicable to the coals under § 1340.210 (a) (6) of Maximum Price Regulation No. 120.

If, prior to November 29, 1943 and during any part of that year, you had in effect a contract providing varying cents per ton commissions for the sale of various tonnages of a mine's production, and if the contract made no other provision for commissions, as by percentage rate of selling price, you may observe the terms of such contract in full as to the same mine only without regard to this Revised Supplementary Service Regulation No. 30.

(b) The Administrator may by order adjust your maximum price established under the first pricing rule of this Revised Supplementary Service Regulation No. 30 if you file an application in accordance with Revised Procedural Regulation No. 1 showing:

(1) That you entered into such contract with a producer initially in 1943;

(2) That both you and the producer substantially agreed in the same contract that the commission specified was to be temporary pending experience to be gained during a trial period by you as to selling costs or by the producer as to costs of production, or both, or otherwise; and

(3) That the commission charged in October 1943 was less than your maximum under Maximum Price Regulation No. 165.

An adjustment granted under this paragraph will not exceed your maximum commission under Revised Maximum Price Regulation No. 165.

(c) As used in this Revised Supplementary Service Regulation, the terms:

(1) "Bituminous coal" means coal sold subject to Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant.

(2) "Pennsylvania anthracite" means coal sold subject to Maximum Price Regulation No. 112—Pennsylvania Anthracite.

This Revised Supplementary Service Regulation No. 30 (§ 1499.2263) to Revised Maximum Price Regulation No. 165 shall become effective August 15, 1944.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11971; Filed, August 10, 1944; 11:38 a. m.]

Chapter XIII—Petroleum Administration for War

[PAO 11, as Amended July 1, 1944, Supp. Order 1]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

USE OF MATERIAL IN NATURAL GAS PRODUCTION OPERATIONS

§ 1515.7 *Supplementary Order No. 1 as amended to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph (m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this amended supplementary order shall, to the extent provided herein, be applicable to the use of material in natural gas production operations in Areas One and Two, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order. In addition:

(1) "Area One" means the area and formations specified in paragraph (a) of Exhibit A hereof.

(2) "Area Two" means the area and formations specified in paragraph (b) of Exhibit A hereof.

(c) *Authorized uses of material in natural gas production operations in area one.* (1) Material may be used to drill, complete, equip, connect, and provide additions to any gas well in any gas field in conformity with a uniform well-spacing pattern, as defined by paragraph (d) of this supplementary order, of not more than one single drilling or producible gas well to each 160 surface acres.

(2) Material may be used to plug-back, deepen, recondition, recomplete, rework, or treat a gas well only within that pool from which such well is producing or last produced, for the purpose of maintaining or increasing the productivity of such well.

(3) Material may be used to plug-back or deepen from one pool to another, recondition, rework, treat, equip, connect, or provide additions to any gas well spudded in Area One on or before December 23, 1941, where such well has attributed to it a drilling unit of at least 160 surface acres, no part of which is attributable to any other gas well.

(d) *Determination of uniform well-spacing pattern in Area One.* Each gas well located in Area One on a drilling unit consisting of not less than 160 surface acres shall be drilled pursuant to paragraph (c) (1) of this order in accordance with a uniform well-spacing pattern, only where:

(1) The drilling unit upon which such well is drilled consists entirely of acreage which is not attributable to any other gas well located on the same lease or property; and

(2) No other drilling or producible gas well is drilled or located on such drilling unit; and

(3) All separate property interests in the drilling unit upon which such well is drilled and first consolidated with each other; and

(4) No portion of the drilling unit attributed to such well falls within 660 feet of any other drilling or producible well located within the same lease or property; and

(5) Such well is drilled at least 1,980 feet from every other drilling or producible gas well spudded subsequent to December 23, 1941, at least 990 feet from every other drilling or producible gas well spudded on or before December 23, 1941, and at least 990 feet from every drilling or producible oil well; and

(6) Such well is drilled at least 660 feet from every lease line, property line, or subdivision line which separates any unconsolidated property interests; and

(7) Such well is drilled with due diligence to maintain a vertical well-bore.

(e) *Authorized uses of material in natural gas production operations in Area Two.* (1) Material may be used to drill, complete, equip, connect, or provide additions to any gas well in any gas field in conformity with a uniform well-spacing pattern, as defined by paragraph (f) of this order, of not more than one single drilling or producible gas well to each 40 surface acres.

(2) Material may be used to plug-back, deepen, recondition, recomplete, rework, or treat a gas well only within that pool from which such well is producing or last produced, for the purpose of maintaining or increasing the productivity of such well.

(3) Material may be used to plug-back or deepen from one pool to another, recondition, recomplete, rework, treat, equip, connect, or provide additions to any gas well spudded in Area Two on or before December 23, 1941, where such well has attributed to it a drilling unit of at least 40 surface acres, no part of which is attributable to any other gas well.

(f) *Determination of uniform well-spacing pattern in Area Two.* Each gas well located in Area Two on a drilling unit consisting of not less than 40 surface acres shall be drilled pursuant to paragraph (e) (1) of this order in accordance with a uniform well-spacing pattern, only where:

(1) The drilling unit upon which such well is drilled consists entirely of acreage which is not attributable to any other gas well located on the same lease or property; and

(2) No other drilling or producible gas well is drilled or located on such drilling unit; and

(3) All separate property interests in the drilling unit upon which such well is drilled and first consolidated with each other; and

(4) No portion of the drilling unit attributed to such well falls within 330 feet of any other drilling or producible well located within the same lease or property; and

(5) Such well is drilled at least 990 feet from every other drilling or producible gas well spudded subsequent to December 23, 1941, at least 660 feet from every other drilling or producible gas well spudded on or before December 23, 1941, and at least 660 feet from every drilling or producible oil well; and

(6) Such well is drilled at least 330 feet from every lease line, property line, or subdivision line which separates any unconsolidated property interests; and

(7) Such well is drilled with due diligence to maintain a vertical well-bore.

(g) *Computation of attributable acreage.* (1) The acreage attributable to any well spudded on or before December 23, 1941, shall be determined by assigning to such well an acreage equivalent to that in the existing well density or drilling pattern contiguous to such well.

(2) The acreage attributable to any well spudded after December 23, 1941, shall be the same as the drilling unit assigned to the well pursuant to Conservation Order M-68, Petroleum Administrative Order No. 11, or any supplement or exception thereto, or any amendment thereof.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken is deemed appropriate.

(i) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of August 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

EXHIBIT A

(a) Area One includes:

(i) Only the Onandaga Limestone, Oriskany Sandstone and Devonian Shale horizons in the States of Kentucky, New York, Ohio, Pennsylvania, and West Virginia.

(ii) Any horizon in the State of Michigan not to exceed a total depth of 1,500 feet.

(b) Area Two includes:

(i) Any horizons other than the Onandaga Limestone, Oriskany Sandstone and Devonian Shale horizons in the States of Kentucky, New York, Ohio, Pennsylvania, and West Virginia; and

(ii) Any horizon in the State of Missouri, that portion of the State of Kansas which lies east of Range Two (2) east of the Sixth Principal Meridian, and that portion of the State of Oklahoma included in the counties of Adair, Cherokee, Craig, Creek, Delaware, Mayes, Muskogee, Nowata, Okmulgee, Osage, Ottawa, Pawnee, Rogers, Sequoyah, Tulsa, Wagoner, and Washington.

[F. R. Doc. 44-11936; Filed, August 10, 1944; 10:32 a. m.]

[PAO 12 as Amended April 8, 1944, Amdt. 1]

PART 1528—MATERIAL CONSERVATION; MARKETING

PERMITTED USES OF MATERIAL

Section 1528.1 (Petroleum Administrative Order No. 12, as amended April 8, 1944 (9 F.R. 3858)) is hereby amended by changing paragraphs (d) (3) and (d) (4) to read as follows:

(d) *Permitted uses of material.* • • •

(3) To any case where equipment is to be installed by any person as a replacement of equipment which is owned by such person and the repair of which cannot be effected on the premises: *Provided*, That

(i) In the case of storage tanks having a capacity of more than 65 gallons, the capacity of the tank which is to be installed does not exceed the capacity of the tank which is to be replaced;

(ii) In the case of dispensing pumps, the pump which is to be installed is of a similar type and design as the pump which is to be replaced.

(4) To any case where any dispensing pump:

(i) Is to be installed by any person to replace a dispensing pump which is owned by such person and which was manufactured not less than five years prior to the date of such installation; or

(ii) Is to be installed by any person at any location from which such dispensing pump had been removed subsequent to November 17, 1942, by such person for safe-keeping for a period of at least two months, or is to be installed by any person as a replacement of a pump of the same type and design which had been removed subsequent to November 17, 1942, by such person from such location for safe-keeping for a period of at least two months: *Provided*, That any person installing a dispensing pump pursuant to this paragraph (d) (4) (ii) shall keep a record showing the date and location of the removal, the type and design of the pump removed, the date of the installation and the type and design of the newly installed pump.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76 Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of August, 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-11937; Filed, August 10, 1944; 10:32 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

REMOVAL OF TRESPASSING HORSES, KAIBAB NATIONAL FOREST, ARIZ.

Whereas a number of horses are trespassing and grazing on land in the Central and Ryan Allotments in the Big Springs Ranger District, and the Sitgreaves, Williams, Morits Lake, Government Mountain and Spring Valley Allotments in the Chalender Ranger District of the Kaibab National Forest, State of Arizona; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), the following order is issued for the occupancy, use, protection and administration of the Central and Ryan Allotments in the Big Springs Ranger District, and the Sitgreaves, Williams, Morits Lake, Government Mountain and Spring Valley Allotments in the Chalender Ranger District of the Kaibab National Forest is issued:

Temporary closure from livestock grazing.[1] (a) The central and Ryan Allotments in the Big Springs Ranger District, and the Sitgreaves, Williams, Morits Lake, Government Mountain and Spring Valley Allotments in the Chalender Ranger District of the Kaibab National Forest, are hereby closed for the period August 15 to October 31, 1944, to the grazing of horses, excepting those that are lawfully grazing on or crossing land in such areas pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newsparer of general circulation in the locality in which the Kaibab National Forest is located.

Done at Washington, D. C., this 10th day of August, 1944. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-11963; Filed, August 10, 1944; 11:26 a. m.]

[1] This affects tabulation contained in 36 CFR, 261.50.

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 28—PAYMENTS TO PROVIDE TRAINING FOR NURSES

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in Public Law 74, 78th Congress, approved June 15, 1943, as amended by Public Law 248, 78th Congress, approved March 4, 1944, providing for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies and war industries, through grants to institutions providing such training, and for other purposes, and after conference with the Advisory Committee appointed by the Federal Security Administrator to represent the nursing profession, hospitals, and accredited nurses training institutions, §§ 28.4 (h), 28.5, and 28.7 (42 C.F.R. 28.1 (h); 28.5; 28.7) of the regulations of the Surgeon General, United States Public Health Service, governing payments to provide training for nurses are hereby amended to read as follows:

§ 28.1 *Definitions of terms used in the act and in these regulations*—(h) *Training period.* This term refers to the combined pre-cadet period, junior cadet period, and senior cadet period. With reference to a basic nursing curriculum for which a degree is given, this training period may not exceed thirty-six months in length.

§ 28.5 *Approval of plans and determination of allotments.* An institution desiring to receive an allotment under this act must submit to the Surgeon General, on forms provided by the Public Health Service, a proposed plan for participation in any of the programs defined above, including supporting budgets for the current Federal fiscal year. Students in the school may enroll in the Corps only when the plan goes into effect or on the first day of any succeeding month.

Plans for new programs or revised budgets for existing programs may be submitted for approval at any time during the Federal fiscal year. Consideration and approval of such plans or budgets will be contingent upon availability of funds for allotment.

A plan for training of nurses may be limited to basic student nurse training, or to postgraduate or refresher-nursing programs, or may include any or all of these. A plan submitted by any institution will be approved only if it conforms to the requirements of Public Law 74, 78th Congress, and to the requirements for participation set forth in §§ 28.2, 28.3, and 28.4, of these regulations. A plan may be approved by the Surgeon General for a period of three months, six months, or one year. Not less than thirty days before the end of such period the institution must submit a plan for the continuation of the program for approval by the Surgeon General. The Surgeon General may disapprove the plan for continued participation by the institution. In such event no further allotments will be made. If a plan is approved Federal funds will be allotted by the Surgeon General within the limits of available appropriations.

Allotments will be limited to the following:

(a) *Student nurse (basic) training program.* (1) Reasonable tuition and fees for pre-cadet and junior cadet nurses, and reasonable fees for senior cadet nurses.

(2) Reasonable maintenance for the student's first nine months in the training period: *Provided*, That during such first nine months the hours of student practice in the hospital do not exceed an average of twenty-four per week and that the hours of combined practice and class do not exceed forty-eight in any one week; *Provided further*, That the Surgeon General may in the case of schools in which combined pre-cadet and junior cadet periods are less than thirty months waive this limitation.

(3) Stipends of $15 per month for pre-cadet nurses and $20 per month for junior cadet nurses, which shall be paid by the school to the student at the end of each month or semi-monthly, depending upon the fiscal policies of the school. These allotments will not include stipends to senior cadet nurses. These must be paid by the institution to which an allotment was made or to which the senior cadet nurse was transferred for training.

(4) An amount covering the cost of outdoor uniforms and insignia not to exceed a reasonable amount to be determined by the Surgeon General; such allowances for uniforms and insignia may be expended only if such uniforms and insignia conform to the requirements as outlined in "Regulations for uniforms for U. S. Cadet Nurse Corps" as prescribed by the Surgeon General.

(b) *Refresher program.* Reasonable instructional costs and fees.

(c) *Postgraduate program.* Reasonable tuition, fees, and maintenance.

§ 28.7 *Methods of payment for student nurse training programs and for*

postgraduate programs. (a) Payments from an allotment may be made on a six months prepayment basis for the first half of the Federal fiscal year and quarterly thereafter for estimated expenditures for plans approved. The first payme t will be made as near as possible to the beginning of the Federal fiscal year. On or before thirty days after the close of each Federal fiscal quarter the school must submit a certified statement giving the names of all students admitted under the plan during the preceding quarter and full information concerning the present status of all students for whom prepayments were made, and an accounting of all Federal funds received. The first quarterly expenditure report shall include expenditures for the first quarter and budget estimates for the first quarter. The expenditure report for the second quarter shall include expenditures for the second quarter and budget estimates for the fourth quarter. The account will be audited upon receipt and payment for the next quarter will be adjusted on the basis of the total unobligated balance of funds from preceding quarter or quarters, the number of remaining students for whom prepayments are to be made, and the number of students scheduled to enroll during the ensuing quarter. Within thirty days after the close of the Federal fiscal year the institution shall furnish a statement of receipts and disbursements for the period covered by its budget within the fiscal year.

The term "unobligated balance of funds" includes but is not limited to such items as (1) the full amount of tuition, fees, maintenance, and stipends budgeted for those students who failed to enter the plan, (2) that portion of tuition and fees customarily refundable for those students who have withdrawn during the quarter, (3) maintenance for each such student from the date when he or she withdrew from the plan to the end of the quarter, (4) stipends not earned by and not paid to those students who have withdrawn during the quarter. In computing earned stipends, and maintenance for periods of less than a full month, daily rates amounting to one-thirtieth the monthly rate should be used.

Dated: August 8, 1944.

[SEAL] THOMAS PARRAN,
Surgeon General,
Public Health Service.

Approved: August 9, 1944.

WATSON B. MILLER,
Acting Federal Security Administrator.

[F. R. Doc. 44-11956; Filed, August 10, 1944; 11:19 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 241]

WASHINGTON

WITHDRAWAL OF PUBLIC LANDS FOR USE OF NAVY DEPARTMENT AS AERIAL GUNNERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Navy Department as an aerial gunnery range:

WILLAMETTE MERIDIAN

T. 4 N., R. 21 E.,
Secs. 1, 2, and 3;
Sec. 4, lots 1 and 2, SE¼NE¼ and NE¼SE¼;
Sec. 10, N½, SE¼, and E½SW¼;
Secs. 11 to 14, inclusive;
Sec. 15, NE¼ and E½SE¼;
Sec. 22, NE¼NE¼;
Secs. 23, 24, and 25;
Sec. 26, NE¼, E½NW¼ and SE¼;
Sec. 35, E½NE¼;
Sec. 36, N½NE¼, SW¼NE¼ and NW¼.
T. 5 N., R. 21 E.,
Secs. 1, 2, and 3;
Sec. 4, lots 1 and 2, S½N½ and S½;
Sec. 5, SE¼NE¼ and S½;
Sec. 6, SE¼SE¼;
Sec. 7, E½E½;
Secs. 8 to 16, inclusive;
Sec. 17, N½, E½SW¼ and SE¼;
Sec. 20, NE¼, N½SE¼ and SE¼SE¼;
Secs. 21 to 28, inclusive;
Sec. 29, NE¼NE¼;
Sec. 33, NE¼, E½NW¼ and SE¼;
Secs. 34, 35, and 36.
T. 6 N., R. 21 E.,
Sec. 25, SE¼SE¼;
Sec. 34, SE¼SW¼ and SE¼;
Sec. 35, S½NE¼, SE¼NW¼ and S½;
Sec. 36.
T. 4 N., R. 22 E.,
Secs. 1 to 21, inclusive;
Sec. 22, N½, SW¼ and N½SE¼;
Sec. 23, N½NE¼, SW¼NE¼ and NW¼;
Sec. 24, NW¼NW¼;
Sec. 29, N½NE¼, N½NW¼ and SW¼NW¼;
Sec. 29, N½, N½SW¼ and NW¼SE¼;
Sec. 30;
Sec. 31, lot 1 and NE¼NW¼.
T. 5 N., R. 22 E.,
T. 6 N., R. 22 E.,
Sec. 13, E½SW¼, SW¼SW¼ and SE¼;
Sec. 14, SE¼SE¼;
Sec. 21, SE¼SW¼, NE¼SE¼ and S½SE¼;
Sec. 22, S½NE¼ and S½;
Secs. 23 to 28, inclusive;
Sec. 29, NE¼, S½NW¼ and S½;
Sec. 30, lot 4, E½SW¼ and SE¼;
Secs. 31 to 36, inclusive.
T. 4 N., R. 23 E.,
Sec. 1, lots 1 to 4, inclusive, SW¼NE¼, S½NW¼ and NW¼SW¼;
Sec. 2, N½, SW¼ and N½SE¼;
Secs. 3 to 8, inclusive;
Sec. 9, N½, N½SW¼, SW¼SW¼ and NW¼SE¼;
Sec. 10, N½NE¼ and NW¼;
Sec. 17, N½NW¼;
Sec. 18, lots 1, 2, and 3, NE¼, E½NW¼ and NE¼SW¼.
T. 5 N., R. 23 E.
T. 6 N., R. 23 E.,
Sec. 1, lots 1 and 2, S½NE¼, S½NW¼ and S½;
Sec. 2, NE¼SW¼, S½SW¼ and SE¼;
Sec. 3, SE¼SE¼;
Sec. 8, SE¼SW¼, NE¼SE¼ and S½SE¼;
Sec. 9, S½NE¼ and S½;
Secs. 10 to 17, inclusive;
Sec. 18, lots 2, 3, and 4, NE¼, SE¼NW¼, E½SW¼ and SE¼;
Secs. 19 to 36, inclusive.
T. 5 N., R. 24 E.,
Secs. 1 to 23, inclusive;
Sec. 24, N½, SW¼, N½SE¼ and SW¼SE¼;
Sec. 25, NW¼NW¼;
Sec. 26, N½NE¼ and NW¼;
Sec. 27, N½, N½SW¼, SW¼SW¼ and N½SE¼;
Secs. 28, 29, and 30;
Sec. 31, N½, SW¼, N½SE¼ and SW¼SE¼;
Sec. 32, N½ and N½SW¼;
Sec. 33, NW¼NE¼ and N½NW¼.
T. 6 N., R. 24 E.
T. 7 N., R. 24 E.,
Sec. 24, S½SE¼;
Sec. 25;
Sec. 26, S½NE¼, SE¼NW¼ and S½;
Sec. 27, S½SW¼, NE¼SE¼ and S½SE¼;
Sec. 31, S½SE¼;
Sec. 32, SE¼NE¼ and S½;
Sec. 33, NE¼, NE¼NW¼, S½NW¼ and S½;
Secs. 34, 35, and 36.
T. 5 N., R. 25 E.,
Secs. 1 to 11, inclusive;
Sec. 12, N½, N½SW¼, SW¼SW¼ and NW¼SE¼;
Sec. 14, N½NW¼;
Sec. 15, N½NE¼, SW¼NE¼, NW¼ and NW¼SW¼;
Sec. 16, N½, SW¼ and N½SE¼;
Secs. 17 and 18;
Sec. 19, lots 1, 2, and 3, NE¼, E½NW¼ and NE¼SW¼;
Sec. 20, NW¼NE¼, N½NW¼ and SW¼NW¼.
T. 6 N., R. 25 E.
T. 7 N., R. 25 E.,
Sec. 13;
Sec. 14, NE¼, NE¼NW¼, S½NW¼ and S½;
Sec. 15, S½NE¼ and S½;
Sec. 16, SE¼SW¼, NE¼SE¼ and S½SE¼;
Sec. 19, lot 4, SE¼NE¼, E½SW¼ and SE¼;
Sec. 20, NE¼, S½NW¼ and S½;
Secs. 21 to 36, inclusive.
T. 5 N., R. 26 E.,
Secs. 1 to 6, inclusive;
Sec. 7, lots 1 and 2, N½NE¼ and E½NW¼.
T. 6 N., R. 26 E.
T. 7 N., R. 26 E.,
Secs. 13 to 36, inclusive.
T. 5 N., R. 27 E.,
Secs. 5 and 6.
T. 6 N., R. 27 E.,
Secs. 5 to 8, secs. 17 to 20, and secs. 29 to 32, inclusive.
T. 7 N., R. 27 E.,
Secs. 17 to 20 and secs. 29 to 32, inclusive.

The areas described, including both public and nonpublic lands, aggregate 270,345.03 acres.

This order shall take precedence over but not modify the withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects any of the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 1, 1944.

[F. R. Doc. 44-11965; Filed, August 10, 1944; 11:30 a. m.]

[Circular 1160a]

PART 295—WITHDRAWALS AND RESTORATIONS

WITHDRAWALS FOR STOCK DRIVEWAYS AND WATER HOLES

The center head preceding § 295.6 is amended to read "Withdrawals for Stock Driveways and Water Holes", and § 295.7 (c) is amended to read as follows:

(c) **Lands withdrawn for driveways for stock or in connection with water holes** are not subject to entry or disposition, and applications for the acquisition of lands so withdrawn will be rejected by the register. Applications to lease or use such lands under any appropriate public land law, until such time as they may be needed for the purposes of the withdrawal, and where the proposed use will not interfere with such purposes, will receive consideration.

(Sec. 11, 39 Stat. 865; 43 U.S.C. 301)

FRED W. JOHNSON,
Commissioner.

Approved: August 9, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-11964; Filed, August 10, 1944; 11:30 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 51—CLASSIFICATION OF TELEPHONE EMPLOYEES

The Commission on July 25, 1944, effective immediately, revised Part 51 and its related Schedule 461[1] of Annual Report Form M, and deleted Schedule 461A.

The revised Part 51 is as follows:

DEFINITIONS

Sec.
51.1 Employees.

[1] Schedule 461 to be filed with the Division of the Federal Register.

COUNTING EMPLOYEES

Sec.
51.11 Method; time at which counted.
51.12 Joint employees.

INFORMATION REQUIRED

51.21 Scheduled weekly hours.
51.22 Scheduled weekly compensation.
51.23 Hourly rate of pay.

CLASSIFICATION ON BASIS OF CHARACTER OF SERVICE

51.31 Basis of classification.
51.32 Officials and managerial assistants.
51.33 Professional and semiprofessional employees.
51.34 Business office and sales employees.
51.35 Clerical employees.
51.36 Telephone operators.
51.37 Construction, installation and maintenance employees.
51.38 Building, supplies and motor vehicle employees.
51.39 All other employees, not elsewhere classified.

AUTHORITY: §§ 51.1, to 51.39, inclusive, issued under Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); Sec. 219 (a), 48 Stat. 1077; 47 U.S.C. 219 (a); Sec. 220 (n), 48 Stat. 1078; 47 U.S.C. 220 (a).

DEFINITIONS

§ 51.1 *Employees.* (a) For the purpose of statistical count and classification the word employees, as used in this part, is intended to include all persons in the service of the reporting company subject to its continuing authority to supervise and direct the manner of rendition of their service.

(b) All persons employed by the company as agents and paid exclusively on a commission basis should not be reported as employees of the company.

(c) Temporary, occasional, extra and similar employees should be included in the count of employees.

(d) Employees who are on paid vacations during the period for which information is required should be reported as regular employees.

(e) Employees on leave of absence or furloughs not paid for by the company should not be included in the statistical count and classification.

(f) Employees temporarily on leave on account of disability due to accident or sickness should be included in the statistical count and classification.

(g) Pensioners not required to render service should not be included as employees of the company. Pensioners recalled to service should be counted as regular employees and should be counted and classified in the occupational group in which they are employed.

COUNTING EMPLOYEES

§ 51.11 *Method; time at which counted.* Telephone companies are required to classify and count their employees, male and female separately, at two different times each year; viz, as of the end of each of the months of June and October. The last day of the month shall be considered the end of the month, except when it falls on a Sunday or a holiday, in which case the count shall be made as of the last preceding business day. Every person sustaining to the telephone company the relation of employee, as defined in § 51.1, shall be included in the count.

§ 51.12 *Joint employees.* (a) Each person (except as provided in paragraph (b)) concurrently engaged under a joint arrangement in the service of two or more telephone companies, shall be considered a joint employee and shall be counted by each telephone company involved in such joint service arrangement and represented in its return of the number of employees by a fraction based on the number of telephone companies served. For example, if such an employee is in the service of three telephone companies, each such company shall report him under the number of employees as one-third of an employee. If, however, the entire compensation of an employee concurrently engaged in the service of two or more telephone companies is borne by a single telephone company, he shall, for the purpose of these returns, be treated as an employee of that company and not as a "joint" employee.

(b) A person employed by and serving two or more telephone companies in the capacity of a general officer but acting independently for each company shall be counted and reported as one employee by each company. The term "general officer" as here used means an officer serving a company in such a capacity as that of president, vice president, secretary, treasurer, general counsel, general solicitor, controller, general auditor, general manager, or chief engineer.

INFORMATION REQUIRED

§ 51.21 *Scheduled weekly hours.* (a) The total number of weekly hours scheduled for employees at the end of October in each classification set forth in §§ 51.32 to 51.39, inclusive, shall be reported.

(b) Scheduled weekly hours are defined as an employee's regular tour of duty multiplied by the number of days, or fraction of days, scheduled to be worked during a week.

(c) For each occupational classification the total number of weekly hours scheduled shall include the hours of work of part-time and full-time employees.

(d) Full-time employees are those regularly assigned full time. Part-time employees are those regularly assigned shorter hours than a full-time schedule.

(e) Scheduled hours should include paid vacation and holiday hours.

(f) The hours of work of employees temporarily on leave on account of disability due to accident or sickness should be reported as the regularly scheduled hours of these employees.

§ 51.22 *Scheduled weekly compensation.* (a) The total amount of weekly compensation scheduled for employees at the end of October in each classification set forth in §§ 51.32 to 51.39 inclusive, shall be reported.

(b) Scheduled weekly compensation is defined as the wages scheduled to be paid for scheduled weekly hours as defined above in § 51.21 (b). This should include employee contributions for old age bene-

fits, unemployment insurance and similar deductions, paid vacation and holiday hours, the regularly scheduled weekly compensation of employees temporarily on leave due to disability or sickness, and the scheduled weekly compensation of both full-time and part-time employees.

(c) Payments scheduled to pensioners should not be included.

§ 51.23 *Hourly rate of pay.* (a) Persons in the employ of the company at the end of October in occupational groups outlined below in §§ 51.33 to 51.39 inclusive shall be classified according to their hourly rate of pay.

(b) The hourly rate of pay is defined as the scheduled weekly compensation, as described in § 51.22, divided by the scheduled weekly hours, as defined in § 51.21.

CLASSIFICATION ON BASIS OF CHARACTER OF SERVICE

§ 51.31 *Basis of classification.* Employees shall be classified with respect to character of service rendered in accordance with definitions of classes given below. Where an employee's duties are such as to make him includable in two or more classes, he shall be counted under that classification most representative of his work or in which he regularly spends the greater part of his time.

§ 51.32 *Officials and managerial assistants.* Include in this group employees who are primarily concerned with responsible policy-making, or with planning, supervising, coordinating or guiding the work activity of others, usually through intermediate supervisors or foremen. Employees reported in this group should be subdivided and reported separately as indicated in (a) and (b) below.

NOTE: Employees in occupations that embrace supervisory functions of the character exercised by foremen, but that involve limited aspects of policy-making and management should not be reported in § 51.32 but should be included in §§ 51.34, 51.35, 51.36, 51.37, or 51.38 whichever is applicable. Subordinates of employees included in § 51.32 whose supervisory responsibilities relate primarily to technical, professional or staff activities should be included in § 51.33.

(a) *General and assistant general officers.* Include under this head such employees as president, vice-president, secretary, general managers, administrative heads of the treasury, engineering, legal, and accounting departments, and all associated assistant general officers such as assistant vice-presidents, assistant secretaries, assistant treasurers, etc. This group should also include immediate subordinates of general officers who serve as administrative heads of personnel, public relations, information or similar subdivisions of the company.

(b) *Other officials and assistants.* Include under this head such employees as general, division and district managers and assistant managers in the various departments of the company; sales or directory managers not primarily concerned with staff activities. This group should also include comparable managerial employees in other departments, such as area auditors, auditors of disbursements or auditors of receipts.

§ 51.33 *Professional and semi-professional employees.* Include in this group employees in such occupations that require for the proper performance of the work either extensive and comprehensive academic study, or experience of such extent and character as to provide an equivalent background, or a combination of such education and experience. Some of the occupations within this group may require similar backgrounds with respect to education, training and experience as professional occupations but call for a lower level of initiative or judgment. Employees in such semi-professional occupations deal with less complicated work situations than those in fields which are considered professional. This group should also include employees who provide staff assistance which is based on their extensive training and experience in specialized types of work involved in the telephone business. Employees reported in this group should be subdivided and reported separately as indicated in (a) and (b) below.

(a) *Draftsmen.* Include under this head chief draftsmen and draftsmen.

(b) *Other professional and semi-professional employees.* Include under this head all accountants, attorneys and engineers not included in § 51.32, right-of-way agents, physicians, nurses, editors, laboratory technicians, and all other technical, professional employees and staff specialists, such as tax agents, statisticians, commercial, rate, directory or sales engineers, and personnel, employment, advertising, training, safety or methods specialists. Draftsmen should not be reported under this head but should be counted under (a) above.

§ 51.34 *Business office and sales employees.* Include in this group all employees primarily engaged in handling business contacts with the general public by telephone, correspondence or personal interview with respect to orders involving new or existing telephone services, the provision of information or advice concerning such services, or (except for the receipt of payments by cashiers or tellers) the collection of revenues derived therefrom. This group should also include employees primarily engaged in the detailed supervision of such activities. Employees included in this group should be subdivided and reported separately as indicated in (a) and (b) below.

NOTE: Clerical employees who assist in the work of sales employees should not be reported in this group but should be classified in § 51.38.

(a) *Supervisors of business office and sales employees.* Include under this head such employees as public office, local, unit or non-functional managers; business office, sales or coin telephone supervisors.

(b) *Non-supervising business office and sales employees.* Include under this head such employees as commercial, public office or service representatives; salesmen; commercial service observers, instructors or coaches; coin telephone collectors.

§ 51.35 *Clerical employees.* Include in this group all employees who primarily transcribe, prepare, transfer, systematize or preserve written communications or records, together with employees such as cashiers or tellers who receive or disburse funds, office boys or messengers, and others who perform miscellaneous types of office duties. Some of these activities include, in part or in whole, the operation of such mechanical devices as typewriters, bookkeeping, computing or punch-card machines. This group should also include employees primarily engaged in the detailed supervision of such activities. Employees included in this group should be subdivided and reported separately as indicated in (a) and (b) below.

(a) *Supervisors of clerical employees.* Include under this head such employees as chief clerks (if supervising) and office managers; supervising stenographers or typists; cashiers (if supervising) chief tellers or paymasters; accounts or toll supervisors; service order supervisors or chief service order clerks; supervisors of payrolls, materials, estimates, vouchers, invoices, or reports and results; all other supervising clerks.

(b) *Non-supervising clerical employees.* Include under this head clerical employees exclusive of supervisors of clerical forces. Employees classified under (b) should be further subdivided according to their departmental classification, as Commercial Department, Traffic Department, Plant Department, Accounting Department, and All Other Departments. Clerical employees include such employees as stenographers, typists, bookkeepers, bookkeeping machine operators, cashiers, receptionists, paymasters, timekeepers, checkers, office messengers, file clerks, repair service clerks, accounting and auditing clerks, and time clerks.

§ 51.36 *Telephone operators.* Include in this group all employees primarily engaged in the operation of telephone or teletypewriter switchboards (including official and nonofficial private branch exchange, public pay station, information, intercept or telegraph boards and similar auxiliary switchboard apparatus). This group should also include all Traffic Department employees primarily engaged in making tests or inspections at central office or on subscribers' premises regarding switchboard service or otherwise investigating or adjusting subscribers' service complaints, and Plant or Traffic Department employees making and recording routine detailed observations of switchboard service. Employees primarily engaged in the detailed supervision of such activities or in the instruction of operators should also be reported in this group. Employees included in this group should be subdivided and reported separately as indicated in (a), (b), (c) and (d) below.

(a) *Chief operators, supervisors and instructors.* Include under this head such employees as chief, evening chief, night chief, or assistant chief operators; supervisors; PBX or public pay station chief operators or supervisors; central office or student instructors; PBX or TWX instructors; chief service observers.

(b) *Experienced switchboard operators.* Include under this head such employees as telephone, PBX or TWX switchboard operators; information, intercept, or sender monitor operators. Such employees should have at least 12 months' training and/or experience.

(c) *Operators in training.* Include under this head all student or junior operators during their first year of training in switchboard operation.

(d) *Other switchboard employees.* Include under this head such employees as public pay station attendants and service observers.

§ 51.37 *Construction, installation and maintenance employees.* Include in this group all employees primarily engaged in the construction, installation, inspection, testing or repair of central office or subscribers' equipment or of outside plant who are in skilled or semi-skilled occupations. This group should also include unskilled laborers employed in construction, installation or maintenance work as well as employees primarily engaged in the detailed supervision of such activities. Employees included in this group should be subdivided and reported separately as indicated in (a), (b), (c), (d) and (e) below.

(a) *Foremen of telephone craftsmen.* Include under this head all foremen of employees classified under (b), (c), (d) and (e) below, such as supervising foremen of construction, installation or maintenance; wire chiefs or chief switchmen; central office installation, station installation, line, cable placing, splicing or conduit foremen; foremen of exchange repairmen.

(b) *Central office craftsmen.* Include under this head such employees as central office installers or repairmen, switchmen, framemen or wiremen; testboardmen, testdeskmen, transmissionmen, or powermen; central office inspectors. Employees reported under (b) should be further subdivided as indicated below under (1), (2) and (3).

(1) *Testboardmen and repeatermen.* Include under this head all employees engaged at central offices in making tests of plant equipment.

(2) *Repairmen, central office.* Include under this head all employees engaged in the maintenance of central office equipment.

(3) *All other central office craftsmen.* Include under this head all central office craftsmen not counted in (1) and (2) above. Employees receiving training as apprentices in central office construction, installation and maintenance work should be included in this group. Employees classified in this subsection should be limited to those engaged in skilled or semi-skilled work such as central office installers or inspectors.

(c) *Installation and exchange repair craftsmen.* Include under this head such employees as station or PBX installers; exchange repairmen; installer-repairmen or combination-men. Employees reported under (c) should be further subdivided as indicated below under (1), (2) and (3).

(1) *PBX and station installers.* Include under this head all employees engaged in installing station or private branch exchange equipment. Central office installers should not be included in this subsection but should be reported under (b) above.

(2) *Exchange repairmen.* Include under this head all employees engaged in the maintenance of station or private branch exchange equipment.

(3) *All other installation and exchange repair craftsmen.* Include under this head all installation and exchange repair craftsmen not counted in (1) and (2) above. Employees receiving training as apprentices in installation and exchange repair work should be included in this group. Employees classified in this subsection should be limited to those engaged in skilled or semi-skilled work.

(d) *Line, cable and conduit craftsmen.* Include under this head such employees as linemen, linemen-chauffeurs, toll repairmen or line inspectors; cablemen, cable splicers and helpers, or cable testers; groundmen; conduitmen. Employees reported under (d) should be further subdivided as indicated below under (1), (2), (3) and (4).

(1) *Linemen.* Include under this head all employees engaged in aerial work incidental to the construction, modification or maintenance of aerial plant.

(2) *Cable splicers.* Include under this head all employees engaged in splicing cables.

(3) *Cable splicers' helpers.* Include under this head all employees engaged in assisting cable splicers.

(4) *All other line, cable and conduit craftsmen.* Include under this head all line, cable and conduit craftsmen not counted in (1), (2), and (3) above. Employees receiving training as apprentices in line and conduit work should be included in this group. Do not include in this subsection apprentice splicers who should be classified in (3) above. Employees classified in this subsection should be limited to those engaged in skilled or semi-skilled work. Unskilled conduit laborers should be included in (e) below.

(e) *Laborers.* Include under this head all unskilled laborers employed in construction, installation or maintenance work.

§ 51.38 *Building, supplies and motor vehicle employees.* Include in this group all employees primarily engaged in the maintenance of buildings or offices; in restrooms, lunchrooms, or similar personal services; in supply services; in the operation or maintenance of motor vehicles. This group should also include employees primarily engaged in the detailed supervision of such activities. Employees included in this group should be subdivided and reported separately under (a), (b), (c) or (d) below.

(a) *Foremen of building, supplies and motor vehicle employees.* Include under this head such employees as supervising foremen of buildings, supplies or motor vehicles; house service, building maintenance, garage, shop or supplies foremen; dining service supervisors.

(b) *Mechanics.* Include under this head non-supervising employees in skilled occupations related to the maintenance of buildings, supplies and motor vehicles, such as stationary engineers, carpenters, painters, building electricians, plumbers and garage or shop mechanics.

(c) *Other building service employees.* Include under this head all non-supervising building service employees, exclusive of building mechanics, such as janitors, porters, watchmen, elevator operators, firemen, guards and non-supervising dining service, restroom or locker-room employees.

(d) *Other supplies and motor vehicle employees.* Include under this head all non-supervising supplies and motor vehicle employees, exclusive of supplies and motor vehicle mechanics, such as stockmen, yardmen and garagemen.

§ 51.39 *All other employees, not elsewhere classified.* Include in this group all employees not reported under §§ 51.32 to 51.38 inclusive.

By the Commission,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-11939; Filed, August 10, 1944; 10:50 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter Q—Alaska Commercial Fisheries

PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

AREAS OPEN TO SALMON TRAPS

Effective only through December 31, 1944, § 211.12 *Areas open to salmon traps,* is amended as follows:

Paragraph (n) is hereby suspended.

OSCAR L. CHAPMAN, *Assistant Secretary.*

AUGUST 5, 1944.

[F. R. Doc. 44-11962; Filed, August 10, 1944; 11:30 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

MARIETTA BROADCASTING CO.

ORDER SETTING HEARING DATE ON STATED ISSUES

In re application of Marietta Broadcasting Company (New) (Virgil V. Evans, owner), Marietta, Georgia, for construction permit, Docket No. 6646, File No. B3-P-3573.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 1st day of August, 1944;

The Commission having under consideration an application (filed February 5, 1944) by Marietta Broadcasting Company (Virgil V. Evans, owner) for construction permit for a new standard broadcast station at Marietta, Georgia (File No. B3-P-3573);

It is ordered, That the application be, and the same is hereby, designated for hearing on the following issues:

1. To determine the legal, technical, and financial qualifications of the applicant to construct and operate the proposed station.

2. To determine whether the applicant is the real party in interest in this application.

3. To obtain full information with respect to applications previously filed by Virgil V. Evans and enterprises owned or controlled by him.

4. To obtain full information with respect to permits and licenses previously issued to Virgil V. Evans and enterprises owned or controlled by him.

5. To obtain full information with respect to the nature and character of the proposed program service.

6. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

7. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to these areas and populations.

8. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Station WBLJ, Dalton, Georgia.

9. To determine the areas and populations which would lose primary service, particularly from Station WBLJ, as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

10. To determine whether the operation of the station at the proposed transmitter site would be consistent with the provisions of the Standards of Good Engineering Practice, particularly as to recommendation of minimum field intensity from 25 to 50 mv/m over the business district of the city of Marietta.

11. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

12. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience, or necessity would be served through the granting of this application, the application of Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters (File No. B3–P–3652, Docket No. 6647), or either of them.

It is further ordered, That the hearing in this matter be held on September 18, 1944, at 10 a. m., and consolidated with the hearing on the application of Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters (Docket No. 6647); and

It is further ordered, That Dalton Broadcasting Corporation (WBLJ), Dalton, Georgia, be, and it is hereby, made a party intervener in these proceedings.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary

[F. R. Doc. 44–11938; Filed, August 10, 1944; 10:50 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 435]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 5, 1944, by Chas. Abbate Company, of car ART 16656, peaches, now on the Chicago Produce Terminal, to Quality Fruit Company, Manitowoc, Wisconsin. (C. & N. W.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11930; Filed, August 10, 1944; 10:19 a. m.]

[S. O. 70–A, Special Permit 436]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 5, 1944, by La Mantia Brothers Arrigo Company, of car WFE 65020, peaches, now on the Chicago Produce Terminal to Louis Butterman, Milwaukee, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11931; Filed, August 10, 1944; 10:19 a. m.]

[S. O. 70–A, Special Permit 437]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A, insofar as it applies to the reconsignment at Chicago, Illinois, August 5, 1944, by La Mantia Brothers Arrigo of car PGE 32406, peaches, now on the Chicago Produce Terminal, to Madison, Wisconsin, via CMStPaP.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11932; Filed, August 10, 1944; 10:19 a. m.]

[S. O. 70–A, Special Permit 438]

RECONSIGNMENT OF ORANGES AT PITTSBURGH, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A, insofar as it applies to the reconsignment at Pittsburgh, Pennsylvania, August 3, 1944, by Mailloux Fruit and Produce Company, Chicago, Illinois, of car PFE 34601, oranges, now on the Pennsylvania Railroad to Mailloux Fruit and produce Company, Newark, New Jersey, via Pennsylvania Railroad. Car originated at Highland, California, routed SP–RI–Pa RR.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11933; Filed, August 10, 1944; 10:19 a. m.]

[S. O. 200, Special Permit 152]

REICING OF POTATOES AT BALDWIN, FLA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice NP 98043, potatoes, at Baldwin, Florida, on Seaboard Air Line. Car originating Sunnyside, Washington, routed NP–CB&Q–NC&StL–C of Ga–SAL consigned to Fred Plowaty, Miami, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11934; Filed, August 10, 1944; 10:19 a. m.]

[S. O. 200, Special Permit 153]

ICING OF POTATOES AT NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To initially ice at Norfolk, Virginia (P. R. R.) as ordered by Eastern Shore Produce Exchange, car FGEX 25931, potatoes, moving August 8, 1944, from Queponco, Maryland, to Sales Officer, Camp Gordon Johnston, Rail Head, Tallahassee, Florida (PRR–SAL).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–11935; Filed, August 10, 1944; 10:19 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 262]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Silver Fleet Motor Express, Inc., Louisville, Ky.
2. Huber and Huber Motor Express, Inc., Louisville, Ky.
3. Dixie Ohio Express Co., Inc., Akron, Ohio.
4. Killion Motor Express, Inc., Washington, Ind.
5. Hyatt Spaulding and Herman Gettelfinger, doing business as Blue & Gray Transportation Co., Cincinnati, Ohio.

[1] Filed as part of the original document.

6. Central Motor Express, Inc., Chattanooga, Tenn.
7. Hoover Motor Express Company, Inc., Nashville, Tenn.
8. Associated Transport, Inc., New York, N. Y.
9. Mason & Dixon Lines, Inc., Kingsport, Tenn.
10. ET & WNC Transportation Co. (a corporation), Johnson City, Tenn.

[F. R. Doc. 44-11940; Filed, August 10, 1944; 11:12 a. m.]

[Supp. Order ODT 3, Rev. 263]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN FORT SMITH, ARK. AND MUSKOGEE, OKLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permision for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, excange, pooling, or other act.

[1] Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. The Santa Fe Trail Transportation Co. (a corporation), Wichita, Kans.
2. E. W. Lyman, Opal Bowlin Lyman, Lucille Lyman Porter and Mrs. Frances Ring (Heirs at Law), Ralph W. Porter, Trustee, doing business as Lyman Truck Lines, Muskogee, Okla.
3. Keystone Freight Lines (a corporation), Tulsa, Okla.

[F. R. Doc. 44-11941; Filed, August 10, 1944; 11:12 a. m.]

[Supp. Order ODT 3, Rev. 264]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA AND WEST POINT, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transporta-

tion capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. A. A. A. Highway Express, Inc., Atlanta, Ga.
2. Georgia Highway Express, Inc., Atlanta, Ga.

[F. R. Doc. 44-11942; Filed, August 10, 1944; 11:13 a. m.]

[Supp. Order ODT 3, Rev. 265]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MINNESOTA AND SOUTH DAKOTA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Matt W. Hanten and Ray Wheaton, copartners, doing business as Western Transportation Co., Watertown, S. Dak.

Harry Speckeen, doing business as Speckeen Transportation Co., Ortonville, Minn.

G. & F. Transportation Co., Inc., Aberdeen, S. Dak.

[F. R. Doc. 44-11943; Filed, August 10, 1944; 11:12 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 267]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN FORT WAYNE, IND., AND CHICAGO, ILL.

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plain for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Days Transfer, Inc., Elkhart, Ind.
2. F & S Transit Company, Inc., South Bend, Ind.
3. Clem J. Getty, doing business as Lime City Trucking Co., Huntington, Ind.
4. Norwalk Truck Line Co., Norwalk, Ohio.
5. O. I. M. Transit Corporation, Fort Wayne, Ind.
6. Security Cartage Co., Inc., Fort Wayne, Ind.
7. Short Line Express Co., Inc., South Bend, Ind.
8. The Motor Express Inc. of Indiana, Indianapolis, Ind.
9. Mercury Motorways, Inc., South Bend, Ind.
10. Hayes Freight Lines, Inc., Mattoon, Ill.

[F. R. Doc. 44-11944; Filed, August 10, 1944; 11:13 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 263]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN EASTERN UNITED STATES

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the person named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, that:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carriers which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier

subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior aproval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

C. C. Britt, doing business as Britt Transportation Co., Rocky Mount, N. C.

Smith's Inc., Wilson, N. C.

Roy Lee Barnes and Eddie Lewis Barnes, copartners, doing business as Barnes Truck Line, Nashville, N. C.

[F. R. Doc. 44-11945; Filed, August 10, 1944; 11:14 a. m.]

[Supp. Order ODT 3, Rev. 269]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY, MO., AND LAWRENCE, KANS.

Upon consideration of a plan for joint action filed with the Officer of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended [1] (7 F.R. 5445, 6689, 7694, 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Watson Bros. Transportation Co., Inc., Omaha, Nebr.

2. Russel A. Hall, doing business as Hall Bros. Truck Line, Lawrence, Kans.

[F. R. Doc. 44-11946; Filed, August 10, 1944; 11:14 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 271]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ARIZONA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F. R. 5445, 6689, 7694; 8 F. R. 4660, 14582; 9 F. R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Lightning Moving and Warehouse Company (a corporation) Phoenix, Ariz.
2. Chambers Transfer & Storage Co. (a corporation) Phoenix, Ariz.
3. John B. Sloane, doing business as Sloane's Transfer & Storage Co. Phoenix, Ariz.

[F. R. Doc. 44-11947; Filed, August 10, 1944; 11:14 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Revised 272]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MERIDIAN AND JACKSON, MISS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Southern Motor Express, Inc., Birmingham, Ala.
McDonough Motor Express, Inc., Meridian, Miss.

[F. R. Doc. 44-11948; Filed, August 10, 1944; 11:14 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Revised 273]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August, 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX

1. H. B. Arnold, doing business as H. B. Arnold Trucking Line, Americus, Ga.
2. Independent Gin Co., Americus, Ga.
3. G. E. Ansley, Americus, Ga.

[F. R. Doc. 44-11949; Filed, August 10, 1944; 11:15 a. m.]

[Supp. Order ODT 3, Revised 274]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful

prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perfrom any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Hoover Motor Express Co., Inc., Nashville, Tenn.

2. A. B. Crichton, R. M. Crichton, C. N. Crichton, M. E. Crichton, R. B. Crichton, and A. B. Crichton, Jr., Copartners, doing business as Super Service Motor Freight Co., Nashville, Tenn.

[F. R. Doc. 44-11980; Filed, August 10, 1944; 11:15 a. m.]

[Supp. Order ODT 3, Rev. 276]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ARKANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carrier's possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Powell Brothers Truck Lines, Inc., Springfield, Mo.

Harvey Jones, doing business as Jones Truck Lines, Springdale, Ark.

[F. R. Doc. 44-11951; Filed, August 10, 1944; 11:15 a. m.]

[Supp. Order ODT 3, Rev. 277]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ILLINOIS AND MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 14, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Ben Schilli, doing business as Semo Freightways, Perryville, Mo.

2. L. E. Wunderlich, doing business as L. W. Transfer Co., Altenburg, Mo.

3. St. Marys Truck Lines, Inc., St. Marys, Mo.

[F. R. Doc. 44-11952; Filed, August 10, 1944; 11:15 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 342, Order 1]

NAIL KEG STAVES

APPROVAL OF MAXIMUM PRICES

Order No. 1 under section 6 of Revised Maximum Price Regulation 342. Nail kegs and nail keg staves and heading.

Applications have been made by principal producers representing more than 60 percent of the nail keg stave industry for increased prices on staves on the basis that present production costs will not permit production at present ceiling prices. The problem is general in nature, and the data supporting the individual applications are inadequate for general price action. Since maximum production of staves is necessary for use in nail kegs to package essential war commodities, and acquisition of necessary additional data will require some time, the granting of authorization to use adjustable pricing, pending receipt of additional information and further action by this Office, is deemed necessary to promote production and distribution of the commodities involved. The granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942,

as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to section 6 of Revised Maximum Price Regulation 342; *It is ordered:*

(a) Sellers of nail keg staves under Revised Maximum Price Regulation 342 may sell and deliver, and any person may buy and receive from such sellers, nail keg staves at prices adjustable to those later established by the Office of Price Administration.

(b) However, prices in excess of the maximums currently established in the regulation may not be collected or paid, pending further action by this Office.

(c) This order shall expire at the end of 60 days from its effective date.

This order shall become effective August 10, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11919; Filed, August 9, 1944; 4:33 p. m.]

[MPR 481, Order 1]

SLACK STAVES

APPROVAL OF MAXIMUM PRICES

Order No. 1 under section 9 of Maximum Price Regulation 481. Slack Cooperage and Cooperage Stock.

Applications have been made by principal producers representing more than 60 percent of the slack cooperage stave industry for increased prices on staves on the basis that present production costs will not permit production at present ceiling prices. The problem is general in nature, and the data supporting the individual applications are inadequate for general price action. Since maximum production of staves is necessary for use in kegs and barrels to package essential war commodities, and acquisition of necessary additional data will require some time, the granting of authorization to use adjustable pricing, pending receipt of additional information and further action by this Office, is deemed necessary to promote production and distribution of the commodities involved. The granting of such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

Therefore, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to section 9 of Maximum Price Regulation 481; *It is ordered:*

(a) Sellers of slack staves under Maximum Price Regulation 481 may sell and deliver, and any person may buy and receive from such sellers, slack staves at prices adjustable to those later established by the Office of Price Administration.

(b) However, prices in excess of the maximums currently established in the regulation may not be collected or paid, pending further action by this Office.

(c) This order shall expire at the end of 60 days from its effective date.

This order shall become effective August 10, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11920; Filed, August 9, 1944; 4:34 p. m.]

[MPR 528, Order 10]

NEW TIRES

APPROVAL OF MAXIMUM PRICES

Order No. 10 under Maximum Price Regulation 528. Tires and tubes, recapping and repairing.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, It is ordered:

(a) *What this order covers.* This order applies only to new tires in rayon construction (1) for which specific dollar-and-cent maximum retail prices are not listed in a table in Appendix A of Maximum Price Regulation 528, and (2) which are not passenger car, motorcycle, farm tractor, or farm implement tires.

(b) Until October 15, 1944, the maximum retail price for a new tire covered by paragraph (a) made in rayon construction shall be 112½% of the maximum retail price for the same type, size and ply of a new tire made in cotton construction.

(c) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective August 10, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11920; Filed, August 9, 1944; 4:34 p. m.]

[Max. Import Price Reg., Order 28]

ROLEX WATCH CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 28 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which certain imported watches described below may be sold to retailers and ultimate consumers. These watches are imported from Switzerland by the Rolex Watch Company, Inc., 580 Fifth Avenue, New York City, hereinafter called the "importer".

(b) *Maximum prices for sales to retailers and ultimate consumers.* Neither the importer nor any other person may sell the watches described below to retailers at prices higher than those set forth in Column II. These watches may not be sold to ultimate consumers at prices, including the federal excise tax, higher than those set forth in Column III.

I	II	III
Rolex model No.	Sales to retailers	Sales to consumers, including the Federal excise tax
4270	$68.94	$144.00
4304	58.32	120.50
4036	44.28	93.75
4272	104.43	225.50
4273	96.43	206.25
4273 (Gold)	110.93	239.50
4308	108.13	235.75
4310	112.06	242.00
2366/3	71.37	154.25
4270	114.75	248.00
4270 (SS)	114.88	248.25
4136	89.59	193.50
4211	47.00	101.25
4219	39.00	84.25
4222	100.00	216.00
4222 (Gold)	115.00	248.50
4224	36.00	77.75
4291	55.00	118.50
4315	39.75	85.75
4316	53.25	115.25

(c) *Reduction of prices.* Whenever the total landed costs to the importer on which the above maximum prices are established decrease by 5% or more, he shall immediately notify the Durable Goods Price Branch, Office of Price Administration, Washington, D. C., of the extent of the reduction in cost and the Price Administrator may then establish new maximum prices for these watches.

(d) *Importer to notify retailers.* The importer shall furnish a copy of this order to each retailer to whom any of these watches are sold and shall also include on the invoice the following statement:

The enclosed Order No. 28 issued under the Maximum Import Price Regulation by OPA establishes your maximum selling prices for these watches.

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective August 10, 1944.

Issued this 9th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11921; Filed, August 9, 1944; 4:34 p. m.]

[MPR 188, Order 2060]

WEBER AND MOLLNER

APPROVAL OF MAXIMUM PRICES

Order No. 2060 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers goods other than apparel. Approval of maximum prices for sales of a utility hassock manufactured by Weber & Mollner.

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a utility hassock manufactured by Weber & Mollner, 2726–32 San Fernando Road, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Utility hassock	.....	*Each* $4.22	*Each* $4.96

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.	*Maximum price to retailers*
Utility hassock	$4.96 each

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of August 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11972; Filed, August 10, 1944; 11:41 a. m.]

[MPR 188, Order 2061]

CHAS. T. BEATY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2061 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a step stool manufactured by the Chas. T. Beaty Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a step stool manufactured by the Chas. T. Beaty Company, 3839 Grandview Boulevard, Culver City, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Folding step stool	2 step red and white.	*Each* $1.53	*Each* $1.80

These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sales, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Folding step stool....	2 step red and white.	*Each* $1.80

This price is f. o. b. factory and is subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of August 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11973; Filed, August 10, 1944; 11:41 a. m.]

[MPR 188, Order 2062]

MAZZONI FURNITURE SHOP & CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2062 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a love seat cedar chest manufactured by Mazzoni Furniture Shop & Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a love seat cedar chest manufactured by Mazzoni Furniture Shop & Company, 2402 Bergenline Avenue, Union City, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to jobbers who carry stock, the maximum price is as follows:

Article:	*Maximum price to jobbers who carry stock*
Love seat cedar chest	$24.50 per unit.

This price is f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries, on and after the effective date of this order, by jobbers who carry stock to retailers, the maximum price is as follows:

Article:	*Maximum price to retailers*
Love seat cedar chest	$29.95 per unit.

This price is f. o. b. jobbers' city.

(ii) For all sales and deliveries by jobbers who carry stock to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(3) For all sales and deliveries, at retail, on and after the effective date of this order by any person, the maximum price is as follows:

Article:	*Maximum retail price*
Love seat cedar chest	$54.75 per unit.

(b) At the time of or prior to the first invoice, after the effective date of this order, for the love seat cedar chest described above, to each purchaser for resale, the manufacturer and every jobber shall notify the purchaser for resale of the maximum price and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of August 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11974; Filed, August 10, 1944; 11:39 a. m.]

[Order 79 Under 18 (c)]

BREAD

ADJUSTMENT OF MAXIMUM PRICES

Order No. 79 under § 1499.18 (c) as amended, of the General Maximum Price Regulations.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(1) That the maximum price on all sales at wholesale of standard bread, baked in a one and one-half pound (1½) loaf in the following counties of the State of California, to wit: Los Angeles, Kern, San Luis Obispo, Santa Barbara, Riverside, Imperial, Orange, San Bernardino and Ventura, shall be ten and three-fifths (10⅗¢) cents; and

(2) That all sellers making sales at retail of standard bread baked in a one and one-half pound (1½) loaf, in the counties named in paragraph (1), hereof, shall increase their maximum prices on such sales by one (1¢) cent; and

(3) That, except as provided herein, the maximum prices for all such sales of standard bread shall remain subject to the provisions of Supplementary Regulation No. 14B, and to the General Maximum Price Regulation; and

(4) That this order may be amended, or revoked, by the Price Administrator, at any time; and

(5) That this order shall become effective on August 11, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11975; Filed, August 10, 1944; 11:41 a. m.]

[Order 80 Under 18 (c)]

BREAD

ADJUSTMENT OF MAXIMUM PRICES

Order No. 80 under § 1499.18 (c) as amended, of the General Maximum Price Regulations.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(1) That the maximum prices for all sales of bread, except rye bread, sold in the Hutchison, Kansas trading area shall be as follows:

Size of loaf	Maximum price at wholesale	Maximum price at retail
20 to 22 ounces	$0.09	$0.11
20 to 22 ounces	.14	

(2) That, except as specifically provided herein, the maximum prices for all such sales of brand shall remain subject to the provisions of Supplementary Regulation No. 14B and to the General Maximum Price Regulation.

(3) That this order may be amended, or revoked, by the Price Administrator at any time.

This order shall become effective on August 11, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11976; Filed, August 10, 1944; 11:42 a. m.]

[MPR 528, Order 11]

GOODYEAR TIRE AND RUBBER CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes of new Stop-Start truck tires, shall be:

Stop-start size	Equivalent standard highway size	Ply	Stop-start maximum price each
21	7.50-18	8	$60.15
25	7.50-24	10	80.10
30	9.00-18	10	81.85
26	9.00-22	10	88.90
27	10.00-18	12	104.45

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective August 11, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11977; Filed, August 10, 1944; 11:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 30-39]

SOUTHWESTERN PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August, A. D. 1944.

Notice is hereby given that an application has been filed with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 by Southwestern Public Service Company ("Southwestern") for an order that it

has ceased to be a holding company upon consummation of the sale of its sole remaining subsidiary, Gulf Public Service Company. Applications and declarations concerning the sale of the latter company by Southwestern were approved by the Commission on August 3, 1944. Said application states that Southwestern consents and stipulates to such order of the Commission containing terms and conditions which will provide for the retention of jurisdiction by the Commission over Southwestern as to (1) the disposition by Southwestern of its interest in certain properties located in east-central Texas as required by the Commission's order dated July 8, 1942; (2) whether Southwestern may retain under section 11 (b) (1) of the act certain water and ice properties located in Oklahoma and Kansas; (3) the restriction of payment of common stock dividends unless provision has been made for a sinking fund for retirement of Southwestern's preferred stock contained in the Commission's order dated September 14, 1942, and (4) the condition in the Commission's order dated July 8, 1942 that Southwestern amortize the excess of cost of properties acquired in 1942 over the net values of such properties carried on the books of the sellers. Said application further requests that the Commission's order rescind and terminate the amended restriction on the payment by Southwestern of dividends on its common stock contained in the Commission's order of December 2, 1943 and the condition contained in the Commission's order of July 8, 1942 that no charge shall be made by Southwestern to its capital surplus account without the approval of the Commission.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect to said matter and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter under the applicable provision of said act and rules and regulations of the Commission thereunder be held on August 24, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause will be shown why such application shall be granted. Notice is hereby given to said above-named applicant and to all interested persons, said notice to be given to said applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before August 21, 1944.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all power granted to the Commission under section 18 (c) of said act and to the trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the requested declaration of status is consistent with all applicable requirements of the act and rules thereunder;

2. Whether it is necessary or appropriate for the protection of investors to impose any terms and conditions and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11925; Filed, August 9, 1944; 4:57 p. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP., ET AL.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August, A. D. 1944.

The Commission having by order entered on November 16, 1943 approved a plan providing for the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the act, and having by said order, pursuant to section 11 (b) of the act, directed North Continent Utilities Corporation to take such action as may be necessary to cause its liquidation and dissolution;

North Continent Utilities Corporation, together with The Denver Ice and Cold Storage Company, its subsidiary company, and Raton Distributing Company, a subsidiary company of The Denver Ice and Cold Storage Company, having filed an application, designated as "Application No. 5", pursuant to the applicable provisions of said act and the rules promulgated thereunder (and in pursuance, and for the purpose, of carrying out the aforesaid Commission order concerning the liquidation and dissolution of North Continent Utilities Corporation) relating to the sale by Raton Distributing Company, a non-utility company, of its properties to Parley Roach, an individual, for a base price of $41,000 in cash, subject to certain adjustments to the date of sale, the use of the proceeds of such sale to cause ratable payments to be made on the unpaid principal of North Continent Utilities Corporation's First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948, and the dissolution of Raton Distributing Company; and

A public hearing having been held after appropriate notice, the Commission having considered the record and having made and filed its opinion herein;

It is hereby ordered, Pursuant to sections 11 (b), 11 (e) and other applicable provisions of said act, that said application be and hereby is granted subject to the terms and conditions prescribed in Rule U-24.

The applicants having requested that the order entered herein contain certain findings and recitals necessary to meet the requirements of sections 371, 372, 373, and 1808 of the Internal Revenue Code, as amended;

It is further ordered and recited, That the following proposed sale by Raton Distributing Company, for money, as herein set forth, of the properties referred to herein and itemized and specified in the documents, or portions thereof, herein referred to and incorporated in this order by reference, and the proposed application of the proceeds of such sale, are necessary or appropriate to the integration or simplification of the North Continent holding company system, of which The Denver Ice and Cold Storage Company and Raton Distributing Company are members, and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

(a) The sale by Raton Distributing Company of its properties to Parley Roach, an individual, for a base price of $41,000 in cash, subject to certain adjustments to the date of sale;

(b) The use by Raton Distributing Company of the net proceeds of the said sale to reduce an open account indebtedness of $49,538.23 due to The Denver Ice and Cold Storage Company;

(c) The use by The Denver Ice and Cold Storage Company of the funds to be received from Raton Distributing Company for the consideration above described in subdivision (b) to reduce the principal amount of its promissory note of $322,000 held by North Continent Utilities Corporation; and

(d) The use by North Continent Utilities Corporation of the funds to be received from The Denver Ice and Cold Storage Company for the consideration above described in subdivision (c) for ratable payments on the unpaid principal of its First Lien Collateral and Refunding Gold Bonds, Series A, 5½%, due January 1, 1948; and

The above properties referred to in subdivision (a) above being more completely specified, itemized, and described under Item 4 of section IV of the application filed herein by North Continent Utilities Corporation, The Denver Ice and Cold Storage Company, and Raton Distributing Company, and designated as "Application No. 5", which said specification, itemization, and description of the said properties contained in said Item 4 of section IV of said application are hereby incorporated by reference in this order and made a part hereof, with

the same force and effect as if set forth at length herein.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11923; Filed, August 9, 1944; 4:57 p. m.]

[File No. 70-845]

FLORIDA POWER CORP. AND GENERAL GAS & ELECTRIC CORP.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of August 1944.

The Commission, by order dated February 16, 1944, under the Public Utility Holding Company Act of 1935, having in the above entitled matter permitted a joint declaration to become effective concerned primarily with the issue and sale by Florida Power Corporation, a subsidiary of General Gas & Electric Corporation, a registered holding company, of $16,500,000 principal amount of first mortgage bonds at competitive bidding, and $4,000,000 principal amount of serial debentures, an exception from the requirements of Rule U-50 having been granted in connection with the issue and sale of said debentures; said order having, among other things, reserved jurisdiction with respect to the payment of fees to Milbank, Tweed & Hope, independent counsel for the successful underwriters for the $16,500,000 principal amount of first mortgage bonds; and

Said counsel having furnished the Commission with information regarding the nature and extent of the services rendered for which a fee of $15,000 is requested; and it appearing to the Commission that under all the circumstances, such fee is not unreasonable;

It is hereby ordered, That jurisdiction with respect to the payment of said fee be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11924; Filed, August 9, 1944; 4:57 p. m.]

[File No. 70-901]

CONSOLIDATED ELECTRIC AND GAS CO. AND PORTO RICO GAS & COKE CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August, A. D. 1944.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and its subsidiary, Porto Rico Gas & Coke Company ("Porto Rico"), having filed an application and declarations pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 9 (a), 10, 12 (c), 12 (d), and 12 (f) thereof, regarding the proposed purchase by Porto Rico from Consolidated, from time to time during the remainder of 1944, of an amount not to exceed 1,500 shares of Porto Rico's 6% cumulative preferred stock at $100 per share, and the proposed use by Consolidated of the proceeds of the sale of said shares for the purchase in the open market and the retirement of Southern Cities Utilities Company Thirty-Year 5% First Lien Collateral Trust Bonds, Series A, due April 1, 1958 (assumed by Consolidated); and

A public hearing having been held upon said application and declarations, after appropriate notice, and the Commission having considered the record and made and filed its findings herein:

It is hereby ordered, That the said application be and hereby is granted, and that said declarations be and hereby are permitted to become effective forthwith, subject to the terms and conditions set forth in Rule U-24, and, in respect of the proposed acquisition and retirement by Consolidated of the aforesaid Southern Cities bonds, subject to the following additional terms and conditions:

(1) That Consolidated shall not solicit or cause to be solicited from individual bondholders the sale of any of the aforesaid bonds;

(2) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated;

(3) That Consolidated shall furnish to the Commission, promptly after the last day of each month, a schedule showing for each day covered by such report, the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11922; Filed, August 9, 1944; 4:57 p. m.]

[File No. 70-902]

EMPIRE DISTRICT ELECTRIC CO., ET AL.

NOTICE ADOPTING REPORT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of August, A. D. 1944.

In the matter of The Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company, Benton County Utilities Corporation and Cities Service Power & Light Company, File No. 70-902.

The Empire District Electric Company, a subsidiary of Cities Service Power & Light Company and Cities Service Company, registered holding companies, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 regarding the solicitation of the holders of its 6% preferred stock, for votes in favor of a proposed merger plan; and

The Commission having issued its findings, opinion and order approving said merger plan and certain other transactions proposed in connection therewith, and having issued an order permitting the declaration with respect to the proposed solicitation of the preferred stockholders of The Empire District Electric Company to become effective;

It is ordered, That the report this day issued by the Commission with respect to such proposed solicitation be adopted as the report by the Commission pursuant to the provisions of section 11 (g) of the act, and that a copy of such report be delivered to each holder of the 6% preferred stock of The Empire District Electric Company solicited to execute a proxy in connection with said merger plan, prior to or in connection with the solicitation of said preferred stock holder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-11926; Filed, August 9, 1944; 4:57 p. m.]

[File No. 70-936]

INDIANA & MICHIGAN ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August, A. D. 1944.

Notice is hereby given that joint applications or declarations (or both) have been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under sections 6 (b), 7 (e), 10 and 12 thereof and Rules U-42, U-43 and U-50 thereunder by American Gas and Electric Company ("American Gas"), a registered holding company, and Indiana & Michigan Electric Company ("Indiana & Michigan"), an electric utility subsidiary of American Gas.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

(1) Indiana & Michigan proposes to issue notes to not more than six New York City banks in the principal amount of $7,880,000, the proceeds from such notes to be used to purchase from American Gas at its cost of $3,596,749.77 plus accrued dividends 36,017 shares of the 6% and 7% preferred stock of Indiana & Michigan and to redeem at $110 per share plus accrued dividends 38,976 shares of 6% and 7% preferred stock of Indiana & Michigan now in the hands of the public. It is proposed that all of the shares to be acquired be cancelled and that Indiana & Michigan will also surrender for cancellation 310 shares of 7% preferred stock from its treasury.

(2) Upon the acquisition and cancellation of all the presently issued preferred stock, Indiana & Michigan proposes to accept the Indiana General Corporation Act of 1929 and to restate its charter in conformity therewith. The charter as restated will provide that the

authorized shares of Indiana & Michigan will consist of 250,000 shares of $100 par value cumulative preferred stock and 1,250,000 shares of no par value common stock.

(3) Indiana & Michigan proposes to issue and sell under competitive bidding 120,000 shares of the newly authorized $100 par value cumulative preferred stock, the bid or bids thereon to fix the dividend rate and the price to be paid to the company.

(4) Indiana & Michigan also proposes to issue and sell to American Gas for cash in the amount of $3,000,000 the remainder of its now authorized but unissued common stock consisting of 129,024 shares.

(5) The proceeds of the sale of the preferred and common stock in the estimated amount of $15,000,000 are proposed to be applied by Indiana & Michigan to the payment of the notes to banks in the amount of $6,880,000, to the acquisition of certain utility properties in or near the property now being served if such acquisitions can be effected, and to the completon of its construction program.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said applications and declarations and that said applications and declarations shall not be granted nor be permitted to become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on said applications under the applicable provisions of the Act and the rules of the Commission thereunder be held on August 23, 1944 at 2.00 p. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application should be granted. Notice is hereby given of said hearing to the applicants and declarants herein, to the Public Service Commission of Indiana, to the Michigan Public Service Commission, and to all interested parties, said notice to be given to said applicants and declarants and to the Public Service Commissions of Indiana and Michigan by registered mail and to all other persons by publication in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before August 21, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said application particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of the notes to banks and the proposed issue and sale of preferred and common stock by Indiana & Michigan is solely for the purpose of financing the business in which it is engaged.

(2) Whether the proposed acquisition of additional common stock of Indiana & Michigan by American Gas is in conformity with the applicable provisions of section 10.

(3) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to ensure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder.

(4) Whether the fees, commissions or other remunerations to be paid in connection with the proposed issue and sale of notes and preferred and common stocks are appropriate and reasonable.

(5) Whether in all other respects the proposed transactions are in conformity with the applicable provisions of the act and the rules, regulations and orders thereunder.

It is further ordered, That in the interest of expeditious procedure, all evidence contained in the record of the proceeding entitled "In the Matter of Indiana & Michigan Electric Company, American Gas and Electric Company, File No. 56-40", so far as relevant to the issues above stated, shall be incorporated in the record of the proceeding herein ordered and shall be regarded as evidence duly adduced in the present proceeding, subject to the same objections and exceptions preserved in the record of the proceeding in which first introduced.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11926; Filed, August 9, 1944; 4:56 p. m.]

[File No. 70-941]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of August 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Milwaukee Electric Railway & Transport Company, a wholly-owned subsidiary of Wisconsin Electric Power Company, and by Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company; and

Notice is further given that any interested person may not later than August 22, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest, or any request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Ony such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Milwaukee Electric Railway & Transport Company proposes (a) to redeem on September 16, 1944 at par plus accrued interest $400,000 principal amount of its First Mortgage 4% Bonds owned by Wisconsin Electric Power Company and pledged as collateral to the latter company's Mortgage and Deed of Trust dated October 28, 1938 and (b) to purchase for cash at par for retirement 10,000 shares of its capital stock of the aggregate par value of $1,000,000 from Wisconsin Electric Power Company. Wisconsin Electric Power Company seeks authorization to surrender the bonds and the stock on the basis described.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-11927; Filed, August 9, 1944; 4:57 p. m.]

WAR FOOD ADMINISTRATION.

BACHMAN LIVESTOCK COMMISSION CO., OSHKOSH, NEBR.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Bachman & Peterson Livestock Commission Company, Oshkosh, Nebraska, posted under the name of Oshkosh Live Stock Commission Company on June 14, 1941, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, and changed to Bachman & Peterson Livestock Commission Company on February 1, 1943, is now owned and operated by W. J. Bachman, John Bachman, and Dwain Williams, partners doing business as Bachman Livestock Commission Company, and that the name of the yard is now the Bachman Livestock Commission Company. Therefore, the posted name of the stockyard is changed to Bachman Livestock Com-

mission Company and notice of such fact is given to its owner, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 9th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-11957; Filed, August 10, 1944; 11:27 a. m.]

BACHMAN LIVESTOCK COMMISSION CO. CHAPPELL, NEBR.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Bachman & Peterson Livestock Commission Company, Chappell, Nebraska, posted under the name of Chappell Sales Pavilion on September 11, 1939, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, and changed to Bachman & Peterson Livestock Commission Company on February 1, 1943, is now owned and operated by W. J. Bachman, John Bachman, and Dwain Williams, partners doing business as Bachman Livestock Commission Company, and that the name of the yard is now the Bachman Livestock Commission Company. Therefore, the posted name of the stockyard is changed to Bachman Livestock Commission Company and notice of such fact is given to its owner, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 9th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-11958; Filed, August 10, 1944; 11:27 a. m.]

SPENCER LIVE STOCK EXCHANGE, SPENCER, W. VA.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Spencer Live Stock Exchange stockyards, Spencer, West Virginia, posted on August 12, 1937, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 9th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-11959; Filed, August 10, 1944; 11:27 a. m.]

FARMERS STOCK YARDS, CARLISLE, KY.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Farmers Stock Yards, Carlisle, Kentucky, posted on August 25, 1936, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 9th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-11960; Filed, August 10, 1944; 11:27 a. m.]

PRODUCERS STOCK YARDS (UNION STOCK YARDS), FOSTORIA, OHIO

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Producers Stock Yards (Union Stock Yards), Fostoria, Ohio, posted on September 21, 1928, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, as the Fostoria Union Stock Yards and changed on April 1, 1936, to Producers Stock Yards (Union Stock Yards), no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 9th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-11961; Filed, August 10, 1944; 11:27 a. m.]

WAR PRODUCTION BOARD.

FOSTER JEWELRY CO.

CONSENT ORDER

Foster Jewelry Company, a corporation, in Providence, Rhode Island, jewelry manufacturer, is charged by the War Production Board with having exceeded its silver quota in 1943 by 5372.25 ounces (fine), in the first quarter, 1944 by 703 ounces (fine) and in the second quarter, 1944 by 703 ounces (fine) in violation of Conservation Order M-199. Foster Jewelry Company admits these violations, but not that they were wilful, and does not care to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Foster Jewelry Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Foster Jewelry Company during the third quarter of 1944 shall restrict its purchases, acceptance of delivery and processing of domestic silver to 5000 ounces (fine) less than its normal quota established in pursuance of paragraph (g) of Order M-199, giving it a total available quota for said third quarter, 1944 of 1297 ounces (fine), unless otherwise authorized in writing by the War Production Board.

(b) Foster Jewelry Company during the fourth quarter of 1944 shall restrict its purchases, acceptance of delivery and processing of domestic silver to 1778.25 ounces (fine) less than its normal quota established in pursuance of paragraph (g) of Order M-199, giving it a total available quota for said fourth quarter, 1944 of 4518.75 ounces (fine), unless otherwise authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Foster Jewelry Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the date of issuance, but shall be deemed to affect and govern the quota for the entire third quarter of 1944, and shall expire on December 31, 1944.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11911; Filed, August 9, 1944; 4:19 p. m.]

RUDD LACQUER CORP.

CONSENT ORDER

Rudd Lacquer Corporation, located at 127 Maiden Lane, New York, New York, engaged in the manufacture and sale of lacquers and similar products was charged by the War Production Board on July 5, 1944, with having wilfully violated § 944.11 of Priorities Regulation No. 1 as amended May 15, 1943, by having wilfully failed to dispose of materials allocated to it by the War Production Board for the purposes or uses authorized in such allocations, and with having wilfully violated § 944.15 of Priorities Regulation No. 1 as amended May 15, 1943, by having failed to maintain accurate and complete records of its inventories of materials received on allocation or adequate and complete records of the disposition of such materials. The violations in question began on June 1, 1943, and continued through March 11, 1944. Rudd Lacquer Corporation admits the violations as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Rudd Lacquer Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) No authorizations to use, or to accept deliveries of butyl acetate and butyl alcohol as defined in Allocation Order M-159, ethyl acetate as defined in Allocation Order M-327, or aromatic solvents as defined in Conservation Order M-150, shall be made to Rudd Lacquer Corporation, its successors or assigns.

(b) Rudd Lacquer Corporation, its successors or assigns, shall not use, or accept deliveries of butyl acetate, butyl alcohol, ethyl acetate or aromatic solvents.

(c) Nothing contained in this order shall be deemed to relieve Rudd Lacquer Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect as of the date of issuance, and shall expire on December 9, 1944.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11912; Filed, August 9, 1944; 4:19 p. m.]

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PART 14

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FEDERAL REGISTER

VOLUME 9 NUMBER 161

Washington, Saturday, August 12, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-1, Amdt. 4]

PART 1401—LIVESTOCK AND MEATS

REGULATIONS AFFECTING SLAUGHTERERS

War Food Order No. 75-1, as amended (8 F.R. 11327, 9 F.R. 4319), § 1410.17, is further amended as follows:

1. By deleting (q) (2) (iv) therefrom;

2. By deleting (u) and substituting therefor the following:

(u) *Violations.* The Director may, in accordance with the applicable procedure, by suspension order, prohibit any person who violates any provision of this order from receiving, making deliveries of, or using meat or meat products. Upon a determination by the Director that any slaughterer, or any person who custom slaughters, has violated any provision of this order, the Director may, in accordance with the applicable procedure, suspend or revoke the license or permit of such person. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 1 a. m., e. w. t., August 10, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 2807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119)

Issued this 10th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-11987; Filed, August 10, 1944; 8:11 p. m.]

[WFO 75-2, Amdt. 12]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75-2, § 1410.18, as amended (9 F.R. 8769, 9077), is further amended as follows:

1. By amending (a) (5) thereof to read as follows:

(5) "Army style beef" means (i) dressed steer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade, weighing between 400 pounds and 1,100 pounds, or (ii) dressed heifer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade, weighing between 350 pounds and 650 pounds, or (iii) dressed steer or heifer carcasses of "U. S. Utility" grade weighing between 350 and 550 pounds.

2. By amending (b) (1) (i) thereof to read as follows:

(i) 45 percent of the conversion weight of each week's production of beef graded "U. S. Choice" and "U. S. Good" and 45 percent of the conversion weight of each week's production of beef graded "U. S. Commercial", obtained from steers and heifers whose carcasses meet Army specifications for frozen boneless beef.

3. By amending (b) (1) (ii) thereof to read as follows:

(ii) In the form of carcass or frozen boneless beef meeting Army specifications, 45 percent of the conversion weight of each week's production of beef graded "U. S. Utility" produced from steers and heifers whose carcasses meet Army weight specifications for U. S. Utility grade beef; and

4. By striking the figure "85" wherever it appears in (b) (2) and inserting in lieu thereof the figure "90".

This order shall become effective at 12:01 a. m., e. w. t., August 13, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75-2, as amended, prior to said date, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C. ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 10th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–11986; Filed, August 10, 1944; 3:11 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 319]

PART 61—PILOTS

MODIFICATION OF REQUIREMENTS AS TO CERTAIN AIRPORTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of August, 1944.

The following Special Civil Air Regulation is made and promulgated to become effective August 8, 1944:

When an airport is approved as a scheduled stop on an established route, any first pilot listed in the air carrier operating certificate who has served regularly as such on the route involved for the immediately preceding 6-month period, may pilot aircraft into and out of such airport under conditions specified by the Administrator upon furnishing evidence that he is thoroughly familiar with the form and condition of the airport and with the location and nature of any obstructions in the vicinity.

This regulation shall terminate on October 8, 1944.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–12023; Filed, August 11, 1944; 10:17 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Order 19]

PART 602—GENERAL ORDERS AND DIRECTIVES

COKE

To correlate additional supplies of by-product coke with supplies of other solid fuels, it is necessary to obtain information as to particular retail dealers who have received or will receive tonnages of coke in excess of tonnages received during the period April 1, 1943 to March 31, 1944. Accordingly, it is ordered:

Sec.
602.590 Definitions.
602.591 Information to be furnished by producers and wholesalers of coke.
602.592 Records.
602.593 Audit and inspection.
602.594 Approval of the Bureau of the Budget.
602.595 Violations.

AUTHORITY: §§ 602.590 to 602.595, inclusive, issued under E.O. 9332; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 56 Stat. 236 and 56 Stat. 176; WPB Directive 33, as amended, 9 F.R. 64, 4580.

§ 602.590 *Definitions.* (a) "Coke" means coke which is produced from bituminous coal in a by-product coke oven, except coke which is produced in a coal-gas retort.

(b) "Producer" means any person engaged in the business of manufacturing coke.

(c) "Wholesaler" means any producer to the extent that he distributes coke to equipped retail dealers and any person who receives or purchases coke for shipment, distribution or resale to any equipped retail dealer or any other wholesaler.

(d) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer or wholesaler) to the extent that he acts in the capacity of a supplier, shipper or seller of coke in any transaction except a wholesale transaction involving a shipment, sale, or sale and delivery, of broken bulk coke physically handled in a truck, wagon, or other less than carload facility without regard to quantity or frequency of delivery.

(e) "Equipped retail dealer" means any retail dealer who has both storage facilities and truck sales.

(f) "Unequipped retail dealer" means any retail dealer except an equipped retail dealer.

(g) "Retail sales" means the tonnage of coke intended for domestic use distributed by a producer or wholesaler (i) as a retail dealer direct to consumers and (ii) to unequipped retail dealers.

(h) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons.

(i) "Domestic use" means the use of coke for space heating, domestic hot water or domestic cooking, except to the extent that coke is used for space heating incidental to an industrial use.

(j) "Limitation area" means the District of Columbia, the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota and Missouri.

§ 602.591 *Information to be furnished by producers and wholesalers of coke.* (a) Each producer and wholesaler who makes retail sales in the limitation area or who ships coke intended for domestic use to equipped retail dealers located in the limitation area shall, on or before August 20, 1944, report in writing to Solid Fuels Administration for War, Washington 25, D. C., on forms to be furnished by it, information as to such retail sales and separate information as to such shipments of coke if:

(i) Retail sales or shipments to any equipped retail dealer in the limitation area during the period April 1 to June 30, 1944, inclusive, exceed the total retail sales or the total shipments to any such retail dealer during the corresponding period in 1943;

(ii) The producer or wholesaler expects that such retail sales or shipments to any equipped retail dealer located in the limitation area will exceed during the period July 1, 1944 to March 31, 1945, inclusive, the total of such retail sales or the total shipments to any such equipped retail dealer made during the period July 1, 1943 to March 31, 1944, inclusive.

(b) The report required by paragraph (a) of this section shall set forth, among other things, the total tonnage of retail sales made during the period April 1, 1943 to March 31, 1944, inclusive; the total tonnage of such sales made during the period April 1, 1944 to June 30, 1944, inclusive; the name and address of each equipped retail dealer in the limitation area with regard to whom a report is required; the total tonnage of coke shipped to each such equipped retail dealer during the period April 1, 1943 to March 31, 1944, inclusive; the total tonnages shipped to each such equipped retail dealer during the period April 1, 1944 to June 30, 1944, inclusive; an estimate of the total tonnage of retail sales and the total tonnage expected to be shipped to each such equipped retail dealer in each calendar quarter during the period July 1, 1944 to March 31, 1945, inclusive.

(c) If, in any calendar quarter beginning July 1, 1944, retail sales exceed by 100 tons or more the amount estimated to be sold as indicated on the report required by paragraph (a) of this section; or, if actual shipments made to a particular equipped retail dealer exceed by 100 tons or more the amount estimated to be shipped to such dealer as indicated on the report required by paragraph (a) of this section, then the producer or wholesaler making such sales or such shipments shall file an amended report on or before October 20, 1944, showing separately retail sales and such shipments made during the calendar quarter prior to October 1, 1944; and on or before January 20, 1945, showing separately retail sales and such shipments made during the calendar quarter October 1, 1944 to December 31, 1944, inclusive; and on or before April 20, 1945, showing separately retail sales and such shipments made during the calendar quarter January 1, to March 31, 1945, inclusive.

§ 602.592 *Records.* Each person to whom any portion of this order applies shall keep and preserve for a period of two years, accurate and complete records of all of the details of deliveries or shipments of coke required to be reported by this order.

§ 602.593 *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted for inspection, copy and audit by any duly authorized representative of SFAW.

§ 602.594 *Approval of the Bureau of the Budget.* The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.595 *Violations.* Any person who violates any provision of this order or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to the Solid Fuels Administration for War, may be prohibited from delivering and receiving any material under priority control, or SFAW may take any appropriate action, including the making of a recommendation for prosecution under section 35 (A of the Criminal Code (18 U.S.C., sec. 80 (any person found guilty of violating the statute may be fined not more than $10,000 or imprisoned for not more than ten years or both); or under the Second War Powers Act (50 U.S.C. 633 (any person found guilty of violating the statute may be fined not more than $10,000 or imprisoned for not more than ten years or both)).

This order shall become effective on the date of issuance.

Issued this 10th day of August 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 44–12083; Filed August 11, 1944; 10:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, as Amended Aug. 9, 1944]

PRIORITIES ACTION BY THE FOREIGN ECONOMIC ADMINISTRATION

§ 903.39 *Directive 27—(a) Rating of orders of less than $500.* The Foreign Economic Administration may assign preference ratings up to and including AA-3 to the delivery, for export, of any item of material having a value of less than $500 except:

(1) Any material as to which there is in effect, at the time of assignment, a Program Determination of the Requirements Committee or approved Decision of a Division Requirements Committee of the War Production Board of the kind referred to in paragraph (b);

(2) Any material as to which an applicable regulation or order of the War Production Board provides that ratings assigned on Form WPB-541 (formerly PD-1A) are not effective;

(3) Accessories, spare parts, or complementary or other related equipment for any principal item being exported if the principal item has a value of $500 or more;

(4) A quantity of any item of material which appears to the Foreign Economic Administration to have been subdivided for the purpose of coming within this paragraph; or

(5) Any material which the Program Vice Chairman may except from this paragraph in order to prevent inconsistency with domestic rating patterns.

In assigning preference ratings under this paragraph, the Foreign Economic Administration shall follow such processing instructions as the Program Vice Chairman may prescribe from time to time.

(b) *Rating of programmed material.* In addition, the Foreign Economic Administration may assign preference ratings to the delivery of material for export to the extent authorized by a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board, as transmitted to the Foreign Economic Administration by the War Production Board.

(c) *Form of assignment of ratings.* The Foreign Economic Administration shall assign ratings under this directive by endorsement of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision: "Under authority of the War Production Board, delivery of the material referred to herein is assigned a preference rating of ——————." Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license (including release certificate where used), or on the Lend-Lease requisition or commitment letter to the procuring agency in the case of material being procured by or on behalf of the Foreign Economic Administration, or on other appropriate instrument approved for this purpose by the War Production Board.

(d) *General provisions.* (1) The Foreign Economic Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of the Foreign Economic Administration may determine.

(2) The Foreign Economic Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Foreign Economic Administration for inspection by a representative of the War Production Board at any time.

(e) *Revocation of Priorities Directive No. 3.* Priorities Directive No. 3 is hereby revoked effective January 1, 1944.

(f) *Effective date.* This directive shall take effect January 1, 1944.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 9th day of August 1944.

S. W. ANDERSON,
Program Vice Chairman.

INTERPRETATION 1

EFFECT ON OUTSTANDING RATINGS

Priorities Directive 3 was revoked by Directive 27 effective January 1, 1944. At the same time Order M-149 was also revoked. Nevertheless, ratings assigned by the Foreign Economic Administration (or its predecessors, the Board of Economic Warfare and the Office of Economic Warfare) before that date may still be applied and extended. § 944.4 (a) of Priorities Regulation 1, regarding the effect of revocation of a preference rating order, does not apply since the ratings were not assigned by those instruments but by the Foreign Economic Administration or its predecessors under specific authorizations from the War Production Board, which remain in effect. The method of application and extension is now provided by Priorities Regulation 3. (Issued Feb. 25, 1944.)

[F. R. Doc. 44-11915; Filed, August 9, 1944; 4:19 p. m.]

PART 905—SPECIFICATIONS

[Directive 29, as Amended Aug. 11, 1944]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRESS GRADE LUMBER AND ITS FASTENINGS FOR BUILDINGS

Pursuant to the authority vested in me by Executive Orders No. 9024 of January 16, 1942, No. 9040 of January 24, 1942, and No. 9125 of April 7, 1942, and pursuant to the policy stated in the Joint Directive of the War Production Board and the War and Navy Departments dated May 20, 1942, and the Army and Navy Munitions Board "List of Prohibited Items for Construction Work", dated April 1, 1942, as revised and supplemented, the following policy is prescribed (1) for the War Production Board and for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, National Housing Agency, and (2) for all other Departments and Agencies in respect to war construction and the financing of war construction.

§ 905.2 *National Emergency specifications for design, fabrication and erection of stress grade lumber and its fastenings for buildings.* (a) "National Emergency Specifications for the Design, Fabrication and Erections of Stress Grade Lumber and its Fastenings for Buildings" issued by the War Production Board on August 9, 1943, as supplemented and corrected July 20, 1944 shall apply to and shall govern the design, fabrication and erection of all buildings in which stress grades of lumber are used, and which are constructed by, or the construction of which is financed by or must be approved by any of such departments or agencies. Such emergency specifications shall be used only in the design, fabrication and erection of buildings to the extent stress grades of lumber are used and the contracts for which are placed on and after November 1, 1943, but such departments and agencies are empowered to put this directive into immediate effect wherever possible. As used herein, "stress grade" lumber means lumber which has been graded for strength by a recognized lumber grading or inspection bureau or agency.

(b) Nothing herein shall prevent the Army, Navy, or Maritime Commission from specifying and using higher stresses than those set forth in such emergency specifications for any buildings which are under their control.

(c) With respect to any such contracts already placed by any of said departments or agencies, or entered into prior to November 1, 1943, the department or agency concerned shall review the contract promptly and shall change to said emergency specifications unless such change will result in a substantial delay in the war effort.

(d) Authority to depart from the provisions of this directive may, upon specific request, be granted by the War Production Board. Applications for such authority shall be submitted in writing with the application for permission to begin construction, or, if no such application is necessary, by letter addressed to: War Production Board, Conservation Division, Washington 25, D. C., Ref.: Directive 29.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amend. March 24, 1943, 8 F.R. 3666, 3696)

Issued this 11th day of August 1944.

S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-12045; Filed, August 11, 1944; 11:34 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 FR. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-437, Revocation]

IGOE MILLS

Suspension Order No. S-437 was issued against Igoe Mills, 40 Dewey Street, New Britain, Connecticut, effective December 9, 1943. An appeal was filed with the Chief Compliance Commissioner. The case was reviewed by the Chief Compliance Commissioner, as a result of which on January 12, 1944, the Chief Compliance Commisioner dismissed the appeal.

Upon further consideration of the appeal by the Chief Compliance Commissioner, he directed that the suspension order be revoked forthwith.

In view of the foregoing: *It is hereby ordered*, That § 1010.437, *Suspension Order No. S-437* be revoked.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11913; Filed, August 9, 1944; 4:19 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-801]

SIMO REALTY COMPANY, INC. AND THE RITZI

Simo Realty Company, Inc., as owner, and Thelma Mogul Barsky, doing business as The Ritzi, as tenant, both of 3632 North Broad Street, Philadelphia, Pennsylvania, began construction on the remodeling of a store at 46-48 East Main Street, Norristown, Pennsylvania, on or about April 3, 1944, without authorization from the War Production Board, and continued construction until ordered to stop, at which time $1,500 had already been expended.

Both owner and tenant were aware of War Production Board restrictions on construction and doing this construction without authorization constituted a wilful violation of Conservation Order L-41, which has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.601 *Suspension Order No. S-601.* (a) Neither Thelma Mogul Barsky, doing business as The Ritzi, her successors or assigns, nor Simo Realty Company, Inc., nor its successors or assigns, nor any other person, shall do any construction on the premises at 46-48 East Main Street, Norristown, Pennsylvania, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Thelma Mogul Barsky, doing business as The Ritzi, her successors or assigns, nor Simo Realty Company, Inc., nor its successors or assigns, nor any other person, from any restriction, prohibition, or provision contained in any order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11991; Filed, August 10, 1944; 4:39 p. m.]

PART 1157[1]—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule II, as Amended Aug. 11, 1944]

PORTABLE JAW AND ROLL CRUSHERS

§ 1157.22[1] *Schedule II to Limitation Order L-217—(a) Definitions.* For the purposes of this Schedule II:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable jaw and portable roll crushers or portable crushing plants as herein defined.

(3) "Portable jaw crusher" means a machine commonly known as a portable jaw crusher of either the lever (Blake) or overhead eccentric type designed for producing construction aggregates by reducing non-metallic minerals.

(4) "Portable roll crusher" means a machine commonly known as a portable roll crusher designed for producing construction aggregates by reducing non-metallic minerals.

(5) "Portable crushing plant" means any crushing plant incorporating either or both portable jaw or portable roll crushers.

(b) *Limitations on production of portable jaw crushers.* (1) No producer shall use or put into process any materials for the manufacture of portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(2) No producer shall assemble portable jaw crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (b) (3) hereof.

(3) Subject to paragraphs (b) (4) and (b) (5), producers are permitted to manufacture and assemble only one size of either the lever (Blake) type or of the overhead eccentric type portable jaw crusher in each of the following groups:

(i) *Group A, 9" x 16" to 11" x 18" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 16" may produce that size only in Group A.

(ii) *Group B, 9" x 18" to 11" x 22" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 20" may produce that size only in Group B.

(iii) *Group C, 9" x 21" to 11" x 26" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 24" may produce that size only in Group C.

(iv) *Group D, 9" x 32" to 11" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 10" x 36" may produce that size only in Group D.

(v) *Group E, 13" x 22" to 17" x 26" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 24" may produce that size only in Group E.

(vi) *Group F, 13" x 32" to 17" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 15" x 36" may produce that size only in Group F.

(vii) *Group G, 18" x 32" to 22" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 20" x 36" may produce that size only in Group G.

(viii) *Group H, 22" x 32" to 26" x 40" inclusive.* A producer having the necessary equipment to produce a portable jaw crusher in the size of 24" x 36" may produce that size only in Group H.

(ix) *Group I.* Each producer may manufacture one size portable jaw crusher larger than 26" x 40" provided it is at least 4" larger in one or both jaw dimensions.

(4) If a producer elects to manufacture a permitted product which falls within the description of more than one of the above groups, such producer may not manufacture other types or sizes in those groups.

(5) For the purposes of this paragraph (b) the size of portable jaw crushers shall be determined as follows:

(i) By a horizontal measurement of the receiving opening from the apex of the corrugation on the stationary jaw to the base of the opposite corrugation on the movable jaw while the eccentric is at the maximum open position.

(ii) By measuring the inside distance between keyplates (cheek plates) when both of the jaws and both of the keyplates are in place.

(iii) Portable jaw crushers in Groups A, B, C and D (described in paragraph (b) (3) hereof) shall be measured when the discharge opening at the bottom is 1½" between the apex of the corrugation on the stationary jaw and the base of the opposite corrugation on the movable jaw, and

(iv) Portable jaw crushers in Groups E, F, G, H and I (described in paragraph (b) (3) hereof) shall be measured when such discharge opening at the bottom is 3 inches.

(6) [Deleted Aug. 11, 1944.]

(7) [Deleted Aug. 11, 1944.]

(c) *Limitation on production of portable roll crushers.* (1) No producer shall use or put into process any materials for the manufacture of portable roll crushers (to be used either inde-

[1] Formerly Part 3116, § 3116.3.

pendently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(2) No producer shall assemble portable roll crushers (to be used either independently or as a part of a portable crushing plant) except as provided in paragraph (c) (3) hereof.

(3) Subject to paragraph (c) (4), producers are permitted to manufacture and assemble portable roll crushers in the following sizes only:

(i) 16" x 16"
(ii) 24" x 16"
(iii) 30" x 18"
(iv) 40" x 22"
(v) 54" x 24"

(4) For the purpose of this paragraph (c) the size of portable roll crushers shall be determined by measuring the outside diameter and width of the shells when installed in a new unused portable roll crusher.

(5) [Deleted Aug. 11, 1944.]

(6) [Revoked February 5, 1943.]

(d) [Deleted Aug. 11, 1944.]

(e) *Not applicable to maintenance and repair parts.* Nothing in this order shall restrict a producer from continuing to manufacture and sell maintenance and repair parts for any and all sizes of portable jaw and portable roll crushers, provided that such manufacture and sale of parts is confined solely to meet the demands for repair parts for maintenance.

(f) *Limitation Order L–192.* Nothing in this schedule shall be deemed to permit any contravention of the provisions of Limitation Order L–192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12046; Filed, August 11, 1944; 11:37 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L–217, Schedule V, as Amended Aug. 11, 1944]

PORTABLE CONSTRUCTION CONCRETE MIXERS

§ 1157.25 *Schedule V to Limitation Order L–217*—(a) *Definitions.* For the purposes of this Schedule V:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of portable construction concrete mixers.

(3) "Portable construction concrete mixer" means any concrete mixer manufactured to mix concrete in batches of 3½ cubic feet to 14 cubic feet inclusive.

(4) "Repair part" means any part manufactured for use in the repair of portable construction concrete mixers.

(5) "Running gear" means the mounting for portable construction concrete mixers such as truck wheels or skids.

(6) "Accessories and attachments" means any equipment regularly sold by a producer to be used in conjunction with the operation of a portable construction concrete mixer, but shall not include power units.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of portable construction concrete mixers, running gear, or accessories and attachments which do not conform to the sizes and types established in paragraphs (c), (d) and (e) hereof.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of portable construction concrete mixers.* Producers are limited to the following sizes and types of portable construction concrete mixers:

(1) 3½ cubic feet, tilting drum type.
(2) 7 cubic feet, two opening drum type.
(3) 10 cubic feet, two opening drum type.
(4) 14 cubic feet, two opening drum type.

(d) *Limitation on sizes and types of running gear.* Producers are limited to the following sizes and types of running gear:

(1) Side discharge on two-wheel mounting for 3½ cubic feet size of portable construction concrete mixer.

(2) End discharge on two wheel mounting for 7 cubic feet and 10 cubic feet sizes of portable construction concrete mixers (except to fill orders placed by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration).

(3) End discharge on four wheel mounting for 14 cubic feet size of portable construction concrete mixer (except to fill orders placed by or for the account of the Army, Navy, Maritime Commission or War Shipping Administration).

(4) Skid mounting for 7, 10 and 14 cubic feet sizes of portable construction concrete mixers.

(e) *Limitation on sizes and types of accessories and attachments.* Producers are limited to the following sizes and types of accessories and attachments:

(1) Power loading skip for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(2) Skip shaker for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(3) Water measuring tank for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(4) Batch meter for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(5) Auxiliary water pump for the 7, 10 and 14 cubic feet portable construction concrete mixers.

(6) Gated batch-hopper for the 14 cubic feet portable construction concrete mixer only.

(7) Auxiliary hoist for the 14 cubic feet portable construction concrete mixer only.

(f) *Limitation on painting.* No producer shall use striping or trimming on portable construction concrete mixers, nor use more than one color finish coat paint on any one mixer and its repair parts if painted.

(g) *Limitation on mudguards and fenders.* No producer shall put into process any metal in the manufacture of mudguards or fenders for portable construction concrete mixers except for supporting brackets, nor use any metal for streamlining except when required for structural strength or for safety.

(h) [Deleted Aug. 11, 1944.]

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12047; Filed, August 11, 1944; 11:35 a. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–217, Schedule VI, as Amended Aug. 11, 1944]

TRUCK MIXER-AGITATORS

§ 1157.26 *Schedule VI to Limitation Order L–217*—(a) *Definitions.* For the purposes of this Schedule VI:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of truck mixer-agitators.

(3) "Truck mixer-agitator" means any mixer body suitable for truck mounting ordinarily used for mixing or agitating concrete in transit, where the batched materials are or may be loaded by gravity into the mixer drum.

(4) "Repair part" means any part manufactured for use in the repair of truck mixer-agitators.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of truck mixer-agitators which do not conform to the sizes and types established in paragraph (c) hereof.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types.* Producers are limited to the following sizes of truck mixer-agitators, and no more than one type (either the inclined axis rotating drum or open body type) is permitted for each such size:

(1) 2 cubic yard mixer (3 cubic yard agitator).

(2) 4 cubic yard mixer (6 cubic yard agitator).

(d) *Limitation on painting.* No producer shall use striping or trimming on truck mixer-agitators, nor, except for sign lettering, use more than one color

finish coat paint on any one truck mixer-agitator and its repair parts if painted.

(e) [Deleted Mar. 17, 1944]

(f) [Deleted Aug. 11, 1944.]

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12048; Filed, August 11, 1944; 11:35 a. m.]

PART 1157[1]—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule VII, as Amended Aug. 11, 1944]

PUMPS

§ 1157.27[1] *Schedule VII to Limitation Order L-217*—(a) *Definitions.* For the purposes of this Schedule VII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of pumps as herein defined.

(3) "Pumps" means gasoline or electric motor driven pumps, skid or trailer mounted, ordinarily used by contractors for dewatering and supply, of the types listed below:

(i) Centrifugal self-priming pumps;

(ii) Diaphragm pumps;

(iii) Triplex piston road pumps; and

(iv) Plunger pumps.

This definition does not include Underwriter's approved fire-fighting pumps, farm type pumps and industrial type pumps.

(4) "Repair part" means any part manufactured for use in the repair of pumps as herein defined.

(5) "The military" means the Army, Navy, Maritime Commission, War Shipping Administration and the following persons when acting as the authorized procurement agents for the Navy:

(i) Fuller, Merritt, Chapman and Scott Corporation.

(ii) M. T. Reed Contracting Company.

(iii) Siems Drake Puget Sound.

(iv) Pacific Naval Air Bases.

(6) "New" when applied to pumps, means any pump which has not been sold by a producer or a distributor to a person acquiring it for use, regardless of whether such pump may have been leased to any person by such producer or distributor.

(7) [Deleted Mar. 27, 1944]

(8) [Deleted Mar. 27, 1944]

(b) *Exemptions.* Nothing in this schedule shall be deemed to prevent producers from filling orders for pumps placed by or for the account of the military.

(c) *Limitation on production and assembly of pumps.* (1) No producer shall put into process any materials for the manufacture of pumps which do not conform to the sizes, types, models and designs established in paragraph (d) hereof.

(2) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(d) *Limitation on sizes and types.* Producers are limited to the following sizes, types and models of pumps, and no more than one design is permitted for each such type, size and model:

(1) *Self-priming centrifugal pumps* (iron or aluminum body construction only):

(i) 1½"—3,000 G. P. H. minimum capacity (mounted on skids only).

(ii) 2"—10,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iii) 3"—20,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(iv) 4"—40,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(v) 6"—90,000 G. P. H. minimum capacity (two wheel trailer mounting or on skids only).

(vi) 8"—125,000 G. P H. minimum capacity (four wheel running gear or on skids only).

(vii) 10"—180,000 G. P. H. minimum capacity (four wheel running gear or on skids only).

(2) *Diaphragm pumps:*

(i) 3" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(ii) 4" single diaphragm on 2 wheel trailer mounting with closed type discharge.

(3) *Triplex road pumps:*

(i) 125 G. P. M. at 500 pounds pressure model mounted on four wheel running gear.

(4) *Plunger pumps:*

(i) No plunger pumps are to be manufactured for dewatering purposes.

(e) *Limitation on painting.* No producer shall use striping or trimming on pumps, nor use more than one color finish coat paint on any one pump and its repair parts if painted.

(f) *Limitations on accessories.* No producer shall manufacture, or receive from his supplier for resale, any of the following items:

(1) [Deleted Aug. 11, 1944.]

(2) Spring axle mountings for new pumps;

(3) Bearings, except plain or agricultural pin type bearings, for axle wheels on new pumps;

(4) Vacuum or pressure gauges, except for resale as special equipment;

(5) [Deleted Mar. 27, 1944]

(6) [Deleted Mar. 27, 1944]

(g) [Deleted Aug. 11, 1944]

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12049; Filed, August 11, 1944; 11:35 a. m.]

[1] Formerly Part 3115, § 3115.8.

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-217, Schedule IX, as Amended Aug. 11, 1944]

TANK CAR HEATERS AND PUMPING BOOSTERS OR CIRCULATORS

§ 1157.29 *Schedule IX to Limitation Order L-217*—(a) *Definitions.* For the purpose of this Schedule IX:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of tank car heaters or pumping boosters or circulators.

(3) "Tank car heater" means a mechanical device consisting of a steam boiler (with adjustable low pressure oil burner and a type of closed circuit return condensation system), designed for raising the temperature of bituminous materials in railroad tank cars to permit proper temperature applications thereof.

(4) "Pumping booster," otherwise known as a "circulator," means a mechanical device consisting of a direct fired heating unit with asphalt pump and engine assembly equipment and adjustable low pressure oil burner system, designed for the heating, circulating, and pumping of bituminous materials to a distributor or other unit.

(5) "Repair part" means any part manufactured for use in the repair of tank car heaters or pumping boosters or circulators.

(6) "The military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of tank car heaters or pumping boosters or circulators which do not conform to the sizes and types established in paragraphs (c) and (d) hereof.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of tank car heaters.* Producers are limited to one model in each of the following sizes and types of tank car heaters:

(1) Two car size of 26–36 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(2) Three car size of 40–55 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(d) *Limitations on sizes and types of pumping boosters or circulators.* Producers are limited to one model of pumping booster or circulator, which shall be of a size capable of raising the temperature of a 10,000 gallon tank car 50 degrees per hour when pumping and unloading, at 175 gallons per minute, bituminous materials of a viscosity less than

penetration asphalt; this size may be two or four wheel trailer mounted or truck or skid mounted.

(e) [Deleted May 15, 1944]

(f) *Limitation Order L–192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L–192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12060; Filed, August 11, 1944; 11:35 a. m.]

PART 1157[1]—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–217, Schedule X as Amended Aug. 11, 1944]

BITUMINOUS PAVING FINISHERS

§ 1157.30[1] *Schedule X to Limitation Order L–217.—(a) Definitions.* For the purpose of this Schedule X:

(1) "Persons" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous paving finishers.

(3) "Bituminous paving finishers" means a self-propelled, hopper type machine, designed for spreading, levelling, and screed-finishing either hot or cold mix bituminous materials for road surfacing.

(4) "Repair part" means any part manufactured for use in the repair of bituminous paving finishers.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of bituminous paving finishers, except in one model of the 10-foot size, with cut-off and extension attachments.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L–192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L–192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12061; Filed, August 11, 1944; 11:35 a. m.]

PART 1157[1]—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–217, Schedule XII as Amended Aug. 11, 1944]

BITUMINOUS HEATING KETTLES

§ 1157.32[1] *Schedule XII to Limitation Order L–217—(a) Definitions.* For the purpose of this Schedule XII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous heating kettles.

(3) "Bituminous heating kettle" means a wheel, skid or leg mounted device, consisting of a steel container with burner heating equipment with or without flue system, or with other heating equipment, together with miscellaneous operation attachments, designed for the heating of tars, asphalts and like bituminous materials, and the applying thereof.

(4) [Deleted, Oct. 19, 1943]

(5) "Repair part" means any part manufactured for use in the repair of bituminous heating kettles.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of bituminous heating kettles which do not conform to the sizes established in paragraph (c) hereof.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to two models in each of the following sizes of bituminous heating kettles:

(1) 30 gallons capacity.
(2) 80 gallons capacity.
(3) 110 gallons capacity.
(4) 165 gallons capacity.
(5) 500 gallons capacity. This size may be manufactured only for use by a person engaged in the Petroleum Industry as defined in Preference Rating Order P–98–b.

(d) *Conservation of materials.* No producer shall incorporate any of the following items into bituminous heating kettles:

More than one draw off cock
Mercury type thermometers (except hand inspector pencil type)
Power spray attachments
More than one burner shut off valve

(e) *Limitation Order L–192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L–192.

(f) *Exemptions.* Nothing in paragraphs (b) (1), (c) or (d) of this Schedule XII shall be deemed to restrict the production of bituminous heating kettles for use by the Army, Navy, Maritime Commission, War Shipping Administration or the military forces of any country entitled to receive deliveries pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12062; Filed, August 11, 1944; 11:35 a. m.]

[1] Formerly Part 3115, § 3115.11.

[1] Formerly Part 3115, § 3115.18.

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–217, Schedule XIII, as Amended Aug. 11, 1944]

BITUMINOUS MATERIALS MAINTENANCE UNITS

§ 1157.33 *Schedule XIII to Limitation Order L–217—(a) Definitions.* For the purposes of this Schedule XIII:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous materials maintenance units or pumps.

(3) "Bituminous materials maintenance unit", otherwise known as a sprayer, utility, or tank unit, means a wheel or truck mounted mechanical unit, consisting of a tank and pump, one or more spray attachments, and with or without tank heating system and spraybar, designed for spraying light bituminous materials.

(4) "Pump" means a rotary, positive displacement type pump, designed for use on bituminous materials maintenance units.

(5) "The Military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(6) "Repair part" means any part manufactured for use in the repair of bituminous materials maintenance units or pumps.

(b) *Limitation on production.* (1) No producer shall put into process any materials for the manufacture of bituminous materials maintenance units or pumps which do not conform to the sizes and types established in paragraphs (c) and (d) hereof.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of bituminous materials maintenance units.* Producers are limited to one model in each of the following sizes of bituminous materials maintenance units:

(1) 120 gallon capacity, two wheel mounted.
(2) 800 gallon capacity, two wheel mounted.
(3) 600 gallon capacity, two wheel mounted.

(d) *Limitation on types of pumps.* Producers are limited to pumps of the following specifications only:

The rated capacity of the pump shall be not more than 100 gallons per minute.

(e) [Deleted May 15, 1944]

(f) *Limitation Order L–192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L–192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12063; Filed, August 11, 1944; 11:35 a. m.]

PART 1157[1]—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–217, Schedule XIV as Amended Aug. 11, 1944]

BITUMINOUS PATCH PLANTS

§ 1157.34[1] *Schedule XIV to Limitation Order L–217—(a) Definitions.* For the purpose of this Schedule XIV:

(1) "Person" means any individual, partnership, association, business trust corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of bituminous patch plants.

(3) "Bituminous patch plants" means maintenance plants of any of the following types:

(i) Drum type, in which the aggregate and bitumens are mixed in a power driven revolving drum;

(ii) Cold mix portable or stationary type plant, consisting of a horizontal pug mill mixer, side elevating charging skip, side discharge gates, and equipped with pump, power unit, and heater (optional);

(iii) Hot or cold mix patch portable type, consisting of an aggregate hopper and measuring device, feeder or weighing device, pug mill, bitumen kettle, metering pump, optional heaters and dryers, and with or without boiler (depending upon the type of mix), with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit; or

(iv) Continuous portable type, consisting of a calibrated gate measuring device, pug mill, asphalt metering pump, optional bitumen heaters and dryers, with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit.

(4) "Repair part" means any part manufactured for use in the repair of bituminous patch plants.

(b) *Limitations on production.* (1) No producer shall put into process any materials for the manufacture of bituminous patch plants which do not conform to the sizes established in paragraph (c) hereof.

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to one model in each of the following sizes of bituminous patch plants:

(1) 10 tons per hour capacity.
(2) One size only between 15 and 30 tons per hour capacity.

(d) *Limitation Order L–192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L–192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12054; Filed, August 11, 1944; 11:36 a. m.]

[1] Formerly Part 3115, § 3115.15.

PART 1157[1]—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L–217, Schedule XV as Amended Aug. 11, 1944]

ASPHALT SURFACE HEATERS

§ 1157.35[1] *Schedule XV to Limitation Order L–217—(a) Definitions.* For the purpose of this Schedule XV:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of asphalt surface heaters.

(3) "Asphalt surface heater" means a machine designed for heating sheet asphalt and for softening old bituminous surfaces for the purpose of levelling and patching.

(4) "Repair part" means any part manufactured for use in the repair of asphalt surface heaters.

(b) *Limitations on production of surface heaters.* (1) No producer shall put into process any materials for the manufacture of asphalt surface heaters except in one model of the 4′ x 6′ size (24 sq. ft. area).

(2) [Deleted Aug. 11, 1944.]

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L–192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L–192.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12055; Filed, August 11, 1944; 11:36 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Supplementary Order L–193–a, as Amended Aug. 11, 1944]

SPROCKET CHAIN, SPROCKET CHAIN ATTACHMENT LINKS AND SPROCKET CHAIN WHEELS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of sprocket chain, sprocket chain attachment links and sprocket chain wheels for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.53 *Supplementary Limitation Order L–193–a—(a) Definitions.* The definitions in General Limitation Order L–193 do not apply to this order. For the purpose of this order "sprocket chain" means any chain and attachment links except ladder chain, designed for the purpose of operating over toothed sprocket wheels.

(b) *Inventory limitations.* No person who, in the course of his business, purchases and incorporates sprocket chain or sprocket chain wheels into machinery or equipment manufactured in whole or in part by him, or who purchases such chain or wheels for resale as such, shall accept delivery thereof if his total inventory will, after acceptance, exceed what he reasonably expects to use or resell during the succeeding 45 days. No person may deliver sprocket chain or sprocket chain wheels if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45 day limitation.

(c) *Report required before accepting delivery of sprocket chain in excess of certain quantities.* (1) No person, except a distributor assigned a preference rating on Form WPB–547 (Formerly PD–1X), may accept delivery of more than the following quantities of sprocket chain during September 1944, or during any subsequent calendar month, unless he has first reported by letter to the War Production Board on or before the 20th day of the preceding calendar month the facts relating thereto set forth in Appendix A to this order:

Steel detachable type sprocket chain	$500
Malleable iron detachable type sprocket chain	500
Sprocket chain other than detachable type	1,000

Any such person who has ordered or who may order sprocket chain for delivery during September 1944, or any subsequent calendar month, in quantities in excess of those stated above, is forbidden to accept delivery thereof (even though it is a rated order or the purchaser has been authorized to accept delivery under any other order, regulation or certificate of the War Production Board) if he has not filed with the War Production Board the report required by this paragraph. A person who instructs his supplier to reduce, postpone or cancel shipment to the extent necessary to bring his monthly receipt of sprocket chain within the quantities herein specified, and does not accept delivery in excess of these quantities need not file the report. If a supplier knows or believes that a person who should file a report has not done so, he may not make deliveries of sprocket chain to such person. In the case of export business, the supplier or his customer may file the report.

(2) Until otherwise notified by the War Production Board, a person who has filed the report may receive sprocket chain during the calendar month covered

[1] Formerly Part 3115, § 3115.16.

by his report and may place orders or leave in effect orders previously placed for delivery in future months, to the extent permitted by any other applicable order, regulation or certificate of the War Production Board.

(3) The War Production Board may issue directions to any person requiring him to reduce, postpone or cancel his unfilled orders for delivery of sprocket chain during the calendar month covered by his report or any future calendar month, when it finds (i) that the deliveries which he has requested appear to be in excess of the minimum practicable amounts required to fulfill his authorized production schedule or in excess of the inventory permitted by paragraph (b) or (ii) that some adjustment in his receipts of sprocket chain is necessary in order to distribute the available production thereof equitably between him and other persons to assure more uniform fulfillment of approved programs. A copy of such direction will be sent by the War Production Board to the supplier.

NOTE: Paragraphs (d), (e), (f) and (g) formerly (c), (d), (e) and (f) redesignated Aug. 11, 1944.

(d) *Exemptions.* The provisions of paragraphs (b) and (c) do not apply to (1) Army maintenance depots, Navy yards, bases, stations and depots (2) minimum production runs,[1] or (3) automotive replacement parts, as defined in Order L–158, as amended.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(f) *Appeals.* Any producer or purchaser of sprocket chain or sprocket chain wheels who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(g) *Communications.* All appeals and other communications concerning this order should be addressed to the General Industrial Equipment Division, War Production Board, Washington 25, D. C., Ref: L–193–a.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1940.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[1] See Interpretation 7 (as amended) of Priorities Regulation 1.

APPENDIX A

NOTE: Appendix A added Aug. 11, 1944.

The following information is required in the letter to be addressed to the War Production Board in accordance with paragraph (c) (1) of this Order L–193–a:

List separately each type of chain to be received, giving description, quantity (in feet if possible), approximate total value, preference rating and allotment symbol, required delivery date, and supplier's name and address. (If supplier is not the manufacturer, give manufacturer's name if known.) If shipments can be divided, list latest practicable delivery dates for each quantity. One letter may cover shipments in several months.

In addition to the foregoing the following information is required:

(1) *From persons who will use sprocket chain as capital equipment:* (a) Describe the use of the chain, including operating conditions.

(b) Describe the products to be produced or service rendered, and its importance to the war effort.

(2) *From persons who will use sprocket chain for repair of their own equipment:* (a) Describe the use of the chain, and its importance in your operations.

(b) State the expected life of your present chain.

(3) *From manufacturers who will incorporate sprocket chain in their own products or who will sell sprocket chain as repair parts:* (a) Identify the product in which the chain will be used.

(b)[1] State production schedule for the months during which the chain involved in the purchase orders will be used, or at your option, if your schedule is already filed with the War Production Board, so state that fact.

(c)[1] State quantity of chain required per unit.

(d) State percentage of quantities listed which will be sold as repair parts.

[F. R. Doc. 44–12039; Filed, August 11, 1944; 11:34 a. m.]

[1] A manufacturer who has filed WPB Form 3823 (Farm Machinery Manufacturers Report of Requirements) need not answer (3) (b) and (3) (c) of Appendix A.

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–185, as Amended Aug. 11, 1944]

WATER HEATERS

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of water heaters for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.51 *General Limitation Order L–185*—(a) *Definitions.* (1) "Direct fired water heater" means any device for the direct transference of heat produced by electricity or by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a hot water supply system. The term includes, but is not limited to, coils, side-arm water heaters, bucket-a-day stoves, laundry stoves (with cored water sections), dome type water heaters, steel hot water supply heaters, or service water tank heaters having not more than two cored water sections, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, electric water heaters, and solar water heaters. The term does not include any low pressure cast iron or steel boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(2) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, submerged type water heaters or any indirect water heater (including tanks) commonly referred to as a storage water heater consisting of a heating element installed in a hot water storage tank for the purpose of heating and storing hot water for any use, and any indirect water heater consisting of a coil or a nest of tubes installed in a shell or pressure vessel having a diameter 12" or less (if other than circular in cross section and internal cross sectional area 113 sq. in. or less) and designed for the purpose of supplying hot water to a hot water supply system or a hot water space heating system. The term does not include any storage tank, the manufacture of which is governed by Limitation Order L–199, even though used in conjunction with any indirect water heater. It is not intended by the foregoing definition to include any product which is controlled by Limitation Order L–123.

(3) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(4) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(5) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(6) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication, or assembly of any direct fired or indirect water heater, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts not including tanks;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) For tank spuds or tappings;

(4) For coils and tubular units built with copper tubing of 1½" outside diameter or less, in indirect water heaters only. However, the shells, steam heads, tube plates and other cast parts of indirect water heaters shall be of ferrous metal, or non-metallic materials except that terminal outlets and spacer plates may be of a copper base alloy in which no primary tin or copper is used, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. specification B–145–42–T.

The exceptions to the restrictions in the use of copper, stainless steel, or monel metal contained in paragraphs (b) (2) and (b) (4) thereof do not apply to the production of indirect water heaters designed for hot water space heating systems.

(5) For coils and terminal outlets for direct fired side-arm water heaters, except that any copper base alloy used in the production of terminal outlets may contain no primary tin or copper, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. Specification B–145–42–T.

(6) For current carrying parts and heating elements for electric water heaters.

(c) *Use of copper, stainless steel, and monel metal in the installation of repair and replacement parts.* (1) No person shall in any repair or replacement use or install parts containing in the aggregate more than two pounds of copper or copper base alloy, stainless steel, or monel metal, if the weight of the copper, copper base alloy, stainless steel, or monel metal so used or installed exceeds by more than one pound the weight of copper, copper base alloy, stainless steel, or monel metal replaced. The restrictions in this subparagraph do not apply to the replacement of ferrous heating elements for direct or indirect water heaters.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Copper Order M–9.

(d) *Manufacture of metal jackets.* No person shall manufacture or fabricate any metal jacket except: (1) From materials in his inventory on May 8, 1944; (2) From materials obtained from frozen, idle and excess inventories; (3) From allotted materials; or (4) From aluminum the use of which for making metal jackets is specifically authorized by the War Production Board pursuant to Order M–1–i.

(e) *Restrictions on production*—(1) *Water heaters except electric.* No person shall manufacture or assemble more units of direct fired (other than electric) or indirect water heaters than his quota, which for each calendar year, shall be determined by the percentage indicated on Schedule A of his 1941 unit production of the same classification of water heaters. However, regardless of the number of water heaters he may have produced before July 1, 1944, his quota for the period from that date through December 31, 1944, shall be ½ the quota for each calendar year. If additional production is necessary to fulfill the approved War Production Board program, any person may request authorization to exceed his quota by addressing a letter to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., stating his proposed additional production in units per quarter, and the War Production Board may authorize additional production on Form GA–1850. Where the applicant will need controlled materials in order to produce the additional equipment, the letter requesting authorization should be accompanied by an application on Form CMP–4B for the controlled materials.

(2) *Electric water heaters.* (i) No person shall manufacture or assemble any electric water heaters except to the extent authorized by the War Production Board on Form GA–1850. The War Production Board will authorize limited production so that the aggregate production of electric water heaters for each calendar year will not exceed 37 per cent of the aggregate production of the industry from July 1, 1940 through June 30, 1941, except that for the period from July 1, 1944, through December 31, 1944, the aggregate production shall not exceed 18½ per cent. Production will not be authorized in any plant where such production or labor requirement therefor will interfere with war production in that plant or in any other plant located in the same area.

(ii) A person wishing to make electric water heaters (other than those excepted by paragraph (f)), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L–185. This letter should state the proposed production in units per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on Form CMP–4B for the controlled materials.

(iii) No person may manufacture or assemble electric water heaters in more than three sizes (based on water storage capacity) nor in more than one model in each size, but a change in the number or design of heating elements shall not constitute a change in size or model. Each person shall report in a letter the size and model designation of the electric water heaters he intends to produce. Each person shall thereafter produce only those sizes and models so reported unless written authorization is received from the War Production Board to produce any other models or sizes. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Exceptions to manufacturing restrictions.* The restrictions of this order do not apply to the production of water heaters or parts required by the Army, Navy, Maritime Commission, or War Shipping Administration, or by rules and regulations promulgated by the Coast Guard for merchant vessels, for use in ships, boats, planes, laundries, kitchens, hospitals, bakeries, or advance bases, or to fill orders authorized by the Maritime Commission on Form WPB–646. Water heaters produced under this paragraph (f) shall not be charged against the production quotas set forth in paragraphs (e) (1) and (e) (2).

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 with the Field Office of the War Production Board, for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All communications concerning this order, unless otherwise directed should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L–185.

(i) *Reports.* Manufacturers of water heaters shall report on or before the tenth day of each month on Form WPB–3717, following the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PERMITTED PERCENTAGES OF 1941 UNIT PRODUCTION

	Percent
A. Direct fired water heaters:	
1. Underfired water heaters	80
2. Coal and wood fired water heaters	100
3. Side-arm heaters	70
4. All others	50
B. Indirect water heaters	57

[F. R. Doc. 44–12041; Filed, August 11, 1944; 11:34 a. m.]

PART 3284 [1]—BUILDING MATERIALS

[General Limitation Order L–228 as Amended Aug. 11, 1944]

ASPHALT AND TARRED ROOFING PRODUCTS AND ASPHALT SHINGLES

The fulfillment of requirements for the defense of the United States has created a situation which will result in a shortage in the supply of materials and facilities used in the manufacture of asphalt and tarred roofing products and asphalt shingles for defense, for private account and for export, unless raw material, transportation facilities and manpower are conserved through the simplification and reductions of types of these products and shingles; and for those purposes the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.76 [1] *General Limitation Order L–228*—(a) *Definitions.* For the purpose of this order:

(1) "Asphalt and tarred roofing products" means dry felt made of organic fiber impregnated with bitumen, designed and constructed to be applied to the exterior surface of a building or structure for the purpose of weather-proofing such surface. Asphalt and tarred roofing products may be coated with a more viscous bitumen than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to crushed rock, slate or quartz. Asphalt and tarred roofing products shall not include the following: Combination flashing material, pipe covering, felt or corrugated asphalt panel or siding board, building or sheathing papers, prefabricated weatherproofed sheathing, prefabricated weather proofed roof board, and 40" plasterers' felt.

(2) "Asphalt shingles" means dry felt manufactured from organic fiber impregnated with asphalt, designed and shaped for application in the form of shingles to the exterior surface of a building or structure for the purpose of weather-proofing such surface. Asphalt shingles may be coated with a more viscous asphalt than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to crushed rock, slate or quartz.

(b) *General instructions.* No person shall manufacture, fabricate or process any asphalt and tarred roofing products or asphalt shingles except:

(1) To conform to the schedules of types, grades, weights, styles, finished sizes, or qualities listed on Schedule A hereto attached, or as permitted by the terms of said Schedule A; or

(2) When designed and constructed to be physically incorporated into railroad cars, motor vehicles, shoes, or products other than asphalt and tarred roofing products.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 or a letter, in triplicate, with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall refer to the provision appealed from and state fully the grounds for the appeal.

(h) *Communications.* Reports to be filed and all other communications, except appeals, concerning this order shall be addressed to War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L–228.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Where a person is limited, by the restrictions under any table of this schedule, to a specified number (usually one) of styles, designs, grades, qualities, widths, sizes, textures or finishes of a specified type of a product, he may not make any change from the styles, designs, grades, qualities, widths, sizes, textures or finishes which he is making on August 11, 1944, unless he is granted permission by the War Production Board after filing an appeal under paragraph (g) of this order.

Where the term "finished weight" is used in this schedule and a tolerance is allowed, the term means the weight which a person must use as his standard in manufacturing the particular item. The tolerance is permitted only to allow for uncontrollable manufacturing variations. In other words, the manufacturer must, in setting up his production facilities, aim at the finished weight specified in this order. However, if he cannot adhere rigidly to the specified weight because of uncontrollable manufacturing variations, a variation within the allowable tolerance will not be a violation of the order.

[Types, sizes and forms of asphalt and tarred roofing products and asphalt shingles]

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
SMOOTH SURFACE ROLL ROOFING			
Type 1—Grade A	65	108	3
Type 2—Grade A	55	108	4
Type 3—Grade B	45	108	3
Type 4—Grade B or C	35	108	2

Other restrictions. Finished weight to be shipping weight (including packaging materials and fixtures) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style, grade, texture, finish and width may be manufactured for each type in any one manufacturing plant. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and may be furnished with or without fixtures. Valley, ridge, starter and repair strips of any length and not exceeding 24" in width may be manufactured. Type 4 may be made in Grade B or Grade C, but one such grade only may be manufactured in any one manufacturing plant.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 1—No selvage edge	90	108	4
Type 2—2" selvage edge	90	108	4
Type 3—4" selvage edge	94	114	4

Other restrictions. Finished weight to be shipping weight (including packaging materials and fixtures) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style and quality may be manufactured for each type in any one manufacturing plant. Rolls may be made in both 32" and 36" widths. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and may be furnished with or without fixtures. Texture, color and finish not limited. Valley, ridge, starter and repair strips of any length and not exceeding 24" in width may be manufactured only from Type 1 Mineral Surfaced Roll Roofing.

NOTE: Following table amended Aug. 11, 1944.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 4—17" or 19" selvage edge—uncoated back and selvage.	55	108	4
Type 5—17" or 19" selvage edge—coated back and/or selvage.	55 to 61, inclusive.	108	4

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area

[1] Formerly Part 3139, § 3139.1.

herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Type 4 and type 5 may both be produced by any person. However, each person desiring to make type 5 must select one finished weight between 55 and 61 pounds, inclusive, and must thereafter use that figure as his finished weight. Under each type, only one style, quality and width of selvage edge may be manufactured in any one manufacturing plant. Texture and color not limited. Packages to contain sufficient material to cover 50 sq. ft. of roof area.

Produe	Fin.shed weight (pounds pe unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 5—Pattern Edge Style	105	128	43

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one edge-style, quality and width of pattern edge may be manufactured in any one manufacturing plant. Texture, color and finish not limited. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SIDINGS			
Type 1—Roll Form	105	111	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. May be manufactured in one stone style and one brick style, but both styles to be manufactured in only one dry felt weight and quality in any one manufacturing plant. Color and finish not limited. Accessories for completing application, such as, corner pieces and soldier courses may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SIDINGS			
Type 2—Shingle Form	224	240	43

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any shipping weight less than maximum is permitted. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Manufacture restricted to one design and quality in any one manufacturing plant. No design shall be manufactured which requires a head-lap in excess of one inch to obtain a desired pattern. Texture, color and finish not limited. Accessories for completing application such as corner pieces and soldier courses may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 1—Asphalt Saturated Felt	15	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 1 lb. per 100 sq. ft. May be manufactured in two qualities and packaged in any or all of the following size rolls (by content): 216 sq. ft., 324 sq. ft. and 432 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 2—Asphalt Saturated Felt	30	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 2 lbs. per 100 sq. ft. Shall be manufactured in one quality and packaged in rolls of a size containing 216 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 3—Tarred Saturated Felt	15	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 1 lb. per 100 sq. ft. May be manufactured in two qualities and packaged in any or all of the following size rolls (by content): 216 sq. ft., 324 sq. ft. and 432 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 4—Tarred Saturated Felt	30	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 2 pounds per 100 sq. ft. Shall be manufactured in one quality and packaged in rolls of a size containing 216 sq. ft. May be made in both 32" and 36" widths. Valley, starter and felt edging strips of any length and not exceeding 24" in width may be manufactured.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 5—Saturated and Coated Felt (for cold application)	60	108	Optional.
Type 6—Base Sheet	60	108	Optional.

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any finished weight less than maximum is permitted. One style, quality, and texture may be manufactured for each type in any one manufacturing plant. Finish not limited. May be made in both 32" and 36" widths. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and to be furnished without fixtures.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 7—Cap Sheet	68	216	21

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style, quality, texture, finish and width may be manufactured in any one manufacturing plant. Shall be manufactured in rolls of a size containing 216 sq. ft. and shall be coated completely on both sides and must be entirely surfaced on one side with talc or other dusting material.

NOTE: Following table amended Aug. 11, 1944.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SHINGLES			
Type 1-A—Cut-out Strip Styles (12" wide) double slated and double coated	210	240	43
Type 1-B—Cut-out Strip Styles (12" wide) other than double slated and double coated	215	240	43

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Either type 1-A or type 1-B, but not both, may be manufactured in any one manufacturing plant. The type selected may be manufactured in only one design and quality in any one manufacturing plant. Texture and color not limited. Accessories for completing application such as hip and ridge shingles, starter, valley and ridge strips may be manufactured. Starter, valley and ridge strips of any length may be made in widths not exceeding 24". Hip and ridge shingles in size not to exceed 10" x 13" nor to contain less than 48, but not to exceed 52, dry felt weight shall be manufactured in only one size, design, quality and weight in any one manufacturing plant.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SHINGLES			
Type 2—Hexagonal or other Strip Style	170	200	43
Type 3—Heavy Weight—Individual Re-roofer	165	175	43
Type 4—Standard Weight—Individual Re-roofer	140	160	43

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any finished weight less than maximum is permitted. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Shall be manufactured in one design and quality for each type in any one manufacturing plant. Texture, color and finish not limited. Accessories for completing application such as hip and ridge shingles, starter, valley and ridge strips may be manufactured. Starter, valley and ridge strips of any length may be made in widths not exceeding 24". Hip and ridge shingles in size not to exceed 10" x 13" nor to contain less than 48, but not to exceed 52, dry felt weight shall be manufactured in one size, design, quality and weight in any one manufacturing plant.

[F. R. Doc. 44-12040; Filed, August 11, 1944; 11:36 a. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Conservation Order M-73, Direction 2]

WOOLENS FOR CHILDREN'S SNOW SUITS, LEGGING SETS AND SIMILAR GARMENTS

The following direction is issued pursuant to Conservation Order M-73:

1. No person shall sell or deliver any snow suit cloths except upon a rated order.

2. For the purpose of this direction:

"Snow suit cloths" means: woven meltons and melton type and fleece fabrics of all widths weighing 19 oz. to 25.9 oz. per yard on a 54 inch width basis; and similar fabrics (of equivalent weights) suitable for children's snow suits, legging sets, ski suits, ski pants and similar garments, including all fabrics of the kind reported by each woolen fabric manufacturer for the second calendar quarter of 1944 on Form WPB-1420 on line 37.0 entitled "Melton, snow and ski suit cloths and similar fabrics weighing up to 25.9 oz." It includes only woven fabrics containing 25% or more by weight of wool.

"Wool" includes noils, waste, tanners wool waste, reprocessed or reused wool, as well as "wool" as defined in order M-73.

3. This direction does not apply to the sale and delivery of pieces of fabric shorter than 5 yards.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12042; Filed, August 11, 1944; 11:34 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 1, as Amended Aug. 11, 1944]

CHANGE IN PERCENTAGE OF MANUFACTURERS' BENDS TO BE SET ASIDE

The following amended direction is issued pursuant to General Conservation Order M-310:

The percentage of manufacturers' bends to be set aside under paragraph (e) (2) is changed to 20% beginning with August 1944.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12043; Filed, August 11, 1944; 11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 1]

PRIORITIES ASSISTANCE FOR COTTON YARN FOR THE PRODUCTION OF CLOSURE TAPES—3D QUARTER 1944

The following direction is issued pursuant to Conservation Order M-317:

Manufacturers of closure tapes may apply on Form WPB-2942 for priorities assistance to obtain cotton yarns to be used for the manufacture of button and buttonhole tape, hook and eye tape, snap fastener tape and slide fastener tape. Applications must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than August 16, 1944. Priorities assistance will be granted only for 30/2 and finer combed cotton yarns, and 16/2 to 26/2 carded cotton yarns. Yarns for which priorities assistance is given must be purchased for delivery not later than September 30, 1944. No person whose application is granted may purchase for delivery during the balance of the 3d calendar quarter of 1944, or during this period accept delivery of, cotton yarns to be used for the production of closure tapes except upon a rated order.

Applications will be granted pro rata based on the amount of yarn consumed in the production of closure tapes by each applicant in the 12 months ending June 30, 1941.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12044; Filed, August 11, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-71, Direction 2]

DISTRIBUTION OF "B" HEARING AID BATTERIES

The following direction is issued pursuant to Limitation Order L-71:

(a) During the first and second calendar quarters of 1944, the War Production Board on Form WPB-2719 authorized five manufacturers to produce "B" hearing aid batteries. Because of Army and Navy requirements the War Production Board limited production during the third quarter so that about 90% of the total products will be produced by two manufacturers. The three manufacturers whose production of "B" hearing aid batteries has been curtailed are now making other batteries for delivery to the Army and Navy. By the use of cells rejected by the armed forces, it is expected that the production of "B" hearing aid batteries in the third calendar quarter will approximate the former total production. However, the restrictions on former producers have interfered with distribution and for that reason this direction is issued to the two manufacturers now authorized to produce in substantial quantities.

(b) (1) The following manufacturers are hereby directed to reserve the percentage of their production indicated of "B" hearing aid batteries during the period August 10, 1944 through September 30, 1944 for delivery as directed in writing by the War Production Board:

	Percent
Eastern Dry Battery Company, 44 West 18th Street, New York, New York	35
Ray-O-Vac Company, 2317 Winnebago Street, Madison, Wisconsin	45

(2) These manufacturers will be directed to distribute the reserve portion of their production to customers formerly supplied by the manufacturers whose production has been curtailed, whenever practical, in proportion to their purchases during the second calendar quarter of 1944. The War Production Board may also direct distribution of specified amounts of this reserve to meet emergencies to take care of individual cases.

(3) If because of changing military requirements it becomes possible to authorize other manufacturers to produce "B" hearing aid batteries or to authorize an increased production to the manufacturers whose production has been curtailed, or if it develops that certain distributors or certain areas are not receiving an equitable portion of the production, the War Production Board may change the directions from time to time.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11990; Filed, August 10, 1944; 4:38 p. m.]

Chapter XI—Office of Price Administration

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 22]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 is amended in the following respects:

The text following the headnote of item (v) in Table VI is designated (a) and a new subdivision (b) is added to read as follows:

(b) In lieu of the maximum price set forth in this Table VI, the maximum price for any printed fabric made from woven-striped ticking purchased by Riverdale Manufacturing Company and put into refinishing process between March 15 and May 22, 1944 shall be determined by the following formula.

Riverdale Manufacturing Company shall: (i) select from the same general classification and price range as the pattern being priced under this paragraph, the pattern of the most nearly comparable construction for which a maximum price is established under § 1400.164 (b) (1) or (2) of Maximum Price Regulation No. 39; (ii) divided its maximum price for that pattern by the sum of its supplier's maximum price for the grey goods and the maximum price of the finishing operation which would be applicable under Maximum Price Regulation No. 128; and (iii) multiply the percentage so obtained by the sum of 15½ cents and the maximum price for refinishing of the ticking.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12065; Filed, August 11, 1944; 11:42 a. m.]

PART 1336—RADIO, X-RAY, AND COMMUNICATION APPARATUS

[RPS 63, Revocation]

RADIO RECEIVERS AND PHONOGRAPHS

A statement of the considerations involved in the issuance of this order of revocation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is hereby ordered*, That Revised Price Schedule No. 83—Radio Receivers and Phonographs, be revoked.

This order shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12071; Filed, August 11, 1944; 11:45 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5243; 8 F.R. 1963, 5306.

PART 1340—FUEL

[MPR 120,[1] Amdt. 115]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 120 is amended in the following respect:

Section 1340.219 is amended to read as follows:

§ 1340.219 *Appendix H: Maximum prices for bituminous coal produced in District No. 8.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices for high volatile coals produced at mines with the following designated price classifications.* These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses, except as otherwise specifically provided in this paragraph (b).

The price classifications and Size Group Nos. 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications and size group numbers as set forth in the schedule of effective minimum prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and for maximum price purposes are for shipments to all destinations.

Price classifications	Prices and size group Nos. 1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23
	Lump and block (bottom size larger than 5")	Lump and double-screened egg coals (4" and 8" lump and 8" x 4")	Lump and double-screened egg coals (3" lump and 6" x 6")	Lump and double-screened egg coals (2" lump and 6" x 3")	Double-screened egg coals (6" x 3")	Double-screened egg coals (6" x 2" and (5" x 3")	Double-screened egg coals (5" x 2" and 4" x 2")	Double-screened stove coals (3" x 2" and 3" x 1¼")	Double-screened nut coals (top size larger than 1¼" but not exceeding 2")	Double-screened stoker coals (top size not exceeding 1¼")	Mine run (screened straight, and resultants larger than 2⅜" x 0)	Screenings (deducted and modified)	Screenings (larger than 2" x 0, but not exceeding 2⅜" x 0)	Screenings (larger than ¾" x 0, but not exceeding 2" x0)	Screenings (⅜" x 0 and smaller)	Low grade reject
A	435	435	435	415	395	370	350	335	325	405	305	305	305	300	285	265
B	435	410	410	390	370	345	325	320	315	370	305	305	305	300	280	260
C	415	395	395	380	370	345	325	320	315	370	300	300	300	300	280	260
D	405	395	395	380	370	345	325	320	315	370	300	300	300	300	275	250
E	395	385	375	370	370	340	320	315	310	370	300	295	295	290	265	245
F	385	380	370	370	370	340	320	315	305	345	295	295	295	290	265	245
G	385	375	360	360	345	335	315	310	300	345	295	295	295	290	265	245
H	375	375	360	360	345	335	315	305	295	340	----------	295	295	290	265	245
I	375	370	360	360	345	335	315	300	290	340	----------	295	295	280	250	----------
J	365	360	350	350	345	335	310	295	290	340	----------	295	285	280	245	----------
K	350	350	345	345	320	320	310	295	----------	340	----------	295	285	280	240	----------
L	350	350	345	345	320	315	310	295	----------	340	----------	295	285	280	240	----------
M	350	350	345	345	320	315	310	295	----------	340	----------	295	285	280	240	----------
N	350	340	345	345	320	315	305	----------	----------	----------	----------	295	285	280	240	----------
O	345	340	335	335	320	310	300	295	----------	----------	----------	295	285	280	240	----------
P	330	325	320	320	305	300	295	----------	----------	----------	----------	295	285	280	240	----------
Q	330	325	320	320	----------	----------	----------	----------	----------	----------	----------	295	285	280	240	----------
R	330	325	320	320	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------
S	330	325	320	320	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------

Maximum prices for coals produced at all mines in Subdistrict No. 6 (Southern Appalachian) shall be the above prices plus 15 cents per net ton.

(2) *Specific description of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size Group Nos.	*Description*
1.	All single-screened block, bottom size larger than 5".
2.	All single-screened lump, bottom size larger than 3", but not exceeding 5". All double-screened egg coals, top size larger than 6" and bottom size larger than 3", but not exceeding 4". All double-screened coals, top size 5" and larger, and bottom size larger than 4".
3.	All single-screened lump, bottom size larger than 2", but not exceeding 3". All double-screened egg coals, top size larger than 3", but not exceeding 6" and bottom size larger than 3" but not exceeding 4".
4.	All single-screened lump, bottom size larger than ¾", but not exceeding 2". All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".
5.	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.
6.	All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2", and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3". All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.
8.	All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller.
9.	All double-screened nut coals, top size larger than 1¼", but not exceeding 2", and bottom size smaller than 2".
10.	All double-screened stoker coals, top size not exceeding 1¼", and bottom size less than 1¼".
15.	Screen run of mine, bottom size ¾" or smaller.
16.	Straight run of mine. Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed). Resultant run of mine larger than 6" x 0. Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed).
17.	Straight resultant run of mine (larger than 2⅜" x 0, but not exceeding 6" x 0).

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5042, 5275, 5367.

Size Group Nos.	*Description*
17.—Continued.	
	Altered resultant run of mine (straight resultant run of mine larger than 2¾" x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than ⅜" shall be removed).
18.	Deducted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh.
	Modified screenings (top size not exceeding 2" total consist containing not less than 15% ⅜" x 0 screenings).
19.	Screenings larger than 2" x 0, but not exceeding 2¾",x 0.
20.	Screenings larger than ¾" x 0, but not exceeding 2" x 0.
21.	Screenings larger than ⅜" x 0, but not exceeding ¾" x 0.
	Altered screenings (top size not exceeding 2¾" from which all of the 1" to 1¼" top and ⅛" to ⅜" bottom coal has been removed).
22.	Screenings ⅜" x 0 and smaller.
23.	Low grade reject; separated at the tipple or loaded separately in the mine.

(3) *Maximum prices for shipment by truck or wagon to all destinations, for all uses (exclusive of cannel coal).*

(4) *Specific descriptions of size group numbers referred to in Subparagraph (3) of this paragraph (b).*

For high volatile coals produced at any mine in the following truck price group Nos.	Prices and size group Nos.							
	1	2	3	4	[1] 5	6	7	8
1	440	420	380	365	330	305	280	255
2	415	395	350	335	330	305	280	255
3	405	385	350	350	320	300	280	255
4	390	370	340	350	320	305	280	255
5	380	360	325	335	320	305	280	255

[1] Double screened stoker coals in this size group number, with top size not exceeding 1¼" and bottom size less than 1¼" may be sold at prices no more than the maximum price for Size Group No. 10 coals for rail shipment from the same mine.

Size Group Nos.	*Description*
1.	Lump coal bottom size larger than 2" and double-screened coal bottom size larger than 3".
2.	Lump coal bottom size larger than ¾" but not exceeding 2" and double-screened coal top size larger than 5" and bottom size 3" and smaller.
3.	Lump coal ¾" and smaller, includes all coal loaded by forks.
4.	Double-screened coal top size larger than 3" but not exceeding 5" and bottom size 3" and smaller.
5.	Double-screened stove, nut and stoker coals top size not exceeding 3" and bottom size not exceeding 2".
6.	Mine run and resultants larger than 2" x 0.
7.	Screenings, top size larger than ¾" x 0 but not exceeding 2" x 0.
8.	Screenings, top size ¾" and smaller.

(5) *Identification by states, counties, subdistricts and seams of mines in the Price Group Numbers specified in subparagraph (3) above.* Following is a table of counties in named states; subdistricts by number and name; named seams and price group numbers. A seller of coal produced at a mine from any seam in these counties and subdistricts shall first determine the price group number applicable to the mine as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number as set forth in this subparagraph. The counties in named states; subdistricts by number and name; and seams referred to in this table are the same as those set forth in the District No. 8 schedule of minimum prices for truck shipments, as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943. The price group numbers in the table are established hereby.

	Subdistrict		Seam	Price group No.
	No.	Name		
Kentucky counties				
Bell	6	Southern Appalachian	Dean	5
Bell	6	Southern Appalachian	All other seams	3
Boyd	1	Big Sandy-Elkhorn	All seams	5
Breathitt	3	Hazard	All seams	5
Carter	1	Big Sandy-Elkhorn	All seams	5
Clay	6	Southern Appalachian	All seams	5
Clinton	6	Southern Appalachian	All seams	5
Elliott	1	Big Sandy-Elkhorn	All seams	5
Estill	3	Hazard	All seams	5
Floyd	1	Big Sandy-Elkhorn	Elkhorn #6 and Millers Creek	2
Floyd	1	Big Sandy-Elkhorn	Elkhorn (cannel) and top strata	5
Floyd	1	Big Sandy-Elkhorn	All other seams	3
Greenup	1	Big Sandy-Elkhorn	All seams	5
Harlan	2	Harlan	B, C, Darby, Low Splint, High Splint, No. 5, No. 10 and Mine Index No. 3776 in the Kellioka Seam	1
Harlan	2	Harlan	All other seams	5
Jackson	6	Southern Appalachian	All seams	5
Johnson	1	Big Sandy-Elkhorn	Elkhorn # 1, Elkhorn No. 2 and Millers Creek	2
Johnson	1	Big Sandy-Elkhorn	All other seams	5
Knott	3	Hazard	Elkhorn # 1, Elkhorn # 3, Elkhorn # 4 and No. 4	3
Knott	3	Hazard	All other seams	5
Knox	6	Southern Appalachian	Blue Gem	1
Knox	6	Southern Appalachian	Straight Creek Seam and Mine Index 3754 in Straight Creek and Jellico Seams	3
Knox	6	Southern Appalachian	All other seams	5
Laurel	6	Southern Appalachian	All seams	5
Lawrence	1	Big Sandy-Elkhorn	All seams	5
Lee	3	Hazard	All seams	5
Leslie	6	Southern Appalachian	All seams	5
Letcher	1	Big Sandy-Elkhorn	Elkhorn #3 and Mine Index No. 188, 189, 190, 192 and 285 in Elkhorn Seam	2
Letcher	1	Big Sandy-Elkhorn	All other mines and all other seams	5
Letcher	3	Hazard	B & C, except mine index No. 3848 in the B Seam	2
Letcher	3	Hazard	Mine Index No. 3848 and all other seams	5
Lewis	1	Big Sandy-Elkhorn	All seams	5
Madison	6	Southern Appalachian	All seams	5
Magoffin	1	Big Sandy-Elkhorn	All seams	5
Martin	3	Williamson	Millers Creek	2
Martin	3	Williamson	All other seams	5
McCreary	6	Southern Appalachian	All seams	5
Menifee	1	Big Sandy-Elkhorn	All seams	5
Morgan	1	Big Sandy-Elkhorn	All seams	5
Owsley	6	Southern Appalachian	All seams	5
Perry	2	Hazard	All seams	5
Pike	1	Big Sandy-Elkhorn	All seams	5
Pike	3	Williamson	Alma, Alma-Freeburn and Clintwood Seams	4
Pike	3	Williamson	All other seams	5
Powell	3	Hazard	All seams	5
Pulaski	6	Southern Appalachian	All seams	5
Rockcastle	6	Southern Appalachian	All seams	5
Rowan	1	Big Sandy-Elkhorn	All seams	5
Wayne	6	Southern Appalachian	All seams	5
Whitley	6	Southern Appalachian	Blue Gem	1
Whitley	6	Southern Appalachian	Mine Index No. 213 and 308 in the Jellico Seam	2
Whitley	6	Southern Appalachian	All other mines in the Jellico Seam	3
Whitley	6	Southern Appalachian	All other seams	5
Wolfe	3	Hazard	All seams	5
Tennessee counties				
Anderson	6	Southern Appalachian	Blue Gem and Mine Index Nos. 433, 589 and 1911 in the Pee Wee Seam	1
Anderson	6	Southern Appalachian	All other mines in the Pee Wee Seam and Stray Seam	3
Anderson	6	Southern Appalachian	All other seams	5
Campbell	6	Southern Appalachian	Blue Gem & Pee Wee	1
Campbell	6	Southern Appalachian	Dixie, Dixie Gem, Jellico, Jordan, Lower Pioneer, Red Ash, Rex, Rich Mountain and Splint	3
Campbell	6	Southern Appalachian	All other seams	5
Claiborne	6	Southern Appalachian	All seams	5
Cumberland	6	Southern Appalachian	All seams	5
Fentress	6	Southern Appalachian	All seams	5
Morgan	6	Southern Appalachian	Hooper	3
Morgan	6	Southern Appalachian	All seams	5
Overton	6	Southern Appalachian	All seams	5
Pickett	6	Southern Appalachian	All seams	5
Putnam	6	Southern Appalachian	All seams	5
Roane	6	Southern Appalachian	All seams	5
Scott	6	Southern Appalachian	All seams	5
Virginia counties				
Buchanan	9	Low Volatile	Cary, Raven, Red Ash and all other low volatile seams	6
Buchanan	8	Williamson	Bull Creek and Clintwood	4
Buchanan	8	Williamson	All other seams	6
Dickenson	7	Virginia	Mine Index Nos. 116, 117, 446 in the Upper Banner Seam	4

	Subdistrict		Seam	Price group No.
	No.	Name		
Virginia counties				
Dickenson	7	Virginia	All other seams	5
Lee	7	Virginia	Low, High Splint and No. 11	1
Lee	7	Virginia	No. 5	3
Lee	7	Virginia	All other seams	5
Russell	9	Low volatile	Raven, Red Ash and all other low volatile seams	6
Russell	7	Virginia	All other seams	5
Scott	7	Virginia	All seams	5
Tazewell	9	Low Volatile	Raven and Red Ash	6
Tazewell	7	Virginia	All other seams	5
Wise	7	Virginia	High Splint, Marker and Taggart and Mine Index Nos. 519, 532 and 2940	2
Wise	7	Virginia	All other mines and all other seams	5
West Virginia counties				
Boone	4	Kanawha	Campbell Creek, Coalburg, Dorothy, Hernshaw, Lower Campbell Creek, No. 2 Gas, No. 5 Block & Powellton, and Mine Index No. 2570 in Cedar Grove Seam	3
Boone	4	Kanawha	All other seams	5
Cabell	8	Logan	All seams	5
Clay	4	Kanawha	All seams	5
Fayette	4	Kanawha	All seams	4
Kanawha	4	Kanawha	Dorothy, Perryville & Mine Index No. 157 in the Peerless Seam Mine Index No. 370 in the No. 2 Gas Seam	2
Kanawha	4	Kanawha	Belmont, Black Band, Lewiston, Stockton-Lewiston and Winifrede	3
Kanawha	4	Kanawha	All other seams	4
Lincoln	5	Logan	All seams	5
Logan	4	Kanawha	All seams	5
Logan	8	Logan	All seams	5
Mason	4	Kanawha	All seams	5
McDowell	8	Williamson	All high volatile seams	4
McDowell	9	Low Volatile	All low volatile seams	6
Mingo	8	Williamson	Alma, Big Eagle, Little Eagle and Winifrede	4
Mingo	8	Williamson	All other seams	5
Nicholas	4	Kanawha	All seams	4
Putnam	4	Kanawha	All seams	5
Raleigh	4	Kanawha	Dorothy	3
Raleigh	4	Kanawha	Cedar Grove, Hernshaw, Upper Cedar Grove, Mine Index No. 291 in the Powellton Seam	5
Raleigh	4	Kanawha	All other seams	4
Wayne	8	Williamson	All seams	5
Wyoming	5	Logan	All seams	4

(6) *Maximum prices in cents per net ton for high volatile coals for all railroad fuel uses.* The maximum prices for coals in Size Groups 1 to 10, inclusive, for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in subparagraph (1) above, or $3.10 per ton, whichever is higher; and the maximum prices for coals in Size Groups 15 to 23, inclusive, for all railroad fuel uses shall be the maximum prices for the grade and size shipped as set forth in subparagraph (1) above.

Mines within Freight Origin Groups 61, 63, 64, 123, 124, 128, 150 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a 2¾" round hole screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of March 24, 1944, for all mines and as redetermined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a 2¾" round hole screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus 2¾ inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced: *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines' maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.219 (b) (6) of Maximum Price Regulation No. 120.

(7) *Maximum prices in cents per net ton for Cannel coal.* The maximum prices for rail, truck or wagon shipments to all destinations shall be as follows:

Cannel Coal—All Subdistricts

Lump	435
Egg	385
Chips	335
Machine cuttings	235

District No. 8—Low Volatile Coals

(8) *Maximum prices in cents per net ton for low volatile coals for shipment to all destinations, for all uses, by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
	Lump	Egg	Stove	Nut	Pea	Screened run of mine	Straight run of mine	Screenings top size larger than ¾" x 0 but not exceeding 1¼" x 0	Screenings top size size ¾" x 0 but not exceeding ¾" x 0	Screenings ¾" x 0 and smaller
A	430	440	405	380	340	375	345	315	310	305
B	390	400	395	335	320	375	345	315	310	305
C	390	400	395	335	320	370	315	310	305	300
D	375	385	375	335	320	370	315	305	300	295
E	375	380	370	330	295	340		300	295	290
F	375	380						295	290	285
G								295	290	285
H								295	290	285
I								295	290	285
J								295	290	285

(9) *Maximum prices in cents per net ton for low volatile coals for shipment by truck or wagon to all destinations, for all uses.*

Price Classifications	Prices and size group Nos.							
	1	2	3	4	5	6	7	8
	All single-screened lump coals bottom size ¾" and larger	All double-screened egg coals top size larger than 3"	All double-screened stove coals top size not exceeding 3"	All double-screened nut and pea coals top size not exceeding 1¼"	Screened mine run from which no coal larger than ¾" x 0 has been removed and all forked coal	Straight mine run, no fines removed, resultants and screenings larger than 1¼" x 0	Screenings larger than ¾" x 0 but not exceeding 1¼" x 0	Screenings top size not exceeding ¾"
For coals produced at any mine in truck Price Group No. 6	435	435	430	380	410	345	295	290

(10) *Maximum prices in cents per net ton for low volatile coals for railroad locomotive fuel.*

Any single-screened lump or double-screened coals—360.
Run of mine—345.
Screenings, larger than 1¼" x 0 but not exceeding 2½" x 0—330.
Screenings 1¼" x 0 and smaller—305.

(11) *Maximum prices in cents per net ton for Smithing coal.* The maximum prices for Smithing coal in any size group and from any low volatile mine shall not exceed 370 cents.

(12) *Specific description of Size Group Numbers referred to in subparagraph (8) of this paragraph (b).*

Size Group No.	Description
1.	All single-screened lump coal bottom size larger than that designated for screened run of mine (Size Group 6).
2.	All double-screened egg coal top size larger than 3".
3.	All double-screened stove coal top size larger than 1¼" but not exceeding 3". All dedusted screenings top size larger than 1¼" but not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh. Modified screenings top size not exceeding 2", total consist containing not less than 15% ⅜" x 0 screenings.
4.	All double-screened nut coal top size larger than ¾" but not exceeding 1¼" and dedusted screenings top size larger than ¾" but not exceeding 1¼" and bottom size larger than 100 mesh but not exceeding 10 mesh.
5.	All double-screened pea coal top size not exceeding ¾". Dedusted screenings top size not exceeding ¾" and bottom size larger than 100 mesh but not exceeding 10 mesh.
6.	Screened run of mine. Straight run of mine from which all or part of the screenings, top size ⅜" or ¾" as designated, have been removed from the following low volatile price classifications:

Classifications applicable to Size Group No. 6 and maximum size of removable screenings:

A	B	C	D	E
⅜" x 0	¾" x 0	⅜" x 0	⅜" x 0	⅜" x 0

Or in the alternative: straight run of mine which, as shipped, shall contain at least the following percentages of screenings which shall pass through a ¾" round-hole screen — applicable to the following low volatile price classifications:

Classification applicable to Size Group No. 6 and minimum percentage of ¾" x 0.

A	B	C	D	E
40%	No minimum	40%	40%	40%

7.	Straight run of mine. (This Size Group No. 7 applies to low volatile coals only when at least the following percentages of screenings will pass through a ¾" round-hole screen—applicable to the following low volatile price classifications:

Classifications applicable to Size Group No. 7 and minimum percentage of ¾" x 0.

A	B	C	D
60%	55%	60%	60%

Where less-than the minimum percentage of screenings remains, the coal shall be priced the same as Size Group No. 6 or Size Group No. 1, depending upon the amount of screenings remaining).

7.—Continued.	Altered run of mine. (Straight run of mine from which any intermediate size has been removed but no coal smaller than ⅜" shall be removed.)
	Resultant run of mine larger than 2¾" x 0.
	Altered resultant run of mine. (Straight resultant run of mine larger than 2¾" x 0 from which any intermediate size has been removed but no coal smaller than ⅜" shall be removed.)
	Altered screenings. (Screenings with top size not exceeding 2¾" from which all of the 1" to 1¼" top size and ⅛" to ⅜" bottom coal has been removed.)
	Screenings top size larger than 1¼" x 0 but not exceeding 2¾" x 0.
8.	Screenings larger than ¾" x 0 but not exceeding 1¼" x 0.
9.	Screenings larger than ⅜" x 0 but not exceeding ¾" x 0.
10.	Screenings ⅜" x 0 and smaller.

(13) All orders of adjustment issued prior to August 16, 1944 and adjustments computed on OPA Form No. 653–638 under § 1340.207 (a) (added by Amendment No. 74 to this regulation) shall be void as of August 16, 1944; where truck high volatile and all low volatile shipments are involved.

(c) A producer who was rendering the service of supplying a chemical or oil treatment in the period October 1–15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1–15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where: First, the purchaser of the coal requires it; Second, the producer is equipped with adequate facilities for the treatment of coal; Third, the treatment is performed in an adequate and thorough manner; Fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and Fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12056; Filed, August 11, 1944; 11:41 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 409,[1] Amdt. 11]

FROZEN FRUITS, BERRIES AND VEGETABLES (1943 PACK AND AFTER)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 409 is amended in the following respects:

1. Section 13 is amended to read as follows:

SEC. 13. *Position of brokers.* In accordance with trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price, including allowable transportation actually paid by the seller or by the broker. In other words, the seller may not collect from the buyer any more than the maximum price, including allowable transportation so paid, less any amount which the buyer pays the broker.

The term "broker" includes a "finder".

2. Section 14 is amended to read as follows:

SEC. 14. *How a figured maximum price is established and how an established maximum price may be changed.* On and after the effective date of the regulation, a price figured for any item becomes established (that is, fixed) as the seller's maximum price as soon as he has either filed the price or disclosed it to any prospective customer, whether by sale, delivery, offer, or notice of any kind: *Provided*, That the figured price is not higher than the applicable pricing method allows. A maximum price for any item may be established only once, and it may not be changed by the seller except (a) with the written permission of the District Director of the Office of Price Administration for the area in which he is located in cases where the seller has figured his maximum price lower than the applicable pricing method allows, (b) in cases where a change in the regulation changes the seller's applicable pricing method, and (c) in cases where a packer is refiguring uniform maximum delivered prices as required by section 3 (k), and (d) in cases where a packer is establishing a uniform maximum price for an item packed by him in more than one factory, as permitted by section 3 (n). District Directors are authorized to give this permission.

If the seller wishes to disclose a price lower than the one he figured, he may establish the higher (figured) price as his maximum price at the time of the disclosure only by recording it and naming it as such, in ink on his books, before he discloses the lower price. A seller who has not figured a price for an item may deliver the item, but he may not receive payment for it until he has established

* Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 17299; 9 F.R. 97, 1596.

a maximum price in accordance with the rules of this section.

3. Section 18b is added to read as follows:

SEC. 18b. *Authority of regional and district offices to audit reports.* Any Regional Administrator of the Office of Price Administration, or any District Director authorized by his Regional Administrator, may (a) approve or disapprove reports filed with his office under the reporting provisions of this regulation, and (b) require any packer filing a report which does not comply with the reporting provisions to correct and resubmit his report.

4. Section 20 is added to read as follows:

SEC. 20. *Maximum prices for custom packing.* This section applies only to custom packing resulting in an item of frozen fruits or berries where the particular fresh fruit or berries packed were subject to maximum prices, under Maximum Price Regulation 425,[1] or covered by announced prices recommended by the Department of Agriculture for payment to growers, applying to the purchase by which they were acquired by the person for whom the custom packing is done.

(a) *Maximum prices.* The custom packer's maximum price for the services of custom packing an item of fruits or berries (including the furnishing of any packaging materials and additional ingredients) shall be the amount by which his maximum price for sales of the item on a no-storage basis exceeds the price paid for the particular fresh fruits or berries by the person for whom the custom packing is done, after conversion to cents per unit of the finished product. However, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product and the maximum price for the particular fruit or berry as established in Maximum Price Regulation 425, or if there is no such maximum price established by that regulation, the custom packer's maximum price for his services shall not exceed the difference between his maximum price for the frozen product and the price recommended by the Department of Agriculture for payment to growers for the particular fruit or berry.

(b) *Information required to be furnished and kept.* The person for whom the custom packing is done shall furnish the custom packer with a signed statement in writing, naming the amount paid for the fresh fruits or berries custom packed, the date on which and the name of the seller from whom they were purchased. This statement shall be furnished before the custom packing is begun, and the custom packer shall preserve the statement for examination by the Office of Price Administration or its authorized representatives at any reasonable time. However, if the fresh fruits or berries are acquired through the custom packer as agent of the purchaser, no statement is required, but the custom packer shall instead make and preserve a record of the same information for like examination.

(c) *Meaning of "custom packing".* In the regulation "custom packing" means any processing operation performed on fruits or berries owned by another, on a toll or contract basis (whether or not any packaging materials or additional ingredients are furnished), resulting in an item of frozen fruits or berries. "Custom packer" and "custom packed" shall be construed accordingly.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12067; Filed, August 11, 1944; 11:42 a. m.]

[1] 8 F.R. 9303, 9879, 12632, 12952, 14154, 16293, 15674; 9 F.R. 7505, 7830.

PART 1346—BUILDING MATERIALS

[RPS 45, Amdt. 4]

ASPHALT OR TARRED ROOFING PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 45 is amended in the following respects:

1. A new paragraph (i) is added to § 1346.63 to read as follows:

(i) An amount equal to 3 percent may be added to the maximum net prices established under this § 1346.63, such added amount to be shown separately on every invoice.

2. A new § 1346.65 is added to read:

§ 1346.65 *Maximum prices for sales and deliveries by jobbers and dealers.* The maximum prices for sales and deliveries of asphalt or tarred roofing products by any person other than a manufacturer shall be established in accordance with the provisions of §§ 1499.2, 1499.3, and 1499.18 of the General Maximum Price Regulation, except that any person purchasing asphalt or tarred roofing products for resale in the same form may add to his maximum price established on or prior to August 17, 1944, an amount not exceeding the actual dollars-and-cents increased cost incurred by him by reason of the increase permitted manufacturers under Amendment No. 4 to Revised Price Schedule No. 45.

This amendment shall become effective August 17, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12072; Filed, August 11, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1369, 3853, 5590, 9 F.R. 9054.

PART 1356—COOKERS AND HEATERS

[MPR 64, Amdt. 1]

DOMESTIC COOKING AND HEATING STOVES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 64 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Prohibition against sales and purchases at prices higher than ceiling prices.* Regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver, and, in the course of trade or business, no person shall purchase or accept delivery of, a domestic cooking or heating stove at a price higher than the maximum price fixed by this regulation, or before the manufacturer has properly determined his maximum price under this regulation.

If, in violation of this provision, a sale, offer to sell, or delivery of a domestic cooking and heating stove is made before its maximum price has been properly established in accordance with this regulation, the maximum price applicable to the sale, offer to sell or delivery, shall be the correct ceiling price for the stove, properly determined in accordance with this regulation.

As used in this regulation, a domestic cooking or heating stove means a new stove of the type commonly used in households, camps, or trailers for cooking or heating purposes, regardless of the fuel or power used. It includes all space heaters other than floor and wall furnaces or heaters intended to be built into or permanently attached in a building. For example, it includes station heaters, caboose stoves, and school heaters. It does not include electric stoves under 2½ kw.

2. Section 2 (a) is amended to read as follows:

(a) This regulation covers all sales of domestic cooking and heating stoves by a manufacturer to any person. As used in this regulation, a "manufacturer" is (1) a person who operates a factory in which stoves are manufactured or assembled, or (2) a person who regularly sells private brand stoves to jobbers or distributors, or (3) a person who sells private brand stoves, patterns or dies for which he owns.

Under the circumstances set forth in section 11 of this regulation, an order under this regulation may also establish maximum prices for sales of stoves by wholesalers and retailers. Unless such an order has been issued, ceiling prices for sales by persons other than the manufacturer are governed by the provisions of the General Maximum Price Regulation, or Maximum Price Regulation No. 210.

3. Section 5 (h) is amended to read as follows:

(h) Changes in shape, size, or material of oil or gas burners, provided that

quality, efficiency, and BTU ratings are not reduced. These changes include changes in wick materials; they do not include the interchanging of dual gas burners and one-way gas burners.

4. Section 5 (n) is amended to read as follows:

(n) Omission or addition of thermometer, except on portable and stovepipe ovens.

5. Section 6 is amended to read as follows:

SEC. 6. *Reports, catalogues, and price lists.* (a) You must notify the Office of Price Administration, Washington, D. C., whenever you change the model designation of any stove in your line. This may be done by letter.

(b) Every manufacturer must file with the Office of Price Administration, Washington, D. C., a copy of every catalogue and price list for domestic cooking and heating stoves, issued by him on and after June 1, 1941. In addition on and after August 16, 1944 every manufacturer must file a copy of every notification he issues to the trade concerning new prices, changes in prices, or changes in discounts and allowances. Copies of these notifications must be filed within ten days after they have been issued to the trade.

6. Section 7 (a) (1) is amended to read as follows:

(1) Find the model of stove for which you have a ceiling price which is comparable to the stove being priced. The "comparable" model is the one which is like the stove being priced in design, construction, and fuel type, and which is closest to it in unit direct cost. If a stove on which "minor changes" have been made is subsequently used as the "comparable" model in pricing a new or changed model, the cost for the "comparable" model shall be computed on the basis of the cost to make the stove without the "minor changes".

7. Section 8 is amended to read as follows:

SEC. 8. *Ceiling prices fixed by special orders.* (a) If you cannot apply the formula in section 7 because you have no comparable model, then your ceiling price is the price specifically authorized by the Office of Price Administration, in line with the level of ceiling prices fixed by this regulation. Applications for the establishment of such prices must be made to the Office of Price Administration, Washington, D. C. You may not, except in the case of sales to the United States or Allied Governments (see section 9 below) sell, offer to sell, or deliver a stove for which a price must be fixed under this section prior to the specific authorization of a price by the Office of Price Administration.

(b) If a manufacturer proposes to sell a stove to a new class of purchaser to whom he did not quote a price during the period January 15 to June 1, 1941, then the ceiling price shall be the price specifically authorized in writing by the Office of Price Administration, Washington, D. C. The authorized price will make appropriate adjustments from the manufacturer's ceiling prices, for sales to the new class of purchaser, in line with the manufacturer's existing differentials, or if he has none, in line with the differentials prevailing in the trade generally for sales to the new class of purchaser. Applications for the establishment of prices to new classes of purchaser should be made by letter.

8. Section 10 is amended to read as follows:

SEC. 10. *Application for adjustment.* (a) Any manufacturer subject to this regulation may apply to the Office of Price Administration, Washington, D. C., for an adjustment of his maximum price for a particular stove or stoves. An adjustment may be granted if it appears that:

(1) The manufacturer's ceiling price is below his total cost to make and sell the stove; and

(2) The manufacturer's entire stove operation is being conducted at a loss or will be at a loss within 90 days; and

(3) The loss of the manufacturer's production of that stove would result in higher prices to consumers for the same or substantially the same stove.

(b) Any adjustment, if granted, will not be greater than the lower of the following amounts:

(1) An amount sufficient to eliminate the loss incurred in making and selling the stove.

(2) An amount sufficient to bring the maximum price of the article into line with the level of maximum prices established by this regulation for sales of competitive manufacturers' comparable stoves to the same class of purchaser and on the same terms and conditions of sale.

9. Section 11 is amended to read as follows:

SEC. 11. *Wholesale and retail prices.* Whenever the manufacturer's ceiling price has been determined or adjusted under this regulation, an order may be issued fixing ceiling prices, or a method of determining ceiling prices, for sales of the stove or stoves by wholesalers and retailers.

10. Section 12 is redesignated section 13.

11. Section 13 is redesignated section 14.

12. A new section 12 is added to read as follows:

SEC. 12. *Modification of provisions of Maximum Price Regulation No. 64.* The provisions of Maximum Price Regulation No. 64 as applied to classes of commodities or persons subject thereto may be modified by orders of general applicability issued under this section.

This amendment shall become effective on the 16th day of August 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12073; Filed, August 11, 1944; 11:43 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336,[1] Amdt. 16]

CEILING PRICES FOR RETAIL PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 336 is amended in the following respects:

1. Section 2 (f) is added to read as follows:

(f) If you make mail order sales to ultimate consumers, that is, to individuals who buy pork cuts or sausage products to be eaten by themselves or their families, you may add to your ceiling prices determined under this regulation your actual express or mailing expense to the buyer's address.

2. Following the last sentence of the first paragraph of section 6a (a), a new sentence is added to read as follows:

If you make and place bulk fresh pork or breakfast sausage in a display case or tray instead of a carton or other immediate container, you shall attach to the sausage or display case or tray a label which may be a printed or stamped sign and which shall comply with the provisions of paragraph (b) of this section.

3. The product heading of subitem 2 of Item 20E and Item 20F in the price tables in section 19 for both Group 1 and 2 and Group 3 and 4 stores is amended to read as follows:

2. Vinegar pickled and cooked—

4. Item 31 of the price table in section 19 for Group 1 and 2 stores is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 167, 2212.

[Price per pound]

	Zone 1, group 1 and 2	Zone 2, group 1 and 2	Zones 3 and 4, group 1 and 2	Zone 4a, group 1 and 2	Zone 5, group 1 and 2	Zones 6 and 7 group 1 and 2	Zones 8 and 9 north, group 1 and 2	Zones 8 and 9 south, group 1 and 2	Zone 10, group 1 and 2
31. Spareribs brisket bones:	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
1. Fresh or frozen	14	13	13	11	11	12	13	19	14
2. Cured	14	14	12	11	12	12	13	13	14
3. Smoked	19	19	17	16	16	17	17	18	18

5. Item 31 of the price table in section 19 for group 3 and 4 stores is added to read as follows:

[Price per pound]

	Zone 1, group 3 and 4	Zone 2, group 3 and 4	Zones 3 and 4, group 3 and 4	Zone 4a, group 3 and 4	Zone 5, group 3 and 4	Zones 6 and 7, group 3 and 4	Zones 8 and 9 north, group 3 and 4	Zones 8 and 9 south, group 3 and 4	Zone 10, group 3 and 4
31. Spareribs brisket bones:	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
1. Fresh or frozen	13	13	11	10	10	11	12	12	12
2. Cured	13	13	11	10	11	11	12	12	12
3. Smoked	18	17	16	15	15	15	16	16	17

6. Item 15 in the price tables in section 20 for both group 1 and 2 and group 3 and 4 stores is redesignated item 15A.

7. A new item 15B in the price table in section 20 for group 1 and 2 stores is added to read as follows:

GROUP 1 AND 2 STORES

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7 north and south	Zone 8 north and south	Zone 9 north and south	Zone 10
15B. Pork or breakfast sausage, smoked, beef rounds (B. C.):											
1. Type 3	.41	.40	.39	.39	.38	.39	.39	.40	.40	.41	.41
2. Type 4	.32	.31	.30	.30	.29	.30	.30	.31	.31	.31	.32

8. A new item 15B in the price table in section 20 for group 3 and 4 stores is added to read as follows:

GROUP 3 AND 4 STORES

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7 north and south	Zone 8 north and south	Zone 9 north and south	Zone 10
15B. Pork or breakfast sausage, smoked, beef rounds (B. C.):											
1. Type 3	.30	.29	.27	.27	.26	.27	.27	.29	.29	.29	.30
2. Type 4	.30	.30	.29	.28	.28	.28	.29	.29	.29	.30	.30

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12074; Filed, August 11, 1944; 11:44 a. m.]

PART 1375[1]—EXPORT PRICES

[3d Rev. Max. Export Price Reg., Amdt. 9]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 3 (c) of the Second Revised Maximum Export Price Regulation is amended to read as follows:

(c) An exporter who would be entitled to receive a Government subsidy or similar benefit for the exported commodity if he sold it for civilian consumption within the United States, but who is not entitled to receive such subsidy or similar benefit when he exports the commodity, may take as his base price under this section the base price expressly provided for such purpose in the domestic price regulation applicable to the commodity or, if no base price is so provided, he may increase his base price otherwise applicable under this section (which may not exceed the maximum price he might charge a domestic civilian purchaser of the same class) by the amount of such subsidy or similar benefit. An exporter who is required to and does pay any amount to any Government agency by way of reimbursement for any subsidy or similar benefit received or to be received by him or any other person from the Government with respect to the exported commodity, may increase his base price otherwise applicable under this section by the amount of such reimbursement.

This Amendment No. 9 shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12068; Filed, August 11, 1944; 11:42 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4132, 5967, 7663, 9998, 15198; 9 F.R. 1036, 5435, 5933, 7301.

PART 1377—WOODEN CONTAINERS

[MPR 424,[1] Amdt. 3]

TIGHT COOPERAGE STOCK AND SAWED TIGHT COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In section 18, Table VI is amended to read as follows:

TABLE VI—MAXIMUM PRICES FOR COOPERAGE DOWELS

F. O. B. MILL OR RAILHEAD

	Per Bushel
5/16" size	$2.85
1/4" size	3.30

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12066; Filed, August 11, 1944; 11:42 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[2] Amdt. 19]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5351 (a) is amended by substituting for the phrase "may obtain a ration for such purpose," the phrase "may apply for a ration for such purpose,".

2. Section 1394.5153 (d) is added as follows:

(d) *Further restrictions on issuance of rations for hot water or domestic cooking.* No ration shall be issued or used for furnishing hot water or for domestic cooking if the applicant has the use of electric equipment for the purpose. If such equipment is not adequate for the purpose, the allowable ration shall be reduced by the amount that can be saved by the maximum use of such equipment.

[1] 8 F.R. 9516, 11175; 9 F.R. 2351.

[2] 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5259, 5502, 5926, 6030, 5804, 6360, 7169, 7201, 7706, 7773, 8988.

3. Section 1394.5154 (c) is added as follows:

(c) *Further restrictions on issuance of rations for hot water.* Regardless of the provisions of the next three sections, no ration shall be issued or used for furnishing hot water if the applicant has the use of electric equipment for the purpose. If such equipment is not adequate for the purpose, the allowable ration shall be reduced by the amount that can be saved by the maximum use of such equipment.

4. An undesignated center headnote is added preceding § 1394.5161 as follows: "Lighting Equipment".

5. Section 1394.5161 is added to read as follows:

§ 1394.5161 *Restrictions on issuance of rations for domestic lighting.* (a) No ration shall be issued or used for domestic lighting if the applicant has the use of electric equipment for the purpose. If such equipment is not adequate for the purpose, the allowable ration shall be reduced by the amount that can be saved by the maximum use of such equipment.

6. Section 1394.5665 is amended to read as follows:

§ 1394.5665 *Exchange of fuel oil.* (a) Nothing in this order shall be deemed to forbid a consumer from transferring fuel oil to a dealer or primary supplier in exchange for an equal quantity of fuel oil of the same or another grade and, from consuming the fuel oil so acquired: *Provided*, That the transfers by and to such consumer are made within twenty-four (24) hours of each other. If unequal quantities of fuel oil are exchanged within twenty-four (24) hours the delivery of the excess quantity is deemed a separate transfer.

This amendment shall become effective on August 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1–0, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12069; Filed, August 11, 1944; 11:43 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 397, Amdt. 8]

FLAXSEED

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 397 is amended in the following respects:

1. Section 5 (a) (1) is amended to read as follows:

(1) At the following terminal basing points where the lot sold is not delivered by truck:

	Per bushel
Minneapolis, Duluth and Red Wing, Minnesota	$3.10
Milwaukee, Wisconsin	3.10
Chicago, Illinois	3.10
Portland, Oregon	3.10
Emporia and Fredonia, Kansas	2.95
Corpus Christi, Harlingen and Houston, Texas	2.90

2. Section 5 (a) (4) is amended to read as follows:

(4) At any point in Area A, $3.10 per bushel plus the lowest domestic carload proportional all-rail rate (or, if none, the lowest carload local all-rail rate) per bushel from Minneapolis to the point in Area A in question: *Provided*, That whenever flaxseed purchased under this subparagraph (4) has moved from producer to any buyer in whole or in part by water the foregoing maximum price shall be reduced by an amount equal to the difference between the actual water rate and said rail rate for the distance so moved by water.

This amendment shall become effective August 14, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 4, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–12070; Filed, August 11, 1944; 11:43 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 39]

RADIO AND PHONOGRAPH EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1499.166, Appendix A (b) (11) is amended to read as follows:

(11) *Radio and Phonograph Equipment.* Domestic radio receiving sets (except assembled radios and phonographs under Maximum Price Regulation No. 430; and radio receivers primarily designed for military police and commercial use or for use in the Navy or Merchant Marine, under Maximum Price Regulation 136), including but not limited to home, auto, portable, television, home recorder, combination phono-radios, training kits, etc.

Domestic radio accessories (except parts under Revised Price Schedule No. 94) including but not limited to cabinets and cases for radios, phonographs, record players and speakers; auto radio control devices, aerials and radio hardware.

Phonographs, including nonelectric, electric, electric with or without amplifier units, wired and wireless record players.

Phonograph Accessories (except records under Maximum Price Regulation No. 263), including but not limited to recording styli play back needles, recording blanks, record cabinets and record cleaning devices.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12076; Filed, August 11, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 8232.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 160]

BOILED-DOWN VEGETABLE OIL FOOTS SOAP STOCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, have been filed with the Division of the Federal Register.*

Section 4.19 of Revised Supplementary Regulation No. 14 is amended to read as follows:

SEC. 4.19 *Boiled-down vegetable oil foots soap stock—Basis 65 percent T. F. A.*—(a) *Maximum prices for sales of soybean, peanut, corn, or cottonseed oil soap stock in car lots.* Notwithstanding any other provision of the General Maximum Price Regulation, the maximum prices for all sales of boiled-down soybean, peanut, corn or cottonseed oil soap stock—basis 65 percent T. F. A. in car lots, shall be the maximum delivered prices specified below:

(1) *Soap stock produced in Texas.*—(i) For deliveries within Texas:

	Cents per pound
From soybean oil foots	6.125
From peanut oil foots	6.50
From corn oil foots	6.125
From cottonseed oil foots	6.25

(ii) For deliveries to any point outside Texas except the states mentioned in (iii) below:

	Cents per pound
From soybean oil foots	6.375
From peanut oil foots	6.75
From corn oil foots	6.375
From cottonseed oil foots	6.50

(iii) For deliveries to any point in Washington, Oregon, California, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, Virginia, and West Virginia:

	Cents per pound
From soybean oil foots	6.50
From peanut oil foots	6.875
From corn oil foots	6.50
From cottonseed oil foots	6.625

(2) *Soap stock produced in California.* (i) For deliveries within California:

	Cents per pound
From soybean oil foots	6.125
From peanut oil foots	6.50
From corn oil foots	6.125
From cottonseed oil foots	6.25

(ii) For deliveries in any state west of the Mississippi River except California:

	Cents per pound
From soybean oil foots	6.375
From peanut oil foots	6.75
From corn oil foots	6.375
From cottonseed oil foots	6.50

(iii) For deliveries to any state east of the Mississippi River:

	Cents per pound
From soybean oil foots	6.50
From peanut oil foots	6.875
From corn oil foots	6.50
From cottonseed oil foots	6.625

(b) *Maximum prices for sales of all other vegetable oil foots soap stock in car lots.* Notwithstanding any other provision of the General Maximum Price Regulation, the maximum prices for all sales in car lots of boiled-down soap stock—basis 65 per cent T. F. A. manufactured from vegetable oil foots other than those specified in (a) above shall be the maximum delivered price for the sale of the foots used, as determined under Maximum Price Regulation No. 53, Chicago basing point, plus:

(1) *For soap stock produced in Texas.* (i) For deliveries within Texas, 2.75 cents per pound.

(ii) For deliveries to any point outside Texas, except the states mentioned in (iii) below, 3 cents per pound.

(iii) For deliveries to any point in Washington, Oregon, California, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, Virginia and West Virginia, 3.125 cents per pound.

(2) *For soap stock produced in California.* (i) For deliveries within California, 2.75 cents per pound.

(ii) For deliveries in any state west of the Mississippi River, except California, 3 cents per pound.

(iii) For deliveries to any state east of the Mississippi River, 3.125 cents per pound.

(c) *Maximum prices for sales of mixed foots soap stock in car lots.* (1) Notwithstanding any other provisions of the General Maximum Price Regulation the maximum delivered price in car lots for any sale of boiled-down soap stock manufactured from mixed vegetable oil foots shall not exceed the maximum delivered price applicable to boiled-down soap stock made from the lowest priced foots in the mixture. For example, the maximum delivered price of a mixed foots soap stock made from cottonseed, peanut, and corn oil foots, is 6.125 cents per pound (if produced in Texas and delivered within Texas), which is the delivered price applicable to boiled-down soap stock made from corn oil foots, the lowest priced foots in the mixture.

(2) Any seller of mixed foots boiled-down soap stock shall furnish the buyer, prior to payment by him, a notice or invoice, indicating what vegetable oil foots are contained in the soap stock sold.

(d) *Maximum prices for sales in l. c. l. quantities.* Maximum delivered prices for less-than-carload quantities of boiled-down soap stock shall be the same as carload delivered prices set forth in (a), (b), and (c) above, except that deliveries to buyers within the metropolitan areas of Los Angeles, California, Dallas, Texas, and Houston, Texas, for consumption in those areas, shall be at the expense of such buyers.

(e) *Maximum prices for imported boiled-down soap stock.* (1) The maximum delivered price for any sale of boiled-down soap stock imported to an Atlantic Ocean or Gulf of Mexico port shall not exceed the maximum delivered price for such boiled-down soap stock produced in Texas and delivered to the same buyer.

(2) The maximum delivered price for any sale of boiled-down soap stock imported to a Pacific Ocean port shall not exceed the maximum delivered price for such boiled-down soap stock produced in California and delivered to the same buyer.

(f) *Other charges.* The above maximum delivered prices shall not be increased by any charges for containers or brokers' fees.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12075; Filed, August 11, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 161]

IMPORTED PACKED PINEAPPLE

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1.28 (a) is amended in the following respects:

1. The maximum prices named in tables I and II for pineapple in brine are amended to read as follows:

Kind and style of pack (all brands)	Grade	Maximum prices in cents per pound
Pineapple in brine:		
Slices	No. 1	13¼
	No. 2	12½
Broken pieces	No. 2	11½

2. The second undesignated paragraph after the tables in section 1.28 (a) is amended to read as follows:

The maximum prices listed above are ex dock, Miami, Florida, duty paid or ex railroad car or other type of carrier, Laredo, Texas, duty paid. The maximum price ex dock any other port of entry shall be determined by adding to or subtracting from (as the case may be) the Miami, Florida, ex dock price the difference between (1) the April 29, 1944 actual cost of ocean freight, the cost of war risk insurance (figured for shipments made after June 25, 1944, at a cost not exceed the amount of the war risk insurance premium paid at rates in effect at the time of shipment, on a value representing 105% of the sum of the foreign invoice price, freight to the port of entry, and premiums paid for marine and war risk insurance) and marine insurance from the port of origin to Miami, Florida, and (2) the April 29, 1944 actual cost of ocean freight, war risk insurance (figured for shipments made after June 25, 1944 at the same rates) and marine insurance from the same port of origin to such other port of entry. The maximum price ex railroad car or any other type of carrier for any other point of entry on United States-Mexico border shall be determined by adding to or subtracting from (as the case may be) the Laredo, Texas, ex railroad car (or other type of carrier) price the difference between (1) the April 29, 1944 actual cost of transportation at lowest available common or contract carrier rate from the point of shipment to Laredo, Texas and (2) the April 29, 1944 actual cost of transportation at lowest available common or contract carrier rate from the same point of shipment to such other point of entry on United States-Mexico border.

This amendment shall become effective August 16, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12077; Filed, August 11, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Subchapter E—War Contracts

[G. O. 57]

PART 298—SETTLEMENT OF CLAIMS ARISING UNDER TERMINATED WAR CONTRACTS

The United States Maritime Commission (herein called the Commission), acting pursuant to the provisions of the Contract Settlement Act of 1944 (herein called the Act), has prescribed the following regulations with respect to the settlement of claims arising under terminated war contracts:

AUTHORITY TO TERMINATE

Sec.
298.1 Contracts by Director of Procurement Division.
298.2 Contracts by agents of the Commission.
298.3 Other contracts of the Commission.

FAIR COMPENSATION AND INTEREST

298.21 Fixed-price supply contracts.
298.22 Fixed-price supply subcontracts.
298.23 Other subcontracts and cost-plus-a-fee contracts.
298.24 Interest allowable.

PRESENTATION OF CLAIMS

298.41 Approved forms.
298.42 Place for filing.

SETTLEMENT OF CLAIMS

298.61 General policies.
298.62 Fixed-price supply contracts.

Sec.
298.63 Contracts by Director of Procurement Division.
298.64 Contracts by agents of the Commission.
298.65 Vessel and shipyard facilities contracts.

APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

Sec.
298.81 Authority of officers to approve.
298.82 Review of and policy governing approval.
298.83 Settlement without approval.
298.84 Direct settlement by Commission.
298.85 Effect of appointment of trustee or receiver, etc.

INTERIM FINANCING

298.101 Application for, authority to make, and approval of advance or partial payments.
298.102 Amount of partial or advance payments.
298.103 Loans, guarantics, or commitments.

ADVANCE NOTICE

298.121 Notice to prime contractors and subcontractors.

REMOVAL AND STORAGE OF MATERIALS

298.141 Statements and removal.
298.142 Obligation of Commission as custodian.
298.143 Retention by or sale to war contractor.
298.144 Government-owned machinery, tools, and equipment.

APPEAL

298.161 Findings.
298.162 Appeal from findings.
298.163 Remand.
298.164 Authority to agree to arbitrate.
298.165 Arbitration of dispute between war contractor and subcontractor.

SETTLEMENTS INDUCED BY FRAUD

298.181 Reports of fraud.

GENERAL

298.201 Exemptions from Act.
298.202 Assistance to war contractors.
298.203 Calculation of amount of termination claims.
298.204 Orders and regulations of director controlling.

AUTHORITY: §§ 298.1 to 298.204, inclusive, issued under subsections (c) and (e) of section 4 of the Contract Settlement Act of 1944, 58 Stat. 649.

AUTHORITY TO TERMINATE

§ 298.1 *Contracts by Director of Procurement Division.* The Director of the Procurement Division of the Commission is authorized to terminate work for the convenience or at the option of the Commission under any supply contract or purchase order entered into on behalf of the Commission by said Director.

§ 298.2 *Contracts by agents of the Commission.* Any individual, firm, or corporation authorized to enter into contracts for and on behalf and as agents of the Commission is authorized to terminate work under contracts so entered into under the optional provisions contained in such contracts.

§ 298.3 *Other contracts of the Commission.* Termination of work for the convenience and at the option of the Commission under any other contract of the Commission must be authorized by the Commission itself. Evidence of the Commission action will be in the form of a written or telegraphic notice signed by the Secretary or an Assistant Secretary of the Commission.

FAIR COMPENSATION AND INTEREST

§ 298.21 *Fixed-price supply contracts.* The Commission has determined that the provisions of the Uniform Termination Article for Fix-price Supply Contracts[1] provides for fair compensation to war contractors who hold fixed-price supply contracts with the Commission. The Director of the Procurement Division and the agents of the Commission referred to in § 298.2 hereof, are authorized to enter into an amendment of any such contract, irrespective of whether work thereunder has been terminated, so as to include such Article as a part of such contract.

§ 298.22 *Fixed-price supply subcontracts.* The Commission has determined that the Approved Termination Provision for Use in Fixed-price Orders or Subcontracts for the Manufacture of Supplies under Government War Contracts[2] provides for fair compensation to war contractors who hold such type of subcontracts. The officers of the Commission authorized to approve termination claims of subcontractors will approve the amendment of any subcontracts heretofore or hereafter entered into so as to incorporate therein such provisions. Such approvals shall not, however, be construed as a representation on the part of the Commission and the officer granting such approval that the particular subcontract is allocable to a prime contract with the Commission.

§ 298.23 *Other subcontracts and cost-plus-a-fee contracts.* Cost-plus-a-fee contracts heretofore entered into by the Commission and agreements for personal services contain provisions which provide for fair compensation. Wherever in the opinion of a war subcontractor a subcontract, other than a fixed-price supply subcontract, does not provide for such fair compensation, such subcontractor shall request the war contractor who has entered into the subcontract with him to amend such subcontract to provide for such fair compensation. Approval of such amendment may be granted by the officers of the Commission authorized to approve termination claims arising under subcontracts.

§ 298.24 *Interest allowable.* Interest on termination claims under a prime contract or subcontract shall be allowed in accordance with the provisions of subsection (f) of section 6 of the Act at the rate of 2½ per with the provisions of subsection (f) of section 6 of the Act at the rate of 2½ per centum per annum. Such interest shall not accrue prior to July 21, 1944, and may be denied or reduced in accordance with the provisions of such subsection (f). The amount of the contractor's or subcontractor's termination claim as finally approved in accordance with these regulations shall determine the amount of interest to be allowed subject, however, to the adjustments provided for in such subsection (f). A contractor shall be deemed to have unreasonably delayed the settlement of his termination claim if he shall have failed to file such claim with all required information, on the forms approved by the Commission, within thirty days of the date of notice of termination of work under his contract or such longer period as the Settlement Review Board of the Commission shall determine as a reasonable time for filing of the claim, or if he shall fail to furnish promptly on request such information and records as the Commission or its duly authorized representatives may reasonably require in connection with the examination of his claim. A subcontractor shall be deemed to have unreasonably delayed the settlement of his termination claim in the event he shall fail to file such claim with the war contractor who placed the subcontract within thirty days after the date of notice of termination of his subcontract, or such longer period as the Settlement Review Board shall deem reasonable, or shall fail to furnish promptly on request such information and records as the Commission or its duly authorized representatives may reasonably require in connection with their examination of the claim.

PRESENTATION OF CLAIMS

§ 298.41 *Approved forms.* The Commission has approved the use of certain forms for presentation of termination claims under war contracts. Copies of such forms may be obtained upon application to the Director of the Procurement Division, United States Maritime Commission, Washington 25, D. C.; the Regional Director of Construction, East Coast Region, 1015 Chestnut Street, Philadelphia 7, Pennsylvania; the Regional Director of Construction, Gulf-Great Lakes Region, United States Maritime Commission, 348 Baronne Street, New Orleans 12, Louisiana, or 310 So. Michigan Avenue, Chicago 4, Illinois; and the Regional Director of Construction, West Coast Region, United States Maritime Commission, Financial Center Building, Oakland 12, California.

§ 298.42 *Place for filing.* Termination claims arising under any contract entered into on behalf of the Commission by the Director, Procurement Division, should be filed with the Chief, Termination Section, Procurement Division, United States Maritime Commission, Washington 25, D. C. Termination claims arising under any contract entered into for and on behalf of the Commission by its agent should be filed with such agent. Termination claims arising under any prime contract for the construction of vessels should be filed with the Regional Director of Construction for the region in which the contractor was performing the contract work. Termination claims arising under any terminated subcontract should be filed with the war contractor who placed such subcontract, except in those cases where the claim is to be settled directly by the Commission as hereinafter provided.

[1] 9 F.R. 478,2251.
[2] 9 F. F. 6136.

SETTLEMENT OF CLAIMS

§ 298.61 *General policies.* The Commission approves the settlement so far as practicable of termination claims arising under war contracts by agreement. Agreements for such purpose may be entered into in the case of termination claims under both fixed-price and cost-plus-a-fee contracts. Audits shall be avoided to the extent consistent with the Government's interest. In certain cases the amount payable to the contractor may be based on an estimate of the amount of work completed by him with due regard to the probable cost of such work and the profits derived therefrom or on any other equitable basis approved by the Settlement Review Board or the Director of Contract Settlement. In determining fair compensation for termination claims the methods established under subsection (d) of section 6 of the Act shall be followed so far as practicable.

§ 298.62 *Fixed-price supply contracts.* A termination claim arising under a terminated fixed-price supply contract will be approved if the amount of such claim is not in excess of the amounts specified in subparagraphs (1), (2), and (3) of paragraph (d) of the aforementioned Uniform Termination Article for Fixed-price Supply Contracts (see § 298.21). The determination of such amounts may be made by agreement between the contractor and the officer of the Commission hereinafter designated to enter into settlements of termination claims under fixed-price supply contracts.

§ 298.63 *Contracts by Director of Procurement Division.* The Director of the Procurement Division and such Assistant Directors of that Division as he may designate and the Chief, Termination Section of the Procurement Division, to the extent that such authority may be delegated to them by said Director, are authorized to settle by agreement or determine without agreement termination claims arising under fixed-price supply contracts entered into on behalf of the Commission by the Director, Procurement Division, but no such agreement or determination shall become binding upon the Commission if the amount thereof shall exceed the sum of $5,000, unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission.

§ 298.64 *Contracts by agents of the Commission.* Termination claims arising under contracts entered into for and on behalf of the Commission by an individual, firm, or corporation acting as agent for the Commission may be settled by agreement or determined by such agent with approval of the Regional Director of Construction of the Commission, or such officer as he may designate, for the region in which the contract work was being performed; but no such agreement or determination shall be binding upon the Commission if the amount of the claim shall exceed the sum of $5,000, unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission.

§ 298.65 *Vessel and shipyard facilities contracts.* Termination claims arising under contracts for the construction of vessels or the construction of shipyard facilities may be settled by agreement or determined by the Regional Director of Construction, or such officer as he may designate, for the region in which the contract work was being performed. No such agreement or determination shall be binding upon the Commission unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission.

APPROVAL AND PAYMENT OF TERMINATION CLAIMS OF SUBCONTRACTORS

§ 298.81 *Authority of officers to approve.* The Director, Procurement Division of the Commission, and such Assistant Directors of the Division as he may designate and the Chief, Termination Section of the Procurement Division, to the extent that such authority may be delegated to them by said Director, are authorized to approve termination claims of subcontractors under fixed-price supply contracts or purchase orders entered into on behalf of the Commission by the Director, Procurement Division. The Regional Director of Construction, or such officer as he may designate, is authorized to approve termination claims under all other subcontracts. Such approvals may be granted, however, only in those cases where the claim is made upon forms approved by the Commission and the war contractor who has placed the subcontract furnished a certificate in the form approved by the Commission in respect of the reasonableness of the proposed settlement.

§ 298.82 *Review of and policy governing approval.* No approval of the termination claims of subcontractors, granted under the provisions of § 298.81 thereof, shall be binding upon the Commission if the amount of the claim shall exceed the sum of $5,000, unless it shall have been submitted to the Settlement Review Board and approved by such Board or not disapproved by it within thirty days of the date of its submission. In approving termination claims arising under fixed-price supply orders or subcontracts the officers of the Commission shall conform to the Statement of Policy Concerning Settlement of Claims under Terminated Fixed-Price Orders or Subcontracts for the Manufacture of Supplies under Government War Contracts, adopted by the Joint Contract Termination Board.[1]

§ 298.83 *Settlement without approval.* War contractors may make settlements of termination claims arising under subcontracts without approval in the event that (1) the amount of the claim does not exceed $5,000, and (2) authority has been granted by the Settlement Review Board so to settle claims, provided that any such authority may be revoked, at any time before the settlement is concluded, by notice in writing to the war contractor over the signature of the Chairman or Acting Chairman of such Board. Application for authority so to settle subcontract claims should be made to the Settlement Review Board, United States Maritime Commission, Washington 25, D. C. Except as hereinbefore provided, no settlement of the termination claims of subcontractors, made without approval, shall be binding.

§ 298.84 *Direct settlement by Commission.* Unless a different procedure is approved by the Settlement Review Board settlement of subcontractors' claims and payment thereof will be made by the war contractor who placed the subcontract. Where a subcontractor or an officer of the Commission charged with the settlement of termination claims is of the opinion that any such war contractor is not financially responsible or where the death or dissolution of the war contractor or other circumstances make it necessary for the protection of the interests of the subcontractor that settlement or payment be made directly with or to the subcontractor, such facts should be immediately reported to the Settlement Review Board. Such Board is authorized to provide for direct settlement or direct payment or to require that payments made to the war contractor on account of termination claims of his subcontractors be deposited in a controlled account established under a deposit agreement satisfactory to such Board.

§ 298.85 *Effect of appointment of trustee or receiver, etc.* In the event the bankruptcy or insolvency of any war contractor or the appointment of a trustee or receiver for such war contractor or his property shall have the effect of preventing collection of any termination claim of a subcontractor under such war contractor, all the facts in respect of such claims should be submitted to the Settlement Review Board in order that such Board may determine whether to recommend to the Commission the taking of any action pursuant to the provisions of Section 7 of the Act.

INTERIM FINANCING

§ 298.101 *Application for, authority to make, and approval of advance or partial payments.* Applications for advance or partial payments on account of the termination claim of a war contractor should be made to the officer or agent of the Commission hereinbefore designated to settle the termination claim of a prime contractor or approve the settlement of the termination claim of a subcontractor. Such application should be in the form of a certificate, forms of which may be obtained from the officers referred to in § 298.41 hereof. Where the war contractor making application is a prime contractor the officer authorized to settle by agreement or determine the amount of the claim is authorized to make ad-

[1] 9 F.R. 6135, 6483.

vance or partial payments in an amount not to exceed an aggregate of $5,000 on account of any single claim or $20,000 on account of all unsettled claims of any single contractor. Where application is made to an agent who entered into a contract for and on behalf of the Commission, the agent may make such payments within the amounts specified, with the approval of the officer authorized to approve the settlement of termination claims under such contracts not in excess of the amount of $5,000. Advance or partial payments in excess of an aggregate of $5,000 on account of any single claim or $20,000 on account of all unsettled claims of any single contractor, or to war contractors other than prime contractors, may be made only with the approval of the Settlement Review Board.

§ 298.102 *Amount of partial or advance payments.* The amount of the partial or advance payment shall equal (a) 100 per centum of the amount payable at the contract price on account of acceptable items completed but undelivered prior to the termination date under the terms of the contract or completed thereafter in accordance with the provision of the notice of termination, plus (b), an amount equal to 90 per centum of the cost of raw materials, purchased parts, supplies, direct labor, and manufacturing overhead allocable to the terminated portion of the war contract as shown on the certificate of the war contractor, plus (c) an amount equal to 90 per centum of other allowable costs including administrative overhead shown on the war contractor's certificate and allocable to the terminated portion of the war contract but not included in the foregoing. The officers of the Commission, agents, or Settlement Review Board charged with the duty of settling or approving the claim may, however, in their discretion reduce or deny any such advance or partial payment in the event such officers, agents, or Board shall have reason to believe that the certificate for advance payment incorrectly states any amount to be made the basis of such advance payment. In appropriate cases a check or audit of the war contractor's records may be required as a condition precedent to the making of the payment. Where advance or partial payments previously applied for and made shall not equal the foregoing amounts based on estimates made from time to time, additional payments which together with the payments theretofore made, are not in excess of such estimates may be applied for and made.

§ 298.103 *Loans, guaranties or Commitments.* Applications from war contractors for direct loans, as provided in section 9 of the act, shall be made to the Director of Finance, United States Maritime Commission, Washington 25, D. C. Applications for guaranties or commitments for guaranties from financing institutions shall be made to the Federal Reserve Banks in accordance with instructions and regulations issued by the Director of Contract Termination.

ADVANCE NOTICE

§ 298.121 *Notice to prime contractors and subcontractors.* The Commission will give each prime contractor, work under whose contract is terminated for the convenience or at the option of the Commission, such advance notice as is feasible and consistent with the national security without permitting unneeded production of performance. Promptly upon receipt of such notice the prime contractor should notify each subcontractor, work under whose subcontract is required to be terminated on account of the termination of work under the prime contract, stating what work thereunder is to be terminated and the reason therefor, and requesting that notice in turn be given to other war contractors work under whose subcontracts is required to be terminated on account of the termination of work under such subcontract. In the event that the cessation of work provided for in the notice of termination to the prime contractor will result in substantial injury to plant or property, such prime contractor shall immediately notify by telegram the officer of the Commission who sent the notice of termination. Such officer is authorized to modify the notice of termination in appropriate cases.

REMOVAL AND STORAGE OF MATERIALS

§ 298.141 *Statements and removal.* The statements of the termination inventory of a war contractor must be made upon forms approved for such purpose by the Commission. Copies of such forms may be obtained from any of the officers referred to in § 298.41 hereof. In the case of a war contractor who holds a prime fixed-price supply contract entered into by the Director, Procurement Division, or a subcontract under such a prime contract, the statements should be mailed to the Director, Procurement Division of the Commission, at the address indicated above, marked to the attention of "Chief, Termination Section". In the case of any other war contractor holding a prime contract with the Commission, or subcontractor under such a prime contract, the statement should be mailed to the Regional Director of Construction of the Commission for the region in which the prime contract work was being performed. Until such time as the Director of Contract Settlement has designated some other agency of the Government for such purpose the Commission will undertake so far as practicable to make removal as promptly as possible of termination inventory from the war contractor's plant which the war contractor does not desire to retain in accordance with an agreement reached with the Commission or the person who has placed the war contract with him.

§ 298.142 *Obligation of Commission as custodian.* The obligation of the Commission in respect of any termination inventory of a war contractor delivered into its custody shall be limited in the manner prescribed in section 12 of the Act.

§ 298.143 *Retention by or sale to war contractor.* Officers of the Commission, or agents with the approval of the officers authorized to approve their settlement of termination claims not in excess of the amount of $5,000, authorized to settle claims of prime contractors or approve claims of subcontractors are also authorized to approve the retention by or sale to the contractor or subcontractor as the case may be of termination inventories: *Provided that*, Where the credit or price received by the Government is less than the amount included for such inventory in the contractor's or subcontractor's claim, such approval shall be final only where the cost of such termination inventory so retained or sold is not in excess of $50,000 or approval of its sale or retention shall have been granted by the Settlement Review Board.

§ 298.144 *Government-owned machinery, tools, and equipment.* Whenever any war contractor no longer requires for the performance of any war work any Government-owned machinery, tools, or equipment made available by the Commission and installed in a plant or shipyard owned by him, such war contractor shall in the case of machinery, tools, and equipment installed in a shipyard notify by registered mail the Regional Director of Construction of the Commission for the region in which the shipyard is located, or in the case of machinery, tools, and equipment installed in any manufacturing plant notify by registered mail the Director, Procurement Division, United States Maritime Commission, Washington 25, D. C. In the event that within sixty days of the date of mailing such notice such machinery, tools, or equipment have not been removed or arrangements for such removal shall not have been made between representatives of the war contractor and the Commission, the war contractor shall notify the Chairman of the United States Maritime Commission of such fact by registered mail. In such event if removal of the machinery, tools, and equipment is not made within twenty days of the date of receipt of such notice the war contractor may remove and store all or part thereof in a safe warehouse either on his own premises or within a reasonable distance of his shipyard or plant. Upon making such removal the contractor should have an independent engineer or appraiser compile an inventory showing the exact condition of each article removed and where necessary should cause the article to be packed or treated with preservative substances. Until such time as custody of the machinery, tools, or equipment is accepted on behalf of the Commission the contractor shall have an obligation to see that all necessary precautions are taken for the preservation thereof. The Commission will be obligated to pay the cost of making an inventory of, removing, packing, transporting, and preserving such machinery, tools, and equipment to the extent such costs are reasonable, but only if the contractor shall promptly notify the Chairman of the Commission by registered mail of all ac-

tions taken by him in respect of such machinery, tools, and equipment. Any claim for reimbursement of costs must be supported by such reasonable evidence of the payment thereof as the Commission may require.

APPEAL

§ 298.161 *Findings.* The Settlement Review Board is authorized to make the findings provided for in section 13 of the act. Demands by a war contractor for the making of such findings should be addressed to the Settlement Review Board, United States Maritime Commission, Washington 25, D. C.

§ 298.162 *Appeal from findings.* Where a war contractor desires to appeal to the Commission from the findings made by the Settlement Review Board, the contractor should address by registered mail a letter to the Secretary, United States Maritime Commission, Washington 25, D. C. The Commission will then consider the protest of the contractor and in appropriate cases will set a date for hearing thereon either before the Commission or a special board to be designated by it.

§ 298.163 *Remand.* Any remand of a case involving the termination claim of a war contractor by the Appeal Board or a court pursuant to paragraph (3) of subsection (c) of section 13 of the Act should be addressed to the Secretary, United States Maritime Commission, Washington 25, D. C. The proceedings thereunder shall be such as may be authorized by the Commission.

§ 298.164 *Authority to agree to arbitrate.* The officers of the Commission authorized by these regulations to settle by agreement or determine, or in the case of contracts entered into for and on behalf of the Commission by its agents to approve the settlement of, the termination claims of war contractors in the case of claims not exceeding the sum of $5,000 and the Settlement Review Board in all other cases are authorized to enter into an agreement with a war contractor to submit all or any part of such a claim to arbitration, pursuant to subsection (e) of section 13 of the act.

§ 298.165 *Arbitration of dispute between war contractor and subcontractor.* Where a war contractor and his subcontractor desire to submit to the Commission a dispute between them concerning a termination claim of the subcontractor, pursuant to subsection (f) of section 13 of the act, they should submit such dispute to the Settlement Review Board for mediation or arbitration.

SETTLEMENT INDUCED BY FRAUD

§ 298.181 *Reports of fraud.* The Executive Director of the Commission is authorized to receive reports concerning fraud inducing a settlement of termination claims. A copy of any such report should be filed with the General Counsel and the Director of Finance. If the Executive Director should determine that the evidence is sufficient to indicate that the settlement was induced by fraud, he should report the matter to the Commission. If the Commission is of the opinion that the settlement was fraudulently induced, it shall report the facts to the Department of Justice for investigation and to the Comptroller General for his determination of the amount of the contract price to be withheld from any amounts owing the war contractor, pursuant to subsection (b) of section 16 and subsection (e) of section 18 of the act.

GENERAL

§ 298.201 *Exemptions from act.* The Commission hereby exempts from the provisions of the act any modification of a war contract pursuant to its terms for the purpose of changing plans or specifications applicable to the work without substantially reducing its extent.

§ 298.202 *Assistance to war contractors.* The Regional Attorneys, the Regional Auditors of Construction, and their respective assistants, and the auditors of the Commission at shipyards or manufacturing plants are authorized and directed to the extent not inconsistent with their other duties, as part of their official duties, to advise, aid, and assist war contractors in preparing and presenting termination claims and obtaining interim financing and in related matters.

§ 298.203 *Calculation of amount of termination claims.* In determining the amount of a termination claim of a war contractor for the purpose of fixing the authority to perform certain functions under these regulations, no deductions shall be made on account of credits for property chargeable to the Government or for advance or partial payments but amounts due for completed articles or work done at the contract price and for the discharge of the termination claims of subcontractors shall be deducted.

§ 298.204 *Orders and regulations of Director controlling.* The exercise of any authority or discretion and the performance of any duty or function conferred or imposed by these regulations shall be subject to the orders or regulations issued by the Director of Contract Settlement within the scope of the authority conferred upon him by the act. Such orders or regulations, whenever issued, must be complied with by all officers and employees of the Commission whose duties or functions are affected thereby. Anything contained in these regulations which may be inconsistent with any such order or regulation hereafter issued will be deemed amended so as to remove such inconsistency.

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

AUGUST 10, 1944.

[F. R. Doc. 44-12035; Filed, August 11, 1944; 11:27 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. SA-92]

ACCIDENT OCCURING NEAR MARTINS FERRY, OHIO

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 21107 which occurred near Martins Ferry, Ohio, on August 3, 1944.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Wednesday, August 16, 1944, at 10:00 a. m. (e. w. t.) at the William Penn Hotel, Pittsburgh, Pennsylvania.

Dated at Washington, D. C., August 9, 1944.

[SEAL] ALLEN P. BOURDON,
Presiding Officer.

[F. R. Doc. 44-12021; Filed, August 11, 1944; 10:17 a. m.]

[Docket No. 525 et al.]

LATIN AMERICAN CASE

NOTICE OF HEARING

In the matter of the applications for certificates of public convenience and necessity authorizing additional air service in Mexico, Central and South America, and the Caribbean under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on September 18, 1944, at 10 a. m. (eastern war time) in the Auditorium, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiners Francis W. Brown and H. Heinrich Spang.

Dated Washington, D. C., August 10, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-12022; Filed August 11, 1944; 10:17 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

GEORGE A. CARDEN, ET AL.

ORDER FOR AND NOTICE OF HEARING

In the matter of George A. Carden, E. H. Dederick, E. H. Dederick & H. Muhlenbrock, Fortra, Inc., and H. Muhlenbrock.

Whereas, by Vesting Order No. 713 of January 18, 1943 (8 F.R. 1208), the Alien Property Custodian vested all of the capital stock of Fortra, Inc., a New York corporation, consisting of 63 shares of no-par value common capital stock as the property of nationals of a designated enemy country (Germany); and

Whereas, George A. Carden has filed a notice of claim, No. 622, which asserts that he is entitled to the sum of $4,000 out of funds said to have been formerly the assets of Fortra, Inc.; E. H. Dederick has filed a notice of claim, No. 1774, which asserts that he is the owner of one-half of the said funds; Fortra, Inc. (claiming to be legally dissolved) has filed a notice of claim, No. 1775, which asserts a claim to said funds; H. Muhlenbrock has filed a notice of claim, No. 1776, which asserts that he is the owner of one-half of the said funds; and H. Muhlenbrock and E. H. Dederick have filed a notice of claim, No. 1777, which asserts that they are the owners of the said funds and said claimants assert that neither Carden, Dederick, Muhlenbrock, nor Fortra, Inc. is a national of a designated enemy country.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that the said claims be consolidated for hearing and that a hearing thereon be held before the Vested Property Claims Committee or any member or members thereof on Friday, August 25, 1944 at 2:30 p.m., eastern war time, at the Office of the Alien Property Custodian, 633 National Press Building, 14th and F Streets, NW., Washington, D. C., to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimants and upon the persons designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW., Washington, (25) D. C., on or before August 21, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

VESTED PROPERTY CLAIMS COMMITTEE,
[SEAL] JOHN C. FITZGERALD,
Chairman.

AUGUST 11, 1944.

[F. R. Doc. 44-12078; Filed, August 11, 1944; 11:47 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[ODT Certificate S-2]

COMMON CARRIER

SUBSTITUTION OF RAIL FOR MOTOR SERVICE, CHICAGO, ILL., TO LOS ANGELES, CALIF.

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier from Chicago, Illinois, to Los Angeles, California, by National Van Lines, Inc., a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12024; Filed, August 11, 1944; 10:31 a. m.]

[Supp. Order ODT 20A-158]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MALDEN, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F. R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Malden, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-158" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Malden Yellow Cab Co., 377 Main St., Malden, Mass.
Malden Taxi Co., 263 Cross St., Malden, Mass.
Linden Victory Cab, 181 Beach St., Malden, Mass.
Linden Taxi, 154 Main St. (Rear.), Everett, Mass.
McGrath Taxi Co., 415 A Main St., Malden, Mass.

[F. R. Doc. 44-12025; Filed, August 11, 1944; 10:31 a. m.]

[1] Filed as part of the original order.

[Supp. Order ODT 20A–159]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN FULTON, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Fulton, Missouri, so as to assure maximum utilization of their facilities; services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necesary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–159" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Thomas J. Clice, Fulton, Missouri.
Dennis Crowson, Fulton, Missouri.
Leonard S. Pugh, d/b/a 1140 Taxi, Fulton, Missouri.
Hulen, Henderson, Fulton, Missouri.
Stanley C. Creed, d/b/a 303 Taxi, Fulton, Missouri.

[F. R. Doc. 44–12026; Filed, August 11, 1944; 10:31 a. m.]

[Supp. Order ODT 20A–160]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN FRAMINGHAM, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Framingham, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–160" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston 10, Massachusetts.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of original document.

APPENDIX 1

Framingham Taxi Service, 40 Pratt Street, Framingham, Mass.
Edward F. Boyle, 133 Lincoln Street, Framingham, Mass.
Michael Canavan, 44 Berry Street, Framingham, Mass.
Michael Ferrio, Eames Street, Framingham, Mass.

[F. R. Doc. 44-12027; Filed, August 11, 1944; 10:31 a. m.]

[Supp. Order ODT 20A-161]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ISHPEMING AND NEGAUNEE, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ishpeming and Negaunee, Michigan, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith; subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Green Bay, Wisconsin, authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-161" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Green Bay, Wisconsin.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Central Taxi, 216 Jackson Street, Negaunee, Mich.
Ishpeming Cab Company, Ishpeming, Mich.

[F. R. Doc. 44-12028; Filed, August 11, 1944; 10:32 a. m.]

[Supp. Order ODT 20A-162]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE LOWELL, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Lowell, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-162" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston 10, Massachusetts.

8. This order shall become effective August 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Diamond Taxi of Lowell, Inc., Lowell Mass.
Eagle Taxi Company, Lowell, Mass.
A. & L. Taxi, Lowell, Mass.
Centralville Taxi, Lowell, Mass.
Yellow Cab Co., Lowell, Mass.

[F. R. Doc. 44-12029; Filed, August 11, 1944; 10:32 a. m.]

[Supp. Order ODT 3, Rev. 270]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MICHIGAN, ILLINOIS, INDIANA AND OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*; That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Lloyd M. MacPherson, doing business as Premier Motor Transportation Company, Grand Rapids, Michigan.
Associated Truck Lines, Inc., Grand Rapids, Michigan.

[F. R. Doc. 44-12030; Filed, August 11, 1944; 10:32 a. m.]

[Supp. Order ODT 3, Rev. 275]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the

[1] Filed as part of the original document.

plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

C. E. S. Truck Lines, Inc., Crystal City, Mo.
L. A. Tucker Truck Lines, Incorporated, Cape Girardeau, Mo.
Ben Schilli, doing business as Semo Freightways, Perryville, Mo.
St. Marys Truck Lines, Inc., St. Marys, Mo.

[F. R. Doc. 44-12031; Filed, August 11, 1944; 10:32 a. m.]

[Supp. Order ODT 3, Rev. 278]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO. AND LOUISVILLE, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4060, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Midland Truck Lines, Inc., St. Louis, Mo.
2. Hancock Truck Lines, Inc., Evansville, Ind.
3. Hayes Freight Lines, Inc., Mattoon, Ill.
4. Yellow Transit Company (a corporation), Oklahoma City, Okla.

[1] Filed as part of the original document.

5. Killion Motor Express, Inc., Washington, Ind.
6. Riss & Company, Inc., Kansas City, Mo.

[F. R. Doc. 44-12062; Filed, August 11, 1944; 10:33 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Amdt. 1 to Rev. Order 104]

FORD MOTOR CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Revised Order No. 104 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Ford Motor Company. Docket No. 3136-324.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered:*

Paragraph (c) of Revised Order No. 104 to Maximum Price Regulation 136, as amended, is amended to read as follows:

(c) In the case of a reseller who cannot establish a price under paragraph (b) because he was not in business on March 31, 1942, his maximum price shall be a total of the following:

(1) The applicable list price, f. o. b. factory, determined by the manufacturer under paragraph (a).

(2) The original equipment retail charge that the manufacturer, suggested on March 31, 1942, to resellers as a charge to be made by resellers, to the applicable class of purchaser, for extra, special and optional equipment attached to the applicable truck model as original equipment.

(3) The reseller's actual transportation costs.

(4) The amount the manufacturer, in accordance with its March 31, 1942, method, charges the reseller as an allowance to cover federal excise tax and tires-weight tax, and the amount of the reseller's expense for state and local taxes assessed on the vehicle.

(5) A charge to cover the reseller's handling and delivery expense not to exceed the amount of this expense to the reseller.

This amendment shall be effective August 11, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11996; Filed; August 10, 1944; 5:05 p. m.]

[MPR 136, Order 270]

FORD MOTOR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 270 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Ford Motor Company. Docket No. 3136-451.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered:*

(a) Ford Motor Company, Dearborn, Michigan (hereinafter called the manufacturer), may sell its Model 418T 90 HP 158" truck chassis w/ closed cab and stake body, manufactured for civilian purposes, at a price not to exceed a net wholesale price of $839.75 and a retail list price of $1,119.67, less all applicable discounts and other deductions which the manufacturer had in effect on March 31, 1942 to the applicable class of purchaser, plus the charges in subparagraph (1) below:

(1) *Charges.* (i) A charge for extra, special and optional equipment not to exceed the list or established price the manufacturer had in effect on March 31, 1942 to the applicable class of purchaser for such equipment when sold as original equipment in connection with the truck model described in paragraph (a).

(ii) A charge to cover handling and delivery expense computed in accordance with the manufacturer's method in effect on March 31, 1942.

(iii) A charge to cover freight expense based on current freight rates and computed in accordance with the manufacturer's method in effect on March 31, 1942.

(b) A reseller of Ford Motor trucks may sell, delivered at his place of business, the Ford truck Model 418T 90 HP 158" truck chassis w/ closed cab and stake body, manufactured for civilian purposes, at a price not to exceed the total of the retail list price of $1,119.67 and the applicable charges in subparagraph (1) below, less the discounts in effect on March 31, 1942 to the applicable class of purchaser.

(1) *Charges.* (i) A charge for extra, special and optional equipment attached as original equipment to the truck model described in paragraph (b) above, which shall not exceed the charge the reseller had in effect for this equipment on March 31, 1942 to the applicable class of purchaser, when sold as original equipment.

(ii) The reseller's actual transportation costs.

(iii) A charge to cover federal, state and local taxes on his purchase and sale, or delivery, of the truck model described in paragraph (b) computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge in effect on March 31, 1942 for handling and delivery.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(c) In the case of a reseller who cannot establish a price under paragraph (b) for the Ford truck Model 418T 90 HP 158" truck chassis w/ closed cab and stake body manufactured for civilian purposes, because he was not in business on March 31, 1942, his maximum price for this truck model shall be a total of the following:

(1) The retail list price of $1119.67.

(2) The original equipment retail charge that the manufacturer suggested on March 31, 1942 to resellers as a charge to be made by resellers, to the applicable class of purchaser, for extra, special and optional equipment attached as original equipment to the truck model described in paragraph (c).

(3) The reseller's actual transportation costs.

(4) The amount the manufacturer, in accordance with its March 31, 1942 method, charges the reseller as an allowance to cover federal excise tax and tires-weight tax, and the amount of the reseller's expense for state and local taxes assessed on the vehicle.

(5) A charge to cover the reseller's handling and delivery expense not to exceed the amount of this expense to the reseller.

(d) All requests in the application not granted in this order are denied.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

NOTE: The manufacturer's price under paragraph (a) is for a truck model equipped with natural rubber tires, or synthetic rubber tires delivered to the manufacturer prior to April 18, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic rubber tires delivered to the manufacturer on and after April 18, 1944, or because of any other substantial specification change or material substitution in the truck model, the reseller may add to his price under paragraph (b) or (c) the increase in cost to him over the price he would otherwise pay under paragraph (a) plus his customary markup on such cost.

This order shall become effective August 11, 1944.

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11995; Filed, August 10, 1944; 5:05 p. m.]

[RMPR 148, Order 50]

DRESSED HOGS AND WHOLESALE PORK CUTS

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to § 1364.23 (b) of Revised Maximum Price Regulation No. 148, I find that a critical shortage of meat has occurred in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming are hereby designated a critical area, and the Regional Administrator for the Sev-

enth Region, or any District Director authorized by him, may in writing authorize sellers to charge and receive for dressed hogs and wholesale pork cuts sold to buyers in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, the actual added cost of transportation in addition to the applicable maximum price. Before giving such written authorization to any seller, the Regional Administrator, or the District Director authorized by him, shall determine the actual added cost of transportation as follows. He shall ascertain the method of transportation which the seller proposes to use in transporting meat to the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming and the costs of such transportation. To the extent that these costs exceed the difference between the maximum f. o. b shipping point prices at the point where the shipment originates and the maximum delivered prices in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, there is an actual added cost of transportation which may be charged in addition to the applicable maximum delivered price at the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming.

This designation shall remain in effect until revoked.

This order may be amended or revoked at any time.

This order shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11992; Filed, August 10, 1944; 8:04 p. m.]

[RMPR 169, Order 45]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to § 1364.405 (b) of Revised Maximum Price Regulation No. 169, I find that a critical shortage of meat has occurred in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming are hereby designated a critical area, and the Regional Administrator for the Seventh Region, or any District Director authorized by him, may in writing authorize sellers to charge and receive for beef and veal carcasses and wholesale cuts sold to buyers in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, the actual added cost of transportation in addition to the applicable maximum price. Before giving such written authorization to any seller, the Regional Administrator, or the District Director authorized by him, shall determine the actual added cost of transportation as follows: He shall ascertain the method of transportation which the seller proposes to use in transporting meat to the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming and the costs of such transportation. To the extent that these costs exceed the difference between the maximum f. o. b. shipping point prices at the point where the shipment originates and the maximum delivered prices in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, there is an actual added cost of transportation which may be charged in addition to the applicable maximum delivered price at the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming.

This designation shall remain in effect until revoked.

This order may be amended or revoked at any time.

This order shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11993; Filed, August 10, 1944; 8:04 p. m.]

[RMPR 239, Order 7]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to § 1364.155 (b) of Revised Maximum Price Regulation No. 239, I find that a critical shortage of meat has occurred in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply. The counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming are hereby designated a critical area, and the Regional Administrator for the Seventh Region, or any District Director authorized by him, may in writing authorize sellers to charge and receive for lamb and mutton carcasses and wholesale cuts sold to buyers in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, the actual added cost of transportation in addition of the applicable maximum price. Before giving such written authorization to any seller, the Regional Administrator, or the District Director authorized by him, shall determine the actual added cost of transportation as follows. He shall ascertain the method of transportation which the seller proposes to use in transporting meat to the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming and the costs of such transportation. To the extent that these costs exceed the difference between the maximum f. o. b. shipping point prices at the point where the shipment originates and the maximum delivered prices in the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming, there is an actual added cost of transportation which may be charged in addition to the applicable maximum delivered price at the counties of Lincoln, Sublette, Sweetwater and Uinta in the State of Wyoming.

This designation shall remain in effect until revoked.

This order may be amended or revoked at any time.

This order shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–11994; Filed, August 10, 1944; 5:04 p. m.]

[MPR 64, Order 150, Amdt. 1]

KEHM CORPORATION

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. 150 under Maximum Price Regulation No. 64 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The Kehm Corporation, 135 South LaSalle Street, Chicago, Illinois, may sell, and deliver the new model No. KFC–60–2 coal heater with electric fan attachment which it manufactures at prices no higher than the following:

	Maximum price for sales in the metropolitan Chicago area	Maximum prices in all areas other than metropolitan Chicago area
To distributors	$64.00	$65.35
To the building trade	71.00	72.35

These prices are f.o.b. factory, and are subject to terms, discounts, and allowances and other price differentials in effect during the base period January 15–June 1, 1941, on sales by the manufacturer.

2. Paragraph (b) is amended by deleting therefrom the separate price for the Metropolitan Chicago area.

3. Paragraph (c) is amended by deleting therefrom the separate price for the Metropolitan Chicago area.

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective on the 12th day of August 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12063; Filed, August 11, 1944; 11:39 a. m.]

[MPR 136, Order 273]

F. X. HOOPER CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 273 Under Maximum Price Regulation 136, as amended. Machines and Parts, and Machinery Services. F. X. Hooper Company, Inc., Docket No. 3136–464.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of the five groups of paper container making machinery listed below by the F. X. Hooper Company, Inc., Glenarm, Maryland, shall be determined by multiplying its maximum net price in effect to a purchaser of the same class just prior to the issuance of this order, by the applicable percentage set forth below:

Groups of items:	*Percentage*
Corrugators and component machines	15
Slitters and scorers	15
Wood printers	11
Partition slotters	14
Printer slotters	15

(b) Resellers of the wood printers manufactured by the F. X. Hooper Company, Inc., shall determine their maximum prices by adding to the net price they had in effect to a purchaser of the same class on October 1, 1941, the dollar amount by which the reseller's cost has been increased due to the adjustment in maximum prices granted to the F. X. Hooper Company, Inc., by this order.

(c) The F. X. Hooper Company, Inc., shall notify those customers, who purchase wood printers from it for resale, of the amount by which this order permits resellers to increase their maximum net prices.

(d) All requests not granted herein are denied.

This order may be revoked or amended by the Administrator at any time.

This order shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12062; Filed, August 11, 1944; 11:39 a. m.]

[MPR 188, Order 2080]

KRAFT TEXTILES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) Kraft Textiles, Inc., 219 Washington Square, Syracuse, New York, may sell and deliver the cotton braided rug of its manufacture, as described in its application, at prices no higher than the following:

Article	*Maximum prices to retailers*
9' x 12' Cotton braided rug	$39.40 each
Other sizes	$0.361 sq. ft.

These maximum prices are f. o. b. factory and are subject to a cash discount of five percent for payment within ten days. Discounts to selling agents from the above price, 20 percent.

(b) Any person, other than Kraft Textiles, Inc., may sell and deliver to retailers the cotton braided rug manufactured by Kraft Textiles, Inc., at maximum prices no higher than the following:

Article	Size	Maximum price to retailers	
		Without fringe	With fringe
Cotton braided rug	20 x 36 inches	$1.75	$2.30
Cotton braided rug	24 x 42 inches	2.40	3.05
Cotton braided rug	2 x 3 feet	1.35	1.80
Cotton braided rug	27 x 48 inches	3.10	3.80
Cotton braided rug	27 x 27 inches	1.75	2.25
Cotton braided rug	3 x 3 feet	3.10	3.75
Cotton braided rug	3 x 5 feet	5.30	6.05
Cotton braided rug	4 x 4 feet	5.50	6.35
Cotton braided rug	4 x 7 feet	9.65	10.85
Cotton braided rug	5 x 5 feet	8.00	9.65
Cotton braided rug	6 x 6 feet	12.40	13.60
Cotton braided rug	6 x 7½ feet	15.50	16.90
Cotton braided rug	6 x 9 feet	18.60	20.20
Cotton braided rug	8 x 8 feet	22.05	23.65
Cotton braided rug	8 x 10 feet	27.55	29.45
Cotton braided rug	9 x 9 feet	27.90	29.75
Cotton braided rug	9 x 12 feet	37.20	39.40
Cotton braided rug	Other sizes $0.361 sq. ft.		

These maximum prices are f. o. b. factory and are subject to a cash discount of five percent for payment within ten days.

(c) At the time of or prior to the first invoice to each purchaser for resale, Kraft Textiles, Inc., shall notify the purchaser for resale of the maximum prices and conditions set by this Order No. 2080 for resales by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 2080 may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12059; Filed, August 11, 1944; 11:39 a. m.]

[MPR 188, Order 2081]

STAR TABLE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2081 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of kitchen tables manufactured by Star Table Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three items of kitchen tables manufactured by Star Table Co., 630 De Kalb Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Kitchen table	630	$5.26	$6.19
	631	6.59	7.75
	632	7.90	9.29

These prices are f. o. b. factory, and subject to a cash discount of two percent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.–158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Kitchen table	630	$8.19
	631	7.75
	632	9.39

These prices are subject to a cash discount of two per cent.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of August 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12060; Filed, August 11, 1944; 11:40 a. m.]

[MPR 188, Order 2077]

NATIONAL PRESSURE COOKER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2077 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a can sealer manufactured by National Pressure Cooker Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for all sales and deliveries of a can sealer manufactured by National Pressure Cooker Company, Eau Claire, Wisconsin, and described in a letter from the manufacturer dated May 13, 1944.

(1) *Manufacturers' prices.* On and after August 12, 1944, the maximum price for the sales and deliveries of the can sealer described in a letter dated May 13, 1944, to jobbers by the National Pressure Cooker Company, Eau Claire, Wisconsin, shall be $8.10 per unit, f. o. b. Eau Claire, Wisconsin, subject to discounts, allowances, and terms no less favorable than those customarily granted by it.

(2) *Jobbers' prices.* If you are a jobber, your maximum prices for all sales and deliveries of the can sealer described in (1) above, which is delivered to you by the manufacturer on or after August 12, 1944, shall be the prices set forth below, f. o. b. your warehouse, subject to discounts, allowances, and terms no less favorable than those customarily granted by you:

	Per unit
In the Eastern Zone	$10.66
In the Western Zone	11.86

(3) *Dealers' prices.* If you are a dealer your maximum prices for all sales and deliveries of the can sealer described in (1) above, delivered by the manufacturer on and after August 12, 1944, shall be the prices set forth below:

	Per unit
In the Eastern Zone	$15.50
In the Western Zone	16.50

(b) *Tagging.* On each can sealer shipped to a purchaser for resale, after August 11, 1944, the manufacturer shall attach a tag or label which plainly states the retail ceiling price. This tag may not be removed until the can sealer has been delivered to the ultimate consumer. A tag in the following form will be sufficient:

Retail Ceiling Price	$15.50
In Western Zone	16.50

(c) *Notification by the manufacturer.* The National Pressure Cooker Company, at the time it sends its first invoice to each jobber after August 11, 1944, must send to each jobber a written notice setting forth the maximum price for sales by that jobber. The manufacturer must also notify each jobber that he is required to notify each dealer of the retail ceiling price established by this order. This written notice may be given in any convenient form.

(d) *Notification by jobbers.* If you are a jobber at the time of your first invoice to each retailer after August 11, 1944, you must notify each retailer in writing of the retail price established by this order. This written notice may be given in any convenient form.

(e) The Western Zone includes the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Washington, Wyoming, and the following counties in Texas: El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Pecos, and Reeves. The Eastern Zone includes all other parts of the United States.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions contained in § 1499.20 of General Maximum Price Regulation shall apply to all terms used herein.

This Order No. 2077 shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12067; Filed, August 11, 1944; 11:41 a. m.]

[MPR 188, Order 2079]

J. B. HOLMES

APPROVAL OF MAXIMUM PRICES

Order No. 2079 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished lawn chair manufactured by J. B. Holmes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of an unfinished lawn chair manufactured by J. B. Holmes, Whitehaven, Tennessee.

(1) (a) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below.

Article	Model No.	Maximum price to persons other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	Per unit
Lawn chair		$1.36	$1.60

These prices are net f. o. b. factory.

(b) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (a) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (a) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers
Lawn chair	$1.60 per unit.

(b) For all sales and deliveries by persons who sell from the manufacturer's

stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of August 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12058; Filed, August 11, 1944; 11:40 a. m.]

[MPR 136, Rev. Order 223]

NEW YORK CAR WHEEL CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 223 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. New York Car Wheel Company; Docket No. 3136-405.

Order No. 223 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 223, and is revised and amended to read as follows:

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum conversion charge that may be made by the New York Car Wheel Company, Buffalo, New York, when a manufacturer furnishes new railroad wheels in exchange for scrap railroad wheels of the same tonnage, shall be $1.10 per cwt. The maximum price for sales of railroad car wheels by the New York Car Wheel Company, Buffalo, New York, shall be $2.26 per cwt.

(b) This paragraph is applicable to sales by the American Car and Foundry Company, New York, New York, of railroad wheels which have been manufactured by the New York Car Wheel Company, Buffalo, New York. The maximum conversion charge that may be made by the American Car and Foundry Company when it furnishes such new railroad wheels in exchange for scrap railroad wheels of the same tonnage, shall be $1.10 per cwt. The maximum price for sales of such railroad car wheels by the American Car and Foundry Company shall be $2.26 per cwt.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 12, 1944.

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12061; Filed, August 11, 1944; 11:40 a. m.]

[Region I Order G-2 Under MPR 154]

ICE IN BARNSTABLE COUNTY, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in the County of Barnstable, State of Massachusetts, are modified so that the maximum prices therefor shall be as follows:

Type of sale:	*Maximum price per cwt.*
Retail delivered sale	$0.90
Quantity delivered sale	.80
Retail platform sale	.70

(b) The maximum prices for sales and deliveries of ice in Barnstable County other than those specified in the above schedule in paragraph (a) of this order shall be those established under Maximum Price Regulation No. 154 or Region I Order No. G-1 under Maximum Price Regulation No. 154, whichever are higher.

(c) As used in this order, the term:

(1) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business) except that the term does not include a "quantity delivered sale."

(2) "Retail platform sale" means a sale of less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

(3) "Quantity delivered sale" means a sale of at least 100 pounds of ice to a purchaser who customarily purchases from such seller at least 300 pounds per week, delivered to the purchaser's receiving point (other than the seller's place of business).

(d) Prices lower than those established by this order may be charged, offered, demanded or paid.

(e) On or before August 1, 1944, each seller, one or more of whose maximum prices have been increased by this order, shall post his increased maximum prices in the following manner: In the case of a "retail delivered sale" or "quantity delivered sale," by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser; in the case of a "retail platform sale" by posting in his place of business, in a place and manner plainly visible to the purchaser, a placard or card setting forth such maximum price.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective July 1, 1944, and terminate on January 1, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1944.

FRANK D. O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 44-11984; Filed, August 10, 1944; 1:57 p. m.]

[Region I Order G-3 Under MPR 154]

ICE IN MARTHA'S VINEYARD, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in Martha's Vineyard, Massachusetts, are modified so that the maximum prices therefor shall be as follows:

Type of sale:	*Maximum price per cwt.*
Retail delivered sale	$1.10
Quantity delivered sale	[1] .70
	[2] .80
Retail platform sale	.90

[1] For sales in one delivery of 900 pounds or more.

[2] For sales of less than 300 pounds in one delivery.

(b) The maximum prices for sales and deliveries of ice in Barnstable County other than those specified in the above schedule in paragraph (a) of this order shall be those established under Maximum Price Regulation No. 154, or Region I Order No. G-1 under Maximum Price Regulation No. 154, whichever are higher.

(c) As used in this order, the term:

(1) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business) except that the term does not include a "quantity delivered sale."

(2) "Retail platform sale" means a sale of less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

(3) "Quantity delivered sale" means a sale of at least 100 pounds of ice to a purchaser who customarily purchases from such seller at least 300 pounds per week, delivered to the purchaser's receiving point (other than the seller's place of business).

(d) Prices lower than those established by this order may be charged, offered, demanded or paid.

(e) On or before August 1, 1944, each seller, one or more of whose maximum prices have been increased by this order, shall post his increased maximum prices in the following manner: In the case of a "retail delivered sale" or "quan-

tity delivered sale," by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser; in the case of a "retail platform sale" by posting in his place of business, in a place and manner plainly visible to the purchaser, a placard or card setting forth such maximum price.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective July 1, 1944, and terminate January 1, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June, 1944.

FRANK D. O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 44-11968; Filed, August 10, 1944; 1:57 p. m.]

[Region I Order G-8 Under MPR 154, Correction]

ICE IN MARTHA'S VINEYARD, MASS.

Paragraph (b) is corrected so that the words "Barnstable County" in the first line of said paragraph shall read "Martha's Vineyard."

This correction shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of July, 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11969; Filed, August 10, 1944; 1:57 p. m.]

[Region I Order G-3 Under MPR 154, Amdt. 1]

ICE IN MARTHA'S VINEYARD, MASS.

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-3 under Maximum Price Regulation No. 154 is amended in the following respect:

1. Paragraph (a) is amended to read as follows:

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in Martha's Vineyard, Massachusetts, are modified so that the maximum prices therefor shall be as follows:

Type of sale:	Maximum price per cwt.
Retail Delivered Sale	$1.10
Quantity Delivered Sale	[1] .85 [2] .90
Retail Platform Sale	.90

[1] For sales of 300 pounds or more in one delivery.
[2] For sales of less than 300 pounds in one delivery.

This amendment to Order No. G-3 shall become effective July 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of July 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11982; Filed, August 10, 1944; 1:56 p. m.]

[Albany Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ALBANY, N. Y., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Albany District office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2; it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(A) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(B) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(C) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(D) List a la carte items first. In listing meals, list the entree and then indicate the type of meal; for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(E) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(F) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of list of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated by the owner or manager of your establishment with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Albany District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

LESTER W. HERZOG,
District Director.

APPENDIX A

Appetizer:
1. Tomato juice.
2. Fruit cocktail.
3. Oysters on half shell.
4. Clams on half shell.
Soup:
5. Soup du jour.
Fish entrees:
6. Filet of sole.
Meat entrees:
7. Liver and bacon.
8. Pork chop.
9. Hamburger steak.
10. Roast beef.
11. Roast pork.
12. Lamb stew.
13. Chicken, broiled or fried.
14. Roast lamb.
15. Roast turkey.
16. Virginia ham.
17. Cold cuts and salad.
18. Hot meat sandwiches.
19. Hot poultry sandwiches.
Sandwiches:
20. Ham.
21. Ham and egg.
22. American cheese.
23. Cream cheese and jelly.
24. Lettuce and tomato.
25. Hamburger.
26. Ham and cheese.
27. Hot meat sandwich.
Salads:
28. Fruit.
29. Shrimp.
30. Chicken.
31. Vegetable.
Miscellaneous:
32. Vegetable plate.
Deserts:
33. Apple pie.
34. Ice cream.
35. Layer cake.
36. Rice pudding.
37. Jello.
Beverages:
38. Coffee (cup or pot).
39. Tea (cup or pot).
40. Milk (half pint).

[F. R. Doc. 44-11980; Filed, August 10, 1944; 1:55 p. m.]

[District of Columbia Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN DISTRICT OF COLUMBIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the District of Columbia District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) (1) Some of the items you may be selling either as an a la carte item or as an entree as part of a meal (for example, pork chops as a single dish, or pork chops with one or more side dishes). If so, you may, if you prefer, list the item either as a table d'hote item or as an a la carte item (for example, you may list "pork chops with two vegetables and beverage" instead of just "pork chops.")

(2) If you list any a la carte items, put them at the head of your list.

(3) In listing meals, list the entree and then indicate the type of meal (for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon).

(4) Some items in Appendix A are marked with an asterisk. These are group items. If all items within the group do not have the same ceiling price, you must list whatever particular item in the group is most frequently served by you, instead of listing the group (for example, instead of "baked bean dishes," you should list "pork and beans" or "frankfurters and beans" or "ham and beans," etc., depending upon the item that is most frequently served by you).

(e) All prices to be put on the poster are to be week-day prices. If the prices do not prevail on Sundays, the poster should bear a notation such as: "These prices in effect daily except Sunday."

(f) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(g) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this Order extend to all eating and drinking establishments located within the District of Columbia District of the Office of Price Administration.

SEC. 5. *Exceptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ROBERT K. THOMPSON,
District Director.

APPENDIX A

Appetizer:
Tomato or Fruit Juice.[1]
Soup:
Soup.[1]
Egg dishes:
Two eggs.[1]
Fish entrees:
Fried Filet of sole.
Broiled fish.[1]
Miscellaneous:
Waffles or hot cakes and syrup.[1]
Spaghetti or macaroni.
Baked bean dishes.[1]
Vegetable plate.
Meat entrees:
Liver and bacon.
Pork chop(s).
Hamburger steak.
Roast beef.
Roast pork or ham.[1]
Corned beef hash or any meat hash.[1]
Lamb stew or any meat stew.[1]
Chicken, broiled or fried.[1]
Lamb chop(s).
Tenderloin steak.
Minute sirloin steak.
Veal cutlet.
Roast lamb.
Roast veal.
Cold cuts and salad.
Boiled meats—corned beef, New England dinner, etc.[1]
Poultry or meat pies.[1]
Hot meat sandwiches.[1]
Sandwiches:
Ham.
American cheese.
Lettuce and tomato.
Hamburger.
Frankfurter (hot dog).
Salads:
Combination.
Fruit.
Chicken.
Deserts:
Pie.[1]
Ice cream or sherbet.[1]
Beverages:
Hot coffee (cup or pot).
Milk (half pint).
Meals:
Club Breakfast—selected fruit,[1] toast and coffee.

[F. R. Doc. 44-11979; Filed, August 10, 1944; 1:54 p. m.]

[Twin Cities Order 1, Under Restaurant MPR 2]

POSTING REQUIREMENTS IN TWIN CITIES, MINN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Twin Cities District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in

[1] Specify most popular variety if all items in the group do not have the same ceiling price.

Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List à la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it wil be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Twin Cities District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

SEC. 6. *Appendix A.* If you own or operate an eating or drinking establishment located within the Twin Cities District of the Office of Price Administration, you must post and submit a list, as required by sections 1 and 2 of this Posting Order, to your local War Price and Rationing Board of the following items and your ceiling prices for each item:

FOOD ITEM OR MEAL

A. Breakfast and a la carte items:
1. Orange juice.
2. Tomato juice.
3. Cereal (hot or cold).
4. 2 eggs (any style).
5. Toast.
6. Sweet roll—Doughnuts.
7. Wheat cakes.
8. Ham or bacon.

B. Entrees—lunch and dinner items:
9. Vegetable soup.
10. Steaks (T-bone, tenderloin, sirloin or club).
11. Hamburger steak.
12. Roast beef (and/or) roast pork.
13. Pork chops.
14. Spare ribs (barbecue).
15. Beef stew.
16. Meat loaf.
17. Ham or bacon and eggs.
18. Liver and bacon.
19. Fried chicken.
20. Fish (Pike, etc.).
21. Chow mein.

C. Desserts:
22. Apple pie.
23. Ice cream (vanilla) or sherbet.
24. Ice cream soda.
25. Ice cream sundae (chocolate).
26. Malted milk.

D. Cold sandwiches:
27. Ham.
28. Cheese.
29. Peanut butter.
30. Roast beef (and/or) pork.

E. Hot sandwiches:
31. Hamburger.
32. Fried eggs.
33. Hot beef or pork, potatoes and gravy.
34. Denver.

F. Beverages:
35. Coffee.
36. Tea.
37. Milk.

G. Miscellaneous:
38. Club breakfast—1 egg, bacon or ham, toast, coffee.
39. Plate lunch, including (list items—Example: potato, vegetable, bread and butter, beverage—determined by lunch price of entree shown in items 11 to 20 inclusive).
40. Dinner, including (list items, determined by dinner price of entree shown in items 11 to 20 inclusive).

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

HAROLD J. SLAWIK,
Acting District Director.

[F. R. Doc. 44-11981; Filed, August 10, 1944; 1:56 p. m.]

[Montana Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MONTANA DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montana District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Montana District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

A. T. PETERSON,
State Director.

APPENDIX A—LIST OF FOOD ITEMS AND MEALS FOR POSTING

NOTE: First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item. If you do not offer as many as 40 items place on the poster all the items which you do offer and your ceiling price for each.

A la Carte

Appetizer:
Juices (tomato or fruit).
Soup:
Vegetable.
Tomato.
Salads:
Combination.
Fruit.
Meat entrees:
Pork chops.
Hamburger steak.
Prime ribs of beef.
Pot roast.
Roast pork.
Meat stews.
Veal cutlet.
Small steak.
Chicken a la king.
Fish entrees:
Halibut.
Salmon.
Egg dishes:
Two eggs, any style.
Ham or bacon and eggs.
Sandwiches:
Ham.
Ham and egg (or bacon and egg).
American cheese.
Tomato and bacon.
Hamburger.
Denver.
Sandwiches—Continued.
Hot beef.
Hot pork.
Hot turkey.
Miscellaneous:
Hot cakes and syrup.
Chili.
Desserts:
Pie.
Ice cream.
Layer cake.
Puddings.
Beverages:
Coffee (cup or pot).
Tea (cup or pot).
Milk (half pint).

Meals

I—Club breakfast—Fruit or cereal, toast and coffee.

II—Club breakfast—Fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast and coffee.

Luncheon (3 courses) Meat, fish, or omelet entrees.

Dinner (5 courses) meat, poultry, or fish entrees.

[F. R. Doc. 44-11978; Filed, August 10, 1944; 1:54 p. m.]

[Region I Order G-4 Under MPR 154]

ICE IN PLYMOUTH, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154; *It is ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in Plymouth, Kingston, Carver, Marshfield and Duxbury, Massachusetts, are modified so that the maximum price for retail delivered sales shall be as follows:

Zone:	*Maximum price per cwt.*
Zone I	$0.65
Zone II	.75

(b) The maximum prices for sales and deliveries of ice in Plymouth, Kingston, Carver, Marshfield and Duxbury, other than those specified in paragraph (a) above shall be those established under Maximum Price Regulation No. 154, or Region I Order No. G-1 under Maximum Price Regulation No. 154, whichever are higher.

(c) As used in this order, the term:

(1) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business).

(2) "Zone I" includes Kingston, Carver, Marshfield, Duxbury and Plymouth (except that part of Plymouth called Manomet), Massachusetts.

(3) "Zone II" includes Manomet, Massachusetts.

(d) Prices lower than those established by this order may be charged, offered, demanded or paid.

(e) On or before August 15, 1944, each seller whose maximum prices have been increased by this order, shall post his increased maximum prices for a "retail delivered sale" by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective August 5, 1944, and terminate September 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-11999; Filed, August 11, 1944; 9:24 a. m.]

[Region VIII Order G-99 Under 18 (c)]

REMILARD DANDINI CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator by § 1499.18c of General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum price for all sales of brick, produced by Remilard Dandini Company, by any dealer located in the counties of San Francisco, Alameda or Contra Costa shall be such dealer's maximum price for such sale as calculated under the provisions of the General Maximum Price Regulation (that is, the March 1942 price for the particular sale of the particular lot and type of bricks in the particular quantity to the particular customer) plus $2.00 per ton: *Provided, however,* That such a price may not exceed (after trade and cash discounts)

(1) For yard sales, the dealers net acquisition cost plus $3.00; or

(2) For delivered sales, the dealers net acquisition cost, plus $3.00 per ton and plus the dealers March 1942 differential for such delivered sales over yard sales.

(b) The adjusted maximum price for all sales of brick, produced by Remilard Dandini Company, by any dealer located in the counties of San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey or San Luis Obispo shall be such dealer's maximum price for such sale as calculated under the provisions of the General Maximum Price Regulation (that is, the March 1942 price for the particular sale of the particular lot and type of bricks in the particular quantity to the particular customer) plus $1.00 per ton.

(c) The adjusted maximum prices herein established must reflect all of the particular dealers customary discounts and allowances.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective August 10, 1944.

Issued this 5th day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-12014; Filed, August 11, 1944; 9:25 a. m.]

[Region I Order G–1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

NOTE: Select for your poster those food items or meals meeting the general descriptions in Appendix A even if the list in Appendix A does not describe the food items and meals exactly as they are described in your base period menus and price lists. *Example 1.* Under No. 14 you will find "Spaghetti with meat sauce." If your most popular offering on your base period menu or price list was "Spaghetti with tomato sauce" so list it on your poster. *Example 2.* No. 13 is "Hot meat sandwich, potato." If your most popular offering on your base period menu or price list was "Hot roast beef sandwich, potato," use that description on your poster. *Example 3.* No. 16 is "Pot roast, two vegetables." If you prefer to list this item as "Pot roast, potato and vegetable," describe it that way on your poster.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Commonwealth of Massachusetts.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

WILLIAM E. HALE,
Acting Regional Administrator.

APPENDIX A

List of 40 basic meals and food items

1. Tomato juice.
2. Fruit cup.
3. Cereal.
4. Two eggs, any style.
5. Ham and two eggs.
6. Coffee.
7. Tea.
8. Milk.
9. Vegetable soup.
10. Fish chowder.
11. Hamburger plate.
12. Frankfurters and potato salad.
13. Hot meat sandwich, potato.
14. Spaghetti with meat sauce.
15. Meat pie.
16. Pot roast, two vegetables.
17. Liver and bacon.
18. Pork chop, two vegetables.
19. Baked beans.
20. Vegetable plate.
21. Chicken salad.
22. Scrod, two vegetables.
23. Fillet of sole, two vegetables.
24. Mackerel, two vegetables.
25. Ham sandwich.
26. Fried egg sandwich.
27. American cheese sandwich.
28. Ham and American cheese sandwich.
29. Hamburger sandwich.
30. Lettuce and tomato sandwich.
31. Tuna fish salad sandwich.
33. Apple pie.
33. Ice cream.
34. Pudding.
35. Breakfast: Juice, toast, coffee.
36. Breakfast: Juice, bacon, one egg, toast, coffee.
37. Beef stew luncheon with dessert and beverage.
38. Mackerel luncheon with soup, two vegetables, dessert, and beverage.
39. Chicken dinner with soup, two vegetables, dessert and beverage.
40. Scrod dinner with soup, two vegetables, dessert and beverage.

[F. R. Doc. 44–11997; Filed, August 11, 1944; 9:22 a. m.]

[Buffalo Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN BUFFALO, N. Y., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Buffalo, New York District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling prices for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items, meals and beverages to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this Order extend to all eating and drinking establishments located within the Buffalo, New York District Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

THOMAS J. REESE,
District Director.

APPENDIX A

List of 40 basic items for the Buffalo District of the Office of Price Administration, as selected by the Buffalo District Restaurant Council and as authorized by the Buffalo District Director under section 16 (c) of Restaurant MPR 2:

Appetizer:
Tomato or fruit juice.
Soup:
Soup.
Egg dishes:
Ham and eggs.
Fish entrees:
Fried fish.
Miscellaneous:
Hot cakes and syrup.
Baked spaghetti or macaroni.
Vegetable plate.
Cereals—hot or cold.
Croquettes.
Meat entrees:
Liver and bacon.
Pork chop.
Hamburger steak.
Roast beef.
Corned beef hash or any meat hash.
Lamb stew or any meat stew.
Chicken—broiled or fried.
Cube steak.
Ham.
Chicken a la king.
Boiled meats—Corned beef, N. Eng. dinner, etc.
Meat loaf.
Sandwiches:
Ham.
Ham and egg (or bacon and egg).
American cheese.
Lettuce and tomato.
Hamburger.
Fish salad.
Hot meat sandwich.
Frankfurter & roll (hot dog).
Chicken sandwich.
Salads:
Combination or chef.
Desserts:
Apple pie.
Ice cream.
Jello.
Beverages:
Coffee (cup or pot).
Milk (size served).
Ice cream soda.
Meals:
Club breakfast—Fruit or juice, toast or rolls and coffee.
Luncheon—3 course.
Dinner—4 or 5 courses.

[F. R. Doc. 44–12001; Filed, August 11, 1944; 9:26 a. m.]

[Region II Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the area formerly known as the New York District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX A

40 basic items

Hot coffee—per cup.
Hot tea—per cup.

Milk—per half pint.
Tomato juice.
Fruit cocktail.
Vegetable soup.
Bacon and (2) eggs.
Two eggs, any style.
Filet of sole and 2 vegetables.
Broiled mackerel and 2 vegetables.
Fish cakes and spaghetti.
Hot cakes and syrup.
Baked macaroni.
Pork and beans.
Vegetable plate.
Dry cereal.
Liver and bacon.
Pork chop and 2 vegetables.
Hamburger steak and 2 vegetables.
Roast beef and 2 vegetables.
Roast pork and 2 vegetables.
Corned beef hash.
Lamb stew.
Broiled chicken and 2 vegetables.
Ham sandwich.
Ham and egg sandwich.
American cheese sandwich.
Cream cheese and jelly sandwich.
Lettuce and tomato sandwich.
Hamburger sandwich.
Ham and cheese sandwich.
Tuna fish salad sandwich.
Hot roast beef sandwich.
Combination salad.
Fruit salad.
Apple pie.
Ice cream.
Breakfast—fruit, toast and coffee.
Beef stew luncheon (3 course).
Chicken dinner (5 course).

[F. R. Doc. 44-12003; Filed, August 11, 1944; 9:27 a. m.]

[Grand Rapids Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN GRAND RAPIDS, MICH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Grand Rapids District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Grand Rapids District of the Office of Price Administration, which is comprised of the following counties in the State of Michigan: Allegan, Antrim, Barry, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Emmet, Grand Traverse, Ionia, Kalamazoo, Kalkaska, Kent, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, St. Joseph, Van Buren and Wexford.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7671, E.O. 9328, 8 F.R. 5681)

Issued this 2d day of August 1944.

JACOB ZWEEBYK,
District Director.

APPENDIX A—LIST OF FOOD ITEMS AND MEALS

Table 1

1. Orange juice.
2. Fruit cocktail or cup.
3. Shrimp cocktail.
4. Dry cereal with milk.
5. Bacon and eggs, or ham and eggs.
6. 2 eggs, any style.
7. Toast.
8. Griddle cakes.
9. Soup (State "all" or "home-made" or "canned" or "dujour").
10. Steak (state kind).
11. Roast beef.
12. Hamburger steak.
13. Roast veal.
14. Roast pork.
15. Pork chops.
16. Roast lamb.
17. Meat pie.
18. Beef stew.
19. Liver, or liver and bacon, or liver and onions.
20. Chicken pie.
21. Chicken (state style).
22. Fish—trout or whitefish.
23. Fried oysters.
24. Spaghetti (state sauce).
25. Baked beans.
26. Vegetable plate.
27. Chop suey.
28. Tuna salad or chicken salad.
29. Head lettuce salad.
30. Peas, or corn, or string beans.
31. Pie.
32. Gelatin dessert.
33. Ice-cream.
34. Malted milk.
35. Ham sandwich (state "boiled", "baked", etc.).
36. Cheese sandwich.
37. Hamburger sandwich.
38. Hot meat sandwich (pork, or beef).
39. Coffee.
40. Milk.

[F. R. Doc. 44-12003; Filed, August 11, 1944; 9:25 a. m.]

[Indianapolis Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN INDIANAPOLIS, IND., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Indianapolis District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, *It is hereby ordered:*

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entrees and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Indianapolis District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7671 and E.O. 9328, 8 F.R. 4681; Gen. Order No. 50, 8 F.R. 4808)

Issued this 31st day of July 1944.

JAMES D. STRICKLAND,
District Director.

APPENDIX A

If you operate an eating or drinking establishment, you must post and submit the list as required by sections 1 and 2 of this posting order to your Local War Price and Rationing Board, of the following items and your ceiling prices therefor:

Food Item or Meal

1. Orange juice.
2. Tomato juice.
3. One-half grapefruit.
4. Vegetable soup.
5. Tomato soup.
6. Bacon and eggs.
7. Two eggs—Fried.
8. Fried haddock.
* 9. Roast beef.
*10. Pork Chops.
*11. Roast pork.
*12. Liver and bacon.
13. Boiled ham sandwich.
14. Sliced chicken sandwich.
15. American cheese sandwich.
16. Hamburger sandwich.
17. Hot Roast beef sandwich.
18. Fruit salad.
19. Potato salad.
20. Combination salad.
21. Apple pie.
#22. Ice Cream.
23. Cake.
24. Gelatine.
25. Pudding.
26. Hot cakes and syrup.
27. Waffles and syrup.
28. Baked beans.
29. Peas.
30. Green beans.
31. Spinach.
32. Lima beans.
33. Baked spaghetti or macaroni.
34. Club breakfast—fruit juice, toast and coffee.
35. Club breakfast—Cereal, toast and coffee.
36. Club breakfast—Fruit or cereal, 2 eggs, or 1 egg with ham or bacon, toast and coffee.
37. Dry cereal with cream.
#38. Hot coffee.
#39. Tea.
#40. Milk.

#With respect to items marked with an (#), you should list on the same line the type or size of the container and the price for each size or type which you use in serving the item. For example: If you serve vegetable soup in a cup and also in a bowl, your poster should read for Item 4 as follows: Vegetable soup.—Cup, 10¢; bowl, 15¢.

If you serve hot coffee both by the cup and by the pot, your listing for that item would be as follows: Hot coffee—Cup, 5¢; pot, 10¢.

*With respect to all items marked *, you should indicate the a la carte price if you serve it a la carte. If you serve the item as a part of a luncheon then you should also indicate the price of the luncheon. If you serve the item as a part of a dinner, you should also indicate the price of the dinner. Example: If you serve roast beef a la carte at 25 cents; as an entree with a luncheon at 75 cents and as an entree with a dinner at $1.00, then on the same line of the poster, you would make the following listing: Roast beef—a la carte, 25¢; Luncheon, 75¢ Dinner, $1.00.

[F. R. Doc. 44-12004; Filed, August 11, 1944; 9:20 a. m.]

[Atlanta Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First, list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale apd your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List à la carte items first. In listing meals, list the entrees and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly

soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Atlanta District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2, are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

E. A. THORNWELL,
District Director.

APPENDIX A

Additional tables of basic food items may from time to time be added to this appendix by amendment.

TABLE 1. BASIC FOOD ITEMS, MEALS, AND BEVERAGES

If you operate an eating or drinking establishment, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following food items, meals and beverages and your ceiling prices therefor:

1. Coffee.
2. Sweet milk.
3. Iced tea.
4. Shrimp cocktail.
5. Vegetable soup.
6. Corn flakes with cream.
7. Two fried eggs.
8. Two fried eggs with bacon.
9. Two fried eggs with ham.
10. Ham sandwich.
11. Barbecue sandwich.
12. Hamburger sandwich.
13. Weiner sandwich.
14. Chicken salad.
15. Potato salad.
16. Shrimp salad.
17. Apple pie.
18. Ice cream.
19. Combination breakfast consisting of one egg, fried, bacon, grits, toast and coffee.
20. Fried fillet of haddock lunch.
21. Mackerel lunch.
22. Fried shrimp dinner.
23. Baked red snapper dinner.
24. Trout lunch.
25. Deviled crab lunch.
26. Roast prime rib of beef dinner.
27. Hamburger steak lunch.
28. Country fried steak dinner.
29. Liver and bacon dinner.
30. Pork chop (1) lunch.
31. Boneless sirloin steak dinner.
32. Tenderloin steak dinner.
33. Lamb chop (1) dinner.
34. Veal cutlet (1) lunch.
35. Roast leg o' lamb dinner.
36. Baked ham lunch.
37. Roast pork lunch.
38. Fried chicken lunch.
39. Vegetable plate lunch.
40. Roast turkey and dressing dinner.

[F. R. Doc. 44-12009; Filed, August 11, 1944; 9:21 a. m.]

[Memphis Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Memphis District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First, list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the posters are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Memphis District of the Office of Price Administration.

SEC. 5. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order G-1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

W. C. MANLEY, Jr.,
District Director.

APPENDIX A

LIST 1

Appetizers:
- Tomato juice.
- Fruit cocktail.

Soups:
- Chicken broth.
- Vegetable soup.
- Oyster stew.

Entrees:
- Fried fillet of haddock.
- Broiled Spanish mackerel.
- Baked lake trout.
- Roast beef.
- Roast chicken.
- Club steak.
- Lamb chops (2).
- Fried chicken.
- Calf liver.
- Ham and eggs.

Sandwiches:
- Ham.
- Hamburger.
- Hot roast beef.

Vegetables:
- Green peas.
- Stewed tomatoes.
- French-fried potatoes.

Salads:
- Fruit.
- Shrimp.
- Combination.
- Lettuce and tomato.

Desserts:
- Apple pie.
- Ice cream.
- Layer cake.
- Baked apple.
- Jello.

Cereal:
- Oat meal.
- Corn flakes.

Drinks:
- Coffee.
- Milk.
- Tea.

Breakfast No. 1
- Fruit, toast, coffee.

Breakfast No. 2
- Fruit, 1 egg, ham or bacon.
- Toast, coffee.

Luncheon:

Three course plate lunch
- Chicken a la king, 2 vegetables, salad or dessert, drink.

Five course lunch
- Appetizer, baked ham, 2 vegetables, salad, dessert, drink.

Dinner:
- Appetizer, soups, steak (club), 2 vegetables, salad, dessert, drink.

LIST 2

Soup:
- Vegetable soup.

Entrees:
- Two eggs, any style.
- Two eggs, with bacon, ham or sausage.
- Fried trout.
- Baked trout.
- Roast beef.
- Baked ham.
- Beef stew.
- Veal cutlet.
- Fried chicken.
- Cold cuts and salad.

Sandwiches:
- Hot beef.
- American cheese.
- Combination meat and cheese.
- Sliced chicken.
- Steak sandwich.
- Bacon, lettuce, and tomato.
- Frankfurter.
- Hamburger.
- Corned beef.

Salad:
- Combination (chicken, ham, fish).

Desserts:
- Apple pie.
- Ice cream.
- Layer cake.
- Rice pudding.

Cereal:
- Hot or cold.

Drinks:
- Coffee.
- Milk.
- Tea.
- Fruit juice.
- Ice cream soda.

Breakfast:
- Fruit, toast, coffee.

Luncheons:
- Roast beef plate, 2 vegetables, bread and drink.
- Vegetable plate—three vegetables, dessert and drink.

Dinner—(five courses):
- Soup or appetizer, meat and vegetable, salad, dessert, drink.

Miscellaneous
- Hot cakes—syrup and butter.
- Waffles—syrup and butter.
- Spaghetti (macaroni).
- Chili con carne (chili mac).
- Baked beans.

[F. R. Doc. 44-12010; Filed, August 11, 1944; 9:20 a. m.]

[Arkansas Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ARKANSAS DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Arkansas District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Arkansas District of the Office of Price Administration, except those establishments covered by Special Order No. 1 under Restaurant Maximum Price Regulation 5-10 in Pulaski County, Arkansas.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulations No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Arkansas Order No. 1 under Restaurant Maximum Price Regulations No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 5681).

Issued at Little Rock, Arkansas, this first day of July 1944.

ROBERT P. HALL,
District Director.

APPENDIX A[1]

TABLE 1

If you operate a dining room, restaurant or hotel coffee shop, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.
4. Toast.
5. Donuts.
6. Sweet roll.
7. Apple pie.
8. Dry cereal with milk.
9. Cooked cereal with milk.
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham, bacon or sausage, two eggs, toast and coffee.
13. Hot cakes (three).
14. Hot cakes—stripped with ham, bacon or sausage.
15. Home-made vegetable soup.
16. Chili mac.
17. Chili.
18. Ham sandwich.
19. American cheese sandwich.
20. Hamburger sandwich.
21. Chicken salad sandwich.
22. Bacon and tomato sandwich.

[1] If your specific type of establishment is not listed above, choose the table most applicable to your establishment.

23. Hot beef or pork sandwich with potatoes and gravy.
24. Coffee.
25. Tea.
26. Milk.
27. [1] Small steak.
28. [1] Pork chops (2).
29. [1] Lamb chops (2).
30. [1] Roast pork or roast beef.
31. [1] Hamburger steak.
32. [1] Liver and onions.
33. [1] Baked chicken.
34. [1] Fried chicken.
35. [1] Roast lamb.
36. [1] Beef stew.
37. Noon luncheon (most popular) (5 courses).
38. Noon luncheon (next most popular) (5 courses).
39. Evening dinner (most popular) (5 courses).
40. Evening dinner (next most popular) (5 courses).

[1] Fill in what you serve with items 27 through 36.

TABLE II

If you operate a cafeteria, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Potato salad.
2. Combination salad.
3. Gelatin salad.
4. Fish, whiting.
5. Croquettes.
6. Pot roast of beef.
7. Roast pork.
8. Meat loaf.
9. Meat balls with spaghetti.
10. Roast lamb.
11. Liver.
12. Pork chops.
13. Beef stew.
14. Mashed potatoes.
15. Buttered carrots.
16. Cabbage.
17. Greens.
18. Buttered beets.
19. Peas.
20. Chili mac.
21. Corn.
22. Sweet potatoes.
23. Green beans.
24. Dry beans.
25. Fruit pie.
26. Cake.
27. Ice cream (dish).
28. Donuts.
29. Jello.
30. Tea—hot.
31. Coffee—iced.
32. Coffee—hot.
33. Iced tea.
34. Milk.
35. Buttermilk.
36. White or wholewheat bread (per slice).
37. Corn sticks.
38. Roll.
39. Home-made vegetable soup.
40. Chili.

TABLE III

If you operate a night club or sandwich place, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice appetizers (except alcoholic).
4. Shrimp cocktail.
5. Oyster cocktail.
6. Fruit cocktail.
7. Apple pie.
8. Soup (home-made).
9. Soup (canned).
10. Chili.
11. [1] Roast beef.
12. [1] Hamburger steak.
13. [1] Liver and onions.
14. [1] Roast chicken.
15. [1] Fried chicken.
16. [1] Tenderloin of trout.
17. [1] Fried oysters (½ doz.)
18. Ham sandwich.
19. American cheese sandwich.
20. Barbecue beef sandwich.
21. Barbecue ham sandwich.
22. Chicken salad sandwich.
23. Ham and cheese sandwich.
24. Bacon and tomato sandwich.
25. Hot beef sandwich with potatoes.
26. Hot pork sandwich.
27. Hot steak sandwich.
28. [1] T-bone steak.
29. [1] Sirloin steak.
30. [1] Club steak.
31. [1] Pork chops (2).
32. [1] Lamb chops (2).
33. [1] Trout.
34. Coffee.
35. Tea.
36. Milk.
37. Noon luncheon (most popular) (5 courses).
38. Noon luncheon (next most popular) (5 courses).
39. Evening dinner (most popular) (5 courses).
40. Evening dinner (next most popular) (5 courses).

[1] Fill in what you serve with items 11 through 17 and 28 through 33.

TABLE IV

If you operate a soda fountain or similar establishment, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Malted milk.
2. Milk shake.
3. Sundae.
4. Ice cream soda.
5. Ice cream (dish).
6. Chocolate milk.
7. Milk chocolate.
8. Limeade (large).
9. Banana split.
10. Chicken salad sandwich.
11. American cheese sandwich.
12. Ham and cheese sandwich.
13. Ham salad sandwich.
14. Ham sandwich.
15. Sliced chicken sandwich.
16. Bacon and tomato sandwich.
17. Pimiento cheese sandwich.
18. Hot beef sandwich with potatoes.
19. Hot pork sandwich.
20. Hot steak sandwich.
21. Orange juice.
22. Grapefruit juice.
23. Tomato juice appetizers (except alcoholic).
24. Sweet rolls.
25. Donuts.
26. Dry cereals with milk.
27. Toast.
28. Apple pie.
29. Canned soup.
30. Chili.
31. [1] Roast beef.
32. [1] Hamburger steak.
33. [1] Creamed chicken.
34. [1] Fried chicken.
35. [1] Club steak.
36. [1] Pork chops (2).
37. [1] Lamb chops (2).
38. Coffee.
39. Iced tea.
40. Milk.

[1] Fill in what you serve with items 31 through 37.

[F. R. Doc. 44-12011; Filed, August 11, 1944; 9:23 a. m.]

[Lubbock Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN LUBBOCK, TEX., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Lubbock, Texas, District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all of the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical Applicability.* The provisions of this order extend to all eating and drinking establishments located within the Lubbock, Texas, district of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Lubbock, Texas District Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

HOWARD R. GHOLSON,
District Director.

APPENDIX A

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Pie, donuts, etc.:
4. Buttered toast.
5. Donuts.
6. Sweet roll.
7. Pie.

Breakfast items:
8. Dry cereal with cream.
9. Cooked cereal with cream.
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, 1 egg, toast and coffee.
12. Ham, bacon or sausage, 2 eggs, toast and coffee.
13. Hot cakes (3).
14. Waffle.

Soup, etc.:
15. Soup (homemade).
16. Soup (canned).
17. Chili.

Luncheon and dinner items a la carte (indicate items included):
18. Roast beef.
19. Hamburger steak.
20. Liver and onions or bacon.
21. Creamed chicken.
22. Fried chicken.
23. Tenderloin of trout.
24. Roast pork.
25. Chicken fried steak.

Noon luncheon—described below—two most popular luncheons:
26. _____
Soup or appetizer, salad, entree, number of vegetables, drink, dessert.
27. _____

Evening dinner—described below—two most popular:
28. _____
Soup or appetizer, salad, entree, number of vegetables, drink, dessert.
29. _____

Sandwiches:
30. Ham.
31. American cheese.
32. Hamburger.
33. Chicken salad.
34. Bacon and tomato.
35. Hot beef with potatoes and gravy.

Drinks:
36. Coffee (hot).
37. Milk.

Steaks (indicate items included):
38. T-Bone.
39. Sirloin steaks.
40. Pork chops.

[F. R. Doc. 44-12012; Filed, August 11, 1944; 9:27 a. m.]

[Fargo-Moorhead Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN FARGO-MOORHEAD DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Fargo-Moorhead District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List á la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Fargo-Moorhead District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

HAROLD W. BANGERT,
District Director.

APPENDIX A—LIST OF BASIC FOOD ITEMS, MEALS, AND BEVERAGES

1. Coffee.
2. Milk.
3. Orange juice.
4. Tomato juice.
5. Cereal, hot or cold.
6. Two eggs, any style.
7. Toast.
8. Sweet roll or doughnuts.
9. Wheat cakes.
10. Bacon.
11. Club breakfast consisting of: 1 egg, bacon, toast and coffee.
12. Hamburger steak.
13. Pork chops.
14. Plate lunch.
15. Beef stew luncheon.
16. Meat loaf luncheon.
17. Dinner soup.

18. Pot roast of beef dinner.
19. Roast pork dinner.
20. Baked ham dinner.
21. Liver and bacon dinner.
22. Roast chicken dinner.
23. Steak dinner.
24. Fish dinner.
25. Barbecued ribs.
26. Apple pie.
27. Vanilla ice cream or sherbet.
28. Cake.
29. Plain soda.
30. Ice cream soda.
31. Ice cream sundae.
32. Malted milk.
33. Cold ham sandwich.
34. Cheese sandwich.
35. Peanut butter sandwich.
36. Cold roast beef or pork sandwich.
37. Hot roast beef or pork sandwich with potatoes and gravy.
38. Fried egg sandwich.
39. Denver sandwich.
40. Hamburger sandwich.

[F. R. Doc. 44-12016; Filed, August 11, 1944; 9:20 a. m.]

[Moline Order 1 Under Restaurant MPR 3]

POSTING REQUIREMENTS IN MOLINE, ILL., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Moline, Illinois District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each item.

(d) List the a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the Prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep his copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Moline, Illinois District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

SEC. 6. *Appendix A.* If you operate an eating or drinking establishment, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices for each.

FOOD ITEM OR MEAL

1. Coffee.
2. Milk.
3. Tomato juice.
4. Orange juice.
5. Cornflakes.
6. Oatmeal.
7. Two eggs any style.
8. One egg with bacon.
9. Toast.
10. Wheatcakes.
11. Waffles.
12. Vegetable soup.
13. Tomato soup.
14. Veal chops.
15. Pork chops.
16. Beef stew.
17. Meat pie.
18. Peas.
19. Vegetable plate.
20. Combination salad.
21. Chicken salad plate.
22. Cake.
23. Apple pie.
24. Cream pie.
25. Ice cream.
26. Sherbets.
27. Rice pudding.
28. Ham sandwich.
29. Cheese sandwich.
30. Hamburger sandwich.
31. Hot roast beef sandwich.
32. Chop suey.
33. Chicken chow mein.
34. Fried chicken dinner.
35. Chicken pie.
36. Roast leg of lamb dinner.
37. Pot roast dinner.
38. Beef tenderloin steak.
39. Catfish dinner.
40. Trout dinner.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ROBERT M. HARPER,
District Director.

[F. R. Doc. 44-12015; Filed, August 11, 1944; 9:26 a. m.]

[Peoria Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN PEORIA, ILL., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Peoria District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 15, 1944 show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the

poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Peoria District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JAS. A. CARRUTHERS,
District Director.

APPENDIX A—LIST OF 40 BASIC FOOD ITEMS

1. Vegetable and fruit juices.
2. Fruit or sea food cocktail.
3. Cereals.
4. Eggs (any style).
5. Bread, rolls, muffins, doughnuts, toast, or related items.
6. Griddle cakes and waffles.
7. Soups and consommes.
8. Liver and bacon.
9. Chops.
10. Ham.
11. Roast pork.
12. Swiss steak.
13. Veal cutlets.
14. Stews and goulash.
15. Hamburger steak.
16. Meat loaf.
17. Hash.
18. Poultry.
19. Spare ribs.
20. Hot meat sandwiches.
21. Fish.
22. Ham sandwiches.
23. Hamburger sandwich.
24. Club sandwich.
25. Salad sandwich.
26. Lettuce and tomato sandwich.
27. Ham or bacon and egg sandwich.
28. Egg sandwich.
29. Cheese sandwich.
30. Combination vegetable salad.
31. Chicken salad.
32. Fruit salad.
33. Gelatine salad.
34. Pies, cake, or puddings.
35. Ice cream.
36. Coffee.
37. Milk.
38. Club breakfast.
39. Vegetable plate.
40. Course dinner.

[F. R. Doc. 44-12017; Filed, August 11, 1944; 9:21 a. m.]

[New Mexico Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN NEW MEXICO

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the New Mexico District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the New Mexico District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JOHN D. BINGAMAN,
District Director.

APPENDIX A—FORTY BASIC ITEMS

Appetizer:
  Juices (tomato or fruit).
Soup:
  Vegetable.
  Tomato.
Salads:
  Combination.
  Fruit.

Meat entrees:
Pork chop.
Hamburger steak.
Roast beef.
Roast pork.
Meat stews.
Veal cutlet.
Fried chicken.
Chicken a la king.
Poultry pies.
Hot beef or pork sandwiches.
Fish entrees:
Halibut.
Salmon.
Egg dishes:
Ham or bacon and eggs.
Sandwiches:
Ham.
Ham and egg (or bacon and egg).
American cheese.
Bacon and tomato.
Cold beef or cold pork.
Hamburger.
Denver.
Cold sliced chicken.
Miscellaneous:
Hot cakes and syrup.
Spaghetti.
Vegetable plate.
Chili.
Desserts:
Pies (specify various kinds).
Ice cream.
Layer cake.
Gelatine dessert.
Beverages:
Coffee (cup or pot).
Tea (cup or pot).
Milk (half pint).
Meals:
Club breakfast: fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast and coffee.
Merchants luncheon: meat, fish, or omelet entrees.
Complete dinner: meat, poultry or fish entrees.

[F. R. Doc. 44-12007; Filed, August 11, 1944; 9:28 a. m.]

[Wyoming Order G-1 Under Restaurant MPR 2]

Posting Requirements in Wyoming

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Wyoming District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling prices for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filed out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Wyoming District of the Office of Price Administration.

Sec. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this Wyoming District Order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

H. D. Watkinpaugh,
District Director.

Appendix A—40 Basic Items of Food and Drink

Appetizer:
Juices (tomato or fruit).
Soup:
Vegetable.
Tomato.
Salads:
Combination.
Fruit.
Meat entrees:
Pork chop.
Hamburger steak.
Roast beef.
Roast pork.
Roast turkey.
Meat stews.
Veal cutlet.
Small steak.
½ fried chicken.
Hot poultry sandwiches.
Hot meat sandwiches.
Fish entrees:
Halibut.
Salmon.
⅛ doz. fried oysters.
Egg dishes:
Two eggs, any style.
Ham or bacon and eggs.
Sandwiches:
Ham.
Ham and egg (or bacon and egg).
Tomato and bacon on toast.
Cold pork or beef.
Hamburger.
Frankfurter.
Denver.
Miscellaneous:
Hot cakes and syrup.
Spaghetti.
Chili.
Cereals—hot or cold.
Desserts:
Fruit pies.
Ice cream.
Puddings (including custard and jello).
Beverages:
Coffee (cup or pot).
Tea (cup or pot).
Milk (half pint).
Meals:
Club breakfast—Fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast and coffee.
Luncheon (3 courses)—Roast beef entree.
Dinner (5 courses)—Small steak entree.

[F. R. Doc. 44-12008; Filed, August 11, 1944; 9:22 a. m.]

[Seattle Order G-1 Under Restaurant MPR 2]

Posting Requirements in Seattle, Wash., District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix

A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many others items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may require extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Seattle District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July, 1944.

ARTHUR J. KRAUSS,
District Director.

APPENDIX A

1. Coffee.
2. Milk.
3. Tomato juice (specify size).
4. Dry cereals with cream.
5. Hot cereals with cream.
6. Two eggs (fried, boiled, or scrambled) (specify items served).
7. Ham and eggs (specify items included).
8. Hot cakes with syrup (specify if coffee is included).
9. Toast—dry or buttered.
10. Doughnuts.
11. Cold boiled ham sandwich.
12. Hot beef sandwich including potatoes and gravy.
13. Hamburger sandwich (standard).
14. American cheese sandwich.
15. Cold beef or pork sandwich.
16. Chili con carne (large serving).
17. Clam chowder.
18. Soup of the day.
19. Canned soup.
20. Oyster stew.
21. Combination vegetable salad (full order).
22. Combination fruit salad (full order).
23. Apple pie (specify size cut).
24. Ice cream.
25. Rice pudding.
26. Salmon steak (specify items included).
27. Liver and bacon (specify items included).
28. Hamburger steak (specify items included).
29. Pork chow mein.
30. Pork chop suey.
31. Two pork chops (specify items included).
32. Vegetable plate.
33. Roast turkey dinner (specify items included).
34. Fried chicken dinner (specify items included).
35. Low priced club breakfast (specify entrees and items included).
36. Medium priced club breakfast (specify entrees and items included).
37. Low priced plate lunch or merchants lunch (specify entrees and items included).
38. Medium priced plate lunch or merchants lunch (specify entrees and items included).
39. Low priced special dinner (specify items included).
40. Medium priced special dinner (specify items included).

[F. R. Doc. 44-12013; Filed, August 11, 1944; 9:26 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-930, 70-934]

NIAGARA HUDSON POWER CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of August 1944.

In the matters of Niagara Hudson Power Corporation, New York Power and Light Corporation, Hudson Valley Fuel Corporation, File No. 70-930 and New York Power and Light Corporation, Niagara Hudson Power Corporation, File No. 70-934.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Niagara Hudson Power Corporation (Niagara Hudson), a subsidiary of The United Corporation, a registered holding company, and by New York Power and Light Corporation (New York Power) and Hudson Valley Fuel Corporation (Hudson Valley), both of the latter being subsidiaries of Niagara Hudson. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Niagara Hudson proposes to sell and New York Power proposes to purchase all of the outstanding securities of Hudson Valley, consisting of 67,000 shares of common stock (without par value). In consideration therefor, New York Power proposes to issue to Niagara Hudson 192,105 shares of its common stock having a stated value of $7,824,436.65. Thereafter, Hudson Valley will be merged into New York Power.

New York Power proposes to refinance its outstanding 240,727 shares of Cumulative Preferred Stock (114,639 shares of the 7% series, $100 par value, and 96,088 shares of $6 series without par value) by making an offer to the holders of such stock whereby they will be afforded the opportunity to exchange each share of stock held at present for one share of $100 par value Cumulative Preferred Stock, with a dividend rate not in excess of 5% per annum, plus a cash payment in an amount representing the difference between the redemption prices of the stocks outstanding at present and the offering price (to be not less than par and to be determined by competitive bidding) of the new Cumulative Preferred Stock. A total of 240,000 shares of the new stock will be issued. Any shares not exchanged will be called for redemption at the redemption price ($115 per share for the 7% and $105 per share for the $6 preferred stock).

Niagara Hudson proposes to exchange its holdings of 36,019 shares of 7% Preferred Stock and 19,181 shares of $6 Preferred Stock of New York Power pursuant to the offer of exchange and also proposes to cancel advances totaling $20,550,000 owed to it by New York Power, providing there be obtained a closing agreement executed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury to the effect that such cancellation will not result in any income taxable to New York Power.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective nor said application be granted except pur-

suant to further order of this Commission.

It further appearing to the Commission that the issues presented by the declaration and applications of Niagara Hudson, New York Power and Hudson Valley (File No. 70-930) and by New York Power, and Niagara Hudson (File No. 70-934) involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That the proceedings in both matters be, and they hereby are, consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on August 24, 1944, at 11 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceeding shall file with the Commission, on or before August 18, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice; and

It is further ordered, That notice of the hearing aforesaid be given to the declarants and applicants and to all other persons; said notice to be given to the declarants and applicants and to the New York Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mail to the mailing list for releases issued under the act, and by publication in the FEDERAL REGISTER; and

It is further ordered, That, without limiting the scope of the issues presented by such declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions;

(1) Whether the proposed consideration to be received and paid in connection with the proposed sale and acquisition of the securities of Hudson Valley is reasonable and bears a fair relation to the sum invested in or the earning capacity of the assets underlying the securities to be transferred.

(2) Whether the proposed acquisition by New York Power of Hudson Valley and the subsequent merger of Hudson Valley and New York Power will serve the public interest by tending toward the economical and efficient development of an integrated public utility system or will be detrimental to carrying out the provisions of section 11.

(3) Whether the proposed issue and sale of its new Cumulative Preferred Stock by New York Power is solely for the purpose of financing its business.

(4) Whether the acquisition of new preferred stock of New York Power by Niagara Hudson will tend toward the economical and efficient development of an integrated public utility system.

(5) Whether Niagara Hudson's proposal to exchange its present holdings of the preferred stock of New York Power, on the basis of the call price thereof, for the new preferred stock to be issued by New York Power is in compliance with statutory standards.

(6) The propriety of the proposed accounting treatment of the proposed transactions on the books of the applicants and declarants.

(7) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions, and if so, what the terms and conditions should be.

(8) Generally, whether the proposed transactions are detrimental to the public interest or to the interests of investors or consumers or will tend to circumvent any provisions of the act or the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-12019; Filed, August 11, 1944; 9:57 a. m.]

[File No. 70-764]

TRI-CITY UTILITIES CO., ET AL.

SUPPLEMENTAL ORDER PERMITTING AMENDED DECLARATION TO BECOME EFFECTIVE AND RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of August, A. D. 1944.

In the matter of Tri-City Utilities Company Associated Electric Company, Owensboro Gas Company, and K-T Electric and Water Company.

A joint application-declaration having been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Associated Electric Company, a registered holding company, and three wholly-owned subsidiaries, Tri-City Utilities Company, Owensboro Gas Company, and K-T Electric and Water Company; and

The Commission having on August 14, 1943, issued its findings, opinion and order, granting the application and permitting the declaration to become effective, subject to certain conditions, by the terms of which jurisdiction was reserved over all accounting entries with respect to the transactions proposed, on the books of Associated Electric Company, K-T Electric and Water Company and Owensboro Gas Company, and over the proposed accounting reorganization of Owensboro Gas Company; and

Associated Electric Company, K-T Electric and Water Company and Owensboro Gas Company having submitted the accounting entries which they propose to record on their books in respect to such transactions; and

Amendments to the declaration having been filed by Associated Electric Company and Owensboro Gas Company in regard to the accounting reorganization as to which jurisdiction was reserved; and

A further hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its supplemental findings and opinion herein:

It is hereby ordered, That the jurisdiction reserved in said order dated August 14, 1943, with respect to the accounting entries in connection with the transactions proposed, be, and hereby is, released; and

It is further ordered, That the declaration, as amended, in regard to the proposed accounting reorganization of Owensboro Gas Company, as to which jurisdiction was reserved, be and hereby is permitted to become effective forthwith, subject to the requirements of Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-12020; Filed, August 11, 1944; 9:58 a. m.]

[File No. 54-99]

CONSOLIDATED ELECTRIC AND GAS CO. AND THE ISLANDS GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of August 1944.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and its subsidiary, The Islands Gas and Electric Company ("Islands"), all of whose securities are owned by Consolidated, have filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 relating to the distribution of the capital stock of Manila Gas Corporation ("Manila Gas"), to the holders of the $6 cumulative preferred stock of Consolidated by way of a partial liquidation, as hereinafter more particularly described.

All interested persons are referred to said plan, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

Manila Gas, a Philippine corporation, is a gas utility company operating in Manila and other communities in the Philippine Islands. Manila Gas has outstanding $546,000 principal amount of First Mortgage 6% 20-year bonds, due July 1, 1945, which are publicly held, and 15,000 shares of capital stock (100 pesos par value) of which 5 shares are publicly held in the Philippine Islands, and the remainder is owned by Islands. The Manila Gas stock owned by Islands is pledged with the trustee under the inden-

ture securing the Islands 10-year 4% secured bonds, Series due March 1, 1953, of which $2,143,500 are outstanding.

Islands proposes to sell said Manila Gas stock to Consolidated for approximately $250,000 in cash and will deposit such cash proceeds under said indenture of Islands in connection with the release from the pledge of said stock. The funds so deposited with the trustee under the Islands indenture will be applied to the retirement of such Islands bonds, all of which are owned by Consolidated. Consolidated will then either apply said funds, or a like amount, with the trustee under the indenture securing the Southern Cities Utilities Company Bonds, (assumed by Consolidated) to acquire and retire outstanding bonds of Southern Cities Utilities Company publicly held, or in the alternative (if Consolidated desires such deposited cash for its corporate purposes), will secure the release, on the basis of credits, from the lien of the collateral trust indenture of Consolidated, of an equivalent principal amount of bonds of Southern Cities Utilities Company, and will surrender to the said trustee, such bonds for cancellation against the withdrawal of such deposited funds. If publicly held bonds are purchased, such bonds will be acquired by Consolidated in the open market or from holders thereof but without solicitation and at the lowest price obtainable, and such purchased bonds will be surrendered to the trustee for cancellation against the withdrawal of such deposited funds at bond cost, exclusive of accrued interest.

The Manila Gas stock to be purchased by Consolidated will be distributed to the holders of the $6 cumulative preferred stock by way of a palatial liquidation. Since transfer of certificates for the Manila Gas stock cannot be presently made on the company's stock transfer book, which are located in Manila, Consolidated proposes to deposit its certificates representing the Manila Gas stock with a financial institution under an agreement whereby such depository will hold such stock solely for the benefit of the preferred stockholders of Consolidated and issue to such stockholders transferable certificates of deposit entitling the holders thereof to a stock certificate or certificates for the appropriate number of shares of Manila Gas stock. It is proposed that each holder of Consolidated preferred stock will receive a certificate of deposit entitling him in respect of each share of such stock owned to 8/100 of a share of Manila Gas stock, plus a small fractional interest in the remaining Manila Gas stock.

There is pending a plan filed by Consolidated pursuant to section 11 (e) (File No. 54-40) which provides for the elimination of its outstanding preferred stock, Class A stock and common stock, and the issue of new common stock, 94.5% to the holders of the outstanding preferred and 5.5% to the holders of the outstanding Class A stock.

There is also pending before the Commission a plan filed by Consolidated pursuant to section 11 (e) (File No. 54-78) which provides for the payment in full of all outstanding debt securities of Consolidated by the delivery to the holders thereof of certain common stocks.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application and declaration shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on August 22, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in the proceedings, shall file with the Secretary of the Commission on or before August 17, 1944, his application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commision shall serve notice of the aforesaid hearing by mailing a copy of this order to Consolidated Electric and Gas Company, The Islands Gas and Electric Company, to the Trustees under the indentures securing the debt securities of The Islands Gas and Electric Company, the Southern Cities Utilities Company, and Consolidated Electric and Gas Company by registered mail; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That, without limiting the scope of the issues presented by said application and declaration, particular attention shall be directed at said hearing to the following matters and questions:

(1) Whether the proposed plan to distribute Manila Gas Corporation's common stock, to be acquired by Consolidated Electric and Gas Company, to holders of Consolidated's $6 cumulative preferred stock (no par value) by way of partial liquidation is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to all persons affected thereby, particularly the public holders of debt securities, $6 cumulative preferred, and Class A stocks, of Consolidated;

(2) Whether the proposed sale by Islands of the common stock of Manila Gas to Consolidated meets the requirements of sections 12 (d) and 12 (f) of the act and the rules and regulations of this Commission promulgated thereunder;

(3) Whether the proposed acquisition of the Manila Gas stock by Consolidated meets the requirements of sections 9 and 10 of the act and the rules and regulations of this Commission promulgated thereunder;

(4) Whether the proposed use of the proceeds of the contemplated sale of the Manila Gas common stock and its release from the pledge under the Islands bonds, and the purchase and/or retirement of debt securities of the Consolidated system meet the requirements of section 12 (c) of the act and the rules and regulations of this Commission promulgated thereunder, and whether such purchases and/or retirement of the Consolidated debt securities are fair and equitable to the holders of said bonds and to the holders of other securities of Consolidated;

(5) Whether the accounting entries proposed to be made in connection with the proposed transactions are in accordance with sound accounting principles and are otherwise appropriate;

(6) Whether, if the proposed transactions, or any of them, are authorized, it is necessary or appropriate that terms or conditions be imposed in the public interest or for the protection of investors or consumers in connection with such authorization;

(7) Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or of any rules, regulations, or orders of this Commission promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12038; Filed, August 11, 1944; 11:30 a. m.]

[File Nos. 70-618, 54-100]

AMERICAN POWER AND LIGHT CO.

NOTICE OF FILING OF APPLICATION FOR EXTENSION, ORDER OF CONSOLIDATION AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of August, A. D. 1944.

The Commission having heretofore on February 22, 1943, entered its order herein permitting to become effective a declaration filed by American Power & Light Company ("American"), a registered holding company, pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder for authority to expend not in excess of $10,000,000 in cash over a four-month period in market purchases of part of its outstanding Gold Debenture Bonds 6% Series due 2016 and its assumed Southwestern Power & Light Company 6% Debenture Bonds Series A due 2022; and

The period in which such purchases might be made pursuant to said declaration, as filed and as subsequently modified havi been extended to August 10, 1944, pursuant to authority contained in the orders of the Commission dated June 21, 1943, August 10, 1943, December 9, 1943, and April 18, 1944;

Notice is hereby given that American on July 26, 1944, filed an application herein for permission to extend the said authorization as modified for a further period to and including December 10, 1944.

All interested persons are referred to said application which is on file in the office of the Commission for full details thereof.

American having on July 13, 1944 filed an application with the Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a Plan proposing to retire at 100% of principal amount plus accrued interest American's Gold Debenture Bonds 6% Series due 2016 and the 6% Gold Debenture Bonds Series A due 2022 of Southwestern Power & Light Company assumed by American; and

The Commission having by notice and order dated July 24, 1944 directed that a hearing be held with respect to the said Plan, and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors that a hearing be held for the purpose of considering said application for extension; and

It further appearing appropriate to the Commission that the hearing with respect to said application be considered with and in relation to the section 11 (e) plan and that it be consolidated therewith for the purpose of hearing;

It is ordered, That a hearing be held on the application in connection with a hearing to be held on the section 11 (e) plan, with which it is hereby consolidated, and which has been set for August 14, 1944 before Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose. At said hearing attention will be particularly directed to the question whether it is necessary or appropriate in the public interest or for the protection of investors to permit an extention of the period within which purchases of debenture bonds may be effected, and if so, the period of such extension.

It is further ordered, That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to American and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12087; Filed, August 11, 1944; 11:30 a. m.]

[File Nos. 7-743-1, 7-744-1, 7-745-1, 7-746-1, 7-747-1, 7-748-1]

AMERICAN & FOREIGN POWER CO. INC., ET AL.

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of August, A. D. 1944.

In the matter of application by the Philadelphia Stock Exchange to extend unlisted trading privileges to American & Foreign Power Co., Inc., $7 Cum. 2 Pfd. Stock, Series A, 7-743-1; The Flintkote Co., Common Stock, No Par Value, 7-744-1; The Sparks-Withington Co., Common Stock, No Par Value, 7-745-1; Trans Lux Corporation Common Stock, $1 Par Value, 7-746-1; Union Bag & Paper Corp., Capital Stock, No Par Value, 7-747-1; York Corporation, Capital Stock, $1 Par Value, 7-748-1; Securities Exchange Act of 1934 section 12 (f) (2).

The Philadelphia Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, August 30, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William W. Swift, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12086; Filed, August 11, 1944; 11:30 a. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

[Reg. 8]

STANDARD GENERAL-PURPOSE MACHINE TOOLS

PRICING POLICY FOR SALE BY RFC

Scope of regulation. By Regulation No. 1, Reconstruction Finance Corporation was designated as the disposal agency for surplus war property of the type generally described as capital and producers' goods. Property so assigned includes machine tools.

The purpose of this regulation is to establish a pricing policy for the sale by Reconstruction Finance Corporation of standard general-purpose machine tools which have been used and which it has available for disposal as surplus.

The policy has been established on a fixed price basis so that prospective purchasers will be able to make current plans with reasonable certainty involving the purchase of surplus machine tools. The prices fixed are based on the original price of the machine tool at the plant of its manufacturer, depreciated over the period of its active use at rates which take into account, among other things, the usage which most such tools are undergoing in war production.

This regulation does not apply to special types of machine tools or to other production equipment.

This regulation shall become effective August 15, 1944. It is recommended that any arrangements made prior to that date for the sale of used standard general-purpose machine tools at prices differing from those set forth herein, be revised to conform to the prices herein set forth if they have not theretofore become contractually binding.

While this regulation applies only to sales of surplus machine tools, the Administration has been advised by the principal owning agencies that, in such sales of machine tools which have not been declared surplus as may be made by them, they intend to adhere to the prices herein set forth.

Definition. "Standard general-purpose machine tools" are machine tools being currently produced and are types used in civilian production; they consist of those listed in the Standard Commodity Classification, Vol. I, Major Group 34, Code Number 34 11000 to 34 19900, inclusive, with the exception of special machine tools designed for and used exclusively in the production of war material, such as:

Special gun reaming, rifling and chambering machines.
Gun boring and turning lathes.
Shell turning lathes.
Shell tappers.
Small arms ammunition machinery.
Special military tank manufacturing machine tools.
Special aircraft manufacturing machine tools.
Special shipbuilding machine tools.
Other special war production machine tools.

Price policy. All sales of used standard general-purpose machine tools, which have been declared surplus to Reconstruction Finance Corporation as disposal agency, shall be made at prices computed as follows: *Provided*, That all sales shall be made in conformity with all applicable War Production Board and Office of Price Administration regulations:

(1) The original price of the manufacturer of the machine tool, inclusive of electrical equipment and standard accessories shall be computed f. o. b. the plant of such manufacturer. If special tooling is to be sold with the machine tool, its original price shall be included, on the same basis.

(2) The period of active use of the machine tool shall be computed on the basis of the best information reasonably available. This period shall run from the estimated date the machine tool was

originally put in use to the date of sale, if the machine tool is then still in use. If the machine tool is not in use at the time of sale, the period shall run to the estimated date when the machine tool became idle.

(3) The price computed pursuant to paragraph (1) above shall be used as a base. The price at which the machine tool shall be offered for sale shall be computed by applying to that base the percentage appearing in Exhibit I to this regulation opposite the period of active use of the machine tool computed pursuant to paragraph (2) above. The percentage appearing in column B of Exhibit I shall be applied where the buyer is the person who is using the machine tool at the time of sale or, if the machine tool is then idle, the person who last used it, and the percentage appearing in column A shall be applied where the sale is to any other buyer.

(4) The price computed pursuant to paragraph (3) above shall be the sale price f. o. b. cars or trucks at the location of the machine tool at the time of sale.

W. L. CLAYTON,
Administrator.

AUGUST 9, 1944.

EXHIBIT I

Period of active use	A	B
	Percent	*Percent*
Less than 1 month	85.0	90.0
1 month	82.5	87.5
2 months	80.0	85.0
3 months	77.5	82.5
4 months	75.0	80.0
5 months	72.5	77.5
6 months	70.0	75.0
7 months	69.0	74.0
8 months	68.0	73.0
9 months	67.0	72.0
10 months	66.0	71.0
11 months	65.2	70.2
12 months	64.4	69.4
13 months	63.6	68.6
14 months	62.8	67.8
15 months	62.0	67.0
16 months	61.2	66.2
17 months	60.4	65.4
18 months	59.6	64.6
19 months	58.8	63.8
20 months	58.0	63.0
21 months	57.2	62.2
22 months	56.4	61.4
23 months	55.6	60.6
24 months	54.8	59.8
25 months	54.0	59.0
26 months	53.2	58.2
27 months	52.4	57.4
28 months	51.6	56.6
29 months	50.8	55.8
30 months	50.0	55.0
31 months	49.2	54.2
32 months	48.4	53.4
33 months	47.6	52.6
34 months	46.8	51.8
35 months	46.0	51.0
36 months or more	45.2	50.2

[F. R. Doc. 44-12018; Filed, August 11, 1944; 9:50 a. m.]

UNITED STATES COAST GUARD.

SUSPENSION OF APPROVALS OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 154 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the suspension of approvals of all types of adult kapok life preservers is prescribed, effective November 1, 1944:

ADULT KAPOK LIFE PRESERVERS

Effective on and after November 1, 1944 and to continue for the duration of the National Emergency, the approvals of all types of adult kapok life preservers which are used on ocean and coastwise Merchant vessels are suspended, except for Models 1, 2, and 3 complying with Coast Guard Merchant Marine Inspection Drawing No. F-49-6-1 and specification dated 10 June, 1944: *Provided*, That these suspensions of approvals shall not affect any approved life preservers manufactured prior to such date, which approved life preservers are hereby authorized to be used on board merchant vessels so long as they are suitable and in good condition.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

AUGUST 5, 1944.

[F. R. Doc. 44-12034; Filed, August 11, 1944; 10:35 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

FLUID MILK

OFFER TO MAKE PAYMENTS IN FORT WAYNE, IND., MARKETING AREA

Offer of the Commodity Credit Corporation to make fluid milk payments in the Fort Wayne, Indiana, marketing area during the period August 1944 through June 1945.

Whereas, the Director of Economic Stabilization and the War Food Administrator of the United States have approved a Fluid Milk Payment Program for the purpose of insuring, in accordance with Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943, the maximum necessary production and distribution of fluid milk and the maintenance of price ceilings with respect to such milk.

Now, therefore, Commodity Credit Corporation (hereinafter referred to as "Commodity"), a corporate agency of the United States, hereby offers, subject to the terms and conditions herein specified, to make payments to handlers on fluid milk disposed of by such handlers in the Fort Wayne, Indiana, marketing area.

1. Commodity will make a payment to each handler in the Fort Wayne, Indiana, marketing area, regardless of whether or not such handler purchases milk from producers, on Class I milk disposed of by such handler, as determined by Commodity or its designated agent, from August 1, 1944, through June 30, 1945, except, as determined by Commodity or its designated agent, (a) any such milk sold by such handler to another handler, (b) any such milk disposed of by such handler for use by the armed forces of the United States, (c) any such milk of such handler's own production, and (d) any such milk which is emergency milk. The rate of payment per hundredweight of milk shall be, in any calendar month computed as follows: From the Class I price determined for such month pursuant to Order No. 32 subtract $3.57.

2. Settlement hereunder shall be made on a monthly basis upon the presentation, within 90 days after the end of the calendar month for which payments are claimed, to, and approval by, Commodity, or such agent as it may designate, of a claim for payments, supported by a written statement by such handler, made under oath before a notary public or other official authorized by law to administer oaths, that (a) resale prices charged by him for milk for fluid consumption sold during the month for which payments are claimed did not exceed the resale price applicable to such sales pursuant to maximum price regulations of the Office of Price Administration, and (b) he has paid producers for all milk which he received from such producers during such month as required by Order No. 32. The documents presented pursuant to this section shall be in such form and contain such certification as Commodity may prescribe.

3. The performance by the handler of the terms and conditions set forth in this offer together with the submission to Commodity of a claim for payments by the handler, pursuant to this offer, shall constitute an acceptance of this offer for the month for which payments are claimed.

4. Each handler who files a claim for payments shall have accurate and complete books, records, and accounts with respect to his production, receipts, utilization, and sales of milk, and with respect to his sales receipts, costs of products, and operating costs, and shall keep such other books, records, and accounts and submit such reports as Commodity may require. Such books, records, and accounts shall be available for inspection by Commodity or its designated agent at any reasonable time.

5. This offer may be partially or wholly revoked or modified by publication of a notice thereof in the FEDERAL REGISTER by Commodity at any time, but, notwithstanding any such revocation or modification, settlement shall be made as provided in section 2 hereof with respect to any milk disposed of pursuant to the terms and conditions hereof prior to such revocation or modification.

6. Any handler with whom settlement is made pursuant to section 2 of this offer shall, by accepting such settlement, be deemed to have authorized the market administrator to deduct from any payments thereafter due to such handler under Order No. 32 and to pay to Commodity any amount which may be due Commodity by reason of the payment to the handler hereunder or under any similar offer of any amount determined by Commodity to have erroneously or improperly been paid to the handler.

7. *Definitions.* (a) The term "Order No. 32", as used herein, shall mean the order, as amended, issued by the War Food Administrator, regulating the handling of milk in the Fort Wayne, Indiana, marketing area.

(b) The terms "Fort Wayne, Indiana, marketing area," "Class I milk," and "emergency milk," as used herein, shall have the same meaning as is given such terms by Order No. 32.

(c) The term "handler," as used herein, shall have the same meaning as is given such term by Order No. 32, except that no person shall be deemed to be a handler within the meaning of this offer if (i) he has been determined by the Director of Distribution of the War Food Administration not to be fully in compliance with Order No. 32 insofar as it relates to prices payable to producers, or (ii) he has been determined by Commodity to have charged for milk for fluid consumption resale prices higher than the maximum prices applicable to such sales pursuant to the maximum price regulations of the Office of Price Administration during the month for which payments are claimed pursuant to this offer.

Dated: August 10, 1944.

LEE MARSHALL,
Vice President.

[F. R. Doc. 44-11988; Filed, August 10, 1944; 3:11 p.m.]

WAR PRODUCTION BOARD.

SAMAR CONSTRUCTION COMPANY

CONSENT ORDER

Samuel Aronowitz, doing business under the trade name of Samar Construction Company at 570 Seventh Avenue in the City, County, and State of New York, engaged in the business of a general building contractor, is charged by the War Production Board with having, between February 15 and April 18, 1944, engaged in the construction of a restaurant known as Walton Cafeteria, Inc., at 2555 Broadway in the Borough of Bronx, City of New York, at a cost of $5,055.71 of which $2,837.46 was the cost of new construction, $2,104.61 was the cost of maintenance and repairs and $113.64 was the cost of fixtures. The work contracted for, engaged in, supervised and completed by the general contractor, Samuel Aronowitz, was done without authorization from the War Production Board in violation of Conservation Order L-41 which placed a limit of $1,000 on such construction. Samuel Aronowitz had knowledge of the applicable provisions of Conservation Order L-41 and his engaging in said construction must be deemed a wiful violation of the order.

Samuel Aronowitz admits the violation as charged, does not desire to contest the same and has consented to the issuance of this order. Wherefore, upon the agreement and consent of Samuel Aronowitz, doing business under the trade name of Samar Construction Company, and upon the approval of the Regional Compliance Manager, the Regional Attorney and the Compliance Commissioner, *It is hereby ordered*, That:

(a) Deliveries of material to Samuel Aronowitz, doing business under the trade name of Samar Construction Company, or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Samuel Aronowitz, doing business under the trade name of Samar Construction Company, or otherwise, his successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Samuel Aronowitz, doing business under the trade name of Samar Construction Company, or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on August 10, 1944, and shall expire on November 10, 1944.

Issued this 3d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-11989; Filed, August 10, 1944; 4:39 p. m.]

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UCTION BOARD,
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Secretary.

August 10, 1944;

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FEDERAL REGISTER

VOLUME 9 NUMBER 162

Washington, Tuesday, August 15, 1944

The President

PROCLAMATION 2616

REGULATIONS RELATING TO MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS the Secretary of the Interior has adopted and submitted to me for approval regulations permitting and governing (1) the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of migratory birds and parts, nests, and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936, and (2) the exportation and importation to and from Mexico of game mammals, parts and products thereof, included in the aforesaid Convention between the United States and the United Mexican States, which said regulations are as follows:

MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

Under authority and direction of sections 3 and 4 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936, 49 Stat. 1555, the administration of which said act as amended was transferred to the Secretary of the Interior on July 1, 1939, (Reorganization Plan II, 53 Stat. 1431), I, Harold L. Ickes, Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, and having due regard to the laws of the United Mexican States relating to the exportation and importation of game mammals, and parts and products thereof, included in the terms of the said Convention between the United States and the United Mexican States, and to the laws of the States and Territories and of the District of Columbia from and into which such mammals, parts, and products thereof, may be proposed to be exported or imported, and to the laws of the United States forbidding importation of certain live mammals injurious to the interests of agriculture and horticulture, have determined when, to what extent, and by what means it is compatible with the terms of said conventions and act to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and the exportation and importation of such mammals to and from Mexico, and in accordance with such determination, do hereby adopt the following as suitable regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of said migratory birds and parts, nests, and eggs thereof, and the exportation and importation of game mammals and parts and products thereof to and from Mexico:

Regulation 1—Definitions of Migratory Birds and Game Mammals

Migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, and between the United States and United Mexican States for the protection of migratory birds and game mammals, concluded, respectively, August 16, 1916, and February 7, 1936, are as follows:

1. *Game birds.* (a) Anatidae, or waterfowl, including brant, wild ducks, geese, and swans.

(b) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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(c) Rallidae, or rails, including coots, gallinules, and sora and other rails.

(d) Limicolae (charadrii), or shorebirds, including avocets, curlews, dowitchers, godwits, knots, oyster-catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.

(e) Columbidae, or pigeons, including doves and wild pigeons.

2. *Insectivorous and other nongame birds.* Cuckoos, flickers, and other woodpeckers; nighthawks, or bullbats, chuck-will's-widow, poorwills, and whippoorwills; swifts; hummingbirds; kingbirds, phoebes, and other flycatchers; horned larks; bobolinks, cowbirds, blackbirds, grackles, meadowlarks, and orioles; grosbeaks, finches, sparrows, and buntings; tanagers; martins and other swallows; waxwings; phainopeplas; shrikes; vireos; warblers; pipits; catbirds, mockingbirds, and thrashers; wrens; brown creepers; nuthatches; chickadees and titmice; kinglets and gnatcatchers; robins and other thrushes; all other perching birds which feed entirely or chiefly on insects; and auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murres, petrels, puffins, shearwaters, and terns.

Game mammals. Game mammals under the terms of the aforesaid convention between the United States and the United Mexican States include:

Antelope, mountain sheep, deer, bears, peccaries, squirrels, rabbits, and hares.

Regulation 2—Definition of Terms

For the purpose of these regulations, the following terms shall be construed, respectively, to mean and to include—

Secretary. Secretary of the Interior of the United States.

Director. Director, Fish and Wildlife Service, United States Department of the Interior.

Regional Director. Regional Director, Fish and Wildlife Service, United States Department of the Interior.

Person. Individual, club, association, partnership, or corporation, any one or all, as the context requires.

Take. Hunt, kill, or capture, or attempt to hunt, kill, or capture.

Open season. Time during which migratory game birds may be taken.

Transport. Ship, carry, export, import, and receive or deliver for shipment, conveyance, carriage, exportation, or importation.

Regulation 3—Means by Which Migratory Game Birds May Be Taken

Migratory game birds on which open seasons are specified in regulation 4 may be taken during such seasons only with bow and arrow or with a shotgun not larger than No. 10 gage, fired from the shoulder, except as permitted by regulations 7, 8, and 9, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined. Such birds may be taken during the open seasons from land or water, with aid of a dog, and from a blind, boat or other floating craft not under tow or sail, except sinkbox (battery), motorboat (excluding a boat having a detached outboard motor), and sailboat. Nothing herein shall permit the taking of migratory game birds from or by means, aid or use of an automobile or aircraft of any kind, the taking of waterfowl by means, aid or use of cattle, horses, mules, or live duck or goose decoys, the concentrating, driving, rallying or stirring up of waterfowl and coot by means or aid of any motorboat, sailboat, or aircraft of any kind, nor exclude the picking up of injured or dead waterfowl by means of a motorboat, sailboat, or other craft.

Waterfowl (except for propagating, scientific or other purposes under permit issued pursuant to regulation 8) and mourning doves and white-winged doves are not permitted to be taken by means, aid or use of shelled, shucked, or unshucked corn, or of wheat or other grain, salt or other feed that has been so deposited, distributed, or scattered as to constitute a lure, attraction, or entitlement in the hunting of such birds, except properly shocked corn and standing crops of corn, wheat, or other grain or feed, and except grains found scattered solely as a result of agricultural harvesting.

A person over 16 years of age is not permitted to take migratory waterfowl unless at the time of such taking he has on his person an unexpired Federal migratory-bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age are permitted to take migratory waterfowl without such stamp.

Regulation 4—Open Seasons on and Possession of Certain Migratory Game Birds

Waterfowl (except wood duck in Massachusetts and North Dakota, snow geese in Beaverhead, Gallatin and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; Ross' goose, and swans), coots, rails and gallinules, woodcocks, mourning or turtle doves, white-winged doves, and band-tailed pigeons may be taken each day from one-half hour before sunrise to sunset, except as otherwise provided in this regulation, during the open seasons prescribed herein, and may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, and when so taken may be possessed in the numbers permitted by regulation 5 during the period constituting the open season where taken and for an additional period of 45 days next succeeding said open season, except as prohibited by State law.

Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of the Interior under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Waterfowl and coot. The open season on waterfowl (except wood duck in Massachusetts and North Dakota, geese in Alexander County, Illinois, snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; Ross' goose, and swans) and coot, in the several States, Alaska, and Puerto Rico, shall be as follows, both dates inclusive:

Iowa, Maine, Michigan, Minnesota, Montana, New Hampshire, North Dakota, Ohio (except Pymatuning Reservoir and one quarter of a mile distant in any direction from said Reservoir), South Dakota, Vermont, and Wisconsin, September 20 to December 8.

Ohio, on the Pymatuning Reservoir in Ashtabula County and one quarter of a mile distant in any direction from said Reservoir, October 14 to January 1.

California (except in San Bernardino, Riverside, and Imperial Counties), Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Missouri, Nebraska, Nevada,

New Jersey, New York (except certain hereinafter designated portions of Essex, Clinton, and Washington Counties) including Long Island, Oklahoma, Oregon, Pennsylvania, Rhode Island, Utah, Washington, West Virginia, and Wyoming, October 14 to January 1.

California, in San Bernardino, Riverside, and Imperial Counties, November 2 to January 20.

New York, in Essex and Clinton Counties east of the Delaware and Hudson Railroad tracks and that part of Washington County east of the aforesaid tracks to and including the village of South Bay and all of the waters of South Bay and one mile distant from such water in any direction, September 20 to December 8.

Alabama, Arizona, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, New Mexico, North Carolina, South Carolina, Tennessee, Texas, and Virginia, November 2 to January 20.

Puerto Rico, December 15 to February 12.

Alaska, in Fur Districts 1 and 3 as defined in the regulations governing the taking of game in Alaska adopted May 15, 1944 (9 F.R. 5270), September 21 to December 9; in the remainder of Alaska, September 1 to November 19: *Provided*, That scoters, locally known as sea coots, may be taken in open coastal waters only, beyond outer harbor lines, in Maine, and New Hampshire from September 15 to September 19, and in Connecticut, Massachusetts, New York including Long Island, and Rhode Island, from September 15 to September 30, and thereafter from land or water during the open seasons for other waterfowl in these States.

Geese, in Alexander County, Illinois, October 14 to December 12 from one-half hour before sunrise to 12 o'clock noon.

Rails and gallinules (except coot). The open season on rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Alabama, November 20 to January 31.

Louisiana, September 15 to December 15.

Maine, and Wisconsin, September 20 to December 8.

Maryland, September 1 to October 31.

Massachusetts, and New York, including Long Island, October 14 to January 1.

Minnesota, September 16 to November 30.

Mississippi, October 15 to December 30.

Puerto Rico, December 15 to February 12.

California, District of Columbia, Hawaii, Idaho, Iowa, Montana, Nevada, Oregon, Tennessee, and Washington, no open season.

Woodcock. The open seasons on woodcock shall be as follows, both dates inclusive.

New York, north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany and north of the tracks of the main line of the Boston & Albany Railroad extending from Albany to the Massachusetts State line, and in Wisconsin, October 1 to October 15.

New York, south of the line above described, and in Indiana, and West Virginia, October 16 to October 30.

New Jersey, that part of New York known as Long Island, and Rhode Island, November 1 to November 15.

Arkansas, and Oklahoma, December 1 to December 15.

Connecticut, October 26 to November 9.

Delaware, and Maryland, November 15 to November 29.

Louisiana, and Mississippi, December 15 to December 29.

Maine, Minnesota, New Hampshire, Ohio, and Vermont, October 10 to October 24.

Massachusetts, October 20 to November 3.

Michigan, in Upper Peninsula, October 1 to October 15; in remainder of State October 15 to October 29.

Missouri, November 10 to November 24.

Pennsylvania, October 14 to October 28.

Virginia, November 20 to December 4.

Mourning or turtle dove. The open seasons on mourning or turtle dove shall be as follows, both dates inclusive:

Alabama, Georgia, and South Carolina, September 16 to October 15 and from December 25 to January 20.

Arizona, Kansas, Kentucky, and Missouri, September 1 to October 25.

Arkansas and Mississippi, September 16 to September 30 and from December 10 to January 20.

California, Colorado, Nevada, New Mexico, and Oklahoma, September 1 to October 12.

Delaware, September 16 to November 9.

Florida, in Dade, Monroe, and Broward Counties, October 1 to October 31; in rest of State, November 20 to January 15.

Idaho, September 1 to September 15.

Illinois, September 1 to September 30.

Louisiana, October 15 to October 30 and December 10 to January 20.

Maryland, September 1 to October 15.

Minnesota, September 16 to September 30.

North Carolina, November 25 to January 20.

Oregon, September 1 to September 15.

Tennessee, September 16 to November 11.

Texas, in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, Williamson, Bell, Falls, McLennan, Hill, Navarro, Henderson, Smith, Gregg and Harrison Counties, and all counties north and west thereof, September 1 to October 25; in remainder of State, but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, LaSalle, Jim Hogg, Brooks, Kenedy, and Willacy Counties, October 20 to December 14. In these latter counties September 15, 17, 19, 21 and 24 from 12 o'clock noon until sunset, and thereafter from October 20 to December 9 from one-half hour before sunrise to sunset.

Virginia, September 16 to October 25.

White-winged dove. The open seasons on white-winged dove shall be as follows, both dates inclusive:

Arizona, September 1 to September 15.

Texas, in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, LaSalle, Jim Hogg, Brooks, Kenedy, and Willacy Counties, September 15, 17, 19, 21 and 24, from 12 o'clock noon until sunset.

Band-tailed pigeon. The open season on band-tailed pigeon shall be as follows, both dates inclusive:

Arizona, Colorado, in the drainage of the North Fork of the Gunnison River in Gunnison and Delta Counties and in La Plata, Montezuma, Dolores, San Miguel, Montrose, Ouray, San Juan, Archuleta, Huerfano, and Las Animas Counties, New Mexico, and Washington, September 16 to October 15.

California, December 1 to December 30.

Oregon, September 1 to September 30.

Regulation 5—Daily Bag and Possession Limits on Certain Migratory Game Birds

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds. When so taken such birds may be possessed in the numbers hereinafter specified, except that no person on the opening day of the season may possess any migratory game birds in excess of the daily limits herein prescribed.

Ducks (except the American and redbreasted mergansers). Ten including in such limit not more than 1 wood duck, and in addition five singly or in the aggregate of mallards, pintails, or widgeons. Any person may possess not more than 20 ducks including not more than one wood duck, and in addition ten singly or in the aggregate of mallards, pintails, or widgeons.

American and redbreasted mergansers. 25 singly or in the aggregate.

Geese and brant (except snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; and Ross' goose). Two including brant but not including blue, snow, or white-fronted geese, and in addition (a) four singly or in the aggregate of snow and whitefronted geese in the Pacific Coast States or (b) four singly or in the aggregate of blue or snow geese elsewhere than in the Pacific Coast States. Any person may possess not more than four geese, including brant, but not including blue, snow, or white-fronted geese and in addition not more than eight singly or in the aggregate of blue, snow, or whitefronted geese where such are permitted to be taken.

Rails and gallinules (except sora and coot). Fifteen in the aggregate of all kinds, and any person may possess not more than fifteen in the aggregate of all kinds.

Coot. Twenty-five, and any person may possess not more than twenty-five.

Sora. Twenty-five, and any person may possess not more than twenty-five.

Woodcock. Four, and any person may possess not more than 8.

Mourning or turtle dove and white-winged dove. Ten in the aggregate of both kinds, and any person may pos-

sess not more than ten mourning doves or more than ten white-winged doves.

Band-tailed pigeon. Ten, and any person may possess not more than ten.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails, including coot and gallinules, woodcock, mourning or turtle doves, white-winged doves, and band-tailed pigeons taken in Canada, Mexico, or other foreign country and brought into the United States, as to those taken in the United States.

Regulation 6—Shipment, Transportation, and Possession of Certain Migratory Game Birds

Migratory game birds of a species on which open seasons are prescribed by regulation 4, legally taken, and parts thereof, may be transported in or out of Alaska, Puerto Rico, or the State where taken, during the respective open seasons therein. Such birds when legally taken in and exported from Canada or Mexico, and if from Mexico when accompanied by a Mexican export permit, may be transported into the United States during the open seasons where killed.

Not more than the number of such birds permitted by regulation 5 to be taken by one person in one day, except American and redbreasted mergansers, or in two days in the case of woodcock, and ducks (except wood ducks), nor more than four geese, including brant, but not including blue, snow, or white-fronted geese, and in addition not more than eight singly or in the aggregate of blue, snow, or whitefronted geese where such are permitted to be taken, shall be transported by any one person in 1 calendar week out of Alaska, Puerto Rico, or the State where taken or from Canada or Mexico into the United States.

Any such birds or parts thereof in transit during the open season may continue in transit for such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver them to their destination, and may be possessed in any State, Alaska, Puerto Rico, or the District of Columbia, during the period constituting the open season where taken, and for an additional 45 days next succeeding said open season. Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof.

Nothing contained herein shall be construed as permitting transportation of such birds, or parts thereof, from, to, or through any State, Alaska, Puerto Rico, or the District of Columbia, or to or through Canada or Mexico contrary to the laws of the place in which taken or from, to, or through which transported; nor shall any such birds be imported from Canada or Mexico contrary to the laws of the place in which taken or from, to, or through which transported.

Migratory game birds imported from countries other than Canada and Mexico. Migratory game birds of a species on which open seasons are prescribed by regulation 4, legally taken in and exported from a foreign country (other than Canada and Mexico, for which provision is hereinbefore made) may be transported by any one person in 1 calendar week in numbers not exceeding those permitted by regulation 5 to be taken by one person in 1 day, except American and redbreasted mergansers, or in 2 days in the case of woodcocks, ducks (except wood ducks), but not more than 4 geese, including brant, but not including blue, snow, or whitefronted geese, and in addition not more than eight singly or in the aggregate of blue, snow, or whitefronted geese, to any State, Alaska, or Puerto Rico during the open season prescribed by said regulation 4 for such State, Alaska, or Puerto Rico on that species, and to the District of Columbia during the open season so prescribed for Maryland, and may be possessed in such State, Alaska, or Puerto Rico, or the District of Columbia for an additional 45 days immediately succeeding such open season, if transportation and possession of such birds are not prohibited by such State, Alaska, or Puerto Rico and if transported in packages marked as hereinbefore provided.

Regulation 7—Taking of Certain Migratory Nongame Birds by Eskimos and Indians in Alaska

In Alaska, Eskimos and Indians may take, in any manner and at any time, and may possess and transport, auks, auklets, guillemots, murres, and puffins and their eggs and skins for use of themselves and their immediate families for food and clothing.

Regulation 8—Propagating, Scientific, and Other Permits

1. Any person without a permit may possess and transport for his own use, legally acquired live migratory waterfowl and the plumage and skins of legally taken migratory game birds, and such person may possess, dispose of, and transport for the making of fishing flies, bed pillows, and mattresses, and for similar commercial uses, but not for millinery nor ornamental use, feathers of wild ducks and wild geese legally killed or seized and condemned by Federal or State game authorities.

2. Permits for the taking, acquisition, and possession of live migratory birds and their eggs for propagating purposes, for the taking, acquisition and possession of migratory birds and their eggs, nests, or parts for scientific and other limited purposes, for the disposition and transportation of such birds, eggs, nests, parts, and their increase, and for the mounting or other preparation by a taxidermist of such birds, eggs or nests, may be issued under the direction of the Secretary, upon such terms and conditions, including the keeping of records and the making of reports, as he may deem are necessary for the protection of the species and consistent with the general purposes of these regulations.

3. Without obtaining a permit as otherwise required in Section 2 of this regulation, public museums, zoological parks and societies, and public scientific and educational institutions may acquire, possess, purchase, dispose of and transport migratory birds and their eggs, nests or parts. State or municipal game farms or city parks also may acquire, possess, dispose of, and transport live migratory waterfowl without a permit.

4. Applications for permits shall be in such form as may be prescribed by the Secretary, and shall be addressed to the Director of Fish and Wildlife Service, Chicago 54, Illinois.

5. Every package in which migratory birds or parts, nests or eggs thereof, are shipped wholly within a State or Territory or the District of Columbia, or in which such birds or parts or eggs thereof are transported by any means whatever from one State, Territory, or the District of Columbia, to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the name and address of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is shipped or transported, and the purpose for which the birds or parts, nests or eggs are being shipped or transported.

Regulation 9—Permits to Kill Migratory Birds Injurious to Agriculture or Other Interests

Agriculture or other injury. When information is furnished the Secretary that any species of migratory bird has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any extensive area, an investigation will be made to determine the nature and extent of the injury, whether the birds alleged to be doing the damage should be killed, and, if so, during what times, hours, and by what methods and means. Upon such determination an appropriate order will be made by the Secretary.

Whenever, by reason of a rapid decrease in the distribution and abundance of any species of migratory game birds during any open season specified in these regulations, the shortening of such season or the reduction of the daily bag and possession limits will operate to insure a continuing and normal supply of such species, then, in that event the applicable season or the daily bag and possession limits of such species shall be shortened or reduced to the extent determined necessary to insure such continuing and normal supply. Whenever, by reason of the destruction of valuable agricultural crops through the overabundance of any species of migratory game birds during either an open or closed season specified in these regulations, the lengthening of an open season or the increase of the daily bag and possession limits or a change in the manner, method or hours of such taking will operate to reduce the destruction of valuable agricultural crops, then, in such event the applicable season or daily bag and possession limits may be increased or the manner, method or hours of taking changed for such fixed period or time to the extent necessary to conserve such valuable agricultural crops. In no event shall any

season be lengthened to provide an open season of more than 3½ months.

The facts as to the decrease in distribution and abundance of any species of migratory game birds requiring a shortening of seasons or reductions of daily bag and possession limits, or as to the destruction of valuable agricultural crops requiring the lengthening of seasons or other remedial action, shall be determined by the Secretary and in accordance therewith he shall issue applicable orders which shall become effective when published in the FEDERAL REGISTER.

Specific injury. Upon receipt by the Director, or the Regional Director in the region where the injury occurs, of information from the owner, tenant, or sharecropper that migratory birds are injuring his crops or other interests on the land on which he resides, together with a statement of the location of the land, the nature of the crops or other interests being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made, and if it is determined from such investigation that the injury complained of is substantial and can be abated only by killing the birds, or some of them, permits to kill the birds may be issued by the Director or by the Regional Director, if authorized by the Director, in which permits will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, and the disposition to be made of the birds so killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the particular case.

Every person exercising any privilege granted in a permit issued by the Director or Regional Director shall keep an accurate record of all migratory birds killed by him and whenever requested by the Director or by the Regional Director shall submit promptly, on a form provided by the Fish and Wildlife Service for the purpose, a report correctly stating the species and the number of each species of migratory birds killed by him, and in any event shall submit such report to the Regional Director on or before January 10 of each year. Failure to submit a report as required by this regulation will be sufficient cause for revocation of the permit or withdrawal of any privilege accorded any person failing to make the report.

Regulation 10—State Laws for the Protection of Migratory Birds

Nothing in these regulations or in any permit issued thereunder shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, or parts, nests, or eggs thereof contrary to the laws and regulations of any State or Territory or the District of Columbia, made for the purpose of giving further protection to migratory birds, their nests, and eggs, when such laws and regulations are not inconsistent with the conventions between the United States and any other country for the protection of migratory birds or with the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by these regulations.

Regulation 11—Transportation of Game Mammals to and From Mexico

Game mammals or parts or products thereof, taken in and transported from a State, Territory, or the District of Columbia, may be transported to Mexico, if the importation thereof is not prohibited by law or regulation of that country, upon presentation to the collector of customs at the port of exit of the certificate of an official, warden, or other officer of the game department of such State, Territory, or District, that such game mammals, or parts or products thereof, which must be listed in the certificate, were taken or acquired, and are being transported in compliance with the laws and regulations of such State, Territory, or District.

Live game mammals authorized by a special permit issued by the Secretary of the Interior, pursuant to section 241 of the Penal Code, the administration of which section was in part transferred to said Secretary on July 1, 1939, pursuant to the Reorganization Act of 1939 (53 Stat. 561), to be imported, and the dead bodies of game mammals, or parts, or products thereof, proceeding from Mexico, if accompanied by a Mexican export permit, may be transported into the United States, but their possession in any State or Territory or the District of Columbia will be subject to the laws of such State, Territory, or District.

The Migratory Bird Treaty Act regulations approved August 11, 1939 (54 Stat. 2615), and all amendments thereof are hereby revoked, but all permits heretofore made or issued pursuant to said act and now in force authorizing the killing or other disposition of certain species of migratory birds when injurious to crops and other property and interests and the taking, possession, sale, purchase, exchange, or transportation of migratory birds and their nests and eggs for scientific purposes, and migratory waterfowl and their eggs for propagating purposes, are hereby continued and extended in full force and effect as permits adopted and approved or made or issued hereunder.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 25th day of July, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

AND WHEREAS upon consideration it appears that approval of the foregoing regulations will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of July, in the year of our Lord [SEAL] nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-12100; Filed, August 11, 1944; 4:38 p. m.]

EXECUTIVE ORDER 9459

PHILADELPHIA TRANSPORTATION COMPANY, POSSESSION AND CONTROL BY THE SECRETARY OF WAR

By virtue of the authority vested in me by the Constitution and laws of the United States, including the Act of August 29, 1916, 39 Stat. 645, the First War Powers Act 1941, and Section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy, I hereby authorize the Secretary of War to take possession and assume control of the transportation systems of the Philadelphia Transportation Company, including all real and personal property and other assets, wherever situated, used or useful in connection with the operation of said systems and I authorize him to utilize such systems for such purposes connected with the war emergency as he may deem needful or desirable and to terminate the possession and control of such systems when he determines that such possession and control are no longer necessary for purposes connected with the war emergency.

FRANKLIN D ROOSEVELT

AUGUST 3, 1944.

[F. R. Doc. 44-12154; Filed, August 14, 1944; 10:15 a. m.]

EXECUTIVE ORDER 9460

REGULATIONS RELATING TO GLIDER FLIGHTS BY PERSONNEL OF THE ARMY, NAVY, MARINE CORPS, AND COAST GUARD

By virtue of the authority vested in the President by the act entitled "An Act to amend section 18 of the Pay Readjustment Act of 1942 to provide additional pay for personnel who are required to participate in regular and frequent glider flights," approved July 1, 1944 (Public Law 409, 78th Congress, 2d session) I hereby prescribe the following regulations, applicable to all officers, warrant officers, nurses, and enlisted men of all branches of the Army, Navy, Marine Corps, and Coast Guard.

1. As used in these regulations—

(a) The term "orders of competent authority" shall mean orders issued by the Secretary of War or such officer or officers as he may designate for the Army, the Chief of Naval Personnel for the Navy, the Commandant of the Marine Corps for the Marine Corps, or by the Commandant of the Coast Guard for the Coast Guard.

(b) The term "glider flight" shall mean a journey in a service-type glider in the Army, Navy, Marine Corps, or Coast Guard, beginning when the glider takes off from rest at any point of support and terminating when it next comes to a complete stop at a point of support.

2. Personnel of the Army, Navy, Marine Corps, and Coast Guard who are qualified as glider personnel under such regulations as the Secretary of War or the Secretary of the Navy may severally prescribe, or who are undergoing training for such qualification and who are required by competent authority to participate regularly and frequently in glider flights, shall be required to perform one or more flights without regard to duration thereof during any three consecutive calendar months: *Provided*, That whenever the commanding officer of any officer, warrant officer, nurse, or enlisted man who has been required by orders of competent authority to participate in regular and frequent glider flights certifies that on account of the absence or inadequacy of glider equipment or towing aircraft or other means of propulsion, or on account of military operations of the particular command under combat conditions, such officer, warrant officer, nurse, or enlisted man was unable to perform the glider flights required by this paragraph, such officer, warrant officer, nurse, or enlisted man may comply with the requirements herein prescribed by performing four or more glider flights without regard to the duration thereof during a period of 12 consecutive calendar months, and such requirements for any particular period may be met at any time during such period: *And provided further*, That any officer, warrant officer, nurse, or enlisted man who has been required to participate regularly and frequently in glider flights by orders of competent authority and who as a result of such orders has participated regularly and frequently in glider flights, as defined in this order, and who subsequently becomes incapacitated for glider flights by reason of an aviation accident shall not be required to perform such glider flights during such incapacity for a period not to exceed three months following the date of such accident.

3. For the purpose of computing the number of flights required under paragraph 2 hereof, flights performed within a period of 90 days prior to the date of this order shall be considered to have been made on the effective date of this order.

This order shall be effective as of July 1, 1944.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 7, 1944,

[F. R. Doc. 44-12088; Filed, August 11, 1944; 3:13 p. m.]

EXECUTIVE ORDER 9461

ABOLISHING THE EXECUTIVE COMMITTEE ON COMMERCIAL POLICY

By virtue of the authority vested in me as President of the United States, the Executive Committee on Commercial Policy, established by the letter of November 11, 1933, from the President to the Secretary of State, and continued by Executive Order No. 6656 of March 27, 1934, and Executive Order No. 7260 of December 31, 1935, is hereby abolished.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 7, 1944.

[F. R. Doc. 44-12089; Filed, August 11, 1944; 3:13 p. m.]

EXECUTIVE ORDER 9463

AUTHORIZING THE SECRETARY OF THE NAVY TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE PACIFIC GEAR AND TOOL WORKS, THE FEDERAL MOGUL CORPORATION, THE LINK-BELT COMPANY (PACIFIC DIVISION), THE U. S. PIPE AND MANUFACTURING COMPANY, AND THE ENTERPRISE ENGINE AND FOUNDRY COMPANY, LOCATED AT SAN FRANCISCO, CALIFORNIA

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Pacific Gear and Tool Works, the Federal Mogul Corporation, the Link-Belt Company (Pacific Division), the U. S. Pipe and Manufacturing Company, and the Enterprise Engine and Foundry Company, located at San Francisco, California, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of the Navy is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Pacific Gear and Tool Works, the Federal Mogul Corporation, the Link-Belt Company (Pacific Division), the U. S. Pipe and Manufacturing Company, and the Enterprise Engine and Foundry Company, located at San Francisco, California, and, to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the succesful prosecution of the war; to exercise any contractual or other rights of the Pacific Gear and Tool Works, the Federal Mogul Corporation, the Link-Belt Company (Pacific Division), the U. S. Pipe and Manufacturing Company, and the Enterprise Engine and Foundry Company and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of the Navy shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the Directive Order of the Tenth Regional War Labor Board dated April 20, 1944, as modified by the Directive Order of the National War Labor Board dated June 3, 1944.

3. The Secretary of the Navy shall permit the managements of the plants and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

4. The Secretary of the Navy is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of the Navy within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 12, 1944.

[F. R. Doc. 44-12200; Filed, August 14, 1944; 12:29 p. m.]

EXECUTIVE ORDER 9464

TRANSFERRING THE USE, POSSESSION, AND CONTROL OF CERTAIN LAND IN THE NANTAHALA NATIONAL FOREST FROM THE DEPARTMENT OF AGRICULTURE TO THE TENNESSEE VALLEY AUTHORITY

By virtue of the authority vested in me by section 7 (b) of the Tennessee Valley Authority Act of 1933 (48 Stat. 63), and by the act of June 4, 1897, 30 Stat. 34, 36 (16 U.S.C. 473), it is ordered that the use, possession, and control of the land hereinafter described be, and they are hereby, transferred from the Department of Agriculture to the Tennessee Valley Authority, for the purposes thereof as stated in the said Tennessee Valley Authority Act of 1933.

The land affected by this order is within the Nantahala National Forest in Nantahala Township of Swain County, North Carolina, and is more particularly described as follows:

FR-827

Beginning at a point in the boundary line between the lands of E. L. McKee, and the United States Forest Service, the coordinates of which referred to the North Carolina Coordinate System are N. 613,535 and E. 636,177;

From the initial point:

S. 83°16' E., 273 ft. to a point;
S. 56°49' E., 1412 ft. to a point;
S. 43°20' W., 170 ft. to a point in contour level 1722.63 ft. above mean sea level, as based on the United States Coast and Geodetic Survey's Southeastern Supplementary Adjustment of 1936;

Thence northwesterly along the contour approximately 1500 feet to United States Forest Service Monument 1108-34;

Thence No. 38°30' W., 190 ft. to the point of beginning.

The tract as described contains 4.4 acres.

The direction of lines are referred to the North Carolina Coordinate System.

The transfer of the use, possession, and control of the above-described tract or parcel of land is made subject to such rights as may be vested in Swain County, North Carolina, or the State of North Carolina to rights-of-way for public roads.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 12, 1944.

[F.R. Doc. 44-12201; Filed, August 14, 1944; 12:27 p. m.]

EXECUTIVE ORDER 9465

AMENDMENT OF EXECUTIVE ORDER 9356 OF JUNE 24, 1943, PRESCRIBING REGULATIONS GOVERNING THE FURNISHING OF CLOTHING IN KIND OR PAYMENT OF CASH ALLOWANCES IN LIEU THEREOF TO ENLISTED PERSONNEL OF THE NAVY, THE COAST GUARD, THE NAVAL RESERVE, AND THE COAST GUARD RESERVE

By virtue of and pursuant to the authority vested in me by section 10 of the Pay Readjustment Act of June 16, 1942 (56 Stat. 359, 363), it is ordered that section A6 (b) of Executive Order 9356 of June 24, 1943, prescribing regulations governing the furnishing of clothing in kind or payment of cash allowances in lieu thereof to enlisted personnel of the Navy, the Coast Guard, the Naval Reserve, and the Coast Guard Reserve, be, and it is hereby, amended to read as follows:

Those undergoing other training:
An issue of clothing in kind not to exceed in value $30.00
In addition a temporary issue of Government-owned clothing not to exceed in net value 160.00

This order shall become effective as of July 1, 1944.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 12, 1944.

[F. R. Doc. 44-12199; Filed, August 14, 1944; 12:27 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 965—MILK IN THE CINCINNATI, OHIO, MARKETING AREA

HANDLING OF MILK IN CINCINNATI, OHIO, MARKETING AREA

Order amending the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area.

§ 965.1 *Findings and determinations*—(a) *Findings upon the basis of hearing record.* Pursuant to the act and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR, Cum. Supp. 900.1-900.17; 7 F.R. 3350, 8 F.R. 2815), a public hearing was held upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. It is hereby found upon the basis of the evidence introduced at the original hearing on said order and in addition to the other findings made prior to or at the time of the original issuance of said order (which findings are hereby ratified and affirmed, save only as such findings are in conflict with the findings hereinafter set forth), that:

(1) The order regulating the handling of milk in the said marketing area, as amended and as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Cincinnati, Ohio, marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices set forth in the said order, as amended and as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order, as amended and as hereby amended, regulates the handling of milk in the same manner, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of at least 50 percent of the volume of milk covered by this order, which is marketed within the Cincinnati, Ohio, marketing area, refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the said order, as amended and as hereby amended, is the only practical means pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of the order, as amended and as hereby amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period, were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is hereby ordered, That such handling of milk in the Cincinnati, Ohio, marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce shall from the effective date hereof be in compliance with the terms and conditions of the said order, as amended and as hereby amended; and the said order, as amended, is hereby amended as follows:

1. Delete § 965.6 (a) (1) (9 F.R. 825) and substitute therefor the following:

(1) Class I milk—$3.80.

2. Delete § 965.6 (a) (2) and substitute therefor the following:

(2) Class II milk—$3.35: *Provided,* That the price for Class II milk shall not be less than the price for Class III milk plus 15 cents.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.)

Issued at Washington, D. C., this 31st day of July 1944, to be effective on and after the 16th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

Approved: August 9, 1944.

FRED M. VINSON,
Director of Economic Stabilization.

[F. R. Doc. 44-12103; Filed, August 12, 1944; 11:06 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4319]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MORTON SALT CO.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Cumulative discounts:* § 3.45 (e) *Discriminating in price — Indirect discrimination — Discounts and allowances.* In the sale of Morton's Free Running Table Salt, plain or iodized, or other grades of table salt in commerce, discriminating directly or indirectly in the price of such products of like grade and quality as among wholesale or retail dealers purchasing said salt when the differences in price—defined, for the purposes of comparison, as used in the order as taking into account discounts, allowances, and other terms and conditions of sale—are not justified by differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which such products are sold or delivered by selling any of such products (1) to some wholesalers thereof at prices different from the prices charged other wholesalers who in fact compete in the sale and distribution of such products; (2) to some retailers thereof at prices different from the prices charged other retailers who in fact compete in the sale and distribution of such products; or (3) to any retailer at prices lower than prices charged wholesalers whose customers compete with such retailer; prohibited. (Sec 2 (a), 49 Stat. 1526; 15 U.S.C., sec. 13 (a)) (Cease and desist order, Morton Salt Company, Docket 4319, July 28, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of July, A. D. 1944.

In the Matter of Morton Salt Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of the allegations of said complaint and in opposition thereto taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusions that respondent has violated the provisions of subsection (a) of section 2 of an act of Congress entitled, "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (Clayton Act), as amended by Act approved June 19, 1936 (Robinson-Patman Act):

It is ordered, That respondent, Morton Salt Company, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in the sale of Morton's Free Running Table Salt, plain or iodized, or other grades of table salt in commerce as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from discriminating directly or indirectly in the price of such products of like grade and quality as among wholesale or retail dealers purchasing said salt when the differences in price are not justified by differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which such products are sold or delivered,

(a) By selling any of such products to some wholesalers thereof at prices different from the prices charged other wholesalers who in fact compete in the sale and distribution of such products.

(b) By selling any of such products to some retailers thereof at prices different from the prices charged other retailers who in fact compete in the sale and distribution of such products.

(c) By selling any of such products to any retailer at prices lower than prices charged wholesalers whose customers compete with such retailer.

For the purposes of comparison, the term "price" as used in this order takes into account discounts, allowances, and other terms and conditions of sale.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12156; Filed, August 14, 1944; 10:31 a. m.]

[Docket No. 4714]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

JOHN HANLEY

§ 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondent's mechanical device designated "Whirlgas Supercharger" and "Whirlgas Turbinator", or any other similar device, representing, directly or by implication that said device (1) is the result of scientific investigation or research; (2) is a supercharger, or that it acts as or performs the functions of a supercharger; (3) increases the normal speed or flow of gas vapor entering the combustion chambers of an automotive engine, or increases the explosive power of such vapor; (4) increases the power of an automotive engine; (5) saves gasoline or oil; (6) reduces the carbon monoxide content of the exhaust from an automotive engine; (7) has any effect upon the formation of carbon; or (8) causes a motor to operate at an even temperature, or that it prevents vapor-lock; or thus representing (9) that the use of said device results in the distribution of a uniform gas mixture to each cylinder of the motor; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, John Hanley, Docket 4714, August 1, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of August, A. D. 1944.

In the Matter of John Hanley, an Individual

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence and the exceptions to such report, brief in support of the complaint (no brief having been filed by respondent, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, John Hanley, an individual, and his agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's mechanical device designated "Whirlgas Supercharger" and "Whirlgas Turbinator," or any other device of substantially similar construction or possessing substantially similar characteristics, whether sold under the same names or any other name, do forthwith cease and desist from representing, directly or by implication:

1. That said device is the result of scientific investigation or research.

2. That said device is a supercharger, or that it acts as or performs the functions of a supercharger.

3. That said device increases the normal speed or flow of gas vapor entering the combustion chambers of an automotive engine, or increases the explosive power of such vapor.

4. That said device increases the power of an automotive engine.

5. That said device saves gasoline or oil.

6. That said device reduces the carbon monoxide content of the exhaust from an automotive engine.

7. That said device has any effect upon the formation of carbon.

8. That said device causes a motor to operate at an even temperature, or that it prevents vapor-lock.

9. That the use of said device results in the distribution of a uniform gas mixture to each cylinder of the motor.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing set-

ting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-12157; Filed, August 14, 1944; 10:31 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

RATIO OF INDEBTEDNESS TO NET CAPITAL; BROKERS AND DEALERS

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 15 (c) and 23 (a) thereof, hereby amends § 240.15c3-1 [Rule X-15c3-1] to read as follows:

§ 240.15C3-1 *Ratio of aggregate indebtedness to net capital*—(a) *General provision.* No broker or dealer shall permit his aggregate indebtedness to all other persons to exceed 2,000 per centum of his net capital.

(b) *Exemptions.* The provisions of this rule shall not apply to any broker or dealer who (1) does not extend credit to any person to whom he sells or for whom he purchases any securities, and (2) does not carry money or securities for the account of customers or owe money or securities to customers, except as an incident to transactions with or for customers which are promptly consummated by payment or delivery: *Provided,* That credit shall not be deemed to be extended by reason of a bona fide delayed delivery of any such security against full payment of the entire purchase price thereof upon such delivery within thirty-five (35) days after such purchase.

(c) *Definitions.* For the purpose of this rule:

(1) The term "aggregate indebtedness" shall be deemed to mean the total money liabilities of a broker or dealer arising in connection with any transaction whatsoever, including, among other things, money borrowed, money payable against securities loaned and securities "failed to receive," customers' free credit balances, credit balances in customers' accounts having short positions in securities, and equities in customers' commodities future accounts, but excluding

(i) Indebtedness secured by exempted securities;

(ii) Amounts segregated in accordance with the provisions of the Commodity Exchange Act and the rules and regulations thereunder; and

(iii) Liabilities on open contractual commitments;

(2) The term "net capital" shall be deemed to mean the net worth of a broker or dealer (that is, the excess of total assets over total liabilities), adjusted by

(i) Adding unrealized profits (or deducting unrealized losses) in the accounts of the broker or dealer and, if such broker or dealer is a partnership, adding equities (or deducting deficits) in accounts of partners;

(ii) Deducting fixed assets and assets which cannot be readily converted into cash, including, among other things, real estate, less any indebtedness secured thereby; furniture and fixtures; exchange memberships; prepaid rent, insurance and expenses; unsecured advances and loans to partners, officers, directors, employees, and salesmen; customers' unsecured notes and accounts; and deficits in customers' accounts, except in bona fide cash accounts within the meaning of section 4 (c) of Regulation T of the Board of Governors of the Federal Reserve System;

(iii) Deducting 10% of the market value of securities long and short (except exempted securities) in the capital, proprietary and other accounts of the broker or dealer and, if such broker or dealer is a partnership, in accounts of partners;

(iv) Deducting, in the case of a broker or dealer who has open contractual commitments, 10% of the value (which shall be the market value whenever there is a market) of each net long and each net short position contemplated by any existing contractual commitment in the capital, proprietary and other accounts of the broker or dealer and, if such broker or dealer is a partnership, in accounts of partners, except as to exempted securities, and except that the deduction with respect to any individual commitment shall be reduced by the unrealized loss in such commitment; and

(v) Deducting, in the case of a broker or dealer who is a sole proprietor, the excess of (*a*) liabilities which have not been incurred in the course of business as a broker or dealer over (*b*) assets not used in the business, but only if such excess would materially affect net worth;

(3) The term "exempted securities" shall mean those securities specifically defined as exempted securities in section 3 (a) (12) of the Securities Exchange Act of 1934;

(4) The term "partner," where the broker or dealer is a partnership, shall mean only a partner who has agreed in writing that the equity in any accounts he may maintain with such partnership shall be included as partnership property;

(5) The term "contractual commitments" shall include underwriting, when-issued and delayed delivery contracts, endorsements of puts and calls, commitments in foreign currencies, and spot (cash) commodities contracts, but shall not include uncleared regular way purchases and sales of securities and contracts in commodities futures; a series of contracts of purchase or sale of the same security conditioned, if at all, only upon issuance may be treated as an individual commitment; and

(6) The term "customer" shall include every person except a partner as here defined.

Effective November 9, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12153; Filed, August 14, 1944; 9:42 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 311]

PART 410—PURCHASE AND SUPPLY SECTION

SALE OF PROPERTY

Part 410 is amended as follows:

Section 410.00-6 (a) (8 F.R. 14727) is amended by adding the following sentence:

§ 410.00-6 *Sale of property.* (a) • • • Bids may be waived, however, in the sale of such property, under the same conditions that they may be waived in purchases, as provided in § 410.02.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective: August 7, 1944.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 44-12101; Filed, August 12, 1944; 9:57 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5395]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

MISCELLANEOUS AMENDMENTS

Regulations 103 (26 CFR, 1940 Supp., Part 19) and Treasury Decision 5363, approved April 29, 1944, are amended as follows:

PARAGRAPH 1. Section 19.322-7, as amended by Treasury Decision 5363, approved April 29, 1944, is further amended by changing the third sentence of the last paragraph of paragraph (b) and the third sentence of paragraph (d) so that each such sentence will read as follows:

• • • It is immaterial whether the agreement is executed before, on, or after the date of the enactment of the Revenue Act of 1943, but such agreement must be executed within three years from the time the return was filed by the taxpayer, or within two years from the time the tax was paid, whichever period expires the later.

PAR. 2. Treasury Decision 5363, approved April 29, 1944, is amended by inserting at the end of "Par. 3" thereof the following new sentence:

• • • For taxable years beginning after December 31, 1923, and prior to January 1, 1939, the agreement, referred to in paragraph 2 of this Treasury decision, to extend the time within which the Commissioner might make an assessment must have been executed prior to the expiration of the period within which claim for refund might be filed under the law applicable to the taxable year in question, without regard to the amendment made by section 509 (a) of the Revenue Act of 1943.

(53 Stat. 32, 467; 26 U.S.C., 1940 ed., 62, 3791)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: August 11, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-12136; Filed, August 12, 1944; 2:44 p. m.]

[T. D. 5396]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

TIME FOR FILING FINAL RETURNS OF DECEDENTS

Section 29.53-1 of Regulations 111 (26 CFR, Cum. Supp.), as amended by Treasury Decision 5306, approved November 19, 1943, is further amended by striking out subparagraphs (4), (5), and (6) and inserting in lieu thereof the following:

(4) In the case of a final return of a decedent for a fractional part of a year, on or before March 15 next following the close of the calendar year in which occurred the death of the decedent.

(5) In the case of any return for a fractional part of a year, the Commissioner may, upon a showing by the taxpayer of unusual circumstances, prescribe a later time for the filing of the return.

(53 Stat. 32; 26 U.S.C. 62)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: August 11, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-12137; Filed, August 12, 1944; 2:44 p. m.]

[T. D. 5397]

PART 23—CONSOLIDATED RETURNS OF AFFILIATED RAILROAD CORPORATIONS AND PAN-AMERICAN TRADE CORPORATIONS

PART 33—CONSOLIDATED RETURNS OF AFFILIATED CORPORATIONS PRESCRIBED UNDER SECTION 730 (B) OF THE EXCESS-PROFITS TAX ACT OF 1940

CONSOLIDATED RETURNS

Effective as of March 14, 1944, § 23.31 (d) (11) (iv) of Regulations 104 (9 F.R. 2844) and § 33.31 (c) (16) (iv) of Regulations 110 (9 F.R. 2846), as added by Treasury Decision 5341, approved March 14, 1944, are amended by striking from the portion thereof preceding the lettered inferior subdivisions the words "or to the common parent corporation of a group in existence on March 14, 1941," and inserting in lieu thereof the words "or to the common parent corporation or subsidiaries of a group in existence on March 14, 1941,".

(53 Stat. 58 as amended by Pub. Law 753, 77th Cong.)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved:

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-12138; Filed, August 12, 1944; 2:44 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey

PART 216—OPERATING AND SAFETY REGULATIONS GOVERNING THE MINING OF COAL IN ALASKA

PRIOR REGULATIONS MADE APPLICABLE

Section 216.1 of the regulations in this part is hereby amended to read, as follows:

§ 216.1 *Prior regulations made applicable.* With the exception of §§ 211.4 (c) and (g), 211.15 (c), 211.24 (c), 211.48 (d), 211.77 (a) and (b), 211.79 (c), 211.82 (a), 211.83 (b), 211.86 (a), 211.87, 211.88, and 211.90 (a), which shall not be deemed applicable for the purpose of the regulations in this part, §§ 211.1 to 211.111 inclusive, of the coal mine operating and safety regulations (30 CFR Part 211) are hereby made applicable to and shall govern the methods of mining coal from leased, licensed, and permitted lands on the public domain in the Territory of Alaska.

(38 Stat. 741, 745; 48 U.S.C. 451)

I concur:

W. E. WRATHER,
Director.

R. R. SAYERS,
Director, Bureau of Mines.

Approved: August 7, 1944.

MICHAEL W. STRAUS,
Assistant Secretary.

[F. R. Doc. 44-12102; Filed, August 12, 1944; 9:59 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 255]

REPLACEMENT SUMMARY, ETC.

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 318, entitled "Replacement Summary."[1] The supply of DSS Form 318 on hand will be used until exhausted.

Revision of DSS Form 319, entitled "Replacement List."[1] The supply of DSS Form 319 on hand will be used until exhausted.

Revision of DSS Form 320, entitled "Replacement Schedule Title Sheet."[1] The supply of DSS Form 320 on hand will be used until exhausted.

The foregoing revisions shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 27, 1944.

[F. R. Doc. 44-12097; Filed, August 11, 1944; 3:53 p. m.]

[No. 256]

REPORT OF PERSONNEL ACTION

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 250, entitled "Report of Personnel Action Taken by Local Board or Appeal Board With Respect to Compensated Employee."[1] Upon receipt of the revised DSS Form 250, the use of the supply of DSS Form 250 (Revised 8/28/42) will be discontinued and all unused copies will be disposed of.

The foregoing revision shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 17, 1944.

[F. R. Doc. 44-12095; Filed, August 11, 1944; 3:53 p. m.]

[No. 257]

REGISTRANT'S AFFIDAVIT

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 41, entitled "Registrant's Affidavit—Family Status and Dependents."

The foregoing discontinuance shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the

[1] Filed as part of the original document.

continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 11, 1944.

[F. R. Doc. 44-12096; Filed, August 11, 1944; 3:53 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-599]

D. APPLETON-CENTURY CO. INC.

D. Appleton-Century Co. Inc. is a corporation organized under the laws of the State of New York with an office and place of business at 35 West 32nd street, New York City and engaged in the business of publishing and selling books. During the calendar year 1942, the company caused to be put into process in the production of books 2,064,077 pounds of paper. Under Limitation Order L-245 the company was entitled to put into process for production of books during the year 1943 only 90 per cent of the amount of paper by weight put into process during 1942, or 1,857,699.3 pounds of paper. The company put into process during the year 1943 2,293,657 pounds of paper, an excessive use of 435,987.7 pounds. The company offers the explanation that confusion existed for months in its accounting department as a result of the illness and resignation of its treasurer, and that its records of paper consumption had always been compiled by dollar values and not by weight. The company was familiar with the terms of Order L-245 and while there was no deliberate intent on the part of the company to exceed its quota or otherwise violate Limitation Order L-245, its officers failed to take reasonably prudent steps to establish its quota early enough in the year to serve as a guide for the control of its operations and to prevent the substantial excess usage which concededly took place. This excessive use of paper has diverted scarce material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.599 *Suspension order No. S-599.* (a) D. Appleton-Century Co. Inc., its successors and assigns, shall reduce its consumption of paper during the year 1944 so that the total amount of paper put into process in the calendar year 1944 shall be 435,987.7 pounds less than it would otherwise be permitted to put into process during 1944 under the provisions of Limitation Order L-245, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve D. Appleton-Century Co. Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance and shall expire on December 31, 1944.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12098; Filed, August 11, 1944; 4:28 p. m.]

PART 3270—CONTAINERS

[Conservation Order M-290, Direction 5]

DELIVERIES OF SHEETS TO SHEET PLANTS UNDER THIRD QUARTER AUTHORIZATIONS AFTER OCTOBER 1, 1944

The following direction is issued pursuant to conservation Order M-290:

(a) If all of the conditions stated in this direction are fulfilled, a sheet plant may accept against third quarter authorizations deliveries of corrugated and solid fibre sheets, even though they were not delivered or in transit to it by September 30, 1944.

(1) The sheet plant must have placed its order, duly certified its accordance with Order M-290 (see paragraphs (c) and (d), for the sheets with its supplier prior to September 20, 1944, and must be entitled to accept the sheets, in so far as tonnage is concerned, within the authorization it received for the third quarter of 1944.

(2) The corrugated or solid fibre sheets must be made from containerboard which was delivered or in transit to the sheet supplier prior to October 1, 1944, pursuant to a duly certified purchase order carrying the sheet plant's authorization number in accordance with paragraph (c) of Order M-290.

(b) This direction supersedes, to the extent indicated, the statement contained in outstanding third quarter authorizations for containerboard to the effect that such authorizations lapse with respect to any containerboard not actually delivered or in transit to the consumer by the last day of the quarter covered by his application. In all other respects, the provisions of Order M-290 and all authorizations issued thereunder remain fully applicable.

Issued this 12th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12105; Filed, August 12, 1944; 11:18 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-280, as Amended July 21, 1944, Amdt. 1]

MOISTURE VAPOR BARRIER MATERIAL

Section 3281.96 *General Conservation Order M-280* is hereby amended in the following respects:

I. Add the following two new paragraphs (a) (7) and (a) (8):

(7) "Ammunition container bag" means a container made of moisture vapor barrier material used to package ammunition for the Army and Navy of the United States.

(8) "Powder bag" means a container made of moisture vapor barrier material used to package gun powder for the Army and Navy of the United States.

II. Amend paragraph (b) (3) to read as follows:

(3) No person shall use any moisture vapor barrier material, moisture barrier bags or processed sheets except for ammunition container bags, powder bags and for packaging products which have been ordered by or for the account of the Army or Navy of the United States. These bags or processed sheets, other than ammunition container bags and powder bags, may be used only when the applicable specifications require Method II packaging (dehydration).

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 FR. 6727)

Issued this 12th day of August, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12147; Filed, August 12, 1944; 5:18 p. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, Supp. 1, as Amended Aug. 12, 1944]

NEWSPAPERS

§ 3133.6a *General Limitation Order L-240, Supplement No. 1*—(a) *Purpose of appeal clause.* The serious shortage in the supply of print paper available for newspapers makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-240. Such reductions may create serious hardships which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraphs (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) *No automatic adjustments.* Paragraph (f) of this supplement describes the types of hardships for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j) to (m) of Order L-240, unless he files an appeal for such relief and a grant is made in writing signed by the Recording Secretary of the War Production Board.

(c) *Adjustments of base tonnages.* Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War Production Board.

(d) *Effective date of base tonnage adjustments.* Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted, on appeal, does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any quarter before the issuance of the appeal grant.

(e) *Application of curtailments.* Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (k) of Order L-240 as amended from time to time.

(f) *Types of hardship for which relief shall be granted.* In passing upon appeals under Order L-240 the following standards shall govern:

(1) *Extraordinary population increase accompanied by circulation increase.* Where there has been extraordinary growth of population in a newspaper's trading area since December 31, 1942, its consumption quota shall be adjusted in order to permit the maintenance of adequate newspaper service in that trading area. The amount of tonnage to be granted shall be determined as follows: (i) the percentage of population growth in the newspaper's trading area since December 31, 1942 and the percentage of the newspaper's circulation growth in that area measured by the average for the first two quarters of 1944 over the average for the year of 1942, shall be ascertained. (ii) The newspaper's consumption quota shall be increased to the extent that the lower of these two figures exceeds 7½%. In other words, a newspaper must absorb the first 7½% of both population and circulation increase, and it will be granted ex-quota paper only to the extent that population or circulation increase exceeds 7½%, whichever percentage increase is smaller.

Population increase shall be determined on the basis of the best available evidence. In making such determination consideration may be given not only to census figures but also to ration book records, estimates of military authorities, local government officials, postal authorities, telephone, gas and electric companies, housing authorities, employment and labor agencies, transportation agencies, Chambers of Commerce and others. In trading areas where evidence of population increase is inconclusive, weight may be given to circulation increase as evidence of population increase. Increased circulation resulting from promotional sales efforts shall not be included.

Additional adjustment shall be made for newspapers in trading areas whose population has increased more than 50% since the last decennial census, in order to maintain adequate newspaper service in the trading area.

(2) *Extraordinary circulation increase.* Where a newspaper's average circulation for the second quarter of 1943 exceeds its average circulation for the year 1942 by more than 10%, the newspaper's consumption quota shall be increased to the extent of such circulation increase in excess of 10%, without the necessity of establishing any population increase. Increased circulation resulting from promotional sales efforts shall not be included.

(3) *Discontinuance or merger of newspapers.* Adjustments in consumption quota shall be made in order to maintain adequate newspaper service in a community where there has been a discontinuance or merger of newspapers.

(4) *Supplements added in 1941 or 1942.* Adjustments in consumption quota shall be made for newspapers which added supplements in 1941 or 1942. Such adjustments shall be made only to the extent that the newspaper's total content was increased by the addition of the supplements and such increase was not reflected in its base tonnage and only to the extent it appears that because of contractual relationships undue hardship would be caused by a failure to make such adjustments.

[Paragraphs (5), (6), (7) and (8) formerly (6), (7), (8) and (9). Former paragraph (5) deleted Aug. 12, 1944.]

(5) *Temporary suspension.* Newspapers which were forced to suspend publication temporarily during 1941 because of strikes, fires, or similar conditions shall be granted compensatory increases in their base tonnages, to the extent that it was impracticable to continue operations at another plant.

(6) *Change in roll size.* Publishers who reduced the width of their newsprint rolls in 1941 shall be granted compensatory increases in their base tonnages.

(7) *Increased frequency of issuance.* Publishers who increased the frequency of issuance of their newspapers in 1941 and 1942 shall be granted adjustments of their base tonnages to permit continued publication at the frequency of issuance established before Order L-240 was issued, on December 31, 1942.

(8) *Extraordinary hardships.* Appeal tonnage shall not be recommended by either the administrator or the Division Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (7) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) *Factors which shall not be considered as grounds for granting appeals.* The following is a list of some of the factors which shall not be considered as grounds for the granting of tonnage on appeal. This list is not exclusive.

(1) The nature of a newspaper's contents.

(2) Diminished base period consumption because of financial conditions.

(3) Suspension of publication in 1941 or 1942 except as provided in paragraph (f) (5).

(4) Population or circulation increase, except as provided in paragraph (k) (2) of Order L-240 or paragraphs (f) (1) or (f) (2) of this supplement.

(5) Retarded circulation growth caused by a price increase in 1941 or 1942.

(6) Conservation of paper at any time except as provided in paragraph (f) (6).

[NOTE: Paragraphs (7) through (13) formerly (8) through (14). Former paragraph (7) deleted Aug. 12, 1944.]

(7) Change in number of advertising lines at any time, except as provided in paragraphs (f) (3) and (f) (4).

(8) Unsold copies or circulation returns.

(9) Special events such as war bond drives, recruiting drives, war news, political news, etc.

(10) Inability to maintain or increase advertising lines under existing quotas.

(11) The fact that additional tonnage was granted on appeal to a competitor.

(12) Request to use in a newspaper started since December 31, 1942, more tonnage than that permitted in paragraph (m) of Order L-240.

(13) Consumption of print paper in violation of Order L-240, whether or not such violation was wilful.

Procedure

(h) *How appeals are submitted.* Appeals from Order L-240 may be filed by addressing a letter in duplicate to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(i) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the subdivision of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) *Denials by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(k) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(l) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) *Recommendation of grant by the administrator.* The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence of each member of the Division Appeals

Committee, consisting of himself, the administrators of Orders L–241, L–244, and L–245, the Assistant Director of the Printing and Publishing Division for Labor, and representatives of the Office of Civilian Requirements and the Conservation Division..

(n) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel although he may do so if he wishes.

(q) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

(r) *Finality of decisions.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) *Publication of grants.* Grants on appeals shall be announced publicly at least every two weeks.

(t) *Announcement of grounds of decision.* Whenever a grant is made for "unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (8), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) *Amendment of supplement.* Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

(v) *Public files.* Public files shall be set up in all cases, including those filed before as well as after October 7, 1943, whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:

1. All papers filed by the appellant in support of the appeal except those portions which contain confidential data.
2. All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.
3. Copy of all letters of grant or denial.
4. A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) *False representations.* All grants on appeal are conditional upon the validity of the statements submitted in support thereof. Any person who wilfully conceals a material fact or furnishes false information in connection with an appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section (35) (A) of the United States Criminal Code.

Issued this 12th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12146; Filed, August 12, 1944; 5:18 p. m.]

PART 1102—AGAR

[General Preference Order M–96, Revocation]

Section 1102.1 *General Preference Order M–96* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12174; Filed, August 14, 1944; 11:26 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Limitation Order L–97–d, Direction 1]

SUSPENSION OF FILING REQUIREMENTS

The following direction is issued pursuant to Limitation Order L–97–d:

(a) Until further notice, manufacturers of critical components for railroad equipment covered by Limitation Order L–97–d are excused from filing Forms WPB–3000 and WPB–3001, except with respect to the critical components listed below in paragraph (d).

(b) Each manufacturer's shipping schedule of critical components which has been filed with the War Production Board before August 14, 1944, on Form WPB–3001 remains a frozen schedule under Priorities Regulation 18.

(c) Each manufacturer who is excused by paragraph (a) should maintain on and after August 14, 1944, his shipping schedule of each critical component in such manner as to be readily transferable to Form WPB–3001. In arranging the sequence of shipments, he shall be governed by Priorities Regulation No. 1 and other applicable orders and regulations of the War Production Board. These shipping schedules will not be considered frozen schedules except as to the shipping dates of purchase orders which are already part of a frozen schedule under paragraph (b).

(d) Manufacturers must continue to file the applicable forms under Order L–97–d with respect to the following critical components:

Beds.
Clasp brakes.
Frames.
Live steam injectors.
Mechanical lubrication equipment.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12175; Filed, August 14, 1944; 11:26 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L–211, Sch. 15 as Amended Aug. 14, 1944]

HOT-ROLLED CARBON STEEL BARS

Section 3102.16 *Schedule 15 to Limitation Order L–211* is amended to read as follows:

§ 3102.16 *Schedule 15 to Limitation Order L–211* (a)—*Definitions.* For the purpose of this schedule:

(1) "Hot-rolled carbon steel bars" means carbon steel bars in either straight bar or coil form produced from billets or blooms by hot-rolling, without subsequent processing for accuracy of cross-section or to impart special surface finishes. The term does not include tool steel bars, file steel bars, or concrete reinforcement bars.

(2) "Bars" means rounds, squares, round-cornered squares, hexagons, ovals, half-ovals, half rounds, and bar size shapes (angles, channels, and tees under 3 inches on both legs). Rounds, squares, and hexagons having dimensions in excess of those shown in Table 1 of this schedule (classified as forgings), and flats as defined in section 8 of the American Iron and Steel Institute Steel Products Manual, Revision June, 1943, are not within the scope of this definition.

(3) "Carbon steel" means steel other than alloy steel as defined in Order M–21–a, but does not include wrought iron.

(b) *Restrictions on sizes.* No person shall produce or deliver hot-rolled carbon steel bars of any type listed in Table 1 within the range of sizes there listed, except in the sizes listed in that table.

(c) *Acceptance of delivery.* No person shall accept delivery of any hot-rolled carbon steel bars which he knows or has reason to believe have been produced or delivered in violation of the provisions of paragraph (b) of this schedule.

(d) *Exceptions.* The provisions of this schedule shall not prevent:

(1) Delivery or acceptance of hot-rolled carbon steel bars which because of errors in manufacture do not conform to the requirements of this schedule, providing such requirements are waived by the purchaser.

(2) Production, delivery, or acceptance of hot-rolled carbon steel bars specifically permitted in writing by the War Production Board.

(e) *Records.* Each person owning or possessing hot-rolled carbon steel bars excepted by the provisions of paragraph (d) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE 1

PERMISSIBLE NOMINAL SIZES AND TOLERANCES

Sizes (All dimensions in inches)

Rounds (Including bolting materials):
- ¼ to 67/64 incl., advancing by sixty-fourths.
- 29/32 to 2 1/32 incl., advancing by thirty-seconds.
- 2 1/16 to 4 1/16 incl., advancing by sixteenths.
- 4⅛ to 6⅛ incl., advancing by eighths.
- 6¼ to 8¼ incl., advancing by fourths.

Bolt and rivet sizes:

0.365	0.865	1.235
0.445	0.912	1.297
0.490	0.990	1.360
0.615	1.047	1.422
0.680	1.110	1.485
0.740	1.172	

Heat treated stud rounds:

0.507	0.883	1.261
0.632	1.009	1.387
0.758	1.135	1.514

Squares:
- ¼ to 1 29/32 incl., advancing by thirty-seconds.
- 1 15/16 to 4 1/16 incl., advancing by sixteenths.
- 4¼ to 5½ incl., advancing by fourths.

Round-corner squares: (Sizes, face-to-face):
- ⅜ to ½ incl., advancing by thirty-seconds; Nominal Corner Radii 1/16.
- 17/32 to 1 3/16 incl., advancing by thirty-seconds; Nominal Corner Radii 3/32.
- 1 7/32 to 1 15/32 incl., advancing by thirty-seconds; Nominal Corner Radii 1/8.
- 1½ to 1 15/16 incl., advancing by sixteenths; Nominal Corner Radii 1/16.
- 2 to 2 7/16 incl., advancing by sixteenths; Nominal Corner Radii 1/16.
- 2½ to 2⅞ incl., advancing by sixteenths; Nominal Corner Radii 3/16.
- 3 to 3¾ incl., advancing by eighths; Nominal Corner Radii 1/16.
- 3½ to 3⅞ incl., advancing by eighths; Nominal Corner Radii 1/8.
- 4 to 4¼ incl., advancing by fourths; Nominal Corner Radii 5/16.
- 4½ to 5½ incl., advancing by fourths; Nominal Corner Radii ¼.

NOTE: Round-corner square bars shall be rolled to dimensions and dimensional tolerances, not to weights per linear foot.

Hexagons:
- ¼ to 2 1/32 incl., advancing by thirty-seconds.
- 2 1/16 to 4 1/16 incl., advancing by sixteenths.

Half rounds:
- ⅛ to 1 incl., advancing by eighths.
- 1¼ to 2 incl., advancing by fourths.
- 2½ and 3.

Sharp ovals:
- 2 x 7/16
- 1 3/16 x 7/16
- 1 5/16 x 7/16
- 1 7/16 x 7/16
- 1 x 7/16
- ¾ x 7/16
- ⅝ x 7/16
- ½ x 7/16
- ⅜ x 7/16

Blunt ovals:
- ⅝ x ⅛
- 9/16 x ⅛
- ½ x ⅛
- 7/16 x ⅛
- ⅜ x ⅛

Half ovals:
- 3½ x 7/16
- 3 x 3/16
- 2½ x 5/16, ⅛
- 2¼ x ---- ⅛, 7/16
- 2 x ---- ⅛, 7/16, 3/16
- 1¾ x ------- 7/16, 3/16, 5/16
- 1½ x ------- 7/16, 3/16, 5/16, ¼
- 1⅜ x ---------- 3/16, 5/16, ⅛
- 1¼ x ---------- 3/16, 5/16, ¼, 3/16
- 1⅛ x ---------- 3/16, 5/16, ¼, 3/16
- 1 x ---------- 3/16, 5/16, ¼, 3/16
- ⅞ x ---------- 5/16, ¼, 3/16
- ¾ x ---------- ¼, 3/16
- ⅝ x ---------- ¼, 3/16, ⅛
- ½ x ---------- 3/16, ⅛
- ⅜ x ---------- 5/32

Equal leg fillet angles:
- 3½ x 3½ x ⅛, 3/16, 5/16, ¼, 5/16
- 3 x 3 x --- 3/16, 5/16, ¼, 5/16, ¼
- 2½ x 2½ x ---------- ¼, 5/16, ⅜
- 2¼ x 2¼ x ---------- ¼, 5/16, ⅜
- 2 x 2 x --- 3/16, 5/16, ¼, 5/16, ⅜
- 1¾ x 1¾ x ---------- 3/16, ¼, 5/16
- 1½ x 1½ x ---------- 3/16, ¼, 5/16
- 1¼ x 1¼ x ---------- 3/16, ¼, 5/16
- 1⅛ x 1⅛ x ---------- 3/16, ¼, 5/16
- 1 x 1 x ---------- 3/16, ¼, 5/16
- ⅞ x ⅞ x ---------- ¼, 5/16
- ¾ x ¾ x ---------- ¼, 5/16
- ⅝ x ⅝ x ---------- ¼, 5/16
- ½ x ½ x ---------- ¼, 5/16
- ⅜ x ⅜ x ---------- ¼, 5/16

Unequal leg fillet angles:
- 2½ x 2 x ⅜, 5/16, ¼, 3/16
- 2½ x 1½ x --- 5/16, ¼, 3/16
- 2¼ x 1½ x ------- ¼, 3/16
- 2 x 1½ x ------- ¼, 3/16, ⅜
- 2 x 1¼ x ------- ¼, 3/16, ⅜
- 1¾ x 1¼ x ------- ¼, 3/16, ⅜
- 1¾ x 1 x ---------- 3/16, ⅜
- 1½ x 1¼ x ---------- 3/16, ⅜
- 1½ x 1 x ---------- ⅜
- 1½ x ⅞ x ---------- ⅜
- 1⅜ x ⅞ x ---------- 3/16, ⅜
- 1 9/32 x 29/32 x ---------- 5/32
- 1¼ x 1 x ---------- 3/16, ⅜
- 1 x ¾ x ---------- ⅜
- 1 x ⅝ x ---------- ⅜
- ½ x 5/16 x ---------- 5/32

Equal leg square root angles:
- 2 x 2 x ¼
- 1¾ x 1¾ x ¼, 3/16
- 1½ x 1½ x ¼, 5/16, ⅜
- 1¼ x 1¼ x --- 5/16, ⅜
- 1 x 1 x ------- ⅜
- ⅞ x ⅞ x ------- ⅜
- ¾ x ¾ x ------- ⅜

Unequal leg square root angles:
- 2 x 1¼ x ¼
- 2 x 1 x --- 3/16, ⅜

Square back channels:

Width	Flanges	Web
2½ x	5/16 x	---- 3/16
2½ x	1 3/32 x	--------- ⅜
2 x	1	---- 3/16, ⅜
2 x	⅝ x	¼
2 x	9/16 x	---- 3/16
2 x	½ x	--------- ⅜
1¾ x	½ x	---- 3/16
1½ x	⅝ x	5/16 ---- ⅜
1½ x	1 1/16 x	¼
1½ x	9/16 x	---- 3/16
1½ x	½ x	--------- ⅜
1⅜ x	½ x	--------- ⅜
1⅜ x	9/16 x	---- 3/16
1 x	½ x	--------- ⅜
1 x	⅜ x	--------- ⅜
⅞ x	7/16 x	--------- ⅜
⅞ x	⅜ x	--------- ⅜
¾ x	⅜ x	--------- #15 BWG (a)
¾ x	⅜ x	--------- ⅜
¾ x	5/16 x	--------- ⅜
½ x	¼ x	--------- ⅜

(a) Birmingham wire gage.

NOTE: Dimensions in the above table are for width, flanges and web for each item. In a number of instances, however, more than one pattern is available and producers' lists should be consulted.

Box channel:
- 1½ x 1½ x 3/16

Equal tees:
- 2½ x 2½ x 3/16, 5/16, ¼
- 2¼ x 2¼ x ------- ¼
- 2 x 2 x --- 5/16, ¼
- 1¾ x 1¾ x ------- 3/16, 3/16
- 1½ x 1½ x ------- 3/16, 3/16
- 1¼ x 1¼ x ------- 3/16, 3/16, ¼
- 1⅛ x 1⅛ x ---------- ⅜
- 1 x 1 x ---------- 3/16, ⅜
- ⅞ x ⅞ x ---------- ⅜
- ¾ x ¾ x ---------- ⅜

Unequal tees:

Flange width		Stem depth		Thickness
2½	x	1 29/32	x	¼, 3/16
2	x	1½	x	¼, 3/16
1½	x	1¼	x	⅛

NOTE: Dimensions in above lists of equal tees and unequal tees are over-all measurements of flange and stem, and thickness of both flange and stem at outer ends, flange and stem to have the same thickness. Profiles as made by different mills may differ in detail and producers' lists should be consulted.

PERMISSIBLE VARIATIONS FOR DIMENSIONS AND WORKMANSHIP

Permissible cross-sectional size variations applicable to this schedule shall be those set forth as Standard Permissible Variations for Dimensions and Workmanship in section 8, Hot Rolled Carbon-Steel Bars, of the American Iron and Steel Institute Manual, Revision June 1943. Modification of the prescribed tolerances is not permissible; except that for bars purchased on Army, Navy or Federal Specifications, the tolerances set forth in such specifications may be applied.

[F. R. Doc. 44-12176; Filed, August 14, 1944; 11:26 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L-211, Revocation of Interpretation 1 to Schedule 15]

HOT-ROLLED CARBON STEEL BARS

Interpretation 1 to Schedule 15 of Limitation Order L-211 is superseded, in part, and made obsolete, in part, by Order L-211, Schedule 15, as amended August 14, 1944.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12177; Filed, August 14, 1944; 11:26 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 8, as Amended Aug. 14, 1944]

POWER DIVISION, OFFICE OF WAR UTILITIES

§ 3208.9 *Table for Power Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns: 1 Operations report	2 Shipping schedule [1]	Application and authorization	4 Calendar months frozen [2]
1. Steam turbines unless designed for ship propulsion or aircraft use	X	----------	3003	----------	8
2. Hydraulic turbines	X	----------	3003	----------	12
3. Gas-propelled turbines unless designed for ship propulsion or aircraft use	X	----------	3003	----------	10
4. Steam turbine generator sets for land use unless designed for locomotive headlight service	X	----------	3003	----------	12
5. Steam turbine generator sets for shipboard use unless designed for ship propulsion	X	----------	3003	----------	10
6. Generators designed to be propelled by a hydraulic turbine	X	----------	3003	----------	12
7. Generators designed to be propelled by a steam engine, a steam turbine, or a gas turbine, unless designed for ship propulsion, aircraft use or locomotive headlight service	X	----------	3003	----------	10
8. Generators designed to be propelled by a diesel or natural gas engine, 750 r. p. m. and less, excluding equipment for marine use	X	----------	3003	----------	10
9. Diesel and natural gas engines, 750 r. p. m. and less, excluding equipment for marine use	X	----------	3003	----------	10

[1] Form WPB-3401 may be used instead of Form WPB-3003.
[2] For explanation of time during which shipping schedule is frozen see paragraph (c) of M-293.

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule [2]	3 Application and authorization	4 Calendar months frozen [4]
10. Boilers and boiler units, exclusive of those for marine shipboard or locomotive use: [1]					
a. Boilers and boiler units (including such auxiliaries as superheaters, desuperheaters and water walls or water-cooled furnaces, when such auxiliaries are fabricated by the manufacturer who reports and fabricates the related boiler) of any type listed below if such boilers and boiler units are (i) designed for a steam pressure of more than 15 pounds per square inch, and (ii) have a boiler heating surface of 500 square feet or more, but less than boilers and boiler units listed in c below:					
(i) Water tube	X		1790		10
(ii) Scotch marine					
(iii) Horizontal return tubular					
(iv) Refractory lined firebox					
(v) Oil country					
b. Boilers and boiler units designed for steam pressures over 15 pounds per square inch, all sizes, of the following types:					
(i) Waste heat	XY		1790	2645	
(ii) Dowtherm					
(iii) Mercury					
(iv) Electric (electrode type only)					
c. Boilers and boiler units listed in a above which have a combined boiler, water wall, economizer, and air heater heating surface of 3,000 square feet or more	XY		1790	2645	
d. Boiler auxiliaries, such as superheaters, desuperheaters, economizers, air heaters and water walls or water-cooled furnaces, (i) for a new boiler installation if fabricated by a manufacturer other than the manufacturer reporting and fabricating the related new boiler, or (ii) for a boiler unit already in use	X		1790		12
11. Pulverizers and related combustion equipment installed for the primary purpose of pulverizing solid fuel for firing any type of furnace, excluding those for marine shipboard and locomotive use	X		1790		12
12. Automatic stokers designed for burning solid fuel, with an active projected grate surface in excess of 36 square feet, excluding stokers for locomotive use. The term active projected grate surface means grate surface through which air is supplied to the fuel bed, either continuously or intermittently	X		1790		12
13. Soot blowers—any device using steam or air to blow soot, cinders, or slag from the heating surfaces of furnaces, boilers, stills and other types of direct-fired heat exchangers, excluding those for locomotive or marine use		732	3003		8
14. Steam condensers (surface, jet and barometric), inter and after condensers, and air ejectors, or any combination thereof, including marine condensers and air ejectors other than those produced for the United States Navy for use on ships	X		3003		8
15. Power frequency changers, 62½ cycles and below	X		1790		8
16. Synchronous condensers	X		1790		8
17. Oil circuit breakers of 2,200 volts or higher	X		[3] 1790		8
18. Air circuit breakers except types AB, ET, or similar	X		[3] 1790		8
19. Metal clad switchgear containing oil or air circuit breakers listed in 17 and 18 above and power switchboards	X		[3] 1790		8
20. Liquid-filled and dry-type power or distribution transformers, 250 KVA and larger; unit substations and unit load centers containing such transformers	Y			2643	
21. Liquid-filled and dry-type power or distribution transformers, smaller than 250 KVA, having special features, design characteristics or accessories as defined in paragraph a of Block 4 of the instructions on Form WPB-2643	Y			2643	
22. (Revoked.)					
23. Crankshafts, finished, open hammer forged and press forged; also finished cast crankshafts for engines of 750 r. p. m. and less	X	878C	878C		8
24. Hydraulic governors except for aircraft application	X		3003		8

[1] See Table 14 of this order for listings of land boilers not included in this Table 8.
[2] A manufacturer of these products may file on Form WPB-3003 at his option.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12178; Filed, August 14, 1944; 11:26 a. m.]

PART 3270—CONTAINERS

[Order L-317, Direction 2]

OFFICERS' MESSES ASHORE

The following direction is issued pursuant to Order L-317:

The words "U. S. Navy" as used in paragraph (t) (1) of Order L-317 include Officers' Messes ashore.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12179; Filed, August 14, 1944; 11:26 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 5, as Amended Aug. 14, 1944]

RESTRICTION ON PROCESSING OF CATTLEHIDE, CALFSKIN AND KIP

The following amended direction is issued pursuant to General Conservation Order M-310:

Effective July 1, 1944 and until further notice no tanner shall put into process for his own account in any calendar quarter, in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he put into process for his account during 1942.

Effective July 1, 1944 and until further notice, no tanner shall put into process for the account of others in any calendar quarter in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he put into process for the account of others during 1942.

Effective July 1, 1944, and until further notice, no contractor or converter shall cause to be put into process for his account in any calendar quarter in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he caused to be put into process for his account during 1942.

During the third calendar quarter of 1944, this direction shall not apply to kips.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12172; Filed, August 14, 1944; 11:26 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-45, Revocation]

JEWELRY

Section 3291.195 *General Limitation Order L-45* restricting the use of karat gold and palladium in the manufacture of jewelry is hereby revoked.

This revocation does not affect any liabilities accrued under the order. The manufacture and production of jewelry remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 14th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12173; Filed, August 14, 1944; 11:26 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-602]

THE WICHITA BEACON

The Wichita Beacon is a corporation with its principal office in Wichita, Kansas. It is engaged in the business of publishing a daily newspaper known as The Wichita Beacon. In the first, second, and third quarters of 1943, it used or caused to be used in the publication of its newspaper, 83.86 tons, 30.782 tons, and 9.99 tons respectively, of print paper in excess of its quotas for such quarterly periods as established by Limitation Order L-240 and in violation of that order. The officers of the company were familiar with the provisions of Limitation Order L-240 and the violations were wilful, but there were extenuating circumstances. This excessive use of paper has diverted scarce material to uses not authorized by the War Production

Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.602 *Suspension Order No. S–602.* (a) The Wichita Beacon, its successors or assigns, shall reduce its use of print paper during the balance of the third quarter of 1944 by 22.5 tons, during the fourth quarter of 1944 by 45 tons, and during the first quarter of 1945 by 22.5 tons under the consumption quota it would otherwise be entitled to use during those periods as specified by the provisions of Limitation Order L–240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve The Wichita Beacon, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance and shall expire on March 31, 1945.

Issued this 11th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12099; Filed, August 11, 1944; 4:28 p. m.]

Chapter XI—Office of Price Administration

PART 1346—BUILDING MATERIALS

[RMPR 206,[1] Amdt. 5]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 206 is amended in the following respects:

1. Section 4.1 is amended to read as follows:

SEC. 4.1 *Maximum prices for "pick-up basis" and for "less-than-carload shipments by rail."* (a) (1) Any manufacturer making sales on a "pick-up basis," f. o. b. factory, from a factory located within the Eastern Area, as defined in section 5.1 of this regulation, or any manufacturer making sales in "less-than-carload shipments by rail" delivered to a destination point within such area, may increase his established March 1942 maximum price by an amount not in excess of an amount determined in the following manner: Reduce the discounts established during the month of March 1942 for sales of sewer pipe products covered by discount numbers 1 to 7, inclusive, by 3 points, those covered by discount numbers 8 to 16, inclusive, by 4 points, of the tables of list prices set forth in section 5.2 of this regulation.

(2) In the case of sales of sewer pipe products sold f. o. b. factory on a "pick-up basis" or for "less-than-carload shipments by rail" within the States of Iowa, Minnesota, North Dakota, South Dakota, and Zones 3 and 4 in the State of Wisconsin, as defined in section 8.1 below, sellers may add 11.4 percent to the highest prices charged during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(3) In the case of sales of sewer pipe products sold f. o. b. factory on a "pick-up basis" or for "less-than-carload shipments by rail" within the East Central Area, as defined in section 7.1 below, sellers may add 8 percent to the highest price charged during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(4) Maximum prices for the sale of sewer pipe products sold f. o. b. factory on a "pick-up basis," except the St. Louis Metropolitan Area, and for "less-than-carload shipments by rail" into all areas of the United States not specifically covered by subparagraphs (1), (2), and (3) above, shall be a price not in excess of the highest price charged for delivery on a "pick-up basis" and for "less-than-carload shipment by rail" during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(b) Maximum prices for the sale of sewer pipe products sold f. o. b. factory on a "pick-up basis" and/or "delivered" for the St. Louis Metropolitan Area are established in section 8.4 (e) of this regulation.

The term "pick-up basis" when used in reference to a sale means a transaction in which a purchaser takes delivery of sewer pipe products at the factory and removes the sewer pipe products from the factory by conveyance provided by the purchaser.

The term "less-than-carload shipment" means a shipment or quantity of vitrified clay sewer pipe and allied products which totals less than the minimum weight as set forth in the tariffs of railroad carriers upon which the railroad carload rate from the point of shipment to the point of destination is based.

2. The table which now appears in section 7.3 is hereby deleted and the following table is substituted in its place:

Discount number	Illinois, zones 1, 2, and 5	Wisconsin, zones 1 and 5	Wisconsin, zone 2	Michigan, upper peninsula	Indiana	Kentucky
1	61	59	57	57	64	64
2	54	51	49	49	61	59
3	54	51	49	49	59	59
4	64	62	60	60	68	65
5	64	62	60	60	68	68
6	57	55	53	53	67	62
7	57	55	53	53	64	62
8	61	59	57	57	64	62
9	55	53	50	50	58	----------
10	50	48	46	46	53	55
11	61	59	57	57	64	----------
12	47	45	43	43	----------	----------
13	42	40	37	38	----------	----------

3. The table which now appears in paragraph (b) of section 7.4 is hereby deleted and the following table is substituted in its place:

Large sewer pipe (inside diameter, inches)	Illinois zones 1, 2, and 5		Wisconsin, zones 1, 2, and 5		Upper peninsula of Michigan		Indiana		Kentucky	
	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength
27 #1, per foot	$3.02	$3.40	$3.13	$3.50	$3.13	$3.50	----------	$3.36	----------	----------
30 #1, per foot	3.24	3.72	3.50	3.88	3.50	3.88	----------	3.72	----------	----------
33 #1, per foot	----------	5.17	----------	5.34	----------	5.34	----------	5.14	----------	----------
36 #1, per foot	5.30	5.88	5.52	6.09	5.52	6.09	----------	5.85	----------	----------
27 #2, per foot	2.80	3.07	2.96	3.18	2.96	3.18	$2.52	2.52	----------	----------
30 #2, per foot	3.13	3.40	3.23	3.56	3.40	3.56	2.80	2.80	----------	----------
33 #2, per foot	----------	4.74	----------	4.69	----------	4.69	3.98	3.98	----------	----------
36 #2, per foot	4.96	5.44	5.17	5.66	5.17	5.66	4.53	4.53	----------	----------

4. The table which now appears in paragraph (c) of section 7.4 is hereby deleted and the following table is substituted in its place:

Large sewer pipe (inside diameter, inches)	Illinois zones 1, 2, and 5		Wisconsin zones, 1, 2, and 5		Upper peninsula of Michigan		Indiana		Kentucky	
	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength
27 #1, per foot	$3.18	$3.56	$3.40	$3.67	$3.40	$3.67	----------	$3.50	----------	----------
30 #1, per foot	3.50	3.93	3.67	4.04	3.67	4.04	----------	3.88	----------	----------
33 #1, per foot	----------	5.39	----------	5.55	----------	5.55	----------	5.34	----------	----------
36 #1, per foot	5.52	6.09	5.73	6.31	5.73	6.31	----------	6.08	----------	----------
27 #2, per foot	2.96	3.23	3.13	3.34	3.13	3.34	$2.66	2.66	----------	----------
30 #2, per foot	3.29	3.61	3.40	3.72	3.40	3.72	2.95	2.95	----------	----------
33 #2, per foot	----------	4.96	----------	5.12	----------	5.12	4.17	4.17	----------	----------
36 #2, per foot	5.17	5.66	5.39	5.88	5.39	5.88	4.75	4.75	----------	----------

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1428, 16995; 9 F.R. 4349.

5. A new paragraph (d) is hereby added to section 7.4 to read as follows:

(d) Any person purchasing sewer pipe products for resale in the same form may add to his maximum prices established on or prior to August 17, 1944, an amount not exceeding the actual dollars-and-cents increased cost to him resulting from the increase in maximum prices permitted manufacturers of sewer pipe products under section 7.3 and paragraphs (b) and (c) of section 7.4, as amended.

This Amendment No. 5 shall become effective August 17, 1944.

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12107; Filed, August 12, 1944; 11:24 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 524,[1] Amdt. 2]

USED TIGHT COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 524 is amended in the following respects:

1. In section 1 the first sentence is amended to read as follows: "Regardless of any contract or other obligation, no person may sell or deliver, and no person may buy or receive used tight cooperage or the service of reconditioning such cooperage at prices higher than those contained in this regulation."

2. Section 2 (b) is amended to read as follows:

(b) *Transactions covered.* This regulation covers all sales and purchases of used tight cooperage and the service of reconditioning such cooperage within the continental limits of the United States.

3. In section 3 the first sentence is amended to read as follows: "The maximum prices for used tight cooperage and the service of reconditioning such cooperage are shown in the following tables:"

4. Section 4 is amended to read as follows:

SEC. 4. *Sales for which prices are not specifically established.* Any person desiring to make a sale of items covered by this regulation on the domestic market and whose selling price is not specifically established by the regulation shall make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for a price. The application must contain a complete description of the item to be priced, the applicant's March 1942 selling price of the item if he sold such item at that time, his requested selling price and his method of arriving at that price, including material, labor, transportation, storage or any other such factors affecting the requested selling price.

The requested selling price may be used pending approval of a price by this office, subject, however, to adjustment to the price finally approved. Prices not disapproved within 20 days from the receipt of application containing the necessary information for establishing a price are approved until specifically revoked.

5. Section 5 (b) is amended to read as follows:

(b) *Peddler.* One who obtains used barrels from emptiers for the purpose of resale and makes local delivery to purchasers or, in the case of shipment by rail, makes delivery to freight car without storing, selecting or reconditioning them.

6. In section 5, paragraph (c) to (j), inclusive, are redesignated paragraphs (d) to (k), inclusive, and a new paragraph (c) is added to read as follows:

(c) *Accumulator.* An emptier who empties barrels at two or more separate points and transports and stores them for resale at a storage warehouse at some other location.

This amendment shall become effective August 17, 1944.

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12108; Filed, August 12, 1944; 11:26 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 141]

MILEAGE RATIONING: GASOLINE REGULATION

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1394.8169 (a) is revoked.

This amendment shall become effective August 16, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12109; Filed, August 12, 1944; 11:26 a. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 353,[2] Amdt. 5]

CERTAIN FINE CHEMICALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 353 is amended in the following respects:

1. At the end of the heading the words "Methyl Salicylate and Berberine Salts" are substituted for the words "and Methyl Salicylate."

2. To the list of commodities set out in §§ 1396.51 (a) and 1396.57 (a) (2) the following additional commodity is added:

Berberine salts.

3. The following new subparagraph is added to § 1396.57 (a):

(26) "Berberine salts" means the sulfate, bisulfate or hydrochloride salts of the alkaloid berberine.

4. The following new paragraph is added to § 1396.59:

(n) *Berberine salts*—(1) *Sales by producers and primary distributors.* The maximum prices for sales of berberine salts by producers and primary distributors are established as follows:

BERBERINE SALTS—PRODUCERS AND PRIMARY DISTRIBUTORS (MAXIMUM PRICE PER POUND)

Container size	Sold in quantities of	
	10 lbs. and over	Less than 10 lbs.
5 lbs. or larger	$36.25	$36.30
1 lb.	36.50	36.75
¼ lb.	37.00	37.25
1 oz.	42.06	42.40
⅛ oz.	80.06	80.40

(2) *Sales by resellers.* The maximum prices for sales of berberine salts by resellers are established as follows:

BERBERINE SALTS—RESELLERS (MAXIMUM PRICE PER POUND)

Container size:	*Sold in quantities of less than 1 lb.*
¼ pound	$48.44
1 ounce	55.20
⅛ ounce	65.28

This amendment shall become effective August 17, 1944.

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12110; Filed, August 12, 1944; 11:26 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2351, 4687.

[1] 8 F.R. 15937.

[2] 8 F.R. 2951, 6441, 13125, 16155; 9 F.R. 3648.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 41]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

A new item is added to § 1407.243 to read as follows:

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
• • •	• • •	• • •
No. 19 (Sept. 1, 1944, to date to be announced by the Office of Price Administration).	Book Four, Sugar Stamp 33.	5 pounds.

This amendment shall become effective August 16, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12111; Filed, August 12, 1944; 11:27 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 42]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.163b (a) is amended by substituting in the first sentence of the last paragraph the words "County Agricultural Adjustment Administration Committee" for the words "United States Department of Agriculture War Board".

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 4099, 4350, 4474, 4880, 5220, 5254, 5166, 5426, 5346.

[1] 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5166, 5426, 5346.

This amendment shall become effective August 16, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12112; Filed, August 12, 1944; 11:28 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 381,[1] Amdt. 5]

STOCK SCREEN GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

1. In section 3, paragraph (c) is relettered (d) and a new paragraph (c) is added to read as follows:

(c) *Addition to maximum prices for retail sales.* When a regular dealer purchases from other than a factory or factory warehouse and pays inbound common carrier freight from his normal sources of supply in excess of $0.75 per hundred pounds, the regular dealer may increase his maximum prices for retail sales of screen doors or extension window screens or knocked-down window screen frames by 2 percent of list price, and he may increase his maximum prices for retail sales of combination doors by 3 percent of list price.

2. In section 4 (a), sub-paragraph (2) is amended to read as follows:

(2) In sales to distributors, when the shipment originates at any place other than a factory or factory warehouse:

(i) The seller cannot charge for delivery when delivery is made by the seller's own truck.

(ii) When shipment is made by common carrier, any seller who allowed freight in March 1942 must allow freight to the same extent as he did in March 1942, but not in excess of $0.75 per hundred pounds. Sellers who allowed no freight in March 1942 may continue to allow no freight.

3. Section 7 is amended to read as follows:

SEC. 7. *Records and reports*—(a) *Records.* Sellers must keep records which will show a complete description of the items of stock screen goods sold, the name and address of the buyer (except in retail sales), the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller (except in retail sales). These records must be kept for two years, covering any month in which the seller or buyer sold or bought $200 or more of stock screen goods.

(b) *Reports.* All regular dealers who increase their retail prices on screen doors, extension window screens or combination doors in accordance with the provisions of section 3 (c) shall report to the Lumber Branch, Office of Price Administration, Washington 25, D. C. the names of their regular suppliers of these products, the origin and destination of inbound shipments, the freight rates per hundred pounds, the amount of freight allowed by the supplier, and the quantity of screen goods and combination doors received from such regular suppliers. Such reports shall be made by September 1, 1944 to cover the period July 1, 1943 to June 30, 1944. No report shall be required for any period after June 30, 1944, except that a seller who advances his prices under section 3 (c) after, but not before, December 31, 1944, shall submit a report giving the above information for the most recently completed twelve month period prior to such price advance.

This amendment shall become effective August 17, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12113; Filed, August 12, 1944; 11:25 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 75]

HOME BUILDING MATERIALS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MPR 373 is amended in the following respects:

[1] 8 F.R. 6159, 7198; 9 F.R. 2300, 4608, 6915.

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 16866, 16997, 15862, 17201; 9 F.R., 173, 393, 580, 584, 1158, 1487, 1489, 1528, 1530, 2177, 2659, 5168, 5438, 5482, 6259, 6810, 6813, 6814, 6818, 6885, 7262, 7424.

1. A new section 69 is added to read as follows:

Sec. 69. *Maximum prices for sales of home building materials at wholesale*—(a) *What is covered by this section.* This section establishes maximum prices for sales at wholesale of the home building materials listed in Appendix A.

(b) *Wholesalers' maximum prices.* If you are a wholesaler of any home building material item listed in Appendix A, your maximum prices shall be determined as follows:

(1) For out of stock sales of any item manufactured outside the Territory of Hawaii (i. e. all items except those listed under the classification Brick):

First, add the manufacturer's selling price and your "landing cost," computed in accordance with the provisions of paragraph (e). Then multiply this amount by the applicable multiplication factor listed in Appendix A for the particular item and class of purchaser involved. The resulting price shall be your maximum price.

(2) For sales on a drop shipment basis of any item manufactured outside the Territory of Hawaii (i. e. all items except those listed under the classification Brick):

Your maximum price shall be the maximum price established by sections 2 and 3 of the General Maximum Price Regulation for the Territory of Hawaii.

(3) For sales of any locally manufactured item (i. e. all items listed under the classification Brick): Add the manufacturer's selling price and the applicable dollars and cents markup listed in Appendix A for the particular item and class of purchaser involved. The resulting price shall be your maximum price.

(4) For sales of any item purchased from another wholesaler: If you purchase any home building material item from another wholesaler, you must secure a written record of your supplier's maximum price, and your maximum price shall be your supplier's maximum price.

(c) *Effect of changes in the manufacturer's selling price.* All changes in the manufacturer's selling prices shall be reflected in the computation of your maximum price under paragraph (b) above, as of the date merchandise is received in the Territory at the adjusted price. For example, your manufacturer of Wall Board reduces his selling price from $29.00 MBM to $28.00 MBM. At the time you receive a new purchase of this item from him in the Territory at the reduced price, i. e., $28.00 MBM, you must reflect this figure in establishing your maximum price for sales of that item in accordance with the provisions of subparagraphs (b) (1) and (b) (3). Accordingly, the reduced price ($28.00 MBM) shall be used in computing your maximum price regardless of whether or not you have stocks on hand at the time which have been purchased at the higher price. The same rule applies in the computation of your maximum price when your manufacturer's selling price has increased: *Provided*, That such increased price shall not exceed the established maximum price for sales by your supplier to you.

(d) *Inability to price.* If you are unable to determine your maximum price for any article covered by this section under the pricing provisions set forth in paragraph (b), above, you shall apply the provisions of section 9a of this regulation to determine your maximum price.

(e) *"Landing cost" for items imported from outside the Territory of Hawaii.* (1) "Landing cost" for items imported from outside the Territory of Hawaii shall be computed by adding the amounts permitted in subdivisions (i) through (v) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions, has already been included in another subdivision, it may not again be added.

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the Port of Entry in the Territory of Hawaii from dock to the establishment of the purchaser, computed at a rate not in excess of prevailing (common or contract) carrier rates: *Provided*, That the commodity is moved from the dock at the purchaser's expense.

(2) Weighted average "landing cost". If an identical item on hand in the wholesaler's stock has two or more different "landing costs," then the landing cost for the item may, at the option of the seller, be determined by calculating a weighted average "landing cost" for the entire inventory of that identical item on hand. Weighted average "landing cost" shall be calculated as follows:

(i) Each different "landing cost" shall be multiplied by the number of units having such "landing cost." The products of such multiplication shall be added and the sum thereof divided by the total number of units for which the weighted average "landing cost" is desired. The quotient or result of such division is the weighted average "landing cost."

(f) *"Landing cost" in cases of inter-island shipments.* In the case that any item covered by this section is shipped from one island to another island in the Territory of Hawaii, the "landing cost" for such inter-island shipment may be added only after the maximum prices for such items have been computed under paragraph (b) above. "Landing cost" for inter-island shipments will be computed by adding the amounts permitted in subparagraph (1) through (3) set forth below.

(1) An amount equal to cartage charges actually incurred for cartage from warehouse to dock in the island from which the item was shipped, not in excess of prevailing public (common or contract) carrier rates.

(2) An amount equal to charges for ocean freight, War Risk and Marine insurance actually incurred for shipment between the islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(3) An equal amount to cartage charges on the island of final destination, from dock to the establishment of the purchaser, computed at a rate not in excess of prevailing public (common or

contract) carrier rates, *Provided*, That the commodity is moved from the dock at the wholesaler's expense.

(g) *Delivery charges.* (1) No charge shall be made for deliveries within a radius of 5 miles of the seller's warehouse or place of business of any of the home building materials listed in Appendix A, except those items specifically listed therein as sold on a f. o. b. basis; for example, cement in quantities of 100 bags. However, you may not refuse to make free delivery within the free zone unless it was not your practice as a seller during April 1942 to make free deliveries in this zone.

(2) For deliveries of items listed in Appendix A as priced on a f. o. b. basis, and for deliveries of all other items listed in Appendix A to points beyond a radius of 5 miles of the wholesaler's warehouse or place of business, the wholesaler may add an amount not in excess of the charges currently made by public (common or contract) carriers for similar services, except that in the case of sales of brick the wholesaler must add the delivery charges set forth in Appendix A for that item. Any charges made for delivery must be separately stated and shown on the invoice used in connection with the sale.

(h) *Records and invoices.* The following provisions regarding records and invoices shall apply in lieu of the provisions of paragraphs (a) and (c) of section 10 of this regulation.

(1) Purchase records: If you make sales at wholesale of any article listed and described in Appendix A, you must keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article, showing

(i) The date of purchase and the date of receipt.

(ii) The name and address of the seller.

(iii) A description of the article purchased.

(iv) The price paid or charged.

(v) The quantity purchased.

(vi) All data including the purchase, freight and other invoices or memoranda reflecting the charges incurred by you in arriving at your landing cost.

(2) Sales invoices: If you make sales of any item listed in Appendix A at wholesale, you shall invoice each sale of each such item. The original invoice shall be delivered to the buyer and shall state:

(i) Date of sale.

(ii) The name and address of the seller and buyer.

(iii) Itemized list of the articles sold.

(iv) A complete description of the articles sold, including grade, quantity, size, make or any other pertinent specification.

(v) The price charged or received.

(vi) All delivery charges.

A copy of this invoice shall be made and kept by you for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(i) *Definitions.* When used in this section, the term

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o.b. factory, less all allowable discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Regulation.

(2) "Out of stock sales" means sales of items which the seller carries in stock, sells out of stock and which were invoiced and shipped to the establishment of the seller.

(3) "Sales on a drop shipment basis" means sales of items which the seller does not carry in stock, which were not sold out of stock and which were not shipped to the establishment of the seller.

(4) "Sale at wholesale" means a sale by any person who maintains warehouse stock or renders a selling service, and who buys any home building material item listed in Appendix A and resells it, without materially changing its form, to plantations, industrial users, the United States Government, or any agency thereof, contractors, builders or retail dealers.

2. Appendix A is added to read as follows:

APPENDIX A

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Cement	All types	1 to 99 bags, 1.36 delivered. 100 to 399 bags, 1.17½ f. o. b. wharf or warehouse. 400 to 999 bags, 1.12½ f. o. b. wharf or warehouse. 1,000 and over, 1.10 f. o. b. wharf or warehouse.	1 to 99 bags, 1.36 delivered. 100 to 399 bags, 1.17½ f. o. b. wharf or warehouse. 400 to 999 bags, 1.12½ f. o. b. wharf of warehouse. 1,000 and over, 1.10 f. o. b. wharf or warehouse.
Knobs and handles: Knobs, handles, escutcheons, roses, key plates, push buttons, lever handles, drop and ring handles.		1.60	1.33⅓.

APPENDIX A—Continued

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Miscellaneous door hardware: Door closers, door holders, door bumpers, door stays, square spring bolts, door pulls, doorbell plates and push buttons, door bolts, checks (screen), fasteners (chain), thumb latches, push and kick plates, panic bolts, exit bolts, door stops.		1.60	1.33⅓.
Window hardware: Window bolts (casement window bolts, casement window adjusters, casement window operators), French window bolts, blind hold backs, sash lifts, sash fasteners, pulleys, springs.		1.60	1.33⅓.
Screen hardware: Window screen brackets and corners, door screen brackets and corners, door screen catches, hooks (screen), springs (screen).		1.60	1.33⅓.

APPENDIX A—Continued

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Miscellaneous hardware: Letter box plates, number plates, name plates, house numbers, snap catches, closet locks, thumb latches, transom and sash pivots, transom chains, transom lifters, transom catches, spring window bolts, window safety catches, window safety locks.		1.00	1.33⅓
Hinges: Loose pin, ball bearing, frictionless hinge, plates, transom hinges, floor spring hinges, strap hinges, showcase hinges, screen door hinges, cabinet hinges, lavatory door strikes and keepers, spring hinges, screen hinges (double fold).		1.00	1.33⅓.
Locks: Upright rim knob locks, padlocks, rim knob latches, cylinder rim dead locks, bathroom locks, sliding door locks, drawback knob locks, horizontal rim knob locks, rim knob locks, communication door locks, school house locks, asylum latches, French door latches, cylinder apartment locks, cylinder hotel locks, cylinder sliding door locks, cylinder Mortise locks, key blanks for all types of doors.		1.00	1.33⅓.
Insect screen cloth: Commercial bronze, galvanized, hand drawn copper, Kookshade fabric, plastic.	Full rolls	1.60	1.33⅓.
Insect screen cloth: Commercial bronze, galvanized, hand drawn copper, Kookshade fabric, plastic.	Less than full roll	1.80	1.33⅓.
Wall board—synthetic, except plywood: Canec	All types and sizes of ½" thickness.	1.33⅓	1.20.
Canec	1" thickness	1.23⅓	1.15.
Masonite	All types and sizes of hard boards processed from wood including Masonite, Presdwood, Tempr Presdwood, Temprtile and Quarterboard.	1.50	1.33⅓.
Flexboard	All types and sizes of Flexboard products of Johns-Manville Sales Corporation.	1.40	1.33⅓.
Asbestos cement board	All types and sizes, except Flexboard.	1.40	1.33⅓.
Plasterboard	All types and sizes of gypsum board including wallboard, lath sheathing, liner board, tile and joint systems.	1.33⅓	1.20.
Roofing materials (except clay tile roofing and wooden shingles): Composition and asbestos shingles.	All makes, types and sizes, single and multi-strip shingles used as but not confined to roofing and siding.	1.47	1.33⅓.
Roll roofing	All weights and widths of asphalt and/or tarred roll roofing, including mineral-surfaced and plain roofing and felts.	1.40	1.33⅓.

APPENDIX A—Continued

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Steel roofing	All gauges and sizes of steel and iron roofing material; corrugated, crimped or flat; galvanized, copper bearing or plain, used as but not confined to roofing, siding, ridge roll, ridge cap or flashing.	1.37½	1.30.
Brick, all makes and sizes in lots of 1000 bricks or over: Gray or natural color bricks	Random pick	$20.00M	$18.00M.
Cinder brick	Random pick	$30.00M	$27.00M.
Red brick	Random pick	$30.00M	$27.00M.
Cinder brick and/or red brick.	Hand picked	$35.00M	$32.00M.

(The above prices are f. o. b. factory)

Delivery charges:—Honolulu proper—within 6 mile radius; $3.00M beyond 6 miles—first 6 miles $3.00M, and $0.22 per M additional for each mile thereafter.

Concrete hollow tile brick: Full tile	12" x 8" x 16"	$0.264 each	$0.264 each.
Half tile	6" x 4" x 8"	$0.132 each	$0.132 each.
Full tile	10" x 8" x 16"	$0.232 each	$0.232 each.
Half tile	5" x 4" x 8"	$0.166 each	$0.166 each.
Full tile	8" x 8" x 16"	$0.176 each	$0.176 each.
Half tile	4" x 4" x 8"	$0.088 each	$0.088 each.
Full tile	4" x 8" x 16"	$0.136 each	$0.136 each.
Half tile	2" x 4" x 8"	$0.068 each	$0.068 each.
Full tile	8" x 8" x 16"	$0.128 each	$0.128 each.
Half tile	1⅓" x 4" x 8"	$0.064 each	$0.064 each.
Full tile	2" x 8" x 16" slab	$0.128 each	$0.128 each.
Half tile	1" x 4" x 8" slab	$0.064 each	$0.064 each.

(The above prices are f. o. b. factory)

Concrete hollow tile brick: Small units	12" x 3⅝" x 12"	$0.105 each	$0.105 each.
Small units	12" x 3⅝" x 16"	$0.08 each	$0.08 each.
Small units	7⅝" x 3⅝" x 12"	$0.07 each	$0.07 each.
Small units	7⅝" x 3⅝" x 10"	$0.065 each	$0.065 each.
Small units	7⅝" x 3⅝" x 6"	$0.04 each	$0.04 each.
Small units	5⅝" x 3⅝" x 12"	$0.07 each	$0.07 each.
Small units	5⅝" x 3⅝" x 6"	$0.035 each	$0.035 each.
Small units	3⅝" x 3⅝" x 12"	$0.06 each	$0.06 each.
Small units	3⅝" x 3⅝" x 6"	$0.03 each	$0.03 each.
Concrete block	7" x 3⅝" x 7"	$0.15 each	$0.15 each.
Concrete stepping stone	12" x 2½" x 12"	$0.30 each	$0.30 each.

(The above prices are f. o. b. factory)

Window glass: All sizes of single and double strength, "B" quality.	In full case lots	1.70	1.70.
Nails: All sizes, lengths and gauges of nails included but not confined to common, box, finishing, casing, lath or roofing nails, galvanized, bright, blue or cement coated.	Less than keg lots	1.70	1.70.
All sizes, lengths and gauges of nails included but not confined to common, box, finishing, casing, lath or roofing nails, galvanized, bright, blue or cement coated.	In keg lots	1.28	1.28.
Paint: Exterior house paint	Ready mixed or paste type.	1.40	1.33⅓.
Flat wall finishes	Ready mixed or paste type.	1.40	1.33⅓.
Casein lithopone or resin emulsion finishes.	Water thinned	1.40	1.33⅓.
Semi-gloss wall finishes	Ready mixed or paste type.	1.40	1.33⅓.
Pigmented wall primers and/or sealers.		1.40	1.33⅓.
Floor and/or porch enamels or paints.		1.40	1.33⅓.
Exterior concrete or stucco coating.	Oil base or water thinned.	1.40	1.33⅓.
Roof paints, including shingle stains and asphalt coatings.		1.40	1.33⅓.
Interior enamels and enamel undercoats.		1.40	1.33⅓.
Varnish and shellac: Architectural varnishes		1.60	1.45
Shellac and shellac substitutes.		1.60	1.35.

APPENDIX A—Continued

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Thinners:			
Turpentine, pure gum or steam distilled.		1.50	1.33⅓.
Mineral paint thinners for oil base paints or varnishes.		1.50	1.33⅓.
Linseed oil and substitute linseed oil.		1.50	1.33⅓.
Plumbing:			
Galvanized and black pipe		1.33⅓	1.25.
Galvanized and black pipe fittings.		1.53	1.40.
Cast iron soil and drainage pipe.		1.34	1.28.
Cast iron soil and drainage pipe fittings.		1.44	1.35.
Fixtures—staple:	Less trim:		
Toilets, lavatories, kitchen sinks, vitreous china laundry trays, bath tubs, urinals, range boilers, and water heaters, except electric.	50 to 100 units	1.30	1.10.
	26 to 49 units	1.35	1.15.
	11 to 25 units	1.40	1.20.
	6 to 10 units	1.45	1.25.
	1 to 5 units	1.50	1.25.
Fixtures—miscellaneous:			
Cement laundry trays and shower stalls.		1.50	1.33⅓.
Fixture trim:			
All exposed metal or substitute trim as known to the trade, such as supply and waste fittings for bath tubs, lavatories, sinks, urinals, toilets, showers, trays, angle and straight supplies, basin faucets, lavatory plugs, shower valves, shower heads, faucet hole covers, flanges, tailpieces, traps, flush valves, toilet seats, shower rods, left wastes and chain stays.		1.50	1.33⅓.
Repair parts for fixture trim:			
Parts for items listed under "Trim" as known to the trade; also toilet tank flush valves, ballcocks, lift wires, stems, overflow and refill tubes, trap levers, floats, tank balls, washers, and closet seat bumpers.		1.60	1.40.
Bathroom accessories:			
Medicine cabinets, paper holders, tumbler and tooth brush holders, towel bars, shelves, robe hooks, towel hooks, soap holders.		1.70	1.33⅓.

APPENDIX A—Continued

Classification	Description	Multiplication factor or dollars and cents markup on sales to contractors, builders, and industrial users and the United States Government	Multiplication factor or dollars and cents markup on sales to retail dealers
Oakum	In bale lots	1.33⅓	1.33⅓.
Caulking lead	To 499#	1.43	
	500–999#	1.40	
	1,000–1,999#	1.37	
Sheet lead	Full roll	1.48	
	Cut across sheet	1.57	
	Cut to size	2.10	
Stock doors, windows and screen millwork.		1.50	1.50.
Hand tools			1.33⅓.
Axes.			
Bars—ripping.			
Bevels—T.			
Bits—auger and expansion.			
Bits.			
Braces.			
Chisels—cold and wood.			
Clamps—woodworking.			
Coppers—soldering, electric and regular.			
Cutters—pipe.			
Dies.			
Drills—automatic hand and twist.			
Files.			
Gauges—woodworking.			
Hammers—claw and stone.			
Hatchets.			
Ladles—soldering.			
Levels—woodworking and masons'.			
Mattocks.			
Nail sets.			
Picks.			
Planes.			
Pliers.			
Plumb bobs.			
Pots—soldering.			
Reamers.			
Rules—wood and push pull.			
Saw sets.			
Saws — hand (woodworking).			
Screw drivers			
Shovels.			
Snips.			
Squares—woodworking.			
Stocks and dies—pipe.			
Stones—sharpening.			
Taps.			
Vises—pipe and woodworking.			
Wrenches — crescent and pipe.			

This amendment shall become effective as of June 15, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12114; Filed, August 12, 1944; 11:28 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 162]

WET CORN MILLING PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

Section 6.41 is amended in the following respect:

Paragraph (b) is redesignated paragraph (c) and a new paragraph (b) is added to read as follows:

(b) *Adjustment of maximum prices.* (1) The Office of Price Administration may adjust any maximum price established under this section for any manufacturer of wet corn milling products in bulk whose continued production is considered necessary to maintain essential supply, and who demonstrates that an adjustment is necessary in order:

(i) To cover its total cost of wet corn milling operations if its current over-all profits before income taxes are less than its corresponding base period profits (1936–1939); or

(ii) To cover its direct costs of wet corn milling operations if its current over-all profits before income taxes are as great as or greater than its corresponding base period profits.

(2) Applications for adjustment under this paragraph shall be filed by the manufacturer with the Office of Price Administration, Washington, D. C., in the manner prescribed by Revised Procedural Regulation No. 1, and shall contain the following information:

(i) Description of applicant's business, including a list by major groups of all commodities manufactured.

(ii) Present and requested maximum prices.

(iii) Applicant's annual profit and loss statements prepared according to its usual system of accounts for 1936 to 1939 inclusive, and for 1943 (or for its accounting periods corresponding to those calendar years) and for its most recent accounting period.

(iv) If the applicant is engaged in activities other than wet corn milling, his profit and loss statement for his wet corn milling operations during the most recent six months period. The statement of wet corn milling operations should show separately:

1. Net sales.
2. Cost of goods sold.
(a) Material cost.
(b) Labor costs
(c) Factory overhead.

3. Gross profit from sales.
4. Selling and advertising expense.
5. General and administrative expense.
6. Other operating expense.
7. Net profit from operations (before income taxes).

In addition, physical volume and dollar volume sales figures for each of the major classes of commodities produced by him in his wet corn milling operations must be furnished for the identical period for which the above data are submitted. Packaged goods and bulk goods must be shown separately.

NOTE: Filing of 1936–1939 data is optional provided reports are available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue. If you have submitted any of this information on Office of Price Administration Financial Reporting Forms A and B for certain periods, or have reported the exact information requested herein on a previous application for adjustment of maximum prices, you may so indicate and omit these reports in your present report.

(3) The Price Administrator may, by order, grant or deny the application in whole or in part and, in connection with adjustment of applicant's maximum prices, may also adjust maximum prices of purchasers for resale. Any such order may be revised or revoked at any time by the Price Administrator.

This amendment shall become effective August 17, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12115; Filed, August 12, 1944; 11:26 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 26 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 18) (OPA Form R–1313) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., August 13, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 12th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12143; Filed, August 12, 1944; 4:35 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 9 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 16–17) (OPA Forms R–1313 and 1611) which are made a part hereof.

This amendment shall become effective at 12:01 a. m., August 13, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 12th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12142; Filed, August 12, 1944; 4:33 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 43]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Correction

In F. R. Doc. 44–11069, appearing at page 9066 of the issue for Thursday, July 27, 1944, the price under column 5 for Item No. 31 in Table 5 should read "$3.99".

In column 3 of Table A, "40–50 pounds" should read "46–50 pounds".

PART 1305—ADMINISTRATION

[Supp. Order 92,[2] Amdt. 1]

ADJUSTABLE PRICING OF CERTAIN COTTON TEXTILES

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1305.120 of Supplementary Order No. 92 is amended in the following respects:

1. In paragraph (a) subparagraphs (1) and (2) are amended and subparagraph (4) is added to read as follows:

(1) All goods covered by Revised Price Schedule and Maximum Price Regulation Nos. 7, 11 and 33.

(2) Class A print cloths covered by Revised Price Schedule No. 35.

* * * * *

(4) Terry products, huck and crash towels, and corded napkins covered by Maximum Price Regulation No. 118.[3]

2. Paragraphs (b) and (c) are amended to read as follows:

(b) In connection with any sale first made on or after June 30, 1944 of any of the goods referred to in subparagraphs (1) (2) and (3) of paragraph (a) and any delivery pursuant thereto, and in connection with any sale first made on or after August 12, 1944 of any of the goods referred to in subparagraph (4) of paragraph (a), and any delivery pursuant thereto, the producer may agree with his customer to adjust the price to conform to any revised ceiling price which may be established by the Office of Price Administration prior to the revocation of the relevant provisions of this supplementary order.

(c) The permission granted in paragraph (b) shall not apply to deliveries against contracts made prior to the relevant date set forth in that paragraph. No contract existing prior to that relevant date shall be changed by amendment of such contract, by substitution therefor of a new contract, or otherwise (whether or not such change is made pursuant to the terms of the original contract), if the change so effected results in an agreed price in excess of the maximum price applicable to the original contract.

3. In footnote 1 the reference "Revised Price Schedule No. 89 (Bed Linens), 7 F.R. 715" is deleted.

This amendment No. 1 shall become effective August 12, 1944.

Issued this 12th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12139; Filed, August 12, 1944; 4:35 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 16]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

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[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2563, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6772, 6825, 7262, 7433, 8147, 8931, 9266, 9278.

[2] 9 F.R. 7502.

*7 F.R. 3036.

Maximum Price Regulation No. 88 is amended in the following respects:

1. Article IV is amended by substituting the term "70–74 Octane ASTM" for "72–74 Octane ASTM" wherever the latter term appears in such Article, and the price set forth for 72–74 Octane ASTM shall be reduced ⅛ of a cent per gallon, except that the maximum price established under section 4.14 (a) for 72–74 Octane ASTM for shipment to destinations other than Petroleum Administration for War District 1 shall be reduced ⅒ of a cent per gallon.

2. Sections 4.16 (a) and 4.41 (a) are amended by revoking the line in the table of each section reading as follows: "68–70 Octane ASTM unleaded___ 5.75."

3. Section 5.1 is amended by substituting for the second paragraph thereof the following:

Quotations in the above named periodical for 68–70 Octane motor gasoline shall not be used in determining maximum prices. Quotations in the above named periodical for 80, 72–74 motor gasoline; for kerosene and/or No. 1 fuel, No. 2, No. 3, No. 5 and No. 6 fuel oil, as set forth on Page 42 of such publication under the heading "Atlantic Coast," shall be used only in determining a seller's maximum price for such products loaded into motor transports and tank cars.

4. Section 5.2 (c) is amended by inserting after the word "gasoline" in the first sentence thereof the phrase "other than 68–70 Octane ASTM gasoline."

5. Section 6.5 (e) is added to read as follows:

(e) *Reduction in maximum prices of gasoline, except tank wagon prices.* The sum of ⅛ of a cent per gallon shall be deducted from maximum prices, except tank wagon maximum prices, determined under Article V, Article VIII, or section 1.9 for regular, housebrand or 72–74 Octane ASTM gasoline, or any automotive gasoline sold under any designation which is covered by the foregoing specifications and/or descriptions.

This amendment shall become effective August 15, 1944.

Issued this 12th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12140; Filed, August 12, 1944; 4:36 p. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 516,[1] Amdt. 1]

USED PHOTOGRAPHIC EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2563.

Section 17 is amended to read as follows:

SEC. 17. *Geographical applicability* This regulation applies in the forty-eight states of the United States, the District of Columbia, and the Territory of Hawaii.

This amendment shall become effective August 15, 1944.

Issued this 12th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12141; Filed, August 12, 1944; 4:34 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 44]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Correction

In Table 3 in F.R. Doc. 44–11180, appearing at page 9090 of the issue for Friday, July 28, 1944, the price under column 5 for Item No. 8 should be "2.58".

In the table under footnote 2, the price per pound for containers under 20 pounds opposite item 3 should read "1/5 cent."

PART 1305—ADMINISTRATION

[Rev. Supp. Order 10]

JUDICIAL SALES

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act, of 1942, as amended, it is hereby ordered:

Sec.
1. Judicial sales excluded from operations of price schedules and maximum price regulations, except as specified.
2. Regulations not affected by this order.
3. Sales in course of trade.
4. Definitions.

AUTHORITY: § 1305.14 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Judicial sales excluded from operations of price schedules and maximum price regulations, except as specified.* Except as provided in sections 2 and 3 hereof, no provisions of any price schedule, maximum price regulation or other order issued by any office of the Office of Price Administration shall be deemed to apply to any sale, at auction or otherwise, (a) held pursuant to the provisions of any order of sale made or entered by a State or Federal court, (b) held by a sheriff, constable, bailiff, marshal or other judicial officer pursuant to applicable State or Federal Law, or (c) held by a duly qualified executor or administrator, guardian or other legal representative in liquidating the assets of a decedent, minor or incompetent pursuant to applicable State law.

SEC. 2. *Regulations not affected by this order.* This order shall not apply to or affect any price schedule, maximum price regulation or other order issued by any office of the Office of Price Administration insofar as the same fixes the maximum price for the following commodities:

(a) *Machinery products.* (1) Second-hand machine tools as defined in and covered by Revised Price Schedule No. 1, or any amendment thereto.

(2) New machine tools as defined in and covered by Revised Price Schedule No. 67, or any amendment thereto.

(3) Any second-hand farm equipment sold at a price of $100 or more. For the purpose of this subparagraph (3), "farm equipment" shall be defined as provided in Maximum Price Regulation No. 133, or any amendment thereto.

(4) Any second-hand machine or part sold at a price of $100 or more. For the purpose of this subparagraph (4), "machine and part" shall be defined as provided in Maximum Price Regulation No. 136, or any amendment thereto.

(b) *Commodities under restrictive order.* (1) Commodities which in the hands of the seller or his legal successor or representative may not be sold or transferred, or may be sold or transferred only to specified persons or classes of persons, or under specified conditions, under applicable rules, regulations or orders of the War Production Board, Office of Price Administration or other governmental agency, or any official of any such.

(c) *Commodities subject to dollars and cents maximum prices.* (1) Commodities for which price regulations or orders establish a specific dollars and cents maximum price when sold by a seller otherwise affected by Revised Supplementary Order No. 10. By "specific dollars and cents maximum price" is meant a price specifically provided in a regulation or order (or incorporated therein by reference to a specific price list) the determination of which requires the application of no pricing formula, mark-up or other calculation.

(d) *Commodities subject to the following specific regulations or orders:*

MPR 110—Resale of New Household Mechanical Refrigerators.

MPR 111—New Household Vacuum Cleaners and Attachments.

MPR 139—Used Household Mechanical Refrigerators.

MPR 158—Resale of War Bicycles—Distributors and Dealers.

RMPR 162—Ceiling Prices for the Sale and Rental of Used Typewriters.

RMPR 213—New Coil and Flat Bedsprings.

MPR 294—Used Household Vacuum Cleaners and Attachments for Used Household Vacuum Cleaners.
MPR 316—Feathers and Down.
MPR 341—Maximum Prices for Used Commercial Motor Vehicles.
MPR 372—Used Domestic Washing Machines.
MPR 380—Used Metal Coil and Flat Bedsprings.
MPR 399—New Ice Boxes.
MPR 516—Used Photographic Equipment.
MPR 527—Used Domestic Gas Cooking Ranges.
Order 1470 under MPR 188—New Metal Cots and Double Deck Beds.
Order No. 1509 under MPR 188—Upholstered Sofa Beds, Studio Couches, and other Dual Purpose Sleeping Equipment.
Order No. 1849 under MPR 188—Inner Construction for Sofa Beds, Studio Couches and Other Dual Purpose Sleeping Equipment.

SEC. 3. *Sales in course of trade.* This order shall not apply to sales in the course of trade by a trustee in bankruptcy, receiver, administrator, executor, fiduciary, guardian, or other legal representative or officer of a court, engaged in continuing a business under court order or otherwise. All such sales shall remain subject to the provisions of all applicable price schedules and maximum price regulations of the Office of Price Administration.

SEC. 4. *Definitions.* Whenever used in this order the term:
(a) "Court" shall include a judge, referee in bankruptcy, commissioner, special master or other judicial officer.
(b) "Commodity" shall have the definition set forth in section 302 (c) of the Emergency Price Control Act of 1942.
(c) "Legal successor or representative" shall include a receiver, trustee in bankruptcy, administrator, executor, guardian or fiduciary.

Effective date. This Revised Supplementary Order No. 10 shall become effective August 19, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12184; Filed, August 14, 1944; 11:50 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 91,[1] Amdt. 2]

GARBAGE IN HAWAII

A statement to accompany this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1305.119 (a) (1) of Supplementary Order 91 is amended to read as follows:

(1) Those commodity transactions excepted from the General Maximum Price Regulation under the provisions of Revised Supplementary Regulation No. 1, except sales and deliveries of garbage.

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 7419, 8046.

This amendment shall become effective August 19, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12185; Filed, August 14, 1944; 11:47 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 528,[1] Amdt. 1]

TIRES AND TUBES, RECAPPING AND REPAIRING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 528 is amended in the following respects:

1. The first sentence in section 1 (a) (2) is amended to read as follows:

(2) This regulation applies to all sales of used rubber tires and tubes of a size and type listed in Appendix B, at both the retail and wholesale level, except sales for an ultimate purpose other than used on the wheel of a vehicle.

2. Section 1 (d) is amended to read as follows:

(d) *Geographical applicability.* This regulation applies in the 48 states of the United States, the District of Columbia, and the territories (except Alaska) and possessions of the United States.

3. In section 5 (b), the reference to section 10 is changed to read "section 9".

4. The first sentence in section 8 is amended to read as follows: "Every person engaged in the business of selling new tires or tubes at retail, in the business of selling recapped tires or used tires and tubes, or in the business of selling recapping, or tire or tube repairing services, shall keep posted at each place of business in a manner visible to the purchasing public, the following, clearly identified as such:"

5. Section 9 (a) is amended to read as follows:

(a) *New tires and tubes.* Every seller of new tires or tubes at retail shall give every buyer a sales slip listing: (1) The type, size, ply, and brand name of the new tire or tube; (2) the price; and (3) whether or not the tire or tube is a factory second.

6. Section 9 (d) is amended to read as follows:

(d) *Repairing.* Every person engaged in the business of repairing tires shall give every buyer a sales slip listing: (1) The type, ply, and size of tire; (2) for each repair, the type of repair (such as, spot, sectional, or reinforcement); and (3) the price for each repair and the total price for all repairs made.

[1] 9 F.R. 4291.

7. The following sentence is added immediately after the first sentence in Appendix A (d): "Notwithstanding any other provision of this regulation, new synthetic special purpose tubes shall also be priced under this paragraph."

8. Appendix A (e) (6) is added to read as follows:

(6) "Special purpose tube" means a rubber tube designed to be puncture resisting by the use of an extra layer or layers of soft rubber or plastic material or by the use of a dual tube construction, such special purpose tube being similar in type and construction to the brands listed in footnote 1 to Table B-VII of Appendix B of this regulation.

9. In Appendix A, Table A-II, Maximum Retail Prices for New Synthetic Rubber Motorcycle Tires and Tubes, the following size and prices are added in the proper columns:

Tire and tube size	4-ply price	Tube price
3.85-20	$11.90	$2.20

10. In Appendix A, Table A-V, Maximum Retail Prices for New Farm Implement and Farm Tractor Tires and Tubes, under (1) Farm implement and farm tractor front tires and tubes, the following sizes and prices are inserted in the appropriate columns:

Tire and tube size	Ply	Farm tractor front tire price
4.00-12	4	$9.55
7.50-10	8	35.00

11. In Appendix A, Table A-V under (2) Farm tractor rear tires and tubes, the following size and price are inserted in the appropriate columns:

Tire and tube size	Ply	Tire price
9-24	10	$52.55

12. In Appendix B (d), the reference to Table B-IV is changed to read Table B-VI.

13. In Appendix C (b) (1) (i) the following sentence is added: "Type of recapping," for the purposes of this paragraph, refers to the type of tread (such as, passenger car type of tread, conventional truck and bus type of tread) and not to the grade of camelback applied.

14. Appendix C (c) (1) is amended to read as follows:

(1) The maximum prices fixed by paragraphs (a) and (b) apply only when the recapping (tire carcass furnished by the buyer), or the recapped tire (tire carcass furnished by the seller), complies with the minimum quality specifications set forth in Appendix E.

15. In Appendix C, Table C-II, opposite size 13.00-24, 8-ply, a price of $55.90 is added in the column under Conventional truck and bus, a price of $79.45 under the column for Ground grip, and a price of $91.90 for Rock service.

16. In Appendix C, Table C-II, the maximum prices for recapping the following sizes of tires with Road Grader type of tread are amended to read as follows in the appropriate column for all plies of these sizes listed in the table:

12.00-24	$53.20
13.00-20	53.90
13.00-24	56.50
14.00-20	66.30
14.00-24	72.90

17. In Appendix C, Table C-III, opposite the size 13.00-24, 8-ply, a price of $53.30 is added in the column under Conventional truck and bus, a price of $76.15 in the column for Ground grip, and a price of $87.60 in the column for Rock service.

18. In Appendix C, Table C-III, the maximum price for a 7.50-15, 6-ply carcass furnished by the seller is changed to read $5.50 instead of $6.00.

19. In Appendix C, Table C-III, the maximum prices for recapping the following sizes of tires with Road Grader type of tread are amended to read as follows in the appropriate column for all plies of these sizes listed in the table:

12.00-24	$49.90
13.00-20	50.60
13.00-24	54.90
14.00-20	63.90
14.00-24	68.20

This amendment shall become effective August 19, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12186; Filed, August 14, 1944; 11:49 a. m.]

PART 1367—FERTILIZERS

[RMPR 205,[1] Amdt. 2]

RAW FERTILIZER MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 205 is amended in the following respects:

1. Section 3 is amended to read as follows:

SEC. 3. *Evasion.* Any method whereby a seller obtains greater consideration than the maximum price, or whereby he gives less than the consideration due the buyer for the maximum price, is an evasion of this regulation and therefore prohibited; and any offer or agreement which accomplishes or attempts to accomplish such a result is equally prohibited.

2. In section 21 (a) (2), the price for Lake Charles, Louisiana, as set out in Area III is changed to $0.70.

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 7426, 8061, 9356.

This amendment shall become effective August 19, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12187; Filed, August 14, 1944; 11:50 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 142]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.7652 the text preceding the table of "valid periods" relating to Class A coupons is amended to read as follows:

Class A coupon books and Class D coupon books marked "Basic" shall be issued as basic rations. Class A books shall be issued for passenger automobiles and Class D books for motorcycles. Subject to the provisions of § 1394.7653 (d) which relate to the tailoring of coupon books issued after the beginning of the ration period each Class A book issued for use before September 22, 1944 or for use in the gasoline shortage area and each Basic Class D book shall contain forty-eight coupons. Subject to the provisions of § 1394.7653 (d) each Class A book issued for use after September 21, 1944, outside the gasoline shortage area shall contain thirty coupons. Each coupon contained in a basic ration book shall have a value of one unit. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below.

2. In § 1394.7652 the table of valid periods relating to Class A coupons is amended by adding at the end of the present table the following provision relating to coupon numbered 13:

Coupons numbered:	*Valid period*
13	Sept. 22, 1944, to Dec. 21, 1944, inclusive, outside the Gasoline Shortage Area.

3. Section 1394.7653 (c) is revoked.

4. In § 1394.7653 (d) (1) the phrase "From a Class A book:" is amended to read: "From a Class A book issued for use in the gasoline shortage area:".

5. Section 1394.7653 (d) (3) is added to read as follows:

(3) From a Class A book issued for use after September 21, 1944, outside the gasoline shortage area: All expired coupons and one currently valid coupon for each full sixteen days which have elapsed in the "valid period" during which such book is issued.

[1] 8 F.R. 18937.

6. Section 1394.7653 (d) (4) is added to read as follows:

(4) From a Class A book issued for use before September 22, 1944, outside the gasoline shortage area: All expired coupons and one currently valid coupon for each full twelve days which have elapsed in the "valid period" during which such book is issued.

7. Section 1394.7653 (e) is revoked.

8. In § 1394.7653 (f) the table of periods appearing at the end of the third sentence is amended by adding the following provision:

Class A coupons outside the gasoline shortage area.	Sept. 22, 1944, to Dec. 30, 1944, inclusive.

9. Section 1394.7705 (d) is revoked.

10. Section 1394.7753 (a) is amended by deleting the fourth sentence which begins with the words "Each application . . .".

11. Section 1394.7755 (d) is revoked.

12. Section 1394.7757 (b) is amended to read as follows:

(b) Application for such ration shall be made to a Board on Form OPA R-551. The applicant shall annex to the application a written statement showing the Federal Use Stamp number and the engine number of the vehicle.

13. Section 1394.7758 (b) is amended by deleting the third sentence and by amending the first sentence to read as follows:

Application for such ration shall be made to a Board on Form OPA R-551.

14. Section 1394.7758 (d) is revoked.

15. Section 1394.7851 (d) is amended to read as follows:

(d) If application is made for a special ration for use with a motorcycle or a passenger automobile for which a basic or supplemental ration is currently outstanding, the applicant shall present to the Board the tire inspection record for the vehicle for which the ration is sought, unless a mileage rationing record has been issued for such vehicle in which case he shall present the mileage rationing record.

16. In § 1394.8004 the headnote is amended to read as follows: *Notations on ration books, folders, applications, coupons, tire inspection records and mileage rationing records.*

17. In § 1394.8004 (d) the paragraph heading is amended by adding the words "and mileage rationing records" after the words "tire inspection records".

18. In § 1394.8004 (d) (1) the text preceding subdivision (i) is amended by inserting the words "or mileage rationing record" after the words "tire inspection record" in both places where those words appear.

19. Section 1394.8004 (d) (2) is revoked.

20. Section 1394.8005 (a) is amended by substituting the words "mileage rationing record" for the words "tire inspection record" in both places where those words appear.

21. In § 1394.8007 the headnote is amended to read as follows: *Restoration of coupon books, coupons, folders and tire inspection or mileage rationing records: Replenishment of gasoline by bulk consumers.*

22. Section 1394.8007 (d) is amended to read as follows:

(d) *Tire inspection records and mileage rationing records.* Any person who has lost a tire inspection record or a mileage rationing record issued for use with a passenger automobile shall apply to a Board for a new record. If the Board is satisfied that the record has been lost and that there is no other tire inspection or mileage rationing record outstanding it shall issue to the applicant a new record. The Board shall transcribe on the new record the rations currently outstanding which have been issued to the applicant.

23. Section 1394.8009 is amended to read as follows:

§ 1394.8009 *Issuance of mileage rationing records and tire inspection records.* (a) Upon the issuance of a basic ration for use outside the gasoline shortage area before September 22, 1944, or for use in the gasoline shortage area, the Board shall issue one tire inspection record on Part B of Form OPA R–534 for the vehicle for which the ration is issued, unless a tire inspection record or a mileage rationing record is currently outstanding for such vehicle. However, if mileage rationing records on the stubs of Form OPA R–534 (Rev. 5–44) have been provided for its use, the Board shall issue such mileage rationing record in lieu of a tire inspection record.

(b) Upon the issuance of a basic ration for use outside the gasoline shortage area after September 21, 1944, the Board shall issue one mileage rationing record on the stub of Form OPA R–534 (Rev. 5–44) for the vehicle for which the ration is issued, unless a mileage rationing record is currently outstanding for such vehicle.

24. Section 1394.8010 is amended to read as follows:

§ 1394.8010 *Presentation of mileage rationing records and tire inspection records.* No Basic Class A ration shall be issued pursuant to § 1394.7653 (f) to replace another basic ration formerly issued to the applicant, and no supplemental ration shall be issued or renewed unless the applicant presents to the Board the mileage rationing record issued for the vehicle for which the ration is sought. However, in the event no mileage rationing record has been issued for such vehicle, the applicant may present the tire inspection record issued for such vehicle instead of a mileage rationing record.

25. Section 1394.8014 (a) is amended by deleting the phrase "or a tire inspection record on Part B of Form OPA R–534."

26. Section 1394.8018 (a) is amended by inserting after the words "tire inspection records" the words "mileage rationing records."

27. Section 1394.8051 (b) (4) is amended to read as follows:

(4) In the case of a basic ration, the owner or person entitled to the use of the registered vehicle, or the agent of either shall execute an application on Form OPA R–534 (Rev. 5–44). The applicant shall file such application with a Board and shall submit therewith the back cover of the current basic ration book issued for use with the vehicle. If such back cover is submitted, no registration certificate or registration card need be presented. If the applicant is unable to submit such back cover, he shall establish to the satisfaction of the Board that:

(i) He is a person entitled to make such application;

(ii) The vehicle is currently registered and in use; and

(iii) No renewal of the basic ration has been issued for the vehicle and no application for such a renewal is pending at any Board. He must also submit the registration certificate or registration card issued for such vehicle. If the required documents are presented and the Board is satisfied that the vehicle is in use and that the applicant has complied with the requirements of this subparagraph, it shall issue a renewal of such ration in the manner prescribed in § 1394.7653 (d). In such case, it shall also issue a mileage rationing record on the stub of Form OPA R–534 (Rev. 5–44) unless such a record has already been issued for such vehicle. If the registration certificate or registration card has been submitted, the Board upon issuing a renewal of the basic ration shall note upon such certificate or card the same notations as are required in the case of an original issuance of a basic ration.

28. In § 1394.8102 (f) (1) the third sentence is amended by deleting the portion of the sentence following the reference "§ 1394.8017".

29. Section 1394.8104 (a) is amended by inserting the words "mileage rationing records" after the word "folders" in the two places where such word appears.

30. In § 1394.8108 the headnote is amended by inserting the words "or mileage rationing records" after the words "tire inspection records".

31. In § 1394.8108 the text is amended by inserting after the words "tire inspection record" appearing in the first and second sentences, the words "mileage rationing records".

32. Section 1394.8172 is amended to read as follows:

§ 1394.8172 *Excess tires.* No person shall use or permit the use of gasoline in a motor vehicle for which a basic, supplemental, fleet or official ration, or a ration pursuant to the provisions of § 1394.1309 of Ration Order No. 5A or § 1394.7757 or § 1394.7758 of Ration Order No. 5C, has been issued, nor may gasoline be used in any such motor vehicle, other than an official vehicle, if the registered owner or lessee (or, in the case of a ration issued pursuant to § 1394.1309 of Ration Order No. 5A or § 1394.7757 of Ration Order No. 5C, if the owner) of such vehicle owns passenger-type tires (excluding motorcycle tires but including scrap tires) other than tires reported on OPA R–17 or R–17 Revised, or tires reported by a manufacturer to the War Production Board, or tires mounted (including one spare per motor vehicle) on motor vehicles or equipment. No person shall use or permit the use of gasoline in a motor vehicle for which a basic or supplemental ration has been issued, if any person living in the household of the registered owner of such vehicle and related to such owner by blood, marriage or adoption owns passenger-type tires (excluding motorcycle tires but including scrap tires) other than tires reported on OPA Form R–17 or R–17 Revised, or tires reported by a manufacturer to the War Production Board, or tires mounted (including one spare per motor vehicle) on motor vehicles or equipment.

This amendment shall become effective August 18, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12190; Filed, August 14, 1944; 11:48 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 3 to Rev. Supp. 1[2]]

MILEAGE RATIONING: GASOLINE REGULATIONS

Revised Supplement No. 1 to Ration Order No. 5C is amended in the following respects:

Section 1394.8401 (a) is amended to read as follows:

(a) *Unit values of coupons.* The value of the unit represented by Class A, B, C, D, E, R, and T coupons is hereby designated and fixed as follows:

(1) Four (4) gallons of gasoline with respect to Class A coupons which bear the numeral "13" or a higher numeral on the face of the coupon.

Three (3) gallons of gasoline with respect to Class A coupons which do not bear the numeral "13" or a higher numeral on the face of the coupon.

(2) Five (5) gallons of gasoline with respect to Class B, C, R, and T coupons.

(3) One and five-tenths (1.5) gallons of gasoline with respect to Class D coupons.

(4) One (1) gallon of gasoline with respect to Class E coupons.

This amendment to Revised Supplement No. 1 to Ration Order 5C shall become effective August 18, 1944.

[1] 8 F.R. 15927.
[2] 8 F.R. 13985.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12191; Filed, August 14, 1944; 11:48 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 21]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5159 (a) (10) is added to read as follows:

(10) *Destruction or disposition of standby facility.* For the operation of fuel oil burning equipment where the consumer had, without good cause, destroyed, rendered unserviceable, or disposed of equipment which would have been a standby facility.

2. Section 1394.5507 (e) is amended to read as follows:

(e) The ration of any consumer who, without good cause, destroyed, rendered unserviceable, or disposed of equipment which would have been a standby facility may at any time be revoked by the Washington Office, Regional Administrator, District Director or Board having jurisdiction.

This amendment shall become effective on August 18, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12188; Filed, August 14, 1944; 11:46 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 23]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5455 (c) is added to read as follows:

(c) The requirements of paragraphs (a) and (b) of this section shall be deemed satisfied if either of the following conditions is met:

(1) A member of the applicant's family, who has been authorized by him to do so, signs the applicant's name to the coupon sheet, inserts the required date and indicates on the sheet that he is acting for the applicant as a member of his family and also signs his own name. (For example, "John Doe by Mary Doe, wife."), or

(2) There is attached to the stub of the coupon sheet a completely filled out statement signed by the applicant in the following form (a separate form being required for each coupon sheet):

ALTERNATE SIGNATURE SHEET

Since I did not sign and date the fuel oil coupon sheet specified below when I received it from the War Price and Rationing Board, I request that this statement, which has been completely filled out before being signed by me, be substituted for such signature and dating and that it be attached to the stub of the coupon sheet.

Serial Number of coupon sheet _____
Approximate date received from Board _____ 194__.
Gallonage Value when received from Board _____
Address where ration will be used _____
(Date Signed)
(Applicant's Signature)
(Residence Address)

This amendment shall become effective on August 14, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12189; Filed, August 14, 1944; 11:50 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 73]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. The second sentence of section 1.4 (a) (1) is amended to read as follows: "However, a resident of an institution of involuntary confinement may not apply if shoes are furnished him by the institution, and no consumer may apply under this section if he has made a previous application or has obtained a special shoe stamp since the last war ration shoe stamp became valid."

2. Section 1.5 (d) is amended to read as follows:

(d) If a special shoe stamp is issued, the Board or District Office shall write on it the serial number of the applicant's War Ration Book 3 or, if he has none, the words "No Book". However, the Board may write the name of the applicant on the stamp in place of the serial number of the book in cases of emergency where the applicant needs the safety shoes immediately to continue his work, does not have his book with him and does not know the serial number of the book. If the application is for a stamp to secure safety shoes the words "Safety Shoes" shall be written on the stamp. If a Board desires to specify the use to which a stamp may be put when secured for shoes other than safety shoes, it shall write on the stamp the words "Men's Use", "Women's Use", or in the case of a stamp issued to a child under 14 years of age, the words, "Children's Use". If OPA Form R–1708 is used, the Board or District Office shall write on it the date of its issue. If OPA Form R–1708A is used, it shall write on it the date of its expiration for consumer use, which is 30 days after the date it is issued.

3. The second sentence of sec. 1.6 is amended to read as follows: "Before using the stamp the consumer must write on it the serial number of his War Ration Book 3 or, if he has none, the words "No Book", unless the serial number of a war ration book or the words "No Book" or the name of the consumer is already written on the stamp.

4. Section 1.7 (b) (2) is amended by adding at the end of the third sentence the following: "However, the person (or committee) may write the name of the applicant on the stamp in place of the serial number of the book in cases of emergency where the applicant needs the safety shoes immediately to continue his work, does not have his book with him, and does not know the serial number of the book."

5. Section 1.15 is amended by adding to the end of the second sentence, the words: "or the name of the holder."

This amendment shall become effective August 18, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12192; Filed, August 14, 1944; 11:49 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amdt. 30]

COFFEE IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 288 is amended in the following respects:

1. Section 1418.363 (t) Table XX is revised to read as follows:

(t) Table XX: *Maximum retail prices for coffee.*

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 2337.

[1] 8 F.R. 15839, 16606, 16996, 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5805, 6233, 6647, 6455, 7080, 7773, 8254, 8339, 8340.

[1] 9 F.R. 5791.

Coffee	Ketchikan	Wrangell-Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova - Valdez - Seward	Kodiak	Anchorage	Railroad towns from Palmer (inclusive) to Curry	Railroad points from Curry to Fairbanks (inclusive)	Nome
Amoest, 1-pound bag	$0.37	$0.37	$0.36	$0.39	$0.39	$0.40	$0.41	$0.38	$0.38	$0.39	$0.42
Bliss, 1-pound tin	.40	.40	.40	.40	.40	.41	.42	.41	.41	.43	.43
Chase and Sanborn, 1-pound bag	.37	.37	.37	.38	.38	.38	.39	.37	.36	.39	.40
Chase and Sanborn, 1-pound tin	.39	.39	.39	.40	.40	.41	.42	.40	.41	.42	.43
Chase and Sanborn, 2-pound tin	.77	.77	.77	.79	.79	.81	.85	.79	.81	.83	.85
Crescent, 1 - pound bag	.36	.36	.36	.36	.36	.37	.37	.37	.37	.39	.36
Crescent, 1 - pound glass	.39	.39	.39	.40	.40	.41	.42	.40	.41	.43	.43
Del Monte, 1-pound glass	.40	.40	.40	.41	.41	.42	.43	.41	.43	.44	.44
Empress, 2-pound glass	.73	.73	.76	.77	.77	.79	.82	.77	.79	.88	.84
Folger's, 1-pound glass	.38	.38	.39	.39	.39	.40	.41	.39	.40	.43	.43
Folger's, 2-pound glass	.75	.75	.77	.77	.77	.79	.81	.77	.79	.85	.86
Gold Shield, 1-pound bag	.36	.36	.36	.36	.37	.37	.39	.36	.36	.38	.39
Hills Bros., 1-pound glass	.40	.40	.40	.40	.41	.42	.43	.42	.43	.45	.44
Hills Bros., 1-pound tin	.39	.39	.39	.39	.39	.40	.41	.39	.40	.42	.42
Hills Bros., 2-pound glass	.79	.79	.79	.81	.83	.83	.85	.83	.85	.89	.87
Hills Bros., 3-pound tin	.77	.77	.77	.77	.77	.79	.81	.77	.79	.83	.83
I. G. A., 1-pound glass	.38	.38	.39	.39	.39	.40	.41	.39	.40	.43	.43
Honor, 1-pound glass	.36	.36	.37	.37	.37	.38	.40	.38	.38	.41	.41
Maxwell House, 1-pound glass	.41	.41	.41	.42	.42	.43	.44	.42	.43	.45	.43
Maxwell House, 2-pound glass	.81	.81	.81	.83	.83	.85	.87	.83	.85	.89	.89
M. J. B., 1-pound glass	.41	.41	.42	.42	.42	.43	.45	.43	.43	.46	.46
M. J. B., 2-pound glass	.81	.81	.83	.83	.83	.85	.89	.85	.85	.91	.91
Old Homestead, 1-pound glass	.40	.40	.40	.41	.41	.42	.43	.41	.42	.44	.44
Opeka, 1-pound tin	.40	.40	.40	.41	.41	.42	.43	.41	.42	.43	.44
Par, 2-pound glass	.75	.75	.76	.77	.77	.79	.82	.77	.79	.83	.84
Red and White, 1-pound glass	.36	.36	.37	.37	.38	.38	.40	.37	.38	.41	.40
Reliance, 1-pound glass	.38	.38	.39	.39	.39	.40	.42	.39	.40	.43	.43
Reliance, 2-pound glass	.75	.75	.77	.77	.77	.79	.83	.77	.79	.85	.85
Schilling's, 1-pound glass	.39	.39	.39	.40	.40	.41	.42	.40	.41	.43	.43
Schillings', 2-pound glass	.77	.77	.77	.79	.79	.81	.83	.79	.81	.85	.85
S and W, 1-pound glass	.37	.37	.37	.38	.38	.39	.40	.38	.39	.41	.41
Decaffeinated coffee											
Kaffee Hag, 1-pound glass	.50	.50	.51	.51	.51	.52	.54	.52	.52	.55	.55
Kaffee Hag, 1-pound tin	.50	.50	.51	.51	.51	.52	.54	.50	.51	.53	.55
Sanka, 1-pound glass	.51	.51	.52	.52	.53	.54	.55	.53	.54	.57	.57
Sanka, 1-pound tin	.51	.51	.52	.52	.52	.54	.56	.52	.53	.54	.56

This amendment shall become effective August 19, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12193; Filed, August 14, 1944; 11:40 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 76]

GROCERY ITEMS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 41a is amended to read as follows:

SEC. 41a. *Maximum prices at wholesale for certain grocery items*—(a) *What this section covers.* This section sets maximum prices at wholesale for all grocery items listed and described in paragraph (n) of this section.

(b) *Maximum prices for grocery items imported directly from the mainland.* In the case of sales of any grocery items covered by this section, which are imported directly from the mainland, except any items imported from the mainland which are purchased from the Federal Surplus Commodities Corporation, or any items which are received from or via any other island in the Territory, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (i) through (vi) set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(i) An amount equal to the mainland seller's selling price, less all discounts and allowances except the discount for prompt payment up to 2%, and the customary swell and label allowances as received, and promotional allowances to the extent received in the calendar year 1941: *Provided*, That in all cases where the purchase is made from and billed by a local representative or agent of a mainland manufacturer, the wholesaler must obtain from such local representative or agent a written statement of his mainland principal's maximum price for the items sold.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery to the mainland port of shipment, including Federal transportation tax, terminal charges, demurrage, and extra charges for shipment in less than carload lots.

(iii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the wholesaler.

(iv) An amount equal to cartage charges actually incurred by the wholesaler for cartage from warehouse to dock in port of shipment.

(v) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included in the event that the difference between the two rates exceeds 1%, but the type of coverage is at the discretion of the buyer or seller.

(vi) An amount equal to cartage charges in the port of entry in the Territory of Hawaii, from dock to the wholesaler's warehouse or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement: *Provided*, That the merchandise is moved from the dock at the wholesaler's expense.

(2) When the item which the wholesaler is pricing is listed in Table A of this section, he shall then add to his "landed cost" computed in accordance with the provisions of paragraph (b) (1) above, the markup set forth in Table A for that item. When the item is not listed in Table A, the wholesaler shall divide such "landed cost" by the applicable division factor set forth in Table B of this section. The resulting price shall be the wholesaler's maximum, price for that item.

(c) *Maximum prices for grocery items purchased from the Federal Surplus Commodities Corporation.* In the case of sales of any grocery items covered by this section which are purchased from the Federal Surplus Commodities Corporation, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (i) and (ii) set forth below. If any of the amounts, or any part thereof, specified in either of these subdivisions has already been included in the other subdivision, it may not again be added.

(i) An amount equal to the net price paid to the Federal Surplus Commodities Corporation.

(ii) An amount equal to cartage charges computed at a rate of $1.20 per ton, weight or measurement, for cartage from the Federal Surplus Commodities Corporation's warehouse, or from the dock, to the wholesaler's warehouse or to the ultimate purchaser's establishment, *Provided*, That the merchandise is moved from the dock or Federal Surplus Commodities Corporation's warehouse at the wholesaler's expense.

(2) When the item which the wholesaler is pricing is listed in Table A of this section, he shall then add to his "landed cost", computed in accordance with the provisions of paragraph (c) (1) above, the markup set forth in Table A for that item. When the item is not listed in Table A, the wholesaler shall divide such "landed cost" by the applicable division facter set forth in Table B of this section. The resulting price shall be the wholesaler's maximum price for that item.

(d) *Maximum prices for grocery items purchased from manufacturers or producers located on the same island as the wholesaler.* In the case of sales of any grocery items covered by this section which are purchased from a manufacturer or producer located on the same island as the wholesaler, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (i) and (ii) set forth below. If any of the amounts, or any part thereof, specified in either of these subdivisions has already been included in the other subdivision, it may not again be added.

(i) An amount equal to the manufacturer's or producer's selling price, less all discounts and allowances, except the discount for prompt payment up to 2%, and the customary swell and label allowances as received, and promotional allowances to the extent received in the calendar year 1941.

(ii) An amount equal to cartage charges for cartage from the manufacturer's or producer's establishment to the wholesaler's warehouse or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement, provided, that the merchandise is moved from the manufacturer's or producer's establishment at the wholesaler's expense.

(2) When the item which the wholesaler is pricing is listed in Table A of this section, he shall then add to his "landed cost", computed in accordance with paragraph (d) (1) above, the markup set forth in Table A for that item. When the item is not listed in Table A, the wholesaler shall divide such "landed Cost" by the applicable division factor set forth in Table B of this section. The resulting price shall be the wholesaler's maximum price for that item.

(e) *Maximum prices for grocery items received from or via another Island in the Territory of Hawaii.* In the case of sales of any grocery items covered by this section which have been received from or via another Island in the Territory of Hawaii, the wholesaler shall calculate his maximum price for each item (that is, for each kind, brand, grade, variety, container type and container size) as follows:

(1) The wholesaler shall first ascertain his "landed cost" for the item he is pricing by adding the amounts permitted in subdivisions (i) through (iv), set forth below. If any of the amounts, or any part thereof, specified in any of these subdivisions has already been included in another subdivision, it may not again be added.

(i) An amount equal to the seller's selling price, less all discounts and allowances except the discount for prompt payment up to 2%, and the customary swell and label allowances as received, and promotional allowances to the extent received in the year 1941, *Provided*, That in the event the wholesaler has purchased the item from another wholesaler and the supplier has sold the item at less than his maximum wholesale price, the buyer may include in his "landed cost" the full amount of his supplier's maximum wholesale price in lieu of the price actually paid.

(ii) An amount equal to cartage charges for cartage from the warehouse of the seller or from the manufacturer's shipping point to dock in the Island from which the item is shipped calculated at a rate of $1.20 per ton, weight or measurement, except in cases where the seller's maximum price regularly includes delivery to the dock.

(iii) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the Islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included in the event that the difference between the two rates exceeds 1%, but the type of coverage is at the discretion of the buyer or seller.

(iv) An amount equal to cartage charges in the port of entry in the Island on which the purchasing wholesaler is located from dock to the wholesaler's warehouse or to the ultimate purchaser's establishment, computed at a rate of $1.20 per ton, weight or measurement, *Provided*, That the merchandise is moved from the dock at the wholesaler's expense.

(2) When the item which the wholesaler is pricing is listed in Table A of this section, he will then add to his "landed cost," computed in accordance with the provisions of paragraph (e) (1) above, the markup set forth in Table A for that item. When the item is not listed in Table A, the wholesaler shall divide the "landed cost" by the applicable division factor set forth in Table B of this section. The resulting price shall be the wholesaler's maximum price for that item.

(f) *Error account.* In computing the maximum wholesale price for the sale of any item covered by this section, when the actual amount of any charge, except the invoice cost, which is to be used in the computation of such price, is at that time unascertainable with respect to a particular shipment of any such item, the wholesaler may estimate the amount of the charge for the purpose of determining the maximum price only in case he fulfills the following conditions:

(1) That he set up an "error account."

(2) That when the actual amount of the charge becomes known he shall immediately include in this account the difference between the actual amount and the estimated amount.

(3) That if the difference is an amount in excess of the actual amount, then the amount of such difference shall be deducted in calculating the maximum price for any item on hand or received in the next shipment;

(4) That if the difference is an amount less than the actual amount, then the amount of such difference may be added in calculating the maximum price for any item on hand or received in the next shipment;

(5) That the error account show how the differences are applied.

(g) *Special services.* In appropriate cases where special service is rendered, the wholesaler may make application to the Office of Price Administration, Honolulu 2, T. H., for an additional margin based upon the cost of service, and the Territorial Director of the Office of Price Administration for the Territory of Hawaii may authorize an additional margin for such service.

(h) *Weighted average "landed cost."* If an identical item (that is, the same kind, brand, grade, variety, container type and container size) in the wholesaler's inventory on hand has two or more different landed costs, then the "landed cost" for the item may be determined by calculating a weighted average "landed cost" for the entire inventory of that item on hand. Weighted average "landed cost" shall be calculated as follows: Each different "landed cost" shall be multiplied by the number of units having such "landed cost." The products of such multiplication shall be added and the sum thereof divided by the total

[1] 8 F.R. 5388, 6350, 6849, 7200, 7457, 8064, 8550, 10270, 10866, 10964, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13800, 14139, 14305, 14668, 15253, 15369, 15851, 15852, 16866, 16997, 15862, 17201; 9 F.R. 173, 393, 580, 584, 1158, 1487, 1489, 1528, 1530, 2177, 2177, 2177, 2659, 5168, 5438, 5483.

*Copies may be obtained from the Office of Price Administration.

number of the units for which a weighted average "landed cost" is desired. The quotient or result of such division is the weighted average "landed cost." This provision is permissive and not mandatory.

(i) *Customary units of sale and fractional prices.* Any maximum prices, calculated in accordance with the provisions of this section, shall be based on the wholesaler's customary unit of sale (that is, per case, box, bag, dozen, or the like). All such calculations resulting in a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and shall be increased to the nearest higher cent if the fraction is one-half cent or more.

(j) *Delivery charges.* No extra charges may be added by the wholesaler to the purchaser for delivery, except as follows:

(1) *Customary delivery charges.* In cases where it was the custom of the seller to make an extra charge for delivery during the calendar year 1941, the seller may upon approval of the Office of Price Administration, Honolulu 2, T. H., add to his maximum price an amount not in excess of local commercial trucking rates for such delivery.

(2) *Island of Maui.* For delivery in the Hana section of the Island of Maui of salt and any item bearing a margin of 9% or less as set forth in Table B, and all items listed in Table A, a wholesaler may add a hauling charge in amount not in excess of $5.00 per ton, weight or measurement. However, in cases where cartage charges to the ultimate purchaser's establishment have been included in the computation of the "landed cost", no extra delivery charges may be added. The Hana section shall comprise all of the district of Hana and that portion of the district of Makawao lying south of the south boundary of the Ahupusa of Kamaole, as defined by section 7620 of the Revised Laws of Hawaii, 1935.

(3) *Island of Hawaii.* For delivery from the City of Hilo to a retail establishment, or to the wholesaler's warehouse, located outside of Zone 1, a wholesaler may add an amount not in excess of the trucking charge actually incurred. However, in cases where cartage charges to the ultimate purchaser's establishment have been included in the computation of the "landed cost", no extra delivery charges may be added. Zone 1 of the Island of Hawaii shall comprise the area of Puna and South Hilo, as defined by section 7620 of the Revised Laws of Hawaii, 1935.

(k) *Multiple wholesaling.* Except as otherwise provided herein, the maximum price for any wholesaler other than the primary wholesaler of any grocery items covered by this section, shall be the maximum price of the primary wholesaler in the Territory of Hawaii. The primary wholesaler in the Territory of Hawaii making the importation or local purchase, shall furnish any wholesaler purchasing from him a written statement of his "landed cost", and of the maximum wholesale price determined in accordance with the provisions of this section, and thereafter in case of any further sales to other wholesalers, the seller shall furnish to the buyer a statement of the primary wholesaler's maximum price. This provision applies to all sales at wholesale except the following:

(1) *Sales to peddlers.* Where a wholesaler has purchased any such grocery items from another wholesaler in the Territory of Hawaii, the maximum wholesale price for sales by the second or subsequent wholesaler to peddlers (itinerant retail merchants) shall be the net price actually paid to the first wholesaler, plus 5%. The wholesaler shall furnish the peddler with a statement of the first wholesaler's maximum price or prices for the grocery items sold.

(l) *Records and reports.* The provisions of section 10 of this regulation relating to records and reports, shall not apply to this section 41a.

(1) *Records*—(i) *Purchase and sales records.* Every person making sales of any grocery items covered by this section 41a shall keep and make available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, a full and complete description of the grocery item purchased or sold, name and address of the buyer and seller, the price paid or received, quantity purchased or sold, and all data including sales, freight and other invoices or memoranda reflecting the charges incurred by the wholesaler in arriving at his "landed cost" and maximum price.

(ii) *Error account.* Every person who maintains an Error Account in accordance with the provisions of paragraph (f) of this section, shall keep and maintain in a form suitable for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, an account setting forth all credits and debits to the account, together with date of the entry and the reason for such entry.

(iii) *Invoices.* Every person making a sale at wholesale of any grocery items covered by this section 41a shall deliver to the buyer an invoice or sales slip setting forth a full and complete description of the grocery items sold, including name of brand, size of container, number of retail units in the wholesale units, name and address of buyer and seller, discounts allowed, quantity sold, the price paid or charged and the date of sale. In addition to the foregoing, whenever a sale is made of any cereals, pet foods, dehydrated soups or vegetables or paste products at a price that is lower than the wholesaler's maximum price, the wholesaler shall set forth on his invoice to the buyer not only the price charged but also his maximum price computed in accordance with the provisions of this section.

(2) *Reports.* Every person making a sale of any grocery items covered by this section shall prepare and file with the Office of Price Administration the following reports:

(i) *OPA Form THP 9, notification of changes in maximum prices established under Maximum Price Regulation No. 373, section 41a.* Any seller, whose maximum wholesale price for any grocery item is determined by this section, and whose maximum price per wholesale unit has changed by an amount equal to one-half cent or more per retail unit since last reported to the Office of Price Administration, or since May 22, 1944, if no report has been filed for that item since that date, shall report such change in price to the District Office of the Office of Price Administration on the Island on which the seller is located, on OPA Form THP 9, prior to any sales of the item at the new maximum wholesale price. However, such report need be filed only in the case that three hundred or more wholesale units were received in one shipment by a wholesaler on the Island of Oahu, or one hundred or more wholesale units were received in one shipment by a wholesaler on any other Island in the Territory of Hawaii, and where these items are to be sold to retail grocery stores.

(ii) Any other reports that the Office of Price Administration, Honolulu 2, T. H., may from time to time require.

(m) *Inability to determine maximum prices.* Any person who is unable to determine his maximum wholesale price for any grocery item covered by this section shall apply to the District Office of the Office of Price Administration on the island on which the seller is located for the establishment of a maximum price for that item.

(n) *Definitions.* All grocery items covered by this section are divided into commodity classifications which are defined as follows:

(1) "Canned fruits and berries" means fruits and berries packed in metal, glass or any other containers, and include but are not limited to the following: apples, apple sauce, apricots, cherries, figs, fruit cocktails, fruits for salads, peaches, pears, pineapples, plums, blackberries, blue berries, boysenberries, cranberries, gooseberries, huckleberries, loganberries, raspberries, strawberries, and youngberries.

(2) "Canned vegetables" mean vegetables packed in metal, glass, or any other containers, and include but are not limited to beans, carrots, corn, okra, peas, pumpkins, puree of chopped vegetables, rhubarb, sauerkraut, spinach and tomatoes.

(3) "Canned seafood" means all processed fish and seafood packed in metal, glass or any other containers, and includes but is not limited to abalone, crab meat, lobster, salmon, sardines, shrimp, canned clam juice and broth, but shall not include fresh, dried, salted, smoked and frozen fish and seafood.

(4) "Canned juices" means berry juices, citrus fruit juices, fruit juices and nectar, and vegetable juices packed in metal, glass or any other containers.

(5) "Canned citrus fruit" means oranges, grapefruit and any other citrus fruits preserved in metal, glass or any other containers.

(6) "Canned and dehydrated soup". Canned soups means any soups or broths in metal, glass or any other containers and includes condensed soups, broths and chowders. Dehydrated soup means any commodity intended for the making of soup by the addition of liquid and shall include noodle-soup mixes.

(7) "Pickles, olives and certain spiced fruits and vegetables" means all kind of pickles and olives, whether green, ripe, stuffed, oiled, brined, and include pickles and olives packed in vinegar and mustard, and fruits or vegetables packed in vinegar or liquors, such as spiced tomatoes, but does not include other fruits and vegetables packed in brine or heavy syrup, either spiced or unspiced.

(8) "Condiments and sauces" means any food garnishes in metal, glass, or any other containers, including but not limited to catsup, chili sauce, chutney, meat sauces, mustard, soya, tobasco sauce, tomato sauce, vinegar, Worcestershire sauce, cocktail sauce, bagoon and miso sauce.

(9) "Breakfast cereals" means bulk or packaged processed cereal grains used as breakfast foods, both uncooked and ready to eat types. This classification includes hominy grits, puffed rice and puffed wheat, but shall not include buckwheat flour, corn meal, pancake flour, pearled barley, and rice.

(10) "Preserves, jams, and jellies" means all preserves, jams, jellies, and marmalade, packed in metal, glass or any other containers. This classification does not include bakers' jam and jellies.

(11) "Peanut butter" means all spreads of ground peanuts, irrespective of the size of the granules or pieces of peanuts contained therein. This classification includes peanut butter chunk.

(12) "Bakers' and family flour." Bakers' flour means flour in bulk which is sold for use by commercial, institutional, or governmental users, and which has been purchased from the Federal Surplus Commodities Corporation. Family flour means flour in bulk which is packed and sold for ultimate use in the home.

(13) "Prepared packaged flour" means flour and flour mixes made from buckwheat, corn, potatoes, rice, or wheat, and includes Aunt Jemima, Bisquick, corn meal, Dromedary, Sperry, buckwheat flour, Swansdown, and any other ready to use packaged flour.

(14) "Spices and extracts" means all kinds of spices and extracts, and includes but is not limited to sodium glutenate, mapleline, and extracts in shelf sizes, such as cinnamon, pepper, vanilla, and bouillon cubes.

(15) "Paste products" means all canned, packaged and bulk macaroni, shells, noodles, spaghetti, and vermicelli.

(16) "Dried fruits" means fruits or parts thereof from which the major portion of moisture has been removed by natural or artificial drying, and includes but are not limited to apples, apricots, currants, dates, figs, grapes, nectarines, peaches, pears, and prunes.

(17) "Dried edible beans and peas" means all bulk or packaged, threshed and dried field or garden beans, peas, and lentils used for human consumption.

(18) "Pet foods and supplies" means all kinds of pet foods, packaged, bulk, canned or dry, and such pet supplies as cuttlebone and gravel. Pet foods and supplies sold by a specializing pet food and supply wholesaler are exempted from this section. "A specializing pet food and supply wholesaler" means any wholesaler over 70% of whose business has, in the last quarter year before any sale, consisted of sales of pet foods and pet supplies.

(19) "Beverage bases and concentrates" means Kool-Aid, Ovaltine, Hires Root Beer Extract and similar products.

(20) "Tea" means all kinds of tea, green and black, packaged and in bulk.

(21) "Cocoa and chocolate" include, but are not limited to, powdered, cake and cooking chocolate. This classification does not include chocolate-coated candy or any other chocolate candy.

(22) "Laundry soap" means bar and packaged laundry soap. This classification includes laundry soap in bars, cakes, chips, powder, plain, granulated or liquid form.

(23) "Toilet soap" means bar and packed toilet soap. This classification includes toilet soap in bars, cakes, chips, powder, plain, granulated or liquid form.

(24) "Cleansers and home laundry supplies" includes Clorax, Old Dutch Cleanser, laundry starch, Drano, bluing, powder and cake cleansers other than soaps, and other home laundry supplies. This classification does not include brass, metal and silver polish, upholstery, floor, rug, wall and dry cleaners.

(25) "Salt" means all table and cooking salt, and salt used for industrial or commercial purposes.

(26) "Sugar" means all sugar or specialty sugars, sold in packages, cartons, or bulk, imported from the mainland or manufactured in the Territory of Hawaii.

(27) "Mayonnaise, salad dressing and sandwich spreads" means all prepared dressings for salads except cooking and salad oils and sandwich spreads with a mayonnaise or cheese base.

(28) "Dessert powders" means all concentrates of fruits or vegetables used in the preparation of gelatinous desserts.

(29) "Fountain supplies" means imported grocery items customarily sold to soda fountains. This classification includes, but is not limited to, crushed strawberries, fruit syrups in bottles, chocolate sauce, vanilla syrup, maraschino cherries and other similar articles used for preparation of food and drink for sales on the premises. It does not include rice, bakers' and family flour, sugar, evaporated milk, shortening and lard. However, any other imported grocery item covered by this section may, at the option of the seller, be considered as a fountain supply, if sold to a fountain.

(30) "Bakers' and confectioners' supplies" means imported grocery items sold to bakers and confectioners and similar establishments for use in the preparation of bakers' and confectioners' products and also shelf sizes of certain items sold in grocery stores which are used primarily for home cooking. In the case of sales to bakers, confectioners and similar establishments, this classification includes, but is not limited to, baking powder, baking soda, coloring matter, mince meat and yeast. It does not include rice, bakers' and family flour, sugar, evaporated milk, shortening and lard. However, any other imported grocery item covered by this section may, at the option of the seller, be considered as a bakers' and confectioners' supply if sold to a baker or confectioner. In the case of sales to grocery stores of shelf size home baking products, this classification includes, and is limited to, baking powder, baking soda and any other shelf size grocery item used primarily for home baking which is not specifically covered by any other classification contained in this paragraph (n).

(31) "Evaporated milk" means evaporated milk packed in metal, glass or any other containers.

(32) "Other milk products" means any food commodity which is processed or manufactured from cow's milk and shall include Klim, Avoset, condensed milk, and malted milk. This classification does not include butter, cheese, powdered skim milk and fresh milk.

(33) "Packaged nuts" mean all nuts, shelled or unshelled, roasted or unprocessed, which are packed in metal, glass, cartons or any other containers, and are sold in shelf sizes, and include almonds, brazil nuts, macadamia nuts and peanuts, and all other nuts whether locally grown or imported.

(34) "Bulk nuts" means all nuts set forth in Commodity Classification No. 33, which are not customarily sold by the retailer in the original package.

(35) "Syrup and honey". Syrup means all edible molasses, sorghum, cane, maple and corn syrup and blends thereof. Honey means imported and local extracted honey and includes combinations of extracted comb honey.

(36) "Cooking starch" means corn starch used for cooking.

(37) "Rice" means all grades of white and brown milled and wild rice sold in all types of containers.

(38) "Baby foods" means all foods packed in metal, glass or any other containers, especially designed for the nourishment of infants and juniors.

(39) "Crackers, cookies and specified cakes" means crackers, cookies, biscuits, pralines, fruit cakes, rum cakes and plum puddings.

(40) "Specified wooden products" means products of wood locally made or imported, and limited specifically to the following: Brooms and broom parts, matches (including book matches), clothes pins and tooth picks.

(41) "Popcorn, potato chips and shoestring potatoes". Popcorn means corn intended for the purpose of making popcorn and corn already popped, packed in bags, metal or any other containers. Potato chips and shoestring potatoes means sliced, fried potatoes packed in cartons, bags or any other containers.

(42) "Charcoal" means any bagged charred wood, imported or locally produced.

(43) "Dehydrated vegetables" means vegetables or vegetable mixtures which are prepared for consumption by the addition of liquid to restore the product to its original condition.

(44) "Canned meats" means meats and meats in combination with other foods, packed in metal, glass or any other containers, such as luncheon meats, spreads, sausages and sausage meats, frankfurters, hamburger, loaf goods, brains, tongue, bacon, corned beef,

dried beef, sliced dried beef, hash, potted and deviled meats, spaghetti and meat balls, spaghetti sauce with meat, noodles and meat, vegetables and meat, stews, chilli con carne, prepared hot tamales, chicken, turkey and other poultry, and similar items, whether in shelf sizes or not, and whether or not customarily stored under refrigeration.

(45) "Coffee" means roasted coffee either whole or ground; decaffeinated coffee; coffee concentrates; chicory; coffee compounds consisting of a blend of coffee and any other product; cereals, beans, peas, and other products and concentrates thereof designated as or intended for use as coffee substitutes or coffee extenders. This classification includes all imported and locally produced coffee.

(46) "Cooking and salad oils" means all vegetable, fruit and leaf plant oils, whether pure or mixed. This classification includes but is not limited to olive, peanut, cottonseed and corn oils. It does not include prepared dressings, nor does it include mineral and olive oil sold by drug stores or department stores.

(47) "Oleomargarine" means any packaged colorless spread for bread, the merchandising of which requires a Federal license.

(48) "Shortening and lard" means any vegetable or animal fats used for cooking, sold in bulk or in packaged shelf sizes.

(49) "Quick-frozen fruits and vegetables". Quick-frozen fruits means all fruits, berries, fruit or berry juices, and mixtures which have been quick-frozen. Quick-frozen vegetables means all vegetables, vegetable juices, and mixtures which have been subjected to a quick-freezing process.

(50) "Dried and shredded seafood" means seafood such as codfish and shrimp imported in a dried condition.

When any grocery item covered by this section is composed of commodities defined under two or more of the above commodity classifications contained in this paragraph (n), such item shall be classified under that commodity classification in which the largest single ingredient (measured by weight) is defined.

TABLE A—SPECIFIC MARKUPS FOR CERTAIN GROCERY ITEMS

(a) This Table A applies to all wholesalers of the grocery items covered by this section located in the Territory of Hawaii. All wholesalers shall use these markups listed if the item being priced is contained herein. If the item being priced is not listed in this Table A, then the wholesaler shall use the applicable division factor set forth in Table B of this section.

(b) *Specific markups for sales to retail grocery stores.* Any wholesaler making a sale to a retail grocery store of any of the items set forth below, shall add the following markups to his "landed cost" as provided in paragraphs (b), (c), (d) and (e) of this section. "Commodity classification number", as used in this table, means the number assigned to the particular subparagraph of paragraph (n) of this section, in which the grocery items listed are classified and defined.

TABLE A—Continued

Commodity classification number	Grocery items	Unit	Maximum wholesale mark-up over landed cost per unit
12	Family Flour	1 lb.	$0.0035
12	Family Flour	98–100 lbs.	.35
12	Family Flour	49–50 lbs.	.175
12	Family Flour	1 lb.	.002
26	Locally produced refined white sugar	100 lbs.	.20
26	Locally produced refined white sugar	48/14½ oz. can	.25
31	Evaporated Milk, FSCC	1 lb.	.0035
37	Rice, FSCC	100 lbs.	.35
37	Rice, FSCC		

(c) *Specific markups for sales to buyers other than retail grocery stores.* In the case that a wholesaler makes a sale of any grocery item listed in paragraph (b) of this table to a buyer other than a retail grocery store, he may add to the maximum wholesale price, computed in accordance with the provisions of said paragraph (b), an amount equal to 5% of such maximum wholesale price.

TABLE B—MARGINS FOR CERTAIN GROCERY ITEMS

(a) The division factors set forth in this Table B shall apply to all wholesalers of the grocery items covered by this section located in the Territory of Hawaii. Each wholesaler shall divide his "landed cost", as defined by paragraphs (b), (c), (d) and (e) of this section, by the appropriate division factor set forth in Table B.

(b) *Sales to retail grocery stores only.* The following division factors shall apply to all sales to retail grocery stores, except as provided in paragraph (d) of this table. "Commodity Classification Number", as used in this table, means the number assigned to the particular subparagraph of paragraph (n) of this section, in which the grocery items listed are classified and defined.

Commodity classification number	Grocery items	Division factor
1	Canned fruits and berries: (a) Peaches, pears, pineapples, and fruit cocktail.	0.90
	(b) All others	.88
2	Canned vegetables: (a) Peas, corn, tomatoes, and FSCC beans.	.90
	(b) All others	.86
3	Canned seafood: (a) FSCC, all kinds	.86
	(b) Oysters, codfish cakes, fish flakes, barracuda, squid and mackerel.	.90
	(c) All others	.84
4	Canned juices: (a) Pineapple and tomato	.89
	(b) All others	.87
5	Canned citrus fruits	.87
6	Soups: (a) Canned soups	.90
	(b) Dehydrated soups	.88
7	Pickles and olives and certain spiced fruits and vegetables.	.85
8	Condiments and sauces: (a) Tomato, tomato hot sauce and soyu.	.88
	(b) Catsup, mustard and vinegar	.86
	(c) All others	.82
9	Cereals: (a) Ready to eat	.90
	(b) Cooking	.87
10	Preserves, jams and jellies	.88
11	Peanut butter	.89
12	Bakers' and family flour: (a) Bakers' flour	.91
	(b) Family flour	None
13	Prepared package flour: (a) Without shortening	.90
	(b) Containing shortening	.85
14	Spices and extracts: (a) Black pepper	.82
	(b) Vanilla extract	.80
	(c) All others	.78
15	Paste products	.86

TABLE B—Continued

Commodity classification number	Grocery items	Division factor
16	Dried fruits: (a) Prunes and raisins, FSCC	$0.89
	(b) All others	.85
17	Dried edible beans and peas: (a) Packaged or in bag lots	.87
	(b) In less than bag lots	.85
18	Pet foods and supplies	.84
19	Beverage bases and concentrates	.83
20	Tea	.85
21	Cocoa and chocolate	.89
22	Soap, bar and package laundry	.88
23	Soap, toilet	.87
24	Cleansers and home laundry supplies	
25	Salt: (a) Packaged	.90
	(b) In bulk	.85
26	Sugar: (a) Local Refined, white	None
	(b) All other	.92
27	Mayonnaise, salad dressing, sandwich spreads.	.84
28	Dessert powders	.93
29	Fountain supplies	.83
30	Bakers' and Confectioners' Supplies: (a) Shelf sizes of baking powder and baking soda.	.88
	(b) All others	.84
31	Evaporated milk	None
32	Milk products other than evaporated milk.	.86
33	Packaged nuts: (a) Peanuts	.86
	(b) Others	.86
34	Bulk nuts: (a) In bag lots	.86
	(b) In less than bag lots	.84
35	Syrup and honey	.88
36	Cooking starch	.89
37	Rice: (a) FSCC	None
	(b) All other	.86
38	Baby foods: (a) Strained and diced fruits and vegetables.	.89
	(b) All other	.87
39	Crackers, cookies, and specified cakes: (a) Crackers	.89
	(b) Cookies	.87
	(c) Rum cakes, fruitcakes, plum puddings and pralines.	.85
40	Specific wooden products	.90
41	Popcorn, potato chips and shoestring potatoes.	.85
42	Charcoal	.91
43	Dehydrated vegetables	
44	Canned meats: (a) FSCC meats and cans of 2½ lbs. and over.	.90
	(b) Vienna sausage, deviled meat	.89
	(c) Chicken, turkey, and other poultry.	.87
	(d) All others	.86
45	Coffee	.88
46	Cooking and salad oils: (a) Olive oil	.85
	(b) All others	.89
47	Oleomargarine	.93
48	Shortening and lard	.89
49	Quick frozen fruits and vegetables	
50	Dried and shredded seafood: (a) Fish	.90
	(b) Shrimp	.85

(c) *Sales to buyers other than retail grocery stores.* In the case that a wholesaler makes a sale to a buyer other than a retail grocery store, the wholesaler shall deduct .05 from all the division factors set forth in paragraph (b) of this table, except in the case of sales of shortening and lard the wholesaler shall deduct .01 from the applicable division factor. However, no such deduction shall be made for the grocery items contained in Commodity Classification Numbers 12, 19, 29, 30, and 41, except shelf sizes of baking powder and soda, contained in Classification No. 30.

(d) *Special provisions relating to the margins established in paragraphs (b) and (c) of this table.* The following division factors shall be applied to the grocery items, contained in the commodity classifications set forth below, in lieu of those set forth in paragraphs (b) and (c) in the following instances:

Commodity Classification Number	
1	In the case of sales of any canned fruits and berries packed in glass containers, the applicable division factor shall be reduced by .02.
2	In the case of sales of any canned vegetables packed in glass containers the applicable division factor shall be reduced by .02.
19	In the case of sales of any beverage bases and concentrates in less than case lots, the division factor shall be .77. An "assortment" shall not be considered as less than a case lot so long as the buyer is willing to take all of the items in a case containing any element of the assortment.
20	In the case of sales of any "fountain supplies" in less than a case lot the division factor shall be .77. An "assortment" shall not be considered as less than a case lot so long as the buyer is willing to take all of the items in a case containing any element of the assortment.
30	In the case of sales in less than a case lot of any "bakers' and confectioners' supplies", except sales of baking powder and baking soda in shelf sizes that are sold to retail grocery stores, the division factor shall be .77. An "assortment" shall not be considered as less than a case lot so long as the buyer is willing to take all of the items in a case containing any element of the assortment.
44	In the case of sales of any "canned meats" packed in glass containers the applicable division factor shall be reduced by .02.

All of the provisions of this amendment shall become effective as of June 1, 1944, on the Island of Molokai, and as of May 22, 1944, on all other Islands in the Territory of Hawaii, except as follows with respect to sales at wholesale of grocery items in inventory as of May 8, 1944. The "landed cost" of such items need not be recomputed, in accordance with the provisions of paragraphs (b), (c), (d) and (e) of this amendment. The landed cost for any new purchase made from a local source of supply, or a new importation, received from a mainland source of supply, after May 8, 1944, shall be computed in accordance with the provisions of this amendment.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12194; Filed, August 14, 1944; 11:50 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 77]

FRUITS AND VEGETABLES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

Section 21, is amended in the following respects:

1. The table following sub-paragraph (c) (1) is amended by changing the prices of one item, by deleting the following potato items: "Gems, U. S. #1," "Combination" and "New Crop Whites," and by adding a new potato item.

	Wholesale maximum price	Retail maximum price
Garlic	$0.33 per lb. net cost.	*Per lb.* $0.45
Potatoes; U. S. #1, White.	$4.75 per 100 lb. bag	.07

2. The table following sub-paragraph (d) (1) is amended by deleting the following apple items: "Northwest Newton Pippin" and "Winesap".

This amendment shall become effective as of August 2, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12195; Filed, August 14, 1944; 11:47 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 31]

ONIONS IN VIRGIN ISLANDS

Section 21, Table 8 is amended by changing the prices of one item to read as follows:

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
2. Imported onions	1 lb.	$0.10	$0.10	$0.10

This amendment shall become effective as of July 24, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12196; Filed, August 14, 1944; 11:47 a. m.]

Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS[1]

The changes and additions to Parts 1602, 1603, 1604, 1605, 1607 and 1608 of this chapter set forth below are also contained in Revision 9 of the Renegotiation Regulations, dated August 4, 1944.

JOSEPH M. DODGE,
Chairman.

PART 1602—PROCEDURE FOR RENEGOTIATION

SUBPART B—PRELIMINARY INFORMATION REQUIRED OF CONTRACTORS

1. In § 1602.223 paragraph (a) is amended and paragraph (c) is added, as follows:

§ 1602.223 *Letter of preliminary inquiry*—(a) *Unassigned contractors.* The War Contracts Board, through the Assignments and Statistics Branch, may send to contractors and subcontractors who are identified by it as probably subject to renegotiation proceedings (except those who have been previously assigned) a "Letter of Preliminary Inquiry" (see § 1607.702 (a) and (c)). Since the form appearing at § 1607.702 (a) allows a period of thirty days for answering, it will not be used within 30 days of the time for filing prescribed by the 1943 act. The "Letter of Preliminary Inquiry," sent by the Assignments and Statistics Branch, will be to determine whether or not the contractor should be assigned for renegotiation and to what Department or Service, if any, such assignment should be made. The filing of the "Standard Form of Contractor's Report" will constitute compliance with the requirement for mandatory filing under § 1602.222, if filed within the time prescribed by the 1943 act. [RR 223.1]

* * * * * * *

(c) *Follow-up.* The form appearing at § 1607.702 (d) will be used with respect to contractors who have not made response to a "Letter of Preliminary Inquiry" within the time prescribed for filing under subsection (c) (5) (A) of the 1943 act. Such follow-up letters will be sent by the office which sent the "Letter of Preliminary Inquiry" with appropriate variation in signature. [RR 223.3]

2. Section 1602.224 is amended to read as follows:

§ 1602.224 *Contractor's information and work sheet for renegotiation.* The War Contracts Board, through the Department or Service to which any contractor or subcontractor is assigned, may send to such contractor or subcontractor a form designed to assist him in preparing information when it is contemplated that formal renegotiation proceedings will be carried to conclusion (see § 1602.242). The form prepared for the use of supply contractors is the "Contractor's Information and Work Sheet for Renegotiation" (see § 1607.722) and that for construction contractors, architects and engineers is the "Construction Contractors, Architects, and Engineers Information and Work Sheet for Renegotiation" (see § 1607.724). [RR 224]

SUBPART D—CONDUCT OF RENEGOTIATION

Sections 1602.241 and 1602.242 are amended to read as follows:

§ 1602.241 *Commencement of renegotiation.* Renegotiation proceedings are

[1] Copies may be obtained from the Office of Price Administration.
[2] 9 F.R. 8886.
[1] 8 F.R. 6621.
[1] 8 F.R. 4135, 6154, 7020, 9107.

commenced by the mailing, by registered mail, of reasonable notice of the time and place of a conference to be held with respect to the renegotiation. (See § 1608.-801.) A form which may be used for such purpose is set forth in § 1607.721 Such notice shall be given in all cases of renegotiations with respect to fiscal years ending after June 30, 1943, and in the absence of unusual circumstances such notice shall be given prior to the time a conference is held for the purpose of discussing the refund. In any case where a conference is unnecessary by reason of the progress which has been made in renegotiation prior to the sending out of the formal notice, the notice should be sent, but the conference can be waived by agreement with the contractor. [RR 241]

§ 1602.242 *Data presented by contractor.* The contractor should be prepared to present all the factual data pertinent to the consideration of his case. In this connection, reference is made to the information required in the mandatory financial statement (§ 1602.220 and following) and to other chapters hereof. Suitable forms, designed to help contractors in assembling data of significance in renegotiation, are set out at §§ 1607.722 and 1607.724. These forms are not mandatory, but indicate the type of information required of a contractor to supplement what he supplied on the mandatory financial statement (see § 1607.701). Manufacturers and supply contractors should use the "Contractor's Information and Work Sheet for Renegotiation" (see § 1607.722), and construction contractors, architects and engineers should use the "Construction Contractors, Architects, and Engineers Information and Work Sheet for Renegotiation" (See § 1607.724). (See also § 1602.224.) [RR 242]

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

SUBPART A—FISCAL YEAR BASIS FOR RENEGOTIATION AND EXCEPTIONS

In § 1603.311 paragraph (b) is amended by the addition of a reference at the end thereof, and paragraph (c) is amended, as follows:

§ 1603.311 *Allocation of excessive profits in cases of consolidated renegotiation.* • • •

(b) Excessive profits must be allocated among the corporations or enterprises included in the renegotiation, and the renegotiation agreement must disclose the allocation. If excessive profits have been realized and the renegotiation agreement merely imposes liability generally on the entire consolidated group for the profits found to be excessive, without fixing the separate liability, then the members of the group may not be allowed a deduction from their income for Federal tax purposes for the amount of excessive profits to be eliminated under the agreement, or a tax credit under section 3806 of the Internal Revenue Code. The excessive profits must be so allocated even though some or all of the members of the consolidated group participate in filing a consolidated Federal tax return. (See § 1607.741 (b) (2)).

(c) The form and method of execution of the renegotiation agreement in the case of a consolidated renegotiation is described in § 1605.502 (m).

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SUBPART D—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

1. In § 1603.346 paragraph (b) is amended to read as follows:

§ 1603.346. *Construction contracts awarded as a result of competitive bidding.* • • •

(b) *Interpretation and application of exemption.* (1) This section of the 1943 act is applicable only to amounts received or accrued for fiscal years ending after June 30, 1943 (regardless of the date when the contract was made) under any contract which meets all of the following conditions:

(i) The contract is a contract with a Department (i. e., is a prime contract). The exemption has no direct applicability to subcontracts—but see paragraphs §§ 1603.347 and 1603.356 (b) for the principles governing exemption of subcontracts under prime contracts as to which this exemption is applicable.

(ii) The contract is for the construction of a building, structure, improvement or other similar facility. The exemption has no applicability to contracts for the furnishing of materials or supplies even if such materials or supplies are to be used in the construction of a building, structure, improvement or similar facility; nor has the exemption any applicability to contracts for the furnishing or installation of machinery or equipment.

(iii) The contract was awarded as a result of competitive bidding. A contract will be deemed to have been awarded as a result of competitive bidding only if (*a*) there has been published advertising or such other solicitation for bids as would open the bidding to all qualified bidders who could have been reasonably expected to bid on a job of the size, character and location concerned, (*b*) bids are received from two or more independent, responsible and qualified bidders in actual competition with each other, (*c*) the contract is let to the lowest qualified bidder, and (*d*) the contract price was not in excess of the low bid received.

(2) In distinguishing a contract for the construction of a building, structure, improvement or facility from a contract for the furnishing or installation of machinery and equipment, regard is to be had to the subject matter of the contract. If the subject matter of the contract would, as the subject matter of a subcontract, constitute machinery or equipment within the principles stated in § 1603.335 (b) (2) and (5) of these regulations, the contract will not be deemed to be a contract for the construction of a building, structure, improvement or facility, but will be regarded as a contract for the furnishing or installation of machinery or equipment. In a case where the construction of a building, structure, improvement or facility and the furnishing or installation of machinery or equipment are embraced within a single contract, the undertaking for the construction job may be severed from the agreement to furnish or install the machinery or equipment and an appropriate finding made as to that portion of the entire contract which may properly be deemed exempt.

(3) If a construction contract is exempt from renegotiation under the provisions of this paragraph, all modifying instruments thereto providing for additional or different construction of buildings, structures, improvements or facilities to be performed at or adjacent to the site of the original project are considered a part of the original construction contract and therefore are exempt from renegotiation, *provided, however,* That the aggregate contract prices of all such modifying instruments do not exceed one-third of the contract price of the original construction contract.

(4) Determination whether this exemption is applicable to any particular contract shall be made by the Department or Service conducting the renegotiation in which such contract is involved upon the basis of the principles referred to in the preceding subparagraphs of this paragraph. [RR 346.2]

2. In § 1603.347 paragraph (b) is amended to read as follows:

§ 1603.347 *Subcontracts under exempt contracts and subcontracts.* • • •

(b) *Interpretation and application of exemption.* (1) It should be noted that the exemption applies only where the subcontract is under a contract or subcontract exempted by paragraph (1) of subsection (i) of the 1943 act. Thus, subcontracts under prime contracts or subcontracts exempted under the discretionary exemptions authorized by subsection (i) (4) of the 1943 act, the exemption measured by renegotiable volume under subsection (c) (6), or any other exemption or exclusion contained in the 1943 act, are not exempted by this provision. (See § 1603.348 (e).)

(2) In any case involving the renegotiable status of a subcontract under a prime contract the exempt status of which (by reason of the possible application of § 1603.346 (b) has not been determined, the procedure shall be as follows: The Department or Service conducting the renegotiation of such subcontract shall advise the Assignments and Statistics Branch of the identity of the prime contract, the exempt status of which is subject to question. The Assignments and Statistics Branch shall thereupon inform the Department or Service to which the prime contractor has been assigned for renegotiation and such Department or Service shall thereupon determine whether such prime contract is exempt under the provisions of §1603.346 (b) and shall notify the Assignments and Statistics Branch of such determination and the said Branch shall thereupon notify the Department or Service conducting the renegotiation of the subcontract. In the event that such prime contractor has not been, and will not be, assigned for renegotiation, or if previously assigned and such assignment has been cancelled, the Assignments and Statistics Branch shall so notify the Department or Service conducting the renegotiation of the subcontract and such Department or Service shall determine whether the prime contract would be entitled to exemption under the provisions of § 1603.346 (b) and shall notify the Assignments and Statistics Branch of such determination. [RR 347.2]

2. In § 1603.348 paragraphs (b) (2) and (c) are amended to read as follows:

§ 1603.348 *Annual receipts under statutory minimum.* • • •

(b) *Computation of aggregate receipts and accruals.* • • •

(2) Affiliate is used in this section to refer to a person who controls or is controlled by or under common control with the contractor. Total receipts or total billings under cost-plus-fixed-fee contracts are included in gross receipts or accruals in computing the limits referred to in this section. For the purpose of applying this provision of the Act gross receipts and accruals will be computed without the elimination of inter-company sales.

• • • • •

(c) *No reduction by refund below exemption.* (1) In connection with the renegotiation of contracts and subcontracts (other than subcontracts referred to in subsection (a) (5) (B) of the 1943 act), no determination of excessive profits after adjustment for state income taxes shall be made in an amount greater than that which, when deducted from the aggregate amount of gross receipts or accruals referred to in paragraph (b) (1) (ii) will reduce them below $500,000.

(2) In connection with the renegotiation of subcontracts referred to in subsection (a) (5) (B) of the 1943 act, no determination of excessive profits after adjustment for state income taxes shall be made in an amount greater than that which, when deducted from the aggregate amount of gross receipts or accruals referred to in paragraph (b) (1) (i) will reduce them below $25,000.

(3) In the case of a fiscal year of less than twelve months, ending after June 30, 1943, these rules are applied on a prorated basis.

(4) In the renegotiation of contractors who are subject to renegotiation by reason of the common control provisions of the 1943 act (see paragraph (a) of this section) the refund may reduce the aggregate amount of gross receipts or accruals of any member below the floor specified in subparagraph (1) or (2) of this paragraph but the aggregate of the recoveries from such contractors after adjustment for state income taxes must not reduce the combined adjusted sales of the contractors below the minimum referred to in this paragraph. In the case of companies renegotiated on a consolidated basis the combined adjusted sales will be computed without the elimination of inter-company sales (see paragraph (b) (2)).

(5) Except in those cases where prior to the commencement of renegotiation a contractor makes a retroactive price reduction or refund, applicable to the period which is the subject of renegotiation, in an amount at least equivalent to the maximum recovery permitted under the preceding provisions of this paragraph (so that if renegotiation proceedings were conducted there could be no recovery by reason of such limitation) the amount of excessive profits will be estimated by the renegotiating agency in the first instance without regard to the possible final effect of the above limitation on the amount of recovery.

(6) In applying the provisions of this paragraph to any case in which an adjustment for state income taxes is required (see § 1603.389), excessive profits shall first be determined and the appropriate adjustment for state income taxes shall be made without regard to any limitations imposed by this paragraph upon the amount of refund. The limitations of this paragraph shall then be applied in determining the amount to be refunded. [RR 348.3]

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SUBPART E—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

1. Paragraph (c) of § 1603.355 is amended to read as follows:

§ 1603.355 *Contracts and subcontracts when effective competition is likely to exist.* • • •

(c) *Application of exemption to construction contracts and subcontracts.* (1) The War Contracts Board has found that competitive conditions affecting the making of construction contracts and subcontracts entered into subsequent to June 30, 1943, were such as to result in effective competition with respect to the contract or subcontract price where all of the following conditions exist,

(i) the contract or subcontract is one for the construction of a building, structure, improvement or other similar facility. The exemption has no applicability to contracts or subcontracts for the furnishing of materials or supplies even if such materials or supplies are to be used in the construction of a building, structure, improvement or similar facility; nor has the exemption any applicability to contracts or subcontracts for the furnishing or installation of machinery or equipment.

(ii) the contract or subcontract did not constitute a substitute for or a revision or extension of an existing contract or subcontract entered into on or before June 30, 1943;

(iii) the work covered by the contract was substantially the same as the work for which the bids were requested;

(iv) bids were received from two or more independent, responsible and qualified bidders in actual competition with each other; and

(v) the contract or subcontract was let to the lowest qualified bidder; at a price not in excess of the low bid;

or where the subcontract is a construction contract which (*a*) meets the conditions prescribed in subdivision (i) above, and (*b*) is a subcontract under a contract or subcontract exempt from renegotiation under the foregoing provisions of this paragraph.

(2) In distinguishing a contract or subcontract for the construction of a building, structure, improvement or facility from a contract or subcontract for the furnishing or installation of machinery or equipment, the principles of § 1603.346 (b) (2) will be followed.

(3) If a construction contract or subcontract is exempt from renegotiation under the provisions of this paragraph, all modifying instruments thereto providing for additional or different construction of buildings, structures, improvents or similar facilities at or adjacent to the site of the original project are considered a part of the original construction contract or subcontract and therefore are exempt from renegotiation: *Provided, however,* That the aggregate contract prices of all such modifying instruments do not exceed one-third of the contract price of the original construction contract or subcontract.

(4) Determination whether this exemption is applicable to any particular contract or subcontract shall be made by the Department or Service conducting the renegotiation in which such contract or subcontract is involved upon the basis of the principles referred to in the preceding subdivisions of this paragraph. [RR 355.3]

2. Paragraph (b) of § 1603.356 is amended to read as follows:

§ 1603.356 *Subcontracts as to which it is not administratively feasible to determine and segregate profits.* • • •

(b) *Exemption.* (1) The War Contracts Board has found that it is not administratively feasible to determine and segregate the profits attributable to activities subject to renegotiation from those not so subject in the case of the following subcontracts:

(i) Subcontracts directly or indirectly under a prime contract to which the provisions of § 1603.346 (b) are applicable as to only a portion of the amounts received or accrued therefrom, due to the fact that a portion of such amounts were received or accrued in a fiscal year ending prior to July 1, 1943;

(ii) Subcontracts directly or indirectly under any modifying instrument of the general type described in § 1603.345 (b) (4) (regardless of whether such modifying instrument is exempted under that paragraph) which modifies a contract to which the provisions of § 1603.346 (b) are applicable; and

(iii) Subcontracts for the construction of a building, structure, improvement or other similar facility directly or indirectly under any modifying instrument of the general type described in § 1603.-355 (c) (2) (regardless of whether such modifying instrument is exempted from renegotiation under § 1603.355 (c)).

The War Contracts Board has therefore exempted the foregoing subcontracts from all the provisions of the 1943 act.

(2) Since the powers of the War Contracts Board under subsection (i) (4) (F) (paragraph (a)) are applicable only to amounts received or accrued for fiscal years ending after June 30, 1943, the exemptions made by this paragraph are applicable only to amounts received or accrued under such subcontracts for fiscal years ending after June 30, 1943.

(3) In determining whether a subcontract is one for the construction of a building, structure, improvement or other similar facility, the principles of § 1603.346 (b) shall be applied. [RR 356.2]

3. Section 1603.358 is amended by changing "quintuplicate" to "triplicate". The section, as amended, reads as follows:

§ 1603.358 *Requests for exemption.* All requests or petitions for the exemption by general classes or types of contracts and subcontracts for a standard commercial article or of contracts or subcontracts where it is claimed there is "effective competition" or of other general classes or types of contracts under subsection (i) (4) of the 1943 act should be made in writing in triplicate and addressed to the War Contracts Price Adjustment Board at the address specified in § 1607.791 (e), and should be supported by a full statement of facts setting forth the basis for the requested exemption. [RR 358]

SUBPART F—LIMITATIONS ON COMMENCEMENT AND COMPLETION OF RENEGOTIATION

Sections 1603.362 and 1603.363 are amended by the addition of references. The sections, as amended, read as follows:

§ 1603.362 *Commencement of renegotiation proceedings.* Unless renegotiation proceedings are commenced either, (1) within one year after the close of the fiscal year in which the excessive profits were received or accrued, or (2) within one year after the statement required under subsection (c) (5) of the 1943 act is filed with the War Contracts Board, whichever is later, the liability of the contractor or subcontractor for the fiscal year involved will be discharged. Under subsection (c) (1) of the Renegotiation Act of 1943 the mailing of notice by registered mail of the time and place of a conference to be held with respect to the determination of excessive profits constitutes the commencement of the renegotiation proceeding (see §1602.241). [RR 362].

§ 1603.363 *Completion of renegotiation proceedings.* Renegotiation must be completed by the making of an agreement or the entry of an order within one year following the commencement of the renegotiation proceeding, or the liability of the contractor or subcontractor for the fiscal year involved will be discharged. The one year period of limitation on completion of renegotiation proceedings does not apply, however, to the review by the War Contracts Board of an order made by a Secretary of a Department or any officer or agency to whom his authority in this respect has been redelegated. Also, the one year period may be extended by mutual agreement. A form which may be used for such extension is set out in § 1607.725, and reference is made to § 1608.821 (a) concerning authority to execute the same. The formalities for its execution are similar to the formalities for the execution of a renegotiation agreement (see § 1605.502 (l) including subparagraph (5)). [RR 363]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1. In paragraph (d) of § 1603.381 subparagraph (5) is added as follows:

§ 1603.381 *Statutory provisions and general regulations.* • • •

(d) *Profit, cost allocation and allowance; general.* • • •

(5) *Costs previously allowed in renegotiation.* No item of cost shall be deemed "properly chargeable" against or "allocable" to renegotiable business to the extent that such item has, in a previous renegotiation, been charged against or allocated to renegotiable business in determining excessive profits, nothwithstanding that such item may be a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code in computing taxable net income for the taxable period corresponding to the fiscal period covered by the current renegotiation. [RR 381.4]

2. In § 1603.382 (f) (2) subdivision (iii) is amended to read as follows:

§ 1603.382 *Salaries, wages and other compensation.*

(f) *Pension, annuity, stock bonus and profit sharing plans.* • • •

(2) • • •

(iii) The payments on account of the plan, to be allowed as deductions for Federal income tax purposes, must actually have been paid within the taxable year except that as to payments into a qualified plan, a taxpayer on an accrual basis of accounting is deemed to have made a payment on the last day of the year if the payment is on account of such taxable year and is made within 60 days after the close of the taxable year of accrual.

• • • • • •

3. Section 1603.389 (a) is amended by the addition of a reference at the end thereof. The paragraph, as amended, reads as follows:

§ 1603.389 *State income taxes*—(a) *In general.* Under subsection (a) (4) (B) of the 1943 act, taxes measured by income cannot be allowed as items of cost for purposes of renegotiation. However, this subsection provides specifically that in determining the amount of excessive profits to be eliminated, proper adjustment shall be made on account of the taxes measured by income (other than Federal taxes) so excluded, which are attributable to non-excessive renegotiable profits. The amount of any such adjustment will in no case exceed that part of such taxes actually payable which is payable because of the inclusion in income of the non-excessive renegotiable profits. The term "taxes measured by income" is interpreted to mean taxes which vary in accordance with the amount of net income of the taxpayer. Such term does not include taxes imposed upon or measured by gross income, gross receipts or sales. Such taxes measured by net income are herein referred to generally as "state income taxes" although actually they may not be designated as "income taxes" in the legislation imposing such taxes, and although they may be imposed by political sub-divisions other than a state. For the effect of the floor provision limiting refunds of excessive profits, see § 1603.348 (c) (6). [RR 389.1]

• • • • • •

PART 1604—DETERMINATION AND ELIMINATION OF EXCESSIVE PROFITS

SUBPART A—PRINCIPLES AND FACTORS IN DETERMINING EXCESSIVE PROFITS

Section 1604.407 (c) is amended by the addition of a reference in subparagraph (1). The subparagraph, as amended, reads as follows:

§ 1604.407 *Cost - plus - fixed - fee contracts.* • • •

(c) *Treatment of disallowed costs and adjustment of fees.* (1) Disallowances of costs under cost-plus-fixed-fee contracts made in accordance with the terms of the contracts will, except as noted below, be deducted from the fee. If, however, any part of the amounts so disallowed are determinable business expenses which would otherwise necessarily have been incurred for the continued operation of the business as an enterprise and, if such amounts are deductions of the character permitted under the applicable provision of the Internal Revenue Code and the contractor has fixed-price business, the amount of such disallowances may be allocated to fixed-price renegotiable and non-renegotiable business in proper proportions. Reference is made to § § 1605.506 (f) and 1607.741 (b) (7), relating to waiver of claims under a cost-plus-fixed-fee contract when the amount of the item disallowed under such contract is allowed as a cost against renegotiable business.

• • • • • •

PART 1605—AGREEMENTS AND STATEMENTS

SUBPART A—AGREEMENTS AND CLEARANCES

1. Section 1605.502 is amended in the following respects: Paragraph (b) is amended; subparagraph (8) is added to paragraph (e); in paragraph (l) subparagraph (2) is amended, subparagraph (5) is redesignated (6), and a new (5) is added; and paragraph (m) is added, as follows:

§ 1605.502 *Standard form of agreement.* • • •

(b) *Article 1: Profits to be eliminated.* The agreed dollar amount of excessive profits to be eliminated, after giving effect, in accordance with subsection (a) (4) (B) of the 1943 act, to any adjustment for taxes, other than Federal taxes, measured by income, will be set forth in Article E. Ordinarily such amount will be the excessive profits determined to have been received or accrued during a particular fiscal year under all of the contractor's contracts and subcontracts subject to renegotiation. When the renegotiation covers only contracts and subcontracts completed during a fiscal year or has been conducted only with respect to certain contracts and subcontracts, the language used in Article 1 should be modified accordingly. When the amount of refund is limited by the application of the provisions of § 1603.348 (c), an appropriate statement to that effect will be included in Article I of the Renegotiation Agreement (see suggested form of statement in footnote to Article 1, § 1607.741 (a). [RR 502.2]

• • • • • •

(e) *Article 4: Terms of payment.* • • •

(8) Provision is made in the standard form of renegotiation agreement for the payment of interest on defaulted installments. (See § 1607.741 (a) (4) and (b) (5)). The rate specified in the agreement is "the rate provided by law in the District of Columbia as the rate which is applicable in the absence of express contract as to the rate of interest." (See § 1608.807.) [RR 502.5]

• • • • • •

(l) *Formalities of execution.* • • •

(2) The form and method of execution of the renegotiation agreement in the case of a consolidated renegotiation is described in paragraph (m).

• • • • • •

(5) If the authority of the person signing the agreement is based upon a written instrument or court order or provision of law (as where the agreement is executed on behalf of a corporation in dissolution, or an estate or trust, or where the authority derives from a power-of-attorney), the agreement should be accompanied or supported by proper evidence of such authority.

(6) The Department conducting the renegotiation has authority to depart from the requirements of this paragraph in its discretion.

(m) *Consolidated renegotiation; agreement, form and execution.* If a group consists of affiliated enterprises, other than parent and subsidiary corporations, the standard form of agreement should be rewritten to include as parties thereto all members of the group to which are allocated any amount of the excessive profits and it must be executed by each such member of the group. If the group consists of parent and subsidiary corporations, the renegotiating agency may require the standard form of agreement to be re-written to include as parties thereto, in addition to the parent corporation, all subsidiaries to which are allocated any amounts of the excessive profits and each such subsidiary must execute the agreement. The renegotiating agency may, however, use the standard form of agreement executed only by the parent corporation. In such event, the following procedure will be followed: (1) the variation in Article 2 set forth in § 1607.741 (b) (2) shall be included in the agreement; (2) Exhibit B to the agreement must contain a clause by which each subsidiary to which is allocated any portion of the excessive profits agrees to pay such portion; (3) Exhibit B must be duly executed by each such subsidiary and an appropriate resolution authorizing such execution must be furnished (see paragraph (l); and (4) Exhibit B will also provide that payment by the parent corporation will be applied ratably to satisfy the liability of each member of the group. A form of Exhibit B to be used where the foregoing clauses are required, is set forth in § 1607.742 (b) (2). [RR 502.13]

2. In § 1605.506 paragraph (f) is redesignated (g) and a new paragraph (f) is inserted, as follows:

§ 1605.506 *Additional provisions; variations.* • • •

(f) *Waiver of claims under cost-plus-fixed-fee contracts.* If an item of cost is allowed in renegotiation for an item for which a claim for reimbursement under a cost-plus-fixed-fee contract has been made and disallowed by the Government, the contractor should waive and release such claim under the cost-plus-fixed-fee contract involved to the extent that the amount of the claim is allowed as a cost against renegotiable business (see § 1604.407 (c)). There is set out in § 1607.741 (b) (7) an appropriate form of clause relating to such claims. The form of clause may be varied to fit the particular case. [RR 506.6]

• • • • • •

PART 1607—FORMS FOR RENEGOTIATION

SUBPART A—FORMS RELATING TO IDENTIFICATION, ASSIGNMENT AND CANCELLATION OF CASES

1. In § 1607.702 a footnote is added in paragraph (b), and the caption of paragraph (c) is amended, as follows:

§ 1607.702 *Letters of preliminary inquiry.* • • •

(b) *Letter of preliminary inquiry (for use in assigned cases).*

(*For use in cases already assigned*)

In reply refer to:
LPI–A No. _____

(Letterhead of Appropriate Department or Section)

GENTLEMEN:

Price Adjustment Boards and Sections have been established for the conduct of statutory proceedings for the renegotiation of contracts and subcontracts. Renegotiation with respect to contractors whose fiscal years ended on or before June 30, 1943 is controlled by the Renegotiation Act of 1942 as amended by the retroactive provisions of the Renegotiation Act of 1943. Renegotiation with respect to fiscal years ended after June 30, 1943 is controlled by the Renegotiation Act of 1943. Copies of both Acts are enclosed herewith.

The matter of conducting your statutory renegotiation proceedings has been assigned to this office.

Unless the amount of your business during your latest complete fiscal year was less than the statutory minimum as defined by subsection (c) (6) of the Act applicable to your business for that year, you are required by law to furnish the information called for by the "Standard Form of Contractor's Report." On the basis of the information thus presented, a determination will be made as to whether or not further renegotiation proceedings will be necessary.

To assist you in determining whether or not your business exceeded the statutory minimum as defined in the statutes referred to, your attention is invited to the "Instructions for Preparation of Standard Form of Contractor's Report" which accompany this communication.

The enclosed "Standard Form of Contractor's Report" is requested pursuant to the statutory power to obtain information deemed necessary under the Act. Your filing of this "Standard Form of Contractor's Report" in satisfactory form will be deemed a compliance with the statutory provision requiring the filing by contractors and subcontractors of a financial statement under the first sentence of subsection (c) (5) (A) of the 1943 Act, if filed within the time prescribed in such Act.

The "Standard Form of Contractor's Report" is to be filed with the undersigned, in duplicate, within thirty days of the date of this letter.[1] If your concern reports on a fiscal year basis for federal income tax purposes, the Report prepared should cover the same period.

If all of the information called for by this form has been furnished the Price Adjustment Agency to which the contractor has been assigned, refer to the final paragraph of instructions.

A separate letter or statement, in duplicate, containing any comments which you believe pertinent with respect to statutory renegotiation as it affects you will be appreciated.

(Appropriate Authorized Signature)

Enclosures:
Standard Form of Contractor's Report (3)
Instructions for Preparation of Standard Form of Contractor's Report
Pamphlet containing Renegotiation Act of 1942 and 1943

[RR 702.2]

(c) *Alternative form of letter of preliminary inquiry.* • • •

• • • • • •

2. In § 1607.704 (a) the third paragraph of the statement by contractor is amended by changing "receipts and accruals" to "receipts or accruals" and by changing "agencies or subcontracts" to "agencies and subcontracts", as follows:

§ 1607.704 *Forms for cancellation of assignment*—(a) *Statement by contractor of non-applicability.*

STATEMENT BY CONTRACTOR

NON-APPLICABILITY OF THE RENEGOTIATION ACT OF 1943

• • • • • •

In making this certification recognition is given to the fact that in order to qualify for exemption it is necessary that both of the above conditions should be met; i. e., that the total of receipts or accruals under contracts with the above-named Departments or agencies and subcontracts as defined in the Act (excluding commissions and other income below mentioned) does not exceed $500,000 *and* that the total of commissions and other income within the meaning of subsection (a) (5) (B) of the Act does not exceed $25,000. Accordingly, we do not intend to file a financial statement in conformity with the provisions of the first sentence of subsection (c) (5) (A) of the Act. If we have been assigned for statutory renegotiation, we request that such assignment be cancelled.

• • • • • •

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

Section 1607.724 is added as follows:

§ 1607.724 *Construction contractors, architects, and engineers information and work sheet for renegotiation*—(a) *Instructions for preparation.*

[1] Omit "within thirty days of the date of this letter" if this letter is being sent within thirty days of the time for filing prescribed by the 1943 Act.

CONSTRUCTION CONTRACTORS, ARCHITECTS, AND ENGINEERS INFORMATION AND WORK SHEET FOR RENEGOTIATION.

Information indicated in parts I and II herein is required for renegotiation under the Renegotiation Act, as amended. Any part of this information which the contractor has submitted, either in the "Standard Form of Contractor's Report (for Construction Contractors, Architects, and Engineers)" or in connection with a previous renegotiation, may be omitted, provided reference is made to the manner, time, and place of its submission. If any statements or information designated are inapplicable in a particular case, the contractor should so state and give the reason therefor. In financial statements all cents may be omitted. The contractor should so indicate if he prefers to discuss with the renegotiation authorities the methods of segregation of gross earnings and allocation of costs and expenses. In such cases, the contractor should submit all other information requested herein.

The contractor should certify that all information and data (subject to qualifications, if any, specifically set forth) are true and correct to the best of his knowledge and belief.

PART I—INSTRUCTIONS FOR PREPARATION OF EXHIBITS

The enclosed exhibits are provided for the contractor's use in this connection. Should he submit in some other form his income data separated as between renegotiable and nonrenegotiable business, these exhibits should be used as guides.

Exhibit I

For an interpretation of items entering into renegotiable and nonrenegotiable business, respectively, refer to "Standard Form of Contractor's Report (for Construction Contractors, Architects, and Engineers)," Instructions 3, 4, and 6.

Line 1. Gross earnings. Enter total dollar volume of all work done under prime contracts, subcontracts, and purchase orders and other earnings, segregated as indicated by the columnar headings. For lump-sum and unit-price contracts (column A) show total contract price. For cost-plus-fixed-fee contracts (column B) show total reimbursements and fees earned. On joint venture lump-sum and unit-price contracts enter contractor's proportionate share of the total contract price (column C). On joint-venture cost-plus-fixed-fee contracts enter his proportionate share of the reimbursable costs and fees (column C). (Joint ventures are renegotiated as separate entities.) Column D is to be used only by contractors who report for tax purposes on other than the completed contract basis, but who prepare this exhibit I on a completed contract basis.

Line 2. Job costs. Enter in each column the job costs applicable to the corresponding contract earnings entered on line 1. For cost-plus-fixed-fee contracts (column B) include both reimbursable and direct nonreimbursable costs. For joint-venture contracts (column C) show proportionate share of costs.

Lines 5, 8, and 9. General and administrative expenses; other income; other deductions. Allocate to the classifications indicated for each column in accordance with the most equitable method in view of the particular situation.

Line 11. Rental income from owned equipment (net). Enter on this line in column E the renegotiable portion of the net amount (gross less applicable costs and expenses) received or accrued from the rental of equipment owned by the contractor; in column F the nonrenegotiable portion of such net earnings; and in column G the sum of the amounts entered in columns E and F, respectively. If these amounts are significant, the contractor should support them by a separate schedule showing gross earnings from such rentals, distributed between renegotiable and nonrenegotiable business, and costs and expenses applicable to each classification, with resultant net earnings as shown in columns E, F, and G, respectively.

Line 13. Sales and other earnings. Enter on this line in column E the renegotiable portion of the net income from sales and services not included in columns A to D, inclusive; in column F the nonrenegotiable portion of such income; and in column G the sum of the amounts entered in columns E and F, respectively. The contractor should support these amounts by a separate schedule showing net sales and/or income from services, cost of sales and/or services, expenses applicable to each classification, and resultant net profits, as shown in columns E, F, and G, respectively.

Lines 14, 15, 16, 17, and 18. Amounts on these lines are to be entered in column G only.

Supporting schedules. Furnish supporting schedules as directed on the back of exhibits I and IA (also IB if applicable).

PART II—GENERAL INFORMATION

A. One copy each of the following:

1. Balance sheets as of the close of the year under review and each of the three (3) preceding years, and related analyses of surplus or net worth.
2. Income statement as regularly prepared, for the year under review.
3. Federal income and excess profits tax returns filed for the year under review.
4. Detailed or long form audit report, if available.

B. *Information relative to affiliates:*

1. A statement showing the names and addresses of the contractor's parent, subsidiary, and affiliated companies and organizations, with a brief description of the character of their business, the nature and extent of their affiliation, and an expression of the contractor's opinion as to whether or not, during the year under review, they had business subject to the Renegotiation Act, and as to which should be consolidated for purposes of renegotiation.
2. If the financial statements are submitted on a consolidated basis, similar financial statements for each subsidiary included in such consolidation.
3. The basis of setting intercompany prices (including rentals) when affiliates or subsidiaries are not consolidated.
4. A statement of sales and rentals to and purchases and rentals from subsidiaries and affiliates.

Instructions. The terms "affiliates" and "affiliated companies and organizations" means all persons under the control of or controlling, or under common control with the contractor.

C. A statement or schedule, amplified by adequate explanations, with respect to each of the following:

1. Type and approximate value of any materials or other assistance received from the Government or prime contractors;
2. The effect of raw material exemptions and "excess inventory" calculations provided for in subsection (i) of the Act;
3. Sales of materials and rentals of equipment to subcontractors entering into repurchases from them;
4. Interdepartmental sales not eliminated;
5. Any basic changes during the year under review in accounting methods, depreciation rates, and/or methods, of inventory valuation;
6. Volume of direct renegotiable earnings from contracts with the subsidiaries of Reconstruction Finance Corporation (Defense Plant Corporation, Defense Supplies Corporation, Metals Reserve Co. and Rubber Reserve Co.), and the amount of profits therefrom. (If profits on such earnings are not segregated on the books, best estimate should be given);
7. A brief description of any bonus, pension trust, or other employee compensation plans in effect during the year under review, with comment as to how they are applicable to personnel for which compensation data are specifically supplied (officers, highly paid employees, etc.), and showing the dates that such plans were adopted. State whether approval has been obtained from the Bureau of Internal Revenue.
8. The latest taxable year examined by the Bureau of Internal Revenue and any significant changes made in taxable income or invested capital as a result of examinations made by the Bureau since 1 January 1942;
9. Any changes in excess profits tax credit claimed or to be claimed under section 721 or 722 of the Internal Revenue Code;
10. If royalties in excess of $25,000 were paid or accrued during the year under review, the names of significant payees and amounts of payments. Similarly, if the contractor received royalties in excess of $25,000, the names of licensees and amounts received from each;
11. Any revaluation of assets or recapitalization during the year under review;
12. Stockholders owning over 10 percent of voting stock and stockholdings of officers and key executives;
13. Financial interest in any subcontractor, supplier of material, or any concern from which construction plant or equipment has been acquired or rented during the year under review;
14. If the reporting entity is a joint venture, a certified copy of the joint-venture agreement;
15. Schedule showing name, address, and amount paid or accrued to each person, other than full-time employees, for obtaining or attempting to obtain contracts with any of the Departments named in the Act;
16. Any other matters with particular reference to those factors set forth in section (a) (4) (A) of the 1943 Act.

Instructions. Since each of the subjects listed above requires development in some detail for purposes of renegotiation, in order that full value can be given to the contractor's contribution to the conduct of the war, the contractor should give careful consideration to the preparation of his statements relative thereto. While such statements may be amplified at a meeting with representatives of the War Contracts Price Adjustment Board, it is desirable that they be presented in writing before such meeting.

[RR 724.1]

SUBPART D—FORMS RELATING TO AGREEMENTS AND UNILATERIAL DETERMINATIONS

In § 1607.741 a footnote is added to paragraph (a); paragraph (b) (2) is revised; subparagraph (7) is added to paragraph (b); and a reference is added at the end of paragraph (c), as follows:

§ 1607.741 *Agreement forms*— (a) *Standard form of agreement.*

WAR CONTRACTS PRICE ADJUSTMENT BOARD

(Department)

RENEGOTIATION AGREEMENT

This agreement is entered into as of the ---- day of ---- 194--, by and between the United States of America (hereinafter referred to as "the Government") and ----

----;

[1] a corporation organized and existing under the laws of the state of ----;

[1] co-partners, doing business under the firm name of ----;

[1] a sole proprietor, doing business under the name of ----;

having its principal office at ----;

---- (hereinafter referred to as "the Contractor").

1. *Profits to be eliminated.* As a result of renegotiation pursuant to the Renegotiation Act, the Government and the Contractor hereby determine and agree that ---- Dollars ($----) of the profits derived by the Contractor from contracts and subcontracts of the Contractor which are subject to renegotiation under the Renegotiation Act (hereinafter referred to as "said contracts and subcontracts") represent the amount of profits received or accrued under said contracts and subcontracts during the Contractor's fiscal year ended ---- 194--, (hereinafter referred to as "said fiscal year") which pursuant to the Renegotiation Act should be eliminated.[2]

2. *Warranty.* This agreement has been entered into in reliance, among other things, upon the representations of the Contractor, including the financial and other data submitted by the Contractor upon the basis of which the statement set forth in Exhibit "A" annexed hereto and made a part hereof was prepared.

The Contractor warrants that the representations made by it to the Government in connection with this renegotiation are true and correct to the best knowledge, information and belief of the Contractor and that to its best knowledge, information and belief, the Contractor has disclosed all material facts required to make the Contractor's representations complete and not misleading.

3. *Tax credit under section 3806 of the Internal Revenue Code.* The Contractor represents that the profits, the amount of which is agreed is Article 1 hereof to be eliminated, were included in income in the Contractor's Federal income and excess profits tax returns for said fiscal year and that the Contractor has applied or will promptly apply for a computation by the Bureau of Internal Revenue, based upon the assessments made to the date of such computation, of the amount by which the taxes of the Contractor for said fiscal year payable under Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code are decreased by reason of the application of Section 3806 of the Internal Revenue Code. The amount, if any, so computed will be allowed as a credit against the amount of profits agreed in Article 1 to be eliminated.

4. *Terms of payment.* The Contractor agrees to pay to the Government the sum of ---- Dollars ($----), being the amount determined in Article 1 hereof to be eliminated, as follows:

Payment shall be made by check to the order of the Treasurer of the United States and forwarded----. All unpaid installments hereunder may at the option of the Government be declared and thereupon shall become immediately due and payable, in the event of a default continuing for twenty days in the payment of any amount required to be paid under this agreement. Interest at the rate provided by law in the District of Columbia as the rate which is applicable in the absence of express contract as to the rate of interest, shall accrue and shall be payable upon each payment due under this agreement from and after the due date thereof, whether original or accelerated.

5. *Additional profits to be eliminated.* If, as a result of the elimination of the amount of profits determined pursuant to Article 1 hereof, the Contractor shall either receive a refund (whether by repayment or credit) or shall recognize a reduction in its liability (by giving effect thereto on its books) in respect of any item which was allowed as an item of cost in the determination of such profits, then promptly thereafter, the Contractor shall pay to the Government, as additional profits which should be eliminated a sum equal to the amount of such refund or reduction in liability, by the delivery to---- of a check payable to the order of the Treasurer of the United States in such amount.

In the elimination of said additional profits the Contractor shall be allowed the tax credit, if any, provided by Section 3806 of the Internal Revenue Code.

6. *Covenant against contingent fees.* The Contractor warrants that it has not employed any person to solicit or secure this agreement upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul this agreement.

7. *Officials not to benefit.* No member of or delegate to Congress or resident commissioner or any other person in the employ or service of the United States shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend this agreement if made with a corporation for its general benefit.

8. *Discharge of liability.* This agreement shall be final and conclusive according to its terms, and performance by the Contractor in accordance herewith shall be in full discharge of all liability of the Contractor under the Renegotiation Act for excessive profits receive or accrued under said contracts and subcontracts for the fiscal year covered he.. by and, except upon a showing of fraud or malfeasance or a willful misrepresentation of a material fact, this agreement shall not for the purposes of the Renegotiation Act be reopened as to the matters agreed upon, and shall not be modified by any officer, employee, or agent of the United States, and this agreement and any determination made in accordance herewith shall not be annulled, modified, set aside, or disregarded in any suit, action or proceeding.

9. *Renegotiation rebate.* Nothing contained in this agreement shall prejudice any right which the Contractor may have to recover a renegotiation rebate pursuant to subsection (a) (4) (D) of the Renegotiation Act.

10. *Execution of agreement.* This agreement has been duly executed by or on behalf of the Contractor pursuant to proper authority and by or on behalf of the Government by the War Contracts Price Adjustment Board by its duly authorized representative to whom authority to execute this agreement has been delegated by the War Contracts Price Adjustment Board pursuant to subsection (d) (4) of the Renegotiation Act.

In witness whereof, the parties hereto have executed this agreement in ---- counterparts as of the day and year above written.

(Corporate seal if a corporation)

By----
(Title of Officer)

Attest:

Secretary

(To be used if executed by a corporation)

UNITED STATES OF AMERICA,

By----
(Title)

Acting on behalf of the War Contracts Price Adjustment Board created by the Renegotiation Act, under due delegations of authority made pursuant to subsection (d) (4) of the Renegotiation Act.

Each exhibit attached hereto is to be initialed for identification by the persons signing on behalf of the Contractor.

A duly certified copy of the resolution of the Board of Directors of the Contractor, if a corporation, authorizing the execution and delivery of this agreement is to be attached hereto.

[RR 741.1]

(b) *Variations in the standard form.* * * *

(2) *Variations in Article 2 of the standard form.* When the renegotiation covers a parent and subsidiaries unless all parties sign the agreement the following clause should be added to Article 2 of the standard form of agreement by insertion after the first paragraph of Article 2:

Exhibit B annexed hereto and made a part hereof contains a complete list, as represented by the Contractor, of its subsidiaries, all of which are consolidated with the Contractor for the purposes hereof, except such, if any, as may be expressly excluded from such consolidation, as indicated by proper notation on said Exhibit B. Also noted on Exhibit B is the part, if any, of the profits to be eliminated which is allocated to each subsidiary so consolidated with the Contractor. The part unallocated to subsidiaries is allocated to the Contractor. Each such subsidiary to which is allocated any portion of the profits to be eliminated has duly executed said Exhibit B, thereby agreeing to pay to the Government such portion of the profits to be eliminated which has been allocated to it. All representations and warranties made herein by the Contractor shall be applicable to each such subsidiary and each such subsidiary shall be bound by all representations and warranties made with respect to it. Article 8 of this agreement shall likewise be applicable to each such subsidiary as though it were named herein as the Contractor.

---

[1] Delete inapplicable language.

[2] If the amount of excessive profits to be refunded is limited by the provisions of § 1603.348 (c) of the Renegotiation Regulations, the following sentence will be added: "The amount of profits to be eliminated hereby has been determined by taking into consideration the application of the $500,000 or the $25,000 limitation set forth in subsection (c) (6) of the Renegotiation Act as interpreted by § 1603.348 (c) of the Renegotiation Regulations."

[3] If any part of the profits to be eliminated were derived from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company, insert here: "to the extent of $---- and by check to the order of and delivered to the RFC Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C., to the extent of $----."

Such exhibit may take the following form:

EXHIBIT B—LIST OF, ALLOCATION OF PROFITS TO BE ELIMINATED AMONG, AND AGREEMENT BY, SUBSIDIARIES OF CONTRACTOR INCLUDED IN THE RENEGOTIATION

1. The name, state of incorporation of all subsidiaries, and the dollar amount of profits to be eliminated, if any, which is allocable to each subsidiary, are as follows:

Name and State of Incorporation	*Allocation of profits to be eliminated (note 1)*
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Note 1: If no amount of excessive profits is allocated to a particular subsidiary, insert the word "none" opposite the name of such subsidiary.

2. Each of the undersigned subsidiaries hereby approves and adopts the agreement of which this Exhibit B is a part and agrees to pay to the Government the amount of profits to be eliminated which is allocated to it as hereinabove set forth, and any additional profits eliminated pursuant to the provisions of Article 5 of this agreement resulting from a refund to or the reduction in a liability of such subsidiary: *Provided, however*, That payments by the Contractor pursuant to such agreement shall be applied ratably in satisfaction of the liability of the Contractor and the liability of each of the undersigned. Upon the failure of the Contractor to make when due, either as provided herein or by acceleration, any payment provided by this agreement each of the undersigned subsidiaries agrees to pay to the Government the amount of the profits to be eliminated agreed to be paid by it, to the extent not theretofore paid by the Contractor, together with interest thereon after default as provided in Article 4 of this agreement.

In witness whereof, the undersigned have executed this agreement as of the day and year of execution of the agreement of which this Exhibit B is a part.

Seal

By----------
(Title of officer)

Attest:
[SEAL]

Secretary

By----------
(Title of officer)

Attest:

Secretary

* * * * *

(7) *Clause relating to waiver of CPFF claims.* When appropriate, the following clause may be used.

There have been allowed as costs against renegotiable business in the renegotiation for said fiscal year amounts for which claims for reimbursement under cost-plus-fixed-fee contracts have been made and disallowed by the Government. As part of Exhibit A attached hereto, there is set forth a description of such claims for reimbursement, stating the amount of each claim and the amount thereof which has been allowed as a cost against renegotiable business for the purposes of this agreement. The contractor hereby waives and releases such claims for reimbursement and all rights it may now or hereafter have for the collection or reimbursement of said disallowed items to the extent that amounts under such claims have been allowed as costs against renegotiable business.

In addition, if such clause is used, the claims and amounts being waived should be shown as a part of Exhibit A. [RR 741.2]

(c) *Contents of Exhibit A to the standard form of agreement.* Exhibit A referred to in the standard form of agreement shall contain, as a minimum, the following financial data and information:

(1) The amount of net sales under fixed price contracts in the aggregate and segregated as between renegotiable and non-renegotiable business.

(2) The net profit on each such amount of fixed price business before Federal taxes on income.

(3) The aggregate amount of billings under cost-plus-fixed-fee contracts subject to renegotiation (i. e., costs plus gross fees).

(4) The net fees earned under renegotiable cost-plus-fixed-fee contracts before Federal taxes on income.

(5) The amount of adjustment in the profits to be eliminated on account of taxes other than Federal taxes measured by income.

(6) The amount of profits to be eliminated shown separately as to fixed price and cost-plus-fixed-fee business. If any part of the profits to be eliminated were derived from prime contracts with RFC subsidiaries, such part of such profits shall be indicated.

The form of the exhibit and the manner in which such financial data and information shall be shown shall be within the discretion of the Department which has conducted the renegotiation. In the discretion of such Department, any additional financial data or information may be included in Exhibit A. (See paragraph (b) (7)). [RR 741.3]

* * * * *

SUBPART I—ADDRESSES

1. In § 1607.791 (a) the postal zone for the principal office is changed from "6" to "25".

2. In § 1607.793 (a) the address of the War Department Power Procurement Officer is changed to read as follows: "War Department Power Procurement Officer, Attention: Major George P. Steinmetz, Deputy; Utilities Price Adjustment Section; Room 5004, New War Dept. Building; Washington 25, D. C. Tel. Republic 6700, Ext. 79994 or 76210."

3. In § 1607.794 (b) subparagraphs (4) and (5) are amended to read as follows:

§ 1607.794 *Navy Department.* * * *

(b) *Services and Sales Renegotiation Section.* * * *

(4) Office of the Under Secretary of the Navy, Services and Sales Renegotiation Section, Chicago Divisional Office, Room 916, 610 South Canal Street, Chicago 7, Illinois, Tel. Wabash 3860, Ext. 372–3.

(5) Office of the Under Secretary of the Navy Services and Sales Renegotiation Section, Los Angeles Divisional Office, Room 907, Van Nuys Building, Seventh and Spring Streets, Los Angeles 14, California, Tel. Tucker 1251.

* * * * *

4. Section 1607.797 is added, as follows:

§ 1607.797 *Reconstruction Finance Corporation Price Adjustment Sections*—(a) *Headquarters.*

Reconstruction Finance Corporation, Price Adjustment Board, Lafayette Building, 811 Vermont Avenue, N. W., Washington 25, D. C., Tel. Executive 3111, Ext. 8 or 48.

(b) *Field Offices of Price Adjustment Sections.*

Healey Building, Atlanta 3, Georgia, Tel. Main 5612.

Comer Building, Birmingham 3, Alabama, Tel. Birmingham 4-2661.

40 Broad Street, Boston 9, Massachusetts, Tel. Capitol 4070.

Wilson Building, 109 West Third Street, Charlotte 1, N. C., Tel. Charlotte 3-7161.

208 S. LaSalle Street, Chicago 4, Illinois, Tel. State 0800.

Federal Reserve Bank Building, Cleveland 1, Ohio, Tel. Main 8515, Night, Main 8518.

Cotton Exchange Building, Dallas 1, Texas, Tel. LD 171 or Riverside 6751.

Boston Building, Denver 2, Colorado, Tel. Alpine 0415.

607 Shelby Street, Detroit 26, Michigan, Tel. Cherry 8300.

P. O. Box 177, Power Block, Helena, Montana, Tel. Helena 481.

Rusk Building, 723 Main Street, Houston 2, Texas, Tel. Charter 4-6711.

Western Union Building, Jacksonville 2, Florida, Tel. Jacksonville 5-1650.

Federal Reserve Bank Building, Kansas City 6, Missouri, Tel. Victor 3113.

Pyramid Building, Little Rock, Arkansas, Tel. Little Rock 4-0254.

Pacific Mutual Building, Los Angeles 14, California, Tel. Michigan 6321.

Lincoln Bank Building, 421 W. Market Street, Louisville 2, Kentucky, Tel. Wabash 6771.

McKnight Building, Minneapolis 1, Minnesota, Tel. Geneva 8601.

Nashville Trust Company Building, Union Street, Nashville 3, Tennessee, Tel. LD 48 or 5–2182.

Union Building, 837 Gravier Street, New Orleans 12, Louisiana, Tel. Canal 2701.

Federal Reserve Bank Bldg., 33 Liberty Street, New York 5, N. Y., Tel. Rector 2–8100.

Cotton Exchange Building, Oklahoma City 2, Oklahoma, Tel. LD 647 or 2–8541.

Woodmen of the World Bldg., Omaha 2, Nebraska, Tel. Jackson 8200.

1528 Walnut Street, Philadelphia 2, Pennsylvania, Tel. Kingsley 1500.

Pittock Block, Portland 5, Oregon, Tel. Atwater 0401.

Richmond Trust Building, 7th and Main Streets, Richmond 19, Virginia, Tel. Richmond 3–6741.

Landreth Building, 320 N. Fourth Street, St. Louis 2, Missouri, Tel. Garfield 3750.

Dooly Building, Salt Lake City 1, Utah, Tel. Salt Lake City 5–7493.

Alamo National Building, San Antonio 8, Texas, Tel. Cathedral 1461.

200 Bush Street, San Francisco 4, California, Tel. Exbrook 6200.

Dexter Horton Building, Seattle 4, Washington, Tel. Main 1060.

Columbia Building, Spokane 8, Washington, Tel. Main 5111.

[RR 797]

5. Section 1607.798 is added, as follows:

§ 1607.798 *War Department Power Procurement Officer Price Adjustment Sections*—(a) *Headquarters.*

Utilities Price Adjustment Section, Office, Chief of Engineers, Attention: Major George P. Steinmetz, Chief, 5004 New War Department Building, Washington 25, D. C. Tel. Republic 6700, Ext. 79994 or 76210.

(b) *Field Offices of Price Adjustment Sections.*

Commanding General, First Service Command, Office, Service Command Engineer, Attention: Mr. W. K. Lewellen, 808 Commonwealth Avenue, Boston 15, Massachusetts. Tel. Beacon 1300, Ext. 430.

Commanding General, Second Service Command, Office, Service Command Engineer, Attention: Major N. H. Davidson, 270 Broadway, New York 7, New York. Tel Barclay 7-1616.

Commanding General, Third Service Command, Office, Service Command Engineer, Attention: Mr. H. C. Fleming, 101 East Fayette Street, Baltimore 2, Maryland. Tel. Plaza 8060.

Commanding General, Fourth Service Command, Office, Service Command Engineer, Attention: Major R. B. Lapsley, P. O. Box 4114, Atlanta, Georgia. Tel. Jackson 6180, Ext. 85.

Commanding General, Fifth Service Command, Office, Service Command Engineer, Attention: Major L. F. Dabe, Building 62, Fort Hayes, Columbus 18, Ohio. Tel. Columbus 2171, Ext. 635.

Commanding General, Sixth Service Command, Office, Service Command Engineer, Attention: Capt. V. A. Thieman, 20 No. Wacker Drive, Chicago, Illinois. Tel. Randolph 1311.

Commanding General, Seventh Service Command, Office, Service Command Engineer, Attention: Major R. H. Bradford, Federal Building, 15th & Dodge Streets, Omaha, Nebraska. Tel. Jackson 7900, Ext. 233.

Commanding General, Eighth Service Command, Office, Service Command Engineer, Attention: Major D. W. Reeves, Santa Fe Building, Dallas 2, Texas. Tel. LD 930, Ext. 771.

Commanding General, Ninth Service Command, Office, Service Command Engineer, Attention: Major W. C. Sadler, Fort Douglas, Utah. Tel. Fort Douglas 5-6611.

[RR 798]

PART 1608—STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES

SUBPART A—STATUTES AND EXECUTIVE ORDERS

Section 1608.807 is added, as follows:

§ 1608.807 *Legal rate of interest in absence of agreement; District of Columbia.* (Mar. 3, 1901, 31 Stat. 1377, ch. 854, 1178; July 1, 1902, 32 Stat. 610, ch. 1352.) (See D. C. Code sec. 28-2701.) [RR 807]

SUBPART D—EXEMPTIONS

Section 1608.844 is amended by the addition of vegetable seeds to the list of exempted commodities. The section, as amended, reads as follows:

§ 1608.844 *List of exempted agricultural commodities.* (a) Pursuant to the authority conferred upon the War Contracts Price Adjustment Board by section 403 (i) (2) of the Renegotiation Act of 1943, the Board hereby determines that under subsection (i) (1) (C) of such section, relating to the exemption of contracts or subcontracts for agricultural commodities, the form or state indicated in the following list, is the last form or state at which the exemption applies:

Agricultural commodity:	*Last form or state at which exemption is to apply*
Beans and peas, dry.	Threshed.
Beeswax	In the comb, or in bulk (not packed).
Berries, edible	Fresh.
Cinchona bark	As bark (unprocessed).
Coffee	Beans (green).
Corn	As grain (shelled).
Cotton	Ginned (in the bale).
Cottonseed	Unprocessed (as they come from the gin).
Cream, fluid	As sold from farms (not pasteurized).
Drugs (botanical).	Crude (unground, unprocessed, unstandardized, unpurified) as customarily sold by the basic producer.
Eggs	In the shell (raw).
Fiber flax straw	Deseeded (baled or unbaled).
Flaxseed (linseed).	As seed (unprocessed).
Fruits, edible	Fresh.
Gum opium	As gum in its natural state.
Hay	Baled or unbaled.
Hemp fiber	In bales.
Honey	Crude or "country run."
Jute and sisal fiber.	In bales.
Livestock	On the hoof.
Milk, raw fluid	As sold from farms (not pasteurized).
Peanuts	In the shell (raw).
Pine gum	Not distilled or purified.
Poultry	Alive.
Rice	Rough, unpolished (as it comes from the thresher).
Sugar beets	As beets.
Sugarcane	As cane.
Tobacco	Not processed beyond the form or state at which farmers ordinarily sell it.
Tree nuts, edible.	In the shell (raw).
Vegetables	Fresh.
Vegetable seeds	Not processed beyond the form or state at which they may be used as seeds.
Wheat, rye, oats and barley.	As threshed grain.
Wool	In the grease (as clipped from live animals).

(b) This determination is made under the principles set forth in § 1603.344 (b) including subparagraph (2) (ii) thereof.

(c) This determination applies to all receipts or accruals under any contract or subcontract for the commodities listed in paragraph (a) of this section regardless of the date when such contract or subcontract was made.

(d) This section may be amended from time to time, revising, amending or supplementing the list of exempted commodities contained in paragraph (a) hereof. [RR 844]

[F. R. Doc. 44-12131; Filed, August 12, 1944; 12:04 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

MISCELLANEOUS AMENDMENTS

The regulations, United States Coast Guard Reserve, 1941 (6 F. R. 1925; 8 F.R. 1319) as amended are hereby further amended as follows:

1. Section 8.10102 (b) is amended to read as follows:

"(b) *Organization.* The various ranks, grades and ratings in the Women's Reserve shall correspond to those in the regular Coast Guard not above the rank of captain. There shall not be more than one officer in the grade of captain. The class designations for personnel shall be as follows:

Class W-S. Women appointed as commissioned officers.

Class W-P. Women appointed as probationary commissioned officers.

Class W-CW. Women appointed as chief warrant officers.

Class W-W. Women appointed as warrant officers.

Class W-9. Women enlisted as apprentice seamen for training preliminary to appointment as commissioned officers.

Class W-10. Women enlisted for general service.

2. Section 8.10105 (a) (3) is amended to read as follows:

(3) If the applicant is in a civilian status, possess a degree from an accredited university or college, or lacking such a degree, have completed two years of college work and have had at least two years of acceptable business or professional experience. In exceptional cases, outstanding experience may be offered in lieu of the college requirement.

3. Section 8.10105 is further amended by adding a new paragraph (c) to read as follows:

(c) *Classes W-CW and W-W.* For appointment in Classes W-CW and W-W in the Women's Reserve, an applicant must:

(1) Possess the qualifications specified for Class W-10.

(2) Possess professional qualifications in the specialty for which application is made sufficient to justify the appointment desired.

4. Section 8.10107 is amended to read as follows:

§ 8.10107 *Allowances and benefits.* Members of the Women's Reserve or their dependents shall be entitled to all allowances or benefits provided by law for male officers and enlisted men of the Coast Guard with dependents. The husbands of members of the Women's Reserve shall not be considered dependents and the children of such members shall not be considered dependents unless their father is dead or they are in

fact dependent on their mother for their chief support. This section shall be effective from July 30, 1942.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

Approved: August 6, 1944.

RALPH A. BARD,
Acting Secretary of the Navy.

[F. R. Doc. 44-12104; Filed, August 12, 1944; 11:00 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 29, Supp. 9]

PART 341—SHIP WARRANT RULES AND REGULATIONS

SUSPENSION OF RATE CEILINGS

General Order 29 (§ 341.75 *Suspension of rate ceilings with respect to vessels of less than 1,000 gross tons*), as amended, is amended by striking out the word "September", and inserting in lieu thereof the word "December". (E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

AUGUST 12, 1944.

[F. R. Doc. 44-12158; Filed, August 14, 1944; 10:36 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 157-A]

PART 95—CAR SERVICE

CARLOADS OF LIME ROCK FROM BUDA TO STARKE, FLA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of August, A. D. 1944.

Upon further consideration of Service Order No. 157 (8 F.R. 13517) of October 1, 1943, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 157 (8 F.R. 13517) of October 1, 1943, 49 CFR § 95.31 prohibiting The Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers) from weighing carloads of lime rock from Buda to Starke, Florida (Camp Blanding), be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 USC 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon The Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-12092; Filed, August 11, 1944; 3:59 p. m.]

PART 95—CAR SERVICE

[S. O. 224]

ICING OF FRUITS AND VEGETABLES IN DESIGNATED WESTERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th of August, A. D. 1944.

It appearing, that there is an acute general shortage of ice in the area located east of the Rocky Mountains which is adversely affecting the movement of fruits and vegetables in refrigerator cars in that area, resulting in congestion of traffic; in the opinion of the Commission an emergency exists requiring immediate action; It is ordered, that:

(a) *Definition of the terms fruits and vegetables as used herein.* The terms fruits and vegetables as used herein mean all fresh fruits and all fresh or green vegetables as described in the Consolidated Freight Classification No. 16 under the heading "Fruits, fresh (not cold-pack), or vegetables, fresh or green (not cold-pack)."

(b) *Initial icing of fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating in the States of New Mexico, Colorado, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Iowa, Missouri, Arkansas, or Louisiana (west of the Mississippi River), shall initially ice at any point located in the named States or east thereof with more ice than is necessary to bring the ice in each bunker up to, but not above three-fourths of that bunker's capacity.

(c) *Reicing of fruits and vegetables restricted to three-fourth bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating at any point located in the States of Minnesota, Iowa, Missouri, Arkansas, or Louisiana (west of the Mississippi River) or west of those States, shall reice such refrigerator car at any point located east of the eastern boundaries of the States of Arizona, Utah, Wyoming, or Montana, with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity.

(d) *Application.* The provisions of this order shall apply to all shipments billed or moving on and after the effective date of this order.

(e) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(g) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10-(17)).

It is further ordered, That this order shall become effective at 12:01 a. m., August 16, 1944; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-12091; Filed, August 11, 1944; 3:59 p. m.]

[S. O. 200, Amdt. 3]

PART 95—CAR SERVICE

REFRIGERATION OF POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of August, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622), and good cause appearing therefor:

It is ordered, That Service Order No. 200 of April 22, 1944, be, and it is hereby, further amended by adding the following exception to paragraph (a) (1) of § 95.337 thereof:

Exception: Bunkers may be filled for the first or initial icing, except on refrigerator cars loaded with potatoes originating in Quay, Curry, and Roosevelt Counties, New Mexico, or in the Hereford District of the Texas Panhandle (Cochran, Hockley, Lubbock, Crosby, Dickens, King Counties and north thereof) or at any point or points on the Union Pacific Railroad Company in the States of Colorado, Kansas, or Nebraska, the first or initial icing shall be limited to the amount of ice that will fill each bunker to not more than three-fourths of that bunker's capacity, and the Union Pacific Railroad Company, at its option, may accord such first or initial icing at a regular icing station enroute after the car is loaded and billed. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, That this order shall become effective 12:01 a. m., August 11, 1944, and shall vacate Amendment No. 2 hereto on the effective date hereof, and shall expire at 12:01 a. m., September 15, 1944; that a copy of this order and direction shall be served upon the State Commission of each State specified in the exception herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-12093; Filed, August 11, 1944; 3:59 p. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1956, Amdt. 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORTS

Order No. 1956 of the Secretary of the Interior, issued June 13, 1944, (9 F.R. 6780) entitled "Allocation of Halibut Within Ports" is hereby amended as follows:

Paragraph (b) is amended by adding the following sentence at the end thereof: "Orderly production and marketing of the products of the fishery depend upon the equitable allocation of the catch among primary dealers, but all persons affected by this order are expected to cooperate in supplying the requirements of the armed services and by furthering the distribution of halibut available for civilian use to the principal distributing and consuming centers in substantially the normal percentages of supply."

Paragraph (c) (2) is amended to read as follows:

(2) "Dealer" means any person buying or taking delivery of halibut in wholesale quantities for his own account or the account of others, within fifty miles of the coastal or inland waters of Alaska, Washington, Oregon or California, except retailers and other buyers for resale direct to the ultimate consumer; the term also includes any person soliciting or making arrangements for any such sale or delivery as is described in the preceding clause, even though at a port other than where the sale or delivery or both are actually completed.

Paragraph (d) is amended to read as follows:

(d) *Permits required for dealers.* No person shall operate as a dealer, as defined in paragraph (c) (2) above, nor purchase halibut nor take delivery thereof from another person, within the geographical limits described in that paragraph except in accordance with a permit issued pursuant to this order by the Fishery Coordinator or his representative. Each permit shall authorize operation at one port only; but the same dealer may have several permits for operation at different ports. Such permits shall be shown by the permittee on request to any person from whom the permittee proposes to purchase halibut. No fisherman or any other person shall deliver or sell halibut to any dealer except in accordance with such a permit. Any person soliciting or making arrangements for such sales or deliveries as are described in paragraph (c) (2) shall be considered to be operating as a dealer at the port where such activity occurs, though the sale or delivery or both are actually completed at some other port."

Paragraph (h) (1) is amended to read as follows, with the approval of the Bureau of the Budget:

(1) All dealers shall keep and preserve for not less than two years accurate records concerning purchases of halibut from fishermen and others, and sales of halibut to secondary dealers and others, showing for each transaction the data, the name and address of the other party, and the amount of halibut involved, by species.

Issued this 10th day of August 1944.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

[F. R. Doc. 44-12148; Filed, August 14, 1944; 9:44 a. m.]

Notices

DEPARTMENT OF THE TREASURY.

Office of the Secretary.

FOUR PERCENT TREASURY BONDS OF 1944-54

NOTICE OF CALL FOR REDEMPTION

To holders of 4 percent Treasury Bonds of 1944-54, and others concerned:

1. Public notice is hereby given that all outstanding 4 percent Treasury Bonds of 1944-54, dated December 15, 1924, are hereby called for redemption on December 15, 1944, on which date interest on such bonds will cease.

2. Holders of these bonds may, in advance of the redemption date, be offered the privilege of exchanging all or any part of their called bonds for other interest-bearing obligations of the United States, in which event public notice will hereafter be given and an official circular governing the exchange offering will be issued.

3. Full information regarding the presentation and surrender of the bonds for cash redemption under this call will be found in Department Circular No. 666, dated July 21, 1941.

H. MORGENTHAU, JR.,
Secretary of the Treasury.

WASHINGTON, August 14, 1944.

[F. R. Doc. 44-12171; Filed, August 14, 1944; 10:52 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order of regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order of regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

The Andala Company, Coffee Street, Andalusia, Alabama; work and flannel shirts; 10 percent (T); effective August 12, 1944, expiring August 11, 1945.

Berry Dry Goods Company, 105 East Markham Street, Little Rock, Arkansas; trousers, overalls; 20 percent (AT); effective August 10, 1944, expiring February 9, 1945.

Berry Garment Manufacturing Company, 423 N. Kansas Avenue, Columbus, Kansas; Army herringbone twill one-piece suits; 10 percent (T); effective August 9, 1944, expiring August 8, 1945.

Blain Associates, Blain, Pennsylvania; women's panties, gowns, pajamas and slips; 4 learners (T); effective August 8, 1944, expiring August 7, 1945.

Covington Manufacturing Company, Inc., Covington, Georgia; men's sport and work shirts; 10 learners (T); effective August 12, 1944, expiring August 11, 1945.

Fox Knapp Manufacturing Company, East Pottsville Street, Pine Grove, Pennsylvania; work clothing, Navy protective clothing; 10 percent (T); effective August 12, 1944, expiring August 11, 1945.

Grayson Garment Factory, Independence, Virginia; boys' and men's sweat shirts, infants' sleepers and overall sets; 45 learners (E); effective August 11, 1944, expiring February 10, 1945.

Hickerson & Company, 1014 Laurel Street, Brainerd, Minnesota; mackinaws, jackets; 10 learners (T); effective August 12, 1944, expiring August 11, 1945.

The Juvenile Manufacturing Company, Inc., 327 No. Flores Street, San Antonio, Texas; children's and infants' wearing apparel, herringbone twill combat jackets; 10 percent (AT); effective August 14, 1944, expiring February 15, 1945.

S. Liebovitz and Sons, Inc., Beech and Evans Street, Pottstown, Pennsylvania; men's and boys' dress and sport shirts; 10 percent (T); effective August 12, 1944, expiring August 11, 1945.

A. Oestreicher, New Grove & Gilligan Streets, Wilkes-Barre, Pennsylvania; infants' and children's wear; 10 percent (T); effective August 12, 1944, expiring August 11, 1945.

R. & J. Underwear Company, Inc., 54 Colt Street, New London, Connecticut; children's pajamas and underwear; 10 learners (T); effective August 12, 1944 expiring August 11, 1945.

The S. & B. Manufacturing Company, Andalusia, Alabama; work pants, khaki trousers; 10 percent (T); effective August 12, 1944, expiring August 11, 1945.

KNITTED WEAR INDUSTRY

Pottsville Mills, Inc., 480 Peacock Street, Pottsville, Pennsylvania; sweaters, polo shirts and mufflers; 10 learners (AT); effective August 12, 1944, expiring February 10, 1945.

HOSIERY INDUSTRY

Belle Meade Hosiery Mill, Inc., 51st and Centennial Boulevard, Nashville, Tennessee; seamless hosiery; 10 learners (AT); effective August 9, 1944, expiring February 8, 1945.

Martinat Hosiery Mills, Inc., Valdese, North Carolina; seamless hosiery; 10 learners (AT); effective August 9, 1944, expiring February 8, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Eldora, Iowa; to employ learners as commercial switchboard operators at its Eldora exchange, located at Eldora, Iowa; effective August 12, 1944, expiring August 11, 1945.

Florida Telephone Corporation, Eustis, Florida; to employ learners as commercial switchboard operators at its Eustis exchange, located at Eustis, Florida; effective August 9, 1944, expiring August 8, 1945.

Florida Telephone Corporation, Leesburg, Florida; to employ learners as commercial switchboard operators at its Leesburg exchange, located at Leesburg, Florida; effective August 9, 1944, expiring August 8, 1945.

Florida Telephone Corporation, Live Oak, Florida; to employ learners as commercial switchboard operators at its Live Oak exchange, located at Live Oak, Florida; effective August 9, 1944, expiring August 8, 1945.

Florida Telephone Corporation, Broadway & Watula Street, Ocala, Florida; to employ learners as commercial switchboard operators at its Ocala exchange, located at Broadway & Watula Street, Ocala, Florida; effective August 9, 1944, expiring August 8, 1945.

The Norfolk & Carolina Telephone and Telegraph Company, Edenton, North Carolina; to employ learners as commercial switchboard operators at its Edenton exchange, located at Edenton, North Carolina; effective August 12, 1944, expiring August 11, 1945.

Northern Ohio Telephone Company, Genoa, Ohio; to employ learners as commercial switchboard operators at its Genoa exchange, located at Genoa, Ohio; effective August 12, 1944, expiring August 11, 1945.

Northern Ohio Telephone Company, New London, Ohio; to employ learners as commercial switchboard operators at its New London exchange, located at New London, Ohio; effective August 12, 1944, expiring August 11, 1945.

Northern Ohio Telephone Company, Oak Harbor, Ohio; to employ learners as commercial switchboard operators at its Oak Harbor exchange, located at Oak Harbor, Ohio; effective August 12, 1944, expiring August 11, 1945.

Northern Ohio Telephone Company, Port Clinton, Ohio; to employ learners as commercial switchboard operators at its Port Clinton exchange, located at Port Clinton, Ohio; effective August 12, 1944, expiring August 11, 1945.

Polk County Telephone Company, Tryon, North Carolina; to employ learners as commercial switchboard operators at its Tryon exchange, located at Tryon, North Carolina; effective August 10, 1944, expiring August 9, 1945.

The Southwest Telephone Company, Meade, Kansas; to employ learners as commercial switchboard operators at its Meade exchange, located at Meade, Kansas; effective August 12, 1944, expiring August 11, 1945.

The Telephone Service Company, 6 Willipie Street, Wapakoneta, Ohio; to employ learners as commercial switchboard operators at its Wapakoneta exchange, located at 6 Willipie Street, Wapakoneta, Ohio; effective August 9, 1944, expiring August 8, 1945.

CIGAR INDUSTRY

General Cigar Company, Inc., 715 North 4th Street, Allentown, Pennsylvania; machine made cigars; 10 percent (T); cigar machine operating for a learning period of 320 hours at 30 cents per hour, cigar packing and machine stripping for a learning period of 160 hours at 30 cents per hour; effective August 14, 1944, expiring August 13, 1945.

General Cigar Company, Inc., 154 West Church Street, Nanticoke, Pennsylvania; machine made cigars; 10 percent (T); cigar machine operating for a learning period of 320 hours at 30 cents per hour, cigar packing, machine stripping and hand stripping for a learning period of 160 hours at 30 cents per hour; effective August 13, 1944, expiring August 12, 1945.

Signed at New York, N. Y., this 12th day of August 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-12180; Filed, August 14, 1944; 11:41 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6611]

CHARLESTON BROADCASTING COMPANY

NOTICE OF HEARING

In re application of Charleston Broadcasting Company (WCHS); date filed, March 31, 1944; for renewal of license; class of service, broadcast; class of station, broadcast; location, Charleston, West Virginia; operating assignment specified: frequency, 580 kc; power, 5 kw; hours of operation, unlimited (directional antenna, night). File No. B2-R-715.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To obtain full information as to what interest, direct or indirect, if any, the stockholders, or any of them, of the applicant, now have or have held in the Kanawha Valley Broadcasting Company (WGKV), the nature and extent of such interest, when same was acquired, and whether such matters were reported to the Commission, as required by § 43.1 of its rules.

2. To determine whether the applicant's officers, directors, stockholders, and/or agents, or any of them, have made false and misleading statements and representations to the Commission as to the ownership, transfer, and/or control of stock held by any of them in the Kanawha Valley Broadcasting Company (WGKV), or if such parties, or any of them, failed to make full disclosure concerning such matters.

3. To determine what contracts, options, or understandings have been entered into by the owners, or any of them, of stock in the applicant corporation, with reference to the acquisition, ownership, or control of stock of the Kanawha Valley Broadcasting Company (WGKV).

4. To determine whether the statements and representations made in various applications and documents filed with the Commission on behalf of the applicant have fully and accurately reflected the facts concerning the interests of its stockholders, or any of them, in other licensee corporations, particularly the Kanawha Valley Broadcasting Company (WGKV).

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by granting the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Charleston Broadcasting Company, Radio Station WCHS, 1016 Lee Street, Charleston 24, West Virginia.

Dated at Washington, D. C., August 11, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12159; Filed, August 14, 1944; 10:35 a. m.]

[Docket No. 6630]

ASSOCIATED BROADCASTERS, INC.

NOTICE OF HEARING

In re application of The Associated Broadcasters, Incorporated (KSFO); date filed, March 24, 1944; for renewal of license; class of service, broadcast; class of station, broadcast; location, San Francisco, California; operating assignment specified: frequency, 560 kc; power, 1 kw night, 5 kw day; hours of operation, unlimited. File No. B5-R-27.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the application of Educational Broadcasting Corporation, Radio Station KROW, Docket No. 6643, for the following reasons:

1. To determine whether Station KSFO renders primary service to a substantial portion of the primary service area of Station KROW.

2. To determine whether Station KROW renders primary service to a substantial portion of the primary service area of Station KSFO.

3. To determine who are the officers, directors, and stockholders of The Associated Broadcasters, Inc. (KSFO), and of Educational Broadcasting Corporation (KROW), and the number of shares of stock held and/or voted by each in said licensee corporations.

4. To obtain full information with respect to the connections and relationships, direct or indirect, the nature, extent, and effect thereof, existing between the licensees of Stations KSFO and KROW, and the officers, directors, and stockholders thereof, or any of them.

5. To determine whether a grant of the instant application would be consistent with the provisions of § 3.35 of the Commission's regulations.

6. To determine whether The Associated Broadcasters, Inc. have broadcast over Station KSFO any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, contrary to section 316 of the Communications Act of 1934, as amended.

7. To determine whether the program entitled "Dial a Winner", or any other program sponsored by Pow Wow Cleanser, broadcast over Station KSFO contains any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or contains or carries any list, in whole or in part, of the prizes drawn or awarded by means of any such lottery, gift enterprise or scheme.

8. To determine whether the program entitled "Dial for Dollars", broadcast over Station KSFO, contains any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme.

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through a grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provision of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Associated Broadcasters, Inc., Radio Station KSFO, Mark Hopkins Hotel, Mason and California Streets, San Francisco, California.

The respondent's address is as follows: Educational Broadcasting Corporation, Radio Station KROW, 464 19th Street, Oakland 12, California.

Dated at Washington, D. C., August 10, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12160; Filed, August 14, 1944; 10:35 a. m.]

[Docket No. 6643]

EDUCATIONAL BROADCASTING CORP.

NOTICE OF HEARING

In re application of Educational Broadcasting Corporation (KROW); date filed, March 27, 1944; for renewal of license; class of service, broadcast; class of station, broadcast; location, Oakland, California; operating assignment specified: frequency, 960 kc; power, 1 kw; hours of operation, unlimited. File No. B5-R-29.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the application of The Associated Broadcasters, Incorporated, Radio Station KSFO, Docket No. 6630, for the following reasons:

1. To determine whether Station KROW renders primary service to a substantial portion of the primary service area of Station KSFO.

2. To determine whether Station KSFO renders primary service to a substantial portion of the primary service area of Station KROW.

3. To determine who are the officers, directors, and stockholders of Educational Broadcasting Corporation (KROW) and of The Associated Broadcasters, Inc. (KSFO), and the number of shares of stock held and/or voted by each in said licensee corporations.

4. To obtain full information with respect to the connections and relationships, direct or indirect, the nature, extent, and effect thereof, existing between the licensees of Stations KROW and KSFO, and the officers, directors, and stockholders thereof, or any of them.

5. To determine whether a grant of the instant application would be consistent with the provisions of § 3.35 of the Commission's regulations.

6. To determine whether Educational Broadcasting Corporation has broadcast over Station KROW any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, contrary to section 316 of the Communications Act of 1934, as amended.

7. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience, or necessity would be served by a grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Educational Broadcasting Corp., Radio Station KROW, 464 19th Street, Oakland 12, California.

The respondent's address is as follows: Associated Broadcasters, Inc., Radio Station KSFO, Mark Hopkins Hotel, Mason and California Streets, San Francisco, California.

Dated at Washington, D. C., August 10, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12161; Filed, August 14, 1944; 10:35 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4921]

AUBURN DIE CO., INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of August, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, August 24, 1944, at ten o'clock in the forenoon of that day (Eastern standard time), in Court Room No. 4, 12th Floor, Post Office Building, Boston, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12155; Filed, August 14, 1944; 10:31 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 439]

RECONSIGNMENT OF PEACHES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 8, 1944, by La Mantia Brothers Arrigo of cars PGE 45883, WFE 62182, peaches, now on the Chicago Produce Terminal, to A. L. Shafton, Stevens Point, Wisconsin, via Soo Line.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12093; Filed, August 11, 1944; 3:59 p. m.]

[S. O. 200, 3d Amended Gen. Permit 13]

REICING OF POTATOES IN DESIGNATED STATES

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

Subject to the exception shown below, on any refrigerator car loaded with potatoes originating at any point or points in the States of Colorado, Kansas, Missouri, Nebraska, Wyoming and Utah, to reice in transit one time only and to accord the reicing at stations designated by shippers or, at the carriers' option, at the first icing station on either side of such designated station.

Exception: The reicing described in above paragraph shall be limited to so much ice as is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity, on any refrigerator car loaded with potatoes reiced on the Union Pacific Railroad Company.

This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 1:00 p. m., August 10, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12094; Filed, August 11, 1944; 3:59 p. m.]

[S. O. 70-A, Special Permit 440]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, August 9, 1944, by E. E. Fadler Company, of cars MDT 146981 and MDT 5628, peaches, now on the Missouri Pacific Railroad, to Beatrice, Nebraska (U. P.), and St. Joseph, Missouri (Mo. Pac.), respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12121; Filed, August 12, 1944; 11:40 a. m.]

[S. O. 70-A, Special Permit 441]

RECONSIGNMENT OF PEACHES AT FORT WAYNE, IND.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Fort Wayne, Indiana, August 9, 1944, by Himmelstein Brothers Company, of cars PGEX 21553 and WFEX 62065, peaches, now on The New York, Chicago and St. Louis Railroad, to La Mantia Bros. Arrigo Company, Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12122; Filed, August 12, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 442]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 9, 1944, by United Produce Company, of car PFE 96280, lettuce, now on the Chicago Produce Terminal, to R. H. Oswald, Evansville, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12123; Filed, August 12, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 443]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 9, 1944, by National Produce Company of car URT 5803, onions, now on the Chicago Produce Terminal, to Haas Brothers, Cleveland, Ohio (N. K. P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12124; Filed, August 12, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 444]

RECONSIGNMENT OF HONEYDEW MELONS AT ALBANY, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Albany, New York, August 9, 1944, by Associated Fruit Distributors of California, of car FGEX 37178, honeydew melons, now on the Delaware & Hudson Railroad, to Strock & Company, Boston, Massachusetts.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12125; Filed, August 12, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 445]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 9, 1944, by S. Albertson Company of car PFE 31372, oranges, now on the A. T. & S. F. Railway, to S. Albertson Company, Boston, Massachusetts.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12126; Filed, August 12, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 446]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, August 10, 1944, by Ferrell Fruit Company, of car ART 16322, peaches, now on the Missouri Pacific Railroad, to St. Joseph, Missouri (Mo.-Pac.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12127; Filed, August 12, 1944; 11:40 a. m.]

[S. O. 70–A, Special Permit 447]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any com-

mon carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, August 10, 1944, by E. E. Fadler Company, of car MDT 3599, peaches, now on the Missouri Pacific Railroad, to St. Joseph, Missouri (Mo. Pac.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12128; Filed, August 12, 1944; 11:41 a. m.]

[S. O. 200, Special Permit 154]

ICING OF POTATOES AT BLUFORD, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To initially ice at Bluford, Illinois (I. C. R. R.), not to exceed 40 cars of potatoes to be shipped at various times on or before September 15, from Long Island, New York, routed LI–PRR–IC, consigned to Q. M. Marketing Center Cold Storage plant, New Orleans, Louisiana, for export by the Army. The following cars, part of the 40 were shipped August 8, 1944: PGE 32821, 10593, 14593, 32480, 11338, and WFE 61522.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agents of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12129; Filed, August 12, 1944; 11:41 a. m.]

[S. O. 200, Special Permit 155]

REICING OF POTATOES BETWEEN LAUREL, MONT., AND KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only on the C. M. St. P. & P. Railroad, between Laurel, Montana, and Kansas City, Missouri, not later than August 12, 1944, car NP 93514, potatoes, moving from Toppenish, Washington, account bunkers now dry.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F.R. Doc. 44–12130; Filed August 12, 1944; 11:41 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3919]

HARMONIA S. A. MUSIKVERLAG

In re: Vesting of copyright interests held by Harmonia S. A. Musikverlag, of Budapest, Hungary.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Harmonia S. A. Musikverlag, of Budapest, Hungary, is a business organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (Hungary);

2. Finding that the property identified in subparagraph 3 hereof is property of Harmonia S. A. Musikverlag;

3. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Harmonia S. A. Musikverlag, of Budapest, Hungary, in, to and under the following:

(a) All rights for film synchronisation in or under every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by Harmonia S. A. Musikverlag, of Budapest, Hungary;

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or revesting, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing,

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: *Provided, however,* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12079; Filed, August 11, 1944; 11:47 a. m.]

[Vesting Order 3920]

HENRY LITOFF'S VERLAG

In re: Vesting of copyright interests held by Henry Litoff's Verlag, of Braunschweig, Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Henry Litoff's Verlag, of Braunschweig, Germany, is a business organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (Germany);

2. Finding that the property identified in subparagraph 3 hereof is property of Henry Litoff's Verlag;

3. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Henry Litoff's Verlag, of Braunschweig, Germany, in, to and under the following:

(a) All rights for film synchronisation in or under every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by Henry Litoff's Verlag, of Braunschweig, Germany;

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or revesting, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing.

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: *Provided, however,* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C. on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12080; Filed August 11, 1944; 11:47 a. m.]

[Vesting Order 3921]

SOCIETE DE DROIT DE REPRODUCTION MECANIQUE

In re: Vesting of copyright interests held by Societe de Droit de Reproduction Mecanique, of Paris, France.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Societe de Droit de Reproduction Mecanique of Paris, France, is a business organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (France);

2. Finding that the property identified in subparagraph 3 hereof is property of Societe de Droit de Reproduction Mecanique;

3. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Societe de Droit de Reproduction Mecanique, of Paris, France, in, to and under the following:

(a) All right for film synchronisation in or under every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by Societe de Droit de Reproduction Mecanique, of Paris, France;

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or revesting, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing.

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: *Provided, however,* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12081; Filed, August 11, 1944; 11:47 a. m.]

[Vesting Order 3922]

WIENER BOHEME VERLAG

In re: Vesting of copyright interests held by Wiener Boheme Verlag, of Vienna, Austria.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Wiener Boheme Verlag, of Vienna, Austria, is a business organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (Austria);

2. Finding that the property identified in subparagraph 3 hereof is property of Wiener Boheme Verlag;

3. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Wiener Boheme Verlag, of Vienna, Austria, in, to and under the following:

(a) All rights for film synchronization in or under every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by Wiener Boheme Verlag, of Vienna, Austria;

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or revesting, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing,

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Austria);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: *Provided, however,* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within 1 year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 11, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12082; Filed, August 11, 1944; 11:47 a. m.]

[Vesting Order 3964]

SOCIETA ELETTROCHIMICA DEL TOCE

In re: Interest of Societa Elettrochimica del Toce in an agreement dated March 30, 1939 between Societa Rhodiaceta Italiana and E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societa Elettrochimica del Toce is a business organization organized under the laws of Italy and is a national of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Societa Elettrochimica del Toce;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societa Rhodiaceta Italiana by virtue of an agreement dated March 30, 1939 between E. I. du Pont de Nemours & Company and Societa Rhodiaceta Italiana (including all modifications and supplements to such agreement, including, but without limitation, a letter dated March 30, 1939 from E. I. du Pont de Nemours & Company to Societe Rhodiaceta and Societa Italiana; a letter dated August 11, 1939 from E. I. du Pont de Nemours & Company to Societa Rhodiaceta Italiana; a letter dated September 11, 1939 from Societa Rhodiaceta Italiana to E. I. du Pont de Nemours & Company, a letter dated September 28, 1939 from E. I. du Pont de Nemours & Company to Societe Rhodiaceta and an assignment agreement executed by Societa Rhodiaceta Italiana and Societa Elettrochimica del Toce on January 29, 1940) relating, among other things, to Patents and Patent Applications, is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12165; Filed, August 14, 1944; 10:40 a. m.]

[Vesting Order 3966]

DEUTSCHE EDELSTAHLWERKE A. G.

In re: Interest of Deutsche Edelstahlwerke Aktiengesellschaft in an agreement dated May 19, 1939 with Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Deutsche Edelstahlwerke Aktiengesellschaft is a business organization organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Deutsche Edelstahlwerke Aktiengesellschaft;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Deutsche Edelstahlwerke Aktiengesellschaft by virtue of an agreement dated May 19, 1939 (including all modifications thereof and supplements thereto, if any) by and between Westinghouse Electric & Manufacturing Company and Deutsche Edelstahlwerke Aktiengesellschaft, relating, among other things, to United States Patent No. 1,973,793

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on July 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12167; Filed, August 14, 1944; 10:41 a. m.]

[Divesting Order 65]

WALTER SOBERNHEIM (Y MAGNUS)

In re: Walter Sobernheim (y Magnus) N. V. Handel-Maatschappij "Waldorf".

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on December 4, 1942, by Vesting Order No. 435 (7 F. R. 10403) vested certain securities theretofore held by the Chase National Bank as Custodian for N. V. Handel-Maatschappij "Waldorf", including those securities described in Exhibit A attached hereto and made a part hereof;

2. Having received thereafter notice of claim No. 240 pursuant to General Order No. 4 (7 F. R. 5539) which claim asserted that the claimant, Walter Sobernheim (y Magnus), had a right to ownership and possession of the securities described in Exhibit A attached hereto;

3. Having transmitted the said claim to the Vested Property Claims Committee and a hearing on the claim having been held pursuant to notice (8 F. R. 11398) and opportunity to be heard having been afforded to any person desiring to be heard and having received and examined the record of said hearing;

4. Finding on the basis of said record that:

(a) The claimant was not on April 8, 1940 and is not now and has not been at any intervening time, a national of a designated enemy country as those terms are defined in section 10 (a) of Executive Order No. 9095, as amended and in Vesting Order No. 435, and

(b) On December 4, 1942 (the date of execution of Vesting Order No. 435) the claimant was the owner of all right, title and interest in and to the property described in Exhibit A attached hereto; and

5. Determining that it is in the interest of and for the benefit of the United States to convey said property to the claimant.

Now, therefor, the undersigned assigns, transfers, and conveys to the said claimant all the right, title, and interest of the undersigned in and to the property described in Exhibit A attached hereto and in and to all dividends and interest received or accrued thereon.

This divesting order shall not bar any person from the prosecution of any suit at law or in equity against the said claimant to establish any right, title, or interest which such person may have in said property.

Executed at Washington, D. C., on November 17, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Associated Gas & Electric Corp. Deb. 3¾% 1978	$10,000
Cities Service Convertible Deb. 5% 1950	10,000
Hudson & Manhattan R. R. Co., First Lien and Refunding Mtg., 5%, Feb. 1, 1957 (described in Exhibit A of Vesting Order No. 435 and Exhibit A of Claim 240 as $10,000.00 Hudson & Manhattan R. R. Co. 1st. Ref. 4% 1960)	10,000
Third Avenue Ry. 1st Ref. 4% 1960	10,000
	Shares
American Radiator and Standard Sanitary, Common	100
General Motors Corp., Common	200
H. L. Green Co., Inc., Common (described in Exhibit A of Vesting Order No. 435 and Exhibit A of Claim 240 as 100 Shares H. L. Green Co., Common)	100
North American Rayon Corp., Common, Class B (described in Exhibit A of Vesting Order No. 435 and Exhibit A of Claim 240 as 200 Shares North American Rayon, B. Common)	200
Penn. R. R. Company, Common (described in Exhibit A of Vesting Order No. 435 and Exhibit A of Claim 240 as 100 Shares Penn. R. R. Corp., Common)	100
Union Pacific R. R. Co., Common	50
Transue and Williams Steel Forging Corp., Common (described in Exhibit A of Vesting Order No. 435 and Exhibit A of Claim 240 as 300 Shares Transue and Williams Steel Forging Co., Common)	300

[F. R. Doc. 44–12168; Filed, August 14, 1944; 10:41 a. m.]

PAUL F. MARXOV AND ARTHUR BLOCH

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 290, dated November 2, 1942 (7 F.R. 9833), the Alien Property Custodian vested, among other things, the following described property:

United States Patent Application Serial No. 386,189 for "method of preparing cocoa and chocolate products" filed by Johan E. Nyrop of Denmark.

Whereas, Paul F. Marxov and Arthur Bloch have filed a joint notice of claim No. 2226 and a joint claim on Form APC–17 wherein Paul F. Marxov asserts that he is a citizen of Denmark, resident of the United States and wherein Arthur Bloch asserts that he is a citizen and resident of the United States and wherein they assert that they are the owners of and/or have an interest in said patent application and/or the royalties accrued and to accrue therefrom.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Tuesday, September 12, 1944, at 10:00 a. m., Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the Committee may determine. *It is further ordered,* That copies of this notice of hearing be served by registered mail upon the claimants and upon the person designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington 25, D. C., on or before September 9, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

VESTED PROPERTY CLAIMS COMMITTEE,

[SEAL] JOHN C. FITZGERALD,
Chairman.

AUGUST 11, 1944.

[F. R. Doc. 44–12169; Filed, August 14, 1944; 10:41 a. m.]

HANSEA CORP.

ORDER FOR AND NOTICE OF HEARING

Whereas by Vesting Order No. 1239 of April 15, 1943, (8 F.R. 7041), the Alien Property Custodian vested, among other things, the following described property:

a. All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans Thoma by virtue of an agreement by and between said Hans Thoma and Hansea Patent Service Corporation, dated January 25, 1935, relating among other things to Patent Number 1,931,969 and to the disbursement of certain royalties due to said Hans Thoma by virtue of an agreement dated January 1, 1935 between said Hans Thoma and Vickers, Inc., a Michigan corporation, and

b. All interests and rights (including all accrued royalties and other monies payable or held with respect to said interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans Thoma by virtue of an agreement by and between said Hans Thoma and Vickers, Inc., a Michigan corporation, dated January 1, 1935, relating among other things, to Patent Number 1,931,969.

Whereas, the Hansea Corporation has filed Notice of Claim No. 1076 wherein it asserts that it is a corporation organized and existing under and by virtue of the laws of the State of New York and that it is the owner of and/or has an interest in and to the property vested by Vesting Order No. 1239 and/or to the royalties accrued and to accrue therefrom.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Monday, September 11, 1944, at 1:30 p. m., Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimants and upon the persons designated in paragraph 2 of the said Notice of Claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, NW., Washington, (25), D. C., on or before September 8, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

VESTED PROPERTY CLAIMS COMMITTEE,
[SEAL] JOHN C. FITZGERALD,
Chairman.

AUGUST 11, 1944.

[F. R. Doc. 44-12170; Filed, August 14, 1944; 10:41 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 906]

BITUMINOUS COAL IN DISTRICT 8

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, the following maximum prices are established for the sizes, uses and methods of shipment of bituminous coal from the mines, indicated by index number and name, all of which are in District No. 8, as follows:

DISTRICT NO. 8—MAXIMUM PRICE EXCEPTIONS

Mine index No.	Mine name	Subdistrict No.	High volatile rail and railroad fuel shipments[1] 1	2	3	4	5	6	7	8	9	10	15–17	18	19	20–21	22	23	Truck and wagon 1	2	3	4	5	6	7	8
8	Allburn	8	335	330	340	340	340	340	340	335	335	345	335	330	330	330										
18	Alma	8	345	340	325	325	320	320	310	310	310	345	305	300	300	311										
402	Anchor #5	4	350	350	345	345	345	340	330	315	315	370	370	295	290	335										
7008	Blue Ridge	3	360	350	345	345	325	325	325	310	310	340	310	310	310	310										
37	Bell	6	445	445	300	285	405	400	360	345	315	360	310	305	295	290	285	275								
461	Virglow	7	450	450	450	425	405	380	375	360	330	380	340	335	325	320										
405	Reynolds-Squardee	4	415	410	400	400	400	390	360	345	335	335	300	340	310	295	290	280								
4	Blue Bird	3	345	340	325	325	320	315	310	300	300	340	310	295	290	280										
74	Buffalo	6	345	345	335	335	335	330	325	310	305	335	310	280	275	295										
142	Cross Mountain	6	360	395	370	370	370	360	355	350	340	360	345	340	325	325	290									
419	Royal	6	390	385	370	370	390	380	355	350	325	370	325	325	320	320	280									
96	Carbon Fuel #3	4	395	395	375	370	370	360	320	320	320	380	360	360	350	350	350									
890	Central Elkhorn #3	1	385	380	370	370	370	350	325	320	315	385	320	320	320	315										
104	Christian Colliery #1	4	365	365	360	360	360	350	325	320	315	385	320	320	320	315										
105	Christian Colliery #2	4	365	365	360	360	360	350	325	320	315	385	320	320	320	315										
106	Christian Colliery #3	4	365	365	360	360	360	350	325	320	315	385	320	320	320	315										
109 [2]	Huff Creek	5	345	345	335	335	335	335	335	315	315	345	305	330	330	330										
119 [2]	Clinchmore	6	465	465	465	430	410	395	395	360	340	410	330	310	300	295	295									
638	Jubilee	2	475	475	475	455	435	410	390	375	345	445	345	325	330	330	290									
122	Clover Splint	2	435	435	435	415	395	370	350	335	325	370	300	320	290	290	290									
413	Belmont #6	4	420	415	405	405	390	380	355	350	340	390	345	340	330	325	345									
8574	Dixiana	7	390	390	260	260	345	335	330	320	315	390	305	305	305	300										
826	Tom's Creek	1	440	430	430	415	405	375	345	340	335	405	340	330	320	315	275									
2612	Turner Branch	1	440	430	430	415	405	375	345	340	335	405	340	330	320	315	275									
124	Columbus Mining #3	2	385	385	375	375	370	360	335	330	325	370	330	345	335	330										
126	Columbus Mining #5	2	390	390	355	355	330	325	315	300	305	380	315	310	300	295										
127	Columbus Mining #6	2	385	385	375	375	370	360	335	330	325	370	335	330	325	325										
5445	Consolidation #207	1	385	380	370	370	355	340	320	315	315	370	315	310	310	310	290									
135	Consolidation #214	1	365	360	370	370	355	340	320	315	315	370	315	310	310	310	290									
621	Crystal Block #3	8	345	340	325	325	320	320	310	310	310	345	320	300	300	300										
753	Low Ash	1	365	360	350	350	345	335	315	315	315	370	315	310	300	295										
151	Darb Fork	3	365	360	350	350	345	335	315	315	315	345	315	300	295	295	300		430	430	380	365	375	355	315	330
430	Star Slope	4	450	440	430	425	400	390	365	360	355	425	360	350	345	345										
8210	Draper	5	330	325	320	320	320	320	310	305	305	340	305	295	290	290	280									
2731	Elcomb	2	330	325	320	320	320	315	310	305	305	340	305	295	290	290	250									
187	Elk Creek #1	5	345	340	335	335	335	335	325	325	325	320	285	320	320	320	290									
725	Elk Creek #2	5	345	340	335	335	335	335	325	325	325	320	285	320	320	320	290									
285	King Kona #2	1	410	405	390	390	375	365	340	335	330	400	330	330	330	330	285									
196	Elkhorn #28	1	385	380	370	370	355	355	330	330	320	370	345	345	320	330	270									
354	Nurex	6	460	460	460	440	420	395	375	360	330	395	310	305	295	295										
596	Fisher	6											350													
203 [2]	Fleming	7	370	370	355	355	355	345	330	330	325	360	325	315	305	320										
206	Fort Branch	5	345	340	335	335	325	330	320	310	295	295	340	320	305	305	305									
207	Fourseam	3	380	375	365	365	360	350	325	320	315	360	330	315	310	310	270									
228	Hamby	6	410	400	390	385	385	370	340	335	330	385	330	310	300	295	265									
404	Rex #2	6	445	405	405	405	405	385	340	320	320	385	310	310	290	290	290									
213	Gatliff	6	435	425	415	415	410	395	365	345	340	410	340	335	325	320	270									
5805	Gatliff #4	6	475	475	475	455	435	410	390	375	345	410	345	325	320	320	320									
80	Calvin	7	355	350	345	345	345	335	315	310	310	345	310	305	300	290	290									
364	Pardee	7	425	425	395	390	390	365	360	340	325	370	360	305	305	304										

[1] The maximum price for coals in size groups 1 to 10, inclusive, for all railroad fuel uses, shall be the maximum price for the grade and size shipped as set forth in prices herein or 310 per ton, whichever is higher.
[2] Void on and after 12/2/44.
[3] Void on and after 12/31/44.
[4] Void 6 months from 7/17/44.
[5] Void 6 months from 7/22/44.
[6] Void on and after 10/31/44.
[7] Void 180 days after 2/18/44.

The size group numbers referred to herein are the same as those described in Amendment No. 115 to Maximum Price Regulation No. 120. Where no price appears for a certain use or a certain size, the maximum price provided in the schedule (as amended by Amendment No. 116) for District No. 8 shall apply; unless otherwise specifically provided herein; this is true of all prices for shipment by truck as well.

(b) Order Nos. 8 and Correction 15, 19, 24, 79 and Revised 79, 103 and Correction 112, 116 and Revised 116, 155, 162, 163, 176, 185, 186, 192, 199, 200, 211, 212, 241, 242, 246, 279, 283, 302, 326, 343 and Correction 355, 358, 359, 360, 364, 366, 368, 371, 380, 381, 382, 388, 389, 392, 397 and Correction 422, 423, 427, 428, 429, 464, 465 and Correction 470, 479, 481, 483, 494, 497, 501, 504, 510, 538, 539, 540, 542, 549, 550, 560, 570, 572, 573, 574, 575, 578, 584, 585, 586, 587, 588, 589, 595, 609, 650, 653, 654, 657, 660, 661, 684, 737, 739, 742, 744, 749, 755, 756, 761, 765, 777, 791, 801, 828, 831, 834, 835, 854, 860, 869, 870, 871, 873, and 877 under Maximum Price Regulation No. 120, are revoked.

(c) This Order No. 906 may be amended or revoked at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This Order No. 906 shall become effective August 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12090; Filed, August 11, 1944; 3:39 p. m.]

Mine index No.	Mine name	Subdistrict No.	High volatile rail and railroad fuel shipments[1] 1	2	3	4	5	6	7	8	9	10	15–17	18	19	20–21	22	23	Truck and wagon 1	2	3	4	5	6	7	8
210	Glen Alum	B	370	370	355	355	350	350	335	325	325	355	330	325	320	320										
1639	Hager Hill	1	425	415	415	400	390	360	330	325	320	360	325	315	305	300	290									
233	Harlan Central	E	360	360	355	355	355	345	340	340	340	380	325	320	320	320	280									
236	Harold	1	380	375	360	360	345	345	315	315	315	370	315	310	305	305										
65	Big Shoal	1	365	360	350	350	345	335	315	315	315	370	315	310	300	295	270									
270	Point Lick #4	4	400	390	380	380	365	345	335	325	325	365	325	320	325	325	280									
267	Hawthorne	7											440													
4110 [1]	Allegheny	1	380	375	360	360	355	340	320	315	315	370	335	300	300	300	250							440		
111	Hi Hat	1	395	390	370	370	355	340	320	315	315	370	350	295	290	290	245									
31	Argyle	5	350	350	325	325	325	325	310	310	345	300	320	320	320	320										
262	Imperial #2	5	350	350	345	345	355	340	320	315	315	370	365	300	300	300										
169	Jeanne Francis	5	350	350	345	345	345	336	315	315	315	345	300	295	290	300										
488 [1]	Jellico Coal	6	485	495	485	465	445	420	400	385	375	420	355	335	330	330										
1885	Jenny's Creek	1	405	395	395	380	370	340	320	315	315	370	340	295	285	280	240									
88	Kentucky Blue Grass	8	380	375	360	360	345	335	315	310	310	345	300	295	285	290										
2	Adalia	6	405	395	395	395	395	355	340	335	330	385	330	310	315	295										
28	Belva	6	405	395	395	395	395	355	340	335	330	385	330	310	315	295										
1057	Lyburn #2	5											307													
281	Milburn #1	4	350	350	345	345	355	340	320	315	315	370	320	320	320	315										
282	Milburn #2	4	350	350	345	345	355	340	320	315	315	370	320	320	320	315										
288	Long Ridge	6	345	340	335	335	336	330	320	300	285	385	335	280	275	270										
2704	New Southland #1	6	435	435	420	420	420	400	370	365	360	420	360	326	315	315										
638	New Southland #2	6	435	435	420	420	420	400	370	365	360	420	360	325	315	315										
489	Thealka #3	1	420	410	410	395	385	355	325	320	315	385	320	310	305	305	255									
28	Auxier #7	1	450	450	450	430	410	385	365	350	325	420	330	315	316	315	255									
353	Norton #11	7	345	340	340	340	345	335	315	315	315	370	305	295	285	300										
311	Zenith	6	460	460	450	450	445	435	410	405	420	470	400	365	360	355										
637	Darby	6	430	420	420	405	395	395	335	330	325	430	330	330	315	315										
695 [1]	Pewee	6	485	485	480	465	445	420	400	365	355	420	355	345	334	330	290									
7051 [1]	Red Ash	6	445	435	425	420	420	395	360	355	345	395	350	355	330	330	300									
278	Premier Gellico	6	355	350	345	345	345	340	330				320	320	310	305										
280	Thacker #1	8	330	330	325	325	315	315	315	315	315	340	300	295	295	295										
286	Edwight #1	4	380	380	380	380	380	375	345	340	335	370	345	345	345	345										
289	Hazy #3	4	380	380	380	380	380	375	345	340	335	370	345	345	345	345										
299	Red Ash	6	380	375	385	360	370	345	325	325	325	405	345	310	305	305	280									
304	Red Jacket #6	8	345	340	325	325	320	320	310	310	310	345	320	300	325	325	250									
466	Ridgeway	2	350	350	335	335	345	335	315	315	315	380	315	310	305	305	280									
446	Steinman	7	365	360	350	350	370	340	325	320	320	370	320	320	320	320										
28	Belcraft	3	360	350	345	345	320	320	310	300	300	340	310	295	290	290	250									
425	Scuddy	3	365	365	360	360	360	350	350	350	315	345	345	340	330	325	295									
256	Insull	2	375	370	360	360	345	335	315	315	315	370	315	310	305	305										
297	Lonesome Branch	7	350	350	345	345	345	335	315	315	315	370	315	305	300	300										
298	Honey Creek	7	365	365	360	360	355	355	340	340	335	385	326	320	320	320										
418	Laurel	4	350	350	345	345	320	320	310	305	305	340	315	310	305	305	305									
439 [1]	Swords Creek	7	360	360	345	345	355	335	315	330	330	370	315	315	315	315	280									
32	Anthras	6	425	425	405	400	400	390	355	350	345	415	345	340	340	340	280	280								
140	Turner Derby	2	415	395	395	390	370	345	325	320	315	405	305	305	290	290										
670	Lynch	2	399	399	389	384	384	359	339	334	339	419	319	309	304	304										
493	War Eagle	8	390	385	370	370	365	365	350	340	340	385	345	340	336	335										

Mine index No.	Mine name	Subdistrict	Low volatile rail shipments 1	2	3	4	5	6	7	8	9	10	Truck and wagon 1	2	3	4	5	6	7	8	Railroad locomotive fuel Lump	R/M	Scgs. 2¼″ x 0	Scgs. 1¼″ x 0
377	Premier	9	425	435	410	370	375	410	380	330	325	320									395	380	365	340
391	Raven Red Ash #2	9	420	430	425	380	370	405	375	325	320	315									Same as rail prices.			

[MPR 120, Order 787]

OSBORN BROTHERS AND WILSON COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In F. R. Doc. 44-7615, appearing on page 5857 of the issue for Tuesday, May 30, 1944, the price classification for Size Group No. 7 in the table for Osborn Brothers, should be "O".

[MPR 188, Amdt. 46 to Order A-1]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.*

Order A–1 is amended in the following respects:

1. Paragraph (a) (34) is added to Order No. A–1 to read as set forth below:

(34) *Modification of maximum prices for vitrified clay sewer pipe and allied products produced in the Eastern and East Central Areas.* (i) On and after August 17, 1944, any manufacturer located within the Eastern or East Central Areas, as defined below, producing vitrified clay sewer pipe and allied products, except as covered by Revised Maximum Price Regulation No. 206, may increase his maximum f. o. b. factory prices established for such products by Maximum Price Regulation No. 188 by an amount not in excess of 8 percent per short ton.

(ii) The maximum prices fixed herein shall be subject to at least the same extension of cash, quantity and other discounts and allowances as the seller extended or rendered on comparable sales to purchasers of the same class during the month of March 1942.

(iii) Any person purchasing vitrified clay sewer pipe and allied products for resale in the same form may add to his maximum price established on or prior to August 17, 1944, an amount not exceeding the actual dollars-and-cents increased cost to him resulting from the increase in maximum prices permitted manufacturers under subdivision (i) above.

(iv) *Definitions.* When used in this amendment, the term:

(a) "Eastern area" means the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, lower peninsula of Michigan, and that portion of Kentucky described as follows: All points in Campbell and Kenton Counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railway.

(b) "East Central area" means the State of Indiana, all of the State of Kentucky not included within the Eastern Area, the Upper Peninsula of Michigan, Zones 1, 2, and 5 in the State of Illinois, and Zones 1, 2, and 5 in the State of Wisconsin. In the State of Illinois: Zone 1 comprises all points on and east of Third Principal Meridian south of Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola to the Indiana State Line; Zone 2 covers all points on and north of the Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola, to the Indiana State Line, and east of Third Principal Meridian from point of intersection with the Baltimore and Ohio Railroad west of Decatur north to point of intersection with the Illinois Central Railroad near Mendota, on and east of the Illinois Central Railroad through Dixon and Freeport to the Wisconsin State Line, excepting all of Lake, Cook, Kane, Du Page and Will counties; Zone 5 includes all of Lake, Cook, Kane, Du Page and Will counties. In the State of Wisconsin: Zone 1 commencing south of a line drawn from Foscoro on Lake Michigan west along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, including the southeast corner of Shawano County, and east of a line running north and south along the western boundary of Green, Dane, Sauk, Janeau, and Wood counties, excepting the counties of Kenosha, Racine, and Milwaukee; Zone 2 starting north of a line drawn from Foscoro on Lake Michigan along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, and through the southeast corner of Shawano County and east of a line drawn north and south along the western boundary of Marathon, Lincoln, Oneida, and Iron Counties; Zone 5 consisting of Kenosha, Racine, and Milwaukee Counties.

This paragraph (a) (34) may be revoked or amended at any time.

2. Paragraph (a) (27) to Order No. A–1, added by Amendment No. 32, issued April 20, effective April 26, 1944, is hereby revoked.

This Amendment No. 46 shall become effective August 17, 1944.

Issued this 12th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12116; Filed, August 12, 1944; 11:24 a. m.]

*Copies may be obtained from the Office of Price Administration.

[MPR 194, Order 1]

J. R. WATKINS CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of the Office of Price Administration for the IXth Region by § 1418.52 (b) of Maximum Price Regulation No. 194, *It is ordered*

(a) *Effect of this order.* This order establishes maximum prices at which Ralph A. Shores of Juneau, Alaska, (herein called the distributor) may sell, and maximum prices at which retailers may buy and sell, the line of products (herein referred to as Watkins products) manufactured or promoted by the J. R. Watkins Company, in the area comprising the First Judicial Division of the Territory of Alaska.

(b) *Maximum prices on sales by distributor.* The distributor may sell Watkins products to retailers at prices not exceeding the prices set forth in the "Confidential Wholesale Price List" in effect on September 26, 1941, f. o. b. Juneau, Alaska; or f. o. b. Seattle, Washington, where shipment is made to the retailer directly from the continental United States. A copy of such price list has been filed with the Territorial Office of the Office of Price Administration in Juneau, Alaska. No retailer may pay the distributor higher prices.

(c) *Maximum retail prices.* No retailer may sell Watkins products at prices higher than the manufacturer's suggested retail prices set forth in a printed booklet entitled "Descriptive List of Watkins Products with Ordinary Retail Values," a copy of which booklet has been filed with the Territorial Office of the Office of Price Administration in Juneau, Alaska. Such prices shall also apply to sales at retail made by the distributor.

(d) *Distributor to notify retailers.* The distributor shall furnish a copy of this order and a copy of the booklet mentioned in paragraph (c) to each retailer to whom he sells Watkins products and shall also include on his invoice to each retailer the following statement:

Your maximum selling prices for the commodities covered by this invoice, as established by Order No. 1 under Maximum Price Regulation No. 194 issued by the Office of Price Administration, are the prices set forth in a printed booklet entitled, "Descriptive List of Watkins Products with Ordinary Retail Values," a copy of which has been filed with the Territorial Office of the Office of Price Administration in Juneau.

(e) *Definitions.* "First Judicial Division" includes all that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude.

(f) *Revocations and amendments.* This order may be revoked or amended at any time.

This order shall become effective August 14, 1944.

Issued this 12th day of August 1944.

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 44–12117; Filed, August 12, 1944; 11:24 a. m.]

[MPR 120, Order 807]

LAWRENCE COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In the table for Chafin Branch Coal Co., in F. R. Doc. 44–8313, appearing at page 6375 of the issue for Saturday, June 10, 1944, the price classification for Size Group No. 7 should be "N".

[Administrative Notice 5]

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES FOR BEETS

Pursuant to the provisions of the Emergency Price Control Act of 1942 as amended the Price Administrator hereby gives notice to growers of the maximum price he proposes to establish for beets.

For November through May the maximum price, f. o. b. country shipping points, in Texas, will be $1.35 per half L. A. crate, in bunches with tops, per bushel without tops (topped) or per fifty pound bag without tops (topped). For sales delivered at any wholesale receiving point any quantity the maximum price will be the above price plus freight from Brownsville, Texas, to the wholesale receiving point. The Administrator may name maximum prices f. o. b. shipping points in other states for this period. However, such prices will not be lower than the above-mentioned price.

From June through October the maximum price, f. o. b. shipping points in all states for beets as described in the above paragraph will be $1.35.

Appropriate allowances will be made to cover protective services.

No person who does not pack and ship beets and who does not regularly operate a packing and shipping plant for that commodity, will be permitted to purchase acreage at a price which, after adding the cost of harvesting, hauling, packing and inspection, results in a price higher than the applicable maximum price f. o. b. country shipping point.

The above prices may be incorporated in an amendment to Maximum Price Regulation No. 426 in substantially the same form as Appendix H.

Note: "Country shipping point" means the place in or near the producing area where the beets being priced are prepared for shipment and first loading on cars for rail shipments or on trucks for truck shipment. Prices established for shipping points are not grower ceiling prices unless the grower is the shipper.

Issued this 14th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: August 12, 1944.

MARVIN JONES,
War Food Administrator.

[F.R. Doc. 44–12182; Filed, August 14, 1944; 11:47 a. m.]

[Administrative Notice 6]

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES FOR WHITE FLESH POTATOES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers of the maximum prices he proposes to establish for early white table stock potatoes of the 1945 crop.

Maximum prices per cwt. for U. S. No. 1 early white potatoes of the 1945 crop, sacked and loaded on carrier, f. o. b. country shipping point, will be as follows:

Period and producing area (Beginning of season)	*Maximum prices per 100 lbs.*
March 31:	
California	$3.35
All other areas	3.95
April 1–15:	
California	3.10
Texas, Counties of Hidalgo, Cameron, Willacy	3.95
All other areas	3.80
April 16–30:	
California	2.90
Texas, Counties of Hidalgo, Cameron, Willacy	3.95
All other areas	3.60
May 1–15:	
Florida, Area north of counties of Charlotte, Glades and Martin, and East of the Suannee River	3.40
California	2.70
All other areas	3.30
May 16–31:	
Florida, area north of counties of Charlotte, Glades and Martin and East of the Suannee River	3.40
California	2.60
All other areas	3.00
June 1–30:	
California	2.40
All other areas	2.80

The foregoing prices may be incorporated into an amendment to Revised Maximum Price Regulation 271 and may be subject to the differentials for grade, size and packaging set forth in that regulation.

Issued this 14th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: August 12, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–12183; Filed, August 14, 1944; 11:47 a. m.]

WAR MANPOWER COMMISSION.

[Region III General Order 9]

PHILADELPHIA, PENNSYLVANIA-CAMDEN, NEW JERSEY LABOR MARKET AREA

MINIMUM WARTIME WORK WEEK

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Philadelphia, Pennsylvania-Camden, New Jersey area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Philadelphia, Pennsylvania-Camden, New Jersey area shall include:

In Pennsylvania: Philadelphia County; *Delaware* County; *Bucks* County; North Coventry Township, East Coventry Township, South Coventry Township, East Vincent Township, Spring City Borough in *Chester* County; *Montgomery* County excluding Pottstown Borough, Lower Pottsgrove Township, Royersford Borough, Upper Pottsville Township, Douglass Township, New Hanover Township, Red Hill Borough, Pennsburg Borough, Upper Hanover Township, East Greenville Borough, West Pottsville Township, Perkiomen Township, Schwenksville Borough, Marlboro Township, Greenlane Borough, Upper Frederick Township, Lower Frederick Township.

In New Jersey: Chester Township, Cinnaminson Township, Palmyra, Riverton, Moorestown Township in *Burlington* County; Audubon, Barrington, Bellmawr, Berlin Township, Berlin, Brooklawn, Camden, Clementon, Collingswood, Delaware Township, Gibbsboro, Gloucester City, Gloucester Township, Haddon Township, Haddonfield, Haddon Heights, Hi Nella, Laurel Springs, Lawnside, Lindenwold, Magnolia, Merchantville, Mount Ephraim, Oaklyn, Pennsauken Township, Pine Hill, Pine Valley, Runnemede, Somerdale, Stratford, Tavistock, Voorhees Township, Woodlynne in *Camden* Country; Glayton, Deptford Township, East Greenwich Township, Elk Township, Franklin Township, in part (North of Newfield), Glassboro, Greenwich Township, Harrison Township, Logan Township, Mantua Township, Monroe Township in part (Williamstown and West), National Park, Paulsboro, Pitman, South Harrison Township, Swedesboro, Washington Township, Wenonah, West Deptford Township Westville, Woodbury, Woodbury Heights, Woolwich Township, in *Gloucester* County.

II. The effective date of this designation is September 1, 1944 for all essential and locally needed establishments and October 1, 1944 for all other establishments.

III. Not later than the effective date, each employer in the Philadelphia, Pennsylvania-Camden, New Jersey area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a Minimum Wartime Workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any workers;

(b) If extension of the workweek of any of his workers to a Minimum Wartime Workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a Minimum Wartime Workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State, or local law or regulation limiting hours of work.

Date of issuance: August 8, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44–12106; Filed, August 12, 1944; 11:30 a. m.]

Regional and District Office Orders.

[Region I Order G–1 Under MPR 154, Amdt. 2]

ICE IN NEW ENGLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is ordered:*

Region I Order No. G–1 is hereby amended in the following respects:

(1) The title of said order is amended to read as follows: "Boston Regional Office, Region I. Order No. G–1 under Maximum Price Regulation No. 154. Ice. Ice in New England (except Barnstable County, Martha's Vineyard, Plymouth, Kingston, Carver, Marshfield and Duxbury, Massachusetts)."

(2) Paragraph numbered (a) is amended to read as follows:

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in the states of Massachusetts (except Barnstable County, Martha's Vineyard, Plymouth, Kingston, Carver, Marshfield and Duxbury, Massachusetts), Connecticut, Rhode Island, Vermont, New Hampshire and Maine shall be the maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, or the prices specified in the following Schedule, whichever are higher; *Provided, however,* That in the case of a quantity platform sale or a quantity delivered sale the seller's maximum price shall not exceed his maximum price to the purchaser established by §§ 1393.1 and 1393.12 (exclusive of § 1393.12 (f) of Maximum Price Regulation No. 154, by more than 10 cents per 300 pounds (66⅔ cents per ton) in the case of a quantity platform sale, or by more than 5 cents per 100 pounds ($1.00 per ton) in the case of the quantity delivered sale.

Type of sale	Per cwt.	Per ton
Retail delivered sale	$0.60	$12.00
Retail platform sale	.40	8.00
Quantity delivered sale	.40	8.00
Quantity platform sale	.20	4.00

This Amendment No. 2 shall become effective August 5, 1944 and terminate September 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–11998; Filed, August 11, 1944, 9:23 a. m.]

[Region I Order G–47 Under RMPR 122, Amdt. 2]

SOLID FUELS IN NEW HAVEN, CONN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and the Emergency Price Control Act of 1942, as amended, subparagraph 1 of paragraph (e) is hereby amended to read as follows:

1. Price Schedule III sets forth in subdivision (a) maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the New Haven, Connecticut Area, except yards in the town of Shelton, to dealers in fuels who resell them. Maximum prices for sales at yards in the town of Shelton to dealers in fuels who resell them are set forth in subdivision (b).

(a) *New Haven, Connecticut Area except for the town of Shelton.*

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$12.35	$6.20	$3.10
Pea	10.55	5.30	2.65
Buckwheat	8.55	4.30	2.15
Rice	7.85	3.95	2.00
Yard screenings	3.25		
Jeddo Highland:			
Egg, stove and chestnut	12.85	6.45	3.25
Pea	11.05	5.55	2.80
Buckwheat	9.05	4.55	2.30
Silver Brook:			
Egg, stove, and chestnut	13.00	6.50	3.25
Pea	11.20	5.60	2.80
Buckwheat	9.20	4.60	2.30
Koppers coke:			
Egg, stove, and chestnut	12.00	6.00	3.00

(b) *The town of Shelton.*

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut	$13.35	$6.70	$3.35
Pea	11.55	5.80	2.90
Buckwheat	8.90	4.45	2.25
Rice	7.85	3.95	2.00
Yard screenings	3.25		
Jeddo Highland:			
Egg, stove, and chestnut	13.85	6.95	3.50
Pea	12.05	6.05	3.05
Buckwheat	9.40	4.70	2.35
Silver Brook:			
Egg, stove, and chestnut	14.00	7.00	3.50
Pea	12.20	6.10	3.05
Buckwheat	9.55	4.80	2.40
Koppers coke:			
Egg, stove, and chestnut	12.00	6.00	3.00

This amendment No. 2 shall become effective August 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–12000; Filed, August 11, 1944; 9:25 a. m.]

[Region VII Rev. Order G–1 Under MPR 376, Amdt. 4]

FRESH FRUITS AND VEGETABLES IN COLORADO AND WYOMING

Pursuant to the Emergency Price Control Act of 1942, as amended, and section 4 (c) of Maximum Price Regulation No. 376, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 4 to Revised Order No. G–1 under Maximum Price Regulation No. 376 is issued.

1. Table VII—Tomatoes, which was added to said Revised Order No. G–1 under Maximum Price Regulation No. 376 by Amendment No. 2 thereto, is hereby amended so as to read as follows:

TABLE VII—TOMATOES

	Beginning of season to and including Aug. 20 (each year)	Aug. 21 to end of season (each year)
(1) Fully packed lugs, minimum weight 26 pounds, prepared for distance shipment—per lug	$3.50	$2.70
(2) 85 percent U. S. No. 1 or better, packed in peach boxes, minimum weight 20 pounds—per box	2.00	1.5
(3) All other types of tomatoes and containers—per pound—net weight	.08	.04
(4) Hot-house tomatoes [1]	(2)	(2)

[1] Hot-house tomatoes are exempted from this order but the same shall remain covered at wholesale by Maximum Price Regulation No. 376, and at retail by Maximum Price Regulations Nos. 422 and 423.

[2] Exempted from country shipper ceiling.

2. *Effective date.* This amendment shall become effective on August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

Approved:

CHARLES W. LILLEY,
State Supervisor,
War Food Administration.

[F. R. Doc. 44–12005; Filed, August 11, 1944; 9:25 a. m.]

[Region VII Rev. Order G–24 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DENVER REGION

Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (d), Appendix A, I, *Mines in District 17,* is amended by deleting therefrom all of subparagraphs (1), (2), (3), (6), and (8), and by amending subparagraphs (4) and (5) to read as follows:

Operator	Subdistrict	Index No.	Size groups	Amount	Effective date
(6) The Victor American Fuel Co.: Pinnacle	4	62	1 through 5	Cts. 30	7–31–44
			6	20	7–31–44
			7 and 9	30	7–31–44
			10	40	7–31–44
			11	20	7–31–44
			12	10	7–31–44
			13 through 19	30	7–31–44
Wadge	5	82	All	10	1–24–45
(7) Butte Valley Coal Co.: Butte Valley	1	17	1 through 12	10	7–31–44
			13 through 16	30	7–31–44
			17 and 18	25	7–31–44
			19	10	7–31–44

2. *Effective date.* This Amendment No. 2 shall become effective August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–12006; Filed, August 11, 1944; 9:23 a. m.]

[Concord Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN CONCORD, N. H., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Concord, New Hampshire, District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a postor to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of list of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of the list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the New Hampshire District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

APPENDIX A

TABLE 1

(For soda fountains and similar eating places.)

1. Tomato or vegetable soup.
2. American cheese sandwich.
3. Cream cheese sandwich.
4. Cream cheese and olive sandwich.
5. Chicken salad sandwich.
6. Sliced chicken sandwich.
7. Chicken club sandwich.
8. Sliced ham sandwich.
9. Chopped ham sandwich.
10. Ham and egg sandwich.
11. Egg salad sandwich.
12. Peanut butter sandwich.
13. Salmon salad sandwich.
14. Tuna fish salad sandwich.
15. Tomato and lettuce sandwich.
16. Bacon, tomato and lettuce sandwich.
17. Hamburger sandwich.
18. Frankfurter on roll.
19. Chicken salad.
20. Egg salad.
21. Tuna fish salad.
22. Vegetable salad.
23. Vegetable salads.
24. Apple pie.
25. Pie a la mode.
26. Puddings.
27. Milk.
28. Hot coffee.
29. Pot of tea.
30. Hot chocolate.
31. Plain milk shakes.
32. Malted milk shakes.
33. Frappes and floats.
34. Fresh fruitades.
35. Ice cream sodas.
36. Banana split.
37. Butterscotch sundae.
38. Chocolate walnut sundae.
39. Hot fudge sundae.
40. Pineapple sundae.
41. Strawberry sundae.

TABLE 2

(For boarding houses, resort hotels and other straight American plan houses offering no a la carte service and charging a flat rate per meal to transients and other occasional guests.)

1. Breakfast.
2. Lunch.
3. Dinner.
4. Supper.
5. Afternoon tea.
6. Sunday dinner.
7. Sunday supper.

(If you have special rates for any of these meals on Sunday or holidays, or if you have special banquet rates, include on your poster your rates for these items.)

TABLE 3

(For all other eating establishments.)

1. Tomato or fruit juice.
2. Fruit cocktail.
3. Chicken broth.
4. Vegetable soup.
5. Clam chowder.
6. Fish chowder.
7. Ham and eggs.
8. Two eggs, any style.
9. Plain omelette.
10. Fried filet of sole.
11. Fried haddock.
12. Broiled mackerel.
13. Fried clams.
14. Liver and bacon.
15. Pork chop
16. Hamburger steak.
17. Roast prime ribs of beef.
18. Yankee pot roast.
19. Roast loin of pork.
20. Corned beef hash
21. Beef stew.
22. Roast lamb.
23. Roast chicken.
24. Boiled dinner.
25. Beef steak pie.
26. Chicken pie.
27. Ham sandwich.
28. Ham and egg (or bacon and egg) sandwich.
29. American cheese sandwich.
30. Sliced chicken sandwich.
31. Fried egg sandwich.
32. Hamburger sandwich.
33. Fruit salad.
34. Chicken salad.
35. Vegetable salad.
36. Apple pie.
37. Ice cream.
38. Puddings.
39. Coffee.
40. Milk.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved

by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

RUSSELL R. LARMON,
District Director.

[F. R. Doc. 44-12085; Filed, August 11, 1944; 1:42 p. m.]

[Williamsport Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN WILLIAMSPORT, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Williamsport District Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Williamsport District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Restaurant MPR 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JOSEPH L. RAY,
Acting District Director.

APPENDIX A

Appetizer:
- Tomato juice.
- Fruit cocktail.

Soup:
- Cup, Bowl.

Egg dishes:
- Ham and eggs.
- Two eggs.

Fish entrees:
- Filet of Haddock.
- Broiled mackerel.
- Fish cakes.

Miscellaneous:
- Hot cakes and syrup.
- Baked spaghetti or macaroni.
- Pork and beans.
- Vegetable plate.
- Cereals—hot or cold.

Meat entrees:
- Liver and bacon.
- Pork chop.
- Hamburger steak.
- Roast beef.
- Roast pork or ham.
- Corned beef hash or any meat hash.
- Lamb stew or any meat stew.
- T-Bone steak.

Sandwiches:
- Ham.
- Ham and egg or bacon and egg.
- American cheese.
- Lettuce and tomato.
- Hamburger.
- Ham and cheese.
- Fish salad.
- Hot meat.

Salads:
- Combination.
- Fruit.

Desserts:
- Apple pie.
- Ice cream.

Beverages:
- Coffee (hot), cup, pot.
- Tea (hot), cup, pot.
- Milk (half pint).

Meals

I—Club breakfast—Fruit, toast, and coffee.
II—Club breakfast—Cereal, toast, and coffee.
Chicken dinner (4 courses).
Roast beef or pork plate.
Roast beef or pork dinner (4 courses).

[F. R. Doc. 44-12084; Filed, August 11, 1944; 1:42 p. m.]

[Region IV Order G-15 Under RMPR 122, Amdt. 2]

SOLID FUELS IN WINSTON-SALEM, N. C.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (f) of Order No. G-15, issued thereunder by this office, *It is hereby ordered*, That subdivision (c) (1) (i) be amended to read as set forth below:

(i) *"Direct delivery or domestic" basis:*

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Size	Per ton, 2,000 lbs.	Per ½ ton, 1,000 lbs.	Per ¼ ton, 500 lbs.
Lump, chunk or block in Mine Price Classifications E-M inclusive, in Size Groups 1 and 2	$9.05	$5.08	$2.60
Egg Coal from the No. 5 Upper Banner, Dean and Straight Creek Seams and from the Harlan Seam in Kentucky, in Size Groups No. 5 and 6	8.85	5.18	2.65
Splint egg in Size Group 6	9.10	4.80	2.45
Stoker coal	8.60	4.55	2.30

This Amendment No. 2 to Order No. G-15 under Revised Maximum Price Regulation No. 122 shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued July 27, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-12083; Filed, August 11, 1944; 1:43 p. m.]

[Savannah Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SAVANNAH, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Savannah, Georgia, District Office, of the Office of Price Administration by Section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION. 1 *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the counties of Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Brooks, Bryan, Bulloch, Burke, Calhoun, Camden, Candler, Charlton, Chatham, Clay, Clinch, Coffee, Cloquitt, Columbia, Cook, Decatur, Dougherty, Early, Echols, Effingham, Emanuel, Evans, Glascock, Glynn, Grady, Irwin, Jeff Davis, Jefferson, Jenkins, Liberty, Lanier, Long, Lowndes, McDuffie, McIntosh, Miller, Mitchell, Montgomery, Pierce, Richmond, Screven, Seminole, Tatnall, Telfair, Tift, Thomas, Toombs, Treutlen, Turner, Ware, Warren, Wayne, Wheeler and Worth, in the Savannah, Georgia, District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

R. E. THORPE,
District Director.

APPENDIX A—GROUPS OF FOOD ITEMS, ENTREES, AND BEVERAGES

The groups of food items, beverages, or entree (main dish) of the meal are as follows:

Appetizer:
1. Orange or tomato juice.
2. Shrimp cocktail.
3. One-half grapefruit.

Soup:
4. Vegetable soup.
5. Cream of tomato soup.

Egg dishes:
6. Ham or bacon and eggs.
7. Two eggs (any style).

Fish:
8. Fried or broiled fish.
9. Fried shrimp.

Meat and poultry:
10. Roast beef.
11. Pork chops.
12. T-Bone steak.
13. Beef stew.
14. Fried or broiled chicken.

Sandwiches:
15. Ham.
16. Ham and egg.
17. American cheese.
18. Hamburger.
19. Chicken salad.
20. Hot meat.
21. Bacon and tomato.

Desserts:
22. Pie.
23. Ice cream or sherbet.
24. Sliced cake.

Beverages:
25. Coffee.
26. Milk.
27. Tea.

Meals:
28. Club breakfast, cereal or fruit, toast and coffee.
29. Club breakfast, fruit or cereal, eggs, bacon or ham, toast and coffee.
30. Plate lunch—meat, 2 vegetables, bread, butter, drink.
31. Lunch—soup, meat, 2 vegetables, bread, butter, drink, dessert.
32. Steak dinner.
33. Fish dinner.
34. Chicken dinner.
35. Dinner—soup, meat, salad, 2 vegetables, bread, butter, drink, dessert, or dinner where price of entree governs price of meal.

Salads:
36. Lettuce and tomato.
37. Shrimp.
38. Fruit.
39. Mixed vegetable.
40. Potato.

[F. R. Doc. 44-12087; Filed, August 11, 1944; 1:42 p. m.]

[Houston Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN HOUSTON, TEX., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Houston, Texas District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the

poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of poster prices.* When you have made up the list of food items to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Houston, Texas District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

STEPHEN J. TULLY, JR.,
District Director.

APPENDIX A

TABLE I—DINING ROOM, COFFEE SHOP AND RESTAURANT

1. Fruit cocktail.
2. Shrimp cocktail.
3. Tomato juice.
4. Orange juice.
5. Half grapefruit.
6. Grapefruit juice.
7. Baked apple with cream.
8. Stewed prunes with cream.
9. Dry cereal with cream.
10. Hot cereal with cream.
11. Cup (lunch or dinner soup).
12. Large bowl (lunch or dinner soup).
13. English peas.
14. Stewed tomatoes.
15. String beans.
16. French fried potatoes.
17. Mashed potatoes.
18. Ham sandwich.
19. Chicken sandwich.
20. Club sandwich.
21. 2 eggs—fried, boiled or scrambled.
22. 2 eggs—with bacon, ham or Brookfield sausage.
23. Plain omelette (2 eggs.)
24. Omelette—with ham, bacon or cheese.
25. Ham or bacon.
26. Toast—(dry or buttered).
27. Cream waffle.
28. Pecan waffle.
29. Doughnut.
30. Sweet roll.
31. Wheat, buckwheat or corncakes.
32. With ham, bacon or Brookfield sausage—extra.
33. Milk.
34. Coffee—per cup.
35. Lunch special—soup, entree, 2 vegetables, salad or dessert, and drink.
36. Lunch special—entree, 2 vegetables, salad or dessert, and drink.
37. Dinner special—appetizer, soup, entree, 2 vegetables, salad, dessert, and drink.
38. Dinner special—entree, 2 vegetables, salad or dessert, and drink.
39. Fried chicken—rolls, choice of potatoes, and drink.
40. Club steak—salad, French fried potatoes and drink.

TABLE II—CAFETERIA

Salads:
1. Potato salad.
2. Combination.
3. Fruit salad.
4. Sliced tomatoes.

Entrees:
1. Fried gulf trout.
2. Croquettes.
3. Pot roast of beef.
4. Roast pork.
5. Meat loaf.
6. Meat balls with spaghetti.
7. Turkey with dressing.
8. Liver.
9. Creamed chicken.
10. Beef stew.

Vegetables:
1. Mashed potatoes.
2. Buttered carrots.
3. Boiled cabbage.
4. Spinach.
5. Buttered beets.
6. Peas.
7. Baked beans.
8. Corn.
9. Baked potato.
10. Green beans.
11. Lima beans.

Desserts:
1. Apple pie.
2. Cake.
3. Ice cream (dish).
4. Donuts.
5. Sweet roll.

Drinks:
1. Tea, hot.
2. Coffee, iced coffee.
3. Coffee, hot.
4. Iced tea.
5. Milk.

Bread:
1. White or whole wheat (per slice).
2. Corn bread.
3. Hard roll.

Soup:
1. Homemade vegetable.
2. Chili.

TABLE III—SANDWICH SHOP, LUNCH COUNTER AND SODA FOUNTAIN

Juices:
1. Orange juice.
2. Grapefruit juice and tomato juice.

Cereals:
3. With cream.
4. With milk.

Eggs:
5. Two eggs and toast.
6. Two eggs and toast with ham, bacon or sausage.
7. 1 egg with toast and ham, bacon, or sausage.

Sandwiches:
8. Roast beef.
9. Roast pork.
10. Ham.
11. Cheese.
12. Egg.
13. Hamburger.

Decker sandwiches:
14. Combination.
15. Club house.

Lunches and plates:
16. Lunch, consisting of_____
17. Dinner, consisting of_____
18. Steaks, potatoes and salad.
19. Fried chicken.

Beverages:
20. Coffee, hot.
21. Coffee, iced.
22. Tea, hot.
23. Tea, iced.
24. Milk.
25. Malted milk.

Breads:
26. Waffle.
27. Hot cakes.
28. Donuts.
29. Sweet roll.
30. Toast, dry or buttered.

Soups:
31. Canned soups.
32. Chili.

Salads:
33. Sliced tomatoes.
34. Head lettuce and dressing.
35. Lettuce and tomato.
36. Chicken salad.
37. Fruit salad.

Desserts:
38. Pie.
39. Cake.
40. Ice cream or sherbet.

TABLE IV—SEAFOODS

Cocktails:
1. Shrimp.
2. Oyster.
3. Crabmeat.
4. Fruit.

Salads:
5. Headlettuce and dressing.
6. Sliced tomatoes.
7. Combination.

Gumbo:
8. Shrimp.
9. Crab.

Potatoes:
10. French fried.
11. American fried.

Beverages:
12. Coffee, hot.
13. Coffee, iced.
14. Tea, hot.
15. Tea, iced.
16. Milk.

Sandwiches:
17. Trout.
18. Oyster.
19. Ham, cold.
20. Beef.
21. Cheese.
22. Combination, 3 deck.

Desserts:
23. Pie or cake.
24. Ice cream and sherbet.

Seafood:
25. Red snapper steak.
26. Red snapper steak (individual size).
27. Redfish steak.
28. Tenderloin of trout.
29. Broiled flounder, individual.
30. Jumbo shrimp, fried.
31. Oysters, fried.
32. Oysters, stewed in milk.
33. Stuffed crab.
34. Soft shell crabs.

All the above orders served with:

Seafood Dinner or Lunch

35. _____ (Describe)
36. _____ (Describe)
37. _____ (Describe)
38. _____ (Describe)
39. _____ (Describe)
40. _____ (Describe)

TABLE V—MEXICAN RESTAURANT

Beverages:
1. Coffee, hot.
2. Coffee, iced.
3. Tea, hot.
4. Tea, iced.
5. Milk.
6. Chocolate, Mexican style.

Mexican dishes:
7. Chili Con Carne.
8. Chili Con Queso.
9. Frijoles, (beans).
10. Frijoles Refritos.
11. Frijoles Con Salsa DeChili.
12. Enchiladas, (order of three).
13. Enchiladas con chili (3).
14. Enchiladas (3) con Huevos (2).
15. Tacos, veal (3).
16. Tacos, chicken (3).
17. Tacos, Frijol o' Queso (3).
18. Tostadas, Vera Crisanas.
19. Tomales, plain (3).
20. Tomales, with chili (3).
21. Tortillas (order of three).
22. Tortillas, refritas (3).
23. Huevos, rancheros.
24. Huevos, con chili.
25. Sopa de macaroni.
26. Sopa de arros (rice).
27. Spaghetti con chili.
28. Grated cheese per order.
29. Chopped onions.
30. Spanish omelet.
31. Chili, Rellenos.

Salads:
32. Guacamole (avocado).
33. Lettuce and tomato.
34. Head lettuce and dressing.
35. Sliced tomatoes.

Deserts:
36. Pie.
37. Ice cream.
38. Mexican lunch (consisting of) _____
39. Mexican dinner (consisting of)_____
40. Mexican dinner (consisting of)_____

TABLE VI—NIGHT CLUBS

1. Shrimp cocktail.
2. Fruit cocktail.
3. Assorted hors d' oeuvres.
4. Hearts of celery.
5. Mixed olives.
6. Soup.
7. Jellied tomato bouillon rose.
8. Poached eggs benedictine.
9. Poached eggs, florentine.
10. Omelette, Spanish style.
11. Ham sandwich.
12. Swiss cheese sandwich.
13. Club sandwich.
14. New string beans.
15. Cauliflower.
16. French fried potatoes.
17. Chicken salad.
18. Chef's salad.
19. Blackstone salad.
20. Lettuce and tomato (½ order).
21. Broiled fish with vegetable and potatoes.
22. Crabmeat and mushrooms, Maryland, vegetables and potatoes.
23. Broiled double lamb chop, vegetable and potatoes.
24. K. C. sirloin steak (for 1).
25. Roast prime rib of beef au jus.
26. Broiled chicken with potatoes.
27. Broiled butt sirloin steak with vegetable and potatoes.
28. Lobster a la Newburgh.
29. Cold sliced breast of chicken and ham with fruit salad.
30. Cold smoked ox tongue with potato salad.
31. Baked ham and Swiss cheese with potato salad.
32. Camembert cheese.
33. Pies.
34. Ice cream.
35. Coffee.
36. Luncheon special: Entree, 2 vegetables, dessert and drink.
37. Luncheon special: Cocktail, entree, 2 vegetables, dessert and drink.
38. Luncheon special: Salad, entree, 2 vegetables, dessert and drink.
39. Dinner special: Appetiser, entree, 2 vegetables, salad, dessert and drink.
40. Dinner special: Appetiser, steak, 2 vegetables, salad, dessert and drink.

[F.R. Doc. 44-12086; Filed, August 11, 1944; 1:42 p. m.]

[Region IV Order G-17 Under RMPR 122, Amdt. 21]

SOLID FUELS IN GREENVILLE, N. C.

Correction

In the table for high volatile bituminous coal in F. R. Doc. 44-10485, appearing on page 8096 of the issue for Tuesday, July 18, 1944, the first price for "Egg, *Middle Price*" should be "10.10".

[Region III Rev. Order G-18 Under 18 (c), Revocation]

FLUID MILK IN KENTUCKY

Revocation of Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion attached hereto and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280; *It is hereby ordered:*

(a) That Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, as amended, be, and the same is, hereby revoked.

(b) That the revocation of said Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, as amended, shall be subject to all of the conditions, stipulations, and provisions of Supplementary Order No. 40.

This order shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued July 28, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-12120; Filed, August 12, 1944; 11:29 a. m.]

[Altoona Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ALTOONA, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Altoona District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Altoona District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

PAUL T. WINTER,
District Director.

APPENDIX A—LIST OF FORTY FOOD ITEMS, ENTREES, AND BEVERAGES

Appetizer:
- Tomato or fruit juice.
- Fruit cocktail.

Soup:
- Vegetable soup.

Egg dishes:
- Bacon or ham and eggs.
- Two eggs, any style.

Fish entrees: [1]
- Fried fish.

Meat entrees: [1]
- Liver and bacon.
- Pork chop.
- Hamburger steak.
- Roast beef.
- Roast pork or ham.
- Corned beef hash or any meat hash.
- Lamb stew or any meat stew.
- Chicken, fried.
- Tenderloin steak.
- Veal cutlet.
- Roast lamb.
- Roast veal.
- Baked ham.
- Meat pies.
- Hot meat sandwiches.

Sandwiches:
- Ham.
- Ham and egg (or bacon and egg).
- American cheese.
- Lettuce and tomato.
- Hamburger.
- Ham and cheese.

Miscellaneous:
- Hot cakes and syrup.
- Baked spaghetti or macaroni.
- Pork and beans.
- Vegetable plate.
- Cereals—hot or cold.

Desserts:
- Apple pie.
- Ice cream.

Salads:
- Fruit.
- Vegetable.

Beverages:
- Coffee (cup or pot).
- Tea (cup or pot).
- Milk (half pint).

Meals:
- I—Club breakfast—Fruit, toast, and coffee.

[1] "Entree" means the main dish of a meal.

[F. R. Doc. 44-12118; Filed, August 12, 1944; 11:29 a. m.]

[Utah Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN UTAH DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Utah District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal; for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Utah District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provision of this posting order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

H. GRANT IVINS,
District Director.

APPENDIX A

Tables listing forty items and meals selected by the District Restaurant Council. Choose list most applicable to your type of operation.

TABLE I—HOTELS AND RESTAURANTS

Appetizer:
1. Juices, tomato or fruit.
2. Fruit cocktail.
Soup:
3. Soup du Jour.
Salads:
4. Combination.
5. Fruit.
Meat entrees:
6. Liver and bacon.
7. Breaded veal cutlets.
8. Grilled pork chops.
9. Hamburger steak.
10. Roast beef.
11. Roast pork or ham.
12. Roast turkey.
13. Half fried chicken.
14. Chicken a la king.
15. Half dozen fried oysters.
16. Small steak.
Fish entrees:
17. Halibut.
18. Salmon.
Egg dishes:
19. Ham or bacon and eggs.
20. Two eggs, any style.
21. Omelette, plain.
Sandwiches:
22. Cold sliced chicken.
23. Ham.
24. Clubhouse.
25. Ham or bacon and egg.
26. Hot turkey.
27. Hot roast beef or pork.
28. Hamburger.
29. Cold roast pork or beef.
Miscellaneous:
30. Hot cakes and syrup.
31. Cereals, hot or cold.
32. Spaghetti and meat sauce.
Desserts:
33 Pie, per cut.
34. Ice cream or sherbet, per dish.
Beverages:
35. Coffee, cup or pot.
36. Tea, cup or pot.
37. Milk, ½ pint.
Meals:
38. Club breakfast (3 or more items).
39. Luncheon, 3 courses (meat, fish or omelet entrees).
40. Dinner, 5 courses (meat, poultry or fish entrees).

TABLE II—SODA FOUNTAIN AND LUNCHEONETTE

Appetizer:
1. Juices, tomato or fruit.
2. Fruit cocktail.
Egg dishes:
3. Ham or bacon and eggs.
4. Two eggs, any style.
5. Omelette, plain.
Soup:
6. Vegetable soup.
Miscellaneous:
7. Hot cakes and syrup.
8. Waffles and syrup.
9. Cereals, hot or cold.
Plate lunches:
10. Hot plate, special.
11. Cold plate, special.
Sandwiches:
12. Ham and egg sandwich.
13. Hamburger sandwich.
14. Ham and cheese sandwich.
15. Hot dog.
16. Cold ham sandwich.
17. Minced ham sandwich.
18. Bacon and tomato.
19. American cheese.
20. Deviled egg.
21. Cheeseburger.
22. Ham and cheese, 3-decker.
Salads:
23. Potato salad.
24. Chicken salad.
25. Combination.
Ice cream:
26. Malted milk.
27. Ice cream soda.
28. Root beer float.
29. Milk shake.
30. Plain sundae.
Beverages:
31. Plain sodas.
32. Coca cola.
33. Milk, ½ pint.
34. Coffee, per cup or pot.
Desserts:
35. Pie, per cut.
36. Cake.
37. Doughnut.
38. Sweet roll.
Meals:
39. Club breakfast (3 or more items).
40. Luncheon, 3 courses.

TABLE III

Appetizer:
1. Juices, tomato or fruit.
Soup:
2. Vegetable.
Salad:
3. Combination.
4. Chicken salad.
Meat entrees:
5. Pork chops.
6. Hamburger steak.
7. Roast beef.
8. Roast pork.
9. Half fried chicken.
10. Hot meat sandwiches.
11. Small steak.
Fish entrees:
12. Halibut.
13. Salmon.
Egg dishes:
14. Two eggs any style.
15. Ham and eggs.
Sandwiches:
16. Ham sandwich.
17. Ham and egg sandwich.
18. American cheese.
19. Cold pork.
20. Hamburger.
21. Cold sliced chicken.
Miscellaneous:
22. Cereals, hot or cold.
23. Pork and beans.
24. Denver sandwich.
Oriental dishes:
25. Full course Chinese dinner.
26. Pork chow mein.
27. Pork chop suey.
28. Pork noodles.
29. Egg foo yong.
30. Fried shrimps.
31. Fried rice.
32. Chow mein, Canton style.
33. Fried chicken, Chinese style.
34. Roast pork, Chinese style.
Desserts:
35. Pie, per cut.
36. Ice cream, per cut.
37. Almond cakes.
Beverages:
38. Coffee, cup or pot.
39. Milk, per ½ pint.
40. Tea, cup or pot.

[F. R. Doc. 44-12119; Filed, August 12, 1944; 11:28 a. m.]

[Montpelier Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MONTPELIER, VT. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montpelier, Vermont District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several table of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, fillet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establisment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or

changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Montpelier, Vermont District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JAMES J. CARNEY,
District Director.

APPENDIX A

40 BASIC FOOD ITEMS SELECTED BY THE VERMONT DISTRICT HOTEL AND RESTAURANT COOPERATING COMMITTEE

1. Tomato juice.
2. Grapefruit juice.
3. Oatmeal.
4. Corn flakes.
5. Dropped eggs on toast.
6. Ham and eggs.
7. Toast.
8. Doughnuts.
9. Griddle cakes and syrup.
10. Tomato soup.
11. Vegetable soup.
12. Pot roast of beef.
13. Hamburger steak.
14. Veal cutlet.
15. Roast veal.
16. Pork chops.
17. Grilled ham.
18. Roast pork.
19. Beef stew.
20. Corned beef hash.
21. Broiled chicken.
22. Chicken pie.
23. Roast chicken.
24. Haddock fillets.
25. Oyster stew.
26. Baked beans with pork.
27. Chop suey.
28. French fried potatoes.
29. Egg salad.
30. Chicken salad.
31. Apple pie.
32. Ice cream.
33. Sherbet.
34. Rice pudding.
35. Ham sandwich.
36. Cheese sandwich.
37. Hamburger sandwich.
38. Hot chicken sandwich.
39. Bottled milk.
40. Coffee.

[F. R. Doc. 44-12144; Filed, August 12, 1944; 4:37 p. m.]

[Region V—Order G-1 Under MPR 336, MPR 355, MPR 394]

FABRICATED MEAT CUTS IN WICHITA, KANS.

Order No. G-1 under section 5 (c) of Maximum Price Regulation No. 336—Retail ceiling prices for pork cuts and certain sausage products; Maximum Price Regulation No. 355, retail ceiling prices for beef, veal, lamb and mutton cuts and all variety meats and edible by-products; and Maximum Price Regulation No. 394, Retail ceiling prices for kosher beef, veal, lamb and mutton cuts.

Pursuant to section 5 (c) of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 and Maximum Price Regulation No. 394, as incorporated by Amendment 15 to Maximum Price Regulation No. 336, and Amendment 17 to Maximum Price Regulation No. 355, and Amendment 6 to Maximum Price Regulation No. 394, the Regional Administrator of Region V, on his own motion, finds that the area contained within the corporate limits of the city of Wichita, Kansas, to be an area deficient in supplies of fabricated meat cuts for purveyors of meals, because the following conditions exist:

(1) Purveyors of meals within said area are unable to obtain fabricated meat cuts covered by the above named regulations in sufficient volume to supply their requirements as determined under Ration Order No. 16, during the two month period immediately preceding May 1, 1944;

(2) The dealers in the area selling fabricated meat cuts do not have adequate facilities or quotas to supply the requirements of purveyors of meals located in the area as determined under (1) above; and

(3) Purveyors of meals in the area customarily have relied upon, and find it necessary to continue to rely upon, local retail dealers for supplies of meat sufficient to fill their requirements.

Accordingly, the area within the corporate limits of the city of Wichita, Kansas, is hereby ordered and declared to be an area deficient in the supply of fabricated meat cuts covered by the above named price regulations for purveyors of meals within the intent and purposes of said section 5 (c) of each of the aforesaid maximum price regulations.

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or declaration, or by any price regulation issued hereafter, either by special order or decplement issued to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective August 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Effective at Dallas, Texas, this the 7th day of August 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-12143; Filed, August 12, 1944; 4:37 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-5]

MIDDLE WEST CORP., ET AL.

MEMORANDUM OPINION AND ORDER GRANTING EXEMPTION

On the 24th day of January 1944, the Commission issued its Order pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 requiring The Middle West Corporation, a registered holding company, to sever its relations with certain properties, operations and companies including, among others, Middle West Utilities Company of Canada, Limited and reserving jurisdiction to enter such further appropriate orders as the Commission should deem necessary to secure compliance with the provisions of the act and rules thereunder and to carry out the provisions of said order.

Middle West Utilities Company of Canada, Limited, is a Canadian corporation, all outstanding securities of which (consisting of preferred and common stock) are owned by The Middle West Corporation. Its activities are carried on exclusively within Canada and all its assets consist of securities of Canadian corporations, the businesses of which are carried on exclusively in Canada, and the assets of which consist of properties located in Canada or securities in Canadian companies operating exclusively in Canada. The principal assets of Middle West Utilities Company of Canada, Limited, consist of all the outstanding common stock and approximately 45.03% of the preferred stock and approximately $30,000 principal amount of bonds of Great Lakes Power Company, Limited, a corporation organized and existing under the laws of the Province of Ontario engaged in the generation, distribution and sale of electric energy.

Middle West Utilities Company of Canada, Limited, has received an offer for all its security holdings in Great Lakes Power Company, Limited, such offer having been made by K. S. Barnes of Montreal, Canada, who has advised that the purchase is being made by him on behalf of the Hydro Electric Power Commission, an agency of the Province of Ontario.

By orders heretofore entered in File No. 31-375 on July 9, 1937; May 24, 1939; January 8, 1942, and December 29, 1943, the Commission has exempted Middle West Utilities Company of Canada, Limited as a holding company from all those provisions of the act which would require it to register under said act because of its directly or indirectly owning, controlling or holding with power to vote 10% or more of the outstanding voting securities of Great Lakes Power Company, Limited, its only subsidiary which is a public utility company. Such orders further provide for limited exemptions to Middle West Utilities Company of Canada, Limited as a subsidiary of The Middle West Corporation. Such exemptions, however, as a subsidiary, do not include an exemption from section 12 (d) of the act, and rules, regulations or orders promulgated thereunder.

The Middle West Corporation and Middle West Utilities Company of Canada, Limited, have requested that the Commission now issue its order exempting The Middle West Corporation and Middle West Utilities Company of Canada, Limited, with respect to such proposed sale insofar as the act or the rules, regulations or orders thereunder including section 12 (d) of the Act and the order issued by the Commission pursuant to section 11 (b) (1) of the act require application to and approval by the Commission in respect thereof.

In view of the exemptions previously granted and the fact that the proposed purchaser is an agency of the Province of Ontario, Dominion of Canada, we are of the opinion that the requested exemption may be appropriately granted and that such exemption would not be detrimental to the public interest or to the interest of investors or consumers;

It is therefore ordered, That The Middle West Corporation and Middle West Utilities Company of Canada, Limited be and they hereby are granted exemption with respect to the proposed sale by Middle West Utilities Comjany of Canada, Limited of all its security holdings in Great Lakes Power Company, Limited to the Hydro Electric Power Commission of the Province of Ontario, Dominion of Canada, or its representative from the provisions of the Public Utility Holding Company Act of 1935 or the rules, regulations or orders thereunder including section 12 (d) of the act and the order previously issued by the Commission herein pursuant to section 11 (b) (1) of the act, insofar as the same require application to and approval by the Securities and Exchange Commission with respect to such sale.

By the Commission (Commissioners Pike, O'Brien and McConnaughey) Chairman Purcell and Commissioner Healy being absent and not participating.

Dated: August 10, 1944.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12133; Filed, August 12, 1944; 2:38 p. m.]

[File No. 70-937]

MONTANA POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of August, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Montana Power Company, a subsidiary of American Power & Light Company, a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company; and

Notice is further given that any interested person may, not later than September 7, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All persons interested are referred to said declaration which is on file in the office of said Commission for a statement of the transactions thereon proposed, which is summarized below:

Montana Power Company proposed to employ treasury cash in an amount not exceeding $3,345,600 for the acquisition and purchase in the open market during a period of one year of the $2,788,000 outstanding non-callable Five Per Cent. First Mortgage Gold Bonds, due June 1, 1951 of Butte Electric and Power Company, a predecessor of Montana Power Company, which bonds were assumed by Montana Power Company upon its creation on December 12, 1912.

The filing designates section 12 (c) of the act and rule U-42 thereunder as applicable to the proposed transaction and states that since July 1, 1944 Montana Power Company has bought $228,000 principal amount of the above-described bonds at prices varying from 118½% to 119¾% of the principal amounts thereof, pursuant to the provisions of subparagraphs (4) and (5) of paragraph (b) of Rule U-42.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12132; Filed, August 12, 1944; 2:38 p. m.]

[File No. 70-919]

SAVANNAH GAS CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of August, A. D. 1944.

Savannah Gas Company, a subsidiary of American Gas and Power Company and of Community Gas and Power Company, registered holding companies, having filed a declaration pursuant to sections 6 (a) and 15 (f) of the Public Utility Holding Company Act of 1935 proposing to reduce its outstanding capital stock from $1,400,000 to $672,000 by reducing the par value of each of the 56,000 shares outstanding from $25 per share to $12 per share and thereby to create capital surplus in the amount of $728,000 which capital surplus will thereafter be used to eliminate certain amounts now included in the company's accounts in accordance with an order of the Georgia Public Service Commission;

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein:

It is hereby ordered, That the declaration be permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12134; Filed, August 12, 1944; 2:38 p. m.]

[File No. 70-920]

BIRMINGHAM GAS CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of August, A. D. 1944.

Birmingham Gas Company, a subsidiary of American Gas and Power Company and of Community Gas and Power Company, both registered holding companies, having filed an application pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935, requesting modification of a common stock dividend restriction contained in the amended application and declaration of Birmingham Gas Company (File No. 70-249) pursuant to which its presently outstanding first mortgage bonds were issued, such modified restriction being as follows:

So long as the ratio of Applicant's outstanding funded debt to the amount of its net property shall exceed 50%, Applicant will not (i) declare or pay any dividends on its Common Stock in excess of 50% of its net earnings available for dividends on Common Stock to be computed from January 1, 1944, up to the end of the calendar month immediately preceding that in which it is then proposed to declare such dividend, nor (ii) declare or pay any dividends on its Common Stock in excess of 60¢ per share in any twelve-month period commencing January 1, 1944, nor (iii) make any payment or distribution on such Common Stock (by purchase or otherwise, in money or other property) other than as permitted by (i) and (ii) above—in each case pending the further order or orders of the Commission * * *;

A public hearing having been held after appropriate notice and the Commission having issued its findings herein:

It is ordered, That the common dividend restriction be modified to the extent requested and that the application in respect thereof be granted forthwith subject, however, to the conditions prescribed in Rule U-24 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12135; Filed, August 12, 1944; 2:38 p. m.]

[File No. 59-72]

COLUMBIA GAS & ELECTRIC CORP., ET AL.

ORDER RECONVENING HEARING AND DESIGNATING TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of August 1944.

The Commission having on June 15, 1944, in accordance with its notice of and order for hearing issued on May 2, 1944 pursuant to sections 11 (b) (1) and (2) of the Public Utility Holding Company Act of 1935 in respect of Columbia Gas & Electric Corporation (Columbia) and its subsidiary companies, heard counsel for Columbia and other interested persons relative to certain procedural and substantive matters concerning the above entitled proceeding; and

The Commission having, pursuant to a request from Columbia dated August 3, 1944, this day issued its statement of tentative conclusions to the effect that

(a) The gas utility operations of, and the non-utility businesses conducted by the following named subsidiaries constitute one or more single integrated public utility systems and businesses reasonably incidental or economically necessary or appropriate to the operation of such system or systems, control of which may be retained by Columbia under the provisions of section 11 (b) (1) of the act.

Bracken County Gas Company.
Central Kentucky Natural Gas Company.
Cincinnati Gas Transportation Company.
Columbia Engineering Corporation.
Cumberland and Allegheny Gas Company.
Fayette County Gas Company.
Gettysburg Gas Corporation.
Greensboro Gas Company.
Huntington Development and Gas Company.
Manufacturers Gas Company.
The Manufacturers Light and Heat Company.
Natural Gas Company of West Virginia.
The Ohio Fuel Supply Company.
Point Pleasant Natural Gas Company.
The Preston Oil Company.
Union Gasoline & Oil Corporation.
United Fuel Gas Company.
Viking Distributing Company.[1]
Virginian Gasoline & Oil Company.
Warfield Natural Gas Company.

(b) The provisions of section 11 (b) (1) of the act do not permit the retention by Columbia together with the interests specified in paragraph (a) above of its interest, either direct or indirect, in securities issued and properties owned, controlled, or operated by the following companies:

American Water Works & Electric Company.
Argo Oil Corporation.
Bridge Gas Company.
The Cincinnati Gas & Electric Company.
The Cincinnati, Newport and Covington Railway Company.
Columbia Corporation.
The Dayton Power and Light Company.
The Dixie Traction Company.
The Licking River Bridge Company.
The Miami Development Company.
Miami Power Corporation.
Servel, Inc.
The Ohio Rule Supply Company.
The Union Light, Heat and Power Company.
The United Corporation.
West Harrison Electric and Water Company, Inc.
Wood Coal Company.
Wooster Tool & Supply Company.

(c) There be reserved for later consideration questions pertaining to (1) the retention by Columbia of any direct or indirect interest in American Fuel and Power Company and its subsidiaries and in securities held for the purpose of investment (other than those as to which conclusions are set forth in paragraph (a) and (b) above), and (2) the status of the properties and businesses of the companies listed below in relation to the retainable interests set forth in paragraph (a) above.

Big Marsh Oil Company.
Amere Gas Utilities Company.
Atlantic Seaboard Corporation.
Binghamton Gas Works.
Eastern Pipe Line Company.
Home Gas Company.
The Keystone Company.
Virginia Gas Distribution Corporation.
Virginia Gas Transmission Corporation.
Viking Distributing Company's retail gasoline service station business.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers to reconvene the hearing in the above entitled proceeding for the purpose of considering the matters herein set forth.

Now, therefore, it is ordered, That the hearing in the above entitled proceeding be reconvened on the 19th day of September, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That at such time and place the hearing will be reconvened for the purpose of incorporating by reference into the record of this proceeding such documentary evidence contained in the official files of this Commission as may be relevant and material to the matters herein concerned, and of adducing such additional evidence in the form of testimony or otherwise as may be relevant and material to such matters, and for the further purpose of affording respondents and any other interested persons an opportunity to be heard in respect of the statement of tentative conclusions referred to above as to whether such conclusions should become the final and definitive finding of the Commission, and as to why the Commission should not issue an order directing Columbia to dispose of its interest, direct or indirect, in securities and properties owned, controlled or operated by the companies named in paragraph (b) above.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the reconvened hearing aforesaid by mailing a copy of this order to Columbia Gas & Electric Corporation and its subsidiaries named in paragraph 6 of the Commission's notice of and order for hearing in this matter issued May 2, 1944, to the Trustee of American Fuel and Gas Company and Inland Gas Corporation. The United Corporation, Guaranty Trust Company of New York, the Public Utility Commissions of the States of Arkansas, Indiana, Kansas, Kentucky, Maryland, Michigan, New Mexico, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia and Virginia not less than 20 days prior to the date hereinbefore fixed as the date of the reconvened hearing; and that notice of said hearing is hereby given to Columbia Gas & Electric Corporation and its subsidiaries, to their security holders, and to all consumers of the subsidiaries of Columbia Gas & Electric Corporation, to all state municipalities and political subdivisions of states within which are located any of the physical assets of said companies or under the laws of which any of said companies is incorporated, all State Commission, State Securities Commissions, and all agencies, authorities and instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Columbia Gas & Electric Corporation or its subsidiaries or any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not later than 20 days prior to the date hereinbefore fixed as the date of hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-12150; Filed, August 14, 1944; 9:42 a. m.]

[1] Excluding any interest in, control or operation of, retail gasoline service stations.

[File No. 70-838]

THE LAKE SHORE GAS CO. AND ASSOCIATED ELECTRIC CO.

ORDER RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of August, A. D. 1944.

Associated Electric Company having filed an application-declaration, pursuant to sections 9 (a), 10, 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935, respecting a proposal to sell the entire interest of Associated Electric Company in The Lake Shore Gas Company, respecting the acquisition by

Associated Electric Company of certain assets of The Lake Shore Gas Company, and related matters;

Hearings having been held, proposed findings, exceptions thereto and briefs having been filed and oral argument heard; the Commission having considered the matter and being advised in the premises and having this day entered its findings and an opinion herein; on the basis of the said findings and opinion

It is ordered, That jurisdiction be, and it hereby is, reserved under sections 9 (a), 10, 12 (d) and 12 (f) of the said act to consider further any amendments to the said application-declaration respecting the treatment of an item of $370,674.09 on the books of The Lake Shore Gas Company now carried in the account for plant and other physical property in accordance with the views expressed in the aforementioned findings and opinion, and to enter such further order or orders respecting the said application-declaration as shall appear appropriate in the circumstances.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12151; Filed, August 14, 1944; 9:42 a. m.]

[File Nos. 54-69, 59-65]

OGDEN CORPORATION, ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of August, A. D. 1944.

The Commission having by order dated May 20, 1943, entered pursuant to section 11 of the Public Utility Holding Company Act of 1935, directed that Ogden Corporation, a registered holding company, and its subsidiaries take certain steps as specified in said order to comply with the provisions of section 11 (b) of the said act; and

Ogden Corporation and its subsidiary companies having filed an application requesting an extension of time for one year within which to comply with said order of May 20, 1943; and

The Commission having found that Ogden Corporation and subsidiaries have been unable in the exercise of due diligence to comply in its entirety with the provisions of said order within the initial statutory period of one year from the date thereof, and that the requested extension of time is necessary and appropriate in the public interest and for the protection of investors and consumers;

It is ordered, That Ogden Corporation and subsidiaries be, and they are hereby, granted an additional period of one year from May 20, 1944, within which to comply with said provision of said order of May 20, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12149; Filed August 14, 1944; 9:42 a. m.]

[File No. 70-940]

ASSOCIATED GAS AND ELECTRIC CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

In the matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, The United Coach Company, Associated Utilities Corporation, Associated Real Properties, Inc., The Railway and Bus Associates, Dover Casualty Insurance Co.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of August 1944.

Notice is hereby given that joint applications-declarations have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company; The United Coach Company ("United Coach"), a subsidiary of Agecorp; Associated Utilities Corporation ("Aucorp"), a registered holding company and a subsidiary of Agecorp; Dover Casualty Insurance Co. ("Dover") and Associated Real Properties, Inc. ("Areal"), both subsidiaries of Aucorp; and The Railway and Bus Associates ("Railway"), a subsidiary of Areal. All interested persons are referred to said joint applications-declarations which are on file in the office of the Commission for a statement of the purpose and nature of the proposed transactions, which may be summarized as follows:

(1) United Coach will be merged into Aucorp, which will assume all its liabilities and acquire all its assets, including an income note, due 1960, of Railway in the amount of $1,218,336.57. Thereupon all the outstanding shares of stock of United Coach held by Agecorp, and all indebtedness of United Coach to Aucorp will be surrendered for cancellation;

(2) Aucorp will purchase from Areal, its wholly-owned subsidiary, 166 shares of beneficial interest in Railway for a consideration of $1,000;

(3) Railway will liquidate and deliver all its assets, subject to its liabilities, to Aucorp. In connection therewith Aucorp will surrender to Railway for cancellation the 166 shares of beneficial interest in Railway which it proposes to acquire, as set forth in paragraph (2) above, and the income note, due 1960, of Railway in the amount of $1,218,336.57 which Aucorp will acquire from United Coach, as set forth in paragraph (1) above;

(4) Dover, having outstanding 2,500 shares of common stock, will purchase 1,600 shares for retirement from Aucorp for a consideration of $450,000 and correspondingly reduce its capital from $700,000 to $250,000. Dover will pay for said shares in part by delivering to Aucorp, at the market value thereof at the date of delivery, $200,000 principal amount of 3¾% income debentures, due 1978, and $125,000 principal amount of 8% bonds, due 1940, of Agecorp; and the balance of the purchase price will be paid by Dover to Aucorp in cash;

(5) Agecorp, holding a 2% convertible obligation, due 1963, of Aucorp, amounting to $82,747,814.86 at July 1, 1944, will receive from Aucorp, as payment on account, $3,300,000 in cash; the securities of Agecorp which Aucorp will acquire, as set forth in paragraph (4) above; and certain other securities and indebtedness of Agecorp, Associated Gas and Electric Company, The Mohawk Valley Company, and NY PA NJ Utilities Company, having an aggregate carrying value of $26,527,252.76;

(6) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will make a cash donation to NY PA NJ Utilities Company in the sum of $4,000,000 to be used by the latter to discharge its bank loan of like amount from Guaranty Trust Company of New York.

It is stated in the applications-declarations that the purposes of the proposed transactions, as summarized above, are to simplify the corporate structure of the Agecorp holding company system by eliminating unnecessary corporate entities and the transfer of the ownership of substantial amounts of securities to their issuers or to more logical owners. In addition, it is stated, NY PA NJ Utilities Company will be enabled to discharge its oustanding bank loan. It is further stated that the proposed program will facilitate the consummation of the plan of reorganization of Agecorp and Associated Gas and Electric Company.

Applicants-declarants have designated sections 9 (a), 10, and 12 (f) of the act and Rules U-42, U-43, and U-45 as applicable to the proposed transactions and state that no Federal commission other than this Commission has jurisdiction over the proposed transactions and that the New York Public Service Commission may have jurisdiction over the acquisition of certain securities.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be held on the 28th day of August, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before August 25, 1944, his application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented

by said filing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the various proposed acquisitions will serve the public interest by tending towards the economical and efficient development of an integrated public utility system or systems;

2. Whether the considerations to be paid and received in connection with the various transactions, including all fees, commissions and other remuneration, are fair and reasonable;

3. The property of the proposed accounting treatment of the several transactions on the books of the respective applicants and declarants; and

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, or, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing be given to applicants-declarants and to all other interested persons; said notice to be given to applicants-declarants and to the New York Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12152; Filed, August 14, 1944; 9:44 a. m.]

WAR SHIPPING ADMINISTRATION.

"DUBLIN"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on November 25, 1942, title to the vessel *Dublin*, (230228), including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pusuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *; and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: August 12, 1944.

E. S. LAND.
Administrator.

[F. R. Doc. 44-12162; Filed, August 14, 1944; 10:36 a. m.]

"MARIE"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on July 2, 1942, title to the vessel *Marie* (236927), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *; and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: August 12, 1944.

E. S. LAND.
Administrator.

[F. R. Doc. 44-12163; Filed, August 14, 1944; 10:36 a. m.]

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Chapter XI
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PART 1405

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FEDERAL REGISTER

VOLUME 9 NUMBER 163

Washington, Wednesday, August 16, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 6-1, Amdt. 4]

PART 1405—FRUITS AND VEGETABLES

CITRUS FRUIT

War Food Order No. 6-1 (8 F.R. 998, 2376, 14785, 9 F.R. 4321, 4319, 8000), as amended, is further amended by inserting in § 1405.3 (a) (1) thereof the term "5 percent" as the percentage of oranges to be set aside with respect to shipments of oranges from California and Arizona, respectively.

This amendment shall become effective at 12:01 a. m., p. w. t., August 13, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 6-1, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 6-1, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 6, 8 F.R. 511, 9 F.R. 4321, 4319)

Issued this 12th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-12203; Filed, August 14, 1944; 2:45 p. m.]

[WFO 7-1, Termination]

PART 1430—SUGAR

TERMINATION OF RAW SUGAR ALLOTMENTS

War Food Order No. 7-1, as amended (9 F.R. 6801), is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., August 17, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 7-1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 7, 8 F.R. 10605, 9 F.R. 4319)

Issued this 12th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-12202; Filed, August 14, 1944; 2:45 p. m.]

[WFO 78, Amdt. 2]

PART 1599—PROCEDURAL REGULATIONS

ISSUANCE OF ORDERS RESULTING FROM VIOLATIONS OF PRIORITY OR ALLOCATION ORDERS

War Food Order No. 78 (9 F.R. 4321, 4319, 6202) formerly known as Procedural Regulation 1, issued December 4, 1943 (8 F.R. 16497), is hereby further amended as follows:

1. By deleting § 1599.5 (c) therefrom and substituting the following:

(c) When the Compliance Officer determines that an order (including, but not limited to, an order suspending, revoking, or withdrawing, in any manner, any quota, license, or authorization) should be issued against the respondent, the Compliance Office shall make a recommendation therefor to the Director, and transmit his recommendation, together with the docket containing all of the papers in the proceeding, to the Director.

2. By deleting from § 1599.25 (b) the words "recommended order" and substituting therefor the word "recommendation."

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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This amendment shall become effective at 12:01 a. m., e. w. t., August 14, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; and Delegation of Authority, 8 F.R. 13698)

Issued this 12th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–12206; Filed, August 14, 1944; 8:40 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5396]

PART 9—INCOME TAX UNDER THE REVENUE ACT OF 1938

ACCUMULATION OF EARNINGS OR PROFITS TO AVOID SURTAX

Corporate income tax returns to be given particular attention to determine the application of the provisions of section 102 of the Internal Revenue Code, and the corresponding section of the Revenue Act of 1938, relating to unreasonable accumulation of earnings or profits to avoid surtax.

Effective immediately, section 22.1 of Treasury Decision 4914, dated July 26, 1939 (26 CFR, 1939 Supp., 9.102–2, note) is amended as follows:

(A) By striking out paragraph (b) and inserting in lieu thereof the following:

(b) The examining officer's report in every instance shall contain a specific recommendation for the application or nonapplication of section 102.

(B) By striking out paragraph (d).

(C) By relettering paragraph (e) as paragraph (d) and changing the word "paragraph" therein to read "subsection".

(D) By relettering paragraph (f) as paragraph (e) and striking out the phrase ", reports, and memorandums" in both places in which it occurs therein.

(Secs. 62 and 3791 of the Internal Revenue Code, 53 Stat. 32, 467; 26 U.S.C., 1940 ed., 62, 3791)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: August 12, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–12204; Filed, August 14, 1944; 8:21 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 18, Amdt. 2]

PART 602—GENERAL ORDERS AND DIRECTIVES

PENNSYLVANIA ANTHRACITE

SFAW Regulation No. 18 is hereby amended in the following respects:

1. Whenever the term "90 per cent" appears in §§ 602.334, 602.336, 602.337, 602.339, 602.340, 602.341 and 602.343 (b), such sections are amended to read "87½ per cent."

2. Sections 602.334, 602.336 (a) (i) and (d) (i), 602.339 (a) and the first paragraph of § 602.341 are each amended by the addition of the following:

In respect to producers, wholesalers and retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of 87½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of 1/12 of 87½ per cent of the base period tonnage, as adjusted, but not in excess of 1/12 of 90 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

3. Section 602.336 (b) and (c) are each amended by the addition of the following:

In respect to producers and wholesalers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of 87½ percent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of 1/9 of 87½ percent of the base period tonnage, as adjusted, but not in excess of 1/9 of 90 percent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

4. Section 602.336 (a) (ii) is amended to read as follows:

(ii) Each producer and each wholesaler (including a lake dock operator) shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied to each equipped retail dealer in the United States and Canada up to but not in excess of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer.

5. Section 602.336 (d) (ii) is amended to read as follows:

(ii) Each producer and wholesaler shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) for shipment by truck to each person with whom he has an established base period tonnage for truck shipments of such coal so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied each such person up to but not in excess of the base period tonnage, as adjusted, of such person.

6. Section 602.349 is amended to read as follows:

§ 602.349 *Adjustments of base period tonnage of No. 2 buckwheat (rice).* SFAW will grant an equitable upward adjustment of the base period tonnage of No. 2 buckwheat (rice) of any retail dealer in the United States, or any person who receives anthracite by truck from a mine or preparation plant pursuant to § 602.336 (d) of this regulation, who demonstrates that (i) he received less tonnage of this size during the period April 1, 1943 to March 31, 1944 than he received during the corresponding period April 1, 1942 to March 31, 1943, and (ii) unless his base period tonnage of this size is adjusted upward hardship will result to consumers who need this size in automatic stokers and whom he supplies with this size in the community he serves. Applications for such adjustments shall be filed in triplicate prior to October 1, 1944 with the Regional Representative of SFAW for the region in which the retail dealer has his place of business.

This amendment shall become effective on the date of issuance.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 14th day of August 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 44-12221; Filed, August 15, 1944; 11:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 252, 2d Ed.]

PART 627—APPEAL TO BOARD OF APPEAL

DECISION OF BOARD

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (a) of § 627.26 (6 F.R. 6846, 8 F.R. 16721) to read as follows:

§ 627.26 *Decision of board of appeal.* (a) The board of appeal shall classify the registrant, giving consideration to each class in the order in which the local board gives consideration thereto when it classifies a registrant, except that a board of appeal may not place a registrant in Class IV–F because of physical or mental disability unless (1) the registrant has been found by the local board or the armed forces to be disqualified for any military service because of physical or mental disability, and (2) the board of appeal has determined that the registrant is not entitled to any other deferred classification.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 10, 1944.

[F. R. Doc. 44–12205; Filed, August 14, 1944; 8:49 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3866, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 25]

SPECIAL AUTHORIZATIONS FOR PRODUCTION OF RESTRICTED PRODUCTS

§ 944.46 *Priorities Regulation 25*—(a) *What this regulation does.* This regulation establishes methods to be used in authorizing the resumption of civilian production as local conditions permit. It provides a way by which manufacturers may be authorized to make articles which are otherwise restricted or prohibited by orders of the War Production Board but only when they have labor and facilities available which are no longer needed for essential purposes. The present lack of labor, material and facilities is evidenced by present restrictions in WPB orders limiting or prohibiting the manufacture of certain items and requiring substitution of materials and simplification of design. Labor conditions in a number of areas are so critical as to prohibit or severely limit authorization of production under this regulation. Production under this regulation must in no way interfere with either war production, the production of essential civilian articles, or the rendering of services essential to the public welfare. The War Production Board will authorize production under this regulation only under these general policies and when the conditions described below are met.

(b) *What products are covered by this regulation.* This regulation applies only to those products that are covered by WPB orders (such as an "L" or "M" order) in which provision is made for authorization to manufacture under this regulation, or which are listed on a direction to this regulation. No application to produce should be filed unless the product is covered by an order containing such a provision or so listed on a direction to this regulation. It is contemplated that orders and directions will be amended from time to time as conditions warrant the addition of permitted products or require the elimination of products previously permitted.

(c) *Nature of authorizations.* Authorizations under this regulation will not affect any provision of WPB orders except to the extent specifically provided in the order or in a direction to this regulation. Generally, such orders or directions will provide that authorizations under this regulation will only permit production of a restricted or forbidden product, and will not change simplification, standardization, specifications, or similar provisions of the order. Any authorization granted a manufacturer under this regulation may be revoked by the War Production Board at any time

it finds that the labor, materials, or facilities being used in such production are needed for essential purposes.

(d) *How to obtain permission.* Production is authorized under this regulation only when specific permission is granted to the individual manufacturer by the War Production Board. If a person wishes to obtain authorization under this regulation and the applicable orders so provide or a direction has been issued to this regulation making provision for authorization to manufacture the product, he should file Form WPB 4000 accompanied by Form WPB 3820 (Revised) with the Field Office of the War Production Board for the district in which his plant is located. The application on Form WPB 4000 should be filed in accordance with the instructions on the form. If the application is approved, the person filing it will receive from the War Production Board an authorization stating the amount of production authorized and any special conditions applicable to manufacture by him.

(e) *General policy in the granting of authorizations.* The following indicate some important considerations of policy in the granting or denial of applications under this regulation. These should be borne in mind by manufacturers requesting authorization under the regulation:

(1) Authorization to produce will in no case be granted if production will in any way interfere with either war production or the production of essential civilian articles.

(2) The labor and facilities to manufacture must be available to the applicant and not required for more essential purposes. The application will be denied if the applicant's proposed use of labor would interfere with local and inter-regional recruitment of labor.

(3) In general, more favorable consideration will be given to applications where the articles can be produced from idle, excess or frozen materials and components, whether in the applicant's inventory or available from others, than where new materials and components are required.

(4) Preference ratings of AA–5 will be assigned but only for the production of utility items of importance in civilian requirements. A list of these items can be obtained at your nearest local War Production Board Field Office. In general, more favorable consideration will be given to applications for the production of these items.

(5) Before making application, the applicant should investigate the supply situation of the material and components which he will require. In general, more favorable consideration will be given to applications where the new materials needed to produce the product can be readily obtained with an AA–5 rating (if a utility item) or without a rating.

(f) *Authorized production schedule, allotments and preference ratings.* (1) A manufacturer whose application is approved under this regulation will be given an authorized production schedule and assigned a CMP allotment symbol on Form CMPL–150C. When controlled materials are available, allotments may be made in limited amounts and will be "deferred allotments" under Direction 54 to CMP Regulation No. 1. Preference ratings may be assigned as explained in paragraph (e) (4). Production of the product and the use of the allotment and preference rating are subject to the provisions of applicable CMP regulations. If the product which is authorized will not require the incorporation of steel, copper or aluminum in controlled material form (or incorporation of Class A components) the use of the preference rating is subject to the provisions of Priorities Regulation 11B. Persons operating under Priorities Regulation 25 are also subject to the provisions of other applicable priorities regulations.

(2) No person may use any material or products to fill a production schedule authorized under this regulation which he got by use of a preference rating or allotment symbol assigned for another purpose unless he is unable to use or dispose of the material or products for the purpose for which the rating or allotment was given. For instance, if a manufacturer has made vacuum cleaner repair parts by use of an allotment and preference rating assigned for that purpose, he cannot use any of those parts in making vacuum cleaners authorized under this regulation.

(3) Authorization of a production schedule under this regulation does not of itself give the applicant a preference rating of AA–5 under § 944.1 (b) of Priorities Regulation No. 1.

(g) *Acceptance and filling of rated purchase orders.* A manufacturer who has received an authorization to produce a product under this regulation must continue to accept and fill rated purchase orders for all products in accordance with the provisions of Priorities Regulation 1.

(h) *Special treatment of unrated orders placed under this regulation.* Certain orders of the War Production Board require a rating of AA–5 before a purchase order for products or materials covered by the order may be placed, or the products or materials be manufactured or delivered. Despite the provisions of any such WPB order, an unrated purchase order placed for materials required to fill a production schedule identified by the CMP Allotment Symbol Z–1 may be accepted and filled. The supplier may reject the order if he desires but if he accepts the order, it must be scheduled for production and delivery as an unrated order. In placing the order the buyer should endorse it with the allotment symbol Z–1 received on the CMPL–150C, and the standard certification of Priorities Regulation No. 7.

(i) *Relation to appeals procedure.* The appeals procedure provided for in orders and regulations of the War Production Board will continue in effect, with modifications (indicated in the respective orders), for those orders which are amended to permit production under this regulation. Also in the case of orders which have not been so amended and which are listed in a direction to this regulation, authorization is to be requested under this regulation if the only exemption sought is from provisions which prohibit manufacture entirely or restrict the amount of manufacture permitted. If relief from other provisions is sought, an appeal should be filed in the manner indicated in the particular order.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12237; Filed, August 15, 1944; 11:22 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 25, Direction 1]

WPB ORDERS COVERED BY PRIORITIES REGULATION 25

The following direction is issued pursuant to Priorities Reg. 25:

Production of products covered by the following WPB orders may be authorized under Priorities Regulation 25. The order should be referred to, since it may still restrict models and types that may be made or materials that may be used, or impose other limitations on the product; from these provisions the regulation will in most cases afford no relief.

If one of the following orders is amended to refer to Priorities Regulation 25, authorization under the regulation will affect the provisions of the order only to the extent provided in the amended order.

Until one of the following orders has been specifically amended to provide otherwise, authorizations granted under this regulation will give relief only from the provisions of the order which either prohibit manufacture entirely or restrict the amount of manufacture permitted. The authorization will not in any way relieve the person receiving it from any other restrictions of the order. For example, the following types of restrictions must still be complied with: Restrictions on the types of models which can be made, on the kind of materials which can be used, on the amount of materials which can be used in producing any unit of the article, on the end uses for which production is permitted, on deliveries of the product, on inventories, etc. Thus, with respect to an "L" order not amended to provide otherwise, which restricts both (1) the amount of material used in a plant's total production of an article and (2) the amount of material per unit manufactured, relief would be granted under this regulation from the first restriction but not from the second.

Automotive Division

L–80 Outboard Motors and Parts.
L–158 Automotive Replacements Parts.
L–180 Replacement Storage Batteries.
L–270 Automotive Maintenance Equipment.

Building Materials Division

L–205 House Trailers and Expansible Mobile Houses.
L–225 Electrical Conduit, Electrical Metallic Tubing, and Raceways.

Consumers Durable Goods Division

L–5–c Domestic Mechanical Refrigerators—except electric and gas.
L–6 Domestic Laundry Equipment—except washing machines.
L–7–c Domestic Ice Refrigerators.
L–13–a Metal Office and Industrial Furniture and Fixtures.
L–13–b Domestic Vacuum Cleaners.

L-21-a Automatic Phonographs, Weighing, Amusement and Gaming Machines.
L-23-b Domestic Electric Ranges.
L-27 Vending Machines: Merchandise.
L-28 Incandescent, Fluorescent, and Other Electric Discharge Lamps.
L-30-a Galvanized Ware and Nonmetal Coated Metal Articles.
L-30-b Enameled Ware.
L-30-c Cast Iron Ware.
L-30-d Miscellaneous Cooking Utensils and Other Articles.
L-30-e Aluminum Cooking Utensils, Kitchenware, and Household Articles.
L-33 Portable Electric Lamps and Shades.
L-36 Umbrella Frames.
L-37-a Musical Instruments.
L-49 Beds, Bed Springs, Mattresses, and Dual Sleeping Equipment.
L-52 Bicycles and Bicycle Parts.
L-62 Metal Household Furniture.
L-65 Electrical Appliances.
L-65-a Electric Irons.
L-67 Lawn Mowers.
L-71 Dry Cell Batteries and Portable Electric Lights.
L-73 Office Supplies.
L-92 Fishing Tackle.
L-93 Golf Clubs.
L-98 Domestic Sewing Machines.
L-104 Metal Hair Pins and Metal Bob Pins.
L-136 Church Goods.
L-140-a Cutlery.
L-140-b Flatware and Hollow Ware.
L-176 Domestic and Commercial Electric Fans.
L-227 Fountain Pens and Mechanical Pencils.
L-227-a Pen Nibs.
L-227-b Wood Cased Pencils and Pen Holders.
L-267 Photographic and Projection Equipment, Accessories, and Parts.
L-275 Alarm Clocks.
L-301 Powercycles.
L-308 Domestic Food Dehydrators.

Farm Machinery Division

L-257 Farm Machinery and Equipment and Attachments and Repair Parts—except Tractors.

General Industrial Equipment Division

L-38 Industrial and Commercial Refrigerating and Air-Conditioning Machinery and Equipment.
L-89 Elevators and Escalators.
L-292 Food Processing Machinery.
L-314 Lubrication Equipment.

Government Division

L-55 Shotguns.

Plumbing and Heating Division

L-23-c Domestic Cooking Appliances and Domestic Heating Stoves.
L-42 Plumbing and Heating Simplification.
L-74 Oil Burners.
L-75 Coal Stokers.
L-173 Oil and Gas Burning Space Heaters.
L-182 Commercial Cooking and Food and Plate Warming Equipment
L-185 Water Heaters
L-187 Cast Iron Boilers
L-199 Plumbing and Heating Tanks
L-248 Commercial Dishwashers

Printing and Publishing Division

L-188 Loose-Leaf Metal Parts and Units
L-226 Printing and Publishing Machinery, Parts, and Supplies

Radio and Radar Division

L-151 Domestic Watthour Meters.

Safety and Technical Equipment Division

L-30 Fire Protective, Signal and Alarm Equipment
L-238 Sun Glasses

Service Equipment Division

L-29 Metal Signs
L-54-a Typewriters
L-54-c Office Machinery
L-91 Commercial Laundry Equipment, Dry Cleaning Equipment, and Tailor's Pressing Equipment
L-190 Scales, Balances, and Weights
L-222 Floor Machines, Rug-Scrubbing Machines, Industrial Vacuum Cleaners and Blowers for Cleaning Purposes
L-325 35 mm Motion Picture Projection Equipment and Accessories

Textiles Bureau

L-68 Closures and Associated Items

Tools Division

L-201 Automotive Tire Chains, Tractor Tire Chains and Chain Parts

Communications Division

U-8 Order Limiting the Manufacture of Telephones

Copper Division

M-9-c-1 Copper and Copper Base Alloy Shoe Findings
M-9-c-3 Copper (Bronze Powder)

Until one of the following orders is amended to refer to Priorities Regulation 25, an authorization granted under the regulation will permit the use of the material controlled by the order for the purpose authorized. Other restrictions such as those on delivery, inventory, etc., will not be affected. If such order is amended, the authorization will grant relief to the extent provided in the amendment.

Certain other orders of the War Production Board contain restrictions on the use of material controlled by the following orders. Whether or not the order listed below has been amended, these restrictions remain in effect and on authorization granted under Priorities Regulation 25 will not operate to waive any such restrictions unless the other order (usually an "L" order), or this or another Direction to Priorities Regulation 25 provides otherwise.

Aluminum and Magnesium Division

M-1-k Aluminum
M-2-b Magnesium

Copper Division

M-9-c Copper

Miscellaneous Minerals Division

M-146 Quartz crystals

Steel Division

M-126 Iron and Steel Conservation (except Gasoline pumps)

Tin and Lead Division

M-38 Lead (except Item 11a in List A—foil for packaging)

Zinc Division

M-11-b Zinc

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12238; Filed, August 15, 1944; 11:22 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-332, as Amended Aug. 15, 1944]

CONTAINER MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of material used in the production of container machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.137 *General Limitation Order L-332*—(a) *What this order does.* This order restricts deliveries of new, used, and reconditioned container machinery; it does not restrict deliveries of repair parts. The order requires manufacturers to file monthly operations reports.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Container machinery" means all new, used, and reconditioned machinery and equipment of the types listed in Schedule A of this order having a retail sales value of $500 or more (unless otherwise indicated).

(3) "Manufacturer" means any person engaged in the fabrication, assembly, reconditioning or rebuilding of container machinery.

(4) "Dealer" means any person engaged in the business of purchasing container machinery for resale.

(5) "Order" includes any arrangement for the delivery of container machinery or equipment, whether by purchase and sale, lease, rental or otherwise.

(c) *Restrictions on sales and deliveries.* After March 1, 1944, no person shall place an order for container machinery and no person shall accept such an order or deliver container machinery to fill an order received after March 1, 1944, unless the order bears a rating of AA-5 or higher. Neither shall any person make or accept delivery under any order placed or accepted before March 2, 1944, if delivery before that date would have violated Order L-83, as amended November 4, 1943.

(d) *Exemptions.* The limitations and restrictions of paragraph (c) shall not apply to the following transactions:

(1) The renewal of a lease for any container machinery if the original lease or any prior renewal was approved in accordance with this order (or Order L-83) and the machinery is still being used for the purpose approved.

(2) Any order for container machinery for the direct use of the Army, Navy, Maritime Commission or War Shipping Administration.

(3) The seizure of container machinery (but not subsequent disposition or use thereof) upon default, by any person pursuant to the terms of a conditional sales agreement, chattel mortgage,

pledge, or other security agreement; and the distraint or levy by execution (but not subsequent disposition thereof) by tax authorities.

(4) The transfer of container machinery (but not subsequent disposition thereof) by will or intestacy, or a transfer by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, receivership, or assignment for the benefit of creditors.

(5) The transfer of container machinery as part of a transaction, such as merger, consolidation, sale and purchase of assets, sale and puchase of stock, or lease of plant, involving the transfer of all or substantially all of the assets of an enterprise, where no liquidation or dismemberment of assets is contemplated.

(6) The transfer of container machinery, within a plant, or within a single corporate enterprise (including majority owned subsidiaries) from one plant or branch to another: *Provided, however*, That nothing in this subparagraph (6) shall be construed to permit transfers from a portion of an enterprise manufacturing, building or assembling new machinery to a portion using it unless the material for its production was obtained in accordance with Direction 34 of CMP Regulation 1.

(7) The transfer of container machinery (but not subsequent disposition thereof) as a trade-in, where the machinery to be installed is delivered pursuant to an approved order.

(8) Transfers of used container machinery to dealers.

(9) The delivery of container machinery for repair and return, the return of a repaired machine, and the loan of a machine to the user, for a period not to exceed three months pending the repair of the damaged machine.

(10) The transfer of container machinery to be scrapped for its material content.

(11) The unloading, from a vessel, of any imported container machinery.

(12) The transfer of any interest in any written instrument evidencing an interest in container machinery: *Provided, however*, That nothing in this subparagraph (12) shall be construed to permit the physical delivery or use of container machinery.

(13) The return of any leased container machinery by the lessee to the lessor upon the expiration, termination, or cancellation of the lease.

(14) The exchange of leased container machinery requiring factory repairing or rebuilding for new, reconditioned or rebuilt units fitted for the same size container, and of like model, size and capacity, provided the machinery to be replaced was approved in accordance with this order (or Order L–83) and the machinery to be acquired will be used for the purpose approved.

(e) *Operations reports.* Each manufacturer shall, on or before the 10th day of each month, commencing with March, 1944, file with the War Production Board an operations report on Form WPB–3551, in accordance with the instructions accompanying the form.[1]

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(4) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. L–332.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

I. The following machinery and equipment are covered by this order, except as indicated below:

1. Bag making machinery and equipment, excluding textile bag forming and stitching machines.
2. Metal can and drum making machinery and equipment, including, but not limited to, sheet metal feeders, coaters and baking ovens.
3. Metal can and drum cleaning and reconditioning equipment.
4. Paper can, tube, box and carton making machinery.
5. Glass jar and bottle making machinery and equipment.
6. Metal cap and crown making machinery and equipment, including, but not limited to, sheet metal feeders, coaters and baking ovens.
7. Packaging machinery and equipment, including, but not limited to, fillers, labelers, wrappers, strappers, tying machines, case sealing machines, heavy duty staplers and stitchers, power driven for large and heavy cartons.
8. Screw capping machines.
9. Can, jar and bottle capping, closing and sealing machinery and equipment (other than screw capping machines) having a retail sales value of $25 or more inclusive of motors.

[1] This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

II. The following machinery and equipment are specifically excluded from the provisions of this order:

1. Filling, labeling, washing and casing machinery used in canning, freezing and fresh packing of meats, fruits, vegetables and fishery products (as covered in Order L–292).
2. Bottling, bottle capping, bottle labeling and bottle washing machinery used for dairy products, brewery and winery products or non-alcoholic beverages (as covered in Order L–292).
3. Wrapping machinery used for bakery, dairy or tobacco products (as covered in Order L–292).
4. Wood container manufacturing machinery (as covered in Order L–311).
5. Graphic arts machinery (as defined in Order L–226).

[F. R. Doc. 44–12236; Filed, August 15, 1944; 11:23 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L–292, as Amended Aug. 15, 1944]

FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77 *General Limitation Order L–292*—(a) *Definitions.* For the purpose of this order:

(1) "Processor" means any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution, including the operation of a food processing plant on a farm. It does not include (i) a person to the extent that he engages in the production or raising of crops, livestock, or other farm produce; or (ii) a person to the extent that he prepares food for consumption on the premises (such as a hotel or restaurant), or distributes it at retail (such as a grocery or retail meat market); or (iii) governmental agencies processing food for governmental use, hospitals, charitable institutions processing food for their own use, or educational institutions.

(2) "Food processing machinery" means new machinery and equipment, of the kinds specified in Schedule A with a retail sales value of $50 or more for each machine or piece of equipment, excluding (i) refrigerating machinery and equipment as defined in Limitation Order L–38, (ii) machinery and equipment used on a farm for production of food or tobacco or on a fishing vessel for handling food, prior to delivery to a processor, (iii) scales and balances as defined in limitation Order L–190, (iv) conveying machinery as defined in Limitation Order L–193, (v) machinery and equipment used for packaging, filling or labelling containers, except as otherwise indicated in Schedule A, (vi) oil processing machinery and equipment used in processing animal, fish and vegetable fats, oils and greases, and (vii) water filters as water-treating equipment.

(3) "Manufacturer" means any person engaged in the making or assembling of food processing machinery; and includes his subsidiaries and affiliates in the same business.

(4) "Dealer" means any person except a manufacturer engaged in the business of buying and reselling food processing machinery.

(5) "Approved order" means any order for delivery (under sale, lease, consignment or otherwise) of food processing machinery bearing (i) a rating of AA–5 or higher assigned on any WPB or FEA Form listed in paragraph (c) or (ii) a CMP Regulation 5 or 5A rating applied to replace an existing piece of machinery of substantially the same size and capacity, worn out or damaged beyond repair.

(b) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of food processing machinery except on an approved order. Any person who places an approved order shall in addition to the certification used in applying the rating (Priorities Regulation 3 or 7) give the form number upon which he received the rating, or if the rating was assigned by CMP Regulation 5 or 5A, he shall add to the certification a statement substantially as follows: "This rating was assigned by CMP Regulation 5 (or 5A) and the machinery is ordered to replace other machinery of substantially the same size and capacity, worn out or damaged beyond repair."

(2) The restrictions of subparagraph (1) above shall not apply to: (i) Deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace in inventory machinery delivered by him to fill approved orders, (ii) delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commission, or War Shipping Administration, (iii) delivery to a manufacturer of food processing machinery to be incorporated into other food processing machinery, or (iv) delivery of food processing machinery from one portion of an enterprise manufacturing, building or assembling it to a portion using it, when the material for its production was obtained by the manufacturer in accordance with Direction 34 of CMP Regulation 1.

(c) *Instructions for obtaining an approved order other than pursuant to a CMP Regulation.* (1) Processors seeking food processing machinery for delivery within the United States or Canada, in order to get a rating should file:

(i) Form WPB–617 with the War Production Board for any food processing machinery which is to be installed as part of a project approved under Order L–41.

(ii) Form WPB–748 with the War Food Administration for all other dairy, egg or poultry processing equipment.

(iii) Form WPB–576 with the War Food Administration for all other canning machinery or equipment.

(iv) Form WPB–3155 with the War Food Administration for all other meat canning, meat packing and meat processing machinery or equipment.

(v) Form WPB–541 with the War Production Board for any other food processing machinery.

(2) All persons, other than processors, seeking any food processing machinery for delivery within the United States or Canada should file Form WPB–541 with the War Production Board.

(3) All persons, including processors, seeking any food processing machinery for export by them to other than Canada should file Form WPB–541 or Form FEA–419, whichever is appropriate with the War Production Board.

(d) *Restrictions on manufacture.* No manufacturer shall make or assemble any new food processing machinery or equipment of the kinds listed on Schedule B except as permitted by production quotas assigned under paragraph (f) of this order. The limitations and restrictions of this paragraph shall not apply to the manufacture of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were made before June 5, 1943.

(e) *Conservation of critical materials.* No person shall use stainless steel or tin, copper or copper base alloys, secondary copper-nickel alloys (white metal) made from scrap or remelt, nickel or chromium, in the manufacture or assembly of any food processing machinery except in contact parts or corrosion points. (As used herein "contact parts" means those parts which come in direct contact with any food products. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.) These restrictions on the use of materials shall not apply to repair parts for food processing machinery produced before June 30, 1943, if parts made of other material would not be interchangeable with the parts to be repaired or replaced. This paragraph also does not restrict the use of copper and copper-base alloys in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers.

(f) *Production quotas.* The War Production Board may at any time issue schedules as amendments to this order, fixing production quotas for certain types of food processing machinery. From the effective date of any such schedule no manufacturer may carry on production except as permitted by the schedule or schedules applicable to the food processing machinery made or assembled by him. The reference to "quota provisions of paragraph (g) (2) (ii) of Order L–292" in schedules issued by the War Production Board before March 11, 1944 shall, for the purpose of such schedules, mean this paragraph (f) of Order L–292.

(g) *Miscellaneous provisions*—(1) *Reports.* On or before the 15th day of each calendar month, each manufacturer shall file a report on Form WPB–2721. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L–292.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery" under paragraph (a) (2).

1. Baking and macaroni processing machinery and equipment. This term includes all preparation and processing machinery and equipment, and slicing and wrapping machinery used in commercial bakeries.

2. Brewing and winery machinery and equipment, including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, freezing, and fresh packing of fruits, vegetables, fishery products including fishery by-products) and all other human or animal food. It also includes preparation machinery and equipment used for dehydrating such foods. It does not include (i) preparation equipment for meat and meat products (ii) home canning and home dehydrating equipment (iii) container sealing and closing and jar capping machines (iv) refrigerating equipment, and (v) steam jacketed kettles regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, as governed by Limitation Order L–182. (Machinery for filling, labeling and casing dehydrated foods is covered by Order L–332.)

4. Coconut shredding and processing equipment.

5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.

6. Confectionery machinery and equipment.

7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, eggs and poultry, including bottling, bottle capping and bottle labeling machinery and equipment and wrapping machinery but excluding (i) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (ii) machinery or equipment covered by the provisions of Limitation Order L-257.

8. Flour, grain, feed milling and processing machinery and equipment and seed cleaning equipment.

9. [Deleted Nov. 22, 1943]

10. [Deleted Mar. 11, 1944]

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes power-driven disc and blade saws (of fractional horsepower or more), band saws (1 horsepower or more), slicers (1 horsepower or more), and grinders (1 horsepower or more), and all other machinery and equipment used in the preparation and processing of meat products, filling, labelling and casing machinery, except (i) home canning equipment, (ii) container sealing and closing and jar capping machines, and (iii) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labelling machinery and equipment but excluding refrigeration machinery and equipment.

13. Sugar processing machinery and equipment.

14. Tobacco processing machinery and equipment, including wrapping machinery.

15. [Deleted Mar. 11, 1944]

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless specifically provided for under the terms of paragraph (f).

1. [Deleted Mar. 11, 1944]
2. [Deleted Mar. 11, 1944]
3. All coconut shredding and processing equipment.
4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated coffee.
5. All confectionery machinery.
6. [Deleted Mar. 11, 1944]
7. [Deleted Mar. 11, 1944]
8. [Deleted Mar. 11, 1944]
9. [Deleted Mar. 11, 1944]
10. [Deleted Mar. 11, 1944]
11. [Deleted Mar. 11, 1944]
12. [Deleted Mar. 11, 1944]
13. [Deleted Mar. 11, 1944]
14. Tobacco processing machinery and equipment, including wrapping machinery.

SCHEDULE C

[Deleted Mar. 11, 1944]

SCHEDULE D

[Deleted Mar. 11, 1944]

INTERPRETATION 1

FOOD PROCESSING MACHINERY

Paragraph (a) (5), in defining "approved orders" for food processing machinery, includes orders bearing a preference rating of AA-5 or higher assigned on certain specified forms (WPB-617, 576, 749, etc.). These forms in some cases call for the name and address of the supplier.

In these cases, the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-per-minute dairy can washer costing $1000 may not be used to get a 6-can-per-minute can washer costing $2500. Similarly, a rating for a copper lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited. [Issued March 31, 1944.]

INTERPRETATION 2

FOOD PROCESSING MACHINERY

In accordance with paragraph (f) of General Limitation Order L-292, as amended, certain quota schedules have been established limiting the amount of controlled materials which may be used in manufacturing certain classes of food processing machinery during a specified quota period. The quota is a percentage of the average annual amount of such material consumed during a specified base period. The percentage applies to each controlled material (steel, copper or aluminum) separately. No part of the percentage of one controlled material shall be added to the total percentage of another. However, the permitted percentage of a particular controlled material may be divided in any way between the several categories of such material. For example: where a manufacturer is permitted to consume during the quota period 110% of the average annual amount of steel and copper he consumed during the base period, he is not permitted to apply part or all of his steel quota to his copper quota and thereby exceed his copper quota of 110%. However, he may consume during the quota period such amounts of carbon steel and such amount of alloy steel as he chooses provided the aggregate does not exceed 110% of the average annual amount of steel consumed during the base period. This rule is subject to the restriction of any order of the War Production Board against the use of a higher grade or larger quantity of material than is necessary (for example, see paragraph (c) (1) of Order M-9-c, dealing with copper). [Issued April 3, 1944.]

[F. R. Doc. 44-12236; Filed, August 15, 1944; 11:23 a. m.]

PART 3286[1]—MISCELLANEOUS MINERALS

[Conservation Order M-285, as Amended Aug. 15, 1944]

URANIUM

Section 3286[1] Conservation Order M-285 is hereby amended to read as follows:

§ 3286 *Conservation Order M-285*—(a) *Restrictions on sale and delivery for certain uses.* No person shall sell or deliver (including deliveries under toll agreement) uranium or uranium compounds, alloys, or mixtures containing 0.05% or more by weight of uranium as U_3O_8, for use in the manufacture or decoration of glass, glassware, pottery, tile, or other ceramic product, or for use in the manufacture or processing of photographic plates, films, or papers.

(b) *Restrictions on purchase and receipt for certain uses.* No person shall purchase or receive (including receipts under toll agreement) uranium or uranium compounds, alloys, or mixtures containing 0.05% or more by weight of uranium as U_3O_8, for use in the manufacture or decoration of glass, glassware, pottery, tile or other ceramic product, or for use in the manufacture or processing of photographic plates, films or papers.

(c) *General restrictions on purchases and sales.* (1) Beginning September 1, 1944, no person shall purchase or receive from all sources during any calendar month a total of 10 pounds or more of uranium or uranium compounds, alloys, or mixtures, (containing 5 percent or more by weight of uranium as U_3O_8) without specific authorization from the War Production Board. An application to obtain such authorization may be made by mailing Form WPB 3909 in sextuplicate to the War Production Board, P. O. Box 175, Madison Square Station, New York 10, New York. Applications should be filed by the 20th day of the month before the proposed delivery month.

(2) Beginning September 1, 1944, no person shall sell or deliver to another person during any calendar month a total of 10 pounds or more of uranium or uranium compounds, alloys, or mixtures (containing 5 percent or more by weight of uranium as U_3O_8), without specific authorization from the War Production Board.

(d) *Miscellaneous provision*—(1) *Reports*—(i) *Ores, residues and tailings.* Any person having in his possession or control 2,000 pounds or more of any ores, residues or tailings containing 0.05% or more by weight of uranium as U_3O_8 at any time during any calendar month commencing with August, 1944, shall file with the War Production Board on or before the tenth day of the succeeding calendar month a letter containing the following information:

1. Amount of such ores, residues and tailings (indicate which) on hand at beginning and end of calendar month.
2. Amount of such ores recovered from own mining operations during the calendar month.
3. Amount of such ores, residues or tailings (indicate which) purchased or received (other than from own mining operations) during the calendar month and names and addresses of the persons from whom purchased and received.
4. Amount of such ores, residues, or tailings (indicate which) sold or delivered during the calendar month, name and address of each person to whom sales or deliveries were made and the amount sold or delivered to each.

(ii) *Processed materials.* Any person purchasing or receiving or selling or delivering a total of 10 pounds or more of uranium or uranium compounds, alloys or mixtures (containing 5 per cent or more by weight of uranium as U_3O_8) during any calendar month commencing with August, 1944, shall file with the War Production Board on or before the tenth day of the succeeding calendar month a letter containing the following information:

1. Complete inventory of all such uranium and uranium compounds, alloys or mixtures as of the first and last days of the calendar month.
2. All purchases or receipts of such uranium and uranium compounds, alloys or mixtures and the names and addresses of persons from whom purchased or received.
3. All sales or deliveries of such uranium and uranium compounds, alloys or mixtures and the names and addresses of persons to whom sold or delivered and the amount sold or delivered to each.

(iii) The reporting requirements of this order have received the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(4) *Routing of communications.* All reports to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, P. O. Box 175, Madison Square Station, New York 10, New York.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12232; Filed, August 15, 1944; 11:23 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-217, Interpretation 7]

EFFECT OF COLOR RESTRICTIONS ON INVENTORY LIMITATION IN PRIORITIES REGULATION 1

The following interpretation is issued with respect to General Conservation Order M-217:

Paragraph (c) (5), limiting the use of colors in footwear, affects the application to shoe manufacturers of the inventory restriction contained in § 944.14 of Priorities Regulation 1. This section of Priorities Regulation 1 provides that no person shall accept delivery of any material if the inventory of such material of the person accepting delivery is, or will, by virtue of such acceptance, become in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current method and rate of operation.

Paragraph (c) (5) of Conservation Order M-217 prohibits the use of any materials for uppers except material finished or dyed in certain specified colors. Accordingly, any deliveries of upper leather or other material for uppers in colors which are not permitted would constitute a violation of Priorities Regulation 1, since the practicable minimum working inventory reasonably necessary to meet deliveries is, under Priorities Regulation 1, to be computed on the basis of the current method and rate of operation. Inasmuch as manufacturers are not currently permitted to use certain colors, the priorities regulation does not permit the acceptance of deliveries of materials in these colors.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12230; Filed, August 15, 1944; 11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Gen. Direction 2]

PRODUCTION QUOTAS FOR ARMY AND NAVY SOCKS

The following general direction is issued pursuant to Conservation Order M-328:

1. Each person who owns or operates any knitting machines within the range of 200 needles to 220 needles, inclusive, having cylinders with diameters of either 3½" or 3¾", and who has within the past year produced men's hosiery of any type, shall, in each month during the period September 10, 1944 to December 10, 1944 produce cotton socks conforming either to U. S. Army Specifications PQD No. 423, dated March 18, 1944, or Federal Specifications JJ-S-566a, dated August 22, 1938, in a total quantity that shall be equal to at least 60% of his total production of hosiery of all kinds that he produces on all such machines during each such month; he may deliver the cotton socks required to be produced by this direction only to the U. S. Army or Navy, and he must accept and fill orders of the U. S. Army and Navy for these socks.

2. Each person who owns or operates any knitting machines within the range of 156 needles to 188 needles, inclusive, having cylinders with diameters of either 3½" or 3¾", and who has within the past year produced men's hosiery of any type, shall, in each month during the period September 10, 1944 to December 10, 1944, produce part wool socks (50% wool, 50% cotton) conforming either to U. S. Army Specifications PQD No. 334C, dated January 8, 1944, or Federal Specifications JJ-S-581a, dated August 22, 1938, in a total quantity that shall be equal to at least 60% of his total production of hosiery of all kinds that he produces on all such machines during each such month; he may deliver the part wool socks required to be produced by this direction only to the U. S. Army or Navy, and he must accept and fill orders of the U. S. Army and Navy for these socks.

3. Variations from the above mentioned specifications which are agreed upon by U. S. Army or Navy, respectively, are permitted.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12234; Filed, August 15, 1944; 11:23 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-269, Revocation]

ASCORBIC ACID

Section 3293.361 *Allocation Order M-269* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Ascorbic acid is subject to allocation under General Allocation Order M-300 as an Appendix B material, subject to Schedule 41 issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of ascorbic acid prior to September 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-269.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12231; Filed, August 15, 1944; 11:22 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 41]

ASCORBIC ACID

§ 3293.1041 *Schedule 41 to General Allocation Order M-300*—(a) *Definitions.* "Ascorbic acid" means ascorbic acid (also known as cevitamic acid or vitamin C), in crude or refined form. The term includes all chemical compounds of ascorbic acid but does not include standard dosage forms (tablets, capsules, ampuls, solutions, etc.), combinations in feeds, foods, or beverages, or ascorbic acid of natural origin.

(b) *General provisions.* Ascorbic acid is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is December 15, 1942, when ascorbic acid first became subject to allocation under Order M-269 (revoked). The allocation period is the calendar month. The small order exemption without use certificate is 30 kilograms per person per month.

(c) *Special interim provision.* Use, delivery and acceptance of delivery of ascorbic acid prior to September 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-269 (revoked).

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month

[1] Formerly Part 3186, § 3186.1.

before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C. Ref: M-300-41. The unit of measure is kilograms. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(e) *Certified statements of use.* Each person placing purchase orders for delivery of more than 30 kilograms of ascorbic acid per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "civilian medicinal", "food fortificaton", or in terms of any other specified product. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Washington 25, D. C., Ref: M-300-41.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12233; Filed, August 15, 1944; 11:23 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 77]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 27.1 (a) is amended by inserting the words "or vegetables" between the words "enough fruits" and the words "to meet".

2. Section 27.1 (a) (1) is amended by inserting the words "or vegetables" between the words "fresh fruits" and the words "is not reasonably accessible".

3. Section 27.1 (b) (2) is amended by adding the words "or vegetables" at the end of that subparagraph.

4. Section 27.1 (b) (5) is amended by inserting the words "or vegetables, excluding potatoes" between the words "fresh fruit" and the words "which the applicant".

5. Section 27.1 (d) is amended by inserting the words "or vegetables, excluding potatoes" between the words "fresh fruits" and the words "which will be available".

This amendment shall become effective August 18, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61, and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319.)

Issued this 14th day of August 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12207; Filed, August 14, 1944; 4:49 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 389,[1] Amdt. 15]

CEILING PRICES FOR CERTAIN SAUSAGE ITEMS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 389 is amended in the following respects:

1. Section 1 (b) is amended to read as follows:

(b) *Sales to which this regulation does not apply.* The provisions of this regulation do not apply to

(1) Sales at retail;

(2) Sales of canned sausage;

(3) Sales to war procurement agencies of sausage and sausage products the ceiling prices of which have been fixed by Revised Maximum Price Regulation No. 148 or Maximum Price Regulation No. 386.

2. Section 2 (a) and section 2 (b) are redesignated section 2 (b) and section 2 (c) respectively.

3. A new section 2 (a) is added to read as follows:

(a) *Maximum prices for certain sausage and sausage products.* (1) The ceiling price for each of the following sausage products shall be determined as provided in paragraph (a) (2) of this section: the customary types of dry and semi-dry sausage other than those included in the kinds of sausage defined in section 13 of this regulation; cooked or smoked thuringer; cooked or smoked cervelat; cooked salami; scrapple; sulze or souse; pork roll made from skeletal pork only, which has a yield not in excess of 95 percent and a fat content not in excess of 15 percent; ham roll made from boneless ham only, which has a yield not in excess of 95 percent and a fat content not in excess of 15 percent; lunch roll made from pork only, which has a yield not in excess of 98 percent and a fat content not in excess of 15 percent; pork pudding containing less than 30 percent livers; head cheese; blood sausage; blood and tongue sausage; tongue roll; tongue loaf; tongue salad; fresh thuringer containing pork, beef or veal; fresh bockwurst containing pork, beef or veal; fresh Italian or fresh Polish sausage which is made of pork, which has a fat content not in excess of 30 percent, which has a yield not in excess of 100 percent and which contains no extender; smoked mettwurst; chili con carne; roast beef loaf; corned beef loaf; jellied corned beef; goose liver style sausage containing tongues, sweetbreads and pistachio nuts; and imitation or mock chicken loaf.

(2) The ceiling price or prices under this regulation for each of the sausage products listed in paragraph (a) (1) shall be the seller's ceiling price or prices for each such sausage product in effect on August 18, 1944. The ceiling price or prices under this regulation for each such sausage product shall be subject to the same discounts, allowances and trade practices applicable to the ceiling price or prices in effect on August 18, 1944.

(3) Not later than September 19, 1944, any person manufacturing and making sales or deliveries of any sausage product listed in paragraph (a) (1) of this section shall file with the Office of Price Administration, Washington, D. C., the following information with respect to each such sausage product: (i) The name of the sausage product, (ii) the kind of casing or wrapper used, (iii) the pounds of each meat, meat by-product and extender, separately stated, used in the manufacture of 100 pounds of the finished product, and (iv) the ceiling price or prices indicating the delivery points or area to which such price or prices are applicable and the discounts, allowances and trade practices applicable to such ceiling price or prices: *Provided*, That no person shall be required to file the information required by this paragraph (a) (3) (iii) with respect to a sausage product for which information has been filed by such person with the Office of Price Administration, Washington, D. C., pursuant to the requirements of § 1364.476 (1) of Revised Maximum Price Regulation No. 169.

If the information required to be filed by this paragraph (a) (3) is mailed to the Office of Price Administration, it shall be sent by registered mail.

(4) After September 19, 1944, no person shall sell or deliver any sausage product listed in paragraph (a) (1) above until such person has filed with the Office of Price Administration, at Washington, D. C., the information required to be filed by paragraph (a) (3) above.

(5) Any ceiling price or prices determined under paragraph (a) of this section shall be subject to adjustment at any time by the Administrator.

(6) If the ceiling price for any sausage product listed in paragraph (a) (1) above cannot be determined under paragraph (a) (2) above, the seller shall file with the Office of Price Administration, Washington, D. C., an application for a ceiling price. The seller shall set forth in the application: (i) The name of the sausage product for which a ceiling price is requested; (ii) the ingredient formula for manufacturing 100 pounds of the finished product, giving separately the pounds of each meat, meat by-product and extender used; (iii) the current costs of manufacturing 100 pounds of the finished product, showing all cost component factors separately (i. e., ingredients, casings, supplies and packages, labor, overhead and administration); and (iv) the ceiling price or prices requested.

Upon receipt of the application the Administrator shall authorize a ceiling price or prices for the applicant. Prior to such authorization, no person shall sell or deliver any sausage product listed in paragraph (a) (1) above unless such person has a ceiling price for such product pursuant to the provisions of paragraph (a) (2) above.

4. The headnote of redesignated section 2 (b) is amended to read as follows: "*Maximum prices for sausage and sausage products defined in section 13 and given dollar and cents prices under this regulation.*"

5. Section 3 (a) (1) is amended to read as follows:

(1) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation and Revised Maximum Price Regulation No. 169 with respect to sales of sausage and sausage products for which ceiling prices are established by this regulation.

6. Section 4 (b) (4) (ii) is amended to read as follows:

(ii) Prior to October 18, 1944, the seller shall not be required to use labels satisfying the requirements of this section on the sausage products listed in section 2 (a) (1).

7. Item 6 of the price table in section 12 (a) is amended to read as follows:

(6) Loaves:	
(i) Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper:	
Type 1	37.50
Type 2	28.00
Type 3	19.00
Type 4	15.50
(ii) Unwrapped:	
Type 1	37.00
Type 2	27.50
Type 3	18.50
Type 4	15.00

8. Section 12 (c) (1) (ii) is amended to read as follows:

(ii) On sales, other than peddler-truck sales, to retailers and purveyors of meals made by sellers other than hotel supply houses	1.50.

9. Section 12 (c) (4) is amended to read as follows:

(4) *Intermediate distributors.* (i) If a hotel supply house, wholesaler, or peddler-truck seller has paid a charge under paragraph (c) (1) (i) of this section, he may, upon resale, add $0.50 to the base price.

(ii) If a hotel supply house, wholesaler, or peddler-truck seller has paid any charge under subparagraph (c) (2) of this section, he may, upon resale, add the amount of such charge to the base price: *Provided*, That no buyer is charged more than $0.50 per hundredweight for local delivery under paragraph (c) (2) of this section and the addition under this paragraph (c) (4) (ii) combined.

(iii) If a hotel supply house, wholesaler or peddler-truck seller has paid any transportation charge to a common carrier under section 2 (b) (1) (ii) (*d*), he may, upon resale, add the amount of such charge to the base price.

10. The definition of "Peddler-truck sale" in section 13 (a) is amended to read as follows:

"Peddler-truck sale" means a sale of sausage from a truck involving a delivery of not more than 50 pounds of sausage and not more than 150 pounds of meats, edible meat by-products and sausage in any one day from the truck to any buyer's store door, where the first record of the transaction is made by the salesman concurrently with the delivery of the products sold, (1) by a person who purchases meat, meat by-products, or sausage at or below the ceiling price from a seller with whom he has no other financial affiliation or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in sausage in any manner other than sales out of stock carried in a truck owned and driven by him; or (2) by a person who makes all his sales of sausage out of stock carried in a truck driven by him but owned by a person who used such truck exclusively for this type of sale during the month of March, 1942. The term "Peddler-truck sale" does not include deliveries made pursuant to prior orders. Where either the 50 or 150 pound quantity limitation included in the definition of "Peddler-truck sale" is exceeded, no part of the delivery of sausage to the buyer that day may be considered a peddler-truck sale.

11. The definitions of "Kosher sausage" and "Yield" in section 13 (b) are amended and a definition of "Percent" in the proper alphabetical place in section 13 (b) is added, all to read respectively as follows:

"Kosher sausage" means sausage which is made from beef and detached beef fat derived from animals slaughtered, approved and stamped as kosher under rabbinical supervision; which is manufactured under rabbinical supervision and marked as kosher; and which is sold under rabbinical supervision to a person who maintains a selling establishment at or through which he regularly sells Kosher meat as such, or to a person who is a purveyor of kosher meats.

"Yield" means the finished weight of the product divided by the weight of the meat, meat by-products and extender used and expressed as a percentage. The weight of the meat, meat by-products and extender is to be considered the weight of such ingredients in the sausage kitchen immediately prior to chopping and mixing.

"Percent" when used with reference to the portion of any meat or meat by-product contained in a sausage product, means the portion of the total weight of meat and meat by-products as weighed in the sausage kitchen immediately prior to chopping and mixing; when used with reference to the portion of extender or fat contained in a sausage product, it means the portion of the total weight of the finished sausage product.

12. The last sentence of the definition of "Bologna" in section 13 (c) is amended to read as follows: "It includes knackwurst but does not include Lebanon bologna."

13. The definition of "Type 1 special pork sausage" in section 13 (d) is amended to read as follows:

"Type 1 special pork sausage" means sausage made from pork; which contains at least 45 percent of boneless hams, shoulders, and loins and not less than 10 percent of any one of these cuts; which is stuffed in sheep or lamb casings or sold as bulk sausage meat; which is packed in one pound cartons on which shall be a printed statement that the sausage contains at least 45 percent of boneless hams, shoulders and loins; which has a fat content not in excess of 50 percent; which contains no extender; which has a yield not in excess of 100 percent; and which has been made under federal inspection.

14. The definitions of "Kosher frankfurters, bologna and knackwurst" and "Kosher salami" in section 13 (e) are amended to read respectively as follows:

"Kosher frankfurters, bologna and knackwurst" means kosher sausage containing no meat other than beef and beef fat and containing no meat by-products; which has been smoked and cooked in the smokehouse; which is stuffed in casings; which has a fat content not in excess of 25 percent; which contains no more than 10 percent added moisture or water; and which contains no extender.

"Kosher salami" means kosher sausage containing no meat other than beef and beef fat and containing no meat by-products; which has been smoked and cooked in the smokehouse; which has the texture, form and flavor customary for salami made in accordance with good commercial practice; which is stuffed in artificial casings; which has a fat content not in excess of 15 percent; which has final yield not in excess of 85 percent; and which contains no extender.

15. The definitions of "Loaf" and "Type 3 loaf" in section 13 (f) are amended respectively to read as follows:

"Loaf" means a product made of chopped, ground or comminuted meat or

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11490, 11479, 12483, 12567, 12403, 12744, 14472, 15486, 16787, 17486; 9 F.R. 401, 455, 602, 1610, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6106, 6504, 6628, 7167, 7260, 7329, 7703, 7770, 8242, 8815.

[1] 8 F.R. 5909, 6956, 6945, 8185, 8677, 10906, 10907, 11956, 13340, 15192.

meat by-products or any combination thereof; seasoned; prepared in loaf form; with condiments added if desired; cooked or baked; which has sufficient stability to withstand handling; which is sold unwrapped or stuffed in artificial casings or packed in sealed printed cardboard cartons, or sealed printed wrappers made from cellophane, parchment or other moisture resistant paper, with such cartons or wrappers having the loaf manufacturer's brand name or trademark printed thereon. The use of caul fat as a covering does not make caul fat an ingredient within the meaning of this regulation.

"Type 3 loaf" means a loaf which is made of any combination of one or more of pork, beef, veal, pork cheek meat, pork head meat and mutton; which has a fat content not in excess of 30 percent; which contains no more than 20 percent of added moisture or water; and which contains no more than 15 percent of extender.

This amendment shall become effective August 19, 1944.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12208; Filed, August 14, 1944; 4:49 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 50]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.9 (a) is amended by inserting the words "or vegetables" between the words "enough fruits" and the words "to meet."

2. Section 2.9 (b) (1) is amended by inserting the words "or vegetables" between the words "enough fruits" and the words "to meet."

3. Section 2.9 (b) (5) is amended by inserting the words "or vegetables (excluding potatoes)" between the words "fresh fruits" and the words "will be available."

4. Section 2.9 (d) is amended by inserting the words "or vegetables" between the words "enough fruits" and the words ", during the period" in the second sentence; and by inserting the words "or vegetables (excluding potatoes)" between the words "fresh fruits" and the words "which will be available" in the third sentence.

This amendment shall become effective August 18, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12209; Filed, August 14, 1944; 4:49 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 166]

EMERGENCY SURCHARGE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 8.2 (b) (6), of Revised Supplementary Regulation No. 14 is amended to read as follows:

(6) *Emergency surcharge during 1944–1945 season.* (i) On and after the effective date hereof and until and including July 31, 1945, cotton warehousemen may charge, for the services of storing, receiving, handling and compressing cotton and for miscellaneous services in connection with the warehousing of cotton, their maximum prices established by § 1499.2 and Amendments 14 and 40 to Supplementary Regulation No. 14 (now designated as section 8.2 (b) (1) to (5), inclusive, of Revised Supplementary Regulation No. 14), plus a surcharge in the amount of 17%.

(ii) *Disposition of fractions.* Fractions resulting from the application of the 17% increase shall be disposed of in the manner prescribed by the following table:

Base charge established by GMPR and Amendments 14 and 40 to S. R. 14	Maximum charge established by this amendment
$0.001	$0.0012
.002	.0023
.003	.0035
.004	.0047
.005	.0059
.006	.007
.007	.0082
.008	.0094
.009	.01
.01	.0126
.015	.0176
.02	.0226
.025	.03
.03	.035
.035	.04
.04	.0475
.045	.055
.05	.06
.055	.065
.06	.07
.065	.075
.07	.08
.075	.09
.08	.095
.085	.10
.09	.11
.095	.11
.10	.12

If a base charge is not specifically stated, use the next higher charge.

For base rates exceeding ten cents, if after adding 17% a fraction results, the new maximum charge shall be rounded to the nearest cent by dropping all fractions less than one-half cent and raising all fractions of one-half cent or greater to the next full cent.

(iii) The provisions of this regulation are not applicable to storage and compress services which are classified and regulated as public utilities by a state or a municipal body.

This amendment shall become effective August 1, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12210; Filed, August 14, 1944; 4:47 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 16]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The definition of "Household salvage fats", in section 27.1 (a), is amended by adding the following two sentences to the end of the definition: "(When original containers of household salvage fats are placed in drums or other bulk containers for convenience in storing or shipping, some of the household salvage fat may, of its own accord, flow out of the original containers into the drum or bulk container. Such fats do not, for that reason, cease to be household salvage fats.)"

This amendment shall become effective August 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12239; Filed, August 15, 1944; 11:43 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 768, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3613, 3879, 3709, 3710, 3073, 3944, 3947, 4026, 4351, 4604, 4818, 4876, 5074.

[1] 9 F.R. 6731, 7060, 7081, 7082, 7167, 7060, 7203, 7256, 7344, 7436, 7268, 7578, 7578, 7774, 8182, 8793.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 17]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. The third sentence of section 6.8 (b) is amended by substituting the word "retailer" for the word "wholesaler".

2. Section 20.4 (a) is amended by changing the period at the end to a comma, and adding the following: "except when that item is specifically defined or described in this order or in the supplement to this order."

This amendment shall become effective August 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12240; Filed, August 15, 1944; 11:42 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 491,[2] Corr. to Amdt. 1]

PRESSURE PRESERVATIVE TREATMENT OF FOREST PRODUCTS AND PRESSURE TREATED FOREST PRODUCTS

In the amendment parts of certain paragraphs from the original regulation were not reprinted. The result was the deletion of these parts. The affected paragraphs are items 7, 8, 9, 10, 11, 18, 19, 22, 23 and 24 of the amendment. The corrected items are reprinted below to include the omitted parts:

7. Section 18 (a) (4) is amended to read as follows:

(4) Piling all lengths and other round material longer than 14' not otherwise priced. Cubitures to be those provided in Table 1.

	Per cu. ft.
50' lengths and shorter	$0.30
Lengths over 50' to and including 75'	.35
Lengths over 75'	.40

8. Section 18 (a) (5) is amended to read as follows:

(5) Poles, stubs, anchor logs and push braces. Cubitures shall be those provided in Tables 2, 3 and 7.

	Per cu. ft.
50' lengths and shorter	$0.35
Lengths over 50' to and including 75'	.40
Lengths over 75'	.45

(i) Additions to the above prices per cubic foot may be made for piles shipped from unsold stock which has been stored for 30 days or more at the following rates:

12½% of the above per cubic foot prices for 70' and 75' piles. 25% of the above per cubic foot prices for piles longer than 75'.

11. Section 18 (b) (5) is amended to read as follows:

(5) Poles, stubs, anchor logs and push braces, including peeling, shaving, and framing (if required) consisting of roofing, two gains and boring of holes therein. Cubitures shall be those provided in Tables 2, 3, and 7.

	Per cu. ft.
50' lengths and shorter	$0.40
Lengths over 50' to and including 75'	.50
Lengths over 75'	.55

(i) Additions to the above prices per cubic foot may be made for poles, if shipped from unsold stock which has been stored for 30 days or more at the following rates:

12½% of the above per cubic foot prices for 70' and 75' poles. 25% of the above per cubic foot prices for poles longer than 75'.

12. Section 18 (b) (6) is amended to read as follows:

(6) Round material not otherwise priced, including unlimited retort time, figured on cubitures provided in Tables 3 and 7—$0.28 per cu. ft.

18. Section 19 (a) (4) is amended to read as follows:

(4) Piling all lengths and other round material, longer than 14' not otherwise priced, for unlimited retort time up to the time necessary to obtain 20 pounds final retention of preservative per cubic foot. Cubitures to be those provided in Table 4.

	Per cu. ft.
50' lengths and shorter	$0.25
Lengths over 50' to and including 75'	.30
Lengths over 75'	.35

(i) *Addition.* The following may be added for treatment to final retention in excess of twenty pounds of preservative per cubic foot:

	Per cu. ft.
Over 20 pounds to and including 22 pounds per cubic foot	$0.06
Over 22 pounds to and including 24 pounds per cubic foot	.18
Over 24 pounds per cubic foot	.24

19. Section 19 (a) (5) is amended to read as follows:

(5) Poles, stubs, anchor logs, and push braces, including unlimited retort time. Cubitures shall be those provided in Tables 3, 5, 6, and 7.

	Per cu. ft.
50' lengths and shorter	$0.20
Lengths over 50' to and including 75'	.30
Lengths over 75'	.35

22. Section 19 (b) is amended to read as follows:

(b) *For sellers of pressure treated forest products other than fence posts* (see paragraph (c)), the maximum prices shall be the sum of the following: (1) The maximum prices for the unseasoned and untreated forest products provided in the applicable price regulation, using the random length price for poles and piling, (2) the price of the preservative delivered to the seller's treating plant plus one quarter cent (¼¢) per gallon in the case of creosote and mixtures thereof, plus one and one-half percent (1½%) of the delivered price in the case of salts or other preservatives, and (3) treating charges provided below, which include the loading and unloading of trams and all handlings. For other allowable additions, see sections 5, 7, and 21.

(1) Cross ties including unlimited retort time, $0.165 per cu. ft.

(i) Cubitures shall be figured as follows:

CUBIC FEET PER TIE—A. R. E. A. SPECIFICATIONS

Length	Size 5	4	3A	3	2	1	8R–7" thick	8R–6" thick
8'0"	3.7	3.4	3.1	2.8	2.7	2.6	3.1	2.7
8'6"	3.9	3.6	3.3	3.0	2.9	2.8	3.3	2.9

NOTE: Comparable cubitures of other lengths shall be determined by adding or subtracting two tenths (⅕) cubic feet for each six inch (6") variation of length.

(2) Switch ties including unlimited retort time, $18.00 per M'BM.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6731, 7060, 7081, 7082, 7167, 7060, 7203, 7256, 7344, 7438, 7262, 7578, 7774, 8182, 8793.

[2] 8 F.R. 15594; 9 F.R. 8182.

(3) Lumber and other sawn forest products not otherwise specifically priced herein, including unlimited retort time up to the time necessary to obtain twenty pounds final retention of preservative per cubic foot, $20.50 per M'BM.

(i) The following may be added for treatment to final retentions in excess of twenty pounds of preservative per cubic foot:

	Per M. F. B. M
Over 20 pounds to and including 22 pounds per cubic foot	$5.00
Over 22 pounds to and including 24 pounds per cubic foot	15.00
Over 24 pounds per cubic foot	20.00

23. Section 19 (b) (4) is amended to read as follows:

(4) Piling all lengths and other round material, longer than 14' not otherwise priced, for unlimited retort time up to the time necessary to obtain 20 pounds final retention of preservative per cubic foot. Cubitures shall be those provided in Tables 3, 4 and 7.

	Per cu. ft.
50' lengths and shorter	$0.30
Lengths over 50' to and including 75'.	.35
Lengths over 75'	.40

(i) The following may be added for treatment to final retentions in excess of twenty pounds of preservative per cubic foot:

	Per cu. ft.
Over 20 pounds to and including 22 pounds per cubic foot	$0.06
Over 22 pounds to and including 24 pounds per cubic foot	.18
Over 24 pounds per cubic foot	.24

(ii) Additions to the above prices per cubic foot may be made for piles, if shipped from unsold stock which has been stored for 30 days or more at the following rates:

12½% of the above per cubic foot prices for 70' and 75' piles.

25% of the above per cubic foot prices for piles longer that 75'

24. Section 19 (b) (5) is amended to read as follows:

(5) Poles, stubs, anchor logs and push braces, including unlimited retort time, peeling, shaving, and framing (if required) consisting of roofing, two gains and boring of holes therein. Cubitures shall be those provided in Tables 3, 5, 6, and 7.

	Per cu. ft.
50' lengths and shorter	$0.35
Lengths over 50' to and including 75'	.45
Lengths over 75'	.50

(i) Additions to the above prices per cubic foot may be made for poles, if shipped from unsold stock which has been stored for 30 days or more at the following rates:

12½% of the above per cubic foot prices for 70' and 75' poles.

25% of the above per cubic foot prices for poles longer than 75'.

25. Section 19 (b) (6) is amended to read as follows:

(6) Round material not otherwise priced including unlimited retort time, figured on cubitures provided in Tables 3 and 7, $0.23 per cubic foot.

This correction shall become effective August 21, 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12241; Filed, August 15, 1944; 11:42 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 15, Rev. 1, Amdt. 1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, SUSPENSIONS, AND PERMITS

TRANSPORTATION OF COAL BETWEEN UNITED STATES PORTS ON ATLANTIC OCEAN

Pursuant to § 502.37 of General Order ODT 15, Revised: *It is hereby ordered*, That:

Subparagraph (4), paragraph (a), § 522.625 of Suspension Order ODT 15, Revised-1 is amended to read as follows: "(4) from the Hampton Roads Area;".

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 15, Revised, 7 F.R. 10487)

Issued at Washington, D. C., this 15th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12223; Filed, August 15, 1944; 11:02 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

NATIONAL ELK REFUGE, WYOMING

Under authority of section 84 of the Act of March 4, 1909, as amended by the Act of April 15, 1924, 43 Stat. 98, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 22.271a *National Elk Refuge, Wyoming; hunting of elk.* Until further notice elk may be taken during such periods of the open season prescribed therefor by the State Game and Fish Commission of Wyoming on certain lands hereinafter described, of the United States within the National Elk Refuge, Wyoming, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940, as are mutually agreed upon from time to time by the Director of the Fish and Wildlife Service and the Game and Fish Commission of Wyoming and are announced by the Director of the Fish and Wildlife Service, subject to the following special provisions, conditions, restrictions, and requirements:

(a) *Area open to hunting.* The following-described lands of the United States within the National Elk Refuge shall be open to the hunting of elk:

That part of the refuge east of the refuge fence line running parallel to the Jackson-Moran highway, and north of the township line between Townships 41 and 42 North, the natural boundary of which shall be regarded as Flat Creek east of its junction with the canal, or ditch, in the NE¼ of section 1, T. 41, N., R. 116 W., in its east and west course through the refuge, to its intersection with the east line of section 4, T. 41 N., R. 115 W., sixth principal meridian, Wyoming.

(b) *Compliance with State laws and regulations.* Any person who hunts on the refuge shall be in possession of a valid hunting license issued by the State of Wyoming authorizing him to hunt elk and a permit, if required. Said license and permit shall serve as a Federal permit for hunting elk on the refuge and must be carried on the person of the licensee while so hunting. The license and permit must be exhibited upon the request of any representative of the Wyoming Game and Fish Commission authorized to enforce the State game laws or of any representative of the Department of the Interior. The licensee must comply in every respect with the State laws and regulations governing the hunting of elk and upon request of any of the aforesaid representatives must exhibit for inspection all game killed by him or in his possession.

(c) *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(d) *Entry upon refuge.* Persons entering or crossing the refuge for the purpose of hunting, as permitted by the regulations in this section, shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

(e) *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of State or Federal laws or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

(f) *State cooperation in management of the herd and the shooting area.* The provisions of the regulations in this section shall be incorporated in and deemed to be a part of any cooperative agreement between the Director of the Fish and Wildlife Service and the Game and Fish Commission of Wyoming for the regulation, management, and operation of the shooting area established hereunder, the details of which shall be mutually agreed upon between said Director and Commission. The Director also may take such additional measures, in cooperation with said Commission or otherwise, as may be necessary to effect proper control of the animals wintering on the refuge and to maintain their numbers within the carrying capacity of the project.

OSCAR L. CHAPMAN,
Assistant Secretary.

AUGUST 10, 1944.

[F. R. Doc. 44-12218; Filed, August 15, 1944; 10:06 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 848]

ALLOCATION OF FUNDS FOR LOANS

JULY 29, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	*Amount*
Minnesota 5008E1 Meeker	$150,000
Minnesota 5067E1 Ottertail	220,000
Minnesota 5079D1 Big Stone	210,000
Mississippi 5031D2 Washington	80,000
Mississippi 5040E3 Smith	50,000
Mississippi 5045D3 Clarke-Lauderdale	100,000
Missouri 5024E1 Callaway	90,000
Nebraska 5064B1 York District Public	200,000
Nebraska 5077L2 Norris District Public	150,000
Nebraska 5078D3 Dawson District Public	100,000
Pennsylvania 5022B4 Jefferson	9,000
South Carolina 5027B4 Marlboro	25,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-12226; Filed, August 15, 1944; 11:08 a. m.]

[Administrative Order 849]

ALLOCATION OF FUNDS FOR LOANS

JULY 29, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Louisiana 5023E1 Union	$26,000
South Carolina 5027B3 Marlboro	36,000
Texas 5054B7 Wood	45,000
Texas 5138B1 Camp	30,000
Texas 5143B1 Lometa	28,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-12227; Filed, August 15, 1944; 11:08 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-552]

SOUTHERN NATURAL GAS CO.

NOTICE OF AMENDMENT TO APPLICATION

AUGUST 14, 1944.

Notice is hereby given that on August 12, 1944, Southern Natural Gas Company, a Delaware corporation, having its principal place of business at Birmingham, Alabama, filed with the Federal Power Commission an amendment to its application filed June 1, 1944, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, whereby Southern Natural Gas Company seeks authorization to construct and operate the following facilities and to abandon a natural-gas pipe line, all of which are hereinafter described, in addition to those described in its application of June 1, 1944.

The proposed construction consists of a dehydration plant to be constructed in the Monroe gas field near applicant's Perryville (Louisiana) compressor station; and installation of a new water cooling system at the compressor station aforementioned. The applicant proposes to abandon a 4½-inch O. D. gas pipe line approximately 2.2 miles in length, known as the Pelham lateral.

Applicant asserts, in effect, that the proposed new facilities above referred to are necessary to improve its present operations.

Any person desiring to be heard or to make any protest with reference to said applications should, on or before the 22d day of August 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-12229; Filed, August 15, 1944; 11:23 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 200, Special Permit 156]

ICING OF POTATOES AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To initially ice to full bunker capacity at Philadelphia, Pennsylvania (Penna. Railroad) August 11, 1944, as ordered by Smiling Jim Potato Company, car FFE 18650, potatoes, moving August 11, 1944, from Smiling Jim Potato Company, Philadelphia, to Jos. De Sopo, Louisville, Kentucky (P. R. R.-L. & N.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12252; Filed, August 15, 1944; 11:56 a. m.]

[S. O. 224, Gen. Permit 1]

REICING OF FRESH FRUITS AND VEGETABLES AT GRAND JUNCTION, COLO.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Service Order No. 224 of August 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 224 insofar as it applies to the reicing at Grand Junction, Colorado, of refrigerator cars, loaded with fresh fruits or fresh or green vegetables as defined therein, originating at origins located in the States of Utah and California.

This general permit shall become effective at 12:01 a. m., August 16, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12253; Filed, August 15, 1944; 11:56 a. m.]

[S. O. 228]

UNLOADING OF STEEL CYLINDERS AT SALT LAKE CITY, UTAH

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of August, A. D. 1944.

It appearing, that cars B&O 174397, SLSF 129224, NYC 115989, and SOO 38396, containing steel cylinders at Salt Lake City, Utah, on the Bamberger Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered*, That:

Steel cylinders at Salt Lake City, Utah, to be unloaded. (a) The Bamberger Railroad Company, its agents or employees, shall unload forthwith cars B&O 174397, SLSF 129224, NYC 115989 and SOO 38396, containing steel cylinders, on hand at Salt Lake City, Utah, consigned to E. F. Mariana, Inc.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of steel cylinders have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Bamberger Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-12261; Filed, August 15, 1944; 11:56 a. m.]

MARITIME WAR EMERGENCY BOARD.

[Decision 2B, Amdt. 2]

VOYAGE BONUS

MISCELLANEOUS AMENDMENTS

Decision 2B (9 F.R. 3521, 8194) is amended as follows:

1. The heading of Classification III of Article II is amended to read "Classification III—33⅓% Bonus—$40 monthly minimum."

2. Paragraph D of Article III is amended to read as follows:

D. Voyage bonus equal to 33⅓% of wages shall be paid for voyages or portions of voyages in Classification III, but not in any case less than $40 per month or a proportionate sum for a part thereof.

The foregoing amendments are effective at 12:01 a. m. August 25, 1944, as to all vessels whether at sea or in port.

Dated: August 10, 1944.

[SEAL] MARITIME WAR EMERGENCY BOARD,
EDWARD MACAULEY, *Chairman.*
JOHN R. STEELMAN.
FRANK P. GRAHAM.

[F. R. Doc. 12220; Filed, August 15, 1944; 10:06 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 8323]

DEUTSCHE GOLD UND SILBER SCHEIDEANSTALT VORMALS ROESSLER, ET AL.

In re: Patents and interests of Deutsche Gold und Silber Scheideanstalt vormals Roessler, Deutsche Gesellschaft fur Schadlingsbekampfung, G. m. b. H. and others in certain agreements relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Deutsche Gold und Silber Scheideanstalt vormals Roessler, Deutsche Gesellschaft fur Schadlingsbekampfung, G. m. b. H., Atlas Ago Chemische Fabrik Aktiengesellschaft, Degea A.-G. (Auer), Deutsche Kunstlederwerke Wolfgang G. m. b. H., Durferrit G. m. b. H., Chemische Fabrik Gruenau Aktiengesellschaft, Holsverkohlungs Industrie A.-G., Oesterreichische Hiag Werke G. m. b. H., G. Siebert G. m. b. H., August Wegelin, Chemische Fabrik Weissenstein G. m. b. H. and Oesterreichische Chemische Werke G. m. b. H. are corporations organized under the laws of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraphs 8a, 8c, 8f and 8i hereof is property of Deutsche Gold und Silber Scheideanstalt vormals Roessler;

3. That the property described in subparagraph 8b hereof is property of Deutsche Gold und Silber Scheideanstalt vormals Roessler and/or Deutsche Gesellschaft fur Schadlingsbekampfung, G. m. b. H.;

4. That the property described in subparagraph 8d hereof is property of Deutsche Gesellschaft fur Schadlingsbekampfung, G. m. b. H.;

5. That the property described in subparagraph 8e hereof is property of Deutsche Gold und Silber Scheideanstalt vormals Roessler, Atlas Ago Chemische Fabrik Aktiengesellschaft, Degea A.-G. (Auer), Deutsche Kunstlederwerke Wolfang G. m. b. H., Durferrit G. m. b. H., Chemische Fabrik Gruenau Aktiengesellschaft, Holsverkohlungs Industrie A.-G., Oesterreichische Hiag Werke G. m. b. H., G. Siebert G. m. b. H., August Wegelin, Chemische Fabrik Weissenstein G. m. b. H. and Oesterreichische Chemische Werke G. m. b. H.;

6. That the property described in subparagraph 8g hereof is property of Atlas Ago Chemische Fabrik Aktiengesellschaft;

7. That the property described in subparagraph 8h and 8j hereof is property of Chemische Fabrik Gruenau Aktiengesellschaft;

8. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit B attached hereto and made a part hereof,

(c) Patent applications identified in Exhibit C attached hereto and made a part hereof,

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Deutsche Gesellschaft fur Schadlingsbekampfung, G. m. b. H. by virtue of an agreement dated April 20, 1931 (including all modifications thereof and supplements thereto, if any) by and between Deutsche Gesellschaft fur Schadlingsbekampfung, G. m. b. H. and American Cyanamid Company, which agreement relates, among other things, to Patent No. 1,949,466,

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Deutsche Gold und Silber Scheideanstalt vormals Roessler, Atlas Ago Chemische Fabrik Aktiengesellschaft, Degea A.-G. (Auer), Deutsche Kunstlederwerke Wolfgang G. m. b. H., Durferrit G. m. b. H., Chemische Fabrik Gruenau Landshoff & Meyer Aktiengesellschaft, Holsverkohlungs Industrie A.-G., Oesterreichische Hiag Werke G. m. b. H., G. Siebert G. m. b. H., August Wegelin, Chemische Fabrik Weissenstein G. m. b. H. and Oesterreichische Chemische Werke G. m. b. H., and each of them, by virtue of an agreement dated March 5, 1934 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a supplemental agreement dated May 17, 1935 and agreements by exchange of letters dated January 20, 1936, February 3, 1936, August 29, 1941 and September 29, 1941) by and between Deutsche Gold und Silber Scheideanstalt vormals Roessler and E. I. Du Pont de Nemours & Company, which agreement relates, among other things, to Patent No. 2,313,028,

(f) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Deutsche Gold und Silber Scheideanstalt vormals Roessler by virtue of an agreement dated February 15, 1935 (including all modifications thereof and supplements thereto, if any) by and between Deutsche Gold und Silber Scheideanstalt vormals Roessler and Commercial Solvents Corporation, which agreement relates, among other things, to Patent No. 1,946,020.

(g) All interest and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Atlas Ago Chemische Fabrik Aktiengesellschaft, by virtue of an agreement (including all modifications thereof and supplements thereto, if any) by and between Atlas Ago Chemische Fabrik Aktiengesellschaft and Commercial Solvents Corporation, executed by them respectively under dates of July 10, 1937 and June 3, 1938, which agreement relates, among other things, to Patent No. 2,110,682,

(h) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Fabrik Gruenau Landshoff & Meyer Aktiengesellschaft by virtue of an agreement dated January 31, 1936 (including all modifications thereof and supplements thereto, if any) by and between Chemische Fabrik Gruenau Landshoff & Meyer Aktiengesellschaft and General Aniline Works, Inc., which agreement relates, among other things, to Patent No. 2,047,069.

(i) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Deutsche Gold und Silber Scheideanstalt vormals Roessler by virtue of an agreement dated September 1, 1939 (including all modifications thereof and supplements thereto, including, but not by way of limitation, agreement by exchange of letters dated October 25, 1940, November 26, 1940 and December 20, 1940) by and between Deutsche Gold und Silber Scheideanstalt vormals Roessler and Chemical Marketing Company, Incorporated, which agreement relates, among other things, to Patent No. 2,163,013,

(j) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chemische Fabrik Gruenau Aktiengesellschaft by virtue of a license agreement (including all modifications thereof and supplements thereto, if any) evidenced by a cable dated May 27, 1940 and a letter dated May 28, 1940 from Chemische Fabrik Gruenau, Aktiengesellschaft to Dr. Ferdinand A. Kertess, of which an agreement proposal executed by Chemical Marketing Company, Incorporated on March 15, 1940, and representing an agreement between Chemical Marketing Company, Incorporated and Chemische Fabrik Gruenau Landhoff & Meyer Aktiengesellschaft, forms an integral part, which license agreement relates, among other things, to Patent No. 2,047,069.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on March 15, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patents identified as follows:

Patent No., Date of Issue, Inventor and Title

1,779,850, 10-28-30, Jocob Maurer, Process for coating with metal, porcelain, celluloid, etc. in a plastic state.

1,796,265, 3-10-31, Hermann Freudenberg & Harry Kloepfer, Process of manufacture of alkali-metal hydrides.

1,799,945, 4-7-31, Walter Beck, Process for heat treatment of metal articles.

1,855,355, 4-26-32, Harry Kloepfer, Process for the purification of gases.

1,924,145, 8-29-33, Walter Zisch, Process for manufacturing oxygen evolving preparations.

1,927,737, 9-19-33, Hermann Eisenlohr, Method for the manufacture of acid resistant fluxes for enamel colors.

1,946,460, 2-6-34, Ewald Hersog, Method for the production of preparations suitable for purifying air and liberating oxygen.

1,966,915, 7-17-34, Hermann Baier, Process of bleaching.

2,007,136, 7-2-35, Carl Albrecht & Walter Beck, Process for carburizing and hardening.

2,049,324, 7-28-36, Josef Schneider, Grinding tool.

2,081,234, 5-25-37, Alwin Hefter, Production of precious metal decorations on ceramic objects.

2,082,425, 6-1-37, Emil Scheller, Process for decolorizing sugar juices.

2,088,239, 7-27-37, Ludwig Hess, Process for the production of hydrogen peroxide.

2,091,184, 8-24-37, Theodor Pohl & Josef Schneider, Flexible abrasives and method of making.

2,113,185, 4-5-38, Rudolf Thilenious & Josef Schneider, Method of manufacturing, grinding, and polishing bodies.

2,116,763, 5-10-38, Hermann Finkenbeiner & Wendelin Schmache, Preparation of formaldehyde concentrates.

2,128,113, 8-23-38, Karl Bauer, Friedrich Pressel & Hans Medweth, Stable oxygen-yielding washing powder.

2,135,545, 11-8-38, Walter Voelkel, Process for the electrolytic production of ammonium perphosphate in solid form.

2,148,147, 2-21-39, Hermann Baier, Process for bleaching tobacco.

2,150,366, 3-14-39, Oskar Ehrhart, Process for converting gold, platinum and other metals of the platinum group into a dissolved form.

2,150,616, 3-14-39, Rudolf Thilenious, Preservation of foodstuffs.

2,162,655, 6-13-39, Walter Voikel, Production of solid ammonium perphosphate.

2,170,107, 8-22-39, Hermann Baier, Process for bleaching tobacco.

2,180,056, 11-14-39, Gustav Jaeger & Heinrich Diehl, Process for manufacturing green ceramic colors.

2,191,052, 2-20-40, Hans Walter, Preparation of addition products of acetylene.

2,194,358, 3-19-40, Willi Hundt & Hermann Baier, Bleaching artificial textile fibers.

2,201,755, 5-21-40, Carl Albrecht, Heat treating bath.

2,219,432, 10-29-40, Emil Scheller, Method of bleaching cellulose.

2,221,559, 11-12-40, Emil Scheller, Method for bleaching oils and waxes.

2,224,791, 12-10-40, Hans Loffler, Process for the manufacture of selenium-containing ruby glass.

2,294,034, 8-25-42, Gustav Jaeger, Annealing furnace.

2,307,050, 1-5-43, Harry Kloepfer, Process for the preparation of active carbon black.

EXHIBIT B

Patent No., Date of Issue, Inventor, and Title

1,712,917, 5-14-29, Ferdinand Flury, Vermin killer.

1,771,218, 7-22-30, Walter Heerdt, Apparatus for measuring granulated or powdered materials.

1,886,487, 11-8-32, Hans Lehrecke, Process for manufacture of a mixture of hydrocyanic acid with cyanogen chloride.

1,949,466, 3-6-34, Ludwig Gassner, Process for indicating the presence of toxic substances.

EXHIBIT C

Application Serial No., Date of Filing, Inventor, and Title

355,406, 8-14-40, Hans Oxenius, Process for the production of non-Corrosive supports.

368,232, 7-16-40, Rudolf Harder & Wilhelm Bollmann, Device for conveyor protection.

382,668, 1-25-41, Heinrich Brendlein, Process for the conversion of unsaturated carbonyl compounds into corresponding alcohols.

[F. R. Doc. 44-12164; Filed, August 14, 1944; 10:40 a. m.]

[Vesting Order 3965]

METALLGESELLSCHAFT A. G.

In re: Interest of Metallgesellschaft A. G. in United States patents and in certain contracts with Allied Process Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Metallgesellschaft A. G. (successor by change of name to Metallbank und Metallurgische Gesellschaft A. G.), is a corporation organized and existing under the laws of Germany with its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Metallgesellschaft A. G.;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, of Metallgesellschaft A. G. in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

1,652,077, 12-6-27, Georg Welter, Lithium-containing bearing metals.

1,652,078, 12-6-27, Georg Welter, Lead-alkali metal containing bearing metal alloys.

1,808,730, 6-2-31, Carl B. von Bornegg, Method for making a stable powder from whole milk.

2,040,573, 5-12-36, Hans Siegens and Oskar Roder, Process for the production of lithium salts.

2,059,750, 11-3-36, Oskar Roder and Hans Siegens, Process for the production of lithium salts and metallic lithium.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft A. G. arising by virtue of an agreement dated March 12, 1926 (including all modifications thereof and supplements thereto, if any) by and between Metallbank und Metallurgische Gesellschaft A. G. and Allied Process Corporation, relating, among other things, to the metal alloy known as Aeterna more fully described in United States Letters Patent No. 1,551,443.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft A. G. arising by virtue of an agreement dated March 31, 1926 (including all modifications thereof and supplements thereto, if any) by and between Metallbank und Metallurgische Gesellschaft A. G. and Allied Process Corporation, relating, among other things, to a certain process for obtaining lithium salts or metallic lithium more fully described in United States Letters Patent No. 1,515,001.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft A. G. arising by virtue of an agreement dated March 31, 1926 (including all modifications thereof and supplements thereto, if any) by and between Metallbank und Metallurgische Gesellschaft A. G. and Allied Process Corporation, relating, among other things, to the process known as the Genseeke Process for evaporation by compression more fully described in United States Letters Patent Nos. 1,425,020 and 1,425,005.

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft A. G. arising by virtue of an agreement dated March 31, 1926 (including all modifications thereof and supplements thereto, if any) by and between Metallbank und Metallurgische Gesellschaft A. G. and Allied Process Corporation, relating, among other things, to seven processes mentioned in the said contract and to certain United States Letters Patent relating to the said processes.

(f) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft A. G. arising by virtue of an agreement dated March 11, 1927 (including all modifications thereof and supplements thereto, including, but not by way of limitation, an amendment to the said contract evidenced by a letter dated March 29, 1927 from Metallbank und Metallurgische Gesellschaft A. G. to Allied Process Corporation and a letter dated May 19, 1927 from Allied Process Corporation to Metallbank und Metallurgische Gesellschaft A. G.) by and between Metallbank und Metallurgische Gesellschaft A. G. and Allied Process Corporation, relating, among other things, to certain United States Letters Patent.

(g) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft A. G. arising by virtue of an agreement dated November 26, 1926 (including all modifications thereof and supplements thereto, if any) by and between Metallbank und Metallurgische Gesellschaft A. G. and Allied Process Corporation, which agreement relates, among other things, to patents and purports to be supplemental to another agreement of even date therewith between Allied Process Corporation, Metallbank und Metallurgische Gesellschaft A. G. and Maywood Chemical Works.

(h) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft A. G. arising by virtue of an agreement dated February 26, 1930 (including all modifications thereof and supplements thereto, if any) by and between California Fruit Growers Exchange and Allied Process Corporation, which contract was recorded in the United States Patent Office on March 11, 1930 in Liber C–143 at page 160 and relates, among other things, to United States Letters Patent No. 1,800,501.

[F. R. Doc. 44–12166; Filed, August 14, 1944; 10:40 a. m.]

GEORGE KEINATH

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 68 of July 30, 1942 (7 F. R. 6181), the Alien Property Custodian vested, among other things, the following described property:

United States Patent Application Serial Number 219,919 for "method and means for testing materials" filed by George Keinath.

Whereas, George Keinath has filed Notice of Claim No. 155 and a supplement and amendment thereto in Form APC–16 wherein he asserts that he is stateless and a resident of the United States and is the owner of and/or has an interest in said patent application and/or the royalties accrued and to accrue therefrom.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Thursday, September 14, 1944, at 10:00 a. m. eastern war time, at the Office of the Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the Committee may determine. *It is further ordered,* That copies of this notice of hearing be served by registered mail upon the claimant and upon the person designated in paragraph 2 of the said notice of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before September 11, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE
JOHN C. FITZGERALD,
Chairman.

AUGUST 14, 1944.

[F. R. Doc. 44–12228; Filed, August 15, 1944; 11:17 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 124, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEW JERSEY

Upon consideration of a petition to substitute Edward Rosenfeld and Minnie Rosenfeld, doing business as Boonton-Morristown-New York Express, in lieu of Boonton-Morristown-New York Express, Inc. as a party to Supplementary Order ODT 3, Revised–124 (8 F.R. 16567), and good cause appearing therefor, and upon receipt of information to the effect that the name of the other party has been changed from Floyd W. Tredway, doing business as Boonton-New York Express, to Floyd W. Tredway, doing business as Tredways Boonton New York Express; *It is hereby ordered,* That:

1. Supplementary Order ODT 3, Revised–124 be, and it hereby is, amended by substituting Edward Rosenfeld and Minnie Rosenfeld, doing business as Boonton-Morristown-New York Express, in lieu of Boonton-Morristown-New York Express, Inc., and by changing the name Floyd W. Tredway, doing business as Tredways Boonton New York Express, and

2. Edward Rosenfeld and Minnie Rosenfeld, doing business as Boonton-Morristown-New York Express, on and after the effective date of this amendment, shall perform, subject to the provisions of said order, the functions of Boonton-Morristown-New York Express, Inc., as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective August 15, 1944.

Issued at Washington, D. C., this 15th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–12223; Filed, August 15, 1944; 11:02 a. m.]

[Supp. Order ODT 3, Rev. 70, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN WEST VIRGINIA

Upon consideration of a petition to substitute Grubb Motor Freight, Inc. in lieu of Logan Merchants' Service, Inc. and M. C. Lindamood, doing business as Lindy's Motor Freight, as a party to Supplementary Order ODT 3, Revised–70 (8 F.R. 13409), and good cause appearing therefor: *It is hereby ordered,* That:

1. Supplementary Order ODT 3, Revised–70 be, and it hereby is, amended by substituting Grubb Motor Freight, Inc. in lieu of Logan Merchants' Service, Inc. and M. C. Lindamood, doing business as Lindy's Motor Freight, and

2. Grubb Motor Freight Inc., on and after the effective date of this amendment, shall perform, subject to the provisions of said order, the functions of Logan Merchants' Service, Inc. and M. C. Lindamood, doing business as Lindy's Motor Freight, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective August 15, 1944.

Issued at Washington, D. C., this 15th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–12225; Filed, August 15, 1944; 11:02 a. m.]

[Supp. Order ODT 3, Rev. 14, Revocation]

CONSOLIDATED MOTOR FREIGHT

COORDINATED OPERATIONS BETWEEN MINNEAPOLIS-ST. PAUL AND WINONA, MINN.

Upon consideration of a petition for revocation of Supplementary Order ODT 3, Revised–14 (8 F.R. 1697), filed with the Office of Defense Transportation by the Twin Cities-Winona Motor Express, successor in interest to Consolidated Motor Freight, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised–14 be, and it hereby is, revoked.

Issued at Washington, D. C., this 15th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–12226; Filed, August 15, 1944; 11:02 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 112, Amdt. 1 to Order 6]

ANTHRACITE PRODUCERS

FILING OF MONTHLY REPORTS

For the reasons sets forth in an opinion issued simultaneously herewith, and in accordance with § 1340.195 (c) of Maximum Price Regulation No. 112, *It is ordered:*

(a) Order No. 6 under Maximum Price Regulation No. 112 is hereby amended in the following respects:

1. In paragraph (b), in the first sentence, the word "quarterly" is deleted and the word "monthly" is inserted in its place.

2. The last sentence in paragraph (b) is deleted, and the following sentence is inserted in its place: "Each monthly report must be filed within 25 days after the last day of each month, beginning with and including the month of July, 1944."

This Amendment No. 1 to Order No. 6 under Maximum Price Regulation No. 112 shall become effective August 15, 1944.

NOTE: The reporting and record-keeping requirements of this Amendment No. 1 to Order No. 6 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12217; Filed, August 14, 1944; 4:48 p. m.]

[RMPR 122, Amdt. 12 to Rev. Order 47]

VIRGINIA ANTHRACITE

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered,* That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. In paragraph (c) (1) the prices for Virginia anthracite are amended and revised to read as follows:

(c) *Direct delivery.*

Kind and size	Per ton		Per ½ ton	
	Gross 2,240 lbs.	Net 2,000 lbs.	Gross 1,120 lbs.	Net 1,000 lbs.
Virginia anthracite:				
Egg, stove, nut	$12.05	$10.77	$6.55	$5.85
Pea	10.25	9.16	5.65	5.03
Buckwheat No. 1	8.50	7.58	4.75	4.24

2. In paragraph (d) the prices for yard sales to consumers and dealers of Virginia anthracite are amended and revised to read as follows:

(d) *Yard sales.*

	Consumer prices			Dealer prices	
	Gross 2,240 lbs.	Net 2,000 lbs.	Per 100 lbs.	Gross 2,240 lbs.	Net 2,000 lbs.
Virginia anthracite:					
Egg, stove, nut	$11.05	$9.87	$0.76	$9.55	$8.53
Pea	9.25	8.27	.68	7.90	7.06
Buckwheat No. 1	7.50	6.69	.....	6.35	5.66

3. In paragraph (f–2), the first clause is amended to read as follows:

(f–2) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for sales of "Penn Anthracite" by no more than 70 cents per gross ton or 65 cents per net ton for the egg, stove, nut and pea sizes; by no more than 55 cents per gross ton or 50 cents per net ton for the #1 buckwheat size; by no more than 10 cents per gross or net ton for the rice size; if:

This Amendment No. 12 to Revised Order No. 47 shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12211; Filed, August 14, 1944; 4:47 p. m.]

[MPR 136, Order 275]

CULLEN-FRIESTEDT CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 275 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Cullen-Friestedt Company. Docket No. 3136-484.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of the following cranes and accessories by the Cullen-Friestedt Company, Chicago, Illinois, shall be determined by deducting all discounts and allowances in effect to a purchaser of the same class on October 1, 1941, from the following list prices:

Item and model number	*List price*
Crane, 15	$9,375
Crane, 30	10,410
Set of Automotive Couplers, 15	120
Spool Mounting, 15	430
Spool Mounting, 30	440
Ditcher Attachment, 15	1,285
Ditcher Attachment, 30	1,285
Set of Automotive Air Brakes, 15	1,150
Set of Automotive Air Brakes, 30	1,175
5 KW Generating Unit, 30	675
Set of Train Lines, 15	70
Set of Train Lines, 30	70
Set of Foot Boards, 15	155
Set of Foot Boards, 30	155
Set Off Mechanism (Hand Operated), 15	135
Set Off Mechanism (Hand Operated), 30	220
Set Off Mechanism (Power Operated), 30	495

(b) Resellers of the above listed cranes and crane equipment manufactured by the Cullen-Friestedt Company shall determine their maximum prices for this equipment by adding to the net price in effect to a purchaser of the same class on October 1, 1941, the dollars and cents amount by which the resellers' cost has been increased due to the adjustment in maximum prices granted to the Cullen-Friestedt Company by this order.

(c) The Cullen-Friestedt Company shall notify its customers who buy the cranes and crane accessories listed above for resale, of the amount by which this order permits resellers to increase their maximum net sales price.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 15, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12212; Filed, August 14, 1944; 4:47 p. m.]

[MPR 188, Order 1873]

VISCHER PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In the table under paragraph (a) (2) of F.R. Doc. 44-10509, appearing at page 8086 of the issue for Tuesday, July 18, 1944, the price for Eastern Zone should read "$10.60".

[MPR 188, Order 2082]

HAMLIN METAL PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by The Hamlin Metal Products Company, Exchange at Water Streets, Akron, Ohio, of Stamped Steel Open End Wrenches of its manufacture, as described in its application dated July 17, 1944, after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Size	Maximum price to jobbers	Maximum price to retailers
		Per dozen	*Per dozen*
Open-end wrench	5/16" x 13/32"	$0.36	$0.48
	3/8" x 7/16"	.36	.48
	1/2" x 9/16"	.48	.64
	11/16" x 3/4"	.60	.80
	5/8" x 3/4"	.72	.96
	7/8" x 1"	.84	1.12

These maximum prices are f. o. b. Akron, Ohio; $.50 per hundred weight freight allowance on shipments of 100 pounds or more and are subject to a cash discount of 2%—10 days, net 30 days.

(b) The maximum price for all sales and deliveries at wholesale for the Open End Wrenches described in paragraph (a) above shall be the price set forth below as follows:

Article	Size	Maximum price to consumer
		Each
Open end wrenches	5/16" x 13/32"	$0.06
	3/8" x 7/16"	.06
	1/2" x 9/16"	.08
	11/16" x 3/4"	.10
	5/8" x 3/4"	.12
	7/8" x 1"	.14

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the Stamped Steel Open End Wrenches described in paragraph (a) above shall be as follows:

(d) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 2082 may be revoked or amended by the Price Administrator at any time.

This Order No. 2082 shall become effective on the 15th day of August, 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12213; Filed, August 14, 1944; 4:48 p. m.]

[MPR 188, Order 2083]

NATIONAL WOOD PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended,

and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of dinette suites manufactured by National Wood Products Company, 1724 East Fifteenth Street, Little Rock, Arkansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
5 piece dinette suite	228	$16.94	$19.98
	209	18.87	22.20

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
5 piece dinette suite	228	$19.98
	209	22.20

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 15th day of August 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12216; Filed, August 14, 1944; 4:48 p. m.]

[MPR 188, Order 2084]

WALTER AND PARNES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of unfinished vanity tables and two items of unfinished vanity benches manufactured by Walter & Parnes, 58 Quentin Road, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Vanity table	1630	$2.31	$2.72
	1836	2.72	3.20
Vanity bench	1630	.80	.94
	1836	.94	1.10
Vanity table and bench set	1630	3.11	3.66
	1836	3.66	4.30

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Vanity table	1630	$2.72
	1836	3.20
Vanity bench	1630	.94
	1836	1.10
Vanity table and bench set	1630	3.66
	1836	4.30

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 15th day of August 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12214; Filed, August 14, 1944; 4:48 p. m.]

[MPR 188, Order 2085]

PHILLIP FORBES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Phillip Forbes, 2924 Government Street, Baton Rouge, Louisiana, of Bamboo Rakes of its manufacture, as described in its application dated April 28, 1944, after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Maximum price to jobbers	Maximum price to retailers
Bamboo, rake	*Per dozen* $6.60	*Per dozen* $8.80

These maximum prices are f. o. b. Baton Rouge, Louisiana and are subject to a cash discount of 2% 10 days, net 30 days.

(b) The maximum price for all sales and deliveries at wholesale for the Bamboo Rakes described in paragraph (a) above shall be the prices set forth below as follows:

Article:	*Maximum price to retailers*
Bamboo Rake	$8.80 (per dozen)

These prices are f. o. b. seller's city and are subject to terms, discounts and allowandes no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the Bamboo Rakes described in paragraph (a) above shall be as follows:

Article:	*Maximum price to consumers*
Bamboo Rake	$1.10 (each)

(d) On each Bamboo Rake shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2085 may be revoked or amended by the Price Administrator at any time.

This Order No. 2085 shall become effective on the 15th day of August 1944.

Issued this 14th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12215; Filed, August 14, 1944; 4:48 p. m.]

[RMPR 506, Order 39]

SPARTAN GLOVE CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In paragraph (b) (3) of F.R. Doc. 44-10701, appearing on page 8224, the issue for Thursday, July 20, 1944, the date "September 5, 1944" should read "September 15, 1944."

[MPR 188, Order 24 Under 2d Rev. Order A-3]

DOTEN-DUNTON DESK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 24 under Second Revised Order No. A-3, under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) *Purpose of this order.* This order grants the Doten-Dunton Desk Company, 210 Broadway, Cambridge, Mass., a 10% uniform percentage adjustment of its maximum prices for sales and deliveries of its line of wood office furniture of its manufacture. This order also permits persons who purchase these articles from the manufacturer for resale, including the Doten-Dunton Desk Company retail store, to increase their maximum prices dollarwise by the amount of this increase.

(b) *Adjustment of maximum prices.* The Doten-Dunton Desk Company, 210 Broadway, Cambridge, Mass., may add a 10% uniform adjustment to its maximum prices for its line of wood office furniture which it manufactures and all the purchasers for resale of the wood office furniture, including the manufacturer's retail store may add the amount of the increase dollarwise to their maximum prices; provided the adjustment charge is separately quoted and billed, and provided they comply with the requirements for notice set forth in paragraph (c) below.

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charge provided in paragraph (b) above, the Doten-Dunton Desk Company and its purchasers for resale shall send a notice to the purchaser fully explaining the terms of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 16, 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-11243; Filed, August 15, 1944; 11:44 a. m.]

[MPR 188, Order 2086]

DYSON UPHOLSTERY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2086 under § 1499.158 of maximum price regulation No. 188. Manufacturer's maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile upholstered rocker manufactured by Dyson Upholstering Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile upholstered rocker manufactured by Dyson Upholstering Co., 400 West 7th Street, Little Rock, Arkansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile upholstered rocker	400	*Each* $3.52	*Each* $4.50

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile upholstered rocker	400	*Each* $4.20

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of August 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12246; Filed, August 15, 1944, 11:43 a. m.]

[MPR 188, Order 2087]

BETHLEHEM WOODCRAFT CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2087 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile table and chairs set manufactured by Bethlehem Woodcraft Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act, of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile table and chairs set manufactured by Bethlehem Woodcraft Company, 219 Broadway, Bethlehem, Pennsylvania.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile table and chairs set	100	*Each* $5.73	*Each* $6.75

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within 10 days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of August 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12247; Filed, August 15, 1944; 11:43 a. m.]

[MPR 188, Order 2088]

CHANDLER-PALRUBA CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2088 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of felt base rug borders manufactured by Chandler-Palruba Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with Maximum Price Regulation No. 188 and section 9.3 of Revised Supplementary Regulation No. 14, it is ordered:

(a) *Adjustment of maximum prices.* This order permits the manufacturer, the Chandler-Palruba Company, East Taunton, Massachusetts, and the distributors and jobbers covered by this order, to make an upward adjustment in their maximum prices for sales of felt base rug borders manufactured by Chandler-Palruba Company, to the extent set forth below, provided the amount of the adjustment is separately stated on each invoice for a sale of rug borders at the adjusted prices.

(1) *Chandler-Palruba Company's prices.* The Chandler-Palruba Company, East Taunton, Massachusetts, may make an upward adjustment in its maximum prices for sales and deliveries to distributors, of the felt base rug borders it manufactures, by an amount no greater than 5% of its maximum net prices in effect prior to the effective date of this order.

(2) *Distributors' prices.* The following wholesale distributors may make an upward adjustment in their maximum net prices for sales and deliveries, to each class of purchasers for resale, of the felt base rug borders manufactured by Chandler-Palruba Company, and shipped on and after the effective date of this order, by an amount no greater than the dollars-and-cents amount by which the Chandler-Palruba Company adjusted its prices to them in accordance with this order:

Congoleum-Nairn, Inc.
Sloane-Blabon Corporation.
Bonafide Mills.
Delaware Floor Products.
J. C. Dunn Company.

(3) *Jobbers' prices.* A jobber or other wholesaler who purchases felt base rug borders manufactured by Chandler-Palruba Company from a wholesale distributor named in paragraph (a) (2) of this order may make an upward adjustment in his maximum prices for sales and deliveries to retailers, of felt base rug borders so purchased, by an amount no greater than the dollars-and-cents amount by which his supplier adjusted its prices to him on particular shipments in accordance with this order.

(b) *Notification.* The Chandler-Palruba Company and all other persons who are permitted to adjust their maximum prices under this order must, on all sales of rug borders at the adjusted prices permitted by this order, furnish an invoice to the purchaser showing the name and address of both the seller and purchaser, the quantity and style number of the felt base rug border, the seller's maximum price prior to the issuance of this order, the adjustment charge permitted by this order, and the following notice:

Notice of OPA action

By Order No. 2088 Under Maximum Price Regulation No. 188, OPA has permitted certain sellers to increase their maximum net prices for felt base rug borders manufactured by Chandler-Palruba Company. The increases which we are permitted to add are shown separately on this invoice. Retailers are not permitted to add anything to their existing maximum prices.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of August 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12248; Filed, August 15, 1944; 11:44 a. m.]

[MPR 188, Order 2089]

U. S. Bedding Co.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2089 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of juvenile upholstered rockers manufactured by U. S. Bedding Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three items of juvenile upholstered rockers manufactured by U. S. Bedding Company, 1047 Florida Street, Memphis, Tennessee.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile upholstered rocker	Cover	Each	Each
	30. 45	$4. 04	$4. 75
	.95	4. 66	5. 48
	1. 28	5. 13	6. 03

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile upholstered rocker	Cover	Each
	30. 45	$4. 75
	.95	5. 48
	1. 28	6. 03

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of August 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12249; Filed, August 15, 1944; 11:44 a. m.]

[MPR 188, Order 2090]

Crotts Woodworking Shop

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2090 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a tilt top table manufactured by Crotts Woodworking Shop.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a tilt top table manufactured by Crotts Woodworking Shop, Thomasville, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Tilt top table	5	Each $6. 80	Each $8. 00

These prices are f. o. b. factory and are subject to a discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Tilt top table	5	Each $8. 00

This price is subject to a cash discount of two percent payment within ten days, net thirty days

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of August 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12250; Filed, August 15, 1944; 11:44 a. m.]

[MPR 528, Order 12]

GOODYEAR TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 12 under Maximum Price Regulation 528. Tires and tubes, recapping and repairing. Authorization of maximum prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528.

(a) *Maximum retail prices.* The maximum retail price for a new 11–38, 10-ply farm tractor rear tire shall be $100.60 each.

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective August 16, 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12245; Filed, August 15, 1944; 11:45 a. m.]

[RMPR 436, Order 10]

CRUDE PETROLEUM FROM STRIPPER POOLS IN CALIFORNIA

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Belridge South, Middle Belridge Area, (Shallow), San Joaquin Valley, California	25
Kern River (All Pools), San Joaquin Valley, California	35
McVan, Poso Creek District, San Joaquin Valley, California	25
Pyramid Hills, San Joaquin Valley, California	20
Sunset, Mt. Poso District, San Joaquin Valley, California	25
Temblor Ranch, McKittrick District, San Joaquin Valley, California	35
Wasco (Shale), San Joaquin Valley, California	35
Wheeler Ridge (All Pools), San Joaquin Valley	20
Bardsdale (All Pools excepting Elkins Area), Santa Paula-Newhall District, Coastal Area, California	25
Capitan (Sespe), Santa Barbara District, Coastal Area, California	25
Edna, San Luis Obispo, Coastal Area, California	35
Ex-Mission, Santa Paula, Santa Paula-Newhall District, Coastal Area, California	35
Modelo, Piru, Santa Paula-Newhall District, Coastal Area, California	35
Newhall (Newhall), Santa Paula-Newhall District, Coastal Area, California	35
Santa Barbara (Vaqueros), Santa Barbara District, Coastal Area, California	25
Sargent, Santa Clara, Coastal Area, California	35
Sespe Canyon, Santa Paula-Newhall District, Coastal Area, California	20
Shiells Canyon (All Pools), Santa Paula Newhall District, Coastal Area, California	20
Simi - Conejo - Oxnard (Simi), Santa Paula-Newhall District, Coastal Area, California	35
Sisar-Silverthread, Santa Paula, Santa Paula-Newhall District, Coastal Area, California	35
Summerland (All Pools), Santa Barbara District, Coastal Area, California	20
Tapo-Eureka, Piru, Santa Paula-Newhall District, Coastal Area, California	35
Timber Canyon, Santa Paula, Santa Paula-Newhall District, Coastal Area, California	35
Torrey Canyon, Piru, Santa Paula-Newhall District, Coastal Area, California	35
Wiley-Towsley Canyon, Newhall, Santa Paula-Newhall District, Coastal Area, California	35
Los Angeles, Los Angeles District, Los Angeles Basin, California	35
Puente Hills, Los Angeles Basin, California	35
Torrance Area (Flint), Torrance-Hermosa, Los Angeles Basin, California	25
Whittier (Central Area), Los Angeles Basin, California	25
Whittier (Rideout-Heights Area), Los Angeles Basin, California	20

(b) This order may be revoked, amended or corrected at any time. This order shall become effective as of August 1, 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12244; Filed, August 15, 1944; 11:43 a. m.]

[RMPR 161, Order 49]

WEST COAST LOGS

OVERTIME ADDITIONS

Pursuant to the provisions of § 1381.-156 of Revised Maximum Price Regulation No. 161, West Coast Logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is hereby ordered:

(a) *New Authorizations:* The following persons being on a 48 hour week may add to the maximum prices of all logs produced and sold by them $1.00 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name and address:	*Effective date*
S. L. & L. H. Smith, Haddock, Wash	Sept. 1, 1943

(b) The following persons being on a 54 hour week may add to the maximum prices of all logs produced and sold by them $1.50 per thousand feet log scale, on sales made on and after the effective date indicated:

Name and address:	*Effective date*
Burt Gainor Logging Co., Lebanon, Oreg	June 12, 1944
Gilbert Logging Co., Lebanon, Oreg	July 5, 1944
Northwest Logging Co., Sequim, Wash	July 1, 1944
Stewart & Bartl, Aberdeen, Wash	July 15, 1944

(c) *Change of status:*

Name and address	New number of hours	Additions permitted	Effective date
Kay Logging Co., Seattle, Wash	48	$1.00	June 1, 1944.
Julian Kindred, Seattle, Wash	54	1.50	June 15, 1944.
Lerback Logging Co., Seaside, Oreg	54	1.50	July 1, 1944.
Murphy Timber Co., Portland, Oreg	54	1.50	May 5, 1944.
Walton Lumber & Plywood Logging Co., Forks, Wash	60	2.00	June 3, 1944.

(d) *Change of name:*

Certification of Lee Tittle is changed to Lee Tittle Logging Company, as a 54 hour operator.

(e) *Cancellations:*

Name and address	*Effective date*
H. L. Crippen Logging Co., Forks, Wash	July 1, 1944
Coos Bay Pulp Corporation, Anacortes, Wash	July 6, 1944

This order shall become effective August 16, 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12242; Filed, August 15, 1944; 11:44 a. m.]

WAR MANPOWER COMMISSION.

AUBURN, CAYUGA COUNTY, N. Y.

MINIMUM WARTIME WORK WEEK

Designation of the Auburn Labor Market Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. II by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Auburn Labor Market Area as subject to the provisions of Executive Order No. 9301.

I. For the purposes of this designation, the Auburn Labor Market Area shall include:

Cayuga County in the State of New York.

II. The effective date of this designation is September 15, 1944.

III. Not later than the effective date, each employer in the Auburn Labor Market Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: August 11, 1944.

ANNA M. ROSENBERG,
Regional Director.

[F. R. Doc. 44-12219; Filed, August 15, 1944; 10:18 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 164

Washington, Thursday, August 17, 1944

The President

PROCLAMATION 2617

CAPTURE OF PRIZES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the act of August 18, 1942, 56 Stat. 746, as amended by Public Law 497, approved July 1, 1944, contains in part the following provisions:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district courts shall have original jurisdiction of all prizes captured during war if said capture was made by authority of the United States or was adopted and ratified by the President of the United States and the prize was brought into the territorial waters of a cobelligerent or was taken or appropriated for the use of the United States, including jurisdiction of all proceedings for the condemnation of such property taken as prize.

* * * * *

SEC. 3. The jurisdiction of prizes brought into the territorial waters of a cobelligerent shall not be exercised under authority of this Act, nor shall prizes be taken or appropriated within such territorial waters for the use of the United States, unless the government having jurisdiction over such territorial waters consents to the exercise of such jurisdiction or to such taking or appropriation.

* * * * *

SEC. 7. A cobelligerent of the United States which consents to the exercise of the jurisdiction herein conferred with respect to prizes of the United States brought into its territorial waters and to the taking or appropriation of such prizes within its territorial waters for the use of the United States shall be accorded, upon proclamation by the President of the United States, like privileges with respect to prizes captured under authority of such cobelligerent and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of such cobelligerent. Reciprocal recognition and full faith and credit shall be given to the jurisdiction acquired by courts of a cobelligerent hereunder and to all proceedings had or judgments rendered in exercise of such jurisdiction.

WHEREAS the Government of Australia, a cobelligerent, has consented to the exercise of the jurisdiction conferred by the said act with respect to prizes of the United States brought into the territorial waters of Australia and to the taking or appropriation of such prizes within the territorial waters of Australia for the use of the United States:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the said act of August 18, 1942, do proclaim that the Government of Australia shall be accorded like privileges with respect to prizes captured under authority of the said Government and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of the said Government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of August in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-12311; Filed, August 16, 1944; 11:26 a. m.]

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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Book 6: Titles 28–32, with index.

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TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 21, Amdt. 1]

PART 1106—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF FLORIDA

WORKERS ENGAGED IN HARVESTING OF CITRUS FRUIT

Section 1106.1 (9 F.R. 9042) is hereby revised and amended by striking out the number "8" in paragraph (b) (6) and inserting in lieu thereof the number "9".

(56 Stat. 765, 50 U. S. C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9 F.R. 831, 7645)

Issued this 15th day of August 1944.

WILSON R. BUIE,
Acting Director of Labor.

[F. R. Doc. 44–12300; Filed, August 16, 1944; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 258]

REPORT OF OBLIGATIONS

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 260–G, entitled "Report of Obligations."[1]

The foregoing addition shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 23, 1944.

[F. R. Doc. 44–12297; Filed, August 16, 1944; 10:07 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 18, 1943, 8 F.R. 6727.

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Conservation Order M–1–l, Revocation]

ALUMINUM

Section 921.11 *Supplementary Order M–1–l* is hereby revoked.

This action should not be construed to affect in any way any liability or penalty incurred under said order.

This revocation does not affect aluminum scrap, which is defined in and controlled by Order M–1–d, or aluminum pigment and composition which are defined in and controlled by Order M–1–f.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12283; Filed, August 15, 1944; 5:21 p. m.]

[1] Filed as part of the original document.

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Limitation Order M–1–k]

ALUMINUM

§ 921.13 *Supplementary Limitation Order M–1–k*—(a) *Restrictions on use of aluminum in other orders removed.* All restrictions in other orders of the War Production Board as to the use of aluminum (whether referred to by name or metal) are inapplicable, except as follows:

(1) Aluminum kitchen and household ware may be made only as described in Order L–30–e;

(2) Restrictions in any other War Production Board order as to the quantity of an article which may be made or as to its size or type remain applicable even if the article is made wholly or partly of aluminum;

(3) Restrictions in CMP regulations remain effective;

(4) Restrictions on aluminum scrap in Order M–1–d and on aluminum pigment and composition in Order M–1–g remain effective.

(b) *How to get aluminum.* Persons who wish to get aluminum may get it pursuant to CMP regulations, or under Priorities Regulation 13 (or WPB Directive 16) in accordance with that regulation. In addition they may apply under Priorities Regulation 25 for aluminum to make any article or product unless it is restricted by a WPB order which is neither listed on a direction to that regulation nor amended to refer to that regulation.

Issued this 15th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12281; Filed, August 15, 1944; 5:22 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–30–e]

ALUMINUM COOKING UTENSILS, KITCHENWARE, AND HOUSEHOLD ARTICLES

§ 3291.66 *General Limitation Order L–30–e*—(a) *What this order does.* This order provides a means to get authorization to use aluminum in making cooking utensils, kitchenware and other miscellaneous household articles. No person may use aluminum in making articles on Schedule A except as permitted here.

(b) *Permitted production.* (1) Any cooking utensils, kitchenware or household articles listed on Schedule A may be manufactured out of aluminum by any person receiving an allotment of aluminum and an authorized production schedule from the War Production Board.

(2) All applications for allotments of aluminum and other materials and for authorized production schedules to make articles on Schedule A out of aluminum should be made by filing Form WPB–4000 and Form WPB–3820 with the nearest WPB field office in accordance with the provisions of Priorities Regulation 25.

(3) The War Production Board will make allotments, so that production to any one plant, or labor requirements therefor will not interfere with war production in that plant or in any other plant located in the same area.

(c) *Special material restrictions.* No person shall use any of the following metals in the production of aluminum products authorized under paragraphs (b) (1):

(1) Tin.
(2) Copper and copper base alloy.

(d) *Reports.* Every person who uses aluminum in making cooking utensils, kitchenware or household articles, as permitted in paragraph (b) (1) of this order shall file such reports as the War Production Board may specify from time to time subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(e) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all other applicable orders and regulations of the War Production Board.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from this order except from the provision of paragraphs (b) and (e) should be made on Form WPB–1477 which should be filed (in triplicate) with the field office of the War Production Board for the district in which is located the plant to which the appeal relates. No appeal should be filed from paragraphs (b) and (e).

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–30–e.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of August, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Commercial cooking utensils.
Household cooking utensils.
Dinner pails.
Ice cream dippers.
Ice trays for Domestic Mechanical Refrigerators.
Lunch boxes.
Other kitchenware and miscellaneous household articles.
Trays.
Vacuum bottles.

[F. R. Doc. 44–12282; Filed August 15, 1944, 5:21 p. m.]

PART 3284—BUILDING MATERIALS

[General Limitation Order L–212, as Amended August 16, 1944]

INCANDESCENT LIGHTING FIXTURES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials and component parts which enter into the production of incandescent lighting fixtures; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Section 3284.51 *General Limitation Order L–212* is hereby amended as follows:

§ 3284.51 *General Limitation Order L–212*—(a) *Purpose of the order.* This order places limitations on the manufacture and assembly of residential incandescent electric lighting fixtures and parts. It also restricts the sale and delivery of all new incandescent electric lighting fixtures and parts except residential.

(b) *Exceptions.* The restrictions and limitations contained in this order do not apply to the manufacture and assembly or the sale and delivery of copper wire, sockets, switches, or accessories (such as threaded fittings, supporting straps, mounting straps, screws, locknuts, running thread nipples, or hickeys) used in attaching incandescent lighting fixtures to an electrical outlet. However, there are other WPB orders which control the manufacture or distribution of these components, for example: Sockets and switches, in L–277; shells and caps in M–9–c.

Restrictions on Manufacture and Assembly

(c) *Residential incandescent lighting fixtures.* (1) No person may manufacture or assemble a residential incandescent lighting fixture containing more than 20 ounces of metal. This weight limit is maximum and no overweight tolerances are permitted. In calculating the weight of the metal, the weight of the items listed in paragraph (b) shall not be included.

(2) Aluminum may be used as a substitute for other metals in making residential incandescent lighting fixtures but the 20-ounce weight limit set forth in subparagraph (1) must be complied with. Furthermore, any person who uses aluminum as a substitute for other metals may not use, during the third quarter of 1944, more steel and aluminum (by weight) in total than the quantity of steel (by weight) that he has been allotted for the third quarter under the Controlled Materials Plan, and may not make a larger number of units than he could have made with the allotted steel. In the fourth quarter of 1944 and in subsequent quarters, the quantity of materials (including aluminum) permitted to be used in making residential incandescent lighting fixtures, and the number of units he may make, will be controlled by the size of the allotments of controlled materials (including aluminum) which are made under regular War Production

Board procedures. Insofar as the provisions of this paragraph are inconsistent with Order M–1–l, this paragraph controls.

(d) *Restrictions in other orders.* No person may manufacture or assemble an incandescent lighting fixture or part from materials prohibited by M–1–g (Aluminum Paint), M–6–b (Nickel), M–9–c (Copper), M–11–b (Zinc), M–18–b (Chrome), M–43 (Tin), M–65 (Cadmium), M–126 (Iron and Steel), or any other applicable order of the War Production Board.

Restrictions on Sale and Delivery

(e) *Preference ratings.* No person may sell or deliver any new incandescent lighting fixture or part except on an order or contract bearing a preference rating. (An order or contract for a complete fixture bearing a preference rating lower than AA–2 must be regarded as an unrated order or contract, if the supplier knows or has reason to believe that the rating is a blanket MRO rating. But if the order or contract is for a component part which is to be used solely for repair of an existing fixture, then a blanket MRO rating of AA–5 or higher will be sufficient. The term "blanket MRO rating" is defined in PR–3.)

(f) *Exceptions to the restrictions contained in paragraph (e).* There are seven exceptions to the restrictions on sale and delivery in paragraph (e). No preference rating is necessary for:

(1) The sale and delivery of a residential fixture or part;

(2) The delivery of a fixture or part to an established testing laboratory for testing purposes only;

(3) The delivery of a fixture or part to a potential customer for demonstration, but not for stock or for sale except in accordance with paragraph (e);

(4) Sale and delivery of a fixture or part on a special sale under PR–13;

(5) The delivery of a fixture or part from one branch, division or section of a single enterprise to another branch, division or section of the same enterprise, but not for installation in the branch, division or section;

(6) The sale and delivery of an illuminated exit sign of the type commonly installed in public buildings under the fire laws and bearing no advertising matter;

(7) The sale and delivery of illuminating glassware.

Definitions

(g) The term "incandescent lighting fixture" means any complete lighting fixture or complete lighting equipment designed or constructed for the purpose of illumination which employs or is used in connection with an incandescent electric light source of any size or with a mercury vapor light source rated only 250 or 400 watts.

(h) The definition of "incandescent lighting fixture" in paragraph (g) includes not only those fixtures which are commonly understood by the industry to be incandescent lighting fixtures, but also the following:

(1) Industrial portable incandescent lighting fixtures as defined in paragraph (k).

(2) Industrial attachable incandescent lighting fixtures as defined in paragraph (l).

(3) Stage lighting fixtures and stage lighting equipment, whether fixed, portable or attachable.

(4) Illuminating glassware specifically designed for use with incandescent lighting fixtures controlled by Order L–212.

(5) Overhead portable or attachable incandescent lighting fixtures, as excluded from Order L–33.

(i) The definition of "incandescent lighting fixture" in paragraph (g) does not include the following:

(1) Lamps or bulbs controlled by Order L–28;

(2) Fluorescent lighting fixtures controlled by Order L–78;

(3) Portable electric lamps controlled by Order L–33;

(4) Aircraft lighting equipment controlled by Order L–327;

(5) Aviation ground lighting equipment controlled by Order L–235;

(6) Blackout and dimout lighting fixtures controlled by Order L–168;

(7) Floodlights, searchlights, traffic signals, street or highway luminaires or automotive lights, or trailer lights;

(8) Flashlights or any portable battery-operated lighting device controlled by Order L–71;

(9) Lighting fixtures specifically designed for use:

(a) On shipboard;

(b) In connection with aerial or marine navigation;

(c) As dental or surgical operating fixtures;

(10) Photographic lighting equipment and accessories controlled by Order L–267.

(j) A "new" incandescent lighting fixture or part is one which has never been used by an ultimate consumer.

(k) An "industrial portable incandescent lighting fixture" is one which is designed for use in the operation of some piece of factory equipment (such as an industrial machine or tool) or in the assembly, inspection or servicing of a product, but which is not permanently attached to the equipment or the product. Such fixtures are designed to be plugged into an electric outlet and are usually equipped with either a handle, a hook, or a base fitted with free rolling casters.

(l) An "industrial attachable incandescent lighting fixture" is one which is designed to be used with some piece of factory equipment (such as an industrial machine, tool, or assembly bench) and is so constructed that it may be permanently affixed by screws to the equipment or to an adjoining wall. Such fixtures are designed to be plugged into an electric outlet.

(m) A "residential incandescent lighting fixture" is one which is designed and constructed to provide illumination for a human habitation. The term includes, but is not limited to, residential bracket fixtures (interior and exterior) and residential porch ceiling fixtures. The term does not include portable or pin-up types, which are controlled by Order L–33.

Miscellaneous Provisions

(n) *Appeals.* Any appeal from the provisions of this order may be filed either on Form WPB–1477 (formerly PD–500) or by letter in triplicate referring to the particular provision appealed from and fully stating the grounds for the appeal. Such appeals shall be filed with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(o) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(p) *Routing of correspondence.* Communications concerning this order (except appeals) shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: L–212.

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 16th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12309; Filed, August 16, 1944; 11:26 a. m.]

Chapter XI—Office of Price Administration

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 2,[1] Amdt. 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

A statement of the considerations involved in the issuance of this Amendment 2 to Restaurant Maximum Price Regulation 2 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Restaurant Maximum Price Regulation 2 is amended in the following respect:

1. Section 1, paragraph (c) (2) is amended to read as follows:

(2) *Milk.* Your ceiling price for sales of milk subject to this regulation is your legally established ceiling price during the week of July 23–29, 1944 for milk of the same kind, quantity or grade.

This amendment shall become effective August 15, 1944.

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12276; Filed, August 15, 1944; 5:07 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7265, 9387.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 530,[1] Amdt. 1]

IMPORT PRICES FOR PULPWOOD PRODUCED IN THE PROVINCES OF QUEBEC, NEW BRUNSWICK, AND NOVA SCOTIA IN THE DOMINION OF CANADA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 530 is amended in the following respects:

1. In section 8 (a), subparagraph (3) is amended to read as follows and subparagraphs (4) and (5) are added to read as follows:

(3) *"Broker"* (i) With respect to pulpwood produced in the Province of Quebec, a "broker" means any person who sells such pulpwood to United States consumers, which pulpwood has not been cut or prepared by such person, but which was purchased by him in the condition in which it is to be delivered to such consumer.

(ii) With respect to pulpwood produced in the Provinces of New Brunswick and Nova Scotia, a "broker" means any person who sells such pulpwood to United States consumers, which pulpwood has not been cut or prepared by such person, but which was purchased by him in the condition in which it is to be delivered to such consumer, and who sold and delivered not less than 5,000 cords of pulpwood to United States consumers in the 1943–1944 operating season, or who shall sell and deliver not less than 5,000 cords of pulpwood to such consumers in any subsequent operating season. "Operating season" means the period between the first day of May in one year and the last day of April in the next succeeding year;

(4) "Dealer" means any person other than a broker who sells pulpwood to United States consumers, or vendors to such consumers, which pulpwood was not cut or prepared by such person, but which was purchased by him in the same condition in which it is to be delivered to a United States consumer, and includes a broker when the broker sells to a person other than a United States consumer;

(5) "United States consumer" means any person who purchases pulpwood to be consumed by it within the continental limits of the United States.

2. Section 9 is amended to read as follows:

SEC. 9. *Import prices for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada—(a) Maximum import prices.* The maximum import price per cord for pulpwood produced in the Provinces of Quebec, New Brunswick and Nova Scotia in the Dominion of Canada shall not exceed the appropriate domestic Canadian ceiling prices as established by Administrative Orders Nos. A–1281, A–1282, and A–1283 issued by the Canadian Wartime Prices and Trade Board and effective on and after July 20, 1944 by more than the following:

Species	*Canadian funds*
Poplar:	
Rough	$0.50
Peeled	.50
Spruce and Jack Pine:	
Rough	.75
Peeled	1.00

(b) *Broker's and dealer's commissions.* (1) Where a United States consumer buys pulpwood produced in the Province of Quebec in the Dominion of Canada through a broker as defined in section 8 (a) (3) (i) hereof, such consumer may pay such broker, in addition to the maximum prices provided in section 9 hereof, a commission not to exceed $1.00 per cord for rough pulpwood and $1.50 per cord for peeled pulpwood.

When a broker procures such pulpwood from a dealer, the broker may split his commission with the dealer.

(2) Where a United States consumer buys pulpwood produced in the Provinces of New Brunswick and Nova Scotia in the Dominion of Canada through a broker as defined in section 8 (a) (3) (ii) hereof, such consumer may pay such broker, in addition to the maximum prices provided in section 9 hereof, a commission not to exceed $1.00 per cord for rough pulpwood and $1.50 per cord for peeled pulpwood.

When a broker or a United States consumer procures such pulpwood from a dealer, the broker or such consumer may pay such dealer not in excess of $.50 per cord for rough pulpwood and $1.00 per cord for peeled pulpwood: *Provided, however,* That in no case may the total commissions paid exceed $1.00 per cord for any cord of rough pulpwood and $1.50 per cord for any cord of peeled pulpwood.

(3) Persons who have not qualified as brokers, but who intend to do so, shall state their intention so to do in writing to the Paper and Paper Products Branch of the Offices of Price Administration, Washington, D. C. Nothing contained herein shall be construed to prohibit payment of a broker's allowance in escrow to a bank or bank and trust company to be paid to such broker if and when it shall have been determined by the Paper and Paper Products Branch of the Office of Price Administration, Washington, D. C., that such broker has qualified so as to be entitled to receive such commission, but otherwise to be repaid by such fiduciary to the United States consumer at the end of the calendar year.

(c) *Applications for exception or adjustment.* In the event that the Canadian Wartime Prices and Trade Board or any other duly authorized person grants an exception or adjustment to any producer and/or seller of Canadian pulpwood from the maximum prices established by the above mentioned Administrative Orders Nos. A–1281, A–1282, A–1283, the person importing such pulpwood may apply to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C., for authority to pay the amount necessary to cover such exception or adjustment. Such application shall set forth (1) that the application is based on an exception or adjustment granted to the producer and/or seller by the Canadian Wartime Prices and Trade Board or any other duly authorized person; (2) the name and address of the producer and/or seller; and (3) the amount of exception or adjustment so granted.

Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 10 days from the filing of such application approve, disapprove, adjust, amend or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

This amendment shall become effective August 16, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12301; Filed August 16, 1944; 11:32 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 4478.

PART 1361—FARM EQUIPMENT

[MPR 246,[1] Amdt. 14]

MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation 246 is amended in the following respects:

1. Section 1361.66 (a) (4) is amended to read as follows:

(4) "Farm equipment" means any mechanical equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, and also the categories of non-mechanical equipment, attachments and parts, included in the partial list of "farm equipment" below. The term "farm equipment" does not include automobiles, trucks, hardware items, general purpose tools, hand tools, building materials, electrical equipment (except electrically motivated farm equipment and fence controllers), sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural product. A partial list of "farm equipment" follows: farm and garden tractors (except crawler tractors); planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeders; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hayloaders, stackers,

[1] 8 F.R. 17184, 9 F.R. 6110, 6881.

balers, etc.); dairy farm equipment (milking machines, farm milk coolers, farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); beekeepers' equipment; agricultural spraying equipment; barn and barnyard equipment; electric fence controllers; farm pumps and water systems; windmill generating sets; windmills; farm grain elevators, grain bins, wood-slat corn cribbing woven with wire, and silos; circular wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); buggies and farm wagons; and attachments and parts for all the foregoing.

2. Section 1361.67 (b) (8) is added to read as follows:

(8) Hardware items—The term "hardware item" means any item which is sold to users primarily by hardware stores.

This amendment shall become effective August 21, 1944.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12303; Filed, August 16, 1944; 11:33 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 550]

CURED AND SMOKED FISH

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, that maximum prices be established for the sale by processors of cured and smoked fish.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, the prices established are generally fair and equitable and will effectuate the purposes of the act.

A statement of the considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 550—CURED AND SMOKED FISH

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ARTICLE V—SMOKED SABLEFISH

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5.3 Sales to a retailer or purveyor of meals.
5.4 Sales at retail.
5.5 Container allowances.
5.6 Definitions.
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ARTICLE VI—SMOKED WHITEFISH

6.1 Maximum price.
6.2 Explanation of "freight rate".
6.3 Sales to a retailer or purveyor of meals.
6.4 Sales at retail.
6.5 Container allowances.
6.6 Definitions.
6.7 Cross-references.

AUTHORITY: Secs. 1.1 to 6.7 inclusive (§ 1364.357) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SEC. 1.1. *What this regulation does.* This regulation fixes the maximum prices at which any person may sell mild-cured salmon. It further fixes the maximum prices at which any processor may sell cured and smoked fish covered in the regulation.

SEC. 1.2. *Relation to other regulations.* (a) The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries by processors of cured or smoked fish.

(b) The maximum price at which a person may export cured or smoked fish shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation issued by the Office of Price Administration.

(c) Maximum Price Regulations Nos. 421, 422 and 423 apply to sales by wholesalers and retailers, as defined in those regulations, who are not processors.

SEC. 1.3 *Where this regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States, to the District of Columbia, and with respect to mild-cured salmon to the Territory of Alaska.

SEC. 1.4. *Sales to which this regulation does not apply.* The provisions of this regulation shall not be applicable to sales or deliveries of cured or smoked fish if, prior to August 21, 1944, such cured or smoked fish has been received by a carrier other than a carrier owned or controlled by the seller, for shipment to the purchaser.

SEC. 1.5. *Prohibitions.* Regardless of any contract or other obligation, no person shall sell or deliver and no person may buy or receive cured or smoked fish in the course of trade or business at a price higher than the maximum price fixed for such sale by this regulation, and no person shall agree, offer, solicit, or attempt to do any of these things. Prices lower than the maximum prices may be charged and paid.

SEC. 1.6. *Enforcement.* On and after August 21, 1944, any person violating any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 1.7. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 1.8. *Evasion.* No person shall evade any of the provisions of this regulation by any scheme or device, and no person covered by this regulation shall indirectly charge or receive for the cured or smoked fish listed in this regulation a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any cured or smoked fish covered by this regulation require a purchaser to buy any other cured or smoked fish or any other commodity.

SEC. 1.9. *Brokers.* In accordance with trade custom every broker shall be considered the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price, including allowable transportation costs actually paid by the seller or by the broker. In other words, the seller may not collect from the buyer any more than his maximum price, including allowable transportation costs so paid, less the amount which the buyer pays the broker.

SEC. 1.10. *Notification to wholesalers and retailers.* With the first delivery after August 21, 1944, of any item of cured or smoked fish covered by this regulation, the processor shall supply each wholesaler and retailer who purchases from him with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. . We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see section 6 in each case). You must refigure your ceiling price on the first delivery of this item to you on and after .

For a period of 90 days after August 21, 1944, and with the first shipment after the 90-day period to each person who has not made a purchase within that time, the processor shall include in each box, carton or case containing the item the written notice set forth above.

SEC. 1.11 *Records and reports.* (a) Every person making a sale subject to this regulation and every person in the course of trade or business making a purchase of cured or smoked fish subject to this regulation, or otherwise dealing therein, after August 21, 1944, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received for each item of cured or smoked fish sold and the container and wrapping allowance, if any.

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

(c) Every person making a sale of any cured or smoked fish subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date; the name and address of the buyer and seller; the price for each item of cured or smoked fish sold, including separate statements of the container and wrapping allowance, if any.

SEC. 1.12 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 1.13. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by an official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 1.14. *Authorization to regional offices to fix the transportation allowance.* Any regional office of the Office of Price Administration and such other offices as may be authorized by the appropriate regional office may by order determine and fix for any area or locality within its jurisdiction the transportation allowance or "freight rate" which the processor may add in determining his maximum price for any particular species of cured or smoked fish subject to this regulation. The transportation allowance shall be ascertained by reference to the principal source or sources from which the particular species is shipped to the area or locality and the method of transportation generally used. The transportation allowance thus fixed shall be used by all processors in lieu of the transportation allowance or "freight rate" provided in any other section of this regulation in determining their maximum price for the sale, in the area or locality, of the designated species of cured or smoked fish. The transportation allowance may be made effective for such time as the appropriate office finds proper, and may be changed from time to time to reflect changes in the principal sources of designated species of fish or methods of shipment which occur in the regular course of business. In determining the maximum prices for sales of cured or smoked fish in any area or locality for which a transportation allowance is not established, processors shall add the transportation allowance or "freight rate" as provided in the appropriate section of this regulation. Any transportation allowances established pursuant to the provisions of this section shall have the same force and effect as if specifically established in this regulation.

SEC. 1.15 *Authorization to regional offices to fix the container allowance.* Any regional office of the Office of Price Administration and such other offices as may be authorized by the appropriate regional office may by order determine and fix for any area or locality within its jurisdiction the container allowance, including the allowance for special refrigerant, which the processor may add in determining his maximum price for any particular species of cured or smoked fish subject to this regulation when such cured or smoked fish is shipped by common or contract carrier. The container allowance shall be ascertained by reference to the container costs prevailing in such area or locality for such types of shipment. The container allowance thus fixed shall be used by all processors in lieu of the container allowance provided in any other section of this regulation in determining their maximum price for the sale, in the area or locality, of the designated species of cured or smoked fish. The container allowance may be made effective for such time as the appropriate office finds proper and may be changed from time to time to reflect changes in the prevailing costs for such containers. In determining the maximum prices for sales of cured or smoked fish in any area or locality for which a container allowance is not established, processors shall add the container allowance as provided in the appropriate section of this regulation. Any container allowance established pursuant to the provisions of this section shall have the same force and effect as if specifically established in this regulation.

SEC. 1.16. *Definitions.* (a) "Cured or smoked fish" includes salted, pickled, smoked and dried fish.

(b) A "sale at retail" is a sale to an ultimate consumer, other than a commercial, industrial or institutional user.

(c) A "retailer" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers other than commercial, industrial and institutional users.

(d) "Smoked fish" is fish which has been subjected to a curing process by the application of heat and smoke over an open fire or in an oven and has not been packed in a hermetically sealed container.

SEC. 1.17. *General pricing instruction; fractions.* If the maximum price for an item of smoked fish computed in accordance with the rules provided in this regulation results in a fraction of a cent, the result will be rounded out to the nearest cent. (Note that this rule does not apply to mild-cured salmon).

ARTICLE II—MILD-CURED SALMON

SEC. 2.1 *Maximum prices.* (a) The maximum price at which any person may sell selected mild-cured salmon is:

(1) 31½ cents per pound ex plant or warehouse located in the United States except Alaska or f. o. b. shipping point nearest such plant or warehouse plus the per pound rail carload freight charge for mild-cured salmon from Seattle, Washington to such point.

(2) 31½ cents per pounds ex plant or warehouse located in Alaska or f. o. b. shipping point nearest such plant or warehouse minus the per pound common carrier freight charge for mild-cured

*Copies may be obtained from the Office of Price Administration.

salmon from such Alaskan point to Seattle, Washington.

(3) Selected mild-cured salmon means mild-cured salmon slabs generally weighing at least six pounds each which have been specially selected and packed in a container so that ninety percent or more of the number of slabs so packed shall each weigh at least six pounds.

(b) The maximum price at which any person may sell mild-cured salmon packed in such a manner that the pack fails to meet the requirements for selected mild-cured salmon shall be the price fixed in paragraph (a) (1) or paragraph (a) (2), whichever is applicable, minus 5 cents per pound.

SEC. 2.2. *Imported mild-cured salmon.* No person in the course of trade or business shall import (buy, receive or in any manner pay for and bring in, deliver or cause to be brought into or delivered into the United States) from Canada any mild-cured salmon at a price which will result in a total cost per pound of mild-cured salmon delivered to the importer's place of business, which is greater than it would have been if the mild-cured salmon were purchased f. o. b. Seattle, Washington.

SEC. 2.3. *Definitions.* (a) Mild-cured salmon is Chinook (King) or Silver salmon which has been eviscerated, beheaded, split and cured by salt treatment.

(b) A slab is the lengthwise portion of mild-cured salmon derived from splitting the headless and eviscerated fish and removing the backbone.

SEC. 2.4. *Cross-references.* (a) For provisions with reference to brokers see section 1.9.

(b) For requirements with reference to records, reports and notification of retailers see sections 1.10 and 1.11 respectively.

ARTICLE III—SMOKED MILD-CURED SALMON

SEC. 3.1. *Maximum price.* (a) The maximum price for sales by a processor of smoked mild-cured salmon (lox) is 46 cents per pound ex processor's plant or warehouse or f. o. b. shipping point nearest processor's plant or warehouse, plus the "freight rate" as explained in section 3.2, plus the container allowance in section 3.5 where applicable.

(b) The maximum price fixed by this section 3.1 does not apply to sales covered by sections 3.3, "Sales to a retailer or to a purveyor of meals", and 3.4, "Sales at retail."

SEC. 3.2. *Explanation of "freight rate".* (a) If during the year prior to the effective date of this regulation a processor received at his processing plant the greater part of the mild-cured salmon he handled at that plant by direct shipment from Seattle, Washington, Canada and/or Alaska, he may add as the "freight rate" the per pound common carrier rate for mild-cured salmon from Seattle, Washington, to his processing plant, multiplied by 1.10. In determining this common carrier rate he shall use the type of shipment by which he received the greatest volume of mild-cured salmon at his processing plant.

(b) If during the year prior to the effective date of this regulation a processor received at his processing plant the greater part of the mild-cured salmon he handled at that plant by shipment from a point or points other than Seattle, Washington, Canadian and/or Alaskan points, he may add as the "freight rate" the sum of the following two rates multiplied by 1.10:

(1) The rail carload freight rate per pound for mild-cured salmon from Seattle, Washington, to his supplier's shipping point, plus

(2) The per pound common carrier rate for mild-cured salmon from his supplier's shipping point to his processing plant for the type of shipment by which he received the greatest volume at his processing plant.

(c) If no common carrier rate is available, actual transportation costs, excluding local trucking, hauling and handling charges may be used in determining the "freight rate" under paragraphs (a) and (b) above.

SEC. 3.3. *Sales to a retailer or to a purveyor of meals.* The maximum price for sales of smoked mild-cured salmon by a processor to a retailer or to a purveyor of meals where delivery is made to the customer's place of business and the cost of the delivery is borne by the processor, is the price as determined in section 3.1 plus 5 cents per pound.

SEC. 3.4. *Sales at retail.* The maximum price for sales of smoked mild-cured salmon at retail by a processor is the price as determined in section 3.1 plus the mark-up for smoked fish ("fish, processed") set out in Maximum Price Regulation No. 422.

SEC. 3.5. *Container allowances.* If a shipment of smoked mild-cured salmon involves transportation by contract or common carrier the processor may add as a container allowance the actual cost of containers and special refrigerant in which the smoked mild-cured salmon is packed, but only if he bills such cost separately on an invoice to the purchaser.

SEC. 3.6. *Definitions.* (a) "Lox" means mild-cured salmon which has been cooked and smoked.

SEC. 3.7. *Cross-references.* (a) Provisions with respect to notification to wholesalers and retailers and with respect to records and reports will be found in sections 1.10 and 1.11 respectively.

(b) Other definitions of terms used in this regulation will be found in section 1.16.

(c) General pricing instructions will be found in section 1.17.

ARTICLE IV—SMOKED KIPPERED SALMON

SEC. 4.1. *Maximum price.* (a) The maximum price for sales by a processor of smoked kippered salmon is 44 cents per pound ex processor's plant or warehouse or f. o. b. shipping point nearest processor's plant or warehouse, plus the "freight rate" as explained in section 4.2, plus the container allowance in section 4.5 where applicable.

(b) The maximum price fixed by this section 4.1 does not apply to sales covered by sections 4.3, "Sales to a retailer or to a purveyor of meals", and 4.4, "Sales at retail."

SEC. 4.2. *Explanation of "freight rate".* (a) If during the year prior to the effective date of this regulation a processor received at his processing plant the greater part of the salmon he handled at that plant by direct shipment from Seattle, Washington, Canada and/or Alaska, he may add as the "freight rate" the per pound common carrier rate for frozen salmon from Seattle, Washington, to his processing plant, multiplied by 1.60. In determining this common carrier rate he shall use the type of shipment by which he received the greatest volume of salmon at his processing plant.

(b) If during the year prior to the effective date of this regulation a processor received at his processing plant the greater part of the salmon he handled at that plant by shipment from a point or points other than Seattle, Washington, Canadian and/or Alaskan points, he may add as the "freight rate" the sum of the following two rates multiplied by 1.60:

(1) The rail carload freight rate per pound for frozen salmon from Seattle, Washington, to his supplier's shipping point, plus

(2) The per pound common carrier rate for frozen salmon from his supplier's shipping point to his processing plant for the type of shipment by which he received the greatest volume at his processing plant.

(c) If no common carrier rate is available, actual transportation costs, excluding local trucking, hauling and handling charges may be used in determining the "freight rate" under paragraphs (a) and (b) above.

SEC. 4.3. *Sales to a retailer or to a purveyor of meals.* The maximum price for sales of smoked kippered salmon by a processor to a retailer or to a purveyor of meals where delivery is made to the customer's place of business and the cost of the delivery is borne by the processor is the price as determined in section 4.1 plus 5 cents per pound.

SEC. 4.4. *Sales at retail.* The maximum price for sales of smoked kippered salmon at retail by a processor is the price as determined in section 4.1 plus the mark-up for smoked fish ("fish, processed") set out in Maximum Price Regulation No. 422.

SEC. 4.5. *Container allowances.* If a shipment of smoked kippered salmon involves transportation by contract or common carrier the processor may add as a container allowance the actual cost of containers and special refrigerant in which the smoked kippered salmon is packed, but only if he bills such cost separately on an invoice to the purchaser.

SEC. 4.6. *Definitions.* (a) Smoked kippered salmon is Chinook or King salmon which has been beheaded, eviscerated and either chunked or chunked and split or otherwise cut into small portions and then brined and further cured by a heating and smoking process.

SEC. 4.7. *Cross-references.* (a) Provisions with respect to notification to wholesalers and retailers and with respect to records and reports will be found in sections 1.10 and 1.11 respectively.

(b) Other definitions of terms used in this regulation will be found in section 1.16.

(c) General pricing instructions will be found in section 1.17.

ARTICLE V—SMOKED SABLEFISH

SEC. 5.1. *Maximum price.* (a) The maximum price for sales by a processor of smoked sablefish is 30 cents per pound ex processor's plant or warehouse or f. o. b. shipping point nearest processor's plant or warehouse, plus the "freight rate" as explained in section 5.2 plus the container allowance in section 5.5 where applicable.

(b) The maximum price fixed by this section 5.1 does not apply to sales covered by sections 5.3, "Sales to a retailer or to a purveyor of meals", and 5.4, "Sales at retail".

SEC. 5.2. *Explanation of "freight rate."* (a) If during the year prior to the effective date of this regulation a processor received at his processing plant the greater part of the sablefish he handled at that plant by direct shipment from Seattle, Washington, Canada and/or Alaska, he may add as the "freight rate" the per pound common carrier rate for frozen sablefish from Seattle, Washington, to his processing plant, multiplied by 1.80. In determining this common carrier rate he shall use the type of shipment by which he received the greatest volume of sablefish at his processing plant.

(b) If during the year prior to the effective date of this regulation a processor received at his processing plant the greater part of the sablefish he handled at that plant by shipment from a point or points other than Seattle, Washington, Canadian and/or Alaskan points, he may add as the "freight rate" the sum of the following two rates multiplied by 1.80:

(1) The rail carload freight rate per pound for frozen sablefish from Seattle, Washington, to his supplier's shipping point, plus

(2) The per pound common carrier rate for frozen sablefish from his supplier's shipping point to his processing plant for the type of shipment by which he received the greatest volume of sablefish at his processing plant.

(c) If no common carrier rate is available, actual transportation costs, excluding local trucking, hauling and handling charges, may be used in determining the "freight rate" under paragraphs (a) and (b) above.

SEC. 5.3 *Sales to a retailer or to a purveyor of meals.* The maximum price for sales of smoked sablefish by a processor to a retailer or to a purveyor of meals where delivery is made to the customer's place of business and the cost of the delivery is borne by the processor is the price as determined in section 5.1 plus 5 cents per pound.

SEC. 5.4 *Sales at retail.* The maximum price for sales of smoked sablefish at retail by a processor is the price as determined in section 5.1 plus the mark-up for smoked fish ("fish, processed") set out in Maximum Price Regulation No. 422.

SEC. 5.5 *Container allowances.* If a shipment of smoked sablefish involves transportation by contract or common carrier the processor may add as a container allowance the actual cost of containers and special refrigerant in which the smoked sablefish is packed, but only if he bills such cost separately on an invoice to the purchaser.

SEC. 5.6 *Definitions.* (a) "Sablefish" means fish of the species *Anoplopoma fimbria* and includes the common names black cod, sable carp.

SEC. 5.7 *Cross-references.* (a) Provisions with respect to notification to wholesalers and retailers and with respect to records and reports will be found in sections 1.10 and 1.11 respectively.

(b) Other definitions of terms used in this regulation will be found in section 1.16.

(c) General pricing instructions will be found in section 1.17.

ARTICLE VI—SMOKED WHITEFISH

SEC. 6.1 *Maximum price.* (a) The maximum price for sales by a processor of smoked whitefish is 40 cents per pound ex processor's plant or warehouse, plus the "freight rate" as explained in section 6.2, plus the container allowance in section 6.5 where applicable.

(b) The maximum price fixed by this section 6.1 does not apply to sales covered by sections 6.3, "Sales to a retailer or to a purveyor of meals", and 6.4, "Sales at retail".

SEC. 6.2. *Explanation of "freight rate".* (a) If durin gthe year prior to the effective date of this regulation a processor received at his processing plant the greater part of the whitefish he handled at that plant by direct shipment from Winnipeg, Canada, he may add as the "freight rate" the sum of the following multiplied by 1.50:

(1) The rail carload freight rate per pound for frozen whitefish from Winnipeg, Canada, to his processing plant, plus

(2) Duty.

(b) If during the year prior to the effective date of this regulation a processor received at his processing plant the greater part of the whitefish he handled at that plant by shipment from a point or points other than Winnipeg, Canada, he may add as the "freight rate" the sum of the following multiplied by 1.50:

(1) The rail carload freight rate per pound for frozen whitefish from Winnipeg, Canada to his supplier's shipping point, plus

(2) Duty, plus

(3) The per pound common carrier rate for frozen whitefish from his supplier's shipping point to his processing plant for the type of shipment by which he received the greatest volume at his processing plant.

(c) If no common carrier rate is available, actual transportation costs, excluding local trucking, hauling and handling charges, may be used in determining the "freight rate" under paragraphs (a) and (b) above.

SEC. 6.3. *Sales to a retailer or to a purveyor of meals.* The maximum price for sales of smoked whitefish to a retailer or to a purveyor of meals by a processor where delivery is made to the customer's place of business and the cost of the delivery is borne by the processor is the price as determined in section 6.1 plus 5 cents per pound.

SEC. 6.4. *Sales at retail.* The maximum price for sales of smoked whitefish at retail by a processor is the price as determined in section 6.1 plus the mark-up for smoked fish ("fish, processed") set out in Maximum Price Regulation No. 422.

SEC. 6.5. *Container allowances.* If a shipment of smoked whitefish involves transportation by contract or common carrier the processor may add as a container allowance the actual cost of containers and special refrigerant in which the smoked whitefish is packed, but only if he bills such cost separately on an invoice to the purchaser.

SEC. 6.6. *Definitions.* (a) "Whitefish" means fish of the species *Coregonus clupeiformis.*

SEC. 6.7. *Cross references.* (a) Provisions with respect to notification to wholesalers and retailers and with respect to records and reports will be found in sections 1.0 and 1.11 respectively.

(b) Other definitions of terms used in this regulation will be found in section 1.16.

(c) General pricing instructions will be found in section 1.17.

Effective date. This regulation shall become effective August 21, 1944.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12304; Filed, August 16, 1944; 11:34 a. m.]

PART 1389—APPAREL

[RMPR 208]

STAPLE WORK CLOTHING

Maximum Price Regulation 208 (Staple Work Clothing) is redesignated Revised Maximum Price Regulation 208 (Maximum Prices for Staple Work Clothing) and is revised and amended to read as set forth below.

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 208 has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

REVISED MAXIMUM PRICE REGULATION 208—MAXIMUM PRICES FOR STAPLE WORK CLOTHING

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APPENDIX F—HOW A GROUP 1 RETAIL SELLER COMPUTES "AVERAGE SUPPLIER'S PRICE"

AUTHORITY: Sections 1.1 to 7.4, inclusive (§ 1389.201), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1.1 *Scope of this regulation*—(a) *Kinds of garments covered.* This regulation applies to all items of staple work clothing. "Staple work clothing" means men's and boys' garments of the classifications listed in (1) below which are made of cotton body materials of the constructions listed in (2) below.

(1) *Classification of garments.*

(i) Bib overalls.
(ii) Overall jackets.
(iii) Waistband overalls or dungarees.
(iv) Work shirts (except shirts made of napped fabrics).
(v) Work pants.
(vi) One-piece work suits.
(vii) Work breeches.

(2) *Construction of body materials.*

(i) Denims, including striped denims.
(ii) Carded yarn shirting chambrays and coverts.
(iii) Carded yarn pants coverts.
(iv) Jeans, drills, and twills, finished and unfinished.
(v) Cottonades, whipcords and moleskins.
(vi) Carded yarn poplins.
(vii) Ducks, excepting water-repellent.
(viii) Pin checks and pin stripes.
(ix) Sheetings.
(x) Cheviots.

(b) *Kinds of sales covered.* This regulation applies to all sales including sales at retail, sales at wholesale and sales by manufacturers. These kinds of sales are defined as follows:

(1) *Sales at retail.* All sales to individual consumers are "sales at retail." Such sales may, of course, be made by someone who is primarily a wholesaler or a manufacturer.

Sales to industrial, commercial, governmental, and charitable institutions which do not resell are also considered "sales at retail" if made by a person who sells principally to individual consumers, and only incidentally to institutions of these kinds. If not made by such a person, sales to these institutions are considered sales at wholesale or sales by manufacturers.

(2) *Sales at wholesale.* A sale at wholesale is any sale which is neither a sale at retail as explained in (1) nor a sale by a manufacturer as explained in (3). For example, a sale by a jobber, who buys work clothing from a manufacturer and resells it to a retailer or to an industrial user, is a sale at wholesale. Sales from jobber to jobber, and from retailer to retailer are also sales at wholesale, but are called "special sales", as explained in section 3.3.

(3) *Sales by a manufacturer.* A sale by a manufacturer is a sale of work clothing by a person:

(i) Who fabricated the clothing sold; or
(ii) Who sold or consigned to the fabricator of the clothing any of the principal materials from which it was made; or
(iii) Whose business is directly or indirectly under the same ownership or control as the person who fabricated the clothing.

(c) *Where this regulation applies.* This regulation covers sales in the 48 states and the District of Columbia.

ARTICLE II—HOW TO FIND CEILING PRICES FOR SALES BY MANUFACTURERS

SEC. 2.1. *Explanation of pricing rules for manufacturers.* This section explains how to find ceiling prices for sales by manufacturers of all staple work clothing, except "war models" and "thirty yard minimum boys' bib overalls." Ceiling prices for sales by manufacturers of these latter garments, as well as definitions of such garments, are provided in Appendices D and E which appear at the end of this regulation.

The ceiling price for sales by a manufacturer of a garment of staple work clothing, which is not a "war model" or a "thirty yard minimum boys' bib overall", is found according to the rules given below. There are five rules. In finding the ceiling price for a particular garment, the manufacturer must use the first rule which applies.

Rule 1 explains how a manufacturer finds his ceiling prices for garments which are the "same" as garments shown on a specified price list which he may have issued during or before March 1942. "Same garment" is defined in section 2.2 (b) (2).

Rule 2 is used if the garment is the "same" as one which the seller manufactured during the twelve months preceding April 1, 1942, but cannot be priced under Rule 1.

Rule 3 is used if the garment cannot be priced under Rules 1 or 2 and is the "same" as one priced under Rule 1, except for "replacements" or "curtailments" in body materials.

Rule 4 applies if the garment cannot be priced under any of the above three rules because of unusual dimensions, or substandard quality.

Rule 5. If the garment cannot be priced under any of the above four rules, its ceiling price is a price authorized by the Office of Price Administration, under Rule 5.

However, deliveries by a manufacturer of all garments of staple work clothing (including "war models" and "thirty yard minimum boys' bib overalls") are subject to a special quota rule stated in section 2.7. Thus, after finding the correct ceiling price for each garment, a manufacturer should turn to section 2.7 and follow its provisions.

SEC. 2.2. *List prices (Rule 1).* The ceiling price for a garment priced under this section is the "base price", determined under paragraph (a) below, plus or minus the amount indicated in Appendix B.

(a) *How to find the base price.* (1) The "base price" for a garment is the price at which the same garment was offered to a purchaser of the same class on the manufacturer's last issued written price list:

(i) Which was generally circulated among the manufacturer's customers or representatives, during or before March 1942; and

(ii) Pursuant to which the manufacturer delivered one or more garments of the same classification during or before March 1942.

(2) If the manufacturer did not offer the same garment to a purchaser of the same class on the last issued written price list described above, the "base price" is the price at which the same garment was offered to a purchaser of another class on that price list, adjusted to reflect the manufacturer's "average differential" (defined in (b) (3) below) between the two classes of purchasers.

(b) *Meaning of terms*—(1) *"Purchasers of the same class"* refers to the practice adopted by the seller in setting different prices for staple work clothing for sales to different purchasers or kinds of purchasers, (for example, wholesaler, retailer, government agency, public institution, or individual consumer), or for purchasers located in different areas, or for different quantities or grades, or under different conditions of sale.

(2) *"Same garment."* A garment is considered the "same" as another when:

(i) The garment belongs to the same classification (as defined in section 1.1);

(ii) The garment contains body material which is the same with respect to construction, weight and thread count (within the tolerance of the Worth Street Rules), finish (including shrinkage treatment), and color fastness;

(iii) The garment consumes substantially the same average yards per dozen and has substantially the same body dimensions;

(iv) The garment contains trimmings of fairly equivalent serviceability;

(v) The garment is constructed and assembled with the same standards of workmanship and inspection.

Differences in color which ordinarily have not been the basis of differences in price shall be disregarded.

A "simplified model" (defined in Appendix A) of any garment is considered the "same" as such garment before simplification, except when such garment becomes the same (under the above definition) as a lower-priced garment in which the seller dealt during or before March 1942.

(3) *"Average differential."* The manufacturer's "average differential" to any purchaser is the average difference between the prices charged this purchaser and the prices charged the class of purchaser for whom a base price was determined under paragraph (a) (1) above, on all orders accepted during 1941, on the same material and labor cost basis, for the garment being priced; or if data are not available for that garment, for the most closely comparable garment of the same classification for which data are available. If the differential cannot be determined on orders from this purchaser, it shall be determined on orders from all purchasers of the same class.

SEC. 2.3. *"In-line" prices (Rule 2)*—(a) *When this section applies.* The ceiling price for a garment shall be determined under this section only if the garment is the "same" as one which the seller manufactured during the twelve months preceding April 1, 1942, but cannot be priced under Rule 1.

(b) *How to calculate the ceiling price.* The ceiling price for a garment priced under this section is the formula price, determined under (1) below, plus or minus the amount indicated in Appendix B.

(1) *How to find the formula price.* To establish the formula price for a garment to a purchaser of any class, the seller shall:

(i) Determine the unit direct cost of the garment being priced. "Unit direct cost" is defined in paragraph (c) below.

(ii) Select from garments of the same classification, for which the base price to a purchaser of the same class can be determined under Rule 1, the one which has a "unit direct cost" immediately higher and the one which has a "unit direct cost" immediately lower than the unit direct cost of the garment being priced. If all such garments are either above or below, the one closest in "unit direct cost" shall be selected, and if any such garment of the same classification has the same "unit direct cost" as the garment being priced it shall be selected in addition to the garments immediately above and below.

(iii) Determine the average percentage markup over unit direct cost included in the base prices of the garments selected.

(iv) Apply to the "unit direct cost" of the garment being priced this average percentage markup.

An example of the calculations under Rule 2 is contained in the report form in paragraph (d) below.

(c) *How to compute "unit direct costs."* To establish the unit direct cost, a seller shall add costs per unit of materials and direct labor, determined as follows:

(1) Material costs shall be calculated at the maximum net price which the seller could lawfully be charged for such materials if purchased on his customary terms from the source of supply most used by him in purchasing materials of the same type during the six months ending March 31, 1942, under the price schedules and maximum price regulations of the OPA in effect on March 22, 1944, or, if the seller made such a calculation for the garments compared under § 1389.203 (c) (2) of MPR 208[1] before March 22, 1944, then he figures on the basis of the price schedules and maximum price regulations of the OPA in effect at the time when the calculation was made.

(2) Wage rates shall be calculated at the rates paid by the seller on March 31, 1942, plus any increase subsequent thereto made pursuant to a collective bargaining contract or other wage agreement which was entered into on or before April 27, 1942, and which provides for an unconditional increase in wage rates of a fixed amount or percent.

(3) Amounts of labor and material used shall be calculated on the basis of the seller's most recent cost records of the manufacture of each garment during the year preceding April 1, 1942, and labor costs shall be confined to labor used in cutting, sewing, assembling and inspecting the garment.

(4) A "unit" is a dozen articles, or any other number customarily used as a basis for calculating costs and prices.

(d) *Report of "in-line" prices.* The maximum price for a garment priced under Rule 2 shall be reported to the Office of Price Administration, Washington 25, D. C. (Men's Clothing Section). The report shall contain information in the detail set forth in the example below, and shall be in a form similar to the one provided in the example. This report must be filed as follows:

(1) In the case of garments previously priced and offered for sale in accordance with § 1389.203 (c) of MPR 208, the report shall be filed on or before September 25, 1944.

(2) In the case of any other garment priced under this Rule 2, the report must be filed before the garment is offered for sale.

With respect to any garment priced under this Rule 2, if the report is not filed as required by this paragraph (d),

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6649, 8940, 8948, 10015; 8 F.R. 4887, 14012.

no sale or delivery of the garment may be made until the report is filed.

The Office of Price Administration may, at any time, disapprove or revise maximum prices reported under this rule so as to bring them into line with the level of maximum prices otherwise established by this regulation.

An example of a report under Rule 2 follows. All figures are illustrative only.

Report of "In-line" Price Under Rule 2 of RMPR 208 for Lot No. 986—Boys' Bib Overall

Name: XYZ Company
Address: 2100 Madison Street, Chicago, Illinois
By: J. A. Jones *Title:* Treasurer
Date of report: August 26, 1944

Item	Garment being priced—Lot No. 986	Garments of same classification closest in "unit direct cost"		
		Lot No. 991	Lot No. 807	Totals
Base Price		$12.50	$18.80	$31.00
Type of garment	Boys' bib overall	Boys' bib overall	Men's bib overall	
Body Material	8 oz. denim	8 oz. denim	2.20 denim	
Finish, width [1]	Sanf., 29"	m f., 29"	Sanf., 29"	
No. of yards, cost	29 yds. at 22.75¢	30 yds. at 21.5¢	46 yds. at 21¢	
Cost of body material	$6.60	$6.45	$9.66	
Other material and trimmings	$0.22	$0.23	$0.36	
Direct labor cost	$2.03	$2.03	$3.20	
Unit direct cost	$8.85	$8.70	$13.26	21.96
Dollar markup on other garments				69.02

Other garments:—average percentage markup: 9.03÷21.96=41%.
Calculation of ceiling price of Lot No. 986:
Unit direct cost $8.85
Markup: 41% of 8.85 ..... 3.63
$12.48
Formula price $12.48
Adjustment (from Appendix B):
29 yards at +1.5¢ per yard [1] ..... +0.43½
Ceiling price reported 12.91½

The unit direct costs have been calculated in accordance with section 2.3(c), and the ceiling price has been calculated according to the instructions in section 2.3 (Rule 2), of RMPR 208.

[1] The adjustment of +1.5¢ per yard in this example assumes that the body material was purchased after June 30, 1944, and that the base prices of Lot Nos. 991 and 807 were established pursuant to a price list issued after January 1, 1942. Accordingly, Part 2 of Column A of Table III in Appendix B is applicable.
In all reports under Rule 2, the manufacturer must state, in connection with the computation of the adjustment under Appendix B, the date of purchase of the body material and which table of Appendix B he used in figuring the adjustment.

SEC. 2.4. *Replacements and curtailments of body materials (Rule 3)—(a) When this section applies.* The ceiling price for a garment shall be determined under this section if the garment cannot be priced under Rules 1 or 2, and is the same as one priced under Rule 1 except for one or both of the following characteristics:

(1) One weight, finish or construction of body material is replaced by another;

(2) The yardage of body material consumed is curtailed in order to comply with War Production Board General Limitation Order L–181 as amended (§ 3204.1),[2] and remains within 2 percent of the maximum yardage permitted by that order.

(b) *How to calculate the ceiling price.* The ceiling price for a garment priced under this section is the formula price, determined under (1) below, plus or minus the amount indicated in Appendix B.

(1) *How to find the formula price.* The formula price for a garment is found by taking the base price to a purchaser of the same class, of that garment priced under Rule 1 which is nearest in cost of body materials, and is the "same" except for the replacement or curtailment, and adding (or subtracting if the material cost of the garment being priced is lower) a sum calculated as follows:

(i) Find the difference between the "costs of body materials" in the two garments; and

(ii) Multiply this difference by 105 percent in finding a price for sale to wholesalers and to purchasers of classes who are customarily charged the same price as wholesalers or a lower price; and by 110 percent in calculating a price for sale to purchasers of classes who are customarily charged more than the price to wholesalers.

(2) *How to find "cost of body materials".* For the purposes of this section, the cost of any body material means the maximum net price which the seller could lawfully be charged for such material if purchased on his customary terms from the source of supply most used by him in purchasing materials of the same type during the six months ending March 31, 1942, under the price schedules and maximum price regulations of the OPA in effect on March 22, 1944, or, if the seller made such a calculation for the garments compared under § 1389.203 (f) of MPR 208 before March 22, 1944, then he figures on the basis of the price schedules and maximum price regulations of the OPA in effect at the time when the calculation was made.

(c) *Report of Rule 3 prices.* The maximum price for a garment priced under Rule 3 shall be reported to the Office of Price Administration, Washington 25, D. C. (Men's Clothing Section). The report shall contain information in the detail set forth in the example below, and shall be in a form similar to the one provided in the example. This report must be filed as follows:

(1) In the case of garments previously priced and offered for sale in accordance with § 1389.203 (f) of MPR 208, the report shall be filed on or before September 25, 1944.

(2) In the case of any other garment priced under this Rule 3, the report must be filed before the garment is offered for sale.

With respect to any garment priced under this Rule 3, if the report is not filed as required by this paragraph (c), no sale or delivery of the garment may be made until the report is filed.

The Office of Price Administration may, at any time, disapprove or revise maximum prices reported under this rule so as to bring them into line with the level of maximum prices otherwise established by this regulation.

An example of a report under Rule 3 follows. All figures are illustrative only.

REPORT OF MAXIMUM PRICE UNDER RULE 3 OF RMPR 208 (Replacements and Curtailments) for Lot No. 000—Men's Bib Overall.

Name: XYZ Company
Address: 2100 Madison Street, Chicago, Illinois
By: J. A. Jones *Title:* Treasurer
Date of Report: August 30, 1944

1. Base price of garment under Rule 1 (Lot No. 667)		$17.50
2. Cost of body materials:		
(a) Rule 1 garment—8 oz. sanf. denim, 29 inch width, 46 yds. at 22.75¢ per yard	$10.46½	
(b) Garment being priced—2.20 sanf. denim, 29 inch width, 46 yards at 21¢ per yd	9.66	
	.80½	
3. Difference (2 (a)—2 (b))		.84½
4. 105% of difference [1]		16.65½
5. Item 1 minus item 4		−.46
6. Adjustment (from Appendix B) [2]—46 yards at −1¢ per yard		16.19½
7. Ceiling price for Lot No. 000		

The costs of body materials have been calculated in accordance with section 2.4 (b) (2), and the ceiling price has been calculated according to the instructions in section 2.4 (Rule 3), of RMPR 208.

[1] This example assumes that a ceiling price for sale to wholesalers is being found.
[2] The adjustment of −1¢ per yard in this example assumes that the manufacturer contracted to sell the garment prior to August 16, 1944, and that the base price of Lot No. 667 was established pursuant to a price list issued after January 1, 1942. Accordingly, Part I of Column A of Table I is applicable.
In all reports under Rule 3, the manufacturer must state, in connection with the computation of the adjustment under Appendix B, the date of purchase of the body material, and which table of Appendix B he used in figuring the adjustment.

SEC. 2.5. *Garments of unusual dimensions or substandard quality (Rule 4)—(a) Special size and special order garments.* The maximum price of any garment of staple work clothing which cannot be priced under Rules 1, 2, or 3 by reason of its unusual size or dimensions shall be the maximum price of the most closely comparable garment of regular size priced under those rules plus the percentage premiums:

(1) Which the seller customarily obtained for such garments during March 1942; or

(2) If the seller obtained no such premiums, which he customarily demanded for such garments during March 1942; or

(3) If the seller neither obtained nor demanded such premiums, which were customarily demanded during March 1942 by the most closely competitive

[2] 7 F.R. 6208, 6996.

seller of the same class who did demand such premiums.

(b) *Imperfect garments, or seconds.* The maximum price of any garment of staple work clothing which cannot be priced under Rules 1, 2, or 3 by reason of its substandard quality in any respect shall be the maximum price of the most closely comparable garment of standard quality priced under those rules less the percentage discount:

(1) Which the seller customarily allowed for such garments during March 1942; or

(2) If the seller allowed no such discounts, which he customarily offered for such garments during March 1942; or

(3) If the seller neither allowed nor offered such discounts, which were customarily offered during March 1942 by the most closely competitive seller of the same class who did offer such discounts.

SEC. 2.6. *Maximum prices in other cases (Rule 5).* The maximum price of a garment of staple work clothing which cannot be priced under Rules 1, 2, 3, or 4 shall be a price, in line with the level of prices established by this regulation, determined by the Office of Price Administration upon application by the seller. The application shall be filed with the Office of Price Administration, Washington 25, D. C. (Men's Clothing Section). Pending action on such an application, a person must not sell or deliver the garment except in accordance with the provisions of section 5.8 (b) (Adjustable pricing agreements).

SEC. 2.7. *Special quota rule on deliveries made by manufacturers*—(a) *Explanation of the special quota rule.* Each manufacturer who delivered staple work clothing at "wholesale prices" (this term is defined in (b) (1) below) in 1941 must, during the remainder of 1944 and during each subsequent calendar year, make at least a certain quota of his deliveries of staple work clothing (including "war models" and "thirty yard minimum boys' bib overalls") at "wholesale prices." This quota is that percentage of his total annual deliveries which is equal to his "wholesale percentage" (found under paragraph (b) below).

Example. X, a manufacturer of overalls, has a "wholesale percentage" of 40%, and he expects to deliver 300,000 dozen garments of staple work clothing during the remainder of 1944. Accordingly, during this period, at least 120,000 dozen garments (40% of 300,000—120,000) must be delivered at "wholesale prices." 180,000 dozen garments or less may be delivered at other than "wholesale prices."

If, at the end of a year, a manufacturer fails to meet his quota, he has exceeded his ceiling prices to the extent of the deficiency, and will be liable to civil and criminal penalties accordingly.

(b) *How a manufacturer finds his "wholesale percentage"*—(1) *Definitions of "wholesale percentage" and "wholesale price."* A manufacturer's "wholesale percentage" is the percent of his 1941 deliveries of staple work clothing which was made at "wholesale prices."

A "wholesale price", for the purposes of determining a wholesale percentage, means any price at or below which a manufacturer, during 1941, normally supplied wholesalers, or any other large volume purchaser (e. g., chain stores and mail order houses) commonly known or regarded as "wholesale trade." For the purposes of complying with the special quota rule described above, a "wholesale price" means any price provided under this regulation for sales by a particular manufacturer to wholesalers or any other large volume purchaser commonly known or regarded as "wholesale trade." In determining whether certain sales were made at "wholesale prices," allowance must be made for differences in garments sold.

Example. During 1941, V, a work clothing manufacturer, sold a number to jobbers for $10.00 a dozen. He also sold to a chain store for $10.25 a dozen, a number which was similar except for an extra feature that was worth 25¢ a dozen.

Both the $10.00 and the $10.25 sales would be considered sales at wholesale prices.

(2) *How to figure the "wholesale percentage."* A manufacturer will figure his "wholesale percentage" as follows:

(i) Find the number of dozens of staple work clothing garments covered by this regulation delivered to all purchasers in 1941.

(ii) Find the number of these which were delivered at wholesale prices in 1941.

(iii) Divide the number delivered at wholesale prices by the total of all deliveries (divide (ii) by (i)). The resulting figure, expressed as a percent, is the manufacturer's "wholesale percentage."

Example 1. P, a work clothing manufacturer, delivered 10,000 dozen garments of staple work clothing in 1941. All these were delivered at prices generally charged to independent retailers, and none at "wholesale prices."

P's "wholesale percentage" is zero.

Example 2. R, a work clothing manufacturer, delivered 100,000 dozen garments of staple work clothing in 1941. All these deliveries were made to volume purchasers including jobbers, chain stores and industrial users and none were delivered at higher prices.

R's "wholesale percentage" is 100%.

Example 3. S, a work clothing manufacturer, delivered 50,000 dozen garments of staple work clothing in 1941. 20,000 of these were delivered to his volume trade at "wholesale prices," and 30,000 to independent retailers at higher prices.

S's "wholesale percentage" is 40% (20,000+50,000).

(c) *How a manufacturer uses his "wholesale percentage"*—(1) *What deliveries are counted.* In figuring the quota of deliveries which must be made at wholesale prices in 1944, the manufacturer takes all deliveries from August 26, 1944 to December 31, 1944, inclusive. In any subsequent year, all deliveries for the entire calendar year will be included.

Example. In 1941 the ABC Company sold 70% of its staple work clothing at "wholesale prices" and 30% at higher prices. Its "wholesale percentage" is 70%. From August 26, 1944, to December 31, 1944, its anticipated deliveries of work clothing are 250,000 dozen.

The ABC Company will determine its obligation as follows:

	Dozen
Anticipated deliveries	250,000
Quota to be delivered at wholesale prices (70% of 250,000)	175,000
Remainder which may be sold at other than wholesale prices	75,000

For convenience in meeting the quota of deliveries which must be made at wholesale prices, it is suggested that a manufacturer keep a current record of deliveries made after August 25, 1944, in this form:

Date	Number of dozens delivered at wholesale prices	Number of dozens delivered at other than wholesale prices	Total number of dozens delivered

At periodic intervals (e. g., at the end of each month), the manufacturer should total deliveries made at wholesale prices and all deliveries. He should then divide the former total by the latter. If the proportion of deliveries at wholesale prices is below his wholesale percentage, it would be advisable for him to ship only at wholesale prices until the proportion of deliveries at these prices equals the wholesale percentage. The procedure should be repeated for subsequent periods, until the end of the year.

(2) *Calculating and filing the "wholesale percentage."* Every manufacturer of staple work clothing, whose "wholesale percentage" is less than 100%, must keep available for inspection by the Office of Price Administration the records and the tabulation or work sheets which he used in figuring his "wholesale percentage". Every manufacturer is also required to file a statement of his wholesale percentage, as provided in section 5.2 (b) (1) (ii).

(d) *Inability to calculate a wholesale percentage.* Any manufacturer who sells staple work clothing but did not do so in 1941, or who, because of inadequate records, is unable to determine a wholesale percentage, must apply to the Office of Price Administration, (Men's Clothing Section), Washington 25, D. C., for the authorization of a "wholesale percentage." The application must set forth: (1) The manufacturer's name and address; (2) the date when he commenced business; and (3) the total number of dozens of staple work clothing delivered to each class of purchaser during the most recent 12 months of business, or, if the manufacturer does not have one year's experience, during such other portion of time as he has been in business. Until this authorization is granted, the manufacturer must make all deliveries at or below wholesale prices.

ARTICLE III—HOW TO FIND CEILING PRICES FOR SALES AT WHOLESALE

SEC. 3.1. *Explanation of pricing rules for sales at wholesale.* Under this regulation, there are two kinds of sales at wholesale, "regular sales" and "special sales". "Regular sales" are explained in section 3.2, while "special sales" are explained in section 3.3. Different methods of pricing are provided for these two kinds of sales.

SEC. 3.2. *Regular sales*—(a) *What is a regular sale.* A "regular sale" is a sale by a wholesaler to a person who sells principally at retail or is an industrial user, and whose business is not under the same ownership and control as the seller's.

[7 F.R. 6208, 6209.]

A "wholesaler" is a person or business organization to which all the following statements apply:

(1) It sells goods to retailers in general, and not primarily to a single retailer or to a group of retailers which are under common ownership.

(2) It buys and sells goods in "wholesale quantities" as understood in the trade, and sells through traveling salesmen or circulated price lists or catalogs.

(3) It carries at all times at its principal place of business a representative stock of staple work clothing and makes at least 50% of its staple work clothing deliveries from stock (as opposed to drop shipments).

(4) It is not, directly or indirectly, under the same ownership or control as the person who fabricates the work clothing it sells.

(5) It extends credit, and carries its own accounts. It may, of course, entrust or assign its delinquent accounts to others for collection.

(6) It is not (i) a buying office or other agency representing retailers, (ii) a stock-carrying affiliate of retailers, (iii) a central office or warehouse for stores which are commonly owned or controlled, (iv) a drop shipper, (v) a broker, (vi) a commission-merchant, (vii) a selling-agent or (viii) a job-lot dealer.

A person who wishes to qualify as a "wholesaler" but was not such a wholesaler in 1941, must, before making any sales at ceilings for regular sales at wholesale, send a statement by registered mail to the Office of Price Administration (Men's Clothing Section), Washington 25, D. C. The statement must give the "wholesaler's" name and address, and the date on which he commenced business as a wholesaler.

(b) *Where to find ceiling prices for "regular sales."* Ceiling prices for "regular sales" of "war models" and "thirty yard minimum boys' bib overalls" are provided in Appendix D (section 6.3) and Appendix E (section 7.2) respectively.

Ceiling prices for "regular sales" of staple work clothing, except "war models" and "thirty yard minimum boys' bib overalls", are provided in column (2) of the tables in Appendix C. There are four tables of prices in Appendix C—a separate table for each of the enumerated different types of garments. The wholesale ceiling prices in each table are arranged according to each different supplier's net selling price, rather than according to particular garment specifications.

Before using these tables, the wholesaler must determine: (1) The type of garment which he is pricing, and (2) his supplier's net selling price for that garment. The supplier's net selling price can be found from the wholesale ceiling price list which, under section 5.1 (c), each supplier is required to furnish his buyer at the time garments are delivered. The wholesaler should then refer to the appropriate table in Appendix C, and follow down column (1), which contains a list of suppliers' net selling prices, until he comes to the bracket of prices which includes his supplier's net selling price for the garment being priced. The price in column (2) parallel to this bracket is the wholesaler's ceiling price for the garment being priced.

SEC. 3.3. *"Special sales".* Sales at wholesale which are not "regular sales," as explained in section 3.2, are "special sales." They include (but are not confined to) sales by wholesalers to wholesalers, sales by retailers to retailers, and all sales by brokers, commission merchants, job-lot dealers, and like persons.

(a) *Ceiling prices for special sales.* The ceiling price for a "special sale" is the net price actually paid by the seller (not exceeding the supplier's ceiling price), plus any charges for transportation actually paid by him. Moreover, any person who buys at a special sale and resells at another special sale must figure his ceiling price by taking the net selling price of the supplier of the person who made the first special sale:

Example 1: G, a large retailer, buys a dozen bib overalls from a manufacturer at $16.00 per dozen, the manufacturer's ceiling price, and pays 50¢ per dozen for freight. He now wants to resell them to H, a second retailer.

G's ceiling price for this sale is $16.50 per dozen (or $1.37½ per garment), his cost plus freight.

Example 2: L, a wholesaler, buys a dozen dungarees from a manufacturer at $11.80 per dozen, the manufacturer's ceiling price. L now liquidates and resells the garments to auctioneer M for $11.50 per dozen. Now M wants to resell the garments to another wholesaler.

In figuring his price for this second special sale, M finds his ceiling by taking the net selling price of L, which is $11.80, and adds freight paid by him. If M pays 50¢ for freight, M's ceiling is $12.30.

(b) *Disclosure in special sales.* In any special sale, the seller must mark the bill or invoice with the words "special sale," and must disclose any information required by the provisions of section 5.2 (a) (1).

ARTICLE IV—HOW TO FIND CEILING PRICES FOR SALES AT RETAIL

SEC. 4.1. *Explanation of pricing rules for retailers.* Ceiling prices for sales at retail of "war models" and "thirty yard minimum boys' bib overalls" are provided in Appendix D (section 6.2) and Appendix E (section 7.2) respectively.

Ceiling prices for sales at retail of staple work clothing (except "war models" and "thirty yard minimum boys' bib overalls") are found as follows. In most cases a retailer will find his ceiling prices by following the instructions in section 4.3. In some cases a retailer must price under section 4.4. In order to find which section applies a retailer should use the following steps:

Step 1. A retail seller must first determine whether he is a Group I or a Group II retail seller, according to the instructions given in section 4.2 (a) below.

Step 2. Next, the seller must determine the type of garment which he is pricing (i. e., whether it is a bib overall or a chambray, covert, or sheeting work shirt, etc.).

Step 3. Thirdly, the seller must find his supplier's net selling price for the garment, according to the instructions given in section 4.2 (b) below.

Step 4. If the seller has previously determined a maximum price for the "same" garment under the General Maximum Price Regulation, the seller must then:

(i) Find the difference between his GMPR ceiling price and his supplier's net selling price for that garment;

(ii) Figure his markup on selling price for that garment by dividing the difference found in (i) by the GMPR ceiling price;

(iii) If the resultant percentage markup is equal to, or below, the markup listed in the table below for garments of the same type sold by the group to which the seller belongs, the seller shall find his retail ceiling price for the garment under section 4.4.

(iv) If the resultant percentage markup is above the appropriate markup indicated in the table, the seller shall proceed to Step 5.

Type of Garment	Percent markup for group I retail seller	Percent markup for group II retail seller
All chambray, covert, cheviot and sheeting work shirts	22	24.5
Other work shirts and work pants (sold separately or as matched sets), work breeches, and one-piece work suits	24.5	27
Bib overalls and overall jackets	12.5	19.5
Waistband overalls (dungarees)	16	23.5

Example 1. A Group II retail seller desires to find his ceiling price for a men's bib overall. His supplier's net selling price for the garment is $19.56 per dozen, or $1.63 per garment. The retailer also finds that he had a ceiling price for this garment under the GMPR of $1.98 per garment. The difference between his GMPR ceiling price and his supplier's net selling price, therefore, is 35¢, and his markup on selling price is figured by dividing 35¢ by $1.98. The result is 17.7%.

In the table above, the markup for bib overalls for Group II retail sellers is 19.5%. Accordingly, since the resultant markup of 17.7% is below the appropriate markup in the table, this retailer must figure his retail ceiling price for the overall under section 4.4.

Example 2. If the retailer in example 1 had a GMPR ceiling price for this overall of $2.25, his markup on selling price would be 27.5% (the difference, 62¢, divided by the GMPR ceiling price.) Accordingly, since the resultant markup of 27.5% is higher than the appropriate markup in the table (19.5%), he proceeds to step 5 below.

Step 5. If a ceiling price for the garment being priced has not previously been determined under the GMPR, or if the percentage found in Step 4 is above the appropriate percentage indicated in the table, the seller shall find his retail ceiling price for the garment according to the instructions in section 4.3.

NOTE: If the garment is bought at a "special sale," the retail seller should disregard the above steps and price it under section 4.5 below.

SEC. 4.2. *Definitions which a retail seller must know in order to price*—(a) *Groups of retail sellers*—(1) *Group I retail seller.* Any one who deals in staple work clothing at retail is a "Group I retail seller" if he is described by any one of the following subdivisions:

(i) In either 1941, 1942 or 1943, he made annual sales of staple work clothing (as defined in section 1.1) totaling $250,000.00 or more. For example, a retail seller which sold $50,000.00 worth of work clothing in 1941, $150,000.00 in 1942 and $300,000.00 in 1943, is a "Group I retail seller."

(ii) In either 1941, 1942, or 1943, he bought more than half of his supply of staple work clothing from manufacturers who regularly supplied wholesalers

(whether or not they also supplied other classes of trade), and paid prices no higher than those manufacturers' prevailing prices to wholesalers. For example, a mail order house would be a "Group I retail seller" if in 1941 it bought 55% of its work clothing from a manufacturer who had regular wholesale and mail order customers and charged mail order houses no more than the wholesalers. In comparing prices, allowance is to be made for differences in specifications.

(iii) In either 1941, 1942 or 1943, he purchased more than one-fourth of the total production of staple work clothing of a single manufacturer. For example, a chain of stores, which does not qualify under (i) above, might have purchased its work clothing from a manufacturer who did not regularly deal with wholesalers, so that subdivision (ii) would not apply either. Yet, if the chain in any one of those years, bought more than one-fourth of the manufacturer's entire production, it would be a "Group I retail seller."

(2) *Group II retail sellers.* Every person who deals in staple work clothing at retail and who is not a "Group I retail seller", as defined above, is a "Group II retail seller." This group includes most independent retailers. For example, a retailer with one store, who sold approximately $5,000.00 worth of staple work clothing in 1941, 1942 and 1943, and bought most of his supplies from jobbers, would be a "Group II retail seller."

(3) *Meaning of seller.* A "seller" includes all the departments or selling establishments in a group which is under common ownership or control.

(b) *Supplier's net selling price*—(1) *Supplier's price list.* Section 5.1 requires that a supplier furnish each customer with a price list which shows for each garment supplied: (i) the lot number; (ii) a detailed description; (iii) the supplier's net selling price; (iv) the retail ceiling price. Thus, except in cases explained in (2), (3) and (4) below, a retailer can find his supplier's net selling price for a garment by merely consulting this price list.

(2) *Purchase of identical lot number from manufacturer and wholesaler.* If a retailer buys the same garment of staple work clothing with the identical manufacturer's lot number from a wholesaler and also from the manufacturer, he must take the manufacturer's net selling price, not the wholesaler's price, to figure his retail ceiling price for this number.

Example. B, a Group II retail seller, buys bib overalls of lot number 963, manufactured by the X company, from a wholesaler for $21.80 per dozen, which is the wholesaler's net selling price. Later he buys more overalls of lot number 963 direct from the manufacturer, who charges him $18.00 per dozen, the manufacturer's net selling price.

In figuring his retail ceiling for overalls of this lot number, B takes $18.00 as his supplier's net selling price, and finds $2.00 per garment as his ceiling price for this lot number.

(3) *Purchase by Group I retail seller of identical lot number from different manufacturers.* If a Group I retail seller purchases the same garment with the identical lot number from different manufacturers at different prices, instead of figuring a different ceiling price for each different supplier's net selling price, he may at his option figure his retail ceiling price on the basis of the average of his different suppliers' net selling prices for this garment according to the instructions set forth in Appendix F.

If a Group I retail seller finds his "average supplier's price" for a garment, he must (except as indicated in Appendix F) keep that price in figuring his retail ceiling price for all future sales of that garment. However, if a seller is unable to figure his "average supplier's price" for a garment, either because there were no deliveries of this garment during the period January 1, 1944 to June 30, 1944, or because his records are incomplete and the calculation described in Appendix F cannot be made, he must figure a different retail ceiling price for each different supplier's net selling price for the garment. Moreover, if the garment being priced is made from sheeting or cheviot body materials, the seller may not figure his average supplier's price for the garment, but must figure a different retail ceiling price for each different supplier's net selling price.

Every Group I retail seller who has figured a retail ceiling price on the basis of his "average supplier's price" must keep and make available for examination by the Office of Price Administration a record of the computation of that price, together with all invoices or other records upon which such computation was based.

(4) *Where retail sale is made by manufacturer.* Where a sale at retail is made by a manufacturer, the retail ceiling is found from Column (3) of the tables in Appendix C (Sales at retail by Group I retail sellers). But since the manufacturer has no "supplier", he takes his lowest ceiling for these garments and uses this as his "supplier's net selling price."

SEC. 4.3. *How to find retail ceiling prices from the tables in Appendix C.* Except as provided in section 4.1 (step 4), ceiling prices for sales at retail of staple work clothing (other than "war models" and "thirty yard minimum boys' bib overalls") are provided in columns (3) and (4) of the tables in Appendix C. There are four tables of prices in Appendix C—a separate table for each of the enumerated different types of garments. As indicated, each table has two sets of ceiling prices for sales at retail; one (column (3)) for Group I retail sellers, and the other (column (4)) for Group II retail sellers (these terms are defined in section 4.2). Moreover, the retail ceiling prices in each table are arranged according to each different supplier's net selling price, rather than according to particular garment specifications. For example, column (3) of Table I shows the retail ceiling price for Group I sellers which corresponds to each different supplier's net selling price for chambray, covert, cheviot and sheeting work shirts.

Accordingly, the retail seller, after following steps 1, 2, and 3, outlined in section 4.1, should then refer to the appropriate table in Appendix C, and follow down column (1), which contains a list of supplier's net selling prices, until he comes to the bracket of prices which includes the net selling price of the garment being priced. The price in column (3) or (4) (depending on whether the seller belongs to Group I or Group II) parallel to this bracket is the retail seller's ceiling price for the garment being priced.

SEC. 4.4. *How to find retail ceiling prices in other cases.* If, under Step 4 in section 4.1, the retail seller has found that the percentage markup, between his supplier's net selling price for the garment being priced and the ceiling price established under the GMPR for the same garment, is equal to, or below, the appropriate percentage indicated in the table in section 4.1, the retail ceiling price for that garment must be calculated to provide a percentage markup on selling price equal to the appropriate markup specified in the table. The price is calculated as follows:

(a) Subtract from 100% the percentage indicated in the table for garments of the same type as the garment being priced, sold by the group to which the seller belongs.

(b) Divide the result into the supplier's net selling price for the garment (already found by Step 3 in section 4.1).

Example. A Group II retail seller desires to find his ceiling price for a men's bib overall. His supplier's net selling price for the garment is $19.56 per dozen. The retailer also finds that he had a ceiling price under the GMPR for this garment of $1.98 per garment. That ceiling price provides, over the supplier's net selling price of $1.63 ($19.56 per dozen÷12=$1.63 per garment), a markup of 35¢, or 17.7% on selling price (.35÷1.98=17.7%).

The table in section 4.1 shows for bib overalls a percentage markup for Group II retail sellers of 19.5%. Since 17.7% is below 19.5%, this retailer must price this overall under section 4.4 and use a markup of 19.5% in calculating his ceiling price for this garment.

Accordingly, he calculates the price by subtracting the margin of 19.5% from 100%, which gives 80.5%, and divides the supplier's net selling price of $1.63 by 80.5%. The result, $2.02, is the retailer's ceiling price for this garment.

SEC. 4.5. *Where garments are bought at a "special sale."* If the retailer buys a garment at a "special sale," he does not figure his ceiling price by taking the price of his own supplier. Instead, he takes the net selling price (not to exceed the ceiling price) of the supplier of the person who made the "special sale." (The difference between a "regular sale" and a "special sale" is explained in sections 3.2 and 3.3). If a succession of special sales has been made he takes the net selling price of the supplier of the person who made the first of these special sales. Thus, the retail ceiling price of a garment is the same as if the retailer had bought directly from the original supplier, without any special sale intervening.

Example 1. C, a retail chain, buys one dozen dungarees from a manufacturer at $10.00 per dozen, which is the manufacturer's ceiling price. C sells them to D, a Group I retail seller, at $10.35 (which is equal to C's cost plus freight actually paid by him).

In figuring his retail ceiling, D assumes his supplier's net selling price to be $10.00 (the net selling price of C's supplier) not $10.35 (the price D actually paid). Consequently, D's retail ceiling is $1.04 per garment, the price in Table IV for Group I retail sellers.

Example 3. E, an independent retailer, buys chambray work shirts from a jobber at $11.00 a dozen (the jobber's ceiling). He decides to liquidate and sells them to an auctioneer for $10.00 a dozen. The auctioneer resells them to F, a Group II retail seller, for $11.25 (this being the price paid by E, plus transportation charges incurred by the auctioneer).

In figuring his retail ceiling, F takes $11.00 as his supplier's net selling price, so that his retail ceiling is $1.33 (not $1.36 based on $11.25).

ARTICLE V—GENERAL PROVISIONS

SEC. 5.1. *Marking of garments and ceiling price lists.* This section explains the marking and ceiling price lists which must be furnished in connection with sales of all garments of staple work clothing except "war models" and "thirty yard minimum boys' bib overalls". The marking and informational requirements for sales of these latter garments are provided in Appendix D (section 6.5) and Appendix E (section 7.4) respectively.

(a) *Marking required at retail.* On and after October 16, 1944, every person is forbidden to sell or offer to sell at retail or display in a retail store any garment of staple work clothing which is not marked as required by this section. The marking must contain the following elements:

(1) The manufacturer's lot number or brand name for the garment.

(2) The retail ceiling price.

(3) Defects (if any).

(b) *Ceiling price lists required from wholesalers.* Every person who sells staple work clothing at wholesale must supply each purchaser for sale at retail with a list of retail ceiling prices for the garments supplied him, on or after August 16, 1944, as well as those supplied since June 15, 1944. This list must be forwarded by the wholesaler not later than the first invoicing or billing of any garment, or before September 8, 1944 (whichever is later). The wholesaler must keep this list up to date thereafter by sending supplemental lists to each retailer at the time of shipment of any new garments subsequently sold or by sending corrected lists if the wholesaler's net selling price is changed. The list must be in substantially the following form:

RETAIL CEILING PRICE LIST AS REQUIRED BY THE OFFICE OF PRICE ADMINISTRATION

(Group II Retail Ceiling Prices for Staple Work Clothing Bought From A B C Company, Wholesale Distributors)

Manufacturer's lot No. or brand name	Description of garment	Wholesaler's net selling price (per dozen)	Group II retail ceiling price (per garment)[1]
101	Men's 8 oz. denim bib overall, sanforized.	$12.41	$2.15
207	Boys' 2.85 jean work shirt sanforized.	14.29	1.82
XYZ Brand	Men's 3.90 chambray shirt sanforized.	11.04	1.33

NOTICE: OPA requires that each garment must be marked with the retail ceiling price. A garment must not be sold above the ceiling price, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

The retail ceiling prices indicated in the list are those provided in the tables in Appendix C of RMPR 208. However, under that regulation, you may be required to sell at a lower price on the basis of the procedure outlined in section 4.4. Accordingly, you should ascertain whether section 4.4 of RMPR 208 is applicable to your case before selling at the prices indicated on this list.

Copies of RMPR 208 can be obtained from your nearest OPA office.

[1] The retail ceiling price indicated in this column must be the ceiling price listed in the appropriate table in Appendix C, based on the wholesaler's net selling price, and must reflect the differentials, if any, allowed for shipments between the "East and Central" and the "Mountain and Pacific" regions.

If a wholesaler so desires, he may list two columns of retail ceiling prices, one each for the two geographical regions, and indicate in the heading to each column the area in which the prices listed in each column apply.

(c) *Marking and ceiling price lists required from manufacturers.* On and after August 26, 1944, every manufacturer is forbidden to deliver a garment of staple work clothing unless the garment is marked with the manufacturer's lot number or brand name and a statement of defects (if any). If the garment has been simplified as provided in Appendix A, the lot number shall be the number used during or before March 1942, prefixed by the symbol "–S–". No person shall use on any garment a lot number which he used in March 1942 for a different garment.

In addition, each manufacturer who sells staple work clothing must supply each wholesaler and retail purchaser with a list of wholesale or retail ceiling prices, as the case may be, for the garments supplied him on or after August 26, 1944, as well as those supplied since May 15, 1944. This list must be forwarded by the manufacturer not later than the first invoicing or billing of any garment, or before September 2, 1944 (to wholesalers) and before September 6, 1944 (to retailers) (whichever is later). The manufacturer must keep this list up to date thereafter by sending supplemental lists to each customer at the time of shipment of any new garments subsequently sold to him, or by sending corrected lists if the manufacturer's net selling price is changed. The list to be sent to retailers must be in substantially the form suggested in (1) below, while that to be sent to wholesalers should follow the form suggested in (2) below.

(1) *Form of retail ceiling price list to be furnished by the manufacturer.*

GROUP I RETAIL CEILING PRICE LIST[1] AS REQUIRED BY THE OFFICE OF PRICE ADMINISTRATION

(Group I Retail Ceiling Prices for XYZ Company Staple Work Clothing)

The following list enumerates the garments of staple work clothing (other than "war models" and "thirty yard minimum boys' bib overalls") which we have shipped to you, and indicates your retail ceiling price based on our net selling price listed in column (c). However, if you are using the "average supplier's price" provision of section 4.2 (b) (3) of RMPR 208, disregard the retail ceiling prices on this list, and determine your ceiling prices by use of the tables provided in Appendix C of RMPR 208, according to the instructions contained in section 4.2 (b) (3).[2]

(a) Manufacturer's lot No. or brand name	(b) Description of garment	(c) Manufacturer's net selling price (per dozen)	(d) Group I retail ceiling price (per garment)[3]
S1072	Men's 3.90 chambray shirt, sanforized	$8.54	$0.98
S1075	Men's 3.90 covert shirt, sanforized	8.87½	1.03

NOTICE: OPA requires that each garment must be marked with the retail ceiling price. A garment must not be sold above the ceiling price, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

The retail ceiling prices indicated in the list are those provided in the tables in Appendix C of RMPR 208. However, under that regulation, you may be required to sell at a lower price on the basis of the procedure outlined in section 4.4 of RMPR 208. Accordingly, you should ascertain whether section 4.4 of RMPR 208 is applicable to your case before selling at the prices indicated on this list.

[1] In appropriate cases, the list would be entitled "Group II Retail Ceiling Price List."

[2] This sentence concerning "average supplier's price" should be omitted from "Group II Retail Ceiling Price Lists."

[3] The retail ceiling price indicated in this column must be the ceiling price listed in the appropriate table in Appendix C on the basis of the manufacturer's net selling price, and must reflect the differentials allowed for shipments between the "East and Central" and the "Mountain and Pacific" regions. Manufacturer's net selling price (supplier's net selling price) is defined in Instruction 3 to the tables in Appendix C; "East and Central" and "Mountain and Pacific" are defined in Instruction 4 to the tables.

If a manufacturer so desires, he may list two columns of retail ceiling prices, one each for the two geographical regions, and indicate in the heading to each column the area for which the prices in each column apply.

(2) *Form of wholesale ceiling price list to be furnished by the manufacturer.*

WHOLESALE CEILING PRICE LIST AS REQUIRED BY THE OFFICE OF PRICE ADMINISTRATION

(Wholesale Ceiling Prices for XYZ Company Staple Work Clothing)

The following list enumerates the work clothing which we have shipped to you, and indicates in column (d) your ceiling price for regular sales at wholesale of each garment.[1] In addition, column (e) indicates the Group II retail price for these garments in those cases in which your net selling price to the Group II retail seller is the same as your ceiling price for the particular garment.

You are required, under RMPR 208, to furnish each of your retail customers with a "retail ceiling price list", similar to the one described in section 5.1 (b) of RMPR 208. If your net selling price to a retailer is less than your ceiling price listed below for a particular garment, you must determine from the tables in Appendix C of the regulation the correct retail ceiling price and enter that price on the list which you supply the retailer.

(a) Mfr's lot No. or brand name	(b) Description of garment	(c) Mfr's net selling price (per dozen)	(d) Ceiling price for sales at wholesale[2] (per dozen)	(e) Group II retail ceiling price if sold at wholesale ceiling price (per garment)
602	Boys' 3.20 denim bib overall, mill finish	$9.92	$12.00	$1.33
–S–1072	Men's 3.90 chambray shirt, sanforized	9.90	12.20	1.48
S Brand	Men's 2.80 drill work pants, mill finish	10.73	13.20	1.67

NOTICE: A garment must not be sold above the ceiling price, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

[1] Manufacturers may, if they desire, list their entire line of garments, and should indicate in the first sentence that the list constitutes their entire line.

[2] The wholesale ceiling price indicated in this column must be the ceiling price listed in the appropriate table in Appendix C, on the basis of the manufacturer's net selling price, and must reflect the differentials allowed for shipments between the "East and Central" and the "Mountain and Pacific" regions. Manufacturer's net selling price (supplier's net selling price) is defined in Instruction 3 to the tables in Appendix C; "East and Central" and "Mountain and Pacific" are defined in Instruction 4 to the tables.

If a manufacturer so desires, he may list two columns of wholesale ceiling prices, one each for the two geographical regions, and indicate in the heading to each column the area for which the prices in each column apply.

(d) *Elements of marking.* The elements required to be marked are explained in this paragraph.

(1) *Lot number or brand name.* The lot number or brand name must be different for each garment having a different manufacturer's ceiling price.

(2) *The retail ceiling price.* This must be the correct ceiling price for the circumstances in which the garment is offered for sale at retail.

(3) *Defects, if any.* If the garment is a "second" or imperfect, it must be so marked.

(e) *Manner of marking.* The required markings must be attached to each garment. The required marking must be attached by stitching, adhesive, pins or staples, except where some other method is authorized. The required markings may be in one or more parts, and may be accompanied by other information, but all portions must be clearly visible to the purchaser.

EXAMPLE OF MARKING

LOT NO. 903

Retail ceiling $1.17

(f) *Exemption from marking.* In the case of sales at retail of garments of staple work clothing, which are based on orders received by mail pursuant to a mail order catalog, the retail seller need not mark each garment, as required by section 5.1 (a) if he forwards with the garment a sales memorandum stating the retail purchase price (not exceeding the ceiling price), and the identity of the garment.

SEC. 5.2. *Informational requirements.* (a) *Disclosure.*—(1) *Information for pricing.* Any person who has sold for resale any staple work clothing may be required to supply any purchaser with any information needed by him for the marking or pricing of the garments. This information must be furnished in writing promptly upon receipt of a written request from the buyer.

(2) *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase must continue to do so. Upon request from a purchaser any seller, regardless of previous custom, must give the purchaser a receipt showing the date, the name and address of the seller, the lot number of the garment or other description (e. g., men's 8 oz. denim bib overall, sanforized), and the price received for it.

(3) *Wholesale and retail ceiling price lists.* Any retailer who has received from his supplier a "retail ceiling price list," must display the list promptly to any person who requests to see it during regular business hours. If the seller operates more than one department or selling establishment, a copy of the list must be made available in each separate unit where staple work clothing is sold.

(4) *Invoices.* Every manufacturer selling staple work clothing and every person selling staple work clothing at wholesale must give the purchaser an invoice showing: (i) the date; (ii) the manufacturer's lot number or brand name for each different garment sold; (iii) the quantity sold, and the selling price, of each different lot number or brand name; and (iv) the terms of sale (e. g., net 30 days, f. o. b. factory).

(5) *Disclosure by purchasers for resale.* Every person who buys or offers to buy staple work clothing for resale may be requested by the seller to furnish a signed statement showing the group of seller to which he belongs. Within ten days after receiving such a request in writing, the buyer must supply the seller with this statement.

(b) *Records and reports.*—(1) *Manufacturers.* (i) Manufacturers who have priced garments under Rules 2 or 3 must report the calculation of the maximum prices in accordance with the instructions set forth in those rules, and must retain a copy of each report.

(ii) Every manufacturer whose wholesale percentage is less than 100% must keep the records and work sheets from which he figured his "wholesale percentage" as provided in section 2.7 (b). These records must include a list showing: (*a*) each lot number of staple work clothing covered by this regulation delivered during 1941; (*b*) a description of each such number (e. g., men's 3.90 chambray work shirt, sanforized); (*c*) each class of purchaser (e. g., jobbers, chain stores, mail order houses, independent retailers, industrial users) to which each number was delivered; (*d*) the quantity (in dozens) delivered to each class of purchaser; and (*e*) the prices at which delivery was made to each class of purchaser. The records required by this subdivision must be prepared on or before September 25, 1944, and thereafter must be kept and made available on request to the OPA. Further, the manufacturer must file with the office of Price Administration (Men's Clothing Section), Washington 25, D. C., on or before September 25, 1944, a statement showing the total number of dozens of staple work clothing delivered by him in 1941, and the number delivered at wholesale prices.

(iii) In addition, every manufacturer is subject to the information and record requirements of § 1389.210 (a) and (b) of MPR 208.

(2) *Retailers.* (i) Every retailer shall keep and make available on request to the OPA all records relating to ceiling prices established for staple work clothing, required by the General Maximum Price Regulation.

(ii) Every Group I retail seller who has figured a retail ceiling price on the basis of his average supplier's price under section 4.2 (b) (3) must keep and make available on request to the OPA the record described in that section.

(3) *All sellers.* Every person selling staple work clothing shall keep and make available on request to the OPA, a copy of each invoice delivered or received pursuant to section 5.2 (a) (4).

SEC. 5.3. *When taxes may be added.* If a statute or ordinance imposes a tax upon a particular sale or delivery (such as a sales tax, gross proceeds or gross receipts tax or compensating use tax) and permits such tax to be stated separately from the selling price, the seller may collect such tax in addition to the maximum price under this regulation, provided that he states the amount of the tax separately. However, this provision does not apply to any tax imposed on a prior sale or delivery of the same article.

SEC. 5.4. *Transfer of business or stock in trade.* If the business, assets or stock in trade of any seller of staple work clothing have been or shall be transferred on or after April 28, 1942, and the transferee shall carry on the business, or continue to deal in staple work clothing, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep, make available, prepare and file records shall be the same. The transferor shall either prepare and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 5.5. *Excessive prices forbidden.* On and after the effective date of this regulation, the following practices are forbidden regardless of any contract or other obligation:

(a) *Charging more than ceiling price.* Every person is forbidden to sell or deliver any staple work clothing at a price higher than the ceiling price set by this regulation. A lower price may, of course, be charged.

(b) *Buying for more than the ceiling price.* Every person is forbidden to buy or receive any staple work clothing, in the course of trade or business, at a price higher than the price set by this regulation.

(c) *Combination sales.* Every person is forbidden to require any purchaser to buy or agree to buy any other article, service, package or wrapper, in connection with the sale or delivery of any staple work clothing. But any seller may refuse to sell less than a minimum quantity of any one style number, if this minimum has been customary for the seller.

(d) *Indirect price increases.* Every person is forbidden to do any other act which directly or indirectly increases above the ceiling price the consideration paid by the purchaser for any staple work clothing. Any practice which is a

device to secure the effect of a higher than ceiling price is as much a violation as outright raising of the ceiling price. This applies to devices making use of commissions, services, transportation charges, premiums, taxes, special provisions, tying agreements, trade understandings and all similar practices; and to the reduction of the size range in which a garment is offered from the size range in which it was offered during March 1942.

No manufacturer shall so change the allowances, discounts or other price differentials which he customarily made during March 1942 as to require any purchaser to pay a higher net price.

(c) *Indirect violations.* Every person is forbidden to offer, attempt or agree to do any of the acts forbidden by this section.

SEC. 5.6 *Adjustable pricing agreements.* Adjustable pricing agreements may be entered into notwithstanding the provisions of section 5.5 to the extent permitted by this section.

(a) *When regulation fixes a ceiling price.* In cases where this regulation fixes a ceiling price, a person may sell at that ceiling price, subject to an agreement with the buyer to charge a higher price if it becomes the legal ceiling price by the time of delivery. But one must never charge a price which is higher than the maximum price in effect at the time of delivery. Moreover, unless specifically authorized by the Office of Price Administration, a person must not deliver or agree to deliver at a price which is to be adjusted upward in accordance with action by the Office of Price Administration after delivery.

(b) *Where regulation does not fix a ceiling price.* In cases where a ceiling price is not fixed by the regulation, a person must not make any contract or sale unless the price is expresly subject to adjustment in accordance with any action which may be taken by the Office of Price Administration. Moreover, unless specifically authorized by the Office of Price Administration, a person must not make any delivery until a ceiling price has been fixed by the Office of Price Administration.

(c) *When specific authorization will be given.* Specific authorization to deliver or agree to deliver at a price which is to be adjusted in accordance with action taken by the Office of Price Administration after delivery will be given only where: (1) A request for the fixing or changing of a ceiling price has been filed; and (2) the authorization is necessary to promote distribution or production; and (3) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

This authorization may be given by the Administrator or by any other official of the Office of Price Administration to whom the power to grant such authorization has been delegated, and may be given by order, letter or telegram.

SEC. 5.7. *Licensing and enforcement.*—(a) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 5.8. *Relation to other regulations.*—(a) *Regulations superseded.* The coverage of this regulation is stated in section 1.1. Where this regulation applies, it supersedes (except as indicated below) the provisions of the following regulations:

General Maximum Price Regulation;[1]
Maximum Price Regulation 208 (Staple Work Clothing).

Exception: Mail order catalogs.—The provisions of the General Maximum Price Regulation and of MPR 208 shall continue to apply to sales at retail of garments of staple work clothing, which are based on orders received by mail, pursuant to a mail order catalog, the printing of which was completed or substantially completed (i. e., the printing plates have been made) prior to August 16, 1944.

(b) *Contractors' services.* This regulation does not apply to charges for contractors' services, which are governed by Maximum Price Regulation 172[2] (Charges of Contractors in the Apparel Industry).

"Contractor" is defined in § 1389.52 of that regulation.

(c) *War procurement agencies.* This regulation does not apply to sales of staple work clothing made according to military specifications, when the sales are made to any war procurement agency as defined in Maximum Price Regulation 157[3] (Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes).

(d) *Export sales.* This regulation does not apply to export sales of staple work clothing. Such sales are covered by the Second Revised Maximum Export Price Regulation.[4]

(e) *Import sales.* The provisions of this regulation do not apply to deliveries made from points outside the 48 states and the District of Columbia. Such sales and deliveries are governed by the provisions of the Maximum Import Price Regulation.[5] This regulation does, however, apply to domestic sales when the articles sold were originally imported.

SEC. 5.9 *How this regulation may be amended.* Any person who seeks a modification of any provision of this regulation may file a petition for amendment of general applicability in accordance with Revised Procedural Regulation No. 1[6] issued by the Office of Price Administration.

APPENDIX A—DEFINITION OF "'SIMPLIFIED" GARMENT

(a) *Simplifications permitted.* A garment shall be deemed to be a "simplified model" of another when it is identical with the other except for the differences listed below:

(1) *Bib overalls.* Elimination of: (i) triple stitching; (ii) double thickness pockets; (iii) bar tacks in excess of 15; (iv) rule pockets or hammer loops in excess of one each; (v) fasteners in excess of one button on each side opening, two bib suspender buttons, one button or snap fastener on bib, two buttons on fly through size 38 and three buttons on fly on size 40 and up.

(2) *Overall jackets.* Elimination of: (i) Triple stitching; (ii) double thickness pockets; (iii) pockets in excess of two; (iv) cuff buttons in excess of one on each cuff; (v) buttons on front in excess of four.

(3) *Dungarees or waist-band overalls.* Elimination of: (i) Triple stitching; (ii) double thickness pockets; (iii) bar tacks or rivets in excess of nine except those needed for belt loops; (iv) hammer loops; (v) fly buttons in excess of five, including waist-band fasteners; (vi) suspender buttons; (vii) belt loops in excess of six; (viii) strap and buckle.

(4) *Work pants.* Elimination of: (i) Triple stitching; (ii) double thickness pockets; (iii) flaps on pockets; (iv) bar tacks or rivets in excess of 11 except those needed for belt loops; (v) suspender buttons up to and including size 38; (vi) side straps and buckles; (vii) cuffs on trousers made of material of the weight of 2.50 yards per pound on 30" gray weight basis, or heavier; (viii) tunnel belt loops; (ix) self belts; (x) pleats.

(5) *Work Shirts.* Elimination of: (i) Triple stitching; (ii) flaps on pockets; (iii) bar tacks in excess of 4; (iv) cuff buttons in excess of one on each cuff; (v) front buttons in excess of 6; (vi) bellows pockets; (vii) lined cuffs; (viii) eyelets or vents; (ix) yoke back in excess of 2½ inches deep measured from the center of the bottom of the collar.

(6) *One piece work suits.* Elimination of: (i) Triple stitching; (ii) double thickness pockets; (iii) bar tacks in excess of 17; (iv) rule pockets and hammer loops in excess of one each.

(7) *Work breeches.* Elimination of: (i) Triple stitching; (ii) flaps on pockets; (iii) double thickness pockets; (iv) fly buttons in excess of five; (v) tunnel belt loops.

(b) *Changes not permitted.* A garment shall not be considered a "simplified model" when it is altered as follows:

(1) By a change in the weight, finish or construction of body materials;

(2) By a reduction in body dimensions;

(3) By elimination or substantial reduction in the use of slide fasteners;

(4) By elimination of double thickness in shoulders, front or back, or in elbows;

(5) By elimination of double thickness in knees or in seats.

[1] 9 F.R. 1385, 5169, 6106.
[2] 7 F.R. 4862, 6684, 8351, 8948, 10864, 8 F.R. 8063.
[3] 7 F.R. 4273, 4841, 4918, 5180, 5716, 6004, 6424, 6948, 8 F.R. 3948, 7507, 15809, 17374, 9 F.R. 1456.
[4] 8 F.R. 4182, 5967, 7062, 9093, 15198.
[5] 8 F.R. 11681, 12237.
[6] 7 F.R. 8961, 8 F.R. 3313, 3533, 6173, 9 F.R. 3075.

APPENDIX B—TABLES OF ADJUSTMENTS TO BE MADE IN BASE PRICES OF GARMENTS PRICED UNDER SECTION 2.2 AND IN FORMULA PRICES OF GARMENTS PRICED UNDER SECTIONS 2.3 AND 2.4

The amount of the adjustment to be made in the base price of a garment being priced under section 2.2, or in the formula price of a garment being priced under section 2.3 or 2.4, to find its ceiling price is given in the tables below. Three tables are listed below. The table to be used depends on the type of body material of which the garment is made. In the case of denim, chambray and covert materials, the date of purchase of the material, or whether the manufacturer has contracted to sell the garment prior to August 16, 1944, is controlling. The tables are to be used as follows:

(a) For all garments made from materials other than denim, chambray, or covert, Table I must be used.

(b) For all garments made from denim or chambray:

(1) Table I must be used if the manufacturer has contracted to sell the garment prior to August 16, 1944.

(2) Table II must be used if the manufacturer has not contracted to sell the garment prior to August 16, 1944, and if the garment is made from material which the manufacturer purchased prior to June 30, 1944.

(3) Table III may be used if the garment is made from material which the manufacturer purchased on or after June 30, 1944.

(c) For all garments made from covert:

(1) Table I must be used if the manufacturer has contracted to sell the garment prior to August 16, 1944.

(2) Table II may be used for all other garments.

NOTE: For garments made from denim, chambray or covert materials, the manufacturer shall comply with these instructions by taking an inventory and account as of August 16, 1944:

(1) Of the number of dozens of each type of garment made from each of these different kinds and weights of materials remaining to be delivered under contracts which the manufacturer has entered into prior to August 16, 1944; and

(2) Of the number of dozens of garments made from each of the different kinds and weights of these materials which he has on hand on August 16, 1944, both completed and in process of manufacture; and

(3) Of the yardage of each of the different kinds and weights of these materials which he has on hand on that date and which he has purchased pursuant to all contracts entered into prior to June 30, 1944.

In making these calculations, the manufacturer shall include only garments of staple work clothing sold or to be sold pursuant to the terms of this RMPR 208 or the predecessor regulation MPR 208 (except war models and thirty-yard minimum boys' bib overalls) and materials used in such garments, and shall exclude garments sold or to be sold pursuant to MPR 157 (Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes), and materials allocated to such garments.

Example: Manufacturer X takes an inventory and account as of August 16, 1944, which shows the following:

(1) Garments made of denim, chambray or covert remaining to be delivered under all contracts which he has entered into prior to August 16, 1944:

150 dozen men's 9 oz. sanforized denim bib overalls.
200 dozen men's 3.90 sanforized chambray shirts.
50 dozen men's 3.90 sanforized covert shirts.

(2) dozens of garments on hand, including both garments completed and in process of manufacture:

300 dozen men's 9 oz. sanforized denim bib overalls.
250 dozen men's 3.90 sanforized chambray shirts.
75 dozen men's 3.90 sanforized covert shirts.

(3) Yardage of denim, chambray and covert materials on hand and purchased prior to June 30, 1944:

11,000 yards 9 oz. sanforized denim on hand.
6,000 yards 9 oz. sanforized denim purchased by contract dated May 1, 1944, for future delivery.

Using the 9 oz. denim bib overall as an illustration, X will make his adjustments as follows: the base price for 150 dozen garments (the quantity covered by the contracts mentioned above in (1)) must be adjusted under Table I; the base price for 50 dozen garments (200 dozen, the quantity completed and in process of manufacture, minus 150, the quantity covered by the contracts) must be adjusted under Table II; moreover, the base prices for any garments fabricated from the 17,000 yards of 9 oz. denim on hand and on order must also be adjusted under Table II.

Within a given table, the amount of the adjustment is dependent upon the following two factors:

First. The body material from which the garment is made, and the weight of such material. As indicated in the tables, the amount of the adjustment differs for each type of body material, and, in some cases, for each weight of a particular body material.

Second. The date of the "last issued written price list" pursuant to which the base prices were established for garments priced under section 2.2. If the base prices for garments priced under section 2.2 were established pursuant to a price list issued on or after January 1, 1942, the seller must use column A in the tables. If they were established pursuant to a price list issued prior to January 1, 1942, he may use column B.

(Note that column A is divided into two parts: Part 1 contains the adjustments to be made in determining the ceiling prices for men's garments, and Part 2 the adjustments in determining the ceiling prices for boys' garments.)

The total amount of the adjustment is the product which results from multiplying the number of yards of cloth used in the garment, before simplification (if any), by the number of cents indicated in the appropriate table below, for the body material of which such garment is made. If the product of the multiplication is a minus quantity, that quantity is to be subtracted from the base or formula price; if the product is a plus sum, that sum is to be added to the price.

Example 1. Manufacturer X desires to determine his ceiling price for a men's 3.90 sanforized chambray shirt. Under section 2.2, Rule 1, he has found a base price of $8.95 per dozen for this shirt. This base price was derived from a price list issued February 15, 1942. Moreover, the body material contained in the shirt was purchased prior to June 30, 1944, and X has not contracted to sell the shirt prior to August 16, 1944. Therefore, under the instructions given above, X will determine his adjustment for this shirt under Table II.

X consults Table II (column A, part 1), and finds that he must adjust the base price by plus 0.5¢ per yard. Since X uses 30 yards of chambray to a dozen shirts, the total amount of X's adjustment is plus 15¢ per dozen shirts. Adding 15¢ to the base price of $8.95 gives $9.10 per dozen, which is X's ceiling price for the shirts.

Example 2. Manufacturer Y desires to determine his ceiling price for a men's 8 oz. (2.00) sanforized denim dungaree. Under section 2.2, Rule 1, he has found a base price of $10.80 per dozen for this garment. This base price was derived from a price list issued December 15, 1941. Moreover, the body material contained in the garment was purchased after June 30, 1944. Therefore, under the instructions given above, Y will determine his adjustment for this garment under Table III.

Y consults Table III (column B), and finds that he must adjust the base price by plus 2¢ per yard. Since Y uses 32 yards of denim to a dozen dungarees, the total amount of Y's adjustment is plus 64¢ per dozen garments. Adding 64¢ to the base price of $10.80 gives $11.44 per dozen, which is Y's ceiling price for the dungarees.

Example 3. Manufacturer Z desires to determine his ceiling price for a boys' 2.50 finished drill work pant. Under section 2.3, Rule 2, he has found a formula price of $23.50 per dozen for this garment. The base prices of the two garments priced under section 2.2 which were used in arriving at $23.50 were established by a price list issued March 1, 1942. Therefore, under the instructions given above, Z will determine his adjustment for this garment under Table I (column A, part 2).

Z consults Table I, and finds that he must adjust the formula price by minus ½¢ per yard. Since Z's drill pants contain 34 yards of material, the total amount of Z's adjustment is minus 17¢ per dozen garments. Subtracting 17¢ from the formula price of $23.50 gives $23.33 per dozen, which is Z's ceiling price for the pants.

TABLE I

Type of cloth	Weight of cloth	Adjustment (cents per yard)		
		Column A — Price list issued on or after January 1, 1942		Column B — Price list issued prior to January 1, 1942
		Part 1, Men's Garments	Part 2, Boys' Garments	
Denims, mill finish	3.50–3.20	−1.0	−0.5	0
	2.00–1.60	−1.5	−0.75	0
Denims, sanforized	3.15–2.00	−1.0	−0.5	0
	1.75 and heavier	−1.5	−0.75	0
Carded coarse and fine yarn shirting chambrays, mill finish and sanforized.	All weights	−0.5	−0.25	0
Carded coarse and fine yarn shirting coverts, mill finish and sanforized.	All weights	−0.5	−0.25	0
Cotton pants coverts, sanforized	1.65	−1.5	−0.75	0
Same	2.00–2.40	−1.0	−0.5	0
Finished jeans, 36" basis	2.85	−0.5	−0.25	0
Finished drills, 29"–28" basis	2.50	−1.0	−0.5	0
Cottonades, sanforized and regular finish, 28" basis	1.45–2.00	−1.5	−0.75	0
Whipcords, sanforized and regular finish, 36" basis	1.45–3.00	−1.5	−0.75	0
Moleskins, plain 30" basis	7¾–8¼ oz.	−1.0	−0.5	0
Same, 30" basis	8¾–9¼ oz.	−1.5	−0.75	0
Same, 28" basis	9¼–10 oz.	−2.0	−1.00	0
Moleskins, black and white, 30" basis	7¾–8¼ oz.	−1.0	−0.5	0
Same	8¾–9¼ oz.	−1.5	−0.75	0
Carded poplins, 28" basis	2.50	−1.0	−0.5	0
Same	2.35–3.25	−0.5	−0.25	0
Army twills, types 1 to 5, 36" basis	8.2 oz.	−1.5	−0.75	0
Ducks, sanforized or mill finish	All weights	−0.5	−0.25	0
Pinchecks and pin stripes	All weights	−0.5	−0.25	0
Sheetings	All weights	−0.5	−0.25	0
Cheviots	All weights	−0.5	−0.25	0

TABLE II

Type of cloth	Weight of cloth	Adjustment (cents per yard)		
		Column A — Price list issued on or after January 1, 1942		Column B — Price list issued prior to January 1, 1942
		Part 1, Men's Garments	Part 2, Boys' Garments	
Denims, mill finish	3.50–3.00	−0.5	0	+0.5
	2.60–2.20	−0.25	+0.25	+0.75
	2.00–1.60	−0.5	+0.25	+1.00
Denims, sanforized	3.15–3.00	−0.5	0	+0.5
	2.70–2.45	−0.25	+0.25	+0.75
	2.20	0	+0.5	+1.00
	2.00	−0.25	+0.25	+0.75
	1.75	−0.5	+0.25	+1.00
	1.60	−0.25	+0.5	+1.25
	1.45	−0.375	+0.375	+1.125
Carded coarse and fine yarn shirting chambrays, mill finished and sanforized.	3.90	+0.5	+0.75	+1.00
	All other weights	−0.5	−0.25	0
Carded coarse and fine yarn shirting coverts, mill finish and sanforized.	3.90	+0.5	+0.75	+1.00
	All other weights	−0.5	−0.25	0

TABLE III

Type of cloth	Weight of cloth	Adjustment (cents per yard)		
		Column A — Price list issued on or after January 1, 1942		Column B — Price list issued prior to January 1, 1942
		Part 1, Men's Garments	Part 2, Boys' Garments	
Denims, mill finish	3.50–3.00	+0.25	+0.75	+1.25
	2.60–2.20	+0.75	+1.25	+1.75
	2.00–1.60	+0.75	+1.50	+2.25
Denims, sanforized	3.15–3.00	+0.25	+0.75	+1.25
	2.70	+0.50	+1.00	+1.50
	2.45	+0.75	+1.25	+1.75
	2.20–2.00	+1.00	+1.50	+2.00
	1.75 and heavier	0	+0.75	+1.50
Carded coarse and fine yarn shirting chambray, mill finish.	3.90	+0.5	+0.75	+1.00
	All other weights	−0.5	−0.25	0
Same, sanforized	3.90	+1.75	+2.00	+2.25
	All other weights	−0.5	−0.25	0

APPENDIX C—TABLES OF CEILING PRICES FOR SALES AT WHOLESALE AND SALES AT RETAIL OF GARMENTS OTHER THAN "WAR MODELS" AND "30 YARD MINIMUM BOYS' BIB OVERALLS."

INSTRUCTIONS

1. The tables in this appendix list the maximum prices for regular sales at wholesale and sales at retail of all items of staple work clothing except "war models" (which are priced under Appendix D) and "30 yard minimum boys' bib overalls" (which are priced under Appendix E). In using these tables, a wholesaler should bear in mind the rules for pricing which are stated in section 3.2 ("Regular sales at wholesale"), and a retailer should bear in mind the rules which are stated in sections 4.1 and 4.2.

NOTE: A retailer, before using these tables, should pay close attention to step 4 in section 4.1 and find whether the ceiling price of the particular garment being priced must be figured under section 4.4 rather than by use of the tables.

2. Each of the four tables lists wholesale and retail ceiling prices for specified types of garments only. The garments to be priced under each table are specified in the heading of each table. The coverage of each table includes both men's and boys' garments. Accordingly, you must first find which of the tables applies to the garment which you desire to price.

3. In each table, the ceiling price is given according to the "Supplier's net selling price." In finding your ceiling price, therefore, you must determine your supplier's "net selling price" for the garment which you desire to price. "Supplier's net selling price" means the net invoice cost to you, after deducting all discounts available, and shall not include transportation costs paid by you. If transportation costs are included in the amount shown on the invoice, you must deduct from the net invoice cost the amount of transportation charges to find your supplier's net selling price.

4. The ceiling prices listed in the tables apply to you when you and your supplier are both in the East and Central region, or both in the Mountain and Pacific region. If you are in one region and delivery is made from the other region, you locate in the appropriate table your ceiling price for the garment and then may add a specified amount. The amounts to be added vary by type of garment, and are listed in a footnote to each table.

"East and Central" includes all points which are in or east of North and South Dakota, Nebraska, Kansas, Oklahoma, and Texas, except that points in the following counties of Texas shall not be included: Loving, Ward, Reeves, Pecos, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso.

"Mountain and Pacific" includes all points which are in or west of Montana, Wyoming, Colorado, New Mexico, and the following counties in Texas: Loving, Ward, Reeves, Pecos, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso.

5. When you have found your supplier's "net selling price", look in Column 1 of the appropriate table for the bracket which contains this price. Then look at the figure opposite this bracket in Column 2 (if you are making sales at wholesale) or in Column 3 or Column 4 (if you are making sales at retail—Column 3 is for Group I retail sellers, while Column 4 is for Group II retail sellers). This figure is your ceiling price.

For example. Suppose your supplier's net selling price is $13.60 per dozen for boys' work pants. Your ceiling price will be found in Table II, since all work pants are cov-

ered by Table II. Follow down Column 1 in Table II until you find the bracket $13.57–$13.64+. Opposite these figures you find your ceiling price for these work pants. If you make sales at wholesale, your ceiling price is $16.80 per dozen. If you are a Group I retail seller, your ceiling price is $1.64 per pair. If you are a Group II retail seller, your ceiling price is $1.72 per pair.

6. If your supplier's "net selling price" for any garment is higher than the highest price listed in Column 1 of the table which covers the garment you are pricing, your ceiling price is found as follows: (a) take one-half of the supplier's net selling price, and find your ceiling price in the appropriate table for a garment with a net selling price to you of that amount; (b) multiply the ceiling price so found by 2.

For example. Suppose your supplier's net selling price is $33.00 per dozen for bib overalls. Your ceiling price will be found in Table III, since all bib overalls are covered by Table III. The highest price listed in Column 1 of Table III is $31.81. Accordingly, you will find the bracket in Column 1 containing a supplier's net selling price of ½ of $33.00, or $16.50. This bracket is $16.47–$16.54+. If you make sales at wholesale, your ceiling price listed in Column 2 opposite this bracket is $20.00 per dozen; multiply $20.00 by 2 to arrive at your ceiling price of $40.00 per dozen. If you are a Group I retail seller, your ceiling price is 2 times $1.64, or $3.28 per garment. If you are a Group II retail seller, your ceiling price is 2 times $1.88, or $3.66 per garment.

If your supplier's "net selling price" for any garment is lower than the lowest price listed in Column 1 of the Table which covers the garment you are pricing, your ceiling price is found as follows: (a) multiply your supplier's net selling price by 2, and find your ceiling price in the appropriate table for a garment with a net selling price to you of that amount; (b) divide ceiling price so found by 2.

7. Prices in Columns 1 and 2 are stated per dozen garments, while those in Columns 3 and 4 are stated per garment. All prices are stated f. o. b. seller's place of business.

8. Prices stated in Column 2 are net 30 days. If the wholesaler wishes, he may extend more favorable terms. But he may not change these terms if the change would result under any circumstances in a higher net price.

TABLE I—ALL CHAMBRAY, COVERT, CHEVIOT AND SHEETING WORK SHIRTS

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retail seller [2] (per garment)	Sales at retail by group II retail seller [2] (per garment)
$6.45–$6.52+	$8.00	$0.75	$0.78
$6.53–$6.60+	8.10	.76	.79
$6.61–$6.68+	8.20	.77	.80
$6.69–$6.76+	8.30	.78	.81
$6.77–$6.84+	8.40	.79	.82
$6.85–$6.92+	8.50	.80	.83
$6.93–$7.01+	8.60	.80	.84
$7.02–$7.09+	8.70	.81	.85
$7.10–$7.17+	8.80	.82	.86
$7.18–$7.25+	8.90	.83	.87
$7.26–$7.33+	9.00	.84	.88
$7.34–$7.41+	9.10	.85	.89
$7.42–$7.49+	9.20	.86	.90
$7.50–$7.57+	9.30	.87	.91
$7.58–$7.65+	9.40	.88	.92
$7.66–$7.74+	9.50	.89	.93
$7.75–$7.81+	9.60	.90	.94
$7.82–$7.89+	9.70	.91	.95
$7.90–$7.97+	9.80	.92	.96
$7.98–$8.05+	9.90	.93	.97
$8.06–$8.13+	10.00	.94	.98
$8.14–$8.22+	10.10	.95	.99
$8.23–$8.30+	10.20	.96	1.00
$8.31–$8.38+	10.30	.96	1.01
$8.39–$8.46+	10.40	.97	1.02
$8.47–$8.54+	$10.50	$0.98	$1.03
$8.55–$8.62+	10.60	.99	1.04
$8.63–$8.70+	10.70	1.00	1.05
$8.71–$8.78+	10.80	1.01	1.06
$8.79–$8.86+	10.90	1.02	1.07
$8.87–$8.94+	11.00	1.03	1.07
$8.95–$9.03+	11.10	1.04	1.09
$9.04–$9.11+	11.20	1.05	1.10
$9.12–$9.19+	11.30	1.06	1.10
$9.20–$9.27+	11.40	1.07	1.11
$9.28–$9.35+	11.50	1.08	1.12
$9.36–$9.43+	11.60	1.09	1.13
$9.44–$9.51+	11.70	1.10	1.14
$9.52–$9.59+	11.80	1.11	1.15
$9.60–$9.68+	11.90	1.12	1.16
$9.69–$9.76+	12.00	1.13	1.17
$9.77–$9.84+	12.10	1.13	1.18
$9.85–$9.92+	12.20	1.14	1.19
$9.93–$10.00+	12.30	1.15	1.20
$10.01–$10.08+	12.40	1.16	1.21
$10.09–$10.16+	12.50	1.17	1.22
$10.17–$10.24+	12.60	1.18	1.23
$10.25–$10.32+	12.70	1.19	1.24
$10.33–$10.41+	12.80	1.20	1.25
$10.42–$10.49+	12.90	1.21	1.26
$10.50–$10.57+	13.00	1.22	1.27
$10.58–$10.65+	13.10	1.23	1.28
$10.66–$10.73+	13.20	1.24	1.29
$10.74–$10.81+	13.30	1.25	1.30
$10.82–$10.89+	13.40	1.26	1.31
$10.90–$10.97+	13.50	1.27	1.32
$10.98–$11.05+	13.60	1.27	1.33
$11.06–$11.13+	13.70	1.28	1.34
$11.14–$11.21+	13.80	1.29	1.35
$11.22–$11.29+	13.90	1.30	1.36
$11.30–$11.38+	14.00	1.31	1.37
$11.39–$11.46+	14.10	1.32	1.38
$11.47–$11.54+	14.20	1.33	1.39
$11.55–$11.62+	14.30	1.34	1.40
$11.63–$11.70+	14.40	1.35	1.41
$11.71–$11.78+	14.50	1.36	1.42
$11.79–$11.86+	14.60	1.37	1.43
$11.87–$11.94+	14.70	1.38	1.44
$11.95–$12.02+	14.80	1.39	1.45
$12.03–$12.10+	14.90	1.40	1.46
$12.11–$12.19+	15.00	1.41	1.47
$12.20–$12.27+	15.10	1.42	1.48
$12.28–$12.35+	15.20	1.42	1.49
$12.36–$12.43+	15.30	1.43	1.50
$12.44–$12.51+	15.40	1.44	1.51
$12.52–$12.59+	15.50	1.45	1.52
$12.60–$12.67+	15.60	1.46	1.53
$12.68–$12.75+	15.70	1.47	1.53
$12.76–$12.83+	15.80	1.48	1.54
$12.84–$12.91+	15.90	1.49	1.55
$12.92–$13.00+	16.00	1.50	1.57
$13.01–$13.08+	16.10	1.51	1.57
$13.09–$13.16+	16.20	1.52	1.58
$13.17–$13.24+	16.30	1.53	1.59
$13.25–$13.32+	16.40	1.54	1.60
$13.33–$13.40+	16.50	1.55	1.61
$13.41–$13.48+	16.60	1.56	1.62
$13.49–$13.56+	16.70	1.56	1.63
$13.57–$13.64+	16.80	1.57	1.64
$13.65–$13.72+	16.90	1.58	1.65
$13.73–$13.81+	17.00	1.59	1.66
$13.82–$13.89+	17.10	1.60	1.67
$13.90–$13.97+	17.20	1.61	1.68
$13.98–$14.05+	17.30	1.62	1.69
$14.06–$14.13+	17.40	1.63	1.70
$14.14–$14.21+	17.50	1.64	1.71
$14.22–$14.29+	17.60	1.65	1.72
$14.30–$14.37+	17.70	1.66	1.73
$14.38–$14.45+	17.80	1.67	1.74
$14.46–$14.53+	17.90	1.68	1.75
$14.54–$14.62+	18.00	1.69	1.76
$14.63–$14.70+	18.10	1.70	1.77
$14.71–$14.78+	18.20	1.71	1.78
$14.79–$14.86+	18.30	1.72	1.79
$14.87–$14.94+	18.40	1.72	1.80
$14.95–$15.03+	18.50	1.73	1.81
$15.04–$15.11+	18.60	1.74	1.82
$15.12–$15.19+	18.70	1.75	1.83
$15.20–$15.27+	18.80	1.76	1.84
$15.28–$15.35+	18.90	1.77	1.85
$15.36–$15.43+	19.00	1.78	1.86
$15.44–$15.51+	19.10	1.79	1.87
$15.52–$15.59+	19.20	1.80	1.88
$15.60–$15.68+	19.30	1.81	1.89
$15.69–$15.76+	19.40	1.82	1.90
$15.77–$15.84+	19.50	1.83	1.91
$15.85–$15.92+	19.60	1.84	1.92
$15.93–$16.00+	19.70	1.85	1.93
$16.01–$16.08+	19.80	1.86	1.94
$16.09–$16.16+	19.90	1.87	1.95
$16.17–$16.24+	20.00	1.88	1.96
$16.25–$16.32+	20.10	1.88	1.97
$16.33–$16.40+	20.20	1.89	1.98
$16.41–$16.49+	20.30	1.90	1.99
$16.50–$16.57+	$20.40	$1.91	$2.00
$16.58–$16.65+	20.50	1.92	2.01
$16.66–$16.73+	20.60	1.93	2.02
$16.74–$16.81+	20.70	1.94	2.03
$16.82–$16.89+	20.80	1.95	2.03
$16.90–$16.97+	20.90	1.96	2.04
$16.98–$17.05+	21.00	1.97	2.05
$17.06–$17.13+	21.10	1.98	2.06
$17.14–$17.21+	21.20	1.99	2.07
$17.22–$17.30+	21.30	2.00	2.08
$17.31–$17.38+	21.40	2.01	2.09
$17.39–$17.46+	21.50	2.02	2.10
$17.47–$17.54+	21.60	2.02	2.11

[1] If the wholesaler is in one region and delivery is made from the other region (as provided in instruction 4), the wholesaler may add 25c per dozen for men's shirts and 18c per dozen for boys' shirts to the appropriate ceiling price in column 2.

[2] If the retailer is in one region and delivery is made from the other region (as provided in instruction 4), the retailer may add 3c per garment for men's shirts and 2c per garment for boys' shirts to the appropriate ceiling in column 3 or 4.

TABLE II—SHIRTS NOT COVERED BY TABLE I, WORK PANTS, WORK BREECHES, ONE-PIECE WORK SUITS, AND MATCHED SETS. (HOWEVER, IF THE SHIRT OF A MATCHED SET IS COVERED BY TABLE I, THE SHIRT MUST BE PRICED UNDER TABLE I AND THE PANTS UNDER THIS TABLE II)

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retail seller [2] (per garment)	Sales at retail by group II retail seller [2] (per garment)
$10.50–$10.57+	$13.00	$1.27	$1.33
$10.58–$10.65+	13.10	1.28	1.34
$10.66–$10.73+	13.20	1.29	1.35
$10.74–$10.81+	13.30	1.30	1.36
$10.82–$10.89+	13.40	1.31	1.37
$10.90–$10.97+	13.50	1.32	1.38
$10.98–$11.05+	13.60	1.33	1.39
$11.06–$11.13+	13.70	1.34	1.40
$11.14–$11.21+	13.80	1.35	1.41
$11.22–$11.29+	13.90	1.36	1.42
$11.30–$11.38+	14.00	1.37	1.43
$11.39–$11.46+	14.10	1.38	1.44
$11.47–$11.54+	14.20	1.39	1.45
$11.55–$11.62+	14.30	1.40	1.46
$11.63–$11.70+	14.40	1.41	1.47
$11.71–$11.78+	14.50	1.42	1.48
$11.79–$11.86+	14.60	1.43	1.49
$11.87–$11.94+	14.70	1.44	1.50
$11.95–$12.02+	14.80	1.45	1.51
$12.03–$12.10+	14.90	1.46	1.52
$12.11–$12.19+	15.00	1.47	1.53
$12.20–$12.27+	15.10	1.48	1.54
$12.28–$12.35+	15.20	1.49	1.55
$12.36–$12.43+	15.30	1.50	1.56
$12.44–$12.51+	15.40	1.51	1.57
$12.52–$12.59+	15.50	1.52	1.58
$12.60–$12.67+	15.60	1.53	1.59
$12.68–$12.75+	15.70	1.54	1.60
$12.76–$12.83+	15.80	1.55	1.61
$12.84–$12.92+	15.90	1.56	1.63
$12.93–$13.00+	16.00	1.57	1.64
$13.01–$13.08+	16.10	1.58	1.65
$13.09–$13.16+	16.20	1.58	1.66
$13.17–$13.24+	16.30	1.59	1.67
$13.25–$13.33+	16.40	1.60	1.68
$13.33–$13.40+	16.50	1.61	1.69
$13.41–$13.48+	16.60	1.62	1.70
$13.49–$13.56+	16.70	1.63	1.71
$13.57–$13.64+	16.80	1.64	1.72
$13.65–$13.72+	16.90	1.65	1.73
$13.73–$13.81+	17.00	1.66	1.74
$13.82–$13.89+	17.10	1.67	1.75
$13.90–$13.97+	17.20	1.68	1.76
$13.98–$14.05+	17.30	1.69	1.77
$14.06–$14.13+	17.40	1.70	1.78
$14.14–$14.21+	17.50	1.71	1.79
$14.22–$14.29+	17.60	1.72	1.80
$14.30–$14.37+	17.70	1.73	1.81
$14.38–$14.45+	17.80	1.74	1.82
$14.46–$14.53+	17.90	1.75	1.83
$14.54–$14.62+	18.00	1.76	1.84

TABLE II—Continued

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retail seller [2] (per garment)	Sales at retail by group II retail seller [2] (per garment)
$14.63–$14.70+	$18.10	$1.77	$1.85
$14.71–$14.78+	18.20	1.78	1.86
$14.79–$14.86+	18.30	1.79	1.87
$14.87–$14.54+	18.40	1.80	1.88
$14.95–$15.02+	18.50	1.81	1.89
$15.03–$15.10+	18.60	1.82	1.90
$15.11–$15.18+	18.70	1.83	1.91
$15.19–$15.26+	18.80	1.84	1.92
$15.27–$15.34+	18.90	1.85	1.93
$15.35–$15.43+	19.00	1.86	1.94
$15.44–$15.51+	19.10	1.87	1.95
$15.52–$15.59+	19.20	1.88	1.96
$15.60–$15.67+	19.30	1.89	1.97
$15.68–$15.75+	19.40	1.90	1.98
$15.76–$15.83+	19.50	1.91	1.99
$15.84–$15.91+	19.60	1.92	2.00
$15.92–$15.99+	19.70	1.93	2.01
$16.00–$16.07+	19.80	1.94	2.02
$16.08–$16.15+	19.90	1.95	2.03
$16.16–$16.24+	20.00	1.96	2.05
$16.25–$16.32+	20.10	1.97	2.06
$16.33–$16.40+	20.20	1.98	2.07
$16.41–$16.48+	20.30	1.99	2.08
$16.49–$16.56+	20.40	2.00	2.09
$16.57–$16.64+	20.50	2.01	2.10
$16.65–$16.72+	20.60	2.01	2.11
$16.73–$16.80+	20.70	2.02	2.12
$16.81–$16.88+	20.80	2.03	2.13
$16.89–$16.96+	20.90	2.04	2.14
$16.97–$17.05+	21.00	2.05	2.15
$17.06–$17.13+	21.10	2.06	2.16
$17.14–$17.21+	21.20	2.07	2.17
$17.22–$17.29+	21.30	2.08	2.18
$17.30–$17.37+	21.40	2.09	2.19
$17.38–$17.46+	21.50	2.10	2.20
$17.47–$17.53+	21.60	2.11	2.21
$17.54–$17.61+	21.70	2.12	2.22
$17.62–$17.69+	21.80	2.13	2.23
$17.70–$17.77+	21.90	2.14	2.24
$17.78–$17.86+	22.00	2.15	2.25
$17.87–$17.94+	22.10	2.16	2.26
$17.95–$18.02+	22.20	2.17	2.27
$18.03–$18.10+	22.30	2.18	2.28
$18.11–$18.18+	22.40	2.19	2.29
$18.19–$18.26+	22.50	2.20	2.30
$18.27–$18.34+	22.60	2.21	2.31
$18.35–$18.42+	22.70	2.22	2.32
$18.43–$18.50+	22.80	2.23	2.33
$18.51–$18.58+	22.90	2.24	2.34
$18.59–$18.67+	23.00	2.25	2.35
$18.68–$18.75+	23.10	2.26	2.36
$18.76–$18.84+	23.20	2.27	2.37
$18.85–$18.91+	23.30	2.28	2.38
$18.93–$18.99+	23.40	2.29	2.39
$19.00–$19.07+	23.50	2.30	2.40
$19.08–$19.15+	23.60	2.31	2.41
$19.16–$19.23+	23.70	2.32	2.42
$19.24–$19.31+	23.80	2.33	2.43
$19.32–$19.39+	23.90	2.34	2.44
$19.40–$19.48+	24.00	2.35	2.45
$19.49–$19.56+	24.10	2.36	2.46
$19.57–$19.64+	24.20	2.37	2.47
$19.65–$19.72+	24.30	2.38	2.48
$19.73–$19.80+	24.40	2.39	2.50
$19.81–$19.88+	24.50	2.40	2.51
$19.89–$19.96+	24.60	2.41	2.52
$19.97–$20.04+	24.70	2.42	2.53
$20.05–$20.12+	24.80	2.42	2.54
$20.13–$20.20+	24.90	2.43	2.55
$20.21–$20.29+	25.00	2.45	2.56
$20.30–$20.37+	25.10	2.46	2.57
$20.38–$20.45+	25.20	2.47	2.58
$20.46–$20.53+	25.30	2.47	2.59
$20.54–$20.61+	25.40	2.48	2.60
$20.62–$20.69+	25.50	2.49	2.61
$20.70–$20.77+	25.60	2.50	2.62
$20.78–$20.85+	25.70	2.51	2.63
$20.86–$20.93+	25.80	2.53	2.64
$20.94–$21.01+	25.90	2.53	2.65
$21.02–$21.10+	26.00	2.54	2.66
$21.11–$21.18+	26.10	2.55	2.67
$21.19–$21.26+	26.20	2.56	2.68
$21.27–$21.34+	26.30	2.57	2.69
$21.35–$21.42+	26.40	2.58	2.70
$21.43–$21.50+	26.50	2.59	2.71
$21.51–$21.58+	26.60	2.60	2.72
$21.59–$21.66+	26.70	2.61	2.73
$21.67–$21.74+	26.80	2.62	2.74
$21.75–$21.82+	26.90	2.63	2.75
$21.83–$21.91+	27.00	2.64	2.76
$21.92–$21.99+	27.10	2.65	2.77
$22.00–$22.07+	27.20	2.66	2.78
$22.08–$22.15+	27.30	2.67	2.79

TABLE II—Continued

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retail seller [2] (per garment)	Sales at retail by group II retail seller [2] (per garment)
$22.16–$22.23+	$27.40	$2.68	$2.80
$22.24–$22.31+	27.50	2.69	2.81
$22.32–$22.39+	27.60	2.70	2.82
$22.40–$22.47+	27.70	2.71	2.83
$22.48–$22.55+	27.80	2.72	2.84
$22.56–$22.63+	27.90	2.73	2.85
$22.64–$22.72+	28.00	2.74	2.86
$22.73–$22.80+	28.10	2.75	2.87
$22.81–$22.88+	28.20	2.76	2.88
$22.89–$22.96+	28.30	2.77	2.89
$22.97–$23.04+	28.40	2.78	2.90
$23.05–$23.12+	28.50	2.79	2.91
$23.13–$23.21+	28.60	2.80	2.92
$23.22–$23.29+	28.70	2.81	2.94
$23.30–$23.37+	28.80	2.82	2.95
$23.38–$23.45+	28.90	2.83	2.96
$23.46–$23.53+	29.00	2.84	2.97
$23.54–$23.61+	29.10	2.85	2.98
$23.62–$23.69+	29.20	2.86	2.99
$23.70–$23.77+	29.30	2.87	3.00
$23.78–$23.85+	29.40	2.88	3.01
$23.86–$23.94+	29.50	2.89	3.02
$23.95–$24.02+	29.60	2.90	3.03
$24.03–$24.10+	29.70	2.91	3.04
$24.11–$24.18+	29.80	2.92	3.05
$24.19–$24.26+	29.90	2.93	3.06
$24.27–$24.34+	30.00	2.94	3.07
$24.35–$24.42+	30.10	2.95	3.08
$24.43–$24.51+	30.20	2.96	3.09
$24.52–$24.59+	30.30	2.97	3.10
$24.60–$24.67+	30.40	2.97	3.11
$24.68–$24.75+	30.50	2.98	3.12
$24.76–$24.83+	30.60	2.99	3.13
$24.84–$24.91+	30.70	3.00	3.14
$24.92–$24.99+	30.80	3.01	3.15
$25.00–$25.07+	30.90	3.02	3.16
$25.08–$25.15+	31.00	3.03	3.17
$25.16–$25.23+	31.10	3.04	3.18
$25.24–$25.32+	31.20	3.05	3.19
$25.33–$25.40+	31.30	3.06	3.20
$25.41–$25.48+	31.40	3.07	3.21
$25.49–$25.56+	31.50	3.08	3.22
$25.57–$25.64+	31.60	3.09	3.23
$25.65–$25.72+	31.70	3.10	3.24
$25.73–$25.80+	31.80	3.11	3.25
$25.81–$25.88+	31.90	3.12	3.26
$25.89–$25.97+	32.00	3.13	3.27
$25.98–$26.05+	32.10	3.14	3.28
$26.06–$26.13+	32.20	3.15	3.29
$26.14–$26.21+	32.30	3.16	3.30
$26.22–$26.29+	32.40	3.17	3.31
$26.30–$26.37+	32.50	3.18	3.32
$26.38–$26.45+	32.60	3.19	3.33
$26.46–$26.53+	32.70	3.20	3.34
$26.54–$26.61+	32.80	3.21	3.35
$26.62–$26.69+	32.90	3.22	3.36
$26.70–$26.77+	33.00	3.23	3.38
$26.78–$26.85+	33.10	3.24	3.39
$26.86–$26.94+	33.20	3.25	3.40
$26.95–$27.02+	33.30	3.26	3.41
$27.03–$27.10+	33.40	3.27	3.42
$27.11–$27.18+	33.50	3.28	3.43
$27.19–$27.26+	33.60	3.29	3.44
$27.27–$27.34+	33.70	3.30	3.45
$27.35–$27.42+	33.80	3.31	3.46
$27.43–$27.50+	33.90	3.32	3.47

[1] If the wholesaler is in one region and delivery is made from the other region (as provided in instruction 4), the wholesaler may add the following amount to the appropriate ceiling price in column 2:

Shirts—2c per dozen for men's, 1c per dozen for boys'.
Pants—3c per dozen for men's, 2c per dozen for boys'.
Breeches—3c per dozen for men's, 2c per dozen for boys'.
One-piece work suits—7c per dozen for men's, 3c per dozen for boys'.

[2] If the retailer is in one region and delivery is made from the other region (as provided in instruction 4), the retailer may add the following amount to the appropriate ceiling price in column 3 or 4:

Shirts—3c per garment for men's, 2c per garment for boys'.
Pants—5c per garment for men's, 4c per garment for boys'.
Breeches—5c per garment for men's, 4c per garment for boys'.
One-piece work suits—9c per garment for men's, 6c per garment for boys'.

TABLE III—BIB OVERALLS AND OVERALL JACKETS

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retail seller [2] (per garment)	Sales at retail by group II retail seller [2] (per garment)
$8.95–$9.04+	$10.90	$0.89	$1.00
$9.05–$9.13+	11.00	.90	1.01
$9.14–$9.21+	11.10	.91	1.02
$9.22–$9.29+	11.20	.92	1.03
$9.30–$9.37+	11.30	.93	1.04
$9.38–$9.45+	11.40	.93	1.05
$9.46–$9.53+	11.50	.94	1.06
$9.54–$9.61+	11.60	.95	1.06
$9.62–$9.69+	11.70	.96	1.07
$9.70–$9.78+	11.80	.97	1.08
$9.79–$9.86+	11.90	.98	1.09
$9.87–$9.94+	12.00	.99	1.10
$9.95–$10.02+	12.10	.99	1.11
$10.03–$10.10+	12.20	1.00	1.12
$10.11–$10.19+	12.30	1.01	1.13
$10.20–$10.27+	12.40	1.02	1.14
$10.28–$10.35+	12.50	1.03	1.15
$10.36–$10.43+	12.60	1.03	1.16
$10.44–$10.52+	12.70	1.04	1.16
$10.53–$10.60+	12.80	1.05	1.17
$10.61–$10.68+	12.90	1.05	1.18
$10.69–$10.76+	13.00	1.06	1.19
$10.77–$10.85+	13.10	1.07	1.20
$10.86–$10.93+	13.20	1.08	1.21
$10.94–$11.01+	13.30	1.09	1.22
$11.02–$11.09+	13.40	1.10	1.23
$11.10–$11.17+	13.50	1.11	1.24
$11.18–$11.25+	13.60	1.11	1.25
$11.26–$11.34+	13.70	1.12	1.26
$11.35–$11.43+	13.80	1.13	1.27
$11.43–$11.51+	13.90	1.14	1.27
$11.52–$11.59+	14.00	1.14	1.28
$11.60–$11.68+	14.10	1.15	1.29
$11.69–$11.76+	14.20	1.16	1.30
$11.77–$11.84+	14.30	1.17	1.31
$11.85–$11.92+	14.40	1.18	1.32
$11.93–$12.01+	14.50	1.19	1.33
$12.02–$12.09+	14.60	1.19	1.34
$12.10–$12.17+	14.70	1.20	1.35
$12.18–$12.26+	14.80	1.21	1.36
$12.27–$12.33+	14.90	1.22	1.37
$12.34–$12.42+	15.00	1.23	1.37
$12.43–$12.50+	15.10	1.24	1.38
$12.51–$12.58+	15.20	1.25	1.39
$12.59–$13.06+	15.30	1.26	1.40
$12.67–$12.75+	15.40	1.26	1.41
$12.76–$12.83+	15.50	1.27	1.42
$12.84–$12.91+	15.60	1.28	1.43
$12.92–$13.00+	15.70	1.28	1.44
$13.01–$13.08+	15.80	1.29	1.45
$13.09–$13.16+	15.90	1.30	1.46
$13.17–$13.24+	16.00	1.31	1.47
$13.25–$13.33+	16.10	1.32	1.48
$13.34–$13.41+	16.20	1.33	1.49
$13.42–$13.49+	16.30	1.33	1.49
$13.50–$13.57+	16.40	1.34	1.50
$13.58–$13.66+	16.50	1.35	1.51
$13.67–$13.74+	16.60	1.36	1.52
$13.75–$13.82+	16.70	1.37	1.53
$13.83–$13.90+	16.80	1.37	1.54
$13.91–$13.99+	16.90	1.38	1.55
$14.00–$14.07+	17.00	1.39	1.56
$14.08–$14.15+	17.10	1.40	1.57
$14.16–$14.23+	17.20	1.41	1.58
$14.24–$14.31+	17.30	1.41	1.59
$14.33–$14.40+	17.40	1.42	1.59
$14.41–$14.48+	17.50	1.43	1.60
$14.49–$14.56+	17.60	1.44	1.61
$14.57–$14.65+	17.70	1.45	1.62
$14.66–$14.73+	17.80	1.46	1.63
$14.74–$14.81+	17.90	1.46	1.64
$14.82–$14.89+	18.00	1.47	1.65
$14.90–$14.98+	18.10	1.48	1.67
$14.99–$15.06+	18.20	1.49	1.68
$15.07–$15.14+	18.30	1.50	1.68
$15.15–$15.22+	18.40	1.50	1.69
$15.23–$15.31+	18.50	1.51	1.70
$15.32–$15.39+	18.60	1.52	1.71
$15.40–$15.47+	18.70	1.53	1.72
$15.48–$15.55+	18.80	1.54	1.73
$15.56–$15.64+	18.90	1.55	1.74
$15.65–$15.73+	19.00	1.55	1.75
$15.73–$15.80+	19.10	1.56	1.76
$15.81–$15.88+	19.20	1.57	1.77
$15.89–$15.97+	19.30	1.58	1.78
$15.98–$16.05+	19.40	1.59	1.79
$16.06–$16.13+	19.50	1.60	1.80
$16.14–$16.21+	19.60	1.60	1.81
$16.22–$16.30+	19.70	1.61	1.81
$16.31–$16.38+	19.80	1.62	1.82
$16.39–$16.46+	19.90	1.63	1.83
$16.47–$16.54+	20.00	1.64	1.84
$16.55–$16.62+	20.10	1.64	1.84
$16.64–$16.71+	20.20	1.65	1.85

TABLE III—Continued

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retailseller [2] (per garment)	Sales at retail by group II retailseller [2] (per garment)
$16.72–$16.79+	$20.20	$1.66	$1.86
$16.80–$16.87+	20.40	1.67	1.87
$16.88–$16.96+	20.50	1.68	1.88
$16.97–$17.04+	20.60	1.69	1.89
$17.05–$17.12+	20.70	1.69	1.90
$17.13–$17.20+	20.80	1.70	1.91
$17.21–$17.29+	20.90	1.71	1.92
$17.30–$17.37+	21.00	1.72	1.92
$17.38–$17.45+	21.10	1.73	1.93
$17.46–$17.53+	21.20	1.73	1.94
$17.54–$17.62+	21.30	1.74	1.95
$17.63–$17.70+	21.40	1.75	1.96
$17.71–$17.78+	21.50	1.76	1.97
$17.79–$17.86+	21.60	1.77	1.98
$17.87–$17.95+	21.70	1.78	1.99
$17.96–$18.03+	21.80	1.78	2.00
$18.04–$18.11+	21.90	1.79	2.01
$18.12–$18.19+	22.00	1.80	2.02
$18.20–$18.28+	22.10	1.81	2.03
$18.29–$18.36+	22.20	1.82	2.03
$18.37–$18.44+	22.30	1.82	2.04
$18.45–$18.52+	22.40	1.83	2.05
$18.53–$18.61+	22.50	1.84	2.06
$18.62–$18.69+	22.60	1.85	2.07
$18.70–$18.77+	22.70	1.86	2.08
$18.78–$18.85+	22.80	1.86	2.09
$18.86–$18.94+	22.90	1.87	2.10
$18.95–$19.02+	23.00	1.88	2.11
$19.03–$19.10+	23.10	1.89	2.12
$19.11–$19.18+	23.20	1.90	2.13
$19.19–$19.27+	23.30	1.91	2.14
$19.28–$19.35+	23.40	1.91	2.14
$19.36–$19.43+	23.50	1.92	2.15
$19.44–$19.57+	23.60	1.93	2.16
$19.52–$19.60+	23.70	1.94	2.17
$19.61–$19.68+	23.80	1.95	2.18
$19.69–$19.76+	23.90	1.96	2.19
$19.77–$19.84+	24.00	1.96	2.20
$19.85–$19.93+	24.10	1.97	2.21
$19.94–$20.01+	24.20	1.98	2.22
$20.02–$20.09+	24.30	1.99	2.23
$20.10–$20.17+	24.40	2.00	2.24
$20.18–$20.26+	24.50	2.00	2.25
$20.27–$20.34+	24.60	2.01	2.25
$20.35–$20.42+	24.70	2.02	2.26
$20.43–$20.50+	24.80	2.03	2.27
$20.51–$20.59+	24.90	2.04	2.28
$20.60–$20.67+	25.00	2.05	2.29
$20.68–$20.75+	25.10	2.05	2.30
$20.76–$20.83+	25.20	2.06	2.31
$20.84–$20.92+	25.30	2.07	2.32
$20.93–$21.00+	25.40	2.08	2.33
$21.01–$21.08+	25.50	2.09	2.34
$21.09–$21.17+	25.60	2.10	2.35
$21.18–$21.25+	25.70	2.10	2.36
$21.26–$21.33+	25.80	2.11	2.36
$21.34–$21.41+	25.90	2.12	2.37
$21.42–$21.49+	26.00	2.13	2.38
$21.50–$21.58+	26.10	2.14	2.39
$21.59–$21.66+	26.20	2.14	2.40
$21.67–$21.74+	26.30	2.15	2.41
$21.75–$21.82+	26.40	2.16	2.42
$21.83–$21.91+	26.50	2.17	2.43
$21.92–$21.99+	26.60	2.18	2.44
$22.00–$22.07+	26.70	2.18	2.45
$22.08–$22.15+	26.80	2.19	2.46
$22.16–$22.24+	26.90	2.20	2.47
$22.25–$22.32+	27.00	2.21	2.47
$22.33–$22.40+	27.10	2.22	2.48
$22.41–$22.48+	27.20	2.23	2.49
$22.49–$22.57+	27.30	2.23	2.50
$22.58–$22.65+	27.40	2.24	2.51
$22.66–$22.73+	27.50	2.25	2.52
$22.74–$22.81+	27.60	2.26	2.53
$22.82–$22.90+	27.70	2.27	2.54
$22.91–$22.98+	27.80	2.27	2.55
$22.99–$23.06+	27.90	2.28	2.56
$23.07–$23.14+	28.00	2.29	2.57
$23.15–$23.23+	28.10	2.30	2.58
$23.24–$23.31+	28.20	2.31	2.58
$23.32–$23.39+	28.30	2.32	2.59
$23.40–$23.47+	28.40	2.32	2.60
$23.48–$23.56+	28.50	2.33	2.61
$23.57–$23.64+	28.60	2.34	2.62
$23.65–$23.72+	28.70	2.35	2.63
$23.73–$23.80+	28.80	2.36	2.64
$23.81–$23.89+	28.90	2.36	2.65
$23.90–$23.97+	29.00	2.37	2.66
$23.98–$24.05+	29.10	2.38	2.67
$24.06–$24.13+	29.20	2.39	2.68
$24.14–$24.22+	29.30	2.40	2.69
$24.23–$24.30+	29.40	2.41	2.69
$24.31–$24.38+	29.50	2.41	2.70
$24.39–$24.46+	29.60	2.42	2.71
$24.47–$24.55+	29.70	2.43	2.72
$24.56–$24.63+	29.80	2.44	2.73
$24.64–$24.71+	29.90	2.45	2.74
$24.72–$24.79+	30.00	2.45	2.75

TABLE III—Continued

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retailseller [2] (per garment)	Sales at retail by group II retailseller [2] (per garment)
$24.80–$24.88+	$30.10	$2.46	$2.76
$24.89–$24.96+	30.20	2.47	2.77
$24.97–$25.04+	30.30	2.48	2.78
$25.05–$25.12+	30.40	2.49	2.79
$25.13–$25.21+	30.50	2.50	2.80
$25.22–$25.29+	30.60	2.50	2.80
$25.30–$25.37+	30.70	2.51	2.81
$25.38–$25.45+	30.80	2.52	2.82
$25.46–$25.54+	30.90	2.53	2.83
$25.55–$25.62+	31.00	2.54	2.84
$25.63–$25.70+	31.10	2.54	2.85
$25.71–$25.78+	31.20	2.55	2.86
$25.79–$25.87+	31.30	2.56	2.87
$25.88–$25.95+	31.40	2.57	2.88
$25.96–$26.03+	31.50	2.58	2.89
$26.04–$26.11+	31.60	2.59	2.90
$26.12–$26.20+	31.70	2.59	2.91
$26.21–$26.28+	31.80	2.60	2.91
$26.29–$26.36+	31.90	2.61	2.92
$26.37–$26.44+	32.00	2.62	2.93
$26.45–$26.53+	32.10	2.63	2.94
$26.54–$26.61+	32.20	2.63	2.95
$26.62–$26.69+	32.30	2.64	2.96
$26.70–$26.77+	32.40	2.65	2.97
$26.78–$26.86+	32.50	2.66	2.98
$26.87–$26.94+	32.60	2.67	2.99
$26.95–$27.02+	32.70	2.68	3.00
$27.03–$27.10+	32.80	2.68	3.01
$27.11–$27.19+	32.90	2.69	3.02
$27.20–$27.27+	33.00	2.70	3.02
$27.28–$27.35+	33.10	2.71	3.03
$27.36–$27.43+	33.20	2.72	3.04
$27.44–$27.52+	33.30	2.72	3.05
$27.53–$27.60+	33.40	2.73	3.06
$27.61–$27.68+	33.50	2.74	4.07
$27.69–$27.76+	33.60	2.75	3.08
$27.77–$27.85+	33.70	2.76	3.09
$27.86–$27.93+	33.80	2.77	3.10
$27.94–$28.01+	33.90	2.77	3.11
$28.02–$28.09+	34.00	2.78	3.12
$28.10–$28.18+	34.10	2.79	3.13
$28.19–$28.26+	34.20	2.80	3.13
$28.27–$28.34+	34.30	4.81	3.14
$28.35–$28.42+	34.40	2.81	3.15
$28.43–$28.51+	34.50	2.82	3.16
$28.52–$28.59+	34.60	2.83	3.17
$28.60–$28.67+	34.70	2.84	3.18
$28.68–$28.75+	34.80	2.85	3.19
$28.76–$28.84+	34.90	2.86	3.20
$28.85–$28.92+	35.00	2.86	3.21
$28.93–$29.00+	35.10	2.87	3.22
$29.01–$29.08+	35.20	2.88	3.23
$29.09–$29.17+	35.30	2.89	3.24
$29.18–$29.25+	35.40	2.90	3.24
$29.26–$29.33+	35.50	2.90	3.25
$29.34–$29.41+	35.60	2.91	3.26
$29.42–$29.50+	35.70	2.92	3.27
$29.51–$29.58+	35.80	2.93	3.28
$29.59–$29.66+	35.90	2.94	3.29
$29.67–$29.74+	36.00	2.95	3.30
$29.75–$29.83+	36.10	2.95	3.31
$29.84–$29.91+	36.20	2.96	3.32
$29.92–$29.99+	36.30	2.97	3.33
$30.00–$30.07+	36.40	2.98	3.34
$30.08–$30.16+	36.50	2.99	3.35
$30.17–$30.24+	36.60	2.99	3.35
$30.25–$30.32+	36.70	3.00	3.36
$30.33–$30.40+	36.80	3.01	3.37
$30.41–$30.49+	36.90	3.02	3.38
$30.50–$30.57+	37.00	3.03	3.39
$30.58–$30.65+	37.10	3.04	3.40
$30.66–$30.73+	37.20	3.04	3.41
$30.74–$30.82+	37.30	3.05	3.42
$30.83–$30.90+	37.40	3.06	3.43
$30.91–$30.98+	37.50	3.07	3.44
$30.99–$31.06+	37.60	3.08	3.45
$31.07–$31.15+	37.70	3.09	3.46
$31.16–$31.23+	37.80	3.09	3.46
$31.24–$31.31+	37.90	3.10	3.47
$31.32–$31.39+	38.00	3.11	3.48
$31.40–$31.48+	38.10	3.12	3.49
$31.49–$31.56+	38.20	3.13	3.50
$31.57–$31.[illegible]+	38.30	3.13	3.51
$31.65–$31.72+	38.40	3.14	3.52
$31.73–$31.81+	38.50	3.15	3.53

[1] If the wholesaler is in one region and delivery is made from the other region (as provided in instruction 4), the wholesaler may add 50c per dozen for men's garments and 35c per dozen for boys' garments to the appropriate ceiling price in column 2.

[2] If the retailer is in one region and delivery is made from the other region (as provided in instruction 4), the retailer may add 6c per garment for men's garments and 4c per garment for boys' garments to the appropriate ceiling in column 3 or 4.

TABLE IV—WAISTBAND OVERALLS (DUNGAREES)

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retailseller [2] (per garment)	Sales at retail by group II retailseller [2] (per garment)
$8.96–$9.03+	$10.90	$0.94	$1.07
$9.04–$9.11+	11.00	.95	1.08
$9.12–$9.19+	11.10	.95	1.09
$9.20–$9.28+	11.20	.96	1.10
$9.29–$9.36+	11.30	.97	1.11
$9.37–$9.44+	11.40	.98	1.12
$9.45–$9.53+	11.50	.99	1.13
$9.54–$9.61+	11.60	1.00	1.14
$9.62–$9.69+	11.70	1.01	1.15
$9.70–$9.78+	11.80	1.01	1.16
$9.79–$9.86+	11.90	1.02	1.17
$9.87–$9.94+	12.00	1.03	1.18
$9.95–$10.03+	12.10	1.04	1.19
$10.04–$10.11+	12.20	1.05	1.20
$10.12–$10.19+	12.30	1.06	1.21
$10.20–$10.27+	12.40	1.07	1.22
$10.28–$10.36+	12.50	1.07	1.23
$10.37–$10.44+	12.60	1.08	1.24
$10.45–$10.52+	12.70	1.09	1.25
$10.53–$10.60+	12.80	1.10	1.26
$10.61–$10.68+	12.90	1.11	1.27
$10.69–$10.77+	13.00	1.12	1.28
$10.78–$10.85+	13.10	1.13	1.29
$10.86–$10.93+	13.20	1.13	1.30
$10.94–$11.02+	13.30	1.14	1.31
$11.03–$11.10+	13.40	1.15	1.32
$11.11–$11.18+	13.50	1.16	1.33
$11.19–$11.26+	13.60	1.17	1.34
$11.27–$11.34+	13.70	1.18	1.35
$11.35–$11.43+	13.80	1.19	1.36
$11.44–$11.51+	13.90	1.19	1.37
$11.52–$11.59+	14.00	1.20	1.38
$11.60–$11.68+	14.10	1.21	1.39
$11.69–$11.76+	14.20	1.22	1.40
$11.77–$11.84+	14.30	1.23	1.40
$11.85–$11.92+	14.40	1.24	1.41
$11.93–$12.00	14.50	1.25	1.42
$12.01–$12.09+	14.60	1.25	1.43
$12.10–$12.17+	14.70	1.26	1.44
$12.18–$12.25+	14.80	1.27	1.45
$12.26–$12.33+	14.90	1.28	1.46
$12.34–$12.42+	15.00	1.29	1.47
$12.43–$12.50+	15.10	1.30	1.48
$12.51–$12.58+	15.20	1.31	1.49
$12.59–$12.66+	15.30	1.31	1.50
$12.67–$12.75+	15.40	1.32	1.51
$12.76–$12.83+	15.50	1.33	1.52
$12.84–$12.91+	15.60	1.34	1.53
$12.92–$12.99+	15.70	1.35	1.54
$13.00–$13.08+	15.80	1.36	1.55
$13.09–$13.16+	15.90	1.37	1.56
$13.17–$13.24+	16.00	1.37	1.57
$13.25–$13.32+	16.10	1.38	1.58
$13.33–$13.41+	16.20	1.39	1.59
$13.42–$13.49+	16.30	1.40	1.60
$13.50–$13.57+	16.40	1.41	1.61
$13.58–$13.65+	16.50	1.42	1.62
$13.66–$13.74+	16.60	1.43	1.63
$13.75–$13.82+	16.70	1.43	1.64
$13.83–$13.90+	16.80	1.44	1.65
$13.91–$13.98+	16.90	1.45	1.66
$13.99–$14.07+	17.00	1.46	1.67
$14.08–$14.15+	17.10	1.47	1.68
$14.16–$14.23+	17.20	1.48	1.69
$14.24–$14.31+	17.30	1.49	1.70
$14.32–$14.39+	17.40	1.49	1.71
$14.40–$14.48+	17.50	1.50	1.72
$14.49–$14.56+	17.60	1.51	1.73
$14.57–$14.64+	17.70	1.52	1.74
$14.65–$14.73+	17.80	1.53	1.75
$14.74–$14.81+	17.90	1.54	1.76
$14.82–$14.89+	18.00	1.55	1.77
$14.90–$14.98+	18.10	1.56	1.78
$14.99–$15.06+	18.20	1.56	1.79
$15.07–$15.14+	18.30	1.57	1.80
$15.15–$15.22+	18.40	1.58	1.81
$15.23–$15.31+	18.50	1.59	1.82
$15.32–$15.39+	18.60	1.60	1.83
$15.40–$15.47+	18.70	1.61	1.84
$15.48–$15.56+	18.80	1.62	1.85
$15.57–$15.64+	18.90	1.62	1.86
$15.65–$15.72+	19.00	1.63	1.87
$15.73–$15.80+	19.10	1.64	1.88
$15.81–$15.88+	19.20	1.65	1.89
$15.89–$15.97+	19.30	1.66	1.90
$15.98–$16.05+	19.40	1.67	1.91
$16.06–$16.13+	19.50	1.68	1.92
$16.14–$16.21+	19.60	1.68	1.93
$16.22–$16.30+	19.70	1.69	1.94
$16.31–$16.38+	19.80	1.70	1.95
$16.39–$16.46+	19.90	1.71	1.95
$16.47–$16.54+	20.00	1.72	1.96
$16.55–$16.63+	20.10	1.73	1.97
$16.64–$16.71+	20.20	1.74	1.98
$16.72–$16.79+	20.30	1.74	1.99
$16.80–$16.87+	20.40	1.75	2.00
$16.88–$16.96+	20.50	1.76	2.01

TABLE IV—Continued

Column 1	Column 2	Column 3	Column 4
Supplier's net selling price (per dozen)	Sales at wholesale [1] (per dozen)	Sales at retail by group I retail seller [2] (per garment)	Sales at retail by group II retail seller [3] (per garment)
$16.97–$17.04+	$20.60	$1.77	$2.03
$17.05–$17.12+	20.70	1.78	2.05
$17.13–$17.20+	20.80	1.79	2.04
$17.21–$17.29+	20.90	1.80	2.05
$17.30–$17.37+	21.00	1.80	2.06
$17.38–$17.45+	21.10	1.81	2.07
$17.46–$17.53+	21.20	1.82	2.08
$17.54–$17.62+	21.30	1.83	2.09
$17.63–$17.70+	21.40	1.84	2.10
$17.71–$17.78+	21.50	1.85	2.11
$17.79–$17.86+	21.60	1.86	2.12
$17.87–$17.95+	21.70	1.87	2.13
$17.96–$18.03+	21.80	1.88	2.14
$18.04–$18.11+	21.90	1.89	2.15
$18.12–$18.19+	22.00	1.89	2.16
$18.20–$18.28+	22.10	1.90	2.17
$18.29–$18.36+	22.20	1.91	2.18
$18.37–$18.44+	22.30	1.92	2.19
$18.45–$18.52+	22.40	1.93	2.20
$18.53–$18.61+	22.50	1.93	2.21
$18.62–$18.69+	22.60	1.94	2.22
$18.70–$18.77+	22.70	1.95	2.23
$18.78–$18.85+	22.80	1.96	2.24
$18.86–$18.94+	22.90	1.97	2.25
$18.95–$19.02+	23.00	1.98	2.26
$19.03–$19.10+	23.10	1.98	2.27
$19.11–$19.19+	23.20	1.99	2.28
$19.20–$19.27+	23.30	2.00	2.29
$19.28–$19.35+	23.40	2.01	2.30
$19.36–$19.43+	23.50	2.02	2.31
$19.44–$19.51+	23.60	2.03	2.32
$19.52–$19.60+	23.70	2.04	2.33
$19.61–$19.68+	23.80	2.05	2.34
$19.69–$19.76+	23.90	2.05	2.35
$19.77–$19.84+	24.00	2.06	2.36
$19.85–$19.93+	24.10	2.07	2.37
$19.94–$20.01+	24.20	2.08	2.38

[1] If the wholesaler is in one region and delivery is made from the other region (as provided in instruction 4), the wholesaler may add 35c per dozen for men's garments and 30c per dozen for boys' garments to the appropriate ceiling price in column 3.

[2] If the retailer is in one region and delivery is made from the other region (as provided in instruction 4), the retailer may add 4c per garment for men's garments and 3c per garment for boys' garments to the appropriate ceiling in column 3 or 4.

APPENDIX B—WAR MODELS

SEC. 6.1. *Definitions*—(a) *What is a war model?* A "war model" of staple work clothing is any garment which the manufacturer voluntarily designates as such by identifying or labeling it as required by section 6.5, and which conforms to the specifications for a first or second quality war model in section 6.6. Ceiling prices for the sale of war models, by manufacturers, at wholesale and at retail, are set forth in sections 6.2, 6.3, and 6.4.

(b) *East and Central.* "East and Central" refers to sales in which the seller's place of business is located in or east of North and South Dakota, Nebraska, Kansas, Oklahoma and Texas, except that the following counties of Texas shall not be included in East and Central: Loving, Ward, Reeves, Peco, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth and El Paso.

(c) *Mountain and Pacific.* "Mountain and Pacific" refers to sales in which the seller's place of business is located in or west of Montana, Wyoming, Colorado, New Mexico, and the following counties of Texas: Loving, Ward, Reeves, Peco, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth and El Paso.

SEC. 6.2. *Ceiling prices for sales at retail of war models*—(a) *What this section covers.* This section gives the ceiling prices for "war models" of staple work clothing when sold at retail. ("Sale at retail" is defined in section 1.1 (b) (1).) A retailer should also pay particular attention to section 4.5 (Where garments are bought at a "special sale"), and to section 6.5 (Identification of war models).

(b) *How to find your ceiling price.* The ceiling prices stated in this section apply only if the garment you are selling is designated by the manufacturer as a "war model". If it is, you must first find the weight and finish of the material, which will be shown by the label or given to you by the manufacturer, and then find the line in the table at the end of this section which gives the ceiling price for a garment of that weight and finish.

Next, you must determine whether the garments is labeled with the letters "–B–" or "–C–". If the garment has the letter "–B–", its retail ceiling price will be found in Column B of the tables below. If it has the letter "–C–", its retail ceiling price will be found in Column C. If it has neither letter, its retail ceiling price will be found in Column A.

Finally, you must know whether you are a "Group I retail seller" or a "Group II retail seller." These terms are defined in section 4.2. If you are a "Group I retail seller", your ceiling price is given in part 1 of the appropriate column of prices. If you are a "Group II retail seller", your ceiling price depends on whether you bought the garment at wholesale, or bought it from the manufacturer of the garment. If you bought it from the manufacturer, your ceiling price is in part 2 of the appropriate column of prices. If you bought it at a "regular sale at wholesale", your ceiling is in part 3 of the appropriate column. If you bought it at a "special sale", your ceiling is found by following section 4.5. If you are selling at retail a garment which you yourself fabricated or had fabricated for you by an agent or contractor, your ceiling price is the one shown for sales by "Group I retail sellers."

Although the manufacturer will supply you with a label containing the retail ceiling price, you must determine for yourself what price is correct in your case.

(c) *Tables of ceiling prices.* All prices given in the following tables are per single garment at the seller's place of business, whether sold for cash or for credit.

These prices apply to sales in the "East and Central" region. If your place of business is located in the "Mountain and Pacific" region, you may add 5¢ per garment to the applicable ceiling price for men's bib overalls and overall jackets, and 4¢ per garment to the applicable ceiling price for men's waistband overalls or dungarees.

RETAIL CEILING PRICES—MEN'S BIB OVERALLS AND OVERALL JACKETS

(A jacket has the same ceiling price as a bib overall of the same material)

Fabric	Weight in yards per pound and ounces per yard	Finish	Column A			Column B			Column C		
			Part 1—sale by group I retail seller	Sale by group II retail seller		Part 1—sale by group I retail seller	Sale by group II retail seller		Part 1—sale by group I retail seller	Sale by group II retail seller	
				Part 2—bought from manufacturer	Part 3—bought at wholesale		Part 2—bought from manufacturer	Part 3—bought at wholesale		Part 2—bought from manufacturer	Part 3—bought at wholesale
Denim	2.00 (8 oz.)	Shrunk	$1.47	$1.87	$2.09	$1.50	$1.90	$2.03	$1.55	$1.95	$2.05
Denim	2.00 (8 oz.)	Unshrunk	1.41	1.80	1.93	1.45	1.84	1.96	1.50	1.89	2.04
Denim	2.20 (7¼ oz.)	Shrunk	1.39	1.78	1.89	1.43	1.82	1.93	1.47	1.86	1.97
Denim	2.20 (7¼ oz.)	Unshrunk	1.35	1.71	1.82	1.36	1.74	1.85	1.40	1.78	1.89
MEN'S WAISTBAND OVERALLS OR DUNGAREES											
Denim	2.00 (8 oz.)	Shrunk	$1.13	$1.44	$1.55	$1.17	$1.46	$1.57	$1.21	$1.50	$1.61
Denim	2.00 (8 oz.)	Unshrunk	1.10	1.38	1.49	1.13	1.41	1.53	1.16	1.44	1.55
Denim	2.20 (7¼ oz.)	Shrunk	1.08	1.36	1.47	1.11	1.39	1.50	1.14	1.43	1.53
Denim	2.20 (7 ¼ oz.)	Unshrunk	1.04	1.30	1.40	1.06	1.32	1.42	1.09	1.35	1.45
Denim	2.45 (6 ½ oz.)	Unshrunk	.98	1.23	1.43	1.00	1.26	1.35	1.03	1.29	1.38

NOTE: The ceiling price of a war model "second" is found by taking the ceiling price of a first quality war model, and deducting 10%.

SEC. 6.3 *Ceiling prices for sales at wholesale of war models*—(a) *"Regular sales".* The following tables give ceiling prices for "regular sales" at wholesale of war models. (The term "regular sale at wholesale" is defined in section 3.2). All prices are per dozen garments, f. o. b. seller's place of business, net 30 days.

The prices in the table apply to regular sales by wholesalers located in the East and Central region. If the wholesaler's place of business is in the Mountain and Pacific region, he may add to the appropriate ceiling price found in the table 50¢ per dozen for bib overalls and overall jackets, and 35¢ per dozen for waistband overalls or dungarees.

Three columns of ceiling prices are listed. If the garment has the letter "–B–" on the label attached to it, the wholesale ceiling price will be found in Column B. If it has the letter "–C–", its wholesale ceiling price will be found in Column C. If it has neither letter, its wholesale ceiling price will be found in Column A.

WHOLESALE CEILING PRICES

MEN'S BIB OVERALLS AND OVERALL JACKETS

(A jacket has the same maximum price as a bib overall of the same material)

Fabric	Weight in yards per pound and ounces per yard	Finish	Column A	Column B	Column C
Denim	2.00 (8 oz.)	Shrunk	$18.97	$19.30	$19.85
Denim	2.00 (8 oz.)	Unshrunk	18.34	18.68	19.23
Denim	2.20 (7¼ oz.)	Shrunk	17.95	18.30	18.83
Denim	2.20 (7¼ oz.)	Unshrunk	17.22	17.55	17.99
MEN'S WAISTBAND OVERALLS OR DUNGAREES					
Denim	2.00 (8 oz.)	Shrunk	$13.76	$14.00	$14.40
Denim	2.00 (8 oz.)	Unshrunk	13.23	13.56	13.95
Denim	2.20 (7¼ oz.)	Shrunk	13.01	13.33	13.65
Denim	2.20 (7¼ oz.)	Unshrunk	12.46	12.70	13.02
Denim	2.45 (6½ oz.)	Unshrunk	11.80	12.04	12.36

NOTE: The ceiling price of a war model "second" is found by taking the ceiling price of a first quality war model and deducting 10%.

(b) *"Special sales."* The definition of "special sale at wholesale" set forth in section 3.3, and the rule provided in that section for finding ceiling prices for such sales shall apply to special sales at wholesale of war models.

SEC. 6.4 *Ceiling prices for sales by manufacturers of war models.* The following tables give ceiling prices for sales of war models by manufacturers. ("Sale by a manufacturer" is defined in section 1.1 (b) (3).) All prices are per dozen garments, f. o. b. seller's place of business, net 30 days. Manufacturers of "war models" must also observe the special quota rule set forth in section 2.7.

The prices in the table below apply to sales by manufacturers located in the East and Central region. If the manufacturer's place of business is in the Mountain and Pacific region, he may add to the appropriate ceiling price found in the table 50¢ per dozen for bib overalls and overall jackets, and 35¢ per dozen for waistband overalls or dungarees.

Three columns of ceiling prices are listed. If the manufacturer has contracted to sell the garment prior to August 16, 1944, its ceiling price is determined under Column A. If the garment is made from denim material purchased by the manufacturer prior to June 30, 1944, and the manufacturer has not contracted to sell the garment prior to August 16, 1944, its ceiling price is determined under Column B. If the garment is made from denim material purchased by the manufacturer after June 30, 1944, its ceiling price is determined under Column C.

Each column is divided into two parts. Part 1 contains ceiling prices for sales to Group I retail sellers and wholesalers. Part 2 contains ceiling prices for sales to Group II retail sellers. Also, sales by manufacturers to any person who is not a wholesaler (as defined in section 3.2) or a Group I or Group II retail seller must be made at prices listed in part 1 of the appropriate column.

MANUFACTURER'S CEILING PRICES—MEN'S BIB OVERALLS AND OVERALL JACKETS

(A jacket has the same maximum price as a bib overall of the same material.)

Fabric	Weight in yards per pound and ounces per yard	Finish	Column A		Column B		Column C	
			Part 1—Sales to class I retail sellers and to wholesalers	Part 2—Sales to class II retail sellers	Part 1—Sales to class I retail sellers and to wholesalers	Part 2—Sales to class II retail sellers	Part 1—Sales to class I retail sellers and to wholesalers	Part 2—Sales to class II retail sellers
Denim	2.00 (8 oz.)	Shrunk	$15.82	$17.77	$16.15	$18.10	$16.70	$18.65
Denim	2.00 (8 oz.)	Unshrunk	15.21	17.10	15.65	17.54	16.20	18.09
Denim	2.20 (7¼ oz.)	Shrunk	14.97	16.83	15.41	17.27	15.85	17.71
Denim	2.20 (7¼ oz.)	Unshrunk	14.36	16.16	14.69	16.49	15.13	16.93
MEN'S WAISTBAND OVERALLS OR DUNGAREES								
Denim	2.00 (8 oz.)	Shrunk	$11.28	$12.74	$11.52	$12.98	$11.92	$13.38
Denim	2.00 (8 oz.)	Unshrunk	10.85	12.25	11.17	12.57	11.57	12.97
Denim	2.20 (7¼ oz.)	Shrunk	10.67	12.05	10.99	12.38	11.31	12.70
Denim	2.20 (7¼ oz.)	Unshrunk	10.22	11.56	10.46	11.80	10.78	12.12
Denim	2.45 (6½ oz.)	Unshrunk	9.66	10.95	9.92	11.20	10.24	11.52

NOTE: The ceiling price of a war model "second" is found by taking the ceiling price of a first quality war model and deducting 10%.

SEC. 6.5 *Identification of war models*—(a) *What labeling is required.* Every "war model" of staple work clothing must be marked as required by this section. This marking must be made on one or more labels or tickets which are firmly and visibly attached to the garment. A war model must never be sold at retail without the required label or ticket attached.

(b) *What must be on the label.* The label or ticket must contain the following information:

(1) The weight of the principal fabric, in yards per pound, or in ounces per yard, by market designation, prorated to a width basis of 28 to 29 inches.

(2) The shrinkage treatment or lack of any, as follows:

(i) If the fabric is shrunk, the word "shrunk" or "preshrunk" or any other words of like effect. These terms must be accompanied by the qualifying statements required by the Trade Practice Rules for the Shrinkage of Woven Cotton Yard Goods (7 F.R. 1593), issued by the Federal Trade Commission.

(ii) If the fabric is unshrunk, the words "unshrunk" or "allow for shrinkage."

(3) If the garment is made from denim material purchased by the manufacturer prior to June 30, 1944, and the manufacturer has not contracted to sell the garment prior to August 16, 1944, the letter "–B–" must follow the description of the fabric weight. If the garment is made from denim material purchased after June 30, 1944, the letter "–C–" must follow the description of the fabric weight. If the manufacturer has delivered or contracted to sell the garment prior to August 16, 1944, no letter shall be used.

(4) The retail ceiling price which applies to the kind of retail sale at which the garment is to be resold. If a manufacturer does not know which retail ceiling price applies, he may request a written statement from the purchaser, and may rely on this statement unless he has reason to believe it is erroneous. Anyone who sells or offers to sell at retail must have the garment marked with the correct ceiling price for the particular

transaction. The higher ceiling price for Mountain and Pacific sales may be indicated as an addition to the East and Central price (see example below).

(5) If the required information is not obscured, it may be contained in more than one label, and may be combined with other information. At the manufacturer's option, the garment may also be marked with the words "war model". Here are two examples of possible labels:

(On a bib overall to be nationally distributed through jobbers and independent retailers)

8 oz. sanforized B
Residual Shrinkage Less than 1%
Ceiling, $2.03
Plus 8¢ Denver West

(On a dungaree to be sold by a large Eastern chain, where label contains additional information)

War Model. $2.20 yd. wt.
No. 907
Waist 34, Inseam 32
Allow for Shrinkage—Ceiling $1.04

(c) *Other markings*—(1) *Source.* Each war model of staple work clothing must be marked by the manufacturer with his name, or with the name of the wholesaler or retailer who distributes it, or with a trademark of the manufacturer or distributor which has been registered with the United States Patent Office, or with an identification number which will be assigned upon request by the Office of Price Administration, Washington, D. C.

(2) *Quality.* Any war model of work clothing which is not of first quality must be clearly marked with the word "seconds".

SEC. 6.6 *Specifications for war models*—(a) *Effect of specifications.* This section gives minimum specifications for war models. Any seller may, of course, supply as a war model a garment which more than meets the specifications (for example, having stronger thread, or larger dimensions than are required). War models are either first quality or "seconds".

(1) *First quality.* A first quality war model must not be defective when graded by the standards which the manufacturer followed in 1941, and must conform to the specifications in this section, except for the following tolerances:

(i) If a garment is patterned to conform to these specifications, a deviation of ¼ inch in the finished garment by reason of error in cutting or sewing will not disqualify it as a "first quality" war model.

(ii) A bib or waistband overall with a substandard front or back "rise" is still a "first" if the total of its front and back rises is equal to the total of the rises shown in the table.

(2) *Seconds.* A garment is a war model "second" if it was designed to conform to specifications for a first quality war model, but deviates in excess of the tolerance or is defective by the standards of grading followed by the manufacturer in 1941.

(b) *Fabric standards*—(1) *Weight.* Weight of cloth is expressed in yards per pound, by market designation, or in the corresponding number of ounces per yard, to the nearest quarter ounce. The width basis for denim is 28 to 29 inches. Any garment of heavier weight fabric may be sold at the maximum price fixed for a garment containing a lighter weight of the same fabric construction and finish. For example, an 8½-ounce sanforized overall meeting all other specifications could be sold at the price fixed for an 8-ounce shrunk overall.

(2) *Shrinkage.* A fabric is called "shrunk" if it has been so treated that the residual shrinkage does not exceed 2 percent. This is to be measured by the test for shrinkage of cotton fabrics described in Commercial Standards CS 59–41, issued by the National Bureau of Standards. All other fabrics are called "unshrunk".

(c) *Construction standards for all men's overalls.* War models of bib overalls, waistband overalls and overall jackets must be constructed with the following minimum standards:

(1) *Stitches.* 8 stitches per inch on hems at bottoms of pant legs. 10 stitches per inch on all other hems and joinings. 42 stitches to a bar tack.

(2) *Thread.* On all joinings and hems, thread not finer than 40/3 cord in needle and 50/2 cord in looper. On bar tacks, not finer than 40/3 cord.

(3) *Buttons.* All buttons to be metal, open top or closed top, attached with single or double prong tack.

(d) *Specifications for particular men's garments (minimum requirements)*—(1) *Bib overalls*—(i) *Bar tacks or rivets.* 13 if hip pockets are sewn into side seams. 15 in all other cases.

(ii) *Buttons.* 1 on each side opening. 2 on fly through size 38, 3 on fly for size 40 and over.

(iii) *Banding.* Denim on denim (but may be lighter than body material).

(iv) *Bib reinforcement.* Hem, banding or double-thickness corners under bib buttons.

(v) *Trimmings.* 2 front swing pockets, 6½" x 11½". 2 hip pockets, each having a total area of 56 sq. in. 1 or 2 bib pockets having total area of 64 sq. in. Rule pocket, 10½" x 3½", in 1 or 2 pieces. Hammer loop, 1½" x 3".

(vi) *Fly.* With hemmed button facing, not less than ¾" wide.

(vii) *Side opening.* Hemmed.

(viii) *Suspenders.* Single or double thickness. Width at cross 3¾". Width at shoulders 2¼".

(ix) *Size range.* Waist sizes 30 to 50, inclusive, by choice or balanced assortment. Inseam lengths in unshrunk fabrics up to 36". Inseam lengths in shrunk fabrics up to 36" on waist sizes 30 to 36, and up to 34" on other sizes.

(2) *Overall jackets*—(i) *Buttons.* 4 on front. 1 on each cuff.

(ii) *Trimmings.* 2 patch pockets, each having area of 56 sq. in.

(iii) *Size range.* 34 to 50, by choice or balanced assortment.

(3) *Waistband overalls or dungarees*—(i) *Bar tacks or rivets.* 1 at top and bottom of each belt loop. 9 others.

(ii) *Buttons and fasteners.* 4 buttons on fly. 1 button or snap fastener at waistband.

(iii) *Belt-loops.* 6.

(iv) *Trimmings.* 2 front swing or patch pockets, 6¼" x 10". 2 hip patch pockets, each having area of 40 sq. in. Rule pocket, 7¾" x 3", 1 or 2 pieces. Watch pocket, 3" x 3". Waistband 1⅜" wide.

(v) *Fly.* With hemmed button facing not less than ¾" wide.

(vi) *Size range.* Waist sizes 30 to 46 or 29 to 46, by choice or balanced assortment. Inseam lengths in unshrunk fabrics up to 36". Inseam lengths in shrunk fabrics up to 36" on waist sizes 30 to 36, and up to 34" on other sizes.

(e) *Garment dimensions.* Garment dimensions are given in the following tables for even waist sizes with 32" inseam. On other inseam lengths, the dimensions, including front and back rise, must be graduated proportionately. Odd sizes with proportionate dimensions may be offered. All dimensions are stated in inches.

MEN'S BIB OVERALLS

Size ticket (waist and inseam)	30-32	32-32	34-32	36-32	38-32	40-32	42-32	44-32	46-32	48-32	50-32
Actual waist	31	33	35	37	39	41	43	45	47	49	51
Outside seams to top of waistband	43½	44	44½	45	45½	46	46½	46¾	47	47¼	47½
Inside seam, actual measurement	32	32	32	32	32	32	32	32	32	32	32
Bottom widths	20¼	20⅝	20⅞	21⅛	21⅝	22⅛	22⅝	23⅛	23⅝	23⅝	23⅝
Width seat across fly and	41	42	43	47	49	51	53	54	55	56	57
Width of leg at crotch	27½	28⅛	29⅛	30½	31½	32⅝	33½	34½	35½	36	36⅝
Width of knee	21⅞	22⅝	22⅞	23⅝	23⅞	24⅝	24⅞	25⅝	26⅛	26½	26⅞
Front rise to top of bib	24	24½	25½	26½	27	27½	28½	29½	30	30⅝	31½
Width of bib at top	8½	8⅝	9	9⅛	9⅛	9⅛	10	10⅛	10⅛	10⅜	11
Back rise to top of suspender cross	26⅜	27	27½	28½	29½	30	30⅝	31½	31½	31⅞	32⅜
Length of suspender from top to cross to end	17	17½	18	18½	19	19½	20	20	20	20	20

MEN'S OVERALL JACKETS

Size ticket	34	36	38	40	42	44	46	48	50
Neck, buttoned	16	16½	17	17½	18	18½	19	19½	20
Chest, buttoned	41	43	45	47	49	51	53	55	57
Sweep, open three inches from bottom	43	45	47	49	51	53½	56	58½	61
Back length from bottom of collar band	28½	29	30	31	31½	31½	31½	31½	31½
Sleeve length from center of collar including cuff	31½	32½	33½	34	34½	34¾	34¾	35	35
Elbow	15½	16	16½	17	17½	17¾	18	18½	18½
Width cuffs at bottom open	11¾	11¾	12	12¼	12¼	12½	12½	12¾	13¼

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Size ticket (waist and inseam)	28-32	30-32	32-32	34-32	36-32	38-32	40-32	42-32	44-32
Actual waist	29	31	33	35	37	39	41	43	45
Outside seams to top of waistband	42½	43½	44	44½	45	45½	46	46½	46¾
Inside seam, actual measurement	32	32	32	32	32	32	32	32	32
Bottom widths	19¾	20¼	20⅝	20⅞	21⅛	21⅝	22⅛	22⅝	23⅛
Width seat across fly and	39	41	42	43	47	49	51	53	54
Width of leg at crotch	26½	27½	28⅛	29⅛	30½	31½	32⅝	33½	34½
Width of knee	20⅝	21⅞	22⅝	22⅞	23⅝	23⅞	24⅝	24⅞	25⅝
Front rise to top of waistband	23	24	24½	25½	26½	27	27½	28½	29½
Width of waistband at top	8	8½	8⅝	9	9⅛	9⅛	9⅜	10	10⅛
Back rise to top of waistband	25½	26⅜	27	27½	28½	29½	30	30⅝	31½
Length of suspender from top to cross to end	16	17	17½	18	18½	19	19½	20	20

MEN'S WAISTBAND OVERALLS OR DUNGAREES

Size ticket (waist and inseam)	30-32	32-32	34-32	36-32	38-32	40-32	42-32	44-32	46-32
Actual waist	30	32	34	36	38	40	42	44	46
Inseam	33	32	32	32	32	32	32	32	32
Outseam to top of waistband	42	43	43¾	44¼	44½	44¾	45	45½	45¼
Width of bottom of leg	20	20	20	20⅓	21⅓	21	21	21¾	21½
Seat at bottom of fly	42	44	46	48	50	52	54	55	56
Thigh	26¾	27½	28¾	30	31	32	33	33¾	24¼
Knee at 2" above ½ of inseam	21	21¾	21⅓	22	22½	23	23⅓	24	24⅓
Front rise	13½	14	14½	15	15½	16	16⅓	17	17⅓
Back rise	16½	17	17½	18	18½	19	19⅓	19¾	10¾

APPENDIX E.—THIRTY YARD MINIMUM BOYS' BIB OVERALLS

SEC. 7.1 *Definitions*—(a) *What is a thirty yard minimum boys' bib overall.* Any boys' bib overall which consumes an average of at least thirty yards of eight ounce shrunk denim per dozen when cut in a range of sizes from 4–16 may be designated by a manufacturer as a "thirty yard minimum boys' bib overall" and may be priced under section 7.3 of this regulation, provided that each purchaser is offered a range of sizes from 4–16 and is notified according to the requirements of section 7.4 that the overalls are being priced under Appendix E. Wholesalers and retailers receiving such notice must then price thirty yard minimum boys' bib overalls under section 7.2.

(b) *Definitions incorporated in this appendix.* The definitions of "East and Central" and "Mountain and Pacific" contained in section 6.1, and the definitions of kinds of sales contained in section 1.1 (b) apply to sales of thirty yard minimum boys' bib overalls.

SEC. 7.2 *How to find ceiling prices for sales at wholesale and at retail of thirty yard minimum boys' bib overalls.* (a) In any regular sale at wholesale or retail the maximum price of a thirty yard minimum boys' bib overall shall be determined as follows:

(1) Take the highest price you charged for a boys' bib overall which you delivered in March 1942 and divide that price by the net invoice cost of that garment to you. If you did not deliver any boys' bib overalls during March 1942 take the highest price charged for a man's bib overall which you delivered during March 1942 and divide that price by the net invoice cost of that garment. (If you did not deliver any boys' or men's bib overalls during March 1942, your ceiling price is determined under (3) below.)

(2) Multiply the percentage obtained in (1) above by the net invoice cost (not to exceed the supplier's ceiling price) of the garment being priced under this section. The resultant figure shall be the maximum price of the boys' overall being priced, but in no event shall the maximum price for a retailer be higher than $1.55 a garment in the East and Central area; and $1.58 a garment in the Mountain and Pacific area. The maximum price for a wholesaler shall in no case be higher than $14.81 per dozen where the seller's place of business is in the East and Central area; and $15.16 per dozen where the seller's place of business is in the Mountain and Pacific area.

(3) If you did not deliver any boys' or men's bib overalls during March 1942, the maximum price for sales at retail shall be $1.55 a garment in the East and Central area and $1.58 a garment in the Mountain and Pacific area; for sales at wholesale the maximum price shall be $14.81 per dozen in the East and Central area, and $15.16 per dozen in the Mountain and Pacific area.

(4) "Net invoice cost" means the price on the face of the invoice less all discounts available, but adding transportation or delivery charges.

(b) Ceiling prices for "special sales" (this term is defined in section 3.3) are found under section 3.3. Moreover, if the retailer buys a garment at a "special sale", it should be priced under section 4.5, instead of under (a) above.

SEC. 7.3 *Ceiling prices for sales by manufacturers of thirty yard minimum boys' bib overalls.* The following table gives ceiling prices for sales by manufacturers of thirty yard minimum boys' bib overalls. The prices listed apply to sales in the East and Central region. If the seller's place of business is in the Mountain and Pacific region, he may add 35¢ per dozen. All prices are f. o. b. seller's place of business, net 30 days. Manufacturers of these garments must also observe the special quota rule set forth in section 2.7.

Three columns of ceiling prices are listed. If the manufacturer has contracted to sell the garment prior to August 16, 1944, its ceiling price is determined under column A. If the garment is made from denim material purchased by the manufacturer prior to June 30, 1944, and the manufacturer has not contracted to sell the garment prior to August 16, 1944, its ceiling price is determined under column B. If the garment is made from denim material purchased by the manufacturer after June 30, 1944, its ceiling price is determined under column C.

Each column is divided into two parts. Part 1 contains ceiling prices for sales to Group I retail sellers and wholesalers. Part 2 contains ceiling prices for sales to Group II retail sellers. Sales by manufacturers to any person who is not a wholesaler (as defined in section 3.2) or a Group I or Group II retail seller must be made at prices listed in part 1.

MANUFACTURERS' CEILING PRICES—THIRTY YARD MINIMUM BOYS' BIB OVERALLS

Fabric	Weight in yards per pound and ounces per yard	Finish	Column A		Column B		Column C	
			Sales to group I retail sellers and to wholesalers (per dozen)	Sales to group II retail sellers (per dozen)	Sales to group I retail sellers and to wholesalers (per dozen)	Sales to group II retail sellers (per dozen)	Sales to group I retail sellers and to wholesalers (per dozen)	Sales to group II retail sellers (per dozen)
Denim	2.00 (8 oz.)	Shrunk	$11.83	$14.01	$12.05	$14.28	$12.48	$14.61

SEC. 7.4 *Notification to be furnished to purchasers for resale.* Every manufacturer, wholesaler or other person who sells or delivers to a purchaser for resale a garment for which a maximum price has been established under Appendix E to this regulation shall furnish at the time of delivery of such garment, to the purchaser thereof, a statement in the following form:

This notice is sent to you as required by Appendix E of RMPR 208, which covers sales of certain boys' bib overalls. We have been allowed to price these overalls, Lot. No. —— under that appendix since they conform to the prescribed yardage requirements. Whether you are a wholesaler or retailer, this notice tells you how to find your maximum prices. You must be certain to follow the method set forth below in order to comply with the law.

HOW TO COMPUTE YOUR MAXIMUM PRICES

Take the highest price you charged for a boys' bib overall, which you delivered in March, 1942, and divide that price by the net invoice cost of that garment to you. If you did not deliver any boys' overalls during March 1942 take the highest price you charged for a men's bib overall which you delivered during March 1942 and divide that price by the net invoice cost of that garment.

Multiply the percentage so obtained by the net invoice cost of the garment being priced. The resultant figure shall be the maximum price of the boys' overall being priced, but in no event shall the maximum price for a retailer be higher than $1.55 a garment in the East and Central area (refers to sales in which the seller's place of business is in a state east of New Mexico, Colorado, Wyoming, Montana, and the following counties of Texas: Loving, Ward, Reeves, Pecos, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso) and $1.58 a garment in the Mountain and Pacific area (refers to sales in which the seller's place of business is in the states or counties previously enumerated, or farther west. The maximum price for a wholesaler shall in no case be higher than $14.81 per dozen for sales in the East and Central area and $15.16 per dozen for sales in the Mountain and Pacific area.

"Net invoice cost" means the price on the face of the invoice less all discounts available, but adding transportation or delivery charges.

If you did not deliver any boys' or men's bib overalls during March 1942, your maximum price shall be:

Sales at wholesale:

$14.81 per dozen in the East and Central area.

$15.16 per dozen in the Mountain and Pacific area.

Sales at retail:

$1.55 per garment in the East and Central area.

$1.58 per garment in the Mountain and Pacific area.

The pricing method outlined above does not apply to "special sales." Sections 3.3 and

4.5 of RMPR 208 tell you how to determine ceiling prices when there is a "special sale."

Every wholesaler must furnish his retailers with the above notice either by forwarding separate printed, typewritten or mimeographed copies attached to the invoice to accompany each shipment of overalls priced under this appendix or have the notice stamped on the invoice if that is more convenient. Any manufacturer who sells either to a retailer or wholesaler is likewise obliged to furnish such a notice with each shipment.

APPENDIX F—HOW A GROUP I RETAIL SELLER MAY COMPUTE "AVERAGE SUPPLIER'S PRICE"

A Group I retail seller may, at his option, compute the "average supplier's price" for a garment as follows:

(a) The seller should first find from his invoices or other records and information the quantities of the garment shipped to him between January 1, 1944 and June 30, 1944, and the total net costs of all the lots shipped (that is, the total net invoice costs of all the lots after deducting all discounts available and deducting any transportation costs paid by him).

(b) The seller should then divide the total of these costs by the total number of garments in all the lots. The resulting figure is the "average supplier's price" for the garment, unless the garment's body materials consist of chambray, covert, or denim. In this case, the seller should also perform the calculation indicated in (c) below.

(c) If the garment is made of chambray, covert, or denim body materials, the seller may in some instances make certain additions to the figure found in (b) above. The amount of the addition is determined as follows:

(1) For garments which the manufacturer has priced under the former regulation MPR 208, or by using the adjustment in Table I of Appendix B of this regulation, no addition is made; the seller uses the figure found in (b) above.

(2) For garments which the manufacturer has priced by using the adjustment in Table II of Appendix B, the seller may add to the figure found in (b) above the product which results from multiplying the average number of yards of cloth used in the garment by the number of cents for that cloth indicated in column B of Table II in Appendix B.

(3) For garments which the manufacturer has priced by using the adjustment in Table III of Appendix B, the seller may add to the figure found in (b) above the product which results from multiplying the average number of yards of cloth used in the garment by the number of cents for that cloth indicated in column B of Table III in Appendix B.

(4) If the seller purchases a garment, from one manufacturer, which would be adjusted under either subparagraphs (1), (2) or (3) above, and purchases the identical lot number from another manufacturer which would be adjusted under a different subdivision, the seller must make separate adjustments for each garment. Accordingly, he will arrive at different average supplier's prices for each garment, with correspondingly different ceiling prices.

Section 5.2 requires that each supplier, upon request by the buyer, must furnish such information as is necessary to enable the buyer to make these calculations.

Example: X, a Group I retail seller, purchases a men's 3.90 sanforized chambray shirt from the Y manufacturing company at $8.50 per dozen. He also purchases the same garment from the Z manufacturing company at $8.62½ per dozen, and from the A manufacturing company at $8.75 per dozen. All of these garments bear the same lot number.

X determines his "average supplier's price" for this garment as follows:

(1) Lots of this garment shipped between 1/1/44 and 6/30/44	(2) Net cost per dozen on each lot	(3) Total net cost
1. 120 dozen	$8.50	$1,020.00
2. 60 dozen	8.62½	517.50
3. 240 dozen	8.75	2,100.00
Total 420 dozen		$3,637.50

Column (3)÷column (1)=$8.66 per dozen.

Adjustment of $8.66:

(1) If these are shirts which the manufacturer has priced under the former regulation MPR 208 or by using the adjustment in Table I of Appendix B of this regulation, no addition is made—X's "average supplier's price" remains at $8.66 per dozen.

(2) If these are shirts which the manufacturer has priced by using the adjustment in Table II of Appendix B, the addition is figured as follows:

Average yards per dozen shirts	20
Cents per yard adjustment (from column B of Table II in Appendix B)	1¢
Total adjustment	20¢

Therefore, "average supplier's price" for these shirts is $8.86 per dozen ($8.66+.20).

(3) If these are shirts which the manufacturer has priced by using the adjustment in Table III of Appendix B, the addition is figured as follows:

Average yards per dozen shirts	29
Cents per yard adjustment (from column B of Table III in Appendix B)	2¼¢
Total adjustment	65¢

Therefore, "average supplier's price" for these shirts is $9.31 per dozen ($8.66+.65).

(4) If, for instance, some of these shirts are adjusted under (2) and others under (3), X will have different average supplier's prices for the garments ($8.86 and $9.31) and consequently will have different ceiling prices for the shirts.

Effective date. This regulation shall become effective for sales by manufacturers and sales at wholesale on September 1, 1944, and for sales at retail on September 15, 1944. Prior to the effective date, any person may sell and deliver either at prices determined under existing regulations or at prices determined under this regulation.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12305; Filed, August 16, 1944; 11:35 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Corr. to Amdt. 46]

SYRUP IN PUERTO RICO

Amendment 46 to Revised Maximum Price Regulation 183 is corrected in the following respects:

1. In section 36, Table 21 should be corrected to read Table 23.

2. Section 42 is corrected in the following respects:

a. The two syrup items, "Golden Table" and "Crystal White," are removed from Table 33f in section 42.

b. Table 33e is amended by adding two new items to read as follows:

Item and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price (per unit)
Syrup:				
Golden Table	24/1¼# bottle jars		$3.95	$0.21
Crystal White	24/1¼# jars		3.95	.21

c. Table 331 is corrected to read Table 33m.

This correction shall become effective as of August 5, 1944.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12306; Filed, August 16, 1944; 11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A[1] to GMPR, Amdt. 18]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

[1] 8 F.R. 9635, 9885, 10514, 12793, 13060, 13724, 15259, 15705, 16604, 16428, 16919, 17199; 9 F.R. 343, 1328, 2176, 3655, 4985, 5586, 6451.

*Copies may
Price Adminis

has been filed with the Division of the Federal Register.*

Supplementary Regulation No. 14A is amended in the following respects:

1. The third undesignated paragraph of § 1499.73a (a) (1) (ix) (*a*), beginning with the words "Specific exception", is amended to read as follows:

The maximum prices for sales at retail by eating or drinking establishments (as defined in Restaurant Maximum Price Regulation No. 2) of "regular fluid milk", as a separate item and not as part of a meal, for consumption off the premises, are the maximum prices set forth in the retail schedule in inferior subdivision (*a*) (*1*) (*i*) below. Maximum prices for sales at retail by eating or drinking establishments of "regular fluid milk" for consumption on the premises, or as part of a meal for consumption off the premises, are determined under Restaurant Maximum Price Regulation No. 2.

2. The third undesignated paragraph of § 1499.73a (a) (1) (ix) (*b*), beginning with the words "Specific exception", is amended to read as follows:

The maximum prices for sales at retail by eating or drinking establishments (as defined in Restaurant Maximum Price Regulation No. 2) of "Grade A fluid milk", as a separate item and not as part of a meal, for consumption off the premises, are the maximum prices set forth in the retail-out-of-store schedule in inferior subdivision (*b*) (*1*) (*i*) below. Maximum prices for sales at retail by eating or drinking establishments of "Grade A fluid milk", for consumption on the premises, or as part of a meal for consumption off the premises, are determined under Restaurant Maximum Price Regulation No. 2.

3. The second undesignated paragraph of § 1499.73a (a) (1) (x) (*a*), beginning with the words "Specific exemption", is amended to read as follows:

The maximum prices for sales at retail by eating or drinking establishments (as defined in Restaurant Maximum Price Regulation No. 2) of "approved fluid milk", as a separate item and not as part of a meal, for consumption off the premises, are the maximum prices set forth in the retail out-of-store schedule in inferior subdivision (*a*) (*1*) (*i*) below. Maximum prices for sales at retail by eating or drinking establishments of "approved fluid milk", for consumption on the premises, or as part of a meal for consumption off the premises, are determined under Restaurant Maximum Price Regulation No. 2.

This amendment shall become effective August 21, 1944.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12307; Filed, August 16, 1944; 11:32 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14B to GMPR [1]]

BREAD AND BAKERY PRODUCTS

Supplementary Regulation 14B is redesignated Revised Supplementary Regulation 14B and is revised and amended to read as follows:

Supplementary Regulation 14B [2] to the General Maximum Price Regulation was issued to provide a more logical and convenient arrangement for certain provisions which modify the General Maximum Price Regulation, so far as it applies to bread and other bakery products. Since its issuance, it has been amended four times, and this revision, which includes the original regulation, and all of the amendments thereto, is being issued so that persons interested in the regulation need consult only one document. In addition, several new provisions have been added.

Revised Supplementary Regulation 14B does not apply to the bakery products that are subject to Revised Maximum Price Regulations 319 [3] and 495.[4]

The maximum prices, established by this regulation, are, in the judgment of the Price Administrator, generally fair and equitable, and they will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of the Stabilization Act of 1942, as amended, and of Executive Orders 9250 and 9328.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sec.
1. Maximum prices.
2. Weight increases.
3. Single maximum prices for sales at wholesale.
4. Similar products.
5. Competitive sellers of the same class.
6. Orders of other governmental agencies.
7. Pan bread in certain areas.
8. Cracker meal.
9. Bread crumbs.
10. Adjustment of maximum prices.
11. Notification of change in maximum prices.

AUTHORITY: Secs. 1 to 11 inclusive (§ 1351.-370) issued under 56 Stat., 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

SECTION 1. *Maximum prices.* All sales of bread and bakery products shall be and remain subject to the General Maximum Price Regulation, except as otherwise provided, herein, and except for those products which are subject to Maximum Price Regulations 319 and 495, and except for sales subject to Maximum Price Regulations 421,[5] 422[6] and 423.[7]

[1] 9 F.R. 5169.
[2] 8 F.R. 16794; 9 F.R. 584, 4896, 5489, 6107.
[3] 9 F.R. 3705, 4224, 4882.
[4] 9 F.R. 9783.
[5] 8 F.R. 9388, 10569, 10987, 13293.
[6] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13294.
[7] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294.

SEC. 2. *Weight increases.* (a) Except as otherwise provided in paragraph (b) of this section, whenever the weight of any product subject to this regulation is increased over its weight as produced in March 1942, such product shall be deemed a new product and the maximum price of every seller of such new product must be determined under § 1499.2 or § 1499.3 of the General Maximum Price Regulation or under Order No. 375 [8] under § 1499.3 (b) of the General Maximum Price Regulation.

(b) (1) If a producer increases the weight of his loaf of bread or sales unit of rolls not more than 25 percent over the weight of his loaf of bread or sales unit of rolls, as produced in March 1942, he may elect to determine his maximum price therefor pursuant to this paragraph, in which case he must increase his maximum price therefor proportionately per ratio of weight, but so calculated as to result in an increase in price of one cent or a multiple thereof, and all other sellers of such increased loaf of bread or sales unit of rolls must increase their maximum prices by an amount in cents equal to the increase herein provided for the producer: *Provided*, That increased unpackaged rolls shall not be sold at the increased prices, herein provided, until the producer has filed a report with the District Office of the Office of Price Administration in the district in which such unpackaged rolls are produced, showing the weights and maximum prices of the rolls in question both as produced in March 1942, and when increased in size as herein provided.

(2) If a producer has increased his maximum price after increasing the weight of his loaf of bread or sales unit of rolls, as provided for in subparagraph (1) of paragraph (b) of this section, and he sells day-old, stale or crippled bread or rolls of the increased size or weight unit, his maximum price on the sale of such day-old stale or crippled bread or rolls shall be increased one cent per loaf or per sales unit of rolls.

(c) When used in this section, the following terms shall have the following meanings:

(1) "Day-old bread or rolls" and "stale bread or rolls" mean bread or rolls which are sold after their customary sale day.

(2) "Crippled bread or rolls" means bread or rolls damaged in production, packaging, or transportation, the food value of which has not been impaired.

SEC. 3. *Single maximum prices for sales at wholesale.* (a) In any trading area all sales of bread and rolls at wholesale as defined in this section by any seller shall be deemed sales to one class of purchasers, and discounts previously given by any seller in the case of any of his sales at wholesale of said products may be discontinued; and to this end:

(b) The maximum price for all sales of bread and rolls at wholesale by any

[8] 8 F.R. 4734, 14473.

seller shall hereafter be such seller's wholesale list price in the trading area, as existing in March 1942, for the same or most nearly similar commodity or, if none, such list price of his most closely competitive seller or, if none, a maximum price as determined under section 3 of the General Maximum Price Regulation.

(c) For the purposes of this section "sales at wholesale" means all sales of the seller to retailers, restaurants and hotels.

SEC. 4. *Similar products.* In the case of bread and bakery products one product is similar to another if:

(a) It has substantially the same cost at the time of the determination;

(b) It is made from the same basic type of dough; and

(c) It has the same weight when completely finished and ready for wrapping or when ready for sale if sold unwrapped.

SEC. 5. *Competitive sellers of the same class.* In the case of bread and bakery products one person shall be deemed a competitive seller of the same class only if such competitor:

(a) Performs the same production or marketing function (for example, manufacturing, distributing, retailing).

(b) Is of a similar type (for example, department store, chain store, specialty store, cut rate store, house to house seller).

(c) Deals in the same type of commodities.

(d) Sells to the same type of purchaser (for example, to wholesalers, retailers, route sellers or ultimate consumers), and

(e) Services the same or a similar area.

SEC. 6. *Orders of other governmental agencies.* No increase or decrease in the maximum price for the sale of any product subject to this regulation shall be made by reason of an order of another government agency unless such increase or decrease in maximum price is specifically required by some provision of this regulation or of some other regulation or order of the Office of Price Administration.

SEC. 7. *Pan bread in certain areas*—(a) *Maximum prices.* In the following areas the maximum prices for sales of pan bread shall, at the option of the seller, be either the maximum prices as hereinbefore established or the following maximum prices:

(1) In the State of Utah, in Fargo, North Dakota, and Moorhead, Minnesota:

Net weight per loaf	Sales at wholesale	Sales at retail	Sales at retail by chain store private label
	Cents	*Cents*	*Cents*
16 to 18 oz.	7½	8½	7½
19 to 22 oz.	9	11	9
24 to 27 oz.	10	13	10

(2) In the District of Columbia:

Net weight per loaf	Sales at wholesale	Sales at retail	Sales at retail by chain store private label
	Cents	*Cents*	*Cents*
15 to 17 oz.	7	8	7
21 to 25 oz.	14		

(3) In Dallas, Texas, and Santa Barbara County, California:

Net weight per loaf	Sales at wholesale	Sales at retail	Sales at retail by chain store private label
	Cents	*Cents*	*Cents*
23 to 25 oz.	9	11	9

(b) *Definitions.* For the purposes of this section the following terms shall have the following meanings:

(1) "Chain store private label" refers to pan bread sold under a distinctive name or label in one or more retail grocery or general merchandise stores, comprising the whole or part of a chain of four or more such stores, and operating as cooperatives or under a common trade name or common ownership. Each of said four stores must customarily do more than 60 percent of its business in merchandise other than bakery products.

(2) "Pan bread" means any bread baked in a pan, form or screen.

SEC. 8. *Cracker meal—Maximum prices.* Maximum prices for sales of cracker meal in containers of five pounds or more by any person other than a person subject to Maximum Price Regulations Nos. 421, 422 or 423, shall be the maximum prices determined in accordance with the provisions of § 1499.2 and other applicable sections of the General Maximum Price Regulation, or:

(a) 6.55 cents per pound delivered at any point within the District of Columbia or any state other than California, Oregon, and Washington; and

(b) 7.35 cents per pound delivered at any point within the states of California, Oregon and Washington.

SEC. 9. *Bread crumbs*—(a) *Maximum prices.* (1) The maximum price of every person for the sale or delivery of bread crumbs to any person other than an ultimate consumer shall be 10 cents per pound.

(2) The maximum price of every person for the sale or delivery of bread crumbs to an ultimate consumer shall be 12½ cents per pound.

(3) To the foregoing maximum price, each seller of bread crumbs may add his actual packaging and transportation costs.

(4) If the figure resulting contains a fraction of one-half cent or more, it shall be adjusted to the next higher cent, or if it contains a fraction of less than one-half cent it shall be adjusted to the next lower cent.

(b) *Definitions.* (1) "Ultimate consumer" is any person purchasing bread crumbs for use in prepared foods. However, it does not include cafes, cafeterias, hotels or other eating places purchasing bread crumbs for use in prepared foods sold or distributed to their customers, or institutions, public or private, purchasing bread crumbs for use in prepared foods for sale or distribution to their customers or inmates.

SEC. 10. *Adjustment of maximum prices*—(a) *Producer's maximum prices.* The Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1,* or on its own motion, adjust the maximum prices of a producer of any commodity subject to this regulation where

(1) The producer's maximum price is below the general price level prevailing for similar products sold by his competitive sellers of the same class, and

(2) The producer is or will be unable to maintain his production at his maximum price or prices, and

(3) The loss of his production would result in consumers having to pay higher prices for the most nearly similar substitute product available, and

(4) An increase in his maximum price or prices will enable him to continue production, and

(5) The Administrator is of the opinion that an increase in his maximum price or prices would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act, as amended, and the Stabilization Act of 1942, as amended.

The maximum price increase that may be granted under the provisions of this section shall not cause his price to exceed the general price level prevailing for similar products. Subject to this limitation, (i) an increase may be granted not to exceed the total cost of the product, or, (ii) if the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period," adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed estimated to yield such a profit margin.

A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal pre-war (December 7, 1941) period, some other period may be used but its use must be positively justified in the application.

(b) *Maximum prices of wholesalers and retailers.* If a product for which the producer's maximum price is increased pursuant to the provisions of paragraph (a) of this section is also sold by wholesalers or retailers or both but is not subject to the provisions of Maximum Price Regulations 421, 422 or 423 as to such

*7 F.R. 13240.

sales the Office of Price Administration may increase the maximum prices for sales by wholesalers or retailers or both in an amount not to exceed the increase provided for the producer.

(c) *Filing of applications for adjustment.* All applications for adjustment submitted pursuant to this section shall be filed with the Office of Price Administration in Washington, D. C., except applications for adjustment of maximum prices for bread and rolls which shall be filed with the regional office of the Office of Price Administration for the region in which the bread or rolls are produced.

The Administrator or any Regional Administrator may adjust, and any Regional Administrator may authorize any District Director within his region to adjust, maximum prices in the manner provided in this section.

SEC. 11. *Notification of change in maximum prices.* With the first delivery of any commodity (except bread and rolls) subject to this regulation, after the maximum price for such commodity has been changed by any provision of this regulation, the producer shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICES TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (*insert date of change in maximum price*). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after such change in the maximum price of an item is made, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the producer shall include in each case or carton containing the item the written notice set forth above.

(b) Notify each purchaser of the item from him who is a distributor, other than a wholesaler and retailer, of such change in maximum price by written notice attached to or written on the invoice issued in connection with his first transaction with such purchaser as follows:

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed from $_____ to $_____ under the provisions of Revised Supplementary Regulation 14B. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you of any allowable change in your maximum price. This notice must be made in the manner prescribed in section 11 of Revised Supplementary Regulation 14B.

This regulation shall become effective on August 21, 1944.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12308; Filed, August 16, 1944; 11:33 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 208—FLOOD CONTROL REGULATIONS

MAINTENANCE AND OPERATION OF FLOOD CONTROL WORKS

Pursuant to the provisions of section 3 of the Act of Congress approved June 22, 1936, as amended and supplemented (49 Stat. 1571; 50 Stat. 877; and 55 Stat. 638; 33 U. S. C. 701c; 701c-1), the following regulations are hereby prescribed to govern the maintenance and operation of flood control works:

§ 208.10 *Local flood protection works; maintenance and operation of structures and facilities*—(a) *General.* (1) The structures and facilities constructed by the United States for local flood protection shall be continuously maintained in such a manner and operated at such times and for such periods as may be necessary to obtain the maximum benefits.

(2) The State, political subdivision thereof, or other responsible local agency, which furnished assurance that it will maintain and operate flood control works in accordance with regulations prescribed by the Secretary of War, as required by law, shall appoint a permanent committee consisting of or headed by an official hereinafter called the "Superintendent," who shall be responsible for the development and maintenance of, and directly in charge of, an organization responsible for the efficient operation and maintenance of all of the structures and facilities during flood periods and for continuous inspection and maintenance of the project works during periods of low water, all without cost to the United States.

(3) A reserve supply of materials needed during a flood emergency shall be kept on hand at all times.

(4) No encroachment or trespass which will adversely affect the efficient operation or maintenance of the project works shall be permitted upon the rights-of-way for the protective facilities.

(5) No improvement shall be passed over, under, or through the walls, levees, improved channels or floodways, nor shall any excavation or construction be permitted within the limits of the project right-of-way, nor shall any change be made in any feature of the works without prior determination by the District Engineer of the War Department or his authorized representative that such improvement, excavation, construction, or alteration will not adversely affect the functioning of the protective facilities. Such improvements or alterations as may be found to be desirable and permissible under the above determination shall be constructed in accordance with standard engineering practice. Advice regarding the effect of proposed improvements or alterations on the functioning of the project and information concerning methods of construction acceptable under standard engineering practice shall be obtained from the District Engineer or, if otherwise obtained, shall be submitted for his approval. Drawings or prints showing such improvements or alterations as finally constructed shall be furnished the District Engineer after completion of the work.

(6) It shall be the duty of the superintendent to submit a semiannual report to the District Engineer covering inspection, maintenance, and operation of the protective works.

(7) The District Engineer or his authorized representatives shall have access at all times to all portions of the protective works.

(8) Maintenance measures or repairs which the District Engineer deems necessary shall be promptly taken or made.

(9) Appropriate measures shall be taken by local authorities to insure that the activities of all local organizations operating public or private facilities connected with the protective works are coordinated with those of the Superintendent's organization during flood periods.

(10) The War Department will furnish local interests with an Operation and Maintenance Manual for each completed project, or separate useful part thereof, to assist them in carrying out their obligations under these regulations.

(b) *Levees*—(1) *Maintenance.* The Superintendent shall provide at all times such maintenance as may be required to insure serviceability of the structures in time of flood. Measures shall be taken to promote the growth of sod, exterminate burrowing animals, and to provide for routine mowing of the grass and weeds, removal of wild growth and drift deposits, and repair of damage caused by erosion or other forces. Where practicable, measures shall be taken to retard bank erosion by planting of willows or other suitable growth on areas riverward of the levees. Periodic inspections shall be made by the Superintendent to insure that the above maintenance measures are being effectively carried out and, further, to be certain that:

(i) No unusual settlement, sloughing, or material loss of grade or levee cross section has taken place;

(ii) No caving has occurred on either the land side or the river side of the levee which might affect the stability of the levee section;

(iii) No seepage, saturated areas, or sand boils are occurring;

(iv) Tow drainage systems and pressure relief wells are in good working con-

dition, and that such facilities are not becoming clogged;

(v) Drains through the levees and gates on said drains are in good working condition;

(vi) No revetment work or riprap has been displaced, washed out, or removed;

(vii) No action is being taken, such as burning grass and weeds during inappropriate seasons, which will retard or destroy the growth of sod;

(viii) Access roads to and on the levee are being properly maintained;

(ix) Cattle guards and gates are in good condition;

(x) Crown of levee is shaped so as to drain readily, and roadway thereon, if any, is well shaped and maintained;

(xi) There is no unauthorized grazing or vehicular traffic on the levees;

(xii) Encroachments are not being made on the levee right-of-way which might endanger the structure or hinder its proper and efficient functioning durin times of emergency.

Such inspections shall be made immediately prior to the beginning of the flood season; immediately following each major high water period, and otherwise at intervals not exceeding 90 days, and such intermediate times as may be necessary to insure the best possible care of the levee. Immediate steps will be taken to correct dangerous conditions disclosed by such inspections. Regular maintenance repair measures shall be accomplished during the appropriate season as scheduled by the Superintendent.

(2) *Operation.* During flood periods the levee shall be patrolled continuously to locate possible sand boils or unusual wetness of the landward slope arid to be certain that:

(i) There are no indications of slides or sloughs developing;

(ii) Wave wash or scouring action is not occurring;

(iii) No low reaches of levee exist which may be overtopped;

(iv) No other conditions exist which might endanger the structure.

Appropriate advance measures will be taken to insure the availability of adequate labor and materials to meet all contingencies. Immediate steps will be taken to control any condition which endangers the levee and to repair the damaged section.

(c) *Flood walls.*—(1) *Maintenance.* Periodic inspections shall be made by the Superintendent to be certain that:

(i) No seepage, saturated areas, or sand boils are occurring;

(ii) No undue settlement has occurred which affects the stability of the wall or its water tightness;

(iii) No trees exist, the roots of which might extend under the wall and offer accelerated seepage paths;

(iv) The concrete has not undergone cracking, chipping, or breaking to an extent which might affect the stability of the wall or its water tightness;

(v) There are no encroachments upon the right-of-way which might endanger the structure or hinder its functioning in time of flood;

(vi) Care is being exercised to prevent accumulation of trash and debris adjacent to walls, and to insure that no fires are being built near them;

(vii) No bank caving conditions exist riverward of the wall which might endanger its stability;

(viii) The drainage systems and pressure relief wells are in good working condition, and that such facilities are not becoming clogged.

Such inspections shall be made immediately prior to the beginning of the flood season, immediately following each major high water period, and otherwise at intervals not exceeding 90 days. Measures to eliminate encroachments and effect repairs found necessary by such inspections shall be undertaken immediately. All repairs shall be accomplished by methods acceptable in standard engineering practice.

(2) *Operation.* Continuous patrol of the wall shall be maintained during flood periods to locate possible leakage at monolith joints or seepage underneath the wall. Floating plant or boats will not be allowed to lie against or tie up to the wall. Should it become necessary during a flood emergency to pass anchor cables over the wall, adequate measures shall be taken to protect the concrete and construction joints. Immediate steps shall be taken to correct any condition which endangers the stability of the wall.

(d) *Drainage structures*—(1) *Maintenance.* Adequate measures shall be taken to insure that inlet and outlet channels are kept open and that trash, drift, or debris is not allowed to accumulate near drainage structures. Flap gates and manually operated gates and valves on drainage structures shall be examined, oiled, and trial operated at least once every 90 days. Where drainage structures are provided with stop log or other emergency closures, the condition of the equipment and its housing shall be inspected regularly and a trial installation of the emergency closure shall be made at least once each year. Periodic inspections shall be made by the Superintendent to be certain that:

(i) Pipes, gates, operating mechanism, riprap, and headwalls are in good condition;

(ii) Inlet and outlet channels are open;

(iii) Care is being exercised to prevent the accumulation of trash and debris near the structures and that no fires are being built near bituminous coated pipes;

(iv) Erosion is not occurring adjacent to the structure which might endanger its water tightness or stability.

Immediate steps will be taken to repair damage, replace missing or broken parts, or remedy adverse conditions disclosed by such inspections.

(2) *Operation.* Whenever high water conditions impend, all gates will be inspected a short time before water reaches the invert of the pipe and any object which might prevent closure of the gate shall be removed. Automatic gates shall be closely observed until it has been ascertained that they are securely closed. Manually operated gates and valves shall be closed as necessary to prevent inflow of flood water. All drainage structures in levees shall be inspected frequently during floods to ascertain whether seepage is taking place along the lines of their contact with the embankment. Immediate steps shall be taken to correct any adverse condition.

(e) *Closure structures*—(1) *Maintenance.* Closure structures for traffic openings shall be inspected by the superintendent every 90 days to be certain that:

(i) No parts are missing;

(ii) Metal parts are adequately covered with paint;

(iii) All movable parts are in satisfactory working order;

(iv) Proper closure can be made promptly when necessary;

(v) Sufficient materials are on hand for the erection of sand bag closures and that the location of such materials will be readily accessible in times of emergency.

Tools and parts shall not be removed for other use. Trial erections of one or more closure structures shall be made once each year, alternating the structures chosen so that each gate will be erected at least once in each 3-year period. Trial erection of all closure structures shall be made whenever a change is made in key operating personnel. Where railroad operation makes trial erection of a closure structure infeasible, rigorous inspection and drill of operating personnel may be substituted therefor. Trial erection of sand bag closures is not required. Closure materials will be carefully checked prior to and following flood periods, and damaged or missing parts shall be repaired or replaced immediately.

(2) *Operation.* Erection of each movable closure shall be started in sufficient time to permit completion before flood waters reach the top of the structure sill. Information regarding the proper method of erecting each individual closure structure, together with an estimate of the time required by an experienced crew to complete its erection will be given in the Operation and Maintenance Manual which will be furnished local interests upon completion of the project. Closure structures will be inspected frequently during flood periods to ascertain that no undue leakage is occurring and that drains provided to care for ordinary leakage are functioning properly. Boats or floating plant shall not be allowed to tie up to closure structures or to discharge passengers or cargo over them.

(f) *Pumping plants*—(1) *Maintenance.* Pumping plants shall be inspected by the Superintendent at intervals not to exceed 30 days during flood seasons and 90 days during off-flood seasons to insure that all equipment is in order for instant use. At regular intervals, proper measures shall be taken to provide for cleaning plant, buildings, and equipment, repainting as necessary, and lubricating all machinery Adequate supplies of lubricants for all types of machines, fuel for gasoline or diesel powered equipment, and flash lights or lanterns for emergency lighting shall be kept on hand at all times. Telephone service shall be maintained at pumping plants. All equipment, including switch gear, transformers, motors, pumps, valves, and gates shall be trial operated and checked at least once every 90 days. Megger tests of all insulation shall be made whenever wiring has been subjected to undue dampness and otherwise at intervals not to exceed one year. A record shall be kept showing the results of such tests. Wiring disclosed to be in an unsatisfactory condition by such tests shall be brought to a satisfactory condition or shall be promptly replaced. Diesel and gasoline engines shall be started at such intervals and allowed to run for such length of time as may be necessary to insure their serviceability in times of emergency. Only skilled electricians and mechanics shall be employed on tests and repairs. Operating personnel for the plant shall be present during tests. Any equipment removed from the station for repair or replacement shall be returned or replaced as soon as practicable and shall be trial operated after reinstallation. Repairs requiring removal of equipment from the plant shall be made during off-flood seasons insofar as practicable.

(2) *Operation.* Competent operators shall be on duty at pumping plants whenever it appears that necessity for pump operation is imminent. The operator shall thoroughly inspect, trial operate, and place in readiness all plant equipment. The operator shall be familiar with the equipment manufacturers' instructions and drawings and with the "Operating Instructions" for each station. The equipment shall be operated in accordance with the above-mentioned "Operating Instructions" and care shall be exercised that proper lubrication is being supplied all equipment, and that no overheating, undue vibration or noise is occurring. Immediately upon final recession of flood waters, the pumping station shall be thoroughly cleaned, pump house sumps flushed, and equipment thoroughly inspected, oiled and greased. A record or log of pumping plant operation shall be kept for each station, a copy of which shall be furnished the District Engineer following each flood.

(g) *Channels and floodways* — (1) *Maintenance.* Periodic inspections of improved channels and floodways shall be made by the Superintendent to be certain that:

(i) The channel or floodway is clear of debris, weeds, and wild growth;

(ii) The channel or floodway is not being restricted by the depositing of waste materials, building of unauthorized structures or other encroachments;

(iii) The capacity of the channel or floodway is not being reduced by the information of shoals;

(iv) Banks are not being damaged by rain or wave wash, and that no sloughing of banks has occurred;

(v) Riprap sections and deflection dikes and walls are in good condition;

(vi) Approach and egress channels adjacent to the improved channel or floodway are sufficiently clear of obstructions and debris to permit proper functioning of the project works.

Such inspections shall be made prior to the beginning of the flood season and otherwise at intervals not to exceed 90 days. Immediate steps will be taken to remedy any adverse conditions disclosed by such inspections. Measures will be taken by the Superintendent to promote the growth of grass on bank slopes and earth deflection dikes. The Superintendent shall provide for periodic repair and cleaning of debris basins, check dams, and related structures as may be necessary.

(2) *Operation.* Both banks of the channel shall be patrolled during periods of high water, and measures shall be taken to protect those reaches being attacked by the current or by wave wash. Appropriate measures shall be taken to prevent the formation of jams of ice or debris. Large objects which become lodged against the bank shall be removed. The improved channel or floodway shall be thoroughly inspected immediately following each major high water period. As soon as practicable thereafter, all snags and other debris shall be removed and all damage to banks, riprap, deflection dikes and walls, drainage outlets, or other flood control structures repaired.

(h) *Miscellaneous facilities* — (1) *Maintenance.* Miscellaneous structures and facilities constructed as a part of the protective works and other structures and facilities which function as a part of, or affect the efficient functioning of the protective works, shall be periodically inspected by the Superintendent and appropriate maintenance measures taken. Damaged or unserviceable parts shall be repaired or replaced without delay. Areas used for ponding in connection with pumping plants or for temporary storage of interior run-off during flood periods shall not be allowed to become filled with silt, debris, or dumped material. The Superintendent shall take proper steps to prevent restriction of bridge openings and, where practicable, shall provide for temporary raising during floods of bridges which restrict channel capacities during high flows.

(2) *Operation.* Miscellaneous facilities shall be operated to prevent or reduce flooding during periods of high water. Those facilities constructed as a part of the protective works shall not be used for purposes other than flood protection without approval of the District Engineer unless designed therefor. (49 Stat. 1571, 50 Stat. 877; and 55 Stat. 638; 33 U.S.C. 701c; 701c–1) (Regs. 9 August 1944, CE SPEWF)

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–12285; Filed, August 16, 1944; 9:44 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION: VETERANS CLAIMS

DISALLOWANCE AND AWARDS

Section 3.1260 is canceled as follows:

§ 3.1260 *Payment of pension to naval hospitals when World War veterans are hospitalized therein as beneficiaries of the Navy Department.* [Canceled August 17, 1944]

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 44–12330; Filed, August 16, 1944; 11:15 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 202—MINIMUM WAGE DETERMINATIONS

FIREWORKS INDUSTRY

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On March 15, 1944, the Acting Administrator of the Division of Public Contracts of the United States Department of Labor issued a notice of opportunity to show cause on or before April 30, 1944, why I should not amend the prevailing minimum wage determination for the fireworks industry, issued by me on September 30, 1938, by increasing the prevailing minimum wage from 31¼ cents for the manufacture or supply of commercial fireworks and 37½ cents for the manufacture or supply of fusees, flares, and ship and railroad torpedoes, to 40 cents an hour.

The notice sets forth that: (1) The minimum wage required to be paid by manufacturers of fireworks subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on February 7, 1944, pursuant to the wage order of the Administrator of the Wage and Hour Division for the chemical, petroleum and coal products, and allied manufacturing industries; and (2) substantially all employees subject to my prevailing minimum wage determination for the fireworks industry are engaged in commeree or in the production of goods for commerce, and consequently the wage order has the effect of establishing not less than 40 cents an hour as the prevailing minimum wage in the fireworks industry.

This notice was sent to trade unions, trade associations, and publications and was duly published in the FEDERAL REGISTER on March 30, 1944 (9 F.R. 3430). No objections, protests, nor any statements in opposition to the proposed amendment have been received.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.20 *Fireworks industry.* The prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the Public Contracts Act (49 Stat. 2036; 41 U.S.C. Supp. III, 35) for the manufacture or supply of commercial fireworks and for the manufacture or supply of fusees, flares, and railroad torpedoes shall be 40 cents an hour or $16.00 per week for a

week of 40 hours, arrived at either upon a time or piece work basis.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after September 8, 1944.

Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

Until this amended determination becomes effective, my original decision of September 30, 1938 (3 F.R. 2370) shall remain in full force and effect.

Dated: August 9, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-12284; Filed, August 16, 1944; 9:32 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 28, Supp. 4]

PART 310—MERCHANT MARINE TRAINING

RATES OF PAY

Section 310.30 is amended to read:

§ 310.30 *Rates of pay.* Licensed and unlicensed personnel of the Maritime Service shall receive the following monthly rates of pay while on active duty:

Vice Admiral	$708.33
Rear Admiral (upper half)	666.66
Rear Admiral (lower half)	500.00
Commodore	500.00
Captain	333.33
Commander	291.67
Lieutenant Commander	350.00
Lieutenant	300.00
Lieutenant (jg)	166.67
Ensign	150.00
Cadet [1]	65.00
Chief Warrant Officer	175.00
Warrant Officer	150.00
First Grade (chief petty officer with permanent appointment)	138.00
First Grade (chief petty officer with acting appointment)	126.00
Second Grade (petty officers, first class; officers' stewards, first class)	114.00
Third Grade (petty officers, second class; officers' stewards, second class)	96.00
Fourth Grade (petty officers, third class; firemen, first class; officers' stewards, third class)	78.00
Fifth Grade (seamen, first class; firemen, second class; mess attendants, first class)	66.00
Sixth Grade (seamen, second class; firemen, third class; mess attendants, second class)	54.00
Seventh Grade (apprentice seamen)	50.00

[1] Applicable to cadets of State Maritime Academies under Federal regulation.

An enrollee below the grade of Warrant Officer shall receive additional pay not exceeding forty (40%) per cent of the pay of his grade as above prescribed while detailed by the Commandant to administrative duty. An enrollee above the grade of Warrant Officer assigned to duty aboard a training vessel may receive additional pay not exceeding ten (10%) per cent of the pay of his grade as above prescribed while performing such duty.

Longevity pay for all enrollees on active administrative duty shall be added to the base pay of said enrollees under rules similar to those now or hereafter provided for such pay of the corresponding ranks, grades and ratings of the United States Coast Guard, except that longevity pay of Chief Warrant Officers shall be computed on the same basis as that of Warrant Officers.

(E.O. 9054, 9196; 7 F.R. 837, 5383)

[SEAL] E. S. LAND,
Administrator.

JUNE 26, 1944.

[F. R. Doc. 44-12310; Filed, August 16, 1944; 11:44 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 224]

PART 95—CAR SERVICE

ICING OF FRUITS AND VEGETABLES IN THE WEST

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of August, A. D. 1944.

It appearing, that there is an acute general shortage of ice in the west which is adversely affecting the movement of fruits and vegetables in refrigerator cars in that area, resulting in congestion of traffic; in the opinion of the Commission an emergency exists requiring immediate action:

It is ordered, That:

(a) *Definition of the terms fruits and vegetables as used herein.* The terms fruits and vegetables as used herein mean all fresh fruits and all fresh or green vegetables as described in the consolidated Freight Classification No. 16 under the heading "Fruits, Fresh (Not Cold-Pack), or Vegetables, Fresh or Green (Not Cold-Pack)."

(b) *Initial icing of fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating in the States of Minnesota, Iowa, Missouri, Arkansas, or Louisiana (west of the Mississippi River), or west thereof shall initially ice at any point in the United States with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity.

(c) *Reicing of fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating at any point located in the States of Minnesota, Iowa, Missouri, Arkansas, or Louisiana (west of the Mississippi River) or west of those States, shall reice such refrigerator car at any point in the United States with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity.

(d) *Application.* The provisions of this order shall apply to all shipments billed or moving on and after the effective date of this order, and on imported shipments cleared through ports of entry in the origin territories described in paragraphs (b) and (c) on and after the effective date of this order.

(e) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or changes insofar as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(g) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., August 16, 1944, and shall supersede Service Order No. 224 and General Permit No. 1 issued thereunder on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-12317; Filed, August 16, 1944; 11:43 a. m.]

[S. O. 226]

PART 95—CAR SERVICE

RETOP ICING OF VEGETABLES IN DESIGNATED WESTERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of August, A. D. 1944.

It appearing, that there is an acute shortage of ice adversely affecting the movement of vegetables in refrigerator

cars accorded retop icing, resulting in congestion of traffic; in the opinion of the Commission an emergency exists requiring immediate action:

It is ordered, That:

(a) *Definition of the term vegetables.* The term vegetables as used herein means all fresh or green vegetables as described in the Consolidated Freight Classification No. 16 under the heading "Fruits, Fresh (Not Cold-Pack), or Vegetables, Fresh or Green (Not Cold-Pack)."

(b) *Retop icing of vegetables restricted.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with vegetables originating at any point located in the States of New Mexico, Colorado, Wyoming, or Montana, or west of those States shall retop ice such refrigerator car at any point east of the eastern boundaries of the four States named, or at El Paso, Texas, La Junta, Pueblo, Denver, Colorado, Laramie or Cheyenne, Wyoming, with more retop ice than the weight of ice supplied to initially top ice that refrigerator car, but in any case not more than 5,000 pounds of retop ice.

(c) *Application.* The provisions of this order shall apply to all shipments billed or moving on and after the effective date of this order.

(d) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 6:00 p. m., August 15, 1944; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–12318; Filed, August 16, 1944; 11:43 a. m.]

Notices

INTERSTATE COMMERCE COMMISSION.

[S. O. 227]

UNLOADING OF ONIONS AT NEW YORK, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of August, A. D. 1944.

It appearing, That car SFRD 33012, containing onions, at Pier 20, New York, New York, on the Erie Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action:

It is ordered, That: *Onions at Pier 20, New York, New York, be unloaded.* (a) The Erie Railroad Company, its agents or employees, shall unload forthwith car SFRD 33012, containing onions, at Pier 20, New York, New York, consigned to Nelson K. Altchul, Inc.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of onions has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Erie Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–12312; Filed, August 16, 1944; 11:43 a. m.]

[S. O. 70–A, Special Permit 448]

RECONSIGNMENT OF APRICOTS AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, August 12, 1944, by E. E. Fadler Company, for Lamb Fruit Company, of car PFE 21934, apricots, now on the Chicago, Burlington and Quincy Railroad, to V. B. Hall Wholesale Company, Monnett, Missouri (MP-CB&Q), account delayed for Government inspection.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12314; Filed, August 16, 1944; 11:43 a.m.]

[S. O. 70–A, Special Permit 449]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 12, 1944, by Schoenburg Price, of car SFRD 20066, carrots, now on the Chicago Produce Terminal, to Metropolis, Illinois via IC Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12315; Filed, August 16, 1944; 11:43 a. m.]

[S. O. 70–A, Special Permit 450]

RECONSIGNMENT OF APRICOTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first order-

ing paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 12, 1944, by Jack Carl Company of car WFE 66054, apricots, now on the CB&Q, to M. Degaro, Cincinnati, Ohio, via C&O.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12316; Filed, August 16, 1944; 11:44 a. m.]

[S. O. 200, 4th Amended General Permit 13]

REICING OF POTATOES FROM DESIGNATED STATES

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F. R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

Subject to the exception shown below, on any refrigerator car loaded with potatoes originating at any point or points in the States of Colorado, Kansas, Missouri, Nebraska, Wyoming and Utah, to reice in transit one time only and to accord the reicing at stations designated by shippers or, at the carriers' option, at the first icing station on either side of such designated station.

Exception: The reicing described in above paragraph shall be limited to so much ice as is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity, on any refrigerator car loaded with potatoes reiced on the Union Pacific Railroad Company and the Chicago, Burlington & Quincy Railroad Co.

This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 6:00 p. m., August 12, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12313; Filed, August 16, 1944; 11:44 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN

[Vesting Order 3860]

EMMY CARLOTTA HERTZBERG

In re: Real property, personal property, property insurance policies and a bank account owned by Emmy Carlotta Hertzberg.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Emmy Carlotta Hertzberg is Lindenfels im Odenwald, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Emmy Carlotta Hertzberg is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

(a) Real property situated in the County of Bexar, State of Texas, particularly described as all that certain piece or parcel of land situated in the City of San Antonio, Bexar County, Texas, and being the eastern part of Lots 1 & 2 in Block 12, C. B. #361, Beginning at the S. W. corner of Cypress and Maverick Streets thence West with the south line of Cypress Street 110.5 feet to a point 10 feet from the N. E. of property owned by J. D. Anderson. Thence in a Southeasterly direction in a line parallel to the back line of Andersons property across said Lots 1 & 2 to the south boundary line of Lot #2. Thence East with the south line of Lot #2—91.5 feet to Maverick Street. Thence in a North direction with the west line of Maverick Street to place of beginning, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

(b) An undivided one-half interest in real property situate in the County of Bexar, State of Texas, particularly described as Lot Ten (10), in Block Forty-seven (47), in New City Block Four Hundred Sixty-six (466), situate at the Southwest corner of the intersection of Avenue B and Thirteenth Street, in the City of San Antonio, in Bexar County, Texas, together with all improvements thereon, known as 1219 Avenue B and 206 Thirteenth Street in the City of San Antonio, Texas, identified as that interest acquired by Emmy Carlotta Hertzberg by virtue of a certain warranty deed executed January 17, 1942, by T. S. Walker (also known as Tandy S. Walker), and Mary Walker, his wife, of San Antonio, Bexar County, Texas, recorded on January 29, 1942, in the Office of the County Clerk in and for Bexar County, State of Texas, in Volume 1873, pages 634–635, Deed Records of said County and State, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property.

(c) An undivided one-half interest in certain furniture and household effects located in the premises known as 1219 Avenue B, San Antonio, Texas, and 206 Thirteenth Street, San Antonio, Texas, particularly described in Exhibit A, attached hereto and by reference made a part hereof, identified as that interest acquired by Emmy Carlotta Hertzberg by virtue of a certain warranty deed executed January 17, 1942, by T. S. Walker (also known as Tandy S. Walker), and Mary Walker, his wife, of San Antonio, Bexar County, Texas, recorded on January 29, 1942 in the Office of the County Clerk in and for Bexar County, State of Texas, in Volume 1873, pages 634–635, Deed Records of said County and State,

(d) All right, title, and interest of Emmy Carlotta Hertzberg in and to the following described insurance policies insuring the improvements on the property described in subparagraphs 3–a and 3–b hereof, and the property described in subparagraph 3–c hereof:

1. Fire and tornado policy No. DFT–231107 issued by Millers' Mutual Fire Insurance Company, Fort Worth, Texas,

2. Fire and tornado policy No. DFT–239565 issued by Millers' Mutual Fire Insurance Company, Fort Worth, Texas,

3. Fire and tornado policy No. 234960 issued by the Royal Indemnity Company, New York, New York, and

(e) All right, title, interest and claim of Emmy Carlotta Hertzberg in and to the sum of $500, constituting a portion of a certain bank account in The Gross National Bank, San Antonio, Texas, which is due and owing to, and held for, Emmy Carlotta Hertzberg, in the name of "Emmy C. Hertzberg under License 12840", including but not limited to all security rights in and to any and all collateral for any and all such account, or portion thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany):

And determining that the property described in subparagraphs 3–d and 3–e hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3–a, 3–b and 3–c hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3–a and 3–b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–c, 3–d and 3–e hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Inventory of furniture and household furnishings situated in the property at 1219 Avenue B and 206 Thirteenth Street, described as Lot 10, in Block 47, in New City Block 466, in the City of San Antonio, Bexar County, Texas.

1219 Avenue B

Apartment 1:
1 double bed (iron), mattress and springs (Simmons).
1 congoleum rug.
1 rocker.
1 dining table and 4 chairs.
1 gas heater.
1 chifforobe.
1 dressing table.
1 kitchen table (enamel top).
2 kitchen chairs.
1 single bed (white iron), mattress and springs.

Apartment 2:
1 double Simmons bed, mattress and spring.
2 dressing tables.
2 chifforobes.
1 rocker.
1 enamel top kitchen table.
4 kitchen chairs.
1 round library table.
1 rectangular library table.
1 9 x 12 rug.
1 3-burner kitchen stove.
1 gas heater.

206 Thirteenth Street

Apartment 1:
2 rockers.
1 Simmons bed (double), springs and mattress.
1 kitchen table (enamel top).
1 3-burner gas stove.
2 kitchen chairs.
1 icebox.

Apartment 2:
1 library table.
1 rocker.
1 9 x 12 rug.
1 window box.
1 6 x 9 rug.
1 double bed (Simmons), mattress and spring.
1 dresser.

Apartment 2—Continued.
3 chairs.
1 kitchen table (enamel top).
1 3-burner stove.
1 icebox.
1 dressing table.
1 chifforobe.
1 wardrobe.
1 iron bed (Simmons), springs and mattress.

Apartment 3:
1 double bed (Simmons), mattress and springs.
1 single bed (Simmons), mattress and springs.
2 rockers.
1 gas heater.
1 dressing table.
1 chifforobe.
1 dining table.
4 chairs.
1 3-burner cook stove.

Apartment 4:
1 chifforobe.
1 dressing table.
1 double bed, mattress, springs (wallbed).
1 dining table.
2 chairs.
1 rocker.
1 heater.
1 3-burner gas cook stove.
1 icebox.
1 rug.

Apartment 5:
1 double bed (Simmons), mattress and springs.
1 chifforobe.
1 vanity.
2 rockers (wicker).
1 9 x 12 rug.
1 gas heater.
1 icebox.
1 kitchen table.
2 chairs.

[F. R. Doc. 44–12298; Filed, August 16, 1944; 10:30 a. m.]

[Vesting Order 3867]

MARIE STEFFEN

In re: Real property and interest in a fire insurance policy owned by Marie Steffen.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Marie Steffen is Robsdorf, Probstein Hagen, Holstein, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Marie Steffen is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Appleton, Knox County, Illinois, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Marie Steffen in and to fire insurance policy No. 7247 issued by Knox County Mutual Insurance Company, Galesburg, Illinois, insuring improvements on the premises described in subparagraph 3–a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all deerminations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land, situated in the Village of Appleton, County of Knox, and State of Illinois, particularly described as follows:

Lots Four (4), Five (5), Six (6), and the West One Hundred Twenty-seven (127) feet of Lots Seven (7) and Eight (8) and except the South Two (2) feet of the East Thirty-eight (38) feet of Lot Nine (9), all in Block One (1). Also Lots Three (3) and Four (4) and except the South Forty-four (44) feet of Lot Five (5) in Block Two (2).

[F. R. Doc. 44–12299; Filed, August 16, 1944; 10:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 902]

BRADENVILLE FUEL CO., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 902 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. by an amendment issued after the effec- The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed tive date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

BRADENVILLE FUEL CO., INC., LATROBE, PENNSYLVANIA, BRADENVILLE STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4130, WESTMORELAND COUNTY, PA., SUB-DIST. 5, RAIL SHIPPING POINT: SIDING 5333, PA., STRIP MINE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	G	G	G	G	H	H	G	G	G	------	------
Rail shipment	285	285	275	275	270	260	245	245	230	------	------
Railroad fuel price group 18	285	285	285	285	285	285	305	305	285	235	255
Truck shipment	415	415	415	305	305	285	305	305	285	235	255

HENRY DAFT, 34 COLLINS AVE., UNIONTOWN, PA., DAFT #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 1634 FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: NILAN, PA., DEEP MINE

Price classification	F	F	E	E	E	E	E	E	E	------	------
Rail shipment	310	310	305	305	305	295	275	275	260	------	------
Railroad fuel price group 7	310	310	305	305	305	295	275	275	265	265	------
Truck Shipment*	415	415	415	385	375	375	375	310	290	290	265

HENRY DAFT, 34 COLLINS AVE., UNIONTOWN, PA., DAFT #3 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4168, GREENE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: POLAND, PA., STRIP MINE

Price Classification	F	F	E	E	E	E	E	E	E	------	------
Rail shipment	285	285	280	280	280	270	250	250	235	------	------
Railroad fuel price group 7	285	285	280	280	280	270	250	250	240	240	------
Truck shipment	380	380	380	360	340	340	340	280	260	260	220

DIAMOND COAL CO., W. CHURCH ST. MASONTOWN, PA., DIAMOND STRIP MINE, SEWICKLEY SEAM, MINE INDEX NO. 4026, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: HOPE #2 SIDING, PA., STRIP MINE

Price classification	J	J	H	H	H	H	H	H	H	------	------
Rail shipment	285	285	270	270	270	260	235	235	225	------	------
Railroad fuel price group 8	285	285	270	270	270	260	235	235	230	230	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

* Previously established.

GUSEMAN BROTHERS COAL CO., 113 E. MAIN STREET, UNIONTOWN, PA., GUSEMAN #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4138, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: LECKRONE, PA., STRIP MINE

	Size Group No.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	C	D	D	D	D	------	------
Rail shipment	310	310	310	310	310	290	270	270	245	------	------
Railroad fuel price group 6	310	310	310	310	310	290	270	270	245	245	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

LECKRONE COAL & COKE CO., R. D. #1 BOX 16, MCCLELLANDTOWN, PA., KEENA #2 MINE, WAYNESBURG SEAM, MINE INDEX NO. 4157, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: LECKRONE, PA., DEEP MINE

Price classification	J	J	H	H	H	H	J	J	J	------	------
Rail shipment	310	310	295	295	295	285	290	290	255	255	------
Railroad fuel price group 8	310	310	295	295	295	285	290	290	255	255	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

LOYALHANNA FUEL CO., SLICKVILLE, PA., INDUSTRIAL COAL MINE, PITTSBURGH SEAM, MINE INDEX NO. 208, WESTMORELAND COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT: SLICKVILLE, PA., DEEP MINE

Price Classification	G	G	F	F	E	E1	E1	E1	E	------	------
Rail Shipment	310	310	300	300	305	295	275	275	260	------	------
Railroad Fuel[1]	315	315	315	315	315	300	275	275	270	270	------
Truck Shipment[1]	415	415	415	395	365	365	365	305	285	285	265

[1] Previously established.

THE MARSHALL MINING CO., 1263 POLAND AVE., YOUNGSTOWN, OHIO, EDINBURG MINE, KITTANNING SEAM, MINE INDEX NO. 4103, LAWRENCE COUNTY, PA., SUBDISTRICT 1, STRIP MINE

Truck Shipment	435	435	435	400	395	395	395	320	295	295	260

MONONGAHELA COAL CO., 220 W. MAIN ST. MONONGAHELA, PA., STEWART STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4162, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: OAKDALE, PA., STRIP MINE

Price classification	C	C	C	C	F	F	F	F	F	------	------
Rail shipment	325	325	310	310	275	265	250	250	235	------	------
R. R. fuel price group 2	325	325	310	310	290	275	250	250	235	235	------
Truck shipment	425	425	425	380	380	360	360	325	285	285	270

MONONGAHELA COAL CO., 220 W. MAIN ST. MONONGAHELA, PA., STEWART DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4161, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: OAKDALE, PA., DEEP MINE

Price classification	C	C	C	C	F	F	F	F	F	------	------
Rail shipment	350	350	335	335	315	300	275	275	260	------	------
R. R. fuel price group 2	350	350	335	335	300	300	275	275	260	260	------
Truck shipment	425	425	425	380	380	360	360	325	285	285	270

D. D. MULLETT, BOX 841, UNIONTOWN, PA., MULLETT #2 MINE, SEWICKLEY SEAM, MINE INDEX NO. 4108, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: LEITH, PA., STRIP MINE.

Price classification	J	J	H	H	H	H	H	H	H	------	------
Rail shipment	285	285	270	270	270	260	235	235	225	------	------
Railroad fuel price group 8	285	285	270	270	270	260	235	235	230	230	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

D. D. MULLETT, BOX 841, UNIONTOWN, PA., MULLETT #1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4167, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: MASONTOWN, PA., STRIP MINE.

Price classification	E	E	C	C	C	D	D	D	D	------	------
Rail shipment	310	310	310	310	310	290	270	270	245	------	------
Railroad fuel price group 6	310	310	310	310	310	290	270	270	245	245	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

NASSAR COAL CO., BOX 295, STAR JUNCTION, PA., NASSAR NO. 5 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4141 GREENE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: DILLINER, PA., STRIP MINE

	Size Group No.										
	1	2	3	4	5	6	7	8	9	10	11

This order shall become effective August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

Maximum Prices For Staple Work Gloves. Docket No. N6657-506-77-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after August 15, 1944,

Price classification	D	D	C	C	C	C	C	C	C	------	------
Rail shipment	335	335	335	335	335	325	300	300	280	------	------
Railroad fuel price group 1	335	335	335	335	335	325	300	300	280	270	------
Truck shipment	425	425	425	385	375	375	375	325	290	290	255

SOLARO BROTHERS, SLIPPERY ROCK, PA., DOMENICK NO. 2 MINE, MIDDLE KITTANNING SEAM, MINE INDEX NO. 4155, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: MAHOOD, PA., STRIP MINE

Price classification	E	E	D	D	C	C	D	D	D	------	------
Rail shipment	310	310	300	300	310	300	270	270	245	------	------
Railroad fuel price group 18	310	310	300	300	310	300	270	270	245	245	------
Truck shipment	435	435	435	415	405	405	405	320	290	290	270

ZACHERL COAL CO., 110 EAST CENTRAL AVE., TITUSVILLE, PA., COAL HILL NO. 16 MINE, KITTANNING SEAM, MINE INDEX NO. 4171, VENANGO COUNTY, PA., SUB-DISTRICT 1, STRIP MINE

Truck shipment	435	435	435	400	395	395	395	330	265	265	240

FLEM ZELLERINO COAL CO., 106 W. DIAMOND ST., BUTLER, PA., ZELLERINO MINE, FREEPORT SEAM, MINE INDEX NO. 4166, BUTLER COUNTY, PA., SUB-DISTRICT 1, RAIL SHIPPING POINT: BUTLER, PA., DEEP MINE

Price classification	E	E	D	D	C	C	F	F	F	------	------
Rail shipment	335	335	325	325	335	325	275	275	260	------	------
Railroad Fuel price group 23	335	335	325	325	335	325	275	275	270	270	------
Truck shipment	435	435	435	415	405	405	405	320	290	290	270

This order shall become effective August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12064; Filed August 11, 1944; 11:39 a. m.]

[RMPR 506, Order 50]

STOTT AND SON CORP., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 50 under section 4 (b) of Revised Maximum Price Regulation 506.

Maximum Prices For Staple Work Gloves. Docket No. N6657-506-77-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after August 15, 1944, the Stott and Son Corporation, Winona, Minnesota may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Stott and Son Corporation may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B
		Group I ceiling	Group II ceiling	Wholesalers' prices
932XB	Women's gunn cut two thumb, 11-ounce white nap out canton flannel, single thickness back and palm, knit wrist.	$1.97½	$2.15	$2.37½
437XB	Women's two thumb, 12-ounce white nap out canton flannel, single thickness back and palm, welt seam mitten, knit wrist, with thumb patches.	2.17½	2.37½	2.62½
1FKW	Men's 15 double throughout, nap out flannel "chore mitten" knit wrist.	2.12½	2.32½	2.55

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506.

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Stott and Son Corporation, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after August 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Stott and Son Corporation must furnish each of its customers, who, on or after August 15, 1944, purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Stott and Son Corporation must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 50 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, sold by the Stott and Son Corporation.

OPA has ruled that the Stott and Son Corporation may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of de-

liveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
932XB–8	$1.97½	$2.15	$2.37½
437XB–8	2.17½	2.37½	2.62½
18KW–8	2.12½	2.32½	2.55

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(c) This Order No. 50 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12277; Filed, August 15, 1944; 5:08 p. m.]

[RMPR 506, Order 51]

FAIRFIELD GLOVE AND MITTEN CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 51 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum Prices For Staple Work Gloves. Granting Maximum Prices to the Fairfield Glove and Mitten Company and other sellers. Docket No. N6657–506–73–7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after August 15, 1944, the Fairfield Glove and Mitten Company, Fairfield, Iowa, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Fairfield Glove and Mitten Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
481K	Men's 14-ounce double throughout nap cut flannel material, "chore" glove, knit wrist.	$2.37½	$2.60	$2.85
19	Men's 18-ounce double throughout nap cut flannel material, "chore" glove (13-ounce shell, 5-ounce liner) knit wrist.	2.80	2.82½	3.12½
205K	Men's 22-ounce double throughout nap cut flannel material, "chore" mitten, knit wrist.	2.50	2.72½	3.00
4632TK	Men's two thumb, 10-ounce nap cut single thickness canton flannel back and palm, 8-ounce flannel thumb patch.	2.02½	2.20	2.45
18K	Men's two thumb, 12-ounce nap cut single thickness canton flannel back and palm, 20-ounce double thickness flannel thumbs, knit wrist.	2.22½	2.40	2.67½
157KX	Men's two thumb 13-ounce nap cut single thickness canton flannel back and palm welt seam mitten, 8-ounce thumb reinforcement, knit wrist.	2.22½	2.42½	2.67½
239	Men's 12½-ounce single thickness cut pressed fancy jersey back and palm, knit wrist.	2.10	2.27½	2.52½
239D	Women's 12½-ounce single thickness cut pressed fancy jersey back and palm, knit wrist.	2.07½	2.25	2.50
475	Men's gunn cut side split leather palm, ¾-leather thumb, full leather finger backs, leather knuckle strap, leather pull, 8-ounce flannel back, 6-ounce or heavier palm lining, 5" waterproofed gauntlet.	6.50	7.00	7.82½
475B	Men's gunn cut side split leather palm, ¾-leather thumb, full leather finger backs, leather knuckle strap, leather pull, 8-ounce flannel back, 6-ounce or heavier flannel palm lining 2½" waterproofed safety cuff.	6.25	6.75	7.52½
465	Men's gunn cut side split leather palm, ¾-leather thumb, leather fingertips, leather pull, leather knuckle strap, 8-ounce flannel back, 6-ounce or heavier flannel palm lining 4" waterproofed gauntlet.	6.65	7.30	8.00
465B	Men's gunn cut side split leather palm, ¾-leather thumb, leather fingertips, leather pull, leather knuckle strap, 8-ounce flannel back, 6-ounce or heavier flannel palm lining, 2½" waterproofed safety cuff.	6.20	6.80	7.47½
485	Men's gunn cut side split leather palm, full leather thumb and finger backs, leather pull, leather knuckle strap, 6-ounce flannel back, 5" waterproofed gauntlet.	7.20	7.90	8.67½
485B	Men's gunn cut side split leather palm, full leather thumb and finger backs, leather pull, leather knuckle strap, 6-ounce flannel back, 2½" waterproofed safety cuff.	6.70	7.35	8.07½
725T	Men's gunn cut side split leather palm, full leather thumb, leather finger tips, 10-ounce flannel back, flannel band top.	5.45	5.95	6.57½
280K	Men's 14 ounce double throughout flannel material, side split leather palm facing, "chore" mitten, knit wrist.	5.15	5.45	6.20
288K	Small women's 13-ounce double throughout flannel material "chore" mitten, knit wrist.	2.80	2.80	2.77½
481KDJ	Men's jumbo 14-ounce double throughout flannel material "chore" glove, knit wrist.	2.55	2.75	3.07½
290K	Men's 18-ounce double throughout flannel material "chore" mitten, knit wrist.	2.35	2.55	2.82½
280K	Women's 18-ounce double throughout flannel material "chore" mitten, knit wrist.	2.32½	2.52½	2.80
270	Small women's 14-ounce double throughout flannel material "chore" mitten, knit wrist.	2.02½	2.20	2.45
299	Men's 15½-ounce double thickness jersey mitten, knit wrist.	5.55	6.35	7.05
725GT	Men's gunn cut side split leather palm, full leather thumb, leather fingertips, 10-ounce flannel back, waterproofed gauntlet cuff.	5.35	5.85	6.45
724T	Women's gunn cut side split leather palm, full leather thumb, leather fingertips, 10-ounce flannel back, flannel band top.	2.40	2.62½	2.90
290KDJ	Men's jumbo 18-ounce double throughout flannel "chore" glove, knit wrist.	2.00	2.20	2.40
4K	Men's two thumb 13-ounce single thickness flannel back and palm mitten, knit wrist.	1.85	2.15	2.35
5KB	Women's two thumb 13-ounce single thickness flannel back and palm mitten, knit wrist.	1.90	2.07½	2.30
137K	Men's two thumb 10-ounce single thickness flannel back and palm mitten, 8-ounce thumb reinforcement, knit wrist.	2.22½	2.42½	2.67½
207	Men's 14½-ounce double thickness jersey back and palm, knit wrist.	2.17½	2.37½	2.62½
207B	Women's 14½-ounce double thickness jersey back and palm, knit wrist.	2.10	2.30	2.50
297	Small women's 13½-ounce double thickness jersey back and palm, knit wrist.	5.75	6.25	6.92½
724GT	Women's gunn cut side split leather palm, full leather thumb, leather fingertips, 10-ounce flannel back, waterproofed gauntlet cuff.	2.05	2.22½	2.67½
27B	Women's 14-ounce double throughout flannel material "chore" mitten, knit wrist.	2.20	2.37½	2.65
4727TKB	Women's 2-thumb, 13-ounce single thickness flannel thumb patch, knit wrist.			

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Fairfield Glove and Mitten Company, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after August 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Fairfield Glove and Mitten Company must furnish each of its customers, who, on or after May 18, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Fairfield Glove and Mitten Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 51 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Fairfield Glove and Mitten Company.

OPA has ruled that the Fairfield Glove and Mitten Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
481K–S	$2.37½	$2.60	$2.85
18–S	2.60	2.82½	3.12½
205K–S	2.50	2.72½	3.00
4632TK–S	2.02½	2.20	2.45
158K–S	2.22½	2.40	2.67½
157KX–S	2.22½	2.42½	2.67½
239–S	2.10	2.27½	2.52½
239B–S	2.07½	2.25	2.50
475–S	6.50	7.00	7.82½
475B–S	6.25	6.75	7.52½
465–S	6.65	7.20	8.00
465B–S	6.20	6.80	7.47½
485–S	7.20	7.90	8.67½
485B–S	6.70	7.35	8.07½
725T–S	5.45	5.95	6.57½
280K–S	5.15	5.45	6.20
288K–S	2.80	2.80	2.77½
481KDJ–S	2.55	2.75	3.07½
290K–S	2.35	2.55	2.82½
280K–S	2.32½	2.52½	2.80
270–S	2.02½	2.20	2.45
299–S	2.02½	2.20	2.45
725GT–S	5.85	6.35	7.05
724T–S	5.35	5.85	6.45
290KDJ–S	2.40	2.62½	2.90
5K–S	2.00	2.20	2.40
5KB–S	1.95	2.15	2.35
137K–S	1.90	2.07½	2.30
207–S	2.22½	2.42½	2.67½
207B–S	2.17½	2.37½	2.62½
297–S	2.10	2.30	2.50
724GT–S	5.75	6.25	6.92½
27B–S	2.05	2.22½	2.47½
4727TKB–S	2.20	2.37½	2.65

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 51 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since May 18, 1944 pursuant to OPA adjustable pricing authorizations, The Fairfield Glove and Mitten Company must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, the Fairfield Glove and Mitten Company shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12278; Filed, August 15, 1944; 5:08 p. m.]

[RMPR 506, Order 52]

SPECIALTY STITCHING CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 52 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Specialty Stitching Company and other sellers. Docket No. N6657–506–72–7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after August 15, 1944, the Specialty Stitching Company, 918 S. Flower Street, Los Angeles, California may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove number enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase this number from the Specialty Stitching Company may make "regular sales" at wholesale of such gloves, at or below the price set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesaler's prices
		Group I ceiling	Group II ceiling	
Special short cuff glove.	Men's hot mill glove, quilted palm, 12 ounce flannel palm, lining, back, and knuckle strap, 4¼" single (1 ply thickness) gauntlet.	$3.30	$3.62½	$3.92½

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Specialty Stitching Company on all deliveries of the style number listed in paragraph (a), made pursuant to this Order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this Order.

(d) The Specialty Stitching Company must furnish each of its customers, who, on or after August 15, 1944, purchases the style number listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Specialty Stitching Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 52 under Section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove number enumerated in the table below, manufactured by the Specialty Stitching Company.

OPA has ruled that the Specialty Stitching Company may sell this number at or below the prices listed in Column A below, subject to the provisions of Section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of this number at or below the price listed in Column B. Retailers will determine their ceiling prices on this number in accordance with Section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
Special short cuff glove S	$3.30	$3.62½	$3.92½

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under Section 4 (b)."

(e) This Order No. 52 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12379; Filed, August 15, 1944; 5:06 p. m.]

[RMPR 506, Order 53]

LIVERMORE FALLS GLOVE CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 53 under section 4 (b) of Revised Maximum Price Regulation 506.

Maximum prices for staple work gloves. Granting maximum prices to the Livermore Falls Glove Company and other sellers. Docket No. N6657-506-14-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after August 15, 1944, the Livermore Falls Glove Company, Livermore Falls, Maine, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Livermore Falls Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
113GX	Men's clute cut split leather palm, ¾ leather thumb, 8-ounce flannel back, 5-ounce or heavier palm lining, 4¼" double gauntlet.	$3.70	$4.00	$4.45
216	Men's clute cut split leather palm, full leather thumb and forefinger, "V" type leather finger backs, 8-ounce flannel back, 6-ounce or heavier palm lining, knit wrist.	5.00	5.40	6.02½
216GP	Men's clute cut split leather palm, full leather thumb and forefinger, "V" type leather finger backs, leather pull, 8-ounce flannel back, 6-ounce or heavier palm lining 4½" double (2-ply thickness) gauntlet.	5.65	6.05	6.80
216GPK	Men's clute cut split leather palm, full leather thumb and forefinger, "V" type leather finger backs, leather pull, leather knuckle strap, 8-ounce flannel back, 6-ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	5.85	6.25	7.06
228	Men's extra large clute cut split leather palm full leather thumb, forefinger and little finger, leather fingerbacks to knuckles on middle and third fingers, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	6.50	7.10	7.82½
228GP	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle or middle and third fingers, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	7.15	7.75	8.62½
228GPL	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	7.25	7.85	8.72½
228H	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, full leather patch, covering palm (but not fingers) and ½ thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	7.75	8.35	9.32½
228GPH	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third finger, full leather patch covering palm (but not fingers) and ½ thumb, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	8.40	9.00	10.12½
235	Men's clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	6.15	6.75	7.40
235G	Men's clute cut split leather palm, full leather thumb, forefinger and little finger leather finger backs to knuckle on middle and third fingers, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	6.50	7.10	7.82
235GP	Men's clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, leather pull 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	6.80	7.40	8.20
235GPL	Men's clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	6.90	7.50	8.32½
220	Men's extra large gunn cut split leather palm, full leather thumb and forefinger, leather fingertips, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	5.00	5.40	6.02½
220GL	Men's extra large gunn cut split leather palm, full leather thumb and forefinger, leather fingertips, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproof gauntlet.	5.60	6.00	6.75
220GLPK	Men's extra large gunn cut split leather palm, full leather thumb and forefinger leather fingertips, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	6.10	6.50	7.35
231	Men's gunn cut split leather palm, full leather thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	3.40	3.70	4.10
231G	Men's gunn cut, split leather palm, full leather thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	3.75	4.05	4.53½
231GP	Men's gunn cut, split leather palm, full leather thumb, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	4.05	4.35	4.87½
231GPK	Men's gunn cut split leather palm, full leather thumb, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	4.25	4.55	5.12½
231GPKL	Men's gunn cut split leather palm, full leather thumb, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	4.35	4.65	5.25
231SL	Men's gunn cut split leather palm, full leather thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, waterproofed safety cuff.	3.60	3.90	4.32½
231SLKP	Men's gunn cut split leather palm, full leather thumb, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, waterproofed safety cuff.	4.10	4.45	4.95
231LO	Men's gunn cut split leather palm, full leather thumb, ¾ leather back, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	4.10	4.45	4.95
231SLO	Men's gunn cut split leather palm, full leather thumb ¾ leather back, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, waterproofed safety cuff.	4.20	4.55	5.17½
231GLO	Men's gunn cut split leather palm, full leather thumb, ¾ leather back, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	4.55	4.90	5.47½
260SL	Men's clute cut 8 ounce canton flannel single thickness back and palm, 4" band top.	1.70	1.82½	2.05
600	Men's clute cut 8 ounce canton flannel single thickness back and palm, extra long (9½" or longer back) open top "slip on"	1.45	1.87½	1.75

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The [illegible] RMPR 506 [illegible] tungers' "[illegible] quota of [illegible] at Group [illegible]

(3) The [illegible] requirem[illegible] In addit[illegible] Livermor[illegible] deliveries[illegible] paragrap[illegible] Order, or[illegible] place th[illegible] number [illegible] label, ti[illegible] mark the[illegible]

(c) The [illegible] apply to [illegible]

(d) The [illegible] pany mu[illegible] who, on [illegible] purchase[illegible] bers list[illegible] poses of [illegible] forth belo[illegible] Company [illegible] tomer (o[illegible] that be i[illegible] to his cu[illegible] set forth[illegible] tached to[illegible] or printed[illegible]

This not[illegible] Order No. [illegible] Maximum [illegible] the Offic[illegible] ceiling pri[illegible] glove numb[illegible] low, manu[illegible] Glove Com[illegible] OPA has [illegible] Glove Com[illegible] or below t[illegible] low, subje[illegible] 4 (a) of [illegible] quota of d[illegible] Group I p[illegible] authorized[illegible] sale of the[illegible] listed in C[illegible] mine their[illegible] in accordan[illegible]

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
113GX-8	Men's clute cut split leather palm, ¾ leather thumb, 8-ounce flannel back, 5-ounce or heavier palm lining, 4¼" double gauntlet.	$3.70	$4.00	$4.45
216-8	Men's clute cut split leather palm, full leather thumb and forefinger, "V" type leather finger backs, 8-ounce flannel back, 6-ounce or heavier palm lining, knit wrist.	5.00	5.40	6.02½
216GP-8	Men's clute cut split leather palm, full leather thumb and forefinger, "V" type leather finger backs, leather pull, 8-ounce flannel back, 6-ounce or heavier palm lining 4½" double (2-ply thickness) gauntlet.	5.65	6.05	6.80
216GPK-8	Men's clute cut split leather palm, full leather thumb and forefinger, "V" type leather finger backs, leather pull, leather knuckle strap, 8-ounce flannel back, 6-ounce or heavier flannel palm lining, 4½" double (2-ply thickness) gauntlet.	5.85	6.25	7.06
228-8	Men's extra large clute cut split leather palm full leather thumb, forefinger and little finger, leather fingerbacks to knuckles on middle and third fingers, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	6.50	7.10	7.82½
228GP-8	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle or middle and third fingers, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	7.15	7.75	8.62½
228GPL-8	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	7.25	7.85	8.72½
228H-8	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, full leather patch, covering palm (but not fingers) and ½ thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	7.75	8.35	9.32½
228GPH-8	Men's extra large clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third finger, full leather patch covering palm (but not fingers) and ½ thumb, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	8.40	9.00	10.12½
235-8	Men's clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	6.15	6.75	7.40
235G-8	Men's clute cut split leather palm, full leather thumb, forefinger and little finger leather finger backs to knuckle on middle and third fingers, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	6.50	7.10	7.82
235GP-8	Men's clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, leather pull 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	6.80	7.40	8.20
235GPL-8	Men's clute cut split leather palm, full leather thumb, forefinger and little finger, leather finger backs to knuckle on middle and third fingers, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	6.90	7.50	8.32½
220-8	Men's extra large gunn cut split leather palm, full leather thumb and forefinger, leather fingertips, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	5.00	5.40	6.02½
220GL-8	Men's extra large gunn cut split leather palm, full leather thumb and forefinger, leather fingertips, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproof gauntlet.	5.60	6.00	6.75
220GLPK-8	Men's extra large gunn cut split leather palm, full leather thumb and forefinger leather fingertips, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	6.10	6.50	7.35
231-8	Men's gunn cut split leather palm, full leather thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	3.40	3.70	4.10
231G-8	Men's gunn cut, split leather palm, full leather thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	3.75	4.05	4.53½
231GP-8	Men's gunn cut, split leather palm, full leather thumb, leather pull, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	4.05	4.35	4.87½
231GPK-8	Men's gunn cut split leather palm, full leather thumb, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" double (2 ply thickness) gauntlet.	4.25	4.55	5.12½
231GPKL-8	Men's gunn cut split leather palm, full leather thumb, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	4.35	4.65	5.25
231SL-8	Men's gunn cut split leather palm, full leather thumb, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, waterproofed safety cuff.	3.60	3.90	4.32½
231SLKP-8	Men's gunn cut split leather palm, full leather thumb, leather pull, leather knuckle strap, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, waterproofed safety cuff.	4.10	4.45	4.95
231LO-8	Men's gunn cut split leather palm, full leather thumb, ¾ leather back, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, knit wrist.	4.10	4.45	4.95
231SLO-8	Men's gunn cut split leather palm, full leather thumb ¾ leather back, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, waterproofed safety cuff.	4.20	4.55	5.17½
231GLO-8	Men's gunn cut split leather palm, full leather thumb, ¾ leather back, 8 ounce flannel back, 6 ounce or heavier flannel palm lining, 4½" waterproofed gauntlet.	4.55	4.90	5.47½
260SL-8	Men's clute cut 8 ounce canton flannel single thickness back and palm, 4" band top.	1.70	1.82½	2.05
600-8	Men's clute cut 8 ounce canton flannel single thickness back and palm, extra long (9½" or longer back) open top "slip on"	1.45	1.87½	1.75

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of Section 6 of RMPR 506. In addition to these requirements, the Livermore Falls Glove Company, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this Order, on and after August 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this Order.

(d) The Livermore Falls Glove Company must furnish each of its customers, who, on or after February 7, 1944, purchased or purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Livermore Falls Glove Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 53 under Section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Livermore Falls Glove Company.

OPA has ruled that the Livermore Falls Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of Section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with Section 2 of RMPR 506.

Style No.	Column A — Manufacturer's prices		Column B — Wholesalers' prices
	Group I ceiling	Group II ceiling	
113GX-S	$3.70	$4.00	$4.45
216-S	5.00	5.40	6.02½
216GP-S	5.65	6.05	6.80
216GPK-S	5.85	6.25	7.05
228-S	6.50	7.10	7.82½
228GP-S	7.15	7.75	8.62½
228GPL-S	7.25	7.85	8.72½
228H-S	7.75	8.35	9.32½
228GPH-S	8.40	9.00	10.12½
235-S	6.15	6.75	7.40
235G-S	6.50	7.10	7.82½
235GP-S	6.80	7.40	8.20
235GPL-S	6.90	7.50	8.32½
220-S	5.00	5.40	6.02½
220GL-S	5.60	6.00	6.75
220GLPK-S	6.10	6.50	7.35
231-S	3.40	3.70	4.10
231G-S	3.75	4.05	4.52½
231GP-S	4.05	4.35	4.87½
231GPK-S	4.25	4.55	5.12½
231GPKL-S	4.35	4.65	5.25
2318L-S	3.60	3.90	4.32½
2318LKP-S	4.10	4.45	4.95
231LO-S	4.10	4.45	4.95
2318LO-S	4.30	4.65	5.17½
231GLO-S	4.55	4.90	5.47½
2668L-S	1.70	1.82½	2.05
669-S	1.45	1.87½	1.75

Your will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 53 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

(f) On all deliveries of the work glove numbers listed in paragraph (a) since February 7, 1944 pursuant to OPA adjustable pricing authorizations, The Livermore Falls Glove Company must refund to its customers any monies collected in excess of the ceiling prices authorized in this order. Within thirty days from the effective date of this order, the Livermore Falls Glove Company shall send to OPA, Washington, D. C., a notification of the steps it has taken to comply with the provisions of this paragraph (f) of this order.

This order shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566. Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12280; Filed, August 15, 1944; 5:07 p. m.]

Regional and District Office Orders.

[Augusta Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN AUGUSTA, MAINE, DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Augusta, Maine District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944 show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this Order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Maine District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

PRESCOTT H. VOSE,
District Director.

APPENDIX A—COMBINED BASIC 40 LIST FOR HOTELS AND RESTAURANTS

1. Tomato juice.
2. Fruit cups.
3. Cereal.
4. Two eggs—any style.
5. Ham and two eggs.
6. Coffee.
7. Tea.
8. Milk.
9. Vegetable soup.
10. Fish chowder.
11. Hamburger plate.
12. Frankfurters and potato salad.
13. Hot meat sandwich and potato.
14. Spaghetti with meat sauce.
15. Meat pie.
16. Pot roast and two vegetables.
17. Liver and bacon.
18. Pork chop—1 chop and two vegetables.
19. Baked beans.
20. Vegetable plate.
21. Chicken salad.
22. Schrod with two vegetables.
23. Filet of sole with two vegetables.
24. Mackerel with two vegetables.
25. Ham sandwich.
26. Fried egg sandwich.
27. American cheese sandwich.
28. Ham and American cheese sandwich.
29. Hamburger sandwich.
30. Lettuce and tomato sandwich.
31. Tuna fish salad sandwich.
32. Apple pie.
33. Ice cream.
34. Pudding.
35. Breakfast—tomato juice, toast and coffee.
36. Breakfast—juice, bacon, one egg, toast and coffee.
37. Luncheon—beef stew, with dessert and beverage.
38. Luncheon—mackerel with soup, two vegetables, dessert and beverage.
39. Chicken dinner—soup or juice, two vegetables, dessert and beverage.
40. Schrod dinner with soup or juice, two vegetables, dessert and beverage.

Select for your poster those food items or meals meeting the general descriptions in Appendix A, even if your menus and price list do not describe them exactly as they are described in Appendix A. For example, under No. 14 you will find spaghetti with meat sauce. It may be that your offer is spaghetti and meat cakes. In listing on your poster describe the food item or meal in the form in which it appeared on your base period menus or price list, or if it did not appear, in the form in which you normally offer it. For example, No. 13 is hot meat sandwich. If your most popular offer on your base period menu was hot roast beef sandwich, use the description as it appears on your base period menu.

DRUG AND VARIETY STORE LIST

Cold plates:
1. Egg salad.
2. Tuna fish salad.
3. Vegetable salad.
4. Cold meat salads.
5. Cold cut plates.

Hot dishes:
6. Soups.
7. Beef.
8. Pork.
9. Lamb.
10. Ham.
11. Chicken.
12. Turkey.
13. Fresh fish.
14. Baked beans.

Sandwiches:
15. Ham.
16. Hamburg.
17. Frankfurt rolls.
18. Chicken salad.
19. Egg salad.

Sandwiches—Continued.
20. Vegetable salad.
21. Cheese.
22. Tuna fish salad.
23. Chop suey rolls.
24. Western.
25. Ham or bacon & eggs.

Pastries:
26. Donuts.
27. Deserts.

Sundaes:
28. Plain ice cream.
29. Sundaes (describe each class).
30. Banana splits.
31. Cones.

Beverages:
32. Milk shakes.
33. Coffee.
34. Fresh orangeade.
35. Ice cream sodas.
36. Velvets.
37. Fruit juices.
38. Hot chocolate.
39. Tea.
40. Carbonated beverages.

SMALL RESTAURANT AND DINER LIST

Individual food items:
1. Fruit juices.
2. Toast.
3. Hot cereals.
4. Dry cereals.
5. Muffins.
6. Donuts.
7. Ham and eggs.
8. Bacon and eggs.
9. Eggs—any style.
10. Cheeseburgers.
11. Frankfurts.
12. Hamburgers.
13. Salads.
14. Soups.

Sandwiches:
15. Plain sandwiches.
16. Toasted sandwiches.
17. Club sandwiches.
18. Hot sandwiches.
19. Salad sandwiches.

Desserts:
20. Ice cream.
21. Pies.
22. Cakes.
23. Cookies.

Beverages:
24. Coffee and tea.
25. Milk.
26. Milk shakes.
27. Soft drinks.

Complete meal items:
28. Steaks and chops.
29. Chicken dinner.
30. Roast beef dinner.
31. Roast pork dinner.
32. Hamburg steak dinner.
33. Roast veal.
34. Other hot meat items.
35. Macaroni and cheese.
36. Baked beans.
37. Sausage.
38. Ham.
39. Bacon.
40. Cold meats.

[F. R. Doc. 44-12264; Filed, August 15, 1944; 2:36 p. m.]

[Camden Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN CAMDEN, N. J., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Camden District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order under Appendix A.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Camden District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

T. HAROLD DEMPSEY,
District Director.

APPENDIX A

Appetizer:
1. Tomato juice.
2. Fruit cocktail.
Soup:
3. Vegetable soup.
Egg dishes:
4. Ham and eggs.
5. Two eggs, boiled or fried.
Fish entrees:
6. Filet of flounder.
7. Broiled mackerel.
8. Fish cakes.
Miscellaneous:
9. Chow mein
10. Spaghetti and meat balls.
11. Hot cakes and syrup.
12. Baked beans.
13. Vegetable platter.
14. Cereals—hot or cold with milk.
15. Frankfurters.
Meat entrees:
16. Liver and bacon.
17. Pork chop.
18. Hamburger steak.
19. Pot roast of beef.
20. Roast rib of beef.
21. Roast fresh ham.
22. Corned beef hash.
23. Lamb stew.
24. Beef stew.
Sandwiches:
25. Boiled ham.
26. American cheese.
27. Lettuce and tomato.
28. Hamburger.
29. Ham and cheese.
Salads:
30. Combination.
31. Fruit.
32. Chicken.
Desserts:
33. Apple pie.
34. Ice cream.
Beverages:
35. Coffee (cup).
36. Tea (cup).
37. Milk (half pint).
Meals:
38. Club breakfast—fruit, toast, and coffee.
39. Omelet luncheon (3 courses).
40. Chicken dinner (5 courses).

[F. R. Doc. 44-12265; Filed, August 15, 1944; 2:36 p. m.]

[Erie Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ERIE, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Acting District Director of the Erie, Pennsylvania District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that the items can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasure or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Erie, Pennnylvania District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 Under Restaurant Maximum Price Regulation No. 2, Erie District Office, Region II, have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765., 57 Stat. 566., Pub. Law 383, 78th Cong. E.O. 9250 7 F.R. 7871., E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ALVIN J. WILLIAMS,
Acting District Director.

APPENDIX A

1. Tomato juice.
2. Fruit cocktail.
3. Corn flakes with cream.
4. 2 boiled eggs.
5. Bacon and 2 eggs.
6. Toast.
7. Doughnuts.
8. Griddle cakes.
9. Vegetable soup.
10. Filet mignon.
11. Sirloin steak.
12. Hamburger steak.
13. Pot roast.
14. Breaded veal cutlet.
15. Broiled pork chops.
16. Broiled lamb chops.
17. Beef stew.
18. Spring lamb stew.
19. Calf's liver and bacon.
20. Chicken a la king.
21. Chicken pie.
22. Roast turkey.
23. Fried filet of sole.
24. Broiled mackerel.
25. Vegetable platter.
26. Baked pork and beans.
27. Spaghetti with meat sauce.
28. Chicken salad (luncheon).
29. Apple pie.
30. Ice cream.
31. Ham sandwich.
32. American cheese sandwich.
33. Hamburger sandwich.
34. Hot roast beef sandwich with potatoes and gravy.
35. Coffee per cup or pot.
36. Milk (half pint).
37. Club breakfast (Orange juice, toast and coffee).
38. Luncheon: roast lamb, 2 vegetables, rolls and butter, beverage.
39. 5-course filet sole dinners.
40. 5-course broiled chicken dinners.

[F. R. Doc. 44-12266; Filed, August 15, 1944; 2:37 p. m.]

[Pittsburgh Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN PITTSBURGH, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and

under the authority vested in the District Director of the Pittsburgh, Pennsylvania District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in the Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that the items can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your Local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Pittsburgh, Pennsylvania District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 Under Restaurant Maximum Price Regulation No. 2, Pittsburgh District Office, Region II, have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

ALVIN J. WILLIAMS,
District Director.

APPENDIX A

1. Tomato juice.
2. Fruit cocktail.
3. Corn flakes with cream.
4. 2 boiled eggs.
5. Bacon and 2 eggs.
6. Toast.
7. Doughnuts.
8. Griddle cakes.
9. Vegetable soup.
10. Filet mignon.
11. Sirloin steak.
12. Hamburger steak.
13. Pot roast.
14. Breaded veal cutlet.
15. Broiled pork chops.
16. Broiled lamb chops.
17. Beef stew.
18. Spring lamb stew.
19. Calf's liver and bacon.
20. Chicken a la king.
21. Chicken pie.
22. Roast turkey.
23. Fried filet of sole.
24. Broiled mackerel.
25. Vegetable platter.
26. Baked pork and beans.
27. Spaghetti with meat sauce.
28. Chicken salad (luncheon).
29. Apple pie.
30. Ice cream.
31. Ham sandwich.
32. American cheese sandwich.
33. Hamburger sandwich.
34. Hot roast beef sandwich with potatoes and gravy.
35. Coffee per cup or pot.
36. Milk (half pint).
37. Club breakfast—Orange juice, toast and coffee.
38. Luncheon: Roast lamb, 2 vegetables, rolls and butter and beverage.
39. 5 course filet sole dinners.
40. 5 course broiled chicken dinners.

[F. R. Doc. 44-12267; Filed, August 15, 1944; 2:37 p. m.]

[Scranton Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN SCRANTON, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Scranton District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, Order No. 1 under Restaurant Maximum Price Regulation No. 2 is amended as follows:

1. Section 1 is amended by changing the date for posting from August 16, 1944 to August 21, 1944, and further by adding after the word "meals" in the said section 1 the words "and beverages" so that section 1 as amended shall read as follows:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

2. Section 1 (b) is amended by deleting the word "applicable" from the second line of the said subsection (b) and further by inserting the word "food" before the word item in the fifth line of the said paragraph so that section 1 (b) as amended will read as follows:

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

3. Section 2 is amended by deleting the words August 21, 1944, and substituting therefor August 28, 1944.

4. This order shall become effective August 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

HOWARD F. ORTH,
Acting District Director.

[F. R. Doc. 44-12268; Filed, August 15, 1944; 2:37 p. m.]

[Saginaw Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SAGINAW, MICH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Saginaw District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours. If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the counties comprising the Saginaw District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

J. F. KESSEL,
District Director.

APPENDIX A

A la carte items:
1. Ham sandwich.
2. Egg sandwich.
3. Hamburger sandwich.
4. American cheese sandwich.
5. Hot beef or pork sandwich.
6. Spaghetti (meat sauce) or (meat balls).
7. Potatoes (name kind).
8. Pie—apple.
9. Ice cream.
10. Coffee.
11. Milk.
12. Head lettuce salad.
13. Pudding dessert.
14. Potato salad.
15. Combination salad.

Breakfast items:
16. Orange juice ( ) oz. glass.
17. Half grapefruit.
18. Cereal—with (milk), (cream), (half and half).
19. Two eggs—any style.
20. Bacon and two eggs.
21. Juice, 2 eggs, toast and coffee (combination).
22. Juice, toast and coffee (combination).
23. Toast.
24. Griddle cakes and syrup.
25. Sweet rolls.

Lunch items:
26. Vegetable soup.
27. Meat stew (regular luncheon).
28. Short ribs (regular luncheon).
29. Meat loaf (regular luncheon).
30. Fish—lake trout (regular luncheon).
31. Vegetable plate (regular luncheon).
32. Cold cuts.

Dinner items:
33. Roast beef—pot roast.
34. Roast pork.
35. Fried chicken.
36. Liver and onions or bacon.
37. Steak—name kind.
38. Leg of lamb.
39. Pork chops.
40. Baked ham.

[F. R. Doc. 44-12258; Filed, August 15, 1944; 2:33 p. m.]

[Cincinnati Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN CINCINNATI, OHIO, DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Cincinnati District Office of Price Administration by section 16 of Restaurant Maximum Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all of the 40 items and meals listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items or meals which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items or meals, place on the poster all the items or meals which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree (main dish) and then what you serve with the meal at that price as "calf liver, 2 vegetables, bread and butter, coffee ——¢".

(e) The list of individual items and prices may be printed or hand lettered in ink on the poster in letters ⅜ inch high so that it can be read by your customers at 6 feet. List main dish on meals in same size letters. Other component parts of the meal (items included in the lunch or dinner other than the main dish) may be abbreviated and in smaller size letters.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep the copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board. Erasures or changes of prices listed on the poster are prohibited. The

new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Cincinnati District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of section 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

JOHN E. ROBINSON, Jr.,
District Director.

APPENDIX A

40 BASIC FOOD ITEMS AND MEALS

	Cents
1. Coffee	------
2. Tea (hot)	------
3. Milk (half pint)	------
4. Orange juice	------
5. Toast	------
6. Sweet roll	------
7. Doughnuts	------
8. Griddle cakes and syrup	------
9. 2 ------ eggs [1]	------
10. Fried ham	------
11. Bacon	------
12. Half grapefruit	------
13. Dry cereal—with milk	------
14. ------ Soup [2]	------
15. Boiled ham sandwich	------
16. Hamburger sandwich	------
17. Hot roast beef sandwich	------
18. ------ cheese sandwich [1]	------
19. Baked beans	------
20. Cole slaw	------
21. Fruit salad	------
22. Vegetable salad bowl	------
23. Spaghetti and meat sauce	------
24. Apple pie	------
25. Vanilla ice cream	------
26. Fruit juice, toast and coffee	------
27. Fruit juice or cereal, ham (or bacon) and eggs, toast and coffee	------
28. Soup, dessert and beverage	------
29. ------ liver [3] lunch	------
30. ------ fish [2] lunch	------
31. Hamburger steak lunch	------
32. Vegetable plate lunch	------
33. Frankfurters and kraut lunch	------
34. Roast pork lunch	------
35. Meat stew [2] lunch	------
36. ------ fish [2] dinner	------
37. Roast beef dinner	------
38. Pork chops dinner	------
39. ------ chicken [1] dinner	------
40. Steak [2] dinner	------

[1] Specify style.
[2] Specify kind.
[3] Calf or beef.

List a la carte items first. In listing meals, list the entree (main dish) and substitute for the words "dinner" or "lunch" what you serve with the main dish at the list price as "calf liver, 2 vegetables, bread and butter, coffee, ------¢"

Items 1 to 25 inclusive are a la carte
Items 26 and 27 are breakfast combinations
Item 28 is a luncheon combination
Items 29 to 40 inclusive are meals
Items 29 to 35 inclusive are lunches
Items 36 to 40 inclusive are dinners

In listed lunches (27–35 inclusive) and dinners (36–40 inclusive), list main dish in large type. You may list items included in the dinners and lunches other than the main dish as vegetables, salads, bread and butter, dessert, coffee, etc., by abbreviation or in smaller type.

Item 27 may be listed in smaller type in order that the wording may all be inserted in the available space provided on the poster.

[F. R. Doc. 44-12269; Filed, August 15, 1944; 2:37 p. m.]

[Columbus Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN COLUMBUS, OHIO, DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Columbus District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Columbus District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

JOHN H. SUMMERS,
District Director.

APPENDIX A—FORTY BASIC ITEMS

1. Orange juice.
2. Fruit cup or cocktail.
3. Dry cereal, with milk or cream.
4. Fried egg.
5. Doughnuts.
6. Toast.
7. Griddle cakes.
8. Soup (designate kind).
9. Steak (designate kind).
10. Roast beef.
11. Hamburger.
12. Veal cutlet.
13. Pork chops.
14. Roast lamb.
15. Baked ham.
16. Beef stew.
17. Liver and onions (or bacon).
18. Chicken (designate kind).
19. Jack salmon or pickerel.
20. Haddock.
21. Vegetable plate.
22. Spaghetti (with or without meatballs).
23. Baked beans.
24. Mashed potatoes.
25. Head lettuce.
26. Slaw.

27. Bacon (or Ham) and eggs.
28. Vegetable salad bowl.
29. Apple pie.
30. Chocolate cake.
31. Vanilla ice cream.
32. Half grape fruit.
33. Plain jello.
34. Boiled ham sandwich (without garnish).
35. American cheese sandwich.
36. Hamburger sandwich.
37. Assorted cold cuts.
38. Hot roast beef sandwich.
39. Coffee.
40. Milk.

[F. R. Doc. 44-12254; Filed, August 15, 1944; 2:33 p. m.]

[Detroit Order G-1 Under Restaurant MPR 2]

Posting Requirements in Detroit, Mich. District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Detroit District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, roast pork dinner, leg of lamb dinner, baked lake trout, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price & Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price & Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price & Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Detroit District of the Office of Price Administration, which includes the following counties of the State of Michigan: Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne.

Sec. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 8 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of Order No. G-1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

W. E. Fitzgerald,
District Director.

Appendix A

Table 1

If you operate an eating or drinking establishment, you must post and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board the following items and your ceiling prices therefor:

1. Orange juice.
2. Half grapefruit.
3. Two eggs, fried.
4. Bacon and two fried eggs.
5. Ham and two fried eggs.
6. Toast.
7. Griddle cakes.
8. Vegetable soup.
9. Creamed chicken.
10. Hamburger steak.
11. Meat loaf.
12. Beef stew.
13. Vegetable plate.
14. Roast beef.
15. Breaded veal cutlet.
16. Fried chicken.
17. Liver and onions (or bacon).
18. Baked lake trout.
19. Hamburger sandwich.
20. Ham sandwich.
21. American cheese sandwich.
22. Fried egg sandwich.
23. Spaghetti with meat sauce.
24. Baked beans.
25. Potatoes, mashed.
26. Potatoes, American fried.
27. Head lettuce.
28. Chow mein.
29. Chop suey.
30. Roast pork.
31. Pork chop(s).
32. Pot roast.
33. Roast lamb.
34. Apple pie.
35. Ice cream.
36. Gelatin dessert.
37. Doughnuts.
38. Coffee.
39. Milk.
40. Tea.

Note: If you are not offering one of the above items as an a la carte item, for example, roast beef, you should specify the class of meal following your listing of the entree, for example, dinner.

[F. R. Doc. 44-12255; Filed, August 15, 1944; 2:33 p. m.]

[Des Moines Order G-1 Under Restaurant MPR 2]

Posting Requirements in Des Moines, Iowa, District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Des Moines, Iowa District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is multilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Des Moines District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

SEC. 6. *Appendix A.* The following are the 40 items required to be posted in accordance with the requirements of this order:

SPECIAL NOTICE: Before preparing this chart, read carefully section 1 of this posting order, paragraphs (a) to (f), inclusive.

A la carte:
1. Vegetable juice (state kind).
2. Fruit juice (state kind).
3. Soup of the day.
4. French fried potatoes.
5. Steak (state kind) list items served with it.
6. Combination vegetable salad, list items served with it.

Sandwiches:
7. Ham sandwich.
8. American cheese sandwich.
9. Hamburger sandwich.
10. Frankfurter sandwich.
11. Fried egg sandwich.
12. Hot sandwich (state kind of meat) List items served with it.

Breakfast items:
13. Hot cereal (state whether served with milk, cream or half-and-half).
14. Cold cereal (state whether served with milk, cream or half-and-half).
15. Hot cakes with butter and syrup.
16. Hot cakes and sausage.
17. Two fried eggs.
18. Ham and eggs.
19. Buttered toast.

Meals. State opposite each entree whether your listed price is for lunch or dinner. Also, on the items marked with an asterisk (*), state specifically the kind, (as "roast beef, prime rib") or ("roast beef, rump," "meat stew, lamb", "meat hash, beef" etc.). In the space below each entree list the items you serve with it.

20. Roast beef.*
21. Roast pork.*
22. Baked ham.
23. Pork chops (state number).
24. Fried chicken.
25. Roast turkey.
26. Fish.*
27. Hamburger steak.
28. Meat loaf.
29. Meat stew.*
30. Meat hash.*
31. Cold meat cuts and salad.
32. Baked spaghetti (or macaroni).
33. Vegetable plate.
34. Baked beans.

Beverages:
35. Coffee (state whether per pot or per cup).
36. Tea (state whether per pot or per cup).
37. Milk.

Desserts:
38. Apple pie.
39. Lemon meringue pie.
40. Plain ice cream.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

WALTER D. KLINE,
Acting District Director.

[F. R. Doc. 44-12257; Filed, August 15, 1944; 2:34 p. m.]

[Spokane Order 12-B Under MPR 426]

CANTALOUPES IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said Method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

	Per unit of sale	
	Standard crate of 68 pounds	Per pound
(a) Commodity: Cantaloupes		
(b) Basing Point: Mandota, Calif.		
(c) Wholesale receiving point: Spokane, Wash.		
(d) Method of transportation: Carlot	-	
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.93 per cwt.		
(f) Freight charge by method (d)	$0.63	
(g) Basing-point cost	2.30	
(h) Protective services	.34	
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.27	$0.067

This order shall become effective August 1, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12270; Filed, August 15, 1944; 2:39 p. m.]

[Spokane Order 13-B Under MPR 426]

CANTALOUPES IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the

basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

	Per unit of sale	
	Standard crate of 68 pounds	Per pound
(a) Commodity: cantaloupes		
(b) Basing Point: Mendota, Calif.		
(c) Wholesale receiving point: Walla Walla, Wash		
(d) Method of transportation: carlot		
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.93 per cwt		
(f) Freight charge by method (d)	$0.63	
(g) Basing-point cost	2.30	
(h) Protective services	.34	
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.27	$0.0477

This order shall become effective August 1, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12271; Filed, August 15, 1944; 2:39 p. m.]

[Spokane District Order 14-B Under MPR 426, As Amended]

CANTALOUPES IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point: in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing point: Mendota, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: Carlot to Spokane—LCL Wallace.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.45 per cwt.

	Per unit of sale	
	Standard crate of 68 pounds	Per pound
(f) Freight charge by method (d)	$0.98	
(g) Basing-point cost	2.30	
(h) Protective services	.34	
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.62	$0.053

This order shall become effective August 1, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12256; Filed, August 15, 1944; 2:34 p. m.]

[Spokane Order 15-B Under MPR 426]

CANTALOUPES IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing Point: Mendota, Calif.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot to Spokane—LCL Pullman.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.35 per cwt.

	Per unit of sale	
	Standard crate of 68 pounds	Per pound
(f) Freight charge by method (d)	$0.92	
(g) Basing-point cost	2.30	
(h) Protective services	.34	
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.56	$0.052

This order shall become effective August 1, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12259; Filed, August 15, 1944; 2:34 p. m.]

[Spokane Order 16-B Under MPR 426]

CANTALOUPES IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With

respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Cantaloupes.
(b) Basing Point: Mendota, Calif.
(c) Wholesale receiving point: Kennewick, Wash.
(d) Method of transportation: Carlot to Walla Walla—LCL Kennewick.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.25 per cwt.

	Per unit of sale	
	Standard crate of 68 pounds	Per pound
(f) Freight charge by method (d)	$0.85	
(g) Basing-point cost	2.39	
(h) Protective services	.24	
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.49	$0.05

This order shall become effective August 1, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12260; Filed, August 15, 1944; 2:35 p. m.]

[Spokane Order 17-B Under MPR 426]

PLUMS IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Plums 4 (4 x 5 size) baskets in crate.
(b) Basing Point: Sacramento, Calif.
(c) Wholesale receiving point: Wallace, Idaho.
(d) Method of transportation: Carlot to Portland—LCL Wallace.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.72 per cwt.

	Per unit of sale	
	Per crate of 33 lbs. gross	Per lb. graded and packed
(f) Freight charge by method (d)	$0.55	$0.0172
(g) Basing-point cost	2.88	.1030
(h) Protective services	.04	.0033
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.47	.1235

NOTE: Adjust price for other sizes as given in Amendment 44 to MPR 426.

This order shall become effective August 3, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12261; Filed, August 15, 1944; 2:35 p. m.]

[Spokane Order 18-B Under MPR 426]

PLUMS IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Plums 4 (4 x 5 size) baskets in crate.
(b) Basing point: Sacramento, Calif.
(c) Wholesale receiving point: Pullman, Wash.
(d) Method of transportation: Carlot to Portland—LCL to Pullman.
(e) Freight rate by Method (d) from basing point to wholesale receiving point: $1.58 per cwt.

	Per unit of sale	
	Per crate of 32 pounds gross	Per pound graded and packed
(f) Freight charge by method (d)	$0.49	$0.0153
(g) Basing-point cost	2.88	.1030
(h) Protective services	.04	.0033
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.41	.1213

NOTE: Adjust price for other sizes as given in Amendment 44 to MPR 426.

This order shall become effective August 3, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12262; Filed, August 15, 1944; 2:35 p. m.]

[Spokane Order 19-B Under MPR 426]

PLUMS IN SPOKANE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426 as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X," there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X," there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing-point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Plums 4 (4 x 5 size) baskets in crate.
(b) Basing Point: Sacramento, Calif.
(c) Wholesale receiving point: Lewiston, Idaho.
(d) Method of transportation: Carlot to Portland—LCL to Lewiston.
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.53 per cwt.

	Per unit of sale	
	Per crate of 32 pounds gross	Per pound graded and packed
(f) Freight charge by method (d)	$0.49	$0.0153
(g) Basing-point cost	2.88	.1030
(h) Protective services	.04	.0033
(i) Maximum price in wholesale receiving point (sum of "f," "g," and "h")	3.41	.1213

NOTE: Adjust price for other sizes as given in Amendment 44 to MPR 426.

This order shall become effective August 3, 1944, and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-12263; Filed, August 15, 1944; 2:35 p. m.]

[Region VIII Order G-2 Under MPR 425, Amdt. 1]

FRESH FRUITS, BERRIES, AND VEGETABLES IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by section 15 (b) of Maximum Price Regulation 425, *It is hereby ordered*, That paragraph (a) of Order No. G-2, issued under section 15 (b) of Maximum Price Regulation 425, be amended to read as follows:

(1) That in the case of black raspberries produced in the area surrounding the town of Scholls in the State of Oregon, the definitions of "delivered to customary receiving points" in section 3, and of "customary receiving point" in section 4 do not apply, and that for the producing area surrounding the town of Scholls in the State of Oregon, processor's customary receiving points are the places, where in the past, they have customarily received the raw materials, whether or not they maintain facilities for grading, weighing, repacking, and loading onto their own conveyances at those points.

(2) That in the case of apples produced in Oregon and Washington, the definitions of "delivered to customary receiving points" in section 3, and of "customary receiving point" in section 4 do not apply, and that for this area processor's customary receiving points are the places where in the past they have customarily received the raw materials, whether or not they maintain facilities for grading, weighing, repacking, and loading onto their own conveyances at those points.

(b) This amendment may be revoked, amended, or corrected at any time.

This amendment shall become effective August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-12272; Filed, August 15, 1944; 2:39 p. m.]

[Region V, Order G-3 Under MPR 251]

PLUMBING AND HEATING SERVICES IN ENID, OKLA.

Order No. G-3 under Maximum Price Regulation 251. Plumbing and heating services pertaining to non-federal construction projects.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region V, Dallas, Texas, by § 1397.68 (b) of Maximum Price Regulation No. 251; *It is ordered:*

(a) Any seller who supplies plumbing and heating services on non-federal construction projects which are subject to Maximum Price Regulation No. 251, may increase his maximum prices under said regulation for such services by an amount not to exceed 20¢ per hour, if and when the following conditions have been met:

(1) The hourly rate does not exceed the conditions set forth in the order of the War Adjustment Board granting permission to increase wages.

(2) The seller performs the work described above within the metropolitan area of Enid, Oklahoma.

(3) The seller employs laborers who are authorized by the War Adjustment Board in Case No. 3171 to receive the hourly rate specified in the order, and actually pays them such authorized wages.

(b) Any person determining maximum prices subject to this order shall submit such reports as the Office of Price Administration from time to time may require.

(c) This Order No. G-3 is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(d) This Order No. G-3 shall become effective August 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-12293; Filed, August 16, 1944; 9:34 a. m.]

[Region VI, Order G-16 Under RMPR 122, Appendix 4]

SOLID FUELS IN PEORIA, ILL., AREA

Appendix No. 4 to Order No. G-16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Peoria, Illinois Area.

(a) *Applicability.* This Appendix No. 4 applies to sales of solid fuels made by dealers and truckers in the Peoria Area. The term "Peoria Area" as used in this Appendix refers to the area within the city limits of Peoria, East Peoria, Bartonville, and Peoria Heights, Illinois.

(b) *Price schedule.* Immediately below and as a part of this paragraph (b) is a price schedule that sets maximum prices for domestic delivered sales of specified kinds and sizes of solid fuels in lots of two tons or more. Discounts for delivery at yard are set forth in paragraph (e) of this appendix.

	Domestic delivered cash price 2-ton lots per ton
I. Low Volatile Bituminous Coal from District No. 7. (Southern W. Va. and Va.):	
1. Egg—Price Classification A	$10.75
2. Stove—(top size larger than 1¼" not exceeding 3"; bottom size smaller than 3") Price Classification A	10.65
3. Pea—(double screened; top size not exceeding ¾"; bottom size less than ¾") Price Classification A	9.50
II. High Volatile Bituminous Coal from District No. 8 (Eastern Ky., Northern Tennessee, parts of Va. and W. Va.):	
1. Lump—Size Groups Nos. 1 and 2 (4" and larger) in Price Classification D-F, and Egg, Size Group No. 5 (Including 6" x 3") in Price Classifications B-E:	
a. From mines in Subdistrict No. 6 (Southern Appalachian)	10.00
b. From all other mines in above classifications	9.75
2. Lump, Size Group Nos. 1 and 2, in Price Classifications K-S, and Egg, Size Group No. 5, in Price Classifications G-N	9.50
3. Stoker, Size Group No. 10, (Double screened, top size not exceeding 1¼") Price Classifications B-E	9.40

	Domestic delivered cash price 2-ton lots per ton
III. High Volatile Bituminous Coal from District No. 10 (Illinois):	
A. Southern Subdistrict:	
1. Egg, Size Group Nos. 2 and 3 (Minimum top size 3"; minimum bottom size larger than 2")	$8.00
2. Prepared Stoker, Size Group Nos. 22 and 28 (including ¾" x 10 mesh and ⅛" x 10 mesh)	7.90
3. Screenings, Size Group Nos. 24 and 27—Washed or Dedusted (Screenings including 1¼" top size)	6.60
B. Central Subdistrict — Price Group No. 12:	
1. Egg, Size Group No. 2 (Including 6" x 4", 7" x 4")	5.80
2. Stoker Nut, Size Group No. 20 (Including ¾" x ⅛")	6.15
C. Fulton-Peoria Subdistrict:	
1. No. 5 Seam, Lump and Egg, Size Group Nos. 1, 2, and 3 (Bottom size larger than 2";) Egg (minimum top size 3", minimum bottom size larger than 2") Price Group No. 24	5.25
2. No. 6 Seam, Lump, Size Group No. 1 (Larger than 4") Price Group Nos. 27 and 28	5.80
3. No. 6 Seam, Egg, Size Group No. 5 (Including 4" x 2") Price Group Nos. 27 and 28	5.55
4. No. 6 Seam, Stoker Nut, Size Group Nos. 18, 19, and 20 (Maximum top size 1½", minimum bottom size larger than 10 mesh or ⅛") Price Group Nos. 27 and 28	6.15
5. No. 6 Seam, Stoker Nut, Size Group Nos. 18, 19, and 20 (For dimensions see III–C–4 above) Price Group No. 24	5.10
6. No. 5 Seam, Washed Screenings, Size Group No. 24 (Including 1¼" x 0) Price Group No. 24	4.50
IV. High Volatile Bituminous Coal from District 11 (Indiana)	
A. Linton Sullivan Subdistrict:	
1. Block or Lump, Size Group No. 1 (Larger than 4") Price Group No. 16	7.70
V. Coke, By-Product	14.85

(c) *Service and other charges.* Immediately below and as a part of this paragraph (c) is a schedule of charges that sets forth prices which a dealer may charge for the special services or conveniences described, when rendered in connection with sales of solid fuel covered by this appendix. These charges may be made only if the buyer requests the service or convenience and the dealer renders it pursuant to the request. The charges shall be separately stated in the dealer's invoice.

SCHEDULE OF CHARGES AND CONVENIENCES

(1) Wheel or carry from curb	$0.50 per ton.
(2) Trimming	$0.75 per 4-ton load.
(3) Carry up or down stairs	$1.00 per ton.
(4) For any credit sale, that is, a sale where the purchase price is not paid at the time the fuel is delivered	$0.50 per ton.
(5) For any delivered sale of solid fuels less than 2 tons	$0.50 per ton.

(d) *Charge for treatment of coal.* Whenever any dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add to the applicable maximum price set by this Appendix No. 4 a treatment charge not in excess of 10¢ per ton. When a treatment charge is made pursuant to this section, the dealer's invoice shall clearly indicate that the fuel that is the subject of the sale has been dust treated and that a charge is being made therefor.

(e) *Discounts for delivery at yard.* The maximum prices provided for in this Appendix are reduced by 50¢ per ton if delivery is made at the yard of the dealer.

(f) *Revocation of Regional Order G–1 under Maximum Price Regulation No. 122.* Order G–1 under Maximum Price Regulation No. 122 (formerly designated as Regional Order No. 5) issued December 12, 1942, is hereby revoked.

This Appendix No. 4 to Order No. G–16 shall be effective August 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–12290; Filed, August 16, 1944; 9:34 a. m.]

[Region VIII, Order G–1 Under § (e) (2)]

WEDGEWOOD COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. G–1 under § 1499.3 (e) (2) of the General Maximum Price Regulation. Order establishing maximum prices for certain retailers located in Region VIII for sale of Wedgewood Gas Range No. 5186A.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price at which retailers located in that portion of the State of California north of the southern boundaries of the counties of Inyo, Tulare, Kings and San Luis Obispo, whose maximum price would otherwise be established under section 3 (a) or section 3 (c) of the General Maximum Price Regulation, may sell and deliver Wedgewood Gas Range No. 5186A shall be $132.00 including the Federal Excise Tax, less discounts, allowances and price differentials no less favorable than those customarily granted by the seller.

(b) The maximum price herein established includes installation services and all other services customarily furnished by the seller on sales of similar commodities during March 1942.

(c) This order may be amended, corrected or revoked at any time.

(d) This order shall become effective August 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–12294; Filed, August 16, 1944; 9:41 a. m.]

[Region VIII Order G–2 Under § (e) (2)]

WEDGEWOOD COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. G–2 under § 1499.3 (e) (2) of the General Maximum Price Regulation. Order establishing maximum prices for certain retailers located in Region VIII for sale of Wedgewood Gas Range No. 5186A.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The maximum price at which retailers located in that portion of the State of California south of the northern boundaries of San Bernardino and Kern counties and in all portions of the State of Arizona except those portions in Coconino and Mojave counties lying north of the Colorado River, whose maximum price would otherwise be established under section 3 (a) or section 3 (c) of the General Maximum Price Regulation, may sell and deliver Wedgewood Gas Range No. 5186A shall be $124.00 including the Federal Excise Tax, less discounts, allowances and price differentials no less favorable than those customarily granted by the seller.

(b) The maximum price herein established includes installation services and all other services customarily furnished by the seller on sales of similar commodities during March 1942.

(c) This order may be amended, corrected or revoked at any time.

(d) This order shall become effective August 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–12295; Filed, August 16, 1944; 9:41 a. m.]

[Connecticut Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN CONNECTICUT DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Connecticut District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 23, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) Choose from the tables in Appendix A the table for your type of establishment. List on the poster the items which you offer which are in this table, placing them on the poster in the order in which they appear in the table, with your ceiling price for each item. Then to bring the total number to 40, add items offered by you which are listed in the other tables, beginning with Table I if you have not already used this table; place the items on the poster in the order in which they appear in the table, and show your ceiling price for each item.

(b) If you cannot find in Appendix A as many as 40 items offered by you, then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver them to your local War Price and Rationing Board on or before August 30, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Connecticut District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

SEC. 6. *Appendix A.*

TABLE 1

If you operate an establishment, other than a Chinese, Italian or seafood restaurant, or a soda fountain, use this table. Then use any other table.

Orange juice	$
2 doughnuts—coffee	$
Juice—Ham and 1 egg—Toast—Coffee	$
Juice—wheatcakes and sausage—Toast—Coffee	$
Bacon and eggs	$
Plain omelette	$
Coffee—cup $, Pot	$
Tea—Cup $, Pot	$
Milk—glass	$
Vegetable soup—cup $, Bowl	$
Cold cuts and potato salad	$
Liver and bacon and potatoes	$
Frankfurters and beans	$
Tuna fish salad	$
Chicken salad	$
Egg salad	$
Shrimp cocktail	$
Clam cocktail	$
Fruit cup	$
Broiled lobster	$
Sirloin steak	$
Hamburger steak	$
Chicken a-la king	$
Apple pie	$
Ice cream	$
Plain cake	$
Jello	$
Hot chicken sandwich	$
Hot roast beef sandwich	$
Egg salad sandwich	$
Lettuce and tomato sandwich	$
Grilled cheese sandwich	$
Roast beef luncheon (3 course)	$
Roast chicken luncheon (3 course)	$
Fried scallops luncheon (3 course)	$
Filet of sole dinner (4 course)	$
Roast turkey dinner (4 course)	$
Small steak dinner (4 course)	$
2 pork chops dinner (4 course)	$

TABLE 2

If you operate a soda fountain, use this table first. Then use Table 1.

Tomato juice	$
Toast	$
Pastry	$
Tuna fish sandwich	$
Ham sandwich	$
Cheese sandwich	$
Ham and cheese sandwich	$
Frankfurter sandwich	$
Fried egg sandwich	$
Ham and egg sandwich	$
Hamburger sandwich	$
Salmon salad sandwich	$
Ham salad sandwich	$
Liverwurst sandwich	$
Ice cream cones—single $, double	$
Plain soda—small $, large	$
Ice cream soda	$
Milk shake	$
Malted milk shake	$
Fresh fruit drinks	$
Egg milk shake	$
Milk float	$
Fruit sundaes	$
Fudge sundaes	$
Plain ice cream	$
Small bottled soft drinks	$
Hot chocolate	$

TABLE 3

If you operate a Chinese restaurant, use this table first. Then use Table 1.

Chicken soup with egg	$
Fried boneless chicken (Chinese style)	$
Pork chop suey	$
Chicken chop suey	$
Mo-goo chop suey	$
Egg foyoung	$
Fried rice with meat	$
Egg rolls	$
Chicken egg foyoung	$
Sub gum chop suey luncheon (3 course)	$
Chicken chow mein luncheon (3 course)	$
Pork foyoung luncheon (3 course)	$
Chicken sub gum chow mein dinner (4 course)	$
Pork & green peppers dinner (4 course)	$
Fried beef steak with peppers dinner (4 course)	$

TABLE 4

If you operate an Italian restaurant, use this table first. Then use Table 1.

Minestrone	$
Italian antipaste	$
Pizza	$
Spaghetti—meat sauce	$
Spaghetti—butter sauce	$
Italian salad	$
Spomoni	$
Tortoni	$
Ravioli	$
Chicken cassiatore	$
Veal scallopina luncheon (3 course)	$
Spaghetti—meat balls luncheon (3 course)	$
Chicken & spaghetti dinner (4 course)	$
Italian sausage dinner (4 course)	$

TABLE 5

If you operate a Seafood Restaurant, use this table first. Then use Table 1.

Sea food cocktail	$
Clam chowder	$
Lobster stew	$
Lobster newburg	$
Broiled mackerel	$
Lobster salad	$
Salmon salad	$
Broiled lobster	$
Broiled stripe bass	$
Baked finnan haddie luncheon (3 course)	$
Fried smelts luncheon (3 course)	$
Broiled lobster dinner (4 course)	$
Broiled halibut dinner (4 course)	$
Fried clams dinner (4 course)	$

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57th Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

ANTHONY F. ARPAIA,
State Director.

[F. R. Doc. 44–12291; Filed, August 16, 1944; 9:39 a. m.]

[Charlotte Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN CHARLOTTE, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Charlotte District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Charlotte District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

JAMES J. KILROY,
Acting District Director.

APPENDIX A

Appetizer:
1. Tomato juice, small ——, large ——.
2. Orange juice, small ——, large ——.

Soup:
3. Chicken broth.
4. Vegetable soup.

Egg dishes:
5. Bacon and eggs.
6. Two eggs, any style.

Fish entrees:
7. Broiled mackerel.
8. Fried haddock.
9. Oyster stew—milk.

Meat entrees:
10. Pork chops.
11. Hamburger steak.
12. Pot roast beef.
13. Roast pork.
14. Beef stew.
15. ½ fried chicken.
16. Country style steak.
17. Veal cutlet.
18. Spaghetti and meat balls.
19. Country sausage.
20. Baked ham.
21. Chicken pie.

Sandwiches:
22. Ham.
23. Lettuce, tomato and bacon.
24. Hamburger.
25. Hot dog.

Salads:
26. Combination vegetable.
27. Potato.
28. Chicken.

Miscellaneous:
29. Hot cakes and syrup.
30. Cereals—hot or cold with cream.

Beverages:
31. Coffee per cup.
32. Milk, ½ pint.

Desserts:
33. Pie.
34. Ice cream.

Breakfast, with toast and coffee:
35. Cereal (or fruit).
36. Cereal (or fruit), one egg and bacon.

Luncheo, with bread and drink:
37. Roast beef, two vegetables.
38. Beef stew, two vegetables and dessert.

Special dinners:
39. Fried chicken, three courses.
40. Baked ham, three courses.

[F. R. Doc. 44-12286; Filed, August 16, 1944; 9:37 a. m.]

[South Carolina Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SOUTH CAROLINA DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the South Carolina District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for ex-

amination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the South Carolina District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

EDWARD H. TALBERT,
District Director.

APPENDIX A

You must post and submit the list as required by section 1 and 2 of this posting order of the following items and your ceiling prices therefor.

1. Apple pie, per cut.
2. Bread and butter.
3. Business man's lunch (consisting of meat or fish, two vegetables, salad, bread and butter, coffee or tea and dessert).
4. Buttermilk, per glass.
5. Cabbage slaw.
6. Cheeseburger sandwich.
7. Chicken salad.
8. Chicken soup.
9. Clam chowder.
10. Coffee, per cup.
11. Dry breakfast cereals with cream.
12. Dry breakfast cereals with milk.
13. Egg salad sandwich.
14. Fried chicken dinner and French-fried potatoes.
15. Fruit juice, small glass.
16. Fruit juice, large glass.
17. Half grapefruit.
18. Hamburger sandwich.
19. Hot cakes with syrup.
20. Hot roast beef or pork sandwich.
21. Hot tea, per cup.
22. Ice cream.
23. Iced tea.
24. Large steak and potatoes.
25. Lettuce and tomato sandwich.
26. Medium steak and potatoes.
27. Milk—sweet, per glass.
28. Oyster cocktail.
29. Plain omelet.
30. Pork chops.
31. Potato salad.
32. Shrimp cocktail.
33. Small steak and potatoes.
34. Spaghetti with meat balls and sauce.
35. Tomato juice.
36. Two eggs, fried or scrambled.
37. Two eggs, ham or bacon, toast and coffee.
38. Tomato soup.
39. Vegetable soup.
40. Waffles with syrup.

[F. R. Doc. 44-12287; Filed, August 16, 1944; 9:36 a. m.]

[Green Bay Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN GREEN BAY, WIS., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Green Bay District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Green Bay District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

JOHN C. REINHART,
District Director.

APPENDIX A

Beverage:
1. Coffee (_____¢) Milk (_____¢).

Appetizer:
2. Fruit juice.
3. Vegetable juice.

Breakfast:
4. Hot cereal with milk (_____¢) with cream (_____¢).
5. Dry cereal with milk (_____¢) with cream (_____¢).
6. Eggs 2 any style.
7. Bacon and eggs.
8. Toast.
9. Griddle cakes, maple syrup.

Soup:
10. Soup, cup (_____¢) bowl (_____¢).
11. Chili.

Meat entrees:
12. Hamburger steak.
13. Liver and bacon.
14. Veal chops.
15. Lamb chops.
16. Pork chops.
17. Beef stew.
18. Pork roast.
19. Beef roast (designate kind)
20. Meat loaf.
21. Chicken, designate fried, roast, or stew.
22. Chicken pie.
23. Meat pie.
24. Baked ham.

Sandwiches:
25. Ham and eggs.
26. Cheese.
27. Egg.
28. Chicken (designate kind).
29. Hamburger.
30. Denver.
31. Boiled ham.
32. Lettuce, bacon and tomato.
33. Cold beef or pork.
34. American fried potatoes (_____¢) French fried (_____¢).

Salads:
35. Combination salad.
36. Head lettuce salad.
37. Fruit salad.

Desserts:
38. Ice cream (_____¢) Ices (_____¢).
39. Jello.
40. Pudding.

[F. R. Doc. 44-12280; Filed, August 16, 1944; 9:36 a. m.]

[Duluth-Superior Order 1, Under Restaurant MPR 2]

Posting Requirements in Duluth-Superior, Minn.-Wis., District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Duluth-Superior District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Duluth-Superior District of the Office of Price Administration.

Sec. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

Patrick A. Burke,
District Director.

Appendix A

Our ceiling prices as filed with the War Price and Rationing Board No. _____, Address_____

1. Tomato or fruit juice.
2. Fruit cocktail.
3. Soup du jour.
4. Bacon or ham and eggs.
5. Two eggs, any style.
6. Lake Superior trout.
7. Pike.
8. Fish cakes.
9. Liver and bacon.
10. Pork chop.
11. Hamburger steak.
12. Roast beef.
13. Roast pork or ham.
14. Corned beef hash or any meat hash.
15. Lamb stew or any meat stew.
16. Ham sandwich.
17. Ham and egg or bacon and egg (sandwich).
18. American cheese (sandwich).
19. Cream cheese and jelly (sandwich).
20. Lettuce and tomato (sandwich).
21. Hamburger (sandwich).
22. Ham and cheese (sandwich).
23. Fish salad (sandwich).
24. Hot meat sandwich.
25. Combination salad.
26. Fruit salad.
27. Hot cakes and syrup.
28. Baked spaghetti or macaroni.
29. Pork and beans.
30. Vegetable plate.
31. Cereals—hot or cold.
32. Toast or sweet roll.
33. Apple pie.
34. Ice cream.
35. Coffee.
36. Tea.
37. Milk.
38. Club breakfast—fruit, toast, and coffee.
39. Omelet luncheon (3 courses).
40. Chicken dinner (5 courses).

Name _____
Address _____
Signed by _____
(Owner or manager)

[F. R. Doc. 44-12288; Filed, August 16, 1944; 9:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-929]

Pennsylvania Gas & Electric Corp., et al.

Notice of Filing and Order for Hearing

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of August 1944.

In the matter of Pennsylvania Gas & Electric Corporation, the Petersburg & Hopewell Gas Company, the Old Dominion Gas & Electric Corporation; File No. 70-929.

Notice is hereby given that declarations and applications have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the act") by Pennsylvania Gas & Electric Corporation ("Pennsylvania"), a registered holding company, and by The Petersburg & Hopewell Gas Company ("Petersburg") and The Old Dominion Gas & Electric Corporation ("Old Dominion"), both subsidiaries of Pennsylvania. All interested persons are referred to said documents which are on file in the office of this Commission for a full statement of the transactions therein proposed which may be summarized as follows:

1. Pennsylvania proposes to donate to Petersburg all of the capital stock (5,000 shares) of Old Dominion and the open account indebtedness of $132,000 now owed to Pennsylvania by Old Dominion. Petersburg will thereupon acquire the assets and assume the indebtedness of Old Dominion in connection with the liquidation and dissolution of the latter company.

2. Petersburg proposes to issue and sell $200,000 principal amount of First Mortgage Bonds bearing interest of 3¼% per annum and maturing September 1, 1969,

such bonds to be secured by First Mortgage on all physical properties now owned or hereafter acquired by Petersburg, including properties to be acquired from Old Dominion. It is proposed that such bonds be sold privately at a price of 100% to John Hancock Mutual Life Insurance Company. The proceeds of the sale of such bonds (less expenses incident to their sale) are to be used (a) to redeem all outstanding preferred stock of Petersburg, consisting of 1,493 shares of 6% cumulative preferred stock of $100 par value, at the redemption price of $105 per share and accrued dividends and (b) to pay for construction of and improvements to facilities needed in rendering service.

3. Petersburg proposes to amend its charter so as to eliminate any authorized preferred stock and to provide for a single class of capital stock, consisting of 55,000 shares of $10 par value, such new capital stock to be issued by Petersburg to Pennsylvania in exchange for the 5,500 shares of Petersburg's common stock of $100 par value now owned by Pennsylvania.

The filings state that applications are pending before the State Corporation Commission of Virginia seeking authorization to effect the various transactions herein described. Both Old Dominion and Petersburg are incorporated in, and do business solely within, the State of Virginia.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect of the transactions proposed in the above declarations and applications; and that the declarations shall not become effective nor the applications be granted except pursuant to further order of the Commission:

It is ordered, That a hearing under the applicable provisions of the Act and the rules of the Commission thereunder be held on the 6th day of September 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before September 2, 1944.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act, and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by this proceeding, attention will be directed at the hearing to consideration of the following matters and questions:

1. Whether the acquisitions involved in the proposed transactions are in conformity with applicable provisions of the Act and the rules, regulations and orders thereunder.

2. Whether the issue and sale of First Mortgage Bonds and new capital stock by Petersburg should be exempted from the requirements of section 6 (a) by reason of the provisions of section 6 (b) of the act and if not, whether the issue and sale of such securities are in conformity with applicable provisions of section 7 of the act.

3. Whether, in general, the various transactions proposed are in the public interest and in the interest of investors and consumers and will not be in contravention of any provisions of the Act or the Rules, Regulations and Orders promulgated thereunder.

4. What, if any, terms and conditions with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to the declarants and applicants and to the State Corporation Commission of Virginia, and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-12273; Filed August 15, 1944; 2:39 p. m.]

[File No. 70-943]

JOHNSTOWN FUEL SUPPLY CO. AND PENNSYLVANIA ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of August 1944.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Pennsylvania Electric Company, a subsidiary of Associated Electric Company, a registered holding company, and Johnstown Fuel Supply Company, a wholly-owned subsidiary of Pennsylvania Electric Company;

All interested persons are referred to the said application-declaration which is on file in the office of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

Pennsylvania Electric Company proposes to acquire the assets of Johnstown Fuel Supply Company, including 490 shares of the common stock of Atlantic Utility Service Corporation, and, in consideration therefor, to assume the liabilities of Johnstown Fuel Supply Company and to transfer to it, for cancellation, all of its outstanding shares of common stock. Thereupon, it is proposed that Johnstown Fuel Supply Company be dissolved.

The filing designates sections 9, 10, 12 (c) and 12 (f) of the act, and Rules U-42 and U-43 promulgated thereunder, as applicable to the proposed transactions.

It is appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of the Act and Rules of the Commission thereunder be held on August 29, 1944, at 10 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall file with the Secretary of the Commission on or before August 26, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters:

1. Whether the proposed transactions are appropriate and in the public interest and in the interests of investors and consumers;

2. The propriety of the accounting treatment to reflect the proposed transactions on the books of the applicants-declarants;

3. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in respect to the accounts or otherwise in connection with the proposed transactions; and

4. Whether, in all other respects, the proposed transactions comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-12274; Filed, August 15, 1944; 2:40 p. m.]

[File No. 70-945]

CONSOLIDATED ELECTRIC AND GAS CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of August, A. D. 1944.

Notice is hereby given that an application has been filed pursuant to the Public Utility Holding Company Act of 1935, by Consolidated Electric and Gas Company, a registered holding company.

All interested persons are referred to said application, which is on file at the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Consolidated Electric and Gas Company proposes to sell to Dallas Rupe & Son, a Texas corporation engaged in the investment banking business in Dallas, Texas, all of the common stock of Hoosier Gas Corporation, consisting of 10,000 shares ($50 par value), for $290,000 subject to adjustments for dividends after June 30, 1944. Hoosier Gas Corporation is a public utility company engaged in the purchase and distribution to the public of natural gas in the municipalities of Vincennes, Washington, and Princeton, Indiana. Hoosier Gas Corporation has outstanding, in addition to said common stock, $327,000 principal amount of First Mortgage Bonds, 4% Sinking Fund Series due June 1962, all of which are held by three institutional investors.

All of the common stock of Hoosier Gas Corporation is pledged with the trustee securing the Collateral Trust Bonds of Consolidated Electric and Gas Company. The cash proceeds of the sale of the common stock of Hoosier Gas Corporation will be deposited with said trustee in connection with the release of said stock from pledge. Consolidated Electric and Gas Company proposes to purchase such Collateral Trust Bonds in the open market, or from holders thereof, but without solicitation and at the lowest price obtainable. Such purchased bonds will be surrendered by Consolidated Electric and Gas Company to the trustee under the indenture securing said bonds for cancellation against the withdrawal of cash equal to bond cost, exclusive of accrued interest.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matter, and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matter under the applicable provisions of said act and rules of the Commission thereunder be held on August 30, 1944 at 10:00 A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed transaction is detrimental to the public interest and the interest of investors and consumers;

(2) Whether the consideration for the 10,000 shares of the common stock of Hoosier Gas Corporation is reasonable;

(3) Whether the proposed use of the proceeds of the sale to purchase the Collateral Trust Bonds of the applicant in the open market or from holders thereof is in conformity to the applicable provisions of the act;

(4) Whether, if the proposed transaction is approved by the Commission, it is necessary and appropriate to impose terms and conditions in the public interest or for the protection of investors and consumers and, if so, what terms and conditions should be imposed.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to Consolidated Electric and Gas Company, Hoosier Gas Corporation, The Indiana Public Service Commission and the Mayors of Vincennes, Washington and Princeton; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before August 26, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12275; Filed, August 15, 1944; 2:40 p. m.]

[File No. 31-417]

CONSOLIDATED ELECTRIC AND GAS CO.

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of August 1944.

The Commission having heretofore on February 2, 1939 after notice and opportunity for hearing, ordered that the Islands Gas and Electric Company, Compagnie d'Eclairage Electrique des Villes de Port-au-Prince et du Cap Haitien, Compania Electrica de Santo Domingo, C. por A., Union Electrica de Canarias, S. A., Manila Gas Corporation, Gas y Electricidad, S. A., and Porto Rico Gas & Coke Company be exempt, to the extent specified, until December 31, 1940, from certain provisions of the Public Utility Holding Company Act of 1935 applicable to them as subsidiary companies of Consolidated Electric and Gas Company, a registered holding company; and

The Commission upon subsequent applications of Consolidated Electric and Gas Company, having by orders dated December 27, 1940, April 25, 1941, July 31, 1941, and July 26, 1943, extended the period of exemption to August 1, 1944; and having in the said order dated July 26, 1943 modified the terms of said exemption to the extent specified therein; and

Consolidated Electric and Gas Company, having on May 14, 1944, filed an application pursuant to section 3 (b) of the Public Utility Holding Company Act of 1935 seeking a further extension of the exemption until August 1, 1945; and

The Commission having considered the application and it appearing that a further extension of the period of exemption upon the conditions hereinafter indicated will not be detrimental to the public interest or the interest of investors or consumers;

It is therefore ordered, That the time during which such order of exemption shall be effective be, and the same hereby is, extended until August 1, 1945, to the extent and subject to the conditions heretofore designated in our order of July 31, 1941, as modified by our order of July 26, 1943, without prejudice to the right of Consolidated Electric and Gas Company to apply for a further extension of the time during which such order shall be effective and to apply at any time for such enlargement of any provision of such order as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12319; Filed, August 16, 1944; 11:38 a. m.]

[File Nos. 7-743-1, 7-744-1, 7-745-1, 7-746-1, 7-747-1, 7-748-1]

AMERICAN & FOREIGN POWER CO., INC., ET AL.

ORDER POSTPONING HEARING AND CHANGING TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of August A. D. 1944.

In the matter of application by the Philadelphia Stock Exchange to extend unlisted trading privileges to American & Foreign Power Co., Inc., $7 Cum. 2 Pfd. Stock, Series A, 7-743-1; The Flintkote Co., Common Stock, No Par Value, 7-744-1; The Sparks-Withington Co., Common Stock, No Par Value, 7-745-1; Trans Lux Corporation Common Stock, $1 Par Value, 7-746-1; Union Bag & Paper Corp., Capital Stock, No Par Value, 7-747-1; York Corporation, Capital Stock, $1 Par Value, 7-748-1.

The Philadelphia Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X–12F–1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities;

The Commission having ordered that a hearing be held in this matter on August 30, 1944 at the Philadelphia Office of the Commission;

The Commission having designated William W. Swift as the officer of the Commission to preside at said hearing; and

It being found necessary to postpone said hearing and to change the trial examiner therein;

It is ordered, That said hearing be held at 10 a. m. on Tuesday, September 5, 1944 at the Philadelphia Office of the Commission and continue thereafter at such times and places as the Commission or its officer conducting such hearing may determine; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the matters in issue at such hearing, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–12324; Filed, August 16, 1944; 11:38 a. m.]

[File Nos. 54–78, 54–40, 59–40, 54–53, 59–49]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of August, A. D. 1944.

In the matters of Consolidated Electric and Gas Company, File No. 54–78; Consolidated Electric and Gas Company, Applicant, File No. 54–40; Central Public Utility Corporation, Consolidated Electric and Gas Company, Respondents, File No. 59–40; Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Applicants, File No. 54–53; Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Respondents, File No. 59–49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said act; the Commission having by order dated July 19, 1943 consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corporation, also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, Voting Trustees under a certain voting trust agreement dated August 1, 1932, relating to common stock of said Central Public Utility Corporation (said Trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said Trustees, above named, regarding the disposition of the common stock of Central Public Utility Corporation held by said Trustees and the Commission having by said order of July 19, 1943 set down said consolidated proceedings for hearing at the offices of the Commission in Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on August 3, 1943; and said hearing having been postponed by subsequent orders of the Commission until August 22, 1944; and

Consolidated Electric and Gas Company having requested that the hearing so directed to be held in said consolidated proceedings be further postponed to a date not earlier than December 18, 1944, stating in such request, among other things, that the company reasonably expects to dispose of its interest in or the assets of five of its remaining thirteen domestic public utility subsidiaries and that such sales are not likely to be consummated before the end of October 1944; that the company since June 23, 1943, the date of the filing of its application for approval of the plan above first-mentioned, has disposed of its interest in or the assets of seventeen domestic public utility subsidiary companies; that since December 31, 1943 Consolidated Electric and Gas Company has reduced the principal amount of its outstanding debt securities from $31,433,500 to $22,233,500 as of July 31, 1944 (exclusive of $4,854,000 assumed bonds, funds for the retirement of which have been deposited with the Trustee of said bonds); that Consolidated Electric and Gas Company as of July 31, 1944 had on hand $1,865,752 for the retirement of additional debt securities presently outstanding; that it is necessary that the said proposed sales and additional debt retirements be effected before Consolidated Electric and Gas Company can formulate and file a definitive plan, and that it is advisable that such plan be filed before hearings are held in the above entitled matters; and

The Commission deeming it appropriate under the circumstances that the hearing directed to be held herein on August 22, 1944, be further postponed;

It is ordered, That the hearing in this matter previously scheduled for August 22, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to December 18, 1944, at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person other than parties to said consolidated proceedings desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice be, and the same hereby is, extended to December 8, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–12325; Filed, August 16, 1944; 11:38 a. m.]

[File No. 70–948]

GENERAL GAS & ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of August 1944.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation, a registered holding company;

All interested persons are referred to the said filing which is on file in the office of the Commission for a statement of the transaction therein proposed, which may be summarized as follows:

General Gas & Electric Corporation, a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, proposes to declare and pay out of capital or unearned surplus a quarterly dividend on its $5 Prior Preferred Stock for the quarterly period ending September 15, 1944. As proposed, the amount of the dividend on the 60,000 outstanding shares of such stock will be $75,000, of which approximately $40,125 will be paid to the public holders of 32,110.9 shares. It is stated that as to the remaining 27,889.1 shares outstanding, held by the Trustees of Associated Gas and Electric Corporation, said Trustees are to waive their right to the receipt, at this time, of such dividends as may otherwise be payable to them.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter:

It is ordered, That a hearing on such matter under the applicable provisions of said act and the rules of the Commission promulgated thereunder be held on

August 31, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intevene herein shall file with the Secretary of the Commission, on or before August 29, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed declaration and payment of the current quarterly dividend out of the capital or unearned surplus of General Gas & Electric Corporation is appropriate in the public interest and the interest of investors;

2. Whether the action proposed to be taken complies with the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder;

3. What terms or conditions, if any, should be imposed in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12320; Filed, August 16, 1944; 11:36 a. m.]

[File No. 70-944]

NARRAGANSETT ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of August, A. D. 1944.

Notice is hereby given that The Narragansett Electric Company ("Narragansett"), a public utility subsidiary of The Rhode Island Public Service Company, a subholding company of New England Power Association, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof and Rule U-50 promulgated thereunder.

All interested persons are referred to said application, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized as follows:

Narragansett proposes to issue and sell, at a price to be determined by competitive bidding, $31,500,000 principal amount of 3% First Mortgage Bonds, Series A, Due 1974. The net proceeds from the sale of the bonds proposed to be issued will be applied, together with additional treasury cash available, to pay the contract redemption price of all of Narragansett's presently outstanding 3½% First Mortgage Bonds, Series A, Due July 1, 1966, in the aggregate principal amount of $31,732,000 plus accrued interest to the date of redemption. Said call price is 105½ which is effective to and including July 1, 1945.

The proposed issue and sale of the new bonds is subject to the applicant obtaining the express authorization of the Public Utility Administrator, Department of Business Regulation, State of Rhode Island, in which state Narragansett is organized and doing business.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application shall not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on this matter be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 10:00 a. m., e. w. t., on the 30th day of August, 1944, in such room as may be designated on such day by the hearing room clerk. At such hearing cause shall be shown why such application shall be granted.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's rules of practice on or before August 28, 1944.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing copies thereof to the applicant and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by said application, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of the new bonds is solely for the purpose of financing the business of the applicant and will have been expressly authorized by the State commission of the State in which the applicant is organized and doing business.

(2) Whether and to what extent it is appropriate in the public interest or for the protection of investors and consumers, to attach terms and conditions with respect to the proposed issue and sale.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12321; Filed, August 16, 1944; 11:38 a. m.]

[File No. 1-2914]

CHICAGO & SOUTHERN AIR LINES, INC.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of August, A. D. 1944.

The Chicago & Southern Air Lines, Inc., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, from listing and registration on the St. Louis Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, September 6, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12322; Filed, August 16, 1944; 11:38 a. m.]

UTAH POWER & LIGHT COMPANY

[File No. 70-924]

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of August, A. D. 1944.

Utah Power & Light Company, an electric utility subsidiary of Electric Power & Light Corporation, a registered holding company, and itself a registered holding company, having filed a declaration and amendments thereto under the Public Utility Holding Company Act of 1935 and

particularly section 12 (d) and Rule U-44 promulgated thereunder with respect to the sale by it of a 1,240 kw steam-electric generating plant, transmission and distribution lines and related facilities, located in the town of Green River, Sweetwater County, Wyoming to Southern Wyoming Utilities Company, a nonaffiliated company which is a subsidiary of Union Pacific Railroad Company, for a consideration of $250,000 in cash plus the inventory price of materials and supplies as of the date the properties are to be transferred; and

Said declaration having been filed on July 7, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding said transaction to be in compliance with the standards of section 12 (d) of said act and deeming it appropriate in the public interest and for the protection of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration, as amended, be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12323; Filed, August 16, 1944; 11:38 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 165

Washington, Friday, August 18, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75, Amdt. 16]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

War Food Order No. 75, as amended (8 F.R. 11119, 9 F.R. 4319, 4973), § 1410.15, issued by the War Food Administrator on August 9, 1943, is hereby further amended as follows:

1. By deleting (k) therefrom.

2. By deleting (l) (5) therefrom.

3. By deleting (t) and substituting therefor the following:

(t) *Violations.* The Director may, in accordance with the applicable procedure, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using meat or meat products. Upon a determination by the Director that any slaughterer or any person who custom slaughters has, prior to the effective date hereof, violated any provision of Food Distribution Order No. 27, as amended, supra, or War Food Order No. 61, formerly designated Food Distribution Order 61 (8 F.R. 9108, 9275), or has, subsequent to the effective date hereof, violated any provision of this order, the Director may, in accordance with the applicable procedure, suspend or revoke the license or permit of such person. In addition, any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any or all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 12:01 a. m., e. w. t., August 17th, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-12343; Filed, August 16, 1944; 8:34 p. m.]

[WFO 107, Termination]

PART 1405—FRUITS AND VEGETABLES

RED SOUR CHERRIES

War Food Order No. 107 (9 F.R. 7921) is terminated as of 12:01 a. m., e. w. t., Aug. 18th, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 107, prior to the effective time hereof, all provisions of said War Food Order No. 107 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-12340; Filed, August 16, 1944; 8:34 p. m.]

[WFO 16, Amdt. 8]

PART 1407—DRIED FRUIT

DRIED FRUIT

War Food Order No. 16, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 16, as originally issued by the Secretary of Agriculture on January 30, 1943, and as

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
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amended, 8 P.R. 1705, 11019), is further amended to read as follows:

§ 1407.1 *Restrictions with respect to dried fruit*—(a) *Definitions.* (1) "Dried fruit" means the whole or fleshy portions of apples, apricots, peaches, pears, prunes, and the Thompson seedless, Muscat, Sultana, and Zante currant varieties of grapes preserved by the removal therefrom of part of the natural moisture and, unless otherwise indicated, shall include such fruit in its natural or processed condition.

(2) "Packer" means any person engaged in the business of processing and packaging dried fruit or having dried fruit processed or packaged for his account.

(3) "Producer" means any person engaged in the production of dried fruits; and such term includes, but is not limited to, any owner of fresh fruit at the time such fruit is dried.

(4) "Processing" means grading, sizing, stemming, seeding, or treating dried fruit by the use of water, steam, chemicals, or compressed or hot air; or cutting fresh apples for the production of dried apples.

(5) "Governmental agency" means (i) the Armed Services of the United States (excluding for the purpose of this order, United States Army Post Exchanges, Sales Commissaries, United States Navy Ships' Service Departments, and United States Marine Corps Post Exchanges); (ii) the War Food Administration (including, but not being restricted to, any corporate agency thereof; (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any person who, pursuant to a war food order, is entitled to purchase dried fruit subject to this order.

(6) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(7) "Director" means the Director of Distribution, War Food Administration.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(b) *Restrictions on packers and producers.* (1) No producer may sell or deliver dried fruit except to (i) the Office of Distribution (including but not restricted to any corporate agency thereof); (ii) any person or agency designated by the Director; or (iii) a packer.

(2) Each packer shall, without regard to existing contracts, set aside and hold for sale and delivery to a governmental agency (i) all of the dried fruit which was in his possession; under his control, or under contract to him on August 10, 1942; (ii) all of the fresh fruit acquired by such packer since August 10, 1942, or hereafter acquired by him, for use in the production of dried fruit; and (iii) all of the dried fruit hereafter produced or acquired by such packer. Fruit so set aside shall not be processed or packed except in accordance with instructions furnished by the Director, or by a governmental agency if such fruit is to be purchased by a governmental agency. The Director or any governmental agency may issue specifications at any time as to the processing, packing, labeling, boxing, and strapping of the fruit to be acquired by a governmental agency. The Director may issue specifications at any time as to the processing and packing of dried fruit released for sale and delivery in United States civilian trade channels; and, in the event the Director issues such specifications, no person shall process or pack dried fruit released for sale and delivery in the United States civilian trade channels except in accordance with the specifications issued by the Director.

(3) Each packer shall mail the reports, completely and correctly filled in, to the Director on forms numbered FDO 16–A to FDO 16–G, for the respective dried fruit indicated thereon, not later than three days after the close of the period, from the first day to the fifteenth day, and the close of the period from the 16th day to the last day of each month, inclusive.

(4) If the Director determines that any dried fruit set aside pursuant to this order is not required for a governmental agency, the Director may release such dried fruit at any time by notice directed to the packer. So far as such action is consistent with the public interest and the promotion of the national defense, such releases shall be of such a character as to allow all packers substantially equal proportions of their packs of each fruit for sale to purchasers other than governmental agencies.

(5) Any quantities of dried fruit allocated or released shall, unless otherwise specified, be withdrawn by the packer from the earliest reported stocks of such dried fruit.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of dried fruit of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in dried fruit.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 16, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO–16.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 17th, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 16, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 16, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All reporting and record keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44–12341; Filed, August 16, 1944; 3:34 p. m.]

[WFO 79, Amdt. 4]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

War Food Order No. 79 (9 F. R. 4321, 4319), previously issued by the War Food Administrator on September 7, 1943, as Food Distribution Order 79 (8 F. R. 12426, as amended, 8 F. R. 13283), is hereby further amended by deleting therefrom § 1401.29 (h) and substituting therefor the following:

(h) *Violations.* The War Food Administrator may suspend, revoke, or reduce the quota of any person who violates any provision of this order and may prohibit, by order, such person from receiving, delivering, or using milk or cream. In addition, any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

This amendment shall become effective at 12:01 a. m., e. w. t., August 17th, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 16th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44–12338; Filed, August 16, 1944; 3:34 p. m.]

[WFO 101, Amdt. 2]

PART 1405—FRUITS AND VEGETABLES

CUCUMBER PICKLES AND PICKLE PRODUCTS

War Food Order No. 101 (9 F.R. 6053) issued on June 2, 1944, with respect to cucumber pickles and pickle products, is amended by deleting therefrom the provisions in § 1405.42 (b) (1) and (2) and inserting, in lieu thereof, the following:

(1) No packer shall sell, contract to sell, or deliver, except to the Army, any cucumber pickles or pickle products owned by such packer on August 17, 1944, but this restriction does not apply to any packer who contracted, prior to the aforesaid date, to sell to the Army, out of such cucumber pickles and pickle products owned by such packer, a quantity of pickle products equal at least to 40 percent of the total number of bushels of such cucumber pickles and pickle products. This restriction shall continue in effect until the respective packer sells, contracts to sell, or delivers to the Army, out of such cucumber pickles and pickle products owned by the respective packer, a quantity of pickle products equal at least to 40 percent of the total number of bushels of such cucumber pickles and pickle products.

(2) No packer shall sell, contract to sell, or deliver, except to the Army, any cucumber pickles acquired by him after August 17, 1944, or any pickle products produced therefrom unless such packer first sells, contracts to sell, or delivers to the Army a quantity of pickle products, produced from such cucumber pickles, equal at least to 40 percent of the total number of bushels of such cucumber pickles.

This amendment shall become effective at 12:01 a. m., e. w. t., August 17th, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 101 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 101 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-12839; Filed, August 18, 1944; 9:34 p. m.]

[WFO 73, Amdt. 3]

PART 1598—GENERAL REGULATIONS

CONTRACT SCHOOLS, MARINE HOSPITALS, AND MARITIME ACADEMIES PERMITTED TO BUY SET ASIDE AND RESTRICTED FOOD

War Food Order No. 73, as amended (8 F.R. 7523; 8 F.R. 13879; 8 F.R. 15655; 9 F.R. 4319), issued by the War Food Administrator, is hereby completely revised and amended to read as follows:

§ 1598.1 *Purchase of set aside and restricted food by contract schools, marine hospitals, and maritime academies*—(a) *Definitions.* For the purposes of this regulation:

(1) "Contract school" means and includes any person who is feeding, pursuant to a written contract with an agency of the United States, personnel of the Armed Services of the United States fed under the command of a commissioned or non-commissioned officer or other authorized representative of the Armed Services of the United States, and who is specifically authorized in writing by the Armed Service concerned to purchase set aside and restricted food pursuant to this Order.

(2) "Armed Services of the United States" means the Army, Navy, Marine Corps, and Coast Guard of the United States.

(3) "Set aside food" means that portion of any of the foods listed in Schedule A hereto held by any person pursuant to any War Food Order.

(4) "Restricted food" means that portion of any food listed in Schedule B hereto which the person restricted by a War Food Order may sell without such sales being charged against his quota under the War Food Order.

(5) "Marine hospital" means a hospital operated by the United States Public Health Service pursuant to section 321 of the Public Health Service Act, except the hospital at Carville, Louisiana. A list of these hospitals is listed in Schedule C.

(6) "Maritime academy" means any one of the following institutions: Maine Maritime Academy, Castine, Maine; New York Maritime Academy, Bronx, New York; California Maritime Academy, Vallejo, California; Massachusetts Maritime Academy, Boston, Massachusetts; Pennsylvania Maritime Academy, Philadelphia, Pennsylvania.

(7) "Person" means any individual, partnership, corporation, association, business trust, or any organized group of persons, whether incorporated or not, and includes the States and any subdivisions thereof.

(8) "Director" means the Director of Distribution, War Food Administration.

(b) *Purchases of set aside and restricted food by contract schools.* Notwithstanding the provisions of any War Food Order now or hereafter issued, unless specifically prohibited therein, any contract school may purchase any set aside or restricted food from any person, and any person may sell or deliver set aside or restricted food to any contract school, and such sales or deliveries may be considered by the sellers in the same manner as sales to the Armed Services of the United States: *Provided*, That all such purchases by such contract school shall be made by written order or contract containing the following certificates signed by an authorized representative of the contract school and by an officer of the Armed Services of the United States:

The undersigned certifies and represents to the War Food Administration that he is the _____ of _____
(Position held) (Name of university, etc.)
which is feeding _____
(Army, Navy, Marine Corps, or Coast Guard)
personnel pursuant to contract No. _____ with _____ and that all
(Contracting Government Agency)
of the items and quantities of food listed hereon are required for and will be used in feeding such personnel.

_____
(Title)

I certify that _____ is
(Name of university, school, etc.)
feeding _____ per-
(Army, Navy, Marine Corps, or Coast Guard)
sonnel pursuant to contract No. _____ with _____ and that the above
(Contracting Government Agency)
individual has represented to me that all of the food items and quantities listed hereon are required for and will be used in feeding such personnel,

_____
(Officer's title)

All set aside and restricted food purchased by contract schools shall be used by such schools only for feeding personnel of the Armed Services of the United States.

(c) *Purchases of set aside and restricted foods by marine hospitals.* Notwithstanding the provisions of any War Food Order now or hereafter issued, unless specifically prohibited therein, any marine hospital may purchase any set aside or restricted food from any person and any person may sell or deliver set aside or restricted food to any marine hospital and such sales or deliveries may be completed by the sellers in the same manner as sales to the War Shipping Administration: *Provided*, That all such purchases by such marine hospital shall be made by written order or contract containing the following certificate signed by the Public Health Service officer in charge of such hospital:

The undersigned certifies and represents to the War Food Administration that he is the _____
(Position held)
of _____
(Hospital, name and address)
which is a marine hospital operated by the United States Public Health Service pursuant to the Public Health Service Act and that all of the items and quantities of food listed hereon are required for and will be used in feeding patients at said hospital.

_____
(Title)

The set aside listed foods purchased by marine hospitals shall be used by such hospitals only for feeding patients of such hospitals.

(d) *Purchase of set aside and restricted food by maritime academies.* Notwithstanding the provisions of any War Food Order now or hereafter issued, unless specifically prohibited therein, any maritime academy may purchase any set aside or restricted food from any person and any person may sell or deliver set aside or restricted food to any maritime academy, and such sales may be considered by the sellers in the same manner as the sales to the War Shipping Administration: *Provided*, That all such purchases of such maritime academies shall be made by written order or contract containing the following certificate signed by the superintendent in charge of the maritime academy:

The undersigned certifies and represents to the War Food Administration that he is the superintendent of _____
(Name and address of maritime academy)
_____, and that all of the items and quantities of food listed hereon are required for and will be used only for the feeding of bona fide students and instructors at such academy.

_____
(Title)

All set aside and restricted foods purchased by maritime academies shall be used by such maritime academies only for feeding bona fide students and instructors at such maritime academy.

(e) *Purchases from intermediate distributors.* A contract school, marine hospital, or maritime academy may purchase set aside and restricted food directly from the person required to set aside food or restricted by any food order, or may purchase such foods indirectly through jobbers, wholesalers, or other intermediate distributors. Where such purchases are made indirectly, the intermediate distributor shall make copies of the certificates provided in paragraphs (b), (c), and (d) hereof, certified by him to be correct. Any person may sell to any intermediate distributor the quantities of set aside food or re-

stricted food covered by such certified copy furnished to him and may treat such sales in the same manner as sales made directly to a contract school, marine hospital, or maritime academy.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person receiving contracts or purchase orders containing certificates as provided in this order and every other person subject to this order shall maintain an accurate record for two years (or for such other period of time as the Director may designate) of his transactions involving set aside and restricted foods for contract schools, marine hospitals, and maritime academies.

(g) *Audits and inspections.* The Director shall be entitled to make such audit and inspection of the books, records, and other writings, premises, or stocks of food of any person participating in any transaction involving the purchase of set aside or restricted foods by contract schools, marine hospitals, or maritime academies and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this War Food Order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to the Order Administrator, War Food Order No. 73, Office of the Director, Office of Distribution, War Food Administration, Washington 25, D. C. The petition shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he may, by requesting the Order Administrator therefor, obtain a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, which action shall be final.

(i) *Violations.* The Director may prohibit any person who violates any provisions of this order from receiving, making deliveries of, or using any material listed in Schedule A or Schedule B hereof or as such schedules may hereafter be amended. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any or all applicable laws. Civil action may also be instituted to enforce any liability or duty created by or to enjoin any violation of any provision of this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this regulation shall, unless otherwise directed, be addressed to: Administrator, War Food Order 73, War Food Administration, Washington 25, D. C.

(k) *Territorial extent.* This order applies to all persons in the forty-eight States, the District of Columbia, and the territories and the possessions of the United States.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to amend the schedules to this order. The Director is authorized to redelegate to any person within the United States Department of Agriculture any or all of the authority vested in him by this order.

(m) *Reference to ship operators.* This order no longer applies to the acquisition of set aside and restricted food by ship operators. The acquisition of these foods for this purpose is controlled by War Food Order No. 74, as amended (9 F. R. 8002). Reference should be made to that order for all definitions and provisions regarding the supplying of food to ship operators.

(n) *Effective date.* This amendment shall be effective on August 17, 1944. With respect to violations of said War Food Order 73, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said War Food Order 73, as amended, shall be deemed to be in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of August 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

SCHEDULE A

Set-aside foods:	*Applicable War Food Order*
American cheese	15
Beef	75–2
Dried skim milk	54
Rice	10
Butter	2

SCHEDULE B

Restricted foods:	
Cocoa products	25
Fats and oils products (excluding lard), (limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder))	42
Process dairy foods	8
Honey	47
Fluid milk, fluid cream, and milk by-products (fluid buttermilk, skim milk, flavored milk or drink or beverage containing more than 85% of milk; and cottage, pot or baker's cheese)	70
Molasses	51
Spices	19
Tea	18

SCHEDULE C

MARINE HOSPITALS, U. S. PUBLIC HEALTH SERVICE

U. S. Marine Hospital, Baltimore, Md.
U. S. Marine Hospital, Boston, Mass.
U. S. Marine Hospital, Buffalo, N. Y.
U. S. Marine Hospital, Chicago, Ill.
U. S. Marine Hospital, Cleveland, Ohio.
U. S. Marine Hospital, Detroit, Mich.
U. S. Marine Hospital, Ellis Island, N. Y.
U. S. Marine Hospital, Evansville, Ind.
U. S. Marine Hospital, Fort Stanton, N. Mex.
U. S. Marine Hospital, Galveston, Tex.
U. S. Marine Hospital, Kirkwood, Mo.
U. S. Marine Hospital, Louisville, Ky.
U. S. Marine Hospital, Memphis, Tenn.
U. S. Marine Hospital, Mobile, Ala.
U. S. Marine Hospital, New Orleans, La.
U. S. Marine Hospital, New York, N. Y.
U. S. Marine Hospital, Norfolk, Va.
U. S. Marine Hospital, Pittsburgh, Pa.
U. S. Marine Hospital, Portland, Maine.
U. S. Marine Hospital, San Francisco, Calif.
U. S. Marine Hospital, Savannah, Ga.
U. S. Marine Hospital, Seattle, Wash.
U. S. Marine Hospital, Staten Island, N. Y.
U. S. Marine Hospital, Vineyard Haven, Mass.
U. S. Public Health Service Hospital, Sheepshead Bay, Brooklyn, N. Y.

[F. R. Doc. 44-12342; Filed, August 16, 1944; 3:34 p. m.]

[WPO 78, Amdt. 2]

PART 1599—PROCEDURAL REGULATIONS

ISSUANCE OF ORDERS RESULTING FROM VIOLATIONS OF PRIORITY OR ALLOCATION ORDERS

Correction

In paragraph 1 (c) of Federal Register Document 12206, appearing on page 9943 of the issue of Wednesday, August 16, 1944, "Compliance Office" should read "Compliance Officer."

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 709—PRESCRIBED SERVICE UNIFORM

MISCELLANEOUS AMENDMENTS

1. Section 709.30 (f) is amended to read as follows:

§ 709.30 *Brassards.* * * *

(f) *Port officers.* The letters "TC" in golden yellow block letter 2¼ inches in height on a brick-red background.

Section 709.36b is added as follows:

§ 709.36b *Bronze Star.* A bronze star 1½ inches in circumscribing diameter. In the center thereof a 3/16-inch diameter raised bronze star, the center lines of all rays of both stars coinciding. The reverse to have the inscription "Heroic or meritorious achievement" and a space for the name of the recipient (which is to be engraved). The star is suspended by a rectangular-shaped metal loop with corners rounded from a silk moire ribbon 1⅜ inches in length and 1⅜ inches in width composed of stripes of white (1/32 inch), red (5/16 inch), white (1/32 inch),

blue (⅛ inch), white (1/32 inch), red (5/16 inch), and white (1/32 inch).

2. In § 709.54 paragraph (a) is amended to read as follows:

§ 709.54 *Badges, aviation*—(a) *In general.* A device consisting of a pair of wings of oxidized silver approximately 3½ inches from tip to tip. Except for flight nurse, aviation badges approximately 2 inches from tip to tip may be worn optionally on the shirt when worn without the coat.

3. Sections 709.56b (b) and 709.58 (f) are amended as follows:

§ 709.56b *Badge, driver and mechanic award.* • • •

(b) *Bars.* Of oxidized silver, suspended from the basic badge and marked to show type of qualification as follows:

(1) Driver—W, for wheeled vehicles.
(2) Driver—T, for track or half-track vehicles.
(3) Driver—M, for motorcycles.
(4) Driver—A, for amphibian vehicles.
(5) Mechanic, for automotive or allied trade mechanic.

§ 709.58 *Lapel buttons.* • • •

(f) *For service rendered since 8 September 1939.* A dexter eagle with wings displayed perched within a ring which displays 13 vertical stripes with a chief, the dexter wing of the eagle behind the ring, the sinister wing in front of the ring, all of gold plated plastic or gold color metal.

4. Section 709.62 (b) (4) is rescinded.

§ 709.62 *Tag, identification.* • • •
(b) • • •
(4) Rescinded. (R.S. 1298; 10 U.S.C.)

[AR 600–35, 31 March 1944 as amended by C1, 29 July 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44–12343; Filed, August 17, 1944; 9:18 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Amdt. 20–3]

PART 20—PILOT CERTIFICATES

PERIODIC PHYSICAL EXAMINATION

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 12th day of August, 1944.

Effective August 12, 1944, § 20.73 (b) of the Civil Air Regulations is amended to read as follows:

§ 20.73 *Periodic physical examination.* • • •

(b) In lieu of the physical examination, evidence that the pilot is on pilot status solo in the Army, Navy, Marine Corps, or Coast Guard will be accepted as proof of physical fitness while on active duty in such service.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–12331; Filed, August 16, 1944; 12:37 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

DISPUTE CASES

The following new paragraph has been added to § 802.52 of the Jurisdiction and Procedure of Regional War Labor Boards[1]:

§ 802.52 *Procedure in dispute cases not involving wages or salaries.* • • •

(b–1) Where Conciliation Service has certified to the Board a case in which the parties have agreed in writing to waive their right to a hearing and have agreed to submit the issues on briefs, the following procedure shall be followed by the agency to which the case is referred by the New Case Committee.

The Regional New Case Committee or agency assignments officer shall assign the case to an assistant disputes director or hearing officer and shall notify the parties of the receipt of the case, the referral which is being made and the date upon which briefs must be filed. Each party will be instructed to furnish the other party or parties with copies of the brief.

The designated officer will thereupon review the briefs and prepare findings of fact and recommendations, a copy of which shall be mailed to each party with notice that written comments may be filed with the Board and other party not later than 7 days after the receipt of the copy. After analysis of the comments, if any, the designated officer will present the case to the Board with his findings of fact, recommendations, and comments.

(E.O. 9017, 7 F.R. 237; E.O. 9250, 7 F.R. 7871; Pub. Law 89, 78th Cong.)

Approved: August 8, 1944.

FRED E. DEMOND,
Acting Executive Director.

[F. R. Doc. 44–12336; Filed, August 16, 1944; 11:41 a. m.]

PART 803—GENERAL ORDERS

WAGE ADJUSTMENT; AUTOMOTIVE REPAIR INDUSTRY AND TIRE RECAPPING, ETC., EMPLOYERS IN DESIGNATED AREAS

The National War Labor Board, under paragraph (d) of § 803.4 (General Order No. 4), has approved the following exceptions to the exemption provided for in paragraph (a) of that order:

32. Automotive repair industry in Region IX of the National War Labor Board, comprising the states of Colorado, New Mexico, Montana, Wyoming, Utah, Idaho.

33. Employers engaged primarily in the distribution and recapping or retreading of tires within the jurisdiction of Region II of the National War Labor Board, comprising the state of New York and the following counties of New Jersey: Sussex, Passaic, Bergen, Warren, Morris, Monmouth, Essex, Hudson, Union, Middlesex, Somerset, and Hunterdon.

(E.O. 9250, 7 F.R. 7871)

Approved: August 8, 1944.

FRED E. DEMOND,
Acting Executive Director.

[F.R. Doc. 44–12328; Filed, August 16, 1944; 11:42 a. m.]

PART 803—GENERAL ORDERS

WAGE ADJUSTMENT; PAINTING AND DECORATING INDUSTRY, LOS ANGELES, CALIF.

The National War Labor Board, under paragraph (d) of § 803.4 (General Order No. 4) has approved the following exceptions to the exemption provided for in paragraph (a) of that order:

34. The painting and decorating industry in Los Angeles County, California, of Region X. For the purposes of this paragraph, the painting and decorating industry is defined as the painting and decorating of interiors and exteriors of buildings or structures, commercial and industrial as well as housing, i. e., multiple dwellings and single units, painting outdoor advertising, billboards, and fences.

(E.O. 9250, 7 F.R. 7871)

Approved: August 8, 1944.

FRED E. DEMOND,
Acting Executive Director.

[F. R. Doc. 44–12329; Filed, August 16, 1944; 11:41 a. m.]

PART 803—GENERAL ORDERS

WAGE ADJUSTMENT; NON-PROFIT HOSPITALS IN CALIFORNIA, NEVADA, ARIZONA, WASHINGTON AND OREGON

The National War Labor Board has taken the following action with respect to non-profit hospitals under § 803.26 (General Order No. 26):[2]

1. Reaffirmed its previous action of September 2, 1943 removing non-profit hospitals in Region X comprising the states of California, Nevada and Arizona, from the exemption provided by General Order No. 26.

2. Approved the removal of non-profit hospitals from the exemption provided by General Order No. 26, in those labor market areas in the states of Washington and Oregon in which the Twelfth Regional War Labor Board finds such action is necessary to effective wage and salary stabilization, such action to be reported to the National War Labor Board.

(E.O. 9250, 7 F.R. 7871)

Approved: August 8, 1944.

FRED E. DEMOND,
Acting Executive Director.

[F.R. Doc. 44–12327; Filed, August 16, 1944; 11:41 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3686; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

[1] 9 F.R. 4800.

[2] 8 F.R. 1308, 10405, 9 F.R. 1004.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–597]

MILLER & DUMBAUGH

C. C. Miller and C. T. Dumbaugh, doing business as Miller & Dumbaugh, are contractors and builders, located at 106 East Walnut Street, Butler, Pennsylvania. In December, 1943, they began construction as building contractors, and thereafter continued construction, in remodeling a brick and frame two-story building, located at 324 South Main Street, Butler, Pennsylvania, to be used as a retail store room and two-family apartment, at a cost of approximately $8,000, and obtaining material therefor without permission of the War Production Board. This was in violation of Conservation Order L–41, which placed a limit of $200, on such construction. C. C. Miller and C. T. Dumbaugh were aware of the provisions of Conservation Order L–41 and their beginning this construction without ascertaining whether War Production Board approval had been granted constituted a violation of Conservation Order L–41 which was the result of gross negligence.

This violation of Conservation Order L–41 has diverted critical material to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, That:

§ 1010.597 *Suspension Order S–597.* (a) From August 16, 1944, through October 16, 1944, deliveries of material to C. C. Miller and C. T. Dumbaugh, doing business as Miller & Dumbaugh or otherwise, their or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board. The provisions of this paragraph shall not apply to construction jobs which have been begun or contracts for construction which have been entered into by C. C. Miller and C. T. Dumbaugh, doing business as Miller & Dumbaugh, or otherwise, prior to the issuance of this suspension order.

(b) Nothing contained in this order shall be deemed to relieve C. C. Miller or C. T. Dumbaugh, doing business as Miller & Dumbaugh or otherwise, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 9th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12345; Filed, August 16, 1944; 4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–602, Stay of Execution]

THE WICHITA BEACON

The Wichita Beacon of Wichita, Kansas, has appealed from the provisions of Suspension Order No. S–602, issued August 11, 1944 (§ 1010.602), and has requested a stay on the ground that irreparable harm would be done its business if the Suspension Order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the Suspension Order be stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner. In view of the foregoing, *It is hereby ordered,* That:

The provisions of Suspension Order No. S–602, issued the 11th day of August, 1944, are hereby stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

Issued this 16th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12346; Filed, August 16, 1944; 4:33 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M–63, as Amended Aug. 17, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M–63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M–63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board shall purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB–1041 (formerly PD–222C) addressed to the War Production Board, Ref.: M–63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB–1039 (formerly PD–322A), which form shall be addressed to the War Production Board, Ref.: M–63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB–1040 (formerly PD–222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M–63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M–63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 17th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns	3417. 010 3417. 110	[1] 1/18/43 [1] 1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	[2] 7/21/43
Cordage of agave fibers, other than sisal	N. S. C.	[1] 1/18/43
Cords and twines of agave fibers	N. S. C.	[1] 1/18/43
Fabrics woven of agave fibers	N. S. C.	[3] 9/11/43
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	[4] 1/18/43
Alpaca llama, and vicuna hair	3535. 000 3535. 400 inc.	[2] 7/2/42
Alparratas	0869. 800	6/22/43
Beef and mutton tallow—includes oleo stock	0086. 000	5/22/43
Beef and mutton tallow (inedible)—includes oleo stock	0815. 000	5/22/43
Brazilian pebble (quartz crystals), unmanufactured	[5] 120. 000	10/6/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc	N. S. C.	10/6/42
Broomcorn	2036. 000	11/23/43
Castor beans	2231. 000	4/6/43
Chrome ore (Chromite)	6213. 100 6213. 300 6213. 800	[6] 12/28/41 [6] 12/28/41 [6] 12/28/41
Cinchona bark or other bark from which quinine may be extracted	2301. 000	5/22/43
Columbium ore (columbite) or concentrates	6270. 300	4/8/43

* See footnotes at end of table.

LIST I—Continued

Material	Commerce Import Class No.	Governing date
Cottonseed oil, crude, refined	[1] 428. 100 [1] 428. 200	5/22/43 5/22/43
Feathers for beds (including goose and duck feathers and down, and mixtures thereof, new and used)	0922. 200	6/26/43
Flaxseed (linseed)	2233. 000	5/22/43
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5720. 100	4/8/43
Crystalline flake	5720. 200	12/28/41
Crystalline, crucible lump and chip graphite	5720. 510	4/8/43
Crystalline, dust and other crystalline lump and chip graphite	5720. 590	4/8/43
Hemp (Cannabis sativa type only), unmanufactured:		
Hackled including "line of hemp"	2363. 000	9/11/43
Not hackled	2363. 200	9/11/43
Tow	2363. 200	9/11/43
Hides and skins:		
Deer: buck or doe	0299. 100	[3] 9/11/43
Lac: crude, seed, button and stick	2105. 000	[4] 4/8/43
Lard oil	N. S. C.	3/5/43
Lard (including rendered pork fat)	0095. 000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0096. 100	3/5/43
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species	0309. 100–0317. 900 inc. 0345. 020–0345. 100	7/2/42
Leather made from hides or skins of animals of the equine species	N. S. C.	[7] 7/2/42
Goat and kidskin leather (except vegetable-tanned)	0333. 000–0335. 300 inc. 0335. 400 0340. 800 0345. 200 0345. 300	7/2/42 7/2/42 7/2/42 7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil	2254. 000	5/22/43
Manganese ore (including ferruginous) or concentrates, and manganiferrous iron ore, containing 35 percent and over of manganese	6211. 200 6211. 300	5/14/43 5/14/43
Muru muru nut oil	N. S. C.	8/21/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808. 900	5/22/42
Oleo oil	0036. 200	8/21/42
Peanut (ground nut) oil	1437. 000	5/22/43
Peanuts:		
Shelled	1367. 000	4/2/43
Not shelled	1368. 000	4/2/43
Pyrethrum or insect flowers	2202. 000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220. 310	10/21/42
Rapeseed	2237. 000	[8] 5/22/42
Red squill	2210. 650	10/21/42
Rotenone bearing roots (cubé root (timbo or barbasco) derris and tuba) crude and advanced	2210. 230 2220. 300 2220. 360	5/4/43 5/4/43 5/4/43
Rutile	2220. 370 6370. 200	5/4/42 12/28/41
Seal oil	0816. 000	7/2/43
Sesame oil, edible and inedible	1428. 200	[9] 7/21/42
Sunflower oil, edible and denatured	3265. 000 1421. 000	[9] 7/21/42 5/22/42
Sunflower seed	2247. 000 2240. 000	5/22/42 [8] 5/22/43
Tantalum ore (tantalite)	6270. 400	4/8/43
Tucum oil	N. S. C.	8/21/42
Whale oil (other than sperm)	0803. 800	5/22/43
Zirconium ore	6270. 500	12/28/41

[1] Moved from List II 4/28/43.
[2] Moved from List III 1/18/43.
[3] Moved from List III 4/28/43.
[4] Moved from List II 5/14/43.
[5] Moved from List III 3/5/43.
[6] Moved from List II 10/6/42.
[7] Moved from List III 5/17/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II amended Aug. 17, 1944, effective Aug. 19, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/5/43
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500. 010	1/13/42
	5500. 020	1/13/42
	5500. 090	1/13/42
	5500. 300	1/13/42
	5500. 500	1/13/42
	5501. 000	1/13/42
	5501. 100	1/13/42
	5501. 900	1/13/42
	5502. 100	1/13/42
Babassu nuts and kernels	2220. 130 2220. 150	4/8/42 4/8/42
Babassu nut oil	2257. 100	4/8/42
Balsa wood:		
Logs	4029. 100	6/10/42
Sawed boards, planks, deals and sawed timber	4118. 000	6/10/42
Beryl ore or beryllium ore	6270. 000	5/4/42
Beryllium oxide, carbonate and other beryllium salts	5280. 063	5/4/42
Bristles, hog and pig	0917. 000 0979. 100	[3] 3/14/42 [3] 3/14/42
Brushes, n. s. p. f.:		
Paint brushes (including artists)	9715. 100	[2] 9/28/43
Other (except toilet brushes and hair pencils)	9715. 900	[1] 9/28/43
Castor oil	2260. 020	4/8/42
Cattle, ox, and calf tail hair including switches	3686. 100	7/2/42
Cedar, Spanish:		
Logs	4032. 000	[4] 4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	4202. 000	[4] 4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	[4] 4/28/43
Coconut oil	2242. 500	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/43
Coir yarn	3420. 000	[1] 11/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc	N. S. C.	[1] 11/23/42
Copper	6401. 900	12/28/41
	6417. 100	3/14/42
	6430. 000	3/14/42
	6418. 300	6/1/42
Copper and brass scrap	6401. 900	12/28/41
	6418. 100	7/2/42
	6453. 000	6/1/42
	6780. 020	6/1/42
Copra	2292. 000	1/13/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	5460. 000	5/22/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N. S. C.	8/21/42
Balloon fabric, type HH	N. S. C.	8/21/42
Balloon fabric, type 88	N. S. C.	8/21/42
Cotton rope for spinning mules	N. S. C.	11/23/42
Decating apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 58's and finer	N. S. C.	11/23/42
Filter cloth	N. S. C.	11/23/42
Grey tracing cloth fabric	N. S. C.	11/23/42
Lithograph moleskin cloth	N. S. C.	11/23/42
Printers molleton	N. S. C.	11/23/42
Tracing cloth	3070. 000	8/21/43
Typewriter ribbon fabric	N. S. C.	8/21/42
Cottonseed hull fiber	N. S. C.	7/21/42
Emetine and salts thereof	N. S. C.	8/6/43
Fir, other than Douglas fir:		
Logs	N. S. C.	4/28/43

See footnotes at end of table.

List II—Continued

Material	Commerce Import Class No.	Governing date
Fir, other than Douglas fir—Con.		
Lumber, rough sawed boards, planks, deals, etc.	4104.040	4/28/43
Lumber, dressed sawed boards, planks, deals, etc.	4104.080	4/28/43
Flax, unmanufactured (all types):		
Hackled, including "dressed line"	2391.000	7/2/43
Not hackled:		
Valued less than $240 per ton	2392.000	4/8/43
Valued $240 or more per ton	2393.000	4/8/43
Noils	2393.700	7/2/43
Tow	2392.800	5/4/43
Straw	2392.900	5/4/43
Glycerine, crude and refined	3291.000	5/22/43
	3291.100	5/22/43
Hair, curled	3698.800	6/29/44
Hides and skins:		
Buffalo hides, dry and wet	0208.000	1/13/43
	0208.100	1/13/43
Cabretta skins or hair sheep skins	0295.000	7/2/43
Calf, dry and wet	0207.000	1/13/43
	0208.000	1/13/43
Cattle hides, dry and wet	0201.000	1/13/43
	0202.000	1/13/43
Goat and kid skins, dry and wet	0241.000	7/2/43
	0242.000	7/2/43
Kip, dry and wet	0205.000	1/13/43
	0206.000	1/13/43
Horse mane and tail hair, raw and drawn, including switches	3694.000	[1] 3/14/43
	3694.100	[2] 3/14/43
Ipecac, crude and advanced in value or condition	2210.460	[3] 1/18/43
	2220.170	[3] 1/18/43
Iron and steel scrap, fit only for remanufacture	6004.000	6/1/43
	6004.100	6/1/43
Istle or tampico fiber, manufactured in whole or in part (dressed)	3410.000	3/5/43
Istle or tampico fiber manufactures (incl. all products in whole or in part of istle)	N. S. C.	11/23/42
Istle or tampico fiber, unmanufactured (including istle waste)	3409.000	3/14/43
Jewels, for any movement, mechanism, device or instrument dutiable under paragraphs 357 and 358 of the Tariff Act of 1930, or any meter or compass (Jewel bearings)	9880.000	1/12/44
Jute and manufacturers:		
Waste bagging and waste sugar sack cloth	3243.000	6/10/43
Jute yarns or roving, single	3244.000	6/10/43
	3244.100	6/10/43
	3244.300	6/10/43
Jute cordage, twine and twist of 2 or more yarns twisted together, also of single yarn or roving:		
Not bleached, dyed or otherwise treated	3245.200	6/10/43
	3245.300	6/10/43
	3245.400	6/10/43
	3245.500	6/10/43
Bleached, dyed or otherwise treated	3245.220	6/10/43
	3245.320	6/10/43
	3245.420	6/10/43
	3245.520	6/10/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	3246.000	6/10/43
	3246.100	6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f.	3247.000	6/10/43
	3247.300	6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	3248.000	6/10/43
Woven fabrics of jute for paddings or interlinings exceeding 30 threads in warp and filling to the square inch, weighing from 4½ to 12 ounces, inclusive, per square yard	3248.100	6/10/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	3248.200	6/10/43
Jute silver	3280.000	6/10/43
Jute webbing, not exceeding 12 inches in width	3250.700	6/10/43

See footnotes at end of table.

List II—Continued

Material	Commerce Import Class No.	Governing date
Jute and manufactures—Con.		
Jute manufactures, n. s. p. f.	3280.000	6/10/43
Jute bags or sacks	3280.100	4/2/43
	3280.200	4/2/43
Jute butts, unmanufactured	3242.000	10/6/42
Jute, unmanufactured	3241.000	10/6/42
Kapok	3403.000	7/2/43
Kyanite and sillimanite	5080.900	12/28/41
Leather, unmanufactured:		
Chamois leather	0234.320	[4] 7/2/43
	0235.800	[4] 7/2/43
Rough tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0239.000	[4] 7/2/43
	0239.100	[4] 7/2/43
Sheep and lamb leather (including shearlings and cabrettas):		
Leather for shoe purposes	0232.000	[4] 7/2/43
	0232.100	[4] 7/2/43
Glove and garment leather	0232.300	[4] 7/2/43
Leather, n. s. p. f. cut into shoe uppers, vamps, or other forms	N. S. C.	[4] 7/2/43
Patent leather for the manufacture of footwear	N. S. C.	[4] 7/2/43
Grained, embossed, etc., or fancy leather	0240. 000	[4] 7/2/43
Skivers, n. s. p. f.	0235. 200	[4] 7/2/43
In the rough, in the white, crust or russet, partly finished or finished	N. S. C.	[4] 7/2/43
Other (except glove and garment)	0232. 200	[4] 7/2/43
Leather products made in whole or in part of bovine, equine, or goatskin leather:		
Aprons	N. S. C.	5/27/44
Belts, transmission	N. S. C.	5/27/44
Belts, designed to be worn on the person	N. S. C.	5/27/44
Chaps, work	N. S. C.	5/27/44
Flat leather goods	N. S. C.	5/27/44
Footwear (including slippers)	N. S. C.	5/27/44
Furniture	N. S. C.	5/27/44
Garments	N. S. C.	5/27/44
Gloves, work	N. S. C.	5/27/44
Handbags and purses	N. S. C.	5/27/44
Harness	N. S. C.	5/27/44
Horse collars	N. S. C.	5/27/44
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	5/27/44
Laces and thongs	N. S. C.	5/27/44
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks and other luggage; and boxes, caskets, chests, baskets, rolls, brief cases, golf bags, and other cases):		
Made wholly or in part of bovine leather	N. S. C.	5/5/43
Made wholly or in part of equine leather	N. S. C.	5/27/44
Made wholly or in part of goatskin leather	N. S. C.	5/27/44
Rifle scabbards; rifle slings, pistol holsters, and pistol belts	N. S. C.	5/27/44
Saddles and saddlery	N. S. C.	5/27/44
Suspenders	N. S. C.	5/27/44
Loofa (Luffa) sponges	N. S. C.	5/21/43
Maguey or cantala, unmanufactured	3400. 200	1/18/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204. 100	7/21/42
	4031. 000	7/2/43
Mahogany logs		
Mahogany rough (not further manufactured than sawed)	4202. 100	7/21/42
Manila or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 3 or more yarns	3417. 096	6/28/43
	3417. 196	6/28/43
Manila or abaca fiber (except T grade tow)	3402. 300	4/28/43
Manila or abaca tow (T grade only)	3402. 500	4/28/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C.	4/28/43
Mealtia fiber	N. S. C.	10/6/42
Metallic beryllium, cesium, lithium, and potassium	5080. 570	5/4/42
Metallic mineral substances in crude form, not otherwise classified (such as dross, skimmings, residues, brass foundry ash, and flue dust)	6740. 100	6/1/43

See footnotes at end of table.

List II—Continued

Material	Commerce Import Class No.	Governing date
Mica	5560. 810	3/14/43
	5560. 840	3/14/43
	5560. 860	3/14/43
	5560. 880	3/14/42
	5560. 910	3/14/43
	5560. 940	3/14/42
	5560. 960	3/14/42
	5560. 980	3/14/42
	5561. 000	3/14/43
	5561. 300	3/14/43
	5561. 400	3/14/43
	5561. 500	7/21/43
	5561. 600	3/14/43
	5561. 900	3/14/42
	5564. 000	3/14/43
	5564. 200	3/14/43
Milkweed	N. S. C.	1/18/43
Ouricury (uricury) nuts and kernels	2239. 610	5/22/42
	2239. 620	5/22/42
Ouricury (uricury) oil, inedible and edible	2237. 800	5/22/42
	2237. 830	5/22/42
Palm nut kernels	2236. 800	3/14/43
Palm kernel oil	2248. 600	3/14/43
Palm oil	2243. 000	1/12/42
Pine, other than Northern white or Norway pine:		
Logs	N. S. C.	4/28/43
Lumber, sawed boards, planks, deals, etc., rough and dressed	4107. 709	4/28/43
Prima Vera:		
Logs	4083. 400	[5] 4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	N. S. C.	[5] 4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	[5] 4/28/43
Pulpwood, except chipped pulpwood	4500. 000–4505. 000 inc.	1/12/44
Punga fiber	N. S. C.	3/5/43
Quebracho extract	2244. 000	[6] 7/2/42
Quebracho wood	2205. 000	[6] 7/2/42
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	8102. 000	3/5/43
Quinine alkaloid	8103. 200	3/5/43
Other salts and derivatives of quinine	8103. 300	3/5/43
Cinchonidine and its salts	8103. 400	3/5/43
Cinchonine and its salts	8103. 500	3/5/43
Quinidine and its salts	8103. 600	3/5/43
Totaquine and totaquine compounds	N. S. C.	3/5/43
Rapeseed oil, denatured and not denatured	2246. 000	5/22/42
	2253. 000	1/13/42
	2107. 300	3/14/42
Shellac, unbleached and bleached	2108. 000	3/14/43
Silk:		
Cocoons	3702. 000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun	3700. 000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702. 000	10/21/42
Silk waste	3704. 000	10/21/42
Wild silk or tussah	3702. 100	10/21/42
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6810. 800	7/21/42
Bullion, refined	6810. 000	7/21/42
Coin, foreign	6810. 600	7/21/42
Sweepings and scrap, including silver sulphides	6810. 100	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (except flume tow and bagasse waste)	N. S. C.	1/18/43
Talc, steatite (magnesium silicate), containing not to exceed 1½% lime and 1½% ferric oxide:		
Crude and unground	N. S. C.	11/23/42
Tin:		
Tin-plate scrap	6740. 050	7/2/42
Tung oil (China wood oil)	2241. 000	11/13/42
Tungsten ore and concentrates	6232. 000	12/28/41
Urena lobata fiber	N. S. C.	10/6/42
Vanadium ore	6260. 000	12/28/41
Yucca fiber	N. S. C.	3/5/43
Zinc blocks, pigs or slabs	6585. 700	12/28/41

[1] Moved from List I 1/8/44.
[2] Moved from List I 3/20/44.
[3] Moved from List I 2/20/44.
[4] Moved from List III 5/17/44.
[5] Moved from List I 4/29/44.
[6] Moved from List I 6/22/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

List III

NOTE: List III amended Aug. 17, 1944, effective Aug. 19, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)	N. S. C.	5/5/43
Agave fiume tow and bagasse waste not elsewhere specified on this order	N. S. C.	5/5/43
Alewives and other pickled or salted fish, n. s. p. f.	0073. 300–0073. 900 inc.	7/2/43
Alfalfa seed	0401. 000	7/2/43
Anchovies, canned, not in oil or in oil and other substances	0057. 000	7/2/43
Anchovies, in oil or in oil and other substances	0084. 200	1/18/43
	0084. 300	1/18/43
Apples, dried, desiccated, or evaporated	1200. 010	6/28/43
Apricots, dried, desiccated, or evaporated	1200. 120	6/28/43
Argols, tartar and wine lees, and crude calcium tartrate	5232. 000	7/2/42
	5230. 000	7/2/42
	5230. 013	7/2/42
Jaiata, Coquiran: (crude and washed)	N. S. C.	[1] 7/7/44
Balata, Masaurandube	N. S. C.	3/5/43
Balata, Peruvian chicken-wire	N. S. C.	5/27/44
Balata, Peruvian F. A. Q., white	N. S. C.	3/5/43
Beans, dried, except fava beans	N. S. C.	7/2/42
Beef and veal, pickled or cured	0089. 000	7/2/43
Beef, canned, including corned beef	0088. 000	7/2/43
Beef, fresh, chilled or frozen	0018. 000	5/14/43
Blood, dried	8500. 000	7/2/43
Bone black, bone char, and blood char	0690. 130	7/2/42
Bones, crude	0041. 200	7/2/42
Bones, ground, ash, dust, meal and flour	0041. 300	7/2/43
Bran, shorts, and other wheat by-product feeds	1181. 000	7/2/43
Brazil or cream nuts	1355. 000	7/2/42
	1357. 000	7/2/42
Butter	0044. 000	7/2/43
Buttermilk, dried	0041. 200	4/2/43
Cacao butter (cocoa butter)	1420. 000	7/2/43
Canary Seed	0402. 000	7/2/42
Casein or lactarene	0042. 000	7/2/42
Cassia buds, unground	1533. 000	10/6/42
Cassia, cassia vera, unground	1533. 100	10/6/42
Cassia, cassia buds and cassia vera, ground	1540. 070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8500. 100	1/18/43
	0045. 100–0046. 500 inc.	7/2/42
Cheese		
Cherries dried, desiccated, evaporated	1317. 100	6/28/43
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed	0018. 400	4/28/43
Live	N. S. C.	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Chickpeas and garbanzos, dried	1200. 000	7/2/43
Chicle, crude and refined or advanced	5121. 000	7/2/42
	5120. 000	7/2/42
	5120. 013	7/2/42
China clay or Kaolin	5300. 000	8/21/43
Cinnamon and chips of, unground	1536. 000	10/6/42
Cinnamon and chips of, ground	1540. 030	10/6/42
Cocoa beans or cacao beans	1801. 300	7/2/43
Cocoa powder, unsweetened and sweetened	1802. 100	1/18/43
	1802. 300	1/18/43
	1802. 900	1/18/43
Coconuts, in the shell	1345. 000	10/21/42
Coconut meat, shredded and desiccated or similarly prepared	1370. 000	10/21/42

See footnotes at end of table.

List III—Continued

Material	Commerce Import Class No.	Governing date
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil, etc., and not in airtight containers, weighing, with contents, not over 15 lbs. each)	0060. 000	4/2/43
	0060. 200	4/2/43
	0060. 900	4/2/43
Coffee, raw or green, roasted or processed	1511. 000	7/2/43
	1511. 100	7/2/43
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2260. 120	7/21/43
Congo gum copal	N. S. C.	1/12/44
Corn	1081. 000	7/2/43
Corn meal, flour, grits and similar products	1090. 190	6/29/44
Corn, cracked	1090. 130	7/2/42
Corned beef hash	1350. 220	5/27/44
Cornstarch	3815. 000	10/25/43
Cotton linters (all grades)	3005. 000	7/2/42
Cotton, raw (all staple length)	3001. 000	7/2/42
	3003. 600	7/2/42
	3003. 700	7/2/42
	3003. 800	7/2/42
Cotton waste	3005. 350	7/2/42
	3005. 600	7/2/42
Cotton—Merino waste	0850. 902	7/2/42
Cream, dried	0041. 800	4/2/43
Currants, dried	N. S. C.	6/28/43
Dates, dried	N. S. C.	6/28/43
Dog food	1190. 700	7/2/42
	1190. 800	7/2/42
Egg albumen, dried	0094. 200	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0094. 600	3/5/43
Eggs (chicken) whole, in the shell	0088. 700	7/2/42
Eggs, dried	0090. 000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091. 000	3/5/43
Eggs of poultry other than chicken, whole, in the shell	0088. 200	3/5/43
Egg yolks, dried	0092. 000	3/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0093. 000	3/5/43
Ergot	2210. 320	10/6/42
Fatty acids, not specifically provided for derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260. 220	5/22/42
Linseed oil	2260. 210	7/21/42
Soybean oil	2260. 230	7/21/43
Other, not elsewhere specified	2260. 240	7/21/42
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified	2260. 280	7/21/42
Feeds, mixed livestock and poultry	1190. 200	6/29/44
Figs, dried	N. S. C.	6/28/43
Fish scrap and fish meal	0076. 000	7/2/43
	8500. 700	7/2/43
Fish-liver oil, n. e. s. (include halibut-liver oil)	2220. 120	1/12/44
Floor coverings:		
Pile mats and floor coverings of cocoa fiber (coir fiber)	3960. 100	10/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan	3963. 000	10/21/42
Fruits, dried, not elsewhere specified on this order	N. S. C.	6/28/43
Ginger root, unground, not preserved or candied	1536. 100	10/6/42
Ginger root, ground, not preserved or candied	1540. 080	10/6/42
Glue stock, not elsewhere specified	0930. 900	3/5/43
Grapes, dried, other than raisins	1319. 500	6/28/43
Grapes, fresh (other than hothouse)	1315. 800	7/2/43
Guano	8504. 000	7/2/43
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	3/5/43
Herring (including sprats, pilchards and anchovies) all types	0070. 000–0070. 900 inc.	7/2/42
Hide cuttings, raw	0930. 800	7/2/43
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/12/44
Hides and skins:		
Horse, colt, and ass	0211. 100	7/2/43
	0211. 200	7/2/43
	0212. 100	7/2/43
	0212. 200	7/2/43
	0212. 300	7/2/43
	0212. 500	7/2/43
Shearlings, dry and wet (except close shorn skins with commercially worthless wool, ¼ inch and down)	N. S. C.	7/2/42

See footnotes at end of table.

List III—Continued

Material	Commerce Import Class No.	Governing date
Hides and skins—Continued.		
Sheep and lamb skins, except shearlings, cabrettas, etc.		
Pickled skins, not split, no wool	0234. 000	7/2/43
Pickled fleshers, split, flesh side	0234. 100	7/2/42
Pickled skivers, split, grain side	0234. 200	7/2/42
Other wooled (wool on) except shearlings	0231. 500	7/2/42
Hydrogenated or hardened oils and fats, vegetable or animal	2260. 100	7/21/42
Iodine	8300. 000	7/2/42
	8380. 630	7/2/42
Iron ore	6001. 000	7/2/42
Lamb, fresh, chilled or frozen	0022. 000	5/14/43
Leche caspi (including crude sorva gum)	2170. 000	5/5/43
Lentils	1199. 000	7/2/42
Lignaloe oil or Bois de Rose	2280. 270	7/2/42
Mace, unground	1540. 000	10/6/42
Mace, ground	1550. 000	10/6/42
Mace, Bombay or wild, unground	1549. 200	10/6/42
Mace, Bombay or wild, ground	1550. 100	10/6/42
Maté	2210. 570	7/2/43
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770. 900	10/6/42
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0033. 900	10/21/42
Meat extracts, including fluid	0098. 000	7/2/42
Milk, condensed and evaporated	0040. 000	7/2/43
	0040. 100	7/2/42
	0040. 700	7/2/42
Milk, skimmed, dried	0041. 100	4/2/43
Milk, whole, dried	0041. 000	4/2/43
Molasses and sugar sirup, edible and inedible	1630. 480–1640. 000 inc.	7/2/43
Muru muru nuts and kernels	2239. 630	5/22/42
	2239. 640	5/22/43
Mutton, fresh, chilled or frozen	0021. 000	5/14/43
Nitrates, Sodium and Potassium	8506. 000	7/2/43
	8527. 500	7/2/43
	8527. 900	7/2/43
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	8509. 800	1/18/43
Nutmegs, unground	1539. 000	10/6/42
Nutmegs, ground	1550. 110	10/6/42
Oats, hulled and unhulled	1041. 000	7/2/42
	1041. 100	7/2/43
Offal, edible	0028. 600	7/2/42
Oil cake and oil cake meal:		
Coconut or copra	1111. 000	3/5/43
Soybean	1112. 000	3/5/43
Cottonseed	1114. 000	7/2/42
Linseed	1115. 000	3/5/43
Peanut	1119. 680	7/2/42
Hempseed	1119. 700	7/2/42
Other n. s. p. f.	1119. 900	7/2/42
Oleo stearin	0026. 300	7/2/42
Olive oil, inedible:		
Sulphured or foots	2244. 000	9/23/43
Other	2245. 000	9/23/43
Onions, dehydrated	N. S. C.	4/28/43
Onions, edible	1209. 100	7/2/42
Paper base stock:		
Rags for paper stock	4091. 000	7/2/42
Waste bagging, gunny cloth and bags	4092. 000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n. e. s.	4092. 100	7/2/42
Peaches, dried, desiccated, or evaporated	1330. 620	6/28/43
Peaches, green, ripe, or in brine	1330. 610	7/2/42
Pearl shells or mother-of-pearl shells, unmanufactured	0051. 000	5/5/43
Pears, dried, desiccated, or evaporated	1330. 670	6/28/43
Pears, green, ripe or in brine	1330. 660	7/2/42
Peas, dried and split	1197. 000	7/2/42
	1198. 000	7/2/42
Piassava fiber	3409. 350	7/2/42
Piassava fiber, manufactured in whole or in part (dressed cut to length, etc.)	3410. 050	3/5/43
Pigeons, racing or fancy	0895. 500	7/2/42
Pigeons, other	N. S. C.	7/2/42
Pimento (allspice), unground	1543. 000	10/6/42
Pimento (allspice), ground	1550. 130	10/6/42
Pimientos, packed in brine or oil, or prepared or preserved	1244. 000	3/5/43
Pork:		
Fresh or chilled	0020. 100	5/14/43
Frozen	0020. 700	5/14/43
Pork hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	0030. 900	7/2/43
	0031. 900	7/2/43
Prunes, prunelles, and plums:		
Green or ripe, not in brine	1330. 510	6/28/43
In brine	1330. 530	6/28/43
Dried, desiccated, or evaporated	1330. 540	6/28/43
Otherwise prepared or preserved, n. s. p. f.	1330. 550	6/28/43

See footnotes at end of table.

List III—Continued

Material	Commerce Import Class No.	Governing Date
Raisins:		
Made from seedless grapes	1319.100	6/28/43
Other	1319.200	6/28/43
Ramie fiber or China grass, unmanufactured	3409.000	9/23/43
Rice:		
Paddy	1051.000	10/25/43
Uncleaned or brown rice	1051.100	10/25/43
Cleaned or milled rice	1053.000	10/25/43
Patna rice, cleaned, for use in canned soups	1054.000	10/25/43
Rice meal, flour, polish and bran	1059.100	10/25/43
Broken	1059.200	7/2/43
Rye	1044.000	7/2/43
Sardines, in oil or in oil and other substances	0063.200	4/2/43
	0063.300	4/2/43
Sausage casings, sheep, lamb and goat only	0034.000	7/2/43
Sausage casings, other	0035.500	7/2/43
Sesame seed	2334.000	8/22/43
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0868.730	1/12/44
Sisal and henequen fibers tow and bagasse waste	N. S. C.	1/18/43
Soap (except Castile) and soap powder	(3712.300-3719.900 inc.	7/2/43
Sugar, cane	(1610.730-1610.900 inc.	7/2/43
Syrups and extracts for use in the manufacture of beverages	N. S. C.	2/3/43
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	(0975.000	7/2/43
	(8509.600	
Tapioca, tapioca flour, and cassava (including mandioca flour)	1298.000	7/2/43
Tartaric acid	8207.000	6/29/44
Tea, not specially provided for	1521.000	7/21/43
Textile waste, not elsewhere specified in the order, including jute thread and flax, etc. (except sisal and henequen processors' mill waste)	N. S. C.	7/2/43
Tops of hair other than camel's hair, mohair, and wool (including alpaca and vicuna), n. e. s.	3860.800	1/18/43
Tucum nuts and kernels	(3239.650	8/22/43
	(3239.660	
Tuna fish, in oil or in oil and other substances	0063.200	4/2/43
Turkeys:		
Dead, fresh, chilled or frozen, dressed or undressed	0034.000	4/28/43
Live	0014.000	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Veal, fresh, chilled or frozen	0016.000	6/14/43
Wool, advanced, n. e. s.	3800.000	1/18/43
Wool, apparel, 40's or coarser	(3508.000-3508.300 inc.	7/2/43
Wool, apparel, finer than 40's, not finer than 44's on the skin	(3514.000-3525.000	7/2/43
Wool, apparel, finer than 44's[1]	3520.000	7/2/43
	3521.100	7/2/43
	3521.200	7/2/43
	3521.300	7/2/43
	3522.000	7/2/43
	3523.100	7/2/43
	3523.200	7/2/43
	3523.300	7/2/43
	3526.000	7/2/43
	3527.100	7/2/43
	3527.200	7/2/43
	3527.300	7/2/43
	3528.000	7/2/43
	3529.100	7/2/43
	3529.200	7/2/43
	3529.300	7/2/43
Wool apparel, (finer than 40's but not finer than 44's)[1]	3513.000	7/2/43
	3514.100	7/2/43
	3514.200	7/2/43
	3514.300	7/2/43
	3524.000	7/2/43
	3525.100	7/2/43
	3525.200	7/2/43
	3525.300	7/2/43
Wool, carpet	(3501.000-3502.300 inc.	7/2/43
Wool noils and waste	(3580.000-3583.700 inc.	7/2/43

[1] Moved from List II 9/23/43.
[2] Moved from List I 1/5/44.
[3] Moved from List I 2/20/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; *Provided, however*, That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M–63 (§ 1043.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M–63. (Issued May 14, 1943.)

[F. R. Doc. 44–12366; Filed, August 17, 1944; 11:32 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M–63–a, as Amended May 17, 1944, Amdt. 1]

Section 1042.2 *Supplemental General Imports Order M–63–a* is hereby amended by removing the following materials from Schedule A:

Material	Commerce Import Class No.	Governing date
Peanut butter	1390.000	9–22–43
Sansevieria fiber	N. S. C.	6–28–43
Sansevieria manufactures (incl. all products in whole or in part of sansevieria)	N. S. C.	6–28–43

This amendment effective August 19, 1944.

Issued this 17th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12367; Filed, August 17, 1944; 11:33 a. m.]

PART 1253—BERYLLIUM

[General Preference Order M–160, As Amended Aug. 17, 1944]

Section 1253.1 *General Preference Order M–160* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of beryllium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1253.1 *General Preference Order M–160*—(a) *Definition.* For the purposes of this order, "Beryllium" means and includes:

(1) Ores and concentrates, including beneficiated or treated forms, containing beryllium, commercially recognized;

(2) The element beryllium, sometimes known as "glucinum", in commercially pure form;

(3) Any alloy containing 3% (three per cent) or more by weight of the element beryllium;

(4) Any alloy made for resale in ingot form and containing less than 3% but not less than 0.1% by weight of the element beryllium, if made in whole or in part from scrap or secondary materials;

(5) All chemical compounds containing beryllium as an essential and recognizable component.

(b) *Materials removed from allocation.* Beginning (the effective date of this order) War Production Board authorization is no longer necessary for delivery or acceptance of delivery of any beryllium (defined in paragraph (a) of this order) except beryllium copper covered by paragraphs (a) (3) and (a) (4).

(c) *Materials remaining under allocation.* No person shall deliver or accept delivery of beryllium copper covered by paragraphs (a) (3) and (a) (4) of this order, except as specifically authorized by War Production Board.

(d) *Exceptions.* The following deliveries are excepted from the restrictions of paragraph (c) of this order:

(1) *Small order deliveries to persons other than brass mills.* Any person may, without authorization from War Production Board, deliver a quantity of beryllium copper in an amount not to exceed two (2) pounds of contained beryllium in any calendar month to any person other than a brass mill. Any person other than a brass mill may, without authorization from War Production Board, accept delivery of beryllium copper from all sources in any calendar month in an amount not to exceed two (2) pounds of contained beryllium.

(2) *Deliveries generally to brass mills.* Any person may, without authorization from War Production Board, deliver beryllium copper to a brass mill, and any brass mill may accept delivery of beryllium copper without authorization from War Production Board.

(e) *How to obtain allocations.* Each person requiring permission (pursuant to paragraph (c) of this order) to accept delivery of beryllium copper during any calendar quarter shall, not later than the 20th of the month preceding the calendar quarter in which delivery is desired, file with War Production Board, Washington, D. C., four copies of his application on Form WPB–1122. At the same time, he should send an additional copy to the supplier with whom he may place an order for beryllium copper. War Production Board will return one copy of Form WPB–1122 to the supplier and another copy to the applicant indicating the quantity of beryllium copper which the supplier is authorized to deliver and the applicant to receive.

(f) *Reports.* All producers and suppliers of beryllium shall file with War Production Board, Washington, D. C., a report on Form WPB–1123 not later than the 15th day of each calendar month.

(g) *Special directives.* The War Production Board may from time to time issue special directives with respect to:

(1) Deliveries or receipts of beryllium (as defined in paragraph (a) of this order).

(2) The permissible kind or quantity of beryllium which may be used in the composition of any material or product.

(3) The use of any practical substitute for beryllium in the production of any materials or products.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(i) *Budget Bureau approval.* The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *General Imports Order M–63 unaffected.* Nothing contained in this order alters or modifies in any way the provisions of General Imports Order M–63 applicable to beryllium.

(l) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Washington 25, D. C., Ref: M–160.

Issued this 17th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12369; Filed, August 17, 1944; 11:33 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M–21–b–2, Direction 3]

OIL COUNTRY DISTRIBUTORS

The following direction is issued pursuant to General Preference Order M–21–b–2.

Paragraph (g) (1) of Order M–21–b–2, as amended, states that any person who wishes to become a distributor of any merchant trade product from stock at a location not in operation prior to April 1, 1944, may do so only by purchasing his entire working stock from holders of idle or excess inventories. The order provides, moreover, that each location established by any person pursuant to paragraph (g) (1) shall be considered a separate distributor, even though the location may only represent the addition of another unit to a group operated by the distributor.

These provisions are not practicable for distributors who principally serve the petroleum drilling industry. Branch warehouses of such distributors usually follow the drillers from place to place so that material may be available on the spot to fill local emergency demands promptly.

To enable oil country distributors to operate in their normal manner, the War Production Board will consider, pursuant to paragraph (h) (5), applications for exceptions from the provisions of paragraph (g) (1) of Order M–21–b–2 by distributor companies whose principal business in merchant trade products consists of furnishing such materials from stock to petroleum drillers. Each such application should be submitted in duplicate in the name of the company as a whole, and not for any one or two locations, and must contain the following information:

1. Name and home address of the oil country distributor.
2. Location of each branch store in operation prior to April 1, 1944.
3. The base tonnage for each merchant trade product group held by each producer for each branch warehouse.
4. A complete consolidated report on Form WPB–2892 covering the operations of the company as a whole at all points during the first six months of 1944. Copies of this form may be obtained from the nearest War Production Board Regional Office.
5. A statement of the relief requested and the reasons why the distributor believes his company should be granted relief from certain of the provisions of Order M–21–b–2.

Previous instructions issued to individual distributors under dates of November 22, 1943, November 30, 1943, or January 3, 1944, are hereby cancelled. However, if, on or after April 1, 1944, any oil country distributor has been given an exception by the War Production Board from the provisions of paragraph (g) (1) of Order M–21–b–2, such exception is valid and he need not apply under this Direction.

All applications filed pursuant to this Direction 3 should be addressed to the Warehouse Branch, Steel Division, War Production Board, Room 1528B Social Security Building, Washington 25, D. C.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Acts of 1942.

Issued this 17th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12368; Filed, August 17, 1944; 11:33 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 1 to Supp. 6]

CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES AND RELATED PRODUCTS (1944 AND LATER PACKS)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Supplement 6 to Food Products Regulation No. 1 is amended in the following respects:

1. The title, and all references in the supplement to the title, are amended to read as set forth above.

2. Section 1 (a) is amended to read as follows:

(a) This supplement establishes maximum prices for the 1944 and later packs of the frozen fruits, berries and vegetables and related products listed below:

Frozen red sour pitted cherries.

Red sour cherries, pitted and packed with or without sugar (but not frozen) in containers which are not hermetically sealed.

3. The first sentence of section 2 is amended to read as follows: "Impor-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 8057.

tant: Not all of the provisions affecting the maximum prices of the listed frozen and related products are stated in this supplement."

4. The headnote of section 4 is amended to read as follows: "*Maximum prices for sales by processors of frozen red sour pitted cherries and certain related products to purchasers other than government procurement agencies.*"

5. In the table in section 4 (a), the phrase "all others" is amended to read as follows: "Straight-pack, and all styles of pack containing 16 or more parts fruit to one part sugar."

6. Section 4 (d) is added to read as follows:

(d) *Red sour cherries, pitted and packed with or without sugar (but not frozen) in containers, which are not hermetically sealed*—(1) *In barrels, and in other containers having a capacity of 30 pounds or more.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per pound, f. o. b. factory, for each item of red sour cherries of the 1944 and later packs, pitted and packed with or without sugar (but not frozen) in barrels, or in other containers having a capacity of 30 pounds or more, which are not hermetically sealed, in the following manner;

(i) For the product packed in barrels, he shall subtract ¼ cent per pound from the maximum price named for the appropriate area in the table in paragraph (a) above, for the corresponding style of pack of frozen red sour pitted cherries packed in barrels.

(ii) For the product packed in containers (other than barrels) having a capacity of 30 pounds or more, he shall subtract ⅛ cent per pound from the maximum price named for the appropriate area in the table in paragraph (a), above, for the corresponding style of pack of frozen red sour pitted cherries packed in tin containers having a capacity of 30 pounds or more

(2) *In containers (other than barrels) having a capacity of less than 30 pounds.* For sales to purchasers other than government procurement agencies of an item of red sour cherries of the 1944 and later packs, pitted and packed with or without sugar (but not frozen) in containers (other than barrels) having a capacity of less than 30 pounds, which are not hermetically sealed, the processor shall apply for a maximum price under section 8 (c), below.

7. Section 8 (f) is amended to read as follows:

(f) When the seller must figure a delivered price (section 2.6 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

8. Section 8 (h) is amended to read as follows:

(h) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (section 2.8 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

9. Section 8 (n) is amended to read as follows:

(n) Treatment of federal and state taxes (section 2.14 of FPR 1). The "base period" is the first 60 days after the beginning of the 1941 pack.

10. Section 9 is amended by adding the following undesignated paragraph:

The above provisions of this section apply only to frozen products.

This amendment shall become effective August 17, 1944.

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12302; Filed, August 16, 1944; 11:32 a. m.]

PART 1340—FUEL

[MPR 88, Amdt. 15]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 4.11 (d) is added to read as follows:

(d) *City of St. Louis.* In the City of St. Louis the maximum delivered-at-destination price for 72–74 octane ASTM gasoline delivered in tank cars and transport trucks to consumers shall be 7.51¢ per gallon.

2. Article V is amended by adding a note at the beginning thereof to read as follows:

NOTE: Maximum prices of a seller must be determined under sections 5.4 and 5.5, if applicable.

3. Article V is amended by adding sections 5.4 and 5.5 to read as follows:

SEC. 5.4 *Gasoline.* In the States of Illinois, Indiana, Iowa, Kansas, Michigan (except the Southern peninsula), Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, a supplier's maximum delivered-at-destination prices for automotive gasoline of the grades described below delivered in tank cars and transport trucks shall be as set forth below, except that the sum of ⅛ of a cent per gallon may be added by an eligible marketer.

(a) *Tank wagon resellers—Contract buyers.* If there was a written contract in effect for deliveries extending over a period of not less than one year on October 1, 1941 between a supplier and a tank wagon reseller, then the particular supplier's maximum delivered-at-destination price to such reseller shall be determined in accordance with the provisions of section 5.2, Article VI and Article VIII.

(b) *Consumers and tank wagon resellers.* If (a) is inapplicable any supplier's maximum delivered-at-destination price shall be:

(1) For 80 octane ASTM or Ethyl Grade Gasoline—to consumers, 6.75¢ (6.25¢ in the State of Indiana and the Metropolitan Chicago area) per gallon plus the rail rate of transportation as of October 1, 1941 from Tulsa, Oklahoma to the particular destination; and to tank wagon resellers either the maximum price to consumers or the dealer tank wagon maximum price as of May 1, 1944 for Premium Grade Gasoline at such particular destination less 2.25¢ per gallon, whichever is the lower.

(2) For 72–74 octane ASTM Gasoline—to consumers, 6¢ (5.50¢ in the State of Indiana and the Metropolitan Chicago area) per gallon plus the rail rate of transportation as of October 1, 1941 from Tulsa, Oklahoma to the particular destination; and to tank wagon resellers either the maximum price to consumers or the dealer tank wagon maximum price as of May 1, 1944 for regular grade gasoline at such particular destination less 2¢ per gallon, whichever is the lower.

(3) For 63–66 octane ASTM Gasoline—to consumers, 5.625¢ (5.125¢ in the State of Indiana and the Metropolitan Chicago area) per gallon plus the rail rate of transportation as of October 1, 1941 from Tulsa, Oklahoma to the particular destination; and to tank wagon resellers either the maximum price to consumers or the maximum price for 72–74 octane gasoline as determined in (2) above, less .25¢ per gallon, whichever is the lower.

(4) For 60–62 octane and below ASTM Gasoline—to consumers, 5.25¢ (4.75¢ in the State of Indiana and the Metropolitan Chicago area) per gallon plus the rail rate of transportation as of October 1, 1941 from Tulsa, Oklahoma to the particular destination; and to tank wagon resellers either the maximum price to consumers or the maximum price for 72–74 octane gasoline as determined in (2) above, less .25¢ per gallon, whichever is the lower.

(c) *Metropolitan Chicago Area, definition of.* Metropolitan Chicago Area as used in this section means the City of Chicago, Illinois and the areas contiguous thereto within which, with respect to petroleum products, railroad "switching rates" (as distinguished from "through rates") apply from any refinery in Lake, Cook, Du Page and Will Counties in the State of Illinois, and Lake, Porter and La Porte Counties in the State of Indiana.

SEC. 5.5 *Kerosene.* In the States of Illinois, Iowa, Kansas, Michigan (except in the Southern Peninsula), Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, a supplier's maximum delivered-at-destination prices for kerosene delivered in tank cars and transport trucks shall be as set forth below, except that the sum of ⅛ of a cent per gallon may be added by an eligible marketer:

*Copies may be obtained from the Office of Price Administration.

(a) For 41–43 API gravity w. w. kerosene, 4.375¢ (3.875¢ in the State of Indiana) per gallon, plus the rail rate of transportation as of October 1, 1941 from Tulsa, Oklahoma, to the particular destination.

(b) For 42–44 API gravity w. w. kerosene, 4.5¢ (4¢ in the State of Indiana) per gallon, plus the rail rate of transportation as of October 1, 1941 from Tulsa, Oklahoma to the particular destination.

This amendment shall become effective August 22, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12873; Filed, August 17, 1944; 11:56 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 116]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. Section 1340.221 (b) (1) is amended to read as follows:

(1) *Maximum prices in cents per net ton for shipment to all destinations, for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

PRICES AND SIZE GROUP NUMBERS

Price group number	Mine index number	Mine run 7		Domestic lump and egg, raw or washed	Steam lump, egg and nut, raw or washed	Raw chestnut, pea and stoker	Raw screenings	Raw carbon	Raw dust	Washed chestnut and egg	Special stoker	Washed screenings	Washed carbon	Dedusted screenings	Dedusted carbon
		Railroad locomotive fuel	For other use	1, 2, 3	4, 5, 6, 8	9–12, incl.	13, 14	15	16	17–20, incl.	21, 22, 26	23, 24	25	26, 27	29
1, 2, and 3		260	260	330	300	260	210	155	105	260	295	240	215	220	200
3		260	260	295	270					265	290	225	205		
4		250	250	295	270	240	205	120	105					215	
5, 6		230	215	260	250	220	175	110	95					188	
7		260	225	260	260					225	260	210	180		
10, and 16–22 incl		215	190	245	220	215	175	115	95	225	215	205	170	185	
11		260	225	300	260	225	170	110	95	265	260	260	155	189	
12, 13, and 23		260	260	245	235	215	175	115		225	215	205	170	185	
14, 15		265	265	300	270	255	235	155	155	260	260	260	225	240	
24, 25, and 28		235	220	245	235	210	170	115		235	215	200	170	180	
27, 29		285	220	230	285					250	230	215	175		
9-Mine Index No. 179		285	265	300	300					265	285	235	235		
9-Mine Index Nos. 703 and 515		265	265	300	290	260	230	145						240	
30		265	265	285	270	260	235	160		275	275	255	225	245	
31 and Mine Index 175		400	400	450	330	445	305	235		360	360	360	275	215	
32 and 33		260	260	280	265	265	225	100						245	
34		225	225	280	265	220	205	155		240	240	225	190	215	
Exceptions:															
10, and 16–22 incl	5, 6, 15, 20, 22, 31, 36, 43, 45, 46, 50, 53, 56, 103, 110, 114, 137, 149, 155, 173, 178, 179, 188, 1035, 1040, 1042, 1048, 1051, 1052, 1074, 1082, 1087, 1127, 1236, 1317, and 1327.	260	210	265	245	235	195	135	115	245	285	225	190	205	
12	26, 132, and 160	235	235	265	255	225	235	125		245	235	215	180	195	
13	28 and 97	220	220	295	295	235	250	125						250	
13	90	230	220	320	300	265	230	210						195	
13	130, 131, and 965	275	230	280	280	235	235	125						195	
13	1422	265	200	245	235	215	175	115		225	215	205	170	185	
31	98	400	400	470	330	320	305	235						315	

Special price instructions. (i) The maximum price for "Deluxe Superior Processed Stoker" coal, a mixture composed of not less than 80% of Size Group 20 coal and the remainder of Size Group 25 coal, produced at Mine No. 18 (Mine Index No. 9) and Mine No. 47 (Mine Index No. 62), in Price Group No. 1 of the Peabody Coal Company shall be 295 cents per ton.

(ii) *Specific description of size group numbers referred to in paragraph (b) (1).*

Size Group Number and Description

1, 2 and 3—All lump or egg coals bottom size larger than 2", washed or raw.

4, 5, 6 and 8—All lump, egg and stove coals bottom size 2" and smaller, washed or raw.

7—Straight mine run from which no fines have been removed, modified mine run modified by the removal of any intermediate size or sizes; no fines removed; resultants larger than 2" x 0; no fines removed.

9 to 12, inclusive—Raw nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2".

13, 14—Raw screenings larger than 3/8" x 0 but not exceeding 2" x 0.

15—Raw carbon top size larger than 10 mesh or 3/32" but not exceeding 3/8" x 0.

16—Raw dust top size not exceeding 10 mesh or 3/32".

17 to 20, inclusive—Washed or air-cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2".

21 and 22—Washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter top size not exceeding 2".

23 and 24—Washed or air-cleaned screenings top size not exceeding 2".

25—Washed or air-cleaned carbon top size not exceeding 3/8".

26 and 27—Dry dedusted screenings top size not exceeding 2".

28—Dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/8".

29—Dry dedusted carbon top size smaller than 3/8".

(iii) *Special price instruction for railroad locomotive fuel.* (a) Mine run is the combination of all sizes as produced, without the addition or removal of any size or portion thereof.

(b) Modified mine run shall contain 15%, with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1¼" in diameter, or other shaped openings equivalent in area (1¼" screenings), and larger lumps may also be broken down; or modified mine run may be 6" x 1¼" egg with 15%, with a tolerance of 2% up or down, of 1¼" screenings as described above. For maximum price purposes, coal described in this inferior subdivision (b) shall take the maximum prices applicable to Size Group 6.

(c) Raw screenings (Size Groups 13 to 16, inclusive) is coal that will pass through screens with round hole openings 2" or less in diameter, or other shaped openings equivalent in area, without the addition or removal of any size or portion thereof.

(d) Sizes in Size Group Nos. 1 through 8 may be applied, at the option of the producer, on orders for railroad locomotive fuel specifying nut (3" x 1⅝"), modified mine run, mine run or resultant mine run (6" x 0").

(e) Sizes in Size Group Nos. 9 to 29, inclusive, may be applied, at the option

[1] 9 F.R. 5042, 5875, 5887, 5927, 5915, 6433, 6451, 7261, 7974, 7902, 8047, 8513, 9062, 9279, 9280, 9281, 9512.

*Copies may be obtained from the Office of Price Administration.

of the producer on orders for railroad locomotive fuel specifying screenings (Size Groups 13 to 16, inclusive).

2. Section 1340.221 (b) (3) is deleted.

3. Section 1340.221 (b) (4) is redesignated § 1340.221 (b) (3) and amended to read as follows:

(3) If any maximum price for truck shipment has been adjusted prior to February 15, 1943, such maximum price shall not be determined by reference to subparagraph (2) above, but must be determined by adding to such adjusted price no more than 10 cents in all sizes.

4. Section 1340.221 (b) (5) is redesignated § 1340.221 (b) (4) and the numerals (1) and (4) are deleted therefrom.

5. Section 1340.224 (b) (6) is amended to read as follows:

(6) Orders of adjustment issued prior to August 22, 1944, and adjustments computed on OPA Form No. 653–638 under § 1340.207 (e) (added by Amendment No. 74 to this regulation) shall be void as of August 22, 1944, insofar as maximum prices of District No. 10 mines for rail shipment and shipments of coals for all railroad locomotive fuel uses are affected by such orders and adjustments.

This amendment shall become effective August 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12373; Filed, August 17, 1944; 11:55 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 156, Amdt. 1]

CANNED MEAT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 156 is amended in the following respects:

1. Section 7 (c) is added to read as follows:

(c) *Ceiling prices for sales of sterile canned meat by intermediate distributors.* (1) An "intermediate distributor" is a person, other than a "wholesaler" or "marine provisioner" under MPR No. 421, whose entire business in connection with a brand, type and container size of canned meat consists of its purchase and resale. (Examples of intermediate distributors under this regulation are "wagon wholesalers" excluded expressly from MPR No. 421; independent hotel supply houses and marine provisioners who are not wholesalers under MPR No. 421 because they fabricate meat cuts to the extent that the majority of their food sales are not of products which they purchase for resale and distribute without materially changing their form; and manufacturers who purchase and resell certain canned meat products.) The ceiling price for such canned meat sold by an intermediate distributor shall be determined as provided in this paragraph (c).

(2) The ceiling price for a brand, type and container size of sterile canned meat sold by an intermediate distributor of such brand, type and container size of sterile canned meat shall be as follows:

(i) Prior to the first delivery from his supplier to an intermediate distributor of a brand, type and container size of sterile canned meat priced by the supplier under this regulation the intermediate distributor's ceiling price for such canned meat item shall be the ceiling price which he had immediately prior to August 4, 1944. After the first delivery from his supplier, the intermediate distributor's ceiling price for such a brand, type and container size of sterile canned meat shall be determined as provided in subdivisions (ii), (iii) and (iv) below.

(ii) If his supplier's ceiling price under this regulation is less than the supplier's ceiling price under the maximum price regulation previously applicable to the supplier, the intermediate distributor shall subtract the difference from the ceiling price which he had immediately prior to August 4, 1944. When an intermediate distributor first receives a delivery of a canned meat item from his supplier after August 3, 1944, under this subdivision (ii) he may no longer use his former ceiling price.

(iii) If his supplier's ceiling price under this regulation is the same or greater than the supplier's ceiling price under the maximum price regulation previously applicable to the supplier, the intermediate distributor's ceiling price shall be the ceiling price which he had immediately prior to August 4, 1944.

(iv) If an intermediate distributor did not have a ceiling price for any brand, type and container size of sterile canned meat immediately prior to August 4, 1944, his ceiling price for such brand, type and container size of sterile canned meat shall be determined by the provisions of § 1499.2 (a) of the General Maximum Price Regulation, substituting for the purposes of this subdivision (iv) the term "Revised Maximum Price Regulation No. 156" whenever the term "§ 1499.2 (a)" is used in § 1499.2 (a) of the General Maximum Price Regulation.

(v) The filing requirements of section 8 shall not be applicable to intermediate distributors.

(vi) The provisions of section 6 (c) dealing with notification to buyers of new ceiling prices are applicable to sales and deliveries by intermediate distributors under paragraph (c) (2) (ii) of this section.

(3) Notwithstanding any other provision of paragraph (c), no intermediate distributor of canned meat shall sell or deliver such canned meat to another intermediate distributor or a wholesaler or marine provisioner at a price higher than the ceiling price of his own (the selling intermediate distributor's) supplier.

2. Section 11 (a) is amended to read as follows:

(a) *Ceiling prices of semi-sterile canned meat products given dollar-and-cents prices on deliveries to persons other than Group 1 and 2 retailers or purveyors of meals.* The ceiling price for a delivery, to a person other than a Group 1 and 2 retailer or a purveyor of meals, of a semi-sterile canned meat product meeting the specifications for such product established by section 13 (b) shall be determined by

(1) Adding to the base price specified for such product in section 12 (a) the zone addition specified in section 12 (b) for a carload delivery, or less-than-carload delivery, whichever is made, for the zone in which actual physical possession of the product is taken by the buyer, and then

(2) Subtracting from the figure obtained by following paragraph (a) (1) above 25 cents per hundredweight if delivery of the product is not made by the seller to the buyer at the buyer's place of business.

3. Section 11 (b) is amended to read as follows:

(b) *Ceiling prices of semi-sterile canned meat products given dollar-and-cents prices on deliveries to Group 1 and 2 retailers or purveyors of meals.* The ceiling price for a delivery to a Group 1 and 2 retailer or a purveyor of meals, of a semi-sterile canned meat product meeting the specifications for such product established by section 13 (b) shall be determined by

(1) Adding to the base price specified for such product in section 12 (a) the zone addition specified in section 12 (b) for a carload delivery, or less-than-carload delivery, whichever is made, for the zone in which actual physical possession of the product is taken by the buyer, and then

(2) Subtracting from the figure obtained by following paragraph (b) (1) above 25 cents per hundredweight if delivery of the product is not made by the seller to the buyer at the buyer's place of business, and then

(3) Adding to the figure obtained by following paragraphs (b) (1) and (b) (2) above, 6 percent of such figure.

4. Section 11 (c) is added to read as follows:

(c) *Ceiling prices for sales of semi-sterile canned meat by intermediate distributors.* The ceiling price for a brand, type and container size of semi-sterile canned meat (priced at the processor level under section 11 (a) or section (11) (d)) sold by an intermediate distributor of such brand, type and container size of semi-sterile canned meat shall be determined by the provisions of section 7 (c), substituting for the purpose of this paragraph (c) the term "semi-sterile canned meat" whenever the term "sterile canned meat" is used in section 7 (c).

5. Section 13 (a) (6) is added to read as follows:

(6) "Group 1 and 2 retailer" means a person who buys canned meat for resale in a Group 1 and 2 store as defined in Maximum Price Regulation No. 336, Retail Ceiling Prices for Pork Cuts and Certain Sausage Products.

6. Section 13 (a) (7) is added to read as follows:

(7) "Purveyor of meals" means: (i) Any restaurant, hotel, cafe, cafeteria or establishment which purchases meats and where meals, food portions or refreshments are served for a consideration; (ii) any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in foreign, coastwise or intercoastal trade, to the extent that meat is delivered to him as ship's stores for consumption aboard such vessel; (iii) any hospital, asylum, orphanage, prison or other similar institution, which is operated by any federal, state or local government or agency thereof; (iv) any contract school (means any person who is feeding, pursuant to a written contract with any agency of the United States, personnel of the armed services of the United States, fed under the command of a commissioned or noncommissioned officer or other authorized representative of the armed services of the United States).

This amendment shall become effective August 17, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12374; Filed, August 17, 1944; 11:55 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 22]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5711 is revoked.

2. Section 1394.5721(a) is amended by substituting for the sentence "Only coupons of the same class, validity period, gallonage value, and from the same zone may be attached to any single sheet," the following sentence "Only identical coupons shall be attached to any single sheet."

3. Section 1394.5721(b) is added as follows:

(b) No person shall alter the name on any gummed sheet (Form OPA R–120), to which any coupon has been attached or mutilate any such sheet; and no person shall detach or remove any coupons from a gummed sheet, or attach to a gummed sheet any coupons which have been removed or detached from another gummed sheet. A person who inadvertently attaches coupons to a gummed sheet to which they should not be attached or who inadvertently mutilates or spoils a gummed sheet to which any coupons have been attached shall surrender the gummed sheet to a Board. The Board shall issue to him an exchange certificate equal in gallonage value to the gallonage value of the coupons on the gummed sheet submitted, which were not acquired in violation of any provisions of Ration Order No. 11 or Revised Ration Order 11.

This amendment shall become effective on August 21, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1–O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12375; Filed, August 17, 1944; 11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 18]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Sections 3.2 (a) (1) and (2) are revoked, and section 3.2 (a) is amended to read as follows:

(a) A consumer may buy or acquire meat in exchange for "stamps" from his war ration book equal to the point value of the meat "transferred", even though the stamps are not yet good, from a primary distributor who reports or is required to report on OPA Form R–1609 (Revised).

2. The first sentence of section 3.4 (b) is amended by inserting after the word "certification" and before the period, the words "on OPA Form R–1610".

3. The second sentence of section 3.4 (c) is amended by substituting for the words "If he certifies", the words "If the livestock producer is not required to have a permit or if he certifies".

4. The seventh sentence of section 3.4 (e) is amended by substituting the words "War Food Order No. 27" for the words "Food Distribution Order No. 27".

5. Section 4.11 (c) (1) (i) is amended to read as follows:

(i) Sales or transfers of meat having a point value other than zero in an amount not exceeding 6,000 pounds dressed weight which he, as the resident operator of a farm, slaughtered on that farm (or had custom slaughtered for him and acquired point free from the custom slaughterer) during the twelve months preceding the month in which the report must be filed.

6. Section 7.11 (c) is amended by adding at the end thereof the following: "However, an industrial consumer may acquire and use foods covered by this order which have a zero point value without applying for permission to do so."

This amendment shall become effective August 21, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12376; Filed, August 17, 1944; 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 163]

ALUMINUM CANS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. A new section 5.7 is added to read as follows:

SEC. 5.7 *Aluminum cans*—(a) *Maximum prices.* The maximum price at which any person shall sell or deliver any aluminum can shall be a price approved by the Office of Price Administration or a price determined by a pricing method or formula approved by the Office of Price Administration. Every such price or pricing method shall be reported to the Non-Ferrous Metals Branch of the Office of Price Administration, Washington, D. C., not later than fifteen days after the first delivery of the commodity to which it applies.

Under the provisions of this section, a seller may report for approval a price for a single item or a price schedule applicable to all or a part of all sales contemplated.

Pending action by the Office of Price Administration on a price or pricing method submitted for approval under this Section, any seller may sell or deliver and any buyer may buy or receive from such seller any aluminum can at the price submitted for approval or at a price determined by means of the pricing method submitted. If, however, the price

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6731.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2357.

or pricing method submitted is disapproved the selling price shall be revised downward to conform to the price or the pricing method which shall be approved and any payment made in excess of the maximum price may be required to be refunded to the buyer within fifteen days after the date of the order establishing such revised price or pricing method: *Provided*, That the price or pricing method submitted by the seller for approval shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price or pricing method and establishes an approved price or pricing method within fifteen days from the date on which the price or pricing method submitted is received by the Office of Price Administration, or if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration. A price or pricing method once approved shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

(b) *Definitions.* (1) Aluminum can means any unused container made of aluminum and suitable for the packing of any commodity. It includes, for example, but not by way of limitation, aluminum cans and boxes for the packing of baking powder, lard, malted milk powder, tobacco, snuff, tooth powder, cereal beverages and soluble coffee, cocoa, pretzels, crackers, biscuits, potato chips and pharmaceuticals.

This amendment shall become effective August 22, 1944.

NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12377; Filed, August 17, 1944; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 165]

ELECTRIC IRONS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 6.55 is added to read as follows:

SEC. 6.55 *Maximum prices for wholesale and retail sales of electric irons*—(a) *Maximum prices.* This section fixes maximum prices for sales at wholesale and retail of certain electric irons as follows:

(1) For all sales and deliveries at retail on and after August 24, 1944, by any person, the maximum prices, inclusive of Federal excise tax, are those set forth below opposite each model of electric iron:

Name	Model No.	Description	Retail ceiling price (inc. Fed. excise tax)
American Electrical Heater Co., Detroit, Mich.	35AB	Automatic 1,000 watts	$9.40
Chicago Flexible Shaft Co., Chicago, Ill.	A4	do	9.95
Dominion Electrical Mfg. Co., Mansfield, Ohio	246	do	8.40
General Electric Co., Bridgeport, Conn.	116F112	Automatic 660 watts	5.70
	116F115	Automatic 1,000 watts	8.55
Knapp Monarch Co., St. Louis, Mo.	400R	do	5.95
Landers, Frary & Clark, New Britain, Conn.	0184	do	9.40
	0174	Automatic 800 watts	6.75
Manning-Bowman Co., Meriden, Conn.	2494	Automatic 1,000 watts	11.70
Montgomery Ward, Chicago, Ill.	85-2660	Automatic 660 watts	5.75
National Stamping & Electric Co., Chicago, Ill.	241	Automatic 1,000 watts	8.25
Proctor Electric Co., Philadelphia, Pa.	978	do	9.30
Sunbeam-United Corp., Rochester, N. Y.	8600	do	8.55
Sears Roebuck Co., Chicago, Ill.	20-0046	do	6.95
Superior Electric Products, Inc., Cape Girardeau, Mo.	220	do	6.95
Tennessee Valley Associates, Nashville, Tenn.	100	Non-automatic 615 watts	7.90
Waage Mfg. Co., Chicago, Ill.	62B	Non-automatic	5.30
Westinghouse Electric & Mfg. Co., Mansfield, Ohio	LPC414	Automatic 1,000 watts	8.75
	LR24	Automatic 700 watts	5.95
Winsted Hardware Mfg. Co., Winsted, Conn.	191	Automatic 780 watts	7.10

(2) For all sales and deliveries at wholesale by any person other than the manufacturer, after August 23, 1944 of an electric iron listed above, the maximum price shall be the lower of the following:

(i) The highest price charged for the same iron by the wholesaler to each class of purchaser, during March, 1942; or

(ii) The retail ceiling price specified above (reduced by the amount of the manufacturer's Federal excise tax) less 40% for sales in quantities of 6 or more units, or less 35% for sales in quantities of less than 6 units.

(b) *Terms.* The maximum prices established by this section are subject to terms, discounts, and allowances, no less favorable than those in effect during March, 1942 on sales of similar articles by the seller.

(c) *Tagging.* On and after August 24, 1944, no person may sell or deliver any electric iron listed in paragraph (a) (1) above, at retail, unless it has affixed to it a statement which plainly sets forth the retail ceiling price established by this section for sales of the particular model of electric iron.

(d) *Notification.* At the time of or prior to the first invoice on and after August 24, 1944, covering the sale of an electric iron listed in paragraph (a) (1) above, every wholesaler shall notify in writing his purchasers for resale of the maximum prices and conditions set by this section for resales by the purchaser. This notice may be given in any convenient form.

This section shall become effective August 24, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12378; Filed, August 17, 1944; 11:56 a. m.]

*Copies may be obtained from the Office of Price Administration.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

BRIDGE AT ABERDEEN, WASH.

Pursuant to section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), paragraph (o) of the special regulations governing the operation of the highway bridge (West's) across Chehalis River at Aberdeen, Washington, is hereby amended as follows:

§ 203.775. *Grays Harbor and tributaries, Wash.; bridges.*

* * * * *

(o) State bridge (West's) over Chehalis River at Aberdeen: Two short blasts of whistle followed quickly by one long blast. (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362; 33 U.S.C. 499) [Regs. Mar. 3, 1928 (E. D. 6374) as amended 8 Aug. 1944, CE 823.01 (Grays Harbor, Wash. & Tributaries)—SPEWR]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-12347; Filed August 17, 1944; 9:13 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

[G. O. 21, Supp. 5]

PART 203—ADMISSION TO PRACTICE BEFORE THE COMMISSION

EXTENSION OF SERVICEMEN'S RIGHT TO PRACTICE

§ 203.14 *Extension of service men's right to practice.* In the case of any member of the military or naval forces or merchant marine or Maritime Service of

the United States, who was admitted to practice before the Commission prior to his entry into such service, the right to practice shall be continued until the expiration of 90 days from the date of such person's severance from such service or until the termination date prescribed by § 203.2, as amended, whichever is the later.

(49 Stat. 1987)

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

AUGUST 1, 1944.

[F. R. Doc. 44-12365; Filed August 17, 1944; 11:10 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 200, Amdt. 4]

PART 95—CAR SERVICE

REFRIGERATION OF POTATOES

At a session of the Interstate Commerce Commission Division 3, held at its office in Washington, D. C., on the 16th day of August, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622, 9 F.R. 9916), and good cause appearing therefor:

It is ordered, That Service Order No. 200 of April 22, 1944, be, and it is hereby, further amended by adding the following exception to paragraph (a) (1) of § 95.337 thereof:

Exception: On refrigerator cars loaded with potatoes originating at any point or points on the Union Pacific Railroad Company in the States of Colorado, Kansas, or Nebraska, or in Idaho Groups B or C, or in Oregon Group B, as defined in Items 1013 and 1043, respectively, of National Perishable Freight Committee's Perishable Protective Tariff No. 13, Agent J. J. Quinn's I. C. C. No. 22, supplements thereto or reissues thereof, the Union Pacific Railroad Company, at its option, may accord such first or initial icing at first regular icing station en route after the car is loaded and billed. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective 12:01 a. m., August 17, 1944, and shall vacate Amendment No. 3 hereto on the effective date hereof, and shall expire at 12:01 a. m., September 15, 1944; that a copy of this order and direction shall be served upon the State Commission of each State specified in the exception herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-12364; Filed, August 17, 1944; 11:07 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

ST. CROIX, VIRGIN ISLANDS

NOTICE OF HEARING ON MINIMUM WAGE RECOMMENDATIONS

Amendment of notice of hearing on the minimum wage recommendations of the Special Industry Committees for the Virgin Islands.

Whereas the Special Industry Committee for the Municipality of Saint Croix, Virgin Islands, appointed by Administrative Order No. 229 of the Acting Administrator of the Wage and Hour Division of the United States Department of Labor on March 4, 1944, recommended that a minimum wage rate of 25 cents an hour be established for all employees in the Municipality of Saint Croix, Virgin Islands, who are not engaged in any industry for which a specific recommendation has been made by the Committee and who are engaged in commerce or in the production of goods for commerce; and

Whereas the notice of hearing in this matter heretofore published in the FEDERAL REGISTER on July 25, 1944 (9 F.R. 8934) inadvertently omitted the foregoing recommendation in enumerating the recommendations of the Special Industry Committee for the Municipality of Saint Croix, Virgin Islands;

Now, therefore, notice is hereby given that:

1. Special Industry Committee for the Municipality of Saint Croix, Virgin Islands, has recommended that a minimum wage rate of 25 cents an hour be established for all employees in the Municipality of Saint Croix, Virgin Islands, who are not engaged in any industry for which a specific recommendation has been made by the Committee and who are engaged in commerce or in the production of goods for commerce.

2. Evidence on the question whether the foregoing recommendation of the Special Industry Committee for the Municipality of Saint Croix, Virgin Islands, should be approved or disapproved will be taken at the hearing on the minimum wage recommendations of the Special Industry Committees for the Virgin Islands to be held on September 20, 1944, before the Administrator of the Wage and Hour Division or a representative designated to preside in his place, in Room 1610, 165 West 46th Street, New York, New York, in accordance with all of the terms of the notice heretofore published in the FEDERAL REGISTER on July 25, 1944 (9 F.R. 8934) and the rules of hearing set forth in such notice.

Signed at New York, New York, this 11th day of August 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-12344; Filed, August 16, 1944; 4:33 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1512]

AERO-TRANSPORTES, S. A.

NOTICE OF HEARING

In the matter of the application of Aero-Transportes, S. A., for a temporary foreign air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended, authorizing use of the airport at Brownsville, Tex., for a period of ninety days, pending repairs and improvements to the airport at Matamoros, Mex., and authorizing use of the airport at Eagle Pass, Tex., for the same period pending repairs and improvements to the airport at Piedras Negras, Mex.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on August 22, 1944, at 10:00 a. m. (eastern war time) in the Foyer of the Auditorium, Commerce Building, Washington, D. C., before Examiner Ferdinand D. Moran.

Dated Washington, D. C., August 16, 1944.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-12363; Filed, August 17, 1944; 10:58 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3933]

CASA EDITRICE FERD. BIDERI

In re: Vesting of copyright interests held by Casa Editrice Ferd. Bideri, of Milan, Italy.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Casa Editrice Ferd. Bideri, of Milan, Italy, is a business organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (Italy);

2. Finding that the property identified in subparagraph 3 hereof is property of Casa Editrice Ferd. Bideri;

3. Finding that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the

statutory and common law of the United States and of the several States thereof, of Casa Editrice Ferd. Bideri, of Milan, Italy, in, to and under the following:

(a) All rights for film synchronization in or under every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by Casa Editrice Ferd. Bideri, of Milan, Italy;

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or revesting, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing,

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however*, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12349; Filed, August 17, 1944; 10:24 a. m.]

[Vesting Order 3934]

SOCIETA INCASSI DIRITTI EDITOIALI

In re: Vesting of copyright interests held by Societa Incassi Diritti Editoiali, of Milan, Italy.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Societa Incassi Diritti Editoiali, of Milan, Italy is a business organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (Italy);

2. Finding that the property identified in subparagraph 3 hereof is property of Societa Incassi Diritti Editoiali;

3. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of Societa Incassi Diritti Editoiali, of Milan, Italy, in, to and under the following:

(a) All rights for film synchronization in or under every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by Societa Incassi Diritti Editoiali, of Milan, Italy;

(b) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(c) All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(d) All rights of reversion or revesting, if any, in any or all of the foregoing;

(e) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing,

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however*, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12350; Filed, August 17, 1944; 10:24 a. m.]

[Vesting Order 3943]

ALPINA FILM S. A., ET AL.

In re: Italian-owned motion picture film in the United States and the copyright interests therein.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That each of the individuals whose names and last-known addresses are set forth in Exhibit A, attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in such Exhibit is organized under the laws of Italy and that each of said individuals and companies is a national of a designated enemy country (Italy);

2. That the Italian government and the persons listed in said Exhibit A jointly or severally own or control the property herein described in subparagraph 3;

3. That the property described as follows:

a. All motion picture film in the United States owned or controlled by the Italian government, and/or the individuals and companies and each of them whose names and last-known addresses are listed in said Exhibit A,

b. All right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and the several states thereof, of each and all of the identified persons to whom reference is made in said Exhibit A in, to, and under the following:

(1) Every copyright, claim of copyright, and right to copyright in each and all of the motion picture film in the United States owned or controlled by the Italian government and/or the individuals and companies and each of them whose names and last-known addresses are set forth in said Exhibit A;

(2) Every license, agreement, privilege, power, and right of whatsoever nature arising under, or with respect to, any of the foregoing;

(3) All monies and amounts and all right to receive monies and amounts by way of royalty, share of profits, or other emoluments accrued, or to accrue, whether arising pursuant to law, contract, or otherwise, with respect to any or all of the foregoing;

(4) All rights of renewal, reversion or revesting, if any, in any, or all, of the foregoing;

(5) All causes of action, accrued, or to accrue, at law or in equity with respect to any, or all, of the foregoing, including, but not limited to the right to sue for and recover all damages and profits, and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right, or the breach of any obligation described in or affecting any or all of the foregoing;

is property within the United States owned or controlled by a designated enemy country (Italy) and/or nationals thereof and is property payable or held with respect to copyrights or rights related thereto in which interests are held by and said property constitutes interests held therein by a foreign country (Italy) and/or nationals thereof;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy); and having made the determination and taken all action after appropriate consultation and certification required by law and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Alpina Film S. A., Via Vicenzo 29B, Roma.
Giuseppe Amato, Albergo Plaza, Rome.
Appia Film, Rome.
Anonima Film Internazionale, Tirrento, Italy.
Cinecitta, Rome.
Consorzio Scipio L'Africano.
Consorzio Forzano.
Consorzio Via Tirrenia.
Diana Film, S. A., Via Fornono 3, Rome.
Fert-Microtecnica, Torino.
Grandi Film Storici, S. A. I., Via Lucullo 11, Rome.
Industrie Corti Metraggi S. A. I., Rome.
Itala Film S. A., Via Lucullo 11, Rome.
Juventus Film, Via Marghera 43, Rome.
Luciano-Dorio Cinecitta-Rome.
Roma Internazionale Film.
Saitta Films, Rome.
SAPEC, Piazza Sollustio 24, Rome.
Societa Annonima Produzione Esercizi Cinematografiche, Rome.
Stella S. A. Cinematografica, Via Vittorio Veneto 116, Rome.
L'Unione Nazionale Esportazione Pellicoli, Rome.

[F. R. Doc. 44–12351; Filed, August 17, 1944; 10:24 a. m.]

[Vesting Order 3983]

CARL ADOLPH

In re: Estate of Carl Adolph, deceased; File D–28–8763; E. T. sec. 10694.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Clarence J. Hartman, Chadwick, Illinois, Administrator, acting under the judicial supervision of the County Court of Carroll County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karline Adolph, Germany.
Otto Adolph, Germany.
Lewis Adolph, Germany.
Henry Adolph, Germany.
Jane Doe (first name unknown) Adolph, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Karline Adolph, Otto Adolph, Lewis Adolph, Henry Adolph and Jane Doe (first name unknown) Adolph, and each of them, in and to the estate of Carl Adolph, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12353; Filed, August 17, 1944; 10:24 a. m.]

[Vesting Order 3984]

SINA BUSE

In re: Estate of Sina Buse, deceased; File D–28–8254; E. T. sec. 9373.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Meta Bergemann in and to the estate of Sina Buse, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Meta Bergemann, Germany.

That such property is in the process of administration by Charlotte Neuman, nee Charlotte Ritter, as Executrix of the Estate of Sina Buse, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such per-

son be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12353; Filed, August 17, 1944; 10:24 a. m.]

[Vesting Order 3985]

EMILIE FUGGER

In re: Estate of Emilie Fugger, a/k/a Amelia Fugger, deceased; File D–28–8480; E. T. Sec. 9893.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that

(1) The property and interests hereinafter described are property which is in the process of administration by Karl Fugger, 3456 Gravois Avenue, St. Louis, Missouri, Executor, acting under the judicial supervision of the Probate Court of the State of Missouri, in and for the City of St. Louis;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Christian Meeh, Germany.
Karl Meeh, Germany.

And determining that

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Christian Meeh of any kind or nature whatsoever in the possession of Karl Fugger, Executor of the Estate of Emilie Fugger, also known as Amelia Fugger, deceased, and all the property and estate of Karl Meeh of any kind or nature whatsoever in the possession of Karl Fugger, Executor of the Estate of Emilie Fugger, also known as Amelia Fugger, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12354; Filed, August 17, 1944; 10:25 a. m.]

[Vesting Order 3986]

SOPHIE HELDMANN

In re: Estate of Sophie Heldmann, deceased; File D–28–7685; E. T. sec. 8347.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the County Treasurer of Tompkins County, acting under the judicial supervision of the Surrogate's Court, Tompkins County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Rudiger and her issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Rudiger and her issue, and each of them, in and to the Estate of Sophie Heldmann, deceased;

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12355; Filed August 17, 1944; 10:26 a. m.]

[Vesting Order 3988]

IDA IVERSEN

In re: Estate of Ida Iversen, also known as Emma Ida Clara Iversen and also known as Ida Iverson, deceased; File D–28–8392; E. T. sec. 9780.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest, and claim of any kind or character whatsoever of Minna Hansen, and her issue names unknown; and the issue, names unknown, of Bertha Fischer, deceased, and each of them, in and to the estate of Ida Iversen, also known as Emma

Ida Clara Iversen and also known as Ida Iverson, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Minna Hansen, Germany.
Issue, names unknown of Minna Hansen, Germany.
Issue, names unknown of Bertha Fischer, deceased, Germany.

That such property is in the process of administration by Charles Geisen, as Executor of the Estate of Ida Iversen, also known as Emma Ida Clara Iversen and also known as Ida Iverson, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12356; Filed, August 17, 1944; 10:26 a. m.]

[Vesting Order 3909]

MELANIE KURT-DERI

In re: Estate of Melanie Kurt-Deri, deceased; File D–6–174; E. T. sec. 3911.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Flora Kohn, and Janette (Jeannette) Grumbacher, and each of them, in and to the estate of Melanie Kurt-Deri, deceased,

All right, title, interest and claim of any kind or character whatsoever of Leopold Kohn, Flora Kohn, Flora Menhart, Leopold Menhart and Elise Kohn, and each of them, in and to the trust created under the Will of Melanie Kurt-Deri, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Leopold Kohn (German citizen), Italy.
Flora Menhart, Germany (Austria).
Flora Kohn (German citizen), Italy.
Leopold Menhart, Germany (Austria).
Elise Kohn, Germany (Austria).
Janette (Jeannette) Grumbacher, Germany.

That such property is in the process of administration by Anna Reiss, as Executrix and Trustee of the Estate of Melanie Kurt-Deri, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12357; Filed, August 17, 1944; 10:26 a. m.]

[Vesting Order 3910]

MIRIAM LUBELSKI

In re; Estate of Miriam Lubelski, deceased; File D–66–521; E. T. sec. 3744.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by H. L. Byram, Depositary, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;
(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Gerthe Gerber, Germany.

And determining that—
(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Gerthe Gerber, in and to the estate of Miriam Lubelski, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such propery or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-12358; Filed, Aug. 17, 1944; 10:26 a. m.]

[Vesting Order 3901]

ANNA MARTHA LUNDSCHIEN

In re: Estate of Anna Martha Lundschien, deceased; File D-28-7553; E. T. sec. 7872.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of (Mrs.) Kate Zimmermann, (Mrs.) Elsa Molcsko, (Mrs.) Herta Mix and (Miss) Helga Marieluise Kliewer, and each of them, in and to the estate of Anna Martha Lundschien, deceased, and in and to the trust created under the will of Anna Martha Lundschien, deceased,

is property payable or delivered to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

(Mrs.) Kate Zimmermann, Germany.
(Mrs.) Elsa Molcsko, Poland.
(Mrs.) Herta Mix, Germany.
(Miss) Helga Marieluise Kliewer, Germany.

That such property is in the process of administration by Louise Jung, Frieda Wiedmann and Frieda Konstmann, as Executrices of the Estate of Anna Martha Lundschien, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

Determining that (Mrs.) Elsa Molcsko, a citizen or subject of a designated enemy country, Germany and within an enemy occupied area, Poland, is a national of a designated enemy country, Germany;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceedings thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-12359; Filed, August 17, 1944; 10:26 a. m.]

[Vesting Order 3902]

HERMAN STEARNS

In re: Estate of Herman Stearns, deceased; File D-66-809; E. T. sec. 5329.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Richard Weser, Irene Weser, Emilie Orfi, Gertluts Dannenbaum, Ernst Klestadt, and each of them, in and to the estate of Herman Stearns, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany, Hungary and Roumania, namely,

Nationals and Last Known Address

Richard Weser, Hungary.
Irene Weser, Hungary.
Emilie Orfi, Roumania.
Gertluts Dannenbaum, Belgium.
Ernst Klestadt, Holland.

That such property is in the process of administration by the County Treasurer, Nassau County, State of New York, acting under the judicial supervision of the Surrogate's Court, Nassau County, Mineola, New York;

And determining that Gertluts Dannenbaum and Ernst Klestadt, citizens or subjects of the designated enemy country, Germany, and within enemy occupied countries Belgium and Holland respectively, are nationals of a designated enemy country (Germany);

To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries (Germany, Hungary and Roumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-12360; Filed, August 17, 1944; 10:26 a. m.]

[Vesting Order 3903]

EUGEN STEIMER

In re: Estate of Eugen Steimer, a/k/a Eugene Steimer, deceased; File D-28-3409; E. T. sec. 5108.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Museum of the City of Villingen, Eugenie Poser, a/k/a Alice Eugenie Poser and Marie Steimer, and each of them, in and to the estate of Eugen Steimer, a/k/a Eugene Steimer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Museum of the City of Villingen, Germany.
Eugenie Poser, a/k/a Alice Eugenie Poser, Germany.
Marie Steimer, Germany.

That such property is in the process of administration by the German Society of the City of New York, as Executor of the Estate of Eugen Steimer, a/k/a Eugene Steimer, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–12361; Filed, August 17, 1944; 10:27 a. m.]

[Vesting Order 500A–30, Amdt.]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Vesting order Number 500A–30, dated May 7, 1943 (9 F.R. 7957), is hereby amended as follows and not otherwise:

By deleting Exhibit A attached to and by reference made a part thereof and substituting therefor Exhibit A attached hereto and by reference made a part hereof.

All other provisions of said Vesting Order Number 500A–30 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Lili Marlene.....	Norbert Schultze and Hans Leip of Germany (exact address not established).	Apollo-Verlag, Paul Lincke, Berlin, Germany (nationality: German).	Authors and owner.

[F. R. Doc. 44–12362; Filed, August 17, 1944; 10:27 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Directive, Aug. 15, 1944]

SURPLUS PEARS, 1944

SUBSIDY PAYMENT

The War Food Administrator having submitted certain information and recommendations to me on August 15, 1944, with reference to a program for the payment of subsidies in 1944 on surplus pears, it is hereby found and determined that the purposes of the hold-the-line order, specifically, the policy established by Executive Orders 9250 and 9328 (3 C.F.R. Cum Supp., pp. 1213, 1267) will be effectuated by the payment of a subsidy to equalize, to the extent necessary the excess cost incurred by canners through the shipment of peas from areas of surplus production to areas in which unused canning facilities exist.

The War Food Administrator is therefore, hereby authorized and directed to absorb, by the use of Commodity Credit Corporation funds, the aforesaid excess cost incurred by canners through the shipment of pears from areas of surplus production to the areas in which unused canning facilities exist.

Issued this 15th day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44–12370; Filed, August 17, 1944; 11:48 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Amdt. 1 to Order 906]

BITUMINOUS COAL IN DISTRICT 8

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, Order No. 906 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

1. Footnote No. 7 appearing in and below the Table of Maximum Price Exceptions, insofar as it relates to Mine Index No. 605, is hereby deleted and the numeral "8" is inserted in its place in the table and the following footnote is inserted below the table.

[8] Void on and after 2/18/45.

2. The following mine index number, mine name, subdistrict number and maximum price exceptions are added to the Table of Maximum Price Exceptions in the column with and under the War Eagle Mine, Mine Index No. 483:

DISTRICT NO. 8.—MAXIMUM PRICE EXCEPTIONS

Mine Index No.	Mine name	Sub-district No.	1	2	3	4	5	6	7	8	9	10	15–17	18	19	20–21	22	23
•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
5	Ajax.....	8	365	360	350	350	345	335	315	310	310	370	335	285	280	280	270	----

This Amendment No. 1 to Order No. 906 under Maximum Price Regulation No. 120 shall become effective August 16, 1944.

Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12387; Filed, August 16, 1944; 2:51 p. m.]

[MPR 136, Amdt. 2 to Order 229]

CHRYSLER CORP.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 2 to Order No. 229 under Maximum Price Regulation 136, as amended—Machines and parts, and machinery services. Chrysler Corporation; Docket No. 3136–431.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price

Regulation 136, as amended, *It is hereby ordered:*

Order No. 229 under Maximum Price Regulation 136 is amended in the following respects:

1. A new paragraph (b) (1) is added to read as follows:

(1) Chrysler Corporation and its wholly owned subsidiaries, except its wholly owned retail dealerships, may sell to the United States Government, its agencies and wholly owned corporations, for the use of the United States Government or for the purposes of Lend-Lease, each of the Dodge Motor Trucks listed in subparagraph (1) of paragraph (a) at a price not to exceed the total of the applicable "Net Wholesale Price" in subparagraph (1) of paragraph (a), less the amount included in that Net Wholesale Price for payment to dealers as an average wholesale bonus, plus the applicable allowances in subparagraph (2) of paragraph (a).

2. Paragraph (f) is amended to read as follows:

(f) In the case of a reseller who cannot establish a price under paragraph (c) or (d), because he was not in business on March 31, 1942, his maximum price shall be a total of the following:

(1) The applicable "Retail List Price", f. o. b. factory, in subparagraph (1) of paragraph (c).

(2) The original equipment retail charge that Chrysler Corporation suggested on March 31, 1942, to resellers as a charge to be made by resellers, to the applicable class of purchaser, for extra, special and optional equipment attached as original equipment to the applicable model listed in subparagraph (1) of paragraph (c) except that for the following equipment when sold attached as original equipment to the applicable model in subparagraph (1) of paragraph (c), the charge shall not exceed the following applicable "Retail List Price", less the discounts in effect on March 31, 1942, to the applicable class of purchaser:

Description	Retail list price
(a) Synthetic tires (when used on 1½ ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 7.00 x 20, 8 ply, 6" rims	$24.00
Dual rear (with appropriate wheel assembly):	
7.50 x 20, 8 ply, 7" rims	124.25
8.25 x 20, 10 ply, 7" rims	205.50
(b) Synthetic tires (when used on 2 ton models instead of synthetic rubber tires of base tire equipment sizes):	
Front: 8.25 x 20, 10 ply, 7" rims, 6 stud hubs	88.15
Dual rear 9.00 x 20, 10 ply, 8" rims, 6 stud hubs	240.25
(c) Eaton 2-speed Rear Axle (16,000 lbs.) for 2 ton models	157.30

(3) Actual freight-in expense.

(4) The amount the Chrysler Corporation in accordance with its March 31, 1942, method, charges the reseller as an allowance to cover federal excise tax and tires-weight tax, and the amount of the reseller's expense for state and local taxes assessed on the vehicle.

(5) A charge to cover the reseller's handling and delivery expense not to exceed the amount of this expense to the reseller.

3. Paragraphs (g) and (h) are redesignated paragraphs (h) and (j) respectively, and a new paragraph (g) is added to read as follows:

(g) *Definitions.* A reseller for the purpose of this order means: (1) A seller engaged generally in the business of selling trucks at retail; (2) the Chrysler Corporation, and its wholly owned subsidiaries, when selling trucks (i) at retail, (ii) to fleet accounts, (iii) to the United States, or its agencies, or its wholy owned corporations, for resale by the latter to buyers outside the United States; (3) a user of a truck described in subparagraph (1) of paragraph (c), that has not been used.

This amendment shall be effective as of June 17, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12379; Filed, August 17, 1944; 11:53 a. m.]

[MPR 188, Amdt. 16 to Order A-2]

CERTAIN DURABLE GOODS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

Order No. A-2, issued under § 1499.-159b of Maximum Price Regulation No. 188, is amended in the following respect:

A new paragraph (a) (16) is added at the end thereof to read as follows:

(16) *Certain durable goods.* (i) The purpose of this adjustment provision is to remove price impediments to the continued supply of certain durable goods listed below, in cases where the cost of living will not be increased by the adjustment of the manufacturer's maximum price or prices.

(ii) This provision applies to the following commodities:

Baby carriages, folding.
Bathroom wall fixtures.
Bicycle saddles.
Breakfast sets.
Brooms.
Brushes.
Canvas and wood folding furniture.
Carpenters' squares.
Carpet sweepers.
Cast iron hand tools.
Curtain rods, metal.
Electric irons.
Fire-protective chests.
Fountain pens, with steel or silver nibs.
Galvanized ware.
Garment hangers, wire.
Garment hangers, wood.
High chairs.
Kitchen cabinets.
Kitchen cutlery.
Kitchen utensils, aluminum.
Kitchen utensils, cast iron.
Kitchen utensils, enamel.
Maple or maple finish bedroom suites.
Mattresses.
Mops, mop sticks and heads.
Mouse traps and rat traps.
Occasional wood chairs, including chairs with padded seats.
Pen nibs, steel or silver.
Pencils, wood.
Picture frames selling to retailers for 60¢ or less.
Pillows.
Play pens.
Reed or fibre furniture.
Safes.
Unpainted chairs.
Unpainted tables.
Unpainted vanities.
Unpainted chests.
Unpainted cabinets.
Well buckets, metal.
Wheeled cultivators and plows.
Window shades, paper.
Window shades, cloth.
Wood bedsteads and cribs.
Woodenware (except articles covered by MPR 196).
Household refrigerators, ice.

(iii) An adustment may be made in the case of any manufacturer of one of the listed commodities when it appears that:

(a) His maximum price is below the prevailing level of maximum prices of other manufacturers of the same or substantially the same articles to the same class of purchaser.

(b) His entire operation is being conducted at a loss (or will be in 90 days) or his maximum price on the article on which adjustment is sought is below his manufacturing cost, plus packing cost and shipping cost where delivered prices are quoted or freight is allowed or equalized.

(iv) Any adjustment of a manufacturer's maximum price made under this provision will be limited to the lowest applicable amount among the following:

(a) If the manufacturer's entire operation is profitable, an amount sufficient to cover the unit manufacturing cost plus packing cost and shipping cost where delivered prices are quoted or freight is allowed or equalized.

(b) If the manufacturer's entire operation is being conducted at a loss (or will be so within 90 days), an amount sufficient to cover his total unit cost to make and sell the article.

(c) An amount equivalent to the prevailing market level of maximum prices of similar articles to the same class of purchaser, manufactured by competitive firms.

(v) Even though a manufacturer may qualify under this paragraph for an adjustment in price, the adjustment may be denied if it appears that a reasonably adequate substitute for the article on which adjustment is sought is available at a lower price than the manufacturer's price as adjusted.

(vi) Any order making an adjustment in a manufacturer's maximum price under this provision may also make appropriate adjustments in the maximum prices of other sellers of the article.

This amendment shall become effective on the 18th day of August 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12381; Filed, August 17, 1944; 11:55 a. m.]

[MPR 188, Order 2091]

TAGGING OF NEW ELECTRIC IRONS

Order No. 2091 under § 1499.159b of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator and the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Tagging of new electric irons.* Every manufacturer of an electric iron shall affix to each electric iron delivered by him on and after the effective date of this order, a statement giving the make or brand name, the model number, and the retail ceiling price established by the Office of Price Administration for sales of that electric iron at retail. This may be done by tag, label or other device at the option of the manufacturer. A tag in the following form (with the blanks properly filled in) is satisfactory:

Make or brand.....
Model .....
OPA Retail Ceiling Price.....

The statement must be affixed to the electric iron prior to its delivery to the buyer.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 24, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12380; Filed, August 17, 1944; 11:53 a. m.]

Regional and District Office Orders.

[Region II Order G-1 Under RMPR 269, Amdt. 2.]

POULTRY EXCEPT DUCKS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269, Order No. G-1 under Revised Maximum Price Regulation No. 269 is amended in the following respects:

1. The title of section 3 (a) is amended to read as follows:

(a) *Base prices for Grade "A" processed poultry items and Grade "1" live poultry items in Zone 1.*

2. The title of section 3 (a) (2) is amended to read as follows:

(2) *Maximum base prices for Grade "A" processed poultry items, except ducks, and Grade "1" live poultry items, except ducks, in Zone 1.*

3. In section 3 (a) (2) the maximum base prices for young turkeys and old turkeys are amended to read as follows:

Type	Food products—Weight			Maximum base prices—Zone 1					
	Live weight	Kosher-killed, kosher-dressed and dressed weight	Frozen-eviscerated, and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
Young turkeys:									
Light	Under 18	Under 16	Under 13	35.3	43.0	42.0	43.5	51.5	54.5
Medium	18 to 22	16 to 20	13 to 16½	35.3	43.0	42.0	43.5	50.5	53.5
Heavy	22 and over	20 and over	16½ and over	35.3	43.0	42.0	43.5	49.5	52.5
Old turkeys:									
Light	Under 18	Under 16	Under 13	33.3	41.0	40.0	41.5	49.0	52.0
Medium	18 to 22	16 to 20	13 to 16½	33.3	41.0	40.0	41.5	48.0	51.0
Heavy	22 and over	20 and over	16½ and over	33.3	41.0	40.0*	41.5	47.5	50.5

4. The title of section 3 (b) is amended to read as follows:

(b) *Base prices for Grade "A" processed poultry items and Grade "1" live poultry items in Zone 2.*

5. The title of section 3 (b) (2) is amended to read as follows:

(2) *Maximum base prices for Grade "A" processed poultry items, except ducks, and Grade "1" live poultry items, except ducks, in Zone 2.*

6. In section 3 (b) (2) the maximum base prices for young turkeys and old turkeys are amended to read as follows:

Type	Food products—Weight			Maximum base prices—Zone 2					
	Live weight	Kosher-killed, kosher-dressed and dressed weight	Frozen-eviscerated, and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
Young turkeys:									
Light	Under 18	Under 16	Under 13	35.2	42.9	41.9	43.4	51.4	54.4
Medium	18 to 22	16 to 20	13 to 16½	35.2	42.9	41.9	43.4	50.4	53.4
Heavy	22 and over	20 and over	16½ and over	35.2	42.9	41.9	43.4	49.4	52.4
Old turkeys:									
Light	Under 18	Under 16	Under 13	33.2	40.9	39.9	41.4	48.9	51.9
Medium	18 to 22	16 to 20	13 to 16½	33.2	40.9	39.9	41.4	47.9	50.9
Heavy	22 and over	20 and over	16½ and over	33.2	40.9	39.9*	41.4	47.4	50.4

7. The title of section 3 (c) is amended to read as follows:

(c) *Base prices for Grade "A" processed poultry items and Grade "1" live poultry items in Zone 3.*

8. The title of section 3 (c) (2) is amended to read as follows:

(2) *Maximum base prices for Grade "A" processed poultry items, except ducks, and Grade "1" live poultry items, except ducks, in Zone 3.*

9. In section 3 (c) (2) the maximum base prices for young turkeys and old turkeys are amended to read as follows:

Type	Food products—Weight			Maximum base prices—Zone 3					
	Live weight	Kosher-killed, kosher-dressed and dressed weight	Frozen-eviscerated, and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
Young turkeys:									
Light	Under 13	Under 16	Under 13	38.1	42.8	41.8	43.3	51.3	54.3
Medium	13 to 22	16 to 20	13 to 16½	38.1	42.8	41.8	43.3	50.3	53.3
Heavy	22 and over	20 and over	16½ and over	38.1	42.8	41.8	43.3	49.3	52.3
Old turkeys:									
Light	Under 18	Under 16	Under 13	33.1	40.8	39.8	41.3	49.8	51.8
Medium	18 to 22	16 to 20	13 to 16½	33.1	40.8	39.8	41.3	47.8	50.8
Heavy	22 and over	20 and over	16½ and over	33.1	40.8	39.8*	41.3	47.8	50.3

10. The title of section 3 (d) is amended to read as follows:

(d) *Base price for Grade "A" processed poultry items and Grade "1" live poultry items in Zone 4.*

11. The title of section 3 (d) (2) is amended to read as follows:

(2) *Maximum base prices for Grade "A" poultry items, except ducks, and Grade "1" live poultry items, except ducks, in Zone 4.*

12. In section 3 (d) (2) the maximum base prices for young turkeys and old turkeys are amended to read as follows:

Type	Food products—Weight			Maximum base prices—Zone 4					
	Live weight	Kosher-killed, kosher-dressed and dressed weight	Frozen-eviscerated, and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
Young turkeys:									
Light	Under 13	Under 16	Under 13	38.0	42.7	41.7	43.2	51.2	54.2
Medium	13 to 22	16 to 20	13 to 16½	38.0	42.7	41.7	43.2	50.2	53.2
Heavy	22 and over	20 and over	16½ and over	38.0	42.7	41.7	43.2	49.2	52.2
Old Turkeys:									
Light	Under 18	Under 16	Under 13	33.0	40.7	39.7	41.2	49.7	51.7
Medium	18 to 22	16 to 20	13 to 16½	33.0	40.7	39.7	41.2	47.7	50.7
Heavy	22 and over	20 and over	16½ and over	33.0	40.7	39.7*	41.2	47.2	50.2

13. Section 3 (e) is amended to read as follows:

(e) *Base prices for Grades "B" and "C" processed poultry items and Grade "2" live poultry items.* The maximum base prices established by this section are for Grade "A" processed poultry items and Grade "1" live poultry items. The maximum base prices for lower grades, and for poultry items which would otherwise be eligible for Grade "A" or Grade "1" base prices except for the provisions of Revised Maximum Price Regulation No. 269, shall be determined by deductions from the base prices established by this order as required in § 1429.19 of Revised Maximum Price Regulation No. 269.

14. *Effective date.* This amendment shall become effective at 12:01 a. m. on August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-12292; Filed, August 16, 1944; 9:34 a. m.]

[Region VIII Rev. Order G-6 Under MPR 418]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 2 (d) and section 20 (a) of Maximum Price Regulation No. 418, as amended, it is hereby ordered:

(a) *Listed fresh fish and seafood items.* The items covered by this order, hereafter referred to as "listed fresh fish and seafood items," are: barracuda, California halibut, black sea-bass, white sea-bass, totuava, rock bass, live crab, cooked crab in shell, and crabmeat, squid, kingfish, queenfish, herring, rex sole, and white bait. This order shall apply to Region VIII of the Office of Price Administration.

(1) *Sales by producers.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table A of appendices attached hereto and the appropriate footnotes contained therein.

(2) *Sales by primary fish shipper wholesalers*—(i) *Undelivered.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of appendices attached hereto and the appropriate footnotes contained therein.

(ii) *Delivered*—(a) *At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of appendices attached hereto and the appropriate footnotes contained therein.

(b) *To localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the prices at the basing point port of entry specified in Table B of appendices attached hereto and the appropriate footnotes contained therein for the particular fresh fish and seafood items, and for the localities indicated, plus freight to the purchaser's place of business. Where more than one basing point port of entry is specified for the same item for the same localities, the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing points.

(3) *Sales by wholesalers other than primary fish shipper wholesalers to other wholesalers.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices set forth in paragraph (a) (2) above plus one cent per pound.

(4) *Sales by all other wholesalers except to other wholesalers*—(i) *Undelivered*—(a) *At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in table D of appendices attached hereto and the appropriate footnotes contained therein.

(b) *At localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the maximum prices at the basing point port of entry specified for the particular fresh fish or seafood item plus freight from the basing point port of entry to the wholesaler's place of business. Where more than one basing point port of entry is specified for the same localities, the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing points.

(ii) *Delivered*—(a) *Deliveries by common carrier.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices for undelivered sales as specified in subparagraph 4 (i) (a) or 4 (i) (b) above, plus actual transportation charges to the premises of the buyer.

(b) *Deliveries by means other than common carrier.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices for undelivered sales as specified in subparagraph 4 (i) (a) or 4 (i) (b) above, plus a transportation allowance calculated from the wholesaler's place of business as follows:

Deliveries made:	*Cents per pound*
Within the local delivery zone	0.015
Beyond the boundary of local delivery zone but not exceeding 50 miles	.02
More than 50 but not exceeding 100 miles	.0225
More than 100 but not exceeding 175 miles	.025
More than 175 miles	.0275

(5) *Additions to maximum prices*—(i) *Broken-lot charges.* When wholesalers other than primary fish shipper wholesalers pack listed fresh fish or seafood items for sale to retailers or purveyors of meals in amounts less than 125 pounds, consisting of at least two varieties, a charge of ½ cent per pound may be added to the maximum prices established under subparagraph (3) and (4) above. When any seller except a producer sells listed fresh fish or seafood items in containers which becomes the property of the buyer, he may add one cent per pound to his maximum price; *Provided however,* That any wholesaler who has incurred or paid a container charge to his supplier for the particular lot of fresh fish or seafood being priced, may add one cent per pound to his maximum price whether he sells such fresh fish or seafood in containers or otherwise.

(ii) *Container charges.* Where any seller except a producer processes fresh fish or seafood items which he purchased in containers, he may add to his established maximum prices amounts not to exceed three cents per pound which will enable him to recover the full amount of the container charge paid by him.

(b) *Definitions.* (1) Barracuda means all types of barracuda (Sphyraenidae) caught off the Pacific Coast.

(2) California halibut means those species of the flounder family (Paralichthys californicus) caught off the Pacific Coast including what is commonly called bastard halibut, southern halibut, alabato.

(3) Black sea-bass means those fish caught off the Pacific Coast belonging to the sea-bass family (Serranidae) commonly known as jewfish or giant bass.

(4) White sea-bass means those fish commonly caught off the Pacific Coast of the species Cynoscian nobilis.

(5) Totuava means Mexican seabass including grouper, commonly known as grupa, and baya, caught in the Gulf of California.

(6) Rock bass means those fish caught off the Pacific Coast belonging to the family Serranidae and including those species commonly known as rock bass, kelp bass, sand bass, pinto and johnny verde.

(7) Crab means all crab caught off the Pacific Coast.

(8) Local delivery zone for any wholesaler means that area contained within the city limits of the locality where the wholesaler's place of business is located, except that

(i) The Portland, Oregon, local delivery zone shall include the area within the city limits of Portland, North Portland, and Faloma, Oregon, and Vancouver, Washington.

(ii) The Oakland, California, local delivery zone shall include the cities of Oakland, Alameda, Berkeley, Emeryville, and Albany, California.

(iii) The Los Angeles, California, local delivery zone shall be that area within a radius of twenty miles from the Los Angeles City Hall, plus that portion of the City of Los Angeles outside such area, except that area included within the San Pedro local delivery zone.

(iv) The San Pedro, California, local delivery zone shall be that area within Los Angeles County south of Roosevelt Highway and the Southern boundary of Redondo Beach.

(9) A port of entry shall mean any place at which the particular species of fish or seafood is regularly landed by fishermen, except that in the case of imported fish, a port of entry shall mean the place at which the fish enter the United States.

(10) Freight means cost of transportation by the cheapest available method of transportation, not to exceed, however, the lowest available common rate. Freight charges may include the actual cost of refrigeration and other protective services, but not local cartage or unloading. The transportation tax imposed by section 620 of the Revenue Act of 1942 may be added.

(11) Producer shall mean any person as defined in section 18 of Article III of Maximum Price Regulation No. 418.

(12) Primary fish shipper wholesaler means any person who purchases fresh fish or seafood items from a producer, and sells boxed, barreled, or in bulk to wholesalers or chain store warehouses, *Provided, however,* That any person making a sale of imported fish in bulk shall be deemed a primary fish shipper wholesaler.

(13) Delivered means physical transportation of any listed fresh fish and seafood item to the premises of the buyer except in the case of shipment by rail, and in such cases delivery means transportation to the buyer's customary receiving point.

(14) Undelivered means any sale other than a delivered sale.

(15) Region VIII of the Office of Price Administration means the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

(16) All other terms used in this order shall have the same meaning as set forth in Maximum Price Regulation No. 418, as amended, unless the context clearly otherwise requires.

(c) *General provisions.* The provisions of Maximum Price Regulation No. 418, as amended, contained in section 9 (Sales to Government Agencies), section 12 (Relation to Other Regulations), Article II (Record Keeping and Enforcement), Article III (Miscellaneous Provisions), apply to this order, to the extent that they are applicable.

(d) This order may be revoked, amended, or corrected at any time, and supersedes Order G-6 issued May 18, 1944.

This order shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August, 1944.

CHAS R. BAIRD,
Regional Administrator.

APPENDIX I

[Maximum prices per pound]

Species	Item No.	Basing points	Style of dressing	Table A—Ports of entry	Table B—Ports of entry	Table D—Ports of entry
Barracuda	1	San Diego, San Pedro, and Santa Barbara.	Round Drawn Dressed Dressed collars off Steaks Fillet	*Southern California* $0.110 .13 .1475	*Southern California* $0.130 .155 .175 .19 .22 .275	*Southern California* $0.155 .1775 .20 .205 .25 .3125
California halibut	2	San Diego, San Pedro, and Santa Barbara.	Round Drawn Dressed Dressed collars off Steaks Fillet	*Southern California* $0.120 .1475 .17	*Southern California* $0.140 .1725 .1975 .22 .2475 .33	*Southern California* $0.165 .195 .2225 .2475 .26 .37
White seabass	3	San Diego, San Pedro, Santa Barbara, and San Francisco.	Round Drawn Dressed Dressed collars off Steaks Fillet skins on Fillet skinless	*Northern California*: $0.1225; .15; .175; .185 *Central California*: $0.1125; .14; .165; .175 *Southern California*: $0.1025; .13; .155; .165	*Northern California*: $0.1425; .17; .195; .2125; .225; .285; .33 *Central California*: $0.1325; .16; .185; .2025; .215; .275; .29 *Southern California*: $0.1225; .15; .175; .205; .265; .31	*Northern California*: $0.1625; .19; .215; .2375; .2525; .315; .37 *Central California*: $0.1525; .18; .205; .2275; .2455; .305; .36 *Southern California*: $0.1425; .17; .1975; .2325; .295; .35
Black seabass	4	San Pedro	Round Drawn Dressed Steaks Fillet	*Southern California* $.096 .11 .1275	*Negales*: $0.10; .115; .1375; .326 *Southern California*: $.11; .133; .1575; .34	*Negales*: $0.12; .1378; .1650; .3625 *Southern California*: $0.13; .1575; .195; .3875
Rockbass	5	Negales, San Pedro, San Diego.	Round Drawn Dressed Steaks Fillet	*Southern California* $0.115 .14 .17	*Negale*: $0.13; .16; .19; .2025; .35 *Southern California*: $0.135; .165; .20; .225; .37	*Negale*: $0.15; .1825; .2075; .2375; .36 *Southern California*: $0.155; .1875; .2275; .25; .42
Mexican seabass	6	Negales, and Los Angles	Dressed Steaks Fillet		*Negales*: $0.1375; .18; .24 *Southern California*: $0.1575; .1975; .2825	*Negales*: $0.1575; .206; .27 *Southern California*: $0.1775; .2225; .315
Squid	7	All ports	Round	*All*: $0.035	*All*: $0.055	*All*: $0.075
Queenfish	8	do	do	.056	.075	.096
Kingfish	9	do	do	.055	.075	.095
Herring	10	do	do	.0175	.0375	.0575
Whitebait	11	do	do	.09	.11	.13
Rex sole	12	All ports do do	Round Drawn Dressed	*San Francisco*: $0.06; .0675; .10 *All other*: $0.05; .055; .09	*San Francisco*: $0.08; .09; .1325 *All other*: $0.07; .0725; .1225	*San Francisco*: $0.10; .1125; .165 *All other*: $0.09; .095; .155

NOTES

(1) Maximum prices under table A are for sales ex-vessel; for boxed fish add $0.01 to the maximum prices under table A.

(2) Maximum prices at all ports of entry not listed shall be the maximum prices established for the nearest port of entry listed.

(3) Southern California refers to the ports of entry in California located south of the southern boundary of Monterey County.

(4) Central California refers to the ports of entry in California located north of the southern boundary of Monterey County and south of the southern boundary of the City and County of San Francisco.

(5) Northern California refers to the ports of entry in California located north of the southern boundary of the City and County of San Francisco.

APPENDIX II

TABLE A.—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRODUCERS [1]

Style of dressing	Port of entry	January	February	March	April	May	June	July	August	September	October	November	December
Crab, live	All in Oregon and Washington [2]	$0.10	$0.08	$0.08	$0.07	$0.07	$0.07	$0.08	$0.08	$0.08	$0.08	$0.08	$0.10
	All in Washington [2]						$1.75 per dozen, all months.						
	Seattle, Wash., and Portland, Oreg. [3]	.1125	.0925	.0925	.0825	.0825	.0825	.0925	.0925	.0925	.0925	.0925	.1125
	Crescent City, Calif.	.10											
	Eureka, Calif.	.105											
	San Francisco, Calif.	.12	All months.										
	Bodega Bay, Calif.	.11											
	Monterey, Calif.	.11											
	Half Moon Bay, Calif.	.11											
	Point Reyes, Calif.	.11											
Crab, cooked in shell	All in Oregon and Washington [2]	.13	.11	.11	.0975	.0975	.0975	.11	.11	.11	.11	.11	.13
	Seattle, Wash., and Portland, Oreg. [3]	.1475	.125	.125	.1125	.1125	.1125	.125	.125	.125	.125	.125	.1475
	Crescent City, Calif.	.13											
	Eureka, Calif.	.1375											
	San Francisco, Calif.	.155	All months.										
	Bodega Bay, Calif.	.1425											
	Monterey, Calif.	.1425											
	Half Moon Bay, Calif.	.1425											
	Point Reyes, Calif.	.1425											

[1] Prices are per pound, except where otherwise indicated. Maximum prices are for sales ex-vessel; for boxed fish a charge of 1 cent per pound may be added to the maximum prices established.

[2] Maximum prices at all other ports of entry shall be the maximum prices established for the nearest port of entry listed.

[3] Except Seattle, Wash., and Portland, Oreg.

TABLE B.—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD ITEMS BY PRIMARY FISH SHIPPER WHOLESALERS [1]

Item and style of dressing	Port of entry	January	February	March	April	May	June	July	August	September	October	November	December
Crab, live	All in Oregon and Washington [2]	$0.12	$0.10	$0.10	$0.09	$0.09	$0.09	$0.10	$0.10	$0.10	$0.10	$0.10	$0.12
	Seattle, Wash. and Portland, Oreg.	.1325	.1125	.1125	.1025	.1025	.1025	.1125	.1125	.1125	.1125	.1125	.1325
	Crescent City, Calif.	.12											
	Eureka, Calif.	.126	All months.										
	San Francisco, Calif.	.14											
	Monterey, Calif.	.13											
Crab, cooked in shell	All in Oregon and Washington [2]	.155	.135	.135	.1225	.1225	.1225	.135	.135	.135	.135	.135	.155
	Seattle, Wash. and Portland, Oreg.	.1725	.15	.15	.1375	.1375	.1375	.15	.15	.15	.15	.15	.1725
	Crescent City, Calif.	.155											
	Eureka, Calif.	.1625											
	Bodega Bay, Calif.	.1725											
	San Francisco, Calif.	.18											
	Monterey, Calif.	.1725	All months.										
Crabmeat	All in Oregon and Washington [2]	.73											
	Eureka, Calif. and Seattle, Wash. and Portland, Oreg.	.75											
	San Francisco, Calif.	.77											

[1] Prices in cents per pound unless otherwise indicated.

[2] Maximum prices at all other ports shall be the maximum prices established for the nearest port of entry listed.

[3] Except Seattle, Wash., and Portland, Oreg.

[4] Basing points for table B:

(a) For sales of live crab and cooked crab in shell, Seattle shall be the basing point for localities in the State of Washington except Klickitat, Wahkiakum, Skamania, and Cowlitz Counties; all ports of entry in Oregon shall be basing points for localities in the State of Oregon west of the summit of the Coast Range; Portland shall be a basing point for localities in the State of Oregon east of the summit of the Coast Range and for localities in Klickitat, Wahkiakum, Skamania, and Cowlitz Counties; Eureka and San Francisco shall be basing points for localities in California, Nevada, and Arizona.

(b) For sales of crabmeat, Seattle, Portland, and Eureka shall be basing points for all localities in region VIII.

TABLE D.—MAXIMUM PRICES FOR SALES OF LISTED FRESH FISH AND SEAFOOD BY WHOLESALERS OTHER THAN PRIMARY FISH SHIPPER WHOLESALERS

Item and style of dressing	Port of entry	January	February	March	April	May	June	July	August	September	October	November	December
Crab, live	All in Oregon and Washington [2]	$0.14	$0.12	$0.12	$0.11	$0.11	$0.11	$0.12	$0.12	$0.12	$0.12	$0.12	$0.14
	Seattle, Wash., and Portland, Oreg.	.1525	.1325	.1325	.1225	.1225	.1225	.1325	.1325	.1325	.1325	.1325	.1525
	Crescent City, Calif.	.14											
	Eureka, Calif.	.145	All months.										
	San Francisco, Calif.	.16											
	Monterey, Calif.	.155											
Crab, cooked in shell	All in Oregon and Washington [2]	.175	.155	.155	.1425	.1425	.1425	.155	.155	.155	.155	.155	.175
	Seattle, Wash., and Portland, Oreg.	.1925	.17	.17	.1575	.1575	.1575	.17	.17	.17	.17	.17	.1925
	Crescent City, Calif.	.175											
	Eureka, Calif.	.1825											
	Bodega Bay, Calif.	.1925											
	San Francisco, Calif.	.20											
	Monterey, Calif.	.1925	All months.										
Crabmeat	All in Oregon and Washington [2]	.83											
	Eureka, Calif., Seattle, Wash., and Portland, Oreg.	.85											
	San Francisco, Calif.	.87											

[1] Prices in cents per pound unless otherwise indicated.

[2] Maximum prices at all other ports shall be the maximum prices established for the nearest port of entry listed.

[3] Except Seattle, Wash., and Portland, Oreg.

[4] Basing points for table D.

(a) For sales of live crab and cooked crab in shell, Seattle shall be the basing point for localities in the State of Washington, except for Klickitat, Wahkiakum, Skamania, and Cowlitz Counties; all ports of entry in Oregon shall be basing points for localities in the State of Oregon west of the summit of the Coast Range; Portland shall be a basing point for localities in the State of Oregon east of the summit of the Coast Range and for localities in Klickitat, Wahkiakum, Skamania, and Cowlitz Counties; Eureka and San Francisco shall be basing points for localities in California, Nevada, and Arizona.

(b) For sale of crabmeat, Seattle, Portland, and Eureka shall be basing points for all localities in region VIII.

[F. R. Doc. 44-12296; Filed, August 16, 1944; 9:39 a. m.]

[Lexington, Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN LEXINGTON, KY., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Lexington, Kentucky District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections may be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes

of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Lexington, Kentucky District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

APPENDIX A

Appetizer or soup:
- Tomato or fruit juice.
- Vegetable soup.
- Chili.

Sandwich:
- Ham.
- American cheese.
- Swiss cheese.
- Hamburger.
- Frankfurter (hot dog).
- Egg.
- Chicken salad.
- Tomato and lettuce.
- Club.
- Tuna fish.
- Hot roast beef.

Salad:
- Chicken salad.
- Head lettuce with dressing.
- Combination salad.
- Fruit salad.

MEALS

Breakfast:
- Hot cakes or waffles with syrup.
- 1 egg, bacon, toast and coffee.
- 2 eggs, bacon, toast and coffee.
- Cereal, toast and coffee.

Lunch:
- Spaghetti with meat sauce.
- Pork chop, 2 vegetables or 1 vegetable and salad and drink.
- Roast beef, 2 vegetables or 1 vegetable and salad and drink.
- Vegetable plate, 4 vegetables or 3 vegetables and salad, drink.

Dinner:
- Fried chicken, 2 vegetables or 1 vegetable and salad, drink.
- Sirloin steak, 2 vegetables or 1 vegetable and salad, drink.
- T-bone steak, 2 vegetables or 1 vegetable and salad, drink.
- Hamburger steak, 2 vegetables or 1 vegetable and salad, drink.

Miscellaneous:
- Pie per cut.
- Ice cream.
- Cereals with milk.
- Doughnuts.
- French fried potatoes.

Beverage:
- Milk.
- Coffee.
- Tea.
- Hot chocolate.
- Soft drinks.

This order shall become effective August 9, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this the 31st day of July, 1944.

E. REED WILSON,
District Director.

[F. R. Doc. 44-12383; Filed, August 16, 1944; 2:00 p. m.]

[Dallas Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN DALLAS, TEX., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Dallas District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Dallas District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

GUS W. THOMASSON,
District Director.

APPENDIX A

TABLE I—RESTAURANTS, HOTEL COFFEE SHOPS, DINING ROOMS AND NIGHT CLUBS

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Pie, donuts, etc.:
4. Buttered toast.
5. Donuts.
6. Sweet roll.
7. Pie.

Breakfast items:
8. Dry cereal with milk.
9. Cooked cereal with milk.
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham, bacon or sausage, two eggs, toast and coffee.
13. Hot cakes (three).
14. Waffle.

Soup, etc.:
15. Soup (homemade).
16. Soup (canned).
17. Chili.

Luncheon and dinner items a la carte (indicate items included):
18. Roast beef.
19. Roast pork.
20. Liver and onions or bacon.
21. Chicken pie.
22. Fried chicken.
23. Tenderloin of trout.
24. Chicken croquettes.
25. Breaded veal cutlet.

Noon luncheon—described below—two most popular luncheons:

26. ———	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert
27. ———			

Evening dinner—described below—two most popular:

28. ———	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert
29. ———			

Sandwiches:
30. Ham.
31. American cheese.
32. Hamburger.
33. Chicken salad.
34. Bacon & Tomato.
35. Hot beef with potatoes and gravy.

Drinks:
36. Coffee, hot or iced.
37. Tea, hot or iced.

Steaks (indicate items included):
38. T-Bone.
39. Sirloin Steaks.
40. Pork Chops.

TABLE II—CAFETERIA ITEMS

Salads:
1. Potato salad.
2. Combination.
3. Fruit salad.

Entrees:
4. Fried gulf trout.
5. Fish croquettes.
6. Roast beef.
7. Roast pork.
8. Meat loaf.
9. Meat balls with spaghetti.
10. Small T-bone.
11. Liver and onions or bacon.
12. Chicken pie.
13. Beef stew.
14. Country fried steak.

Vegetables:
15. Mashed potatoes.
16. Buttered carrots.
17. Boiled cabbage.
18. Spinach.
19. Buttered beets.
20. Peas.
21. Baked beans.
22. Corn.
23. Baked potato.
24. Cream beans.
25. Lima beans.

Desserts:
26. Apple pie.
27. Cream pie.
28. Cake.
29. Ice cream (dish).
30. Cobbler.
31. Pudding.

Drinks:
32. Tea, hot or iced.
33. Coffee, hot or iced.
34. Milk (half pint).
35. Buttermilk.

Bread:
36. White or wholewheat (per slice).
37. Corn sticks.
38. Hot roll.

Soup:
39. Homemade vegetable.
40. Chili.

TABLE III—DRUGS AND DEPARTMENT STORE SODA FOUNTAINS, SANDWICH PLACES AND SIMILAR ESTABLISHMENTS

Juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Appetizers:
4. Fruit cocktail.

Breakfast items:
5. Dry cereal with milk.
6. Cooked cereal with milk.
7. Two eggs, toast and coffee.
8. Ham, bacon or sausage, one egg, toast and coffee.
9. Ham, bacon or sausage, two eggs, toast and coffee.

Pie, soup, etc.:
10. Pie.
11. Soup (homemade).
12. Soup (canned).
13. Chili.

A la carte luncheon and dinner items:

14. ———	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert
15. ———			

Fountain items:
16. Malted milk.
17. Milk shake.
18. Sundae.
19. Ice cream soda.
20. Ice cream (dish).
21. Milk chocolate, plain.
22. Limeade (large).
23. Banana split.

Sandwiches:
24. Chicken salad.
25. Ham and cheese.
26. Sliced chicken.
27. Bacon and tomato.
28. Hot beef with potatoes.
29. Hot pork.
30. Hot steak.
31. Ham.
32. Pimento cheese.
33. American cheese.
34. Barbecued beef.
35. Hamburger.
36. Peanut butter.

Steaks and chops and fish:
37. Club steak.
38. Pork chops.

Drinks:
39. Coffee, hot or iced.
40. Tea, hot or iced.

[F. R. Doc. 44-12333; Filed, August 16, 1944, 2:00 p. m.]

[Sioux Falls Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SIOUX FALLS, S. DAK., DISTRICT

Under the authority vested in the District Director of the Sioux Falls, South Dakota, District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 14, 1944, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals list the entree and then indicate the type of meal, for example, steak dinners, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) If you operate a bar, you will not, of course, find any items listed in the table in Appendix A which you serve. In that case you will list 40 of your most popular drink items. If you do not serve 40 items, then list all you do serve.

(f) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(g) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver them to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices in your list do not completely check with your filed ceiling prices the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments (as defined in section 19 (a) of Restaurant Maximum Price Regulation No. 2), located within the Sioux Falls, South Dakota District of the Office of Price Administration.

SEC. 5. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted under this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record keeping provisions of Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget in

accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 1st day of August 1944.

E. J. WINTERSTEEN,
Acting District Director.

APPENDIX A

A. Breakfast and a la carte items:
1. Orange juice.
2. Tomato juice.
3. Cereal (hot or cold).
4. Two eggs—(any style).
5. Toast.
6. Sweet rolls—doughnuts.
7. Wheat cakes.
8. Bacon.
9. Club breakfast—one egg, bacon, toast, coffee.

B. Entries—Lunch and dinner items:
10. Soup.
11. Steaks.
12. Hamburger steak.
13. Roast beef.
14. Roast pork.
15. Roast chops.
16. Spare ribs (barbecue).
17. Beef stew.
18. Meat loaf.
19. Bacon and eggs.
20. Liver and bacon.
21. Fried chicken.
22. Baked chicken.
23. Halibut.
24. Filet of perch.
25. Spaghetti.
26. Chow mein.

C. Desserts:
27. Apple pie.
28. Vanilla ice cream (or sherbet).
29. Malted milk.

D. Cold sandwiches:
30. Ham.
31. Cheese.
32. Peanut butter.
33. Roast beef and/or pork.

E. Hot sandwiches:
34. Hamburger.
35. Fried egg.
36. Hot beef or pork, potatoes and gravy.
37. Denver.

F. Beverages:
38. Coffee.
39. Tea.
40. Milk.

[F. R. Doc. 44-12335; Filed, August 16, 1944; 2:00 p. m.]

[Sioux City Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SIOUX CITY, IOWA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Sioux City, Iowa District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Sioux City, Iowa District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

This order shall become effective August 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August, 1944.

M. E. RAWLINGS,
District Director.

APPENDIX A

If you operate an eating or drinking establishment, you must post the following items and your ceiling prices therefore, and submit the list as required by sections 1 and 2 of the posting order to your Local War Price and Rationing Board.

1. Coffee (cup or pot).
2. Milk.
3. Tea.
4. Hot chocolate.
5. Tomato or fruit juice.
6. Chicken broth.
7. Vegetable soup.
8. Hot meat sandwiches.
9. Ham and egg (or bacon and egg) sandwich.
10. American cheese sandwich.
11. Hamburger sandwich.
12. Lettuce and tomato sandwich.
13. Vegetable salad.
14. Apple pie.
15. Ice cream.
16. Two eggs, any style.
17. Bacon or ham and eggs.
18. Liver and bacon.
19. Hamburger steak.
20. Pork chop.
21. Minute sirloin steak.
22. Fried ham.
23. Roast beef diner.
24. Roast pork or ham dinner.
25. Corn beef hash or any meat hash.
26. Lamb stew or any meat stew.
27. Fried chicken dinner.
28. Virginia ham.
29. Roast duck.
30. Roast turkey.
31. Fish dinner.
32. Cold cuts and salad.
33. Meat pies.
34. Baked spaghetti or macaroni.
35. Pork and beans.
36. Frankfurters.
37. Hot cakes and syrup.
38. Club breakfast—Fruit, toast and coffee.
39. Club breakfast—Cereal, toast and coffee.
40. Club breakfast—Fruit or cereal, two eggs, or one egg with ham or bacon, toast and coffee.

[F. R. Doc. 44-12334; Filed, August 16, 1944; 2:01 p. m.]

[Fresno Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN FRESNO, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Fresno District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for

40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Fresno District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

J. H. FARRIOR,
Acting District Director.

APPENDIX A

40 basic food items to be posted:
1. Ham and eggs.
2. Bacon and eggs.
3. Two fried eggs.
4. Hot cakes.
5. Dry cereal.
6. Hamburger steak.
7. Top sirloin steak.
8. Fried chicken.
9. Hot roast turkey.
10. Two pork chops.
11. Lamb chops.
12. Pot roast of beef.
13. Roast pork.
14. Roast leg of lamb.
15. Short ribs of beef.
16. Veal cutlets breaded.
17. Beef liver and bacon.
18. Meat loaf.
19. Meat balls and spaghetti.
20. Chili and beans.
21. Italian spaghetti.
22. Frankfurters and sauerkraut.
23. Filet of sole.
24. Fried shrimp.
25. Hamburger sandwich.
26. Hot roast beef sandwich.
27. Hot roast pork sandwich.
28. Cold chicken sandwich.
29. Cold ham sandwich.
30. Chicken salad sandwich.
31. Combination vegetable salad.
32. Vegetable soup.
33. Apple pie.
34. Ice cream (plain).
All above are a la carte items.

Club breakfast:
35. Fruit or cereal, toast and coffee.

Lunch:
36. List entree and number of courses.

Dinner:
37. List entree and number of courses.

Beverages:
38. Coffee (cup).
39. Milk.

Fountain item:
40. Milk shake.
No tax included with above.

[F. R. Doc. 44-12336; Filed, August 16, 1944; 2:01 p. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 108-A 7]

NEW ORLEANS, LA., MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New Orleans, Louisiana, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of a hearing to be held at the Roosevelt Hotel, New Orleans, Louisiana, beginning at 10 a. m., c. w. t., August 29, 1944, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New Orleans, Louisiana, marketing area.

The Director of Distribution has filed a report recommending that no action be taken as a result of the hearing held on August 31, 1943.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. These proposed amendments, which have not received the approval of the War Food Administrator, are set forth below.

Proposed by Dairy Farmers' Cooperative Association, Inc.:

1. Amend § 942.7 to provide for a market-wide pooling of the value of milk.

2. Amend § 942.4 to provide for the computation of the volume of milk in each class without resort to the use of "conversions" or "milk equivalents."

3. Delete from § 942.5 (a) (1) the phrase "$3.67 per hundredweight through March 1944" and substitute therefor the phrase "$3.90 per hundredweight through March 1945."

Proposed by Dairy and Poultry Branch, War Food Administration: (Amendments numbered 10, 11, 12, 14, and 15 below are suggested as specific language for carrying out proposals 1 and 2 of the Dairy Farmers' Cooperative Association, Inc.)

1. Delete § 942.1 (a) (1) and substitute therefor the following:

(1) The term "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may hereafter be authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

2. Delete the word "Secretary" wherever it appears in any section and substitute therefor the word "War Food Administrator."

3. Delete § 942.1 (a) (6) and substitute therefor the following:

(6) The term "producer" means a person who produces milk which is received at a city or country plant.

4. Delete § 942.1 (a) (7) and substitute therefore the following:

(7) The term "handler" means a person who operates a city or country plant.

5. Delete § 942.1 (a) (9).

6. Add as § 942.1 (a) (9) the following:

(9) The term "city plant" means a plant where milk is processed and packaged and from which milk is distributed as Class I milk in the marketing area.

7. Add as § 942.1 (a) (10) the following:

(10) The term "country plant" means a plant from which fluid milk or cream is regularly received at a city plant.

8. Add as § 942.1 (a) (11) the following:

(11) The term "cooperative association" means any cooperative association

of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (ii) to have and to be exercising full authority in the sale of milk of its members.

9. Add as § 942.1 (a) (12) the following:

(12) The term "other sources" means sources other than producers, or other handlers.

10. Delete § 942.3 and substitute therefor the following:

§ 942.3 *Reports of handlers*—(a) *Periodic reports.* (1) On or before the 8th day of each delivery period, each handler, except as set forth in (3) of this paragraph, shall report to the market administrator, in the detail and on forms prescribed by the market administrator, with respect to all milk, skim milk, cream, and milk products which were, during the preceding delivery period, purchased or received from (i) producers; (ii) other handlers; and (iii) other sources, the receipts at each plant, the butterfat content, and the utilization of total receipts.

(2) *Reports of payments to producers.* On or before the 20th day of each delivery period, each handler shall submit to the market administrator such handler's producer payroll for the preceding delivery period, which shall show the total pounds of milk received from each producer, the average butterfat content of such milk, and the net amount of payment to such producer with the prices, deductions, and charges involved.

(3) Handlers whose sole sources of supply are receipts from their own farm production or from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(b) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audits of such handler's records and the records of any other handler or person upon whose utilization the classification of milk depends. Each handler shall keep adequate records of receipts and utilization of skim milk and butterfat and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and utilization of all skim milk and butterfat and, in the case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content milk and milk products; and

(3) Verify payments to producers.

11. Delete § 942.4 and substitute therefor the following:

§ 942.4 *Classification*—(a) *Basis of classification.* All skim milk and butterfat contained in milk, skim milk, cream, and milk products required to be reported shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (d) of this section, the classes of utilization of milk shall be:

(1) Class I shall be all skim milk and butterfat disposed of in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, and cream, sweet or sour (for consumption as cream, including any mixture of cream and milk or skim milk, in fluid form irrespective of the butterfat content), and all skim milk and butterfat not included in Class II or Class III.

(2) Class II shall be all skim milk and butterfat used in cheese other than Cheddar, ice cream, and ice cream mix.

(3) Class III shall be all skim milk and butterfat used in butter, casein, Cheddar cheese, condensed (skim or whole) milk, evaporated milk, and powdered (skim or whole) milk and all skim milk and butterfat unaccounted for but in excess of 2 percent, respectively, of the total receipts of skim milk and butterfat from producers. If any products of Class III are ultimately used in Class I or Class II, the skim milk and butterfat used in such products shall be classified in the respective class where such products are ultimately used.

(c) *Responsibility of handlers.* In establishing the classification of skim milk and butterfat as required in (b) of this section, the burden rests upon the handler from whom reports are required to account for the skim milk and butterfat and to prove to the market administrator that such skim milk or butterfat should not be classified as Class I.

(d) *Transfers.* Skim milk and butterfat, when transferred in the form of milk, skim milk, or cream from a handler who purchases or receives milk from producers, shall be classified (i) in the class from which such skim milk and butterfat is subtracted pursuant to (e) (9) of this section, if transferred to another handler who purchases or receives milk from producers, (ii) as Class I, if transferred to a handler who purchases or receives no milk from producers, other than such handler's own farm production; and (iii) as Class I, if transferred to a person who is not a handler, unless the market administrator determines such skim milk and butterfat was used in Class II or Class III, in which case such skim milk and butterfat shall be classified in the class in which the market administrator determines such skim milk or butterfat was used.

(e) *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator in the case of each handler shall determine:

(1) The total pounds of skim milk received by subtracting the result obtained in (2) of this paragraph from the total pounds of milk, skim milk, cream, and milk products received.

(2) The total pounds of butterfat received by adding into one sum the pounds of butterfat received from (i) producers; (ii) other handlers; and (iii) other sources.

(3) The total pounds of skim milk in Class I by (i) adding together the pounds of milk, skim milk, and cream disposed of in each of the several products of Class I; (ii) subtracting the result obtained in (4) (i) of this paragraph; and (iii) adding together the result obtained in (ii) of this subparagraph and the result obtained in (7) (iii) (b) of this paragraph.

(4) The total pounds of butterfat in Class I by: (i) adding together the pounds of butterfat in each of the several products of Class I; and (ii) adding together the result obtained in (i) of this subparagraph and the result obtained in (8) (ii) (b) of this paragraph.

(5) The total pounds of skim milk in Class II by: (i) adding together the pounds of milk, skim milk, and cream which were used to produce each of the several products of Class II; and (ii) subtracting the result obtained in (6) of this paragraph.

(6) The total pounds of butterfat in Class II by adding together the pounds of butterfat used in each of the several products of Class II.

(7) The total pounds of skim milk in Class III by: (i) adding together the pounds of milk, skim milk, and cream which were used to produce each of the several products of Class III; (ii) subtracting the result obtained in (8) (i) of this paragraph; (iii) subtracting from the result obtained in (1) of this paragraph the results obtained in (3) (ii) and (5) (ii) of this paragraph and (ii) of this subparagraph, which resulting amount shall be known as "unaccounted for skim milk" and shall be classified as follows: (*a*) that portion not in excess of 2 percent of total receipts of skim milk from producers shall be considered as plant shrinkage and classified as Class III; and (*b*) that portion in excess of 2 percent of total receipts of skim milk from producers shall be classified as Class I; and (iv) adding together the results obtained in (ii) and (iii) (*a*) of this subparagraph.

(8) The total pounds of butterfat in Class III by (i) adding together the pounds of butterfat used in each of the several products of Class III; (ii) subtracting from the result obtained in (2) of this paragraph the results obtained in (4) (i) and (6) of this paragraph and (i) of this paragraph, which resulting amount shall be known as "unaccounted for butterfat" and shall be classified as follows: (*a*) that portion not in excess of 2 percent of total receipts of butterfat from producers shall be considered as plant shrinkage and classified as Class III; and (*b*) that portion in excess of 2 percent of total receipts of butterfat from producers shall be classified as Class I; and (iii) adding together the results obtained in (i) and (ii) (*a*) of this subparagraph.

(9) The classification of milk received from producers by: (i) subtracting respectively from the total pounds of skim milk and butterfat in each class, in series beginning with the lowest class, the pounds of skim milk and butterfat received from other sources; (ii) subtracting respectively from the remaining pounds of skim milk and butterfat in each class, in series beginning with the lowest class, the pounds of skim milk and butterfat received from other handlers who purchase or receive no milk from producers other than such handler's own farm production; (iii) subtracting respectively from the remaining pounds of skim milk and butterfat in

each class, the pounds of skim milk and butterfat received from other handlers and used in each class; and (iv) subtracting from the remaining pounds of skim milk and butterfat in each class, in series beginning with the lowest class, the pounds of skim milk and butterfat by which the total pounds respectively in all classes exceed the pounds received from producers. The respective resulting amounts in each class shall be known as the "net pooled Class I skim milk"; "net pooled Class I butterfat"; "net pooled Class II skim milk"; "net pooled Class II butterfat"; "net pooled Class III skim milk"; and "net pooled Class III butterfat;" the sum of the "net pooled Class I skim milk", "net pooled Class II skim milk", and "net pooled Class III skim milk" shall be known as the "net pooled skim milk" and the sum of the "net pooled Class I butterfat", "net pooled Class II butterfat", and "net pooled Class III butterfat" shall be known as the "net pooled butterfat."

12. Delete § 942.5 and substitute therefor the following:

§ 942.5 *Minimum prices*—(a) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price per hundredweight of milk to be used in determining the Class I and Class II prices set forth in this section, shall be the higher of the prices determined pursuant to (1) or (2) of this paragraph.

(1) The average of the basic (or field) prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following places for which prices are reported to the market administrator by the listed companies or by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this price reporting function):

Companies and Location
Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mt. Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) (i) Multiply the average wholesale price per pound of 92-score butter at Chicago for said delivery period as reported by the United States Department of Agriculture by six (6).

(ii) Add 2.4 times the average weekly prevailing price per pound of "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this paragraph.

(iii) Divide by seven (7), the sum so determined being hereafter referred to in this paragraph as the "combined butter and cheese value."

(iv) To the combined butter and cheese value add 30 percent thereof.

(v) Multiply the sum computed in subparagraph (iv) above by 3.5.

(b) *Class I prices.* Each handler shall pay producers, in the manner set forth in § 942.8 for skim milk and butterfat purchased or received from them during each delivery period and classified as "net pooled Class I skim milk" and "net pooled Class I butterfat" not less than the following prices per hundredweight:

(1) For skim milk and butterfat received at such handler's plant located in the 61–70 mile zone, the prices shall be as set forth in the following schedule:

When the higher of the prices pursuant to (a) (1) or (2) of this section is—	The price per hundredweight for products received from producers during the next succeeding delivery period shall be—		
	Skim milk	Butterfat	Milk containing 4.0 percent butterfat
Under $2.50	$1.10	$60.00	$2.456
$2.50 or over but under $2.75	1.15	65.00	2.704
$2.75 or over	1.20	70.00	2.952

(2) For skim milk and butterfat received at such handler's plant located in a freight zone other than the 61–70 mile zone, the prices shall be those effective pursuant to (1) of this paragraph adjusted by the respective amount indicated in the following schedule for the freight zone in which such plant is located:

Freight Zone (miles)	*Cents per hundredweight*
Not more than 20	+20.0
More than 20 but not more than 30	+8.0
More than 30 but not more than 40	+6.0
More than 40 but not more than 50	+4.0
More than 50 but not more than 60	+2.0
More than 60 but not more than 70	0
More than 70 but not more than 80	−2.0
More than 80 but not more than 90	−4.0
More than 90 but not more than 100	−6.0
More than 100 but not more than 110	−7.0
More than 110	−8.0

(3) The market administrator shall from time to time determine and publicly announce the freight zone location of each plant of each handler, according to the railroad mileage distance between such country plant and the railroad terminal in New Orleans, or according to the highway mileage distance between such plant and the City Hall in New Orleans, whichever is shorter.

(4) For the purpose of this paragraph, the skim milk and butterfat which was classified as "net pooled Class I skim milk" and "net pooled Class I butterfat" during each delivery period shall be considered to have been first that skim milk and butterfat which was received from producers at such handler's plant located in the 0–20 mile zone, than that skim milk and butterfat which was received from producers at such handler's plants in series beginning with plants located in the freight zone nearest to New Orleans.

(c) *Class II prices.* Each handler shall pay producers, in the manner set forth in § 942.8 for skim milk and butterfat purchased or received from them during each delivery period and classified as "net pooled Class II skim milk" and "net pooled Class II butterfat" not less than the prices per hundredweight set forth in the following schedule:

During delivery periods when the prices of Class I (§ 942.5 (b) (1)) are—prices per hundredweight		The prices of Class II shall be—prices per hundredweight		
Skim milk	Butterfat	Skim milk	Butterfat	Milk containing 4.0 percent butterfat
$1.10	$60.00	$0.80	$55.00	$2.968
1.15	65.00	.85	60.00	3.216
1.20	70.00	.90	65.00	3.464

(d) *Class III price.* Each handler shall pay producers, in the manner set forth in § 942.8 for skim milk and butterfat purchased or received from them during each delivery period and classified as "net pooled Class III skim milk" and "net pooled Class III butterfat" not less than the prices per hundredweight set forth in the following computations:

(1) The price per hundredweight of skim milk shall be computed by the market administrator by: subtracting 7 cents from the average price per pound of non-fat dry milk solids and multiplying the result by 7.5. The price per pound of non-fat dry milk solids to be used shall be the average of the carlot prices for non-fat dry milk solids, roller process, at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) during the delivery period preceding that in which such skim milk was received.

(2) The price per hundredweight of butterfat shall be computed by the market administrator by: Multiplying by 100 the average wholesale price per pound of 92-score butter in the Chicago market as reported by the United States Department of Agriculture (or by such other Federal agency as may be authorized to perform this price reporting function) during the delivery period preceding that in which such butterfat was received.

13. Delete § 942.6 and substitute therefor the following:

§ 942.6 *Application of provisions*—(a) *Handlers who are also producers.* Sections 942.5, 942.7, 942.8, and 942.9 shall not apply to the handling of milk by handlers whose sole sources of supply are receipts from their own farm production or from other handlers.

(b) *Payment for excess skim milk or butterfat.* If a handler, after subtracting receipts from other handlers, and receipts from other sources, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which, on the basis of his reports, has been credited to his producers as having been purchased or received from them, the market administrator in computing the net pool obligation of such handler pursuant to § 942.7 (a) shall add an amount equal to the value of such skim milk or

butterfat in accordance with its value at the price for the class from which such skim milk or butterfat was subtracted pursuant to § 942.4 (c) (9).

14. Delete § 942.7 and substitute therefor the following:

§ 942.7 *Determination of uniform price to producers*—(a) *Net pool obligation of handlers.* The net pool obligation of each handler for skim milk and butterfat received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator by: multiplying, respectively, the pounds of "net pooled skim milk" and "net pooled butterfat" in each class by the respective class prices, and adding, respectively, any amounts, pursuant to § 942.6. The sum of the two amounts shall be such handler's total pool obligation.

(b) *Computation of the uniform price.* For each delivery period the market administrator shall compute the uniform price per hundredweight of skim milk, butterfat, and milk by:

(1) Combining into one total the net pool obligations for skim milk of all handlers who made payments for the previous delivery periods, and combining into one total the net pool obligations for butterfat of all handlers, who made payments for the previous delivery periods;

(2) Adding respectively the amounts computed by multiplying respectively the total hundredweight of skim milk and buterfat received from producers at plants located in each freight zone farther from New Orleans than the 61–70 mile zone by the appropriate zone differential set forth in the schedule pursuant to § 942.5 (b) (2);

(3) Subtracting respectively the amounts computed by multiplying respectively the total hundredweight of skim milk and butterfat received from producers at plants located in each freight zone nearer New Orleans than the 61 to 70 mile zone by the appropriate zone differential set forth in the schedule pursuant to § 942.5 (b) (2);

(4) Adding respectively an amount equal to one-half the unobligated balances in the skim milk and butterfat settlement funds;

(5) Dividing respectively the resulting sums by the hundredweight of "net pooled skim milk" and "net pooled butterfat"; and

(6) Subtracting respectively not less than 4 cents nor more than 5 cents. The results shall be known respectively as the uniform price per hundredweight for (i) skim milk and (ii) butterfat purchased or received from producers at plants located in the 61–70 mile zone. The uniform price for milk containing 4.0 percent butterfat received from producers at plants located in the 61–70 mile zone shall be the sum of the values of 96 pounds of skim milk and 4 pounds of butterfat at the respective uniform prices.

(c) *Announcement of prices.* (1) On or before the 6th day of each delivery period, the market administrator shall notify all handlers and make public announcement of the class prices for skim milk and butterfat received from producers during the current period.

(2) On or before the 10th day of each delivery period the market administrator shall notify all handlers and make public announcement of the computations pursuant to (b) of this section, of the uniform price per hundredweight of skim milk, butterfat, and milk containing 4.0 percent butterfat received from producers during the preceding delivery period.

(d) *Computation of pool debits and pool credits.* On or before the 10th day after the end of each delivery period the market administrator shall:

(1) Compute the amount by which each handler's net pool obligation for skim milk and butterfat is greater or less respectively than the sum obtained by multiplying the hundredweight of skim milk and butterfat received from producers by the appropriate uniform price. This amount shall be known as such handler's pool debit or pool credit, as the case may be, and shall be entered upon such handler's account.

(2) Notify each handler of the amount of such handler's (i) net pool obligation and (ii) pool debit or pool credit.

15. Delete § 942.8 and substitute therefor the following:

§ 942.8 *Payment for milk* (a) The amount of each handler's total pool obligation shall be distributed among producers in the following manner:

(1) On or before the 25th day of each delivery period each handler shall make payment to each producer at not less than $3.00 per hundredweight for the milk received from such producer during the first 15 days of such delivery period.

(2) On or before the 15th day of each delivery period, each handler shall make payment to each producer at not less than the appropriate uniform price per hundredweight for skim milk and butterfat received from such producer during the previous delivery period, minus the amount of the payment pursuant to (1) of this paragraph.

(3) On or before the 12th day of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount of such handler's pool debit for the previous delivery period.

(4) On or before the 15th day of each delivery period, the market administrator shall pay from the producer-settlement fund to each handler for payment to producers the amount of such handler's pool credit for the previous delivery period: *Provided*, That the market administrator may offset any such payment due to any handler against payments due from such handler.

(b) *Location differentials.* Each handler, in making the payments prescribed in (a) of this section, shall adjust the uniform price with respect to all skim milk and butterfat received from each producer at such handler's plant not located in the 61–70 mile zone by the amount per hundredweight specified in the table pursuant to § 942.5 (b) (2).

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (a) (3) and (d) of this section and out of which he shall make all payments to handlers pursuant to (a) (4) and (d) of this section.

(d) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (a) (3) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (a) (4) of this section, the market administrator shall, within 5 days, make such payment to such handler: *Provided*, That the market administrator may offset any such payment to any handler against payments due from such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

(e) *Adjustment of overdue accounts.* Any balance due pursuant to this section to or from the market administrator on the 25th day of any month, for which remittance has not been received in, or paid from, his office by the close of business on that day, shall be increased one-half of 1 percent, effective the 26th day of such month.

16. Delete § 942.9 (a) and substitute therefor the following:

§ 942.9 *Expense of administration*—(a) *Payment by handlers.* As his pro rata share of the expense of the administration hereof, each handler, except those described in § 942.6 (a), shall pay to the market administrator, on or before the 15th day of each delivery period, an amount not exceeding 4 cents per hundredweight, with respect to all skim milk and butterfat purchased or received by such handlers during the preceding delivery period from producers, including that received from such handler's own farm production, the exact sum to be determined by the market administrator, subject to review by the War Food Administrator.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: August 16, 1944, Washington, D. C.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-12371; Filed, August 17, 1944; 11:43 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 166

Washington, Saturday, August 19, 1944

The President

EXECUTIVE ORDER 9462

POSSESSION AND OPERATION OF CERTAIN MOTOR CARRIER TRANSPORTATION SYSTEMS

WHEREAS after investigation I find and proclaim that the motor carrier transportation systems of the motor carriers named in the list attached hereto and made a part hereof are equipped for the transportation of materials of war and supplies that are required for the war effort, or useful in connection therewith, and are now engaged in such transportation; that there are threatened interruptions of the operation of the said transportation systems as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruptions; that it has become necessary in the national defense to take possession and assume control of the said transportation systems for needful and desirable purposes connected with the prosecution of the war and that they be operated by or for the United States; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of the said systems:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including the act of August 29, 1916, 39 Stat. 645, the First War Powers Act, 1941, and section 9 of the Selective Training and Service Act of 1940 as amended by the War Labor Disputes Act, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. The Director of the Office of Defense Transportation is authorized and directed, through or with the aid of any public officers, Federal agencies, or other Government instrumentalities, that he may designate,[1] to take possession and assume control of, and to operate, or arrange for the operation of, the motor carrier transportation systems of the motor carriers named in the list attached hereto and made a part hereof, including all real and personal property and other assets, wherever situated, used or useful in connection with the operation of such systems, in such manner as he may deem necessary for the successful prosecution of the war; and to do anything that he may deem necessary to carry out the provisions and purposes of this order.

2. Subject to applicable provisions of existing law, including the orders of the Office of Defense Transportation issued pursuant to Executive Orders 8989, as amended, 9156, and 9294,[2] the said transportation systems shall be managed and operated under the terms and conditions of employment in effect between the carriers and the collective bargaining agents at the time possession is taken under this order. During his operation of said transportation systems the Director shall observe the terms and conditions of the directive order of the National War Labor Board, dated February 7, 1944; provided, however, that in the case of each said transportation system the Director is authorized to pay the wage increases provided for by the said directive order of the National War Labor Board, which accrued prior to the taking of possession of the said system under this order, only out of the net operating revenue of the said system.

3. Except with the prior written consent of the Director, no attachment by mesne process, garnishment, execution, or otherwise shall be levied on or against any of the real or personal property or other assets, tangible or intangible, in the possession of the Director hereunder.

4. Possession, control, and operation of any transportation system, or any part thereof, or any real or personal property, taken under this order shall be terminated by the Director when he determines that such possession, control, and operation are no longer necessary for the successful prosecution of the war.

5. For the purposes of paragraphs 1 to 4, inclusive, of this order, there are hereby transferred to the Director the functions, powers, and duties vested in the Secretary of War by that part of

[1] See Office of Defense Transportation, *infra*.

[2] 6 F.R. 6725, 7 F.R. 3349, 8 F.R. 221.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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section 1 of the said act of August 29, 1916, reading as follows:

The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material and equipment, or for such other purposes in connection with the emergency as may be needful or desirable.

6. Upon the request of the Director of the Office of Defense Transportation the Secretary of War is authorized to take any action that may be necessary to enable the Director to carry out the provisions and purposes of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 11, 1944.

1. Ace Lines, Inc., Fargo, No. Dak.
2. Arkansas Motor Freight Lines, Inc., 120 No. 2nd St., Fort Smith, Arkansas.
3. Ash Truck Lines, Inc., 801 Ohio St., Holton, Kansas.
4. Bos Freight Lines, Incorporated, 205 S. 3rd St., Marshalltown, Iowa.
5. Bos Truck Lines, Incorporated, 508 S. 12th Ave., Marshalltown, Iowa.
6. Brady Transfer and Storage Company, a corporation, Central at 16th, Fort Dodge, Iowa.
7. Brashear Freight Lines, Inc., 527 S. Theresa Ave., St. Louis, Missouri.
8. Briggs Transfer Company, a corporation, Whitehall, Wisconsin.
9. Brooks Truck Company, Perry A. Brooks, doing business as—, 112 No. Salt Pond, Marshall, Missouri.
10. Brown Transfer Company, John Brown and Alvin H. Brown, a partnership, doing business as—, 1925 Avenue A, Kearney, Nebraska.
11. Bruce Motor Freight, Inc., S. W. 5th & Elm Sts., Des Moines, Iowa.
12. Buckingham Transportation Company, Earl F. Buckingham, Glen O. Buckingham, Harold D. Buckingham, and Oliver L. Buckingham, a partnership, doing business as—, Rapid City, South Dakota.
13. Byers Transportation Company, Inc., 2505 Broadway, Kansas City, Missouri.
14. The Cassell Transfer & Storage Company, a corporation, 125 N. Rock Island, Wichita, Kansas.
15. Century Motor Freight, Steve Bonello, doing business as—, 2703 Territorial Rd., St. Paul, Minnesota.
16. Certified Motor Transport, Ralph D. Holt, doing business as—, 954 Hersey St., St. Paul, Minnesota.
17. The Chief Freight Lines Company, a corporation, 1508 Woodswether Road, Kansas City, Missouri.
18. Commercial Freight Lines, Inc., 807 E. 3rd Street, Des Moines, Iowa.
19. Consolidated Freightways, Inc., 2029 N. W. Quimby, Portland, Oregon.
20. Dairy Despatch Company, Merrill M. Pregler and Louise J. Fosse, a partnership, doing business as—, 6th and Jackson Sts., Dubuque, Iowa.
21. Dakota Transfer & Storage Company, a corporation, 18 2nd St., N. E., Minot, North Dakota.
22. Darling Transfer, Charles W. Darling, doing business as—, 1020 J Street, Auburn, Nebraska.
23. Denver Chicago Trucking Company, Inc., 2501 Blake St., Denver, Colorado.
24. Des Moines Transportation Company, Inc., 201 S. E. 6th St., Des Moines, Iowa.
25. Dick's Transfer Company, Inc., 1915 Cherry, Kansas City, Missouri.
26. Film Pickup Service, Jack Bradley, doing business as—, 65–67 Holden Street, Minneapolis, Minnesota.
27. G. & P. Transportation Co., Inc., 501 Railroad Avenue, Aberdeen, South Dakota.
28. Gillette Motor Transport, Inc., 2506 S. Harwood St., Dallas, Texas.
29. Glendenning Motorways, Inc., 2400 University Avenue, St. Paul, Minnesota.
30. H. & W. Motor Express Company, Urban J. Haas and Cyril H. Wissel, a partnership, doing business as—, 3000 Jackson Street, Dubuque, Iowa.
31. Hart Motor Express, George Hart, doing business as—, 2600 University Ave., S. E., Minneapolis, Minnesota.
32. Hawkeye Motor Express, Inc., 215 9th Avenue, S. E., Cedar Rapids, Iowa.
33. Healzer Cartage Company, J. W. Healzer, doing business as—, 1125 E. 3rd St., Hutchinson, Kansas.
34. A. G. Henneman Transfer, A. G. Henneman, doing business as—, Bloomer, Wisconsin.
35. Hennepin Transportation Company, Louis N. Shapiro and Samuel Shapiro, a partnership, doing business as—, 26 N. E. 4th St., Minneapolis, Minnesota.
36. Hess Motor Express, Harry Hess, doing business as—, 806 West Main Street, Pipestone, Minnesota.
37. Heuer Truck Lines, Inc., 710 South 3rd Avenue, Marshalltown, Iowa.
38. Highway Motor Freight, Inc., Omaha, Nebraska.
39. Hill Truck Line, W. G. Hill and Gaylord Hill, a partnership, doing business as—, Adrian, Missouri.
40. Hi-Speed Motor Express, Inc., 2505–07 Correctionville Road, Sioux City, Iowa.
41. Holdcroft Transportation Company, an Illinois corporation, 2727 So. Wells Street, Chicago, Illinois.
42. Hyman Transportation Company, Hyman Pikovsky, doing business as—, 410 3rd Avenue, S. W., Aberdeen, South Dakota.
43. Janke Transfer Company, Arthur F. Janke, doing business as—, Lock Box 150, Detroit Lakes, Minnesota.
44. Kansas Transport Freight Lines, P. F. Felten and R. J. LaBenne, a partnership, doing business as—, 522 N. 9th St., Salina, Kansas.
45. Key City Transfer & Refrigerator Line, James A. Meader & Jack Weber, a partnership, doing business as—, 269 Iowa Street, Dubuque, Iowa.
46. Knaus Truck Lines, Inc., 17th & Charlotte Streets, Kansas City, Missouri.
47. Koepp Trucking Service, Ernest Robert Koepp, doing business as—, 201 East Allen Street, Rice Lake, Wisconsin.
48. Lake Superior Motor Freight, S. L. Goldish, doing business as—, 210½ East Second Street, Duluth, Minnesota.
49. Lee Cartage Company, 1429 Marshall Avenue, St. Paul, Minnesota.
50. Lee Way Motor Freight, Inc., 1016 West Washington St., Oklahoma City, Oklahoma.
51. Lyman Truck Lines, E. W. Lyman, Opal Bowlin Lyman, Lucille Lyman Porter, and Mrs. Frances Ring, heirs at law, Ralph W. Porter, Trustee, doing business as—, 319 No. 4th Street, Muskogee, Oklahoma.
52. M. K. & C. Truck Lines, a corporation, 1800 W. 9th Street, Kansas City, Missouri.
53. Matthews Freight Service, Inc., 3rd Avenue & West 3rd Street, Grand Rapids, Minnesota.
54. Meadows Transfer, Inc., 339 S. W. 8th Street, Des Moines, Iowa.
55. Merchants Motor Freight, Inc., 2625 Territorial Rd., St. Paul, Minnesota.
56. Mercury Motor Freight Lines, Inc., 954 Hersey, St. Paul, Minnesota.
57. Midnite Express, Inc., 314 Northern Pacific Avenue, Fargo, North Dakota.
58. Midwest Motor Express, Inc., 813 Main Street, Bismarck, North Dakota.
59. Minnesota-Wisconsin Truck Line and McCue Transfer Company, Arthur A. McCue, doing business as—, 198 E. 9th Street, St. Paul, Minnesota.
60. Mohawk Freight Lines, Rolland H. Kinney, doing business as—, 939 W. 9th Street, Kansas City, Missouri.
61. Moland Bros., Trucking Company, Howard Moland, Clarence Moland, Lothard Moland, and H. T. Moland, a partnership, doing business as—, 231 Commerce Street, Duluth, Minnesota.
62. Murphy Motor Freight Lines, Incorporated, 480 Broadway St., St. Paul, Minnesota.
63. McCoy Truck Lines, Inc., 911 Sycamore Street, Waterloo, Iowa.
64. McKeown Trucks, Victor McKeown, doing business as—, 536½ East 1st Street, Duluth, Minnesota.
65. Nielsen & Petersen, Waltar Petersen, doing business as—, 123 W. 4th St., Grand Island, Nebraska.
66. North Shore Fish & Freight Company, a corporation, 402 Lake Ave So., Duluth, Minnesota.
67. Northwest Freight Lines, Ralph M. Wallace and Isabel Wallace, a partnership, doing business as—, 334 Howard Ave., Billings, Montana.
68. Olson Transfer Company, 301 North Main St., Stillwater, Minnesota.
69. On-Time Transfer Company, a corporation, 1303 Izard St., Omaha, Nebraska.
70. Park Transportation Company, a corporation, 1717 Park Avenue, St. Louis, Missouri.
71. Peterson & Sons Transfer, Peter C. Peterson, Earl E. Peterson, and Clarence D. Peterson, a partnership, doing business as—, 2288 University Ave., St. Paul, Minnesota.
72. Powell Bros. Truck Lines, Inc., Bolivar Road & High St., Springfield, Missouri.
73. Frank H. Prucka Transportation Company, Frank H. Prucka, doing business as—, 4610 S. 26th St., Omaha, Nebraska.
74. R-B Freight Lines, Inc., 15 N. First Street, Aberdeen, South Dakota.
75. Raymond Bros., Motor Transportation, Incorporated, 400½ E. St. Germaine St., St. Cloud, Minnesota.
76. Red Ball Transfer Company, Matthew Leo McKeone, doing business as—, 213 No. 10th St., Omaha, Nebraska.
77. Reliable Motor Freight Line, W. G. Burgess, doing business as—, 3 No. Greenwood, Tulsa, Oklahoma.
78. Ries & Company, Inc., 124 W. 4th Street, Kansas City, Missouri.
79. Rollweder Truck Lines, Inc., Pipestone, Minnesota.
80. Schien Truck Lines, William A. Schien, doing business as—, 416 W. Main St., Sedalia, Missouri.
81. Schmidt Truck Lines, Adolph Muehring and Herman H. Muehring, a partnership, doing business as—, 301 S. 1st Ave. E., Duluth, Minnesota.
82. Schumacher Motor Express, Walter H. Schumacher, doing business as—, 607 Oxford Ave., Eau Claire, Wisconsin.
83. Sioux Transportation Company, a corporation, 310 Jennings St., Sioux City, Iowa.
84. Smith Transit Co., Ralph D. Holt, doing business as—, 954 Hersey St., St. Paul, Minnesota.
85. Takin Bros. Freight Line, Inc., 100 E. 10th St., Waterloo, Iowa.
86. Thiel Truck Service, Oscar R. Thiel, doing business as—, Benson, Minn.
87. Toedebusch Transfer, Inc., 926 Cass Ave., St. Louis, Missouri.
88. Topeka Transfer & Storage Company, a corporation, 528 Adams Street, Topeka, Kansas.
89. Tri-State Motor Transport, Incorporated, 210 W. 9th St., Joplin, Missouri.
90. Tri-State Transfer Co., Inc., 511 N. 4th St., Minneapolis, Minnesota.
91. Tri-State Transportation Co., Harry E. Reynolds and Norman Nold, a partnership, doing business as—, 203 West 4th St., Sioux Falls, South Dakota.
92. Union Freightways, Union Transfer Company, a corporation, doing business as—, 720 Leavenworth St., Omaha, Nebraska.
93. United Shipping Company, Fred B. Wines, doing business as—, 129 Plymouth Ave., No., Minneapolis, Minnesota.
94. Watson Bros. Transportation Co., Inc., 602 S. 14th St., Omaha, Nebraska.
95. Weighley Transfer Company, Fred A. Benz and Howard M. Barnes, doing business as—, Waterloo, Iowa.
96. Werner Transportation Company, a corporation, 2601 32d Avenue, So., Minneapolis, Minnesota.
97. Western Transportation Company, Matt W. Hanten and Roy Wheaton, a partnership, doing business as—, 17 — 1st St., S. W., Watertown, South Dakota.
98. Wheelock Bros., Inc., 509 W. 5th St., Kansas City, Missouri.
99. White's Motor Transport, Bernard L. White, doing business as—, Harmony, Minnesota.
100. Wichita Forwarding Company, a corporation, 1719 Wyoming St., Kansas City, Missouri.
101. Wilber Transfer Company, Fern R. Wilber, doing business as—, 116 12th St., N. W., Rochester, Minnesota.
102. Wilson Storage and Transfer Co., a corporation, Sioux Falls, South Dakota.
103. Witte Transportation Company, a corporation, 2324 University Ave., St. Paul, Minnesota.

[F. R. Doc. 44-12417; Filed, August 18, 1944; 10:06 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-2, Amdt. 13]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75-2, § 1410.13, as amended (9 F.R. 8769, 9077, 9815), is further amended as follows:

1. By striking the figure "45" wherever it appears in (b) (1) (i) and (b) (1) (ii) and inserting in lieu thereof the figure "50".

This order shall become effective at 12:01 a. m., e. w. t., August 20, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 17th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–12430; Filed, August 18, 1944; 11:39 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Reg. 8, Amdt. 1]

PART 910—TEMPORARY MIGRATION OF WORKERS FROM FOREIGN COUNTRIES WITHIN THE WESTERN HEMISPHERE FOR EMPLOYMENT IN THE CONTINENTAL UNITED STATES WITH INDUSTRIES AND SERVICES ESSENTIAL TO THE PRESERVATION, MARKETING, OR DISTRIBUTION OF AGRICULTURAL PRODUCTS, INCLUDING THE TIMBER AND LUMBER INDUSTRIES, AND THE TEMPORARY MIGRATION OF WORKERS FROM FOREIGN COUNTRIES WITHIN THE WESTERN HEMISPHERE FOR EMPLOYMENT IN THE CONTINENTAL UNITED STATES WITH INDUSTRIES AND SERVICES ESSENTIAL TO THE WAR EFFORT

MISCELLANEOUS AMENDMENTS

War Manpower Commission Regulation No. 8 governing the temporary migration of workers from foreign countries within the Western Hemisphere for employment in the continental United States with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries, promulgated by the Chairman of the War Manpower Commission, on May 15, 1944, pursuant to the authority vested in him by Executive Orders No. 9139, 9247, 9279, and Title II, Public Law 229, 78th Congress is hereby amended as follows:

1. The title is amended as set forth above, and the introductory paragraph and the authority of said regulation are amended to read as follows:

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139, 9247, 9279, Title II, Public Law 229, 78th Congress, and Title VII, Public Law 373, 78th Congress, I hereby prescribe the following regulations governing the bringing into the United States of workers from foreign countries within the Western Hemisphere for employment with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries and for employment with industries and services essential to the war effort pursuant to the terms of agreements between the foreign countries of which said workers are nationals, and the United States of America.

AUTHORITY: §§ 910.1 to 910.9, inclusive, issued under E.O. 9139, 7 F.R. 2919; E.O. 9247, 7 F.R. 7379; and E.O. 9279, 7 F.R. 10177; Title II, Pub. Law 229, 78th Cong., and Title VII, Pub. Law 373, 78th Cong.

2. Paragraph (a) (1) (ii) of § 910.2 of said regulation is amended to read as follows:

(ii) Continued employment of the worker for a definite minimum period of time, in industries or services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries or, if the contract has been made after June 30, 1944, in industries or services essential to the war effort, at no discriminatory wages, hours, and working conditions and with a definite guarantee of employment as set forth in the contract.

3. Paragraph (a) (2) of § 910.2 of said regulation is amended to read as follows:

(2) Assured the War Manpower Commission that the worker has been found qualified by the Immigration and Naturalization Service of the Department of Justice for admission to the United States under the provisions of the immigration laws and § 132.5 of Title 8 of the Code of Federal Regulations.

4. Paragraph (b) of § 910.8 of said regulation is amended to read as follows:

(b) If, upon termination of a worker's employment, transportation for the return of the worker to his place of selection should not be available, the worker may be temporarily employed, during such period as he may be required to wait for return transportation, if employment is available, in such other industries or services as the Deputy Chairman and Executive Director of the War Manpower Commission or his authorized representative may determine. In the event that no employment is available, when a worker remains unemployed while waiting for return transportation he shall be furnished subsistence and emergency medical care.

PAUL V. MCNUTT,
Chairman.

JULY 1, 1944.

[F. R. Doc. 44–12435; Filed, August 18, 1944; 11:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 259]

REPORT OF OBLIGATIONS

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 260, entitled "Report of Obligations." [1]

Revision of DSS Form 260–A, entitled "Report of Obligations." [1]

Revision of DSS Form 260–AA, entitled "Report of Obligations." [1]

Revision of DSS Form 260–B, entitled "Report of Obligations." [1]

Revision of DSS Form 260–C, entitled "Report of Obligations." [1]

Revision of DSS Form 260–D, entitled "Report of Obligations." [1]

Revision of DSS Form 260–E, entitled "Report of Obligations." [1]

Revision of DSS Form 260–F, entitled "Report of Obligations." [1]

Revision of DSS Form 260–G, entitled "Report of Obligations." [1]

The supply of the above-mentioned DSS Forms on hand will be used until exhausted.

The foregoing revisions shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 14, 1944.

[F. R. Doc. 44–12406; Filed, August 17, 1944; 2:45 p. m.]

[1] Filed as part of the original document.

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E. O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–603]

JOSEPH A. HULL

Joseph A. Hull of Portland, Oregon, in November, 1943, began construction of a new family dwelling at 2730 Northeast 77th Place, Portland, Oregon, without authorization from the War Production Board. The cost of this construction was approximately $10,000, which amount exceeded the limit of $200. permitted by Conservation Order L–41 and was in violation of that Order. Joseph A. Hull was aware of the War Production Board restrictions on construction and the beginning and carrying on of this construction without authorization constituted a wilful violation of Conservation Order L–41.

This violation of Conservation Order L–41 has diverted critical materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.603 *Suspension Order No. S–603.* (a) Neither Joseph A. Hull, his successors or assigns, nor any other person, shall do any construction on the residence or structure known as 2730 Northeast 77th Place, Portland, Oregon, including the putting up or altering of said structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph A. Hull, his successors or assigns, from any restriction, prohibition or provision con-

tained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on date of issuance.

Issued this 17th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12413; Filed, August 17, 1944; 4:39 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended Aug. 18, 1944]

§ 944.34 *Priorities Regulation 13*—(a) *Purpose of this regulation.* This regulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look at any other order or regulation except in a few cases which are described in paragraph (f) (2) below. This regulation also controls all sales by government agencies, liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1).

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "industrial materials" or "finished products." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind in finished, semi-finished or raw material form. It includes both "industrial materials" and "finished products."

(3) "Industrial materials" means the simple kinds of materials that finished products are made out of. It includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals, nails, nuts and bolts. These are things that are bought for use in making something else, or are to be put together with other things to make a finished product.

(4) "Finished products" means completed articles which are ready for use just as they are and which do not need to be put together with something else before they can be used. It includes wrenches and hammers, assembled parts, replacement parts and products like tools, machinery, motors, valves, drums and fabricated industrial, agricultural or household equipment. Other examples of what it includes are clothing, furnishings, light bulbs, etc.

(5) "Used materials" means any industrial materials or finished products which have been put into actual use.

(6) Materials not covered by this regulation. There are four types of materials which are not covered by this regulation. They are the following:

(i) Scrap. This includes both scrap normally generated in production and other material which is sold as scrap. There are special orders covering certain types of scrap and except in those cases scrap may be sold to a scrap dealer.

(ii) Rationed products which are controlled by another government agency.

(iii) Foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(iv) Controlled materials acquired or produced by a controlled material producer for the purpose of further conversion into other controlled material forms.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. There is no need to look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraphs (f) (2) and (3). The types of special sales which may be made are the following:

(1) *Materials not on Lists A or B.* (i) Industrial materials not on List A may be sold freely to anyone.

(ii) Finished products not on List B may be sold freely to any producer who makes such a product in the form in which the holder has it, or to a wholesaler whose regular business is selling that sort of a product either to industrial users or to other distributors for resale. They also may be sold to anyone else on a rating of AA-5 or higher. If a holder has a total of not more than $100.00 worth of the particular finished product he wants to sell, he may sell it freely to anyone. In deciding whether he has $100.00 worth, he must count all products of the same type and style. For example, all wrenches, or chairs or ash cans. This does not mean that a person may sell freely separate lots worth less than $100.00 if he has more than that amount. It only allows the sale if all he has of that product is worth $100.00 or less. A holder may also make a special sale of a finished product which is not on List B if he obtains permission from the War Production Board as explained below in paragraph (c) (2) (iii).

(2) *Materials on List A or List B.* If the material that the holder wants to sell is one of the industrial materials listed on List A or is a finished product appearing on List B, the following are the only kinds of sales that can be made.

(i) Sales may be made in accordance with List A or List B. Those lists have four columns showing classes of buyers who might want to buy materials. Opposite each material on the lists in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company or Rubber Reserve Company.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB-1161 (PD-470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board in the region where the material is located. Copies of this form can be obtained from district or regional offices of the War Production Board. If a note in List A or List B states that another form is to be used, application should be made on that form.

(iv) A holder may sell freely to anyone if he has a total of not more than $100 worth of the particular material to be sold, unless it is one of the few materials for which special rules and amounts are stated in Column 6 of List A or List B. In deciding whether the holder has $100 worth he must count all material of the same type and composition. For example, all zinc sheet or cattle hides, or all cotton duck, or all shovels or hammers. This paragraph does not mean that a person may sell freely lots worth less than $100 if he has more than that amount. It only allows the sales if all he has of that kind of material is worth $100 or less.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

> The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.

Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph, against his CMP allotment account. If the material which the holder wants to sell is steel he may also sell it to steel warehouses, dealers or distributors on orders

bearing the endorsements described in M–21–b–1 and M–21–b–2.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. This permission may be given only if the material has been reported to the War Production Board as idle or excess and if the material is iron, steel, aluminum, copper or copper base alloy in controlled material form. The War Production Board will only grant such permission if in its judgment there will be no interference with war production or labor requirements therefor. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. The seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the regional office of the War Production Board for the region in which the material is located or to the appropriate materials division.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so.

(4) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A or List B restricting the sale of the particular used material which the holder wants to sell.

(d) *Transfers within a company.* If a person wants to transfer material from one of his plants or operating units to another one which normally purchases separately, the transfer is considered equivalent to a sale and he may make it only under the same conditions as he could make a special sale under this regulation. In any other case where a person who has obtained material with priorities assistance wants to use it for another purpose, he should refer to § 944.11 of Priorities Regulation 1 or (in the case of controlled materials or Class A products obtained with an allotment) to paragraph (u) of CMP Regulation 1.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Sales covered by this regulation.* (1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulations issued before August 18, 1944 which say that this regulation does not apply may be disregarded, except for Order U–1 affecting utilities, WPB Directive 16, which provides special rules for aircraft inventory transfers, and Order P–98–c, which applies to special sales in the petroleum industry. To find the rules for making a special sale there is no need to refer to any order or regulation other than Priorities Regulation 13, outside of the three exceptions stated. However, if another order or regulation issued after August 18, 1944 expressly mentions Priorities Regulation 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation.

(3) If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use or disposition that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Listing materials with the War Production Board.* If anyone has any excess, idle or frozen material that he wants to sell, he should report it to his nearest War Production Board office giving full details about its size, shape, analysis, specifications and quantity, and they will try to help him.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P.R. 13", or to any of the field offices of the War Production Board.

(j) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised from time to time. A person wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 18th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LISTS A AND B

NOTE: Lists A and B amended Aug. 18, 1944.

Explanation of Lists A and B: Column (1) of List A lists the industrial materials (as defined in paragraph (b) (3) that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Column (1) of List B lists the finished products to which the general sales rules in paragraph (c) (1) (ii) do not apply because the finished product is either more or less restricted than the general rule.

Columns (2), (3), (4) and (5) each apply to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. This includes non-integrated producers. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a machine tool, it refers to a company which makes that kind of a product.

Column (3) refers to persons who are permitted to buy and use the material for production, construction, maintenance, repair or operating supplies or for capital expansion or replacement.

Column (4) refers to persons who buy new, rejected or second grade materials and who rework them. This includes persons who change the form of the material by redrawing, rerolling, etc., except that it does not include controlled material producers.

Column (5) refers to persons who are regularly engaged in distributing at wholesale the material the holder has like a wholesaler in chemicals or textiles. A wholesaler means anyone whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products to other persons either for industrial uses or for fabrication or assembly into other products or for the purpose of resale. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such a person is not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by him.

Column (6) contains notes which should be read whenever a star (*) or note shows on the list.

If the list shows "no," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in column (6) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA–5," it means that the holder can sell to anyone who gives him an AA–5 priority rating for the sale, or a higher rating.

If the list shows "W. O. P.," it means the holder can sell to the person at the head of the column without any priority rating or allocation or allotment being necessary.

If the list shows "X," it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
PART I—METALS AND METALLIC ORES					
Alumina	W. O. P.	W. O. P.*	X	W. O. P.	*Only for the manufacture of aluminum or abrasives.
Aluminum (new and used):					
In controlled material form	W. O. P.	No.*	W. O. P.**	W. O. P.	*Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. **Only to approved reprocessors. Lists available at WPB offices.
Not in controlled material form	W. O. P.	W. O. P.	W. O. P.**	W. O. P.	
Antimony:					
Antimony*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 50% or more of antimony by weight.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					
Babbitt (see Tin).					
Bauxite	W. O. P.	W. O. P.*	X	X	*Only for the manufacture of alumina or abrasives.
Beryllium*	W. O. P.	No.	No.	W. O. P.	* Includes ores, concentrates, and metal beryllium.
Bismuth	W. O. P.	No.	No.	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper)					
Cadmium:					
Cadmium* (new and used)	W. O. P.	No.	W. O. P.	W. O. P.**	*Includes metallic cadmium in all forms, residues, dross and other cadmium bearing material. **Includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.
Chemicals (see Chemicals)					
Chromium:					
Metallic chromium	No.	No.	X	No.	
Low carbon ferro-chromium 2.00 carbon and under.	W. O. P.	W. O. P.	X	W. O. P.	
Copper:					
In controlled material form (new and used)*:					*A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in para. (c) (2) (iv) of this regulation) does not exceed $25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items. **Only to fill orders under para. (c) (2) (v) and (vi) of the regulation. ***Only to persons permitted to accept delivery pursuant to Copper Order M–9. ****Only to warehouses as defined in CMP Regulation 4, paragraph (e) (3).
Brass mill products	W. O. P.	No**	No***	W. O. P****	
Copper wire mill products (bare and insulated)	W. O. P.	No**	No***	W. O. P****	
Foundry copper or copper base alloy products	X	No**	X	X	
Not in controlled material form (new and used):					
Copper raw materials (Ref. shapes & Cu. and Cu. base alloy ingots)	No***	No***	X	No***	
Semi-fabricated or fabricated unassembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper)).	W. O. P.	PR–AA5	PR–AA5	W. O. P.	
Corundum (see Part III).					
Cryolite	No.	No.	No.	No.	
Electrical resistance material*	W. O. P.	PR–AA5	PR–AA5	W. O. P.	* Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat.
Ferroalloys* (other than ferrocolumbium).					* May be sold as provided for principal non-ferrous element.
Ferrocolumbium*	W. O. P.	W. O. P.**	X	X	* Includes any alloy containing 45% or more of columbium. ** 500 lbs. or less may be sold to any one buyer in any month.
Inconel (see Nickel).					
Iridium	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Iron:					
Alloy iron castings*	W. O. P.	W. O. P.	W. O. P.	X	*Does not include materials commonly known as "ferro-alloys."
Cast iron products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Malleable iron castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Pig iron	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wrought iron (see steel).					
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lead foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No.	No.	No.	
Lithium chemicals (see Chemicals).					
Magnesium and magnesium products*	W. O. P.	W. O. P.	W. O. P.**	W. O. P.	*Includes castings, extrusions, sheet, strip, plate, forgings and powder. **Only to approved reprocessors. Lists available at WPB offices.
Molybdenum wire products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Monel (see Nickel).					
Nickel (new and used):					
Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No.	No.	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR–AA5	PR–AA5	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals)					
Osmium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Can be used only in implements of war.
Platinum:					
Platinum	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Rhodium:					
Rhodium	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver	W. O. P.	No.	W. O. P.	W. O. P.	
Domestic silver	W. O. P.	No.	W. O. P.	W. O. P.	
Treasury silver	W. O. P.	No.	W. O. P.	W. O. P.	
Solder*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Certification required (see Sch. II, M-43).
Steel, alloy and carbon (including wrought iron)*:					*Pursuant to paras. (c) (2) (iv), a holder may sell freely to any one any item of iron or steel if the total amount of that item held by him does not exceed $50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment, (hot rolled or cold finished) chemistry, specifications, finish and size.
In controlled material form:					
Alloy steel castings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Axles (railway)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Sheet piling	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin plate, terne plate, and tin mill black plate	W. O. P.	W. O. P.	X	No**	**Only to fill orders under para. (c) (2) (v) and (vi) of the regulation.
Tires	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wheels	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
All other controlled material forms of steel (including wrought iron).*	W. O. P.***	No**	No**	No**	*See CMP Reg. 1 for list of controlled material forms. ***Also includes nonintegrated steel producers who further process steel.
Not in controlled material form:					
Bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle, and taper).	W. O. P.	W. O. P.	X	W. O. P.	
Cotton bale ties	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Forgings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Track materials:					
Frogs, switches, crossings, switch stands, guard rails, guard rail clamps, rail braces, rail anchors, gauge rods, clip bolts, rail clips and nut locks	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Steel, other	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wrought iron	No.	No.	X	No.	
Tantalum*					*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Tin:					
Tin	No.	No.	No.	No.	
Babbitt (containing maximum 12% tin).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Babbitt or other high tin alloys (containing more than 12% tin)*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Certification required (see Sch. III, M-43).
Tin solder (see Solder).					
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tungsten, wire products*	W. O. P.	No.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Uranium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/16 of 1% or more uranium by weight.
Vanadium*	W. O. P.	PR AA-5	X	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes					
Wrought iron (see steel).					
Zinc:					
Zinc	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zippers (see slide fasteners).					
PART B—CHEMICALS					
Chemicals listed herein when sold under trade names may be sold as provided for the particular chemical.					
Acetaldehyde	W. O. P.	No*	W. O. P.	W. O. P.	*1950 lbs. Mo.[1]
Acetate, vinyl (and polymers of)	W. O. P.	No*	X	No.	*25 lbs. Mo.[1]
Acetic anhydride**	W. O. P.	No*	X	W. O. P.	*1,920 lbs. Mo.[1] **Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acetone	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Acetylene black	W. O. P.	W. O. P*	W. O. P.	W. O. P.	*See footnote (2) (25 lbs. Mo.).
Acids:	W. O. P.	No*	X	W. O. P.	*2,250 lbs. Mo.[1]
Acetic	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1] ** Includes all derivatives except "Nylon."
Adipic**	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (3) (5 tons Mo.)
Anhydrous hydrofluoric	W. O. P.	W. O. P.	W. O. P.	W. O. P.	**Also called arsenic trioxide and white arsenic.
Arsenious**	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (440 lbs. Qr.)
Citric	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Maleic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Naphthenic	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (1 kilogram Mo.)
Nicotinic acid	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Sulfuric	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1]
Phosphoric					
Acrylic Monomers and Acrylic Resins:					*W. O. P. if sold to aircraft mfg., or 80 sq. ft. Mo.[1] to anyone.
Cast sheet—Std. sizes	W. O. P.	No*	X	W. O. P.	
Cast sheet—Odd sizes	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 sq. feet Mo.)
Molding sheet	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Molding powder	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.)
Cast shapes	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (25 lbs. Mo.)
Tube	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (35 lbs. Mo.)
Rod	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (400 lbs. Mo.)
Solution	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (400 lbs. Mo.)
Emulsion	W. O. P.	W. O. P.	X	W. O. P.	*See footnote (2) (10 gals. Mo.)
Monomer	W. O. P.	W. O. P.	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Granular polymers	W. O. P.	W. O. P*	X	W. O. P.	

See footnotes at end of table.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Acrylonitrile**	W. O. P.	No.*	X	W. O. P.	**Also called vinyl cyanide.
Agar	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl**	W. O. P.	No*	X	W. O. P.	*24 gals. Mo.[1] **Includes Isobutyl, secondary butyl, and tertiary butyl.
Capryl**	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo.[1] **Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W. O. P.	No.	X	W. O. P.	
Hexahydric Alcohols:					
d-Sorbitol	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (25 lbs. Mo.).
Technical grade d-Sorbitol	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.).
Commercial grade	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (600 lbs. Mo.).
Mannitol-crystalline	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.).
Higher Aliphatic Alcohols:					
Normal octanol	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.).
Normal decanol	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.).
Lauryl alcohol	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (280 lbs. Mo.).
Mixed aliphatic alcohols	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.).
2-ethyl hexanol	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (370 lbs. Mo.).
Oleyl	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (40 lbs. Mo.).
Isopropyl	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (270 gals. Mo.).
Methyl (methanol)	W. O. P.	No*	X	W. O. P.	*540 gals. Mo.[1]
Alkanolamines	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Allyl Alcohol	W. O. P.	No*	X	X	*50 lbs. Mo.[1]
Allyl Chloride	W. O. P.	No*	X	X	*50 lbs. Mo.[1]
Aluminum hydrate	W. O. P.	No.	X	W. O. P.	
Aluminum chloride, anhydrous	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Ammonia:					
By-product ammonia**	W. O. P.	No.	X	W. O. P.	**Includes salts and solutions.
Sulphate of ammonia**	W. O. P.	W. O. P.	X	W. O. P.	**Containing 20.5% nitrogen or less.
Synthetic ammonia**	W. O. P.	No.	X	W. O. P.	**Includes salts and solutions.
Ammonium silicofluoride	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2).
Aniline, aniline oil, and aniline salts	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo.[1]
Antimony sulphide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony chemicals, other	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents** (excluding toluol and benzol).	W. O. P.	No*	X	W. O. P.	*60 gals. Mo.[1] **Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Barium chemicals	W. O. P.	W. O. P*	W. O. P.	W. O. P.	*See footnote (2) (1,000 lbs. Mo.)
Benzaldehyde	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.)
Benzene	W. O. P.	No*	No.	W. O. P.	*50 gals. Mo.[1]
Benzene containing oils	W. O. P.	No.	No.	W. O. P.	
Beryllium chemicals	W. O. P.	No.	No.	W. O. P.	
Butadiene	W. O. P.	No*	X	W. O. P.	*125 lbs. Mo.[1]
2-butanol	W. O. P.	No.	X	W. O. P.	
Butyl phthalyl butyl glycollate	W. O. P.	No*	X	W. O. P.	*55 gals. Mo.[1]
Cadmium pigment	W. O. P.	No*	No.	W. O. P.	*25 lbs. Mo.[1]
Calcium carbide	W. O. P.	No*	X	W. O. P.	*30 tons Mo.[1]
Calcium carbonate, precipitated	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Calcium hypochlorite, high test**	W. O. P.	No.	X	No.	**Available chlorine content 65% or more by weight.
Calcium metal	W. O. P.	No*	X	W. O. P.	*5 lbs. Mo.[1]
Other forms	W. O. P.	No*	X	W. O. P.	*2 lbs. Mo.[1]
Carbolates, containing 10% or more of phenols (see Phenols).					
Carbon black, furnace type	W. O. P.	W. O. P*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.).
Carbon tetrachloride	W. O. P.	No*	W. O. P.	W. O. P.	*52 gals. Mo.[1]
Casein	W. O. P.	No*	No.	W. O. P.	*2000 lbs. Mo.[1]
Castor oil phthalate	W. O. P.	No.	X	W. O. P.	
Castor oil phthalate hydrogenated	W. O. P.	No.	X	W. O. P.	
Cellophane (See list B).					
Cellulose acetate**	W. O. P.	No.	X	W. O. P.	**In primary unfabricated forms.
Cellulose acetate butyrate**	W. O. P.	No.	X	W. O. P.	**In primary unfabricated forms.
Cellulose ester flake**	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1] **Including cellulose acetate flake, cellulose acetate, butyrate flake, cellulose acetate propionate.
Cellulose ester sheets, rods, tubes and molding powder:					
Cellulose plastic molding powder	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Cellulose plastic sheets	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose plastic rods	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1]
Cellulose plastic tubes	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Cellulose nitrate, plasticized**	W. O. P.	W. O. P.	X	X	**In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Chestnut extract	No.	No.	No.	No.	
Chlorate and perchlorate chemicals**	W. O. P.	No*	No.	W. O. P.	*25 lbs. Mo.[1] **Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorobenzenes:					
Monochlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Orthodichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Paradichlorobenzene	W. O. P.	W. O. P.	X	W. O. P.	
Chlorethylene	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chloride of lime**	W. O. P.	W. O. P.	X	W. O. P.	**Calcium hypochlorite with available chlorine content of from 50 to 65% weight.
Chlorine	W. O. P.	No.	X	W. O. P.	
Chlorinated hydrocarbon solvents	W. O. P.	No.	No.	W. O. P.	
Chlorinated rubber (see Rubber Part III).					
Chrome Pigments:					
Class A	W. O. P.	No*	X	W. O. P.	*Class A products, subject to quota (See M-370).
Class B	W. O. P.	No*	X	W. O. P.	*80 lbs. Mo.[1] of zinc chromate and 35 lbs. Mo.[1] of chromium oxide green.
Chromium Chemicals:					
Ammonium bichromate	W. O. P.	No*	No.	W. O. P.	*800 lbs. Mo.[1]
Chromic Acid	W. O. P.	No*	No.	W. O. P.	*100 lbs. Mo.[1]
Chromium tanning compounds	W. O. P.	No*	No.	W. O. P.	*See sodium bichromate.

See footnotes at end of table.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Chromium Chemicals—Continued.					
Sodium bichromate	W. O. P.	No*	No	W. O. P.	*4,000 lbs. Mo.[1] or its equivalent in chromium tanning compounds.
Sodium chromate	W. O. P.	No*	No	W. O. P.	*500 lbs. Mo.[1]
Potassium bichromate	W. O. P.	No*	No	W. O. P.	*500 lbs. Mo.[1]
Potassium chromate	W. O. P.	No*	No	W. O. P.	*500 lbs. Mo.[1]
Cobalt oxide	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper carbonate	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper chloride	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper cyanide	W. O. P.	No*	X	W. O. P.	*1,000 lbs. quarter.[1]
Copper oxide (except cuprous oxide)	W. O. P.	No*	X	W. O. P.	*4,000 lbs. quarter.[1]
Copper sulphate	W. O. P.	No*	X	W. O. P.	
Cotton pulp, chemical	W. O. P.	No	No	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No	W. O. P.	W. O. P.	
Cuprous oxide	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo.[1]
Cyanamid	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo.[1]
Cyanide (sodium)	W. O. P.	No*	X	W. O. P.	*1 lb. Mo.[1]
DDT	W. O. P.	No*	X	W. O. P.	*5 drums Mo.[1]
Diacetone	W. O. P.	No	X	W. O. P.	
Diamyl phthalate	W. O. P.	No	X	W. O. P.	
Di-butoxy ethyl phthalate	W. O. P.	No	X	W. O. P.	
Dibutyl phthalate	W. O. P.	No	X	W. O. P.	
Dicapryl phthalate	W. O. P.	No*	No	No	*550 lbs. Mo.[1]
Dichlorethyl ether	W. O. P.	No*	X	W. O. P.	
Dichlorodifluoromethane	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (5 lbs. Mo.)
Dichlorostyrene	W. O. P.	No	X	W. O. P.	
Dicyandiamide	W. O. P.	W. O. P.	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	No*	X	W. O. P.	*8 gals. Mo.[1]
Diethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Diethyl ethanolamine	W. O. P.	No	X	W. O. P.	
Diethyl phthalate	W. O. P.	No	X	W. O. P.	
Di 2-ethyl hexyl phthalate	W. O. P.	No	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	No	X	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	No	X	W. O. P.	
Dimethyl phthalate	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (5 gals. Mo.)
Dipentene	W. O. P.	No	X	W. O. P.	**Also called phenylaniline.
Diphenylamine**	W. O. P.	No	X	W. O. P.	
Dyestuffs and organic pigments	W. O. P.	No	X	W. O. P.	*54 gals. Mo.[1]
E. W. naphtha	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of ethyl acetate and isopropyl acetate.
Ethyl acetate	W. O. P.	No*	X	No	*10 lbs. Mo.[1]
Ethyl cellulose	No	No*	X	W. O. P.	
Ethyl chloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethylene dichloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycollate	W. O. P.	No	X	W. O. P.	*See footnote (2) (10,000 lbs. Mo.)
Formaldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*110 gals. Mo.[1]
Furfural	W. O. P.	No*	X	W. O. P.	*10 lbs. Mo.[1]
Gasoline Gum inhibitors					
Glycols:					
Ethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (8,000 lbs. Mo.)
Propylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (960 lbs. Mo.)
Diethylene glycol	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*See footnote (2) (1,000 lbs. Mo.)
Triethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (600 lbs. Mo.)
Mixed glycols	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (1,000 lbs. Mo.)
Glycol ethers:					
Monobutyl ether of ethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (4,000 lbs. Mo.).
Monomethyl ether of ethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (2,150 lbs. Mo.)
Monoethyl ether of ethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (4,100 lbs. Mo.).
Monoethyl ether of diethylene glycol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (3,300 lbs. Mo.)
Guanidine	W. O. P.	No	X	W. O. P.	
Hexamethylenetetramine	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (10,000 lbs. Mo.)
Hydrogen peroxide	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (600 lbs. Mo.)
High glue, extracted bone glue and green bone glue	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (1,200 lbs. of hide and extracted bone glue and 6,000 lbs. of green bone glue Mo.)
Isobutyl castor oil phthalate	W. O. P.	No	X	W. O. P.	
Isopropyl acetate	W. O. P.	No*	W. O. P.	W. O. P.	*270 gals. Mo.[1] of isopropylacetate and ethyl acetate.
Lacquer, lacquer thinners (see Paints).					
Lithopone	W. O. P.	W. O. P.	X	W. O. P.	
Lithium chemicals**	W. O. P.	No	No	W. O. P.	**Excluding crude lithium sodium phosphate.
Magnesium oxide, light	W. O. P.	No*	X	W. O. P.	*200 lbs. Mo.[1]
Maleic Anhydride	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo.[1]
Melamine Aldehyde molding compound and resins.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Methacrylic acid (see acrylic monomer and acrylic resins).					
Methanol	W. O. P.	No	X	W. O. P.	*10 lbs. Mo.[1]
Methyl bromide	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Methyl ethyl ketone	W. O. P.	No*	X	W. O. P.	*See footnote (2) (54 gals. Mo.)
Methyl isobutyl ketone	W. O. P.	W. O. P.*	X	W. O. P.	*55 gals. Mo.[1]
Methyl phthalyl ethyl glycollate	W. O. P.	No*	X	W. O. P.	*50 gals. Mo.[1]
Mineral oil polymers	W. O. P.	No*	X	W. O. P.	
Molding compounds:					
Melamine aldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (2,000 lbs. Mo.)
Phenolic	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (50 lbs. Mo.)
Urea aldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (2,000 lbs. Mo.)
Monochlorodifluoromethane	W. O. P.	No	X	W. O. P.	
Monoethanolamine	W. O. P.	No*	X	W. O. P.	*5 gals. Mo.[1]
Naphthalene	W. O. P.	No	W. O. P.	W. O. P.	
Naphthanates**	W. O. P.	No*	X	W. O. P.	*70 gals. Mo.[1]
					**Excluding crude or refined sodium naphthanate intended for manufacture of other naphthanates.
Naptha, high flash	W. O. P.	No*	X	W. O. P.	*20 gals. Mo.[1]
Nickel chemicals**	W. O. P.	No	No	W. O. P.	**Salts, oxides, and carbonates.
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Oxidized petrolatum	W. O. P.	No*	X	W. O. P.	*28 lbs. Mo.[1]
Paints, varnishes, lacquers and lacquer thinners:					
Aluminum paint	W. O. P.	W. O. P.	X	W. O. P.	*54 gals. Mo.[1]
Paints, varnishes, lacquer and lacquer thinners containing any of the ingredients listed in Column 6**		No*	X	W. O. P.	**Paraphenyl phenol resins, Phenolic resins, Phthalic alkyd resins, Urea melamine formaldehyde resins, Aromatic petroleum solvents, Butyl alcohols and butyl acetates, Ethyl acetate and isopropyl acetate, Toluene, Phthalate plasticizers, Methyl ethyl ketone, Methyl isobutyl ketone, Acetone and Di-acetone.
Paints, other	W. O. P.	W. O. P.	X	W. O. P.	

See footnotes at end of table.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPP orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Paraformaldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (3,000 lbs. Mo.)
Pentaerythritol	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Perchlorate chemicals	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo.[1]
Perchlorethylene	W. O. P.	No*	X	W. O. P.	*1 drum Mo.[1]
Perchloric acid	W. O. P.	No*	No*	W. O. P.	*25 lbs. Mo.[1]
Phenols (tar acids)**	W. O. P.	No*	No	W. O. P.	*55 gals. Mo.[1]
					**Includes: phenol, cresols, and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	W. O. P.	No*	W. O. P.	W. O. P.	*10,000 lbs. Mo.[1]
Phthalic anhydride	W. O. P.	No*	X	W. O. P.	*700 lbs. Mo.[1]
Pine oil	W. O. P.	No*	X	W. O. P.	*54 gals. Mo.[1]
Pine tar	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (54 gals. Mo.[1])
Plasticisers:					
Phosphate**	No	No*	X	No	*1,000 lbs. Mo.[1]
Phthalate	W. O. P.	No	X	W. O. P.	**Tricresyl and triphenyl.
Plastics, cellulose (see cellulose ester flake)					
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polydichlorostyrene	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (5 lbs. Mo.)
Polyethylene	W. O. P.	No	X	W. O. P.	
Polystyrene	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Polyvinyl acetal	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl butyral resin	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Polyvinyl formal	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Potash**	W. O. P.	No*	X	W. O. P.	*5 tons Mo.[1]
					**Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash.
Potassium tantalum fluoride	No	No	X	No	
Pyrethrum	W. O. P.	No	W. O. P.	W. O. P.	
Pyridine	W. O. P.	No*	No	W. O. P.	*80 lbs. Mo.[1]
Pyronate	W. O. P.	No*	X	W. O. P.	*54 gals Mo.[1]
Resin:					
Melamine aldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (10,000 lbs. Mo. of all kinds).
Para-phenyl-phenol	W. O. P.	No*	X	W. O. P.	*5 lbs. Mo.[1]
Phenolic	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
Phthalic alkyd	W. O. P.	No*	X	W. O. P.	*780 lbs. Mo.[1]
Urea aldehyde	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (10,000 lbs. Mo. of all kinds).
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rotenone	W. O. P.	No*	W. O. P.	W. O. P.	*5 lbs. or 1 gal. Mo.[1]
Rubber, synthetic (see Rubber, Part III).					
Sodium metallic	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (100 lbs. Mo.)
Sodium metasilicate	W. O. P.	No*	X	W. O. P.	*800 lbs. Mo.[1]
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sodium perborate	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (25 lbs. Mo.)
Sodium peroxide	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (75 lbs. Mo.)
Sodium phosphates	W. O. P.	No*	X	W. O. P.	*2000 lbs. bi-monthly.[1]
Stabilised resin	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo.[1]
Styrene	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (375 lbs. Mo.)
Synthetic resins (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tanning Materials, Vegetable (see Part III).					
Tantalum chemicals**	No	No	X	No	**Potassium tantalum fluoride tantalum oxide, tantalum carbide.
Tapioca flour	W. O. P.	W. O. P.	X	W. O. P.	
Thiamine hydrochloride	W. O. P.	W. O. P.*	X	W. O. P.	*See footnote (2) (100 grams Mo.)
Tin chemicals	No	No	No	No	
Titanium dioxide	W. O. P.	W. O. P.	X	W. O. P.	
Titanium pigments	W. O. P.	W. O. P.	X	W. O. P.	
Toluene (toluol)	W. O. P.	No*	No	W. O. P.	*60 gals. yr.[1] for laboratories only
Tributyl glycerol triphthalate	W. O. P.	No	X	W. O. P.	
Trichlorethylene	W. O. P.	No*	X	W. O. P.	*1 drum Mo.[1]
Tungsten chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Vanadium chemicals	W. O. P.	No	W. O. P.	W. O. P.	
Varnishes (see Paints).					
Vat dyes (see Dyestuffs).					
Vinyl Polymers**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo.[1]
					**Plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols	W. O. P.	No	No	W. O. P.	
Xylol	W. O. P.	W. O. P.	X	W. O. P.	*See footnote (2) (55 gals. Mo.)
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
PART III—MISCELLANEOUS					
Abrasive grain, new silicon carbide, grit sizes 280, 320, 400, 500, 600, 1F, 2F, 3F, 4F, XF, ST, STF and DCF only.	W. O. P.	No	X	No	
Agave Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Agave fibre:					
Suitable for cordage	No	No	No	No	
Not suitable for cordage	No	W. O. P.	No	No	
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs' and hogs' (two inches and over)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Burlap	W. O. P.	W. O. P.	No	W. O. P.	
Cantala (see Agave fibre)					
Cattlehides, calf and kip skins (raw)*	W. O. P.	No	X	No	*This includes the whole hides or skins or portions thereof other than splits or glue stocks.
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Coir fibre	W. O. P.	W. O. P.	No	W. O. P.	
Coir products	W. O. P.	W. O. P.	No	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cordage (see Rope).					
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	W. O. P.	X	W. O. P.	

See footnotes at end of table.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Industrial materials (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Cotton linters*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Deerskins*	W. O. P.	X	X	W. O. P.	*Suitable for military use.
Diamonds, industrial*	W. O. P.	FR-AA-5	No	FR-AA-5	*Report sales as required by M-100.
Duck, Cotton*	No	No	No	No	*Width 18" or wider.
Feathers: Waterfowl (new or used)	No*	No*	No*	W. O. P.	*Only to persons holding permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.
Flax fibre products	W. O. P.	W. O. P.	No	W. O. P.	
Flax fibre	W. O. P.	W. O. P.	No	W. O. P.	
Graphite, strategic grades	No	No	No	No	
Hemp 8mm	W. O. P.	W. O. P.	No	W. O. P.	
Hennequen (see Agave fibre)			X	W. O. P.	*Suitable for military use.
Horsehide*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	* Unprocessed istle.
Horse Mane Hair	W. O. P.	W. O. P.	No	W. O. P.	
Istle, raw*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Natural sapphire and spinel not included.
Jewel bearings	W. O. P.	No	X	W. O. P.	
Jewel bearing material*	W. O. P.				
Jute:					
Raw jute	W. O. P.	W. O. P.	No	W. O. P.	
Jute products	W. O. P.	W. O. P.	No	W. O. P.	
Kapok	No	No*	No	No	*Only to Defense Supplies Corporation.
Lacquer, lacquer thinners (see Paints, Part II).					
Leather (purchased to fill a military order) *	W. O. P.	No	X	No	*Includes leather made from cattle hides, calf, kip skins, horse hide fronts, goatskins, cabretta and deerskins.
Logs (see Woods)					
Loofa sponges*	W. O. P.	AA-5	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre).					
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage	W. O. P.	W. O. P.	No	W. O. P.	*May be sold W. O. P. to the U. S. Navy.
Fibre	No	No*	No	No	
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nylon*	W. O. P.	No	No	No	*Includes fibers, yarn, thread and fabrics made of nylon.
Nylon waste	W. O. P.	No	W. O. P.	No	
OD wool clips (see Wool).					
Paints (see Part II).					
Plywood (see Woods)					
Rattan (see Woods).					
Rayon yarn, high tenacity	W. O. P.	No	No	No	
Rayon yarn reserved	No	No	No	No	
Rope*	W O P	W O P	No	W. O. P.	*"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns.
Rubber.					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	X	
Chlorinated	W. O. P.	No	No	X	
Synthetic	W. O. P.	W. O. P.	W. O. P.	X	
Reclaimed	W. O. P.				
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	X	No	
Elastic fabrics	No	No	X	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk:					
Raw	No	No	X	No	**Use certificate required.
Waste, noils, etc	No	W. O. P.**	W. O. P.**	W. O. P.	
Sisal (see Agave fibre).					
Slide fasteners	W. O. P.	No*	No*	No*	*Sales of slide fasteners may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the slide fasteners in a product being manufactured by him. Otherwise may be sold only on WPB authorization.
Sole leather (see Leather).					
Tanning material, vegetable*	No	No	No	No	*Only to Defense Supplies Corp. or any other agency designated by W. P. B.
Varnishes (see Paints, Part II).					
Wood pulp	No	No	X	No	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs:					
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Port Orford Cedar and derivatives.	W. O. P.	W. O. P.	X	W. O. P.	
Lumber:					
Softwood Lumber	W. O. P.	PR-AA-5**	W. O. P.	W. O. P.*	**Buyers must give certificate stated in paragraph (q) (1) of Order L-335 or holder may sell without rating if buyer gives certificate stated in paragraph (q) (2) of that order.
Hardwoods except Mahogany	W. O. P.	PR-AA-5**	W. O. P.	W. O. P.*	**Buyers must give certificate stated in paragraph (q) (1) of Order L-335 or holder may sell without rating if buyer gives certificate stated in paragraph (q) (2) of that order.
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.*	*May also be sold to retail dealers.
Wormy grades (pattern stock).	W. O. P.	PR-AA-1	PR-AA-1	W. O. P.*	*May also be sold to retail dealers.
No. 1 Common and peeler	W. O. P.	W. O. P.	W. O. P.	W. O. P.*	*May also be sold to retail dealers.
Plywood:					
Softwood	W. O. P.	PR-AA-2X	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zippers (see Slide fasteners).					

[1] This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.
[2] May be sold freely to a user, but the buyer must make application on Form WPB-2945 or by letter to the Chemicals Bureau, War Production Board, Washington 25, D. C., for permission to use the particular chemical, if the amount to be used exceeds the exempt quantity shown in Col. 6 above.

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Bearings—anti-friction, etc.—Continued.					4. If the quantity to be sold in any month costs less than $500, they may be sold on any order rated AA-5 or higher regardless of order's source, as authorized by the War Production Board.
Blowers, portable electric hand	WOP	WOP	WOP	WOP	
Chain falls	WOP	WOP	WOP	WOP	
Chain saws	WOP	No*	X	No.*	*May be sold only on WPB authorization (Form WPB-3161).
Clocks, alarm	WOP	WOP	WOP	WOP	
Construction Machinery (new):	WOP	No*	X	WOP	
Angledozers and modifications thereof (for mounting on tractors of 25 drawbar H. P. or over).					
Batchers, construction material.	WOP	No*	X	WOP	
Batching plants, construction	WOP	No*	X	WOP	
Bins, construction material, portable and stationary types.	WOP	No*	X	WOP	
Bulk cement handling plants	WOP	No*	X	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration, or the military forces of any lend-lease country, otherwise may be sold only on WPB authorization (Form WPB-1319).
Bulldozers and modifications thereof (for mounting on tractors of 25 drawbar H. P. or over).	WOP	No*	X	WOP	
Cranes, attachments for tractor mounting	WOP	No*	X	WOP	
Crane, shovel, crane and rubber tired mounted power, and modifications thereof, except freight handling lift trucks.	WOP	No*	X	WOP	
Crushers, jaw (sizes 9" x 14" to 9" x 24" openings, inclusive); except those manufactured in sizes as indicated in Schedule D (Ref: L-217), and except those sizes of a type designed exclusively for mining and quarrying.	WOP	No*	X	WOP	
Crushers, roll, construction aggregates; portable type, except those sizes and types as indicated in Schedule D (Ref: L-217).					
Crushing plants, portable type.	WOP	No*	X	WOP	
Distributors, bituminous	WOP	No*	X	WOP	
Distributors, water (street sprinklers and flushers)	WOP	No*	X	WOP	
Ditchers, ladder and wheel types.	WOP	No*	X	WOP	
Dragelines, slack line and walking types (other types—see Cranes).	WOP	No*	X	WOP	
Drilling machines, portable rock and earth hole drills, churn drill type.	WOP	No*	X	WOP	
Dryers, construction aggregates.	WOP	No*	X	WOP	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Abrasive products, bonded and coated.	WOP	WOP	WOP	WOP	
Automotive equipment:					
Axles	WOP	PR-AA-2X	X	WOP	1 This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Chassis	WOP	PR-AA-2X	X	WOP	
Clutches	WOP	PR-AA-2X	X	WOP	
Off-the-highway vehicles	WOP	PR-AA-2X	X	WOP	
Propeller shafts	WOP	PR-AA-2X	X	WOP	
Rims	WOP	PR-AA-2X	X	WOP	
Transfer cases	WOP	PR-AA-2X	X	WOP	
Transmissions	WOP	PR-AA-2X	X	WOP	
Truck-trailers	WOP	PR-AA-2X	X	WOP	
Trucks	WOP	PR-AA-2X	X	WOP	
Wheels	WOP	PR-AA-2X	X	WOP	
Engines:					
Aircooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP 1	1 This applies only to a holder who has $500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than $500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Diesel and gas (not gasoline) (non-marine only)	WOP	PR-AA-2X	X	WOP 1	
Liquid-cooled gasoline engines (except aircraft propulsion).	WOP	PR-AA-2X	X	WOP 1	
Internal combustion engines components, except those used on aircraft propulsion engines:					
Bearings, friction (flanged and sleeve type only)	WOP	PR-AA-2X	X	WOP 1	
Camshafts (finished only)	WOP	PR-AA-2X	X	WOP 1	
Carburetors, gasoline	WOP	PR-AA-2X	X	WOP 1	
Crankshafts (finished drop forged)	WOP	PR-AA-2X	X	WOP 1	
Electric starting motors, engine mounted only	WOP	PR-AA-2X	X	WOP 1	
Exhaust and intake valves and seats—internal combustion engines	WOP	PR-AA-2X	X	WOP 1	
Fuel injection equipment	WOP	PR-AA-2X	X	WOP 1	
Generators, internal combustion engine mounted	WOP	PR-AA-2X	X	WOP 1	
Magneto-starting switches—internal combustion engine mounted	WOP	PR-AA-2X	X	WOP 1	
Magnetos	WOP	PR-AA-2X	X	WOP 1	
Mechanical governors	WOP	PR-AA-2X	X	WOP 1	
Piston rings	WOP	PR-AA-2X	X	WOP 1	
Voltage regulators	WOP	PR-AA-2X	X	WOP 1	
Bearings, anti-friction, including the following component parts: Inner and outer races, alloy steel balls and balls, and rollers assembled in retainers.	No.*	No.*	No.*	No.*	2 Sales of ocean bearings are limited to the following: 1. To the original supplier, or 2. On any AAA order; or 3. On any AA-5 or higher rated order placed directly with the Army, Navy, Maritime Commission, the Maritime Commission, or the War Shipping Administration, or directly by any prime or subcontractor of any of them, who will incorporate such bearings into, or will deliver them as spare bearings with a product being manufactured by him; or

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Construction Machinery—Con.					
Earth boring machines, vertical auger type (except post hole diggers).	WOP	No*	X	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration or the military forces of any lend-lease country, otherwise may be sold only on WPB authorization (Form WPB-1319).
Finishers, paving (concrete or bituminous).	WOP	No*	X	WOP	
Graders, earth moving (motor, blade and elevating types).	WOP	No*	X	WOP	
Heaters and circulators, tank car.	WOP	No*	X	WOP	
Hoists, contractors and material handling exceeding 6,000 lbs. line pull at 200 FPM line speed or exceeding 1,200,000 foot lbs. effort based on second wrap of cable.	WOP	No*	X	WOP	
Jacks, mud	WOP	No*	X	WOP	
Loaders, portable bucket (other than drag, flight or scraper type coal conveyors).	WOP	No*	X	WOP	
Loaders, portable snow	WOP	No*	X	WOP	
Logging arches, tractor drawn	WOP	No*	X	WOP	
Maintainers, road (complete machines).	WOP	No*	X	WOP	
Mixers, concrete construction above 7 cubic ft. except those sizes and types as indicated in Schedule D (Ref: L-217).	WOP	No*	X	WOP	
Mixers, concrete truck or agitator type (with or without elevating towers), except those sizes and types as indicated in Schedule D (Ref: L-217).	WOP	No*	X	WOP	
Pavers, concrete	WOP	No*	X	WOP	
Plants, asphalt, including travel mix type.	WOP	No*	X	WOP	
Plants, bituminous patch, hot or cold mixer type (more than 10 tons per hour capacity).	WOP	No*	X	WOP	
Plants soil stabilizing	WOP	No*	X	WOP	
Plows, snow (rotary and blower types).	WOP	No*	X	WOP	
Plows, snow (V and blade types), truck, grader or railroad mounted or mounted on tractors of more than 25 H. P., including wings.	WOP	No*	X	WOP	
Power control units for tractors (both cable and hydraulic).	WOP	No.*	X	WOP	
Pumps, concrete, except for well cementing.	WOP	No.*	X	WOP	
Pumps, portable engine or electric motor driven pumping units mounted on skids, with or without handles, or trailer mounted larger than 90,000 gallons per hour, self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply, except those sizes and types as indicated in Schedule D (Ref: L-217).	WOP	No.*	X	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration or the military forces of any lend lease country, otherwise may be sold only on WPB authorization (Form WPB-1319).
Rollers, road (pneumatic tired, portable, tandem and three wheeled types).	WOP	No*	X	WOP	
Scrapers, carrying and hauling, both drawn and self-propelled, except sizes listed in Schedule D and those under 2 cubic yards truck capacity.	WOP	No*	X	WOP	
Shovels, attachments for tractor mounting.	WOP	No*	X	WOP	
Shovels, crawler and rubber tired mounted power, and modifications thereof.	WOP	No*	X	WOP	
Sprayers (maintenance units) bituminous material (over 300 gallon capacity).	WOP	No*	X	WOP	
Spreaders, concrete paving	WOP	No*	X	WOP	
Sweepers, street, including motor pick-up type.	WOP	No*	X	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration or the military forces of any lend-lease country, otherwise may be sold only on WPB authorization (Form WPB-1319).
Wagons, crawler trailer (contractors', logging, cane, etc.).	WOP	No*	X	WOP	
Washing and screening plants, portable type.	WOP	No*	X	WOP	
Wheels, crawler trailer (complete assemblies).	WOP	No*	X	WOP	
Winches, tractor mounted	WOP	No*	X	WOP	
Construction Machinery (used):					
Backhoes, power crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	WOP	No[1]	No[1]	WOP	*May be sold only on WPB authorization (Form WPB-1319). Application should be made by filing four copies of Form WPB-1319 with the Construction Machinery Specialist for the WPB region in which the applicant's home office is located. This restriction does not apply to sales outside the 48 States of the United States and the District of Columbia and does not apply to the following special sales:
Cranes, power, crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930.)	WOP	No[1]	No[1]	WOP	
Draglines, power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	WOP	No[1]	No[1]	WOP	
Motorgraders, self-propelled, earth moving, rubber tired mounted, 16,000 lbs. and heavier, tandem and four-wheel drive types.	WOP	No[1]	No[1]	WOP	

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Construction Machinery—Con.					
Shovels, power crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930).	WOP	No [1]	No [1]	WOP	1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machinery for the purpose of resale.
Tractors, crawler or track-laying type, all gauges, bare and including tractor mounted equipment, such as bulldozers, angle-dozers, cranes, loaders, power control units, etc. (all Diesel and semi-Diesel powered models and the following gasoline powered models: M, WM, AG, H, T6, and R2.	WOP	No [1]	No [1]	WOP	2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer. 3. Sales by any Governmental agency to any other Governmental agency. 4. Sales by farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use
Containers:					
Boxes, corrugated and solid fibre (except V-boxes).	WOP	WOP	WOP	WOP	
V-boxes	WOP	WOP*	WOP	WOP	*A holder may only sell to a user who requires V-boxes to fill an order for the military or Lend-Lease specifying such boxes.
Crowns: metal, beverage	WOP	WOP	WOP	WOP	
Metal closures for glass: home canning.	WOP	WOP	WOP	WOP	
Closures: metal not home canning: and crowns, metal, not beverage, for glass containers.	WOP	WOP	WOP	WOP	
Glass containers (bottles, jars, etc.).	WOP	WOP	WOP	WOP	
Metal cans	WOP	WOP	WOP	WOP	
Fluid milk shipping containers	WOP	WOP	WOP	WOP	
Textile bags	WOP	WOP	WOP	WOP	
Compressed gas cylinders	WOP	PR-AA5*	PR-AA5	PR-AA5	*Liquefied Petroleum gas cylinders may be sold only if prior authorization is obtained from PAW for the installation of liq. pet. gas equipment under the terms of General Limitation Order L-86.
Collapsible tubes	WOP	WOP	WOP	WOP	
Containers: Consumer type, miscellaneous.*	WOP	WOP	WOP	WOP	*Paper cups and nested food containers are excepted from List B and fall under para. (c) (1) (ii) of this regulation.
Drums, barrels, and pails: shipping, steel, 20 gauge and heavier.	WOP	WOP	WOP	WOP	
Cork products	WOP	WOP	WOP	WOP	
Dental burs	WOP	WOP	WOP	WOP	
Diamond dies (large) [6]	WOP	WOP	WOP	WOP	[6] With hole diameter larger than .0015.
Diamond dies (small) [7]	No	No	No	No	[7] With hole diameter of .0015 and smaller.
Electronic parts and equipment: [8]					
Electronic equipments	WOP	AA-5	X	AA-5	*Rejected components are not restricted except new and use'd test equipment. The term "rejected" applies to components that have no military value and must be so certified as such in writing by Army or Navy Inspectors, and records maintained in accordance with paragraph (g) of this order.
Capacitors (variable)	WOP	AA-5	X	AA-5	
Capacitors (fixed)	WOP	AA-5	X	AA-5	
Coaxial cable	WOP	AA-5	X	AA-5	
Crystal assemblies	WOP	AA-5	X	AA-5	
Instruments, electrical indicating, combat type [9]	WOP	AA-5	X	AA-5	[8] Except fire control equipment, and navigation instruments.
Insulators [9]	WOP	AA-5	X	AA-5	[9] Ceramic, micalex, plastic.
Loudspeakers	WOP	AA-5	X	AA-5	
Microphones	WOP	AA-5	X	AA-5	
Relays, other than motor control as used in radio communication equipment.	WOP	AA-5	X	AA-5	
Resistors (radio and radar)	WOP	AA-5	X	AA-5	
Sockets, tube (radio and radar)	WOP	AA-5	X	AA-5	
Test equipment [10] (new and used).	WOP	AA-5	X	No *	[10] All items cleared as recognized B-1 items, (standard) electronic.
Transformers and reactors [11]	WOP	AA-5	X	AA-5	[11] Radio and radar including coils and chokes other than R. F. and I. F
Tubes (radio and radar)	WOP	AA-5	X	AA-5	
Vibrator [12]	WOP	AA-5	X	AA-5	[12] A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.
Engines, marine Diesel	WOP	No [13]	X	No*	[13] Does not apply to the sale, exchange or other transfer of Marine Diesel Engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher. Otherwise may be sold only on WPB authorization using WPB Form 1319.
Fans, domestic and commercial powered by a fractional H. P. motor, 200 watts or less.	WOP	No *	X	No *	*May be sold on WPB authorization using Form WPB-1319. *May be sold only on WPB authorization on Form WPB 1319.
Floor sanding machines	WOP	WOP	WOP	WOP	
Graphite crucibles	WOP	WOP	WOP	WOP	
Industrial power trucks (new and used).	WOP	No [14]	X	WOP	[14] Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the industrial power trucks

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) AND (5) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Repossessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Motors and generators—Con.	WOP	WOP		WOP	will be used in the completion of a contract of the Army, Navy, War Shipping Administration rated AA-X or higher.
Office machinery including: Typewriters—new nonportable.	WOP	No ■	WOP	WOP	■ May be sold only on WPB authorization. (Form WPB-1319). Does not apply to machinery put into use before May 1, 1987, which may be sold freely.
Printing and publishing machinery, parts and supplies (new and used): Graphic arts machinery: Offset machine composition.	WOP	No ■	WOP	WOP	
Hand composition	No ■	No ■	WOP	WOP	
Photoengraving, lithographic and gravure plate making.	No ■	No ■	WOP	WOP	
Electrotype and stereotype.	No ■	No ■	WOP	WOP	
Blankets, felt and plastic.	No ■	No ■	WOP	WOP	
Presses	No ■	No ■	WOP	WOP	
Binders	No ■	No ■	WOP	WOP	
Paper mill machinery (new and used).	WOP	WOP ■	X	WOP	
Ranges, domestic electric	WOP	No ■	X	No ■	
Refrigerators, domestic mechanical (see List A, Part III)	No ■	No ■	X	No ■	
Sterilizer equipment	WOP	WOP	WOP	WOP	■ The term "Machine Tool" means all machines (except portable machine tools) for the cutting (except heat cutting) abrading, shaping, forming, straightening and turning of metal.
Tools: Machine tools ■	WOP	WOP	WOP	WOP	■ Except chucks.
Metal cutting ■	WOP	WOP	X	WOP	■ May be sold freely to the Army, Navy, Maritime Commission or War Shipping Administration for direct use only. It may also be sold to fill a purchase order bearing a preference rating assigned on Form PD-1A or higher or on Form PD-1X prior to the 3 series provided the certificate applying or extending such rating shall state the source of the rating, either by name or symbol. Form WPB-1319.
Track-laying tractor parts	WOP	WOP	WOP	WOP	
Welding equipment, resistance	WOP	No ■	WOP	WOP	

[F. R. Doc. 44-12425; Filed, August 18, 1944; 11:19 a. m.]

LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) AND (5) OF THIS REGULATION—Continued

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Repossessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Industrial power trucks—Con.	WOP	WOP	WOP	WOP	into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only upon authorization (Form WPB-1319)
Laundry equipment, commercial; dry cleaning, wet cleaning, and tailors' pressing equipment.	WOP	WOP	WOP	WOP	■ Any equipment or machinery (whether mining, construction, industrial, or otherwise) acquired by a producer as defined in Par. (a) of this section and not held in connection with a non-essential mine on the effective date, as defined in L-208, may be transferred only to a producer as defined in Par. (a) of this section with a serial number rated A-1-J or higher, or with the written permission of the War Production Board applied for by letter to the Mining Division, Washington, D. C.
Mining equipment and machinery ■ (new and used).	No	No	No	No	
Motion Picture (35 mm.) projection equipment and accessories: List 1					
Amplifier	WOP	WOP	WOP	WOP	
Easel	WOP	WOP	WOP	WOP	
Complete portable projectors	WOP	WOP	WOP	WOP	
Complete projection arc	WOP	WOP	WOP	WOP	
Complete projector	WOP	WOP	WOP	WOP	
Complete sound systems	WOP	WOP	WOP	WOP	
Current converting devices	WOP	WOP	WOP	WOP	
Lead screw	WOP	WOP	WOP	WOP	
Projection arc lamphouse	WOP	WOP	WOP	WOP	
Projector mechanism	WOP	WOP	WOP	WOP	
Sound heads	WOP	WOP	WOP	WOP	
List 2					
Automatic enclosed rewinder	WOP	WOP	WOP	WOP	
Carbon adapters	WOP	WOP	WOP	WOP	
Changeover device	WOP	WOP	WOP	WOP	
Film reminders	WOP	WOP	WOP	WOP	
Nitrate film storage cabinets	WOP	WOP	WOP	WOP	
Reel end alarms	WOP	WOP	WOP	WOP	
Repair parts and repair service (except electronic parts).	WOP	WOP	WOP	WOP	
Safety control devices	WOP	WOP	WOP	WOP	
Steel fireproof booth tables	WOP	WOP	WOP	WOP	
Take-up reels	WOP	WOP	WOP	WOP	
Motors and generators, electric (fractional horsepower) (except those used as starters or magneto on internal combustion engine).	WOP	No ■	X	No	■ Does not apply to the sale or transfer of fractional horsepower motors between the Army, Navy, Maritime Commission or War Shipping Administration, the latter three agencies provided the fractional horsepower motors

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 43]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.75 is amended to read as follows:

§ 1407.75 *Consumers who need more sugar because of illness may apply for a certificate.* Any consumer whose health requires that he have more sugar than he can get with his war ration book may apply for a certificate authorizing him to take delivery of such additional amounts. The application must be made on OPA Form R-315, by the consumer himself or by someone acting for him, and may be made in person or by mail. The application can be made only to the Board for the place where the consumer lives. The application (on OPA Form R-315) must be accompanied by a written statement signed by a licensed practitioner who is authorized by the laws of the State in which he practices to diagnose and treat the illness as to which the certification is made and who is lawfully entitled and properly qualified to register under the Federal Narcotic Law (26 U.S.C.A. sec. 3221). The statement must contain a specific diagnosis of the applicant's illness or condition; must show, if possible, the probable duration of the illness; and must show why the applicant must have more sugar and the amount he needs during the next ten weeks (or a shorter period if the illness is of shorter duration). The Board shall send the application to the District Office for decision. However in emergency cases, if the Board finds that the applicant needs additional sugar, it may issue to him one or more certificates to enable him to get additional sugar during the next two weeks. If during that period, no decision has been made on the application, the Board may issue to him one or more certificates, if the emergency continues, to enable him to get additional sugar for another two weeks. The Board may continue to issue certificates for succeeding two-week periods as long as the emergency continues and until a decision has been made. If the District Office is unable to pass on the application it shall send it to the Regional Office for decision or take such other action as the Regional Office may authorize or direct. A District Office may authorize a Board which has a medical advisory panel to act on all applications under this section.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 2283, 2826, 2826, 3031, 3513, 3579, 3847, 4099, 4350, 4476, 4880, 5220, 5166, 5426, 5346.

This amendment shall become effective August 21, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Administrator.

Issued this 17th day of August 1944.

CHESTER BOWLES,

[F. R. Doc. 44-12409; Filed, August 17, 1944; 3:21 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 51]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The fourth sentence of section 2.5 (a) is amended to read as follows: "The application (on OPA Form R-315) must be accompanied by a written statement signed by a licensed practitioner who is authorized by the laws of the state in which he practices to diagnose and treat the illness as to which the certification is made and who is lawfully entitled and properly qualified to register under the Federal Narcotic Law (26 U. S. C. A. sec. 3221)."

2. The last sentence of section 2.5 (a) is amended to read as follows: "The statement must contain a specific diagnosis of the applicant's illness or condition, must show, if possible, the probable duration of the illness, must show why the applicant must have more processed foods, and the amounts and types he needs during the next ten weeks (or a shorter period if the illness is of shorter duration)."

3. Section 2.5 (b) is amended by deleting everything following the first sentence and substituting the following therefor: "If the applicant requests more processed foods during this period than the board is authorized by the Washington Office to grant to him, the board shall issue to him a certificate for the number of points it is authorized to grant to him, and, if the applicant still requests the additional amount, send the application for the additional points to the district office for decision. If the diagnosis is any illness other than diabetes mellitus or active tuberculosis, the board shall send the application to the district office for decision. However, in emergency cases, if the board finds that the applicant needs additional processed foods, it may issue to him one or more certificates to enable him to get those additional foods during the next two weeks. If during that period, no decision has been made on the application, the board may issue to him one or more certificates, if the emergency continues, to enable him to get those additional foods for another two weeks. The board may continue to issue certificates for succeeding two-week periods as long as the emergency continues and until a decision has been made. If the district office is unable to pass on the application, it shall send it to the regional office for decision, or take such other action as the regional office may authorize or direct. A district office may authorize a board which has a medical advisory panel to act on all applications under this section."

This amendment shall become effective August 21, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 17th day of August 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-12410; Filed, August 17, 1944; 3:21 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 19]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. The fourth sentence of section 2.4 (a) is amended to read as follows: "The application (on OPA Form R-315) must be accompanied by a written statement signed by a licensed practitioner who is authorized by the laws of the state in which he practices to diagnose and treat the illness as to which the certification is made and who is lawfully entitled and properly qualified to register under the Federal Narcotic Law (26 U. S. C. A. sec. 3221)."

2. The last sentence of section 2.4 (a) is amended to read as follows: "The statement must contain a specific diagnosis of the applicant's illness or condition, must show, if possible, the probable duration of the illness, must show why the applicant must have more foods covered by this order, and the amounts and types he needs during the next ten weeks

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1817, 1908, 2283, 2234, 2240, 2440, 2567, 3032, 3513, 3579, 3708, 3810, 3944, 3947, 4026, 4351, 4475, 4804, 4818, 4876, 5074, 5436, 5696, 5829.

[1] 9 F.R. 6731, 7060, 7061, 7062, 7167.

(or a shorter period if the illness is of shorter duration)."

3. Section 2.4 (b) is amended by deleting everything following the first sentence and substituting the following therefor: "If the applicant requests more foods covered by this order during this period than the board is authorized by the Washington Office to grant to him, the board shall issue to him a certificate for the number of points it is authorized to grant to him, and, if the applicant still requests the additional amount, send the application for the additional points to the district office for decision. If the diagnosis is any illness other than one of those specified in this paragraph, the board shall send the application to the district office for decision. However, in emergency cases, if the board finds that the applicant needs additional foods covered by this order, it may issue to him one or more certificates to enable him to get those additional foods during the next two weeks. If during that period, no decision has been made on the application, the board may issue to him one or more certificates, if the emergency continues, to enable him to get those additional foods for another two weeks. The board may continue to issue certificates for succeeding two-week periods as long as the emergency continues and until a decision has been made. If the district office is unable to pass on the application, it shall send it to the regional office for decision, or take such other action as the regional office may authorize or direct. A district office may authorize a board which has a medical advisory panel to act on all applications under this section."

This amendment shall become effective August 21, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12411; Filed, August 17, 1944; 3:21 p. m.]

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 23]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

Section 1316.61 (b) (4) is amended in the following respect:

Table II and the two undesignated paragraphs thereof preceding the tabulation are amended to read as follows:

TABLE II—PRINT CLOTH YARN GROUP

(Specifications for the types and classes of cloth listed herein are set forth in Table II-A)

Spot Cotton Price—20.37¢ per pound

Type and Class of Cloth:[2]	*Cents per pound*[3]
Print Cloth:[4]	
Class A	50.50
Class B	52.00
Class C	53.50

[2] A fabric falling within the specifications (as set forth in Table II-A) for any type of cloth listed herein shall be subject to the maximum price established herein even if made in a weave requiring 3 or 4 cams.

[3] For seconds and short lengths of all fabrics listed in this table, the prices appearing herein shall be discounted by five per cent.

[4] In addition to the above maximum prices for print cloth, the following premiums may be charged for narrow widths: 32½" to 28½", incl., 2 cents; 28½" to 26", incl., 3 cents; 25¾" to 24", incl., 4 cents; 23¾" to 21", incl., 5 cents.

Type and Class of Cloth—Con.	*Cents per pound*[3]
Carded Broadcloth:	
Class A	50.50
Class B	53.50
Class C	57.50
Class D	62.50
Pajama Checks:	
Class A	52.50
Class B	52.00
Carded Poplins:	
Class A:	
1	50.50
2	49.50
3	48.50
Class B:	
1	52.50
2	51.50
3	50.50
Class C:	
1	55.50
2	53.50
3	51.50
Class D:	
1	57.50
2	55.50
3	53.50
Carded Piques:	
Class A	54.50
Class B	57.50
Class C	60.50
Three-Leaf Twills:	
Class A	47.50
Class B	48.50
Class C	51.50
Class D	52.50
Class E	53.00

This amendment shall become effective August 18, 1944, except that the price for Class A print cloth shall be effective as of June 30, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12406; Filed, August 17, 1944; 3:20 p. m.]

[1] 8 F.R. 1963, 5806, 15906, 16744; 9 F.R. 2020, 2237, 2477, 2790, 3339, 7700, 9278.

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118,[1] Amdt. 23]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subsections (a) and (b) in § 1400.118 (d) (23) (ii) are amended to read as follows:

(a) Except as provided in (b) below, the maximum prices for print cloth 42 inches and more in width shall be:

Class:	*Cents per lb.*
A	54.125
B	55.75
C	57.375

(b) For window shade or book cloth, 42 inches or more in width, of the same constructions as print cloth of Class A or Class B, the maximum prices shall be:

Class:	*Cents per lb.*
A	59.00
B	60.50

These prices shall not be applicable to selected print cloth but only to goods manufactured for use in high quality window shades or for other uses requiring cloth equally free of imperfections.

This amendment shall become effective August 18, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12408; Filed, August 17, 1944; 3:20 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 127,[1] Amdt. 22]

FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 127 is amended in the following respect:

In § 1400.82 (b), subparagraph (5) is added to read as follows:

(5) In the case of finished piece goods containing 75 per cent or more of cotton by weight, the basic grey goods cost shall be the established maximum price for the grey goods in effect on June 29, 1944, unless a previous provision of this paragraph (b) requires it to be lower.

This amendment shall become effective as of June 30, 1944.

Issued this 17th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12407; Filed, August 17, 1944; 3:20 p. m.]

[1] 8 F.R. 12186, 12934.

*Copies may be obtained from the Office of Price Administration.

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 78]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 5.7 (a) is amended by inserting between the figures "7.9," and "26.1" the figures "13.2 (e), 13.3 (g),".

2. Section 13.3 (e) (1) is amended to read as follows:

(1) His use for meal services of the rationed foods listed in Schedule A of that form. His use of sugar is to be reported in pounds; his use of processed foods is to be reported in points; his use of foods covered by Revised Ration Order 16 is to be reported in points for those foods which had a point value during the entire thirty-day period and in pounds for those foods which had a zero point value during any part of that period.

3. Section 13.3 (f) (1) is amended to read as follows:

(1) The allotment of each rationed food given by the district office, as computed prior to the reduction imposed by Section 5.7, is divided by the number of persons the district office estimated he would serve meals and the result is multiplied by the number of persons served meals during the last thirty (30) days, computed in accordance with paragraph (e);

4. Section 13.3 (f) (2) is amended to read as follows:

(2) His use of rationed foods for meal services during the last thirty (30) days of operation is determined in pounds for sugar and in points for processed foods. His use of foods covered by Revised Ration Order 16 is determined in the following way:

(i) Determine his use in points of foods covered by Revised Ration Order 16 which had a point value during the entire thirty-day period;

(ii) Determine his use in pounds of foods covered by Revised Ration Order 16 which had a zero point value during any part of that period. This use is determined separately for each of the classes of foods listed in Supplement 2 to this order;

(iii) Multiply the figures in (ii) by the December use factors for the classes of foods in question, contained in Supplement 2 to this order;

(iv) Add the figures obtained in (i) and (iii);

(v) The result is considered to be his use of foods covered by Revised Ration Order 16 during his base month for the purpose of determining his base for meal services.

5. Section 13.3 (f) (3) is added to read as follows:

(3) The lower of the figures obtained in (1) and (2) shall be his base for meal services.

6. A new section 13.3 (i) is added to read as follows:

(i) An institutional user whose base was computed by reference to the number of persons served and his use of rationed foods at any time during the May–June 1944 or July–August 1944 allotment period, and who did not report the information described in paragraph (a), may file an amended report containing that information. If he does so, his base shall be recomputed in accordance with the procedure described in paragraph (f) of this section.

This amendment shall become effective August 22, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E. O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1–E, 1–M and 1–R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61, and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12439; Filed, August 18, 1944; 12:03 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12557, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5584, 5826, 5915, 6108, 6628.

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 114]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 114 to Maximum Price Regulation No. 120 is hereby corrected in the following respects:

1. Item 3 of Amendment No. 114 is hereby corrected to read as follows:

3. In § 1340.226 (b) (3), the table of Size Group Numbers, Prices and Production Group Numbers is amended by adding a new production group, No. 14, and a price so that the table shall read as follows:

Sizes of coal	Prices and production group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	14
Railroad locomotive fuel (any size not specifically listed below)	270	270	270	310	310	285	270	270	270	270	270	270
3" x ¼" unwashed											260	
3" x 0 washed or 3" x ¼" unwashed	260											
3" x 0 stoker screenings with ⅓ of fines removed		255										
2" x ¼" unwashed											245	
2" x 0 washed or 2" x ¼" unwashed	245											
2" x 0 washed or unwashed		230	230									
1¼" x 0 washed or 1¼" x ¼" unwashed	230											
1¼" x 0 unwashed										230	230	

2. Item 5 of Amendment No. 114 is hereby corrected to read as follows:

5. In § 1340.226 (b) (4) (ii), the table of prices and production group numbers for railroad locomotive fuel is amended by adding a new production group, No. 14, and a price, so that the table shall read as follows:

	Prices and production group Nos.								
	1	2	3	4 and 5	6	7, 8 and 9	10	11	14
Railroad locomotive fuel (applicable to any size coal)	320	345	335	400	365	320	315	305	320

This correction to Amendment No. 114 shall be effective as of August 8, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12441; Filed, August 18, 1944; 11:52 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271, Corr. to Amdt. 20[1]]

POTATOES AND ONIONS

In Amendment 20 to RMPR 271 the list of counties opposite Missouri, reading "Counties of Lincoln, Warren" is corrected to read as follows: Counties of Lincoln, Warren, St. Charles, St. Louis, Franklin, Washington, Jefferson, St. Francois, St. Genevieve, Perry, Madison, Bollinger, Cape Girardeau, Scott, Mississippi.

This correction shall be effective as of August 10, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12442; Filed, August 18, 1944; 11:52 a. m.]

[1] 9 F.R. 9763.

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 269,[1] Amdt. 9]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 19 (e) is redesignated section 19 (f).
2. Section 19 (f) is redesignated section 19 (g).
3. Section 19 (g) is redesignated section 19 (h).
4. Section 19 (h) is redesignated section 19 (i).
5. Section 19 (i) is redesignated section 19 (j).
6. Section 19 (j) is redesignated section 19 (k).
7. Section 19 (k) is redesignated section 19 (l).
8. Section 19 (l) is redesignated section 19 (m).
9. Section 19 (m) is redesignated section 19 (n).
10. A new section 19 (e) is added to read as follows:

(e) *Sales by licensed ship suppliers of cheese items delivered shipside.* Notwithstanding other provisions of this section 19, the maximum price for the sale of any "cheese item" by a licensed ship supplier either to the United States Government or any of its agencies or to a ship operator where delivery is made shipside any vessel operating under the direction or control of the United States Government, the War Shipping Administration or any of the United Nations shall be the maximum price as established by paragraph (c) (2) of this section for a delivery in that place by a service wholesaler.

11. A new section 20 (a) (7) is added to read as follows:

(7) *Sales by licensed ship suppliers of butter delivered shipside.* Notwithstanding other provisions of this section 20, the maximum price for the sale of any particular score or grade of butter in any place by a licensed ship supplier either to the United States Government or any of its agencies or to a ship operator where delivery is made shipside any vessel operating under the direction or control of the United States Government, the War Shipping Administration or any of the United Nations shall be the maximum price for "sales by a creamery" of that particular score or grade in that place as established by paragraph (a) (2) of this section plus the following additions:

2¢ per pound for deliveries shipside of 1,000 pounds or less.

1¼¢ per pound for deliveries shipside of more than 1,000 pounds.

12. Section 28 (d) is redesignated section 28 (e).

13. Section 28 (e) is redesignated section 28 (f).
14. Section 28 (f) is redesignated section 28 (g).
15. Section 28 (g) is redesignated section 28 (h).
16. Section 28 (h) is redesignated section 28 (i).
17. Section 28 (i) is redesignated section 28 (j).
18. Section 28 (j) is redesignated section 28 (k).
19. Section 28 (k) is redesignated section 28 (l).
20. Section 28 (l) is redesignated section 28 (m).
21. A new section 28 (d) is added to read as follows:

(d) *Sales by licensed ship suppliers of cheese items delivered shipside.* Notwithstanding other provisions of this section 28, the maximum price for the sale of any "cheese item" by a licensed ship supplier either to the United States Government or any of its agencies or to a ship operator where delivery is made shipside any vessel operating under the direction or control of the United States Government, the War Shipping Administration or any of the United Nations shall be the maximum price as established by paragraph (b) (2) of this section for a delivery in that place by a service wholesaler.

This amendment shall become effective August 23, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12440; Filed, August 18, 1944; 12:08 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5140, 5427, 5429, 5668, 8917, 8919, 8921, 9105, 7699.

PART 1377—WOODEN CONTAINERS

[MPR 520,[1] Amdt. 1]

WEST COAST COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The heading and first sentence of section 4 of Maximum Price Regulation 520 are amended to read as follows:

SEC. 4. *Sales for which specific prices are not established.* Any seller who cannot determine his maximum price for any item covered by this regulation shall make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for approval of a price or pricing method.

This amendment shall become effective August 23, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12443; Filed, August 18, 1944; 11:53 a. m.]

[1] 9 F.R. 2913.

PART 1384—HARDWOOD LUMBER

[RMPR 217]

WALNUT LUMBER AND WALNUT GUNSTOCK BLANKS

Maximum Price Regulation No. 217, Walnut Gunstock Blanks is redesignated Revised Maximum Price Regulation No. 217, Walnut Lumber and Walnut Gunstock Blanks, and is revised and amended to read as set forth below:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected, or have previously been promulgated and their use lawfully required by other government agencies.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

REVISED MAXIMUM PRICE REGULATION 217—WALNUT LUMBER AND WALNUT GUNSTOCK BLANKS

Sec.
1. Higher than maximum prices prohibited.
2. What products are covered.
3. What persons are covered.
4. What transactions are covered.
5. Retail type sales excepted.
6. Maximum prices for walnut gunstock blanks.
7. Maximum prices for walnut lumber.
8. Transportation additions.
9. What the invoice must contain.
10. Prohibited practices.
11. Records.
12. Enforcement.
13. Licensing.
14. Adjustable pricing.
15. Petitions for adjustment or amendment.
16. Relation to other regulations.
17. Geographical applicability.

AUTHORITY: Secs. 1 to 17 inclusive (§1384.101) issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Higher than maximum prices prohibited.* (a) On and after August 23, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any walnut lumber or walnut gunstock blanks, for direct mill shipment, at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What products are covered.* (a) This regulation covers all walnut lumber and walnut gunstock blanks produced anywhere in the United States, whether or not the grades, sizes and specifications are specifically named in the price tables.

(b) All grade terms for walnut lumber have the meaning given in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January, 1944.

(c) "Walnut gunstock blanks" means gunstock blanks made of walnut lumber, either green, air-dried or kiln-dried.

SEC. 3. *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association, or any other organized group; their legal successors or representatives; the United States, or any Government, or any of their political subdivisions, or any agencies of the foregoing.

SEC. 4. *What transactions are covered*—(a) *Direct-mill shipments.* This regulation applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, concentrator, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made.

(b) *How to tell a mill from a distribution yard*—(1) *General tests.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: The first, (i), a typical sawmill or planing mill; the second, (ii), a typical concentration yard; and the third, (iii), a typical distribution yard. An establishment which resembles a typical sawmill or planing mill or a typical concentration yard more than it does a typical distribution yard is considered a mill; and one which resembles a typical distribution yard more than it does a typical sawmill or planing mill or a typical concentration yard is considered a distribution yard.

(i) A "typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; and which makes and sells walnut lumber and/or walnut gunstock blanks.

(ii) A "typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment; which keeps in stock mostly hardwood lumber; which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment; and which has been located at its particular site to be near a lumber producing area.

(iii) A "typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(2) *New yards.* In order to prevent violation of this regulation by unnecessarily routing through yards, the Office of Price Administration will not recognise a distribution yard set up after July 31, 1944, unless the new yard writes to the Office of Price Administration, Washington 25, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

SEC. 5. *Retail-type sales excepted.* A "retail type" direct-mill sale is not subject to this regulation. A "retail type" direct-mill sale means a sale of not more than 2,000 feet of lumber in which the purchaser requests delivery to a point not more than 20 miles from the mill at which the shipment originates. It includes only sales of lumber to contractors or consumers for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and it does not include sales for resale in substantially the same form. "Retail type" direct-mill sales remain subject to the General Maximum Price Regulation.

SEC. 6. *Maximum prices for walnut gunstock blanks.* (a) The maximum f. o. b. mill price for walnut gunstock blanks, manufactured in accordance with United States Government specifications, shall be as follows:

	Condition	
	Kiln dried[1]	Green[2]
Springfield (U. S. Rifle, Cal. .30 M 1903 A3)	$2.05	$1.80
Enfield (U. S. Rifle, Cal. .30 M 1917)	2.05	1.80
Garand (U. S. Rifle, Cal. .30 M–1)	1.37	1.21
Mark IV [per set of butt (Specification OE–359C), hand guard (Specification OE–361B), and fore end (Specification OE–360B)]	1.58	1.34
Johnson (Johnson Model R)	1.32	1.16
Reising (H–R Reising Sub-Machine Gun)	1.33	1.16
Carbine (Carbine Cal. .30 M–1)	.94	.83
Thompson (Sub-Machine Gun, Cal. .45, M1928 A–1 and M–1)	.38	.33

[1] To an average moisture content of not more than 8 percent.

[2] Includes any blanks not kiln dried to an average moisture content of 8 percent or less.

(b) Every manufacturer of walnut gunstock blanks who sells or delivers walnut blanks for wooden gun parts, other than stocks, shall file with the Lumber Branch of the Office of Price Administration, Washington 25, D. C., within 30 days of entering into the contract for sale of such parts, a report stating the specifications for such blanks, the quantity sold, and the price received.

SEC. 7. *Maximum prices for walnut lumber.* (a) The maximum prices shown below apply to all walnut lumber, when sold on grade-rule-range widths and lengths, or widths and lengths substantially the same as grade-rule-range widths and lengths, or in specified average widths or specified average lengths which are substantially run-of-the-log.

(b) *Maximum prices.* The maximum f. o. b. mill price for 1,000 feet[1] of steamed walnut lumber in standard or near-standard grades in a rough air dried condition shall be as follows:

WALNUT LUMBER

Thickness (inches)	FAS (regular)	FAS (6" and 7")	FAS—one face	Strips	No. 1 common	No. 2 common
4/4	120.00	108.00	100.00	94.00	72.00	33.00
5/4	130.00	125.00	116.00	109.00	83.00	38.00
6/4	157.00	141.00	131.00	123.00	94.00	43.00
8/4	185.00	166.00	154.00	145.00	110.00	51.00
9/4	195.00	176.00	163.00	153.00	118.00	55.00
10/4	201.00	182.00	168.00	161.00	126.00	61.00
12/4	212.00	192.00	176.00	171.00	137.00	67.00
13/4	244.00	225.00	208.00	----------	174.00	77.00
14/4	267.00	268.00	240.00	----------	196.00	88.00
16/4	282.00	332.00	294.00	----------	220.00	99.00

(c) *Green lumber.* For walnut lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this section, 10 per cent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall apply to any walnut lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25% or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association January 1, 1944, or for weights filed with the Office of Price Administration by the individual shippers, shall be considered to be "green".

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the regulation to the same extent as the seller.

[1] "Feet" means board feet of lumber except that with reference to lumber in thicknesses of ½", ⅝" and ¾" "feet" means surface feet.

(d) *Additions.* When ordered by the customer and furnished by the seller, the following indicated additions may be made to the maximum prices in this section:

	Thickness (inches)							
	1/2, 5/8, 3/4	4/4	5/4	6/4	8/4	10/4	12/4	16/4
Price	$6.00	$8.00	$10.00	$12.00	$15.00	$20.00	$25.00	$35.00

(ii) For kiln drying the lumber to a moisture content greater than 8 percent in the case of lumber thinner than 8/4" and greater than 8 percent in the case of lumber 8/4" and thicker, but in either case not exceeding 12 percent at the time the lumber leaves the kiln:

	Thickness (inches)							
	3/4, 5/4, 6/4	4/4	5/4	6/4	8/4	10/4	12/4	16/4
Price	$5.00	$6.50	$8.00	$9.50	$12.00	$16.00	$20.00	$28.00

(2) *Millworking.*

	Less than 1", 1", and 1¼" thick	1¼ to 2" thick
Resawing 1 line	$4.00	$2.50
Resawing 2 lines	6.00	5.50
Surfacing 1 or 2 sides	3.50	3.00
Surfacing 2 sides and resawing	6.00	5.50
Resawing and surfacing 1 or 2 sides	7.50	7.00

(3) *For inspecting, grading and measuring after kiln drying.* When at the request of the purchaser, the seller inspects, grades and measures the lumber after kiln drying, an addition may be made of 5 percent of the f. o. b. mill rough air dried price of the lumber.

(4) *End; racking or band sawing.* No addition.

(5) *Custom kiln drying.* Where walnut lumber is kiln dried for the seller through a custom kiln and such custom kiln is not owned or operated by, or connected with, the sawmill, the seller may add the actual cost of this custom kiln drying. The amount added may not be higher than the custom kiln's maximum price established by Maximum Price Regulation No. 165,[1] As Amended, Services, for such kiln drying.

(6) *National Hardwood Lumber Association inspection certificate.* Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged by the Association to the seller and shown on the certificate.

(c) *Combination grades.* For walnut lumber sold on "Log run", "Mill run", or "No. 1 Common and better" grade for which no specific maximum price has been established in the price tables, the maximum price shall be the maximum price established in the table for the lowest grade of lumber contained in the stock that is sold on the special inspection grade. The seller, however, may grade and ship the lumber on the standard grades included in the special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this regulation for the respective standard grades.

(f) *Grades, specifications and extras not specifically priced.* (1) If a seller wishes to sell a grade or item which is not specifically priced in the price tables, he must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for a maximum price. He must provide the following information:

(i) The requested price;

(ii) A complete description of the item to be priced;

(iii) The price differential between it and the most comparable item in the price tables, in October 1941, from the seller's own records, or if that is impossible, from experience of the trade. If no established price differential existed, a detailed analysis of the calculation of the requested price should be furnished.

(2) The requested price may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved.

(3) A seller using this pricing section can go ahead with delivery of the lumber and collection of the price he has computed or requested. But he must tell the buyer that the price is subject to revision within the thirty-day period, and, if the price is ordered reduced, must refund any excess over the final approved price.

SEC. 8. *Transportation addition.* (a) A delivered price in excess of the maximum f. o. b. mill prices set forth in sections 6 and 7 above may be charged, consisting of such maximum prices plus the transportation charges set forth below:

(1) *Kiln drying.* (i) For kiln drying the lumber to a moisture content not exceeding 6 percent for lumber thinner than 8/4" and 8 percent for lumber 8/4" and thicker, at the time the lumber leaves the kiln:

Quantity ordered:	Addition per M
3,000 to 4,000 ft.	$1.00
2,000 to 2,999 ft.	2.00
1,000 to 1,999 ft.	2.50
999 ft. and less	3.00

These additions are not applicable unless the purchaser specifically orders walnut lumber in the above quantities.

Provided, That the invoice shows the point of origin of the shipment; the destination; the applicable rail or truck rate; if shipment is by private truck, the amount added for transportation; and the words "Direct-mill shipment".

(i) *Common or contract carrier.* When shipment is by common or contract carrier, the following rules govern:

(i) When estimated weights are used, the rate times the estimated weight is the proper transportation charge. Estimated weights may be used only if they have been filed with the Office of Price Administration, Washington 25, D. C. The weights must be the weights used by the seller during the period October 1 to October 15, 1941. The estimated weight must be the weight for the exact kind of lumber actually shipped; for example, green weights may not be used if dry lumber is shipped. The transportation charge may be evened out to the nearest quarter-dollar per 1,000 feet.

(ii) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier.

(2) *Private truck.* When shipment is by truck owned or controlled by the seller, the amount added for transportation may not be more than the actual cost to the seller of delivery by truck; and, no matter what the actual cost is, the amount added may not be more than the railroad charge at the carload rate for the most similar haul. However, if this railroad charge is less than $1.50, and if the actual cost of delivery is more than $1.50, a transportation charge of $1.50 may be made.

(3) *Truck delivery after rail haul.* Where the shipment is by rail followed by truck delivery, the amount added for transportation may include, in addition to the amount added for rail transportation, the actual cost of truck delivery.

(4) *Trucking to rails.* Where a truck haul precedes a rail shipment as where a mill located away from a railhead hauls lumber by truck to the railhead, no addition may be made for the truck haul. However, in the following two cases, a mill may apply to the Lumber Branch of the Office of Price Administration, Washington, D. C., for special permission to make an addition:

(i) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(ii) Where a mill's rail connection has been abandoned since September 5, 1941.

(b) *Small-quantity additions.* The following additions per 1000 feet may be made where the purchaser orders walnut lumber in one thickness and grade:

[1] 7 F.R. 6428, 6966, 8239, 8431, 8796, 8943, 9048, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 8755, 8933, 9364, 9506, 9873, 10671, 10939, 11754, 13023, 12710, 13302, 13472, 14990; 9 F.R. 1819, 3395, 3593, 4747, 5174, 6263.

SEC. 9. *What the invoice must contain*—(a) *Basic price.* All invoices must contain a complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum price must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Transportation charges.* In delivered sales, the invoice must contain the:

(1) Point of origin of shipment;

(2) Destination;

(3) Rate of common carrier, if estimated weights are used; otherwise the actual amount added for transportation.

(4) The words "direct-mill shipment".

(c) *Delivery and custom milling or custom kiln drying charges.* Any separate charge which the seller is permitted to make for the following must be separately shown on the invoice:

(1) Truck delivery after rail haul, or trucking to railhead.

(2) Custom milling or custom kiln drying. The invoice of the custom mill or custom kiln must be attached to the lumber invoice of the seller.

SEC. 10. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher than ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright overceiling price.

(b) *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring walnut lumber or walnut gunstock blanks (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of the lumber, if the commission plus the purchase price results in a total payment by the buyer of the lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 11. *Records.* All sellers of walnut lumber and walnut gunstock blanks must keep records which show a complete description of the quantities and grades of items sold, the name and address of the buyer, the date of the sale and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought products covered by the regulation to the value of $500.00 or more. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 12. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies, however, are subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 13. *Licensing.* The provisions of Licensing order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942 as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 15. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 8[4] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1[5], issued by the Office of Price Administration.

SEC. 16. *Relation to other regulations*—(a) *General Maximum Price Regulation.* Any sale or delivery covered by Revised Maximum Price Regulation No. 217 is not subject to the General Maximum Price Regulation, except as otherwise provided in section 5, covering retail-type direct-mill sales.

(b) *Revised Maximum Export Price Regulation.* The maximum price for export sales of walnut lumber and gunstock blanks is governed by Revised Maximum Export Price Regulation [6].

SEC. 17. *Geographical applicability.* This regulation applies in the 48 States of the United States and the District of Columbia.

This revised regulation shall become effective August 23, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12444; Filed, August 18, 1944; 11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 22]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[6]

Ration Order 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is added to read as follows:

(1) Cornmeal.

2. Section 1407.687 is added to read as follows:

§ 1407.687 *Ration allowances.*

Ration period	Stamp valid during ration period (book 1)	Weight value of stamp (pounds of cornmeal)
Aug. 2 to Aug. 6	No. 17	2
Aug. 7 to Aug. 13	No. 18	2
Aug. 14 to Aug. 20	No. 19	2
Aug. 21 to Aug. 27	No. 20	2
Aug. 28 to Sept. 3	No. 21	2
Sept. 4 to Sept. 10	No. 22	2
Sept. 11 to Sept. 17	No. 23	2
Sept. 18 to Sept. 24	No. 24	2
Sept. 25 to Oct. 1	No. 25	2
Oct. 2 to Oct. 8	No. 26	2
Oct. 9 to Oct. 15	No. 27	2
Oct. 16 to Oct. 22	No. 28	2

3. Section 1407.704 is added to read as follows:

[6] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4132, 5087, 7662, 9966, 15193; 9 F.R. 1036, 5923.

[2] 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1894, 3315, 3843, 4190, 4892, 5269, 7017; 9 F.R. 2233, 2478, 2656, 2746.

[3] 8 F.R. 13240.

[4] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12094.

[5] 7 F.R. 8951; 9 F.R. 5791.

§ 1407.704 *Persons served by institutional users.* (a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be eight (8) pounds per person per month of cornmeal.

This amendment shall become effective August 2, 1944.

Issued this 18th day of August 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

GERALD A. BARRETT,
Acting Regional Administrator.

[F. R. Doc. 44-12448; Filed, August 18, 1944; 12:02 p. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215,[1] Amdt. 7]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 16 (b) of Second Revised Maximum Price Regulation 215 is amended to read as follows:

(b) *Sale out of distribution yard stock.* A sale out of distribution yard stock means a sale made by a distribution yard for shipment of lumber which was a regular part of its stock at the time the order was taken. However, sales of lumber to a purchaser whose certified order is extended to obtain lumber from a mill in accordance with War Production Board Order No. L-335 for delivery to that particular purchaser may be construed to meet the requirements of the preceding sentence provided the lumber is actually stored and handled as regular yard stock by the distribution yard before delivery. Sales of lumber subject to release by the Canadian Controller of Timber and requiring end use as a condition of release may likewise be considered sales out of distribution yard stock provided the lumber is actually stored and handled as regular yard stock by the distribution yard before delivery.

This amendment shall become effective August 18, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12445; Filed, August 18, 1944; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to the GMPR, Amdt. 71]

MILITARY AND SCIENTIFIC TRAINING DEVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 1 is amended in the following respects:

1. A new paragraph (g) is added to section 4.2 as follows:

(g) Training devices to be used in the study of military tactics and science.

This amendment shall become effective August 22, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12449; Filed, August 18, 1944; 12:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, Amdt. 164]

GULF REFINING CO.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. Section 6.43 (a) is amended by adding the word "or Gulf Refining Company, as the case may be", after the words "Gulf Oil Corporation".

2. Section 6.43 (b) (1) is amended by adding the words "or Gulf Refining Company", after the words, "Gulf Oil Corporation".

3. Section 6.43 (c) is amended by adding the words "or Gulf Refining Company", after the words, "Gulf Oil Corporation".

4. Section 6.43 (d) is amended by adding the words, "or Gulf Refining Company, as the case may be", after the words, "Gulf Oil Corporation".

This amendment shall become effective on the 23d day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12447; Filed, August 18, 1944; 11:53 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[PAO 11, as Amended July 1, 1944, Supp. Order 13]

USE OF MATERIAL IN SPECIFIED FIELDS IN TEXAS AND LOUISIANA

§ 1515.19 *Supplementary Order No. 13 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph (m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall, to the extent provided herein, be applicable to the use of material in petroleum production operations in those fields in the States of Texas and Louisiana specified in Exhibit I, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order.

(c) *Authorized uses of material in oil development drilling operations.* Material may be used to drill, complete, and provide additions to any well in the fields specified in Exhibit I for the purpose of producing oil, except in a "Restricted Area", if there is compliance with the following provisions:

(1) The well must be located on a drilling unit consisting of at least 10 contiguous surface acres upon which no other drilling or producible well is located, and

(2) The drilling unit upon which the well is located must not be attributed in whole or in part to any other drilling or producible well, and

(3) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 1100 feet; and

(4) All separate property interest in the drilling unit upon which the well is located must first be consolidated, and

(5) The well must be drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest level at which the well is open to production) conforms to the other applicable provisions set out above.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production of the District in which the well is located within 30 days after completion of the well.

(6) If any well drilled in conformity with the provisions of this paragraph (c) is completed as a gas or condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(d) *Authorized uses of material for deepening and recompletion of wells.* (1) Material may be used to deepen, recomplete, and provide additions to any well in the fields specified in Exhibit I in another pool, if, with respect to the pool in which the well is to be deepened and recompleted, there is compliance with the provisions of paragraphs (c) (1), (c) (2), and (c) (4).

(2) Material may be used for the multiple completion of any well deepened in conformity with paragraph (d) (1).

(3) If any well completed or recompleted in conformity with the provisions of this paragraph (d) is completed or recompleted as a gas or condensate well in any pool not theretofore opened for production to the well, it shall not be produced from such pool except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period of not exceeding 15 days, and no material may be used to produce the well from such pool or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(e) *Computation of acreage attributable to oil wells.* (1) The acreage attributable to any oil well in the fields specified in Exhibit I spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than that required for a new well drilled and completed pursuant to this supplementary order.

(2) The acreage attributable to any oil well in the fields specified in Exhibit I spudded after December 23, 1941, need not be greater than that required for a new well drilled and completed pursuant to this supplementary order.

(f) *Violations.* Any person who wilfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(g) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of August 1944.

J. HOWARD MARSHALL,
Acting Deputy Petroleum Administrator for War.

EXHIBIT I

TEXAS

Field:	County
Arriola	Hardin.
Barbers Hill	Chambers.
Batson	Hardin.
Big Hill	Jefferson.
Big Creek	Ft. Bend.
Blue Ridge	Ft. Bend.
Boling	Ft. Bend & Wharton.
Boggy Creek	Anderson & Cherokee.
Brenham	Austin & Washington.
Clay Creek	Washington.
Clam Lake	Jefferson.
Damon Mound	Brazoria.
Danbury	Brazoria.
Esperson	Liberty.
Fannett	Jefferson.
Goose Creek	Harris.
Hankamer	Chambers & Liberty.
High Island	Galveston.
Hull	Liberty.
Humble	Harris.
Kitrell	Houston.
Lost Lake	Liberty.
Markham	Matagorda.
Millican	Brazos.
North Dayton	Liberty.
Orange	Orange.
Orchard	Ft. Bend.
Pierce Junction	Harris.
Port Neches	Orange.
Saratoga	Hardin.
Sour Lake	Hardin.
South Liberty	Liberty.
Spindletop	Jefferson.
Stratton Ridge	Brazoria.
South Houston	Harris.
West Columbia	Brazoria.

LOUISIANA

Field:	Parish
Anse La Butte	St. Martin.
Avery Island	Iberia.
Bayou Blue	Iberville.
Bayou Boullon	St. Martin.
Bayou Des Glaises	Iberville.
Bayou St. Elaine	Terrebonne.
Black Bayou	Cameron.
Caillou Island	Terrebonne.
Cameron Meadows	Cameron.
Chocahoula	La Fourche.
Cheneyville	Rapides.
Darrow	Ascension.
Dog Lake	Terrebonne.
East Hackberry	Cameron.
Edgerly	Calcasieu.
Pausse Point	Iberia.
Four Isle	Terrebonne.
Garden Island Bay	Plaquemines.
Gueydan	Vermillion.
Jefferson Island	Iberia.
Jennings (Evangeline)	Acadia.
Lake Barre	Terrebonne.
Lake Hermitage	Plaquemines.
Lake Pelto	Terrebonne.
Lake Washington	Plaquemines.
Leeville	La Fourche.
Napoleonville	Assumption.
New Iberia	Iberia.
Plumb Bob	St. Martin.
Port Barre	St. Landry.
Potash	Plaquemines.
Pine Prairie	Evangeline.
Starks	Calcasieu.
Sulphur Mines	Calcasieu.
Sorrento	Ascension.
Valentine	La Fourche.
Venice	Plaquemines.
Vermilion Bay	Iberia.
Vinton	Calcasieu.
West Cote Blanche Bay	St. Mary.
West Hackberry	Cameron.
White Castle	Iberville.
Welsh	Jefferson Davis.

[F. R. Doc. 44-12423; Filed, August 18, 1944; 10:50 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 6—NAVAL RESERVE

MISCELLANEOUS AMENDMENTS

Part 6 is amended in the following respects:

1. Section 6.1803 (8 F.R. 9656) is amended to read as follows:

§ 6.1803 *Retired officers, members of Fleet Reserve and retired enlisted men, on inactive duty, to report changes of official residence.* (a) All Retired Officers, members of the Fleet Reserve and Retired Enlisted Men, on inactive duty, shall notify the Bureau of Supplies and Accounts, Field Branch (Master Accounts Division) of changes of official residence to which checks are to be mailed.

(b) Bureau of Supplies and Accounts Forms FB/E308, FB/E307, FB/E306 and FB/E309 will be used for this notice. Retired Officers, on inactive duty, shall submit Form FB/E308 to the Bureau of Supplies and Accounts, and Form FB/E307 to the Bureau of Naval Personnel. Members of the Fleet Reserve and Retired Enlisted Men, on inactive duty, will submit the forms as follows: Whenever the man's new address remains in the same naval district, he shall submit Form FB/E308 to the Bureau of Supplies and Accounts and Form FB/E306 to the Commandant of the naval district; and when his address is changed to another naval district, he shall submit in addition Form FB/E309 to the Commandant of the naval district into which he is moving his official residence.

(c) Notices given in any other manner will operate to delay the checks until a notice is received in the form and manner herein prescribed.

2. Section 6.9604 (b) (8 F.R. 9705, 9 F.R. 7345) is amended to read as follows:

§ 6.9604 *Physical examinations.* • • •

(b) Commandants of naval districts will direct the necessary examinations and forward the medical examiners' reports, M & S Form Y, to the Bureau of Medicine and Surgery in duplicate. The Bureau of Medicine and Surgery will forward a copy of the report bearing the Commandant's recommendations to the Bureau of Naval Personnel. Boards of Medical Survey are not required in order to effect retirement of enlisted men on inactive duty. [Manual Circular Letters Nos. 43-44, July 26, 1944, and 44-44, July 27, 1944]

(52 Stat. 1175; 54 Stat. 162; 55 Stat. 3; 56 Stat. 266, 730; 739, Pub. Law 183, 78th Cong.; 34 U.S.C. 853, 854*e*, Supp. 855*f*, 855*o*, 857-857*g*, 853*c*, 853*e*, 855*d*)

RALPH A. BARD,
Acting Secretary of the Navy.

[F. R. Doc. 44-12404; Filed, August 17, 1944; 2:27 p. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

WESTERN UNION TELEGRAPH CO.

APPROVAL OF APPLICATION

In the matter of the application of the Western Union Telegraph Company for permission to employ messengers at wages lower than the minimum wage applicable under section 6 of the Fair Labor Standards Act.

Whereas, the Western Union Telegraph Company, pursuant to regulations, Part 523 (Regulations Applicable to Employment of Messengers Pursuant to section 14 of the Fair Labor Standards Act of

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14145; 9 F.R. 221, 2553, 2940, 4227, 5314, 6457.

1938), made application for permission to employ messengers at wages lower than the applicable minimum wage specified in section 6 of the Act; and

Whereas, after due notice, a hearing on said application was held on March 1, 1944, before Isabel Ferguson, the representative of the Administrator of the Wage and Hour Division duly authorized to receive evidence, hear argument and make her findings of fact and recommendations on the following questions:

1. Is it necessary, in order to prevent curtailment of opportunities for employment, to provide by regulations or orders for the employment in the telegraph industry of messengers, employed exclusively in delivering letters or messages, under special certificates, at wages lower than the minimum wage applicable under section 6 of the Fair Labor Standards Act of 1938; and if such necessity is found to exist,

2. Under what limitations as to wages, time, number, proportion and length of service may special certificates be issued authorizing the employment of such messengers at subminimum wage rates.

and

Whereas, following the hearing, the said Isabel Ferguson duly made her findings of fact and found, upon the basis of the record made at the hearing, that it is not necessary, in order to prevent curtailment of opportunities for employment, to provide for the employment of messengers employed exclusively in delivering letters and messages, under special certificates, at wages lower than the minimum wage applicable under section 6, and recommended that the application of the Western Union Telegraph Company be denied; and

Whereas, said findings and recommendation were duly filed with the Administrator together with a complete record of the proceedings, and said findings and recommendation are on file at the national offices of the Wage and Hour Division, 165 West 46th Street, New York, 19, New York, and available for examination by all interested parties; and

Whereas, pursuant to a notice published in the FEDERAL REGISTER on June 28, 1944 (9 F.R. 7174), the opportunity was given to all interested persons to file their written objections to the said findings and recommendation within 15 days after June 28, 1944, showing cause why the Administrator should not approve the recommendation and deny the application of the Western Union Telegraph Company; and

Whereas, no such written objections to the Presiding Officer's recommendation have been received; and

Whereas, I have reviewed, considered, and appraised the entire record, read the briefs submitted, and consulted with subordinates who have reviewed and analyzed the record and the briefs;

Now, therefore, I hereby determine that the recommendation of the Presiding Officer that the application of the Western Union Telegraph Company be denied should be approved and, accordingly, the application of the Western Union Telegraph Company for permission to employ messengers engaged exclusively in delivering letters and messages at wages lower than the minimum wage applicable in the telegraph industry under section 6 of the Act is hereby denied.

Signed at New York, New York, this 15th day of August 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-12414; Filed, August 17, 1944; 4:57 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5909]

FLORIDA POWER CORP.

ORDER FIXING DATE OF HEARING AND SUSPENDING RATE SCHEDULE

AUGUST 14, 1944.

It appearing to the Commission that:

(a) Florida Power Corporation has on file an agreement and rate schedule designated in the files of the Commission as Florida Power Corporation Rate Schedule FPC No. 9, providing for the sale and delivery of electric energy by Florida Power Corporation to the City of Quincy, Florida, for resale.

(b) On June 17, 1944, Florida Power Corporation submitted to the Commission for filing a superseding agreement and rate schedule dated May 22, 1944, between Florida Power Corporation and the City of Quincy, Florida, designated as Florida Power Corporation Rate Schedule FPC No. 15, providing for changes in the rates or charges for the sale and delivery of electric energy by Florida Power Corporation to the City of Quincy, Florida, and requested that the proposed Rate Schedule FPC No. 15 be allowed to take effect as of May 28, 1944.

(c) Since this Rate Schedule FPC No. 15, dated May 22, 1944, was not accompanied by the information required by the Commission's Rules of Practice and Regulations under the Federal Power Act to be filed with proposed changes in rates, Florida Power Corporation was advised of this omission by letter of June 27, 1944, and requested to submit the required information; on July 15, 1944, Florida Power Corporation's response was received; without waiving full compliance with the Rules of Practice and Regulations this rate schedule was accepted for filing on July 15, 1944.

(d) Unless suspended by order of the Commission, Florida Power Corporation Rate Schedule FPC No. 15 will become effective as of August 15, 1944, pursuant to the provisions of the Federal Power Act and the Rules of Practice and Regulations thereunder.

(e) The changes in rates or charges provided for by Florida Power Corporation Rate Schedule FPC No. 15 may result in excessive rates or charges to the City of Quincy, Florida; may place an undue burden upon ultimate consumers of electric energy; may be discriminatory; and will result in increased rates or charges which have not been shown to be justified.

The Commission finds that:

It is necessary, desirable and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rates or charges and that said proposed increased rates or charges be suspended pending such hearing and the decision thereon.

The Commission, upon its own motion, orders that:

(A) A public hearing be held on November 15, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the lawfulness of the rates or charges provided for in Florida Power Corporation Rate Schedule FPC No. 15 for the sale and delivery of electric energy to the City of Quincy, Florida, for resale.

(B) Pending such hearing and decision thereon, the operation of the schedule of increased rates or charges for the sale of electric energy for resale provided for in said Florida Power Corporation Rate Schedule FPC No. 15 be and the same is hereby suspended and the use of such rates or charges deferred for a period of five months beyond August 15, 1944, unless the Commission shall otherwise order.

(C) During the said period of suspension the rates or charges now being collected and received by Florida Power Corporation from the City of Quincy, Florida, as provided in Florida Power Corporation Rate Schedule FPC No. 9, shall remain and continue in effect, insofar as they apply to the sale of electric energy for resale.

(D) At such hearing, the burden of proof to show that the proposed increased rates or charges are just and reasonable shall be upon the Florida Power Corporation.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-12416; Filed, August 18, 1944; 9:21 a. m.]

[Project No. 1893]

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

ORDER GRANTING REHEARING AND STAY

AUGUST 15, 1944.

Upon application filed July 31, 1944, by Public Service Company of New Hampshire for rehearing on the Commission's order of June 21, 1944, authorizing issuance of a license (major) for the constructed Amoskeag project located on the Merrimack River at Amoskeag, New Hampshire, Project No. 1893;

It appears that the respondent company contends that:

(a) The order should indicate that the rights of the applicant in the mill buildings in which the Amory and Jefferson generating stations are situated are perpetual;

(b) The finding that the project is not best adapted to a comprehensive

plan should be modified in respect to the Jefferson station which, in the opinion of the applicant, is nearly as efficient as the Amoskeag plant, and the addition in the Amoskeag plant of a generating unit of capacity substantially equivalent to that of the Jefferson station would be extremely difficult and expensive;

(c) The license period for the Jefferson plant should be the same as that for the Amoskeag plant;

(d) The Amory plant should be eliminated from the project because that plant is no longer used or useful for the production of energy;

(e) The use of condensing water through the applicant's steam plant should be protected not only to the extent of its present use but for the enlargement thereof to such capacity as the demands of the public may require.

The Commission finds that:

Under the circumstances, it is desirable and appropriate to grant the application for rehearing with respect to the aforesaid matters and to stay the Commission's order of June 21, 1944, as hereinafter provided.

It is ordered, That:

(A) The application for rehearing on the Commission order of June 21, 1944, with respect to the aforesaid matters, be and it is hereby granted, such rehearing to be held at a time and place to be hereafter fixed by the Commission;

(B) The order of June 21, 1944, be and it is hereby stayed until further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-12415; Filed, August 18, 1944; 9:21 a. m.]

[Docket No. G-565]

LOUISVILLE GAS AND ELECTRIC CO.

NOTICE OF APPLICATION

AUGUST 16, 1944.

Notice is hereby given that on August 11, 1944, Louisville Gas and Electric Company, a Kentucky corporation, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate:

(a) 62 miles of 8-inch and 3 miles of 12-inch transmission pipe line beginning at applicant's Cannons Lane mixing station at the city limits of Louisville, Kentucky, and extending in a southeasterly direction to a proposed point of interconnection with the pipe line of Tennessee Gas and Transmission Company, now under construction and situated approximately one mile and a half southeast of Calvary, Kentucky;

(b) A cross connection of 6-inch pipe line, for emergency use only, between applicant's existing 12-inch transmission pipe line and the 24-inch pipe line of Tennessee Gas and Transmission Company, where said lines cross in Menifee County, Kentucky;

(c) Requisite meters, regulators, valves and fittings for use in connection with the proposed facilities.

According to the application, Tennessee Gas and Transmission Company is willing for the applicant to establish a physical connection between the pipe line facilities of the two companies, and to discuss the execution of a contract for a natural gas supply to the applicant if and when some portion of the volume to be transported should be available for delivery.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 2nd day of September, 1944, file with the Federal Power Commission a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-12431; Filed, August 18, 1944; 11:40 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 200, Gen. Permit 16]

REICING OF POTATOES FROM DESIGNATED STATES

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the interstate Commerce Act:

To accord one reicing in transit, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point or points in the States of North Dakota, South Dakota, Minnesota or Wisconsin.

This general permit shall become effective at 12:01 a. m., August 17, 1944, and shall expire at 12:01 a. m., September 20, 1944.

This general permit shall apply to cars billed or rolling on or after the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12424; Filed August 18, 1944; 11:10 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3939]

KIKUJI HATAKEYAMA

In re: Real property, personal property, claims, bank account, and property insurance policy owned by Kikuji Hatakeyama, also known as Kikuji Frank Hatakeyama, as Kikeyi Hatakeyama and as K. Hatakeyama.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kikuji Hatakeyama, also known as Kikuji Frank Hatakeyama, as Kikeyi Hatakeyama, and as K. Hatakeyama, and hereinafter referred to as Kikuji Hatakeyama, is Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Hiroshi Seiyama, also known as Heroshi Seiyama and as H. Seiyama, and hereinafter referred to as Hiroshi Seiyama, whose last known address is 2426 Champa Street, Denver, Colorado, is acting or purporting to act directly or indirectly for the benefit or on behalf of Kikuji Hatakeyama, a national of a designated enemy country, and is a national of a designated enemy country (Japan);

3. That Kikuji Hatakeyama is the owner of the property described in subparagraph 5-a and subparagraphs 5-c to 5-j, inclusive, hereof and is the beneficial owner of the property described in subparagraph 5-b hereof;

4. That Hiroshi Seiyama is the record owner of the property described in subparagraph 5-b hereof;

5. That the property described as follows:

a. Real property situated in the City of Saratoga, County of Santa Clara, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated in the City of Saratoga, County of Santa Clara, State of California, particularly described in Exhibit B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or payments arising from the ownership of such property,

c. All those certain household furniture and furnishings, the inventory of which appears in Exhibit C, attached hereto and by reference made a part hereof, presently located on the real property described in subparagraph 5-b hereof,

d. All that certain laundry equipment, a list of which appears in Exhibit D, attached hereto and by reference made a part hereof, presently located on the real property described in subparagraph 5-a hereof,

e. One 1937 model Chevrolet panel delivery truck, engine Number K937626, and one 1938 model Chevrolet panel delivery truck, engine Number K1530374, both of which are presently in the custody of Joe Cardelin, Saratoga, California,

f. All right, title, interest and claim of Kikuji Hatakeyama in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to and held for and in the name of

Kikuji Hatakeyama by W. V. Wood, Saratoga, California, including particularly, but not limited to, those certain sums arising by reason of rent collections received from the real property described in subparagraphs 5–a and 5–b hereof, which sums have been deposited by said W. V. Wood in the First National Bank of Los Gatos, Los Gatos, California, in an account entitled W. V. Wood, Trustee, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

g. All right, title, interest and claim of Kikuji Hatakeyama in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to Kikuji Hatakeyama by Joe Cardella, Saratoga, California, including but not limited to those certain sums represented by unpaid rentals arising by reason of occupancy, as tenant, of the real property described in subparagraph 5–a hereof, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

h. All right, title, interest and claim of Kikuji Hatakeyama in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to Kikuji Hatakeyama by Jessi Forta, Saratoga, California, including but not limited to those certain sums represented by unpaid rentals arising by reason of occupancy, as tenant, of the real property described in subparagraph 5–b hereof, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations.

i. That certain bank account maintained with the Bank of America National Trust and Savings Association, Saratoga Branch, Saratoga, California, which is due and owing to and held for and in the name of Kikuji Hatakeyama, identified as savings account No. 1142–264, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same, and

j. All right, title and interest of Kikuji Hatakeyama in and to insurance policy No. D–28415 issued by the Massachusetts Fire and Marine Insurance Co., Boston, Massachusetts, which policy insures the improvements to the real property described in subparagraph 5–b hereof, and the household furniture and furnishings described in subparagraph 5–c hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 5–i and 5–j hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 5–a, 5–b, and 5–c hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order:

And further determining that to the extent that Hiroshi Seiyama is the record owner of the property described in subparagraph 5–b hereof, he is controlled by, or acting for or on behalf of, Kikuji Hatakeyama, a national of a designated enemy country, and is a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 5–a and 5–b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 5–c to 5–j, inclusive, hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determned to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain parcel of land situate in the County of Santa Clara, State of California, particularly described as follows:

Lots Four (4) and Nine (9) in Block Five (5), as delineated and so designated upon Map entitled, "Plan of the Town of McCartysville," and which said Map was recorded on September 20, 1870 in the office of the County Recorder of Santa Clara County, State of California, in Vol. "A" of Maps, page 49, said lots being bounded on the North by Lumber Street on the West by Lots 5 and 8 in said Block on the South by Oak Street, and on the East by Lots 3 and 10, in said Block and have a frontage of 50 feet on Lumber Street and running back to Oak Street.

EXHIBIT B

All that certain parcel of land situate in the County of Santa Clara, State of California, particularly described as follows:

Lot Fifteen (15) as delineated and so designated upon Map entitled, "Map of the McCarthy Subdivision," and which said Map was filed on April 2, 1908 in the office of the County Recorder of Santa Clara County, California, in Vol. "M" of Maps, page 56.

EXHIBIT C—INVENTORY

Living room:
3 piece set Chesterfield.
1 large chair with ottoman.
2 occasional chairs.
1 table.
1 end table.
1 rug 9 x 12 with pad.
1 piano with bench.
6 pieces drapes.
6 pieces curtains.
2 window shades.
3 lamps.

Dining room:
1 dining table.
6 chairs.
1 china closet with key.
1 buffet table.
1 mirror.
1 rug 9 x 12 with pad.
6 pieces drapes.
6 pieces curtains.
5 window shades.
1 coffee table.

Kitchen:
1 gas stove.
1 breakfast table.
4 chairs.
1 refrigerator (Westinghouse).
1 electric clock.

Bedroom (next to living room):
1 rug 8 x 9.
1 bed with spring and mattress.
1 dresser.
1 chest of drawers.

Bedroom (small):
1 rug 9 x 6
1 bed with spring and mattress.
1 bed lamp.
1 dresser.
1 mirror.

Bedroom:
1 bed with spring and mattress.
1 bed lamp.
1 bureau.
1 chest of drawers.
1 rug 9 x 12.

Cellar:
1 gas heating furnace.
1 gas heating hot water tank.
6 chairs.
1 lawnmower.
1 vacuum cleaner.
1 garden hose.
1 garden hoe.
1 bamboo rake.
2 shears.
1 iron rake.

EXHIBIT D—LIST OF EQUIPMENT

Two Water Tanks—one 5000 gal. and other 900 gal.
One 40 h. p. Boiler with automatic hot water return system and Gas and Oil Burners
One watersoftener
One Dryroom
Three Washers—1 large 2 pockets, 1 med. (1-pocket), 1 small
Two Wringers—1 large, 1 small
One Collar Mangle
One 2-pocket Tumbler with vacuum fan system
One 6-roller Flat Mangle
One Marking Machine
Four Units Shirtpress Machines
Two Garment Press Machines
One Steam Press Machine
Four Electric Irons
One Air Compress Tank and Motor
Seven Wooden Boxes with wheels on
Four Tables
One Cash Register
One 100-gal. underground Gasoline Tank
Motors:
1 for washer—7 h.p.
1 for dryroom—½ h.p. 110-v
1 for oil burner
1 for vacuum fan for tumbler 1 h.p.
1 for wringer—3 h.p.
1 for boiler return system
1 for tumbler—3 h.p.

[F. R. Doc. 44–12421; Filed, August 18, 1944; 10:40 a. m.]

[Vesting Order 3942]

KIYOSHI TOGASAKI

In re: Real property and claims owned by Kiyoshi Togasaki.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, by Vesting Order Number 604, dated January 6, 1942, that Kiyoshi Togasaki is a national of a designated enemy country (Japan);

2. Finding that Kiyoshi Togasaki is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. Real property situated in the County of Alameda, State of California, particularly described in Exhibits A, B and C, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, interest and claim of Kiyoshi Togasaki, in and to any and all obligations, contingent or otherwise and whether or not matured owing to Kiyoshi Togasaki by Kikumatsu Togasaki, Block 20–8–B, Central Utah Relocation Center, Topaz, Utah, including particularly, but not limited to, the obligations arising by reason of rent collections from the real property described in Exhibit A, attached hereto and by reference made a part hereof, which rent collections were received by said Kikumatsu Togasaki and deposited by him in an account with the Bank of America National Trust and Savings Association, Fresno, California, in the name of Sugi Togasaki, and any and all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and

c. All right, title, interest and claim of Kiyoshi Togasaki in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Kiyoshi Togasaki by Susumu Togasaki, 3426 West Adams Street, Chicago, Illinois, including particularly, but not limited to, the obligations arising by reason of rent collections received by said Susumu Togasaki from the property described in Exhibits B and C, attached hereto and by reference made a part hereof, and any and all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b and 3–c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that lot of land situated in the City of Berkeley, County of Alameda, State of California, and described as follows, to-wit:

Beginning at a point on the Southern line of Channing Way, distant thereon 50 feet Westerly from the point of intersection thereof with the Western line of Fulton Street; and running thence Westerly along said line of Channing Way 50 feet; thence at right angles Southerly 135 feet; thence at right angles Easterly 50 feet; and thence at right angles Northerly 135 feet, to the point of beginning.

Being a portion of Lot 6 in Block 8, as same were delineated and so designated upon that certain map entitled "Property of College Homestead Association, Oakland, Alameda Co., California", recorded May 15, 1866 in Liber T of Deeds, page 799, in the office of the County Recorder of Alameda County.

EXHIBIT B

All that lot of land situated in the City of Berkeley, County of Alameda, State of California, and described as follows, to-wit:

Beginning at a point on the Southern line of Julia Street (formerly Ashby Street), distant thereon Easterly 100 feet from the intersection thereof with the Eastern line of California Street (formerly called Calais Street), as said streets are shown on the Map hereinafter referred to; running thence Easterly along said line of Julia Street 34 feet; thence Southerly parallel with said line of California Street, 135 feet; thence Westerly parallel with said line of Julia Street 34 feet; thence Northerly parallel with said line of California Street 135 feet to the point of beginning.

Being the Western 34 feet of Lot No. 20 in Block Lettered "M", as said lot and block are delineated and so designated upon that certain Map entitled, "Map of Blocks M. N. O. & P. of the Harmon Tract", filed March 4, 1869 in Liber 11 of Maps, page 67, in the office of the County Recorder of Alameda County.

EXHIBIT C

All that lot of land situated in the City of Alameda, County of Alameda, State of California, and described as follows, to-wit:

Lot 1: Commencing at a point on the Southern line of Central Avenue distant thereon 396 feet, 6 inches Westerly from the projection Southerly of the Western line of 5th Street (formerly 2nd Avenue), said point being along the point of intersection of said Southern line of Central Avenue with the Western boundary line of that certain parcel of land heretofore conveyed by Jas. E. Damon and Amelia S. Damon, his wife, to Laura E. Fisher, by Deed dated April 3, 1906, and recorded April 6, 1906 in Liber 1127 of Deeds, at page 250, Alameda County Records; running thence Westerly along said line of Central Avenue 63 feet, more or less, to the point of intersection thereof with the Eastern boundary line of the parcel of land heretofore conveyed by Jas. E. Damon and Amelia S. Damon, his wife, to John Graves and Sarah Jane Graves, his wife, by deed dated December 20, 1897, and recorded December 27, 1897 in Liber 641 of Deeds, at page 236, Alameda County Records; thence at right angles Southerly along said line of land conveyed to Graves to the Southern line of those portions of Lots Numbered 17 and 18, in Section 10 of the Tide Land Surveys described in the deed from the Board of Tide Land Commissioners to James E. Damon, dated December 29, 1871, and recorded in Liber 92 of Deeds, at page 323; Alameda County Records; thence Easterly along said Southern line to the point of intersection thereof with a line drawn Southerly at right angles to Central Avenue from the point of commencement; and thence Northerly along said line so drawn, to the point of commencement on said line of Central Avenue.

Lot 2: Commencing at a point on the Southern line of Central Avenue, distant thereon 521½ feet Westerly from the point of intersection thereof with the Western boundary line of Teutonia Homestead Tract; running thence Westerly along said Southern line of Central Avenue 30 feet; thence at right angles Southerly 486.81 feet; thence at right angles Easterly 30 feet; and thence at right angles Northerly 486.81 feet to the point of commencement.

Being the Westerly 30 feet of Lot No. 11, in Block Lettered "A", as said lot and block are delineated and so designated upon that certain map entitled, "Map of Damon's West End Tract, Alameda", filed June 21st, 1879, with the certain tide lands in the rear thereof as hereinbefore described.

[F. R. Doc. 44–12422; Filed, August 18, 1944; 10:49 a. m.]

[Vesting Order 3858]

KATHLEEN KERSTING DIETZE

In re: Real property, property insurance policies, and a bank account owned by Kathleen Kersting Dietze, nee Kathleen Kersting.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kathleen Kersting Dietze, nee Kathleen Kersting, is Hamburg, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Kathleen Kersting Dietze, nee Kathleen Kersting, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City of Wichita, County of Sedgwick, State of Kansas, particularly described as Lots One Hundred Forty (140) and One Hundred Forty-two (142) on South Lawrence Avenue in English's Seventh Addition, according to the recorded plat thereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other pay-

ments arising from the ownership of such property,

b. All right, title, and interest of Kathleen Kersting in and to:

(1) Wind and Fire Insurance Policy No. OC 30941 issued by the Continental Insurance Company, New York, New York, in the amount of $3200, naming Henry Kersting as assured, and expiring May 6, 1946,

(2) War Damage Corporation Policy No. 57-26-197 issued by the Continental Insurance Company, New York, New York, in the amount of $3000, naming Henry Kersting as assured, and expiring July 6, 1944,

which policies insure the improvements to the property described in subparagraph 3-a hereof, and

c. That certain bank account with the Farmers and Merchants State Bank, Derby, Kansas, which is due and owing, to and held for Kathleen Kersting Dietze in an account entitled "Kathleene Kersting by Henry F. Kersting, Agt.", including but not limited to all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-12420; Filed, August 18, 1944; 10:49 a. m.]

[Vesting Order 1133, as Amended, Amdt.]

HENRY C. A. HEIDMANN

In re: Real property located in Brooklyn, New York, and claim, owned by Henry C. A. Heidmann.

Vesting Order Number 1133, dated March 23, 1943, as amended, is hereby further amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Henry C. A. Heidmann is 20 Emma Strausse, Bremen, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Henry C. A. Heidmann is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated at 693 Gates Ave., Brooklyn, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated at 6213 14th Ave., Brooklyn, New York, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. All right, title, interest and claim of any name or nature whatsoever, of Henry C. A. Heidmann, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Henry C. A. Heidmann by, and represented on the books of, Richter & Kaiser, Inc., 180 Remsen Street, Brooklyn, New York, as a credit due Henry C. A. Heidmann, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, after appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, intending hereby to effect the merger of that certain mortgage particularly described in Exhibit C, attached hereto and by reference made a part hereof, into the fee of the real property particularly described in subparagraph 3-a hereof, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian, on Form APC-1, a notice of claim, together with a request for a hearing thereon, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land lying or being in the Borough of Brooklyn, County of Kings and State of New York, described as follows:

Beginning at the corner formed by the intersection of the northerly line of Gates Avenue with the westerly line of Sumner Avenue; running thence westerly along the northerly line of Gates Avenue, twenty (20) feet; thence northerly on a line parallel with the easterly line of Throop Avenue, one hundred (100) feet; thence easterly on a line parallel with the southerly line of Quincy Street, twenty (20) feet to the westerly line of Sumner Avenue; thence southerly along the westerly line of Sumner Avenue, one hundred (100) feet to the point or place of beginning.

Together with all the right, title and interest of the parties of the first part named in that certain deed from Minnie Brauckmuller and Minnie E. Minck to Henry C. A. Heidmann, dated August 6, 1941 and recorded August 15, 1941 in the Register's Office of Kings County, New York, in Liber 6065, page 56, of, in and to the land lying in front of and adjoining said premises to the centre line thereof.

EXHIBIT B

All that lot or parcel of land lying or being in the Borough of Brooklyn, County of Kings, State of New York, described as follows:

Beginning as a point on the southeasterly side of 14th Avenue, distant one hundred (100) feet southwesterly from the corner formed by the intersection of the southeasterly side of 14th Avenue and the southwesterly side of 62nd Street; running thence southeasterly parallel with 62nd Street one hundred (100) feet; thence southwesterly parallel with 14th Avenue, twenty (20) feet four (4) inches; thence northwesterly parallel with 62nd Street, part of the distance through a party wall, one hundred (100) feet to the southeasterly side of 14th Avenue and thence northeasterly along the southeasterly side of 14th Avenue twenty (20) feet four (4) inches to the point or place of beginning. Together with all the right, title and interest of the party of the first part named in that certain deed from Herman Schuls to Henry Heidmann, dated September 26, 1934 and recorded October 1, 1934 in the Register's Office of Kings County, New York, in Liber 5401, page 447, of, in and to the land lying in the street or avenue in front of and adjoining said premises to the centre line thereof.

EXHIBIT C

That certain mortgage executed on June 11, 1923 by Catherine Happersberger, Frederick G. Happersberger, Minnie Brauckmuller, individually and as Executors and Trustees under the last Will and Testament of Philipp Happersberger, late of Kings County, City and State of New York, deceased, and Matilda Happersberger, wife of Frederick G. Happersberger, as mortgagors, in favor of Christian Heidman, of 850 Fulton Street, in the Borough of Brooklyn, County of Kings, City and State of New York, as mortgagee, which mortgage was recorded in the Register's Office, Kings County, New York, on June 14, 1923, in Liber 5989, page 461, Block 1911, of Mortgages; and thereafter assigned by Henry Christian Albert Heidmann as Executor under the last Will and Testament of Christian Heidmann, also known as Christian Conrad Albert Heidmann, deceased, to Henry C. A. Heidmann of Kurfuersten Allee #63, Bremen, Germany, by assignment dated November 1, 1924 and recorded in the Register's Office, Kings County, New York, on August 2, 1941, in Liber 8730, Page 516 to Page 518, Block 1911, of Mortgages, and any and all obligations secured by said mortgage, including but not limited to any and all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

[F. R. Doc. 44-12418; Filed, August 18, 1944; 10:49 a. m.]

[Vesting Order 3812, Amdt.]

SECURITY TRUST COMPANY OF EMAUS, PA.

In re: Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania, File D-28-8632; E. T. sec. 10340.

Vesting Order Number 3812 dated June 14, 1944 is hereby amended as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Allentown National Bank, 510 Hamilton Street, Allentown, Pennsylvania, Substituted Trustee, acting under the judicial supervision of the Court of Common Pleas of Lehigh County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Pauline Fans, Germany.
Katherina Scheuble, Germany.
Josef Muller, Germany.
Alfred Sutter, Germany.
Herman Sutter, Germany.
Otto Sutter, Germany.
Julius Sutter, Germany.
Moritz Richard Sutter, Germany.
Amanda Haring, Germany.
Albert Sutter, Germany.
Anna Sutter, Germany.
Frieda Sutter, Germany.
Emil Sutter, Germany.
Frida Boller, Germany.
Karl August Sutter, Germany.
Maria Emma Sutter, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Pauline Fans, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 A, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title interest and claim of any kind or character whatsoever of Katherina Scheuble, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 B, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania.

All right, title, interest and claim of any kind or character whatsoever of Josef Muller, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 C, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Alfred Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 D, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Herman Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 E, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Otto Sutter, as an heir at law of John B. Miller, deceased in and to Certificate No. 459 F, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Julius Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 G, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Moritz Richard Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 H, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Amanda Haring, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 I, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Albert Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 J, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Anna Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 K, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Frieda Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 L, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Emil Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 M, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Frida Boller, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 N, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Karl August Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 O, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania;

All right, title, interest and claim of any kind or character whatsoever of Maria Emma Sutter, as an heir at law of John B. Miller, deceased, in and to Certificate No. 459 P, Series B, of the Mortgage Pool of the Security Trust Company of Emaus, Pennsylvania,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as

may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive order.

Dated: August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-12419; Filed, August 18, 1944; 10:50 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order]

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

NOTICE OF POSSESSION AND CONTROL AND APPOINTMENT OF FEDERAL MANAGER

To each of the motor carriers named in Executive Order 9462[1] of the President of the United States concerning the possession and operation of certain motor carrier transportation systems:

1. You are hereby notified that, by order of the President of the United States (E.O. 9462), possession and control of your motor carrier transportation system, including all real and personal property and other assets, wherever situated, used or useful in connection with the operation of such system, are hereby taken and assumed by me as Director of the Office of Defense Transportation as of 12:01 o'clock a. m. on the 12th day of August, 1944. Possession and control is not taken of any of your property, facilities, or other assets, which are not used or useful in the operation of your transportation system.

2. The purpose of possession, control, and operation, of motor carrier transportation systems and properties by the United States pursuant to said Executive order is to assure the maintenance of an effective system of transportation for the movement of troops, materials of war, and supplies and food for the armed forces and the civilian population.

3. Effective this date, Ellis T. Longenecker is hereby appointed Federal Manager of the motor carrier transportation systems and properties taken hereunder, with full authority, subject to my direction:

(a) To possess, control, and operate, or arrange for the operation of, each of the systems and properties taken hereunder in such manner as may be necessary for the successful prosecution of the war and maintenance of essential civilian economy and to accomplish the purposes of the Executive order, through or with the aid of such public or private agencies, persons, or corporations as he may designate;

(b) Subject to the provisions of the Executive order, to manage or operate, or arrange for the management or operation of, said systems and properties under such terms and conditions of employment as he deems advisable and proper;

(c) From time to time, to return to any of the motor carriers such real or personal property, or other assets, of such carrier as he determines to be unnecessary to the operation of its motor carrier transportation system; and,

(d) To participate in joint action with other carriers pursuant to orders of the Office of Defense Transportation.

4. A copy of this notice and order shall be posted by each carrier in the principal place of business or headquarters of its transportation system and in each terminal maintained in connection with its operation.

Issued at Washington, D. C., this 11th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12197; Filed, August 12, 1944; 11:14 a. m.]

[Operations Order 1]

FEDERAL MANAGER OF MOTOR CARRIER TRANSPORTATION SYSTEMS AND PROPERTIES

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

To each of the motor carriers named in Executive Order 9462[1] of the President of the United States concerning the possession and operation of certain motor carrier transportation systems:

1. Until further order, you are hereby directed to resume or continue the operation of your motor carrier transportation system in the usual and ordinary manner and course of business, as a going enterprise, in your present corporate, partnership, individual, or trade name, as the case may be, and by means of the instrumentalities, agents, officers, and employees customarily employed by you, as fully as if possession and control had not been taken and assumed by the United States, subject, however, to the terms of said Executive order and to all general and special orders, rules, regulations, and directions, which may be issued thereunder. Title to the properties and other assets of which possession has been taken remains in the owners thereof. Possession by the United States is not exclusive, and the United States asserts, and will assert, only such control over the properties in its limited possession as may be necessary to accomplish the purposes of operation and of said Executive order.

2. Each motor carrier shall forthwith indicate its acceptance or rejection of the directions contained in section 1 of this Operations Order No. 1. Such acceptance or rejection shall be in writing, signed by the owner or duly authorized agent, and shall be addressed to the Federal Manager. Such acceptance or rejection by a corporate motor carrier shall be accompanied by a certified copy of a resolution adopted by its board of directors, or other governing body, accepting or rejecting the directions contained in said section 1.

3. All personnel, officers, agents and employees, employed by you in the operation of the said system, are called upon to resume or continue the performance of their usual duties and in the customary manner until otherwise ordered. No such officer, agent, or employee shall be deemed to be an official or employee of the United States.

4. Subject to the terms of said Executive order, and except as hereinafter provided, wage scales and working conditions in effect on the effective date of this order shall be maintained, and full recognition shall be given to the rights of the employees and all classes thereof. Each carrier shall observe the terms and conditions of the directive order of the National War Labor Board dated February 7, 1944: *Provided*, That wage increases provided for by the said directive order of the National War Labor Board, which accrued prior to the taking possession of its motor carrier transportation system pursuant to said Executive order, shall be paid only out of the net operating revenue of said system. If, at the expiration of ninety (90) days from the date of this Operations Order No. 1, it appears that the net operating revenue of the motor carrier transportation system of any carrier, possession of which is so taken, is, or will be, insufficient to pay the said accrued wage increases provided for by the said directive order of the National War Labor Board, such carrier shall make a report to the Federal Manager with respect thereto. Nothing in this order shall be construed so as to prevent or preclude any carrier from paying said accrued wage increases out of any other funds or assets available to it which are not necessary for the operation of its transportation system.

5. All deductions for the benefit of employees now being made by law or agreement, including insurance payments, Social Security and Unemployment Compensation deductions, and other deductions of every kind, and all arrangements governing the payment of wages, including war bond purchase plans, shall be continued, subject to any legal right of discontinuance.

6. Each motor carrier shall maintain its books and records in such manner that all transactions occuring after 12:01 a. m. of August 12, 1944, and during the period its system and properties are in the possession of the United States, shall be separate, or may be readily separated, from previous transactions. Customary accounting procedures may be followed, and the records and books of account currently in use may be used so long as all transactions may be separated as provided in this section. Each motor carrier shall make such reports as the Federal Manager may, from time to time, request.

7. The operation of any motor carrier transportation system hereunder shall be in conformity with the Interstate Commerce Act, as amended, and other applicable existing Federal and State laws, executive orders, and local ordinances, and rules and regulations issued pursuant to such laws, executive orders, or ordinances. Each motor carrier shall be deemed to remain subject to suit in the same manner and to the same extent as it was so subject prior to the possession of its system and properties by the United States. However, except with the prior written consent of the Director of the Office of Defense Transportation, no attachment by mesne process, garnishment, execution, or otherwise shall be levied on or against any of the real or personal property, or other assets, tangible or intangible, in the possession of the United States under said Executive order. No motor carrier shall authorize or bring suit, accept service, or enter any legal proceedings, on behalf of the United States, the Director of the Office of Defense Transportation, or the Federal Manager. Information as to the pendency, necessity, or probability of any legal proceeding which in any manner questions any right of the United States, the said Director or Federal Manager, shall be promptly furnished to the Federal Manager. Criminal laws protecting properties of the United States shall be deemed applicable to the system and properties of any motor carrier in the possession of the United States under the Executive order.

8. If any regulation, order, direction, or instruction issued by the Federal Manager, or by any of his representatives, interferes with the accomplishment of the purpose for which possession and control are taken hereunder, the management of any motor carrier affected thereby shall promptly notify the Federal Manager and request a waiver or modification of such regulation, order, direction, or instruction.

9. Except and to the extent that a motor carrier objects to any action that it is required to take, pursuant to this or any other order, rule, regulation, or direction, of the Federal Manager, or of any of his representatives, pertaining to possession, control, and operation, under said Executive order, such action and the consequences thereof shall be the sole responsibility of the motor carrier. Failure to object to any such required action in the manner provided in section 10 hereof shall be deemed to be a waiver of the right of the motor carrier to assert any claim for liability against the United States or its officers or agents with respect to damage allegedly resulting from any specific action so taken by it.

10. (a) Any motor carrier which objects to assuming sole responsibility with respect to action which it is required to take pursuant to this or any other order, rule, regulation, or direction, issued by the Federal Manager, or by any of his representatives, pertaining to possession, control, and operation, under the said Executive order, shall protest such order, rule, regulation, or direction, to the Federal Manager, in writing, and in such protest shall specify:

(i) The particular order, rule, regulation, or direction, which the motor carrier protests;

(ii) The action to be taken which, it is asserted, is required by such order, rule, regulation, or direction, which action would not otherwise be taken, and which action if taken, it is claimed, will result in damage to the motor carrier;

(iii) The extent to which the motor carrier asserts such order, rule, regulation, or direction, will result in damage to it if complied with;

(iv) The nature of the damage which the motor carrier asserts it will suffer as a result of compliance with such order, rule, regulation, or direction and an estimate of the amount of such asserted threatened damage.

(b) Each such protest shall be made to the Federal Manager by registered mail or telegram within five (5) days after the issuance of the particular order, rule, regulation, or direction, so protested.

11. Upon the protest by a motor carrier of any order, rule, regulation, or direction as provided in section 9 hereof, the effectiveness of the order, rule, regulation, or direction shall be suspended as to the protesting motor carrier pending further consideration and direction by the Federal Manager, and such motor carrier shall not take any action to carry into effect such order, rule, regulation, or direction until further directed so to do by the Federal Manager. The Federal Manager may thereafter direct that the protested order, rule, regulation, or direction shall be forthwith placed into effect with such modification thereof, if any, as to the protesting carrier or others as he may deem necessary or desirable.

12. Unless otherwise specifically directed, all communications concerning possession, control, and operation, under this order shall be addressed to the Federal Manager, Metropolitan Life Building, Third Street & Second Avenue, Minneapolis, Minnesota.

13. A copy of this Operations Order No. 1 shall be posted by each carrier in the principal place of business or headquarters of its transportation system and in each terminal maintained in connection with its operations.

Issued at Washington, D. C., this 11th day of August 1944.

ELLIS T. LONGENECKER,
Federal Manager of
Motor Carrier Transportation
Systems and Properties.

[F. R. Doc. 44-12198; Filed, August 12, 1944; 11:14 a. m.]

[ODT Certificate S-3]

SUBSTITUTION OF RAIL FOR MOTOR COMMON CARRIER SERVICE

OPERATIONS BETWEEN CHICAGO, ILL., AND NEW YORK, N. Y., AND FROM CONNECTICUT POINTS TO CHICAGO, ILL.

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier between Chicago, Illinois, and New York, New York, and from New Britain and Bridgeport, Connecticut, to Chicago, Illinois, by Spector Motor Service, Inc., a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 18th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12432; Filed, August 18, 1944; 11:42 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

COTTON 1944

LOAN PROGRAM

Pursuant to the authority vested in me as Economic Stabilization Director, I hereby approve a loan program to be carried out by the Commodity Credit Corporation with respect to the 1944 crop of cotton, as proposed to me in the War Food Administrator's letter of August 1, 1944. Such loans will be made at the rate of 92½ percent of the July 15, 1944, parity price of cotton, in accordance with the requirements of section 8 of the Stabilization Act of 1942, as amended by the Stabilization Extension Act of 1944.

Dated this 3d day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-12427; Filed, August 18, 1944; 11:39 a. m.]

TOBACCO 1944

PURCHASE AND LOAN PROGRAMS

Pursuant to the authority vested in me as Economic Stabilization Director, I hereby approve the proposed purchase and loan programs, as recommended to me in the War Food Administrator's letter of July 20, 1944, to be carried out by the Commodity Credit Corporation with respect to the 1944 crop of tobacco in the aggregate amount of not to exceed 200 million dollars with the expectancy that not more than 150 million dollars will be outstanding on the program at any time.

Dated this third day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-12428; Filed, August 18, 1944; 11:39 a. m.]

SUGAR BEETS AND CONTINENTAL SUGARCANE 1945

SUBSIDY PAYMENTS

The War Food Administrator has by letter dated August 2, 1944, requested my approval of proposed 1945 price-support programs with respect to sugar

[1] *Supra.*

beets and continental sugarcane. These programs, by providing producers a return substantially above the return afforded by present sugar market prices, are designed to increase and maintain domestic sugar production.

Pursuant to the authority vested in me as Economic Stabilization Director, the War Food Administration is hereby authorized and directed to carry out the proposed 1945 sugar beet and continental sugarcane price-support programs, as described in the War Food Administrator's letter and the memorandum enclosed therewith.

Dated this third day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-12429; Filed, August 18, 1944; 11:39 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 2093]

T. COHN INC.

APPROVAL OF MAXIMUM PRICES

Order No. 2093 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a dust pan manufactured by the T. Cohn Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a dust pan manufactured by the T. Cohn, Inc., 745–759 65th Street, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Dust pan	Handled 26 gauge	*Per dozen* $1.47	*Per dozen* $1.65

These prices are for the sales and delivery of the article described in the manufacturers application dated July 28, 1944. They are f. o. b. factory, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Dust pan	Handled 26 gauge	*Per doz.* $1.65

This price is for the sales and delivery of the article described in the manufacturer's application dated July 28, 1944. It is f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12468; Filed, August 18, 1944; 12 m.]

[MPR 188, Order 2094]

OHIO VALLEY TOOL AND DIE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2094 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a mop stick manufactured by the Ohio Valley Tool and Die Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a mop stick manufactured by the Ohio Valley Tool and Die Company, 816 North Fourth Street, Steubenville, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Mop stick	48" handle	*Per dozen* $2.00	*Per dozen* $2.40

These prices are for sales and deliveries of the article described in the manufacturer's application dated June 19, 1944. They are f. o. b. factory and subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Mop stick	48" handle	*Per dozen* $2.40

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12469; Filed, August 18, 1944; 12:01 p. m.]

[MPR 188, Order 2095]

COOPMAN FINE ARTS

APPROVAL OF MAXIMUM PRICES

Order No. 2095 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a medicine cabinet manufactured by Coopman Fine Arts.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a medicine cabinet manufactured by Coopman Fine Arts, 710–12 North Wells Street, Chicago 10, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Medicine cabinet	3000	*Each* $1.375	*Each* $1.60

These prices are f. o. b. factory and are subject to terms, discounts and allowances no less favorable than those customarily granted.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12470; Filed, August 18, 1944; 12:01 p. m.]

[MPR 188, Order 2096]

BERNARD DE COUFLE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2096 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a non-adjustable bed tray manufactured by Bernard De Coufle Company, 1 Knickerbocker Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Bed Tray	350	*Per unit* $0.85	*Per unit* $1.00

These maximum prices are f. o. b. factory and are subject to a discount of two percent for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Bed tray	350	*Per unit* $1.00

This maximum price is subject to a discount of two percent for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those deter-

mined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12471; Filed, August 18, 1944; 12:02 p. m.]

[MPR 188, Order 2102]

ORRIS NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2102 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a bed tray manufactured by Orris Novelty Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a bed tray manufactured by Orris Novelty Company, 461 East 147th Street, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Bed tray	280	$0.85	$1.00

These prices are f. o. b. factory, and subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Bed tray	280	$1.00

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12451; Filed, August 18, 1944; 11:54 a. m.]

[MPR 188, Order 2103]

SEABOARD SPECIALTY PRODUCTS CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 2103 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a fibre wardrobe manufactured by Seaboard Specialty Products Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a fibre wardrobe manufactured by Seaboard Specialty Products Corporation, 200 E. Church Lane, Germantown, Philadelphia 44, Pennsylvania.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Fibre wardrobe	88637	$11.00	$14.00

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within 10 days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Fibre wardrobe	88637	$14.00

This price is subject to a cash discount of two percent ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12452; Filed, August 18, 1944; 11:54 a. m.]

[MPR 188, Order 2104]

MODERN WOODCRAFT SHOP

APPROVAL OF MAXIMUM PRICES

Order No. 2104 Under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of twenty-one items of unfinished bookcases and five items of lawn furniture manufactured by The Modern Woodcraft Shop.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of twenty-one items of unfinished bookcases and five items of lawn furniture manufactured by The Modern Woodcraft Shop, 169 Main Street, Fort Lee, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Unfinished bookcase	10	$2.62	$3.10
	20	1.91	2.25
	25	1.88	2.10
	35	2.08	2.45
	45	2.43	2.85
	55	2.76	3.25
	40	2.16	2.55
	50	2.42	2.85
	60	2.67	3.15
	20	1.66	1.95
	5R	1.36	1.60
	5L	1.36	1.60
	15L	1.61	1.90
	15R	1.61	1.90
	100	2.84	3.35
	200	3.27	3.85
	75	2.45	2.89
	85	2.91	3.43
	95	3.37	3.97
	105	3.83	4.51
	140	4.08	4.81
Adirondack table and bench	207	6.01	7.07
	208		
Adirondack chair	215	2.00	2.35
Adirondack wheel chair	315W	3.14	3.70
Adirondack chair	315	2.30	2.70
Adirondack settee	415	3.99	4.70

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated March 23, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Unfinished bookcase	10	$3.10
	20	2.26
	25	2.10
	35	2.45
	45	2.85
	55	3.25
	40	2.55
	50	2.85
	60	3.15
	20	1.95
	5R	1.60
	5L	1.60
	15L	1.90
	15R	1.90
	100	3.35
	200	3.85
	75	2.89
	85	3.43
	95	3.97
	105	4.51
	140	4.81
Adirondack table and bench	207 and 208	7.07
Adirondack chair	215	2.35
Adirondack wheel chair	315W	3.70
Adirondack chair	315	2.70
Adirondack settee	415	4.70

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated March 23, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12453; Filed, August 18, 1944; 11:55 a. m.]

[MPR 188, Order 2105]

E. L. START

APPROVAL OF MAXIMUM PRICES

Order No. 2105 under § 1499.158 of maximum price regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of

juvenile upholstered chairs manufactured by E. L. Start.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries since the effective date of Maximum Price Regulation No. 188, of juvenile upholstered chairs manufactured by E. L. Start, Verona, Lawrence County, Missouri.

(1) (a) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Upholstered chair	Juvenile	*Per unit* $4.25	*Per unit* $5.40
Upholstered rocker	Juvenile	4.60	5.40

These prices are f. o. b. factory.

(b) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (a) of this paragraph (a) the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (a) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Upholstered chair	Juvenile	*Per unit* $5.40
Upholstered rocker	Juvenile	5.40

(b) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12466; Filed, August 18, 1944; 11:50 a. m.]

[MPR 188, Order 2106]

MITY GOOD MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2106 under § 1499.158 of Maximum Price Regulation No. 188; Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum price for sales of a play yard manufactured by the Mity Good Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a play yard manufactured by the Mity Good Manufacturing Company, Greenville, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Play pen		*Each* $4.00	*Each* $5.00

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Play yard		*Each* $5.00

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12472; Filed, August 18, 1944; 12:00 m.]

[MPR 188, Order 2107]

JAFBER MFG. & SALES CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2107 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a dust pan manufactured by the Jafber Manufacturing & Sales Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a dust pan manufactured by the Jafber Manufacturing and Sales Company, 3117 Washington Avenue, North, Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Dust pan	"Handy pick up pan".	*Dozen* $3.80	*Dozen* $4.00

These prices are for the sales and delivery of the article described in the manufacturer's application dated March 15, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Dust pan	Handy pick up pan	*Dozen* $3.00

This price is for the sales and delivery of the article described in the manufacturer's application dated March 15, 1944. It is f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12454; Filed, August 18, 1944; 11:56 a. m.]

[MPR 188, Order 2108]

GARWOOD PRODUCTS

APPROVAL OF MAXIMUM PRICES

Order No. 2108 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of a maximum price for sales of a play pen manufactured by Garwood Products.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a play pen manufactured by Garwood Products, 1721 Wabash Avenue, Terre Haute, Indiana.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Play pen	5	*Each* $4.00	*Each* $5.05

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Play pen	5	*Each* $5.05

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12455; Filed, August 18, 1944; 11:56 a. m.]

[MPR 188, Order 2109]

PAYNES REPAIR & UPHOLSTERY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2109 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for

specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile rocker manufactured by Paynes Repair and Upholstery Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile rocker manufactured by Paynes Repair and Upholstery Company, Siler City, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile rocker	Juvenile rocker	Each $2.92	Each $3.44

These prices are subject to a cash discount of two percent for payment within ten days, not thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile rocker	Juvenile rocker	Each $3.44

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of August 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12457; Filed August 18, 1944; 11:59 a. m.]

[MPR 188, Order 2110]

ROE FLY & SON

APPROVAL OF MAXIMUM PRICES

Order No. 2110 under § 1499.158 of Maximum Price Regulation No. 188 Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished kidney table manufactured by Roe Fly and Son.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished kidney table manufactured by Roe Fly and Son, 620 Mill Street, Jackson, Mississippi.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished kidney table	----------	Each $2.46	Each $2.90

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within 10 days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished kidney table	----------	Each $2.90

This price is subject to a cash discount of two percent, 10 days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock,

the Office of Price Administration, establishes your maximum selling prices for these lighters and requires you to notify your customers what is their maximum price, as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such lighters shall include on his invoice to each retailer the following statement:

Your maximum selling price for these lighters, as established by Order No. 80 under the Maximum Import Price Regulation issued by the Office of Price Administration, is $17.50 each.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12458; Filed, August 18, 1944; 11:57 a. m.]

[MPR 120, Order 909]

A & A COAL CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 909 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

A & A COAL COMPANY, 40 SOUTH WALNUT ST., EAST PALESTINE, OHIO, A & A No. 4 MINE No. 7 SEAM, MINE INDEX No. 4064, COLUMBIANA COUNTY, OHIO, SUB-DISTRICT 4, STRIP MINE, PRICE CLASSIFICATION: LEETONIA F. O. DISTRICT, RAILROAD FUEL PRICE GROUP No. 114, RAIL SHIPPING POINT: NEGLEY, OHIO

	Size Group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment and Railroad Fuel	330	330	300	295	290	280	260	240	230	225	------	260
Truck shipment	365	375	360	365	330	305	270	260	------	------	------	------

A & A COAL COMPANY, 40 SOUTH WALNUT ST., EAST PALESTINE, OHIO, A & A No. 5 MINE, No. 6 SEAM, MINE INDEX No. 4063, COLUMBIANA COUNTY, OHIO, SUB-DISTRICT 4, STRIP MINE, PRICE CLASSIFICATION: LEETONIA F. O. DISTRICT, RAILROAD FUEL PRICE GROUP No. 114, RAIL SHIPPING POINT: NEGLEY, OHIO

Rail Shipment and Railroad Fuel	330	325	300	295	290	280	260	240	230	225	------	260
Truck Shipment	365	375	360	365	330	305	270	260	------	------	------	------

THE AMERICAN FIRE CLAY & PRODUCTS COMPANY, 2304 CANAL ROAD, CLEVELAND, OHIO, FIRE No. 52 STRIP MINE, CANNEL SEAM, MINE INDEX No. 4068, MAHONING COUNTY, OHIO, SUB-DISTRICT 4, STRIP MINE, PRICE CLASSIFICATION: LEETONIA F. O. DISTRICT, R. R. FUEL PRICE GROUP No. 108, RAIL SHIPPING POINT: CANFIELD, OHIO

Rail shipment and railroad fuel	330	325	300	295	290	280	260	240	230	225	------	260
Truck shipment	365	375	360	335	330	305	270	260	------	------	------	------

DEXTER CITY BLOCK COAL, INC., BOX 53, DEXTER CITY, OHIO, DEXTER CITY BLOCK COAL MINE, No. 8 SEAM, MINE INDEX No. 4067, NOBLE COUNTY, OHIO, SUB-DISTRICT 2, STRIP MINE, PRICE CLASSIFICATION: CAMBRIDGE F. O. DISTRICT, RAILROAD FUEL PRICE GROUP No. 113, RAIL SHIPPING POINT: MACKSBURG, OHIO

Rail shipment	310	305	275	275	270	260	235	235	220	210	------	260
Railroad fuel	275	275	275	275	275	260	220	235	220	------	------	260
Truck shipment	365	345	330	305	305	290	265	255	------	------	------	------

LONG RUN COAL COMPANY, 215 E. MAIN ST., ST. CLAIRSVILLE, OHIO, LONG RUN MINE, No. 8 SEAM, MINE INDEX No. 4059, ATHENS COUNTY, OHIO, SUB-DISTRICT 5, STRIP MINE, PRICE CLASSIFICATION: HOCKING F. O. DISTRICT, RAILROAD FUEL PRICE GROUP No. 111 AND 104, RAIL SHIPPING POINTS: GROSVENOR AND ATHENS, OHIO

Rail shipment and railroad fuel	350	345	305	305	300	275	235	245	275	265	------	275
Truck shipment	365	345	325	310	305	295	230	230	------	------	------	------

STILLWATER FUEL CORPORATION, No. 3, BELLAIRE, OHIO, STILLWATER MINE, No. 7 SEAM, MINE INDEX No. 4058, TUSCARAWAS COUNTY, OHIO, SUB-DISTRICT 4, STRIP MINE, PRICE CLASSIFICATION: MIDDLE F. O. DISTRICT, RAILROAD FUEL PRICE GROUP No. 102 AND 113, RAIL SHIPPING POINTS: STILLWATER AND DENNISON, OHIO

Rail shipment and railroad fuel	330	325	300	295	290	280	260	240	230	225	------	260
Truck shipment	365	360	325	320	320	280	265	245	------	------	------	------

ZENNOX COAL COMPANY, 104 HARDING AVE., STEUBENVILLE, OHIO, ZENNOX No. 3 MINE, No. 8 SEAM, MINE INDEX No. 4065, JEFFERSON COUNTY, OHIO, SUB-DISTRICT 1, STRIP MINE, PRICE CLASSIFICATION: OHIO No. 8 F. O. DISTRICT, RAILROAD FUEL PRICE GROUP No. 113, RAIL SHIPPING POINT: FERNWOOD, OHIO

Rail shipment	310	305	275	275	270	260	235	235	220	210	------	260
Railroad fuel	275	275	275	275	275	260	220	235	220	------	------	260
Truck shipment	365	350	335	310	305	290	265	245	------	------	------	------

This order shall become effective August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12462; Filed, August 18, 1944; 12:00 m.]

[MPR 120, Order 910]

EASTERN GAS & FUEL ASSOCIATES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 910 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing a maximum price for the ¾" x 0 refuse coal of Koppers Coal Division of Eastern Gas & Fuel Associates.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) ¾" x 0 refuse coal obtained from the Menzies Hydro Washer while processing the fresh mine product of the Pocahontas No. 4 Seam at the Maitland Mine, Mine Index No. 114 of the Koppers Coal Division, Eastern Gas & Fuel Associates, located in McDowell County, West Virginia, Subdistrict No. 3, District No. 7 for the uses indicated by methods of transportation appearing herein may be sold and purchased at per net ton prices in cents not exceeding the following:

Rail shipment, ¾" x 0 Refuse Coal..... 275

(b) The maximum price established herein is f. o. b. the rail shipping point for rail shipment.

(c) This order may be revoked or amended at any time.

(d) All prayers of the applicant not granted herein are hereby denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12463; Filed, August 18, 1944; 11:59 a. m.]

[Order 375 Under 3 (b), Order 53]

STEFANELLI PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 53 under Order 375 of § 1499.3 (b) of the General Maximum Price Regulation. Stefanelli Products Co. Docket No. N6352-13b-83-7.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

Authorization of maximum prices governing sales of "Torrone" a confectionery item manufactured by Stefanelli Products Co., New York, New York, under the brand names of "Delizia" and "Luna di Mieli". (a) The maximum prices for the indicated sales below by the indicated sellers of "Torrone" an Italian style nougat candy consisting of one cellophane wrapped lithographed carton containing 18 individually wrapped and boxed pieces, each piece having a net weight of ⅝ ounce, manufactured under the brand names of "Delizia" and "Luna di Mieli" by Stefanelli Products Co., 71 Mercer Street, New York, New York, in accordance with its Formula contained in its price application shall be as follows:

(1) To the jobbing trade from Stefanelli Products Co., 70 cents per carton, f. o. b. factory, less 2% discount for payment within 10 days.

(2) To retailers from Stefanelli Products Co., 75 cents per carton, f. o. b. factory, less 2% discount for payment within 10 days.

(3) To retailers from wholesalers or jobbers, 88 cents per carton, delivered.

(4) To consumers from retailers who purchase direct from Stefanelli Products Co., $1.05 per carton.

(5) To consumers from retailers who purchase from the jobbing trade, $1.25 per carton.

(b) The prices established in this order are the highest prices for which "Delizia" and "Luna di Mieli" may be sold by the respective sellers. All sellers, on sales of these items, shall reduce the above appropriate maximum price by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable candy items. In the application of any customary differential the specific maximum prices established by this order must not be exceeded.

(c) Stefanelli Products Co. shall mail or otherwise supply to its purchasers, at the time of or prior to the first delivery to such purchasers, the applicable written notice as follows:

(1) To wholesalers or jobbers—

The Office of Price Administration has authorized us to sell our "Delizia" and "Luna di Mieli", a cellophane wrapped lithographed carton containing 18 individually wrapped and boxed pieces, each piece having a minimum net weight of ⅝ ounce, to the jobbing trade at the maximum price of 70 cents per carton, f. o. b. our factory, less 2% discount—10 days. You are authorized to establish a maximum price not in excess of 88 cents per carton delivered to the retailer. On sales of these items all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items. In the application of any customary differential the specific maximum price mentioned herein must not be exceeded.

(2) To retailers—

The Office of Price Administration has authorized us to sell our "Delizia" or "Luna di Mieli", a cellophane wrapped lithographed carton containing 18 individually wrapped and boxed pieces, each piece having a minimum net weight of ⅝ ounce, direct to retailers at the maximum price of 75 cents per carton, f. o. b. our factory, less 2% discount—10 days. You are authorized to sell these items to consumers at a maximum price not in excess of $1.05 per carton.

(d) Stefanelli Products Co. for a period of at least 90 days shall place in or on each carton distributed through the jobbing trade, a notice as follows:

The Office of Price Administration has authorized wholesalers or jobbers to sell "Delizia" or "Luna di Mieli" a cellophane wrapped lithographed carton containing 18 individually wrapped and boxed pieces, each piece having a minimum net weight of ⅝ ounce, to retailers at the maximum price of 88 cents per carton, delivered. Retailers who purchase from the jobbing trade are authorized to sell these items to consumers at the maximum price of $1.25 per carton. All sellers, on sales of these items, shall reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items. In the application of any customary differential the specific maximum price mentioned herein must not be exceeded.

(e) This order may be revoked or amended at any time by the Price Administrator.

(f) This Order No. 53 shall become effective August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12461; Filed August 18, 1944; 11:58 a. m.]

[MPR 120, Order 911]

CHARLES E. CANNELL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 911 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishment maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 9. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.220 and all other provisions of Maximum Price Regulation No. 120.

CHARLES E. CANNELL CO., 2128 SOUTH FLOYD ST., LOUISVILLE, KY., NO. 1 MINE, NO. 9 SEAM, MINE INDEX NO. 2015, MUHLENBERG COUNTY, KY., RAIL SHIPPING POINT, SKIBO, KY., STRIP MINE, CLASSIFIED IN MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Size group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	220	210	200	230	175	230	180	125	165

CHARLESTON-WORKMAN COAL CO., 1710 N. FARES AVE., EVANSVILLE, IND., WORKMAN No. 6 STRIP MINE, No. 6 SEAM, MINE INDEX No. 2016, HOPKINS COUNTY, KY., RAIL SHIPPING POINT: CHARLESTON, KY., STRIP MINE, CLASSIFIED IN MAXIMUM PRICE GROUP No. 2 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Size group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	270	225	310	------	245	------	280	140	------

LOFTON COAL CO., PROVIDENCE, KY., LOFTON MINE, NO. 11 SEAM, MINE INDEX NO. 2014, WEBSTER COUNTY, KY., RAIL SHIPPING POINT: UPLAND AND PROVIDENCE, KY., STRIP MINE, CLASSIFIED IN MAXIMUM PRICE GROUP NO.; 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Size Group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	220	210	200	230	175	230	180	125	165

W. H. STEWART, C/O GENERAL DELIVERY, MADISONVILLE, KY., LITTLE CREEK MINE, NO. 6 SEAM, MINE INDEX NO. 2017, HOPKINS COUNTY, KY., RAIL SHIPPING POINT: MANNINGTON, KY., DEEP MINE, CLASSIFIED IN MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Size Group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail shipments and railroad fuel	270	225	310	------	245	------	280	140	------

THE TRADEWATER STRIP MINING CO., CLAY, KY., WEBSTER MINE, NO. 9 SEAM, MINE INDEX NO. 3011, WEBSTER COUNTY, KY., RAIL SHIPPING POINT: DIAMOND AND PROVIDENCE, KY., STRIP MINE, CLASSIFIED IN MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Size Group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail Shipments and Railroad Fuel	220	210	200	200	175	190	180	125	165

WEST KENTUCKY COAL CO., EARLINGTON, KY., HECLA NO. 3 MINE, NO. 11 SEAM, MINE INDEX NO. 2004, HOPKINS COUNTY, KY., RAIL SHIPPING POINT: EARLINGTON AND MADISONVILLE, KY., STRIP MINE, CLASSIFIED IN MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Size Group Nos.	1, 2, 3, 4, 5, 6	7	8, 9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	26, 27, 28, 29	15, 16	25
Rail Shipments and Railroad Fuel	220	210	200	200	175	190	180	125	165

NOTE: Maximum prices for shipment by truck or wagon to all destinations for all uses:

Coals Produced at Any and All Mines from All Seams

Description:	
All single-screened lump coals, bottom size larger than 1½" and all double-screened raw, washed, or air cleaned coals, bottom size larger than 1½"	280
All single-screened lump coals, bottom size 1½" and smaller, and all double screened coals, bottom size 1½" and smaller	245
Mine run, modified, mine run and mine run resultants larger than 2"	235
Screenings, top size not exceeding 2"	200

This order shall become effective August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12464; Filed, August 18, 1944; 11:56 a. m.]

[MPR 120, Order 912]

CASELLA MINE, ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 912 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The District No. 1 designation of the following mines is hereby cancelled and District No. 2 is designated as follows, and Mine Index Nos. 1193, 1871 and 2784 are hereby cancelled and the following mine index numbers, Maximum Truck Price Group Numbers and Railroad Price Group Numbers are assigned for the respective mines:

Mine name	Former index No.	Former district No.	Owner	New district No.	New index No.	Truck price group No.	Railroad fuel price group No.
Casella	1193	1	Thomas Casella	2	4126	10	25
Painter	1871	1	Altmire & Shick	2	4087	10	25
Buccardo	2784	1	Frank Buccardo	2	4100	9	20

(b) Coals produced by the following operators from the following mines in Subdistrict No. 2 of District No. 2 may be purchased and sold at per net ton prices, in cents per net ton, not exceeding the following:

CASELLA MINE, MINE INDEX NO. 4126, A DEEP MINE OF THOMAS CASELLA, ARMSTRONG COUNTY, PA.—UPPER FREEPORT SEAM—RAIL SHIPPING POINT: APOLLO, PA.

Size Group No.	1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	E	E	E	E	F	F	F	----	----
Rail shipment	310	310	305	305	305	305	275	275	260	----	----
Truck shipment	295	295	295	295	290	290	260	275	275	275	255
Railroad fuel	315	315	315	315	315	300	275	275	260	260	----

PAINTER MINE, MINE INDEX NO. 4087, A DEEP MINE OF ALTMIRE & SHICK, ARMSTRONG COUNTY, PA.—UPPER FREEPORT SEAM—RAIL SHIPPING POINT: VANDERGRIFT, PA.

Price classification	F	F	E	E	E	E	F	F	F	----	----
Rail shipment	310	310	306	305	305	305	275	275	260	----	----
Truck shipment	295	295	295	295	290	290	260	275	275	275	255
Railroad fuel	315	315	315	315	315	300	275	275	260	260	----

BUCCARDO MINE, MINE INDEX NO. 4100, A DEEP MINE OF FRANK BUCCARDO, INDIANA COUNTY, PA.—PITTSBURGH SEAM—RAIL SHIPPING POINT: AVONMORE, PA.

Price classification	E	E	D	D	D	D	E	E	E	----	----
Rail shipment	325	325	325	325	325	315	275	275	260	----	----
Truck shipment	305	305	305	305	305	305	305	305	290	290	290
Railroad fuel	325	325	325	325	325	315	275	275	270	270	----

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuels.

(d) All prayers of applicants not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This Order No. 912 shall become effective August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12465; Filed, August 18, 1944; 11:57 a. m.]

[MPR 120, Amdt. 1 to Order 724]

STANDARD COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 724 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine of preparation plant. Establishing price classifications and maximum prices for coals of The Leonard Sasso T/A Standard Coal Company.

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(1) Railroad Price Group No. 2 is hereby inserted in paragraph (a) of said Order No. 724 in lieu of Railroad Price Group No. 1.

(2) The price classifications and maximum prices for rail shipped coal and coal for railroad fuel appearing in paragraph (b) of Order No. 724 are hereby amended to read as follows:

	Size group number									
	1	2	3	4	5	6	7	8	9	10
Price classifications	A	A	C	C	F	F	H	H	H	----
Rail shipments	$3.30	$3.30	$3.10	$3.10	$2.75	$2.65	$2.35	$2.35	$2.35	----
Railroad fuel	3.30	3.20	3.10	3.10	2.90	2.75	2.35	2.35	2.35	2.35

Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This amendment shall become effective
(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)
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FRESH FRUITS

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This amendment to Order No. 724 shall become effective August 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12459; Filed, August 18, 1944; 11:54 a. m.]

Regional and District Office Orders.

[Region I Rev. Order G-1 Under MPR 426, Amdt. 1]

LETTUCE IN BOSTON AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) The heading of Column 6 in the table contained in paragraph (a) is amended to read as follows:

Maximum prices for less than carlot or less than trucklot sales (1) by a "secondary wholesaler" or (2) by a "service wholesaler" to retail stores, government procurement agencies or institutional buyers. Also maximum prices for sales by a grower to individual retail stores, commercial, industrial or institutional users.

(b) The following sub-section is added to paragraph (c):

3. "Service Wholesaler" means any person who maintains a store or warehouse at which lettuce is received and stored or warehoused, who receives lettuce at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of lettuce, who employs salesmen to call on the trade in the city or country points which he services, and who sells lettuce to retail stores, government procurement agencies or institutional sellers.

This amendment shall become effective July 21, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; R.G.O. 51, 8 F.R. 408)

Issued this 19th day of July 1944.

ELDON C. SHOUP,
Regional Director of Food Distribution.

Approved:

FRANCIS D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-12382; Filed, August 17, 1944; 12:15 p. m.]

[Region I Order G-6 Under MPR 426, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN BOSTON, MASS., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2 (d) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) Paragraph (a) is amended by adding to the list of sellers found to be purveyors the name of Tyler & Key, 33 Faneuil Hall Market, Boston, Massachusetts.

(b) A new paragraph (a) (1) is added as follows:

(a) (1) Any person who meets the requirements of the definition of a "purveyor" in section 8 (a) (14) of Maximum Price Regulation No. 426 may apply in writing to the Office of Price Administration, 55 Tremont Street, Boston, Massachusetts, for recognition as a "purveyor" and permission to charge the prices established by this order. Any application so filed must demonstrate the manner in which the applicant does business and the extent to which he satisfies the requirements of section 8 (a) (14) of Maximum Price Regulation No. 426. If any applicant is to be recognized as a "purveyor" and granted permission to use the maximum mark-ups established by this order, that recognition and permission will be granted by an amendment to this order. Prior to the issuance of such amendment the maximum mark-ups established by this order may not be used.

This amendment becomes effective on July 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; R.G.O. 51, 8 F.R. 408)

Issued this 27th day of July 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

FRANCIS D. CRONIN,
Regional Director of Food Distribution.

[F. R. Doc. 44-12383; Filed, August 17, 1944; 12:15 p. m.]

[Montpelier Order G-1 Under MPR 426 and MPR 285]

FRESH FRUITS AND VEGETABLES IN MONTPELIER, VT., DISTRICT

Order No. G-1 under Article III, section 15, Appendix H, paragraph (f), Appendix I, paragraph (g) and Appendix J, paragraph (1) of Maximum Price Regulation 426, as amended, and § 1351.1254a (a) of Maximum Price Regulation 285, as amended.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montpelier, Vermont, District Office of the Office of Price Administration by Article III, section 15, Appendices H, I and J of Maximum Price Regulation 426, § 1351.1254a of Maximum Price Regulation 285, Region I Order of Delegation under Revised General Order No. 32, all as amended, it is hereby ordered:

(a) *What this order does.* This order determines the limits of the free delivery zones at the wholesale receiving points in Vermont. It also establishes a differential for delivered sales beyond the free delivery zones. This order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Appendices H, I and J of Maximum Price Regulation 426, as amended, and § 1351.1254a of Maximum Price Regulation 285, as amended. The only sellers who are subject to this order are secondary jobbers and service wholesalers, as these terms are used in Appendices H, I and J of Maximum Price Regulation 426 and those wholesalers who price under Maximum Price Regulation 285, both as amended.

(b) *Establishment of free delivery zones.* The free delivery zones established by this order for each secondary jobber, service wholesaler, or wholesaler shall be the area within a radius of ten miles of his business establishment in which the commodity in question was stored or kept previous to delivery; such radius to be established by the distance traveled from such business establishment to the premises of a purchaser over the most direct and customary route.

(c) *Differential for delivered sales of items listed in Appendices H, I and J of Maximum Price Regulation 426, as amended*—(1) *Delivered sales in the free delivery zones.* For deliveries in the free delivery zones the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation 426, as amended, for the type of sale being made without any deduction from or addition thereto.

(2) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the maximum delivered price shall be the maximum delivered price named in Column 6 of the applicable table in paragraph (b) of Appendix H, Article III, Section 15 of Maximum Price Regulation 426, as amended, Column 6 of the applicable table in paragraph (c) of Appendix I in said section or Column 6 of the applicable table in paragraph (d) of Appendix J, plus the mark-up named in Columns 8, 9 or 10 of the table in paragraph (c) of said Appendix H, or plus the mark-up named in Columns 11, 12 or 13 of the table in paragraph (d) in said Appendix I, or plus the mark-up named in Columns 7, 8 or 9 of table B in paragraph (c) of Appendix J, as the case may be; plus the delivery allowance per container, package or pound for the item being sold as set forth in the Transportation Table appearing below.

TRANSPORTATION TABLE

Item	Size of pack	Delivery allowance beyond free delivery zone
		Cents
Cabbage	50-pound bag	18
	Per pound	3/8
Carrots:		
Bunch	La Crate—72 bunches	30
Bunch	1 dozen bunches	8
Cut	Per pound	3/8
Cut	50 pounds	18
Cucumbers:		
Except hothouse	48-pound bushel	20
Except hothouse	28-pound lug	11
Except hothouse	Per pound	3/8
Hothouse	Per pound	3/8
Green peas	28-pound bushel	10
	Per pound	3/8

TRANSPORTATION TABLE—Continued

Item	Size of pack	Delivery Allowance beyond free delivery zone
Melons:		
Cantaloup and Honeyball:		Cents
All	Jumbo crate (83 lbs.)	20
All	Standard crate (68 lbs.)	24
All	Pony crate (57 lbs.)	20
All	Jumbo flat (70 lbs.)	11
All	Standard flat (27 lbs.)	10
All	Per pound	1/4
Casaba:		
All	Jumbo crate (42 lbs.)	16
All	Standard crate (37 lbs.)	14
Honeydew:		
All	Jumbo 36 (36 lbs.)	25
All	Jumbo 6-8 (30 lbs.)	15
All	Standard 9-12 (30 lbs.)	15
All	Bushel basket	18
	Per pound	3/4
Watermelons	Per pound	3/4
Oranges:		
California or Arizona.	1 3/4 bu. standard crate	30
California or Arizona.	Per pound	1/4
Florida-Indian River.	1 3/4 bu. standard crate	35
Florida-Indian River.	Per pound	1/4
All others	1 3/4 bu. standard crate	35
All others	Per pound	1/4
Grapefruit—White:		
California or Arizona.	1 3/4 bushels standard crate	27
California or Arizona.	Per pound	1/4
Florida-Indian River.	1 3/4 bushels standard crate.	23
Florida-Indian River.	Per pound	1/4
All others	1 3/4 bushels standard crate.	22
All others	Per pound	1/4
Grapefruit—Pink:		
California or Arizona	1 3/4 bushels standard crate.	27
California or Arizona.	Per pound	1/4
All others	1 3/4 bushels standard crate.	22
All others	Per pound	1/4
Lemons:		
All	1 3/4 bushels standard crate.	30
All	Per pound	1/4
Tangerines:		
All	1/4 bushel boxes	18
All	Per pound	1/4
Apricots:		
California	Brentwood lug (24 lbs.)	11
California	Per pound	1/4
All others	Northwest lug (13 lbs.)	6
All others	Per pound	1/4
Plums:		
All	Standard 4 basket crate	13
All	Per pound	1/4
	1/4 bushel basket	13
Italian prune plums	(Standard box (15-17 lbs.)	7
	Per pound	1/4
	Campbell lug (15-17 lbs.)	7
Sweet cherries	Calex lug (13-20 lbs.)	9
	Per pound	1/4

(The figures given in parentheses after certain containers are the minimum net weight of the contents as specified in Maximum Price Regulation 426, as amended.)

Provided, nevertheless, That the delivery allowance for any item listed in said appendices sold in any manner differing from those outlined in the Transportation Table or not listed in said table shall not be computed at a rate in excess of 35 cents per cwt., gross weight.

(d) *Differentials for delivered sales of items under Maximum Price Regulation 285, as amended.*—(1) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation 285, as amended, for the type of sale being made.

(2) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone a transportation charge figured at the rate of 35 cents per cwt., gross weight, may be added to the maximum delivered price computed under Maximum Price Regulation 285, as amended, except that not to exceed 18 cents may be added to the delivered sale price of the standard box of cut bananas of 40 pounds net weight.

(e) *Applicability.* No person subject to this order may deliver or offer to deliver to retailers any of the food items, the delivery of which is covered by this order, at a price for delivery higher than the price for the delivery of such items fixed in this order. Any delivery allowance that may be provided for under Appendices H, I and J to Maximum Price Regulation 426, as amended, for delivery of items named in said appendices, to the premises of a purchaser located outside of the free delivery zones are hereby superseded by the provisions for transportation herein fixed.

(f) *Evasion.* No person subject to this order may evade any of the provisions of this order by any stratagem, scheme or device. No person may, as a condition of selling and delivering any particular item of food items, the delivery of which is covered by this order, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

(g) *Enforcement.* On and after the effective date of this order, any person covered by this order, who delivers or offers to deliver any of the food items, the delivery of which is covered by this order, at a price for delivery higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. In addition, any person who, in the course of trade or business, buys from a person covered by this order at a price higher than the ceiling price permitted by this order, is subject to the criminal penalties and enforcement actions provided by that act.

(h) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution.

Unless the context otherwise requires, the terms used herein shall have the same meaning as given them in Maximum Price Regulation 285, as amended, and Maximum Price Regulation 426.

(i) This order may be revoked, revised, amended or corrected at any time.

(j) *Effective date.* This order shall become effective on August 15, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1944.

JAMES J. CARNEY,
District Director.

Approved:

FRANCIS D. CRONIN,
Regional Director,
Food Distribution Administration.

Approval of this order by Regional Director of Food Distribution applies only to adjustments under Maximum Price Regulation 426.

[F. R. Doc. 44-12364; Filed, August 17, 1944; 12:18 p. m.]

[Binghamton Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN BINGHAMTON, N. Y., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Binghamton District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer as are necessary to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver them to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board will check this list with your filed ceiling prices. If the prices check, the Board will make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Binghamton District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, 57 Stat. 566; Pub. Law 383, 78th Cong.)

Issued this 1st day of August 1944.

HOWARD T. WARE,
District Director.

APPENDIX A

Following is a list of food items, meals and beverages from which the forty food items, meals and beverages required to be posted by Order No. 1 under Restaurant Maximum Price Regulation No. 2 may be chosen:

Appetizer:
- Tomato or fruit juice.
- Fruit cocktail.

Soup:
- Soup du jour.

Egg dishes:
- Bacon and eggs.
- Ham and eggs.
- Two eggs, any style.

Fish entrees:
- Filet of sole.
- Broiled halibut.
- Fish cakes.

Miscellaneous:
- Hot cakes and syrup.
- Baked spaghetti or macaroni.
- Pork and beans.
- Vegetable plate.
- Cereals—Hot.
- Cereals—Cold.
- Crackers and milk.
- Frankfurters.

Meals.
- Club breakfast—fruit, toast and coffee.

Meat entrees:
- Liver and bacon.
- Pork chops.
- Hamburger steak.
- Roast beef.
- Roast ham.
- Roast pork.
- Meat hash.
- Meat stew.

Sandwiches:
- Ham.
- Ham and egg.
- Bacon and egg.
- American cheese.
- Lettuce and tomato.
- Hamburger.
- Ham and cheese.
- Hot meat sandwich.

Salads:
- Combination.

Desserts:
- Apple pie.
- Ice cream.

Beverages:
- Coffee (cup or pot).
- Tea (cup or pot).
- Milk (half pint).

[F. R. Doc. 44-12385; Filed, August 17, 1944; 12:20 p. m.]

[Binghamton Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN BINGHAMTON, N. Y. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Binghamton District Office of the Office of Price Administration under section 16 of Restaurant Maximum Price Regulation No. 2, Order No. 1 under Restaurant Maximum Price Regulation No. 2 is amended as follows:

1. Section 1 is amended by substituting the date August 21, 1944 for the date August 16, 1944 therein.

2. Section 2 is amended by substituting the date August 28, 1944 for the date August 21, 1944 therein.

This amendment shall become effective August 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

HOWARD T. WARE,
District Director.

[F. R. Doc. 44-12386; Filed, August 17, 1944; 12:17 p. m.]

[Region II Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN NEW YORK REGION

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, Order No. 1 under Restaurant Maximum Price Regulatio No. 2 is amended as follows:

1. The first paragraph of section 1 shall read as follows:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

2. The first paragraph of section 2 shall read as follows:

SEC. 2. *Filing of list of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price & Rationing Board on or before August 28, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

This amendment shall become effective August 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 365, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-12387; Filed, August 17, 1944; 12:16 p. m.]

[Maryland Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN MARYLAND DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, Maryland District Order No. 1 under Restaurant Maximum Price Regulation 2, is amended in the following respects:

1. In section 1 the date "August 16, 1944" is deleted and the date "August 21, 1944" is substituted therefor.

2. In section 2 the date "August 21, 1944" is deleted and the date "August 28, 1944" is substituted therefor.

This amendment shall become effective August 14, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, F.R. 4681)

Issued this 12th day of August 1944.

LEO H. MCCORMICK,
District Director.

[F. R. Doc. 44-12388; Filed, August 17, 1944; 12:16 p. m.]

[Trenton Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN TRENTON, N. J., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, Trenton, New Jersey, District Order No. 1, under Restaurant Maximum Price Regulation No. 2 is hereby amended in the following respects:

1. In section 1, the date August 16, 1944, is changed to August 21, 1944.

2. In section 2, the date August 21, 1944, is changed to August 28, 1944.

This amendment shall become effective August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1944.

RALPH W. HACKETT,
District Director.

[F. R. Doc. 44-12389; Filed, August 17, 1944; 12:16 p. m.]

[Williamsport Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN WILLIAMSPORT, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Williamsport District Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2; *It is hereby ordered:*

Section 1, Order 1 under Restaurant Maximum Price Regulation 2 issued July 31, 1944, by the Acting District Director of the Williamsport District Office of Price Administration is hereby amended as follows:

(a) Section 1 *Posting requirements*, first paragraph: The date August 16, 1944, hereby is changed to August 21, 1944.

(b) Section 2 *Filing of lists of posted prices*, first paragraph: The date August 21, 1944, is hereby changed to August 28, 1944.

This amendment shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 11, 1944.

JOSEPH L. RAY,
Acting District Director.

[F. R. Doc. 44-12390; Filed, August 17, 1944; 12:16 p. m.]

[Wilmington Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN WILMINGTON, DEL., DISTRICT

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Wilmington District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, Order No. 1, under Restaurant Maximum Price Regulation No. 2 is amended as follows:

1. Section 1 is amended by substituting August 21, 1944, as the last date for posting prices instead of August 16, 1944.

2. Section 2 is amended by substituting August 28, 1944, as the last date for filing lists of posted prices instead of August 23, 1944.

Effective date. This amendment shall be effective 12:01 a. m. on August 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this eleventh day of August 1944.

CHARLES W. HARDESTY,
District Director.

[F. R. Doc. 44-12391; Filed, August 17, 1944; 12:16 p. m.]

[West Virginia Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN WEST VIRGINIA DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the West Virginia District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the West Virginia district of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

S. GROVER SMITH,
District Director.

APPENDIX A—FORTY BASIC ITEMS FOR USE IN MEETING POSTING AND FILING REQUIREMENTS OF SECTIONS 1 AND 2 OF THIS POSTING ORDER

Appetizers:
- Tomato and fruit juices.
- Grapefruit (half).

Soup:
- Soups.
- Chili.

Egg dishes:
- Sausage-bacon-ham and eggs.
- Two eggs (any style).

Fish:
- Pan trout.
- Haddock.

Meat entrees:
- Meat stews.
- Swiss steak.
- Cubed steak.
- Fried chicken.
- Hot meat sandwiches.
- Veal cutlet.
- Baked ham.
- Roast beef.
- Roast pork.
- Pork chop.
- Hamburger steak.
- Chicken pie.
- Oyster stew.

Sandwiches:
Ham.
Hamburger.
Bacon and tomato.
Cheese (American).
Egg.
Egg salad.
Hot dog.
Miscellaneous:
Hot cakes and syrup.
Spaghetti.
Baked beans.
Cereal.
Desserts:
Apple pie.
Ice cream.
Cake.
Beverages:
Coffee (cup), coffee (pot).
Tea (cup), tea (pot).
Milk.
Milk shakes.
Meals:
Vegetable plate.

[F. R. Doc. 44-12392; Filed, August 17, 1944; 12:20 p. m.]

[Jacksonville Order 1 Under Restaurant MPR 2]

Posting Requirements in Jacksonville, Fla., District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Jacksonville District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can easily be read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference so that correction can be made.

Sec. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. *Geographical Applicability.* The provisions of this order extend to all eating and drinking establishments located within the Jacksonville District of the Office of Price Administration.

Sec. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

W. F. Keehan,
Acting District Director.

Appendix A

Appetizer:
Orange juice.
Shrimp cocktail.
Fish entrees:
Spanish mackerel.
Pompano.
Fried Fish Cakes.
Desserts:
Apple pie.
Ice cream.
Layer cake.
Pudding.
Salads:
Shrimp salad.
Soup:
Vegetable soup.
Meat entrees:
Pork chop.
Hamburger steak.
Veal cutlet.
T-bone steak.
Tenderloin steak.
Meat entrees—Continued.
Roast turkey.
Calf liver.
Fried ham.
Roast lamb.
Roast veal.
Beverages:
Coffee (cup or pot).
Tea (cup or pot).
Milk (half pint).
Egg dishes:
Ham and eggs.
Spanish omelet.
Cheese omelet.
Sandwiches:
Hot meat.
Hamburger.
Hot dog.
Barbecue pork.
Ham and egg.
Miscellaneous:
Cereal with cream.
Waffles.
Baked beans.

Meals

Club breakfast:
(2 eggs, toast and coffee).
Luncheon:
Cold cuts and salad (3 courses).
Corned beef and cabbage (3 courses).
Spaghetti and meat balls (3 courses).
Dinner:
Fried chicken dinner (5 courses).

[F. R. Doc. 44-12393; Filed, August 17, 1944; 12:20 p. m.]

[Mississippi Order 1 Under Restaurant MPR 2]

Posting Requirements in Mississippi District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Mississippi District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Mississippi District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Restaurant Maximum Price Regulation No. 2, as amended, have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F. R. 4681)

Issued this 8th day of August 1944.

WILLIAM E. HOLCOMB,
District Director.

APPENDIX A—GROUPS OF FOOD ITEMS, ENTREES AND BEVERAGES

The groups of food items, beverages or entrees (main dish) of the meal are as follows:

1 Orange juice.
2. Tomato juice.
3. Shrimp cocktail.
4. Dry cereals.
5. Two eggs—scrambled, fried, boiled.
6. Bacon and eggs.
7. Ham and eggs.
8. Toast.
9. Griddle cakes.
10. Soups (specify kind).
11. Tenderloin steak.
12. T-bone steak.
13. Club steak.
14. Hamburger steak.
15. Beef roast.
16. Veal cutlets.
17. Pork roast.
18. Pork chops.
19. Calf liver.
20. Fried chicken (specify portion).
21. Tenderloin trout.
22. Flounder.
23. Spaghetti and meat balls.
24. Vegetable plate.
25. Pie.
26. Ice cream.
27. Fruit puddings and cobblers.
28. Ham sandwich.
29. Hamburger sandwich.
30. Cheese sandwich.
31. Assorted cold cuts.
32. Hot beef sandwich.
33. Milk.
34. Tea.
35. Soft drinks.
36. Coffee.
37. Club breakfast (specify items).
38. Luncheon (specify items).
39. Dinner (specify items).
40. Plate lunch (specify items).

[F. R. Doc. 44-12394; Filed, August 17, 1944; 12:17 p. m.]

[Kansas City, Mo., Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN KANSAS CITY, MO., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Kansas City District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver them to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Kansas City District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

J. G. CALLAWAY,
District Director.

APPENDIX A

TABLE I—RESTAURANTS, HOTEL COFFEE SHOPS, AND DINING ROOMS

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Pie, donuts, etc.:
4. Toast.
5. Donuts.
6. Sweet roll.
7. Pie.

Breakfast items:
8. Dry cereal with milk or cream.
9. Cooked cereal with milk.
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham, bacon or sausage, two eggs, toast and coffee.
13. Hot cakes.
14. Waffle.

Soup, etc.:
15. Soup (ready-to-serve).
16. Soup (canned).
17. Chili.

Luncheon and dinner items a la carte (indicate items included):
18. Roast beef.
19. Hamburger steak.
20. Liver and onions or bacon.
21. Creamed chicken.
22. Fried chicken.
23. Tenderloin of trout.
24. Beef stew.
25. Fried oysters (½ doz.).

Noon luncheon—described below—two most popular luncheons:

26.			
	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert

27. _____

Evening dinner—described below—two most popular:

28.			
	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert

29. _____

Sandwiches:
30. Ham.
31. American cheese.
32. Hamburger.
33. Chicken.
34. Bacon & tomato.
35. Hot beef with potatoes & gravy.

Drinks:
36. Coffee.
37. Tea (iced).

Steaks (indicate items included):
38. Tenderloin.
39. Ham steak.
40. Pork chops.

TABLE II—CAFETERIA ITEMS

Salads:
1. Potato salad.
2. Combination.
3. Creamed slaw.

Entrees:
1. Fried haddock.
2. Croquettes.
3. Pot roast of beef.
4. Meat loaf.
5. Pork chop.
6. Meat balls with spaghetti.
7. Corned beef and cabbage.
8. Liver and bacon.
9. Chicken stew.
10. Beef stew and vegetable.

Vegetables:
1. Mashed potatoes.
2. Stewed carrots.
3. Boiled cabbage.
4. Spinach.
5. Boiled beets.
6. Frosted peas.
7. Boiled navy beans.
8. Frosted corn.
9. Baked potato.
10. Canned green beans.
11. Frosted lima beans.

Desserts:
1. Apple pie.
2. Cake.
3. Ice cream (lg. dish).
4. Cup custard.
5. Pumpkin pie.

Drinks:
1. Tea—hot.
2. Coffee—iced coffee.
3. Coffee.
4. Iced tea.
5. Milk (half pint).
6. Buttermilk.

Bread:
1. White bread (per slice).
2. Corn bread.
3. Hot biscuit.

Soup:
1. Vegetable soup (ready-to-serve).
2. Chili.

TABLE III—NIGHT CLUBS AND SANDWICH PLACES

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice appetizers (except alcoholic).
4. Shrimp cocktail.
5. Oyster cocktail.
6. Combination salad.
7. Pie.
8. Soup (home made).
9. Soup (canned).
10. Chili.

A la carte luncheon and dinner items (fill in what is served with these items in a la carte):
11. Roast beef _____ _____ _____
12. Hamburger steak.
13. Liver and onions.
14. Meat balls and spaghetti.
15. Fried chicken.
16. Beef or lamb stew with vegetables.
17. Oysters (½ doz.).

Noon luncheon described below—two most popular luncheons:

18.			
	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert

19. _____

Evening dinner—described below—two most popular:

20.			
	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert

21. _____

Sandwiches:
22. Ham.
23. American cheese.
24. Swiss cheese.
25 Goose liver.
26. Fried chicken.
27. Ham and cheese.
28. Barbecued ham.
29. Bacon and tomato.
30. Hot beef with potatoes.
31. Hot pork with potatoes.
32. Chicken fried steak.

Steaks and Chops and Fish:
33. T-bone.
34. Sirloin.
35. Club steak.
36. Pork chops.
37. Chicken fried steak.
38. Fish.

Drinks:
39. Coffee.
40. Tea (iced).

TABLE IV—DRUG AND DEPARTMENT STORE SODA FOUNTAINS AND SIMILAR ESTABLISHMENTS

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice appetizers (except alcoholic).
4. Potato salad.
5. Fruit salad.
6. Combination salad.
7. Pie.
8. Soup (ready-to-serve).
9. Soup (canned).
10. Chili.

Luncheon and dinner items (fill in what is served with these items):
11. Roast beef with vegetable, potatoes, bread or rolls.
12. Hamburger steak with vegetable, potatoes, bread or rolls.
13. Liver and onions with vegetable, potatoes, bread or rolls.
14. Creamed chicken with vegetable, potatoes; bread or rolls.
15. Fried chicken with vegetable, potatoes, bread or rolls.
16. Tenderloin of trout with vegetable, potatoes, bread or rolls.
17. Roast pork with vegetable, potatoes, bread or rolls.
18. Malted milk.
19. Milk shake.
20. Sundae.
21. Ice cream soda.
22. Ice cream (dish).
23. Milk chocolate.
24. Limeade (large).
25. Banana split.

Sandwiches:
26. Chicken salad.
27. Ham and cheese.
28. Ham.
29. Bacon and tomato.
30. Hot beef with potatoes.
31. Hot pork.
32. Liver sausage.

Steaks and chops and fish:
33. Beef stew.
34. Sirloin.
35. Club steak.
36. Pork chops.
37. Swiss steak.
38. Trout.

Drinks:
39. Coffee.
40. Tea (iced).

[F. R. Doc. 44-12397; Filed, August 17, 1944; 12:17 p. m.]

[Fort Worth Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN FORT WORTH, TEX., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Fort Worth District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix

A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all of the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep the copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Fort Worth District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

J. H. KULTGEN,
District Director.

APPENDIX A—TABLE I—RESTAURANTS, HOTEL COFFEE SHOPS, AND DINING ROOMS

Tomato juice.
Orange juice.
Grapefruit juice.
Buttered toast.
Two eggs, fried or boiled.
Ham or bacon with 2 eggs.
Ham or bacon with 1 egg (half order).
Ham, bacon, or sausage.
Hot cakes with bacon, ham or sausage.
Hot cakes.
Cereals.
Cereals with cream.
Pie.
Doughnuts.
Sweet rolls.
List four most popular club breakfasts, below:
_____
_____
_____
_____
Soup: Canned soup, home made soup, chili.
Two most popular noon plate luncheons, list below:
_____
_____
Entrees a la carte:
Roast beef.
Hamburger steak.
Fried chicken.
Hot beef or pork sandwich.
Two most popular evening dinners, list below:
_____
_____
T-bone steak.
Sirloin steak.
Chicken fried steak.
Club steak.
Sandwiches: three most popular sandwiches, list below:
_____
_____
_____
Drinks:
Coffee.
Milk.
Tea (iced).

If Sea Foods are featured at your place, take off six above items and list six your most popular selling Sea Food items.

If Hamburgers or Coneys (Hot Dogs) are featured by you, substitute for the same number of above items.

Should your entire Menu not contain forty items, then list your entire Menu on Poster.

TABLE II—CAFETERIAS

Soups:
Vegetable soup.
Chicken soup.
Appetizers:
Half grapefruit.
Stewed prunes.
Fresh orange juice.
Tomato juice.
Mixed fruit cocktail.
Salads:
Potato salad.
Carrot and raisin salad.
Cream slaw.
Chopped combination salad.
Fruit and cottage cheese salad.
Congealed salad.
Sliced tomatoes.
Meats:
Pork chop.
Roast beef.
Barbecued lamb.
Meats—Continued.
Liver.
Chicken pie.
Stewed chicken.
Beef stew.
Veal chop.
Smothered steak.
Meat loaf.
Vegetables:
Mashed potatoes.
Peas.
String beans.
Carrots.
Dry beans.
Buttered beets.
Spinach.
Desserts:
Cake.
Cobbler.
Pudding.
Pie.
Breads:
Hot rolls.
Corn muffins.
Drinks:
Coffee.
Milk.
Tea (iced).

TABLE III—NIGHT CLUBS AND SIMILAR PLACES

Tomato juice.
Orange or pineapple juice.
Green olives.
Cocktails:
Shrimp.
Oyster.
Soup:
Canned soup.
Salads—Six most popular you serve (list):
_____
_____
_____
_____
_____
_____
Three evening dinners (most popular you serve) list below:
_____
_____
_____
One fried chicken dinner (list):
_____
Sirloin steak.
T-bone steak.
Club steak.
Tenderloin steak.
Chicken fried steak.
Special sizzling steak.
Pork chops.
Fried chicken.
Fried fish.
Ham and eggs.
Bacon and eggs.
Spanish omelet.
Hamburger steak with onions.
Sandwiches—Six sandwiches, most popular you serve (list):
_____
_____
_____
_____
_____
_____
Potatoes:
French fried.
Hash brown.
Coffee.
Milk.
Tea (iced).

TABLE IV—DRUG—DEPARTMENT STORES—SODA FOUNTAINS AND SIMILAR PLACES

Chilled juices.
Soup.
Chili (with beans).
Chili (no beans).
Pie.
Pie (a la mode).
Doughnuts.

Cereal.
Cereal (with cream).
One salad.
Two most popular breakfast combinations (list below):

---
10 sandwiches, (list):
2 club sandwiches.
2 combination sandwiches.
6 popular sandwiches.
Two most popular noon luncheons, (list below):

T-bone steak.
Hamburger steak.
Club steak.
Chicken fried steak.
Fried chicken.
Fountain:
Malted milk.
Milk shake.
Sundae.
Fruit sundae.
Ice cream soda.
Ice cream (dish).
Fruitades.
Frosted drinks.
Coffee.
Milk.
Tea (iced).
Hot chocolate.

TABLE V—MEXICAN FOODS

Special Mexican dinner, consists of (list).
Regular Mexican dinner, consists of (list).
Regular Mexican lunch, consists of (list).
A la carte orders:

Enchiladas.
Chilaquiles.
Mexican chili.
Spanish rice with chili.
Chili con queso.
Refritos.
Chicken and rice Spanish style.
Chicken and spaghetti.
Spaghetti Spanish style.
Tamales with chili (6 to order).
Stuffed green peppers, Mexican style.
Huevos rancheros.
Spaghetti with chili.
Eggs and omelets:
Eggs with chili.
Chili omelet.
Cheese omelet.
Tomato omelet.
Spanish omelet.
Hard tacos with salad.
Meat tacos.
Bean tacos.
Cheese tacos.
Chicken tacos.
Soft tacos with chili con queso.
Meat tacos.
Bean tacos.
Cheese tacos.
Chicken tacos.
Salads—Four most popular (list):

Sandwiches—Four most popular (list):

Drinks:
Coffee.
Milk.
Tea (iced).

TABLE VI—CHINESE FOODS

Chop suey, plain.
Beef or veal chop suey.
Mushroom chop suey.
Chicken chop suey.
Sub green chop suey, plain.
Plain chow mein.
Chicken chow mein.
Chicken chow mein with mushrooms.
Chop suey chow mein.
Green pepper chow mein, plain.
Yet ca mein, plain.
Plain fried rice.
Chicken sub gum fried rice.
Eggs fo young.
Eggs and ham (Canton style).

This list to be used where Chinese Foods are featured which contains 18 items. Complete your poster 25 items from Table No. 1.

[F. R. Doc. 44-12396; Filed, August 17, 1944; 12:19 p. m.]

[Milwaukee Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MILWAUKEE, WIS., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Milwaukee District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged posters. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this Order extend to all eating and drinking establishments located within the Milwaukee District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 14, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 7th day of August 1944.

H. T. SMITH,
District Director.

APPENDIX A

40 FOOD ITEMS UNDER MILWAUKEE DISTRICT POSTING ORDER

1. Orange juice.
2. Tomato juice.
3. Shrimp cocktail.
4. Fruit cocktail.
5. Cereal with milk.
6. Cereal with cream.
7. Fried eggs.[1]
8. Toast.[1]
9. Doughnuts.[1]
10. Tomato soup.
11. Vegetable soup.
12. Wheat cakes.[1]
13. Baked beans—a la carte.
14. Combination salad—a la carte.
15. Vegetable salad bowl—a la carte.
16. Steak—a la carte.[2]
17. Pot roast—lunch _____; dinner _____.
18. Roast leg of veal—lunch _____; dinner _____.
19. Pork chops—lunch _____; dinner _____.
20. Baked ham—lunch _____; dinner _____.
21. Lamb chops—lunch _____; dinner _____.
22. Beef stew—lunch _____; dinner _____.
23. Liver and bacon—lunch _____; dinner _____.
24. Fried chicken—lunch _____; dinner _____.

[1] On items 7, 8, 9, and 12, specify number of units served; for example, doughnuts 2 for 5 cents.

See footnote [2] at end of table.

28. Roast turkey—lunch ——; dinner ——
26. Fish—lunch ——; dinner ——[2]
27. Vegetable plate—lunch ——; dinner ——
28. Salad (main course)—lunch ——; dinner ——[2]
29. Chop suey—lunch ——; dinner ——[2]
30. Carrots and peas.
31. Apple pie.
32. Hot fudge sundae.
33. Chocolate malted milk.
34. Chocolate pudding.
35. American cheese sandwich.
36. Baked ham sandwich.
37. Hamburger sandwich.
38. Hot beef sandwich.
39. Coffee, per cup or pot.
40. Milk.

[2] On items 16, 26, 28, and 29, specify kind served; for example, fried perch lunch, 45 cents; dinner 65 cents.

[F. R. Doc. 44-12399; Filed, August 17, 1944; 12:19 p. m.]

[Tulsa Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN TULSA, OKLA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Tulsa, Oklahoma, District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 6, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place, so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated, and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Tulsa District of the Office of Price Administration excepting eating and drinking establishments located within the corporate limits of the City of Muskogee, Oklahoma.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Tulsa District Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Tulsa, Oklahoma, this 31st day of July 1944.

BEN O. KIRKPATRICK,
District Director.

APPENDIX A

TABLE I—RESTAURANTS, HOTEL COFFEE SHOPS, AND DINING ROOMS

Fruits and vegetable juices:
1. Orange juice—Specify fresh or canned.
2. Grapefruit juice.
3. Tomato juice.

Pie, dough 123456
4. Buttered toast.
5. Doughnuts.
6. Sweet roll.
7. Pie.

Breakfast items:
8. Dry cereal with —— state whether milk or cream.
9. Cooked cereal with —— state whether milk or cream.
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham, bacon or sausage, two eggs, toast and coffee.
13. Hot cakes (three).
14. Waffle.

Soup, etc.:
15. Soup (homemade).
16. Soup (canned).
17. Chili.

Luncheon and dinner items a la carte (indicate items included):
18. Roast beef.
19. Hamburger steak.
20. Liver and onions or bacon.
21. Creamed chicken.
22. Fried chicken.
23. Baked meat loaf.
24. Tenderloin of trout.
25. Vegetable plate.

Noon luncheon—described below—two most popular luncheons:

26. ——

Soup or appetiser	Salad	Entree
No. of veg.	Drink	Dessert

27. ——

Evening dinner—described below—two most popular:

28. ——

Soup or appetiser	Salad	Entree
No. of veg.	Drink	Dessert

29. ——

Sandwiches:
30. Ham.
31. Cheese.
32. Hamburger.
33. Hot pork with potatoes and gravy.
34. Bacon and tomato.
35. Hot beef with potatoes and gravy.

Drinks:
36. Coffee.
37. Tea (iced).

Steaks—indicate items included:
38. T-bone.
39. Sirloin steaks.
40. Pork chops.

TABLE II—CAFETERIA ITEMS

Salads:
1. Potato salad.
2. Combination.
3. Fruit salad.

Entrees:
4. Fried halibut.
5. Croquettes.
6. Pot roast of beef.
7. Roast pork.
8. Meat loaf.
9. Meat balls with spaghetti.
10. Small T-bone.
11. Liver and onions or bacon.
12. Creamed chicken.
13. Beef stew.

Vegetables:
14. Mashed potatoes.
15. Buttered carrots.
16. Boiled cabbage.
17. Spinach.
18. Buttered beets.
19. Peas.
20. Baked beans.
21. Corn.
22. Baked potato.
23. Green beans.
24. Lima beans.

Desserts:
25. Apple pie.
26. Cake.
27. Ice cream (dish).
28. Gingerbread.
29. Sweet roll.

Drinks:
30. Tea—hot.
31. Coffee—iced coffee.
32. Coffee.
33. Iced tea.
34. Milk (half pint).
35. Buttermilk.

Bread:
36. White or wholewheat (per slice).
37. Corn sticks.
38. Hard roll.

Soup:
39. Homemade vegetable.
40. Chili.

TABLE III—NIGHT CLUBS AND SANDWICH PLACES

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Appetizers (except alcoholic):
4. Shrimp cocktail.
5. Oyster cocktail.
6. Fruit cocktail.

Pie, soup, etc.:
7. Pie.
8. Soup (homemade).
9. Soup (canned).
10. Chili.

A la carte luncheon and dinner items (fill in what served with these items in a la carte):
11. Roast beef.
12. Hamburger steak.
13. Liver and onions.
14. Creamed chicken.
15. Fried chicken.
16. Tenderloin of trout.
17. Fried oysters (½ dozen).

Noon luncheon—described below—two most popular luncheons:

18. ——

Soup or appetiser	Salad	Entree
No. of veg.	Drink	Dessert

19. ——

Evening dinner—described below—two most popular dinners:

20. ——

Soup or appetiser	Salad	Entree
No. of veg.	Drink	Dessert

21. ——

Sandwiches:
22. Ham.
23. American cheese.
24. Barbecue beef.
25. Barbecue ham.
26. Chicken salad.
27. Ham and cheese.
28. Sliced chicken.
29. Bacon and tomato.
30. Hot beef with potatoes.
31. Hot pork.
32. Hot steak.

Steaks and chops and fish:
33. T-bone.
34. Sirloin.
35. Club steak.
36. Pork chops.
37. Broiled flounder.
38. Trout.

Drinks:
39. Coffee.
40. Tea (iced).

TABLE IV—DRUG AND DEPARTMENT STORE SODA FOUNTAINS AND SIMILAR ESTABLISHMENTS

1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Appetizers (except alcoholic):
4. Shrimp cocktail.
5. Oyster cocktail.
6. Fruit cocktail.

Pie, soup, etc.:
7. Pie.
8. Soup (homemade).
9. Soup (canned).
10. Chili.

A la carte luncheon and dinner items (fill in what served with these items in a la carte):
11. Roast beef.
12. Hamburger steak.
13. Liver and onions.
14. Creamed chicken.
15. Fried chicken.
16. Tenderloin of trout.
17. Fried oysters (½ dozen).

Fountain drinks:
18. Malted milk.
19. Milk shake.
20. Sundae.
21. Ice cream soda.
22. Ice cream (dish).
23. Limeade (large).
24. Milk chocolate.
25. Banana split.

Sandwiches:
26. Chicken salad.
27. Ham and cheese.
28. Sliced chicken.
29. Bacon and tomato.
30. Hot beef with potatoes.
31. Hot pork.
32. Hot steak.

Steaks and chops and fish:
33. T-bone.
34. Sirloin.
35. Club steak.
36. Pork chops.
37. Broiled flounder.
38. Trout.

Drinks:
39. Coffee.
40. Tea (iced).

[F. R. Doc. 44-12398; Filed, August 17, 1944; 12:19 p. m.]

[Raleigh Order G-2 Under MPR 426, Amdt. 3]

FRESH FRUITS AND VEGETABLES IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by Regional Delegation Orders Nos. 33, 35, 52 and 53 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation No. 426 and section (f) of Appendix H, section (g) of Appendix I, section (l) of Appendix J and section (r) of Appendix K of that regulation, *It is hereby ordered:* That paragraph (a) of Order No. G-2 under Maximum Price Regulation No. 426, issued by the Raleigh, North Carolina District Office on April 15, 1944, be amended to read as follows:

(a) On and after the effective date of this order, the maximum delivered prices of service wholesalers whose places of business are located in the counties of Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Robeson, Sampson, Scotland, Tyrrell, Vance, Wake, Warren, Washington, Wayne and Wilson, North Carolina, selling commodities covered by Appendices A, G, H, I, J and K of Maximum Price Regulation No. 426, are hereby increased 6¢ per container of less than 40 pounds, gross weight; 12¢ per container of 40 pounds to 60 pounds, gross weight; and 15¢ per container of over 60 pounds, gross weight, over and above the maximum prices established by Appendices A, G, H, I, J and K aforesaid. If the prices established in any of said appendices shall have been modified by any order issued by the Raleigh, North Carolina District Office of the Office of Price Administration which order is in effect at the time of the sale or delivery the increases above stated shall be made to those prices as modified. These maximum delivered prices shall apply irrespective of the distance involved in making delivery to the purchaser. Less than the maximum delivered prices may always be charged.

It is further ordered, That paragraph (b) of said order is amended to read as follows:

(b) If the purchaser elects to take delivery at the service wholesaler's platform there shall be no increase allowed over the maximum prices as established by Appendices A, G, H, I, J and K of Maximum Price Regulation No. 426.

This amendment shall become effective August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

THEODORE S. JOHNSON,
District Director.

[F. R. Doc. 44-12395; Filed, August 17, 1944; 12:21 p. m.]

[Portland Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN PORTLAND, OREG., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Portland District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order. Official posters may be obtained from your local War Price and Rationing Board.

(a) Listed at the end of this order are three Appendices. Appendix A lists items chiefly served in Chinese style restaurants. Appendix B lists items chiefly served in Italian style restaurants. Appendix C lists items served generally in regular American style restaurants. From these Appendices choose the one most applicable to your establishment. Then first list on the poster as many of the food items and meals listed in

the Appendix as you offer for sale and the ceiling price for each.

(b) If you do not offer all the 40 items listed in the appendix chosen, then add as many other items which you usually offer to bring the total number to 40 with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer, with your ceiling price for each and on the line immediately following the last line filled in state "Complete Menu Shown Above."

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that the items can be easily read by your customers in accordance with instructions given on the back of the poster you will receive.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver all three copies to your local War Price and Rationing Board on or before August 23, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the old poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters. Every poster issued will be charged out on an accountable basis. Additional posters may be secured only on the surrender of the original poster or posters.

SEC. 4. *Geographical applicability.* The provisions of this Order extend to all eating and drinking establishments located within the Portland District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

McDANNELL BROWN,
District Director.

APPENDIX A—CHINESE STYLE RESTAURANTS

If you operate a Chinese restaurant (one which offers primarily Chinese style foods), you must post and submit a list of the following items and your ceiling prices therefor, in triplicate, to your Local War Price and Rationing Board, as required by sections 1 and 2 of this posting order. If any of the items listed below are not offered for sale by your establishment, additional items must be selected from your menu and posted, in order to complete the required listing of 40 items. Items must be placed on the official poster, which you will obtain from your Local War Price and Rationing Board, exactly as they appear below, with the addition of such information as may be requested in the footnotes under this Appendix A.

1. Chinese noodle soup.
2. Green vegetable soup.
3. Pork chow mein.
4. Chicken chow mein.
5. Beef chow mein.
6. Pork chop suey.
7. Chicken chop suey.
8. Beef chop suey.
9. Pork noodles.
10. Shrimp chop suey.
11. Chicken noodles.
12. Chop suey noodles.
13. Tomato curry noodles.
14. Egg foo young, pork.
15. Egg foo young, chicken.
16. Egg foo young, crab.
17. Egg foo young, shrimp.
18. Plain steamed rice.
19. Beef rice.
20. Pork fried rice.
21. Chicken fried rice.
22. Crab fried rice.
23. Shrimp fried rice.
24. Side of pork.
25. Sweet and sour spare ribs.
26. Fried chicken.
27. Fried prawns.
28. Green vegetables.
29. Water chestnuts.
30. Coffee (cup).
31. Tea (pot).
32. Milk.[3]
33. Almond cookies.
34. Ice cream.
35. Pies.[3]
36. Combination plate luncheon, ( ) courses.[2]
37. Combination plate dinner, ( ) courses.[2]
38. Chinese dinner, ( ) courses.[2]
39 and 40. Any two other items from your menu.

[1] List in parentheses on your poster your ceiling price for milk and the size of the bottle, i. e., half pint or 10 ounce. Example: "milk (10 ounce) 5¢".

[2] List your ceiling price for standard types of pie. If you have higher prices for special pies, insert after the word "pies" on your poster, in parentheses, the word "except" followed by a list of the types of pies which you sell at a higher price.

[3] Insert within the parentheses the number of courses included. For the purposes of this order, tea or any other beverage, or bread and butter may not be counted as a course. In counting the courses which comprise a meal, appetizers and cocktails are considered as items in the same course, and even though both are served, such serving may be counted only as one course.

APPENDIX B—ITALIAN STYLE RESTAURANTS

If you operate an Italian restaurant (one which offers primarily Italian style foods), you must post and submit a list of the following items and your ceiling prices therefor, in triplicate, to your Local War Price and Rationing Board, as required by sections 1 and 2 of this posting order. If any of the items listed below are not offered for sale by your establishment, additional items must be selected from your menu and posted, in order to complete the required listing of 40 items. Items must be placed on the official poster, which you will obtain from your Local War Price and Rationing Board, exactly as they appear below, with the addition of such information as may be requested in the footnotes under this Appendix B.

1. Appetiser or antipasto.
2. Soups, ready to serve (small bowl).
3. Spaghetti with meat sauce, a la carte.[1]
4. Spaghetti and meat balls, a la carte.
5. Ravioli, a la carte.
6. Veal scallopini, a la carte.
7. Fried chicken, a la carte.
8. Spaghetti with meat sauce dinner, ( ) courses.[2]
9. Spaghetti and meat ball dinner, ( ) courses.[2]
10. Ravioli dinner, ( ) courses.[2]
11. Veal scallopini dinner, ( ) courses.[2]
12. Fried chicken dinner, ( ) courses.[2]
13. Hot poultry sandwiches.
14. Hot meat sandwiches.
15. Ham sandwich.
16. Italian salad.
17. Pudding.
18. Ice cream (dish).
19. Pie.[3]
20. Coffee (cup).
21. Tea (cup).
22. Milk.[4]
23. Through 40. Any other items from your menu.

[1] For all entrees labeled a la carte on this list, you must specify any additional items served with the entrees, such as bread and butter, one or two vegetables, or beverage.

[2] Insert within the parentheses the number of courses included. For the purpose of this order, only the following may be counted as courses: antipasto (including cocktails and other appetizers), soup, salad, entree, and dessert. If additional items are served with the meal, such items cannot be counted as courses. For example, bread and butter cannot be counted as a course or a beverage served with the meal cannot be counted as a course, etc. Indicate on your poster whether a meal is served with or without beverage.

[3] List your ceiling price for standard types of pie. If you have higher prices for special pies, insert after the word "pies" on your poster, in parentheses, the word "except" followed by a list of the types of pies which you sell at a higher price.

[4] List in parentheses on your poster your April 4–10, 1943 ceiling price for milk and the size of the bottle, i. e., half pint or 10 ounce. Example: "milk (10 ounce) 5¢".

APPENDIX C—REGULAR AMERICAN STYLE RESTAURANTS

If you operate an eating or drinking establishment other than a Chinese or Italian restaurant, as defined in Appendices A and B of this order, you must post and submit a list of the following items and your ceiling prices therefor, in triplicate, to your Local War Price and Rationing Board, as required by sections 1 and 2 of this posting order. If any of the items listed below are not offered for sale by your establishment, additional items must be selected from your menu and posted, in order to complete the required listing of 40 items. Items must be placed on the official poster, which you will obtain from your Local War Price and Rationing Board, exactly as they appear below, with the addition of such information as may be requested in the footnotes under this Appendix C.

1. Tomato juice.
2. Orange juice.
3. Soups ready to serve.
4. Soups to order.
5. Bacon and eggs.
6. Ham and eggs.
7. Two eggs boiled, fried, scrambled, or plain poached.
8. Fried salmon, a la carte.[1]
9. Fried halibut, a la carte.
10. Fried filet of sole, a la carte.
11. Fried pork chops (two), a la carte.
12. Hamburger steak, a la carte.
13. Pot roast of beef, a la carte.
14. Roast pork, a la carte.
15. Meat stew, a la carte.
16. Fried chicken, a la carte.
17. Plain round steak, a la carte.
18. Veal cutlet, breaded, a la carte.
19. Hot cakes and syrup.
20. Cereals—hot or cold.[2]
21. Ham sandwich.[3]
22. American cheese sandwich.
23. Lettuce and tomato sandwich.
24. Hamburger sandwich.
25. Tuna fish sandwich.
26. Hot meat sandwiches.
27. Hot turkey sandwich.
28. Combination vegetable salad.
29. Crab a la Louis.
30. Pie.[4]
31. Ice cream (dish).
32. Layer cake.
33. Hot coffee (cup).
34. Hot tea.[5]
35. Milk.[6]
36. Club luncheon, ( ) courses.[7]
37. Fried salmon dinner, ( ) courses.[7]
38. Pot roast of beef dinner, ( ) courses.[7]
39. Roast pork dinner, ( ) courses.[7]
40. Roast turkey and dressing, ( ) courses.[7]

[1] For all entrees labeled a la carte on this list, you must specify any additional items served with the entrees, such as bread and butter, one or two vegetables, or beverage.

[2] Specify whether cereals are served with cream or "half and half". If, in the base period, you charged more for cereal served with cream than you would for cereals served with "half and half", then you must list on your poster the price for cereals served with "half and half".

[3] Specify on your poster, in parentheses, whether the ham used is boiled, baked, or pressed.

[4] List your ceiling price for standard types of pie. If you have higher prices for special pies, insert after the word "pies" on your poster, in parentheses, the word "except" followed by a list of the types of pies which you sell at a higher price.

[5] Specify whether your base period price for tea is per cup or pot. If both were served in the base period and a higher price was charged per pot, you must list the price per cup on your poster.

[6] List in parentheses on your poster your ceiling price for milk and the size of the bottle, i. e., half pint or 10 ounce. Example: "milk (10 ounce) 5¢".

[7] Insert within the parentheses indicated the number of courses included in your meal, in accordance with your base period practice. For purposes of this order, the following, and only the following, may be counted as courses: appetiser (including cocktail), soup, salad, entree, and dessert. Neither beverages nor bread and butter may be counted as courses for the purpose of this order.

[F. R. Doc. 44-12402; Filed, August 17, 1944; 12:18 p. m.]

[Nevada Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN NEVADA DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942 as amended, Executive Orders 9250 and 9328, and under the authority vested in the District Director of the Nevada District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, and for the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling price for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items as you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) If you list meals which include one of the items listed in Appendix A, state the type of meal as in subdivision (d) of this section and in addition the number of courses included in each meal and a description of each course (for example, soup, salad, beverage, dessert) so that your customers will know exactly what the meal offered consists of and its lawful ceiling price.

(f) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(g) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Nevada District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Nevada District Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23 765; 57 Stat. 566; Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

JAMES H. BRADSHAW,
District Director.

APPENDIX A—LIST OF 40 BASIC ITEMS

Breakfast items:
- Tomato juice.
- Hot cakes and syrup.
- Cereals—hot with cream.
- Cereals—cold with cream.
- Ham or bacon and eggs.
- Two eggs, fried, boiled or scrambled.
- Stewed prunes.
- French toast with jelly or syrup.
- Plain omelette—3 eggs.

A la carte:
- Soup du jour.
- Vegetable plate.
- Grilled halibut.
- Fried filet of sole.
- Hamburger steak.
- Liver and bacon or onions.
- Pork chops.
- Pot roast of beef.
- Roast pork.

A la carte—Continued.
Breaded veal cutlet.
Roast turkey.
Chicken a la king.
Baked spaghetti or macaroni.
Roast sirloin of beef.
Salads:
Combination.
Fruit.
Potato.
Chicken.
Sandwiches:
Cheeseburger.
Fried ham.
Ham and egg (or bacon and egg).
American cheese.
Lettuce and tomato.
Hamburger.
Ham and cheese.
Hot beef, potatoes and gravy.
Desserts:
Apple pie.
Ice cream.
Jello.
Beverages:
Coffee.
Milk.

[F. R. Doc. 44-12401; Filed, August 17, 1944; 12:16 p. m.]

[Los Angeles Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN LOS ANGELES, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Los Angeles District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Los Angeles District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

FRANK S. BALTHIS, Jr.,
District Director.

APPENDIX A

40 BASIC FOOD ITEMS AND MEALS TO BE POSTED

Food items:
Ham and eggs.
Bacon and eggs.
Two fried eggs.
Hot cakes.
Cold cereal.
Hamburger steak.
Top sirloin steak.
Fried chicken.
Food items—Continued.
Hot roast turkey.
Two pork chops.
Lamb chops.
Pot roast of beef.
Roast pork.
Roast leg of lamb.
Short ribs of beef.
Veal cutlets breaded.
Beef liver and bacon.
Meat loaf.
Meat balls and spaghetti.
Chili and beans.
Italian spaghetti.
Frankfurters and sauerkraut.
Filet of sole fried.
Shrimp fried.
Hamburger sandwich.
Hot roast beef sandwich.
Hot roast pork sandwich.
Cold chicken sandwich.
Cold ham sandwich.
Chicken salad sandwich.
Combination vegetable salad.
Vegetable soup.
Apple pie.
Ice cream plain.
Coffee.
Milk.
Chocolate malted milk.
(All above are a la carte items.)
Meals:
Club breakfast—Fruit or cereal; toast and coffee.
Lunch—Assorted cold meat plate.
Dinner—Roast beef.

[F. R. Doc. 44-12400; Filed, August 17, 1944; 12:18 a. m.]

[Seattle Order G-1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN SEATTLE, WASH., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered that Order No. G-1 be amended in the following respects:

1. The text of section 1 preceding paragraph (a) is amended to read:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, within one week after receipt thereof and in no event later than August 26, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

2. The date appearing in the first sentence of section 2 is amended to read "August 31, 1944" instead of "August 21, 1944".

This amendment shall become effective August 9, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 787; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44-12403; Filed, August 17, 1944; 12:15 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 14, 1944.

REGION I

Boston Order 6-F, Amendment 8, covering fresh fruit and vegetable prices in certain areas in Massachusetts, filed 9:47 a. m.

REGION II

Binghamton Order 1-F, Amendment 18, covering fresh fruit and vegetable prices in certain areas in New York, filed 9:49 a. m.

Buffalo Order 2-F, Amendment 15, covering fresh fruit and vegetable prices in Rochester, East Rochester, Fairport, and Pittsford, filed 9:47 a. m.

Buffalo Order 2-F, Amendment 16, covering fresh fruit and vegetable prices in certain areas in New York, filed 9:47 a. m.

Scranton Order 3-F, Amendment 10, covering fresh fruit and vegetable prices in certain counties in Pennsylvania, filed 9:48 a. m.

District of Columbia Order 1-F, Amendment 20, covering fresh fruit and vegetable prices in certain areas in Virginia, Maryland, and District of Columbia, filed 9:49 a. m.

Erie Order 13-F, covering community food prices in the city of Erie, filed 9:49 a. m.

Maryland Order 1-F, Amendment 19, covering fresh fruits and vegetable prices in certain areas in and around Baltimore, Md., filed 9:48 a. m.

Maryland Order 3-F, Amendment 6, covering fresh fruit and vegetable prices in surrounding Washington and Hagerstown, Md., filed 9:49 a. m.

Philadelphia Order 3-F, Amendment 3, covering fresh fruit and vegetable prices in certain areas in Pennsylvania, Filed 9:52 a. m.

Philadelphia Order 1-F, Amendment 18, covering fresh fruit and vegetable prices in the city and county of Pennsylvania, filed 9:52 a. m.

Philadelphia Order 2-F, Amendment 3, covering fresh fruit and vegetable prices in certain counties in Pennsylvania, filed 9:52 a. m.

Williamsport Order 1-F, Amendment 19, covering fresh fruit and vegetable prices in certain counties in Pennsylvania, filed 9:51 a. m.

Trenton Order 8-F, Amendment 1-A, covering fresh fruit and vegetable prices in Mercer, Middlesex, and Monmouth counties in New Jersey, filed 9:48 a. m.

Trenton Order 5-F, Amendment 2, covering fresh fruit and vegetable prices in Mercer, Middlesex, Monmouth counties in New Jersey, filed 9:48 a. m.

REGION III

Grand Rapids Order F-14-B, Amendment 28, covering fresh fruit and vegetable prices in certain areas in Michigan, filed 9:45 a. m.

Detroit Order 1-F, Amendment 31, covering fresh fruit and vegetable prices in certain counties in Michigan, filed 9:45 a. m.

Cincinnati Order 2-F, Amendment 36, covering fresh fruit and vegetable prices in certain counties in Ohio.

Grand Rapids Order F-14-C, Amendment 10, covering fresh fruit and vegetable prices in certain areas in Michigan, filed 9:48 a. m.

Grand Rapids Order F-14-A, Amendment 28, covering fresh fruit and vegetable prices in certain areas in Michigan, filed 9:54 a. m.

REGION IV

Charlotte Order 2-F, Amendment 9, covering fresh fruit and vegetable prices in certain areas in North Carolina, filed 9:55 a. m.

REGION V

Shreveport Order 3-F, Amendment 18, covering fresh fruit and vegetable prices in certain areas in Louisiana, filed 9:40 a. m.

Shreveport Order 2-F, Amendment 26, covering fresh fruit and vegetable prices in certain areas in Louisiana, filed 9:55 a. m.

Dallas Order 2-F, Amendment 8, covering fresh fruit and vegetable prices in certain areas in Texas, filed 9:55 a. m.

Lubbock Order G-17, covering fresh fruit and vegetable prices in certain areas in Texas, filed 9:40 a. m.

New Orleans Order 2-F, Amendment 31, covering fresh fruit and vegetable prices in certain Parishes in Louisiana, filed 9:50 a. m.

New Orleans Order 1-F, Amendment 9, covering fresh fruit and vegetable prices in certain areas in Louisiana, filed 9:51 a. m.

REGION VI

Sioux City Order 2-F, Amendment 29, covering fresh fruit and vegetable prices in certain cities in Nebraska, filed 9:51 a. m.

Peoria Order 2-F, Amendment 14, covering fresh fruit and vegetable prices in certain cities in Illinois, filed 9:56 a. m.

Peoria Order 3-F, Amendment 14, covering fresh fruit and vegetable prices in the County of Will in Illinois, filed 9:56 a. m.

Peoria Order 4-F, Amendment 9, covering fresh fruit and vegetable prices in certain areas in the county McLean in Illinois, filed 9:56 a. m.

REGION VIII

Phoenix Order 6-W, Amendment 1, covering certain dry goods in certain areas in Arizona, filed 9:51 a. m.

Spokane Order 2-F, Amendment 17, covering fresh fruit and vegetable prices in certain areas of Kotenai County, Idaho, filed 9:56 a. m.

San Diego Order 3-F, Amendment 3, covering fresh fruit and vegetable prices in certain areas in California, filed 9:57 a. m.

Fresno Order 6, Amendment 1, covering community food prices in the Fresno district area, filed 9:58 a. m.

Fresno Order 3, Amendment 1, covering community food prices in the Merced county area, filed 9:57 a. m.

Fresno Order 5, Amendment 1, covering community food prices in Kern county area, filed 9:58 a. m.

Fresno Order 2, Amendment 1, covering community food prices in Fresno outlying area, filed 9:59 a. m.

Fresno Order 5-F, Amendment 3, covering fresh fruit and vegetable prices in certain counties in California, filed 9:59 a. m.

Fresno Order 4, Amendment 2, covering community food prices in Stanislaus county area, filed 9:59 a. m.

Fresno Order 4-F, Amendment 3, covering fresh fruit and vegetable prices in certain areas in California, filed 10:00 a. m.

Fresno Order 3-F, Amendment 14, covering fresh fruit and vegetable prices in certain cities in California, filed 10:00 a. m.

Seattle Order 99, covering community food prices in Yakima area, filed 10:07 a. m.

Seattle Order 98, covering community food prices in the Menatchee area, filed 10:06 a. m.

Seattle Order 97, covering community food prices in Centralia-Chehalis area, filed 10:06 a. m.

Seattle Order 96, covering community food prices in the Aberdeen-Hoquiam area, filed 10:06 a. m.

Seattle Order 90, covering community food prices in the Seattle area, filed 10:05 a. m.

Seattle Order 91, covering community food prices in the Tacoma area, filed 10:05 a. m.

Seattle Order 92, covering community food prices in the City of Everett in Washington, filed 10:04 a. m.

Seattle District Order 94, covering community food prices in the Bellingham, Washington area, filed 10:04 a. m.

Seattle Order 93, covering community food prices in the Bremerton area, filed 10:04 a. m.

Seattle Order 95, covering community food prices in the Olympia area, filed 10:03 a. m.

Los Angeles Order 1-W, covering certain dry groceries in the Metropolitan area, filed 10:03 a. m.

San Diego Order 2-F, Amendment 4, covering fresh fruit and vegetable prices in certain areas in California, filed 10:02 a. m.

San Diego Order 1-F, Amendment 54, covering fresh fruit and vegetable prices in certain areas in California, filed 10:12 a. m.

San Diego Order 1-F, Amendment 53, covering fresh fruit and vegetable prices in certain areas in California, filed 10:02 a. m.

Phoenix Order 3-F, Amendment 31, covering fresh fruit and vegetable prices in all the area within a 25 mile radius of Phoenix.

Fresno Order 2-F, Amendment 17, covering fresh fruit and vegetable prices in certain counties in California, filed 10:00 a. m.

Fresno Order 1-F, Amendment 29, covering fresh fruit and vegetable prices in certain counties in California, filed 10:00 a. m.

Los Angeles Order 1-F, Amendment 26, covering fresh fruit and vegetable prices in certain areas in California, filed 10:01 a. m.

Spokane Order 1-F, Amendment 20, covering fresh fruit and vegetable prices in certain areas in Washington, filed 9:57 a. m.

Fresno Order 1, Amendment 1, covering community food prices in the Fresno City area, filed 9:59 a. m.

Phoenix Order 8-W, Amendment 1, covering certain dry groceries in Gila Valley area, filed 9:51 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-12450; Filed, August 18, 1944; 11:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-102, 59-19, 54-34, 54-76]

GENERAL GAS & ELECTRIC CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING ON JOINT PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of August, 1944.

In the matters of General Gas & Electric Corporation, Trustees of Associated Gas and Electric Corporation with respect to a "Plan of Divestment of Assets, Simplification of Corporate Structure and Equitable Distribution of Voting Power of General Gas & Electric Corporation", File No. 54-102; General Gas & Electric Corporation, File Nos. 59-19; 54-34; and Trustees of Associated Gas and Electric Corporation, File No. 54-76.

The Commission having heretofore instituted a proceeding, designated as File 59-19, with respect to General Gas & Electric Corporation ("Gengas"), a registered holding company, under section 11 (b) (2) of the Public Utility Holding Company Act of 1935, involving, among others, certain issues with respect to the simplification of its corporate structure, the equitableness of the distribution of voting power among its security holders, the necessity for its continued existence, the nature and ex-

tent of claims against it based upon its outstanding securities or otherwise, the relative rank of such claims, and whether and to what extent, if any, the claims held by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas & Electric Corporation ("Agecorp"), a registered holding company and the parent of Gengas, should be subordinated to any such claims held by the public (Holding Company Act Release Nos. 2545, 3766, and 4382); and

Gengas having filed a plan under section 11 (e), designated as File No. 54–34 (as set forth in Holding Company Act Release No. 2596), after the commencement of the proceeding under section 11 (b) (2) of the act; and, thereafter, said trustees having filed a separate plan with respect to Gengas under section 11 (e), designated as File No. 54–76 (as set forth in Holding Company Act Release No. 4382); and

Said proceeding under section 11 (b) (2) of the act, designated as File No. 59–19, and said proceedings under section 11 (e) of the act, designated as File Nos. 54–34 and 54–76, having been consolidated and public hearings having been held in said consolidated proceeding, wherein the evidence has been completed with respect to the plan of the Trustees, and the hearings in all other respects continued generally, and none of the issues involved having been submitted to the Commission for its determination;

Notice is hereby given that said trustees and Gengas have now jointly filed "a Plan of Divestment of Assets, Simplification of Corporate Structure and Equitable Distribution of Voting Power of General Gas & Electric Corporation" ("Joint Plan") under section 11 (e) of the act (designated as File No. 54–102), which, by its terms, is intended to supersede all plans with respect to Gengas heretofore filed under section 11 (e) of the act;

All interested persons are referred to said joint plan which is on file at the offices of this Commission for a full statement of the terms of the transactions proposed therein, which may be summarized as follows:

The joint plan represents that, as at December 31, 1943, the claims against Gengas and liquidation preferences of the outstanding securities of Gengas are:

Claims	Principal amount per books	Held by—		Percent of Agecorp estate's interest in total
		Estate of Agecorp	Others [1]	
				Percent
Contingent tax liability	$3,500,000.00	$3,500,000.00		100
Open accounts	468,826.42	468,826.42		100
6% convertible obligation, due March 1, 1952	737,500.00	737,500.00		100
Accrued interest on open accounts and 6% convertible obligation, due March 1, 1952	288,598.26	288,598.26		100
4% interest bearing scrip due December 30, 1942, and accrued interest	1,180,069.33	1,180,069.33		100
Dividends withheld on $5.00 prior preferred stock [2]	278,880.00	278,880.00		100
Total claims	5,486,474.30	5,483,474.30		100

[1] Public claims totaling $84,586.11 are not affected by this Plan as they are being currently paid upon presentation.

Securities	Total liquidating preference including dividends	Applicable to—		Percent of Agecorp estate's interest in total
		Estate of Agecorp	Others	
				Percent
Preferred stocks:				
$5.00 Prior Preferred Stock and Scrip	$6,312,447.92	$2,934,160.00	$3,378,287.92	46.48
$6.00 Cum. Pfd. Stock, Series A	55,328,356.80	53,601,577.25	1,726,779.55	96.88
$6.00 Cum. Pfd. Stock, Series B	46,787,352.80	45,639,209.75	1,148,143.75	97.55
$7.00 Cum. Pfd. Stock, Series B	3,899,645.46	3,554,898.13	345,197.36	91.15
$7.00 Cum. Pfd. Stock, Series B	2,668.76		2,668.76	
$8.00 Cum. Pfd. Stock, Series A	2,519,156.10	2,290,467.00	228,689.10	90.93
Total preferred stocks	114,849,627.84	108,019,912.13	6,829,695.13	94.06
Common stocks:				
Class A Stock and Scrip	24,575,462.22	13,566,560.63	11,008,901.60	55.21
Class B Stock and Scrip	13,250,680.68	13,194,606.13	83,073.55	99.57
Total common stocks	38,813,462.23	26,761,166.76	11,518,975.45	71.07

[2] Excludes $278,880 of dividends declared but withheld from the Estate of Agecorp pending further order of the Commission.

In connection with the foregoing tabulation, the joint plan indicates that the Prior Preferred Stock is entitled to cumulative dividends of $5 per share per annum, and in liquidation to $100 per share and accrued dividends in priority to all other classes of stock; thereafter the cumulative preferred stocks are entitled to cumulative dividends at the rates specified above and in liquidation to $100 per share and accrued dividends, without distinction as to series. In liquidation the Class A stockholders, after $100 per share and accrued dividends have been paid on the prior preferred and cumulative preferred stocks, are entitled to receive $5.00 per share, and also participate equally with the Class B stockholders, on a share for share basis, after the Class B stockholders receive $5.00 per share. The Class A Stock is entitled to a non-cumulative dividend of 30¢ per share per year after provision for dividends on the prior and cumulative preferred stocks. The Class A Stock is also entitled to an equal distribution per share with the Class B Stock, after provision for Class B dividend of 30¢ per share per year.

The Joint Plan further represents that the assets of Gengas are stated on its books, at December 31, 1943, at $31,122,598.73, and that any distribution of the assets of Gengas among its security holders in accordance with the terms of their securities would fully cover the claims of Prior Preferred stockholders and, to some extent, those of Cumulative Preferred stockholders, but that the Gengas Common Stocks Class A and B would have no value whatsoever.

The Joint Plan recites that it has been claimed on behalf of the public holders of Gengas Common Stocks Class A and B, that causes of action exist against Associated Gas and Electric Company ("Ageco"), the parent of Agecorp, Agecorp and certain of their subsidiaries. The joint plan further recites that more importantly it has been claimed that the public holders of Gengas securities are entitled, by analogy to the principles announced by the Supreme Court of the United States in the case of Taylor v. Standard Gas & Electric Company, 306 U. S. 307 (the so-called "Deep Rock" case), to require subordination of the interests of the Agecorp Estate and thus of the creditors of Ageco and Agecorp in securities of and claims against Gengas to the interests of the public security holders of Gengas.

Accordingly, it is stated, the provisions of the joint plan are now proposed as a compromise of all issues between the public holders of the securities of Gengas on the one hand, and the Trustees of Agecorp and/or Ageco, and their subsidiary companies, on the other hand. In this connection, the joint plan further represents that its provisions have been approved by a Protective Committee representing certain public holders of Gengas Common Stock Class A, as well as the Trustees of Agecorp and the Board of Directors of Gengas, the latter acting upon advice of independent counsel.

Said joint plan proposes that the public holders of the outstanding securities of Gengas be accorded the following treatment:

1. The public holders of the $5 Prior Preferred Stock of Gengas are to receive, for each share held, $100 per share plus unpaid dividends at the rate of 5% per annum to the effective date of the joint plan, in cash or in shares of 5% Preferred Stock $50 par value of South Carolina Electric & Gas Company at par, at the option of Gengas.

2. The public holders of the $6, $7, and $8 Dividend Series Cumulative Preferred Stock of Gengas are to receive, for each share held, $100 per share plus unpaid dividends at contract rates from September 15, 1936, to the effective date of the joint plan, in cash or in 5% Preferred Stock $50 par value of South Carolina Electric & Gas Company at par, at the option of Gengas.

3. Said joint plan states that the outstanding shares of common stock of Florida Power Corporation, a subsidiary of Gengas, will be reclassified into a total issue of 857,143 shares of common stock of a par value of $7.50 per share, and provides that the public holders of the Common Stock Class A and B of Gengas are to receive, without regard to the dates of acquisition of their holdings, for each share of Gengas Common Stock Class A and B, $1.65 in cash and one-fifth (⅕) of a share of the reclassified common stock of Florida Power Corporation. The joint plan further provides that to the extent that shares of Gengas Common Stock Class A and B are presented in a lot of less than five or in a lot not evenly divisible by five, distribution shall be made in the ratio provided above, except that no fractional shares of Florida Power Corporation common stock shall be issued. In lieu of such fractional shares, temporary receipts shall be issued which, when combined with additional receipts together calling for one or more full shares of Florida Power Corporation common stock shall be exchangeable for full share certificates for such stock plus any dividends declared and payable thereon since the effective date of the joint plan. It is proposed that the holders of such receipts will not be entitled to any rights as shareholders of Florida Power Corporation until such receipts have been exchanged for full shares. At the end of six (6) years from the effective date of the Joint Plan, any such receipts remaining outstanding are to become null and void.

The joint plan further provides that to the extent that any dividends or other distributions are made upon the common stock of Florida Power Corporation between the date of said joint plan (August 11, 1944) and its effective date, the amount of any such dividend or other distribution allocable to each share of Florida Power Corporation common stock distributable under the joint plan will be distributed with the shares of the common stock.

4. The public holders of outstanding scrip certificates and miscellaneous claims for various securities of Gengas, when presented in full share equivalents, will receive the distributions applicable to the securities which the scrip certificates represent, subject to the terms of the respective scrip certificates and claims. If such scrip certificates or claims are presented in less than full share equivalents, Gengas may at its option make distribution as above indicated, or pay in cash the equivalent market value, at the date of presentation, of the Gengas security represented, or of the security, distribution of which is provided for above.

5. The joint plan further provides that six (6) years from its effective date, all securities of and all claims against Gengas affected by the joint plan will be and become in all respects null and void.

Upon the proposed distribution of the cash and other assets of Gengas to its public security holders, as above described, the joint plan states there will remain no claims against Gengas except those held by the Trustees of Agecorp. The joint plan proposes that such claims held by said Trustees at the effective date of the joint plan be cancelled or surrendered in consideration of the delivery to or upon the order of said Trustees or their successor in interest of the following:

1. All Florida Power Corporation common stock not distributable to public security holders under the Joint Plan;

2. The entire issue of a single class of new common stock of Gengas in such amount as said Trustees or their successor in interest shall determine to be appropriate, and as the Commission may approve;

3. Releases by Gengas to Ageco, Agecorp and their subsidiaries of any claims which may exist at the effective date of the joint plan in favor of Gengas, except the right of public security holders to receive the securities and cash distributable to them pursuant to the joint plan; and

4. All assets distributable to public security holders pursuant to the joint plan, not actually so distributed within six years from the effective date of the joint plan.

It is stated in the joint plan that the Trustees of Agecorp will consent to the entry by the Commission of a divestment order pursuant to section 11 (b) (1) of the act requiring that they divest themselves of all interest, direct or indirect, in the common stock of Florida Power Corporation distributable to them pursuant to the joint plan.

The joint plan then states that, upon its consummation, the principal asset of Gengas will be the common stock of South Carolina Electric & Gas Company, and at such time as tax and other relevant considerations permit, Gengas may be dissolved, or its outstanding securities distributed among the security holders of such company as may emerge as a result of the reorganization of Ageco and Agecorp, or otherwise disposed of, as may appear to be appropriate.

The joint plan provides that its consummation is subject to the following contingencies:

(a) The consummation of transactions affecting Florida Power Corporation and Georgia Power and Light Company, subsidiaries of Gengas, whereby Georgia Power and Light Company will become a subsidiary of Florida Power Corporation, the outstanding indebtedness of Georgia Power and Light Company will be reduced and its preferred stocks eliminated, and the outstanding preferred stocks of Florida Power Corporation will be refinanced. (Proceedings with respect to the foregoing program are pending before the Commission (Holding Company Act Release No. 5025).) In addition to the foregoing transactions, and in order to effectuate the provisions of the joint plan, the outstanding 3,000,000 shares of Common Stock, without par value, of Florida Power Corporation will be reclassified into 857,143 shares of Common Stock of a par value of $7.50 per share.

(b) Approval of the joint plan by the Commission in proceedings under section 11 (e) of the act by an order meeting the requirements of Supplement R of the United States Internal Revenue Code, so far as applicable.

(c) The entry by a court of competent jurisdiction of an appropriate decree finding the joint plan fair and equitable, and directing its consummation, including, without limiting the generality of the foregoing, the delivery by Gengas to Ageco, Agecorp and their subsidiaries of releases of any claims which may exist in favor of Gengas, except the right on the part of the public security holders of Gengas to receive the securities and assets distributable pursuant to the joint plan; and

(d) An appropriate determination by the Treasury Department as to the tax consequences to the corporations involved of the various transactions required for consummation of the plan which, in the opinion of the Trustees and the Board of Directors of Gengas, shall not be unduly burdensome.

The joint plan provides that its effective date will be the date fixed by the Board of Directors of Gengas for the making of distributions pursuant to the joint plan upon advice of counsel that the foregoing conditions to consummation have been met and that the time to appeal from any material Commission or court determination relating to the joint plan has expired.

The joint plan further provides that any interested person may apply to the Commission, in proceedings for approval of the joint plan, for an allowance of reasonable compensation for services rendered and for reimbursement for proper costs and expenses incurred in connection with the joint plan and other proceedings related thereto.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan submitted thereunder, to find after notice and opportunity for hearing that such plan as submitted, or as modified, is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected by such plan; and it appearing appropriate in the public interest and in the interest of investors and consumers that notice be given and a hearing be held with respect to said joint plan; and

It further appearing to the Commission that the proceeding with respect to said joint plan, designated as File No. 54–102, involves questions of law and fact common to the proceeding heretofore instituted by the Commission under section 11 (b) (2) of the act, designated as File No. 59–19, and that all of the evidence adduced in said proceeding under section 11 (b) (2) of the act and in the proceedings under section 11 (e) of the act, designated as File Nos. 54–34 and 54–76, may have a bearing upon the issues presented by said joint plan, and that a substantial saving of time and expense will result if such evidence adduced in said prior consolidated proceeding is considered in connection with the issues raised by said joint plan;

It is ordered, That the proceeding under section 11 (e) of the act with respect to said joint plan, designated as 54–102, and the pending proceeding under section 11 (b) (2), designated as File No. 59–19, be, and the same hereby are, consolidated;

It is further ordered, That the record of the consolidated proceeding, designated as File Nos. 59–19, 54–34, and 54–76, be, and hereby is, incorporated into the record of the proceeding with respect to said joint plan, designated as File 54–102, and that the records in such proceedings be, and hereby are, consolidated, subject, however, and without prejudice, to the Commission's right upon its own motion, or the motion of any interested party, to strike such portion of the record in respect of said consolidated proceeding, designated as File Nos. 59–19, 54–34, and 54–76, as may be deemed irrelevant to the issues raised by said joint plan;

It is further ordered, That a hearing be held under the applicable provisions of the act and rules promulgated thereunder at 10:00 a. m., e. w. t., on the 12th day of September, 1944, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in room 318, before the trial examiner heretofore designated to preside. All persons desiring to be heard, or otherwise to participate in the proceeding, should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before September 9, 1944;

It is further ordered, That, without limiting the scope of the issues presented in the consolidated proceeding, particular attention will be directed at said hearing to the following matters and questions, in respect to the joint plan:

1. Whether the joint plan as submitted, or as modified, is necessary to effectuate the provisions of section 11 (b) of the act;

2. Whether the treatment proposed to be accorded to the various persons affected by the joint plan is in all respects fair and equitable;

3. Whether the various related and incidental transactions proposed in connection with the joint plan, meet the requirements of the applicable standards of the act and the rules and regulations promulgated thereunder, including the proposals as to the following matters:

(a) The reclassification of the no-par value common stock of Florida Power Corporation;

(b) The cancellation or surrender of all indebtedness of Gengas to Agecorp and all stockholdings of Agecorp in Gengas;

(c) The releases by Gengas to Ageco, Agecorp, and their subsidiaries, of any claims which may exist at the effective date of the joint plan;

(d) The delivery to the Trustees, or upon their order, of all shares of the reclassified common stock of Florida Power Corporation not distributable to the public security holders under the joint plan; and

(e) The reclassification of all securities of Gengas into a single class of new common stock, and the delivery to the Trustees, or their successors in interest, of the shares of such new common stock.

4. Whether any fees, expenses and other considerations which may be claimed in connection with the proposed joint plan and related proceedings, are for necessary services or purposes, reasonable in amount, and properly allocated;

5. Whether, and in what manner, the proposed joint plan should be modified to ensure adequate protection of the public interest and the interest of investors and consumers and compliance with all applicable provisions of the Act and Rules thereunder.

It is further ordered, That notice of said hearing be given to the Trustees of Agecorp and to Gengas by mailing a copy of this notice and order forthwith by registered mail, and that notice be given to all other persons by a general release of this Commission distributed to the press and mailed to the mailing list for releases under the act, and by publication of this notice and order in the FEDERAL REGISTER; and

It is further ordered, That Gengas give notice of said hearing to each of its public security holders (insofar as the identity of such security holders is available or known to Gengas) by mailing to each such security holder, to his last known address, a copy of this notice and order at least fifteen (15) days prior to September 12, 1944; and that Gengas furnish its security holders a copy of the joint plan upon request;

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions, or matters hereinbefore set forth or which may arise in this consolidated proceeding, or to consolidate with this proceeding other filings or matters pertaining thereto, or to take such other action as may appear conducive to an orderly, prompt, and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–12433; Filed, August 18, 1944; 11:40 a. m.]

[File No. 70–960]

OHIO EDISON CO., AND COMMONWEALTH & SOUTHERN CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of August 1944.

Notice is hereby given that a joint application and declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under Sections 6, 7, 9, 10, and 12 and Rules U-42, U-43, U-44, U-45, and U-50 promulgated thereunder by The Commonwealth & Southern Corporation (Commonwealth), a registered holding company, and its subsidiary, Ohio Edison Company (Ohio Edison), a public utility company.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows:

Ohio Edison proposes to issue and sell to the public, through underwriters selected pursuant to the competitive bidding provisions of Rule U-50, $30,962,000 principal amount of new bonds of a series bearing interest at a rate not to exceed 3¼% per annum and maturing in not less than 30 years after date; and 180,000 shares of new preferred stock with a par value of $100 per share of a series having a dividend rate not to exceed 4½% per annum.

Ohio Edison also proposes to issue and sell at private sale to banks $10,000,000 principal amount of instalment promissory notes bearing interest at the rate of 2½% per annum payable in 16 equal semi-annual instalments of which the first instalment shall be payable six months after the date of said notes and subsequent instalments each six months thereafter.

The net proceeds from the sales of the above securities together with treasury funds and other special deposits available aggregating $17,319,786 are to be used by Ohio Edison for the redemption of the following securities outstanding in the hands of the public:

(a) $42,962,000 principal amount of First Mortgage Bonds 4% Series of 1935 due 1965 at the redemption price of 103¾.

(b) $6,484,000 principal amount of First Mortgage Bonds 4% Series of 1937 due 1967 at the redemption price of 106.

(c) 197,585 shares of Preferred Stock, $6 Series at the call price of $110 per share.

(d) 1,367 shares of Preferred Stock, $5 Series at the call price of $105 per share.

In connection with the proposed financing, Commonwealth proposes to make contributions to the common stock equity of Ohio Edison as follows:

(a) By donating to Ohio Edison the 110,000 shares of common stock, no par value, of Pennsylvania Power Company (being all of the outstanding common stock of said company), at the underlying book value, which at May 31, 1944 was $4,516,521.14.

(b) By giving up the right to receive payment for 12,134 shares of Ohio Edison's Preferred Stock, $6.60, $7 and $7.20 Series, which were surrendered and cancelled on December 31, 1943 (concerning which this Commission reserved jurisdiction), amounting to $1,149,707.25.

(c) By surrendering to Ohio Edison for cancellation 1,162 shares of Ohio Edison's Preferred Stock, $6 Series, at the cash cost thereof to Commonwealth, amounting to $96,856.28.

Ohio Edison also proposes to amend its articles of incorporation so as to reduce the stated capital represented by the 1,436,920 shares of its outstanding no par value common stock from an aggregate of $14,499,200 to an aggregate of $14,366,776; to credit the amount of such reduction ($132,424) to capital surplus; and to change the number of shares of common stock into 1,795,847 shares of common stock with a par value of $8 per share, or an aggregate of $14,366,776. It is stated that the purpose of such change is to facilitate the distribution of shares of the common stock of Ohio Edison pursuant to the Amended Plan to change the capitalization of Commonwealth, dated February 19, 1944, filed with the Commission under section 11 (e) of the Act (File No. 54–75), when and as such distribution can lawfully be made.

The application further states that Ohio Edison agrees that the Commission's order herein may contain a condition to the effect that, so long as any of the new bonds or new preferred stock shall remain outstanding it will not declare or pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution of assets to holders of common stock by purchase of shares or otherwise, in an amount which, when added to the aggregate of all such dividends and distributions subsequent to the last day of the month in which the new bonds and new preferred stock are issued (referred to below as "said date"), would exceed the sum of the following amounts:

(a) 75% of the balance of the net income of Ohio Edison earned subsequent to said date available for the payment of dividends on the common stock, after deducting from such net income any dividends received during such period from any subsidiary company, plus.

(b) 100% of the amount of any dividends received subsequent to said date from any subsidiary company,

if, at the time of the declaration of any such dividend or the making of any such distribution, the aggregate of the par value of, or stated capital represented by, the outstanding shares of common stock of Ohio Edison and of the consolidated surplus of Ohio Edison and subsidiary companies would be less than an amount equal to 25% of the total consolidated capitalization and surplus of Ohio Edison and subsidiary companies.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the application and declaration and that the application and declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on the application and declaration under the applicable provisions of the Act and the Rules of the Commission thereunder be held on September 6, 1944, at 11:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further order, That without limiting the scope of issues presented by the filings, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed mortgage bonds, preferred stock and promissory notes are reasonably adapted to the earning power and the security structure of Ohio Edison and are necessary and appropriate to the economical and efficient operation of the business or businesses in which Ohio Edison is presently engaged.

(2) Whether the terms and conditions of the issue and sale of the securities are detrimental to the public interest or the interests of investors or consumers.

(3) Whether the proposed capital contributions by Commonwealth to Ohio Edison comply with the applicable provisions of the act and the rules thereunder.

(4) Whether the fees, commissions, or other renumerations to be paid in connection with proposed transactions are for necessary services and are reasonable in amount.

(5) Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers, with particular attention to all accounting entries in connection with the proposed transactions, to intangibles and other inflationary items in the property and other accounts, to property which is not used or useful in the performance of utility services and to the adequacy of the provisions for maintenance and depreciation.

(6) Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to contravene or circumvent any provisions of the Act or the Rules, Regulations or Orders promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve by registered mail, a copy of this order on the applicants and declarants herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Secretary of the Commission on or before September 5, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–12434; Filed, August 18, 1944; 11:40 a. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 123–A 4]

LOUISVILLE, KY., MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Louisville, Kentucky, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 C.F.R., Cum. Supp., 900.1 et seq.), notice is hereby given of a hearing to be held at the Brown Hotel, Louisville, Kentucky, beginning at 10 a. m., c. w. t., August 24, 1944, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area. These amendments have not received the approval of the War Food Administrator.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below.

Proposed by the Falls Cities Cooperative Milk Producers Association, Louisville, Kentucky:

1. Delete subparagraph (6) of paragraph (d) in § 946.3 and substitute therefor the following:

(6) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class.

(ii) Subtract from the total pounds of milk in each class the total pounds of milk, except emergency milk, which were received from sources other than producers and handlers and used in such class.

(iii) Subtract from the remaining pounds of milk in each class, in series beginning with the lowest-priced Class III use, the pounds of emergency milk received during the delivery period. Skimmed milk or (the milk equivalent of) cream received from sources other than producers under an emergency supply permit issued by the proper health authorities shall be treated as emergency milk for the purposes of this section, if such skimmed milk or (the milk equivalent of) cream is reported to the market administrator in the manner provided for emergency milk in (2) and (3) of § 946 5 (a).

(iv) Subtract pro rata out of the remaining milk in each class the quantity of milk of the handler's own production.

2. Delete paragraph (e) of § 946.3 and substitute the following:

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in the respective classes as computed under paragraph (d) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to § 946.6 (c), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as

computed pursuant to (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

3. Delete subparagraphs (1), (2) and (3) of paragraph (a) of § 946.4 and substitute therefor the following:

(1) *Class I milk.* The price for Class I milk shall be the price for Class III milk, plus $1.05.

(2) *Class II milk.* The price for Class II milk shall be the price for Class III milk, plus 50 cents.

(3) *Class III milk.* The price for Class III milk shall be the price resulting from the following computation by the market administrator: determine, on the basis of milk of 4 per cent butterfat content, the arithmetical average of the basic, or field, prices per hundredweight reported by, and ascertained by the market administrator to have been paid by, the following concerns at the manufacturing plants or places listed herein below, for ungraded milk received during the delivery period:

Concern:	*Location*
Kraft Cheese Co.	Lawrenceburg, Ky.
Armour Creameries	Elizabethtown, Ky.
Armour Creameries	Springfield, Ky.
Kraft Cheese Co.	Salem, Ind.
Ewing-Von Allmen Co.	Corydon, Ind.
Ewing-Von Allmen Co.	Madison, Ind.
Producers' Dairy Marketing Association	Orleans, Ind.

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used: multiply by 4 the average wholesale price per pound of 92-score butter in the Chicago market as reported by the War Food Administration (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, and add 20 per cent: *Provided*, That such price shall be subject to the following adjustments: (1) add 3 cents per hundredweight for each full one-half cent that the price for dry skim milk for human consumption is above 5½ cents per pound, or (2) subtract 3 cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot prices for roller powder for human consumption, as published by the War Food Administration in the Chicago market during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the War Food Administration does not publish carlot prices for dry skim milk for human consumption, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event the Class III price shall be subject to the following adjustments: (1) Add 3 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 6½ cents per pound, or (2) subtract 3 cents per hundredweight for each full one-half cent that such price for dry skim milk is below 6½ cents per pound. In the event the War Food Administration does not publish carlot prices for dry skim milk for human consumption in the Chicago market and the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, cannot be determined, the Class III price shall be adjusted by the market administrator in accordance with the latter event as stated in this subparagraph by making the applicable addition to or subtraction from the price of dry skim milk for human consumption, delivered at the nearest market to the city of Louisville for which such a price can be determined.

4. Delete § 946.6 and substitute therefor the following:

§ 946.6. *Application of provisions—*(a) *Handlers who are also producers.* No provision hereof shall apply to a handler whose sole sources of supply are receipts from his own production and from other handlers who are required to report to the market administrator pursuant to § 946.5 hereof, except that such handlers shall make reports to the market administrator at such time and in such manner as the market administrator may request, and shall permit the market administrator to verify such reports.

(b) *Receipts in bulk from other handlers.* The market administrator, in computing the value of milk received by a handler operating a plant from which milk is disposed of in the marketing area, shall consider as Class III milk any milk or cream received in bulk from a handler who receives no milk from producers other than that of his own production. If such receiving handler disposes of such milk other than as Class III milk, the market administrator shall add to the total value of milk, computed pursuant to § 946.7 (a), the difference between the value of such milk at the Class III price and the value according to its actual usage.

(c) *Payment for excess milk or butterfat.* In the event that a handler, after subtracting receipts from his own production, receipts from other handlers, receipts from sources determined as other than producers or other handlers and receipts of emergency milk, has disposed of milk and/or butterfat in excess of the milk and/or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, such handler shall pay to producers, through the producer-settlement fund, the value of such milk and/or the milk equivalent of such butterfat in accordance with its utilization.

5. Delete § 946.7 and substitute therefor the following:

§ 946.7 *Determination of uniform prices to producers—*(a) *Computation of value of milk for each handler.* For each delivery period the market administrator shall compute, subject to the provisions of § 946.6, the value of milk of producers disposed of by each handler, by multiplying the quantity of such milk in each class by the price applicable to such class and by adding together the resulting class values: *Provided*, That if such handler has received milk (or cream), except emergency milk, from sources other than producers or handlers, as referred to in § 946.3 (d) (6) (ii), there shall be added to the value of milk determined for such handler pursuant to this paragraph an amount computed as follows: multiply the hundredweight of such milk (or milk equivalent of cream) by the difference between the Class III price and the price applicable to the class in which it was disposed.

(b) *Computation and announcement of uniform prices.* The market administrator shall compute and announce the uniform price per hundredweight of milk for each delivery period, as follows:

(1) Combine into one total the respective values of milk computed pursuant to (a) of this section, for each handler who made the report prescribed by § 946.5 (a) for such delivery period;

(2) Subtract, if the average butterfat content of all milk received from producers is in excess of 4 percent, or add, if such average butterfat content is less than 4 percent, the total value of the butterfat differential applicable pursuant to § 946.8 (f);

(3) Subtract for each of the delivery periods of April, May, and June an amount representing 15 cents per hundredweight of milk received from producers by the handlers whose milk values are included under (1) of this paragraph;

(4) Add an amount representing the cash balances in the producer-settlement fund, less the aggregate of the amounts held pursuant to (3) of this paragraph for payment to producers pursuant to (7) of this paragraph;

(5) Divide the amount computed pursuant to (4) of this paragraph by the total hundredweight of milk of producers;

(6) Subtract from the figure computed pursuant to (5) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payment or delinquencies in payments by handlers. This result shall be known as the uniform price for such delivery period for milk of producers containing 4 percent of butterfat; and

(7) For each of the delivery periods of September, October, and November one-third of the aggregate amount subtracted under (3) of this paragraph for the preceding delivery periods of April, May, and June shall be paid by the Milk Market Administrator to the producers and/or their duly authorized agent for

the total hundredweight of milk received from producers an amount per hundredweight which shall be computed as follows: For each of the delivery periods of September, October, and November the amount per hundredweight shall be computed by dividing one-third of the aggregate amount subtracted under (3) of this paragraph by the total hundredweight of milk received from producers by handlers during each delivery period.

(8) On or before the 10th day after the end of each delivery period, notify each handler and publicly announce the uniform price per hundredweight computed pursuant to (6) of this paragraph and for the delivery periods of September, October, and November the uniform price per hundredweight computed pursuant to (7) of this paragraph, the Class III price, and butterfat differentials provided by § 946.4 (c) and § 946.8 (f).

Proposed by the Louisville Milk Distributors' Association, Louisville, Kentucky:

1. Delete § 946.1 (i) and substitute the following:

(i) "Milk" is hereby defined to be the clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and ten days after parturition or such longer period as may be necessary to render the milk practically colostrum free, which has been graded and approved in accordance with the laws, rules and regulations applicable to milk intended for sale for human consumption as Grade "A" pasteurized milk in Louisville, Kentucky, New Albany, Indiana, and Jeffersonville, Indiana, respectively.

(j) "Emergency milk" is milk, skim milk or cream which has been approved by the Health Officers of Louisville and Jefferson County, Kentucky, New Albany, Indiana, and Jeffersonville, Indiana, for certain uses in Class I and Class II during a shortage of such milk as is defined in subparagraph (i) of § 946.1.

2. Delete § 946.3 (b) and substitute therefor the following:

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of as milk and all milk drinks having a butterfat content in excess of 1 percent and all milk not especially accounted for as Class II milk, Class III milk and Class IV milk.

(2) Class II milk shall be all milk disposed of as cream (for consumption as cream) including any cream product disposed of in fluid form which contains less than the minimum butterfat content required for fluid cream, and all skimmed milk disposed of as buttermilk or milk drinks, whether plain or flavored and not classified in Class I.

(3) Class III milk shall be all milk accounted for (i) as used to produce a milk product other than those specified in Class I milk, Class II milk and Class IV milk, and (ii) as actual plant shrinkage but not to exceed 2 percent of the total receipts of milk from producers, emergency milk, milk from other handlers and other sources, and including the handlers own production.

(4) Class IV milk shall be that portion of the milk used to produce butter by a handler reporting utilization in Class III in excess of 10 percent of such handler's total receipts during the reporting period. No handler shall be permitted in any delivery period to report an amount of milk utilized in Class IV in excess of an amount equal to 10 percent of said handler's reported Class I sales for said delivery period.

3. Delete § 946.3 (c) and substitute therefor the following:

(c) *Interhandler and nonhandler transfers of milk.* (1) Milk disposed of by a handler to another handler or to a person who is not a handler but who distributes milk or manufactures milk products shall be Class I milk, and cream and skimmed milk so disposed of shall be Class II milk: *Provided,* That if the selling handler and the purchaser, on or before the 5th day after the end of the delivery period, each furnish to the market administrator similar signed statements that such milk, cream or skimmed milk was disposed of in another class, such milk, cream or skimmed milk shall be classified accordingly, subject to verification by the market administrator.

(2) Milk disposed of from a handler's plant to soda fountains, bakeries, restaurants and other retail food establishments which dispose of milk for both fluid and other uses shall be Class I milk: *Provided,* That milk disposed of in bulk from a handler's plant to any such establishment which, under the applicable health regulations, is permitted to receive milk other than of Grade A quality for non-fluid purposes shall be classified according to its ultimate use or disposition by such establishment, subject to verification by the market administrator.

(3) Cream and skimmed milk disposed of from a handler's plant to soda fountains, bakeries, restaurants, and other retail food establishments which dispose of cream and skimmed milk for both fluid and other uses shall be Class II milk: *Provided,* That cream and skimmed milk disposed of in bulk from a handler's plant to any such establishment which, under the applicable health regulations, is permitted to receive cream and skimmed milk other than of Grade A quality for non-fluid purposes shall be classified according to its ultimate use or disposition by such establishment, subject to certification by the market administrator.

4. Delete the phrase "and skimmed milk" from § 946.3 (d) (3); delete § 946.3 (d) (4), (5), and (6) and substitute therefor the following:

(4) Determine the total pounds of Class II milk as follows: (i) multiply the actual weight of each of the cream products of Class II milk by its average butterfat test, (ii) add together the resulting amounts and (iii) divide the result obtained in (ii) of this subparagraph by 4 percent, (iv) add total pounds of skimmed milk disposed of in the form of buttermilk or milk drinks, whether plain or flavored.

(5) Determine the total pounds of Class III milk as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat tests; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk and Class II milk computed pursuant to (3) (ii) and (4) (ii) of this paragraph and Class IV milk computed pursuant to (6) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 2 percent of the total receipts of butterfat by the handler) and shall be added to the results obtained in (ii) of this subparagraph; and (iv) divide the result obtained in (ii) of this subparagraph by 4 percent.

(6) Determine the total pounds of Class IV milk as follows: (i) divide by 4 the total pounds of butterfat manufactured into butter or sold to a butter manufacturer to determine total cwt. pounds of 4 percent milk used for this purpose by each handler, (ii) add together the resulting amounts; (iii) determine the total pounds of Class III milk in excess of 10 percent of the total pounds of milk received from producers (including the handler's own production), received from other handlers, received as emergency milk and received from other sources; (iv) determine the total pounds of milk equal to 10 percent of each handler's Class I sales; (v) when the total pounds of milk as determined in (ii) of this paragraph exceed the total pounds of milk as determined in (iii) of this paragraph such total pounds of milk shall be considered to be each handler's Class IV usage provided such total pounds of milk do not exceed the total pounds of milk as determined in (iv) of this paragraph.

(7) Determine the classification of milk received from producers as follows:

(i) Subtract pro rata out of the milk in each class the quantity of milk of the handler's own production.

(ii) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class.

(iii) Subtract from the total pounds of milk in each class the total pounds of milk, except emergency milk, which were received from sources other than producers and handlers and used in such class.

(iv) Subtract from the total pounds of milk in each class an amount which shall be computed as follows: divide the total pounds of milk in each class by the total pounds of milk in all classes and multiply the percentage for each class by the total pounds of emergency milk received. Skimmed milk or (the milk equivalent of) cream received from sources other than producers under an emergency supply permit issued by the

proper health authorities shall be treated as emergency milk for the purposes of this section, if such skimmed milk or (the milk equivalent of) cream is reported to the market administrator in the manner provided for emergency milk in (2) and (3) of § 946.5 (a).

5. Delete § 946.3 (e) and substitute therefor the following:

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* (1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler. In the event such reconciliation exhausts the milk available in Class III for such handler, the market administrator shall decrease the total pounds of milk in Class II for such handler by an amount equal to such difference.

6. Delete subparagraphs (1), (2), and (3) of paragraph (a) of § 946.4 and substitute therefor the following:

(1) *Class I milk.* The price for Class I milk shall be the price for Class III milk, plus $.95.

(2) *Class II milk.* The price for Class II milk shall be the price for Class III milk, plus $.50.

(3) *Class III milk.* The price for Class III milk shall be the price resulting from the following computation by the market administrator: determine, on the basis of 4 percent butterfat content, the arithmetical average of the basic, or field, prices per hundredweight reported by the following concerns and ascertained by the market administrator to have been paid at the manufacturing plants or places listed herein below, for ungraded milk received during the delivery period:

Concern	Location
Ewing-Von Allmen Co.	Corydon, Ind.
Kraft Cheese Co.	Paoli, Ind.
Kraft Cheese Co.	Salem, Ind.
Ewin-Von Allmen Co.	Madison, Ind.
Ewing-Von Allmen Co.	Louisville, Ky.
Armour Creameries	Springfield, Ky.
Armour Creameries	Elizabethtown, Ky.
Kraft Cheese Co.	Owenton, Ky.
Kraft Cheese Co.	Lawrenceburg, Ky.
Ewin-Von Allmen Co.	Taylorsville, Ky.

The prices used in determining the average manufacturing plant price pursuant to (3) of this paragraph shall be those quoted for milk received at the respective plants, without deductions for hauling or other charges to be paid by the farm shipper.

7. Delete § 946.4 (a) (4) and substitute therefor the following:

(4) *Class IV milk.* The price for Class IV milk shall be the price determined per hundredweight of milk testing 4 percent butterfat by multiplying the price of 92-score butter (in the Chicago market as reported by the United States Department of Agriculture for the delivery period during which said milk was delivered) by 4 and adding thereto 20 percent.

8. Delete paragraph (c) of § 946.4.

9. Renumber paragraph (d) of § 946.4 as paragraph (c).

10. Delete the first sentence of § 946.5 (d) (2) and substitute therefor the following:

(2) If, in the verification of the reports of any handler made pursuant to (a) of this section, it is necessary for the market administrator to examine the transfer records of milk and cream handled in a plant of the handler from which no milk is disposed of in the marketing area, such handler shall make such transfer records available to the market administrator.

11. Delete paragraph (2) of § 946.6.

12. Delete (2) of § 946.7 (b) and renumber the remaining paragraphs (3), (4), (5), (6), and (7) as (2), (3), (4), (5), and (6).

13. Delete paragraph (6) of § 946.7 (b) which shall be renumbered as paragraph (7) and substitute therefor the following:

(7) On or before the 10th day after the end of each delivery period, notify each handler and publicly announce the uniform price per hundredweight computed pursuant to (6) of this paragraph, the Class I price, the Class II price, the Class IV price and the Class III price, including the formula under § 946.4 (a) and the essential data used in determining said price.

Proposed by Penley's Model Dairy, Louisville, Kentucky:

1. Add a new section as follows:

Emergency in the marketing of producers' milk—(a) *Investigation.* The market administrator may investigate problems affecting the marketing of milk received from producers for the marketing area, report the results of his investigation to the War Food Administrator, and recommend action by the War Food Administrator.

(b) *Declaration by War Food Administrator.* On the basis of findings of fact, the War Food Administrator may declare an emergency in the marketing of milk from producers either (1) in supplying fluid milk in the marketing area, or (2) in the utilization of milk received from producers.

(c) *Shortage of fluid milk for the marketing area.* In the event that the War Food Administrator declared an emergency in supplying fluid milk in the marketing area, the market administrator is authorized to take any or all of the steps outlined in (1) and (2) of this paragraph:

(1) Develop and recommend to the War Food Administrator an allocation program and, subject to the approval of the War Food Administrator, take such actions as are necessary or appropriate to administer such an allocation program. In developing or administering any such program, the market administrator may consult with an advisory committee of which he acts as chairman, which consists of representatives of fluid milk distributors in the marketing area and handlers operating pool plants, such committee to be appointed by the War Food Administrator. Such an allocation program may contain terms and conditions for the sale of milk by handlers to fluid milk distributors.

(2) Cancel the designation as a pool plant if the operator of such plant fails to cooperate in an allocation program set up pursuant to (1) of this paragraph or if, in the absence of such program, the market administrator determines that milk handled at such plant is no longer a reserve supply of fluid milk for the marketing area.

(d) *Excess of fluid milk for the marketing area.* The market administrator is authorized to establish an emergency fund from monies obtained from the producer-settlement fund. Upon the declaration by the War Food Administrator of an emergency in the utilization of milk received from producers, the market administrator may use the monies in such fund to facilitate the transportation of milk from plants where it cannot be utilized to plants where such milk can be utilized. The market administrator may also use the monies in such fund to carry out other programs for the utilization of milk received from producers, which programs are specifically authorized by the War Food Administrator. The market administrator may, before utilizing monies in such fund for any purpose, consult the advisory committee representing handlers. In the operation of any program authorized pursuant to this paragraph the market administrator may consult a sub-committee of those members of the advisory committee appointed pursuant to (c) of this section who operate pool plants.

Proposed by the Dairy and Poultry Branch, War Food Administration:

1. Delete § 946.3 (d) (6) (iii).

2. Renumber § 946.3 (d) (6) (iv) as § 946.3 (d) (6) (iii).

3. Delete subparagraph (2) of paragraph (b) of § 946.3 and substitute therefor the following:

(2) Class II milk shall be all milk, the butterfat from which is disposed of as cream (for consumption as cream), including any cream product disposed of in fluid form which contains less than the minimum butterfat content required for fluid cream.

4. Delete subparagraph (3) of paragraph (b) in § 946.3 and substitute therefor the following:

(3) Class III milk shall be all milk accounted for (i) as used to produce a milk product other than those specified in Class I milk and Class II milk, and (ii) as actual plant shrinkage, but not to exceed 2 percent of the total receipts of milk from producers (including the handlers' own production): *Provided*, That if milk or cream is received from producers, from handlers, or from sources other than from producers and handlers, such actual shrinkage shall be (i) prorated between the milk received from each source in proportion to the volume of milk and cream received from each, or (ii) allocated between the milk received from each source on the basis of the determined shrinkage of producers' milk utilized as Class I and Class II milk and the shrinkage of Class III milk determined as the difference between the milk accounted for as used to produce milk products other than those specified in Class I milk and Class II milk and the total receipts of milk available for Class III utilization including milk received from producers and transferred to Class III. In the absence of records from which transfers of producers' milk to Class III can be verified, shrinkage allocation shall be made pursuant to (i) above.

5. Delete paragraph (a) in § 946.3 and substitute therefor the following:

(d) *Computation of milk in each class.* For each delivery period the market administrator shall audit for mathematical correctness and obvious errors the reports submitted for the preceding delivery period by each handler and compute for each handler the amount of milk in each class, as defined in (b) of this section, as follows:

6. Amend § 946.4 by adding thereto a new paragraph designated as (e) to read as follows:

(e) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

7. Delete paragraph (d) (1) of § 946.5 and substitute therefor the following:

(d) *Verification of reports and payments.* (1) The market administrator shall verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or persons upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such reports and facilities as will enable the market administrator to:

(i) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in case of errors, or omissions, ascertain the correct figures;

(ii) Weigh, sample and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(iii) Verify the payments of producers prescribed in § 946.8.

8. Amend the title of § 946.6 to read as follows:

§ 946.6 *Application of provisions*—(a) *Handlers who are also producers.*

9. Delete paragraph (b) of § 946.8 and substitute therefor the following:

(b) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the producer-settlement fund into which he shall deposit all payments made by handlers pursuant to (c) and (e) of this section, and out of which he shall make all payments to handlers pursuant to (d) and (e) of this section: *Provided*, That the market administrator shall offset any such payment due any handler against payments due from such handler.

10. Delete § 946.10 and substitute therefor the following:

§ 946.10 (a) *Expense of administration.* As his prorata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator, with respect to all milk received by him from producers or produced by him and all emergency milk allocated to Class I and Class II under § 498.3 (d) (iv) during such delivery period, an amount not exceeding 2 cents per hundredweight, the exact amount to be determined by the market administrator, subject to review by the War Food Administrator. Each cooperative association which is a handler shall pay such prorata share of expense on only that milk of producers caused to be delivered by it to plants from which no milk is disposed of in the marketing area.

11. Delete § 946.12.

Proposed by Salem Creamery and Rolling Green Dairy: 1. Delete paragraph (c) in § 946.1 and substitute therefor the following:

(c) "Louisville, Ky., marketing area", hereinafter called the "marketing area", means the territory within the city of Louisville, Fort Knox Military Reservation, and Jefferson County, in the State of Kentucky; and the city of Jeffersonville, the suburbs thereof and a distance of three (3) miles therefrom in all directions, and the towns of Sellersburg, Charlestown, Memphis, Speeds and Henryville in Clark County, Indiana, and the city of New Albany, the suburbs thereof and a distance of three (3) miles therefrom in all directions, and the towns of Galena, Georgetown, Greenville, and Floyd Knobs in Floyd County, Indiana.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: August 18, 1944, Washington, D. C.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12426; Filed August 18, 1944; 11:39 a. m.]

WAR PRODUCTION BOARD.

JOHN NIZIOLEK

CONSENT ORDER

John Niziolek of 84 Grove Street, Windsor Locks, Connecticut, is charged by the War Production Board with a violation of Conservation Order L-41 in the respect that in August 1943 he began and thereafter continued construction on a dwelling house located on the west side of Second Street, between South and School Streets, Windsor Locks, Connecticut, at an estimated cost of $3,000. This was in excess of the $200 permitted construction allowed by Order L-41. John Niziolek admits the unauthorized construction as charged.

Wherefore, upon the agreement and consent of John Niziolek, the Regional Compliance Chief, the Regional Attorney and the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither John Niziolek, his agents or assigns nor any other person shall continue construction on or hereafter do any further construction on the dwelling house located on the west side of Second Street, between South and School Streets, Windsor Locks, Connecticut, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve John Niziolek, his agents or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 17, 1944.

Issued this 10th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12412; Filed, August 17, 1944; 4:39 p. m.]

M824-U

FEDERAL REGISTER

VOLUME 9 NUMBER 167

Washington, Tuesday, August 22, 1944

The President

PROCLAMATION 2618

FIRE PREVENTION WEEK, 1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the widening operations of our valiant armies and navies make it imperative that we exert our utmost effort to provide an increasingly abundant flow of goods and materials to every battle front; and

WHEREAS the prevention of waste is as essential to this end as is the production of goods; and

WHEREAS the waste occasioned throughout the Nation by preventable fires reaches a staggering total each year:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate the week beginning October 8, 1944, as Fire Prevention Week.

I earnestly request every citizen to devote special thought and effort during Fire Prevention Week to detecting and eliminating fire hazards within his own control and to providing adequate protection against the waste of our fighting power through destruction by fire. I also request State and local governments, the Chamber of Commerce of the United States, the National Fire Waste Council, business and labor organizations, educational and civic groups, and the various agencies of the press, the radio, and the motion-picture industry throughout the country to lend themselves to the stimulation of the public purpose to reduce and eliminate losses by preventable fire. I also direct the Department of Agriculture, the War Production Board, the protective services of the War and Navy Departments, and other appropriate agencies of the Federal Government to give the widest possible support and assistance to every effort to inform and instruct the public with respect to the possibilities and importance of the fire-prevention program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of August, in the year of our Lord nineteen hundred and [SEAL] forty-four, and of the independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-12557; Filed, August 19, 1944; 12:19 p. m.]

EXECUTIVE ORDER 9466

AUTHORIZING THE SECRETARY OF THE NAVY TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF CERTAIN MACHINE SHOP COMPANIES [1]

WHEREAS after investigation I find and proclaim that the plants and facilities of the companies named in the list attached hereto and made a part hereof, located in or near San Francisco, California, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing or threatened interruptions of the operation of said plants and facilities as a result of labor disturbances; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United

[1] See National War Labor Board and Office of Economic Stabilization, *infra*.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of the Navy is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the companies named in the list attached hereto and made a part hereof, and to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operation thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the said companies, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale, and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of the Navy shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the Directive Order of the Tenth Regional War Labor Board dated April 20, 1944, as modified by the Directive Order of the National War Labor Board dated June 3, 1944.

3. The Secretary of the Navy shall permit the managements of the plants and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

4. The Secretary of the Navy is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of the Navy within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 19, 1944.

1. John Albertoli Machine Co., 418 Beach Street.
2. Brunigs Machine Works, 523 Brannan Street.
3. Coen Co., 40 Boardman Place.
4. Cook Research Labs, L. H. Ltd., 960 Crane, Menlo Park.
5. Crane Co., 301 Brannan Street.
6. Forderer Cornice Works, 269 Potrero Ave.
7. Goodrich Mfg. Co., 1834 McKinnon Ave.
8. Int'l. Totalisar Co., Inc., 716 S. Railroad Ave., San Mateo.
9. King Gun Sight Co., 171 2nd Street.
10. Thos. King Co., 69 Clementina Street.
11. Krens, Oscar, 612 Bryant Street.
12. Lietz, The A. Co., 632 Commercial Street.
13. Marine Electric Co., 195 Fremont Street.
14. National Motor Bearing Co., Redwood City.
15. Pacific Coast Envelope Co., 400 2nd St.
16. Pacific Elevator & Equipment Co., 45 Ratsch Street.
17. Pacific Machine Shop, 360 11th Street.
18. Reichel, C. B. & Co., 716 Natoma Street.
19. Schmidt Lithograph Co., 2nd & Bryant Streets.
20. Staples & Pfeiffer Co., Inc., 528 Bryant Street.
21. Stone-Ryals Electric & Mfg. Co., 470 Natoma Street.
22. J. A. Symon, Machine Works, 3648 18th Street.
23. Tubbs Cordage Co., 22nd & Iowa Streets.
24. Vincent Whitney Co., 180 10th Street.
25. Weule Co., Louis, 119 Steuart Street.
26. American Can Co.:
(Machine Shop) 499 Alabama Street.
(Pacific Factory) 22nd & 3rd Streets.
(United Factory) 19th & Treat Ave.
27. American Laundry Machine Co., 1600 Bryant Street.
28. W. R. Ames Co., 180 Hooper Street.
29. Atlas Elevator Co., 417 6th Street.
30. Atlas Heating & Ventilating Co., 557 4th Street.
31. Chas. M. Bailey Co., 667 Folsom Street.
32. Bertsch Machine Works, 2440 3rd Street.
33. Bodinson Mfg. Co., 2401 Bayshore Blvd.
34. Bowie Switch Co., 19th & Tennessee Streets.
35. E. D. Bullard Co., 351 8th Street.
36. C. P. Bulotti Machinery Co., 829 Folsom Street.
37. Busch Mfg. Co., 78 Natoma Street.
38. Butte Electric & Mfg. Co., 124 Russ Street.
39. California Packing Corporation, 101 California Street.
40. California Pellet Mill Co., 725 Tehama Street.
41. California Press Mfg. Co., 1800 Folsom Street.
42. California Screw Co., 74 Clementina Street.
43. Cherry-Burrell Corp., 777 Folsom Street.
44. Christie Machine Works, 201 Harrison Street.
45. Cochin Mfg. Co., South San Francisco.
46. Curie Mfg. Co., 500 Sansome Street.
47. Cyclops Iron Works, 837 Folsom Street.
48. Dalmo Victor Co., 18th & York Streets.
49. Davis Machine Works, 400 7th Street.
50. Duart Manufacturing Co., 984 Folsom Street.
51. International Sales Company, 2045 Evans Avenue.
52. Metals Manufacturing Co., 2770 Folsom.
53. De Laval Pacific Company, 61 Beale Street.
54. Dorward Pump Company, 210 Mission Street.
55. Elite Machine Works, 227 7th Street.
56. Fairbanks Morse and Company, 630 3rd Street.
57. Federal Mogul Service, 655 Turk Street.
58. General Tool, Die & Stamping Works, 1601 Howard Street.
59. Greenberg's, M., Sons, 765 Folsom Street.
60. Jenkins Machine Works, 18th Street & Treat Avenue.
61. Judson Pacific Company, 1200 17th Street.
62. Kehoe Display & Fixture Company, 541 Market Street.
63. King Sales & Engineering Company, 210 1st Street.
64. Kingwell Brothers, Ltd., 444 Natoma Street.
65. Kortick Mfg. Company, 336 1st Street.
66. Larkin Specialty Mfg. Company, 288 1st Street.
67. Mailler Searles, Inc., 300 7th Street.
68. Metal Products Fabricating Company, 119 Kansas Street.
69. Montague Pipe & Steel Company, 1999 3rd Street.
70. Mutual Engineering Company, South San Francisco.
71. National Welding Equipment, 223 Main Street.
72. Niagara Duplicator Company, 128 Main Street.
73. Northern Packing Company, Pier 92.
74. Orton Machine Company, 390 Fremont.
75. Pacific Can Company, Williams & Newhall Streets.
76. Pacific Electric Mfg. Company, 5818 3rd Street.

77. Pacific Foundry Company, 3100 19th Street.
78. Pacific Pumping Company, 990 Howard Street.
79. Pacific Screw Company, 866 Van Ness South.
80. Payne's Bolt Works, 201 Main Street.
81. Pelton Water Wheel Company, 2920 19th Street.
82. Price Pump Company, 1350 Folsom Street.
83. Ray Oil Burner Company, 401 Bernal Avenue.
84. S. P. Screw Products Company, 756 Brannan Street.
85. Shanner, H. M., Company, 85 Bluxome Street.
86. Soule Steel Company, 1750 Army Street.
87. Superior Grinding & Motor Company, 865 Post Street.
88. Troy Laundry Machinery Company, 1201 Folsom Street.
89. Turner Machinery Company, 1655 Folsom Street.
90. Union Machine Company, 994 Brannan Street.
91. Victor Equipment Company, 844 Folsom Street.
92. Joseph Wagner Mfg. Company, 441 Folsom Street.
93. Weichart-Fairmont Company, 227 Natoma Street.
94. Westx Electric Heater Company, 390 1st Street.
95. West Coast Laundry Machine Company, 3246 17th Street.
96. Western Crown Cork & Seal Corporation, 25th Street & Potrero Avenue.
97. Williams-Wallace Company, 100 Hooper Street.
98. H. C. Wood Machine Works, 514 Bryant Street.
99. Q. R. S. Neon Corporation, Ltd., 600 Potrero Avenue.

[F. R. Doc. 44-12602; Filed, August 21, 1944; 12:01 p. m.]

EXECUTIVE ORDER 9467

AMENDMENT OF EXECUTIVE ORDER NO. 1888 OF FEBRUARY 2, 1914, AS AMENDED, RELATING TO CONDITIONS OF EMPLOYMENT IN THE SERVICE OF THE PANAMA CANAL AND THE PANAMA RAILROAD COMPANY ON THE ISTHMUS OF PANAMA

By virtue of the authority vested in me by section 81 of title 2 of the Canal Zone Code, as amended by section 3 of the act approved July 9, 1937, 50 Stat. 487, it is hereby ordered as follows:

SEC. 1. Paragraph 6 of Executive Order No. 1888 of February 2, 1914, as amended by the Executive order of February 20, 1920, is amended to read as follows:

"6. No employees shall receive compensation at a rate in excess of $100 a month or 50 cents an hour unless they are citizens of the United States or of the Republic of Panama; and such citizens shall be given preference for employment in all grades: *Provided, however,* (a) that aliens may be employed in positions for which the rate of compensation is in excess of $100 a month or 50 cents an hour (1) if they occupied the same or similar positions for two years or more during the construction of the Canal, or (2) if such action is deemed necessary by reason of an emergency, in which latter case, however, the aliens shall be replaced by citizens of the United States or of the Republic of Panama as early as practicable; and (b) that the Governor is authorized to increase the rate of compensation of not more than 200 alien employees to a rate exceeding $100 a month or 50 cents an hour."

SEC. 2. Paragraph 16 of the said Executive order is amended to read as follows:

"16. Employees may be granted such passes and reduced rates on the Panama Railroad, for use by the employees, dependent members of their families, or relatives temporarily residing with them, as may be authorized by the Governor in his discretion."

SEC. 3. Paragraph 19 of the said Executive order is amended to read as follows:

"19. All employees in cases of illness or injury will receive free medical care and attendance in the hospitals. If medical attendance is furnished in quarters, a charge may be made under regulations to be prescribed by the Governor. Employees shall be charged for medical care and attendance furnished members of their families at the hospitals and at their quarters at such rates and under such regulations as may be prescribed by the Governor."

SEC. 4. Paragraph 20 of the said Executive order, as amended by the Executive order of February 20, 1920, is amended to read as follows:

"20. All employees who are citizens of the United States, and alien employees who receive compensation at a rate in excess of $100 a month or 50 cents an hour, with the exception of those who receive such compensation under authority of subparagraph (c) in paragraph 6 of this Order, as amended, shall be entitled to leave privileges under this Order."

SEC. 5. Paragraph 24 of the said Executive order, as substituted in Executive Order No. 2514 of January 15, 1917, and amended by Executive Order No. 8931 of November 1, 1941, is amended to read as follows:

"24. Absences of one-half day or more when regularly authorized, and absences on account of illness or injury when supported by the certificate of an authorized physician in the service of The Panama Canal, shall be charged against annual leave."

SEC. 6. Paragraph 36 of the said Executive order, as substituted in Executive Order No. 2514 of January 15, 1917, is amended to read as follows:

"36. When an employee's service is terminated, a cash payment in commutation of leave will be made to him, or in the event of his death to his estate, for the number of days' cumulative leave due plus the annual leave due. When an employee has accumulated leave to the amount of 120 days or more, and the taking of leave by such employee has been deferred by order of the Governor for a period of, or periods aggregating, six months, and the employee at the expiration of such period or periods still cannot, in the judgment of the Governor, be spared to permit the employee to enter upon leave without detriment to the efficient maintenance, operation, sanitation, civil government or protection of the Panama Canal and Canal Zone, the Governor may in his discretion authorize cash payment in commutation of the leave accumulated in excess of 120 days: *Provided,* that the amount of leave which may be commuted during the employee's service year shall not exceed the amount of leave earned by the employee during the preceding service year: And *provided further,* that this sentence shall remain in effect only during the continuance of the present war and for six months thereafter."

SEC. 7. Executive Order No. 8986 of December 19, 1941,[1] and Executive Order No. 9164 of May 18, 1942,[2] are hereby revoked.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 19, 1944.

[F. R. Doc. 44-12601; Filed, August 21, 1944; 12:01 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 22—THE FEDERAL LAND BANK OF BALTIMORE

APPLICATION FEES

Section 22.1 (d) of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 22.1 *Application fees.* * * *

(d) Each application for a partial release of mortgaged security shall be accompanied by a fee of $10.00; *Provided, however,* That no such fee shall be required to be paid if at the time the application for partial release is filed there is also filed an application for a new loan on all or a part of the security to be released.

(Sec. 13 "Ninth", 39 Stat. 372; sec. 26, 48 Stat. 44; sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e) and Supp.; 6 CFR 19.326 and 19.330.) (Res. Bd. of Dir. April 21, 1943 and July 19, 1944.)

[SEAL] THE FEDERAL LAND BANK OF BALTIMORE,
E. W. MCSPARRAN,
Treasurer.

[F. R. Doc. 44-12481; Filed, August 18, 1944; 4:56 p. m.]

PART 22—THE FEDERAL LAND BANK OF BALTIMORE

LOAN FEES

Section 22.2 (a) of Title 6, Code of Federal Regulations, is amended by adding a new paragraph at the end thereof to read as follows:

§ 22.2 *Loan fees.* * * *

(a) Closing fees. * * *

The foregoing fees shall not be required to be paid in connection with any application for a loan to refinance a real estate contract or purchase money mortgage executed to the Bank or the Federal Farm Mortgage Corporation unless the amount applied for exceeds the amount required for the purpose of refinancing such a real estate contract or purchase money mortgage. If the amount applied for exceeds such amount, the initial fees shall be charged and collected and, if the application results in a loan in excess of the amount required to refinance the real estate contract or purchase money mortgage, there shall be deducted from the proceeds of the loan a fee comparable to the fee which would be collectible in connection with a new loan: *Provided, however,* That the amount of the fee shall be computed only on that part of the loan which exceeds the amount required to refinance the real estate contract or purchase money mortgage.

(Sec. 4, 39 Stat. 362; sec. 13 "Ninth", 39 Stat. 372; sec. 26, 48 Stat. 44; Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 674, 781 "Ninth", 723 (e) 1016 (e) and Sup.; 6 CFR 19.326 and 19.330.) (Res. Bd. of Dir. May 16, 1944 and July 19, 1944.)

[SEAL] THE FEDERAL LAND BANK OF BALTIMORE,
E. W. MCSPARRAN,
Treasurer.

[F. R. Doc. 44-12480; Filed, August 18, 1944; 4:57 p. m.]

[1] 6 F.R. 6635.
[2] 7 F.R. 3765.

Chapter II—War Food Administration (Commodity Credit)

[1944 C. C. C. Cotton Form 1—Instructions]

PART 256—1944 COTTON LOANS

1944 COTTON LOAN INSTRUCTIONS

Pursuant to the 1944 Cotton Loan Program of Commodity Credit Corporation, loans on eligible upland cotton, American-Egyptian cotton, and Sea-Island cotton, will be made available to eligible producers. Such loans may be obtained either direct from Commodity Credit Corporation or from lending agencies. These instructions state the requirements with reference to such loans.

Sec.
256.1 Definitions.
256.2 Forms.
256.3 Amount.
256.4 Classification of cotton.
256.5 Preparation of documents.
256.6 Approved warehouses.
256.7 Warehouse receipts.
256.8 Warehouse charges.
256.9 Liens
256.10 Direct loans.
256.11 Time and manner of tendering loans for purchase and pooling.
256.12 Lending agency.
256.13 Federal Reserve Banks.
256.14 Repayments.

AUTHORITY: §§ 256.1 to 256.14, inclusive, issued under sec. 302 Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), sec. 4 of the Act approved July 1, 1941 (55 Stat. 498; 15 U.S.C., 1940 ed., Supp. II, 713a-8), the Act of Oct. 2, 1942 (56 Stat. 767; 50 U.S.C., 1940 ed., Supp. II, 968), as amended by the Act of June 30, 1944 (Pub. L. No. 383, 78th Cong.) and the Act of Feb. 28, 1944 (58 Stat. 108)

§ 256.1 *Definitions.* As used in these instructions, unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Eligible producer.* An eligible producer shall be any person producing cotton in 1944 in the capacity of landowner, landlord, tenant, or sharecropper. Person, as used herein, means an individual, partnership, firm, corporation, association, joint-stock company, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision. If the eligible cotton produced on a farm has been divided among the producers entitled to share in such cotton, the landlord, tenants, and sharecroppers may each obtain a loan on his separate share, or two or more such producers may obtain a loan jointly on their shares of such cotton. Share tenants and sharecroppers may not obtain a loan on cotton in which a landlord has an interest. However, a tenant and his landlord may obtain a joint loan on cotton in which they both have an interest. In any case where a landlord obtains a loan on cotton in which a share tenant or sharecropper has an interest, the 1944 Cotton Producer's Note and Loan Agreement (1944 C.C.C. Cotton Form A) (hereinafter referred to as "Form A") and the 1944 Cotton Mortgage Supplement (1944 C.C.C. Cotton Form FF) (hereinafter referred to as "Form FF") require that he have the legal right to do so, and that the share tenant or sharecropper be paid his pro rata share of the proceeds.

(b) *Eligible cotton.* Eligible cotton shall be cotton produced in 1944 by or for a producer, provided that the cotton meets the following requirements:

(1) Such cotton must be of a grade and staple specified in the applicable table appearing at the end of these instructions.

(2) In the case of warehouse-stored cotton, such cotton must be represented by warehouse receipts complying with the provisions of § 256.7 of these instructions. In the case of farm-stored cotton, the cotton must be covered by a Cotton Chattel Mortgage (C.C.C. Cotton Form F) (hereinafter referred to as "Form F") and Form FF which will give the payee of the Cotton Producer's Note (C.C.C. Cotton Form E) hereinafter referred to as "Form E") secured by such mortgage a first lien on such cotton.

(3) Such cotton must not be compressed to high density.

(4) Such cotton must be free and clear of all liens and encumbrances, except (in the case of warehouse-stored cotton) those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in Form A.

(5) Such cotton must be tendered for a loan by a person who has the legal right to pledge or mortgage it as security for a loan.

(6) The beneficial interest in the cotton must be, and must always have been, in the person tendering such cotton for a loan, or in such person and any share tenant or sharecropper having an interest in the cotton or its proceeds in case such person is a landlord and is placing under loan cotton in which both he and the share tenant or sharecropper have an interest.

(7) Such cotton must not have been received in payment of standing or fixed rent.

(8) All persons having an interest in the cotton must be entitled to loans on the cotton.

(9) Each bale of such cotton must weigh at least 300 pounds.

(10) American-Egyptian cotton and Sea-Island cotton shall be of normal character. No such cotton shall be accepted for loan with respect to which official classification indicates any reduction in grade and staple length because of irregularities or defects.

(c) *Lending agency.* Any bank, corporation, partnership, association or person who has executed a Lending Agency Agreement (C.C.C. Cotton Form D) covering loans on 1944 crop cotton.

(d) *Eligible paper.* A Form A or a Form E duly executed subsequent to July 31, 1944, and prior to May 1, 1945. State documentary revenue stamps should be affixed thereto where required by law. (A Form A or a Form E executed by an administrator, executor, or trustee will be acceptable only where valid in law and must be submitted for a direct loan in accordance with § 256.10 of these instructions, unless accompanied by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the regional office of Commodity Credit Corporation, New Orleans 12, Louisiana).

§ 256.2 *Forms.* The following documents must be delivered in connection with every loan:

(a) *Warehouse-stored cotton.*

(1) Form A.
(2) Warehouse receipts complying with the provisions of § 256.7 hereof.
(3) Producer's Letter of Transmittal (C.C.C. Cotton Form B) or Lending Agency's Letter of Transmittal (C.C.C. Cotton Form C).

(b) *Farm-stored cotton.*

(1) Form E.
(2) Form F covering the cotton tendered as security for the loan.
(3) Lending Agency's Letter of Transmittal (C.C.C. Cotton Form C) (unless the loan is being made direct by Commodity Credit Corporation).

Each of the forms A, B, E, F, and FF, representing American-Egyptian cotton or Sea-Island cotton, must have the words "American-Egyptian cotton" or "Sea-Island cotton," as the case may be, conspicuously stamped or typed at the top of each such form.

§ 256.3 *Amount.* All loans will be made on the net weight of the cotton. Loans will be made only on those grades and staple lengths shown in Tables Nos. 1, 2, and 3 of these instructions.

(a) *Upland cotton.* The base loan rate applicable at each approved warehouse will be shown in the "Schedule of Approved Warehouses," and the base

loan rate under the farm storage program for each county will be shown in the "Schedule of Base Loan Rates by Counties for Farm-Stored Cotton." These schedules will be issued by Commodity Credit Corporation and will be available at the office of the county agricultural conservation committee (hereinafter called "county committee"). Premiums and discounts applicable to each grade and staple length are shown in Table No. 1. Loans on warehouse-stored cotton will be made at the rates shown in the "Schedule of Approved Warehouses," and loans on farm-stored cotton will be made at the rates shown in the "Schedule of Base Loan Rates by Counties for Farm-Stored Cotton," adjusted for the appropriate premiums and discounts for each grade and staple length.

(b) *American-Egyptian cotton.* Loans will be made at the rates shown in Table No. 2.

(c) *Sea-Island cotton.* Loans will be made at the rates shown in Table No. 3.

§ 256.4 *Classification of cotton.* All cotton must be classified by a Board of Cotton Examiners of the War Food Administration. Warehousemen (in the case of warehouse-stored cotton) and the county committee (in the case of farm-stored cotton) should forward samples to the Board of Cotton Examiners serving the district in which the warehouse or county is located, and a list showing the class of the cotton will be returned by the board. Instructions have been issued to approved warehouses and county committees concerning sampling and forwarding of samples and recording the class of the cotton in the loan agreement or chattel mortgage. No separate charge is to be made to producers for this service. A Form 1 classification memorandum of the War Food Administration will also be accepted as evidence of the class of cotton.

A charge of 15 cents per bale shall be collected from the producer for all cotton from which samples are submitted to the Board of Cotton Examiners for classification. The Board of Cotton Examiners will make collections for classing charges from the warehousemen and county committees at the end of each month. A certified check, cashier's check, or postal money order, payable to Commodity Credit Corporation, must be sent to the Board of Cotton Examiners by each warehouseman and county committee in payment of these charges.

§ 256.5 *Preparation of documents.* All blanks must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and no documents containing additions, alterations or erasures will be accepted by Commodity Credit Corporation.

(a) *Warehouse-stored cotton.* A producer desiring to obtain a loan may obtain the necessary forms from approved cotton warehouses, and also from persons approved by the county committees in the cotton-producing areas to assist producers in preparing and executing the loan forms. Only persons approved by county committees for such purpose may execute the Clerk's certificate on Form A. The Clerk's Certificate must be executed on each Form A tendered for a loan. Such persons are permitted to collect a fee from producers not to exceed the fees shown in the following schedule:

Number of bales on the note	Maximum fee allowed
1–6	25 cents.
7–8	30 cents.
9–10	35 cents.
11–20	35 cents, plus 2 cents for each bale over 10.
21 and over	55 cents, plus 1 cent for each bale over 20.

Only the original copy of Form A is to be signed, the copy marked "duplicate" is to be retained by the producer. The schedule of warehouse receipts must represent cotton of only one grade and staple length.

(b) *Farm-stored cotton.* A producer desiring to obtain a loan on farm-stored cotton may obtain the necessary forms from, and will be assisted in their preparation by, the county committee. A service fee for upland cotton of $1 per bale and for American-Egyptian cotton and Sea-Island cotton of $1.30 per bale shall be collected by the county committee from the producer to cover services rendered under this program. Each Form E must be approved by the county committee, and the member signing such form in the space provided certifies on behalf of the county committee, as provided in 1944 Cotton Loan (Farm Storage) Part I, Revised, issued by the Agricultural Adjustment Agency.

§ 256.6 *Approved warehouses.* Warehouse receipts representing eligible cotton will be accepted as security for loans made pursuant to Form A only if issued by warehousemen approved by Commodity Credit Corporation. Warehousemen desiring to be approved should communicate with the regional office of Commodity Credit Corporation, New Orleans 12, Louisiana. When warehouses are approved, notification will be given either by letter or published lists. All cotton pledged as security for any one loan must be in the same warehouse.

The warehouseman is required, as provided in the Warehouseman's Certificate and Storage Agreement in Form A, to draw representative samples from the bales and to deliver or forward such samples to a board of cotton examiners for classing, except where Form 1 classification memorandum of the War Food Administration is used.

Since the loan will be made on net weight, it will be necessary for the warehouseman to determine the amount of tare on each bale and show the tare in the Schedule of Pledged Cotton in Form A. Instructions will be issued to the warehousemen for their guidance in determining tare.

§ 256.7 *Warehouse receipts.* Only negotiable warehouse receipts issued by an approved warehouse, dated on or prior to the date of the producer's note, and properly assigned by an endorsement in blank so as to vest title in the holders or issued to bearer will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby, and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts issued prior to August 1, 1944, which by their terms will expire prior to August 1, 1945, must bear an endorsement of the warehouse extending the terms of the warehouse receipt for a period of 1 year from August 1, 1944. Block warehouse receipts will not be accepted.

§ 256.8 *Warehouse charges.* The warehouseman's charges are limited and his obligation defined by the Warehouseman's Certificate and Storage Agreement contained in Form A. This should be read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as collateral to the producer's note. It must not be executed more than 10 days preceding the date of the note.

§ 256.9 *Liens.* Eligible cotton must be free and clear of all liens except (in the case of warehouse-stored cotton) those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in Form A. The names of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not the warehouseman, if the cotton is stored in a warehouse), must be listed in the List of Lienholders on each Form A and Form FF, and the lienholders so listed must execute the Lienholder's Waiver on such forms. A Form A or Form FF will not be acceptable unless all prior lienholders are listed in the List of Lienholders and have executed the Lienholder's Waiver. If the producer tendering the cotton for the loan is not the owner of the land on which the cotton was produced, all landowners and landlords must be listed in the List of Lienholders on the Form A or Form FF and must sign the Lienholder's Waiver on such form, whether or not they claim liens, unless they sign the note jointly with the borrower. A misrepresentation, as to prior liens or otherwise, will render the producer personally liable under the terms of the Loan Agreement and subject him to criminal prosecution under the provisions of section 35 (A) of the Criminal Code of the United States (18 U. S. C. 80 (1940). The Lienholder's Waiver must be signed personally by all lienholders listed, by their agents (in which case duly executed powers of attorney must be attached), or if a corporation, by the designated officer thereof customarily authorized to execute such instruments (in which case no authority need be attached).

§ 256.10 *Direct loans.* It is contemplated that producers will ordinarily obtain loans from a local bank or other lending agency which, in turn, may sell the paper evidencing such loans to Commodity Credit Corporation. Arrangements, however, have been made for

making direct loans to producers prior to May 1, 1945. In each such case the note must be made payable to Commodity Credit Corporation and must be tendered to Commodity Credit Corporation, New Orleans 12, Louisiana, on a Producer's Letter of Transmittal (C.C.C. Cotton Form B) in duplicate, postmarked not later than April 30, 1945, if tendered by mail. Upon receipt of all necessary documents, properly executed, and upon approval, payment will be made in accordance with the directions of the producer contained in the C.C.C. Cotton Form B, which permits the producer, if he so desires, to designate persons other than himself to receive all or part of the proceeds of the loan.

§ 256.11 *Time and manner of tendering loans for purchase and pooling.* Loans made by a lending agency which has executed and delivered a Lending Agency Agreement (C.C.C. Cotton Form D) to the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana, prior to the making of the loan, will be eligible for purchase or pooling by Commodity Credit Corporation. C.C.C. Cotton Forms D are obtainable only from the Regional Office of Commodity Credit Corporation, New Orleans 12, Louisiana. Under the terms of this agreement, lending agencies which are parties thereto are required to tender to Commodity Credit Corporation, New Orleans 12, Louisiana, on Lending Agency's Letter of Transmittal (C.C.C. Cotton Form C), executed in triplicate, all notes on Form A and Form E, with warehouse receipts and cotton chattel mortgages attached, representing loans made by the lending agency within 15 days of the dates of the notes. Forty notes shall be submitted on each Lending Agency's Letter of Transmittal except when fewer notes are listed thereon in order that the loans may be tendered within 15 days of the dates of their execution. The Lending Agency's Letter of Transmittal shall state whether the lending agency desires the Corporation to purchase the notes or to place them in a pool operated by the Corporation. Upon receipt by Commodity Credit Corporation, the loan papers will be examined and, if found correct, will be approved and purchased or will be transmitted to the Federal Reserve bank serving the district in which the cotton is stored and placed in a pool, as directed by the lending agency. In the event that the notes are pooled, a certificate of interest representing the interest in the pool, acquired as the result of the deposit therein of the notes shown on the letter of transmittal, will be issued to any approved lending agency designated by the lending agency tendering the eligible paper.

§ 256.12 *Lending agency.* The lending agency shall endorse the notes of producers as provided on Form A and Form E. Care should be exercised by the lending agency (in the case of warehouse-stored cotton) to determine that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case the lending agency has executed the Clerk's Certificate on Form A.

§ 256.13 *Federal Reserve Banks.* The location of the Federal Reserve banks and branches referred to herein and the district served by each are shown below:

Location	*District Served*
Atlanta, Ga	Georgia, Florida, Virginia, North Carolina, South Carolina.
Birmingham, Ala	Alabama.
Dallas, Texas	Texas, New Mexico.
Little Rock, Ark	All of Arkansas except the counties assigned to Memphis.
Los Angeles, Calif	California, Arizona.
Memphis, Tenn	Illinois, Missouri, Tennessee; the following counties in Arkansas: Clay, Craighead, Crittenden, Cross, Greene, Lawrence, Lee, Mississippi, Phillips, Poinsett, Randolph, and St. Francis; and the following counties in Mississippi: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, DeSoto, Grenada, Holmes, Humphreys, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, Yalobusha.
New Orleans, La	Louisiana and counties in Mississippi not assigned to Memphis.
Oklahoma City, Okla	Oklahoma.

§ 256.14 *Repayments*—(a) *Warehouse-stored cotton.* No partial releases of the cotton securing a note will be permitted. If a producer desires to obtain the return of the note and the release of the collateral, he should notify Commodity Credit Corporation, care of the Federal Reserve Bank or branch thereof serving the district in which the cotton is stored, as stated in § 256.13 hereof. The notes and warehouse receipts will then be forwarded to an approved bank for release to said producer only and no other person, upon payment of the amount of the loan, the accrued interest and proper charges. Do not send requests for the return of notes and the release of collateral to Regional Offices of Commodity Credit Corporation, New Orleans, Louisiana, as this causes delay in making the release. If the producer desires to sell his equity in the loan cotton, he must complete the Producer's Equity Transfer on his copy of Form A. Upon the request of the producer or upon receipt of the request contained in the Producer's Equity Transfer on the producer's copy of Form A, the note and warehouse receipts will be forwarded to any approved bank designated by the person requesting the release of the cotton with directions to release such note and warehouse receipts upon payment of the amount of the loan, the accrued interest, and proper charges. In all such cases, the bank will be instructed to return the notes and warehouse receipts to the Federal Reserve bank if payment is not effected within 15 days. All charges and expenses of the bank to which the notes and warehouse receipts are sent shall be paid by the person requesting the release of the cotton. In the event that release of the cotton is requested by the submission of the Producer's Equity Transfer, the witness to the producer's signature to such form must be a person approved for such purpose by a county committee in the cotton-producing area.

(b) *Farm-stored cotton.* If a producer desires to obtain the return of the note and release of the collateral, he should notify the county committee of the county in which the cotton is stored. Partial releases will be allowed. Complete instructions on the release of farm-stored cotton may be obtained from the county committee.

J. B. HUTSON,
President.

AUGUST 1, 1944.

TABLE 1—PREMIUMS AND DISCOUNTS FOR ALL QUALITIES OF 1944 AMERICAN UPLAND COTTON (BASIS 15/16 MIDDLING)

Grade	Staple length (inches)													
	15/16	31	29/32	15/16	27/32	1	1 1/32	1 1/16	1 3/32	1 1/8	1 5/32	1 3/16	1 7/32	1 1/4 and longer
White and extra white:	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*
Good Middling and Better	−130	−65	−25	40	50	75	100	160	335	590	810	1,005	1,105	1,235
Strict Middling	−140	−75	−35	30	40	60	90	150	315	565	785	980	1,080	1,210
Middling	−170	−105	−65	Base	10	25	50	105	240	460	640	800	900	1,050
Strict Low Middling	−305	−230	−195	−135	−120	−110	−90	−55	50	190	310	450	595	600
Low Middling	−540	−465	−435	−390	−390	−380	−370	−365	−300	−250	−185	−130	−125	−120
Strict Good Ordinary	−670	−590	−560	−515	−515	−515	−515	−515	−490	−480	−480	−480	−480	−480
Good Ordinary	−765	−690	−660	−620	−620	−620	−615	−615	−590	−590	−590	−590	−590	−590
Spotted:														
Good Middling	−300	−120	−90	−25	−15	Even	15	40	110	210	335	435	510	610
Strict Middling	−210	−135	−105	−40	−30	−15	Even	25	85	185	310	410	485	585
Middling	−345	−270	−245	−180	−170	−160	−145	−120	−100	Even	85	165	240	315
Strict Low Middling	−595	−515	−490	−440	−440	−430	−430	−430	−365	−320	−290	−225	−235	−235
Low Middling	−745	−665	−640	−595	−595	−595	−595	−595	−530	−520	−520	−520	−520	−520

TABLE 1—PREMIUMS AND DISCOUNTS FOR ALL QUALITIES OF 1944 AMERICAN UPLAND COTTON (BASIS 15/16 MIDDLING)

Grade	Staple length (inches)													
	15/16	⅞	29/32	57/64	28/32	1	1 1/32	1 1/16	1 1/32	1 1/8	1 5/32	1 3/16	1 7/32	1 1/4 and longer
	Points	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*	*Points*
Tinged:														
Good Middling	−305	−310	−285	−280	−225	−220	−215	−210	−195	−145	−95	−45	5	55
Strict Middling	−410	−335	−310	−255	−255	−245	−245	−240	−220	−170	−120	−70	−20	30
Middling	−635	−550	−525	−470	−470	−465	−465	−460	−430	−405	−385	−385	−385	−385
Strict Low Middling	−760	−685	−655	−615	−615	−610	−610	−610	−605	−585	−585	−585	−585	−585
Low Middling	−860	−790	−765	−715	−715	−710	−710	−710	−705	−690	−690	−690	−690	−690
Yellow stained:														
Good Middling	−530	−545	−525	−475	−475	−470	−470	−470	−395	−385	−375	−375	−375	−375
Strict Middling	−650	−570	−550	−505	−505	−495	−495	−495	−420	−410	−400	−400	−400	−400
Middling	−775	−690	−670	−625	−625	−625	−625	−625	−610	−610	−610	−610	−610	−610
Gray:														
Good Middling	−290	−220	−190	−130	−120	−110	−90	−70	−5	120	170	245	295	370
Strict Middling	−310	−240	−210	−150	−140	−130	−110	−90	−30	95	145	220	270	345
Middling	−430	−360	−330	−275	−270	−265	−255	−245	−195	−155	−130	−105	−80	−55

TABLE 2—LOAN RATES, BY STATES, FOR 1944 AMERICAN-EGYPTIAN COTTON

[Rates in cents per pound, net weight]

Grade	Staple length (inches)							
	1 3/16		1 1/16		1 1/4		1 5/16 and longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1	39.25	39.50	40.70	40.95	42.85	43.10	44.45	44.70
1 1/32	38.20	38.45	39.70	39.95	41.85	42.10	43.40	43.65
2	37.15	37.40	38.65	38.90	40.80	41.05	42.35	42.60
2 1/32	36.10	36.35	37.60	37.85	39.70	39.95	41.30	41.60
3	34.05	34.30	35.50	35.75	37.60	37.85	39.15	39.40
3 1/32	32.55	32.80	34.00	34.25	36.00	36.25	37.50	37.75
4	30.55	30.80	31.75	32.00	33.50	33.75	34.50	34.75
4 1/32	28.70	28.95	29.90	30.15	31.10	31.35	32.10	32.30
5	26.10	26.35	27.05	27.30	28.20	28.45	29.05	29.30
6	17.65	17.90	20.60	20.85	23.60	23.85	25.60	25.85

TABLE 3.—LOAN RATES FOR 1944 SEA-ISLAND COTTON

(Rates in cents per pound, net weight)

Grade	Staple length (inches)				
	1 3/16	1 1/8	1 1/16	1	1 1/16 and longer
1	43	45	47	49	50
1 1/32	42	44	46	48	49
2	41	43	45	47	48
2 1/32	40	42	44	45	46
3	38	40	41	42	43
3 1/32	34	36	37	38	39
4	30	32	33	34	34
4 1/32	28	28	29	29	29
5	28	26	26	26	26

[F. R. Doc. 44-12558; Filed, August 19, 1944; 3:22 p. m.]

[1944 C. C. C. Hay and Pasture Seed Form I—Instructions, Supp. 1]

PART 254—1944 HAY AND PASTURE SEED LOANS

SPECIAL INSTRUCTIONS CONCERNING LOANS ON FARM-STORED SUDAN GRASS SEED

Sudan grass seed produced in 1944, which complies with the provisions of the Instructions (1944 C.C.C. Hay and Pasture Seed Form I), will be eligible for a loan, in areas designated by the Agricultural Adjustment Agency, when stored on farms, as set forth herein. Certified sudan grass seed will be eligible only for a warehouse loan.

Sec.
254.32 Eligible seed.
254.33 Eligible storage.
254.34 Quantity and quality determination.
254.35 Delivery of collateral.
254.36 Loan rate.
254.37 Storage allowance.
254.38 Service fee.
254.39 Availability and maturity.
254.40 Insurance.
254.41 State and county committees of the Agricultural Adjustment Agency.

AUTHORITY: §§ 254.32 to 254.41, inclusive, are issued under 52 Stat. 43; 7 U. S. C., 1302; 58 Stat. 105.

§ 254.32 *Eligible seed.* Sudan grass seed produced in 1944, which complies with the provisions of these instructions and the instructions in 1944 C. C. C. Hay and Pasture Seed Form I, which is cleaned or can be cleaned to meet the specifications for weed and other crop seed, as shown in the schedule of loan rates, and which complies with the Federal Seed Law and the State Seed Law in the State where the seed is produced. However, in no event will a loan be made if the seed contains noxious weeds in excess of 45 seeds per pound of the following weeds: White Top, Canada Thistle, Dodder, Quackgrass, Johnson Grass, Bindweed, Russian Knapeweed, Perennial Sow Thistle, or Leafy Spurge. The beneficial interest in the seed must be and must always have been in the person tendering the seed for a loan, and the person tendering the seed for a loan must have the legal right to obtain a loan upon the security of the seed.

§ 254.33 *Eligible storage.* Sudan grass seed must be stored in such manner and kind of building as to preserve the quality and quantity of seed that are stored therein.

§ 254.34 *Quantity and quality determination.* County committees of the Agricultural Adjustment Agency shall be responsible for determining the quantity and quality of seed stored in each bin on each farm. They shall secure a representative sample for determination of quality. The sample shall be sent to a laboratory approved by the State committee of the Agricultural Adjustment Agency for analysis and germination test. The analysis shall show pure seed, other crop seed, weed seed, inert matter, and noxious weed seeds. The county committee shall secure measurements of the inside width, length (diameter if a round bin), and depth of seed stored in each bin. The quantity of seed shall be determined by multiplying the number of cubic feet in the bin times 30, times the percent of pure seed as determined by the analysis. The result will be the number of pounds of seed to be placed under loan. The producer requesting the loan shall pay the cost of the analysis and germination test.

§ 254.35 *Delivery of collateral.* Commodity Credit Corporation will accept delivery of all the seed in the bin or bins in which all or a portion of the seed therein is under loan. The producer will be given credit for the number of pounds so delivered at the loan rate applicable to the quality of seed delivered. If no loan rate has been established for the grade of seed delivered, the actual market value will be furnished by the regional director of Commodity Credit Corporation serving the area. The producer shall deliver such seed to the delivery point stated on the loan papers. On delivery the county committee of the Agricultural Adjustment Agency shall take a representative sample and submit it to a laboratory approved by the State committee of the Agricultural Adjustment Agency for analysis and germination test. Final settlement with each producer shall be made by multiplying the weight by the percent of pure seed and multiplying the product by the loan rate for the percent of germination of the seed delivered. Any deficiencies due the Commodity Credit Corporation will be deducted from any credits which may be due the producer from Commodity Credit Corporation.

§ 254.36 *Loan rate.* The loan rate per 100 pounds for thresher-run bulk farm-stored sudan grass seed shall be determined on a pure seed basis, according to the following:

Germination:	*Rate*
85 to 100 percent	$5.00
80 to 85 percent	4.75
75 to 80 percent	4.50
70 to 75 percent	4.25

Seed of lower than 70 percent germination is not eligible for a loan.

§ 254.37 *Storage allowance.* A storage allowance of 10 cents per 100 pounds on the quantity of seed shown on the loan documents, less any amount owing the Corporation, will be paid borrowers if the seed is delivered to Commodity Credit Corporation after April 30, 1945, provided there has been no fraudulent representation by the producer, conversion of any part of the collateral, or the collateral has not been abandoned. The storage allowance will also be paid if, pursuant to demand by the Corporation for repayment of the loan, the sudan grass seed is delivered to the Corporation before April 30, 1945, provided the demand for repayment was not due to any fraudulent representation on the part of the borrower or was not made because the seed was damaged, threatened with damage, abandoned, or otherwise impaired.

§ 254.38 *Service fee.* A service fee of $3.00 or 1 percent of the net amount of the loan, whichever is larger, will be collected by the county committee, in connection with each loan, to cover the expenses incurred in the operation of the program.

§ 254.39 *Availability and maturity.* Loans will be available after the 1944 harvest begins and through December 31, 1944. Loans will mature on demand, but not later than April 30, 1945.

§ 254.40 *Insurance.* Producers will not be required to insure seed pledged as collateral to a loan. Losses not occasioned by negligence on the part of the producer will be assumed by the Corporation.

§ 254.41 *State and county committees of the Agricultural Adjustment Agency.* State and county committees shall be responsible for the administration of the program. The county committee in the county where the seed is produced shall be responsible for determining eligible producers, eligible seed, arranging for the analysis of the seed, filling out and completing loan papers, arranging for receiving the seed in the event it is delivered to Commodity Credit Corporation, and otherwise administering the program.

Dated: July 28, 1944.

J. B. HUTSON,
President.

[F. R. Doc. 44-12669; Filed, August 21, 1944; 11:22 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration

(Marketing Agreements and Orders)

PART 963—HOPS GROWN IN THE STATES OF OREGON, CALIFORNIA, WASHINGTON, AND IDAHO, AND THE PRODUCTS PRODUCED FROM SUCH HOPS

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," it is hereby found and determined that the provisions of §§ 963.7, 963.8, 963.9, 963.10, 963.11, the last sentence in § 963.12 (a), and all of the provisions in § 963.12 (b) of the order regulating (1) the handling of hops grown in the States of Oregon, California, Washington, and Idaho and (2) the handling of hop products produced from such hops, effective September 1, 1942, pursuant to the provisions of the aforesaid act, obstruct or do not tend to effectuate the declared policy of the said act.

It is, therefore, ordered, That the provisions in §§ 963.7, 963.8, 963.9, 963.10, 963.11, the last sentence in 963.12 (a), and all of the provisions in § 963.12 (b) of the aforesaid order regulating (1) the handling of hops grown in the States of Oregon, California, Washington, and Idaho and (2) the handling of hop products produced from such hops be, and the same hereby are suspended, effective at 12:01 a. m., P. w. t., August 23, 1944.

It is further ordered, That the suspension of said provisions shall not (1) affect or waive any right, obligation, or liability which has arisen or which, prior to the time that the suspension becomes effective, may arise under the aforesaid provisions of the order, or (2) release or extinguish any violation of the said order which has occurred or which, prior to the time that the suspension becomes effective, may occur, or (3) affect or impair any right or remedy of the United States, the War Food Administrator, or any other person with respect to any such violation which has occurred or which, prior to the time that such suspension becomes effective, may occur.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 794; 56 Stat. 65; 7 U.S.C. 1940 ed. 601 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued at Washington, D. C., this 18th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-12490; Filed, August 19, 1944; 11:15 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 4-5, Termination]

PART 1450—TOBACCO

ALLOCATION OF 1943 CROP BURLEY TOBACCO

War Food Order No. 4-5, 9 F.R. 4321, 4319 (formerly designated as Director Food Distribution Order No. 4-5 as issued by the Acting Director of Food Distribution on December 1, 1943, 8 F.R. 16315) is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., August 18, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 4-5, prior to the effective time hereof, all provisions of such order in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any action, suit, or other proceeding, with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, 8 F.R. 335, 11331, 9 F.R. 4321, 4319)

Issued this 17th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-12476; Filed, August 18, 1944; 12:28 p. m.]

[WFO 4-7, Amdt. 1]

PART 1450—TOBACCO

1944 CROP FLUE-CURED TOBACCO

Pursuant to War Food Order No. 4 (8 F.R. 335) issued on January 7, 1943, as amended (8 F.R. 11231; 9 F.R. 4219, 4321), and to effectuate the purposes of such order, as amended, War Food Order No. 4-7 (9 F. R. 8231) issued on July 18, 1944, relative to the 1944 crop of flue-cured tobacco, is hereby amended as follows:

(1) By deleting therefrom the term "74 percent" in § 1450.7 (b) (2) of said order and inserting, in lieu thereof, the term "86.8 percent."

(2) By deleting therefrom the term "100 percent" in § 1450.7 (b) (4) of said order and inserting, in lieu thereof, the term "135 percent."

(3) By inserting after § 1450.7 (b) (10) the following additional paragraph:

(11) Flue-cured tobacco of the 1944 crop may, from time to time, be allocated by the Director for purchase by the Commodity Credit Corporation.

The provisions in this amendment shall become effective at 12:01 a. m., e. w. t., August 19, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-7 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 4-7 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319)

Issued this 17th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-12477; Filed, August 18, 1944; 12:28 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDER

WAGE ADJUSTMENT; CLEANING AND DYEING PLANTS, DENVER, COLO., AREA

The National War Labor Board under paragraph (d) of § 803.4 (General Order

No. 4) has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

38. Cleaning and dyeing plants in the Denver, Colorado Metropolitan Area, consisting of the City and County of Denver, towns of Edgewater, Lakewood, Wheatridge and Arvada, located in Jefferson County; the towns of Brighton and Aurora, located in Adams County; that part of the town of Aurora located in Arapahoe County; and the town of Littleton, located in Arapahoe County..

(E.O. 9250, 7 F.R. 7871)

Approved: August 15, 1944.

FRED E. DESMOND,
Acting Executive Director.

[F. R. Doc. 44-12469; Filed, August 19, 1944; 9:58 a. m.]

PART 803—GENERAL ORDERS

WAGE AND SALARY ADJUSTMENTS OF CIVILIAN WAR DEPARTMENT EMPLOYEES IN HAWAII

The National War Labor Board has adopted the following new General Order 37:

§ 803.37 *Authorization to the War Department to pass on wage and salary adjustments of civilian employees in Hawaii.* The National War Labor Board hereby supplements General Order No. 36 by delegating to the Secretary of War, or to such agency as he may designate, subject to final review by the National War Labor Board, the authority to establish wage or salary schedules for civilian employees of the War Department in the various government-owned, government-operated installations located in the Territory of Hawaii, in accordance with the provisions of the Act of Congress of October 2, 1942, Executive Order 9250 dated October 3, 1942, Executive Order 9328 dated April 8, 1943, the Supplementary Directive of May 12, 1943 and all other Executive orders and regulations isued thereunder, subject to the following limitations:

(a) The June 6, 1944 level of wage and salary rates prevailing in army installations in the Territory of Hawaii shall be maintained in accordance with the directions subsequently set forth in this order.

(b) Exclusive of the Hawaiian Air Depot, the approval of any wage or salary schedules resulting from job reclassifications shall not cause an overall increase in the job rates as weighted by the number of employees in each job classification in all the establishments to which that schedule is applied, to exceed five percent.

(c) Wage rates to be established through job reclassifications for the Hawaiian Air Depot shall be in conformity with the schedules for other War Department installations established in the Territory.

(d) The rates for any new job classifications subsequently created in any War Department installation shall bear the proper relationship to the rates for immediately interrelated job classifications in that installation.

(E.O. 9250, 7 F.R. 7871)

Approved: August 8, 1944.

FRED E. DESMOND,
Acting Executive Director.

[F. R. Doc. 44-12482; Filed, August 19, 1944; 9:58 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, Interpretation 1 as Amended Aug. 21, 1944]

HOUSING CONSTRUCTION COVERED BY THE SCHEDULES TO DIRECTIVE 24

The following interpretation is issued in respect to Directive 24:

Directive 24 describes the kind of action which the National Housing Agency and its constituent operating agencies (Federal Housing Administration, Federal Public Housing Authority, and Home Owners' Loan Corporation) can take with respect to housing construction. Schedules A and B to Directive 24 set forth what is meant by housing construction for this purpose. If the construction is covered by Directive 24, persons (other than government units) who want permission to build should make application to the Federal Housing Administration on Form WPB-2896. Local public housing authorities apply on Form WPB-2896 to the FPHA. If the construction is not covered by Directive 24, Order L-41 will explain how to get permission to do the building. Schedules A and B of Directive 24 merely tell what kind of construction is reviewed by the National Housing Agency. They do not define residential construction for any other purpose. For example, Conservation Order L-41 establishes a dollar limit of $200 for residential construction which may be performed without permission. Schedules A and B have no bearing on the meaning of residential construction in L-41 for the purpose of determining the necessity for permission.

(a) *Room count and floor area.* Jurisdiction over hotel construction is determined by the number of rooms as provided in paragraph (c) of Schedule A. In cases of remodeling or additions, this room count should be applied to the completed structure and not to the structure before the remodeling or addition is made. Jurisdiction over new construction of structures which are partly commercial and partly residential depends on the percentage of floor area devoted to each use under paragraph (a) (3) of Schedule B. In cases of remodeling and additions, a change in the percentage of floor area devoted to living accommodations is sometimes involved. In such cases the determination of jurisdiction should be made on the basis of the floor area being remodeled or added, and should not be made on the basis of the floor area of the whole structure as it will be after completion of the remodeling or additions (see also paragraph (c) (2) (ii) of this Interpretation). Furthermore, if the remodeling or addition is wholly commercial, paragraph (h) of Schedule A applies; and if it is wholly residential, paragraph (a) (4) of Schedule B applies.

(b) *Farm housing.* As provided in paragraph (a) of Schedule A, farm housing is not covered by Directive 24. Whether a project is farm housing or other residential construction is ordinarily determined by its location. A farm house is a structure built on the farm and used primarily for housing agricultural workers required in the operation of that farm. A farm is a place primarily used for raising crops, livestock, dairy products, poultry, etc., for the market. A suburban house with a victory garden is not a farm. Except in unusual cases a place of less than five acres will not be considered a farm. Housing built off a farm for the purpose of housing farm laborers would not be farm housing. Housing constructed on a farm for the purpose of housing nonfarm workers would likewise not be farm housing, since running the rooming house or apartment house would be a separate nonfarming enterprise.

(c) *Institutional housing.* As provided in paragraph (d) of Schedule A, institutional housing is not covered by Directive 24. Housing which is owned or operated by an institution (whether or not it is rented to the occupant) primarily for accommodating its personnel, is institutional housing. The term includes, for example, a house being built by a church for a parson, or housing owned or operated by a university for its professors or other employees.

(d) *Housing for petroleum operators.* (Paragraph (f) of Schedule A). Application shall be made to the Petroleum Administration for War under P-98-b for housing to be built on or immediately adjacent to a "lease" (land where petroleum resources are being explored, developed, or depleted), or on an oil pipe line in a remote area, either by the operator for occupancy by his employees or by an employee for his own occupancy. Applications must be filed under P-55-c for all other types of housing needed in the Petroleum industry, including housing for refineries and other plants, and for petroleum distribution outlets.

(e) *Commercial establishments.* In many cases commercial establishments and dwelling units are either part of the same structure or are separate buildings which are part of the same project. The general rule is that for a single project only one application need be filed. Paragraph (h) of Schedule A and paragraphs (a), (b) and (g) of Schedule B tell how to determine whether or not a project containing commercial establishments is essentially a housing project for which a WPB-2896 should be filed.

(1) *New project.* New construction in which more than 50% of the floor area of each structure provides dwelling accommodations is a housing project under paragraph (a) (3) of Schedule B. In addition separate commercial establishments to serve the housing project may be constructed under the housing authorization if they meet the conditions of paragraph (g) of Schedule B. One of the conditions set forth in subparagraph (1) states that the commercial establishments must be "an integral part of" the housing project. This means that the commercial establishments must be located at or adjacent to the site of the dwelling accommodations, must be owned by the owner of the dwelling accommodations and must be part of the project as approved or as amended, providing the amendment is made before the dwelling accommodations have been completed. The building of separate structures for commercial purposes is an addition to a completed residential project is not housing construction. (See paragraph (b) of Schedule B).

(2) *Existing structures.* If an existing structure is being altered by remodeling or making additions so that the building will, when complete, include dwelling accommodations and commercial establishments, the remodeling or addition is a housing project under the following conditions:

(i) When the proposed construction involves the creation of additional dwelling units only. It is a housing project whether

or not most of the floor area of the structure after remodeling is for commercial use. (See paragraph (a) (4) of Schedule B.) However, if the proposed construction involves only space to be used for commercial purposes the construction is not a housing project. (See paragraph (h) of Schedule A.)

(ii) If the addition or remodeling is partly for residential purposes and partly for commercial purposes the construction is a housing project only if more than 50% of the floor area of the addition or of the part of the structure being remodeled is to be used for dwelling accommodations. (See paragraph (h) of Schedule A and paragraph (a) (3) of Schedule B.)

(f) *Accommodations for transient workers.* Bunk houses and similar accommodations built by employers for transient workers such as train and engine crews who need living accommodations at division points and terminals during a lay-over period or for maintenance of way workers are housing construction covered by paragraph (a) (2) of Schedule B and not by paragraph (c) or (d) of Schedule A if the accommodations are intended for a fixed location. Trailers and other mobile housing units for transient workers are not housing construction and are covered by paragraph (s) of Schedule A.

(g) *Repair.* Preference ratings for maintenance and repair of houses are available under the provisions of CMP Reg. 5 or 9A, Order L-79, or other WPB Orders or Regulations. No applications for priorities assistance for maintenance and repair may be approved on Form WPB-3536 if other orders or regulations are adequate.

(1) CMP Reg. 9A provides repairmen with an allotment symbol and preference rating equivalent to the rating available under P-55-c for use in obtaining materials within the quantity limitations specified in the Regulation. However, if the applicant proposes to do his own work and cannot be considered as a person "in the business of making repairs", he is not entitled to use CMP Reg. 9A authorization.

(2) CMP Reg. 5 provides that a person managing property for profit may use an AA-5 rating to get materials for maintenance and repair. If the AA-5 rating is not sufficient to provide the needed materials, application should be made for a higher rating on Form WPB-541 as provided in CMP Regulation 5.

(3) Order L-79 authorizes repairs and replacements for plumbing and heating equipment subject to certain limitations.

(4) CMP Regs. 4 and 9 authorize warehouses and retailers to sell limited quantities of steel in the controlled material form and copper wire on unrated orders.

The National Housing Agency may consider applications on Form WPB-3536 for priorities assistance for maintenance and repair where (i) none of the above orders and regulations are sufficient to provide the needed materials and (ii) the maintenance and repair relates to housing covered by Schedule B of Directive 24.

Issued this 21st day of August 1944.

S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-12594; Filed, August 21, 1944; 11:31 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1942, 8 F.R. 3666, 3690; Pri. Reg. 1 as amended May 15, 1942, 8 F.R. 6727.

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended Aug. 19, 1944]

§ 1075.1 *Conservation Order L-41*—(a) *What this order does.* This order limits construction. It is necessary in order to conserve materials, construction equipment, labor and transportation. In most cases, except where the construction is of a special kind, you must get permission from the War Production Board for construction. This permission (sometimes called "authorization to begin construction") must not be confused with preference ratings or priorities. If a construction job is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings for the materials and fixtures which are needed. On the other hand, if you have ratings for materials, or materials on hand, you may still have to get permission to use them for a particular construction job.

(b) *What is meant by construction.* Construction covered by this order includes putting up or altering any sort of a structure, including a building, road, bridge, dam, sewer, and similar jobs; also the installing of equipment or fixtures. Certain special kinds of construction are excepted, as explained in paragraphs (c) and (d) below.

(c) *How much construction is allowed without getting permission.* You need not get permission under this order for construction which does not total more than the limits shown in the following list for all jobs begun in the same year. For an explanation of how to figure "cost," see paragraph (i). If a utility connection (electric, gas, water or central steam heating) will be required, it may be necessary to get War Production Board approval for the connection. If so, approval for the connection must be obtained *before* beginning construction, even if the cost of construction comes within the limits. The limits for all jobs begun in the same year are as follows:

(1) $200 for a house, including the entire residential property.

(2) $1,000 for a farm including the farm houses. However not more than $200 of this sum may be spent on any farm house on the farm. A "farm" means a place used primarily for raising crops, livestock, dairy products, poultry, etc., for the market.

(3) $1,000 for a hotel, apartment building or other residence for six or more families. Any residence for five or less families is considered a house under (1) above.

(4) $200 for an office, bank, store, laundry, garage, restaurant, or other retail service establishment, except that the limit is $1,000 for a unit containing more than five establishments of this kind.

(5) $1,000 for a church, hospital, school, college, U. S. O. Club, public playground for children, or for a publicly owned building or group of buildings used for public purposes.

(6) $1,000 for a bridge, overpass, underpass, tunnel, dock, pier, airport, bus terminal, truck terminal operated by a common or contract carrier by truck, or for a railroad or street railway building or group of buildings.

(7) $1,000 for an irrigation or drainage system serving more than one farm.

(8) $1,000 for a building or group of buildings which will be used for warehouse or for off-farm storage purposes, except that the limit is $200 for a frozen food locker plant.

(9) $1,000 for all monuments and structures on the same cemetery lot or for all cemetery buildings or structures in the same cemetery.

(10) $1,000 for a military exchange situated on a reservation of the Army or Navy.

(11) $1,000 for a building or a group of buildings which will be used directly in furnishing electric, gas, water or central steam heating utility services and which will be owned by a utility producer as defined in Order U-1, or which will be used directly in furnishing wire communications services, and which will be owned by an operator as defined in Orders U-3 and U-4, or which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

(12) $5,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, except that the limit is $200 if the goods are listed on Schedule A at the end of this order or if the productive floor area of the unit upon completion of construction is less than 10,000 square feet.

(13) $200 for any other kind of construction.

(d) *Special kinds of construction which do not require permission.* It is not necessary to get War Production Board permission under this order for the following kinds of construction, and the cost of such construction need not be charged against the cost limits stated in paragraph (c).

(1) Maintenance and repair; that is, work necessary to keep a building or structure in sound working condition or fix it when it has become unsafe or unfit for service because of wear and tear; also the minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war, or the like. Changes in material are permitted in doing maintenance and repair work. Additions, structural alterations, or the completion of unfinished parts of buildings are not considered maintenance and repair. Rebuilding or restoring after damage caused by fire, flood, tornado, earthquake, acts of war, or the like, is not permitted as maintenance and repair, but is permitted in some cases as explained below.

(2) The rebuilding or restoring of a house (including a farm house) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000.

(3) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000, where the immediate reconstruction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(4) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(5) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(6) Construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civil Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(7) Insulating existing buildings with materials such as storm windows and doors, pipe covering, loose fill, blanket or bat insulation, plain or granule surfaced rigid insulation and weather stripping. Also the application of masonry veneer to existing houses. (This paragraph does not exempt the use of the above materials for any purpose other than the insulation of an existing building against exterior cold or heat without change in the function of the building. It does not apply to the use of insulation materials in the original construction of a building or in the conversion of a building from one purpose to another, or to the use of insulation materials to make an alteration to a building.) Also the installation of heating and combustion equipment designed for effecting fuel conservation where the total cost of the installation including the cost of the equipment does not exceed $25,000 and where the cost of installation excluding the cost of equipment does not exceed $5,000.

(8) [Deleted Mar. 7, 1944]

(9) Grading, ditch-digging or similar earth-moving operations, if no cement, lumber or other building materials are used, except clay tile and non-reinforced concrete pipe.

(10) Various kinds of construction connected with farms, public roads, railroad tracks, utilities, mines, smelters, wells, the petroleum industry, the lumber industry, the chemical industry, steel mills, broadcasting facilities, laboratories, and civilian aircraft facilities as described in Schedule B.

(11) A construction job which began before this order originally became effective (April 9, 1942), or at a time when the job was not limited by this order, and has gone on without interruption.

(12) Construction jobs which are classed as minor capital additions under CMP Regulation No. 5 or under CMP Regulation No. 5A. This exception applies only to:

(i) Additions to factories, plants and other industrial units which will have a productive floor area of 10,000 square feet or more, and which are for the manufacturing, processing or assembling of goods which are not listed in Schedule A.

(ii) Hospitals.

(e) *All other construction forbidden without WPB permission.* No person shall do any construction which has not been permitted by the War Production Board, unless it is of a kind described in paragraph (c) or (d) above. This prohibition applies to a person who does his own construction work, to one who gets a contractor to do it for him, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for permission.* (1) Schedule C at the end of this order shows the various types of application forms, and where they should be filed.

(2) In case of emergency, application may be made by wire or in person instead of on a printed form. It must be made to the office in which a written application for the same construction should be filed. The following information must be given:

(i) Cause of the emergency (fire, flood, etc.).

(ii) What the building or structure is used for.

(iii) Type of construction.

(iv) Why immediate construction is necessary.

(v) Estimated cost of construction.

(g) *Preference rating includes permission in some cases only.* There are some forms of preference rating orders and certificates which are issued or have been issued for special kinds of construction and which include permission for construction although they do not say so. These are listed in Schedule D at the end of this order. In all other cases, a preference rating is not enough, unless the instrument which assigns the rating also states that construction is permitted under this order.

(h) *Other restrictions on use of some items.* Permission for construction or the exception of any construction from this order does not relieve any one from complying with the various WPB orders or directives which restrict the use of copper and other scarce materials or fixtures. If you do not know about these restrictions, consult the nearest War Production Board District Office.

(i) *How to figure cost.* (1) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the whole construction job as estimated at the time of beginning construction, except that the cost of used material or used fixtures may be disregarded.

(2) If any materials or fixtures which have not been used are obtained without buying them, their value must be included as part of the cost.

(3) [Deleted Aug. 19, 1944]

(4) The cost of labor must be included, but if labor is unpaid its value need not be included. Contractors' fees also must be included but architects' and engineers' fees need not be.

(5) All construction on the same unit must be included. The word "unit" means any group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other, and which serve the same general purpose, or closely related purposes. For example, each of the following is a unit: a house, together with a detached garage, tennis court, swimming pool, etc.; a farm, including the farm house, barn, hen house, dairy, etc.; a manufacturing plant with a number of buildings used for the same or different processes, together with administration buildings, cafeterias, etc. In no case may a single building or structure be treated as more than one unit.

(6) The cost per year must be determined on a calendar year basis, beginning with January 1, 1943, except that a company which regularly keeps its books on a fiscal year basis may use the fiscal year.

(j) *Penalties for violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This schedule is referred to in paragraphs (c) (12) and (d) (12). In the case of a unit principally designed for the manufacture, processing or assembling of any of the following articles, the cost limit is $200 in any one year without getting permission:

(i) Athletic supplies, sporting goods, or toys or games.

(ii) Beverages, except milk.

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter.

(iv) Candy or chewing gum.

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff.

(vi) Jewelry, watches, luggage, brushes, razors, pipes, and like articles for personal use or adornment.

(vii) Furniture, store fixtures, barroom fixtures, bowling alleys and the like.

(viii) Silverware, woodenware, household electrical appliances, draperies, rugs, and all other household appliances and equipment, but not including china and glassware.

(ix) Musical instruments.

(x) Stationery or office supplies.

(xi) Toiletries or cosmetic products.

(xii) Wearing apparel of every sort, except for the Army or Navy and their auxiliaries, and except safety equipment or safety clothing as defined in Order L-114.

SCHEDULE B

Permission under this order is not necessary for the following kinds of construction which are referred to generally in paragraph (d) (10).

1. Construction of structures which are to be used directly in the discovery, development or depletion of mineral deposits; also maintenance work, repairs and minor capital additions given priorities assistance under order P-56 (relating to mines and smelters).

2. Construction which is regulated by any petroleum administrative order or other order issued or administered by the Petroleum Administration for War (construction of this kind is permitted only to the extent authorized by the applicable petroleum administrative order or other order).

3. Construction of facilities (other than buildings) which will be used directly in furnishing wire communications services, and which will be owned by an operator as defined in Orders U-3 and U-4.

4. Laying of railroad tracks, together with the construction of necessary railroad operating facilities; also the construction of tunnels, overpasses, underpasses or bridges where

the cost of those materials to be incorporated in the project which will be acquired under P–142 or will be withdrawn from inventory materials acquired with priorities assistance (excluding the cost of other materials and excluding the labor cost) is $2,500 or less. The above types of construction are controlled by P–142. The construction of tunnels, overpasses, underpasses or bridges where the cost of the materials acquired as stated above is more than $2,500 and the construction of railroad stations, warehouses, loading platforms and other similar structures are not excepted by this paragraph.

5. Construction of facilities (other than buildings) which will be used directly in furnishing electric, gas, water, or central steam heating utility services and which will be owned by a utility producer as defined in Order U–1.

6. Construction of facilities (other than buildings) which will be used directly for a sewerage system and will be owned by a sewerage system "operator" as defined in Order P–141.

7. Installation or erection of rationed farm machinery, or mechanical equipment, which has been obtained on a purchase certificate issued by a County Farm Rationing Committee under Food Production Order 14 of the War Food Administration, or of wire fencing which has been obtained on P.R. 19 certification, also the erection of farm silos which have been manufactured by a producer as defined in Order L–257.

8. Drilling and casing of water wells, but excluding any use of pipe to conduct water on the surface.

9. Use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations.

10. Construction which is given priorities assistance under Order P–80 (relating to facilities for the manufacture of chemicals).

11. Construction which is given priorities assistance under Order P–68 (relating to facilities for the manufacture of steel).

12. Rearrangement or expansion of facilities and equipment, other than buildings, by an international point-to-point radio communication carrier to the extent that priorities assistance is granted under P–133 for such work.

13. Construction which is given priorities assistance under paragraph (e) (2) of Order P–43 (relating to laboratories).

14. Construction of public highways and public streets owned by a Government Agency (construction of this kind is controlled by Order L–41–e).

15. Construction which is given priorities assistance under P–47 (relating to civilian aircraft facilities).

Schedule C

Note: Schedule C amended Aug. 19, 1944.

Application forms to be used in obtaining permission to begin construction under L–41 and where to file them, unless otherwise instructed. These forms are to be used whether or not priorities assistance or controlled material allotments are required.

Types of construction	Application form	Where filed
Farm construction, including farm dwellings	WPB–617 (formerly PD–200).	County Agricultural Conservation Committee having jurisdiction over the site.
Housing covered by W. P. B. Directive 24	WPB–2698 (formerly PD–105).	FHA Field Office having jurisdiction over the site.
Public roads	PR 1 PA	State Highway Department having jurisdiction over the site.
Buildings used directly in furnishing electric, gas, water, central steam heating, or wire communications services to the public.	WPB–2774	WPB, Washington, D. C.
All other construction restricted under L–41	WPB–617 (formerly PD–200).	Consult instruction form WPB–617.

Note: The application forms specified in Schedule C have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Schedule D

Note: Schedule D amended Aug. 19, 1944.

The following preference rating orders or certificates are referred to in paragraph (g). If you have received or are entitled to use one of these orders or certificates for your construction, the construction is permitted by the WPB:

P–19–h, CMPL–224, GA–1456	Relating to projects important to the war effort or essential civilian needs.
P–55–c	Housing.
WPB–2774	Relating to utility facilities.
WPB–542, PD–3A, CMPL–593, Navy (Army)	Relating to command construction and certain other construction carried on under the supervision of the Armed Services.
P–14–a, P–14–b, P–19, P–19–a, P–19–d, P–19–e, P–19–g, P–19–i, P–41, P–55–b, P–55–amended, P–110, PD–3, CMPL–127	These orders and certificates are no longer used, but jobs which were authorized by them may go on.

Interpretation 1

[Superseded by L–41, as amended November 1, 1943, which incorporates the substance of the interpretation.]

Interpretation 2

Conservation Order L–41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location. (Issued Nov. 13, 1943)

Interpretation 3

Earth-moving operations

Under the provisions of paragraph (d) § 1075.1 *Conservation Order L–41* it is not necessary to get War Production Board permission for construction of a kind consisting of "grading, ditch-digging or similar earth-moving operations if no cement, lumber or other building materials are used except clay tile and non-reinforced concrete pipe." This applies only to projects which can be completed without the use of any other materials. It does not apply to earth-moving operations which are part of a construction job in which other materials will be incorporated before completion. (Issued Nov. 23, 1943)

Interpretation 4

Portable structures on skids

The erection of a portable or pre-fabricated building is construction and, consequently, is limited by Order L–41 whenever the building is either placed on a foundation constructed on the site or is placed on skids in a spot where it is intended to remain for an undetermined time. The only case in which the erection of a portable or pre-fabricated building is not "construction", is when it is placed on what is intended to be a temporary site with the purpose of moving it from time to time and without affixing it to the land by plumbing, public utilities connection, or in any other way. For example, the erection of a portable structure for use as a garage on a house lot is generally construction, but the erection of a shelter to be moved around for use on different parts of a farm from time to time is not construction. (Issued Mar. 24, 1944.)

Interpretation 5

Distinction between residential and farm construction

Under the terms of paragraph (c) (1) of L–41 not more than $200 may be spent on a house, including the entire residential property, over a year's period. Under paragraph (c) (2) of that order not more than $1,000 may be spent on a farm, "including the farm houses," and no more than $200 on any farm house on the farm. A property is not necessarily a "farm" because farm products are produced on it but only if it is used primarily for the raising of crops, livestock, dairy products, poultry, etc., for the market. (Issued April 19, 1944)

Interpretation 6

Maintenance and repair of sidings

Paragraph (d) (1) of L–41 excepts maintenance and repair work necessary to keep a building or structure in sound working condition. If an existing siding or roof needs repair, the minimum amount of repair work may be done to put the siding or roof in suitable condition. Thus if a siding can be put in proper condition by putting on paint it should be done in this way. If, on the other hand, the siding has so deteriorated that a paint job will not provide adequate protection a new siding may be put on the building. The new siding need not be of the same material as the old siding. This interpretation is not applicable where asbestos materials are used for re-siding or re-roofing as the use of these materials is governed by Order L–41–d. (Issued Apr. 4, 1944)

Interpretation 7

Use of insulation materials

Paragraph (d) (7) of Conservation Order L–41 provides that it is not necessary to get War Production Board permission under that order for "Insulating buildings" with certain materials. The exception applies only to the insulation of existing buildings. It does not apply to the use of these materials in the original construction of a building, nor does it apply to the use of materials for other purposes than insulating buildings; for example, making alterations to a building or converting the building from one purpose to another. The cost of new insulating materials used in building a new building or in making alterations to an old building or converting an old building from one use to another must be included in the cost of the job.

For example, if rigid insulating material is used for partitions to make a new room, the cost of the insulating material must be included in the cost of the job, as this use of insulating material is not insulating a building. If an existing building is being converted from a store to a frozen food locker plant, the cost of the insulation materials installed must be included as part of the cost of conversion, as these materials are being used to convert a store to a locker plant, not to insulate a store. (Issued May 23, 1944)

INTERPRETATION 9

INSTALLATION OF EQUIPMENT AND FIXTURES

Paragraph (b) of L-41 describes the kind of work which is covered by the order under the term construction. It specifically states that "the installing of equipment or fixtures" is construction and is covered by L-41.

This means that if a piece of equipment or a fixture is attached to a building and used as a part of the building, or if a piece of equipment or a fixture is so firmly attached to the building that removal would result in material injury to the building or the fixture, construction under L-41 is involved and the limitations of L-41 apply.

The following kinds of installations are construction under L-41:

The installation of any piece of equipment or fixture which is attached to the plumbing system of a building; the installation of any piece of equipment or fixture which involves putting new wiring in a building; the installation of any piece of equipment or fixture for which a base or foundation must be built; the installation of any piece of equipment or fixture cemented to a floor or wall of a building; the installation of a furnace or stoker connected by pipes or flues or wiring to the building.

The following kinds of installations are not construction under L-41:

The installation of a counter, table or booth which is attached to the building only by nails or screws and which can be removed as a unit and will only make it necessary to fill up the holes left by the nails or screws (however, if the counter contains equipment which is attached to the plumbing system, construction is involved); the installation of a piece of equipment or fixture which requires only making a connection to an existing wiring outlet (if new wires must be run or a new outlet built into the wall or ceiling, construction is involved).

These examples illustrate the general principles. In case of doubt as to a particular installation, consult the nearest WPB office or file an application for permission to do the work, if the cost of the work plus the cost of other construction already done on the building during the calendar year exceeds the allowance given under the applicable paragraph of section (g) of L-41. [Issued July 7, 1944.]

DIRECTION 1

[Superseded by Schedule C as amended, which gives instructions for filing applications]

DIRECTION 3

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

(a) The War Production Board has been issuing blanket authorizations to applicants permitting them to carry on miscellaneous construction over a fixed period. Instructions as to how to apply for blanket authorizations have been described in WPBI-43 (formerly PDL-362). The need for blanket authorizations has been largely eliminated by the recent transfer of processing of small construction applications to the Field offices, by the simplification of War Production Board procedures under Direction 1 to CMP 6, and by the exception of certain types of minor capital additions under paragraph (d) (13) of L-41. For this reason blanket authorizations will no longer be issued generally but only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) In these circumstances applications for blanket authorization may be made on form WPB-617. Separate applications must be made for each "unit" as defined in paragraph (i) (5) of L-41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to form WPB-617. The need for a blanket authorization must be firmly established.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction but no materials may be acquired or used contrary to the Limitations which will be made a part of the authorization. In the case of equipment items which must be listed on the application, the builder may use only those which are specifically approved. The use of such items or deviations from the Construction Limitations will be approved only in exceptional cases. The applicant will be permitted to use the allotment symbol P-6 and the rating assigned for the procurement of material. While the blanket authorization will cover a number of jobs, no one job costing more than $10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No reports of materials used will be required. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made.

(d) This direction supersedes WPBI-43 (formerly PDL-362). [Issued April 19, 1944.]

DIRECTION 4

PRISONER OF WAR HOUSING

It is not necessary to get War Production Board permission under Order L-41 to construct facilities to house prisoners of war assigned by the Army to the builder if priorities assistance for the construction has been granted on Form CMPL-593 Navy (Army), pursuant to Direction 3 to CMP Regulation 6 and WPB Directive 31. [Issued July 18, 1944.]

[F. R. Doc. 44-12509; Filed, August 19, 1944; 11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Revocation of Interpretation 8]

INSTALLATION OF PROCESSING MACHINERY

Interpretation 8 to L-41, issued July 7, 1944, is superseded by paragraph (a) of Direction 2 to L-41 as amended August 19, 1944 which incorporates the substance of the interpretation.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12510; Filed, August 19, 1944; 11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Interpretation 10]

INSTALLATION OF MACHINERY AND EQUIPMENT RATED ON WPB-541 AND WPB-542

The following interpretation is issued with respect to Conservation Order L-41:

Interpretation 9 to L-41 explains the circumstances under which an installation of a piece of equipment is restricted by L-41. If the installation of a piece of equipment is restricted by L-41 and is not within the appropriate exemption allowed by paragraph (c) of L-41 and not permitted under Direction 2 to L-41, permission under L-41 to make the installation must be obtained even though the machinery has been rated on Form WPB-541 or Form WPB-542. The reference to WPB-542, PD-9A and CMPL-593 Navy (Army) in Schedule D of L-41 applies only to those forms when used for command construction, Engineers Corps construction, Panama Canal construction, and CAA construction, as defined in paragraphs (c) (3), (4), (5), (6) of WPB Directive 31, when carried on under the supervision of the Armed Services. Paragraph (d) (6) of L-41 also exempts certain construction for which these forms may have been issued.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12511; Filed, August 19, 1944; 11:33 a. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Direction 2 as Amended Aug. 19, 1944]

INSTALLATION OR RELOCATION OF MACHINERY AND EQUIPMENT

The following direction is issued pursuant to Conservation Order L-41:

(a) *Installation.* It is not necessary to get War Production Board permission under Order L-41 to install a single piece or a group of related pieces of (i) processing machinery or equipment (including used equipment) or (ii) machinery or equipment specifically rated or authorized by the War Production Board on a special form (including WPB-541 and WPB-542); including the building alterations necessary for the installation, if:

(1) The cost of the entire installation including the cost or value of the machinery and equipment does not exceed $25,000, and

(2) The cost of the installation excluding the cost of the equipment does not exceed $5,000, and

(3) No new buildings or additions to existing buildings are constructed.

The term "processing machinery or equipment" as used in this paragraph means machinery or equipment which is directly used in the manufacture, processing, or assembling of a product. It does not include such equipment as plumbing, heating, or air-conditioning equipment which is not used directly in the manufacture, processing, or assembling of the product.

If the installation of a single piece or a group of related pieces of processing machinery or equipment satisfies the requirements of this paragraph (a), the installation may be made, even if the machinery was previously installed in the same plant or another plant belonging to the same owner.

(b) *Relocation.* It is not necessary to get War Production Board permission under Order L-41 to relocate in a factory, plant, or other industrial unit, any piece or any group of related pieces of machinery or equipment (whether used for processing or not) if each piece of machinery or equipment has previously been used in the same plant and if the materials needed to relocate each piece do not cost more than $500 and if no building alterations are required by the relocation other than installing piping and wiring and constructing foundations for the relocated equipment. If a group of related machines is to be relocated and installation materials costing more than $500 are needed to install any one of the machines, this paragraph does not permit the installation of any of the group of machines (they may, however, be installed under paragraph (a) if they satisfy the requirements of that paragraph). Under this paragraph the value of the machinery or equipment being relocated does not matter. This paragraph does not give a person the right to install a piece of machinery or equipment (whether new or second-hand) which he is installing in his plant for the first time, as distinct from relocating machinery or equipment previously used in the same plant.

(c) *Applications.* Where permission to install or relocate machinery is required by Order L-41, application for such permission should be made on the appropriate form indicated on Schedule C of Order L-41. Also, such form should be used in applying for priorities assistance to buy installation materials where they cannot be bought under Direction 15 to CMP Regulation No. 5 or other order or regulation giving blanket MRO ratings for this purpose, even if permission to install or relocate is not required by Order L-41.

(d) This direction does not apply to the installation or relocation of machinery or equipment:

(1) For use in the future manufacture of items which at the time of installation is prohibited by an outstanding order of the War Production Board.

(2) In connection with construction of a kind which is limited by Order L-41. If permission under Order L-41 is required for the job the materials to install any equipment to be installed as part of the job must be obtained under the project authorization.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12512; Filed, August 19, 1944; 11:33 a. m.]

PART 1288—POWER, STEAM, AND WATER AUXILIARY EQUIPMENT

[Limitation Order L-154, Revocation of Schedule VI]

AUXILIARY EQUIPMENT AND APPURTENANCES FOR STEAM TURBINES FOR LAND USE

Section 1288.7 *Schedule VI to Limitation Order L-154,* is revoked. This revocation does not affect any liabilities incurred under the order. The manufacture, delivery and installation of steam turbines for land use remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12828; Filed, August 19, 1944; 11:29 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 15, as Amended, Aug. 19, 1944]

USE OF MRO SYMBOL AND RATING TO BUY INSTALLATION MATERIALS WHERE AUTHORIZATION TO CONSTRUCT IS NOT REQUIRED UNDER L-41

The following direction is issued pursuant to CMP Regulation 5:

(a) *Installing or relocating machinery or equipment.* Any person engaged in a business listed on Schedule I or Schedule II of CMP Regulation 5 or assigned a rating by Direction 21 to CMP Regulation 5 may use the MRO symbol and rating assigned to him for maintenance, repair, and operating supplies by the Regulation to get materials to install or relocate equipment under the following conditions: (i) Where construction (as defined in Order L-41) is involved, he may get materials needed for the installation or relocation of machinery or equipment which Direction 2 to L-41 permits him to install or relocate without getting an authorization under that order. (ii) Where construction is not involved, he may get up to $500 worth of materials needed to install any piece of machinery or equipment specifically rated or authorized by the War Production Board on a special form (such as WPB-541, WPB-1319, etc.).

(b) Deleted Aug. 19, 1944.

(c) *MRO quota need not be charged.* A person buying installation materials under this direction need not charge the amount he spends for them against his MRO quota under paragraph (f) of the regulation.

(d) *Relation to minor capital addition provision of CMP Regulation No. 5.* The purchase of installation materials under this direction is not affected by the restrictions on purchases of minor capital additions under paragraph (b) (3) of CMP Regulation No. 5. This direction applies only in cases where machinery or equipment which is installed or relocated is acquired without using the MRO rating for a minor capital addition under paragraph (b) (3) of the regulation. Under this direction, it does not matter whether the machinery or equipment costs more than $500. However, if machinery or equipment is acquired with the MRO rating under paragraph (b) (3) of the regulation, installation materials are considered part of the same capital addition, in which case the total must not exceed $500 and the cost of the installation materials as well as cost of the machinery or equipment must be charged to the MRO quota.

(e) *Applications.* Where permission to install or relocate machinery is required by Order L-41, application for such permission should be made on the appropriate form indicated on Schedule C of Order L-41. Also, such form should be used in applying for priorities assistance to buy installation materials where they cannot be bought under this direction, even if permission to install or relocate is not required by Order L-41.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12529; Filed, August 19, 1944; 11:30 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Amdt. 1 to Schedule XV]

GROUNDWOOD PAPER

Section 3281.31 Schedule XV to Limitation Order L-120 is hereby amended in the following respects:

In the appendix to this schedule under the caption "Carbonizing" amend paragraph (a) (2) to read as follows:

2. *Standard colors:* White, Magenta, Canary, Shell and Nile.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12530; Filed, August 19, 1944; 11:29 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 14]

ADVANCED ALLOTMENTS TO CONSUMERS OF HARDWOOD LUMBER

The following direction is issued pursuant to L-335:

(a) *What this direction does.* This direction permits Class I Consumers using hardwood lumber to receive a part of their fourth quarter requirements in the third quarter.

(b) *Receipts of hardwoods in advance of fourth quarter.* A Class I Consumer who has placed orders for all of the lumber that he has been authorized to receive in the third quarter and wishes to receive a part of his fourth quarter requirements in the third quarter of 1944 may order and receive in the third quarter over and above his third quarter authorization (whichever is the larger amount) either (1) an amount of hardwood lumber equal to 20 percent of the amount of hardwood lumber that he ordered for delivery in the third quarter prior to August 15, 1944; or (2) an amount of hardwood lumber equal to 20 percent of the hardwood lumber that he reported he held in inventory at the time he filed application on Form WPB-3640 for authority to receive lumber in the fourth quarter. For this purpose he must not use the inventory reported in his 3640 application which he filed for authority to receive lumber in the third quarter. For example, a manufacturer of farm machinery has been authorized on Form WPB-3640 to receive 80,000 board feet of lumber in the third quarter of 1944. Prior to August 15, 1944 he placed orders for 40,000 board feet of hardwood lumber and 40,000 board feet of softwood lumber for delivery in the third quarter. When he filed his fourth quarter application he showed an inventory of 60,000 board feet of hardwood lumber and 20,000 board feet of softwood lumber. Under this direction the manufacturer may place orders for the delivery of an additional 12,000 board feet of lumber in the third quarter of 1944—this being 20 percent of the hardwood inventory as shown in the fourth quarter application. If, prior to August 15, 1944 he had placed orders for the delivery of 70,000 board feet of hardwood lumber he would have been able to order and receive in the third quarter 20 percent of 70,000.

(c) *Receipts of hardwood lumber under this direction to be charged against amounts authorized for fourth quarter.* Any hardwood lumber that a Class I Consumer receives under this direction must be charged against the amount of lumber that he will be authorized to receive in the fourth quarter of 1944. For instance, if a Class I Consumer under this direction orders and receives 100,000 board feet of hardwood lumber in the third quarter and he is authorized on Form WPB-3640 to receive 400,000 feet of lumber in the fourth quarter of 1944 he may receive in the fourth quarter only 300,000 board feet.

(d) *Certification and ratings to be used on orders.* A Class I Consumer placing an order for the delivery of hardwood lumber under this direction will use the same certifications and ratings that he would have used had he been authorized to receive this lumber on Form WPB-3640.

(e) *This direction does not permit receipts of softwood.* No person may purchase or receive any softwood under the provisions of this direction.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12526; Filed, August 19, 1944; 11:30 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-6, as Amended Aug. 19, 1944]

DOMESTIC LAUNDRY EQUIPMENT

§ 3291.25 *General Limitation Order L-6*—(a) *Definitions.* For the purposes of this order:

(1) "Domestic laundry equipment" means any of the following designed primarily for home use: (i) Washing machines, (ii) ironing machines, and (iii) warm air clothes driers, whether operated by gas, electricity or any other means.

(2) "Manufacturer" means any person engaged in the production or assembly of domestic laundry equipment or parts for domestic laundry equipment.

(3) "Special order" means any order for domestic laundry equipment stating on its face that the equipment is for shipboard use, or any order which is to be delivered to or for the account of the Army, Navy, United States, Maritime Commission or War Shipping Administration. It also means any order for domestic laundry equipment to be delivered to or for the account of Army or Marine Corps Post Exchanges, Navy or Coast Guard Ships Service Departments and War Shipping Administration Training Organization Ships' Service activities, when the equipment purchased is not to be resold by those exchanges, departments or activities.

(b) *Restrictions on production and delivery of domestic laundry equipment.* (1) No manufacturer shall produce or assemble any domestic laundry equipment except as authorized by the War Production Board in response to an application by letter which should be filed in duplicate.

(2) The War Production Board will usually not approve production of any domestic laundry equipment except washing machines from fabricated parts in manufacturers' inventories prior to January 1, 1943, and will approve this production or assembly only in such quantities as shall be determined to fill special orders. Upon request, the War Production Board will inform any manufacturer of the production authorized.

(3) No manufacturer shall deliver any new domestic laundry equipment except as authorized by the War Production Board in writing to fill special orders. This restriction does not apply to ironing machines.

(c) *Restrictions on production of parts.* (1) No manufacturer shall make any part for domestic laundry equipment if he knows or has reason to believe that that part will be used for any other purpose than the repairing of used domestic laundry equipment.

(2) No manufacturer shall make any part for domestic laundry equipment if by making that part he would have more parts of that type in his inventory than twice the number he sold in the second preceding calendar quarter. However, a manufacturer making parts in order to bring his inventory of that type of part up to twice the number he sold in the second preceding calendar quarter need not make less than a minimum practical run of that part in order to comply with this paragraph (c) (2).

(3) It will be the general policy of the War Production Board to allocate controlled materials and give priorities assistance for the purchase of all other materials for the manufacture of parts for domestic laundry equipment under the Controlled Materials Plan, only to the extent that the manufacture of parts in any one plant or labor requirements therefor will not interfere with war production in that plant or any other plant located in the same area.

(d) [Deleted July 26, 1944.]

(e) *Reports.* Each manufacturer authorized to produce, assemble or deliver domestic laundry equipment must file with the War Production Board before the 15th day of each month, Form WPB-1600 (formerly PD-655) according to the instructions for filing that form.

(f) *Applicability of regulations and other orders.* The provisions of this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of domestic laundry equipment to a greater extent than this order does, the other order shall govern unless it states otherwise.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce or assemble any domestic laundry equipment, except washing machines, and any person who wants to make any part for domestic laundry equipment for purposes other than the repairing of used domestic laundry equipment, may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization by letter in accordance with paragraph (b) (1). Authorization to deliver domestic laundry equipment (except ironing machines) is still required under paragraph (b) (3) even when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of paragraphs (b) (3), (c) (2) or (e) of this order should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant in which the appeal relates. No appeals should be filed from the restrictions of paragraphs (b) (1) or (c) (1).

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All reports to be filed and all other communications concerning this order, except appeals, should be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-6.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12531; Filed, August 19, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Supplementary Limitation Order L-7-c, as Amended Aug. 19, 1944]

DOMESTIC ICE REFRIGERATORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials used in the production of Domestic Ice Refrigerators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.16 *Supplementary Limitation Order L-7-c*—(a) *Definitions.* For the purpose of this order:

(1) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box designed for home use.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(3) "Iron and steel content" means the aggregate weight of iron and carbon steel contained in a finished domestic ice refrigerator, including but not limited to, latches, hinges, screws, nails, rivets, bolts, sheet steel, binder strips, drain tubes, drip pans and shelving.

(4) "Net ice capacity" means the maximum amount of standard scored ice which the ice chamber of a domestic ice refrigerator will hold.

(5) [Deleted June 23, 1944]

(b) *General restrictions.* (1) No person shall produce any domestic ice refrigerator:

(i) Containing any crude, reclaimed or synthetic rubber except as permitted in Rubber Order R-1 as amended, or any relief granted pursuant to appeal taken in accordance with the provisions of such Order;

(ii) Containing any metal other than aluminum iron and carbon steel (except metal used in galvanizing, plating, soldering, or coating steel);

(iii) Having a net ice capacity of other than 50 or 75 pounds, except that it may vary ten per cent from either of these amounts;

(iv) Having iron and carbon steel content of more than 6 pounds; or

(v) [Deleted June 23, 1944]

(2) (i) No person shall produce any domestic ice refrigerator except in accordance with a production quota assigned to him in a schedule issued by the War Production Board pursuant to this order. Such production quotas shall be assigned for periods of time to be specified in the schedule, and shall expire on the last day of the period for which they are assigned. Any person desiring to obtain a production quota shall file with the War Production Board at least 30 days before the expiration date of the schedule in effect at that time a written application to be assigned a production quota for such period as the War Production Board shall specify.

(ii) Such application should contain a statement as to the amount of iron and carbon steel, and other critical materials to be contained in each domestic ice refrigerator the applicant proposes to produce during such period. Whenever production quotas are assigned by the War Production Board, it will take into consideration the amount of iron and carbon steel, and other critical materials to be used by each applicant, the extent to which the domestic ice refrigerators which each applicant proposes to produce conforms to the performance specifications contained in Appendix A attached to this order as established by tests of the National Bureau of Standards, the labor and transportation situation in the area where the plant of each applicant is located and such other factors as the War Production Board shall deem appropriate.

(iii) [Deleted, October 5, 1943.]

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of domestic ice refrigerators to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(d) *Applicability of regulations.* This order (and any schedules issued pursuant thereto) and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Avoidance of excessive inventories.* No person authorized to produce domestic ice refrigerators shall accumulate for use in the production of such domestic ice refrigerators inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order and any schedules issued pursuant thereto.

(f) *Records.* All persons affected by this order or any schedule issued pursuant thereto, shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* Each person who produces any domestic ice refrigerators shall file with the War Production Board, not later than 10 days after the end of each calendar month in which he produced any domestic ice refrigerator, a report on Form WPB-1600 (formerly Form PD-655), showing all domestic ice refrigerators which he produced during such month. Each person, before he offers for sale any new model of domestic ice refrigerator, shall file with the War Production Board a report on Form WPB-1117 (formerly Form PD-531), setting forth a bill of material for such model. Each person affected by this order, or any schedule issued pursuant thereto, shall file such other reports and answers to questionnaires as the War Production Board shall from time to time require.

(i) *Violations.* Any person who wilfully violates any provision of this order, or of any schedule issued pursuant thereto, or who, in connection with this order, or any such schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce more domestic ice refrigerators than his quota fixed under paragraph (b) (2), and any person who has no quota but who wants to produce domestic ice refrigerators, may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (b) (2) should be filed on Form WPB-1477 (in triplicate) with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) (2).

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, or any schedule issued pursuant thereto, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-7-c.

Issued this 19th day of August 1944.

By J. JOSEPH WHELAN,
WAR PRODUCTION BOARD,
Recording Secretary.

APPENDIX A—PERFORMANCE SPECIFICATIONS FOR DOMESTIC ICE REFRIGERATORS

I. Temperature & Ice Meltage Performance

1. The refrigerator shall maintain with no load in the food compartment an average food compartment temperature of 48° F. or less and a temperature of 45.5° F. or less in the milk storage space at 60% of initial ice load with the room at an average temperature of 85° F. plus or minus 1° F.

2. The temperature at a point two inches above the bottom of the food compartment and two inches from the sidewall, located in the vertical plane perpendicularly bisecting a return air duct shall not be higher than the temperature of the air entering the return air duct. (The return air duct is defined as the duct or ducts through which the air in the refrigerator returns from the food compartment to the ice compartment.)

3. Ice meltage at 60% initial ice load for food compartment volumes between 2.75 and 5.5 cubic feet shall not exceed the value, in lbs/day, computed from the following formula:

M equals 7.28 plus 3.3V

where M is the ice meltage in lbs/day and V is the volume of the food compartment in cubic feet. Note: This formula applies only under the following conditions: Room temperature 85° F.; Average food compartment temperature 48° F.; and Food Compartment volumes ranging between 2.75 cubic feet and 5.5 cubic feet.

II. Construction Performance

4. Box deformation: The box shall show no permanent vertical deformation in excess of 3/16" per 3 feet of vertical elevation when subjected to a horizontal load of 350 pounds applied along one diagonal of the top from front to back with the box fastened to the floor at all four legs.

5. Door damage: The door and hinges shall show no permanent damage when the door is subjected to a vertical load of 100 pounds applied to the upper outside corner 2 inches from the outside vertical edge of the door with the door open and at an angle of 90° with the front of the box.

6. Ice shelf: The ice shelf shall be able to support a load of 200% of the normal ice load without fracturing the shelf or supports or causing permanent sagging of more than 1/16" at the center, sides and back.

7. Food shelves: Full width food shelves shall have sufficient strength to support an evenly distributed load of 50 pounds without fracturing or permanently sagging more than 1/16" at the center. Fractional width shelves around the milk storage space shall have sufficient strength to support an evenly distributed load of 25 pounds without fracturing or permanently sagging more than 1/16" at the center.

8. The back of the ice compartment shall withstand without damage an impact of 40 ft. lbs.

9. The refrigerator door shall withstand without damage to the door, hinges and latch a closing of 100 consecutive times from a fully opened position (opened through an angle of 180°) by an impact of 40 ft. lbs. applied at the center of door.

[F. R. Doc. 44-12532; Filed, August 19, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-18-b, as Amended Aug. 19, 1944]

DOMESTIC VACUUM CLEANERS

§ 3291.80 *General Limitation Order L-18-b*—(a) *Definitions.* For the purpose of this order:

(1) "Domestic vacuum cleaner" means any vacuum cleaner designed primarily for household use.

(2) "New domestic vacuum cleaner" means any domestic vacuum cleaner which has never been used by an ultimate consumer. It includes a domestic vacuum cleaner which has been used only for demonstration purposes.

(3) "Attachment" means any special purpose device designed for use with a domestic vacuum cleaner.

(4) "Part" means any part manufactured for incorporation into a domestic vacuum cleaner or attachment.

(5) "Manufacturer" means any person who is or has been in the business of making domestic vacuum cleaners, attachments or parts since October 1, 1941. "Manufacturer" includes all subsidiaries, affiliates or other companies or enterprises under common ownership or control with the person who makes or has made domestic vacuum cleaners, attachments or parts.

(6) "Restricted private brand seller" means any person other than a manufacturer engaged in the business of selling new domestic vacuum cleaners under his own trade mark or brand name (including all subsidiaries, affiliates or other companies or enterprises under common ownership or control with him) who held for sale more than 500 new domestic vacuum cleaners on October 24, 1942, whether in his own or other person's warehouses or on consignment to wholesalers or dealers.

(b) *Prohibition on production.* No manufacturer shall make or assemble any new domestic vacuum cleaner or attachment. This does not prohibit the repair or rebuilding of used domestic vacuum cleaners or the manufacture of parts.

(c) *Restrictions on the production of parts.* (1) No manufacturer shall make or transfer any new domestic vacuum cleaner part if he knows or has reason to believe that that part will be used for any other purpose than the repairing of a used domestic vacuum cleaner.

(2) No manufacturer shall make any part if by making that part he would have more parts of that type in his inventory than twice the number he sold in the second preceding calendar quarter. However, a manufacturer making parts in order to bring his inventory of that type of part up to twice the number he sold in the second preceding calendar quarter, need not make less than a minimum practical run of that part in order to comply with this paragraph (c) (2).

(3) It will be the general policy of the War Production Board to allocate controlled materials and give priorities assistance for the purchase of all other materials for the manufacture of parts, under the Controlled Materials Plan, so that the manufacture of parts in any one plant or labor requirements therefor will not interfere with war production in that plant or any other plant located in the same area.

(d) *Restrictions on transfer of new domestic vacuum cleaners.* No manufacturer or restricted private brand seller shall transfer physical possession or title to any new domestic vacuum cleaner, except

(1) To or for the account of the Army or Navy of the United States.

(2) To any person outside of the United States its territories and possessions under export licenses issued by the Foreign Economic Administration.

(3) As authorized by the War Production Board on Form WPB–1319. Form WPB–1319 should be filed with the War Production Board, Washington 25, D. C., Ref: L–18–b.

(e) *Reports.* All manufacturers and restricted private brand sellers must file a report with the War Production Board, on or before the fifteenth day of July, October, January and April on Form WPB–1600 (formerly PD–655) showing all new domestic vacuum cleaners shipped or delivered in the preceding quarter.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make or assemble any domestic vacuum cleaners, or attachments, or to make or transfer any parts, the production or transfer of which is prohibited or restricted by paragraphs (b) or (c) of this order may apply for permission to do so as explained in Priorities Regulation 25. The transfer of physical possession or title to new domestic vacuum cleaners is still subject to the restrictions of paragraph (d) even when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the restrictions of this order, other than the restrictions of paragraphs (b) or (c) (1), should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (b) or (c) (1).

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–18–b.

(i) *Applicability of other orders and regulations.* The provisions of this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of domestic vacuum cleaners, attachments or parts to a greater extent than this order does, the other order shall govern unless it states otherwise.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13533; Filed, August 19, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–23–b, as Amended Aug. 19, 1944]

DOMESTIC ELECTRIC RANGES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.180 *Limitation Order L–23–b*—(a) *What this order does.* This order controls the manufacture and delivery of new domestic electric ranges. It provides for the resumption of production of these items on a limited basis.

(b) *Definitions.* For the purpose of this order:

(1) "New electric range" means any range or cooking stove designed primarily for home use having as functional parts electric heating elements of a total rated wattage of 2½ kilowatts or over, and which has never been used by a consumer.

(2) "Consumer" means any person who gets an electric range for installation or use, including a builder of a housing project.

(3) "Manufacturer" means any person who produces or assembles new electric ranges, or who produced or assembled them during the base period.

(4) "Base period" means the twelve months period beginning July 1, 1940.

(5) "Distributor or dealer" means any person who buys new electric ranges for resale at the wholesale or retail price level.

(6) "Special order" means any purchase order or contract calling for delivery to or for the account of the Army or Navy of the United States, the U. S. Maritime Commission, the War Shipping Administration, the Federal Public Housing Authority, the Home Owners Loan Corporation acting for the National Housing Agency, or any purchase order or contract covered by an export license, release certificate, or Lend-Lease requisition approved or authorized by the Foreign Economic Administration.

(c) *Production of electric ranges.* (1) No person shall make any new electric ranges except in models and quantities specifically authorized by the War Production Board on Form CMPL–150–b. Application should be made by filing Form WPB–3700 with the field office of the War Production Board for the district in which the electric ranges will be made.

(2) Manufacture of new electric ranges will be authorized so that the total production will not exceed the approved War Production Board Program and so that production in any one plant or labor requirements therefor will not interfere with war production in that plant, or in any other plant located in the same area. Wherever practical, each manufacturer will be permitted under paragraph (c) (1) to make in each calendar quarter, for other than special orders, the number of new electric ranges set forth in Table A. However, to ensure full production of approved requirements, the War Production Board may assign additional quotas to qualified manufacturers. Authorization will be given to produce for special orders without reference to base period production. In general, no single manufacturer will be authorized to produce for other than special orders, more than one model of the standard size and one model of the low oven apartment house type electric range. Approval of models will be based largely on economy of production and the volume of production of the individual models by a manufacturer during the base period. The War Production Board will, from time to time or on request of any manufacturer, give notice to all manufacturers of the total production authorized and the percentage of his base period production authorized to each individual manufacturer.

(3) Manufacturers who are unable to produce in their own plant because of interference with war production may apply to the War Production Board for authorization to have another manufacturer make electric ranges for them. Each application should be made by filing Form WPB–3700 in accordance with the applicable instructions.

(d) *Relief on outstanding appeals remains in effect.* The provisions of paragraph (c) do not apply to the production or assembly of electric ranges under an appeal from Order L–23–b granted by the War Production Board before May 25, 1944.

(e) *Restriction on production of parts.* No person shall make any parts for an electric range (including repair and replacement parts) if by making those parts he would have more parts of that type in his inventory than a three months' supply. A person, however, is not required to make less than a minimum practical run of any parts (including repair and replacement parts) in order to comply with the provisions of this paragraph.

(f) *WPB may direct distribution of ranges for specified purposes.* The War Production Board, on Form CMPL–150–b or otherwise, may direct a manufacturer as to the number of new electric ranges he may distribute for specified purposes such as housing projects, and may state the conditions under which he may sell and ship the electric ranges.

(g) *How new electric ranges may be sold to consumers.* No person may sell or deliver any new electric range to a consumer except in accordance with the rules stated below.

(1) Sales may be made to fill special orders for which production has been authorized under paragraph (c) (1).

(2) Sales may be made to a person who furnishes a certificate in substantially the following form:

I certify to the War Production Board and to the seller: I own or occupy the residence at ..... It has the inside and outside wiring needed for an electric range, and my electric company has told me that electric service for range operation will be supplied. I do not have any electric range for this residence which can be used or repaired.

.....
Signature of purchaser

(3) Sales may be made to fill orders for electric ranges to be installed in housing projects approved by the National Housing Agency or War Production Board under Preference Rating Order P–55–c if the purchaser endorses on his purchase order a statement substantially as follows:

This order is placed pursuant to authority granted under Order P–55–c. I have been authorized by the War Production Board or National Housing Agency to install these electric ranges in Project No. ..... located at .....

.....

A distributor or dealer may not deliver on such an order any new electric ranges which were not delivered to him for housing projects, unless he is advised by the manufacturer that replacements will be shipped from the inventory of electric ranges which the manufacturer has been authorized to distribute for housing projects.

(4) Sales may be made on special authorization of the War Production Board granted on Form WPB–1319. Applications should be made on this form in accordance with the instructions for its use which are obtainable at field offices of the War Production Board. Authorizations will not be granted for electric ranges on Form WPB–1319 except for installation and use by Federal, state, and local governmental agencies, educational institutions and service institutions, such as the American Red Cross and the United Service Organization, where the use of commercial cooking equipment is not practicable, as for example in diet kitchens and domestic science classrooms.

(5) The standard certification provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the certificates mentioned above. A seller may not sell to a person furnishing any of these certificates if he knows or has reason to believe that the facts stated are false.

(h) *Policy for distribution of ranges.* It is the policy of the War Production Board that each manufacturer shall distribute electric ranges through his normal distribution channels taking into consideration shipments to areas during 1941, migration of workers to certain areas, and such other factors as will provide equitable distribution to meet essential needs. This does not apply to electric ranges sold on special orders or for housing projects. The War Production Board may direct the distribution of specified quantities to any area from any manufacturer's production.

(i) *Preference ratings not valid for purchase of new electric ranges.* No preference rating lower than AAA shall be valid for the purchase of new electric ranges and orders bearing such preference ratings are to be treated as unrated orders.

(j) *Reports.* Every manufacturer producing or shipping electric ranges shall file Form WPB–1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: L–23–b, on or before the 15th day of July, October, January and April. This form is a report of the number of new electric ranges made and shipped during the preceding quarter.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in making electric ranges to a greater extent than this order does, the other order shall govern.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make new electric ranges and who has not been authorized to make them on Form CMPL–150–b (whether or not he made them in the base period), and any person who wants to make more new electric ranges than he was authorized to make on Form CMPL–150–b, may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply on Form WPB–3700 for an authorization if he desires. Distribution, sale and other restrictions of the order, with the exception of the restrictions of paragraph (c), must be complied with even when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeals from the provisions of this order, other than paragraph (c), should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the

appeal relates. No appeal should be filed from the provisions of paragraph (c).

(n) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-23-b.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

Quarterly production of electric ranges will be authorized when practical to manufacturers as follows:

Class A—9¼% of base period production, or 1200 units, whichever is greater.

Class B—4% of base period production, or 300 units, whichever is greater.

Class C—10% of base period productions.

Class A manufacturers are those who made more than 20,000 new electric ranges in the base period; Class B manufacturers are those who made between 3,000 and 20,000 in the base period, and Class C manufacturers are those who made less than 3,000 in the base period.

INTERPRETATION 1

DOMESTIC ELECTRIC RANGES

Under Order L-22-b as amended May 25, 1944, new electric ranges may be sold to consumers who qualify under paragraphs (g) (2) or (g) (3) without obtaining authorization from the War Production Board. Persons who obtained electric ranges pursuant to an authorization of the War Production Board on Form WPB-1319 issued before May 25, 1944, may sell them under the above provisions if they are unable to use them for the purpose for which they were released. For example, if electric ranges were delivered to a dealer or builder pursuant to a WPB-1319 authorization for use in a specific housing project but cannot be used in that project, the dealer or builder may sell them to any "consumer" in accordance with paragraphs (g) (2) or (g) (3). [Issued June 10, 1944]

[F. R. Doc. 44-12834; Filed, August 19, 1944; 11:21 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-27, as Amended Aug. 19, 1944]

VENDING MACHINES: MERCHANDISE

§ 3291.100 *Limitation Order L-27*—(a) *Definitions.* For the purposes of this order:

(1) "Merchandise vending machines" means any coin or token operated machine from which merchandise is sold. It includes for example, cigarette, candy, chewing gum, nut, bulk and bottle beverage and food vending machines, photograph vending machines, sanitary napkin vending machines, and drinking cup dispensers. It does not include automatic restaurants (so-called automats) or United States Postage Stamp vending machines.

(2) "Manufacturer" means any person who produces or assembles any merchandise vending machines or parts for merchandise vending machines, or any person who produced or assembled any merchandise vending machines during the twelve month period ending June 30, 1941, whether or not he now produces any.

(3) "Deliver" means to lease, sell, or transfer.

(b) *Restrictions on production and delivery.* (1) No manufacturer shall produce or deliver any merchandise vending machines except sanitary napkin vending machines, which may only be produced according to a quota approved by the War Production Board on Form WPB-2719 (formerly PD-880).

(2) Each manufacturer who wishes to produce or deliver any of these sanitary napkin vending machines must file this form with the War Production Board on or before the 15th day of December, March, June and September according to the instructions accompanying that form. A manufacturer asking permission to produce or assemble sanitary napkin vending machines must file with his first application a letter stating the total number of sanitary napkin vending machines which he produced, assembled or delivered during the twelve month period ending June 30, 1941 and the location of his plant and of any other plants which will produce parts for those machines. If the manufacturer intends to produce or assemble in his own plant, he should state the estimated man hours which will be consumed in the production or assembly of each unit. If the manufacturer intends to have the machines produced for him by another manufacturer, he should state that fact and give the name and location of the other manufacturer.

(c) *Delivery of certain merchandise vending machines not covered.* This order does not restrict the delivery of any merchandise vending machines completely finished before January 15, 1944.

(d) *Reports.* Each manufacturer producing or delivering sanitary napkin vending machines pursuant to an authorization on Form WPB-2719 under paragraph (b) (1) must file, with the War Production Board, quarterly reports on Form WPB-2719 (formerly PD-880) on or before the 15th day of December, March, June and September, according to the instructions for filing that form.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce any merchandise vending machines (including sanitary napkin vending machines), and any person who wants to produce more sanitary napkin vending machines than he has been authorized to produce on Form WPB-2719, may apply for permission to do so as explained in Priorities Regulation 25. The delivery of any machines so produced is not restricted by this order. A person may still, of course, apply on Form WPB-2719 under paragraph (b) (2) for authorization to produce and deliver sanitary napkin vending machines.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (b) should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b).

(g) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of vending machines to a greater extent than does this order, the other order shall govern unless it states otherwise.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12803; Filed, August 19, 1944; 11:32 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-30-a, as Amended Aug. 19, 1944]

GALVANIZED WARE AND NON-METAL COATED METAL ARTICLES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities used in the production of galvanized ware and certain non-metal coated metal articles for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.150 *Limitation Order L-30-a*—(a) *What this order does.* This order states the rules governing production of galvanized ware and certain non-metal coated metal articles listed on Table A and Table B. It states the kinds and sizes of articles which may be made, and establishes quotas on the use of iron and steel in producing them. Preferred orders are exempt from these restrictions.

(b) *What articles are covered; definition of "restricted".* This order covers only articles on Tables A and B which are made of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish. For convenience the term "restricted" is used in this order to describe such articles. An article, however, is "restricted" only if 50 percent or more of it by weight consists of iron or steel which is zinc-coated or has a plain, japanned, painted, lithographed or lacquered finish.

(c) *Definition of preferred orders.* "Preferred orders" are those purchase orders or contracts for articles which will be ultimately delivered to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or to other persons pursuant to authorization by the United States Maritime Commission on Form WPB-646 (formerly PD-300).

(d) *Restrictions on production and assembly.* (1) A manufacturer may not produce or assemble any restricted articles listed on Table A.

(2) A manufacturer may not produce or assemble restricted articles listed on Table B unless they conform to the provisions of that Table.

(3) These provisions do not apply to articles produced to fill preferred orders. This means that any restricted articles listed on Tables A and B may be produced for those orders without regard to size or other restrictions.

(e) *Quota restrictions.* A manufacturer may not use more iron and steel in making restricted articles than the quotas computed in accordance with Table B, subject to the following rules:

(1) *Preferred orders exempt.* Iron and steel used in making articles to fill preferred orders need not come out of a manufacturer's quota, but may be used in addition to his quota.

(2) *Unused quotas.* A manufacturer may use for any restricted articles during any quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's quota for such articles.

(3) *The War Production Board may reduce quotas for interference with war production.* The War Production Board may issue directions reducing any quotas if the Board finds after investigation that production in any one plant, or labor requirements therefor, will interfere with war production in that plant or in any other plant located in the same area.

(4) *Special permission to exceed quotas.* The War Production Board from time to time may permit manufacturers to exceed their quotas, but will not authorize total production to exceed the approved War Production Board programs. This will be done only in special cases and for limited periods of time. For example, if some manufacturers are unable to use their full quotas, because of interference with war production or otherwise, the War Production Board may permit others to use the unused amount where that can be done without interference with war production in their plants or in any other plants located in the same areas. In addition, authorizations may be granted to exceed quotas in filling orders for special purposes, such as for export or for delivery to the National Housing Agency. Authorizations under this paragraph will be granted either in the form of individual letters or of published directions supplementary to this order.

(f) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of articles covered by this order to a greater extent than this order does, the other order shall govern.

(g) *Reports.* (1) Each manufacturer shall file on or before August 1, 1944, a report on Form WPB-3768 showing the number of units produced and the amount of iron and steel which he used in the production of each of the restricted articles listed on Tables A and B during the twelve months ending June 30, 1941.

(2) Each manufacturer shall file with the War Production Board on or before January 20, April 20, July 20 and October 20 of each year, a report on Form WPB-1600 (formerly PD-655) showing his production, shipments, and inventory for the preceding quarter.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce or assemble any restricted articles listed in Table A, and any person who wants to use more iron and steel in making restricted articles listed on Table B than the quotas fixed in paragraph (e), Table B Column (4) or a direction to this order (including a person who has no quota), may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for special permission to exceed quotas under paragraph (e) (4).

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (d) (1) or the quota restrictions of paragraph (e) and Table B Column (4), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (d) (1), or the quota restrictions of paragraph (e) of Table B Column (4).

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref. L-30-a.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A—PROHIBITED RESTRICTED ARTICLES

1. Ash sifters
2. Diaper cans, containers and receptacles
3. Dippers
4. Foot baths
5. Garbage, ash, rubbish or waste paper receptacles, except as permitted in Table B of this order or in Schedule III of Order L-214, or included in the definition of "safety equipment" in Order L-114
6. Incinerators, portable
7. Liquid and dry measures (other than oil measures with flexible spouts or with hinges which permit the spouts to be raised, lowered or otherwise moved).
8. Radiator and tractor filling cans (other than blitz cans)
9. Refrigerator pans
10. Utility baskets
11. Watering pots

TABLE B—PERMITTED RESTRICTED ARTICLES

A manufacturer may not produce or assemble any restricted articles in column (1) unless they conform to the size and gauge ranges specified in columns (2) and (3).

Quarterly quotas. No manufacturer may use in any calendar quarter more iron and steel in making any restricted articles listed in column (1) than his quarterly quotas for such articles shown in column (4). A quota is calculated by taking the percentage shown for an item and multiplying it by one-fourth of the total amount of iron and steel used in making that item during the twelve months ending June 30, 1941, the base period. Unless otherwise noted, the base period production shall include all restricted articles included in any item in column (1) produced in the base period, whether or not they conformed to the limitations of columns (2) and (3).

The gross weight of iron and steel when first put into production, whether in the form of raw materials or purchased parts, is considered the amount of iron and steel used and to be used in figuring these quotas.

(1) Restricted articles	(2) Size ranges	(3) Gauge ranges	(4) Quotas for quotas
1. Garbage and ash cans and pails (including inserts for step-on cans).	2¾–4 quts.	24–31	100 percent (of iron and steel used in all restricted garbage, rubbish and ash receptacles in base period).
	6–7 quts.	24–31	
	9–11 quts.	24–31	
	13 quts.[1]	24–31	
	20 quts.[1]	24–31	
	27 quts.[1]	24–31	
2. Pails, buckets and tubs (other than washtubs, seed pails, buckets and tubs designed for use expressly as packing or shipping containers).	10–16 qts. (wringer buckets may be made in any size).	22–31	100 percent.
3. Washtubs (without stands or legs)	10–20 quts	20–31	100 percent.
4. Cans, with a capacity of 1 to 6 gallons, designed for the storage of oil, gasoline or kerosene (excluding "drums" as defined in Order L–109 and "safety equipment" as defined in Order L–144).	1–5 gals	28–31	100 percent.
5. Coal hods and scuttles	15–20 inches in length at top.	28–31	100 percent.
6. Fire shovels (short handled coal bucket type).	22 inches or less in over-all length.	Unrestricted	100 percent.
7. Funnels	6 inches and over in diameter.	29–31	100 percent.
9. Wash boilers	10–15 gallons	26–31	100 percent.[2]

[1] These sizes may vary 15 percent from the figures stated.

[2] Quota of iron and steel for restricted wash boilers is based on total use of metal in base period in all wash boilers, whether or not made of iron and steel.

INTERPRETATION 1: Superseded June 21, 1944.

INTERPRETATION 2: Superseded June 21, 1944.

[F. R. Doc. 44–12504; Filed, August 19, 1944; 11:32 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–30–b, as Amended Aug. 19, 1944]

ENAMELED WARE

§ 3291.155 *Limitation Order L–30–b*—(a) *What this order does.* This order states the rules governing the manufacture of household, cooking and hospital articles made of vitreous-enameled iron and steel. The kinds and sizes of enameled ware which may be made are described, including hospital ware which was formerly covered by Schedule I to Order L–214. Quotas are placed on the use of iron and steel. Special provisions are made for military and export orders.

(b) *Definitions.* When used in this order:

(1) "Enameled ware" means any of the articles listed on Table A when made of vitreous-enameled iron or steel. It does not include any furniture, electrical or gas appliance or power-driven equipment.

(2) "Preferred orders" means any purchase order or contract for enameled ware which will be ultimately delivered to the Army or Navy of the United States, the U. S. Maritime Commission or War Shipping Administration.

(3) "Export orders" means any purchase order or contract for enameled ware for delivery outside the United States, its territories and possessions.

(4) "Civilian order" means any purchase order or contract other than a preferred order or export order.

(c) *What enameled ware may be made.* (1) No manufacturer shall produce or assemble any enameled ware that does not conform to Table A. Exceptions to this rule are stated below.

(2) A manufacturer may complete the following operations on enameled ware which was otherwise completed by December 31, 1942; making and attaching handles, baffs, spouts and ears; welding together fabricated parts; applying a vitreous-enameled or other coating.

(3) The War Production Board may authorize on Form WPB–1319 (formerly PD–556) enameled ware not conforming to Table A to fill export orders.

(4) The provisions of Table A do not apply to enameled ware which is produced to fill preferred orders or for experimental use in a scientific laboratory in connection with the development of enameled ware standards.

Quota Restrictions

(d) *General.* No manufacturer shall use more iron and steel in making enameled ware than the amounts stated below. Each manufacturer has a quota for civilian orders and a separate quota for preferred orders and export orders. In each calendar quarter a manufacturer is limited to a percentage of the iron and steel he used in his total production of enameled ware in the twelve months ending June 30, 1941, the "base period." The gross weight of iron and steel when first put into production, whether in the form of raw materials or as purchased parts, is considered the amount of iron and steel used and to be used in figuring out the quotas. A manufacturer who purchases black shapes and covers them with an enamel coating should include the weight of these black shapes in his "use" of iron and steel, while a manufacturer who fabricates the black shapes should consider the gross weight of the sheets he cuts up as part of his "use" of iron and steel.

(e) *Civilian quotas*—(1) *General rule.* In his production for civilian orders of all enameled ware (except roasters), a manufacturer is limited in each calendar quarter to one-fourth of 70% of the iron and steel which he used for all enameled ware (except roasters) in the base period. No manufacturer may produce during any calendar year more enameled roasters than 15% of the number he produced in the base period.

(2) *Optional quotas for manufacturers of hospital ware.* Instead of following the general rule any manufacturer may use in any calendar quarter in producing hospital enameled ware (See Table A) not more than one-fourth of 100% of the iron and steel which he used for that ware in the base period. If he does this, however, his civilian quota for non-hospital ware (except roasters) is reduced to one-fourth of 60% of the iron and steel he used for that ware in the base period. Any manufacturer who chooses this alternative or who later decides to follow the general rule stated in the preceding paragraph shall notify the War Production Board by January 15, 1944 or before the first day of the quarter in which he intends to do this.

(3) *Division of quota among different articles.* In allocating his iron and steel among the items listed in column (2) of Table A, a manufacturer should use his best efforts to divide his quota of iron and steel among all the articles which he customarily makes in such a way as to meet the essential needs for those articles. If it is found that an undue shortage exists in certain articles or that production is being concentrated too much on other articles, the War Production Board may issue written instructions to any manufacturer directing him to allocate a specified share of his production to articles which are considered most essential. Failure to comply with a specific direction shall be deemed a violation of this order.

(f) *Quotas for preferred orders and for export.* In addition to his civilian quota, a manufacturer may use during any quarter in producing enameled ware to fill preferred orders and export orders not more than one-fourth of 55% of the iron and steel which he used in the base period for all enameled ware.

(g) *Unused quotas.* A manufacturer may use for civilian orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's civilian quota. A manufacturer may also use to fill preferred orders and export orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's quota for such orders.

(h) *Special permission to exceed quotas.* The War Production Board from time to time may permit manufacturers to exceed their quotas. This will only be done in special cases and for limited periods of time. For example, if one or more manufacturers are unable to use their full quota in any quarter, other manufacturers may be permitted to use the unused amount in addition to their own quotas. Similarly, if additional iron or steel becomes available at any time, the War Production Board may authorize its use in addition to the quotas. As far as practicable increases will be permitted for all manufacturers of the articles to be made in proportion to their quotas. Permission will be granted either in the form of individual letters or of published directions supplementary to this order.

Miscellaneous Provisions

(i) *Overruns, rejects and cancellations.* Enameled ware made to fill a preferred order, which, because of overruns, rejects, cancellations of orders or any other reasons cannot be used to fill that order, may be used or disposed of only as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1.

(j) *Reports.* (1) [Deleted Apr. 8, 1944]

(2) Each manufacturer shall file with the War Production Board on or before January 20, April 20, July 20, and October 20 of each year, a report on Form WPB–1600 (formerly PD–655), showing his production, shipments, and inventory of enameled ware for the preceding quarter.

(3) These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of enameled ware to a greater extent than does this order, the other order shall govern unless it states otherwise.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to use more iron and steel in making enameled ware than the amounts fixed in paragraphs (d), (e) or (f) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for special permission to exceed quotas under paragraph (h).

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (d), (e) or (f) should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (d), (e) or (f).

(n) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–30–b.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

General. Under the provisions of paragraph (c) of Order L–30–b, no manufacturer shall produce or assemble any enameled ware falling within any class in column (1) except articles listed in column (2) conforming to the restrictions of columns (3) and (4). When a manufacturer is permitted to make more than one size of any article, each size he manufactures shall fall within a different one of the size ranges specified, except that if only one size range is specified he may manufacture the permitted number of sizes anywhere within that range.

(1) Class of articles	(2) Permitted types in each class	(3) Number of sizes permitted each manufacturer	(4) Sizes
Cooking enameled ware (Utensils used primarily in the preparation, cooking, serving or storage of foods or beverages, whether for household, institutional, commercial, governmental or any other use).	Baine Marie pots	2	2 to 2½ quart and 4 to 4½ quart capacity.
	Canners, cold pack (only as permitted in Direction 1)	See Direction 1.	See Direction 1.
	Coffee boilers[1]	1	9½ to 12-quart capacity.
	Dippers	1	Manufacturer's choice.
	Double boilers[1]	2	1½ to 2½ quart and 6½ to 8 quart capacity.
	Kettles[1]	1	14 to 30-quart capacity.
	Ladles	1	Manufacturer's choice.
	Percolators (with or without baskets).[1]	1	6 to 9-cup capacity.
	Drip coffee makers[1]	1	6 to 9-cup capacity.
	Roasters (single wall)[2]	1	19" to 19½" in length.
	Sauce pans	3	1 to 3 quart capacity.
	Sauce pots[1]	3	3½ to 10 quart capacity.
	Steamtable insets[1]	3	To fit openings of 6½", 8¼" and 10½" in diameter.
	Steamtable pans[1]	2	Manufacturer's choice, to fit rectangular openings only.
	Stock pots[1]	3	15 to 36 quart capacity.
	Tea Kettles[1]	1	4 to 7-quart capacity.
	Water pails[1]	1	10 to 12½ quart capacity.
	Dish pans	1	9 to 15 quart capacity.
Household enameled ware (Enameled pails, buckets, and tubs, including infants' bathtubs; dish pans and sink strainers; baby bottle sterilizers).			
Enameled combinets, commodes, chambers and chamber covers.	Combinets[1]	1	8 to 12 quart capacity.
Hospital enameled ware (Any wash basin, any step-on can insert, and any article designed primarily for hospital or sick room use, including but not limited to, sponge basins, pus basins, solution basins, bed pans, irrigators, dressing jars, instrument trays, instrument sterilisers (without heating elements or stands), urinals, catheter trays, feeding cups and douche pans, but excluding any article in another class in this column).	Basin, pus	2	6 to 10½ inches in length.
	Basin, sponge	1	6 to 7 inches in diameter.
	Basin, solution	1	13 to 13½ inches in diameter.
	Basin, wash	1	13 to 13¾ inches in diameter.
	Bedpan	2	Manufacturer's choice.
	Irrigator	1	3 to 2½ quart capacity.
	Jar, dressing[1]	2	2 to 2½ quart and 4 to 4½ quart capacity.
	Step-on can inserts, as may be permitted under Schedule 3 of Order L–214.		
	Steriliser, instrument (without heating element or stand).[1]	1	18 to 19 inches in length; 4 to 5 inches in depth; 8 to 9 inches in width.
	Tray, instrument[1]	4	Manufacturer's choice.

[1] Metal covers may be made for these articles but not for any others in this table.

INTERPRETATION 1: Revoked Jan. 8, 1944.

[F. R. Doc. 44–12505; Filed, August 19, 1944; 11:32 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–30–c, as Amended Aug. 19, 1944]

CAST IRON WARE

§ 3291.160 *Limitation Order L–30–c*—(a) *Definitions.* For the purposes of this order:

(1) "Cast iron ware" means any of the following articles when made of cast iron:

(i) Kitchen utensils used primarily in the preparation, cooking, serving or storage of food or beverages, whether for household, institutional, commercial, government or any other use, and racks for holding such utensils;

(ii) Sugar, wash and butchering kettles and English pots;

(iii) Sad irons, flat irons and Mrs. Potts' irons; and

(iv) Hot plates and flame tamers;

"Cast iron ware" does not include electrical or gas appliances or power-driven equipment.

(2) "Manufacturer" means any person who produces or assembles any cast iron ware.

(3) "To put into process" means for a person to perform the first manufacturing or assembling operations on material or parts received by him.

(4) "Preferred order" means any purchase order or contract for cast iron ware which will be ultimately delivered to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production.* A manufacturer may not produce or assemble any cast iron ware except articles listed on Table A made within the quota provisions of that table.

(c) *Applicability of regulations and other orders.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of cast iron ware to a greater extent than this order does, the other order shall govern unless it states otherwise.

(d) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.*

Any person who wants to use more iron and steel in production of cast iron ware listed in Table A than the quota fixed in that table (including a person who has no quota under this order), or to produce or assemble any cast iron ware not listed on Table A, may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from paragraph (f) of this order should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b).

(e) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Reports.* (1) [Deleted Mar. 27, 1944]

(2) On or before the twentieth day of the first month following each calendar quarter, beginning January 20, 1944, each manufacturer shall file with the War Production Board, Form WPB-1662 (formerly PD-655) showing all shipments of cast iron ware during the preceding calendar quarter and his inventory of cast iron ware.

(3) These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-30-c.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

General. A manufacturer may not make any cast iron ware which is not listed on the following table.

Quarterly quotas. No manufacturer shall put into process in the production of cast iron ware during any calendar quarter more iron and steel than his quarterly quotas as shown in column (2). The quota is calculated by taking the percentage shown for an article and multiplying it by one-fourth of the amount of iron and steel put into process by him for that article in the twelve months ending June 30, 1941. These quotas apply to all articles, whether produced in fulfillment of preferred orders or otherwise.

(1) Articles	(2) Quarterly quotas
	Per cent
Skillets	100
Griddles	80
Household kettle (12-quart or smaller)	75
Sugar or wash kettle (20 gallons or smaller)	100
Butchering kettle (over 20 gallons)	100
Dutch oven	100
Either muffin pan or corn or bread stick pan	[1] 25
Sad irons or flat irons	100
Sesame textiles	Unlimited [2]

[1] Of muffin pans and corn or bread stick pans.
[2] May be produced for preferred orders only.

[F. R. Doc. 44-12506; Filed, August 19, 1944; 11:32 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Supplementary Limitation Order L-30-d, as Amended Aug. 19, 1944]

MISCELLANEOUS COOKING UTENSILS AND OTHER ARTICLES

§ 3291.103 *Supplementary Limitation Order L-30-d*—(a) *Definitions.* For the purposes of this order:

(1) "Manufacturer" means any person who produces or assembles any article listed on Schedule A or Schedule B attached to this order, or any part for any such article.

(2) "To produce" or "to assemble" an article does not include the application of a coating or finish or the attaching of bails, handles, spouts or ears to articles which are otherwise completed.

(3) "To put into process" means for a person to perform the first manufacturing or assembly operations on material or parts received by him.

(4) "Base period" means the twelve months ending June 30, 1941.

(5) "Joining hardware" means nuts, screws, nails, bolts, clasps, rivets and other similar items of small hardware used for joining or other similar purposes.

(6) "Repair parts" means any part for an article or product which is not produced for or used in a new article or product.

(7) "Preferred order" means any purchase order, contract, or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(b) *Prohibition of production of articles on Schedule A.* No manufacturer shall produce or assemble any of the articles listed on Schedule A or parts (including repair parts) for such articles containing any metal.

(c) *Restrictions on production of articles on Schedule B.* No manufacturer shall produce or assemble any articles listed on Schedule B or any parts (including repair parts) for such articles containing any metal except in accordance with the provisions of that schedule.

(d) *Exceptions.* (1) The provisions of paragraphs (b) and (c) do not apply to (i) articles produced to fill preferred orders; (ii) articles containing not more than 5% by weight of iron and steel, including joining hardware; (iii) articles covered by other orders in the L-30 series, as amended from time to time, or by supplements or directions issued under those orders; or (iv) articles produced from iron or steel which, on November 17, 1942, had been cut, blanked or otherwise formed to size or shape for the articles, and is not in mill standard gauges and sizes.

(2) The War Production Board from time to time may issue directions under this order controlling the production of articles it covers. When a direction is issued its provisions will supersede the provisions of this order for the articles it covers, unless the direction states otherwise.

(e) *Provisions concerning distribution.* (1) For the purpose of this paragraph:

(i) "Special order" means a rated purchase order or contract bearing a statement that the preference ratings were assigned pursuant to Form WPB-547 (formerly PD-1X). It is the policy of the War Production Board to assign such ratings only to take care of emergencies or to fill special needs arising from war conditions.

(ii) "Total quarterly production" means either the total dollar value or the total number of units of each article produced under this order during a calendar quarter. Articles produced or sold on preferred orders shall be disregarded in this calculation.

(2) Of his total quarterly production of any article each manufacturer shall allocate his sales so that 25% are sold on special orders and 75% on other orders. Fifteen days after the end of the quarter any balance of the 25% for which he has no special orders may be sold on other orders. For example, articles produced in the third quarter and held for sale on special orders may be sold on or after October 15th on other orders.

(3) It is hereby declared to be the policy of the War Production Board that each manufacturer shall distribute equitably all articles sold on other than special orders. In line with this policy, each manufacturer should follow his 1942 pattern of distribution, making any adjustments necessary to take care of population and other changes resulting from war conditions. Upon complaint of any person or without such complaint, the War Production Board may investigate any case of supposed failure of any per-

son to distribute his product equitably, and may issue such instructions as are necessary to obtain equitable distribution. Any instructions pursuant to this paragraph to be valid must be in writing.

(4) [Deleted July 6, 1944.]

(5) In complying with the provisions of subparagraph (3) above, each manufacturer shall fill all rated orders (other than special orders) in accordance with applicable War Production Board regulations. However, it should be noted that under Priorities Regulation No. 3, as amended, articles produced under this order are not subject to preference ratings assigned by any regulations or orders of the War Production Board for maintenance, repair or operating supplies (including CMP Regulation Nos. 5 and 5A).

(f) *Applicability of other orders and regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of articles covered by this order to a greater extent than this order or any direction issued under it, the other order shall govern unless there is a provision stating otherwise.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person (including a person who has no quota under this order) who wants to use more iron and steel in making articles listed on Schedule B or parts (including repair parts) containing metal than the quotas fixed in Column (5) of that schedule, may apply for permission to do so as explained in Priorities Regulation 25. Similar application may be made under that regulation to produce or assemble articles (or parts for articles) listed on Schedule A containing metal.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b) and the quota restrictions of Schedule B, Column (5) should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) or the quota restrictions of Schedule B Column (5).

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Reports.* On or before January 20, April 20, July 20, and October 20 of each year, each manufacturer shall file with the War Production Board, Form WPB–1600, showing his production, shipment and inventory during the preceding quarter, of articles produced in accordance with Schedule B. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–30–d.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A: *Prohibited articles.* The production of the following articles is prohibited in accordance with the provisions of paragraph (b) of this order, except as provided in paragraph (d):

Cake coolers
Camp grids
Candlesticks
Carpet beaters
Closet accessories, except coat and hat hooks, boot and shoe trees, garment bags and garment hangers
Clothes pins
Concrete garbage receptacle containing more than 5 percent, by weight, of metal, exclusive of the weight of separate bases or blocks
Cup frames
Curtain rods and fixtures and drapery attachments
Cuspidors and spittoons
Dish pans
Dust pans, silent butlers and crumb sets
Fly swatters
Funnels
Household storage articles (all articles designed for the storage of foods or household supplies including but not limited to vegetable bins, canisters, spice sets, bread boxes, cake covers or safes, holders for salt, soap or cleanser cartons, step-on cans and window boxes for the storage of food, but excluding (i) pails, buckets and tubs; and (ii) containers designed for the packing, shipment or delivery of materials or products of any kind, including but not limited to cans as defined in Conservation Orders M–81 or M–135, glass containers or closures as defined in Limitation Order L–103, and drums as defined in Limitation Order L–197
Picnic stoves
Pot chains
Pot cover holders
Sink accessories, including but not limited to, sink drainers, dish drainers, rinsing pans and pot scourers (except pot scourers produced from wire scrap only)
Soap savers and soap dishes
Toilet paper holders
Tooth brush holders
Towel bars and racks
Wash boards

SCHEDULE B. *Permitted articles.* The production of the articles listed must conform to the restrictions of this schedule in accordance with the provisions of paragraph (c) of Order L–30–d, except as provided in paragraph (d) of that order.

No manufacturer shall produce or assemble any article falling within any class in column (1) or any part for such article, containing any metal, except articles listed in column (2) conforming to the restrictions of column (3) and containing only the metals listed in column (4).

Definitions of terms used in column (4)

"Iron and steel" means unalloyed iron and steel.

"Black steel" means uncoated, polished or lacquered carbon steel. It does not include any steel which has a metal or vitreous-enameled coating.

"Plated" means that the iron or steel may be plated with another metal when not prohibited by any M Order or any other Order of the War Production Board.

"Specified materials" means iron or steel which falls within one or more of the following classes:

(i) Iron or steel obtained pursuant to a special sale as defined in Priorities Regulation No. 13, and in accordance with the terms of that regulation;

(ii) Top cuts of steel (being that portion of steel in ingot normally discarded as not meeting special quality requirements of the customer's order for which it was melted);

(iii) Bessemer processed steel;

(iv) Sheet mill seconds, rejects and wasters, 28-gauge and heavier;

(v) Tin mill black plate rejects, 29 and 30-gauge;

(vi) Iron or steel obtained from a warehouse (as defined in Conservation Order M–21–b):

(vii) Rerolled rail steel.

(viii) Scroll-sheer butts and slitter waste;

(ix) Wire shorts and rejects.

Quarterly quotas of iron and steel. Except in fulfillment of preferred orders, no manufacturer shall put into process during any calendar quarter, beginning July 1, 1943, more iron and steel, by weight, in the production of any articles listed in column (2) and parts for such articles, than the percentage specified in column (5) of the average quarterly amount of iron and steel, by weight, put into process by him in the production of such articles and parts during the base period. Unless otherwise noted, the base period production shall include all articles of the type listed in column (2) produced by him in the base period, whether or not they conformed to the limitations of columns (3) and (4).

In addition to his quota as explained above, a manufacturer may put into process in the production of any articles during any calendar quarter any unused part of his previous quarter's quota of iron and steel for such articles.

(1) Class of articles	(2) Permitted type in each class	(3) Restrictions on size, weight, etc.	(4) Permitted metals	(5) Quarterly quotas
Miscellaneous cooking utensils (any utensil containing more than 10% by weight, of metal which is designed primarily for use in the preparation or cooking of food, whether for household, institutional, commercial, governmental or any other purpose.	Utensils containing more than 10% but less than 30% of metal, by weight.		Iron and steel; plated	100% plus 5% for repair parts.
	Frying pans	Top diameter—8 to 12 inches, inclusive.	Black steel	50%.
	Baking pans of a type designed for household use.		Black steel; only Bessemer, tin mill black plate rejects or material in inventory on July 17, 1943.	July to Sept., 1943—50%; Oct. to Dec., 1943, and thereafter—25%.
	Baking pans of a type designed for use and reuse in commercial bakeries and institutions.		Tin plate and black steel	75%.
	Heavy duty roast pans	Without covers; capacity—675 cubic inches to 2600 cubic inches, inclusive; two or three reinforcing straps; wired edges.	Black steel	35%.
	Pressure canners	See Direction 1.	See Direction 1.	See Direction 1.
	Basting spoons	Over-all length, 14 to 21 inches, inclusive.	Bessemer steel; plated	35%.
	Cake turners	Over-all length, 13 to 21 inches, inclusive.	Bessemer steel; plated	35%.
	Can openers, household type		Iron and steel; plated; zinc	100%.
	Can openers, institutional type.		Iron and steel; plated; zinc; bronze bearings and bushings.	35%.
	Egg beaters, rotary type	Over-all length, 10 inches or more.	Iron and steel; plated	35%.
	Flour sieves	With wood rims	Iron and steel	35%.
	Food choppers and grinders		Iron and steel; tinned, if permitted under Order M-43, or under relief granted pursuant to an appeal from that Order.	75%.
	Food mills		Iron and steel; plated	35%.
	Ice cream dippers, commercial type.		Iron and steel; plated; die-cast zinc gears.	15%.
	Ice picks	Wood handles; metal in ferrules and blades only; length of blade, including part in handle—5¼ inches or less.	Iron and steel	80%.
	Jar wrenches	No rubber; not more than 12 oz. of metal.	Iron and steel; plated	35%.
	Scoops, commercial type	Iron and steel in blade only; Over-all length—6 to 10 inches, inclusive.	Iron and steel; plated; only specified materials or material in inventory on March 26, 1943.	35%.
	Wire strainers		Iron and steel; plated	35%
	Wire whips, commercial type.	Over-all length—12 inches or more.	Iron and steel; plated	35%.
	Repair parts for any kitchen tool.		Any metal, subject to applicable M Orders.	5% of metal in such tool in base period.
	Hand clothes wringers	Weight—18 pounds or less; not more than 50% of metal, by weight.	Iron and steel	30%, plus 5% for repair parts.
	Carpet sweepers	Containing 1¼ pounds of metal or less.	Iron and steel	30%.
	Vacuum bottles with capacity of one quart or less.		Iron and steel; plated; zinc and aluminum to the extent permitted by applicable M Orders.	75%.
	Workers' lunch boxes of a type designed to hold a vacuum bottle.	28-gauge or lighter	Iron and steel; only specified materials and material in inventory on July 17, 1943.	July-Sept., 1943 and Oct.-Dec. 1943—100%; Jan.-Mar., 1944 and thereafter—75%.
	Miners' dinner pails		Iron and steel; tinplate for water compartment only, if permitted under Order M-21-c or under relief granted pursuant to an appeal from that Order.	July-Sept., 1943, and Oct.-Dec., 1943 100% of average quarterly number of units in base period; Jan. to Mar., 1944 and thereafter—75% of same.
	Garment hangers		Iron and steel	35%.
	Pails, buckets and tubs	Metal in hoops, bails, ears, handles and joining hardware only, not exceeding 15% of total weight.	Iron and steel; zinc coated	Unlimited.
Kitchen tools (articles containing more than 5% by weight, of metal, commonly known as kitchen tools, including, but not limited to, can openers, jar openers, bottle openers, strainers, flour sifters, food whips, food mills, dippers, scoops, choppers, slicers, corers, mashers, shapers, beaters, graters, grinders, cutters, sieves, cake turners, basting spoons, cork screws and skewers, but excluding cutlery (which is governed by Limitation Order L-140-a), electrical appliances (as governed by Limitation Order L-64), gas appliances and power-driven equipment.				
Clothes wringers (except wringers which are integral parts of power-driven equipment as covered by Limitation Orders L-6 and L-61, as amended from time to time).				
Carpet sweepers				
Vacuum bottles and jugs				
Lunch boxes and dinner pails				
Garment hangers				
Pails, buckets and tubs, except: (i) pails or tubs designed expressly for use as packing or shipping containers; and (ii) dairy pails				

INTERPRETATION 1: Superseded Jan. 31, 1944.

[F. R. Doc. 44-12807; Filed, August 19, 1944; 11:32 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-36, as Amended Aug. 19, 1944]

UMBRELLA FRAMES

§ 3291.185 *Limitation Order L-36*—(a) *What this order does.* This order states the rules governing the manufacture of umbrella frames and repair parts for them. It sets quotas for the number of frames and repair parts which may be made in each quarter and limits the number and length of ribs in each frame.

(b) *Definition of "frame".* "Frame" means the framework of an umbrella made out of iron, steel or plastic, including ribs, stretchers, notch, runner, springs, cap, ferrule, tips and connecting hardware.

(c) *How many frames may be made.* (1) Beginning with the fourth quarter of 1943, no manufacturer shall produce during any quarter more than 9½% of the frames he made in the calendar year 1941.

(2) A manufacturer may not devote more than 90% of his quota for any quarter to the production of frames designed for a woman's umbrella.

(d) *Specifications for frames.* No manufacturer shall produce any frames which do not meet the following specifications:

(1) No frame for a man's umbrella may have more than 8 ribs.

(2) Ribs for a man's umbrella may not be more than 25 inches in length.

(3) No frame for a woman's umbrella may have more than 10 ribs.

(4) Ribs for a woman's umbrella may not be more than 20 inches in length.

(e) *Repair parts.* Beginning with the fourth quarter of 1943, no manufacturer of frames shall put into process during any quarter more iron and steel in making repair parts for frames than 10% of the iron and steel he is entitled to use in making his quota of frames for that quarter. In computing this amount for repair parts, a dozen umbrella frames shall be considered to use 5.3 pounds of iron and steel.

(f) *Special rule as to parts manufacturers.* No manufacturer of parts for frames shall make or deliver any parts if he knows or has reason to believe that they will not be used as repair parts or in the production of frames in accordance with this order.

(g) *Reports.* On or before January 20, April 20, July 20, and October 20 of each year, beginning January 20, 1944, each manufacturer shall file with the War Production Board Form WPB–1600 (formerly PD–655) showing his production, shipments and inventory of umbrella frames during the preceding quarter. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Applicability of other orders and regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of umbrella frames to a greater extent than this order, the other order shall govern unless it states otherwise.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce more umbrella frames than the quota fixed in paragraph (c) (1) (including a person who has no quota), and any person who wants to put into process more iron and steel in making umbrella repair parts for frames than the quota fixed in paragraph (e), (including a person who has no quota) may apply for permission to do so as explained in Priorities Regulation 25. The restrictions of paragraph (c) (2) do not apply to umbrella frames made under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the quota restrictions of paragraph (c) (1) and (e) should be filed on Form WPB–1477 (in triplicate) with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the quota restrictions of paragraphs (c) (1) or (e).

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington (25), D. C., Ref: L–36.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12506; Filed, August 19, 1944; 11:32 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–52, as Amended Aug. 19, 1944]

BICYCLES AND BICYCLE PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron or steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.215 *General Limitation Order L–52*—(a) *Definitions.* For the purposes of this order:

(1) "Bicycle" means any pedal-propelled, non-motor, two-wheeled vehicle.

(2) "Bicycle manufacturer" means any person who manufactures or assembles finished bicycles.

(3) "Parts manufacturer" means any person who manufactures parts or accessories for bicycles.

(4) [Deleted Aug. 19, 1944.]

(5) "Net weight" means the weight of the finished bicycle, exclusive of the weight of tires or tubes.

(6) "Preferred order" means any order or contract for bicycles, parts, or accessories to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, and the Office of Scientific Research and Development.

(7) "Prohibited materials" means crude rubber and any metal other than iron, unalloyed steel, aluminum, magnesium, silver and gold.

(8) "Parts" means those components in the make-up of bicycles, essentially required for the actual function of locomotion.

(9) "Accessories" means all customary attachments to bicycles other than parts.

Neither parts nor accessories shall include anything not customarily attached to the bicycle itself.

(10) "Replacement parts and accessories" means those parts and accessories sold to anyone other than a bicycle manufacturer.

(11) [Deleted Aug. 19, 1944.]

(12) [Deleted Aug. 19, 1944.]

(b) *General restrictions.*

(1) [Deleted Aug. 19, 1944.]

(2) [Deleted Aug. 19, 1944.]

(3) [Deleted Aug. 19, 1944.]

(4) On and after April 1, 1942, no bicycle manufacturer shall manufacture any bicycles which:

(i) Have a net weight greater than 31 pounds;

(ii) Are not built with a diamond-shaped frame, or when intended for use by women, with a drop-shaped frame;

(iii) Have a frame measurement from the center of the crank to the top of the saddle post staff of less than 20 inches.

(iv) Contain any prohibited material, except that:

(*a*) Chromic acid for plating may be used on seat posts, handle bar stems, adjusting nuts and screws, and cranks;

(*b*) Zinc-treated wire may be used for spokes;

(*c*) Lighting equipment may contain such prohibited material as is absolutely necessary to satisfy minimum safety requirements and for which there is no satisfactory substitute;

(*d*) Casings and tubes of tires may contain such crude rubber as provided by Rubber Order R–1 as amended from time to time.

(v) Have tires or tubes with a diameter greater than 1.375 inches;

(vi) Are equipped with any of the following parts or accessories if those parts or accessories contain any iron or steel or prohibited material: Chain guards, skirt guards, stands, luggage carriers, tanks, truss rods, truss bars, and spring forks: *Provided,* That such minimum amount of iron and steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware, for the construction of the above parts or accessories and the fastening of such parts or accessories to the finished bicycle, may be used.

(5) During the three months' period ending June 30, 1942 and for each three months' period thereafter:

(i) No parts manufacturer shall manufacture any replacement part or accessory for bicycles, which contains any prohibited material, except that:

(*a*) Chromic acid for plating may be used on seat posts, handle bar stems, adjusting nuts and screws, and cranks;

(*b*) Zinc-treated wire may be used for spokes;

(*c*) Lighting equipment may contain such prohibited material as is absolutely necessary to satisfy minimum safety requirements and for which there is no satisfactory substitute;

(*d*) Casings and tubes of tires may contain such crude rubber as provided by Rubber Order R–1, as amended from time to time;

(ii) No parts manufacturer shall use iron or steel or any prohibited material in the manufacture of any of the following replacement parts or accessories for bicycles: chain guards, skirt guards, stands, luggage carriers, tanks, truss rods, truss bars, and spring forks: *Provided*, That such minimum amount of iron and steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware, for the construction of the above parts or accessories and the fastening of such parts or accessories to the finished bicycle, may be used;

(iii) No parts manufacturer shall manufacture a greater total of any single replacement part or accessory for bicycles than three times 100% of the average monthly number of such replacement part or accessory manufactured by him in the calendar year 1941; except that a parts manufacturer may manufacture such additional replacement parts and accessories (other than those enumerated in subparagraph (5) (ii)) as he can make from three times 50% of the average monthly amount of iron and steel used by him in 1941 in the manufacture of those parts and accessories enumerated in subparagraph (5) (ii).

(6) Any bicycle or parts manufacturer having preferred orders may exceed any of the foregoing restrictions to the extent required to fill such preferred orders.

(7) [Deleted Aug. 19, 1944.]

(8) [Deleted Aug. 19, 1944.]

(9) No manufacturer shall make or assemble any bicycles except that the following bicycle manufacturers may make and assemble during each calendar month until further notice in writing from the War Production Board the number of bicycles listed opposite their names:

Name of manufacturer:	Number of bicycles
Westfield Manufacturing Co., Westfield, Mass.	6,000
Huffman Manufacturing Co., Dayton, Ohio	4,000

Provided, That,

(i) If at any time during any given month it is necessary to manufacture military type bicycles on direct order of and for direct delivery to the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the armed forces of any country including those in the Western Hemisphere pursuant to the Act of March 11, 1942, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and the manufacture of such military type bicycles at that time would result in the quota of bicycles specified above being exceeded, such quota may be exceeded in any given month to the extent necessary to manufacture such military bicycles, provided that no civilian type bicycles are manufactured thereafter during such month.

(ii) No trade name or trade-mark shall be placed upon any bicycle manufactured after August 31, 1942, pursuant to this paragraph (b) (9). However, the Westfield Manufacturing Company may place the letter "W" next to the serial number of each bicycle it manufactures, and the Huffman Manufacturing Company may place the letter "H" next to the serial number of each bicycle it manufactures.

(c) [Deleted Aug. 19, 1944.]

(d) [Deleted Aug. 19, 1944.]

(e) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make or assemble more bicycles than the quotas fixed in paragraph (b) (9) (including a person who has no quota under the order) and any person who wants to manufacture a greater total of any single replacement part or accessory for bicycles than the quota fixed in paragraph (b) (5) (iii) (including a person who has no quota) may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the quota restrictions of paragraphs (b) (5) (iii) and (b) (9) should be filed on Form WPB-1477 (in triplicate) with the War Production Board, Washington 25, D. C., Ref. L-52. No appeal should be filed from the quota restrictions of paragraphs (b) (5) (iii), or (b) (9).

(h) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: L-52.

(i) *Applicability of other orders.* Insofar as any other order of the War Production Board issued before or after March 12, 1942 limits or curtails to a greater extent than herein provided, the use of any material used in the production of bicycles, replacement parts and accessories, the limitations of such other order shall control.

(j) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12513; Filed, August 19, 1944; 11:33 a. m.]

PART 3291[1]—CONSUMERS DURABLE GOODS

[Limitation Order L-62, as Amended Aug. 19, 1944]

METAL HOUSEHOLD FURNITURE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron or steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.55[1] *General Limitation Order L-62*—(a) *Definitions.* For the purposes of this order:

(1) "Metal household furniture" means all household furniture containing more than 5% of metal in the net weight of the finished product (other than such minimum amount of iron or steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets and other joining hardware for the construction and assembly of non-metal structural parts) and including but not limited to:

(i) Metal porch and garden furniture including chairs, tables, gliders, swings, seats, benches, urns, ferneries, ornamental wall brackets and hangers, refreshment carts, beach and lawn umbrellas, ornamental awning supports, weather vanes, stands, hammocks, sunshades, chaise longues (with or without wheels), sun tans, couch hammocks, and sand boxes;

(ii) Other metal furniture including tables (folding and non-folding), chairs (folding and non-folding), tea wagons, buffets, dressers, chiffoniers and chifferobes, vanities, wardrobes, benches, chests, (drawer type), kitchen cabinets and cupboards, undersink cabinets, broom cabinets, utility cabinets, venetian blinds (other than wood venetian blinds containing less than 15 ounces of metal per blind), stools, shoe racks, medicine cabinets, smoking stands and ash trays, radiator covers, porcelain table tops, settees, davenports, table desks, chiffodesks, knee-hole desks, flexible steel mats, metal picture frames and mirror frames, coat and hat racks, under-lavatory closets, clothes hampers, flower vases, and broom racks;

(iii) But not including furniture such as cots, beds, studio couches, sofa beds, bunks, berths (all types), mattresses, and bed springs, or any wood upholstered furniture unless such wood upholstered furniture contains more than 5% of metal in the net weight of the finished

[1] Formerly Part 1122, § 1122.1.

product other than metal contained in springs or wire used in backs, seats, or cushions.

(2) [Deleted Aug. 19, 1944.]

(3) [Deleted Aug. 19, 1944.]

(4) [Deleted Aug. 19, 1944.]

(5) [Deleted Aug. 19, 1944.]

(6) [Deleted Aug. 19, 1944.]

(7) [Deleted Aug. 19, 1944.]

(b) [Deleted Aug. 19, 1944.]

(c) *Prohibition of production after June 30, 1942.* No manufacturer shall after June 30, 1942, process, fabricate, work on or assemble any materials for use in the production of metal household furniture, nor shall any manufacturer produce or assemble any metal household furniture after that date.

(d) [Deleted Aug. 19, 1944.]

(e) [Deleted Aug. 19, 1944.]

(f) [Deleted Aug. 19, 1944.]

(g) *Violations.* Any person who wilfully violates any provisions of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(h) *Exceptions*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce or assemble any metal household furniture may apply for permission to do so as explained in Priorities Regulation 25. No appeals should be filed from the provisions of this order.

(i) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref: L–62.

(j) *Applicability of Priorities Regulations.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulations, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12514; Filed, August 19, 1944; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–65, as Amended Aug. 19, 1944]

ELECTRICAL APPLIANCES

§ 3291.311 *General Limitation Order L–65*—(a) *Definitions.* For the purposes of this order:

(1) "Electrical appliances" means only those appliances listed on Schedule A of this order which have as functional parts, electrical heating units (of any wattage) or which are powered by an electrical vibrator or electrical fractional horsepower motor.

(2) "Heating unit" means any electric heating unit designed primarily for use in an electrical appliance or in a domestic type electric range.

(3) "Electrical resistance material" means material in the form of ribbon or wire to be incorporated in heating units, in which either nickel or chromium or both, are used to create electrical resistance for the development of heat.

(4) "Manufacturer" means any person engaged in the business of manufacturing or assembling any heating units, electrical appliances or parts for such appliances, including a person who assembles parts of an electrical appliance for sale in knock-down form.

(5) "Distributor" means any person engaged in the business of transferring heating units, electrical appliances or parts for such appliances to his retail outlets or to other dealers.

(6) "Dealer" means any person engaged in the business of transferring or repairing heating units, electrical appliances or parts for such appliances to or for ultimate consumers.

Any person who acts in more than the single capacity of manufacturer, distributor or dealer as defined in paragraphs (a) (4), (a) (5) and (a) (6) of this order shall for the purposes of this order be deemed a manufacturer, distributor or dealer, depending upon the capacity in which he acts in each specific transaction.

(7) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(8) "Repair or replacement part" means any heating unit for a domestic electric range or any heating unit or other part (except cord sets) for an electrical appliance when such heating unit or part is not produced for use in the manufacture or assembly of any new electrical appliance or new domestic electric range. This order does not control the production or delivery of cord sets produced or delivered for use as repair or replacement parts. Such cord sets are controlled by Limitation Order L–277.

(9) "Current-carrying parts" include only the following parts: Heating units, thermostats and temperature controls, relays, lead-in and connection wires, switches, terminals, fuses, receptacles and parts of motors which conduct electric current, but shall not include cord sets.

(b) *General restrictions on production.* (1) On and after June 17, 1943, no manufacturer shall produce any new electrical appliance (or parts therefor) other than repair or replacement parts, except:

(i) The following new electrical appliances (or parts therefor) may be produced in fulfillment of preferred orders: Coffee makers, flat irons, air heaters, water heaters, and commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers.

(ii) During the period beginning June 17, 1943, and ending September 30, 1943, inclusive, and during each three months period thereafter, a manufacturer may produce for other than preferred orders as specified in paragraph (b) (1) (i) above, no more units of any of the following types of new electrical appliance (or parts therefor) than 10% of the number of units of that particular electrical appliance (or parts therefor) produced by him during 1940: Commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers; *Provided*, that no manufacturer shall produce any units of any type of new electrical appliance (or parts therefor) listed in this paragraph (ii) if such production will result in an accumulation of inventory of that particular type of new electrical appliance (or parts therefor) greater than 15% of the number of units of that particular electrical appliance (or parts therefor) produced by him during 1940.

(2) On and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of any new electrical appliances, or parts therefor (whether or not in fulfillment of preferred orders) specified in paragraph (b) (1) of this order, except for such minimum amounts as are necessary for the conduction of electric current or essential to the proper functioning of parts.

(c) *Restrictions on transfer of new electrical appliances.* On and after June 17, 1943, no manufacturer shall transfer the physical possession of or title to any new electrical appliance manufactured after that date, except

(1) In fulfillment of preferred orders.

(2) Pursuant to specific authorization of the War Production Board on Form WPB–1319 pursuant to an application filed on said Form. Form WPB–1319 should be filed with the nearest field office of the War Production Board for all orders except for export, and with the Foreign Economic Administration, Washington 25, D. C. for export orders.

(d) *Repair or replacement parts.* (1) Except in fulfillment of preferred orders, on and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of any repair or replacement parts, other than the specific parts listed on the following table, or any part thereof:

Type of equipment	Repair or replacement parts for which copper or copper base alloys are permitted
Air heaters	Current-carrying parts.
Commercial permanent wave equipment and commercial hair driers.	Current-carrying parts, other than copper or copper base alloy disposable grids for permanent wave equipment.
Commercial or heavy duty equipment of the following types: broilers, food choppers, food mixers, food grinders, food servers, food slicers, fry kettles, griddles, hotplates, juicers, ovens, ranges, toasters, urns and vegetable peelers.	Current-carrying parts and motor bearings where the use of other material is impracticable.
Heating units for domestic electric ranges	Current-carrying parts.
Hotplates and disc stoves	Current-carrying parts.
Roasters	Current-carrying parts.

(2) On and after June 17, 1943, no manufacturer shall use copper or copper base alloys in the production of repair and replacement parts in fulfillment of preferred orders, except for such minimum amounts necessary for the conduction of electric current or essential to the proper functioning of parts.

(3) [Deleted June 29, 1944.]

(4) On and after June 17, 1943, no manufacturer shall produce any repair or replacement parts if he has, or as a result of such production will have, more parts of such type in his inventory than the number of parts of such type which he sold during the preceding six calendar months.

(5) Except in fulfillment of preferred orders, on and after June 17, 1943, no manufacturer or distributor shall transfer any repair or replacement parts unless a similar used part has been delivered to him in exchange therefor, or unless he has been informed that a similar used part is being held or will be secured by the dealer or distributor to whom the new part is being transferred, or has been disposed of in accordance with this paragraph. The used parts shall be held subject to disposition at the direction of the manufacturer or distributor who transferred the new part. If no such direction is given within 60 days, the person holding the used part shall promptly dispose of it through regular scrap channels.

(e) *Restriction on use or transfer of electrical resistance material.* On and after June 17, 1943, no manufacturer shall use in the production of heating units or transfer for any purpose whatsoever, any electrical resistance material except pursuant to specific authorization of the War Production Board on Form WPB-1319. Application on that form should be filed with the War Production Board, Washington 25, D. C., Ref.: L-65.

(1) [Deleted Feb. 19, 1944]

(2) [Deleted Feb. 19, 1944]

(f) *Inventory restrictions.* No manufacturer shall accumulate for use in the manufacture of electrical appliances, heating units, or repair or replacement parts, any inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(g) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any material in the production of electrical appliances, heating units, or repair or replacement parts to a greater extent than the limits imposed by this order, the provisions of such other order shall govern unless otherwise specified therein.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(i) *Reports.* Every manufacturer affected by this order shall execute and file Form WPB-1600 (formerly PD-655) with the War Production Board, Washington 25, D. C., Ref.: L-65, on or before the 10th day following the close of each calendar month.

(j) *Exceptions and appeals.*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce any electrical appliance (or parts therefor), the production of which is prohibited or restricted by paragraphs (b) (1) (i), (b) (1) (ii), or (d) (4), may apply for permission to do so as explained in Priorities Regulation 25. Transfers of physical possession of or title to any new electrical appliance are not subject to the restrictions of paragraph (c), if authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (1) (i), (b) (1) (ii), or (d) (4), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (b) (1) (i), (b) (1) (ii), or (d) (4).

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-65.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The following is the list of electrical appliances specified in paragraph (a) (1) of this order:

Air Heaters (except as covered by L-107 and L-158)
Aquarium Heaters
Baking Ovens
Barbecue Machines
Biscuit and Muffin Bakers
Blankets
Bottle Warmers
*Bread Slicers (except as covered by L-83)
Bread Toasters (except as covered by L-182)
Broilers
Casseroles
Chafing Dishes
Choppers, food and meat
Cigar and Cigarette Lighters
Clothes Driers
Coffee Makers
Coffee Mills
Coffee Roasters
Commercial Cooking and Food and Plate Warming Equipment
Corn Poppers
Curling Irons
*Dishwashing Equipment (domestic)
Double Boilers
Doughnut Cookers
Dry Shavers
Egg Boilers
Face and Hand Driers
Fan Type Heaters (except as covered by L-107 and L-158)
Faucet Heaters
Fly Screens and Traps
Fireplaces
Food Choppers and Slicers
Food Conveyance Equipment
Food Cooking Equipment
Food Grinders
*Food Mixers
*Food Preparation Machinery
Food Servers
Fry Kettles
Griddles
Grills
Hair Clippers
Hair Driers
Heating Pads
Hedge Clippers
Hotplates and Disc Stoves
Ice Cream Freezers, Domestic
**Immersion Heaters
*Juice Extractors
Knife Sharpeners and Grinders
Massage Vibrators
*Meat, Fish and Bone Cutters
Neckwear and Trousers Pressers
Ovens (except as covered by L-182)
Peanut Roasters
Percolators
Permanent Wave Equipment
Popcorn Machinery
Portable Air Heaters
Pyrographic Pencils
Radiant Heaters
Ranges, Commercial (except as covered by L-182)
Roasters
Roasting Ovens
Sandwich Toasters
Soup Cookers
Steak and Meat Tenderising Equipment
Steam Tables
**Steamers
Stock Pots
**Strip Heaters
Table Stoves
Tea Kettles
**Unit Heaters
Urns
Vibrators
**Vane Heaters
Waffle Irons

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PART 3291—Co
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••Steamers
Stock Pots
••Strip Heaters
Table Stoves
Tea Kettles
••Unit Heaters
Urns
Vibrators
••Vane Heaters
Waffle Irons

•Only those using a fractional horsepower motor.

•• Except for industrial applications.

[F. R. Doc. 44-12515; Filed, August 19, 1944; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Supplementary Limitation Order L-65-a, as Amended Aug. 19, 1944]

ELECTRIC IRONS

§ 3291.316 *Limitation Order L-65-a*—(a) *What this order does.* This order controls the manufacture and delivery of electric irons. It provides for the resumption of production of these items on a limited basis. Notwithstanding the provisions of Limitation Order L-65, no person shall manufacture any electric irons except under the terms of this order.

(b) *Definition.* For the purpose of this order: "Electric iron" means any portable iron designed primarily to be used in ironing or pressing wearing apparel and having a self-contained heating element in which heat is generated by the passage of electricity.

(c) *Production of electric irons.* (1) No person shall make any electric irons except in models and quantities specifically authorized by the War Production Board on Form CMPL-150-b. Application should be made by filing Form WPB-3550.1 with the field office of the War Production Board for the district in which the plant where the irons are to be made is located.

(2) Each person who has a production quota assigned on Form CMPL-150-b may make in addition to that quota, electric irons in approved models to fill purchase orders or contracts calling for delivery to or for the account of the U. S. Army, Navy, Maritime Commission or the War Shipping Administration. Irons may not be made to fill even these orders by any person who has not been assigned a production quota.

(3) Manufacture of electric irons will be permitted only if labor is available and if such production can be made without interference with existing or potential war contracts. Wherever practical, each manufacturer will be permitted under paragraph (c) (1) to make his pro rata share of the total production authorized, based on his production during 1940. However, to insure full production of approved requirements, the War Production Board may assign additional quotas to qualified manufacturers. In general, no single manufacturer will be authorized to produce more than one model of the automatic type and one model of the non-automatic type. Approval of models will be based largely on economy of production and the volume of production of the individual models by a manufacturer during 1940. The War Production Board will, from time to time or on request of any manufacturer, give notice to all manufacturers of the total production authorized and the percentage of his 1940 production authorized to each individual manufacturer.

(4) Manufacturers who made electric irons in 1940 and who are unable to produce because of interference with war work may apply to the War Production Board for permission to have another person make irons for them. Each application should be made by filing Form WPB-3550.1 in accordance with its instructions.

(d) *Restriction on production of certain parts.* No person other than those authorized to make electric irons on Form WPB-3550.1 shall make any sole plates (either cast, stamped or forged) or handles for electric irons, in a Group I labor area, except as permitted by the nearest field office of the War Production Board in writing.

(e) *Distribution.* It is the policy of the War Production Board that each manufacturer shall distribute his production through his normal distribution channels, taking into consideration shipments to areas during 1941, immigration of workers to certain areas, and such other factors as will provide equitable distribution to meet essential needs. The War Production Board may direct the distribution of specified amounts from any manufacturer's production to meet emergencies.

(f) *Preference ratings for purchase of electric irons prohibited.* No preference rating for electric irons shall be valid for any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any purchase order or contract calling for delivery to or for the account of the U. S. Army, Navy, Maritime Commission or the War Shipping Administration.

(g) *Reports.* Every manufacturer producing electric irons shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L-65-a, on or before the 15th day of April, July, October and January. This form is a report of the number of electric irons made and shipped during the preceding quarter.

(h) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric irons to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make electric irons and who has not been authorized to make them on Form CMPL-150-b (whether or not he made them in 1940), and any person who wants to make more electric irons than he was authorized to make on CMPL-150-b may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply on Form WPB 3550.1 for an authorization. Also a person located in a Group 1 labor area who wants to make sole plates or handles or who wants to make more sole plates or handles than he has been authorized by the War Production Board under paragraph (d) may apply for permission to do so under Priorities Regulation 25.

(2) *Appeals.* Any appeals from the provisions of this order other than paragraph (c) and (d) should be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeals should be filed from the provisions of paragraph (c) and (d).

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-65-a.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12516; Filed, August 19, 1944; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-67, as Amended Aug. 19, 1944]

LAWN MOWERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron or steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.225 *General Limitation Order L-67*—(a) *Definitions.* For the purposes of this order:

(1) "Lawn mower" means a machine mounted on wheels or rollers used for cutting grass or weeds by means of the

shearing or cutting action of a rotating, revolving, or reciprocating blade, but excluding machines used principally for harvesting or cutting crops. The term includes sickle bar mowers having bars 4 ft. or less in length; it does not include sickle bar mowers having bars more than 4 ft. in length.

(2) "Iron and steel used" means the aggregate weight of iron or steel contained in the finished lawn mowers.

(3) "Manufacturer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, engaged in the production of lawn mowers.

(4) "Production" means the fabrication or processing of material for lawn mowers or the assembly of finished parts into lawn mowers.

(b) [Deleted July 21, 1944]

(c) *Prohibition of production.* No manufacturer shall process, fabricate, work on or assemble any materials for use in the production of lawn mowers, nor shall any manufacturer produce or assemble any lawn mowers, except gang mowers on direct order from and for delivery to the Army or Navy of the United States, the United States Maritime Commission, or the Armed Forces of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided,* That during any three months' period beginning May 1, 1944, and until further notice from the War Production Board, no manufacturer shall use in the production of gang mowers more iron and steel in the aggregate than the amount of iron and steel in the aggregate used by him in the production of gang mowers during the three months' period from April 1, 1942 through June 30, 1942, inclusive.

(d) [Deleted July 21, 1944]

(e) [Deleted July 21, 1944]

(f) [Deleted July 21, 1944]

(g) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) [Deleted July 21, 1944]

(i) *Exceptions and appeals.* Any person who wants to produce or assemble any lawn mowers (including gang mowers) the production of which is prohibited or restricted by paragraph (c), and any person who wants to use more iron and steel in the production of gang mowers than the quota fixed in paragraph (c) (including a person who has no quota under this order), may apply for permission to do so as explained in Priorities Regulation 25. Authorizations for production will be granted under that regulation, subject to the conditions there outlined, and no appeals should be filed from the restrictions of the order.

(j) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C. Ref.: L–67.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in making lawn mowers to a greater extent than this order does, the other order shall govern.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12517; Filed, August 19, 1944; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–71, as Amended Aug. 19, 1944]

DRY CELL BATTERIES AND PORTABLE ELECTRIC LIGHTS OPERATED BY DRY CELL BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and certain facilities used in the production of dry cell batteries, zinc shells for dry cell batteries and portable electric lights for defense for private account and for export and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.125 *Limitation Order L–71—*(a) *Definitions.* For the purpose of this order:

(1) "Circular C435" means Circular C435 of the National Bureau of Standards, issued February 18, 1942, entitled "American Standard Specification for Dry Cells and Batteries."

(2) "Dry cell battery" means any primary cell or assembly of cells in which the electrolyte is nonspillable and in which electric current is produced by electrochemical action.

(3) "Portable electric light" means any flashlight or other portable electric light operated by one or more dry cell batteries. It does not include bulbs, dry cell batteries, electric flares covered by L–158, aviation ground lighting equipment covered by L–235, aircraft lighting equipment covered by L–327, or devices specifically designed and built for use in military operations, marine navigation or lifesaving.

(4) "Manufacturer" means any person engaged in the business of making or assembling dry cell batteries, zinc shells for dry cell batteries or portable electric lights.

(b) *Restrictions on use of materials in the manufacture of portable electric lights.* No manufacturer shall use any metal or crude, reclaimed or synthetic rubber in the manufacture of portable electric lights or parts for portable electric lights, except

(1) Iron and steel, provided that no steel except tin mill blackplate rejects and wasters is used in the manufacture of tubes for flashlight cases.

(2) Aluminum.

(3) Copper and copper base alloy for plating current carrying parts other than cases.

(4) Tin in solder.

(5) Zinc for plating, electrical contact fittings and reflectors.

(6) Crude, reclaimed or synthetic rubber as permitted by Rubber Order R–1.

(c) *General restrictions on production and delivery.* (1) No manufacturer shall make or deliver any dry cell batteries or portable electric lights except according to a quota authorized by the War Production Board on Form WPB–2719 (formerly PD–880).

(2) Each manufacturer must file this form with the War Production Board on or before the 10th day of March, June, September and December, showing his proposed production and delivery.

(3) Manufacture of portable electric lights will be authorized to qualified manufacturers so that total production will not exceed the approved War Production Board program and so that production in any one plant or labor requirements therefor will not interfere with the war production in that plant or in any plant located in the same area.

(4) The War Production Board when assigning quotas on Form WPB–2719 (formerly PD–880) or at any other time, may direct any manufacturer in writing to distribute specified amounts of his production for certain purposes or for certain end uses. If at any time the War Production Board finds that the supply of zinc shells for the production of dry cell batteries authorized under paragraph (c) (1) is not sufficient to complete that production, it may direct any manufacturer of dry cell batteries to reduce or cancel his orders for zinc shells, or it may limit the number and type of zinc shells which may be received and used by such manufacturer.

(d) *Special restrictions on delivery.* (1) No manufacturer shall sell any new portable electric lights except to fill orders rated AA–5 or higher.

(2) No person shall resell any new portable electric lights which he bought from a manufacturer after July 18, 1944, except to fill orders rated AA–5 or higher or orders certified under Priorities Regulation No. 19 as amended from time to time.

(3) No manufacturer shall sell any dry cell batteries knowing or having reason to believe that they will ultimately be used in a radio set designed primarily for the reception of broadcasts on standard wave lengths 550 to 1500 KC, except (i) Batteries having cells designated "D" in Table 1 of Circular C435 with modifications as permitted in section 2.2 of that circular, or larger sized cells than those

designated "D", (ii) "C" batteries as described in Table 8 of Circular C435.

(e) *Special exemptions.* The restrictions contained in paragraphs (b) and (d) do not apply to the manufacture or sale of dry cell batteries or portable electric lights made to fill specific orders calling for delivery to or for the account of the Army, Navy, Maritime Commission, War Shipping Administration, Office of Scientific Research and Development, Panama Canal, Coast and Geodetic Survey, or orders approved by the Maritime Commission on Form WPB-646 (formerly PD-300).

(f) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other orders of the War Production Board limits the use of any material in the production of dry cell batteries or portable electric lights to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make more dry cell batteries or portable electric lights than he has been authorized to make on Form WPB-2719 under paragraph (c) (1), and any person who has received no such authorization may apply for permission to do so as explained in Priorities Regulation 25. Sale and other restrictions of the order and any direction to it, with the exception of the manufacturing restrictions of paragraph (c), must be complied with even when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the manufacturing restrictions of paragraph (c), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the manufacturing restrictions of paragraph (c).

(h) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-71.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12518; Filed, August 19, 1944; 11:29 a. m.]

PART 3291 [1]—CONSUMERS DURABLE GOODS

[General Limitation Order L-93, as Amended Aug. 19, 1944]

GOLF CLUBS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.240 [2] *General Limitation Order L-93*—(a) *Definitions.* For the purposes of this order:

(1) "Manufacturer" means any person engaged in the business of producing golf clubs or parts for golf clubs.

(2) [Deleted Aug. 19, 1944.]

(3) [Deleted Aug. 19, 1944.]

(b) *General restrictions.* No manufacturer shall make or assemble any golf clubs or parts for golf clubs. However, parts which were in a manufacturer's inventory on October 12, 1942, may be used for the repairing of used golf clubs.

(c) [Deleted Aug. 19, 1944.]

(d) [Deleted Aug. 19, 1944.]

(e) [Deleted Aug. 19, 1944.]

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals.* Any person who wants to make or assemble any golf clubs or parts for golf clubs may apply for permission to do so as explained in Priorities Regulation 25. No appeals should be filed from the restrictions of this order.

(h) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations and orders of the War Production Board.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Washington, D. C., Ref: L-93.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12519; Filed, August 19, 1944; 11:29 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-104, as Amended, Aug. 19, 1944]

METAL HAIR PINS AND METAL BOB PINS

§ 3291.260 *Limitation Order L-104*—(a) *What this order does.* This order states the rules governing the manufacture of metal hair pins and bob pins. It sets quotas for the use of steel in each quarter and also limits the length of each hair pin and bob pin which may be made and the number which may be packaged together.

(b) *How much steel may be used.* (1) No manufacturer shall use more steel in making hair pins and bob pins than the amount stated below. In each quarter he is limited to a percentage of the steel he used in 1941, the base year. For this purpose the net weight of all the metal hair pins and bob pins made is considered the amount of steel used.

(2) [Deleted Aug. 19, 1944.]

(3) In the quarter from January 1 to March 31, 1944, and in each later quarter, a manufacturer's quota is 12½% of the steel he used in 1941; in other words he may not use steel at a rate greater than 50% of his average rate for 1941.

(4) If a manufacturer is unable to complete in any quarter his full quota of hair pins or bob pins, he may use any unused balance in the first month of the next quarter. This is in addition to his quota for that quarter.

(c) *Special restrictions on manufacturing and packaging.* (1) No manufacturer shall make hair pins or bob pins of any metal other than carbon steel.

(2) No manufacturer shall make any metal hair pins or bob pins more than two inches long.

(3) No manufacturer shall sell any metal hair pins or metal bob pins in packages or on cards containing more than 100 hair pins or bob pins.

(d) *Reports.* On January 20, April 20, July 20, and October 20 of each year, beginning October 20, 1943, each manufacturer of metal hair pins and metal bob pins shall file with the War Production Board a report on Form WPB-1600 (formerly PD-655) showing his production and shipments for the preceding quarter. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] Formerly Part 1179, § 1179.1.

(e) *Applicability of other orders and regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. In so far as any other order of the War Production Board limits the use of any material in the production of metal hair pins and metal bob pins to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to use more steel in making hair pins and bob pins than he is permitted to use by paragraph (b) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b), should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b).

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumer's Durable Goods Division, Washington 25, D. C., Ref: L–104.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12520; Filed, August 19, 1944; 11:29 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–140–b, as Amended, Aug. 19, 1944]

FLATWARE AND HOLLOW WARE

§ 3291.176 *Limitation Order L–140–b*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted flatware" means knives, forks, spoons and similar implements used for eating or serving food at the table, which have metal blades, tines or bowls as well as handles made of metal. It does not include gold or sterling silver flatware, knives with sterling silver or gold handles and steel blades, carving sets, or articles of cutlery covered by Order L–140–a, or any order in the L–30 series.

(2) "Restricted hollow ware" means all articles commonly known as hollow ware in the trade, containing any metal. It does not include gold or sterling silver hollow ware or flatware or any articles covered by any order in the L–30 series, or electrical appliances covered by Order L–65.

(3) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, and orders authorized by the Maritime Commission on Form WPB–646. A purchase order placed with a manufacturer by a distributor or dealer to replace in inventory flatware or hollow ware sold on a preferred order, is also a preferred order. Orders from Post Exchanges, Ships' Service Stores, Officers' and Enlisted Men's Service Clubs on military or naval reservations are not preferred orders.

(4) "Manufacturer" means any person engaged in the business of making, assembling or plating any restricted flatware or restricted hollow ware or any parts for such ware.

(5) "Distributor" means any person or firm other than a retail dealer engaged in the business of selling restricted flatware or restricted hollow ware not manufactured by that firm.

(b) *Restriction on the production of restricted flatware.* (1) No person shall manufacture any restricted flatware for any orders except according to a quota approved by the War Production Board on Form WPB–2719, which must be filed with the War Production Board, Washington 25, D. C., Ref: L–140–b, on or before the 15th day of November, February, May and August. When one person makes restricted flatware and another person plates it, this restriction applies only to the first person.

(2) The War Production Board will assign production quotas to meet approved requirements. Total production which would exceed such requirements will not be authorized. No person will be authorized to produce flatware if that production would interfere with his or other war production. Production will be authorized so as to avoid increased labor requirements in labor shortage areas. The War Production Board will give notice to each manufacturer of the total and individual authorizations.

(c) *Restrictions on production of restricted hollow ware.* (1) No manufacturer shall make or assemble any restricted hollow ware.

(2) The restrictions of paragraph (c) (1) do not apply to restricted hollow ware made to fill preferred orders actually received.

(d) *No specifications for restricted flatware for preferred orders.* Restricted flatware made to fill preferred orders may be made from any material and according to any specifications called for in the preferred order.

(e) *Metal restrictions and specifications for restricted flatware for other than preferred orders.* (1) No person shall use any metal in the manufacture of restricted flatware made for other than preferred orders, except metals listed in Schedule A.

(2) No manufacturer shall make any restricted flatware for other than preferred orders except knives, dessert size forks, dessert spoons and teaspoons.

(3) All carbon steel silver plated restricted flatware made for other than preferred orders shall be plated with an undercoating of nickel of an average thickness of 0.0002 inch and the whole metal coating of nickel and silver shall be of an average thickness of not less than 0.0005 inch.

(4) Restricted flatware made for other than preferred orders shall not be made of any metal of a lighter gauge than 0.050 inch for teaspoons, 0.055 inch for dessert spoons and 0.065 inch for dessert forks.

(f) *Distribution of stainless steel restricted flatware.* (1) No manufacturer or distributor shall sell any stainless steel restricted flatware except to fill preferred orders, or to manufacturers, distributors, hospitals, institutions for the aged, sick or poor, prisons, educational institutions, orphanages, hotels, restaurants, canteens, clubs, cafeterias, lunch rooms, lunch counters, and public eating places (including those operated by common carriers), Officers, and Enlisted Men's Service Clubs; and the following Post Exchanges and Ship's Service Departments for use on the premises in eating places operated by them: U. S. Army or Marine Corps Post Exchanges, U. S. Navy or Coast Guard Ship's Service Departments, and War Shipping Administration Training Organization Ship's Service activities.

(2) No manufacturer or distributor shall sell stainless steel restricted flatware for export, except to Officers' and Enlisted Men's Service Clubs and to the Post Exchanges and Ship's Service Departments listed in paragraph (f) (1) for use on the premises in eating places operated by them.

(g) *Reports.* Each manufacturer shall file Form WPB–2719 (formerly PD–880) showing the amount of restricted flatware manufactured according to the instructions accompanying that form.

(h) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of flatware and hollow ware to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is

guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-140-b.

(k) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture more restricted flatware than he has been authorized to manufacture on Form WPB-2719 under paragraph (b) (1), and any person who wants to make any restricted hollow ware for other than preferred orders, or any restricted flatware not listed in paragraph (e) (2), may apply for permission to do so as explained in Priorities Regulation 25. The delivery of restricted flatware or hollow ware so produced is not restricted by this order. A person may still, of course, apply on Form WPB-2719 under paragraph (b) (1) for authorization to manufacture restricted flatware.

(2) *Appeals.* Any appeal from the provisions of this order, other than the quota restriction of paragraph (b) and the restrictions of paragraphs (c) (1) and (e) (2), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (b) (1), (c) (1), or (e) (2).

NOTE: The application and reporting requirements in this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Iron.
Carbon steel.
Straight chromium stainless steel.
Chromium nickel stainless steel (if in manufacturer's inventory on November 5, 1943, or obtained by him pursuant to Priorities Regulation No. 13).
Gold.
Silver (for plating).
Sterling silver.
Nickel (for plating).
Chromium (for plating).
Copper (for copper silver strike).
Aluminum.
Magnesium.

[F. R. Doc. 44-12581; Filed, August 19, 1944; 11:29 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-227, as Amended Aug. 19, 1944]

FOUNTAIN PENS AND MECHANICAL PENCILS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and certain facilities used in the production of fountain pens and mechanical pencils for defense, for private account and for export, and it is deemed necessary and appropriate in the public interest and to promote the national defense to continue restrictions on the production of those articles but to modify the restrictions by assigning individual quotas to producers, instead of a general percentage of 1941 production, so as to give small producers a proportionately larger share in the production, to adjust production in the light of critical shortages of manpower in certain areas, and to adjust production on account of changes since 1941 with respect to location of plants and nature of products. At the same time materials restrictions are being somewhat relaxed to permit the use of certain materials which have become less scarce.

§ 3291.210 *Limitation Order L-227*—(a) *Effect on outstanding authorizations.* This order and the quotas assigned in Schedule A supersede all authorizations for the manufacture, assembly or delivery of fountain pens or mechanical pencils granted by the War Production Board, on appeal or otherwise, before April 1, 1944.

(b) *Definitions.* For the purposes of this order:

(1) "Fountain pen" means a writing device which can hold more fluid than that retained by capillary attraction on the surface of its pen nib. A dip pen is a fountain pen whether or not a pen nib is attached to it.

(2) "Mechanical pencil" means a writing instrument having a movable core of marking material encased in a housing.

(3) "Part" means any part made specifically for incorporation into a fountain pen or mechanical pencil.

(4) "Special order" means any purchase order, contract or subcontract calling for delivery:

(i) To or for the account of the Jersey City Quartermaster Depot of the United States Army, bearing Symbol No. W-1913-QM or 28-021-QM; or to or for the account of the Procurement and Accounting Division of the Office of the Secretary of War, or to or for the account of the Corps of Engineers of the United States Army for civilian functions;

(ii) To or for the account of the Navy (including ship service stores and Marine Post Exchanges);

(iii) To or for the account of the Maritime Commission or War Shipping Administration;

(iv) Outside the United States, its territories and possessions if it bears an export license issued by the Foreign Economic Administration.

(5) "Civilian production" means production of fountain pens or mechanical pencils for any order, contract or subcontract not included in special orders. It includes production for inventory other than production for anticipated special orders as permitted by this order. It does not include production for direct orders from Army Post Exchanges, and such orders may not be filled at all.

(c) *Restrictions on manufacture and delivery of fountain pens and mechanical pencils.* (1) During the calendar quarter beginning April 1, 1944, and during each calendar quarter after that until further notice from the War Production Board, no manufacturer shall make, assemble, or deliver any fountain pens or mechanical pencils for any purpose, except that each manufacturer listed on Schedule A may make or assemble at the location listed on that schedule and may deliver the quota of pens and pencils indicated after his name on the schedule for special orders and civilian production respectively.

(2) Any manufacturer who is not assigned a quota on Schedule A but who actually produced fountain pens or mechanical pencils during the first calendar quarter of 1944, in compliance with applicable orders and regulations of the War Production Board, is hereby assigned a provisional production and delivery quota during the second calendar quarter of 1944 only, for combined civilian production and special orders of one-half the amount of fountain pens and mechanical pencils, respectively, actually made by him during the first quarter of 1944. Any such manufacturer, and any other manufacturer who is not assigned a quota on Schedule A, may file an application with the War Production Board for a quota. Also, a manufacturer who wishes a quota increased or who wishes to manufacture at a location other than the one listed on the schedule may make application.

(d) *Materials restrictions for fountain pens, mechanical pencils and parts.* No person shall use any copper, copper base alloy, or crude, reclaimed or synthetic rubber in the manufacture of fountain pens, mechanical pencils or parts except:

(1) Copper in the production of silver or 14 karat gold pen nibs; and

(2) Crude, reclaimed or synthetic rubber as permitted in Rubber Order R-1, as amended, or any relief granted on appeal under that order.

(e) *Special restrictions on plating.* No person shall use in the manufacture of fountain pens, mechanical pencils or parts, any plating, coating or other metal finish containing:

(1) Tin, cadmium or nickel; or

(2) Copper unless permitted by Order M-9-c.

(f) *Distribution of civilian production.* In any case where a distributor of fountain pens or mechanical pencils either under his own brand name or under the name of the manufacturer is unable to get what he considers an equitable share of the civilian production of fountain pens or mechanical pencils he may apply to the War Production Board on Form WPB-547 for a rating.

(g) *Special restrictions on purchase and sale of fountain pen parts.* No person shall buy or accept delivery of any fountain pen parts except for the manufacture, production and assembly of fountain pens (including dip pens) as permitted by this order or for use or resale as repair parts. No person shall sell or deliver any fountain pen parts if he knows or has reason to believe that the purchaser is getting them in violation of this provision.

(h) *Reports.* Each manufacturer who makes fountain pens or mechanical pencils shall file within 15 days after the close of each calendar quarter a report of his production on Form WPB–1600 in accordance with the filing instructions for that form.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make, assemble, or deliver more fountain pens and mechanical pencils than his quota as fixed in Schedule A, or who wishes to make, assemble or deliver any of those products in a plant at a different location than is stated in that Schedule; and any person who does not have a quota for the manufacture of fountain pens and mechanical pencils under this order may apply for permission to manufacture, assemble and deliver fountain pens and mechanical pencils as explained in Priorities Regulation 25. Applications for quotas or, for increase of quotas, may, of course, still be made under paragraph (c) (2).

(2) *Appeals.* Any appeal from the provisions of this order, other than the quota restrictions in paragraph (c), should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the quota restrictions of paragraph (c).

(k) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of fountain pens and mechanical pencils to a greater extent than does this order, the other order shall govern unless it states otherwise.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–227.

NOTE: The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

(1) Pursuant to paragraph (c) of Limitation Order L–227, the following production and delivery quotas for fountain pens and mechanical pencils are hereby established for the calendar quarter beginning April 1, 1944, and for each calendar quarter after that until further notice from the War Production Board.

(2) Each manufacturer listed may make and deliver the number of fountain pens and mechanical pencils set forth opposite his name for special orders and civilian production respectively.

(3) Quotas for special orders, include special orders actually on hand and received and also anticipated special orders, but the amount made for anticipated special orders by any one manufacturer listed may not in any event exceed 50% of his quarterly production quota for civilian production.

(4) Manufacturers may make their quotas only at the locations stated on the Schedule.

(5) In assigning production and delivery quotas the War Production Board has been guided by the following general policies:

(i) Manufacturers in Group 1 and Group 2 labor areas and manufacturers whose facilities are substantially engaged in war work have not been assigned quotas which would permit them to increase their production above the amounts actually produced in the fourth calendar quarter of 1943.

(ii) Small manufacturers producing less than 100,000 units in 1941 have been given a larger percentage of their pre-war production than larger manufacturers.

(iii) The War Production Board has attempted to allocate production to fill special orders so that all manufacturers making a pen or pencil which will satisfy military requirements will have a chance to secure special order business.

FOUNTAIN PENS

Name of firm	Location of plant	Production and delivery quotas for civilian production	Production and delivery quotas for special orders
Adler Pen & Pencil Co.	386 Broadway, New York City	25,000	Unlimited
Arnold, R. L. Pen Co., Inc.	143 E. Washington St., Petersburg, Va.	197,250	247,500
Associated Pen Co.	45 E. 20th St., New York City	128,250	Unlimited
Avon Products Co.	49 W. 23d St., New York City	209,250	Unlimited
Barrett, C. E. & Co.	315 S. Peoria St., Chicago, Ill.	18,250	10,000
Camel Pen Co.	2300 Morris Ave., Union, N. J.	6,250	6,250
Cooper Pen & Pencil Co.	Northvale, N. J.	11,000	10,000
Eagle Pencil Co.	703 E. 13th St., New York City	226,500	Unlimited
Eberhard Faber Pencil Co.	37 Greenpoint Ave. Brooklyn, N. Y.	170,750	Unlimited
Essex Corporation	Charlottesville, Va.	206,500	Unlimited
Esterbrook Steel Pen Mfg. Co.	Delaware Ave. & Cooper St., Camden, N. J.	142,000	61,000
Eversharp, Inc.	1800 Roscoe St., Chicago, Ill.	155,000	214,500
Frank Feldman	Nassau, N. Y.	81,500	Unlimited
Gilbert & Miller, Inc.	603 Broadway, New York City	6,750	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	10,500	Unlimited
Graphomatic Corporation	155 N. Clark St., Chicago, Ill.	1,500	1,500
Gregory Fount-O-Ink Co.	3501 Eagle Rock Blvd., Los Angeles, Calif.	11,000	11,000
Grodin Pen & Pencil Co.	344 Foster Ave., Brooklyn, N. Y.	25,000	Unlimited
J. Harris & Co.	115 E. 23d St., New York City	99,000	Unlimited
Hutcheon Bros.	341 Centre St., New York City	2,750	Unlimited
Inkograph Co.	200 Hudson St., New York City	90,500	Unlimited
David Kahn, Inc.	Grand Avenue, N. Bergen, N. J.	983,750	19,000
Kerr Pen Co.	Tulsa, Okla.	12,750	Unlimited
Moore Pen Co.	20 Melcher St., Boston, Mass.	12,000	750
Bert M. Morris Co.	1015 S. LaCienga Blvd., Los Angeles, Calif.	11,250	11,250
New Diamond Point Pen Co., Inc.	236 Fifth Avenue, New York, N. Y.	77,500	Unlimited
No-Mek Pen Products	10855 Prospect Avenue, Chicago, Ill.	2,250	2,250
Novelty Pen & Pencil Co.	318 Cliff Lane, Cliffside, N. J.	107,750	122,000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	196,750	32,500
Parker Pen Co.	Janesville, Wis.	190,000	240,000
Peerless Ft. Pen & Pencil Co.	14–16 W. 17th St., New York City	43,750	Unlimited
Preferred Products Co.	1723 West 12th St., Toledo, Ohio	5,000	5,000
Reliable Pen & Pencil Co.	277 Broadway, New York City	7,500	Unlimited
Salz Bros., Inc.	44 West 28th St., New York City	301,750	Unlimited
Sengbusch Self-Closing Inkstand Co.	2223 W. Clybourn St., Milwaukee, Wis.	11,000	500
W. A. Sheaffer Co.	311 Avenue H., Fort Madison, Iowa	190,500	200,750
Southern Pen Co.	16 N. Union St., Petersburg, Va.	76,250	3,500
Louis Tamis & Son	36 West 47th St., New York City	500	Unlimited
J. Ullrich & Co.	161 Washington St., New York City	4,500	Unlimited
Union Ft. Pen Co., Inc.	79 Fifth Avenue, New York City	25,000	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 26th St., New York City	12,500	Unlimited
L. E. Waterman Co.	344 Hudson St., New York City	98,000	Unlimited
Weidlich Pen Co.	505 Elm St., Cincinnati, Ohio	1,500	Unlimited
Welsh Mfg. Co.	54 Troy, Providence, R. I.	40,000	1,000

MECHANICAL PENCILS

Name of firm	Location of plant	Production and delivery quotas for civilian production	Production and delivery quotas for special orders
Autopoint Pencil Co.	1801 Foster Ave., Chicago, Ill.	88, 500	315, 750
C. E. Barrett & Co.	315 S. Peoria St., Chicago, Ill.	7, 750	7, 750
Cooper Pen & Pencil Co.	Northvale, N. J.	1, 000	1, 000
Dur-O-Lite Pencil Co.	1001 N. 26th St., Melrose Park, Ill.	36, 250	36, 250
Eberhard Faber Pencil Co.	37 Greenpoint Ave., Brooklyn, N. Y.	199, 250	Unlimited
Essex Corporation	Charlottesville, Va.	372, 750	Unlimited
Eversharp, Inc.	1909 Roscoe St., Chicago, Ill.	50, 000	147, 750
Frank Feldman	Nassau, N. Y.	13, 500	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	15, 000	Unlimited
Globe Pencil Advertising Co.	327 71st St., Guttenberg, N. J.	19, 000	250
Guth, Stern & Co., Inc.	159 W. 25th St., New York City	28, 750	Unlimited
Hardtmuth, L & C, Inc.	Bloomsbury, N. J.	6, 250	6, 250
David Kahn, Inc.	Grand Ave., N. Bergen, N. J.	240, 250	15, 750
Jos Lipic Pen Co.	2201 Indiana Ave., St. Louis, Mo.	131, 750	Unlimited
Listo Pencil Corp.	Alameda, Calif.	58, 500	169, 500
Mays Mfg. Co., Inc.	286 Chapman St., Providence, R. I.	20, 000	5, 550
Nichols Products Co.	Morristown, N. J.	2, 000	2, 000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	26, 000	15, 000
Parker Pen Co.	Janesville, Wis.	26, 250	69, 750
Peerless Ft. Pen & Pencil Co.	14-16 W. 17th St., New York City	25, 000	Unlimited
Ritepoint Co.	116 S. Grand Ave., St. Louis, Mo.	189, 500	Unlimited
Rite Rite Mfg. Co.	555 Rogers St., Downers Grove, Ill.	92, 000	1, 000
Salz Bros, Inc.	44 W. 25th St., New York City	178, 000	Unlimited
Scripto Mfg. Co.	422 Houston St., Atlanta, Ga.	252, 000	626, 000
W. A. Sheaffer Co.	311 Avenue H., Fort Madison, Iowa	44, 000	40, 500
Southern Pen Co.	16 N. Union St., Petersburg, Va.	11, 250	1, 700
Louis Tamis & Son.	26 W. 47th St., New York City	1, 000	Unlimited
Tec Pencil Co.	414 S. Robertson Blvd., Los Angeles, Calif.	2, 750	2, 750
Union Ft. Pen Co., Inc.	79 Fifth Avenue, New York City	7, 250	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 29th St., New York City	12, 500	Unlimited
Waterman, L. E.	344 Hudson St., New York City	43, 000	Unlimited
Wonder Pen Co.	207 W. 25th St., New York City	19, 750	Unlimited

See 9 F.R. 8729.

[F. R. Doc. 44-12522; Filed, August 19, 1944; 11:30 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-227-a, as Amended Aug. 19, 1944]

PEN NIBS

§ 3291.211 *General Limitation Order L-227-a*—(a) *Definitions.* For the purposes of this order:

(1) "Pen nib" means a removable writing point for use in a pen holder and designed to put writing fluid on a writing surface.

(2) "Pen holder" means any instrument designed to hold a pen nib in position for writing, except a fountain pen as defined by Order L-227.

(3) "Manufacturer" means any person who manufactures or produces pen nibs.

(4) "Special order" means any order, contract or subcontract placed by or for the Army or Navy of the United States (including Post EXchanges and Ship's Service Stores), the United States Maritime Commission, the War Shipping Administration, the Government of Canada, the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States", (Lend-Lease Act) and government agencies or other persons acquiring products covered by this order, for export to any foreign country under a license issued by the Foreign Economic Administration.

(b) *Restrictions and use of copper.* No manufacturer shall use any copper, or copper base alloy in the manufacture of pen nibs.

(c) [Deleted Aug. 19, 1944.]

(d) *Restrictions on production of pen nibs to fill special orders.* (1) On or after October 1, 1943, no manufacturer shall produce or deliver any pen nibs to fill special orders except according to quotas specifically approved by the War Production Board on Form WPB-2719 (formerly PD-880).

(2) Each manufacturer must file this form with the War Production Board on or before the 15th days of March, June, September and December, showing his proposed production and delivery.

(e) *Restrictions on production of pen nibs for other than special orders.* For other than special orders, during the calendar quarter beginning October 1, 1943, and during each calendar quarter after that, no manufacturer shall produce more than 18½% of the pen nibs by gross produced by him during 1941.

(f) *Reports.* Every manufacturer producing any pen nibs shall file with the War Production Board, Washington 25, D. C., Ref: L-227-a, Form WPB-2719 (formerly PD-880) on or before the 15th days of March, June, September and December, executed in accordance with the instructions for filing that Form.

(g) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of pen nibs, inventories of raw materials, semi-processed materials or finished parts in quantities greater than the minimum amount necessary to maintain production at the rates permitted by this order.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make more pen nibs to fill special orders than he has been authorized to make on Form WPB-2719 under paragraph (d) (including a person who has no authorization) and any person who wants to make more pen nibs for other than special orders, than the quota fixed in paragraph (e) (including a person who has no quota under that paragraph), may apply for permission to do so as explained in Priorities Regulation 25. The delivery restrictions of paragraph (d) do not apply to pen nibs so produced. A person who wants to make more pen nibs for special orders than he is permitted to make under paragraph (d) may still, of course, apply on Form WPB-2719.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (d) and (e), should be filed on Form WPB-1477 (in triplicate) with the War Production Board, Washington 25, D. C. No appeal should be filed from the provisions of paragraphs (d) or (e).

(j) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of pen nibs to a greater extent than does this order, the other order shall govern unless it states otherwise.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-227-a.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12523; Filed, August 19, 1944; 11:29 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-227-b as Amended Aug. 19, 1944]

WOOD CASED AND OTHER NON-MECHANICAL PENCILS AND PEN HOLDERS

§ 3291.212 *General Limitation Order L-227-b*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted pencil" means any wood cased pencil or other writing instrument containing a nonmovable core of lead or other marking material encased in a sheath of wood, paper, or other material which sheath has a thickness greater than .010 of an inch.

(2) "Pen holder" means an instrument designed to hold a pen nib in position for writing, except fountain pens as defined in Order L–227.

(3) "Manufacturer" means any person who manufactures or assembles restricted pencils or pen holders.

(b) *Specifications for restricted pencils and pen holders.* No manufacturer shall use in the manufacture of restricted pencils or pen holders any:

(1) Copper or copper base alloy;

(2) Crude, reclaimed or synthetic rubber except as permitted in Rubber Order R–1, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(c) *Limitation on production of restricted pencils and pen holders*—(1) [Deleted Aug. 19, 1944.]

(2) During the calendar quarter beginning October 1, 1943, and during each calendar quarter after that, no manufacturer shall produce more than:

(i) 20¼% of the number of restricted pencils produced by him during 1941;

(ii) 24% of the number of pen holders produced by him during 1941.

(d) *Reports.* Every manufacturer producing any restricted pencils and pen holders shall file with the War Production Board, Washington 25, D. C., Ref: L–227–b, Form WPB–1600 (formerly PD–655) on or before the 15th days of October, January, April and July, executed in accordance with the instructions for filing that Form.

(e) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of restricted pencils and pen holders, inventories of raw materials, semi-processed materials, or finished parts in quantities greater than the minimum amount necessary to maintain production at the rates permitted by this order.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce more restricted pencils or more pen holders than the quotas fixed in paragraph (c) (2) (including a person who has no quota under this order), may apply for permission to do so under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (c) (2) should be filed on Form WPB–1477 (in triplicate) with the War Production Board, Washington 25, D. C. No appeal should be filed from the provisions of paragraph (c) (2).

(h) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of restricted pencils and pen holders to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–227–b.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12524; Filed, August 19, 1944; 11:30 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–267, as Amended Aug. 19, 1944]

PHOTOGRAPHIC AND PROJECTION EQUIPMENT, ACCESSORIES, AND PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.145 *General Limitation Order L–267*—(a) *Definitions.* For the purposes of this order:

(1) "Restricted photographic equipment" includes any of the following, when containing any critical materials except in joining hardware: Still cameras (except aerial), motion picture cameras (except aerial gun sight aiming point), motion picture projectors (except 35 mm. motion picture projectors), still projectors and enlargers. It does not include: (i) any equipment covered by Limitation Order L–54–c (office machinery); (ii) Any equipment covered by Limitation Order L–206 (X-ray equipment); (iii) X-ray tanks, X-ray hangers, X-ray illuminators, X-ray driers and X-ray cabinets; (iv) Any equipment covered by Limitation Order L–226 (printing and publishing machinery, parts and supplies); (v) Any equipment covered by Limitation Order L–190 (scales, balances and weights).

(2) "Restricted photographic accessories" includes any of the following, when containing any critical materials except in joining hardware or fasteners: Camera accessories, 16 mm and 8 mm projection accessories, 35 mm reels and cans, darkroom and studio accessories, photographic lenses in mounts, photographic shutters for still cameras other than built-in shutters, and photographic carrying cases.

(3) "Critical materials" means iron, carbon steel, alloy steel, zinc, copper and copper base alloy.

(4) "To put into process" means the first change by a manufacturer in the form of material (whether raw, semi or fully fabricated material) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form, when the change or assembly takes place in the production of restricted photographic equipment, restricted photographic accessories or parts for those products.

(5) "Preferred order" means any purchase order or contract for the Account of the Army, Aircraft Resources Control Office (ARCO), Navy, Coast Guard, Marine Corps, Maritime Commission, Office of Strategic Services, or armed forces of foreign governments allied to the United States, or any order stating on its face that the products ordered are for eventual delivery to one of those organizations.

(b) *Production of certain cameras and projectors prohibited.* No manufacturer shall make or assemble portable hand cameras of the amateur box or fixed focus type, amateur 8 mm cameras, 8 mm projectors or parts for such products.

(c) *Restrictions on production and delivery for preferred orders.* (1) No manufacturer shall produce or deliver any restricted photographic equipment, restricted photographic accessories, or parts for such equipment or accessories to fill preferred orders, except in accordance with quotas specifically approved by the War Production Board on Form WPB–3038.

(2) Each manufacturer must file Form WPB–3038 with the War Production Board on or before the fifteenth of March, June, September and December, showing his proposed production and delivery for preferred orders.

(3) In passing on these forms it will be the general policy of the War Production Board to distribute preferred orders for restricted photographic equipment, restricted photographic accessories, and parts for such equipment and accessories throughout the industry, taking into consideration the productive capacities of the various plants, the needs of the preferred claimants, the adaptability of various plants to the production of the specific items ordered, and the nature of the labor market. The War Production Board will give notice to all manufacturers of the total estimated dollar value of preferred order shipments and the individual percentage of such total tentatively allocated to each manufacturer.

(d) *Restrictions on production for other than preferred orders.* (1) No manufacturer shall put into process in any calendar quarter to fill other than preferred orders more critical material than 12% of the average quarterly amount (by weight) of critical materials put into process by him in 1941.

(2) The restrictions on the use of critical materials in paragraph (d) (1) do not apply to critical materials put into

process in the production of the following items to fill other than preferred orders: photographic lenses in mounts, photographic shutters, other than built-in shutters, film reels and cans, photo copy equipment, identification equipment, micro filming equipment. However, these items shall not be manufactured except according to a quota approved under paragraph (d) (3).

(3) No manufacturer shall produce any restricted photographic equipment, restricted photographic accessories or parts for such equipment or accessories for other than preferred orders, except according to quotas specifically approved by the War Production Board on Form WPB–3038.

(4) Each manufacturer must file Form WPB–3038 with the War Production Board on or before the fifteenth of March, June, September and December, showing his proposed production and delivery for other than preferred orders.

(e) *Restrictions on delivery for other than preferred orders.* No manufacturer shall deliver any new restricted photographic equipment or new photographic accessories or new parts for those products for other than preferred orders except:

(1) To fill an order bearing a rating of AA–5 or higher.

(2) As authorized by the War Production Board on Form WPB–1319 in response to an application on that form filed with the nearest field office of the War Production Board.

(3) Any restricted photographic accessory or restricted photographic equipment which has a manufacturer's list price, including federal excise tax, of ten (10) dollars or less.

(4) Any part for restricted photographic accessories or restricted photographic equipment delivered to a manufacturer for use in the production of those products as permitted by this order.

(5) Any part for use as a repair or replacement part.

(f) *Applicability of regulations and other orders.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of restricted photographic equipment, restricted photographic accessories, or parts for such equipment and accessories to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make or assemble portable hand cameras of the amateur box or fixed focus type, amateur 8 mm cameras, 8 mm projectors or parts for such products, and any person who wants to make more restricted photographic equipment or restricted photographic accessories than he has been authorized to make on Form WPB–3038 either under paragraph (e) (1) or (d) (3) (including a person who has no such authorization) and any person who wants to put into process more critical materials to fill other than preferred orders than the quota fixed in paragraph (d) (1) (including a person who has no quota under that paragraph) may apply for permission as explained in Priorities Regulation 25. The delivery restrictions of paragraph (c) (1) do not apply to articles so produced. A person may still, of course, apply on Form WPB–3038 under paragraphs (c) (2) or (d) (4) for permission to produce restricted photographic equipment, photographic accessories or parts.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraphs (b), (c) (1), (d) (1) and (d) (3) shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Reference Order L–267, referring to the particular provisions appealed from and stating the grounds of the appeal. No appeal should be filed from the restrictions of paragraphs (b), (c) (1), (d) (1) or (d) (3).

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–267.

NOTE: The application forms and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12525; Filed, August 19, 1944; 11:30 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–551, Amdt. 1]

WILLIAM BRODY

Suspension Order No. S–551 was issued against William Brody, 205 W. Third Avenue, S., Clearfield, Pennsylvania, effective May 20, 1944. An appeal was filed with the Chief Compliance Commissioner. The case was reviewed by the Chief Compliance Commissioner, as a result of which on June 1, 1944, he dismissed the appeal.

Upon further consideration of the appeal by the Chief Compliance Commissioner, he directed that the suspension order be modified by permitting sufficient construction to complete the first floor of the structure. In view of the foregoing:

It is hereby ordered, that § 1010.551, *Suspension Order No. S–551* be modified to permit the completion of the construction of the first floor of the structure.

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12559; Filed, August 19, 1944; 4:08 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M–63, as Amended August 17, 1944, Amdt. 1]

Section 1042.1 *General Imports Order M–63*, as amended, is hereby amended by making the following change in List II:

Change	Material	Commerce Import Class Number	Governing Date
Add to List II..	Antimony....	6650.000	Aug. 19, 1944
		6651.000	Aug. 19, 1944
		6651.100	Aug. 19, 1944
		8380.180	Aug. 19, 1944
		8380.210	Aug. 19, 1944

Issued this 19th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12527; Filed, August 19, 1944; 11:31 a. m.]

PART 1001—TIN

[General Preference Order M–43, as Amended Aug. 21, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.1 *General Preference Order M–43*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items or articles are manufactured pursuant to a contract made prior or subsequent to January 10, 1944, or pursuant to a contract supported by an allotment symbol or a preference rating. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in

the production of any items or article, the limitations of such other order shall be observed.

(c) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any material (except tin plate and terne plate as those terms are defined in Supplementary Order M-21-c) which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1940.

(8) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(d) *General restrictions on use of tin.* (1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form shall be used in the manufacture of any item or in any process appearing on List A of this order; nor shall tin be used for any purpose except to manufacture the items or for the purposes listed in Schedule I, II, III or IV of this order, and then, only within the limitations and restrictions specified in Schedule I, II, III or IV with respect to such item or purpose.

(e) *Restrictions on the use of certain tin products.* Except with the specific permission in writing of the War Production Board granted pursuant to appeal under paragraph (k) no person shall use any of the tin-bearing products on List B of this order in the manufacture or treating of any other product or article; *Provided*, That when any such tin-bearing product is listed in Schedule I, II, III or IV it may be used for the purposes for which it is permitted to be manufactured as specified in Schedule I, II, III or IV.

(f) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of pig tin without the specific authorization in writing of the War Production Board; *Provided, however*, That in the absence of a contrary direction by the War Production Board, pig tin may be delivered without specific authorization:

(i) To the Metals Reserve Company or to any other corporation organized under section 5(d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., sec. 606 (b)), or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots of three long tons or less up to but not exceeding a total of five long tons to any one customer in the same calendar month; *Provided*, That the aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed five long tons in any calendar month; and provided further, that any person seeking such a delivery shall, at the time of placing his purchase order, file with the distributor a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose:

The undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the War Production Board during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specified;

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authorization of paragraph (f) of General Preference Order M-43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of any order or regulation of the War Production Board.

_____
(Name of purchaser)

By _____
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942) his transactions in all pig tin during the previous month.

(g) *Allocations.* The War Production Board will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination, and the amount of pig tin to be delivered or acquired. The War Production Board may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for, and reports of pig tin.* Application for allocations of pig tin or for specific authorization to accept delivery thereof under paragraph (f) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form WPB-412 or such other form as the War Production Board may from time to time prescribe. Any person who on the first day of a calendar month has in his possession or under his control two long tons or more of pig tin or who used during the preceding calendar month, 3,000 pounds or more of pig tin, shall, not later than the 20th day of such month, report to the War Production Board on Form WPB-412 in accordance with the instructions accompanying such form, regardless of whether or not he seeks an allocation of pig tin or specific authorization to accept delivery thereof during the next succeeding month.

(i) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the War Production Board of a sale or delivery of tin, no person shall sell or deliver any tin or tin-bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the terms of this order. A supplier may rely upon the written statement of the customer seeking delivery of any such material, as to the purposes for which it will be used, unless the supplier knows or has reason to believe such statement to be false, and any such statement shall constitute on the part of the person making the same, a representation to the War Production Board within the meaning of section 35 (A) of the United States Criminal Code, 18 U. S. C. Sec. 80.

(j) *Limitation on inventories.* No person shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. In the absence of special permission to acquire or hold a greater supply of pig tin, forty-five days' inventory of such tin shall, for the purpose of this order, be deemed a practicable working inventory for any person except a manufacturer of tin plate as tin plate is defined in Supplementary Order M-21-c, as from time to time amended. Application for such special permission shall be made by letter to the War Production Board setting forth fully the facts upon which the applicant relies.

(k) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals, reports and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington 25, D. C., reference: M-43.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Pursuant to the foregoing order, the use of tin in any form, including semi-finished and finished products, in the manufacture of the items and for the purposes listed below is prohibited:

1. Advertising specialties.
2. Art objects.
3. Automobile body solder, or any similar material commonly used as a filler or smoother for automobile or truck bodies or fenders except as permitted in Schedule II, paragraph (8) (a).
4. Band and other musical instruments (except as permitted in Schedule I under the item "pipe organs", paragraph 11).
5. Britannia metal, pewter metal or other similar tin bearing alloy.
6. Broom wire.
7. Buckles.
8. Buttons.
9. Chimes and bells.
10. Emblems and insignia.
11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, slide fasteners, dress hooks.
12. Foil (except as permitted in Schedule I under the item "foil", paragraph 4).
13. Zinc galvanizing.
14. Household furnishings and equipment.
15. Jewelry.
16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule I, paragraphs 6 and 15.
17. Novelties, souvenirs and trophies.
18. Ornaments and ornamental fittings.
19. Plating or coating for decorative purposes.
20. Powder (decorative).
21. Refrigerator trays and shelves.
22. Seals and labels.
23. Slot, game and vending machines.
24. Coated paper.
25. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
26. Toys and games.

LIST B

The following tin-bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies or fenders.
2. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
3. Solder containing more than 90% tin by weight.
4. Babbitt metal or similar alloys used as babbitt containing more than 12% by weight of tin.
5. Britannia metal, pewter metal or other similar tin-bearing alloy.
6. Foil containing more than 1% tin by weight.
7. Copper-base alloy containing more than 2% tin by weight.

SCHEDULES

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in these Schedules, subject to any limitations, restrictions or conditions specified with respect to any such items or purpose and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

The conditions, restrictions and limitations set forth in these Schedules with respect to any listed item or purpose shall apply to the manufacture of "Implements of War" produced for the Army or Navy of the United States, U. S. Maritime Commission or the War Shipping Administration, except where the use of tin in the grade and to the extent employed is required either by the latest applicable specifications, on drawings, or by letter or contract of the government service or agency for which the same are being produced.

SCHEDULE I—MISCELLANEOUS

1. *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories but is limited to detonators and blasting caps which are to be used in mining, quarrying, or oil drilling operations. Necessary materials to be incorporated in such detonators or blasting caps shall be exempt from the limitations, conditions and restrictions specified in this schedule with respect to any such material.

2. *Tin plate, terne plate, and terne metal.* Tin plate, terne plate and terne metal, as respectively defined in Supplementary Order M-21-c, as from time to time amended, may be manufactured as permitted under the provisions of said supplementary order. Terne metal, however, may be manufactured from secondary tin only.

3. *Collapsible tubes.* The use of tin in the manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M-115, as amended from time to time.

4. *Foil.* In the manufacture of foil the tin content shall be limited as follows, according to the purposes for which it is to be used:

(i) Electrotypers foil—not more than 16% tin by weight.

(ii) Dental foil—not more than 30% tin by weight.

(iii) Foil to be used in condensers—not more than 4½% tin by weight.

(iv) Soft babbit foil for the preparation of industrial metallic packing—not more than 1.5% tin by weight.

(v) Foil to be used in aircraft magnetos—not more than 50% tin by weight.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter shall be limited to 25% of the quantity used by him in the manufacture of foil during the base period.

5. *Dairy equipment.* Tin may be used to coat fluid milk shipping containers which are manufactured within the restrictions and in accordance with the provisions of Conservation Order M-200. Tin may be used to manufacture dairy equipment other than such fluid milk shipping containers, but the total quantity used by any person in the manufacture of such other dairy equipment during any calendar quarter, shall be limited to the quantity used by him for such purposes during the base period. Any dairy equipment may be retinned, *Provided only*, That the amount of tin which any retinner may use during any calendar quarter, for the retinning of dairy equipment, shall be limited to 150% of the quantity used by him for such purposes during the base period.

6. *Kitchen, galley and mess equipment* for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Forest Service of the United States Department of Agriculture. Tin may be used to coat the foregoing equipment excluding flat ware, to the extent required by the applicable specifications of the service or agency to which such equipment is to be delivered.

7. *Wire—Coating.* Tin or tin alloys may be prepared and used for coating wire only as follows and then, only when specified:

(a) *For copper wire.* There shall be no limitation upon the tin content of the coating alloy when the copper wire to be coated therewith is of a size of .0320" nominal diameter or finer. If the wire to be coated is of size larger than .0320" nominal diameter, the tin content of the coating alloy shall be limited to 12% tin by weight.

(b) *For steel wire.* (i) To be used as armature binding wire.

(ii) To be used in the manufacture of equipment for the production of textiles.

(iii) To be used in the packaging or marking of meat where the wire comes into actual contact with the meat.

(iv) In the liquor finishing process of fine steel bright wire.

8. *Foundry chaplets—Coating.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating foundry chaplets. Tin in no other form may be used for such coating, except as permitted under Supplementary Order M-21-c, as amended.

9. *Printing plates and type metal* for use by the printing, publishing and related service industries. Secondary tin only may be used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, shall be limited to 75% of the quantity of tin used by him for such purposes during the base period.

10. *Dental amalgam alloys.* Tin may be used in the manufacture of dental amalgam alloys but the tin content of any such alloy shall be limited to 30% tin by weight.

11. *Pipe organs for religious and educational institutions.* Tin may be used only in the repair and maintenance of such organs and only where and to the extent that the substitution of a less critical material is impossible.

12. *Bolster metal* for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The tin content of such bolster metal shall not exceed 10% by weight and shall be derived from secondary tin only.

13. *Fusible alloys and dry pipe valve seat rings.* Tin may be used in the manufacture of fusible alloys and dry pipe valve seat rings to the extent required to meet performance specifications with respect to the operation of the product in which such alloy is to be contained.

14. *Lead-base alloys for coating sheet, tube or wire.* Lead-base alloys containing tin may be manufactured and used to coat steel sheet, steel tubes or steel wire provided the tin content of any such alloy does not exceed 2.5% by weight and is not derived from pig tin:

15. *Equipment for preparing and handling food.* In addition to the purposes specified in item (5) of this schedule with respect to dairy products, tin may be used in the manufacture or repair of the following types of

equipment, but only to the extent herein indicated:

(i) To coat or to retin articles of equipment used in the processing or handling of meat in the meat-packing industry, to the extent that any such articles come into actual contact with meat. The equipment intended to be covered by this provision includes, but is not limited to: bacon combs, hangers, metal molds, shovels, forks and scoops for handling sausage and cooking utensils.

(ii) To coat or retin equipment used in the processing or cooking of any food by institutions or by industrial or commercial establishments, but only such equipment as actually comes into contact with food.

16. Tin pipe and sheet tin for lining for use in the repair or maintenance of beverage dispensing units and parts thereof. Tin pipe and sheet tin may be manufactured only for use in the repair or maintenance of beverage dispensing units and parts thereof, provided that any customer for whom such pipe or sheet tin is manufactured shall return to the manufacturer a quantity of used pipe or scrap tin equal in tin content to that of the new pipe or sheet tin delivered to him.

17. *Descaling of metal castings.* Tin may be used in descaling of metal castings to the extent specifically authorized by the War Production Board upon application made to it by letter.

18. *Tin and tin chemicals.* Pig tin may be reprocessed for use as a reagent and in the manufacture of tin chemicals for use as reagents, for medicinal purposes and also for use in the electrolytic plating process, where tin plating is permitted.

SCHEDULE II—SOLDERS

In the manufacture of solder the tin content by weight shall be limited as follows, according to the purpose for which the solder is to be used: *Provided, however,* (1) That no manufacturer or wholesale distributor of solder shall deliver any solder to any wholesale distributor of solder, and no wholesale distributor of solder shall accept delivery from a manufacturer or another wholesale distributor, unless the wholesale distributor shall have furnished the manufacturer or other wholesale distributor with a statement on his purchase order to the effect that he will not re-sell such solder to any user unless he has received the certificate from the user called for by this order; and (2) That no manufacturer or wholesale distributor of solder shall deliver any solder to any user, and no user shall accept delivery of any solder from any manufacturer or wholesale distributor, unless the user shall have furnished the manufacturer or wholesale distributor with the following certificate.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in schedule ____ section ____ of General Preference Order M-43, or is to be incorporated in an "Implement of War" and the tin content of the material has been definitely specified.

1. Manufacture of all cellular type radiators—solder per radiator shall average not more than 21% tin by weight.

2. Manufacture of all fin and tube type radiators for military and civilian use—solder per radiator shall average not more than 32% tin by weight.

3. Solder containing not more than 50% tin by weight may be used for the following:

(a) Ammunition box liners.

(b) Manufacture, maintenance and repair of refrigeration equipment.

(c) Manufacture, maintenance and repair of radio and radar equipment.

(d) Manufacture and repair of any type of indicating, recording, measuring or controlling instruments and their associate control valves, excluding manufacture and repair of gas meters which are provided for in paragraph (5) (g).

4. Solder containing not more than 40% tin by weight may be used for the following:

(a) Manufacture and repair of all galvanized iron or zinc tanks.

(b) Installation and repair of water service pipes connecting the piping of a structure with the outside water main.

5. Solder containing not more than 35% tin by weight may be used for the following:

(a) All radiator repair, but only in the form of solid or cored wire solder not to exceed ⅛" in diameter.

(b) Manufacture and repair of tanks (except galvanized and zinc tanks).

(c) Manufacture and repair of dairy ware and dairy equipment where solder comes in contact with products.

(d) Manufacture, assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron."

(e) Manufacture, maintenance and repair of electric motors, generators, armatures, electrical equipment and appliances.

(f) Manufacture of electrical fuses.

(g) Manufacture of gas meters. (For the repair of gas meters in accordance with Supplementary Order M-43-b—not more than 50% tin by weight.)

(h) Wiping lead sheathed cable joints or lead pipe joints.

(i) Manufacture or repair of lap and top combs, and other equipment used in the textile industry.

(j) Manufacture of foundry patterns and for soldering patterns to the gates.

(k) Manufacture and repair of the following dairy and egg processing equipment: cheese vats, clarifiers, separators, coolers, heaters and preheaters, dehydrators, fillers, filters, fore-warmers, hot wells, homogenizers and high pressure sanitary pumps, pasteurizers, sanitary centrifugal and positive pumps, vacuum pans and sanitary pipe lines in connection with soldering on sanitary ferrules and fittings.

6. Solder containing not more than 21% tin by weight may be used for the following:

(a) Sealing of milk cans. (Solder used for this purpose is commonly referred to as "tipping solder".)

(b) Soldering side seams of the all-seam-soldered can until August 31, 1944 and after August 31, 1944, a maximum of 5% tin by weight shall be used.

7. Solder containing not more than 8% tin by weight may be used for the following:

(a) Manufacture of cans made with either lock or lap side seam or with a combination of lock and lap side seam, except for the manufacture of the all-seam-soldered can.

8. Solder containing not more than 3% tin by weight may be used for the following:

(a) Repair of automobile bodies and fenders—solder to be derived from secondary sources only.

9. Solder containing not more than 30% tin by weight may be used for the following:

(a) All other uses not covered above and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

The total quantity of tin, which any person may use in the manufacture of solder during any calendar quarter, shall be limited to 40% of the quantity used by him in the manufacture of solder during the base period. The tin content of all solder used in the manufacture of "Implements of War", where required by specifications, is wholly exempt from this quota restriction.

SCHEDULE III—BABBITT

In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited as follows, according to the purpose for which it is to be used: *Provided, however,* (1) That no manufacturer or wholesale distributor of babbitt shall deliver any babbitt containing more than 12% tin by weight to any wholesale distributor of babbitt, and no wholesale distributor of babbitt shall accept delivery from a manufacturer or another wholesale distributor, unless the wholesale distributor shall have furnished the manufacturer or other wholesale distributor with a statement on his purchase order to the effect that he will not re-sell such babbitt containing more than 12% tin by weight to any user unless he has received the certificate from the user called for by this order; and (2) that no manufacturer of babbitt or wholesale distributor of babbitt shall deliver any babbitt containing more than 12% tin by weight to any user, and no user shall accept delivery of any babbitt containing more than 12% tin by weight from any manufacturer of babbitt or wholesale distributor of babbitt, unless the user shall have furnished the manufacturer or wholesale distributor with the following certificate.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule _____ section ____ of General Preference Order M-43, or is to be incorporated in an "Implement of War" and the tin content of the material has been definitely specified.

1. Repair, maintenance or replacement in existing diesel engines, turbines, locomotive connecting rod or coupling rod bearings, and irrigation water pumping engines and equipment—not more than 90% tin by weight.

2. Manufacture, repair, maintenance or replacement of multivane crosshead linings in locomotives and for lining aluminum crossheads—no restriction.

3. Repair, maintenance or replacement in an industrial engine, compressor, or pump being used by operator engaged in the petroleum industry: *Provided,* In any such case, that any priorities assistance required for such repair, maintenance or replacement is obtained in accordance with Preference Rating Order P-98-b, as amended—not more than 90% tin by weight.

4. Repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission—not more than 90% tin by weight.

5. Manufacture, repair, maintenance or replacement of connecting rod and main engine bearings for trucks and tractors, and for passenger carriers having a seating capacity of not less than 11 persons as defined in Limitation Order L-158—not more than 90% tin by weight.

6. For all other purposes—not more than 12% tin by weight and only secondary tin shall be used.

The total quantity of tin which any person may use in the manufacture of babbitt metal, or other similar alloys used as babbitt, during any calendar quarter, shall be limited to 40% of the quantity used by him in the manufacture of babbitt during the base period. The tin content of all babbitt used in the manufacture of "Implements of War", where required by specifications, is wholly exempt from this quota restriction.

SCHEDULE IV—BRASS AND BRONZE

A. CAST ALLOYS

(1) *Restrictions on new uses of copper-base alloy foundry products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper-base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper-base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, sub-contract or purchase order call for an alloy with a higher copper or tin content, or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this sub-paragraph to use copper-base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25, D. C., Ref: M-9-c. A provision similar to this paragraph (1) appears in Order M-9-c and one application is sufficient under both Orders M-9-c and M-43.)

(2) *General restrictions.* In any case where the tin content of brass or bronze foundry products used by a person is not restricted by the provisions of paragraph (1) of this Schedule IV, the tin content of the brass and bronze foundry products which he uses shall be limited as follows, according to the purpose for which such products are used:

(a) For the manufacture of high ratio worm gears, fire engine pump gears, jack nuts, feed nuts, elevating nuts, thrust washers or disks, machine tool spindle bearings, hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings or step bearings—not more than 12% tin by weight.

(b) For the manufacture of heavy, slow cooling castings (such as, for example, steel mill screw-down nuts) where the performance characteristics require that the alpha-delta eutectoid must be retained—not more than 18% tin by weight.

(c) For the manufacture of piston rings for airbrake equipment—not more than 21.5% tin by weight.

(d) For the manufacture of piston rings for locomotives—not more than 20% tin by weight.

(e) For all other purposes, a maximum tin content of 9% tin by weight, unless the lead content of the alloy is equal to, or greater than, the tin content, and in such event, not to exceed 12% tin by weight.

B. WROUGHT ALLOYS

(3) *Restrictions on new uses of wrought copper-base alloy products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any wrought copper-base alloy product, containing more than 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper-base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher tin content;

(iii) The specifications of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, applicable to the contract, subcontract or purchase order call for an alloy with a higher tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher tin content. (Applications for specific authorization under this sub-paragraph to use wrought copper-base alloy products containing more than 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Tin and Lead Division of the War Production Board, Washington 25, D. C., Ref: M-43.)

(4) *General restrictions.* In any case where the tin content of wrought brass or bronze products used by a person is not restricted by the provisions of paragraph (3) of this Schedule IV, the tin content of the wrought brass and bronze products which he uses shall be limited as follows, according to the purpose for which such products are used:

(i) For the manufacture of thermostatic discs or diaphragms, bronze welding rods, fourdrinier warp wire or rifle nuts in air hammers—not more than 9% tin by weight.

(ii) For all other purposes—not more than 5.8% tin by weight.

[F. R. Doc. 44-12585; Filed, August 21, 1944; 11:32 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 4 as Amended Aug. 21, 1944]

SPECIAL APPLICATIONS FOR ADDITIONAL QUOTA

The following direction is issued pursuant to Limitation Order L-257:

(a) *What this direction does.* In order to encourage the use of "idle and excess" inventories in making more farm machinery and equipment, the War Production Board has set up a reserve of 15,000 tons of carbon steel (and other controlled materials in proportion) for delivery under third quarter 1944 allotments. This direction states the rules on how this reserve is to be given out to manufacturers and covers all persons who can qualify even if they are not "producers" as defined in paragraph (b) (1) of Order L-257. Thus, if you can make more than your L-257 quota under these rules, this direction tells you how to apply for the necessary permission.

(b) *How to apply.* If you want to make more than your quota of any item of farm machinery and equipment (as listed in schedule B of Order L-257), you must apply on Form WPB-3788 in accordance with the instructions on the form. You can get copies of this form from your local WPB field office. When you have filled out the form, you should send it to your local WPB Field Office. If you need any allotment of controlled material, you should also accompany your application with Form CMP-4B as explained in the above instructions.

(c) *Date for filing applications.* To be assured of consideration under this direction, your application should be received not later than September 15, 1944.

(d) *Standards to be used in granting applications.* In its consideration of applications properly filed under this direction, the War Production Board will be guided by the following standards:

(1) Extent to which you can match any allotments of controlled material needed with maximum use of "idle and excess" materials. Your local WPB field office will tell you what these materials are and how to get them. In general, they include materials which you can buy under Priorities Regulation 13, and surplus inventories on hand (excluding material obtained with priorities assistance to make your regular quotas as described in paragraph (e) (3) below), as well as used material which you can get without priorities assistance.

(2) *Critical materials and components.* It is not expected your application will be granted if it involves substantial allotments of the following critical materials:

STEEL

Plates
Sheet
Strips
Tin mill products
Forgings
Seamless tubing
Wire rope and strand

COPPER AND COPPER BASE ALLOY PRODUCTS

Rod ½" and smaller
Fine wire
Cable
Tubing 4" and over

Likewise, your application will not be granted if it appears that critical non-controlled materials or components will be needed, i. e., those which you could not get with a rating of AA-4.

(3) *Labor requirements.* The following are the standards with respect to labor:

(i) In general, there are no restrictions as to labor requirements for "small plants", i. e., if your plant employs and will continue to employ 100 production workers or less (50 or less in the critical West Coast labor areas of San Diego, Los Angeles, San Francisco, Portland and Seattle).

(ii) However, for small plants in any of the above West Coast areas, or in any other Group #1 Labor Market Area where an Area Production Urgency Committee has been established, the exemption in subparagraph (i) above will apply only if your proposed production under this direction will not cause any increase in your total employment of production workers. For example, if you have a plant employing 35 production workers in the San Francisco Labor Area, you will qualify under this exemption only as long as you will not need to hire any additional production workers. Otherwise, you are governed by the rule set out in (iv) below.

(iii) If your plant is in a Group #3 or #4 (or unclassified) Labor Market Area and is not a small plant under (i) above, the standard is whether or not your proposed production in that plant, or the labor requirements for it, will interfere with war production in that plant or in any other plant located in the same area.

(iv) If your plant is in a Group #1 or #2 Labor Market Area and is not exempted under (i) and (ii) above, your application will not be granted except in unusual circumstances.

(e) *Authorizations to produce.* Any application properly filed under this direction and conforming to the required standards may be granted by the War Production Board. This grant will be in the form of an authorized production schedule and any necessary allotments on Form CMPL-150 or other applicable form. If you get such an authorization, you are governed by the following provisions unless the authorization states otherwise:

(1) You must schedule your production of the item as if the orders for it bore a rating of AA-4.

(2) You may use a rating of AA-4 to get non-controlled materials and components

(no "upratings" will be granted under any circumstances). You may not use the rating of AA-6 which may have been assigned to the production of your regular quotas under L-257.

(3) You may not use materials or components obtained or to be obtained with allotments or preference ratings for the manufacture of farm machinery and equipment or repair parts under your regular quotas. You may use other materials in your own inventory obtained with priorities assistance, but only as permitted under paragraph (u) of CMP Regulation 1 (for controlled materials) and in § 944.11 of Priorities Regulation 1 (for other materials).

(4) Use of lumber is subject to Order L-338 and any other applicable WPB orders.

(5) You must file by October 10, 1944, an interim report of what you have produced through September 30 under the authorization, and a final report, if necessary, when the production is completed. These reports should be by letter (and not on Form WPB-1768).

(f) *Small plants do not need special permission in certain cases.* Direction 3 to Order L-257 removes quota restrictions on certain small plants who can make items without needing any allotments of controlled material or other priorities assistance higher than a rating of AA-4. If you qualify under that Direction 3, you do not have to apply for permission under this Direction 4. However, if you need any allotment to make more than your regular quota of farm machinery and equipment, you may apply for and must get permission under this direction.

(g) *Order L-257.* To the extent that any provision of this direction is inconsistent with the terms of Order L-257, the provision in this direction controls.

NOTE: The reporting requirements in this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12366; Filed, August 21, 1944; 11:52 a. m.]

PART 1070—MUSICAL INSTRUMENTS

[Supplementary Limitation Order L-37-a, as Amended August 21, 1944]

§ 1070.2 *Supplementary Limitation Order L-37-a*—(a) *Definitions.* For the purposes of this order:

(1) "Musical instrument" means any manufactured instrument designed primarily to produce sound according to musical notation, including any electrically amplified musical instrument and any amplifier therefor, except radios, phonographs and articles designed primarily as toys.

(2) "Essential accessory" means any item which is not a part of a musical instrument, but which is used in connection with and is essential to the playing of a musical instrument.

(3) "Non-essential accessory" means any pitch pipe and any item which is used in connection with a musical instrument but which is not essential to the playing of a musical instrument.

(4) "Critical materials" means steel, brass, tin contained in solder, and nickel used for plating functional parts.

(5) "Producer" means any person engaged in the business of manufacturing or assembling any musical instruments, essential accessories or non-essential accessories, or parts therefor.

(6) "Repairer" means any person engaged in the business of repairing or overhauling musical instruments.

(b) *Materials prohibited in production and repair*—(1) *Prohibited materials.* No producer or repairer shall use in the manufacture, assembly, repair, or overhauling of any musical instrument, essential or non-essential accessory, or replacement or other part, any of the following materials:

NOTE: "Aluminum" and "Magnesium" deleted Aug. 21, 1944.

Chromium,
Copper, except in brass and except for repairs under paragraph (b) (2),
Methyl methacrylate plastics,
Neoprene,
Nickel, except for plating functional operating parts,
Phenol formaldehyde plastics,
Rubber,
Tin, except in solder,
Zinc, except in brass.

(2) *Repairs.* Notwithstanding the restriction of the preceding paragraph (b) (1), a producer or repairer may use copper or copper base alloy for the conduction of electricity in the manufacture, assembly, repair or overhauling of a part for a specific repair or replacement on a used musical instrument, *Provided*, That no more copper and copper base alloy is used than the greater of either of the following two amounts:

(i) Two pounds in the aggregate, or

(ii) One pound in excess of the amount of copper and copper base alloy scrap recovered, and delivered to a scrap dealer or other person specified under Conservation Order M-9-b.

(c) *Use of critical materials in production and repair and overhauling of instruments*—(1) *Production of instruments.* No producer shall use in the manufacture or assembly of any new musical instrument, essential or non-essential accessory, or part other than a replacement part, any critical materials except as follows:

(i) *Pianos and organs (pipe, reed and electric).* No critical materials permitted except upon specific authorization in writing from the War Production Board. In no event will authorization be granted for the production of any new piano or organ containing more than 10% by weight of critical materials.

(ii) *Other musical instruments and essential accessories.* Critical materials permitted up to but not in excess of 10% by weight of the particular instrument or accessory. Upon specific authorization in writing from the War Production Board, critical materials in excess of 10% by weight may be used. In no event will such authorization be granted except on orders of the Army or Navy of the United States, the United States Maritime Commission, and the War Shipping Administration.

(iii) *Non-essential accessories.* No critical materials permitted except the minimum essential amount (in no event to exceed 5% by weight of the accessory) contained in nails, bolts, nuts, screws, clasps, rivets, and other necessary joining hardware.

(iv) *Applications for specific authorizations:* Applications for the authorizations specified above in (i) and (ii) of this paragraph (c) (1) may be made by addressing a letter in triplicate to the War Production Board, Ref: L-37-a, stating with respect to each category of items covered in such application, the number and type of musical instruments or essential accessories which the producer proposes to produce, the amount and kind of materials which the producer proposes to use, the name of the purchaser, the contract numbers and the delivery dates.

(2) *Production of replacement parts.* No producer shall use in any calendar quarter commencing April 1, 1943, in the manufacture or assembly of replacement parts for musical instruments and essential accessories more critical materials than the greater of the following amounts:

(i) 1¼% of the aggregate weight of critical materials and prohibited materials used in all new musical instruments manufactured and assembled by him during 1940; or

(ii) 18¾% of the aggregate weight of critical materials and prohibited materials used in replacement parts for musical instruments and essential accessories manufactured and assembled by him during 1940.

(3) *Repair and overhauling.* Except upon specific authorization in writing from the War Production Board for any additional amount, no producer or repairer shall use in the repair or overhauling of any musical instrument, essential or nonessential accessory, or part, any critical materials other than necessary joining hardware and the following permitted amounts (in each instance weight of critical materials in any replacement part installed is to be counted):

(i) *Pianos.* Maximum of 18 pounds of critical materials permitted.

(ii) *Pipe organs.* Maximum of 50 pounds of critical materials permitted. No new metal pipes may, in any event, be installed.

(iii) *Reed or electric organs.* Maximum of 12 pounds of critical materials permitted.

(iv) *Other instruments and accessories.* Maximum of 10 ounces of critical materials permitted.

(v) *Applications for specific authorizations.* Applications for a specific authorization in accordance with this paragraph (c) (3) may be made by addressing a letter in triplicate to the War Production Board, Ref: L-37-a, stating the number of instruments or accessories which the producer or repairer proposes to overhaul and the amount and kind of material which the producer or repairer proposes to use.

(d) *Permitted rate of production.* No producer shall in any calendar quarter commencing April 1, 1943, manufacture or assemble:

(1) More stringed instruments containing any critical material than 32% of the total number of stringed instruments of all types, sizes and weights manufactured or assembled by him during the year 1940. For the purpose of this restriction, a piano shall not be considered a stringed instrument.

(2) Other musical instruments (excluding stringed instruments, pianos, and pipe, reed and electric organs) containing in the aggregate more critical materials than 18¾% of the aggregate weight of critical and prohibited materials used by him in the manufacture of such instruments of all types, sizes and weights during the year 1940.

(3) Essential accessories containing in the aggregate more critical materials than 8¾% of the aggregate weight of critical and prohibited materials used by him in the manufacture or assembly of all such essential accessories during the year 1940.

(e) *Inventory restrictions.* No producer shall accumulate for use in the production of musical instruments or parts therefor (including replacement parts), essential accessories and non-essential accessories, raw materials, semi-processed materials and finished parts in excess of the minimum amount required to maintain production as permitted by this order. Producers shall sell materials in their inventory only in accordance with the provisions of Priorities Regulation No. 13 (Part 944) and all other applicable orders and regulations.

(f) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any material in the production of musical instruments or parts therefor (including replacement parts), essential accessories and non-essential accessories, to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Reports.* On or before June 20, 1943, for the month of May, 1943, and on or before the twentieth day of each month thereafter, for the preceding month, every manufacturer of musical instruments, replacement parts and essential or non-essential accessories, shall execute and file with the War Production Board, Consumers Durable Goods Division, Washington, D. C., a report on Form PD-655.

(i) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine and imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and Appeals.*

(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture or assemble more musical instruments or essential accessories than he is permitted by paragraph (d), and any person who wants to use more critical materials in the manufacture or assembly of replacement parts for musical instruments and essential accessories than he is permitted by paragraph (c) (2) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (c) (2) and (d) should be filed on Form WPB-1477 (in triplicate) with the War Production Board, Washington 25, D. C. No appeal should be filed from the quota restrictions of paragraphs (c) (2) and (d).

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-37-a.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12367; Filed, August 21, 1944; 11:31 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Conservation Order M-28, as Amended Aug. 21, 1944]

DICHLORODIFLUOROMETHANE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dichlorodifluoromethane for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.27 *Conservation Order M-28*—(a) *Definitions.* For the purpose of this order:

(1) "F-12 gas" means dichlorodifluoromethane (sometimes called "freon-12").

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of F-12 gas.

(4) "Supplier" means any person to the extent that he is engaged in the business of distributing F-12 gas to persons using the same for installation in refrigerating or air conditioning systems. The term shall include an equipment manufacturer to the extent that he engages in the sale of F-12 gas which has not been installed in such systems. "System" means any "system" as defined in General Limitation Order L-38.

(5) "Equipment manufacturer" means any person to the extent that he uses F-12 gas for charging new refrigerating or air conditioning systems or parts of systems manufactured by him. It does not include affiliates, subsidiaries, branches, divisions or sections or an enterprise, if not actually engaged in the manufacture of systems or refrigerant containing parts of systems.

(6) "Insecticide manufacturer" means any person to the extent that he uses F-12 gas in the production of insecticide.

(7) "User" means any person who installs F-12 gas in a refrigerating or air-conditioning system, other than an equipment manufacturer. It includes suppliers, service agencies, owners or lessees, to the extent that they engage in installing F-12 gas in any system.

(8) "Contract agent" means any person to whom or for whose account F-12 gas is delivered by a producer for distribution to suppliers.

(If the same person, or two or more branches, divisions or sections of the same enterprise, acts in two or more capacities as contract agent, supplier, equipment manufacturer, or insecticide manufacturer, the particular provisions of this order which apply to the respective activities must be followed, to the extent to which the various provisions are applicable to each activity.)

(b) *Systems for which no deliveries are permitted.* (1) No person (including users, dealers, and other suppliers, and producers) shall deliver, or accept delivery of, any F-12 gas for use in, or for resale for use in any new or used system which is of a type referred to in List A. Exceptions from this restriction may be authorized in the following cases (although this does not preclude appeals under paragraph (f) (4) in other cases):

(i) When the major portion of the space to be air conditioned is used as a radio broadcasting studio, auditorium, hotel, restaurant, cafeteria, school, office or office building, or department store, and one of the following conditions exists: The building is "windowless" or one in which the windows cannot be opened for ventilation (such as glass brick, or glass set in a fixed frame which was built into the surrounding wall in an immovable way); or the rooms needing air conditioning are interior ones having no other means of adequate ventilation and are either served by a separate system or constitute a major portion of the space regularly occupied by persons and are served by one central system; or

(ii) When the system is used to air condition a room or rooms in a single family residence or a single apartment and its continued operation is essential to protect the life or restore the health of a person suffering from a serious ailment or disease and under care of a licensed physician, and a statement to that effect by such physician is also furnished with the application referred to below.

Application for WPB permission to get F-12 gas for such a use should be made by the owner or operator of the system

by letter in duplicate (or in an emergency, by wire confirmed immediately by letter) to War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. M-28 giving the address and a description of the building(s) in which the system is located and stating the extent to which the system comes within either of the cases described above, the quantity of F-12 gas needed, and the name and address of the probable supplier. The authorization, if granted, will be sent to the applicant, who should show it to his supplier when requesting delivery, in addition to furnishing the certification required under paragraph (c) (2) below.

(2) During the period from November 12, 1943, through September 30, 1944, no person (including users, dealers, and other suppliers, and producers), shall deliver, or accept delivery of, any F-12 gas for use in, or for resale for use in any new or used system of any type (not in List A) unless the system must be operated under one or more of the following conditions:

(i) Where an air-cooled condenser is used and the ambient temperature is 110° F or higher; or

(ii) Where the saturated refrigerant temperature corresponding to the suction pressure is less than minus 10° F; or

(iii) Where aluminum or magnesium alloys or rubber (except synthetic rubber) have been used in construction of the system and come in contact with the refrigerant, and are not easily replaceable; or

(iv) Where the system is for use aboard ship, or outside of the continental United States by the Army, Navy, Maritime Commission or War Shipping Administration; or

(v) Where the total operating charge required to operate the system is ten (10) pounds or less of F-12 gas and the system was in operation on November 12, 1943, and is used for food preservation or for storage of penicillin, blood serum, blood for plasma, blood plasma, biologicals and bacteriologicals; or

(vi) Where the use of no Group 2 or Group 3 refrigerants, as defined in the American Standard Safety Code for Mechanical Refrigeration, ASRE Circular No. 15, ASA-B9-1939, as approved by the American Standards Association April 20, 1939, is permitted by that Code; or

(vii) Where the system is used in a sealed railroad car or sealed bus.

(The above restrictions apply not only to systems used for ordinary civilian purposes, but also to those owned, operated, or used within the continental United States by the Army, Navy, Maritime Commission or War Shipping Administration, including post exchanges and ships service stores, other than those used aboard ships.)

(3) Attention is called to paragraph (c) (2), which prohibits a supplier from delivering F-12 gas except on certified orders.

(c) *Deliveries by suppliers.* (1) No supplier or any other person (except a producer) shall deliver any F-12 gas for export outside of the continental United States, or for use by any of the following non-retail users (or to any ship yard or other person for use in a system to be delivered to any of them), namely: The Army, Navy, Maritime Commission, War Shipping Administration, post exchanges, ships service departments and activities, equipment and insecticide manufacturers, for new or used systems, or for use in insecticide, without specific authorization from the War Production Board. Subject to the foregoing restriction, any supplier or any other person (except a producer) may deliver F-12 gas to any other person, for use in any new or used system not referred to on List A of this order, if it must be operated under one or more of the conditions stated in (b) (2) (i) to (b) (2) (vii) both inclusive.

No person shall accept from a supplier or other person any delivery of F-12 gas which is prohibited by the restriction in this order.

(2) Whenever the owner of a system or any other user wishes to obtain F-12 gas for installation in a system or systems for which deliveries by suppliers are permitted under this order, he may place his order with any supplier for the minimum quantity, which the available cylinder or cylinders permit, necessary to bring the charge in the system or systems up to a normal operating charge. He must certify his order, or the vendor's delivery receipt, by a certificate endorsed on or attached to it, showing that the F-12 gas is to be used for such purposes only, and that he is not holding any empty cylinders not owned by him, which shall be in substantially the following form:

> The undersigned purchaser certifies to the seller and the War Production Board that he does not have any F-12 gas cylinders not owned by him, which have been empty for more than 15 days; and that the F-12 gas covered by this order will not be used or resold for any purposes not permitted by Order M-28.

The standard certification in the form described in Priorities Regulation 7 cannot be used instead of that described above. Such certificate, which must be signed by the purchaser or his authorized official, will constitute a representation that what is stated in it is true. A supplier must not deliver any F-12 gas except under certified orders; and he must not make delivery under any order which is certified if he knows, or has any reason to believe that the certificate furnished with such order is untrue, incomplete, or inaccurate. In such a case the supplier must reject the order, and should explain why he is doing so, so that the prospective purchaser can comply with this order. Each supplier must keep all accepted orders and certificates which he receives, for a period of two years, for inspection by the War Production Board. (Certificates in the form required by this order before its amendment on November 12, 1943, may continue to be used for 30 days after that date, in place of the above form.)

This restriction shall not prevent a person who services several systems for which deliveries are permitted by this order from purchasing a cylinder of F-12 gas from a supplier, if the amount purchased is the smallest quantity practicable considering the sizes of the standard commercial cylinders and the amount needed in his current operations.

(3) No "standby charge" or any other quantity of F-12 gas, over and above that needed to bring the total charge in a system or systems up to the normal operating charge, shall be delivered to or accepted by any person for use in a system which he owns, leases, or operates (except the Army, Navy, Maritime Commission or War Shipping Administration): except, however, that a "standby charge" may be maintained for a system which is operated primarily for one of the following purposes: air conditioning or refrigeration for the production and storage of penicillin, or blood serum; or refrigeration for the storage of blood for plasma, or the production or storage of blood plasma.

(d) *Deliveries by producers.* Each producer shall hold his entire inventory of F-12 gas, together with all additional quantities produced or otherwise obtained by him from time to time, for delivery under such orders and for such uses as may be authorized or directed from time to time by the War Production Board. No deliveries of F-12 gas shall be made by a producer except pursuant to specific authorizations or directions heretofore or hereafter issued by the War Production Board.

(e) The provisions of this order shall be followed by every producer, contract agent, supplier, user, equipment manufacturer, insecticide manufacturer, and any other person buying, selling or delivering F-12 gas, without any regard to any preference ratings which have been assigned or which may hereafter be assigned to particular contracts or orders.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) *Reports.*[1] (i) Each equipment manufacturer who wishes to secure delivery of F-12 gas during any month for charging systems or parts produced by him, or for factory repair and charging of sealed or hermetic condensing units, shall file with the War Production Board, on or before the 15th day of the preceding month a report on Form WPB-3326, prepared in accordance with the instructions for such form.

(ii) Any person wishing to secure F-12 gas during any month for ultimate uses (such as testing coaxial cable for leaks) other than the charging of new or used refrigeration or air conditioning systems or parts or use in insecticide, shall file with the War Production Board, on or before the 20th day of the preceding month, a report by letter, in triplicate, showing the minimum amount required for the month, the purpose for which required, and the amount used during the preceding calendar month for that purpose.

[1] The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. M-28.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—SYSTEMS FOR WHICH NO DELIVERIES ARE PERMITTED

Air conditioning systems. Any system, of any size operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:

Amusement parks.
Animal hospitals.
Auditoriums.
Ballrooms, dancing studios and dance halls.
Bank and loan associations.
Bars, cocktail lounges, and beer parlors.
Bowling alleys.
Concert halls.
Funeral parlors.
Golf clubs, country clubs, athletic clubs, and all other clubs and club houses.
Hotels and apartment houses.
Moving picture houses.
Night clubs.
Office buildings and offices, public or private.
Railway, streetcar and bus stations and terminals.
Residential buildings and dwellings of all kinds.
Restaurants, cafeterias, and other places selling meals, food or beverages.
Schools.
Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds.
Skating rinks.
Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).
Studios of all kinds.
Theaters.

This list does not include (i) any such system used primarily to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (ii) any system designed, necessary and used, in substantial part, for the refrigeration and storage or processing of food, ice, or other materials or products, necessary to life or health, or to be delivered to the Army, Navy, Maritime Commission or War Shipping Administration, and requiring refrigeration, temperature control, or freedom from dust or other impurities.

Refrigeration systems.
Skating rink systems.
Refrigeration systems solely for storing or dispensing carbonated or malt beverages.

INTERPRETATION 1

[Interpretation 1 revoked November 12, 1943]

INTERPRETATION 2

(a) *Quantities which may be obtained by system owner.* Subparagraphs (c) (2) permits the owner (or lessee) of a refrigerating or air conditioning system (not on List A) who does his own installation of F-12 gas, to place his order for the minimum quantity "which the available cylinder or cylinders permit", necessary to bring the charge in his system up to a normal operating charge.

The standard commercial cylinders are generally available in sizes which contain four pounds, ten pounds, twenty-five pounds, and one hundred forty-five pounds of the gas, and a particular supplier may not have all four sizes in stock at all times. Questions will therefore arise as to the number and sizes of cylinders which the owner of a system is permitted to obtain, if the particular supplier with whom his purchase order is first placed should not happen to have the sizes of cylinder from which the minimum quantity needed by the system can be furnished the owner.

In such a case, the owner of the system should make a reasonable effort to obtain the minimum quantity which he needs, from some other supplier in his locality, rather than purchase an excessive quantity from the first supplier upon whom he calls. While the order does not prescribe rigid rules as to exactly what effort the purchaser should make in every case, it is required that he do whatever is practicable, under his particular conditions, to obtain the minimum quantity which he needs, and no more.

Where he is located in a large community in which there are a number of suppliers, he should contact several, if necessary in order to obtain the quantity needed. If he happens to be located in a small community where there is only one supplier who cannot furnish the exact quantity needed and the F-12 gas must be obtained immediately in order to avoid spoilage of a substantial quantity of food, the restriction would not prevent him from obtaining a larger amount, if that is unavoidable without letting his food spoil.

As a guide to the number and size of cylinders which should normally be obtained, for the different quantities of F-12 gas which may be needed in different cases, the following table is furnished:

Pounds of F-12 gas required	Amounts which should be ordered			
	Number of cylinders			
	4 pounds	10 pounds	25 pounds	145 pounds
0-4	1			
5-9		1		
10-14	1	1		
15-24		2 or	1	
25-29	1		1	
30-39	1	1	1	
40-49	1	2	1	
50-59		1	2	
60-69		2	2	
70-79	1	1	2	
80-89	1	1	3	
90-110		1	4	
111-145				1
146-170			1	1
171-195			2	1
196-220			3	1
221-245			4	1
246-290				2
291-315			1	2
316-340			2	2
341-365			3	2
366-390			4	2
391-435				3

The above interpretation applies only where the system owner buys his F-12 gas he has a service shop install the gas, the shop will always be able to furnish no more than the amount actually needed, from its service from a supplier, and installs it himself. If cylinders, and there will be no problem.

(b) *Installation of F-12 gas in systems or parts held by equipment manufacturers or dealers.* Paragraph (b) (1) prohibits deliveries of F-12 gas for systems on List A; (b) (2) prohibits deliveries for any other system, unless it must be operated under one or more of the conditions specified. These restrictions are intended to prevent deliveries of F-12 gas where there is a sale or other delivery of the gas. They prevent an equipment manufacturer or other person from delivering F-12 gas in any new or used system or refrigerant-containing parts if charged with F-12 gas furnished by him after the effective date of the applicable restriction, for any prohibited use.

These restrictions do not prevent the withdrawal and reinstallation of F-12 gas in the course of repairing a used system or refrigerant-containing part, where no additional F-12 gas is added to what was already in the system or part.

Neither do they restrict the delivery of new or used systems or refrigerant-containing parts which had already been charged at the time the applicable restriction became effective; nor do they prevent the owner or lessee of any installed system who had F-12 gas in his possession on the effective date of the applicable restriction, from charging the system with such gas, or having someone else do this charging for him, where no transfer of possession or ownership is involved. (Issued November 30, 1943.)

[F. R. Doc. 44-12568; Filed, August 21, 1944; 11:32 a. m.]

PART 3291—CONSUMERS' DURABLE GOODS

[General Limitation Order L-83, as Amended Aug. 21, 1944]

PORTABLE ELECTRIC LAMPS AND SHADES

§ 3291.120 *General Limitation Order L-33*—(a) *Definitions.* For the purposes of this order:

(1) "Portable lamp" means any detachable device (excluding lamp shades and incandescent, fluorescent or electric discharge lamps or tubes covered by Limitation Order L-28), the primary function of which is to furnish light for interior illuminating purposes by means of incandescent, fluorescent or electric discharge lamps or tubes. "Portable lamp" does not include any flashlight or other battery-operated lighting device, mechanics' lamp, industrial lamp designed specifically for use in conjunction with any industrial machine, tool or assembly bench or other similar factory equipment, or any overhead suspended fixture (whether portable or not).

(2) "Socket" means any receptacle on a portable lamp designed to receive an incandescent, fluorescent or electric discharge lamp or tube.

(3) "Lamp cord" means any insulated cord used to conduct electricity to the socket on a portable lamp.

(4) "Plug" means any device attached to a lamp cord and fitting into a fixed receptacle for the purpose of transmitting electric current through the lamp cord.

(5) "Separate switch" means any one- or two-circuit switch control which operates one or more sockets.

(6) "Lamp shade" means any shade or metal reflector designed for use with a portable lamp.

(7) "Manufacturer" means any person engaged in the business of manufacturing or assembling portable lamps or lamp shades or parts for such products.

(8) "Preferred order" means any purchase order, contract or subcontract for delivery of portable lamps or lamp shades to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *General restrictions.* (1) [Deleted May 23, 1944]

(2) No manufacturer shall make or assemble any portable lamps or parts for portable lamps. This does not restrict the decoration of completely assembled lamps even though it requires disassembly and reassembly.

(3) The restrictions contained in paragraph (b) (2) do not apply to the manufacture of portable lamps or parts for portable lamps made to fill preferred orders. However, lamps or parts made to fill such orders shall not contain (i) any iron or steel except in sockets, separate switches, plugs, lamp cords, auxiliary ballasts, starter switches, center pipes, steel wire harps, socket covers and husks, outer tubing and casings, coating and checking rings, locknuts, washers, screws and bolts; or (ii) any other metal except in sockets, separate switches, plugs, lamp cords, auxiliary ballasts and starter switches.

(4) The restrictions of Copper Conservation Order M-9-c shall not apply to the following items, provided that they were in the inventory of the manufacturer or his suppliers on December 10, 1942:

(i) No. 20 B and S Gauge copper conductor cords in cut lengths of not more than 11 feet.

(ii) Sockets, provided that neither the caps, shells or screw shells contain any copper or copper base alloy other than plating.

(iii) Molded plugs.

(iv) Plugs, other than molded, provided that such plugs contain no copper or copper base alloy other than in screws or in plating materials.

(5) [Deleted May 23, 1944]

(6) No manufacturer shall produce any lamp shades or parts therefor containing any silk or phenolic plastics or any metal, except that iron and steel may be used to produce wire frames. The War Production Board will make allotments of controlled materials for the production of lamp shades only to the extent that such materials are needed to produce lamp shades to fill preferred orders. The iron and steel used in producing lamp shades to produce other than preferred orders must be obtained without priority assistance. One way of obtaining such materials is described in Priorities Regulation No. 13.

(c) *Avoidance of excessive inventories.* No manufacturer shall receive for use in the manufacture of portable lamps or lamp shades any materials which he cannot use under the terms of this order or any materials which when received will give him an inventory of such materials in excess of the minimum amount necessary to maintain production as permitted by this order.

(d) [Deleted Aug. 21, 1944]

(e) [Deleted Aug. 21, 1944]

(f) *Reports.* Each manufacturer who produces any portable lamps or lamp shades in fulfillment of preferred orders shall file on or before the tenth day of each calendar month, beginning January 10, 1943, a report on Form WPB-1600 (formerly PD-655), showing all shipments made pursuant to such preferred orders during the preceding calendar month. Each manufacturer shall also file such other reports and answers to questionnaires as shall from time to time be required, subject to approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to produce portable lamps or parts for portable lamps for other than preferred orders may apply for permission to do so as explained in Priorities Regulation 25. All restrictions other than those in paragraph (b) (2) continue to apply when authorization to make or assemble is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeals from the provisions of any paragraph in this order except paragraph (b) (2) should be filed on Form WPB-1477 (in triplicate) with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) (2).

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(j) [Deleted May 23, 1944]

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Consumers' Durable Goods Division, War Production Board, Washington 25, D. C., Ref.: L-33.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Superseded May 23, 1944.

[F. R. Doc. 44-12589; Filed, August 21, 1944; 11:31 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-49, as Amended Aug. 21, 1944]

BEDS, BED SPRINGS, MATTRESSES AND DUAL SLEEPING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel, wood and textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3291.70 *Limitation Order L-49*—(a) *What this order does.* This order regulates the production of bedding products. It assigns maximum manufacturing quotas for such products regardless of the materials from which they are made. It also limits the amount of iron and steel which may be incorporated in any item.

(b) *Definitions.* For the purposes of this order:

(1) The term "bedding products" includes metal beds; metal bed frames; metal cots, metal bunks and metal roll-away cots (including springs). It also includes the following products whether or not containing metal: innerspring mattresses, pads, pillows; coil, flat or fabric bedsprings; box springs; mattress foundations; crib springs; and dual sleeping equipment (studio couches, sofa beds, lounges, and chair beds designed for dual seating and sleeping purposes).

(2) "Manufacturer" means any person who manufacturers or assembles bedding products, but does not include a person who repairs or reassembles a bedding product.

(3) "Base period" means the twelve month period ending June 30, 1941.

(4) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, Aircraft Resources Control Office, or Federal Public Housing Authority, or for delivery outside the United States, its territories and possessions.

(c) *Restrictions on production for other than preferred orders.* (1) During each calendar quarter beginning January 1, 1944, no manufacturer shall produce more bedding products, for other than preferred orders, than the percentage as shown in Schedule A of his unit production of such products during the base period. If in any calendar quarter a manufacturer produces less than his permitted production, he may produce the unused portion of his quota in the following quarter.

(2) No manufacturer shall produce any bedding product containing more iron and steel for other than preferred orders than the amount shown for that product in Schedule A.

(d) [Deleted Aug. 21, 1944.]

(e) *Reports.* Each manufacturer producing bedding products must file with the War Production Board quarterly reports on Form WPB-1600 (formerly PD-655) on or before the 15th day of April, July, October and January, according to the instructions for filing that form.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to produce more bedding products than the quotas fixed in paragraph (c) (1) and Schedule A (including a person who has no quota under this order), may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the quota restrictions of paragraph (c) (1) and Schedule A should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the quota restrictions of paragraph (c) (1) and Schedule A.

(h) *Applicability of regulations and other orders.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of bedding products to a greater extent than does this order, the other order shall govern unless it states otherwise.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-49.

NOTE: The applications and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Metal beds (except hospital type) and metal bed frames	No production.
Metal beds, hospital type (including fabric spring or adjustable type spring).	Unlimited.
Metal cots, metal bunks, and metal rollaway cots (including springs)	12½ %.
Cots and rollaway cots, maximum weight	42 lbs.
Bunks, maximum weight	101 lbs.
Innerspring mattresses, pads and pillows	No production.
Hospital innerspring mattresses only on specific order of or contract with hospitals or sanitariums.	Unlimited.
Coil, flat or fabric bedsprings (except hospital adjustable type spring)	12½ %.
Double deck coil spring (not more than 30% of production), maximum weight	66 lbs.
Single deck coil spring, maximum weight	57 lbs.
Flat or fabric spring, maximum weight	43 lbs.
Crib springs	20 %.
maximum weight	16 lbs.
Box springs	12½ %.
maximum weight	23 lbs.
Dual sleeping equipment (studio couches, sofa beds, lounges and chair beds designed for dual seating and sleeping purposes).	9%.
Studio couches, maximum weight	60 lbs.
Sofa beds, lounges and chair beds, maximum weight	85 lbs.

Exceptions. (1) Any manufacturer whose permitted production of any bedding product is restricted by this schedule to less than 250 units in any calendar quarter, may nevertheless, produce during any calendar quarter 25% of his base period production of such product, or 250 units, whichever is the smaller.

(2) Innerspring mattresses may be produced using innerspring constructions contained in inventory prior to September 1, 1942, upon specific authorization of the War Production Board. To secure such authorization, a manufacturer should address a letter to the War Production Board, Washington 25, D. C., Ref: L-49, stating the number of innerspring constructions he has in inventory, the number of innerspring mattresses he wishes to produce and the person to whom they will be sold.

INTERPRETATION 1: Superseded Mar. 16, 1944.

INTERPRETATION 2: Superseded Mar 16, 1944.

INTERPRETATION 3

BEDS, BED SPRINGS, MATTRESSES AND DUAL SLEEPING EQUIPMENT

This interpretation is to explain the effect of L-49 upon the repairing or reassembling of bedding products. Paragraph (b) (2) of L-49 defines a manufacturer as "any person who manufactures or assembles bedding products, but does not include a person who repairs or reassembles a bedding product." Certain examples may help to clarify this definition.

A person who buys a number of used or second-hand coil, flat and fabric bedsprings, tears them down and reassembles the usable parts into bed springs is not a manufacturer any more than is a person who adds a piece to a single bed spring to put it into usable condition. However, a person who buys used automobile seat springs and assembles them into a bedding product is engaged in manufacture and not in making repairs or reassembling, as the material with which he works was never a bedding product.

A person who acquires a new innerspring construction and assembles it into an innerspring mattress is obviously a manufacturer of that mattress. Conversely, a person who acquires a used innerspring mattress, or an innerspring construction which has previously been incorporated into an innerspring mattress, and remakes these items is not engaged in manufacture, but in repair or reassembly.

The essential thing to bear in mind in construing paragraph (b) (2) is that for an operation to be classified as repairing or reassembling, the article or articles with which a person is working must have at one time been a bedding product or part of a bedding product. (Issued Mar. 16, 1944.)

[F. R. Doc. 44-12590; Filed, August 21, 1944; 11:31 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M-21-h, Revocation]

TOOL STEEL

Section 3294.1111 *Supplementary Order M-21-h* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of tool steel remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12591; Filed, August 21, 1944; 11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 3,[1] Amdt. 10]

RATION BANKING: BANKS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1305.411 (c) (4) of General Ration Order No. 3 is amended to read as follows:

(4) Each participating bank shall receive four (4) cents for each ration check properly debited to an account except that for each ration check or ration credit draft properly debited to a local Board, Mailing Center, District Office or National Office account, the participating bank shall receive three (3) cents.

This amendment shall become effective August 23, 1944.

(Pub. Laws 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562)

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12535; Filed, August 19, 1944; 11:42 a. m.]

PART 1340—FUEL

[MPR 80, Corr. to Amdt. 14]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

Section 2.14 (a) (1) is corrected by deleting from the table of prices in such section the two figures 4.8 which appear on a line with the words "Other grades."

This correction shall become effective as of August 14, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12536; Filed, August 19, 1944; 11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[2] Amdt. 32]

HARDSHIP FROM INCREASE IN TAXES OR COSTS

Rent Regulation for Housing is amended in the following respects:

1. The third unnumbered paragraph of section 5 is amended and the following paragraphs are added to the unnumbered paragraphs of section 5 to read as follows:

In all other cases except those under paragraphs (a) (7), (a) 12), (c) (6), and (c) (9) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided*, That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (c) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

2. Section 5 (a) (12) is added to read as follows:

(12) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income of the property for the current year as compared with a representative period prior to the maximum rent date, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (12) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (f) where the accommodations are first rented after the maximum rent date or to maximum rents established under section 4 (c), (d), (e), or (j).

3. Section 5 (c) (9) is added to read as follows:

(9) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section, since the order issued under that paragraph.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12538; Filed, August 19, 1944; 11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[1] Amdt. 29]

HARDSHIP FROM INCREASE IN TAXES OR COSTS

Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. The third unnumbered paragraph of section 5 is amended and the following paragraphs are added to read as follows:

In all other cases, except those under paragraphs (a) (7), (a) (9), (c) (4), and (c) (5) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (a) (9) of this section, the adjustment shall be on the basis of the rents which the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (c) (5) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (9) of this section.

2. Section 5 (a) (9) is added to read as follows:

(9) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income of the property for the current year as compared with a representative period prior to the maximum rent date, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (9) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

3. Section 5 (c) (5) is added to read as follows:

(5) *Modification or elimination of necessity for increase under section 5 (a) (9).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section, since the order, issued under that paragraph.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12539; Filed, August 19, 1944; 11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing in Atlantic Co. Area,[1] Amdt. 2]

HARDSHIP FROM INCREASE IN TAXES OR COSTS

Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended in the following respects:

1. The third unnumbered paragraph of section 5 is amended and the following paragraphs are added to the unnumbered paragraphs of section 5 to read as follows:

In all other cases except those under paragraphs (a) (7), (a) (12), (c) (6), and (c) (8) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (c) (8) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

2. Section 5 (a) (12) is added to read as follows:

(12) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income of the property for the current year as compared with a representative period prior to the maximum rent date, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (12) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (f) where the accommodations are first rented after the maximum rent date or to maximum rents established under section 4 (c), (d), (e), or (i).

3. Section 5 (c) (8) is added to read as follows:

(8) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section, since the order issued under that paragraph.

This amendment shall become effective June 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12541; Filed, August 19, 1944; 11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses in Miami Area,[1] Amdt. 6]

HARDSHIP FROM INCREASE IN TAXES OR COSTS

Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended in the following respects:

1. The third unnumbered paragraph of section 5 is amended and the following paragraphs are added to read as follows:

In all other cases, except those under paragraphs (a) (7), (a) (9), (c) (4), and (c) (5) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

In cases under paragraph (a) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

In cases under paragraph (c) (5) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (9) of this section.

2. Section 5 (a) (9) is added to read as follows:

(9) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 865, 2858, 4627, 9456, 12611, 9 F.R. 2212.

[2] 9 F.R. 5907, 5915, 6359, 6569, 6619.

[1] 9 F.R. 2165, 2290, 3231, 3421, 4194, 4541, 5003, 5806, 5828, 5915, 6569.

[1] 9 F.R. 6619.

[1] 8 F.R. 14043, 16033; 9 F.R. 3422, 5003.

income of the property for the current year as compared with a representative period prior to September 1, 1943, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (9) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

3. Section 5 (c) (5) is added to read as follows:

(5) *Modification or elimination of necessity for increase under section 5 (a) (9).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section, since the order issued under that paragraph.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12548; Filed, August 19, 1944; 11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing in Miami Area,[1] Amdt. 8]

HARDSHIP FROM INCREASE IN TAXES OR COSTS

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. The following paragraphs are added to the unnumbered paragraphs of section 5 to read as follows:

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on September 1, 1943.

In cases under paragraph (c) (7) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

2. Section 5 (a) (12) is added to read as follows:

(12) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income of the property for the current year as compared with a representative period prior to September 1, 1943, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (12) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structure operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (c) where the accommodations are first rented after September 1, 1943 or to maximum rents established under section 4 (b) or (f).

3. Section 5 (c) (7) is added to read as follows:

(7) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section, since the order issued under that paragraph.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12549; Filed, August 19, 1944; 11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing in New York City Area,[1] Amdt. 10]

HARDSHIP FROM INCREASE IN TAXES OR COSTS

Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

1. The second unnumbered paragraph of section 5 is amended and the following paragraphs are added to the unnumbered paragraphs of section 5 to read as follows:

In all other cases except those under paragraphs (a) (7), (a) (12), (c) (6), and (c) (9) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases under paragraph (c) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

2. Section 5 (a) (12) is added to read as follows:

(12) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income of the property for the current year as compared with a representative period prior to March 1, 1943, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (12) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expense necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (f) where the accommodations are first rented after March 1, 1943 or to maximum rents established under section 4 (c), (d) or (e).

3. Section 5 (c) (9) is added to read as follows:

(9) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section, since the order issued under that paragraph.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12550; Filed, August 19, 1944; 11:38 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses in New York City Area,[1] Amdt. 11]

HARDSHIP FROM INCREASE IN TAXES OR COSTS

Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended in the following respects:

1. The third unnumbered paragraph of section 5 is amended and the following paragraphs are added to read as follows:

In all other cases, except those under paragraphs (a) (7), (a) (9), (c) (4), (c) (5), and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases under paragraph (a) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided*, That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases under paragraph (c) (6) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (9) of this section.

2. Section 5 (a) (9) is added to read as follows:

(9) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income of the property for the current year as compared with a representative period prior to March 1, 1943, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (9) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

3. Section 5 (c) (6) is added to read as follows:

(6) *Modification or elimination of necessity for increase under section 5 (a) (9).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section, since the order issued under that paragraph.

This amendment shall become effective November 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12546; Filed, August 19, 1944; 11:38 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 143]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.8018 is amended by substituting the expression "Ration Currency Mailing Center" for the expression "Ration Currency Issuing Center" wherever such expression appears.

2. Section 1394.8020 is added to read as follows:

§ 1394.8020 *Issuance of ration checks in lieu of gasoline deposit certificates.* (a) Notwithstanding any other provision of Ration Order No. 5C, after a Board or Ration Currency Mailing Center has opened a gasoline ration bank account, it shall issue one or more ration checks drawn on such account instead of gasoline deposit certificates whenever this order permits the issuance of a gasoline deposit certificate. Every provision in this order applicable to the issuance of gasoline deposit certificates and to rations issued in the form of such certificates shall be equally applicable to rations issued in the form of ration checks and ration checks issued instead of gasoline deposit certificates. When a ration check is issued to a dealer instead of a gasoline deposit certificate representing storage capacity, the person issuing such check shall note upon Part B of the registration certificate of the dealer the gallonage value of any ration check issued and the date of issuance.

(b) A dealer may surrender to the issuing Board a ration check issued to him other than as a ration in exchange for any number of checks whose total gallonage value equals the gallonage value of the check surrendered.

3. Section 1394.8206a (h) is added to read as follows:

(h) The Washington Office, each District office and Ration Currency Mailing Center, and each Board which is not served by a Ration Currency Mailing Center shall, on or before September 20, 1944, open a gasoline ration bank account.

4. Section 1394.8206b (g) is added to read as follows:

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12547; Filed, August 19, 1944; 11:38 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F. R. 15937.

[1] 8 F.R. 13118, 14047, 16093; 9 F.R. 3423, 4026, 6360.

[1] 8 F.R. 12914, 14814, 15566, 16219; 9 F.R. 2087, 3423, 4026, 6360.

[1] 8 F.R. 15561, 16219, 16693; 9 F.R. 2086, 3422, 5003.

(g) (1) The bank account opened by the National Office shall receive periodic credits through credit memoranda issued by the National Office as authorized by General Ration Order 3A.

(2) At the time a gasoline ration bank account is opened by a Board or Ration Currency Mailing Center and on the first day of each month thereafter, the Board or such Mailing Center shall draw a ration credit draft on the gasoline ration bank account of the District Office in the amount of the credits which it estimates will be needed for the monthly period. Such ration credit drafts and all ration checks received by the Board or such Mailing Center shall be endorsed by it and deposited in its ration bank account. When the credit in the ration bank account of a Board or such Mailing Center will not be sufficient to cover its needs for the monthly period, it may draw a supplemental ration credit draft for the additional amount needed and deposit it to its account.

(3) At the time a gasoline ration bank account is opened by a District Office and on the first day of each month thereafter, the District Office shall draw a ration credit draft on the gasoline ration bank account of the National Office in the amount of the credits which it estimates will be needed for the monthly period. Such ration credit drafts and all ration checks received by a District Office shall be endorsed by the District Office and deposited in its ration bank account. When the credit in the ration bank account of a District Office will not be sufficient to cover its needs for the monthly period, it may draw a supplemental ration credit draft for the additional amount needed and deposit it to its account.

5. Section 1394.8206c (f) is added to read as follows:

(f) A Board may issue a check to a depositor or dealer in lieu of gasoline deposit certificates.

6. Section 1394.8207 (a) (1) is amended to read as follows:

(a) (1) Except as provided in subparagraph (4) of this paragraph, and § 1394.8209, no dealer or distributor shall transfer or offer to transfer gasoline to a dealer, and no dealer shall receive a transfer of gasoline, except in exchange for a quantity of coupons or other evidences at the time of the actual delivery of the gasoline, equal in gallonage value to the quantity of the gasoline transferred, or, in cases in which gasoline is regularly transferred to him on a temperature adjustment basis, equal in gallonage value to the adjusted quantity of gasoline transferred. However, such transfers may only be made in accordance with the following provisions:

(i) When coupons are surrendered they must bear the notations required by § 1394.8004 (e) and § 1394.8228 (b), and which have been affixed to coupon sheets containing the name, address, date of surrender and unit value of the coupons as prescribed in § 1394.8211.

(ii) When a gasoline deposit certificate is surrendered, it must bear, as an endorsement, the name and address of the dealer and the date on which such transfer is made.

(iii) When a ration check is surrendered, it must bear, as an endorsement, the name of the dealer.

7. Section 1394.8228 (d) is added to read as follows:

(d) Every dealer shall retain all ration checks issued to him in lieu of gasoline deposit certificates at the place of business for which they were issued, and shall not exchange such checks except when the amount of consumer coupons or other evidences available, is less than the amount of the delivery.

This amendment shall become effective August 23, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F. R. 2719)

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12542; Filed, August 19, 1944; 11:43 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 50]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 46 is amended to read as follows:

This amendment shall become effective as follows:

(1) On August 4, 1944 as to all sales f. o. b. shipping point.

(2) On August 18, 1944 for all states wholly east of the Mississippi River except Illinois and Wisconsin.

(3) On August 13, 1944 for all other states except California, Oregon, and Washington.

(4) On August 7, 1944 for California, Oregon, and Washington.

However, as to grapes which were sold and shipped from the country shipping point before August 4, 1944, the maximum prices at wholesale receiving points established by this amendment shall become effective on August 28, 1944.

This amendment shall become effective August 18, 1944.

Issued this 18th day of August 1944.

CHESTER BOWLES
Administrator.

Approved: August 16, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12446; Filed, August 18, 1944; 11:53 a. m.]

PART 1439—UNPROCESSED AGRICULTURE COMMODITIES

[MPR 426,[1] Amdt. 51]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15 is amended in the following respects:

1. Appendix A is revoked.

2. In Appendix I, Table 8A in paragraph (c) is amended by deleting from Footnote 1 the phrase, "Product of Cuba."

3. In Appendix H paragraph (f) is amended by adding subparagraph (5) to read as follows:

(5) To adjust upward the maximum price for lettuce in sales to agencies of the United States to account for any increase in cost which is caused by special trimming or cutting to meet the specifications required by such purchaser for overseas shipment.

4. Paragraph (b) of Appendix H is amended by adding Table 16 to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 15619, 16423, 17372; 9 F. R. 790, 902, 1561, 2008, 2023, 2091, 2493, 4080, 4086, 4083, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7435, 7580, 7583, 7759, 7774, 7834, 8145, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897.

TABLE 16.—MAXIMUM PRICES FOR LETTUCE

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping points in California and Arizona	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than truckloads delivered to the premises of any retail store, Government procurement agency or institutional buyer [2]
1	Iceberg lettuce in L. A. or Salinas crate containing not less than 48 heads with a net weight of 60 pounds or more.[1]	L. A. or salinas crate.	Dec. 1-Mar. 31	$3.25	$3.25 plus freight (including 3 percent transportation tax) from El Centro, California *plus* protective services.[2]	Column 6 price *plus* 90 cents.
2			Apr. 1-Nov. 30	$3.25	$3.25 plus freight (including 3 percent transportation tax) from Salinas, California *plus* protective services.[2]	Column 6 price *plus* 90 cents.
3	Iceberg lettuce in L. A. or Salinas crates containing less than 48 heads or with a net weight of less than 60 pounds and all other.	Pound	Dec. 1-Mar. 31	5.4 cents per pound.	Maximum price above (item 1) divided by 60.	Column 6 price *plus* 1¼ cents per pound.
4	Lettuce, except hothouse lettuce, in any container.[1]	Pound	Apr. 1-Nov. 30	5.4 cents per pound.	Maximum price above (item 2) divided by 60.	Column 6 price *plus* 1½ cents per pound.
5	Hothouse lettuce in any container.[1]	Pound	All year		Maximum prices per pound above (items 3 and 4) *plus* 8 cents.	Column 6 price *plus* 1½ cents per pound.

[1] The maximum price for lettuce sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate price per pound listed in columns 5, 6, or 7.
[2] Protective service allowances shall be added in accordance with the following groups of wholesale receiving points during shipping seasons indicated.

Wholesale receiving points	Allowance for protective service per L. A. or Salinas crate (includes 3 percent transportation tax)				
	Jan.-Feb.	Mar.-Apr.	May	June 1 to Oct. 15	Oct. 16 to Dec. 31
1. In States wholly east of Mississippi River (except Wisconsin and Illinois)	0.16	0.20	0.25	0.35	0.20
2. In all other States except California and Arizona	.16	.20	.25	.26	.20
3. In California and Arizona		Entire season, 0.07			

[1] For sellers covered by column 7, see general provisions of this appendix.

5. The table in paragraph (c) of Appendix H is amended by adding item 20 to read as follows:

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Item No.	Commodity	Unit [1]	Sales by a grower or a county shipper [1]		Sales by anyone, other than a grower or country shipper, who has purchased a carlot or truckload, and sells such a carlot or truckload unbroken	Sales by carlot receivers in less-than-carlots-or less-than-truckloads. (For sales by carlot receivers through auction the markups named in Col. 4 shall be applied	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency, or institutional buyer, within the free delivery zone [2]	
			Through a broker shipper's sales agent or commission merchant in carlots or truckloads or through broker, shipper's sales agent, or auction in less-than-carlot-or less-than-truckload	Through a commission merchant in less than carlots or less than truckloads				Half container or larger	Less than half-container
•	•	•	•	•	•	•	•	•	•
20	Lettuce	L. A. or Salinas crate	$0.14	$0.80	$0.14	$0.50	$0.90	$0.90	•
		Other containers or in bulk	3/16¢	1/16¢	3/16¢	1/16¢	1 1/16¢	1 1/16¢	2 1/16¢

This amendment shall become effective August 19, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 17, 1944.

MARVIN JONES,
War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I authorize the issuance of the amendment and find that the prices fixed therein for lettuce are necessary to correct inequities and to aid in the effective prosecution of the war.

FRED M. VINSON,
Director,
Office of Economic Stabilization.

[F. R. Doc. 44-12543; Filed, August 19, 1944; 11:36 a. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,[1] Amdt. 64]

MODIFICATION OF MAXIMUM PRICES BY SUPPLEMENTARY REGULATION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been

[1] 9 F.R. 1385, 5169, 6106, 8150.

filed with the Division of the Federal Register.*

The General Maximum Price Regulation is amended in the following respect:

1. Section 1499.3 (g) is added to read as follows:

(g) The maximum prices established by this section for certain commodities or services or in certain transactions may be modified by supplementary regulation.[1]

This amendment shall become effective August 24, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12544; Filed, August 19, 1944; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Amdt. 1 to Supp. Service Reg. 31]

HAND LAUNDRIES IN THE DETROIT AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Service Regulation 31 is amended in the following respects:

1. Section 1499.2264 (a) (2) is amended by adding two definitions to read as follows:

"Shirts" as used in Appendix A means all shirts except the following:

Shirts made of silk, wool, rayon and other artificial fibers; gabardine shirts; full dress shirts.

The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with the OPA. If no such prices have been filed, the maximum price to be charged for all shirts shall be the price established for shirts by Appendix A of Supplementary Service Regulation No. 31.

"Overall pants" as used in Appendix A means blue denim overall pants.

2. Section 1499.2264 Appendix A is amended by striking out "pants—work" and inserting "wash trousers and slacks."

3. In § 1499.2264 Appendix A the prices of the following articles are amended to read as follows:

Sheets	$0.15
Overall pants	.30

*Copies may be obtained from the Office of Price Administration.

[1] These modifications are contained in Revised Supplementary Regulation No. 14 and Supplementary Regulations 14A and 14B and amendments thereto.

[1] 9 F.R. 7429, 9107.

This amendment No. 1 shall become effective August 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12545; Filed, August 19, 1944; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supp. 6]

CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

NOTE: An amendment to the statement of the considerations involved in the issuance of Supplement 6 to Food Products Regulation No. 1 (9 F.R. 8057) was filed with the Division of the Federal Register August 19, 1944, 4:16 p. m.

PART 1340—FUEL

[MPR 120,[1] Amdt. 117]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

In § 1340.213, new paragraph (e) is added to read as follows:

(e) In paragraph (b) (2) of this section, a differential of 25 cents per net ton is established between coals produced at a strip mine and coals produced at a deep mine. A producer of coals from a strip mine, or a producer who buys coals from strip mines for preparation and resale, may apply for the removal of this differential, and the differential will be removed by order, upon a showing: First, that his coals are such that they can be prepared so as to be generally acceptable in coal consuming markets. Second, that his preparation plant or tipple is equipped with screens, picking tables and, in general, with adequate facilities for preparing coal by removing refuse before loading into transportation facilities; third, that his coal as loaded into transportation facilities is adequately prepared by use of such facilities.

If such preparation is not maintained, the Administrator may at any time reestablish the price differential.

This amendment shall become effective August 19, 1944.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[1] 9 F.R. 5042, 5375, 5567.

Issued this 19th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 120 is necessary to aid in the effective prosecution of the war.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-12562; Filed, August 19, 1944; 4:16 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 461,[1] Amdt. 3]

NATURAL CONDITION UNPACKED DRIED PRUNES AND RAISINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The approval of the regulation by the War Food Administrator has been amended by deleting the sentence "To expire not later than one year following date of issue", appearing immediately following the date August 20, 1943.

This amendment shall become effective August 19, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12564; Filed, August 19, 1944; 4:17 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 2 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

1. The table in section 1 (a) is amended by adding item 4 to read as follows:

Column 1 Item No.	Column 2 Product	Column 3 Section	Column 4 Section	Appendix
4	Peas	5	15	C.

[1] 8 F.R. 11952, 12795, 13741, 14155.

[1] 9 F.R. 9493.

2. The following definition is added to section 3 (a):

"Area" or "pricing area" means the area in which the processor's factory is located, as shown in the applicable appendix.

3. In section 4 (a) the third and fourth undesignated paragraphs are amended to read as follows:

If the processor sold the particular product during the base period, but only in a grade, style, or container type or size which is different from the one being priced, or for which no price range is provided, he figures his maximum price by the same general pricing method, supplemented by the use of conversion factors (for different container types and sizes, different styles, and different grades). Whenever figuring a conversion from metal containers to glass containers the processor must first construct a maximum price for the item packed in metal and then convert it to a maximum price for the item packed in glass, even though the item was packed in glass containers during the base period. The reason for this is that the permitted increases and price ranges are constructed entirely on products packed in metal containers. In each case the conversion factors to be used are set forth in the appendix applicable to the product.

If the processor was not in business during 1941 or if he made no sales of the product during the base period, he figures his gross maximum price for the item being priced by using as his gross maximum price the specific dollars-and-cents price named in the applicable appendix. (However, if he is subject to section 14 (g) covering transfers of business or stock in trade, he uses the base price of his transferor and figures a maximum price in the same manner as his transferor would have figured it.) In cases where a specific dollars-and-cents price is not provided for the item, he figures his gross maximum price by applying the appropriate conversion factors to the specific dollars-and-cents price named for the nearest container size, style and grade of the product.

4. In section 5, an undesignated paragraph is added immediately preceding paragraph (a) to read as follows:

The processor shall figure a maximum price for each factory at which he processes and sells the item being priced. (However, he may then elect to combine prices as provided in section 10 (f)).

5. The following undesignated paragraph is added to section 5 (a) (1) (i):

In figuring weighted average prices during the base period, the processor may, if he wishes, figure a single weighted average for all factories located in the same pricing area. For this purpose, the time when the first factory included in group started packing operations shall be considered "the beginning of the 1941 pack".

6. In section 5 (c) the undesignated paragraph preceding subparagraph (1) is amended to read as follows:

A processor who meets the conditions of section 11 (b) as to any item may, if he elects, figure maximum prices for the item on the basis of subgrades. He may make this election for one or more factories selected by him, provided that the maximum prices for the item at the selected factories are the same. However, any such election applies only to that part of the combined packs of those factories which he has not sold and delivered prior to the filing of the statement of his election. When he makes this election as to any item, the processor may sell it at whatever prices he pleases, subject to the following limitations:

7. In section 16, Appendix A, the following caption is added to Table 4 following the table heading, "Standard Grade Water Pack"

8. In section 15, Appendix C is added to read as follows:

APPENDIX C—PEAS

Explanation of how maximum prices for packed peas are figured. In making conversions for grade, for variety, for sieve size, and for container type and size under subparagraph (2), (3) or (4) of section 5 (a) of this supplement, in the case of packed peas the order in which the steps in figuring the maximum price are to be taken differs from those specified in the note at the beginning of section 5 (a) 2. In figuring maximum prices under those paragraphs for packed peas, steps are to be taken in the order indicated below in all cases, although in many cases not all of the steps are necessary.

In each case where the processor is figuring a maximum price for a grade or a variety of peas different from that sold in the base period, he must add the permitted increase for the same grade and same variety of peas as that sold in the base period, before converting for the change in variety or change in grade, for the reason that the permitted increases for each grade and each variety of peas are different.

Conversions from metal containers to glass containers must be made in the 1944 prices and not in the base period prices, for the reason that the permitted increases and price ranges are based on cost increase and base period price data for metal containers only. In each case of conversion from metal to glass, the processor must first construct a maximum price for the item when packed in metal and then add the conversion factor named in Table 6, even though he packed the item in glass during the base period.

In each case of conversion from one variety and sieve size of peas to another variety and sieve size (including blends) of peas the processor must figure this conversion by taking the difference between the specific dollars-and-cents maximum prices named in Table 4 for the two items and either adding this difference to or subtracting it from the constructed base price, as the situation requires. Whether the differential is to be added or subtracted depends on whether the dollars-and-cents price named in Table 4 for the item being priced is higher or lower than that named for the item from which conversion is being made. (For example, the X Canning Company whose factory is located in Area 1 sold Fancy Alaska Peas, No. 3 sieve size, in No. 2 cans during the base period, but made no sales of sweet peas during that period. It is now pricing Fancy Sweet Peas, No. 2 sieve size, in No. 2 cans. To figure the conversion for variety the company takes the difference between the dollars-and-cents price named for the Alaska Pea item in Part 1 of Table 4, and the dollars-and-cents price named in Part 2 of Table 4, for the Sweet Pea item ($1.86—$1.61 equals $.25. Since the company is pricing an item with a higher dollars-and-cents price, the $.25 differential is added to its constructed base price in making the conversion for variety).

An example of how other conversions, such as the conversions for can size and for grade, are figured is illustrated in the example in Appendix B for asparagus.

The word "ungraded" when used in connection with peas, refers to the sieve size and means not separated by sieve size.

The order in which the steps are to be taken in figuring the maximum price for packed peas under subparagraph (2), (3) or 4 of section 5 (a) is as follows:

1. Convert for container size.
2. Add permitted increase specified in Table 3 for variety and grade of packed peas sold in the base period.
3. Convert for variety.
4. Convert for grade.
5. Convert for sieve size.
6. Apply the limitations of the price range.
7. Convert for container type and size.
8. Subtract subsidy payable per unit of the finished product (converted where necessary to the unit being sold, by the use of the conversion factors named in Table 5 when sales are made to purchasers other than government procurement agencies).

TABLE 1—AREAS

1. Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.
2. Indiana, Illinois, Ohio.
3. Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Wisconsin.
4. Arizona, Colorado, Idaho, Montana, New Mexico, Nevada, Utah, Wyoming.
5. California, Oregon, Washington.

TABLE 2—BASE PERIOD PRICES (ALL AREAS)

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED PEAS WHO MADE SALES DURING THE BASE PERIOD

PART 1—ALASKA PEAS

Item No.	Area	Sieve size	No. 2 Cans: Fancy — Permitted increase	No. 2 Cans: Fancy — Price ranges	No. 2 Cans: Ex. Standard — Permitted increase	No. 2 Cans: Ex. Standard — Price ranges	No. 2 Cans: Standard — Permitted increase	No. 2 Cans: Standard — Price ranges	No. 10 Cans: Fancy — Permitted increase	No. 10 Cans: Fancy — Price ranges	No. 10 Cans: Ex. Standard — Permitted increase	No. 10 Cans: Ex. Standard — Price ranges	No. 10 Cans: Standard — Permitted increase	No. 10 Cans: Standard — Price ranges
1		No. 1	$0.40	$1.79–$2.05	$0.36	$1.52–$1.77	$0.36	$1.00–$1.08	$2.06	$9.09–$10.41	$1.93	$8.26–$8.99	$1.88	$8.13–$8.53
2		No. 2	.43	1.62– 1.88	.36	1.51– 1.65	.36	1.44– 1.56	2.06	8.26– 8.55	1.93	7.67– 8.26	1.83	7.53– 7.92
3	1	No. 3	.40	1.49– 1.74	.36	1.35– 1.49	.36	1.33– 1.41	2.06	7.53– 8.04	1.93	6.95– 7.67	1.83	6.76– 7.16
4		No. 4 and up	.40	1.39– 1.64	.36	1.26– 1.39	.36	1.25– 1.31	2.06	7.01–8.33	1.93	6.35– 7.06	1.83	6.25– 6.65
5		Ungraded	.40	1.39– 1.64	.36	1.26– 1.39	.36	1.25– 1.31	2.06	7.01–8.33	1.93	6.35– 7.06	1.83	6.25– 6.65
6		No. 1	.45	2.00– 2.10	.43	1.70– 1.84	.41	1.64– 1.68	2.29	10. 16–10. 67	2.18	7.87– 8.58	2.06	7.16– 7.77
7		No. 2	.43	1.83– 1.93	.43	1.45– 1.69	.41	1.41– 1.53	2.29	–8.30– 8.80	2.18	7.16– 7.87	2.06	6.80– 7.11
8	2	No. 3	.43	1.68– 1.78	.43	1.41– 1.55	.41	1.28– 1.40	2.29	8.43– 8.94	2.18	6.60– 7.32	2.06	5.99– 6.60
9		No. 4 and up	.43	1.54– 1.64	.43	1.30– 1.44	.41	1.18– 1.30	2.29	7.82– 8.33	2.18	6.60– 7.32	2.06	5.99– 6.60
10		Ungraded	.45	1.54– 1.64	.43	1.30– 1.44	.41	1.18– 1.30	2.29	7.82– 8.33	2.18	7.98– 8.69	1.57	7.16– 7.77
11		No. 1	.36	1.88– 2.00	.33	1.57– 1.71	.31	1.41– 1.53	1.93	8.43– 9.45	1.66	7.37– 8.06	1.57	6.60– 7.21
12		No. 2	.36	1.68– 1.86	.33	1.45– 1.59	.31	1.30– 1.42	1.93	7.52– 8.53	1.66	6.55– 7.26	1.57	5.80– 6.59
13	3	No. 3	.36	1.48– 1.66	.33	1.28– 1.40	.31	1.16– 1.28	1.93	6.86– 7.87	1.66	5.99– 6.71	1.57	5.44– 6.04
14		No. 4 and up	.36	1.36– 1.55	.33	1.18– 1.32	.31	1.07– 1.19	1.93	6.86– 7.87	1.66	5.99– 6.71	1.57	5.44– 6.04
15		Ungraded	.36	1.36– 1.55	.33	1.18– 1.32	.31	1.07– 1.19	1.93	6.14– 6.78	1.66	7.02– 8.43	1.66	7.11– 7.53
16		No. 1	.39	1.88– 1.93	.36	1.56– 1.66	.33	1.40– 1.48	1.96	7.37– 7.87	1.76	7.37– 7.87	1.66	6.55– 6.96
17		No. 2	.39	1.68– 1.78	.36	1.45– 1.55	.33	1.29– 1.37	1.96	6.80– 7.01	1.76	6.80– 7.01	1.66	5.80– 6.30
18	4	No. 3	.39	1.48– 1.58	.36	1.28– 1.38	.33	1.07– 1.15	1.96	6.01– 7.52	1.76	5.99– 6.80	1.66	5.44– 5.84
19		No. 4 and up	.39	1.36– 1.46	.36	1.18– 1.28	.33	1.07– 1.15	1.96	6.01– 7.52	1.76	5.99– 6.80	1.66	5.44– 5.84
20		Ungraded	.39	1.36– 1.46	.35	1.18– 1.28	.33	1.07– 1.15	1.93	6.09–10.11	1.73	7.87– 8.69	1.63	7.32– 8.03
21		No. 1	.36	1.79– 1.99	.34	1.55– 1.71	.32	1.44– 1.58	1.83	8.38– 9.40	1.73	7.26– 8.06	1.63	6.81– 7.62
22		No. 2	.36	1.59– 1.85	.34	1.43– 1.59	.32	1.29– 1.42	1.83	7.43– 8.43	1.73	6.45– 7.26	1.63	6.04– 6.76
23	5	No. 3	.36	1.40– 1.66	.34	1.27– 1.43	.32	1.10– 1.26	1.83	6.81– 7.82	1.73	5.99– 6.71	1.63	5.59– 6.20
24		No. 4 and up	.36	1.36– 1.54	.34	1.16– 1.32	.32	1.10– 1.24	1.83	6.81– 7.82	1.73	5.99– 6.71	1.63	5.59– 6.20
25		Ungraded	.36	1.36– 1.54	.34	1.16– 1.32	.32	1.10– 1.24	1.83	6.81– 7.82	1.73	5.99– 6.71	1.63	5.59– 6.20

PART 2—SWEET PEAS

Item No.	Area	Sieve size	No. 2 Cans: Fancy — Permitted increase	No. 2 Cans: Fancy — Price ranges	No. 2 Cans: Ex. Standard — Permitted increase	No. 2 Cans: Ex. Standard — Price ranges	No. 2 Cans: Standard — Permitted increase	No. 2 Cans: Standard — Price ranges	No. 10 Cans: Fancy — Permitted increase	No. 10 Cans: Fancy — Price ranges	No. 10 Cans: Ex. Standard — Permitted increase	No. 10 Cans: Ex. Standard — Price ranges	No. 10 Cans: Standard — Permitted increase	No. 10 Cans: Standard — Price ranges
1		No. 1	$0.43	$1.79–$1.99	$0.41	$1.69–$1.84	$0.39	$1.59–$1.73	$2.18	$9.09–$10.11	$2.06	$8.59–9.39	$1.93	$8.06–$8.79
2		No. 2	.43	1.76– 1.96	.41	1.65– 1.81	.39	1.57– 1.71	2.18	8.94– 9.96	2.06	8.26– 9.19	1.93	7.76– 8.59
3		No. 3	.43	1.58– 1.78	.41	1.48– 1.64	.39	1.41– 1.55	2.18	8.06– 9.04	2.06	7.52– 8.33	1.93	7.16– 7.77
4	1	No. 4	.43	1.50– 1.70	.41	1.41– 1.57	.39	1.34– 1.48	2.18	7.52– 8.64	2.06	7.16– 7.98	1.93	6.81– 7.52
5		No. 5 and up	.43	1.44– 1.64	.41	1.35– 1.51	.39	1.28– 1.42	2.18	7.52– 8.33	2.06	6.86– 7.67	1.93	6.50– 7.21
6		Ungraded	.43	1.53– 1.73	.41	1.34– 1.50	.39	1.27– 1.41	2.18	7.77– 8.79	2.06	6.81– 7.63	1.93	6.45– 7.16
7		No. 1	.36	1.71– 1.91	.34	1.60– 1.76	.32	1.39– 1.53	1.83	8.09– 9.70	1.73	8.13– 8.94	1.63	7.06– 7.77
8		No. 2	.36	1.68– 1.86	.34	1.57– 1.73	.32	1.36– 1.50	1.83	7.73– 8.74	1.73	7.98– 8.79	1.63	6.91– 7.62
9	2	No. 3	.36	1.52– 1.72	.34	1.43– 1.58	.32	1.28– 1.37	1.83	7.39– 8.33	1.73	7.21– 8.08	1.63	6.25– 6.96
10		No. 4	.36	1.44– 1.64	.34	1.35– 1.51	.32	1.17– 1.31	1.83	7.01– 8.03	1.73	6.86– 7.67	1.63	5.94– 6.65
11		No. 5 and up	.36	1.38– 1.58	.34	1.29– 1.45	.32	1.12– 1.26	1.83	7.01– 8.03	1.73	6.55– 7.37	1.63	5.69– 6.40
12		Ungraded	.36	1.47– 1.67	.34	1.38– 1.54	.32	1.20– 1.34	1.83	7.47– 8.48	1.73	7.01– 7.82	1.63	6.10– 6.81
13		No. 1	.36	1.71– 1.91	.34	1.60– 1.76	.32	1.39– 1.53	1.83	8.09– 9.70	1.73	8.13– 8.94	1.63	7.06– 7.77
14		No. 2	.36	1.68– 1.86	.34	1.57– 1.73	.32	1.36– 1.50	1.83	7.73– 8.74	1.73	7.98– 8.79	1.63	6.91– 7.62
15	3	No. 3	.36	1.52– 1.72	.34	1.43– 1.58	.32	1.28– 1.37	1.83	7.39– 8.33	1.73	7.21– 8.08	1.63	6.25– 6.96
16		No. 4	.36	1.44– 1.64	.34	1.35– 1.51	.32	1.17– 1.31	1.83	7.01– 8.03	1.73	6.86– 7.67	1.63	5.94– 6.65
17		No. 5 and up	.36	1.38– 1.58	.34	1.29– 1.45	.32	1.12– 1.26	1.83	7.01– 8.03	1.73	6.55– 7.37	1.63	5.69– 6.40
18		Ungraded	.36	1.47– 1.67	.34	1.38– 1.54	.32	1.20– 1.34	1.83	7.47– 8.48	1.73	7.01– 7.82	1.63	6.10– 6.81
19		No. 1	.35	1.67– 1.79	.31	1.53– 1.64	.29	1.39– 1.53	1.78	8.09– 9.09	1.57	7.87– 8.43	1.47	7.06– 7.77
20		No. 2	.35	1.64– 1.76	.31	1.36– 1.45	.29	1.29– 1.41	1.78	8.33– 8.94	1.57	7.73– 8.33	1.47	6.55– 7.16
21	4	No. 3	.35	1.46– 1.58	.31	1.30– 1.42	.29	1.17– 1.29	1.78	7.43– 8.03	1.57	6.91– 7.52	1.47	6.54– 6.55
22		No. 4	.35	1.41– 1.53	.31	1.30– 1.42	.29	1.11– 1.23	1.78	7.16– 7.77	1.57	6.60– 7.21	1.47	6.64– 6.25
23		No. 5 and up	.35	1.37– 1.49	.31	1.26– 1.36	.29	1.09– 1.19	1.78	6.98– 7.67	1.57	6.30– 6.91	1.47	6.38– 5.99
24		Ungraded	.35	1.47– 1.69	.31	1.36– 1.48	.29	1.16– 1.28	1.78	7.47– 8.08	1.57	6.91– 7.52	1.47	6.89– 6.50
25		No. 1	.33	1.66– 1.82	.31	1.54– 1.70	.31	1.38– 1.52	1.83	8.43– 9.45	1.66	7.87– 8.48	1.57	7.06– 7.53
26		No. 2	.33	1.63– 1.83	.33	1.51– 1.67	.31	1.36– 1.50	1.83	8.26– 9.30	1.66	7.26– 8.06	1.57	6.91– 7.73
27		No. 3	.33	1.46– 1.66	.33	1.36– 1.53	.31	1.22– 1.36	1.83	7.43– 8.43	1.66	6.45– 7.26	1.57	6.30– 6.91
28	5	No. 4	.33	1.39– 1.59	.33	1.29– 1.45	.31	1.16– 1.30	1.83	7.05– 8.05	1.66	6.30– 7.11	1.57	5.89– 6.60
29		No. 5 and up	.33	1.29– 1.53	.33	1.24– 1.40	.31	1.11– 1.30	1.83	6.76– 7.77	1.66	6.76– 7.87	1.57	5.64– 6.76
30		Ungraded	.33	1.43– 1.63	.33	1.29– 1.49	.31	1.19– 1.33	1.83	7.21– 8.29	1.66	6.76– 7.87	1.57	6.04– 6.76

PART 3—LARGE SEEDED SWEETS (SUCH AS PRINCE OF WALES, LAXTONS AND PROFUSIONS)

Item No.	Area	Variety	No. 2 Cans: Fancy — Permitted increase	No. 2 Cans: Fancy — Price ranges	No. 2 Cans: Ex. Standard — Permitted increase	No. 2 Cans: Ex. Standard — Price ranges	No. 2 Cans: Standard — Permitted increase	No. 2 Cans: Standard — Price ranges	No. 10 Cans: Fancy — Permitted increase	No. 10 Cans: Fancy — Price ranges	No. 10 Cans: Ex. Standard — Permitted increase	No. 10 Cans: Ex. Standard — Price ranges	No. 10 Cans: Standard — Permitted increase	No. 10 Cans: Standard — Price ranges
1	1	Ungraded	$0.39	$1.73–$1.93	$0.46	$1.49–$1.64	$0.43	$1.35–$1.49	$2.54	$8.79–$9.80	$2.34	$7.52–$8.38	$2.13	$6.86–$7.57
2	2	Ungraded	.39	1.66– 1.86	.46	1.49– 1.64	.43	1.30– 1.44	2.54	8.43–10.06	2.34	7.52– 8.23	2.13	6.60– 7.23
3	3	Ungraded	.39	1.66– 1.86	.46	1.49– 1.64	.43	1.30– 1.44	2.54	8.43–10.06	2.34	7.47– 8.26	2.13	6.30– 7.01
4	4	Ungraded	.39	1.53– 1.85	.46	1.47– 1.63	.43	1.34– 1.38	2.54	7.77– 9.40	2.34	7.47– 8.26	2.13	6.30– 7.01
5	5	Ungraded	.39	1.53– 1.85	.46	1.47– 1.63	.43	1.34– 1.38	2.54	7.77– 9.40	2.34	7.47– 8.26	2.13	6.30– 7.01

PART 4—BLENDS OF SIEVE SIZES

1. Blends of more than two sieve sizes.

Item No.	Area	Variety	No. 2 Cans: Fancy — Permitted increase	No. 2 Cans: Fancy — Price ranges	No. 2 Cans: Extra Standard — Permitted increase	No. 2 Cans: Extra Standard — Price ranges	No. 2 Cans: Standard — Permitted increase	No. 2 Cans: Standard — Price ranges	No. 10 Cans: Fancy — Permitted increase	No. 10 Cans: Fancy — Price ranges	No. 10 Cans: Extra Standard — Permitted increase	No. 10 Cans: Extra Standard — Price ranges	No. 10 Cans: Standard — Permitted increase	No. 10 Cans: Standard — Price ranges
1	1	Alaska	$0.40	$1.40–$1.75	$0.38	$1.37–$1.51	$0.36	$1.33–$1.45	$2.03	$7.57–$8.89	$1.93	$6.93–$7.67	$1.83	$6.86–$7.26
2	2	Alaska	.45	1.67– 1.77	.43	1.43– 1.55	.41	1.30– 1.41	2.29	8.48– 8.99	2.18	7.21– 7.92	2.06	6.55– 7.16
3	3	Alaska	.36	1.50– 1.70	.33	1.31– 1.45	.31	1.16– 1.30	1.83	7.57– 8.04	1.68	6.65– 7.37	1.57	5.99– 6.60
4	4	Alaska	.39	1.49– 1.61	.35	1.30– 1.40	.33	1.17– 1.25	1.98	7.57– 8.13	1.78	6.60– 7.11	1.68	5.94– 6.35
5	5	Alaska	.36	1.48– 1.68	.34	1.29– 1.45	.32	1.21– 1.35	1.83	7.53– 8.53	1.73	6.55– 7.37	1.63	6.15– 6.86
6	1	Sweet	.45	1.87– 1.77	.41	1.49– 1.62	.38	1.40– 1.54	2.18	7.98– 8.98	2.08	7.52– 8.23	1.93	7.11– 7.82
7	2	Sweet	.36	1.50– 1.70	.34	1.41– 1.57	.32	1.22– 1.36	1.83	7.03– 8.04	1.73	7.16– 7.98	1.62	6.20– 6.91
8	3	Sweet	.36	1.50– 1.70	.34	1.41– 1.57	.32	1.22– 1.36	1.83	7.03– 8.04	1.73	7.16– 7.98	1.62	6.20– 6.91
9	4	Sweet	.35	1.47– 1.59	.31	1.36– 1.48	.29	1.16– 1.26	1.78	7.47– 8.08	1.57	6.91– 7.52	1.47	5.89– 6.50
10	5	Sweet	.36	1.49– 1.65	.32	1.34– 1.51	.31	1.21– 1.35	1.83	7.87– 8.36	1.68	6.86– 7.67	1.57	6.15– 6.86

2. The maximum price for a blend of two sieve sizes for a variety and grade shall be the same as the maximum price for the largest sieve size in the blend.
3. In blends of two sieve sizes of a variety and grade of peas, not more than 10 percent shall consist of peas larger than the largest sieve size declared in the blend, and not more than 2 percent shall consist of peas which are two or more sieve sizes larger than the largest size declared in the blend.
4. In blends of three sieve sizes of a variety and grade of peas, not more than 5 percent shall consist of peas larger than the largest sieve size declared in the blend, and not more than 1 percent shall consist of peas which are two or more sieve sizes larger than the largest sieve size declared in the blend.

TABLE 4—SPECIFIC DOLLAR-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED PEAS DURING THE BASE PERIOD

PART 1—ALASKA PEAS

Item No.	Area	Sieve Size	No. 2 Cans: Fancy	No. 2 Cans: Extra Standard	No. 2 Cans: Standard	No. 10 Cans: Fancy	No. 10 Cans: Extra Standard	No. 10 Cans: Standard
1		No. 1	$1.92	$1.70	$1.64	$9.75	$8.64	$8.33
2		No. 2	1.75	1.66	1.52	8.89	8.08	7.73
3	1	No. 3	1.61	1.42	1.37	8.18	7.21	6.96
4		No. 4 and up	1.51	1.32	1.27	7.67	6.70	6.45
5		Ungraded	1.51	1.33	1.27	7.67	6.70	6.45
6		No. 1	2.05	1.77	1.60	10.41	8.99	8.13
7		No. 2	1.86	1.62	1.47	9.55	8.23	7.47
8	2	No. 3	1.71	1.48	1.34	8.69	7.52	6.81
9		No. 4 and up	1.59	1.37	1.24	8.08	6.96	6.30
10		Ungraded	1.59	1.37	1.24	8.08	6.96	6.30
11		No. 1	1.90	1.64	1.47	9.65	8.33	7.47
12		No. 2	1.76	1.52	1.36	8.94	7.72	6.91
13	3	No. 3	1.56	1.36	1.22	8.03	6.91	6.20
14		No. 4 and up	1.45	1.25	1.13	7.37	6.35	5.74
15		Ungraded	1.45	1.25	1.13	7.37	6.35	5.74
16		No. 1	1.86	1.61	1.44	9.45	8.18	7.32
17		No. 2	1.72	1.50	1.35	8.74	7.62	6.76
18	4	No. 3	1.52	1.33	1.20	7.72	6.76	6.096
19		No. 4 and up	1.42	1.23	1.11	7.21	6.25	5.64
20		Ungraded	1.42	1.23	1.11	7.21	6.25	5.64
21		No. 1	1.80	1.53	1.51	9.60	8.26	7.67
22		No. 2	1.75	1.51	1.41	8.89	7.67	7.16
23	5	No. 3	1.56	1.35	1.26	7.92	6.86	6.40
24		No. 4 and up	1.44	1.24	1.17	7.32	6.30	5.94
25		Ungraded	1.44	1.24	1.17	7.32	6.30	5.94

PART 2—SWEET PEAS

Item No.	Area	Sieve Size	No. 2 Cans: Fancy	No. 2 Cans: Extra Standard	No. 2 Cans: Standard	No. 10 Cans: Fancy	No. 10 Cans: Extra Standard	No. 10 Cans: Standard
1		No. 1	$1.89	$1.76	$1.66	$9.60	$8.94	$8.43
2		No. 2	1.86	1.73	1.64	9.45	8.79	8.33
3	1	No. 3	1.68	1.56	1.48	8.53	7.92	7.52
4		No. 4	1.60	1.49	1.41	8.13	7.57	7.16
5		No. 5 and up	1.54	1.43	1.35	7.82	7.26	6.86
6		Ungraded	1.53	1.42	1.34	8.26	7.21	6.81
7		No. 1	1.81	1.68	1.46	9.19	8.53	7.42
8		No. 2	1.78	1.65	1.43	9.04	8.38	7.26
9	2	No. 3	1.62	1.50	1.30	8.23	7.62	6.60
10		No. 4	1.54	1.43	1.24	7.82	7.26	6.30
11		No. 5 and up	1.48	1.37	1.19	7.52	6.96	6.04
12		Ungraded	1.57	1.46	1.27	7.98	7.42	6.45
13		No. 1	1.81	1.68	1.46	9.19	8.53	7.42
14		No. 2	1.78	1.65	1.43	9.04	8.38	7.26
15	3	No. 3	1.62	1.50	1.30	8.23	7.62	6.60
16		No. 4	1.54	1.43	1.24	7.82	7.26	6.30
17		No. 5 and up	1.48	1.37	1.19	7.52	6.96	6.04
18		Ungraded	1.57	1.46	1.27	7.98	7.42	6.45
19		No. 1	1.73	1.60	1.38	8.79	8.13	7.01
20		No. 2	1.70	1.58	1.35	8.64	8.03	6.86
21		No. 3	1.52	1.42	1.28	7.73	7.21	6.25
22	4	No. 4	1.47	1.35	1.17	7.47	6.91	5.94
23		No. 5 and up	1.43	1.30	1.12	7.26	6.60	5.69
24		Ungraded	1.53	1.42	1.22	7.77	7.21	6.20
25		No. 1	1.76	1.62	1.45	8.94	8.23	7.37
26		No. 2	1.73	1.59	1.43	8.79	8.08	7.26
27		No. 3	1.56	1.44	1.29	7.92	7.32	6.55
28	5	No. 4	1.49	1.37	1.23	7.57	6.96	6.25
29		No. 5 and up	1.43	1.32	1.18	7.26	6.70	5.99
30		Ungraded	1.53	1.41	1.26	7.73	7.16	6.49

PART 3—LARGE SEEDED SWEET PEAS (SUCH AS PRINCE OF WALES, LAXTONS AND PROFUSIONS)

Item No.	Area	Sieve Size	No. 2 Cans: Fancy	No. 2 Cans: Extra Standard	No. 2 Cans: Standard	No. 10 Cans: Fancy	No. 10 Cans: Extra Standard	No. 10 Cans: Standard
1	1	Ungraded	$1.83	$1.96	$1.42	$9.30	$7.92	$7.21
2	2	Ungraded	1.82	1.56	1.37	9.24	7.92	6.96
3	3	Ungraded	1.82	1.56	1.37	9.24	7.92	6.96
4	4	Ungraded	1.69	1.55	1.31	8.58	7.57	6.65
5	5	Ungraded	1.69	1.55	1.31	8.58	7.57	6.65

TABLE 6—GRADE DIFFERENTIALS

PART 1—ALASKA PEAS

IMPORTANT: See note at the end of Part 4 for instructions as to how to figure grade differentials.

[Differences between successive grades (per dozen containers)]

Item No.	Area	Sieve Size	No. 2 Cans: Fancy and Ex. Std.	No. 2 Cans: Ex. Std. and Standard	No. 2 Cans: Standard and Sub.-Std.	No. 10 Cans: Fancy and Ex. Std.	No. 10 Cans: Ex. Std. and Standard	No. 10 Cans: Standard and Sub.-Std.
1	1	No. 1	$0.22	$0.06	$0.10	$1.13	$0.46	$0.51
2	2	No. 2	.17	.05	.10	.92	.41	.51
3	3	No. 3	.19	.05	.10	.92	.41	.51
4	4	No. 4 and up	.19	.05	.10	.92	.41	.51
5	5	Ungraded	.19	.05	.10	.92	.41	.51
6	1	No. 1	.25	.15	.10	1.32	1.13	.51
7	2	No. 2	.23	.14	.10	1.18	1.02	.51
8	3	No. 3	.23	.14	.10	1.18	1.02	.51
9	4	No. 4 and up	.23	.14	.10	1.18	1.02	.51
10	5	Ungraded	.23	.14	.10	1.18	1.02	.51
11	1	No. 1	.22	.13	.10	1.32	1.13	.51
12	2	No. 2	.22	.13	.10	1.32	1.13	.51
13	3	No. 3	.22	.13	.10	1.32	1.13	.51
14	4	No. 4 and up	.22	.13	.10	1.32	1.13	.51
15	5	Ungraded	.22	.13	.10	1.32	1.13	.51
16	1	No. 1	.27	.16	.10	1.62	1.39	.51
17	2	No. 2	.25	.15	.10	1.51	1.29	.51
18	3	No. 3	.25	.15	.10	1.51	1.29	.51
19	4	No. 4 and up	.25	.15	.10	1.51	1.29	.51
20	5	Ungraded	.25	.15	.10	1.51	1.29	.51

PART 2—SWEET PEAS

Item No.	Area	Sieve Size	No. 2 Cans: Fancy and Ex. Std.	No. 2 Cans: Ex. Std. and Standard	No. 2 Cans: Standard and Sub.-Std.	No. 10 Cans: Fancy and Ex. Std.	No. 10 Cans: Ex. Std. and Standard	No. 10 Cans: Standard and Sub.-Std.
1	1	No. 1	$0.13	$0.06	$0.10	$0.86	$0.51	$0.51
2	2	No. 2	.11	.05	.10	.71	.41	.51
3	3	No. 3	.11	.05	.10	.71	.41	.51
4	4	No. 4 and up	.11	.05	.10	.71	.41	.51
5	5	Ungraded	.11	.05	.10	.71	.41	.51
6	1	No. 1	.15	.10	.10	1.02	.76	.51
7	2	No. 2	.13	.09	.10	.86	.66	.51
8	3	No. 3	.13	.09	.10	.86	.66	.51
9	4	No. 4 and up	.13	.09	.10	.86	.66	.51
10	5	Ungraded	.13	.09	.10	.86	.66	.51
11	1	No. 1	.13	.06	.10	.86	.51	.51
12	2	No. 2	.11	.05	.10	.71	.41	.51
13	3	No. 3	.11	.05	.10	.71	.41	.51
14	4	No. 4 and up	.11	.05	.10	.71	.41	.51
15	5	Ungraded	.11	.05	.10	.71	.41	.51
16	1	No. 1	.15	.10	.10	1.02	.76	.51
17	2	No. 2	.13	.09	.10	.86	.66	.51
18	3	No. 3	.13	.09	.10	.86	.66	.51
19	4	No. 4 and up	.13	.09	.10	.86	.66	.51
20	5	Ungraded	.13	.09	.10	.86	.66	.51

1. Blends of more than two sieve sizes.

2. The maximum price for a blend of two sieve sizes of a variety and grade shall be the same as the maximum price for the largest sieve size in the blend.

3. In blends of two sieve sizes of a variety and grade of peas, not more than 10 percent shall consist of peas larger than the largest sieve size declared in the blend, and not more than 2 percent shall consist of peas which are two or more sieve sizes larger than the largest sieve size declared in the blend.

4. In blends of three sieve sizes of a variety and grade of peas, not more than 5 percent shall consist of peas larger than the largest sieve size declared in the blend, and not more than 1 percent shall consist of peas which are two or more sieve sizes larger than the largest sieve size declared in the blend.

TABLE 8—CONVERSION FACTORS—METAL CONTAINERS

ALL PEAS

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor: 8-oz.	1 pimento	1 tall	303	2	10
8-oz.					1.79	
1 pimento					1.52	
1 tall					1.43	
303					1.12	
2						5.06
10	0.56	0.66	0.70	0.89	.20	
	.11	.13	.14	.18		

The maximum price for a variety, sieve size (including blends) and grade of peas packed in 12 ounce vacuum cans, shall be 10 cents per dozen less than the maximum price for the same variety, sieve size, and grade packed in No. 2 cans.

TABLE 9—CONVERSIONS FROM THE 70 GLASS

ALL PEAS

[Dollars per dozen containers]

If you can figure a price for a can size in this column	To get a price for the glass container size at the head of a column, add the indicated amount: No. 303	10
No. 303		$0.15
No. 10	.75	

TABLE 6—GRADE DIFFERENTIALS—Continued

PART 3—LARGE SEEDED SWEETS

(Such as Prince of Wales, Lextons and Profusions)

Item No.	Area	Sieve Size	No. 2 Cans: Fancy and Ex. Std.	No. 2 Cans: Ex. Std. and Standard	No. 2 Cans: Standard and Sub.-Std.	No. 10 Cans: Fancy and Ex. Std.	No. 10 Cans: Ex. Std. and Standard	No. 10 Cans: Standard and Sub.-Std.
1	1	Ungraded	$0.27	$0.14	$0.10	$1.37	$0.71	$0.51
2	2	Ungraded	.26	.19	.10	1.33	.98	.51
3	3	Ungraded	.26	.19	.10	1.33	.98	.51
4	4	Ungraded	.14	.24	.10	.71	1.22	.51
5	5	Ungraded	.14	.24	.10	.71	1.22	.51

(PART 4) BLENDS OF SIEVE SIZES

1. Blends of more than two sieve sizes.

[Differences between successive grades (per dozen containers)]

Item No.	Area	Variety	No. 2 Cans: Fancy and Ex. Std.	No. 2 Cans: Ex. Std. and Standard	No. 2 Cans: Standard and Sub.-Std.	No. 10 Cans: Fancy and Ex. Std.	No. 10 Cans: Ex. Std. and Standard	No. 10 Cans: Standard and Sub.-Std.
1	1	Alaska	$0.15	$0.05	$0.10	$0.76	$0.76	$0.10
2	2	Alaska	.24	.14	.10	1.23	.71	.10
3	3	Alaska	.22	.14	.10	1.13	.71	.10
4	4	Alaska	.20	.14	.10	1.01	.71	.10
5	5	Alaska	.20	.09	.10	1.03	.46	.10
6	1	Sweet	.10	.10	.10	.59	.51	.10
7	2	Sweet	.11	.20	.10	.56	1.02	.10
8	3	Sweet	.11	.20	.10	.56	1.03	.10
9	4	Sweet	.13	.19	.10	.60	.97	.10
10	5	Sweet	.13	.15	.10	.61	.76	.10

2. The grade differential for a blend of two sieve sizes of a variety of peas shall be the same as the grade differential for the largest sieve size in the blend.

NOTE: In figuring prices based on grade differentials, if the processor has base prices for both a higher and a lower grade than the item being priced, he shall use the differential between the item being priced and the lower grade, except that substandard shall not be used as the lower grade. (For example, if the processor has base prices for both Fancy and Standard grades and now wishes to price Extra Standard he takes the difference between Extra Standard and Standard.)

TABLE 9—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS, ALL AREAS, VARIETIES, SIEVE SIZES, AND GRADES

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies	
No. 2 Cans	No. 10 Cans
$0.20	$1.03

To figure amount of subsidy for other container sizes, multiply the amount named above for No. 2 Cans by the appropriate conversion factor in Table 5.

This amendment shall become effective August 19, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12537; Filed, August 19, 1944; 11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[1] Amdt. 21]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In Table V of section 14 the prices for August in the column "1944" are amended in the following respects:

State	Producing area	August, 1944
Indiana	• • •	[1] 2.60
Illinois	Counties of Madison, St. Clair, Monroe, Clinton, Washington, Randolph, Perry, Jackson, Union, Alexander.	[1] 2.60
	Rest of State	[1] 2.60
Michigan	• • •	[1] 3.50
Wisconsin	• • •	[1] 3.35
Iowa	Winnebago, Worth, Mitchell, Howard, Hancock, Cerro Gordo, Floyd, Chickasaw, Winneshiek and Allamakee Counties.	[1] 3.05
	Rest of State	[1] 2.35

[1] This price is effective from August 20 to August 31, 1944, inclusive.

This amendment shall become effective at 12:01 a. m., August 20, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 18, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12565; Filed, August 19, 1944; 4:16 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5879, 6151, 7504, 7771, 7852, 8931, 9356, 9783.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 145]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respect:

A new § 1394.8117 is added to read as follows:

§ 1394.8117 *Expiration and denial of supplemental rations upon certification of the Navy Department in certain cases.* (a) Notwithstanding any other provision of this order, if the Navy Department's Officer-in-Charge of any of the plants specified below certifies to the appropriate Regional Office of the Office of Price Administration that an employee of any such plant is refusing or failing to comply with Executive Order No. 9463, the orders of the National War Labor Board or the lawful orders of such Officer-in-Charge, any supplemental ration issued to or for the use of such employee for occupational mileage for driving to or from any of such plants shall expire and the person to whom such ration was issued shall immediately surrender such ration to the issuing Board or to the person or persons authorized by the appropriate Regional Administrator to accept the surrender of such ration. The Regional Administrator is authorized to adopt procedures and issue all orders necessary to obtain surrender of such expired rations.

(b) No Board shall issue a supplemental ration to such an employee for such a purpose except upon presentation to the Board of a written statement signed by the Officer-in-Charge withdrawing such certification or stating that the applicant is now complying with such orders.

(c) The plants affected by this section are as follows:

The plants of the Pacific Gear and Tool Works, the Federal Mogul Corporation, the Link-Belt Company (Pacific Division), the U. S. Pipe and Manufacturing Company, and the Enterprise Engine and Foundry Company, located at San Francisco, California.

This amendment shall become effective August 18, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 18th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12566; Filed, August 19, 1944; 4:17 p. m.]

[1] 8 F.R. 15937.

PART 1397—CONSTRUCTION OF BUILDINGS AND STRUCTURES

[RMPR 251[1]]

CONSTRUCTION SERVICES AND SALES OF INSTALLED BUILDING MATERIALS

Maximum Price Regulation No. 251 is redesignated Revised Maximum Price Regulation No. 251 and is revised and amended to read as set forth herein.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

REVISED MAXIMUM PRICE REGULATION 251—CONSTRUCTION SERVICES AND SALES OF INSTALLED BUILDING MATERIALS

ARTICLE I—SCOPE OF REGULATION

Sec.
1. To what transactions this regulation applies.
2. Persons covered by this regulation.
3. Exclusions from this regulation.
4. Relation of this regulation to other regulations.

ARTICLE II—MAXIMUM PRICES

5. How to figure maximum prices.
6. Maximum prices for sales on a unit-price basis.
7. Maximum prices for sales on a contract job basis.
8. Price adjustments.
9. Regional pricing orders under this regulation.
10. Prohibitions against sales at higher than maximum prices.
11. Evasions.
12. Less than maximum prices.

ARTICLE III—MISCELLANEOUS

13. Notification to purchasers of existence of regulation.
14. Petitions for amendment.
15. Records and reports.
16. Enforcement.
17. Licensing.
18. Notification of compliance.
19. Other definitions.

AUTHORITY: Secs. 1 to 19 inclusive (§ 1397.-51) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF REGULATION

SECTION 1. *To what transactions this regulation applies.* (a) This regulation covers installations of building materials into any building, structure, or construction project, and the removal therefrom of building materials, and construction services performed in connection with any building, structure, or construction project within the 48 States of the United States and the District of Columbia.

Such services and sales as excavation, demolition and site clearance, water well drilling, and landscaping are covered by this regulation.

(b) As used in this regulation, the term:

(1) "Construction service" means a transaction in which the seller furnishes only services in order to install building materials or equipment into a building, structure, or construction project or in order to remove building materials or equipment from a building, structure, or construction project. It also includes services for the repair or remodeling of any building, structure, or construction project.

(2) A sale of "installed building materials" means a transaction in which the seller furnishes building materials and equipment together with the services required to incorporate such equipment or materials into a building, structure, or construction project. For the purposes of this regulation, any person who sells a building material product and, in connection therewith, assumes responsibility for its installation, by charging the consumer a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered as the seller of "installed building materials."

(3) "Building materials" means any raw material, processed or fabricated article, equipment, or any other commodity incorporated into or made a part of any building, structure, or construction project.

(4) The words "sell" and "sale", as used in this regulation, also include bids and offers and contracts to sell.

SEC. 2. *Persons covered by this regulation.* Any person who makes the kind of sale or supplies the kind of service and any person who makes the kind of purchase covered by this regulation is subject to it. The term "person" means an individual, corporation, partnership, association, or any other organized group of persons; its legal successors or representatives; the United States or any other government, or any of its political subdivisions; or any agency of any of the foregoing; and includes subcontractors as well as prime contractors.

SEC. 3. *Exclusions from this regulation.* This regulation does not apply to:

(a) The supply of any construction service or the sale of any installed building materials or equipment for which a maximum price is established by any other price regulation. Section 4 (b) gives several examples.

(b) The supply of any construction service or the sale of installed building materials or equipment pursuant to a contract entered into prior to November 5, 1942. Such services or sales remain subject to the regulation applicable to the service or sale prior to November 5, 1942.

SEC. 4. *Relation of this regulation to other regulations—*(a) *General Maximum Price Regulation.*[2] This regulation supersedes the General Maximum Price Regulation for services and sales covered by this regulation, just as Maximum Price Regulation No. 251, prior to the present revision, superseded the General Maximum Price Regulation on and after November 5, 1942, for "Construction and Maintenance Services and Sales of Building and Industrial Equipment and Materials on an Installed or Erected Basis."

Construction services excluded from the General Maximum Price Regulation by paragraph (b) of Revised Supplementary Regulation No. 11[3] to the General Maximum Price Regulation, including future amendments thereto, are also excluded from this regulation.

(b) As stated in section 3, services and sales for which a maximum price is established by any other price regulation are not covered by this regulation. This means that services and sales covered by Revised Maximum Price Regulation No. 165[4] (Services), Maximum Price Regulation No. 134[5] (Construction and Road Maintenance Equipment Rental Prices and Charges for Operating and Maintenance or Repair and Rebuilding Charges), Maximum Price Regulation No. 136[6] (Machines and Parts, and Machinery Services), and other price regulations which establish maximum prices for certain types of services and sales will remain subject to these regulations. If any seller is in doubt as to the governing regulation, he should seek advice from the nearest OPA field office.

ARTICLE II—MAXIMUM PRICES

SEC. 5. *How to figure maximum prices.* (a) This regulation provides for two types of sales:

(1) Section 6 sets forth the maximum-pricing formula for sales on a unit-price basis, and

(2) Section 7 sets forth the maximum-pricing formula for contract jobs, both cost-plus and lump-sum.

(b) *Adjustable pricing.* Any person may supply a construction service or make a sale of installed building materials at the maximum price permitted by this regulation, subject to an agreement with the buyer to charge a higher price if it becomes permissible at the date the service is supplied or the material or equipment is installed. Moreover, when a request for a change in the applicable maximum price is pending, the Price Administrator may, upon application, grant the seller authorization to adjust maximum prices for services supplied on sales made during the pendency of the request in accordance with its disposition. Authorization will be given only if such action will aid in the war program or is essential to a standard of living consistent with the prosecution of the war and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization will be given by order, except that it may be given by letter or telegram when the pending request is for an individual application for adjustment.

SEC. 6. *Maximum prices for sales on a unit-price basis.* The maximum price for sales on a unit-price basis, such as per-hour, per-foot, per-square, or other time or measurement basis, shall be figured as follows:

(a) *If the same kind of work was done during March 1942.* If, during March 1942, the seller did the same kind of work, his maximum price is the highest price he charged during March 1942 to a purchaser of the same class, using the highest March 1942 unit rate for that kind of work, or, if he had no specific rate, the highest price to each class of purchaser resulting from the price-figuring method in use by the seller during March 1942. However, the rate or price determining method may be adjusted by the seller so as to include:

(1) Increases in the cost of materials since March 1942, but not including costs in excess of their maximum prices; and

(2) Increases in labor costs up to and including October 3, 1942. Additional payments for Federal old-age benefits, unemployment compensation taxes, and workmen's compensation and public liability insurance shall be regarded as being part of such increased labor costs.

(b) *If the same kind of work was not done during March 1942.* If, during March 1942, the seller did not do the same kind of work, or if he cannot figure his maximum price under paragraph (a) for any other reason, the seller shall file with the OPA District Director for the district in which his principal place of business is located an application for approval of a proposed maximum price, giving the following information:

(1) His name and address;

(2) Kinds of sales to be made;

(3) Area in which sales are to be made;

(4) Reasons why the pricing provisions of paragraph (a) are not applicable;

(5) Proposed maximum price;

(6) Basis for the requested maximum price, showing costs and margin (including profit). If labor rates for the particular class of mechanics or laborers have increased since October 3, 1942, show the October 3, 1942 rate, increases since that time, and whether such increases have been authorized or approved by the Wage Adjustment Board, National War Labor Board, or Economic Stabilization Director;

(7) The names and addresses of representative competitive sellers in the same area, and their maximum prices for the same or similar sales, if the maximum prices are readily available.

Any maximum price authorized under this paragraph (b) will be a price in line with the level of maximum prices established under the regulation. An authorized maximum price will not be in effect under this paragraph (b) until the seller has been notified of the approval, through the issuance of a letter-order, by the District Director of the Office of Price Administration.

For price adjustment provisions, see section 8.

SEC. 7. *Maximum prices for sales on a contract job basis.* The maximum price for sales on the basis of a particular job, not including sales on a unit-price basis, shall be figured as follows:

(a) *Cost-plus jobs.* For sales on the basis of cost-plus-a-percentage-of-cost, cost-plus-a-fixed-fee, or any other basis of addition to cost, the maximum price shall be the sum of the following factors:

(1) Actual cost of materials (including installed equipment), not exceeding their maximum prices: *Provided, however,* That as to any building materials or equipment regularly manufactured or processed by the seller for the purpose of sale both on an uninstalled and installed basis, instead of actual cost he may charge up to, but not more than, the maximum price applicable to a sale by him of such materials or equipment to a third party of the same class.

(2) Actual labor costs, not exceeding labor cost figured on the basis of labor rates prevailing in or applicable to the area of installation on October 3, 1942, for the same classes of mechanics or laborers employed on a comparable type of work.

(3) Other actual direct costs, including the cost of subcontracts, not otherwise provided for in paragraphs (a) (1) and (2) above, but not exceeding their maximum prices: *Provided, however,* That a seller using his own equipment necessary for installing building materials or for performing a construction service may, instead of actual cost, include up to, but not more than, the maximum rental rates applicable to a rental by him of such equipment to a third party of the same class.

Selling expenses shall be included under subparagraph (4), and not as "other actual direct costs."

(4) A margin to include administrative and overhead costs, selling expenses, and profit (excluding any reserve for contingencies) not in excess of (i) the seller's highest estimated percentage margin on a comparable sale involving the same type of work during the period January 1, 1939, to March 31, 1942, supported by his records or other satisfactory evidence of such a sale or sales by him; or (ii) if the margin cannot be figured on that basis, a margin which would have been his margin in March 1942 on a comparable sale involving the same type of work and based upon his own general experience or the industry's experience on such comparable sales, supported by records or satisfactory evidence of his own sales or comparable sales by other sellers. (Records or evidence supporting margins must be produced upon request of OPA.)

Any changes in plans or specifications which will increase or decrease the cost of a job shall be priced on the basis of the formula in paragraph (a) of this section 7.

For price adjustment provisions, see section 8.

(b) *Lump-sum jobs.* For sales on the basis of a total selling price (inclusive of all costs and profit), commonly called a lump-sum contract, the maximum price shall be the sum of the following factors:

(1) Estimated cost of materials (including installed equipment), not exceeding their maximum prices; *Provided, however,* That as to any building materials or equipment regularly manufactured or processed by the seller for the purpose of sale both on an uninstalled and installed basis, instead of estimated cost he may charge up to, but not more than, the maximum price applicable to a sale by him of such materials or equipment to a third party of the same class.

(2) Estimated labor costs, not exceeding labor cost figured on the basis of labor rates prevailing in or applicable to the area of installation on October 3, 1942, for the same classes of mechanics or laborers employed on a comparable type of work.

(3) Other estimated direct costs, including the cost of subcontracts, not otherwise provided for in paragraphs (b) (1) and (2) above, but not exceeding their maximum prices: *Provided, however,* That a seller using his own equipment necessary for installing building materials or for performing a construction service may, instead of estimated cost, include up to, but not more than, the maximum rental rates applicable to a rental by him of such equipment to a third party of the same class.

Selling expenses shall be included under subparagraph (5), and not as "other estimated direct cost."

(4) An estimated reserve for such contingencies as the seller in good faith can reasonably foresee: *Provided, however,* That no amounts shall be included within the estimated reserve for contingencies which represent costs in excess of those permitted under paragraph (b) (1), (2), and (3) of this section 7 (b).

(5) A margin to include administrative and overhead costs, selling expenses, and profit not in excess of (i) the seller's highest estimated percentage margin on a comparable sale involving the same type of work during the period January 1, 1939, to March 31, 1942, supported by his records or other satisfactory evidence of such a sale or sales by him; or (ii) if the margin cannot be figured on that basis, a margin which would have been his margin in March 1942 on a comparable sale involving the same type of work and based upon his own general experience or the industry's experience on such comparable sale, supported by records or satisfactory evidence of his own sales or comparable sales by other sellers (Records or evidence supporting margins must be produced upon request of OPA).

Any changes in plans or specifications which will increase or decrease the cost of a job shall be priced on the basis of the formula in paragraph (b) of this section 7.

For price adjustment provisions, see section 8.

SEC. 8. *Price adjustments—*(a) *Government required or authorized wage increases.* An employer paying labor rates higher than those in effect for him on

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8878; 8 F.R. 3626, 9334.

[2] 9 F.R. 1388.

[3] 7 F.R. 6426, 6965, 7604, 7756, 8262, 8431, 8810, 9195, 9894; 8 F.R. 130, 149, 2215, 3068, 3372, 4139, 4783, 4521, 4978, 5830, 6873, 7262, 7668, 7670, 8541, 8612, 9025, 9066, 9880, 10573, 10989 11247, 11434, 12328, 13302, 14156, 14766, 15432, 16203, 16567, 17485; 9 F.R. 1531, 1911.

[4] 7 F.R. 6426, 6966, 8360, 8481, 8799, 8943, 9046, 9197, 9342, 9393, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4783, 5681, 5755, 5983, 6264, 6506, 8878, 10671, 10939, 11754, 12029, 12710, 13803, 13473, 14990; 9 F.R. 1319.

[5] 7 F.R. 8366, 8411, 8447, 7601, 8386, 9054, 9048, 9785; 8 F.R. 1975, 3789, 5691, 9140, 10759, 12544, 13127, 16033, 17285; 9 F.R. 1321.

[6] 8 F.R. 16132; 9 F.R. 1623, 2033, 2138.

October 3, 1942, by reason of a predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act or an order or authorization of the Wage Adjustment Board, National War Labor Board, or Economic Stabilization Director may add his increased labor cost to his maximum price determined under section 6 or 7. For the purpose of this section "increased labor cost" means the difference in amount between the employer's labor cost based upon labor rates in effect on October 3, 1942, and his labor cost based upon such legally approved rates, plus his additional payments for Federal old age benefits, unemployment compensation taxes, workmen's compensation and public liability insurance.

It should be noted that the increased labor cost is to be added to the maximum price determined under section 6 or 7; this means that the increased labor cost may not be used in the calculation under section 6 or 7 so as to be subject to the mark-up factor.

An application need not be made to the Office of Price Administration nor its prior approval obtained in order to put into effect the maximum price increases described in this paragraph (a).

(b) *Other wage increases.* In the case of any employer who employs a total of not more than 8 persons, and if wage increases paid by him have been exempted from the provisions of Executive Order No. 9250 by the National War Labor Board and do not violate any regulations of that Board, price adjustments may be made in either of the following situations:

(1) When there has been made a wage predetermination under the Davis-Bacon Act or a wage award by the Board or Office having jurisdiction, which affects a substantial number of employers in a particular area, each Regional Administrator of the Office of Price Administration, and any District Director to whom he has by order delegated authority, may issue a price adjustment order applicable to all sellers of the same or similar commodities or services in the area, for the kinds of work involved, authorizing the addition of the increased labor cost to established maximum prices, where this is found generally necessary to maintain essential construction services or essential sales of installed building materials; or

(2) In all other cases within this paragraph (b), each Regional Administrator, and any District Director to whom he has by order delegated authority, may make adjustments or act upon applications for adjustment filed by sellers in accordance with Revised Procedural Regulation No. 1, subject to a finding that the adjusted maximum price will be in line with maximum prices of competitive sellers for the same or most similar types of sales, considering the type of work to be performed, the classes of mechanics or laborers employed on such work, and the comparability of operations between applicant and his competitors.

(c) *Local shortage.* The Price Administrator, or any duly authorized representative thereof, may by order adjust any maximum price established under this regulation whenever it is determined:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of any building materials or equipment on an installed basis or the supply of any construction service subject to this regulation, which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increases in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (c).

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.[7]

(d) *Government contracts.* Any person who has made or intends to make a government contract, or subcontract thereunder, who believes that a maximum price under this regulation impedes or threatens to impede the production, manufacture, or distribution of a commodity or the supply of a service which is essential to the war program and which is or will be the subject of the contract or subcontract may file an application for adjustment of that maximum price in accordance with Procedural Regulation No. 6,[8] issued by the Office of Price Administration.

SEC. 9. *Regional pricing orders under this regulation.* (a) Each Regional Administrator of the Office of Price Administration is hereby authorized to issue and put into effect pricing orders under this Revised Maximum Price Regulation No. 251, in accordance with the Emergency Price Control Act of 1942, as amended, and consistent with Executive Orders Nos. 9250 and 9328, establishing maximum prices for particular kinds, types, or classifications of construction services or sales of installed building materials, or both, applicable to a particular community or a defined area. Any such pricing order issued in accordance with this section 9, including the standards set forth below, shall have the same force and effect as if issued by the Price Administrator. Any such pricing order may be revised, amended, or revoked by the Price Administrator.

In issuing regional pricing orders under this section 9, each Regional Administrator shall observe the following standards:

(1) Maximum prices shall be stated in dollars-and-cents terms unless this shall clearly appear to be impracticable or inappropriate.

(2) Maximum prices fixed by any such pricing order shall not exceed the general level of prices fixed by Revised Maximum Price Regulation No. 251.

(b) Regional pricing orders and accompanying opinions issued under this section 9 shall be filed with the Division of the Federal Register.

SEC. 10. *Prohibitions against sales at higher than maximum prices.* On and after the effective date of this regulation:

(1) No person shall sell, offer to sell, or deliver building materials or equipment on an installed basis, or sell or supply any construction service at a price higher than the maximum price established by this regulation.

(2) No person in the course of trade or business shall buy or receive any building materials or equipment on an installed basis or any construction service at a price higher than that permitted by this regulation: *Provided, however,* That no buyer shall be liable under this section if, upon completing a sale subject to this regulation, the seller shall give the buyer a written affirmation that to the best of his knowledge, information, and belief the prices charged do not exceed the applicable maximum prices, and if the buyer shall have no cause to doubt the accuracy of the affirmation, and if the actual price paid is not in excess of what the seller affirmed to be the maximum price.

SEC. 11. *Evasions.* (a) Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, agreements, trade understandings, and the like. The following are among the specific practices prohibited:

(1) Requiring the purchaser to furnish material for processing not in accordance with previous practice;

(2) Eliminating or reducing any maintenance or repair service customarily offered as part of a job;

(3) Lowering quality of materials and equipment below that called for in the specifications without making a corresponding reduction in price;

(4) Making terms or conditions of sale more onerous to the purchaser than those in effect or available to the purchaser during the period January 1, 1939, to March 31, 1942, unless the change is necessitated by an order issued by or at the request of any agency of the United States. This includes decreasing the period for which credit is extended, reducing the cash discount period, making greater charges for extension of credit, or reducing the cash discount.

(b) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited by subparagraphs (1), (2), (3), and (4) of this paragraph (a).

SEC. 12. *Less than maximum prices.* Prices lower than maximum prices may, of course, be charged and paid.

ARTICLE III—MISCELLANEOUS

SEC. 13. *Notification to purchasers of existence of regulation.* Every person making sales subject to this Revised Maximum Price Regulation No. 251 shall, before entering into a contract or making a sale subject thereto, notify the purchaser of the existence of the regulation and, upon request of the purchaser, make available a copy of it or a copy of the OPA trade bulletin at the seller's principal place of business and at each of his branch offices for examination by the purchaser: *Provided,* That the requirements of this section 13 do not apply to transactions, including bids, with any agency of the United States.

SEC. 14. *Petitions for amendment.* Any person seeking a modification of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1. A petition for amendment must propose a change of general applicability in the regulation for the industry as a whole or a substantial portion thereof or a change affecting all sellers in a given area, as distinguished from an application which seeks an individual price adjustment.

SEC. 15. *Records and reports.*—(a) *Records.* All sellers of building materials or equipment on an installed basis, and all sellers of construction services, must keep records concerning each sale subject to this regulation, including the name of the purchaser, location of the job, the date of the transaction, a description of the commodities and services involved, and a full statement of the method by which the maximum price was calculated, including reference to the appropriate pricing section of the regulation. Records of a kind the seller has customarily kept must also be retained. All such records shall be available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 16. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) Agencies of the United States and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation.

SEC. 17. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 18. *Notification of compliance.* In the case of any sale subject to this regulation the seller, at the time of final settlement, shall, where demand is made by the purchaser, file a statement with the purchaser that the sale price is not in excess of the maximum price determined in accordance with this regulation.

SEC. 19. *Other definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to any other terms not specifically defined herein.

Effective date. This regulation shall become effective August 26, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the provisions of sections 6, 7, and 8 of this regulation are necessary to aid in the effective prosecution of the war and hereby approve the issuance thereof.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-12598; Filed, August 21, 1944; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 73]

POWDERED ORANGE JUICE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[9]

Section 4.3 is amended by adding paragraph (n) to read as follows:

(n) Sales and deliveries of powdered orange juice for use in fulfilling (1) a contract with the United States or any of its agencies or with a government or agency of a government of any country the defense of which the President deems vital to the defense of the United States under the aforesaid Act, or (2) a subcontract under any such contract.

This amendment shall become effective August 19, 1944.

Issued this 19th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12567; Filed, August 19, 1944; 4:18 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 208—FLOOD CONTROL REGULATIONS

MAINTENANCE AND OPERATION OF FLOOD CONTROL WATERS

Correction

In F.R. Doc. 44-12285, appearing at page 9999 of the issue for Thursday, August 17, 1944, the first word of § 208.10 (b) (1) (iv) should read "Toe". In paragraph (c) (1) (viii) the first word should read "Toe". Paragraph (g) (1) (iii) should read "(iii) The capacity of the channel or floodway is not being reduced by the formation of shoals;".

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO THE REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 1028 (46 U.S.C. 367, 375, 391a, 404, 463a, 481, 489), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the regulations and approval of equipment are prescribed:

Subchapter D—Tank Vessels

PART 33—LIFESAVING APPLIANCES

CARE AND INSPECTION; LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

Section 33.5–1 (a) is amended to read as follows:

§ 33.5–1 *Preparation for voyage—TB/ALL.* (a) Lifeboats, life rafts, and buoyant apparatus shall be fully equipped before the vessel leaves port, and the equipment shall remain in the boat, raft, or buoyant apparatus throughout the voyage. It shall be unlawful to stow in any boat, raft, or buoyant apparatus any articles not required by Chapter 1 of this title unless such articles can be properly stowed so as not to reduce the seating capacity or space available to occupants and so as not to adversely affect the seaworthiness of such lifeboats, rafts or buoyant apparatus.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.10a (b) is amended to read as follows:

§ 59.10a *General requirements as to equipment for lifeboats, life rafts, and buoyant apparatus.* • • •

(b) Lifeboats, life rafts, and buoyant apparatus shall be fully equipped before the vessel leaves port, and the equipment shall remain in the boat, raft, or buoyant apparatus throughout the voyage. It shall be unlawful to stow in any boat,

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[7] 7 F.R. 8961; 8 F.R. 2313, 3983, 6173, 11806; 9 F.R. 1394.

[8] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

[9] Copies may be obtained from the Office of Price Administration.

raft, or buoyant apparatus any articles not required by Chapter 1 of this title unless such articles can be properly stowed so as not to reduce the seating capacity or space available to occupants and so as not to adversely effect the seaworthiness of such lifeboats, rafts or buoyant apparatus.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.8a is amended to read as follows:

§ 60.8a *General requirements as to equipment for lifeboats, life rafts, and buoyant apparatus.* Vessels subject to this part shall comply with the requirements in § 59.10a of this chapter in effect on August 19, 1944.

APPROVAL OF EQUIPMENT

FIRE-INDICATING AND ALARM SYSTEM

Fire-indicating and alarm system (Sheets 1, 2, 3, and 4 of Dwg. No. 12243, Alt. 4, revised 12 May, 1944) (Catalog No. 572), submitted by Auth Electrical Specialty Co., Inc., 422-430 East 53rd Street, New York, N. Y.

LIFEBOAT

22' x 7.5' x 3.167' metallic motor propelled lifeboat (313 cu. ft. gross capacity) (General Arrangement Dwg. No. G-544, dated 5 July, 1944), submitted by C. C. Galbraith & Son, Inc., 90 Park Place, New York, N. Y.

LIFE PRESERVER LIGHTS

Life preserver light, Model A (Dwg. No. 303-B-1, dated 1 May, 1944, Rev. 16 June, 1944 and 13 July, 1944), submitted by Colvin-Slocum Boats, Inc., 15 Park Row, New York, N. Y. (Supersedes approval 17 July, 1942, 7 F. R. 5496)

Life preserver light, Model B (Dwg. No. 303-B, dated 26 April, 1944, Rev. 31 July, 1944), submitted by Colvin-Slocum Boats, Inc., 15 Park Row, New York, N. Y.

WINCH

Schat Type S. R. W.-19 lifeboat winch, fitted with quick-return mechanism (Arrangement Dwg. No. BA 380, dated 21 July, 1944) (Working load of 6335 pounds at the drum), submitted by Lane Lifeboat and Davit Corporation, Foot of 40th Road, Flushing, N. Y.

AUGUST 18, 1944.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 44-12577; Filed, August 21, 1944; 9:33 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 189, Amdt. 5]

PART 97—ROUTING OF TRAFFIC

EMBARGO OF ROUTES AND TRANSIT ARRANGEMENTS ON GRAIN AND RELATED ARTICLES

NOTE: Amendment 5 to Service Order 189 (9 F.R. 3357) amended Appendix A effective at 12:01 a. m., September 15, 1944, and was filed as Federal Register Document 44-12578 on August 21, 1944, at 10:28 a. m.

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. SA-93]

AIRCRAFT OF U. S. REGISTRY NC 823M

INVESTIGATION OF ACCIDENT OCCURRING NEAR ANTILLA, CUBA

In the matter of investigation of accident involving aircraft of United States Registry NC 823M which occurred at Antilla, Cuba, on August 8, 1944.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Tuesday, August 22, 1944, at 10:00 a. m. (e. w. t.) in the County Court House Building, Miami, Florida.

Dated at Washington, D. C., August 18, 1944.

W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 44-12469; Filed August 19, 1944; 10:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6604]

FINGER LAKES BROADCASTING SYSTEM

NOTICE OF HEARING

In re application of The Finger Lakes Broadcasting System (Gordon P. Brown, Owner) (New); date filed, March 3, 1944; for construction permits; class of service, broadcast; class of station, broadcast; location, Geneva, New York; operating assignment specified: frequency, 1240 kc; power, 250 watts; hours of operation, unlimited (Requesting facilities WSAY when vacated). File No. B1-P-3581.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of WARC, Inc., Docket No. 6605; Rochester Broadcasting Corp., Docket No. 6606, and Seneca Broadcasting Corporation, Docket No. 6607, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the nature and character of the program service proposed by the applicant and whether it will meet the requirements of the population and area proposed to be served.

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

4. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Station WATN.

6. To determine the areas and populations which may be expected to lose primary service, particularly from Station WATN as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

7. To determine whether, in view of the facts adduced under the foregoing issues, the issues in Dockets 6605, 6606 and 6607, public interest, convenience or necessity would be served through the granting of this application, the application of WARC, Inc., the application of Seneca Broadcasting Corporation, the application of Rochester Broadcasting Corporation or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: The Finger Lakes Broadcasting System, Gordon P. Brown, Owner, 192 South Goodman Street, Rochester, New York.

Dated at Washington, D. C., August 12, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12592; Filed, August 21, 1944; 11:42 a. m.]

[Docket No. 6605]

WARC, INC.

NOTICE OF HEARING

In re application of WARC, Inc. (New); date filed December 13, 1943; for construction permit; class of service, broadcast; class of station, broadcast; location, Rochester, New York; operating assignment specified: frequency, 1240 kc; power, 250 watts; hours of operation, unlimited (Facilities being relinquished by WSAY). File No. B1-P-3565.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of The Finger Lakes Broadcasting System, Docket 6604; Rochester Broadcasting Corp., Docket 6606 and Seneca Broadcasting Corp., Docket 6607, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the nature and character of the program service proposed by the applicant and whether it will meet the requirements of the population and area proposed to be served.

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

4. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

5. To determine whether, in view of the facts adduced under the foregoing issues, the issues in Dockets 6604, 6606, and 6607, public interest, convenience or necessity would be served through the granting of this application, the application of Finger Lakes Broadcasting System, the application of Seneca Broadcasting Corporation, the application of Rochester Broadcasting Corporation or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: WARC, Inc., 99 Dewey Avenue, Rochester, N. Y.

Dated at Washington, D. C., August 12, 1944.

By the Commission.

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12593; Filed, August 21, 1944; 11:42 a. m.]

[Docket No. 6606]

ROCHESTER BROADCASTING CORP.

NOTICE OF HEARING

In re application of Rochester Broadcasting Corporation (New); date filed, March 8, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Rochester, New York; operating assignment specified; frequency, 1240 kc; power, 250 w; hours of operation, unlimited; (Requests facilities of WSAY when vacated). File No. B1-P-3593.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of The Finger Lakes Broadcasting System (Gordon P. Brown, Owner), Docket No. 6604; WARC, Inc., Docket No. 6605; and Seneca Broadcasting Corporation, Docket No. 6607, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the nature and character of the program service proposed by the applicant and whether it will meet the requirements of the population and area proposed to be served.

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

4. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

5. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice, particularly with reference to the ground system.

6. To determine whether, in view of the facts adduced under the foregoing issues, the issues in Dockets 6604, 6605 and 6607, public interest, convenience or necessity would be served through the granting of this application, the application of WARC, Inc., the application of Seneca Broadcasting Corporation, the application of Finger Lakes Broadcasting System, or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Rochester Broadcasting Corporation, Room 600, 31 Exchange Street, Rochester 4, New York.

Dated at Washington, D. C., August 12, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12594; Filed, August 21, 1944; 11:42 a. m.]

[Docket No. 6607]

SENECA BROADCASTING CORP.

NOTICE OF HEARING

In re application of Seneca Broadcasting Corporation (New); date filed, May 15, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Rochester, New York; operating assignment specified: frequency, 1240 kc; power, 250 w; hours of operation, unlimited. File No. B1-P-3618.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of The Finger Lakes Broadcasting System, Docket No. 6604; WARC, Inc., Docket No. 6605; and Rochester Broadcasting Corporation, Docket No. 6606, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the nature and character of the program service proposed by the applicant and whether it will meet the requirements of the population and area proposed to be served.

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof.

4. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

5. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice, particularly with reference to the ground system, and the proposal to erect the radiating system on a building approximately one-quarter wave length in height.

6. To determine whether, in view of the facts adduced under the foregoing issues, the issues in Dockets 6605, 6604 and 6606, public interest, convenience or necessity would be served through the granting of this application, the application of WARC, Inc., the application of Finger Lakes Broadcasting System, the application of Rochester Broadcasting Corporation or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of

the Commission's rules of practice and procedure.

The applicant's address is as follows: Seneca Broadcasting Corporation, 604 Wilder Building, Rochester, New York.

Dated at Washington, D. C., August 12, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-12595; Filed, August 21, 1944; 11:42 a. m.]

[Docket No. 6650]

WESTERN UNION TELEGRAPH CO.

ORDER INSTITUTING INVESTIGATION

In the matter of The Western Union Telegraph Company charges, classifications, practices and regulations in connection with money order service to members of the Armed Forces of the United States.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of August, 1944;

It appearing that The Western Union Telegraph Company accepts for transmission and delivery at its offices in the United States telegraph money orders addressed to members of the United States Armed Forces whose addresses are "Care Postmaster", "Care APOs", or "Care Fleet POs", and transmits such money orders telegraphically to gateway cities, at which point they are converted into postal money orders and mailed to the addressees; and

It further appearing, that The Western Union Telegraph Company collects for the above-described service its regular domestic money order charges, which are higher than the charges of the Post Office for through mail handling of Post Office money orders; and

It further appearing that The Western Union Telegraph Company, in the rendition of such service, is employing classifications, regulations or practices affecting its domestic money order service which are different from those specified in its applicable legally effective tariff schedules filed with this Commission, and that such classifications, regulations or practices may not be just and reasonable;

It is ordered, Upon the Commission's own motion, that an investigation be, and it is hereby, instituted into the matter of the rates, charges and related classifications, practices, and regulations for and in connection with the money order services of The Western Union Telegraph Company involving transmission and delivery of money orders to members of the United States Armed Forces; and

It is further ordered, That The Western Union Telegraph Company appear and show cause under oath (1) why the Commission should not order it immediately to cease and desist from employing classifications, regulations or practices affecting its domestic money order service which are different from those specified in the applicable legally effective tariff schedules of The Western Union Telegraph Company on file with this Commission, and (2) why classifications, regulations or practices employed by the company in the rendition of money order service for members of the United States Armed Forces should not be found and declared to be unjust and unreasonable; and

It is further ordered, That this matter be, and it is hereby, assigned for hearing at the offices of the Commission in Washington, D. C., at a time and date to be hereafter fixed by notice to the respondent.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-12596; Filed, August 21, 1944; 11:43 a. m.]

[Docket Nos. 6155, 6157]

AIR-WAVES, INC. AND LOUISIANA COMMUNICATIONS, INC.

ORDER SETTING HEARING DATE UPON STATED ISSUES

In re applications of Air-Waves, Inc. (New), Baton Rouge, Louisiana, Docket No. 6155, File No. B3-P-3202; and Louisiana Communications, Inc. (New), Baton Rouge, Louisiana, Docket No. 6157, File No. B3-P-3242. For construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of August, 1944;

The Commission having under consideration the petitions (filed March 25, 1944) by Air-Waves, Inc., and Louisiana Communications, Inc., for reinstatement and grant of their respective applications for construction permits to erect new broadcast stations at Baton Rouge, Louisiana, both of which were dismissed without prejudice, respectively, on August 18, 1942, and August 4, 1942;

It is ordered, That both of said petitions be, and the same are hereby, granted in part to permit reinstatement of said applications; and

It is further ordered, That both of the said applications be, and the same are hereby, designated for further hearing to be held in consolidation, on September 27, 1944, upon the following issues:

1. To obtain current information concerning the financial and other qualifications of each of the applicant corporations and of their respective officers, stockholders, and directors, to construct and operate their proposed stations.

2. To determine the truth and accuracy of representations made by or in behalf of each of the applicants in their respective applications for construction permits, in the course of the hearings on said applications and in communications and documents addressed to the Commission.

3. To obtain current information with respect to the nature and character of the program service proposed by each of the applicants.

4. To obtain current information with respect to the areas and populations which would receive primary service from the operation of the proposed station and what other broadcasting service is available to these areas and populations.

5. To determine whether the proposed operation will serve an outstanding public need or national interest.

6. To determine whether the granting of either application would, in other respects, be consistent with the supplemental statement of policy issued by the Commission on January 26, 1944.

7. To determine whether, in view of the facts adduced under the foregoing issues, the public interest, convenience and necessity would be served by the granting of the application of Air-Waves, Inc. (File No. B2-P-3202; Docket No. 6155), the application of Louisiana Communications, Inc. (File No. B3-P-3242; Docket No. 6157), or either of them.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-12597; Filed, August 21, 1944; 11:43 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-108]

UNITED GAS CORPORATION

ORDER FIXING DATE OF HEARING

AUGUST 18, 1944.

Upon consideration of the application filed June 28, 1944, as amended, by the United Gas Corporation, seeking an order granting a renewal of authorization, pursuant to Section 3 of the Natural Gas Act, for the exportation of natural gas from the State of Texas, to the Republic of Mexico, for distribution in the City of Nuevo Laredo, State of Tamaulipas, Mexico, and adjoining environs; and

It appearing to the Commission that:

(a) Applicant has heretofore been operating and maintaining facilities for the exportation of natural gas to the Republic of Mexico, for distribution in the City of Nuevo Laredo, pursuant to a Presidential Permit issued on September 5, 1940, to Applicant under Executive Order No. 8202.

(b) On September 10, 1940, the Commission issued an order authorizing the exportation of natural gas by Applicant from the United States to the City of Nuevo Laredo, Mexico, in accordance with the terms of a contract dated September 30, 1931, for the purchase and sale of natural gas between Texas Border Gas Company (predecessor of Applicant), as seller, and Compania de Gas de Nuevo Laredo, S. A., as buyer, as amended by letter dated October 10, 1934, to Compania de Gas de Nuevo Laredo, S. A. from United Gas Public Service Company (predecessor of Applicant); such authorization to terminate automatically upon the expiration of said contract, subject, however, to renewal of such authorization by the Commission upon a finding that a renewal is not inconsistent with the public interest.

(c) The Applicant has negotiated and executed a new gas sales contract with Compania de Gas de Nuevo Laredo, S. A. to replace and supersede its present contract.

(d) The Applicant proposes to replace that portion of its four-inch pipe line with a six-inch pipe line extending from a point at Lincoln and Vidaurri Streets in the City of Laredo, Texas, to the Texas Mexican Railway Company's railroad bridge and thence paralleling the present four-inch pipe line on and along said bridge to the International Boundary. It is claimed that such new facilities are necessary in order to provide for the delivery of increased quantities of gas to existing customers and proposed new customers of Compania de Gas de Nuevo Laredo, S. A. in Mexico.

The Commission orders that:

(A) A public hearing be held, commencing on September 1, 1944, at 10 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-12575; Filed, August 21, 1944; 9:33 a. m.]

[Docket Nos. G-473 and G-552]

SOUTHERN NATURAL GAS CO.

ORDER PERMITTING AMENDMENT AND SUPPLEMENTING ORDER FIXING DATE OF HEARING

AUGUST 18, 1944.

It appearing to the Commission that:

(a) On June 10, 1943, and April 7, 1944, respectively, Applicant filed an application and amendment thereto (Docket No. G-473) for a certificate of public convenience and necessity to authorize the construction and operation of certain facilities;

(b) On June 1, 1944, Applicant filed an application (Docket No. G-522) for a certificate of public convenience and necessity to authorize the construction and operation of certain facilities;

(c) By its order dated July 22, 1944, the Commission consolidated the above-docketed proceedings for the purpose of hearing and ordered that a public hearing be held commencing on August 22, 1944, at 10 a. m. (e.w.t.) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(d) On August 12, 1944, Applicant filed an amendment to its application in Docket No. G-552 under section 7 of the Natural Gas Act, as amended, seeking authority to construct and operate the facilities hereinafter described in subparagraphs (i) and (ii), and to abandon a natural-gas pipe line, hereinafter described in subparagraph (iii):

(i) A dehydration plant in the Monroe gas field near Applicant's Perryville (La.) compressor station;

(ii) Installation of a new water cooling system at the compressor station above referred to;

(iii) Abandonment of a 4½-inch O. D. gas pipe line approximately 2.2 miles in length known as Applicant's Pelham lateral.

The Commission finds that: Good cause exists for permitting the amendment to the application in Docket No. G-552 and for supplementing its order of July 22, 1944, to include a hearing on said amendment as hereinafter ordered.

Wherefore, the Commission orders that:

(A) Applicant is hereby granted leave to file the amendment referred to in paragraph (d) hereof to its application in Docket No. G-552.

(B) The Commission's order of July 22, 1944, be and it is hereby supplemented for the purpose of including a hearing respecting the matters involved and the issues presented by the amendment to the application in Docket No. G-552, referred to in paragraph (d) above, at the same time and place heretofore fixed for hearing in the above-docketed matters.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 44-12576; Filed, August 21, 1944; 9:33 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 451]

RECONSIGNMENT OF MELONS AND PEAS AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, August 14, 1944, by H. Rothstein & Son of cars MDT 16663, melons, ART 20063, peas, now on the Pennsylvania Railroad, to Mussante Berman & Steinberg, Bridgeport, Connecticut, via PRR-NYNHAH.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of August 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-12491; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 452]

RECONSIGNMENT OF WATERMELONS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, August 9, 1944, by J. W. Strickland of car SP 74315, watermelons, on the Missouri Pacific Railroad, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of August 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-12492; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 453]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 14, 1944, by Wesco Foods Company of following cars, onions, now on the Chicago Produce Terminal, ART 18782 to New York, N. Y. via Erie, MDT 19644 to Wilkes-Barrre, Pennsylvania, via Pa. Railroad.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice

of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12493; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 454]

RECONSIGNMENT OF PEACHES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Milwaukee, Wisconsin, August 14, 1944, by Morris Goldman Company of cars of peaches, MDT 18077 now on the C. & N. W. Railroad, and PGE 35476 now on the C. M. St. P. & P. Railroad, to Minneapolis, Minnesota.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12494; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 455]

RECONSIGNMENT OF APRICOTS AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, August 15, 1944, by Lamb Fruit Company of car PFE 44265, apricots, now on the C. B. & Q. Railroad, to V. B. Hall Wholesale Company, Monett, Missouri (Frisco).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12495; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 456]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, not later than August 16, 1944, by Ray D. Wall, of car PFE 32434, onions, now on the C. M. St. P. & P. Railroad, to Detroit, Michigan (Mich. Cent.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12496; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 457]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, not later than August 16, 1944, by Western Fruit Growers, of cars MDT 17692 and PFE 40909, peaches, now on the Missouri Pacific Railroad to Charles Abbate Company, Chicago, Illinois (Mo. Pac.-Santa Fe).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12497; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 458]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 16, 1944, by Piowaty Bergart Company, of car IC 50959, potatoes, now on the Wood St. Terminal (C&NW), to R. H. Oswald, Evansville, Indiana, via IC Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of August, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12498; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 178, Special Permit 139]

MOVEMENT OF DRIED SALTED CODFISH AT NEW ORLEANS, LA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the movement not later than August 21, 1944, of two refrigerator cars of dried salted coldfish from Pelican Cold Storage Company, on Southern Railway, at New Orleans to New Orleans Port of Embarkation on Public Belt for export, as ordered by A. Petito for the Panama Railroad.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12500; Filed, August 19, 1944; 11:09 a. m.]

[S. O. 200, Special Permit 157]

REICING OF POTATOES AT BIRMINGHAM, ALA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, at Birmingham, Alabama (Central of Georgia), as ordered by Piowaty Bergart Company, car NP 94631, potatoes, moving August 12, 1944, from Chicago, Illinois, to Fred Piowaty, Miami, Florida, (I. C.-C. of Ga.-S. A. L.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of August, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12501; Filed, August 19, 1944; 11:10 a. m.]

[S. O. 200, Special Permit 158]

REICING OF POTATOES AT EVANSVILLE, IND.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice in transit, one time only, as ordered by Piowaty Bergart Company, at Evansville, Indiana (C. & E. I. Railroad), car NRC 4537, potatoes, now moving from Sunnyside, Washington, to Miami, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12502; Filed, August 19, 1944; 11:10 a. m.]

[Rev. S. O. 224, Special Permit 1]

ICING OF PEACHES AT DESIGNATED POINTS IN COLORADO

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Service Order No. 224 of August 12, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 224 insofar as it applies to the first or initial icing at Grand Junction, Colorado, of refrigerator cars loaded with peaches at Clifton or Palisade, Colorado, and to the reicing at Denver or Pueblo, Colorado, of refrigerator cars loaded with peaches originating at Clifton or Palisade, Colorado.

This special permit shall become effective at 12:01 a. m., August 18, 1944, and shall apply only to cars billed on or after the effective date hereof; and shall expire at 12:01 a. m., September 18, 1944.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of August, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12499; Filed, August 19, 1944; 11:09 a. m.]

NATIONAL WAR LABOR BOARD.

CERTAIN MACHINE SHOPS IN OR NEAR SAN FRANCISCO, CALIF.

MODIFICATION IN TERMS AND CONDITIONS OF EMPLOYMENT

AUGUST 19, 1944.

By virtue of and pursuant to the authority vested in it by Executive Order 9017 of January 12, 1942, and the War Labor Disputes Act of June 25, 1943, and acting on the application of the Secretary of the Navy in accordance with section 5 of the War Labor Disputes Act of June 25, 1943, and paragraph (b) of Executive Order 9370 of August 16, 1943, the National War Labor Board hereby orders:

The terms and conditions of employment, existing at the plants and facilities of the companies named on the attached list, which were in effect on the dates the Secretary of the Navy took possession thereof,[1] are hereby changed in the following respects:

(1) All rights and privileges enjoyed by Lodge 68, International Association of Machinists, under the terms of employment existing at the plants and facilities of the companies above mentioned, at the times possession thereof was taken by the Secretary of the Navy are withdrawn (subject to any requirements of the National Labor Relations Act) as follows:

(a) The requirement of preferential hiring of members of Lodge 68 as previously defined in section (1) (a) of the expired collective bargaining agreement between Lodge 68 and the above mentioned companies is hereby withdrawn.

(b) The scheduling of the vacations as defined in section 4 of the expired collective bargaining agreement is hereby modified by granting to the Navy Department's officer in charge of the seized plants, authority to schedule vacations in such manner as will promote efficient operation of the said plants and facilities in the interests of the war effort.

(c) Any provision of the expired agreement which requires the consent of Lodge 68 to any action or its participation in any procedure is hereby withdrawn, subject to any requirement of the National Labor Relations Act.

(2) Nothing herein shall be construed as depriving the individual employees of the said plants and facilities of the benefits of the wages, hours and other working conditions in effect on the dates pos-

[1] See Executive Orders 9403, 9 F.R. 9879, and E.O. 9466, *supra*.

session of the said plants and facilities was taken by the Secretary of the Navy.

By unanimous order of the National War Labor Board.

GEORGE W. TAYLOR,
Acting Chairman.

Approved: August 19, 1944.

FRANKLIN D ROOSEVELT,
The White House.

104 SAN FRANCISCO UP-TOWN, METAL TRADES SHOPS

John Albertoli Machine Co., 418 Beach Street.
Brunigs Machine Works, 523 Brannan Street.
Coen Co., 40 Boardman Place.
Cook Research Labs, L. H. Ltd., 950 Crane, Menlo Park.
Crane Co., 301 Brannan Street.
Fordsrer Cornice Works, 269 Potrero Avenue.
Goodrich Mfg. Co., 1884 McKinnon Avenue.
Int'l Totalizer Co., Inc., 718 S. Railroad Ave., San Mateo.
King Gun Sight Co., 171 2nd Street.
Thos. King Co., 69 Clementina Street
Krans, Oscar, 612 Bryant Street.
Lista, The A. Co., 632 Commercial Street.
Marine Electric Co., 195 Fremont Street.
National Motor Bearing Co., Redwood City.
Pacific Coast Envelope Co., 400 2nd Street.
Pacific Elevator & Equipment Co., 45 Bausch Street.
Pacific Machine Shop, 360 11th Street.
Reichel, C. R. & Co., 718 Natoma Street.
Schmidt Lithograph Co., 2nd & Bryant Streets.
Staples & Pfeiffer Co., Inc., 328 Bryant Street.
Stone-Ryals Electric & Mfg Co., 470 Natoma Street.
J. A. Symon, Machine Works, 3648 18th Street.
Tubbs Cordage Co., 22nd & Iowa Streets.
Vincent Whitney Co., 180 10th Street.
Weule Co., Louis, 119 Steuart Street.
American Can Co. (Machine Shop) 499 Alabama Street, (Pacific Factory) 22nd & 3rd Streets, (United Factory) 19th & Treat Avenue.
American Laundry Machine Co., 1600 Bryant Street.
W. R. Ames Co., 150 Hooper Street.
Atlas Elevator Co., 417-6th Street.
Atlas Heating & Ventilating Co., 567-4th Street.
Chas. M. Bailey Co., 667 Folsom Street.
Bartsch Machine Works, 2440-3rd Street.
Bodinson Mfg. Co., 2401 Bayshore Boulevard.
Bowie Switch Co., 19th & Tennessee Streets.
E. D. Bullard Co., 351-8th Street.
C. F. Bulotti Machinery Co., 829 Folsom Street.
Busch Mfg. Co., 78 Natoma Street.
Butte Electric & Mfg. Co., 124 Russ Street.
California Packing Corporation, 101 California Street.
California Pellet Mill Co., 725 Tehama Street.
California Press Mfg. Co., 1800 Folsom Street.
California Screw Co., 74 Clementina Street.
Cherry-Burrell Corp., 777 Folsom Street.
Christie Machine Works, 201 Harrison Street.
Coshin Mfg. Co., South San Francisco.
Curle Mfg. Co., 300 Sansome Street.
Cyclops Iron Works, 827 Folsom Street.
Daimo Victor Co., 18th & York Streets.
Davis Machine Works, 400-7th Street.
Duart Manufacturing Co., 984 Folsom Street.
International Sales Company, 2045 Evans Avenue.
Metals Manufacturing Co., 2770 Folsom.
De Laval Pacific Company, 61 Beale Street.
Dorward Pump Company, 210 Mission Street.
Elite Machine Works, 227-7th Street.
Enterprise Engine and Foundry Company, 18th and Florida Streets.
Fairbanks Morse and Company, 660 3rd Street.
Federal Mogul Corporation, 220 14th Street.
Federal Mogul Service, 655 Turk Street.
General Tool, Die & Stamping Works, 1601 Howard Street.
Greenberg's, M., Sons, 765 Folsom Street.
Jenkins Machine Works, 134th Street & Treat Avenue.
Judson Pacific Company, 1200 17th Street.
Kahoe Display & Fixture Company, 541 Market Street.
King Sales & Engineering Company, 210 1st Street.
Kingwell Brothers, Ltd., 444 Natoma Street.
Kortick Mfg. Company, 525 1st Street.
Larkin Specialty Mfg. Company, 333 1st Street.
Link Belt Company, 400 Paul Avenue.
Mailer Searles, Inc., 900 7th Street.
Metal Products Fabricating Company, 119 Kansas Street.
Montague Pipe & Steel Company, 1200 3rd Street.
Mutual Engineering Company, South San Francisco.
National Welding Equipment, 223 Main Street.
Niagara Duplicator Company, 126 Main Street.
Northern Packing Company, Pier 92.
Orton Machine Company, 390 Fremont.
Pacific Can Company, Williams & Newhall Streets.
Pacific Electric Mfg. Company, 5615 3rd Street.
Pacific Foundry Company, 2100 19th Street.
Pacific Gear & Tool Works, 1035 Folsom Street.
Pacific Pumping Company, 960 Howard Street.
Pacific Screw Company, 566 Van Ness South.
Payne's Bolt Works, 301 Main Street.
Pelton Water Wheel Company, 2929—19th Street.
Price Pump Company, 1350 Folsom Street.
Ray Oil Burner Company, 401 Bernal Avenue.
S. F. Screw Products Company, 755 Brannan Street.
Shamsr, H. M., Company, 86 Bluxome Street.
Soule Steel Company, 1750 Army Street.
Superior Grinding & Motor Company, 865 Post Street.
Troy Laundry Machinery Company, 1201 Folsom Street.
Turner Machinery Company, 1655 Folsom Street.
Union Machine Company, 934 Brannan Street.
Victor Equipment Company, 844 Folsom Street.
Joseph Wagner Mfg. Company, 441 Folsom Street.
Weichart-Fairmont Company, 237 Natoma Street.
Wesix Electric Heater Company, 890—1st Street.
West Coast Laundry Machine Company, 3246—17th Street.
Western Crown Cork & Seal Corporation, 25th Street & Potrero Avenue.
Williams-Wallace Company, 160 Hooper Street.
H. C. Wood Machine Works, 514 Bryant Street.
Q. R. S. Neon Corporation, Ltd., 690 Potrero Avenue.
U. S. Pipe and Manufacturing Company, 249—1st Street.

[F. R. Doc. 44-12608; Filed, August 21, 1944; 12:01 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2172]

HYDRONAPTHENE CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the issued and outstanding capital stock of The Hydronapthene Corporation, a corporation organized under the laws of Delaware and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 800 shares of common of no par value, is registered in the name of Lewis H. Marks and is beneficially owned by Deutsche Hydrierwerke Aktiengesellschaft and is evidence of ownership and control of said business enterprise;

2. That "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren has an interest in The Hydronapthene Corporation, which interest is evidenced by agreements dated August 20, 1932 and May 10, 1939 made by and between "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren and The Hydronapthene Corporation, which agreements pertain to patents and under which there is due and payable to "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren a sum in excess of $450,000 and said interest is evidence of control of The Hydronapthene Corporation;

3. That Deutsche Hydrierwerke Aktiengesellschaft whose principal place of business is Berlin, Germany is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany);

4. That "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren whose principal place of business is Zurich, Switzerland, is a corporation organized under the laws of Switzerland and is a national of a foreign country (Switzerland); is acting for the benefit of and on behalf of Deutsche Hydrierwerke Aktiengesellschaft and is a national of a foreign country (Germany);

and determining:

5. That The Hydronapthene Corporation and "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren are controlled by Deutsche Hydrierwerke Aktiengesellschaft and are nationals of a designated enemy country (Germany);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action, after appropriate consultation and certification, required by law and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 500 shares (which constitute all of the outstanding shares) of the common capital stock of no par value of The Hydronapthene Corporation and all interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren by virtue of an agreement dated August 20, 1932 (including all modifications thereof and supplements thereto, if any) by and between "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren and The Hydronapthene Corporation, which agreement relates to the assignment of certain patent licensing contracts, and all interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren by virtue of an agreement dated May 10, 1939 (including all modifications thereof and supplements thereto, if any) by and between "Patchem" Aktiengesellschaft zur Beteiligung an Patenten und sonstigen Erfindungsrechten auf chemische Verfahren and The Hydronapthene Corporation, which agreement relates, among other things, to the assignment of United States Patent No. 1,823,815, to be held, used, administered, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-12579; Filed, August 21, 1944; 11:18 a. m.]

[Vesting Order 2173]

AMERICAN HYALSOL CORP.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the issued and outstanding capital stock of American Hyalsol Corporation, a corporation organized under the laws of the State of Delaware and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 5,000 shares of common of no par value, is registered in the name of Lewis H. Marks and is beneficially owned by Deutsche Hydrierwerke A. G. and Bohme Fettchemie G. m. b. H. and is evidence of ownership and control of said business enterprise;

2. That Unichem Chemikalien Handelsgesellschaft A. G. has an interest in American Hyalsol Corporation, which interest is evidenced by an agreement dated June 17, 1932 made by and between American Hyalsol Corporation and Unichem Chemikalien Handelsgesellschaft A. G. which agreement pertains to patents and under which there is due and payable to Unichem Chemikalien Handelsgesellshaft A. G. a sum in excess of $1,000,000 and said interest is evidence of control of American Hyalsol Corporation;

3. That Deutsche Hydrierwerke A. G. and Bohme Fettchemie G. m. b. H. whose principal places of business are Berlin and Chemnitz, Germany, respectively, are corporations organized under the laws of Germany and are nationals of a designated enemy country (Germany);

4. That Unichem Chemikalien Handelsgesellschaft A. G. whose principal place of business is Zurich, Switzerland, is a corporation organized under the laws of Switzerland and is a national of a foreign country (Switzerland);

and determining:

5. That American Hyalsol Corporation and Unichem Chemikalien Handelsgesellschaft A. G. are controlled by Deutsche Hydrierwerke A. G. and Bohme Fettchemie G. m. b. H. and are nationals of a designated enemy country (Germany);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action, after appropriate consultation and certification, required by law and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the said 5000 shares of the common capital stock of no par value of American Hyalsol Corporation and all interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Unichem Chemikalien Handelsgesellschaft A. G. by virtue of an agreement dated June 17, 1932 (including all modifications thereof and supplements thereto, if any) by and between the American Hyalsol Corporation and Unichem Chemikalien Handelsgesellschaft A. G., which agreement relates to the assignment of certain patents, including patent No. 1,840,349, and certain contracts relating to patents, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-12580; Filed, August 21, 1944; 11:18 a. m.]

[Vesting Order 3940]

ERNST KEMPTER AND JOHANNA FRIEDERIKE KEMPTER

In Re: Real property and property insurance policies owned by Ernst Kempter and Johanna Friederike Kempter.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Ernst Kempter and Johanna Friederike Kempter are Balingen, Bahnhofstrasse 40, Wurttemberg, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Ernst Kempter and Johanna Friederike Kempter are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Philadelphia, State of Pennsylvania, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Ernst Kempter and Johanna Friederike Kempter in and to the following property insurance poli-

lies, insuring the improvements on the premises described in subparagraph 3-a hereof;

(1) Fire insurance policy No. 77120 issued by the American Union Insurance Company of New York, Hartford, Connecticut,

(2) Fire insurance policy No. 611820 issued by the American Union Insurance Company of New York, Hartford, Connecticut,

(3) Fire insurance policy No. 77135 issued by the American Union Insurance Company of New York, Hartford, Connecticut,

(4) Perpetual fire insurance policy No. 128643 issued by the Fire Association of Philadelphia, Philadelphia, Pennsylvania;

(5) Perpetual fire insurance policy No. 3063 issued by the Fire Insurance Company of the County of Philadelphia, Philadelphia, Pennsylvania;

(6) Perpetual fire insurance policies Nos. 85374 and 51494 issued by the Fire Association of Philadelphia, Philadelphia, Pennsylvania; and

(7) General Owners' Landlords' and Tenants' Insurance Policy No. 52-076713 issued by the Maryland Casualty Company, Baltimore, Maryland,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All those tracts or parcels of land situated in the County of Philadelphia, State of Pennsylvania, particularly described as follows:

PARCEL 1

All that certain lot or piece of ground with the brick messuage or tenement thereon erected situate on the West side of Thirty-second street at the distance of One Hundred and eighty eight feet Northward from the North side of York Street in the Twenty eight Ward of the City of Philadelphia.

Containing in front or breadth on the said Thirty second Street, Fifteen feet six inches and extending of that width in length or depth Westward between parallel lines at right angles to the said Thirty second Street, Sixty two feet to a certain Three feet eight inches wide alley extending Northward from said York Street to Cumberland Street.

Together with the free and common use, right, liberty and privilege of the said alley as and for a passage way and water course at all times hereafter forever.

PARCEL 2

All that certain lot or piece of ground with the buildings and improvements thereon erected, described according to a Survey and Plan thereof made by Harold P. Mueller, Engineer of the City of Philadelphia, on the Thirteenth day of November, A. D. 1924, as follows, to wit: Situate on the Westerly side of Fourth Street (fifty feet wide) at the distance of Three hundred Thirty-five feet nine inches Northwardly from Northerly side of Clarkson Avenue in the Forty-second Ward of the City of Philadelphia.

Containing in front or breadth on the said Fourth Street Fifteen feet eleven and one-half inches and extending of that width in length or depth Westwardly between lines parallel with Clarkson Avenue One hundred feet to the middle of a certain fifteen feet wide driveway which extends Northwardly and communicates with a certain other driveway nine feet eight inches wide which extends Westwardly into Lawrence Street.

Being a part of the same premises which Harold P. Mueller, et ux, by Indenture bearing date the Seventeenth day of April, A. D. 1925 and recorded in the Office for Recording of Deeds in and for the County of Philadelphia in Deed Book J. M. H. No. — page —, &c. granted and conveyed unto the said Warren B. Light, in fee. Under and subject to certain building restrictions.

Together with the free and common use, right, liberty and privilege of the aforesaid driveways in common with the owners, tenants and occupiers of the other lots of ground bounding thereon and having the use thereof. Subject, however, to the proportionate part of the expense of maintaining said driveway in good order and repair at all times hereafter, forever.

PARCEL 3

All that certain lot or piece of ground with the messuage or tenement thereon erected situate on the Southwesterly side of Dauphin Street in the Thirty-first Ward of the City of Philadelphia aforesaid commencing at the distance of One hundred and forty-two feet four and a half inches Northwestwardly from the Northwesterly side of Moyer Street, containing in front or breadth on the said Dauphin Street Fourteen feet and extending in length or depth of that width Southwestwardly between lines parallel with said Moyer Street Forty-eight feet seven and three-eighths inches more or less, including a certain Two feet six inches wide alley which leads Southeastwardly and communicates with another Two feet six inches wide alley which leads Southwestwardly and communicates with a Three feet wide alley running Southeastwardly from Thompson Street to Moyer Street.

PARCEL 4

All that certain lot or piece of ground with the three story brick messuage or tenement thereon erected situate on the South side of Girard Avenue, at the distance of Sixty-five feet Westward from the West side of Eleventh Street in the Twentieth Ward of the City of Philadelphia. Containing in front or breadth on said Girard Avenue Fifteen feet three inches and extending in length or depth Southward of that width at right angles with said Girard Avenue Sixty feet to a certain Alley two feet eight inches and five eighths of an inch in width leading Eastward into said Eleventh Street. Bounded Northward by said Girard Avenue, Eastward by ground granted to John A. Quinn, Westward by ground now or late of Margaret and Henry E. Kurtz and Southward by said Alley.

Together with the free and common use and privilege of said alley, as and for a passage way and water course at all times hereafter forever.

PARCEL 5

All That Certain Messuage and lot or piece of ground situate on the Northwesterly side of Mercer (formerly Wilson) Street, commencing at the distance of One hundred and Forty Two feet six inches North from the Northeastwardly side of Dauphin Street in the Thirty First late part of the Nineteenth Ward of the City of Philadelphia containing in front or breadth on said Mercer Street Thirteen Feet Six inches (including on the Southwesterly side thereof the Northeasternmost moiety or half part of a certain Three feet wide Alley running from said Mercer Street Northwestwardly Sixty one feet six inches and communicating with a Four feet wide Alley with the right to build over the same leaving a headway of Eight feet in the clear laid out and opened for the accommodation of the owners tenants and occupiers of the premises bounding upon both of said Alleys) and extending in length or depth Northwestwardly between parallel lines at right angles with said Mercer Street Sixty one feet six inches to a Four feet wide Alley above mentioned and also all that certain Messuage and lot or piece of ground situate on the Northwesterly side of the said Mercer (formerly Wilson) street commencing at the distance of One hundred and Fifty six feet Northeasterwardly from the Northeastwardly side of said Dauphin Street in the Ward and City aforesaid containing in front or breadth on said Mercer Street Twelve feet and extending in length or depth Northwestwardly between parallel lines at right angles with said Mercer Street Sixty one feet six inches to the said above mentioned Four feet wide Alley [being the same premises which Zophar C. Howell, by indenture bearing date the 14th day of August A. D. 1890, and recorded at Philadelphia in Deed Book G. G. P. No. 666 page 207, &c., granted and conveyed unto the said Theodore L. Fest in fee] together with the free and common use and privilege of both the above mentioned Alleys at all times hereafter forever And also all that certain lot or piece of ground with the Two story brick Messuage or Tenement thereon erected situate on the Northwestwardly side of Mercer (formerly Wilson) Street at the distance of One hundred and sixty eight feet Northeastwardly from the Northeastwardly side of Dauphin Street in the Thirty first late part of the Nineteenth Ward of the City of Philadelphia aforesaid containing in front or breadth on the said Mercer Street Twelve feet ten inches and extending in length or depth Northwestwardly of that width between lines parallel with the said Dauphin Street Sixty one feet six inches to a four feet wide Alley which communicates with a Three feet wide Alley running Southeastwardly into said Mercer Street. Bounded Northeastwardly by ground of ------- O'Neill, Northwestwardly by said four feet wide Alley, Southwestwardly by ground now or late of William A. West and Southeastwardly by Mercer Street aforesaid [Being the same premises which Augustus Nieweg and Anna R., his wife, by Indenture bearing date the 14th day of October A. D. 1890, and recorded at Philadelphia in Deed Book G. G. P. No. 670 page 463, &c., granted and conveyed unto the said Theodore L. Fest in fee] together with the free use right liberty and privilege of said Alleys at all times hereafter forever.

[F. R. Doc. 44-12582; Filed, August 21, 1944; 11:18 a. m.]

[Vesting Order 2342, Amdt.]

AUGUST BAUCH

In re: Real property, insurance policies and claim owned by August Bauch.

Vesting Order Number 2342, dated October 5, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That the last known address of August Bauch is 46 Widenmayerstrasse, Munich 22, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That August Bauch is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Bronx County, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated in Bronx County, New York, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. All right, title and interest of August Bauch in and to the following insurance policies:

(1) Fire insurance policy No. 352803, issued by the Aetna Insurance Company, insuring the premises described in subparagraph 3-a hereof;

(2) Fire insurance policy No. 3596790, issued by the Great American Insurance Company, insuring the premises described in subparagraph 3-b hereof;

(3) Public liability insurance policy No. OT283196, issued by the Fidelity & Casualty Company of New York, insuring against liability for personal injuries on or about the premises described in subparagraph 3-a hereof;

(4) Public liability insurance policy No. LO340448, issued by the Great American Insurance Company, insuring against liability for personal injuries on or about the premises described in subparagraph 3-b hereof;

(5) War damage policy No. 1-54-21841, issued by the War Damage Corporation through the Home Insurance Company, as fiduciary, insuring the premises described in subparagraph 3-a hereof; and

d. All right, title, interest and claim of any name or nature whatsoever of August Bauch in and to any and all obligations, contingent or otherwise and whether or not matured, owing to August Bauch, by Sterling St. John, as Executor of the Estate of Mary Miller Bauch, and represented on the books of Sterling St. John, as Executor aforesaid, as a credit balance due August Bauch, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany):

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, intending hereby to effect the merger of that certain mortgage particularly described in Exhibit C, attached hereto and by reference made a part hereof, into the fee of the real property particularly described in subparagraph 3-a hereof, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-c and 3-d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land with the buildings and improvements thereon, erected, situate, lying and being in the twenty-third Ward, Borough of Bronx of the City of New York in the County and State of New York in Section 10, Block 2656 on a land map of the City of New York bounded and described as follows:

Beginning at a point on the westerly side of Tinton Avenue distant 79.76 feet southerly from the corner formed by the intersection of the southerly side of 163rd Street as the same is laid out by the Commissioners of the Department of Public Parks of the City of New York, with the said westerly side of Tinton Avenue, and running thence westerly parallel with the southerly side of said 163rd Street and part of the distance through a party wall so far as the same extends 95 feet; thence southerly parallel to the said westerly side of Tinton Avenue 18.33 feet; thence easterly parallel to said southerly side of 163rd Street and part of the distance through a party wall so far as the same extends 95 feet, and to the said westerly side of Tinton Avenue, and thence northerly along the said westerly side of Tinton Avenue 18.33 feet to the point or place of beginning. Said premises being known as 923 Tinton Avenue.

EXHIBIT B

All that certain lot, piece or parcel of land situate, lying and being in the Borough of Bronx of the City of New York in the County of Bronx and State of New York, known and designated as part of Lot No. 120 on a map entitled "Map of part of the farm belonging to Benjamin Berrian, Esq., situated in the Village of Fordham, Town of West Farms, County of Westchester, State of New York" made by William Rodigue, C. E. dated November 23, 1852 and filed in the Office of the Clerk of said county February 17, 1854, and more particularly bounded and described as follows:

Beginning at a point on the westerly side of Marion Avenue as now laid out distant 414.03 feet northerly from the corner formed by the intersection of the westerly side of Marion Avenue with the northerly side of 194th Street, and running thence northerly along the westerly side of Marion Avenue 25 feet; thence westerly at right angles to Marion Avenue and along the southerly line of Lot No. 118 as laid down on the aforesaid map 180.66 feet to the land now or formerly of John Cromwell; thence southerly or northerly so and along the land now or formerly of John Cromwell 25.34 feet; and thence easterly and at right angles to Marion Avenue 177.16 feet to the point or place of beginning. Being the northerly one-half part of Lot No. 120 on the aforesaid map.

EXHIBIT C

That certain mortgage executed on January 8, 1907 by Fred H. Wefer, Emile E. Wefer,

his wife, Anton Wik and Christina Wik, his wife, as mortgagors, in favor of Francis P. Ranney and Robert W. Todd, as Executors under the Last Will and Testament of Catherine H. Ranney, deceased, as mortgagee, which mortgage was recorded in the Register's Office, County and State of New York, on January 5, 1907, in Liber 96, page 194, Section 10 of Mortgages, and which mortgage was thereafter assigned to Mary Miller, who by her marriage to August Bauch became Mary Miller Bauch, by means assignment dated June 10, 1912, and which mortgage subsequently became the property of August Bauch, and any and all obligations secured by said mortgage, including but not limited to any and all security rights in and to any collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

[F. R. Doc. 44-12561; Filed, August 21, 1944; 11:18 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Dir., Aug. 15, 1944]

INTERNATIONAL ASSN. OF MACHINISTS, A. F. OF L., LODGE NO. 68

ORDER DIRECTING OFFICE OF PRICE ADMINISTRATION TO RESTRICT GASOLINE RATIONS

On April 20, 1944, the Tenth Regional War Labor Board issued an Interim Directive Order in Case No. 111-7566-D requiring Lodge No. 68 of the International Association of Machinists, A. F. of L., and its members who are employed in the 104 uptown shops in San Francisco, California, to withdraw the ban on overtime work imposed by their action of April 13, 1944. On May 2, 1944, the National War Labor Board similarly directed a withdrawal of the ban. On June 3, 1944, the National Board issued a further order imposing certain restrictions on Lodge No. 68 until it had complied with the order of the Regional War Labor Board.

The Chairman of the National War Labor Board has advised me that Lodge No. 68 and its members have failed and refused to comply with these orders of the Board, and that Lodge No. 68 has directed and advised its members not to work under the terms and conditions prescribed by the Board. In one plant, at least, there has been a total stoppage of work.

I am advised that every effort has been made to secure compliance, without success. The responsible national and international officers of the International Association of Machinists have failed to secure compliance with their Local Lodge, as clearly shown in their letter of June 25, 1944, addressed to the Under Secretary of War, the Assistant Secretary of the Navy, the Chairman of the U. S. Maritime Commission, and the Chairman of the War Production Board.

Finally, by Executive Order No. 9463, of August 12, the President has seized the affected uptown shops of the Pacific Gear and Tool Works, the Enterprise Engine and Foundry Company, the Link Belt Company (Pacific Division), the Federal Mogul Corporation and the United States Pipe and Manufacturing Company, under the Constitution and laws of the United States including section 3 of the War Labor Disputes Act which amends section 9 of the Selective Training and Service Act of 1940.

Because of the nature of the non-compliance, in furtherance of the effective prosecution of the war which makes it imperative to prevent interference with production and to protect those workers who wish to work, and under the laws of the United States and the Executive orders of the President, I hereby direct the Office of Price Administration:

(a) To utilize all lawful processes to secure a return of outstanding supplemental gasoline rations issued on the basis of employment needs from all employees of the above-named companies who are certified to the appropriate regional OPA office by the Navy Department's Officer-in-Charge of the seized plants as having refused compliance with Executive Order No. 9463, the orders of the National War Labor Board, or the orders of such Officer-in-Charge;

(b) To refuse issuance of supplemental gasoline rations applied for on the basis of employment needs to these employees under the same conditions as stated in subparagraph (a) above.

FRED M. VINSON,
Director.

[F. R. Doc. 44-12478; Filed, August 18, 1944; 3:56 p. m.]

[Dir., Aug. 15, 1944; Amdt. 1]

INTERNATIONAL ASSN. OF MACHINISTS, A. F. OF L., LODGE NO. 68

ORDER DIRECTING OFFICE OF PRICE ADMINISTRATION TO RESTRICT GASOLINE RATIONS

AUGUST 18, 1944.

Pursuant to discussions between the Office of Price Administration and the Office of Economic Stabilization, I hereby clarify my letter of August 15, 1944, which directs the Office of Price Administration to take certain action in connection with the government's possession and operation of five plants under Executive Order No. 9463, by amending directive paragraphs (a) and (b) to read as follows:

(a) To utilize all lawful processes and take all necessary action to terminate and secure the surrender of all supplemental gasoline rations issued in whole or in part, for occupational mileage for travel to and from such plants in connection with employment at such plants to all employees of such companies who are certified to the appropriate Regional Office of the Office of Price Administration by the Navy Department's Officer-in-Charge of the seized plants as refusing compliance, at the time of such certification, with Executive Order No. 9463, the orders of the National War Labor Board, or the orders of such Officer-in-Charge;

(b) To refuse issuance of supplemental gasoline rations to any such employee for travel to and from any such plant in connection with employment at such plant except upon presentation to such Regional Office of a written statement signed by the Officer-in-Charge withdrawing such certification or stating that the applicant is then complying with such orders.

FRED M. VINSON,
Director.

[F. R. Doc. 44-12479; Filed, August 18, 1944; 3:56 p. m.]

[Dir. Aug. 15, 1944]

SURPLUS PEARS, 1944

SUBSIDY PAYMENTS

Correction

In the next to the last line of the first paragraph of Federal Register Document 44-12370, appearing on page 10057 of the issue Friday, August 18, 1944, "peas" should read "pears".

OFFICE OF PRICE ADMINISTRATION.

[Rev. Gen. Order 33,[1] Amdt. 1]

RATIONING ADMINISTRATOR FOR PANAMA CANAL ZONE

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125 and by War Production Board Directive No. 1-L; *It is hereby ordered:*

Revised General Order 33 is amended by deleting the name "Glen E. Edgerton" wherever it appears therein, and by substituting therefor the name "J. C. Mehaffey".

This amendment shall become effective August 19, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12561; Filed, August 19, 1944; 11:44 a. m.]

[MPR 188, Order 2092]

SHUTTLECOCKS

AUTHORIZATION OF MAXIMUM PRICES

Order No. 2092 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and in accordance with section 9.3 of Revised Supplementary Regulation No. 14, it is ordered:

[1] 8 F.R. 4370.

(a) *Purpose of this order.* The purpose of this order is to establish maximum prices for all sales and deliveries of shuttlecocks after the effective date of this order.

(b) *What this order covers.* This order covers all sales and deliveries of shuttlecocks by any person to any other person.

(c) *Maximum prices for sales to exclusive distributors or private brand purchasers.* (1) The maximum prices for the sales by any manufacturer to an exclusive distributor or private brand purchaser of shuttlecocks are those set forth below. These maximum prices include the federal excise tax, and are subject to the discounts, allowances, transportation, packing and other price differentials customarily granted by the seller.

Shuttlecocks	*Maximum price (per gross)*
White goose middle wing feathers. Triple stitched or equivalent	$37.56
White or gray goose; white duck or white turkey middle wing feathers. Triple stitched or equivalent	35.40
White goose, duck or turkey wing feathers, gray goose or white rooster middle wing feathers. Triple stitched or equivalent	31.92
White or gray goose, duck, turkey or chicken wing feathers. Triple stitched or equivalent	27.60
White or gray goose, duck, turkey or chicken wing feathers. Doubled stitched or equivalent	19.56

(2) For the purpose of this order:

(i) An exclusive distributor is a person who customarily purchases a manufacturer's entire output of shuttlecocks bearing the manufacturer's brand name.

(ii) A private brand purchaser is a person who customarily purchases a manufacturer's entire output of shuttlecocks bearing the purchaser's own brand name.

(d) *Maximum prices for sales to jobbers.* (1) The maximum prices for sales by any person to a jobber of shuttlecocks are those set forth below. These maximum prices include the federal excise tax and are subject to the discounts, allowances, transportation, packing and other price differentials customarily granted by the seller.

Shuttlecocks	*Maximum price (per gross)*
White goose middle wing feathers. Triple stitched or equivalent	$48.96
White or gray goose; white duck or white turkey middle wing feathers. Triple stitched or equivalent	46.08
White goose, duck or turkey wing feathers, gray goose or white rooster middle wing feathers. Triple stitched or equivalent	41.64
White or gray goose, duck, turkey or chicken wing feathers. Triple stitched or equivalent	34.20
White or gray goose, duck, turkey or chicken wing feathers. Doubled stitched or equivalent	25.80

(2) For purposes of this order a jobber is any person other than an exclusive distributor or private brand purchaser, who buys shuttlecocks and resells them at wholesale.

(e) *Maximum prices for sales to persons other than exclusive distributors, private brand purchasers or jobbers.* The maximum prices for sales by any person to persons other than exclusive distributors, private brand purchasers, or jobbers, are the seller's properly established maximum prices, plus the dollar-and-cent amounts set forth below.

Shuttlecocks	Permissible addition to existing maximum prices	
	(sales of 1 dozen or more)	(sales of less than 1 dozen)
	Cents per dozen	*Cents each*
White goose middle wing feathers. Triple stitched or equivalent.	30	3
White or gray goose; white duck or white turkey middle wing feathers. Triple stitched or equivalent.	26	2
White goose, duck or turkey wing feathers, gray goose or white rooster middle wing feathers. Triple stitched or equivalent.	25	2
White or gray goose, duck, turkey or chicken wing feathers. Triple stitched or equivalent.	20	2
White or gray goose, duck, turkey or chicken wing feathers. Doubled stitched or equivalent.	14	1

(f) At the time of or prior to the first invoice to each purchaser for resale of shuttlecocks covered by this order, the seller shall furnish such purchaser with a written notice setting forth the number and title of this order and fully explaining its contents. This notice may be given in any convenient form.

(g) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 2092 shall become effective on the 21st day of August, 1944.

Issued this 19th day of August, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12555; Filed, August 19, 1944; 11:44 a. m.]

[MPR 120, Order 916]

SOUTHERN INDIANA MINING CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Piko Mine of Southern Indiana Mining Corporation, Terre Haute, Indiana, is hereby assigned Mine Index No. 2001, and is classified in Maximum Price Groups No. 10 for rail shipments and No. 2 for truck shipments.

(b) Coals produced by Southern Indiana Mining Corporation, Terre Haute, Indiana, from the 5th seam, at its Piko Mine, Mine Index No. 2001 in District No. 11, may be purchased and sold at per net ton prices in cents per net ton not exceeding the following:

	Size Group Nos.														
	1, 2 and 3	4, 5, 6 and 8	7	9, 10, 11 and 12	13 and 14	15	16	17, 18, 19, 20, 21 and 22	23 and 24	25	26 and 27	28 and 29	30 and 31	32	33	34
Rail shipments	240	240	300	215	180	140	110	220	205	175	195	160	200	165	160	200
Truck shipments	330	305	255	345	225	160	130	260	250	195	240	180	345	185	190	230

Railroad locomotive fuel

Mine run, modified mine run, and all lump and double-screened coal	2.40
Screenings, top size not exceeding 2"	1.85

The above prices include the adjustments effected by Amendment No. 113 to Maximum Price Regulation No. 120.

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective August 21, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12556; Filed, August 19, 1944; 11:41 a. m.]

[MPR 136, Order 279]

UTILITY TRAILER MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 279 Under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Utility Trailer Manufacturing Co.; Docket No. SO-28-4966.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, and section 16 of Maximum Price Regulation 452, *It is ordered:*

(a) The Utility Trailer Manufacturing Company, 1550 North Knowles Street, Los Angeles, California, is authorized to sell its trailers (full and semi) under

Maximum Price Regulation 136, as amended; and trailer parts under Maximum Price Regulation 452, at prices which will permit it to receive for such trailers and parts not more than 102% of the applicable maximum net prices duly in effect just prior to the issuance of this order. (The discounts, allowances and terms of delivery in effect on March 31, 1942, shall be maintained.)

(b) A reseller may sell each of the trailers described in paragraph (a) at a price which does not exceed the sum of the following (subject to the discounts, allowances and terms of delivery in effect on March 31, 1942):

(1) The reseller's maximum price duly in effect just prior to the issuance of this order; and

(2) The applicable dollars-and-cents amount of the increase granted to the Utility Trailer Manufacturing Company under paragraph (a); and

(3) The reseller's customary markup on such an increase.

(c) All requests not granted herein are denied.

(d) This order may be revoked or amended by the Administrator at any time.

This order shall become effective August 21, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12554; Filed, August 19, 1944; 11:42 a. m.]

[RMPR 436, Order 11]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 11 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Noble South Pool, Richland County, Illinois.
Union Pool, Pike County, Indiana.
Lisbon (Pettit) Pool, Claiborne and Lincoln Counties, Louisiana.
Huron Pool, Wayne County, Michigan.
Marne Pool, Ottawa County, Michigan.
Mill Lake Pool, Van Buren County, Michigan.
North Buckeye Pool, Gladwin County, Michigan.
Elk Basin-Frontier Sand (Light Oil) Pool, Carbon County, Montana.
Bowden Pool, Creek County, Oklahoma.
Sour Lake Pool, Hardin County, Texas.
South Seven Sisters Pool, Duval County, Texas.
Elk Basin-Frontier Sand (Light Oil) Pool, Park County, Wyoming.
Salt Creek (1st Wall Creek) Pool, Natrona County, Wyoming.
Salt Creek (Morrison) Pool, Natrona County, Wyoming.
Salt Creek (Shale) Pool, Natrona County, Wyoming.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436; *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No 436 and the amount of the increase designated below:

	Amount of increase (Dollars per 42-gallon barrel)
Illinois, Richland County, Noble South Pool	20
Indiana, Pike County, Union Pool	35
Louisiana, Claiborne and Lincoln Counties, Lisbon (Pettit) Pool	30
Michigan, Wayne County, Huron Pool	35
Michigan, Ottawa County, Marne Pool	35
Michigan, Van Buren County, Mill Lake Pool	35
Michigan, Gladwin County, North Buckeye Pool	25
Montana, Carbon County, Elk Basin-Frontier Sand (Light Oil) Pool	35
Oklahoma, Creek County, Bowden Pool	35
Texas, Hardin County, Sour Lake Pool	20
Texas, Duval County, South Seven Sisters Pool	35
Wyoming, Park County, Elk Basin-Frontier Sand (Light Oil) Pool	35
Wyoming, Natrona County, Salt Creek (1st Wall Creek) Pool	35
Wyoming, Natrona County, Salt Creek (Morrison) Pool	25
Wyoming, Natrona County, Salt Creek (Shale) Pool	35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12553; Filed, August 19, 1944; 11:41 a. m.]

[MPR 154, Order 7]

EASTERN SHORE PUBLIC SERVICE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 7 under Maximum Price Regulation No. 154, as amended. Ice, Docket No. N6351-2154-2-4.

Adjustment of maximum prices for artificial ice manufactured and sold by the Eastern Shore Public Service Company, Salisbury, Maryland. For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is ordered:*

(a) The Eastern Shore Public Service Company, Salisbury, Maryland, may sell ice for railroad car and truck icing purposes at the locations and at the prices not higher than those shown below, commencing with the 21st day of August, 1944 and continuing for such period of time as will enable applicant to recover $8,320.82. These maximum prices represent maximum prices in effect prior to issuance of this order plus an amount of $1.94 per ton which is the determined maximum additional amount of revenue per ton allowable under this order for recovery of excess importation cost on 1490 tons of ice imported for the period of June 1, 1944 to July 15, 1944.

Town	GRANTED PRICES *Ceiling price granted by this order, per ton*
Exmore, Va.:	
Ice for fish	$7.94
Top ice for vegetables	6.94
Tasley, Va.:	
Ice for fish and vegetables	7.44
Chincoteague, Va.:	
Ice for fish and vegetables and Navy use	7.94
Pocomoke, Md.:	
Ice for fish and vegetables	7.94
Deals Island, Md.:	
Ice for fish and vegetables	6.94
Crisfield, Md.:	
Ice for fish and vegetables	7.44
Leonardtown, Md.:	
Ice for both fish and U. S. Government use	7.27½

(b) The applicant is ordered to make an accounting to the Washington office of the Office of Price Administration at thirty-day intervals, said time to commence with the effective date of this order and continuing as long as the order is in effect, which accounting shall show the total tonnage sales and amount of excess importation cost recovered. Upon recovery of excess importation cost in amount of $8,320.82, maximum prices for ice at the locations and for the classifications herein shown will revert to maximum prices in effect prior to issuance of this order.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 7 shall become effective August 21, 1944.

Issued this 19th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12552; Filed August 19, 1944; 11:41 a. m.]

[MPR 120, Order 804]

BETHEL COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In F. R. Doc. 44-11370, appearing at page 9313 of the issue for Tuesday, August 1, 1944, the figures under size group numbers 7, 9 and 11, opposite "Rail shipment, etc." for Davidson Coal Company, should read "345".

[MPR 120, Corr. to Order 878]

SOUTHERN COAL CORP., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 878 (9 F.R. 9379) dated July 31, 1944, readjusts the maximum prices for a number of mines in District No. 7, the previous adjustments of which had been voided by Amendment No. 111 to Maximum Price Regulation No. 120. By inadvertence the maximum prices for the three mines with the Index Nos. 5, 337 and 338 in the column headed Mine Run for Locomotive Fuel Use under High Volatile Coals had been left blank. The price of $3.20 should have been inserted for the mine run coals for locomotive fuel use for these three mines.

After due consideration of the foregoing and pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120, *It is Ordered:*

(a) The figures $3.20 are hereby inserted in the column headed "Mine Run" under High Volatile Coals for Locomotive Fuel Use for the mines with the Index Nos. 5, 337 and 338.

(b) This correction to Order No. 878 shall be effective as of July 31, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12600; Filed, August 21, 1944; 11:52 a. m.]

[MPR 188, Rev. Order 1829]

REST-WELL BED BOARD CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1829 under § 1499.-158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of "Bed Boards" manufactured by Rest-Well Bed Board Company.

Order No. 1829 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) Revised Order No. 1829 establishes maximum prices for sales and deliveries of bed boards manufactured by Rest-Well Bed Board Company, 551 Fifth Avenue, New York 17, New York.

(b) For all sales and deliveries by the manufacturer to dealers and ultimate consumers, the maximum net prices are those set forth below:

Number	Model	Price to dealer (delivered)	Price to consumer (delivered)
1	24" x 60" (flat)	$3.40 (east of Mississippi)	$4.00 (east of Mississippi).
	24" x 60" (flat)	$3.64 (west of Mississippi)	$4.40 (west of Mississippi).
2	30" x 60" (flat)	$3.00 (east of Mississippi)	$5.00 (east of Mississippi).
	30" x 60" (flat)	$3.20 (west of Mississippi)	$5.50 (west of Mississippi).
3	36" x 60" (flat)	$3.45 (east of Mississippi)	$5.75 (east of Mississippi).
	36" x 60" (flat)	$3.81 (west of Mississippi)	$6.35 (west of Mississippi).
4	48" x 60" (hinged)	$5.97	$9.95.
5	30" x 60" (folding)	$4.77	$7.95.
6	36" x 60" (folding)	$5.25	$8.75.
7	22" x 44" (flat)	$1.71	$2.85.
11	30" x 68" (one elevation reclining)	$7.50	$12.50.
13	30" x 68" (adj. Comb. reclining)	$8.26	$13.75.
12	36" x 68"	$10.74	$17.90.
12	48" x 68"	$12.30	$20.65.
22	30" x 72" (4-piece hospital board)	$5.55	$9.75.
33	30" x 73" (imitation hospital)	$10.80	$17.50.
	BACK RESTS		
	A—adjustable	$4.05	$6.75.
	B—wood grain finish	$2.37	$3.95.
	B—imitation leatherette finish	$2.97	$4.95.

(c) For all sales and deliveries by any person other than the manufacturer to ultimate consumers, the maximum net prices are those set forth below:

Number	Model	Price to consumer (delivered)
1	24" x 60" (flat)	$4.00 (east of Mississippi).
	24" x 60" (flat)	$4.40 (west of Mississippi).
2	30" x 60" (flat)	$5.00 (east of Mississippi).
	30" x 60" (flat)	$5.50 (west of Mississippi).
3	36" x 60" (flat)	$5.75 (east of Mississippi).
	36" x 60" (flat)	$6.35 (west of Mississippi).
4	48" x 60" (hinged)	$9.95.
5	30" x 60" (folding)	$7.95.
6	36" x 60" (folding)	$8.75.
7	22" x 44" (flat)	$2.85
11	30" x 68" (one elevation reclining)	$12.50.
13	30" x 68" (adj. comb. reclining)	$13.75.
12	36" x 68"	$17.90.
12	48" x 68"	$20.65.
22	30" x 72" (4-piece hospital board)	$9.75.
33	30" x 73" (imitation hospital)	$17.50.
	BACK RESTS	
	A—adjustable	$6.75.
	B—wood grain finish	$3.95.
	B—imitation leatherette finish	$4.95.

(d) At the time of or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (b) above of this revised order for such resales. This notice may be given in any convenient form.

(e) This revised order No. 1829 may be revoked or amended by the Price Administrator at any time.

This revised order No. 1829 shall become effective on the 22d day of August 1944.

Issued this 21st day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12599; Filed, August 21, 1944; 11: 52 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on August 15, 1944.

REGION I

Boston Order P-1, Amendment 1, covering fresh fish and seafood in certain areas in Massachusetts. Filed 10:01 a. m.

REGION II

Erie Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 9:47 a. m.

Newark Order 4-F, Amendment 14, covering fresh fruits and vegetables in designated counties in New Jersey. Filed 10:08 a. m.

REGION III

Columbus Order 3-F, Amendment 35, covering fresh fruits and vegetables in Columbus and Franklin County, Ohio. Filed 9:50 a. m.

Columbus Order 4-F, Amendment 13, covering fresh fruits and vegetables in designated counties in Ohio. Filed 9:49 a. m.

Columbus Order 5-F, Amendment 14, covering fresh fruits and vegetables in Belmont, Harrison, Jefferson, Monroe, Noble and Washington Counties. Filed 9:49 a. m.

REGION IV

Jacksonville Order 7-F, Amendment 15, covering fresh fruits and vegetables in named cities and towns of Florida. Filed 9:50 a. m.

REGION V

Arkansas Order 2-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Arkansas. Filed 9:47 a. m.

Arkansas Order 4-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Arkansas. Filed 9:47 a. m.

Arkansas Order 5-F, Amendment 19, covering fresh fruits and vegetables in Garland Co., Ark. Filed 9:46 a. m.

Arkansas Order 6-F, Amendment 20, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 9:45 a. m.

REGION VI

Des Moines Order 1-F, Amendment 29, covering fresh fruits and vegetables in the Des Moines Area. Filed 9:53 a. m.

La Crosse Order 1-F, Amendment 28, covering fresh fruits and vegetables in La Crosse, Wis. and Winona, Minn. Filed 9:54 a. m.

La Crosse Order 3-F, Amendment 24, covering fresh fruits and vegetables in Eau Claire & Chippewa Falls, Wis. Filed 9:53 a. m.

La Crosse Order 4–F, Amendment 24, covering fresh fruits and vegetables in Sparta, Wis. Filed 9:54 a. m.

La Crosse Order 5–F, Amendment 24, covering fresh fruits and vegetables in Rochester, Minn. Filed 9:55 a. m.

Milwaukee Order 2–F, Amendment 27, covering fresh fruits and vegetables in Dane Co. Filed 9:45 a. m.

Milwaukee Order 3–F, Amendment 27, covering fresh fruits and vegetables in Milwaukee Co., City of Racine and City of Kenosha. Filed 10:01 a. m.

Milwaukee Order 5–F, Amendment 26, covering fresh fruits and vegetables in Sheyboygan and Fond Du Lac Counties. Filed 9:25 a. m.

Omaha Order 7–F, Amendment 6, covering fresh fruits and vegetables in Omaha, Nebr. and Council Bluffs, Iowa. Filed 9:57 a. m.

Omaha Order 8–F, Amendment 6, covering fresh fruits and vegetables in Lincoln, Nebr. Filed 9:51 a. m.

REGION VII

Boise Order 1–F, covering fresh fruits and vegetables in Boise City, Idaho. Filed 9:52 a. m.

Boise Order 3–B covering retail fresh fruit and vegetable prices in various areas in the Boise, Idaho District. Filed 9:52 a. m.

Utah Order 3–W, covering wholesale community food prices in Salt Lake, Ogden & Provo Area. Filed 9:50 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–12549; Filed, August 19, 1944; 11:36 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 16, 1944.

REGION I

Providence Order 1–F, Amendment 12, covering fresh fruits and vegetables in the Providence, R. I., Metropolitan Area, filed 11:02 a. m.

Providence Order 2–F, Amendment 12, covering fresh fruits and vegetables in Rhode Island, except Metropolitan Area and New Shoreham, filed 11:03 a. m.

REGION II

Buffalo Order 1–F, Amendment 18, covering fresh fruits and vegetables in designated areas in New York, filed 10:41 a. m.

Camden Order 1–F, Amendment 17, covering fresh fruits and vegetables in Camden, Burlington, Gloucester, Salem and Cumberland, filed 10:40 a. m.

Camden Order 2–F, Amendment 16, covering fresh fruits and vegetables in Atlantic and Cape May Counties, N. J., filed 10:40 a. m.

Newark Order 4–F, Amendment 13, covering fresh fruits and vegetables in named areas in New Jersey, filed 11:04 a. m.

Pittsburgh Order 1–F, Amendment 18, covering fresh fruits and vegetables in Pittsburgh and certain surrounding communities, filed 10:48 a. m.

Syracuse Order 1–F, Amendment 18, covering fresh fruits and vegettables in certain designated areas in New York, filed 11:03 a. m.

REGION III

Cincinnati Order 1–F, Amendment 43, covering fresh fruits and vegetables in Hamilton Co., Ohio, filed 10:41 a. m.

Escanaba Order 9–F, Amendment 23, covering fresh fruits and vegetable prices in designated areas in Michigan, filed 10:31 a. m.

Escanaba Order 10–F, Amendment 23, covering fresh fruits and vegetable prices in designated areas in Michigan, filed 10:31 a. m.

Escanaba Order 11–F, Amendment 23, covering fresh fruits and vegetables in Escanaba and Gladstone, Delta Co., Mich., filed 10:31 a. m.

Escanaba Order 12–F, Amendment 22, covering fresh fruits and vegetables in designated areas in Michigan, filed 10:27 a. m.

Escanaba Order 13–F, Amendment 22, covering fresh fruits and vegetables in designated areas in Michigan, filed 10:27 a. m.

Escanaba Order 17–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Michigan, filed 10:31 a. m.

Indianapolis Order 4–F, Amendment 24, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe, filed 10:20 a. m.

Indianapolis Order 6–F, Amendment 24, covering fresh fruits and vegetables in Indianapolis District, the County of St. Joseph, filed 10:20 a. m.

Indianapolis Order 7–F, Amendment 11, covering fresh fruits and vegetables in Vanderburgh, filed 10:20 a. m.

Indianapolis Order 8–F, Amendment 24, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 10:21 a. m.

Indianapolis Order 9–F, Amendment 24, covering fresh fruits and vegetables in certain counties in Ohio, filed 10:22 a. m.

Indianapolis Order 10–F, Amendment 24, covering fresh fruits and vegetables in certain counties in the Indianapolis District filed 10:22 a. m.

Detroit Order 10, Amendment 9, covering certain food items in designated counties, filed 10:44 a. m.

Lexington Order 1–F, Amendment 42, covering fresh fruits and vegetables in Fayette Co., Ky, filed 10:43 a. m.

Lexington Order 2–F, Amendment 36, covering fresh fruits and vegetables in Campbell and Kenton Counties, Ky., filed 10:42 a. m.

Lexington Order 3–F, Amendment 33, covering fresh fruits and vegetables in Boyd County, Ky., filed 10:42 a. m.

Louisville Order 1–F, Amendment 6, covering fresh fruits and vegetables in Jefferson Co., Ky., and Clark and Floyd Counties, Ind., filed 4:24 p. m.

REGION IV

Atlanta Order 1–F, Amendment 19, covering fresh fruits and vegetables in Bibb Co., Ga., filed 10:29 a. m.

Atlanta Order 5–F, Amendment 16, covering fresh fruits and vegetables in Russell Co., Phenix City, Ala., and Muscogee Co., Ga., filed 10:29 a. m.

Atlanta Order 6–F, Amendment 11, covering fresh fruits and vegetables in the Metropolitan Atlanta-Decatur Trade Area in Ga., filed 10:22 a. m.

Jacksonville Order 7–F, Amendment 14, covering fresh fruits and vegetables in certain cities and towns of Florida, filed 10:28 a. m.

Atlanta Order 13, Amendment 4, covering dry groceries in North Georgia District Area and Phenix City, Ala., filed 10:44 a. m.

Jackson Order 2–F, Amendment 23, covering fresh fruits and vegetables in designated counties in Mississippi, filed 10:23 a. m.

Jacksonville Order 6–F, Amendment 15, covering fresh fruits and vegetables in Jacksonville, Fla., filed 10:45 a. m.

Roanoke Order 2–F, Amendment 11, covering fresh fruits and vegetables in certain areas in Roanoke District, filed 10:44 a. m.

Memphis Order 5–F, Amendment 8, covering fresh fruits and vegetables in the Memphis District Area, filed 10:32 a. m.

South Carolina Order 15, covering dry groceries and certain perishables in South Carolina, filed 10:27 a. m.

REGION V

Arkansas Order 1–C, covering retail poultry in Arkansas, filed 10:32 a. m.

Arkansas Order 1–E, covering retail prices for certain food items in Arkansas, filed 10:27 a. m.

Fort Worth Order 1–F, Amendment 29, covering fresh fruits and vegetables in Tarrant Co., filed 10:25 a. m.

Fort Worth Order 2–F, Amendment 29, covering fresh fruits and vegetables in Taylor Co., filed 10:24 a. m.

Fort Worth Order 3–F, Amendment 29, covering fresh fruits and vegetables in Green Co., filed 10:24 a. m.

Fort Worth Order 4–F, Amendment 29, covering fresh fruits and vegetables in McLennan Co., filed 10:23 a. m.

Fort Worth Order 5–F, Amendment 29, covering fresh fruits and vegetables in Wichita Co., filed 10:23 a. m.

Fort Worth Order 6–F, Amendment 7, covering fresh fruits and vegetables in certain counties in Texas, filed 10:23 a. m.

REGION VI

Chicago Order 2–F, Amendment 26, covering fresh fruits and vegetables in named counties in Indiana, filed 10:51 a. m.

Sioux City Order 3–F, Amendment 9, covering fresh fruits and vegetables in certain areas in Iowa, Nebraska and South Dakota, filed 4:23 p. m.

Sioux City Order 4–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Nebraska, filed 4:24 p. m.

Sioux Falls Order 1–F, (Rev.), Amendment 2, covering fresh fruits and vegetables in certain counties in South Dakota, filed 10:54 a. m.

Springfield Order 1–FS, Amendment 4, covering fresh fruits and vegetables in Springfield, Sangamon Co., Ill., filed 4:28 p. m.

Twin Cities Order G–6, covering certain cheese items in the Twin Cities District, filed 10:50 a. m.

REGION VII

New Mexico Order F–1, Amendment 21, covering fresh fruits and vegetables in Albuquerque, filed 4:23 p. m.

New Mexico Order F–2, Amendment 7, covering fresh fruits and vegetables in Santa Fe, filed 4:23 p. m.

New Mexico Order F–3, Amendment 7, covering fresh fruits and vegetables in City of Gallup, filed 4:22 p. m.

New Mexico Order F–4, Amendment 6, covering fresh fruits and vegetables in certain areas in New Mexico, filed 10:58 a. m.

New Mexico Order F–5, Amendment 4, covering fresh fruits and vegetables in Las Vegas, filed 4:23 p. m.

New Mexico Order F–6, Amendment 3, covering fresh fruits and vegetables in certain areas in New Mexico, filed 11:00 a. m.

Utah Order F–1, Amendment 11, covering fresh fruits and vegetables in the Salt Lake, Davis & Weber Co. Area, filed 11:00 a. m.

Utah Order F–2, Amendment 10, covering fresh fruits and vegetables in a certain named area in Utah, filed 11:01 a. m.

Utah Order F–3, Amendment 9, covering fresh fruits and vegetables in a certain named area in Utah, filed 11:01 a. m.

Utah Order F–4, Amendment 9, covering fresh fruits and vegetables in a certain named area in Utah, filed 11:02 a. m.

Utah Order F–5, Amendment 9, covering fresh fruits and vegetables in the Utah County Area, filed 11:02 a. m.

Utah Order F–6, Amendment 9, covering fresh fruits and vegetables in a certain area in Utah, filed 11:01 a. m.

REGION VIII

Los Angeles Order L. A.–5, Amendment 18, covering community food prices in the Los Angeles Metropolitan Area, filed 10:47 a. m.

Phoenix Order 1–F, Amendment 8, covering fresh fish and seafood in Arizona with exception of certain areas, filed 10:47 a. m.

Phoenix Order 8–F, Amendment 30, covering fresh fruits and vegetables in 25 mile radius of the post office of Phoenix, filed 10:32 a. m.

Phoenix Order 10, Amendment 4, covering community food prices in the Gila Valley Area, filed 10:32 a. m.

Portland Order 1–F, Amendment 29, covering fresh fruits and vegetables in the Portland District, filed 4:23 p. m.

Sacrament Order 1–F, Amendment 13, covering fresh fruits and vegetables in the Sacramento-Stockton Area, filed 10:49 a. m.

Sacramento Order 6–F, Amendment 11, covering fresh fruits and vegetables in the Sacramento District Central County Area, filed 10:48 a. m.

Sacramento Order 7–F, Amendment 11, covering fresh fruits and vegetables in the Sacramento District Northern County Area, filed 10:48 a. m.

San Francisco Order F–1, Amendment 28, covering fresh fruits and vegetables in certain areas in the San Francisco District, filed 4:20 p. m.

San Francisco Order F–2, Amendment 21, covering fresh fruits and vegetables in certain cities in the San Francisco District, filed 4:20 p. m.

San Francisco Order F–3, Amendment 20, covering fresh fruits and vegetables in certain cities in the San Francisco District, filed 4:20 p. m.

San Francisco Order F–4, Amendment 19, covering fresh fruits and vegetables in certain cities in the San Francisco District, filed 4:22 p. m.

San Francisco Order F–5, Amendment 18, covering fresh fruits and vegetables in certain cities in the San Francisco District, filed 4:22 p. m.

San Francisco Order F–6, Amendment 14, covering fresh fruits and vegetables in certain cities in the San Francisco District, filed 4:22 p. m.

Seattle Order 101, covering community food prices in the Tacoma Area, filed 4:22 p. m.

Seattle Order 102, covering community food prices in the Everett Area, filed 4:22 p. m.

Seattle Order 103, covering community food prices in the Bremerton Area, filed 4:22 p. m.

Seattle Order 104, covering community food prices in the Bellingham Area, filed 4:18 p. m.

Seattle Order 105, covering community food prices in the Olympia Area, filed 4:18 p. m.

Seattle Order 106, covering community food prices in the Aberdeen-Hoquiam Area, filed 4:18 p. m.

Seattle Order 107, covering community food prices in the Centralia-Chehalis Area, filed 4:18 p. m.

Seattle Order 108, covering community food prices in the Wenatchee Area, filed 4:18 p. m.

Seattle Order 109, covering community food prices in the Yakima Area, filed 4:18 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–12550; Filed, August 19, 1944; 11:36 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 17, 1944.

REGION I

Boston Order G–3, Amendment 4, covering community food prices in certain areas in the Boston Region, filed 2:57 p. m.

Boston Order 6–F, Amendment 9, covering fresh fruits and vegetables in designated areas in the Boston Region, filed 2:48 p. m.

REGION II

Albany Order 1–F, Amendment 20, covering fresh fruits and vegetables in named cities in the Albany district, filed 3:03 p. m.

Harrisburg District Order P–1, Amendment 4, covering fresh fish and seafood in named areas in Pennsylvania, filed 2:49 p. m.

Buffalo Order 2–F, Amendment 18, covering fresh fruits and vegetables in Rochester, E. Rochester, Fairport and Pittsford, filed 2:46 p. m.

New York Order 3–B, covering wholesale community food prices in Region II, filed 2:40 p. m.

REGION III

Charleston Order 3–F, Amendment 34, covering fresh fruits and vegetables in certain counties in West Virginia, filed 2:58 p. m.

Charleston Order 7–F, Amendment 20, covering fresh fruits and vegetables in certain areas in West Virginia, filed 2:59 p. m.

Charleston Order 8–F, Amendment 20, covering fresh fruits and vegetables in named counties in West Virginia, filed 2:59 p. m.

Charleston Order 9–F, Amendment 19, covering fresh fruits and vegetables in Cabell Co. and Huntington in Wayne Co., W. Va., filed 3:01 p. m.

Charleston Order 10–F, Amendment 19, covering fresh fruits and vegetables in named counties in West Virginia, filed 3:03 p. m.

Charleston Order 12–F, Amendment 10, covering fresh fruits and vegetables in certain areas in West Virginia, filed 3:02 p. m.

Charleston Order 13–F, Amendment 5, covering fresh fruits and vegetables in certain areas in West Virginia, filed 3:02 p. m.

Louisville Order 2–F, Amendment 6, covering fresh fruits and vegetables in McCracken Co., Ky., filed 2:39 p. m.

Louisville Order 3–F, Amendment 6, covering fresh fruits and vegetables in Daviess and Henderson Counties, Ky., filed 2:39 p. m.

Indianapolis Order 4–F, Amendment 25, covering fresh fruits and vegetables in Marion, Vigo, and Tippecanoe, filed 2:49 p. m.

Indianapolis Order 5–F, Amendment 25, covering fresh fruits and vegetables in Wayne, Delaware, and Allen, filed 2:49 p. m.

Indianapolis Order 6–F, Amendment 25, covering fresh fruits and vegetables in St. Joseph Co., filed 2:50 p. m.

Indianapolis Order 7–F, Amendment 12, covering fresh fruits and vegetables in Vanderburgh Co., filed 2:51 p. m.

Indianapolis Order 8–F, Amendment 25, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 2:51 p. m.

Indianapolis Order 9–F, Amendment 25, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 2:52 p. m.

Indianapolis Order 10–F, Amendment 25, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 2:53 p. m.

Indianapolis Order 11–F, Amendment 25, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 2:54 p. m.

Indianapolis Order 12–F, Amendment 10, covering fresh fruits and vegetables in certain counties in the Indianapolis District, filed 2:55 p. m.

REGION IV

Atlanta Order 13, Amendment 5, covering dry groceries in North Ga. District Area and Phenix City, Ala., filed 2:55 p. m.

Birmingham Order 1–F, Amendment 13, covering fresh fruits and vegetables in Jefferson Co., Ala., filed 3:10 p. m.

Birmingham Order 2–F, Amendment 7, covering fresh fruits and vegetables in specified counties in the Birmingham District, filed 2:46 p. m.

Jacksonville Order 3–F, Amendment 14, covering fresh fruits and vegetables in Tampa, Florida, filed 3:04 p. m.

Columbia Order 1–F, Amendment 15, covering fresh fruits and vegetables in the 7-mile radius of the State House, Columbia, S. C., filed 2:42 p. m.

Columbia Order 2–F, Amendment 15, covering fresh fruits and vegetables in a certain area in South Carolina, filed 2:41 p. m.

Columbia Order 3–F, Amendment 19, covering fresh fruits and vegetables in a certain area in South Carolina, filed 2:41 p. m.

Columbia Order 4–F, Amendment 8, covering fresh fruits and vegetables in South Carolina except certain areas, filed 2:40 p. m.

REGION V

Dallas Order 1–F, Amendment 27, covering fresh fruits and vegetables in certain areas in the Dallas District, filed 3:08 p. m.

Dallas Order 3–F, Amendment 20, covering fresh fruits and vegetables in certain areas in the Dallas District, filed 3:08 p. m.

Dallas Order 3–W, covering dry groceries at wholesale in certain counties in Texas, filed 2:56 p. m.

Fort Worth Order 1–F, Amendment 30, covering fresh fruits and vegetables in Tarrant County, filed 3:05 p. m.

Fort Worth Order 2–F, Amendment 30, covering fresh fruits and vegetables in Taylor Co., Tex., filed 3:04 p. m.

Fort Worth Order 3–F, Amendment 30, covering fresh fruits and vegetables in Green Co., Tex., filed 3:05 p. m.

Fort Worth Order 4–F, Amendment 30, covering fresh fruits and vegetables in McLennan Co., Tex., filed 3:06 p. m.

Fort Worth Order 5–F, Amendment 30, covering fresh fruits and vegetables in Wichita Co., Tex., filed 3:02 p. m.

Kansas City Order 1–F, Amendment 8, covering fresh fruits and vegetables in certain areas in the Kansas City District, filed 2:38 p. m.

REGION VI

Twin Cities Order 2–F, Amendment 6, covering fresh fruits and vegetables in certain counties in Minnesota and Wisconsin, filed 2:44 p. m.

REGION VII

New Mexico Order F–4, Amendment 7, covering fresh fruits and vegetables in certain areas in New Mexico, filed 3:10 p. m.

New Mexico Order F–6, Amendment 4, covering fresh fruits and vegetables in certain areas in New Mexico, filed 3:09 p. m.

REGION VIII

Spokane Order 4–F, Amendment 8, covering fresh fruits and vegetables in certain areas of Latah Co., Idaho, and Whitman Co., Wash., filed 2:44 p. m.

Spokane Order 6–F, Amendment 8, covering fresh fruits and vegetables in certain areas of Columbia and Walla Walla Counties, Wash., filed 2:43 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–12561; Filed, August 19, 1944; 4:15 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 18, 1944.

REGION II

New York Order 1–F, Amendment 10, covering fresh fruits and vegetables in New York City and all 5 boroughs, filed 9:30 a. m.

New York Basic Order 1–B, covering retail community food prices in Region II, filed 9:31 a. m.

New York Order 3–F, Amendment 6, covering fresh fruits and vegetables in certain cities in New York, filed 9:31 a. m.

New York Order 7–F, covering fresh fruits and vegetables in Dutchess and Orange Counties, N. Y., filed 9:30 a. m.

New York Order 8–F, covering fresh fruits and vegetables in Putnam, Rockland, and Suffolk Counties, N. Y., filed 9:30 a. m.

Wilmington Order 2–F, Amendment 17, covering fresh fruits and vegetables in certain areas in Delaware, filed 9:30 a. m.

REGION III

Escanaba Order 9–F, Amendment 24, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:31 a. m.

Escanaba Order 10–F, Amendment 24, covering fresh fruits and vegetables in certain areas in Michigan, filed 9:31 a. m.

Escanaba Order 11–F, Amendment 24, covering fresh fruits and vegetables in Escanaba, & Gladstone, Delta Co., Mich., filed 9:31 a. m.

Escanaba Order 12–F, Amendment 23, covering fresh fruits and vegetables in certain areas in the Escanaba District, filed 9:31 a. m.

Escanaba Order 13–F, Amendment 23, covering fresh fruits and vegetables in named areas in Michigan, filed 9:31 a. m.

Escanaba Order 14–F, Amendment 23, covering fresh fruits and vegetables in named areas in Michigan and Wisconsin, filed 9:32 a. m.

Escanaba Order 15–F, Amendment 23, covering fresh fruits and vegetables in named areas in Michigan and Wisconsin, filed 9:32 a. m.

Escanaba Order 16–F, Amendment 23, covering fresh fruits and vegetables in Saulte Ste. Marie, Chippewa Co., Mich., filed 9:32 a. m.

Escanaba Order 17–F, Amendment 22, covering fresh fruits and vegetables in named areas in Michigan, filed 9:32 a. m.

REGION IV

Memphis Order 4–F, Amendment 46, covering fresh fruits and vegetables in the Memphis District, filed 9:32 a. m.

REGION VII

Wyoming Order 4–F, Amendment 6, covering fresh fruits and vegetables in the Sheridan Area, filed 9:40 a. m.

Montana Order 5–F, Amendment 3, covering fresh fruits and vegetables in the Helena Area, filed 9:40 a. m.

Montana Order 6–F, Amendment 3, covering fresh fruits and vegetables in the Great Falls Area, filed 9:41 a. m.

Montana Order 7–F, Amendment 3, covering fresh fruits and vegetables in the Butte Area, filed 9:41 a. m.

Montana Order 8–F, Amendment 3, covering fresh fruits and vegetables in the Billings Area, filed 9:41 a. m.

Montana Order 9–F, Amendment 3, covering fresh fruits and vegetables in the Miles City Area, filed 9:42 a. m.

Montana Order 10–F, Amendment 3, covering fresh fruits and vegetables in the Bozeman Area, filed 9:42 a. m.

Montana Order 11–F, Amendment 3, covering fresh fruits and vegetables in the Missoula Area, filed 9:42 a. m.

Montana Order 12–F, Amendment 3, covering fresh fruits and vegetables in the Kalispell Area, filed 9:42 a. m.

Montana Order 13–F, Amendment 3, covering fresh fruits and vegetables in the Anaconda Area, filed 9:43 a. m.

Montana Order 14–F, Amendment 3, covering fresh fruits and vegetables in the Wolf Point and Malta Areas, filed 9:43 a. m.

Montana Order 15–F, Amendment 3, covering fresh fruits and vegetables in the Glasgow Area, filed 9:43 a. m.

Montana Order 16–F, Amendment 3, covering fresh fruits and vegetables in the Havre and Chinook Areas, filed 9:43 a. m.

Montana Order 17–F, Amendment 3, covering fresh fruits and vegetables in certain designated areas, filed 9:44 a. m.

Montana Order 18–F, Amendment 3, covering fresh fruits and vegetables in the Hamilton Area, filed 9:44 a. m.

Montana Order 19–F, Amendment 3, covering fresh fruits and vegetables in the Villon area, filed 9:44 a. m.

Montana Order 20–F, Amendment 3, covering fresh fruits and vegetables in the Lewistown Area, filed 9:45 a. m.

Montana Order 21–F, Amendment 3, covering fresh fruits and vegetables in the Roundup and Klein Area, filed 9:45 a. m.

Montana Order 22–F, Amendment 3, covering fresh fruits and vegetables in the Columbus, Laurel and Park City Area, filed 9:45 a. m.

Montana Order 24–F, Amendment 4, covering fresh fruits and vegetables in the Livingston Area, filed 9:46 a. m.

Montana Order 25–F, Amendment 3, covering fresh fruits and vegetables in the Glendive Area, filed 9:46 a. m.

Montana Order 26–F, Amendment 3, covering fresh fruits and vegetables in the Sidney Area, filed 9:46 a. m.

Montana Order 27–F, Amendment 3, covering fresh fruits and vegetables in the Hardin Area, filed 9:47 a. m.

Montana Order 28–F, Amendment 3, covering fresh fruits and vegetables in the Red Lodge Area, filed 9:47 a. m.

Montana Order 29–F, Amendment 3, covering fresh fruits and vegetables in the Deer Lodge Area, filed 9:47 a. m.

Montana Order 30–F, Amendment 3, covering fresh fruits and vegetables in the Baker Area, filed 9:47 a. m.

REGION VIII

Nevada Order 1–F, Amendment 17, covering fresh fruits and vegetables in Reno and Sparks Area, filed 9:48 a. m.

Nevada Order 2–F, Amendment 7, covering fresh fruits and vegetables in certain named areas in the Nevada District, filed 9:48 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–12562; Filed, August 19, 1944; 4:16 p. m.]

[Region II Order G–48 Under RMPR 122]

SOLID FUELS IN DESIGNATED AREAS IN PENNSYLVANIA

Order No. G–48 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Adjustment in maximum prices for coke delivered in Philadelphia County, Delaware County and Designated Townships and Boroughs in Bucks and Montgomery Counties; Commonwealth of Pennsylvania, Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is ordered:*

(a) Any dealer making sales of coke, delivered to or at any point in the area subject to this order, as specified in paragraph (e) hereof, may, to the extent that he does not determine his maximum prices under Revised Order No. G–28, "Emergency Sales of Coke", or any subsequent revision thereof, and to the extent that he calculates his maximum prices under Revised Maximum Price Regulation No. 122, increase the maximum prices so calculated as follows:

1. For "Direct-delivery" sales of coke, dealers may add 10¢ per net ton.

(b) The increases authorized herein shall not apply to any sales of coke for which maximum prices are determined under the emergency pricing rules contained in Revised Order No. G–28, "Emergency Sales of Coke", or any subsequent revisions thereof: *Provided*, That, if a maximum price is determined pursuant to a pricing rule embodied in § 1340.254 of Revised Maximum Price Regulation No. 122, specifically incorporated by reference in said Revised Order No. G–28, dealers may add the increases set forth in paragraph (a) hereof to such maximum prices.

(c) Dealers making sales subject to this order shall not change their customary allowances, discounts, or other price differentials unless such change results in prices lower than the prices permitted by this order (after applying the customary discounts, allowances, or other price differentials).

(d) *Reports.* Every dealer making sales subject to this order shall, within ten days after he determines or redetermines his maximum prices hereunder, report to the Philadelphia District Office of the Office of Price Administration the maximum prices so determined.

(e) *Area covered.* Commonwealth of Pennsylvania—Coal Areal 1, includes the following portions of the Commonwealth of Pennsylvania: Philadelphia County; Delaware County; the Townships of Upper Southampton, Lower Southampton, Northampton, Warminster, Warwick, and the Borough of Ivyland, in Bucks County; and the Townships of Lower Moreland, Upper Moreland, Abington, Cheltenham, Horsham, Upper Dublin, Lower Gwynnedd, Whitpiain, Whitemash, Springfield, Lower Merion, and the Boroughs of Bryn Athyn, Hatboro, Rockledge, Jenkintown, Ambler and Narberth, in Montgomery County.

(f) *Definitions.* When used in this Order No. G–48 the term:

1. "Direct delivery" means delivery to the buyer's bin or storage space.

2. Unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(g) The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

NOTE: The record-keeping and reporting requirements of this Order No. G–48, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G–48 shall become effective August 15, 1944.
(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August, 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–12571; Filed August 19, 1944; 4:19 p. m.]

[Camden Order G–2 Under MPR 165]

DANIEL E. REARDON'S LAUNDRY, INC., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. G–2 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended. Services adjustment of laundry service prices in Atlantic County Area.

Applications for permission to increase their present maximum prices for all their laundry, linen supply, dry cleaning, and related services, as established under Maximum Price Regulation No. 165, as amended—Services, have been filed with the Camden District Office of the Office of Price Administration by a majority of the power laundry establishments which supply such services in the Atlantic County area. After due consideration of these applications and other available information, it has been decided that some should be granted in part and denied in part, and others granted in full, for the reasons set forth in the opinion hereto attached.

Accordingly, pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.114 (d) of Maximum Price Regulation No. 165, as Amended, Services, *It is hereby ordered:*

(a) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 4% it's present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services in the manner hereinafter in paragraph (i) provided:

Daniel E. Reardon's Laundry, Inc., Atlantic City, N. J.

(b) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 6% its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services in the manner hereinafter in paragraph (i) provided:

Steelman's Laundry Co., Atlantic City, N. J.

(c) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 8% its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services, in the manner hereinafter in paragraph (i) provided:

Risley's Laundry Company, Inc., Pleasantville, N. J.

(d) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 11% its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services, in the manner hereinafter in paragraph (i) provided:

Chelsea Laundry Company, Atlantic City, N. J.

(e) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 12% its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services, in the manner hereinafter in paragraph (i) provided:

Hansell Laundry, Inc., Atlantic City, N. J.

(f) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 17% its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services, in the manner hereinafter in paragraph (i) provided:

R-way Laundry, Inc., Pleasantville, N. J.

(g) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 17% its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services, in the manner hereinafter in paragraph (i) provided:

Peerless Scientific Laundry Co., Inc., Pleasantville, N. J.

(h) Any power laundry establishment named in this order is permitted to add to its present legal maximum prices to agent drivers and retail hand laundry establishments supplied by it the percentage price increase herein granted to it. Agent drivers, agent stores and retail hand laundry establishment any of whose laundry services are supplied by any such power laundry are permitted the increase herein granted to their supplier in the manner provided by paragraph (i) of this order. They shall be subject to all the other provisions of this order which are applicable to their circumstances.

(i) The percentage increases permitted to any laundry service supplier named or referred to in this order shall be applied only to the total amount of the bill rendered to each customer for any service afforded (as it would be computed under existing lawful maximum prices). The existing legal maximum prices of any such supplier are its maximum prices as established under Maximum Price Regulation No. 165, as amended, as such maximum prices shall have been modified by any order heretofore issued by the New York Regional Office of the Office of Price Administration, under § 1499.114 (d) of that regulation. Such increases may not be applied to individual items of service. Existing price lists shall not be altered. If the increased prices as arrived at include a fraction of a cent less than one-half, the price that may be charged shall be reduced to the next lower cent. If, however, the increased price includes a fraction equal to or more than one-half cent, the seller shall be permitted to charge the next higher cent.

(j) Any power laundry establishment, agent driver, agent store or retail hand laundry establishment to which a percentage price increase has been granted under the terms of this order shall give written notification of such price increase as follows:

1. Furnish each of its customers within fifteen days after the effective date of this order with a statement clearly describing its services, specifying its lawful maximum prices as established under Maximum Price Regulation No. 165, as amended, and setting forth both the percentage increase granted it by this order and any percentage increase heretofore granted to it by any other order of this office.

2. File two copies of the same statement with the Camden District Office within fifteen days after the effective date of this order, together with a statement signed by a responsible official of such laundry service supplier certifying that it has complied with subparagraph 1. above.

3. Inscribe on each bill rendered to each customer the statement: "OPA permitted increase of _____% to maintain supply: $_____", with the option of specifying in such statement the percentage increase granted them by this order.

4. Give all new customers the same notification as provided for all existing customers.

(k) In addition, all power laundries to whom a price increase is permitted by this order shall immediately advise their agent drivers, agent stores and retail hand laundry customers of the amount of permitted price increase which the latter may add to their total bills under the provisions of paragraph (i) of the order, and of the manner in which such permitted increase shall be computed.

(l) Customary allowances, discounts, or other price differentials may not be changed by any of the laundry service suppliers named or otherwise referred to in this order, unless such change results in prices lower than the prices permitted by this order, after applying the supplier's customary allowances, discounts, or other price differentials; and all laundry service suppliers named or otherwise referred to herein shall main-

tain all of their legal current pricing and other business practices.

(m) All of the power laundry establishments named herein shall keep this order and attached opinion in their establishments, together with the statement required by § 1499.108, and make them available for inspection by any person during business hours.

(n) Except as expressly provided by this order, all of the laundry establishments named or otherwise referred to in this order shall remain in all respects subject to all of the provisions of Maximum Price Regulation No. 165, as Amended—Services.

(o) This order may be revoked or amended by the District Director, the Regional Administrator of Region II, or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(p) Any relief requested by any applicant not expressly granted herein is denied. To the extent that the application of any laundry establishment herein named has been denied in whole or in part, such applicant may, within fifteen (15) days after the date on which this order was issued, request the Regional Administrator of Region II to review such order of denial in the manner provided by Revised Procedural Regulation No. 1.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

This order shall become effective June 26th, 1944.

Issued June 21, 1944.

T. HAROLD DEMPSEY,
Acting District Director.

[F. R. Doc. 44-12568; Filed, August 19, 1944; 4:19 p. m.]

[Camden Order G-2 Under MPR 165, Amdt. 1]

RISLEY LAUNDRY CO. AND ABERDEEN LAUNDRY

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. G-2 under § 1499.114 (d) of maximum price regulation No. 165, as amended. Services adjustment of Laundry service prices in Atlanta County Area.

For the reason set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.114 (d) of Maximum Price Regulation No. 165, as Amended—Services, and by the Emergency Price Control Act of 1942, as Amended, *It is hereby ordered*, That paragraph (c) of Camden District Office Order No. G-2, under § 1499.114 (d), be amended to read as follows:

(c) The application of the following named power laundry establishments is granted to the extent that they are permitted to increase by 8% their present legal maximum price for all their laundry, linen supply, dry cleaning and related services, including commercial services in the manner hereinafter in paragraph (i) provided:

Risley's Laundry Company, Inc., Pleasantville, N. J.
Aberdeen Laundry, Atlantic City, N. J.

This amendment shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued June 22, 1944.

T. HAROLD DEMPSEY,
Acting District Director.

[F. R. Doc. 44-12569; Filed, August 19, 1944; 4:20 p. m.]

[Camden Order G-2 Under MPR 165, Amdt. 2]

STEELMAN'S LAUNDRY CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 2 to Order No. G-2 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended. Services adjustment of laundry service prices in Atlantic County Area.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.114 (d) of Maximum Price Regulation No. 165, as Amended—Services, and by the Emergency Price Control Act of 1942, as amended, *It is hereby ordered*, That paragraph (b) of Camden District Office Order No. G-2, under § 1499.114 (d), be amended to read as follows:

(b) The application of the following named power laundry establishment is granted to the extent that it is permitted to increase by 16% its present legal maximum price for all its laundry, linen supply, dry cleaning and related services, including commercial services in the manner hereinafter in paragraph (i) provided:

Steelman's Laundry Co., Atlantic City, N. J.

This amendment shall become effective July 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued July 22, 1944.

T. HAROLD DEMPSEY,
District Director.

[F. R. Doc. 44-12570; Filed, August 19, 1944; 4:20 p. m.]

[Birmingham Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN JEFFERSON COUNTY, ALA.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, Revised General Order No. 50 and Region IV Revised Delegation Order No. 17, and for the reasons set forth in the accompanying opinion, this order is issued.

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating, or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of Jefferson County, Alabama.

SEC. 3. *Ceiling prices.* (a) On and after July 29, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in Appendix A hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed in Appendix A hereof, and if you believe that the maximum price specified under the applicable heading "all other brands" is not appropriate to such beverage you may make application to the Birmingham, Alabama, District Office of the Office of Price Administration requesting that such beverage be specifically included in Appendix A hereof. With or without such application the Birmingham, Alabama, District Office of the Office of Price Administration may, at any time and from time to time, add new or unlisted beverages, brands, types or sizes, together with maximum prices for same to the lists set for in Appendix A hereof.

(c) You may not add any taxes to your ceiling prices set forth in Appendix A hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group, as set forth in Appendix A.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices on 12-ounce bottles in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for 12-ounce bottles for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages (in 12-ounce bottles) subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made during the three months' period immediately preceding the date of issuance of this order. This classification is subject to approval, denial and determination by the Birmingham District Office of Office of Price Administration. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B, if during the base period of April 4–10, 1943, inclusive, your legally established ceiling prices for beverages subject to this order and sold in 12-ounce bottles were 24¢ or more for the named higher priced beverages and 19¢ or more for the popular priced beverages.

(2) *Group 2B.* Your establishment belongs to Group 2B, if during the base period of April 4–10, 1943, inclusive, your legally established ceiling prices for beverages subject to this order and sold in 12-ounce bottles were not less than 19¢ or more than 23¢ for the named higer priced beverages and not less than 14¢ nor more than 18¢ for the popular priced beverages.

(3) *Group 3B.* Your establishment belongs to Group 3B, if during the base period of April 4–10, 1943, inclusive, your legally established ceiling prices for beverages subject to this order and sold in 12-ounce bottles were less than 19¢ for the named higher priced beverages and less than 14¢ for the popular priced beverages. All establishments not engaged in the business of selling malt beverages during the base period of April 4–10, 1943, inclusive, also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may file an application with the Birmingham, Alabama, District Office of the Office of Price Administration requesting that your establishment be reclassified into the same group to which your nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon and your establishment is reclassified, you must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in Appendix A hereof. All such applications for reclassification must contain the following information:

1. Name and address of the establishment and of its owner or owners.
2. A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.
3. The selling prices by brand name of all beverages sold since the beginning of its operation.
4. The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.
5. Any other information pertinent to such application, or which may be requested by the Office of Price Administration.

SEC. 5. *Filing with War Price and Rationing Board.* When you have figured your proper group under section 4 above, you must, on or before July 29, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943, legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943, were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative where no part of the net earnings inures to the benefit of any individual which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as a part of, a meal and where the price of such beverage is included in the prices of the meal. (Such sales remain under Restaurant Maximum Price Regulation 4–1).

(e) Sales by the War Department or the Department of the Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this rder by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4, 1943 to April 10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4 to April 10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation 4–1, either as revised and amended or as may be revised and amended; with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order No. 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages.

(b) Continue to prepare and maintain such records as have been ordinarily kept.

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating and drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught.

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

SEC. 11. *Posting of group number.* If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card clearly visible to purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card furnished you for this purpose by the War Price and Rationing Board.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same.

If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order you must do everything required by this regulation for each place separately, or, if you operate under more than one license from the Alabama Beverage Control Board, you must establish a separate classification in accordance with this order for each licensed selling outlet, separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement action, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license may be suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the meal subject to the provisions of Restaurant Maximum Price Regulation 4–1.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅓ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof, or any other Government, or any of its political subdivisions or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverages for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this Order may request the Office of Price Administration to amend the order. Such petition for Amendment must be filed in pursuance to the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Birmingham, Alabama, District Office.

SEC. 19. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 20. *Effective date.* This order shall become effective July 29, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued at Birmingham, Alabama, this 26th day of July 1944.

JOSEPH A. SHORT,
District Director.

APPENDIX A

GROUP 1–B

Brand or trade name	Manufacturer	Maximum price per bottle		
		7-ounce	12-ounce	32-ounce
		Cents	*Cents*	*Cents*
Beer:				
Barbarossa	Red Top Brewing Co.		25	50
Blatz Pilsner	Blatz Brewing Co.		25	50
Budweiser	Anheuser-Busch Inc.		25	50
Burger Brau	Burger Brewing Co.		25	50
Canadian Ace	Manhattan Brewing Co.		25	50
Embassy Club	Best Brewing Co.		25	50
Goebel	Goebel Brewing Co.	20	25	50
Gold Crown	U. S. Brewing Co.		25	50
Keiley's Half & Half	Keeley Brewing Co.		25	50
Lemps Black Label	Lemps Brewing Co.		25	50
Pabst Blue Ribbon	Pabst Brewing Co.		25	50
Schlitz	Jos. Schlitz Brewing Co.		25	50
Silver Fox Deluxe	Fox Deluxe Brewery		25	50
Victory	Pioneer Brewing Co.		25	50
Zeigers 520	Louis Zeigler Brewing Co.		26	50
Ale:				
Red Top	Red Top Brewing Co.		25	50
Carling's Red Cap	Brewing Corp. of America		25	50
Canadian Ace	Manhattan Brewing Co.		25	50
All other brands not listed above			29	45

GROUP 2–B

Brand or trade name	Manufacturer	Maximum price per bottle		
		7-ounce	12-ounce	32-ounce
		Cents	*Cents*	*Cents*
Beer:				
Barbarossa	Red Top Brewing Co.		20	45
Blatz Pilsner	Blatz Brewing Co.		20	45
Budweiser	Anheuser Busch, Inc.		20	45
Burger Brau	Burger Brewing Co.		20	45
Canadian Ace	Manhattan Brewing Co.		20	45
Embassy Club	Best Brewing Co.		20	45
Goebel	Goebel Brewing Co.	15	20	45
Gold Crown	U. S. Brewing Co.		20	45
Keiley's Half & Half	Keeley Brewing Co.		20	45
Lemps Black Label	Lemps Brewing Co.		20	45
Pabst Blue Ribbon	Pabst Brewing Co.		20	45
Schlitz	Jos. Schlitz Brewing Co.		20	45
Silver Fox Deluxe	Fox Deluxe Brewery		20	45
Victory	Pioneer Brewing Co.		20	45
Zeigers 520	Louis Zeigler Brewing Co.		20	45
Ale:				
Red Top	Red Top Brewing Co.		20	45
Carling's Red Cap	Brewing Corp. of America		20	45
Canadian Ace	Manhattan Brewing Co.		15	40
All other brands not listed above				

GROUP 3–B

Brand or trade name	Manufacturer	Maximum price per bottle		
		7-ounce	12-ounce	32-ounce
		Cents	*Cents*	*Cents*
Beer:				
Barbarossa	Red Top Brewing Co.		18	40
Blatz Pilsner	Blatz Brewing Co.		18	40
Budweiser	Anheuser-Busch, Inc.		18	40
Burger Brau	Burger Brewing Co.		18	40
Canadian Ace	Manhattan Brewing Co.		18	40
Embassy Club	Best Brewing Co.		18	40
Goebel	Goebel Brewing Co.	13	18	40
Gold Crown	U. S. Brewing Co.		18	40
Kelley's Half & Half	Keeley Brewing Co.		18	40
Lemps Black Label	Lemps Brewing Co.		18	40
Pabst Blue Ribbon	Pabst Brewing Co.		18	40
Schlitz	Jos. Schlitz Brewing Co.		18	40
Silver Fox Deluxe	Fox Deluxe Brewery		18	40
Victory	Pioneer Brewing Co.		18	90
Zeigers 520	Louis Zeigler Brewing Co.		18	90
Ale:				
Red Top	Red Top Brewing Co.		18	40
Carling's Red Cap	Brewing Corp. of America		18	40
Canadian Ace	Manhattan Brewing Co.		18	40
All other brands not listed above			19	85

[F. R. Doc. 44–12572; Filed, August 19, 1944; 4:18 p. m.]

[Montgomery Order G–1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN DESIGNATED COUNTIES IN ALABAMA

Amendment No. 1 to Order G–1 under General Order No. 50. Maximum prices for malt and cereal beverages in the counties of Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike and Russell in the State of Alabama.

An accompanying opinion has been filed with the Division of The Federal Register. Appendix A to Order G–1 is amended as follows:

1. The following brands or trade names and maximum prices for 12 ounce and 32 ounce bottles thereof are added to Group 1B under the appropriate columns:

GROUP 1–B

Brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
	Cents	*Cents*
Blatz Pilsner	25	45
Heirloom Gold Medal	25	45
Victory	25	45

2. The following brands or trade names and maximum prices for 12 ounce and 32 ounce bottles thereof are added to Group 2B under the appropriate column:

GROUP 2–B

Brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
	Cents	*Cents*
Blatz Pilsner	20	40
Heirloom Gold Medal	20	40
Victory	20	40

3. The following brands or trade names and maximum prices for 12 ounce and 32 ounce bottles thereof are added to Group 2B under the appropriate column:

GROUP 3–B

Brand or trade name	Maximum price per bottle	
	12 ounces	32 ounces
	Cents	*Cents*
Blatz Pilsner	17	35
Heirloom Gold Medal	17	35
Victory	17	35

This amendment shall be effective July 29, 1944.

Issued this 28th day of July 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

A. H. COLLINS,
District Director.

[F. R. Doc. 44–12573; Filed, August 19, 1944; 4:17 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–947, 70–946]

MINNESOTA UTILITIES CO., ET AL.

NOTICE OF FILINGS AND NOTICE OF AND ORDER FOR HEARING AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of August 1944.

In the matter of Minnesota Utilities Company, American Utilities Service Corporation, File No. 70–947, and Northern States Power Company (Minnesota), File No. 70–946.

Notice is hereby given that a joint declaration and application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Utilities Service Corporation, a registered holding company, and its wholly-owned subsidiary, Minnesota Utilities Company, with respect to various proposed transactions which are hereinafter described. Notice is further given that a declaration and application has been filed by Northern States Power Company (Minnesota), a registered holding company, with respect to related transactions. All interested persons are referred to said documents which are on file in the office of this Commission for a full statement of the transactions therein proposed, which may be summarized as follows:

1. Minnesota Utilities Company proposes to sell and Northern States Power Company proposes to acquire all of the electric properties of the former company, comprising five districts (Dodge, Jordan, Nicollet, Mapleton, and Marine) located in the state of Minnesota, and its steam heating properties located in the town of Jordan, Minnesota, for a cash consideration of $625,000, subject to certain adjustments at closing date.

2. Following the sale of its properties Minnesota Utilities Company will liquidate and dissolve, using part of the proceeds of said sale for the discharge of its existing obligations and the balance thereof being distributed to American Utilities Service Corporation, as the holder of all of its stock.

3. American Utilities Service Corporation proposes to employ the proceeds of said liquidation received by it, with other funds, for the redemption in the principal amount of $700,000 of its Collateral Trust 6% Bonds, Series A, due November 1, 1964.

4. Minnesota Utilities Company and American Utilities Service Corporation request that the order of the Commission approving the transactions proposed by them conform with section 371 of the Internal Revenue Code, as amended by section 171 of the Revenue Act of 1942.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that hearings be held with respect to said matters and that said declarations shall not become effective nor said applications be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that the issues presented by the declarations and applications of Minnesota Utilities Company and American Utilities Service Corporation (File No. 70–947) and of Northern States Power Company (File No. 70–946) involve common questions of law and fact and should be consolidated and heard together:

It is ordered, That the proceedings in these matters be, and they hereby are, consolidated and that a hearing thereon under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on September 8, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing

cause shall be shown why such declarations and applications shall become effective or shall be granted.

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein, shall file with the Secretary of the Commission on or before September 5, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention be directed at the hearing to the following matters and questions:

1. Whether the consideration is reasonable and bears a fair relation to the sums invested in or the earning capacity of the utility assets proposed to be sold and acquired.

2. Whether competitive conditions were maintained in negotiations for the sale of the properties.

3. Whether the action proposed to be taken by Minnesota Utilities Company and American Utilities Service Corporation is fair and equitable to the persons affected thereby and is in conformity with the requirements of the Commission's order of June 21, 1944 (Holding Company Act Release No. 5114).

4. Whether the proposed acquisition will serve the public interest by tending toward the economical and efficient development of an integrated public utility system; and whether the acquisition will unduly complicate the capital structure of the holding company system of the Northern States Power Company or be detrimental to the proper functioning of such system or the carrying out of the provisions of section 11 of the act.

5. Whether the fees and expenses to be paid in connection with the proposed transactions are reasonable.

6. Whether the accounting treatment proposed in connection with the proposed transactions is proper and is in accordance with sound accounting practices.

7. Whether such proposed transactions are appropriate in the public interest or for the protection of investors or consumers.

8. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers.

9. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations or orders promulgated thereunder.

It is further ordered, That the Secretary of this Commission shall serve notice of said hearing by mailing copies of this order by registered mail to declarants and applicants and that notice of said hearing be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

It is further ordered, That jurisdiction be, and hereby is reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining to the subject matter of this proceeding and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commision.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12486; Filed August 19, 1944; 9:54 a. m.]

[File No. 70-949]

LOUISVILLE GAS AND ELECTRIC CO. (DELAWARE)

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of August, 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Louisville Gas and Electric Company (Delaware), a registered holding company. All interested persons are referred to said documents, which are on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Louisville Gas and Electric Company (Delaware) proposes to dispose of all its interest in its wholly-owned subsidiary, Madison Light and Power Company by a sale of 1,500 shares of the capital stock of said Company and an open account indebtedness owing by said subsidiary to it in the principal sum of $315,000 to Robert A. Yunker, Michael E. Garber, Herbert L. Lyon, Herbert H. Johnson, Walter A. Greiner, George W. Cofield, Joseph M. Cooper and Marshall F. Tennis (hereinafter referred to as "the Purchasers") for a total cash consideration of $624,000.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration or application (or both), and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of the act and the rules of the Commission thereunder be held on August 30, 1944 at 2 p. m., e. w. t., in the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing-room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed to the following matters:

1. Whether the consideration to be paid by the Purchasers for the capital stock and open account indebtedness is fair and reasonable.

2. Whether the proposed transaction is in the public interest and in the interest of investors and consumers.

3. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in regard to the proposed transaction to insure compliance with the requirements of the act and the rules, regulations and orders promulgated thereunder.

4. Whether, in all other respects, the proposed transaction complies with all the applicable provisions and requirements of the Act and the rules, regulations and orders promulgated thereunder.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before August 25, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order to Louisville Gas and Electric Company, the proposed Purchasers, and the Public Service Commission of the State of Indiana by registered mail, and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12487; Filed, August 19, 1944; 9:54 a. m.]

[File No. 59-7]

CITIES SERVICE POWER & LIGHT CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of August, A. D., 1944.

The Commission by order dated August 17, 1943, entered pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, having directed that Cities Service Power & Light Company and Federal Light & Traction

Company, registered holding companies, take certain steps as specified in said order to effect compliance with the provisions of section 11 (b) (1) of said act; and

Cities Service Power & Light Company and Federal Light & Traction Company, having filed an application requesting an extension of time for one year within which to comply with said order of August 17, 1943; and

The Commission having found that Cities Service Power & Light Company and Federal Light & Traction Company have been unable, in the exercise of due diligence, to comply in its entirety with the provisions of said order within the initial statutory period of one year from the date thereof and that the requested extension of time is necessary or appropriate in the public interest and for the protection of investors and consumers;

It is ordered, That Cities Service Power & Light Company and Federal Light & Traction Company be, and they are hereby, granted an additional period of one year from August 17, 1944 within which to comply with the provisions of said order of August 17, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12485; Filed, August 19, 1944; 9:54 a. m.]

[File No. 812-357]

AMERICAN ELECTRIC SECURITIES CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of August, A. D. 1944.

An application having been filed by American Electric Securities Corporation for an order pursuant to section 23 (c) (3) of the Investment Company Act of 1940 and subdivision (c) of Rule N-23C-1 promulgated by the Commission thereunder permitting the applicant to purchase from two of its officers who are also directors 2,020 shares of its preferred stock at a price equivalent to the cost thereof to such officers less dividends received;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on August 28, 1944, at 10:00 a. m., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under section 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to American Electric Securities Corporation and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12488; Filed, August 19, 1944; 9:54 a. m.]

[File Nos. 54-101, 59-75]

MINNESOTA POWER & LIGHT CO., ET AL.

NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of August, A. D., 1944.

In the matter of Minnesota Power & Light Company, File No. 54-101; in the matter of American Power & Light Company, Minnesota Power & Light Company, File No. 59-75.

I. Notice is hereby given that Minnesota Power & Light Company ("Minnesota"), an electric utility subsidiary of American Power & Light Company ("American"), a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company, has filed with this Commission an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder for the stated purpose of bringing it into compliance with the provisions of section 11 (b) (2) of said act.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein contemplated which are summarized as follows:

(1) Minnesota proposes that American, the owner of all of the common stock of Minnesota, surrender to Minnesota the following securities:

Description of Securities	*Amount*
Minnesota Power & Light Company:	
1,450,000 shares common stock, par value $10	$14,500,000
865 shares 7% preferred stock, par value $100	86,500
225 shares 6% preferred stock, par value $100 plus call premium and accrued dividends	27,113
878 shares $6 preferred stock, stated value	81,567
Superior Water, Light and Power Company ("Superior"):	
11,000 shares (including options to purchase 7 shares) of common stock. Underlying book value, as of April 30, 1944	2,504,977
The Pike Rapids Power Company ("Pike Rapids"):	
385 shares (including options to purchase 5 shares) of common stock. Underlying book value, as of April 30, 1944	52,029
Topeka Land Company ("Topeka"):	
$315,725 principal amount of notes and advances and 1,000 shares (including options to purchase 4 shares) of capital stock. Underlying book value, as of April 30, 1944	$323,450
Total	$17,575,636

(2) Minnesota will create a capital surplus account of $17,575,636, equivalent to the aggregate amount of the securities surrendered to it by American, and will debit the following accounts in the amounts shown:

Capital stock:	
7% preferred stock	$86,500
6% preferred stock	27,113
$6 preferred stock	81,567
Common stock	14,500,000
Investments	2,880,456

(3) Pursuant to an order of the Federal Power Commission of March 2, 1943, as amended, Minnesota will dispose of $20,806,900.98 of inflationary items presently included in its plant accounts by charges to the following accounts:

Unamortized debt discount and expense	$223,894.28
Discount on capital stock	859,700.00
Capital stock expense	328,910.37
Contingency reserve	130,174.02
Capital surplus	17,583,003.34
Earned surplus	1,681,218.97
Total	$20,806,900.98

Minnesota will also dispose of $955,186 of additional inflationary items included in its plant accounts by a charge to earned surplus.

(5) Minnesota will issue 149,040 shares of a new series of 5% Cumulative Preferred Stock (New Preferred) of a par value of $100 and a redemption price of $105. The new preferred will have the right to elect a majority of the board of directors in the event of accumulation of arrearages equal to $5 per share or more at the time of any annual stockholders' meeting and will have special voting rights in connection with the authorization of any new stock ranking prior to or on a parity with it; the issuance, subject to certain exceptions, of unsecured debt in excess of a stated amount; and the merger or consolidation of the company.

(6) All of the new preferred will be exchanged share for share with the 149,040 shares of preferred stock (old preferred) of Minnesota and, in addition, there will be paid out of the corporate funds of Minnesota, the sum of $6.66 and $3.33 per share, to the holders of the 7% and $6 cumulative preferred stock, respectively, both of which issues, according to the articles of incorporation of the company, are callable at $110 per share. Thereupon, the old preferred will be cancelled and the Articles of Incorporation will be amended to remove the authorization therefor.

(7) Minnesota will make appropriate changes in its articles of incorporation which will prohibit the payment of any dividends on its common stock or the purchase or retirement of any of such stock unless and until the stated common stock capital equals at least 20% of its total captialization including surplus, and will thereafter restrict the payment of such dividends or the purchase

or retirement of common stock to 50% of the amounts otherwise available for such purposes until such time as its common capital plus surplus accounts are at least equal to 25% of the total capitalization including surplus, except that dividends may be paid on common stock out of surplus available therefor in an amount equal to the amount of dividends received by Minnesota on the common stock of Superior.

The application states that if the Commission should approve the plan the company expects to request the Commission to apply to a United States District Court pursuant to sections 11 (e) and 18 (f) to enforce and carry out the terms and provisions of the plan. The plan further states that the company reserves the right either to submit or not to submit the plan to its stockholders for their approval or to take or not take any action under the laws of Minnesota.

II. The Commission having data in its official files establishing or tending to establish the following:

(1) Minnesota is a public utility company organized under the laws of the State of Minnesota with its principal office in the City of Duluth, State of Minnesota. The Company is engaged in the business of generating, transmitting and distributing electric energy in the State of Minnesota and selling electric energy at wholesale to Superior, which operates in the State of Wisconsin.

(2) Minnesota is a subsidiary of American Power & Light Company, a registered holding company, which latter company owns all of the common stock and 1,968 shares of preferred stock. These securities represent 93% of the total voting power. American is, in turn, a subsidiary of Electric Bond and Share Company, also a registered holding company, which latter company owns preferred and common stocks of American representing 20.7% of the voting power.

(3) The capitalization of Minnesota, per books, as of April 30, 1944 was as follows:

	Amount	Percent
BONDS		
First and refunding mortgage gold bonds, 5 percent series due 1955	$10,700,000	14.4
First and refunding mortgage gold bonds, 4¼ percent series due 1973	18,000,000	24.3
Great Northern Power Co. first mortgage 5 percent gold bonds due 1950	3,784,000	5.1
Total long term debt	32,484,000	43.7
CAPITAL STOCK AND SURPLUS		
7 percent preferred stock, $100 par value	7,979,400	10.7
$6 preferred stock, no par value	6,894,922	9.3
6 percent preferred stock, $100 par value	41,700	----
Total preferred stock	14,616,022	19.6
Common stock $10 par value	20,000,000	26.9
Surplus:		
Earned	7,331,787	9.8
Capital	7,368	----
Total common stock and surplus	27,339,155	36.7
Total capitalization	74,439,147	100.0

(4) Each share of Minnesota's preferred and common stock is entitled to one vote at all stockholders' meetings. The preferred stock has no contingent or special voting rights. All classes of the preferred rank equally as to dividends and in liquidation, the claim in both voluntary and involuntary liquidation being $100 per share plus accrued dividends.

(5) The capitalization of Minnesota as of April 30, 1944 as adjusted to reflect the elimination of the inflationary items contained in its plant account as shown by paragraph (3) of part I hereof is as follows:

	Amount	Percent
BONDS		
First and refunding mortgage gold bonds, 5 percent series due 1955	$10,700,000	19.72
First and refunding mortgage gold bonds, 4¼ percent series due 1973	18,000,000	33.20
Great Northern Power Co. first mortgage 5 percent gold bonds due 1950	3,784,000	6.98
Total long term debt	32,484,000	59.91
PREFERRED STOCK		
7 percent preferred, par value $100	7,979,400	14.72
6 percent preferred, par value $100	41,700	.08
$6 preferred, no par value	6,894,922	12.16
Total preferred stock	14,616,022	26.96
COMMON STOCK		
Common stock	7,119,716	13.13
Total capitalization	54,219,738	100.00

(6) In addition to the items proposed to be eliminated from the plant account as reflected in the table contained in the preceding paragraph, the plant account of Minnesota contains $1,306,148 representing service fees paid to affiliated companies, an undetermined portion of which represents profits paid to such affiliated companies, as well as $9,450,628.16 representing the excess of the cost to Minnesota, or the holding company system of which it is a part, of the properties of Minnesota over the original cost of such properties to the persons first devoting them to the public use.

(7) Dividend arrearages existed on Minnesota's preferred stocks from 1933 until 1939, the maximum amount of such arrears during such period being $5.68 per share on the 7% preferred stock and $4.68 per share on the $6 preferred stock. No dividends have been paid on Minnesota's common stock since 1933.

III. It appearing to the Commission on the basis of the facts set forth in part I hereof and the allegations contained in part II hereof that there are reasonable grounds to believe that:

(a) Voting power is presently unfairly and inequitably distributed among Minnesota's securities and security holders; and

(b) All or part of the items on the balance sheet of Minnesota referred to in paragraph (3) of part I and paragraph (6) of part II hereof, may have to be disposed of by appropriate accounting adjustments.

IV. It appearing to the Commission in the light of the allegations stated in part II and part III hereof, that it is appropriate in the public interest and the interest of investors and consumers to institute proceedings directed to Minnesota and American under sections 11 (b) (2), 15 (f) and 20 (a) of the act in order to determine whether appropriate orders should be entered pursuant to said sections; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan filed by Minnesota pursuant to section 11 (e) of the act and the proceedings instituted herein by the Commission under sections 11 (b) (2), 15 (f) and 20 (a) of the act; and

It further appearing to the Commission that the said proceedings involve common questions of law and fact and should be consolidated and heard together; and

It further appearing to the Commission that evidence bearing on the matters recited above and upon the questions to be determined is contained in the record of proceedings before this Commission entitled: "In the Matter of Electric Bond and Share Company, File No. 59-12":

It is hereby ordered, That proceedings be and the same hereby are instituted under sections 11 (b) (2), 15 (f) and 20 (a) of the act directed to Minnesota and American and that such proceedings be consolidated with the proceedings with respect to the plan herein filed pursuant to section 11 (e) and that a hearing on such consolidated proceedings under the applicable provisions of the said act and the rules and regulations of the Commission thereunder be held on the 18th day of September at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk will advise as to the room where such hearing will be held.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's rules of practice on or before September 16, 1944.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act, and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of this hearing be given to Minnesota, American, the Cities of Duluth, Minnesota, and Superior, Wisconsin and the Public Service Commission of Wisconsin by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Minnesota shall give additional notice of said hearing to all known holders of its outstanding 7% and $6 preferred stock by causing a copy of this notice and order of hearing to be mailed to such holders at their last-known addresses, such mailing to be made not less than 15 days prior to the date of said hearing.

It is further ordered, That without limiting the scope of the issues presented in the said consolidated proceedings particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed plan as filed pursuant to section 11 (e) of the act or as hereafter modified is necessary to effectuate the provisions of section 11 (b) of the act.

(2) Whether the proposed plan as filed or as hereafter modified is fair and equitable to the persons affected thereby.

(3) Whether the proposed transactions by Minnesota which are incidental to the consummation of the proposed plan comply with all of the requirements of the applicable provisions of the Act and the rules, regulations and orders thereunder.

(4) Whether the allegations contained in Parts II and III hereof are true and correct.

(5) Whether it is necessary or appropriate pursuant to section 11 (b) (2) of the act that Minnesota take steps to redistribute voting power fairly and equitably among its security holders and, if so, what steps should it be so ordered to take.

(6) Whether it is necessary or appropriate to require that Minnesota take action pursuant to section 15 (f) or 20 (a), or both, of the act, to segregate, dispose of or otherwise eliminate the inflationary items and intangibles contained in its plant and investment accounts, and to make such other adjustments in its accounts as may be necessary or appropriate to ensure compliance with the standards of the act.

It is further ordered, That the Commission reserve the rights, if at any time it appears conducive to an orderly, efficient or economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning any of the issues in the consolidated proceedings, to close the record with respect to any of such issues, or to take action on any such issues prior to the closing of the record on the other issues therein.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-12484; Filed, August 19, 1944; 9:54 a. m.]

[File No. 30-29]

SOUTHWESTERN PUBLIC SERVICE CO.

ORDER CHANGING PLACE OF HEARING AND CHANGING TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of August, A. D., 1944.

Southwestern Public Service Company having filed an application with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 for an order that it has ceased to be a holding company;

The Commission having ordered that a hearing be held in this matter on August 24, 1944 at the offices of this Commission in Philadelphia, Pennsylvania;

The Commission having designated Charles S. Lobingier as the officer of the Commission to preside at said hearing; and

A request having been made on behalf of the company for transfer of the hearing to Fort Worth, Texas; it appearing appropriate to hold the hearing in Fort Worth; and it being necessary to change the designation of an officer to preside at the said hearing;

It is ordered, That said hearing be held at 2:00 p. m., C. W. T., on August 24, 1944 in the Fort Worth, Texas offices of the Commission, 103 United States Courthouse, 10th and Lamar Streets, Fort Worth, Texas; and

It is further ordered, That R. F. Milwee, Jr. or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all power granted to the Commission under section 18 (c) of said act and to the trial examiner under the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-12574; Filed, August 21, 1944; 9:33 a. m.]

WAR MANPOWER COMMISSION.

BARRE, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Barre Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Barre Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities.

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(1) "The Barre Area" is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Barre Area to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in such area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Barre Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Barre Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Barre Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

> The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availibility to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availibility.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(1) In violation of this program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statement of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the Barre Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17 *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other represented by, the labor organization any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 11, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—DESIGNATION OF THE BARRE AREA

The Barre Area is comprised of the territories included in the following cities and towns of the State of Vermont:

BARRE LOCAL OFFICE

The following towns in Orange County: Bradford, Braintree, Brookfield, Chelsea, Corinth, Fairlee, Newbury, Orange, Randolph, Strafford, Thetford, Topsham, Tunbridge, Vershire, Washington, West Fairlee, and Williamstown.

The following towns in Lamoille County: Belvidere, Cambridge, Eden, Elmore, Hyde Park, Johnson, Morristown, Stowe, Waterville, and Wolcott.

The following towns in Washington County: Barre (City), Barre (Town), Berlin, Calais, Duxbury, East Montpelier, Fayston, Marshfield, Middlesex, Montpelier (City), Morstown, Northfield, Plainfield, Roxbury, Waitsfield, Warren, Waterbury, and Worcester.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Barre Area as additional controlled occupations:

Mule fixer.

Veneer lathe operator.

[F. R. Doc. 44-12436; Filed, August 16, 1944; 11:46 a. m.]

[Amdt. 1]

BARRE, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Barre Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 2 (6) is hereby amended by inserting after the words "Barre Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Barre Area with the approval of the Regional Director to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Barre Area,".

3. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from *"Referral in Case of Under-Utilization"* to *"Referral by the United States Employment Service."*

Necessarily subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the word "employment" at the end of the first paragraph: "Nothing in this section shall be construed to supersede the provisions of section 10 (4)."

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parenthesis so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new subparagraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

6. The following section on Employment Ceilings is hereby added to this program and becomes section 11.

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the Barre Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read:

An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

The addition of the new section on Employment Ceilings necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety.

The addition of the new section on Employment Ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on Employment Ceilings necessitates Renumbering sections 13 and 14 to sections 14 and 15 respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the Barre Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on Employment Ceilings necessitates renumbering section 15 to section 16.

(10) The addition of the new section on Employment Ceilings necessitates renumbering sections 16, 17, 18, 19 to sections 17, 18, 19 and 20 respectively.

(11) Appendix B is hereby amended by inserting after the words "Barre Area" in the second line the words "with the approval of the Regional Directors".

Dated: August 7, 1944.

H. REYNOLD JOHNSON,
State Director.

Approved: August 11, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-12473; Filed, Aug. 16, 1944; 11:46 a. m.]

RUTLAND, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Rutland Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program," effective August 1, 1943 (8 F.R. 11338).

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Rutland Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measure equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities,

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(1) "The Rutland Area" is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director of the Rutland Area to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(b) An occupation in which the demand for workers in such Area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or work in, the Rutland Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Rutland Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Rutland Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity, for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to the same job in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, and for so long as such employer continues his non-compliance after such finding.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

The employer hiring the above-named worker shall not retain such worker in his employ after ____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consideration and consultation with a designated representative of the War Food Administration, and provided further that such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(1) In violation of this program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not

the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the Rutland Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Comission.

SEC. 19. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 14, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—DESIGNATION OF THE RUTLAND AREA

The Rutland Area is comprised of the territories included in the following cities and towns of the State of Vermont:

RUTLAND LOCAL OFFICE

The following cities and towns in Rutland County: Benson, Brandon, Castleton, Chittenden, Clarendon, Danby, Fair Haven, Hubbardton, Ira, Mendon, Middletown, Mount Tabor, Pawlet, Pittsfield, Pittsford, Poultney, Proctor, Rutland City, Rutland Town, Sherburne, Shrewsbury, Sudbury, Tinmouth, Wallingford, Wells, West Haven, and West Rutland.

The following towns in Addison County: Bridport, Cornwall, Goshen, Granville, Hancock, Leicester, Middlebury, Orwell, Ripton, Salisbury, Shoreham, and Whiting.

The following towns in Windsor County: Bethel, Rochester, and Stockbridge.

The following towns in Bennington County: Dorset and Rupert.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Rutland Area as additional controlled occupations:

Scale sealer

[F. R. Doc. 44-12438; Filed, August 18, 1944; 11:47 a. m.]

[Amdt. 1]

RUTLAND, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Rutland area effective October 15, 1943, is hereby amended in the following respects:

1. Section 2 (6) is hereby amended by inserting after the words "Rutland Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) Additional controlled occupation means an occupation found by the Area Manpower Director for the Rutland Area with the approval of the Regional Director to be either

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demands for workers in the Area exceed the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Rutland Area."

3. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from *"Referral in case of under-utilization"* to *"Referral by the United States Employment Service"*.

Necessarily, subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the word "employment" at the end of the first paragraph: "Nothing in this section shall be construed to supersede the provisions of section 10 (4)."

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parenthesis so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new paragraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

5. The following section on employment ceilings is hereby added to this program and becomes section 11:

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the Rutland Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Any such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employees would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read: "An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program."

The addition of the new section on employment ceilings necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety.

The addition of the new section on employment ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on employment ceilings necessitates renumbering sections 13 and 14 to sections 14 and 15, respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the Rutland Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on employment ceilings necessitates renumbering section 15 to section 16.

10. The addition of the new section on employment ceilings necessitates renumbering sections 16, 17, 18, and 19 to sections 17, 18, 19, and 20 respectively.

11. Appendix B is hereby amended by inserting after the words "Rutland Area" in the second line the words "with the approval of the Regional Director".

Dated: August 7, 1944.

E. REYNOLD JOHNSON.
State Director.

Approved: August 14, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-12475; Filed, August 18, 1944; 11:47 a. m.]

BENNINGTON, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Bennington Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Bennington Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities.

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(1) "The Bennington Area" is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Bennington Area to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(b) An occupation in which the demand for workers in such area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Bennington Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Bennington Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director. It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Bennington Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue

a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

> The employer hiring the above-named worker shall not retain such worker in his employ after —— and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) That the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(1) In violation of this program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, County, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudical to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the Bennington Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such a date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 11, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—DESIGNATION OF THE BENNINGTON AREA

The Bennington Area is comprised of the territories included in the following towns of the State of Vermont:

BENNINGTON LOCAL OFFICE

The following towns in Bennington County: Arlington, Bennington, Glastenbury, Landgrove, Manchester, Peru, Pownal, Reedsboro, Sandgate, Searsburg, Shaftsbury, Stamford, Sunderland, Winhall and Woodford.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Bennington Area with the approval of the Regional Director as additional controlled occupations:

Sewing machine operator.
Spinner.
Knitting machine operator.
Laborer, any industry.

[F. R. Doc. 44-12437; Filed, August 18, 1944; 11:46 a. m.]

[Amdt. 1]

BENNINGTON, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Bennington Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 2 (6) is hereby amended by inserting after the words "Bennington Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Bennington Area with the approval of the Regional Director to be either

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Bennington Area,".

3. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from *"Referral in case of under-utilization"* to *"Referral by the United States Employment Service."*

Necessarily subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the word "employment" at the end of the first paragraph:

Nothing in this section shall be construed to supersede the provisions of section 10 (4).

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parenthesis so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new subparagraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

5. The following section on Employment Ceilings is hereby added to this program and becomes section 11:

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the Bennington Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read: "An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program."

The addition of the new section on employment ceilings necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety. The addition of the new section on employment ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on employment ceilings necessitates renumbering sections 13 and 14 to sections 14 and 15 respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the Bennington Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on employment ceilings necessitates renumbering section 15 to section 16.

10. The addition of the new section on employment ceilings necessitates renumbering sections 16, 17, 18, and 19 to sections 17, 18, 19, and 20 respectively.

11. Appendix B is hereby amended by inserting after the words "Bennington Area" in the second line the words "with the approval of the Regional Director".

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 11, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-12476; Filed, August 18, 1944; 11:46 a. m.]

WAR PRODUCTION BOARD.

Essex Homes, Inc.

CONSENT ORDER

Essex Homes, Inc., 2 Stevenson Street, Lynbrook, Long Island, New York, engages in the construction of Defense Housing Projects in the State of New York. On October 29, 1941, the company applied for the issuance to it of Preference Rating Order P-55, covering construction of a Defense Housing Project to be located in Lynbrook, Long Island, New York, representing to the Director of Priorities of the War Production Board, that the proposed sales price of each dwelling would in no instance exceed the price of $5835. Pursuant to this application, Preference Rating Order P-55, serial number 77-018-000062, was issued to the company on November 6, 1941. Subsequent thereto, the company entered into contracts of sale with respect to eight dwelling units included in the project for various prices all in excess of $5835. Thereafter, investigation by the War Production Board brought about the disclosure of such outstanding contracts of sale and the company stated in writing to the War Production Board that it had neither sold nor agreed to sell any of such eight dwelling units, including all extras such as garage, landscaping and extra rooms, at prices in excess of $6000. At a later date further investigation by the War Production Board revealed that Essex Homes, Inc. had sold or agreed to sell each of said eight dwelling units at prices in excess of $6000. On May 10, 1944, the company was charged by the New York Regional Compliance Manager of the War Production Board with having misrepresented the sale prices of the said dwelling units and was advised that Priorities Regulation No. 1 provides that any person who furnishes misleading information to the War Production Board may be deprived of priorities assistance and the allocation of materials, the supply, production or distribution of which is subject to any order or regulation of the War Production Board. Essex Homes, Inc. had admitted that the charges set forth in the said letter of May 10, 1944, and described herein, except as to the charge of wilfulness, and subsequent thereto, the corporation has refunded to each purchaser of the said dwelling units, or where title has not yet passed, has reduced the contract by a sum equal to the difference between the price set forth in the company's application for the issuance of Preference Rating Order P-55 and the price contracted for or charged. This refund totals $5935.

Wherefore, upon the agreement and consent of Essex Homes, Inc., and upon the approval of the Regional Attorney, the Regional Compliance Manager, and the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the period in which this order shall be in effect, deliveries of material to Essex Homes, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as may hereafter be specifically authorized in writing by the War Production Board.

(b) During the period in which this order shall be in effect, no authorization to begin the construction of any Defense Housing Project or any other construction to be erected in whole or in part by Essex Homes, Inc., its successors or assigns, shall be granted, except as may be hereafter specifically authorized in writing by an official order of the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Essex Homes, Inc., its successors or assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

This order shall take effect on August 19, 1944, and shall expire on December 19, 1944.

Issued this 12th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12560; Filed, August 19, 1944; 4:08 p. m.]

FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

VOLUME 9 NUMBER 168

Washington, Wednesday, August 23, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter III—War Food Administration (Farm Security)

PART 300—GENERAL

DELEGATION OF AUTHORITY TO ASSISTANT ADMINISTRATOR WITH RESPECT TO REAL ESTATE AND REAL ESTATE LENDING AND SERVICING

§ 300.15 *Delegation of authority to Assistant Administrator with respect to real estate lending and servicing.* By virtue of the authority vested in the Administrator of Farm Security Administration by the War Food Administrator in Memorandum No. 37, dated March 13, 1944 (9 F.R. 2840-2841), and the Delegation of Authority, dated August 2, 1944 (9 F.R. 9389), there is hereby delegated to C. Stott Noble, Assistant Administrator of Farm Security Administration:

(a) The power and authority, subject to the jurisdiction and control of the Administrator, to do all things the Administrator is required or empowered to do which are necessary to administer and supervise the activities of Farm Security Administration under the respective jurisdictions of the Farm Ownership Division, the Project Sales Division and the Engineering Division pertaining to real estate, real estate lending and servicing, the liquidation of Resettlement projects and Rural Rehabilitation projects for Resettlement purposes, including but not limited to land-leasing, land-purchasing associations and defense relocation corporations, except the power and authority to compromise claims pursuant to section 41 (g) of the Bankhead-Jones Farm Tenant Act.

(b) This delegation shall revoke or modify existing authorizations and instructions only to the extent such authorizations and instructions are in conflict herewith.

(c) In his discretion, the Assistant Administrator may redelegate any of the power or authority granted herein to subordinates under his jurisdiction and may revoke or modify existing authorities within the scope of this delegation.

(d) In the absence of the Assistant Administrator, or in the event of his inability to carry out the authority herein delegated, such authority may be exercised by the Acting Assistant Administrator serving in his place and stead.

(e) This delegation shall have effect as of July 1, 1944, and shall remain in effect until revoked or modified by subsequent delegations.

Issued this 19th day of August 1944.

FRANK HANCOCK,
Administrator,
Farm Security Administration.

[F. R. Doc. 44-12659; Filed, August 22, 1944; 11:13 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 54-4, Amdt. 3]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, as amended (9 F.R. 4675, 7040, 9526), is further amended as follows:

By deleting the provisions of § 1401.179 (b) and inserting, in lieu thereof, the following:

(b) *Percentages of dried skim milk to be set aside.* Each producer shall set aside, in the calendar month of September 1944, a quantity of spray dried skim milk equal to 60 percent of all spray dried skim milk produced by him during that month. Beginning with September 1, 1944, and until otherwise directed, no producer shall be required to set aside any portion of the roller dried skim milk which is produced by him on or after that date.

This order shall become effective at 12: 01 a. m., e. w. t., September 1, 1944. with respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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54–4, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 54–4, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 54, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–12630; Filed, August 21, 1944; 3:31 p. m.]

[WFO 2–7]

PART 1401—DAIRY PRODUCTS

BUTTER

Pursuant to the authority vested in me by War Food Order No. 2, as amended, 9 F.R. 4321, 4319 (formerly designated as Food Distribution Order No. 2 originally issued by the Secretary of Agriculture on January 5, 1943, 8 F.R. 253, as amended, 9 F.R. 3623), it is hereby ordered as follows:

§ 1401.184 *Percentage of butter to be set aside in September 1944*—(a) *Definitions.* (1) "WFO 2" means War Food Order No. 2, as amended.

(2) Each term defined in WFO 2 shall, when used herein, have the same meaning as set forth for such term in WFO 2.

(b) *Percentage.* Each person who is required by WFO 2 to set aside butter during September 1944 shall set aside, in the said month in which he is required to set aside butter, a quantity of butter equal to at least 20 percent of all butter produced by him in the said month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 2, 8 F.R. 253; 9 F.R. 3623, 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–12631; Filed, August 21, 1944; 3:31 p. m.]

[WFO 79–1 to 79–33, inc.; 79–35; 79–36 to 79–81, inc.; 79–83 to 79–101, inc.; 79–141; 79–142; and 79–144, Gen. Amdt. 6]

PART 1401—DAIRY PRODUCTS

GENERAL AMENDMENT TO CERTAIN WAR FOOD ORDERS ISSUED BY THE DIRECTOR ALLOCATING MILK PRODUCTS PURSUANT TO WAR FOOD ORDER NO. 79, AS AMENDED

In the determination of quotas for milk byproducts, including cottage, pot, or baker's cheese, for each of the quota periods of September and October 1944, wherever a percentage specification appears affecting quotas for milk byproducts, including cottage, pot, or baker's cheese, delete said percentage and substitute the specification "100 percent," and in the determination of quotas for cream for each of the quota periods of September and October 1944 delete the quota for pounds of cream with the result that the quota for cream shall be computed only for pounds of butterfat in cream. This amendment shall be effective (notwithstanding quotas heretofore assigned) in each of the following orders:

The orders issued by the Director of Distribution in accordance with the provisions of War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319) dated September 7, 1943, as amended, and said orders issued by the Director are designated as WFO 79–1 to 79–33, inclusive; 79–35; 79–36 to 79–81, inclusive; 79–83 to 79–101, inclusive; 79–141; 79–142; and 79–144.

This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to any violation of said War Food Order No. 79, as amended, or any of the aforesaid orders issued by the Director pursuant thereto, any right accrued, or liability incurred, prior to the effective time of this amendment, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–12628; Filed, August 21, 1944; 3:31 p. m.]

[WFO 79–102, Amdt. 3]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN THE ADMINISTRATION OF WAR FOOD ORDERS FOR THE CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–102 (8 F.R. 16313, 9 F.R. 337, 4321, 4319, 4500), as amended, is hereby further amended so as to read as follows:

§ 1401.135 *Fluid milk and cream*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof, each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79 as amended.

(b) *Delegation of authority.* The market agent under any of the War Food Orders issued pursuant to War Food Order No. 79, as amended, and notwithstanding the provisions of any such orders, is hereby authorized:

(1) To exempt deliveries of milk, cream, and milk byproducts to industrial users, in their capacity as such users, from charges to quotas and exclude such deliveries from the computation of deliveries in the base period, and the term "industrial user" shall be construed to mean a person, as determined by the market agent, manufacturing products using as an ingredient milk, cream, or milk byproducts, and which are disposed of primarily for resale to consumers off the premises where made.

(2) To transfer quota from one handler to another, upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to one or more of his accounts, (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis, (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application, (iv) a handler or a sub-handler applies in order to consummate a bona fide sale of business, or (v) handlers apply in order to exchange or transfer accounts.

(3) To permit a handler to substitute a quota of milk solids in milk for his quota of milk and of butterfat in milk, if specified in the order, and a quota of milk solids in milk byproducts for his quota of milk byproducts, including cottage, pot, or baker's cheese. (For the purpose of this substitution, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundred weight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.) Each handler so substituting may, within any quota period, increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent.

(4) In areas wherein no quota of butterfat in milk is specified, to permit a handler to increase the total pounds of milk in milk quota by not more than 3 percent, by transferring milk byproducts quota to milk quota at the rate of one pound of milk byproducts quota for each 0.75 pounds of milk quota.

(c) *Review by the Director.* A ruling by a market agent under the authority delegated herein may be reviewed by the Director upon petition or upon the initiative of the Director, and may be affirmed, modified or reversed by the Director.

(d) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 21st day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-12629; Filed, August 21, 1944; 3:31 p. m.]

[WFO 1, Amdt. 11]

PART 1404—BAKERY PRODUCTS

INGREDIENTS

War Food Order No. 1, as amended (8 F.R. 16777, 9 F.R. 4319, 4527, 5331, 7122), § 1404.1, is further amended by deleting (c) and substituting in lieu thereof the following:

(c) *Ingredients.* (1) No baker shall make or sell any bread baked from dough which contains more than:

(i) 6 parts by weight of cane sugar, beet sugar, corn sugar, or other similar fermentable carbohydrate solids (except as may be present in any fruit used) to 100 parts of flour; or

(ii) 3 parts by weight of shortening, lard, or other fats or oils (including fats or oils which have been added to any other ingredient) to 100 parts of flour: *Provided, however,* That this provision shall not apply to lard or rendered pork fat which is delivered to and accepted by any baker during the period from May 15, 1944, to September 30, 1944, both inclusive.

(2) No person shall sell any imported bread baked from dough which contains any ingredient listed under (c) (1) hereof in excess of the applicable quantity therein specified.

This amendment shall become effective at 12:01 a. m., e. w. t., August 22, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of August 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12632; Filed, August 21, 1944; 3:31 p. m.]

[WFO 37, Partial Suspension]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS WITH RESPECT TO SPERM OIL

The provisions of § 1460.8, (b) and (c) of War Food Order No. 37, as amended (9 F.R. 2078, 4319, 4974), are suspended until December 1, 1944.

This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 37, as amended, prior to said date, all provisions of said War Food Order No. 37, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of August 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12633; Filed, August 21, 1944; 3:31 p. m.]

[WFO 53, Partial Suspension]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS WITH RESPECT TO ANIMAL OIL, NEAT'S-FOOT OIL, AND RED OIL

The provisions of § 1460.15, (b), (c), (d) and (e) of War Food Order No. 53, as amended (9 F.R. 6391), are suspended until December 1, 1944.

This order shall become effective at 12:01 a. m., e. w. t., Aug. 22, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 53, as amended, prior to said date, all provisions of said War Food Order No. 53, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of August 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12634; Filed, August 21, 1944; 3:31 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

EMPLOYEES OF VETERANS' ADMINISTRATION AND REPRESENTATIVES OF VETERANS' ORGANIZATIONS IN CERTAIN ARMY AND NAVY INSTALLATIONS

NOTE: For Joint Regulations of the Secretary of War, the Secretary of the Navy and the Administrator of Veterans' Affairs defining the status and functions of certain officials and employees placed in Army and Navy installations by the Administrator of Veterans' Affairs under the authority granted in section 103 of the Servicemen's Readjustment Act of 1944 and providing for the certification by the Administrator of Veterans' Affairs of paid full time accredited representatives of recognized veterans' and other national organizations and the functioning of such accredited representatives in Army and Navy installations as authorized and directed in section 200 of the Act, see Title 38, *infra.*

Chapter VII—Personnel

PART 709—PRESCRIBED SERVICE UNIFORM

WOMEN'S ARMY CORPS

In § 709.90 (9 F.R. 1413), paragraphs (a) and (b) are rescinded and the following substituted therefor:

§ 709.90 *WAC uniform*—(a) *Winter service uniform.* The winter service uniform for Women's Army Corps officers consists of the following items:

(1) (i) Cap, garrison, wool, WAC, officers, or (ii) Cap, WAC, winter officer's.
(2) Jacket, wool, olive-drab, women's officer's, except when waist without coat is authorized.
(3) Necktie, women's.
(4) (i) Shoes, low, service, women's, or (ii) Shoes, field, women's (optional), or (iii) Pumps, when off duty.
(5) (i) Skirt, wool, dark, olive-drab, women's, officer's, or (ii) Skirt, WAC, winter, light, officer's.
(6) Stockings, WAC, rayon or cotton.
(7) Tags, identification.
(8) Insignia.
(9) Waist, women's.
(10) Decorations, service medals and badges optional.
(11) Ribbons, service (optional).
(12) (i) Gloves, leather, dress, women's or (ii) Gloves, wool, olive-drab, women's, or (iii) Gloves, cotton, WAC, in chamois color (optional).
(13) (i) Coat, WAC, utility, officer's, or (ii) Overcoat, WAC, officer's, or (iii) Raincoat, parka type, women's, officer's, or (iv) Overcoat, field, women's, officer's.
(14) (i) Scarf, women's, or (ii) Scarf, WAC, dress, in chamois color (optional).
(15) (i) Overshoes, low, women's, or (ii) Overshoes, arctic, 4-buckle, women's (optional).
(16) Bag, WAC, utility (optional).

(b) *Summer service uniform.* The summer service uniform for Women's Army Corps officers consists of the following items:

(1) (i) Cap, WAC, summer, officer's, or (ii) Cap, garrison, tropical worsted, khaki, WAC, officer's.
(2) Jacket, WAC, summer, officer's, tropical worsted, khaki, except when waist without coat is authorized.
(3) Necktie, women's.
(4) (i) Shoes, low, service, women's, or (ii) Shoes, field, women's (optional), or (iii) Pumps, when off duty.
(5) Skirt, WAC, summer, tropical worsted, khaki.
(6) Stockings, WAC, rayon or cotton.
(7) Tags, identification.
(8) Insignia.
(9) Waist, women's.
(10) Decorations, service medals and badges (optional).
(11) Ribbons, service (optional).
(12) (i) Gloves, leather, dress, women's or (ii) Gloves, cotton, WAC, in chamois color (optional).
(13) (i) Coat, WAC, utility, officer's, or (ii) Raincoat, parka type, women's, officer's, or (iii) Overcoat, field, women's, officer's.
(14) Overshoes, low, women's (optional).
(15) Bag, WAC, utility (optional).
(16) Scarf, WAC, dress, in chamois color (optional).

In § 709.91 (9 F.R. 1413) the head note is amended to read as set forth below, the first paragraph is now designated (a), and a new paragraph (b) is added, as follows:

§ 709.91 *Headgear*—(a) *Cap, WAC.* • • •

(b) *Cap, garrison, WAC.* Of adopted design, a garrison cap following the contours of the head and shaped to fit snugly in the back, curtain finished with cord-edge braid (piping) of gold and black for officers, and of old gold and moss-tone green for enlisted women. The beige garrison cap for wear with the summer off-duty dress will conform in color and fabric to the summer off-duty dress.

In § 709.92 (9 F.R. 1413) paragraphs (c) and (d) are amended to read as follows:

§ 709.92 *Jacket, wool, olive-drab, women's, officer's.* • • •

(c) *Shoulder loops.* On each shoulder a loop of same material as the coat, let into the sleeve head seam, placed slightly toward the front, with pointed end of the loop covered by the lower edge of the collar, buttoning to the coat with a small regulation coat button; loops to be about 1⅞ inches in width at lower end and tapering to 1½ inches in width at point of buttonhole.

(d) *Pockets.* Two pocket flaps simulating breast pockets placed so that they are horizontal. Center and both ends of pocket flap pointed and buttoned with small regulation coat buttons. Two lower hanging welt pockets set in on the diagonal with a 1-inch welt of self material. (R.S. 1296; 10 U.S.C. 1391) (R.S. 1296; 10 U.S.C. 1391) [AR 600-39, 5 Jan. 1944 as amended 4 Aug. 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-12651; Filed, August 22, 1944; 9:45 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 1]

PART 28—PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN THE CULTURAL-COOPERATION PROGRAM

Under the authority contained in R. S. 161 (5 U.S.C. 22), authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business, the authority of that paragraph of title I of the act of July 1, 1943, cited as the Department of State Appropriation Act, 1944 (57 Stat. 271), headed "Cooperation with the American Republics" and of that paragraph of title I of the act of June 28, 1944, cited as the Department of State Appropriation Act, 1945, also headed "Cooperation with the American Republics", both of which paragraphs authorize the making of regulations governing the expenditure of funds made available by each of such acts for the purpose of paying the compensation and traveling and other expenses of certain persons participating in the program of inter-American cultural relations contemplated and provided for by the Convention for the Promotion of Inter-American Cultural Relations, signed at Buenos Aires December 23, 1936 (51 Stat. 178), and the act of August 9, 1939 (53 Stat. 1290) to authorize the President to render closer and more effective the relationship between the American republics; and the authority of a letter from the President to the Secretary of the Treasury dated July 29, 1944 making an allocation from the appropriation "Emergency Fund for the President, National Defense, 1942-1945" to the Department of State for a program of cultural relations with China and the neighboring countries and with countries of the Near East and Africa, the following regulations are prescribed to govern payments to and on behalf of participants in the cultural-cooperation program.

Sec.
28.1 Definitions.
28.2 Applicability of these regulations under special circumstances.
28.3 Grants to foreign leaders.
28.4 Travel grants to foreign students.
28.5 Maintenance grants to foreign students.
28.6 Other assistance to foreign students.
28.7 Grants to foreign students under international agreement.
28.8 Allowances to United States Government employee leaders.
28.9 Grants to United States leaders.
28.10 Grants to United States students.
28.11 Additional provisions.
28.12 Previous regulations superseded.
28.13 Effective date.

§ 28.1 *Definitions.* For the purpose of these regulations the following terms shall have the meanings here given:

(a) *Cultural-cooperation program of the Department of State.* All programs in the field of international cultural relations and technical and cultural cooperation in connection with which payments are made direct by the Department of State, as well as similar program carried out by other Government departments and agencies and by private organizations with funds appropriated or allocated to the Department of State when these regulations apply under the provisions of § 28.2 (a) and (b) of this chapter. For convenience the cultural-cooperation program of the Department of State will sometimes hereinafter be referred to as the "program", and the Department of State will sometimes be referred to as the "Department".

(b) *Participants.* Persons taking part in the program in one of the categories defined in paragraphs (c) and (d) of this section, including both citizens of the United States and of the other countries with which the program is carried on.

(c) *Leaders.* Professors and instructors, persons of influence, and persons of outstanding accomplishment or possessing special qualifications in a professional, technical, cultural, or other specialized field, who may, however, independently or incidentally engage in research or study without thereby being necessarily classed as students as that term is hereinafter defined.

(d) *Students.* Students, internes in public service and other technical and professional fields, trainees, holders of fellowships, and other persons engaged primarily in pursuing courses of formal study or guided research or training.

(e) *Baggage.* Public property, or private property to be used exclusively for official business, and wearing apparel needed by the traveler for the journey together with the necessary containers.

(f) *Excess baggage.* Baggage in excess of the weight or of a size greater than that carried free by transportation companies.

§ 28.2 *Applicability of these regulations under special circumstances*—(a) *Funds administered by another department or agency.* These regulations shall not apply to payments made to or on behalf of participants from funds appropriated or allocated to the Department of State and transferred by the Department to some other department, agency, or independent establishment of the Government by transfer appropriation warrant unless the terms of the transfer provide that such regulations shall apply in whole or in part or with such modifications as may be prescribed in each case to meet the exigencies of the particular situation.

(b) *Funds administered by an institution or facility.* These regulations shall apply to payments made to or on behalf of participants from funds appropriated or allocated to the Department and administered by an institution, facility, or organization in accordance with the terms of a contract or grant made by the Department with or to such institution, facility, or organization, unless the terms of such contract or grant provide that these regulations are not to be considered applicable or that they are to be applied with such modifications as may be prescribed in each case to meet the exigencies of the particular situation.

(c) *Subsequent appropriations or allocations.* These regulations shall apply to payments made by the Department of State with respect to appropriations or allocations which may hereafter be made to the Department for the program, so far as these regulations are not inconsistent therewith.

§ 28.3 *Grants to foreign leaders.* A citizen of a foreign country who has been awarded a grant as a leader shall be entitled to:

(a) *Transportation expenses.* First-class accommodations on steamship, airplane, railway, or other means of conveyance or, when authorized, reimbursement in accordance with the provisions of the Standardized Government Travel Regulations for travel in a privately owned vehicle.

(b) *Per diem in lieu of subsistence.* (1) Per diem of $10.00, in lieu of subsistence and all incidental expenses including gratuitous fees, taxi fares, head tax, visa fees, telegraph and telephone charges, et cetera, while traveling to and from the United States except for the period spent on sea-going vessels, while on authorized or emergency stop-overs, and while in a travel status within the United States, which status shall include

the entire period of the trip unless the travel order or an amendment thereto specifically directs the traveler to proceed to a designated place and to remain there on a duty assignment: *Provided*, That when a traveler is furnished meals and/or lodging without charge by a United States Government department or agency, one fifth of the authorized per diem shall be deducted for each meal or night's lodging.

(2) Per diem of $5.00, unless another rate not to exceed $10.00 is authorized, in lieu of subsistence and all incidental expenses including gratuitous fees, and the cost of steamer chairs, rugs and cushions, et cetera, while traveling on seagoing vessels outside the continental limits of the United States.

(c) *Baggage charges.* Reimbursement, upon presentation of receipts, of shipping charges for baggage, as follows:

(1) If travel is performed by air, for excess baggage not to exceed 50 pounds in weight, when shipped as excess baggage or by air express.

(2) If travel is performed by means other than air, for a total of 250 pounds in weight, inclusive of all available free allowances.

(3) Under either (1) or (2) above, for additional baggage necessary to the purpose of the trip when authorized either by the Department or by the officer in charge of the appropriate United States mission.

(d) *Alternate provision.* Travel expenses and per diem in accordance with the provisions of the Standardized Government Travel Regulations, when specifically authorized, in lieu of the provisions of paragraph (a), (b), and (c) of this section.

(e) *Allowances.* (1) Monthly allowances in lieu of subsistence at the rate of $7.00 per diem while on a duty assignment.

(2) Such compensation or other allowances as may be specifically authorized.

(f) *Tuition.* Tuition and related fees for courses of advanced or specialized study at an institution of learning in connection with the purpose for which the grant has been awarded, when authorized. Payment of such tuition and fees will be made by the Department on behalf of the grantee direct to the institution concerned upon presentation of an itemized voucher countersigned by the grantee.

(g) *Advances of funds.* Advances of per diem and allowances for periods not in excess of 30 days.

§ 28.4 *Travel grants to foreign students.* A citizen of a foreign country who has been awarded a travel grant as a student shall be entitled to:

(a) *Transportation expenses.* First-class accommodations on steamship, airplane, railway, or other means of conveyance.

(b) *Per diem in lieu of subsistence.* (1) Per diem of $7.00, in lieu of subsistence and all incidental expenses, including gratuitous fees, et cetera, while traveling to and from the United States except for the period spent on sea-going vessels, while on authorized or emergency stop-overs, and while in a travel status within the United States, which status shall terminate on the day he arrives at the city or other place where he is to study or receive training and shall recommence on the day he leaves that place, or other place to which he has been authorized to go, to return to his home.

(2) Per diem of $3.50, unless another rate not to exceed $7.00 is authorized, in lieu of subsistence and all incidental expenses including gratuitous fees, and the cost of steamer chairs, rugs and cushions, et cetera, while traveling on sea-going vessels outside the continental limits of the United States.

(c) *Baggage charges.* Reimbursement, upon presentation of receipts, of shipping charges for baggage, as follows:

(1) If travel is performed by air, for excess baggage not to exceed 50 pounds in weight, when shipped as excess baggage or by air express.

(2) If travel is performed by means other than air, for a total of 250 pounds in weight, inclusive of all available free allowances.

(3) Under either (1) or (2) above, for additional baggage necessary to the purpose of the trip when authorized either by the Department or by the officer in charge of the appropriate United States mission.

(d) *Alternate provision.* Travel expenses and per diem in accordance with the provisions of the Standardized Government Travel Regulations, when specifically authorized, in lieu of the provisions of paragraphs (a), (b), and (c) of this section.

(e) *Allowances.* An allowance of $25.00 for the first month or fraction thereof while engaged in traveling from his home to the United States, commencing on the day of departure, in addition to all other allowances.

(f) *Advances of funds.* Advances of allowances as provided in paragraph (e) of this section in full, and of per diem in lieu of subsistence for not to exceed the time estimated as necessary to complete the authorized travel in one direction.

§ 28.5 *Maintenance grants to foreign students.* A citizen of a foreign country who has been awarded a maintenance grant as a student shall be entitled to an allowance subject to the following provisions:

(a) *Amount.* Not to exceed $150 per month.

(b) *Duration.* Not to exceed 12 months of actual study and training, but to be renewable.

(c) *Other terms.* The amount, duration, and other terms of the grant, which may provide for the payment of monthly installments in advance, shall be fixed in each individual case. The first installment under the grant will become payable as of the date the student registers in an institution of learning or otherwise actually starts his program of study, research, or training, or the date established to the satisfaction of the Department as that on which the student was prepared to begin his program. This grant may be subject to cancelation if the recipient does not maintain a satisfactory record of performance or otherwise demonstrates his unsuitability to receive assistance.

§ 28.6 *Other assistance to foreign students.* A foreign student obliged to remain in the United States because of emergency conditions and unable to secure adequate financial assistance from other sources, or a student brought to the United States for a special course of training, shall be entitled to any or all of the following items when authorized, subject to cancelation if the recipient does not maintain a satisfactory record of performance or otherwise demonstrates his unsuitability to receive assistance.

(a) *Maintenance allowance.* A maintenance allowance similar to that provided in § 28.5 of this chapter, except that it may be continued in intervals between periods of study or training.

(b) *Books and equipment allowance.* An allowance for books and equipment and incidental expenses not to exceed $150 per year.

(c) *Tuition.* Tuition and related fees, when not available from other sources. Payment of such tuition and fees will be made by the Department on behalf of the grantee direct to the institution concerned upon presentation of an itemized voucher countersigned by the grantee.

(d) *Travel.* Transportation expenses from one place of study or training to another or for travel in furtherance of his study and training, not exceeding the cost of minimum first-class transportation on a common carrier. For this purpose the student may either be provided with such accommodations or be allowed actual travel expenses, in which case an advance of travel funds may be made.

§ 28.7 *Grants to foreign students under international agreement.* A foreign student sent to the United States under the provisions of an international agreement such as the Convention for the Promotion of Inter-American Cultural Relations shall, subject to such agreement, be entitled to:

(a) *Allowances and tuition.* Allowances for maintenance, books, equipment, and incidental expenses, and payment of tuition and related fees as provided in § 28.6 (a), (b), and (c) of this chapter.

(b) *Tutoring assistance.* Special tutoring assistance when authorized.

(c) *Travel.* Transportation expenses as provided in § 28.6 (d) of this chapter when requested by the Department to perform travel within the United States in excess of that financed by the student's government in accordance with the terms of the international agreement.

§ 28.8 *Allowances to United States Government employee leaders.* An employee of the United States Government who has been appointed or assigned for service abroad as a leader shall be entitled to any or all of the following items when authorized:

(a) *Transportation expenses.* Transportation and miscellaneous expenses in the United States and abroad, including baggage charges, and per diem in lieu of subsistence at the maximum rates allowable while in a travel status, in accordance with the provisions of the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926 as amended, except that where such payments are made from funds whose expenditure is exempted from compliance with the said travel regulations and Subsistence Expense Act by the provisions of the applicable appropriation act or Presidential letter of allocation, the traveler shall be reimbursed for his travel expenses as provided in his travel order. The traveler shall be considered as remaining in travel status during the entire period covered by his order unless otherwise specified.

(b) *Advances of funds.* Advances of per diem as provided in regulations prescribed by the Secretary of the Treasury pursuant to the Subsistence Expense Act of 1926.

(c) *Compensation.* Compensation in accordance with Civil Service rules or in accordance with the grade in which the position occupied may be administratively classified.

(d) *Allowances for cost of living and living quarters, et cetera.* Allowances for living quarters, heat, fuel, and light, and to compensate for the increased cost of living, in accordance with the currently applicable provisions of Budget Circular A–8, as amended, concerning "various allowances payable to federal officers and employees stationed in foreign countries, et cetera", when assigned to a temporary or permanent post of duty abroad and not in a travel status as used in paragraph (a) of this section.

(e) *Books and equipment.* The cost of books, teaching materials, laboratory equipment, et cetera, in an amount to be authorized in each case. Such materials and equipment, unless otherwise ordered, shall be selected by the traveler and purchased and shipped by the Department, and at the conclusion of the mission shall be transferred to and become the property of an appropriate local institution, or be otherwise disposed of, as directed by the Department.

(f) *Stenographic and other services.* The cost of stenographic and other services when authorized as provided for in the Standardized Government Travel Regulations or by contract entered into by the Department at the request of the traveler. The contracting officer of the appropriate diplomatic or consular office is authorized to enter into such contracts on behalf of the Department.

(g) *Families and effects.* Cost of transportation of immediate family and household goods and effects when going to and returning from posts of assignment in foreign countries in accordance with the provisions of the Foreign Service Regulations of the United States of America.

§ 28.9 *Grants to United States leaders.* A citizen of the United States who has been awarded a grant as a leader may be entitled to any or all of the following when authorized:

(a) *Transportation expenses.* Transportation expenses and per diem as provided in § 28.8 (a) of this part.

(b) *Advances of funds.* Advances of funds as provided in § 28.8 (b) of this chapter.

(c) *Compensation.* Compensation at a rate to be fixed in each case by the Department of State.

(d) *Allowances for cost of living and living quarters, et cetera.* Allowances for living quarters, heat, fuel, and light, and to compensate for the increased cost of living, corresponding as nearly as may be practicable to the allowances provided for in § 28.8 (d) of this part.

(e) *Books and equipment.* The cost of books, teaching materials, laboratory equipment, et cetera, as provided in § 28.8 (e) of this part.

(f) *Stenographic and other services.* The cost of stenographic and other services as provided in § 28.8 (f) of this part.

§ 28.10 *Grants to United States students.*

NOTE: Grants to United States citizens for the purpose of enabling them to study abroad shall be made subject to such regulations as may be prescribed hereafter at the time when the making of such grants, discontinued at present owing to the war, is resumed.

§ 28.11 *Additional provisions.* The following additional provisions shall apply to the foregoing regulations:

(a) *Maxima not controlling.* Payments and allowances shall be made at the rate or in the amount provided in these regulations unless otherwise ordered, but any individual grant or travel order may specify that less than the maximum will be allowed under any part of these regulations.

(b) *Individual authorization.* Where these regulations provide for compensation, allowance, or other payment when authorized, no payment shall be made therefor unless a definite amount or basis of payment is authorized in the individual case, or is approved as provided in paragraph (d) of this section.

(c) *Computation of per diem and allowances.* In computing per diem, and allowances payable while on a duty assignment, except for travel performed under the Standardized Government Travel Regulations, fractional days shall be counted as full days, the status at the end of the calendar day determining the status for that entire day.

(d) *Subsequent approval.* Whenever without prior-authority expense has been incurred by a participant, or an individual has commenced his participation in the program as contemplated by these regulations, the voucher for payments in connection therewith may be approved by an official designated for this purpose, such approval constituting the authority for such participation or the incurring of such expense.

(e) *Additional authorization.* Any emergency, unusual, or additional payment deemed necessary under the program, if allowable under existing authority, may be authorized whether or not specifically provided for by these regulations.

§ 28.12 *Previous regulations superseded.* These regulations supersede those prescribed in Departmental Order 1157 of April 1, 1943, as amended and extended, and all other regulations and instructions inconsistent herewith: *Provided*, That grants, travel orders, and other authorizations which are outstanding and in effect on the date the present regulations become effective and which do not conform hereto shall nevertheless remain in effect and be governed by the regulations under which they were originally issued, unless such grants, orders, or authorizations are specifically amended and made subject to the present regulations, in which case the individual concerned will be notified.

§ 28.13 *Effective date.* These regulations shall be effective August 21, 1944.

CORDELL HULL,
Secretary of State.

AUGUST 21, 1944.

[F. R. Doc. 44–12636; Filed, August 21, 1944; 4:09 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5397]

PART 23—CONSOLIDATED RETURNS OF AFFILIATED RAILROAD CORPORATIONS AND PAN-AMERICAN TRADE CORPORATIONS

PART 33—CONSOLIDATED RETURNS OF AFFILIATED CORPORATIONS PRESCRIBED UNDER SECTION 730 (b) OF THE EXCESS-PROFITS TAX ACT OF 1940

CONSOLIDATED RETURNS

NOTE: In FEDERAL REGISTER Document 12138, appearing on page 9883 of the issue for Tuesday, August 15, 1944, the date of signing was omitted. The original document has been corrected so that the date reads "August 11, 1944."

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 209]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of General License	
	Commerce No.	Group
Lard, including neutral lard and refined pork fat	6053.00	None

Shipments of the above commodity which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall become effective August 25, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: August 11, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-12604; Filed, August 21, 1944; 12:39 p. m.]

[Amdt. 210]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity	Department of Commerce No.	General License Group
Grains and preparations:		
Biscuits and crackers	1078.00	K
Corn cereal foods, ready to eat	1037.00	K
Macaroni, spaghetti, noodles, vermicelli and macaroni products	1077.00	K
Wheat	1071.00	K
Wheat cereal foods, ready to eat	1080.00	K
Wheat cereal foods, to be cooked	1081.00	K
Wheat flour wholly of U. S. wheat (in sacks or barrels)	1073.00	K
Wheat semolina	1090.00	K
Cereal foods, n. e. s.	1095.00	K
Wheat flour, other (in sacks or barrels)	1074.00	K
Other grains and preparations	1099.00	K
Vegetable products—miscellaneous:		
Brooms	2985.00	None

Shipments of the commodities "brooms", "wheat flour wholly of U. S. wheat (in sacks or barrels)" and "wheat flour, other (in sacks or barrels)" which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall be effective immediately upon publication except with respect to "brooms", "wheat flour wholly of U. S. wheat (in sacks or barrels)" and "wheat flour, other (in sacks or barrels)" as to which this amendment shall become effective August 25, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 16, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-12606; Filed, August 21, 1944; 12:39 p. m.]

[Amdt. 211]

PART 801—GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS

Paragraph (d) of § 801.16 *Refunds of subsidy payments* is hereby amended by deleting the schedule for "Processed Raisins—1943 Crop" and inserting in lieu thereof the following:

PROCESSED RAISINS 1943 CROP (EXCEPT SODA DIPPED THOMPSON SEEDLESS AND LONDON (LAYER MUSCATS)

Type and variety	*Refund per ton*
Natural Thompson Seedless	$53.95
Seeded Muscat	75.13
Loose Muscat	65.93
Sultana	55.79
Golden Bleached Thompson Seedless	54.03

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 18, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-12606; Filed, August 21, 1944; 12:39 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg 1 as amended March 24, 1943, 8 FR. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-574, Revocation]

AMERICAN PLAYGROUND DEVICE CO.

Suspension Order S-574 was issued against the American Playground Device Company, Anderson, Indiana. An appeal was filed with the Chief Compliance Commissioner who has concluded that proper proof has been submitted by the respondent that it is maintaining proper records as required by Priorities Regulation No. 1. He has directed that Suspension Order No. S-574 be revoked forthwith. In view of the foregoing:

It is hereby ordered, that: § 1010.574, *Suspension Order No. S-574* be revoked.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12637; Filed, August 21, 1944; 4:16 p. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-340, as Amended Aug. 21, 1944]

GOVERNMENTAL COMMERCIAL PRINTING AND DUPLICATING

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Government.
(c) Commercial printing.
(d) Printer.
(e) Paper.
(f) Use.
(g) Production waste.
(h) Inventory.

Consumption Quota

(i) Printing which is covered by other orders.
(j) Printing which is not restricted.
(k) Consumption restrictions for governments other than the United States Government.
(l) Consumption restrictions for the United States government.
(m) Certification to printer.

Delivery Restrictions

(n) Limit on tonnage which may be accepted.
(o) Increase of deliveries.
(p) Certification to paper dealer or mill.
(q) Limits on basis weights.

Miscellaneous Provisions

(r) Records.
(s) Applicability of regulations.
(t) Appeals.
(u) Communications.
(v) Violations.

Scope

§ 3133.50 *Limitation Order L-340*—(a) *The purpose of this order.* This order does three things. First, it limits the tonnage of paper which a government may cause to be used for commercial printing. Second, it limits the tonnage of paper which may be accepted by or on behalf of a government. This is based upon its inventory of paper. Third, it limits the basis weight of paper which a government may cause to be used in printing certain items.

Definitions and Explanations

(b) *Government*—(1) "Government" means the United States Government and the government of any State, county, municipality or local political unit. A State, county, municipality or local political unit may, as a separate government under this order, apportion its consumption quota among its constituent departments, agencies, bureaus and other subdivisions, but such departments, agencies, bureaus and subdivisions may not, collectively, cause more paper to be used in commercial printing than the consumption quota of the government which they comprise.

(2) The Army, Navy, War Shipping Administration and Maritime Commission are exempt from all of the provisions of this order except paragraph (l).

(3) Paragraphs (n), (o) and (p) do not apply to the United States Government as a whole, but only to the Government Printing Office and the Procurement Division of the Treasury Department, and the provisions of those paragraphs apply to each of the above-named agencies separately.

(4) This order does not apply to any government if its base tonnage is less than one ton, or if the total cost of commercial printing purchased by it in the base year did not exceed $1,000.

(c) *Commercial printing.* "Commercial printing" means all printing and duplicating produced by any type of printing machine covered by Order L-226 or any type of duplicating machine covered by Order L-54-c, List I, Item 5. However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (i), and printing which is unrestricted, as described in paragraph (j). "Printed matter" includes duplicated matter as well as printed matter.

(d) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. This order applies to a government which operates its own printing plant as well as a government which purchases printing.

(e) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber.

(f) *Use.* Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by pen-ruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers; for instance, when a sheet is printed on its second side, or when several colors are used. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(g) *Production waste.* All production waste shall be included in determining the tonnage of paper which a government causes to be used in commercial printing.

(h) *Inventory.* "Inventory" means all the paper which is available for the use of a government in commercial printing. It is immaterial whether such paper is in the printer's hands or in the hands of the paper dealer, government, or other person. Paper in transit is not included.

Consumption Quota

(i) *Printing which is covered by other orders.* Certain types of printing are not covered by this order. When a government adds up the weight of paper which it caused to be used in the base year, it may not count the paper which went into these items. Also, a government may not use the consumption quota which it gets under this order for the printing of any of these items. They are:

(1) Newspapers (defined in Limitation Order L-240).
(2) Magazines (defined in Limitation Order L-244).
(3) Books and booklets (defined in Limitation Order L-245).
(4) Converted products named in Lists A, B, C or D of General Conservation Order M-241-a, except gummed paper.

(j) *Printing which is not restricted.* A government is not limited in the amount of paper which it may cause to be used in commercial printing required for any official election.

(k) *Consumption restrictions for governments other than the United States government.* In the 12-month period beginning July 1, 1944 and ending June 30, 1945, or in the last fiscal year ending prior to January 1, 1946, and in each corresponding 12-month period after that, no government (other than the United States government) may cause to be used for commercial printing any paper in excess of its annual consumption quota which shall be computed as follows:

(1) (i) Select a base period which shall be either the 12-month period ending June 30, 1942, or the last fiscal year ending prior to June 30, 1942.

(ii) Add up the total pounds of paper used in the base period for all types of printing.

(iii) Subtract the pounds of paper used in the base period for all the items covered by other orders as listed in paragraph (i).

(iv) Subtract the pounds of paper used in the base period for the unrestricted items described in paragraph (j).

(v) This is the government's base tonnage from which the required reductions shall be made.

(2) If the government's base tonnage is more than 1 ton but less than 1⅓ tons, its annual consumption quota is 1 ton.

(3) If the government's base tonnage is more than 1⅓ tons, its annual consumption quota is 75 percent of its base tonnage.

(4) A government may cause its annual consumption quota to be used for any type of printing which is not covered by other orders as listed in paragraph (i). Also, it may cause any amount of paper to be used in addition to its annual consumption quota for the unrestricted items described in paragraph (j).

(5) If a government is unable to determine its base period consumption in tons of paper, it may, as an alternative, compute the dollar value of its purchases of commercial printing during the base year using the method described in paragraph (k) (1).

(i) If the government's purchases of commercial printing in the base year were more than $1,000, but less than $1,110, its annual consumption quota is $1,000.

(ii) If the government's purchases of commercial printing in the base year were more than $1,110, its annual consumption quota is 90% of the cost of commercial printing purchased in the base year.

(l) *Consumption restrictions for the United States Government.* After July 1, 1944, no department, agency or other subdivision of the United States Government may cause any paper to be used for commercial printing except in accordance with the conservation orders issued by the Director of the Bureau of the Budget.

(m) *Certification to printer.* No person may order commercial printing on behalf of a government (except the United States Government) and no person may accept such an order, unless the person placing the order furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose.

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-340, and that all orders placed by the undersigned with that printer for items regulated by Order L-340, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(n) *Limit on tonnage which may be accepted.* No government may accept, and no person may accept for a government's use, delivery of any quantity of paper if the government's total inventory of all kinds of paper for use in commercial printing exceeds 60 consecutive days' supply, or if acceptance of the delivery will bring its inventory above this level. The number of days' supply shall be computed at the average proposed rate of consumption during the succeeding 60 days, *Provided*, That the proposed rate of consumption is not in violation of the consumption quota restrictions contained in this order.

(o) *Increase of deliveries.* A government may accept delivery of paper which would increase its inventory to more than 60 consecutive days' supply of paper only in the following two circumstances:

(1) If the amount of a particular item in the government's inventory is less than 30 days' supply, it may accept delivery of not more than an additional 30 days' supply of that item, *Provided*, The amount purchased is required for its production within 30 days of acceptance.

(2) Regardless of the quantity of a particular item, or of all items, in a government's inventory, it may accept delivery of any item which it is entitled to accept under paragraphs (n) and (o) (1) in the unit quantity (e. g., full carload, full truckload, 10,000, 5,000 pounds, 4 cases) in which it accepted delivery of that item in the base period.

(p) *Certification to paper dealer or mill.* No government may order or accept delivery of paper, and no person may deliver paper to a government, unless the government furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-340 and that all purchases by the undersigned of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

Miscellaneous Provisions

(q) *Limits on basis weights.* Schedule I of Order L-241 provides, "No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight or thickness, area or weight per unit greater than the maximum specified for such use." All commercial printing which a government causes to be produced under this order must be in compliance with Schedule I of Order L-241.

(r) *Records.* In order to secure compliance with this order, every government (except the United States Government) must calculate, as accurately as it can, the tonnage of paper which it used during the base period for the items covered by this order. It must also keep accurate records of this type of information for each 12-month period beginning July 1, 1944, or for each fiscal year commencing after June 30, 1944. It must preserve these figures and its work sheets, subject to inspection by War Production Board officials, as long as this order remains in force and for two years after that.

(s) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(t) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(u) *Communications.* All communications concerning this order shall be addressed to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-340.

(v) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

Issued this 21st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12638; Filed, August 21, 1944; 4:16 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3 as Amended Aug. 22, 1944]

§ 944.23 *Priorities Regulation 3*—(a) *Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which do not substantially alter the purpose for which the material is to be used is, however, permitted. The Conservation Division of the War Production Board from time to time publishes a list showing the relative scarcity of materials, entitled "Materials Substitution and Supply List." The latest copy may be obtained from any War Production Board office.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services*—(1) *Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.* (1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

> The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.
>
> ---
> (Name of Purchaser)
>
> ---
> (Address)
>
> By ---
> (Signature and Title of Duly Authorized Officer)
>
> ---
> (Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rat-

ing to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and codimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-301.

Steam heating, central.

Steriliser equipment, as defined in Order L-266.

Track-laying tractor repair parts (See Limitation Order L-83-b).

Ice.

Tobaccos.[1]

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).[1]

Sulfated, sulfonated, and sulfurized fats and oils.[1]

Tall oil.[1]

Wool grease.[1]

Soap (other than metallic).[1]

Fatty acids.[1]

Food for human or animal consumption.[1]

Glycerine.[1]

Graphite crucibles.

Pig iron.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M-260.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

Roofing granules.

LIST B

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or for use by a particular person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Capping, closing and sealing machinery and equipment for cans, jars and bottles (other than screw capping machines) having a retail sales value of $25 or more, inclusive of motor, as listed in Schedule A of Order L-333 (except for replacement of existing machinery or equipment).

Cast iron ware, as defined by Limitation Order L-30-c.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

a. Air raid warnings or detection of the presence of enemy aircraft; or

b. Blackouts or dimouts; or

c. The protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Clock and watch repair materials including mainsprings.[2]

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

a. Closures for glass containers.

b. Gummed stay and sealing tape, paper and cloth.

c. Paper and paperboard bottle caps, closures, and hoods.

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include steel strapping, shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

a. Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).

b. Baskets and hampers.

c. Cans, as defined in Order M-81.

d. Collapsible tubes.

e. Cooperage, tight and slack.

f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.

g. Folding and set-up boxes (paperboard).

h. Gas cylinders, as defined in M-233.

i. Glass containers.

j. Ice cream cans (paperboard) and paraffin cartons and pails.

k. Paper cups and paper food containers, except as permitted by Order L-236.

l. Paper milk containers.

m. Steel shipping drums as defined in Order L-197.

n. Wooden and fibre inner containers.

o. Wooden and fibre shipping containers and parts, as defined in Order P-140.

Corrugated and solid fibre sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Electrical appliances as defined in Order L-65.

Electronic heating generators.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Filing cabinets, wooden.

Fire protective equipment, including

a. Couplings, playpipes and allied fittings;

b. Fire hose, hose dryers, racks and reels;

c. (Revoked.)

[1] Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

[2] It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

d. Fire pumps;

e. Fire sprinkler systems;

f. Foam generators;

g. Indicator posts;

h. Lightning rod systems;

i. Piped extinguishing systems;

j. Portable fire extinguishers;

k. Stirrup pumps;

l. Water spray nozzles.

Flatware.

Frying pans.

Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Industrial air circulators, new.

Kitchen ware, heavy duty (except ratings applied by a food "processor" as defined in Order L-292):

a. Bakery utensils;

b. Butcher benches;

c. Butcher blocks;

d. Canopies or hoods;

e. Carriers, food;

f. Carriers, tray;

g. Coffee mills and grinders;

h. Counters, cafeteria, lunch and serving;

i. Counter protectors;

j. Cutters, french fry;

k. Cutters, meat, bone and fish;

l. Dispensers, milk and cream;

m. Display racks;

n. Dough dividers;

o. Dough troughs;

p. Knife sharpeners and grinders;

q. Pans, cold;

r. Potato mashers;

s. Potato and vegetable parers or peelers;

t. Racks, bread (bakery);

u. Racks, dump (bakery);

v. Racks, pans (bakery);

w. Sandwich units;

x. Slicers, meat and bread;

y. Tables, bakers;

z. Tables, cooks, chef, salad and work;

aa. Tables, soiled and clean dish;

bb. Toaster stands;

cc. Tray stands;

dd. Trucks, food;

ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:

(a) Internal combustion engines, or electric motors.

(b) Blowers.

(c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-49, P-68, P-89, and P-98-b, and ratings assigned pursuant to Orders P-56, P-88 and P-78.)

Lawn mowers, including power and gang mowers.

Lighting fixtures, fluorescent (as defined in Order L-78), and incandescent (as defined in Order L-213), and electric floodlights. Blanket MRO ratings of AA-3 or higher may, however, be used.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

a. Anaesthesia and oxygen equipment and accessories;

b. Atomizers;

c. Clinical thermometers;

d. Crutches;

e. Dental consumable supplies;

f. Dental equipment and appliances (except dental lathes);

g. Diagnostic instruments and apparatus;

h. Electric light bulbs for diagnostic instruments;

i. Hearing aids;

j. Hospital and medical rubber drug sundries, except surgeons' gloves when acquired in accordance with Appendix III of Order E-1.

k. Hospital enamelware and stainless steel ware;

l. Hypodermic needles and syringes;

m. Operating and examining room furniture;

n. Operating and examining room lights;

o. Opthalmic goods.

p. Orthopedic appliances including splints, belts and trusses;

q. Physical therapy equipment and supplies;

r. Sterilizers;

s. Surgical dressings;

t. Suture needles;

u. Sutures;

v. X-ray equipment and supplies.

Medical, surgical and dental instruments.

Medicinal preparations, including vitamins.

Monorail system and additions thereto, except one complete addition valued at less than $200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Paper charts for recording instruments.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-293.

Pins, common and safety.

Precision measuring instruments and testing equipment—Preference Rating Order E-0.

Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotype backing-metal;

d. Printing paper, paperboard and binders board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Refrigeration and air conditioning systems and parts, except as permitted by Order L-38.

Signal and alarm equipment, including:

a. Central Station, proprietary, auxiliary and automatic fire alarms;

b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems.

Slide rules, precision engineering, having a list price of $7.50 or more.

Venetian blinds.

Wire intercommunicating systems.

Wooden shelving.

Woodworking machinery, Class I, as defined in Order L-311.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected about October 15, 1944.

INTERPRETATION 1, REVOCATION

Interpretation 1 of Priorities Regulation 8 is hereby revoked. (Issued Nov. 17, 1943.)

INTERPRETATION 2

EFFECT OF LISTS A AND B ON UNFILLED ORDERS

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

Blanket MRO ratings may be used to obtain repair parts and material for existing fire protective equipment, but may not be used to obtain end items of fire protective equipment. The term "Fire protective equipment", on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore may be obtained on blanket MRO ratings. Similiarly, blanket MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, blanket MRO ratings may not be used to repair or replace new equipment which is still usable. (Issued Feb. 26, 1944.)

INTERPRETATION 4

CMPL-224 AND CMPL-127 AUTHORIZATIONS

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series. (Issued Aug. 13, 1943.)

INTERPRETATION 5

RESTRICTIONS OF OTHER ORDERS; "MASKING" TAPE

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of

tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 38 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted. (Issued Jan. 6, 1944.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b. (Issued Jan. 24, 1944.)

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding $500. This rating can be used to lease a machine if its fair market value is not more than $500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P-98, but the symbol accompanying the rating is "S-6".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-541 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-541 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as CA-1456 or CMPL 503) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating. [Issued June 28, 1944.]

[F. R. Doc. 44-12664; Filed, August 22, 1944; 11:35 a. m.]

PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[Supplementary General Conservation Order M-100-A, Revocation]

Section 1111.2 *Supplementary General Conservation Order M-100-A* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12665; Filed, August 22, 1944; 11:34 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-192, as Amended July 26, 1944, Amdt. 1]

CONSTRUCTION MACHINERY AND EQUIPMENT

Section 1157.10 *Limitation Order L-192* is amended as follows:

1. By adding to Schedule A the following item:

Dredges and dredge equipment, except mining.

2. By revising the item "Sweepers, street (including motor pick-up type)" on Schedule A to read as follows:

Sweepers: motor pick-up, traction driven or engine driven.

3. By revising the item "Brooms, contractors rotary" on Schedule B to read:

Brooms, rotary: tractor or truck mounted.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12660; Filed, August 22, 1944; 11:34 a. m.]

PART 3288—RADIO AND RADAR DIVISION

[General Limitation Order L-265, Interpretation 9]

STATUS OF CERTIFICATE ORDERS

The following interpretation has been issued with respect to General Limitation Order L-265:

Purchase orders accompanied by either the "Consumer's Certificate" or the "Supplier's Certificate" specified in Order L-265 carry no priority by virtue of the certificate. They are unrated orders, and they must not be filled, therefore, to the prejudice of required deliveries on rated orders. The fact that a certificate order was placed earlier than a rated order does not give it any kind of preference. Shipments on certificate orders cannot be made to any extent that they will prevent or interfere with required shipments on rated orders. Furthermore, certificate orders do not give rise to any preference ratings. Ratings cannot be applied or extended by suppliers simply on the basis of certificate orders on hand.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12667; Filed, August 22, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-136, as Amended Aug. 22, 1944]

CHURCH GOODS

§ 3291.250 *Limitation Order L-136*—(a) *Definitions.* For the purposes of this order:

(1) "Church goods" means any article of religious devotion or significance and any article imbued with patterns of religious significance.

(2) "Class A product" means any church goods essential and necessary for the purpose of conducting religious services or of such character as to have definite devotional significance.

(3) "Class B product" means any church goods not recognized by the churches as being articles ordinarily used for religious devotion, including but not limited to, articles designed for decorative purposes, religious jewelry or articles imbued with patterns of religious significance designed to be worn on or about the person.

(4) "Restricted materials" means cadmium, chromium, copper and copper base alloys, lead, phenolic plastics, methyl methacrylate plastics, mercury, nickel, rhodium, rubber, tin and tinplate, zinc, and alloy steel (as defined in Conservation Order M-21-a, as amended).

(5) "Iron" and "steel" means all iron and steel except iron and steel contained in joining hardware.

(6) "Put into process" means for a person to perform the first manufacturing or assembly operation on material or parts received by him.

(7) "Manufacturer" means any person who is engaged in the production of church goods or parts therefor.

(b) *General restrictions.* (1) No manufacturer shall put any restricted materials into process in the manufacture or assembly of church goods, parts or repair parts for church goods, except the following materials for Class A products and parts for those products:

(i) Lead.

(ii) Tin for soldering if not prohibited by Order M-43.

(iii) Tin Plate, if not prohibited by Order M-21-e.

(iv) Zinc, as permitted by M-11-b.

(v) Chromium for direct plating on iron and steel.

(2) No manufacturer shall put into process, in any calendar quarter, in the manufacture or assembly of Class A products or parts (including repair parts) for those products, more iron and steel by weight than 12½% of the aggregate weight of iron and steel and other metals except gold and silver, put into process by him in the manufacture of those products and parts in 1940.

(3) No manufacturer shall put into process any iron and steel in the manufacture of any Class B products or parts for those products.

(c) *Certain Class A products exempted from quota restrictions.* The quota restrictions contained in paragraph (b) (2) do not apply to the manufacture or assembly of candlewick holders and bases and tops for altar or table sanctuary lights.

(d) *Applicability of other orders and regulations.* This order and all trans-

actions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of church goods to a greater extent than does this order, the other order shall govern unless it states otherwise.

(e) [Deleted Apr. 26, 1944]
(f) [Deleted Apr. 26, 1944]
(g) [Deleted Apr. 26, 1944]
(h) [Deleted Apr. 26, 1944]

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to put into process more iron and steel in the manufacture or assembly of Class A products or parts (including repair parts) than the quota fixed in paragraph (b) (2) (including a person who has no quota under this order), and any person who wants to put into process any iron and steel in the manufacture of Class B products or parts, may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (2) and (b) (3), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (b) (2) or (b) (3).

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-136.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12670; Filed, August 22, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-176, as Amended Aug. 22, 1944]

DOMESTIC AND COMMERCIAL ELECTRIC FANS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.135 *Limitation Order L-176*—(a) *What this order does.* This order controls the manufacture and delivery of certain types of electric fans. It provides for the resumption of production of a limited quantity of 12 inch and 16 inch fans. Generally, it does not control heavy industrial type fans which are controlled by Limitation Order L-123.

(b) *Definitions.* For the purposes of this order:

(1) "Electric fan" means any propeller type fan designed for desk, pedestal, wall bracket, ceiling, or portable window mounting, which is powered by a fractional horsepower motor drawing 200 watts or less. It includes such fans whether completely assembled or assembled in knocked down form. It does not include any centrifugal fan or blower, propeller type attic fan, industrial propeller type exhaust fan or any fan which is a functional part of any equipment or device having a primary use other than ventilation.

(2) "Base period" means the aggregate of the years 1938, 1939 and 1940.

(3) "Manufacturer" means any person engaged in the business of manufacturing or assembling any electric fan or parts for an electric fan, including a person who assembles parts of an electric fan for sale in knocked down form, or any person engaged in that business during the base period.

(4) "Special order" means any purchase order, contract or subcontract for delivery of an electric fan to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration if (i) the fan ordered conforms to applicable specifications for marine fans issued by the Navy or Maritime Commission, and (ii) the order, contract or subcontract states that the fan is for use on a combat or marine vessel.

(c) *Permitted manufacture of electric fans.* (1) No manufacturer shall make or assemble any electric fans except in models and quantities specifically authorized by the War Production Board on CMPL-150-b. Application should be made by filing Form WPB-3700 with the field office of the War Production Board for the district in which the plant where the fans are to be made is located.

(2) Manufacture of electric fans will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. Each manufacturer permitted to produce electric fans under paragraph (c) (1) will be given two separate quotas, one for military and export requirements other than special orders and another for other orders. Wherever practical each manufacturer will be permitted to make his pro rata share of the total production authorized based on his production in the base period. However, to insure full production of approved requirements, additional quotas may be assigned to qualified manufacturers. In general, the War Production Board will only authorize the production of 12 inch and 16 inch electric fans, and no single manufacturer will be authorized to produce more than one model 12 inch fan and one model 16 inch fan. Approval of models will be based largely on economy of production and the volume of production of individual models by a manufacturer in the base period. The War Production Board will from time to time or on request of any manufacturer give notice to all manufacturers of the total production authorized and the percentage of base period production authorized to each individual manufacturer.

(3) Manufacturers who are unable to produce in their own plant because of interference with war production may apply to the War Production Board for permission to have another person make fans for them. Each application should be made by filing Form WPB-3700 in accordance with its instructions.

(d) *Certain production exempt.* The restrictions contained in paragraph (c) do not apply to the production or assembly of electric fans to fill special orders.

(e) *Effect on outstanding authorizations.* All authorizations for manufacture or assembly of electric fans issued by the War Production Board before May 24, 1944, on appeals or otherwise are hereby cancelled as of May 31, 1944.

(f) *Restrictions on deliveries of electric fans.* No manufacturer shall transfer or deliver any electric fan except:

(1) To fill special orders;
(2) To other manufacturers;
(3) As authorized by the War Production Board on Form WPB-1319 for hospital, institutional or essential industrial purposes in response to an application in quadruplicate filed with the nearest field office of the War Production Board; or
(4) As authorized by the War Production Board on Form WPB-1319 in response to an application filed in quadruplicate with the War Production Board, Washington 25, D. C., Ref.: L-176, (i) to fill Army and Navy orders other than special orders; (ii) for export; (iii) in all other cases not covered by paragraph (f) (3).

(g) *Restrictions on production of parts.* No manufacturer shall make any parts for an electric fan (including repair and replacement parts) if by making those parts he would have more parts of that type in his inventory than a three months' supply. However, a manufacturer is not required to make less than a minimum practical run of any part (including repair and replacement parts) in order to comply with the provisions of this paragraph.

(h) *Restriction on the use of copper and copper base alloy.* No manufacturer shall use copper or copper base alloy in the manufacture of electric fans or parts for electric fans except in current carrying parts; motor bearings; and for identification, instruction and data plates on fans made to fill special orders as permitted by M-9-c.

(i) *Preference ratings for purchase of electric fans prohibited.* No preference rating for electric fans shall be valid for any purpose. All orders bearing preference ratings may be filled as unrated orders. This does not apply to any rating carried by a purchase order or contract calling for delivery (1) to fill special orders, or (2) to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration when authorized on Form WPB-1319, pursuant to paragraph (f) (4).

(j) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make electric fans and who has not been authorized to make them on Form CMPL-150-b, or who wants to make more fans than he was authorized to make on Form CMPL-150-b may apply for permission to do so as explained in Priorities Regulation 25. A person may still, of course, apply on Form WPB-3700 for an authorization if he desires. Restrictions in paragraph (f) on deliveries apply to electric fans made under authorizations pursuant to Priorities Regulation 25.

(2) *Appeals.* Any appeals from the provisions of this order, other than paragraph (c), should be filed on Form WPB-1477 with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates. No appeal should be filed from the provisions of paragraph (c).

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of electric fans to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-176.

(n) *Reports.* Every manufacturer producing or shipping electric fans shall file Form WPB-1600, executed in accordance with the instructions for filing that form, with the War Production Board, Washington 25, D. C., Ref: Order L-176, on or before the 15th day of July, October, January and April. This form is a report of the number of electric fans made and shipped during the preceding quarter.

NOTE: The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12668; Filed, August 22, 1944; 11:34 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-275 as Amended Aug. 22, 1944]

ALARM CLOCKS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of alarm clocks and materials and facilities for producing them; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3291.205 *Limitation Order L-275*—(a) *What this order does.* This order governs the manufacture and distribution of new alarm clocks.

(b) *Definitions.* For the purposes of this order: "Manufacturer" means any person who produces or assembles, or who produced or assembled during the period 1936 to 1941, inclusive, any new alarm clocks, either spring driven or electrically operated.

(c) *Who may produce alarm clocks; how many may be made.* (1) After May 10, 1944, no manufacturer may produce, assemble, or deliver any new alarm clocks, either spring driven or electrically operated, except according to quarterly quotas authorized in writing by the War Production Board pursuant to an application on Form WPB-2719 (formerly PD-880), which each manufacturer must file with the War Production Board on or before the 10th day of May, and thereafter on or before the 15th day of June, September, December, and March, showing his proposed production and delivery for the next quarter.

(2) The War Production Board will assign production quotas to meet approved requirements. Total production which would exceed such requirements will not be authorized. No person will be authorized to produce alarm clocks if that production would interfere with his other war production. Production will be authorized so as to avoid increased labor requirements in labor shortage areas. The War Production Board will give notice to each manufacturer of the total and individual authorizations.

(3) In order to secure proper distribution of the supply of alarm clocks authorized to be produced under this order, the War Production Board may require manufacturers, as a condition to the right to produce alarm clocks, to sell specified quantities of those produced to other manufacturers who are presently found to be in a position to facilitate the distribution of these alarm clocks. In general, the number of alarm clocks required to be sold to such other manufacturers will be in relation to their volume of production in the period 1936 to 1941, inclusive. Manufacturers authorized to distribute alarm clocks under this paragraph may be required to distribute them in a manner required by the War Production Board.

(4) Alarm clocks may be delivered without regard to preference ratings. No person shall apply or extend any rating to get any alarm clocks and no person selling alarm clocks shall require a rating as a condition of sale. Any rating purporting to be applied or extended to delivery of alarm clocks shall be void and no person shall give any effect to it in filling an order.

(d) *What type of alarm clocks may be made.* Only alarm clocks authorized in writing by the War Production Board as to type of movement and style of case may be manufactured. In general, no manufacturer will be authorized to produce more than one type of spring wound, and one type of electrically operated, alarm clock. Approval of models will be based largely on economy of production and a minimum use of critical materials.

(e) *Reports.* The reporting and application requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of alarm clocks to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce or assemble new alarm clocks and who has not been authorized to produce or assemble on Form WPB-2719, under paragraph (c) (1), and any person who wants to produce or assemble more new alarm clocks than he was authorized to produce or assemble on Form WPB-2719, may apply for permission to do so as explained in Priorities Regulation 25. The provisions of paragraph (c) (1) regarding the delivery of new alarm clocks and all the provisions of paragraphs (c) (3) and (d) apply to a person who receives an authorization under Priorities Regulation 25. A person may still, of course, apply on Form WPB-2719 under paragraph (c) (1) for au-

thorization to produce, assemble, or deliver alarm clocks.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (c) (1) or (c) (2).

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-275.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12669; Filed, August 22, 1944; 11:35 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-301 as Amended Aug. 22, 1944]

POWERCYCLES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.291 *Limitation Order L-301*—(a) *Definitions.* For the purposes of this order:

(1) "Powercycle" means any two or three wheeled vehicle (with or without side car or similar attachment) commonly known as a motor bike, motor scooter, or motor glide, propelled by an internal combustion engine having a displacement of less than 25 cubic inches. It shall not include motorcycles.

(2) "Powercycle manufacturer" means any person engaged in the business of producing or assembling powercycles or parts specifically designed for incorporation into powercycles.

(3) "Repair-part" means any part that is produced to replace a used or worn part, in a used powercycle.

(b) *Restrictions on production.* (1) No powercycle manufacturer shall produce or assemble any powercycle except pursuant to the specific authorization of the War Production Board granted in response to a letter of application.

(2) During the six months period beginning July 1st, 1943, and during each six months period thereafter, no powercycle manufacturer shall produce repair parts containing more weight of metal in the aggregate than 62½% of the aggregate weight of metal contained in the repair parts produced by him during 1942.

(c) *Restrictions on transfer.* No powercycle manufacturer shall transfer the physical possession of or legal title to any powercycle which has never been sold to an ultimate consumer, except:

(1) In fulfillment of an order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission, the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) and government agencies or other persons acquiring powercycles for export to any foreign country.

(2) Pursuant to specific authorization of the War Production Board on Form WPB-1319 (formerly PD-556).

(3) The War Production Board will not, in the absence of special circumstances, grant any authorizations for transfers to any persons unless they are directly engaged in the production of War material or require powercycles for intraplant or emergency use.

(d) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the manufacture of powercycles inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production of powercycles at the rates permitted by this order.

(e) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of powercycles to a greater extent than this order does, the other order shall govern unless it states otherwise.

(f) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(g) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-301.

(h) *Exceptions and Appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce or assemble more powercycles than he has been authorized to produce under paragraph (b) (1) (including a person who has no authorization under this order), and any person who wants to produce more repair parts than he is permitted to produce under paragraph (b) (2) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for a specific authorization as described in paragraph (b) (1).

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (b) (1) or (b) (2) shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L-301, referring to the particular provision appealed from and stating the grounds of the appeal. No appeal should be filed from the restrictions of paragraph (b) (1) or (b) (2).

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12671; Filed, August 22, 1944; 11:34 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 20, as Amended Aug. 22, 1944]

HEXAHYDRIC ALCOHOLS

§ 3293.1020 *Schedule 20 to General Allocation Order M-300*—(a) *Definitions.* "Hexahydric alcohol" means d-sorbitol and mannitol in crystalline form, and technical grade d-sorbitol.

(b) *General provisions.* Hexahydric alcohols are subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is December 15, 1942, when hexahydric alcohols first became subject to allocation under Order M-270 (revoked). The allocation period is the calendar month. The small order exemption per person per month is as follows:

NOTE: "Commercial grade non-crystalline sorbitol-isomeric mixtures" deleted Aug. 22, 1944.

	Pounds
d-sorbitol crystalline	25
Technical grade d-sorbitol (75% aqueous solution)	50
Mannitol-crystalline	50

Customers must furnish use certificates when ordering in amounts described in paragraph (f) and must file on Form WPB-2945 when ordering in amounts described in paragraph (e).

(c) *Special provision.* All outstanding allocations and directions heretofore issued under this schedule regarding commercial grade non-crystalline d-sorbitol isomeric mixtures are revoked.

(d) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20. The unit of measure is pounds. File a separate set of forms for each kind of hexahydric alcohol. In Table I first list in Column 1 the names of customers who have filed WPB-2945 forms with the applicant and in Column 1a specify "WPB-2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in such certificates; third, specify in Column 1 "Aggregate small order deliveries" and leave Column 1a blank; fill in other columns as indicated. Leave columns blank relating to rolling stock requirements. Fill in Table II as indicated. Inventory of hexahydric alcohols previously allocated for the supplier's own manufacturing use should not be reported on Form WPB-2947 (but should be reported in Table II of Form WPB-2945).

(e) *Customers' applications on WPB-2945.* Each person seeking delivery of hexahydric alcohols in excess of the following amounts per month from all suppliers shall file application for authorization on Form WPB-2945 (formerly PD-600):

NOTE: "Commercial grade non-crystalline sorbitol isomeric mixtures" deleted Aug. 22, 1944.

	Pounds
d-sorbitol-crystalline	1,000
Technical grade d-sorbitol (75% aqueous solution)	6,000
Mannitol-crystalline	1,000

The filing date is the 12th day of the month preceding the month for which allocation is requested. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20, one copy (reverse side blank) to the supplier and retain one copy. The unit of measure is pounds. File a separate set of forms for each kind of hexahydric alcohol. Fill in Column 3 as follows:

Ascorbic acid.
Chemical manufacture (specify).
Diabetic foods.
Electrolytic condensers.
Esters.
Explosives.
Gelatin and glue extender.
Laboratory reagent.
Legume innoculant.
Paper.
Pharmaceuticals (identify).
Plasticizer for gelatin capsules.
Resins.
Textiles.
Miscellaneous.
Inventory (in original form).
Export (in original form).
Resale (in original form).

Leave Column 4 blank opposite products listed in Column 3, but opposite "Inventory", "Exports" or "Resale" in Column 3 fill in Column 4 in accordance with paragraph (11-a) of Appendix E of Order M-300. Fill in Table II as indicated, specifying inventory on a physical basis regardless of authorizations or exemptions. However, a supplier who keeps separate inventories of hexahydric alcohols, both physically and on his books, for the purpose of sale and for his own manufacturing use, shall report in Table II only his inventory for his own use. Leave Tables III, IV and V blank.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of hexahydric alcohols between the following amounts per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use. Describe proposed use as shown in paragraph (e) above and certify in the form prescribed in Appendix D of order M-300:

NOTE: "Commercial grade non-crystalline sorbitol isomeric mixtures" deleted Aug. 22, 1944.

d-sorbitol-crystalline	25–1,000 lbs.
Technical grade d-sorbitol (75% aqueous solution)	50–6,000 lbs.
Mannitol-crystalline	50–1,000 lbs.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-20.

Issued this 22d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12672; Filed, August 22, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 12]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation 421 is amended in the following respects:

1. A new subparagraph (3) is added to section 22a (a) to read as follows:

(3) This section shall not apply to sales by you under the following conditions:

(i) If, prior to April 29, 1944, you figured a ceiling price for canned Cuban pineapple or canned Cuban pineapple juice for sales to industrial, institutional or commercial users under § 1341.155 (a) of Maximum Price Regulation No. 197,[2] or under this regulation for other packed pineapple or pineapple juice (other than pineapple or pineapple juice packed in the Territory of Hawaii or in Puerto Rico); and

(ii) If you have entered into contracts with a foreign seller prior to April 29, 1944, at prices not in excess of such ceiling price for the item; and

(iii) If you file a copy of each such contract with the Distribution Branch, Food Price Division, OPA, Washington, D. C., on or before September 9, 1944, together with a statement showing your cost for each item under such contract and your cost and ceiling prices for each item under Maximum Price Regulation No. 197 or this regulation.

In such cases, if your contracts are approved, the OPA will send you written notice permitting you to carry out such contracts at the contract price and setting forth the method you must use in figuring your ceiling prices for items delivered to you under the above contracts.

2. A new paragraph (b) is added to section 22a to read as follows:

(b) *Frozen fruits, berries, and vegetables.* If you buy an item of frozen fruits, berries, fruit or berry juices, vegetables, or vegetable juices from a seller (for example, freezers, wagon wholesalers, or primary distributors) pricing the item under Supplement No. 6 to Food Products Regulation No. 1,[3] you may add to your "net cost" for any such item ¾ of a cent per pound for quick-frozen items, or ¼ cent per pound for cold-packed items. Your "net cost", however, in such cases may not include any amount you paid for storage.

3. Section 32 (b) (10) is amended to read as follows:

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to, apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

4. Section 32 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of 50 pounds or more), vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed foods shall be considered as separate items and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different

[*] Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 5648.
[2] 9 F.R. 5802.
[3] 9 F.R. 8057.

items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

5. Section 32 (b) (24) is amended to read as follows:

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice, wild rice, and rice containing more than 50 percent broken kernels.

6. Section 32 (b) (29) is amended to read as follows:

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, candied ginger, raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States, and wooden or other type trays designed as permanent kitchen furniture containing sets of assorted spices.

7. Section 32 (b) (33) is amended to read as follows:

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, rhubarb, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese-style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice and frozen vegetables.

8. In section 32 (c), the item "Wild rice" is amended to read "Wild rice, and rice containing more than 50 percent broken kernels".

9. In section 32 (c), the following items are added in alphabetical order to the list of commodities excluded:

Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more.

Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12641; Filed, August 21, 1944; 4:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 24]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation 422 is amended in the following respects:

1. The following undesignated paragraphs are added to section 20 (l) to read as follows:

This section shall not apply to sales by you under the following conditions:

(1) If, prior to April 29, 1944, you figured a ceiling price for canned Cuban pineapple or canned Cuban pineapple juice for sales to industrial, institutional or commercial users under § 1341.155 (a) of Maximum Price Regulation No. 197,[2] or under this regulation for other packed pineapple or pineapple juice (other than pineapple or pineapple juice packed in the Territory of Hawaii or in Puerto Rico); and

(2) If you have entered into contracts with a foreign seller prior to April 29, 1944, at prices not in excess of such ceiling price for the item; and

(3) If you file a copy of each such contract with the Distribution Branch, Food Price Division, OPA, Washington, D. C., on or before September 9, 1944, together with a statement showing your cost for each item under such contract and your cost and ceiling prices for each item under Maximum Price Regulation No. 197 or this regulation.

In such cases, if your contracts are approved, the OPA will send you written notice permitting you to carry out such contracts at the contract price and setting forth the method you must use in figuring your ceiling prices for items delivered to you under the above contracts.

2. A new section 20 (m) is added to read as follows:

(m) *Frozen fruits, berries, and vegetables.* If you buy an item of frozen fruits, berries, fruit or berry juices, vegetables, or vegetable juices from a seller (for example, freezers, wagon wholesalers, or primary distributors) pricing the item under Supplement No. 6 to Food Products Regulation No. 1,[3] you may add to your "net cost" for any such item ¾ of a cent per pound for quick-frozen items, or ¼ cent per pound for cold-packed items. Your "net cost", however, in such cases may not include any amount you paid for storage.

3. A new section 20 (n) is added to read as follows:

(n) *Frozen fish which you process.* (1) If, prior to offering for sale any item of frozen fish, you process it by changing its form to either gutted, dressed, dressed and skinned, fillets, cuts or steaks (sliced), you will figure your "net cost" as though you had purchased the item already processed. Your "net cost" for any style of dressing is the price fixed, at the time you process it, for that style of dressing in Maximum Price Regulation No. 364[4] for your supplier's sales to you. (Add the transportation and container allowances specified in Maximum Price Regulation No. 364.

(2) If, prior to offering for sale any item of frozen saltwater fish, you process it by changing its form to cuts or steaks (sliced), and if Maximum Price Regulation No. 364 does not fix a price for that style of dressing, you will figure your "net cost" as follows: Find the price per pound fixed, at the time you process it, in Maximum Price Regulation No. 364 for your supplier's sales to you of that kind of fish bought dressed. Multiply that price by 1.40. (Add the transportation and container allowances specified in Maximum Price Regulation No. 364.) The resulting figure will be your "net cost" per pound for the item. To get your ceiling price per pound, apply the mark-up for your group of retailer to the resulting figure.

4. A new section 20 (o) is added to read as follows:

(o) *Smoked fish which you process.* (1) If you buy smoked fish in the form of slabs (gutted, headed and halved) and sell it in slices, you shall multiply your "net cost" per pound for the item by 1.20. To get your ceiling price per pound for such slices, apply the mark-up for your group of retailer to the resulting figure.

(2) If, prior to offering for sale, you change the form of an item of smoked fish bought drawn (gutted) to dressed (headed, with fins off), and sell it whole, in chunks or in slices, you shall multiply your "net cost" per pound for the item by 1.10. To get your ceiling price per pound, apply the mark-up for your group of retailer to the resulting figure.

5. Section 38 (b) (10) is amended to read as follows:

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to, apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

6. Section 38 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of 50 pounds or more), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

7. Section 38 (b) (24) is amended to read as follows:

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice, wild rice, and rice containing more than 50 percent broken kernels.

8. Section 38 (b) (29) is amended to read as follows:

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, candied ginger, raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States, and wooden or other type trays designed as permanent kitchen furniture containing sets of assorted spices.

9. Section 38 (b) (33) is amended to read as follows:

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, rhubarb, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice and frozen vegetables.

10. In section 38 (c), the item "Wild rice" is amended to read "Wild rice, and rice containing more than 50 percent broken kernels."

11. In section 38 (c), the following items are added in alphabetical order to the list of commodities excluded:

Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more.

Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12642; Filed, August 21, 1944; 4:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 25]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation 423 is amended in the following respects:

1. Section 18 (c) is amended to read as follows:

(c) Section 20. *How you figure your "net cost" in certain cases.* (Applies to you if you import fresh bananas or purchase fresh bananas from importers f. o. b. port of entry or at auction; if you package and print butter; if you candle and grade eggs; if you sell "ungraded eggs"; if you purchase white potatoes or dry onions ungraded and unsacked; if you purchase ungraded, unsized and unpacked citrus fruits and you grade, size, and pack such citrus fruits; if you buy poultry live or dressed, and you sell it drawn; if you buy poultry live, dressed or drawn and sell it "cut-up" or in parts; if you import cocoanuts; if you import packed pineapple, or packed pineapple juice, other than pineapple and pineapple juice packed in the Territory of Hawaii or in Puerto Rico; if you buy frozen fruits, berries, or vegetables from a seller pricing such items under Supplement 6 to Food Products Regulation No. 1[3]; or if you process frozen fish or smoked fish prior to offering it for sale.)

2. Section 27 (b) (10) is amended to read as follows:

(10) "Fruits, berries and fruit juices, canned" includes, but is not limited to apple sauce, apple cider, berry juices, concentrated fruit juices, citrus fruits and juices, cranberry jelly and sauce, fountain fruits, maraschino cherries, fruit nectars, bulk apple cider and pineapple juice. "Canned" means processed and packed in any container, whether or not hermetically sealed. Excluded are apple butter, fruit butters, jams, jellies, fruit preserves, cocoanut, olives, baby foods, dried fruits, dehydrated fruits, fruit cocktail, pineapple (except pineapple juice), peaches, pears, and frozen fruits.

3. Section 27 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of 50 pounds or more), vegetables, vegetable juices, and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

4. Section 27 (b) (24) is amended to read as follows:

(24) "Rice" (packaged or bulk) means all rice. Excluded are rice flour, rice flakes, popped rice, wild rice, and rice containing more than 50 percent broken kernels.

5. Section 27 (b) (29) is amended to read as follows:

(29) "Spices" includes, but is not limited to, bayleaves, caraway seed, dried peppers, dry chili, celery seed, celery salt, celery flakes, chili powder, garlic, garlic salt, dry mustard, onion salt, onion flakes, poultry seasoning, poppy seed, seasoned salt, sesame seed, thyme, and cream of tartar. Excluded are table salt, spice oils, candied ginger, raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States, and wooden or other type trays designed as permanent kitchen furniture containing sets of assorted spices.

6. Section 27 (b) (33) is amended to read as follows:

(33) "Vegetables and vegetable juices, canned" includes, but is not limited to, blackeye, crowder, cream and field peas, baked beans, sauerkraut, rhubarb, chili sauce, cocktail sauce, canned hominy, mushrooms, mushroom sauce, tomato catsup, tomato paste, tomato puree, pimientos, and Chinese-style foods including soy sauce and brown sauce. "Canned" means processed and packaged in any container, whether or not hermetically sealed. Excluded are vegetable soups, "baby" or "junior" foods, pickles, corn, green and wax beans, peas (except canned blackeye, crowder, cream and field peas), tomatoes, tomato juice, and frozen vegetables.

7. In section 27 (c), the item "Wild rice" is amended to read "Wild rice, and rice containing more than 50 percent broken kernels."

8. In section 27 (c), the following items are added in alphabetical order to the list of commodities excluded:

Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more.

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[1] 9 F.R. 8656, 6828, 6951, 7339, 7520, 7937.

[2] 9 F.R. 6802.

[3] 9 F.R. 8067.

[4] 8 F.R. 4640, 5566, 7592, 11175, 12023, 12446, 12793, 14079, 15191, 15662, 16998; 9 F.R. 183, 946, 3023, 3366, 3459, 3424, 4182, 4650, 5163, 7420.

[*] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 8671, 8829, 7340, 7520, 7937, 9354, 9780.

[2] 9 F.R. 8067.

[3] Copies may be obtained from the Office of Price Administration.

Raw spices and spice seeds in containers of the customary unit and weight in which they are imported into the United States.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12643; Filed, August 21, 1944; 4:43 p. m.]

PART 1377—WOODEN CONTAINERS

[RMPR 195,[1] Amdt. 5]

INDUSTRIAL WOODEN BOXES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1377.153 (a) of Revised Maximum Price Regulation 195 is amended to read as follows:

(a) *Price determining method based on cost.* In computing what the March 1942 quotation would have been a manufacturer, who on March 31, 1942 had a price determining method for industrial wooden boxes based on cost (such as a "N. R. A. type" formula) and established on the basis of regular production of industrial wooden boxes must continue to use that method. The formula must be applied to the March 31, 1942 costs. The details of how to adjust March 31, 1942 costs as to material cost and overtime hours are given below in § 1377.154 and § 1377.155.

This amendment shall become effective August 21, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12644; Filed, August 21, 1944; 4:41 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 144]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.8218 the headnote is amended to read *"Reports by licensed distributors and intermediate distributors,"* and paragraph (f) is added to read as follows:

(f) On or before September 20, 1944, and on or before the 20th day of each succeeding month, every distributor shall file a report for the preceding calendar month with the District Director in the City of Philadelphia, in the State of Pennsylvania, in respect to any retail outlet located in that city to which he has made deliveries of 6,000 gallons or more of gasoline during such preceding month.

Each such distributor shall set forth in his report the following information:

(1) His name and address;

(2) The calendar month and year for which the report is made;

(3) The name and location of each such retail outlet to which he has delivered 6,000 or more gallons of gasoline during the month for which the report is made;

(4) The number of gallons of gasoline he delivered to each such retail outlet during such month; and,

(5) The number of gallons of gasoline, if any, which he delivered to each such retail outlet during the corresponding month in 1942.

A distributor may omit from such report all information in respect to a retail outlet to which he delivered a larger quantity of gasoline in the corresponding period in 1942 than he delivered during the calendar month for which the report is made.

For the purpose of this paragraph the expression "retail outlet" means the place of business of a dealer, or the retail facility of a licensed distributor.

This amendment shall become effective August 25, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12645; Filed, August 21, 1944; 4:41 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 201,[1] Amdt. 10]

VIRGIN ISLANDS

SECOND HAND AND USED MATERIALS IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1418.113 paragraph (a) (12) is deleted, and paragraphs (a) (13) and (14) are redesignated (a) (12) and (13), respectively.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12646; Filed, August 21, 1944; 4:44 p. m.]

PART 1441—TANNING MATERIALS

[MPR 551]

CERTAIN SALES OF HEMLOCK AND CHESTNUT OAK BARKS

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 551—CERTAIN SALES OF HEMLOCK AND CHESTNUT OAK BARKS

Sec.
1. Prohibition against sales of hemlock and chestnut oak bark at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Applicability of this regulation and relationship to other maximum price regulations.
5. Records and reports.
6. Evasion.
7. Enforcement.
8. Licensing.
9. Petitions for amendment.
10. Definitions.
11. Maximum prices for hemlock and chestnut oak barks sold to industrial users.

AUTHORITY: Sections 1 to 11, inclusive (§ 1441.4), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibition against sales of hemlock or chestnut oak bark at higher than maximum prices.* On and after August 26, 1944, regardless of any contract, agreement, lease, or other obligation:

(a) No person making a sale of hemlock or chestnut oak bark for which maximum prices are established by this regulation shall sell, deliver, or transfer such bark at prices higher than the maximum prices established under this regulation.

(b) No person purchasing hemlock or chestnut oak bark for which maximum prices are established by this regulation shall buy or receive such bark in the course of trade or business at higher prices than the maximum prices established under this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

(d) If, in connection with any delivery of hemlock or chestnut oak bark for which maximum prices are established under section 11 (b) of this regulation, the seller obtains from the buyer, prior to payment, a written statement that to the best of the buyer's knowledge the price to be paid does not exceed the maximum price fixed by this regulation, and if the seller has no reason to doubt the truth of the statement, the seller shall be deemed to have complied with this section.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. *Applicability of this regulation and relationship to other maximum price regulations—(a) Transactions covered.* Except as otherwise provided in this section, this regulation shall apply to all sales and deliveries of hemlock and chestnut oak bark to industrial users.

(b) *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

(c) *Relationship of this regulation to the Maximum Import Price Regulation.*[1] The provisions of this regulation shall not apply to sales and deliveries of imported hemlock and chestnut oak bark which are governed by the Maximum Import Price Regulation.

(d) *Relationship of this regulation to the Second Revised Maximum Export Price Regulation.*[2] The provisions of this regulation shall not apply to sales and deliveries of hemlock and chestnut oak bark for export, which are governed by the Second Revised Maximum Export Price Regulation.

SEC. 5. *Records and reports—(a) Records.* (1) Every person selling hemlock or chestnut oak bark to an industrial user or any industrial user buying such bark shall on and after August 26, 1944 keep records which will show the name and address of the buyer and of the seller, the date of the sale, the transportation provisions, the kind of bark and the quantity sold, and the price. Such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect. Customary records such as invoices showing the above information will constitute compliance with this subparagraph (1).

(2) Every industrial user making purchases of hemlock or chestnut oak bark and every person making sales of such bark to industrial users shall preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to deliveries of such bark made or received during the period May 15 to July 15, 1944, inclusive, as well as all records of contracts for the purchase or sale of such bark entered into prior to July 16, 1944 which call for deliveries after July 15, 1944 or under which deliveries have or will be made after July 15, 1944.

(3) Every industrial user making purchases of hemlock or chestnut oak bark shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing as precisely as possible the basis upon which he determined the maximum price applicable to his purchases from each seller from whom he purchases bark after the effective date of this regulation.

(b) *Reports.* On or before September 20, 1944, each industrial user who bought hemlock or chestnut oak bark in the course of trade or business during the period May 15, to July 15, 1944, inclusive, shall file with the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., a report showing his maximum prices as determined under section 11 (a) of this regulation for purchases of such bark from each seller from whom he received bark during the period May 15 to July 15, inclusive, or with whom, prior to July 16, 1944, he entered into a contract which calls for delivery of bark after July 15, 1944 or under which deliveries of bark have or will be made after July 15, 1944. Where a maximum price is not f. o. b. seller's shipping point, the amount of transportation charges included in the maximum price shall be shown separately.

(c) The persons mentioned in paragraphs (a) and (b) above shall keep such other records and shall submit such other reports to the Office of Price Administration in addition to or in place of the records required in said paragraphs as the Office of Price Administration may from time to time require.

SEC. 6. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to hemlock or chestnut oak bark alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates, or otherwise.

SEC. 7. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 9. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[4]

SEC. 10. *Definitions.* (a) As used in this regulation the term:

(1) "Hemlock bark" refers to the bark of the species *Tsuga canadensis*, or Eastern hemlock.

(2) "Chestnut oak bark" refers to the bark of the species *Quercus montana*, or chestnut oak.

(3) "Industrial user" means a tannery or a person who processes hemlock bark or chestnut oak bark into extract.

(4) "Seller of the same class" refers to a seller of hemlock or chestnut oak bark who belongs to the same one of the following categories as the seller for whom a maximum price is being determined:

(i) "Saw mill" (meaning a seller who supplies bark in connection with his operation of a saw mill).

(ii) "Pulp mill" (meaning a seller who supplies bark in connection with his operation of a pulp mill).

(iii) "Logger" (meaning a seller who supplies bark in connection with logging operations, but who does not produce either paper or pulp).

(iv) "Bark dealer" (meaning a seller who buys bark which has already been separated from other parts of the tree, and resells it).

(5) "Transportation charge" shall be deemed to include the tax imposed by section 620 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong., approved October 21, 1942) as if it were a like increase in the rate or the amount charged by the carrier for the transportation in question.

(6) "Unit" refers to the unit, such as cord or ton, in which a seller sells hemlock or chestnut oak bark.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

SEC. 11. *Maximum prices for hemlock and chestnut oak barks sold to industrial users.* (a) If an industrial user buys or receives hemlock or chestnut oak bark from a particular seller from whom he received delivery of the same kind of bark during the period May 15 to July 15, 1944, inclusive, the maximum price per unit which that purchaser may pay to that seller shall be the highest price per unit which that seller charged that purchaser for a delivery of that kind of bark during the period May 15 to July 15, 1944, inclusive. Where, prior to July 16, 1944, the seller and purchaser had entered into a firm contract for the sale of a bark at a fixed price, and deliveries under the contract have been or will be made only after July 15, 1944, the contract price per unit may be considered for the purposes of this paragraph (a)

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9393; 8 F.R. 3539, 3843, 8180; 9 F.R. 5435.

[1] 8 F.R. 15937.

[1] 7 F.R. 6269, 6744, 9998, 8947, 10331, 10794; 8 F.R. 1860, 10667; 9 F.R. 2176, 2747.

[1] 9 F.R. 3350.

[2] 8 F.R. 4132, 8967, 7062, 9906, 15193; 9 F.R. 1036.

[2] 8 F.R. 12240.

[3] 7 F.R. 3961; 8 F.R. 3315, 3533, 6173, 11806; 9 F.R. 1594.

as a "price per unit which that seller charged that purchaser for a delivery of the same kind of bark during the period May 15 to July 15, 1944, inclusive."

(b) If an industrial user cannot determine a maximum price under paragraph (a) above for purchases of a particular kind of bark from a particular seller, he shall determine the maximum price as follows:

(1) He shall select from among sellers of the same class for whom he has determined maximum prices under (a) above for the same kind of bark, the seller who is located nearest to the seller for whose bark he is determining a maximum price.

(2) He shall ascertain the maximum price per unit determined under (a) above for the same kind of bark purchased from the seller selected under (1).

(3) The maximum price per unit selected under (2), adjusted to an f. o. b. seller's shipping point basis, shall be the maximum price per unit, f. o. b. seller's shipping point, which he may pay for that kind of bark to the seller for whose bark he is determining a maximum price. The maximum price per unit of the seller of the same class shall be adjusted to an f. o. b. seller's shipping point basis by deducting from the maximum price per unit established for that seller under paragraph (a) the actual cost per unit of any transportation charges included in the maximum price so established.

If, in the case of sales or deliveries of hemlock or chestnut oak bark for which maximum prices are established by this paragraph (b), the seller shall wish confirmation of the buyer's statement with respect to the maximum price therefor, the seller shall apply to the Office of Price Administration, Chemicals and Drugs Price Branch, Washington 25, D. C. and that Office shall inspect the buyer's records and such other records as it deems necessary and certify to the seller the correct maximum price.

(c) If a maximum price cannot be determined under paragraphs (a) or (b) above, the maximum price for a sale of hemlock or chestnut oak bark to an industrial user shall be a price in line with the level of maximum prices established by this regulation specifically authorized by the Office of Price Administration.

Prior to accepting delivery of any hemlock or chestnut oak bark for which a maximum price cannot be determined under (a) or (b) above, the buyer and seller jointly shall make a written application to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., for authorization of a maximum price. The application shall show the kind of bark to be purchased, the approximate quantity to be purchased, the manner of delivery to be used, the name and address of the seller and buyer, a short description of the nature of the business of the seller, the proposed maximum price per unit, and an explanation of how such price was determined and why the parties believe it to be in line with the level of maximum prices established by this regulation. Deliveries may be made or accepted after mailing the above application and payment at the proposed price may be made and received. If within 20 days of mailing the application written disapproval of the above price is mailed to the seller, the seller may be required to make refunds in accordance with the price as finally approved. If no such disapproval is mailed within the 20 day period, the proposed price shall be considered as approved. Such price may be adjusted at any time by the Office of Price Administration, but any such adjustment, after the 20 day period, shall not be retroactive.

Effective date. This regulation shall become effective August 26, 1944.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12647; Filed, August 21, 1944; 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 72]

CITRUS PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.3 (c) is amended to read as follows:

(c) Citrus fruit segments or pieces, whether or not hermetically sealed in containers; citrus juices or blends thereof, whether or not hermetically sealed in containers; concentrated citrus juices; citrus flavoring base concentrates; citrus flavored beverage syrups; citrus pulp; citrus marmalade base; crushed citrus fruit, and shredded, minced, sliced or diced citrus fruit or citrus peel (except candied or sugared peel), whether or not hermetically sealed in containers.[1]

"Concentrated citrus juice" means the product resulting from the removal of at least 80 percent by volume of the water from, but containing all the solids of, the natural citrus juice from which it is made.

"Citrus flavoring base concentrate" means a food flavoring consisting of concentrated or natural strength citrus juice, citrus oils, sugar in any form, with or without other flavoring substances and with or without the addition of acidulent, coloring or water.

"Citrus flavored beverage syrup" means the product consisting of citrus flavoring base concentrate with added sugar syrup and requiring only the addition of water to produce a finished beverage.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12648; Filed, August 21, 1944; 4:42 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 167]

FOOTWEAR BOWS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation 14 is amended in the following respect:

Section 3.17 is added to read as follows:

SEC. 3.17 *New bows*—(a) *Manufacturers.* The maximum price for the sale by a manufacturer of footwear with a changed bow which is the same as or similar, except for the change in bow, to footwear for which the manufacturer has heretofore established a maximum price shall be as follows:

(1) If the current cost of the new bow is equal to or more than the current cost of the old bow, the manufacturer's maximum price heretofore established for footwear which is the same or similar, except for the change in the bow;

(2) If the current cost of the new bow is less than the current cost of the old bow, the manufacturer's maximum price heretofore established for footwear (which is the same or similar, except for the change in bow) with a bow having a current cost next lower to the current cost of the new bow.

Example. A manufacturer has maximum prices established for a pump with different bows as follows:

	Cost of bow	*Maximum Price*
Pump with bow A	$0.25	$3.25
Pump with bow B	.40	3.40
Pump with bow C	.55	3.50

He now wishes to make the same (or a similar) pump with bows W, X, Y and Z.

Cost of new bow	*Maximum Price*
Pump with bow W, $0.60 (more than bow C)	$3.50
Pump with bow X, $0.55 (equal to bow C)	3.50
Pump with bow Y, $0.45 (bow B has cost "next lower")	3.40
Pump with bow Z, $0.35 (bow A has cost "next lower")	3.25

(b) *Wholesalers and retailers.* The maximum price for a sale by a wholesaler or retailer of footwear with a changed bow, priced by the manufacturer under paragraph (a), above, shall be the wholesaler's or retailer's maximum price heretofore established for the footwear used by the manufacturer in establishing his maximum price for the footwear with a changed bow.

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*Copies may be obtained from the Office of Price Administration.

[1] Orange juice, grapefruit juice, their blends and grapefruit segments, though exempt from GMPR, are covered by Supplement 5 to Food Products Regulation 1.

Example. A retailer has the following maximum prices established for the pump with different bows purchased from the manufacturer in the example in paragraph (a), above:

	Cost of shoe	*Maximum price*
Pump with bow A	$3.25	$5.45
Pump with bow B	3.40	5.95
Pump with bow C	3.50	5.95

He now wishes to sell the pump with bows W, X, Y and Z.

Cost of shoe (with new bow)	*Maximum price*
Pump with bow W, $3.50 (same as pump with bow C)	$5.95
Pump with bow X, $3.50 (same as pump with bow C)	5.95
Pump with bow Y, $3.40 (same as pump with bow B)	5.95
Pump with bow Z, $3.25 (same as pump with bow A)	5.45

(c) *Notification.* Each manufacturer and wholesaler selling footwear with a new bow, the maximum price for which is established in accordance with paragraph (a) or (b), above, shall, at or prior to the time of his first sale or delivery of such footwear to each purchaser, furnish him with a written notification containing the following information: (1) The seller's maximum price for the footwear with the new bow, (2) the stock number, style number or other identification of the footwear against which it was priced; and (3) a statement that the purchaser's maximum price for resale of the footwear with the new bow is the same as his maximum price established for the footwear described in (2), above.

This amendment shall become effective August 26, 1944.

Issued this 21st day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12640; Filed, August 21, 1944; 4:42 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 6 to Supp. 1[2]]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1305.203 (b) is amended by changing the part of that section that deals with "Sugar" to read as follows:

Sugar	.04 pounds

NOTE: The allowance per person for "Sugar" is effective for the September-October 1944 and subsequent allotment periods.

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[1] 8 F.R. 10002, 11676, 11480, 11479, 12463, 12557, 12403, 12744, 14472, 15486, 16767, 17486; 9 F.R. 401, 455, 692, 1810, 2212, 2267, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5232, 5664, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

[2] 8 F.R. 2597, 4840, 5529, 7601, 14154.

This amendment shall become effective August 26, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61 and 64, 8 F.R. 2005, 2251, 3471, 7093, 7 F.R. 4310)

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12679; Filed, August 22, 1944; 11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 335,[1] Amdt. 5]

PEANUTS AND PEANUT BUTTER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 335 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Purpose of this regulation.* It is the purpose of this regulation to establish maximum prices for the following:

(a) Farmers' stock peanuts.

(b) Raw unshelled and shelled peanuts, in sales by shellers and primary distributors.

(c) Salted, blanched, sliced, chopped, granulated, or roasted peanuts, and peanut butter, in sales by processors.

(d) Peanut products other than farmers' stock peanuts and raw unshelled and shelled peanuts, in sales by primary distributors and wagon wholesalers.

(e) Salted peanuts, in sales by wholesalers and retailers. (As used in this regulation the word "wholesaler" does not include a wagon wholesaler.)

Maximum prices for persons selling these peanut products in special situations are provided in section 7. Maximum prices for the wholesalers and retailers of peanut butter are governed by separate maximum price regulations which set fixed margins for food distributors according to their size and manner of doing business.

2. Section 2 is amended to read as follows:

SEC. 2. *Maximum prices for farmers' stock peanuts.* (a) The maximum price per ton which may be charged for farmers' stock peanuts, f. o. b. grower's customary delivery point, shall be:

Sound mature kernels[1]	Spanish type southeastern	Spanish type southwestern	Runner and other types[2]	Virginia and Valencia types[2]
Percent	*Dollars per ton*	*Dollars per ton*	*Dollars per ton*	*Dollars per ton*
Above 75	([3])	([3])	([3])	([10])
75	$185.80	$183.00	$178.80	$192.80
74	183.20	180.70	176.30	190.10
73	180.90	178.40	174.10	187.70
72	178.60	176.10	171.90	185.30
71	176.30	173.80	169.70	182.90
70	174.00	171.50	167.50	180.50
69	171.70	169.20	165.30	178.10
68	169.40	166.90	163.10	175.70
67	167.10	164.60	160.90	173.30
66	164.80	162.30	158.70	170.90
65	162.50	160.00	156.50	168.50
64	160.20	157.70	154.30	166.10
63	157.90	155.40	152.10	163.70
62	155.60	153.10	149.90	161.30
61	153.30	150.80	147.70	158.90
60	151.00	148.50	145.50	156.50
59	148.00	145.50	143.30	154.10
58	145.00	142.50	141.10	151.70
57	142.00	139.50	138.90	149.30
56	139.00	136.50	136.70	146.90
55	136.00	133.50	134.50	144.50
54	133.00	130.50	131.50	141.50
Below 54	([4])	([7])	([9])	([11])

[1] Includes whole loose shelled kernels.

[2] Includes all peanuts excluding Valencias which, except for type, meet the "U. S. Standards for Farmers' Stock Runner Peanuts (1951)" but do not meet the U. S. Standards for Farmers' Stock Spanish or Virginia Type.

[3] For Virginia type peanuts, add $1.50 per ton for each full 5% of Extra Large kernels in excess of 10%.

[4] $185.80 plus $2.30 per ton for each 1% above 75% sound mature kernels.

[5] $133.00 less $3.00 per ton for each 1% or fractional part thereof below 54% sound mature kernels.

[6] $183.00 plus $2.30 per ton for each 1% above 75% sound mature kernels.

[7] $130.50 less $3.00 per ton for each 1% or fractional part thereof below 54% sound mature kernels.

[8] $178.50 plus $2.30 per ton for each 1% above 75% sound mature kernels.

[9] $131.50 less $3.00 per ton for each 1% or fractional part thereof below 54% sound mature kernels.

[10] $192.50 plus $2.40 per ton for each 1% above 75% sound mature kernels.

[11] $141.50 less $3.00 per ton for each 1% or fractional part thereof below 54% sound mature kernels.

(b) The maximum price per ton which may be charged for farmers' stock peanuts f. o. b. a point other than grower's customary delivery point shall be the maximum price per ton set forth in paragraph (a) above, plus the amount regularly charged by the seller during 1942 for transporting a like quantity of farmers' stock peanuts from the grower's customary delivery point to the point specified in the sales contract.

(c) If the seller made no delivery of farmers' stock peanuts in 1942 at the delivery point specified in the sales contract, then his maximum price shall be the price per ton set forth in paragraph (a) above, plus the amount charged by him during 1942 for transporting a like quantity of farmers' stock peanuts from the grower's customary delivery point to the delivery point nearest to, but not more distant than, the new delivery point specified in the sales contract.

(d) "Farmers' stock peanuts" means picked or threshed peanuts in the shell which have been produced in the continental United States, and which have not been cleaned, shelled, crushed, or changed from their original state after picking or threshing.

(e) The term "sound mature kernels," as applied to Virginia and Valencia farmers' stock peanuts, shall mean kernels

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*Copies may be obtained from the Office Price Administration.

[1] 8 F.R. 2502, 3705, 6634, 10264, 10987, 12445, 14852.

which are dry, free from damage as defined in the U. S. Standards for farmers' stock Virginia Peanuts (1934), and which are free from shriveled kernels which pass through a screen having 15/64 x 1 inch round perforations.

(f) The term "sound mature kernels," as applied to Runners farmers' stock peanuts, shall mean kernels which are dry, free from damage as defined in the U. S. Standards for farmers' stock Runner Peanuts (1931), and which are free from shriveled kernels which pass through a screen having 15/64 x 3/4 inch round perforations.

(g) The term "sound mature kernels," as applied to White Spanish farmers' stock peanuts, shall mean kernels which are dry and which are free from damage as defined in the U. S. Standards for farmers' stock White Spanish Peanuts (1928), and which will not pass through a screen having 15/64 inch round perforations.

(h) "Grower's customary delivery point" means the point to which the grower customarily delivered his farmers' stock peanuts in 1942 without charge to the buyer for transportation.

3. Section 2a is hereby revoked.

4. The second sentence of the "Example" in section 7 is amended to read as follows:

Selling in a special capacity, therefore, he takes the maximum price of his supplier, or the maximum price established in sections 2 or 3, as the case may be.

5. Section 11 is amended by adding a new paragraph (c), as follows:

(c) Sales of "stock pile peanuts" by the Commodity Credit Corporation from the 1944 crop. As used in this paragraph the term "stock pile peanuts" means farmers' stock peanuts of the 1944 crop which have been purchased for the account of the Commodity Credit Corporation and are not immediately sold by the Corporation under its purchase and resale program.

This amendment shall become effective August 28, 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12680; Filed, August 22, 1944; 11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 44]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1534, 2233, 2826, 2828, 3081, 3513, 3879, 3947, 3944, 4099, 4350, 4474, 4680, 5220, 5254, 5290, 5166, 5426, 5346.

Revised Ration Order 3 is amended in the following respect:

The caption of § 1407.241, Schedule A, Table IV is amended to read as follows:

TABLE IV—FROZEN FRUIT (QUICK FROZEN OR COLD PACKED)

This amendment shall become effective August 26, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12681; Filed, August 22, 1944; 11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 27 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (7) is added to read as follows:

(7) G5, H5, J5, K5, and L5 are valid beginning September 1, 1944.

This amendment shall become effective August 26, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12682; Filed, August 22, 1944; 11:46 a. m.]

PART 1439—UNPROCESSED AGRICULTURE COMMODITIES

[MPR 425,[1] Amdt. 9]

FRESH FRUITS, BERRIES AND VEGETABLES FOR PROCESSING

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

The effective date provision of Amendment 8 is amended to read as follows:

This amendment shall become effective September 15, 1944.

This amendment shall become effective August 28, 1944.

[1] 9 F.R. 173, 908, 1181, 2091, 2559, 3830, 3580, 3707, 4542, 4606, 4607, 4883, 5956, 6103, 6151, 6450, 7323, 7344, 7433, 9169, 9170, 9266, 9278.

[2] 8 F.R. 9309, 9879, 12632, 12962, 14154, 15674, 16295; 9 F.R. 7505, 7330, 7330, 7856, 8168.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 14, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12683; Filed, August 22, 1944; 11:46 a. m.]

PART 1449—TANNING MATERIALS

[MPR 531,[1] Amdt. 2]

IMPORTED VEGETABLE TANNING MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 531 is amended in the following respects:

1. By adding at the end of section 5 thereof the following sentence: "However, sales and deliveries of quebracho extracts for use in pharmaceuticals or boiler compounds are not covered by this regulation but remain subject to the General Maximum Price Regulation or the Maximum Import Price Regulation, whichever is applicable."

2. By amending paragraph (a) (1) of Appendix A thereof to read as follows:

(1) *Deliveries from warehouses.*

[Cents per pound, f. o. b. seller's warehouse]

	Carload	Less than carload
Solid ordinary, basis 63 per cent tannin	6.305	6.555
Solid clarified, basis 64 per cent tannin	6.93	7.18

These maximum prices include duty and bags with a tare allowance of 1¾ pounds per bag.

This amendment shall become effective August 28, 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12685; Filed, August 22, 1944; 11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 40]

ASSEMBLED WOOD FURNITURE PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* Maximum Price Regulation No. 188 is amended in the following respect:

Section 1499.166, Appendix A, is amended by adding the following commodity to paragraph (b) (4) thereof:

Assembled wood furniture parts.

[1] 9 F.R. 4693.

This amendment shall become effective on the 28th day of August 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12684; Filed, August 22, 1944; 11:46 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

EMPLOYEES OF VETERANS' ADMINISTRATION AND REPRESENTATIVES OF VETERANS' ORGANIZATIONS IN CERTAIN ARMY AND NAVY INSTALLATIONS

NOTE: For Joint Regulations of the Secretary of War, the Secretary of the Navy and the Administrator of Veterans' Affairs defining the status and functions of certain officials and employees placed in Army and Navy installations by the Administrator of Veterans' Affairs under the authority granted in section 103 of the Servicemen's Readjustment Act of 1944 and providing for the certification by the Administrator of Veterans' Affairs of paid full time accredited representatives of recognized veterans' and other national organizations and the functioning of such accredited representatives in Army and Navy installations as authorized and directed in section 200 of the act, see Title 38, *infra.*

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

EMPLOYEES OF VETERANS' ADMINISTRATION AND REPRESENTATIVES OF VETERANS' ORGANIZATIONS IN CERTAIN ARMY AND NAVY INSTALLATIONS

Joint Regulations of the Secretary of War, the Secretary of the Navy and the Administrator of Veterans' Affairs

The following regulations define the status and functions of certain officials and employees placed in Army and Navy installations by the Administrator of Veterans' Affairs under the authority granted in section 103 of the Servicemen's Readjustment Act of 1944 and provide for the certification by the Administrator of Veterans' Affairs of paid full time accredited representatives of recognized veterans' and other national organizations and the functioning of such accredited representatives in Army and Navy installations as authorized and directed in section 200 of the act.

Nothing in these regulations shall operate to affect measures of military security now in effect or which may hereafter be placed in effect, nor to prejudice the right of the American Red Cross to recognition under existing statutes.

Sec.
36.1 Representatives of the Veterans' Administration.
36.2 Accredited representatives of veterans' or other organizations.

AUTHORITY: §§ 36.1 to 36.2, inclusive, issued under secs. 103 and 200, 58 Stat. 284.

§ 36.1 *Representatives of the Veterans' Administration.* (a) The Administrator of Veterans' Affairs directs the manager of a Veterans' Administration facility having regional office activities or regional office to assign a contact representative on an itinerant basis to maintain relationship with Army or Navy installations in his area which have less than 100 discharges from the service per month as a constant rate for the purpose of rendering any assistance to assure that persons about to be discharged or released from active service are being fully advised of all rights and benefits to which they may be entitled under laws administered by the Veterans' Administration.

The Administrator of Veterans' Affairs directs the manager of a Veterans Administration facility having regional office activities or regional office to designate such full-time contact representatives as deemed necessary from those under his control for duty at each Army and Navy Installation in his area which has 100 or more discharges from the service per month as a constant rate.

(b) The contact representative will present his credentials to the Commanding Officer of the Army or Navy installation to which he is assigned.

(c) It will be the function of full time contact representatives of the Veterans' Administration assigned to Army and Navy installations to assist in giving aid and advice to personnel of the Army and Navy who are about to be discharged or released from active service, to assist such persons in the filing of claims, and to cooperate with the Commanding Officer of the Army or Navy installation so that the latter can expedite the submission of records to the Veterans' Administration.

(d) It is not intended that the contact representative will replace Army, Navy or Red Cross personnel who are assisting persons about to be discharged or released from active service in the preparation of their claims, in the preparation of related records, or performing other administrative procedures in connection with the process of discharge or release from active service, nor that the unavailability of a contact representative will delay this process.

(e) The contact representative will maintain cooperative working relationship on matters of common interest with the accredited representatives of the organizations recognized by the Administrator of Veterans' Affairs who are functioning in the Army or Navy installation to which he is assigned.

(f) The managers of Veterans' Administration facilities having regional office activities or regional offices will make available to Commanding Officers of Army or Navy installations on their request any specific instructions issued to contact representatives.

§ 36.2 *Accredited representatives of veterans' or other organizations.* (a) Procedure for certifying a representative to function at an Army or Navy installation.

(1) Accredited representatives recognized to function in Veterans' Administration facilities or regional offices.

(i) The appropriate national officer of a recognized veterans' or other recognized organization may request the manager of a Veterans' Administration facility having regional office activities or regional office to certify a paid full time accredited representative or representatives of that organization to function at a designated Army or Navy installation (hospital or separation center) located within the area of the facility or regional office. In making such request the national officer shall certify that the representative in question is an accredited representative of his organization and is paid to devote his full time to veteran activities.

(ii) The manager will furnish the accredited representative with a letter of certification stating that inasmuch as he has been authorized to function in a Veterans' Administration facility or regional office pursuant to the authority granted the Administrator of Veterans' Affairs by section 200 of the Act of June 29, 1936 (Public Law 844, 74th Congress), he meets the requirements of section 200 of the Servicemen's Readjustment Act of 1944 relative to functioning in an Army or Navy installation.

This letter will include a statement as to the Army or Navy installation designated for the accredited representative by the national officer of his organization.

(iii) The manager will also notify the following officials of the action taken:

The Commanding Officer of the designated Army or Navy installation.
The national officer of the recognized veterans' or other organization.
The Administrator of Veterans' Affairs.

(iv) The accredited representative will communicate with the Commanding Officer of the Army or Navy installation as to available space and equipment or other conditions which may affect his functioning in the installation.

(2) Nominees not presently recognized by the Administrator of Veterans' Affairs.

(i) The appropriate national officer of a recognized veterans' or other organization will submit to the Administrator an application for recognition of an individual who is a paid full time representative of his organization to function at a designated Army or Navy installation on VA Form P-21, which contains a sworn statement by the applicant regarding his qualifications and character, together with reference in support of the same. In making such request the national officer shall certify that the nominee in question is a representative of his organization and is paid to devote his full time to veteran activities.

(ii) The Administrator or his designate will request recommendation from the manager of the facility in the State (or section of the State) in which the

Army or Navy installation is located. The manager, when called upon for his recommendation, will be furnished the names of persons possessed of intimate knowledge of the character and qualifications of the nominee.

(iii) In the event of favorable action by the Veterans' Administration, the nominee will be furnished a letter certifying him as an accredited representative of his organization in the preparation of claims under the laws administered by the Veterans' Administration. This letter will include a statement as to the Army or Navy installation designated by the national officer.

(iv) The Veterans' Administration will also advise the Commanding Officer of the designated Army or Navy installation and the manager of the facility that the individual (name and address) has been certified as an accredited representative of the named organization.

(v) Upon certification the accredited representative will communicate with the Commanding Officer of the Army or Navy installation as to available space and equipment, or other conditions which may affect his functioning in the installation.

(b) The function of an accredited representative of a recognized veterans' or other organization in Army or Navy installations will be to assist in giving aid and advice to persons in the active service who are about to be discharged or released therefrom, pertaining to their potential entitlement to benefits as administered by the Veterans' Administration.

(c) He shall conform to the orders and regulations laid down by, and will cooperate with the Commanding Officer and others designated by that officer.

(d) He shall act in the closest cooperation with the Veterans' Administration contact representative at installations where such a representative is assigned.

(e) He shall bring to the attention of the Commanding Officer, or to the officer designated by him, any recommendations or complaints, and cooperate in all ways with him so that the Army or Navy authorities can expedite the procedure of discharge or release from active service.

(f) In view of the confidence and trust reposed in the accredited representative, he shall treat as confidential all personal and military information obtained in the course of his activities.

(g) He shall not concern himself with matters which pertain to internal administration of the Army or Navy installation or to professional treatment, transfer, or disposition of patients or other personnel.

(h) He shall not have access to any official records including clinical records and other medical data at an Army or Navy installation.

(i) Unless a Veterans' Administration adjudicating agency (rating board or other adjudicating official) is operating at the Army or Navy installation at which he is functioning, there will be no occasion for action on the part of the accredited representative for the "presentation of claims" and he will abstain from soliciting the execution of a power of attorney (Veterans' Administration Form P-22, "Appointment of Service Organization as Claimant's Representative") by a member of the armed forces at such installation.

This will not be construed as prohibiting the explanation and acceptance of Veterans' Administration Form P-22 by an accredited representative upon the request of the person about to be discharged or released from active service.

(j) An accredited representative of a recognized organization certified to function at an Army or Navy installation will be held personally responsible for the information he gives to persons about to be discharged or released from active duty. He will be expected to be familiar with the rules and regulations of the Veterans' Administration pertaining to the submission of claims; prohibition against furnishing certain information concerning veterans; and all information relative to benefits to which veterans are entitled under laws administered by the Veterans' Administration.

He may obtain necessary information from the manager of the regional office or the Veterans' Administration facility having regional office activities located in the State or section of the State in which the Army or Navy installation is located or from contact representatives designated by the manager.

(k) The Commanding Officer of an Army or Navy installation shall report to the War or Navy Department any misconduct or breach of confidence on the part of an accredited representative.

(l) An accredited representative certified to function at an Army or Navy installation who presents himself to any other Army or Navy installation on an itinerant basis will be accorded the same recognition as though certified to that particular installation upon presentation of his credentials to the proper authority.

An accredited representative certified to function at an Army or Navy installation who is employed in a supervisory capacity by his organization and who presents himself to any other Army or Navy installation shall identify himself as such to the proper authority and shall be afforded an opportunity to inspect the work of accredited representatives of his organization functioning in the installation.

While functioning at such installations they will conform to the rules prescribed for certified representatives at those installations.

(m) The Commanding Officer of each Army or Navy installation will publish a list of all the organizations having an accredited representative, including Veterans' Administration and American Red Cross, functioning at his installation. This list will show the location assigned to the representative of each such organization.

He will make this information available to persons about to be discharged or released from active service.

He will also notify all representatives concerning the schedule for any group orientation talks to be given to advise persons about to be discharged or released from active service concerning their potential rights and benefits after return to civil life.

FRANK T. HINES,
Administrator of Veterans' Affairs.
HENRY L. STIMSON,
Secretary of War.
RALPH A. BARD,
Acting Secretary of the Navy.

AUGUST 12, 1944.

[F. R. Doc. 44-12639; Filed, August 21, 1944; 11:59 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1486a]

PART 240—PUBLIC LAND RECORDS

FILING OF TOWNSHIP PLATS

Section 240.3, of the Code of Federal Regulations (Circ. 1486, March 4, 1941), is amended to read as follows:

§ 240.3 *Filing of township plats.* Upon the acceptance of surveys by the General Land Office, and upon receipt of photolithographic editions of the plats, the originals will be returned to the district cadastral engineer of the proper public survey office, accompanied in each case by the triplicate copy for delivery to the register of the appropriate district land office. The duplicate copy will be retained in the General Land Office. The district cadastral engineer and the register will, immediately upon receipt of same, place the plat of record in their open files and report to the Commissioner of the General Land Office the date of such action. Such plat then will be available to the public as a matter of information only with respect to the technical data and land descriptions appearing thereon, and copies of such plat and the related field notes will be furnished on payment of costs, as provided by the existing regulations.

Unless otherwise directed, the register will not regard such plat as officially filed in his office, or the lands as subject to entry and disposal, until the receipt from the General Land Office of instructions for such filing and, thereafter, not until the following regulations have been complied with:

(a) The register will prepare a notice of the official filing of the plat in accordance with the instructions received for approval by the Commissioner, and will forward two copies of the notice to the Commissioner. The plat will be officially filed in the district land office on a date which will be fixed by the Commissioner, which shall be not less than 30 days from the date of the approval of such notice.

(b) When a notice of the filing of a plat has been approved, the Commissioner will send immediately a copy thereof to the register and will forward a brief announcement of the filing of the plat to the Division of the Federal Register, The National Archives, for filing and for publication in the FEDERAL REGISTER.

(c) The register will give publicity to the filing of the plat as follows:

(1) He will at once post the approved notice in a conspicuous place in his office. The notice must be kept posted until the plat has been officially filed and for such additional time, if any, as may be allowed by the notice for the presentation of preference right claims.

(2) He will send a copy of the notice to the postmaster in the town in which the district land office is situated and the postmasters of the post offices nearest the land, to the clerk or clerks of courts of record in the town where the land office is located and in the county where the land is situated, and to such officers of any adjoining county or counties deemed advisable by him.

(3) He will also furnish, as a matter of news, copies of the notice to the newspapers published in the town where the land office is situated and in the neighborhood of the land, particularly in the county in which the land is located, and to newspapers known to have a circulation in the vicinity of the land.

Where there is no district land office in a State, the Commissioner will prepare all necessary notices, and will give substantially the same publicity to the filing of the plat as is indicated above.

(R.S. 453, 2478; 43 U.S.C. 2, 1201)

FRED W. JOHNSON,
Commissioner.

Approved: August 15, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-12674; Filed, August 22, 1944; 11:33 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

DEEP SEA SOUNDING MACHINES ON 176', DESIGN 381 ARMY VESSELS

WAIVER OF NAVIGATION AND VESSEL INSPECTION REGULATIONS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war; and

The Army Transport Service having indicated that the efficient prosecution of the war would be impeded by the application to certain ocean and coastwise vessels of certain inspection regulations requiring installation of mechanical deep-sea sounding apparatus;

Now, therefore, upon request of the Army Transport Service, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the Vessel Inspection Regulations administered by the Coast Guard, 46 CFR 64.10a, to the extent that Design 381 Army supply vessels, of approximately 176' length shall be permitted to operate without the installation of mechanical deep-sea sounding apparatus.

Dated: August 19, 1944.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 44-12663; Filed August 22, 1944; 9:45 a. m.]

Chapter III—War Shipping Administration

[G. O. 11, Supp. 5, Correction]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

SPECIAL REQUISITION TIME CHARTER FOR DRY CARGO VESSELS

Clause E of Part I of the Special Requisition Time Charter for Dry Cargo Vessels as prescribed by § 302.49, published in the FEDERAL REGISTER for Saturday, August 5, 1944 at page 9550, is corrected by striking out the letter "D" as it appears in the last paragraph of said clause and inserting in lieu thereof the letter "E" so that said last paragraph will read:

By mutual agreement the valuation provisions of this Clause E may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

Reference heretofore or hereafter made to Part I of the above mentioned Special Requisition Time Charter for Dry Cargo Vessels shall be deemed to refer to said Part I as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

AUGUST 19, 1944.

[F.R. Doc. 44-12660; Filed, August 22, 1944, 11:12 a. m.]

[G. O. 11, Supp. 6, Correction]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

SPECIAL REQUISITION TIME CHARTER FOR TANK VESSELS

Clause E of Part I of the Special Requisition Time Charter for Tank Vessels as prescribed by § 302.54, published in the FEDERAL REGISTER for Saturday, August 5, 1944 at page 9551, is corrected by striking out the letter "D" as it appears in the last paragraph of said clause and inserting in lieu thereof the letter "E" so that said paragraph will read:

By mutual agreement the valuation provisions of this Clause E may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this vessel.

Reference heretofore or hereafter made to Part I of the above mentioned Special Requisition Time Charter for Tank Vessels shall be deemed to refer to said Part I as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 44-12661, Filed, August 22, 1944; 11:12 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—GENERAL RULES AND REGULATIONS

PLACE OF DUTY OF OPERATORS

The Commission on August 15, 1944, effective immediately, amended § 2.53 *Operators, place of duty*, by the addition of the following new paragraph:

(a) • • •

(3) A licensed operator who is the holder of a radiotelephone or radiotelegraph first or second class license may be on duty as the operator of one or more forestry stations licensed in the name of the same person, municipality, or state, at any location within the reliable daytime communication range of each such station in lieu of the transmitter locations or control point(s) during actual operation of the transmitting apparatus employing telephony: *Provided*, Such operator has each station within his effective [1] control and supervises the emission of each station to insure proper operation thereof in accordance with the terms of the respective station license; *Provided further*, That forestry stations operated in accordance herewith shall have a maximum rated carrier power not in excess of 50 watts and shall be authorized to operate on a frequency or frequencies other than within the band 3000 to 30,000 kilocycles; *Provided further*, That the equipment thereof shall be designed and constructed so that none of the operations necessary to be performed during the course of normal rendition of service may cause off-frequency operation or result in any unauthorized radiation, and that any needed adjustments of the transmitter that may affect proper operation of the station shall be regularly made by or in the presence of an operator holding a first or second class license, either telephone or telegraph, who shall be responsible for the proper operation of the equipment.

(Sec. 4 (i) 48 Stat. 1068; 47 U.S.C. 154 (i), sec. 318, 48 Stat. 1089, as amended March 29, 1937, 50 Stat. 56; 47 U.S.C. 318)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12607; Filed, August 21, 1944; 12:36 p. m.]

[1] Effective control is deemed lost when a receiver or transmitter of a station becomes inoperative or operation deviates from terms of the station license, and operation of such station must be discontinued immediately.

[Docket No. 6600]

PART 3—RULES GOVERNING STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

MECHANICAL RECORDS

In the matter of Order No. 120, proposing to amend § 3.407 of the Commission's rules and regulations governing the announcement of mechanical records.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of August, 1944;

Upon consideration of Order No. 120 proposing to amend § 3.407 of the Commission's rules and regulations governing the announcement of mechanical records and the briefs and statements filed pursuant thereto by interested parties, oral argument not having been requested,

It is ordered, This 15th day of August, 1944, that § 3.407 of the rules and regulations be, and it is hereby, amended by the addition of the following new paragraph:

(f) A licensee shall not attempt affirmatively to create the impression that any program being broadcast by mechanical reproduction consists of live talent.

It is further ordered, That the proceedings in the above-entitled matter be, and they are hereby, closed.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12606; Filed, August 21, 1944; 12:36 p. m.]

PART 13—RULES GOVERNING COMMERCIAL RADIO OPERATORS

SUPERVISION OF EXAMINATIONS

The Commission on August 15, 1944, effective immediately, amended § 13.73 *Supervision of examinations for permit*, by the addition of a footnote indicator [22a] following the second word "employees" in the first sentence, and the adoption of the following footnote:

[22a] The term "employees" of a division of local or State Government is interpreted to include prospective employees of forestry station licensees.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i), sec. 318, 48 Stat. 1089, as amended March 29, 1937, 50 Stat. 56; 47 U.S.C. 318)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12609; Filed, August 21, 1944; 12:37 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 37, Amdt. 1]

PART 503—ADMINISTRATION

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214 and 9294, and War Production Board Directives 21 and 36,

It is hereby ordered, That § 503.473 of Administrative Order ODT 37 (9 F.R. 7092) is hereby amended to read as follows:

§ 503.473 *Issuance of certificate of transfer.* (a) Except as otherwise provided, a certificate of transfer will be issued by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department when recommended by the district manager or local appeal board in connection with a proper application and if it appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44 (9 F.R. 7089), including the available supply of such vehicles; otherwise he will disapprove the application and so notify the applicant. The decision of the Assistant Director shall be final.

(b) (1) Whenever a proper application is made to the regional director, Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico, for a certificate of transfer in respect of a full trailer or semi-trailer held by any person for sale in Puerto Rico, and it appears that a new truck or truck-tractor will not be required by applicant to draw such trailer or semi-trailer, the regional director will issue a certificate of transfer if it further appears that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44 (9 F.R. 7089), including the available supply of such vehicles; otherwise, he will disapprove the application and so notify the applicant. Upon written request by the applicant, the disapproval of any such application by the regional director will be reviewed by the Director of the Division of Puerto Rican Transport, who may affirm or reverse the action of the regional director. The decision of the Director shall be final.

(2) In any case where it appears in connection with an application made to the regional director, Division of Puerto Rican Transport, for a certificate of transfer in respect of a full trailer or semitrailer held by any person for sale in Puerto Rico that a new truck or truck-tractor will be required by the applicant to draw such trailer or semi-trailer, the regional director shall either recommend approval of, or shall disapprove, such application (and any application for a new truck or truck-tractor filed by the applicant) in accordance with the provisions of § 503.471 of this order; and issuance of certificates of transfer in respect of such vehicles will be subject to paragraph (a) of this section.

This Amendment 1 to Administrative Order ODT 37 shall become effective August 22, 1944.

(Act of May 30, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code, Secs. 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 9097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, 8 F.R. 5834, 9 F.R. 6989)

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12654; Filed, August 22, 1944; 10:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

R. A. FOURT CONSTRUCTION CO.

ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES, AND REQUIRING RECORDS TO BE FURNISHED

To: R. A. Fourt, R. A. Fourt Construction Company, 4522 Grand Avenue, Fort Smith, Arkansas.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On June 28, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from June 28, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 45 days have elapsed since June 28, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Fort Smith, Arkansas, does not exceed four days. The only communication received from you is your answer dated July 3, 1944. You have not requested an oral hearing.

3. On or about January 7, 1944, and February 9, 1944, you stored explosives otherwise than in properly constructed, safely located, and securely locked magazines and you thereby violated section 17 (a) of the regulations.

4. On or about January 7, 1944, and February 9, 1944, you stored explosives on premises not marked with a sign containing the words "Explosives—Keep Off" and you thereby violated section 12 of the act and sections 17 (b) and 20 (c) of the regulations.

5. On or about January 7, 1944, you permitted Dale Underwood, a person not then individually licensed under the act, to have charge and custody of your explosives and you thereby violated sections 17 (d) and 20 (b) of the regulations.

6. You failed to keep a full, detailed, and tabulated record of your transactions and operations involving explosives and you thereby violated sections 14 (d) and 20 (d) of the regulations.

7. You failed and refused to furnish to one of my authorized representatives information concerning your business in so far as it related to or was connected

with explosives, particularly by failing to reply within 15 days to a letter sent to you on February 15, 1944, by R. D. Leitch, Chief, Explosives Control Division, and you thereby violated section 10 of the act.

8. On or about April 24, 1944, you stored explosives otherwise than in magazines meeting the standards set forth in the regulations and you thereby violated sections 24–28 of the regulations.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, September 2, 1944.

2. That prior to midnight, September 2, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or use, or destroy, all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of, or used, or destroyed, all the explosives or ingredients of explosives as required by paragraph 2 of this order you shall, prior to midnight, September 2, 1944, deliver or mail to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas, a sworn statement of your transactions in and uses and destructions of explosives and ingredients of explosives beginning with the date of this order and ending with the final sale or other disposition or use or destruction of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of the Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind used by you, the dates on which used and the places where used, and the amount of each kind destroyed by you, the dates on which destroyed, and the places where destroyed.

4. That prior to midnight, September 2, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than Five Thousand Dollars ($5,000), or imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 19th day of August 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44–12673; Filed, August 22, 1944; 11:32 a. m.]

Bureau of Reclamation.

TUCUMCARI PROJECT, N. MEX.

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 24, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936, (49 Stat. 1976), it is recommended that the following described lands be withdrawn from the public entry under the first form of withdrawal as provided in Section 3 of the Act of June 17, 1902 (32 Stat. 388).

TUCUMCARI PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 12 N., R. 29 E.,
Sec. 15, Lot 1;
Sec. 22, Lots 1 and 2.
T. 11 N., R. 30 E.,
Sec. 36, SW¼NW¼, NW¼SW¼.
T. 13 N., R. 32 E.,
Sec. 13, SW¼SE¼;
Sec. 24, NW¼NE¼.
T. 13 N., R. 33 E.,
Sec. 16, SW¼SW¼.

Respectfully,

[SEAL] H. W. BASHORE,
Commissioner.

I concur: August 5, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 11, 1944.

[F. R. Doc. 44–12678; Filed, August 22, 1944; 11:32 a. m.]

BOISE PROJECT, IDAHO

FIRST FROM RECLAMATION WITHDRAWAL

JULY 6, 1944.

The SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described land be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388), and that Departmental Order of April 8, 1935 establishing Idaho Grazing District No. 1 be modified and made subject to the withdrawal effected by this order.

BOISE PROJECT

BOISE MERIDIAN, IDAHO

T. 7 N., R. 5. W.,
Sec. 25, SW¼SW¼.

Respectfully,

[SEAL] H. W. BASHORE,
Commissioner.

I concur:

ARCHIE D. RYAN,
Acting Director, Grazing Service.

I concur: August 5, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 11, 1944.

[F. R. Doc 44–12677; Filed, August 22, 1944; 11:32 a. m.]

General Land Office.

MOUNT DIABLO MERIDIAN, NEV.

WITHDRAWAL OF PUBLIC LANDS

Stock Driveway Withdrawal No. 32, Nevada No. 4, revoked.

The order of the Secretary of the Interior dated September 13, 1918, withdrawing certain lands in Nevada for stock driveway purposes under section 10 of the act of December 29, 1916, 39 Stat. 865 (U.S.C., Title 43, sec. 300), is hereby revoked so far as it affects the following-described lands which are within Nevada Grazing District No. 3:

MOUNT DIABLO MERIDIAN

T. 12 N., R. 20 E.,
Sec. 25, NE¼NE¼, S½NE¼, and SE¼;
Sec. 36; NE¼, NE¼NW¼, S½NW¼, and S½.

The areas described aggregate 880 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 C.F.R. 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 C.F.R. part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 14, 1944.

[F.R. Doc. 44–12676; Filed August 22, 1944; 11:32 a. m.]

PRINCIPAL MERIDIAN, MONT.

WITHDRAWAL OF PUBLIC LANDS

Stock Driveway Withdrawal No. 13, Montana No. 2, reduced; Stock Driveway Withdrawals Nos. 223 and 230, Montana Nos. 10 and 15, revoked.

The orders of the Acting Secretary, Assistant Secretary and First Assistant Secretary of the Interior of April 24, 1918, May 14, 1931, and April 19, 1932, withdrawing certain lands in Montana for stock driveway purposes under section 10 of the act of December 29, 1916, 39 Stat. 865, 43 U.S.C. 300, are hereby revoked so far as they affect the following-described lands, which are within Montana Grazing District No. 2:

PRINCIPAL MERIDIAN

T. 25 N., R. 40 E.,
Sec. 24, E½.
T. 26 N., R. 41 E.,
Sec. 18, NW¼SW¼ and S½SW¼;
Sec. 19, NW¼ and S½;
Sec. 20, S½N½ and S½;
Sec. 21, NW¼NW¼;
Sec. 22, NW¼NE¼, S½NE¼, N½NW¼, SE¼NW¼, NE¼SW¼, and SE¼;
Sec. 27, E½;
Sec. 34, N½NE¼, SE¼NE¼, and NE¼SE¼;
Sec. 35, NW¼NW¼, S½NW¼, SW¼, and W½SE¼.
T. 21 N., R. 42 E.,
Secs. 2, 11, 14, 23, 26, and 35.
T. 22, N., R. 43 E.,
Secs. 2, 11, 14, 23, 26, and 35.
T. 23 N., R. 42 E.,
Sec. 3, E½NE¼, N½SE¼, and SW¼SE¼;
Sec. 10, NW¼NE¼, S½NE¼, N½SE¼, and SE¼SE¼;
Sec. 11, S½SW¼;
Sec. 13, NE¼NE¼, S½NE¼, SE¼NW¼ and SE¼;
Sec. 14, W½NE¼ and NW¼;
Sec. 24, NE¼SW¼, S½SW¼, and SE¼;
Sec. 25;
Sec. 26, NE¼SE¼ and S½SE¼;
Sec. 35.
T. 24 N., R. 42 E.,
Sec. 6, lots 4, 5, and 6;
Sec. 7, NW¼NE¼, S½NE¼, NW¼, N½SW¼, SE¼SW¼, and SE¼;
Sec. 18, N½NE¼, SW¼NE¼, NW¼SE¼, and S½SE¼;
Sec. 19, NE¼, and NE¼SE¼;
Sec. 30, W½W½;
Sec. 32, N½ and SE¼;
Sec. 33, NW¼NE¼ and N½NW¼;
Sec. 33, NE¼NE¼;
Sec. 34, SW¼NE¼, NW¼, NE¼SW¼, N½SE¼, and SE¼SE¼.
T. 23 N., R. 43 E.,
Secs. 18 and 19.
T. 25 N., R. 43 E.,
Sec. 1, W½ and W½SE¼;
Sec. 2, N½, NE¼SW¼, S½SW¼, and SE¼;
Sec. 12, NE¼, NE¼NW¼, N½SE¼, and SW¼SE¼;
Sec. 13, NW¼NE¼, NE¼NW¼, and E½SE¼;
Sec. 24, E½E½, SW¼SE¼, and S½SW¼;
Sec. 25, N½NW¼;
Sec. 26, N½N½;
Sec. 27, N½N½ and SW¼NE¼.
T. 26 N., R. 43 E.,
Sec. 23, NE¼SE¼ and S½SE¼;
Sec. 25, NE¼ and E½NW¼.
T. 27 N., R. 43 E.,
Sec. 32, lots 3 and 4.

The areas described, including both public and nonpublic lands aggregate 19,423.53 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the public lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 C.F.R. 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 C.F.R. Part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

AUGUST 14, 1944.

[F. R. Doc. 44-12675; Filed, August 22, 1944; 11:32 a. m.]

[Order 109]

APPLICATION FOR PUBLIC LANDS

EXTENSION OF PROCEDURE

JULY 18, 1944.

The procedure described in General Land Office Order No. 158, approved by the Department on January 7, 1944 (9 F. R. 701), for affording all persons interested an equal opportunity to apply for public lands which become subject to such applications because of the official filing of a plat of survey or resurvey, or of an order revoking a withdrawal or reservation, is hereby extended to lands of the following classes, when restored to the public domain:

1. Lands acquired by the United States as a result of court proceedings, or a demand for reconveyance made by this Department.

2. Lands reconveyed to the United States by a State or private owner in an exchange under the Taylor Grazing Act.

3. Lands patented to a State under the Carey Act and reconveyed to the United States by the State, for any reason.

The procedure herein referred to shall not apply to any case where a restoration from withdrawal is made for the benefit of a particular individual or State, based upon equitable considerations or the public interests, or where the lands offered as base in an exchange under the Taylor Grazing Act are situated in a national park, or Indian or other reservation, which would preclude the filing of applications therefor under the public land laws.

Hereafter, any order making public lands available after public notice, in accordance with Order No. 158, or this order, must be prepared for publication in the FEDERAL REGISTER.

FRED W. JOHNSON,
Commissioner.

Approved: August 18, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-12696; Filed, August 22, 1944; 11:32 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO NON-GOVERNMENTAL SERVICES

NOTICE OF HEARING

In the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Whereas, the Commission is authorized and required by section 303 (c) of the Communications Act of 1934, as amended, to "assign bands of frequencies to the various classes of stations"; and

Whereas, the Commission is further authorized and required by sections 4 and 303 of the Communications Act of 1934, as amended, to "classify radio stations" and "prescribe the nature of the service to be rendered by each class of licensed stations"; "assign frequencies for each individual station and determine the power which each station shall use and the time during which it may operate"; "determine the location of classes of stations or individual stations"; "regulate the kind of apparatus to be used with respect to its external effects and the purity and sharpness of the emissions from each station"; "make such regulations not inconsistent with law as it may deem necessary to prevent interference between stations"; "study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest"; "establish areas or zones to be served by any station"; "make such rules and regulations and prescribe such restrictions and conditions * * * as may be necessary to carry out the provisions of" the Communications Act, "or any international radio or wire communications treaty or convention"; and, "for the purpose of obtaining maximum effectiveness from the use of radio * * * in connection with safety of life and property, * * * investigate and study all phases of the problem and the best methods of obtaining the cooperation and coordination of these systems"; and

Whereas, the Commission, the other interested Government departments, and the radio industry all recognize that a complete review of present allocations of bands of frequencies in the radio spectrum is necessary as a result of the important advances in the radio art which have been made during the war and the greatly increased demands for the use of radio; and

Whereas, it is essential in the interest of orderly planning that frequency allocations be determined before the manpower, materials and manufacturing facilities now devoted to war production become available for the production of civilian equipment; and

Whereas, the Commission, the Interdepartmental Radio Advisory Committee, and the radio industry, represented chiefly by the Radio Technical Planning Board, have for some time been conducting studies looking toward the reallocation of frequencies to the various services operating in the radio spectrum; and

Whereas, the Department of State has recently held conferences with interested agencies and parties and has announced that it desires that recommendations with respect to international agreements for the allocation of radio frequencies be available by December 1, 1944; and

Whereas, it is essential that the frequency requirements of the United States be determined before appropriate recommendations can be made looking toward international agreements; and

Whereas, the Commission is of the opinion that the most effective manner of discharging its responsibility for securing the data necessary to determine the frequency requirements of the United States non-governmental radio services is to hold formal hearings at which all interested persons may present their views;

Now, therefore, it is ordered, This 15th day of August, 1944, that a hearing be held before the Commission en banc commencing at 10:30 a. m. on September 28, 1944, at the offices of the Commission in Washington, D. C., for the purpose of:

(1) Determining the present and future needs of the various classes of non-governmental services for frequencies in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles with the view of ultimately assigning bands of frequencies to such services;

(2) Securing for the public and the Commission a clear understanding of the conflicting problems which confront the industry and the regulatory body in the application of frequencies to the service of the public;

(3) Encouraging experimentation along such lines as may be justified from the evidence presented at the hearing;

(4) Considering the allocation of frequencies to be proposed by the Radio Technical Planning Board;

(5) Considering the proposed allocation of the Interdepartmental Radio Advisory Committee dated June 15, 1944, insofar as it pertains to allocations to non-governmental services; and to obtain full information as to what recommendations the Commission should make to the Interdepartmental Radio Advisory Committee with respect to possible conflicts between the requirements of the non-governmental radio services and the proposed Interdepartmental Radio Advisory Committee allocations to the Government radio services;

(6) Assisting the Government in its preparation for future International Conferences;

(7) Determining what recommendations, if any, the Commission should make to the Congress for the enactment of additional legislation on the matters covered by this order.

It is further ordered, That persons or organizations desiring to appear and testify shall notify the Commission of such intention on or before September 11, 1944, stating the names of all witnesses who will appear, the topic each will discuss and the time expected to be required for the testimony. Persons who intend to testify at the hearing should prepare exhibits which show the requirements for frequency bands and positions in the frequency spectrum for the service to which their testimony is directed and five copies of each exhibit should be furnished the Commission on or before September 20, 1944.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12610; Filed, August 21, 1944; 12:36 p. m.]

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO NON-GOVERNMENTAL SERVICES

PROCEDURE TO BE FOLLOWED AT HEARING

In the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Notice is hereby given of the procedure to be followed at the hearing of the Commission to be held in the offices of the Commission in Washington, D. C., beginning at 10:30 a. m. September 28, 1944, pursuant to the order of the Commission dated August 15, 1944, in Docket No. 6651.

1. As stated in the Commission's order of August 15th, persons or organizations desiring to appear and testify at the hearing shall notify the Commission of such intention on or before September 11, 1944, stating the names of all witnesses who will appear, the topic each will discuss and the time expected to be required for the testimony. Persons who intend to testify at the hearing should prepare exhibits which show the requirements for frequency bands and positions in the frequency spectrum for the service to which their testimony is directed and five copies of each exhibit should be furnished the Commission on or before September 20, 1944. In addition, parties should be prepared to present 20 additional copies of all exhibits at the time when they are offered for the record.

2. The Commission will first receive testimony from the Radio Technical Planning Board as to its proposal for the allocation of frequencies to the non-governmental radio services.

3. The Commission will then proceed to receive testimony with respect to the needs of the various individual services both from the Radio Technical Planning Board representatives and from all interested parties. For purposes of convenience of presentation only, the radio services are divided as follows:

(1) Standard Broadcast.
(2) High Frequency (FM) Broadcast.
(3) Non-Commercial Educational Broadcast.
(4) Television Broadcast.
(5) Facsimile Broadcast.
(6) International Broadcast.
(7) Other Broadcast Services (including relay, pick-up, and studio-transmitter-link).
(8) Fixed Public Services (other than Alaska).
(9) Coastal, Marine Relay, Ship, Mobile Press, and Fixed Public Service in Alaska.
(10) Aviation Services.
(11) Police, Fire and Forestry Services.
(12) Special Emergency, Provisional and Motion Picture Services.
(13) Special Services (geophysical, relay press).
(14) Amateur.
(15) Industrial, Scientific, and Medical Services.
(16) Relay Systems (Program and Public and Private Communication).
(17) New Radio Services.

In addition to receiving testimony on the above established radio services, the Commission will receive testimony on the question of whether any new radio services not heretofore recognized should be provided for in any frequency allocation.

4. As soon as notices of appearances are received from persons and organizations desiring to present testimony, the Commission will issue a further notice indicating the order in which the requirements of the various above-named services will be considered. An effort will be made to arrange the order of appearances so as to permit all related services to be heard as nearly as possible at the same period of the hearing.

5. Persons appearing before the Commission at the hearing in behalf of a particular service should be prepared to furnish information at least on the following subjects:

EVALUATION OF SERVICES FROM THE STANDPOINT OF PUBLIC NEED AND BENEFIT

(a) The dependence of the service on radio rather than wire lines.
(b) The probable number of people who will receive benefits from the service.
(c) The relative social and economic importance of the service, including safety of life and protection of property factors.
(d) The probability of practical establishment of the service and the degree of public support which it is likely to receive.
(e) The degree to which the service should be made available to the public, that is, whether on a limited scale or on an extended competitive scale.
(f) Areas in which service should be provided and, in general, the points to which communication must be maintained.
(g) When it is proposed to shift a service from its present location in the spectrum, data should be presented showing the feasibility and cost of the shift, particularly with respect to the technical, economic and other considerations involved, and the length of time and manner for completing the shift.

TECHNICAL

(a) The frequency bands required for a given service and the exact position thereof in the radio frequency spectrum; also the width of communication bands or channels within each portion required for station frequency assignments.
(b) Suitability and necessity for particular portions of the spectrum for the service involved. This includes propagation characteristics and reliable range data.
(c) Field intensity required for reliable service.
(d) The number of stations required to enable efficient service to be rendered.
(e) The distance over which communication must be maintained.

(f) The relative amount of radio and other electrical interference likely to be encountered.

(g) The relative amount of noise which may be tolerated in the rendering of service.

(h) Apparatus limitations, both transmitter and receiver.

6. The Commission will endeavor to make available through its own witnesses any information, particularly of a technical nature, which may be helpful in connection with the proposed use of particular frequencies by specific services.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12611; Filed, August 21, 1944; 12:36 p. m.]

[Docket No. 6647]

CHATTAHOOCHEE BROADCASTERS

NOTICE OF HEARING

In re application of Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters (New); date filed, June 27, 1944; for construction permit, class of service, broadcast; class of station, broadcast; location, Marietta, Georgia; operating assignment specified; frequency, 1230 kc; power, 250 watts; hours of operation, unlimited time. File No. B3-P-3652.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Marietta Broadcasting Company (Virgil V. Evans, Owner), Docket No. 6646, on September 18, 1944, in the offices of the Commission, Washington, D. C., for the following reasons:

1. To determine the legal, technical and financial qualifications of the applicant partnership to construct and operate the proposed station;

2. To obtain full information with respect to the nature and character of the proposed program service;

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any subsequent modifications thereof;

4. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to these areas and populations;

5. To determine the extent of any interference which would result from a simultaneous operation of the proposed station and Station WBLJ, Dalton, Georgia;

6. To determine the areas and populations which would lose primary service, particularly from Station WBLJ as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

7. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

8. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application, the application of Marietta Broadcasting Company (File No. B3-P-3573, Docket No. 6646) or either of them.

The application invoived herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant, unless already made a party to this proceeding, who desire to be heard, must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fred B. Wilson & Channing Cope, d/b as Chattahoochee Broadcasters, % Channing Cope, 75 Marietta Street, Atlanta, Georgia.

The following was made a party to this proceeding and is subject to the provisions of § 1.141 of the Commission's rules: Dalton Broadcasting Corporation, Radio Station WBLJ, 111 South Pants Street, Dalton, Georgia.

Dated at Washington, D. C., August 19, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-12612; Filed, August 21, 1944; 12:37 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70-A, Special Permit 459]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, August 17, 1944, by De Foo Fruit Company of car PFE 62489, peaches, now on the Union Pacific Railroad to Joplin, Missouri (K.C.S.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12662; Filed, August 22, 1944; 11:17 a. m.]

[S. O. 70-A, Special Permit 460]

RECONSIGNMENT OF APRICOTS AT INDIANAPOLIS, IND.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Indianapolis, Indiana, August 17, 1944, by Auster Company of car FGE 32610, apricots, now on the Pennsylvania Railroad, to Mike Gegaro Company, Cincinnati, Ohio (C&O).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12663; Filed, August 22, 1944; 11:17 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 19, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN INDIANAPOLIS AND LAFAYETTE, IND.

Upon consideration of a notice filed with the Office of Defense Transportation pursuant to § 501.9 (d) of General Order ODT 3, Revised, as amended (7 F.R. 8445, 8689, 7894; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) by carriers subject to Supplementary Order ODT 3, Revised-19 (8 F.R. 5280), and good cause appearing therefor, *It is hereby ordered,* That:

Supplementary Order ODT 3, Revised-19, be and it is hereby, amended by eliminating Kenneth G. Foster, doing business as Foster Freight Lines, of Indianapolis, Indiana, as a carrier subject thereto, and by substituting in lieu thereof Foster Freight Lines, Inc., of Indianapolis, Indiana.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12665; Filed, August 22, 1944; 10:43 a. m.]

[Supp. Order ODT 6A-38]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN NEW YORK AND RICHMOND COUNTIES, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-38" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Shephard Warehouses, Inc., New York, N. Y.
Stephen F. Smarsch, doing business as Steve's Express, Staten Island, N. Y.

[F. R. Doc. 44-12656; Filed, August 22, 1944; 10:42 a. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 6A-39]

COMMON CARRIERS

COORDINATED OPERATIONS IN CALIFORNIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

[1] Filed as part of the original document.

be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–39" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Walkup Drayage & Warehouse Co., San Francisco, Calif.
Merchants Express Corporation, Oakland, Calif.
Vallejo, Napa & Calistoga Transport Co., San Francisco, Calif.

[F. R. Doc. 44–12657; Filed, August 22, 1944; 10:43 a. m.]

[Supp. Order ODT 6A–40]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN NEW YORK CITY AND ADJACENT SUBURBS IN WESTCHESTER COUNTY, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject thereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A–40" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Albert Bresner, Harry Bresner, Lewis Bresner and Harry L. Abend, co-partners, doing business as Al's Auto Express, New York, N. Y.
Frank J. Canon, New York, N. Y.
Martin Chait, doing business as Faultless Trucking Company, New York, N. Y.
Benjamin Swillinger, doing business as L. & S. Delivery & Transfer, New York, N. Y.

[F. R. Doc. 44–12658; Filed, August 22, 1944; 10:42 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Price Authorization Order 1–45]

BITUMINOUS COAL

ORDER AUTHORIZING MAXIMUM PRICE SCHEDULE REVISIONS

In order to aid in the effective prosecution of the war; *It is hereby ordered:*

The Office of Price Administration is authorized to make such revisions and consolidations of price schedules for bituminous coal set forth in Maximum Price Regulation No. 120 for the various bituminous coal producing districts as in the judgment of the Price Administrator and of the Solid Fuels Administrator for War are necessary to assure production of critically needed sizes of coals and to aid in the enforcement and administration of the maximum price regulation; *Provided*, That there shall be no increase in over-all realization in any district as a result of such revision and consolidation of a schedule in excess of 3 cents per net ton; *And provided further*, That there shall be no appreciable increase in the prices of coals primarily used for domestic heating.

This order shall become effective Aug. 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44–12660; Filed, August 21, 1944; 4:49 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 25 Under 2d Rev. Order A–3]

ALLEN CHAIR CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 25 under Second Revised Order A–3 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 it is ordered:

(a) *Purpose of this order.* This order permits the Allen Chair Corporation, West Concord, Massachusetts, to increase its maximum prices for sales and deliveries of wood office chairs of its manufacture as described in the application, in the amounts set forth below. This order also permits persons who purchase these articles from the manufacturer, for resale, to increase their maximum prices by like amount.

(b) *Adjustment of maximum prices.* The Allen Chair Corporation, West Concord, Massachusetts, for all its sales and deliveries may add the following increases to its present net selling prices:

Model No:	*Increases in net selling prices*
121–R18" Chair	$0.36
121–R24" Chair	.45
121–R30" Chair	.56
540–0 Chair	.83
540–2 Chair	1.06
547–2 Chair	1.86
548–0 Chair	.92
548–2 Chair	.96
548–5W Chair	.30
550–10 Chair	.74
550–12 Chair	.26
587–0 Chair	.67
2224 Chair	.35
804 Chair	.40
1004 Chair	.46
2746 Chair	.45

The adjusted maximum prices established by this order are subject to a cash discount of one per cent for payment within thirty days, net sixty days. All purchasers for resale of the above articles may add the adjustment charges to their maximum prices; *Provided*, The adjustment charge is separately quoted and billed, and provided they comply with the requirements for notice set forth in paragraph (c) below:

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charges provided in paragraph (b) above, the Allen Chair Corporation and its purchasers for resale shall send a notice to the purchaser fully explaining the terms of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1944.

Issued this 21st day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12640; Filed, August 21, 1944; 4:41 p. m.]

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[1] Filed as part of the original document.

[MPR 188, Order 1986]

D AND G MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In F. R. Doc. 44–11495, appearing on page 9378 of the issue of Wednesday, August 2, 1944, the fifth model number in paragraph (a) (2) (i) should read "1300½".

[MPR 188, Order 2145]

HARRY E. RATA

APPROVAL OF MAXIMUM PRICES

Order No. 2145 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile lawn chair manufactured by Harry E. Rata.

For the reasons set for in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile lawn chair manufactured by Harry E. Rata, 3601 El Monte Way, Fresno, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile lawn chair	-------	*Each* $0.48	*Each* $0.56

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated April 12, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	*Maximum price to retailers*
Juvenile lawn chair	$0.56 each.

This price is for the article described in the manufacturer's application dated April 12, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12687; Filed, August 22, 1944; 11:51 a. m.]

[MPR 188, Order 2151]

TOM A TOYS

APPROVAL OF MAXIMUM PRICES

Order No. 2151 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a juvenile set manufactured by Tom A Toys.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Tom A Toys, Monett, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer

to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set	Juvenile set	*Each* $6.16	*Each* $9.60

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturers application, dated June 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile set	Juvenile set	*Each* $9.60

This price is f. o. b. factory and is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturers application dated June 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12689; Filed, August 22, 1944; 11:52 a. m.]

[MPR 188, Order 2152]

HERMAN HOFFMAN

APPROVAL OF MAXIMUM PRICES

Order No. 2152 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a rocking lawn chair manufactured by Herman Hoffman.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a rocking lawn chair manufactured by Herman Hoffman, Desloge, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the Manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Rocking lawn chair		*Each* $2.00	*Each* $2.35

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated May 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Rocking lawn chair		*Each* $2.35

This price is for the article described in the manufacturer's application dated May 10, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12693; Filed August 22, 1944; 11:50 a. m.]

[MPR 188, Order 2153]

W. E. BALLARD

APPROVAL OF MAXIMUM PRICES

Order No. 2153 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum price for a child's valet manufactured by W. E. Ballard.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a child's valet manufactured by W. E. Ballard, Route 1, Box 108B, Mineral Springs, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's valet	The valet	*Each* $1.51	*Each* $1.78

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's valet	Child's valet	*Each* $1.78

This price is subject to a cash discount of two percent payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12694; Filed, August 22, 1944; 11:50 a. m.]

[MPR 188, Order 2154]

COLIN AND CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2154 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a child's valet manufactured by Colin and Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's valet manufactured by Colin & Company, 4161 Beck Avenue, North Hollywood, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's valet	102	*Each* $2.21	*Each* $2.60

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Childs valet	102	*Each* $2.60

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12695; Filed, August 22, 1944; 11:50 a. m.]

[MPR 188, Order 2155]

KILGEN ORGAN CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2155 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a bed tray manufactured by the Kilgen Organ Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the

Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a bed tray manufactured by The Kilgen Organ Company, 4632 W. Florrisant Avenue, St. Louis, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Bed tray		*Each* $2.35	*Each* $2.65

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Bed tray		*Each* $2.65

This price is for the article described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12696; Filed August 22, 1944; 11:49 a. m.]

[MPR 188, Order 2156]

WOOD PRODUCTS CO.

APPROVAL OF MAXIMUM PRODUCTS

Order No. 2156 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of a maximum price for an unfinished book shelf manufactured by H. C. Cook, Wood Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a book shelf manufactured by H. C. Cook, Wood Products Company, 1830 Charlotte Street, Kansas City, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished bookshelf	Bookshelf	*Each* $1.41	*Each* $1.67

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 1, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished bookshelf	Bookshelf	*Each* $1.67

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 1, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12697; Filed, August 22, 1944; 11:50 a. m.]

[MPR 188, Order 2157]

EASTERN WOOD AND PLASTIC CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2157 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two magazine racks, one wall shelf and one corner shelf manufactured by Eastern Wood and Plastic Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of two magazine racks, one wall shelf and one corner shelf manufactured by Eastern Wood and Plastic Company, 898 McDonald Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Magazine rack		*Each* $1.08	*Each* $1.35
Magazine rack		1.08	1.35
Wall shelf		*Per dz.* 9.36	*Per dz.* 11.70
Corner shelf		6.53	8.16

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 13, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Magazine rack		$1.35 each.
Magazine rack		$1.35 each.
Wall shelf		$11.70 per doz.
Corner shelf		$8.16 per doz.

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 13, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12688; Filed, August 22, 1944; 11:52 a. m.]

[MPR 188, Order 2158]

AMERICAN PRODUCTS MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2158 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a smokador manufactured by American Products Mfg. Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a smokador manufactured by American Products Mfg. Co., 2659 West Nineteenth Street, Chicago 8, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Smoking stand	Smokador	*Each* $8.94	*Each* $11.02

These prices are f. o. b. factory and are subject to a cash discount of one percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Smoking stand	Smokador	*Each* $11.02

This price is subject to a cash discount of one percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application of June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12686; Filed, August 22, 1944; 11:51 a. m.]

[MPR 188, Order 2144]

DURANTE FURNITURE NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2144 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of juvenile furniture manufactured by Durante Furniture Novelty Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three items of juvenile furniture manufactured by Durante Furniture Novelty Co., 5708 Park Avenue, West New York, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile chiffcrobe	300	$10.41	$12.25
Juvenile chest of drawers	302	9.65	11.35
Juvenile utility chest	306	4.97	5.85

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application filed May 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Juvenile chiffcrobe	300	$12.25
Juvenile chest of drawers	302	11.35
Juvenile utility chest	306	5.85

These prices are for the articles described in the manufacturer's application filed May 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12691; Filed August 22, 1944; 11:47 a. m.]

[MPR 188, Order 2146]

AMES METAL MOULDING CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 2146 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished bed tray manufactured by Ames Metal Moulding Company, Incorporated.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished bed tray manufactured by Ames Metal Moulding Company, Inc., 225-229 East 144th Street, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Unfinished bed tray		$0.81	$0.95

These prices are f. o. b. factory, subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated March 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sells from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	*Maximum price to retailers*
Unfinished bed tray	$0.95 each

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated March 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufactuer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of August 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12692; Filed, August 22, 1944; 11:47 a. m.]

[MPR 188, Amdt. 8 to Order 1052]

MOVABLE WOOD HOUSEHOLD FURNITURE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Order No. 1052 under Maximum Price Regulation No. 188, is amended in the following respect:

Paragraph (b) is amended to read as follows:

(b) *What this order covers.* This order covers sales of articles of movable wood household furniture, including upholstered furniture, with the exception of certain articles mentioned in paragraph (c). As used in this order, household furniture means furniture which is primarily designed for and generally used in homes, such as living room, dining room, bedroom (including wood and fabric folding cots and cedar chests), kitchen, porch, outdoor and juvenile furniture (including cribs, high chairs and wooden bassinettes, bathinettes, play pens, porch and stair gates and infants' toilet seats). Articles of this type are covered by the order even though they are sold for use in places other than households, such as hotels, clubs, institutions and ships. This order also covers dining room, dinette, breakfast room, kitchen and bedroom chair frames, bedroom bench frames, and frames for upholstered furniture. Furniture known in the trade as unpainted furniture, which is ultimately sold to the consumer in that form is also covered. Assembled wood household furniture parts are likewise covered.

This amendment shall become effective August 28, 1944.

Issued this 22d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12690; Filed, August 22, 1944; 11:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Trenton Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN TRENTON, N. J., DISTRICT

Order No. G-2 under Section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use; sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables at Trenton, N. J., New Brunswick, N. J., Perth Amboy, N. J., Red Bank, N. J., Freehold, N. J., and Asbury Park, N. J.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the fresh fruits and vegetables listed in the appendix, annexed hereto and made a part hereof, at the wholesale receiving point listed in said appendix and the markets which each wholesale receiving point so listed serves.

SEC. 2. *Where this order applies.* This order applies in the counties of Mercer, Hunterdon, Ocean, Middlesex, Monmouth, Somerset and Warren in the State of New Jersey.

SEC. 3. *Determination of the amount of freight allowed in establishing maximum selling prices.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of any fresh fruit or vegetable item listed in the appendix annexed hereto at the wholesale receiving point listed in the appendix annexed hereto and in the markets which said wholesale receiving point serves, shall be the amount stated in the said appendix in the column thereof headed by the name of said wholesale receiving point and opposite the fresh fruit and vegetable item listed in the said appendix.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

SEC. 4. *Revocation.* Trenton, New Jersey, Order No. G-1 under section 8 (a). (7) of Maximum Price Regulation No. 426, issued by the Trenton, New Jersey District Office is hereby revoked and shall be of no further effect as of the effective date of this order.

SEC. 5. *Effective Date.* This order shall become effective 12:01 a. m. on August 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, MPR 426, 8 F.R. 16409)

Issued this 16th day of August 1944.

RALPH W. HACKETT,
District Director.

APPENDIX

Freight (including protective service and tax) FROM BASING POINT TO WHOLESALERS IN THE TRENTON, N. J. DISTRICT (includes cartage from NEW YORK CITY or PHILADELPHIA markets to wholesalers premises).

Commodity	Standard container and minimum contents	Basing point	Season	Trenton	Perth Amboy, New Brunswick	Freehold, Red Bank	Asbury Park
Carrots, bunched	L. A. crate 72 bunches each bunch 1 lb.	El Centro, Calif	Jan. 16-Mar. 31	1.70	1.71	1.74	1.76
		El Centro, Calif	Apr. 1-May 31	1.80	1.81	1.84	1.86
		Salinas, Calif	June 1-Nov. 30	1.89	1.90	1.93	1.95
		Salinas, Calif	Dec. 1-Jan. 15	1.79	1.80	1.83	1.85
Cucumbers except hothouse	Bushel, 41 lbs	Wachula, Fla	Jan. 1-May 31	.95	.96	.99	1.00
		Ponchatoula, La	June 1-June 30	1.00	1.01	1.04	1.05
	Lug box 28 lbs	Wachula, Fla	Jan. 1-May 31	.55	.55	.57	.58
	Lug box 28 lbs	Ponchatoula, La	June 1-June 30	.57	.57	.59	.60
Cucumbers hothouse	Per pound	Davenport, Iowa	All year	.02½	.02½	.02½	.02½
Grapefruit, pink, California and Arizona	1⅗ bushel 68 lbs	Los Angeles, Calif	Nov. 16-Apr. 30	1.57	1.58	1.65	1.68
			May 1-Nov. 15	1.62	1.65	1.72	1.75
Grapefruit, pink all other States	1⅗ bushel 80 lbs	Weslaco, Tex	All year	1.62	1.64	1.72	1.75
Grapefruit, white California and Arizona	1⅗ bushel 68 lbs	Los Angeles, Calif	Nov. 16-Apr. 30	1.57	1.58	1.65	1.68
			May 1-Nov. 15	1.62	1.65	1.72	1.75
Grapefruit, white, all other States including Indian River	1⅗ bushel 80 lbs	Homestead, Fla	All year	1.38	1.40	1.48	1.51
Lemons, all States	1⅗ bushel 77 lbs	Los Angeles, Calif	Nov. 1-Apr. 30	1.61	1.62	1.69	1.72
			May 1-Nov. 15	1.75	1.76	1.83	1.85
Green peas	Bushel 28 lbs	Calipatria, Calif	Sept. 1-Mar. 31	.87	.87	.90	.92
		Santa Barbara, Calif	Apr. 1-Aug. 31	.95	.95	.98	1.00
Lettuce, iceberg	L. A. or Salina crate 60 lbs	Salinas, Calif	All year	1.74	1.74	1.76	1.78
Oranges, California and Arizona	1⅗ bushel 77 lbs	Los Angeles, Calif	Nov. 16-Apr. 30	1.70	1.71	1.78	1.81
			May 1-Nov. 15	1.77	1.78	1.85	1.88
Oranges, all other, including Indian River	1⅗ bushel 90 lbs	Homestead, Fla	All year	1.38	1.40	1.48	1.51
Tangerines, all States, except California and Arizona	1⅗ bushel 86 lbs	Homestead, Fla	All year	1.38	1.40	1.48	1.51

[F. R. Doc. 44-12620; Filed, August 21, 1944; 1:53 p. m.]

[Camden Order 1 Under Restaurant MPR 2, Amdt. 1]

Posting Requirements in Camden, N. J., District

For the reasons stated in an opinion issued simultaneously herewith and pursuant to Restaurant Maximum Price Regulation No. 2, Camden District Order No. 1 under Restaurant Maximum Price Regulation No. 2 is amended as follows:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order under Appendix A.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 28, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

This order shall become effective August 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

T. Harold Dempsey,
District Director.

[F. R. Doc. 44-12618; Filed, August 21, 1944; 1:51 p. m.]

[Buffalo Order 1 Under Restaurant MPR 2, Amdt. 1]

Posting Requirements in Buffalo, N. Y., District

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the District Director of the Buffalo, New York District Office of Price Administration, Order No. 1 under Restaurant Maximum Price Regulation No. 2 is hereby amended as follows:

1. Section 1 is amended by changing the first paragraph to read:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages, as set forth in this order.

2. Section 2 is amended by changing the first paragraph to read:

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items, meals and beverages to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 28, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

This amendment shall become effective at 12:01 on August 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

Thomas J. Reese,
District Director.

[F. R. Doc. 44-12619; Filed, August 21, 1944; 1:51 p. m.]

[Region II Order G-2 Under MPR 426, Amdt. 3]

Lettuce in New York Region

Pursuant to the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, Executive Orders 9250 and 9328, and Maximum Price Regulation No. 426, and for the reasons stated in the accompanying opinion, Order No. G-2 under Maximum Price Regulation No. 426 is amended as follows:

1. Section 5 (a) is amended to read as follows:

Type of sale	Maximum markups: Col. 1 — Iceberg lettuce in L. A. or Salinas crates containing not less than 48 heads and a minimum net weight of 60 pounds	Maximum markups: Col. 2 — All lettuce in any container, except Iceberg lettuce packed as described in col. 1, including hothouse lettuce
	Per crate	*Per pound*
(i) Sales by growers or country shippers:		
(a) Through a broker or shipper's sales agent or terminal auction [1]	[1] 0.14	[1] 0.002
(b) Through a commission merchant:		
1. F.o.b. from railroad car, truck, pier, terminal, platform or building [1]	[1] .40	[1] .007
2. F.o.b. commission merchant's warehouse or store, *Provided*, That lettuce has been unloaded into a place in seller's warehouse or store [1]	[1] .80	[1] .008
3. "Delivered" free to the physical premises of any type of purchaser [1]	[1] .80	[1] .008
(c) Delivered free from country shipping point in conveyance owned by the grower or country shipper to the physical premises of retail stores where resale is made to ultimate consumers, to government procurement agencies, or to institutional buyers	.60	.015
(ii) Sales by carlot or trucklot receivers:		
(a) F. o. b. from railroad car, truck, pier, terminal platform or building	.40	.007
(b) F. o. b. seller's warehouse or store, *Provided*, That lettuce has been unloaded into a place in seller's warehouse or store	.80	.008
(c) Delivered free to the physical premises of any type of purchaser	.80	.008
(iii) Sales by secondary jobbers and service wholesalers:		
(a) F. o. b. seller's warehouse or store	.80	.013
(b) Delivered free to the physical premises of any purchaser except an individual retail store or a commercial or institutional user	.80	.013
(c) Delivered free to the physical premises of an individual retail store or a commercial or institutional user	.80	.015
(d) "Delivered" sales by service wholesalers of less than half original containers		.02

[1] The maximum amount which may be added to the carlot or trucklot price for sales by growers or country shippers through brokers, shipper's sales agents or commission merchants shall be the applicable amount named in the table above or the actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent may charge under Maximum Price Regulation No. 165, whichever is lower. In the case of sales through terminal auctions the maximum markup shall be the applicable amount named in the above table or the actual commissions or fees charged for the particular sale, not to exceed the maximum allowable commission or fee which the agent of the auction seller and which the auction company may charge under Maximum Price Regulation No. 165 plus any actual unloading charges in the terminal market, whichever is lower.

2. *Effective date.* This amendment shall become effective, at 12:01 a. m. on August 14, 1944.

Issued this 12th day of August 1944.

Daniel P. Woolley,
Regional Administrator.

Approved:

F. D. Cronin,
Regional Director of Food Distribution.

[F. R. Doc. 44-12631; Filed, August 21, 1944; 1:52 p. m.]

[Escanaba Order 1 Under Restaurant MPR 2]

Posting Requirements in Escanaba, Mich., District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Escanaba District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 ing meals, list the entree and then inwhich you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. *Geographical applicability.* The provision of this order extend to all eating and drinking establishments located within the Escanaba District of the Office of Price Administration.

Sec. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

Lawrence L. Farrell,
District Director.

Appendix A—Forty Items for Which Prices Must Be Posted

A-La-Carte:
1. Coffee.
2. Milk.
3. Doughnuts.
4. Orange juice.
5. Soups.
6. Chili.
7. Combination salad.
8. Hamburger sandwich.
9. Boiled ham sandwich.
10. Egg salad sandwich.
11. American cheese sandwich.
12. Hot pork sandwich.
13. Pie.
14. Ice cream or sherbet sundae—plain.
15. Malted milk.

Breakfast:
16. Cereal and half and half.
17. Choice of fruit juice, choice of cereal, toast, beverage.
18. Bacon or ham, one egg, toast, beverage.
19. Wheat cakes, syrup, beverage.

Plate Lunch:
Entree, potatoes, vegetable, bread and butter, beverage.
20. Plain omelette.
21. Italian spaghetti (designate whether with or without meat balls).
22. Beef roast.
23. Hamburger steak.

Luncheon:
Soup or fruit juice, potatoes, entree, salad, vegetable, bread and butter, beverage, dessert.
24. Plain omelette.
25. Italian spaghetti.
26. Meat stew.
27. Beef roast.
28. Pork chop.
29. Hamburger steak.
30. Fried lake trout.
31. Liver and bacon or onions.

Dinner:
Soup or fruit juice, hors-d'oeuvres, salad, entree, potatoes, vegetable, bread and butter, beverage, dessert.
32. Pork chops.
33. Lamb chops.
34. Small steak.
35. Veal chops.
36. T-Bone steak.
37. Chicken (designate kind most often served).
38. Fried lake trout.
39. Liver and bacon or onions.
40. Baked ham.

[F. R. Doc. 44-12617; Filed, August 21, 1944; 1:51 p. m.]

[St. Louis Order 1 Under Restaurant MPR 2]

Posting Requirements in St. Louis, Mo., District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the St. Louis District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for forty (40) food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in the applicable table of Appendix A of this order, as you offer for sale, and your ceiling prices for each. You will find in Appendix A several tables of food items and meals. Choose the table most applicable to your establishment.

(b) If you do not offer all the forty (40) items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to forty (40), with your ceiling price for each item.

(c) If you do not offer as many as forty (40) items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak

dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand-lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the St. Louis District of the Office of Price Administration, that is, that portion of the State of Missouri including and lying East of the Counties of Schuyler, Adair, Macon, Chariton, Howard, Cooper, Morgan, Camden, Laclede, Wright, Douglas, and Ozark. However, this order does not apply to those eating and drinking establishments located within the corporate limits of the City of St. Charles, Missouri, for which specific dollars-and-cents ceiling prices for food items and meals have been established by Revised Special Order No. 1, issued by the St. Louis District Office under Revised Restaurant Maximum Price Regulation 5–8.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

APPENDIX A

TABLE I—RESTAURANTS, NIGHT CLUBS, HOTEL COFFEE SHOPS AND DINING ROOMS

If you operate one of the above mentioned eating or drinking establishments, you must post, and submit to your local War Price and Rationing Board, the list required by section 1, showing the following items and your ceiling prices for them:

Fruit and vegetable juices:
1. Orange juice.
2. Tomato juice.

Breads:
3. Buttered toast.
4. Sweet roll.

Breakfast items:
5. Dry cereal with milk.
6. Cooked cereal with milk.
7. Two fried eggs, toast and coffee.
8. Ham, bacon or sausage, one fried egg, toast and coffee.
9. Ham, bacon or sausage, two fried eggs, toast and coffee.
10. Hot cakes.
11. Waffle.

Soup:
12. Vegetable soup.
13. Tomato soup.

Luncheon and dinner items a la carte (indicate items included):
14. Roast beef.
15. Hamburger steak.
16. Liver and onions.
17. Creamed chicken.
18. Fried chicken.
19. Fried haddock.
20. Vegetable plate.
21. Roast lamb.
22. Breaded veal cutlet.

Noon luncheon—described below—list all the items you serve on your two most popular luncheons:

	Soup	Appetizer	Salad	Entree
23.				
	No. of Veg.		Drink	Dessert
24.				

Evening dinner—described below—list all the items you serve on your two most popular dinners:

	Soup	Appetizer	Salad	Entree
25.				
	No. of Veg.		Drink	Dessert
26.				

Sandwiches:
27. Baked ham.
28. American cheese.
29. Hamburger.
30. Chicken salad.
31. Bacon and Tomato.
32. Hot beef with potatoes and gravy.

Drinks:
33. Coffee.
34. Tea (iced).
35. Milk, per bottle (give size of bottle).

Steaks:
36. Club.
37. Sirloin steak.
38. Pork chop.

Dessert:
39. Apple pie.
40. Ice cream (plain).

TABLE II—CAFETERIAS

If you operate a cafeteria, you must post, and submit and to your local War Price and Rationing Board, the list required by section 1, showing the following items and your ceiling prices for them:

Salads:
1. Potato salad.
2. Cold slaw.
3. Fruit salad.

Entrees:
1. Fried haddock.
2. Chicken croquettes.
3. Pot roast of beef.
4. Roast pork.
5. Meat loaf.
6. Meat balls with spaghetti.
7. Hamburger steak.
8. Liver and onions.
9. Creamed chicken.
10. Beef stew.
11. Chicken pie.
12. Breaded veal cutlet.

Vegetables:
1. Mashed potatoes.
2. Carrots.
3. Boiled cabbage.
4. Spinach.
5. Beets.
6. Peas.
7. Baked beans.
8. Creamed corn.

Desserts:
1. Apple pie.
2. Cake.
3. Ice cream (plain).
4. Rice pudding.
5. Gelatine.

Drinks:
1. Tea—hot.
2. Iced coffee.
3. Coffee.
4. Iced tea.
5. Milk, per bottle (give size of bottle).
6. Buttermilk.

Bread:
1. White or wholewheat (number of slices).
2. Bread roll.

Soup:
1. Homemade vegetable soup.

Vegetables:
9. French fried potatoes.
10. Green beans.
11. Lima beans.

TABLE III—DRUG AND DEPARTMENT STORE SODA FOUNTAINS, SANDWICH SHOPPES, TAVERNS, AND SIMILAR ESTABLISHMENTS

If you operate one of the above mentioned eating or drinking establishments, you must post, and submit to your local War Price and Rationing Board, the list required by section 1, showing the following items and your ceiling prices for them:
1. Orange juice.
2. Tomato juice.
3. Dry cereal with milk.
4. Two fried eggs, toast, and coffee.
5. Ham, bacon or sausage, one fried egg, toast and coffee.
6. Ham, bacon or sausage, two fried eggs, toast and coffee.
7. Hot cakes.
8. Waffle.
9. Soup.
10. Chili.

Luncheon and dinner items (Fill in what served with these items in luncheon):
11. Roast beef.
12. Hamburger steak.
13. Baked ham.
14. Fried chicken.
15. Fried fish (specify kind)
16. Club steak.
17. Pork chop.
18. Malted milk.
19. Milk shake.
20. Sundae.
21. Ice cream soda.
22. Ice cream, plain.

Sandwiches:
23. Chicken salad.
24. Baked ham.
25. Ham salad.
26. Bacon and tomato.
27. Hot beef.
28. Barbecue beef.
29. Barbecue rib.
30. Frankfurter.
31. Hamburger.
32. Egg.
33. Cheese.
34. Steak.

Drinks:
35. Coffee.
36. Tea (iced).
37. Milk, per bottle (give size of bottle).

Desserts:
38. Apple pie.
39. Cake.
40. Sweet roll.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued at St. Louis, Missouri, this 31st day of July 1944.

E. G. HOTCHKISS,
Acting District Director.

[F. R. Doc. 44-12814; Filed, August 21, 1944; 1:48 p. m.]

[Montgomery Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN MONTGOMERY, ALA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Montgomery District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Montgomery District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

A. H. COLLINS,
District Director.

[F. R. Doc. 44-12816; Filed, August 21, 1944; 1:49 p. m.]

[San Antonio Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SAN ANTONIO, TEXAS DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Antonio District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal; for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is multiated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the San Antonio District of the Office of Price Administration, consisting of the following counties:

Aransas, Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Crockett, DeWitt, Dimmit, Duval, Edwards, Frio, Gillespie, Guadalupe, Goliad, Gonzales, Hays, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kimble, Kleberg, LaSalle, Live Oak, Llano, McMullen, Mason, Maverick, Medina, Menard, Nueces, Real, Refugio, San Patricio, Schleicher, Starr, Sutton, Terrell, Travis, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zapata, and Zavala, and that portion of Lavaca County which lies within the corporate limits of the City of Yoakum, Texas.

SEC. 5. *Exemptions.* All establishments which are exempt from the provisions of Restaurant Maximum Price Regulation No. 2 are exempt from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at San Antonio, Texas, this 1st day of August 1944.

C. T. GIESEN,
Acting District Director.

APPENDIX A

TABLE I

If you operate a restaurant, hotel coffee shop, or a dining room, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following items and your ceiling prices therefor:

Food Item or Meal

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

NOTE: If you offer more than one size, indicate the most popular, as large, small, etc.

Pie, donuts, etc.:
4. Buttered toast.
5. Donuts (show number in customary unit of sale).
6. Plain sweet roll (untoasted).
7. Apple pie.

Breakfast items:
8. Dry cereal with cream (or with milk if you do not serve cream).
9. Cooked cereal with cream (or milk if you do not serve cream).
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham, bacon or sausage, two eggs, toast and coffee.
13. Hot cakes (three).
14. Waffle.

Soups, etc.:
15. Soup (homemade).
16. Soup (canned).
17. Chili.

Luncheon and dinner items a la carte (indicate items included):
18. Roast beef.
19. Hamburger steak.
20. Liver and onions or bacon.
21. Breaded veal cutlet.
22. Fried chicken.
23. Tenderloin of trout.
24. Short ribs of beef.
25. Fried oysters (½ dozen) (1 dozen).

Noon luncheon—described below—two most popular luncheons.
26. _____
(See [1] Note)
27. _____
(See [1] Note)

Be *sure* to describe the meal you serve.

Evening dinner—described below—two most popular:
28. _____
(See [1] Note for noon luncheon)
29. _____
(See [1] Note for noon luncheon)

Sandwiches:
30. Ham.
31. American cheese.
32. Hamburger.
33. Chicken salad.
34. Bacon and tomato.
35. Hot beef with potatoes and gravy.

Drinks:
36. Coffee.
37. Milk.

Steaks (describe and also indicate items included):
38. T-bone.
39. Sirloin steak.
40. Pork chops.

TABLE II

If you operate a Cafeteria, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following items and your ceiling prices therefor:

Salads:
1. Potato salad.
2. Combination.
3. Fruit salad.

Entrees:
4. Fried gulf trout.
5. Croquettes.
6. Pot roast of beef.
7. Roast pork.
8. Meat loaf.
9. Meat balls with spaghetti.
10. Small T-bone.
11. Liver and onions or bacon.
12. Creamed chicken.
13. Beef stew.

Vegetables:
14. Mashed potatoes.
15. Buttered carrots.
16. Boiled cabbage.
17. Spinach.
18. Buttered beets.
19. Peas.
20. Baked beans.
21. Corn.
22. Baked potato.
23. Green beans.
24. Lima beans.

Desserts:
25. Apple pie.
26. Cake.
27. Ice cream (dish).
28. Donuts (show number in customary unit of sale).
29. Plain sweet roll (untoasted).

Drinks:
30. Hot tea.
31. Iced coffee.
32. Coffee.
33. Iced tea.
34. Milk (half pint).

Bread:
35. White or whole-wheat (per slice).
36. Corn stick.
37. Hard roll.
38. Butter (per pat).

Soup, etc.:
39. Homemade vegetable.
40. Chili.

TABLE III

If you operate a Night Club or Sandwich Place, you must post, and submit the list as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board, the following items and your ceiling prices therefor:

Food Item or Meal

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice appetizers (except alcoholic).

NOTE: If you offer more than one size, indicate the most popular, as large, small, etc.

Cocktails:
4. Shrimp cocktail.
5. Oyster cocktail.
6. Fruit cocktail.

Pie, soups and chili:
7. Pie.
8. Soup (homemade).
9. Soup (canned).
10. Chili.

A la Carte Luncheon & Dinner Items (fill in what served with these items in a la carte):
11. Roast beef.
12. Hamburger steak.
13. Liver and onions.
14. Creamed chicken.
15. Fried chicken.
16. Tenderloin of trout.
17. Fried oysters (½ dozen) (1 dozen).

Fountain items:
18. Malted milk.
19. Milk shake.
20. Sundae.
21. Ice cream soda.
22. Ice cream (dish).
23. Milk chocolate.
24. Limeade (large).
25. Banana split.

Sandwiches:
26. Chicken salad.
27. Ham and cheese.
28. Sliced chicken.
29. Bacon and tomato.
30. Hot beef with potatoes.
31. Hot pork.
32. Hot steak.

Steaks and chops and fish (describe and also indicate items included):
33. T-Bone.
34. Sirloin.
35. Club steak.
36. Pork chops.
37. Broiled flounder.
38. Trout.

Drinks:
39. Coffee.
40. Milk.

[1] NOTE: For example; Merchants' lunch—soup—salad—entree—2 vegetables—drink—dessert.

[1] NOTE: For example: Merchants' Lunch—Soup—Salad—Entree—2 Vegetables—Drink—Dessert.

[F. R. Doc. 44-12615; Filed, August 21, 1944; 1:49 p. m.]

[Region V Order G-2 Under MPR 336, MPR 355 and MPR 394]

FABRICATED MEAT CUTS IN DESIGNATED CITIES IN KANSAS

Order No. G-2 under section 5 (c) of: Maximum Price Regulation No. 336. Retail ceiling prices for pork cuts and certain sausage products: Maximum Price Regulation No. 355. Retail ceiling prices for beef, veal, lamb and mutton cuts and all variety meats and edible by-products: and Maximum Price Regulation No. 394. Retail ceiling prices for Kosher beef, veal, lamb and mutton cuts.

Pursuant to section 5 (c) of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 and Maximum Price Regulation No. 394, as incorporated by Amendment 15 to Maximum Price Regulation No. 336, and Amendment 17 to Maximum Price Regulation No. 355, and Amendment 6 to Maximum Price Regulation No. 394, the Regional Administrator of Region V, on his own motion, finds that the area contained in the corporate limits of each of the following cities situated within the state of Kansas is each an area deficient in supplies of fabricated meat cuts for purveyors of meals:

Coffeyville, Dodge City, Garden City, Great Bend, Hutchinson, Liberal, Pratt, Parsons, Topeka, Salina, Lawrence, Pittsburg, and Manhattan.

The reason the Regional Administrator of Region V finds the area contained within the corporate limits of each city above listed to be an area deficient in supplies of fabricated meat cuts for purveyors of meals is because it is found that the following conditions exist in each of said cities:

1. Purveyors of meals within each respective area are unable to obtain fabricated meat cuts covered by the above named regulations in sufficient volume to supply their requirements as determined under Ration Order No. 16 during the two month period immediately preceding May 1, 1944;

2. The dealers in each said respective area selling fabricated meat cuts do not have adequate facilities or quotas to supply the requirements of purveyors of meals located in each respective area as determined under No. 1 above; and

3. Purveyors of meals in each respective area customarily have relied upon, and find it necessary to continue to rely upon, local retail dealers in each respective area for supplies of meats sufficient to fill their requirements.

Accordingly, the area within the corporate limits of each of the above named cities situated in the state of Kansas, is hereby ordered and declared to be an area deficient in the supply of fabricated meat cuts covered by the above named price regulations for purveyors of meals within the intent and purposes of said section 5 (c) of each of the aforesaid maximum price regulations.

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or by declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective August 14, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 14th day of August 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-12623; Filed, August 21, 1944; 1:52 p. m.]

[St. Louis Order G-1 Under 3 (c)]

GENERAL GROCER COMPANY

ESTABLISHMENT OF MAXIMUM PRICES

Order No. G-1 under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices for sales at retail of certain headgear.

For the reasons set forth in the accompanying opinion and under the authority vested in the St. Louis District Office of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation and by Region V Delegation Order No. 38, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish a specific maximum price for certain headgear described in this order when sold or offered for sale at retail by any retail grocery store purchasing such headgear from the General Grocer Company.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all retail grocery sellers located in the City of St. Louis and County of St. Louis, Missouri.

SEC. 3. *Ceiling prices.* (a) On and after August 14, 1944, if you operate a retail grocery store, and if you purchase the specific headgear described herein from the General Grocer Company, your maximum prices for the sale of such headgear shall be:

Style No.	Description	Authorized max. price
A-9 DWG No. 42-G-6861, AC Order No. 42-19367-F.	Aviator Air Helmet—khaki, cotton twill, leather chin strap with shearling protection, fur ear pieces inside helmet.	$0.40 each.

(b) Lower prices than those established for the headgear described in this section may be charged, demanded, paid or offered.

SEC. 4. *Description of persons and commodity covered by this order.* The provisions of this order apply to you only if you operate a retail grocery store and

you purchase the following commodity from the General Grocery Company for resale at retail:

Style Number

A-9 DWG No. 42-G-6861 AC Order No. 42-19387-P.

Description

Aviator Air Helmet—khaki, cotton twill, leather chin strap with shearling protection, fur ear pieces inside helmet.

SEC. 5. *Records.* (a) In connection with the sale of any item of headgear for which a maximum price is established by this order, you shall keep records (including all purchase invoices), showing the style number, description, cost and selling price of such item of headgear.

(b) You shall keep a copy of this order in your place of business and make it available for inspection by any person during business hours.

SEC. 6. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Upon request from a purchaser, regardless of your previous custom, you shall give the purchaser a receipt showing the date, your name and address, the name of each commodity sold, and the price received for it.

SEC. 7. *Revocation and amendment.* This order is subject to revocation or amendment at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued to any price regulation, the provisions of which may be contrary hereto.

SEC. 8. *Relation to other regulations.* In all particulars not specifically covered and excepted your sales of the commodity listed herein shall be subject to the provisions of the General Maximum Price Regulation.

SEC. 9. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, as amended, shall apply to the terms used herein.

SEC. 10. *Effective date.* This order shall become effective at 12:01 a. m. on August 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at St. Louis, Missouri, this 12th day of August 1944.

EDWARD G. HOTCHKISS,
Acting District Director.

[F. R. Doc. 44-12622; Filed, August 21, 1944; 1:53 p. m.]

[Region VI Order G-39 Under MPR 329]

PRODUCERS' MILK IN KIEL, WIS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be 73¢ per pound of butterfat content in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the town Kiel, Wisconsin, or who sell within that town 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from October 1, 1943, to June 30, 1944, and are not applicable to purchasers from producers who did not in that period sell to distributors covered by this order.

(c) *Definitions.* Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery of supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

This order shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-12624; Filed, August 21, 1944; 1:54 p. m.]

[Region VI Order G-38 Under SR 15, MPR 280, MPR 329]

FLUID MILK IN FREDERIC, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.70 per cwt. for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by section (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Frederic, Wisconsin, or who sell within that city 50% or more of the milk sold by them. The maximum price provided in section (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk during the period January 1, 1944, to July 1, 1944, and are not applicable to purchases from producers who did not in those months sell to any distributor covered by this order.

(c) *Maximum distributor prices to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Frederic, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation and under Maximum Price Regulation No. 280, whichever is appropriate for the type of sale being made, or the following prices, whichever shall be higher:

Container Size	*Wholesale*	*Retail*
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ Gallon	.19	.23
Quart	.10	.12
Pint	.05½	.06½
½ Pint	.03	.03½

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit may be increased to the next even cent. An opportunity must, however, be given to each purchaser to buy two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army or Navy shall be the price at wholesale computed under section (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. ½ cent per quart or a proportionate amount of a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of section (c) of this order, sales and deliveries in Frederic, Wisconsin, shall mean:

1. All sales made within the municipal limits of Frederic, Wisconsin, and all sales at or from an establishment located in said community;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located in Frederic, Wisconsin.

(f) *Definitions.* (1) "Fluid milk" means cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance distributed for human consumption in fluid form as whole milk.

2. "Sales at wholesale" shall include all sales to retail stores and to restaurants, army camps, prisons, schools, hospitals and other institutions.

3. "Army and Navy" means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 280 of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Administrator of the War Food Administration.

Effective date. This order shall become effective August 1, 194.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-12625; Filed, August 21, 1944; 1:54 p. m.]

[Region VII 2d Rev. Order G-7 Under SR 15, Amdt. 7]

FLUID MILK IN CERTAIN AREAS IN COLORADO

Pursuant to the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, and § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 7 is issued.

1. Paragraphs (f), (g) and (h) of 2d Revised Order No. G-7 under Supplementary Regulation No. 15 of the General Maximum Price Regulation are hereby re-designated (i), (j) and (k) respectively, and three new paragraphs designated (f), (g) and (h) respectively are inserted to read as follows:

(f) *Limitation on applicability.* The specific maximum prices established for the several areas in the state of Colorado as set forth in paragraph (b) hereof, have been arrived at and determined upon a statistical basis which assumes that the producer of the milk sold will be paid therefor the maximum price authorized by 2d Revised Order No. G-10 under Maximum Price Regulation No. 329. Therefore, the specific maximum prices established for said several areas of the state of Colorado shall be available to those dealers only who are producers of the milk sold; or who have purchased the milk sold from a producer or producers to whom they have paid the full maximum price authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329; or who have purchased the milk sold from an intermediate seller or distributor who certifies on the invoice or other written memorandum of the transaction that the producers of the milk sold were paid the full maximum price authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329. If the producer of the milk sold or offered to be sold has not been paid therefor the full maximum price established by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329, then the seller's maximum prices at wholesale and at retail shall be ¼¢ less per quart and a proportionate reduction where the unit of quantity sold is less than a quart, below the specific maximum prices set forth in this 2d Revised Order No. G-7 for the area in the state of Colorado in which the sale is made, for each 3¢ that the price paid the producer is below such authorized maximum price. If any part or portion of the milk sold at wholesale or at retail by a seller during any calendar month is milk for which the producer has not been paid the full maximum price as authorized by said 2d Revised Order No. G-10 under Maximum Price Regulation No. 329, then all of the milk sold in the state of Colorado by such seller during such calendar month shall be subject to this limitation and his maximum prices therefor shall be determined upon the basis of the lowest price paid by him to any producer for any part or portion of the total quantity of milk sold by him during such calendar month.

(g) *Certification as to price paid producer.* Any person other than the producer thereof, who sells milk to a distributor or dealer for resale either at wholesale or at retail under this 2d Revised Order No. G-7, shall, at the time of the sale, deliver to the purchaser a written invoice or other memorandum of the transaction upon which the seller shall certify that the producer of the milk was or was not, as the case may be, paid the full maximum price authorized by said 2d Revised Order No. G-10 for Colorado producers, under Maximum Price Regulation No. 329, and if such maximum price was not paid the producer, the price actually paid said producer shall be stated.

(h) *Penalty for false certificate.* A false certificate made by any person pursuant to paragraph (g) above, shall constitute a violation of this Regulation and subject the maker thereof to the penalties provided by the Emergency Price Control Act of 1942 as amended for such offense.

2. *Effective date.* This Amendment No. 7 shall become effective on the 14th day of August 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-12626; Filed, August 21, 1944; 1:54 p. m.]

[Region VII Rev. Order G-8 Under 18 (c), Amdt. 1]

FLUID MILK IN WYOMING

Pursuant to the Emergency Price Control Act of 1942 as amended, the Stabilization Act of 1942 as amended, and § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraphs (k), (l) and (m) of Revised Order No. G-8 under Section 1499.18 (c) of the General Maximum Price Regulation, are hereby redesignated paragraphs (n), (o) and (p) respectively, and three new paragraphs designated (k), (l) and (m) respectively, are inserted to read as follows:

(k) *Limitation on applicability.* The specific maximum prices established for the several districts in the state of Wyoming as set forth in paragraphs (b), (c), (d) and (e), respectively, have been arrived at and determined upon a statistical basis which assumes that the producer of the milk sold will be paid therefor the maximum price authorized by Order No. G-11 or Second Revised Order No. G-10 under Maximum Price Regulation No. 329. Therefore, the specific maximum prices established for said several districts of the state of Wyoming shall be available to those dealers only who are producers of the milk sold; or who have purchased the milk sold from a producer or producers to whom they have paid the full maximum price authorized by said Order No. G-11 under Maximum Price Regulation No. 329 if the purchase is made from a Wyoming producer, or Second Revised Order No. G-10 under Maximum Price Regulation No. 329 if the purchase is made from a Colorado producer; or who have purchased the milk sold from an intermediate seller or distributor who certifies on the invoice or other written memorandum of the transaction, that the producers of the milk sold were paid the full maximum price authorized by said Order No. G-11, or said Second Revised Order No. G-10 under Maximum Price Regulation No. 329. If the producer of the milk sold, or offered to be sold, has not been paid therefor, the full maximum price established for Wyoming producers by said Order No. G-11, or the full maxi-

mum price established for Colorado producers by said Second Revised Order No. G–10, then the seller's maximum prices at wholesale and at retail shall be ¼¢ less per quart, and a proportionate reduction where the unit of quantity sold is less than a quart, below the specific maximum prices set forth in this Revised Order No. G–8 for the district in which the sale is made, for each 3¢ that the price paid the producer is below such authorized maximum price. If any part or portion of the milk sold at wholesale or retail by a seller during any calendar month is milk for which the producer has not been paid the full maximum price as authorized by said Order No. G–11 for Wyoming producers, or said Second Revised Order No. G–10 for Colorado producers, then all of the milk sold by such seller during such calendar month shall be subject to this limitation and his maximum prices therefor shall be determined upon the basis of the lowest prices paid by him to any producer for any part or portion of the total quantity of milk sold by him during such calendar month.

(l) *Certification as to price paid producer.* Any person other than the producer thereof, who sells milk to a distributor or dealer for resale either at wholesale or at retail under this Revised Order No. G–8, shall, at the time of the sale, deliver to the purchaser a written invoice or other memorandum of the transaction upon which the seller shall certify that the producer of the milk was or was not, as the case may be, paid the full maximum price authorized by said Order No. G–11 for Wyoming producers, or said Second Revised Order No. G–10 for Colorado producers; and if such maximum price was not paid the producer, the price actually paid said producer shall be stated.

(m) *Penalty for false certificate.* A false certificate made by any person pursuant to paragraph (l) above, shall constitute a violation of this Regulation and subject the maker thereof to the penalties provided by the Emergency Price Control Act of 1942 as amended for such offense.

2. *Effective date.* This Amendment No. 1 shall become effective on the 14th day of August 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–12627; Filed August 21, 1944; 1:55 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–942]

CENTRAL NEW YORK POWER CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of August 1944.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central New York Power Corporation (Central New York), a subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Central New York proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U–50, $50,000,000 principal amount of General Mortgage Bonds, to be dated October 1, 1944 and to be due October 1, 1974, the bid or bids for such bonds to fix the interest rate (not to exceed 3% per annum) and the price to be paid to the company. The proceeds of the sale of these bonds are to be applied, together with treasury cash, to redeem all of Central New York's General Mortgage Bonds 3¾% series due October 1, 1962, outstanding as of September 1, 1944 in the principal amount of $45,000,000, at the redemption price of 104% of the principal amount thereof plus accrued interest to the date of redemption; and to redeem all of its General Mortgage Bonds, 3½% series, due July 1, 1965, in the principal amount of $5,000,000 at the redemption price of 104½% of the principal amount thereof together with accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on September 8, 1944 at 11 a. m., e. w. t. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time designate. All persons desiring to be heard or otherwise wishing to participate in the proceeding shall file with the Commission on or before September 4, 1944 a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practices; and

It is further ordered, That, without limiting the scope of the issues presented by such application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds by Central New York are solely for the purpose of financing the business of the company and have been expressly authorized by the State Commission of the State in which the company is organized and doing business.

(2) Whether the fees, commissions or other remunerations to be paid in connection with the proposed issue and sale of bonds are appropriate and reasonable.

(3) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions, and, if so, what the terms and conditions should be.

It is further ordered, That notice of the aforesaid hearing be given to the applicants and to all other persons; said notice to be given to the applicants and to the New York Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–12652; Filed, August 22, 1944; 9:45 a. m.]

WAR FOOD ADMINISTRATION.

STABILIZATION OF SALARIES AND WAGES OF AGRICULTURAL LABOR

DELEGATION OF AUTHORITY TO WASHINGTON WFA WAGE BOARD

Pursuant to the authority granted the War Food Administrator by regulations of the Director of the Office of Economic Stabilization issued August 28, 1943 (8 F.R. 11960, 12139, 16702; 9 F.R. 6035), by virtue of the authority vested in the President by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. No. 729, 77th Cong. 2d Sess.), as amended by the Public Debt Act of 1943 entitled "An Act to increase the debt limit of the United States and for other purposes," (Pub. No. 34, 78th Cong., 1st Sess.), and as amended by the Stabilization Extension Act of 1944, entitled "An Act to Amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes (Public Law 383, 78th Congress, 2d Sess.), and vested by the President in the Economic Stabilization Director under Executive Order 9328 dated April 8, 1943 (8 F.R. 4681) there is hereby delegated to the Washington WFA Wage Board all the powers conferred upon the War Food Administrator with respect to the program for stabilization of salaries and wages of agricultural labor employed in the State of Washington, insofar as the powers relate to the granting or denying of approval of applications for wage or salary increases or decreases, pursuant to the regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944, as amended (9 F.R. 655, 6011, 7378, 9641). For the purposes of this delegation to approve or deny wage or salary increases or decreases, pursuant to the regulations aforesaid, three members of the Washington WFA Wage Board shall constitute a quorum authorized to act with regard to such matters.

Any ruling of the Washington WFA Wage Board upon an application for increase or decrease in wages or salaries of agricultural labor shall be final, subject only to the Administrator's right of review on his own initiative. Any reversal or modification of such a ruling by the Administrator shall take effect from the date the affected party is notified thereof or at such later date as is specified in the notification: *Provided, however*, That if a ruling denying an application for permission to make a wage increase or decrease is overruled, the final ruling by the Administrator shall incorporate the effective date of the approval.

The Washington WFA Wage Board shall forward to the Director, Office of Labor, War Food Administration, a copy of each application for wage or salary increase or decrease made pursuant to the regulations relative to salaries and wages of agricultural labor issued January 17, 1944, as amended (9 F.R. 655, 6011, 7378, 9641) and a copy of the Board's ruling thereon. Such copies shall be forwarded every two weeks.

Issued this 21st day of August 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44–12635; Filed, August 21, 1944; 3:29 p. m.]

WAR MANPOWER COMMISSION.

MARYLAND, NORTH CAROLINA, VIRGINIA, WEST VIRGINIA, AND DISTRICT OF COLUMBIA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Region IV is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Objectives.
2. Definitions.
3. Exclusions.
4. General hiring provisions.
5. Issuance of statements of availability by employers.
6. Issuance of statements of availability and referrals to employment by United States Employment Service.
7. Contents of statements of availability.
8. Determination and administration of employment ceilings.
9. Authority and responsibilities of management-labor committee.
10. Encouragement of local initiative and use of existing hiring channels.
11. General referral policies.
12. Control of hiring and solicitation of workers.
13. Solicitation of workers.
14. Hiring.
15. Representation.
16. Appeals.
17. Enforcement.
18. Release of workers hired contrary to the program.
19. Discontinuance of inter-area releases.
20. Effective date.
21. Amendments.
22. Publication.

SECTION 1. *Objectives.* In furtherance of the war effort the Regional Director of the War Manpower Commission of Region IV with the concurrence of the Regional Management-Labor Committee has adopted the following program. The purpose of the program is to eliminate wasteful labor turnover, to reduce unnecessary migration by encouraging the full use of local labor, to direct scarce labor where most needed in the war program and to obtain maximum utilization of the manpower resources under standards protecting the rights of all concerned.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) Region IV includes the States of Maryland, North Carolina, Virginia, West Virginia and the District of Columbia. This program is applicable throughout the Region except in areas in which an approved area program is established.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employees" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than 7 days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities.

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The term "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(i) "Certificate of prior employment" is a written certification by an applicant for employment as to the name and location of each employer for whom he has worked during the past 60 days, his occupation, and the date of separation from his most recent employer.

SEC. 3. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee whose last regular employment was in agriculture provided the new employment does not exceed six weeks in duration;

(c) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(d) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(e) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, country or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practical under the Constitution and laws applicable to it, with the program;

(f) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(g) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 4. *General hiring provisions*—(a) *Hiring of male workers.* No new male employee may be hired except upon referral by, or in accordance with arrangements approved by the United States Employment Service. Such referral or arrangements for hiring shall be in accordance with approved policies and instructions of the War Manpower Commission.

(b) *Hiring of female workers.* A new female employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such female individual is hired for work in an essential or locally needed activity or for work to which she has been referred by the United States Employment Service, and,

(ii) Such female individual presents a statement of availability from her last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(2) A new female employee, who during the preceding 60-day period was not engaged in an essential or locally needed activity may be hired only if she signs a certificate of prior employment, or is referred by the United States Employment Service.

(3) Female workers who may be hired only upon referral by the United States Employment Service. A new female employee may not be hired solely upon presentation of a statement of availability or a certificate of prior employment, but may be hired only upon referral by, or in accordance with arrangements approved by the United States Employment Service when:

(i) The new female employee is to be hired for work in a critical occupation, or her statement of availability indicates that her last employment was in a critical occupation.

(ii) The new female employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(iii) The new female employee's last regular employment was in agriculture and she is to be hired for non-agricultural work exceeding 6 weeks in duration, *Provided:* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration.

(c) *Evidence of compliance with hiring provisions.* Employers shall keep on file statements of availability, referral cards, and certificates of prior employment, and shall make them available for inspection upon request by a representative of the War Manpower Commission.

SEC. 5. *Issuance of statements of availability by employers.* In each case, an individual whose last employment is or was in an essential or locally needed activity shall be issued a statement of availability by his employer when:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(f) An employer failing or refusing after due notice to issue a Statement of Availability as provided in paragraphs (a) and (b) above, shall be subject to the provisions of section 17 hereof.

SEC. 6. *Issuance of statements of availability and referrals to employment by United States Employment Service.* (a) If an employer fails or refuses to issue a statement to an individual when any of the circumstances set forth in section 5 is found to exist in his case, a statement of availability shall be issued promptly by the USES, or upon the individual's request he shall be referred to other employment in accordance with the provisions of this program.

(b) The United States Employment Service shall issue a statement of availability to, or upon request, refer any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is need in the war effort, the United States Employment Service, may upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(d) A worker seeking a statement of availability or a referral to employment under any circumstances except where he has been laid off or discharged from his last employment by his employer, shall be urged to remain on his job until the statement is issued, unless remaining on the job would subject him to undue personal hardship.

SEC. 7. *Contents of statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer, or War Manpower Commission office and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 8. *Determination and administration of employment ceilings.* Upon the advice and recommendation of his Manpower Priorities Committee and subject to review by his Management-Labor Committee an Area Manpower Director may fix for all or any establishments in his administrative area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishments actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in exceeding the employment ceiling or allowance currently applicable to such establishment.

SEC. 9. *Authority and responsibilities of Management-Labor Committee.* The State and Area Management-Labor War Manpower Committees are hereby authorized to consider questions of policy, standards and safeguards not inconsistent with this program, in connection with the establishment and the administration of area employment stabilization programs, and to make recommendations through their respective Manpower Directors to the Regional Manpower Director.

SEC. 10. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies, and such use is hereby approved.

SEC. 11. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 12. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in those localities of this region which are not covered by approved area employment stabilization programs shall be conducted in accordance with this employment stabilization program.

SEC. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 14. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, sex, creed, and, national origin, or except as required by law, citizenship.

SEC. 15. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this program.

SEC. 16. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program in accordance with regulations and procedures of the War Manpower Commission. The granting or denial of a statement of availability by the United States Employment Service of the War Manpower Commission may be appealed by an employer or an employee provided an appeal is filed within five days from receipt of notice of such determination with the United States Employment Service local office.

SEC. 17. *Enforcement.* The Regional Director or his designated representative shall take such action as is necessary to effect compliance with this program in accordance with authority provided under applicable Congressional enactments, executive orders, and regulations of the War Manpower Commission.

SEC. 18. *Release of workers hired contrary to the program.* If the War Manpower Commission determines that an employer has hired any worker contrary to this program, the employer shall upon notice of such determination release the worker from his employ. Any worker so released shall be referred to his last previous employer or to employment by the United States Employment Service of the War Manpower Commission or by the hiring union where he will do the most good in the furtherance of the war program.

SEC. 19. *Discontinuance of inter-area releases.* The provisions of the previous Region IV employment stabilization program, requiring migrant workers to obtain and present inter-area releases, are hereby rescinded.

SEC. 20. *Effective date.* The provisions of this program shall become effective July 1, 1944.

SEC. 21. *Amendments.* This program may be altered or amended in the same manner as provided for in its original adoption.

SEC. 22. *Publication.* The Area, State and Regional Manpower Directors and their Managament-Labor Committees shall inform all concerned, through appropriate and effective methods of the provisions of this program.

Approved June 17, 1944.

HENRY E. TREIDE,
Regional Director.

[F. R. Doc. 44-12613; Filed, August 21, 1944; 1:32 p. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 169

Washington, Thursday, August 24, 1944

The President

EXECUTIVE ORDER 9468

TRANSFER OF CERTAIN PERSONNEL AMONG THE COAST AND GEODETIC SURVEY AND THE WAR AND NAVY DEPARTMENTS

By virtue of the authority vested in me by section 16 of the act of May 22, 1917, 40 Stat. 87 (U. S. C., title 33, Sec. 855), and as President of the United States, and in view of the existing national emergency, it is hereby ordered as follows:

1. Commissioned officers of the Coast and Geodetic Survey transferred to the service and jurisdiction of the War or Navy Department are hereby authorized to be returned to the service and jurisdiction of the Coast and Geodetic Survey when so directed by the Secretary of War or the Secretary of the Navy.

2. Commissioned officers of the Coast and Geodetic Survey are hereby authorized to be transferred to the service and jurisdiction of the War or Navy Department as replacements for commissioned officers of the Coast and Geodetic Survey serving with those departments upon mutual agreement between the Secretary of Commerce and the Secretary of War or the Secretary of the Navy.

3. Commissioned officers of the Coast and Geodetic Survey shall, while under the jurisdiction of the War or Navy Department, serve under their commissions in the Coast and Geodetic Survey, and while so serving shall constitute a part of the active military or naval forces of the United States and shall be under direct orders of the War or Navy Department and subject to the laws, regulations, and orders for the government of the Army or Navy so far as they may be applicable.

4. Commissioned officers of the Coast and Geodetic Survey transferred to the War or Navy Department shall be returned to the Coast and Geodetic Survey when the present national emergency ceases to exist, unless sooner returned in accordance with this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 22, 1944.

[F. R. Doc. 44-12785; Filed, August 23, 1944; 11:07 a. m.]

Regulations

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5399]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

DISALLOWANCE OF CERTAIN DEDUCTIONS

Regulations 111 amended to conform to section 129 of the Revenue Act of 1943, relating to disallowance of certain deductions attributable to business operated by individual at loss for five years.

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] to section 129 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

There is inserted immediately preceding section 131 the following:

SEC. 129. DISALLOWANCE OF CERTAIN DEDUCTIONS ATTRIBUTABLE TO BUSINESS OPERATED BY INDIVIDUAL AT LOSS FOR FIVE YEARS. (Revenue Act of 1943, Title I.)

(a) *In general.* Supplement B of Chapter 1 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

SEC. 130. LIMITATION ON DEDUCTIONS ALLOWABLE TO INDIVIDUALS IN CERTAIN CASES.

(a) *Recomputation of net income.* If the deductions (other than taxes and interest) allowable to an individual (except for the provisions of this section) and attributable to a trade or business carried on by him for five consecutive taxable years have, in each of such years, exceeded by more than $50,000 the gross income derived from such trade or business, the net income of such individual for each of such years shall be recomputed. For the purpose of such recomputation in the case of any such taxable year, such deductions shall be allowed only to the extent of $50,000 plus the gross income attributable to such trade or business, except that the net operating loss deductions, to the extent attributable to such trade or business, shall not be allowed.

(b) *Redetermination of tax.* Upon the basis of the net income computed under the provisions of subsection (a) for each of the five consecutive taxable years specified in such subsection, the tax imposed by this chapter shall be redetermined for each such

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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taxable year. If for any such taxable year assessment of a deficiency is prevented (except for the provisions of sections 3801 and 3807) by the operation of any law or rule of law (other than section 3761, relating to compromises) any increase in the tax previously determined for such taxable year shall be considered a deficiency for the purposes of this section. For the purposes of this section the term "tax previously determined" shall have the meaning assigned to such term by section 3801 (d).

(c) *Extension of Statute of Limitations.* Notwithstanding any law or rule of law (other than section 3761, relating to compromises), any amount determined as a deficiency under subsection (b), or which would be so determined if assessment were prevented in the manner described in subsection (b), with respect to any taxable year may be assessed as if on the date of the expiration of the time prescribed by law for the assessment of a deficiency for the fifth taxable year of the five consecutive taxable years specified in subsection (a), one year remained before the expiration of the period of limitation upon assessment for any such taxable year.

(b) *Effective date of amendment.* The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1939, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1944.

§ 29.130–1 *Limitation on deductions allowable to individuals in certain cases—*(a) *Recomputation of net income.* Section 130 serves to limit the deductions, other than taxes and interest, attributable to a trade or business carried on by an individual which are otherwise allowable to such individual under the provisions of chapter 1. If in each of five consecutive taxable years the deductions attributable to a trade or business, except the deduction for interest and except the deduction for taxes, exceed the gross income derived from such trade or business by more than $50,000, the net income of such individual must be recomputed for each of such five taxable years. In recomputing the net income for each of the five taxable years, deductions (other than those for interest and taxes) attributable to the trade or business, and otherwise allowable under chapter 1, shall be allowed only to the extent of:

(1) The gross income derived from the trade or business, plus

(2) $50,000.

The deduction for interest and the deduction for taxes shall each be allowed in full. The net operating loss deduction provided in section 23 (s), to the extent attributable to the given trade or business, shall be disallowed in its entirety in making such recomputation. Thus, any carry-over or carry-back of a net operating loss, so attributable, either from a year within the period of five consecutive taxable years or from a year outside of such period, shall be ignored in making the recomputation of net income. However, the net operating loss deduction provided in section 23 (s) shall be included in determining whether the deductions (other than the deduction for interest and the deduction for taxes), otherwise allowable under chapter 1, which are attributable to a trade or business exceed the gross income derived from such trade or business by more than $50,000 in any taxable year. The limitations on deductions provided by section 130 are applicable in determining under section 122 the amount of any net operating loss carry-over or carry-back from any year which falls within the provisions of section 130 to any year which does not fall within such provisions. Also in determining under section 122 the amount of any net operating loss carry-over from a year which falls within the provisions of section 130 to a year which does not fall within such provisions, the amount of the net operating loss is to be reduced by the net income (determined after the application of section 130 and computed as provided in § 29.122–4 (c)) of (1) the two preceding taxable years and of (2) the first succeeding taxable year if such first succeeding taxable year falls within the provisions of section 130, even though the net operating loss deduction is not an allowable deduction for such succeeding or preceding taxable years.

If an individual carries on several trades or businesses, the deductions attributable to such trades or businesses, and the gross income derived from such trades or businesses, shall not be aggregated in determining whether the deductions (other than those for interest and taxes) exceed the gross income derived from such trades or businesses by more than $50,000 in any taxable year. Each trade or business shall be considered separately. The trade or business carried on by the individual must be the same in each of the five consecutive taxable years in which the deductions (other than those for interest and taxes) exceed the gross income derived from such trade or business by more than $50,000.

For purposes of section 130, a given taxable year may be part of two or more different periods of five consecutive taxable years. Thus, if the deductions, other than taxes and interest, attributable to a trade or business carried on by an individual exceed the gross income from such business by more than $50,000 for each of six consecutive taxable years, the fifth year of such six consecutive taxable years shall be considered to be a part both of a five-year period beginning with the first and ending with the fifth taxable year and of a five-year period beginning with the second and ending with the sixth taxable year.

(b) *Redetermination of tax.* The tax imposed by chapter 1 for each of the five consecutive taxable years specified in paragraph (a) of this section shall be redetermined upon the basis of the net income of the individual recomputed in the manner described in paragraph (a). If the assessment of a deficiency is prevented (except for the provisions of section 3801, relating to mitigation of effect of limitation and other provisions in income tax cases, or 3807, relating to period of limitation in case of related taxes under chapter 1 and chapter 2) by the operation of any provision of law (e. g., sections 275 and 276, relating to the period of limitation upon assessment and collection) except section 3761, relating to compromises, or by any rule of law (e. g., res judicata), then the excess of the tax for such year as recomputed over the tax previously determined for such year shall be considered a deficiency for purposes of section 130. The term "tax previously determined" shall have the same meaning as that assigned to such term by section 3801 (d). See § 29.3801 (d)–1.

(c) *Assessment of tax.* Any amount determined as a deficiency in the manner described in paragraph (b) of this section in respect of any taxable year of the five consecutive taxable years specified in (a) may be assessed and collected as if on the date of the expiration of the period of limitation for the assessment of a deficiency for the fifth taxable year of such five consecutive taxable years, one year remained before the expiration of the period of limitation upon assessment for the taxable year in respect of which the deficiency is determined. If the taxable year is one in respect of which an assessment could be made without regard to section 130, the amount of the actual deficiency as defined in section 271 (whether it is greater than, equal to, or less than the deficiency determined under section 130 (b)) shall be assessed and collected. However, if the assessment of a deficiency for such taxable year would be prevented by any provision of law (e. g., the period of limitation upon the assessment of tax) except section 3761, relating to compromises, or by the operation of any rule of law (e. g., res judicata), then the excess of the tax recomputed as described in paragraph (b) over the tax previously determined may be assessed and collected even though in fact there is no actual deficiency, as defined in section 271, in respect of the given taxable year.

(d) *Years to which applicable.* The provisions of section 130 are applicable to taxable years beginning after December 31, 1939, but no deficiency shall be assessed pursuant to such section for any taxable year beginning prior to January 1, 1944. Thus, if an individual makes his tax returns on the basis of a calendar year and if the deductions (other than those for interest and taxes) attributable to a trade or business carried on by such individual which are otherwise allowable under chapter 1 exceed the gross income derived from such trade or business by more than $50,000 in each of the taxable years 1940, 1941, 1942, 1943, and 1944, the net income of such individual for the year 1944 is to be recomputed and a deficiency, as defined in paragraph (b) of this section, may be assessed in respect of the taxable year 1944. No such deficiency, however, may be assessed in respect of the years 1940, 1941, 1942, or 1943.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) and sec. 129 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

[SEAL] HAROLD N. GRAVES,
Commissioner of Internal Revenue.

Approved August 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-12749; Filed, August 23, 1944; 11:41 a. m.]

[T. D. 5400]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

PART 35—EXCESS-PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EXTENSION OF TIME FOR MAKING CERTAIN ELECTIONS

Regulations 111 and 112 amended. Extension of time for making certain elections required to be exercised by the filing of a claim for credit or refund.

Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] and Regulations 112 [Part 35, Title 26, Code of Federal Regulations, Cum. Supp.] are amended as follows:

PARAGRAPH 1. Subpart H, added by Treasury Decision 5391, approved July 14, 1944, is amended by striking from the second paragraph the following:

(b) An election required to be exercised by the filing of a claim for credit or refund or in a petition to The Tax Court

and inserting in lieu thereof the following:

(b) An election required to be exercised by the filing of a claim for credit or refund unless such election is required to be exercised at a time fixed by these regulations, which time is before the date of the expiration of the period of limitations provided in section 322, or an election required to be filed in a petition to The Tax Court

PAR. 2. The text under the center heading "Miscellaneous Provisions," added by Treasury Decision 5391, is amended by transferring such text from immediately after § 35.783–1 to immediately after § 35.783–2 added by Treasury Decision 5362, approved April 25, 1944, and by striking from the second paragraph the following:

(b) An election required to be exercised by the filing of a claim for credit or refund or in a petition to The Tax Court;

and inserting in lieu thereof the following:

(b) An election required to be exercised by the filing of a claim for credit or refund unless such election is required to be exercised at a time fixed by these regulations, which time is before the date of the expiration of the period of limitations provided in section 322, or an election required to be filed in a petition to The Tax Court;

PAR. 3. The above amendments to Regulations 111 and 112, which regulations are applicable to taxable years beginning after December 31, 1941, are hereby made applicable to any taxable year beginning after December 31, 1938, and prior to January 1, 1942, which is covered by Regulations 103, or after December 31, 1939, and prior to January 1, 1942, which is covered by Regulations 109.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) and sec. 729 of the Internal Revenue Code (54 Stat. 989; 26 U.S.C. 729))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved August 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-12750; Filed, August 23, 1944; 11:42 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 22]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING HOPS IN PIERCE COUNTY, WASH.

§ 1111.5 *Wages of workers engaged in picking hops in Pierce County, Washington.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645) entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking hops in the County of Pierce, State of Washington, are agricultural labor as defined in § 4001.1 (i) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking hops.*

Piece rate—4½¢ per pound, plus 1¢ per pound bonus if the worker continues picking hops throughout the season.

(c) *Administration.* The Washington WFA Wage Board located at 235 Liberty Bldg., Yakima, Washington, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 22 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 22 and any violation of this specific wage ceiling regulation No. 22 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U. S. C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9 F.R. 831, 7645)

Issued this 23d day of August 1944.

WILSON R. BUIE,
Acting Director of Labor, War Food Administration.

[F. R. Doc. 44-12727; Filed, August 23, 1944; 11:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1295—ANILINE

[Allocation Order M-184, Revocation]

Section 1295.1 *Allocation Order M-184* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Aniline is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 42 issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of aniline prior to October 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-184.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12746; Filed, August 23, 1944; 11:36 a. m.]

PART 3109—MEDICAL EQUIPMENT AND SUPPLIES SIMPLIFICATION

[General Limitation Order L-214, Schedule 2, as Amended Aug. 23, 1944]

CORRECTIVE SPECTACLES

§ 3109.3 *Schedule 2 to General Limitation Order L-214*—(a) *Definition.* For the purposes of this schedule: "Corrective spectacles" means spectacles designed to correct or assist defective vision in which corrective focus lenses are employed.

(b) *Restrictions on the use of nickel and nickel-bearing alloy.*[1] No person shall incorporate any nickel or nickel-bearing alloy in the manufacture of corrective spectacles (or any part thereof) except to the extent permitted below:

(1) Nickel silver (containing not more than 10% nickel in the alloy) may be used in any part of metal spectacleware (including oxford-type spectacleware) and xylonite spectacleware.

(2) Nickel silver (containing not more than 18% nickel in the alloy) may be used in screws and dowels for metal spectacleware and xylonite spectacleware.

(3) Pure nickel or any nickel-bearing alloy may be used in:

(i) Pad-arm assemblies for metal spectacleware;

(ii) Arms (of the 'nu-mont' type of construction) on semi-rimless metal spectacleware; and

(iii) Plating of "white metal" spectacleware.

(c) *Restriction on the eyesize of metal frames.* No person shall manufacture any metal frame for corrective spectacles which has an eye with a circumference or periphery of more than 144.5 mm. There is no restriction on the shape of the eye, but the circumference or periphery of the eye must not be greater than 144.5 mm.

(d) *Exception for Army and Navy orders.* The restrictions of this schedule do not apply to the manufacture of corrective spectacles (or any part thereof) to fill orders or contracts from or for the account of the Army or Navy of the United States, if such spectacles (or parts) are manufactured in conformity with the specifications applicable to the particular order or contract.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12744; Filed, August 23, 1944; 11:36 a. m.]

[1] NOTE: The former editions of this schedule restricted the use of all metals in corrective spectacles. This amendment has the effect of removing those restrictions with respect to all metals except nickel and nickel-bearing alloy and also permits the use of nickel and nickel-bearing alloy in certain parts not permitted by the previous editions of the schedule.

PART 3191—CIVILIAN AIRCRAFT

[Preference Rating Order P-47, Direction 1]

The following direction is issued pursuant to Preferred Rating Order P-47:

Operators of commercial airlines within the continental limits of the United States who have received airplanes from the Army to replace those taken from them by the Army may use the rating and allotment symbol assigned in paragraph (c) of Preference Rating Order P-47 to get in any one quarter an amount of any item of airborne material or equipment listed under Section I or any item listed under Section II of Form WPB-1747 revised July 22, 1944, equivalent to one and one-third the amount of that item approved on Form WPB-1747 for the second quarter of 1944, without asking for approval under paragraph (d) of Preference Rating Order P-47. If, however, after having received the airplanes from the Army, the operator has asked for and received approval on Form WPB-1747 for an increase in the approved amount of materials, he may use the rating and allotment symbol only to get the amount of materials during the calendar quarter covered by the Form WPB-1747 which have been specifically approved.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12748; Filed, August 23, 1944; 11:37 a. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Limitation Order L-181 as Amended Aug. 23, 1944]

MEN'S WORK CLOTHING

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of men's work clothing for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.125 *General Limitation Order L-181*—(a) *Definitions.* For the purpose of this order:

(1) "Men's work clothing" means any of the following garments, customarily graded as men's:

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
One-piece work suits.
Work pants.
Work shirts, (whether separate or in ensembles, but excluding uniform shirts).

(2) "Put into process" means the first cutting operation of material in the manufacture of any men's work clothing.

(3) Pro rata widths—where a certain width material is specified—narrower or wider width material shall be figured in pro rata yardages allowed or restricted.

(4) Measurements set forth refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment.

(5) Yards specified "to the dozen" shall mean the average yardage, over any 90 day period after August 15, 1942, consumed in the cutting of each type of garment.

(6) Yards specified "to the dozen" may be exceeded proportionately in the manufacture of sizes larger than specified herein to meet the needs of oversize persons.

(7) All terms used in this order shall have their usual and customary trade meanings unless stated otherwise.

(b) *General exceptions.* The prohibitions and restrictions of this order shall not apply to:

(1) Sales and deliveries by, to or for the account of the ultimate consumers by any person who does not put cloth into process for the manufacture of work clothing.

(2) Men's work clothing put into process or manufactured prior to August 15, 1942.

(3) Drills, twills, or jeans used for pocketing or waistbanding in the inventory of the manufacturer on August 15, 1942.

(4) Men's work clothing to fill purchase orders placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the Defense Supplies Corporation.

(5) Men's work clothing made and sold to conform with state, county or municipal safety laws, codes or regulations: *Provided,* That such laws, codes or regulations were in existence on August 15, 1942, and specifically required the use of work clothing not made in conformity with the provisions of this order.

(6) Garments manufactured in the home except when made for sale or for a contractor or jobber or other person who sells such garments.

(c) *General curtailments.* No person shall, after August 15, 1942, put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall, after the said date, sell or deliver any men's work clothing, the material for which was put into process after August 15, 1942, with:

(1) Pairs or more than double stitching:

(2) [Revoked July 3, 1943]

(3) [Deleted Aug. 23, 1944]

(d) *Additional curtailments.* No person shall after August 8, 1942, put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall sell or deliver any of the following men's work clothing, the cloth for which was put into process after August 15, 1942.

(1) *Waistband overalls or dungarees* with:

(i) More than two front or swing pockets, two hip pockets, one rule pocket and one watch pocket.

(ii) More than four fly buttons and one button or snap fastener on waistband.

(iii) Back buckle or strap.

(iv) More than nine bartacks or rivets exclusive of those needed on belt loops.

(v) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(vi) More than 33½ yards or less than 31 yards to the dozen of 28/29 inch material: *Provided, however,* That for the sole purpose of allowing such garments when made for miners (and each miner's garment shall be designated as such by label or other marking thereon) to include not more than two front leg patch reinforcements, one double seat and one additional leg pocket, the yardage per dozen for such garments shall be not more than 45 yards or less than 37 yards to the dozen of 28/29 inch material, the extra yardage to be used, however, only for such purpose.

(2) *Bib overalls* with:

(i) More than one large or two small bib pockets, two front swing or patch pockets, two hip patch pockets, one rule pocket and one hammer loop.

(ii) More than two buttons on each side opening, two bib suspender buttons, two back suspender buttons, one button or one snap fastener on bib, two buttons on fly through size 38 or three buttons on fly on size 40 and up.

(iii) More than fifteen bartacks.

(iv) Sizes other than 26 to 50 waist and 27 to 36 inseam;

(v) More than an average of 46 yards or less than 39 yards to the dozen of 28/29 inch material for both the bib overall and the overall jacket.

Provided, however, For the sole purpose of allowing:

(a) *Bib overalls for carpenters* to include not more than two double knee or leg patch reinforcements, two side leg pockets, an apron with necessary divisions, one hand axe loop, the yardage per dozen for such garments shall be not more than 66½ yards or less than 60½ yards to the dozen of 28/29 inch material, and such garments may have 15 additional bartacks.

(b) *Bib overalls for painters or paperhangers* to include one brush loop and one leg pocket, the yardage per dozen for such garments shall be not more than 47½ yards or less than 41½ yards to the dozen of 28/29 inch material.

(c) *Bib overalls for steel workers* to include not more than two knee patch reinforcements, two leg pockets, one additional hammer loop, the yardage per dozen for such garments shall be not more than 57 yards or less than 51 yards to the dozen of 28/29 inch material, and such garments may have six additional bartacks.

Each such garment shall be designated as such by label or other marking thereon and the additional yardages shall only be used for the respective purposes specified above.

(3) *Overall jumpers or coats* with:

(i) [Deleted Aug. 23, 1944]

(ii) More than four buttons on front and one button on each cuff.

(iii) Sizes other than 34 to 50.

(iv) Blanket-lining heavier than 16 ounce, 54 to 56 inch width, of cotton or of cotton and reused wool.

(4) *One-piece work suits* with:

(i) More than two front swing or patch pockets, two breast pockets, two-patch or swing hip pockets, one rule pocket and one hammer loop.

(ii) More than four front buttons, one breast pocket button, three fly buttons and one button on each cuff.

(iii) More than 17 bartacks, exclusive of those needed on belt loops.

(iv) Sizes other than 34 to 50.

(v) More than 72 yards or less than 66 yards to the dozen of 28/29 inch material.

(5) *Work pants* with:

(i) More than two front swing pockets, two hip patch or swing pockets and one watch pocket.

(ii) Tunnel loops.

(iii) [Deleted Dec. 4, 1943]

(iv) More than 11 bartacks exclusive of those needed on belt loops.

(v) Side buckle and straps.

(vi) Self belt or extension waistband.

(vii) Pleats.

(viii) More than five fly buttons, including waistband on sizes through 38 and more than six fly buttons, including waistband, on sizes 40 and up, and with more than one hip pocket button.

(ix) Cuffs where 30 inch 2.50 gray width and weight basis material and heavier is used.

(x) More than 1½ inch hem.

(xi) More than 1½ inch cuff on material lighter than 30 inch 2.50 gray width and weight basis.

(xii) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(xiii) (*a*) More than 27½ yards or less than 24½ yards to the dozen of 36 inch material weighing less than 8 ounces per yard of 36 inch width material, or

(*b*) More than 28 yards or less than 25 yards to the dozen of any heavier material.

(6) *Work shirts* with:

(i) Other than one or two plain patch pockets but only button through or open.

(ii) More than single thickness lining in collar.

(iii) More than six buttons on front, one button each cuff and one button on each pocket.

(iv) Lined cuffs.

(v) More than four bartacks.

(vi) Eyelets or vents.

(vii) Reinforced elbow, shoulder, back or front.

(viii) [Revoked May 8, 1943]

(ix) [Revoked May 8, 1943]

(x) Sizes other than 13 to 19 or sizes small, medium and large.

(xi) More than 29½ yards or less than 26 yards to the dozen of 36-inch material on long sleeve models, or more than 24 yards or less than 23 yards to the dozen of 36-inch material on half-sleeve models. On regular or mill finish material or on 36-inch 2.85 material and heavier a total of a half yard to the dozen additional yardage may be used.

(e) [Deleted Dec. 4, 1943]

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of men's work clothing conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference L–181, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(g) *Records and inspections.* (1) Each person affected by the order shall keep and preserve for a period of not less than two years accurate and complete records of his applicable inventories, certifications, production, sales and transactions. (2) All records required to be kept by the order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports and communications.* (1) Each person affected by the order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time. (2) All reports required hereunder, and all communications concerning the order, shall be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: L–181.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 23d day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12739; Filed, August 23, 1944; 11:35 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–30–b, as Amended Aug. 23, 1944]

ENAMELED WARE

§ 3291.155 *Limitation Order L–30–b*—(a) *What this order does.* This order states the rules governing the manufacture of household, cooking and hospital articles made of vitreous-enameled iron and steel. The kinds and sizes of enameled ware which may be made are described, including hospital ware which was formerly covered by Schedule I to Order L–214. Quotas are placed on the use of iron and steel. Special provisions are made for military and export orders.

(b) *Definitions.* When used in this order:

(1) "Enameled ware" means any of the articles listed on Table A when made of vitreous-enameled iron or steel. It does not include any furniture, electrical or gas appliance or power-driven equipment.

(2) "Preferred orders" means any purchase order or contract for enameled ware which will be ultimately delivered to the Army or Navy of the United States, the U. S. Maritime Commission or War Shipping Administration, or to other persons pursuant to authorization by the United States Maritime Commission on Form WPB 646 (formerly PD–300).

(3) "Export orders" means any purchase order or contract for enameled ware for delivery outside the United States, its territories and possessions.

(4) "Civilian order" means any purchase order or contract other than a preferred order or export order.

(c) *What enameled ware may be made.* (1) No manufacturer shall produce or assemble any enameled ware that does not conform to Table A. Exceptions to this rule are stated below.

(2) A manufacturer may complete the following operations on enameled ware which was otherwise completed by December 31, 1942; making and attaching handles, bails, spouts and ears; welding together fabricated parts; applying a vitreous-enameled or other coating.

(3) The War Production Board may authorize on Form WPB–1319 (formerly PD–556) enameled ware not conforming to Table A to fill export orders.

(4) The provisions of Table A do not apply to enameled ware which is produced to fill preferred orders or for experimental use in a scientific laboratory in connection with the development of enameled ware standards.

Quota Restrictions

(d) *General.* No manufacturer shall use more iron and steel in making enameled ware than the amounts stated below. Each manufacturer has a quota for civilian orders and a separate quota for preferred orders and export orders. In each calendar quarter a manufacturer is limited to a percentage of the iron and steel he used in his total production of enameled ware in the twelve months ending June 30, 1941, the "base period." The gross weight of iron and steel when first put into production, whether in the form of raw materials or as purchased parts, is considered the amount of iron and steel used and to be used in figuring out the quotas. A manufacturer who purchases black shapes and covers them with an enamel coating should include the weight of these black shapes in his "use" of iron and steel, while a manufacturer who fabricates the black shapes should consider the gross weight of the sheets he cuts up as part of his "use" of iron and steel.

(e) *Civilian quotas*—(1) *General rule.* In his production for civilian orders of all enameled ware (except roasters), a manufacturer is limited in each calendar quarter to one-fourth of 70% of the iron and steel which he used for all enameled ware (except roasters) in the base period. No manufacturer may produce during any calendar year more enameled roasters than 15% of the number he produced in the base period.

(2) *Optional quotas for manufacturers of hospital ware.* Instead of following the general rule any manufacturer may use in any calendar quarter in producing hospital enameled ware (See Table A) not more than one-fourth of 100% of the iron and steel which he used for that ware in the base period. If he does this, however, his civilian quota for non-hospital ware (except roasters) is reduced to one-fourth of 60% of the iron and steel he used for that ware in the base period. Any manufacturer who chooses this alternative or who later decides to follow the general rule stated in the preceding paragraph shall notify the War Production Board by January 15, 1944 or before the first day of the quarter in which he intends to do this.

(3) *Division of quota among different articles.* In allocating his iron and steel among the items listed in column (2) of Table A, a manufacturer should use his best efforts to divide his quota of iron and steel among all the articles which he customarily makes in such a way as to meet the essential needs for those articles. If it is found that an undue shortage exists in certain articles or that production is being concentrated too much on other articles, the War Production Board may issue written instructions to any manufacturer directing him to allocate a specified share of his production to articles which are considered most essential. Failure to comply with a specific direction shall be deemed a violation of this order.

(f) *Quotas for preferred orders and for export.* In addition to his civilian quota, a manufacturer may use during any quarter in producing enameled ware to fill preferred orders and export orders not more than one-fourth of 55% of the iron and steel which he used in the base period for all enameled ware.

(g) *Unused quotas.* A manufacturer may use for civilian orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's civilian quota. A manufacturer may also use to fill preferred orders and export orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's quota for such orders.

(h) *Special permission to exceed quotas.* The War Production Board from time to time may permit manufacturers to exceed their quotas. This will only be done in special cases and for limited periods of time. For example, if one or more manufacturers are unable to use their full quota in any quarter, other manufacturers may be permitted to use the unused amount in addition to their own quotas. Similarly, if additional iron or steel becomes available at any time, the War Production Board may authorize its use in addition to the quotas. As far as practicable increases will be permitted for all manufacturers of the articles to be made in proportion to their quotas. Permission will be granted either in the form of individual letters or of published directions supplementary to this order.

Miscellaneous Provisions

(i) *Overruns, rejects and cancellations.* Enameled ware made to fill a preferred order, which, because of overruns, rejects, cancellations of orders or any other reasons cannot be used to fill that order, may be used or disposed of only as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1.

(j) *Reports.* (1) [Deleted Apr. 3, 1944]

(2) Each manufacturer shall file with the War Production Board on or before January 20, April 20, July 20, and October 20 of each year, a report on Form WPB–1600 (formerly PD–655), showing his production, shipments, and inventory of enameled ware for the preceding quarter.

(3) These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Acts of 1942.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of enameled ware to a greater extent than does this order, the other order shall govern unless it states otherwise.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to use more iron and steel in making enameled ware than the amounts fixed in paragraphs (d), (e) or (f) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for special permission to exceed quotas under paragraph (h).

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (d), (e) or (f) should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (d), (e) or (f).

(n) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L–30–b.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE A

NOTE—Table A amended Aug. 23, 1944.

General. Under the provisions of paragraph (c) of Order L–30–b, no manufacturer shall produce or assemble any enameled ware falling within any class in column (1) except articles listed in column (2) conforming to the restrictions of columns (3) and (4). When a manufacturer is permitted to make more than one size of any article, each size he manufactures shall fall within a different one of the size ranges specified, except that if only one size range is specified he may manufacture the permitted number of sizes anywhere within that range.

(1) Class of articles	(2) Permitted types in each class	(3) Number of sizes permitted each manufacturer	(4) Sizes
Cooking enameled ware (utensils used primarily in the preparation, cooking, serving or storage of foods or beverages, whether for household, institutional, commercial, governmental or any other use).	Bains Marie Pots	2	2 to 2½ qt. and 4 to 4½ qt. cap.
	Canners, cold pack (only as permitted in Direction 1).	See Direction 1.	See Direction 1.
	Coffee boilers [1]	1	9½ to 12 qt. cap.
	Colanders [1]	1	Manufacturer's choice.
	Dippers	1	Manufacturer's choice.
	Double boilers [1]	2	1½ to 2½ qt. and 6½ to 8 qt. cap.
	Kettles [1]	1	14 to 20 qt. cap.
	Ladles	1	Manufacturer's choice.
	Percolators (with or without baskets). [1]	1	6 to 9 cup cap.
	Drip coffee makers [1]	1	6 to 9 cup cap.
	Roasters (single wall) [1]	1	15" to 19" in length.
	Sauce pans	3	1 to 3 qt. cap.
	Sauce pots [1]	3	3½ to 10 qt. cap.
	Steamtable insets [1]	3	To fit openings of 6½", 8½" and 10½" in diameter.
	Steamtable pans [1]	2	Manufacturer's choice to fit rectangular openings only.
	Stock pots [1]	3	15 to 36 qt. cap.
	Baby Bottle Sterilizers [1 2]	1	Manufacturer's choice.
	Dish Pans	1	9 to 15 qt. cap.
	Infants' Bathtubs	1	Manufacturer's choice.
	Tea Kettles [1]	1	4 to 7 quart cap.
	Water Pails [1]	1	10 to 12½ quart cap.
Household enameled ware (Enameled pails, buckets, and tubs, including infants' bathtubs; dish pans and sink strainers; baby bottle sterilizers).	Baby Chamber	2	Not larger than 7½" diameter.
	Combinets [1]	1	8 to 12 qt. cap.
	Basin, pus	2	6 to 10½ inches in length.
	Basin, sponge	1	6 to 7" in diameter.
	Basin, solution	1	13 to 13½" in diameter.
	Basin, wash	1	12 to 12⅝ inches in diameter.
Enameled combinets, commodes, chambers and chamber covers.	Bedpan [1]	2	Manufacturer's choice.
	Funnels	3	Manufacturer's choice.
	Graduates	2	500 cc and 1,000 cc cap.
	Immersion Arm Bath [1]	1	Manufacturer's choice.
	Iodine Cup	2	Manufacturer's choice.
	Irrigator	1	2 to 2½ qt. cap.
	Jar, dressing [1]	2	2 to 2½ qt. cap. and 4 to 4½ qt. cap.
	Jar, Forceps with base	2	4 oz. and 8 oz.
Hospital enameled ware (Any wash basin, any slop-on can insert, and any article designed primarily for hospital or sick room use, including but not limited to, sponge basins, pus basins, solution basins, dressing jars, instrument trays, bed pans, irrigators, instrument sterilizers (without heating elements or stands), urinals, catheter trays, feeding cups and douche pans, but excluding any article in another class in this column).	Slop-on can inserts, as may be permitted under schedule 3 of Order L–214.		
	Sterilizer, instrument (without heating element of stand). [3]	1	18 to 19 inches in length; 4 to 5 inches in depth; 8 to 9 inches in width.
	Tray, instrument [1]	4	Manufacturer's choice.
	Urinals, Male	2	Manufacturer's choice.
	Urinals, Female	2	Manufacturer's choice.

[1] Metal covers may be made for these articles.
[2] Baby bottle sterilizers to contain a removable bottle rack.

[F. R. Doc. 44–12741; Filed, August 23, 1944; 11:35 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–65, Direction 1]

ELECTRIC HAIR CLIPPERS

The following direction is issued pursuant to Limitation Order L–65:

Notwithstanding any restrictions contained in Order L–65 the five manufacturers listed below are authorized during the period commencing August 23, 1944, and ending December 31, 1944, to manufacture the number of electric hair clippers set forth below opposite their names. Manufacturers listed can only make the electric hair clippers in their own plant at the location set forth opposite their respective names. The electric hair clippers manufactured under this direction may only be sold to fill orders from the Army (including orders from the Post Exchanges) and the Navy (including orders from the Navy or Coast Guard Ships' Service Departments or Marine Corps Post Exchanges). The authorization contained in this direction supersedes any other authorization which any of the firms listed may have received from the War Production Board on the subject of electric hair clippers.

The firms listed represent all manufacturers with facilities to make electric hair clippers known to the War Production Board. Any manufacturer not listed who wants to make electric hair clippers for sale to the Army or Navy, should apply to the War Production Board, Washington 25, D. C., Ref: L–65, for permission.

Company and Location	*Units*
John Oster Manufacturing Company, Racine, Wisconsin	7,000
Allover Manufacturing Company, Racine, Wisconsin	3,500
Wahl Clipper Company, Sterling, Illinois	2,320
Andis Clipper Company, Racine, Wisconsin	2,000
Racine Universal Motor Company, Racine, Wisconsin	180

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12743; Filed, August 23, 1944; 11:36 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 40 as Amended Aug. 23, 1944]

FERRO- AND FERRI-CYANIDES

§ 3293.1040 *Schedule 40 to General Allocation Order M–300*—(a) *Definition.* "Ferro- and ferri-cyanides" means any one of the following, in solid or solution form:

(1) Sodium ferro-cyanide (yellow prussiate of soda)

(2) Potassium ferro-cyanide (yellow prussiate of potash)

(3) Potassium ferri-cyanide (red prussiate of potash)

(4) Potassium-sodium ferri-cyanide (for example, "Redsol Crystals").

(b) *General restrictions.* Ferro- and ferri-cyanides are subject to the provisions of General Allocation Order M–300 as Appendix A materials. The initial allocation dates is September 1, 1944. The allocation period is the calendar month. The small order exemption per person per month is as follows:

[Items (2) and (4) amended Aug. 23, 1944]

	Pounds
(1) Sodium ferro-cyanide	720
(2) Potassium ferro-cyanide	870
(3) Potassium ferri-cyanide	100
(4) Potassium-sodium ferri-cyanide	400

(c) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946. Filing date is the 15th day of the month before the proposed delivery month. File separate sets of forms for each ferro- and ferri-cyanide. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–40. Unit of measure is pounds. In Table I fill in Columns 1 through 4 and leave Column 5 blank. Report sizes of container in Column 5 (a) such as 360-pound barrels, 100-pound kegs, etc. An aggregate quantity may be requested as a separate item, without specifying customers' names, for delivery on exempt small orders. In Column 7 report total actual shipments on small orders during the latest month for which figures are available, indicating the month covered. In Table II fill in Columns 9 through 15 as indicated, leaving Columns 8 and 16 blank.

(d) *Customers' applications on WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945. File separate sets of forms for each ferri- and ferro-cyanide and for each supplier. Filing date is the 10th of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–40, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In Column 2 specify requirements for the next month only. Fill in Column 3 in terms of the following:

Iron blue.
Blue print paper.
Developer.
Other primary product (specify).
Inventory (in original form).
Export (in original form).
Resale (in original form).

In Column 4 specify end use in accordance with paragraph (11–a) of Appendix E of Order M–300.

In table II fill in Columns 13 through 16. If more than one primary product is produced show actual quantity of ferro- or ferri-cyanide in the latest available month for each in Column 14, indicating in Column 11 the name of the primary product reported in Column 14. Fill in Table III as indicated and leave Tables IV and V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–40.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12742; Filed, August 23, 1944; 11:36 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 42]

ANILINE

§ 3293.1042 *Schedule 42 to General Allocation Order M–300*—(a) *Definition.* "Aniline" means the chemical known as aniline, aniline oil or aminobensene, of any grade and from whatever source derived. The term does not include aniline salts or other derivatives of aniline.

(b) *General provisions.* Aniline is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is September 1, 1942, when aniline was first put under allocation by Order M–184 (revoked). The allocation period is the calendar month and the small order exemption is 450 lbs. per person per month.

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to October 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M–184 (revoked).

(d) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 20th day of the month before the requested allocation month. File separate sets of forms for each plant or distribution point. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–42. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' application on WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and for each consuming plant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–42, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Diphenylamine.	Dyes and dye intermediates.
Dimethylaniline.	Inks and pigments.
Monoethylaniline.	Resins and plastics.
Hydroquinone.	Petroleum additives (identify).
Acetanilid.	Mining flotation agents.
Phenylhydrazine.	Export (as aniline).
Chemical warfare.	Inventory (as aniline).
Aniline salt.	Resale (as aniline).
Other product (specify).	

Specify end use in Column 4 as required by paragraph (11) of Appendix E of Order M–300. Fill in other columns of Table I, and fill in Tables II and III as indicated. Leave Table IV blank. In Column 23 of Table V, enter the end uses for which aniline was allocated for the past month (that is, the month before the month in which the application is filed), and in Columns 24 and 25, list, respectively, the quantities allocated and the quantities actually consumed for each end use during the past month.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–42.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12747; Filed, August 23, 1944; 11:37 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L–238, as Amended Aug. 23, 1944]

SUN GLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of sun glasses and sun glasses cases; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.76 *General Limitation Order L–238*—(a) *Definitions.* For the purposes of this order:

(1) "Sun glasses" means spectacles or goggles designed primarily to protect the wearer's eyes from sun-glare and other harmful or discomforting rays of the sun.

(2) "Sun glasses case" means a case or container designed for carrying sun glasses when not being worn.

(3) "Aviation sun glasses" means sun glasses designed for use in aircraft by pilots, observers and other aircraft personnel.

(4) [Revoked May 9, 1944]

(b) *Restrictions on the use of metals.* Except as provided in paragraph (c) of this order, no person shall incorporate any metal in the manufacture of sun glasses or any part thereof or sun glass cases or any part thereof.

(c) *Exceptions to paragraph (b).* (1) The provisions of paragraph (b) of this order shall not apply to the manufacture of sun glasses or sun glasses cases which are manufactured:

(i) [Revoked May 9, 1944]

(ii) From metal to the extent permitted by Appendix A, attached to this order.

(iii) From copper base alloys obtained from idle or excess inventories pursuant to Priorities Regulation 13. (Any person who purchases component parts containing copper base alloy may use those parts in the manufacture of sun glasses or sun glasses cases, unless he knows or has reason to believe that the parts were not made from copper base alloy obtained from idle or excess inventories pursuant to Priorities Regulation 13.)

(2) The provisions of paragraph (b) of this order shall not apply to the manufacture of aviation sun glasses which are manufactured pursuant to a contract or purchase order for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided that the specifications of such contract or purchase order specify aviation sun glasses which cannot be manufactured within the limitations of paragraph (b) and (c) (1) of this order. Notwithstanding the provisions of Priorities Regulation 17, the foregoing provisions of this paragraph (c) (2) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department. Aviation sun glasses which are manufactured in accordance with the foregoing provisions of this paragraph (c) (2) shall be sold or delivered only to the Army or Navy of the United States (not including United States Army or Marine Corps Post Exchanges or United States Navy Ship's Service Departments), or the appropriate agency of the United States Government for Lend-Lease purposes.

(d) *Quota restrictions.* (1) No person shall manufacture more sun glasses, in any calendar quarter, than ninety per cent of the number of sun glasses that he manufactured during the corresponding calendar quarter of 1942.

(2) Purchase orders or contracts for sun glasses placed by the Army or Navy of the United States, or of any Agency of the United States Government for Lend-Lease purposes, shall not be charged against the quota permitted by paragraph (d) (1). Notwithstanding the provisions of Priorities Regulation No. 17, purchase orders or contracts for delivery of sun glasses to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy or Coast Guard Ship's Service Department shall be charged against the quota permitted by paragraph (d) (1), to the extent of seventy-five per cent of the number of sun glasses included in such orders and contracts.

(e) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L–238.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Pursuant to the provisions of paragraph (b) and paragraphs (c) (1) (ii) of this order, a person may incorporate the following materials in the manufacture of sun glasses to the extent indicated:

(1) Steel for:

(i) Core wire in plastic temples.

(ii) Spring clips in slip-over type sun glasses;

(iii) Hinges, hinge pins, and rivets; and

(iv) Snaps for sun glasses cases.

(2) Brass for barrel-hinges, hinge pins, rivets, and screws to fill orders bearing preference ratings of AA–5 or higher.

(3) Copper (strike), zinc, silver, gold and palladium for electroplating.

(4) [Deleted May 9, 1944]

INTERPRETATION 1

ASSEMBLY OF SUN GLASSES

The use of certain material in the manufacture of sun glasses or parts and the number of sun glasses which may be manufactured are prohibited or restricted by the terms of General Limitation Order L–238, with certain exceptions stated in the order.

Such provisions also apply to the assembly of sun glasses. Thus, any person who assembles or combines parts of sun glasses, such as frames and lenses, is manufacturing sun glasses and is governed by the terms of General Limitation Order L–238. [Issued May 11, 1944.]

[F. R. Doc. 44–12745; Filed, August 23, 1944; 11:36 a. m.]

PART 3296[1]—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-295, as Amended Aug. 23, 1944]

DENTAL BURS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dental burs for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3296.96[1] *General Limitation Order L-295—(a) Definitions.* For the purposes of this order:

(1) "Dental bur" means a metal bur designed to be used in an engine handpiece by dentists for the purpose of excavating or cutting human teeth.

(2) "Manufacturer" means any person engaged in the manufacture of dental burs.

(b) *Restrictions on shipment.* On or before September 10, 1944, and on or before the 10th day of each succeeding calendar month, each manufacturer of dental burs shall file with the War Production Board in triplicate on Form WPB-3000 an operations report and proposed shipping schedule in accordance with the instructions accompanying the form. The War Production Board will approve the proposed shipping schedule or authorize and direct such changes therein as it shall deem necessary. Notwithstanding any preference rating which any purchase order or contract may bear or any rule or regulation of the War Production Board, each manufacturer shall produce and ship dental burs in accordance with his shipping schedule as approved or changed by the War Production Board. This reporting requirement and the instructions referred to have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(c) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(d) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L-295.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12760; Filed, August 23, 1944; 11:35 a. m.]

PART 3191—CIVILIAN AIRCRAFT

[Limitation Order L-48, as Amended Aug. 23, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials entering into the production of aircraft for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3191.6 *General Limitation Order L-48—(a) Purposes and definitions.* This order forbids the manufacture of any aircraft and aircraft products, unless authorized in the manner provided in this order. It also forbids the transfer of the following products which have been made under authorization of the War Production Board: (1) New training devices or those which have been in operational use for less than six months and (2) new aircraft or other aircraft products or those which have had less than 100 hours flying time. For the purpose of this order, aircraft and aircraft products are airplanes, airframes, airplane propulsion engines, airplane propellers, gliders, and aircraft training devices designed to simulate actual flying conditions.

(b) *Manufacture of military aircraft, and aircraft products.* Manufacture of aircraft and aircraft products to fill a schedule approved by the Joint Aircraft Committee and Aircraft Production Board is not restricted by this order.

(c) *Manufacture of prototype aircraft and aircraft products.* Prototype aircraft and aircraft products may be manufactured. Preference ratings and an allotment symbol are assigned by Preference Rating Order P-43. Whether or not the allotment symbol or rating is used to get materials, prototypes for civilian use must be manufactured without diverting any manpower, technical skill or facilities from activities connected with the war effort.

(d) *Manufacture of other aircraft and aircraft products.* (1) The War Production Board will authorize the manufacture of other aircraft and aircraft products only if the demand for them is directly related to military needs or to the operation of a service to fill an essential need. No person may manufacture these aircraft or aircraft products except as authorized or permitted in this order.

(2) Applications to the War Production Board for approval of manufacture must be made by letter in triplicate, must be accompanied by an application on Porm CMP-4B to cover the required materials, and must show the following:

(i) The proposed production by month;

(ii) A statement explaining in detail the use to be made of the aircraft or aircraft product and its relation to the military or other essential need;

(iii) If the application is for complete airplanes, it must also show the delivery schedule of the required engines and propellers describing the product and showing the manufacturer. If a schedule for complete airplanes is approved, the War Production Board will authorize the manufacture and transfer of the engines and propellers, and the manufacturers of the engines and propellers need only file with the War Production Board their applications for materials on Form CMP-4B.

(e) *Restrictions on the transfer of aircraft or aircraft products.* (1) No person may transfer any of the following aircraft or aircraft products manufactured under paragraph (d) above without specific authorization of the War Production Board: (i) New training devices or those which have been in operational use for less than six months, and (ii) New aircraft, airplanes, airframes, airplane propulsion engines, metal airplane propellers and gliders or those which have had less than 100 hours flying time and are still airworthy.

(2) Applications for authorization to transfer aircraft and aircraft products must be made by the purchaser to the War Production Board on Form WPB-1319 unless authorization is granted under subdivision (d) (2) (iii) above. Only those applications showing important military or other essential needs will be considered.

(f) *Communications.* All applications for permission and other communications concerning this order should be addressed to: War Production Board, Washington 25, D. C. Ref: L-48.

(g) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priority assistance.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12784; Filed, August 23, 1944; 12:16 p. m.]

[1] Formerly Part 3254, § 3254.1.

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 32]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The effective date provision of Amendment 28 to Maximum Price Regulation No. 53 is amended to read as follows:

This amendment shall become effective September 22, 1944.

This amendment shall become effective as of August 22, 1944.

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12712; Filed, August 22, 1944; 4:20 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 146]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respect:

Section 1394.8117 (c) is amended by changing the period to a comma and adding the following: "and the plants specified in Executive Order No. 9466."

This amendment shall become effective August 22, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPR Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 22d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12713; Filed, August 22, 1944; 4:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15[4] to GMPR,[3] Amdt. 32]

OLEOMARGARINE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9663.

[2] 8 F.R. 15937.

[3] 9 F.R. 1385.

[4] 7 F.R. 8959, 9819, 10584, 11006, 8 F.R. 1301, 6443, 8614, 9086, 11873, 13255, 13395, 13724, 15197, 16298, 16797, 17726, 9 F.R. 755, 906, 1581, 1949.

The effective date provision of Amendment 28 to Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended to read as follows:

This amendment shall become effective September 22, 1944.

This amendment shall become effective as of August 22, 1944.

Issued this 22d day of August, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12714; Filed, August 22, 1944; 4:20 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 78]

BREAD AND LIQUORS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 25a (c) is amended to read as follows:

(c) *Maximum prices for sales by cabaret dispensers.*

	Maximum price per drink	Cabaret tax	Maximum price per drink including tax
(1) *Mainland liquor:*			
(i) Scotch Whiskey, King's Ransom, Johnnie Walker Black Label, Haig and Haig Pinch Bottle, Ballantynes, Cutty Sark, Peter Dawson 20 Years Old, John Crabbie, Findlators', or any other Scotch Whiskey 12 years old or more, straight or mixed	*Cents* 50	*Cents* 10	*Cents* 60
All other brands of Scotch Whiskey, straight or mixed	46	9	55
(ii) *Bourbon, Rye, and Canadian Whiskies:* Bourbon or Rye Whiskey, 100 Proof, which has been bottled in bond, Canadian Club Whiskey, Seagrams VO Canadian Whiskey, Straight or Mixed	46	9	55
All other Bourbon, Rye, Canadian or Blended Whiskies, Straight or Mixed	42	8	50
(iii) *Rum:*			
Imported, straight or mixed	42	8	50
Domestic (including Puerto Rican), straight	33	7	40
Domestic (including Puerto Rican), mixed	42	8	50
(iv) *Brandy:*			
Imported, straight or mixed	46	9	55
Domestic, straight or mixed	33	7	40
(v) *Mainland or imported gin:*			
Straight	33	7	40
Mixed	33	7	40
(2) *Island liquor:*			
(i) Island compounded gin, imitation whiskey, rum, okolehao, arrack, vodka, or any other kind of Island-produced liquor:			
Straight	29	6	35
Mixed	29	6	35
(3) *Beer and Ale.*—(i) *Mainland beer and ale:*			
Per 11 or 12 oz. bottle, steinie, or can, all brands	25	5	30
Per 22 oz. bottle, all brands	42	8	50
Per 32 oz. bottle, all brands	58	12	70
(ii) *Island beer:*			
Primo or Royal, per 11 or 12 oz. bottle	21	4	25
(4) *Wine*—(i) *By the glass:*			
Domestic wine, portion or serving, not less than three ounces	25	5	30
Imported wine, portion or serving, not less than three ounces	33	7	40
Special wines, domestic or imported, portion or serving, not less than three ounces	80	10	90
(ii) *By the bottle:* When domestic, imported, or special wines are served by the bottle, the maximum price shall be the maximum retail price, as determined under section 25 of this regulation, plus 20% cabaret tax, plus the following charges for chilling and serving:			
For still wines	25		
For sparkling wines	50		

2. Section 55 (d) is added to read as follows:

(d) *Retailers maximum prices for sales to eating places.*

(1) Maximum prices for sales to hotels, restaurants, institutions, and other eating places are the maximum prices for sales at wholesale fixed under paragraph (a) of this section. Nevertheless, if you are a retailer you may during any month use the maximum prices for sales at retail fixed under that paragraph in selling to eating places, if 80% or more of your total dollar sales of frozen shrimp and prawn items covered by this section during the previous calendar month were retail sales to consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

3. Section 65 (b) (20) is added to read as follows:

[1] 8 F.R. 5868.

(20) A "consumer" is one who buys feed for the purpose of actually feeding it to animals and poultry.

4. Section 65 (d) (2) (i) is amended by deleting the figure "1¼%" and inserting the figure "1%".

5. Section 65 (d) (2) (ii) is amended by deleting the figure "1¼" and inserting the figure "1%".

6. Section 65 (e) (2) (iii) (b) is amended to read as follows:

(b) For sales in containers of 50 pounds or less.

Size of container:	*Maximum markup per bag*
Up to and including 5 pounds	$0.06
Over 5 pounds and up to and including 10 pounds	.10
Over 10 pounds and up to and including 25 pounds	.20
Over 25 pounds and up to and including 50 pounds	.35

7. Section 65 (f) (1) (ii) is amended to read as follows:

(ii) For sales as a retailer of the percentage of tonnage volume of sales as retailer listed in his base period report, his maximum price shall be the applicable maximum price set forth in paragraph (d) hereof, plus the maximum markup set forth in paragraph (e) (2) above.

8. Section 65 (f) (2) is amended by adding a new sentence to read as follows: "He shall also report to the Office of Price Administration, Iolani Palace, Honolulu 2, Territory of Hawaii, before the 15th day of each calendar month the total amount of tonnage sales he has made as a wholesaler and the total amount of tonnage sales he has made as a retailer during the immediately preceding month."

9. Section 65 (1) (1) is amended by inserting the words "and wholesaler" after the words "every manufacturer" and before the words "shall keep."

10. Section 65 (1) (2) is amended to read as follows:

(2) Every retailer shall keep for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase subject hereto showing the date thereof, the names and addresses of the buyer and seller, the price contracted for, or paid, and the quantity of the feeds for animals and poultry purchased. He shall also keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, like records of his sales as he kept during the year 1942.

11. A new section 70 is added to read as follows:

SEC. 70. *Maximum prices for white pan bread.* (a) The maximum prices for sales of white pan bread on the Islands of Hawaii, Kauai, Lanai, Maui, and Molokai in the Territory of Hawaii shall be the following maximum prices:

Item	Net weight per loaf	Sales at wholesale	Sales at retail
White pan bread, sliced or unsliced, wrapped or unwrapped.	15¾ to 16¼ oz.	*Cents* 9½	*Cents* 11

(b) "White pan bread" means any white bread baked in a pan, form or screen.

This amendment shall become effective as follows:

(a) As to section 25a, as of July 1, 1944,
(b) As to section 55, as of July 7, 1944,
(c) As to section 65, as of July 1, 1944,
(d) As to section 70, as of July 24, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12757; Filed, August 23, 1944; 12:03 p. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4426, 4481, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 164–167 (46 U.S.C. 375, 404, 474, 481, 489, 367, 526–526t), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the regulations and approval of equipment are prescribed:

Subchapter D—Tank Vessels

PART 35—OPERATION

GENERAL SAFETY RULES

Section 35.4–3 is amended to read as follows:

§ 35.4–3 *Cargo tank hatches, ullage holes, and Butterworth plates—TB/ALL.* No cargo tank hatches, ullage holes, or Butterworth plates shall be opened or shall remain open without flame screens, except under the supervision of the senior member of the crew on duty, unless the tank opened is gas free.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.11 (w) is amended by the addition of the following sentence:

§ 59.11 *Lifeboat equipment.* • • •
(w) *Provisions.* • • •

The foregoing requirements relating to the carrying of condensed milk shall be dispensed with in the case of any vessel complying with the requirements of §§ 153.6 (m) (4) and 153.6 (p) of this chapter.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.9 is amended to read as follows:

§ 60.9 *Lifeboat equipment.* (See § 59.11 of this chapter, which is identical with this section.)

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.6 (m) (4) is amended to read as follows:

§ 153.6 *Additional equipment for lifeboats on self-propelled ocean and coastwise vessels.* • • •
(m) *Provisions.* • • •

(4) Fourteen ounces of milk tablets in waterproof packages or containers. Compliance with this requirement and with the requirements of paragraph (p) of this section shall dispense with compliance with the requirements of §§ 59.11 (w) and 60.9 (w) of this chapter relating to the carrying of condensed milk.

APPROVAL OF EQUIPMENT

DISENGAGING APPARATUS FOR LIFEBOATS

Rottmer type releasing gear (General Arrangement Dwg. No. 1356, dated 13 February, 1944, Rev. 31 July, 1944) (Maximum working load of 9,150 pounds per hook, 18,300 pounds per set), submitted by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y. (Supersedes approval 5 July 1944, 9 F.R. 7527)

LIFEBOAT

28'–0" x 9'–3" x 3'–10" metallic oar-propelled lifeboat (600 cu. ft., 50-person peacetime capacity, 40-person wartime capacity; 648 cu. ft. by Stirling rule, 50-person peacetime capacity, 43-person wartime capacity; 595 cu. ft. by .5 rule, 50-person peacetime capacity, 39-person wartime capacity) (General Arrangement and Construction Dwg. No. 2818, dated 24 July, 1944), submitted by Lane Lifeboat and Davit Corporation, Foot of 40th Road, Flushing, N. Y.

LIFE PRESERVERS

Model No. 1, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944). Approval No. B–232, manufactured by Atlantic-Pacific Mfg. Corp., 124 Atlantic Avenue, Brooklyn, N. Y. (For general use.)

Model No. 2, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944). Approval No. B–233, manufactured by Atlantic-Pacific Mfg. Corp., 124 Atlantic Avenue, Brooklyn, N. Y. (For general use.)

Model No. 3, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944). Approval No. B–234 manufactured by Atlantic-Pacific Mfg. Corp., 124 Atlantic Avenue, Brooklyn, N. Y. (For use with rubber lifesaving suits.)

LIFE RAFTS

20-person improved type life raft (Los Angeles Boiler Works Dwgs. No. B–1145, dated 3 December, 1943, revised, and No. B–1146, dated 1 December, 1943 revised), submitted by the Bell Lumber Company, 3961 Gage Avenue, Bell, California.

20-person improved type life raft (Dwgs. Sheet Nos. 1, 2, 3 and 4, dated 14 July, 1944), submitted by Craftsman Equipment Corp., 41–43 Utica Avenue, Brooklyn, N. Y.

20-person improved type, aluminum-plywood life raft (Arrangement and Details Dwg. No. R–205–X, dated 26 February, 1944, Rev. 26 July, 1944), submitted by Gunderson Bros. Engineering Corp., 4700 Northwest Front Avenue, Portland, Oregon. (Supersedes approval 31 May, 1944, 9 F.R. 5997)

20-person improved type Wilwel reversible life raft, balsa wood filler (Dwg. No. N. V. 32, dated 24 June, 1944), submitted by the Williams and Wells Company, 252 Fulton Street, New York, N. Y.

L. T. CHALKER,
Rear Admiral, USCG,
Assistant Commandant.

AUGUST 22, 1944.

[F. R. Doc. 44–12715; Filed, August 23, 1944; 9:48 a. m.]

Chapter III—War Shipping Administration

[G. O. 24, Supp. 6]

PART 310—MERCHANT MARINE TRAINING

EMERGENCY REGULATIONS GOVERNING APPOINTMENT AND TRAINING OF CADETS IN UNITED STATES MERCHANT MARINE CADET CORPS

Effective as of July 1, 1944, paragraph (b) of § 310.57 *Pay* (8 F.R. 6967, 7203) is amended to read:

(b) Cadet-Midshipmen aboard ship, who sign articles or commence voyages on or after July 1, 1944, will receive pay, while attached to such vessel, at the rate of $82.50 per month from their steamship company employers (representing the minimum basic monthly wage of $65.00, and including the additional emergency compensation of $17.50), together with such war risk bonuses and insurance benefits as may be prescribed from time to time by decisions and rulings of the Maritime War Emergency Board. In addition the steamship company employers shall pay the Cadet-Midshipmen aboard ship such:

Explosive cargo bonus;
Penalty cargo bonus;
Subsistence and room allowances in port;
Transportation allowances; and
Such other bonuses as are paid to the licensed officers of the vessel to which the Cadet-Midshipman is attached.

Cadet-Midshipmen, in order to carry on with the training courses aboard ship, shall not be given overtime work or granted overtime pay. Of their eight-hour work day, two hours shall be allowed by steamship company employers to all Cadet-Midshipmen for study purposes.

(E.O. 9054, 9198; 7 F.R. 837, 5383)

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44–12724; Filed, August 23, 1944; 10:26 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SALT RIVER PROJECT, ARIZ.

PARTIAL REVOCATION OF FIRST AND SECOND FORM WITHDRAWALS

JUNE 8, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Salt River project, the withdrawal of the hereinafter described land, withdrawn in the first and second forms prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of July 2 and August 26, 1902, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said orders or affect any other orders withdrawing or reserving the land hereinafter listed.

SALT RIVER PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 2 N., R. 2 E.,
Sec. 4, E½NE¼,SW¼.

Respectfully,
[SEAL] H. W. BASHORE,
Commissioner.

I concur: August 3, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 5, 1944.

[F. R. Doc. 44–12763; Filed, August 23, 1944; 11:47 a. m.]

OWYHEE PROJECT, OREG.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

JUNE 13, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Owyhee project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Order of March 28, 1925, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

OWYHEE PROJECT

WILLAMETTE MERIDIAN, OREGON

T. 21 S., R. 46 E.,
Sec. 6, Lot 7.

Respectfully,
[SEAL] H. W. BASHORE,
Commissioner.

I concur: August 10, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Owyhee project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

On April 4, 1944, the Board of Directors of the Owyhee Irrigation District passed a resolution to the effect that the release from reclamation withdrawal of the above tract shall not constitute a basis for a reduction in the sum that District has obligated itself to pay the United States and that such action shall not release the tract from the obligations of the Owyhee Irrigation District.

Mr. Willie B. McGinnis, of Adrian, Oregon, has filed a petition (1990784) in the General Land Office requesting that the land be released from reclamation withdrawal in order that he may file a desert land application.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, position, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CRF 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CRF part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 14, 1944.

[F. R. Doc. 44–12764; Filed, August 23, 1944; 11:47 a. m.]

RIO GRANDE PROJECT, N. MEX.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

The SECRETARY OF THE INTERIOR.

JUNE 14, 1944.

SIR: From recent investigations in connection with the Rio Grande project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by Section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Orders of September 29 and October 31, 1903, March 26 and July 17, 1908, June 3, 1926, August 6, 1932, August 27 and September 22, 1936, and July 14, 1938, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

RIO GRANDE PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 8 S., R. 2 W.,
Sec. 20, W½NE¼, W½, W½SE¼;
Sec. 30, NW¼NE¼, NW¼, N½SW¼.
T. 8 S., R. 3 W.,
Sec. 36, E½.
T. 9 S., R. 3 W.,
Sec. 1, Lots 3, 4, S½NW¼, NW¼SW¼;
Sec. 2, SE¼;
Sec. 11, NE¼NE¼, W½E½;
Sec. 14, W½NE¼, W½, NW¼SE¼;
Sec. 23, N½NW¼, SW¼NW¼, NW¼SW¼;
Sec. 27, N½NE¼, SW¼NE¼, SW¼;
Sec. 33, N½NE¼, N½SW¼, SW¼SW¼.

T. 10 S., R. 3 W.,
Sec. 5, Lots 1, 2, SW¼NE¼, SW¼, W½SE¼;
Sec. 6, Lots 1, 2, SW¼NE¼, SW¼, W½SE¼;
Sec. 8, W½NE¼, W½, W½SE¼;
Sec. 17, NW¼, N½SW¼;
Sec. 19, NE¼NE¼, W½E½;
Sec. 21, S½SE¼;
Sec. 22, Lot 4;
Sec. 27, Lots 1 to 4, inclusive;
Sec. 28, E½;
Sec. 30, W½NE¼, NW¼SE¼;
Sec. 32, W½SW¼;
Sec. 33, NE¼, SE¼SW¼, SE¼;
Sec. 34, Lots 1 to 4, inclusive.
T. 11 S., R. 3 W.,
Sec. 3, Lots 1 to 4, inclusive;
Sec. 4, Lots 1, 2, 3, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 5, Lot 4, SW¼NW¼, W½SW¼;
Sec. 6, SE¼;
Sec. 7, Lots 1 to 4, inclusive;
Sec. 8, E½SE¼;
Sec. 9, NE¼, E½NW¼, S½;
Sec. 10, Lots 1 to 4, inclusive;
Sec. 15, Lots 1 to 4, inclusive;
Sec. 16;
Sec. 17, E½E½;
Sec. 18, Lots 1, 2;
Sec. 20, E½NE¼;
Sec. 21, N½, SE¼;
Sec. 22, Lots 1 to 4, inclusive;
Sec. 27, Lots 1 to 4, inclusive;
Sec. 28, E½.
T. 11 S., R. 4 W.,
Sec. 13, SW¼, N½SE¼;
Sec. 24, NW¼, W½SW¼;
Sec. 25, W½W½;
Sec. 35, NE¼, W½SE¼;
Sec. 36, W½NW¼.
T. 12 S., R. 4 W.,
Sec. 1, SW¼;
Sec. 2, S½NE¼;
Sec. 12, NW¼NE¼, S½NE¼, SE¼;
Sec. 13, Lots 1, 2, N½NE¼;
Sec. 34, Lots 3, 4, W½SE¼.
T. 14 S., R. 4 W.,
Sec. 6, N½NE¼, NE¼SW¼;
Sec. 17, E½NE¼;
Sec. 19, SW¼SW¼;
Sec. 29, SE¼SE¼;
Sec. 30, NW¼NW¼;
Sec. 32, NE¼NE¼, S½NE¼, SE¼.
T. 15 S., R. 4 W.,
Sec. 4, Lot 6, E½SW¼;
Sec. 5, Lot 1;
Sec. 6, Lots 4, 5;
Sec. 9, Lot 3, E½NW¼;
Sec. 17, SE¼NE¼, E½SE¼;
Sec. 20, E½NE¼;
Sec. 29, S½SW¼;
Sec. 31, E½E½.
T. 16 S., R. 4 W.,
Sec. 18, E½E½;
Sec. 19, S½NE¼NE¼, SE¼NE¼, S½SE¼;
Sec. 20, S½N½S½N½SW¼, S½S½N½SW¼, NW¼SE¼, SW¼NE¼SE¼, S½S½;
Sec. 21, SW¼SW¼;
Sec. 30, NE¼.
T. 15 S., R. 5 W.,
Sec. 12, W½SE¼;
Sec. 13, NW¼NE¼, S½NE¼, SE¼;
Sec. 25, NW¼NE¼, W½SW¼;
Sec. 36, SW¼.
T. 16 S., R. 5 W.,
Sec. 1, S½NW¼;
Sec. 26, W½NE¼.

Respectfully,
[SEAL] H. W. BASHORE,
Commissioner.

I concur: August 8, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Rio Grande project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR Part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 11, 1944.

[F. R. Doc. 44-12755; Filed, August 23, 1944; 11:48 a. m.]

COLORADO-BIG THOMPSON PROJECT, COLO.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

JUNE 12, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Colorado-Big Thompson project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by Section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Order of September 14, 1937, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

COLORADO-BIG THOMPSON PROJECT

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 79 W.,
Sec. 19, Lots 31 and 32.

Respectfully,
[SEAL] H. W. BASHORE,
Commissioner.

I concur: August 10, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Colorado-Big Thompson project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the sending of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

AUGUST 14, 1944.

[F. R. Doc. 44-12756; Filed, August 23, 1944; 11:48 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4673]

CURTISS CANDY COMPANY.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of August, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 25, 1944, at ten o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12716; Filed, August 23, 1944; 10:13 a. m.]

[Docket No. 5117]

RUCKER'S IMPERIAL BREEDING FARM, INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of August, A. D. 1944.

In the matter of Rucker's Imperial Breeding Farm, Inc., a corporation, Famous Poultry Farms, Inc., a corporation, Hillview Poultry Farms, Inc., a corporation, Ross R. Salmon, individually, and as an officer of Rucker's Imperial Breeding Farm, Inc., a corporation, Famous Poultry Farms, Inc., a corporation, and Hillview Poultry Farms, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 18, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room 316, United States Court House, Des Moines, Iowa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12717; Filed, August 23, 1944; 10:13 a. m.]

[Docket No. 5162]

STROMBERG HATCHERY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Ernest Stromberg, Josephine Stromberg, Betty Snyder, and Loyl Stromberg, individuals, trading as Stromberg Hatchery.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of August, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 11, 1944, at ten o'clock in the forenoon of that day (central standard time), in Court Room, Federal Building, Fort Dodge, Iowa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12718; Filed, August 23, 1944; 10:13 a. m.]

[Docket No. 5181]

CHICK BED CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of August, A. D. 1944.

In the matter of Otto A. Kohl, an individual, Clarke Van Meter, and Marvin M. Cobb, individuals and trustees, copartners trading as Chick Bed Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, September 1, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room No. 2, Federal Building, Cedar Rapids, Iowa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12719; Filed, August 23, 1944; 10:13 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 461]

RECONSIGNMENT OF PEACHES AT MASON CITY, IOWA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Mason City, Iowa, August 18, 1944, by C. H. Robinson Company of car PFE 74430, peaches, now on the C. R. I. & P. Railroad, to Fargo, North Dakota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12721; Filed, August 23, 1944; 10:27 a. m.]

[S. O. 70-A, Special Permit 462]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 18, 1944, by R. A. Klotz Company of car NWX 1481, potatoes, now on the Wood Street Terminal to Piggly Wiggly Stores, Champaign, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12722; Filed, August 23, 1944; 10:27 a. m.]

[Rev. S. O. 224, Special Permit 2]

ICING OF ORANGES FROM SAN BERNARDINO, CALIF.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (9 F.R. 10002) of Service Order No. 224, of August 12, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 224 insofar as it applies to PFE 79996, 79997, SFRD 4547, 38391 and 33383, all loaded with oranges originating at San Bernardino, California, August 16, routed Santa Fe-Erie destined New York, N. Y. The first four cars may be accorded full bunker icing or reicing under standard refrigeration and the last car may be accorded full bunker initial icing also full bunker reicing at Needles and Argentine only.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12723; Filed, August 23, 1944; 10:26 a. m.]

OFFICE OF DEFENSE TRANSPORTATION

[Special Order ODT B-9, Amdt. 4]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND NEW YORK, N. Y.

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and amendments thereof, filed with the Office of Defense Transportation by All American Bus Lines, Inc., Chicago, Illinois, and Northern Trails, Inc., Chicago, Illinois, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F.R. 4389 and 11099; 8 F.R. 12028); *It is hereby ordered*, That:

1. Special Order ODT B-9, as amended, (7 F.R. 5926; 8 F.R. 1160 and 11000; 9 F.R. 5092), be, and it hereby is, amended by deleting the word and figures September 1, 1944, where they appear in paragraph 3 thereof and substituting therefor the word and figures March 1, 1945.

This amendment shall become effective on August 23, 1944.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12726; Filed, August 23, 1944; 11:16 a. m.]

[Special Order ODT B-2, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN OMAHA, NEBR., AND LOS ANGELES, CALIF., VIA SALT LAKE CITY, UTAH, AND BETWEEN OMAHA, NEBR., AND SIOUX CITY, IOWA

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed at this Office by Burlington Transportation Company, Chicago, Illinois, and Interstate Transit Lines, Omaha, Nebraska; *It is hereby ordered*, That:

Special Order ODT B-2 (7 F.R. 4240) be, and it hereby is, amended by adding a paragraph numbered 9 at the end thereof, reading as follows:

9. The provisions of this order shall be subject to any Special Permit issued by the Division Director, Passenger Operations Division, Highway Transport Department, Office of Defense Transportation, to meet specific needs or special circumstances.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 44-12729; Filed, August 23, 1944; 11:16 a. m.]

[Supp. Order ODT 20A-163]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PAWTUCKET, R. I. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Pawtucket, Rhode Island, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Providence, Rhode Island, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-163" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Providence, Rhode Island.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Wilfred A. Lamarre, 188 Main St., Pawtuckett, R. I.
Daniel P. Fox, 180 Main St., Pawtucket, R. I.
Thomas J. MacNamara, 150 Main St., Pawtucket, R. I.
Hamilton Taxi, 150 Main St., Pawtucket, R. I.
Pawtucket Taxi, 150 Main St., Pawtucket, R. I.
Yellow Cab Co., 150 Main St., Pawtucket, R. I.
Bro Taxi Co., 15 Bayley St., Pawtucket, R. I.
Breen Taxi, 16 Dexter St., Pawtucket, R. I.
George's Taxi, 5½ Goff Ave., Pawtucket, R. I.
Menatian Taxi, 549½ Broadway, Pawtucket, R. I.
Slater Cab Co., 43 East Ave., Pawtucket, R. I.

[1] Filed as part of the original document.

[F. R. Doc. 44-12730; Filed, August 23, 1944; 11:16 a. m.]

[Supp. Order ODT 20A-164]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TRENTON, N. J., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Trenton, New Jersey, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Trenton, New Jersey, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-164" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Trenton, New Jersey.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John D'Angelo, 14 Fairview Avenue, Trenton, N. J.
James Fruscione, 535 Brunswick Avenue, Trenton, N. J.
Joseph Derrico, 20 Division Street, Trenton, N. J.
Joseph Fruscione, 1194 Princeton Avenue, Trenton, N. J.
Domenick Orsi, 129 S. Broad Street, Trenton, N. J.
Ideale Martone, 136 Emanuel Street, Trenton, N. J.

[1] Filed as part of the original document.

[F. R. Doc. 44-12731; Filed, August 23, 1944; 11:19 a. m.]

[Supp. Order ODT 20A-165]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN CHELSEA, MASS. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Chelsea, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall be-

[1] Filed as part of the original document.

come subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–165" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston, 10, Massachusetts.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Greene Taxi Service, 287 Broadway, Chelsea, Massachusetts.
Independent Taxi, 16 Bellingham Street, Chelsea, Massachusetts.
Broadway Taxi, 456 Broadway, Chelsea, Massachusetts.

[F. R. Doc. 44–12732; Filed, August 23, 1944; 11:19 a. m.]

[Supp. Order ODT 20A–166]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN GARDEN CITY, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Garden City, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–166" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, New York, New York.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

George Braband, d/b/a Garden City Taxi Owners, Garden City, N. Y.
Walter W. Barnes, d/b/a Garden City Taxi Owners, Garden City, N. Y.
Fred J. Whitfield, d/b/a Garden City Taxi Owners, Garden City, N. Y.
Vernon Evans, d/b/a Garden City Taxi Owners, Garden City, N. Y.
Grover Minton, d/b/a Garden City Taxi Owners, Garden City, N. Y.
Christian Kleinert, d/b/a Garden City Taxi Owners, Garden City, N. Y.
John J. Mollineaux, d/b/a Garden City Taxi Owners, Garden City, N. Y.
Charley V. Wharton, d/b/a Garden City Taxi Owners, Garden City, N. Y.
William C. Evans, d/b/a Garden City Taxi Owners, Garden City, N. Y.
John J. Re, d/b/a Garden City Taxi Owners, Garden City, N. Y.

[F. R. Doc. 44–12733; Filed August 23, 1944; 11:19 a. m.]

[Supp. Order ODT 20A–167]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MANKATO, MINN. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Mankato, Minnesota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Mason City, Iowa, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–167" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Mason City, Iowa.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Royal Cab Company, 113 E. Hickory Street, Mankato, Minn.
Kauffman Taxi Company, 102 N. 2d Street, Mankato, Minn.
Eugene Coy, d/b/a Coy Cab Company, Mankato, Minn.

[F. R. Doc. 44–12734; Filed, August 23, 1944; 11:20 a. m.]

[Supp. Order ODT 20A–168]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN WATERLOO AND CEDAR FALLS, IOWA, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Waterloo and Cedar Falls, Iowa, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Mason City, Iowa, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–168" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Mason City, Iowa.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Forum Yellow Cab Company, 711 Commercial Street, Waterloo, Iowa.
City Cab Company, 503 Lafayette Street, Waterloo, Iowa.
Yellow Cab Company, Cedar Falls, Iowa.

[F. R. Doc. 44–12735; Filed, August 23, 1944; 11:20 a. m.]

(Supp. Order ODT 20A–169)

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ASTORIA, OREG., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Astoria, Oregon, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

[1] Filed as part of the original document.

2. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Portland, Oregon, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–169" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Portland, Oregon.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Foster Taxi Company, Astoria, Oregon.
Royal Cab Company, Astoria, Oregon.
Union Cab Company, Astoria, Oregon.

[F. R. Doc. 44–12736; Filed, August 23, 1944; 11:20 a. m.]

[Supp. Order ODT 20A–170]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN NEPTUNE AND LONG BRANCH, N. J. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Neptune and Long Branch, New Jersey, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Trenton, New Jersey, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–170" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Trenton, New Jersey.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hen-Fran Corporation, 9 South Main Street, Neptune, N. J.
Golden Cab Company, 247 Broadway, Long Branch, N. J.

[F. R. Doc. 44–12737; Filed, August 23, 1944; 11:21 a. m.]

[Supp. Order ODT 20A–171]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN BEVERLY, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Beverly, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–171" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts.

8. This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 23d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Sterman Taxi Co. Inc., 35 Bow Street, Beverly, Mass.
Community Taxi, Rantoul Street, Beverly, Mass.
Reds Taxi Service, 7 Taft Avenue, Beverly, Mass.
John A. Lister, 56 Sohier Road, Beverly, Mass.
Samuel Goldberg, 74 Elliot Street, Beverly, Mass.

[F. R. Doc. 44–12738; Filed, August 23, 1944; 11:21 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 48 to Order A–1]

STRUCTURAL CLAY PRODUCTS

MODIFICATION OF MAXIMUM PRICES

Amendment No. 48 to Order No. A–1 under § 1499.159b of Maximum Price Regulation 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (36) is added to Order A–1 to read as follows:

(36) *Modification of maximum prices for structural clay products*—(i) *Scope of this subparagraph.* This subparagraph (36) establishes adjusted maximum prices for sales and deliveries of building brick (common and unglazed face), drain tile and hollow building tile, (glazed and unglazed), in the States of Iowa, Minnesota, Nebraska, North Dakota, South Dakota, the upper Peninsula of Michigan and Counties of Wisconsin lying north and west of and including Oconto, Shawano, Waupaca, Waushara, Green Lake, Columbia, Dane and Green.

(ii) *Maximum prices.* On and after the 26th day of August, 1944, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver, and no person in the course of trade or business, shall buy or receive any building brick (common and unglazed face), drain tile, or hollow building tile, (glazed or unglazed), produced in or delivered in the area specified in subparagraph (i) above, at prices higher than those set forth below. Prices lower than maximum prices may be charged and paid. The maximum prices computed under this subparagraph shall be subject to all cash discounts, allowances and price differentials established by the seller for such products and in effect to the sellers' various classes of customers during the month of March 1942.

(a) The manufacturer's maximum prices for building brick, (common and unglazed face), may be increased by adding an amount not in excess of $2.00 per thousand to f. o. b. plant prices or delivered prices for standard size brick. If the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick (common and unglazed face) he may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment.

(b) The maximum prices for drain tile may be increased as follows:

Size (inches)	Weight per foot	Increase per M lineal feet
	Pounds	
3	5	$1.90
4	6	2.30
5	8	3.00
6	10	3.80
8	16	6.00
10	25	9.40
12	32	12.00

Manufacturers who produce drain tile of 14" through 24" diameters, inclusive, may compute the maximum price increase per M lineal feet at $0.75 per ton on the basis of published weights per foot, rounded off at the nearest $.10 figure in accordance with established industry practice.

(c) The maximum prices for hollow building tile, (glazed or unglazed), may be increased by adding an amount not in excess of $.75 per ton to f. o. b. plant or delivered prices.

(iii) Any jobber or dealer purchasing structural clay products for resale from any manufacturer who has modified his maximum prices in accordance with subdivision (ii) above may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation, by the dollars-and-cents amount equal to his actual dollars-and-cents increase in cost resulting from the increase permitted under subdivision (ii) above.

(iv) Any price adjustment granted prior to August 26, 1944, for any seller of brick covered by this Paragraph (a) (36) is hereby revoked.

This Paragraph (a) (36) may be revoked or amended at any time.

This Amendment No. 48 shall become effective August 26, 1944.

Issued this 23d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12761; Filed, August 23, 1944; 11:58 a. m.]

[MPR 188, Amdt. 49 to Order A–1]

BUILDING BRICK

MODIFICATION OF MAXIMUM PRICES

Amendment No. 49 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices in Maximum Price Regulation No. 188.

An opinion accompanying Amendment No. 49 to Order No. A–1 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (a) (37) is added to Order A–1 to read as follows:

(37) *Modification of maximum prices for building brick (common and unglazed face).* (i) The manufacturers' maximum prices for building brick (common and unglazed face) produced in the states of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, established pursuant to Maximum Price Regulation No. 188, as amended, may be increased by adding an amount not in excess of $2.00 per thousand to f. o. b. plant prices or delivered prices on standard size brick. If the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick (common and unglazed face) he may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment.

(ii) Any jobber or dealer purchasing building brick (common and unglazed face) for resale from any manufacturer who has increased his maximum prices in accordance with subdivision (i) above may increase his established f. o. b. yard or delivered maximum price under the General Maximum Price Regulation, by the dollar-and-cents amount equal to his actual dollar-and-cents increase in cost resulting from the increase permitted under subdivision (i) above.

(iii) The maximum prices established herein shall be subject to at least the same cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(iv) Any price adjustment granted prior to August 26, 1944 for any seller of brick covered by this paragraph (a) (37) is hereby revoked.

This Amendment No. 49 shall become effective August 26, 1944.

Issued this 23d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12766; Filed, August 23, 1944; 12:03 p. m.]

*Copies may be obtained from the Office of Price Administration.

[MPR 188, Amdt. 51 to Order A–1]

DOMESTIC HOT WATER HEATERS

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 51 to Order A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Order A–1 is amended in the following respect:

1. Paragraph (a) (39) is added to read as follows:

(39) *Modification of maximum prices of automatic controls for use in domestic hot water heaters.*—(i) *Scope of this subparagraph.* This subparagraph (39) establishes adjusted maximum prices for sales and deliveries of automatic controls for direct-fired domestic automatic hot water heaters by the manufacturers of such automatic controls to manufacturers of such heaters for use in the manufacture thereof.

This subparagraph does not establish adjusted maximum prices for sales of automatic controls for direct-fired domestic automatic hot water heaters by the manufacturers of such controls to persons other than manufacturers of such heaters or sales of such controls to manufacturers of such heaters where such controls are not used in the manufacture thereof.

For the purpose of this subparagraph the term "automatic controls for direct-fired domestic automatic hot water heaters" means any automatic device especially designed for (1) controlling and maintaining the temperature and (2) the safe operation of a direct-fired domestic automatic hot water heater which uses natural or manufactured gas, kerosene, or oil, or any derivative thereof as fuel. The term includes but is not limited to safety pilots or shut-offs, thermostats and combination units embodying at least two of the following features: thermostat, safety pilot or shut-off, main gas cock, flow control valve, and pilot valve.

(ii) *Maximum prices.* On and after August 24, 1944, regardless of any contract, agreement, lease, or other obligation, any manufacturer of automatic controls for direct-fired domestic automatic hot water heaters may, on sales to manufacturers of direct-fired domestic automatic hot water heaters for use in the manufacture of such heaters only, increase his presently established maximum net price for such automatic controls by 9 percent.

(iii) *Cash discounts, allowances and services.* The maximum prices established by this subparagraph shall be subject to the extension of cash discounts and other allowances, the rendition of services and the absorption of transportation charges most favorable to manufacturers of direct-fired domestic automatic hot water heaters which the manufacturer extended, rendered or absorbed or would have extended, rendered or absorbed during the month of March 1942.

(iv) Every person selling automatic controls under the authority of this subparagraph shall have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a record of each sale made under the authority of this subparagraph, showing the date of the sale, the name and address of the purchaser, the plate number, the transaction price, the discount allowed, transportation charges allowed, and the point of delivery, except that such records need not be kept for any month in which the total sales of automatic controls do not exceed $1,000.00.

(v) Every person making sales under the authority of this subparagraph shall submit such reports as the Office of Price Administration shall from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(vi) *Notification to purchasers.* Every person making sales under the authority of this subparagraph shall send a notice to every purchaser at the time of the first invoicing stating substantially as follows:

Amendment No. 51 to Order A–1 under § 1499.159b of Maximum Price Regulation No. 188 permits us to increase by 9 percent our present maximum net price of automatic controls for use in direct-fired domestic automatic hot water heaters when sold to a manufacturer of direct-fired domestic automatic hot water heaters for such use by the manufacturer. The prices charged you for automatic controls are not higher than the adjusted maximum net prices permitted under this amendment.

This notice is given to you at the express direction of the Office of Price Administration.

This Amendment No. 51 shall become effective August 24, 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12762; Filed, August 23, 1944; 11:58 a. m.]

[RMPR 436, Order 12]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 12 under Revised Maximum Price Regulation No. 436. Crude petroleum and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Haynesville (Buck Range or Blossom Sand) Pool, Claiborne County, La.
Hardy Pool, Lea County, N. Mex.
Penrose Pool, Lea County, N. Mex.
Barnett Creek Pool, Ohio County, Ky.
Sebree Pool, Webster County, Ky.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436 *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Louisiana, Claiborne County, Haynesville (Buck Range or Blossom) Pool	$0.20
New Mexico, Lea County, Hardy Pool	.20
New Mexico, Lea County, Penrose Pool	.20
Kentucky, Ohio County, Barnett Creek Pool	.20
Kentucky, Webster County, Sebree Pool	.20

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12764; Filed, August 23, 1944; 11:59 a. m.]

[RMPR 436, Order 13]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICE

Order No. 13 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Cairo Pool, Henderson County, Ky.
Chapman Pool, Union County, Ky.
Clay Pool, Webster County, Ky.
Coryden Pool, Henderson County, Ky.
Geneva Pool, Henderson County, Ky.
Greenbriar Pool, Henderson County, Ky.
North Livermore Pool, McLean County, Ky.
Panther Pool, Henderson County, Ky.
Raleigh Pool, Union County, Ky.
Spring Grove Pool, Union County, Ky.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944, and produced in any of the pools set out above shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436. Increases heretofore granted for these pools by section 12 of Revised Maximum Price Regulation No. 436 are hereby revoked.

This order shall become effective as of August 1, 1944.

Issued this 23d day of August, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12763; Filed, August 23, 1944; 11:59 a. m.]

[RMPR 436, Order 14]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 14 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Ivy Pool, Shackelford County, Tex.
Stroud Deep Pool, Stephens County, Tex.
Rogers-McCrary Pool, Wilbarger County, Tex.
Daws Pool, Young County, Tex.
Sewell Pool, Young County, Tex.
Gayle Pool, Coleman County, Tex.
Bowers Pool, Montague County, Tex.
Grass Creek Frontier-Lower Sand-Heavy Oil Pool, Hot Spring County, Wyo.
Milroy (all pools excepting shallow) Pool, Stephens County, Okla.
Fox (all pools excepting shallow) Pool, Carter County, Okla.
Velma (all pools excepting shallow) Pool, Stephens County, Okla.
Edmonds Pool, Young County, Tex.
Burns Ragland Strawn Pool, Young County, Tex.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436 *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out above shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436. Increases heretofore granted for these pools by section 12 of Revised Maximum Price Regulation No. 436 are hereby revoked.

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12765; Filed, August 23, 1944; 11:59 a. m.]

[RMPR 436, Order 15]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 15 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Dundas Consolidated Pool, Richland and Jasper Counties, Illinois.
Inman Pool, Gallatin County, Illinois.
Manila Pool, Jim Hogg County, Texas.
New Salem Pool, Allegan County, Michigan.
Fox (Shallow) Pool, Carter County, Oklahoma.
Grass Creek, Frontier Sand, Light Oil Pool, Hot Springs County, Wyoming.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Amount of increase (dollars per 42 gallon barrel)

Illinois State, Richland and Jasper County, Dundas Consolidated Pool	$0.20
Illinois State, Gallatin County, Inman Pool	.20
Texas State, Jim Hogg County, Manila Pool	.35
Michigan State, Allegan County, New Salem Pool	.25
Oklahoma State, Carter County, Fox (Shallow) Pool	.25
Wyoming State, Hot Springs County, Grass Creek, Frontier Sand Light Oil Pool	.25

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44–12769; Filed, August 23, 1944; 12:06 p. m.]

[Administrative Notice 6]

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES FOR WHITE FLESH POTATOES

Correction

In F.R. Doc. 44–12183, appearing on page 9929 of the issue for Tuesday, August 15, 1944, the first period in the table should read: "Beginning of season—March 31:"

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 18, 1944.

REGION II

Buffalo Order A–1, covering live poultry at retail in Cattaraugue, Chautauqua and Erie, and also Niagara Co., N. Y., filed 2:35 p. m.

Buffalo Order A–2, covering live poultry at retail in Buffalo and Lackawanna Cities and Village of Kenmore, N. Y., filed 2:37 p. m.

Buffalo Order A–3, covering live poultry at retail in Allegany, Genesee, Livingston, Monroe, Orleans and Wyoming Counties in New York, filed 2:37 p. m.

REGION IV

Savannah Order 4–W, covering dry groceries at wholesale in certain counties in Georgia, filed 2:43 p. m.

Savannah Order 17, covering dry groceries and certain perishables in certain counties in Georgia, filed 2:45 p. m.

Savannah Order 17, Amendment 1, covering dry groceries and certain perishables in certain counties in Georgia, filed 2:44 p. m.

South Carolina Order 3-W, covering wholesale food prices in South Carolina, filed 2:16 p. m.

REGION VI

Springfield Order 1-FS, Amendment 2, covering fresh fruit and vegetables in City of Springfield, Sangamon Co., Ill., filed 2:18 p. m.

Springfield Order W-13, covering dry groceries in certain named counties in Illinois, filed 4:22 p. m.

Springfield Order W-14, covering dry groceries in designated counties in Illinois, filed 2:13 p. m.

Springfield Order W-15, covering dry groceries in designated counties in Illinois, filed 4:19 p. m.

Springfield Order W-16, covering dry groceries in designated counties in Illinois, filed 4:19 p. m.

Springfield Order W-17, covering dry groceries in designated counties in Illinois, filed 4:22 p. m.

Springfield Order W-18, covering dry groceries in designated counties in Illinois, filed 2:15 p. m.

Springfield Order 36, covering community food prices in designated counties in Illinois, filed 4:21 p. m.

Springfield Order 37, covering community food prices in designated counties in Illinois, filed 4:22 p. m.

Springfield Order 38, covering community food prices in designated counties in Illinois, filed 2:13 p. m.

Springfield Order 39, covering community food prices in designated counties in Illinois, filed 4:19 p. m.

Springfield Order 40, covering community food prices in designated counties in Illinois, filed 2:15 p. m.

Springfield Order 41, covering community food prices in designated counties in Illinois, filed 2:42 p. m.

Springfield Order 42, covering community food prices in the Springfield, Ill. district, filed 4:21 p. m.

REGION VII

Boise Order 1-F, Amendment 1, covering fresh fruits and vegetables in Boise, Idaho, filed 2:44 p. m.

Wyoming Order 1-F, Amendment 9, covering fresh fruits and vegetables in the Cheyenne Area, filed 2:19 p. m.

Wyoming Order 2-F, Amendment 7, covering fresh fruits and vegetables in the Laramie Area, filed 2:20 p. m.

Wyoming Order 3-F, Amendment 6, covering fresh fruits and vegetables in the Casper Area, filed 2:20 p. m.

Wyoming Order 5-F, Amendment 5, covering fresh fruits and vegetables in the Rock Springs Area, filed 2:20 p. m.

REGION VIII

Phoenix Order 13, Amendment 2, covering community ceiling prices in the Cochise Area, filed 2:16 p. m.

Copies of any of these orders may be obtained from the OPA Office of the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-12759; Filed, August 23, 1944; 11:57 A. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-953]

ELECTRIC POWER & LIGHT CORP. AND ARKANSAS POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of August A. D. 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Electric Power & Light Corporation ("Electric"), a subsidiary of Electric Bond and Share Company, both registered holding companies and Electric's subsidiary, Arkansas Power & Light Company ("Arkansas").

All interested persons are referred to said joint declaration or application which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

In return for the surrender by Electric to Arkansas of all of the securities of the latter held by it consisting of 7,697 shares of $7 preferred stock and 1,233,638 shares of no par value common stock and the payment by Electric to Arkansas of $4,000,000 in cash, Arkansas will issue to Electric 1,070,000 shares of new $12.50 per value common stock.

Arkansas will also take the following corporate action:

(1) Cancel the securities to be received by it from Electric together with 891 shares of reacquired $7 preferred stock and 453 shares of reacquired $6 preferred stock held by it in its treasury.

(2) Restate the then remaining outstanding shares of $6 and $7 preferred stock at $100 per share, the amount of the claim of such shares on liquidation.

(3) Call for redemption, by lot, 39,934 shares of its $7 preferred stock at the redemption price of $110 plus accrued dividends.

As a result of the foregoing transactions the capital surplus of Arkansas will be increased from $5,862 to $5,736,826 of which $3,296,782 together with $165,136 of earned surplus of the company will be used to eliminate certain inflationary items contained in the plant account of Arkansas and to make other accounting adjustments ordered to be made by the Department of Public Utilities of Arkansas. The remaining balance of capital surplus will be used to dispose of certain capital stock discount and expense and call premiums.

Arkansas further proposes to amend its Articles of Incorporation to confer contingent voting rights on its preferred stocks and to provide that in the event of a partial redemption of either of the classes of preferred stock, the shares to be redeemed shall be selected by lot. The proposed transactions will, according to the filing, be expressly authorized by the Department of Public Utilities of Arkansas.

The applicants-declarants have designated sections 6 (a), 6 (b), 9 (a) (1), 12 and Rules U-42, U-43 and U-45 as being applicable to the proposed transactions.

It appearing to the Commission that it is proper and in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application-declaration, and that said application should not be granted, or said declaration should not become effective, except pursuant to further order of the Commission:

It is hereby ordered, That a hearing be held upon said matters on September 5, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why the application-declaration should be granted and should be permitted to become effective.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail a copy of this order on the applicants and declarants herein and the Department of Public Utilities of Arkansas; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before September 2, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of common stock by Arkansas is solely for the purpose of financing the business of said company and has been expressly authorized by a state commission of the state in which Arkansas is organized and doing business.

(2) Whether the proposed transfer of securities from Electric to Arkansas and the purchase of common stock by Electric and the proposed reduction of capital stock liability by Arkansas will result in an unfair and inequitable distribution of voting power or is otherwise detrimental to the public interest or the interests of investors or consumers.

(3) Generally, whether the proposed transactions comply with the applicable provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder.

(4) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to ensure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12761; Filed, August 23, 1944; 11:47 a. m.]

[File No. 70-939]

MISSISSIPPI POWER & LIGHT CO., AND ELECTRIC POWER & LIGHT CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of August A. D., 1944.

Electric Power & Light Corporation ("Electric"), a registered holding company, and its public utility subsidiary Mississippi Power & Light Company ("Mississippi"), having filed a joint application and declaration, with amendments thereto, in which it is proposed that:

(1) Pursuant to a condition contained in the order of this Commission dated May 13, 1944, in Electric Power & Light Corporation, File No. 70-752, Electric transfer to Mississippi 20,184 shares of the $6 preferred stock of Mississippi and Mississippi change the stated value of its presently outstanding 500,000 shares of common stock, all of which are owned by Electric, from $2,500,000 to $4,750,000; and

(2) Mississippi issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, $12,000,000 principal amount of First Mortgage Bonds to mature in 1974, and issue and sell to Central Hanover Bank and Trust Company, $2,000,000 principal amount of promissory notes, payable in 20 equal semiannual installments beginning March 1, 1945, said notes to be sold at par and to bear interest at 2¼% per annum; and

(3) The proceeds of the sale of said securities to be applied, together with treasury cash, to the redemption of Mississippi's First Mortgage Gold Bonds, 5% Series, due 1957, in the principal amount of $15,000,000 at the redemption price of 102½% of the principal amount plus accrued interest to the date of redemption; and

(4) Mississippi change its Certificate of Incorporation so as to confer certain contingent voting rights upon the shares of $6 preferred stock remaining outstanding; and

In connection with the issuance and sale of the proposed bonds Mississippi having requested that the ten-day period for inviting bids, as provided in our Rule U-50 (b), be shortened to a period of not less than 6 days; and

Samuel Okin having filed a request for leave to intervene in the above proceedings and having requested oral argument and permission to file a brief therein, and having been granted limited participation by the trial examiner; and

A public hearing having been held after appropriate notice and the Commission having considered the record and made and filed its findings and opinion herein;

It is ordered, That said application and declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, except, as to the price to be paid for said bonds, their redemption prices, the underwriters' spread and its allocation and all legal fees and expenses to be paid in connection with the proposed transactions, as to which matters jurisdiction be, and the same hereby is, specifically reserved and subject to the terms and conditions contained in Rule U-24 and the following additional terms and conditions:

(1) That not later than December 31, 1944 Mississippi Power & Light Company shall, by charge to earned surplus, create a contingency reserve in the amount of $120,000 to be available for the disposition of capitalized intra-system profits contained in its gas plant account; and

(2) That Mississippi Power & Light Company shall accrue through charges to Account 537—Miscellaneous Amortization and concurrent credits to Account 252—Reserve for Amortization of Utility Plant Acquisition Adjustments each calendar year, beginning with the calendar year 1944, an amount not less than one-fifteenth of $404,000 or $26,933.33 as a contingency reserve to be available for the disposition of gas plant acquisition adjustments.

It is further ordered, That the 10-day period for inviting bids as provided by Rule U-50 (b), be shortened to a period of not less than 6 days.

It is further ordered, That the requests of Samuel Okin for leave to intervene, for oral argument, and for permission to file a brief be, and hereby are, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12752; Filed, August 23, 1944; 11:47 a. m.]

WAR MANPOWER COMMISSION.

SPRINGFIELD-WINDSOR, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Springfield-Windsor Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of management-labor committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SEC. 1. *Purpose.* This employment stabilization program has been adopted in the Springfield-Windsor Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities,

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(1) The Springfield-Windsor Area is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Springfield-Windsor Area to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in such area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Springfield-Windsor Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibility of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Springfield-Windsor Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Springfield-Windsor Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

> The Employer hiring the above-named worker shall not retain such worker in his employ after ---- and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be deferred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided further that such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(1) In violation of this program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the Springfield-Windsor Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: July 24, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 9, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—DESIGNATION OF THE SPRINGFIELD-WINDSOR AREA

The Springfield-Windsor Area is comprised of the territories included in the following cities and towns of the State of Vermont:

SPRINGFIELD LOCAL OFFICE

The following towns in Windsor County: Andover, Baltimore, Cavendish, Chester, Ludlow, Springfield, Weathersfield and Weston.

The following towns in Windham County: Athens, Grafton, Londonderry, Rockingham, Westminster and Windham.

The following town in Rutland County: Mount Holly.

WINDSOR LOCAL OFFICE

The following towns in Windsor County: Barnard, Bridgewater, Hartford, Hartland, Norwich, Plymouth, Pomfret, Reading, Royalton, Sharon, West Windsor, Windsor and Woodstock.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Springfield-Windsor Area as additional controlled occupations:

Automobile mechanic.
Card stripper.
Laborer, any industry.
Truck driver.

[F. R. Doc. 44-12701; Filed, August 22, 1944; 1:36 p. m.]

SPRINGFIELD-WINDSOR, VT., AREA

AMENDMENT TO EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Springfield-Windsor Area, dated October 15, 1943, is hereby amended as follows:

1. Section 2 (6) is hereby amended by inserting after the words "Springfield-Windsor Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Springfield-Windsor Area with the approval of the Regional Director to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Springfield-Windsor Area,".

3. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from *"Referral in case of under-utilization"* to *"Referral by the United States Employment Service"*.

Necessarily subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the

word "employment" at the end of the first paragraph:

Nothing in this section shall be construed to supersede the provisions of section 10 (4).

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parentheses so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new subparagraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

5. The following section on employment ceilings is hereby added to this program and becomes section 11.

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the Springfield-Windsor Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read:

An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

The addition of the new section on employment ceilings necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety.

The addition of the new section on employment ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on employment ceilings necessitates renumbering sections 13 and 14 to sections 14 and 15 respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the Springfield-Windsor Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on employment ceilings necessitates renumbering section 15 to section 16.

10. The addition of the new section on employment ceilings necessitates renumbering sections 16, 17, 18 and 19 to sections 17, 18, 19 and 20 respectively.

11. Appendix B is hereby amended by inserting after the words "Springfield-Windsor Area" in the second line the words "with the approval of the Regional Director".

Dated: July 24, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 9, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-12702; Filed, August 22, 1944; 1:37 p. m.]

BRATTLEBORO, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Brattleboro Area is hereby prescribed, pursuant to § 907.2 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

SEC.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Brattleboro Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities,

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program: (1) The "Brattleboro Area" is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Brattleboro Area to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(b) An occupation in which the demand for workers in such area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Brattleboro Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Brattleboro Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Brattleboro Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

The Employer hiring the above-named worker shall not retain such worker in his employ after ---------- and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided that,* no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided further,* That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(1) In violation of the program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the Brattleboro Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 15. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 11, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—DESIGNATION OF THE BRATTLEBORO AREA

The Brattleboro Area is comprised of the territories included in the following cities and towns of the State of Vermont:

Brattleboro Local Office

The following cities and towns in Windham County: Brattleboro, Brookline, Dover, Dummerston, Guilford, Halifax, Jamaica, Marlboro, Newfane, Putney, Somerset, Stratton, Townshend, Vernon, Wardsboro, Whittingham, and Wilmington.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Brattleboro Area as additional controlled occupations: Automobile Mechanic, Cutter, machine, Cylinder Fireman, Fireman, Laborer, and industry, Saw Operator, Sewing Machine Operator, Spinner, Teamster, and Weaver.

[F. R. Doc. 44-12707; Filed August 22, 1944; 1:30 p. m.]

BRATTLEBORO, VT., AREA

AMENDMENT TO EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Brattleboro Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 2 (6) is hereby amended by inserting after the words "Brattleboro Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Brattleboro Area with the approval of the Regional Director to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Brattleboro Area".

3. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from *"Referral in case of under-utilization"* to *"Referral by the United States Employment Service."*

Necessarily subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the word "employment" at the end of the first paragraph:

Nothing in this section shall be construed to supersede the provisions of section 10 (4).

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parenthesis so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new subparagraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

5. The following section on Employment Ceilings is hereby added to this program and becomes section 11:

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the Brattleboro Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read:

An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

The addition of the new section on Employment Ceilings necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety.

The addition of the new section on Employment Ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on Employment Ceilings necessitates renumbering sections 13 and 14 to sections 14 and 15 respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the Brattleboro Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on Employment Ceilings necessitates renumbering section 15 to section 16.

10. The addition of the new section on Employment Ceilings necessitates renumbering sections 16, 17, 18 and 19 to sections 17, 18, 19 and 20 respectively.

11. Appendix B is hereby amended by inserting after the words "Brattleboro Area" in the second line the words "with the approval of the Regional Director".

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 11, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-12706; Filed, August 22, 1944; 1:42 p. m.]

ST. JOHNSBURY, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the St. Johnsbury Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of management-labor committee.
5. Encouragement of local initative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability of employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the St. Johnsbury Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities,

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(1) The "St. Johnsbury Area" is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the St. Johnsbury Area to be either

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(b) An occupation in which the demand for workers in such Area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the St. Johnsbury Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the St. Johnsbury Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the St. Johnsbury Area, shall encourage local initia-

tive and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

> The Employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, (or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) That the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work. *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(1) In violation of this program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, County, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, County, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the St. Johnsbury Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such a date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 16, 1944.

DAVID G. NAGLE,
Acting Regional Director.

APPENDIX A—DESIGNATION OF THE ST. JOHNSBURY AREA

The St. Johnsbury Area is comprised of the territories included in the following towns of the State of Vermont:

ST. JOHNSBURY LOCAL OFFICE

The following towns in Caledonia County: Barnet, Burke, Danville, Groton, Hardwick, Kirby, Lyndon, Peacham, Ryegate, St. Johnsbury, Sheffield, Stannard, Sutton, Walden, Waterford, and Wheelock.

The following towns in Essex County: Concord, East Haven, Granby, Guildhall, Lunenburg, and Victory.

The following towns in Orleans County: Craftsbury and Greensboro.

The following towns in Washington County: Cabot and Woodbury.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the St. Johnsbury Area as additional controlled occupations:

Back Tender
Paper Maker
Scale Mechanic

[F. R. Doc. 44-12699; Filed, August 22, 1944; 1:36 p. m.]

ST. JOHNSBURY, VT., AREA

AMENDMENT TO EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the St. Johnsbury Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 2 (6) is hereby amended by inserting after the words "St. Johnsbury Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the St. Johnsbury Area with the approval of the Regional Director to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the St. Johnsbury Area,".

2. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from *"Referral in case of under-utilization"* to *"Referral by the United States Employment Service."*

Necessarily subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the word "employment" at the end of the first paragraph: "Nothing in this section shall be construed to supersede the provisions of section 10 (4)."

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parenthesis so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new subparagraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

5. The following section on employment ceilings is hereby added to this program and becomes section 11:

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the St. Johnsbury Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read: "An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program." The addition of the new section on employment ceilings necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety. The addition of the new section on employment ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on employment ceilings necessitates renumbering sections 13 and 14 to sections 14 and 15 respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the St. Johnsbury Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on employment ceilings necessitates renumbering section 15 to section 16.

10. The addition of the new section on employment ceilings necessitates renumbering sections 16, 17, 18, and 19 to sections 17, 18, 19 and 20 respectively.

11. Appendix B is hereby amended by inserting after the words "St. Johnsbury Area" in the second line the words "with the approval of the Regional Director."

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 16, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-12700; Filed, August 22, 1944; 1:36 p. m.]

BURLINGTON, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Burlington Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. Purpose. This employment stabilization program has been adopted in the Burlington Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities,

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(1) The "Burlington Area" is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Burlington Area to be either

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(b) An occupation in which the demand for workers in such Area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Burlington Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Burlington Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Burlington Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

The Employer hiring the above-named worker shall not retain such worker in his employ after ..... and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and *Provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(1) In violation of this program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivision or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the Burlington Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 16, 1944.

DAVID G. NAGLE,
Acting Regional Director.

APPENDIX A—DESIGNATION OF THE BURLINGTON AREA

The Burlington Area is comprised of the territories included in the following cities and towns of the State of Vermont:

BURLINGTON LOCAL OFFICE

The following towns in Addison County: Addison, Bristol, Ferrisburg, Lincoln, Monkton, New Haven, Panton, Starksboro, Vergennes, Waltham, and Weybridge.

The following cities and towns in Chittenden County: Belton, Burlington City, Charlotte, Colchester, Essex, Hinesburg, Huntington, Jericho, Milton, Richmond, St. George, Shelburne, So. Burlington, Underhill, Westford, Williston, and Winooski City.

The following towns in Franklin County: Bakersfield, Berkshire, Enosburg, Fairfax, Fairfield, Fletcher, Franklin, Georgia, Highgate, Montgomery, Richford, St. Albans City, St. Albans Town, Sheldon, and Swanton.

The following towns in Grand Isle County: Alburgh, Grand Isle, Isle LaMotte, North Hero and South Hero.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Burlington Area, with the approval of the Regional Director, as additional controlled occupations:

Laborer, any industry.
Electrical appliance serviceman.
Gas appliance serviceman.
Weaver.
Spinner.
Dye reel operator.
Wet finisher.

[F. R. Doc. 44-12705; Filed, August 22, 1944; 1:38 p. m.]

BURLINGTON, VT., AREA

AMENDMENT TO EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Burlington Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 2 (6) is hereby amended by inserting after the words "Burlington Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Burlington Area with the approval of the Regional Director to be either

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Burlington Area",.

3. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from "*Referral in case of under-utilization*" to "*Referral by the United States Employment Service*".

Necessarily subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the word "employment" at the end of the first paragraph: "Nothing in this section shall be construed to supersede the provisions of section 10 (4)."

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parentheses so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new subparagraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

5. The following section on employment ceilings is hereby added to this program and becomes section 11:

SEC. 11. *Employment ceiling.* The State Manpower Director may fix for all or any establishment in the Burlington Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read: "An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program."

The addition of the new section on employment ceiling necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety. The addition of the new section on employment ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on employment ceilings necessitates renumbering sections 13 and 14 to sections 14 and 15 respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the Burlington Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on employment ceiling necessitates renumbering section 15 to section 16.

10. The addition of the new section on employment ceiling necessitates renumbering sections 16, 17, 18 and 19 to sections 17, 18, 19 and 20 respectively.

11. Appendix B is hereby amended by inserting after the words "Burlington Area" in the second line the words "with the approval of the Regional Director".

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 16, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-12706; Filed, August 22, 1944; 1:38 p. m.]

NEWPORT, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Newport Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program", effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability of employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose* This employment stabilization program has been adopted in the Newport Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities,

(2) The reduction of unnecessary labor migration.

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program: (1) "The Newport Area" is comprised of the territory designated in Appendix A.

(2) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(3) "State" includes Alaska, Hawaii, and the District of Columbia.

(4) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(5) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(6) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Newport Area to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(b) An occupation in which the demand for workers in such Area exceeds the available supply.

(7) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(8) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(9) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *"Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Newport Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Newport Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Newport Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity

or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(3) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(4) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

> The Employer hiring the above-named worker shall not retain such worker in his employ after ---------- and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(2) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(3) That the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(4) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired.

(1) In violation of this program, or

(2) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(1) The hiring of a new employee for agricultural employment, or

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(5) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(7) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

All advertising or other solicitation for workers inside or outside the Newport Area for work to be performed within or without the Area shall not be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such a date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 7, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 16, 1944.

DAVID G. NAGLE,
Acting Regional Director.

APPENDIX A—DESIGNATION OF THE NEWPORT AREA

The Newport Area is comprised of the territories included in the following cities and towns of the State of Vermont:

Newport Local Office

The following towns in Orleans County: Albany, Barton, Brownington, Charleston, Coventry, Derby, Glover, Holland, Irasburg, Lowell, Jay, Morgan, Newport, Troy, Westfield and Westmore.

The following towns in Essex County: Averill, Averys Gore, Bloomfield, Brighton, Brunswick, Canaan, Ferdinand, Lemington, Lewis, Maidstone, Norton and Warren Gore.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Newport Area as additional controlled occupations: None:

[F. R. Doc. 44-12703; Filed, August 22, 1944; 1:37 p. m.]

NEWPORT, VT., AREA

AMENDMENT TO EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Newport Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 2 (6) is hereby amended by inserting after the words "Newport Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(6) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Newport Area with the approval of the Regional Director to be either:

(a) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(b) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, starting in the first line, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Newport Area,".

3. Section 8 is hereby amended by deleting subparagraph (3) in its entirety and inserting the following as the second paragraph of section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

The title of section 9 is hereby changed from *"Referral in case of under-utilization"* to *Referral by the United States Employment Service."* Necessarily subparagraph (4) of section 8 thereby becomes subparagraph (3). In this subparagraph (3) the following sentence is hereby added after the word "employment" at the end of the first paragraph:

Nothing in this section shall be construed to supersede the provisions of section 10 (4).

4. Section 10 (3) is hereby amended by deleting all the part enclosed in parenthesis so that said subparagraph shall read as follows:

(3) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

Section 10 shall be amended by adding the following new subparagraph which shall be effective July 1, 1944:

(5) The new employee is a male worker.

5. The following section on Employment Ceilings is hereby added to this program and becomes section 11.

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the Newport Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war eort. Except as authorized by the State Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

6. Section 11 is hereby amended by deleting subparagraph (2) and incorporating subparagraph (1) in the opening paragraph so that it shall read:

An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

The addition of the new section on Employment Ceilings necessitates renumbering section 11 to section 12.

7. Section 12 is hereby amended by deleting subparagraph (7) in its entirety.

The addition of the new section on Employment Ceilings necessitates renumbering section 12 to section 13.

8. The addition of the new section on Employment Ceilings necessitates renumbering sections 13 and 14 to sections 14 and 15 respectively.

9. Section 15 is hereby amended by changing the language of the second paragraph to read as follows:

No advertising or other solicitation by employers for workers inside or outside the Newport Area for work to be performed within the area, and no advertising or solicitation for workers in the area for work to be performed outside the area shall be conducted except with the approval of the United States Employment Service of the War Manpower Commission.

The addition of the new section on Employment Ceilings necessitates renumbering section 15 to section 16.

10. The addition of the new section on Employment Ceilings necessitates renumbering sections 16, 17, 18, and 19 to sections 17, 18, 19 and 20 respectively.

11. Appendix B is hereby amended by inserting after the words "Newport Area" in the second line the words "with the approval of the Regional Director".

Dated: August 7, 1944.

R. REYNOLD JOHNSON,
State Director.

Approved: August 16, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-12704; Filed, August 22, 1944; 1:38 p. m.]

MILWAUKEE, WIS., AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Milwaukee War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Objectives.
2. Geographic content of the area.
3. Definitions of terms used in this plan.
4. Control of hiring and solicitation of workers.
5. Provisions governing the orderly transfer of workers.
6. Authority and responsibility of the Milwaukee Area Labor-Management War Manpower Committee.
7. Revocation of existing stabilization plans.
8. Effective date.

SECTION 1. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

SEC. 2. *Geographic content of the area.* The Milwaukee Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties:

Milwaukee, Ozaukee, Washington and Waukesha.

The boundaries of the Milwaukee Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

SEC. 3. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (8 F.R. 11421, 9 F.R. 3439).

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) "The War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) "The Milwaukee Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Milwaukee Area Labor-Management War Manpower Committee.

(j) "The United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) "The Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section 2 of this plan.

SEC. 4. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, and for work in, the Milwaukee Area shall be conducted in accordance with this plan.

SEC. 5. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* (1) A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(i) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(ii) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

(2) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(i) He has been discharged, or his employment has been otherwise terminated by his employer, or

(ii) He has been laid off for an indefinite period, or for a period of seven or more days, or

(iii) Continuance of his employment would involve undue personal hardship, or

(iv) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(v) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or

to apply to the appropriate agency for such adjustment or approval thereof.

(3) *Issuance of statements of availability by the USES.* (i) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subparagraph 2 is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(ii) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

(4) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(5) *Workers who may be hired only upon referral by the USES.* (i) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(*a*) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(*b*) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(*c*) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such an individual shall be referred to nonagricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(ii) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(6) *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(i) The hiring of a new employee for agricultural employment;

(ii) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(iii) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(iv) The hiring by a foreign, state, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(v) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(vi) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(7) *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

(8) *Content of statement of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employeer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

(9) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(10) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(11) *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

(12) *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

(13) *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.[1]

SEC. 6. *Authority and responsibility of the Milwaukee Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Milwaukee Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Manpower Director.

SEC. 7. *Revocation of existing stabilization plans.* The Milwaukee Area stabilization plan, effective January 16, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

SEC. 8. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

BEN THOMPSON,
Acting Area Director.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 44–12710; Filed, August 22, 1944; 1:43 p. m.]

RACINE, WIS., AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Racine War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Objectives.
2. Geographic content of the area.
3. Definitions of terms used in this plan.
4. Control of hiring and solicitation of workers.
5. Provisions governing the orderly transfer of workers.
6. Authority and responsibility of the Racine Area Labor-Management War Manpower Committee.
7. Posting pertinent provisions of this plan.
8. Effective date.

SECTION 1. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

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[1] In view of the other provisions of this plan this subsection has been construed as applicable only with respect to seniority or similar reemployment rights of the type described.

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

SEC. 2. *Geographic content of the area.* The Racine Area has been designated by the Regional Director of the War Manpower Commission to consist of Racine County, Wisconsin. The boundaries of the Racine Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

SEC. 3. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421, 9 F.R. 3439).

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Racine Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of Management and Labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Racine Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission, responsible to the Regional Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section 2 of this plan.

SEC. 4. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Racine Area shall be conducted in accordance with this plan.

SEC. 5. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* (1) A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(i) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(ii) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

(2) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(i) He has been discharged, or his employment has been otherwise terminated by his employer, or

(ii) He has been laid off for an indefinite period, or for a period of seven or more days, or

(iii) Continuance of his employment would involve undue personal hardship, or

(iv) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(v) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(3) *Issuance of statements of availability by the USES.* (i) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subparagraph (2) is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(ii) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(4) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(5) *Workers who may be hired only upon referral by the USES.* (i) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(ii) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(6) *Exclusions.* No provision of the employment stabilization plan shall be applicable to:

(i) The hiring of a new employee for agricultural employment;

(ii) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the plan, unless the employee is customarily engaged in work of less than seven days' duration.

(iii) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(iv) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan.

(v) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(vi) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(7) *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

(8) *Contents of statements of availability.* A statement of availability issued to an individual pursuant to the plan shall contain only the individual's name, address, social security number, if any, the name and address, of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(9) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization plan, except in a manner consistent with such restrictions.

(10) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin or, except as required by law, citizenship.

(11) *Representation.* Nothing contained in the plan shall be construed to restrict anf individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

(12) *General referral policies.* No provision in the plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

(13) *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.[1]

SEC. 6. *Authority and responsibility of the Racine Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Racine Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

SEC. 7. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Racine Area of the WMC, Region VI.

SEC. 8. *Effective date.* This plan shall become effective at 12:01 a. m. on October 1, 1943.

Signed: September 22, 1943.

RUFUS D. SCOON,
Special Representative.

Approved: September 29, 1943.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 44-12711; Filed, August 22, 1944; 1:44 p. m.]

[1] In view of the other provisions of this plan, this subsection has been construed as applicable only with respect to seniority or similar reemployment rights of the type described.

FORT WAYNE, IND., AREA

EMPLOYMENT STABILIZATION PLAN

The following employment stabilization program for the Fort Wayne, Indiana, War Manpower Commission Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Objectives.
2. Geographic content of the area.
3. Definitions of terms used in this plan.
4. Control of hiring and solicitation of workers.
5. Provisions governing the orderly transfer of workers.
6. Authority and responsibility of the Fort Wayne, Indiana, Area Labor-Management War Manpower Committee.
7. Posting pertinent provisions of this plan.
8. Revocation of existing stabilization plans.
9. Effective date.

SECTION 1. *Objectives.* The purpose of this employment stabilization plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources;

(e) The establishment of procedures for the orderly transfer of essential workers.

SEC. 2. *Geographic content of the area.* The Fort Wayne, Indiana, Area has been designated by the Regional Director of the War Manpower Commission to consist of the following counties: Adams, Allen, De Kalb, Huntington, La Grange, Noble, Steuben, Wabash, Wells, and Whitley.

The boundaries of the Fort Wayne, Indiana, Area may be changed upon recommendation of the Area Director and approval by the Regional Director of the War Manpower Commission.

SEC. 3. *Definitions of terms used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (8 F.R. 11421, 9 F.R. 3439).

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) The "War Manpower Commission" is the commission established by Executive Order No. 9139, hereafter referred to as WMC.

(i) The "Fort Wayne, Indiana, Area Labor-Management War Manpower Committee," referred to herein as the Area Committee, is that body composed of representatives of management and labor who have been appointed by the Regional Director of the War Manpower Commission for Region VI to act as the Fort Wayne, Indiana, Area Labor-Management War Manpower Committee.

(j) The "United States Employment Service of the War Manpower Commission," herein referred to as the USES, is the Federal Employment Service which shall be deemed to include any employment office of that Service.

(k) The "Regional Director" is the chief administrative officer of the War Manpower Commission for Region VI, which consists of the following States: Illinois, Indiana, Wisconsin.

(l) The "Area Director" is the administrative officer of the War Manpower Commission responsible to the Regional

Director for the administration of the policies and directives of the War Manpower Commission within the War Manpower Area as defined in section 2 of this plan.

SEC. 4. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Fort Wayne, Indiana Area shall be conducted in accordance with this plan.

SEC. 5. *Provisions governing the orderly transfer of workers*—(a) *General provisions.* (1) A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(i) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the USES, and

(ii) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the USES, or is hired with its consent, as provided herein.

(2) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(i) He has been discharged, or his employment has been otherwise terminated by his employer, or

(ii) He has been laid off for an indefinite period, or for a period of seven or more days, or

(iii) Continuance of his employment would involve undue personal hardship, or

(iv) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(v) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(3) *Issuance of statements of availability by the USES.* (i) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subparagraph (2) is found to exist in his case. If the employer fails or refuses to issue a statement, the USES, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(ii) A statement of availability shall be issued by the USES to any individual in the employ of an employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(4) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the USES may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(5) *Workers who may be hired only upon referral by the USES.* (i) A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the USES when:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(ii) *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization plan, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(6) *Exclusions.* No provision of this employment stabilization plan shall be applicable to:

(i) The hiring of a new employee for agricultural employment;

(ii) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this plan, unless the employee is customarily engaged in work of less than seven days' duration;

(iii) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(iv) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the plan;

(v) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(vi) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(7) *Appeals.* Any worker or employer may appeal from any act or failure to act by the WMC under the employment stabilization plan, in accordance with regulations and procedures of the WMC.

(8) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security number, if any, the name and address, of the issuing employer, or WMC officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the WMC.

(9) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(10) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(11) *Representation.* Nothing contained in the plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the plan.

(12) *General referral policies.* No provision in this plan shall limit the authority of the USES to make referrals in accordance with approved policies and instructions of the WMC.

(13) *Collective bargaining agreements.* Nothing in this plan shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.[1]

SEC. 6. *Authority and responsibility of the Fort Wayne, Indiana, Area Labor-Management War Manpower Committee.* The Area Labor-Management War Manpower Committee for the Fort Wayne, Indiana, Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization plan, and to make recommendations to the Area Director.

SEC. 7. *Posting pertinent provisions of this plan.* The pertinent provisions of this employment stabilization plan shall be posted on bulletin boards or any other appropriate places in plants or places of business of employers covered by this plan, in accordance with instructions of the Area Director of the Fort Wayne, Indiana, Area of the WMC, Region VI.

SEC. 8. *Revocation of existing stabilization plans.* The Fort Wayne, Indiana Area stabilization plan, effective May 17, 1943, together with all instructions and procedures adopted which may be in conflict with the provisions of this plan, are hereby revoked, effective as of October 14, 1943.

SEC. 9. *Effective date.* This plan shall become effective at 12:01 a. m. on October 14, 1943.

Signed: September 28, 1943.

ROLAND SCHULZ,
Area Director.

Approved: October 5, 1943.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 44-12709; Filed, August 22, 1944; 1:43 p. m.]

[1] In view of the other provisions of this plan, this subsection has been construed as applicable only with respect to seniority or similar reemployment rights of the type described.

COLORADO

EMPLOYMENT STABILIZATION PROGRAM

The following Employment Stabilization Program for Colorado is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program", effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Encouragement of local initiative and use of existing hiring channels.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring of workers last employed in certain occupations in lumbering and in mining, milling, smelting and refining activities.
11. Release of workers hired contrary to program.
12. Short term employment.
13. Exclusions.
14. Appeals.
15. Content of statements of availability.
16. Retention of statement of availability or referral card by employer.
17. Solicitation of workers.
18. Hiring and discharge.
19. Continuance on job.
20. Representation.
21. General-referral policies.
22. Enforcement of program.
23. Collective bargaining agreements.
24. Employment ceilings.
25. Control of migration.
26. Effective date.

SECTION 1. *Purpose.* The purpose of this Employment Stabilization Program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(1) The elimination of wasteful labor turnover in essential activities,

(2) The reduction of unnecessary labor migration,

(3) The direction of the flow of scarce labor where most needed in the war program,

(4) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* For the purpose of the program:

(1) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(2) "State" includes Alaska, Hawaii, and the District of Columbia.

(3) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration and employment which is supplemental to the employee's principal work shall be disregarded.

(4) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(5) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (8 F.R. 11421, 9 F.R. 3439).

(6) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(7) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(8) The term "discharge" includes refusal of an employer to reemploy a worker in his former or a comparable position without prejudice.

(9) "Employment ceiling" means the highest level of total employment or of specified types of employees which an establishment is not permitted to exceed, based upon an approved and necessary production schedule. Ceilings may be established so as to:

(a) Permit employment expansion,

(b) Maintain employment at present levels, or

(c) Reduce the employment level.

(10) "Manpower allowance" means an administrative determination of the number of employees or specified types of employees within the ceiling which an establishment is currently not permitted to exceed and is used as the means for the current allocation and referral of available labor. This manpower allowance is subject to change as supply factors in the labor market may warrant.

(11) "Manpower priority committee" means a group of representatives of Federal procurement services and other Federal manpower claimant agencies who advise the State Manpower Director with respect to priorities, manpower allowances, and employment ceilings.

(12) "Priority referral" is a program which provides that employers in an area may hire male workers only from among those referred by the United States Employment Service of the War Manpower Commission or in accordance with arrangements approved by the United States Employment Service, so that workers may be referred to jobs in the order of the relative importance of those jobs to the war effort.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the State of Colorado shall be conducted in accordance with this Employment Stabilization Program.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this Employment Stabilization Program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance in his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statements of availability by employers.* A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

SEC. 8. *Referral in case of underutilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or representation of a statement of availability.

(4) The new employee is a male worker over the age of 16.

SEC. 10. *Hiring of workers last employed in certain occupations in lumbering and in mining, milling, smelting and refining activities.* (1) A statement of availability issued to a worker whose last employment is or was in an occupation specified in Appendix A (occupations in activities in which manpower shortages threaten critically needed production) shall indicate that the worker has been so employed.

(2) A new employee whose statement of availability indicates that his last employment is or was in an occupation specified in Appendix A may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the United States Employment Service.

SEC. 11. *Release of workers hired contrary to program.* Any employer shall, upon written request of the United States Employment Service, release from employment any worker whom it has hired contrary to the provisions of this program. Any worker so released shall be issued or denied a statement of availability or referred, so far as practicable on the basis of the facts existing when he was improperly hired.

SEC. 12. *Short term employment.* In order to facilitate the employment of individuals during vacation, off-season, or similar short periods, the United States Employment Service may, upon consent of the worker entitled thereto, issue statements of availability or referral cards containing limitations as to the length of time for which the worker is available for employment. Upon termination of the assigned time limit, such workers may be rehired by their former employers.

SEC. 13. *Exclusions.* No provision of the Employment Stabilization Program shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration; or for work which is suplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by a foreign, State, county, or municipal government, or their political sub-divisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 14. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the Employment Stabilization Program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 15. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 16. *Retention of statement of availability or referral card by employer.* Each employer upon hiring a worker upon presentation of a United States Employment Service referral card or a statement of availability, where referral cards are not necessary, shall retain and file such statement or referral card and shall make these cards and statements available for inspection upon request of the United States Employment Service.

When a worker is employed who does not need a referral card or a statement of availability, the employer shall retain a signed statement in his file showing the worker's name, address, last employer, and final employment date of the worker's last employment. This statement shall be retained in the file in lieu of the statement of availability or referral card.

SEC. 17. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the Employment Stabilization Program, except in a manner consistent with such restrictions.

SEC. 18. *Hiring and discharge.* (1) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(2) In order to obtain the maximum utilization of available manpower, employers engaged in essential or locally needed activities shall refrain from discharging workers except for gross misconduct: *Provided*, That insofar as it will not interfere with the effective prosecution of the war, no employer shall be expected to retain in his employment, a worker who is incompetent or who fails to conform to reasonable shop rules or standards of conduct.

SEC. 19. *Continuance on job.* Pending the issuance of a statement of availability or referral card to a worker, he should remain on his job.

SEC. 20. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being rep-

resented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 21. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 22. *Enforcement of program.* (1) Violations of this program which constitute violations of War Manpower Commission Regulations No. 4 as amended August 16, 1943, issued pursuant to Executive Order 9328, are subject to the penal provisions of the act of October 2, 1942 (Pub. No. 729, 77th Cong.); the provisions of § 4001.10 of the regulations of the Economic Stabilization Director issued October 27, 1942, apply to all wages or salaries paid in violation of Regulation No. 4.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer or any other appropriate sanction may be invoked by the War Manpower Commission against an employer or worker who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Program, regulation, or policy, and for so long as such employer or worker continues his non-compliance after such finding.

SEC. 23. *Collective bargaining agreements.* No part of this stabilization program shall be construed to be in conflict with the requirements of any Federal or State law or any collective bargaining agreements, so long as such agreement is consistent with applicable War Manpower Commission policies, procedures, and standards.

SEC. 24. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the State of Colorado fair and reasonable employment ceilings and manpower allowances, limiting the number of employees or specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the State Manpower Director or his representative, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or manpower allowance currently applicable to it.

SEC. 25. *Control of migration*—(1) *Out-migration.* Any resident of the State of Colorado wishing to seek employment in any area within the States of Utah, Idaho, Montana, Colorado and Wyoming in which he has not worked or lived during the preceding 30-day period shall apply to the United States Employment Service office nearest his present home or place of employment for a statement of inter-area clearance. Such inter-area clearance statement shall be granted if;

(a) He is entitled to, or is not required to obtain, a statement of availability, and

(b) His reasons for wishing to seek employment elsewhere are such as to take precedence over the local need for his services.

(2) *In-migration.* An in-migrant worker may be employed only if:

(a) He has been granted a statement of inter-area clearance or its equivalent by the United States Employment Service in the area of his last residence or employment: *Provided,* That if the immigrant worker's last place of residence was outside the States of Montana, Utah, Idaho, Colorado and Wyoming, he may be employed if he presents a statement of availability or evidence that he is not required to obtain one; or

(b) He has been recruited through the clearance system of the United States Employment Service.

SEC. 26. *Effective date.* This program revises and supersedes the Colorado Employment Stabilization Program of October 15, 1943 and shall become effective 12:01 a. m. July 1, 1944.

L. A. WEST,
State Manpower Director.

Approved:

JOHN E. GROSS,
Acting Regional Director.

APPENDIX A—OCCUPATIONS IN LUMBERING AND MINING, MILLING, SMELTING, AND REFINING ACTIVITIES

1. All production and maintenance occupations in the following activities:

(a) Mining, dressing, and beneficiating (milling) of all minerals, with the exception of coal and the precious metals;

(b) Removal of overburden, sinking of shafts, development of new ore bodies, and similar services performed preparatory to the mining of the minerals specified above;

(c) Prospecting and exploration activities, in connection with the development of the minerals specified above, carried on in accordance with an authorization of or with the aid of a governmental agency, or as a substantial organized and responsible pursuit under a bona fide contract or authorization;

(d) Primary smelting and refining of the minerals specified above.

2. All production and maintenance occupations in coal mining.

3. All production and maintenance occupations in the following activities:

(a) All logging operations, irrespective of whether such operations are conducted by logging contractors or are carried on in combination with the operation of sawmills or pulp mills;

(b) All operations of sawmills, including the operations of box factories operated in conjunction with sawmills at the same plant site, but excluding sawmills carried on primarily in conjunction with pulp mills, shingle mills, match block and match plank operations, cooperage stock mills, cooperage establishments, and furniture establishments;

(c) All operations of planing mills engaged primarily in the production of dressed lumber, but excluding planing mills primarily engaged in the production of finished mill products such as shingles, doors, sashes, window frames, match blocks, and match planks and similar products;

(d) Veneer mill operations, including all activities incident to the production of veneer;

(e) Plywood mill operations, including all activities incident to the production of plywood.

The term "production and maintenance occupations" includes all engineering, technical, supervisory, service, and clerical occupations required in connection with the production and maintenance operations in the activities specified above. The term does not include occupations carried on in administrative offices removed from the site of productive operations.

[F. R. Doc. 44-12720; Filed, August 23, 1944; 10:45 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 170

Washington, Friday, August 25, 1944

The President

EXECUTIVE ORDER 9469

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE THE MINES, COLLIERIES, AND FACILITIES OF THE PHILADELPHIA AND READING COAL AND IRON COMPANY IN THE STATE OF PENNSYLVANIA

WHEREAS after investigation I find and proclaim that there is an interruption of the operation of the mines, collieries, and preparation facilities of the Philadelphia and Reading Coal and Iron Company in the State of Pennsylvania as a result of strikes, threatened strikes, and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruption; and that the exercise as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these mines, collieries, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities of the Philadelphia and Reading Coal and Iron Company in the State of Pennsylvania, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of section 5 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 23, 1944.

[F. R. Doc. 44-12785; Filed, August 23, 1944; 2:50 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1944 C. C. C. Soybean Form 1]

PART 257—1944 SOYBEAN LOANS AND PURCHASES

INSTRUCTIONS CONCERNING LOANS AND PURCHASES

The War Food Administration through Commodity Credit Corporation (hereinafter called "Commodity") has author-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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ized the making of loans on farm-stored soybeans and the purchase of soybeans stored in approved warehouses or delivered to designated delivery points, pursuant to these instructions. It is contemplated that producers will dispose of most of their soybeans through regular trade channels rather than through this loan and purchase program. Purchases for Commodity will be made by county agricultural conservation committees.

GENERAL INSTRUCTIONS

Sec.
257.1 County agricultural conservation committees.
257.2 Liens.
257.3 Regional office of Commodity Credit Corporation.

LOANS

257.8 Eligible producer.
257.9 Eligible soybeans for loans.
257.10 Basic (and premium) loan rates.
257.11 Discounts.
257.13 Maturity and interest rate.
257.13 Storage advance.
257.14 Storage.
257.15 Determination of quantity of soybeans.
257.16 Lending agency and source of loans.
257.17 Purchase of loans.
257.18 Release of collateral.
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PURCHASES

257.25 Eligible producer.
257.26 Eligible soybeans for purchase.
257.27 Basic purchase prices and specifications.
257.28 Premiums.
257.29 Discounts.
257.30 Green damage odor.
257.31 Other out-of-condition soybeans.
257.32 Foreign material and dockage.
257.33 Method of receiving soybeans.
257.34 Soybeans received by country warehouses approved under the Uniform Grain Storage Agreement.
257.35 Soybeans received by county committees.
257.36 Grade analysis.

AUTHORITY: §§ 257.1 to 257.36, inclusive, issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1302), and the Act of February 28, 1944 (58 Stat. 105).

GENERAL INSTRUCTIONS

§ 257.1 *County agricultural conservation committees.* County committees shall supervise the loan and purchase program. The purchase and loan documents must be signed by a member of the county committee of the county in which the soybeans were produced, for purchased soybeans, and the county in which the agricultural conservation program records are kept, for soybeans placed under loan. State and county committees shall determine or cause to be determined the quantity and grade of the soybeans to be placed under loan or purchased by the committee, and the amount of the loan or purchase. All loan and purchase documents shall be completed and approved by the county committee, which shall retain copies of all documents: *Provided, however,* That the county committee may formally designate certain employees of the county association to execute such forms on behalf of the committee. County agricultural conservation associations shall collect a service fee of 1 cent per bushel for each loan to meet the expenses incurred in the operation of the program. No service fee shall be collected from the producer in the case of purchases.

§ 257.2. *Liens.* The soybeans placed under loan or purchased must be free and clear of all liens, or, if liens exist on the soybeans, proper waivers must be obtained for each lien-holder. The names of the holders of all existing liens on the soybeans, such as landlord, laborers, threshers, or mortgagees, must be listed in the space provided therefor in the chattel mortgage (C.C.C. Grain Form AA, Revised) for loans, and in the Offer of Sale (C.C.C. Soybean Purchase Form B) for purchases. The waiver on the Offer of Sale, or the waiver and consent to mortgage the soybeans and the payment of the proceeds of the loan and the proceeds of the sale of the soybeans solely to the producer, as contained in the mortgage, must be signed personally by all lienholders listed or by their duly authorized agents; or, if a corporation, by an officer authorized to execute such instruments. Waivers of lienholders may be executed on separate instruments if complete identification of the commodity and producer is shown. The proceeds of the loan or purchase may be made payable to the producer and/or such other person or concern as the producer may direct in the space provided on the producer's note (C.C.C. Grain Form A, Revised) for loans and on the Offer of Sale for purchases. Producers should be sure to determine whether soybeans offered for sale or as collateral for loans are covered by previous real estate or other mortgages.

§ 257.3 *Regional office of Commodity Credit Corporation.* The soybean loan and purchase program shall be administered by the Regional Director, Commodity Credit Corporation, 208 South La Salle Street, Chicago 4, Illinois.

LOANS

§ 257.8 *Eligible producer.* Any person, partnership, association, or corporation, producing soybeans in 1944 as landowner, landlord, or tenant.

§ 257.9 *Eligible soybeans for loans.* Soybeans eligible for loans must be stored on farms and shall be of any class grading No. 4 or better with respect to factors other than moisture and having a moisture content not in excess of 14 percent, which were produced in 1944, the beneficial interest to which is and always has been in the eligible producer. Soybeans grading weevily, or which are musty, sour, heating, or have any objectionable foreign odor, shall not be eligible for loan. Loans will be made to eligible producers on soybeans stored on the farm in approved storage facilities in the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and such other States, except those listed immediately below, as may be approved by Commodity.

Commodity will not make loans on soybeans in the following States: Alabama, Arkansas, Connecticut, Florida, Georgia, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, Oklahoma, Rhode Island, South Carolina, Texas, and Vermont.

§ 257.10 *Basic (and premium) loan rates.* The loan rates per bushel for soybeans according to classes (Class I—Yellow; Class II—Green; Class III—Brown; Class IV—Black; Class V—Mixed) shall be in accordance with the schedule below. For purposes of this program, weights per bushel, moisture, and damage percentages shall be rounded (a) down to the nearest whole pound for weight-per-bushel tests (drop 0.5 pound), (b) to the nearest ½ percent for moisture, and (c) to the nearest whole percent for damage (drop 0.5 percent).

	Maximum	Rounded	Moisture: Actual percent	Moisture: "Rounded" percent	Loan rates: Classes I and II soybeans	Loan rates: Classes III, IV, and V soybeans
Test weight (pounds per bushel)	----	54.0	11.2 (or less)	11.0	2.10	1.90 premium.
			11.3–11.7 inclusive	11.5	2.09	1.89 premium.
Splits (percent)	15.0	----	11.8–12.2 inclusive	12.0	2.08	1.88 premium.
			12.3–12.7 inclusive	12.5	2.07	1.87 premium.
Total damage (percent)	3.5	3.0	12.8–13.2 inclusive	13.0	2.06	1.86 premium.
			13.3–13.7 inclusive	13.5	2.05	1.85 premium.
			13.8–13.9 inclusive	14.0	2.04	1.84 basic.
			14.0	----	2.04	1.84 basic.
			Above 14.0	----	No loan	No loan.
Other classes except green in yellow and yellow in green.[1]	5.0	----				

[1] Mixtures of Classes I and II eligible soybeans which contain 5 percent (actual) or less of Classes III and IV soybeans and bicolored soybeans, either singly or in combination, shall take the applicable loan rate for Classes I and II soybeans. If more than 5 percent of Classes III and IV and bicolored soybeans, either singly or in combination, are contained in a mixture of eligible soybeans which otherwise would take the loan rate for Classes I and II soybeans, the mixture shall take the applicable loan rate for Classes III, IV, and V soybeans. Mixtures of green soybeans in Class I and yellow soybeans in Class II shall be disregarded for purposes of determining applicable loan values.

§ 257.11 *Discounts.* Discounts from the basic loan rates shall be in accordance with the following schedules:

(a) *Test weight.*

As rounded down:	Discount per bushel
53.0	$0.005
52.0	0.01
51.0	0.015
50.0	0.02
49.0	0.025

(b) *Splits.*

Percent	Discount per bushel
15.1–20.0 inclusive	$0.0025
20.1–25.0 inclusive	0.0050
25.1–30.0 inclusive	0.0075

NOTE 1.—Soybeans having a test weight per bushel of less than 49.0 pounds (as rounded down) or splits in excess of 30.0 percent shall not be eligible for loan. (Under the U. S. Grain Standards for soybeans, test weight is shown in full and half pounds.)

(c–1) *Green Damage.*

Percent in excess of 3 percent actual	Rounded	Discount per bushel
0.6–1.5 inclusive	1.0	$0.002
1.6–2.5 inclusive	2.0	0.004
2.6–3.5 inclusive	3.0	0.006
3.6–4.5 inclusive	4.0	0.008
4.6–5.5 inclusive	5.0	0.010

(c–2) *Other damage.* Before computing damage other than green, total damage shall be rounded to the nearest full percent and green damage shall be rounded to the nearest full percent (drop 0.5 percent in both instances). Therefore, damage other than green will always be a full percent.

NOTE 2.—Soybeans which contain in excess of 8.0 percent total damage shall not be eligible for a loan. When soybeans contain total damage in excess of 3.0 percent (actual) the first 3 percent of total damage shall be considered damage other than green damage.

(d) *Foreign material and dockage.* Dockage and foreign material other than dockage, which, singly or in combination, total 2 percent or less, shall not be deducted from the gross weight of the soybeans. If the total weight of foreign material and dockage combined is in excess of 2 percent, the excess shall be deducted from the total gross weight of soybeans in the determination of the net number of bushels of soybeans. For the purpose of this determination, dockage shall be computed in whole percents. Less than 1.0 percent actual dockage shall be disregarded and fractional percentages in excess of 1 percent shall be rounded to the next lower whole per-

cent. Foreign material percentages shall be stated in tenths.

§ 257.12 *Maturity and interest rate.* Loans on eligible soybeans shall be available through January 31, 1945, and shall mature on demand but not later than April 30, 1945. All loans shall bear interest at the rate of 3 percent per annum.

§ 257.13 *Storage advance.* A storage advance of 7 cents per bushel for each (net) bushel of soybeans (see § 257.11 (d) above) placed under loan shall be advanced to the borrower at the time the loan is made, which shall be funds disbursed to the borrower in excess of the amount of the loan. This storage advance shall be earned by the producer for such number of bushels (1) if the soybeans are delivered to Commodity on or after April 30, 1945, or (2) if, pursuant to demand by Commodity for repayment of the loan, the soybeans are delivered to Commodity prior to April 30, 1945, provided such demand for repayment was not due to any fraudulent representation on the part of the producer or because the soybeans were damaged, threatened with damage, abandoned, or otherwise impaired. If delivery is made prior to April 30, 1945, with consent and approval of Commodity, because the soybeans were damaged, threatened with damage, abandoned, or otherwise impaired, a storage payment shall be earned in accordance with the following:

6 cents per bushel if delivered during the month of April, 1945.
5 cents perbushel if delivered during the month of March, 1945.
4 cents per bushel if delivered during the month of February, 1945.
3 cents per bushel if delivered during the month of January, 1945.
2 cents per bushel if delivered during the month of December, 1944.

No storage payment shall be earned if the soybeans are delivered prior to December 1944.

If delivery is made pursuant to demand by the Corporation due to fraudulent representation, no storage payment shall be earned.

A storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage. On delivery of the collateral, any deficiencies due Commodity shall be deducted from any credits which may be due the producer from Commodity. The producer shall pay to Commodity any deficiency due Commodity. If the soybeans are redeemed, the producer is required to repay the storage advance plus accrued interest.

§ 257.14 *Storage.* Eligible storage shall consist of farm bins and granaries which are of such substantial and permanent construction, as determined by the county agricultural conservation committee, as to afford safe storage for the soybeans for a period of 1 year and afford protection against insects, rodents, other animals, thieves, and weather. Soybeans must have been stored in the granary for a reasonable period, as determined by the county agricultural conservation committee, prior to inspection for measurement, sampling, and sealing. County agricultural conservation committees shall inspect and approve storage facilities and shall arrange for measuring, sampling, grading, and sealing the soybean collateral in approved structures. Chattel mortgages covering soybeans stored on the farm under loan must be executed and filed in accordance with the applicable State law. Where the borrower is a tenant, the expiration date of the lease shall be given in section 1 (e) of the chattel mortgage. If the expiration date of the lease is prior to July 1, 1945, the borrower must obtain, from the owner and other interested parties, consent that the collateral may remain in the described storage structures until June 30, 1945, without any charge to Commodity other than that agreed to be paid to the borrower for storing the collateral. The consent agreement is set forth in the chattel mortgage. Each producer must designate in section 1 (b) of the chattel mortgage a shipping point reasonably convenient for the delivery of the soybeans, as determined by the county committee. A separate note and chattel mortgage must be submitted for soybeans stored on each quarter section of land.

Commodity shall accept delivery of all the producer's soybeans in the bin or bins in which all or a portion of the soybeans therein are under loan. Such delivery shall be limited to the number of bushels that was in the bin at the time the loan was made, less any amount that has been removed since the loan was made. The producer shall be given credit for the number of bushels delivered at the loan rate applicable to the grade and class of soybeans delivered. If no loan rate has been established for the grade of soybeans delivered, the actual market value shall be furnished by the regional director of Commodity.

§ 257.15 *Determination of quantity of soybeans.* Loans shall be made at values expressed in cents per bushel. A bushel shall be 60 pounds of soybeans free of dockage and foreign material in excess of 2 percent when determined by weight, or 1.25 cubic feet of soybeans testing 60 pounds per bushel, when determined by measurement. In determining the quantity of soybeans stored by measurement, fractional pounds of the test weight per bushel for soybeans testing less than 60 pounds shall be disregarded, and the quantity determined by measurement shall be adjusted by the following respective percentages:

	Percent
For soybeans testing 60 pounds or over	100
For soybeans testing 59 pounds or over but less than 60	98
For soybeans testing 58 pounds or over but less than 59	97
For soybeans testing 57 pounds or over but less than 58	95
For soybeans testing 56 pounds or over but less than 57	93
For soybeans testing 55 pounds or over but less than 56	92
For soybeans testing 54 pounds or over but less than 55	90
For soybeans testing 53 pounds or over but less than 54	88
For soybeans testing 52 pounds or over but less than 53	87

§ 257.16 *Lending agency and source of loans.* A lending agency shall be any bank, cooperative marketing association, corporation, partnership, or person making loans in accordance with these instructions, which has executed the Contract to Purchase on 1940 C. C. C. Form E. Producers may obtain loans through approved lending agencies or direct from Commodity.

§ 257.17 *Purchase of loans.* Commodity shall purchase, without recourse, notes secured by chattel mortgages only from approved lending agencies. Notes held by lending agencies must be tendered to Commodity for immediate or deferred purchase within 10 days of written request, or at least 10 days prior to maturity in the absence of written demand. Notes must be dated prior to February 1, 1945, and must be executed in accordance with these instructions, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee shall be accepted only where valid in law. The purchase price to be paid by Commodity for notes accepted shall be the outstanding face amount of such notes plus accrued interest, from the date of disbursement by the lending agency to the date of payment of the purchase price, at the rate of 1½ percent per annum. Under the terms of the Contract to Purchase (1940 C. C. C. Form E), lending agencies are required to report weekly, on 1940 C. C. C. Form F, all repayments or collections on producers' notes held by them, and to remit with such report, to the office of the regional director of Commodity Credit Corporation at Chicago, Illinois, an amount equivalent to 1½ percent per annum on the principal amount collected from the date of the note to the date of repayment.

§ 257.18 *Release of collateral.* A producer may obtain release of the collateral by paying to the lending agency or Commodity, whichever holds the note, the principal amount thereon (including storage advance) plus accrued interest. If the note is held by an out-of-town agency or Commodity, the producer may request that the note be forwarded to a local bank for collection. In such case, the local bank should be instructed to return the note to the sender if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon repayment of a loan, the county agricultural conservation committee must be requested and authorized to release the mortgage by filing an instrument of release, or by a margin release on the county recorder's records.

§ 257.19 *Redemption of part of collateral.* A producer may obtain release of all or part of the collateral in a bin by paying to the holder of the note the loan value, plus storage advance and accrued interest, for the soybeans released. Form Commodity Loan 29 must be prepared and distributed, in accordance with instructions issued by the Agricultural Adjustment Agency, for each partial redemption.

§ 257.20 *Insurance.* The producer is not required to insure soybeans placed under loan.

PURCHASES

§ 257.25 *Eligible producer.* Any person, partnership, association, or corporation producing soybeans in 1944 as landowner, landlord, or tenant.

§ 257.26 *Eligible soybeans for purchase.* Soybeans eligible for purchase shall be soybeans of all classes and grades, the beneficial interest to which is and always has been in the eligible producer, except that soybeans which grade weevily or sample (except sample because of an odor due to green damage) shall not be eligible for purchase by Commodity. Soybeans which grade sample or are weevily may be purchased by processors. Soybeans which grade sample or would grade sample because of having an odor due solely to green damage, or being sour due solely to green damage, shall be eligible for purchase by Commodity.

Purchases may be made in all States through June 30, 1945.

§ 257.27 *Basic purchase prices and specifications.* The price per net (see § 257.32 below) bushel of eligible soybeans sold and delivered to normal delivery points, according to classes (Class I—Yellow; Class II—Green; Class III—Brown; Class IV—Black; Class V—Mixed) shall be in accordance with the schedule below. For purposes of this program, weights per bushel, moisture and damage percentages shall be rounded (a) down to the nearest whole pound for weight-per-bushel tests (drop 0.5 pound), (b) to the nearest ½ percent for moisture, and (c) to the nearest whole percent for damage (drop 0.5 percent).

Basic specifications	Actual	Rounded	Basic per bushel purchase prices	
			Classes I and II	Classes III, IV and V
Test weight (pounds per bushel, minimum)		54.0		
Moisture (percentage)	13.5–14.3 inclusive	14.0	$2.04	$1.84
Splits (percentage maximum)		15.0		
Total damage (percentage maximum)	3.0			
Other classes except green in yellow and yellow in green (maximum percentage).[1]	5.0			

[1] Mixtures of Classes I and II eligible soybeans which contain 5 percent (actual) or less of Classes III and IV soybeans and bicolored soybeans, either singly or in combination, shall take the applicable loan rate for Classes I and II soybeans. If more than 5 percent of Classes III and IV soybeans and bicolored soybeans, either singly or in combination, are contained in a mixture of eligible soybeans which otherwise would take the loan rate for Classes I and II soybeans, the mixture shall take the applicable loan rate for Classes III, IV, and V soybeans. Mixtures of green soybeans in Class I and yellow soybeans in Class II shall be disregarded for purposes of determining applicable loan values.

§ 257.28 *Premiums.* Premiums shall be paid for soybeans only in the case of eligible soybeans which have a moisture content of 13½ percent rounded or less. The premium schedule follows:

MOISTURE Percent	Premiums per bushel
13.3–13.7 inclusive	$0.01
12.8–13.2 inclusive	.02
12.3–12.7 inclusive	.03
11.8–12.2 inclusive	.04
11.3–11.7 inclusive	.05
Below 11.0–11.2 inclusive	.06

§ 257.29 *Discounts.* Discounts for soybeans shall be assessed in accordance with the discount schedules given below:

(a) *Test weight.* ½ cent per bushel for each pound or fraction thereof (weight-per-bushel) by which the soybeans fall below 54.0 pounds. (Under the U. S. Grain Standards for soybeans, test weight is shown in full and half pounds.)

(b) *Moisture.* 1½ cents per bushel for each ½ percent in excess of 14.2 percent moisture (actual), 14.0 percent (rounded) up to and including 18.2 percent moisture (actual), 18.0 percent (rounded).

Percent		Discount per bushel
Actual	Rounded	
14.3–14.7 inclusive	14.5	$0.015
14.8–15.2 inclusive	15.0	$0.03 etc.

2 cents per bushel for each ½ percent in excess of 18.2 percent moisture (actual), 18.0 percent (rounded).

Example:

Percent		Discount per bushel
Actual	Rounded	
18.3–18.7 inclusive	18.5	$0.02
18.8–19.2 inclusive	19.0	$0.04 etc.

(c) *Splits.* ¼ cent per bushel for each 5 percent or fraction thereof in excess of 15.0 percent (actual) of split soybeans.

Example:

Percent	Discount per bushel
15.1–20.0 inclusive	$0.0025
20.1–25.0 inclusive	.005 etc.

(d) *Damage.* When soybeans contain total damage in excess of 3.0 percent (actual), the first 3.0 percent shall be considered damage other than green damage.

(i) Green damage—2/10 of a cent per bushel for each 1 percent (rounded) green damage in excess of 3 percent (actual) damage.

Example:

Green damage, percent in excess of 3 percent		Discount per bushel
Actual	Rounded	
0.6–1.5 inclusive	1.0	$0.002
1.6–2.5 inclusive	2.0	.004 etc.

(ii) Other damage—½ cent per bushel for each 1 percent damage other than green damage in excess of 3 percent (actual) damage, but not in excess of 25 percent (actual).

Before computing damage other than green, total damage shall be rounded to the nearest full percent and green damage shall be rounded to the nearest full percent (drop 0.5 percent in both instances). Therefore, damage other than green will always be a full percent.

1 cent per bushel for each 1 percent damage other than green damage in excess of 25 percent (actual), but not in excess of 60 percent (actual).

1½ cents per bushel for each 1 percent damage other than green damage in excess of 60 percent (actual).

§ 257.30. *Green damage odor.* Soybeans grading sample because of having an odor due to green damage or being sour due to green damage shall be purchased at rates for such soybeans had such odors not been present.

§ 257.31 *Other out-of-condition soybeans.* Soybeans which are weevily, grade sour (other than because of green damage), musty, heating, or which have a "commercially objectionable foreign odor" shall be subject to discounts as may be agreed upon by the buyer and seller at the time of purchase.

§ 257.32 *Foreign material and dockage.* Dockage and foreign material other than dockage, which, singly or in combination, total 2 percent or less, shall not be deducted from the gross weight of the soybeans. Therefore, a net bushel shall be considered to be 60 pounds of soybeans containing not in excess of 2 percent dockage and foreign material. If the total weight of foreign material and dockage combined is in excess of 2 percent, the excess shall be deducted from the total gross weight of soybeans in the determination of the net number of bushels of soybeans. For the purpose of this determination, dockage shall be computed in whole percents. Less than 1.0 percent actual dockage shall be disregarded and fractional percentages shall be disregarded. Foreign material percentages shall be stated in tenths.

§ 257.33 *Method of receiving soybeans.* (a) Country warehousemen may receive soybeans for immediate shipment to processors, terminal warehousemen having contracts with Commodity, or for storage in the elevator or Commodity bins. In order to receive soybeans for Commodity, a country warehouseman must have executed Uniform Grain Storage Agreement (CCC Form H) and supplements thereto. Approval by the county committee must be obtained before any soybeans are placed in Commodity bins.

(b) County agricultural conservation committees may receive soybeans for storage in bins owned by Commodity, storage in other facilities, or shipment. No car shall be loaded without prior approval from the regional director.

§ 257.34 *Soybeans received by country warehouses approved under the Uniform Grain Storage Agreement.* The country warehouseman shall receive soybeans delivered by wagon or truck from the producer, grade the soybeans and store them in his warehouse, Commodity bins upon prior approval of and under supervision of the county committee, or for sale to processors or to terminal warehousemen who have contracts with Commodity. Producers shall file an Offer of Sale memorandum with the county committee listing all lien holders and designate to whom the proceeds of the soybeans sold shall be paid, in the case of soybeans sold to Commodity.

(a) *Storage in warehouse for Commodity.* The warehouseman shall issue separate warehouse receipts for each lot of soybeans stored for Commodity showing the weight, moisture, class and grade, and all other necessary information to determine the premiums and discounts specified in §§ 257.28 and 257.29. The warehouseman shall deliver to the producer said warehouse receipt and inspection certificates or, upon request of the producer, the warehouseman shall deliver such warehouse receipt and inspection certificates to the county office of the Agricultural Adjustment Agency. The county committee of the Agricultural Adjustment Agency shall issue the producer a non-interest-bearing sight draft for each purchase. The information on the warehouse receipt or inspection certificate shall be transferred to the sight draft. The sight draft shall be prepared in triplicate, the original given to the producer, one copy retained by the county committee of the Agricultural Adjustment Agency, and one copy mailed daily to the regional office of Commodity. The sight draft and attachments may be presented to a local bank or direct to Commodity for payment. The warehouseman's charges shall accrue against the warehouse receipts in accordance with the Uniform Grain Storage Agreement, except that the charge for handling the soybeans in and out of the house shall be 5 cents per bushel. The warehouseman shall be responsible for weights and grades to Commodity.

(b) *Storage in bins owned by Commodity.* Eligible soybeans containing not more than 14 percent moisture, and eligible soybeans grading sample (due to green damage only), and containing not more than 14 percent moisture and reasonably free from dockage and foreign material, may be stored in bins owned by Commodity upon prior approval by the county committee. All soybeans stored in Commodity bins must be placed in the bins under the direct supervision of the committee. Soybeans to be stored in steel or wooden bins for Commodity should be segregated according to color, except that soybeans of Classes I and II which contain a total of less than 5 percent of Classes III and IV may be considered as the same color. If necessary, soybeans of the same color but different grades may be mixed. The warehouseman shall issue scale tickets and inspection certificates showing moisture, class, and grade for soybeans grading other than sample (due to green damage only). For eligible soybeans grading sample, the warehouseman shall issue scale tickets or ihspection certificates showing moisture, class, grade, and percent of damage, and deliver such tickets and inspection certificates to the producer, or upon request from the producer deliver such scale tickets and inspection certificates to the county office of the Agricultural Adjustment Agency. The county committee of the Agricultural Adjustment Agency shall issue the producer a non-interest-bearing sight draft for each purchase in an amount due the producer for the quantity, quality, class, and grade of soybeans delivered. The information on the scale tickets or inspection certificates shall be transferred to the sight draft.

§ 257.35 *Soybeans received by county committees.* In areas where there are no approved warehousemen, country warehousemen, or warehousemen's agents available at usual shipping points, or where warehousemen do not cooperate in the purchase program, the county committee, or an agent designated by the county committee, will receive soybeans and make immediate shipment or store in Commodity bins.

Soybeans containing in excess of 14 percent moisture shall not be stored in bins owned by Commodity. However, producers may, by filing Form B with the county committee, deliver their soybeans for purchase to a point designated by the county committee, without first obtaining a grade determination, provided the soybeans do not have a moisture content in excess of 14 percent in the opinion of the producer and the county committee.

In the event the producer is requested by the county committee to deliver his soybeans to a point more distant than his usual delivery point for the purpose of assembling in carload lots, Commodity will allow not more than 5 cents per ton per mile haul for the additional distance necessary to make such delivery. In no event shall the county committee approve payments for an additional haul in excess of 4 cents per bushel without prior approval of the regional director of Commodity. The approval of payment for additional mileage shall be submitted on Form J by the county committee, which shall be mailed to the Chicago office of Commodity for payment. The amount claimed for additional mileage shall not be included in the amount of the sight draft.

County committees shall weigh and load soybeans into bins owned by Commodity, and shall obtain a representative sample, which shall be forwarded to the State office of the Agricultural Adjustment Agency or to an inspector licensed to grade soybeans. Upon receipt of the grade analysis, which shall include an entry for all grade factors needed to determine purchase price, the county committee shall draw a non-interest-bearing sight draft in favor of the producer on Commodity, for the total purchase price of the beans delivered in the same manner, and shall follow the same instructions as when the soybeans are placed in bins by the warehouseman.

§ 257.36 *Grade analysis.* Where requested by the producer, the warehouseman shall furnish the producer a complete grade analysis which shall include class, grade, test weight, moisture, percentage of splits, percentage of total damage, percentage of green damage, percentage of foreign material other than dockage, percentage of brown and/or black soybeans in case green or yellow soybeans are being offered for sale, and percent of dockage.

If the warehouse is not equipped to furnish all grade factors, a representative sample of the soybeans delivered shall be taken by the warehouseman and producer and sent to the State Agricultural Conservation Office Laboratory, or to an inspector licensed to grade soybeans, for grade determination before any payment is made to the producer.

All settlements with the producer by the county committee of the Agricultural Adjustment Agency shall be based upon an agreement between the warehouseman and producer of grade factors determined.

The producer may call for another grade if, in his opinion, any grade factors furnished by the warehouseman are incorrect. In such cases, a representative sample taken by the warehouseman and producer shall be forwarded to a qualified licensed inspector for analysis, and settlement shall then be made on the basis of such analysis. The individual requesting the second grade shall pay the cost of obtaining grade determination.

Dated: July 17, 1944.

J. B. HUTSON,
President.

[F. R. Doc. 44-12726; Filed, August 23, 1944; 11:22 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 504—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 11

NON-APPLICABILITY TO TRANSACTIONS BY OR WITH CUSTODIAN

§ 504.3 *Regulation No. 3 under General Order No. 11.*[1] The prohibitions of General Order No. 11 shall not apply to any transactions by or with the Custodian.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on June 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-12804; Filed, August 24, 1944; 10:32 a. m.]

PART 505—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 13

NON-APPLICABILITY TO TRANSACTIONS BY OR WITH CUSTODIAN

§ 505.4 *Regulation No. 4 under General Order No. 13.*[2] The prohibitions of General Order No. 13 shall not apply to any transactions by or with the Custodian.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on June 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 12805; Filed, August 24, 1944; 10:32 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PROCEDURE FOR GUARANTEEING CONTRACT TERMINATION LOANS

CROSS REFERENCE: For interim financing regulations of the Office of Contract Settlement see Title 32, Chapter XX, *infra.*

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PROCEDURE FOR GUARANTEEING CONTRACT TERMINATION LOANS

CROSS REFERENCE: For interim financing regulations of the Office of Contract Settlement see Title 32, Chapter XX, *infra.*

[1] 7 F.R. 9475.
[2] 7 F.R. 9476.

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 23]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING EVERGREEN BLACKBERRIES IN PIERCE COUNTY, WASHINGTON

§ 1100.6 *Wages of workers engaged in picking Evergreen blackberries in a portion of Pierce County, Washington.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking Evergreen blackberries in Pierce County, except the islands and peninsula areas, State of Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking Evergreen blackberries.*

Piece rates—95¢ per 30 lb. crate, plus a bonus of 20¢ per crate if the worker continues to pick Evergreen blackberries throughout the season.

(c) *Administration.* The Washington WFA Wage Board located at 235 Liberty Bldg., Yakima, Washington, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 23 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 23 and any violation of this specific wage ceiling regulation No. 23 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; as amended by Public Law 383, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 24th day of August 1944.

WILSON R. BUIE,
Acting Director of Labor, War Food Administration.

[F. R. Doc. 44-12806; Filed, August 24, 1944; 11:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1285—BUTADIENE

[Allocation Order M-178, Revocation]

Section 1285.1 *Allocation Order M-178* and all outstanding allocations and directions issued under it are hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 24th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12822; Filed, August 24, 1944; 11:48 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-107, Schedule I, as Amended Aug. 24, 1944]

EXTENDED SURFACE HEATING EQUIPMENT

§ 3288.37 *Schedule I to Limitation Order L-107*—(a) *Definitions.* For the purpose of this schedule:

(1) "Unit heater" means any extended surface heating equipment which is a factory made assembly and which consists of a heating element and a motor driven fan or blower (or fans or blowers) enclosed in a casing having an air inlet and an air outlet, designed to be placed within or adjacent to a space to be heated and to heat such space by circulating air within it.

(2) "Unit ventilator" means any extended surface heating equipment which is a factory made assembly and which consists of a standard (single tube) heating element with by-pass and temperature regulation dampers, or a distributing tube heating element without by-pass and temperature regulating dampers, a motor driven fan or blower (or fans or blowers) and fresh air regulation damper (or dampers) enclosed in a casing having a fresh air inlet and an air outlet and designed to be placed within or adjacent to a space to be heated, and to heat and ventilate such space by circulating air through it.

(3) "Convector" means any extended surface heating equipment which consists of a heat transfer element enclosed

in a cabinet or casing which has an air inlet and an air outlet, and which cabinet or casing serves as a stack to accelerate the circulation of air through the heating element.

(4) "Blast heating coil" means any heat transfer element designed for installation in duct work, for space heating or for drying purposes.

(5) "Special heating coil" means any extended surface heating equipment or any heat transfer element which is not a unit heater, unit ventilator, convector, or blast heating coil as defined in paragraph (a) (1), (2), (3) and (4) of this schedule, and includes, but is not limited to, a convector-radiator or finned-pipe, or any heat transfer element specifically designed for incorporation by a person other than the producer, into extended surface heating equipment or into any other equipment or machinery.

(6) "Standard size unit heater" means a unit heater having certain overall physical dimensions, as specific heating element and a specific fan (or fans), which will develop a specific BTU output per hour heating capacity with free air delivery, when supplied with steam at two (2) pounds pressure per square inch and air at 60 degrees Fahrenheit, and when equipped with a specific single-phase, 60 cycle A. C. electric motor arranged to drive the fan (or fans) at a specific speed.

A standard size unit heater shall not be deemed to be changed;

(i) When the BTU capacity is altered by use of any attachments or appurtenances or by use of an electric motor driven by current other than single-phase 60 cycle A. C.: *Provided*, That when another current is used the speed of the motor shall approximate the speed attained with a single-phase 60 cycle A. C. motor; or

(ii) In the case of any large housed blower unit by the substitution of a tube-within-a-tube heat transfer element of no greater heating capacity than that replaced.

(7) "Modified size unit heater" means a standard size unit heater which has been altered by substituting for its heat transfer element one having less surface, for the purpose of lowering the temperature of the discharged air, when the unit heater is to be operated with steam at a pressure of 30 or more pounds per square inch.

(b) *Simplified practices.* Pursuant to Limitation Order L–107 the following simplified practices are established for the manufacture, fabrication or assembly of extended surface heating equipment:

(1) *Unit heaters.* (i) Manufacture, fabrication or assembly by any producer, is limited to horizontal propeller fan type, vertical propeller fan type, large housed blower type, and small cabinet blower type;

(ii) Heat transfer elements known as double-tube or tube-within-a-tube coils are permitted only in standard size large housed blower type unit heaters, and then only if all temperature regulation dampers are omitted;

(iii) Manufacture, fabrication or assembly by any producer is limited to not more than 48 sizes, of which not more than 24 shall be standard size unit heaters, and not more than 24 shall be modified size unit heaters; *Provided*, That no more than 10 standard size unit heaters and 10 modified size unit heaters may be made in any one of the following three types; horizontal propeller fan type, vertical propeller fan type, and large housed blower type; *And provided, further*, That not more than two standard size unit heaters may be made in the small cabinet blower type;

(iv) Not more than one model of any one size may be made, but a model will not be deemed to be changed by the inclusion or omission of attachments or accessories such as dampers or filters, or in case of a large housed blower type unit by the substitution of a double-tube or a tube-within-a-tube for a single tube heat transfer element;

(v) No horizontal propeller fan type unit heater shall be made smaller than 24,000 BTU per hour output capacity;

(vi) No vertical propeller fan type unit heaters shall be made smaller than 144,000 BTU per hour output capacity;

(vii) No large housed blower type unit heater shall be made smaller than 216,000 BTU per hour output capacity;

(viii) No small cabinet blower type unit heater shall be made larger than 150,000 BTU per hour output capacity.

(2) *Unit ventilators.* (i) Manufacture, fabrication or assembly, by any producer, is limited to six sizes based upon rated c. f. m. free air delivery capacity (A. S. H. V. L. standard anemometer test), not more than four of which shall be other than the so-called cabinet schoolroom type. Not more than two different sizes of heating elements shall be used in any given size of unit ventilator;

(ii) So-called cabinet type, schoolroom unit ventilators shall be made only with free-standing cabinets without special provisions for recessing in wall construction.

(3) *Convectors.* (i) Manufacture, fabrication or assembly by any producer is limited to not more than 20 sizes of heat transfer elements. Nominal depths shall not be other than 6, 8 or 12 inches;

(ii) Not more than two styles of and headers shall be used for all sizes of convectors, regardless of the type or size of pipe connections;

(iii) Cabinets for any use except in hospitals for mentally disturbed patients shall be limited to three heights and shall be either free standing or wall hung models without special provisions for installation in wall recesses. Only one style of damper, and one style of grille is permitted, and only one grille may be provided for any convector cabinet. Convector cabinets used in hospitals for mentally disturbed patients may be produced to conform with the specified needs of such installations.

(4) *Blast heating coils.* (i) Manufacture, fabrication or assembly by any producer of any single tube blast heating coil is limited to not more than five widths (or heights), of which at least two shall be small "booster" coils;

(ii) Manufacture, fabrication or assembly by any producer of any double-tube or tube-within-a-tube blast heating coil is limited to not more than three widths or heights;

(iii) Tubes for such coils shall not be of any but the following nominal lengths:

INCHES		
12	36	72
15	42	84
18	48	96
21	54	108
24	60	120
30	66	132
		144;

(iv) Such coils shall be only of types with one or two rows of tubes;

(v) Such coils shall be made in not more than two different numbers of fins per inch of length.

(5) *Special heating coils.* Manufacture fabrication or assembly by any producer is limited to those sizes, types and designs produced by him on or before the 28th day of July 1943.

(6) Alloys used for coating heat transfer elements or parts thereof shall not contain more than seven percent of tin by weight.

(7) Casings, enclosures and parts thereof shall not contain any metal other than iron and steel and, except for small fittings, shall not be coated with any metal other than lead, or metal which may be a part of a paint mixture, provided such use of such metal is not prohibited by any order of the War Production Board.

(8) Electric motors shall be single speed types only. Direct current motors used with belt driven equipment shall have a rated speed of 1800 R. P. M.; alternating current motors so used shall have not more than four poles.

(9) The use of copper, copper base alloy or aluminum in extended surface heating equipment is prohibited except when used in accordance with Conservation Order No. M–9–c or any Order in the M–1 series.

(c) *General exceptions.* The provisions of this Schedule shall not apply to any extended surface heating equipment manufactured, fabricated or assembled on a contract, sub-contract or purchase order for delivery to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships, including floating drydocks.

(d) *Selection and report of models and sizes.* Each producer of extended surface heating equipment shall determine the models and sizes of the various kinds of extended surface heating equipment which he proposes to manufacture, fabricate, or assemble under this Schedule, and shall file a new report with the War Production Board on Form WPB–1902 on or before the 4th day of September 1944, giving a complete description of each model and size to be manufactured, fabricated or assembled. Each producer shall thereafter produce only those models and sizes so reported, unless written permission is received from the War Production Board to produce any other models or sizes than those reported. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Repair parts.* Nothing in this schedule shall restrict the manufacture or shipment of repair parts for any extended surface heating equipment.

(f) *Effective date of simplified practices; exceptions; report.* (1) On and after the 26th day of September, 1943, no extended surface heating equipment (except repair parts), which does not conform to the simplified practices established in this schedule, shall be produced or delivered by any producer or accepted by any person from any producer: *Provided, however*, That except as noted in (2) below, the foregoing shall not prohibit the delivery by any producer or acceptance by any person of such extended surface heating equipment not in conformity with these simplified practices, in his stock in finished form on the 26th day of September, 1943, or which can be assembled into completed equipment from cast, machined or otherwise processed materials in the producer's inventory on said date.

(2) No extended surface heating equipment, the heat transfer elements of which are made of copper or copper base alloy, shall be delivered by any producer or accepted by any person from any producer, except in accordance with the provisions of Conservation Order M–9–c as amended from time to time.

(3) Each producer shall report in a letter on or before the 4th day of September 1944, the number and size of each type of extended surface heating equipment defined in this schedule not in conformity with the provisions of this schedule and which he has produced or will produce and offer for sale on and after the 5th day of October, 1944. The War Production Board may thereupon take such action, with respect to such extended surface heating equipment, as it deems advisable. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 24th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12823; Filed, August 24, 1944; 11:48 a. m.]

PART 3293—CHEMICALS

[Preference Rating Order P–135, as Amended Aug. 24, 1944]

REAGENT CHEMICALS

§ 3293.526 *Preference Rating Order P–135*—(a) *Definitions.* For the purposes of this order:

(1) "Reagent chemical" means any chemical prepared and packed for reagent use in laboratories.

(2) "Laboratory" means any person engaged in the business of carrying on scientific or technological investigation, testing, development or experimentation, to the extent that he is so engaged. The term includes research laboratories, production control laboratories, clinical laboratories and instructional laboratories. It does not include any person to the extent that he is engaged in the manufacture of products for commercial sale, even though the place in which the products are manufactured may be called a laboratory.

(3) "Distributor" means any person who buys reagent chemicals for resale without further processing.

(4) "Producer" means any person engaged in the production of reagent chemicals and includes any person who has them produced for him pursuant to toll agreement.

(b) *Assignment of preference ratings.* (1) Preference rating AA–1 is hereby assigned to deliveries of any reagent chemical to any laboratory to which a serial number has been assigned under Preference Rating Order P–43, and to any laboratory owned and operated by the Army or Navy of the United States.

(2) Preference rating AA–2 is hereby assigned to:

(i) Deliveries of any reagent chemical to any laboratory to which a serial number has not been assigned under Preference Rating Order P–43.

(ii) Deliveries of any reagent chemical to a distributor or producer.

(c) *Application and extension of rating.* The preference rating hereby assigned shall, subject to the provisions of paragraph (d) hereof, be applied or extended only in accordance with the provisions of Priorities Regulation No. 3, as amended from time to time.

(d) *Restrictions on applications and extensions of rating.* The preference rating hereby assigned shall not be applied:

(1) To obtain deliveries of any reagent chemical or material:

(i) Which will be incorporated in, or which will enter into any chemical reaction directly involved in the manufacture of any product, other than a reagent chemical, manufactured for sale;

(ii) Which will be used in the rendering of any service other than analytical, testing, control, educational or research laboratory services.

(2) [Revoked Aug. 24, 1944.]

(3) [Revoked Aug. 24, 1944.]

(4) The quantitative restrictions of CMP Regulations 5 and 5A shall not apply to deliveries of reagent chemicals or of material (not including maintenance, repair and operating supplies) which will enter into the production of reagent chemicals.

(e) *Miscellaneous provisions*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref: P–135.

Issued this 24th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12826; Filed, August 24, 1944; 11:46 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 18 as Amended Aug. 24, 1944]

DICHLOROSTYRENE

§ 3293.1018 *Schedule 18 to General Allocation Order M–300*—(a) *Definitions.* "Dichlorostyrene" means dichlorostyrenes in any form and from whatever source derived.

(1) [Revoked Aug. 24, 1944.]

(b) *General provisions.* Dichlorostyrene is subject to the provisions of General Allocation Order M–300, as an Appendix B material. The initial allocation date is June 1, 1944. The allocation period is the calendar month. The small order exemption without use certificate is 5 pounds per person per month.

All outstanding allocations and directions issued under this schedule regarding styrene are hereby revoked.

NOTE: Former paragraphs (c) and (d) revoked and former paragraphs (e) through (h) redesignated (c) through (f) respectively, August 24, 1944.

(c) *Suppliers' applications on WPB–2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB–2947 (formerly PD–602). The filing date is the 20th day of the month preceding the proposed allocation month. Send three certified copies to the War Production Board Chemicals Bureau, Washington 25, D. C., Reference: M–300–18. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names for delivery on uncertified exempt small orders. Fill in Table II.

(d) *Certified statements of use.* Each person placing a purchase order for delivery of more than 5 pounds of dichlorostyrene per month in the aggregate from all suppliers shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M–300. End use may be specified as "Polydichlorostyrene subject to Order M–300–19" or as any other specified use. Proposed use may also be specified as "for authorized resale", "for resale on exempt small orders", and "for export" (specify destination and export license number).

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M–300–18.

Issued this 24th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12827; Filed, August 24, 1944; 11:49 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 43]

LACTIC ACID

§ 3293.1043 *Schedule 43 to General Allocation Order M–300*—(a) *Definition.* "Lactic acid" means alphahydroxy propionic acid from whatever source derived, except lactic acids not yet isolated from natural products.

(b) *General restrictions.* Lactic acid is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is September 1, 1944. The allocation period is the calendar month and the small order exemption is one barrel (500 lbs. commodity basis) of lactic acid per person per month in any grade regularly consumed by that person during the fiscal year ending June 30, 1944.

(c) *Stocks affected.* All stocks of lactic acid are subject to this schedule, notwithstanding the "consumers' stocks" exemption of Order M–300.

(d) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 20th day of the month before the requested allocation month, except that requests for September 1944 may be made as soon as possible. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–43. The unit of measure is pounds, commodity basis. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 15th day of the month before the requested allocation month, except that requests for September 1944 may be made as soon as possible. File separate sets of forms for each supplier and for each consuming point. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–43, and one copy (reverse side blank) to the supplier. The unit of measure is pounds, 100% basis. Fill in Column 3 in terms of the following:

Chemicals.	Other primary product (specify).
Foods.	Export (in original form).
Lactates.	Inventory (in original form).
Medicinals.	Resale (in original form).
Pharmaceuticals.	
Plastics.	
Tanning.	
Textiles.	

Specify end use in Column 4 as required by paragraph (11–a) of Appendix E of Order M–300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Table IV blank.

In Table V specify "Frozen inventory on first of _____" (name first day of requested allocation month) in the heading of Column 23. In Column 23 enter the estimated quantity of lactic acid, 100% basis, which at the beginning of the requested allocation period will be in inventory subject to further authorization before it can be used (exclusive of the authorization being requested). Leave Columns 24 and 25 blank.

(f) *One time base-period report.* Each person (including suppliers who consume part of their own stocks, but excluding government departments and agencies) shall file a one time base-period report on Form WPB–3442 on or before the date of his initial application for lactic acid pursuant to paragraph (e) above. It is not necessary to report again under this paragraph if the same report has previously been made in accordance with the special direction dated August 10, 1944, which called for the same information as this paragraph.

Instructions for filling out this form are as follows:

Separate sets of forms shall be prepared for each grade and each strength and for each different consuming point. One copy of each set shall be retained and one copy forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–43.

In the heading, specify in space (1) the grade of lactic acid (crude, technical, edible, USP, and its strength, commodity basis). In space (2) specify pounds, and leave space (3) blank. Fill in the other spaces as indicated.

In section I fill in Column (a) as indicated and leave Column (b) blank. In the heading of Column (c) specify "Third Quarter 1943"; in the heading of Column (d) specify "Fourth Quarter 1943"; in the heading of Column (e) specify "First Quarter 1944"; in the heading of Column (f) specify "Second Quarter 1944"; and fill in these columns as indicated. Leave Column (g) blank. Fill in last line as indicated.

In section II, leave Column (a) blank. Fill in Column (b) as of last day of previous month, and leave Column (d) blank.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–43.

Issued this 24th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12826; Filed, August 24, 1944; 11:48 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–340, as Amended Aug. 24, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M–340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB–2947 (formerly PD–602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate shall be substantially in the form and shall be subject to the instructions stated in Appendix C and shall be in the hands of the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB–2947 (formerly PD–602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB–2947 (formerly PD–602).

(h) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M–340.

Issued this 24th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

NOTE: Appendix A amended Aug. 24, 1944. Chemicals subject to this order:

(1) [Deleted Aug. 24, 1944.]

(2) [Deleted Aug. 24, 1944.]

(3) [Deleted Aug. 24, 1944.]

(4) [Deleted Aug. 24, 1944.]

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidised petrolatum" means high paraffinic petrolatum oxidised and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification No. 52–C–18 such as those petrolatums known by the trade marks Par–A1–Ketone, Alox 707, and Alox 701.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) [Deleted June 9, 1944]

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) [Transferred June 15, 1944, to M–300–25]

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 220° C., with at least 15 per cent distilling above 200° C., and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) [Deleted Aug. 24, 1944.]

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) [Deleted Aug. 24, 1944.]

(16) "Hi-flash naphtha" means water white coal tar solvent naphtha, having a distillation range of 145° C. (293° F. to 200° C. (392° F.), derived from coke oven light oils, coal tar distillates, drip oils or holder oils.

Effective date—July 1, 1944. Comes in the following grades: No grades.

APPENDIX B

NOTE: Appendix B amended Aug. 24, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d))
(1) [Deleted Aug. 24, 1944.]			
(2) [Deleted Aug. 24, 1944.]			
(3) [Deleted Aug. 24, 1944.]			
(4) [Deleted Aug. 24, 1944.]			
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidised petrolatum.	Pound	25 pounds	None.
(7) [Deleted June 9, 1944.]			
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) [Deleted June 15, 1944.]			
(12) E.W. Naphtha.	Gallons	54 gallons	None.
(13) [Deleted Aug. 24, 1944.]			
(14) Precipitated calcium carbonate.	Pound	50 pounds	None.
(15) [Deleted Aug. 24, 1944.]			
(16) Hi-flash naphtha.	Gallons	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M–340, that the

_____ (specify subject chemical) ordered for delivery in _____, 194__.
Month

will be used by him for the manufacture or preparation of the following product(s), and that such product(s) will be put to the following end use(s):

	Quantity	Primary product	End use
(A)			
(B)			

_____
Name of purchaser

_____ By _____ _____
Date Duly authorized official Title

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of _____ or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use" purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB-2947 (FORMERLY PD-602)

(1) *Obtaining forms.* Copies of Form WPB-2947 (formerly Form PD-602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB-2947 (formerly Form PD 602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify the subject chemical to which the Form WPB-2947 (formerly Form PD-602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M-340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1-a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Uses by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB-2947 (formerly Form PD-602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB-2947 (formerly Form PD-602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 9 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 9 blank.

[F. R. Doc. 44-12824; Filed, August 24, 1944; 11:49 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-340, Revocation of Direction 1]

METHYL BROMIDE FOR FUMIGATION

Direction 1 to Allocation Order M-340 regarding methyl bromide for fumigation, is revoked. Simultaneously with this revocation methyl bromide is being removed from the list of miscellaneous chemicals subject to allocation under Order M-340.

Issued this 24th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12825; Filed, August 24, 1944; 11:48 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[MPR 43,[1] Amdt. 2]

USED STEEL DRUMS, PAILS AND CONTAINERS AND RECONDITIONING OF USED STEEL DRUMS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 43 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) No person shall sell or deliver used steel drums, pails or containers, or the service of reconditioning used steel drums of a capacity of 29 to 58 gallons inclusive, at prices higher than the maximum prices permitted by this regulation.

2. Section 1 (b) is amended to read as follows:

(b) No person shall buy or receive any used steel drums, pails or containers, or the service of reconditioning used steel drums of a capacity of 29 to 58 gallons inclusive, at prices higher than the maximum prices permitted by this regulation.

3. Section 4 (a) is amended to read as follows:

(a) *Products covered.* This regulation covers the sale of any raw, used or reconditioned steel drum; raw, used or reconditioned steel pail; and raw, used or reconditioned container as defined in this regulation.

4. Section 4 (b) is amended to read as follows:

(b) *Services covered.* This regulation shall apply to all rates or charges for the following services (except when such services are rendered by an employee), when performed on a used steel drum of a capacity of 29 to 58 gallons inclusive: Inside and outside washing (or burning), steel brushing, scraping, cooking and soaking, dedenting, painting, drying, inspecting for leaks, chaining or tumbling, sandblasting, straightening chimes, welding of flanges, chimes, and leaks, replacement of gaskets and bungs, coating or lining, pick-up and delivery, and conversion of a tight head drum to an open head drum.

5. Section 5 (a) is amended to read as follows:

(a) When used in this regulation the term:

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing;

"Drum" means any single walled, cylindrical or bilged container, liquid tight, welded seamed, of a capacity of 110 gallons or less (exclusive of pails or containers as defined herein) constructed of steel sheets. The term shall not include cans or high and low pressure gas steel cylinders;

"Raw used drum" means a used drum which has been emptied, but has not been reconditioned for reuse after the last emptying;

"Reconditioned drum" means a raw used drum which has been subjected to either a basic or total reconditioning, as defined herein, necessary to make the raw used drum fit for reuse;

"Basic reconditioning" of a drum means subjecting the drum to the following services: Inside and outside washing (or burning), scraping, painting, drying, inspection for leaks, replacement of gasket (except in open head drums), and pick-up and delivery in accordance with the reconditioner's customary practices;

"Basic reconditioning" of a used container means cleaning, culling, cutting out the head and painting if necessary or required by the customer;

"Total reconditioning" of a drum means the performance of the basic reconditioning as defined herein plus any or all of the following services which may be necessary or which may be required by the purchaser: dedenting, chaining or tumbling, cooking and soaking, sandblasting or steel brushing, straightening chimes, application of coating or lining required in food drums (except Heresite Lining), and welding of all leaks up to and including 1 inch in length or diameter except chime or flange leaks.

"Total reconditioning" of a used container means the performance of the basic reconditioning as defined herein plus any or all of the following services which may be necessary or which may be required by the purchaser: dedenting, cooking and soaking, steel brushing, straightening chimes, replacing lugs or furnishing covers.

"Pail" means any steel shipping package with a bail or handle, of lighter than 20 gauge, having a capacity of 6 gallons or less, either closed or open head.

"Raw used pail" means a used pail which has been emptied but which has not been reconditioned for reuse after the last emptying;

"Reconditioned pail" means a raw used pail which has been thoroughly cleaned and painted, equipped with a properly fitting cover and effective gasket and subjected to any and all other processes necessary to make the pail fit for reuse;

"Container" means a container other than a drum or pail, constructed of coated or black sheets of 22 US standard gauge steel or lighter, either double seamed, soldered, lock seamed, spot welded, lap seamed, or riveted seamed, (by way of example: Dyestuff cans, carbide cans, caustic soda cans, powder cans, etc.) of a capacity of 7 gallons or more: *Provided*, That such container is suitable for reuse with or without reconditioning;

"Raw used container" means a used container which has been emptied but which has not been reconditioned for reuse after the last emptying;

"Reconditioned container" means a raw used container which has been subjected to either a basic or total reconditioning as defined herein necessary to make the raw used container fit for reuse;

6. Section 6 (c) is amended as follows:

(c) *Containers.*

7 gallon capacity to 20 gallons, inclusive	$0.18
Greater than 20 gallon capacity	.25

7. Section 7 is amended to read as follows:

SEC. 7. *Maximum prices for raw used drums, pails and containers when sold by a person who purchased for resale.* The maximum prices for raw used drums, pails or containers when sold by a person who has purchased for resale, shall be as follows:

(a) *Drums.* (1) (Constructed of steel sheets of 16 to 20 gauge inclusive):

	When sold in States other than California, Oregon, and Washington and delivered to purchaser	When sold in States other than California, Oregon, and Washington, but not delivered to purchaser
14 to 16 gallons, inclusive	$0.75	$0.70
29 to 33 gallons, inclusive	1.05	.985
50 to 58 gallons, inclusive	1.35	1.25

	When sold [1] in States of California, Oregon, and Washington, and delivered to purchaser	When sold [1] in States of California, Oregon, and Washington but not delivered to purchaser
14 to 16 gallons, inclusive	$0.95	$0.80
29 to 33 gallons, inclusive	1.25	1.175
50 to 58 gallons, inclusive	1.75	1.65

[1] When both shipping point and point of delivery are located in those states; otherwise the lower prices apply.

(2) Where delivery is made by rail, the raw used drum shall be deemed to have been delivered if loaded on railroad cars for delivery to the purchaser and the purchaser may pay the transportation charges in accordance with section 12 of this regulation.

(b) *Pails.* The maximum price for raw used pails when sold by a person who has purchased for resale, shall be the same price as when sold by any other person (See section 6 (b)).

(c) *Containers.* The maximum price for raw used containers when sold by a person who has purchased for resale, shall be as follows:

7 gallon capacity to 20 gallons, inclusive	$0.25
Greater than 20 gallons capacity	.35

8. Section 8 is amended to read as follows:

SEC. 8. *Maximum prices for reconditioned used steel drums, pails and containers.* The maximum prices for reconditioned used steel drums, pails and containers, delivered to the purchaser, shall be as follows:

(a) *Drums.* (1) (Constructed of steel sheets 16 to 20 gauge, inclusive):

	In States other than California, Oregon, and Washington	In States of California, Oregon, and Washington [1]	Food container allowance [2]	Deduction for omitting painting [3]
14 to 16 gallons, inclusive	$1.45	$1.60	$0.15	$0.05
29 to 33 gallons, inclusive	1.85	2.10	.20	.075
50 to 58 gallons, inclusive	2.25	2.75	.25	.10

[1] Where both shipping point and point of delivery are located in these States; otherwise the lower prices apply.
[2] Where a drum which is lined has been reconditioned so as to be suitable without any further reconditioning for use as a food container, and is sold for use as a good container, the allowance may be added.
[3] If the drum is not painted, the deductions shall be made. If paint other than varnish, enamel or lacquer is used, one-half of the above shall be deducted.

NOTE: For drums of capacities and gauges not listed, see section 10.

(2) Where a reconditioned drum is delivered by truck in excess of 50 miles from the shipping point, the reconditioner may add to the maximum prices set forth in this section, the actual transportation cost for the additional mileage, in accordance with section 12 of this regulation.

(3) Where delivery is made by rail, a reconditioned drum shall be deemed to have been delivered if loaded on cars for delivery to the purchaser, and the purchaser may pay the transportation charges in accordance with section 12 of this regulation.

(b) *Pails.* (1)

2 gallons	$0.31
3 gallons	.36
5 gallons	.45
5½–6 gallons	.57

(2) Where a pail is reconditioned in all respects except that:

(i) The pail is not furnished with an effective gasket, the required deduction shall be 2¢ per pail;

(ii) The pail is not painted, the required deduction shall be 3¢ per pail.

(c) *Containers.*

(1) 7 to 20 gallons capacity inclusive.

(i) Basically reconditioned	$0.49
(ii) Totally reconditioned	.65

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12738.

(2) Over 20 gallon capacity.

(i) Basically reconditioned	$0.50
(ii) Totally reconditioned	.75

9. The headnote of section 9 and the first sentence of section 9 (a) are amended to read as follows:

SEC. 9. *Maximum prices for the service of reconditioning used steel drums of a capacity of 29 to 58 gallons, inclusive.* (a) The maximum prices for the service of reconditioning used steel drums of a capacity of 29 to 58 gallons, inclusive, shall be as follows:

10. The headnote of section 10 in the Table of Contents is amended to read as follows: "Maximum prices for special types of used steel drums, pails and containers, and for the service of converting tight head drums to open head drums."

11. Section 10 is amended to read as follows:

SEC. 10. *Maximum prices for special types of used steel drums, pails and containers, and for the service of converting tight head drums to open head drums.* (a) Each person who proposes to sell used steel drums, pails and containers of a capacity not specifically priced in this regulation, or of special construction, or drums constructed of steel heavier than 16 gauge or lighter than 20 gauge, shall submit the following information to the Office of Price Administration, Iron and Steel Branch, Washington 25, D. C.: Location and quantity of the drums, pails or containers to be sold, their capacity, gauge of sheet or plate, type of material, description of construction, whether or not they are reconditioned, if reconditioned when and by whom, acquisition price and proposed selling price, extra charges if any, and whether such proposed selling price is a shipping point or delivered price and if delivered, the point of destination.

(b) Each person who proposes to sell the service of converting tight head drums to open head drums shall submit the following information to the Office of Price Administration, Iron and Steel Branch, Washington 25, D. C.: A full and complete statement of the operations involved, the machinery used, the date when such machinery was installed, the cost of such machinery, the daily production of converted drums for each machine, the labor cost per unit (state whether actual or estimated), the material cost per unit (state whether actual or estimated), the amounts charged per unit for overhead, depreciation, and profit, the proposed service charge per unit for the conversion operation and whether such proposed service charge includes pick-up and delivery.

(c) The proposed selling price requested under paragraph (a) of this section or the proposed service charge requested under paragraph (b) of this section shall be approved as filed or shall be disapproved within 7 days from the time the above information is received by the Iron and Steel Branch. In the event of disapproval, the Office of Price Administration shall establish a maximum price for the sale of the particular drums, pails or containers described, or for the service of converting tight head drums to open head drums, which maximum price shall be forwarded in writing by the Office of Price Administration to the proposed seller simultaneously with the notice of disapproval. In the event the Office of Price Administration does not mail its approval or disapproval within 7 days as provided herein, the proposed selling price shall be deemed approved.

12. Section 14 (b) is amended to read as follows:

(b) The Price Administrator may grant an exception permitting the petitioner to charge prices in excess of the maximum prices set forth in this regulation, in the sale of the service of reconditioning drums where the petitioner shows that such drums, in addition to being reconditioned as required by this regulation, are lined with Heresite coating, or similar acid and alkaline resistant high baked linings. In all such cases the petitioner shall submit data showing actual cost of lining such drums with Heresite coating or similar lining over and above the total reconditioning costs. Petitions for such exceptions must be filed in accordance with the provisions of Revised Procedural Regulation No. 1,[1] issued by the Office of Price Administration.

13. Section 15 (b) is amended to read as follows:

(b) Every person rendering the service of reconditioning used steel drums of a capacity 29 to 58 gallons, inclusive, shall render to the purchaser of this service an invoice for each lot of drums reconditioned, listing the type and capacity of the drums reconditioned, whether the reconditioning operation was a basic or total reconditioning as defined in this regulation, or conversion of a tight head drum to an open head drum, and if a total reconditioning, what services in addition to basic reconditioning were rendered, the extras, if any, and the charges made therefor, and delivery charges, if any. Every invoice must bear the words, "price charged for reconditioning services subject to Maximum Price Regulation 43".

14. Section 20 (a), (b) and (c) are amended to read as follows:

(a) This regulation supersedes all existing maximum price regulations or revised price schedules with respect to the sale of used steel drums, pails or containers.

(b) This regulation supersedes all existing maximum price regulations or revised price schedules with respect to the service of reconditioning used steel drums of a capacity of 29 to 58 gallons, inclusive.

(c) Maximum prices for the service of reconditioning used steel drums of other capacities than 29 to 58 gallons, inclusive, and maximum prices for the service of reconditioning used steel pails and used steel containers are not covered by this regulation but by Revised Maximum Price Regulation 165—Services.

This amendment shall become effective August 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12809; Filed, August 24, 1944; 11:46 a. m.]

[1] 9 F.R. 5791, 7501, 8056.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 3 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment to Supplement 7 to Food Products Regulation No. 1 has been issued and filed with the Division of the Federal Register.[*]

1. In section 16, Appendix B is added to read as follows:

APPENDIX B—APRICOTS

Explanation of how maximum prices for packed apricots are figured. In making conversions for grade, for style of pack, for syrup differential and for container type and size under subparagraph (2), (3) or (4) of section 5 (a) of this supplement, in the case of packed apricots the order in which the steps in figuring the maximum prices are to be taken differs from those specified in the note at the beginning of section 5 (a) (2). In figuring maximum prices for packed apricots under those subparagraphs, steps are to be taken in the order indicated below in all cases, although in many cases not all of the steps are necessary.

In each case where the processor is figuring a maximum price for a grade or style of pack of apricots different from that sold in the base period, he must add the permitted increase for the same grade and same style of pack of apricots as that sold in the base period, before converting for the change in grade or change in style of pack, for the reason that the permitted increases for each grade and style of pack are different.

The term "grade" in Tables 3 and 4 refers to the grade of the fruit and the prices are constructed on fruit packed in syrup of a density which corresponds to the grade of the fruit. If fruit is packed in syrup of a density which does not correspond to the grade of the fruit, the processor must use the syrup differentials in the manner provided in Table 9.

Conversions from metal containers to glass containers must be made in the 1944 prices and not in base period prices. In each case of conversion from metal containers to glass containers, the processor must first construct a maximum price for the item when packed in metal and then add or subtract the appropriate conversion factor named in Table 6, even though he packed the item in glass during the base period.

In figuring prices under subparagraph (2), (3) or (4) of section 5 (a) based on grade differentials the processor shall, whenever he has a base price for choice apricots, use it as the base price from which to figure maximum prices for fancy and standard grades. In other cases he shall use the differential between the item being priced and the nearest grade. The differentials to be used are named in Table 9.

The order in which the steps are to be taken in figuring maximum prices for packed apricots under subparagraph (2), (3) or (4) of section 5 (a) is as follows:

1. Convert for container size.
2. Add the permitted increase specified in Table 3 for the style of pack and grade of packed apricots sold in the base period.
3. Convert for grade.
4. Convert for style of pack.
5. Convert for syrup differential.
6. Convert for container type and size.
7. Apply the limitations of the price range.
8. Convert for syrup differential.
9. Convert for style of pack.
10. Convert for container type and size.

TABLE 1—AREAS

1. California
2. Washington and Oregon[2]

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

[2] Prices to be announced later.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED APRICOTS WHO MADE SALES DURING THE BASE PERIOD

AREA 1

Style and grade	No. 2½ Cans		No. 10 Cans	
	Permitted Increase	Price ranges	Permitted Increase	Price ranges
Halves, unpeeled:				
Fancy	$0.96	$2.81–$2.90	$3.26	$9.55–$10.11
Choice	.84	2.61– 2.67	2.85	8.65– 8.98
Standard	.79	2.34– 2.42	2.71	7.87– 8.08
Seconds	.79	2.04– 2.12	2.11	------ ------
Water	.64	1.93– 2.00	2.16	6.24– 6.90
Solid pack pie			3.26	8.75– 9.47
Whole, unpeeled:				
Fancy	.74	2.25– 2.45	2.71	7.99– 8.31
Choice	.68	1.99– 2.15	2.34	6.75– 7.35
Standard	.64	1.72– 1.82	2.03	6.11– 6.45
Whole, peeled:				
Fancy	.96	2.71– 2.97	3.47	9.43– 10.01
Choice	.84	2.34– 2.61	3.04	8.22– 9.13
Standard	.72	2.15– 2.27	2.61	7.47– 7.87

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED APRICOTS DURING THE BASE PERIOD

AREA 1

Style	No. 2½ Cans					No. 10 Cans				
	Fancy	Choice	Standard	Seconds	Water	Fancy	Choice	Standard	Water	Solid Pack Pie
Halves, unpeeled	$2.90	$2.59	$2.23	$2.08	$1.96	$9.83	$8.94	$7.95	$6.67	$9.10
Whole, unpeeled	2.35	2.07	1.77	------	------	8.15	7.06	6.28	------	------
Whole, peeled	2.84	2.80	2.21	------	------	9.72	8.66	7.67	------	------

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

AREA 1

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor:			
	No. 1 Tall	No. 2	No. 2½	No. 10
No. 1 Tall	------	------	$1.61	$5.46
No. 2	.77	------	1.27	4.30
No. 2½	.62	$0.79	------	3.40
No. 10	.18	.29	1.00	------

[1] 9 F.R. 9493.

[*] Copies may be obtained from the Office of Price Administration.

TABLE 6—CONVERSION FROM THE TO GLASS

[Dollars per dozen containers]

If you can figure a price for a can size in this column	To get a price for the glass container size at the head of a column below, add (or subtract) the indicated amount:		
	No. 2½ glass	No. 300 glass	
No. 2½ cans	+$0.30	—$0.30	

TABLE 7—DIFFERENCES BETWEEN STYLES

AREA 1

[Dollars per dozen containers]

To convert from a style in this column	To a style listed at the head of a column below add (or subtract as indicated) the stated difference—									
	No. 2½ cans				No. 10 cans					
	Extra, unpeeled	Whole, peeled	Whole, unpeeled	Halves, unpeeled	Halves, unpeeled	Whole, unpeeled	Whole, peeled	Whole, unpeeled	Whole, peeled	
Halves, unpeeled	$0.07	—$0.07	—$0.27	$0	$0	+$1.73	—$0.54	—$1.73	------	
Whole, peeled	+.07	0	—.20	+.27	0	+1.96	0	—1.54	------	
Whole, unpeeled	+.27	+.20	0	+.47	+1.96	0	+1.96	0	------	

TABLE 8—SYRUP DIFFERENTIALS

If you pack fruit in syrup of which the density does not correspond to the grade of the fruit, subtract the differential stated below for the grade from the prices computed from Tables 3 or 4 and add to the resulting figures the differential for the syrup you do use.

AREA 1

[Dollars per dozen containers]

Syrup	No. 2½ cans			No. 10 cans		
	Halves, unpeeled	Whole, unpeeled	Whole, peeled	Halves, unpeeled	Whole, unpeeled	Whole, peeled
Extra heavy (fancy)	$0.27	$0.31	$0.27	$0.99	$1.05	$0.95
Heavy (choice)	.19	.22	.19	.67	.70	.65
Light (standard)	.11	.13	.11	.39	.41	.38
Slightly sweetened water (substandard)	.04	.04	.04	------	------	------

The density of the syrup referred to above is defined as follows:

"Extra heavy syrup" means syrup having a cut-out density of 26°–40° Brix.

"Heavy syrup" means syrup having a cut-out density of 21°–36° Brix.

"Light syrup" means syrup having a cut-out density of 16°–31° Brix.

"Slightly sweetened water" means water or fluid having a cut-out density of less than 16° Brix.

TABLE 9—GRADE DIFFERENTIALS—DIFFERENCES BETWEEN SUCCESSIVE GRADES

AREA 1

[Dollars per dozen containers]

	No. 2½ cans		No. 10 cans	
	Halves, unpeeled	Whole, peeled	Halves, unpeeled	Whole, peeled
Fancy and choice	$0.31	$0.34	$0.99	$1.04
Choice and standard	.36	.39	1.06	1.01
Standard and seconds	.12	------	1.29	------
Seconds and water	------	------	1.24	------
Standard and solid pack pie	------	------	------	------

2. The table in section 1 (a) is amended by adding item — to read as follows:

Column 1	Column 2	Column 3	Column 4	
Item No.	Product	Section	Section	Appendix
•	• Apricots (California only).	• 5	• 16	• B

This amendment shall become effective August 23, 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12758; Filed, August 23, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,[1] Amdt. 48]

ICE CREAM AND MIX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 14 to Maximum Price Regulation No. 280 is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate on November 23, 1944.

This Amendment No. 48 shall become effective August 23, 1944.

Issued this 23d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12786; Filed, August 23, 1944; 3:41 p. m.]

PART 1389—APPAREL

[MPR 178,[2] Amdt. 8]

WOMEN'S FUR GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 178 is amended in the following respects:

1. The proviso in § 1389.152a (a) (2) is amended by inserting between the phrase "higher than" and the word "the," the following clause; "whichever of the following is greater: (i) The manufacturer's price listed in Appendix B (b) for each garment there described plus the seller's initial percentage markup over cost for that classification and kind of skin or (ii)"

2. The proviso in § 1389.152a (b) (2) is amended by inserting between the phrase "higher than" and the word "the," the following clause; "the manufacturer's price listed in Appendix B (b) for each garment there described plus the seller's initial percentage markup over cost for that classification and kind of skin, and for all other garments,"

3. The proviso in § 1389.153 (a) (1) is amended by inserting between the phrase "higher than" and the word "the," the following clause; "whichever of the following is greater: (i) The price listed in Appendix B for each garment there described, or (ii)"

4. The proviso in § 1389.153 (a) (2) is amended by inserting between the phrase "higher than" and the word "the," the following clause; "the price listed in Appendix B for the garments there described, and for all other garments,"

5. Section 1389.168 is added to read as follows:

§ 1389.168 *Appendix B: Permissible price levels for specified garments*—(a) *Highest price line limitation.* When used in this section the term "highest price line limitation" means the highest price at which any garment in a particular category may be sold or delivered under §§ 1389.152a, 1389.153 or under any order issued pursuant to § 1389.154 (d).

(b) *Highest price line limitation for manufacturers.* Any manufacturer may consider the following prices to be his highest price line limitation for any of the following garments:

Garment	Manufacturers' permissible price (less 8 percent)
Northern Muskrat Coat (including Jersey Muskrat) Skin-on-skin	$195
Southern U. S. Muskrat Coat, Skin-on-skin	160
Beaver Coat (full let-out):	
5 stripe or less	498
7 stripe	575
9 stripe or more	625
Raccoon Coat (let-out)	225
North American Skunk Coat (let-out)	225
Southwest African Persian Lamb Coat	340
Marmot Coat (Skin-on-skin)	125
North American Opossum Coat (Skin-on-skin)	60

(c) *Special limitation for garments made of rabbit skins.* Until December 31, 1944, any manufacturer or wholesaler may consider as his highest price line limitation for a category of garments made of rabbit skins a price equal to whichever is lower (1) $87.45 or (2) 110% of the highest price at which he may deliver a garment of the same category under §§ 1389.152a, 1389.153 or under any order issued pursuant to § 1389.154 (d).

This amendment shall become effective August 24, 1944.

Issued this 24th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12810; Filed, August 24, 1944; 11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 166]

EMERGENCY SURCHARGE

NOTE: A correction to the statement of considerations involved in the issuance of Amendment 160 to Revised Supplementary Regulation 14 to the General Maximum Price Regulation was filed with the Division of the Federal Register as F.R. Doc. 44-10160 on August 23, 1944, at 12:11 p. m.

PART 1499—COMMODITIES AND SERVICES

[SR 14A[1] to GMPR, Amdt. 19]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of § 1499.73a (a) (1a), as provided for in Amendments Nos. 119 and 184 to Supplementary Regulation No. 14 and Amendments Nos. 2, 4, 11, 13 and 16 to Supplementary Regulation No. 14A, is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate November 23, 1944.

This Amendment No. 19 shall become effective August 23, 1944.

Issued this 23d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12787; Filed, August 23, 1944; 3:41 p. m.]

Chapter XX—Office of Contract Settlement

[General Reg. 1]

PART 8008—INTERIM FINANCING

PROCEDURE FOR GUARANTEEING TERMINATION LOANS BY WAR AND NAVY DEPARTMENTS AND MARITIME COMMISSION

AUGUST 18, 1944.

Pursuant to the authority conferred upon me by sections 4 (b) and 8 (c) of the Contract Settlement Act of 1944, there is hereby prescribed the procedure for the guaranteeing of termination loans by the War Department, the Navy Department and the Maritime Commission through the Federal Reserve Banks, outlined in the Guarantee Agreement, the Loan Agreement, and Explanatory Notes attached hereto.

Technical amendments not affecting policy may be made in Appendix I Termination Loan Agreement and the Explanatory Notes by agreement among the War and Navy Departments, the Maritime Commission and the Federal Reserve Board.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6520, 9090.

[2] 7 F.R. 5277, 6771, 8016, 8946, 8948; 8 F.R. 7001; 9 F.R. 754.

[1] 8 F.R. 9835, 9885, 10514, 12793, 13060, 13724, 15259, 15705, 16604, 16428, 16919, 17199; 9 F.R. 943, 1328, 2176, 3655, 4985, 5586, 6451.

In the execution of this procedure the following policies will be observed:

1. Termination loan (hereinafter called T-Loan) guarantees should not be refused by the contracting agency having the preponderant interest in the borrower's war contracts if the borrower is or has been engaged in performing an operation connected with or related to war production, except in such classes of cases as may be prescribed by the Director. The borrower's certification of his investment in termination inventories and receivables and of the amounts payable to subcontractors should not be questioned by the Federal Reserve Bank or the contracting agency unless there is reason to believe that it is substantially overstated in value. Financing institutions should be encouraged to make unguaranteed production and termination loans, and the fact that a financing institution has made such an unguaranteed loan shall not affect its right subsequently to apply for a T-Loan guarantee, even if the proceeds of the T-Loan are used to retire the existing loan.

2. If a contracting agency which utilizes the Federal Reserve Bank as fiscal agents for T-Loan guarantees has local representatives in connection therewith, it should delegate to such banks authority to approve, after consultation with and in the absence of objection by such representatives, all applications for guarantees of loans totaling (a) $500,000 or less to any one borrower when the requested percentage of guarantee is not in excess of 90 percent, and (b) $100,000 or less to any one borrower when the requested percentage of guarantee is not in excess of 95 percent. Any such contracting agency which does not have such local representatives will provide them in the localities where, and at the times when, it is determined that they are required, in the light of its prospective volume of contract terminations and after consultation with the Director, and in the absence of such representatives should delegate such authority to the Reserve Banks as is necessary to insure prompt processing of applications for and execution of such guarantees.

3. Conditions other than those required under the standard loan agreement should be prescribed by the contracting agencies or the Federal Reserve Banks only in exceptional circumstances and when they are clearly necessary to protect the Government's interest. Additional conditions agreed upon by the borrower and the financing institution, if not unreasonable and not inconsistent with the standard loan agreement, should not be objected to by the contracting agency or the Reserve Banks.

4. The requested percentage of guarantee should not ordinarily be questioned by the Federal Reserve Bank or the contracting agency if it does not exceed 90 percent; and a contracting agency should not authorize a percentage of guarantee in excess of 90 percent, or 95 percent in the case of small loans, unless the circumstances clearly justify the financing institution in requesting it and other means of interim financing are not promptly available.

5. In general, the percentages in the loan formula certificate agreed upon by the financing institution and the borrower should not be questioned by the Federal Reserve Bank or the contracting agency. After consultation with the Board of Governors of the Federal Reserve System, the contracting agencies will, to the extent practicable, specify general criteria or standard maximums which may be employed in typical classes of cases.

T-LOAN GUARANTEE AGREEMENT

No. ------

The ---------- (herein called "Guarantor"), acting through the Federal Reserve Bank of ---------- as fiscal agent of the United States (herein called "Reserve Bank"), and the Financing Institution hereby agree as follows:

SECTION 1. *Definitions.* (A) "Financing Institution" shall mean----------

---

(B) "Borrower" shall mean----------

(Name)

of ----------

(Address)

(C) "The loan" shall mean the financing arrangement between the Financing Institution and the Borrower which is described in Appendix I annexed hereto. In case of any conflict or inconsistency between the provisions of this agreement and the provisions of Appendix I or any other similar instrument, the provisions of this agreement shall control.

(D) "Obligation" shall mean the instrument or instruments evidencing the Borrower's indebtedness under the loan.

(E) "Guaranteed percentage" shall mean ------%.

SEC. 2. *Guarantee as to sharing of losses and expenses.* (A) All losses on the loan (i. e., all amounts of principal and interest which are due and unpaid), and all unreimbursed expenses as defined in Paragraph (B) of this section, shall be shared ratably, on the date of settlement, by the Guarantor and the Financing Institution in accordance with the guaranteed and unguaranteed percentages, respectively. All net recoveries after the date of settlement shall be shared on the same basis. The date of settlement shall be the thirtieth (30th) day after the date on which either party, after maturity of the loan, receives from the other party a written request for such settlement, or any other date agreed on by the parties.

(B) Expenses shall mean all reasonable out-of-pocket expenses (including reasonable counsel fees incurred by the Financing Institution or the Reserve Bank prior to but not after any purchase under this agreement) which relate to the enforcement of the loan or the preservation of the collateral and which are incurred during the period of any default in the payment of principal or interest.

SEC. 3. *Agreement to purchase.* The Guarantor will at any time and from time to time prior to the date of settlement purchase such portion of the obligation as may be demanded in writing by the Financing Institution, by paying to the Financing Institution, on the tenth (10th) day after the receipt by the Reserve Bank of such a demand, the unpaid principal amount of the portion of the obligation to be purchased, as of the date of the demand, plus all unpaid accrued interest on such amount, with appropriate adjustment for guarantee fees, computed as of the date of purchase; provided that in no event shall the total amount of the portion of the obligation owned by the Guarantor exceed the guaranteed percentage.

SEC. 4. *Voluntary purchase by guarantor.* The Guarantor may, at any time upon its demand, purchase the guaranteed percentage of the obligation, less any amounts previously purchased under this agreement and not repaid, and shall pay therefor on the basis stated in section 3. In such event, at the option of the Financing Institution or the Guarantor, the Financing Institution shall forthwith transfer possession of the obligation and collateral in the manner provided in section 5.

SEC. 5. *Administration of loan and possession of obligation and collateral.* (A) The Financing Institution shall administer the loan until it transfers possession of the obligation and collateral to the Reserve Bank as provided below, and thereafter the Guarantor shall administer the loan. Whenever the Guarantor purchases any part of the obligation, the Financing Institution shall forthwith deliver to the Reserve Bank a certificate evidencing the Guarantor's ownership interest in the obligation and collateral. In any such case, however, upon written demand by the Reserve Bank, the Financing Institution shall forthwith transfer to the Reserve Bank, without recourse or warranty except as to the genuineness of the Borrower's signature to any instrument, such possession of, title to, and rights to enforce the obligation and all collateral therefor as it may have. Thereupon the Reserve Bank shall issue to the Financing Institution a certificate evidencing the Financing Institution's ownership interest in the obligation and collateral. Either party administering the loan may (1) release and dispose of collateral and proceeds thereof, and permit substitution therefor, all in accordance with the terms of the loan, and (2) after five days' written notice to the other party, bring any action to enforce the loan.

(B) Nothing in this agreement shall prevent the Financing Institution from transferring the obligation as collateral for advances by a Federal Reserve Bank.

SEC. 6. *Ratable application of collections.* All amounts at any time paid or credited on the obligation, from whatever sources realized, shall be applied ratably for the benefit of the Financing Institution and the Guarantor according to their respective ownership interests in the obligation. Except as may be provided in the loan, the Financing Institution shall not be required to credit on the obligation the proceeds of any banker's lien or right of set-off with respect to funds of the Borrower (exclusive of proceeds of contracts on Exhibit C to Appendix I) or of other assets, to the extent that the Financing Institution has provided that such lien, right of set-off or other assets shall be security for other indebtedness of the Borrower to it.

SEC. 7. *Fees payable to guarantor.* The Financing Institution shall pay to the Reserve Bank at the end of each monthly or quarterly period, as fixed by the Reserve Bank, an amount equal to ——— percent of any interest payable by the Borrower on the average daily amounts of that part of the unpaid principal of the obligation which the Guarantor was obligated during such period to purchase upon demand of the Financing Institution.

SEC. 8. *Effect of violation of agreement.* (A) If the Financing Institution shall violate, or fail to comply with, any of the terms of this agreement or any of the terms or condi-

tions of the loan or shall through gross negligence make a material misrepresentation of fact in the application therefor, or in anything constituting a part of the application, it shall become liable to the Guarantor in an amount equal to the damages sustained by the latter by virtue of such violation, failure to comply, or misrepresentation; but the Guarantor shall not be relieved by such violation, failure to comply, or misrepresentation from any of its obligations to the Financing Institution under this agreement.

(B) In the absence of gross negligence on the part of the Financing Institution, (1) no invalidity or ineffectiveness of any collateral or of any assignment thereof accepted by the Financing Institution, and (2) no action or omission to act on the part of the Financing Institution in reliance on a statement or certificate signed by an appropriate officer or member of the Borrower with respect to the financial condition, business or operations of the Borrower, shall constitute a violation of, or failure to comply with, any of the terms of this agreement or any of the terms or conditions of the loan on the part of the Financing Institution. No invalidity of any provision of the loan arising from statute or decision of any court shall in any way relieve the Guarantor hereunder.

SEC. 9. *Officials not to benefit.* No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this contract or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed on their behalf by their duly authorized agents this ____ day of _____, 194__.

[SEAL] _____
(Guarantor)

By Federal Reserve Bank of _____ as Fiscal Agent of the United States

By _____
(Name)

_____
(Title)

_____
(Financing Institution)

_____
(Name)

_____
(Title)

ATTEST:

_____
(Name)

_____
(Title)

APPENDIX I—TERMINATION LOAN AGREEMENT UNDER GUARANTEE AGREEMENT NO. _____

_____

_____ (herein called "Financing Institution") will grant credit to _____

_____ of _____ (herein called "Borrower"), up to a maximum principal amount of $_____ at any one time outstanding, by lending to the Borrower at any time and from time to time on promissory notes in the form annexed hereto as Exhibit A and in accordance with the terms and conditions of this agreement.

1. *Definitions.* All terms defined in the Contract Settlement Act of 1944 and in the Guarantee Agreement shall have the same meaning when used in this agreement. "Terminated war contract" shall mean a war contract, in its entirety, which has been terminated in whole or in part. "The Contracts" shall mean such terminated war contracts, if any, as may now be listed on Exhibit C annexed, and as the Borrower may from time to time add thereto by supplement approved by the Financing Institution.

2. *Maturity.* The loan shall mature thirty (30) days after final payment of the amounts due, upon final and conclusive settlement, on the war contracts of the Borrower or upon _____, 194__, whichever is earlier, and all notes issued hereunder shall thereupon become due and payable. If any note of shorter maturity is issued, the Borrower may from time to time until the maturity of the loan again borrow hereunder the unpaid amount of such note, subject to the provisions of paragraph 6 hereof. The Borrower may at any time by written notice reduce the maximum principal amount of the loan in multiples of $_____.

3. *Interest.* The Borrower shall pay interest as prescribed in Exhibit A.

4. *Commitment fee and expenses.* The Borrower shall pay quarterly a commitment fee at the rate of _____% per annum on the average daily unused balance of the maximum principal amount of the loan. The Borrower shall reimburse the Financing Institution for reasonable out-of-pocket expenses incurred in connection with the loan and the application therefor.

5. *Collateral.* Prior to or contemporaneously with any borrowing hereunder, the Borrower, except and to the extent that the Financing Institution otherwise agrees in writing, will assign to the Financing Institution as security for the loan all moneys due and to become due on the Contracts. At any time upon request of the Financing Institution or the Guarantor, the Borrower will furnish additional security by assigning to the Financing Institution the moneys due and to become due on any or all of its terminated war contracts which by using its best efforts the Borrower can assign and which have not been previously assigned hereunder. All proceeds of assignments made hereunder and of any other collateral taken by the Financing Institution for the loan shall be applied to the indebtedness under the loan. Except to secure borrowings hereunder, except as provided in Exhibit D, and except to secure partial payments made to the Borrower by any contracting agency, the Borrower will not (a) assign, or suffer to remain assigned, moneys due or to become due on any of the Contracts, or (b) mortgage, pledge, or otherwise encumber, or suffer to remain encumbered for more than _____ days, any inventory allocable to the Contracts.

6. *Conditions of borrowing.* The Financing Institution shall not be required to make any advance hereunder (a) unless the Borrower furnishes to the Financing Institution a loan formula certificate in the form annexed hereto as Exhibit B, dated not more than _____ days before the date of the proposed borrowing, which shows a borrowing base, calculated in accordance with the percentages therein specified, of not less than the amount that will be outstanding after the proposed borrowing, or (b) if any event exists which constitutes or which, except for notice or lapse of time or both, would constitute a default specified in this agreement, or (c) to the extent that the Financing Institution has reason to believe that the borrowing base stated in the loan formula certificate is substantially overstated in value and has so notified the Borrower in writing, provided that the Financing Institution may rely upon the borrowing base shown in the loan formula certificate.

7. *Reports.* The Borrower shall maintain proper records and accounts, permit such inspection thereof, and furnish such statements and reports, including audit reports, as the Financing Institution or the Guarantor may from time to time reasonably request. In any event, within three (3) months after the initial borrowing and not less than quarterly thereafter the Borrower shall furnish to the Financing Institution periodic reports in triplicate made up as follows:

(a) A balance sheet, certified by an appropriate officer or member of the Borrower, as of a date not more than _____ days prior to the date of furnishing the report.

(b) A loan formula certificate in the form of Exhibit B, dated not more than _____ days before the date of furnishing the report, unless such a certificate has been furnished within thirty (30) days before such date.

(c) A statement of the nature, amounts, and dates of all payments on any assigned terminated war contracts and on the Contracts, whether or not assigned, in cash or by offset or otherwise (except any offset theretofore deducted in any loan formula certificate) between the date of the initial borrowing or the last date covered by the last report, whichever is later, and a date not more than fifteen (15) days prior to the date of such a statement. Payments shall be deemed to include the proceeds of collateral taken for the loan, or proceeds of, or specific credit with respect to, any sale, retention or other disposition of inventory allocable to such contracts, approved or authorized by the proper authority, and the cost or proceeds, whichever is greater, of any such inventory which the Borrower has definitively elected to retain without specific credit therefor.

8. *Reduction of notes.* The Borrower shall pay down the unpaid principal amount of the notes by an amount equal to: (a) All payments, as described in Paragraph 7 (c), within three (3) days from the date of any such payment or within such further time as the Financing Institution may prescribe; and (b) any excess of outstanding borrowings over the borrowing base shown in the most recent loan formula certificate, upon the date of furnishing such certificate: *Provided*, That, while the Financing Institution may rely upon the borrowing base shown in such certificate, such borrowing base shall be decreased to the extent that the Financing Institution or the Guarantor has reason to believe that it is substantially overstated in value and has so notified the Borrower in writing, in which event the Borrower shall pay, in addition, an amount equal to any excess resulting from such decrease, within ten (10) days after the mailing of such notice.

9. *Maintenance of working capital.* The Borrower shall maintain net current assets, as determined in accordance with generally accepted principles of accounting and including in current liabilities all borrowings outstanding hereunder, of not less than $_____.

10. *Insurance.* The Borrower shall maintain insurance on its property in such amounts and against such risks as is customarily maintained by similar businesses operating in the same vicinity.

11. *Other provisions.* The parties hereto agree to any additional provisions appearing in Exhibit D annexed.

12. *Events of default.* The occurrence of any one of the following events shall constitute a default hereunder:

(a) Any statement, representation, warranty, certificate, schedule or report furnished by the Borrower in connection with the loan shall prove to have been materially false at the date thereof.

(b) Nonpayment of the principal of any of the notes outstanding hereunder when due; or nonpayment of interest or any commitment fee within ten (10) days after the due date thereof.

(c) Breach by the Borrower of any other provision of this agreement.

(d) The Borrower shall be adjudicated a bankrupt or a trustee or a receiver shall be appointed for the Borrower or of a substantial part of its property in any involuntary proceeding, or any court shall have taken jurisdiction of the property of the Borrower or of a substantial part thereof in any involuntary proceeding for the reorganization, dissolution, liquidation or winding up of the Borrower, and such trustee or receiver shall not be discharged or such jurisdiction relinquished or vacated or stayed on appeal or otherwise stayed within thirty (30) days, or the Borrower shall file a petition or answer, not denying jurisdiction, in voluntary bankruptcy or under Chapter X or Chapter XI of the Federal Bankruptcy Act or any similar law, State or Federal, whether now or hereafter existing, or such a petition filed against the Borrower shall be approved and not vacated or stayed within thirty (30) days, or shall make an assignment for the benefit of creditors, or shall admit in writing its inability to pay its debts generally as they become due, or shall consent to the appointment of a receiver or trustee or liquidator of all of its property or a substantial part thereof, or shall have failed within thirty (30) days to bond or otherwise discharge any attachment or to pay any judgment which is unstayed on appeal.

If there shall occur any default as defined in item (a) above or if there shall occur and be continuing any default as defined in items (b) or (c) above, then upon the election of the Financing Institution or the Guarantor, evidenced by written notice to the Borrower, or if there shall occur any default as defined in item (d) above, then forthwith and without any election, the obligation, if any, of the Financing Institution to extend further credit shall terminate and all notes outstanding hereunder shall become due and payable without presentment, demand, protest or notice of any kind, all of which are hereby expressly waived.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on their behalf by their duly authorized agents, this ____ day of _____, 194__.

_____
(Borrower)

By _____
(Name)

_____
(Title)

_____
(Financing Institution)

By _____
(Name)

_____
(Title)

EXHIBIT A—FORM OF NOTE

Place _____
Date _____, 194__.

On or before _____, 194__, for value received, _____ hereby promises to pay to the order of _____ (Financing institution) at _____ (Address) the principal sum of _____ dollars ($_____) in lawful money of the United States, and to pay interest thereon from the date hereof at the rate of _____ percent per annum, prior to maturity, payable on the _____ day of each _____ and after maturity by acceleration or otherwise at the rate of _____ percent per annum.

This note evidences a borrowing made under and is subject to the terms of a Loan Agreement dated _____, 194__, between the undersigned and the payee hereof.

_____

By _____
(Name)

_____
(Title)

EXHIBIT B—LOAN FORMULA CERTIFICATE

Pursuant to the Loan Agreement between the undersigned and _____, dated _____, 194__, the undersigned hereby certifies to the best of its knowledge and belief as follows:

1. (a) Principal amount of borrowings now outstanding _____ $_____
(b) Principal amount of proposed borrowing, less outstanding borrowings to be refunded _____ $_____
Total _____ $_____

2. The following amounts have been calculated as of _____, 1944 (not more than 30 days prior to the date of this certificate) with respect to terminated war contracts listed on or added to Exhibit C, in accordance with accepted principles of accounting and without duplications:

(a) ____% of accounts receivable from Governmental contracting agencies aggregating not less than $_____ _____ $_____

(b) ____% of accounts receivable from others aggregating not less than $_____ _____ $_____

(c) ____% of reimbursable expenditures for inventory, including only direct labor, costs of materials, and manufacturing and administrative overhead aggregating not less than $_____ _____ $_____

(d) ____% of reimbursable amounts for subcontract settlements paid or to be paid concurrently from any new borrowing for which this certificate is furnished aggregating not less than $_____ _____ $_____
Total _____ $_____

Less—
(aa) Unliquidated advance payments, progress and partial payments, and any other offsets, and any amounts included in (a), (b), (c), or (d) above which have been disallowed by the contracting agency _____ $_____
Borrowing base _____ $_____

3. No amount is included in (a), (b), (c), or (d) above with respect to any item on which a termination claim can be based which exceeds the amount of such item in the Borrower's most recent termination claim, if any has been filed. There has been no change in the amount stated in Paragraph 2 since the date therein specified which would materially decrease the borrowing base.

4. No event exists which constitutes, or which except for notice or lapse of time or both would constitute, a default specified in the Loan Agreement.

Dated: _____, 194__.

_____
(Borrower)

By _____
(Name) (Title)

EXHIBIT C—TERMINATED WAR CONTRACTS

The Borrower certifies that, to the best of its knowledge and belief, the following are terminated war contracts as defined in the loan agreement between _____ and _____ dated _____, 194__:

Contract or order No.	Date of contract or order	Name of other contracting party	Date of notice of termination	Estimated amount of termination claim	End use of product

Dated: _____, 194__.

_____
(Borrower)

By _____
(Name) (Title)

EXHIBIT D—OTHER PROVISIONS OF LOAN AGREEMENT

(See Paragraph 11 of Loan Agreement)

_____

_____

_____

EXPLANATORY NOTES APPROVED BY THE DIRECTOR OF CONTRACT SETTLEMENT WITH RESPECT TO STANDARD FORMS OF T-LOAN GUARANTEE AGREEMENT AND TERMINATION LOAN AGREEMENT

GUARANTEE AGREEMENT

Opening Paragraph

(1) The guarantee agreement is issued pursuant to the authority contained in the Contract Settlement Act of 1944, the First War Powers Act, 1941, Executive Order 9112, the Act of June 11, 1942 (56 Stat. 351), and other pertinent provisions of law. No changes in the guarantee agreement will be permitted except in the most unusual cases and then only with the concurrence of the Board of Governors of the Federal Reserve System.

(2) Pursuant to section 10 (a) (1) of the Contract Settlement Act of 1944, the Guarantor in its authorization or through its local representative will notify the Federal Reserve Bank in writing that the Borrower is or has been engaged in performing an operation deemed by the Guarantor to be connected with or related to war production.

Section 1 (A)

(3) If one Financing Institution is authorized, as agent for a number of participants, to execute a guarantee agreement in their behalf, the participants should be referred to as "each bank, trust company or other financing institution which is or shall be a party to the loan described in Appendix I annexed hereto" or by some other appropriate reference showing the several nature of the agreement.

Section 1 (C)

(4) Since the guarantee agreement covers only the loan described in Appendix I, any material alteration in the terms of the loan should be made only with the written consent of the Guarantor in order that the loan, as altered, will be covered by the guarantee.

Section 1 (E)

(5) The requested percentage of guarantee will not ordinarily be questioned by the Federal Reserve Bank or the Guarantor if it does not exceed 90 per cent.

Section 2 (B)

(6) Counsel fees incurred by the Financing Institution after a purchase cannot be shared by the Guarantor because of the provisions of 8 U. S. C. 314.

Section 3

(7) It is contemplated that a purchase made by the Guarantor under this section shall be for cash. However, if the Guarantor owns an interest in any obligation which has been issued under a revolving credit arrangement, and if, at or before the maturity of such obligation, the Reserve Bank receives written demand from the Financing Institution for the purchase of the same or a lesser amount of a new obligation to be issued in place of such maturing obligation, the payment for the portion of the new obligation purchased pursuant to such demand will be made by the Guarantor by surrendering, at or before maturity, its interest in the maturing obligation, in the amount of the demand by the Financing Institution and without regard to the ten-day period specified in this section.

Section 5 (A)

(8) Under the first sentence the Guarantor may, after a purchase and transfer, administer the loan either directly or through the agency of the Reserve Bank. It is contemplated that such administration will usually be conducted by the Reserve Bank.

Section 6

(9) All amounts paid or credited on the obligation after the date of the demand by the Financing Institution or the Guarantor, as the case may be, for a purchase under this agreement and prior to the date of such purchase will be applied, as provided in this section, according to the respective interests of the Guarantor and the Financing Institution as such interests exist immediately after the purchase.

(10) Subject to any special provision which may be contained in Exhibit D, the Financing Institution may make other loans to the Borrower for the purpose of financing war production or reconversion to civilian business or for other purposes, provided the proceeds of the Contracts (as the term "the Contracts" is defined in Paragraph 1 of Appendix I) or inventory allocable to the Contracts are not pledged as security for such loan. The Financing Institution as security for the side loan may take other collateral and provide that the side loan shall not be required to share with the guaranteed loan any banker's lien or right of setoff with respect to funds of the Borrower, exclusive of proceeds of the Contracts, on general deposit with the Financing Institution or specifically pledged as security for such side loan.

Section 7

(11) A schedule of guarantee fees will be prescribed by the Board of Governors of the Federal Reserve System with the concurrence of the Director of Contract Settlement.

Section 8

(12) The word "certificate" in Paragraph (B) (2) includes any certificate furnished by the Borrower in connection with the loan formula.

General

(13) Whenever a number of days is specified in the Guarantee Agreement or in the Loan Agreement the word "days" shall be deemed to mean calendar days.

LOAN AGREEMENT

Opening Paragraph

(14) If the Borrower and the Financing Institution have agreed upon a non-firm commitment, the words "in its sole discretion" may be inserted before the word "grant". The second sentence of Paragraph 2 applies even in the case of a non-firm commitment and in such a case no figure should be inserted in Paragraph 4.

(15) In the case of a straight loan, the words "at any one time outstanding", should be stricken out.

(16) The note to be used should contain the provisions which appear in the form annexed as Exhibit A to the standard loan agreement, with the blanks appropriately filled in, and may contain such additional provisions, not inconsistent therewith or with the terms of the loan agreement, as the Financing Institution and the Borrower may agree. The note may, for example, contain provisions for sale of collateral in the event of default, allowance for attorneys' fees, etc.

Paragraph 1

(17) The following terms are defined in Section 3 of the Contract Settlement Act of 1944:

"(a) The term 'prime contract' means any contract, agreement, or purchase order heretofore or hereafter entered into by a contracting agency and connected with or related to the prosecution of the war; and the term 'prime contractor' means any holder of one or more prime conracts.

"(b) The term 'subcontract' means any contract, agreement, or purchase order heretofore or hereafter entered into to perform all or any part of the work, or to make or furnish any material to the extent that such material is required for the performance of any one or more prime contracts or of any one or more other subcontractors; and the term 'subcontractor' means any holder of one or more subcontractors.

"(c) The term 'war contract' means a prime contract or a subcontract; and the term 'war contractor' means any holder of one or more war contracts.

"(d) The terms 'termination', 'terminate', and 'terminated' refer to the termination or cancelation, in whole or in part, of work under a prime contract for the convenience or at the option of the Government (except for default of the prime contractor) or of work under a subcontract for any reason except the default of the subcontractor.

* * * * *

"(g) The term 'contracting agency' means any Government agency which has been or hereafter may be authorized to make contracts pursuant to section 201 of the First War Powers Act, 1941, and includes the Reconstruction Finance Corporation and any corporation organized pursuant to the Reconstruction Finance Corporation Act (47 Stat. 5), as amended, the Smaller War Plants Corporation, and the War Production Board.

"(h) The term 'termination claim' means any claim or demand, by a war contractor for fair compensation for the termination of any war contract and any other claim under a terminated war contract, which regulations prescribed under this Act authorize to be asserted and settled in connection with any termination settlement.

"(m) The term 'final and conclusive,' as applied to any settlement, finding, or decision, means that such settlement, finding, or decision shall not be reopened, annulled, modified, set aside, or disregarded by any officer, employee, or agent of the United States or in any suit, action, or proceeding except as provided in this Act."

With respect to the definition contained in paragraph (g) above, the Director of Contract Settlement will from time to time issue a list of "contracting agencies" indicating those which are currently guaranteeing loans under this Act through the agency of the Federal Reserve Banks.

(18) It will be noted that the definition of "terminated war contract" contained in Paragraph 1 of the loan agreement is broad enough to permit borrowings against receivables and inventory under that part of a partially cancelled contract still remaining to be performed; that under Paragraph 5 assignment of all moneys due and to become due under the entire contract may be required; and that the provisions of Paragraphs 7 (c) and 8 apply to all payments under the contract.

(19) Current Commitments on Uncancelled Contracts: If the Financing Institution and the Borrower desire to enter into a firm commitment for the financing of nonterminated contracts existing on the date of execution of the loan agreement when and if such contracts become terminated, a provision may be added to Exhibit D listing such nonterminated war contracts with an agreement by the Financing Institution that such contracts may, upon termination, be added to Exhibit C without further approval.

The addition of terminated war contracts to Exhibit C shall be made by serially numbered supplements filed in 5 copies with the Financing Institution. The supplements shall be in the same form as Exhibit C with the following added at the lower left hand corner thereof:

Approved: _____ 194—.

_____
(Financing Institution)

By _____
(Name) (Title)

If the Financing Institution approves of a supplement, it shall sign all copies, retain one for its files, return one to the Borrower, and send the other three copies to the Reserve Bank.

(20) Since the termination loan agreement is designed primarily to finance termination claims rather than production, the Financing Institution may find it advisable to decline to permit inclusion in Exhibit C of contracts which have been terminated only to a minor extent when the effect of their inclusion would probably be to make the proposed borrowing in substantial part a loan for production purposes.

The Financing Institution may refuse to permit addition to the list of terminated war contracts contained in Exhibit C of such contracts as are by their terms not assignable, or may require as a condition of the addition of such contracts as to the list that the Borrower obtain an appropriate amendment permitting such assignment. It should be noted that prime contracts providing for payments aggregating less than $1,000 are not assignable under the Assignment of Claims Act of 1940.

Paragraph 2

(21) The notes may be made payable on demand, or may be 90-day notes, or may have such other maturity, not more than three years after the date of the agreement, as the Financing Institution and the Borrower may agree.

(22) Irrespective of whether or not the Financing Institution is under an obligation under the terms of the agreement to extend further credit, the second sentence of Paragraph 2 is intended to give the Borrower the right to borrow again, from time to time, up to the amount of the notes which have been given in consideration of the loan until the final maturity date inserted in Paragraph 2 or until the notes are finally paid pursuant to Paragraph 8 or otherwise, whichever first occurs.

Paragraph 3

(23) The maximum interest rate, as prescribed by the Board of Governors of the Federal Reserve System with the concurrence of the Director, is 5 per cent per annum simple interest, and interest may not be charged at a greater rate either before or after maturity.

Paragraph 4

(24) The maximum commitment fee, as prescribed by the Board of Governors of the Federal Reserve System with the concurrence of the Director, is ____ of 1 per cent per annum, and, accordingly, the commitment fee, if any is charged, may not exceed this rate.

(25) No termination fee, service fee, or other fee of a similar character, except charges covering out-of-pocket expenses of a financing institution, may be charged.

(26) Out-of-pocket expenses do not include any overhead expenses.

Paragraph 5

(27) The obligation imposed upon the Borrower to make assignments includes the obligation to execute such documents and take such action in connection therewith as the Financing Institution may reasonably require including, in the case of subcontracts, the giving of such notice to the purchasers as may be necessary to perfect the assignments.

(28) The extent to which assignments should be required prior to or contemporaneously with any borrowing under the first sentence of this Paragraph will depend upon the credit standing of the Borrower and upon the practical problems of assignment which may exist in a particular case. The Financing Institution may, by an appropriate writing, agree to except specific contracts from the requirement of assignment, in which case notice of the contracts so excepted should be given to the Reserve Bank. The Financing Institution may also provide in Exhibit D for a general exception. For example, Exhibit D may provide that contracts on Exhibit C as to which the "Estimated Amount of Termination Claim" is less than $_____ need not be assigned unless subsequently requested by the Financing Institution or the Guarantor. If such a provision is included in Exhibit D, the dollar amount of contracts so excluded may, if the Borrower's credit is strong enough to warrant, be made sufficiently high so that Paragraph 5 will in effect merely constitute a covenant to assign upon request of the Financing Institution or the Guarantor.

(29) In the case of a weak credit, the Financing Institution should include, in Exhibit D, a covenant reading substantially as follows:

"At any time upon request of the Financing Institution or the Guarantor, the Borrower will pledge or mortgage as further security for the loan all or any inventory applicable to the Contracts."

Any pledge pursuant to such a covenant should contain a provision for release of inventory so pledged to the extent of payment to the Financing Institution of the cost or proceeds thereof, as the case may be, in accordance with the terms of Paragraph 8 of the loan agreement.

(30) Under the last sentence of this Paragraph, the Financing Institution and the Borrower in suitable cases may agree to a provision in Exhibit D permitting the existence of liens to secure advance payments.

(31) The number of days during which an encumbrance may be permitted to remain on inventory of the Borrower without creating a default, which is to be inserted in the last sentence of this Paragraph, will depend primarily upon the credit standing of the Borrower.

Paragraph 6

(32) In the event of a serious dispute between the Financing Institution and the Borrower as to whether the borrowing base is substantially overstated in value, for the purposes of this Paragraph or of Paragraph 8, the parties may, if they mutually desire, request the Guarantor to consider the matter.

Paragraph 7

(33) The Financing Institution may, for example, deem it desirable to require under the first sentence of this Paragraph the furnishing of profit and loss statements, an analysis of surplus, data as to claims under the Borrower's terminated war contracts, and statements as to the insurance required to be maintained by the Borrower under Paragraph 10.

(34) One copy of each of the statements to be furnished under subparagraphs (a), (b) and (c) may be retained by the Financing Institution, and two copies should be forwarded to the Reserve Bank, which will retain one copy and forward the other to the Guarantor or such person as the Guarantor may designate.

(35) Under the definition of payments, a number of different situations are contemplated:

(a) There may be a sale of inventory specifically approved or authorized by the proper authority. In such case, the payment will be the amount of the proceeds; the date of payment will be the date of receipt of the proceeds by the Borrower.

(b) There may be a retention of inventory approved or authorized by the proper authority with a specific credit allowed on any claim filed. In such case, the payment will be the amount of the credit allowed; the date of payment will be the date of the allowance of the credit.

(c) There may be a sale of inventory approved or authorized by the proper authority under a blanket authority to dispose of inventory at not less than cost or at not less than a stated percentage of cost. In such case, the amount of the payment will be the amount of the proceeds; the date of payment will be the date the proceeds of the sale are received by the Borrower.

(d) There may be a definitive election to retain inventory not approved or authorized by the proper authority with a specific credit against the Borrower's claim where claim has been filed or against his potential claim where none has been filed. Such a definitive election to retain occurs when the Borrower relinquishes the right to include the cost of such inventory in his claim and may be evidenced by written notice to the proper authority, by sale of the inventory without specific credit, by incorporation of inventory in civilian products, or by other means. In such case, the amount of the payment will be the cost of the inventory or, if the act of election is a sale, the proceeds of the sale if that is greater than cost; the date of payment will be the date when the definitive act of election was made.

In the case of a prime contract the "proper authority" to approve or authorize dispositions or retentions of property is the contracting agency. In the case of subcontracts the "proper authority" may be the purchaser or the contracting agency or both depending on the circumstances and the applicable regulations. The word "cost" refers to the Borrower's costs or expenditures used in computing the borrowing base.

Paragraph 8

(36) The Government does not undertake responsibility for assisting in the financing of civilian inventory under the provisions of the Contract Settlement Act of 1944. Therefore, the Financing Institution, if it prescribes a period in excess of three days, should prescribe a reasonably short period within which the payments required by Paragraph 8 are to be made. The Financing Institution may prescribe different periods for payments arising out of the several classes of events upon the happening of which payments are required to be made, and may prescribe a period of grace for small payments. If the credit of the Borrower is not strong, prompt payment should be required, particularly in the event of inventory retention.

(37) If either the Financing Institution or the Guarantor notifies the Borrower of an overstatement pursuant to clause (b) of Paragraph 8, it should forthwith notify the other party to the Guarantee Agreement.

Paragraph 9

(38) If the Borrower has subsidiaries and if it is desired to use *consolidated* net current assets as a basis, this should be specified in Exhibit D. In this event, consideration should be given to whether or not any restrictions imposed upon the parent should also be applied to the subsidiaries.

Paragraph 11

(39) The standard form of loan agreement is designed for use in connection with a straight loan or a revolving credit, a firm commitment or a loan under which the Financing Institution is not obligated to extend further credit, a single bank credit arrangement, or a multi-bank credit arrangement, and for a strong credit or a weak credit. It is recognized that the Financing Institution and the Borrower may wish to add in Exhibit D further provisions appropriate for the particular financing arrangement between them.

(40) Conditions other than those required under Appendix I will be prescribed by the Guarantor or the Federal Reserve Bank only in exceptional circumstances and when they are clearly necessary to protect the Government's interest; but it is expected that the Financing Institution, in the case of a weak credit, will ordinarily insist upon the inclusion of the provision quoted in Explanatory Note (29). Additional conditions for inclusion in Exhibit D may be agreed upon by the Borrower and the Financing Institution and, if not unreasonable or inconsistent with the standard termination loan agreement, such conditions will not be objected to by the Guarantor or the Reserve Bank.

(41) The Guarantor will have no objection to the insertion of a provision requiring the Borrower to apply first to the Financing Institution before obtaining any other loans. The Financing Institution may also insert an additional provision prohibiting other borrowings, without the consent of the Financing Institution, or placing a ceiling thereon.

(42) In order that additional terms may be clearly distinguished from the provisions of the standard form, all such additional terms should be set forth in Exhibit D or in a rider attached thereto.

(43) In any case where either the Financing Institution or the Guarantor exercises its option under the Loan Agreement to terminate the credit and accelerate the notes, it should forthwith notify the other party to the Guarantee Agreement.

Exhibit B—Paragraph 2

(44) In general, the percentages in the loan formula certificate agreed upon by the Financing Institution and the Borrower will not be questioned by the Federal Reserve Bank or the Guarantor.

(45) If a breakdown between manufacturing and administrative overhead is available, it should be furnished by the Borrower, and in this case the words "and administrative" may be omitted from item (c) and an additional item relating solely to administrative overhead may be added. Similarly, where circumstances warrant, there may also be added a separate item relating to other reimbursable expenditures, provided that a breakdown of such item is furnished and approved. In any of the above cases, the additional items will be

lettered (e), (f), etc. If a further breakdown of expenditures is desired, as between fixed-priced and cost-plus-a-fixed-fee contracts or as between prime contracts and subcontracts or as between approved and unapproved subcontract settlements, this may be accomplished by similar procedure.

(46) With reference to (aa), amounts "disallowed by the contracting agency" include any part of a termination claim disallowed pursuant to Section 13 of the Act regardless of whether the Borrower has taken an appeal, except to the extent that such appeal is sustained.

Exhibit B—Paragraph 3

(47) It is expected that in all cases the Borrower will exercise due diligence in filing termination claims as promptly as possible. Due to the widely varying factors involved, such as the number of Borrowers cancelled contracts and the relative simplicity or complexity of preparing his claims, it is not deemed feasible to prescribe any uniform time within which claims must be filed. However, where the Financing Institution and the Borrower can agree in advance upon a reasonable time for filing claims, they can of course provide for such a limitation in Exhibit D.

(Contracts Settlement Act of 1944, approved July 1, 1944 (58 Stat. 649))

ROBERT H. HINCKLEY,
Director.

[F. R. Doc. 44-12794; Filed, August 23, 1944; 10:01 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PROCEDURE FOR GUARANTEEING CONTRACT TERMINATION LOANS

CROSS REFERENCE: For interim financing regulations of the Office of Contract Settlement see Title 32, Chapter XX, *supra*.

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

PROCEDURE FOR GUARANTEEING CONTRACT TERMINATION LOANS

CROSS REFERENCE: For interim financing regulations of the Office of Contract Settlement see Title 32, Chapter XX, *supra*.

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1925, Amdt. 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN ALASKA

Schedule A in paragraph (c) of Order No. 1925 of the Secretary of the Interior (9 F.R. 2495) as amended, is hereby amended by the Area Coordinator for Alaska, because he deems this amendment reasonable and advisable to secure maximum production with a minimum expenditure of critical materials and services, and because, in his judgment, circumstances do not permit the delay which would otherwise result; the War Manpower Commission by wire dated June 22, 1944, has approved the labor quotas. The changes made in the schedule are as listed below:

Prince William Sound. An additional nucleus plant is listed immediately below "Port Ashton Packing Company" as follows:

Insert in the District and Company column "Scotty's Packing Company" and in the Plants Operating column "Mummy Island"; in the W. M. C. Labor Ceilings column, non-resident "0", residents "10".

Cook Inlet. In the District and Company column, the name "Alfred Jones" is amended to read "Homer Spit Packing Company".

Issued this 8th day of July 1944.

RALPH A. FERRANDINI,
Alaska Area Coordinator.

[F. R. Doc. 44-12797; Filed, August 24, 1944; 10:06 a. m.]

[Order 1956, Gen. Dir. H-10]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT WITHIN PORTS

Pursuant to Order No. 1956 of the Secretary of the Interior, issued June 13, 1944, (9 F.R. 6780), entitled "Allocation of Halibut Within Ports", which is referred to hereinafter simply as "the order", and to paragraph (j) thereof, and because it is deemed necessary to accomplish the purposes of the order, the following General Direction No. H-10 is issued:

(a) The supervised allocation programs set up heretofore by previous General Directions, as provided for in paragraph (g) of the order, for the delivery of Pacific halibut within the ports of Seattle, Washington, and within Ketchikan, Petersburg, Sitka, Juneau, Pelican City and Wrangell, Alaska, are continued subject to the rules set out herein and extended to the other species included within the order. Allocation schedules showing the percentage of deliveries assigned to each permittee-dealer will be issued for each port, and notice thereof and of any changes necessitated therein, will be given to each permittee in the port concerned. Different schedules will be issued for the different species as necessary in conformity with the provisions of the order, especially paragraph (g) thereof. The rules set out in this General Direction shall apply to these ports and to all other ports in which supervised allocation programs are hereafter set up.

(b) In this and all other General Directions issued under the order, the phrase "landings available for allocation" as referring to any particular species and any particular port, shall be taken to mean the total landings of the species at the port during the season for that species beginning in 1944, plus all landings of the species which, though actually delivered elsewhere, are considered a part of the quota of one of the dealers at the port in question, as provided in General Direction No. H-9 because purchased or arranged at that port; but fish of the species concerned taken incidentally while fishing for other species shall be excluded.

(c) After an allocation schedule is issued and notice thereof given by delivering a copy to each permittee-dealer concerned, no dealer shall, at any time, purchase or receive delivery or arrange for the delivery of any of the species concerned except such as will keep his total purchases and receipts of the landings available for allocation at the port approximately at the percentage quota assigned to him in such schedule. However, the issuance of such an allocation schedule shall not make any prior purchase a violation of this direction or of the order. Any percentage assigned to a dealer in any such schedule is subject to subsequent reduction reasonably necessary to carry out the purpose of the order.

(d) Nothing in this direction nor in any allocation schedule issued pursuant hereto shall relieve any dealer from the necessity of securing a permit under the order, and no dealer listed in any allocation schedule issued shall receive any deliveries of halibut, nor shall any person deliver halibut to any such dealer, except in accordance with a permit effective at the time of delivery.

(e) This general direction supersedes paragraph (a) of General Direction No. H-1, and General Directions No. H-2, H-3, H-4, H-5, H-6, H-7, and H-8 which are hereby revoked.

Issued this 10th day of August 1944.

V. J. SAMSON,
Area Coordinator, Area I.

[F. R. Doc. 44-12796; Filed, August 24, 1944; 10:06 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Circ. 748]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES F-1945

OFFERING OF CERTIFICATES

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series F-1945, in exchange for Treasury Certificates of Indebtedness of Series E-1944, maturing September 1, 1944.

II. *Description of certificates.* 1. The certificates will be dated September 1, 1944, and will bear interest from that date at the rate of ⅞ percent per annum, payable semi-annually on March 1 and September 1, 1945. They will mature September 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1 Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before September 1, 1944, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series E-1944, maturing September 1, 1944, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-12806; Filed, August 24, 1944; 10:41 a. m.]

[1944 Dept. Circ. 749]

1 PERCENT TREASURY NOTES OF SERIES A-1946

ADDITIONAL ISSUE

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for notes of the United States, designated 1 percent Treasury Notes of Series A-1946, in exchange for Treasury Notes of Series C-1944, or Treasury Notes of Series D-1944, which mature September 15, 1944. The amount of the offering under this circular will be limited to the amount of such maturing notes tendered and accepted.

II. *Description of notes.* 1. The notes now offered will be an addition to and will form a part of the series of 1 percent Treasury Notes of Series A-1946 issued pursuant to Department Circular No. 671, dated October 23, 1941; will be freely interchangeable therewith; and (with the exception that interest on the notes issued under this circular will accrue from September 15, 1944) are identical in all respects therewith, and, except that the $1,000,000 denomination will be provided, are described in the following quotation from Department Circular No. 671:

1. The notes will be dated November 1, 1941, and will bear interest from that date at the rate of 1 percent per annum, payable on a semiannual basis on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1946, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege.

5. Bearer notes with interest coupons attached will be issued in denominations of $100, $500, $1,000, $5,000, $10,000 and $100,000. The notes will not be issued in registered form.

6. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for notes allotted hereunder must be made on or before September 15, 1944, or on later allotment, and may be made only in Treasury Notes of Series C-1944, or in Treasury Notes of Series D-1944, maturing September 15, 1944, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 44-12807; Filed, August 24, 1944; 10:41 a. m.]

POST OFFICE DEPARTMENT.

[Order No. 25569]

USE OF PENALTY MAIL PRIVILEGE

NOTICE TO HOLDERS OF PERMITS TO SUBMIT STATEMENTS

AUGUST 5, 1944.

The third sentence in the fourth paragraph of Order No. 25157 dated June 30, 1944 (9 F. R. 7458) is hereby amended to read as follows:

Each holder of such a permit shall submit with every mailing, or at such intervals and in such manner as may be prescribed by the Comptroller of the Post Office Department, a statement showing the department or agency for which the mailing is made and the number of pieces mailed, as in the case of regular permit matter, and such statements shall be forwarded by postmasters to the Comptroller of the Post Office Department at such intervals as may be fixed by the Comptroller.

[SEAL] FRANK C. WALKER,
Postmaster General.

[F. R. Doc. 44-12801; Filed, August 24, 1944; 10:06 a. m.]

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

PHILADELPHIA AND READING COAL AND IRON CO.

[Order 1981]

DELEGATION OF AUTHORITY

Pursuant to the provisions of Executive Order No. 9469 of August 23, 1944, (*supra*), the Solid Fuels Administrator for War, and the Deputy Solid Fuels Administrator for War subject to such supervision and direction as the Administrator shall from time to time determine, are hereby authorized to exercise any and all power, authority and discretion conferred upon the Secretary of the Interior, with respect to the mining properties referred to in Executive Order No. 9469, to the same extent and with the same effect as the said power, authority and discretion may be exercised directly by the Secretary of the Interior.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 23, 1944.

[F. R. Doc. 44-12830; Filed, August 24, 1944; 11:53 a. m.]

Solid Fuels Administration for War.

[Order 1960]

Philadelphia and Reading Coal and Iron Co.

Possession of Coal Mines Taken

August 23, 1944.

Pursuant to the provisions of Executive Order No. 9469 issued by the President of the United States on August 23, 1944,[1] Government possession is hereby taken, effective forthwith, of each and all of the mines, collieries and preparation facilities of the Philadelphia and Reading Coal and Iron Company in the State of Pennsylvania, and of any and all real and personal property and other assets used in connection with the operation thereof.

The Regulations for the Operation of Coal Mines Under Government Control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this order, except as may be otherwise directed.

Ralph E. Taggart is hereby, and until further notice, designated Operating Manager for the United States for each and all of the mines, collieries and preparation facilities of the Philadelphia and Reading Coal and Iron Company in the State of Pennsylvania. As Operating Manager for the United States, he is authorized and directed to operate any and all such properties in accordance with the aforementioned Regulations for the Operation of Coal Mines Under Government Control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such mines, collieries and facilities, and for the production, distribution and sale of their products.

The Operating Manager for the United States shall forthwith fly the flag of the United States at each such mine, colliery and facility, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, collieries and preparation facilities of this mining company has been taken by Order of the Secretary of the Interior.

HAROLD L. ICKES,
Secretary of the Interior.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 44-12829; Filed, August 24, 1944; 11:53 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

Learner Employment Certificates

Issuance to Various Industries

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and Part 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employers name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Kansas Bank Note Company, 5th & Jefferson Streets, Fredonia, Kansas; converted paper products; 4 learners (T); bindery girl, platen press feeder for a learning period of 480 hours at 30 cents per hour for the first 320 hours and 35 cents per hour for the following 160 hours, provided that if any learners are students, combined work and school hours in any one week shall not exceed 48 hours; effective August 29, 1944, expiring August 28, 1945.

Rose Printing Company, Tallahassee, Florida; commercial printing; 4 learners (T); press feeder, bindery workers, compositors for a learning period of 1,000 hours provided, however, that if any learners are students, combined work and school hours in any one week shall not exceed 48 hours at 32 cents for the first 500 hours and 35 cents for the next 500 hours; effective August 21, 1944, expiring August 20, 1945.

Signed at New York, New York, this 22d day of August 1944.

PAULINE C. GILBERT,
Authorized Representative,
of the Administrator.

[F. R. Doc. 44-12820; Filed, August 24, 1944; 11:36 a. m.]

Learner Employment Certificates

Issuance to Various Industries

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3501), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Lee Manufacturing Company, 247 So. Main Street, Pittston, Pennsylvania; ladies' and children's dresses; 10 percent (T); effective August 29, 1944, expiring August 22, 1945.

Meyersdale Manufacturing Company, Meyersdale, Pennsylvania; Navy and civilian shirts; 50 learners (AT); effective August 17, 1944, expiring February 16, 1945.

Onyx Blouse Company, Inc., 474 North Centre Street, Pottsville, Pennsylvania; boys' and men's polo shirts; 10 learners (T); effective August 19, 1944, expiring August 18, 1945.

Onyx Blouse Company, Inc., Long Avenue, Orwigsburg, Pennsylvania; boys' polo shirts; 10 learners (T); effective August 19, 1944, expiring August 18, 1945.

Onyx Blouse Company, Inc., Valley Street, New Philadelphia, Pennsylvania; boys' polo shirts; 10 learners (T); effective August 19, 1944, expiring August 18, 1945.

HOSIERY INDUSTRY

Ruby Hosiery Mill, Hickory, North Carolina; men's seamless hosiery; 5 learners (T); effective August 23, 1944, expiring August 22, 1945.

KNITTED WEAR INDUSTRY

Monroe Mills, Monroeville, Alabama; women's knitted underwear; 5 percent (T); effective August 21, 1944, expiring August 20, 1945.

TELEPHONE INDUSTRY

American Telephone Company, Alma, Kansas; to employ learners as commercial switchboard operators at its Alma exchange, located at Alma, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Baldwin, Kansas; to employ learners as commercial switchboard operators at its Baldwin exchange, located at Baldwin, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Dighton, Kansas; to employ learners as commercial switchboard operators at its Dighton exchange, located, at Dighton, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Hiawatha, Kansas; to employ learners as commercial switchboard operators at its Hiawatha exchange, located at Hiawatha, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Hillsboro, Kansas; to employ learners as commercial switchboard operators at its Hillsboro exchange, located at Hillsboro, Kansas, effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Holton, Kansas; to employ learners as commercial switchboard operators at its Holton exchange, located at Holton, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Horton, Kansas; to employ learners as commercial switchboard operators at its Horton exchange, located at Horton, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Osborne, Kansas; to employ learners as commercial switchboard operators at its Osborne, Kansas exchange, located at Osborne, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Troy, Kansas; to employ learners as commercial switchboard operators at its Troy exchange, located at Troy, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Valley Falls, Kansas; to employ learners as commercial switchboard operators at its Valley Falls exchange, located at Valley Falls, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Wakeeney, Kansas; to employ learners as commercial switchboard operators at its Wakeeney exchange, located at Wakeeney, Kansas; effective August 15, 1944, expiring August 14, 1945.

American Telephone Company, Wathena, Kansas; to employ learners as commercial switchboard operators at its Wathena exchange, located at Wathena, Kansas; effective August 15, 1944, expiring August 14, 1945.

Atchison County Telephone Company, Tarkio, Missouri; to employ learners as commercial switchboard operators at its Tarkio exchange, located at Tarkio, Missouri; effective August 19, 1944, expiring August 18, 1945.

Commonwealth Telephone Company, 122 West Washington Avenue, Madison, Wisconsin; to employ 2 learners as commercial switchboard operators for the purpose of abnormal turnover at its Adams exchange, located at Adams, Wisconsin; effective August 19, 1944, expiring August 18, 1945.

Commonwealth Telephone Company, 122 West Washington Avenue, Madison, Wisconsin; to employ 2 learners as commercial switchboard operators for the purpose of abnormal turnover at its Chilton exchange, located at Chilton, Wisconsin; effective August 19, 1944, expiring August 18, 1945.

Commonwealth Telephone Company, 122 West Washington Avenue, Madison, Wisconsin; to employ 2 learners as commercial switchboard operators for the purpose of abnormal turnover at its Hayward exchange, located at Hayward, Wisconsin, effective August 19, 1944, expiring August 18, 1945.

Commonwealth Telephone Company, 122 West Washington Avenue, Madison, Wisconsin; to employ 2 learners as commercial switchboard operators for the purpose of abnormal turnover at its Oregon exchange, located at Oregon, Wisconsin; effective August 19, 1944, expiring August 18, 1945.

Consolidated Telephone Company, Moultrie, Georgia; to employ learners as commercial switchboard operators at its Moultrie exchange, located at Moultrie, Georgia; effective August 19, 1944, expiring August 18, 1945.

Ellinwood Telephone Exchange, Ellinwood, Kansas; to employ 3 learners as commercial switchboard operators for the purpose of abnormal turnover at its Ellinwood exchange, located at Ellinwood, Kansas; effective August 21, 1944, expiring February 20, 1945.

Gulf States Telephone Company, Athens, Texas; to employ learners as commercial switchboard operators at its Athens exchange, located at Athens, Texas; effective August 18, 1944, expiring August 17, 1945.

Gulf States Telephone Company, Commerce, Texas; to employ learners as commercial switchboard operators at its Commerce exchange, located at Commerce, Texas; effective August 18, 1944, expiring August 17, 1945.

Gulf States Telephone Company, Cooper, Texas; to employ learners as commercial switchboard operators at its Cooper exchange, located at Cooper, Texas; effective August 18, 1944, expiring August 17, 1945.

Gulf States Telephone Company, Gatesville, Texas; to employ learners as commercial switchboard operators at its Gatesville exchange, located at Gatesville, Texas; effective August 18, 1944, expiring August 17, 1945.

Gulf States Telephone Company, Hamilton Texas; to employ 6 learners as commercial switchboard operators for the purpose of abnormal turnover at its Hamilton exchange, located at Hamilton, Texas; effective August 15, 1944, expiring September 15, 1944.

Gulf States Telephone Company, Kaufman Texas; to employ learners as commercial switchboard operators at its Kaufman exchange, located at Kaufman, Texas; effective August 18, 1944, expiring August 17, 1945.

Gulf States Telephone Company, Overton, Texas; to employ learners as commercial switchboard operators at its Overton exchange, located at Overton, Texas; effective August 18, 1944, expiring August 17, 1945.

Gulf States Telephone Company, Stephenville, Texas; to employ learners as commercial switchboard operators at its Stephenville exchange, located at Stephenville, Texas; effective August 18, 1944, expiring August 17, 1945.

Monroe Telephone Company, Monroe, Iowa; to employ learners as commercial switchboard operators at its Monroe exchange, located at Monroe, Iowa; effective August 19, 1944, expiring August 18, 1945.

Mount Pleasant Telephone Company, Mount Pleasant, Iowa; to employ learners as commercial switchboard operators at its Mount Pleasant exchange, located at Mount Pleasant, Iowa; effective August 21, 1944, expiring August 20, 1945.

Project Telephone Company, Powell, Wyoming; to employ learners as commercial switchboard operators at its Powell exchange, located at Powell, Wyoming; effective August 19, 1944, expiring August 18, 1945.

Siloam Springs Telephone Company, Siloam Springs, Arkansas; to employ learners as commercial switchboard operators at its Siloam Springs exchange, located at Siloam Springs, Arkansas; effective August 15, 1944, expiring August 14, 1945.

The Southwest Telephone Company, Pratt, Kansas; to employ 12 learners as commercial switchboard operators for the purpose of abnormal turnover at its Liberal exchange, located at Liberal, Kansas; effective August 15, 1944, expiring February 14, 1945.

United Telephone Company, Appleton City, Missouri; to employ learners as commercial switchboard operators at its Appleton City, exchange, located at Appleton City, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Butler, Missouri; to employ learners as commercial switchboard operators at its Butler exchange, located at Butler, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, California, Missouri; to employ learners as commercial switchboard operators at its California exchange, located at California, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Clinton, Missouri; to employ learners as commercial switchboard operators at its Clinton exchange, located at Clinton, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Cole Camp, Missouri; to employ learners as commercial switchboard operators at its Cole Camp exchange, located at Cole Camp, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Fairfax, Missouri; to employ learners as commercial switchboard operators at its Fairfax exchange, located at Fairfax, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Hermann, Missouri; to employ learners as commercial switchboard operators at its Hermann exchange, located at Hermann, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, King City, Missouri; to employ learners as commercial switchboard operators at its King City exchange, located at King City, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Lebanon, Missouri; to employ learners as commercial switchboard operators at its Lebanon exchange, located at Lebanon, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Mound City, Missouri; to employ learners as commercial switchboard operators at its Mound City exchange, located at Mound City, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Odessa, Missouri; to employ learners as commercial switchboard operators at its Odessa exchange, located at Odessa, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Salem, Missouri; to employ learners as commercial switchboard operators at its Salem exchange, located at Salem, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Tipton, Missouri; to employ learners as commercial switchboard operators at its Tipton exchange, located at Tipton, Missouri; effective August 15, 1944, expiring August 14, 1945.

United Telephone Company, Windsor, Missouri; to employ learners as commercial switchboard operators at its Windsor exchange, located at Windsor, Missouri; effective August 15, 1944, expiring August 14, 1945.

TEXTILE INDUSTRY

Bernson Silk Mills, Inc., 535 Sycamore Avenue, Buena Vista, Virginia; rayon and nylon; 10 percent (AT); effective August 20, 1944, expiring February 19, 1945.

Cross Cotton Mills Company, Marion, North Carolina; cotton knitting and weaving yarns; 3 percent (T); effective August 23, 1944, expiring August 22, 1945.

Indiana Cotton Mills, Cannelton, Indiana; sheetings, drill duck; 3 percent (T); effective August 18, 1944, expiring August 17, 1945.

[1] *Supra.*

CIGAR INDUSTRY

General Cigar Company, Inc., Anthracite Avenue, Kingston, Pennsylvania; machine-made cigars; 10 percent (T); cigar machine operating for a learning period of 320 hours at 30 cents per hour, cigar packing and machine stripping for a learning period of 160 hours at 30 cents per hour; effective August 15, 1944, expiring August 14, 1945.

Signed at New York, N. Y., this 22d day of August 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-12821; Filed, August 24, 1944; 11:36 a. m.]

SUGARCANE INDUSTRY IN LOUISIANA

NOTICE OF HEARING

In the matter of the determination of the scope of that portion of the cane sugar processing and milling branch of the cane sugar industry located in Louisiana pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder.

Whereas, the Administrator determined, on November 18, 1939 (4 F.R. 4615), that that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana is a branch of an industry and of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder, and therefore is entitled to the exemption provided under section 7 (b) (3) of the act; and

Whereas, in the said determination, the term "that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana" was defined to include "that branch of the industry engaged in the unloading of sugar cane from wagons and railroad cars onto conveyors; the processing of sugar cane into sugar, syrup and molasses, but not the refining of such sugar, syrup and molasses; the removal, handling and conveying of raw sugar, syrup and molasses to storage and placing them in storage on or in the vicinity of the sugar mill site; the removal, conveying, burning, baling, and piling and storing in baled form on or in the vicinity of the sugar mill site of bagasse resulting from the processing of sugar cane into raw sugar, syrup or molasses; and the operations or services necessary or incident to the foregoing"; and

Whereas, the aforesaid determination was amended by the Administrator on July 20, 1944 (9 F.R. 8175) to include the "dehydrating of bagasse" within the scope of the said branch of the industry; and

Whereas, an application has been filed requesting that the determination of November 18, 1939 be further amended to include within the definition of the branch of the industry the incidental refining of sugar, syrup and molasses and the removal, handling, bagging and conveying of such sugar and certain other operations performed during the grinding season in sugar cane mills in Louisiana; and

Whereas, it appears desirable to re-examine the definition of that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana in order to determine what operations should be included and what operations should not be included therein;

Now, therefore, pursuant to §§ 526.5 and 526.6 of regulations, Part 526, notice is hereby given of a public hearing to be held in Room 1610 at the National Offices of the Wage and Hour Division, U. S. Department of Labor, 165 West 46th Street, New York 19, New York, on September 8, 1944, at 10 a. m. before Nathan Rubinstein, an authorized representative of the Administrator, who is hereby authorized to receive evidence and hear argument for the purpose of determining, defining and delimiting the scope, under section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder, of that portion of the cane sugar processing and milling branch of the cane sugar industry located in Louisiana.

Any person desiring to be heard in this matter may appear at the hearing in his own behalf or in behalf of any other person, or may file a written statement to be included in the record. Notice of intention to appear should be filed with the Administrator at the above address on or before September 7, 1944, and should contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the names and addresses of the persons or organizations which he is representing.

Written statements may be filed with the Administrator prior to the date of the hearing or with the presiding officer at the hearing.

Signed at New York, New York, this 22d day of August 194.

L. METCALFE WALLING,
Administrator,
Wage and Hour Division.

[F. R. Doc. 44-12819; Filed, August 24, 1944; 11:36 a .m.]

FEDERAL POWER COMMISSION.

[Docket No. G-549]

MEMPHIS NATURAL GAS CO.

NOTICE OF AMENDMENT TO APPLICATION

AUGUST 23, 1944.

Notice is hereby given that on August 22, 1944, Memphis Natural Gas Company, a Delaware Corporation, having its principal place of business in Memphis, Tennessee, filed with the Federal Power Commission an amendment to its application filed May 20, 1944, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of a 20-inch O. D. pipe line approximately 49½ miles in length with a capacity of approximately 100,000 MCF per day, with an inlet gas pressure of 550 pounds per square inch and a terminal pressure of 450 pounds per square inch, in substitution of its original proposal to construct a 12¾-inch O. D. gas pipe line approximately 48½ miles in length with a capacity of approximately 50,000 MCF per day. The proposed 20-inch line will have its termini at its Guthrie Compressor Station in Ouachita Parish, Louisiana, and the Claiborne gasoline plant in Claiborne Parish, Louisiana.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 5th day of September, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-12795; Filed, August 24, 1944; 10:06 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Supp. Vesting Order 4044]

WALTER WEBER

In re: Photographic equipment, office furniture, and other personal property owned by Walter Weber, also known as Walther Weber and Walther Hermann Weber.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found by Vesting Order Number 3663, dated May 17, 1944, that Walter Weber, also known as Walther Weber and as Walther Hermann Weber, is a resident of Germany and a national of a designated enemy country (Germady).

2. Finding that Walter Weber, also known as Walther Weber and as Walther Hermann Weber, is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

Photographic equipment, office furniture, and chauffeur's uniforms and accessories, particularly set forth and described in Exhibit A, attached hereto and by reference made a part hereof, now in the warehouse of the Alien Property Custodian at 27 Cliff Street, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the natioal interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States, and hereby ratifies all acts of any of his employees, agents or representatives by which any of such property was taken into the possession of the Alien Property Custodian,

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.
By FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

3 Movie flood bulbs (GE)
1 Two prong bulb (GE)
1 Hand print press
1 Plate drying rack
1 Wood vise
1 Carton containing 6 flood bulbs #4
1 Two prong 5000 watt bulb
2 Photo measuring boards
1 Easy photo roller (anchor brand)
1 4' fluted posing pedestal
2 Metal filing cabinets
1 Carton and contents, including chauffeur's uniforms and accessories
1 Desk pad
1 Chrome stool with upholstered leather seat
1 Clothes costumer
1 Small walnut living room table

[F. R. Doc. 44-12803; Filed, August 24, 1944; 10:31 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 279]

COMMON CARRIERS

COORDINATED OPERATIONS IN CALIFORNIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 28, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

American Drayage Co., Oakland, Calif.
Warren Ballinger, doing business as Warren Ballinger Drayage Co., San Francisco, Calif.
Crail Bros., Inc., Ltd., Long Beach, Calif.
John A. Lacey, doing business as Lacey Trucking Co., Long Beach, Calif.
Belyea Truck Co., Inc., Los Angeles, Calif.
Bigge Drayage Co., Oakland, Calif.
Oilfields Trucking Co., Bakersfield, Calif.
Waldo J. Fortier and Russell A. Fortier, co-partners, doing business as Fortier Transportation Co., Fresno, Calif.
W. R. Ballinger & Son, San Francisco, Calif.
Farnsworth & Ruggles, San Francisco, Calif.
Joseph D. Sheedy, doing business as Jos. D. Sheedy Drayage, San Francisco, Calif.
L. B. Hulsman, doing business as Hulsman & Loomis Transportation Co., Santa Rosa, Calif.
Wesley L. Halbert and Harold T. Halbert, co-partners, doing business as Halbert Brothers, Los Angeles, Calif.
G. W. Thomas Drayage & Rigging Co., Inc., San Francisco, Calif.
E. Guy Warren, doing business as Warren Transportation Co., Hayward, Calif.
Ball & Simpson, Berkeley, Calif.
A. W. Hays, Woodland, Calif.
J. W. Monroe, doing business as Monroe Trucking Service, Willows, Calif.
J. G. Bastain, Redding, Calif.
Thomas Rigging Co., Emeryville, Calif.
Charles E. Wilkins, doing business as Wilkins Draying Co., Sacramento, Calif.

[F. R. Doc. 44-12802; Filed, August 24, 1944; 10:30 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 926]

DUNCAN CREEK COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 926 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Duncan Creek Mine of Duncan Creek Coal Company, Jasper, Alabama, located in Walker County, Alabama, in District No. 13, is hereby assigned Mine Index No. 2023, and is classified in Maximum Price Group No. 6 for rail shipments and railroad fuel and in Maximum Price Group No. 1 for truck shipments.

(b) Coals produced by Duncan Creek Coal Company, Jasper, Alabama, from its Duncan Creek Mine, Mine Index No. 2023 in District No. 13, may be purchased and sold at per net ton prices in cents per net ton, not exceeding the following:

	Size Group No.							
	1 to 5 inclusive	6, 8 and 10	7, 9 and 11	12, 14, 15 and 16	13, 19, 20 and 21	17 and 18	22 and 23
Rail shipments including R. R. fuel	535	485	475	395	385	375	365
Truck shipments	530	480	460	445	435	420	410

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective August 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12760; Filed, August 23, 1944; 11:57 a. m.]

[MPR 188, Amdt. 50 to Order A-1]

BUILDING BRICK IN NEW JERSEY

MODIFICATION OF MAXIMUM PRICES

Amendment No. 50 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Modification of maximum prices in Maximum Price Regulation No. 188.

An opinion accompanying Amendment No. 50 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (38) is added to Order A-1 to read as follows:

(38) *Modification of maximum prices for building brick (common and unglazed face).* (i) The manufacturer's maximum prices for building brick, (common and unglazed face) produced in the State of New Jersey established pursuant to Maximum Price Regulation No. 188, as amended, may be increased by adding an amount not in excess of $1.00 per thousand for regular size brick to the f. o. b. plant price or the delivered price. If the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick (common and unglazed face) he may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment.

(ii) Any jobber or dealer purchasing building brick (common and unglazed face) for resale, from any manufacturer who has increased his maximum price in accordance with subdivision (i) above may increase his presently established f. o. b. yard or delivered maximum price under the General Maximum Price Regulation by the dollars-and-cents amount equal to his actual dollars-and-cents increase in cost resulting from the increase permitted in subdivision (i) above.

(iii) The maximum prices established herein shall be subject to at least the same cash, quantity and other discounts, transportation allowances, services, and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(iv) This subparagraph (38) may be amended or revoked by the Price Administrator at any time.

This amendment shall become effective August 26, 1944.

Issued this 23d day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12767; Filed, August 23, 1944; 12:06 p. m.]

[MPR 188, Order 2163]

TABLE ART FURNITURE MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2163 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of four items of cellarettes manufactured by Table Art Furniture Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of four items of cellarettes manufactured by Table Art Furniture Manufacturing Company, 1955 Park Avenue, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles for the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers each
Cellarette	2000	$9.14	$10.75
Cellarette	2025	10.84	12.75
Cellarette	3000	13.56	15.95
Cellarette	3010	14.41	16.95

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 19, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers, each
Cellarette	2000	$10.75
Cellarette	2025	12.75
Cellarette	3000	15.95
Cellarette	3010	16.95

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 19, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12770; Filed, August 23, 1944; 12:06 p. m.]

[MPR 188, Order 2164]

B. F. JAY AND CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2164 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile set manufactured by B. F. Jay and Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by B. F. Jay and Company, 330 West 42nd Street, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles for the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Juvenile set	Uncle Ben Jay's Playtable and Bench.	$3.00	$3.60

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment e. o. m. and is for the article described in the manufacturer's application dated June 14, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers, each
Juvenile set	Uncle Ben Jay's Playtable and Bench.	$3.60

This price is subject to a cash discount for payment e. o. m. and is for the article described in the manufacturer's application dated June 14, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12771; Filed, August 23, 1944; 12:05 p. m.]

[MPR 188, Order 2165]

BEN EISENBERG

APPROVAL OF MAXIMUM PRICES

Order No. 2165 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of finished and two items of unfinished wardrobes manufactured by Ben Eisenberg.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of finished and two items of unfinished wardrobes manufactured by Ben Eisenberg, 9724 Ditmas Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Finished wardrobe	Double door	$9.75	$11.47
Finished wardrobe	Single door	8.03	9.45
Unfinished wardrobe	Double door	8.29	9.75
Unfinished wardrobe	Single door	6.83	8.03

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated February 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942,

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12771; Filed, August 23, 1944; 12:05 p. m.]

on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers, each
Finished wardrobe	Double door	$11.47
Finished wardrobe	Single door	8.45
Unfinished wardrobe	Double door	9.75
Unfinished wardrobe	Single door	8.03

These prices are for the articles described in the manufacturer's application dated February 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12772; Filed, August 23, 1944; 12:05 p. m.]

[MPR 188, Order 2166]

WALDMAN MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2166 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three smoker stands manufactured by Waldman Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three smoking stands manufactured by Waldman Manufacturing Company, 418 Green Street, Philadelphia, Pennsylvania.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Smoking stand	300	$2.46	$2.90
Smoking stand	350	2.89	3.40
Smoking stand	351	2.76	3.25

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturers' application dated June 17, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers, each
Smoking stand	300	$2.90
Smoking stand	350	3.40
Smoking stand	351	3.25

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 17, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12773; Filed, August 23, 1944; 12:04 p. m.]

[MPR 188, Order 2167]

HARRY COOPER

APPROVAL OF MAXIMUM PRICES

Order No. 2167 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a folding coffee table manufactured by Harry Cooper.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a folding coffee table manufacured by Harry Cooper, 12335 Tuscora Avenue, Cleveland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Folding coffee table		$3.01	$3.55

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 24, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12774; Filed, August 23, 1944; 12:06 p. m.]

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 24, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	*Maximum price to retailers, each*
Folding coffee table	$3.55

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated June 24, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12777; Filed, August 23, 1944; 12:01 p. m.]

[MPR 188, Order 2168]

PAUL E. DUNLAP

APPROVAL OF MAXIMUM PRICES

Order No. 2168 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a juvenile lawn swing manufactured by Paul E. Dunlap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile lawn swing manufactured by Paul E. Dunlap, 4457 West 61st Street, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Juvenile lawn swing		$3.00	$3.53

These prices are f. o. b. factory and are net thirty days and are for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	*Maximum price to retailers' each*
Juvenile Lawn Swing	$3.53

This price is net thirty days and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12778; Filed, August 23, 1944; 12 m.]

[MPR 188, Order 2169]

KITCHEN KOMPACT, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 2169 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel, Approval of maximum prices for sale of a juvenile set manufactured by Kitchen Kompact, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a juvenile set manufactured by Kitchen Kompact, Inc., 811 South 12th Street, Louisville, Kentucky.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Juvenile set	Juvenile set	$2.14	$2.52

These prices are f. o. b. factory and are subject to a cash discount of two

percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated May 3, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers (each)
Juvenile set	Juvenile set	$2.52

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated May 3, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12774; Filed, August 23, 1944; 12:04 p. m.]

[MPR 188, Order 2170]

STUART WOODCRAFT CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 2170 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of certain bed trays manufactured by Stuart Woodcraft Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of certain bed trays manufactured by Stuart Woodcraft Corporation, Springfield, Gardens, Long Island, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Bed tray	27	$1.05	$1.25
Bed tray	28	.85	1.00

These prices are f. o. b. factory, subject to a cash discount of two percent for payment within ten days, and are for the articles described in the manufacturer's applications dated April 29 and May 2, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers each
Bed tray	27	$1.25
Bed tray	28	1.00

These prices are subject to a cash discount of two percent for payment within ten days, and are for the articles described in the manufacturer's applications dated April 29 and May 2, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12779; Filed, August 23, 1944; 12:00 m.]

[MPR 188, Order 2171]

YOUNGERMAN MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2171 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished wardrobe and utility cabinet manufactured by Youngerman Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished wardrobe and utility cabinet manufactured by Youngerman Mfg. Co., Eldora, Iowa.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Unfinished wardrobe		$12.09	$14.22
Unfinished utility cabinet		11.76	13.84

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 18, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type or article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers, each
Unfinished wardrobe		$14.22
Unfinished utility cabinet		13.84

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturers application dated July 18, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12780; Filed, August 23, 1944; 12:00 m.]

[MPR 188, Order 2172]

M. D. M. FURNITURE MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2172 under § 1499.158 of Maximum Price Regulations No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a one piece telephone set manufactured by M. D. M. Furniture Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as ammended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a one piece telephone set manufactured by M. D. M. Furniture Manufacturing Co., 2912 Shattuck Avenue, Berkeley, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
One piece telephone set	A5	$5.18	$6.10

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated June 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers each
One piece telephone set	A5	$6.10

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated June 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12781; Filed, August 23, 1944; 12:00 m.]

[MPR 188, Order 2173]

B & M PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2173 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Ap-

proval of maximum prices for sales of a cocktail smoker manufactured by B & M Products Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a cocktail smoker manufactured by B & M Products Company, 3945 West Armitage Avenue, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Cocktail Smoker	100	$8.18	$8.74

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers, each
Cocktail smoker	100	$8.74

This price is subject to a cash discount of two percent for payment within ten days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12775; Filed, August 23, 1944; 12:02 p. m.]

[MPR 188, Order 2174]

BORIN ART PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2174 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of certain glass tables manufactured by Borin Art Products Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries since the effective date of Maximum Price Regulation No. 188, of certain articles manufactured by Borin Art Products Co., Chicago, Illinois.

(1) (a) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
201, 202, 203, and 204	$9.79	$11.50
205, 206, and 207	13.60	16.00
221, 222, and 223	10.63	12.50
224, 225, and 226	13.60	16.00
262 and 263	10.63	12.50
264, 265, and 266	11.90	14.00
262, 263	8.08	9.50
264, 265, and 266	11.05	13.00
321, 322, and 323	9.35	11.00
324, 325, and 326	10.20	12.00

These prices are f. o. b. factory and are subject to a discount of 2% for payment within ten days, net thirty days.

(b) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (a) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188 for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (a) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below:

Model No.	Maximum prices to retailers
201, 202, 203, and 204	$11.50
205, 206, and 207	16.00
221, 222, and 223	12.50
224, 225, and 226	16.00
262 and 263	12.50
264, 265, and 266	14.00
262, 263	9.50
264, 265, and 266	13.00
321, 322, and 323	11.00
324, 325, and 326	12.00

These maximum prices are f. o. b. shipping point, and are subject to a discount of 2% for payment within ten days, net thirty days.

(b) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 24, 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12782; Filed, August 23, 1944; 12:03 p. m.]

[MPR 188, Order 2177]

RYDER NOVELTY PRODUCERS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2177 under § 1499.158 of Maximum Price Regulation No. 188 Manufacturers' maximum prices for specified building material and consumers' goods other than apparel. Approval of maximum prices for sales of a nursery chair manufactured by The Ryder Novelty Producers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a nursery chair manufactured by the Ryder Novelty Producers, Ashland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Nursery chair	1	$2.08	$2.54

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within fifteen days, net thirty days and are for the articles described in the manufacturer's application dated June 17, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers each
Nursery chair	1	$2.54

This price is subject to a cash discount of two percent for payment within fifteen days, net thirty days and is for the article described in the manufacturer's application dated June 17, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12776; Filed, August 23, 1944; 12:03 p. m.]

[MPR 188, Order 2178]

INVINCIBLE PARLOR FRAME CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2178 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished corner rack, wall shelf, vanity table and corner cabinet manufactured by Invincible Parlor Frame Co., Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished corner rack, wall shelf, vanity table and corner cabinet manufactured by Invincible Parlor Frame Co., Inc., 179–84 East Railway Avenue, Paterson, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock, each	Maximum price to retailers, each
Unfinished corner rack	1248	$0.90	$1.06
Unfinished wall shelf	1539	1.19	1.40
Unfinished vanity table	1632 T	2.30	2.71
Unfinished corner cabinet	500	4.21	4.95

These prices are f. o. b. factory, and are subject to a cash discount of two percent e. o. m.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers each
Unfinished corner rack	1248	$1.06
Unfinished wall shelf	1539	1.40
Unfinished vanity table	1632 T	2.71
Unfinished corner cabinet	500	4.95

These prices are subject to a cash discount of two percent e. o. m.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of August 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12763; Filed, August 23, 1944; 12:02 p. m.]

[2d Rev. MPR 213, Order 14]

HUNT SPRING BED CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 14 under section 9 (b) (1) of 2d Revised Maximum Price Regulation No. 213. New coil and flat bedsprings. Approval of maximum prices for sales of a new bedspring manufactured by Hunt Spring Bed Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders No. 9250 and 9328, and in accordance with section 9 (b) (1) of 2d Revised Maximum Price Regulation No. 213, *It is ordered:*

(a) This order establishes maximum prices for sales of a new steel frame, helical top, double deck coil bedspring equipped with two band stabilizers and angle border, and meeting all the specifications for a Class III coil bedspring as set forth in 2d Revised Maximum Price Regulation No. 213, manufactured by Hunt Spring Bed Company, Chattanooga 2, Tennessee, as follows:

(1) For all sales and deliveries by the manufacturer to retailers, the maximum price is $7.55 each. This price is f. o. b. factory and is subject to a cash discount of 2% for payment within ten days, net 30 days.

(2) For all sales at retail by any person, the cash maximum price is $14.50 each. This price is subject to the seller's customary terms, discounts, and allowances in effect during March 1942 on sales of comparable bedsprings.

(b) For sales in the "Far West Zone" described in 2d Revised Maximum Price Regulation No. 213, the following sums may be added to the prices set forth in paragraph (a) above:

For sales by the manufacturer, 75¢.
For sales by retailers, $1.25.

(c) Hunt Spring Bed Company, shall notify, in writing, all retailers who purchase the bedsprings described above, of the maximum prices established by this order for sales at retail. This notice may be given in any convenient form, and shall be given at the time of or prior to the first invoice to each retailer covering a sale of the bedspring described above.

(d) Before delivering any of the bedsprings described above, Hunt Spring Bed Company must attach securely to each bedspring a durable tag containing in easily readable lettering the following, with the blank properly filled in:

O.P.A. has established a retail ceiling of $____ for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(e) Unless the context otherwise requires, the definitions set forth in 2d Revised Maximum Price Regulation No. 213 shall apply to the terms used in this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective August 24, 1944.

Issued this 23d day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12768; Filed, August 23, 1944; 12:06 p. m.]

[RMPR 506, Amdt. 1 to Order 22]

KELLER GLOVE MFG. CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Amendment 1 to Order No. 22 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Keller Glove Manufacturing Company and other sellers. Docket No. N6657-506-18-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That the maximum prices authorized for Style No. 110-DN are amended to read as follows:

Style No.	Glove description	Column A Manufacturer's prices		Column B
		Group I ceiling	Group II ceiling	Wholesalers' prices
110-DN	Men's quilted palm hot mill glove, 12-ounce flannel palm, 12-ounce flannel lining, 12-ounce flannel back, 1¾" or longer 12-ounce flannel band top.	$2.15	$2.45	$2.80

This amendment shall become effective as of July 13, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12788; Filed, August 23, 1944; 3:41 p. m.]

[Max. Import Price Reg., Order 35]

REXON, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 35 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, certain cigarette lighters and cigarette lighter sets imported (cigarette lighters from Switzerland, alligator skin wallets and alligator or lizard skin cigarette cases from Argentina) by Rexon, Inc., 295 Fifth Avenue, New York, New York, hereinafter called the "importer." The lighters and lighter sets covered by this order are described in Appendix A, Column 1, attached hereto and made a part of this order.

(b) *Maximum prices on sales by the importer to wholesalers.* The importer may sell to wholesalers the cigarette lighters and cigarette lighter sets described in Appendix A of this order at prices, not exceeding those set forth in Column II of Appendix A, terms 2%, 10 days, delivered. No wholesaler may pay the importer higher prices.

(c) *Maximum prices on sales by the importer or wholesaler to retailers.* The importer or wholesaler may sell to retailers the cigarette lighters or cigarette lighter sets described in Appendix A of this order at prices not exceeding those set forth in Column III of Appendix A, terms 2%, 10 days, delivered. No retailer may pay higher prices.

(d) *Maximum retail prices.* No retailer may sell, and no person buying from him may pay, prices higher than those set forth in Column IV of Appendix A, for the cigarette lighters and cigarette lighter sets described in Appendix A.

(e) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such lighters or lighter sets are sold and shall also include on the invoice the following statement:

The enclosed Order No. 35 issued under the Maximum Import Price Regulation by OPA, establishes your maximum selling prices for the lighters and lighter sets and requires you to notify your customers what is his maximum price as stated in the order.

(f) *Wholesalers to notify retailers.* Every wholesaler selling lighters or lighter sets shall include on his invoice to each retailer the following statement:

Your maximum selling price for the lighters or lighter sets as established by Order No. 35 under the Maximum Import Price Regulation issued by OPA is $_____ each. (Wholesaler shall list applicable retail price for each numbered lighter or lighter set sold).

(g) *Revocation and amendment.* The provisions of Order No. 22, issued under section 21 of the Maximum Import Price Regulation July 4, 1944, effective July 5, 1944, are incorporated in this order and Order No. 22 is therefore revoked. This order may be revoked or amended at any time.

This order shall become effective August 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

APPENDIX A

Number and description of cigarette lighter or cigarette lighter set	II Sales by importer to wholesaler	III Sales by importer or wholesaler to retailer	IV Sales by retailer to consumer
1602. Thorens pocket lighter—chrome finish	$2.50	$3.00	$5.00
1621. Thorens automatic wind lighter—chrome finish	2.50	3.00	5.00
7602. Thorens pocket lighter—chrome finish	2.00	2.40	4.00
1303. Thorens pocket lighter set [1]	5.00	6.00	10.00
2303. Thorens pocket lighter set [1]	5.00	6.00	10.00
1322. Thorens pocket lighter set [1]	5.00	6.00	10.00
7303. Thorens pocket lighter set [1]	5.00	6.00	10.00
6303. Thorens pocket lighter set [1]	5.00	6.00	10.00
1603. Thorens pocket lighter set [1]	3.75	4.50	7.50
2603. Thorens pocket lighter set [1]	3.75	4.50	7.50
7603. Thorens pocket lighter set [1]	3.75	4.50	7.50
1302. Thorens pocket lighter set [1]	5.00	6.00	10.00
2302. Thorens pocket lighter set [1]	5.00	6.00	10.00
16302. Thorens pocket lighter set [1]	5.00	6.00	10.00
16303. Thorens pocket lighter set [1]	5.00	6.00	10.00
360. Thorens combination set [2]	7.50	9.00	15.00
300. Thorens combination set [3]	3.00	3.60	6.00
320. Thorens combination set [4]	7.50	9.00	15.00
370. Thorens combination set [5]	9.75	11.70	19.50
310. Thorens combination set [6]	10.00	12.00	20.00

[1] Each set consists of one Thorens pocket lighter, identified by the same number as the set, one tube of 80 Thorens flints and one package of 9 Thorens wicks.
[2] Consists of one genuine lizard skin wallet and one Thorens pocket lighter, automatic or windproof—Chrome finish—#1600A, #1601 or #7602.
[3] Consists of one Thorens automatic pocket lighter #1600A, and one Thorens smoker's companion (Tamper, Spoon and knife) chrome finish.
[4] Consists of one Thorens automatic pocket lighter #1600A, one tube of 80 Thorens flints, one package of 9 Thorens wicks, and one genuine alligator skin cigarette case.
[5] Consists of one Thorens pocket lighter, Chrome Finish #7600, one genuine lizard skin cigarette case and one genuine lizard skin wallet.
[6] Consists of one Thorens gold plated pocket lighter #1302, 2302, 6302, or 7302, and one genuine alligator skin wallet.

[F. R. Doc. 44–12817; Filed, August 24, 1944; 11:47 a. m.]

[Max. Import Price Reg., Order 31]

REGENT WATCH CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 31 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, Winchester metal automatic cigarette lighters imported from Switzerland by Regent Watch Co., Inc., 15 Maiden Lane, New York, N. Y., hereinafter called the "importer".

(b) *Maximum prices on sales by the importer to wholesalers.* The importer may sell such lighters to wholesalers at a price not exceeding $1.25 each on a delivered basis, to retailers at a price not exceeding $1.50 each on a delivered basis and to consumers at a price not exceeding $2.50 each. No wholesaler, retailer or consumer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, prices higher than the following for such lighters:

Class of sellers:	*Maximum prices*
Sales by wholesalers	$1.50 each, delivered.
Sales by retailers	$2.50 each.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such lighters are sold and shall also include on the invoice the following statement:

The enclosed Order No. 31, issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling prices for these lighters and requires you to notify your customers what is their maximum price, as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such lighters shall include on his invoice to each retailer the following statement:

Your maximum selling price for these lighters, as established by Order No. 31 under the Maximum Import Price Regulation issued by the Office of Price Administration, is $2.50 each.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on August 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of August 1944.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 44–12815; Filed, August 24, 1944; 11:45 a. m.]

[Max. Import Price Reg., Order 32]

MORRIS STRUHL, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 32 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, Winchester metal automatic cigarette lighters imported from Switzerland by Morris Struhl, Inc., Forty five West Twenty Third Street, New York 10, N. Y., hereinafter called the "importer".

(b) *Maximum prices on sales by the importer to wholesalers.* The importer may sell such lighters to wholesalers at a price not exceeding $1.25 each on a delivered basis, to retailers at a price not exceeding $1.50 each on a delivered basis, and to consumers at a price not exceeding $2.50 each. No wholesaler, retailer or consumer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, prices higher than the following for such lighters:

Class of sellers:	*Maximum prices*
Sales by wholesalers	$1.50 each, delivered.
Sales by retailers	2.50 each.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this Order to each wholesaler to whom such lighters are sold and shall also include on the invoice, the following statement:

The enclosed Order No. 32 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling prices for these lighters and requires you to notify your customers what is their maximum price, as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such lighters shall include on his invoice to each retailer the following statement:

Your maximum selling price for these lighters, as established by Order No. 32 under the Maximum Import Price Regulation issued by the Office of Price Administration, is $2.50 each.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on August 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of August 1944.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 44–12816; Filed, August 24, 1944; 11:47 a. m.]

[General Order 59]

RELEASES OF ADMINISTRATOR'S CLAIM

DELEGATION OF AUTHORITY

Delegation of authority to District Directors to execute releases of Administrator's claim.

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, as amended, the following order is prescribed:

(a) Each District Director is authorized upon the recommendation of the District Enforcement Attorney to execute releases of the Administrator's claim under section 205 (e) of the Emergency Price Control Act, as amended.

(b) Any release executed by any District Director pursuant to this delegation of authority shall have the same force and effect as if executed by the Price Administrator.

(c) Nothing in this order shall be construed to limit or affect any similar authority heretofore delegated to the Regional Enforcement Executives or any enforcement attorney.

Issued and effective this 24th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12813; Filed August 24, 1944; 11:47 a. m.]

[MPR 136, Order 262]

DIAMOND T MOTOR CAR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 282 Under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Resellers of Diamond T Motor Car Company trucks; Docket No. 6083-136-25a-29.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.18 (d) of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) Resellers of Diamond T motor trucks are hereby authorized to deliver Diamond T trucks for which the Diamond T Motor Car Company has requested an adjustment in maximum prices, Docket No. 6083-136-25a-29, at the existing maximum prices under Maximum Price Regulation 136, as amended, adjusted upwards in accordance with the action taken by the Office of Price Administration on the aforesaid application of the Diamond T Motor Car Company.

(b) No amount higher than the existing applicable maximum price may be collected by the reseller until the adjusted applicable maximum price for resellers is authorized by order issued by the Office of Price Administration.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 25, 1944.

Issued this 24th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12814; Filed, August 24, 1944; 11:45 a. m.]

[MPR 188, Amdt. 17 to Order A-2]

PYROPHYLLITE

ADJUSTMENT OF MAXIMUM PRICES

Order No. A-2 under § 1499.159 (b) of Maximum Price Regulation No. 188, Amendment No. 17. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

Modification of adjustment provisions under Maximum Price Regulation 188. An opinion accompanying this Amendment No. 17, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order A-2 is amended in the following respect:

Paragraph (a) (17) is added to Order A-2 to read as follows:

(17) *Pyrophyllite.* This paragraph (a) (17) permits the granting of relief to producers of pyrophyllite under the conditions and to the extent set forth below.

(i) *Basis for adjustment.* The Price Administrator may, by order, either on his own motion or pursuant to an application for adjustment filed in accordance with Revised Procedural Regulation No. 1, adjust the maximum price or prices of a producer of pyrophyllite for a particular grade or grades or for a producer's entire production of the commodity when a shortage in the essential supply of the commodity or particular grades thereof exist; the granting of a price increase will eliminate or contribute toward the elimination of the shortage; and the producer's maximum price is below his actual or reasonably estimated cost to make and sell his production of pyrophyllite or particular grades thereof.

(ii) *Amount of adjustment.* The amount of the adjustment will not exceed that which, in the judgment of the Price Administrator, is sufficient to remove price as an impediment to production of essential supply by an essential supplier. However, in no event will the adjustment, exceed the actual or reasonably estimated cost to make and sell his entire production of pyrophyllite or particular grades thereof, whichever is appropriate to the proceeding.

(iii) *Passing on of permitted increase by resellers.* In issuing adjustment orders under this subparagraph, the Price Administrator will, wherever required, provide the extent to which any increase permitted under this subparagraph, by way of adjustment, may be added to the maximum price or prices of sellers other than the producer. To the extent that such action is taken, the appropriate provisions of the General Maximum Price Regulation shall be deemed to be incorporated into Maximum Price Regulation No. 188.

This Amendment No. 17 shall become effective August 24, 1944.

Issued this 24th day of August 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-12815; Filed, August 24, 1944; 11:45 a. m.]

[RPS 60, Order 15]

THE NATIONAL SUGAR REFINING CO.

DETERMINATION OF MAXIMUM PRICES

Order No. 15 under § 1334.51 (a) (6) (i) of Revised Price Schedule No. 60. Direct consumption sugar.

For the reasons set for in an opinion issued simultaneously herewith it is ordered:

(a) *Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar.* (1) The National Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to determine their maximum price for granulated sugar packed one and one-fifth ounces net in natural kraft paper packets, 500 packets to a corrugated board container by adding a differential per 100 pounds net of $3.40 to the maximum basis price.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective August 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12812; Filed, August 24, 1944; 11:46 a. m.]

Regional and District Office Orders.

[Trenton Order G-2 Under MPR 426, Amdt. 1]

FRUITS AND VEGETABLES IN TRENTON, N. J., DISTRICT

Amendment No. 1 to Order No. G-2 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables at Trenton, N. J., New Brunswick, N. J., Perth Amboy, N. J., Red Bank, N. J., Freehold, N. J., and Asbury Park, N. J.

For the reasons set forth in the accompanying opinion, issued simultaneously herewith, Trenton, New Jersey District Order No. G-2 under section 8 (a) (7) of Maximum Price Regulation No. 426, is amended in the following respects:

1. The freight allowances (including protective service and taxes) set forth in the Appendix for "Lettuce, Iceberg" are changed to the following:

Trenton	2.00
Perth Amboy, New Brunswick, Freehold	2.00
Red Bank	2.11
Asbury Park	2.13

2. This amendment shall become effective at 12:01 a. m. August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 8 F.R. 7871; E.O. 9328, 8 F.R. 4681, MPR 426, 8 F.R. 16409)

Issued this 19th day of August 1944.

RALPH W. HACKETT,
District Director.

[F. R. Doc. 44-12789; Filed, August 23, 1944; 3:42 p. m.]

[Region III Rev. Order G-1 Under RMPR 271]

POTATOES AND ONIONS IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.1001, Article II, section 11 (c) (7) (iii) of Revised Price Regulation No. 217, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for dry onions and white flesh table stock potatoes (hereinafter referred to as "potatoes") when sold by intermediate sellers. It provides a method of calculating dollars-and-cents maximum prices for all sales by intermediate sellers in Region III. All terms not defined herein shall have the same meaning as provided in Revised Maximum Price Regulation No. 271, as the same now exists or hereafter may be amended. The maximum prices herein established shall be the only maximum prices for the sales covered, except to the extent that any prices established by this order are inconsistent with the prices for the same grade of dry onions and potatoes established by any Community Flat Pricing Orders issued under General Order No. 51 by any District Office, in which case the prices established by such Community Flat Pricing Orders shall be the effective prices for such sales.

(b) *Maximum Prices for Intermediate Sellers.* (1) On the effective date of this order and on Wednesday of each week thereafter, the seller shall calculate his maximum prices for each grade of onions and potatoes by determining his base price as provided in Article II, section 11 of Revised Maximum Price Regulation No. 271. The seller shall next determine whether he is a first or second intermediate seller as defined in this order. He shall then add to his base price for each grade of dry onions and potatoes, the following appropriate markups:

(i) The appropriate markups as specified in Schedule A of this order for the particular distributive function which he performs on each individual sale with respect to dry onions.

(ii) The appropriate markups as specified in Schedule B of this order for the particular distributive function which he performs on each individual sale with respect to potatoes.

(2) Any first intermediate seller of dry onions or potatoes may file in duplicate with the appropriate District Office of the Office of Price Administration, a statement in affidavit form showing that from October 1, 1943, through December 31, 1943, at least 65% of its dollar volume of all fresh fruit and vegetable sales were made to retailers or to purveyors of meals. The appropriate District Office of the Office of Price Administration upon approving such affidavit may issue written authorization permitting such first intermediate sellers of dry onions or potatoes to make sales to retailers, hotels, restaurants, or institutional users at the prices set forth in Schedule A (2) and Schedule B (2) for second intermediate sellers. Nothing in such authorization shall be construed to permit any change in the maximum price for sales to other intermediate sellers.

(c) *Geographical Applicability.* The provisions of this order shall be applicable to all sales pursuant to which delivery is made at any point within the States of Indiana (except the County of Lake), Kentucky, Michigan, Ohio, and West Virginia.

(d) *Definitions.* (1) First intermediate seller means an intermediate seller at any receiving point who has purchased any quantity of dry onions or potatoes from a country shipper, either directly or through a broker or grower's agent, or from a carlot or truckiot distributor, and who resells such onions or potatoes in less than carlot or truckiot quantities.

(2) Second intermediate seller means an intermediate seller who has purchased dry onions or potatoes in less than carlot or truckiot quantities from another intermediate seller and who resells such onions or potatoes in less than carlot or truckiot quantities. An intermediate seller second intermediate seller in selling only those quantities of onions or potatoes purchased from another intermediate seller in less than carlot or truckiot quantities.

(e) The provisions of Revised Maximum Price Regulation No. 271, as to sales and transactions with respect to onions and potatoes shall not be affected by this order, except as such provisions are specifically changed or modified therein.

This order may be modified, amended, or revoked at any time by the Office of Price Administration.

This order shall become effective August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued August 5, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

SCHEDULE A—MAXIMUM PRICES FOR INTERMEDIATE SELLERS OF DRY ONIONS

(1) First intermediate sellers:	
(i) From railroad car or truck	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271, plus 13 cents per 50# bag.
(ii) F. o. b. seller's warehouse or delivered to physical premises of a chain store warehouse, or another intermediate seller: *Provided*, That onions have been removed from a car or truck to a place in a seller's warehouse or store.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 18 cents per 50# bag.
(iii) Delivered to the physical premises of a retail store, hotel, restaurant, or institutional user in the seller's free delivery zone except by a hotel and restaurant supply house.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 30 cents per 50# bag.
(iv) Delivered to the physical premises of retailers or institutional users located outside the free delivery zone of the seller.	The applicable price determined under (iii) of Schedule A (1) above, plus zone differential if such zone differential has been determined under MPR 271, Section 11 (c) (7) and has been filed with the appropriate District Office of the Office of Price Administration.
(2) Second intermediate sellers:	
(i) F. o. b. the seller's business establishment. to any purchaser or delivered to the premises of another intermediate seller.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 30 cents per 50# bag.
(ii) Delivered to the physical premises of a retailer, hotel, restaurant, or institutional user located within the free delivery zone of the seller.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 40 cents per 50# bag.
(iii) Delivered to the physical premises of a retailer or institutional user located outside the free delivery zone of the seller.	The applicable price determined under (ii) of Schedule A (2) above plus zone differential, if such zone differential has been determined under MPR 271, Section 11 (c) (7) and has been filed with the appropriate District Office of the Office of Price Administration.
(3) Hotel and Restaurant Supply Houses:	
(i) F. o. b. the seller's business establishment to any hotel, restaurant, commercial, industrial or institutional user.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 45 cents per 50# bag.

(ii) Delivered to the physical premises of a hotel, restaurant, commercial, industrial or institutional user located within the seller's free delivery zone.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 55 cents per 50# bag.
(iii) Delivered to the physical premises of a hotel, restaurant, commercial, industrial, or institutional user located outside of the seller's free delivery zone.	The applicable price determined under (ii) of Schedule A (3) above plus zone differential if such zone differential has been determined under MPR 271, Section 11 (c) (7) and has been filed with the appropriate Office of the Office of Price Administration.

SCHEDULE B—MAXIMUM PRICES FOR INTERMEDIATE SELLERS OF WHITE POTATOES

(1) First intermediate sellers:

(i) From railroad car or truck	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271, plus 21 cents per cwt.
(ii) F. o. b. seller's warehouse or delivered to physical premises of a chain store warehouse, or another intermediate seller: *Provided*, That potatoes have been removed from a car or truck to a place in a seller's warehouse or store.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 26 cents per cwt.
(iii) Delivered to the physical premises of a retail store, hotel, restaurant, or institutional user in the seller's free delivery zone except by a hotel and restaurant supply house.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271 plus 40 cents per cwt.
(iv) Delivered to the physical premises of retailers or institutional users located outside the free delivery zone of the seller.	The applicable price determined under (iii) of Schedule B (1) above, plus zone differential, if such zone differential has been determined under RMPR 271, Section 11 (c) (7) and has been filed with the appropriate District Office of the Office of Price Administration.

(2) Second intermediate sellers:

(i) F. o. b. the seller's business establishment to any purchaser or delivered to the premises of another intermediate seller.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271, plus 50 cents per cwt.
(ii) Delivered to the physical premises of a retailer, hotel, restaurant, or institutional user located within the free delivery zone of the seller.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271, plus 60 cents per cwt.
(iii) Delivered to the physical premises of a retailer or institutional user located outside the free delivery zone of the seller.	The applicable price determined under (ii) of Schedule B (2) above, plus zone differential, if such zone differential has been determined under RMPR 271, Section 11 (c) (7), and has been filed with the appropriate District Office of the Office of Price Administration.

(3) Hotel and Restaurant Supply Houses:

(i) F. o. b. the seller's business establishment to any hotel, restaurant, commercial, industrial or institutional user.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271, plus 60 cents per cwt.
(ii) Delivered to the physical premises of a hotel, restaurant, commercial, industrial or institutional user located within the seller's free delivery zone.	Base price as established on Wednesday of each week under the provisions of Article II, Section 11 of Revised Maximum Price Regulation No. 271, plus 70 cents per cwt.
(iii) Delivered to the physical premises of a hotel, restaurant, commercial, industrial, or institutional user located outside of the seller's free delivery zone.	The applicable price determined under (ii) of Schedule B (3) above, plus zone differential, if such zone differential has been determined under RMPR 271, Section 11 (c) (7) and has been filed with the appropriate Office of the Office of Price Administration.

[F. R. Doc. 44-12790; Filed, August 23, 1944; 3:42 p. m.]

[Region III G-25 Under 18 (c), Amdt. 7]

FLUID MILK IN OHIO

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, Order No. G-25 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended to read as follows:

(a) Schedule A of said order be, and the same is hereby amended to read as follows:

SCHEDULE A

(i) Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Darke, Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert and Williams, all in the State of Ohio:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	80¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof.	20¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	13¼¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One-half pint	4¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof.	44¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof.	23½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	11¼¢ per quart.
Wholesale	Glass or paper	One pint	6½¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per half-pint.

(ii) Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Adams, Allen, Ashland, Athens, Auglaize, Brown, Carroll, Champaign, Clermont, Clinton, Coshocton, Crawford, Delaware, Fairfield, Fayette, Franklin, Guernsey, Hancock, Hardin, Harrison, Highland, Hocking, Holmes, Huron, Jackson, Knox, Licking, Madison, Marion, Monroe, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Richland, Ross, Seneca, Tuscarawas, Union, Vinton, Washington, Wayne, Wyandot; the Townships of Flushing, Goshen, Kirkwood, Smith, Somerset, Union, Washington, Warren, Wayne, Wheeling in Belmont County; the Townships of Green, Greenfield, Harrison, Huntington, Morgan, Perry, Raccoon, Springfield, and Walnut in Gallia County; the Townships of Bath, Beaver Creek, Cedarville, Caesar Creek, Jefferson, New Jasper, Ross, Silvercreek, Spring Valley, Sugar Creek, and Xenia in Green County; the Townships of Brush Creek, Mt. Pleasant, Ross, Salem, Springfield, Smithfield, and Wayne in Jefferson County; the Townships of Aid, Decatur, Elizabeth, Lawrence, Mason, Symmes, Washington, and Windsor in Lawrence County; the Townships of Brighton, Camden, Huntington, Pennfield, Pittsfield, Rochester, and Wellington in Lorain County; the Townships of Chatham, Guilford, Harrisville, Homer, Litchfield, Spencer, and Westfield in Medina County; the Townships of Bedford, Chester, Columbia, Lebanon, Letart, Olive, Orange, Rutland, Salem, Scipio and Sutton in Meigs County; the Townships of Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, Middleton, Milton, Montgomery, Perry, Plain, Portage, Troy, Wayne, and Washington in Warren County; the Townships of Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, Middleton, Milton, Montgomery, Perry, Plain, Portage, Troy, Washington, Webster, and Weston in

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	83¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof.	20¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	15¢ per quart.

ships of Chatham, Guilford, Harrisville, Homer, Litchfield, Spencer, and Westfield in Medina County; the Townships of Bedford, Chester, Columbia, Lebanon, Letart, Olive, Orange, Rutland, Salem, Scipio and Sutton in Meigs County; the Townships of Harland, Massie, Salem, Wayne, and Washington in Warren County; the Townships of Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, Middleton, Milton, Montgomery, Perry, Plain, Portage, Troy, Washington, Webster, and Weston in Wood County, all in the State of Ohio;

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	51¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	27¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	14¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or paper	One-half pint	6¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	46¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	24½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	12¢ per quart.
Wholesale	Glass or paper	One pint	7¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per half-pint.

(iii) Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Ashtabula, Clark, Erie, Logan, Miami, Ottawa, Sandusky, Scioto and Shelby; the Townships of Auburn, Burton, Claridon, Hambden, Huntsburg, Middlefield, Montville, Newberry, Parkman, Thompson and Troy in Geauga County; the Township of Miami in Greene County; the Townships of Leroy, Madison and Perry in Lake County; the Townships of Bloomfield, Bristol, Farmington, Greene, Gustavus, Johnston, Kinsman, Mecca, Mespotamia and Vernon in Trumbull County, all in the State of Ohio.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	52¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof.	28¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	14½¢ per quart.
Retail	Glass or paper	One pint	8½¢ per pint.
Retail	Glass or paper	One-half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	47¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof.	25½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	12½¢ per quart.
Wholesale	Glass or paper	One pint	7½¢ per pint.
Wholesale	Glass or paper	One-half pint	4¢ per half-pint.

(iv) Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Butler, Columbiana, Cuyahoga, Hamilton, Lucas, Mahoning, Montgomery, Portage, Stark, Summit; the Townships of Colerain, Meade, Pease, Pultney, Richland, York in Belmont County; the Townships of Bainbridge, Chardon, Chester, Munson, Russell in Geauga County; the Townships of Cross Creek, Island Creek, Knox, Saline, Steubenville, Warren, Wells in Jefferson County; the Townships of Concord, Kirtland, Mentor, Painesville and Willoughby in Lake County; the Townships of Avon, Avon Lake, Black River, Carlisle, Columbia, Eaton, Elyria, Grafton, La Grange, Ridgeville and Sheffield in Lorain County; the Townships of Brunswick, Granger, Hinckley, Lafayette, Liverpool, Medina, Montville, Sharon, Wadsworth and York in Medina County; the Townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Vienna, Warren, and Weathersfield in Trumbull County; the Townships of Clark Creek, Deerfield, Franklin, Hamilton, Turtle Creek and Union in Warren County; the Townships of Lake, Perrysburg and Ross in Wood County, all in the State of Ohio:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	53¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof.	29¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	15¢ per quart.
Retail	Glass or paper	One pint	9¢ per pint.
Retail	Glass or paper	One-half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	48¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof.	26½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	13¢ per quart.
Wholesale	Glass or paper	One pint	8¢ per pint.
Wholesale	Glass or paper	One-half pint	4½¢ per half-pint.

(v) Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Townships of Addison, Cheshire, Clay, Gallipolis, Guyan and Ohio in Gallia County; the Townships of Fayette, Hamilton, Labella, Perry, Rome, Upper and Union in Lawrence County; the Township of Salisbury in Meigs County, all in the State of Ohio.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	54¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	30¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	15½¢ per quart.
Retail	Glass or paper	One pint	10¢ per pint.
Retail	Glass or paper	One-half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	49¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	27½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	13½¢ per quart.
Wholesale	Glass or paper	One pint	8½¢ per pint.
Wholesale	Glass or paper	One-half pint	4½¢ per half-pint.

This amendment shall become effective August 15, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 10, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-12792; Filed, August 23, 1944; 3:43 p. m.]

[Region III Order G-31 Under MPR 329]

MILK IN OHIO

Order No. G-31 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk adjustment of the maximum prices milk distributors may pay producers certain designated areas in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.-408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) (1) Any milk distributor in the areas hereinafter set forth in sub-section (2) of this section (a) may pay producers for "milk", an amount not to exceed $3.66 per cwt. for milk of 3.5% butterfat content, plus 5 cents for each 1/10 of 1% butterfat variation over 3.5% and minus 5 cents for each 1/10 of 1% butterfat variation under 3.5%: *Provided, however,* That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329.

(2) This order shall be applicable to the following areas in the State of Ohio:

(i) The townships of Colerain, Meade, Pease, Pultney, Richland, and York in Belmont County.

(ii) The townships of Cross Creek, Island Creek, Knox, Saline, Steubenville, Warren, and Wells in Jefferson County.

(iii) The townships of Avon, Avon Lake, Black River, Carlisle, Columbia, Eaton, Elyria, Grafton, La Grange,

Ridgeville, and Sheffield, in Lorain County.

(iv) The townships of Brunswick, Granger, Hinckley, Liverpool, Sharon, York, Wadsworth, Lafayette, Medina, and Montville in Medina County.

(v) The Counties of Ashtabula, Columbiana, Cuyahoga, Erie, Geauga, Lake, Mahoning, Ottawa, Portage, Sandusky, Stark, Summit, and Trumbull.

(b) Nothing herein shall be construed as revoking, modifying, or amending any provision of Order No. G–5 under Maximum Price Regulation No. 329 (Purchases of Milk from Producers for Resale as Fluid Milk) issued by the Regional Administrator of Region III of the Office of Price Administration on June 15, 1943.

(c) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(d) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(e) This order replaces and supersedes the provisions of Order No. G–3 under Maximum Price Regulation No. 329 (Purchases of Milk from Producers for Resale as Fluid Milk), insofar as it applies to milk distributors in the areas described in section (A) (2) of this order. Said Order No. G–3 under Maximum Price Regulation No. 329 is therefore revoked as to milk distributors located in said counties and townships in the State of Ohio.

(f) This order may be amended, modified, or revoked at any time by the Office of Price Administration.

This order shall become effective August 4, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 4, 1944.

BERKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–12791; Filed, August 23, 1944; 3:43 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 23, 1944.

REGION I

Providence Order 1–F, covering fresh fish and seafood in Rhode Island, filed 10:24 a. m.

REGION II

New York Order 1–F, Amendment 21, covering fresh fruits and vegetables in the 5 boroughs of New York City, filed 10:26 a. m.

New York Order 3–F, Amendment 8, covering fresh fruits and vegetables in designated cities in New York, filed 10:26 a. m.

New York Order 6–F, Amendment 3, covering fresh fruits and vegetables in Nassau and Westchester Counties, N. Y., filed 10:27 a. m.

Philadelphia Order 1–F, Amendment 19, covering fresh fruits and vegetables in City and County of Philadelphia, filed 10:26 a. m.

Philadelphia Order 2–F, Amendment 4, covering fresh fruits and vegetables in designated areas in Pennsylvania, filed 10:25 a. m.

Philadelphia Order 3–F, Amendment 4, covering fresh fruits and vegetables in designated areas in Pennsylvania, filed 10:25 a. m.

REGION III

Columbus Order 3–F, Amendment 36, covering fresh fruits and vegetables in Columbus and Franklin County, Ohio, filed 10:34 a. m.

Louisville Order 1–F, Amendment 7, covering fresh fruits and vegetables in Jefferson Co., Ky., and Clark & Floyd Counties, Ind., filed 10:33 a. m.

Louisville Order 2–F, Amendment 7, covering fresh fruits and vegetables in McCracken County, Ky., filed 10:33 a. m.

Louisville Order 3–F, Amendment 7, covering fresh fruits and vegetables in Daviess and Henderson Counties, Ky., filed 10:33 a. m.

REGION IV

Jacksonville Order 6–F, Amendment 16, covering fresh fruits and vegetables in Jacksonville, Fla., filed 10:34 a. m.

Montgomery Order 3–W, covering wholesale food items in the Montgomery District Area, filed 10:36 a. m.

REGION V

Fort Worth Order 3–W, covering community food pricing at wholesale in certain counties in Texas, filed 10:39 a. m.

Fort Worth Order 15, covering community food prices in certain counties in Texas, filed 10:40 a. m.

Fort Worth Order 16, covering community food prices in certain counties in Texas, filed 10:38 a. m.

Tulsa Order G–5W, covering community food pricing at wholesale in certain counties in Oklahoma, filed 10:37 a. m.

REGION VIII

Spokane Order 1–F, Amendment 21, covering fresh fruits and vegetables in certain areas in Spokane County, Wash., filed 10:35 a. m.

Spokane Order 2–F, Amendment 18, covering fresh fruits and vegetables in certain areas in Kootenai County, Idaho, filed 10:23 a. m.

REGION VII

Montana Order 79, covering retail community food prices in the Hamilton Area, filed 10:35 a. m.

Montana Order 80, covering retail community food prices in the Phillipsburg, Dillon and Deer Lodge Areas, filed 10:35 a. m.

Montana Order 81, covering retail community food prices in the Lewistown Area, filed 10:36 a. m.

Montana Order 82, covering retail community food prices in the Glendive Area, filed 10:22 a. m.

Montana Order 83, covering retail community food prices in the Sidney and Fairview Area, filed 10:22 a. m.

Montana Order 84, covering retail community food prices in the Malta Area, filed 10:23 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–12811; Filed, August 24, 1944; 11:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–75, 70–726]

COMMONWEALTH & SOUTHERN CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of August, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation (Delaware) ("Commonwealth"), a registered holding company.

Notice is further given that any interested person may, not later than September 5, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U–23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U–20 (a) and U–100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed which is summarized below:

Commonwealth proposes, subject to the approval of the Commission, to pay a dividend of $1.25 per share, an aggregate of $1,852,500, on the outstanding shares of its preferred stock. The dividend was declared on August 22, 1944 and is payable on the 28th day after approval by this Commission to stockholders of record at the close of business on the 14th day after such approval. The pending application is similar in substance to three applications approved by the Commission in 1943 and two applications approved in 1944, covering proposed distributions to preferred stockholders (see Holding Company Act Release Nos. 4383, June 24, 1943; 4560, September 13, 1943; 4709, November 26, 1943; 4933, March 6, 1944; and 5084, June 3, 1944).

Applicant considers sections 11 and 12 (c) of the act and Rule U–46 as applicable to the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–12798; Filed, August 24, 1944; 10:06 a. m.]

[File Nos. 59–53, 54–88]

CITIES SERVICE CO., ET AL.

ORDER PERMITTING RELEASE OF SECURITIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of August, A. D. 1944.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, Respondents, File No. 59–53; Cities Service Power & Light Company, File No. 54–88.

Cities Service Power & Light Company having filed with the Commission, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, a plan for compliance with section 11 (b) of the act; and

The Commission, by order dated March 14, 1944, having approved said plan, subject to the following conditions, among others (paragraph III (a) (iii) of said order):

That Cities Service Company and Cities Service Power & Light Company shall make appropriate provision to ensure that the debentures and shares of preferred stock of Cities Service Power & Light Company which were held directly or indirectly on March 13, 1944, by or for any officer or director of Cities Service Company or of Cities Service Power & Light Company, and which had been acquired since February 24, 1938, shall be surrendered by such officers and directors under the Plan as amended, that the cash paid in respect of such debentures and shares of preferred stock shall be held in a special fund by Cities Service Power & Light Company, that such cash may be invested in United States Government securities, and that such cash, such investments and any increment thereto shall be subject to such disposition as may be determined by the Commission to be appropriate;

and

Stanhope Foster, a director of Cities Service Company, having applied for an order releasing 50 shares of the preferred stock of Cities Service Power & Light Company from the terms of said condition; and

It appearing to the Commission that said 50 shares of stock were acquired by said Stanhope Foster before he became a director of Cities Service Power & Light Company and are held by him as trustee;

It is ordered, That said 50 shares of stock (and the proceeds payable in respect thereof under the plan) held by Stanhope Foster be and the same are hereby released from the condition contained in paragraph III (a) (iii) of this Commission's order herein dated March 14, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–12800; Filed, August 24, 1944; 10:06 a. m.]

[File Nos. 54–102, 59–19, 54–34, 54–76]

GENERAL GAS AND ELECTRIC CORP., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of August, 1944.

In the matter of General Gas & Electric Corporation, Trustees of Associated Gas and Electric Corporation with respect to a "Plan of divestment of assets, simplification of corporate structure and equitable distribution of voting power of General Gas & Electric Corporation", File No. 54–102; General Gas & Electric Corporation, File Nos. 59–19; 54–34; Trustees of Associated Gas and Electric Corporation, File No. 54–76.

The Commission having on August 17, 1944, issued its notice of filing and order for hearing, and order consolidating proceedings and records, with respect to a plan of divestment of assets, simplification of corporate structure, and equitable distribution of voting power of General Gas & Electric Corporation, filed jointly by the Trustees of Associated Gas and Electric Corporation and General Gas & Electric Corporation under section 11 (e) of the Public Utility Holding Company Act of 1935; and said order having designated September 12, 1944, as the date for public hearing with respect to said joint plan, and having directed that General Gas & Electric Corporation mail to each of its public security holders a copy of said notice and order at least fifteen (15) days prior to September 12, 1944; and

The Trustees of Associated Gas and Electric Corporation having requested that the hearing in this matter be postponed until after Sepember 28, 1944; and

The Commission deeming it appropriate to grant said request and to postpone the hearing to October 2, 1944;

It is ordered, That the hearing in this matter, previously scheduled for September 12, 1944, be, and is hereby, postponed to October 2, 1944, at 10:30 a. m., e. w. t., at the place heretofore designated. All persons desiring to be heard, or otherwise to participate in the proceeding, should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before September 29, 1944;

It is further ordered, That General Gas & Electric Corporation give notice of said postponed hearing to each of its public security holders (insofar as the identity of such security holders is available or known to General Gas & Electric Corporation) by mailing to each such security holder, at least fifteen (15) days prior to October 2, 1944, to his last known address, a copy of the notice of filing and order for hearing on joint plan filed pursuant to section 11 (e) and order consolidating proceedings and records dated August 17, 1944, together with a copy of this order postponing hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–12799; Filed, August 24, 1944; 10:07 a. m.]

WAR PRODUCTION BOARD.

[Consent Order C–200]

JOHN F. REAGAN

CONSENT ORDER

John F. Reagan, who resides at 136 North Gallatin Avenue, Uniontown, Pennsylvania, on or about November 1, 1943, began construction of a two-story commercial building on land owned by him at 24–26 West Main Street, Uniontown, Pennsylvania, without authorization from the War Production Board. The cost of this construction was $8,347.24, which amount exceeded the limit of $200 permitted by Conservation Order L–41, and was in violation of that order. John F. Reagan admits this violation and does not desire to contest the issue of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of John F. Reagan, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Neither John F. Reagan, his successors or assigns, nor any other person, shall do any further construction on the premises at 24–26 West Main Street, Uniontown, Pennsylvania, unless and until specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve John F. Reagan, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 23d day of August 1944.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12793; Filed, August 23, 1944; 4:34 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 171

Washington, Saturday, August 26, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration

[WFO 75-8]

PART 1410—LIVESTOCK AND MEATS

PORK REQUIRED TO BE SET ASIDE

Pursuant to the provisions of War Food Order No. 75, as amended (8 F. R. 11119, 9 F. R. 4319, 4973, 5333, 5767), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1410.20 *Pork required to be set aside*—(a) *Definitions.* (1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), War Food Administration (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans' Administration.

(2) "Set aside meat" means pork of the type and grade required to be set aside, reserved, and held under this order.

(3) "Authorized purchaser" means:

(i) Any person who is under contract to sell or deliver set aside meat, or products prepared in whole or part therefrom, to a governmental agency;

(ii) Any person who has delivered set aside meat, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside meat so delivered, or contained in the products so delivered, by a purchase of set aside meat under this order;

(iii) Any person who is authorized by the Director to purchase set aside meat.

(4) "Conversion weight" means the dressed weight equivalent of pork, determined as prescribed in (c) hereof.

(5) "Dressed carcass" means a hog carcass dressed in accordance with normal trade custom, with the leaf fat and kidney out, the jowls on, the hams faced, and the head off.

(6) "Contract school, marine hospital, or maritime academy" means any person defined as such in War Food Order No. 73, as amended (8 F.R. 13880, 9 F.R. 4319, 10036).

(7) "Ship supplier" means any person defined as such in War Food Order No. 74, as amended (8 F.R. 13880, 9 F.R. 4319, 8002), who holds a license under that order.

(8) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(9) "Director" means the Director of Distribution, War Food Administration.

(10) Any term not specifically defined herein shall have the meaning ascribed thereto in War Food Order No. 75, as amended, or War Food Order No. 75–1, as amended (8 F.R. 11327, 9 F.R. 4319, 5888, 8174).

(b) *Quantity; quality; specifications.* No Class 1 slaughterer shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers:

(1) 6 percent of the total carcass weight of each week's production of pork, to be prepared in the form of frozen pork sides weighing not less than 48 nor more than 100 pounds, and to be produced from butcher hogs or smooth sows;

(2) 30 percent of the total weight of each week's production of loins, to be prepared so as to conform, in weight and quality, to specifications of governmental agencies. 60 percent of all loins so set aside shall be converted to semi-boneless loins;

(3) 40 percent of each week's total production of hams, to be prepared so as to conform, in weight and quality, to specifications of governmental agencies. Not less than 20 percent of such hams shall be processed into overseas hams requiring 96 hours' smoke, and not less than 10 percent of such hams shall be processed into Army hams requiring 48 hours' smoke;

(4) 50 percent of each week's production of square-cut and seedless bellies which fall within a weight range of from 6 to 20 pounds;

(5) 70 percent of each week's total production of shoulder cuts, to be pre-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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pared in the form of skinned shoulders, picnics, or Boston butts.

(c) *Conversion weight.* (1) The conversion weight of swine slaughtered during any week shall be determined exclusively by computing the average live purchase weight of all swine slaughtered (less condemnations) and multiplying the total live purchase weight of such swine by the conversion factor set forth below for the weight range within which the average live purchase weight falls:

Weight range:	*Conversion factor*
200 lbs. and under	.55
201–240 lbs.	.57
241–300 lbs.	.59
301 lbs. and over	.61

(2) The conversion weight of all deliveries of pork, and the conversion weight of carcasses and of cuts and trimmings derived therefrom and of pork products produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

TYPE AND DESCRIPTION OF PRODUCT

	Conversion factors (multiplier)	
	.33	
	Not boned	*Boned*
Dressed carcasses (with cutting fats on), fresh (chilled) or frozen	1.00	1.15
Cuts:		
Fresh (chilled)	1.00	.....
Pork sides	1.00	.....
Wiltshire sides, fresh or cured	1.00	1.10
Cured	1.10	1.20
Smoked	1.20	1.45
Cooked	.....	1.23
Pork loins	.....	1.45
Fatted, skinless hams and shoulders	.....	1.00
Trimmings:		
Fresh (chilled) or frozen	.....	

CANNED MEATS

	Conversion factor (multiplier)
Chopped ham	1.28
Luncheon meat	1.35
Corned pork	2.22
Tushonka	1.80
Pork sausage	1.00
Issue bacon	1.18
Sliced bacon	1.25
Dehydrated pork (10% maximum moisture content)	4.75

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(3) The conversion weight of pork of any type used in the preparation of sausage, or in the preparation of canned meat, or any other meat product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the pork used in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of pork. The net weight of pork which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(d) *Credits allowed on deliveries.* Subject to the provisions of (e) hereof, any set aside meat delivered to a governmental agency, authorized purchaser, contract school, marine hospital, maritime academy, or ship supplier may be credited against the requirements of (b) hereof for meat of the type and grade so delivered.

(e) *Certificates.* No set aside meat shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the meat and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set aside meat so delivered, or an equivalent amount of set aside meat, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such meat, together with a description permitting conversion in accordance with (c) of this order. The slaughterer and the authorized purchaser shall each retain an original or duplicate of such certificate for delivery to the Director upon request. All statements contained in or accompanying such certificate shall be deemed made to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(f) *Specifications; storage; packaging.* (1) Every Class 1 slaughterer shall obtain specifications of governmental agencies. Such specifications

may be obtained by application addressed to the Order Administrator.

(2) All pork required to be set aside, reserved, and held under this order shall be stored in such manner as to maintain the quality thereof and shall be prepared and packaged in accordance with specifications of governmental agencies.

(g) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set aside meat under the provisions of this order shall deliver all such meat, or an equivalent amount of set aside meat, to a governmental agency, contract school, marine hospital, maritime academy, or ship supplier.

(h) *Allocations.* The Director may, by general order or written notice to individual slaughterers, order the allocation of meat set aside under this order to or among specific governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, or ship suppliers. In the absence of such allocation, slaughterers may, subject to (e) hereof, sell meat so set aside to any such person or agency.

(i) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(j) *Records and reports.* (1) Every Class 1 slaughterer shall report to the Director concerning his production of and transactions in pork. Such reports shall be made at such times and upon such forms as the Director may require.

(2) Every Class 1 slaughterer shall keep such records with respect to inter or intra plant transactions as may be required by the Order Administrator.

(k) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to any petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(m) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using meat. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75–3, Livestock and Meats Branch, Office of Distribution, War Food Administration, 5 South Wabash Avenue, Chicago 3, Illinois.

(o) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(p) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 27, 1944.

NOTE: Specific record-keeping and reporting requirements issued pursuant to this order will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319)

Issued this 24th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–12832; Filed, August 24, 1944; 3:43 p. m.]

Chapter XII—War Food Administration

(Commodity Credit Orders)

[WFO 23, Termination]

PART 1600—OILSEEDS

SOYBEANS

War Food Order No. 23 (formerly Commodity Credit Corporation Order 3), 8 F.R. 2143, is hereby terminated as of 12:01 a. m., EWT, Aug. 25, 1944.

With respect to violations, rights accrued, or liabilities incurred under War Food Order No. 23 prior to said date, all provisions of said War Food Order No. 23 shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 24th day of August 1944.

GROVER B. HILL,
First Assistant,
War Food Administrator.

[F. R. Doc. 44–12863; Filed, August 26, 1944; 11:30 a. m.]

[WFO 110]

PART 1600—OILSEEDS

RESTRICTIONS ON PURCHASES AND USE OF SOYBEANS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of soybeans for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1600.9 *Restrictions on purchases and use of soybeans*—(a) *Definitions.* (1) "Processor" means any person engaged in the business of producing soybean oil.

(2) "Manufacturer" means any person engaged in the business of producing soybean products other than oil.

(3) "Seed dealer" means any person engaged in the business of buying and selling soybeans for planting purposes.

(4) "Country shipper" means any person regularly engaged in the business of purchasing directly from farmers, at other than terminal markets, storing, and selling grain.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, including the States of the United States, their political subdivisions and agencies.

(6) "Purchase" means to purchase, acquire by barter or exchange, or to contract to do any of the foregoing. The term "sell" shall be construed accordingly.

(7) "Soybeans" means whole or ground soybeans.

(8) "Damaged soybeans" includes undamaged soybeans so commingled with damaged soybeans or foreign substances as to make separation impracticable.

(b) *Restrictions on purchase and use of soybeans by processors, manufacturers and seed dealers.* No processor, manufacturer or seed dealer shall purchase or accept delivery of soybeans of the 1944 crop in a total quantity which, taken in conjunction with the quantity of his existing supply of soybeans, would be in excess of his processing, manufacturing and seed sales requirements for the period ending October 10, 1945, and no soybeans of the 1944 crop shall be used by a processor, manufacturer or seed dealer except for meeting his processing, manufacturing and seed sales requirements, or for sale to persons eligible to purchase or accept delivery of such soybeans under this paragraph or under paragraph (c) or (d) hereof.

(c) *Limitation on country shipper's inventory of soybeans.* No country shipper shall purchase or accept delivery of soybeans of the 1944 crop if such action would result in his having on hand at any time after March 31, 1945, a quantity of soybeans of the 1944 crop exceeding the quantity for which he has contracts to sell to processors, manufacturers, seed dealers and Commodity Credit Corporation but which he has not yet delivered, plus the greater of (1) the quantity of soybeans of the 1944 crop purchased by him during the immediately preceding 30 days or (2) 2,000 bushels of such soybeans.

(d) *Restrictions on purchase of soybeans by other persons.* No person other than a processor, a manufacturer, a seed dealer, or a country shipper shall purchase or accept delivery of soybeans of

the 1944 crop in a total quantity in excess of the quantity (1) required to fill orders from processors, manufacturers, and seed dealers on hand at the time of such purchase; (2) required to be delivered or deliverable under contracts with Commodity Credit Corporation; (3) necessary to meet his planting requirements; and (4) to be sold or used by him for human consumption.

(e) *Prohibition on purchase and use of soybeans for feed or fertilizer.* No person shall purchase or accept delivery of soybeans for use as or manufacture into feed or fertilizer, and no soybeans purchased by or delivered to any person shall be used as or manufactured into feed or fertilizer. This restriction applies only to soybeans in whole or ground form.

(f) *Purchase and sale of damaged soybeans by insurers.* Notwithstanding any other provision of this order, an insurer of soybeans which are damaged by any casualty, risk or event insured against, and any person acting on behalf of such insurer (all hereinafter called "such insurer") may purchase and accept delivery of such damaged soybeans. In the event that such damaged soybeans are unsuitable for processing, manufacturing, or planting purposes, such insurer may sell and deliver and any other person may purchase and accept delivery of such damaged soybeans from such insurer and from any owner subsequent to such insurer for use as, manufacture into, and resale as feed or fertilizer.

(g) *Prohibition on sales.* No person shall sell soybeans to any person if he knows or has reason to believe that the purchase thereof would be in violation of this order.

(h) *Existing contracts.* The restrictions imposed by this order shall be effective without regard to the rights of creditors, existing contracts, or payments made.

(i) *Audits and inspections.* The President of the Commodity Credit Corporation shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of soybeans of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(j) *Records and reports.* (1) The President of the Commodity Credit Corporation shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary, or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or such period of time as the President of the Commodity Credit Corporation may designate), maintain an accurate record of his transactions in soybeans.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the President of the Commodity Credit Corporation, setting forth in such petition all pertinent facts and the nature of the relief sought. The President of the Commodity Credit Corporation may thereupon take such action as he deems appropriate, which action shall be final.

(l) *Violations.* In accordance with the applicable procedure, any person who violates any provisions of this order may be prohibited from receiving, making any deliveries of, or using soybeans. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(m) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the President of the Commodity Credit Corporation. The President of the Commodity Credit Corporation is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the President of the Commodity Credit Corporation, be addressed to the President of the Commodity Credit Corporation, War Food Administration, Washington 25, D. C., Ref. WF–110.

(o) *Effective date.* This order shall become effective on 12:01 a. m., e. w. t., August 25, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44–12854; Filed, August 25, 1944; 11:30 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4586]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

THOMAS J. CASEY

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Organization and operation:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Size and extent:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Size or equipment.* In connection with the offer, etc., in commerce, of courses of study and instruction in electronics, photocells, television, radio, and other similar subjects, and among other things, as in order set forth, representing (1) that respondent's school, which is engaged solely in the distribution of courses of study by correspondence, is a resident school, or otherwise misrepresenting the size and extent of the business conducted by the respondent; or (2) that respondent operates a shortwave radio station as part of the operating equipment of respondent's school unless, in fact, such station is operated and used for curricular purposes of respondent's school; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Thomas J. Casey, Docket 4586, August 16, 1944]

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Qualities or properties:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts:* § 3.72 (f 20) *Offering deceptive inducements to purchase or deal—Individual's special selection or situation.* In connection with the offer, etc., in commerce, of courses of study and instruction in electronics, photocells, television, radio, and other similar subjects, and among other things, as in order set forth, representing (1) that persons completing respondent's courses of study will be fully qualified as electrical engineers, electronic engineers, or engineers generally; (2) that respondent selects only a limited number of applicants in each community for his courses of study; or (3) that persons lacking in education, experience, or aptitude can become competent and expert electrical or electronic engineers by taking respondent's courses of study and instruction; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Thomas J. Casey, Docket 4586, August 16, 1944]

§ 3.6 (k) *Advertising falsely or misleadingly—Individual attention:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.6 (ff 5) *Advertising falsely or misleadingly—Undertakings, in general:* § 3.69 (b) *Misrepresenting one's self and goods—Goods—Individual attention:* § 3.69 (b) *Misrepresenting one's self and goods—Goods—Terms and conditions:* § 3.69 (b) *Misrepresenting one's self and goods—Goods—Undertakings in general:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.72 (p) *Offering deceptive inducements to purchase or deal—Undertakings, in general.* In connection with the offer, etc., in commerce, of courses of study and instruction in electronics,

photocells, television, radio, and other similar subjects, and among other things, as in order set forth, (1) representing that respondent maintains a staff of field engineers who call on students at frequent intervals for the purpose of giving instruction and assisting such students unless calls are made on such students at frequent and regular intervals by instructors qualified to instruct and assist students; (2) misrepresenting the value or extent of the laboratory equipment furnished to students in connection with the courses sold by respondent; or (3) representing that respondent will establish short-wave broadcasting stations in the near vicinity of prospective students for assistance in training such students; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Thomas J. Casey, Docket 4586, August 16, 1944]

§ 3.6 (f) *Advertising falsely or misleadingly—Demand or business opportunities:* § 3.6 (m) *Advertising falsely or misleadingly—Jobs and employment service:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Demand for or business opportunities:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Jobs and employment:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Scientific or other relevant facts:* § 3.72 (g) *Offering deceptive inducements to purchase or deal—Job guarantee and employment.* In connection with the offer, etc., in commerce, of courses of study and instruction in electronics, photocells, television, radio, and other similar subjects, and among other things, as in order set forth, (1) representing that positions are immediately available in the radio field to persons who have completed respondent's courses of study; or otherwise misrepresenting the prospects of employment open to persons taking respondent's courses of study; or (2) falsely representing that relay television stations will be established in the near vicinity of prospective students, making positions available at such stations for persons taking respondent's courses of study; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Thomas J. Casey, Docket 4586, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief filed in support of the complaint (no brief having been filed by the respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusions that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Thomas J. Casey, an individual, and his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of courses of study and instruction in electronics, photo cells, television, radio, and other similar subjects in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing that respondent's school, which is engaged solely in the distribution of courses of study by correspondence, is a resident school; or otherwise misrepresenting the size and extent of the business conducted by the respondent.

2. Representing that persons completing respondent's courses of study will be fully qualified as electrical engineers, electronic engineers, or engineers generally.

3. Representing that respondent maintains a staff of field engineers who call on students at frequent intervals for the purpose of giving instruction and assisting such students unless calls are made on such students at frequent and regular intervals by instructors qualified to instruct and assist students.

4. Misrepresenting the value or extent of the laboratory equipment furnished to students in connection with the courses of study sold by respondent.

5. Representing that respondent selects only a limited number of applicants in each community for his courses of study.

6. Representing that persons lacking in education, experience, or aptitude can become competent and expert electrical or electronic engineers by taking respondent's courses of study and instruction.

7. Representing that positions are immediately available in the radio field to persons who have completed respondent's courses of study; or otherwise misrepresenting the prospects of employment open to persons taking respondent's courses of study.

8. Representing that respondent will establish short-wave broadcasting stations in the near vicinity of prospective students for assistance in training such students.

9. Falsely representing that relay television stations will be established in the near vicinity of prospective students, making positions available at such stations for persons taking respondent's courses of study.

10. Representing that respondent operates a short-wave radio station as part of the operating equipment of respondent's school unless, in fact, such station is operated and used for curricular purposes of respondent's school.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-12852; Filed, August 25, 1944; 10:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 253, 2d Ed.]

PART 662—SPECIAL LOCAL BOARDS IN PENAL OR CORRECTIONAL INSTITUTIONS

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 662.2 to read as follows:

§ 662.2 *Regulations governing registrants in penal or correctional institutions.* Local boards and special local boards, as to registrants referred to in this part of these regulations, shall be governed by the provisions of this part of these regulations and such other provisions of these regulations as are not in conflict therewith.

2. Amend the regulations by adding a new section to be known as § 662.2–1 to read as follows:

§ 662.2–1 *Registrants placed in Class IV–F.* Whenever a local board forwards the selective service records of a registrant to a special local board under the provisions of this part of these regulations, such local board shall first reopen the classification of such registrant and place him in Class IV–F if he is not already so classified.

3. Amend § 662.3 to read as follows:

§ 662.3 *Transfer of record of registrants.* (a) When a registrant, age 18 through 37, enters an institution having a special local board, the clerk of such special local board shall immediately complete a Request for Transfer of Record (Form 64) and transmit it to the registrant's local board of registration.

(b) When the local board of registration of a registrant, age 18 through 37, receives a Request for Transfer of Record (Form 64) from the special local board in an institution which he has entered or when such local board otherwise learns that the registrant has entered an institution having a special local board, it shall (1) make a duplicate of the Cover Sheet (Form 53) and a copy of the Registration Card (Form 1) of such registrant; (2) forward such duplicate Cover Sheet (Form 53) and a copy of Registration Card (Form 1) together with all other papers pertaining to such registrant to the special local board at the institution which the regis-

trant has entered; and (3) retain in its files the original Cover Sheet (Form 53), the original Registration Card (Form 1), a copy of the letter covering the transmittal of the registrant's records to the special local board, and the Request for Transfer of Record (Form 64) if this was received.

The foregoing amendments to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 17, 1944.

[F. R. Doc. 44-12631; Filed, August 24, 1944; 2:17 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125; 7 F.R. 2719; W.P.B. Reg 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, as Amended August 25, 1944]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) General definitions.
(b) Provisions applying to all hides, skins and leather.
(c) Untanned cattlehides, calfskins and kips.
(d) Cattlehides, calfskins and kips, and leather therefrom.
(e) Sole leather and sole leather cut stock.
(f) Horsehides.
(g) [Deleted Sept. 20, 1943.]
(h) Goatskins and cabrettas.
(i) Deerskins.
(j) Effect on prior orders.
(k) Reports.
(l) Appeals.
(m) Communications to the War Production Board.
(n) Violations. Schedule A. Schedule B.

§ 3290.196 *General Conservation Order M-310*—(a) *General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 100 hides or skins.

(2) "Contractor" or "converter" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or any extension or renewal thereof: *Provided*, That orders for U. S. Army or Marine Corps Post Exchanges or for U. S. Navy Ship's Service Departments shall not be deemed military orders within the terms of this definition, except orders by the U. S. Navy Ship's Service Departments and War Shipping Administration Training Organization Ship's Service Department for cut sole leather for repair purposes which are endorsed as provided in Priorities Regulation No. 17.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Scrap leather" means small leather pieces which are unavoidably produced from processing or cutting operations, but in no case shall include bellies or shoulders.

(9) All trade terms shall have their usual trade significance unless otherwise specified.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the War Production Board relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor, converter or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the War Production Board deemed necessary in order to fill military or designated civilian requirements.

(3) No person shall commercially incorporate any leather or rawhide into any product except as permitted by Schedule A at the end of this order, and no person shall sell any leather or rawhide unless the same is to be incorporated into a product permitted by Schedule A. This restriction shall not, however, apply to:

(i) The filling of military orders;

(ii) The delivery or use of vegetable tanned cattlehide flesh splits under 3½ ounces;

(iii) The delivery or use of scrap leather, *Provided*, That any tanner selling any such scrap leather shall report his sales on his monthly form prescribed in paragraph (k).

(iv) [Deleted Aug. 25, 1944.]

(v) [Deleted Aug. 25, 1944.]

(4) The War Production Board may authorize the reprocessing, sale and use of rejected leather, or leather which can be made available consistently with program requirements, for purposes not otherwise permitted by this order or § 944.11 of Priorities Regulation 1. Any person may request such authorization by letter on his own behalf or on behalf of his customers, stating the proposed uses of the leather and the quantity, quality, weight and type involved, and in the case of rejected leather, facts substantiating its qualification as such.

"Rejected leather" as used in this paragraph means any leather made to fill a military order or for production of items listed on Schedule A which (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects.

No person shall process or order any leather which he knows will be rejected. This paragraph does not prohibit the production of rejects to the extent that they are unavoidable in the manufacturers' or tanners' operations.

(5) When not otherwise permitted by this order, the War Production Board may authorize the re-processing, sale and use of leather not used for the purposes for which it was purchased because of termination of procurement by the United States Government or any of its agencies for which the production was ordered. Any person may request such authorization on his own behalf or on behalf of his customers stating the proposed use of the leather, the quantity, quality, weight and type involved and explaining why it cannot be used for the purpose for which it was intended.

Any leather held by a person who does not in the regular course of his business sell leather in that form may only be sold in accordance with Priorities Regulation 13.

[Paragraph (6) formerly (4) redesignated Aug. 25, 1944]

(6) Notwithstanding the provisions of any priorities or other regulations of the War Production Board, no preference ratings shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders (excluding sole leather whole stock as defined in paragraph (e) (1) (vii) and cattlehide splits in the blue, pickled, or lime state); or

(ii) When specifically authorized in writing by the War Production Board pursuant to this subparagraph (b) (6) (ii).

[Paragraph (7) formerly (5) redesignated Aug. 25, 1944]

(7) In making sales or deliveries of hides, skins or leather, including sole leather cut stock, no person shall make discriminatory cuts in quality or quantity between customers who meet such person's established prices, terms and credit requirements, or between customers and his own consumption of said materials.

(8) No tanner, contractor, converter, finisher, jobber or cutter shall deliver any leather for footwear purposes unless he has received the quota number of the purchaser. This paragraph shall not prevent deliveries to persons regularly in business as leather contractors, leather converters, leather finishers, leather jobbers, leather cutters, finders or shoe repairers.

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition.* "Cattlehide", "calfskin" and "kip" mean the hide or skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No tanner shall put into process, and no contractor shall cause to be put into process, any cattlehide, calfskin or kip in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No person shall sell, deliver, purchase or accept delivery of any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and glue stock, except to the extent that the purchaser is specifically authorized by the War Production Board on Form WPB–1323 or Form WPB–3507. Applications may be made on Form WPB–1325 (formerly PD–569) for the purchase of domestic cattlehides, and on Form WPB–1322 (formerly PD–569–a) for the purchase of domestic calfskins and kips: *Provided*, That the following may be made without such authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale;

(ii) The sale and delivery to and the purchase and acceptance of delivery by any person other than a tanner of less than 100 hides or skins in any calendar month.

(4) In acting under paragraph (c) (3), it will be the policy of the War Production Board, so far as is practicable, to grant authorizations so that:

(i) The contractor or tanner may obtain cattlehides, calfskins, or kips in the proportions that the wettings in 1942 of the contractor or tanner, respectively, of cattlehides, calfskins, or kips, computed separately, bore to all wettings thereof in that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be reduced or omitted: and

(ii) [Deleted Aug. 25, 1944.]

(5) No producer or collector shall cut off bellies or shoulders of untanned cattlehides, except for a purchaser specifically authorized in writing by the War Production Board to purchase hides with portions cut off.

(6) [Deleted Jan. 24, 1944.]

(d) *Cattlehides, calfskins and kips, and leather therefrom*—(1) *Definition:*

(i) "Cattlehide, calfskin, or kip leather" means leather produced from such hides or skins, whether grain or split, including rawhide and leather produced from slunks.

(ii) "Rough sole leather" means vegetable-tanned sides, crops, backs, bends, shoulders, and bellies which have not been rolled.

(iii) "Rough belting butts and butt bends" means vegetable, chrome, or combination tanned belting butts and butt bends which have not been curried.

(iv) "Rough shoulders" means vegetable-tanned sole leather shoulders or shoulders cut from vegetable, chrome or combination tanned belting butts, which have not been either curried or rolled.

(2) [Deleted May 25, 1944.]

(3) No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(4) Unless otherwise specifically ordered in writing by the War Production Board, no person shall curry or finish the following leathers and no manufacturer shall use the same, either before or after such currying or finishing, except in accordance with the following requirements:

(i) Rough sole leather shall be finished as sole leather (which thereupon becomes subject to paragraph (e) hereof) except that rough sole leather 12 iron and up may be curried and used for round belting or V belting;

(ii) Rough belting butts or butt bends shall be curried and thereafter used only for transmission belts, hydraulic, packing, mechanical and textile leathers, or fillet leather: *Provided*, That this restriction shall not apply to straightenings cut from the portion of the belting butt or butt bend beginning at the edge from which the belly was removed, if the straightening is less than two inches in width at the widest point;

(iii) Rough shoulders cut from sole leather hides if not finished for sole leather, and rough shoulders cut from any belting butts, shall be curried and used only for welting, hydraulic, packing, mechanical and textile leathers, except that double rough shoulders 11 iron and up may be curried and used for round belting.

The War Production Board may on written application authorize the substitution of any of the types of leather mentioned in subparagraphs (i), (ii), and (iii) of this paragraph (d) (4) for any of the end uses therein specified, and when consistent with meeting requirements for approved programs, the War Production Board may authorize the finishing and use of any of these types of leather for any products listed on Schedule A.

(5) Vegetable tanned sole leather shall be processed so as to meet the requirements of Federal Specification KK–L–261B, including any emergency alternate specifications or amendments thereto.

(6) Bellies cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in accordance with standard practice, but bellies weighing 3 pounds or more when finished shall not be cut to measure less than 6 inches across the navel when finished.

(7) Shoulders cut from cattlehides processed for sole leather (excluding stags and bulls) shall be cut in a line running perpendicular to line of backbone at a point within the limits of the break in the foreflank.

(8) No tanner, currier, finisher, jobber or dealer shall accept any order for cattlehide leather in the form of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather, rated or otherwise, or transfer any such leather to his own fabricating plant, unless such order or the request for such transfer states the specific end use of such leather.

(9) No tanner shall process any cattlehide to make grain garment leather.

(10) [Deleted Jan. 24, 1944.]

(11) [Deleted Jan. 24, 1944.]

(e) *Sole leather and sole leather cut stock*—(1) *Definitions.* (i) "Military quality outersole" means a bend sole of good fiber of a grade not lower than No. 1 scratch grade, and of a substance 8½ iron to 11 iron, inclusive.

(ii) "Military quality innersole" means a sole of 5½ to 7 iron, inclusive, first quality full grain leather, of a quality and fiber adapted to the purpose.

(iii) "Military quality strip" means a strip 8½ iron to 13 iron, inclusive, and "military quality tap" means a tap of 9 iron to 14 iron, inclusive, both cut from sole leather bends, commercially described as finders' leather, and a good fiber of a grade not lower than No. 1 scratch.

(iv) "Butt piece" means a piece cut from the butt portion of a sole leather bend by a straight cut perpendicular to line of backbone not more than three inches from root of tail.

(v) "Bend piece" means the portion of a finders' bend remaining after a butt piece has been removed and after a belly slab has been removed from the belly edge of the bend by cutting in a line running from shoulder to butt, approximately parallel to the backbone, and not less than thirteen inches therefrom at any point.

(vi) "Cutter for the repair trade" means a sole leather cutter who is equipped to cut repair taps, and who during the year ending July 31, 1942, cut repair taps as a regular part of his business.

(vii) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies, and belly centers.

(2) Every tanner and contractor shall set aside each month for cutting as required by paragraph (e) (4) the percentage of the manufacturers' bends produced by him for his own account, or produced for his account by others, fixed by the War Production Board by directions issued under this order. Such bends are hereinafter referred to as "manufacturers' bends-for-repair," and the weight and the quality of the bends set aside shall be equal, as nearly as possible, to those of the manufacturers' bends not so set aside, unless other directions in writing are issued by the War Production Board. No manufacturers' bends-for-repair shall be sold to any finder or shoe repairer as a whole bend.

(3) No person shall cut military quality outersoles or innersoles, except on patterns to fit the United States Munson last in sizes and widths to fit the sizes of shoes specified in military orders, or on other patterns approved or in sizes prescribed by the War Production Board from time to time.

(4) Sole leather whole-stock shall be cut and the resulting cut stock disposed of only in accordance with the provisions of Schedule B hereof, and no military quality cut stock produced in accordance with such schedule shall be sold, delivered or used except to fill military orders. Upon written application, however, the War Production Board may authorize the cutting and use of sole leather and sole leather cut stock to meet military orders or orders for products on Schedule A, but not mentioned in Schedule B, when sole leather can be diverted to these uses consistent with meeting programmed military and civilian footwear requirements.

(5) No person except a shoe-repairer repairing shoes for the general public or any person repairing his own shoes shall hereafter use any non-military quality repair stock (except as provided in Block IIIB of Schedule B hereof) cut from finders' bends, from manufacturers' bends-for-repair or from parts of such bends.

(f) *Horsehides*—(1) *Definitions.* (i) "Horsehide" means the hide or skin of a horse, colt, mule, ass or pony, except dry pony hides to be processed for furs.

(ii) "Horsehide front", "horsehide butt" and "horsehide shank" means those horsehide parts commercially so known whether or not attached to other parts of the horsehide.

(2) No tanner shall put into process, and no converter shall cause to be put into process, any horsehide fronts, butts or shanks in excess of such amounts for specified periods as may be fixed by the War Production Board from time to time.

(3) No tanner shall put into process, or continue to process, any horsehide front, except into leather meeting military specifications in force at the time, unless such horsehide is not capable of being so processed.

(4) No person shall sell, deliver, accept delivery of or commercially incorporate into any product any horsehide front leather meeting any military specification, except for unfilled military orders.

(g) *Pickled sheepskins*—(1) *Definitions:* "Pickled sheepskin" means the de-wooled, unsplit skin of a sheep or a lamb (other than a cabretta or hair-sheep) or the flesh split of such a skin which has been immersed in a chemical solution to preserve and condition it for tanning.

(2) No person shall sell, deliver, purchase or accept delivery of any pickled sheepskins of the following commercial designations except for resale in the pickled state or for processing into chamois leather meeting military specifications:

(i) New Zealand North Island pickled sheep pelts, (usual grades averaging 45 pounds per dozen or heavier);

(ii) Argentine pickled heavy sheepskins (usual grades averaging 45 pounds per dozen or heavier);

(iii) All imported pickled fleshers.

(h) *Goatskins and cabrettas*—(1) *Definitions.* (i) "Goatskin" means the skin of a goat or leather made from such skin, including kidskin, but excluding India tanned goatskin, and domestic angora goatskin.

(ii) "Cabretta" means the skin of a hair sheep or leather made from such skin.

(iii) "India tanned goatskin" means an imported goatskin tanned in Asia.

(2) No tanner shall put into process in the respective three months' period, commencing May 1, 1943, and on the first days of each August, November, February and May thereafter, more than 220% of his average monthly wettings of raw goatskins and cabrettas in 1941 (which average shall be known as "basic monthly wettings"), or more than such other percentages for such periods as may be fixed in writing by the War Production Board from time to time, with respect to any or all skins referred to in subparagraph (1) (i) and (ii) above: *Provided*, That kidskins and Calcutta Smalls purchased separately and described as such in Government purchase contracts dated later than August 1, 1943, may be put into process in addition to the percentages specified in this paragraph.

(3) [Deleted Jan. 24, 1944]

(4) The restrictions of paragraph (h) (2) shall not apply to persons who put into process less than 200 domestic goatskins in any calendar month and who process no foreign goatskins.

(5) No tanner shall sell or deliver goatskin garment leather for other than military purposes, except leather failing to meet military specifications: *Provided*, That such failure has resulted unavoidably in the course of producing military leather; *Provided further*, That such leather permitted hereby to be sold or delivered for other than military purposes may not exceed 12½% of his production of military goatskin garment leather subsequent to the date of this order.

(6) [Deleted Jan. 24, 1944]

(i) *Deerskins*—(1) *Definition.* "Deerskin" means the skin of any North American, New Zealand, or French Oceanian deer, except elk, moose, caribou skins and Alaska deerskins.

(2) No person shall process any deerskin or deerskin leather, except:

(i) To produce suitable leather meeting Army Air Force Specification 12038, as revised or amended from time to time: or

(ii) To fill a specific military order.

(3) No person shall sell or deliver any deerskin leather, or incorporate or manufacture any deerskin leather into any product, except to fill a specific military order.

(4) *Exceptions.* The restrictions of the preceding paragraphs (2) and (3) shall not apply to:

(i) Any deerskin or deerskin leather which does not meet and cannot be made to meet the specification referred to in subparagraph (2) (i) above;

(ii) Deerskin leather rejected in writing by the Army Air Force Eastern Procurement District, Inspection Section, New York, N. Y.

(iii) [Deleted Jan. 24, 1944]

(iv) Any person who at no time puts into process, splits, shaves, skives, sells, delivers or uses more than 25 deerskins during any calendar month beginning with March 1943, or causes more than 25 deerskins to be processed, split, shaved, skived, sold, delivered or used for his account during any such month.

(v) A skin taken off a deer after September 20, 1943 and owned by the person causing it to be processed or incorporated into a product for his personal use or for a gift.

(j) *Effect on prior orders.* Authorizations to buy hides issued prior to June 23, 1943, under Conservation Order M-194, shall continue in effect until the expiration date therein provided or until expressly revoked.

Authorizations and directions issued and appeals granted prior to June 23, 1943, under the following orders, shall continue in effect until the expiration date therein provided or until expressly revoked:

General Preference Order M-80
General Conservation Order M-94
Conservation Order M-114
General Conservation Order M-141
Conservation Order M-278
General Preference Order M-301

(k) *Reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the War Production Board, as directed on the respective forms mentioned below:

[NOTE: List Amended Aug. 25, 1944.]

Tanners and converters of cattlehides..... WPB–1325 formerly PD–569

Tanners and converters of calfskins and kips..... WPB–1322 formerly PD–569A and WPB–3822

Tanners and converters of cattlehide side upper leather..... WPB–3822

Tanners, converters, curriers, finishers, jobbers and dealers of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather.... WPB–3822

Tanners and converters of sole leather..... WPB–3822

Tanners and converters of horsehides..... WPB–1001 formerly PD–475

Tanners and converters of goatskins, kidskins, cabretta or rough tanned goatskins and sheepskins..... WPB–1437 formerly PD–573

Sole cutters..... WPB–1303 formerly PD–503A

Non-sole cutting shoe manufacturers..... WPB–2200 formerly PD–503C

Finishers and converters of cattlehide splits..... WPB–2351

Tanners and converters of glove and garment cattlehide grain leather..... WPB–3822

Failure to file any of the reports mentioned above or any other reports requested pursuant to approval by the Bureau of the Budget shall constitute a violation of this order.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Communications to the War Production Board.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M–310.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

[NOTE: "Craft work products * * *" added Aug. 25, 1944.]

	Cattlehide, calfskin and kip leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	Horsehide shank or non-military quality horsehide front leather may be incorporated in any product marked "Permitted" in this column	Goatskin leather not restricted to military orders or specifically restricted elsewhere in this order may be incorporated in any product marked "Permitted" in this column	All other leather may be incorporated in any product marked "Permitted" in this column
Footwear	Permitted except harness leather.	Permitted	Permitted	Permitted.
Transmission belts	Permitted	Not permitted.	Not permitted	Permitted.
Hydraulic, packing and mechanical leather products.	Permitted	Not permitted.	Not permitted	Permitted.
Leather products for textile equipment.	Permitted	Not permitted.	Not permitted	Permitted.
Harness, horse collars, and saddlery for police, farm and industrial use, provided that lines are limited to 1 inch in width.	Permitted	Not permitted.	Not permitted	Permitted.
Trusses	Permitted	Permitted	Permitted	Permitted.
Surgical supports	Permitted	Permitted	Permitted	Permitted.
Artificial limbs	Permitted	Permitted	Permitted	Permitted.
Orthopedic products including arch supports.	Permitted	Permitted	Permitted	Permitted.
Cattle and drivers' whips and quirts	Permitted	Not permitted.	Not permitted	Permitted.
Laces and thongs	Permitted	Not permitted.	Not permitted	Permitted.
Cap visors for military personnel	Permitted	Not permitted.	Not permitted	Permitted.
Divers' equipment	Permitted	Not permitted.	Not permitted	Permitted.
Motorcycle saddles	Permitted	Not permitted.	Not permitted	Permitted.
Work chaps	Permitted	Not permitted.	Not permitted	Permitted.
Work gloves	Permitted	Permitted	Permitted	Permitted.
Work aprons	Permitted	Permitted	Permitted	Permitted.
Garments for heavy duty workers, made from grain leather resulting unavoidably from tanning or cutting for specific military orders, but which was rejected as not meeting military specifications.	Permitted	Permitted	Permitted	Permitted.
Industrial safety clothing and equipment (exclusive of linemen's belts) only to the extent essential for safety and protection in the performance of the workers' duties.	Permitted	Permitted	Permitted	Permitted.
Furniture leather essential for repair and maintenance of transportation equipment, office and commercial furniture.	Permitted	Not permitted.	Not permitted	Permitted.
Athletic goods (except golf bags)	Permitted	Permitted	Not permitted	Permitted.
Leather puttees for peace officers, transportation and industrial workers.	Permitted	Not permitted.	Not permitted	Permitted.
Rifle scabbards, rifle slings, pistol holsters, and pistol belts, when these items are to be sold to peace officers, guards, or cowboys.	Permitted	Not permitted	Not permitted	Permitted.
Luggage handles and attaching pieces, welts, bindings, corners, and closures, for types of luggage permitted by Schedule I of General Limitation Order L–284, but only if made from the types of leather permitted by paragraph (b) (1) (iv) of said Schedule.	Permitted	Not permitted	Not permitted	Permitted.
Rawhide hammers and hammer faces	Permitted	Not permitted	Not permitted	Permitted.
Functional parts of musical instruments (excluding straps, cases or containers).	Permitted	Not permitted	Permitted	Permitted.
Craft work products—certified to be for occupational therapy and rehabilitative purposes by any of the following: hospitals, institutions for the blind, the Red Cross, the Veterans' Administration and by individuals invalided and incapable of doing any other type of manual work.	Permitted	Not permitted.	Permitted for lacing only.	Permitted.
Other products	Not permitted	Not permitted	Not permitted	Permitted.

SCHEDULE B

NOTE: Blocks II A, III A and III B amended Aug. 25, 1944.

	Type of sole leather whole stock			
	Finders' bends	Manufacturers' bends-for-repair	Manufacturers' bends	Shoulders, bellies and shanks
Block I. Persons permitted to cut each type subject to the provisions of Blocks II and III below.	Cutter for the repair trade only, except that any sole leather cutter may cut to obtain outersoles, midsoles and toplifts only in accordance with Block IIB below.	Cutter for the repair trade only.	Any sole leather cutter.	Any sole leather cutter.
Method of cutting				
Block IIA. Except for deviation permitted in Block IIB below, each type shall be cut to yield maximum quantity of military quality cut stock shown in this block.	Bend pieces (which may not be further cut except in accordance with Block IIB).	Outersoles and innersoles.	Outersoles and innersoles.	Innersoles.
Block IIB. Each type may be cut to produce the military quality cut stock shown in this block but only— 1. So as to yield the maximum quantity of such military quality cut stock, and 2. To the extent required to meet unfilled military orders of the kinds indicated.	Stripe and taps cut from bends or from bend pieces, to meet any unfilled military order. Toplifts cut from bends, bend pieces, or other bend portions, to meet any unfilled military order. Outersoles and midsoles cut from bends or from bend pieces to meet military orders under Lend-Lease Act only.	May not be cut except under Block IIA.	Midsoles, counters and toplifts, to meet any unfilled military order.	Counters and midsoles to meet any unfilled military order.
Cutting and disposition of remainder of each type (including belly slabs resulting from cutting of bend pieces from finders' bends) after military quality cut stock has been obtained as provided in Block II.				
Block IIIA. Except as permitted in Block IIIB below, remainder of each type shall be cut and disposed of only as shown in this block.	To produce repair stock, other than outersoles, for sale only to finders for ultimate use by shoe-repairers or persons repairing their own shoes.	To produce repair stock, other than outersoles, and innersoles, for sale only to finders for ultimate use by shoe-repairers or persons repairing their own shoes.	To produce cut stock for use by shoe manufacturers only.	To produce cut stock for use by shoe manufacturers only.
Block IIIB. Exceptions shall be only as shown in this block.	Finders' toplifts and finders' pieces from which no tap can be obtained—unrestricted. Non-military outersoles produced unavoidably in the course of cutting military outersoles—for sale only to shoe manufacturers.	Butt pieces, finders' toplifts and finders' pieces from which no tap can be obtained—unrestricted. Non-military outersoles and innersoles, produced unavoidably in the course of cutting military outersoles and innersoles—for sale only to shoe manufacturers.	No exceptions.	No exceptions.

INTERPRETATION 1

IMPACT OF RATINGS ON EQUITABLE DISTRIBUTION

Paragraph (b) (7) of this order, the so-called equitable distribution clause, does not excuse filling of rated orders. This clause prohibits discrimination between customers who meet established prices, terms and credit requirements, but it does not override Priorities Regulation No. 1, which requires, subject to the conditions set forth, that all rated orders be accepted and that preference be given to orders carrying higher ratings over those with lower ratings.

The particular types of leather specified by preference rated orders must be delivered unless the leather cannot be produced from the hides or skins available to the tanner or the tanner is excused or prevented from filling the order by a regulation, order or direction of the War Production Board. If a rated order is placed for military quality leather, this order may not be filled with civilian quality leather. (Issued Apr. 11, 1944.)

INTERPRETATION 2

OFEA AND UNRRA ORDERS NOT WITHIN DEFINITION OF "MILITARY ORDER"

"Military order" as defined in paragraph (a) (5) does not include orders for delivery against contracts placed by the Office of Foreign Relief Administration or the United Nations Rehabilitation and Relief Administration, or orders for hides, skins or leather for incorporation in products to be delivered against such contracts. (Issued April 15, 1944.)

[F. R. Doc. 44-12868; Filed, August 25, 1944; 11:47 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125; 7 F.R. 2719; W.P.B. Reg 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R–1, as amended Aug. 26, 1944]

DEFINITIONS

Sec.
4600.01 Meaning of certain terms.

GENERAL RESTRICTIONS ON CONSUMPTION

4600.02 Authorized consumption.
4600.03 Permitted uses.
4600.04 Balata.

PURCHASE PROCEDURE

4600.05 Purchase requests for rubber or synthetic rubber.

DELIVERIES AND IMPORTATION

4600.06 Delivery restrictions.
4600.07 Inventories of material.
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PRODUCTION AND OPERATIONS

4600.09 Special regulations for tire and tube production.
4600.10 Heel and sole products.
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4600.14 Destruction of scrap; consumption of rubber products.

MISCELLANEOUS

4600.15 Reports.
4600.16 Outstanding authorizations and directives.
4600.17 Applicability of regulations.
4600.18 Appeals.
4600.19 Special authorizations to consume GR-S, reclaimed and scrap rubber in the manufacture of non-permitted products.
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APPENDIX I—GENERAL PERMITTED USES

General permitted uses including listed products for Government and Civilian orders.

APPENDIX II—MANUFACTURING REGULATIONS

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1 Compounds for mechanical rubber goods.
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18 Airplane tire tubes.
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22 Compounds for tires and tire casings.
23 Tire and tube repair materials.
24 Tires and tire casings (except airplane and bicycle tires).
25 Tire tubes (except airplane and bicycle tire tubes).
26 Tire flaps.
27 Insulated wire and cable.
28 Feeding nipples.
29 Airplane tire and tire casings.
30 Retreading materials.
31 Tank blocks, treads and band tracks.
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33 Tire tube valves (except bicycle tire tube valves).
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For temporary or special manufacturing regulations, see Part B of Appendix III.

APPENDIX III

(Printed separately)

A—End Product Regulations

Sec.
4600.30 Acquisition of tires and tubes for original equipment.
4600.31 Acquisition of industrial type tires and tubes and solid tires for replacement purposes.
4600.32 Lifesaving suits.
4600.33 Crude rubber or latex gloves.
4600.34 Miscellaneous products.

B—Temporary or Special Manufacturing Regulations

APPENDIX IV

(Printed separately)

Tire Allotment Plan.

AUTHORITY: §§ 4600.01 to 4600.21, inclusive, issued under P.D. Reg. 1, as amended, 6 F.R. 6680; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; sec. 2 (a), Pub. Law 671; 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

Definitions

§ 4600.01 *Meaning of certain terms.* As used in this order:

(a) "Rubber" when used alone refers to any or all of the following: Crude rubber, latex, reclaimed rubber and scrap rubber.

(b) "Crude rubber" means all forms and types of natural crude rubber, but does not mean or include balata, chilte, gutta-percha, gutta siak, gutta jelutong, pontianac, latex, reclaimed rubber or scrap rubber.

(c) "Latex" means the dry latex solids contained in natural liquid latex.

(d) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber except reclaimed residue or "mud". Reclaimed residue or "mud" means dried and recovered sludge consisting of a mixture of partially hydrolyzed cellulose, finely divided rubber and other waste products of the digester process of reclaiming rubber.

(e) "Scrap rubber" means any material which results from or is incident to the processing of rubber or synthetic rubber in the manufacture or repair of any product including any unvulcanized scrap rubber containing fabric and any defectively processed materials or products which are not usable for a purpose for which they are designed. The term also means any finished product or part thereof made in whole or in part from rubber or synthetic rubber which through wear, deterioration or obsolescence has served its purpose in its present state. The term does not include (1) a pneumatic tire or tire casing which can be made serviceable under present limited operating conditions for a use for which it was designed, by means of a temporary or permanent repair or by retreading or recapping in accordance with recognized commercial practice; (2) any other product which is still usable for a primary purpose for which it was designed; (3) any residual piece of uncured tire cord friction (cord end) which is of sufficient size to be usable as new material in the manufacture of tire patches or in the repair of tires.

(f) "Synthetic rubber" includes Neoprene (all types including GR–M), Thiokol all types except GR–P; all Isobutylene polymer and copolymer types, including Butyl (GR–I) and Polyisobutylene (also known as Polybutene, Vistanex, Vistac and Synthetic 100); all Butadiene polymer and copolymer types, including but not limited to Buna S (GR–S all types, Hycar OS and Styraloy) and all Buna N types, such as Hycar, Perbunan, Chemigum, Butaprene, GR–A and Neoprene ILS; and all Isoprene polymer and copolymer types.

(g) "Balata" means any of the gums of recognized commercial grades, having a gutta hydrocarbon base and a high resin content, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; but does not mean or include scrap balata or reclaimed balata, or Coquirana, Chicken-Wire, Peruvian F. A. Q. white, and Massaranduba Balata.

(h) "Chlorinated rubber" means the reaction product of chlorine and rubber, synthetic rubber or balata.

(i) "Consume" means to fabricate, process, stamp, cut or in any manner make any substantial change in the form, shape or chemical composition of rubber, synthetic rubber or balata and include both the consumption of scrap rubber for the production of reclaimed rubber, and the separating, tearing, splitting or pulling apart of scrap rubber for any purpose.

(j) "Government order" means any contract or purchase order for material or equipment:

(1) To be delivered to or for the account of any agency of the United States, including any independent regulatory commission or board, any executive department, independent establishment, commission, board, bureau, division, agency, administration, service, or office of the Executive branch of the Federal Government, and any corporation operated by the Federal Government. The term does not include any contract or purchase order for (i) maintenance, operating or repair material or equipment to be delivered to or for the account of any Federal Government-owned or controlled plant or facility which is not operated by the Federal Government or, (ii) material or equipment to be delivered to or for the ac-

count of any post exchange, ship's store, commissary, officer's mess, officers', noncommissioned officers' or enlisted men's club, or any similar agency or organization, whether or not such contract or purchase order bears an endorsement specified in Priorities Regulation No. 17.

(2) To be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Required by the person placing the same to fill his contracts or purchase orders on hand, provided the material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under paragraphs (1) and (2) of this § 4600.01 (j).

(k) "Civilian order" means any contract or purchase order for material or equipment which is not a "Government order" as defined above.

(l) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

General Restrictions on Consumption

§ 4600.02 *Authorized consumption.* No person shall consume any of the following materials without first obtaining authorization to do so from the Rubber Director, War Production Board, on Form WPB–3662:

Crude rubber.
Natural latex.
Any synthetic rubber except GR–S (all types) or Thiokol types.
Chlorinated rubber.

No person shall consume any materials listed above except in the amounts and for the purposes authorized on Form WPB–3662. The consumer may, however, substitute synthetic rubber for crude rubber and may exceed by 5% the amount of material authorized for a particular purpose, but he must not exceed the total amount of any type of material which he is authorized to consume for all purposes. In addition, material may be consumed for experimental use without authorization to the extent permitted by Appendix I.

In order to obtain authorization under this section, a consumer must file Form WPB–3662 for each calendar month.

§ 4600.03 *Permitted uses.* No person shall use crude rubber, natural latex, reclaimed, scrap or chlorinated rubber or any synthetic rubber except for the products and purposes specified in Appendix I, subject to the applicable manufacturing regulations of this order.

§ 4600.04 *Balata.* No person shall consume balata except upon specific authorization of the Rubber Director, War Production Board. Requests for authorization to consume balata may be made by letter to the Office of Rubber Director, War Production Board, Washington 25, D. C. See definition of "Balata" at § 4600.01 (g) for types of balata not restricted by this order.

Purchase Procedure

§ 4600.05 *Purchase requests for rubber or synthetic rubber.* Purchase requests for crude rubber, natural latex, neoprene (GR–M), or butyl (GR–I or Class types) must be made on Form WPB–3662 in accordance with the instructions accompanying the form. Purchase requests for GR–S (all types) should be made to Rubber Reserve Company in accordance with regulations of Rubber Reserve Company.

Authorized consumers may purchase synthetic rubber which is privately produced or chlorinated rubber, directly from the producer subject to the inventory restrictions of § 4600.07.

Material subject to prior authorization on Form WPB–3662 may be consumed only to the extent authorized on the form in accordance with applicable manufacturing regulations.

For purchases of material for experimental use, see Appendix I.

Deliveries and Importation

§ 4600.06 *Delivery restrictions.* No person shall deliver to another person any material controlled by this order other than reclaimed and scrap rubber except as permitted by regulations of Rubber Reserve Company, or as specifically authorized by the Rubber Director, War Production Board. Nothing contained in this section shall be deemed to prohibit:

(a) Delivery of rubber, synthetic rubber, chlorinated rubber or balata from one location to another location controlled by the same person where no change of ownership takes place, or by any corporation to another corporation which is its subsidiary or of which it is a subsidiary.

(b) Delivery of GR–S (all types) for permitted uses under this order. Transfers of GR–S must, however, be reported as shipments or receipts on Form WPB–3410 for the calendar month in which the transactions occur.

(c) Any person from accepting delivery from another of rubber, synthetic rubber, chlorinated rubber, or balata for the purpose of milling, washing, deresinating, drying, compounding, or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

§ 4600.07 *Inventories of material.* No person, other than Rubber Reserve Company, shall acquire or maintain an inventory of any of the following materials in excess of an amount which can reasonably be expected to last him for the period designated below:

Type of material	*Permissible inventory—days for each type*
Reclaimed rubber	90
Crude rubber, latex, balata, GR–S, neoprene or thiokol	60
Any type of synthetic rubber not listed above; or chlorinated rubber	30

A person engaged in the business of reclaiming rubber, however, may maintain such inventories of scrap and reclaimed rubber as he deems advisable, notwithstanding the provisions of this section or of section 944.14 of Priorities Regulation 1 as amended.

§ 4600.08 *Importation.* No person shall import any rubber, synthetic rubber or balata, or any finished or semi-finished product of which 10% or more by weight is composed of rubber, synthetic rubber or balata or any combination thereof except as permitted under this section.

For the purposes of this section, "import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

The restrictions of this section shall not apply to any of the following:

(a) Any importation by Rubber Reserve Company, Rubber Development Corporation, or any Corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act, as amended, or any agent acting for one or more of them.

(b) The importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of rubber, synthetic rubber and balata, provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale;

(c) The importation by any person of tires and tubes for the personal use of such person, provided such importation (except of bicycle tires and tubes) is expressly authorized by the Office of Price Administration;

(d) The importation for testing purposes of camelback, or of tires or tubes or sections thereof by any manufacturer of camelback, tires or tubes;

(e) The importation of bicycle tires and tubes originally manufactured in the continental United States, Canada or the British Isles;

(f) The importation of tires for recapping, retreading or repair, provided the tires are thereafter exported to the owners in the foreign country from which the products were imported;

(g) The importation of any scrap rubber;

(h) The importation of any finished products made of rubber, synthetic rubber or balata by diplomatic representatives of any foreign government for their personal use or the use of members of their staffs;

(i) The importation of any finished product made of rubber, synthetic rubber or balata by commercial representatives of any foreign government for use in their official business;

(j) The importation from the Dominion of Canada by any person of rubber, synthetic rubber or balata or any products thereof manufactured in the continental United States, Canada or the British Isles.

Production and Operations

§ 4600.09 *Special regulations for tire and tube production.* No person shall manufacture tire and tube products except in accordance with the regulations prescribed in List 6 of Appendix II.

§ 4600.10 *Heel and sole products.* Each manufacturer of heel and sole products shall fill orders in the sequence established by the following pattern and may produce and ship orders classified in a lower group of the pattern only to the extent that such production and shipments do not interfere with the fulfillment of orders in each higher group:

Group No.	*Type of order*
1	Orders for manufacture or repair of shoes for U. S. Armed Forces.
2	Civilian orders for repair materials and for manufacture of rationed new shoes.
3	Orders for manufacture of shoes to fill Government orders other than U. S. Armed Forces.
4	All other orders.

Orders must be filled in accordance with the above pattern without regard to preference ratings.

§ 4600.11 *Garden hose.* Garden hose may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to garden hose, and no person selling garden hose shall require a rating as a condition of sale. Any rating purporting to be applied or extended to garden hose shall be void and no person shall give any effect to it.

§ 4600.12 *Regrooving tires.* No person shall regroove the tread or tread surface of any tire or tire casing (except airplane and bus mileage contract tire casings) whether by cutting, scraping, grinding, burning, heating, remolding or any other means. This restriction does not apply to the grooving of tires in the course of recapping or retreading or restoring the original design to tread sectional repairs.

§ 4600.13 *Recapping or retreading tires.* No person shall recap or retread a tire unless the tire is worn smooth in the middle of the tread. As used herein, a tire is "worn smooth" when the tread design is no longer visible.

§ 4600.14 *Destruction of scrap; consumption of rubber products.* No person shall destroy, damage, cut or tear apart any ground tire peals, uncured tire cord friction scrap, vulcanized scrap tires, tire parts (except tire beads), inner tubes or any cured or uncured scrap having a specific gravity of 1.15 or less, excluding tread buffings and fuel cell scrap. This restriction does not apply to any operation connected with the consumption of scrap rubber in accordance with the provisions of this order.

No person shall consume any new finished or semi finished product containing in the aggregate more than 10% by weight of rubber or synthetic rubber, except for the purpose for which it was designed.

Miscellaneous

§ 4600.15 *Reports.* The following reports shall be filed:

(a) Each person who owned any rubber, chlorinated or synthetic rubber during any calendar month, except scrap rubber, shall file with the Office of Rubber Director, War Production Board, a report on his stocks, receipts, production, consumption and shipments, on Form WPB–3410 in accordance with the instructions accompanying the form. This paragraph shall not apply to persons who perform the operations listed in § 4600.06 (c) of this order except that producers of reclaimed rubber shall report their entire production regardless of the ownership of the material consumed.

(b) Each manufacturer of tires and tubes or camelback, and any mass distributor who sells tires and tubes manufactured for him under his own brands or trade marks and whose sales volume of tires and tubes in 1941 exceeded 50,000 tires or 100,000 tubes, shall file a report on his production, shipments and inventory for each calendar month on Form WPB–3438 with the Office of Rubber Director, War Production Board, in accordance with the instructions accompanying the form, unless otherwise directed.

(c) Each manufacturer of light weight rubber gloves from crude rubber or natural latex shall report by letter to the Office of Rubber Director, War Production Board, the number of "firsts" and of "seconds" and "rejects" manufactured by him in each calendar quarter. Reports shall be filed not later than the 15th day of the calendar month following the quarterly period in which such manufacture took place.

(d) Each manufacturer of heels, heel bases, soles, taps, soling sheets or top-lifting sheets, shall file with the Office of Rubber Director, War Production Board, a report on his production, shipments and inventory on Form WPB–2592 in accordance with the instructions accompanying the form.

§ 4600.16 *Outstanding authorizations and directives.* All outstanding special authorizations and directives (other than authorizations granted pursuant to appeal) issued prior to August 25, 1944, are hereby revoked.

§ 4600.17 *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of War Production Board Priorities and CMP Regulations as amended from time to time.

§ 4600.18 *Appeals.* Appeal from the provisions of this order shall be made by filing Form WPB–2242 (formerly PD–500–b), referring to the particular provision appealed from and stating fully the grounds of the appeal.

§ 4600.19 *Special authorizations to consume GR–S, reclaimed and scrap rubber in the manufacture of non-permitted products.* Any person who wishes to manufacture products which are not permitted by this order may apply for authorization to consume GR–S, reclaimed or scrap rubber under this section.

(a) *How to make application.* A person who wishes to obtain authorization should file his application on Form WPB–2242 with the War Production Board Field Office in the district in which the plant is located, accompanied by Form WPB–3820 (Statement of Manpower Information). In filing Form WPB–2242 it will be necessary to fill out sections I (Parts A, D, and E only), III and V (section V to be used to identify authorizations or pending applications under this §4600.19). Section II of Form WPB—3820 should be filled out in accordance with the instructions accompanying the form. If the application is approved, the person filing it will receive from the War Production Board an authorization showing the amounts of GR–S, reclaimed or scrap rubber which he may consume and any special conditions applicable to manufacture by him.

(b) *General policy in granting authorization.* Authorization under this section will in no case be granted if production will in any way interfere with war production or with the production of essential civilian articles. Labor and facilities to manufacture must be available to the applicant and not required for more essential purposes.

(c) *Relation to R–1 appeal procedure.* The normal appeal procedure will continue to apply in all cases which do not involve requests under this section for authorization to consume GR–S, reclaimed or scrap rubber in the manufacture of products not permitted by this order.

(d) This section shall take effect on September 1, 1944.

[NOTE: §§ 4600.20 and 4600.21, formerly §§ 4600.19 and 4600.20, redesignated Aug. 25, 1944]

§ 4600.20 *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or im-

prisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

§ 4600.21 *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of Rubber Director, War Production Board, Washington 25, D. C., Ref.: Order R–1.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of August 1944.

RUBBER DIRECTOR,
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX I—GENERAL PERMITTED USES

NOTE: Appendix I amended in its entirety Aug. 25, 1944.

Type of material	General permitted uses subject to applicable end product restrictions	Monthly consumption for experimental use without authorization [1]
Crude rubber or natural latex	In the manufacture of products listed below for which crude rubber or natural latex is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB–3662.	None.
Reclaimed rubber [2]	In the manufacture of products listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders.	No limit.
Scrap rubber [2]	In the manufacture of products listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders; production of reclaimed rubber.	No limit.
Synthetic rubber: GR–S (all types) [3]	In the manufacture of products listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders.	200 lbs.; latices, 200 lbs.
Neoprene types (GR–M, GN, GN–A, CG, E, FR, FR–S, ENR, ILS, M, latex).	In the manufacture of products listed below, or of any other product to fill U. S. Army, Navy or Maritime Commission orders, but only to the extent authorized on Form WPB–3662.	FR, FR–S, ILS, 25 lbs.; Latices, 250 lbs.; All other, 200 lbs.
Buna N types (GR–A, Hycar, Perbunan, Butaprene, Chemigum).	In the manufacture of products listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders, but only to the extent authorized on Form WPB–3662.	200 lbs.
Butyl (GR–I, standard and class, dispersions).	In the manufacture of products listed below for which butyl is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only as authorized on Form WPB–3662.	200 lbs.; dispersions, 250 lbs.
Thiokol types	In the manufacture of products listed below or of any other product to fill U. S. Army, Navy or Maritime Commission orders.	No limit.
Polyisobutylene (Vistanex, Synthetic 100, Polybutene, Vistac).	As specifically authorized on Form WPB–3662.	Vistac, 75 lbs.; all other, 50 lbs.
Miscellaneous (Hycar OS, Styraloy, other).	As specifically authorized on Form WPB–3662.	Hycar OS, 50 lbs.; all other, None.
Chlorinated rubber (Parlon, Parlon A).	As specifically authorized on Form WPB–3662.	None.

[1] Experimentation need not be confined to permitted uses. Materials in the amounts indicated may be diverted from inventory or from purchases for manufacturing operations. To purchase privately produced synthetic rubber for experimental purposes, make application directly to the producer; for GR-synthetic rubbers, make application to Sales Department, Rubber Reserve Company, Washington, D. C.
For permission to consume materials other than crude rubber or natural latex, in excess of the amounts authorized, file form WPB–3662.

[2] Consumption of this material may be authorized to make any product not permitted by Rubber Order R–1 under § 4600.19.

PERMITTED PRODUCTS FOR GOVERNMENT OR CIVILIAN ORDERS

NOTE: For general permitted uses of material in the manufacture of products, see above. In applying on Form WPB–3662 for those types of material which are subject to prior authorization, use this appendix in accordance with the instructions accompanying the form. The applicant's crude rubber, natural latex, neoprene, buna N or butyl requirements for each code number listed below must show the specific quantity of material requested for each subdivision of the code.

Form WPB–3662 may not be used in applying for permission to consume any material for a purpose which is not permitted by Appendix I.

Monthly consumption of crude rubber, natural latex, neoprene, buna N and butyl will be permitted on the basis of uses shown in this appendix, but only to the extent that material and manufacturing facilities are available after requirements for Army, Navy, Maritime Commission and other essential orders have been fulfilled.

COLUMNS AND SYMBOLS

Appendix II column refers to applicable regulations in Appendix II by list number.

The next two columns show to what extent crude rubber and butyl authorized on Form WPB–3662 may be used in the manufacture of particular products. Natural latex may not be used unless there is a reference to "latex" specifying its use.

The crude rubber and butyl columns are blank when applicable regulations in Appendix II or special restrictions in the last column limit the use of these materials.

"O" Indicates that the use of the material is prohibited, subject to any special restrictions or provisions applicable to the particular product. Any synthetic rubber may, however, be substituted for crude rubber when the use of crude is permitted, even though "O" appears opposite the product for the particular synthetic rubber.

"X" Indicates that the material may be consumed in the minimum quantities required by a manufacturer who has received authorization to consume on Form WPB–3662, subject to any special restrictions or provisions applicable to the particular product.

Percentage figures indicate maximum percent of total volume of compound, unless otherwise specified.

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
1	Pneumatic tires:				
	Airplane tires	20		0	
	Bicycle tires	24		0	
	All other	24		0	
2	Solid tires:				
	Airplane tires	20		0	
	Bogie, idler and support rollers	24		0	
	Pressed on	24		0	
	Cured on, 4 x 1½ and up	24		0	
3	Tire tubes:				
	Airplane	13		X	
	Bicycle (including valves)	34		0	
	All other	35			
4	Tire tube valves and curing bags:				
	Tire tube valves (including repair valves)	33		X	
	Tire tube valve inside washers		X	X	
	Curing bags	17		X	
5	Tire flaps	18		0	
6	Tire retreading materials:				
	Air bags, full circle, for retreading	20		X	
	Other	20		0	
7	Tire and tube repair materials:				
	Air bags, sectional	21		X	
	Bulk tire repair materials	22		0	
	Tire patches and rollers	22		0	
	Tube patches	22		0	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
8	Tank blocks, treads and band tracks	31		0	
9	Belting	No			Belting must be manufactured in accordance with the following regulations. Rubber belting utilizing a solid woven carcass is permitted, provided such construction uses no more crude rubber than is permitted in laminated belting of equivalent size and thickness. Constructions using combinations of fabric and other reinforcing materials, such as cord or wire, are permitted provided total crude rubber does not exceed that which is used in an equivalent grade, fabric ply construction belt. When making open-end belts, endless, crude rubber may be used provided that it does not exceed .035 lbs. per ply per inch of width. Color: Black unless otherwise indicated.
9A	Conveyor and elevator belting:				
	Conveyor and elevator belting and pulley lagging therefor		5	0	
	Elevator belt buckets and cleats		0	0	
9B	Miscellaneous belting and related products:				
	Belt splicing and repair material		5	0	
	Chute lining		0	0	
	Conveyor skirting or skirtboard rubber		0	0	
	Cigar machine aprons		0	0	
	Concentrator belts		0	0	
	Escalator handrails		0	0	
	Hatters' belts		0	0	
	Hog beater belts		5	0	
	Last puller belts		0	0	
	Paper machine aprons		0	0	
	Postal cancellation feed belts		0	0	
	Rubber scrapers for conveyor belts		0	0	
	Screen diaphragms for paper-making equipment		5	0	
	Special molded belts		0	0	
	Street sweeper belts		5	0	
9C	Transmission belting:				
	Flat transmission belting			0	Crude or latex—0.07 lbs. maximum per 1,300 square inches per ply permitted. Color of seaming stripe is optional.
	Round transmission belting		5	0	
9D	V-Belts			0	Crude or latex (0% maximum of total—volume of the belt) permitted except belts for use on passenger cars, household equipment and trucks under 1½ tons in which case crude or latex must be limited to 1% maximum of total volume of the belt.
10	Hose and tubing	No			Color: Black unless otherwise indicated.
10A	Automotive and aircraft hose:				
	Brake expander tubing			0	Crude permitted for Government orders only.
	Radiator hose			0	Crude permitted in cements only.
10B	Cement hose:				
	Cement and material hose, dry and ice slinger		5	0	
	Cement gun hose		5	0	
	Cement handling, including grouting		5	0	
	Concrete placing		5	0	
10C	Divers' hose		3	0	
10D	Hose and tubing not elsewhere listed		0	0	
10E	Miscellaneous hose and tubing:				
	Acid conducting and acid suction hose		3	X	Butyl, class only.
	Air and air tool hose, industrial		1.5	0	
	Alcohol, brewer's and beverage hose, tubing and suction hose		3	0	Tube color: Optional.
	Arbor pipe forming hose		9	0	
	Chemical engine hose			0	Crude permitted in cements only.
	CO_2 Fire extinguisher hose		0	X	Butyl, class only.
	Creamery (sanitary) hose		1.5	0	
	Fire hose, cotton rubber lined			0	Maximum crude permitted per 100 feet of hose: Nominal size (inches) 1, Crude (lbs.) 1.0; 1¼, 1.3; 1½, 1.6; 2, 2.2; 2½, 2.8; 3, 3.0; 3½, 4.0
	Fire hose, wrapped duck		1.5	0	
	Hydraulic control and industrial grease hose		5	0	
	Industrial mandrel made hose for hose masks as required by Bureau of Mines		5	0	
	Jetting and hydraulic		3	0	
	Milk conveying and food handling hose		5	0	Tube color: Optional.
	Oxygen (not welding) hose			0	Crude permitted for Government orders only.
	Phosphate flexible hose		5	0	
	Rockwool insulation hose			0	Crude permitted in cements only.
	Rotary drilling hose		9	0	
	Sand blast hose		9	0	
	Spray hose, agricultural: High pressure		1.5	0	
	Spray hose, paint, air line		1.5	0	Cover: Black or red.
	Tender tank hose		3	0	
	Tubing		0		Class butyl permitted for laboratory use only.
	Water hose, all sizes			0	Crude permitted in cements only.
	Welding hose		1.5	0	Cover: Black or red.
10F	Miscellaneous related products:				
	Expansion joints (normally used in rigid lines to absorb thrust on excessive motion or to isolate vibration and/or noise).		25	0	Tube: ¼" maximum on sizes 8" I. D. and under; 3/16" maximum on sizes over 8" I. D. Cover: ¼" maximum on all sizes.
	Flanged flexible pipe		5	0	
	Pinch valve		9	0	
	Shaft covering, flexible			0	Crude permitted in cements only.
	Tapered rubber nozzle (when built on end of hose)		5	0	
10G	Railroad hose:				
	Air brake and train air signal hose		1.5	0	
	Air, gas and oxygen hose		1.5	0	Cover: Black or red on welding hose only.
	Steam and hot water hose		3	0	
	Tender tank hose		3	0	
	Water hose, all sizes			0	Crude permitted in cements only.
10H	Steam hose		3	0	
10I	Suction hose:				
	Dredging sleeves		5	0	
	Fire engine suction hose, hard		3	0	
	Fire engine suction hose, soft			0	3½" and over—4 lbs. crude per 100 feet.
	Hard rubber suction hose			0	Crude permitted in cements only.
	Rotary slush pump suction hose		3	0	
	Sand suction hose		9	0	
	Water suction hose		3	0	
10J	Vacuum hose:				
	Blower or exhaust hose		9	0	
	Dust collector hose		5	0	
	Industrial vacuum hose		3	0	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
11	Packing and gaskets	No			Color must be black unless otherwise indicated.
11A	Fabric inserted products:				
	Fabric inserted packing and gaskets		0	0	
	Fabric inserted rod or piston packing		0	0	
	Fabric inserted diaphragm sheet and cut diaphragms		0	0	
	Fabric inserted valves, valve discs and valve seats		0	0	
11B	Miscellaneous packing and gaskets:				
	33P13 (INT)			0	5% Crude, based on weight of sheet.
	33R4		X	0	Crude permitted for submarines only.
	Valve and valve parts		0	0	
11C	Piston and rod packing:				
	Piston packing hydraulic (formerly known as White Hydraulic)			0	Crude, 50% by volume permitted for superheated water service only.
	Rod packing, duck rubber slab construction (low pressure ring, low pressure spiral or cross expansion packing)		5	0	
	Rod packing, duck rubber rolled construction:				
	Friction process		5	0	
	Spreading process			0	1% Crude, based on weight of fabric.
	Rod packing, molded channel with metal core (semi-metallic): Spreading process			0	1% Crude, based on weight of fabric.
	Rod packing, molded channel with cores other than metal		5	0	
	Rod packing, molded V-shape or lip		5	0	
11D	Rubberized packing:				
	Bonded compressed asbestos sheet			0	5% Crude, based on weight of sheet. Color: optional.
	Bonded metal foil			0	
	Bonded plastic packing			0	
	Packings made by rubberizing felt, paper, leather or other material not elsewhere listed			0	5% Crude, based on weight of sheet. Color: Optional.
	Rubberized woven asbestos cloth or braid including unmolded gaskets or rod packings prepared from same:				
	Metallic		3	0	Color: Optional.
	Non-Metallic		3	0	
11E	Sealing compounds:				
	Sealing compounds for seaming bags and bagging		0	0	
	Compounds designed for sealing cans made of tinplate, blackplate or terneplate		0	X	Butyl, class only.
	Gaskets and compounds for sealing jars, tumblers, cans, drums and pails		0	X	Butyl, class only.
	Rings and compounds for sealing glass containers		0	0	
11F	Sheet packing:				
	Standard or soft sheet			0	5% Crude by volume may be used only with Thiokol A for oil resistant type. Standard sheet packing may be red or black.
11G	All packings and gaskets not elsewhere listed		0	0	
12	Other mechanicals				Color: Black unless otherwise indicated.
12A	Aircraft equipment:				
	Airplane de-icer parts (except propeller hose)		X	0	Latex permitted.
	Engine and instrument mountings	20		0	
	Aircraft equipment not elsewhere listed		0	0	
12B	Automotive and railroad equipment and suspension parts for track laying vehicles:				
	Air and vacuum brake parts		0	0	
	Automotive and railroad parts not elsewhere listed		0	0	For all original equipment. Automotive replacement parts for Government orders only.
	Battery drain tubes		0	0	
	Brake boots		0	0	
	Channel rubber		0	0	
	Clutch facings, brake lining and brake blocks		0	0	
	Defroster parts and frost shields		9	0	
	Engine transmission and propeller center bearing mountings	20		0	
	Fan bases and blades		0	0	For combat vehicles only.
	Grommets		0	0	
	Gudgeon bushings for tractor, 18 ton, M4, Part No. B282690		X	0	
	Gudgeon bushings for tractor, 36 ton, M6, Part No. C120609		X	0	
	Gudgeon bushings for medium tanks with Horizontal Volute Suspension, Part No. C125847		X	0	
	Hydraulic brake cylinder parts excepting boots and linings		0	0	
	Hydraulic clutch and throttle controls		0	0	
	Insulating forms or shapes for high tension wiring		0	0	
	Packing rings for sleeve assemblies (farm tractors only)		0	0	
	Pitman arm bushings for independent suspensions		0	0	
	Radiator test plugs		0	0	
	Recoil pad for tractor, 13 ton, M8, Part No. B280454		X	0	
	Remote control gearshift bushings		0	X	Butyl, class only.
	Sealed beam gaskets		0	0	
	Shock absorber bushings			0	
	Shock and instrument mounts	20		0	
	Shock absorber bushings for light tank, T24, Part No. H327569		8	0	
	Shock absorber bushings for medium tanks with Horizontal Volute Suspension, Part No. A7055626		X	0	
	Spring seat bushings for tractor, 18 ton, M4, Part No. A328539		X	0	
	Spring seat bushings for tractor, 36 ton, M6 Part No. A328528		X	0	
	Spring bumpers, front and rear		0	X	Butyl, class only.
	Steering-box-to-frame pads for independent suspensions		0	0	
	Steering post alignment bushings		0	0	
	Steering wheels		0	0	
	Suspension and torque arm bushings		0	0	
	Tailpipe supports		0	0	
	Torsional vibration dampers	20		0	
	Vibration insulators and absorbers	20		0	
	Water pump seals		0	0	
	Windshield wiper blades and pivot-to-housing gaskets		0	0	
12C	Electrical products equipment:				
	Antenna base		0	0	Government orders only.
	Cable connectors		0	0	
	Cord protectors		0	0	
	Electric base plugs, plug connectors and light sockets		0	0	
	Electroplating racks and masks		0	0	
	Electroplating automatic machine perforated steel base baskets		0	0	
	Extension lamp handles and guards		0	0	
	Floortile, base and tiling for wainscoting		0	0	Government orders only.
	Handle grips, for dielectric purposes only		0	0	
	Lineman's protective devices including only:				
	Blankets		21	0	
	Cable bandage		X	0	
	Cable and test caps and separators		46	0	
	Insulator hoods		21	0	
	Insulating stools		0	0	
	Line hose		21	0	
	Lineman's sleeves		X	0	
	Mats and matting		0	0	Conductive and switchboards only.

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
12D	Hard rubber products:				
	Baskets (etching), beakers, buckets,			0	For handling explosives and corrosive
12E	Industrial equipment:				
	Bandsaw tires		0	0	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
	Battery drain tubes		0	0	
	Brake boots		0	0	
	Channel rubber		0	0	
12D	Hard rubber products:				
	Baskets (etching), beakers, buckets, dippers, frames, funnels, measure, pails, racks and trays.			0	For handling explosives and corrosive chemicals. Crude, 10% maximum by volume of compound permitted in handmade products only.
	Bleaching rods		0	0	
	Bottles		0	0	
	Cellular rubber		0	0	
	Component hard rubber parts of machinery for manufacture and handling of rayon, explosives and corrosive chemicals.			0	Crude, 10% maximum by volume of compound permitted in handmade products only.
	Dyesticks		0	0	
	Filters		0	0	For corrosive chemical service only.
	Hard rubber latex covering for: Agitators, baskets, buckets, concave rollers, dippers, drums, fans, frames, fume ducts, funnels, measures, pumps, pipe and fittings, racks, screens, trays and valves and valve parts only.		0	0	
	Hard rubber insulated tools		0	0	
	Hooks		0	0	For corrosive chemical service only.
	Magneto parts		0	0	
	Mine safety battery parts		0	0	
	Mine safety lamp parts (except insulated wire).		0	0	
	Pipe and fittings		0	0	For industrial use only.
	Pumps		0	0	
	Pump lining		0	0	
	Pistons		0	0	
	Potentiometer cards		0	0	Government orders only.
	Sheet, rod and tubing		0	0	For industrial use and fountain pen parts only.
	Sheet for baffle discs		0	0	
	Spatulas		0	0	For handling explosives and corrosive materials.
	Storage battery parts, including only:				
	Binding strips		0	0	
	Hand built jars, except automotive SLI types, farm-light, mine safety and radio.		10	0	
	Hand built monobloes, except automotive SLI types, farm-light, mine safety and radio.		10	0	
	Microporous separators:				
	From latex		85	0	
	From crude rubber		70	0	
	Molded single cell jars and molded monobloes, except automotive SLI-SAE Groups 1, 2 and 3.		0	0	
	Molded rubber: Boots, bridges, covers, discs and sleeves, filler caps, insulators, moss shields, plate supports, post sealing nuts, protectors, spacers, splash covers, vents, wedges.		0	0	
	Molded terminal blocks		0	0	
	Separators, perforated sheet or molded retainers, support and tie rods.		0	0	
	Submarine battery jars		43	0	
	Submarine battery vents and parts (handmade only).		30	0	
	Tubular retainers		60	0	
	Valves and valve parts		0	0	
	Water meter parts		0	0	
	X-Ray and photographic tanks		0	0	
	X-Ray and photographic tanks (handmade only):				
	⅛" wall and over			0	Crude—10% maximum by volume of compound permitted for Government orders only.
	Under ⅛" wall			0	Crude—20% maximum by volume of compound permitted for Government orders only.

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
	Insulator hoods		21	0	
	Insulating stools		0	0	
	Line hose		21	0	
	Lineman's sleeves		X	0	
	Mats and matting		0	0	Conductive and switchboards only.
12E	Industrial equipment:				
	Bandsaw tires		0	0	
	Component parts (not elsewhere listed) of machinery for the processing and fabrication of raw and semi-finished materials and for the transmission of mechanical power.		0	0	
	Grommets		0	0	
	Hose nozzles (industrial)		0	0	
	Industrial abrasive implements		0	0	
	Industrial brake linings, brake blocks and clutch facings.		0	0	
	Parts for explosives industry, including only: Buckets and pails, buggy covers, gutter linings and tubing.		0	0	
	Press die pads				For the manufacture of forming pads to shape metals. Colored stripes to identify hardness only.
	Pads under 4" in thickness		0	0	
	Pads 4" or more in thickness:				
	Under 40 shore hardness		88	0	
	40 and over shore hardness		44	0	
12F	Miscellaneous mechanical goods:				
	Brush setting compounds		0	0	
	Casters and molded wheels		0	0	
	Dam and lock gate seals		0	0	
	Door shoes and treadles for subways, trolleys and buses.		0	0	
	Filter cloth		0	0	
	Flexible couplings (molded)		0	0	
	Gas main bags		0	0	
	Gaskets and washers for hose		0	0	
	Harvesting machinery (all types of mechanical rubber products).		0	0	
	Hat forming bags and parts		0	0	
	Horseshoe pads, heels and calks		0	0	
	Labels		0	0	Must be physically incorporated in a rubber product.
	Mallets and mallet heads		0	0	
	Milk and milking equipment, including: Bottle filler rubbers. Bowl rings. Gaskets, washers and couplings. Gland rings. Milking inflations. Milking tubing. Teats for calf feeder pails.		0	0	
	Molded diaphragms		5	X	Butyl, class only.
	Molding or forming bags and pads		0	X	For plywood, safety glass and plastics forming. Butyl, class only.
	Parts for business machines		0	0	Covers, keys and silencers prohibited.
	Parts for refrigerators, washing machines and motor driven electric appliances.		0	0	
	Pipe coupling rings designed for couplings, mechanical joints and bell joint clamps and for rings, bands, plugs, gaskets, etc., for repair of air, gas, gasoline, water and oil pipelines.		0	0	
	Test plugs		0	0	
	Sand blasting stencils		0	0	
	Squeegees		0	0	
	Streetcar wheel sandwich rings			0	Crude not exceeding 1/32" in thickness permitted in bonding cements or tie gums only.
	Table tops, stair and step treads		0	0	For conductive purposes only.
	Trolley wire guards		0	0	
	Vacuum bottle parts		0	0	
	Vacuum cleaner belts		0	0	
	Vibration dampeners		20	0	
	Water lubricated bearings		0	0	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
12G	Oil well supplies:				
	Oil well specialties including only:				
	Blowout preventors		0	0	
	Drill pipe protectors		0	0	
	Lining bumper and swab rubbers		0	0	
	Packers		0	0	
	Stabilizers		0	0	
	Slush pump pistons and liners for fluid packed pumps		X	0	
	Strippers		X	0	
	Stuffing box rings		0	0	
	Testing		0	0	
	Valves and parts		X	0	
	Valve cups		X	0	
	Valve discs		5	0	
12H	Plumbing supplies:				
	Plumbing products including only:				
	Ball cock washers		0	0	
	Bibb washers, including mixing valve washers		0	0	
	Fuller balls		0	0	
	Tank balls designed for flush valves		0	0	
	Basin and sink gaskets and washers		0	0	
	Cup washers		0	0	
	Float valve shank washers		0	0	
	Force cups		0	0	
	Flush elbows		0	0	
	Flush valve washers		0	0	
	Gaskets for coupling close coupled closets		0	0	
	Gaskets and valves designed for back flow preventors		0	0	
	Siphon washers		0	0	
	Slip joint washers		0	0	
	Spud washers		0	0	
	Union washers		0	0	
	Water closet outlet gasket		0	0	
	Waste and overflow washers		0	0	
12K	Printing rubber products				Crude rubber or latex permitted in products listed under 12J as adhesives, for mounting purposes and for adhesion to metal provided adhesive does not exceed 5% of total volume used. Color of printing rubber products: Optional. Crude rubber—75% maximum permitted until November 1, 1944.
	Adhesive fabric: Friction		0	0	
	Bank note drill		0	0	
	Box die gum (excluding rubber stamps and toy stamps)		0	0	
	Cutting rubber		0	0	
	Engraving, rubber face and filler stocks (excluding rubber stamps and toy stamps)		0	0	
	Engraving rubber friction		0	0	
	Newspaper blankets		0	0	
	Offset blankets		0	0	
	Printing plate adhesion fabric		0	0	
	Printing plate (excluding rubber stamps and toy stamps)		0	0	
	Printing plate insert and backing fabric		0	0	
	Printing rolls, including:				
	Covered composition		0	0	
	Duplicating		0	0	
	Gravure and impression		0	0	
	Hectograph		0	0	
	Mimeograph and similar reproducing equipment		0	0	
	Rolls to be coated with composition having shore hardness less than 20		20	0	
	All others		0	0	
	Rubber solution for wetplate negative		X	0	
	Sponge for stamp gum cushion		0	0	
	Stamp gum		0	0	
	Suction cups for printer's equipment		0	0	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
12J	Rolls and rollers:				Color: Optional.
	Rubber covered rolls and roll coverings (except domestic washing machine wringer, fingerprint, business machine and printers):				
	Suction press		20	0	¾" maximum thickness.
	All others		8	0	
	Business machine rolls		0	0	
	Domestic washing machine wringer rolls		0	0	Color: Optional.
	Fingerprint rolls		0	0	
12K	Rubber protected or lined equipment:				
	Pails (munitions handling)		0	0	
	Rubber lining (hard or soft) for				Crude or latex in the percentages indicated, but not both. Individual applications of the following types may exceed the maximum specified: (1) repair of existing crude or latex linings; (2) where sharp corners or angles require; (3) for tie gum where vacuum is present; (4) for not more than 1/16" coating or ply over GR-S lining to arrest hydrochloric, hydrofluoric and phosphoric acids; provided total crude or latex consumption by any consumer in any calendar quarter does not exceed the maximum specified.
	Battery compartments		0	0	For submarines and aircraft only.
	Drums and tanks		10	X	
	Pipes and fittings		10	X	
	Tank cars and barge tanks (Spec. ICC–103BW, 103B and AAR-203)		25	X	
	Tumbling barrels (where oil is encountered)		-	0	-
	Rubber protected industrial equipment for handling corrosive material and explosives		10	0	Crude or latex, but not both.
	Rubber coverings for: Agitators, blowers, exhausters, pumps, pump lining, valves and valve parts (except tire tube valves) only		10	0	Crude or latex, but not both.
	Rubber lining for centrifugal pumps designed to handle: Ore concentrates. Sand and other highly abrasive materials in suspension. Slurry.		10	0	Crude or latex, but not both.
12L	Textile machinery parts:				
	Card clothing		0		
	Poteyes		0		
	All others		0		
13	Wire and cable.				
13A	Insulation and jacket compounds:				
	Compounds for insulating or jacketing wire and cable	27		0	
13B	Insulation materials:				
	Pliofilm		X	0	For insulation on Government orders only.
	Pliolite		X	0	For insulation on Government orders only.
13C	Tapes:				
	Cable tape	27		0	
	Compounds for rubber insulating tape	27		0	
	D. E. tape		0	X	Butyl, class only.
	Friction tape		0	0	
14	Rubber footwear	21		0	
15	Heels, soles and all other materials used in the manufacture and repair of shoes including all findings and orthopedic appliances but excluding shoe cements.		0	0	
16	Cements for—				
16A	Shoes:				
	Manufacture		0	X	Butyl, class only permitted. Crude rubber and natural latex may be consumed only to fill direct U. S. Army or Navy orders for use by Army or Navy shoe repair units.
	Repair			0	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
16B	Miscellaneous uses		0	0	
	Bonding hair and vegetable fibers.				
	Paper padding adhesives.				
	Paper adhesives.				

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
18F	Infant goods:				
	Baby pants		0	0	
	Breast shields, nursing		X	0	
	Child's urine deflectors		0	0	
	Crib sheets		0	0	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
16B	Miscellaneous uses: Bonding hair and vegetable fibers. Paper padding adhesives. Paper adhesives. Packaging adhesives. Leather finishing. Textile printing pastes. In the manufacture of any product except manufacture of molded, dipped or extruded rubber goods not elsewhere permitted in Appendix I. In the application or repair of any product.		0	0	
16C	Other purposes not elsewhere listed: (U. S. Army, Navy and Maritime Commission orders only)		0	X	Butyl, class only permitted.
17	Proofing, combining or coating of fabric—				
17A	Compounds for the following, limited to Government orders only:				
	Diving equipment		X	0	
	Flotation equipment:				
	Pararaft		X	0	
	All other airborne rafts		40	0	
	Other purposes		0	X	Butyl, Class only permitted.
17B	Compounds for:				
	Industrial, occupational protective clothing (other than footwear and gloves) limited to: aprons, leggings, sleeves, pants, coats, jackets, hats, fireman's and policeman's clothing, blasting helmets, body belts and safety straps.		0	0	
	Life saving suits (overboard)		0	0	Subject to end use restrictions, see Appendix III.
17C	Compounds for proofing, combining or coating of fabric, any purpose not elsewhere listed.		0	0	
18	Drug sundries, medical, surgical, dental				Where crude is permitted for a product latex may be substituted, unless otherwise indicated.
18A	Adhesive products: Bunion pads. Bunion plasters. Corn plasters. Medicated foot pads and plasters. Surgical adhesive tape.		0	0	
18B	Bulbs:				
	Breast pumps		0	0	
	Bulbs including parts (medical, surgical, dental, veterinary, mortuary and laboratory types only).		0	0	
	Medicine droppers		0	0	
18C	Dental products:				
	Dental dam		X	0	
	Dental plaster bowls		0	0	
	Dental polishing tips		X	0	Professional use only.
	Dental separating strips and mouth props.		0	0	
	Denture rubber:				
	Pink color		65	0	
	All other colors		50	0	
	Denture suctions and model formers		0	0	
	Orthodontia bands		X	0	
18D	Flat goods:				
	Fountain syringe bags			0	Crude or latex permitted for seaming and closing.
	Ice bags			0	Crude or latex permitted for seaming and closing.
	Invalid rings			0	Crude or latex permitted for seaming and closing.
	Operating cushions			0	Crude or latex for seaming and closing.
	Water bottles and combination syringes			0	Crude or latex for seaming and closing.
18E	Gloves and cots:				
	Finger cots, industrial and agricultural		0	0	
	Finger cots (medical, surgical, dental, veterinary, mortuary and laboratory types only).		X	0	
	Gloves:				
	Electricians'		X	0	
	Surgeons'		X	0	Government Fed. Spec. ZZ-G-421 A. Limited to Medical use (See restrictions Appendix III).
	All other including all-rubber, net-lined rubberized fabric, etc. for any use.			0	Crude or latex permitted only for seaming net-lined gloves.
18F	Infant goods:				
	Baby pants		0	0	
	Breast shields, nursing		X	0	
	Child's urine deflectors		0	0	
	Crib sheets		0	0	
	Diaper covers		0	0	
	Feeding bottle caps and covers		0	0	
	Feeding nipples (including lambs)	23		0	
	Pacifiers		0	0	
	Teethers and teething rings		0	0	
18G	Miscellaneous sundries:				
	Acoustic aids designed for individual hearing instruments and audiometers.		0	0	
	Blood pressure bags except tubing		75	0	
	Brain surgery caps		0	0	
	Breast forms		0	0	
	Catheters		0	0	Latex (98% maximum by volume) permitted.
	Colostomy outfits, molded and dipped		0	0	
	Colostomy outfits, hand made		X	0	
	Conductive rubber (for medical and surgical uses)		0	0	
	Crutch pads		0	0	
	Crutch tips		0	0	
	Diathermy pad electrodes		0	0	
	Dilators		X	0	
	Ear stoppers		0	0	
	Hard rubber pipes, connections and accessories (medical, surgical, dental, veterinary and mortuary types only).		0	0	
	Inhalation bags and face pieces not including oxygen tents and tubing (medical, dental, surgical and veterinary types only).		X	0	
	Lead-impregnated X-ray sheets, lead-impregnated gloves, lead-impregnated aprons and cooling hose.		0	0	
	Parts for medical, surgical, dental, veterinary and mortuary instruments.		X	0	
	Prostatic bags		X	0	
	Prosthetic devices		X	0	
	Rubber bands and cushions designed for artificial limbs.		X	0	
	Self-adhering gauze bandage		0	0	
	Stoppers (laboratory types only)		0	0	
	Stoppers (medical, surgical, dental, veterinary and mortuary types only).		X	0	
	Tourniquets		X	0	
	Truss pads, pneumatic		0	0	
	Truss pads and covers		0	0	
	Urinals		X	0	
	Vaccine caps		X	0	
	Veterinary sleeves		X	0	
18H	Pessaries and prophylactics		X	0	
18I	Sheet goods:				
	Bandage gum (surgical and medical only).		75	0	
	Hospital sheeting		0	0	
	Oxygen tent canopies		0	0	
18J	Tubing:				
	Fountain syringe tubing lengths		0	0	
	Tubes and tubing for surgical purposes only limited to multiple lumen tubes, plasma and surgical tubing.		X	0	
	Tubes and tubing (medical, surgical, dental, veterinary and mortuary types only).		0	0	
21	Bullet sealing fuel cells			0	Sealant: Crude, not exceeding 20 parts Guayule. Cord Dip: Latex not to exceed 3% of dry weight of cord. Fabric Skim Coat: Crude permitted. Building Cement: Crude permitted.
22	Miscellaneous:				
	Sponge for stamp gum cushion		0	0	
	Stamp gum		0	0	
	Suction cups for printer's equipment		0	0	
	Manufacture			X	Butyl, class only permitted. Crude rubber and natural latex may be consumed only to fill direct U. S. Army or Navy orders for use by Army or Navy shoe repair units.
	Repair			X	

Code No.	Product	Appendix II	Percent crude	Butyl	Special restrictions or provisions
22A	Athletic equipment:				
	Athletic equipment consisting of the following only.	-------	0	0	
	Baseball centers.				
	Boxers teeth protectors.				
	Cleats for athletic shoes.				
	Hand balls.				
	Home plates and pitchers plates.				
	Ice Hockey pucks.				
	La Crosse balls.				
	Recoil gun pads.				
	Squash balls.				
	Tennis balls.				
	Bladders, valves, covers, centers, impregnated yarns, coating and combining materials for the following only:	-------	0	0	
	Baseballs.				
	Basketballs.				
	Cage balls.				
	Footballs.				
	Punching bags.				
	Pushballs.				
	Soccer balls.				
	Soft balls.				
	Volley balls.				
	Water polo balls.				
22B	Balloons:				
	Antenna balloons	-------	0	0	
	Meteorological balloons	-------	0	0	
22C	Cushioning and pads:				
	Crash pads and helmet linings	-------	0	0	
	Cushioning for cameras, radar, radio, fire and flight control mechanisms.	20	-------	0	
	Deck helmet cushioning	-------	0	0	
	Ear cushions	-------	0	0	
	Eye buffers and shields	-------	0	0	
	Goggle and goggle face pads	-------	0	0	Industrial types only.
	Gunsight slot and vision slot pads	-------	0	0	
	Gunwale guards	-------	0	0	
	Mine mechanism cushioning	-------	0	0	
22D	Masks and respirators:				
	Component parts for gas masks, not listed below.	-------	0	0	Latex permitted for adhesive for gas mask filters.
	Component parts for mine and industrial safety masks, not listed below.	-------	0	0	
	Dust respirators	-------	0	0	
	Face pieces for shallow water diving equipment.	-------	0	0	
	Flutter valves and diaphragms	-------	X	0	
	Inhalators	-------	0	0	
	Lung bags	-------	X	0	
	Parts for oxygen masks and breathing apparatus for high altitude service.	-------	X	0	
22E	Miscellaneous products:				
	Bulbs, including parts	-------	0	0	For medical and surgical bulbs, see Code 18B.
	Covering for crab trap frames	-------	0	0	
	Fish lures	-------	0	0	
	Parts other than cushioning for flight radio, radar and fire control instruments.	-20	-------	X	
	Parts of flotation or life-saving equipment not elsewhere listed.	-------	0	0	
	Mastic deck covering—repairs only	-------	0	0	
	Mats and matting (limited to airplane walkway, pilot house, bridge deck and gun platform).	-------	0	0	
	Muzzle covers	-------	0	0	
	Parachute bands and ventilating rings	-------	X	0	Latex permitted in place of crude.
	Pliofilm packaging	-------	X	0	Government orders only for packaging aircraft engines, aircraft engine subassemblies and bomb sights.
	Ship hold and underground ventilating tubing.	-------	0	0	
	Smoking pipe bits	-------	0	0	
	Weatherstripping	-------	0	0	
22F	Pressure sensitive tape	-------	-------	X	Crude permitted for high heat resistance and non-corrosive electrical tape only. Butyl, clear only permitted. Fabric backed tape subject to end use restrictions (see Appendix III).
22G	Stationers supplies:				
	Erasers, including typewriter	-------	0	0	
	Fingerpads	-------	0	0	
	Fountain pen sacs	-------	0	0	
	Ink eradicator stoppers and closures	-------	0	0	
	Pencil plugs	-------	0	0	
	Rubber bands	-------	0	0	
22H	Thread and related products:				
	Rubber thread	-------	0	0	Thread may be manufactured in the following sizes only:

Extruded thread	*Square or Cut thread*
22	24
28	30
30	36
37	43
44	50
50	58
65	70
75	85
100	112
125	140

22I	Rubber tape for clothing	-------	0	0	
22J	Webbing, elastic (combined knitted fabric cut to desired width).	-------	0	0	

APPENDIX II—MANUFACTURING REGULATIONS

(a) *Applicability.* (1) This appendix sets forth certain compounding proportions and manufacturing regulations for many of the products listed in Schedule A of Appendix I. No person may manufacture the products governed by the lists attached to this appendix unless such product is manufactured in accordance with the applicable regulations set forth in this appendix.

(2) All regulations apply to all purchase orders, including both Government and Civilian orders, except where otherwise designated in the appropriate list.

(3) Regulations in the appendix do not apply to the manufacture of experimental products or experimental compounds designed for:

(i) The substitution of synthetic rubber, reclaimed rubber or scrap rubber for crude rubber and latex.

(ii) The conservation of crude rubber, latex, synthetic rubber, reclaimed rubber or scrap rubber.

(b) *General provisions.* (1) The total rubber hydrocarbon (sometimes designated RHC in this appendix) is the sum total of crude rubber and the average rubber hydrocarbon value of reclaimed rubber, expressed on a volume basis. The average rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference (or indirect)" method.

(2) Reference to Army, Navy, Federal, Railroad, etc., specifications by number mean the latest issue or amendment of the particular specifications.

TABLE OF LISTS ATTACHED TO APPENDIX II

List and title:

1 Compounds for mechanical rubber goods.
6 Tire and tube production pattern.
17 Tire and flap curing bags.
18 Airplane tire tubes.
20 Vibration mount and shock absorbers.
21 Rubber footwear.
22 Compounds for tires and tire casings.
23 Tire and tube repair materials.
24 Tires and tire casings (except airplane and bicycle tires).
25 Tire tubes (except airplane and bicycle tire tubes).
26 Tire flaps.
27 Insulated wire and cable.
28 Feeding nipples.
29 Airplane tire and tire casings.
30 Retreading materials.
31 Tank blocks, treads, and band tracks.
32 Use of high-tenacity rayon cord.
33 Tire tube valves (except bicycle tire tube valves).
34 Bicycle tires and tubes.

LIST 1—REGULATIONS FOR THE MANUFACTURE OF COMPOUNDS FOR MECHANICAL RUBBER GOODS

(a) *Applicability.* This List 1 establishes certain general provisions and regulations governing the compounds to be used in the manufacture of mechanical rubber products. These regulations shall apply to all mechanical goods compounds, whether manufactured from crude rubber, reclaimed rubber, synthetic rubber, latex, scrap or any combination of these materials.

(b) *General provisions.* (1) Compounds containing less crude rubber or latex than that amount designated either in Schedule A, Appendix I, or in lists now or hereafter attached to this Appendix II may be used in manufacturing products governed by said schedule or lists, provided the physical or service requirements, where designated, are met.

(2) All compounds shall be black, except where otherwise designated in Schedule A or in other applicable lists.

(3) Where maximum percent by volume for crude rubber and latex is designated, it shall include crude rubber used in cements to aid processing.

LIST 6—REGULATIONS FOR THE TIRE AND TUBE PRODUCTION PATTERN

(a) *Production pattern.* (1) In order to secure maximum output from existing tire and tube production facilities in accordance with the essentiality of demand, the following production pattern shall be observed and followed by all manufacturers, notwithstanding any other applicable order, regulation or authorization of the War Production Board.

PRODUCTION PATTERN

Group and Type of Product

1. Airplane tires and tubes:
   - (a) Large size tires, built on truck equipment.
   - (b) Small size tires, hand built or built on industrial pneumatic equipment.
   - (c) Other small size tires, built on passenger equipment.
   - (d) Tubes.
2. Truck-bus tires and tubes:
   - (a) Combat tires.
   - (b) Extra large size tires, 16.00 and larger cross-section.
   - (c) Large size tires, 9.00 through 14.00 cross-section except 9.00 x 16, 8 ply; also the following tires: 7.50 x 15, 10–12 ply; 8.25 x 15—10, 12 and 14 ply.
   - (d) Medium size tires (dual bead), all 10 ply up to and including 8.25 cross-section, excluding 7.50 x 15 and 8.25 x 15.
   - (e) Small size truck type tires (single bead) 8 ply and under, and 9.00 x 16, 8 ply; but excluding tires described in sub-group (f) below.
   - (f) Tires with 15 inch and 16 inch rim diameters, up to and including 7.50 cross-section (4, 6 and 8 ply only).
   - (g) Solid tires.
   - (h) Tubes.
3. Tractor-implement tires and tubes:
   - (a) Large size tires, over 7.50 cross-section.
   - (b) Front and small size tires, up to and including 7.50 cross-section.
   - (c) Tubes.
4. Industrial tires and tubes:
   - (a) Bogie rollers.
   - (b) Pressed-on solids.
   - (c) Cured-on solids.
   - (d) Pneumatic tires.
   - (e) Tubes.
5. Camelback and repair materials:
   - (a) Truck type and heavy duty.
   - (b) Passenger type.
6. Passenger and motorcycle tires and tubes:
   - (a) Tires.
   - (b) Tubes.
7. Bicycle tires and tubes:
   - (a) Tires.
   - (b) Tubes.

(2) The foregoing production pattern establishes the order of preference in which each manufacturer's interchangeable facilities must be used in the manufacture of tire and tube products and applies to facilities in each group or sub-group or in as many groups as are covered by the manufacturer's facilities.

(3) Where there is any degree of interchangeability in the use of the manufacturer's facilities, these facilities shall be extended to a lower group or sub-group in accordance with the production pattern when the manufacturer has established an inventory position not exceeding 15 days' supply in each higher group or sub-group for which the facilities are used. Inventories thus established shall be maintained in accordance with the production pattern.

For the purposes of this list, a 15-day inventory position means one-fourth of the manufacturer's sales during the preceding 60 day period.

For example: Assume that a 15-day position has been established in groups 1 and 2. This releases interchangeable facilities for the remaining groups in order of preference. When inventories are exhausted in groups 1 and 2, then any interchangeable facilities which are used in a lower group in the pattern must be diverted to groups 1 and 2 as soon as possible in order to re-establish an inventory not exceeding a 15-days' supply in groups 1 and 2 and in accordance with the pattern.

Another example: Requirements for Item f of group 2—truck tires of 15 inch and 16 inch bead diameter through 7.50 cross-section (these are also passenger type sizes) must be met to the extent of an inventory not exceeding a 15 days' supply before production facilities shall be used for regular passenger tires in group 6.

(4) The use of interchangeable tire and tube production facilities, except in accordance with the foregoing production pattern, is prohibited unless specific authorization in writing is secured from the Office of Rubber Director, War Production Board.

(b) *Miscellaneous provisions.* (1) Because of the urgency for maximum tire and tube production and in view of the critical manpower shortage, no manufacturer shall perform the following operations:

(i) Wrapping of tires, regardless of end use.

(ii) Removal of minor light spots and surface imperfections not actually harmful from a service standpoint.

(2) Deviations from normal manufacturing practices which are set forth in this paragraph (b) shall not be interpreted as permitting any relaxation of essential inspection of the finished product.

LIST 17—REGULATION FOR THE MANUFACTURE OF TIRE AND FLAP CURING BAGS

NOTE: List 17 amended Aug. 26, 1944.

(a) *Manufacturing regulations.* The manufacture of tire and flap curing bags of all sizes and types is subject only to the following regulations:

The use of crude rubber in the manufacture of tire and flap curing bags shall conform to the regulations shown in Table A or Table B.

TABLE A

Size	Type	Maximum crude rubber, by volume, in curing bag, per tire cured, in percent of the sum of the total RHC plus synthetic rubber of the tire cured [1]
All	Passenger	0.4
All	Motorcycle	.4
15" and 16" rim diameter	Industrial	.4
15" and 16" rim diameter	Farm tractor	.4
6.00 through 11.00, all rim diameters.	Truck	.4
12.00 and 13.00, all rim diameters.	Truck	1.0
14.00, all rim diameters	Truck	1.20

[1] Additional crude rubber may be consumed in curing bags if such rubber is deducted from the allowable crude rubber permitted in the manufacture of the tire being cured.

TABLE B

Size	Type	Maximum percent crude rubber, by volume, of the sum of the total RHC plus synthetic rubber in the curing bag
All (except 15" and 16" rim diameters).	Industrial pneumatic.	80
All (except 15" and 16" rim diameters).	Farm tractor	80
All (except tailwheel sizes).	Airplane	80
Tailwheel	Airplane	As required
All	Bicycle	[1] 0
All	Flap bags	[1] 0

[1] Crude rubber and Latex permitted only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(b) *Marking of synthetic curing bags.* All curing bags containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the bag. The appropriate color shall be determined from paragraph (c) (2) of List 22, Appendix II.

LIST 18—REGULATIONS FOR THE MANUFACTURE OF AIRPLANE TIRE TUBES

NOTE: List 18 amended Aug. 25, 1944.

(a) *General provisions.* The crude rubber content of any tube governed by this List 18 shall not include processing losses or crude rubber used in valves.

(b) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured to fill both Government and civilian orders (subject, for Government orders, to the approval of the procuring agency) provided that crude rubber and latex are consumed only in valves (where permitted in List 33), valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(2) The manufacture of tubes consuming more crude rubber than permitted by paragraph (b) (1) of this List 18 shall be limited to the sizes and types listed in Table A, subject to the maximum crude rubber content designated therefor.

TABLE A

Size	Type	Maximum content crude rubber in pounds
30	S. C. Landing wheel tubes	5.96
44	do	7.63
47	do	10.50
51	do	12.40
56	do	17.60
65	do	20.10
27 SCB	S. C. Nose wheel tubes	3.87
30 SCB	do	4.77
33 SCB	do	5.96
36 SCB	do	7.43
39 SCB	do	8.94
44 SCB	do	11.34
47 SCB	do	12.81
51 SCB	do	17.18
56 SCB	do	28.00
19.00	S. C. Tailwheel tubes	1.32
23.00	do	1.80
26.00	do	2.14
30.00	do	2.98
19.00 SCA	S. C. Nose wheel tubes	1.78
23.00 SCA	do	2.98
26.00 SCA	do	3.87
30.00 SCA	do	5.06
26 x 6	High pressure landing wheel tubes.	2.10
30 x 7	do	2.74
32 x 8	do	3.23
34 x 9	do	4.55

TABLE A—continued

Size	Type	Maximum cotton cords per inch
26 x 6.6	High pressure special duty landing wheel tubes.	1.43
30 x 7.7	do	2.15
32 x 8.8	do	2.62
34 x 9.9	do	3.80
36 x 11	do	4.06
38 x 11	do	4.54
40 x 12	do	6.98
42 x 12	do	6.45
44 x 12	do	8.82
46 x 14	do	11.45
10½ x 4	High pressure tailwheel tubes	.62
12½ x 4½	do	.81
14½ x 5	do	1.19
8.50 x 10	Low pressure landing wheel tubes.	2.28
15.00–16 DC	do	2.35
15.00–16 FB	do	2.35
16.00–16	do	2.35
17.00–16	do	2.54
18.00–16	do	9.54
20.00–19	do	11.45
16.80–20	do	9.54
17.00–20	do	12.40
19.00–20	do	14.60
8.00–4	Low pressure tailwheel tubes	.62
7.00–5	do	1.07
8.00–5	do	1.24
9.00–6 FB	do	1.53
10.00–7	do	2.98
46 20–10	Extra low pressure landing wheel tubes.	10.00

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 22.

LIST 20—REGULATIONS FOR THE MANUFACTURE OF VIBRATION MOUNT AND SHOCK ABSORBER

(a) *Manufacturing regulations.* (1) No crude rubber or natural latex may be consumed in the manufacture of compression type mountings or insulations regardless of shore durometer reading.

(2) No crude rubber or natural latex may be consumed in the manufacture of plate, sandwich, tubular or other types of shear mountings or insulations where the temperature of applications are minus 60° F. and above. Engine and instrument mounts for aircraft may be considered as falling in the applications functioning below minus 60° F. Therefore, crude rubber or natural latex may be consumed in the manufacture of plate, sandwich, tubular or other types of shear mountings or insulations for aircraft engine and instrument mounts.

(3) No crude rubber or natural latex may be consumed in the manufacture of motor-boating insulation, vibration dampers, hull bonded insulators, vibration dampers may be manufactured from crude rubber or latex until further notice.

(4) No crude or natural latex may be consumed in the manufacture of cushioning for cameras, or cushioning or parts for radio and radar instruments such as the cord figure eight insulator.

(5) No crude rubber or latex may be used for bonding cements and tie-coat compounds

(6) Unlimited plus or minus variations from average weight of total crude rubber and latex per pair are permitted provided the over-all consumption of crude rubber and latex does not exceed total permitted consumption on the basis of listed ceilings for all items manufactured.

(4) [Deleted Aug. 25, 1944]

	Average weight of crude rubber and latex per pair maximum (in pounds)
(b) *Essential health items.*	
Men's short boots—regulation height	0.08
Women's short boots—(molded heel)	.05
Men's lumber-over	.07
Men's 2-buckle perfection	.12
Men's 3-buckle rubber mid-weight arctic	.09
Men's 4-buckle rubber mid-weight arctic	.08
Men's 4-buckle rubber light-weight arctic	.06
Men's 4-buckle cloth farm-weight arctic	.06
Men's 4-buckle cloth light-weight arctic	.05
Boys' 3-buckle rubber light-weight arctic	.05
Youths' 3-buckle rubber light-weight arctic	.06
Women's 4-buckle rubber light-weight arctic (low heel)	.05
Women's 2-snap gaiter (rubber)	.025
Misses' 2-snap gaiter (rubber)	.025
Child's 2-snap gaiter (rubber)	.02
Men's 2-buckle work rubber	.06
Men's work rubber-storm & semi-storm	.05
Boys' storm work rubber	.04
Men's dress rubber-storm, over & clog (full lined)	.03
Men's clog (molded)	.018
Boys' dress rubber-storm & over (soft back only)	.025
Youths' storm rubbers	.025
Women's toe rubbers	.01
Growing girls' storm rubber	.02
Misses' storm rubber	.02
Women's over	.02
Child's storm rubber	.015
Women's 10½" over-the-shoe arctic	.025
Misses' 9" over-the-shoe arctic	.025
Child's 8" over-the-shoe arctic	.02
(c) *Severe occupational items.*	
Men's short boot (plain toe)	.14
Men's short boot (steel toe)	.13
Men's storm king boot (plain toe)	.10
Men's storm king boot (steel toe)	.09
Men's storm king (Eskimo) boot (plain toe)	.20
Men's hip boot and thigh (plain toe)	.24
Men's hip boot and thigh (steel toe)	.24
Men's 12" hunter (plain toe)	.14
Men's 12" hunter (steel toe)	.13
Men's 16" mine gar (plain toe)	.13
Men's 16" mine gar (steel toe)	.12
Men's work shoe (plain toe)	.09
Men's work shoe (steel toe)	.10
Women's work shoe (plain toe)	.09
Men's body boot	.09
(d) *Canvas rubber soled shoes of unlimited construction.*	
Misses' lace to toe gym bal. white duck upper	0.06
Men's untrimmed oxford white duck upper	.07
Boys' untrimmed cir. vamp oxford white duck upper	.07
Youths' untrimmed cir. vamp oxford white duck upper	.06
Women's untrimmed oxford white duck upper	.07
Misses' untrimmed cir. vamp oxford white duck upper	.06
Child's untrimmed cir. vamp oxford white duck upper	.06
(e) *Government order arsenal-ordnance order and munition plant order items.*	
Men's hip boot BQD #112—16 April 1943	.38
Men's top lace short boot BQD #112—12 April 1943	.20
Men's lumber-over shell, Yukon type BQD #57F—7 May 1943	.18
Men's 4-bkle. rubber arctic (Army-Navy Spec.)	.19
Men's 5-bkle. rubber arctic with safety sole BQD #116—3 Sept. 1943	.17
Men's 4-bkle. cashmerette arctic BQD #56C—29 Jan. 1944	.14
Men's 4-bkle. extra large cashmerette arctic (Spec. pending)	.14
Women's 4-bkle. cashmerette arctic BQD #99B—20 Jan. 1944	.08
Women's 4-bkle. extra large cashmerette arctic (Spec. pending)	.08
Women's 2-snap gaiters (rubber) (BQD No. 70)	.06
Men's Jungle Boot BQD #79B—8 Nov. 1943	.10
Women's heavy storm rubber BQD 97A—1 Nov. 1943	.06
Men's short legging boot—conductive sole (Army Ord. Spec.)	.21
Men's short legging boot (Army Ord. Spec.)	.21
Men's powder-plant over-the-shoe boot	.22
Women's 16" pullover boot—conductive sole) Army Ord. Spec.)	.16
Men's work shoe—conductive sole (Army Ord. Spec.)	.23
Men's work rubber—conductive sole (Army Ord. Spec.)	.24
Men's clog—conductive sole (Army Ord. Spec.)	.20
Men's industrial hip boot—shell construction	.42
Men's industrial hip boot—shell construction—steel toe	.42
Men's industrial short boot—shell construction	.23
Men's industrial short boot—shell construction—steel toe	.23
Aviators' winter flying boot (Army Spec. 42B-2)	(1)
Men's flying boot (AS)	(1)
Men's flying boot (AS)	(1)
B-1 electrically heated flying boot insert (Navy Spec. 72B2-1)	.13
Men's flying boot (ASG)	.10
Women's flying boot (ASG)	.10
Men's flying boot (AS)	.10
Men's flying boot (AS)	.10
Men's flying boot (AS

TABLE A—continued

Size	Type	Maximum content crude rubber in pounds
26 x 6.6	High pressure special duty landing wheel tubes.	1. 43
20 x 7.7	do	2. 15
32 x 8.8	do	2. 63
34 x 9.9	do	3. 80
36 x 11	do	4. 05
38 x 11	do	4. 54
40 x 12	do	5. 96
42 x 12	do	6. 45
44 x 13	do	8. 82
46 x 14	do	11. 45
10½ x 4	High pressure tailwheel tubes	. 62
12½ x 4½	do	. 81
14½ x 5	do	1. 19
8.50 x 10	Low pressure landing wheel tubes.	2. 28
13.00–16 DC	do	8. 35
13.00–16 FB	do	8. 35
16.00–16	do	8. 35
17. 00–16	do	9. 54
18. 00–16	do	9. 54
20. 00–18	do	11. 45
15. 50–20	do	9. 54
17. 00–20	do	12. 40
19. 00–23	do	14. 80
5. 00–4	Low pressure tailwheel tubes	. 82
7. 00–5	do	1. 07
8. 00–5	do	1. 24
9. 00–6 FB	do	1. 53
10. 00–7	do	2. 86
45. 20–10	Extra low pressure landing wheel tubes.	10. 00

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 22.

LIST 20—REGULATIONS FOR THE MANUFACTURE OF VIBRATION MOUNT AND SHOCK ABSORBERS

(a) *Manufacturing regulations.* (1) No crude rubber or natural latex may be consumed in the manufacture of compression type mountings or insulations regardless of shore durometer reading.

(2) No crude rubber or natural latex may be consumed in the manufacture of plate, sandwich, tubular or other types of shear mountings or insulations where the temperature of applications are minus 40° F. and above. Engine and instrument mounts for aircraft may be considered as falling in the applications functioning below minus 40° F. Therefore, crude rubber or natural latex may be consumed in the manufacture of plate, sandwich, tubular or other types of shear mountings or insulations for aircraft engine and instrument mounts.

(3) No crude rubber or natural latex may be consumed in the manufacture of nonbonded torsional vibration dampers but bonded torsional vibration dampers may be manufactured from crude rubber or latex until further notice.

(4) No crude or natural latex may be consumed in the manufacture of cushioning for cameras, or cushioning or parts for radio and radar instruments and/or fire and flight control mechanisms.

(5) Crude rubber or latex may be used for bonding cements and tie-gum compounds but shall not exceed 1/32" thickness for any type of vibration mount or shock absorber.

LIST 21—REGULATIONS FOR THE MANUFACTURE OF RUBBER FOOTWEAR

(a) *General provisions.* (1) The manufacture of rubber footwear and canvas rubber soled shoes shall be limited to the items shown in paragraphs (b), (c), (d), and (e) of this List 21.

(2) All rubber footwear and canvas shoes shall be manufactured in black color compound only.

(3) Unlimited plus or minus variations from average weight of total crude rubber and latex per pair are permitted provided the over-all consumption of crude rubber and latex does not exceed total permitted consumption on the basis of listed ceilings for all items manufactured.

(4) [Deleted Aug. 25, 1944]

(b) *Essential health items.*	*Average weight of crude rubber and latex per pair maximum (in pounds)*
Men's short boots—regulation height	0. 08
Women's short boots—(molded heel)	. 05
Men's lumber-over	. 07
Men's 2-buckle perfection	. 12
Men's 5-buckle rubber mid-weight arctic	. 09
Men's 4-buckle rubber mid-weight arctic	. 08
Men's 4-buckle rubber light-weight arctic	. 06
Men's 4-buckle cloth farm-weight arctic	. 05
Men's 4-buckle cloth light-weight arctic	. 06
Boys' 3-buckle rubber light-weight arctic	. 05
Youths' 3-buckle rubber light-weight arctic	. 05
Women's 4-buckle rubber light-weight arctic (low heel)	. 05
Women's 2-snap gaiter (rubber)	. 025
Misses' 2-snap gaiter (rubber)	. 025
Child's 2-snap gaiter (rubber)	. 02
Men's 2-buckle work rubber	. 05
Men's work rubber-storm & semi-storm	. 05
Boys' storm work rubber	. 04
Men's dress rubber-storm, over & clog (full lined)	. 03
Men's clog (molded)	. 018
Boys' dress rubber-storm & over (soft back only)	. 025
Youths' storm rubbers	. 025
Women's toe rubbers	. 01
Growing girls' storm rubber	. 02
Misses' storm rubber	. 02
Women's over	. 02
Child's storm rubber	. 015
Women's 10½" over-the-shoe arctic	. 025
Misses' 9" over-the-shoe arctic	. 025
Child's 8" over-the-shoe arctic	. 02

(c) *Severe occupational items.*	
Men's short boot (plain toe)	. 14
Men's short boot (steel toe)	. 15
Men's storm king boot (plain toe)	. 19
Men's storm king boot (steel toe)	. 20
Men's storm king fireman's boot (plain toe)	. 20
Men's hip boot and thigh (plain toe)	. 24
Men's hip boot and thigh (steel toe)	. 24
Men's 15" lacepac (plain toe)	. 14
Men's 15" lace pac (steel toe)	. 15
Men's 10" mine pac (plain toe)	. 12
Men's 10" mine pac (steel toe)	. 13
Men's work shoe (plain toe)	. 09
Men's work shoe (steel toe)	. 10
Women's work shoe (plain toe)	. 09
Men's body boot	. 33

(d) *Canvas rubber soled shoes of vulcanized construction.*	
Men's training shoe—black duck upper	. 12
Boys' training shoe—black duck upper	. 12
Men's trimmed lace to toe bal. black or brown duck upper	. 09
Boys' trimmed lace to toe bal. black or brown duck upper	. 08
Youths' trimmed lace to toe bal. black or brown duck upper	. 07
Little gent's lace to toe bal. black or brown duck upper (trimmed)	. 06
Women's lace to toe gym bal. white duck upper	. 07

(d) *Canvas rubber*—Con.	*Average weight of crude rubber and latex per pair maximum (in pounds)*
Misses' lace to toe gym bal. white duck upper	0. 06
Men's untrimmed oxford white duck upper	. 07
Boys' untrimmed cir. vamp oxford white duck upper	. 07
Youths' untrimmed cir. vamp oxford white duck upper	. 06
Women's untrimmed oxford white duck upper	. 07
Misses' untrimmed cir. vamp oxford white duck upper	. 06
Child's untrimmed cir. vamp oxford white duck upper	. 05

(e) *Government order arsenal-ordnance order and munition plant order items.*	
Men's hip boot BQD #113—16 April 1943	. 38
Men's top lace short boot BQD #112—12 April 1943	. 20
Men's lumber-over shell, Yukon type BQD #57F—7 May 1943	. 18
Men's 4-bkle. rubber arctic (Army-Navy Spec.)	. 19
Men's 5-bkle. rubber arctic with safety sole BQD #116—2 Sept. 1943	. 17
Men's 4-bkle. cashmerette arctic BQD #56C—99 Jan. 1944	. 14
Men's 4-bkle. extra large cashmerette arctic (Spec. pending)	. 14
Women's 4-bkle. cashmerette arctic BQD #99B—20 Jan. 1944	. 08
Women's 4-bkle. extra large cashmerette arctic (Spec. pending)	. 08
Women's 2-snap gaiters (rubber) (BQD No. 70)	. 06
Men's Jungle Boot BQD #79B—8 Nov. 1943	. 10
Women's heavy storm rubber BQD 97A—1 Nov. 1943	. 06
Men's short legging boot—conductive sole (Army Ord. Spec.)	. 23
Men's short legging boot (Army Ord. Spec.)	. 23
Men's powder-plant over-the-shoe boot	. 22
Women's 10" pullover boot—conductive sole) Army Ord. Spec.)	. 10
Men's work shoe — conductive sole (Army Ord. Spec.)	. 19
Men's work rubber—conductive sole (Army Ord. Spec.)	. 14
Men's clog—conductive sole (Army Ord. Spec.)	. 19
Men's industrial hip boot—shell construction	. 42
Men's industrial hip boot—shell construction—steel toe	. 43
Men's industrial short boot—shell construction	. 25
Men's industrial short boot—shell construction—steel toe	. 27
Aviators' winter flying boot (Aero. Spec. M380–B)	(1)
Men's flying boot (A6)	(1)
Men's flying boot (A9)	(1)
D–1 electrically heated flying boot insert (Used in A9 boot)	. 10
Men's flying boot (A10)	. 13
Pilots' shoes—rubber surface—mukluk type (A13)	. 14
Pilots' shoes—canvas and rubber—mukluk type (A14)	. 10
Men's tennis shoe with safety sole BQD #117—26 July 1943	. 07
Men's hip boot, medium weight (Navy Spec.)	. 38
Men's short boot, heavy weight (Navy Spec.)	. 28
Men's storm rubber (Navy Spec.)	. 07
Men's clog non-slip sole (Navy Spec. M449)	. 06

[1] Cements only.

(e) *Government order, etc.*—continued	*Average weight of crude rubber and latex per pair maximum (in pounds)*
Men's clog molded (Navy Spec.)	0. 08
Women's snap gaiter (rubber) (Navy Spec.)	. 06
Men's gym shoes (Navy Spec.)	. 07
Women's gym shoe (Navy Spec.)	. 07
Men's training shoe (molded sole) (Navy Spec.)	. 12
Men's electrically heated flying boot (Navy-Aero M456)	. 13
Men's 5-bkle. sea arctic N–1 non-slip sole (rubber) (Navy Spec. 72A–3)	. 17
Men's wading suit (Aero Spec.)	. 66
Men's wading shoe (Aero Spec.)	. 08
Men's wader overshoe—armpit height (Engineers Spec.) BQD #139	. 65
Men's wader over-the-foot, waist height (Signal Corps Spec.)	. 50
Men's 2-bkle. cloth arctic (Marine Spec.)	. 14
Men's 2-bkle. perfection (diving suits and felt boots) (Merchant Marine Spec.)	. 17
Men's sea boot—non-slip sole, Navy Spec. 32B–6	. 86

(e) *Government order, etc.*—continued	*Average weight of crude rubber and latex per pair maximum (in pounds)*
Men's firemen's storm king boot Navy 72B2 revised 8–30–43	0. 59
Men's 5-bkle. rub. arctic (Navy) 72–A–4 shore arctic N2	. 22

LIST 22—REGULATIONS FOR THE MANUFACTURE OF COMPOUNDS FOR TIRES AND TIRE CASINGS

(a) *Applicability.* These regulations govern the manufacture of compounds for tires and tire casings. Other lists attached to Appendix II will govern the use of these compounds in the manufacture of finished products. These compounds need be used only when required by other regulations contained in lists attached to Appendix II. The variations permitted by this List 22 are allowed in the manufacture of finished products covered by other applicable lists unless expressly prohibited by such other lists.

(b) *Natural rubber compounds.* The composition of natural rubber compounds shall be governed by the regulations set forth in the following table:

Description of compound	Grade	Percent by volume			
		Crude rubber		Total RHC	
Type		Max.	Min.	Max.	Min.
Tread compounds	A	73. 0	71. 0	75. 0	71. 0
	B	59. 5	57. 4	74. 6	65. 0
Friction compounds	A	88. 5	83. 5	94. 2	83. 5
	B	78. 0	73. 0	94. 2	75. 0

(c) *Synthetic rubber compounds.* (1) No regulations are now designated for the manufacture of synthetic rubber compounds for tires and tire casings.

(2) The identification of the various types of synthetic rubber is effected by designating each type by a letter and a color.

Letter	Color	Type of synthetic
S	Red	GR–S (Buna S).
M	Yellow	GR–M (Neoprene).
I	Light blue	GR–I (Butyl).

(d) *Synthetic tire constructions.* (1) The distribution of synthetic rubber in tires and tire casings is controlled by the following synthetic construction identification numbers, which indicate the proportion of synthetic rubber to crude rubber, and the placement of the synthetic rubber.

Synthetic construction identification numbers:	*Type of synthetic*
S–3, S–4, S–5, etc	GR–S

(2) S–3 denotes 100% GR–S tread on a 100% GR–S carcass, except that:

Crude rubber may be used throughout the tire at the manufacturer's discretion, but shall not exceed, by weight, the following percentage of the sum of the crude rubber, GR–S synthetic rubber and reclaimed rubber hydrocarbon contents:

	Percent
Passenger and motorcycle	1. 25
Truck	2. 00
Airplane	2. 00
Combat	5. 00
All other	1. 50

Individual sizes may exceed the indicated maximum percentage, provided that the average crude rubber content of all sizes of the same type of tire does not exceed the indicated maximum percentage.

(3) S–4 denotes approximately 90% GR–S and 10% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

Crude rubber may be used only to the extent permitted by the "maximum content crude rubber" designated.

(4) S–5 denotes 100% GR–S tread on a natural rubber carcass, except that:

Crude rubber may be used only in cements, in tread and side-wall splice gum strips and in the tire body, but only to the extent permitted by the "maximum content crude rubber" designated.

(5) S–6 denotes approximately 70% GR–S and 30% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

Crude rubber may be used to the extent permitted by the "maximum content crude rubber" designated.

(6) S–7 denotes approximately 35% GR–S and 65% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

Crude rubber may be used only to the extent permitted by the "maximum content crude rubber" designated.

(7) S–8 denotes approximately 93% GR–S and 7% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

Crude rubber may be used only to the extent permitted by the "maximum content crude rubber" designated.

LIST 23—REGULATIONS FOR THE MANUFACTURE OF TIRE AND TUBE REPAIR MATERIALS

NOTE: List 23 amended Aug. 25, 1944.

(a) *General provisions.* Only one grade of product may be manufactured in each item governed by this List 23, and that grade must be consistent with maintaining a quality adequate for the service for which the product is designed.

(b) *Manufacturing regulations* The manufacture of tire and tube repair materials shall be limited to the items shown in this paragraph (b), subject to the compound regulations designated therefor.

Description of Item	*Maximum percent, by volume, of crude rubber in compound*
(1) Bulk tire repair materials:	
(a) Tread repair stock (1/16" max. ga.)	30. 0
(b) Repair cushion stock	40. 0
(c) Cord repair friction (.047 max. ga.)	40. 0
(d) Sq. woven fabric friction	40. 0
(e) Cements (cold cure)	(*)
(f) Cements (vulcanizing)	(†)
(2) Tire patches: [2]	
(a) Uncured—vulcanizing type:	
Body	40. 0
Facing	40. 0
(b) Cured and semi-cured vulcanizing type:	
Body	0. 0
Facing	40. 0
(c) Temporary emergency-cold cure type (composite)	5. 0
(d) Tire reliners	0. 0
(e) Nail hole plugs	0. 0
(3) Tube patches:	
(a) Combination tube repair gum (cured back, uncured face)	([3])
(b) Tube repair gum (uncured)	60. 0
(c) Hot patch gum (uncured)	78. 0
(d) Truck tube valve repair patches (composite)	60. 0
(e) Tube replacement valve facing	60. 0
(4) Sectional bags	([4])

*MAX. .20 pound crude rubber per gal.

† As required.

[1] Crude rubber may be consumed in cements for adhesion purposes in manufacturing tire patches.

[2] Maximum 1.15 pounds crude rubber per square yard.

[3] Maximum of 80% crude rubber, by volume of the sum of the total RHC plus synthetic rubber.

(c) *Restrictions.* (1) In items (2) (c), (3) (a), and (3) (d), different grades of compounds may be used in the cured and uncured portions of each provided the total crude rubber content in the whole item does not exceed the percent represented by the compound grade specified.

(2) Repair kits containing any of the above materials, except garage kits, shall not contain more than 20 square inches of combination tube repair gum, nor more than 1.5 cubic inches of any rubber cement.

(3) Garage kits containing any of the above materials shall contain not more than 300 square inches of combination tube repair gum and not more than ¼ pint of rubber cement.

LIST 24—REGULATIONS FOR THE MANUFACTURE OF TIRES AND TIRE CASINGS (EXCEPT AIRPLANE AND BICYCLE TIRES)

(a) *General provisions.* (1) The crude rubber content of any tire or tire casing governed by this List 24 shall not include processing losses or crude rubber used in curing bags.

(2) No crude rubber or latex shall be consumed in the cord treatment.

(3) On those sizes of natural rubber tires for which no "maximum content crude rubber" is designated, the compound grades shown under "compound designation" shall apply (the first letter designating the friction and the second letter designating the tread compound grade) and the composition of the compounds shall conform to the regulations set forth in List 22, Appendix II.

(4) On those sizes of synthetic rubber tires for which no "maximum content crude rubber" is designated, the tire construction shall be of the synthetic type designated and the compounds thereof shall conform to the appropriate regulations set forth in List 22, Appendix II.

(5) The use of rayon in the manufacture of tires and tire casings governed by this List 24 shall conform to the regulations set forth in List 22, Appendix II.

(6) When the cord used in any tire is of a gauge less than .027 inch as measured by the current ASTM standard in effect, the "maximum content crude rubber" permitted, if based on cotton construction, shall be reduced by 6 percent.

(7) Only one grade of tire may be manufactured in any size, ply and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tire is designed.

(8) Where "Mud-Snow" type tread is designated in this List 24, tires with either directional or non-directional (ND) tread designs may be manufactured.

(9) Single marked high pressure type tires or single marked balloon type tires may be substituted for dual marked type tires.

(10) S–7 synthetic construction may be substituted for S–5 synthetic construction wherever S–5 is designated in this List 24, subject, for Government orders, to the approval of the procuring agency. The "maximum content crude rubber" designated for S–5 shall also apply to S–7.

(b) *Manufacturing regulations.* (1) Pneumatic tires of any size, ply and tread type may be manufactured provided that they conform to the regulations for S–3 synthetic construction tires in List 22, Appendix II.

(2) Solid tires (except bogie, idler, and support rollers), including cured-on solid tires, 4" x 1½" up, may be manufactured: *Provided*, That:

Crude rubber is consumed only as follows:

Hard rubber base type. Crude rubber shall be consumed only in cements and/or hard base and shall not exceed, by weight, ten percent of the sum of the crude rubber, synthetic rubber and reclaimed rubber hydrocarbon contents.

Tie-gum base (soft base) type. Crude rubber shall be consumed only in cement and/or tie gum and shall not exceed, by weight, eight percent of the sum of the crude rubber, synthetic rubber and reclaimed rubber hydrocarbon contents. Individual sizes may exceed the eight percent maximum, provided that the average crude rubber content of all sizes does not exceed the eight percent maximum.

(3) The manufacture of tires and tire casings consuming more crude rubber than permitted by paragraph (b) (1) and (b) (2) of this List 24 shall be limited to the sizes, plies and tread types listed in this paragraph (b) (3), subject to the maximum crude rubber contents or compound grades designated therefor.

TABLE A—TRUCK AND BUS TIRES

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds			
			Civilian orders	Government orders	Civilian orders		Government orders	
					Rayon	Cotton	Rayon	Cotton
7.00–18	10	Standard highway		S–4			3.70	
–20/32 x 6	10	....do	S–4	S–4	4.05		4.05	
–20/32 x 6	10	Mud-snow	S–4	S–4	4.05		4.05	
–24/36 x 6	10	Standard highway	S–4	S–4	4.60		4.60	
7.50–16	6	....do	S–6	S–6		6.70		6.70
–16	8	....do	S–4	S–4	3.20		3.20	
–16	8	Mud-snow		S–6				2.00
–17	8	Standard highway	S–4	S–4	3.60		3.60	
–18	8	....do	S–4	S–4	3.85		3.85	
–20	8	....do	S–4	S–4	4.05		4.05	
–20	8	Mud-snow		S–6				3.00

TABLE A—TRUCK AND BUS TIRES—continued

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds			
			Civilian orders	Government orders	Civilian orders		Government orders	
					Rayon	Cotton	Rayon	Cotton
7.50–20/34 x 7	10	Standard highway	S–4	S–4	4.70		4.70	
–20/34 x 7	10	Mud-snow	S–4	S–4	4.70		4.70	
–24/38 x 7	10	Standard highway	S–4	S–4	5.35		5.35	
8.25–18	10	....do	S–6	S–6	10.85		10.85	
–20	10	....do	S–6	S–6	11.95		11.95	
–20	10	Mud-snow	S–4	S–4	5.35		5.35	
–20	12	Standard highway	S–6	S–6	12.60		12.60	
9.00–16	8	Mud-snow		S–6				2.40
–18	10	Standard highway	S–6	S–6	12.80		12.80	
–20	10	....do	S–6	S–6	13.85		13.85	
–20	10	Mud-snow	S–4	S–4	6.75		6.75	
–20/36 x 8	12	Standard highway	S–6	S–6	14.85		14.85	
–22	10	....do	S–6	S–6	14.75		14.75	
–24/40 x 8	12	....do	S–6	S–6	17.40		17.40	
–24/40 x 8	12	Mud-snow		S–4			7.70	
10.00–18	12	Standard highway	S–6	S–6	15.55		15.55	
–20	12	....do	S–6	S–6	16.75		16.75	
–20	12	Mud-snow	S–6	S–6	17.10		17.10	
–20/38 x 9	14	....do		S–6			18.80	
–22	12	Standard highway	S–6	S–6	18.15		18.15	
–22	12	Mud-snow		S–6			18.15	
–24	12	Standard highway	S–6	S–6	19.30		19.30	
–24	12	Mud-snow		S–6			19.30	
10.50–18	10	....do		S–6				16.70
11.00–18	10	Desert		S–6				17.50
–18	12	Highway	S–6		19.00			
–20	12	....do	S–6		20.00			
11.00–20	12	Mud-snow	S–6		20.00			
–20	14	Highway		S–6			20.90	
–20	14	Mud-snow		S–6			20.90	
–22	12	Highway	S–6		21.00			
–22	14	....do		S–6			22.40	
–24	12	....do	S–6		22.00			
–24	14	....do		S–6			23.90	
–24	14	Mud-snow		S–6			23.90	
12.00–20	14	Highway	S–6		24.50			
–20	16	....do		S–6			25.20	
–20	16	Mud-snow		S–6			25.20	
–24	14	Highway	S–6		27.00			
–24	16	....do		S–6			28.70	
–24	16	Mud-snow		S–6			28.70	
13.00–20	16	Highway	S–6	S–6	28.00		28.00	
–24	16	....do	S–6	S–6	32.00		32.00	
–24	16	Mud-snow		S–6			32.00	
14.00–20	12	....do		S–6			31.20	
–20	18	Standard highway	S–7		80.00			
–20	20	....do		AA			124.55	
–20	20	Mud-snow		AA			131.50	
–24	18	Standard highway	S–7		90.00			
–24	20	....do		AA			141.00	
–24	20	Mud-snow		AA			148.05	
7.50–15	10	Standard low plat. tir	S–5	S–5	15.60		15.60	
–15	12	....do		S–5			17.10	
8.25–15	12	....do	S–5	S–5	21.05		21.05	
–15	14	....do		S–5			24.85	
9.00–15	12	....do	S–5	S–5	24.85		24.85	
10.00–15	12	....do		S–5			27.00	
–15	14	....do	S–5	S–5	30.10		30.10	
All	All	City bus mileage	S–6		(1)			
7.50 down	All	Intercity bus mileage	S–6		(1)			
8.25 and 9.00	All	....do	S–5		(1)			
10.00 up	All	....do	AA					

[1] 23% of total RHC plus synthetic rubber.
[2] A friction.

TABLE B—SPECIAL PURPOSE TIRES

Size	Ply [2]	Tread type	Compound designation		Maximum content crude rubber in pounds [1]			
			Civilian orders	Government orders	Civilian orders		Government orders	
					Rayon	Cotton	Rayon	Cotton
8.25–20	10	Earth mover	S–7	S–7		19.00		19.00
9.00–20	10	....do	S–7	S–7		22.00		22.00
10.00–20	12	....do	S–7	S–7		26.00		26.00
11.00–20	12	....do	S–7	S–7		29.00		29.00
12.00–20	12	....do	S–7	S–7		31.00		31.00
13.00–20	14	....do	S–7	S–7		39.00		39.00
14.00–20	16	....do	S–7	S–7		50.00		50.00
16.00–20	16	Earthmover	S–7	S–7		65.00		65.00
18.00–24	16	....do	S–7	S–7		86.00		88.00
–24	20	....do	S–7	S–7		98.00		98.00
21.00–24	16	....do	S–7	S–7		314.00		314.00
–24	20	....do	S–7	S–7		333.00		333.00
24.00–32	24	....do	S–7 [4]	S–7 [4]		448.00		448.00
–32	[3] 36	....do	S–7 [4]	S–7 [4]		516.00		516.00
8.25–20	12	Rock service and logger	S–7	S–7		36.00		36.00
9.00–20	12	....do	S–7	S–7		43.00		43.00
10.00–20	14	....do	S–7	S–7		51.00		51.00
11.00–20	14	....do	S–7	S–7		61.00		61.00
–22	14	....do	S–7	S–7		63.00		63.00
–24	14	....do	S–7	S–7		67.00		67.00
12.00–24	16	Rock service	S–7	S–7		81.00		81.00
13.00–24	16	....do	S–7	S–7		99.00		99.00
14.00–24	20	....do	S–7	S–7		134.00		134.00
16.00–24	20	....do	S–7	S–7		187.00		187.00
18.00–24	20	....do	S–7	S–7		237.00		237.00
21.00–24	20	....do	S–7	S–7		321.00		321.00
–24	24	....do	S–7	S–7		348.00		348.00
8.25–20	10	Logger	S–7	S–7		30.00		30.00
9.00–20	10	....do	S–7	S–7		37.00		37.00
10.00–20	12	....do	S–7	S–7		44.00		44.00
–22	12	....do	S–7	S–7		49.00		49.00
11.00–20	12	....do	S–7	S–7		52.00		52.00
–22	12	....do	S–7	S–7		55.00		55.00
18.00–24	16	Mud-snow	S–7	S–7		218.00		218.00
–24	20	....do	S–7	S–7		232.00		232.00
21.00–24	16	....do	S–7	S–7		300.00		300.00
–24	20	....do	S–7	S–7		310.00		310.00
–26	20	....do	S–7	S–7		370.00		370.00
24.00–32	24	....do	S–7 [4]	S–7 [4]		448.00		448.00
–32	36	....do	S–7 [4]	S–7 [4]		505.00		505.00
7.00–20	10	Ribbed (flat base)	S–4	S–4		3.80		3.80
–24	10	....do	S–4	S–4		4.40		4.40
7.50–24	10	....do	S–4	S–4		5.10		5.10
9.00–24	10	....do	S–4	S–4		7.50		7.50
–24	10	Traction (flat base)	S–4	S–4		6.80		6.80
–24	10	Traction (drop center)	S–4	S–4		6.80		6.80
10.00–24	8	....do	S–4	S–4		6.80		6.80
11.00–24	8	....do	S–4	S–4		7.10		7.10
12.00–24	8	....do	S–4	S–4		8.10		8.10
13.00–20	10	....do	S–4	S–4		9.60		9.60
–24	8	....do	S–4	S–4		10.10		10.10
14.00–20	12	....do	S–4	S–4		12.30		12.30
6.00–16		Combat (U. S.)		S–3				[5]
8.00–16		....do		S–6			12.25	
8.25–20		....do		S–6			24.80	
9.00–20		....do		S–6			28.20	
14.00–20		....do		AA			197.50	

[1] "Maximum content crude rubber" is based on Cotton or 2200 denier Rayon construction.
[2] Extra ply 1100 denier Rayon construction is permitted. The "maximum content crude rubber" of standard ply Cotton construction shall be effective for such extra ply construction.
[3] 32 ply 2200 denier Rayon construction permitted. The "maximum content crude rubber" for 36 ply shall be permitted.
[4] AA Cotton construction shall be optional.
[5] Crude rubber may be consumed up to 8% by weight, of the sum of crude rubber, synthetic rubber and reclaimed rubber hydrocarbon content.

TABLE C—BOGIE, IDLER AND SUPPORT ROLLERS

Description of product:	*Maximum percent, by weight, of total hydrocarbon which may be crude rubber*
Bogie wheel tires for light tanks, size 20 x 6 x 16	8
Idlers for light tanks, size 20 x 6 x 26	8
Bogie wheel tires for light tank, T–24, size 25½ x 4½	As needed.
Support rollers for light tank, T–24, size 11 x 3	8
Bogie wheel tires for medium tanks, size 20 x 9 x 16	As needed.
Bogie wheel tires for medium tanks (Horisontal volute Suspension), size 20½ x 6½	As needed.
Support rollers for medium tanks (Horizontal volute Suspension), size 13⅛ x 3⅝ and 10 x 4¾	8
Idlers for medium tanks (Horizontal volute Suspension), size 22 x 6¼	8
Bogie wheel tires for medium tank, T26E1, size 26 x 6	As needed.
Support rollers for medium tank, T26E1, size 14 x 3	8
Idlers for medium tank, T26E1, size 26 x 6	As needed.
Bogie wheel tires for 76 mm. gun motor carriage, M–18 and tractor T41E1, size 26 x 4½	8
Support roller tires for 76 mm. gun motor carriage, M–18 and tractor T41E1, size 10 x 3¼	8
Bogie wheels for half-tracks, size 12 x 4½	8
Bogie wheel tires for carrier, Universal, T–16, 20 x 3	8
Idlers for carrier, Universal, T–16, size 19 x 3	8
Bogie wheel tires for carrier, cargo, M29 and M–29C size 8 x 1¼	8
Bogie wheel tires for tractor, 7 ton, M2, size 14 x 4½	8
Support rollers for tractor, 7 ton, M2, size 7 x 2¼	8
Bogie wheel tires for tractor, 13 ton, M5, size 20 x 6 x 16	8
Support rollers for tractor, 13 ton, M5, size 9 x 6	8
Bogie wheel tires for tractor, 18 ton, M4, size 20 x 9 x 16	8
Bogie wheel tires for tractor, 38 ton, M6, size 20 x 6 x 16	As needed.
Bogie wheel tires and support rollers for tractor, snow, M7, size 8 x 1¼	8
Bogie wheel tires for LVT, size 12 x 7¼	As needed.
Idlers for LVT, size 7 x 7¼	8
Support rollers for LVT, size 7¼ x 1¼	8
Support idler for LVT, size 24 x 7¼	As needed.
All other	As needed.

(c) *Branding of tires.* (1) All natural rubber tires or tire casings manufactured to fill Civilian orders shall bear, on the serial side and near the serial number, a brand with the words "War Tire" and the letters designated under Compound Designation. Letters used to brand tires of a cross-section of 6.50 inches or more shall be at least one-fourth inch high, while those used to brand smaller tires shall be at least one-eighth inch high. This "War Tire" brand may (but need not) be applied to natural rubber tires or tire casings manufactured to fill Government orders, at the discretion of the manufacturer.

(2) All synthetic rubber tires or tire casings manufactured to fill either Civilian or Government orders shall have a colored dot, either circular or rectangular (with or without rounded corners or ends) and with an average effective dimension of at least one inch, vulcanized on both sides of the tire, the appropriate color to be determined from subdivision (c) (2) of said List 22. In addition, all synthetic rubber pneumatic tires or tire casings shall bear, on both sides of the tire and in characters at least five-eighths inch high, a brand showing the appropriate synthetic construction identification. The colored dot and the brand shall be permanent and may be superimposed if desired. The colored dot and synthetic construction identification may be smaller than the designated minimum on sizes of tires for which the designated minimum is unreasonably large.

(d) *Tolerances.* (1) On those sizes of natural rubber tires, in this List 24, for which no "maximum content crude rubber" is designated, but for which friction and tread compound grades are designated, a manufacturer can calculate the maximum amount of crude rubber and total RHC which may be used in the manufacture of a tire or tire casing of any such size. Within the maximum amounts thus calculated, a manufacturer may, at his discretion, shift the amounts between friction and tread.

(2) On those sizes, in this List 24, for which no "maximum content crude rubber" is designated, a manufacturer shall have, in each respective size, an operating tolerance on the content of crude rubber limited only by the maximum content designated.

(3) On those sizes, in this List 24, for which no "maximum content crude rubber" is designated but for which friction and tread compound grades are designated, the tolerance set forth in said List 22 shall apply.

(e) *Definitions.* (1) Where used in this List 24, "Standard Highway" as applied to tread type means regular skid-depth, "100" level, on-the-road type.

(2) Where used in this List 24, "Mud-Snow", as applied to tread type means extra-traction, on-and-off-the-road type.

LIST 25—REGULATIONS FOR THE MANUFACTURE OF TIRE TUBES (EXCEPT AIRPLANE AND BICYCLE TIRE TUBES)

NOTE: List 25 amended Aug. 26, 1944.

(a) *General provisions.* (1) The crude rubber content of any tube governed by this list 25 shall not include processing losses or crude rubber used in valves.

(2) Only one grade of tube may be manufactured in any size and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tube is designed.

(3) The restrictions of this List 25 shall not apply to tubes for city and intercity bus mileage contract tires of cross-sections 10.00 and larger.

(b) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured to fill both Government and civilian orders (subject, for Government orders, to the approval of the procuring agency): *Provided*, That:

Crude rubber and latex may be consumed only in valves (where permitted in List 33), valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(2) The manufacture of tubes consuming more crude rubber than permitted by paragraph (b) (1) of this List 25 shall be limited to the sizes and types listed in Table A, subject to the maximum tube volumes and crude rubber contents designated therefor.

(3) The manufacture of tubes from GR–I shall be limited to the sizes and types listed in Tables A, B and C. No restriction is placed on maximum tube volumes or maximum content GR–I.

TABLE A—GOVERNMENT AND CIVILIAN ORDERS

Size	Type	Maximum tube volume in cubic inches	Maximum content crude rubber in pounds
16.00–20	Truck and bus	827.5	21.95
–24	do	925	24.80
18.00–24	do	1,100	29.15
–40	do	1,530	40.30
21.00–24	do	1,660	39.70
–28	do	1,980	42.15
24.00–32	do	2,035	53.95
30.00–40	do	3,460	91.70
36.00–40	do	4,515	119.65

TABLE B—GOVERNMENT ORDERS ONLY

Size:	Type
6.00–16	Passenger.
–16	Truck.
6.50–16	Do.
7.00–15	Do.
–16	Do.
7.50–15	Do.
–16	Do.
–17	Do.
–18	Do.
–20	Do.
–24	Do.
8.25–16	Do.
–18	Do.
–20	Do.
9.00–16	Do.
–18	Do.
–20	Do.
–22	Do.
–24	Do.
9.00–16	Combat (U. S.)
–20	Do.
8.00–16	Do.
8.25–20	Do.
9.00–20	Do.
14.00–20	Do.
14.00–24	Do.
10.50/11.00–18	Truck and Bus (Desert).
14.00–20	Do.

TABLE C—GOVERNMENT AND CIVILIAN ORDERS

Size:	Type
LT–15	Truck and Bus.
–18	Do.
–20	Do.
–22	Do.
–24	Do.
MT–18	Do.
–20	Do.
–22	Do.
–24	Do.
OT–20	Do.
–22	Do.
–24	Do.
FT–20	Do.
–24	Do.
ST–20	Do.
–24	Do.
7.50–15	Low Plat. Trailer.
8.25–15	Do.
9.00–15	Do.

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 23, Appendix II.

(d) *Tolerances.* On those sizes in this List 25, for which a "maximum tube volume" and a "maximum content crude rubber" is designated, a manufacturer shall have a tolerance on the tube volume and the content of crude rubber limited only by the maximums designated therefor.

LIST 26—REGULATIONS FOR THE MANUFACTURE OF TIRE FLAPS

(a) *Manufacturing regulations.* Flaps for all sizes and types of tires to fill both Government and civilian orders may be manufactured: *Provided*, That crude rubber is consumed only for splicing cements and for identification inks or cements.

(b) *Marking of synthetic flaps.* All flaps containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on either side of the flap. The appropriate color shall be determined from paragraph (c) (2) of List 22, Appendix II.

LIST 27—REGULATIONS FOR THE MANUFACTURE OF INSULATED WIRE AND CABLE

NOTE: List 27 amended Aug. 26, 1944.

(a) *Compounds.* The crude rubber content of compounds referred to in this List 27 shall conform to the regulations designated in the table below:

Use	Compound grade	Maximum crude rubber by volume
Insulation	W–AAA	98
	W–AA	70
	W–A	55

(b) *Manufacturing regulations.* (1) Insulated wire and cable of any type may be manufactured: *Provided*, That no crude rubber or latex is used except as permitted by paragraph (b) (2) of this List 27.

(2) The manufacture of insulated wire and cable consuming crude rubber and latex shall be limited to the types shown in this paragraph (b) (2). However, the use of crude rubber and latex is limited to insulation compounds only and is subject to the compound restrictions designated.

WIRE AND CABLE (WITH CRUDE RUBBER OR LATEX INSULATION)

(i) *U. S. Signal Corps*

Item	Specification	Type	Insulation Compound
Cable	71–963	WC–534, WC–535	W–AAA
Cordage	71–471	CO–96	W–A[1]
Do	71–1105	CO–119–B	W–A[1]
Do	71–812–B	CO–120	W–A[1]
Do	71–816–C	CO–121	W–A[1]
Do	71–886–A	CO–122–A and B	W–A[1]
Do	71–827–A	CO–127	W–A[1]
Do	71–700	CO–130 to CO–139	W–A[1]
Do	71–664	CO–144, CO–145	W–A[1]
Do	71–663	CO–146	W–A[1]
Do	71–817–B	CO–150	W–A[1]
Do	71–819–A	CO–159	W–A[1]
Do	71–471	CO–208, CO–209	W–A[1]
Do	71–880	CO–219	W–A[1]
Do		CO–238	W–A[1]
Do	71–1019	CD–296, CD–333, CD–334, CD–427, CD–785	W–A[1]
Tinsel cord			W–A[1]
Condenser seal			W–A

(ii) *Navy Department, Bureau of Ships*

Shipboard cables	18–C–1 INT	OF, OS	W–AAA[1]
Tinsel cord			W–A[1]
Echo ranging			W–A
Condenser seal			W–A

(iii) *U. S. Army, Corps of Engineers*

Searchlight cable	T–1332 (c)		W–AAA[1]
Do	T–1355 (c)		W–AAA[1]

[1] Permitted only when insulation wall is 0.030" or less in thickness.

TABLE A—AIRPLANE TIRES—continued

Size	Ply	Type	Maximum content crude rubber in pounds	
			S–6	S–4
26 x 15–6	6	do	7.30	3.30
45 x 20–19	10	do	18.30	7.60
12x5–3	4	Extra low pressure auxiliary	.68	.30
16x7–4	4	do	.95	.35
18x9–5	4	do	.90	.40
16x6.50–8.50	6	Low profile auxiliary	1.15	.50
19x8.50–10	6	do	1.70	.75
22x7.75–11.50	6	do	2.15	1.20
29 x 8.00–13.00	6	do	3.40	1.55
30 x 10.50–15	8	do	5.35	2.40
33 x 11.50–16.50	10	do	6.00	2.70
36 x 13.00–18	10	do	8.55	4.30
9.50–12	6	Low pressure boosting gear	2.40	1.75
11.00–12	8	do	4.80	2.90
13.00–14	10	do	8.80	4.75
All	All	Ice grip	(2)	(2)
6 x 2½	(1)	Solid auxiliary	A tread (natural rubber)	
6 x 3½	(1)	do	A tread (natural rubber)	
8½ x 4	(1)	do	A tread (natural rubber)	
10 x 4		do		

[1] These sizes inactive for new design.
[2] Carcass frictions for ice grip tires shall be identical to those used in like sizes for regular tires in above table. Crude rubber and synthetic rubber may be used in breads without limitation.

(c) *Branding of tires.* All synthetic rubber airplane tires or tire castings shall have a brand permanently vulcanized on both sides of the tire, consisting of the appropriate synthetic construction identification, in characters at least three-eighths inch high, superimposed upon a rectangular colored medallion (with or without rounded corners or ends) at least five-eighths inch wide and one and one-fourth inches long, the appropriate color to be determined from paragraph (c) (2) of said List 23. When a brand with dimensions larger than the designated minimums is used, its dimensions shall be in the same relative proportions as the designated minimums.

(d) *Tolerances.* On those sizes in this List 29 for which a "maximum content crude rubber" is designated, a manufacturer shall have in each respective size, an operating tolerance on the content of crude rubber limited only by the maximum content designated.

LIST 30—REGULATIONS FOR THE MANUFACTURE OF RETREADING MATERIALS INCLUDING CAMELBACK (WING-DIE), CAPPING STOCK (BEVEL-DIE), LUG STOCK, BASE STOCK, PADDING STOCK, STRIPPING STOCK, FILLER STRIP AND FULL CIRCLE CURING TUBES.

(a) *General provisions.* Crude rubber may be consumed in cements for application of cushion gum and in inks or cements for identification purposes.

(b) *Manufacturing regulations.* (1) The manufacture of retreading materials to fill both Government and civilian orders shall be limited to camelback (wing-die), capping stock (bevel-die), lug stock, base stock, padding stock, stripping stock, filler strip and cushion gum for application by the manufacturer to camelback, capping stock, lug stock and base stock and full circle curing tubes.

(2) The compounds used in manufacturing the items permitted by paragraph (b) (1) of this List 30 shall conform to the regulations shown in the following table:

RETREADING MATERIALS

Description of product	Percent by volume in compound					Restrictions
	Crude rubber	GR–S	Total new rubber		Total RHC plus syn. rubber	
	Max.	Min.	Max.	Min.	Min.	
'A' Camelback, capping stock, lug stock and base stock.[1]	0.0	65.0	.....	65.0	65.0	No restrictions on use for treading purposes.
'C' Camelback, capping stock, lug stock and base stock.[2]	10.0	45.0	80.0	45.0	45.0	No restrictions on use for treading purposes.
'F' Camelback and capping stock.[3]	0.0	0.0	0.0	0.0	80.0	Passenger only.
Padding stock	40.0	.....	.....	.....	.....	Max. thickness ½".
Stripping stock	30.0	.....	.....	.....	.....	Max. width 1".
Filler strip	30.0	.....	.....	.....	.....	Max. thickness ½", 3½" and 3¼" widths only.
Full circle curing tubes	0.0	.....	.....	.....	.....	Crude rubber permitted only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements. Synthetic curing tubes shall be marked in accordance with List 25, Para. (c).

[1] Crude rubber may be consumed in cushion gum to be applied to Grades 'A' and 'C' treading materials, but the crude rubber so consumed shall not exceed, by weight, 20 percent of the total weight of treading material.
[2] Crude rubber may be consumed in cushion gum to be applied to Grade 'F' camelback or capping stock, but the crude rubber so consumed shall not exceed, by weight, 1.5 percent of the total weight of camelback.
[3] 'F' Grade camelback and capping stock shall not be manufactured in die sizes with crown widths wider than 8".

LIST 31—REGULATIONS FOR THE MANUFACTURE OF TANK BLOCKS, TREADS, AND BAND TRACKS

NOTE: List 31 amended Aug. 26, 1944.

Manufacturing regulations. The manufacture of tank blocks, treads, and band tracks is subject only to the regulations on the use of crude rubber shown in Table A below.

TABLE A—TANK BLOCKS, TREADS, AND BAND TRACKS

	Maximum percent, by weight, of total hydrocarbon which may be crude rubber
Description of product:	
Band Tracks, Tractor, M–2	31
Band Tracks, Tractor, M–7	43
Band Tracks, Carrier, Cargo, M–29 and M–29C	60
Band Tracks, Half Track Vehicles	40
Light Tank Track Blocks	8
Medium Tank Track Blocks:	
Smooth Blocks T–51	8
Chevron Blocks T–48	As required
Tank Track Pin Bushing and Links	As required
All other	As required

LIST 32—REGULATIONS FOR THE USE OF HIGH TENACITY RAYON CORD

NOTE: List 32 amended Aug. 25, 1944.

(a) In the manufacture of rubber products, high-tenacity rayon cord may be used only for the following listed products.

Order of preference:	*Type of product*
1.	Airplane tires.
2.	Self-sealing fuel cells.
3.	Bullet-sealing hose.
4.	Combat (U. S.) tires including only cross-sections 8.00 and larger.
5.	Mileage contract bus tires:
	(a) Intercity bus tires of cross-section 9.00 and smaller in S–3, S–4, S–5, S–6 and S–7 synthetic constructions only.
	(b) Intercity bus tires of cross-sections 10.00 and larger in any crude rubber or synthetic rubber constructions.
	(c) City bus tires in S–3, S–4, S–5, S–6 and S–7 synthetic constructions only.
6.	Synthetic rubber truck and bus tires, including only: Tread Types: Standard low Platform Trailer. Sizes: 7.50 and up, 10 plies and more. Constructions: S–3, S–4, S–5, S–6 and S–7. Orders: Government and Civilian.
7.	Truck and bus tires, including only: Tread Type: Standard Highway and Mud-Snow. Sizes: 14.00–20–24, 20 plies. Constructions: Any. Orders: Government only.

(Casings: Aircraft Landing, Auxiliary and Airplane Tires), as amended, shall govern the following:

(1) The type of tread design used on tires listed in this List 20 shall be one of those listed in List 22 (see also List 23 attached to this Appendix II).

(2) On those sizes of synthetic rubber tires for which no "maximum content crude rubber" is designated in this List 20, shall be of the synthetic type designated and the compounds thereof shall conform to the appropriate regulations set forth in List 22, Appendix II.

(3) The "maximum content crude rubber" designated for 8-4 synthetic construction may be substituted for 8-5 synthetic construction wherever 8-5 is designated in this List 20, subject, for Government orders, to the approval of the Army or Navy procuring agency. The "maximum content crude rubber" designated for 8-5 shall also apply to 8-7.

(4) The regulations contained in Army-Navy aeronautical specification AN-C-555 apply to 8-7.

(5) The "maximum content crude rubber" is based on rayon or rayon cord construction.

(b) *Manufacturing regulations.* The manufacture of airplane tires and tire casings shall be governed by the following regulations, the types listed in this paragraph (b) subject to the maximum crude rubber contents or compounds grades designated therefor.

TABLE 1—AIRPLANE TIRES

Note: Table A amended Aug. 25, 1944.

Size	Ply	Type	Maximum content crude rubber in pounds	
			8-4	8-5
5.00	6	Smooth contour landing	4.75	2.70
5.00	8	do	4.75	2.70
5.00	10	do	4.75	2.70
6.00	6	do	7.50	4.30
6.00	8	do	7.50	4.30
6.00	10	do	7.50	4.30
7.00	6	do	11.00	6.30
7.00	8	do	11.00	6.30
7.00	10	do	11.00	6.30
8.00	6	do	14.00	8.00
8.00	8	do	14.00	8.00
8.00	10	do	14.00	8.00
9.00	6	Smooth contour landing	18.00	10.30
9.00	8	do	18.00	10.30
9.00	10	do	18.00	10.30
10.00	6	do	22.00	12.60
10.00	8	do	22.00	12.60
10.00	10	do	22.00	12.60
12.00	6	do	32.00	18.30
12.00	8	do	32.00	18.30
12.00	10	do	32.00	18.30
14.00	8	do	42.00	24.00
14.00	10	do	42.00	24.00
16.00	8	do	52.00	29.70
16.00	10	do	52.00	29.70
18.00	8	do	65.00	37.20
18.00	10	do	65.00	37.20
20.00	8	do	80.00	45.70
20.00	10	do	80.00	45.70
24.00	8	do	110.00	62.90
24.00	10	do	110.00	62.90
10.50	6	Smooth contour landing	1.75	1.00
10.50	8	do	1.75	1.00
10.50	10	do	1.75	1.00
12.50	6	do	2.50	1.40
12.50	8	do	2.50	1.40
12.50	10	do	2.50	1.40
15.00	6	do	3.50	2.00
15.00	8	do	3.50	2.00
15.00	10	do	3.50	2.00
17.00	6	do	4.50	2.60
17.00	8	do	4.50	2.60
17.00	10	do	4.50	2.60
19.00	6	do	5.50	3.20
19.00	8	do	5.50	3.20
19.00	10	do	5.50	3.20
26.00	6	do	8.00	4.60
26.00	8	do	8.00	4.60
26.00	10	do	8.00	4.60
30×8	6	High Pressure Landing	11.00	6.30
30×8	8	High Pressure Landing	11.00	6.30
30×8	10	High Pressure Landing (Chrome)	11.00	6.30
10×3	6	do	1.75	1.00
10×3	8	do	1.75	1.00
10×3	10	do	1.75	1.00
12×4½	6	High pressure auxiliary	2.50	1.40
12×4½	8	do	2.50	1.40
12×4½	10	do	2.50	1.40
14×4½	6	do	3.50	2.00
14×4½	8	do	3.50	2.00
14×4½	10	do	3.50	2.00
17×5	6	High pressure special duty	4.50	2.60
17×5	8	do	4.50	2.60
17×5	10	do	4.50	2.60
8.5–6	6	do	2.50	1.40
8.5–6	8	do	2.50	1.40
8.5–6	10	do	2.50	1.40
11×4	6	do	3.50	2.00
11×4	8	do	3.50	2.00
11×4	10	do	3.50	2.00
13×5	6	do	4.50	2.60
13×5	8	do	4.50	2.60
13×5	10	do	4.50	2.60
15×6	6	do	5.50	3.20
15×6	8	do	5.50	3.20
15×6	10	do	5.50	3.20
18×5.5	6	do	8.00	4.60
18×5.5	8	do	8.00	4.60
18×5.5	10	do	8.00	4.60
6.50–4	4	Low pressure auxiliary	1.00	.60
6.50–4	6	do	1.00	.60
6.50–4	8	do	1.00	.60
8.00–4	4	do	1.50	.90
8.00–4	6	do	1.50	.90
8.00–4	8	do	1.50	.90
8.00–12.50	6	do	4.50	2.60
15.00–18	6	Extra low pressure landing	9.00	5.20
16.00–18	6	do	10.00	5.70
17.00–18	6	do	11.00	6.30
18.00–18	6	do	12.00	6.90
19.00–18	6	do	13.00	7.50
20.00–18	6	do	14.00	8.00
4.00–4	4	do	1.00	.60
4.00–4	6	do	1.00	.60
6.00–6	6	do	2.50	1.40
6.00–6	8	do	2.50	1.40
22×13–4	6	do	4.50	2.60
22×13–4	8	do	4.50	2.60

WIRE AND CABLE (WITH CRUDE RUBBER OR LATEX INSULATION)

(iv) *U. S. Army Ordnance (Frankford Arsenal)*

Item	Specification	Type	Insulation compound
Portable cable	FXS–902		W–AAA–1
Condenser seal			W–A–1

(c) *Department of Commerce*

R. F. transmission cable	CAA–96		W–AA
Miscellaneous radio cable	CAA–101		W–AA

1 Permitted only when insulation wall is 0.020" or less in thickness.

(3) *Rubber insulating tape.* Compounds of crude rubber insulating tape may be manufactured in W–AA quality only for the following uses:

(i) For operating voltages in excess of 3,000 volts.

(ii) For cables to be used in wet locations.

(iii) For operation at conductor temperatures of 70° C. or higher.

(iv) For cable manufactured for Armed Forces.

(v) For repair purposes in the manufacture of wire and cable.

(4) *Cements.* Crude rubber may be used in the form of cements for use incidental to the manufacture or repair of wire and cable or where crude rubber tape is permitted in (3) above.

(5) *Cable tape.* No crude rubber or latex may be consumed in the manufacture of cable tape.

LIST 28—REGULATIONS FOR THE MANUFACTURE OF FEEDING NIPPLES

(a) The manufacture of feeding nipples from crude rubber, latex, synthetic rubber, reclaimed rubber or scrap rubber shall be limited to *infants'* nipples and lambs nipples.

(b) *Infants' nipples.* (1) All infants' nipples shall be manufactured in accordance with the regulations set forth in the following Table A:

TABLE A

Type	Molded	Latex dipped	Crude rubber dipped	Hand made
Minimum tensile strength, per square inch	2,000	2,000	2,000	1,800
Ultimate elongation, in percent	700	700	700	650
Maximum crude rubber and/or latex by volume, in percent	None	None	None	None
Maximum crude rubber and/or latex by weight, in percent	98	98	98	98
The total weight in pounds of crude rubber and/or latex in each finished nipple shall not exceed	0.0105	0.007	0.007	0.007
Oven aging, 70 hours at 158° F., ultimate elongation retained in percent after 90 hours continuous boiling in water and 48 hours after removal	60	60	60	60

(2) Compounds may contain ground scrap rubber generated by the manufacturer in the process of manufacturing nipples.

(c) *Latex nipples.* The total weight of crude rubber and/or latex in each finished nipple shall not exceed 0.0105 pounds.

LIST 29—REGULATIONS FOR THE MANUFACTURE OF AIRPLANE TIRE AND TIRE CASINGS

(a) *General provisions.* (1) The crude rubber content of any tire or tire casing governed by these regulations, except tire casing liners, crude rubber used in curing bags or latex used in the cord treatment. Latex, however, shall be consumed only in the treatment of nylon cord.

Part A contains regulations applicable to the distribution or use of end products. Part B contains special or temporary manufacturing regulations which for the most part involve the conversion of products from crude rubber to synthetics. Part B manufacturing regulations govern in case of inconsistency with other provisions of Rubber Order R–1.

Appendix III will be reissued from time to time for the purpose of deleting or revising special or temporary regulations.

A. *End Product Regulations*

§ 4600.30 *Acquisition of tires and tubes for original equipment.* In order to obtain tires and tubes for original equipment, a manufacturer must certify his purchase order in substantially the following form signed by an authorized official unless the tires are subject to the Tire Allotment Plan (Appendix IV of this order), in which case the tires may be obtained only under Appendix IV:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the tires listed on the attached purchase order are required by him for mounting on original equipment and that the deliveries specified will not result at any time in an inventory exceeding 30 days' supply based upon his total authorized monthly production.

_____
Authorized official.

Use of the above certification constitutes a representation that the deliveries scheduled will not result in the acquisition of more tires and tubes (including inventory) than are required for the particular manufacturer's production of vehicles or equipment during the 30-day period following each scheduled delivery. In the event of a decrease in the number of products actually required, the manufacturer shall notify his supplier of the reduction, and the scheduled deliveries shall be revised accordingly.

§ 4600.31 *Acquisition of industrial type tires and tubes and solid tires for replacement purposes.* (a) No person shall deliver or accept delivery of any pneumatic tire described in paragraph (b) below for replacement on any passenger automobile, motorcycle, bus, farm implement, farm tractor or commercial motor vehicle except in accordance with OPA Ration Order 1A. The following certification procedure is applicable only to new pneumatic tires and tubes of the sizes and types described below for replacement on other types of vehicles and equipment and to any industrial or highway solid tire for replacement purposes regardless of the type of vehicle or equipment.

For example, a person who wishes to replace a straight side pneumatic tire in size 4.00–12 on a passenger car or small delivery truck, may do so only under the ration order. On the other hand, a person who requires the same tire for replacement on material handling equipment such as an industrial power truck uses the certification procedure.

Replacement tires or tubes of the following types are subject to the provisions of the ration order, even though the tires or tubes are required for industrial equip-

Order of preference: *Type of product*

8. Synthetic rubber truck and bus tires, including only:
Tread Types: Standard Highway, Mud-Snow.
Sizes: 9.25 through 10.00, 10 plies and more.
Constructions: S–4 and S–6.
Orders: Government and Civilian.

9. Truck and bus tires, including only:
Tread Types: Standard Highway:
Sizes: 8.25–20, 10 and 12 plies.
9.00–20, 10 plies.
9.00–20/26x8, 12 plies.
10.00–20–22, 12 plies.
11.00–20–22, 12 plies.
Constructions: S–4, S–5, S–6 and S–7.
Orders: Civilian only.

10. Synthetic truck and bus tires including only:
Tread Types: Standard Highway, Mud-Snow.
Sizes: 10.50 and up, 10 plies and more.
Constructions: S–4 and S–6.
Orders: Government and Civilian.

11. Synthetic special purpose tires including:
Tread Types: Rock Service, Logger, Earthmover, and 16.00 and up Mud-Snow.
Sizes: All.
Constructions: S–4, S–5, S–6 and S–7.
Orders: Government and Civilian.

12. Synthetic truck and bus tires including only:
Tread Types: Standard Highway, Mud-Snow.
Sizes: 7.00 and 7.50, 10 plies.
Construction: S–3 and S–4.
Orders: Government and Civilian.

13. Synthetic truck and bus tires including only:
Tread Types: Mud-Snow.
Sizes: 7.50–20/8 and 9.00–16/8.
Construction: S–3.
Orders: Government only.

14. Synthetic truck and bus tires including only:
Tread Types: Standard Highway, Mud-Snow.
Sizes: 14.00–20–24, 18 plies.
Construction: S–4, S–5, S–6 and S–7.
Orders: Civilian only.

15. V-Belts.

16. Synthetic truck and bus tires including only:
Tread Types: Standard Highway.
Sizes: 7.50–16, 8 plies
–17, 8 plies
–18, 8 plies
–20, 8 plies
Construction: S–4 and S–3.
Orders: Government and Civilian.

17. Tire repair materials made from new rayon cord materials or scrap rayon cord friction materials resulting from the manufacture of products listed above.

(b) All available rayon for a given allocation period will be allocated in accordance with the order of preference in the above usage pattern, full allocations being made for total industry requirements for the first group before any allocations are made for the second group, and so on down the list until the entire supply of rayon available for that period has been allocated.

(c) Any person to whom rayon is allocated must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

LIST 33—REGULATIONS FOR THE MANUFACTURE OF TIRE TUBE VALVES (EXCEPT BICYCLE TIRE TUBE VALVES)

(a) *Manufacturing regulations.* The manufacture of tire tube valves (excepting bicycle tire tube valves) of all sizes and types is subject only to the regulations on the use of crude rubber or latex shown in Table A below.

TABLE A

Size	Type	Maximum percent crude rubber, by volume, of total RHO plus synthetic rubber
TR–13	All Types	0
TR–14	do	0
TR–15	All Types (except Airplane).	0
TR–36	All Types (except Airplane).	0
TR–35	All Types (except Airplane).	0
TR–75	Truck	0
TR–76	do	0
TR–78	do	0
TR–79	do	0
TR–175	do	0
TR–177	do	0
TR–179	do	0
TR–215	Tractor	50
TR–80	Hand Bendable	As required.
TR–180	do	Do.
TR–12	Airplane	Do.
TR–18	do	Do.
TR–20	do	Do.
TR–25	do	Do.
TR–35	do	Do.
TR–330	do	Do.
Miscellaneous	do	Do.

LIST 34—REGULATIONS FOR THE MANUFACTURE OF BICYCLE TIRES AND TUBES

(a) *Manufacturing regulations.* Bicycle tires (clincher, wire-edge or single tube) and tubes, including rim strips, valves, oots, washers and curing bags, to fill both Government and civilian orders, may be manufactured: *Provided,* That no crude rubber is consumed for any purpose.

(b) *Marking of synthetic tires and tubes.* (1) All tires containing synthetic rubber shall have a square or circular colored dot with a minimum dimension of at least three-eighths inch, permanently vulcanized on one side of the tire, the appropriate color to be determined from paragraph (c) (2) of List 22, Appendix II.

(2) All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least one-eighth inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (c) (2) of List 22, Appendix II.

[F. R. Doc. 44–12864; Filed, August 25, 1944; 11:47 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R–1, Appendix III, as Amended Aug. 25, 1944]

Introductory

Appendix III to Rubber Order R–1 as amended is divided into two parts,

ment: passenger, motorcycle, truck-bus and special purpose, or farm tractor-implement.

(b) *Certification of purchase orders.* No person shall deliver any tires or tubes for replacement purposes (except as otherwise provided in OPA Ration Order 1A) in the following classifications:

(1) Any straight side pneumatic tire designed primarily for industrial use up to and including size 4.50–12 and the following sizes: 6.00–9, 7.50–10, 7.50–15 (4-ply, smooth tread only) and 9.00–10;

(2) Any single tube pneumatic tire designed primarily for industrial use;

(3) Any industrial or highway solid tire:

Unless the person acquiring the same shall attach to his purchase order a certification in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to.....(insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R–1 and that the products listed on this purchase order are required by him for replacement purposes within 30 days from the date of this certification and do not include any pneumatic tires or tubes for any passenger automobile, motorcycle, bus, farm implement, farm tractor, or commercial motor vehicle.

Date

Name of Purchaser

Authorized Official

Definitions of the vehicles and equipment for which replacement tires or tubes may not be obtained by certification are set forth in OPA Ration Order 1A.

(c) *Preference ratings.* Tires and tubes which are subject to the foregoing certification procedure may be produced or delivered to fill civilian orders for replacement purposes (identified by certification) without regard to preference ratings. Any rating purporting to be applied or extended to any such tires or tubes for replacement purposes shall be void and no person shall give any effect to it except in filling Government orders.

§ 4600.32 *Lifesaving suits.* No person shall deliver or accept delivery of any lifesaving suit except for use on board an ocean or coastwise cargo or tank vessel of over 1,000 gross tons, and then only in accordance with regulations of the United States Coast Guard.

This section does not apply, however, to deliveries made to or for the account of the United States Army, Navy, Coast Guard or any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act). In addition, dealers may acquire lifesaving suits for resale under this section.

"Lifesaving suit" means any suit approved by the United States Coast Guard, made in whole or in part of rubber or synthetic rubber, designed for use with an approved life preserver and intended for rescuing or preserving the lives of seamen.

§ 4600.33 *Crude rubber and latex gloves.* No person shall sell any light weight gloves manufactured from crude rubber or natural latex except in accordance with the following regulations:

(a) *Sales to institutions.* Sales may be made to institutions such as hospitals, dispensaries and clinics, which use the ratings assigned to them under CMP Regulation 5A to obtain crude rubber or latex gloves for use by their professional personnel in connection with the practice of medicine. Use of the certification provided in that regulation constitutes a representation by the institution to its supplier that it requires light weight gloves manufactured from crude rubber or latex for use by its professional personnel in connection with the practice of medicine.

Sales may also be made to an institution, without a rating, upon certification by the institution to its supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the light weight rubber gloves specified in the attached purchase order are required by (insert name of institution) for use by its professional personnel in connection with the practice of medicine.

Date:

Signature and Title of Authorized Official

(b) *Sales to physicians.* Sales may be made to a practicing physician for professional use but only upon certification by the physician to his supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is a practicing physician and that the light weight gloves purchased are required by him for use in the practice of his profession.

Date:

(c) *Exempt orders.* U. S. Army and Navy orders and orders of The American Red Cross may be filled without regard to the restrictions of this section.

(d) *Resale.* A person may sell crude rubber or latex gloves to another person for resale under this section, but only upon certification by the purchaser to his supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the light weight rubber gloves specified in the attached purchase order will be sold only under the restrictions contained in Rubber Order R–1 as amended, and that he is familiar with said restrictions.

Date:

Signature and Title of Authorized Official

All certifications previously filed by resellers of crude rubber or latex gloves are void.

§ 4600.34 *Miscellaneous products.* No person shall deliver any of the following listed products to fill civilian orders unless the purchaser certifies to his supplier in substantially the following form:

The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the products purchased by him are required for a permitted use specified in Rubber Order R–1, in connection with his business or profession (or if reseller, substitute the following clause—that the products purchased by him will be sold only in accordance with Rubber Order R–1 as amended).

Purchaser or authorized official.

This section does not apply to Government orders.

[NOTE: "Rubber gloves * * *" and "Rubber bands * * *" deleted Aug. 25, 1944.]

Product description	*Permitted uses*
Fabric backed pressure sensitive tape (except high heat resistant and non-corrosive electrical tape).	Repair of transportation facilities: Maintenance and manufacture of industrial and mining equipment; the manufacture of the following products and parts thereof: (a) Aircraft, (b) Armored tanks, (c) Ships, (d) Army transport vehicles, (e) Guns, (f) Small arms, (g) Signalling devices, (h) Precision instruments, (i) Munitions, (j) Electrical equipment, (k) Machine tools, (l) Vehicles for common carriers and related transportation facilities. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails; production and shipping of photographic and motion picture film and X-ray film; sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

A person who has filed the above certification with his supplier need not cer-

tify subsequent purchases of the same products. The certification shall be deemed applicable to all purchases, unless the purchaser notifies his supplier to the contrary.

A supplier may continue to fill orders for fabric backed pressure sensitive tape under the form certification previously required for purchases of pressure sensitive tape.

B. *Temporary or Special Manufacturing Regulations*

§ 4600.40 *Tires and tubes.* The following regulations are applicable to tires and tubes notwithstanding other regulations contained in Rubber Order R–1 as amended:

(a) [Deleted Aug. 25, 1944.]

(b) *Synthetic construction, airplane tires.* List 29, Appendix II, regulates the manufacture of airplane tires, but synthetic construction shall be used in the manufacture of airplane tires in accordance with the following regulations:

[Note: Last 4 items amended Aug. 25, 1944.]

Size	Synthetic construction	Mandatory date
4, 6 and 8 ply (including Nylon construction)	S–6	May 1, 1944
10 and 12 ply (excepting Nylon construction)	S–6	Do.
10 x 3/4 ply HPA (excepting Nylon construction)	S–4	June 1, 1944
6.00—6/4 ply LPL (excepting Nylon construction)	S–4	Do.
6.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
7.00—6/4 ply LPL (excepting Nylon construction)	S–4	Do.
6.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
7.00—6/4 ply LPL (excepting Nylon construction)	S–4	Do.
7.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
8.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
8.90—12.50/4 ply LPL (excepting Nylon construction)	S–4	Do.
5.00—4/6 ply LPA (excepting Nylon construction)	S–4	Do.
7.00—5/4 ply LPA (excepting Nylon construction)	S–4	Do.
8.00—5/6 ply LPA (excepting Nylon construction)	S–4	Do.
9.50—12/6 ply LPBG (excepting Nylon construction)	S–4	Do.
11.00—12/6 ply LPBG (excepting Nylon construction)	S–4	Do.
10 and 12 ply (including Nylon construction)	S–6	July 1, 1944
14 ply and up (excepting Nylon construction)	S–6	Aug. 1, 1944
All 4, 6 and 8 ply (excepting Nylon construction)	S–4	Do.
14 ply and up (including Nylon construction)	S–6	Sept. 1, 1944
All 4, 6 and 8 ply (including Nylon construction)	S–4	Oct. 1, 1944

When nylon is used the S–6 or S–4 construction may be used at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S–6 and S–4 constructions shall apply to nylon tires. If the S–6 or S–4 construction is not used with nylon prior to the date on which it is mandatory, as shown above, then the S–5 (or S–7) construction shall be used and shall conform to the regulations for S–5 (or S–7) construction as set forth in List 22, Appendix II, Rubber Order R–1, as amended.

Airplane tires in 14 plies and up may be manufactured in S–6 construction at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S–6 construction shall apply. If the S–6 construction is not used prior to the date on which it is mandatory, as shown above, then the S–5 (or S–7) construction shall be used and shall conform to the regulations for S–5 (or S–7) construction as set forth in List 22, Appendix II, Rubber Order R–1, as amended.

(c) *Truck-bus tires.* List 24, Appendix II, regulates the manufacture of tires and tire casings except airplane and bicycle tires. The tires listed below, however, may be manufactured in accordance with the following regulations until the applicable expiration date indicated:

[Note: List amended Aug. 25, 1944.]

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds				Expiration date
			Civilian orders	Government orders	Civilian orders		Government orders		
					Rayon	Cotton	Rayon	Cotton	
7.00–18	10	Standard highway		S–6				8.70	9/1/44
–20/32 x 6	10	do	S–6	S–6		9.40		9.40	9/1/44
–20/32 x 6	10	Mud-snow	S–4	S–4		4.30		4.30	9/1/44
–24/36 x 6	10	Standard highway	S–6	S–6		10.90		10.90	9/1/44
7.50–16	8	Mud-snow		S–4				3.40	9/15/44
–16	8	Standard highway	S–6	S–6		7.40		7.40	10/1/44
–17	8	do	S–6	S–6		8.40		8.40	10/1/44
–18	8	do	S–6	S–6		8.90		8.90	10/1/44
–20	8	do	S–6	S–6		9.40		9.40	10/1/44
–20	8	Mud-snow		S–4				4.30	8/21/44
–20/34 x 7	10	Standard highway	S–6	S–6		11.00		11.00	9/1/44
–20/34 x 7	10	Mud-snow	S–4	S–4		5.00		5.00	9/1/44
–24/36 x 7	10	Standard highway	S–6	S–6		12.00		12.00	9/1/44
8.25–20	10	do	S–5		24.00				10/1/44
–20	12	do	S–5		27.55				10/1/44
9.00–16	8	Mud-snow		S–4				4.75	9/15/44
–20	10	Standard highway	S–5		27.30				10/1/44
–20/36 x 8	12	do	S–5		31.40				10/1/44
10.00–20	12	do	S–5		34.55				10/1/44
–22	12	do	S–5		37.15				10/1/44
11.00–18	10	Desert		B–B				43.50	9/15/44
–20	12	Standard highway	S–5		30.75				10/1/44
–22	12	do	S–5		41.86				10/1/44
14.00–20	12	Mud-snow		A–B				85.00	10/1/44
–20	16	Standard highway	A–B			105.00			10/15/44
–24	16	do	A–B			120.00			10/15/44
21.00–24	16	Earthmover	A–A	A–A					9/15/44
–24	20	do	A–A	A–A					9/15/44
24.00–32	24	do	A–A	A–A					9/15/44
–32	36	do	A–A	A–A					9/15/44
21.00–24	16	Mud-snow	A–A	A–A					9/15/44
–24	20	do	A–A	A–A					9/15/44
–28	20	do	A–A	A–A					9/15/44
24.00–32	24	do	A–A	A–A					9/15/44
–32	36	do	A–A	A–A					9/15/44

(d) [Deleted Aug. 25, 1944.]

(e) [Deleted Aug. 25, 1944.]

(f) *Curing bags.* List 17, Appendix II, regulates the manufacture of tire and flap curing bags. Curing bags listed below, however, may be manufactured in accordance with the following regulations until September 15, 1944:

Size	Type	Maximum percent crude rubber, by volume, of the sum of the total RHC plus synthetic rubber
10.00 All rim diameters	Truck	80
11.00 All rim diameters	do	80

(g) *Airplane tire tubes.* List 18, Appendix II, regulates the manufacture of airplane tire tubes. The airplane tire tubes listed below may, however, be manufactured in accordance with the following regulations until October 1, 1944:

Size		Type	Maximum content crude rubber, in pounds
27	SCB	S. C. Nosewheel tubes	6.20
30	SCB	do	7.63
33	SCB	do	9.54
36	SCB	do	11.90
39	SCB	do	14.31
44	SCB	do	18.15
47	SCB	do	20.50
51	SCB	do	27.50
56	SCB	do	44.80
19.00	SCA	do	2.86
23.00	SCA	do	4.78
26.00	SCA	do	6.20
30.00	SCA	do	8.10

§ 4600.41 *Wire and cable.* The following regulations are applicable to wire and cable notwithstanding other regulations of Rubber Order R–1 as amended.

(a) *Insulation.* List 27, Appendix II, regulates the use of crude rubber and latex in wire and cable insulation. Until October 1, 1944, the following ignition cables may be manufactured in accord-

ance with the regulations set forth below:

Item	Specification	Insulation compound
Aircraft ignition cable...	32427..... AN-JC-56.....	W-AA. W-AA.

Issued this 25th day of August 1944.

RUBBER DIRECTOR,
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12865; Filed, August 25, 1944; 11:47 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Supp. 8]

DEHYDRATED NOODLE SOUP MIXES

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.*

FEDERAL PRICE REGULATION 1, SUPPLEMENT 8—DEHYDRATED NOODLE SOUP MIXES

ARTICLE I—EXPLANATION OF THIS SUPPLEMENT

Sec.
1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Maximum prices for sales of dehydrated noodle soup mixes by processors.
5. Maximum prices for sales of dehydrated noodle soup mixes by processors where subsequent formula changes are made.
6. Maximum prices for sales of dehydrated noodle soup mixes by wagon wholesalers.
7. Maximum prices for sales by distributors who are not wagon wholesalers, wholesalers or retailers.
8. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

9. Reports which processors must file.
10. Provisions of Article III of Food Products Regulation No. 1 Applicable to this supplement.

AUTHORITY: Secs. 1 to 10 inclusive, (§1351.-395 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for sales of dehydrated noodle soup mixes by all persons except wholesalers and retailers (wagon wholesalers, however, are included).

(b) This supplement applies in the forty-eight states of the United States and the District of Columbia.

(c) This supplement supersedes the General Maximum Price Regulation[2] and Revised Supplementary Regulation 14 as to the commodities and sellers covered. All orders issued under the General Maximum Price Regulation shall remain in effect as orders under this supplement.

(d) This supplement becomes effective on August 29, 1944.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of dehydrated noodle soup mixes are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "Explanation of the regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parenthesis is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"Dehydrated noodle soup mix" means a dry packaged product consisting of egg noodles and seasoning, with or without capsules containing fats, vitamins or minerals, with or without dehydrated meat or poultry products, with or without dehydrated vegetables, and customarily sold as dehydrated noodle soup mix.

"Egg noodles" means the class of food prepared by drying formed units of dough made from semolina, durum flour, farina, flour, or any combination of two or more of these, with liquid eggs, dried eggs, egg yolks, frozen yolks, or any combination of two or more of these, with or without water and with or without one or more of certain optional ingredients such as milk, whole wheat, soy flour, vegetables and salt, and as further defined in the proposed order of the Food and Drug Administration for Definitions or standards of Indentity of noodle products, as printed in the FEDERAL REGISTER on December 22, 1942, 7 F.R. 10728 to 10734, inclusive.

"Processor" means a person who manufactures any part of what he sells of the kind and brand of dehydrated noodle soup mix being priced. The term also includes a person, other than a wholesaler, wagon wholesaler, or retailer who has "custom-packed" or "toll-packed," or manufactured and packed according to his specifications under his own brand, any part of what he sells of the kind and brand of dehydrated noodle soup mix being priced.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1 are applicable to this supplement:

"Person" (sec. 1.1 of FPR 1).
"Distributor" (sec. 1.3 of FPR 1).
"Wholesaler" and "retailer" (sec. 1.8 of FPR 1).
"Item" (sec. 1.8 of FPR 1).
"Container type" (sec. 1.9 of FPR 1).
"Sale" (sec. 1.10 of FPR 1).
"Price" (sec. 1.11 of FPR 1).
"Net delivered cost" (sec. 1.12 of FPR 1).
"Records" (sec. 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Maximum prices for sales of dehydrated noodle soup mixes by processors.* The processor's maximum price per dozen or other unit to any class of purchaser for an item of dehydrated noodle soup mix shall be his maximum price under the General Maximum Price Regulation or section 1.15 of Revised Supplementary Regulation 14, plus an increase per dozen or other unit, figured by multiplying $0.0037 by the number of ounces of egg noodles contained in the selling unit being priced. However, this section does not apply to processors whose maximum prices were established under § 1499.3 (b) of the General Maximum Price Regulation after February 20, 1943.

Example. A manufacturer's maximum delivered price for dehydrated chicken noodle soup mix under § 1499.2 of the General Maximum Price Regulation is $0.80 for a selling unit of one dozen 2¾ ounce packages. The amount of egg noodles in this selling unit is 20 ounces. His new maximum delivered price will be $0.80 plus a figure computed by multiplying $0.0037 x 20 ounces (egg noodle content), or $0.074 ($0.87) per dozen 2¾ ounce packages.

SEC. 5. *Maximum prices for sales of dehydrated noodle soup mixes by processors where subsequent formula changes are made*—(a) *Applicability.* The provisions of this section shall apply only in those cases where subsequent formula changes are made and where the volume of the end-product of the new formula product is fairly equivalent to the volume of the end-product made from the original formula product.

(b) *Method of determining maximum prices.* On and after August 29, 1944 every processor who shall change his original formula for the manufacture of a dehydrated noodle soup mix either by the substitution, elimination or reduction of one or more of its ingredients shall determine the maximum price of his new product for that size, as follows: He shall

(1) Figure the current ingredient costs per his customary selling unit of all ingredients according to his original formula.

(2) Figure the current ingredient costs per his customary selling unit of all ingredients of his new formula for the product which he is pricing.

(3) Determine the percentage relationship of the new formula ingredient costs to the original formula ingredient costs ((2) divided by (1)), and

(4) Apply the result determined in (3) to the following percentage table to determine his maximum price per his customary unit for his new formula product:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6711.
[2] 9 F.R. 1285, 5169, 6106.

Current cost of ingredients in original formula (percent)	Current cost of ingredients in new formula as related to original formula	Requirement to reduce original maximum price
100	Not less than 95%	None.
100	Less than 95% but not less than 90%	5% of current original formula ingredient cost.
100	Less than 90% but not less than 85%	10% of current original formula ingredient cost.
100	Less than 85% but not less than 80%	15% of current original formula ingredient cost.
100	Less than 80% but not less than 75%	20% of current original formula ingredient cost.
100	Less than 75% but not less than 70%, etc.	25% of current original formula ingredient cost.

(c) *Examples of calculations.* (1) A processor of a 2 ounce package of dehydrated beef noodle soup mix has a maximum price of $1.40 per case established under the General Maximum Price Regulation or Supplement to Food Products Regulation No. 1 for his original formula product. This price is his original maximum price. The current cost of ingredients in the formula used to manufacture the product for which his price was originally established under the General Maximum Price Regulation or Supplement to Food Products Regulation No. 1 called herein the original formula, is 60¢ per case. The current cost of ingredients in the new formula is 56¢ per case. The relation of current costs as between original formula and new formula being 93.3%, the original maximum price must be reduced by 5% of the current original formula cost, or 3¢. The processor's new maximum price is $1.37 per case.

(2) The same processor later changes his formula again so that at that time the current cost of ingredients in the original formula is 61¢ per case and the current cost of the ingredients of the new formula which he is pricing is 54¢ per case. The relation of current costs as between original formula and new formula being 88.5%, the original maximum price must be reduced by 10% of the current original formula cost, or 6.1¢. The processor's new maximum price is $1.34 per case.

(3) The same processor later changes his formula again so that at that time the current cost of ingredients of the original formula is 62¢ per case and the current cost of the ingredients of the new formula which is being priced is 59¢ per case. The relation of current costs as between original formula and new formula being 95.1%, the processor's original maximum price need not be reduced. The processor's maximum price for this new formula product is now $1.40 per case.

(d) *Processors having more than one factory.* In the case of those processors producing dehydrated noodle soup mixes at more than one factory, the ingredient costs per unit may be averaged for all factories in determining the new formula cost. This provision applies only when the maximum selling price for the article is the same for shipments from all factories.

(e) *Relation to original maximum price.* No maximum price for any new formula product calculated under the provisions of this section shall ever exceed the maximum price established under the General Maximum Price Regulation or Supplement 8 to Food Products Regulation No. 1 for the original formula product.

(f) *Discounts and allowances.* Discounts, allowances and terms, whether based on quantity, class of purchaser, or any other cause, shall be no less favorable to any purchaser of a new formula product than those in effect with respect to the original formula product.

(g) *Distributors.* In case the processor's maximum price for any item is lowered under this section, all distributors of the item shall make a corresponding reduction in their maximum prices in accordance with the notification which the processor is required to give under paragraph (h).

(h) *Notification.* Whenever a formula change is made and a new maximum selling price is determined under the provisions of this section, the processor making such change shall before or at the time of first delivery to each purchaser supply him with the appropriate written notice set forth below. And for a period of 90 days thereafter the processor shall include with the smallest shipping unit a written notice to retailers. If this retailer notice is enclosed in a shipping unit, a legend shall be affixed outside of such unit to read, "Retailer's Notice Enclosed." The written notices, except for the proper insertions to be made by the processor, shall read as follows:

(Insert date)

NOTICES TO WHOLESALERS AND RETAILERS

The Office of Price Administration has authorized us to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for the new formula product in accordance with the applicable provisions of those regulations (See section 6 in each case). You must refigure your new ceiling price on the first delivery of this item to you on or after August 29, 1944.

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLESALERS AND RETAILERS

A change in the formula of _____ has resulted in a lowering of our cost to produce that product. OPA requires that such reduction in costs, amounting to _____ per _____ of packages shall be deducted from our previously established price. If you are a distributor other than a wholesaler or retailer, you must reduce your maximum price to the extent that the amount of our reduction is equal to any full cent per your customary selling unit.

(i) *Reports.* Every processor who shall change his original formula or shall make a subsequent formula change of a dehydrated noodle soup mix which shall require the establishment of a new maximum price, shall file with the Office of Price Administration, Washington, D. C., within 10 days after the date of the first delivery of the new formula product a verified statement showing (1) his actual current purchase price for each ingredient used to produce the product by the original formula, (2) the actual current purchase price for each ingredient used to produce the products by the new formula, (3) the name of his supplier of each ingredient, (4) his current cost of such ingredients per his customary selling unit of the manufactured product for both the original and the new formula, (5) his original maximum selling price, and (6) his new maximum selling price. If any processor claims that substantial hardship would result to him from filing the statement required by the provisions of this paragraph he may submit the information requested in this paragraph for inspection by the Office of Price Administration, Washington, D. C., and then withdraw such information and substitute therefor a statement that the information required has been submitted and is available from the processor in the event the Price Administrator determines that the withholding thereof is inconsistent with the purposes of the Emergency Price Control Act of 1942 as amended.

(j) *Definitions.* When used in this section, the term:

"End-product" means the finished product as prepared according to the directions on (or in) the container, and as described by the processor.

"Current" means at the time of calculating, but in no event more than 30 days before the date of the processor's first delivery of the new product.

"Ingredient cost" means the actual invoice cost of a customary quantity of any ingredient plus delivery charge, if incurred, from the customary supplying point via the customary mode of transportation. In the absence of actual invoice cost, the potential cost may be substituted. Where an ingredient in the original formula is omitted entirely in the new formula, the processor shall use as the current cost of that commodity the most recent invoice cost of a customary quantity plus transportation charges if incurred.

"New formula" means the combination and proportion of ingredients which constitute the new product and which used according to the directions on (or in) the container, will produce the fairly equivalent volume of end-product as the original formula product.

"Fairly equivalent" in volume means within 5% of the volume of the old product when prepared according to the same directions as the processor supplied with the old product.

"Original formula" means the combination and proportion of ingredients used to produce the product for which the maximum price was first established under the provisions of the General Maximum Price Regulation or Supplement 8 to Food Products Regulation No. 1.

"Original maximum price" means the maximum price first established under the provisions of the General Maximum Price Regulation, §§ 1499.2 and 1499.3 as amended, or Supplement 8 to Food Products Regulation No. 1, for the item of dehydrated noodle soup mix.

SEC. 6. *Maximum prices for sales of dehydrated noodle soup mixes by wagon wholesalers.* Wagon wholesalers shall figure their maximum prices per dozen or other unit for each item of dehydrated noodle soup mix by adding to their net delivered cost a markup of 25% of such cost. These maximum prices shall be refigured on receipt of an item whenever there is any change in the net delivered cost.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale. Such a wholesaler is a wagon wholesaler only for sales made in this manner.

SEC. 7. *Maximum prices for sales by distributors who are not wagon wholesalers, wholesalers or retailers.* The maximum price, f. o. b. shipping point, of a distributor who is not a wagon wholesaler, wholesaler or retailer, shall be the maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by him.

SEC. 8. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (sec. 2.2 of FPR 1). The "base period" is March 1942.
(b) Elective pricing method for processors (sec. 2.4 of FPR 1).
(c) Individual authorization of maximum prices (sec. 2.5 of FPR 1).
(d) When the seller must figure a delivered price (sec. 2.6 of FPR 1). The "base period" is March 1942.
(e) Uniform prices where the processor has more than one factory (sec. 2.7 of FPR 1).
(f) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (sec. 2.8 of FPR 1).
(g) Payment of brokers (sec. 2.11 of FPR 1).
(h) Maximum prices for sales to government procurement agencies in certain cases (sec. 2.12 of FPR 1).
(i) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).
(j) Treatment of Federal and state taxes (sec. 2.14 of FPR 1). The "base period" is March 1942.
(k) Units of sale and fractions of a cent (sec. 2.15 of FPR 1).
(l) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 9. *Reports which processors must file.* At or prior to his first sale of an item of dehydrated noodle soup mix at a maximum price determined under section 4 above, the processor shall report by letter to the Office of Price Administration, Washington, D. C., as follows:

(a) The brand, kind, container type and size of the item being priced, and the number of ounces of egg noodles contained in it per dozen or other unit.
(b) His maximum prices by classes of customers established for that selling unit prior to August 29, 1944, and the regulation and section thereof under which that maximum price was established.
(c) His maximum price for the item per dozen or other unit determined under section 4 above.

The Office of Price Administration may require any seller filing a report which does not comply with the provisions of this paragraph, or which reports a price erroneously figured, to correct and resubmit the report.

SEC. 10. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Weights (sec. 3.2 of FPR 1).
(b) Storage (sec. 3.3 of FPR 1).
(c) Export sales (sec. 3.4 of FPR 1).
(d) Notification of new maximum price (sec. 3.5 of FPR 1).
(e) Records which must be kept (sec. 3.6 of FPR 1).
(f) Sales slips and receipts (sec. 3.8 of FPR 1).
(g) Transfers of business or stock in trade (sec. 3.9 of FPR 1).
(h) How a figured maximum price is established and how an established maximum price may be changed (sec. 3.10 of FPR 1).
(i) Adjustable pricing (sec. 3.11 of FPR 1).
(j) Compliance with the applicable supplement (sec. 3.12 of FPR 1).
(k) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (sec 3.13 of FPR 1).
(l) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (sec. 3.14 of FPR 1).
(m) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (sec. 3.15 of FPR 1).
(n) Petitions for amendment (sec. 3.16 of FPR 1).

This supplement shall become effective August 29, 1944.

NOTE: All reporting and record-keeping requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12833; Filed, August 24, 1944; 4:27 p. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 429,[1] incl. Amdts. 1-4]

CERTAIN USED CONSUMER DURABLE GOODS

This compilation of Maximum Price Regulations 429 includes Amendment 4, effective August 29, 1944. The text added or amended by Amendment 4 is underscored.

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 429 are and will be generally fair and equitable and will effectuate the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another government agency, the Administrator has determined, with respect to such standardizations, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 59, 8 F.R. 12552, effective 9-11-43]

§ 1366.1 *Maximum prices for certain types of used consumer durable goods.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 429 (Ceiling Prices for Certain Types of Used Consumer Durable Goods), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1366.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 429—CEILING PRICES FOR CERTAIN TYPES OF USED CONSUMER DURABLE GOODS

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SECTION 1. *What to look for in this regulation.* This regulation tells how to find ceiling prices for certain types of used goods. As defined in this regulation used goods includes reconditioned, rebuilt, and renovated goods. However, this regulation does not cover goods which were sold new and which have been returned to the original seller who has returned to the buyer the full amount paid on account of the purchase of the goods. (Such goods are to be treated as new goods under Office of Price Administration price regulations.) In the case of any article whose year of manufacture can be identified by annual models, any article of a model last manufactured for use in 1940 or earlier, whether or not it has actually been used, shall be considered a used article for purposes of this regulation, unless the seller provides the purchaser with a written warranty that the article has never been used by a consumer.

This regulation does not cover the sale of all used goods. It covers only the sale of the used goods listed below:

(a) All kinds of furniture made from any kind of material, to be used for any purpose, including furniture used in offices, stores, restaurants, hospitals, hotels, camps, trailers, boats, institutions and similar places as well as homes.

(b) All kinds of bedding including mattresses, pillows, studio couches, sofa beds, boxsprings, and pads, but not including non-upholstered metal coil or flat bedsprings, folding bedsprings or bedsprings with stationary or folding legs attached, metal cots and fold-away beds.

(c) All kinds of domestic cooking and space heating stoves except those gas cooking stoves which are subject to the provisions of Maximum Price Regulation No. 527.

(d) All kinds of soft surface floor coverings including carpets and rugs; and hard surface floor coverings including linoleum, inlaid, and felt base. Knotted oriental rugs are not included.

(e) Equipment and supplies (except those covered by Maximum Price Regulation No. 136, as amended), including but not limited to artists' supplies; beauty parlor and barber shop furniture, fixtures and equipment; eccesiastical ware; laboratory, hospital, and professional fixtures and equipment; fire extinguishers; water coolers (except electric); restaurant fixtures and equipment; dispensers; school and office supplies other than paper; shelving; and time clocks. Also, all kinds of store and office fixtures and equipment, including, but not limited to awnings, filing cabinets, lockers, storage cabinets, wardrobes, movable safes, store measuring devices used in the sale of merchandise, such as scales, liquid and bulk measures, and linear measuring machines.

But this regulation does not cover sales of mechanical refrigerators, frozen food cabinets and lockers, farm freezers, and commercial ice cream cabinets; nor nor does it cover the sale of business machines, such as computing, accounting, recording, reproducing, and writing machines, time clocks, registers, and machines for handling checks, mail, fares or tickets, or for sorting or changing coins. All these, except domestic mechanical refrigerators, are covered by the General Maximum Price Regulation.

(f) All kinds of housewares, including but not limited to ash and garbage cans, bathroom equipment, brooms and brushes, buckets and pails, carpet sweepers, choppers and grinders, clothes wringers, cutlery, fireplace equipment, ice cream freezers, ironing boards and tables, irons, laundry boilers, kitchen and bathroom scales, mops, pressure canners, step stools and ladders, utensils, vacuum bottles, wash tubs, window shades and blinds, and woodenware.

(g) All kinds of hand tools and other hardware (except builders' and industrial hardware) including but not limited to blacksmiths' tools, carpenters' tools, electricians' tools, mechanics' tools, miners' tools, farm and garden tools commonly known as steel goods, logging tools, shears, shovels, axes, hammers, hatchets, saws, sledges, wedges, mauls, mattocks, picks, ice tools, horseshoes, wheelbarrows, blow torches, flashlights, lanterns, and lawn mowers.

(h) All kinds of household appliances, electrical and other (except gas ranges, mechanical refrigerators, washing machines and vacuum cleaners) including but not limited to food dehydrators, ice boxes, ironers, portable air conditioning equipment, room coolers of one horse power or less, sewing machines, and small electrical appliances such as fans, curling irons, waffle irons, heating pads, percolators, pressers, toasters, vaporizers and vibrators, etc.

(i) All kinds of musical instruments, except pianos, and except violins, violas, violoncellos, and string basses which are more than 25 years old and of a kind which when new sold for more than $100 at retail.

(j) Wheel goods, including but not limited to bicycles, baby carriages, baby walkers, strollers, tricycles, motor bicycles and scooters (but not motorcycles), children's wagons, wheel chairs, pushcarts, etc.

(k) All kinds of commercial and institutional kitchen equipment including, but not limited to, ranges, broilers, automatic fryers, roasting and baking ovens, steam tables, hot plates, griddles, coffee urns and coffee making systems, toasters, dishwashers, glasswashers, mixers, choppers, slicing machines, burnishers, potato peelers, vegetable steamers, and canopies.

(l) All kinds of personal and household accessories, including but not limited to china and pottery, clocks and watches, electric shavers, giftware, glassware, jewelry (except precious and semi-precious stones exempt under section 2.12 (f) of Revised Supplementary Regulation No. 1), portable lamps and lamp shades, luggage and small leather goods, military type kits and bags, mirrors, notions, pictures and picture frames, residential lighting fixtures, silverware, including plated flatware and hollowware, smokers' accessories, umbrellas and canes, compasses, barometers, hygrometers, and thermometers.

(m) All canoes and all kinds of boats less than 25' in length, paddles, oars, portable outboard motors, life buoys and life preservers.

(n) All kinds of coin operated vending machines for cigarettes, candy, beverages, etc.; and coin operated weighing machines and juke boxes, pin ball machines and other amusement machines.

(o) All kinds of athletic equipment, firearms, and sporting goods (except apparel), including but not limited to pistols, revolvers, shotguns, rifles, fishing tackle, hunting and sheath knives, game traps, golf bags and clubs, etc.

(p) Optical goods, including but not limited to binoculars, microscopes, opera and field glasses, telescopes, etc.

(q) Radios (except automobile radios sold as part of an automobile), phonographs, radio-phonograph combinations, records, and accessories.

(r) All kinds of toys, games, playthings, playground equipment, etc.

(s) Industrial workers' safety equipment (except shoes, scientific instruments, rubber products, and work clothing without special safety features).

(t) Health supplies (except drugs, chemicals, and medicines when not sold as part of first aid kits, and except rubber drug sundries), including but not limited to dental, medical, surgical and veterinarian instruments, equipment and supplies, hearing aids, and accessories, crutches, etc.

[Sec. 1 amended by Am. 1, 8 F.R. 13742, effective 10-5-43; Am. 3, 9 F.R. 4020, effective 4-19-44; and Am. 4, effective 8-29-44]

SEC. 2. *Relation to the General Maximum Price Regulation and other regulations.* This regulation takes the place of the General Maximum Price Regulation[4] for the sales of the used articles which are listed in section 1 above. However, this regulation does not cover the sale of the used goods listed below which are covered by other regulations.

[1] 8 F.R. 9677.

[2] Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[4] 9 F.R. 1385, 5169, 6106.

Used household mechanical refrigerators (nonmechanical refrigerators remain under the General Maximum Price Regulation are not covered by Maximum Price Regulation 429.)	MPR 139 [1]
Used typewriters	MPR 162 [2]
Used vacuum cleaners	MPR 294 [3]
Used washing machines	MPR 372 [4]
Used bedsprings	MPR 380 [5]
Used photographic equipment	MPR 516
Used domestic gas cooking ranges	MPR 527

[Above list amended by Am. 4, effective 8-29-44]

SEC. 3. *Antiques and objects of art.* This regulation does not cover the sale of antiques and objects of art. An article is an antique if it is more than 75 years old, tends to increase rather than decrease in value because of its age and is commonly known and dealt in as an antique by the trade.

SEC. 4. *What transactions and persons are covered by this regulation.* (a) This regulation covers all sales by any person to any other person with the following exceptions only:

(1) Sales by a householder of goods which he did not originally acquire for the purpose of selling or renting. (Sales in the course of trade or business by agents of householders, or by dealers or auctioneers whether for their own account or for the account of a householder or anyone else, and sales of used goods out of a residence as a regular business are covered.)

[Subparagraph (1) amended by Am. 1, 8 F.R. 13742, effective 10-5-43 and Am. 4, effective 8-29-44]

(2) [Revoked]

[Subparagraph (2) revoked by Am. 1, 8 F.R. 13742, effective 10-5-43]

(3) Sales by the War Department, the Department of the Navy of the United States, or the Procurement Division of the Treasury Department.

(4) Sales at wholesale. A sale at wholesale is a sale to a person who buys for the purpose of reselling the goods, rather than for use. Sales at wholesale remain covered by the General Maximum Price Regulation.

(b) "Person" includes an individual, corporation, partnership or any other organized group of persons; their legal successors, or representatives; the United States or any Government, or any of their political subdivisions.

[Paragraph (b) amended by Am. 1, 8 F.R. 13742, effective 10-5-43]

SEC. 5. *How to determine your ceiling prices.* (a) First, you must find the price of a new article (which is the same as or similar to the used article you are pricing), according to the rules in section 6.

(b) Second, you must find the class in which the used article you are pricing belongs. (Class I or Class II—See section 7).

(c) You then find your ceiling price which is either ¾ or ⅓ of the price of the new article, depending on the class in which the used article you are pricing belongs.

SEC. 6. *How to find the price of the new article.* You find the price of the new article by using these rules in the order in which they appear:

(a) *Rule 1.* Find the retail selling price of the same article, new, for sale in your own stock.

(b) *Rule 2.* If you do not have the same article, new, in stock, find the retail selling price of a similar article, new, in your own stock. A used article is "similar" to a new article if the used article has the same uses and when new would give fairly equivalent service. In addition, the used article, when new, must have sold for approximately the same price as the similar new article now sells for.

(c) *Rule 3.* If you do not have a similar article, new, in stock, find the retail selling price of the same article, new, in the same shopping area. (The shopping area is the area in which persons in your community shop for new goods of the kind you are pricing.)

(d) *Rule 4.* If the same article, new, is not for sale in the same shopping area, find the retail selling price of a similar article, new, for sale in the same shopping area. A used article is "similar" to a new article if the used article has the same use and when new would give fairly equivalent service. In addition, the used article, when new, must have sold for approximately the same price as the similar new article now sells for.

(e) *Rule 5.* If the same or similar article is not being sold in your community, find the retail selling price when this article was last sold in your community.

(f) *Rule 6.* If you cannot find the retail selling price under any of these Rules above, apply to the appropriate Office of Price Administration District Office, for information on how to determine your price.

Remember, if you can find the price of the new article in Rule 1, you cannot use Rules 2, 3, 4, 5, or 6. If you can use Rule 2, you cannot use Rules 3, 4, 5, or 6. If you can use Rule 3, you cannot use Rules 4, 5, or 6. If you can use Rule 4, you cannot use Rules 5 or 6.

SEC. 7. *How to determine the class of a used article*—(a) *Class I.* An article is a Class I article if:

(1) No part is missing which is necessary to make the article fully useful.

(2) The article is in good working condition, can be used by the consumer for the purpose intended without further repair, and the article is clean and its appearance is good.

For example: In the case of floor covering, upholstered furniture and bedding, the fabric must be clean and substantially free from burns, cuts, tears, stains, frayed edges, faded colors, and worn spots.

(b) *Class II.* An article is a Class II article if it is not in Class I.

SEC. 8. *How to find the ceiling price for each class.* The ceiling price for the used article must be no more than:

Class I. ¾ (75%) of new.

Class II. ⅓ (33⅓%) of new.

Example for Class I: If the selling price of a new article is $40, you determine the ceiling price of the used article by multiplying $40 by 3 and dividing the result by 4; 3 times $40 is $120; $120 divided by 4 is $30; $30 is the ceiling price for the Class I used article.

Example for Class II: The selling price of the new article is $30. To determine the ceiling price of the used article, you divide the $30 by 3; $30 divided by 3 is $10. This is the ceiling price for the Class II used article.

No sales, attempts to sell, offers to sell or deliveries shall be made at prices higher than the ceiling price. Of course, sales may be made at lower than ceiling prices.

[Sec. 8 amended by Am. 1, 8 F.R. 13742, effective 10-5-43]

SEC. 8a. *Sales by manufacturers of reconditioned and guaranteed articles.* Nothwithstanding the provisions of section 8 of this regulation, any manufacturer of an article covered by this regulation who sells the article directly to consumers, reconditioned and with a guarantee equivalent to that offered with the article when sold new, may upon securing written authorization from the Office of Price Administration, Washington, D. C., sell the article to consumers at the same price he charged them for it during March 1942.

[Sec. 8a added by Am. 4, effective 8-29-44]

SEC. 9. *Fixing of dollars-and-cents ceiling prices for certain articles by Regional or other offices of the Office of Price Administration.* Any Regional Office of the Office of Price Administration or such other offices as may be authorized by the appropriate Regional Office, may by order fix dollars-and-cents ceiling prices for the sales by any or all sellers of any articles covered by this regulation in any area or locality within its jurisdiction. Any order fixing maximum prices issued under the authority of this provision will supersede the provisions of this regulation with respect to sales subject to such order.

[Sec. 9 amended by Am. 4, effective 8-29-44]

SEC. 10. *Adjustment of prices under certain circumstances.* Any regional office of the Office of Price Administration or such other offices as may be authorized by the proper regional office may grant permission to any person subject to this regulation to charge a higher price for the sale of any rebuilt or reconditioned article than is permitted by this regulation if it is found that:

(a) The article is essential, and is one of which there is a serious shortage.

(b) There has been expended (in the course of rebuilding, reconditioning, or renovating the used article) a substantial amount for labor and materials.

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[1] 7 F.R. 3393, 3489, 6053, 8948; 8 F.R. 3706, 5434.

[2] 7 F.R. 4494, 4594, 8356, 8948.

[3] 8 F.R. 139, 3528, 8979.

[4] 8 F.R. 5583.

[5] 8 F.R. 5929, 7114.

(c) (i) If the reconditioner is the retailer, considering the substantial amount expended for labor and materials, the establishment of a price by the Class I formula would result in a price so low that he could not reasonably be expected to continue to recondition or rebuild the article, or

(ii) If the reconditioner is not the retailer, considering the properly established maximum price charged the retailer by the reconditioner, the establishment of a price by the Class I formula would result in a price so low that the retailer can not reasonably be expected to sell the article.

For further information consult with your nearest district office of the Office of Price Administration.

Until such permission is granted the ceiling price is the price fixed by this regulation.

[Paragraph (c) amended by Am. 2, 9 F.R. 3084, effective 3-27-44]

SEC. 11. *Credit, delivery, packing and other charges.* (a) Any additional charge for credit, packing, delivery, or anything else which is not quoted and billed separately is considered part of the selling price. You may charge for those services only to the extent allowed by this section.

(b) If you were engaged in the business of selling goods during March 1942, and during that month made a separate charge for the extension of credit, or for delivery or packing, you may make a charge for any of those services on the sale of goods covered by this regulation no greater than the charge you made during March 1942, and you must quote and bill those extra charges separately.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

(c) If you were not engaged in business during March 1942, or if you did not extend credit or delivery or packing service during that month, you may make a charge for any of those services rendered the buyer, no greater than the charge made by your closest competitor selling used goods, who makes a separate charge for that service. You must quote and bill those extra charges separately.

(d) You cannot require the customer to take any of these services.

[Sec. 11 amended by Am. 1, 8 F.R. 13742, effective 10-5-43]

SEC. 12. *Evasion, licensing and enforcement*—(a) *Evasion.* You must not evade any of the provisions of this regulation by any scheme or device, or by any practice which has the effect of getting a higher-than-ceiling price. Specifically, you cannot offer to sell used goods covered by this regulation only on condition that the customer agree to pay for reconditioning, repairing, or rebuilding to be performed by you before or after he buys the merchandise or only on condition that the customer buy goods which he does not wish to buy. If the customer buys an article from you, and asks you to rebuild it or recondition it, the total amount which you receive on account of the sale of the goods and on account of the reconditioning or rebuilding cannot exceed the ceiling price of the goods if you offered the goods for sale as Class I goods.

You may not use the published list price as the price of the new article under section 6, if that published list price was generally not observed by sellers of new goods. Section 6 requires you to find the actual selling price of the new article.

(b) *Licensing.* The provisions of Licensing Order No. 1,[10] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Paragraph (b) amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

(c) *Enforcement.* On and after September 1, 1943, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended, if you violate any provision of this regulation.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 13. *Posting ceiling price notice.* If you are a retailer, you must post a sign no smaller than 11" x 17" in size, in a place that is permanently and clearly visible to all customers for used goods. Your nearest Office of Price Administration office can help you get this sign. This sign must read substantially as follows except that you may omit from it any articles not sold in your store.

CEILING PRICES ON USED, RECONDITIONED, OR REBUILT ARTICLES

_____
(Name of your establishment)

Our ceiling prices for the used, reconditioned, rebuilt and renovated articles listed below have been fixed under Maximum Price Regulation No. 429 issued by the Office of Price Administration.

The regulation establishes ceiling prices for the following kinds of articles:

Beauty and barber shop furniture, fixtures and equipment
Bedding
China and glass
Coin operated vending machines
Commercial and institutional kitchen equipment
Firearms
Floor coverings
Furniture
Hand tools and other hardware
Health supplies
Household appliances
Housewares
Industrial safety equipment
Jewelry
Lamps and lamp shades
Luggage
Musical instruments, except pianos
Office and store furniture and fixtures
Optical goods
Personal and household accessories
Radios, phonographs, and records
Restaurant fixtures and equipment
Room coolers
Small boats and canoes
Sporting goods
Stoves, except gas ranges
Toys and games
Wheel goods—bicycles, baby carriages, etc.

CEILING PRICES

The used goods covered by the Regulation must be classified as Class I or Class II, according to condition.

This store is not allowed to charge more for these used goods than the ceiling prices described below under the two classes.

Class I. This group includes all used articles which meet the requirements shown below.

Ceiling prices for articles in Class I must not be priced higher than 75 percent of the present retail selling price of the same or similar article.

Used articles may be included in Class I only if they meet these requirements:

1. No part is missing which is necessary to make the article fully useful.

2. The article is in good working condition, can be used by the consumer for the purpose intended without further repair, and the article is clean and its appearance is good.

For example, in the case of floor coverings, upholstered furniture and bedding, the fabric must be clean and substantially free from burns, cuts, tears, stains, frayed edges, faded colors, and worn spots.

Class II. This group includes all articles which do not meet the requirements of Class I.

Ceiling prices of articles in Class II must not be priced higher than 33⅓ percent of the present retail selling price of the same or similar article.

ARTICLES SELLING AT $2.00 OR MORE MUST HAVE A SELLING PRICE TAG—SALES SLIPS WILL BE GIVEN TO ANY CUSTOMER UPON REQUEST

[Sec. 13 amended by Am. 4, effective 8-29-44]

SEC. 14. *Tagging.* Any person selling from a regular place of business any article for which a ceiling price is fixed by this regulation must tag or label each article with the actual selling price (or, in the case of auctioneers, with the ceil-

[10] 8 F.R. 13240.

ing price) in plain dollars-and-cents figures, unless the selling price is less than $2.00. In addition to the selling price, the tag must show the class (Class I or Class II). This tag or label must not be removed before the article is delivered to the purchaser. The price written on the tag or label must be the one set by this regulation or a lower price. Any goods priced and tagged under the provisions of this regulation, before the effective date, are covered by this regulation.

[Sec. 14 amended by Am. 4, effective 8-29-44]

SEC. 15. *Sales slips or receipts.* If you have customarily given a customer a sales slip, receipt, or similar evidence of purchase you shall continue to do so. Upon request, regardless of previous custom, you shall give a receipt showing the date, your name and address, a list of the articles bought and the prices paid, kind and amount of any additional charges, and the name and address of the customer.

SEC. 16. *Petitions for amendment.* You may seek a change in this Maximum Price Regulation No. 429 or any exception to its terms by filing a petition for amendment in accordance with the rules outlined in Revised Procedural Regulation No. 1 [11] issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 8067, 8665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

SEC. 17. *Geographical coverage of this regulation.* The provisions of this regulation apply to the forty-eight states, the District of Columbia and the territories and possessions of the United States. It becomes effective in the territories and possessions 45 days after its effective date in continental United States.

Effective date. The regulation shall become effective September 1, 1943. [MPR 429 originally issued July 15, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: The reporting and record-keeping requirements of this Regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 24th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12884; Filed, August 24, 1944; 4:28 p. m.]

[11] 9 F.R. 5791.

PART 1305—ADMINISTRATION

[Supp. Order 86]

AMENDMENT OF ALL EXISTING LETTER-ORDERS WITH RESPECT TO CHANGES IN ESTABLISHED RENTAL PRACTICES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

§ 1305.123 *Amendment of preamble of all existing letter-orders with respect to changes in business practices.* The preamble to each of the letter-orders heretofore issued by the Administrator or by any Regional Administrator or District Director of the Office of Price Administration and now in effect is amended by adding thereto the following paragraph:

All provisions of this letter-order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the letter-order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the Act. To the extent that the provisions of this letter-order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention of this order or of the Emergency Price Control Act of 1942, as amended.

This supplementary order shall become effective August 25, 1944.

Issued this 25th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12881; Filed, August 25, 1944; 12:00 m.]

AUTHORITY OF ADMINISTRATOR IN CONNECTION WITH CHANGES IN ESTABLISHED RENTAL PRACTICES

NOTE: A supplementary statement of considerations or statement of reasons or opinions involved in the issuance of all existing price regulations, schedules and formal orders pertaining to changes in business practices is contained in F. R. Doc. N. P. 44-10202, filed with the Division of the Federal Register August 25, 1944, at 11:58 a. m.

*Copies may be obtained from the Office of Price Administration.

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 525,[1] Amdt. 2]

JOBBER SALES OF STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. In section 16 (c) (5) (i) the table is amended in the following respects:

a. The 8 lt. and 12 lt. window designations for the following sizes are corrected to read as follows:

	8 lt. windows		12 lt. windows			
	1⅜"		1¼"		1⅜"	
)	ck.	rl.	pl.	rl.	ck.	rl.
Glass size	Open	88B	Open	88B	Open	88B
8 x 12	S	M				
9 x 14	S	M				
10 x 16	S	M	S	M	S	M
18	------	------	------	------	S	M
12 x 14	------	------	------	------	S	M
16	------	------	------	------	S	M

b. In the portion of the table headed "4 lt. windows 1⅜" Ck. R1." the following sizes are corrected to read:

	SSB
12 x 22	S
24	F

c. In the portion of the table headed "Doors", the item "3-10 x 6-6" under size 1¾" is corrected to read "3-0 x 6-6".

2. In section 17 (c) (4) (i), under the heading "Hardwood panel doors and flush doors", the item "slow 52" is corrected to read "slow 56½" and under the heading "Hollow core doors", the item "slow 56½" is corrected to read "slow 52".

This amendment shall become effective August 30, 1944.

Issued this 25th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12873; Filed, August 25, 1944; 11:58 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 224,[2] Amdt. 7]

CEMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 224 is amended in the following respects:

1. Paragraph (a) of § 1346.104 is hereby amended to insert immediately following the present subparagraph (1) the letter (*a*) and a new subdivision (*b*) to read as follows:

[1] 9 F.R. 3735, 7690.

[2] 7 F.R. 7396, 8650, 8944, 9495; 8 F.R. 8275; 9 F.R. 287540, 4089.

(b) The maximum price determined pursuant to the above pricing method may be increased by a manufacturer meeting the conditions set forth below by an amount not in excess of $0.10 per barrel when the following conditions are met:

The sale is made f. o. b. a mill located within the geographical area defined herein; or

The sale is made on a delivered basis and the delivered destination point is within the geographical area defined herein.

The geographical area referred to herein is defined to be the States of Ohio, West Virginia and Michigan; that portion of Pennsylvania west of the Counties of Potter, Clinton, Center, Huntington, and Franklin; that portion of Virginia west of, and including, the Counties of Tazewell, Smyth and Washington; and that portion of Kentucky east of, and including, the Counties of Boone, Grant, Harrison, Bourbon, Clark, Estill, Jackson, Clay, Knox, and Bell.

2. Subparagraph (2) of paragraph (a) of § 1346.104 is amended to read as follows:

(2) The dollars-and-cents differentials from the price of American Society for Testing Materials Types 1 and 2 Portland cement which prevailed on March 15, 1942, with respect to American Society for Testing Materials Type 3 Portland cement (high early strength cement), white cement, oil-well cements, masonry cement, and other cement, shall be added to, or subtracted from, as the case may be, the maximum selling prices established under this paragraph for American Society for Testing Materials Types 1 and 2 Portland cement, to determine the maximum prices for such other cements: *Provided*, That the provisions of paragraphs (a) (1) and (2) shall not be used to increase the maximum prices of white Portland cement.

3. Paragraph (d) of § 1346.105 is amended to read as follows:

(d) Any person purchasing cement for resale in the same form may add to a maximum price established under § 1346.105 an amount not exceeding the dollars-and-cents increase in cost to him resulting from the increase in maximum prices permitted manufacturers of cement under § 1346.104 (a).

This Amendment No. 7 shall become effective August 30, 1944.

Issued this 25th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12878; Filed, August 25, 1944; 11:59 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 10 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended by substituting "(No. 17-18)" for "(No. 16-17)".

This amendment shall become effective August 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12880; Filed, August 25, 1944; 12:00 m.]

PART 1410—WOOL

[RPS 58,[2] Amdt. 16]

WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1410.57 (a) (2) is amended to read as follows:

(2) "Wool" means the fibers from the fleece of the sheep or lamb, or hair of the Angora or Cashmere goat or of the camel, alpaca, llama or vicuna, and shall include noils but shall not include: (i) Unscoured wool shorn from sheep or lambs in the continental United States; and (ii) mohair in the original bag or bale.

This amendment shall become effective August 30, 1944.

Issued this 25th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: AUGUST 16, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12877; Filed, August 25, 1944; 11:59 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6772, 6825, 7262, 7486, 8147, 8931, 9266, 9278, 9785, 9896.

[2] 8 F.R. 5988, 11738; 9 F.R. 7943.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 32]

MAXIMUM PRICES IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 395 is amended in the following respects:

1. Section 12 (a) (2) is amended to read as follows:

(2) "Sale at wholesale" means any sale of a commodity or service other than a sale at retail, as defined herein, whether by the manufacturer, producer, processor, or any other person, and shall include any such sale to the United States, any government, or any of its political subdivisions, any religious, educational, or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or to any person for use in the course of his trade or business, or to any commercial or industrial user, or to any agency of any of the foregoing.

2. Section 12 (a) (5) is amended to read as follows:

(5) "Landed cost" means the price the importer paid, which in no event may exceed the maximum price established by any applicable regulation or order, less discounts allowed to the importer, plus all costs of shipment actually incurred by the importer, including premiums paid for marine and war risk insurance: *Provided*, That for commodities imported by the Office of Distribution, the landed cost shall be the Office of Distribution price.

3. Section 14 (d) (6) is amended to read as follows:

(6) "Direct cost to the seller" means the price which the seller paid for the commodity, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller, including premiums paid for marine and war risk insurance.

This amendment shall become effective as of August 7, 1944.

Issued this 25th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12875; Filed, August 25, 1944; 11:58 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 168,[2] Amdt. 47]

PUERTO RICO

A statement of the considerations involved in the issuance of this amend-

[1] 8 F.R. 6621, 8873, 9996, 11438, 12661, 13345, 14144, 15865, 17052, 16298, 16793; 9 F.R. 1396.

[2] 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12532, 13165, 13847, 14090, 14765, 15195.

Item and brand name	Unit	Price at wholesale per dozen	Retail price per unit
Kraft's Phenix Bouillon Cubes, all varieties.	¾-oz. each	$0.96	$0.10

2. Section 24, Table 8 is amended by changing the prices of two items and by eliminating the price "to wholesaler" of these items to read as follows:

Item and brand name	Unit: Case of—	Price at wholesale	Retail price (per unit)
Ketchup:			
Libby's	24/14-oz. bottles	$4.65	$0.25
Libby's	24/8-oz. bottles	3.60	.19

3. Section 25, Table 10 is amended by changing the prices of several items and by eliminating the price "to wholesaler" of these items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Beans, deep brown:			
Libby's	Case of 24/17-oz. glass.	$4.65	$0.24
Beans, red kidney:			
All brands	Carton of 24/2 tin.	3.25	.17

4. Section 29, Table 15 is amended by deleting the two "Saltine" items and adding a new item in their place, by changing the prices of two items and eliminating the price "to wholesaler" of same to read as follows:

Items and brand names	Unit	Price at wholesale (per dozen)	Retail price (per unit)
Vories:			
Sandwich assortment.	Ctn. of 8/160's pkgs.	$14.80	$1.09 or 10 per cracker.
Vanilla sandwich.			
Saltines, all brands.	In 10 pkgs.	2.00	$0.27

*Copies may be obtained from the Office of Price Administration.

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Gold Medal oat flakes.	Case of 24/14 oz. pkg. with tumbler.	$3.65	$0.21

7. Section 42, Table 33 is amended by changing the prices and units of two items and eliminating the price "to wholesaler" of same to read as follows:

Item and brand names	Unit: Case of—	Price at wholesale	Retail price (per unit)
Maizena Duryea Brand Cornstarch (edible).	30/100 grms.	$2.00	$0.08
Maizena Duryea Brand Cornstarch (edible).	48/400 grms.	3.80	.12

8. Section 42, Table 33h is amended by deleting the item "Rosemarie" from Capers and adding it under Olives and Capers to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Olives and capers:			
Rosemarie	48/6½ fld. oz. jars	$7.00	$0.20

9. Section 56, Table 46 is amended by changing the price at wholesale of the following item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Vermouth, Cinzano.	Case of: 12/30 oz. bottles.	$17.00	$2.00

10. Section 70, Table 63 is added to read as follows:

TABLE 63—MAXIMUM PRICES FOR IMPORTED CANDLES

Item and brand names	Unit case of—	Price at wholesale	Retail price (per unit)
Candles:			
No. 16	640	$4.45	$0.01
No. 8	320	4.45	.02
Boringuen	480	4.75	2 for .03
Antilla	640	6.50	2 for .03
Silver	640	6.50	2 for .03

11. Section 71, Table 64 is added to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Almonds			
Butter	⅝	⅝	
Celoseal			
Cheese			
Chocolate			
Codfish, herring (smoked and pickled) and other salted or semi-dry fish		⅝	
Eggs (dozen)			
Fish (fresh)	⅝	⅝	
Fruits and vegetables not otherwise listed			
Hams, Luncheon meat, and other pork products not otherwise listed		⅛	
Jerked beef		⅛	
Frozen dressed lambs, veal, pork loins, and other frozen meats and poultry not otherwise listed	⅝	⅛	
Lard, oleomargarine, and shortening in pints		⅛	
Lard, oleomargarine, and shortening in tins, tierces, or boxes			
Milk powder			
Pickles			
Potatoes and onions in cases or crates			
Potatoes and onions in bags			
Salami, sausage and mortadella		⅛	
Seeds and beans			
Syrups			
Yeast			

NOTE: Above prices are to be used on net weights of the commodities stored.

The maximum price for cold storage service of a commodity not listed in Table 64 above shall be the maximum price of the most comparable commodity listed, provided the supplier of the service reports, for the approval of the Director of the Office of Price Administration, Puerto Rico, the name of the comparable commodity selected and the price charged for the service. If the price reported for the unlisted commodity is not approved, the Director may establish by order a price for said commodity in line with those established by this section.

12. Section 72, Table 65 is added to read as follows:

TABLE 65—MAXIMUM PRICES FOR IMPORTED SALT IN BLOCKS

	Per 50 pound block
Plain Salt Block	$1.25
Iodized Block	1.45
Sulphurized Block	1.35

13. Section 73 is added to read as follows:

SEC. 73. *Maximum prices for photographic supplies and materials*—(a) *Maximum prices at retail.* The maximum retail price on each item of photographic supply and material shall be the price published for the item in the latest consumers' price list of the manufacturer of said supply and material.

(b) *Maximum prices on sales other than at retail.* The maximum price on each item of photographic supply and material on sales other than at retail shall be the price published for the item in the latest consumers' price list of the manufacturer of the photographic supplies imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately.

14. Section 74 is added to read as follows:

SEC. 74. *Maximum prices for imported luggage*—(a) *Definitions.* When used in this section, the term:

(1) "Luggage" means any new container commonly used for the transportation of personal effects on a journey; for example, furlough bags, overnight cases, week-end cases, pullman cases, men's wardrobes, and footlockers. In addition, the term "luggage" includes physicians' bags, sample cases and sample trunks. Furthermore, the term "luggage" as used in this regulation includes new leather and non-leather luggage manufactured in the Continental United States.

(b) *Maximum prices for imported luggage (at retail).* (1) The maximum price at retail shall be determined by multiplying the retail price established in accordance with MPR 476 (Article III, section 8 (a)) by 1.10.

(c) *Marking of maximum prices.* (1) No item of imported luggage may be offered for sale, sold or delivered unless a tag is attached to it showing the manufacturer's retail price and the maximum price established under this section. The tag may not be removed until after delivery to the consumer.

This amendment shall become effective August 30, 1944.

Issued this 25th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12879; Filed, August 25, 1944; 12:00 m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471, Correction]

LEGUME AND GRASS SEEDS

1. In sections 12 (d) (2) and 12 (f) the words "section 14" are corrected to read "section 13".

2. The first clause in section 13 (g) (1) is corrected to read as follows:

(1) $1.00 for premium grade red clover seed and alsike clover seed, and $0.50 for

MOHAIR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.11 (d) is added to read as follows:

(d) Mohair in the original bag or bale.

This amendment shall become effective August 30, 1944.

Issued this 25th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 16, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12876; Filed, August 25, 1944; 11:59 a. m.]

Chapter XIII—Petroleum Administration for War

[PAO 11, as Amended July 1, 1944, Amdt. 1 to Supp. Order 8[1]]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

CERTAIN CRUDE OIL OPERATIONS IN KANSAS, OKLAHOMA AND TEXAS

Section 1515.14 *Supplementary Order No. 8 to Petroleum Administrative Order No. 11* is amended in the following respects:

(1) Paragraph (a) is amended by deleting therefrom the words "North and West Central Texas";

(2) Subparagraph (b) (3) is hereby revoked;

(3) Paragraph (c) is amended by deleting therefrom the word "Three", whenever that word is used to designate Area Three;

(4) Paragraph (f) is amended by deleting therefrom the word "Three", whenever that word is used to designate Area Three; and

(5) Paragraph (c) to Exhibit A is hereby revoked.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6688.

PART 1515—PETROLEUM PRODUCTION OPERATIONS

NORTH AND WEST CENTRAL TEXAS

§ 1515.20 *Supplementary Order No. 14 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph (m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall, to the extent provided herein, be applicable to the use of material in petroleum production operations in North and West Central Texas, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order. In addition:

"North and West Central Texas" means the following counties in the State of Texas:

Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Concho, Cooke, Coryell, Denton, Eastland, Erath, Fisher, Foard, Grayson, Hamilton, Hardeman, Haskell, Hood, Jack, Jones, Knox, Lampasas, McCulloch, Mills, Montague, Nolan, Palo Pinto, Parker, Runnels, San Saba, Shackelford, Somervell, Stephens, Stonewall, Taylor, Throckmorton, Wichita, Wilbarger, Wise, and Young.

(c) *Authorized uses of material in oil development drilling operations.* Material may be used to drill, deepen, complete, recomplete, and provide additions to any well in North and West Central Texas for the purpose of producing oil, except in a "Restricted Area", if there is compliance with the following provisions:

(1) With respect to any well drilled for the purpose of producing oil to a depth not exceeding 1400 feet,

(i) The well must be located on a drilling unit consisting of at least 5 contiguous surface acres upon which no other well drilling to or producible from a depth not exceeding 1400 feet is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil to, or producible of oil from, a depth not exceeding 1400 feet, and

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 23 is amended by adding a new table to read as follows:

TABLE 7b—MAXIMUM PRICES FOR SOUP CUBES

Item and brand name	Unit	Price at wholesale (per dozen)	Retail price (per unit)
Knott's Phenix Beef-ian Cubes, all varieties.	3½-oz. carton	$0.66	$0.10

2. Section 24, Table 8 is amended by changing the prices of two items and by eliminating the price "to wholesaler" of these items to read as follows:

Item and brand name	Unit, Case of—	Price at wholesale	Retail price (per unit)
Ketchup: Libby's	24/14-oz. bottles	$4.65	$0.25
Libby's	24/8-oz. bottles	2.60	.19

3. Section 28, Table 18 is amended by changing the prices of several items and by eliminating the price "to wholesaler" of these items to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Beans, deep brown: Libby's	Case of 24/17-oz. glass.	$4.65	$0.24
Beans, red kidney: All brands	Carton of 24/2½ tin.	3.25	.17

4. Section 29, Table 19 is amended by deleting the two "Saltine" items and adding a new item in their place, by changing the prices of two items and eliminating the price "to wholesaler" of same to read as follows:

Items and brand names	Unit	Price at wholesale (per dozen)	Retail price (per unit)
Vories: Sandgrich assortment.	Ctn. of 3/100's pkgs.	$14.80	$1.69 or 15 per cracker.
Vanilla sandwich.			
Saltines, all brands.	In 1# pkgs.	2.00	$0.27

*Copies may be obtained from the Office of Price Administration.

5. Section 32, Table 22 is amended by changing the container, size, and unit of Sweet Life vegetable oil from "24/16 oz. bottles" to "24/6 oz. bottles."

6. Section 36, Table 36 is amended by changing the prices of one item and by eliminating the price "to wholesaler" of same to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Gold Medal cat fishes.	Case of 24/14 oz. pkg. with tumbler.	$3.55	$0.21

7. Section 42, Table 33 is amended by changing the prices and units of two items and eliminating the price "to wholesaler" of same to read as follows:

Item and brand names	Unit, Case of—	Price at wholesale	Retail price (per unit)
Maizena Duryea Brand Cornstarch (edible).	48/100 grms.	$1.80	$0.05
Maizena Duryea Brand Cornstarch (edible).	48/400 grms.	3.60	.10

8. Section 42, Table 33b is amended by deleting the item "Rosemarie" from Capers and adding it under Olives and Capers to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Olives and capers: Rosemarie	48/6½ fld. oz. jars	$7.00	$0.20

9. Section 56, Table 46 is amended by changing the price at wholesale of the following item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Vermouth, Cinzano.	Case of: 12/30 oz. bottles.	$17.00	$2.00

10. Section 70, Table 63 is added to read as follows:

TABLE 63—MAXIMUM PRICES FOR IMPORTED CANDLES

Item and brand names	Unit case of—	Price at wholesale	Retail price (per unit)
Candles: No. 10	640	$4.45	$0.01
No. 8	320	4.45	.02
Borinquen	480	4.75	2 for .05
Antilla	640	4.30	2 for .05
Silver	640	4.80	2 for .05

11. Section 71, Table 64 is added to read as follows:

STORAGE SERVICES

PRICES PER FORTNIGHT OR FRACTION THEREOF

Item	20° or less (per lb.)	21° to 32° inclusive (per lb.)	33° to 45° inclusive (per lb.)
	Cent	Cent	Cent
Almonds	¾	¾	¾
Butter			
Cabbage			
Cheese			
Chocolate			
Cocoanuts, husked and unhusked, and cocoanut meat, salted or canned		¾	¾
Dairy fats			
Eggs (frozen)	¾	¾	¾
Fish (fresh)			
Fruits and vegetables not otherwise listed			
Meats, barbecued meats, and other pork products not otherwise listed		¾	¾
Mixed Nuts		¾	¾
Peanuts (ground basis, void, plus loose, and other forms used as "peanuts") not otherwise listed	¾	¾	¾
Lard, oleomargarine, and shortening in pails		¾	¾
Lard, oleomargarine, and shortening in tins, tierces, or boxes			
Milk, powder			
Parkin			
Potatoes and onions in cases or crates			
Potatoes and onions in bags		¾	¾
Salmon, canned, and shortcakes			
Seeds and beans			
Syrups			
Yeast			

NOTE: Above prices are to be used on net weights of the commodities stored.

The maximum price for cold storage service of a commodity not listed in Table 64 above shall be the maximum price of the most comparable commodity listed, provided the supplier of the service reports, for the approval of the Director of the Office of Price Administration, Puerto Rico, the name of the comparable commodity selected and the price charged for the service. If the price reported for the unlisted commodity is not approved, the Director may establish by order a price for said commodity in line with those established by this section.

12. Section 72, Table 65 is added to read as follows:

TABLE 65—MAXIMUM PRICES FOR IMPORTED SALT IN BLOCKS

	Per 50 pound block
Plain Salt Block	$1.25
Iodized Block	1.45
Sulphurized Block	1.35

13. Section 73 is added to read as follows:

SEC. 73. *Maximum prices for photographic supplies and materials*—(a) *Maximum prices at retail.* The maximum retail price on each item of photographic supply and material shall be the price published for the item in the latest consumers' price list of the manufacturer of said supply and material.

(b) *Maximum prices on sales other than at retail.* The maximum price on each item of photographic supply and material on sales other than at retail shall be the price published for the item in the latest consumers' price list of the manufacturer of the photographic supplies all the following specifications:

Issued this 25th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12874; Filed, August 25, 1944; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 TO GMPR, Amdt. 74]

MOHAIR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.11 (d) is added to read as follows:

(d) Mohair in the original bag or bale. This amendment shall become effective August 30, 1944.

Issued this 25th day of August 1944.

CHESTER BOWLES,
Administrator.

Approved: August 16, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-12876; Filed, August 25, 1944; 11:59 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471, Correction]

LEGUME AND GRASS SEEDS

1. In sections 12 (d) (2) and 12 (f) the words "section 14" are corrected to read "section 13".

2. The first clause in section 13 (g) (1) is corrected to read as follows:

(1) $1.00 for premium grade red clover seed and alsike clover seed, and $0.50 for

(c) *Insular excise tax.* On sales of a photographic supply and material, the seller may collect, in addition to the above maximum price, the amount of the increased Insular Excise Tax imposed after May 10, 1942, actually paid or collected from him, provided the statute imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price and the seller does state it separately.

14. Section 74 is added to read as follows:

SEC. 74. *Maximum prices for imported luggage*—(a) *Definitions.* When used in this section, the term:

(1) "Luggage" means any new container commonly used for the transportation of personal effects on a journey; for example, furlough bags, overnight cases, week-end cases, pullman cases, men's wardrobes, and footlockers. In addition, the term "luggage" includes physicians' bags, sample cases and sample trunks. Furthermore, the term "luggage" as used in this regulation includes new leather and non-leather luggage manufactured in the Continental United States.

(b) *Maximum prices for imported luggage (at retail).* (1) The maximum price at retail shall be determined by multiplying the retail price established in accordance with MPR 476 (Article III, section 8 (a)) by 1.10.

(c) *Marking of maximum prices.* (1) No item of imported luggage may be offered for sale, sold or delivered unless a tag is attached to it showing the manufacturer's retail price and the maximum price established under this section. The tag may not be removed until after delivery to the consumer.

This amendment shall become effective August 30, 1944.

Issued this 25th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12879; Filed, August 25, 1944; 12:00 m.]

Chapter XIII—Petroleum Administration for War

[PAO 11, as Amended July 1, 1944, Amdt. 1 to Supp. Order 8 [1]]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

CERTAIN CRUDE OIL OPERATIONS IN KANSAS, OKLAHOMA AND TEXAS

Section 1515.14 *Supplementary Order No. 8 to Petroleum Administrative Order No. 11* is amended in the following respects:

(1) Paragraph (a) is amended by deleting therefrom the words "North and West Central Texas";

(2) Subparagraph (b) (3) is hereby revoked;

(3) Paragraph (c) is amended by deleting therefrom the word "Three", whenever that word is used to designate Area Three;

(4) Paragraph (f) is amended by deleting therefrom the word "Three", whenever that word is used to designate Area Three; and

(5) Paragraph (c) to Exhibit A is hereby revoked.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6688.

Issued August 25, 1944.

J. HOWARD MARSHALL,
Acting Deputy Petroleum Administrator for War.

[F. R. Doc. 44-12836; Filed, August 25, 1944; 10:30 a. m.]

[PAO 11, as Amended July 1, 1944, Supp. Order 14]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

NORTH AND WEST CENTRAL TEXAS

§ 1515.20 *Supplementary Order No. 14 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph (m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall, to the extent provided herein, be applicable to the use of material in petroleum production operations in North and West Central Texas, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order. In addition:

"North and West Central Texas" means the following counties in the State of Texas:

Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Concho, Cooke, Coryell, Denton, Eastland, Erath, Fisher, Foard, Grayson, Hamilton, Hardeman, Haskell, Hood, Jack, Jones, Knox, Lampasas, McCulloch, Mills, Montague, Nolan, Palo Pinto, Parker, Runnels, San Saba, Shackelford, Somervell, Stephens, Stonewall, Taylor, Throckmorton, Wichita, Wilbarger, Wise, and Young.

(c) *Authorized uses of material in oil development drilling operations.* Material may be used to drill, deepen, complete, recomplete, and provide additions to any well in North and West Central Texas for the purpose of producing oil, except in a "Restricted Area", if there is compliance with the following provisions:

(1) With respect to any well drilled for the purpose of producing oil to a depth not exceeding 1400 feet,

(i) The well must be located on a drilling unit consisting of at least 5 contiguous surface acres upon which no other well drilling to or producible from a depth not exceeding 1400 feet is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil to, or producible of oil from, a depth not exceeding 1400 feet, and

(iii) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 750 feet, and

(iv) All separate property interests under the drilling unit upon which the well is located, in pools at depths not exceeding 1400 feet, must first be consolidated.

(2) With respect to any well drilled for the purpose of producing oil to a depth of more than 1400 feet but not exceeding 2500 feet,

(i) The well must be located on a drilling unit consisting of at least 10 contiguous surface acres upon which no other well drilling to or producible from a depth of more than 1400 feet but not exceeding 2500 feet is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil to, or producible of oil from, a depth of more than 1400 feet but not exceeding 2500 feet, and

(iii) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 1100 feet, and

(iv) All separate property interests under the drilling unit upon which the well is located, in pools at depths exceeding 1400 feet but not exceeding 2500 feet, must first be consolidated.

(3) With respect to any well drilled for the purpose of producing oil to a depth of more than 2500 feet but not exceeding 3400 feet,

(i) The well must be located on a drilling unit consisting of at least 20 contiguous surface acres upon which no other well drilling to or producible from a depth of more than 2500 feet but not exceeding 3400 feet is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil to, or producible of oil from, a depth of more than 2500 feet but not exceeding 3400 feet, and

(iii) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 1500 feet, and

(iv) All separate property interests under the drilling unit upon which the well is located, in pools at depths exceeding 2500 feet but not exceeding 3400 feet, must first be consolidated.

(4) With respect to any well drilled for the purpose of producing oil to a depth exceeding 3400 feet,

(i) The well must be located on a drilling unit consisting of at least 40 contiguous surface acres upon which no other well drilling to or producible from a depth exceeding 3,400 feet is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil to, or producible of oil from, a depth exceeding 3,400 feet, and

(iii) The distance between any two points farthest apart on the drilling unit upon which the well is located must not exceed a distance of 2,100 feet, and

(iv) All separate property interests under the drilling unit upon which the well is located, in pools at depths exceeding 3,400 feet, must first be consolidated.

(5) The well must be drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest level at which the well is open to production) conforms to the other applicable provisions set out above.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production of the District in which the well is located within 30 days after completion of the well.

(6) If any well drilled in conformity with the provisions of this paragraph (c) is completed as a gas or condensate well, it shall not be produced except to provide fuel for drilling or fuel for other lease operations, or for testing the well for a period not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such purposes, until authorization has been granted by an authorized official of the Petroleum Administration for War.

(d) *Computation of acreage attributable to oil wells in North and West Central Texas.* (1) The acreage attributable to any oil well in North and West Central Texas spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than that required for a new well drilled and completed pursuant to this supplementary order.

(2) The acreage attributable to any oil well in North and West Central Texas spudded after December 23, 1941, need not be greater than that required for a new well drilled and completed pursuant to this supplementary order.

(e) *Violations.* Any person who wilfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(f) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued August 25, 1944.

J. HOWARD MARSHALL,
Acting Deputy Petroleum Administrator for War.

[F. R. Doc. 44-12837; Filed, August 25, 1944; 10:30 a. m.]

[PAO 23]

PART 1545—PETROLEUM SUPPLY

RESIDUAL FUEL OIL

The fulfillment of the requirements for the defense of the United States has created in certain areas a shortage in the supply of residual fuel oil for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest to promote the national defense and to provide adequate supplies of residual fuel oil for military and other essential uses.

§ 1545.7 *Petroleum Administrative Order No. 23*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Residual fuel oil" means any liquid petroleum fuel oil which has a viscosity of or above 25 Saybolt Seconds Furol at 122° Fahrenheit, and includes, but is not limited to, any fuel oil commonly known as residual fuel oil, any fuel oil meeting Pacific Specifications Nos. 300 and 400, railroad and heavy industrial fuel, bunker grade fuel, light domestic fuel, and any crude oil used for the same purposes as residual fuel oil.

(b) *Limitation on shipment of residual fuel oil from certain areas.* No person shall deliver or cause to be delivered, directly or indirectly, and no person shall accept delivery of residual fuel oil from any point within the area embraced by the States of Washington, Oregon, California, Nevada, and Arizona, and the Counties of Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington in the State of Idaho, to any other point in the continental United States: *Provided*, That this paragraph shall not apply to deliveries by tank truck from any point within the area embraced by these states and counties to any other point in the continental United States which was normally served by such tank truck deliveries during the six months period immediately preceding the effective date of this order.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director of Supply and Transportation, Petroleum Administration for War, Interior Building, Washington 25, D. C. In making an appeal hereunder, the following information shall be submitted:

(1) Name of person supplying residual fuel oil.

(2) Point of origin of shipment.

(3) Quantity in barrels per month to be shipped.

(4) Name of person to whom shipment will be consigned.

(5) Point to which shipment will be made.

(6) Method of transportation and route over which shipment will be made.

(7) Purpose for which residual fuel oil will be used by person receiving shipment.

(8) Nearest known alternate source of supply.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(e) *Effective date.* This order shall become effective on September 15, 1944.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of August 1944.

J. HOWARD MARSHALL,
Acting Deputy Petroleum Administrator for War.

[F. R. Doc. 44-12888; Filed, August 25, 1944; 10:30 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[2d Rev. S. O. 224]

ICING FRUITS AND VEGETABLES IN WEST

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of August A. D. 1944.

It appearing, that there is an acute general shortage of ice in the West which is adversely affecting the movement of fruits and vegetables in refrigerator cars in that area, resulting in congestion of traffic; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Definition of the terms fruits and vegetables as used herein.* The terms fruits and vegetables as used herein mean all fresh fruits and all fresh or green vegetables as described in the Consolidated Freight Classification No. 16 under the heading, "Fruits, Fresh (Not Cold-Pack), or Vegetables, Fresh or Green (Not Cold-Pack)."

(b) *Initial icing of fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating in the States of Minnesota, Iowa, Missouri, Arkansas, or Louisiana (west of the Mississippi River), or west thereof shall initially ice at any point in the United States with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity.

(c) *Reicing of fruits and vegetables restricted to three-fourths bunker capacity.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with fruits or vegetables originating at any point located in the States of Minnesota, Iowa, Missouri, Arkansas, or Louisiana (west of the Mississippi River) or west of those States, shall reice such refrigerator car at any point in the United States with more ice than is necessary to bring the ice in each bunker up to, but not above, three-fourths of that bunker's capacity.

(d) *Application.* The provisions of this order shall apply to all shipments, intrastate as well as interstate, including imported shipments cleared through ports of entry in the origin territories described in paragraphs (b) and (c), billed or moving on and after the effective date of this order.

(e) *Tariff provisions suspended.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) to each of its tariffs affected hereby, announcing the suspension of any of the provisions therein.

(g) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. Special Permit No. 1 under Revised Service Order No. 224 shall be considered in effect as though issued under the authority delegated in this paragraph. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., August 26, 1944, and shall vacate and supersede Revised Service Order No. 224 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-12855; Filed, August 25, 1944; 11:27 a. m.]

[Rev. S. O. 226]

RETOP ICING OF VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of August A. D. 1944.

It appearing, that there is an acute shortage of ice adversely affecting the movement of vegetables in refrigerator cars accorded retop icing, resulting in congestion of traffic; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered,* That:

(a) *Definition of the term vegetables.* The term vegetables as used herein means all fresh or green vegetables as described in the Consolidated Freight Classification No. 16 under the heading "Fruits, fresh (not cold-pack), or vegetables, fresh or green (not cold-pack)."

(b) *Retop icing of vegetables restricted.* No common carrier by railroad subject to the Interstate Commerce Act, on any refrigerator car loaded with vegetables originating at any point located in the States of New Mexico, Colorado, Wyoming, or Montana, or west of those States shall retop ice such refrigerator car at any point east of the eastern boundaries of the four States named, or at El Paso, Texas, La Junta, Pueblo, Denver, Colorado, Laramie or Cheyenne, Wyoming, with more retop ice than the weight of ice supplied to initially top ice that refrigerator car, but in any case not more than 5,000 pounds of retop ice.

(c) *Application.* The provisions of this order shall apply to all shipments, intrastate as well as interstate, including imported shipments cleared through ports of entry in the origin territories described in paragraph (b), billed or moving on and after the effective date of this order.

(d) *Tariff provisions suspended.* The operation of all tariff rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) to each of its tariffs affected hereby, announcing the suspension of any of the provisions therein.

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17).)

It is further ordered, That this order shall become effective at 12:01 a. m., August 26, 1944, and shall vacate and supersede Service Order No. 226 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washing-

ton, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-12856; Filed, August 25, 1944; 11:27 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. 851 et al.]

HAWAIIAN AIRLINES, LTD., ET AL.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the applications of Hawaiian Airlines, Ltd., Matson Navigation Company, Northwest Airlines, Inc., Western Air Lines, Inc., United Air Lines, Inc., Ryan School of Aeronautics, Inc., and Ryan Aeronautical Company, for certificates and amendment of existing certificates of public convenience and necessity, under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that hearing in the above-entitled proceeding, assigned to be heard September 5, 1944, is hereby postponed to September 6, 1944, at 10:00 a. m. (eastern war time), in Conference Room A, Departmental Auditorium, at Constitution Avenue between 12th and 14th Streets NW., before Examiner Thomas L. Wrenn.

Dated: Washington, D. C., August 24, 1944.

By the Civil Aeronautics Board.

FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-12830; Filed, August 25, 1944; 10:39 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-522 and G-549]

MEMPHIS NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND CHANGING PLACE OF HEARING

AUGUST 23, 1944.

Upon consideration of application filed August 22, 1944, by Memphis Natural Gas Company ("Applicant") requesting that the proceedings in Docket Nos. G-522 and G-549 be consolidated for purposes of hearing; and

Upon consideration of application filed August 21, 1944, by Applicant and Memphis Light, Gas & Water Division requesting that such consolidated hearing be held in Memphis, Tennessee, commencing September 7, 1944; and

It appearing to the Commission that:

(a) By order of August 1, 1944, the Commission granted a rehearing in Docket No. G-522, and fixed date of such hearing to commence on September 7, 1944, at 9:45 a. m. (e. w. t.) in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.;

(b) By order of June 13, 1944, the Commission set the proceedings in Docket No. G-549 for public hearing to commence on June 27, 1944, in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., and on June 27, 1944, said hearing was adjourned without date by the Trial Examiner at the request of Applicant;

(c) The above-docketed proceedings may involve substantially similar issues and facts.

The Commission finds that: Good cause exists for consolidating the above-docketed matters for purposes of hearing, and changing the place of hearing from Washington, D. C., to Memphis, Tennessee, as hereinafter ordered.

The Commission orders that:

(A) The above-entitled proceedings be and the same hereby are consolidated for the purpose of hearing.

(B) A public hearing be held commencing September 7, 1944, at 10:00 a. m., in Room 339, Post Office Building, Memphis, Tennessee, concerning the matters involved and the issues presented in these proceedings.

(C) All intervenors in these matters may participate in the proceedings in accordance with leave heretofore granted by the Commission.

(D) Interested State Commissions may participate in the hearing as provided by § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-12862; Filed, August 25, 1944; 12:20 p. m.]

[Docket Nos. G-567 and G-568]

HOPE NATURAL GAS CO.

NOTICE OF APPLICATIONS

AUGUST 25, 1944.

Notice is hereby given that on August 12, 1944, Hope Natural Gas Company, a West Virginia corporation having its principal place of business at 445 West Main Street, Clarksburg, West Virginia, filed with the Federal Power Commission two (2) applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas transmission facilities described in such applications as follows:

(1) *Docket No. G-567.* Applicant constructed during the latter part of 1943 a compressor station known as Lee Compressor Station located adjacent to Applicant's transmission line number H-255 near Odaville, Jackson County, West Virginia, which consists mainly of:

One vertical gas engine of 1,000 horsepower. Four low stage compressors which are attached direct to the 1,000 horsepower gas engine. Four Bentube section water coolers. Gas coolers. Building consisting of main pump house and auxiliary machinery structure and auxiliary machinery consisting of water pumps, air compressor, tanks, pipe and fittings and other miscellaneous equipment.

In the application it is stated that the construction of these facilities has enabled Applicant to withdraw natural gas from the Oriskany gas sand wells located in the northern Oriskany producing field in Jackson County, West Virginia, which would not otherwise have been obtainable due to the high pressure in Applicant's line against which the Oriskany wells were required to deliver.

(2) *Docket No. G-568.* Applicant has installed the following facilities at its existing Fink Compressor Station in Lewis County, West Virginia:

Three high pressure gas compressors, scrubbers and coolers to replace low pressure equipment. One 20" x 36" 500-horsepower gas engine, gas compressor and appurtenant equipment.

Applicant has installed one high pressure gas compressor to replace low pressure equipment at its existing Marts Compressor Station in Lewis County, West Virginia.

Applicant has constructed 9.4 miles of 12-inch high pressure pipe line between its Fink Compressor Station and its Marts Compressor Station and removed the pipe line formerly connecting the said two compressor stations, which pipe line was constructed of 6-inch, 8-inch and 10-inch pipe.

In the application it is stated that the foregoing construction was begun during the summer of 1942, and completed in the fall of 1943.

It is stated further in the application that the construction and operation of the above-described facilities enable Applicant to utilize to the fullest extent its Fink Storage Area both for peak day and annual gas deliveries, and to serve more adequately the retail and wholesale demands upon Applicant's system.

Any person desiring to be heard or to make any protest with reference to said applications should, on or before the 11th day of September, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's Provisional Rules of Practice and Regulations under the Natural Gas Act.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-12863; Filed, August 25, 1944; 12:20 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A Special Permit 463]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, not later than August 19, 1944, by Associated Fruit Distributors of California of car ART 18423, oranges, now on the Santa Fe to Cincinnati, Ohio, via C&O Railway.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12857; Filed, August 25, 1944; 11:27 a. m.]

[S.O. 70–A, Special Permit 464]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Minneapolis, Minnesota, August 21, 1944, by National Produce Company, Chicago, Illinois, of following cars potatoes, now on the Soo Line, CP 289348 to P. J. Ault, Muncie, Indiana, via Soo–C&O, CP 286154 and CP 289167, to Market Dealers Service, Detroit, Michigan, via Soo Line–Wabash.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12858; Filed, August 25, 1944; 11:27 a. m.]

[S. O. 200, Special Permit 159]

REICING OF POTATOES AT WEEHAWKEN, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing, for account of Dennis Brokerage Company, at Weehawken, New Jersey, with enough but not more ice than is necessary to bring the ice in each bunker up to but not above three-fourths of that bunker's capacity, on car CN 208089, potatoes, now on the New York Central Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12859; Filed, August 25, 1944; 11:27 a. m.]

[S. O. 200, Special Permit No. 161]

REICING OF POTATOES AT LOUISVILLE, KY.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once, at Louisville, Kentucky, August 19, 1944, as ordered by Mathews Produce Company, car PFE 15541, potatoes, now on the Baltimore and Ohio Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12860; Filed, August 25, 1944; 11:28 a. m.]

[S. O. 226, Special Permit No. 1]

REICING OF CAULIFLOWER AND PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (9 F.R. 10002) of Service Order No. 226 of August 15, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice, but not in excess of 2½ tons in each car, at Chicago, Illinois, August 19, 1944, as ordered by La Mantia Brothers Arrigo, cars SFRD 24550, cauliflower, and ART 72435, peas, now on the Chicago Produce Terminal, being unloaded.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12861; Filed, August 25, 1944; 11:28 a. m.]

[S. O. 226, Special Permit No. 2]

REICING OF PEAS AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (9 F.R. 10002) of Service Order No. 226 of August 15, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice, but not in excess of 10,000 pounds of ice, at Buffalo, New York, August 21, 1944, as ordered by Louis J. DeCarlo, car NWX 2178, peas, now on the N. Y. C. & St. L. Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12862; Filed, August 25, 1944; 11:28 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 2-7]

INTERNATIONAL RAILWAY CO.

SUBSTITUTION OF MOTOR VEHICLE PASSENGER SERVICE FOR STREET RAILWAY SERVICE

Upon consideration of the application for authority to substitute motor vehicle bus service for certain street railway passenger service filed with this Office by the International Railway Company, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor,

1. The International Railway Company is authorized to substitute motor vehicle bus service over that section of the East Utica street car line along East Ferry Street between Kehr Street and Bailey Avenue in Buffalo, New York, for the street railway passenger service now operated by it between said streets: *Provided, however,* That the effective date of this order shall be the effective date of an order or orders, if any, issued by appropriate regulatory authorities authorizing the abandonment of such railway service and the removal of such rail.

2. Communications concerning this order should refer to Supplementary Order ODT 2-7 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(General Order ODT 2, 7 F.R. 2952)

Issued at Washington, D. C., this 24th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12850; Filed, August 25, 1944; 10:37 a. m.]

[Supp. Order ODT 3, Rev. 281]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ALABAMA AND GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

[1] Filed as part of original document.

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Great Southern Trucking Co. (a corporation), 1863 Clarkson Street, Jacksonville, Fla.
Georgia Motor Express, Inc., 861 North Avenue NW., Atlanta, Ga.
B. C. Barnes, doing business as Barnes Freight Line, Carrollton, Ga.

[F. R. Doc. 44-12845; Filed, August 25, 1944; 10:40 a. m.]

[Supp. Order ODT 3, Rev. 284]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN GEORGIA AND SOUTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

A. A. A. Highway Express, Inc., Atlanta, Georgia.
W. W. Miller, doing business as Miller Motor Express, Charlotte, North Carolina.
Great Southern Trucking Co. (a corporation), Jacksonville, Florida.

[F. R. Doc. 44-12849; Filed, August 25, 1944; 10:40 a. m.]

[Supp. Order ODT 3, Rev. 285]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN BIRMINGHAM, ALA., AND ROME, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of

[1] Filed as part of the original document.

his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Great Southern Trucking Co. (a corporation), Jacksonville, Fla.
A. B. C. Truck Lines, Inc., Rome, Ga.

[F. R. Doc. 44-12846; Filed, August 25, 1944; 10:40 a. m.]

[Supp. Order ODT 8, Rev. 266]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA GA., AND CHATTANOOGA, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6678), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Georgia Highway Express, Inc, Atlanta, Ga.
Great Southern Trucking Co. (a corporation), Jacksonville, Fla.

[F. R. Doc. 44-12847; Filed, August 25, 1944; 10:40 a. m.]

[Supp. Order ODT 8, Rev. 267]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA, GA., AND ROME, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall

[1] Filed as part of the original document.

apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Great Southern Trucking Co., Inc., Jacksonville, Fla.
Georgia Highway Express, Inc., Atlanta, Ga.

[F. R. Doc. 44-12846; Filed, August 25, 1944; 10:39 a. m.]

[Supp. Order ODT 8, Rev. 288]

COMMON CARRIERS

COORDINATED OPERATIONS IN OKLAHOMA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

[1] Filed as part of the original document.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Be-Mac Transport Company, Inc., St. Louis, Mo.
Campbell 66 Express, Inc., Springfield, Mo.
W. G. Burgess, doing business as Reliable Motor Freight Line, Tulsa, Okla.
Tri-State Motor Transport, Inc., Joplin, Mo.
Yellow Transit Co. (a corporation), Oklahoma City, Okla.

[F. R. Doc. 44-12840; Filed, August 25, 1944; 10:39 a. m.]

[Supp. Order ODT 3, Rev. 389]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DENVER, COLO., AND LARAMIE, WYO.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby aproved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Interstate Motor Lines, Inc., Salt Lake City, Utah.
Denver-Laramie-Walden Truck Line, Inc., Denver, Colo.

[F. R. Doc. 44-12841; Filed, August 25, 1944; 10:39 a. m.]

[Supp. Order ODT 3, Rev. 390]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN SOUTHEASTERN UNITED STATES

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary trafic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to per-

[1] Filed as part of the original document.

form any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

H. W. Counts and J. M. Coley, co-partners, doing business as Counts Transfer Co., Gastonia, N. C.

J. M. Fox, doing business as Fox Transfer Co., Gastonia, N. C.

Gibbons & Wilson Transfer, Inc., Gastonia, N. C.

Neal Hawkins Transfer Co., Inc., Gastonia, N. C.

Marion Oneil Baker, doing business as Swift Transfer Co., Gastonia, N. C.

Textile Bonded Whse., Inc., Gastonia, N. C.

[F. R. Doc. 44-12042; Filed, August 25, 1944; 10:38 a. m.]

[Supp. Order ODT 3, Rev. 291]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KNOXVILLE, TENN., AND LOUISVILLE, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Huber & Huber Motor Express, Inc., Louisville, Ky.
Killion Motor Express, Inc., Washington, Ind.
Silver Fleet Motor Express, Inc., Louisville, Ky.

[F. R. Doc. 44-12843; Filed, August 25, 1944; 10:36 a. m.]

[Supp. Order ODT 8, Rev. 20A]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN JACKSON AND LOUISVILLE, MISS.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7894; 8 F.R. 4560, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Rivers Truck Lines, Philadelphia, Miss.
Loyd Bond, doing business as Bond Motor Lines, Jackson, Miss.

[F. R. Doc. 44-12844; Filed, August 25, 1944; 10:36 a. m.]

[Supp. Order ODT 6A-41]

COMMON CARRIERS

COORDINATED OPERATIONS IN BUFFALO AND CHEEKTOWAGA, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-41" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective August 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 25th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Thomas W. Doran, doing business as J. J. M. Transfer, Buffalo, N. Y.
2. Interstate Motor Freight System, Inc., Grand Rapids, Mich.
3. Shirks Motor Express Corporation, Lancaster, Pa.
4. Stibbs Transportation Lines, Inc., Syracuse, N. Y.
5. Western Express Company, Inc., Cleveland, Ohio.
6. Keeshin Motor Express, Inc., Chicago, Ill.
7. Kramer Bros. Freight Lines, Inc., Detroit, Mich.
8. LeCrone Benedict Ways, Inc., Detroit, Mich.
9. Lyons Transportation Company, Inc., Erie, Pa.
10. Motor Express, Inc., Cleveland, Ohio.

[F. R. Doc. 44-12851; Filed, August 25, 1944; 10:37 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 50 Under Order A-2]

CAROLINA PYROPHYLLITE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to paragraph (a) (17) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) Specific authorization is hereby granted to the Carolina Pyrophyllite Company, New York, New York, to increase its present maximum prices of the specified meshes of Insecticide and Rubber grade and No. 3 grade pyrophyllite by an amount not in excess of $1.60 per net ton, and to sell and deliver these products at the following maximum prices:

Grades	Meshes	Maximum prices per net ton
Insecticide and rubber grade	200	$7.50
	200	10.00
No. 3 Grade	230	11.00
	325	13.00

(b) Any purchaser for resale of the grades and meshes of pyrophyllite described in paragraph (a) above may increase his maximum prices established by the General Maximum Price Regulation by the dollar-and-cents amount equal to his actual dollar-and-cents increase in cost resulting from the increases permitted under (a) above.

(c) The maximum prices established herein shall be subject to at least the same cash, quantity and other discounts, transportation allowances, services and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Order No. 50 shall become effective August 24, 1944.

Issued this 24th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12835; Filed, August 24, 1944; 4:28 p. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 172

Washington, Tuesday, August 29, 1944

The President

PROCLAMATION 2619

AMENDMENTS TO REGULATIONS RELATING TO MIGRATORY BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Acting Secretary of the Interior has adopted and submitted to me the following amendments of the regulations approved by Proclamation No. 2616 of July 27, 1944, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of migratory birds and parts, nests and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936:

AMENDMENT OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

Under authority and direction of section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), the administration of which said act as amended was transferred to the Secretary of the Interior on July 1, 1939 by Reorganization Plan II (53 Stat. 1431), I, ABE FORTAS, Acting Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of said conventions and act to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determination, do hereby amend, as specified, the regulations approved by Proclamation No. 2616 of July 27, 1944, and as so amended do hereby adopt such regulations as suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

The second and third sentences of the subdivision entitled "Woodcock" of Regulation 4 are amended to read as follows:

New York, north and east of the tracks of the branch lines of the New York Central Railroad from Oswego to Syracuse, the main line of the New York Central Railroad from Syracuse to Albany, and the main line of the Boston and Albany Railroad from Albany to the Massachusetts State line and in Wisconsin, October 1 to October 15.

New York, west and south of the line above described, and in Indiana, and West Virginia, October 16 to October 30.

The subdivisions entitled "American and redbreasted mergansers" and "Geese and brant (except snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; and Ross' goose)" of Regulation 5 are amended to read as follows:

American and redbreasted mergansers. Twenty-five singly or in the aggregate. No possession limit.

Geese and brant (except snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; and Ross' goose anywhere) as follows:

In the Pacific Coast States.—Four snow and whitefronted geese (singly or in the aggregate) plus two of some other kind or kinds, including brant, may be taken. Eight snow and whitefronted geese (singly or in the aggregate) plus four or some other kind or kinds, including brant, may be possessed.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
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Elsewhere then in the Pacific Coast States.—Four blue and snow geese (singly or in the aggregate) plus two of some other kind or kinds, including brant, may be taken. Eight blue and snow geese (singly or in the aggregate) plus four of some other kind or kinds, including brant, may be possessed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 22d day of August 1944.

ABE FORTAS,
Acting Secretary of the Interior.

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of August, in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44–12949; Filed, August 26, 1944; 11:35 a. m.]

EXECUTIVE ORDER 9470

ESTABLISHING A METHOD OF DETERMINING THE AMOUNTS OF BONDS OF COLLECTORS OF CUSTOMS

By virtue of the authority vested in me by section 3639 of the Revised Statutes of the United States (31 U.S.C. 521), and by section 5 of the act of March 2, 1895, 28 Stat. 807 (6 U.S.C. 2), and in order to provide a method of determining, upon a uniform basis, the amounts of the bonds of collectors of customs, it is hereby ordered as follows:

1. The amount of the bond of a collector of customs shall be not less than ten *per centum*, as determined by the Secretary of the Treasury, of the average monthly collections of the respective customs district for the fiscal year next preceding that in which the bond is given: *Provided*, that the amount of such bond shall not be more than $100,000 except in the discretion of the Secretary, and shall not be less than $10,000.

2. Such bonds shall be in multiples of one thousand dollars, and any fractional part of the required amount shall be covered by an additional multiple of one thousand dollars.

3. An examination of the bonds of collectors of customs for the purpose of ascertaining the sufficiency of the sureties and adjusting the amounts of such bonds shall be made at least every two years and as much oftener as may be deemed necessary by the Secretary of the Treasury.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 25, 1944.

[F. R. Doc. 44–12888; Filed, August 26, 1944; 2:52 p. m.]

EXECUTIVE ORDER 9471

DISPOSITION OF THE FUNCTIONS AND TERMINATION OF THE DIVISION OF CENTRAL ADMINISTRATIVE SERVICES OF THE OFFICE FOR EMERGENCY MANAGEMENT

By virtue of the authority vested in me as President of the United States by the Constitution and laws of the United States, and in consonance with the provisions relating to the Division of Central Administrative Services of the Office for Emergency Management contained in the National War Agency Appropriation Act, 1945, approved June 28, 1944 (Public Law 372—78th Congress), it is hereby ordered as follows:

1. The Division of Central Administrative Services of the Office for Emergency Management (hereinafter referred to as the Division) shall be terminated, and its functions shall be discontinued or transferred to the constituent agencies of the Office for Emergency Management and other appropriate Federal agencies, as hereinafter provided:

a. The Director of the Bureau of the Budget shall make an administrative determination with respect to the disposition to be made of each function of the Division, and shall order the transfer of each such function (except the functions of acquiring and disposing of property vested in the Division by Executive Order No. 9211 of August 1, 1942 [1]) to such Federal agency or agencies as he may designate, or, in appropriate circumstances, shall order the discontinuance of any such function.

b. The Director of the Bureau of the Budget shall make such other administrative determinations as may be required in carrying out the purposes of this order, including determinations with respect to the time, conditions, and manner of the transfer or discontinuance of functions and of the termination of the Division.

c. So much of the personnel, records, property (including contracts and rights), funds, and obligations of the Division as the Director may determine shall be transferred to the respective agencies to which functions are transferred pursuant to this order. Any personnel, records, property (including contracts and rights), funds, and obligations not so transferred shall, subject to the determination of the Civil Service Commission in the case of personnel, and of the Director in the other cases, be otherwise transferred or disposed of in such manner as is provided by law or Executive order.

2. All prior Executive orders and letters of the President (including letters of February 28, 1941, and July 29, 1943 [2]) in conflict with this order are modified to the extent of such conflict.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 25, 1944.

[F. R. Doc. 44-12950; Filed, August 26, 1944; 11:38 a. m.]

[1] 7 F.R. 6030.
[2] 8 F.R. 10702.

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[C. C. C. 1943 Shortening Payment Program—Form 1, Amdt. 2]

PART 247—1943 SHORTENING PAYMENT PROGRAM

ELIGIBLE MANUFACTURERS

Commodity Credit Corporation (herein called "Commodity") hereby amends the "Offer of Commodity Credit Corporation to Make Payments in Respect of Standard and Hydrogenated Shortenings" (herein called the "Offer") issued December 17, 1943 (8 F.R. 16953) in the following respect:

Section 247.1 is amended effective September 20, 1944 to read as follows:

§ 247.1 *Eligible manufacturers.* Payments under this offer shall be available upon compliance with the terms and conditions specified herein to manufacturers who (a) have entered into Commodity's 1944 Vegetable Oils Program Refiner Contract, 1944 C. C. C., Vegetable Oils Form 1-A, or have no facilities for the transportation, refining and storage of crude cottonseed, peanut and soybean oils, and (b) make eligible shipments. Such manufacturers are herein called "eligible manufacturers".

Persons acting in reliance upon the offer shall do so subject to this amendment.

AUTHORITY: § 7, 49 Stat. 4, as amended by 50 Stat. 5, 58 Stat. 510, 56 Stat. 490, and Pub. Law 151, 78th Cong.

[SEAL] COMMODITY CREDIT CORPORATION,
J. B. HUTSON,
President.

Attest:

NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 44-13034; Filed, August 28, 1944; 11:10 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 536]

PART 301—DOMESTIC QUARANTINE NOTICES

MODIFICATION OF GIPSY MOTH AND BROWN-TAIL MOTH QUARANTINE

Introductory note. These administrative instructions authorize the interstate movement of Christmas trees and evergreen boughs from the generally infested area regulated under the gypsy moth quarantine after fumigation and certification. Experiments have demonstrated that fumigation of gypsy moth egg clusters under specified conditions will kill the eggs. Experience gained during the past 2 years in the use of fumigation as a basis of certification for movement from the lightly infested area has indicated that such treatment is practicable.

§ 301.45b In accordance with the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.45 (Notice of Quarantine No. 45, on account of the gypsy moth and brown-tail moth), § 301.45-3 (b) [paragraph (2) of Regulation 3] is hereby modified effective August 26, 1944, to provide that Christmas trees and evergreen boughs originating in the regulated areas may be certified for interstate movement to points outside such areas when fumigated with methyl bromide by methods approved by the Chief of the Bureau under the direction of an inspector.

Disclaimer. Experience of the past 2 years has indicated that fumigation with methyl bromide may be accomplished without appreciable injury to the trees or boughs. However, it is expressly understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to these products or to operators.

Caution. Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of trees and boughs. It is a poison and the operators should use gas masks approved by the United States Bureau of Mines for use with methyl bromide, when exposed to the gas in concentrations used in fumigation. The products in the fumigation chamber should be well aerated by blowing air through them, and the car adequately ventilated before it is entered.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.45)

Done at Washington, D. C., this 18th day of August 1944.

Effective August 26, 1944.

AVERY S. HOYT,
Acting Chief.

[F. R. Doc. 44-12938; Filed, August 25, 1944; 11:11 a. m.]

[B. E. P. Q. 537]

PART 301—DOMESTIC QUARANTINE NOTICES

RESTRICTIONS OF JAPANESE BEETLE QUARANTINE ON CUT FLOWERS, FRUITS, AND VEGETABLES DISCONTINUED FOR SEASON

Introductory note. The following administrative instructions lift all restrictions on the dates specified below as to the movement of cut flowers, fruits, and vegetables from the heavily infested area for the remainder of the season.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48-4 (b), (Notice of Quarantine No. 48 on account of the Japanese beetle), he having determined when the period of heavy flight of the adult beetle

will cease in the respective localities, § 301.48–4a, "Administrative instructions designating dates when restrictions on fruit, vegetable, and cut-flower shipments shall become effective under the provisions of § 301.48–4 (b) of the Japanese beetle quarantine," issued June 2, 1944 (9 F.R. 6201), is hereby revoked, and all restrictions pertaining to the movement of cut flowers, fresh fruits, and vegetables from the heavily infested area (§ 301.48–3) shall be discontinued for the present season on the following respective dates:

(a) For cut flowers, at the close of September 30.

(b) For fruits and vegetables:

(1) At the close of August 25 in the following area:

Virginia. Norfolk County: Magisterial district of Tanners Creek.

Princess Anne County: Magisterial district of Kempsville.

Entire counties of Accomac and Northampton.

Maryland. Entire counties of Worcester, Somerset, Wicomico, and Dorchester.

Delaware. Sussex County.

(2) At the close of September 8 for the remainder of heavily infested area.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.48–4)

Done at Washington, D. C., this 23d day of August 1944.

AVERY S. HOYT,
Acting Chief.

[F. R. Doc. 44–12939; Filed, August 26, 1944; 11:11 a. m.]

Chapter VII—War Food Administration (Agricultural Adjustment)

[ACP–1943–26]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

FARM PRODUCTION PRACTICE ALLOWANCES

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in the War Food Administrator by Executive Order No. 9322 as amended by Executive Order No. 9334, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.405 (e), the second sentence thereof, is amended to read as follows:

§ 701.405 *Production practice goals, allowances, practices, and rates of payment.* * * *

(e) Farm production practice allowances. * * *

With approval of the State committee, landlords, tenants, or sharecroppers in any local area may combine by written agreement all or any part of the production practice allowances for their farms for the performance of any practices which the State committee determines are necessary to conserve the agricultural resources of the community and such practices must be carried out on one or more of the farms included in the agreement.

Done at Washington, D. C., this 26th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–13038; Filed, August 28, 1944; 11:10 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 86, Termination]

PART 1460—FATS AND OILS

TERMINATION OF RESTRICTIONS ON THE MANUFACTURE OF SOAP

War Food Order No. 86, as amended (8 F.R. 14193, 9 F.R. 4319, 6667), is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., August 25, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 86, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 24th day of August 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44–12884; Filed, August 25, 1944; 2:04 p. m.]

[WFO 87, Termination]

PART 1460—FATS AND OILS

TERMINATION OF INVENTORY RESTRICTIONS ON FATTY ACIDS

War Food Order No. 87, as amended (9 F.R. 5033), is hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., Aug. 25, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 87, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 24th day of August 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44–12885; Filed, August 25, 1944; 2:04 p. m.]

[WFO 79–7, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHICAGO, ILL., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–7 (8 F.R. 13371, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Chicago, Illinois, metropolitan milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.40 (i) and inserting, in lieu thereof, the following:

(i) *Quota adjustments.* Within each quota period, a handler may, at his discretion, increase the total pounds of milk in milk quota by not more than 3 percent, by transferring milk byproducts quota to milk quota at the rate of one pound of milk byproducts quota for each 0.75 pound of milk quota.

The provisions of this amendment shall become effective at 12:01 a. m. e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–7, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–7, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 26th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–12996; Filed, August 26, 1944; 2:09 p. m.]

[WFO 95, Partial Suspension]

PART 1401—DAIRY PRODUCTS

MILK SUGAR

Pursuant to the authority vested in the War Food Administrator, *It is hereby ordered*, as follows:

That the provisions contained in § 1401.170 (b) (1), (b) (2), and (d) (2), War Food Order No. 95 (formerly designated as Food Distribution Order No. 95, 9 F.R. 2841, 4321, 4319), issued by the Assistant War Food Administrator on March 13, 1944, are suspended for the period commencing September 1, 1944, until further notice.

With respect to violations of said War Food Order No. 95, rights accrued, or liabilities incurred thereunder, prior to the effective time of this order, said War Food Order No. 95 shall continue in full force and effect for the purpose of sustaining any suit, action, or other pro-

ceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-12997; Filed, August 26, 1944; 2:09 p. m.]

Chapter XII—War Food Administration (Commodity Credit Orders)

[WFO 24, Amdt. 2]

PART 1600—OILSEEDS

PURCHASE, SALE AND USE OF PEANUTS OF THE 1943 CROP

Paragraph (i) § 1600.4, of War Food Order No. 24 (formerly Commodity Credit Corporation Order No. 4) (8 F.R. 7887, 8 F.R. 11499, 8 F.R. 16587) is hereby amended to read as follows:

(i) *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using peanuts. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(54 Stat. 676; 55 Stat. 236, 56 Stat. 176; E.O. 9280; 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13035; Filed, August 28, 1944; 11:10 a. m.]

[WFO 27, Amdt. 2]

PART 1600—OILSEEDS

RESTRICTIONS ON PURCHASES AND USE OF SOYBEANS

Paragraph (m) § 1600.6, of War Food Order No. 27 (formerly Commodity Credit Corporation Order No. 6) (8 F.R. 12733, 8 F.R. 15812) is hereby amended to read as follows:

(m) *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using soybeans. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(54 Stat. 676; 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334; 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13036; Filed, August 28, 1944; 11:10 a. m.]

[WFO 100, Amdt. 1]

PART 1600—OILSEEDS

PURCHASE, SALE AND USE OF PEANUTS OF THE 1944 CROP

Paragraph (h), § 1600.8, of War Food Order No. 100 (9 F.R. 4974) is hereby amended to read as follows:

(h) *Violations.* In accordance with the applicable procedure, any person who violates any provision of this order may be prohibited from receiving, making any deliveries of, or using peanuts. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13037; Filed, August 28, 1944; 11:10 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 110—PRIMARY INSPECTION AND DETENTION

EXEMPTIONS FROM READING TEST

AUGUST 18, 1944.

Section 110.47, Title 8, Chapter I, Code of Federal Regulations is hereby amended to read as follows:

§ 110.47 *Exemptions from reading test.* The following classes of aliens over 16 years of age are exempted from the reading test:

(a) *Physically incapable.* Persons who are physically incapable of reading.

(b) *Relationship.* Persons of any of the following relationships to United States citizens, admissible aliens, or legally admitted aliens, when such persons are sent for or brought in by such citizens, admissible aliens, or admitted aliens: father, if over 55 years of age; grandfather, if over 55 years of age; wife; mother; grandmother; unmarried daughter; or widowed daughter.

(c) *Religious persecution.* Persons seeking admission to the United States to avoid religious persecution in the country of their last permanent residence.

(d) *Returning residents.* Persons who have been lawfully admitted to the United States and who have resided therein continuously for five years and who have returned to the United States within six months from the date of their departure therefrom.

(e) *Transits through contiguous territory.* Persons who have been lawfully admitted to the United States and who later go from one part of the United States to another through foreign contiguous territory. The period an alien may remain in foreign contiguous territory while in transit under this exemption shall be limited to 60 days. An alien may leave and enter the United States at the same port and still be in transit within the meaning hereof.

(f) *Transits.* Persons in transit through the United States, as defined in § 118.1 of this chapter.

(g) *Visitors from nearby countries.* Persons whose legal domicile or bona fide residence was in Canada, Newfoundland, Cuba, or Mexico for at least one year immediately preceding entry and who enter the United States temporarily for business or pleasure for a period not exceeding one year.

(h) *Exhibitors.* Exhibitors and employees of fairs and expositions authorized by Congress. (Sec. 3, 39 Stat. 875; 8 U.S.C. 136 (o) (q).)

JOSEPH SAVORETTI,
Acting Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-13039; Filed, August 28, 1944; 11:15 a. m.]

PART 116—CIVIL AIR NAVIGATION

APPLICATION OF CERTAIN LAWS AND REGULATIONS TO CIVIL AIR NAVIGATION

The regulations for the application to Civil Air Navigation of the laws and regulations relating to customs, public health, entry and clearance, and immigration issued by the Acting Secretary of the Treasury, the Federal Security Administrator, the Acting Secretary of Commerce, and the Acting Attorney General, within their respective authorities, on August 28, 1941, as amended on October 31, 1941, June 5, 1942, September 21, 1942, and April 14, 1943, (6 F.R. 4516, 4536, 4537, 4514, 5582, 5583, 5596, 7 F.R. 4471, 4472, 4496, 7800, 7813, and 8 F.R. 5291, 5296, 5320; 8 CFR 116.1 to 116.16, 19 CFR, Cum. Supp., 6.1 to 6.11, and 42 CFR 11.501 to 11.516), are hereby further amended as follows:

The first sentences of subparagraphs (6) and (7) of § 116.8 (b) of Title 8, Code of Federal Regulations, also designated as § 6.8 (b) of Title 19, and § 11.508 (b) of Title 42, are hereby amended to read as follows:

(6) Immigration list in the English language, typewritten or printed in ink, of all aliens employed in any capacity on board the aircraft at the time of arrival, showing full name (family name and given name), age, sex, country of which citizen or subject, country of birth, race (in accordance with instructions on back of information sheets required by this section in the case of passengers), number of airman's certificate, if any, place and date of engagement, position on the aircraft, which of such aliens, if any, are to be discharged in the United States, whether ever ordered deported from the United States, and, if so, whether permission to reapply has been obtained.

(7) Immigration list in the English language, typewritten or printed in ink, of all passengers, showing full name (family name and given name), age, sex, place of embarkation, destination (permanent residence, if any) in the United States, and if a citizen of the United States with United States passport, the date and number thereof, and if no passport the date, state, and city or town in which the citizen was born if a citizen of the United States by birth, or if a citizen by naturalization the date, name of court, and place of naturalization.

(R.S. 161, 251, sec. 644, 46 Stat. 761, sec. 7, 44 Stat. 572, sec. 5, 27 Stat. 451, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166; 5 U.S.C. 22, 19 U.S.C. 66, 1644, 49 U.S.C. 177, 42 U.S.C. 94, 8 U.S.C. 102, 222. Secs. 201 (a), 205 (b), President's Reorganization Plan No. I, sec. 1, President's Reorganization Plan No. V; 4 F.R. 2728, 2729, 5 F.R. 2132, 2223., E.O. 9083, Feb. 28, 1942; 7 F.R. 1609)

FRANCIS BIDDLE,
Attorney General.

W. R. JOHNSON,
Commissioner of Customs.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

PAUL V. MCNUTT,
Federal Security Administrator.

AUGUST 26, 1944.

[F. R. Doc. 44-13006; Filed, August 26, 1944; 5:00 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 2836]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN PRODUCTS CO. AND ZANOL PRODUCTS CO.

§ 3.6 (a) (29) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Size:* § 3.6 (f) *Advertising falsely or misleadingly—Demand or business opportunities:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.72 (n10) *Offering deceptive inducements to purchase—Terms and conditions:* § 3.80 (b) *Securing agents or representatives falsely or misleadingly—Demand or business opportunities:* § 3.80 (i) *Securing agents or representatives falsely or misleadingly—Earnings:* § 3.6 (i) *Advertising falsely or misleadingly—Free goods or services:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.72 (c) *Offering deceptive inducements to purchase—Excessive earnings:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.72 (n10) *Offering deceptive inducements to purchase—Terms and Conditions:* § 3.80 (c) *Securing agents or representatives falsely or misleadingly—Earnings:* § 3.80 (i) *Securing agents or representatives falsely or misleadingly—Terms and conditions.* In connection with offering, etc., in commerce, of food and toilet products, and among other things, as in order set forth, (1) Using the term "free", or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondents' merchandise; (2) representing any specified sum of money as possible earnings or profits of sales persons or dealers for any stated period which is not a true representation of the net earnings or profits which have been made for such stated period of time by a substantial number of respondents' active sales persons or dealers in the ordinary course of business under normal conditions and circumstances; or (3) representing any specified sum of money as earnings or profits of any specified dealer or sales person for any stated period of time unless such sum of money has in fact been earned net, by such dealer or sales person averaged over a period of at least two months in the ordinary course of business and under normal conditions and unless such representation is immediately accompanied by a statement to the effect that such dealer or sales person is an exceptional or unusual dealer or sales person; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) (Modified cease and desist order, The American Products Company et al., Docket 2836, August 16, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

In the Matter of The American Products Company, a Corporation, and The Zanol Products Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondents, in which answer respondents admit the material allegations of facts set forth in said complaint, and the Commission having duly made and issued its findings as to the facts, conclusion and modified order to cease and desist dated January 25, 1940; and the Commission having further considered said modified order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a further modification of the order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondents to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said modified order to cease and desist; and the Commission having heard oral argument of counsel and having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondents, The American Products Company, a corporation, and The Zanol Products Company, a corporation, their officers, representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of food and toilet products and household cleaners in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Misrepresenting in any manner the volume of respondents' business.

(2) Representing that salesmen or distributors of respondents' merchandise incur no risk or expense when in fact respondents require a deposit from such persons for the goods, samples or sales equipment supplied.

(3) Using the term "free", or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondent's merchandise.

(4) Representing any specified sum of money as possible earnings or profits of sales persons or dealers for any stated period which is not a true representation of the net earnings or profits which have been made for such stated period of time by a substantial number of respondents' active sales persons or dealers in the ordinary course of business under normal conditions and circumstances.

(5) Representing any specified sum of money as earnings or profits of any specified dealer or sales person for any stated period of time unless such sum of money has in fact been earned net, by such dealer or sales person averaged over a period of at least two months in the ordinary course of business and under normal conditions and unless such representation is immediately accompanied by a statement to the effect that such dealer or sales person is an exceptional or unusual dealer or sales person.

It is further ordered, That the respondents shall, within sixty days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form

in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12928; Filed, August 26, 1944; 10:44 a. m.]

[Docket No. 5130]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AUSTELLE-FLINTOM CO.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the purchase of canned fruits and vegetables, citrus juices, sugar, rice, beans, salt, or any other commodities in commerce, and on the part of respondent partners, receiving or accepting, directly or indirectly, from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon purchases made for respondents' own account; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) (Cease and desist order, Austelle-Flintom Company, Docket 5130, August 12, 1944)

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of August, A. D. 1944.

In the Matter of Wallace T. Austelle and John W. Flintom, Partners Doing Business Under the Name and Style of Austelle-Flintom Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, which answer admits, with certain exceptions, the material allegations of fact set forth in said complaint and waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of "An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C. Title 15, sec. 13):

It is ordered, That the respondents, Wallace T. Austelle and John W. Flintom, partners, doing business under the name and style of Austelle-Flintom Company, or under any other name, and their agents, employees, and representatives, directly or through any corporate or other device, in connection with the purchase of canned fruits and vegetables, citrus juices, sugar, rice, beans, salt, or any other commodities in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from: Receiving or accepting, directly or indirectly, from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon purchases made for respondents' own account.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13014; Filed, August 28, 1944; 11:08 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

PART 6—AIR COMMERCE REGULATIONS

APPLICATION OF CERTAIN LAWS AND REGULATIONS TO CIVIL AIR NAVIGATION

CROSS REFERENCE: For the text of the amendments to this part see Title 8—Aliens and Nationality, Part 116—Civil Air Navigation, *infra.*

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cum. Supp. 6, Aug. 25, 1944, to Rev. VII of March 23, 1944]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 6 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F.R. 3285), is hereby promulgated.[1]

By direction of the President:

CORDELL HULL,
Secretary of State.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

FRANCIS BIDDLE,
Attorney General.

WAYNE C. TAYLOR,
Acting Secretary of Commerce.

LEO T. CROWLEY,
Administrator, Foreign Economic Administration.

NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

AUGUST 25, 1944.

[F. R. Doc. 44-12975; Filed, August 26, 1944; 12:32 p. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Bureau

Subchapter A—Income and Excess Profits Taxes

[T. D. 5401]

Part 19—Income Tax under the Internal Revenue Code.

Part 21—Declared value excess-profits tax.

Part 29—Income tax; taxable years beginning after December 31, 1941

MISCELLANEOUS AMENDMENTS

Regulations 103 and 111 and Treasury Decision 5237 amended to conform to Revenue Act of 1943, sections 101 and 201, relating to taxable years to which amendments applicable, section 108 relating to certain fiscal year taxpayers, section 131, relating to extension of consolidated returns privilege to certain corporations, section 202 (c), relating to credit for income subject to excess profits tax, and section 204 (c), relating to increase in specific exemption in case of consolidated returns, and section 510, relating to capital gains and losses of corporations for purpose of declared value excess-profits tax.

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Supp.], Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Sup.], and Treasury Decision 5237 [Part 21, Title 26, Code of Federal Regulations, Cum. Supp.] to sections 101, 108, 131, 201, 202 (c), 204 (c), and 510 of the Revenue Act of 1943 (Public Law 235, 78th Congress) enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.108-1, as added by Treasury Decision 5240, approved March 10, 1943, the following:

SEC. 108 CERTAIN FISCAL YEAR TAXPAYERS. (Revenue Act of 1943, Title I.)

(a) *In General.* Section 108 (relating to certain fiscal years) is amended to read as follows:

SEC. 108. FISCAL YEAR TAXPAYERS.

(a) *Taxable years beginning in 1941 and ending after June 30, 1942.* In the case of a taxable year beginning in 1941 and ending after June 30, 1942, the tax imposed by sections 11, 12, 13, 14, and 15 shall be—

(1) *Corporations.* In the case of a corporation an amount equal to the sum of—

(A) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1941, were applicable to such taxable year, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1941, were applicable to such taxable year, but as if the amendments made by sections 105 (a), (b) (other than those relating to dividends on the preferred stock of public utilities), (c), (d), and (e) (1), 202, and 206 of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year.

(2) *Taxpayers other than corporations.* In the case of a taxpayer other than a corporation, an amount equal to the sum of—

(A) that portion of a tentative tax, computed as if the law applicable to taxable years

beginning on January 1, 1941, were applicable to such taxable year, which the number of days in such taxable year before July 1, 1942, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1941, were applicable to such taxable year, but as if the amendments made by sections 102 and 108 of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year.

* * * * *

(c) *Special classes of taxpayers.* This section shall not apply to an insurance company subject to Supplement G, an investment company subject to Supplement Q, or a Western Hemisphere Trade Corporation, as defined in section 109.

(b) *Taxable years to which applicable.* Section 108 (a) of the Internal Revenue Code, as amended by subsection (a) of this section, shall be applicable to taxable years beginning in 1941 and ending after June 30, 1942. The other amendments made by subsection (a) of this section shall be applicable only to taxable years beginning in 1942 and ending in 1944.

PAR. 2. Section 19.108–1 (a) (2), as added by Treasury Decision 5240, is amended to read as follows:

(2) That portion of a tentative normal tax and a tentative surtax computed under the law applicable to a taxable year beginning on January 1, 1941, as if the amendments made by sections 105 (a), relating to normal tax on corporations, 195 (b) (other than those relating to dividends on the preferred stock of public utilities), relating to surtax on corporations, 105 (c), relating to nondeductibility of excess profits tax, 105 (d), relating to credit for income subject to the tax imposed by Subchapter E of Chapter 2 (the excess profits tax), 105 (e) (1), relating to credit for dividends received, 202, relating to rate of excess profits tax for years beginning after December 31, 1941, and 206, relating to certain technical changes in the determination of excess profits net income under section 711 occasioned by the change in base for the computation of normal tax and surtax, of the Revenue Act of 1942 were applicable to such taxable year, which the number of days in such taxable year after June 30, 1942, bears to the total number of days in such taxable year.

PAR. 3. There is inserted immediately preceding § 29.26–1 the following:

SEC. 202. INCREASE IN EXCESS PROFITS TAX RATE.

(Revenue Act of 1943, Title II.)

* * * * *

(c) *Credit for income subject to excess profits tax.* Section 26 (c) (relating to the credit for income subject to the excess profits tax) is amended by striking out "90 per centum" and inserting in lieu thereof "95 per centum".

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE.

(Revenue Act of 1943, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1942.

PAR. 4. Section 29.26–4 is amended as follows:

(A) By striking from the second paragraph that portion of the second sentence immediately preceding (a) and inserting in lieu thereof the following:

In the case of the following corporations, however, the credit with respect to taxable years beginning prior to January 1, 1944, is an amount of which the excess profits tax imposed by Subchapter E of Chapter 2 is 90 percent, and, with respect to taxable years beginning after December 31, 1943, is an amount of which such excess profits tax is 95 percent:

(B) By changing the last paragraph to read as follows:

If the excess profits tax of a corporation imposed by Subchapter E of Chapter 2 for a taxable year beginning after December 31, 1941, is finally determined by the use of the excess profits credit based upon constructive average base period net income determined under section 722, or if the corporation is entitled to and uses such excess profits credit in the computation of its excess profits tax for such year without the necessity of filing an application for relief on Form 991 (revised January, 1943) under section 722 (see § 35.722–5 (d)), the credit under section 26 (e) allowable in computing the normal tax and surtax shall be the amount of the corporation's adjusted excess profits net income, as defined in section 710 (b), computed with the use of the excess profits credit based upon constructive average base period net income.

However, if such corporation computes its excess profits tax as provided in (a), (b), (c), or (d) of this section, the credit under section 26 (e) with respect to taxable years beginning prior to January 1, 1944, shall be the amount of which the excess profits tax imposed by Subchapter E of Chapter 2, computed as provided by the second paragraph of this section, is 90 percent, and with respect to taxable years beginning after December 31, 1943, shall be the amount of which such excess profits tax so computed is 95 percent.

PAR. 5. Section 29.47–1 is amended by striking out the next to the last sentence in the first paragraph and inserting in lieu thereof the following:

In the case of a return by a corporation for a fractional part of a year, the credit provided by section 26 (e) for the income of the corporation subject to excess profits tax, for taxable years beginning prior to January 1, 1944, is considered the amount of which the excess profits tax of the corporation imposed for the taxable year computed without regard to the tax deferment under section 710 (a) (5) is 90 percent, and for taxable years beginning after December 31, 1943, the amount of which such excess profits tax so computed is 95 percent. As to the definition of tax imposed, see section 26 (e). In the case of a corporation whose excess profits tax for a taxable year of less than 12 months is computed under section 721, 726, 731, or 736 (b), the credit provided by section 26 (e) shall be computed as provided in that section. See § 29.26–4.

PAR. 6. Section 29.47–2 is amended as follows:

(A) By striking out the next to the last sentence in the second paragraph of paragraph (a) and inserting in lieu thereof the following:

If the corporation computes its excess profits tax under section 711 (a) (3) (B), the credit provided in section 26 (e) is computed for taxable years beginning prior to January 1, 1944, as the amount of which the tax of the corporation imposed for the short period and computed under section 711 (a) (3) (B) without regard to the tax deferment under section 710 (a) (5) is 90 percent, and for taxable years beginning after December 31, 1943, the amount of which such excess profits tax so computed is 95 percent. As to the definition of tax imposed, see section 26 (e). In the case of a corporation whose excess profits tax for a taxable year of less than 12 months is computed under section 721, 726, 731, or 736 (b), the credit provided by section 26 (e) shall be computed as provided in that section. See § 29.26–4.

(B) By striking out the fifth and sixth sentences of the second paragraph of paragraph (b) and inserting in lieu thereof the following:

In the case of a corporation, the credit provided by section 26 (e) for the adjusted excess profits net income of the corporation is computed for taxable years beginning prior to January 1, 1944, as the amount of which the excess profits tax imposed for such 12-month period, computed without regard to the tax deferment under section 710 (a) (5), is 90 percent, and for taxable years beginning after December 31, 1943, the amount of which such excess profits tax so computed is 95 percent. In the case of a corporation whose tax is computed under sections 721, 726, 731, or 736 (b), the credit provided by section 26 (e) shall be computed as provided in that section. See § 29.26–4. The excess profits tax imposed for such 12-month period shall be computed as provided in section 26 (e), and is the excess profits tax for the short period plus, for any taxable year which includes only part of such 12-month period, such part of the excess profits tax for such taxable year as is allocable to the part of the 12-month period included in such taxable year.

(C) By striking out the last sentence of the fourth paragraph of paragraph (b) and inserting in lieu thereof the following:

In computing the tax of a corporation for the short period without placing its net income on an annual basis, the adjusted excess profits net income of the corporation is, for the purpose of determining the credit under section (26) (e) for taxable years beginning prior to January 1, 1944, the amount of which the excess profits tax of the corporation imposed for the short period computed with-

out regard to the tax deferment under section 710 (a) (5) is 90 percent, and for taxable years beginning after December 31, 1943, the amount of which such excess profits tax so computed is 95 percent. As to the definition of tax imposed, see section 26 (e). In the case of a corporation whose tax is computed under section 721, 726, 731, or 736 (b), the credit provided by section 26 (e) shall be computed as provided in that section. See § 29.26–4.

PAR. 7. There is inserted immediately preceding section 109 the following:

SEC. 108. CERTAIN FISCAL YEAR TAXPAYERS. (Revenue Act of 1943, Title I.)

(a) *In general.* Section 108 (relating to certain fiscal years) is amended to read as follows:

SEC. 108. FISCAL YEAR TAXPAYERS.

* * * * * * *

(b) *Taxable years beginning in 1943 and ending in 1944.* In the case of a taxable year beginning in 1943 and ending in 1944, the tax imposed by sections 11, 12, 13, 14, 15, and 450 shall be—

(1) *Corporations.* In the case of a corporation, an amount equal to the sum of—

(A) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1943, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1944, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1944, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1943, bears to the total number of days in such taxable year.

(2) *Taxpayers other than corporations.* In the case of a taxpayer other than a corporation, an amount equal to the sum of—

(A) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1943, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1944, bears to the total number of days in such taxable year, plus

(B) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1944, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1943, bears to the total number of days in such taxable year.

(c) *Special classes of taxpayers.* This section shall not apply to an insurance company subject to Supplement G, an investment company subject to Supplement Q, or a Western Hemisphere Trade Corporation, as defined in section 109.

(b) *Taxable years to which applicable.* Section 108 (a) of the Internal Revenue Code, as amended by subsection (a) of this section, shall be applicable to taxable years beginning in 1941 and ending after June 30, 1942. The other amendments made by subsection (a) of this section shall be applicable only to taxable years beginning in 1943 and ending in 1944.

§ 29.108–1 *Computation of tax for taxable years beginning in 1943 and ending in 1944.* For a taxable year beginning in 1943 and ending in 1944, the normal tax, surtax, and victory tax imposed by sections 11, 12, and 450 upon taxpayers other than corporations, and the normal tax and surtax imposed by sections 13, 14, and 15 upon corporations shall be computed as follows:

(a) *Corporations.* In the case of a corporation, the normal tax and the surtax shall be the sum of the following:

(1) That portion of a tentative normal tax and surtax, computed under the law applicable to taxable years beginning on January 1, 1943, which the number of days prior to January 1, 1944, in the taxable year of the taxpayer bears to the total number of days in such taxable year, and

(2) That portion of a tentative normal tax and surtax, computed under the law applicable to taxable years beginning on January 1, 1944, which the number of days after December 31, 1943, in the taxable year of the taxpayer bears to the total number of days in such taxable year.

The provisions of section 108 apply to estates, trusts, and nonresident alien individuals whose tax is computed under sections 11 and 12. The method of computation prescribed in section 108 is not applicable, however, to an insurance company subject to Supplement G, an investment company subject to Supplement Q, or a Western Hemisphere Trade Corporation as defined in section 109.

The provisions of section 108 apply to a taxable year beginning in 1943 and ending in 1944, whether or not such taxable year is one of less than 12 months. In the case of a taxpayer, whether a corporation or a taxpayer other than a corporation, which is subject to the provisions of section 108 (b) and which due to a change in accounting period has a taxable year of less than 12 months, the net income shall be placed upon an annual basis under the provisions of section 47 (c) (1) for the purpose of both tentative tax computations under section 108 (b) (1) (A) and (B) or section 108 (b) (2) (A) and (B), or shall be computed under the exception in section 47 (c) (2), for the purpose of both such tentative tax computations. Regardless of the method adopted, the amounts of the tentative normal tax and surtax so computed upon the basis of 12 months' income shall be properly reduced under section 47 (c) in order to determine the tentative taxes under section 108 (b) (1) (A) and (B) or section 108 (b) (2) (A) and (B). However, in the case of a taxpayer, whether a corporation or a taxpayer other than a corporation, which is subject to the provisions of section 108 (b) and which due to any reason other than a change in accounting period has a taxable year of less than 12 months, the net income shall not be placed on an annual basis under section 47 (c) (1) and shall not be computed under the exception in section 47 (c) (2).

In any case in which the taxpayer, whether a corporation or a taxpayer other than a corporation, which is subject to the provisions of section 108 (b) has an excess of net long-term capital gains over net short-term capital losses, the alternative tax under section 117 (c) shall be an amount equal to the sum of the proper portions of the tentative taxes determined under section 108 (b) (1) (A) and (B) or section 108 (b) (2) (A) and (B), as the case may be, by computing each such tentative tax pursuant to the alternative tax computation provided in section 117 (c), regardless of whether either tentative tax so computed on the alternative basis is larger or smaller than the tentative tax computed without regard to section 117 (c).

In the case of a corporation whose taxable year begins in 1943 and ends in 1944, the credit under section 26 (e) for income subject to the tax imposed by Subchapter E of Chapter 2 (the excess profits tax), for the purposes of the first tentative tax computation provided in section 108 (b) (1) (A), shall be the adjusted excess profits net income used in computing the first tentative excess profits tax provided in section 710 (a) (6) (A), and for the purposes of the second tentative tax computation provided in section 108 (b) (1) (B), shall be the adjusted excess profits net income used in computing the second tentative excess profits tax provided in section 710 (a) (6) (B) with the following exceptions:

In the case of a taxable year of a corporation of less than twelve months, the credit under section 26 (e) for income subject to excess profits tax, for the purpose of both tentative taxes under section 108 (b) (1) (A) and (B), shall be an amount computed as provided in §§ 29.47–1 or 29.47–2 (a) or (b), depending upon whether or not such taxable year is a year of less than 12 months because of a change in accounting period and upon whether the net income has been placed on an annual basis under section 47 (c) (1) or has been computed as the net income for a 12-month period under the exception contained in section 47 (c) (2).

In the case of a corporation computing its excess profits tax under section 721 (relating to abnormalities in income in the taxable period), section 726 (relating to corporations completing contracts under the Merchant Marine Act of 1936), section 731 (relating to corporations engaged in mining strategic minerals), or section 736 (b) (relating to corporations with income from long-term contracts), such credit for income subject tot excess profits tax shall be in the case of the tentative tax computed under section 108 (b) (1) (A), the amount of which the first tentative excess profits tax computed under the provisions of section 710 (a) (6) (A) without regard to the 80 percent limitation provided in section 710 (a) (1)

(B) is 90 percent, and in the case of the tentative tax computed under section 108 (b) (1) (B), the amount of which the second tentative excess profits tax, similarly computed under the provisions of section 710 (a) (6) (B), is 95 percent.

With respect to the credit for income subject to the excess profits tax imposed by Chapter 2 E in case the corporation is entitled to use the excess profits credit based upon a constructive average base period net income, see § 29.26–4.

In the case of a taxpayer, whether a corporation or a taxpayer other than a corporation, subject to the provisions of section 108 (b), any credit against the tax otherwise imposed by sections 11, 12, 13, 14, 15, and 450, such as the credit for taxes paid to a foreign country or possession of the United States under section 131, shall be deducted from, and any limitations contained in such credit shall be based upon, the tax computed under section 108 (b). However, in those instances in which a taxpayer other than a corporation computes the second tentative tax under section 108 (b) (2) (B) by taking into account the optional standard deduction under section 23 (aa) as added by section 9 of the Individual Income Tax Act of 1944, the following credits shall be computed only with respect to that portion of the first tentative tax determined under section 108 (b) (2) (A): All credits under section 131 with respect to taxes of foreign countries and possessions, and all credits with respect to taxes withheld at the source under section 143 (a) relating to interest on tax-free covenant bonds.

Example. Corporation A is a domestic manufacturing corporation which makes its income tax returns on the basis of a fiscal year ending March 31. For the fiscal year ended March 31, 1944, it had a gross income of $1,000,000, which did not include any dividends or interest. Its allowable deductions are $400,000, its excess profits credit is $200,000, and there are no adjustments to be made under section 711 in computing excess profits net income. Its adjusted excess profits net income for the purposes of the first tentative excess profits tax computed under section 710 (a) (6) (A) is $395,000, and for the purposes of the second tentative excess profits tax computed under section 710 (a) (6) (B) is $390,000. The normal tax and surtax of Corporation A for its fiscal year ended March 31, 1944, are $49,498.36 and $32,998.91, respectively, computed as follows:

(a) Computation of tentative taxes provided in section 108 (b) (1) (A):

Normal tax and surtax		
1. Gross income		$1,000,000
2. Less deductions		400,000
3. Net income		600,000
4. Less credit under section 26 (c) for income subject to excess profits tax (adjusted net income for tentative excess profits tax under section 710 (a) (6) (A))		395,000
5. Normal tax net income and corporation surtax net income		205,000
6. Normal tax (24% of item 5)		49,200
7. Surtax (16% of item 5)		32,800

(b) Computation of tentative taxes provided in section 108 (b) (1) (B):

Normal tax and surtax		
8. Net income (item 3)		$600,000
9. Less credit under section 26 (c) for income subject to excess profits tax (adjusted net income for tentative excess profits tax under section 710 (a) (6) (B))		390,000
10. Normal tax net income and corporation surtax net income		210,000
11. Normal tax (24% of item 10)		50,400
12. Surtax (16% of item 10)		33,600

(c) Computation of normal tax and surtax for fiscal year ended March 31, 1944:

13. Number of days in taxable year prior to January 1, 1944		275
14. Number of days in taxable year after December 31, 1943		91
Normal tax		
15. Tentative normal tax computed in (a)	$49,200	
16. 275/366ths of $49,200		$36,967.21
17. Tentative normal tax computed in (b)	50,400	
18. 91/366ths of $50,400		12,531.15
19. Total normal tax		49,498.36
Surtax		
20. Tentative surtax computed in (a)	32,800	
21. 275/366ths of $32,800		24,644.81
22. Tentative surtax computed in (b)	33,600	
23. 91/366ths of $33,600		8,354.10
24. Total surtax		32,998.91

PAR. 8. There is inserted immediately preceding § 29.141–1 the following:

SEC. 131. EXTENSION OF CONSOLIDATED RETURNS PRIVILEGE TO CERTAIN CORPORATIONS. (Revenue Act of 1943, Title I.)

Section 141 (c) (relating to the definition of includible corporations) is amended by adding at the end thereof the following new paragraph:

(7) Any corporation described in section 725 (a), or in section 727 (e), (g), or (h) (without regard to the exception in the initial clause of section 727) but not including such a corporation which has made and filed a consent, for the taxable year or any prior taxable year beginning after December 31, 1943, to be treated as an includible corporation. Such consent shall be made and filed at such time and in such manner as may be prescribed by the Commisioner with the approval of the Secretary.

SEC. 101. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title I.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

SEC. 204. INCREASE IN SPECIFIC EXEMPTION (Revenue Act of 1943, Title II.)

* * * * * *

(c) *Consolidated returns.* Section 141 (c) (relating to computation of tax in case of consolidated return) is amended by striking out "$5,000" and inserting in lieu thereof "$10,000".

SEC. 201. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1943, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 9. Section 29.141–1 (c) is amended by striking from the first paragraph thereof the word "and" immediately after the semicolon in (5); and by inserting "; and" in lieu of the period at the end of (6); and by inserting immediately preceding the next to the last paragraph the following:

(7) With respect to taxable years beginning after December 31, 1943, a personal service corporation described in section 725 (a), or a corporation described in section 727 (e), (g), or (h) which without regard to the exception stated in the initial clause of section 727 would be exempt from the excess profits tax imposed by Subchapter E of Chapter 2. The corporations described in section 727 (e), (g), and (h) are personal holding companies as defined in section 501, certain domestic corporations satisfying the conditions prescribed in section 727 (g) with respect to gross income, and certain corporations subject to the provisions of Title IV of the Civil Aeronautics Act of 1938 satisfying the conditions prescribed in section 727 (h). If any corporation which would otherwise not be an includible corporation under section 141 (e) (7) has made and filed a consent for any taxable year beginning after December 31, 1943, to be treated as an includible corporation, the exception provided in section 141 (e) (7) and this subsection shall not be applicable to such corporation for the taxable year for which such consent is filed or for any subsequent taxable year. Such corporation filing a consent shall be deemed to be an includible corporation for all such years regardless of whether the affiliated group of which such corporation is a member during such years is the same as the affiliated group of which it was a member when the consent was filed. Such consent shall be made by the corporation on Forms 1122 and 1122E which shall be prepared and filed in the manner prescribed by § 23.12 (b) and § 33.12 (b) and shall be subject to all the provisions contained in such sections. Such consent shall state that under the provisions of section 141 (e) (7) of the Internal Revenue Code the corporation consents to be considered an includible corporation for the taxable year for which the consent is filed and for all subsequent taxable years regardless of whether the affiliated group of which such corporation is a member during such years is the same as the affiliated group of which such corporation was a member when the consent was filed.

PAR. 10. There is inserted immediately preceding section 605 as set forth in § 21.0 (b) the following:

SEC. 510. CAPITAL GAINS AND LOSSES OF CORPORATIONS FOR PURPOSE OF DECLARED VALUE EXCESS PROFITS TAX. (Revenue Act of 1943, Title V.)

(a) *In general.* Section 602 (defining net income for the purposes of the declared value excess profits tax) is amended by inserting before the period at the end thereof the following: ", and by excluding therefrom the excess of the net long-term capital gain over the net short-term capital loss".

(b) *Taxable years to which applicable.* The amendment made by subsection (a)

shall be applicable to taxable years beginning after December 31, 1943.

PAR. 11. Section 21.1 (d) is amended by inserting at the end the following new subdivision:

(iv) With respect to taxable years beginning after December 31, 1943, the excess of net long-term capital gain over the net short-term capital loss shall be excluded from net income in computing the declared value excess profits tax.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62), sec. 603 (53 Stat. 111; 26 U.S.C. 603), and secs. 101, 108, 131, 201, 202 (c), 204 (c), and 510 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.) enacted Feb. 25, 1944)

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: August 26, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-13000; Filed, August 26, 1944; 3:22 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

INCREASES IN WAGES AND SALARIES IN HAWAII

By virtue of and pursuant to the authority conferred on it by General Order No. 36 of the National War Labor Board,[1] the Territorial War Labor Board for Hawaii has adopted the following resolutions:

General Resolution No. 1. (a) The Territorial War Labor Board for Hawaii hereby approves all increases in wage and salary rates which were placed in effect on or before June 6, 1944, including increases first reflected in a payroll subsequent to June 6, 1944, if provided for by written agreement or formally determined and communicated to the employees, and applicable to work done on or before that date.

(b) All such increases shall be subject to the right of the Board to review and to order the discontinuance of further payment of all or part thereof.

(c) All increases taking effect after June 6, 1944 are subject to the approval of the Board. (Adopted July 10, 1944)

General Resolution No. 2. Pursuant to the provisions of § 803.36 (b) (3) of General Order No. 36, adjustments in the wage and salary rates of employees of the various county governments of the Territory of Hawaii, and of the City and County of Honolulu, may be made effective without the approval of the Territorial War Labor Board for Hawaii. It is expected, however, that the authorities of such governmental bodies will observe and abide by the same stabilization policies as are applicable generally in the Territory. (Adopted July 17, 1944)

General Resolution No. 3. (a) Adjustments may be made in the wage and salary rates of individual employees without the approval of the Territorial War Labor Board for Hawaii if they are made pursuant to an established wage or salary rate schedule which was in existence prior to June 6, 1944, and are based upon (1) individual merit; (2) length of service; or (3) the operation of an apprentice or trainee plan.

(b) Such individual increases may not result in any appreciable increase in the level of production costs and shall not furnish a basis either to increase prices or to resist otherwise justifiable reductions in prices. Nor shall such increases be made the basis for an application to the Board for the approval of wage or salary rate increases to eliminate intra-establishment inequities.

(c) In order to have an established wage or salary rate schedule within the meaning of paragraph (a) hereof, an employer must have (1) clearly defined job classification wage or salary rate ranges and (2) a plan for making individual adjustments within such wage or salary rate ranges. All such plans for making individual adjustments within rate ranges must be clearly set forth in a collective bargaining agreement or other bona fide employment contract or in written statements, minutes, or memoranda of the employer, which were in existence and effect on June 6, 1944.

(d) All such individual adjustments may be made only within the clearly defined job classification wage or salary rate ranges.

(e) The provisions of this resolution are intended to supplement § 803.36 (b) (1) of General Order 36 of the National War Labor Board. Nothing herein contained shall be construed to conflict with or supersede the provisions of that section. Employers may not, however, make adjustments under both this resolution and § 803.36 (b) (1) of General Order No. 36. Employers who possess an established wage or salary rate schedule, as defined in paragraph (c) hereof, may adopt the plan for making individual adjustments contained in § 803.36 (b) (1) of General No. 36 in lieu of the plan provided for by their schedule: *Provided, however,* That if there exists a duly recognized or certified labor organization which is entitled to bargain on wage matters for any or all of the employees affected, the consent of such labor organization to the adoption of the new plan is obtained. (Adopted July 17, 1944.)

General Resolution No. 4. (a) Organizations established as non-profit community chest funds, foundations, or cemetery companies, and organizations operated without profit and exclusively for religious, charitable, scientific, literary, or educational purposes, including non-profit hospitals, which have been exempted from the payment of income and social security taxes, may file an application with the Territorial War Labor Board for Hawaii for an exemption from the necessity of obtaining the approval of the Board of wage and salary adjustments of their employees. Such application for exemption shall state the ground upon which the exemption is requested, the nature of the activities of the organization, and the types or classifications of its employees, and shall be accompanied by a copy of its most recent payroll.

(b) Any such exemption, if granted, shall continue in effect only until further order of the Board, and shall be subject to revocation by the Board at any time.

(c) Any organization to which an exemption is granted pursuant to the provisions of this resolution will nevertheless be expected to observe and abide by the same stabilization policies as are applicable generally in the Territory, and wage and salary adjustments made by such organizations shall be subject to the right of the Board to review and to order the discontinuance of further payment of all or part thereof. (Approved as amended, July 24, 1944.)

General Resolution No. 5. Bonuses which are regularly paid to employees on a percentage, incentive, or other similar basis shall be included in computing the amounts of the increases in the wage and salary rates of the individual employees permissible without Board approval under § 803.36 (b) (1) of General Order No. 36 of the National War Labor Board. (Adopted August 7, 1944)

General Resolution No. 6. A bonus paid by an employer to an employee severing his employment for the immediate purpose of entering the armed forces of the United States does not require the approval of the Territorial War Labor Board for Hawaii. (Adopted August 7, 1944)

General Resolution No. 7. The hiring of an individual employee at a wage or salary rate in excess of the rate previously established in the plant for employees of similar skill and productive ability within the classification in which the individual is employed constitutes a wage or salary increase which requires the approval of the Territorial War Labor Board for Hawaii. (Adopted August 7, 1944)

General Resolution 8. No increase in individual wage and salary rates granted by an employer without Board approval pursuant to § 803.36 (b) (1) of General Order No. 36 of the National War Labor Board shall result in the payment to any employee of a rate in excess of the highest rate paid by the employer between June 7, 1943, and June 6, 1944, for jobs of similar skill, duties and responsibility. (Adopted August 7, 1944)

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-12921; Filed, August 26, 1944; 10:14 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 254, 2d Ed.]

PART 662—SPECIAL PANEL LOCAL BOARDS IN PENAL OR CORRECTIONAL INSTITUTIONS

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

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[1] 9 F.R. 7511, 7645, 8978, 9078.

1. By rescinding the provisions of Amendment No. 253, effective August 24, 1944, and substituting therefor the provisions of this amendment.

2. Amend § 662.1 to read as follows:

§ 662.1 *Special panel local boards.* The Director of Selective Service may establish a panel of any local board which has jurisdiction over the area in which any penal or correctional institution is located. Such panel shall be known as a special panel local board and with respect to the persons in such penal or correctional institution shall have the same rights, duties, and powers as any other local board.

3. Amend § 662.2 to read as follows:

§ 662.2 *Regulations governing registrants in penal or correctional institutions.* Local boards and special panel local boards, as to registrants referred to in this part of these regulations, shall be governed by the provisions of this part of these regulations and such other provisions of these regulations as are not in conflict therewith.

4. Amend the regulations by adding a new section to be known as § 662.2–1 to read as follows:

§ 662.2–1 *Registrants placed in Class IV–F.* Whenever a local board forwards the selective service records of a registrant to a special panel local board under the provisions of this part of these regulations, such local board shall first reopen the classification of such registrant and place him in Class IV–F if he is not already so classified.

5. Amend § 662.3 to read as follows:

§ 662.3 *Transfer of record of registrants.* (a) When a registrant, age 18 through 37, enters an institution having a special panel local board, the clerk of such special panel local board shall immediately complete a Request for Transfer of Record (Form 64) and transmit it to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1).

(b) When the local board having jurisdiction of the address given on line 2 of the Registration Card (Form 1) of a registrant, age 18 through 37, receives a Request for Transfer of Record (Form 64) from the special panel local board in an institution which he has entered or when such local board otherwise learns that the registrant has entered an institution having a special panel local board, it shall (1) make a duplicate of the Cover Sheet (Form 53) and a copy of the Registration Card (Form 1) of such registrant; (2) forward such duplicate Cover Sheet (Form 53) and a copy of Registration Card (Form 1) together with all other papers pertaining to such registrant to the special panel local board at the institution which the registrant has entered; and (3) retain in its files the original Cover Sheet (Form 53), the original Registration Card (Form 1), a copy of the letter covering the transmittal of the registrant's records to the special panel local board, and the Request for Transfer of Record (Form 64) if this was received.

6. Amend § 662.4 to read as follows:

§ 662.4 *Registration.* (a) When, at the time fixed for his registration, a person required to present himself for and submit to registration is confined in an institution having a special panel local board, he shall be immediately registered. When a person required to present himself for and submit to registration has not done so prior to the time he enters an institution having a special panel local board, he shall be immediately registered. When any such person refuses to register, any person authorized to act as registrar shall sign the person's name and indicate that he has done so by signing his own name, followed by the word "Registrar," beneath the name of such person, and the act of such registrar in so doing shall have the same force and effect as if such person had signed his name to the Registration Card (Form 1), and such person shall thereby be registered.

(b) When a person has heretofore or is hereafter registered at an institution having a special panel local board, the special panel local board shall complete a copy of his Registration Card (Form 1) and retain it in its records. The special panel local board shall then transmit the original Registration Card (Form 1) to the local board having jurisdiction over the address given on line 2 of such Registration Card (Form 1) if such local board is known. Otherwise the special panel local board shall forward such Registration Card (Form 1) to its State Director of Selective Service for transmittal through channels to the proper local board. The special panel local board shall accompany the transmission of each such Registration Card (Form 1) with a letter requesting the local board having jurisdiction over the address given on line 2 of the Registration Card (Form 1) to assign to the registrant a serial and order number and to immediately advise the special panel local board of the serial and order number thus assigned.

(c) Upon being advised of the serial and order number assigned to the registrant by the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1), the special panel local board shall enter the serial and order number on its copy of such registrant's Registration Card (Form 1).

7. Amend § 662.5 to read as follows:

§ 662.5 *Registrars.* Any member or clerical assistant of, or any other person appointed as a registrar by, a special panel local board may perform the duty of a registrar.

8. Amend § 662.6 to read as follows:

§ 662.6 *Classification.* (a) As soon as the special panel local board receives the records of a registrant under the provisions of § 662.3, it shall, unless the registrant is already so classified, reopen his classification and classify him in Class IV-F and immediately notify the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1) of such classification.

(b) As soon as the special panel local board registers a registrant under the provisions of § 662.4, it shall require such registrant (1) to complete his Selective Service Questionnaire (Form 40); (2) if he claims to be a conscientious objector, to complete Special Form for Conscientious Objector (Form 47); and (3) to furnish such other information as the local board may require. It shall then classify such registrant in Class IV–F and advise the local board to which his original Registration Card (Form 1) was transmitted under the provisions of § 662.4 that the registrant has been so classified.

(c) At any time within 90 days of the date when a registrant who is an inmate of a penal or correctional institution having a special panel local board will be eligible for parole, pardon, or conditional or other release from the institution, the special panel local board may reopen his classification and, if it determines to forward such registrant for consideration of the armed forces, shall classify such registrant in Class I–A or Class I–A–O; or, if it determines to forward such registrant for consideration for work of national importance, shall classify such registrant in Class IV–E.

(d) If a registrant forwarded for consideration for service under the provisions of paragraph (c) is inducted into the armed forces, the classification of such registrant shall be reopened and the registrant classified in Class I–C. If such registrant is delivered for work of national importance, the fact of such delivery shall be noted following his IV–E classification. In all other cases, the registrant shall be classified in Class IV–F at the time he leaves the institution and at the time his records under the provisions of § 662.8 are transmitted to the local board having jurisdiction of the address given on line 2 of his Registration Card (Form 1).

9. Amend § 662.7 to read as follows:

§ 662.7 *Induction or assignment.* When a registrant is an inmate of a penal or correctional institution which has a special panel local board and has been classified in a class available for service, the local board of which such special panel local board is a panel shall make arrangements for his delivery for induction or for his assignment to work of national importance.

10. Amend § 662.8 to read as follows:

§ 662.8 *Disposition of record of registrant who leaves an institution.* (a) When a registrant leaves an institution having a special panel local board, all papers with reference to such registrant except his duplicate Cover Sheet (Form 53) and a copy of his Registration Card (Form 1) shall be forwarded to the local board having jurisdiction of the address given on line 2 of his Registration Card. (Form 1).

(b) For each registrant who leaves the institution, the special panel local board shall transfer to a separate file for completed cases the duplicate Cover Sheet (Form 53), the copy of the Registration Card (Form 1), and a copy of the letter

covering the transmittal of the records of such registrant to the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1).

The foregoing amendments to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 26, 1944.

[F. R. Doc. 44-12998; Filed, August 26, 1944; 2:48 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 212]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

SHIPMENTS MADE BY SEA FREIGHT

Part 808, Procedure relating to shipment of licensed exports to the other American Republics, is hereby amended to read as follows:

§ 808.1 *Applicability.* (a) The regulations prescribed in §§ 808.3 to 808.7 apply to exportations of all commodities set forth in § 801.2 of this subchapter under any type of export license to be made by sea freight to any of the following destinations:

Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, and Venezuela.

(b) The regulations prescribed in §§ 808.3 to 808.7 apply to exportations of newsprint to be made by sea freight to any of the destinations listed in paragraph (a) of this section and also to the following additional destinations:

Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, and Panama.

§ 808.2 *Non-applicability.* None of the regulations of this Part shall apply to liquid commodities licensed for export to be shipped in bulk by tanker, or to commodities to be exported under general license "GUS".

§ 808.3 *Shipments not requiring Statements of Cargo Availability.* (a) Shipments of any commodity licensed for export to any destination listed in paragraph (a) of § 808.1 other than Argentina, weighing less than 10,000 pounds (even though it is a partial shipment of a larger licensed quantity) may be booked by the exporter or his agent directly with the steamship company without the submission of a Statement of Cargo Availability or compliance with the procedure set forth in §§ 808.4 to 808.7 except that the provisions of this paragraph shall not apply to shipments of newsprint.

(b) Shipments of newsprint licensed for export to any of the destinations listed in § 808.1, and shipments of any commodity licensed for export to Argentina, weighing less than 2240 pounds (even though it is a partial shipment of a larger licensed quantity) may be booked by the exporter or his agent directly with the steamship company without the submission of a Statement of Cargo Availability or compliance with the procedure set forth in §§ 808.4 to 808.7.

(c) Where the entire quantity of a commodity or commodities is ready to be shipped at the same time the exporter or his agent may not split such commodity or commodities into shipments weighing less than 10,000 pounds or 2240 pounds, as the case may be, in order to arrange direct booking with the steamship company. Nothing herein contained shall prohibit the exporter or his agent from making partial or periodic shipments under § 804.2 (d) of this subchapter.

§ 808.4 *Shipments requiring Statements of Cargo Availability.* (a) Subject to the provisions for newsprint and for shipments to Argentina specified in paragraph (b) of this section, no shipment of any commodity or commoditits weighing 10,000 pounds or more for which a license has been issued permitting the exportation thereof may be booked for shipment by or with a steamship company or exported to any destination listed in paragraph (a) of § 808.1 unless:

(1) The exporter or his agent has submitted a Statement of Cargo Availability covering such shipment on the form and in the manner prescribed by these regulations.

(2) The shipment has been certified for booking with a steamship company by the Division of Cargo Control, War Shipping Administration.

(3) The shipment has been transported to or within the port area from which the shipment is to be made pursuant to an effective unit permit issued by or under the authority of the Office of Defense Transportation, unless such unit permit is not required for the movement of the particular shipment; and

(4) The shipment has been booked with a steamship company within ninety (90) days after the date such shipment has been certified for booking by the Division of Cargo Control, War Shipping Administration and such booking has been approved by the Division of Cargo Control, War Shipping Administration. In the case of commodities which, because of their bulk or the necessity for special handling, require special consideration with respect to the period of movement, the provision that such shipment shall be booked with a steamship company within such ninety (90) day period shall not apply. If the shipment has been booked with a steamship company within ninety (90) days after the Statement of Cargo Availability has been certified for booking, the actual date of loading aboard a vessel may take place after such ninety (90) day period.

(b) No shipment weighing 2240 pounds or more of any commodity or commodities for which a license has been issued permitting the exportation thereof may be booked for shipment by or with a steamship company or exported by sea freight to Argentina unless the provisions of subparagraphs (1) through (4), inclusive, of paragraph (a) of this section have been complied with by the exporter or his agent. No shipment of newsprint weighing 2240 pounds or more may be booked for shipment by or with a steamship company or exported by sea freight to any of the destinations specified in paragraphs (a) and (b) of § 808.1 unless the provisions of subparagraphs (1) through (4) inclusive, of paragraph (a) of this section have been complied with by the exporter or his agent.

§ 808.5 *Form of Statement of Cargo Availability.* A Statement of Cargo Availability shall be made on Form FEA-138 or Form FEA-166 in accordance with the instructions for use of such form as prescribed by the Requirements and Supply Branch. All provisions, instructions, terms and conditions contained in the forms are hereby incorporated as a part of the regulations in this subchapter, except insofar as inconsistent with the provisions of the regulations in this part, in which event the regulations in this part shall govern.

§ 808.6 *Filing procedure*—(a) *Who may file.* Any person to whom an export license has been granted or his agent may file Statements of Cargo Availability. Any person authorized to export under a general license or the agent of any such person may file Statements of Cargo Availability.

(b) *Where to file.* (1) Statements of Cargo Availability made on Form FEA-138 shall be filed with the Transportation Division, Foreign Economic Administration, c/o Division of Cargo Control, War Shipping Administration, 39 Broadway, New York 6, New York, except that any such form which covers shipments of newsprint shall be filed with the Foreign Economic Administration, Washington 25, D. C.

(2) Statements of Cargo Availability made on Form FEA-166 shall be filed with the Foreign Economic Administration, Washington 25, D. C.

(3) For shipments which originate in Canada and which are to be transshipped from a United States port, or for shipments which originated in Canada and which are in the United States awaiting transshipment, Statements of Cargo Availability shall be filed with the Canadian Shipping Priorities Committee, West Block, Ottawa, Canada, on the form prescribed by said Committee.

(c) *Preparation of Statements of Cargo Availability.* (1) A separate Statement of Cargo Availability may be submitted for each part of a licensed exportation as such part becomes ready for shipment, except that no application need be filed for a partial shipment which is less than 10,000 pounds in gross weight, or 2240 pounds in the case of shipments to Argentina and shipments of newsprint.

(2) Where the applicant desires to ship a number of commodities destined to one or more ultimate consignees or purchasers from one or more licensees (or one or more exporters in the case of

commodities moving under general license), and the shipment is made by a single consignor to a single consignee, one consolidated Statement of Cargo Availability may be filed.

(3) If the proposed shipment includes commodities moving under individual license or licenses, and also includes commodities moving under general license or licenses, separate Statements of Cargo Availability may be filed for the commodities moving under individual license and the commodities moving under general license.

(4) Where the Statement of Cargo Availability is for commodities to be shipped under general license, the general license number shall be placed in the blank space requiring a license number.

(5) In answer to the question pertaining to gross weight and cubic measurement (if shipped on a measurement basis) an approximation may be made if exact figures are not ascertainable.

(6) The description of the commodities shall be stated in the same terms required for description of commodities in application for individual licenses.

(7) No Statement of Cargo Availability for commodities under general license shall be submitted unless and until the applicant has a firm order for the commodities covered by the statement from the purchaser stated therein.

(d) *Certain commodities; multiple consignees.* Statements of Cargo Availability may specify more than one consignee subject to the following conditions:

(1) All consignees named must be located at a single foreign port.

(2) The names and addresses of all proposed consignees shall be listed and a copy thereof attached as a part thereof to each copy of the Statement of Cargo Availability submitted. This list shall be typewritten in a vertical column and shall not bear evidence of erasure or alteration.

(3) One or more of the proposed consignees may be rejected, the quantity reduced, or both, by the Foreign Economic Administration by noting the same thereon.

(e) *Certain associations; multiple consignors.* Any association organized pursuant to the Export Trade Act (U. S. C. Title 15, section 61) may, upon specific authorization from the Foreign Economic Administration, file in the name of the association a combined application for freight space on Form FEA–138, subject to the following conditions:

(1) The association shall obtain from each member a statement to be filed with the Foreign Economic Administration in the following form properly filled out:

This is to certify that the undersigned _____ company, of _____ (City) and _____ (State) is a member of the _____ Association.

The undersigned and its subsidiary companies agree that, in the event the Foreign Economic Administration determines to authorize the Association to file a Statement of Cargo Availability, for all the members of the Association, it will:

(i) Accept such part of the total space allocated to the Association as the Executive Secretary of the Association shall allocate to it.

(ii) Ship only to such consignees as are approved by the Foreign Economic Administration.

(iii) Not file individual Statements of Cargo Availability. This agreement is effective as of _____ and may be revoked upon thirty (30) days written notice to the Foreign Economic Administration.

_____
(Signature)

(2) Upon filing a combined Statement of Cargo Availability the Association shall state the gross tonnage desired for all members who are to participate in the application and upon certification for booking by War Shipping Administration, the tonnage certified shall be divided by the Association among the members represented by such certified application.

(3) The Association shall notify the Foreign Economic Administration and the War Shipping Administration of the particular commodity and amount thereof each member proposes to ship against the certified Statement of Cargo Availability.

(4) The members shall then book their proposed shipments directly with the steamship company under the serial number assigned to the certified Statement of Cargo Availability.

(5) When the shipments have cleared port, the members shall notify the Association of the amount of the commodity shipped, and the name of each consignee to whom shipment was made.

§ 808.7 *In transit shipments.* Whenever a Statement of Cargo Availability is required in connection with any shipment proceeding under a general in transit license, the spaces in the application form for the name and address of the consignor shall contain the name and address of the original consignor in the foreign country and the name and address of the United States shipper or forwarder.

This amendment shall become effective September 1, 1944.

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 24, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44–12985; Filed, August 26, 1944; 1:17 p. m.]

[Amdt. 218]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Subdivision (i) of subparagraph (2) of paragraph (a) of § 802.13 *Ship and plane stores, supplies and equipment* is hereby amended to read as follows:

(i) Bunker fuel for use or consumption on board during the outgoing and any immediate return voyage, which, in the case of exportation on a vessel operating under a certificate issued by one of the agencies described in subdivision (iii) of subparagraph (1) of this paragraph, shall not exceed the amount recommended by an authorized representative of the War Shipping Administration by endorsement on said certificate. This limitation shall not apply to any vessel which has received approval from the Combined Military Transport Committee to order and export an amount greater than specified in the certificate for the purpose of building up reserve stocks of such bunker fuel at friendly foreign ports.

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938, E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 19, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44–12986; Filed, August 26, 1944; 1:17 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P–98–b, Direction 1, as Amended Aug. 26, 1944]

PETROLEUM INDUSTRY HOUSING

The following direction is issued pursuant to Preference Rating Order P–98–b:

(a) *What this direction does.* This direction deals with these types of housing:

(1) Houses owned by a petroleum operator and used by his employees; and

(2) Houses owned by a petroleum operator or the employee of an operator which are located within or adjacent to any field in which operations for the discovery, development or depletion of petroleum are being conducted (lease equipment housing).

All such housing is included by any reference in this direction to "housing covered by this direction."

This direction tells how to get any necessary permission to use material in such housing. It also tells how to get preference ratings and allotment symbols for materials to be used in such housing. For convenience, the various rules in this direction are discussed on the basis of the branch of the petroleum industry in connection with which the housing is used.

When used in this direction, "repair" means upkeep in sound working condition,

and "construction," "construct," or "build" means any work other than upkeep in sound working condition.

REPAIR OF HOUSING

(b) *Repair of housing in all branches of the industry.*

(1) *Special permission not needed.* Material may be used by the owner or occupant to repair any housing covered by this direction without the need to get any special permission from a Government agency.

(2) *Rating and symbol for an operator.* An operator may get material to repair any housing covered by this direction under the regular procedure of Order P-98-b covering maintenance and repair material.

(3) Rating and symbol for an employee of a *production operator.* An employee of a production operator may use preference rating AA-3 and allotment symbol MRO-P-3 to repair any housing covered by this direction. The rating and symbol are not valid unless placed on the delivery order for the material to be purchased, and unless the original and two copies of the delivery order are submitted for approval to the PAW District Office for the District in which the housing is located, marked "Ref: P-98-b." The delivery order may not be placed with a supplier until the original and one copy are approved and returned to the employee. Each delivery order placed by an employee (or a statement accompanying it) must show the standard certification of paragraph (g) of Order P-98-b and, in addition, the following certificate, signed by both employer and employee:

Preference rating AA-3 and allotment symbol MRO-P-3. The items on this (or on the attached) delivery order are required by the undersigned employee for use in connection with lease equipment.

_____
(Name and address of employer)

_____
(Authorized signature)

_____
(Signature of employee)

_____
(Position)

CONSTRUCTION OF HOUSING

(c) *Construction of housing in production by an operator*—(1) *Lease equipment.* Lease equipment housing may be built by an operator without the need to get any special permission. He may get material for that job through the procedure of Order P-98-b covering material for use in production. As a special exception to that procedure, to secure a bath tub, the operator must submit the original and two copies of the delivery order for approval to the PAW District Office for the District in which the housing will be located, marked "Ref: P-98-b." Such a delivery order may not be placed with a supplier until the original and one copy are returned to the operator.

(2) *Housing other than lease equipment.* The construction of housing which is not lease equipment is governed by Order P-55-c, and the operator must follow the provisions of paragraph (f) of this direction to undertake such housing construction.

(d) *Construction of housing by an employee of a production operator.* Employees of operators engaged in production operations are the only employees who can use this direction to get housing material. Employees of operators in other branches of the industry may not use this direction. Even an employee of a production operator may not use this direction unless his housing is lease equipment housing, and then before he uses the preference rating or symbol assigned he must have his job approved by filing a letter (in duplicate), containing the following information, with the PAW District Office for the District in which the housing will be located, marked "Ref: P-98-b":

Name and address of applicant.

Name and address of his employer.

Location of the proposed house (field, county, and State, and street address or other specific location).

Description of the work to be done, of the structure, type, size, etc.

Name of owner of the land on which housing will be located.

Reason housing necessary.

Other work required, such as grading, clearing, tearing down existing buildings, etc.

What utility connections by utility companies will be required. (If any, attach certificate from company that they can be made.)

When work will be begun and finished.

In any approved job, the employee may use a preference rating of AA-3 and allotment symbol P-1, but the rating and symbol will not be valid unless the employee follows the same procedure as that set out in paragraph (b) (3) of this direction. In the certificate set out in that paragraph, however, the employee should use allotment symbol P-1 in place of allotment symbol MRO-P-3 presently appearing in the certificate.

(e) *Construction of housing in connection with pipe lines.* Material may not be used for the construction of housing in connection with a pipe line unless special permission is obtained. An operator may apply for such permission and a preference rating and an allotment symbol for the necessary material by filing PAW Form 30 in accordance with the instructions for that form.

(f) *Construction of other housing.* Material for housing, other than lease equipment housing or housing in connection with a pipe line, must not be used unless special permission is obtained. That use of material is governed by Order P-55-c, and the operator should apply for such permission and for a preference rating and allotment symbol for the necessary material by following the procedure established by Order P-55-c. However, Form WPB-2896, which is used by that order, should be filed with the PAW District Office for the District in which the housing will be located, which office will forward it to the National Housing Agency with the proper recommendation. In addition to that form, the operator should also file with the PAW District Office a letter indicating the specific need for the housing, the type of work performed by prospective tenants, and the annual incomes of prospective tenants.

(g) *Rules governing the size of houses and the use of materials.* Any housing construction undertaken with the priorities assistance of this direction must conform with the WPB War Housing Critical List and War Housing Construction Standards which are part of Order P-55-c. The Standards tell how large a house may be built depending upon the number of its rooms and set forth other limitations. The critical list tells what materials and equipment may be incorporated in the housing. Copies of the List and the Standards can be secured from the nearest WPB Field Office.

GENERAL

(h) *Records.* The production operator who signs a certificate used to make priorities assistance available to his employee under this direction must keep a copy of the employee's delivery order and of the certificate for two years.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12953; Filed, August 26, 1944; 11:31 a. m.]

PART 1047—PETROLEUM MATERIAL CONSERVATION

[Conservation Order M-68 and Supplementary Orders M-68-1 through M-68-6, Revocation]

Petroleum Administrative Order No. 11 and supplementary orders to that order have completely superseded the orders listed below and it is no longer necessary to continue those orders in effect. Therefore, Conservation Order M-68 and its supplementary orders listed below, including amendments and interpretations thereof, are hereby revoked. This action shall not be construed to affect in any way any liability or penalty incurred under the following orders or any of them:

Sec.
1047.1 Conservation Order M-68.
1047.6 Supplementary Order M-68-1.
1047.7 Supplementary Order M-68-2.
1047.8 Supplementary Order M-68-3.
1047.9 Supplementary Order M-68-4.
1047.10 Supplementary Order M-68-5.
1047.11 Supplementary Order M-68-6.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12955; Filed, August 26, 1944; 11:31 a. m.]

PART 1047—PETROLEUM MATERIAL CONSERVATION

[Conservation Order M-68-c, Revocation]

Petroleum Administrative Order No. 12 has completely superseded Conservation Order M-68-c and it is no longer necessary to continue Conservation Order M-68-c in effect. Therefore, § 1047.4, Conservation Order M-68-c, including amendments and interpretations thereof, is hereby revoked. This action shall not be construed to affect in any way any liability or penalty incurred under Conservation Order M-68-c.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12954; Filed, August 26, 1944; 11:30 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L-56, as Amended Aug. 26, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of liquefied petroleum gas and liquefied petroleum gas equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1167.1 *General Limitation Order L-56*—(a) *Applicability of other orders.* This order and all transactions are subject to all applicable orders and regulations of the War Production Board.

(b) *Definitions.* (1) "Liquefied petroleum gas equipment" means equipment (other than marine, rail, pipeline or truck facilities used in transportation of liquefied petroleum gas and other than equipment used in natural gasoline recovery or refining as these terms are defined in Order P–98–b), or parts thereof, used to contain, distribute or dispense propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Structure" means any building, physical construction or portion thereof, used in marketing or distributing liquefied petroleum gas, but not including equipment or operating supplies used therein.

(4) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure or liquefied petroleum gas equipment in a sound working condition or the restoration or fixing of any structure or liquefied petroleum gas equipment which has broken down or is worn out, damaged or destroyed.

(ii) Any other use of material not exceeding in material cost $500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

"Maintenance and repair" shall not include either of the following: (a) any use of material in connection with a service station or retail outlet other than for upkeep or restoration purposes; or (b) the use of material for new installations of or additions to or expansions of liquefied petroleum gas equipment.

(c) *Conservation of liquefied petroleum gas equipment.* Unless permitted by paragraph (d), no person shall use material for or in a structure, or shall install liquefied petroleum gas equipment or deliver or otherwise supply any such equipment for installation purposes.

(d) *Exceptions.* Material and liquefied petroleum gas equipment or parts may be used or installed:

(1) Where material is to be used for the maintenance and repair of any structure or liquefied petroleum gas equipment;

(2) Where containers of equal capacity are exchanged (or a container replaced by one of lesser capacity) on the premises of any person in the normal course of distribution of liquefied petroleum gas;

(3) Where the liquefied petroleum gas equipment to be installed was installed and in actual use prior to April 1, 1942, and was withdrawn from such use on or subsequent to that date. However, such equipment may not be installed under this subparagraph if it is to be installed either for the purpose of burning or consuming liquefied petroleum gas in an internal combustion engine or for operating an additional gas consuming appliance or apparatus in connection with liquefied petroleum gas equipment currently installed or in use;

(4) Where the War Production Board or the Petroleum Administration for War has determined that the use of liquefied petroleum gas equipment is necessary and appropriate in the public interest and to promote the war effort. Application for such a determination shall be made on Form WPB–809 (Revised) and filed with the Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California or Petroleum Administration for War, Interior Building, Washington 25, D. C., whichever is appropriate, Ref. L–86. Only those persons who wish to install liquefied petroleum gas equipment for use in PAW District Five may file an application in Los Angeles, California;

(5) Where the War Production Board or the Petroleum Administration for War has determined that the construction, reconstruction, expansion or remodeling of any structure is necessary and appropriate in the public interest and contributes to the successful prosecution of the war. Application for such a determination shall be made on PAW Form 30 and filed in accordance with the instructions on that form.

(e) *Required certification.* Any person acquiring liquefied petroleum gas equipment (but not material for use in a structure) shall endorse on all copies of each purchase order or contract for such equipment which are placed with any person, a statement in substantially the following form:

> The liquefied petroleum gas equipment which is ordered in this purchase order (or contract) is to be used in conformity with the provisions of General Limitation Order L–86, with the terms of which order the undersigned is familiar.

This certification, or any other applicable certification made available by Priorities Regulation No. 7, must be used in accordance with the provisions of that regulation. The regulation provides specifically that the certification must be signed manually or, under certain conditions, by use of a facsimile signature.

Where liquefied petroleum gas equipment is to be acquired for maintenance and repair purposes the one-time certification prescribed by Priorities Regulation No. 7 may be used.

No certification of any kind need be made where containers are replaced or exchanged as permitted by paragraph (d) (2) above.

(f) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–12956; Filed, August 26, 1944; 11:31 a. m.]

PART 1167—LIQUEFIED PETROLEUM GAS EQUIPMENT

[Limitation Order L–86, Direction 1, as Amended Aug. 26, 1944]

PLACEMENT OF ORDERS FOR LIQUEFIED PETROLEUM GAS TANKS WITH TANK MANUFACTURERS

The following direction is issued pursuant to Limitation Order L–86:

(a) *What this direction covers.* This direction establishes rules governing the placement of orders for liquefied petroleum gas tanks with tank manufacturers. This direction shall not apply to the placement of orders for portable compressed gas cylinders of the type commonly used for domestic or household installations.

(b) *Original approval or authorization must be given to manufacturers.* Before certain installations or deliveries of liquefied petroleum gas tanks can be made it is required by Order L–86 that approval be requested by an application on Form WPB–809 revised (formerly PD–397). If approval of any such application is granted on Form WPB–809 revised, Form GA–855, or other written authorization by letter or telegram, the original authorization received from the War Production Board or the Petroleum Administration for War must be submitted to the manufacturer together with a purchase order certified in accordance with paragraph (e) of Order L–86. No tank manufacturer shall deliver and no person shall accept delivery of a tank unless the original authorization and a certified purchase order are both submitted to the tank manufacturer. No preference rating granted on Form WPB–547 or Form WPB–541 may be deemed an authorization to purchase tanks under this Direction.

After a purchase order is accepted by the tank manufacturer, he shall endorse on the original authorization his name and the number of tanks to be delivered on the basis of the authorization which has been sent to him. He must then return the endorsed authorization to the purchaser who has ordered the tank(s).

(c) *Order must be placed with tank manufacturer within 60 days.* An approved Form WPB–809 revised, Form GA–855 or other authorization must be used to purchase liquefied petroleum gas tanks covered by it within 60 days of the date of approval. Unless the authorization is mailed by the applicant (purchaser) within that 60-day period, the approval shall be void and of no effect, and

it will be necessary to reapply for the tanks covered by such application or other authorization.

(d) *Reports by manufacturers of liquefied petroleum gas tanks.* Each liquefied petroleum gas tank manufacturer shall on or before the 10th day of June, 1944 and on or before the 10th day of every month thereafter, file a report by letter in duplicate covering the preceding calendar month. This report shall consist of the following items of information covering all tanks subject to this direction and for which purchase orders were accepted during the month:

Persons to whom deliveries will be made under such purchase orders;

Number and description of tanks to be delivered to each person, and for each item the case numbers of corresponding authorizations submitted to manufacturer by purchaser.

This report should be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: L-56.

NOTE: The reporting requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-12957; Filed, August 26, 1944; 11:31 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-559]

DORRIS JEWELRY CO.

Reuben Komisar, doing business as Dorris Jewelry Company, at 629 Church Street, Nashville, Tennessee, began new construction consisting of altering and remodeling a building located at 629 Church Street, Nashville, Tennessee, without authorization from the War Production Board. The cost of this construction was $804.00 which amount exceeded the limit of $200.00 permitted by General Conservation Order L-41, and was in violation of that order. Reuben Komisar was aware of the War Production Board restrictions on construction and the beginning and carrying on of this construction without authorization constituted a wilful violation of General Conservation Order L-41.

This violation of General Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.559 *Suspension Order No. S-559.* (a) Neither Reuben Komisar, doing business as Dorris Jewelry Company, his or its successors or assigns, nor any other person, shall do any construction on the premises at 629 Church Street, Nashville, Tennessee, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Reuben Komisar, doing business as Dorris Jewelry Company, his or its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13004; Filed, August 26, 1944; 4:20 p. m.]

PART 1151—TUBES

[General Limitation Order L-76, Revocation]

Section 1151.1 *General Limitation Order L-76* is revoked. This revocation does not affect any liability incurred under the order.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13015; Filed, August 28, 1944; 11:22 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 14, as Amended Aug. 28, 1944]

USE OF MRO SYMBOL BY MANUFACTURERS OF ROLL ROOFING, SHINGLES, CORK BOARD AND METAL WEATHER STRIPPING

The following amended direction is issued pursuant to CMP Regulation 5:

(a) A manufacturer of asphalt shingles, asphalt roll roofing, asphalt siding, asbestos shingles, asbestos siding, cork board or metal weather stripping may use the MRO symbol to buy steel nails which he will deliver along with such products for use in applying them. He may not use the MRO symbol to buy more steel nails than needed to apply the asphalt shingles, asphalt roll roofing, asphalt siding, asbestos shingles, asbestos siding, cork board or metal weather stripping with which he delivers them, and he must not increase the quantity of steel nails delivered with any unit of such product over the quantity he delivered with such unit during the year 1943.

(b) A manufacturer buying steel nails under this direction does not have to charge them against his MRO quota.

(c) A manufacturer who can purchase his steel nail requirements under this direction must not get them under Order M-21-b-2 relating to steel warehouses and dealers, or under any other regulation or order. The provisions of Order M-21-b-2 or of CMP Regulation No. 4 shall not apply to such a manufacturer so far as the purchase and sale of steel nails bought under this direction are concerned.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13016; Filed, August 28, 1944; 11:23 a. m.]

PART 3251—RADIO REPLACEMENT PARTS: SIMPLIFICATION

[General Limitation Order L-293, Revocation]

Section 3251.1 *General Limitation Order L-293* is revoked. This revocation does not affect any liability incurred under the order.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13017; Filed, August 28, 1944; 11:22 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, Revocation of Direction 4]

EXPERIMENTAL USE OF ALUMINUM FOR CANS

Direction 4 to Conservation Order M-81 is revoked. This revocation does not affect any liabilities incurred under the order. The restriction on the use of aluminum for making cans has been removed by the revocation of Order M-1-i and the issuance of Order M-1-k.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13018; Filed, August 28, 1944; 11:22 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Limitation Order L-99, as Amended Aug. 28, 1944]

COTTON TEXTILE PRODUCTION

The fulfillment of requirements for the defense of the United States has created a shortage in the production of cotton textiles and materials for making cotton textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.48 *Limitation Order L–99—(a) Operations of looms producing cotton textiles.* (1) No person shall, regardless of the presentation of rated orders, operate looms contrary to the provisions in the schedules of this order. These restrictions shall not prohibit, after written notification to the War Production Board, the manufacture of any construction in any group in the schedules of lower pick than the lowest pick specified in the "May produce only" column as to such group, unless the War Production Board by a specific direction prohibits that manufacture.

In case any person believes it to be in the interest of production for military or essential civilian needs to adjust his production otherwise than as provided in said schedules, he may file an application by letter and the War Production Board will consider such application in the light of programmed requirements.

(2) No person shall operate spinning machinery or looms acquired by him after June 30, 1944 except as specifically authorized in writing by the War Production Board. For such authorization, an application may be made by letter to the War Production Board stating all facts which the applicant deems important and pertinent to his particular case. In all instances he shall state the type of fabric or yarn he wishes to produce, and in instances where he has acquired used spinning machinery or looms he shall state the name of the person who formerly owned or controlled the equipment and the fabric or yarn produced by such former owner.

(b) *Further restrictions.* (1) No producer or converter of cotton textiles shall produce, convert or deliver cotton textiles and no person shall accept delivery of cotton textiles from a producer or converter, contrary to any specific direction which may be issued from time to time by the War Production Board.

(2) [Deleted Aug. 28, 1944.]

(3) [Deleted Aug. 28, 1944.]

(4) [Deleted Aug. 28, 1944.]

(5) Each person in the business of producing woven cotton textiles shall, in the calendar quarter beginning July 1, 1944 and in each calendar quarter thereafter, produce a minimum linear yardage of each construction marked with an asterisk on any schedule of this order equaling the greater of either of the following:

(i) 90% of the linear yardage of such construction produced by him in the second calendar quarter of 1944, or

(ii) The linear yardage which can be produced by operating each loom producing such construction at not less than the number of hours any other loom in his mill is operated.

(6) No person shall operate at a rate under which his aggregate production of

(i) 31" and 63" Army tent twill (U. S. Army Specification JQD–48) and

(ii) 33" and 65" substitute duck (tentative U. S. Army Specification JQD–580), and

(iii) Any other fabrics or widths of fabric which may be developed by negotiation between the producer and the U. S. Army and Navy for use as duck or duck substitute

will be less during any calendar quarter than the aggregate linear yardage of the drills, twills and sateens delivered by him on unrated orders in the period from January 1, 1944 through March 31, 1944.

This requirement shall not prevent the production of any cotton textiles for orders rated AA–2X or higher which were accepted before July 22, 1944.

(7) Each loom which on April 1, 1944, produced or was assigned to the production of bed ticking and which is now required to produce Army tent twill shall be operated at least as many hours per week as the loom which is operated the most hours per week at the same plant.

(8) Each producer of corduroys (reported in Item Numbers 152 through 154, Form WPB–658–B (3/17/44)) shall, beginning September 1, 1944, set aside in each succeeding three months period a poundage of yarns equal to 40% of the poundage of yarn he produced and purchased for weaving into corduroy or jungle cloth in the first calendar quarter of 1944, and shall produce from this set aside yarn one or more of the following fabrics:

(i) Duck.
Army.
Flat, single filling.
Flat, double filling.
Numbered.
Shelter tent.
Flat, high sley, 9.5 oz. (tentative Army Spec. JQD–580), 33" or 65" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy.

(ii) Tent twill (U. S. Army Spec. JQD–48), 31" or 63" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy.

(iii) Any fabric which may be developed by negotiation between the producer and the U. S. Army or Navy for use as duck or as a duck substitute.

(iv) Jungle cloth for the U. S. Navy.

(c) *Reports and records.* All persons operating looms for the production of cotton textiles of any kind shall file with the War Production Board at the times specified in the reporting forms, reports on Forms WPB–658–A, B, C, and D, giving the information therein required. All persons affected by this order shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories, production and sales. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

Any appeal from the provisions of paragraphs (b) (6), (b) (7), (b) (8) or Schedule B must contain the following information:

(1) A full statement of the type, model, age and amount of all equipment in the mill, including all pertinent data regarding sizes of rings on spindles owned or operated, and the amount of auxiliary equipment (such as pick gears, reeds, etc.) owned.

(2) A full statement of the amount and type of new equipment needed if the provisions of this order are to be met.

(3) A full statement on the amount of labor available in each activity of the mill, and the shifting of this labor which would be necessary and the amount of new labor necessary in order to carry out the provisions of this order.

(4) A full statement of the production of yarns during the preceding three

months showing the production of yarns by counts and types of twist.

An appeal for suspension of the requirements of paragraphs (a) or (b) may be made on the ground that compliance will result in production at a loss, provided that an application for price relief on that ground is first filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy is filed with the WPB appeal. If the WPB appeal is granted, the requirement of these paragraphs for increases above current production will be suspended until the decision by the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violated any provision of this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref., L-99.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Group No. 48 deleted and remaining numbers redesignated Aug. 28, 1944.

Looms which on July 22, 1944 produced or were assigned to produce cotton textiles listed in the column captioned "Did produce" may produce only cotton textiles of the construction specified in the column captioned "May produce only." Where widths and weights are mentioned, pro rata widths of like counts and weights may be produced.

All authorizations issued before July 22, 1944 on appeal from Limitation Order L-99 or from Supplementary Limitation Order L-99-a to produce constructions other than those listed in the "May produce only" column of this schedule are revoked.

Group numbers	Form WPB-605-B (8/17/44) Line numbers	Did produce	May produce only
1	1 thru 8	Osnaburgs	*40" 28 or 40 sley, 24 to 28 pick, 2.11 yd. *36" 28 or 40 sley, 24 to 28 pick, 2.35 yd. *36" 32 x 28 2.95 yd. *36" 24 to 26, 16 to 20 pick, 3.30 yd. *40" 28 to 32 sley, 24 to 28 pick, 3.66 yd. *40" 28 or 40 sley, 28 pick, 3.35 yd.
2	9	Leno bag fabrics	Leno bag fabrics, 9 to 20 sley, 4 to 10 pick.
3	10	Other special bag	Other special bag fabrics, 48 sley, 16 to 46 pick.
4	11	Bale coverings	Bale coverings, 10 to 48 sley, 6 to 40 pick.
5	12, 13	Soft filled	Soft filled sheetings, 36 to 42 sley, 22 to 44 pick.
6	14 thru 17, 19	Class A sheetings under 42"	*36" 48 x 44 2.85 yd. *36" 48 x 44 2.85 yd. *40" 48 x 44 2.50 yd.
7	18, 20	Class A sheetings 42" and wider.	*Any Class A or Class B sheeting designated in Groups 6, 8 or 9, in this Column IV. Any construction not less than 72" wide nor of more than 84 picks per inch suitable for laundry use.
8	24	Class B sheetings 40" 44 x 40 4.25 yd.	*40" 44 x 40 4.25 yd.
9	21 thru 23	All other Class B sheetings under 42".	*40" 48 x 40 3.26 yd. *40" 48 x 40 3.75 yd. *37" 48 x 44 4.00 yd. *40" 44 x 40 4.25 yd. *31" 48 x 44 5.00 yd.
10	27, 29	Class B sheetings 42" and wider.	*Any Class A or Class B sheeting designated in Groups 6, 8 or 9 in this Column IV. *Any construction not less than 72" wide nor of more than 84 picks per inch suitable for laundry use.
11	30 thru 39, 41, 43	Class C sheetings, bandoleer and Navy mattress cover fabrics under 42".	*36" 64 x 64 3.50 yd. *36" 60 x 52 or 56 x 56 4.00 yd. *36" 48 x 40 or 44 x 40 5.50. *36" 44 x 40 or 40 x 40 6.05 to 6.15 yd. *40" 64 x 64 3.15 yd. *40" 60 x 52 or 56 x 56 3.60 yd. *40" 44 x 40 5.80 yd. *40" 56 x 48 4.30 yd. *40" 36 x 40 5.55 yd. *Bandoleer and Navy mattress cover sheeting in lowest pickage consistent with specifications.
12	40, 42	Class C sheetings 42" and wider.	*44" 48 x 48 4.00 yd. *52" 48 x 48 3.85 yd. *54" 40 sley, 36 to 38 pick 3.25 yd. *60" 44 x 40 4.45 yd. *42" 36 x 40 5.80 yd. *Any narrow Class C sheeting designated in this Column IV. Group II.
13	44 thru 49	Bed sheetings, Army raincoat sheetings, bandoleer and Navy mattress cover fabrics 42" and wider.	*Bed sheetings, 32 to 88 sley, 48 to 94 pick. *Bandoleer and Navy mattress cover sheeting in lowest pickage consistent with specifications.
14	50	Pillow and industrial tubings	*Wide sheeting made to PQD Spec. 377-A. Pillow and industrial tubings.
15	51	Carded poplins (sheeting yarns).	*Sheeting yarn poplins, 76 to 110 sley, 38 to 60 pick.
16	52	8.5 oz. three leaf herringbone twills (Army spec. 6-201).	*8.5 oz. three leaf herringbone twills (Army spec. 6-201).
17	54	Four leaf tent twill (Army spec. JQD-48).	*Four leaf tent twill (Army spec. JQD-48).
18	53 thru 63, 66 thru 72	All other twills, all drills, jeans, sateens and gabardines.	*Drills* *37" 64 x 56 1.00 yd. *30" 72 sley, not over 48 pick, 2.85 yd. to 2.85 yd. *30" 70 sley, not over 84 pick, 2.35 yd. to 2.85 yd. *Any drill, irrespective of width or weight, having not more than 66 sley and not more than 40 pick. *Jeans* *38" 96 x 54 2.85 yd. *32" 96 x 64 3.26 yd. *31" 84 to 86 sley, 66 pick 3.63 yd. to 3.57 yd. *Twills* *29" 68 x 70 2.48 yd. or 3.00 yd. *Silesia twill in lowest pickage consistent with U. S. Army Quartermaster Spec. 515-C. *37" 84 to 88 sley, 60 pick, 1.75 yd. to 2.25 yd. *37" 76 to 88 sley, 38 to 46 pick, 1.45 yd. to 2.15 yd. *30" 88 sley, 50 to 52 pick, 1.90 yd. to 2.45 yd. *32" 96 x 44 2.00 yd. *34½" 96 x 54 2.00 yd. to meet U. S. Navy Spec. 27-T-35A. *31" approximately 68 sley 56 pick, 1.80 to 1.65 yd. (manufactured to meet specification JQD-48 of U. S. Army or Navy for tents). *Duck, flat, high sley, 9.5 oz. (tentative Army spec. JQD-380). *9.2 oz. Type IV carded uniform twill in lowest pickage consistent with Federal Specifications. *8.5 oz. herringbone in lowest pickage consistent with Federal Specifications for U. S. Army or Navy. *9 oz. herringbone twill in lowest pickage consistent with specifications for U. S. Marine Corps. *54" 76 x 52 1.14 yd. *54" 84 x 64.99 yd. *Sateens* *20½" 112 to 118 sley, 64 pick, 2.25 yd. *24" 108 x 56 2.00 yd. *53" 96 x 60 1.12 yd. *53" 96 x 64 1.32 yd. *54" 96 x 56 1.05 yd. *54" 96 x 56 1.55 yd. *Gabardines* *Not over 64 picks per inch. *Birdseye diaper cloth. Any width fabric of window shade quality woven from print cloth yarns in the following sley and pick per inch: 44 x 40, 56 x 44, 56 x 52, 64 x 56, 72 x 68, 80 x 72.
19	73	Birdseye diaper cloth	
20	74	Window shade cloth	

Group numbers	Form WPB-605-B (8/17/44) Line numbers	Did produce	May produce only
21	128	Leno dishcloths	Leno dishcloths.
22	129	Outing flannel	*Any construction of outing flannels but the weighted average weight per sq. yd. of all outing flannels produced in any calendar quarter may not exceed the weighted average weight per sq. yd. of all the outing flannels produced during the second calendar quarter of 1944.
23	130, 131	Workshirt flannels	*Workshirt flannels.
24	132	Canton flannels	Any canton flannel but the weighted average per sq. yd. of all the canton flannels produced in any calendar quarter may not exceed the weighted average weight per sq. yd. of all the canton flannels produced during the second calendar quarter of 1944.
25	133	Gun patch flannels	*Gun patch flannels.
26	134	Interlining flannels	Interlining flannels made to spec. CCO 7 451.
27	135	Moleskins and suedes	*Moleskins or suedes.
28	136	All other napped fabrics except blankets.	Any napped fabric.
29	137	Crib blankets	*Crib blankets.
30	138 thru 140	Blankets, other than crib, containing less than 25% by weight of wool.	*Blankets, other than crib, containing less than 25% by weight of wool.
61	147	Flag bunting	*Flag bunting.
62	148	Impregnated automobile seat cover cloths.	Luggage and automobile seat-cover cloths.

SCHEDULE B

NOTE: Group numbers redesignated Aug. 28, 1944.

Looms which on July 1, 1944, produced or were assigned to produce the cotton textiles listed in the column captioned "Did produce" may, after September 1, 1944, to the extent of the percentages indicated, produce only cotton textiles of the construction specified in column captioned "May produce only". The percentages are applicable to the daily average number of looms on assignment or production. Where widths and weights are mentioned, pro rata widths of like counts and weights may be produced. The provisions of this schedule shall not apply to persons who do not own or operate spinning equipment which produces cotton yarns.

All authorizations issued before July 22, 1944, on appeal from Limitation Order L-99 or Supplementary Limitation Order L-99-a to produce constructions other than those listed in the "May produce only" column of this schedule, are revoked.

Group number	Form WPB-605-B (8/17/44) Item number	Did produce	Percentages	May produce only
63	143	Jacquard woven bedspread fabrics.	75	*Ducks. Flat. Flat, single filling. Flat, double filling. Numbered. Shelter tent. Flat, 10.50 sley, 9.4 oz. (tentative Army Spec. JQD-380), 36" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. *Tent twill (U. S. Army Spec. JQD-48) 31" developed by negotiation between the producer and the U. S. Army or Navy. *Any fabric which may be developed between the producer and the U. S. Army or Navy as a substitute for duck. *190 yd. chambray or a duck substitute. *Any denim or similar fabric specified in the "May Produce Only" column of Group 26 in Schedule A. *Any fabric specified in the "May Produce Only" column of Group 1 in Schedule A. *Any sheeting specified in the "May Produce Only" column of groups 6, 7, 8, 9, 10, 11, 12, 13 in Schedule A. *Any fabric woven from yarn specified in the "May Produce Only" column of Groups 21, 22, 23, 24, 25, 26, 31, 32, 33, 34, 35, 36, 37, 38 in Schedule A.

Group numbers	Form WPB-605-B (8/17/44) Line numbers	Did produce	May produce only
20—Con.	74	Window shade cloth	*Any other print cloth yarn construction specified in Column IV of Groups 21, 22, 23, 24, 25, 26, 31, 32, 33, 34, 35, 36, 37.
21	75	36" 80 x 80 4.00 yd. print cloth and pro rata widths of like count and weight.	*36" 80 x 80 4.00 yd.
22	76	36" 68 x 72 4.78 yd. and pro rata widths of like count and weight.	*36" 68 x 72 4.78 yd.
23	78	36" 68 x 64 4.85 yd. and pro rata widths of like count and weight.	*36" 68 x 64 4.85 yd.
24	77, 79	39½" 64 x 60 5.35 yd. and pro rata widths of like count and weight.	*39½" 64 x 60 5.35 yd.
25	75, 76	39½" 64 x 56 5.80 yd. and pro rata widths of like count and weight.	*39½" 64 x 56 5.80 yd.
26	80	39½" 60 x 48 6.26 yd. and pro rata widths of like count and weight.	*39½" 60 x 48 6.26 yd.
27	81, 82, 83	All other plain print cloths of more than 100 threads per sq. inch.	Any plain print cloth yarn fabric but the weighted average pick of the yardages produced may not exceed the weighted average pick prevailing in this Group during the month of April, 1944.
28	84	Pajama checks	39½" 80 x 80 4.37 yd. 39½" 72 x 68 4.78 yd.
29	85	Gauze diaper cloth	*Gauze diaper cloth.
30	86	All other fancy print cloths	Any print cloth yarn fabric but the weighted average pick of the yardages produced may not exceed the weighted average pick prevailing in this Group during the month of April, 1944.
31	87	38½" 44 x 36 8.60 yd. bandage cloth and pro rata widths of like count and weight.	*38½" 44 x 36 8.60 yd.
32	87	All other bandage cloths	*38½" 40 x 32 9.80 yd. *38½" 60 x 44 7.46 yd.
33	90	Tobacco and cheesecloth, all widths, 17 to 19 sley, 12 to 14 pick.	*Tobacco and cheesecloth all widths, 17 to 18 sley, 12 to 14 pick.
34	89, 91	All other tobacco and cheese cloth constructions.	*Any width fabric woven from print cloth yarns in the following sley and pick per inch: 8 x 8, 14 x 10, 17 x 14, 18 x 12, 18 x 14, 20 x 12, 20 x 16, 24 x 20, 28 x 24, 32 x 28, 40 x 36, 44 x 36.
35	92 through 96	Carded broadcloths	*Any width broadcloth woven from print cloth yarns counting from 80 to 136 ends per inch and not in excess of 60 picks per inch. Any construction specified in Column IV of Groups, 14, 18, 20, 21, 23, 24, 26, 27, 31.
36	96	Carded poplins	*Any construction specified in Column IV of Group 14 except that the 44 x 36 x 44 x 36 x 44 x 36 x

Group number	Form WPB-656-B (6/17/44) Item number	DM produce	Percentage	May produce only
66—Con.	127	Table damask	80% of looms 36" and wider	*Tent twills (U. S. Army Spec. JQD–40) 21" or 68" width, or any width developed by negotiation between the producer and the U. S. Army or Navy. *Any fabric to fill specific orders rated AA–2X and higher. *Any fabric which may be developed by negotiation between the producer and the U. S. Army or Navy for use as duck or a duck substitute. *Any osnaburg specified in the "May Produce Only" column of Group 1 in Schedule A. *Any print cloth yarn fabric specified in the "May Produce Only" column of Groups 21, 22, 24, 25, 26, 29, 31, 32, 34, 36 in Schedule A. *Any fabric specified in the "May Produce Only" column of groups 6, 7, 8, 9, 10, 11, 12, 13 in Schedule A. *Any fabric to fill specific orders rated AA–2X and higher. *Denim. Army. Flat, single filling. Flat, double filling. Numbered. Shelter tent. Flat, high sley, 9.5 oz. (tentative Army Spec. JQD–360) 32" or 68" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
68	128	All other carded cotton woven fabrics over 12" wide not elsewhere specified.	100	*Tent twills (U. S. Army Spec. JQD–40) 21" or 68" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. *Any osnaburg specified in the "May Produce Only" column of Group 1 in Schedule A. *Any print cloth yarn fabric specified in the "May Produce Only" column of Groups 21, 22, 24, 25, 26, 29, 31, 32, 34, 36 in Schedule A. *Any fabric which may be developed by negotiation between the producer and the U. S. Army or Navy for use as duck or a duck substitute. *Any sheeting specified in the "May Produce Only" columns of Groups 4, 7, 8, 9, 10, 11, 12, 13 in Schedule A. *Any fabric specified in the "May Produce Only" column of Groups 21, 22, 24, 25, 29, 31, 32, 34 in Schedule A.
70	131	Bed ticking	50	*Tent twill (Army Spec. JQD–40) 21" or 68" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. *Duck, fat, high sley, 9.5 oz. (tentative Army Spec. JQD–360) 32" or 68" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy for use as duck or a duck substitute.
71	115 thru 119	Colored yarn silk fabrics, all cotton and cotton and rayon containing 80% or more cotton.	75	*Any fabric which may be developed by negotiation between the producer and the U. S. Army or Navy for use as duck or a duck substitute. *Any denim or similar fabric specified in the "May Produce Only" column of Group 2 in Schedule A. *Any osnaburg specified in the "May Produce Only" column of Group 1 in Schedule A. *Any shooting specified in the "May Produce Only" column of Groups 4, 7, 8, 9, 10, 11, 12, 13 in Schedule A. *Any print cloth yarn fabric specified in the "May Produce Only" column of Groups 21, 22, 24, 25, 26, 29, 31, 32, 34, 36, in Schedule A.
72	144	Woven bedspread fabrics other than piqué.	75	*Any denim or similar fabric specified in the "May Produce Only" column of Group 2 in Schedule A. *Any osnaburg specified in the "May Produce Only" column of Group 1 in Schedule A. *Any shooting specified in the "May Produce Only" column of Groups 4, 7, 8, 9, 10, 11, 12, 13 in Schedule A. *Any print cloth yarn fabric specified in the "May Produce Only" column of Groups 21, 22, 24, 25, 26, 29, 31, 32, 34, 36 in Schedule A.
73	145	Scrim	50	*Any fabric which may be developed by negotiation between the producer and the U. S. Army or Navy for use as duck or a duck substitute. *Any osnaburg specified in the "May Produce Only" column of Group 1 in Schedule A. *Any fabric specified in the "May Produce Only" column of Groups 21, 22, 24, 25, 26, 29, 31, 32, 34, 36 in Schedule A.
73	146	Corded curtain fabrics other than scrims and marquisettes.	100	*Scrim but only in all specific orders rated AA–2X and higher. *Any fabric which may be developed by negotiation between the producer and the U. S. Army or Navy for use as duck or a duck substitute.
73	140 thru 150, 154, 155	Drapery, upholstery, tapestry fabrics and velvets, not including pile fabrics	75	*Any print cloth yarn fabric specified in the "May Produce Only" column of Groups 21, 22, 24, 25, 26, 29, 31, 34, 36 in Schedule A. *Duck: Army. Flat, single filling. Flat, double filling. Numbered. Shelter tent. Flat, high sley, 9.5 oz. (tentative Army Spec. JQD–360) 32" or 68" width, or any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
73	147	Table damask	80% of looms 36" and wider	

Schedule C: Deleted Aug. 26, 1944.

[F. R. Doc. 44–13022; Filed, August 28, 1944; 11:25 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–217, as Amended Aug. 26, 1944]

FOOTWEAR

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.191 *Conservation Order M–217*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board and Conservation Order M–328, as amended from time to time, except as follows:

(1) Priorities Regulation 17 shall be inapplicable to footwear.

(2) Military footwear which has been rejected by Government inspectors and stamped to indicate its rejection may be sold without regard to Paragraph 944.11 of Priorities Regulation 1 or paragraph (e) (3) of Conservation Order M–328.

(b) *Definitions.* For the purposes of this order:

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers, but does not include (i) rubber footwear or (ii) foot covering designed to be worn over shoes and utilizing no leather.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running at a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather (including splits) made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accomplished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or house wear.

(9) [Deleted Mar. 9, 1944]

(10) "Line" means footwear of any one of the following types:

Men's dress,
Men's work,
Youths' and boys',
Women's and growing girls',
Misses' and children's,
Infants',
House slippers,
Athletic,
Men's safety shoes, and
Women's safety shoes,

to the extent that such type of footwear is manufactured for sale in the same manufacturer's price range; *Provided*, That:

(i) Footwear of substantially identical kind and quality sold in more than one price range to different types of purchasers shall be deemed one line; and

(ii) In case the sale by the manufacturer is at retail or to a purchaser which controls, is controlled by, or is subject to common control with, the manufacturer, then the applicable price range shall be the retail price range.

(iii) Up to a net wholesale price of $1.75 a pair misses' and children's footwear (not including slippers) may be deemed one line, and youths' and boys' footwear (not including slippers) one line.

(11) "Price range" shall have the usual trade significance, provided that the highest list price in the range does not exceed the lowest in the range by more than ten (10%) per cent, or twenty-five (25) cents a pair, whichever is the greater, and that no range may overlap any other range.

(12) "Military footwear" means military type footwear purchased by the Army or Navy of the United States (excluding post exchanges and ship's service stores, wherever situated), the United States Naval Academy at Annapolis, Maryland, the United States Military Academy at West Point, New York, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the War Shipping Administration, the Government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, the Netherlands, Norway, Poland, Russia, Turkey, the United Kingdom (including its Dominions, Crown Colonies and Protectorates) and Yugoslavia; military type footwear purchased by any agency of the United States for delivery to or for the account of the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); and custom-made footwear delivered for personnel of the Army or Navy of the United States.

(13) "Civilian footwear" as used in paragraph (i) includes all footwear except military footwear and rubber footwear.

(14) "Six months' base period" means any consecutive six calendar months within the period from July 1, 1942 to April 30, 1943 selected by a manufacturer as his base period for the purposes of this order.

(15) "Civilian line quota" means the number of pairs of civilian footwear within a single line manufactured by a person during his six months' base period.

(16) "Safety shoes" means protective occupational footwear incorporating or purporting to incorporate one or more of the following safety features: steel box toe; electrical conductivity; electrical resistance; non-sparking and moulders' (Congress type) protection (shoes which can be quickly removed, worn to protect against splashing metals).

(17) "Long shield tip" means a shield tip having a horizontal measurement from the bottom of the curve to the upper end of the tip of more than 1 inch (using size 4B as a standard).

(18) "Rubber soles" do not include tire carcass soles, when used on misses' and children's footwear (excluding all sizes over size 3), or soles made wholly from friction scrap.

(19) "Plastic soles" mean soles containing more than 25% by weight vinyl polymer as defined in General Preference Order M–10.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of sizes 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes and footwear with fabric uppers.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and house slippers.

(vii) Bows or other ornaments, if made in whole or in part of leather (excluding scrap).

(viii) Outside leather taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in Goodyear welt footwear other than work shoes and safety shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) [Deleted Aug. 26, 1944]

(xiii) [Deleted Aug. 26, 1944]

(xiv) Men's one-piece leather uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) [Deleted Aug. 26, 1944]

(xvi) [Deleted Aug. 26, 1944]

(xvii) [Deleted Aug. 26, 1944]

(xviii) Any non-functional or decorative stitching except:

(a) Not more than four rows of non-functional stitching on imitation tips,

foxings, saddles, mudguards and moccasin type vamps.

(b) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(c) Design stitching solely to permit direct non-stop stitching between cut-outs.

(d) Design functional stitching on utility work cowboy boots.

(xix) Any leather lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) [Deleted Aug. 26, 1944.]

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) [Deleted Aug. 26, 1944.]

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) [Deleted Aug. 26, 1944.]

(xxvii) [Deleted Aug. 26, 1944.]

(xxviii) [Deleted Aug. 26, 1944.]

(xxix) Rawhide or other leather laces, except on work shoes.

(xxx) Leather or part leather loops performing the function of eyelets.

(2) [Deleted Aug. 26, 1944.]

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high cut laced boots ten inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots: *Provided, however,* That upon letter application the War Production Board may permit any person to make boots higher than ten inches for use in specified hazardous occupations.

(4) No person shall put into process any material for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall not apply to the color of bows, metal findings, eyelets, stitching, lacing, bindings, linings, soles, safety shoes or shearling collars; nor shall it apply to footwear using no leather for outsoles, midsoles or taps. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptile leather having slight variations in shade caused by normal finishing of such leathers, or

(ii) A combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings.)

(5) [Deleted Aug. 26, 1944.]

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf), including upper leather splits, gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide leather (including splits) for uppers or any cattlehide grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less), for the manufacture of house slippers or romeos.

(8) No person shall attach any leather outsoles or outside leather taps to any footwear having raised or flat seam mocassin type vamps (including genuine moccasins utilizing soles) or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles; *Provided, however,* That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels 1⅛ inches and over in height, using size 4B as the standard.

(9) [Deleted Aug. 26, 1944.]

(10) [Deleted Aug. 26, 1944.]

(11) No person shall manufacture any leather or part leather bows for use on footwear, except out of scrap.

(12) No person shall attach any soles heavier than 4 iron cut from chrome, chrome retan, or any combination chrome tanned cattlehide or horse butt leather, excluding splits, to any footwear except infants', misses' and children's shoes (excluding all sizes over size 3), youths' and boys' shoes (excluding all sizes over size 6), men's work shoes, and men's and women's safety shoes manufactured in accordance with paragraph (e–1) below. This provision does not apply to repair.

(13) No person shall utilize any upper leather or lining leather set aside by tanners pursuant to Conservation Order M–310 or directions issued thereunder, for the following types of footwear:

(i) Infants';

(ii) Misses' and children's (excluding all little gents' and all sizes over size 3);

(iii) Footwear for the physically maimed and deformed manufactured on a custom-made basis and not for stock; except in the manufacture of one of those types of footwear.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942, except that:

(i) In the case of footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other non-skid or soundproofing features covering not more than 25% of the area of the bottom of the sole) designs and constructions utilized between September 1, 1940 and October 18, 1943 may be used;

(ii) Nothing in this paragraph shall prevent the correction of patterns to the extent necessary to remove features prohibited by this order, the use of new bows (provided they are not an integral part of the upper), or the use of new designs, lasts and patterns which can be introduced without requiring additional employment.

(iii) The War Production Board may make exceptions in this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) [Deleted Aug. 26, 1944.]

(3) [Deleted Aug. 26, 1944.]

(4) No person shall attach to any footwear (except infants' footwear, house slippers or women's gold or silver evening slippers) outsoles, other than wooden soles, not conforming to the specifications contained in Schedule I annexed to this order.

(e) *Exceptions to paragraphs* (c) *and* (d) *above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather. This exemption shall extend only to paragraph (c).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' footwear up to and including size 4.

(6) Footwear made wholly or primarily of shearlings provided no other leather is used in their manufacture.

(e–1) *Restrictions on the manufacture of safety shoes.* No person shall manufacture any safety shoes which have leather uppers with leather or rubber (including synthetic rubber) compound bottoms, except those which comply with the safety features as to safety toe box, electric conductivity, electrical properties, non-sparking and moulders protection in the American War Standards Specifications for protective occupational footwear, men's safety shoes and women's safety shoes, Z41.1 to Z41.9 inclusive, 1944. Only those parts of the specifications relating specifically and solely to the safety features listed above and to the test requirements shall be applicable.

Upon letter application the War Production Board may authorize deviations from the above-mentioned standards when necessary to meet minimum civilian requirements for safety shoes.

(f) [Deleted Aug. 26, 1944.]

(g) *General exceptions.* None of the restrictions of this order shall apply to military footwear, or to footwear made as trials or pullovers but not sold.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear manufactured in the United States of America in violation of this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between customers who meet such person's regularly established prices, terms and credit requirements, or between customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for nonmilitary use shall not constitute a discriminatory cut.

(5) No manufacturer shall accept delivery of any upper leather or lining leather reserved by tanners pursuant to Conservation Order M–310, or directions issued thereunder, for the manufacture of the following types of footwear:

(i) Infants';

(ii) Misses' and children's;

(iii) Footwear for the physically maimed and deformed manufactured on the custom-made basis and not for stock; if his supply of leather suitable for such shoes and obtained on certificate pursuant to such directions shall thereby become larger than a 30-days' inventory. A 30-days' inventory shall be deemed to be the quantity of leather actually used for the production of shoes of these types during the preceding calendar month, unless no such footwear was produced in that month, in which case a 30-days' inventory shall be deemed to be the leather required to manufacture his scheduled production of such shoes for the following thirty days.

(i) *Restrictions on production of lines of footwear.* (1) No person shall in any six months' period beginning March 1, 1943 complete the manufacture of more civilian footwear within the following lines than the percentage of his civilian line quota for such line shown in the following schedule:

	Percent of each price range
Youths' and boys'	125
Infants'	125
Men's safety shoes	125
Men's work	115
Men's dress	100
Women's and growing girls'	100
House slippers	100
Athletic	100
Women's safety shoes	100

With respect to misses' and children's footwear, no manufacturer may exceed 125% of his aggregate quotas for all his lines of misses' and children's footwear, but his production may be distributed among his established lines of misses' and children's footwear in any manner desired: *Provided, however,* That to the extent that a manufacturer's production of military footwear shows a decrease below that during his six months' base period, his production within any line of civilian footwear may exceed the civilian line quota for such line by its proportionate part of such decrease; and to the extent that such manufacturer's production of military footwear shows an increase over that during the six months' base period, each civilian line quota of such manufacturer shall be diminished by its proportionate part of such increase.

(2) No person shall manufacture any line of footwear (except military footwear) not manufactured by him in his six months' base period.

(3) *Exceptions to paragraphs* (i) (1) *and* (i) (2). (i) A lower priced line of the same type of civilian footwear may be substituted in whole or in part for a higher priced line.

(ii) The unused quota of any higher priced line may be added to a lower priced line of the same type of civilian footwear.

To the extent shown in the following schedule, any person may transfer the unused portion of any civilian line quota or quotas of men's dress or women's and growing girls' footwear to the production of the following types of footwear:

Type:	Percentage of unused quota permitted to be added
Men's work	115
Youths' and boys'	125
Misses' and children's	125
Infants'	125

Provided, however, That in no event shall any unused quota be added to a higher priced line, *And provided further,* That in no event shall a new line be added until authorization has been obtained under paragraphs (d) (1) above and paragraphs (i) (3) (vi) below.

(iii) A person may exceed his civilian line quota for any line of women's safety shoes if a pairage equal to such excess is deducted from some other line or lines of footwear.

(iv) During any six months' period, beginning March 1 or September 1 in any year, a manufacturer whose total production for the period will be less than $250,000 (based on wholesale value) is not subject to paragraph (i) (1), provided that no new lines are added and provided the manufacturer does not exceed his aggregate production in pairs during his six months' base period by more than 50%. The exemption in this paragraph shall not apply to manufacturers affiliated, as a subsidiary or otherwise, with another.

(v) Paragraphs (i) (1) and (i) (2) shall not apply to footwear made for the physically maimed or deformed on a custom-made basis and not for stock or to wood sole clogs utilizing no leather.

(vi) The War Production Board may authorize transfers of quotas from one type of footwear to another, and may authorize new or additional production in: (a) Lines of which there is a critical civilian shortage, or (b) lines of reasonably durable footwear utilizing non-critical materials. It will be the general policy of the War Production Board not to authorize new or additional production involving labor requirements that will interfere with the war production in that plant or in any plant located in that area.

Application for such authorization shall be made by letter, describing fully the footwear manufactured or proposed to be manufactured, listing in detail all the materials to be used, and stating the pairs desired to be made in each price range, the source of the manpower that will be required, whether production will be reduced in any other line or lines, and all other facts pertaining to the application. All applications shall be accompanied by original and two copies of Form WPB–3820 filled in to the end of section I. Authorization of production of new lines under this paragraph will be made only with the condition that production may not begin until evidence is furnished of conformity with applicable Office of Price Administration regulations.

Until October 1, 1944, it will be the policy of the War Production Board to grant increased quotas on infants' footwear, sizes 4½ to 8, in cases where the manufacturer shows in his application that the footwear he manufactures is of styles and within price lines that are urgently needed for civilian consumption.

Production in new price lines, or increased production in established lines, may be granted by the War Production Board to cover production of civilian footwear purchased by or on behalf of United Nations Relief and Rehabilitation Administration or any other agency for foreign relief purposes.

(vii) [Deleted Mar. 9, 1944]

(4) The period selected by any person as his six months' base period shall apply to all lines and may not be subsequently changed. After July 11, 1944, lines manufactured by any person in his six months' base period as previously filed with the War Production Board may not be revised, except to bring them into conformity with this order. Manufacturers whose base period reports con-

taining overlapping price ranges have been filed and accepted prior to June 27, 1944, may continue to use the ranges now on file only until September 1, 1944.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) All persons affected by this order shall keep and preserve records concerning their operations in accordance with § 944.15 of Priorities Regulation 1.

(l) All persons affected by this order shall file such reports and questionnaires as may be requested by the War Production Board, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M–217.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

NOTE: Paragraph (c) (2) and reproduction deleted Aug. 26, 1944.

Paragraphs (c) (4) and (e) (1) of the April 21, 1944, edition of General Conservation Order M–217, which remain in force until September 1, 1944, read as follows, respectively:

(c) (4) No person shall put into process any material for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leather or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather, and perforations as a result of antiquing, or the use of:

(i) Embossed leather or genuine reptiles of the colors permitted in paragraph (c) (3) below but having slight variations in shade caused by normal finishing of such leathers, or

(ii) Embossed leather or genuine reptiles of any color or colors (in all-over shoes) if finished prior to October 16, 1942,

(iii) Shearling collars,

(iv) An additional color on tips or tongues of safety shoes as above defined,

(v) A combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings).

(e) (1) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear made wholly without leather and without rubber or plastic soles where no two-tone effect is created. This exemption shall extend only to paragraph (c). However, shoes of multi-colored fabric (a single fabric containing more than one color) are permitted and may have bindings or other trimmings (not including tips, foxings, eye stays, platforms or heels) in one of the colors of the material.

SCHEDULE I—SPECIFICATIONS FOR SOLES

Abrasion. The material shall have a resistance to abrasion of not less than 4000 revolutions to abrade 50% of the thickness of the material, when tested on the type of machine used by and following the procedure of the National Bureau of Standards. The material may be tested on any other abrasive testing machine, using an appropriate number of abrasive strokes of revolutions to give abrasive action equivalent to the above.

Crackiness. The material shall not crack, after conditioning for 4 hours, at 32° F. and testing at that temperature, when bent 180° over a 3-inch mandrel. The material shall not crack, after aging for 48 hours at 120° F. ± 2° F. and reconditioning at 65 per cent ± 2 per cent relative humidity and 120° F. ± 2° F., when bent 180° over a 3-inch mandrel.

Tackiness. The material shall not become tacky or flow when subjected to a temperature of 120° F. ± 2° F. for 4 hours.

Stitch tear. Material which is used for stitched soles shall have a stitch tear strength of not less than 30 pounds when tested dry, and not less than 26 pounds when tested immediately after soaking in water for 4 hours. When the outsole is cemented securely to a backer or midsole, the test shall be made of the combined assembly.

Effect of water. After submerging in water at 75° F. ± 2° F. for 4 hours, the material shall not show visual evidence of delamination or separation and shall not show an increase in thickness of more than 20 per cent.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3290.191. (Conservation Order M–217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

INTERPRETATION 2

FOOTWEAR

The reference to "leather outsoles or outside leather taps," in paragraph (c) (3) of § 3290.191 Conservation Order M–217 designates outsoles and outside taps the wearing qualities of which are derived primarily from leather. For example: An outsole composed primarily of leather but having a paper coating would constitute a "leather outsole," since, presumably the paper would soon disappear and the wearing quality of the sole would rest primarily upon the leather.

On the other hand, if a sole of durable substitute material were cemented on a thin leather sole so that the substitute material received the wear the leather sole would constitute a midsole rather than an outsole.

Similarly, a wooden sole having a leather heel insert to provide nonskid and soundproofing features is not a "leather outsole," because the wear of the shoe is derived mainly from the wooden portion of the sole. (Issued Oct. 18, 1943.)

INTERPRETATION 4

DEFINITIONS

The definition of "price range" in paragraph (b) (11) of Conservation Order M–217 states that price range shall have the usual trade significance so long as the highest list price in the range does not exceed the lowest by more than 10% or 25¢ a pair, whichever is the greater. The January 12, 1944 amendment in paragraph (b) (10) (iii) of the order allows manufacturers of misses' and children's and youths' and boys' footwear to consider their production in each type up to a wholesale price of $1.75 a pair as one line. This does not, however, permit manufacturers to add 25¢ to the $1.75 and consider all misses' and children's and youths' and boys' footwear up to $2.00 as falling within the line. The exemption added by the amendment is one superimposed upon the existing treatment of price lines and cannot be construed to apply to any footwear having a net wholesale price of more than $1.75. (Issued Feb. 26, 1944.)

INTERPRETATION 5

SHOES MANUFACTURED FOR DYEING BY RETAILERS OR CONSUMERS

Paragraph (c) (4) restricts the manufacture of footwear of more than one color. Where a manufacturer produces a line of footwear designed especially for taking dye on the tip, foxing, saddle or other portions, so that it can be converted into a two-tone shoe (such as a spectator or saddle oxford type), and he has reason to believe that it will be converted by retailers or consumers, he is putting material into process for the manufacture of footwear of more than one color. This is prohibited by the paragraph. (Issued Apr. 26, 1944.)

INTERPRETATION 6

TWO-COLOR SHOES ON FOOTWEAR MADE UNDER PARAGRAPH (C) (4) (V)

Paragraph (c) (4) (v) permits the combination of two colors in part leather—part fabric uppers where the leather constitutes not more than 30% of the whole upper material (excluding linings). It is permissible to use in connection with this type of footwear fabric bown in the same two colors, if all other provisions of the order are complied with, including paragraph (d) relating to new styles. (Issued May 25, 1944.)

INTERPRETATION 7

EFFECT OF COLOR RESTRICTIONS ON INVENTORY LIMITATION IN PRIORITIES REGULATION 1

Paragraph (c) (5), limiting the use of colors in footwear, affects the application to shoe manufacturers of the inventory restriction contained in § 944.14 of Priorities Regulation 1. This section of Priorities Regulation 1 provides that no person shall accept delivery of any material if the inventory of such material of the person accepting delivery is, or will, by virtue of such acceptance, become in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of the products of the person accepting delivery, on the basis of his current method and rate of operation.

Paragraph (c) (5) of Conservation Order M–217 prohibits the use of any materials for uppers except material finished or dyed in certain specified colors. Accordingly, any deliveries of upper leather or other material for uppers in colors which are not permitted would constitute a violation of Priorities Regulation 1, since the practicable minimum working inventory reasonably necessary to meet deliveries is, under Priorities Regulation 1, to be computed on the basis of the current method and rate of operation. Inasmuch as manufacturers are not currently permitted to use certain colors, the priorities regulation does not permit the acceptance of deliveries of materials in these colors. (Issued Aug. 15, 1944.)

[F. R. Doc. 44–12953; Filed, August 26, 1944; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–217, Revocation of Interpretation 3]

FOOTWEAR

Interpretation 3 to General Conservation Order M–217 is hereby revoked.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13019; Filed, August 26, 1944; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–317,[1] as Amended Aug. 28, 1944]

COTTON TEXTILE DISTRIBUTION AND SALE YARN PRODUCTION

§ 3290.115 *General Conservation Order M–317* The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton textiles and materials for making cotton textiles for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense: (a) *Definitions.* In this order (which term includes orders supplementary to this order):

(1) "Cotton textiles" means the following products, containing 50% or more by weight of cotton or cotton waste, or a combination of the two:

(i) Woven and braided fabrics, whether gray, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets, towels, diapers, face cloths and table "linens"; and

(ii) Yarns, whether gray, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, including thread, twines and cordage (e. g. tying, sail, seine, etc. twine, rope, sash, cord, etc.) and including any of the foregoing which may be spun on roving, ring, mule or converted twister-spindles.

"Cotton textiles" does not include:

Cotton duck as defined in Conservation Order M–91;

Blankets or blanketing containing 25 per cent or more by weight of wool;

Fabrics (other than blankets or blanketing) or yarns containing wool produced on the woolen or worsted system.

(2) (i) "Producer" means any manufacturer who makes cotton textiles in the United States.

(ii) "Intermediate processor" means any person engaged in the United States in the business of bleaching, dyeing or otherwise finishing cotton textiles and delivering or using them in the United States for his own account in the bleached or otherwise finished state.

(iii) "Processor" means any person engaged in the United States in the business of manufacturing or having manufactured in the United States for his account, any product in which cotton textiles are incorporated.

(iv) "Merchant" means any person engaged in the United States in the business of purchasing cotton textiles for resale in the United States in the form in which purchased.

(v) "User" means any person other than a producer, intermediate processor or processor, who purchases cotton textiles for his own use in the United States in any business, industry, profession or occupation.

(vi) Any person who performs the functions of more than one of the foregoing—regardless of his customary manner of conducting his business—shall, for the purpose of the following be deemed a separate person with respect to each of those capacities, and he is required to:

(a) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1 (In the case of yarn, this requirement applies only to yarn required to be produced and delivered by the provision of par. (d) of Supplementary Order M317–B);

(b) Use the ratings assigned by this order (including Supplementary Orders M–317A and M–317B) and

(c) Apply the inventory restrictions of this order.

(vii) The definitions in subdivisions (i) to (v) above do not include the United States Army, Navy, Maritime Commission or War Shipping Administration.

(3) Trade terms used in this order shall have their usual trade significance unless otherwise specified.

(b) *Assignment of ratings.*[2] The preference ratings specified in the Preference Rating Schedules of Supplementary Orders M–317A and M–317B are assigned to the persons in Column I for the cotton textiles in Column II to be used only as specified in Column III.

(c) *Compulsory use of ratings assigned in schedules or by Form WPB–2842.* No intermediate processer, processor, merchant or user shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule of Supplementary Orders M–317A or M–317B unless he uses that rating or a rating assigned on Form WPB–2842. However, a merchant who purchases cotton textiles for sale at retail, or a user, if he wishes, may purchase or accept delivery of cotton textiles without a preference rating. The provisions of this paragraph do not apply to purchases for delivery or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, nor do they prohibit the use of an AAA rating.

This rule does not change the rating on the finished product. For example, even though a manufacturer (processor), who is assigned a rating in the AA–2X Preference Rating Schedule of Supplementary Order M–317A to obtain twills to make coated abrasive products, holds an AA–1 order for coated abrasive products, he must use the AA–2X rating given by the schedule to obtain the twills, and may not extend the AA–1 rating for this purpose. The AA–1 rating, however, remains applicable to the finished coated abrasive product for all other purposes (such as to determine the sequence of deliveries). Similarly in the case of yarns, even though a manufacturer (processor), who is assigned a rating in the AA–2X Preference Rating Schedule of Supplementary Order M–317B to obtain cotton sale yarn to make transmission belts, holds an AA–1 order for transmission belts, he must use the AA–2X rating given by the schedule to obtain the cotton sale yarn and may not use the AA–1 rating for this purpose. The AA–1 rating, however, remains applicable to the product for all other purposes (such as to determine the sequence of deliveries).

(d) *How ratings for cotton textiles are to be applied or extended.* Preference ratings shall be applied and extended as provided in Priorities Regulation 3. The standard certification described in Priorities Regulation 7 may be used in applying or extending the rating, but the provisions of subparagraph (1) or (2) below must also be complied with.

(1) *Cotton textiles for export.* In the case of products which are to be exported (or to replace in inventory the exported product) in the form of cotton textiles or in the form of clothing manufactured for the United States Treasury Procurement Division from piece goods purchased by that Division for the Foreign Economic Administration (except where that product or clothing is for direct or ultimate delivery to the United States Army, Navy, Maritime Commission, War Shipping Administration or American Red Cross), the purchaser shall place upon the purchase order an appropriate

[1] Limitation Order L–99 relates to cotton textile production.

[2] Conservation Order M–328 permits other preference ratings, as well as those assigned by this order, and imposes conditions on the use of all ratings for cotton textiles.

notation (with the blanks properly filled in), substantially as follows:

These cotton textiles will be exported, or will replace in inventory cotton textiles exported after December 24, 1943.

And also one of the following statements is to be made:

The preference rating was applied by the United States Treasury Procurement Division in connection with contract number ..... [In the case of United States Treasury Procurement for Foreign Economic Administration];

or

The preference rating was applied in connection with Export License number ..... dated ....., or Release Certificate number ..... dated ..... [In the case of export in connection with licenses or release certificates issued by Foreign Economic Administration.];

or

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number ..... [In the case of exports to Canada.]

When the above is complied with, the requirements of M-328 are met and it is unnecessary to use any other notation.

If a preference rating for cotton textiles which is assigned by the Foreign Economic Administration on an export license or release certificate has not been applied or extended to an order accepted by a producer or made the subject of a War Production Board scheduling direction at the end of six months from the date of issuance of the license or release certificate, it shall be deemed revoked. Ratings applied or extended to orders accepted by a producer or made the subject of War Production Board scheduling directions at any time before August 1, 1944, for delivery before October 1, 1944, are excepted, however, from this provision.

(2) *Cotton textiles for domestic use.* In all other cases a person (other than the United States Army, Navy, Maritime Commission or War Shipping Administration on their direct purchase orders), applying or extending a rating for a cotton textile, which was assigned by a Preference Rating Schedule or under a War Production Board form, shall place upon the purchase order an appropriate notation, substantially as follows:

This rating has been assigned by M-317, Group(s) No. ..... [Insert applicable group number or numbers of Preference Rating Schedule.]

or

This rating has been assigned under Form WPB ....., Serial No. ..... [Insert the War Production Board form number and its serial number.]

When the above is complied with, the requirements of M-328 are met and it is unnecessary to use any other notation.

(e) *Restrictions relating to fiber or yarn.* (1) No person shall use any preference rating which was assigned, applied or extended for cotton textiles in order to obtain any synthetic fiber or synthetic yarn, except cotton textiles for direct or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration.

(2) No person shall use any preference rating which was assigned, applied or extended for knitted or woven fabrics, in order to obtain cotton yarns defined in paragraph (a) (1) (ii). If he does not own or control spinning machinery, he may use the rating to obtain cotton yarns for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration. If he does own or control spinning machinery, upon his showing on Form WPB-2842 the extent to which it is insufficient or unsuitable to produce cotton yarns required for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, the War Production Board may authorize him to use that rating to obtain a specific quantity of cotton yarns for that purpose.

(3) No person owning or controlling spinning machinery shall use any preference rating which was assigned, applied or extended for yarn, in order to obtain cotton yarns defined in paragraph (a) (1) (ii), except to the extent authorized by the War Production Board, upon his showing, on Form WPB-2842, that his own spinning is insufficient or unsuitable.

(f) *Distribution schedules.* (1) Each producer—even if he is also an intermediate processor, processor, merchant or user—shall, from the production of each calendar quarter, deliver or set aside for later delivery on rated orders those percentages of his total production (in pounds or yards according to his usual method of operation) of each cotton textile as specified in the Distribution Schedules of Supplementary Orders M-317A and M-317B. Exceptions from the requirements of the Distribution Schedules of Supplementary Orders M-317A and M-317B may be granted by the War Production Board pursuant to specific applications in writing when the fulfillment of any Distribution Schedule's requirement would prevent deliveries of cotton textiles for orders rated AA-2X or higher.

(2) The War Production Board may establish other percentages with respect to any of the cotton textiles listed in the Distribution Schedules of Supplementary Orders M-317A and M-317B.

(3) The requirements of the Distribution Schedules of Supplementary Orders M-317A and M-317B supersede all authorizations, issued before May 29, 1944, on appeal from this order, from Limitation Order L-99 or from Supplementary Limitation Order L-99-a.

(g) *Advance orders.* No person shall be required to accept any rated order for cotton textiles calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission or War Shipping Administration.

(h) *Special conditions.* No producer, intermediate processor, processor, merchant or user shall sell, deliver, buy, accept or use a cotton textile or any product containing a cotton textile or assign, apply or extend a preference rating contrary to the provisions in Column III of a Preference Rating Schedule of Supplementary Orders M-317A and M-317B in Column V of a Distribution Schedule of Supplementary Orders M-317A and M-317B or in any written direction of the War Production Board.

(i) *Exports.* No person shall purchase for export without a preference rating any cotton textiles, except woven or braided fabrics 12" or less wide, remnants (pieces shorter than ten yards) and rags (pieces shorter than two yards commonly sold by the pound).

(j) *Inventory restrictions.* No person shall accept delivery of any cotton textiles if his aggregate inventory exceeds or would then exceed the lesser of (1) a practicable minimum working inventory, or (2) his requirements for 90 days (except in the case of merchants and users of cotton textiles used in crop cultivation).

In computing inventory include products in process of manufacture but exclude cotton textiles in transit or in process of conversion.

(k) *Allocation.* The War Production Board may assign preference ratings for or allocate and direct deliveries of cotton textiles pursuant to application on Form WPB-2842.

(l) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

(m) *Appeals.* Any appeal from the provisions of this order or of Supplementary Orders M-317A and M-317B shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(n) *Records and reports.* (1) Each person applying a preference rating assigned in a Preference Rating Schedule of Supplementary Orders M-317A and M-317B shall maintain at his regular place of business accurate records of the quantities of each type of listed cotton textile ordered with the use of such a rating, the quantities of each such type of cotton textile received and entered into production, and the quantities of each listed cotton textile product manufactured. These records shall be preserved for a period of not less than two years, and shall, upon request, be submitted to audits and inspections by duly authorized representatives of the War Production Board. Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, all persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board shall from time to time request.

(2) All persons operating spindles for the production of cotton yarn of any kind shall file with the War Production Board, at the times specified in the reporting form, reports on Form WPB-658-E, giving the information therein required. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

NOTE: Paragraphs (o) and (p) formerly (n) and (o) redesignated Aug. 28, 1944.

(o) *Violations.* Any person who willfully violates any provision of this order (including Supplementary Orders M-317A and M-317B), or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control, and may be deprived of priorities assistance.

(p) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-317.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13020; Filed, August 28, 1944; 11:23 a. m.]

AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Processor.	Drill. Jean. Leno bag fabrics. Osnaburg. Other special bag fabrics. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
2	Processor.	Flannel, canton. Print cloth of less than 80 sley. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
3	Intermediate processor. Processor.	Drill. Jean. Print cloth of less than 80 sley. Sheeting: Class C. Twill.	Coated abrasive products.
4	Processor.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limitation Order L-99. Special pipe covering fabrics: 38" 56 x 30 4.35. 37" 72 x 30 4.90. Tobacco cloth.	Magnesia, asbestos, fibre glass and other pipe covering.
5	Intermediate processor. Processor.	Covert. Denim. Drill. Moleskin. Print cloth. Sateen. Sheetings: Class A. Class B. Class C. Suede. Twill. Tobacco cloth.	Safety equipment specifically designed to furnish protection against specific occupational hazards (other than weather) as defined and limited in Limitation Order L-114.
6	Intermediate processor. Processor.	Drill. Felt, table, double napped. Flannel, canton. Flannel, outing. Meads cloth. Moleskin. Print cloth. Sheetings: Class C. Soft-filled for napping. Tobacco cloth. Twill. Velveteen.	Surgical dressings such as bandage, gauze, adhesive tape, plasters, etc.

AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
7	Intermediate processor. Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class C. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code 18.
8	Intermediate processor. Processor.	Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheetings: Class A. Class C. Twill.	Rubber hose and tubing for safety and industrial purposes (including mine and shiphold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code Nos. 11 and 12. Fabric packings and gaskets.
9	Processor. User.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	Chafer fabrics, flippers, bead wraps, liner and wrapper fabrics used in the manufacture of tires and other rubber products.
10	Intermediate processor. Processor.	Drill. Lawn. Osnaburg. Print cloth. Sheeting: Class C. Tubing, industrial. Window shade cloth.	Cloth and non-selvage tape, of the following kinds for industrial uses only: Carton tape. Corrugated or fibreboard box stay tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber Industry. Holland cloth for use in Rubber Industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. This rating for the cotton textiles in Column II for use in the manufacture of gummed cloth tape, and sealing, supporting and identifying tape is cancelled, and all applications or extensions as to deliveries not made by May 29, 1944, are cancelled.
11	Intermediate processor. Processor.	Sheeting: Class B.	Varnished cambric to be used only for camelbacks (See Group 10 for list of other fabrics which may be purchased with this rating for varnished cambric irrespective of use).
13	Intermediate processor. Processor.	Drill. Lawn. Print cloth. Sheetings: Class A. Class B. Class C. Twill.	Fabric reinforced laminated plastics.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A]

COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

§ 3290.115a *Supplementary Order M-317A*—(a) *Contents of this order.* This order M-317A is supplementary to Order M-317 and contains Preference Rating Schedules and Distribution Schedules referred to in that order. These schedules apply only to cotton fabrics. (Cotton fabrics are included in the definition of "cotton textiles" in Order M-317.) Restrictions on the production of cotton fabrics appear in Order L-99.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-2X Cotton Fabric Preference Rating Schedule—Continued

Group	Column I	Column II	Column III
13	Merchant. User.	Drill. Flannel, canton. Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
14	Processor.	Print cloth of less than 80 sley.	Blasting caps and fuses.
15	Intermediate processor. Processor. Merchant. User.	Drill. Flannel. Leno bag fabrics. Osnaburgs. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill.	Agricultural and feed processing uses. Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils.
16	Processor.	Osnaburg. Print cloth. Sheeting: Class C	Membrane waterproofing (asphalt saturated fabric).
17	Intermediate processor. Processor.	Print cloth of less than 80 sley. Sheeting: Class C. Tobacco cloth.	Waterproof wrapping materials (non-oxidising cloths impregnated and laminated fabrics).
18	Intermediate processor. Processor.	Lawn. Print cloth. Sheetings: Bed. Class B. Class C. Window shade cloth.	Tracing cloth. Maps for military or military training use.
19	Processor. Merchant.	Drill. Sheeting: Class C. Sateen. Twill.	Dust arrestors used in manufacturing plants.
20	Intermediate processor. Processor.	Lawn. Typewriter ribbon cloth.	Typewriter or duplicating ribbons.

AA-3 Cotton Fabric Preference Rating Schedule

Preference rating AA-3 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III. All unfilled purchase orders for cotton fabrics bearing a preference rating of AA-4 assigned by Order M-317 and on Form WPB-2942 hereby are rerated AA-3.

Note: The AA-4 preference rating assigned in Order M-365 for woven cotton fabrics may only be applied or extended to a producer of colored yarn fabrics.

21	Intermediate processor. Processor. User (non-profit public institutions only).	Blanket lining. Chambray. Corduroy. Cottonade. Covert. Denim. Denim stripes. Drill. Flannel, woven shirting. Gabardine. Hickory stripe. Jean. Moleskin. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Soft-filled for napping. Sateen. Suede. Tobacco cloth. Twill (other than three leaf). Whipcord.	Men's and boys' work clothing meaning any garments designed for male workers' wear while engaged in their occupations but only of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', internes', or orderlies' gowns, suits, or coats. Drugrists' coats. Slaughter house workers' coats. Butchers', fishhandlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps.

AA-3 Cotton Fabric Preference Rating Schedule—Continued

Group	Column I	Column II	Column III
22	Intermediate processor. Processor.	Drill. Print cloth. Sheetings: Bed. Class B. Class C.	Oilskin jackets, coats, hats or apron overalls. Men's and boys' black rubberized raincoats.
23	Intermediate processor. Processor.	Flannel, mitten. Flannel, colored stripe mitten. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class C. Tubing. Twill.	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
24	Intermediate processor. Processor.	Drill. Flannel, shoe. Gabardine. Jean. Netting, knitted. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Sateen. Twill.	Rubber footwear as defined and limited in Rubber Order R-1. All other footwear as defined and limited in Conservation Order M-217.
25	Intermediate processor. Processor.	Diaper cloths: Birdseye. Gauze. Flannelette. Print cloth of less than 80 sley. Sheeting: soft-filled for napping. Tobacco cloth.	Diapers or finished diaper cloth packaged to consumer distribution.
26	Intermediate processor. Processor.	Tobacco cloth.	Sanitary napkins.

AA-5 Cotton Fabric Preference Rating Schedule

Preference rating AA-5 is assigned for each group to the intermediate processor, processor and user in column I, to obtain deliveries of the cotton textile in column II, to be used only as specified in column III.

27	User	Bedspreads, crinkle. Blankets (including crib). Diapers. Flannelette. Pillow cases. Sheetings: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Toweling: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
28	Intermediate processor. Processor.	Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths.
29	Intermediate processor. Processor.	Drill. Lawn. Print cloth of less than 80 sley. Sateen. Sheetings: Bed. Class C. Tobacco cloth. Twill.	Artificial leather for replacement and maintenance uses. For manufacture into coated fabrics either for export or for sale to manufacturers of: Book covers. Baby carriages. Bicycle and motor cycle seats. Instrument cases. Infants waterproof panties. Sanitary garments. Crib sheets and mattresses. Allergic mattress covers and pillow cases. Bathinettes. Water repellant sheeting or sheets. Play pen pads. High chair pads.

AA-5 Cotton Fabric Preference Rating Schedule—Continued

Group	Column I	Column II	Column III
			N. B.—This rating is assigned only to intermediate processors and processors of coated fabrics and is not assigned to the manufacture of the end products to obtain coated fabrics. This rating for the cotton textiles in column II for use in the manufacture of shoes, and all applications or extensions as to deliveries not made by May 20, 1944, are cancelled.
30	Processor. Merchant. User.	Cover cloth. Drill. Feed ribbons. Felt, table, double napped. Net, laundry. Sateen. Sheeting, laundry.	Laundry and dry cleaning operating supplies.
31	Intermediate processor. Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

Distribution Schedule 1—Fine Cotton Goods

The changes and percentage obligations in columns III, IV, and V are to be calculated from the first of each calendar quarter beginning July 1, 1944.

(a) Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-658-C (6/9/44).

(b) Column II shows the cotton textiles covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) of Order M-317 (Cotton Textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration, or the American Red Cross may not be credited toward this obligation.

In calculating the export obligation, the producer shall eliminate his production of cotton textiles wider than 42½". However, if he receives a rated export order for these goods he must treat it as a rated order, and the delivery shall be credited toward his export obligation relating to narrower goods within the same reference number.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in column III). The producer, however, is not relieved from the necessity of filling additional rated orders which are served upon him in accordance with War Production Board regulations. Where the percentage in column IV amounts to 100, unless otherwise specified, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) The provisions and explanations stated in column V, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in column V include seconds, shorts and remnants, but not rags.

Reference No.	Column I	Column II	Column III	Column IV	Column V
1	10, 11	Combed broadcloths, 37" 128 x 68 and 37" 136 x 60.	12½	100	
2	12	All other combed broadcloths.	10	80	
3	13	Dimities	10	10	
4	16, 17	Fancy handkerchief fabrics.	-----	-----	
5	18 through 27.	Lawns (combed, part combed, and carded).	7½	60	
6	28 through 31.	Marquisettes	10	10	
7	33	Oxfords	10	10	6.5 ounce wind resistant oxfords meeting Army Specification PQD-444, as piece goods, may not be delivered by the producer for export.
8	34	Piques	-----	-----	
9	35	Pongees	-----	-----	
10	37, 38	Combed poplins	5	40	
11	40	Combed and part combed sateens. Carded sateens (average yarns finer than 35s).	10	80	
12	41	Narrow (wider 42")	10	10	
13	42	Wide (42" and wider)	-----	-----	
14	43	Combed sheeting including made-up sheets and pillow cases.			
15	44	Shirtings (Jacquard, gray, dobby and colored yarn).	15	15	
16	48, 50	Albert and carded twills	10	15	
17	54	Combed gabardines	10	80	
18	55	All other combed twills	10	80	
19	57	Tracing cloth	-----	80	
20	58	Typewriter ribbon cloth	-----	80	

Distribution Schedule 1—Fine Cotton Goods—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V
21	59	Voiles	15	15	
22	60, 61	Combination cotton and rayon fabrics, 50% or more cotton.	10	10	
23	62	All other combed, part combed and fine carded fabrics (yarn finer than 35s).	10	10	
24	1 through 9, 14, 15, 32, 36, 39, 45, 46 through 52.	Airplane fabrics and balloon cloths, combed ducks, escape boat cloth, insect netting marquisette (PQD-260), wind-resistant poplins, type II (PQD-1A), wind-resistant sateens, 9 oz. (PQD-245-D); twills, combed, Army 6 oz. shirting twill (6-311), Army 8.2 oz. uniform twill (6-201b), Navy twills.	-----	75	Except for seconds, shorts, remnants and rags, these cotton textiles, as piece goods, may not be delivered by the producer for export.

Distribution Schedule 2—Carded Gray Goods, Colored Yarn and Napped Fabrics and Specialties

The changes and percentage obligations in Columns III, IV, and V are to be calculated from the first of each calendar quarter beginning July 1, 1944.

(a) Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-658-B (6/9/44).

(b) Column II shows the cotton textiles covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) of Order M-317 (Cotton Textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration, and American Red Cross may not be credited toward this obligation.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in Column III). The producer, however, is not relieved from the necessity of filling additional rated orders which are served upon him in accordance with War Production Board regulations. However, where the percentage in Column IV amounts to 100, unless otherwise specified, seconds, shorts, remnants, or rags, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) The provisions and explanations stated in Column V, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in Column V includes seconds, shorts and remnants, but not rags.

Reference No.	Column I	Column II	Column III	Column IV	Column V
		Sheeting and allied coarse and medium yarn fabrics (approx. 6s to 27s):			
25	1 through 8	Osnaburgs.	5	100	See footnote 1.
26	9	Leno bag fabrics.	-----	100	
27	10	Special bag fabrics.	-----	100	
28	11	Bale coverings (for cotton, cloth, etc.).			
		Class B sheetings:			
29	22	40" 48x40 2.75 yd.	-----	100	These cotton textiles, as piece goods (other than prison made 31" 5.00 yd.), may not be delivered by the producer for export except to Canada (Footnote 1). Shipment to Canada may not be counted as exports for the purpose of complying with the Column III obligations. (Footnote 1).
30	23	37" 48x44 4.00 yd.	-----	100	
31	26	36" 48x44 4.11 yd.	-----	100	
32	25	31" 48x44 5.00 yd.	-----	100	
33	28	32" 38 to 40 x 38 to 40 6.25 yd.	-----	100	
34	24	40" 44 x 40 4.25 yd.	40	100	
35	14 through 21. 26 through 29.	All Class A and all other Class B sheetings.	15	100	
		Class C sheetings:			
36	36	40" 56 x 48 4.30 yd	-----	100	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned in Group 10 of the AA-2X Preference Rating Schedule.
37	34	40" 64 x 64 3.15 yd	-----	100	
38	35	40" 60 x 52, 56 x 56 3.60 yd.	-----	100	
39	30 through 33, 37 through 39, 41.	All other Class C constructions, under 42".	25	80	
40	40, 42	Class C constructions 42" and wider.	5	40	
41	43, 44, 45	Bandoleer and Navy mattress cover fabrics and wide sheeting PQD Spec. 347A.	-----	75	
		Bed sheeting 42" and wider (including made up sheets and pillow cases):			
42	47	Muslin, sley of more than 64.	10	35	The Column III obligation may be met by delivery as selected by

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V
43	44, 45, 46	All other bed sheetings.	10	35	the producer of 10% of the aggregate production of Reference Nos. 42 and 43. Every producer of sheets and pillow cases from fabric of his own manufacture shall set aside each month beginning July 1, 1944, 10% of that part of his production not delivered to fill rated orders, and deliver such 10% only to sleeping car companies, railroad companies, hotels, charitable and welfare organizations not operating for profit, or to merchants who certify in writing that the item will be sold to such purchasers.
44	50	Pillow tubings.			
45	50	Industrial tubings		100	
46	51	Carded poplins (sheeting yarns).	10	40	
47	52	Army 8.5 oz. herring bone twill (Army Spec. No. 6-261).		75	
48	53 through 60.	Other three leaf herringbone twills, all drills and jeans.	20	90	Jeans, as piece goods, may not be delivered by the producer for export.
49	61	Three leaf pocketing twills 39" 2.58 or 3.00 yd. (sheeting yarns).	25	20	
50	62	Three leaf silesia twills (sheeting yarns).		75	
51	63	Four leaf twill fabrics: 8.2 oz. carded uniform twill—Type IV.	5	90	
52	64	All four leaf twill constructions (U. S. Army Specifications).		100	
53	65, 66	All other four leaf twills less than 42".	20	80	
54	67, 68, 69	All other four leaf twills, 42" and wider.		80	
55	70	Warp and filling sateens (sheeting yarns): Narrow (less than 42").	10	20	
56	71	Wider (42" and wider).		85	
57	72	Gabardines (carded)	10	10	
58	73	Birdseye diaper cloth			May not be used for industrial purposes.
59	74	Print cloth yarn fabrics (approx. 28s to 42s): Print cloth yarn fabrics of window shade quality, all counts.		80	
60	75, 81, 82	Plain print cloths, 39 sley and higher.		100	These cotton textiles, as piece goods, may not be delivered by the producer for export, and may be delivered by the producer only on orders rated AA-2X or higher.
61	76	39" 68 x 72 4.75 yd. and pro rata widths.		100	
62	78	39" 68 x 64 4.35 yd. and pro rata widths.	12½	65	
63	77, 79, 79	38½" 64 x 56 5.59 yd. and pro rata widths 39" and wider and 38½"—64 x 60—5.35 yd. and pro rata widths.	10	85	
64	76	Pro rata widths to 5.50 yd. Under 39"		100	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned under Group I of the AA-2X Preference Rating Schedule.
65	80	38½" 60 x 48 6.25 yd.	15	40	
66	81	All other plain print cloths less than 80 sley under 39".	10	60	
67	83	All other plain print cloths less than 80 sley, 39" and wider.	20	40	
68	84	Pajama checks		100	May be delivered by the producer only on orders rated AA-2X or higher.
69	85	Gauze diaper cloth			May not be used for industrial purposes.
70	86	All other fancy print cloths.	20	37	
71	87	Bandage cloth—38½" 44 x 36 3.80 yd.		100	
72	88	Bandage cloths, all other constructions (99 to 72 threads per square inch).	10	60	
73	89	Tobacco and cheesecloths: All widths 20 x 12 constructions.	7½	90	
74	90	All widths 17 to 18 sley, 12 to 14 pick.	10	100	May be delivered only for sanitary napkins and milk filters.
75	91	All other constructions.	10	60	
76	92 through 96.	Carded Broadcloth, plain and fancy.	12½	75	
77	96	Carded poplins (print cloth warp yarns) plain and fancy.	12½	80	
78	97	Three leaf twills, print cloth yarns.	10	25	
79	98 through 103.	Colored yarn fabrics: Denims, pin stripes, pin checks, hickory stripes, etc.: 3.00 yd. and heavier (basis 29").	5	100	1.60 yd. construction, as piece goods, may not be delivered by the producer for export.
80	103, 104	Lighter than 3.00 yd. (basis 29").	5	5	
81	107 through 110.	Cottonades and suiting coverts.	20	20	
82	111	Whipcords and bedford cords.	10	60	
83	112	Ginghams	20	20	
84	113, 114	Seersuckers	25	25	
85	115, 116	All other cotton suitings.	10	10	
86	117, 118	Cotton and rayon suitings—50% or more cotton.	10	10	
87	119 through 121.	Shirting coverts	20	60	
88	122	Chambrays—39" 3.00 yd.		100	Except for prison made, these cotton textiles, as piece goods, may not be delivered by the producer for export.
89	123	All other chambrays and shirtings.	15	15	
90	124	Bed tickings	10	10	
91	125	Towels, toweling, dishcloths, washcloths and bathmats: Turkish and terry woven.	2½	25	
92	126	Huck	2½	20	
93	126	Damask and Jacquard woven, other than terry.	2½	2½	
94	127	Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon).	2½	2½	
95	128	Dishcloths			
96	129	Napped fabrics: Outing flannels	15	30	
97	130, 131	Workshirt flannels	15	60	
98	132	Canton flannels		60	At least 85% must be delivered by the producer for the manufacture of work gloves.
99	134	Interlining flannels			
100	135	Moleskins and suedes	12½	60	
101	133, 136	All other napped fabrics except blankets.	10	75	Neither gun patch flannel nor gun patches may be delivered for export.
102	12	Soft filled sheetings for napping: Under 42"	15	30	
103	13	42" and wider		30	
104	137	Blankets and blanketing, crib.			
105	138 through 140.	Blankets and blanketing, other than crib.	2½	2½	
106	153	Other woven cotton fabrics and specialities: Corduroys, men's wear weights, 39"—12 to 13 oz. Thicksets.	5	100	
107	152, 154	All other corduroys	5	5	
108	143, 144	Bedspread fabrics, woven style.			
109	147	Flag bunting		30	
110	148 through 151.	Drapery, upholstery, tapestry, luggage and automobile seat cover fabrics.			
111	155, 156	Velvets, velveteens, plushes and other pile fabrics.	5	5	
112	157	Table damask			
113	145, 146, 155	All other carded fabrics except ducks and tire fabrics.	20	20	

1. In the case of osnaburgs (Reference No. 25) and Class A and B sheetings (References Nos. 29 to 35, inclusive), seconds and shorts (20 yards) or over may not be delivered against unrated orders. Pieces shorter than 20 yards to the extent that rated orders are not offered, may be delivered against unrated orders.

[F. R. Doc. 44-13021; Filed, August 28, 1944; 11:28 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317B]

COTTON SALE YARN PRODUCTION AND DISTRIBUTION

§ 3290.115b *Supplementary Order M-317B*—(a) *Contents of this order.* This Order M-317B is supplementary to Order M-317 and contains Preference Rating Schedules and a Distribution Schedule referred to in that order. These schedules apply only to cotton yarn. (Cotton yarn is included in the definition of "Cotton textiles" in Order M-317.) This order also contains provisions relating to production of cotton yarn, including provisions which have been transferred from Order L-99 to this order. Furthermore, it contains provisions relating to distribution of cotton yarn which are in addition to those contained in Order M-317.

(b) *Specific directions to producers and converters.* No producer or converter of cotton yarn shall produce, convert or deliver cotton yarn and no person shall accept delivery of cotton yarn from a producer or converter contrary to any specific direction which may be issued from time to time by the War Production Board.

(c) *Operation of spinning machinery.* (1) No person, regardless of the presentation of rated orders, shall operate spinning machinery (i. e., roving, ring, mule or converted twister spindles) contrary to the provisions in the Sale Yarn Production Schedule of this supplementary order.

(2) *Spinning machinery acquired after July 3, 1943.* No person shall operate any spinning machinery acquired (the term includes leasing or renting) by him after July 3, 1943, except for the production of yarn required to be produced by paragraph (d) of this supplementary order or as specifically authorized in writing by the War Production Board. For such authorizations, application may be made by letter to the War Production Board stating all facts which the applicant deems important and pertinent to his particular case. In all instances he shall state the type of yarn he wishes to produce and in instances where he has acquired used spinning machinery he shall state the name of the person who formerly owned or controlled the equipment and the yarn produced by such former owner. Authorizations will be granted to maintain a maximum practical production of cotton yarn.

(d) *Sale yarn production directions*—(1) *Yarn described in sale yarn production schedule.* Each producer of yarn must in each calendar quarter produce and deliver at least the same poundage of cotton yarn in the description and counts listed for each of the numbered groups in the "May produce only" column of the Sale Yarn Production Schedule of this supplementary order as he delivered in these groups in that calendar quarter of 1943 in which he delivered the largest percentage of his yarn production. This calendar quarter is called "base period." The required poundage of each description and count of yarn must be produced for sale at the same price (or any increase subsequently granted by the OPA for the same description and count) at which the required poundage in the particular description and count was produced in the base period. No part of this yarn required to fill rated orders shall be tinted, dyed, or otherwise colored, unless the rated order calls for a tinted, dyed, or otherwise colored yarn.

(2) *Duck yarns.* Each producer must in each calendar week produce and deliver duck yarns of at least the same poundage as he delivered in the week in 1944 in which he delivered the largest poundage of duck yarns. Each producer shall be deemed in compliance with this paragraph (d) (2) as long as he delivers each week at least the same poundage of duck yarns as he delivered in the week in 1944 in which he delivered the largest poundage of duck yarns.

Producers who have facilities which can produce additional quantities of duck yarns may receive special directions from the War Production Board to deliver specific amounts to designated weavers.

(3) *Twine layers and ring twisters operations.* Each Haskell-Dawes, Brownell or ring twister and each twine layer in the possession or under the control of any producer shall be operated at least as many hours per week as any twister or any twine layer is operated at the same plant.

(e) *Restrictions on distribution and use of cotton yarn and roving*—(1) *Roving.* No spinner shall use or dispose of roving except for spinning or on rated orders, unless specifically authorized in writing by the War Production Board. An authorization to use roving for other purposes may be granted if the War Production Board finds that the roving produced by spinners, who do not have spinning spindles, is not needed to fill rated orders, or in cases where spinners show that their spinning spindles are operating at maximum capacity. To secure such authorizations, an application must be made by letter to the War Production Board, stating the quantity of roving which the applicant wishes to use or dispose of for other than spinning or the filling of rated orders; and the hours per week which each spinning machine is being operated.

(2) (i) *Seine twine, hawser cord, cabled cord, twisted or braided cord rope. Sales.* No person shall sell, purchase, deliver or accept delivery of cotton seine twine, hawser cord or other cabled cord, or twisted or braided cord rope ⅛ to ⅜ inch in diameter, inclusive (even to fill orders of the Army, Navy, Maritime Commission or War Shipping Administration) except to fill an order bearing a preference rating assigned on Form WPB-2842, WPB-547 (distributors application for preference rating), or a rating assigned by the Foreign Economic Administration, or a rating assigned in connection with an authorization from the Canadian Cotton Administrator. Insofar as practicable, authorizations will cover quarterly periods.

(ii) The following transactions are exempted from the restrictions in subdivision (i):

(*a*) Sales by wholesalers and retailers; (*b*) sales made directly by a producer to a consumer for his own use, provided that not more than 25 pounds per month may be sold to any one customer; (*c*) sales which are authorized pursuant to written application to the War Production Board (application for such authorization shall be made by letter and will be granted within the available supply to producers of commercial fish netting who regularly sold such material prior to August 15, 1944, to commercial fish netting users for hanging and repair of netting and insofar as practicable, authorizations will cover quarterly periods); and (*d*) deliveries made prior to October 1, 1944, on orders accepted prior to August 15, 1944, from the Army, Navy, Maritime Commission or War Shipping Administration.

(3) *Use by integrated mills producing seine twine, hawser cord, or other cabled cord.* No person who produces seine twine, hawser cord or other cabled cord shall use it for the manufacture of netting or other purposes even in plants owned or controlled by him unless authorized by the War Production Board pursuant to application by letter. The authorization will be based on the procurements of the Armed Services for camouflage netting and the needs for commercial fish netting. Insofar as practicable, authorizations will cover quarterly periods.

(4) *Use of seine twine, hawser cord, cabled cord, twisted or braided cord rope obtained with a preference rating.* No person shall put into process, process or commercially use any seine twine, hawser cord or other cabled cord, or twisted or braided cord rope ⅛ to ⅜ inch in diameter, inclusive, which he obtained by the use of a preference rating, other than for the specific purpose or purposes au-

thorized by the form assigning the rating. If the rating is assigned on Form WPB-547, the authorized purpose is resale. If the rating is assigned by the Foreign Economic Administration, or in connection with an authorization from the Canadian Cotton Administrator, the authorized purpose is export. If the rating is assigned on Form WPB-2842 for delivery to or for the account of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration, the authorized purpose is filling the specific agency contract(s) listed in the form unless otherwise authorized in the form. In all other cases the authorized purpose is the one specifically stated in Form WPB-2842 assigning the rating.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SALE YARN PRODUCTION SCHEDULE

Roving, ring, mule or converted twister spindles which on July 1, 1944 produced or were assigned to produce the yarn and twine listed in the column captioned "Did produce" may produce only yarn and twine of the descriptions and counts specified in the column captioned "May produce only". This, however, shall not prevent the production to fill specific orders on hand rated AA-2X or higher. However, after those AA-2X or higher orders have been filled the spinning machinery must produce the yarn or twine specified for it in the "May produce only" column.

All authorizations relating to the subject matter of this schedule issued before July 22, 1944, on appeal from Limitation Order L-99 or from Supplementary Limitation Order L-99-a are revoked.

Group Nos.	Form WPB-658-E (3/17/44) line numbers	Did produce	May produce only
1	16 thru 18	Carded single machine knitting yarn.	Carded single machine knitting yarn.
2	1 thru 3, 22	Carded single yarn, other than machine knitting, 20s and coarser.	Carded single yarn, other than machine knitting, 20s and coarser.
3	4, 5, 27, 29	Carded single yarn, other than machine knitting, finer than 20s.	Carded single yarn, other than machine knitting, finer than 20s.
4	6 thru 13, 19, 20, 25, 26, 27 thru 29, 66.	Carded ply yarns of any description or count.	Carded ply yarns of any description or count.
5	51 thru 56	Combed single or ply machine knitting yarn, 70s and coarser.	Combed single or ply machine knitting yarn, 70s and coarser.
6	57 thru 60	Combed single or ply machine knitting yarn, finer than 70s.	Combed single or ply machine knitting yarn, finer than 70s.
7	30 thru 33, 62	Combed single yarn other than machine knitting, 40s and coarser.	Combed single yarn other than machine knitting, 40s and coarser.
8	34 thru 35, 62	Combed single yarn other than machine knitting, finer than 40s up to, but not including 71s.	Combed single yarn other than machine knitting, finer than 40s up to, but not including 71s.
9	36 thru 39, 62	Combed single yarns other than machine knitting, 71s and finer.	Combed single yarns other than machine knitting, 71s and finer.
10	40 thru 42, 50, 62	Combed ply yarns other than machine knitting, 40s and coarser.	Combed ply yarns other than machine knitting, 40s and coarser.
11	43 thru 45, 50, 62	Combed ply yarns other than machine knitting, finer than 40s, up to but not including 71s.	Combed ply yarns other than machine knitting, finer than 40s, up to but not including 71s.
12	46 thru 50, 62	Combed ply yarns other than machine knitting, 71s and finer.	Combed ply yarns other than machine knitting, 71s and finer.
13	74, 75	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.).	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.).
14	76 thru 78	Twines other than those specified in Group 13.	Twines other than those specified in Group 13.
15	61, 66	Combed thread yarns of any count or description.	Combed thread yarns of any count or description.

AA-1 SALE YARN PREFERENCE RATING SCHEDULE

Preference rating AA-1 is assigned for each group to the intermediate processor, and processor in Column I, to obtain deliveries of the cotton yarn in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Intermediate processor. Processor.	Carded yarn. Combed yarn.	Wire and cable insulation.
2	Processor.	Cotton tire cord.	Tires. Fuel cells. Fuel hose.
3	Processor.	Yarn, carded.	Insulating materials: Selvage tape. Insulating webbing and sleeving.

AA-2X SALE YARN PREFERENCE RATING SCHEDULE

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton yarn in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
4	Processor. Merchant.	Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
5	Merchant. User.	Cord, filler. Thread. Twine (other than seine or cabled).	Hand sewing or machine sewing for bag closing.
6	Processor.	Yarn, carded. Yarn, combed.	Transmission belts, tapes and ropes. Polishing, grinding and roughing belts. Harvester webbing. Shuttle strap belt. Paper makers' blankets. Woven felts for industrial purposes. Card clothing fabric. Blasting caps and fuses.
7	Intermediate processor. Processor.	Thread, sewing.	Safety equipment specifically designed and used to furnish protection against specific occupational hazards (other than weather), as defined and limited in Limitation Order L-114.
8	Intermediate processor. Processor.	Yarn, carded.	Rubber hose and tubing for safety and industrial purposes (including mine and shiphold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943 Schedule A, Code Nos. 11 and 12. Fabric packings and gaskets.
9	User.	Cord, solid braided.	Signal or control cords for use by common carriers.
10	Intermediate processor. Processor. Merchant. User.	Twine (other than seine or cabled). Yarn, carded.	Agricultural and food processing uses. Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey and vegetable oils.
11	Processor.	Thread, sewing.	Butting and seaming belts of fabrics.
12	Intermediate processor.	Selvage tape, webbing and sleeving.	Electrical insulation.

AA-3 SALE YARN PREFERENCE RATING SCHEDULE

Preference rating AA-3 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton yarn in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
13	Intermediate processor. Processor. User (Non-profit public institutions only).	Thread, sewing.	Men's and boys' work clothing meaning any garments designed for male workers' wear while engaged in their occupations but only of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits.

AA-3 SALE YARN PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
13 —Con.	Intermediate processor. Processor.	Thread, sewing.	Men's and boys' work clothing—Continued. Work pants. Work breeches.

DISTRIBUTION SCHEDULE—COTTON SALE YARN, CORDAGE, TWINE AND ROVING—Continued

Reference No.	Column	Column II	Column III	Column IV	Column V	Column VI
		CARDED COTTON SALE YARN				

2	Processor.	Cotton tire cord.	Tires. Fuel cells. Fuel hose.
3	Processor.	Yarn, carded.	Insulating materials: Selvage tape. Insulating webbing and sleeving.

institutions only).

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
Blanket-lined overall jumpers or coats.
One-piece work suits.

AA–3 Sale Yarn Preference Rating Schedule—Continued

Group	Column I	Column II	Column III
13—Con.	Intermediate processor. Processor. User (Non-profit public institutions only.	Thread, sewing.	Men's and boys' work clothing—Continued. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', internes', or orderlies' gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Butchers', fish handlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps.
14	Intermediate processor. Processor.	Thread, sewing.	Oilskin jackets, coats, hats or apron overalls. Occupational protective clothing (i. e. black rubber clothing). Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
15	Processor.	Knitting yarn.	Knitted cotton linings to be used only in the manufacture of rubber footwear, as defined and limited in Rubber Order R–1.
16	Processor.	Yarn, carded.	Wicking for oil lamps and stoves.

Distribution Schedule—Cotton Sale Yarn, Cordage, Twine and Roving

The percentage obligations in Column III are to be calculated on production from August 1 through September 30, 1944, and from the first of each calendar quarter beginning October 1, 1944. The percentage obligations in Column III of the Distribution Schedule of Order M–317 as amended July 5, 1944, applied on production from May 29, 1944, through July 31, 1944. The changes and the percentage obligations in Columns IV and V are to be calculated on production from the first of each calendar quarter beginning July 1, 1944.

(a) Column I indicates the corresponding item numbers of the various cotton yarns in this schedule as each appears on Form WPB–658–E (6/9/44).

(b) Column II shows the descriptions and counts of yarns covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton yarns. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) of Order M–317 may be credited toward this obligation. Exports by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders. However, where the percentage in Column IV amounts to 100, unless otherwise specified, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

(f) The provisions and explanations stated in Column VI, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular types and counts of yarns, no matter when produced, converted or ordered, and also products containing these yarns. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before April 27, 1944.

Reference No.	Column	Column I	Column III	Column IV	Column V	Column VI
		CARDED COTTON SALE YARN				
		Single other than machine knitting:				
1	1	Up to 8's weaving	15	75	100	
2	2	9's to 14's weaving	10	80	100	
3	3	15's to 20's weaving	8	85	100	
4	4, 5	21's and finer weaving	8	80	85	
5	22, 27, 28, 29	Other singles		65	90	
6	6, 7, 8, 9	Ply other than machine knitting: Up to 29/2 weaving	4	85	90	
7	10	30/2 and finer weaving		90	100	Yarns included under Reference Nos. 7 and 8 if of ply greater than 2-ply and 2-ply of counts finer than 30's may not be delivered by the producer for export except in the case of special allocation for Canadian military use.
8	11, 12, 13	Other ply weaving		85	90	
9	14, 15, 21, 22, 23, 25, 26, 27, 28, 29.	All other ply yarns		80	90	If percentages required under Columns IV and V, Items 14, 15 and 21 cannot be obtained, credit against such rating requirements may be taken if production is transferred to Items, 6, 7, 8, 9, 10, 11, 12, 13 and 22.
10	20	Mop Yarns			100	
		Single Machine Knitting Yarns:				
11	16	Up to 14's	4	55	75	
12	17, 18	15's and finer	5	65	75	These yarns, if of counts finer than 24's, may not be delivered by the producer for export in the form of yarn.
13	19	Ply Machine Knitting Yarns.	2	40	75	
		COMBED COTTON SALE YARN				
		Single Weaving Yarns:				
14	30, 31, 32, 62	40's and coarser		90	100	
15	33, 34, 35, 62	41's to 70's		80	75	
16	36, 37, 38, 39, 62	71's and finer		70	85	
		Ply Weaving Yarns:				
17	40, 41, 42, 50, 62	40's and coarser		90	100	
18	43, 44, 45, 50, 62	41's to 70's		70	85	
19	46, 47, 48, 49, 50, 62	71's and finer		80	75	
		Single Machine Knitting Yarns:				
20	51, 52, 53, 54, 55, 56	70's and coarser	5	40	60	
21	57, 58, 59	Finer than 70's but coarser than 101's.	7	30	50	
22	60	101's and over		10	40	These yarns if of counts finer than 100 whether single or ply, may not be delivered by the producer for export in the form of yarns.
		Ply Machine Knitting Yarns:				
23	51, 52, 53, 54, 55, 56	70's and coarser		25	45	
24	57, 58, 59	Finer than 70's but coarser than 101's.		20	50	
25	60	101's and over		10	40	These yarns if of counts finer than 100 whether single or ply, may not be delivered by the producer for export in the form of yarns.
26	61	Thread Yarns, Combed			100	
		COTTON TWINE				
27	71, 72, 73	Cordage and Rope, braided and twisted.		60	80	
28	74, 75	Seine Twine, Hawser Cord, and other Cabled Cord (including fish net twine, trot lines, staging twines, etc.).		100	100	
29	76, 77	Tying and Wrapping twine		80	100	
30	78	Sewing Twine		100	100	
31	78	All other Twines (excepting cabled).		80	100	

[F. R. Doc. 44–13023; Filed, August 28, 1944; 11:25 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–264, Revocation]

RECTIFIER TUBES

Section 3291.140 *Limitation Order L–264* is revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of rectifier tubes remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13024; Filed, August 28, 1944; 11:22 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Rev. Procedural Reg. 1,[1] Incl. Amdts. 1–9]

PROCEDURE FOR THE ISSUANCE, ADJUSTMENT, AMENDMENT, PROTEST AND INTERPRETATION OF MAXIMUM PRICE REGULATIONS

This compilation of Revised Procedural Regulation 1 includes Amendment 9, effective September 1, 1944. The text added or amended by Amendment 9 is underscored. Redesignations are indicated by notes.

Pursuant to the authority of sections 201 (d) and 203 of the Emergency Price Control Act of 1942, as amended (Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871) Procedural Regulation No. 1—Procedure for the Issuance, Protest and Amendment of Maximum Price Regulations, is hereby revoked and the following rules are prescribed for the issuance, adjustment, amendment, protest and interpretation of maximum price regulations:

ARTICLE I—PURPOSE OF REVISED PROCEDURAL REGULATION NO. 1

Sec.
1. Purpose.

ARTICLE II—ISSUANCE OF MAXIMUM PRICE REGULATIONS

2. Investigation prior to issuance.
3. Price hearing prior to issuance.
4. Notice of pre-issuance hearing.
5. Conduct of pre-issuance hearing.
6. Statement of considerations.
7. Notice of provisions of a maximum price regulation.
8. Effective date.

ARTICLE III—APPLICATIONS FOR ADJUSTMENT

9. Right to apply for adjustment.
10. Place of filing.
11. Authorized office.
12. Form of application.
13. Applications must be signed.
14. Joint applications—consolidation.
15. Investigation of application.
16. Action by the authorized office on applications for adjustment.
17. Requests for review.
18. Action on review.
19. Protest of denial of application.

[1] 9 F.R. 5791.

ARTICLE IV—PETITION FOR AMENDMENT

Sec.
20. Right to file a petition.
21. Time and place for filing petitions; form and contents.
22. Joint petitions for amendment.
23. Action by the Administrator on petition.

ARTICLE V—PROTESTS

Introduction

General Provisions

24. Right to protest.
25. Action by representative.
26. Time and place for filing protests.
27. Form of protest and number of copies.
28. Assignment of docket number.
29. Protest and evidential material not conforming to this regulation.
30. Joint protests.
31. Consolidation of protests.
32. Amendment of protests and presentation of additional evidence.
33. Action by the Administrator on protest.
34. Basis for determination of protest.

CONTENTS OF PROTESTS AND SUPPORTING MATERIALS

35. Contents of protests.
36. Affidavits or other written evidence in support of protest.
37. Receipt of oral testimony.
38. Submission of brief by protestant.

MATERIAL IN SUPPORT OF THE REGULATION PROTESTED

39. Statements of considerations.
40. Incorporation of material in the record by the Administrator.
41. Other written evidence in support of the maximum price regulation.
42. Receipt of oral testimony in support of regulation.

BOARDS OF REVIEW

43. Right to consideration by a board of review.
44. Composition of boards of review.
45. Where boards of review hear oral argument.
46. Notice of consideration by a board of review.
47. Waiver of right to consideration in whole or in part.
48. Hearing of oral argument.
49. Action by boards of review at the conclusion of their consideration of a protest.
50. Action by Administrator after receipt of board of review's recommendations.

DETERMINATION OF PROTEST

51. Opinion denying protest in whole or in part.
52. Treatment of protest as petition for amendment or an application for adjustment or exception.
53. Petitions for reconsideration.

ARTICLE VI—INTERPRETATIONS

54. Interpretations.
55. Requirements governing interpretations.

ARTICLE VII—MISCELLANEOUS PROVISIONS AND DEFINITIONS

56. Witness fees.
57. Contemptuous conduct.
58. Continuance or adjournment of hearings.
59. Subpoenas.
60. Service of papers.
61. Secretary: Office hours.
62. Confidential information: Inspection of documents filed with the OPA.
63. Appearance of employees and former employees before the Office of Price Administration.
64. Definitions.
65. Amendment of this regulation.
66. Effective date of Revised Procedural Regulation No. 1.
Appendix A—Form OPA 1PR–2.

AUTHORITY: § 1300.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

[Subparts redesignated as articles and §§ 1300.1 to 1300.61, inclusive, redesignated sections 1 to 61, respectively, by Am. 7, 9 F.R. 5791, effective 5–31–44]

ARTICLE I—PURPOSE OF REVISED PROCEDURAL REGULATION NO. 1

SECTION 1. *Purpose.* It is the purpose of this regulation to prescribe and explain the procedure used by the Office of Price Administration in making various kinds of price determinations.

(a) Article II deals with the procedure of the Office of Price Administration in issuing maximum price regulations.

(b) Article III deals with individual applications for adjustment of maximum price established by a maximum price regulation. An adjustment ordinarily affects the prices of one particular seller or group of sellers who apply for a change in the prices established for them by the provisions of a maximum price regulation. An adjustment can be granted only if the applicable maximum price regulation contains specific provision for the granting of an adjustment.

(c) Article IV deals with petitions for amendment. A petition for amendment may be filed by any person who is affected by a maximum price regulation and who desires a change of general applicability in the provisions of the regulation itself. It is the appropriate document to be filed when a person does not wish to file a formal statutory protest or is not entitled to do so because he is not subject to the regulation as defined in section 24 of this revised procedural regulation.

[Paragraph (c) amended by Am. 9, effective 9–1–44]

(d) Article V deals with protests. The nature and function of protests are set forth in general in the introduction to Article V, preceding section 24.

[Paragraph (d) amended by Am. 8, 9 F.R. 7501, effective 7–3–44 and Am. 9, effective 9–1–44]

(e) Article VI explains the way in which interpretations are rendered by officers or employees of the Office of Price Administration.

(f) Article VII contains miscellaneous provisions and definitions.

[Sec. 1 amended by Am. 7, 9 F.R. 5791, effective 5–31–44 and as otherwise noted]

ARTICLE II—ISSUANCE OF MAXIMUM PRICE REGULATIONS

SEC. 2. *Investigation prior to issuance.* A maximum price regulation may be issued by the Administrator after such studies and investigations as he deems

necessary or proper. Before issuing a maximum price regulation the Administrator shall, so far as is practicable, advise and consult with representative members of the industry which will be affected by such regulation.

SEC. 3. *Price hearing prior to issuance.* Whenever the Administrator deems it necessary or proper that a price hearing be held prior to the issuance of a maximum price regulation, he may provide for such hearing in accordance with sections 4 and 5 of this revised procedural regulation.

SEC. 4. *Notice of pre-issuance hearing.* Notice of any price hearing ordered prior to the issuance of a maximum price regulation shall be given by publication of such notice in the FEDERAL REGISTER, and may be supplemented by notice given in any other appropriate manner. The notice shall state the time and place of the price hearing and shall contain an appropriate indication of the purposes of such hearing.

SEC. 5. *Conduct of pre-issuance hearing.* A price hearing held prior to the issuance of a maximum price regulation shall be conducted in such manner, consistent with the need for expeditious action, as will permit the fullest possible presentation of evidence by such persons as are, in the judgment of the Administrator, best qualified to provide information with respect to matters considered at the hearing or most likely to be seriously affected by action which may be taken as a result of the hearing.

SEC. 6. *Statement of considerations.* Every maximum price regulation shall be accompanied by a statement of the considerations involved in its issuance. Such statement may include economic data and other facts of which the Administrator has taken official notice and facts found by the Administrator as a result of action taken under section 202 (a) of the Act.

SEC. 7. *Notice of provisions of a maximum price regulation.* Notice of the provisions of a maximum price regulation shall be given by filing such regulation with the Division of the Federal Register. As soon as possible after the filing of such regulation, the Administrator shall make copies thereof available to the press.

SEC. 8. *Effective date.* A maximum price regulation shall become effective 5 days after the date of its issuance and a temporary maximum price regulation shall become effective from the date of its issuance, unless an earlier or later date is specified therein.

[Sec. 8 amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

ARTICLE III—APPLICATIONS FOR ADJUSTMENT

SEC. 9. *Right to apply for adjustment.* Unless otherwise provided, any person subject to a maximum price regulation who seeks adjustment under an adjustment provision thereof, shall make application therefor pursuant to the provisions of this Revised Procedural Regulation No. 1.

[Sec. 9 amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

SEC. 10. *Place of filing.* All applications may be filed with a district, state or regional office of the Office of Price Administration or with the Office of Price Administration, Washington, D. C., without regard to whether such office is authorized to consider such applications. If the office with which the application is filed is not so authorized it will forward such application to the authorized office and shall notify the applicant by mail of such forwarding. If an adjustment provision in a maximum price regulation indicates which office of the Office of Price Administration is authorized to consider applications for adjustment, action on an application will be expedited if it is filed with the nearest office authorized to consider it.

SEC. 11. *Authorized office.* When used in this Article II the authorized office shall be the Office of Price Administration, Washington, D. C. and, when the Regional Administrator of a regional office or the State or District Director of a district office of the Office of Price Administration is authorized to act upon an application for adjustment, shall include such regional or district office, as the case may be.

[Sec. 11 amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

SEC. 12. *Form of application.* Applications for adjustment shall be filed upon such forms as the Administrator, or the Regional Administrator or State or District Director of the authorized office, as the case may be, shall from time to time prescribe. If no form has been designated for applications for the particular type of adjustment sought, the application shall set forth the following:

(a) Name and post office address of the applicant, the nature of his business, and the manner in which he is subject to the price regulation in question.

(b) A designation of the provision for adjustment pursuant to which the application is filed.

(c) The information, if any, required by the terms of the applicable adjustment provision.

(d) A clear and concise statement of the facts upon which applicant relies to qualify him for adjustment under the applicable adjustment provision, to the extent that such facts are not furnished under (c) above.

(e) A statement of the specific adjustment or other relief sought.

Applications for adjustment and all accompanying documents shall be filed in duplicate.

[Sec. 12 amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

SEC. 13. *Applications must be signed.* Any application for adjustment filed pursuant to the provisions of this Revised Procedural Regulation No. 1 shall be signed either by the applicant personally, or if a partnership by a partner, or if a corporation or association by a duly authorized officer thereof.

[Sec. 13 added by Am. 7, 9 F.R. 5791, effective 5-31-44. Former section 13 revoked by Am. 3, 8 F.R. 6173, effective 5-17-43]

SEC. 14. *Joint applications—Consolidation.* (a) Two or more persons may file a joint application for adjustment where at least one ground is common to all persons joining therein. A joint application shall be signed by each applicant in accordance with section 13 and shall be filed and determined in accordance with the rules governing the filing and determination of applications filed by one person. Whenever the authorized office deems it necessary or appropriate for the disposition of joint applications, it may treat joint applications separately, and, in any event, may require the filing of relevant materials by each individual applicant.

(b) Whenever the authorized office deems it necessary or appropriate for the disposition of the applications filed by more than one person, it may consolidate the applications.

[Sec. 14 amended by Am. 3, 8 F.R. 6173, effective 5-17-43 and Am. 7, 9 F.R. 5791 effective 5-31-44]

SEC. 15. *Investigation of application.* Upon receipt of an application for adjustment, the authorized office or any office designated by the authorized office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information as may be necessary to the proper disposition of the application.

SEC. 16. *Action by the authorized office on applications for adjustment.* Within a reasonable time after the authorized office receives an application for adjustment, the Administrator, or the authorized Regional Administrator or State or District Director, as the case may be, may either

[Above sentence amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

(a) Dismiss any application for adjustment which fails substantially to comply with this Revised Procedural Regulation No. 1; or

(b) Grant or deny, in whole or in part, any application for adjustment which is properly pending before it. The applicant shall be informed in writing of the action so taken; or

(c) In cases of unusual difficulty or importance, refer the application for action either to the Regional Office for the region in which the authorized office is located; or if the authorized office is itself a Regional Office, to the Administrator. An office so referring an application shall inform the applicant of such action.

SEC. 17. *Requests for review.* (a) Any applicant whose application for adjustment has been denied in whole or in part by a State or District Director of a district office of the Office of Price Administration may, within 60 days after the date on which notice of denial was mailed to him, file with such office a request for review by the Regional Administrator for the region in which such office is located. Where no form has otherwise been provided, a request for review shall be filed on Form OPA-1PR-2 set out in Appendix A. This form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix A.

[Paragraph (a) amended by Am. 9, effective 9-1-44]

(b) Any applicant whose application for adjustment has been denied in whole or in part by a Regional Administrator in the first instance, may, within 60 days after the date on which notice of denial was mailed to him, file with the regional office a request for review by the Administrator of such denial.

[Paragraph (b) amended by Am. 8, 9 F.R. 7501, effective 7-3-44]

(c) *Timely filing.* Requests for review shall be deemed filed on the date received by the state or district or regional office: *Provided,* That requests for review properly addressed to the appropriate district or regional office, bearing a post-mark dated within 60 days after the date on which the order of denial was mailed but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark.

[Paragraph (c) added by Am. 8, 9 F.R. 7501, effective 7-3-44]

[Sec. 17 amended by Am. 2, 8 F.R. 3533, effective 3-20-43; Am. 3, 8 F.R. 6173, effective 5-17-43; Am. 7, 9 F.R. 5791, effective 5-31-44 and as otherwise noted]

SEC. 18. *Action on review.* After due consideration the Administrator or the Regional Administrator, as the case may be, shall grant or deny in whole or in part, any application for adjustment as to which a proper request for review has been filed. The applicant shall be informed in writing of the action so taken.

SEC. 19. *Protest of denial of application.* Any applicant whose application for adjustment has been denied in whole or in part by the Administrator, or, upon request for review, by any Regional Administrator, may file a protest against such order in accordance with the provisions of this Revised Procedural Regulation No. 1. There is no specific statutory limit of time within which protests must be filed. However, as the United States Emergency Court of Appeals has stated in its opinion in the case of R. E. Schanzer, Inc. v. Bowles, 141 F. (2d) 262 (1944), if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. Where such an order is issued denying a seller's application for adjustment of his own maximum price, ordinarily there will be no reason why he cannot file a protest promptly after the order of denial is issued. Accordingly, in such a case, if a protest is filed more than 90 days after the issuance of the order, the Administrator will ordinarily regard the delay as unreasonable and dismiss the protest unless special circumstances are shown which justify the delay. An order denying an application for adjustment may be protested, under Article V, in the same manner as a maximum price regulation. However, the protest may be based only upon grounds raised in the application for adjustment.

[Secs. 18 and 19 amended by Am. 7, 9 F.R. 5791, effective 5-31-44; and Am. 8, 9 F.R. 7501, effective 7-3-44]

ARTICLE IV—PETITION FOR AMENDMENT

SEC. 20. *Right to file a petition.* (a) A petition for amendment may be filed at any time by any person subject to or affected by a provision of a maximum price regulation. A petition for amendment shall propose an amendment of general applicability and shall be granted or denied solely on the merits of the amendment proposed. The denial of a petition for amendment is not subject to protest or judicial review under the act.

(b) Any governmental agency exercising regulatory authority over prices which are subject to a maximum price regulation may file a petition for amendment of either general or specific applicability based upon findings made by such agency after public hearing.

SEC. 21. *Time and place for filing petitions; form and contents.* A petition for amendment shall be filed with the Secretary, Office of Price Administration, Washington, D. C. Five copies of the petition and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed, or prepared by a similar process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented. Every petition shall contain, upon the first page thereof, the number and the date of issuance of the maximum price regulation to which the petition relates, and shall be designated "Petition for Amendment"; shall state the name and address of the petitioner, shall specify the manner in which the petitioner is subject to or affected by the provision of the maximum price regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by statements setting forth the evidence upon which the petitioner relies in his petition.

[Sec. 21 amended by Am. 3, 8 F.R. 6173, effective 5-17-43 and Am. 4, 8 F.R. 11806, effective 8-24-43]

SEC. 22. *Joint petitions for amendment.* Two or more persons may file a joint petition for amendment. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one person. A joint petition may be filed only where at least one ground is common to all persons joining it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint petitions, he may treat such joint petitions as several and, in any event, he may require the filing of relevant material by each individual petitioner.

SEC. 23. *Action by the Administrator on petition.* In the consideration of any petition for amendment the Administrator may afford to the petitioner and to other persons likely to have information bearing upon such proposed amendment, or likely to be affected thereby, an opportunity to present evidence or argument in support of, or in opposition to, such proposed amendment. Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment, the Administrator may consolidate such petitions.

ARTICLE V—PROTESTS

INTRODUCTION

Article V deals with protests. A protest is the means provided by section 203 (a) of the act for making formal objections to a maximum price regulation. Ordinarily, the filing of a protest is also a prerequisite to obtaining judicial review by the Emergency Court of Appeals of the validity of a maximum price regulation. The only other method of obtaining judicial review is the filing of a complaint in the Emergency Court of Appeals after obtaining special leave to do so in an enforcement proceeding pursuant to section 204 (e) of the Act.

Article V also contains provisions for consideration of protests by boards of review in accordance with section 203 (c) of the Act. A protestant is entitled to consideration of his objections by a board of review if he files a protest in accordance with the provisions of this regulation, making a specific request for consideration by a board of review in accordance with section 35 (b) of this regulation.

[Introduction added by Am. 9, effective 9-1-44]

GENERAL PROVISIONS

SEC. 24. *Right to protest.* Any person subject to any provision of a maximum price regulation may file a protest against such provision in the manner set forth below. A person is, for the purposes of this revised procedural regulation, subject to a provision of a maximum price regulation only if such provision prohibits or requires action by him, *Provided, however,* That a producer of an agricultural commodity shall be considered to be subject to a maximum price regulation for the purpose of asserting any right created by section 3 (c) of the Emergency Price Control Act of 1942 or section 3 of the Stabilization Act of 1942 (Pub. Law 729, 77th Cong.), as amended by the Stabilization Extension Act of 1944 (Pub. Law 383, 78th Cong.), for the benefit of producers of such an agricultural commodity. Any protest filed by a person not subject to the provision protested, or otherwise not in accordance with this revised procedural regulation, may be dismissed by the Administrator.

[Sec. 24 amended by Am. 9, effective 9-1-44]

SEC. 25. *Action by representative.* Any action which by this revised procedural regulation is required of, or permitted to be taken by, a protestant may, unless otherwise expressly stated [as in section 35 (a) (7)] be taken on his behalf by any person whom the protestant has by written power of attorney authorized to represent him. Such power of

attorney, signed by the protestant, shall be filed with the protest.

[Sec. 25 amended by Am. 7, 9 F.R. 5791, effective 5-31-44 and Am. 9, effective 9-1-44]

SEC. 26. *Time and place for filing protests.* (a) A protest against a provision of a maximum price regulation may be filed at any time after the issuance thereof. Protests shall be filed with the Secretary, Office of Price Administration, Washington D. C., except that the protest of any person having his principal place of business in a territory may be filed with the director of the appropriate territorial office.

(b) Protests shall be deemed filed on the date received by the Secretary, Office of Price Administration, Washington D. C., or by the director of the appropriate territorial office, as the case may be.

[Sec. 26 amended by Am. 3, 8 F.R. 3533, effective 3-20-43; Am. 6, 9 F.R. 3075, effective 3-20-44; Am. 8, 9 F.R. 7501, effective 7-3-44; and Am. 9, effective 9-1-44]

SEC. 27. *Form of protest and number of copies.* Every protest shall contain upon the first page thereof a heading or title clearly designating it as a protest. The protest shall also contain on the first page thereof the number of the maximum price regulation against a provision of which the protest is directed. Five copies of the protest and of all accompanying documents and briefs shall be filed.

[Sec. 27 amended by Am. 7, 9 F.R. 5791, effective 5-31-44 and Am. 9, effective 9-1-44]

SEC. 28. *Assignment of docket number.* Upon receipt of a protest it shall be assigned a docket number, of which the protestant shall be notified, and all further papers in the proceedings shall contain on the first page thereof the docket number so assigned and the number of the maximum price regulation protested.

[Sec. 28 amended by Am. 9, effective 9-1-44]

SEC. 29. *Protest and evidential material not conforming to this regulation.* In any case where a protest or accompanying evidential material does not conform, in a substantial respect, to this revised procedural regulation, the Administrator may dismiss such protest, or, in his discretion, may strike such evidential material from the record of the proceedings in connection with the protest.

[Sec. 29 amended by Am. 8, 9 F.R. 7501, effective 7-3-44 and Am. 9, effective 9-1-44]

SEC. 30. *Joint protests.* Two or more persons may file a joint protest. Joint protests shall be filed and determined in accordance with the rules governing the filing and determination of protests filed by one person. A joint protest shall be verified in accordance with section 35 (a) (7) by each protestant. A joint protest may be filed only where at least one ground is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint protests, he may treat such joint protests as several, and, in any event, he may require the filing of relevant materials by each individual protestant.

[Sec. 30 amended by Am. 8, 9 F.R. 7501, effective 7-3-44 and Am. 9, effective 9-1-44]

SEC. 31. *Consolidation of protests.* Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more protests the Administrator may consolidate such protests.

SEC. 32. *Amendment of protests and presentation of additional evidence.* In general, all of the objections upon which a protestant intends to rely in the protest proceedings must be clearly stated in the protest when it is filed and all of the evidence which the protestant wishes to offer in support of the protest must be filed at the same time. Exceptions to this rule are stated in sections 36 (b) and 37, relating to evidence not subject to protestant's control and the submission of oral testimony. A protestant may, however, be granted permission to amend his protest so as to state additional objections or to present further evidence in connection therewith upon a showing of reasonable excuse for failure to present such objections, or evidence, at the time the protest was first filed. The permission will be granted only if, in the judgment of the Administrator, it will not unduly delay the completion of the proceedings on the protest.

[Secs. 31 and 32 amended by Am. 9, effective 9-1-44]

SEC. 33. *Action by the Administrator on protest.* (a) Within a reasonable time after the filing of any protest in accordance with this revised procedural regulation, but in no event more than thirty days after such filing, the Administrator shall:

(1) Grant or deny such protest in whole or in part;

(2) Notice such protest for hearing of oral testimony in accordance with sections 37 or 42 of this revised procedural regulation;

(3) Notice such protest for hearing of oral argument by a board of review in accordance with section 46;

(4) Provide an opportunity to present further evidence in connection with such protest. Within a reasonable time after the presentation of such further evidence, the Administrator may notice such protest for hearing of oral testimony in accordance with subparagraph (2) of this section, notice the protest for hearing of oral argument by a board of review in accordance with subparagraph (3) of this section, include additional material in the record of the proceedings on the protest in accordance with section 40 of this revised procedural regulation, or take such other action as may be appropriate to the disposition of the protest.

(b) Notice of any such action taken by the Administrator shall promptly be served upon the protestant.

(c) Where the Administrator has ordered a hearing on a protest or has provided an opportunity for the presentation of further evidence in connection therewith, he shall, within a reasonable time after the completion of such hearing or the presentation of such evidence, grant or deny such protest in whole or in part.

[Sec. 33 amended by Am. 8, 9 F.R. 7501, effective 7-3-44, and Am. 9, effective 9-1-44]

SEC. 34. *Basis for determination of protest*—(a) *Record of the proceedings.* The factual basis upon which a protest is determined is to be found in the record of the proceedings. This record consists of the following:

(1) The protest and supporting evidential material properly filed with the Secretary of the Office of Price Administration, or the director of the appropriate territorial office, in accordance with sections 35 and 36 of this revised procedural regulation;

(2) Materials incorporated into the record of the proceedings by the Price Administrator under sections 40 and 41, inclusive, of this regulation;

(3) Oral testimony taken in the course of the proceedings in accordance with sections 37 and 42;

(4) All orders and opinions issued in the course of the proceedings;

(5) The statement of considerations accompanying the maximum price regulation protested; and

(6) If the protest is to an order denying an application for adjustment under a provision of a maximum price regulation, the application, materials filed in support thereof in accordance with the provisions of the maximum price regulation, and the order and opinion denying the application.

(b) *Facts of which the Administrator has taken official notice.* The above-listed documents may contain, as provided by section 202 (b) of the Act, statements of economic data and other facts of which the Administrator has taken official notice, including facts found by him as a result of reports filed and studies and investigations made pursuant to section 202 of the Act.

(c) *Briefs and arguments.* Briefs and oral arguments submitted or presented in accordance with this revised procedural regulation are, of course, considered in the determination of a protest. They are, however, not a part of the record of the proceedings and are not included in the transcript of protest proceedings which is filed, in case of appeal, with the Emergency Court of Appeals.

[Sec. 34 amended by Am. 9, effective 9-1-44]

CONTENTS OF PROTESTS AND SUPPORTING MATERIALS

SEC. 35. *Contents of protests*—(a) *What each protest must contain.* Every protest shall set forth the following:

(1) The name and the post office address of the protestant, the nature of his business, and the manner in which the protestant is subject to the provision of the maximum price regulation protested;

(2) The name and post office address of any person filing the protest on behalf of the protestant and the name and post office address of the person to whom all communications from the Office of Price Administration relating to the protest shall be sent;

(3) A complete identification of the provision or provisions protested, citing the number of the maximum price regulation, the section or sections thereof to which objection is made, and the date of issuance thereof;

(4) A clear and concise statement of all objections raised by the protestant against the provision or provisions protested, each such objection to be separately stated and numbered;

(5) A clear and concise statement of all facts alleged in support of each objection;

(6) A statement of the relief requested by the protestant, including, if the protestant requests modification of a provision of the maximum price regulation, the specific changes which he seeks to have made in the provision;

(7) A statement signed and sworn to (or affirmed) before an officer authorized to take oaths either by the protestant personally, or, if a partnership, by a partner, or, if a corporation or association, by a duly authorized officer, that the protest and the documents filed therewith are prepared in good faith and that the facts alleged are true to the best of his knowledge, information and belief. The protestant shall specify which of the facts are alleged and known to be true and which are alleged on information and belief.

(b) *Request for consideration by a board of review.* A protestant who wishes his protest considered by a board of review must specifically so request, indicating, if he wishes to offer oral argument, the order of his preference as to (1) argument before a board of review in Washington, D. C.; (2) argument before a subcommittee consisting of one member of a board at a location named by him. Section 45 of this revised procedural regulation sets forth the considerations which will be determinative in the decision as to where oral argument may be heard. The request for consideration by a board of review must be made either in the protest or in an amendment thereto filed within fifteen days of the date the protest is filed. Such an amendment shall be deemed filed within the fifteen day period if it is received by the Secretary, Office of Price Administration, Washington, D. C., or by the director of the appropriate territorial office, no later than the fifteenth day after the protest was filed. Further provisions with respect to proceedings before a board of review are to be found in sections 43 to 50, inclusive, of this regulation.

[Sec. 35 amended by Am. 8, 9 F.R. 7501, effective 7-3-44 and Am. 9, effective 9-1-44]

SEC. 36. *Affidavits or other written evidence in support of protest.* Every protestant shall file, together with his protest, the following:

(a) Affidavits setting forth in full all the evidence the presentation of which is subject to the control of the protestant upon which the protestant relies in support of the facts alleged in the protest. Each such affidavit shall state the name, post office address, and occupation of the affiant; his business connection, if any, with the protestant; and whether the facts set forth in the affidavit are stated from personal knowledge or on information and belief. In every instance the affiant shall state in detail the sources of his information.

(b) A statement by the protestant in affidavit form setting forth in detail the nature and sources of any further evidence, not subject to his control, upon which he believes he can rely in support of the facts alleged in his protest. Such statement shall be accompanied by an application for assistance, by way of subpoena, interrogatories, or otherwise, in obtaining the documentary evidence, or the evidence of persons, not subject to protestant's control, showing, in any case, what material facts would be adduced thereby. Such application, if calling for the evidence of persons; shall specify the name and address of each person, and the facts to be proved by him, and if calling for the production of documents, shall specify them with sufficient particularity to enable them to be identified for purposes of production.

SEC. 37. *Receipt of oral testimony.* (a) In most cases, evidence in protest proceedings will be received only in written form. Experience in the consideration of protests has demonstrated that this procedure is most conducive to the fair and expeditious disposition of protests. However, the protestant may request the receipt of oral testimony. Such request shall be accompanied by a showing by the protestant as to why the filing of affidavits or other written evidence will not permit the fair and expeditious disposition of the protest.

(b) In the event that the Administrator orders the receipt of oral testimony, notice shall be served on the protestant not less than five days prior to the receipt of such testimony. If a hearing is to be held to receive the testimony, the notice shall state the time and place of the hearing and the presiding officer designated by the Administrator.

(c) A stenographic report of any hearing of oral testimony shall be made, a copy of which shall be available during business hours in the Office of the Secretary, Office of Price Administration, Washington, D. C.

SEC. 38. *Submission of brief by protestant.* The protestant may file with his protest and accompanying evidential material a brief in support of the objections set forth in the protest. Such brief shall be submitted as a separate document, distinct from the protest and evidential material.

MATERIAL IN SUPPORT OF THE REGULATION PROTESTED

SEC. 39. *Statements of considerations.* The statement of considerations accompanying a maximum price regulation at the time of issuance contains economic and other material supporting the regulation. This statement, a copy of which can be obtained from the Office of Price Administration, is a document of public record, filed with the Division of the Federal Register. It is considered a part of the record of protest proceedings without formal incorporation therein.

SEC. 40. *Incorporation of material in the record by the Administrator.* In addition to the statement of considerations, the Administrator shall include in the record of the proceedings on the protest such evidence, in the form of affidavits or otherwise, as he deems appropriate in support of the provisions against which the protest is filed. When such evidence is incorporated into the record, and is not so incorporated at a hearing of oral testimony, copies thereof shall be served upon the protestant, and the protestant will be given a reasonable opportunity to present evidence in rebuttal thereof.

SEC. 41. *Other written evidence in support of the maximum price regulation.* (a) Any person affected by the provisions of a maximum price regulation may at any time after the issuance of such regulation submit to the Administrator a statement in support of any such provision or provisions. Such statement shall include the name and post office address of such person, the nature of his business, and the manner in which such person is affected by the maximum price regulation in question, and may be accompanied by affidavits and other data in written form. Each such supporting statement shall conform to the requirements of section 27 of this revised procedural regulation.

(b) In the event that a protest has been, or is subsequently, filed to a provision of a maximum price regulation in support of which a statement has been submitted, the Administrator may include such statement in the record. If such supporting statement is incorporated into the record, and is not so incorporated at a hearing of oral testimony, copies of such supporting statement shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

[Secs. 36, 37, 38, 39, 40, and 41 amended by Am. 9, effective 9-1-44]

SEC. 42. *Receipt of oral testimony in support of the regulation.* Ordinarily, material in support of the maximum price regulation protested, like material in support of protests, will be received in the protest proceeding only in written form. Where, however, the Administrator is satisfied that the receipt of oral testimony is necessary to the fair and expeditious disposition of the protest, he may, on his own motion, direct such testimony to be received. In that event, the oral testimony will be taken in the manner provided in section 37 of this regulation.

[Sec. 42 amended by Am. 4, 8 F.R. 11806, effective 8-24-43 and Am. 9, effective 9-1-44]

BOARDS OF REVIEW

SEC. 43. *Right to consideration by a board of review.* Under section 203 (c) of the Act, a protest filed after September 1, 1944 must, upon the protestant's request, be considered by a board of review before it can be denied in whole or in part. Consideration of the record in a protest proceeding by a board of review is undertaken for the purpose of reconsidering the provision or provisions of the maximum price regulation protested and recommending action relative thereto to the Administrator. A board of review considers the protest upon the basis of the record which has been developed in the proceedings. Protestant is accorded an opportunity to present oral argument to a board, upon the basis of the objections raised in the protest and the evidence in the record, and guided by the explanatory statement of the issues in the notice of consideration by a board of review. Section 34 of this revised procedural regulation explains the nature of the record in the proceedings. Section 35 (b) explains the nature of such a request and states the time within which it must be filed.

SEC. 44. *Composition of boards of review.* A board of review is composed of one or more officers or employees of the Office of Price Administration designated by the Administrator to review the record of the proceedings on a particular protest and make recommendations to him as to its disposition. The number of members constituting a board will be determined in the light of the scope and complexity of the issues presented. When a board consists of more than one member, ordinarily at least one member shall be selected who has been directly responsible for the formulation or administration of the maximum price regulation protested. The protestant will be advised of the membership of a board considering his protest, and, if the board consists of more than one member, of the member selected to preside, in the notice of consideration by a board provided for in section 46. When necessitated by incapacity of a member or other good cause, the Administrator may make substitutions in the membership of the board as originally constituted.

SEC. 45. *Where boards of review hear oral argument.* A board of review consisting of more than one member will ordinarily hear oral argument at the National Office in Washington, D. C., and only in exceptional cases and for good cause shown will the full board hold hearings elsewhere. A board consisting of only one member may hear argument at a Regional or District Office or elsewhere. Where the protestant has requested that oral argument be heard at some other place than the National Office and where the board consists of more than one member, a subcommittee thereof may be designated to hear argument at the place requested or at some other convenient place.

SEC. 46. *Notice of consideration by a board of review.* Before denial of any protest in whole or in part in which the protestant has requested consideration by a board of review in accordance with section 35 (b) of this revised procedural regulation, which has not subsequently been waived by the protestant, notice of consideration by a board of review will be sent by registered mail to the protestant. Sending of the notice marks a close of the record of the evidence in a protest proceeding. The notice will indicate the issues thought to be determinative of the case which may serve as a guide to the protestant in planning oral argument. The notice of consideration shall contain, or be accompanied by, the following items, as nearly as the circumstances permit:

(a) Information identifying the protest, including the maximum price regulation being protested and the docket number;

(b) A list of the documents comprising the completed record of the proceeding;

(c) A brief statement of the issues involved;

(d) A statement of the time (which shall not be less than seven days from the date of the mailing of the notice) and place where a board of review or a subcommittee thereof will hear oral argument.

(e) A list of persons comprising the board of review which is thereby appointed to consider the protest, with their official titles and a designation of the presiding member if the board of review is composed of more than one person.

SEC. 47. *Waiver of right to consideration in whole or in part.* A protestant who has properly requested consideration by a board of review in accordance with section 35 (b) may, if he so desires, waive his right to consideration by a board. If he chooses, he may have his protest considered by a board, waiving his right to oral argument before a board. Such waiver shall be in writing and shall constitute a part of the record of proceedings on the protest. Failure of a protestant to appear at a hearing of oral argument, which he has not waived in accordance with the foregoing, at the time and place specified in the notice of consideration, shall, unless a reasonable excuse is shown, also constitute waiver of his right to consideration by a board. Unexcused failure to appear at a hearing of oral argument shall be noted on the record of proceedings. A waiver by less than all of a group of joint protestants shall not affect the rights of a protestant who has made no waiver.

SEC. 48. *Hearing of oral argument.* (a) Argument before a board of review by a protestant shall ordinarily be limited to one hour except for good cause shown. Where the magnitude of the issues involved warrants more extended discussion, or where the protestants are

numerous, the board may extend or limit the time of each protestant in its discretion. A board may exclude specific argument deemed to be irrelevant to the objections set forth in the protest or unsupported by any evidence in the record. Hearings of argument will be open to the public. Where argument is to be heard by a board of review consisting of more than one member, a majority of such board shall constitute a quorum for the purpose of hearing argument. Presentation of oral argument may be accompanied by submission of a brief.

(b) A stenographic report of all hearings of oral argument by boards of review or subcommittees thereof shall be taken. The report will be transcribed at the direction of the board if a transcription is desired to facilitate consideration of the protest. The report will ordinarily be transcribed if the argument is heard by a subcommittee of a board. If the report is transcribed, a copy shall be available for inspection during business hours in the Office of the Secretary, Office of Price Administration, Washington, D. C. Protestants who wish a copy of the report may obtain it by requesting the reporter at the hearing to make a copy for them and paying the cost thereof.

[Secs. 43, 44, 45, 46, 47, and 48 amended by Am. 9, effective 9-1-44]

SEC. 49. *Action by boards of review at the conclusion of their consideration of a protest.* Within a reasonable time after the hearing of oral argument or after the closing of the record, if such argument has been waived, a board of review shall submit its recommendations in writing to the Administrator as to the disposition of the protest. The recommendations of a majority of the members of a board shall constitute the recommendations of the board but the disagreement of any member with the recommendations shall be expressly noted. The protestant will be advised of the recommendations of the board in an appendix to the Administrator's opinion disposing of the protest or closing the docket. Copies of these documents containing a board's recommendations will be sent to the protestant by registered mail. A board of review shall have authority to recommend to the Administrator that the protest be granted or denied in whole or in part. If it is the opinion of the board that the record in the proceeding should be expanded, it may refer the record of the proceeding to the Administrator in order that the Administrator may consider permitting the amendment of the protest or the receipt of additional evidence. Records will, however, be reopened only in very exceptional circumstances and where the requirements of section 32 can be met.

SEC. 50. *Action by Administrator after receipt of board of review's recommendations.* After receipt of a board of review's recommendations as to the disposition of the protest, the Administrator shall, within a reasonable time, grant or deny the protest in whole or in part.

DETERMINATION OF PROTEST

SEC. 51. *Opinion denying protest in whole or in part.* In the event that the Administrator denies any protest in whole or in part, the protestant shall be informed of any economic data or other facts of which he has taken official notice, the grounds upon which such decision is based, and (if the protest has been considered by a board of review) the recommendations of a board of review and, if any recommendation of such a board has been rejected, the reason for rejection.

[Secs. 49, 50, 51 added; former Secs. 49, 50, 51, and 52 redesignated Secs. 52, 53, 54, and 55, respectively, by Am. 9, effective 9-1-44]

SEC. 52. *Treatment of protest as petition for amendment or an application for adjustment or exception.* Any protest filed against a provision of a maximum price regulation may, in the discretion of the Administrator, be treated not only as a protest but also as a petition for amendment of the regulation protested or as an application for adjustment or exception pursuant thereto, when the facts produced in connection with the protest justify such treatment.

SEC. 53. *Petitions for reconsideration.* An order denying a protest may include leave to file a petition for reconsideration within a specified period. If the order of denial does include leave to file a petition for reconsideration, the filing of such a petition within the time provided shall automatically vacate the order of denial and reopen the protest proceeding.

[Sec. 53, formerly Sec. 50 added; original Sec. 50 revoked by Am. 7, 9 F.R. 5791 effective 5-31-44]

ARTICLE VI—INTERPRETATIONS

SEC. 54. *Interpretations.* An interpretation rendered by an officer or employee of the Office of Price Administration with respect to any provision of the Act or of any regulation, price schedule, order, requirement, or agreement thereunder, will be regarded by the Office of Price Administration as official only if such interpretation was requested and issued in accordance with section 55 of this regulation. Action taken in reliance upon and in conformity with an official interpretation and prior to any revocation or modification thereof or to any superseding thereof by regulation, order or amendment, shall constitute action in good faith pursuant to the provision of the Act, or of the regulation, price schedule, order, requirement or agreement to which such official interpretation relates. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is rendered, unless publicly announced as an interpretation of general application.

[Sec. 54, formerly Sec. 51, amended by Am. 9, effective 9-1-44]

SEC. 55. *Requirements governing interpretations*—(a) *Requests for interpretations; form and contents.* Any person desiring an official interpretation of the Emergency Price Control Act of 1942 or any regulation, price schedule, order, requirement or agreement thereunder shall request it in writing from the nearest district office of the Office of Price Administration. Such request shall set forth in full the factual situation out of which the interpretative question arises and shall, so far as is practicable, state the names and post office addresses of the persons involved. If the inquirer has previously requested an interpretation on the same or substantially the same facts, his request shall so indicate and shall name the official or office to whom his previous request was addressed. If the interpretation will affect operations of establishments located in more than one state, the request shall name the states in which the establishments are located. No interpretation shall be requested or given with respect to any hypothetical situation or in response to any hypothetical question.

[Paragraph (a) amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

(b) *Interpretation to be written; authorized officials.* Official interpretations shall be given only in writing, signed by one of the following officers of the Office of Price Administration: The Price Administrator, the General Counsel, any Associate or Assistant General Counsel, any Regional Attorney, any Regional Price Attorney, any District Price Attorney, and any Division Counsel to a Price Division or Chief Counsel to a Price Branch in the Office of Price Administration, Washington, D. C., *Provided*, That interpretations of general application shall be announced only by the Price Administrator, the General Counsel, any Associate or Assistant General Counsel, or any Regional Attorney or any Regional Price Attorney.

[Paragraph (b) amended by Am. 1, 8 F.R. 3313, effective 3-16-43; Am. 4, 8 F.R. 11806, effective 8-24-43; and Am. 7, 9 F.R. 5791 effective 5-31-44]

(c) *Revocation or modification of interpretation.* Any official interpretation, whether of general application or otherwise, may be revoked or modified by publicly announced statement by any official authorized to announce such interpretations of general application or by a statement or notice by the Price Administrator or General Counsel published in the FEDERAL REGISTER. An official interpretation addressed to a particular person may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the General Counsel or any Associate or Assistant General Counsel.

An official interpretation addressed to a particular person by a Regional Attorney, a Regional Price Attorney, or a District Price Attorney may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the Regional Attorney or by the attorney who issued it or his successor.

[Paragraph (c) amended by Am. 7, 9 F.R. 5791 effective 5-31-44]

ARTICLE VII—MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 56. *Witness fees.* Witnesses summoned to give testimony shall be paid the fees and mileage specified by section 202 (f) of the Act. Witness fees and mileage shall be paid by the person at whose instance the witness appears.

SEC. 57. *Contemptuous conduct.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing.

SEC. 58. *Continuance or adjournment of hearings.* Any hearing may be continued or adjourned to a later date or a different place by announcement at the hearing by the person who presides.

SEC. 59. *Subpoenas.* Subpoenas may require the production of documents or the attendance of witnesses at any designated place. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person or leaving a copy at his regular place of business or abode and by tendering to him the fees and mileage specified in section 202 (f) of the Act. When the subpoena is issued at the instance of the Administrator fees and mileage need not be tendered. Any person 18 years of age or over may serve a subpoena. The person making the service shall make an affidavit thereof describing the manner in which service is made, and return such affidavit on or with the original subpoena forthwith to the Secretary of the Office of Price Administration. In case of failure to make service the reasons for the failure should be stated on the original subpoena.

[Secs. 56, 57, 58, and 59 added; former Secs. 53, 54, 55, 56, 57, 58, and 59 redesignated Secs. 60, 61, 62, 63, 64, 65, and 66, respectively, by Am. 9, effective 9-1-44]

SEC. 60. *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the principal office or place of business of the person to be served; or by registered mail, or by telegraph. When service is made personally or by leaving a copy at the principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service.

SEC. 61. *Secretary; Office hours.* The Office of the Secretary, Office of Price Administration, Washington, D. C., shall be open, on week days, from 9 a. m. until 5 p. m. and on Saturdays from 9 a. m. until 1 p. m. Any person desiring to file any papers, or to inspect any documents filed with the Secretary at any time other than the regular office hours stated, may file a written application with the Secretary requesting permission therefor.

SEC. 62. *Confidential information: Inspection of documents filed with the OPA.* General Order No. 55[2] shall govern the disclosure of any information obtained under the Emergency Price Control Act of 1942, as amended. All protests and orders and opinions in connection therewith are open to inspection in the Office of the Secretary, upon such reasonable conditions as the Secretary may prescribe. Information submitted in a protest proceeding with a request for confidential treatment, and confidential material incorporated by the Administrator into a protest proceeding will be treated as confidential to the extent consistent with the proper conduct of the protest proceeding. In the event of a complaint being filed in the Emergency Court of Appeals, such information and such material will be included in the transcript of the protest proceeding to the extent that it is material under the complaint. All letters denying petitions for amendment and all orders and opinions granting or denying in whole or in part any application for adjustment are open to inspection in the office which has issued such letter or orders and opinions, upon such reasonable conditions as may be prescribed by the Secretary or, if the issuing office is a regional or district office, by the Regional Administrator or State or District Director thereof. To the extent that this section provides for the disclosure of confidential information, it shall be deemed a determination by the Administrator, pursuant to section 202 (h) of the Emergency Price Control Act and section 2 of General Order No. 55, that the withholding of such information would be contrary to the interests of the national defense and security.

[Sec. 62, formerly Sec. 55, amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

SEC. 63. *Appearance of employees and former employees before the Office of Price Administration.* Appearance of Office of Price Administration employees and former employees in a representative capacity before the Office of Price Administration shall be governed by the provisions of Procedural Regulation No. 14.[3]

[Sec. 63, formerly Sec. 56, amended by Am. 5, 9 F.R. 1594, effective 2-9-44]

SEC. 64. *Definitions.* As used in this revised procedural regulation, unless the context otherwise requires, the term:

(a) "Act" means the Emergency Price Control Act of 1942, as amended by the Stabilization Act of 1942 (Pub. Laws 421 and 729, 77th Cong., 2d Sess.) and the Stabilization Extension Act of 1944 (Pub. Law 383, 78th Cong., 2d Sess.).

[Paragraph (a) amended by Am. 9, effective 9-1-44]

(b) "Administrator" means the Price Administrator of the Office of Price Administration or such person as he may appoint or designate to carry out any of the duties delegated to him by the Act.

(c) "Federal Register" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

(d) "Maximum price regulation" means any regulation or order establishing a maximum price or prices and shall include a "revised price schedule" or "temporary maximum price regulation" as defined below unless otherwise expressly specified.

(e) "Revised price schedule" means any price schedule establishing a maximum price or prices issued by the Administrator of the Office of Price Administration or the Administrator of the Office of Price Administration and Civilian Supply, prior to February 11, 1942, and effective pursuant to section 206 of the Act.

(f) "Temporary maximum price regulation" means any temporary regulation or order, issued pursuant to section 2 (a) of the Act, establishing as a maximum price or prices the price or prices prevailing with respect to any commodity or commodities within five days prior to the date of issuance of such temporary regulation or order.

(g) "Date of issuance" with respect to a maximum price regulation, means the date on which such maximum price regulation is filed with the Division of the Federal Register, except that, for the purposes of Article V (Protests) the "date of issuance" of an order of denial of an application for adjustment which has not been filed with the Division of the Federal Register shall be the date on which such order of denial was mailed to the applicant.

[Paragraph (g) amended by Am. 7, 9 F.R. 5791, effective 5-31-44]

(h) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(i) "Protestant" means a person subject to any provision of a maximum price regulation or price schedule who files a protest in accordance with section 203 (a) of the Act.

(j) "Price hearing" means any formal or informal opportunity to present evidence which may be ordered by the Administrator in connection with any action or proceedings related to price control.

SEC. 65. *Amendment of this regulation.* Any provision of this revised procedural regulation may be amended or revoked

[2] 9 F.R. 3820.
[3] 9 F.R. 1594.

by the Administrator at any time. Such amendment or revocation shall be published in the FEDERAL REGISTER and shall take effect upon the date of its publication, unless otherwise specified therein.

SEC. 66. *Effective date of Revised Procedural Regulation No. 1.* This Revised Procedural Regulation shall become effective 11:59 p. m., November 4, 1942. [Revised Procedural Regulation No. 1 originally issued November 2, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

APPENDIX A—FORM OPA 1 PR-2

REQUEST FOR REVIEW OF ORDER DENYING APPLICATION FOR ADJUSTMENT

_____, an applicant for adjustment pursuant to section _____ of Maximum Price Regulation No. _____ and Revised Procedural Regulation No. 1 of the Office of Price Administration hereby requests _____ to review an order of denial of such application for adjustment entered by the _____ District Office and mailed to the applicant on _____, 194__.

(Regional Administrator of the appropriate Regional Office)

The applicant objects to such order of denial as follows:

_____

(Applicant should state briefly and concisely, and separately number, his objections)

_____

_____

_____

_____

_____

(Applicant)

By _____

_____

(Title)

[Appendix A, formerly Sec. 61, amended by Am. 7, effective 5-31-44, redesignated by Am. 9, effective 9-1-44]

NOTE: All reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12963; Filed, August 26, 1944; 12:09 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 3,[1] Incl. Amdts. 1-9]

PROCEDURE FOR ADJUSTMENTS, AMENDMENTS, PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

This compilation of Revised Procedural Regulation 3 includes Amendment 9, effective September 1, 1944. The text added or amended by Amendment 9 is underscored. Deletions and redesignations are indicated by notes.

Pursuant to the authority of sections 201 (d) and 203 of the Emergency Price Control Act of 1942, as amended (Pub. Laws 421 and 729, 77th Cong., 2d Sess.; Pub. Law 383, 78th Cong., 2d Sess.), Procedural Regulation No. 3—Procedure for the Protest and Amendment of Maximum Rent Regulations and Adjustment Under Such Regulations—is hereby revoked, except as provided in § 1300.259 of this regulation, and the following rules are prescribed for adjustments, amendments, protests and interpretations under maximum rent regulations.

[1] 8 F.R. 526.

Sec.

1300.201 Purposes of this regulation.

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1300.203 Method of filing, form, and contents.
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1300.254 Secretary: Office hours.
1300.255 Confidential information, inspection of documents filed with Secretary.
1300.256 Appearance of Office of Price Administration employees and former employees before the Office of Price Administration.
1300.257 Definitions.
1300.258 Amendment of this regulation.
1300.259 Effective date of Revised Procedural Regulation No. 3.
1300.259a Effective dates of amendments.

AUTHORITY: §§ 1300.201 to 1300.259a, inclusive, issued under 56 Stat. 23; 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

§ 1300.201 *Purposes of this regulation.* It is the purpose of this regulation to prescribe and explain the procedure of the Office of Price Administration in making various kinds of determinations in connection with the establishment of maximum rents.

(a) Subpart A deals with petitions for adjustment and other relief, provided for by the maximum rent regulations. An adjustment in maximum rent or any other relief can be granted only if the applicable maximum rent regulation contains specific provision for the adjustment or other relief sought.

(b) Subpart B deals with petitions for amendment. A petition for amendment may be filed by any person who is affected by a maximum rent regulation and who desires a change of general applicability in the provisions of the regulation itself. It is the appropriate document to be filed when a person does not wish to file a formal statutory protest or is not entitled to do so because he is not subject to the regulation as defined in § 1300.216 of this revised procedural regulation.

[Paragraph (b) amended by Am. 9, effective 9-1-44]

(c) Subpart C deals with protests. The nature and function of protests are set forth in general in the introduction to Subpart C, preceding § 1300.216.

[Paragraph (c) amended by Am. 7, 9 F.R. 7500, effective 7-3-44 and Am. 9, effective 9-1-44]

(d) Subpart D explains the way in which interpretations of the meaning or effect of provisions of maximum rent regulations are given by officers or employees of the Office of Price Administration.

(e) Subpart E contains miscellaneous provisions, and definitions.

SUBPART A—LANDLORDS' PETITIONS AND TENANTS' APPLICATIONS

§ 1300.202 *Right to file petition.* A petition for adjustment or other relief may be filed by any landlord subject to any provision of a maximum rent regulation who requests such adjustment or relief pursuant to a provision of the maximum rent regulation authorizing such action.

§ 1300.203 *Method of filing, form, and contents.* A petition for adjustment or other relief provided for by a maximum rent regulation shall be filed with the rent director of the Office of Price Administration for the defense-rental area within which the housing accommodations involved are located. Petitions shall be filed upon forms prescribed by the Administrator and pursuant to instructions stated on such forms and may be accompanied by affidavits or other documents setting forth the evidence upon which the petitioner relies in support of the facts alleged in his petition.

§ 1300.204 *Joint petitions, consolidation.* Two or more landlords may file a joint petition for adjustment or other relief where the grounds of the petition are common to all landlords joining therein. A joint petition shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one landlord. A landlord's petition may include as many housing accommodations as present common questions which can be expeditiously determined in one proceeding. Whenever the rent director deems it necessary or appropriate, he may order the filing of separate petitions or he may consolidate separate petitions presenting common questions which can be determined expeditiously in one proceeding.

§ 1300.205 *Tenants' applications.* All tenants' applications provided for by any maximum rent regulation shall be filed with the rent director for the defense-rental area within which the housing accommodations involved are located. The application shall be filed on forms prescribed by the Administrator and pursuant to directions set forth on such forms. Action upon any tenant's application shall be within the discretion of the rent director and the procedure thereon shall be the same as in proceedings initiated by the rent director pursuant to provisions of a maximum rent regulation authorizing such action.

§ 1300.206 *Investigation of petitions and applications.* Upon the filing of a petition or application pursuant to the provisions of this regulation, the rent director may make such investigation of the facts involved in the petition or application, hold such conferences, and require the filing of such reports, evidence in affidavit form or other material relevant to the proceeding, as he may deem necessary or appropriate for the proper disposition of the petition or application.

§ 1300.207 *Action by rent director on his own initiative.* In any case where the rent director pursuant to the provisions of a maximum rent regulation, deems it necessary or appropriate to enter an order on his own initiative, he shall, before taking such action, serve a notice upon the landlord of the housing accommodations involved stating the proposed action and the grounds therefor.

§ 1300.208 *Action by the rent director on petitions for adjustment or other relief.* (a) Upon receipt of a petition for adjustment or other relief, and after due consideration, the rent director may either:

(1) Dismiss any petition which fails substantially to comply with the provisions of the applicable maximum rent regulation or of this regulation; or

(2) Grant or deny in whole or in part, any petition which is properly pending before him; or

(3) Notice such petition for oral hearing to be held in accordance with § 1300.211 of this regulation; or

[Subparagraph (3) amended by Am. 9, effective 9-1-44]

(4) Provide an opportunity to present further evidence in affidavit form, in connection with such petition.

(b) An order entered by a rent director upon a petition for adjustment or other relief, or an order entered by a rent director on his own initiative, shall be effective and binding until changed by further order and shall be final subject only to application for review or protest as provided in §§ 1300.209 and 1300.210 and §§ 1300.216 to 1300.242, inclusive, of this regulation. An order entered by a rent director may be revoked or modified at any time upon due notice to the petitioner.

[Paragraph (b) amended by Am. 3, 8 F.R. 5481, effective 4-24-43 and Am. 9, effective 9-1-44]

APPLICATION FOR REVIEW OF RENT DIRECTOR'S ACTION

§ 1300.209 *Applications for review.* (a) Any landlord whose petition for adjustment or other relief has been dismissed or denied in whole or in part by the rent director, or any landlord subject to an order entered by the rent director on his own initiative may file with the rent director an application for review of such determination by the Regional Administrator for the region in which the defense-rental area office is located: *Provided,* That any landlord subject to an order entered under section 5 (d) of any maximum rent regulation or subject to an order entered by the rent director under § 1300.207 of this regulation, may either apply for review of such order as provided in this section, or may protest any provision of such order as provided in §§ 1300.216 to 1300.242, inclusive, of this regulation. An application for review shall be filed in triplicate upon forms prescribed by the Administrator and pursuant to instructions stated on such forms. Upon the filing of an application for review of such determination, the rent director shall forward the record of the proceedings with respect to which such application is filed to the appropriate Regional Administrator.

[Paragraph (a) amended by Am. 9, effective 9-1-44]

(b) Applications for review may be filed within ninety (90) days after the date of issuance of the determination to be reviewed (or before October 1, 1944, with respect to determinations made prior to July 1, 1944). An application for review which is not filed within the specified time ordinarily will be dismissed unless special circumstances are shown to justify a later filing.

[§ 1300.209 amended by Am. 1, 8 F.R. 1798, effective 2-13-43, Am. 2, 8 F.R. 3534, effective 3-20-43; Am. 3, 8 F.R. 5481, effective 4-24-43; Am. 7, 9 F.R. 7560, effective 7-3-44 and as otherwise noted]

§ 1300.210 *Action on applications for review.* Upon the filing of an application for review in accordance with § 1300.209 of this regulation, and after due consideration, the Regional Administrator may affirm, revoke, or modify, in whole or in part, the determination of the rent director sought to be reviewed and may enter such order as is necessary or proper. In any case where an application for review does not conform in a substantial respect to the requirements of this regulation, the Regional Administrator may dismiss such application. An order entered by a Regional Administrator upon an application for review shall be effective and binding until changed by further order and shall be final subject only to protest as provided in §§ 1300.216 to 1300.242, inclusive, of this regulation. An order entered by a Regional Administrator upon an application for review may be revoked or modified at any time upon due notice to the applicant.

[§ 1300.210 amended by Am. 3, 8 F.R. 5481, effective 4-24-43 and Am. 9, effective 9-1-44]

§ 1300.211 *Oral hearings*—(a) *Requests for oral hearing.* Any petitioner or applicant may request an oral hearing. Such request shall be accompanied by a showing as to why the filing of affidavits or other written evidence and briefs will not permit the fair and expeditious disposition of the petition or application. In the event that an oral hearing is ordered, notice thereof shall be served on the petitioner or applicant not less than five days prior to such hearing. The time and place of hearing

shall be stated in the notice. A presiding officer will be appointed with all necessary powers to conduct the hearing. Any such oral hearing may be limited in such manner and to such extent as deemed appropriate to the expeditious determination of the proceeding.

(b) *Stenographic report of oral hearing.* A stenographic report of the oral hearing shall be made, a copy of which shall be available for inspection during business hours in the appropriate regional office or defense-rental area office.

[§ 1300.211 added; former §§ 1300.211 through 1300.214 redesignated §§ 1300.212 through 1300.215, respectively, by Am. 9, effective 9-1-44]

SUBPART B—PETITION FOR AMENDMENT

§ 1300.212 *Right to file petition.* A petition for amendment may be filed at any time by any person subject to or affected by a provision of a maximum rent regulation. A petition for amendment shall propose an amendment of general applicability and shall be granted or denied on the merits of the amendment proposed. The denial of a petition for amendment is not subject to protest or judicial review under the Act.

§ 1300.213 *Place for filing petitions for amendment; form and contents.* A petition for amendment shall be filed with the Secretary, Office of Price Administration, Washington, D. C. One original and four copies of the petition and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed, or prepared by a similar process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented. Every such petition shall be designated "Petition for Amendment" and shall contain, upon the first page thereof, the name of the defense-rental area and the number and date of issuance of the maximum rent regulation to which the petition relates, and the name and address of the petitioner. The petition shall specify the manner in which the petitioner is subject to or affected by the provision of the maximum rent regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by affidavits setting forth the evidence upon which the petitioner relies in his petition.

[§ 1300.213, formerly § 1300.212, amended by Am. 1, 8 F.R. 1798, effective 2-13-43]

§ 1300.214 *Joint petitions for amendment.* Two or more persons may file a joint petition for amendment, where the amendments proposed are identical or substantially similar. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one person. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint petitions, he may treat such joint petitions as several, and, in any event, he may require the filing of relevant material by each individual petitioner.

§ 1300.215 *Action by the Administrator on petition.* In the consideration of any petition for amendment, the Administrator may afford to the petitioner and to other persons likely to have information bearing upon such proposed amendment, or likely to be affected thereby, an opportunity to present evidence or argument in support of, or in opposition to, such proposed amendment. Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment, the Administrator may consolidate such petitions.

SUBPART C—PROTESTS

[Subpart C added by Am. 9, effective 9-1-44. Former Subpart C amended by Am. 2, 8 F.R. 3534, effective 3-20-43; Am. 3, 8 F.R. 5481, effective 4-24-43; Am. 6, 9 F.R. 337, effective 2-24-44; Am. 7, 9 F.R. 7500, effective 7-3-44; Am. 8, 9 F. R. 9411, effective 8-9-44; and deleted by Am. 9]

INTRODUCTION

Subpart C deals with protests. A protest is the means provided by section 203 (a) of the Act for making formal objections to a maximum rent regulation or order. Ordinarily, the filing of a protest is also a prerequisite to obtaining judicial review by the Emergency Court of Appeals of the validity of a maximum rent regulation or order. The only other method of obtaining judicial review is the filing of a complaint in the Emergency Court of Appeals after obtaining special leave to do so in an enforcement proceeding pursuant to section 204 (e) of the Act.

Subpart C also contains provisions for consideration of protests by boards of review in accordance with section 203 (c) of the Act. A protestant is entitled to consideration of his objections by a board of review if he files a protest in accordance with the provisions of this regulation, making a specific request for consideration by a board of review in accordance with § 1300.226 (b) of this regulation.

GENERAL PROVISIONS

§ 1300.216 *Right to protest.* Any landlord subject to any provision of a maximum rent regulation, or of an order issued under § 1300.210 of this regulation, or of an order entered under section 5 (d) of any maximum rent regulation, or of an order entered by the rent director under § 1300.207 of this regulation, may file a protest in the manner set forth below. A landlord is, for the purposes of this regulation, subject to a provision of a maximum rent regulation or of an order only if such provision prohibits or requires action by him. Any protest filed by a landlord not subject to the provision protested, or otherwise not in accordance with the requirements of this regulation, may be dismissed by the Administrator.

§ 1300.217 *Time and place of filing protests.* (a) Any protest against the provisions of a maximum rent regulation or order may be filed at any time after the issuance thereof.

(b) The Act provides no specific time limit for filing a protest against an order issued under § 1300.210 of this regulation, or of an order entered under section 5 (d) of any maximum rent regulation, or of an order entered by the rent director under § 1300.207 of this regulation. However, as the United States Emergency Court of Appeals has stated in its opinion in the case of R. E. Schanzer, Inc. v. Bowles, 141 F. 2d 262 (1944), if the filing of a protest is unduly delayed, the defense of laches (unreasonable delay) may be available to the Administrator. There will ordinarily be no reason why a protest against an order of the kind specified in this paragraph, affecting only an individual landlord, cannot be filed promptly after the issuance of such order. Accordingly, if a protest is not filed within ninety (90) days after the date of issuance of such order (or before October 1, 1944 in the case of an order entered prior to July 1, 1944), the Administrator ordinarily will regard the delay as unreasonable and will dismiss the protest unless special circumstances are shown to justify the delay.

(c) Protests shall be filed with the Secretary of the Office of Price Administration, Washington 25, D. C. A copy of the protest shall also be filed with the appropriate Regional Administrator or rent director as provided in § 1300.218 of this regulation.

§ 1300.218 *Form of protest.* (a) Every protest shall be clearly designated "Protest" and shall contain upon the first page thereof, (1) the name of the protestant, and of the defense-rental area for which the maximum rent regulation or order protested was issued, (2) a statement whether the protest is against a maximum rent regulation or order, and (3) the date of issuance and the number of such maximum rent regulation or order.

(b) One original and five copies of the protest and of all accompanying documents and briefs shall be filed with the Secretary of the Office of Price Administration, Washington 25, D. C.

(c) In cases where the protest is directed against an order issued under § 1300.210 of this regulation, an additional copy of the protest, accompanying documents and briefs, shall be filed

with the Regional Administrator issuing the order being protested.

(d) In cases where the protest is directed against either an order entered under section 5 (d) of any maximum rent regulation, or an order entered by the rent director under § 1300.207 of this regulation, and an application for review has not been filed, an additional copy of the protest, accompanying documents and briefs, shall be filed with the rent director issuing the order being protested.

(e) Each copy of the protest, accompanying documents and briefs, shall be printed, typewritten, mimeographed or prepared by similar process and should be plainly legible. Copies shall be double-spaced except that quotations shall be single-spaced and indented.

§ 1300.219 *Assignment of docket number.* Upon receipt of a protest it shall be assigned a docket number, of which the protestant shall be notified, and all further papers filed in the proceedings shall contain on the first page thereof the docket number so assigned and the information specified in § 1300.218 of this regulation.

§ 1300.220 *Protest and evidential material not conforming to this regulation.* In any case where a protest or accompanying evidential material does not conform, in a substantial respect, to this revised procedural regulation, the Administrator may dismiss such protest, or, in his discretion, may strike such evidential material from the record of the proceedings in connection with the protest.

§ 1300.221 *Joint protests.* Two or more landlords may file a joint protest. Joint protests shall be filed and determined in accordance with the rules governing the filing and determination of protests filed severally. A joint protest shall be verified in accordance with § 1300.226 (a) (7) of this regulation by each protestant. A joint protest may be filed only where at least one ground is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the dispostion of joint protests, he may treat such joint protests as several, and, in any event, he may require the filing of relevant materials by each individual protestant.

§ 1300.222 *Consolidation of protests.* Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more protests, the Administrator may consolidate such protests.

§ 1300.223 *Amendment of protest and presentation of additional evidence.* In general, all of the objections upon which a protestant intends to rely in the protest proceedings must be clearly stated in the protest when it is filed, and all of the evidence which the protestant wishes to offer in support of the protest must be filed at the same time. Exceptions to this rule are stated in §§ 1300.227(b) and 1300.228 relating to evidence not subject to protestant's control and the submission of oral testimony. A protestant may, however, be granted permission to amend his protest so as to state additional objections or to present further evidence in connection therewith upon a showing of reasonable excuse for failure to present such objections or evidence at the time the protest was first filed. The permission will be granted only if, in the judgment of the Administrator, it will not unduly delay the completion of the proceedings on the protest.

§ 1300.224 *Action by the Administrator on protest.* (a) Within a reasonable time after the filing of any protest in accordance with this revised procedural regulation, but in no event more than thirty days after such filing, the Administrator shall:

(1) Grant or deny such protest in whole or in part;

(2) Notice such protest for hearing of oral testimony in accordance with §§ 1300.228 or 1300.232 of this revised procedural regulation;

(3) Notice such protest for hearing of oral argument by a board of review in accordance with § 1300.236;

(4) Provide an opportunity to present further evidence in connection with such protest. Within a reasonable time after the presentation of such further evidence, the Administrator may notice such protest for hearing of oral testimony in accordance with subparagraph (2) of this section, notice the protest for hearing of oral argument by a board of review in accordance with subparagraph (3) of this section, include additional material in the record of the proceedings on the protest in accordance with §§ 1300.230 and 1300.231 of this revised procedural regulation, or take such other action as may be appropriate to the disposition of the protest.

(b) Notice of any such action taken by the Administrator shall promptly be served upon the protestant.

(c) Where the Administrator has ordered a hearing on a protest or has provided an opportunity for the presentation of further evidence in connection therewith, he shall, within a reasonable time after the completion of such hearing or the presentation of such evidence, grant or deny such protest in whole or in part.

§ 1300.225 *Basis for determination of protest*—(a) *Record of the proceedings.* The factual basis upon which a protest is determined is to be found in the record of the proceedings. This record consists of the following:

(1) The designation of the defense-rental area, the rent declaration, and the maximum rent regulation involved;

(2) The protest and supporting evidential material properly filed with the Secretary of the Office of Price Administration in accordance with §§ 1300.226 to 1300.228, inclusive, of this revised procedural regulation;

(3) If the protest is against an order, the evidence and all documents in proceedings had in connection therewith;

(4) Materials incorporated into the record of the proceedings by the Price Administrator under §§ 1300.230 and 1300.231 of this regulation;

(5) Oral testimony taken in the course of the proceedings in accordance with §§ 1300.228 and 1300.232;

(6) All orders and opinions issued in the course of the proceedings.

(b) *Facts of which the Administrator has taken official notice.* The above-listed documents may contain, as provided by section 203 (b) of the Act, statements of economic data and other facts of which the Administrator has taken official notice, including facts found by him as a result of reports filed and studies and investigations made pursuant to section 202 of the Act.

(c) *Briefs and arguments.* Briefs and oral arguments submitted or presented in accordance with this revised procedural regulation are, of course, considered in the determination of a protest. They are, however, not a part of the record of the proceedings and are not included in the transcript of protest proceedings which is filed, in case of appeal, with the Emergency Court of Appeals.

CONTENTS OF PROTESTS AND SUPPORTING MATERIALS

§ 1300.226 *Contents of protests*—(a) *What each protest must contain.* Every protest shall set forth the following:

(1) The name and the post office address of the protestant, the manner in which the protestant is subject to the provision of the maximum rent regulation or order protested, and the location, by post office address or otherwise, of all housing accommodations involved in the protest.

(2) The name and post office address of any person filing the protest on behalf of the protestant and the name and post office address of the person to whom all communications from the Office of

Price Administration relating to the protest shall be sent;

(3) A complete identification of the provision or provisions protested, citing the number of the maximum rent regulation or order, the section or sections thereof to which objection is made, and the date of issuance thereof;

(4) A clear and concise statement of all objections raised by the protestant against the provision or provisions protested, each such objection to be separately stated and numbered;

(5) A clear and concise statement of all facts alleged in support of each objection;

(6) A statement of the relief requested by the protestant, including, if the protestant requests modification of a provision of the maximum rent regulation, the specific changes which he seeks to have made in the provision;

(7) A statement signed and sworn to (or affirmed) before an officer authorized to take oaths either by the protestant personally, or, if a partnership, by a partner, or, if a corporation or association, by a duly authorized officer, that the protest and the documents filed therewith are prepared in good faith and that the facts alleged are true to the best of his knowledge, information and belief. The protestant shall specify which of the facts are alleged and known to be true and which are alleged on information and belief.

(b) *Request for consideration by a board of review.* A protestant who wishes his protest considered by a board of review must specifically so request, indicating, if he wishes to offer oral argument, the order of his preference as to (1) argument before a board of review in Washington, D. C.; (2) argument before a subcommittee consisting of one member of a board at a location named by him. § 1300.235 of this revised procedural regulation sets forth the considerations which will be determinative in the decision as to where oral argument may be heard. The request for consideration by a board of review must be made either in the protest or in an amendment thereto filed within fifteen days of the date the protest is filed. Such an amendment shall be deemed filed within the fifteen day period if it is received by the Secretary, Office of Price Administration, Washington, D. C., no later than the fifteenth day after the protest was filed. Further provisions with respect to proceedings before a board of review are to be found in §§ 1300.233 to 1300.240, inclusive, of this regulation.

§ 1300.227 *Affidavits or other written evidence in support of protests.* Every protestant shall file together with his protest the following:

(a) Affidavits setting forth in full all the evidence the presentation of which is subject to the control of the protestant and upon which the protestant relies in support of the facts alleged in the protest. Each such affidavit shall state the name, post office address, and occupation of the affiant; his business connection, if any, with the protestant; and whether the facts set forth in the affidavit are stated from personal knowledge or on information and belief. In every instance, the affiant shall state in detail the sources of his information: *Provided,* That on a protest of an order, the evidence and all documents in proceedings had in connection therewith shall be a part of the record on protest and need not be filed by the protestant.

(b) A statement by the protestant in affidavit form setting forth in detail the nature and sources of any further evidence, not subject to his control, upon which he believes he can rely in support of the facts alleged in his protest. Such statement shall be accompanied by an application for assistance by way of subpoena, interrogatories, or otherwise, in obtaining the documentary evidence or the evidence of persons not subject to protestant's control, showing in every instance what material facts would be adduced thereby. Such application, if calling for the evidence of persons, shall specify the name and address of each person, and the facts to be proved by him, and if calling for the production of documents, shall specify them with sufficient particularity to enable them to be identified for purposes of production.

§ 1300.228 *Receipt of oral testimony.* (a) In most cases, evidence in protest proceedings will be received only in written form. Experience in the consideration of protests has demonstrated that this procedure is most conducive to the fair and expeditious disposition of protests. However, the protestant may request the receipt of oral testimony. Such request shall be accompanied by a showing by the protestant as to why the filing of affidavits or other written evidence will not permit the fair and expeditious disposition of the protest.

(b) In the event that the Administrator orders the receipt of oral testimony, notice shall be served on the protestant not less than five days prior to the receipt of such testimony, which notice shall state the time and place of the hearing and the name of the presiding officer designated by the Administrator.

(c) A stenographic report of any hearing of oral testimony shall be made, a copy of which shall be available during business hours in the Office of the Secretary, Office of Price Administration, Washington, D. C.

§ 1300.229 *Submission of brief by protestant.* The protestant may file with his protest and accompanying evidential material a brief in support of the objections set forth in the protest. Such brief shall be submitted as a separate document, distinct from the protest and evidential material.

MATERIAL IN SUPPORT OF THE REGULATION OR ORDER PROTESTED

§ 1300.230 *Incorporation of material in the record by the Administrator.* The Administrator shall incorporate in the record of the proceedings on the protest such evidence, in the form of affidavits or otherwise, as he deems appropriate in support of the provision against which the protest is filed. When such evidence is incorporated into the record, and is not so incorporated at an oral hearing, copies thereof shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

§ 1300.231 *Other written evidence in support of the maximum rent regulation or order.* (a) Any person affected by the provisions of a maximum rent regulation, or of an order issued thereunder, may at any time after the issuance of such regulation or order submit to the Administrator a statement in support of any such provision or provisions. Such statement shall include the name and post office address of such person, the nature of his business, and the manner in which such person is affected by the maximum rent regulation or order in question, and may be accompanied by affidavits and other data in written form. Each such supporting statement shall conform to the requirements of § 1300.227(a) of this regulation.

(b) In the event that a protest has been, or is subsequently, filed against a provision of a maximum rent regulation or order in support of which a statement has been submitted, the Administrator may include such statement in the record of the proceedings taken in connection with such protest. If such supporting statement is incorporated into the record and is not so incorporated at an oral hearing, copies of such supporting statement shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

§ 1300.232 *Receipt of oral testimony in support of the regulation or order.* Ordinarily, material in support of the maximum rent regulation or order protested, like material in support of protests, will be received in the protest proceeding only in written form. Where, however, the Administrator is satisfied that the receipt of oral testimony is necessary to the fair and expeditious disposition of the protest, he may, on his own motion, direct such testimony to be received. In that event, the oral testimony will be taken in the manner provided in § 1300.228 of this regulation.

BOARDS OF REVIEW

§ 1300.233 *Right to consideration by a board of review.* Under section 203 (c) of the Act, a protest filed after September 1, 1944 must, upon the protestant's request, be considered by a board of review before it can be denied in whole or in part. Consideration of the record in a protest proceeding by a board of review is undertaken for the purpose of reconsidering the provision or provisions of the maximum rent regulation or order protested and recommending action relative thereto to the Administrator. A board of review considers the protest upon the basis of the record which has been developed in the proceedings. Protestant is accorded an opportunity to present oral argument to a board upon the basis of the objections raised in the protest and the evidence in the record, and guided by the explanatory statement of the issues in the notice of consideration by a board of review, § 1300.225 of this revised procedural regulation explains the nature of the record in the proceedings. § 1300.226 (b) explains the nature of such a request and states the time within which it must be filed.

§ 1300.234 *Composition of boards of review.* A board of review is composed of one or more officers or employees of the Office of Price Administration designated by the Administrator to review the record of the proceedings on a particular protest and made recommendations to him as to its disposition. The number of members constituting a board will be determined in the light of the scope and complexity of the issues presented. When a board consists of more than one member, ordinarily at least one member shall be selected who has been directly responsible for the formulation or administration of the maximum rent regulation or order protested. The protestant will be advised of the membership of a board considering his protest, and, if the board consists of more than one member, of the member selected to preside, in the notice of consideration by a board provided for in § 1300.236. When necessitated by incapacity of a member or other good cause, the Administrator may make substitutions in the membership of the board as originally constituted.

§ 1300.235 *Where boards of review hear oral argument.* A board of review consisting of more than one member will ordinarily hear oral argument at the National Office in Washington, D. C., and only in exceptional cases and for good cause shown will the full board hold hearings elsewhere. A board consisting of only one member may hear argument at a Regional or District Office or elsewhere. Where the protestant has requested that oral argument be heard at some other place than the National Office and where the board consists of more than one member, a subcommittee thereof may be designated to hear argument at the place requested or at some other convenient place.

§ 1300.236 *Notice of consideration by board of review.* Before denial in whole or in part of any protest in which the protestant has requested consideration by a board of review in accordance with § 1300.226 (b) of this revised precedural regulation, which request has not subsequently been waived by the protestant, notice of consideration by a board of review will be sent by registered mail to the protestant. Sending of the notice marks a close of the evidential record in the proceeding. The notice will indicate the issues thought to be determinative of the protest, and may serve as a guide to the protestant in planning oral argument. The notice of consideration shall contain, or be accompanied by, the following items, as nearly as the circumstances permit:

(a) Information identifying the protest, including the maximum rent regulation or order being protested and the docket number;

(b) A list of the documents comprising the record of the proceeding;

(c) A brief statement of the issues involved;

(d) A statement of the time (which shall not be less than seven days from the date of the mailing of the notice) and place where the board of review or a subcommittee thereof will hear oral argument;

(e) A list of persons comprising the board of review which is thereby appointed to consider the protest, with their official titles and a designation of the presiding member if the board of review is composed of more than one person.

§ 1300.237 *Waiver of right to consideration in whole or in part.* A protestant who has properly requested consideration by a board of review in accordance with § 1300.226 (b) may, if he so desires, waive his right to consideration by a board. If he chooses, he may have his protest considered by a board, waiving his right to oral argument before a board. Such a waiver shall be in writing and shall constitute a part of the record of proceedings on the protest. Failure of a protestant to appear at a hearing of oral argument, which he has not waived in accordance with the foregoing, at the time and place specified in the notice of consideration shall, unless a reasonable excuse is shown, also constitute waiver of his right to consideration by a board. Unexcused failure to appear at a hearing of oral argument shall be noted on the record of proceedings. A waiver by less than all of a group of joint protestants shall not affect the rights of a protestant who has made no waiver.

§ 1300.238 *Hearing of oral argument.* (a) Argument before a board of review by a protestant shall ordinarily be limited to one hour except for good cause shown. Where the magnitude of the issues involved warrants more extended discussion or where the protestants are numerous, the board may extend or limit the time of each protestant in its discretion. A board may exclude specific argument deemed to be irrelevant to the objections set forth in the protest or unsupported by any evidence in the record. Hearings of argument will be open to the public. Where argument is to be heard by a board of review consisting of more than one member, a majority of such board shall constitute a quorum for the purpose of hearing argument. Presentation of oral argument may be accompanied by submission of a brief.

(b) A stenographic report of all hearings of oral argument by boards of review or subcommittees thereof shall be taken. The report will be transcribed at the direction of the board if a transcription is desired to facilitate consideration of the protest. The report will ordinarily be transcribed if the argument is heard by a subcommittee of a board. If the report is transcribed, a copy shall be available in the Office of the Secretary, Office of Price Administration, Washington, D. C. Any protestant who wishes a copy of the report may obtain it by requesting the reporter at the hearing to make a copy for him and paying the cost thereof.

§1300.239 *Action by boards of review at conclusion of their consideration of a protest.* Within a reasonable time after the hearing of oral argument or after the closing of the record, if such argument has been waived, a board of review shall

submit its recommendations in writing to the Administrator as to the disposition of the protest. The recommendations of a majority of the members of a board shall constitute the recommendations of the board, but the disagreement of any member with the recommendations shall be expressly noted. The protestant will be advised of the recommendations of the board in an appendix to the Administrator's opinion disposing of the protest or closing the docket. Copies of these documents, containing the board's recommendations, will be sent to the protestant by registered mail. A board of review shall have authority to recommend to the Administrator that the protest be granted or denied in whole or in part. If it is the opinion of the board that the record in the proceeding should be expanded, it may refer the record of the proceeding to the Administrator in order that the Administrator may consider permitting the amendment of the protest or the receipt of additional evidence. Records will, however, be reopened only in very exceptional circumstances and where the requirements of § 1300.223 can be met.

§ 1300.240 *Action by Administrator after receipt of board of review's recommendations.* After receipt of a board of review's recommendations as to the disposition of the protest, the Administrator shall, within a reasonable time, grant or deny the protest in whole or in part.

DETERMINATION OF PROTEST

§ 1300.241 *Opinion denying protest in whole or in part.* In the event that the Administrator denies any protest in whole or in part, the protestant shall be informed of any economic data or other facts of which he has taken official notice, the grounds upon which such decision is based, and (if the protest has been considered by a board of review) the recommendations of a board of review and, if any recommendation of such a board has been rejected, the reason for rejection. Any order entered in such protest proceedings shall be effective from the date of its issuance unless otherwise provided in such order.

§ 1300.242 *Treatment of protest as petition for amendment or for adjustment or other relief.* Any protest filed against a provision of a maximum rent regulation may, in the discretion of the Administrator, be treated not only as a protest but also as a petition for amendment of the regulation protested, or as a petition for adjustment or other relief pursuant thereto, when the facts produced in connection with the protest justify such treatment.

SUBPART B—INTERPRETATIONS

[§§ 1300.241 to 1300.244 redesignated §§ 1300.243 to 1300.246, respectively, by Am. 9, effective 9–1–44]

§ 1300.243 *Interpretations.* An interpretation given by an officer or employee of the Office of Price Administration with respect to any provision of the Act or any maximum rent regulation or order thereunder, will be regarded by the Office of Price Administration as official only if such interpretation was requested and issued in accordance with §§ 1300.244 to 1300.246, inclusive, of this regulation. Action taken in reliance upon and in conformity with an official interpretation and prior to any revocation or modification thereof or to any superseding thereof by regulation, order or amendment, shall constitute action in good faith pursuant to the provision of the Act, or of the regulation or order to which such official interpretation relates. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is given unless issued as an interpretation of general applicability.

[§ 1300.243, formerly § 1300.241, amended by Am. 9, effective 9–1–44]

§ 1300.244 *Requests for interpretations: Form and contents.* Any person desiring an official interpretation of the Emergency Price Control Act of 1942, as amended, or of any maximum rent regulation or order thereunder, shall make a request in writing for such interpretation. Such request shall set forth in full the factual situation out of which the interpretative question arises and shall, so far as practicable, state the names and post office addresses of the persons and the location of the housing accommodations involved. If the inquirer has previously requested an interpretation on the same or substantially the same facts, his requests shall so indicate and shall state the official or office to whom his previous request was addressed. No interpretation shall be requested or given with respect to any hypothetical situation or in response to any hypothetical question.

[§ 1300.244, formerly § 1300.242, amended by Am. 9, effective 9–1–44]

§ 1300.245 *Interpretation to be written: Authorized officials.* Official interpretations shall be given only in writing, signed by one of the following officers of the Office of Price Administration: the Administrator, the general counsel, any associate or assistant general counsel, any regional attorney, any regional rent attorney, any chief attorney for a State or district or defense-rental area office, and any district rent attorney: *Provided*, That interpretations of general applicability shall be given only by the Administrator, the general counsel, or any associate or assistant general counsel.

§ 1300.246 *Revocation or modification of interpretations.* Any official interpretation, whether of general applicability or otherwise, may be revoked or modified by a publicly announced statement by any official authorized to give interpretations of general applicability or by a statement or notice by the Administrator or general counsel published in the FEDERAL REGISTER. An official interpretation addressed to a particular person may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the general counsel or any associate or assistant general counsel. An official interpretation addressed to a particular person by a regional attorney, a regional rent attorney, or a chief rent attorney for a defense-rental area office may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the attorney who issued it or by his successor.

SUBPART B—MISCELLANEOUS PROVISIONS AND DEFINITIONS

§ 1300.247 *Witness fees.* Witnesses summoned to give testimony shall be paid the fees and mileage specified by section 202 (f) of the Act. Witness fees and mileage shall be paid by the person at whose instance the witness appears.

§ 1300.248 *Contemptuous conduct.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing.

§ 1300.249 *Continuance or adjournment of hearing.* Any hearing may be continued or adjourned to a later date or a different place by announcement at the hearing by the person who presides.

§ 1300.250 *Subpoenas.* Subpoenas may require the production of documents or the attendance of witnesses at any designated place. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person or leaving a copy at his regular place of business or abode and by tendering to him the fees and mileage specified in section 202 (f) of the Act. When the subpoena is issued at the instance of the Administrator, fees and mileage need not be tendered. Any person 18 years of age or over may serve a subpoena. The person making the service shall make an affidavit thereof describing the manner in which service is made, and return such affidavit on or with the original subpoena forthwith to the Secretary of the Office of Price Administration. In case of failure to make service, the reasons for the failure should be stated on the original subpoena.

[§§ 1300.247 to 1300.250 added; former §§ 1300.245 to 1300.253a redesignated §§ 1300.251 to 1300.259a, respectively, by Am. 9, effective 9–1–44]

§ 1300.251 *Filing of notices, etc.* All notices, reports, registration statements and other documents which a landlord is required to file pursuant to the provisions of any maximum rent regulation

shall be filed with the appropriate defense-rental area office, unless otherwise provided in such maximum rent regulation or in this regulation.

§ 1300.252 *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the residence or principal office or place of business of the person to be served, or by mail, or by telegraph. When service is made personally or by leaving a copy at the residence or principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service. When service is by unregistered mail, an affidavit that the document has been mailed shall be proof of service.

§ 1300.253 *Action by representative.* Any action which by this regulation is required of, or permitted to be taken by a landlord may, unless otherwise expressly stated, be taken on his behalf by any person whom the landlord has authorized to represent him. Such authority shall be given by written power of attorney where the action is in connection with an application for review, a petition for amendment, or a protest. In such cases the power of attorney, signed by the landlord, shall be filed at the time action on his behalf is taken.

[§ 1300.253, formerly § 1300.247, amended by Am. 4, 8 F.R. 14811, effective 11-1-43]

§ 1300.254 *Secretary: Office hours.* The Office of the Secretary, Office of Price Administration, Washington, D. C., shall be open on week days, from 9 a. m. until 5 p. m. and on Saturdays from 9 a. m. until 1 p. m. Any person desiring to file any papers, or to inspect any documents filed with such office at any time other than the regular office hours stated, may file a written application with the Secretary, requesting permission therefor.

§ 1300.255 *Confidential information, inspection of documents filed with Secretary.* Protests and all papers filed by protestants in connection therewith are public records, open to inspection in the Office of the Secretary upon such reasonable conditions as the Secretary may prescribe. Except as provided above, confidential information filed with the Office of Price Administration will not be disclosed, unless the Administrator determines the withholding thereof to be contrary to the interests of the national defense and security.

§ 1300.256 *Appearance of Office of Price Administration employees and former employees before the Office of Price Administration.* Appearance of Office of Price Administration employees and former employees in a representative capacity before the Office of Price Administration shall be governed by the provisions of Procedural Regulation No. 14.

[§ 1300.256, formerly § 1300.250, amended by Am. 5, 9 F.R. 1656, effective 2-9-44]

§ 1300.257 *Definitions.* As used in this regulation, unless the context otherwise requires, the term:

(a) "Act" means the Emergency Price Control Act of 1942, as amended by the Stabilization Act of 1942 (Pub. Laws 421 and 729, 77th Cong., 2d Sess.) and the Stabilization Extension Act of 1944 (Pub. Law 383, 78th Cong., 2d Sess.).

[Paragraph (a) amended by Am. 9, effective 9-1-44]

(b) "Administrator" means the Price Administrator of the Office of Price Administration or such person or persons as he may appoint or designate to carry out any of the duties delegated to him by the Act.

(c) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

(d) "Maximum rent regulation" means any regulation establishing a maximum rent.

(e) "Maximum rent" means the maximum rent established by any maximum rent regulation or order for the use of housing accommodations within any defense-rental area.

(f) "Date of issuance," with respect to a maximum rent regulation, means the date on which such maximum rent regulation is filed with the Division of the Federal Register.

(g) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(h) "Protestant" means a person subject to any provision of a maximum rent regulation or order who files a protest in accordance with section 203 (a) of the Act.

(i) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(j) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(k) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishing, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(l) "Defense-rental area" means the District of Columbia and any area designated by the Administrator as an area where defense activities have resulted or threaten to result in an increase in the rents for housing accommodations inconsistent with the purposes of the Act.

(m) "Rent director" means the person designated by the Administrator as director of any defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the rent director by the Administrator.

(n) "Regional Administrator" means the person designated by the Administrator as administrator of any regional office established by the Office of Price Administration or such person or persons as may be designated to carry out any of the duties delegated to the Regional Administrator by the Administrator.

§ 1300.258 *Amendment of this regulation.* Any provision of this regulation may be amended or revoked by the Administrator at any time. Such amendment or revocation shall be published in the FEDERAL REGISTER and shall take effect upon the date of its publication, unless otherwise specified therein.

§ 1300.259 *Effective date of Revised Procedural Regulation No. 3.* Sections 1300.209 and 1300.210 of this regulation are applicable to petitions for adjustment or other relief which are denied in whole or in part by the rent director, or to orders entered by the rent director pursuant to § 1300.207 of this regulation, on or after the effective date of this regulation. Protests against such denials or orders entered prior to February 1, 1943, shall be filed and acted upon pursuant to the applicable provisions of Procedural Regulation No. 3 as heretofore and such provisions are continued in effect for this purpose except that such protests properly addressed to the appropriate Regional Office, bearing a postmark dated within the applicable sixty-day period specified in Procedural Regulation No. 3 but received after the expiration thereof, shall be deemed to have been filed on the date of the postmark. This regulation shall become effective February 1, 1943.

[Rev. PR 3 originally issued January 12, 1943]

§ 1300.259a *Effective dates of amendments.*

[Effective dates of amendments are shown in notes following parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12962; Filed, August 26, 1944; 12:08 p. m.]

PART 1300—PROCEDURE

[Procedural Reg. 9,[1] Amdt. 14]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8796; 8 F.R. 856, 1636, 2030, 2594, 2941, 4350, 4929, 7381.

Procedural Regulation No. 9 is amended in the following respects:

1. Section 1300.604 (a) is amended to read as follows:

(a) A statement of appeal shall be filed with the Board. The statement of appeal shall be on OPA Form R–122 and shall state the basis for the appeal and any other facts deemed by the appellant to be pertinent. The specific section or sections of the ration order claimed to be inconsistent with the action from which the appeal is taken need not be stated. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

2. Section 1300.604 (b) is amended by deleting the words "one copy of" after the words "shall forward" in the first sentence thereof.

3. Section 1300.604 (c) is amended to read as follows:

(c) The Board shall keep a record showing the date on which the Board notified the appellant of the action appealed from, the date on which the statement of appeal was filed and the date the statement of appeal and other papers were sent to the District Director (or the Regional Administrator as provided in § 1300.608b).

4. Section 1300.606 (a) is amended to read as follows:

(a) A statement of appeal shall be filed with the District Director. The statement of appeal shall be on OPA Form R–122 and shall state the basis of the appeal and any other facts deemed by the appellant to be pertinent. The specific section or sections of the ration order claimed to be inconsistent with the decision from which the appeal is taken need not be stated. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

5. Section 1300.606 (b) is amended to read as follows:

(b) Within five days of such filing, the District Director shall forward the statement of appeal together with his decision and all other pertinent records or papers to the Regional Administrator, unless the District Director shall, within such five-day period, upon reconsideration, reverse his decision.

6. Section 1300.608 (a) is amended to read as follows:

(a) A statement of appeal shall be filed with the Regional Administrator. The statement of appeal shall be on OPA Form R–122 and shall state the basis for the appeal and any other facts deemed by the appellant to be pertinent. The specific section or sections of the ration order claimed to be inconsistent with the decision from which the appeal is taken need not be stated. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

7. Section 1300.608 (b) is amended to read as follows:

(b) Within five days of such filing, the Regional Administrator shall forward the statement of appeal together with his decision and all other pertinent records or papers to the Washington Office, unless the Regional Administrator shall, within such five-day period, upon reconsideration, reverse his decision.

8. Section 1300.611 (h) is amended to read as follows:

(h) *Region VIII.* Arizona: Phoenix; California: Fresno, Los Angeles, Sacramento, San Francisco, San Diego; Nevada: Reno; Oregon: Portland; Washington: Seattle, Spokane.

This amendment shall become effective August 30, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280; 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005, War Food Order No. 58, 8 F.R. 2251, War Food Order No. 59, 8 F.R. 3471, War Food Order 61, 8 F.R. 3471, War Food Order No. 64, 8 F.R. 7093)

Issued this 26th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–12961; Filed, August 26, 1944; 12:09 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 96]

MAXIMUM PRICES OF CERTAIN GOODS REJECTED OR NOT DELIVERED UNDER A WAR PROCUREMENT CONTRACT

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is hereby ordered:

§ 1305.124 *Maximum prices of certain goods rejected or not delivered under a war procurement contract*—(a) *Sales covered by this supplementary order.* (1) This supplementary order applies, except as set forth in subparagraph (2) below, to sales by a prime contractor or subcontractor of (i) rejects or overruns of textiles, apparel and related goods in the form in which they were manufactured, processed or procured pursuant to a war procurement contract, or of (ii) commodities manufactured or processed from such goods.

(2) This supplementary order does not supersede applicable maximum price regulations in any respect other than to modify the pricing method.

(b) *Maximum prices for commodities covered by this order.* The maximum price for a commodity subject to this supplementary order shall be the lower of the following:

(1) The adjusted contract price as hereinafter defined, or

(2) The maximum price established for that commodity under the applicable maximum price regulation. Such maximum price must be determined and recorded in accordance with the provisions of such regulation although it exceeds the adjusted contract price and hence cannot be used.

For example. A seller establishes the ceiling price for sale of a particular commodity under this order by using the following steps: He first finds the ceiling price for that commodity under the OPA regulation which applies to the sale he is making. If the commodity is a reject, he must find the ceiling price for that reject under the regulation. If that ceiling price is lower than the war procurement contract price, as adjusted, he must use that ceiling price. If the adjusted contract price is lower than that ceiling price, he must use the adjusted contract price.

(c) *Invoices.* Every person who makes a sale subject to this supplementary order must give the purchaser an invoice, a copy of which he must keep, which shall include (in addition to his own and the purchaser's name and address, a brief description of the commodity, and the date, price, terms and quantity of the sale) the following: (1) The number of the war procurement contract pursuant to which the goods were manufactured, processed or procured, and in the case of a subcontract, the name of the other contracting party, and (2) a statement as follows:

The price of this commodity does not exceed the maximum price established by Supplementary Order No. 96, Maximum Prices of Certain Goods Rejected or Not Delivered Under a War Procurement Contract.

(d) *Definitions*—(1) *Adjusted contract price.* "Adjusted contract price" means the price established in the war procurement contract for goods meeting the contract specifications, adjusted by: (i) Subtracting the cost of material, processing, finishing, packing, freight, etc., ordinarily incurred in the performance of the war procurement contract, but not incurred with respect to the commodity being priced; and (ii) adding the net cost of all material, processing, finishing and packing not ordinarily incurred in the performance of the war procurement contract, but incurred in preparing the commodity being priced for sale: *Provided, however,* That freight may not be added and all prices so established shall be f. o. b. seller's plant.

(2) *Contract.* A "contract" is a letter of intent, purchase order, or any other offer or agreement by which a war procurement agency or any other person undertakes to purchase goods, and all amendments and supplements thereto.

(3) *Overrun.* The term "overrun" means a commodity which utilizes materials obtained through use of a preference rating assigned to the seller in connection with a war procurement contract, which is manufactured, processed, or procured in whole or in part to specifications the same as or similar to those set forth in such war procurement contract, but which is not accepted under the contract, although it is not a reject as hereinafter defined.

(4) *Preference rating.* A "preference rating" is a designation issued under authority of the War Production Board which indicates the order in which requests for certain materials may be filled.

*Copies may be obtained from the Office of Price Administration.

(5) *Reject.* The term "reject" means a commodity manufactured, processed or procured pursuant to a war procurement contract, but which fails to meet the contract specifications for first quality goods, whether inspected and rejected by, or never offered to, the war procurement agency or prime contractor under the war procurement contract.

(6) *Subcontract.* A "subcontract" is a contract to supply a prime contractor with a product for use in fulfilling his contract with a war procurement agency. The product may be either (i) a complete product called for by the prime contract, or (ii) a product for fabrication or processing, or one for physical annexation to or incorporation into a product, in the course of fulfilling the prime contract.

(7) *Textiles, apparel and related goods.* When used in this supplementary order the term "textiles, apparel and related goods" means any of the following:

(i) Yarns, textiles and textile products;

(ii) Leather, fur, and products thereof, or

(iii) Wearing apparel, including findings, and other individual, organizational or ship's personnel equipment made in whole or in part of any of the materials listed in (i) or (ii) of this subparagraph.

(8) *War procurement agency.* When used in this supplementary order, the term "war procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, the Training Organization of the War Shipping Administration, or the Procurement Division of the Department of the Treasury of the United States, or any agency of any of the foregoing.

(9) *War procurement contract.* "War procurement contract" means either a contract entered into with the agencies specified in (8) above by a prime contractor, or a subcontract thereunder.

(10) *Applicable maximum price regulation.* The term "applicable maximum price regulation" means any price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, any maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration and in effect, or any amendment or supplement thereto or order issued thereunder, which currently establishes a maximum price or a method for establishing the maximum price for any commodity subject to this supplementary order.

This supplementary order shall become effective August 21, 1944.

AUTHORITY: § 1305.124 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

NOTE: The record-keeping requirement of this supplementary order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12965; Filed, August 26, 1944; 12:11 p. m.]

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 111]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 111 to Maximum Price Regulation No. 120 (§ 1340.218) is hereby corrected as follows:

In paragraph (b) (5) of § 1340.218, entitled "Specific description of size group numbers" the following corrections are inserted:

1. In 1 after the words, "bottom size" the numeral and word "⅜" and" are deleted. After the word "larger" the words "than that designated for screened run of mine (Size Group 6)" are added.

2. In 4 after the words "not exceeding" and before the numeral "¾" the numeral "1" is inserted.

3. The numeral 7 is inserted at the beginning of the paragraph which starts with the words "Straight run of mine".

These corrections to Amendment No. 111 to Maximum Price Regulation No. 120 (§ 1340.218) shall be effective as of August 5, 1944.

Issued this 26th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12966; Filed, August 26, 1944; 12:10 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[MPR 157,[1] Amdt. 13]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 157 is amended in the following respects:

1. Section 1378.2 (a) (3) is amended to read as follows:

(3) No person shall offer, solicit, or attempt to do any of the foregoing. But any person may sell or agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery or supply. However, if the maximum price at the time of delivery or supply is higher than the maximum price at the time of contract, that higher maximum price may be collected only for those commodities or services which, pursuant to the terms of the contracts, are scheduled to be delivered or supplied on or after the date when the higher price became effective. Moreover, no person, except as provided in § 1378.2 (c), may deliver, supply, or agree to deliver or supply at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery or supply.

2. Section 1378.2 (c) is amended to read as follows:

(c) Any person who has entered into or proposes to enter into a contract with any war procurement agency of the United States Government, or a subcontract under such contract, who believes that a maximum price established by this regulation impedes or threatens to impede production of any textile, apparel or related article which is essential to the war program, and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum price established by this regulation in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application or at a lower price subject to adjustment up to the price requested: *Provided*, That final settlement shall be made in accordance with the order, and, if required, refunds shall be made.

This amendment shall become effective August 25, 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12913; Filed, August 25, 1944; 5:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 6948. 8 F.R. 6948, 7507, 15609, 17374. 9 F.R. 1456.

PART 1389—APPAREL

[RMPR 208,[1] Amdt. 1]

MAXIMUM PRICES FOR STAPLE WORK CLOTHING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Table III of Appendix B of Revised Maximum Price Regulation 208 is amended to read as follows:

[1] 9 F.R. 9978.

TABLE III

Type of cloth	Weight of cloth	Adjustment (cents per yard)		
		Column A—Price list issued on or after January 1, 1943		Column B—Price list issued prior to January 1, 1942
		Part 1 men's garments	Part 2 boys' garments	
Denims, mill finish	2.50–3.00	+0.25	+0.75	+1.25
	2.60–2.20	+.75	+1.25	+1.75
	2.00–1.60	+.75	+1.50	+2.25
Denims, sanforized	2.15–2.00	+.25	+.75	+1.25
	2.70	+.50	+1.00	+1.50
	2.45	+.75	+1.25	+1.75
	2.20–2.00	+1.00	+1.50	+2.00
	1.75	+1.00	+1.75	+2.50
	1.60	+1.25	+2.00	+2.75
	1.45	+1.125	+1.875	+2.625
Carded coarse and fine yarn shirting chambray, mill finish. Fame, sanforized	3.90	+.5	+.75	+1.00
	All other weights	−.5	−.25	0
	3.90	+1.75	+2.00	+2.25
	All other weights	−.5	−.25	0

This amendment shall become effective September 1, 1944; however, for sellers who elected to determine their maximum prices under Revised Maximum Price Regulation 208 on or after August 16, 1944, this amendment shall become effective on the date of election.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–12914; Filed, August 25, 1944; 5:01 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 201,[1] Incl. Amdts. 1–11]

MAXIMUM PRICES IN VIRGIN ISLANDS

This compilation of Maximum Price Regulation 201 includes Amendment 11, effective August 7, 1944. The text amended by Amendment 11 is underscored.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.[2]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[3] issued by the Office of Price Administration, Maximum Price Regulation No. 201 is hereby issued.

Sec.

1418.101 Prohibition against dealing in commodities above maximum prices.
1418.102 Maximum prices for commodities not actually produced or manufactured in the Virgin Islands of the United States.
1418.103 Less than maximum prices.
1418.104 Adjustable pricing.
1418.105 Prohibited practices.
1418.106 Records and reports.
1418.107 Sales slips and receipts.
1418.107a Transfers of business or stock in trade.
1418.108 Licensing.
1418.109 Registration of licensees.
1418.110 Enforcement.
1418.111 Applicability of other maximum price regulations.
1418.112 Petitions for amendment.
1418.112a Applications for adjustment.
1418.113 Definitions.
1418.114 Applicability.
1418.115 Effective dates.

AUTHORITY: §§ 1418.101 to 1418.115, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1418.101 *Prohibition against dealing in commodities above maximum prices.* On and after August 17, 1942, with respect to any commodity not actually manufactured or produced in the Virgin Islands of the United States, regardless of any contract or obligation:

(a) No person shall sell or deliver in the Virgin Islands of the United States any such commodity for which a maximum price regulation is issued or may be issued in the continental United States at a price higher than the maximum prices established by this Maximum Price Regulation No. 201.

(b) No person, in the course of trade or business, shall buy or receive any such commodity at a price higher than the maximum prices established by this Maximum Price Regulation No. 201.

(c) No person in the Virgin Islands of the United States shall export or transfer for purposes of exportation to a foreign place any such commodity at a price higher than the maximum prices established by this regulation.

(d) No person shall agree, offer, solicit or attempt to do any of the foregoing.

[Former paragraph (c) redesignated (d) and new paragraph (c) added by Am. 7, 9 F.R. 2176, effective 2–20–44]

(e) Excluded from the operation of this regulation are all second-hand and used materials.

[Former paragraph (d) added by Am. 3, 7 F.R. 10231, effective 12–7–42; redesignated (e) by Am. 7, 9 F.R. 2176, effective 2–20–44]

§ 1418.102 *Maximum prices for commodities not actually produced or manufactured in the Virgin Islands of the United States.* (a) Except as provided in paragraph (b) of this § 1418.102, with respect to any commodity for which a maximum price has been established in the continental United States and which is not actually manufactured or produced in the Virgin Islands of the United States, the maximum price to a buyer in the Virgin Islands of the United States shall be:

(1) The direct cost to the seller of the commodity sold,

(2) Plus the amount of mark-up over the direct cost to the seller of the commodity sold during the period from November 7, 1941 to December 6, 1941, inclusive, which the seller added in his highest selling price for the same or similar commodity sold during such period to a purchaser of the same class, or if no such sale was made during such period, the amount of such mark-up added by the seller in his highest selling price of such commodity to a purchaser of the same class during the last thirty days prior to November 7, 1941, in which a sale was made: *Provided*, That the price determined in accordance with this section, if such price is not in line with the maximum prices of other similar sellers, or if it reflects wholesale purchases at retail price levels or includes markups or transportation costs not essential to the efficient marketing of the commodity, may be adjusted by the Territorial Director for the Virgin Islands, subject to review as provided in Procedural Regulation No. 7.[4]

[Proviso amended by Am. 8, 9 F.R. 2747, effective 3–16–44]

(b) Where a seller offered for sale or delivery to a buyer in the Virgin Islands of the United States any commodity for which a maximum price regulation has been issued in the continental United States and which is not actually produced or manufactured in the Virgin Islands of the United States, and the maximum price of such commodity cannot be determined under the provisions of paragraph (a) of this section, the maximum price of such commodity shall be determined in accordance with the following procedure. The seller of such commodity shall file in duplicate with the Territorial Office of the Office of Price Administration, St. Thomas, Virgin Islands of the United States, a sworn petition containing:

(1) A description of the commodity.

(2) A statement of the facts which prevent determination of the maximum price under paragraph (a) of § 1418.102.

(3) The price charged by sellers of the same competitive class for the same or similar commodity.

(4) A statement of the direct cost of the commodity to the seller.

(5) The price at which the seller intends to offer the commodity for sale.

(6) Such other facts which the seller deems relevant in the determination of a price for such commodity.

The Territorial Director in the Virgin Islands of the United States may authorize a price which is in line with the maximum prices of other similar sellers of

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[1] 7 F.R. 6269.

[2] Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[3] Revised: 9 F.R. 5791.

[4] 8 F.R. 5842, 6174.

the same or similar commodity, or may, in his discretion, forward the petition to the Administrator for the Ninth Region in Washington, D. C. If a seller objects to a price authorized by the Territorial Director, he must file such objection with the Territorial Office of the Office of Price Administration, St. Thomas, Virgin Islands of the United States within 15 days after the date the notice of price authorization by the Territorial Director was postmarked. If, at the expiration of 30 days from the date the price authorization is signed by the Territorial Director, the Administrator for the Ninth Region does not issue an Order establishing a maximum price other than the maximum price authorized by the Territorial Director, the seller may thereafter continue to sell such commodity at a price not in excess of the maximum price authorized by the Territorial Director. The Administrator for the Ninth Region may from time to time make such changes in the authorized maximum prices as in his judgment changes in circumstances require. Such increases or decreases in maximum prices shall not have retroactive effect. If a seller objects to a price authorized by the Administrator for the Ninth Region, he may obtain review in accordance with the provisions of Procedural Regulation No. 7.

[Paragraph (b) amended by Am. 5, 8 F.R. 1860, effective 2-9-43]

(c) On all sales for export to a foreign place, there may be added to the maximum prices established under paragraph (a) or (b) of this section all costs of shipments actually incurred or to be incurred by the seller. Such costs shall be itemized and separately shown on the seller's invoice. No incurred costs in excess of those permitted by any applicable price regulation or order issued by the Office of Price Administration shall be allowed

[Paragraph (c) added by Am. 7, 9 F.R. 2176, effective 2-20-44]

§ 1418.103 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 201 may be charged, demanded, paid or offered.

§ 1418.104 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1418.105 *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of higher prices by changing the credit practices or cash discounts which prevailed during the period from November 7 to December 6, 1941, inclusive. The cash and credit practices recognized by the seller during the period from November 7 to December 6, 1941 inclusive, shall not be reduced;

(2) Making the buyer take another commodity in addition to the one he wants;

(3) Wholesalers selling to other wholesalers and adding to direct cost a mark-up greater than the amount added on such sales during the period November 7 to December 6, 1941, inclusive. If during this period a wholesaler sold only to retailers the wholesaler must apply to OPA for a mark-up on sales to other wholesalers and cannot use the mark-up he took on his sales to retailers.

[§ 1418.105 amended by Am. 4, 7 F.R. 10790, effective 12-21-42]

§ 1418.106 *Records and reports*—(a) *Records to be kept.* (1) Every person making sales at wholesale of the commodities subject to this Maximum Price Regulation 201 shall, on and after September 1, 1942, or if a commodity becomes subject to this regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942, as amended, shall be in effect, complete and accurate records of each purchase and each sale made by such person, showing the date thereof, the name and address of the buyer and seller, the direct cost thereof, the price paid or received, the mark-up charged by the seller, and the quantity purchased or sold.

(2) Every person making sales at retail of the commodities subject to this Maximum Price Regulation 201 shall, on and after September 1, 1942, or if a commodity becomes subject to this regulation after September 1, 1942, then, on and after thirty days following the date it so becomes subject, keep for inspection by the Office of Price Administration, so long as the Emergency Price Control Act of 1942, as amended, shall be in effect, complete and accurate records of the mark-up charged by the seller, each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, and the quantity purchased by the seller.

[Paragraph (a) amended by Am. 9, 9 F.R. 4100, effective 4-20-44]

(b) *Prices to be marked and posted.* On and after September 1, 1942, every person within the Virgin Islands of the United States, offering to sell or deliver at retail to a buyer in the Virgin Islands of the United States those cost-of-living commodities included in § 1499.25, Appendix B, of the General Maximum Price Regulation[9] which are not actually produced or manufactured in the Virgin Islands of the United States, shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum prices may be marked on the commodities themselves or may be posted at the place in the establishment where the commodities are offered for sale, and may be posted by price lines if the selling price of each commodity is marked thereon. The maximum prices shall be indicated in the form "Ceiling Price $_____" or "Our Ceiling $_____".

(c) *Lists to be filed.* (1) Every person within the Virgin Islands of the United States, offering to sell or deliver to a buyer in the Virgin Islands of the United States those cost-of-living commodities included in § 1499.25, Appendix B, of the General Maximum Price Regulation which are not actually produced or manufactured in the Virgin Islands of the United States, shall file with the Regional Office of the Office of Price Administration, St. Thomas, Virgin Islands, not later than September 1, 1942, a statement, setting forth:

(i) A list of all such commodities offered for sale by such person and the selling price thereof.

(ii) The maximum price which the seller is permitted to charge for each such commodity under the provisions of this § 1418.106.

(iii) The direct cost, as defined herein, of every such commodity listed.

(iv) The amount of mark-up of every such commodity listed.

(v) The highest price at which the seller sold to a purchaser of the same class a commodity, the same as or similar to such listed commodity during the period from November 7, 1941, to December 6, 1941, inclusive, or if the commodity was not sold during such period, then the highest selling price of such commodity to a purchaser of the same class during the last thirty days prior to November 7, 1941, in which a sale was made.

(vi) The amount of mark-up which the seller added in the price submitted under subdivision (v) above.

(2) Every person offering to sell or deliver to a buyer in the Virgin Islands of the United States commodities, not included among the cost-of-living items set forth in § 1499.25, Appendix B, of the General Maximum Price Regulation, and which are not actually produced or manufactured in the Virgin Islands of the United States, shall prepare, not later than March 1, 1943, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, the following information:

(i) A list of all such commodities offered for sale by such person and the selling price thereof.

(ii) The direct cost, as defined herein, of every such commodity listed.

(iii) The amount of markup which the seller added on sales to a purchaser

[9] 9 F.R. 1395, 5109.

of the same class for the same commodity during the period November 7, 1941 to December 6, 1941, inclusive, or if the same commodity was not sold to a purchaser of the same class during such period, then the amount of markup the seller added during the last thirty days prior to November 7, 1941, at which a sale was made.

Any person who claims that substantial injury would result to him from making such statement available to any other person may file on or before March 1, 1943 this information, if such information has not heretofore been filed with the office of Price Administration, St. Thomas, Virgin Islands of the United States.

[Subparagraph (2) amended by Am. 8, 8 F.R. 1800, effective 2-8-43]

(3) Supplementary statements shall be filed by the seller within three days after offering any such commodity for sale whenever his price is lower or higher than the price previously submitted under paragraph (c) (1) (ii) of this § 1418.106.

[Subparagraph (3) amended by Am. 9, 9 F.R. 4100, effective 4-20-44]

(4) All statements submitted shall be signed under oath or affirmation.

(5) The statements required under this § 1418.106 shall be kept up to date by the seller from time to time by including therein all unreported commodities newly received. Supplementary statements shall be filed as to all such newly received commodities within three days after offering such commodities for sale. Such statements shall contain the information set forth in paragraph (c) (1) of this § 1418.106.

[Subparagraph (5) amended by Am. 4, 7 F.R. 10790, effective 12-21-42; Am. 9, 9 F.R. 4100, effective 4-20-44]

§ 1418.107 *Sales slips and receipts.* Every seller at retail of the commodities subject to this Maximum Price Regulation No. 201 who has customarily given purchasers sales slips or receipts shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold, and the price received for it.

§ 1418.107a *Transfers of business or stock in trade*—(a) *Stock in trade.* Where the business, assets or stock in trade involved in liquidation, located in the Virgin Islands of the United States and belonging to any person, are or have been sold or otherwise transferred on or after August 17, 1942, the transferee shall be bound by the maximum prices to which the transferor would have been subject for such stock in trade sold in the Virgin Islands of the United States, and the transferee may not sell such stock in trade at prices in excess of those to which the transferor would have been subject. The transferer shall preserve and make available to the transferee the records required under paragraph (a) and paragraph (c) (2) of § 1418.106, as well as every price authorization or adjustment received by him from the Office of Price Administration. The transferor shall indicate his maximum prices for different classes of purchasers and for similar units of stock received at different costs.

(b) *Adjustment for inter-island transfers of stock in trade.* Where stock in trade subject to paragraph (a) above is sold or offered for sale at premises located in a different municipality or island from that of the transferor's establishment, the transferee may apply to the Territorial Director for the Virgin Islands for an adjustment of his maximum prices for sales of such stock in trade from the new premises. The Territorial Director may at his discretion adjust the maximum prices of such stock in trade by an amount not to exceed such part of the costs of moving which, in his judgment, are reasonable. Unless the transferee makes such an application, and unless the Territorial Director issues an order adjusting his maximum prices, the transferee may not sell such stock in trade at prices in excess of the prices established in paragraph (a) above.

(c) *Continuation of the business.* Where the transferee of stock in trade involved in liquidation subject to paragraph (a) above carries on the business of the transferor or continues to deal in the same type of commodities as those transferred in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which the transferor would have been subject if no such transfer had taken place. The transferor shall preserve and make available to the transferee the records, price authorizations, price adjustments and information specified in paragraph (a) above. If, however, the transferee carries on the business or continues to deal in the same type of commodities in an establishment previously owned or operated by him, the maximum prices of the transferee for all commodities other than those transferred and subject to paragraph (a) above shall be unaffected by the transfer.

[§ 1418.107a is added by Am. 8, 9 F.R. 2747, effective 3-16-44]

§ 1418.108 *Licensing.* The provisions of Licensing Order No. 1,[8] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1418.108 amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1418.109 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

§ 1418.110 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 201 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the Office of Price Administration, St. Thomas, Virgin Islands, or the principal Office in Washington, D. C.

§ 1418.111 *Applicability of other maximum price regulations.* The provisions of this Maximum Price Regulation No. 201 supersede the provisions of all other maximum price regulations, except where other maximum price regulations provide that notwithstanding Maximum Price Regulation No. 201 such other regulations shall be applicable in the Virgin Islands of the United States.

[§ 1418.111 amended by Am. 5, 8 F.R. 1800, effective 2-8-43]

§ 1418.112 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 201 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[9]

§ 1418.112a *Applications for adjustment.* Any person seeking an adjustment of the maximum prices established by this Maximum Price Regulation No. 201 may file a petition for adjustment in accordance with the provisions of Procedural Regulation No. 7.

[§ 1418.112 amended and § 1418.112a added by Am. 3, 7 F.R. 8947, effective 11-4-42]

§ 1418.113 *Definitions.* (a) When used in this Maximum Price Regulation No. 201, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without substantially changing its form, to any purchaser for resale or to a commercial or industrial user.

(3) "Sale at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick,

[8] 8 F.R. 13240.

[9] 9 F.R. 5791.

deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

(4) "The direct cost to the seller" means the price which the seller paid for the commodity, which in no event may exceed the maximum price established by any applicable price regulation or order, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller, including premiums paid for marine and war risk insurance.

[Subparagraph (4) amended by Am. 1, 7 F.R. 6744, effective 8-29-42; Am. 6, 8 F.R. 10964, effective 8-11-43 and Am. 11, effective 8-7-44]

(5) "Sales and deliveries to a buyer in the Virgin Islands of the United States" does not include sales from a seller outside the Virgin Islands of the United States to a purchaser in the Virgin Islands of the United States. Export sales, from a seller in the Continental United States to a purchaser in the Virgin Islands of the United States shall be governed by the maximum prices established for export sales by the Revised Maximum Export Price Regulation.[8]

(6) "Amount of mark-up" means the amount in dollars and cents which added to the amount of direct cost constituted the seller's price. It does not mean the percentage of mark-up.

(7) "Selling price" means the price for which a commodity is sold, offered for sale, or listed for sale.

(8) "To deliver" means to transfer actual possession of the commodity to the purchaser or to any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(9) "Records" include books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(10) "Maximum Price Regulation", as used in this Regulation, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(11) "Purchaser of the same class", as used in this regulation, refers to the different classes of purchasers created by any practice adopted by the seller in setting different prices for commodities in connection with sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or to purchasers located in different areas or of different quantities or under different conditions of sale. But if during the mark-up period provided in § 1418.102 of this Maximum Price Regulation No. 201, a seller (i) had an established practice of making allowances, discounts or price differentials to different classes of purchasers, and (ii) raised his general level of prices for a commodity but thereafter, during such mark-up period, made no delivery to any purchaser of a particular class, he shall, for that particular class of purchasers, calculate the highest selling price by taking the highest selling price during such mark-up period to a purchaser of another class and then adjusting such price to reflect his established allowances, discounts and price differentials. No seller shall evade any of the provisions of this regulation by changing his customary allowances, discounts or other price differentials.

[Former subparagraph (12) added by Am. 3, 7 F.R. 10231, effective 12-7-42; revoked by Am. 10, 9 F.R., effective 8-26-44]

(12) "Export" means to sell, ship, deliver, or transfer a commodity to a buyer in a foreign place regardless of where title passes or where the invoicing is done, and includes all sales, deliveries or transfers in the Virgin Islands of the United States for purposes of exportation to a foreign place.

(13) "Foreign place" means any place outside of the continental United States and the territories and possessions of the United States.

[Subparagraphs (12) and (13), formerly (13) and (14), added by Am. 7, 9 F.R. 2176, effective 2-20-44; redesignated by Am. 10, 9 F.R. 10260, effective 8-26-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the terms used herein.

§ 1418.114 *Applicability.* The provisions of this Maximum Price Regulation No. 201 shall be applicable to the Virgin Islands of the United States.

§ 1418.115 *Effective dates.* This Maximum Price Regulation No. 201 (§§ 1418.101 to 1418.115, inclusive) shall become effective August 17, 1942. [Maximum Price Regulation No. 201 originally issued August 17, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12964; Filed, August 26, 1944; 12:09 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 10 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Correction

In F. R. Doc. 44-12880, appearing on page 10425 of the issue for Saturday, August 26, 1944, the bracket heading should read as set forth above.

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 84]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 84 to Maximum Price Regulation No. 120 is hereby corrected in the following respects:

1. In subparagraph (8) of § 1340.224 (b), Mine Index No. 1231 is deleted from Price Group No. 4 and it is inserted in Price Group No. 3 thereof, between Mine Index No. 1203 and Mine Index No. 1250.

2. In subparagraph (8) of § 1340.224 (b), Mine Index No. 665 is deleted from Price Group No. 7 and it is inserted in Price Group No. 6 thereof, between Mine Index No. 624 and Mine Index No. 677.

This correction to Amendment No. 84 shall be effective as of February 3, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13027; Filed, August 28, 1944; 11:30 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 4 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

1. The table in section 1(a) is amended by adding item 6 to read as follows:

Column 1 Item No.	Column 2 Product	Column 3 Section	Column 4 Section	Column 4 Appendix
6	Cherries, sweet (California only)...	5	16	C

2. In section 16, Appendix C is added to read as follows:

APPENDIX C—SWEET CHERRIES

Explanation of how maximum prices for packed sweet cherries are figured. For packed sweet cherries, conversions for grade, for syrup differential, and for container type and size under subparagraph (2), (3) or (4) of section 5 (a) of this supplement are to be made in the same order and in the same manner as those for packed apricots. The explanation at the beginning of Appendix B of this section applies to this appendix for that purpose, except that since permitted increases are provided for only one style, no conversion is made here for style of pack.

TABLE 1—AREAS

1. California.
2. Washington and Oregon.[3]

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[8] 2nd Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9493.

[3] Prices to be announced later.

TABLE 2—BASE PERIOD PRICES

[Weighted average selling price for the first 60 days after the beginning of the 1941 pack]

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED SWEET CHERRIES WHO MADE SALES DURING THE BASE PERIOD

AREA 1

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Light (unpitted)				
Fancy	$1.13	$2.59–$2.89	$4.08	$12.13–$12.26
Choice	1.06	3.29– 3.55	3.79	11.79– 12.34
Standard	.96	3.17– 3.25	3.49	11.11– 11.49
Water			1.73	5.52– 6.02

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES (PER DOZEN CONTAINERS) FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SWEET CHERRIES DURING THE BASE PERIOD

AREA 1

	No. 2½ cans			No. 10 cans			
	Fancy	Choice	Standard	Fancy	Choice	Standard	Water
Light (unpitted)	$2.74	$2.47	$2.21	$13.19	$12.06	$11.30	$6.22

TABLE 5—CONVERSION FACTORS; METAL CONTAINERS

AREA 1

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor			
	No. 1 tall	No. 2	No. 2½	No. 10
No. 1 tall			1.71	5.89
No. 2			1.36	4.76
No. 2½	0.59	0.74	1.00	3.45
No. 10	.17	.21	.29	1.00

TABLE 6—CONVERSION FROM TIN TO GLASS

[Dollars per dozen containers]

If you can figure a price for a can size in this column	To get a price for a glass container size at the head of a column below, add (or subtract) the indicated amount	
	No. 2½ glass	No. 303 glass
No. 2½	+$0.20	−$0.30

TABLE 7—SYRUP DIFFERENTIALS

If you pack fruit in syrup of which the density does not correspond to the grade of the fruit, subtract the differential stated below for the grade from the prices computed from Table 3 or 4 and add to the resulting figures the differential for the syrup you do use.

[Dollars per dozen containers]

Syrup	No. 2½	No. 10
Extra heavy (fancy)	$0.19	$0.71
Heavy (choice)	.14	.51
Light (standard)	.09	.33
Slightly sweetened water (substandard)	.04	

The density of the syrup referred to above is defined as follows:

"Extra heavy syrup" means syrup having a cut-out density of 25°–35° Brix.

"Heavy syrup" means syrup having a cut-out density of 20°–25° Brix.

"Light syrup" means syrup having a cut-out density of 16°–20° Brix.

"Slightly sweetened water" means water or fluid having a cut-out density of less than 16° Brix.

TABLE 8—GRADE DIFFERENTIALS, DIFFERENCES BETWEEN SUCCESSIVE GRADES (DOLLARS PER DOZEN CONTAINERS)

AREA 1

Style and grade	No. 2½ cans	No. 10 cans
Light (unpitted) fancy and choice	$0.27	$1.13
Choice and standard	.26	.76
Standard and water		5.08

This amendment shall become effective August 28, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–13028; Filed, August 28, 1944; 11:28 a. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 222,[1] Amdt. 2]

NORTHERN SOFTWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Second Revised Maximum Price Regulation 222 is amended in the following respects:

1. In Appendix A, under the caption "Additions and deductions per MBM to the prices in Table 3", footnotes 7, 8, 10 and 11 are changed to read as follows:

[7] S181E, S261E, S2E18, S48; 4" x 4" to 8" x 8", add $3.50.

[8] S181E, S261E, S2E18; 4" x 10" to 12" x 12", add $4.00.

[10] D+M, or shiplap; 4" x 4" to 8" x 8", add $4.00.

[11] S48, D+M, or shiplap 4" x 10" to 12" x 12", add $4.50.

2. In Appendix B, Table 9, the box headings, "No. 1" and "No. 2", appearing under the subheading "Shop Common" are deleted.

3. In Appendix B, footnote 9 under the caption "Additions and deductions per MBM to the tables of this Appendix for working, size, condition and selection, for which no price is otherwise provided", is amended to read as follows:

[9] S181E, S261E, S182E add $3.00, $4.00, $4.00.

This amendment shall become effective September 2, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–13029; Filed, August 28, 1944; 11:30 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Amdt. 48]

MIXED AND STRAIGHT FEED IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Section 64 is amended to read as follows:

SEC. 64. *Maximum prices for mixed and straight feed sold in the Territory of Puerto Rico*—(a) *Definitions.* When used in this section, the term:

(1) "Mixed feed" means a mixture or blend of more than one feed ingredient for the purpose of feeding animals and poultry except the following commodities:

(i) Those commodities listed in section 2.3 (m) and (n) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation as exempt from said regulation.

(ii) A mixture resulting from the blending or mixing of offals or by-products from a single vegetable, plant or other agricultural product, and also screenings as defined in the official publication of the Association of the American Feed Control Officials, Inc. for 1942, which commodities shall be and remain subject to § 1492.2 and other applicable provisions of the General Maximum Price Regulation.

(iii) Cat, dog and rabbit feeds.

(2) "Straight feed" means an unmixed feed for the purpose of feeding animals and poultry.

(3) "Base price" means the direct cost to the importer of the first shipment of a brand, grade or variety of mixed feed received by him after February 1, 1944.

(b) *Maximum prices for imported mixed feed*—(1) *Maximum prices for*

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14126; 9 F.R. 789, 1054.

imported feeds for cows. (i) The maximum prices for imported feeds for cows sold by an importer, his agent or distributor shall be computed by adding to the base price for such feed a markup of 35¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the warehouse of the importer, his agent or distributor, or 25¢ per 100 pound bag, whichever is the lower: *Provided*, That for each one dollar increase or decrease per ton in the direct cost to the importer of a brand, grade or variety of imported feed for cows received by the importer after his base price has been established, the Territorial Director of the Office of Price Administration at San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the importer's maximum price.

(ii) The maximum prices for imported feed for cows sold by a seller other than the importer, his agent or distributor shall be computed by adding to the importer's maximum price at the port of discharge a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the port of discharge to the seller's place of business or 25% per 100 pound bag, whichever amount is lower.

(2) *Maximum prices for imported feed for heifers and calves.* (i) The maximum prices for imported feeds for heifers and calves shall be computed by adding to the base price for such feed a markup of 80¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the seller's place of business, or 25¢ per 100 pound bag, whichever is the lower: *Provided*, That for each $1.00 increase or decrease per ton in the base price of a brand, grade or variety of imported feeds for heifers and calves, the Territorial Director of the Office of Price Administration of San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the maximum price.

(3) *Maximum prices for imported feeds for horses, mules and hogs.* (i) The maximum prices for imported feeds for horses, mules and hogs sold by an importer, his agent or distributor shall be computed by adding to the base price for such feed a markup of 45¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from pier to the warehouse of the importer, his agent or distributor, or 25¢ per 100 pound bag, whichever amount is the lower; *Provided*, That for each one dollar increase or decrease per ton in the direct cost to the importer of a brand, grade or variety of imported feed for horses, mules and hogs received by the importer after his base price has been established, the Territorial Director of the Office of Price Administration of San Juan, Puerto Rico, may, by order, authorize or direct a corresponding increase or decrease in the importer's maximum price.

(ii) The maximum prices for imported feed for horses, mules and hogs sold by a seller other than the importer, his agent or distributor shall be computed by adding to the importer's maximum price at the port of discharge a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the port of discharge to the seller's place of business, or 25¢ per 100 pound bag, whichever amount is the lower.

(c) *Maximum prices for locally mixed feed sold by the manufacturer.*

TABLE 56—MAXIMUM PRICES FOR LOCALLY MIXED FEED SOLD BY THE MANUFACTURER

	Per 100 pound bag
Puerto Rico brand:	
20% protein content	$3.50
24% protein content	3.60
16% protein content (dry freshening)	3.50
Calf meal	4.75
Oxen feed	3.60

(1) The maximum prices for locally mixed dairy feed sold by the manufacturer's agent or distributor shall be computed by adding to the price fixed in Table 56 a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the purchaser's place of business, or 25¢ per 100 pound bag, whichever amount is lower.

(2) The maximum prices for locally mixed dairy feed sold by a seller other than a manufacturer, his agent or distributor shall be computed by adding to the price fixed in Table 56 a markup of 20¢ per 100 pound bag, plus a transportation allowance not to exceed the actual cost of transporting the feed from the mixing plant to the seller's place of business, or 25¢ per pound bag, whichever amount is lower.

(d) *Maximum prices for straight feed.*

TABLE 57—MAXIMUM PRICES FOR STRAIGHT FEED

	Per 100 lb. bag
Oats (red or white):	
Sales to wholesalers	$3.80
Sales to others than wholesalers	4.20

This amendment shall become effective as of August 7, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13030; Filed, August 28, 1944; 11:30 a. m.]

PART 1430—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 52]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 890, 902, 1581, 2008, 2028, 2091, 2493, 4089, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7250, 7268, 7580, 7425, 7588, 7759, 7774, 7884, 8142, 9066, 9090, 9280, 9356, 9512, 9559, 9633, 9509, 9776, 9806, 9897.

Section 15 is amended by revoking Appendix E.

This amendment shall become effective at 12:01 a. m. August 26, 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: August 25, 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-12915; Filed, August 25, 1944; 5:01 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A[1], Amdt. 13]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. The undesignated paragraph following section 2.7 (a) (4) is designated (b), and the following sentence is inserted after the first sentence of that paragraph: "This shall be done by placing a mark (with ink, indelible pencil or typewriter) in the space immediately to the right of the box preceding the description of the type of stove and by punching a hole through that box."

2. Section 3.2 (e) is amended to read as follows:

(e) *Dealers and distributors who do not register on time.* A dealer or distributor who has failed to register within the time fixed by this section may file his registration form with his Board but must submit with it a written statement giving the reasons why he did not register on time and the following information:

(1) The number of stoves, by type, on hand;

(2) The number of certificates, by type, on hand.

(3) A schedule of all stoves, by type, transferred on or after August 24, 1943, with the date of each transfer, the make, model, and the price obtained for each stove, and the name and address of each transferee;

(4) A schedule of all stoves, by type, acquired on or after September 1, 1943, with the date of each acquisition, the make and model of each stove acquired, and the name and address of each transferor;

(5) The number of certificates, by type, given up by him to anyone after September 1, 1943.

The Board shall send the application and the written explanation to the District Director and may attach its recommendation. If the District Director is satisfied that the failure to register on time was for good cause, it may approve

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[1] 8 F.R. 11564.

the registration, with such conditions as it finds proper.

3. Section 3.2 (f) is added as follows:

(f) *Correction of registration.* A dealer or distributor who finds that his registration statement on OPA Form R–902 filed with the Board is inaccurate in any respect, may file with his Board three (3) copies of a corrected registration on OPA Form R–902. The corrected registration must be accompanied by a written signed statement bearing the date of filing and containing the facts which he claims support the corrected registration. The Board will send to the District Director the corrected registration and the accompanying statement together with its recommendation. If the District Director is satisfied that the corrections to the registration are proper, he will approve the application and direct the Board to issue any inventory certificates due by reason of the corrected registration. However, no inventory certificates shall be issued to a dealer or distributor registered before September 1, 1944, unless the corrected registration and statement is filed on or before November 30, 1944, or to a dealer or distributor who registers on or after September 1, 1944, unless his corrected registration and statement are filed within ninety (90) days after registration.

4. Section 3.10 is amended to read as follows:

SEC. 3.10 *Distributors and dealers must keep records*—(a) *The kind of records to be kept.* Every dealer and distributor must keep the following records:

(1) A copy of his registration on OPA Form R–902 and of any work sheets used by him in taking inventory for registration.

(2) A record of all orders for stoves, whether written or oral, placed by him with any person (whether or not he is required to surrender certificates for them). That record must show the number of stoves, by type, ordered, the date of the order, the serial numbers of the certificates, if any, given up with the order, and the name and address of the person with whom the order was placed. If stoves ordered are received, the record must also indicate the number of the stoves, by type, and the date they were received.

(3) A record of all stoves acquired by him, other than through orders placed by him (whether or not he is required to surrender certificates for them). That record must show the number of stoves, by type, acquired, the date acquired, the serial numbers of certificates, if any, given up, and the name and address of the person from whom the stoves were acquired.

(4) All invoices for stoves received by him; if the invoices give all the information required by the preceding subparagraph (2) or (3), no additional record of the same information is required.

(5) A record of all orders for stoves placed with him (whether or not he is required to get certificates for those stoves). That record must show the name and address of the person who placed the order, the number of stoves, by type, ordered, and the number of stoves, by type, transferred on that order, the date of the transfer and the serial numbers of the certificates, if any, given him with the order. He must make and keep a duplicate of the sales slip for each transfer made by him. If the sales slip gives all the information required by this subparagraph, no additional record of the same information is required.

(6) A record of all transfers of stoves made by him, other than through orders placed with him (whether or not he is required to get certificates for these stoves). That record must show the number of stoves, by type, transferred, the date transferred, the serial numbers of certificates, if any, given him, and the name and address of the person to whom they were transferred. He must make and keep a duplicate of the sales slip for each transfer made by him. If the sales slip gives all the information required by this subparagraph, no additional record of the same information is required.

5. Section 5.3 is amended to read as follows:

SEC. 5.3 *Certificates must be endorsed*—(a) *A consumer must endorse his certificate.* A certificate issued to a consumer must be endorsed by him (or by a person authorized to sign for him) in the name in which it is issued before it is delivered by him to any person for any purpose. However, if a consumer mails an order for a stove with his certificate which he has not endorsed, the person so receiving the certificate may endorse the name of the consumer on it, but only if he has shipped the stove ordered with the certificate to that consumer.

(b) *A dealer, distributor or manufacturer must endorse a certificate issued or delivered to him.* A certificate issued to or received by a dealer, distributor or manufacturer must be endorsed by him (or by a person authorized to sign for him) before it is delivered by him to any person for any purpose. However, if a dealer or distributor mails an order with a certificate without his endorsement, the person so receiving the certificate may endorse the name of the dealer or distributor on it, but only if he has shipped the stove ordered with the certificate to that dealer or distributor.

6. Section 7.12 is added as follows:

SEC. 7.12. *Certificate-free transfers of stoves by agencies of the United States to manufacturers who made them.* Any agency of the United States may transfer certificate-free stoves to the manufacturer who made them (or to a manufacturer who is the successor of the person who made them) upon receipt of a statement in writing from the transferee that the stoves were made by him or that he is the successor of the manufacturer who made them. The manufacturer must report the stoves acquired under this section in his regular monthly report to the War Production Board. No manufacturer may acquire stoves under this section unless they were made by him or unless he is the successor of the manufacturer who made them.

7. Section 9.3 (a) is amended by inserting the phrase "on and" before the phrase "after July 1, 1943" in the first sentence.

8. Section 9.3 (c) is added as follows:

(c) If the application is not approved, the applicant may dispose of the stoves he has on hand at the date of his application in the same manner that a registered dealer or distributor is permitted to transfer stoves. He must within thirty (30) days after the transfer of each stove surrender to the Board to which he applied, the certificate obtained for the stove, and he may not use any certificates to acquire stoves.

This amendment shall become effective on September 1, 1944.

NOTE: All reporting and record-keeping requirements of this ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Directive 1, 7 F.R. 562, and Supp. Dir. 1–S, 8 F.R. 6018)

Issued this 28th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13031; Filed, August 28, 1944; 11:28 a. m.]

PART 1438—NONMETALLIC MINERALS

[MPR 327,[1] Amdt. 7]

CERTAIN NONMETALLIC MINERALS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 327 is amended in the following respects:

1. Section 1438.1 containing the list of commodities subject to Maximum Price Regulation No. 327 is amended by deleting ground flint, quartzite and shale.

2. Section 1438.2 (a) (3) (ii) is amended to read as follows:

(ii) In all other cases the seller shall determine the net price at which he expects to sell his commodity and shall then file such net price with the Office of Price Administration, Washington, D. C., within fifteen days after the first sale of the commodity that is made on or after the date this Regulation becomes effective for that commodity.

The price submitted for approval shall be a price in line with the general level of prices established by this Maximum Price Regulation No. 327.

Pending action by the Office of Price Administration on prices submitted for approval under this paragraph (a) (3)

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 2154, 4045, 6116, 11274, 14688, 15196.

(ii), any such seller may sell, deliver, exchange, or offer to sell, deliver or exchange, and any person may buy, offer to buy or receive from such seller any such commodity at the price submitted for approval. If, however, the price submitted is disapproved, the selling price shall be revised downward to the maximum price which shall be approved, and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the written instrument informing the seller of such revision: *Provided*, That the price submitted by the seller shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price within fifteen days from the date on which the receipt of the request for approval is acknowledged by the Office of Price Administration, or, if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which the receipt of such information is acknowledged by this Office.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, his list price, and all discounts, allowances and differentials for all classes of buyers, a description and identification of the commodity, a statement of facts differentiating such commodity from the other commodities sold by the seller, a statement showing how the proposed price was determined, and a description of the use or uses for which the commodity is to be produced.

3. Section 1438.8 is amended to read as follows:

(8) *Adjustable pricing.* It is permissible under this Regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery.

4. Section 1438.12 (a) is amended by the addition of two new paragraphs, (4) and (5), to read as follows:

(4) The Office of Price Administration may, on its own motion or on application, adjust the maximum price or prices of a distributor of any commodity subject to this regulation when the maximum price or prices paid by such distributor for the commodity are or have been increased above the level of March, 1942, and the adjustment of the distributor's maximum price or prices appears to be reasonably necessary in order to insure orderly and customary distribution.

The amount of adjustment that may be granted to any such distributor shall not exceed the amount of the actual dollar-and-cents increase in the price of the commodity (not in excess of the maximum) which must be paid by him.

(5) Upon the receipt of an acknowledgment from the Office of Price Administration of the filing of an application for adjustment, and until final disposition of the application, contracts may be entered into or proposed and deliveries made at the prices requested in the application, except that the seller may not receive and the buyer may not pay the amount by which the price exceeds the maximum price until an order granting the requested adjustment, and establishing an effective date, has been issued. Any seller making a sale, contract to sell or offer to sell at the price requested in his application shall inform the buyer of the following and shall show the same on his invoice:

(i) The maximum price established for the commodity or product in question,

(ii) A statement that the quoted price is subject to approval by the Office of Price Administration, and

(iii) A statement that an appropriate application has been filed with the Office of Price Administration at Washington, D. C.

This amendment shall become effective September 2, 1944.

NOTE: Approval of the reporting provisions of this amendment has been waived by the Bureau of the Budget.

Issued this 28th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13032; Filed, August 28, 1944; 11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1,[1] to GMPR Amdt. 76]

STUMPAGE AND LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.10 (c) is amended to read as follows:

(c) Stumpage and logs.

This amendment shall become effective September 1, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13033; Filed, August 28, 1944; 11:28 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 95]

AMENDMENT OF ALL EXISTING LETTER-ORDERS WITH RESPECT TO CHANGES IN BUSINESS PRACTICES

Correction

The captions of Federal Register Document 44-12881 appearing on page 10424 of the issue for Saturday, August 26, 1944, should read as set forth above.

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3581, 3590, 4391, 4948, 5268, 5996, 7020, 6570, 6648, 7077, 7524, 7425, 7579, 7500, 7710, 7834, 8150, 8629, 9357, 9411, 9549.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

SERVICE REQUIREMENTS

§ 2.1001 *Persons included in the acts in addition to commissioned officers and enlisted men.* * * *

No change in (a) to (h) inclusive.

(i) *Army Nurse Corps, Navy Nurse Corps and female dietetic and physical therapy personnel.* Members of the Army Nurse Corps (female) and the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department. (A. D. 156.) Female dietetic and physical therapy personnel (exclusive of students and apprentices) appointed with relative rank on or after December 22, 1942 (Public No. 828, 77th Congress), or commissioned on or after June 22, 1944 (Public No. 350, 78th Congress). (August 29, 1944.)

No change in (j) through (q).

(56 Stat. 1072, 1073, 1074; Pub. Law 350, 78th Cong.)

FRANK T. HINES,
Administrator.

[F. R. Doc. 44-12952; Filed, August 26, 1944; 11:41 a. m.]

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

AWARDING OF SUBSISTENCE ALLOWANCE DURING PERIOD OF EDUCATION OR TRAINING

The following regulations govern (1) determinations as to whether a discharge or release from active service was by reason of an actual service-incurred disease or injury, within the purview of Veterans' Regulation No. 1 (a), Part VIII—Public No. 346, 78th Congress; and (2) Awarding of subsistence allowances under Veterans' Regulation No. 1 (a), Part VIII—Public No. 346, 78th Congress:

Sec.
36.201 Authority.
36.202 Jurisdiction as to discharge or release.
36.203 Jurisdiction as to award of subsistence allowance.
36.204 Apportionment of subsistence allowance.
36.205 Awards of subsistence allowance and effective date.
36.206 Applicability of provisions of regulations defining relationship, dependency, etc.

AUTHORITY: §§ 36.201 to 36.206, inclusive, issued under 58 Stat. 248.

§ 36.201 *Authority.* The adjudication division in each regional office or facility under the direction of an adjudication officer, and the claims division, veterans claims service, central office, under the direction of a chief, are vested with authority to determine whether a discharge or release from active service was by reason of an actual service-incurred disease or injury and to award

subsistence allowances payable during the period of education or training.

§ 36.202 *Jurisdiction as to discharge or release.* Rating boards in the adjudication division, field office, and the central disability board, claims division, veterans claims service, central office, will have original jurisdiction to determine whether a discharge or release from active service was by reason of an actual service-incurred disease or injury.

(a) When an application for education or training is received and the veteran had less than 90 days' service within the purview of Veterans Regulation No. 1 (a), Part VIII, but was discharged or released for disability, the vocational rehabilitation and education division will refer the claim to the adjudication division, field office or the claims division, veterans claims service, central office, for a formal rating to determine whether such discharge or release was by reason of an actual service-incurred disease or injury. The adjudication division, field office, or the claims division, veterans claims service, central office, will process the application as expeditiously as possible, securing the necessary service records and such additional evidence as may be required, and upon the basis of the assembled evidence a formal rating will be rendered with the use of the applicable code or codes. If the disability for which the veteran was discharged or released is shown to be actually service incurred, an evaluation of the degree of disability will not be entered in order to guard against inadvertent awards thereon. There will be entered on the rating sheet the legend: "For Education or Training Purposes Only Under Veterans Regulation No. 1 (a), Part VIII."

(b) The criteria in making the above determination will be those which govern under §§ 35.011 (a) (1) and 35.012 (a) (1) of this chapter, as amended. The presumptive provisions of §§ 35.011 and 35.012 (a) (2) of this chapter are not applicable.

§ 36.203 *Jurisdiction as to award of subsistence allowance.* The authorization unit, adjudication division, field office, and the authorization subdivision, claims division, veterans claims service, central office, will have jurisdiction to award subsistence allowance during the period the veteran is pursuing a course of education or training.

(a) Immediately upon entrance of the disabled veteran into education or training the vocational rehabilitation and education division will notify the adjudication division, field office, or claims division, central office, depending upon the jurisdiction of the claim, by appropriate form showing veteran's name, claim number, and date of entrance into, and type of education or training, that is, whether part-time or whether he is receiving compensation for productive labor performed as a part of his apprentice or other training on-the-job at institutions, business or other establishments. The vocational rehabilitation and education division will also notify the adjudication division, or claims division by form, of any change in status which would affect the rate of subsistence allowance.

(b) The monthly rate of subsistence allowance, where claimed by the veteran and while he is pursuing a full-time course of education or training will, except as hereinafter provided, be as follows:

(i) If the disabled person is without a dependent or dependents, $50.00;

(ii) If he has a dependent or dependents, $75.00.

(iii) The $50.00 or $75.00 rate will be awarded according to the information shown on the veteran's application for education or training. The veteran will be informed of the necessity of submitting formal proof of relationship and dependency and that in the event it is not submitted within 60 days the award will be adjusted on the basis of a veteran without dependents from the effective date of the subsistence allowance. If proof of relationship or dependency is received within one year from the date requested, see § 36.205 (b).

(iv) If attending a course on a part-time basis or if receiving compensation for productive labor performed as a part of his apprentice or other training on-the-job at institutions, business or other establishments the veteran shall be entitled to receive such lesser sums, if any, as subsistence or dependency allowances, as may be authorized by the vocational rehabilitation and education division.

(v) In any case where the veteran is entitled to vocational rehabilitation under Public No. 16, 78th Congress, as amended, in no event will the combined disability pension and subsistence allowance exceed the amount authorized by Part VII, Veterans Regulation No. 1 (a), as amended.

(vi) Where the disabled person pursuing a course of education or training is furnished hospitalization by the United States Government or a political subdivision thereof, other than during approved leave, he will be entitled only to the monthly amount of pension or retirement pay authorized for the service-connected disability, and this disability pension or retirement pay will be subject to reduction or discontinuance as provided in § 35.06 of this chapter.

§ 36.204 *Apportionment of subsistence allowance.* Where in order under the conditions specified in §§ 3.1310 to 3.1317 of this chapter, inclusive, subsistence allowance payable on account of education or training will be apportioned $50.00 to the veteran and $25.00 to the dependent. In the event that there are more than one dependent the $25.00 will be equally divided among them. Where the veteran is receiving a reduced subsistence allowance under the provisions of § 36.203 (b) (iv), such reduced subsistence allowance will be apportioned two-thirds to the veteran and one-third to the dependent or dependents. Where there is more than one dependent such one-third share shall be equally divided among them. If the application of the above provisions should in any case work a hardship upon the veteran or any of his dependents appropriate consideration may be had under § 3.1315 of this chapter.

§ 36.205 *Awards of subsistence allowance and effective date.* Original awards of subsistence allowance on account of education or training will be prepared upon Form 553 or Form 553 (e) according to the period of the veteran's service; apportioned awards to dependents, on Form 553 (a); awards adjusting the monthly rate of subsistence allowance will be prepared upon Form 553 (c). Subsistence allowances are not pensions and separate awards will therefore be required. At the top of the award brief face there will be inscribed in capitals "subsistence allowance" and under "Remarks" there will be quoted "Part VIII, Veterans Regulation No. 1 (a), as amended—Public No. 346, 78th Congress."

(a) The effective date of an award of subsistence allowance on account of education or training shall be the date of entrance into training or reentrance, if interrupted.

(b) The effective date of an increased award of subsistence allowance on account of education or training based on the marriage of the claimant, the birth or adoption of a child, or dependency of a parent, shall be the date of receipt of claim by the Veterans Administration or the date the evidence of relationship or dependency shows entitlement, whichever is the later. In the event claimant's application is not complete, he will be advised of the evidence necessary to complete the application, and if such evidence is not received within one year from the date of request therefor, increased subsistence allowance will not be paid by virtue of that application.

(c) Reduction of an award of subsistence allowance payable on account of education or training shall be effective:

(i) In the event of death of a dependent, as of the date of death;

(ii) In the event of divorce, the date preceding date of divorce;

(iii) In case of a child, the date preceding the eighteenth anniversary of date of birth or if attending school after age 18, the date of cessation of school attendance or the date preceding the twenty-first anniversary of the date of birth, whichever is the earlier; the date preceding date of marriage; in case of cessation of incapacity to support self by reason of mental or physical defect last day of month in which reduction is approved;

(iv) By reason of wages, compensation or other income received while performing productive labor as a part of his apprentice or other training on-the-job at institutions, business or other establishments, last date of month in which award effecting reduction is approved.

(d) Discontinuance of an award of subsistence allowance payable on account of education or training because of interruption of course or termination thereof, shall be effective:

(i) Interruption of course, date following date of interruption of course;

(ii) Termination of course, the end of the month in which the course is completed.

§ 36.206 *Applicability of provisions of regulations defining relationship, dependency, etc.* Section 400 (b) of Public

No. 346, 78th Congress, amends §§ 36.011 to 36.016 of this chapter as amended. Accordingly, except as otherwise provided herein, the provisions of Regulations and Procedure, Veterans Administration, pertaining to definitions of relationship, dependency, jurisdiction, appeals, etc., under Public No. 2, 73d Congress, insofar as applicable, will control under §§ 36.201 to 36.206 inclusive.

[SEAL] FRANK T. HINES, *Administrator.*

AUGUST 18, 1944.

[F. R. Doc. 44-12961; Filed, August 26, 1944; 11:41 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service

PART 11—FOREIGN QUARANTINE

APPLICATION OF CERTAIN LAWS AND REGULATIONS TO CIVIL AIR NAVIGATION

Cross Reference: For the text of the amendments to this part see Title 8—Aliens and Nationality, Part 116—Civil Air Navigation, *infra*.

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Federal Security Agency

PART 4—FELLOWSHIPS IN TEACHER EDUCATION FOR TEACHERS FROM THE OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in one or more branches of education under the auspices of the Office of Education of the Federal Security Agency will be awarded to qualified applicants from other American republics:

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290), authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American republics; (see Resolution No. 81 adopted by the Eighth International Conference of American States held at Lima, Peru, December 9–27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science recommended by the American Governments);

(b) The Department of State Appropriation Act, 1945, approved June 28, 1944, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance and other fees incident to training, including travelling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, interns, and persons possessing special scientific or other technical qualifications who are citizens of the United States or the other American Republics;

(c) Title 5, U.S.C., sec. 22 (R.S. sec. 161), authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business; Act of Congress March 2, 1867 (sec. 1, 14 Stat. 434), establishing a Department of Education; Act of July 20, 1868 (Ch. 176, sec. 1, 15 Stat. 106), establishing an Office of Education under the supervision of the Secretary of Interior; Reorganization Plan No. 1 (4 F.R. 2728, 53 Stat. 1424) transferring the Office of Education and its functions from the Department of Interior to the Federal Security Agency.

Fellowships will be awarded, subject to the following regulations:

Sec.
4.1 Type of fellowship.
4.2 Qualifications.
4.3 Award of fellowships.
4.4 Allowances and expenses.
4.5 Progress reports.
4.6 Duration of fellowships.
4.7 Official notification.

AUTHORITY: § 4.1 to § 4.7, inclusive, issued under the authority contained in 53 Stat. 1290, 1424, 4 F.R. 2728; R.S. 161, 14 Stat. 434; 15 Stat. 106; Public Law 365, 78th Congress, 2nd Sess., approved June 28, 1944.

§ 4.1 *Type of fellowship.* Fellowships shall be of the intern-training type for experienced teachers and will provide training by observation and participation in one or more of the specific branches of education listed below, and may include other branches of education designated by governments nominating candidates. The branches of education in which training may be offered are:

(a) Rural Education.
(b) Vocational Guidance.
(c) Industrial Arts.
(d) Vocational Agriculture.
(e) Home Economics.
(f) Nursery-Kindergarten.

§ 4.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A citizen of an American republic other than the United States.

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies, research, or any other activity or work incident to the fellowship.

(c) Able to speak, read, write, and understand the English language.

(d) Of good moral character and possess intellectual ability and suitable personal qualities; and

(e) In possession of documentary evidence (1) that he is fully qualified in accordance with the requirements of the country of which he is a citizen to teach the special branch of education included in § 4.1, under which he is making application for a fellowship; (2) that he is at the time of making his application employed in a professional position by an educational agency that includes or makes provisions for that special branch of education in its responsibilities; and (3) that he has had at least three continuous years of successful fulltime teaching experience.

§ 4.3 *Award of fellowships.* Fellowships shall be awarded by the United States Commissioner of Education with the approval of the Administrator of the Federal Security Agency and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the government of the American republic of which the applicant is a citizen through the American diplomatic mission accredited to that government.

§ 4.4 *Allowances and expenses.* An applicant awarded a fellowship may be entitled to any or all of the following:

(a) *Monthly allowances.* Monthly allowance for quarters and subsistence during the entire period spent in the United States, its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home at the following rates: (1) Not exceeding $180 per month while under assignment to receive educational training with headquarters in a city of more than 100,000 population, or not exceeding $150 per month while receiving such training in a city of less than 100,000 population; and (2) not exceeding $135 per month while receiving training at colleges or universities and residing in quarters usually occupied by students in attendance thereat or in similar quarters, irrespective of the population of the city wherein the institution is located.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories or Possessions in the Western Hemisphere, where the program of observation and participation is to be pursued, and return to the home of the applicant, including travel via Washington, D. C., en route to the place of observation or participation and from the place of observation or participation to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship and between places of observation or participation in the United States, its Territories or Possessions in the Western Hemisphere, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) Rail fare:[1] First class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used if practicable, within the United States.)

(2) Pullman fare:[1] Lower berth or parlor car seat. No receipts are neces-

[1] In all cases round-trip tickets must be purchased if possible. In the event the return portion of the ticket cannot be used, it should be returned to the Office of Education.

sary if government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) Steamer fare:[1] Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. No receipts are necessary.

(4) Airplane fare:[1] Transportation by air will be allowed regardless of the cost when authorized or approved by the Administrator of the Federal Security Agency. When air travel has not been specifically authorized the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) Taxicab fare: At the beginning and termination of the journey and all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) Excess baggage charges: For personal effects (not household furniture) which are not carried free by the transportation company. (The traveler must determine from the transportation company the amount of baggage which will be carried free.) Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance if such an allowance is granted. Unless previously authorized, explanation must be made when submitting claim for reimbursement for excess baggage charges, showing the official necessity therefor. The authorization or a copy thereof must accompany the expense account. All charges for excess baggage must be supported by receipts showing the weight of the baggage and points between which moved. (Standardized Government Travel Regulations as amended March 7, 1941).

(7) Drayage or transfer of baggage: For the hauling of personal effects from home to station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling bags or baggage will not be allowed.

(8) Rental of steamer rug and steamer chair: Receipts are necessary. Charges for rental of steamer cushions will not be allowed.

(9) Tips and gratuitous fees: Will not be allowed.

(c) *Per diem.* Per diem in lieu of subsistence while fellow is in travel status proceeding from and to his home at the following rates: $6.00 over land or by air in and outside of the continental limits of the United States, and $4.00 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of $6.00 per day for any period of authorized travel.

(d) *Other expenses.* Enrollment fees, tuition, medical and infirmary fees, laboratory fees, cost of textbooks and rental of equipment, payable to the institution, person, firm or corporation that may have rendered the services or furnished the supplies, upon prior authorization of the Office of Education. Such expenses may be billed directly to the Office of Education, Federal Security Agency, and shall bear the signature of the fellow receiving the services or using the supplies. However, should that procedure not be practicable, the fellow may pay the bill, if authorized to do so, and render an appropriate account to the Office of Education.

§ 4.5 *Progress reports.* Applicants awarded fellowships under these regulations shall submit written reports of progress in the special fields at such intervals as the Commissioner of Education or the duly authorized representative of the Commissioner of Education may direct.

§ 4.6 *Duration of fellowships.* Fellowships may be awarded for periods of varying length, not exceeding one period of six months of actual observation and participation, and may be extended for not exceeding the same period in the manner prescribed under § 4.3 of this part and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Commissioner of Education, with the approval of the Administrator of the Federal Security Agency and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 4.7 *Official notification.* Each applicant selected by the Commissioner of Education, and approved by the Administrator of the Federal Security Agency and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall name the duration and type of fellowship, the prescribed program to be followed, and the allowances authorized: *Provided, however,* That the Commissioner of Education, with the approval of the Administrator of the Federal Security Agency, may subsequently amend the prescribed program if in his opinion such action would be in the interest of obtaining instruction or educational activities better suited to the needs and capabilities of the fellow than those prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Administrator of the Federal Security Agency and the Secretary of State, or the duly authorized representative of the Secretary of State.

Issued this 16th day of August, by

[SEAL] J. W. STUDEBAKER,
U. S. Commissioner of Education.

Approved: August 22, 1944.

PAUL V. MCNUTT,
Administrator, Federal Security Agency.

Approved: August 4, 1944.

E. R. STETTINIUS, Jr.,
Acting Secretary of State.

[F. R. Doc. 44-12940; Filed, August 26, 1944; 11:11 a. m.]

[1] In all cases round-trip tickets must be purchased if possible. In the event the return portion of the ticket cannot be used, it should be returned to the Office of Education.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 11th day of August A. D. 1944.

In the matter of uniform system of accounts to be kept by steam railroads.

The "Uniform System of Accounts for Steam Railroads, Issue of 1943" (Part 10 of Title 49, Code of Federal Regulations), being under consideration by the division, pursuant to authority of section 20 of the Interstate Commerce act, and the division having found need for modifications and amendments of the "Uniform System of Accounts for Steam Railroads, Issue of 1943," the modifications and amendments attached hereto and made a part hereof[1] being found necessary for administration of the provisions of Part I of the act, are hereby approved; and

It is ordered, That all carriers by railroad (except those independently operated as electric lines), herein referred to as steam railroads, subject to the provisions of the Interstate Commerce act, and every trustee, receiver, executor, administrator, or assignee of any such carrier, be, and they are hereby, required to comply with the "Uniform System of Accounts for Steam Railroads, Issue of 1943," as hereby modified and amended:

It is further ordered, That this order shall become effective January 1, 1945.

And it is further ordered, That a copy of this order shall be served upon every steam railroad subject to the act and upon every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13013; Filed, August 28, 1944; 10:38 a. m.]

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

AMENDMENT TO PLAN

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 21st day of August A. D. 1944.

In the matter of uniform system of accounts to be kept by steam railroads.

The "Uniform System of Accounts for Steam Railroads, Issue of 1943" (Part 10 of Title 49, Code of Federal Regulations), being under consideration by the division, pursuant to authority of section 20 of the

[1] Filed as part of the original document. Copies may be obtained from the Interstate Commerce Commission.

Interstate Commerce act, and the division having found need for modifications and amendments of the "Uniform System of Accounts for Steam Railroads, Issue of 1943," the modifications and amendments attached hereto and made a part hereof [1] being found necessary for administration of the provisions of Part I of the act, are hereby approved: and

It is ordered, That all carriers by railroad (except those independently operated as electric lines), herein referred to as steam railroads, subject to the provisions of the Interstate Commerce act, and every trustee, receiver, executor, administrator, or assignee of any such carrier, be, and they are hereby, required to comply with the "Uniform System of Accounts for Steam Railroads, Issue of 1943," as hereby modified and amended:

It is further ordered, That this order shall become effective January 1, 1945.

And it is further ordered, That a copy of this order shall be served upon every steam railroad subject to the act and upon every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13012; Filed, August 28, 1944; 10:38 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

FISCUS COAL CO.

ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES AND REQUIRING RECORDS TO BE FURNISHED

To: Paul Fiscus, Fiscus Coal Co., Leetonia, Columbiana County, Ohio.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On July 13, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from July 13, 1944, answering the charges against you and requesting oral hearing if you wished.

2. More than 35 days have elapsed since July 13, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Leetonia, Ohio, does not exceed four days. The only communication from you is your undated answer received July 29, 1944. You have not requested an oral hearing.

3. All of the accusations against you which are set out in the specification of charges are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, September 9, 1944.

2. That prior to midnight, September 9, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or use or destroy all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of or used or destroyed all explosives and ingredients of explosives as required by paragraph 2 of this order, you shall, prior to midnight, September 9, 1944, deliver or mail to G. W. Grove, Supervising Engineer, United States Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania, a sworn statement of your transactions in and uses and destructions of explosives and ingredients of explosives beginning with the date of this order and ending with the final sale or other disposition or use or destruction of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and numbers and dates of Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind used by you, the dates on which used, the places where used, and the amount of each kind destroyed by you, the dates on which destroyed, and the places where destroyed.

4. That prior to midnight, September 9, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. W. Grove, Supervising Engineer, United States Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania.

Failure to comply with any of the provisions of this order shall constitute a violation of the Federal Explosives Act punishable by a fine of not more than Five Thousand Dollars ($5,000), or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 22d day of August 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-12920; Filed, August 26, 1944; 10:14 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Credit Administration.

4 PERCENT CONSOLIDATED FEDERAL FARM LOAN BONDS OF SEPTEMBER 15, 1944-64

NOTICE OF CALL FOR REDEMPTION

Public notice is hereby given that the twelve Federal land banks have called all outstanding 4 percent consolidated Federal farm loan bonds of September 15, 1944-64, for redemption on September 15, 1944. Interest on them will cease on that date. Unless previously surrendered, these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after September 15, 1944.

W. E. REA,
Land Bank Commissioner.

AUGUST 14, 1944.

Attest:
J. R. ISLEIB,
Deputy Land Bank Commissioner.

[F. R. Doc. 44-13002; Filed, August 26, 1944; 3:16 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

SUGAR BEET INDUSTRY

NOTICE OF APPLICATION FOR EXEMPTION FROM MAXIMUM HOURS PROVISION

In the matter of the application for the exemption of the Beet Sugar Industry from the maximum hours provisions of the Fair Labor Standards Act of 1938 pursuant to section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder.

Whereas, the determination made by the Administrator on August 24, 1940 (5 F.R. 3167) granting an exemption under section 7 (b) (3) of the Fair Labor Standards Act for the first processing of perishable or seasonal fresh fruits and vegetables does not apply to all operations performed in the beet sugar industry but is limited to the first processing of sugar beets; and

Whereas, upon consideration of an application for the exemption of the beet sugar industry from the maximum hours provisions of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the act and part 526, as amended, of the regulations issued thereunder, a preliminary determination was made that a prima facie case had been shown for the

[1] Filed as part of the original document. Copies may be obtained from the Interstate Commerce Commission.

granting of the aforesaid exemption to the beet sugar industry and notice thereof was published in the FEDERAL REGISTER on July 14, 1944 (9 F.R. 7860) in accordance with the provisions of § 526.5 (b) (ii) of the regulations; and

Whereas, within 15 days following the publication of the said preliminary determiation, the Administrator received objections and requests for hearing:

Now, therefore, pursuant to §§ 526.5 and 526.6 of the regulations, Part 526 notice is hereby given of a public hearing to be held at the Chamber of Commerce Building, Room 422, 1726 Champa Street, Denver, Colorado, on September 22, 1944, at 10 a. m. before Nathan Rubinstein, an authorized representative of the Administrator, who is hereby authorized to receive evidence and hear argument for the purpose of determining:

Whether the beet sugar industry is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder, and if so, the appropriate limits of the industry and the extent to which any determination made pursuant to these proceedings shall supersede the determination made by the Administrator on August 24, 1940 (5 F.R. 3167) granting an exemption under section 7 (b) (3) of the act for the first processing of perishable or seasonal fresh fruits and vegetables insofar as that determination is applicable to the first processing of sugar beets.

Any interested person may appear at the hearing to offer evidence: *Provided*, That not later than September 16, 1944 such person shall file with the Administrator of the Wage and Hour Division, U. S. Department of Labor, 165 West 46th Street, New York 19, New York, a notice of intention to appear containing the following information:

1. The name and address of the person appearing.

2. If he is appearing in a representative capacity, the names and addresses of the persons or organization which he is representing.

3. Whether he is appearing in support of or in opposition to the application for exemption.

Such notices may be mailed to the Administrator and shall be considered filed upon receipt. Written statements in lieu of personal appearance may be mailed to the Administrator at any time prior to the date of hearing or may be filed with the presiding officer at the hearing.

Signed at New York, New York, this 23d day of August, 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-12886; Filed, August 25, 1944; 2:34 p. m.]

HOOSIER FACTORIES, INC.

NOTICE OF EXCEPTION FROM RECORD KEEPING REQUIREMENTS

Notice of granting of exception to Hoosier Factories, Inc., of Michigan City, Indiana, from certain record keeping requirements of the Fair Labor Standards Act of 1938 and the regulations issued thereunder.

Pursuant to section 11 (c) of the Fair Labor Standards Act of 1938 and § 516.18 of the record keeping regulations, Part 516, as amended, notice is hereby given of the granting of an exception to Hoosier Factories, Inc., Michigan City, Indiana, relieving it of the requirement of preserving its operator's daily sheets (containing the employees' daily piece-work tickets, a summary of the employees' daily piece-work production and the hours worked each day) for the period required by § 516.15 (a) (1) of the record keeping regulations, subject to the following conditions: (1) That the portion of the operator's daily sheets containing the employee's piece-work tickets be preserved for not less that 60 days; (2) that the portion of the operator's daily sheets on which are recorded the summary of piece-work production and the hours worked each day, be preserved for not less than 1 year; and (3) that the number of hours worked by each employee each day and the summary of each employee's daily piece-work production be entered in other records which are preserved for 4 years pursuant to § 516.14 of the regulations.

This authority is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 23d day of August 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-12887; Filed, August 26, 1944; 2:34 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-569, G-570, G-571, G-572, and G-573]

HOPE NATURAL GAS CO.

NOTICE OF APPLICATIONS

AUGUST 25, 1944.

Notice is hereby given that on August 12, 1944, Hope Natural Gas Company, a West Virginia corporation having its principal place of business at 445 West Main Street, Clarksburg, West Virginia, filed with the Federal Power Commission five (5) applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, seeking permission and approval to abandon certain natural gas transmission facilities described in such applications as follows:

(1) Docket No. G-569. Applicant abandoned at its Hastings Compressor Station located in Wetzel County, West Virginia, the following equipment consisting of:

One 1,625 horsepower Snow Engine to which is attached one 25¼" x 60" gas compressor and appurtenant piping equipment.

In the application it is stated that the abandonment of this equipment was commenced in February 1944.

(2) Docket No. G-570. Applicant proposes to abandon its Kinsey Compressor Station located in Marion County, West Virginia. The equipment in this compressor station consists of:

One 15" x 24" 80 horsepower Clark and Norton gas engine to which is attached one 13" x 24" Clark and Norton compressor.

Appurtenant equipment consisting mainly of: Water pumps, air compressor, tanks, miscellaneous station piping and structures.

In the application it is stated that Kinsey Compressor Station has not been in operation since December, 1943. Formerly this station pumped casinghead gas from a group of oil wells owned by Hope Construction and Refining Company. These wells were sold to South Penn Oil Company which company diverted the casinghead gas through its own pipe-line system, thus terminating the need for Applicant to maintain and operate Kinsey Station.

(3) Docket No. G-571. Applicant proposes to abandon its Hawkins Compressor Station located in Marion County, West Virginia, the following equipment consisting of:

Two 150 horsepower Bessemer gas engines to which are attached two gas compressors, one 6" x 12" Gould water pump and appurtenant piping equipment.

In the application it is stated that the Applicant has located at its Hawkins Compressor Station, together with other pumping facilities, the two 150 horsepower gas engines and attached gas compressors proposed to be abandoned, and that due to the diminishing local gas supply in the area adjacent to this station the operation of the two compressor units has not been necessary in the past few months.

(4) Docket No. G-572. Applicant proposes to abandon its Macfarlan Compressor Station located in Ritchie County, West Virginia. The equipment at this compressor station consists of:

One 16" x 20" 80 horsepower Clark Brothers Gas Engine to which is attached one 11" x 20" Clark and Norton compressor.

Appurtenant equipment consisting of: Gas scrubber, tanks, air compressor and engine, miscellaneous station piping and structures.

In the application it is stated that Macfarlan Compressor Station was built by Applicant in 1938 for the purpose of withdrawing natural gas from a group of low pressure wells located adjacent to this station. As a result of changed operating conditions, it is now feasible and economic for Applicant's Craig Compressor Station, located a distance of approximately five miles to the east, to pump all the low pressure gas handled by MacFarlan Station. Therefore, the operation and maintenance of Macfarlan Station is no longer necessary.

(5) Docket No. G-573. Applicant abandoned at its Smithburg Compressor Station located in Doddridge County, West Virginia, the following equipment consisting of:

One 20" x 36" 470 horsepower National Transit gas engine to which is attached one 17" x 36" gas compressor.

Appurtenant equipment consisting mainly of: Miscellaneous station piping,

gas cooler and part of pump house structure.

In the application it is stated that the abandonment of this equipment was commenced in September, 1943.

In the application it is stated further that due to the diminishing supply of gas adjacent to Smithburg Compressor Station the facilities covered by the application were no longer needed at this location. Applicant had need for additional pumping facilities to increase utilization of an underground gas storage area near its Fink Compressor Station and to which the above-described equipment and building were moved.

Any person desiring to be heard or to make any protest with reference to said applications should, on or before the 11th day of September, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-12919; Filed, August 26, 1944; 10:14 a. m.]

[Docket No. IT-5887]

EL PASO CITY LINES, INC., AND EL PASO ELECTRIC CO.

NOTICE OF APPLICATION

AUGUST 25, 1944.

Notice is hereby given that on August 15, 1944, El Paso Electric Company, of El Paso, Texas, joined in the application filed on April 27, 1944, by El Paso City Lines, Inc., of El Paso Texas, pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U.S.C. 791-825r), for authority to export electric energy to operate streetcars in Ciudad de Juarez, Chihuahua, Mexico, and between that city and El Paso, Texas.

Any person desiring to be heard or to make any protest with reference to said application should, on or before September 11, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13009; Filed, August 28, 1944; 9:36 a. m.]

[Docket No. G-108]

UNITED GAS CORP.

ORDER POSTPONING DATE OF HEARING

AUGUST 25, 1944.

Upon consideration of the application filed August 22, 1944, by United Gas Corporation requesting a postponement of the hearing in the above-docketed matter now scheduled for September 1, 1944; and

It appearing to the Commission that: Good cause has been shown for the postponement of the hearing in the above-entitled matter;

The Commission orders that: The public hearing heretofore set for September 1, 1944, in this matter be and the same is hereby postponed to October 4, 1944, at 10:00 a. m. (e. w. t.) in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C.

By the Commission.

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13010; Filed, August 28, 1944; 9:36 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5204]

INTERSTATE HATCHERIES AND CORNHUSKER STATE HATCHERY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Mort Duff, Bert L. France and Mrs. Pearle France, individuals trading as Interstate Hatcheries and Cornhusker State Hatchery.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of August, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, September 27, 1944, at ten o'clock in the forenoon of that day (central standard time), in Room 203, Post Office Building, Sioux City, Iowa.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-12922; Filed, August 26, 1944; 10:44 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 465]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 23, 1944, by Bacon Brothers, cf car NWX 1114, potatoes, now on the Wood Street Terminal (C&NW) to Stokeley Foods, Inc., Indianapolis, Indiana. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12924; Filed, August 26, 1944; 10:50 a. m.]

[S. O. 70-A, Special Permit 466]

RECONSIGNMENT OF PEARS AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, August 23, 1944, by K. Lane Johnson, of car PGEX 32919, pears, now on the Northern Pacific Railroad, to Riley McFarland Company, Chicago, Illinois. (N. P.-C. B. & Q.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-12925; Filed, August 26, 1944; 10:50 a. m.]

[S. O. 70–A, Special Permit 467]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, August 23, 1944, by M. Lapidus & Sons of car PFE 71113, cantaloupes, now on the C. B. & Q. Railroad, to Cohen Brothers, Appleton, Wisconsin (C & NW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–12926; Filed, August 26, 1944; 10:50 a. m.]

[S. O. 200, Special Permit 160]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice, one time only, but not above three-fourths bunker capacity, at Chicago, Illinois, August 24, 1944, as ordered by Edw. H. Anderson & Co., car PFE 74023, potatoes, now on the Wood Street Terminal, account bunkers dry and car reconsigned to Cleveland, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–13011; Filed, August 28, 1944; 10:38 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

PAUL F. MARXOV AND ARTHUR BLOCH

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 290 dated November 2, 1942 (7 F.R. 9833) and by Vesting Order No. 3032 dated January 27, 1944 (9 F.R. 1837), the Alien Property Custodian vested, among other things, the following described property:

(a) United States Patent Application, Serial Number 386,180 (now United States Patent Number 2,348,827) for "method of preparing cocoa and chocolate products" filed by Johan E. Nyrop of Denmark;

(b) All right, title and interest including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof in and to United States Patents No. 2,044,626 and No. 2,067,627 as property of J. E. Nyrop and/or Niro Atomizer A/S;

(c) All interests and rights (including all royalties and other moneys payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Niro Atomizer A/S by virtue of an agreement dated April 24, 1940 (including all modifications thereof and supplements thereto, if any) by and between Niro Atomizer A/S and Induag Corporation, relating, among others, to Patent No. 2,067,627.

Whereas, Paul F. Marxov and Arthur Bloch have filed a joint notice of claim No. 2226 and a joint claim on Form APC–17 wherein Paul F. Marxov asserts that he is a citizen of Denmark, resident of the United States and wherein Arthur Block asserts that he is a citizen and resident of the United States and wherein they assert that they are the owners of and/or have an interest in said patent application and/or the royalties accrued and to accrue therefrom.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Tuesday, September 12, 1944, at 10:00 a. m., eastern war time, at the Office of the Alien Property Custodian, 120 Broadway, New York, New York, to continue thereafter at such time and place as the Committee may determine. *It is further ordered,* That copies of this notice of hearing be served by registered mail upon the claimants and upon the person designated in paragraph 2 of the said notices of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington (25), D. C., on or before September 9, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

AUGUST 23, 1944.

[F. R. Doc. 44–12937; Filed, August 26, 1944; 11:15 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 282]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA AND FORT BENNING, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations gov-

[1] Filed as part of the original document.

erning such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

A. A. A. Highway Express, Inc., 632 14th Street, Atlanta, Ga.
Great Southern Trucking Co. (a corporation), 1868 Clarkson Street, Jacksonville, Fla.
Georgia Highway Express, Inc., 10 Krog Street, Atlanta, Ga.

[F. R. Doc. 44-12947; Filed, August 26, 1944; 11:30 a. m.]

[Supp. Order ODT 3, Rev. 283]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LAGRANGE AND FORT BENNING, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective August 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

A. A. A. Highway Express, Inc., Atlanta, Ga.
Georgia Highway Express, Inc., Atlanta, Ga.

[F. R. Doc. 44-12948; Filed, August 26, 1944; 11:29 a. m.]

[1] Filed as part of original document.

[Supp. Order ODT 3, Rev. 48, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ST. LOUIS MO., AND POINTS IN ILLINOIS

Upon consideration of a petition for the amendment of Supplementary Order ODT 3, Revised-48 (8 F.R. 11093), filed with the Office of Defense Transportation by the carriers subject thereto and three others named below, and good cause appearing therefor, *It is hereby ordered*, That Supplementary Order ODT 3, Revised-48, be and it hereby is amended as follows:

1. By adding in the preamble thereof Wilford E. Owens, doing business as Owens Transfer, Du Quoin, Illinois, Hubert R. Morrison, doing business as Morrison Transfer Company, Sparta, Illinois, and Fred Bonifield, Alfred Bonifield, and Reuben Bonifield, doing business as Bonifield Brothers Truck Lines, Metropolis, Illinois, as carriers subject thereto.

2. By adding in Appendix 1[1] thereto the supplementary matter contained in such petition, a copy of which is appended hereto.

This amendment shall become effective August 26, 1944.

Issued at Washington, D. C., this 26th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12946; Filed, August 26, 1944; 11:29 a. m.]

[Supp. Order ODT 3, Rev. 26, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS IN OKLAHOMA

Upon consideration of a petition to substitute Yellow Transit Co., a corporation, in lieu of Yellow Cab Transit Co., doing business as Yellow Transit Company, as a party to Supplementary Order ODT 3, Revised-26 (8 F.R. 8516), and good cause appearing therefor, *It is hereby ordered*, That:

1. Supplementary Order ODT 3, Revised-26 be, and it is hereby, amended by substituting Yellow Transit Co., a corporation, in lieu of Yellow Cab Transit Co., doing business as Yellow Transit Company, and

2. Yellow Transit Co., on and after the effective date of this amendment, shall perform, subject to the provisions of said order, the functions of Yellow Cab Transit Co., doing business as Yellow Transit Company, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective August 22, 1944.

Issued at Washington, D. C., this 22d day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-12999; Filed, August 26, 1944; 3:06 p. m.]

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[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 155]

UNITED STATES STOVE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 155 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of a magazine type coal heater manufactured by United States Stove Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and in accordance with section 11 of Maximum Price Regulation No. 64; *It is ordered:*

(a) Any wholesale distributor may sell and deliver to retailers the Model No. 20FC magazine type coal circulating heater manufactured by United States Stove Company, South Pittsburg, Tennessee, at prices no higher than those set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
20FC	$68.55	$69.10	$69.40	$54.40

These prices are f. o. b. distributors' cities.

(b) Any person, other than a mail order house, may sell and deliver at retail, the Model No. 20FC magazine type coal circulating heater manufactured by United States Stove Company, South Pittsburg, Tennessee, at prices no higher than set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
20FC	$74.80	$75.35	$75.65	$59.35

(c) Any mail order house may sell and deliver at retail the Model No. 20FC magazine type coal circulating heater manufactured by United States Stove Company, South Pittsburg, Tennessee, at prices no higher than those specifically authorized in writing by the Office of Price Administration, Washington, D. C., upon application.

(d) At the time of or prior to the first invoice for a sale of the Model No. 20FC coal heater described above, after the effective date of this order, United States Stove Company and each wholesale distributor shall notify the purchaser of the maximum prices and conditions set by this order for resales by the purchaser. In addition, United States Stove Company shall, before delivering any Model No. 20FC coal heater to a wholesale distributor, or to a retailer other than a mail order house, attach securely to each heater a tag or label which plainly states the maximum retail ceiling prices established by this order for sales in each zone. This tag or label shall be attached to the front of the heater.

(e) Any mail order house selling the Model No. 20FC coal circulating heater through a retail store must, before offering it for sale, attach securely to the front of the heater a tag or label which plainly states the maximum retail ceiling price established by the Office of Price Administration for sales by the seller in the particular zone.

(f) For the purpose of this order, Zones 1, 2, 3, and 4 shall comprise the following states:

Zone 1: Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina.

Zone 2: Louisiana, Florida, Arkansas, Missouri, Iowa, Wisconsin, Illinois, Michigan, Indiana, Ohio, West Virginia, New York, Massachusetts Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia, North Carolina.

Zone 3: Minnesota, North Dakota, Nebraska, Kansas, Colorado, New Mexico, Oklahoma, Texas, Vermont, New Hampshire, Maine, South Dakota.

Zone 4: Wyoming, Utah, California, Oregon, Washington, Idaho, Nevada, Montana, Arizona.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order may become effective on the 26th day of August 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12868; Filed, August 26, 1944; 12:02 p. m.]

[MPR 188, Amdt. 47 to Order A-1]

READY-MIX CONCRETE

MODIFICATION OF MAXIMUM PRICES

Amendment No. 47 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (35) is added to read as follows:

(35) *Modification of maximum prices of ready-mix concrete.* (i) On and after August 30, 1944, any manufacturer of ready-mix concrete may increase his established maximum prices per cubic yard for each specification of that commodity by an amount not to exceed his actual dollars-and-cents additional cost of the cement entering into each specification, resulting from Amendment No. 7 to Maximum Price Regulation No. 224, issued by the Office of Price Administration on August 25, 1944, effective August 30, 1944.

(ii) The term "manufacturer" used in (i) means any person who makes the first sale of ready-mix concrete.

This Amendment No. 47 shall become effective August 30, 1944.

Issued this 25th day of August 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-12867; Filed, August 26, 1944, 12:01 p. m.]

[MPR 188, Order 5 Under Order 1052]

DUANE CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 5 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by Duane Chair Company.

For the reasons set forth in an opinion and issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order permits the manufacturer, Duane Chair Company, Long and Tinsley Streets, Dalton, Georgia, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052) established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) *Manufacturer's maximum prices.* Duane Chair Company may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 1% of its maximum prices for such sales as established in Order No. 1052. The permitted adjustment of 1% may be made only if separately stated.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge allowed by this Order No. 5 for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of August 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12866; Filed, August 25, 1944; 12:02 p. m.]

[MPR 188, 2d Rev. Order 1336]

AMERICAN FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

Second Revised Order No. 1336 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three articles of dining room furniture manufactured by American Furniture Company.

Revised Order No. 1336 under § 1499.157 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of three articles of dining room furniture manufactured by American Furniture Company, Martinsville, Virginia.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Per unit	*Per unit*
Buffet	124	$18.38	$19.35
China	124	16.96	17.85
Table	124	14.01	14.75

Those prices are all f. o. b. factory, and are subject to the manufacturer's customary terms, discounts, and allowances.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Per unit
Buffet	124	$21.62
China	124	19.95
Table	124	16.47

These prices are subject to the seller's customary terms, discounts, and allowances.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of August 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12869; Filed, August 25, 1944; 12:01 p. m.]

[MPR 188, Order 2180]

FLUORESCENT LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2180 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile table and bench set manufactured by Fluorescent Lighting Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile table and bench set manufactured by Fluorescent Lighting Company, 11 Pleasant Street, Monticello, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the

manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile table and bench set	3	Each $1.87	Each $2.20

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated April 4, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile table and bench set	3	Each $2.20

This price is for the article described in the manufacturer's application dated April 18, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of August 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12870; Filed, August 25, 1944; 12:02 p. m.]

[MPR. 188, Order 2181]

TINCHER LUMBER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2181 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a juvenile set manufactured by Tincher Lumber Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Tincher Lumber Company, 4909 Washington Avenue, S. E., Charleston, West Virginia.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set	Juvenile set	Each $4.81	Each $5.31

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the article described in the manufacturer's application dated July 27, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile set	Juvenile set	Each $5.31

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application of July 27, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of August 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12871; Filed, August 25, 1944; 12:01 p. m.]

[MPR 188, Order 2182]

SEMCA CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2182 under § 1499.158 of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three clocks manufactured by The Semca Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 2182 established maximum prices for sales of three new clocks manufactured by the Semca Company, 30 Irving Place, New York, New York, and described in an application dated April 19, 1944.

(1) Maximum prices for sales by the manufacturer or any other person to retailers are given in column II.

(2) Maximum prices for sales at retail are given in column III.

I Item	II Maximum price to retailers	III Maximum price at retail exclusive of the Federal excise tax
Travel alarm No. 102	$5.92	$10.00
Travel clock No. 104	5.38	9.00
8-day desk clock No. 870A	10.20	17.00

(b) The manufacturer shall plainly mark each clock with the retail ceiling price before shipping it to a purchaser for resale. This may be done by attaching a tag or label.

(c) At the time of the first invoice, the manufacturer shall notify in writing each retailer who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2182 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in §1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 2182 shall become effective August 26, 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12872; Filed, August 25, 1944; 12:01 p.m.]

[MPR 120, Order 931]

TONAPAH COAL MINES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 931 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Tonapah Coal Mines.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Tonapah Mine of the Tonapah Coal Mines, located in Sandoval County, New Mexico, in Subdistrict No. 3, District No. 18, is hereby assigned Mine Index No. 1015.

(b) Coals produced by the Tonapah Coal Mines at its Tonapah Mine, Mine Index No. 1015, located in Sandoval County, New Mexico in Subdistrict No. 3, District No. 18, for the uses indicated and by methods of transportation appearing herein, may be sold and purchased at per net ton prices in cents not exceeding the following:

Size groups	2	8	9	11	13	14	18
Truck shipment	$5.40	$4.75	$3.75	$2.25	$2.75	$5.25	$5.00

(c) The maximum prices established herein are f. o. b. mine for truck shipment.

(d) This order may be revoked or amended at any time.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective August 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12918; Filed, August 25, 1944; 5:02 p. m.]

[MPR 528, Order 13]

B. F. GOODRICH CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 13 under Maximum Price Regulation 528. Tires and tubes, recapping and repairing. Authorization of maximum prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires of cotton construction manufactured by The B. F. Goodrich Company of Akron, Ohio, shall be:

(1) ALL PURPOSE (SUPER TRACTION) TRUCK TIRES

Size	Ply	Maximum retail price, each
8.25-20	10	$70.95
9.00-20	10	84.70
10.00-20	12	107.50
11.00-20	12	126.80
10.00-22	12	113.25
11.00-22	12	133.90

(2) UNIVERSAL TRUCK TIRES (OFF-THE-ROAD)

Size	Ply	Maximum retail price, each
14.00-24	20	$331.90
18.00-24	20	610.85

(3) EARTH MOVER SUPER TRACTION TIRE (TRAILER TYPE)

Size	Ply	Maximum retail price, each
16.00-20	16	$260.50

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective August 26, 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12916; Filed, August 25, 1944; 5:02 p. m.]

[MPR 136, Order 283]

INTERNATIONAL-STACEY CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 283 under Maximum Price Regulation No. 136 as amended. Machines and Parts, and machinery services. International-Stacey Corporation, Docket No. 3136-454.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25A of Maximum Price Regulation No. 136, as amended, *It is ordered:*

(a) The maximum prices for sales of the two models of geared unit pumps manufactured by the International-Stacey Corporation, 875 Michigan Avenue, Columbus, Ohio, shall be determined as follows:

(1) The manufacturer shall determine its maximum prices for all sales, except sales to users, by multiplying by 130% the maximum price duly in effect to each class of purchasers just prior to the issuance of this order.

(2) The manufacturer shall determine the maximum prices for sales to users, by adding to the maximum price duly in effect to users just prior to the issuance of this order, the dollars and cents amount by which this order permits it to increase its maximum prices to that class of resellers which receives the longest discount.

(b) Resellers of the two models of geared unit pumps manufactured by the International-Stacey Corporation, shall determine their maximum prices by adding to the prices duly in effect to each class of purchasers, just prior to the issuance of this order, the dollar-and-cents amounts by which the resellers' costs have been increased due to the adjustment in maximum prices granted to the International-Stacey Corporation by this order.

(c) The International-Stacey Corporation shall give written notification to its customers who buy any of the two models of geared unit pumps mentioned in paragraph (a) for resale, of the amount by which this order permits resellers to increase their maximum selling prices.

(d) Within 30 days after the issuance of this order, the International-Stacey Corporation shall file with the Office of Price Administration, Washington, D. C., a copy of the written notification required to be given to its customers in pursuance of paragraph (c).

(e) At the expiration of 6 months from the date of the issuance of this order, the International-Stacey Corporation shall file with the Office of Price Administration, Washington, D. C., a detailed profit-and-loss statement for the calendar year 1944, a balance sheet for the year ending December 31, 1944, and a detailed statement of manufacturing costs as of December 31, 1944, for the two models of geared unit pumps for which an adjustment in maximum prices has been granted in this order.

(f) All requests not granted herein are denied.

(g) This order may be amended or revoked by the Administrator at any time.

This order shall become effective August 26, 1944.

Issued this 25th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12917; Filed, August 25, 1944; 5:02 p. m.]

[Order 83 Under 18 (c)]

STANDARD OIL CO. OF LOUISIANA

ADJUSTMENT OF MAXIMUM PRICES

Maximum rates for transportation of petroleum products by barge in certain bayous of Louisiana. Order 83 under § 1499.18 (c), as amended, of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is ordered*, That section 7.6 (b) (9) of Revised Supplementary Regulation No. 14 be and the same hereby is modified so as to provide that the maximum prices of barge operators for transportation services furnished to Standard Oil Company of Louisiana in connection with the hauling of petroleum and petroleum products from the Bayou des Glaises producing field in Louisiana via Ouiskey Bay Pilot Channel, Blind Tensas Pass, Lake Mongoulois, Jake's Bayou, Bloody Bayou, Sorrel Bay, Bayou Sorrel, Grand River, Bayous Plaquemine, Plaquemine Lock and Mississippi River to North Baton Rouge, Louisiana to the Standard Oil plant at North Baton Rouge, Louisiana, shall be a rate not in excess of 15¢ per barrel.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 26th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-12971; Filed, August 26, 1944; 12:12 p. m.]

[Order 84 Under 18 (c)]

TRUCK TRANSPORTATION OF FRESH FRUITS AND VEGETABLES FROM BENTON HARBOR, MICH.

ADJUSTMENT OF MAXIMUM PRICES

Maximum rates for transportation by truck of fresh fruits and vegetables from Benton Harbor, Mich., Order 84 under § 1499.18 (c), as amended, of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is ordered*, That the maximum prices for the transportation of fresh fruits and vegetables from Benton Harbor, Michigan to the points hereinafter named, shall not be in excess of the specific rates in cents per package set forth below:

Destination	A	B	C	D	E	F	G	H	I	J	K	L
Appleton, Wis.	48	24	18	6	18	33	44	28	22	26	33	28
Beloit, Wis.	30	17	14	06	14	23	30	20	14	18	23	16
Chicago, Ill.	20	10	8	3	8	16	20	15	10	13	16	16
Cincinnati, Ohio	43	22	17	5	17	30	41	28	20	24	30	27
Columbus, Ohio	41	22	17	6	17	30	40	28	20	24	30	27
Cleveland, Ohio	43	24	18	6	18	32	42	28	20	25	32	28
Davenport, Iowa	30	21	16	6	16	27	39	26	19	23	29	27
Detroit, Mich.	30	16	12	4	12	22	30	20	14	17	22	18
Dayton, Ohio	36	20	15	5	15	26	35	24	17	21	26	27
Decatur, Ill.	36	20	15	5	15	26	35	24	17	21	26	27
Des Moines, Iowa	54	27	21	8	21	34	48	32	23	28	34	40
Eau Claire, Wis.	54	27	21	8	21	34	48	32	23	28	34	40
Elgin, Ill.	22	11	9	4	9	14	20	13	9	12	14	17
Escanaba, Mich.	48	24	18	8	18	30	44	28	20	25	32	40
Evansville, Ind.	30	17	12	6	12	22	30	20	14	18	23	30
Flint, Mich.	30	16	12	4	12	22	30	20	14	17	22	18
Freeport, Ill.	30	17	14	5	14	22	30	20	14	18	23	30
Gary, Ind.	9	6	5	3	6	12	9	9	7	6	9	8
Grand Rapids, Mich.	18	10	8	4	10	18	16	16	14	14	16	15
Indianapolis, Ind.	30	16	12	4	12	22	30	20	14	16	21	18
Iron Mountain, Mich.	61	44	33	10	33	56	78	55	44	46	47	40
Joliet, Ill.	17	10	10	4	10	16	17	16	13	11	16	14
Huntington, W. Va.	62	34	26	8	26	44	62	44	34	35	44	40
Kansas City, Mo.	90	30	26	11	26	37	52	32	24	32	43	35
La Crosse, Wis.	55	30	22	8	22	36	52	32	24	30	36	35
Lexington, Ky.	17	9	8	4	10	14	16	16	14	11	16	12
Lockport, Ill.	43	24	16	6	16	28	44	30	21	26	32	28
Louisville, Ky.	35	20	15	5	15	26	34	24	17	21	26	24
Madison, Wis.	30	16	12	5	12	22	30	20	14	17	22	18
Milwaukee, Wis.	42	45	34	10	34	57	81	56	45	47	48	47
Minneapolis, Minn.	72	30	20	8	20	31	42	28	20	25	32	40
Nashville, Tenn.	28	20	15	5	15	26	35	24	17	21	26	20
Peoria, Ill.	27	15	11	05	12	22	32	22	16	20	24	20
Princeton, Ill.	44	26	20	8	20	34	48	32	23	28	34	30
Pittsburgh, Pa.	27	15	11	5	11	20	28	20	14	18	23	18
Racine, Wis.	30	17	14	5	14	22	32	22	16	20	24	20
Richmond, Ind.	28	15	11	5	12	22	32	22	16	20	24	20
Rockford, Ill.	40	22	17	6	17	30	41	28	20	25	30	34
St. Louis, Mo.	8	6	4	3	6	9	8	8	7	7	8	8
Springfield, Ill.	23	17	14	5	14	22	32	22	16	20	26	28
South Bend, Ind.	34	18	14	5	14	22	32	22	16	21	26	28
Sterling, Ill.	30	16	12	4	12	22	30	20	14	17	21	18
Terre Haute, Ind.	22	11	9	4	9	17	24	17	12	15	18	17
Toledo, Ohio	48	24	18	6	18	33	44	28	22	26	33	28
Waukegan, Ill.	30	17	14	5	14	22	30	20	14	18	23	30
Waukegan, Ill.	30	16	12	4	14	23	30	20	14	18	23	30
Wausau, Wis

(a) The maximum prices for sales to dealers by a jobber of the items of tire and tube repair materials listed in the following tables and manufactured by the Fidelity Manufacturing Co., Inc., Allentown, Pennsylvania, shall be the maximum prices established by the jobber under the provisions of the General Maximum Price Regulation prior to February 3, 1944. If the jobber did not establish a maximum price under the General Maximum Price Regulation prior to February 3, 1944, his maximum price shall be the price set forth in the following tables:

(1) SMALL SIZE TUBE REPAIR KITS

[Can size: 1¾" x 4¾" all fibre]

Code	Contents			Price per 1,000
	Rubber	Bevels	Cement	
9-3	3 x 3		¾ x 3	$67.10
93	3 x 3	3	¾ x 3	77.20
12-3	3 x 4		¾ x 3	71.65
123	3 x 4	3	¾ x 3	81.70
124	3 x 4	4	¾ x 3	85.20
18-3	3 x 6		¾ x 3	80.75
126	3 x 4	6	¾ x 3	92.05
143	14 sq. in	3	¾ x 3	84.85
153	3 x 5	3	¾ x 3	86.20

(2) SHOP SIZE TUBE REPAIR KITS

[Can size: 3¼" x 6¾" all fibre]

Code	Contents				Price per each
	Rubber	Square	Oval	Cement	
A-2	6 x 16	25	5	2 ounces	$0.45
61	5 x 20	60	15	4 ounces	.60
65	6 x 25	75	25	4 ounces	.83
B8-1		100	100	4 ounces	.96
LB	1 lb				.75
66	1 lb			4 ounces	.89

(3) RUBBER CEMENTS

Number	Size	Price each
24	2-ounce	$0.09
27	4-ounce	.13

(b) "Jobber" means any person who buys tires or tube repair materials exclusively for resale to persons other than individual consumers. For purposes of this order, a recapper or vulcanizer is not considered an individual consumer.

(c) All provisions of Revised Maximum Price Regulation 131 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective August 28, 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12969; Filed, August 26, 1944; 12:13 p. m.]

[MPR 136, Order 284]

NEW YORK PRESSING MACHINERY CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 284 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

(a) The maximum prices for sales of pressing machinery by the New York Pressing Machinery Corporation, New York, New York, shall be determined as follows:

The manufacturer shall deduct from his list price in effect on October 10, 1941, all discounts, allowances, and other deductions that he had in effect to a purchaser of the same class on October 1, 1941.

(b) The maximum prices for sales by persons other than the manufacturer of pressing machinery manufactured by the New York Pressing Machinery Corporation shall be determined by deducting from the New York Pressing Machinery Corporation's list price in effect on October 10, 1941, all discounts, allowances and other deductions that the reseller had in effect to a purchaser of the same class on October 1, 1941.

(c) The New York Pressing Machinery Corporation shall notify those customers who buy pressing machinery for resale of the method that this order establishes for determining resellers' maximum prices.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 28, 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12970; Filed, August 26, 1944; 12:11 p. m.]

[MPR 188, Order 6 Under Order 1052]

WABASH SCREEN DOOR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 6 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by The Wabash Screen Door Company.

For the reasons set forth in an opinion and issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order permits the manufacturer, The Wabash Screen Door Company, 310 South Michigan Avenue, Chicago 4, Illinois, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052) established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) *Manufacturer's maximum prices.* The Wabash Screen Door Company may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 2.4% of its maximum prices for such sales as established in Order No. 1052. The permitted adjustment of 2.4% may be made only if separately stated.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge allowed by this Order No. 6 for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of August 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12968; Filed, August 26, 1944; 12:13 p. m.]

[MPR 188, Order 2209]

HOWARD WOOD SPECIALTY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2209 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile rocker manufactured by Howard Wood Specialty Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile rocker manufactured by Howard

Wood Specialty Co., 1223 East Franklin, Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile rocker	Child's rocker	Each $1.50	Each $1.88

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile rocker	Child's rocker	Each $1.88

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of August 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12973; Filed, August 26, 1944; 12:12 p. m.]

[MPR 188, Order 2210]

VICTORY CABINET WORKS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2210 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of four items of chests of drawers, three items of bookcases, a desk, a vanity, and a vanity bench manufactured by Victory Cabinet Works.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of four items of chests of drawers, three items of bookcases, a desk, a vanity, and a vanity bench manufactured by Victory Cabinet Works, 402 Luxton Street, Fort Worth, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	Each
Chest of Drawers	C-14	$10.84	$12.75
	C-13	10.84	12.75
	C-15	11.69	13.75
	Juvenile	9.35	11.00
Bookcase	B-112	3.19	3.75
	B-113	4.51	5.30
	B-114	4.76	5.60
Desk	D-12	6.38	7.50
Vanity	V-11	12.75	15.00
Vanity bench	V-111	1.77	2.08

These prices are f. o. b. factory, and subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Chest of drawers	C-14	$12.75
	C-13	12.75
	C-15	13.75
	Juvenile	11.00
Bookcase	B-112	3.75
	B-113	5.30
	B-114	5.60
Desk	D-12	7.50
Vanity	V-11	15.00
Vanity bench	V-111	2.08

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of August 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12974; Filed, August 26, 1944; 12:14 p. m.]

[FPR 2, Order 1 to Supp. 3]

BARLEY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of section 11 (b) (3) of Supplement No. 3 to Food Products Regulation No. 2, *It is hereby ordered*, That:

(a) Base prices for imported malting barley, imported by vessel, at the following points of entry shall be:

Point of entry:	Base price per bushel in United States dollars
Chicago, Ill.	$1.21¾ C. i. f.
Milwaukee, Wis.	$1.21¾ C. i. f.
Superior, Wis.	$1.15¾ C. i. f.
Duluth, Minn.	$1.15 C. i. f.

(b) Whenever it becomes necessary under the provisions of this supplement to adjust the price of such barley according to premiums or discounts provided for barley graded under United States Official Grain Standards, the base prices in (a) above shall be deemed to be for "Standard grade", or No. 2 Barley having a minimum test weight of 46 pounds. Base prices for other grades and qualities at the points of entry listed above shall be determined by adding to or subtracting from the base price for the point of entry listed in (a) above, the premiums and discounts provided in Table I of Appendix A of Supplement No. 3 to Food Products Regulation No. 2, except that no further premium for malting barley may be added.

(c) The base prices established by this regulation do not include the import duty; in calculating a maximum price, the importer may add the duty actually paid to his base price, as provided in paragraph (c) (1) (ii) of section 11, Supplement No. 3 to Food Products Regulation No. 2; and such additions for the duty paid may be included in the maximum price on any subsequent sales.

(d) The foregoing base prices shall apply only to malting barley as defined in section 5 (b) (2) (i) of Supplement No. 3 to Food Products Regulation No. 2. They may be used by any importer, where applicable, for the importing of any quantity, after the importer has filed a notice of intent to import such quantity through one or more of the points named. Such notice of intention should be filed with the Cereals, Grains and Agricultural Chemicals Branch of the Office of Price Administration.

(e) This order may be revoked or amended by the Price Administrator at any time.

NOTE: The base prices established by this order are not maximum prices but are to be used in the determination of the maximum prices that may be paid for imported malting barley as provided in section 11 (c) of Supplement No. 3 to Food Products Regulation No. 2. If you are an importer your maximum price for the sale of imported malting barley shall be determined pursuant to the provision of section 11 (d) of Supplement No. 3 to Food Products Regulation No. 2.

This order shall become effective August 26, 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13003; Filed, August 26, 1944; 3:41 p. m.]

[MPR 120, Order 937]

CAMPBELL BROS., AND LIGHTNING CREEK COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 937 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 15. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.226 and all other provisions of Maximum Price Regulation No. 120.

CAMPBELL BROTHERS, MCALESTER OKLA., ALDERSON MINE, MCALESTER, SEAM, MINE INDEX NO. 2007, PITTSBURG COUNTY, OKLA., PRODUCTION GROUP NO. 7, RAIL SHIPPING POINT: ALDERSON, OKLA., STRIP MINE

	Size group Nos.								
	1	2	3	4	6	8	9	10	14
Rail shipment	575	575	575	520	450	285	370	240	135
Truck shipment	560	560	560	510	460	285	370	240	215

Railroad locomotive fuel: All sizes, 270.

LIGHTNING CREEK COAL CO., 308 GLOBE BLDG., PITTSBURG, KANS., LIGHTNING CREEK MINE, LIGHTNING CREEK SEAM, MINE INDEX NO. 2019, CRAWFORD COUNTY, KANS., PRODUCTION GROUP NO. 1, RAIL SHIPPING POINT: MONMOUTH, KANS. STRIP MINE

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rail shipment	320	320	320	320	325	305	300	275	270	270	270	255	200	170	140
Truck shipment	335	335	335	335	310	295	280	285	295	270	245	230	230	210	110

Railroad locomotive fuel:
- Any size not specifically listed below 270
- 3" x 0 washed or 3" x ¼" unwashed 260
- 2" x 0 washed or 2" x ¼" unwashed 245
- 1¼" x 0 washed or 1¼" x ¼" unwashed 230

This order shall become effective August 29, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13026; Filed, August 28, 1944; 11:31 a. m.]

[MPR 120, Order 936]

BLUE BELL COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 936 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Blue Bell Coal Company.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) Coals produced at the Blue Bell Mine, Mine Index No. 1307 of the Blue Bell Coal Company, located in Williamson County, Illinois, in southern subdistrict, classified in Price Group No. 5, District No. 10 for uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices, in cents per net ton, not exceeding the following:

	Size groups														
	1, 2, and 3	4	5	6	7	8	9	10, 11, and 12	13	14	15	16	26	27
Rail shipment for all uses	260	250	250	250	x	250	210	210	175	175	110	95	185	185
Truck shipment	[1] 320	305	300	295	285	265	255	255	235	235	170	-----	-----	-----

[1] Previously established.

x Size group 7.

Rail Shipped Coal

Railroad locomotive fuel	250
For other uses	215

(b) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(c) All prayers not granted herein are hereby denied.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective August 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Wood Specialty Co., 1223 East Franklin, Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile rocker	Child's rocker	$1.50	$1.98

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Juvenile rocker	Child's rocker	$1.98

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of August 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12973; Filed, August 26, 1944; 12:12 p. m.]

[MPR 188, Order 2210]

VICTORY CABINET WORKS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2210 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of four items of chests of drawers, three items of bookcases, a desk, a vanity, and a vanity bench manufactured by Victory Cabinet Works.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of four items of chests of drawers, three items of bookcases, a desk, a vanity, and a vanity bench manufactured by Victory Cabinet Works, 402 Luxton Street, Fort Worth, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Chest of Drawers	C-14	$10.84	$12.75
	C-13	10.84	12.75
	C-15	11.69	13.75
	Juvenile	9.35	11.00
Bookcase	B-112	3.19	3.75
	B-113	4.51	5.30
	B-114	4.76	5.60
Desk	D-12	6.38	7.50
Vanity	V-11	12.75	15.00
Vanity bench	V-111	1.77	2.08

These prices are f. o. b. factory, and subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Chest of drawers	C-14	$12.75
	C-13	12.75
	C-15	13.75
	Juvenile	11.00
Bookcase	B-112	3.75
	B-113	5.30
	B-114	5.60
Desk	D-12	7.50
Vanity	V-11	15.00
Vanity bench	V-111	2.08

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of August 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-12974; Filed, August 26, 1944; 12:14 p. m.]

[FPR 2, Order 1 to Supp. 3]

BARLEY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of section 11 (b) (3) of Supplement No. 3 to Food Products Regulation No. 2, *It is hereby ordered*, That:

(a) Base prices for imported malting barley, imported by vessel, at the following points of entry shall be:

Point of entry:	*Base price per bushel in United States dollars*
Chicago, Ill.	$1.21¾ C. i. f.
Milwaukee, Wis.	$1.21¾ C. i. f.
Superior, Wis.	$1.15¾ C. i. f.
Duluth, Minn.	$1.15 C. i. f.

(b) Whenever it becomes necessary under the provisions of this supplement to adjust the price of such barley according to premiums or discounts provided for barley graded under United States Official Grain Standards, the base prices in (a) above shall be deemed to be for "Standard grade", or No. 2 Barley having a minimum test weight of 46 pounds. Base prices for other grades and qualities at the points of entry listed above shall be determined by adding to or subtracting from the base price for the point of entry listed in (a) above, the premiums and discounts provided in Table I of Appendix A of Supplement No. 3 to Food Products Regulation No. 2, except that no further premium for malting barley may be added.

(c) The base prices established by this regulation do not include the import duty; in calculating a maximum price, the importer may add the duty actually paid to his base price, as provided in paragraph (c) (1) (ii) of section 11, Supplement No. 3 to Food Products Regulation No. 2; and such additions for the duty paid may be included in the maximum price on any subsequent sales.

(d) The foregoing base prices shall apply only to malting barley as defined in section 5 (b) (2) (i) of Supplement No. 3 to Food Products Regulation No. 2. They may be used by any importer, where applicable, for the importing of any quantity, after the importer has filed a notice of intent to import such quantity through one or more of the points named. Such notice of intention should be filed with the Cereals, Grains and Agricultural Chemicals Branch of the Office of Price Administration.

(e) This order may be revoked or amended by the Price Administrator at any time.

NOTE: The base prices established by this order are not maximum prices but are to be used in the determination of the maximum prices that may be paid for imported malting barley as provided in section 11 (c) of Supplement No. 3 to Food Products Regulation No. 2. If you are an importer your maximum price for the sale of imported malting barley shall be determined pursuant to the provision of section 11 (d) of Supplement No. 3 to Food Products Regulation No. 2.

This order shall become effective August 26, 1944.

Issued this 26th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13003; Filed, August 26, 1944; 3:41 p. m.]

[MPR 120, Order 937]

CAMPBELL BROS., AND LIGHTNING CREEK COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 937 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 15. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.226 and all other provisions of Maximum Price Regulation No. 120.

CAMPBELL BROTHERS, McALESTER OKLA., ALDERSON MINE, McALESTER, SEAM, MINE INDEX NO. 2007, PITTSBURG COUNTY, OKLA., PRODUCTION GROUP NO. 7, RAIL SHIPPING POINT: ALDERSON, OKLA., STRIP MINE

	Size group Nos.								
	1	2	3	4	6	8	9	10	14
Rail shipment	575	575	575	520	450	285	370	240	135
Truck shipment	560	560	560	510	460	285	370	240	215

Railroad locomotive fuel: All sizes, 270.

LIGHTNING CREEK COAL CO., 308 GLOBE BLDG., PITTSBURG, KANS., LIGHTNING CREEK MINE, LIGHTNING CREEK SEAM, MINE INDEX NO. 2016, CRAWFORD COUNTY, KANS., PRODUCTION GROUP NO. 1, RAIL SHIPPING POINT: MONMOUTH, KANS. STRIP MINE

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rail shipment	320	320	320	320	325	305	300	275	270	270	270	255	200	170	140
Truck shipment	335	335	335	335	310	295	290	285	295	270	245	220	220	210	110

Railroad locomotive fuel:
Any size not specifically listed below 270
3" x 0 washed or 3" x ¼" unwashed 260
2" x 0 washed or 2" x ¼" unwashed 245
1¼" x 0 washed or 1¼" x ¼" unwashed 230

This order shall become effective August 29, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13026; Filed, August 28, 1944; 11:31 a. m.]

[MPR 120, Order 936]

BLUE BELL COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 936 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Blue Bell Coal Company.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) Coals produced at the Blue Bell Mine, Mine Index No. 1307 of the Blue Bell Coal Company, located in Williamson County, Illinois, in southern subdistrict, classified in Price Group No. 5, District No. 10 for uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices, in cents per net ton, not exceeding the following:

	Size groups													
	1, 2, and 3	4	5	6	7	8	9	10, 11, and 12	13	14	15	16	26	27
Rail shipment for all uses	260	250	250	250	x	250	210	210	175	175	110	95	185	185
Truck shipment	[1] 320	305	300	295	285	265	255	255	235	235	170	-----	-----	-----

[1] Previously established.

x Size group 7.

Rail Shipped Coal

Railroad locomotive fuel 250
For other uses 215

(b) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(c) All prayers not granted herein are hereby denied.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective August 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13028; Filed, August 28, 1944; 11:31 a. m.]

Regional and District Office Orders.

[Region I Order G-1 Under MPR 154] Amdt. 3]

ICE IN NEW ENGLAND

Amendment 3 to Order No. G-1 under Maximum Price Regulation No. 154. Ice.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is ordered:*

Region I Order G-1 is hereby amended in the following respects:

1. The title of said order is amended to read as follows:

Region I Order No. G-1 under Maximum Price Regulation No. 154. Ice in New England (except Barnstable County, Martha's Vineyard, Plymouth, Kingston, Carver, Marshfield, Duxbury, Brimfield, Brookfield, Charlton, Fiskdale, Southbridge, Spencer, Sturbridge, Wales and Webster, Massachusetts).

2. Paragraph numbered (a) is amended to read as follows:

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, for ice sold or delivered in the states of Massachusetts (except Barnstable County, Martha's Vineyard, Plymouth, Kingston, Carver, Marshfield, Duxbury, Brimfield, Brookfield, Charlton, Fiskdale, Southbridge, Spencer, Sturbridge, Wales and Webster, Massachusetts), Connecticut, Rhode Island, Vermont, New Hampshire and Maine shall be the maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, or the prices specified in the following schedule, whichever are higher: *Provided, however,* That in the case of a quantity platform sale or a quantity delivered sale the seller's maximum price shall not exceed his maximum price to the purchaser established by §§ 1393.1 and 1393.12 (exclusive of § 1393.12 (f) of Maximum Price Regulation No. 154, by more than 10 cents per 300 pounds (66⅔ cents per ton) in the case of a quantity platform sale, or by more than 5 cents per 100 pounds ($1.00 per ton) in the case of a quantity delivered sale.

Type of sale	Per cwt	Per ton
Retail delivered sale	$0.60	$12.00
Retail platform sale	.40	8.00
Quantity delivered sale	.40	8.00
Quantity platform sale	.20	4.00

This amendment No. 3 shall become effective August 16, 1944, and terminate September 15, 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328 8 F.R. 4681)

Issued this 15th day of August 1944.

C. L. FOOTE,
Acting Regional Administrator.

[F. R. Doc. 44-12869; Filed, August 25, 1944; 2:50 p. m.]

[Region I Order G-5 Under MPR 154]

ICE IN DESIGNATED TOWNS IN MASSACHUSETTS

Order No. G-5 under Maximum Price Regulation No. 154. Ice. Ice in Brimfield, Brookfield, Charlton, Fiskdale, Southbridge, Spencer, Sturbridge, Wales and Webster, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154; *It is ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154 for ice sold or delivered in Brimfield, Brookfield, Charlton, Fiskdale, Southbridge, Spencer, Sturbridge, Wales and Webster, Massachusetts, are modified so that the maximum price for retail delivered sales shall be 70¢ per cwt.

(b) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business).

(c) Prices lower than those established by this order may be charged, offered, demanded or paid.

(d) On or before August 25, 1944, each seller whose maximum prices have been increased by this office shall post his increased maximum price for a "retail delivered sale" by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser.

This order may be revoked, amended or corrected at any time.

This order shall become effective August 16, 1944, and terminate September 15, 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-12895; Filed, August 25, 1944; 2:50 p. m.]

[Region I Order G-25 Under 18 (c), Amdt. 2]

POTATO BARRELS IN AROOSTOOK COUNTY, MAINE

Amendment No. 2 to Order No. G-25 under section 18 (C) of the General Maximum Price Regulation. New stave and veneer potato barrels sold and delivered in Aroostook, County, Maine.

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-25 is amended in the following respects:

(1) The title and preamble are amended to read as follows:

Region I Order No. G-25 under section 18 (C) of the General Maximum Price Regulation and Maximum Import Price Regulation Order No. 27. New stave and veneer potato barrels sold and delivered in the State of Maine.

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by Maximum Import Price Regulation Order No. 27, *It is hereby ordered:*

(2) Paragraph (a) is amended to read as follows:

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for new stave and veneer potato barrels, as defined in paragraph (b) hereof, sold and delivered in the State of Maine, are modified so that the maximum prices for such barrels shall be as follows:

	Each
Stave potato barrel, nailed	$1.45
Stave potato barrel, unnailed	1.25
Stave tongue and groove potato barrel, nailed	1.50
Stave tongue and groove potato barrel, unnailed	1.30
Veneer potato barrel, nailed	1.45

(3) Paragraph (d) is amended to read as follows:

(d) This order applies to all sales pursuant to which the buyer receives physical delivery within the State of Maine.

(4) Paragraph (b) (2) is added to read as follows:

(2) Amendment No. 2 shall become effective as of August 15, 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of August 1944.

C. L. FOOTE,
Acting Regional Administrator.

[F. R. Doc. 44-12908; Filed, August 25, 1944; 2:50 p. m.]

[Region I Order G-28 Under 18 (c), Amdt. 1]

FISH BARRELS IN COASTAL AREA FROM BOOTHBY TO KITTERY, MAINE

Amendment 1 to Order No. G-28 under section 18 (c) of the General Maximum Price Regulation. Fish barrels delivered in coastal area from Boothby to Kittery, Maine.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) Order No. G-28 under section 18 (c) of the General Maximum Price Regulation is hereby revoked.

(b) This order shall become effective August 18, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-12904; Filed, August 25, 1944; 2:50 p. m.]

[Region I Order G-41 Under 18 (c)]

EXCELSIOR SOLD IN NEW ENGLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) For excelsior sold and delivered in New England, the maximum prices established by § 1499.2 of the General Maximum Price Regulation are modified so that the maximum prices for excelsior shall be the price established by each seller under § 1499.2 of the General Maximum Price Regulation, plus $6 per ton.

(b) This order applies to all sales pursuant to which the buyer receives physical delivery within Maine, New Hampshire, Vermont, Massachusetts, Rhode Island or Connecticut.

(c) Each seller shall furnish with the invoice evidencing the first sale to each purchaser of excelsior at the increased prices provided herein a statement in substantially the following form:

To maintain supply of excelsior, the Office of Price Administration has permitted us to increase our maximum price of excelsior by $6 per ton.

(d) Sellers of excelsior shall continue to offer their customary allowances, discounts or other price differentials which were in effect in March, 1942.

(e) No additional charges of any kind may be added, to the maximum prices established by this order but lower prices may be offered, demanded or paid.

This order shall become effective August 24, 1944.

(Pub. Law 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

EDGAR J. DRISCOLL,
Acting Regional Administrator.

[F. R. Doc. 44-12905; Filed, August 25, 1944; 2:50 p. m.]

[Region II Order G-1 Under MPR 165, Amdt. 9]

WILLIAMS LAUNDRY CO., INC.

Amendment No. 9 to Order No. G-1 under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended. Services. Adjustment of laundry service prices in the New York Metropolitan Area.

The application of a group of power laundry establishments in the New York metropolitan area for adjustment of their maximum prices for their family laundry services were considered by this Office and these applications were denied in part and granted in part in Order No. G-1 of the New York District Office issued under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, Services, on February 24, 1944.

For the reasons set forth in the opinion issued simultaneously herewith, it has been decided that said Order G-1 be modified and amended in certain respects as hereinafter appears. Accordingly, pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, Services, New York District Order No. G-1 under that section is hereby modified and amended and it is ordered that:

(1) Order No. G-1, and more particularly paragraph (1) thereof is amended by adding thereto the name of the following power laundry establishment and percentage of increase:

Name	*Permitted increase*
Williams Laundry Co., Inc., 363 Williams Ave., Broklyn, N. Y.----	6 percent

(2) The indicated increase in the present legal maximum prices of the applicant shall extend to all its family laundry and related services.

(3) The provisions of paragraph (3) in Order No. G-1, in respect to the agent drivers of the applicant, shall extend to all family laundry and related services supplied them by the applicant.

(4) The applicant shall be subject to all the provisions of said Order G-1 which are applicable to its circumstances and, except as therein or herein provided, shall remain in all respects subject to the provisions of Maximum Price Regulation No. 165, as amended, Services.

(5) All of the provisions of Order No. G-1 shall remain in full force and effect except as herein modified.

(6) The applicant shall keep a copy of this amendment and the accompanying opinion, and a copy of Order No. G-1 and its accompanying opinion in its establishment, together with a statement required by § 1499.108 of Maximum Price Regulation No. 165, as amended, and make them available for inspection by any person during business hours.

(7) Any relief requested by the applicant named herein which has not been expressly granted is hereby denied.

(8) This amendment may be revoked by the Regional Administrator of Region II or the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E. O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This amended order shall become effective immediately.

Issued this 18th day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-12892; Filed August 25, 1944; 2:40 p. m.]

[Camden Order G-1 Under MPR 285]

MAXIMUM PRICES FOR BANANAS IN DESIGNATED COUNTIES IN NEW JERSEY

Order No. G-1 under § 1351.1254 (a) of Maximum Price Regulation No. 285. Imported fresh bananas.

Amount of hauling from a wholesaler's customary receiving point and his place of business allowed for determining maximum price for imported fresh bananas at all wholesale receiving points in the Camden District area.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in § 1351.1254 (a) of Maximum Price Regulation No. 285, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the cost of hauling between a wholesaler's customary receiving point and his place of business which may be added to the maximum service wholesaler's selling price for imported fresh bananas.

SEC. 2. *Where this order applies.* This order applies in the Counties of Camden, Burlington, Gloucester, Salem, Cumberland, Atlantic and Cape May in the State of New Jersey.

SEC. 3. *Determination of the amount of cost of hauling allowed in establishing maximum selling price.* The cost of hauling allowed to all service wholesalers shall be thirty-five cents (35¢) per hundred weight.

SEC. 4. *Effective date.* This order shall become effective 12:01 a. m. on August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR No. 285, 7 F.R. 10481)

Issued this 15th day of August 1944.

T. HAROLD DEMPSEY,
District Director.

[F. R. Doc. 44-12910; Filed, August 25, 1944; 2:48 p. m.]

[Newark Order G-1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN CERTAIN COUNTIES IN N. J.

Order No. G-1 under Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables in certain counties of New Jersey.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices for certain fresh fruits and vegetables at the wholesale receiving points subsequently set forth in section 2.

SEC. 2. *Where this order applies.* This order applies in the Counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex, and Union, New Jersey.

SEC. 3. *Determination of the amount of freight allowed in establishing maximum selling price.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the

purpose of determining maximum selling prices of the items covered by this regulation at all wholesale receiving points in the area described above, and in the markets they serve, shall be the amounts set forth in the Appendices hereunto annexed.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

The amount of freight from basing point to the City of Newark, and all wholesale receiving points in the Counties of Essex, Hudson, Morris and Union, New Jersey, is hereinafter set forth in Appendix A.

The amount of freight from basing point to the City of Paterson, and all wholesale receiving points in the Counties of Bergen, Passaic, and Sussex, New Jersey, is hereinafter set forth in Appendix B.

SEC. 4. *Effective date.* This order shall become effective 12:01 a. m. on the 21st day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of August 1944.

RICHARD J. TARRANT,
District Director.

APPENDIX A.—FREIGHT FROM BASING POINT TO NEWARK, NEW JERSEY AND ALL WHOLESALE RECEIVING POINTS IN THE COUNTIES OF ESSEX, HUDSON, MORRIS, AND UNION, NEW JERSEY

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Carrots, bunched	LA crate, 72 bunches, each bunch 1 pound.	El Centro, Calif.	Jan. 16–Mar. 31	$1.40
		El Centro, Calif.	Apr. 1–May 31	1.50
		Salinas, Calif.	June 1–Nov. 30	1.60
		Salinas, Calif.	Dec. 1–Jan. 15	1.50
Cucumbers, except hothouse	Bushel, 48 pounds	Wachula, Fla.	Jan. 1–May 31	.85
	Bushel, 48 pounds	Ponchatoula, La.	June 1–June 30	.89
	Lug box, 28 pounds	Wachula, Fla.	Jan. 1–May 31	.50
	Lug box	Ponchatoula, La.	June 1–June 30	.52
Cucumbers, hothouse	Per pound	Davenport, Iowa	All year	.02¾
Eggplant	1⅑ bushel crate, 45 pounds	Fort Myers, Fla.	All year	.91
	Bushel, 30 pounds	Fort Myers, Fla.	All year	.62
Grapefruit, pink: California and Arizona.	1⅗ bushel	Los Angeles, Calif.	Nov. 16–Apr. 30	1.35
			May 1–Oct. 31	1.42
Grapefruit, pink: All other States.	1⅗ bushel	Weslaco, Tex.	All year	1.29
Grapefruit, white: California and Arizona.	1⅗ bushel	Los Angeles, Calif.	Nov. 16–Apr. 30	1.35
			May 1–Oct. 31	1.42
Grapefruit, white: All other states, including "Indian River."	1⅗ bushel	Homestead, Fla.	All year	1.05
Lemons: All states	1⅗ bushel	Los Angeles, Calif.	Nov. 1–Apr. 30	1.39
			May 1–Oct. 30	1.53
Green peas	Bushel, 28 pounds	Calipatria, Calif.	Sept. 1–Mar. 31	.83
		Santa Barbara, Calif.	Apr. 1–Aug. 31	.91
Lettuce: Iceberg	LA or Salinas crate, 60 pounds and 48 heads.	Salinas, Calif.	All year	1.44
Oranges: California and Arizona.	1⅗ bushel	Los Angeles, Calif.	Nov. 16–Apr. 30	1.48
			May 1–Nov. 15	1.55
Oranges: All other, including "Indian River."	1⅗ bushel	Homestead, Fla.	All year	1.05
Snap beans	Bushel, 28 pounds	Pompano, Fla.	do	.81
Spinach	Bushel, 18 pounds	Crystal City, Tex.	do	.42
Sweet peppers	1½-bushel crate, 37 pounds	Pompano, Fla.	do	.78
	Bushel, 25 pounds	Pompano, Fla.	do	.53
Tangerines: All States, except California and Arizona.	1⅗ bushel	Homestead, Fla.	do	1.66

APPENDIX B—FREIGHT FROM BASING POINT TO PATERSON, NEW JERSEY AND ALL WHOLESALE RECEIVING POINTS IN THE COUNTIES OF BERGEN, PASSAIC AND SUSSEX, NEW JERSEY

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Carrots, bunched	LA crate, 72 bunches, each bunch 1 pound.	El Centro, Calif.	Jan. 16–Mar. 31	$1.60
		El Centro, Calif.	Apr. 1–May 31	1.70
		Salinas, Calif.	June 1–Nov. 30	1.80
		Salinas, Calif.	Dec. 1–Jan. 15	1.70
Cucumbers, except hothouse.	Bushel, 48 pounds	Wachula, Fla.	Jan. 1–May 31	.90
	Bushel, 48 pounds	Ponchatoula, La.	June 1–June 30	.94
	Lug box, 28 pounds	Wachula, Fla.	Jan. 1–May 31	.53
	Lug box	Ponchatoula, La.	June 1–June 30	.54
Cucumbers, hothouse	Per pound	Davenport, Iowa	All year	.02¾
Eggplant	1½ half-bushel crate, 45 pounds	Ft. Myers, Fla.	All year	.91
	Bushel, 30 pounds	Ft. Myers, Fla.	All year	.62
Grapefruit, pink: California and Arizona.	1 2/5 bushel	Los Angeles, Calif.	Nov. 16–Apr. 30	1.40
			May 1–Oct. 31	1.47
Grapefruit, pink: All other States.	1 ⅗ bushel	Weslaco, Tex.	All year	1.34
Grapefruit, white: California and Arizona.	1 ⅗ bushel	Los Angeles, Calif.	Nov. 16–Apr. 30	1.40
			May 1–Oct. 31	1.47
Grapefruit, white: All other States, including "Indian River."	1⅗ bushel	Homestead, Fla.	All year	1.10
Lemons: All States	1⅗ bushel	Los Angeles, Calif.	Nov. 1–Apr. 30	1.44
			May 1–Oct. 30	1.56
Green peas	Bushel, 28 pounds	Calipatria, Calif.	Sept. 1–Mar. 31	.88
		Santa Barbara, Calif.	Apr. 1–Aug. 31	.91
Lettuce: Iceberg	LA or Salinas crate, 60 pounds and 48 heads.	Salinas, Calif.	All year	1.64
Oranges: California and Arizona.	1⅗ bushel	Los Angeles, Calif.	Nov. 16–Apr. 30	1.53
			May 1–Nov. 15	1.60
Oranges: All other including "Indian River."	1⅗ bushel	Homestead, Fla.	All year	1.10
Snap beans	Bushel, 28 pounds	Pompano, Fla.	All year	.61
Spinach	Bushel, 18 pounds	Crystal City, Texas	All year	.52
Sweet peppers	1½-bushel crate, 37 pounds	Pompano, Fla.	All year	.83
	Bushel, 25 pounds	Pompano, Fla.	All year	.53
Tangerines: All States, except California and Arizona.	1⅗ bushel	Homestead, Fla.	All year	1.10

[F. R. Doc. 44–12890; Filed, August 25, 1944; 2:46 p. m.]

[Region II Order G–4 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN EX PITTSBURGH PRODUCE TERMINAL BUILDING

Order No. G–4 under Maximum Price Regulation No. 426. Markups for sales of certain fresh fruits and vegetables ex-Pittsburgh Produce Terminal Building by primary receivers.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Maximum Price Regulation No. 426, and for the reasons stated in the accompanying opinion, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes adjusted markups for less than carlot or less than trucklot sales of certain fresh fruits and vegetables by primary receivers or carlot or trucklot receivers from the Pittsburgh Produce Terminal Building of the Pennsylvania Railroad in Pittsburgh, Pennsylvania. These markups are to be used in determining maximum prices instead of the markups named in the applicable appendix of Maximum Price Regulation No. 426 for such sales by primary receivers or carlot receivers. They may only be used for "sales ex-Pittsburgh Produce Terminal Building" as defined in this order.

SEC. 2. *Definitions.* (a) When used in this order the term: (1) "Carlot receiver" or "trucklot receiver" means a person who for his own account and profit buys the fresh fruit or vegetable being priced in unbroken carlots or unbroken trucklots for resale in less than carlots or less than trucklots to persons other than ultimate consumers.

(2) "Primary receiver" means:

(i) As to certain deciduous tree fruits, a person who for his own account and profit buys the deciduous tree fruit being priced (1) in unbroken carlots or trucklots from any person or (2) in any quantity from a primary seller selling either direct or through auction or through any agent (except a commission merchant in less than carlots or less than trucklots), for resale in less than carlots or less than trucklots to persons other than ultimate consumers;

(ii) As to peaches, a person other than a service wholesaler who for his own account and profit buys the fruit being priced (1) in unbroken carlots or unbroken trucklots from any person or (2) in any quantity from a grower, grower-packer or shipping point distributor selling either direct or through any agent (except a commission merchant in less-than-carlots or less-than-trucklots), or (3) at auction, for resale in less-than-carlots or less-than-trucklots to persons other than ultimate consumers.

(3) "Sale ex-Pittsburgh Produce Terminal Building" means a sale of a fresh fruit or vegetable which has been unloaded into the Pittsburgh Produce Terminal Building of the Pennsylvania Railroad at Pittsburgh, Pennsylvania, placed in the space assigned to the seller, and from that space delivered to the buyer either at his premises or at the loading platform of the terminal building.

(b) Unless contrary to the context of this order, the definitions contained in Maximum Price Regulation No. 426 and

in the Emergency Price Control Act of 1942, as amended, shall apply to terms used in this order.

SEC. 3. *Applicability.* This order applies only to "sales ex-Pittsburgh Produce Terminal Building" by carlot or trucklot receivers or primary receivers. It does not apply to any other sales. In order to qualify for the markups established by this order the seller must satisfy the definition of "carlot or trucklot receiver" or "primary receiver", as the case may be, and the sale of the commodity being priced must satisfy the definition of "sale ex-Pittsburgh Produce Terminal Building" in every respect.

SEC. 4. *Maximum markups for sales ex-Pittsburgh Produce Terminal Building, Pittsburgh, Pennsylvania.* (a) Markups for certain deciduous tree fruits. The markups for sales by primary receivers contained in Column 5 of Table B of paragraph (e) of Appendix J of Maximum Price Regulation No. 426 shall not apply to sales ex-Pittsburgh Produce Terminal Building in Pittsburgh, Pennsylvania. The maximum markups which may be added to the maximum delivered prices as provided in Column 6 of the tables in paragraph (d) of Appendix J for sales by "primary receivers" in less than carlots or less than trucklots ex-Pittsburgh Produce Terminal Building shall be as follows:

Item No.	Commodity	Unit	Mark-ups for sales by primary receivers, l. c. l. or l. t. l. ex-Pittsburgh Terminal Building
1	Sweet cherries	California:	
		Campbell lug 15–17 pounds	$0.51.
		Calex lug 18–20 pounds	$0.57.
		Lug box 23–26 pounds	$0.65.
		All other States:	
		Campbell lug, 14½–15½ pounds	$0.50.
		Fruit box 19½–20½ pounds	$0.58.
		All States: Above containers with net weight of less or more than that specified for each container and sweet cherries packed in all other containers, and those sold loose and ungraded in any container or in bulk—per pound.	$0.18 per container for all containers over 14 pounds plus 1.7¢ per pound. For all other containers 3¢ per pound.
2	Apricots	California:	
		Brentwood lug 24–26 pounds	$0.41.
		Brentwood lug with net weight of less than 24 pounds or more than 26 pounds and apricots packed in all other containers, and those sold loose and ungraded in any container or in bulk—per pound.	$0.14 per container for all containers over 23 pounds plus 0.9¢ per pound. For all others 1.6¢ per pound.
		All other States:	
		Northwest lug 13–15 pounds	$0.25.
		Northwest lug with net weight of less than 13 pounds or more than 15 pounds and apricots packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound	$0.09 per container for all containers over 12 pounds plus 0.9¢ per pound. For all others 1.6¢ per pound.
3	Plums	All:	
		Standard 4 basket crate:	
		Size 3 x 4 / Size 3 x 4 x 4 } 29–33 pounds	$0.45.
		Size 4 x 4, 28–32 pounds	$0.45.
		Size 3 x 4 x 5 / Size 4 x 5 } 26–30 pounds	$0.44.
		Size 5 x 5, 24–28 pounds	$0.41.
		Size 5 x 6 / Size 6 x 6 } 23–27 pounds	$0.41.
		Standard 4 basket crate with net weight of less or more than that specified for each of above sizes, and plums of any sold size packed in all other containers, and these sold loose and ungraded in any container, or in bulk—per pound.	$0.16 per container for all containers over 22 lbs. plus 0.8¢ per lb. For all others 1.4¢ per lb.
4	Fresh Italian prunes.	All:	
		½ bushel basket 28–32 pounds	$0.38.
		Standard prune box 15–17 pounds	$0.22.
		Above containers with net weight of less or more than that specified for each container and fresh Italian prunes packed in all other containers and those sold loose and ungraded in any container, or in bulk—per pound.	$0.14 per container for all containers over 20 lbs. plus .7¢ per pound. For all others 1.3¢ per pound.
5	Pears	All states:	
		Standard western pear box, 1-way lug, and 2 standard ½ pear boxes	
		46–50 pounds	$0.66.
		44–48 pounds	$0.55.
		Washington pear lug 19–21 pounds	$0.25.
		Above containers with net weight of less or more than that specified for each container, and pears packed in all other containers and those sold loose and ungraded in any container or in bulk (loose without container or in containers furnished by the buyer)—per pound.	1.2¢.

SEC. 5. *Effective date.* This order shall become effective at 12:01 a. m. on August 20, 1944; it may be revoked or amended at any time.

Issued this 16th day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-12894; Filed, August 25, 1944; 2:40 p. m.]

[Region IV Order G–1 Under MPR 211]

COTTON GINNING SERVICES IN ATLANTA REGION

Order No. G–1 under Maximum Price Regulation 211, as amended. Cotton ginning services. Order designating zones and alternate prices in Region IV.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region IV by the Emergency Price Control Act of 1942, as amended, and § 1499.553 of Maximum Price Regulation 211, as amended, this General Order No. 1 under Maximum Price Regulation 211, as amended, is issued.

(a) *Designation of zones.* The Regional Administrator hereby designates the following areas as ginning zones:

(1) Mississippi: Area 1, Area 2.
(2) Tennessee: Area 1, Area 2, Area 3.
(3) Alabama: Area 1, Birmingham District; Area 2, Montgomery District.
(4) Georgia: Area 1, Atlanta District; Area 2, Savannah District.
(5) Florida: Entire State.
(6) South Carolina: Entire State.
(7) North Carolina: Area 1, Charlotte District; Area 2, Raleigh District.
(8) Virginia: Richmond District.

The above areas shall each be coextensive with the respective administrative districts established by the Office of Price Administration as of September 10, 1943, except those districts in which the conditions affecting the operations of gins and the costs of ginning are not substantially uniform and within which districts, each of two or more areas (each comprising at least one county) such conditions and costs are substantially uniform, in which case each of such areas is designated as a ginning zone, and a list of such districts and the areas included in each appears in Appendix A, which list is made a part of this designation.

(b) *Alternate maximum prices for cotton ginning services.* The Regional Administrator hereby establishes as alternate ceiling prices in Region IV for the respective ginning zones designated in this order the ceiling prices for such zones respectively set forth in Table I appearing in his section. The prices set forth in Column C in Table I are prices which a ginner may charge per bale, the prices to include both the ginning services and the bagging and ties.

TABLE I

Area	A Price per cwt. lint weight basis (gross wt. bale)	B Price per cwt. seed weight basis	C Price per 500# bale gross wt. including B. & T.
Mississippi:	*Cents*	*Cents*	
Area 1	50½	32½	$6.27½
Area 2	75	27	5.50
Tennessee:			
Area 1	84	32½	5.95
Area 2	68½	26½	5.17½
Area 3	73½	28½	5.42½
Alabama:			
Area 1	68½	26½	5.17½
Area 2	69	26½	5.20
Georgia:			
Area 1	69	26½	5.20
Area 2	72	27½	5.35
Florida: Entire State	78½	27	5.67½
South Carolina: Entire State	68½	26½	5.17½
North Carolina:			
Area 1	68½	26½	5.17½
Area 2	70	27	5.25
Virginia: Richmond District	74	27½	5.45

(c) Any ginner located within any of the zones designated in this order may charge any of the alternate ceiling prices specified in Table I of this order for the

particular zone in which such gin is located, or he may charge his maximum price as determined under the appropriate section of Maximum Price Regulation 211, as amended. Those ginners who elect to use the alternate maximum price on a flat basis per bale as set out in Column C of Table I shall be permitted to add 1.08¢ per pound on bales weighing more than 500 pounds, gross weight, for the excess over 500 pounds and shall be required to deduct 1.08¢ per pound on bales weighing less than 500 pounds, gross weight, for the difference in the weight of the bale and 500 pounds. Nothing in this order shall be construed as preventing any ginner from selling at prices lower than his ceiling price or lower than the alternate price permitted by this order.

This order shall become effective on the 15th day of August, 1944.

(d) Appendix A. A list of the ginning areas designated as such in this order and the geographical extent of such areas is as follows:

Mississippi: Area 1. The counties of DeSoto, Tate, Panola, Yalobusha, Grenada, Carroll, Holmes, Madison, Rankin, Simpson, Covington, Jeff Davis, Marion, Pearl River, and all other counties in Mississippi to the West thereof.

Area 2. The counties of Marshall, LaFayette, Calhoun, Webster, Montgomery, Attala, Leake, Scott, Smith, Jones, Lamar, Forrest, Stone, Hancock, and all other counties located in Mississippi to the East thereof.

Tennessee: Area 1. The counties of Stewart, Houston, Humphreys, Perry, Decatur, Hardin, and all other counties located in Tennessee to the West thereof.

Area 2. The counties of Montgomery, Dickson, Hickman, Lewis, Wayne, Maury, Lawrence, Giles, Marshall, Bedford, Moore, Lincoln, Coffee, Franklin, Grundy, and Marion.

Area 3. Nashville OPA District. The counties of Robertson, Cheatham, Williamson, Rutherford, Cannon, Warren, Sequatchie, Hamilton, and all other counties in Tennessee to the East thereof.

Alabama Area 1. Birmingham OPA District. The counties of Pickens, Tuscaloosa, Bibb, Shelby, Talladega, Clay, Randolph, and all other counties located in Alabama to the North thereof.

Area 2: Montgomery OPA District. The counties of Sumter, Greene, Hall, Perry, Chilton, Coosa, Tallapoosa, Chambers, and all other counties located in Alabama to the South thereof.

Georgia: Area 1. Atlanta OPA District. The counties of Quitman, Randolph, Terrell, Lee, Crisp, Wilcox, Dodge, Laurens, Johnson, Washington, Hancock, Taliaferro, Wilkes, Lincoln, and all other counties located in Georgia to the North and West thereof.

Area 2. Savannah OPA District. The counties of Clay, Calhoun, Dougherty, Worth, Turner, Ben Hill, Telfair, Wheeler, Treutlen, Emanuel, Jefferson, Glascock, Warren, McDuffie, Columbia, and all other counties located in Georgia to the South and East thereof.

Florida. All counties located in the state of Florida.

South Carolina. All counties located in the state of South Carolina.

North Carolina: Area 1. Charlotte OPA District. The counties of Rockingham, Guilford, Randolph, Montgomery, Richmond, and all other counties located in North Carolina to the West thereof.

Area 2. Raleigh OPA District. The counties Caswell, Alamance, Chatham, Moore, Hoke, Scotland, and all counties located in North Carolina to the East or Southeast thereof.

Virginia. Richmond OPA District. The Counties of Stafford, Culpeper, Madison, Greene, Albemarle, Buckingham, Prince Edward, Lunenburg, Mecklenburg, and all counties located in Virginia to the East and South thereof.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 14, 1944.

ALEXANDER HARRIS,
Regional Administrator,

[F. R, Doc. 44-12891; Filed, August 25, 1944; 2:41 p. m.]

[Region IV Order G-18 Under RMPR 122]

SOLID FUELS IN COBB AND CHEROKEE COUNTIES, GA.

Order No. G-18 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in Cobb and Cherokee Counties, Georgia.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point within Cobb and Cherokee Counties, Georgia.

(2) This order contains a price schedule applicable to sales of high volatile bituminous coal from District No. 8.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall: (1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid, or offered.

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirements that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; sales on a "direct delivery or domestic" basis*—(1) *Consumer sales.* This price schedule sets forth maximum prices for sales of specified sizes, kinds, and quantities of solid fuels when delivery is made to any point in Cobb or Cherokee Counties, Georgia.

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Block, 6" or 8" (size group No. 1) in price classification M	$9.40	$4.90	$2.60
Block, 5" and chunk, 6" x 8" (size group No. 2):			
a. In price classification A	9.70	5.10	2.68
b. In price classifications C—N	8.70	4.60	2.43
Egg, 3" x 5" (size group No. 6) and 2" x 5" (size group No. 7) in price classification A	9.10	4.80	2.53
Egg, 3" x 5" (size group No. 6) in price classifications E—K	8.00	4.25	2.25
Egg, 3" x 5" (size group No. 6) in price classification M and 2" x 5" (size group No. 7) in price classification C	8.00	4.25	2.25
Stoker, top size not exceeding 1¼", bottom size less than 1¼" (size group No. 10)—All price classifications—untreated	8.00	4.25	2.25
Yard slack	6.50	3.50	1.85

(2) *Maximum authorized service charges and required deductions*—(i) *Carry or wheel service.* If a buyer requests such service the dealer may not charge more than 50¢ per ton therefor.

(ii) *Yard sales.* When the buyer picks up the solid fuel covered by this order at the dealer's yard, the dealer must reduce the domestic price 50¢ per ton.

(iii) *Sacked coal.* A dealer may not charge more than 50¢ per 100 lb. bag of egg coal at the yard, or delivered, sack not included.

(iv) *Delivery zone.* For deliveries made beyond the corporate limits of the city or township in which the dealer's yard is located, the dealer may add 10¢ per mile per ton with a minimum charge of 50¢ for such deliveries.

(v) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoice.

(vi) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof. See amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Adfinistrator in accordance with the provisions of Revised Procedural Regulation No. 1, or, in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made for it.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his type of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating, any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) *Persons violating* any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Atlanta District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term: (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery."

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

This Order No. G-18 shall become effective August 16, 1944.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 14, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-12900; Filed, August 25, 1944; 2:42 p. m.]

[Region IV Order G-19 Under MPR 122]

SOLID FUELS IN ROANOKE, ALA.

Order No. G-19 under Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Adjustment of maximum prices for solid fuels in the city of Roanoke, Alabama.

For the reasons set forth in the accompanying opinion, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Regulation No. 122, *It is hereby ordered:*

(a) On and after the effective date of this order any dealer whose place of

business is located within the corporate limits of Roanoke, Alabama may add to his maximum prices for coal, as established under Revised Maximum Price Regulation No. 122, a sum not exceeding 30¢ per ton.

(b) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of Maximum Price Regulation No. 122, together with all amendments, supplementary regulations, and orders which heretofore have been, or hereafter may be, issued.

(c) Definitions. (1) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(2) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.256 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(d) This order may be revoked, corrected or amended at any time.

This order shall become effective August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 353, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this August 14, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-12901; Filed, August 25, 1944; 2:45 p. m.]

[Region IV Rev. Order G-8 Under RMPR 122]

SOLID FUELS IN COLUMBIA, S. C., AREA

Revised Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the city of Columbia and certain adjacent territory in the State of South Carolina.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point within a radius of 10 miles of the State Capitol Building in the city of Columbia, South Carolina. This 10 mile radius is determined by the actual highway mileage from the State Capitol Building to the point of delivery by the most direct route.

(2) This order contains a price schedule applicable to sales of high volatile bituminous coal from District No. 8.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall: (1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid, or offered.

(2) Obtain a higher than maximum price by: (i) Charging for a service which is not expressly requested by the buyer and which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirements that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; sales on a "direct delivery or domestic" basis*—(1) *Consumer sales.* This price schedule sets forth maximum prices for sales of specified solid fuels when the delivery is made to any point within a radius of 10 miles of the State Capitol Building in the city of Columbia, South Carolina. This 10-mile radius is determined by the actual highway mileage from the State Capitol Building to the point of delivery by the most direct route.

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Lump, chunk, block, and egg coal (size group Nos. 1 through 7)	$10.40	$5.45	$3.85
Stoker (size group 10)	9.50	5.00	2.58
Nut and slack (size group No. 20)	7.45	3.90	2.06

(2) *Maximum authorized service charges and required deductions*—(i) *Carry or wheel service.* If a buyer requests such service the dealer may not charge more than 50¢ per ton therefor.

(ii) *Carry up or down stairs.* If a buyer requests such service the dealer may not charge more than $1.00 per ton for such service.

(iii) *Sacking.* A dealer may not charge more than 50¢ each for 80-lb. bags delivered at his yard, or 60¢ each for 80-lb. bags delivered to the purchaser's premises.

(iv) *Yard sales.* When the buyer picks up the solid fuel covered by this order at the dealer's yard, the dealer must reduce the domestic price $1.00 per ton.

(v) *Quantity.* When the buyer purchases 40 tons or more, either in carload or less-than-carload deliveries, the dealer must reduce the domestic price $1.50 per ton on lump, chunk, block, and egg coal, and $1.00 per ton on stoker coal. No quantity discount shall be applicable on the sale of nut and slack coal.

(vi) If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoice.

(vii) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* No transportation tax, other than that imposed by section 620 of the Revenue Act of 1942, may be collected in addition to the maximum prices specified by this order. In order for the dealer to collect this tax in addition to the prices set by this order, he must state it separately on the invoice. (This tax need not be stated separately on sales to the United States or any agency thereof. See Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Administrator, or Regional Administrator.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendement of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or, in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations.* (1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Prices previously established.* This Revised Order No. G-8 under Revised Maximum Price Regulation No. 122 su-

persedes Order No. G–8 under Revised Maximum Price Regulation No. 122, together with all amendments and supplementary orders which have been issued thereunder by this office.

(i) *Records and reports.* Every dealer subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration, the same records he was required to preserve and keep under § 1340.262 (a) (b) of Revised Maximum Price Regulation No. 122.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuels sold, the price charged and separately stating, any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Columbia, South Carolina District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term: (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Direct delivery" of bagged fuel or any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(6) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheelbarrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery."

(7) "Yard sales" shall mean deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(8) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(9) "High volatile bituminous coal" refers to coal produced in certain sections of the producing district specified herein.

(10) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(11) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

This Revised Order No. G–8 shall become effective August 14, 1944.

NOTE: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 14, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–12897; Filed, August 25, 1944; 2:43 p. m.]

[Des Moines Order G–1 Under MPR 426 and MPR 285]

FRESH FRUITS AND VEGETABLES IN DES MOINES, IOWA, DISTRICT

Order No. G–1 under § 1439.3–15 Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285. Delivery differentials for wholesalers of certain fresh fruits and vegetables in Cedar Falls, Cedar Heights, Cedar Rapids, Creston, Des Moines, Fort Dodge, Mason City, Ottumwa and Waterloo, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Des Moines, Iowa District Office of the Office of Price Administration, by §§ 1439.3–15, Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285, it is hereby ordered:

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving points of Cedar Rapids, Waterloo, Fort Dodge, Mason City, Creston, Des Moines and Ottumwa, Iowa. It also establishes differentials for non-delivered sales in the free delivery zones and for delivered sales beyond the free delivery zones. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Maximum Price Regulation No. 285, imported fresh bananas, sales except at retail, and Appendices H and I of Maximum Price Regulation No. 426, fresh fruits and vegetables for table use. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation No. 285, and secondary jobbers and service wholesalers, as these terms are used in Appendices H and I of Maximum Price Regulation No. 426.

(b) *Establishment of delivery zones.* 1. The seven free delivery zones established by this order shall be the area within the city limits of Waterloo, Cedar Heights and Cedar Falls, and the areas within the city limits of and a radius of three (3) miles of the city limits of Cedar Rapids, Fort Dodge, Mason City, Creston, Des Moines, and Ottumwa, Iowa.

2. The zones in which charges may be made for delivery are the areas outside the free delivery zones.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation No. 426—1. Non-delivered sales.* For sales on a non-delivered basis of the commodities covered in Appendices H and I of Maximum Price Regulation No. 426, there shall be deducted from the price for delivered sales in a free delivery zone, 5¢ per container for standard shipping containers weighing under 50 pounds gross weight, and 10¢ per container for standard shipping containers weighing 50 pounds or over gross weight. A deduction of 2¢ or 5¢, respectively, shall be made for non-delivered sales of half standard shipping containers or more, or for bulk sales weighing as much as or more than half a standard container of the item being sold. No deductions need

be made for sales in less than half containers and for bulk sales which weigh less than half a standard container of the item being sold.

2. *Delivered sales in a free delivery zone.* The maximum price for delivered sales in a free delivery zone shall be the maximum delivered price computed under Maximum Price Regulation No. 426 for the type of sale being made without any deduction from or addition thereto.

3. *Delivered sales beyond a free delivery zone.* For deliveries beyond a free delivery zone, the amount set out below may be added to the price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route. The prices set forth below shall be computed on the gross weight, whether in bulk or in containers:

25 miles or less	*Beyond 25 miles*
Beyond free delivery zone:	From free delivery zone:
25¢ per cwt. except that the rate for deliveries at Agency Iowa by wholesalers in the Ottumwa Area shall be 10¢ per cwt.	5¢ per cwt. for each successive 25 miles, provided that the total amount added as delivery charges on any sale described herein may not exceed 50¢ per cwt.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation No. 285—1. Non-delivered sales and delivered sales in a free delivery zone.* For non-delivered sales and for deliveries in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285 for the type of sale being made. Customary discounts and price differentials including any differential or discounts for f. o. b. seller or non-delivered sales must be maintained.

2. *Delivered sales beyond the free delivery zone.* For deliveries beyond a free delivery zone, the amount set out below may be added to the price for delivered sales in the free delivery zone. Deliveries beyond the free delivery zone shall be computed via the nearest publicly traveled route. Delivery charge shall be computed for the net weight of bananas delivered.

25 miles or less, beyond free delivery zone: 25¢ per cwt., except that the rate for deliveries at Agency, Iowa by wholesalers in the Ottumwa Area shall be 10¢ per cwt.

Beyond 25 miles, from free delivery zone: 5¢ per cwt. for each successive 25 miles, provided that the total amount added as delivery charges on any sale described therein may not exceed 35¢ per cwt.

(e) *Definitions.* 1. Unless the context otherwise requires, the terms used herein shall have the same meaning as given them in Maximum Price Regulation No. 285 and Maximum Price Regulation No. 426.

2. "Delivery" means physical delivery to the premises of a retail store, hotel, restaurant or institution.

3. Delivery within a free delivery zone or "delivered within a free delivery zone" means delivery by a seller who maintains facilities within that zone. Delivery by a seller in a free delivery zone, who has his distribution facilities in a different free delivery zone, shall not constitute a delivery in a free delivery zone as herein defined, and such seller shall be entitled to add the delivery charges beyond the free delivery zone in which he has his distribution facilities.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) *Effective date.* This order shall become effective on the 26th day of July 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1944.

WALTER D. KLINE,
Acting District Director.

Approved:
E. O. POLLOCK,
Regional Director,
War Food Administration.

[F. R. Doc. 44-12893; Filed, August 25, 1944; 2:40 p. m.]

[Omaha Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN OMAHA, NEBR., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Omaha District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated, or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Omaha District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

THOS. J. KEENAN,
Acting District Director.

APPENDIX A—FOOD ITEMS OR MEALS

Appetizers:
1. Tomato juice.
2. Orange juice.
3. Fruit cocktail.

Egg dishes:
4. Bacon and eggs.
5. Two eggs, any style.

Fish entrees:
6. Fried fish.

Meat entrees:
7. Liver and bacon.
8. Pork chops.
9. Hamburger steak.
10. Roast pork.
11. Baked ham.
12. Hot meat sandwich, with gravy.

Desserts:
13. Pie.
14. Ice cream soda.
15. Ice cream sundae.
16. Pudding or jello.

Soups:
17. Today's soup.
18. Vegetable soup.

Sandwiches:
19. Ham sandwich.
20. Cheese sandwich.
21. Hamburger sandwich.
22. Fish salad sandwich.
23. Bacon and tomato sandwich.
24. Fried egg sandwich.

Salads:
25. Combination salad.
26. Chicken, sea food or meat salad.

Miscellaneous:
27. Dry cereal.
28. Chili con carne.
29. Hot cakes and syrup.
30. Spaghetti.
31. Baked beans.

Drinks:
32. Coffee.
33. Tea.
34. Milk.

Meals:
35. Club breakfast—Fruit or fruit juice, toast and coffee.
36. Club breakfast—Fruit or cereal, one or two eggs, with ham or bacon, toast, coffee.
37. Plate luncheon.
38. Fish dinner.
39. Meat dinner.
40. Fowl dinner.

[F. R. Doc. 44-12906; Filed, August 25, 1944; 2:46 p. m.]

[La Crosse Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN LA CROSSE, WIS., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the LaCrosse District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals, and beverages as set forth in this order.

SEC. 2. *Preparation of lists.* (a) First, find in Appendix A the table or tables of food items and meals most applicable to your establishment. Next, prepare a list in triplicate showing as many of the food items and meals in such applicable table or tables as you serve and your lawful ceiling price for each. If you serve all 40 items in the applicable table or tables you must list all of them.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the list in the order in which they appear in Appendix A. Then add enough other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the list all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the main course and then indicate the type of meal and number of courses, for example, steak dinner (4 course); leg of lamb dinner (5 course); filet of sole lunch (4 course); vegetable plate luncheon (3 course).

SEC. 3. *Preparation of posters.* (a) When you have prepared the three copies of the 40-item list in accordance with section 1 of this order, copy these 40 items and your lawful ceiling price for each on to the poster.

(b) The list of individual items must be printed or hand lettered in ink on the poster in leters large enough so that it can be easily read by your customers.

(c) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 4. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must send or deliver the three copies of it, prepared as directed in section 2 above, to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check these lists with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 5. *Replacement of posters.* Erasures or changes of prices listed on the poster are prohibited. If you make a mistake in preparing the poster or if a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. The new poster must be filled out to show the correct meals, food items, and beverages and the correct prices for each which appeared or should have appeared on the original.

SEC. 6. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the LaCrosse District of the Office of Price Administration.

SEC. 7. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this posting order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

PHIL. H. GRIFFIN,
District Director.

Immediately below you will find appendix A, table I. This is the table from which you will prepare the poster of forty basic items.

In preparing the poster follow carefully the instructions on the back of the poster and in Order 1.

The poster must be displayed in addition to all other postings and filings required by the regulation. If you do not have menus you must continue to post a price list of all foods and beverages which you sell.

APPENDIX A—TABLE I

Soup.
Salads:
  Combination.
  Vegetable.
Eggs:
  Bacon and Eggs.
  Ham and Eggs.
  Two eggs (any style).
Desserts:
  Pie.
  Cake.
  Ice cream.
Miscellaneous:
  Toast.
  Doughnuts.
  Pan cakes.
  Cereals—hot or cold.
  Orange juice.
Beverages:
  Coffee.
  Tea.
  Milk.
Sandwiches:
  Hamburger.
  Boiled ham.
  Hot beef.
  Hot pork.
  Chicken.
  Cheese.
  Ham salad.
  Denver.
  Egg.
  Bacon and egg.
  Ham and egg.
Lunch and dinner—main course:
  Steak.
  Pork chops.
  Roast pork.
  Roast veal.
  Roast beef.
  Chicken—fried.
  Fish.
  Stew.
  Ham—baked.
  Spare ribs.
  Hamburger steak.
  Ham steak.

This is the only table being issued under Order 1 under Restaurant MPR 2 by the LaCrosse District Office at the present time.

This table applies to establishments selling alcoholic beverages as well as to those selling food only.

If you are engaged primarily in selling alcoholic beverages, but sell some food items also, first list all food items which you serve which appear on the above Table I. Next list enough other food items which you serve to bring the list to the total of forty. If

you have listed all food items which you serve, and still do not have all forty spaces filled in, list enough alcoholic beverages to complete the total of forty.

If you do not serve any items listed in Table I, and do not serve any other food, list forty items of alcoholic beverages.

[F. R. Doc. 44-12907; Filed, August 25, 1944; 2:47 p. m.]

[Boise Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN BOISE, IDAHO, DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Boise, Idaho District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Boise, Idaho District of the Office of Price Administration.

SEC. 5 *Exemptions.* All establishments which are exempted from the provisions of restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9th, 1944.

NOTE: The reporting and record-keeping provisions of Boise, Idaho District Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1944.

C. C. ANDERSON,
District Director.

[F. R. Doc. 44-12908; Filed, August 25, 1944; 2:48 p. m.]

[Denver Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN DENVER, COLO., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Denver District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, *It is hereby ordered:*

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Denver District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved

by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of August 1944.

GEO. M. BULL,
District Director.

APPENDIX A—FOOD ITEMS AND MEALS REFERRED TO IN SECTION 1 (a) AND SECTION 1 (b) OF THIS ORDER

1. Tomato juice.
2. Soup du jour (today's soup).
3. Chili.
4. Halibut.
5. Mountain trout.
6. Roast lamb.
7. Hamburger steak.
8. Roast pork.
9. Baked ham.
10. Fried chicken.
11. Roast turkey.
12. Club steak.
13. Hot roast pork sandwich.
14. Hot roast beef sandwich.
15. Baked ham sandwich.
16. American cheese sandwich.
17. Hamburger sandwich.
18. Egg sandwich.
19. Chicken sandwich.
20. Ham and egg sandwich.
21. Cold roast beef sandwich.
22. Pie.
23. Cake.
24. Ice cream.
25. Pudding.
26. Combination salad.
27. Fruit salad.
28. Lettuce and tomato salad.
29. Coffee.
30. Milk.
31. Tea.
32. Cereals, hot.
33. Cereals, cold.
34. Hot cakes.
35. Two eggs.
36. Ham and eggs.
37. Bacon and eggs.
38. Club breakfast—juice, toast, coffee.
39. Ham luncheon—soup, dessert and drink.
40. Chicken dinner—soup, salad, dessert and drink.

[F. R. Doc. 44-12900; Filed, August 25, 1944; 2:48 p. m.]

[Region VIII Rev. Order G-7 Under MPR 280]

FLUID MILK AND CREAM IN WASHINGTON

Revised Order No. G-7 under Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Interhandler sales of fluid milk and cream in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, *It is hereby ordered:*

(a) The maximum price at which any farmers' cooperative may sell fluid milk or cream in bulk for human consumption as fluid milk or cream as a "handler" as defined in paragraph (c) below, except sales to stores, hotels, restaurants and institutions, shall be as follows:

(1) For such sales of milk or cream to purchasers who purchased from the farmers' cooperative during August, 1943, the maximum price shall be the highest price which the particular farmers' cooperative charged such purchaser during August, 1943.

(2) For such sales of milk or cream to purchasers who did not purchase milk or cream from the particular farmer's cooperative during August 1943, the maximum price shall be the highest price which such farmer's cooperative charged during August 1943 to a purchaser of the same class.

(3) Notwithstanding any of the foregoing provisions of this paragraph, the maximum price at which the Skagit County Dairymen's Association may sell milk as a handler f. o. b. its plant located in Burlington, Washington, shall be 82¢ per pound milk fat.

(b) This order shall apply to farmers' cooperatives whose plants are located in the following counties in the State of Washington:

Chelan, Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom, and Yakima.

(c) *Definitions.* (1) "Fluid milk" means liquid cows' milk in a raw, unprocessed state meeting the minimum health and sanitary requirements specified by State and local health agencies, which is purchased for resale for human consumption as fluid milk.

(2) "Handler" means any person who, on his own behalf or on behalf of others, purchases fluid milk or cream from producers, associations of producers, or other handlers, and who sells such fluid milk or cream at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(3) A "farmers' cooperative" is also a handler with respect to that fluid milk or cream processed for it by operators of milk or cream receiving or processing plants, and with respect to that fluid milk or cream handled in physical facilities for receiving, processing or distributing fluid milk or cream which are owned or leased by the cooperative, which fluid milk or cream is sold by it at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(4) "Purchaser of the same class" refers to the practice followed by the seller during the base period, August 1943, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, manufacturer, wholesaler, or jobber) or for purchasers located in different areas or for different quantities or, under different conditions of sale.

(5) "Cream" means any liquid product of cows' milk other than evaporated or condensed milk testing 8% or more butterfat.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective August 22, 1943.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of August 1944.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-12896; Filed, August 25, 1944; 2:45 p. m.]

[Seattle Order G-10 Under 18 (c)]

FOREST WOOD IN SKAGIT AND WHATCOM COUNTIES, WASH.

Order No. G-10 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Green or dry forest wood in Skagit County and Whatcom County, Washington.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle Director of the Seattle District Office of the Office of Price Administration under § 1499.18 (c) as amended of the General Maximum Price Regulation and order of Delegation No. 34 under General Order No. 32, *It is hereby ordered:*

(a) The maximum prices for certain sales and deliveries of specified kinds of firewood in Skagit County and Whatcom County as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation or to any supplementary regulation thereto, are hereby modified so that the maximum prices therefor shall be the prices set forth in paragraph (b) hereof.

(b) The maximum price for the sale of specified kinds of firewood shall be:

1. For sales in the woods in all portions of Whatcom County, Washington, and Skagit County, Washington,

(i) All types of forest wood, green or dry, alder and hard woods, etc., old or second growth, in 4' lengths, $7.00 per cord.

(ii) All types of forest wood, green or dry, alder and hardwoods, etc., in 24" lengths, $7.75 per cord.

(iii) All types of forest wood, green or dry, alder and hard woods, etc., old or second growth, in 16" lengths, $8.50 per cord.

2. For sales delivered to the premises of the consumer in all portions of Whatcom County, Washington, and in all portions of Skagit County, Washington, except that portion lying west of the eastern shore of Fidalgo Island or Swinomish Slough including the City of Anacortes.

(i) All types of forest wood, green or dry, alder and hard woods, etc., old or second growth, in 4' lengths, $10.50 per cord.

(ii) All types of forest wood, green or dry, alder and hard woods, etc., old or second growth, in 24" lengths, $11.25 per cord.

(iii) All types of forest wood, green or dry, alder and hard woods, etc., old or second growth, in 16" lengths, $12.50 per cord.

3. For sales delivered to the premises of the consumer in that portion of Skagit County lying west of the eastern shore of Fidalgo Island or Swinomish Slough including the City of Anacortes,

(i) All types of forest wood, green or dry alder and hard wods, etc., old or second growth, in 4' lengths, $11.00 per cord.

(ii) All types of forest wood, green or dry, alder and hard woods, etc., old or second growth, in 24" lengths, $11.75 per cord.

(iii) All types of forest wood, green or dry, alder and hard woods, etc., old or second growth, in 16" lengths, $13.00 per cord.

(c) The maximum prices established in paragraph (b) 1 are applicable only to firewood sold in the woods. The maximum prices established in paragraph (b) 2 and (b) 3 are applicable only to firewood which is delivered to the premises of the consumer. The maximum prices established by this order are applicable to all dealers in all communities in the area described in paragraph (a).

(d) *Definitions.* When used in this order, the following terms shall have the meanings set forth below:

1. "Cord" means 128 cubic feet of stacked wood or 192 cubic feet of loose measure. Reference made to the definition of the term "cord" set forth in section 19 of Chapter 194 of the laws of the State of Washington of 1927 relating to Weights and Measures, which definition is incorporated herein by reference as if set forth in full.

2. "Consumer" means all ultimate users, including domestic, industrial, and commercial users.

(e) *Invoices and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

1. The date of sale,
2. The name and address of the buyer,
3. The quantity of firewood sold,
4. Description of firewood sold, including the kind of forest wood and the length,
5. The place of sale (if the price is dependent upon the place of delivery, then the place of delivery shall be stated) and,
6. The total price of the wood.

On the invoice or memorandum a separate statement shall be made of any discounts and of any service rendered such as stacking or carrying, and the charge made for each service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following sale. Such copy shall be made available for inspection by the Office of Price Administration.

(f) No seller shall evade any of the provisions of this Order No. G–10 by changing his customary allowances, discounts, or other price differentials.

(g) This order may be revoked, corrected, or amended at any time.

NOTE: The record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order G–10 shall become effective August 4, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of August 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44–12896; Filed, August 25, 1944; 2:46 p. m.]

[Region VIII Order G–12 Under MPR 333]

LIGHT DIRTY EGGS IN CALIFORNIA

Order No. G–12 under Maximum Price Regulation No. 333, as amended. Eggs and egg products.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1429.67a (b) (7) of Maximum Price Regulation No. 333, as amended, *It is hereby ordered:*

(a) The maximum price at which light dirty eggs, as defined by the Department of Agriculture in "Specifications for Official U. S. Standards for quality of Individual Shell Eggs" may be sold in the State of California, shall be 1¢ per dozen less than grade A prices for large or medium size eggs, provided such eggs are sold in sealed cartons or other sealed containers bearing upon the seal the certificate of the United States Department of Agriculture certifying that the eggs are of an inferior quality of consumer grade A or better.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective on August 21, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of August 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–12899; Filed, August 25, 1944; 2:44 p. m.]

[Region VIII Rev. Order G–3 Under 18 (c), Amdt. 1]

FRUIT AND VEGETABLES IN SAN FRANCISCO REGION

Amendment No. 1 to Revised Order No. G–23 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of certain fruits and vegetables by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*, That the headings of the columns in Appendix A of the Revised Order No. G–23 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended to read as follows:

Miles		10,000 to 18,000 pounds	18,000 to 30,000 pounds	Over 30,000 pounds
Over	But not over			

This amendment No. 1 shall become effective August 1, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–12903; Filed, August 25, 1944; 2:49 p. m.]

[Region I Order G–40 Under 18 (c)]

USED SLACK COOPERAGE IN BOSTON REGION

Order No. G–40 under section 18 (c) of the General Maximum Price Regulation. Used slack cooperage.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) For used slack cooperage sold and delivered in New England, the maximum prices established by § 1499.2 of the General Maximum Price Regulation are modified so that the maximum prices for used slack cooperage, reconditioned and ready to use for container purposes, including free delivery within a radius of 20 miles of seller's place of business shall be as follows:

	Per barrel
Sugar Barrels	$1.10
"Half" or "Flour" Barrels	0.90

(b) This order applies to all sales pursuant to which the buyer receives physical delivery within Maine, New Hampshire, Vermont, Massachusetts, Rhode Island or Connecticut.

(c) Maximum prices for used slack cooperage other than those for which maximum prices are established by this order shall be governed by the General Maximum Price Regulation.

(d) Sellers of used slack cooperage for which maximum prices are established by this order shall continue to offer their customary allowances, discounts or other price differentials which were in effect during March 1942.

(e) No additional charges of any kind may be added to the maximum prices established by this order, but lower prices may be offered, demanded or paid.

(f) This order shall become effective August 18, 1944.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 468)

Issued this 17th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–12927; Filed, August 26, 1944; 10:27 a. m.]

[Erie Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN ERIE, PA., DISTRICT

For the reasons stated in the opinion issued simultaneously herewith and under the authority vested in the Acting District Director of Erie, Pennsylvania District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, Erie District Order No. 1 issued under said Restaurant Maximum Price Regulation No. 2 is amended as follows:

1. Section 1 of Order No. 1 is amended by deleting the posting date of August 16, 1944 and substituting therefor August 21, 1944.

2. Section 2 of Order No. 1 is amended by deleting the date of August 21, 1944 for filing of food items and meals list with the Local War Price and Rationing Board and substituting therefor August 28, 1944.

This amending order shall become effective August 10, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

ALVIN J. WILLIAMS,
Acting District Director.

[F. R. Doc. 44–12928; Filed, August 26, 1944; 10:24 a. m.]

[Pittsburgh Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN PITTSBURGH, PA., DISTRICT

For the reasons stated in the opinion issued simultaneously herewith and under the authority vested in the District Director of Pittsburgh, Pennsylvania District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, Pittsburgh District Order No. 1 issued under said Restaurant Maximum Price Regulation No. 2 is amended as follows:

1. Section 1 of Order No. 1 is amended by deleting the posting date of August 16, 1944 and substituting therefor August 21, 1944.

2. Section 2 of Order No. 1 is amended by deleting the date of August 21, 1944 for filing of food items and meals list with the Local War Price and Rationing Board and substituting therefor August 28, 1944.

This amending order shall become effective August 10, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

ALVIN J. WILLIAMS,
Acting District Director.

[F. R. Doc. 44–12929; Filed, August 26, 1944; 10:25 a. m.]

[Philadelphia Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN PHILADELPHIA, PA., DISTRICT

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Philadelphia District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, Philadelphia District Order No. 1 under Restaurant Maximum Price Regulation No. 2 is amended as follows:

1. The first paragraph of section 1 is amended to read as follows:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

2. The first paragraph of section 2 is amended to read as follows:

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 28, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

This amendment shall become effective at 12:01 a. m. on August 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

FRANK J. LOFTUS,
District Director.

[F. R. Doc. 44–12931; Filed, August 26, 1944; 10:25 a. m.]

[Newark Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN NEWARK, N. J., DISTRICT

SEC. 1. *What this amendment does.* For reasons contained in an opinion issued simultaneously herewith and in accordance with the provisions of section 16 of Restaurant Maximum Price Regulation No. 2, this Amendment No. 1 to Order No. 1, Posting Order, under Restaurant Maximum Price Regulation No. 2, modifies the provisions of said Order No. 1 with respect to the posting requirement and with respect to the filing requirement as provided therein.

SEC. 2. *Effective date of posting requirement.* Section No. 1 of Order No. 1 is amended by striking out the date of August 16, 1944 and by inserting instead the date August 21, 1944 as the effective date for the display of posters, as provided in Section No. 1 of Order No. 1. In all other respects Section No. 1 of Order No. 1 shall remain as set forth in the original order.

SEC. 3. *Effective date for filing of list of posted prices.* Section No. 2 of Order No. 1 is amended by striking out the date August 21, 1944 and by inserting instead the date August 28, 1944 as the effective date for the filing of three copies of the posted list with the Local War Price and Rationing Board. In all other respects section 2 of Order No. 1 shall remain as set forth in the original order.

SEC. 4. *Effective date.* This amendment shall become effective August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328; 8 F.R. 4681)

Issued this 10th day of August 1944.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 44–12930; Filed, August 26, 1944; 10:26 a. m.]

[Syracuse Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN SYRACUSE, N. Y., DISTRICT

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. 1 under Restaurant Maximum Price Regulation No. 2 is amended in the following respects:

1. Section 1 is amended so that the first paragraph shall read as follows:

If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

2. Section 2 is amended so that the first paragraph thereof shall read as follows:

When you have made up a list of food items and meals to be posted and your lawful ceiling price of each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 28, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

In all other respects the order shall remain as issued.

This amendment to Order No. 1 shall become effective August 14, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 10th day of August 1944.

STEPHEN P. TOADVINE,
District Director.

[F. R. Doc. 44–12932; Filed, August 26, 1944; 10:26 a. m.]

[Cincinnati Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN CINCINNATI, OHIO, DISTRICT

An accompanying opinion has been filed with the Division of the Federal Register.

1. Section 1 preceding paragraph (a) fixing the post date is amended to read as follows:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944 show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

2. Section 1 (d) stating the methods of posting is amended by supplementing with an additional method of furnishing the component parts of lunches and dinners as follows:

(d) *List a la carte items first.* In listing meals, list the entree (main dish) and then what you serve with the meal at that price as "Calf Liver, 2 vegetables, bread and butter, coffee ——¢." Instead of listing what you serve with the meal immediately after the description of the item, such as "Calf Liver, 2 vegetables, bread and butter, coffee," you may state in lettering of not less than ¼ inch on the left part and over the top of the column preceding Item 1, the same information with respect to lunches such as "Lunches include 2 vegetables, bread and butter, coffee" and over the top of the column preceding Item 21 the same information with respect to dinners.

3. The authority clause of the original order is amended to read as follows:

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

This amendment shall become effective August 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1944.

JOHN E. ROBINSON, Jr.,
District Director.

[F. R. Doc. 44-12933; Filed, August 26, 1944; 10:26 a. m.]

[Region VIII Order G-1 Under MPR 507, Amdt. 2]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO, CALIF., REGION

Amendment No. 2 to Order No. G-1 under Maximum Price Regulation No. 507, as amended. Ceiling price of certain fresh fish and seafood sold at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 12 (a) of Maximum Price Regulation No. 507, as amended, Order G-1 under Maximum Price Regulation No. 507 is hereby amended as follows:

(a) The following table is added to section (d):

WHOLE FISH SOLD ON GROSS WEIGHT AND PREPARED TO THE CUSTOMER'S ORDER

Item	I and II (cents per pound)	III and IV (cents per pound)
Squid	7	8
Queenfish	7	8
Kingfish	7	8
Herring	7	8
Whitebait	7	8
Rex sole (for localities except San Francisco)	7	8
Rex sole (San Francisco)	7	6

(b) This amendment shall become effective August 27, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-12934; Filed, August 26, 1944; 10:27 a. m.]

[Region VIII Rev. Order G-6 Under MPR 418, Correction]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

In Revised Order No. G-6, Under Maximum Price Regulation No. 418, as amended, issued August 10, 1944, effective August 15, 1944, the sentence beginning with the words "When any seller except a producer" and ending with the words "or otherwise" in paragraph (a) (5), should be designated as subparagraph (ii), and the paragraph presently designated (ii) of the same section, should be designated as (iii).

Issued this 19th day of August 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44-12935; Filed, August 26, 1944; 10:27 a. m.]

[Sacramento Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SACRAMENTO, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Sacramento District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item. (List all your entrees before adding any other additional items.)

(c) If you do not offer as many as 40 items, place on the poster all of the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, if your prices vary with the entree, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicious place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price & Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Sacramento District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price

Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23,765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

MURLE C. SHRECK,
Acting District Director.

APPENDIX A

Use the list most applicable to your business. (If listed item permits choice, specify one when prices are different.)

TABLE 1—GENERAL LIST

1. Coffee.
2. Milk.
3. Tomato juice or fruit juice.
4. Soup du jour.
5. Combination or vegetable salad.
6. Fruit with cottage cheese or fruit salad.
7. Salmon.
8. Halibut.
9. Filet of sole.
10. Liver and bacon.
11. Pork chops (2).
12. Lamb chops.
13. Breaded veal cutlets.
14. Hamburger steak.
15. Steaks—club, rib, or pounded rump.
16. Roast beef.
17. Roast pork.
18. Roast lamb.
19. Roast turkey.
20. Roast veal.
21. Baked ham.
22. Fried chicken.
23. Corned beef and cabbage.
24. Vegetable plate.
25. Spaghetti or macaroni.
26. Pie or cake.
27. Ice cream or sherbet.
28. Hot meat sandwich.
29. Hamburger sandwich.
30. Ham sandwich.
31. Cheese sandwich.
32. Bacon and tomato sandwich.
33. Ham and egg sandwich.
34. Bacon or ham & eggs.
35. 2 eggs (fried, scrambled, or boiled).
36. Hot cakes or waffles and syrup.
37. Cereals (hot or cold).
38. Club breakfast: Fruit, fruit juice, or cereal, 2 eggs (or 1 egg) with ham or bacon, toast and coffee.
39. 3-course luncheon: Soup or salad, entree, dessert, beverage, bread and butter.
40. 4-course dinner: Soup, salad, entree, dessert, bread & butter, beverage.

TABLE 2—SEA FOOD LIST

1. Coffee.
2. Milk.
3. Oyster cocktail.
4. Crab cocktail.
5. Shrimp cocktail.
6. Clam chowder.
7. Clam broth.
8. Crab or shrimp louie.
9. Crab or shrimp salad.
10. Salmon steak.
11. Halibut steak.
12. Filet of sole.
13. Fried oysters (specify number).
14. Oyster stew.
15. San-dabs.
16. Crab or shrimp creole.
17. Crab, shrimp, or lobster Newburg.
18. Fried prawns or jumbo shrimp.
19. Fried crab legs.
20. Half cracked crab.
21. Steamed clams.
22. Steak—club, rib, or pounded rump.
23. Hamburger steak.
24. Pork chops (2).
25. Lamb chops (2).
26. Breaded veal cutlets.
27. Fried chicken.
28. Liver and bacon.
29. Roast beef, pork, or lamb.
30. Pie or cake.
31. Ice cream or sherbet.
32. Crab or shrimp louie sandwich.
33. Hamburger sandwich.
34. Ham sandwich.
35. Cheese sandwich.
36. Ham and egg sandwich.
37. Bacon or ham and eggs.
38. 3-course luncheon: Soup or salad, entree, dessert, beverage, bread & butter.
39. 4-course dinner: Soup, salad, entree, dessert, bread & butter, beverage.
40. 5-course dinner: cocktail, soup, salad, entree, dessert, bread and butter, beverage.

TABLE 3—CHINESE-AMERICAN LIST

1. Coffee.
2. Milk.
3. Tea.
4. Pork chop suey.
5. Chicken or turkey chop suey.
6. Beef chop suey.
7. Shrimp chop suey.
8. Chicken or turkey chow mein.
9. Pork chow mein.
10. Shrimp foo young.
11. Pork foo young.
12. Plain noodles.
13. Chicken noodles.
14. Pork fried rice.
15. Shrimp fried rice.
16. Green chow yoke.
17. Bean cake chow yoke.
18. Noodle soup.
19. Chicken sub gum soup.
20. Fried salmon.
21. Fried halibut.
22. Fried filet of sole.
23. Steak—club, rib, or pounded rump.
24. Hamburger steak.
25. Lamb chops (2).
26. Pork chops (2).
27. Breaded veal cutlets.
28. Roast pork, beef, or veal.
29. Fried chicken.
30. Ham and eggs.
31. Pie or cake.
32. Ice cream or sherbet.
33. Rice cakes or almond cookies.
34. Ham sandwich.
35. Cheese sandwich.
36. Hot meat sandwich.
37. 3-course American lunch: Soup or salad, entree, dessert, bread & butter, beverage.
38. 3-course Chinese lunch: Soup, entree, dessert, beverage.
39. 4-course American dinner: soup, salad, entree, dessert, bread & butter, beverage.
40. 3-course Chinese dinner: Soup, entree, dessert, beverage.

[F. R. Doc. 44-12936; Filed, August 26, 1944; 10:24 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 24, 1944.

REGION IV

Jackson Order 2-F, Amendment 25, covering fresh fruits and vegetables in certain counties in Mississippi, filed 3:49 p. m.

Roanoke Order 1-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Virginia, filed 3:52 p. m.

Roanoke Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Virginia, filed 3:52 p. m.

Columbia Rev. Order 1-F, Amendment 16, covering fresh fruits and vegetables in 7-mile radius of the State House, Columbia, S. C., filed 3:50 p. m.

Columbia Order 2-F, (Rev.), Amendment 16, covering fresh fruits and vegetables in certain areas in South Carolina, filed 3:50 p. m.

Columbia Order 3-F, (Rev.), Amendment 20, covering fresh fruits and vegetables in certain areas in South Carolina, filed 3:51 p. m.

Columbia Order 4-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Columbia District Area, filed 3:51 p. m.

REGION V

Arkansas, Order 1-F, Amendment 8, covering fresh fruits and vegetables in certain counties in Arkansas, filed 3:54 p. m.

Lubbock Order 3-F, Amendment 16, covering fresh fruits and vegetables in the Lubbock, Texas District, filed 3:52 p. m.

New Orleans Order 2-F, Amendment 33, covering fresh fruits and vegetables in Parishes of Orleans, St. Bernard and Jefferson in Louisiana, filed 3:53 p. m.

San Antonio Order 3-W, covering dry groceries in certain areas in Texas, filed 3:49 p. m.

San Antonio Order G-13, covering retail food prices in designated counties in Texas, filed 3:45 p. m.

San Antonio Order G-14, covering retail food prices in designated counties in Texas, filed 3:40 p. m.

Wichita Order 3-W, covering dry groceries at wholesale in certain counties in Texas, filed 3:39 p. m.

Wichita Order G-27, covering dry groceries at wholesale in certain areas in Kansas, filed 3:42 p. m.

Wichita Order G-28, covering dry groceries at retail and certain perishables in Wyandotte, Johnson and Leavenworth, filed 3:44 p. m.

REGION VI

Fargo-Moorhead 2nd Rev. Order 17 under Rev. GO 51, Amendment 2, covering community food prices in described area in the Fargo-Moorhead District, filed 3:53 p. m.

Milwaukee Order 4, Amendment 11, covering community food prices in the Milwaukee District, filed 3:38 p. m.

La Crosse Order 3-F, Amendment 26, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wis., filed 3:48 p. m.

Omaha Order 16, Amendment 2, covering community dry grocery prices in certain areas in Nebraska, filed 3:49 p. m.

REGION VIII

Seattle Order 108, Amendment 1, covering community food prices in Wenatchee Area, filed 3:55 p. m.

Seattle Order 109, Amendment 1, covering community food prices in the Yakima Area, filed 3:54 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-12967; Filed, August 26, 1944; 12:08 p. m.]

[Region IV, Rev. Order G–7 Under RMPR 122]

SOLID FUELS IN KNOXVILLE, TENN., AREA

Revised Order No. G–7 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Knoxville and adjacent territory in the State of Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule, consumer sales.* (1) This price schedule sets maximum prices for sales of specified sizes, kinds, and quantities of solid fuel to consumers when the delivery is made to any point within the corporate limits of Knoxville, Knox County, Tennessee and within the area lying within four (4) miles thereof (measured by the most direct highway route), and when delivery is made to any point within the villages of Bearden, Westmoreland Heights, Inskip, and Fountain City, Tennessee.

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Lump, chunk, or block	$7.25	$3.75
Egg	6.95	3.60
Junior egg or stove	6.45	3.35
Stoker	7.00	3.63
Run-of-mine	6.45	3.35
Nut and slack	5.15	2.70

(2) *Maximum authorized service charges and required deductions.*—(i) *carry or wheel service.* If the buyer requests such service, the dealer may not charge more than 25¢ per ton therefor.

(ii) *Yard sales.* When the buyer picks up coal at the dealer's yard in lots of not less than one-half ton, the dealer must reduce the domestic price at least 75¢ per ton.

(iii) *Bagged coal.* When the buyer picks up coal at the dealer's yard in less than one-half ton lots, the dealer may charge not more than 36¢ per 100 lbs. If such coal is bagged, an additional charge, not exceeding the applicable maximum price, may be made for the bag.

(iv) *Quantity sales.* When the buyer purchases lump, chunk, block, egg, junior egg, or stove coal in quantities of 40 tons or more, the dealer must reduce the domestic price not less than 50¢ per ton. This quantity discount is not applicable to sales of stoker, run-of-mine, nut, or slack coal.

(v) *Southern Appalachian coals.* To the maximum prices for bituminous coals from sub-district No. 6 (Southern Appalachian) of District No. 8, may be added the sum of 15¢ per ton and 8¢ per one-half ton.

(vi) *Treated coal.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoice.

(vii) *Bearden.* Any dealer in the village of Bearden, Tennessee purchasing coal from the Southern Coal and Coke Company shipped from a mine located on the L. & N. Railroad may add to the prices specified herein an amount not exceeding $1.10 per ton.

(viii) *Credit.* No additional charge over the prices specified herein may be made for the extension of credit.

(d) *Ex Parte 148 freight rate increase; transporation tax.*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations.*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a

copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Nashville District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct Delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Direct Delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(6) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheelbarrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery."

(7) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(8) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(9) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(10) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Revised Order No. G–7 under Revised Maximum Price Regulation No. 122 incorporates all the provisions of Order No. G–7 under Revised Maximum Price Regulation 122, and of all amendments and supplementary orders issued thereunder; therefore, as of the effective date hereof, this revised order supersedes said Order G–7 and all such amendments and supplementary orders.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective August 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 19, 1944.

GEORGE D. PATTERSON, JR.,
Acting Regional Administrator.

[F. R. Doc. 44–12987; Filed, August 26, 1944; 1:57 p. m.]

[Region IV, Order G–21, Under RMPR 122]

SOLID FUELS IN FLORENCE, S. C.

Order No. G–21 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Florence, South Carolina.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the City of Florence, South Carolina. Extra charges are specified for deliveries beyond the corporate limits of said town.

(i) "Direct delivery or domestic" basis:

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 7

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds	Per ¼ ton 500 pounds
Stoker—pea (size group No. 5)	$9.25	$4.93	$2.72

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Chunk, lump, or block (size groups Nos. 1, 2, and 3)	$10.45	$5.48	$2.90
Egg (size group Nos. 5 and 6)	9.90	5.20	2.85
and stove (size group No. 8)	9.45	4.98	2.74
Stoker (size group No. 10)			

(2) *Maximum authorized service charges and required deductions*—(i) *Wheel or carry from curb.* If a buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(ii) *Carry up or down stairs.* If a buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(iii) *Yard sales.* When buyer picks up coal at the dealer's yard, the domestic price must be reduced 50¢ per ton.

(iv) *Sacked coal.* On deliveries of sacked or bagged coal, a dealer may not charge more than 65¢ per 100 lbs. not including sack.

(v) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be

stated separately from all other items on the invoice.

(vi) *Delivery Zone.* The dealer may make no extra charge for delivery within the corporate limits of Florence, South Carolina. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile with a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(vii) *Credit.* No additional charge in excess of the prices listed in this schedule may be made for the extension of credit.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this Order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the war price and rationing board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Columbia District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term: (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(6) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(7) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(8) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(9) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(10) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective August 23, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 18, 1944.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 44-12968; Filed, August 26, 1944; 1:57 p. m.]

[Raleigh Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN RALEIGH, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Raleigh, North Carolina District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2 it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Raleigh, North Carolina District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

THEODORE S. JOHNSON,
District Director.

APPENDIX A

1. Tomato or fruit juice.
2. Shrimp cocktail.
3. Vegetable soup.
4. Cream soups.
5. Bacon or ham and eggs.
6. Two eggs, any style.
7. Fried fish.
8. Fried oysters (½ dozen).
9. Liver and bacon.
10. Pork chop.
11. Hamburger steak.
12. Roast beef.
13. Roast pork or ham.
14. Lamb stew or any meat stew.
15. Chicken, fried.
16. Lamb chops (2).
17. Tenderloin steak.
18. Minute sirloin steak.
19. Veal cutlet.
20. Roast lamb.
21. Roast turkey.
22. Fried ham.
23. Hot meat sandwiches.
24. Ham sandwiches.
25. Ham and egg, or bacon and egg, sandwiches.
26. American cheese sandwiches.
27. Lettuce and tomato sandwiches.
28. Hamburger sandwiches.
29. Fruit salads.
30. Vegetable salads.
31. Coffee (cup or pot).
32. Tea (cup or pot).
33. Milk (half pint).
34. Hot cakes and syrup.
35. Frankfurter with roll.
36. Apple pie.
37. Ice cream.
38. Club breakfast—(fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast and coffee).
39. Luncheon—(state your customary entree and number of courses as "chicken luncheon—3 courses").
40. Dinner (state entree and number of courses).

[F. R. Doc. 44-12969; Filed, August 26, 1944; 1:59 p. m.]

[Dallas Order 1 Under Restaurant MPR 2, Amdt. 1]

POSTING REQUIREMENTS IN DALLAS, TEX., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Dallas District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, Restaurant Maximum Price Regulation No. 2 is amended in the following respects:

Item No. 24, cream beans, in Table 2 of Appendix A, is amended to read, Item No. 24, green beans.

Restaurant Maximum Price Regulation No. 2 is amended by adding thereto Appendix B, which reads as follows:

MEXICAN FOODS

1. Chicken enchiladas.
2. Enchiladas.
3. Meat tacos.
4. Chicken tacos.
5. Tamales con chili.
6. Chicken tamales.
7. Mexican rice with chili.
8. Huevos rancheros.
9. Huevos con chili.
10. Mexican chili omelet.
11. Frijoles refritos.
12. Guacamole salad (in season).
13. Enchiladas with one egg.
14. Enchiladas with two eggs.
15. Plain tamales.

SEAFOOD

1. Seafood gumbo.
2. Fried shrimp.
3. Devil crab platter.
4. Fish platter.
5. Red snapper steak.
6. Halibut steak.
7. Gulf trout steak.
8. Fillet of mackerel.
9. Catfish platter.
10. ½ dozen fried oysters or 1 dozen fried oysters.
11. Individual flounder.
12. Individual gulf trout.
13. Individual red snapper.
14. Steak sandwich.
15. Shrimp cocktail.
16. Oyster stew.
17. Club steak.
18. Fillet mignon.
19. Veal steak.

CHINESE FOOD

1. Chop suey, plain.
2. Chop suey, veal.
3. Chop suey, beef.
4. Chop suey, chicken.
5. Chop suey, shrimp.
6. Chop suey, mushroom.

7. Chop suey, subgum.
8. Chow mein, plain.
9. Chow mein, veal.
10. Chow mein, beef.
11. Chow mein, chicken.
12. Chow mein, shrimp.
13. Chow mein, mushroom.
14. Chow mein, subgum.
15. Yakcamein.
16. Egg foo young.
17. Fried rice.
18. War mein.
19. Chinese roast pork.

This amendment shall become effective August 17, A. D. 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this the 17th day of August, A. D. 1944.

GUS W. THOMASSON,
District Director.

[F. R. Doc. 44-12990; Filed, August 26, 1944; 1:59 p. m.]

[Wichita Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN WICHITA, KANS., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Wichita, Kansas, District Office of the Office of Price Administration by Section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this Order extend to all eating and drinking establishments located within the Wichita, Kansas, District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued at Wichita, Kansas, this seventh day of August, 1944.

H. O. DAVIS,
District Director.

APPENDIX A—TABLE 1

RESTAURANTS, HOTEL COFFEE SHOPS AND DINING ROOMS

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.

Pie, doughnuts, etc.:
4. Buttered toast.
5. Doughnuts.
6. Sweet roll.
7. Apple pie.

Breakfast items:
8. Dry cereal with milk ---------- with cream ----------
9. Cooked cereal with milk ---------- wit hcream ----------
10. Two eggs, toast and coffee.
11. Ham, bacon or sausage, one egg, toast and coffee.
12. Ham bacon or sausage, two eggs, toast and coffee.
13. Hot cakes (three).
14. Waffle.

Soup, etc.:
15. Soup (homemade).
16. Soup (canned).
17. Chili.

Luncheon and dinner items a la carte (indicate items included):
18. Pot roast of beef.
19. Hamburger steak.
20. Liver and onions or bacon.
21. Swiss steak.
22. Fried chicken.
23. Roast pork.
24. Filet of haddock.
25. Veal croquettes.

Noon luncheon—described below—two most popular luncheons:
26. ---------- ------ ---------
Soup or appetizer | Salad | Entree
---------- ------ ---------
No. of veg. | Drink | Dessert
27. ----------

Evening dinner—Described below—Two most popular:
28. ---------- ------ ---------
Soup or appetizer | Salad | Entree
---------- ------ ---------
No. of veg. | Drink | Dessert
29. ----------

Sandwiches:
30. Ham.
31. American cheese.
32. Hamburger.
33. Chicken salad.
34. Bacon and tomato.
35. Hot beef with potatoes and gravy.

Drinks:
36. Coffee.
37. Milk, ½ pint.

Steaks (indicate items included):
38. Club steak.
39. Sirloin steaks.
40. Pork chops.

TABLE II—CAFETERIA ITEMS

Salads:
1. Potato salad.
2. Combination.
3. Fruit salad.

Entrees:
4. Filet of haddock.
5. Croquettes, chicken.
6. Pot roast of beef.
7. Roast pork.
8. Meat loaf.
9. Meat balls with spaghetti.
10. Chicken-fried steak.
11. Liver and onions or bacon.
12. Creamed chicken.
13. Beef stew.

Vegetables:
14. Mashed potatoes.
15. Buttered carrots.
16. Boiled cabbage.
17. Spinach.
18. Buttered beets.
19. Peas.
20. Baked beans.
21. Corn.
22. Baked potato.
23. Green beans.
24. Lima beans.

Desserts:
25. Apple pie.
26. Cake.
27. Ice cream (dish).
28. Bread pudding.
29. Apple dumpling.
Drinks:
30. Tea—hot.
31. Orange juice.
32. Coffee.
33. Iced tea.
34. Milk (half pint).
35. Buttermilk.
Bread:
36. White or whole wheat (per slice).
37. Corn stocks.
38. Hot roll.
Soup:
39. Home-made vegetable.
40. Chili.

TABLE III—LUNCH STANDS AND SANDWICH PLACES

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.
4. Doughnuts.
5. Sweet roll.
Pie, Soup, etc.
6. Pie (apple).
7. Soup (homemade).
8. Soup (canned).
9. Chili (with beans)_____(without beans)_____
A la carte luncheon and dinner items (fill in what is served with these items):
10. Ham, bacon, or sausage, two eggs, toast and coffee.
11. Hot cakes (three).
12. Roast beef _____
13. Hamburger steak _____
14. Roast pork _____
15. Barbecued ribs _____
Noon Luncheon—described below—Two most popular luncheons:
16. _____
Entree No. of Veg. Drink Dessert
17. _____
Entree No. of Veg. Drink Dessert
Evening dinner—described below—two most popular:
18. _____
Entree No. of Veg. Drink Dessert
19. _____
Entree No. of Veg. Drink Dessert
Sandwiches:
20. Hamburger.
21. Hot dog or frankfurter.
22. Ham (cold).
23. Barbecue pork.
24. Barbecue beef.
25. American cheese.
26. Cheeseburger.
27. Chicken salad.
28. Bacon and tomato.
29. Hot beef with potatoes.
30. Hot pork with potatoes.
31. Bacon and tomato.
32. Egg.
Steaks and chops:
33. T-Bone.
34. Sirloin.
35. Chicken fried.
36. Club.
37. Pork chops.
Beverages:
38. Coffee.
39. Milk—½ pint.
40. Hot chocolate.

TABLE IV—DRUG AND DEPARTMENT STORE SODA FOUNTAINS AND SIMILAR ESTABLISHMENTS

Fruit and vegetable juices:
1. Orange juice.
2. Grapefruit juice.
3. Tomato juice.
Pie, doughnuts, etc.:
4. Buttered toast.
5. Doughnuts.
6. Pie—apple.
7. Sweet roll.
Soups, etc.:
8. Soup (homemade).
9. Soup (canned).
10. Chili (with beans) _____ (without beans) _____.
Breakfast items:
11. Dry cereals (with milk) ____ (with cream) _____.
12. Two eggs, toast, coffee.
13. Bacon or ham, one egg, toast, coffee.
14. Bacon or ham, two eggs, toast, coffee.

Luncheon and dinner items a la carte luncheon and dinner items (fill in what is served with these items):

15. Swiss steak _____
16. Roast beef _____
17. Roast pork _____
18. Meat loaf _____
19. Hamburger steak _____
20. Creamed chicken _____
21. Spaghetti and meat balls _____
Sandwiches:
22. Baked ham.
23. Chicken salad.
24. Ham salad.
25. Bacon and tomato.
26. Hot beef or pork with potatoes.
27. American cheese.
Salads:
28. Lettuce and tomato.
29. Potato salad.
30. Chicken salad.
Drinks:
31. Coffee.
32. Milk—½ pint.
33. Tea.
Fountain items:
34. Malted milk.
35. Milk shakes.
Fountain items:
36. Ice cream sodas.
37. Sundaes.
38. Coca cola.
39. Limeade or lemonade (large).
40. Ice cream (dish).

[F. R. Doc. 44–12991; Filed, August 26, 1944; 1:59 p. m.]

[Sioux Falls Order 1 Under Restaurant MPR 2, Amdt. 1]

Intoxicating Liquors in Sioux Falls, S. Dak., District

Amendment No. 1 to Order No. 1 Under Restaurant Maximum Price Regulation No. 2.

For the reasons stated in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Sioux Falls, South Dakota District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2; *It is hereby ordered:*

That section 1 (e) of said Order No. 1 under Restaurant Maximum Price Regulation No. 2, issued by the Sioux Falls, South Dakota District Office August 1, 1944, and effective August 9, 1944, is hereby deleted and stricken from said order and the following inserted in its place:

(e) If you operate a bar and sell nothing but intoxicating liquors and/or beer you are not required to post any items. However, if you operate a tavern and serve any food items or meals, then you must follow the provisions of paragraphs (a), (b), (c), (d), (f) and (g) of this section.

It is further ordered, That the citation of authority appearing at the end of Order No. 1 under Restaurant Maximum Price Regulation No. 2 shall be amended to read as follows:

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

This amendment shall become effective August 11, 1944.

Issued this 11th day of August 1944.

E. J. Wintersteen,
Acting District Director.

[F. R. Doc. 44–12993; Filed, August 26, 1944; 2:01 p. m.]

[Region IV Order G–11 Under SR 15]

Fluid Milk in Rocky Mount, Va.

Order No. G–11 under § 1499.75 (a) (9) (i) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in Rocky Mount, Virginia.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV by § 1499.75 (a) (9) (i) of the General Maximum Price Regulation, it is hereby ordered:

(a) *Adjustment of maximum prices for approved fluid milk in Rocky Mount, Virginia.* On and after August 24, 1944 the maximum prices for approved fluid milk sold and delivered to any person within Rocky Mount, Virginia at wholesale or retail in glass or paper containers of one quart or less shall be:

	Quarts		Pints		Half-pints	
	Glass	Paper	Glass	Paper	Glass	Paper
	Cts.	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*
Wholesale	12	13	7	8	3½	4½
Retail out-of-store	14	15	----	----	----	----
Retail home delivered	14	15	----	----	----	----

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises or as part of a meal for consumption off the premises. The seller's maximum price for sales at retail of approved fluid milk for consumption on the premises or as part of a meal for consumption off the premises shall be determined under Restaurant Maximum Price Regulation 2.

(b) *Applicability of the General Maximum Price Regulation and other supplementary regulations and orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to this order remain sub-

ject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have heretofore or may hereafter be issued. Specifically, but not by way of limitation, unless the context of this order otherwise requires, the provisions of § 1499.73a (a) (1) (viii) (b), (c), (d), (e), (f), and (g) and § 1499.73a (a) (1) (xi) (Supplementary Regulation 14A to the General Maximum Price Regulation as amended) shall be applicable and are made a part of this order. Unless the context otherwise requires, all terms used herein shall be construed in accordance with the provisions of § 1499.20 of the General Maximum Price Regulation, as amended.

(c) This order may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 19, 1944.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 44-12094; Filed, August 26, 1944; 2:03 p. m.]

[Spokane Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SPOKANE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Spokane, Washington, District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Spokane, Washington, District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of said Order No. 1-R have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.)

Issued this 31st day of July 1944.

DAVE S. COHN,
District Director.

APPENDIX A

1. Orange juice.
2. Oatmeal.
3. Corn flakes.
4. Ham and eggs.
5. Toast.
6. Doughnuts.
7. Hot cakes.
8. Waffles.
9. Vegetable soup.
10. T-bone steak.
11. Prime ribs of beef.
12. Hamburger steak.
13. Pot roast.
14. Veal cutlets.
15. Pork roast.
16. Roast lamb.
17. Beef stew.
18. Calves liver.
19. Fried chicken.
20. Roast turkey.
21. Salmon.
22. Halibut.
23. Fried oysters.
24. Oyster stew.
25. Baked beans.
26. Spaghetti.
27. Peas (side order)
28. String beans (side order)
29. Potato salad.
30. Lettuce and tomato salad.
31. Combination salad.
32. Apple pie.
33. Ice cream.
34. Rice pudding.
35. Ham sandwich.
36. Cheese sandwich.
37. Hot beef sandwich.
38. Hamburger sandwich.
39. Coffee.
40. Milk.

[F. R. Doc. 44-12095; Filed, August 26, 1944; 2:01 p. m.]

[Chicago Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN CHICAGO, ILL., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Chicago Metropolitan District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operatae an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand-lettered in ink on

the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling prices for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Chicago Metropolitan District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

MARION W. ISBELL,
District Director (Acting).

APPENDIX A—40 FOOD ITEMS

Tomato or fruit juice.
Fruit cocktail.
Soup du jour.
Bacon or ham and eggs.
Two eggs, any style.
Filet of sole.
Broiled mackerel.
Fish cakes.
Hot-cakes and syrup.
Baked spaghetti or macaroni.
Pork and beans.
Vegetable plate.
Cereals—hot or cold.
Apple pie.
Ice cream.
Liver and bacon.
Pork chop.
Hamburger steak.
Roast beef.
Roast pork or ham.
Omelette.
Corned beef hash (or any meat hash).
Lamb stew (or any meat stew).
Ham sandwich.
Ham or bacon and egg sandwich.
American cheese sandwich.
Cream cheese and jelly sandwich.
Lettuce and tomato sandwich.
Hamburger sandwich.
Ham and cheese sandwich.
Fish salad sandwich.
Hot meat sandwich.
Combination salad.
Fruit salad.
Coffee (cup or pot).
Tea (cup or pot).
Milk (half pint).
Club breakfast—fruit, toast, and coffee.
Omelet luncheon (3 courses).
Chicken dinner (5 courses).

[F. R. Doc. 44-12992; Filed, August 26, 1944; 2:01 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-954]

CENTRAL VERMONT PUBLIC SERVICE CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 24th day of August, A. D. 1944.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Central Vermont Public Service Corporation, a public utility subsidiary of New England Public Service Company, a registered holding company, which in turn is a subsidiary of Northern New England Company, also a registered holding company. All interested persons are referred to said application-declaration which is on file in the office of this Commission for a full statement of the transactions therein proposed, which are summarized as follows:

Central Vermont Public Service Corporation proposes to refinance its presently outstanding 37,856 shares of Preferred Stock, no Par Value, $6 Dividend Series (hereinafter referred to as "$6 Preferred Stock"), by making an offer to the holders of such stock whereby they will be afforded an opportunity to exchange each share of presently held stock for one share of Preferred Stock, $100 Par Value, 4¼% Dividend Series (hereinafter referred to as the "New Preferred Stock"), plus a cash payment equal to the difference (estimated at $4.50 per share) between $107.50, the redemption price of the $6 Preferred Stock, and the public offering price of the New Preferred Stock, plus an amount equal to accrued dividends on the $6 Preferred Stock to the exchange date. Any shares not exchanged will be called for redemption at the redemption price of $107.50 per share plus accrued dividends. Central Vermont Public Service Corporation proposes to enter into an agreement with underwriters whereby the latter will solicit the exchanges and, upon the termination of the exchange period, will purchase from Central Vermont Public Service Corporation such number of the 37,856 shares of the New Preferred Stock as have not been taken up under the exchange offer.

Central Vermont Public Service Corporation also proposes to solicit proxies from the holders of its common stock, in connection with the amendment of its Articles of Association to authorize 100,000 shares of Preferred Stock, $100 Par Value, and to define the preferences and rights thereof, and to reduce its presently authorized capital stock by the 50,000 shares of Preferred Stock, No Par Value (of which 37,856 shares are presently outstanding), upon the retirement of the presently outstanding $6 Preferred Stock.

Applicant-declarant requests that the Commission enter an order finding that, with respect to the proposed issue and sale of the New Preferred Stock, compliance with paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application shall not be granted nor said declaration be permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on such matters under the applicable provisions of the Act and the Rules of the Commission promulgated thereunder be held on September 9, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application-declaration shall be granted or shall be permitted to become effective.

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission on or before September 7, 1944, his request or application therefor, as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officers so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented

by said application-declaration, particular attention be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale of the New Preferred Stock by Central Vermont Public Service Corporation are solely for the purpose of financing its business and will have been expressly authorized by the State Commissions of the States in which applicant-declarant is organized and doing business.

2. Whether the proposed transactions are appropriate and in the public interest and the interest of investors and consumers.

3. Whether the proposed issue and sale of the New Preferred Stock by Central Vermont Public Service Corporation should be exempted from the competitive bidding requirements of paragraph (b) and (c) of Rule U-50 in accordance with paragraph (a) (5) of said rule.

4. Whether the proposed solicitation material is appropriate under the provisions of the Public Utility Holding Company Act of 1935 and whether the declaration with respect thereto should be permitted to become effective.

5. Whether the proposed accounting treatment of the proposed transactions on the books of the applicant-declarant is proper and conforms to sound and accepted principles of accounting.

6. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers.

7. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and Rules, Regulations or Orders promulgated thereunder.

It is further ordered, That the Secretary of this Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to applicant-declarant and that notice of said hearing be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

It is further ordered, That jurisdiction be, and hereby is reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining to the subject matter of this proceeding and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12911; Filed, August 25, 1944; 3:29 p. m.]

[File Nos. 1-2579, 1-2557, 1-2470, 1-2503, 1-2505, 1-2519, 1-2421, 1-2336, 1-2509, 1-2363, 1-3091]

UNITED STEEL WORKS CORP. ET AL.

ORDER SETTING HEARING ON APPLICATIONS TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of August, A. D. 1944.

In the matter of United Steel Works Corporation, 6½% Mortgage Sinking Fund Gold Bonds, Series A, due 1951, 6½% Mortgage Sinking Fund Gold Bonds, Series C, due 1951, 6½% Sinking Fund Debentures, Series A, due 1947, Rheinelbe-Union 7% 20-Year, Mortgage Sinking Fund Gold Bonds, due 1946, File No. 1-2579; Rhine-Ruhr Water Service Union, 6% 25-Year External Sinking Fund Gold Debentures, due 1953, File No. 1-2557; Ruhr Chemical Corporation, 6% Mortgage Sinking Fund Bonds, Series A, due 1948, File No. 1-2470; Berlin Power and Light Company, Inc., Berlin City Electric Company, Inc., 6½% 25-Year Sinking Fund Debentures, due 1951, 6% 25-Year Debentures, due 1955, 6½% 30-Year Sinking Fund Debentures, due 1959, File No. 1-2593; Central Bank of German State and Provincial Banks, Inc., Consolidated Agricultural Loan of German Provincial & Communal Banks, 6½% Secured Sinking Fund Gold Bonds, Series A, due 1958, File No. 1-2505; Rhine-Westphalia Electric Power Corporation, 7% Direct Mortgage Gold Bonds, due 1950, File No. 1-2519; Italian Public Utility Credit Institute, 7% External Secured Sinking Fund Gold Bonds, due 1952, File No. 1-2421; Hungarian Land Mortgage Institute, National Land Mortgage Institute, 7½% Land Mortgage Sinking Fund Gold Bonds, Series A, due 1961, 7½% Land Mortgage Sinking Fund Gold Bonds, Series B due 1961, File No. 1-2336, Siemens & Halske A. G. & Siemens Schuckertwerke Company, Ltd., 6½% 25-Year Sinking Fund Gold Debentures, Unstamped, due 1951, File No. 1-2509; Tokyo Electric Light Company, Ltd., Shinyetsu Electric Power Company, Ltd., 6½% First Mortgage Sinking Fund Bonds, due 1952, File No. 1-2363; Japan Electric Generation & Transmission Company, Ltd., Great Consolidated Electric Power Company, Ltd., 7% First Mortgage Sinking Fund Gold Bonds, Series A, Guaranteed, due 1944, 6½% First General Mortgage Sinking Fund Gold Bonds, Guaranteed, due 1950, File No. 1-3091.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, September 11, 1944, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William W. Swift, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administered oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12912; Filed, August 25, 1944; 3:29 p. m.]

[File Nos. 31-380, 31-446]

DETROIT EDISON CO.

ORDER GRANTING REQUEST FOR LEAVE TO WITHDRAW APPLICATION AND REVOKING PREVIOUS ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 25th day of August, A. D. 1944.

The Detroit Edison Company having filed an application under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring it not to be a subsidiary of The North American Company, American Light & Traction Company, The United Light and Railways Company and The United Light and Power Company, all registered holding companies; and

The Commission having on August 5, 1940, denied said application with respect to The North American Company; but having granted said application by The Detroit Edison Company to be declared not to be a subsidiary of American Light & Traction Company, The United Light and Railways Company and The United Light and Power Company, subject to the condition that The Detroit Edison Company shall file with the Commission annually on or before each 15th day of August a report which shall disclose whether any directors or officers of The Detroit Edison Company are at the same time directors or officers or are representatives or designees of The United Light and Power Company or any of its subsidiary companies or affiliates, and whether there have been transactions between The Detroit Edison Company and The United Light and Power Company or any of its subsidiary companies or affiliates; and

The Commission having on the basis of information contained in its public official files indicating substantial changes in the circumstances upon which its said order granting the application of The Detroit Edison Company had been based, issued an order on July 10, 1944, reopening the record and reconvening the hearing in these proceedings for the purpose of adducing additional evidence so as to enable the Commission to determine whether The Detroit Edison Company is now controlled or its management and policies are now subject to a controlling influence, directly or indirectly, by American Light & Traction Company, The United Light and Power

Company or The United Light and Railways Company (either alone or pursuant to an arrangement or understanding with one or more other persons) so as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that The Detroit Edison Company be subject to the obligations, duties and liabilities imposed by the Act upon subsidiary companies of registered holding companies and whether the Commission's previous order granting the application of The Detroit Edison Company with respect to American Light & Traction Company, The United Light and Power Company and The United Light and Railways Company should be revoked; and

The Detroit Edison Company having filed an answer in the proceedings in which it is stated, among other things, that American Light & Traction Company is the largest single stockholder of The Detroit Edison Company, owning beneficially 20.2% of its voting securities, that the next largest stockholders own 4.2%, 2.3% and 1.2%, respectively, of its voting securities, that the company has 37,008 stockholders of record and that on February 15, 1944, two nominees who are officers and directors of American Light & Traction Company, The United Light and Railways Company, and The United Light and Power Company were designated for election to the board of directors of The Detroit Edison Company and were elected thereto at the request of American Light & Traction Company; and

The Detroit Edison Company having on the basis of the changes in circumstances recited in its answer requested leave to withdraw its original application for an order declaring it not to be a subsidiary of American Light & Traction Company, The United Light and Railways Company and The United Light and Power Company and consented to a consequent revocation of the Commission's order of August 5, 1940, granting said application; and

It appearing to the Commission that it is appropriate that such application be withdrawn and that its previous order granting such application should be revoked:

It is ordered, That the request of The Detroit Edison Company for leave to withdraw its said application with respect to American Light & Traction Company, The United Light and Railways Company and The United Light and Power Company be, and hereby is, granted and that the Commission's order of August 5, 1940, granting said application with respect to American Light & Traction Company, The United Light and Railways Company and The United Light and Power Company be, and hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12944; Filed, August 26, 1944; 11:34 a. m.]

[File Nos. 59-68, 70-842]

TIDE WATER POWER CO. AND GENERAL GAS & ELECTRIC CO.

ORDER REQUIRING SUBMISSION OF A PLAN OF COMPLIANCE AND DENYING EFFECTIVENESS TO DECLARATION REGARDING PROPOSED SALE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of August, A. D., 1944.

In the matter of Tide Water Power Company, File No. 59-68; in the matter of General Gas & Electric Corporation, File No. 70-842.

The Commission having instituted proceedings respecting the Tide Water Power Company, a subsidiary of a registered public-utility holding company, pursuant to sections 11 (b) (2), 12 (c), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935; General Gas & Electric Corporation, a registered public-utility holding company, having filed a declaration pursuant to the provisions of section 12 (d) of the said act and Rule U-44 thereunder regarding a proposal to sell the common stock of the Tide Water Power Company to Warren W. Bell;

The said proceedings having been consolidated and hearings therein having been held, proposed findings and exceptions thereto with a supporting brief having been filed, and oral argument heard, and the Commission being advised in the premises and having this day entered findings and an opinion herein;

It is ordered, On the basis of the said findings and opinion:

(1) That the Tide Water Power Company shall forthwith diligently prepare and file with the Commission a plan of compliance with section 11 (b) (2) of the said act which plan shall, without limiting the scope thereof, provide among other things: for a recapitalization substituting for the present classes of stock authorized and outstanding a single class of common stock; for distribution of the new stock; for reducing the ratio of present long-term debt to plant and property as adjusted and for improving the coverage of interest on such debt and other charges by earnings; for restating the plant, property and other accounts so as to eliminate known and estimated write-ups and amounts representing abandoned property and expenses of revaluations; for appropriate provision for the segregation, amortization, elimination or other disposition of plant acquisition adjustments known or estimated to be carried on the books; and for such revisions of depreciation and retirement reserves and policies of accrual thereto and maintenance, as shall be appropriate; *Provided, however*, That jurisdiction is reserved under sections 11 (b) (2), 15 (f) and 20 (a) to enter such other and further orders respecting the above matters as shall be appropriate in the circumstances;

(2) That the Tide Water Power Company shall not declare or pay any dividends on any class of its stock until further order of the Commission, and jurisdiction is reserved to enter such further orders as shall be appropriate in the circumstances;

(3) That effectiveness to the declaration filed by General Gas & Electric Corporation respecting the proposal to sell the common stock of the Tide Water Power Company to Warren W. Bell be, and it is hereby, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-12945; Filed, August 26, 1944; 11:34 a. m.]

[File Nos. 54-63, 59-47]

REPUBLIC SERVICE CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of August, A. D. 1944.

The Commission having on February 19, 1943, in proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935, ordered Republic Service Corporation ("Republic"), a registered holding company, among other things, to divest itself of its interests in its Virginia subsidiaries and to recapitalize in an appropriate manner so as to ensure that the corporate structure of Republic does not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among security holders of Republic's holding company system, and that, upon such recapitalization, the common stock of Republic shall be accorded no participation;

Republic having heretofore filed Amendment No. 1 to an application pursuant to section 11 (e) of the Act for approval of a plan to comply with section 11 (b) of the act ("Plan No. 1"), which amendment provides for the sale of its Virginia subsidiary companies and the application of the proceeds from such sales, together with other company funds, to the pro rata payment of 60% of the outstanding principal amount of Republic's Collateral Trust Bonds; said amended application being presently pending before the Commission;

Notice is hereby given that Republic has filed Amendment No. 2 to the said application ("Plan No. 2"), which amendment relates to a plan for the recapitalization of Republic to comply with the order of this Commission dated February 19, 1943.

All interested persons are referred to such documents, which are on file in the offices of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

I. Republic, at July 25, 1944, had outstanding the following securities:

(a) $4,772,000 principal amount of 5% First Lien Collateral Trust Twenty-five Year Bonds. This principal amount of bonds includes an amount of $118,000 of bonds held in escrow to secure the indebtedness of Republic to two of its subsidiary companies and treasury bonds in the amount of $244,500, which will, prior to the effective date of the plan, be surrendered to the Indenture Trustee and cancelled.

(b) 17,581 shares of $6 no par value cumulative preferred stock with a liquidating value of $100 per share. At April 30, 1944, accrued and unpaid dividends on said shares of preferred stock aggregated $1,155,951 or $65.75 per share.

(c) 54,467 1/10 shares of no par value common stock (including 8 1/10 shares reserved for unexchanged scrip).

II. Plan No. 2 is made contingent upon the approval by the Commission and any other requisite authorities and the consummation of the transactions proposed in Plan No. 1. If the transactions contained in Plan No. 1 are approved and consummated, Republic will have outstanding $1,763,800 principal amount of its Collateral Trust Bonds represented by "Adjusted Bonds" in denominations of $200 and $400.

Plan No. 2 proposes that Republic simplify its capital structure and redistribute voting power among its security holders by converting all such "Adjusted Bonds" and all of Republic's outstanding preferred stock into a single class of common stock ("New Stock"), par value $15 a share, the common stock not to participate in such recapitalization. To effectuate this objective, it is proposed:

(a) To change the authorized capital stock of Republic to 120,000 shares of New Stock and to issue 114,590 shares of said New Stock in exchange for the said "Adjusted Bonds" and Preferred Stock on the following basis:

11 shares for each $200 face amount of Adjusted Bonds or a total of 97,009 shares (84.66% of the total New Stock proposed to be issued).

1 share for each share of preferred stock or a total of 17,581 shares (15.34% of the New Stock proposed to be issued).

(b) Interest on Adjusted Bonds accrued and unpaid on the effective date of the plan is to be paid in cash at the time of distribution of the New Stock. All bond interest is to cease to accrue on the effective date of the plan.

(c) No premiums are to be paid on account of the retirement of the bonds prior to the maturity date thereof.

(d) The carrying value of investments in the Pennsylvania subsidiaries of Republic is to be reduced from $3,105,264 to $2,190,000.

(e) Distribution of the New Stock under the proposed plan is to be made by the Directors of Republic acting as Reorganization Managers over a period of two years from the effective date of the plan, upon surrender of the Adjusted Bonds and preferred stock certificates. As soon thereafter as is feasible all shares of New Stock then represented by outstanding bonds or Adjusted Bonds or preferred stock certificates are to be sold in the open market and the proceeds, together with any dividends theretofore paid thereon and any cash held for the payment of principal or interest on bonds or interest on Adjusted Bonds (less expenses), are to be held for the pro rata benefit of the holders of such unexchanged securities for an additional three years. At the expiration of the fifth year from the effective date of the proposed plan, holders of such unexchanged securities are to have no further rights to any balance of such proceeds and dividends then held against unexchanged securities which are to then revert, and belong, to Republic.

(f) A meeting of the holders of New Stock to elect a new Board of Directors will be held not more than 120 nor less than 60 days after the effective date of the plan, in conformity with such orders as this Commission shall make regarding the machinery for nomination and election.

Republic requests, if the Commission approves the said plan, that the Commission apply to a Federal Court, pursuant to the provisions of sections 11 (e) and 18 (f) of the Act, to enforce and carry out its terms and provisions.

III. Notice in further given that Irving H. Isaac, representing himself to be a holder of securities of Republic, has, by his counsel, filed an application for approval of a plan of recapitalization, dated June 16, 1944, for Republic. All interested persons are referred to said application which is on file in the office of this Commission for a detailed statement of the terms of the plan, which may be summarized as follows:

1. Republic is to dispose of its Virginia subsidiaries as proposed in Republic's Amendment No. 1 and use the proceeds, together with funds obtained from a temporary borrowing, to make an aggregate pro rata payment of 65% of the outstanding principal amount of its bonds.

2. The remaining outstanding obligation to Republic's bondholders in the amount of $1,545,250 is to be met by issuing an equivalent principal amount of First Lien Collateral Trust Bonds due 1964, details of such proposed issue to be supplied by amendment.

3. The preferred stock is to be allocated 4 shares of common stock, par value $5, for each present share of preferred stock, no dividends to be paid on such new common stock until all temporary debt has been repaid.

4. The present common stock is not to participate in the recapitalization.

IV. It appearing that proceedings have heretofore been instituted pursuant to section 11 (b) of the act directed to Republic and its subsidiary companies (File No. 59-47) by Commission orders dated May 8, 1942 and June 17, 1942; and

It further appearing that the Commission has heretofore ordered proceedings in respect of the plan filed by Republic and its subsidiary companies pursuant to section 11 (e) of the act (File No. 54-63) and the section 11 (b) proceeding to be consolidated (Holding Company Act Release No. 3946); public hearings having been held with respect to such consolidated proceedings and having been continued subject to the call of the trial examiner; and

It further appearing to the Commission that it is appropriate that the hearings heretofore held pursuant to section 11 (b) of the act and adjourned as aforesaid be reconvened and that notice be given and a hearing be held upon said plans, or any other plan which may be proposed by the Commission in the first instance pursuant to the provisions of section 11 (d) of the act or by any person having a bona fide interest in this proceeding, to afford all interested persons an opportunity to be heard with respect thereto, and that the said plans shall not be approved except pursuant to further order of the Commission;

It is ordered, That a hearing on the consolidated proceedings be reconvened on September 11, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either in whole or in part, or to dispose in whole or in part, of any of the issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for the purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

Notice is hereby given of said consolidated hearing to above named applicants and respondents, to the Pennsylvania Public Utility Commission, The Pennsylvania Company for Insurance on Lives and Granting Annuities, Indenture Trustee of said Collateral Trust Bonds, and to all interested persons; said notice to be given to said applicants and respondents and to the Pennsylvania Public Utility Commission, and The Pennsylvania Company for Insurance on Lives and Granting Annuities, Indenture Trustee of said Collateral Trust Bonds by registered mail; and to all other persons by publication of this notice and order in the FEDERAL REGISTER. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of this Commission, on or before September 7, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Republic shall give additional notice of said hearing to all known holders of its outstanding First Lien Collateral Tract Twenty-five Year Bonds, 5% Series A, and to all known holders of its preferred stock, by causing a copy of this Notice and Order of Hearing to be mailed to such holders at their last-known addresses, such mail-

ing to be made not less than ten days prior to the date of said hearing.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in this proceeding, particular attention shall be directed at the hearing to the following matters and questions:

(1) Whether the plans as proposed or as modified are necessary and appropriate to effectuate the provisions of section 11 (b) of the act and are in conformity with the requirements of the Commission's order of February 19, 1943;

(2) Whether the proposed plans, as submitted or hereafter modified, are fair and equitable to the persons affected thereby;

(3) Whether the provisions of Republic's proposed plan with respect to the allocation of the New Stock as between the bondholders and preferred stockholders are fair and equitable to the persons affected thereby or whether such provisions should be modified;

(4) Whether the transactions proposed in said plans comply with all the requirements of the applicable provisions of the act and rules promulgated thereunder;

(5) Whether the proposed plans contain provisions with respect to fees and expenses to be paid in connection with said plans and all transactions incidental thereto which are reasonable and appropriate;

(6) Whether the accounting adjustments and entries proposed to be made in connection with the proposed plans are proper and in accordance with sound accounting practice;

(7) Whether, and to what extent, the proposed plans should be modified or terms and conditions imposed to ensure adequate protection of the public interest and the interests of investors and consumers and compliance with all applicable provisions of the act;

(8) What provisions, if any, should be included in the proposed plans to insure that effective voting control and management are vested in the persons entitled to vote as a result of the consummation of any such plans;

(9) Whether, in the event that the Commission shall not approve said plans as filed or as modified, the Commission shall itself propose and approve a plan for purposes of section 11 (d) or shall approve for purposes of section 11 (d) any plan that may be proposed by any person having a bona fide interest in the reorganization of Republic;

(10) What further orders, if any, should be entered pursuant to section 11 (b) of the act, to require Republic and its subsidiaries to take such steps as the Commission shall find necessary to comply with the provisions of said section.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12942; Filed, August 26, 1944; 11:34 a. m.]

No. 172——14

[File Nos. 54-68, 59-55]

COMMUNITY GAS AND POWER CO., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of August, A. D. 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, Respondents, File No. 59-55.

The Commission having by order dated July 2, 1943, entered pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935, directed that Community Gas and Power Company and American Gas and Power Company, registered holding companies, take certain steps as specified in said order to comply with the provisions of section 11 (b) of the act; and

Community Gas and Power Company and American Gas and Power Company having filed an application requesting an extension of time for one year within which to comply with said order of July 2, 1943; and

The Commission having found that Community Gas and Power Company and American Gas and Power Company have been unable in the exercise of due diligence to comply in its entirety with the provisions of said order within one year from the date thereof and that the requested extension of time is necessary and appropriate in the public interest and for the protection of investors and consumers;

It is ordered, That Community Gas and Power Company and American Gas and Power Company be and they are hereby granted an additional period of one year from July 2, 1944, within which to comply with the provisions of said order of July 2, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-12943; Filed, August 26, 1944; 11:34 a. m.]

[File No. 812-358]

INVESTMENT SERVICE CORP. AND RAILWAY AND LIGHT SECURITIES CO.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of August A. D. 1944.

Investment Service Corporation, a registered investment adviser under the Investment Advisers Act of 1940, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) (2) of said act a transaction in which Investment Service Corporation proposes to purchase from Railway and Light Securities Company, a registered investment company under the Investment Company Act of 1940, 3,000 shares of the non-voting common stock of Investment Service Corporation, being all of the non-voting common stock authorized, issued and outstanding, now owned and held by Railway and Light Securities Corporation at a price therefor of $20 per share. Investment Service Corporation is the investment adviser of Railway and Light Securities Company and is therefore an affiliated person of Railway and Light Securities Company.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on September 5, 1944, at 10:00 a. m., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Charles S. Lobinger or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to Investment Service Corporation, Railway and Light Securities Company and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-13007; Filed, August 28, 1944; 9:34 a. m.]

[File No. 70-956]

GULF STATES UTILITIES CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of August 1944.

Notice is hereby given that Gulf States Utilities Company ("Gulf States"), a public utility subsidiary of Engineers Public Service Company, a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said application-declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed which are summarized as follows:

Gulf States proposes to issue and sell, at a price to be determined by competitive bidding, 120,000 shares of $4.60 Dividend Preferred Stock, par $100. In accordance with the company's proposed

refinancing plan, the holders of the presently outstanding preferred stock issues, amounting to 69,994 shares of $6 Dividend Preferred Stock and 30,000 shares of $5.50 Dividend Preferred Stock, no par value, will be given the opportunity to receive in exchange for each share of such stock one share of new preferred stock and an amount in cash equal to the sum of (a) accrued and unpaid dividends on the old preferred stock to the effective date of exchange, and (b) the amount, if any, by which the redemption price per share ($110 for the $6 Dividend Preferred Stock, and $108 for the $5.50 Dividend Preferred Stock) exceeds the initial offering price of the new preferred stock, but with respect to the $6 Dividend Preferred Stock not less than $2 per share. Any unexchanged shares of old preferred stock will be called at the respective redemption prices, plus accrued and unpaid dividends to the date fixed for redemption.

The net proceeds from the sale of the unexchanged shares of new preferred stock, including 20,006 shares not offered for exchange, which are to be sold to underwriters will be applied (a) to call the old preferred stock not exchanged, (b) to retire a $1,000,000 outstanding bank loan, and (c) for other corporate purposes.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application shall not be granted and said declaration shall not be permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on this matter be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 10:00 a. m., e. w. t., on the 11th day of September, 1944, in such room as may be designated on such day by the hearing room clerk. At such hearing cause shall be shown why such application shall be granted and said declaration shall be permitted to become effective.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's rules of practice on or before September 9, 1944.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof to the applicant-declarant and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by said application-declaration particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed new preferred stock is being issued and sold solely for the purpose of refunding and exchanging the outstanding series of preferred stocks and for the purpose of financing the business of the applicant-declarant as a public-utility company.

2. Whether the proposed new preferred stock is reasonably adapted to the earning power of the issuer and the security structure of the issuer and other companies in the holding company system.

3. Whether the fees, commissions or other remunerations to be paid in connection with the issue, sale or distribution of said new preferred stock are reasonable.

4. Whether the proposed solicitation material complies with the requirements of Rule U–62.

5. Whether the proposed accounting treatment of the proposed transactions on the books of the applicant-declarant is proper and conforms to sound and accepted principles of accounting.

6. Whether and to what extent it is appropriate in the public interest or for the protection of investors and consumers to attach terms and conditions with respect to the proposed issue and sale.

7. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–13006; Filed, August 28, 1944; 9:24 a. m.]

WAR FOOD ADMINISTRATION.

DESIGNATION OF PERSONS TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPOENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The names of John T. McGrath and Winifred M. DeLaney are hereby added to the list of persons appearing in paragraph (A) of the "Designation of Persons to hold Hearings, to Sign and Issue Subpoenas, and to Administer Oaths or Affirmations," issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592), and the said John T. McGrath and Winifred M. DeLaney are authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 26th day of August 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44–13001; Filed, August 26, 1944; 8:16 p. m.]

WAR MANPOWER COMMISSION.

PITTSBURGH, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Pittsburgh Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 1, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Minimum standards.
5. Existing contracts.
6. Advertising.
7. Advance notice of lay-offs.
8. Limited statements of availability.
9. Request to remain on or return to a job.
10. Employment ceiling and priority referral plan.

SECTION 1. *Purpose.* In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Area Director of the War Manpower Commission for the Pittsburgh Area, with the concurrence of the Area War Manpower Committee and with the approval of the Regional War Manpower Director, pursuant to the authority granted by WMC Regulation 7, hereby establishes the following plan for the Area with respect to the stabilization of employment throughout the area.

SEC. 2. *Definitions.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(c) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439).

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments means his principal employment.

(g) "Manpower allowance" means an administrative determination of the number of employees, or specified types of employees, which an establishment is not permitted to exceed during a specified period, and is used as the means for allocation and referral of labor during the period.

(h) "Employment ceiling" means, in the case of an establishment designated essential or locally needed by the War Manpower Commission, the highest level of total employment which such establishment is not permitted to exceed, based upon an approval and necessary production or service schedule; means in the case of other (less essential) establishments, the highest level of total employment which such establishments are not permitted to exceed, based upon labor supply factors in the community.

SEC. 3. *Control of hiring and solicitation of workers.* (a) All hiring and solicitation of workers in, or for work in the Pittsburgh Area shall be conducted in accordance with the provisions of this employment stabilization plan.

SEC. 4. *Minimum standards.* (a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsequent B is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(4) The new employee is a male.

(f) *Exclusions.* No provision of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by a foreign, State, County or municipal government, or their political subdivisions, or their agencies and instrumentalities, or hiring of any of their employees, unless such foreign, State, County, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 5. *Existing contracts.* Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 6. *Advertising.* Employer's advertisements for employees are required to meet the following conditions:

(a) Indicate clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(b) When the advertisement for employees does not include reference to the use of the facilities of the United States Employment Service of the War Manpower Commission by the employer, the employer's name must appear.

(c) Advertisements for employees possessing skills which appear on the list of critical occupations are prohibited unless they provide for exclusive referral by or with the consent of the United States Employment Service.

SEC. 7. *Advance notice of lay-offs.* Employers are required when possible to provide at least three days advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupation.

SEC. 8. *Limited statements of availability.* Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action; *Provided,* That such action is agreeable to both the employer and employees involved, *And provided further,* That such limited Statements of Availability shall not be issued for a period longer than three months.

SEC. 9. *Request to remain on or return to a job.* The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 10. *Employment ceiling and priority referral plan.* The Area Manpower Director may fix for all or any establishments in the area, fair and reasonable employment ceilings and/or allowances, limiting the number of employees, or specified types of employees, which such establishments may employ during specified periods. Such ceilings and/or allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products or services to the war effort. Except as authorized by the Area Director, no employer shall hire any new employee if the hiring of such employees would result in the establishment's exceeding the employment ceiling and/or manpower allowances currently applicable to it.

Dated: July 1, 1944.

PATRICK T. FAGAN,
Area Director.

Approved: August 17, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-12980; Filed, August 26, 1944; 12:42 p. m.]

IDAHO

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Idaho is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program", effective August 16, 1943 (8 F.R. 11338).

SEC.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Encouragement of local initiative and use of existing hiring channels.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statement of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring of workers last employed in certain occupations in lumbering and and mining, milling, smelting, and refining activities.
11. Employment ceilings.
12. Control of migration.
13. Release of workers hired contrary to program.
14. Short term employment.
15. Exclusions.
16. Appeals.
17. Content of statements of availability.
18. Retention of statement of availability by employer.
19. Hiring and discharge.
20. Continuance on job.
21. Representation.
22. General referral policies.
23. Enforcement of program.
24. No change of laws of collective bargaining agreements.
25. Effective date.

Appendix A: Occupations in lumbering and mining, milling, smelting, and refining activities.

SECTION 1. *Purpose.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* For the purpose of the program: (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" means any State and includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employ of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(h) The term "discharge" includes refusal of an employer to reemploy a worker in his former or a comparable position without prejudice.

(i) "Employment ceiling" means the highest level of total employment or of specified types of employees which an establishment is not permitted to exceed, based upon an approved and necessary production schedule. Ceilings may be established so as to:

(1) Permit employment expansion.

(2) Maintain employment at specified levels, or

(3) Reduce the employment level.

The employment ceiling is subject to change as production schedules change.

(j) "Manpower allowances" means an administrative determination of the number of employees or specified types of employees within the ceiling which an establishment is currently not permitted to exceed and is used as the means for the current allocation and referral of available labor. This manpower allowance is subject to change as supply factors in the labor market may warrant.

(k) "Manpower Priority Committee" means a group of representatives of Federal procurement services and other Federal manpower claimant agencies who advise State Directors with respect to priorities service and ceiling adjustments.

(l) "Priority referral" is a program which provides that employers in an area may hire male workers only from among those referred by the United States Employment Service of the War Manpower Commission or in accordance with arrangements approved by the United States Employment Service so that workers may be referred to jobs in the order of the relative importance of those jobs to the war effort as determined by the State Manpower Director upon advice of the Manpower Priorities Committee.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the State of Idaho shall be conducted in accordance with this Employment Stabilization Program.

No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this Employment Stabilization Program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels, such as labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments therof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statement of availability by United States Employment Service.* A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may upon his request refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the United States Employment Service when:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration and *Provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(d) The new employee is a male worker over the age of 16.

SEC. 10. *Hiring of workers last employed in certain occupations in lumbering and mining, milling, smelting, and refining activities.* (a) A statement of availability issued to a worker whose last employment is or was in an occupation specified in Appendix A. (Occupations in activities in which manpower shortages threaten critically needed production) shall indicate that the worker has been so employed.

(b) A new employee whose statement of availability indicates that his last employment is or was in an occupation specified in Appendix A may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the USES.

SEC. 11. *Employment ceilings.* The State Manpower Director upon recommendation of the Manpower Priorities Committee may fix for all or any establishments in the State of Idaho fair and reasonable employment ceilings and manpower allowances limiting the number of employees or specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply and/or the relative urgency of the establishment's products or service to the war effort. Except as authorized by the State Manpower Director or his representative, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or manpower allowance currently applicable to it.

SEC. 12. *Control of migration*—(a) *Out-migration.* Any worker in the State of Idaho wishing to seek employment in any area within the States of Utah, Idaho, Montana, Wyoming, and Colorado, in which he has not work or lived during the preceding 30-day period, shall apply to the United States Employment Service nearest his present home or place of employment for a statement of inter-area clearance. Such inter-area clearance statement shall be granted if:

(1) He is entitled to or is not required to obtain a statement of availability, and

(2) His reasons for wishing to seek employment elsewhere are such as to take precedence over the local need for his services.

(b) *In-migration.* An in-migrant worker may be employed only if:

(1) He has been granted a statement of inter-area clearance or its equivalent by the USES in the area of his last residence or employment: *Provided,* That if the in-migrant worker's last place of residence was outside the States of Montana, Utah, Idaho, Colorado, and Wyoming, he may be employed if he presents a statement of availability or evidence that he is not required to obtain one; or

(2) He has been recruited through the clearance system of the United States Employment Service.

SEC. 13. *Release of workers hired contrary to program.* Any employer shall, upon written request of the United States Employment Service, release from employment any worker whom it has hired contrary to the provisions of this program. Any worker so released shall be issued or denied a statement of availability or referral so far as practicable on the basis of the facts existing when he was improperly hired.

SEC. 14. *Short term employment.* In order to facilitate the employment of individuals during vacation, off season, or

similar short periods, the United States Employment Service may, upon consent of the worker entitled thereto, issue a statement of availability or referral card containing limitations as to the length of time for which the worker is available for employment. Upon expiration of the assigned time limit, such worker may be rehired by such former employer.

SEC. 15. *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 16. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 17. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statement of Availability forms shall conform to those prescribed by the War Manpower Commission.

SEC. 18. *Retention of statement of availability by employer.* Each employer upon hiring a worker who presents a USES referral card or a statement of availability where referral cards are not necessary, shall retain and file such statement or referral card and shall make it available for inspection upon request of the USES.

When a worker is employed who does not need a referral card or a statement of availability, the employer shall retain a signed statement in his file showing the worker's name, address, last employer, final employment date of the worker's last employment. This statement shall be retained in the file in lieu of the statement of availability or referral card.

SEC. 19. *Hiring and discharge.* (a) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) In order to obtain the maximum utilization of availability manpower, employers engaged in essential or locally needed activities shall refrain from discharging workers except for gross misconduct; *Provided*, That no employer shall be expected to retain in his employ a worker who is inconsistent or who fails to conform to reasonable shop rules or standards of conduct.

SEC. 20. *Continuance on job.* Pending the issuance of a statement of availability or a referral card to a worker, he should remain on his job.

SEC. 21. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented, by the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 22. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 23. *Enforcement of program.* (a) Violations of this program which constitute violations of War Manpower Commission Regulation No. 4 as amended August 16, 1943, issued pursuant to Executive Order 9328, are subject to the penal provisions of the act of October 2, 1942. (Pub. No. 729, 77th Cong.); the provisions of § 4001.10 of the Regulations of the Economic Stabilization Director issued October 27, 1942, apply to all wages or salaries paid in violation of Regulation No. 4.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Program, regulation, or policy, and for so long as such employer continues his non-compliance after such finding.

(c) The USES of the War Manpower Commission may deny referral to any employer who the WMC finds, after notice, hearing, and final decision, has not complied with any WMC program, policy or regulation and for so long as such employer continues his non-compliance.

(d) Any other appropriate sanctions may be invoked by the WMC against an employer or worker who, after notice, hearing, and final decision, has not complied with any WMC program, regulation or policy and for so long as such employer or worker continues his non-compliance after such finding.

SEC. 24. *No change of laws of collective bargaining agreements.* No part of this stabilization program shall be construed to be in conflict with the requirements of any Federal or State law or any collective bargaining agreements, so long as such agreement is consistent with applicable War Manpower Commission Policies, procedures, and standards.

SEC. 25. *Effective date.* This program revises and supersedes the Idaho Employment Stabilization Program of October 16, 1943, and becomes effective July 1, 1944.

Dated: July 12, 1944.

A. J. TILLMAN,
State Director.

Approved: July 28, 1944.

JOHN E. GROSS,
Acting Regional Director.

APPENDIX A—OCCUPATIONS IN LUMBERING AND MINING, MILLING, SMELTING, AND REFINING ACTIVITIES

1. All production and maintenance occupations in the following activities:

(a) Mining, dressing, and beneficiating (milling) of all minerals, with the exception of coal and the precious metals;

(b) Removal of overburden, sinking of shafts, development of new ore bodies, and similar services performed preparatory to the mining of the minerals specified above;

(c) Prospecting and exploration activities, in connection with the development of the minerals specified above, carried on in accordance with an authorization of or with the aid of a governmental agency, or as a substantial organized and responsible pursuit under a bona fide contract or authorization;

(d) Primary smelting and refining of the minerals specified above.

2. All production and maintenance occupations in coal mining.

3. All production and maintenance occupations in the following activities:

(a) All logging operations, irrespective of whether such operations are conducted by logging contractors or are carried on in combination with the operation of sawmills or pulp mills;

(b) All operations of sawmills, including the operations of box factories operated in conjunction with sawmills at the same plant site, but excluding sawmills carried on primarily in conjunction with pulp mills, shingle mills, match block and match plank operations, cooperage stock mills, cooperage establishments, and furniture establishments;

(c) All operations of planing mills engaged primarily in the production of dressed lumber, but excluding planing mills primarily engaged in the production of finished mill products such as shingles, doors, sashes, window frames, match blocks, and match planks and similar products;

(d) Veneer mill operations, including all activities incident to the production of veneer;

(e) Plywood mill operations, including all activities incident to the production of plywood.

The term "Production and Maintenance Occupations" includes all engineering, technical, supervisory, service, and clerical occupations required in connection with the production and maintenance operations in the activities specified above. The term does not include occupations carried on in administrative offices removed from the site of productive operations.

[F. R. Doc. 44-12981; Filed, August 26, 1944; 12:42 p. m.]

UTAH

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Utah is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program", effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Encouragement of local initiative and use of existing hiring channels.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statement of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring of workers last employed in certain occupations in lumbering and in mining, milling, smelting and refining activities.
11. Release of soldiers furloughed to nonferrous metal mines.
12. Release of workers hired contrary to program.
13. Short term employment.
14. Exclusions.
15. Appeals.
16. Content of statements of availability.
17. Retention of statement of availability or referral card by employer.
18. Solicitation of workers.
19. Hiring and discharge.
20. Continuance on job.
21. Representation.
22. General referral policies.
23. Enforcement of program.
24. Employment ceilings.
25. Control of migration.
26. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* For the purpose of the program:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission list of essential activities.

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(h) The term "discharge" includes refusal of an employer to reemploy if possible a worker in his former or a comparable position without prejudice.

(i) "Employment ceiling" means the highest level of total employment or of specified types of employees which an establishment is not permitted to exceed, based upon an approved and necessary production schedule. Ceilings may be established so as to:

(1) Permit employment expansion,

(2) Maintain employment at present levels, or

(3) Reduce the employment level.

The employment ceiling is subject to change as production schedules change.

(j) "Manpower allowances" means an administrative determination of the number of employees or specified types of employees within the ceiling which an establishment is currently not permitted to exceed and is used as the means for the current allocation and referral of available labor. This manpower allowance is subject to change as supply factors in the labor market may warrant.

(k) "Manpower priority committee" means a group of representatives of Federal procurement services and other Federal manpower claimant agencies who advise State Directors with respect to priorities service and ceiling adjustment.

(l) "Priority referral" is a program which provides that employers in an area may hire male workers only from among those referred by the United States Employment Service of the War Manpower Commission or in accordance with arrangements approved by the United States Employment Service of the War Manpower Commission, so that workers may be referred to jobs in the order of the relative importance of those jobs to the war effort as determined by the Manpower Director upon the advice of the appropriate Manpower Priorities Committee.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the State of Utah shall be conducted in accordance with this employment stabilization program.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this employment stabilization program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statement of availability by United States Employment Service.* A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the United States Employment Service when:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(d) The new employee is a male worker over the age of 16.

SEC. 10. *Hiring of workers last employed in certain occupations in lumbering and in mining, milling, smelting and refining activities.* (a) A statement of availability issued to a worker whose last employment is or was in an occupation in activities in which manpower shortages threaten critically needed production shall indicate that the worker has been so employed.

(b) A new employee whose statement of availability indicates that his last employment is or was in an occupation in an activity specified in paragraph (a) may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the USES.

SEC. 11. *Release of soldiers furloughed to non-ferrous metal mines.* Under no circumstances shall statements of availability be issued by employers to former soldiers who have been transferred to the Enlisted Reserve Corps. These workers shall be sent to the local United States Employment Service Office, which if separation from the current employer is justified, will refer them only to eligible employers.

SEC. 12. *Release of workers hired contrary to program.* Any employer shall, upon written request of the United States Employment Service, release from employment any worker whom it has hired contrary to the provisions of this program.

SEC. 13. *Short term employment.* In order to facilitate the employment of individuals during vacation, off-season, or similar short periods, the USES may, upon consent of the worker entitled thereto, issue statements of availability or referral cards containing limitations as to the length of time for which the worker is available for employment. Upon termination of the assigned time limit such workers may be rehired by their former employers.

SEC. 14. *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities or to the hiring of any of their employees, unless such foreign State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 15. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 16. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the names and address of the issuing employer, or War Manpower Commission officer and office, and the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 17. *Retention of statement of availability or referral card by employer.* (Maintenance of records by employer with respect to the hiring of workers) Each employer upon hiring a worker upon presentation of a USES referral card or a statement of availability where referral cards are not necessary, shall retain and file such statement or referral card and shall make them available for inspection upon request of the USES.

When a worker is employed who does not need a referral card or a statement of availability, the employer shall retain a signed statement in his file showing the worker's name, address, last employer, and final employment date of the worker's last employment. This statement shall be retained in the file in lieu of the statement of availability or referral card.

SEC. 18. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

SEC. 19. *Hiring and discharge.* (a) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) In order to obtain the maximum utilization of available manpower, employers engaged in essential or locally needed activities shall refrain from discharging workers except for gross misconduct or incompetency.

SEC. 20. *Continuance on job.* Pending the issuance of a statement of availability or referral card to a worker, he should remain on his job.

SEC. 21. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 22. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 23. *Enforcement of program.* (a) Violations of this program which constitute violations of War Manpower Commission Regulations No. 4 as amended August 16, 1943, issued pursuant to Executive Order 9328, are subject to the penal provisions of the act of October 2, 1942, (Pub. No. 729, 77th Cong.); the provisions of § 4001.10 of the regulations of the Economic Stabilization Director issued October 27, 1942, apply to all wages or salaries paid in violation of Regulation No. 4.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision has not complied with any War Manpower program, regulation, or policy, and for so long as such employer continues his non-compliance after such finding.

(c) The USES of the WMC may deny referral to any employer who the WMC finds, after notice, hearing and final decision, has not complied with any WMC program, policy or regulation and for so long as such employer continues his non-compliance.

(d) Any other appropriate sanctions may be invoked by the WMC against an employer or worker who, after notice, hearing and final decision, has not complied with any WMC program, regulation or policy and for so long as such employer or worker continues his non-compliance after such finding.

SEC. 24. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the State of Utah fair and reasonable employment ceilings and manpower allowances limiting the number of employees or specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual local needs, the available labor supply and/or the relative urgency of the establishment's products or service to the war effort. Except as authorized by the State Manpower Director or his representative, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling on manpower allowance currently applicable to it.

SEC. 25. *Control of migration.*—(a) *Out-migration.* Any resident of the State of Utah wishing to seek employment in any area within the States of Utah, Idaho, Montana and Wyoming in which he has not worked or lived during the preceding 30 day period shall apply to the United States Employment Service nearest his present home or place of employment for a statement of inter-area clearance. Such inter-area clearance statement shall be granted if:

(1) He is entitled to, or is not required to obtain a statement of availability, and

(2) His reasons for wishing to seek employment elsewhere are such as to take precedence over the local need for his services.

(b) *In-migration.* An in-migrant worker may be employed only if:

(1) He has been granted a statement of inter-area clearance or its equivalent by the USES in the area of his last residence or employment, provided that if the in-migrant worker's last place of residence was outside the States of Montana, Utah, Idaho, Colorado, and Wyoming, he may be employed if he presents a statement of availability or evidence that he is not required to obtain one; or

(2) He has been recruited through the clearance system of the United States Employment Service.

SEC. 26. *Effective date.* The Utah Employment Stabilization Program as amended will become effective 12:01 a. m. July 1, 1944.

Dated: July 15, 1944.

JOSEPH S. MAYER,
State Director.

Approved: July 28, 1944.

JOHN E. GROSS,
Acting Regional Director.

[F. R. Doc. 44-12983; Filed, August 26, 1944; 12:43 p. m.]

WYOMING

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Wyoming is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program", effective July 1, 1944 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Encouragement of local initiative and use of existing hiring channels.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statement of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring of workers last employed in certain occupations in lumbering and in mining, milling, smelting and refining activities.
11. Employment ceilings.
12. Control of migration.
13. Release of workers hired contrary to program.
14. Short term employment.
15. Exclusions.
16. Appeals.
17. Content of statements of availability.
18. Retention of statement of availability or referral card by employer.
19. Solicitation of workers.
20. Hiring and discharge.
21. Continuance on job.
22. Representation.
23. General referral policies.
24. Enforcement of program.
25. Effective date.

SECTION 1. *Purpose.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The allocation of the labor supply to production and services most essential in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* For the purpose of the program:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. A list of critical occupations may be obtained from any local office of the United States Employment Service or the War Manpower Commission.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(h) "Employment ceiling" means the highest level of total employment or of specified types of employees which an establishment is not permitted to exceed, based upon an approved and necessary production schedule. Ceilings may be established so as to:

(1) Permit employment expansion,

(2) Maintain employment at present levels, or

(3) Reduce the employment level.

The employment ceiling is subject to change as production schedules change.

(i) "Manpower allowances" means an administrative determination of the number of employees or specified types of employees within the ceiling which an establishment is currently not permitted to exceed and is used as the means for the current allocation and referral of available labor. This manpower allowance is subject to change as supply factors in the labor market may warrant.

(j) "Manpower priority committee" means a group of representatives of Federal procurement services and other Federal manpower claimant agencies who

advise State Directors with respect to priorities service and ceiling adjustments.

(k) "Priority referral" is a program which provides that employers in an area may hire male workers only from among those referred by the United States Employment Service of the War Manpower Commission or in accordance with arrangements approved by the United States Employment Service, so that workers may be referred to jobs in the order of the relative importance of these jobs to the war effort.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the State of Wyoming shall be conducted in accordance with this employment stabilization program.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this Employment Stabilization Program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statement of availability by United States Employment Service.* A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service when:

(a) The new employee is a male worker over the age of 16;

(b) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. *Hiring of workers last employed in certain occupations in lumbering and in mining, milling, smelting and refining activities.* (a) A statement of availability issued to a worker whose last employment is or was in an occupation specified in Appendix A (occupations in activities in which manpower shortages threaten critically needed production) shall indicate that the worker has been so employed.

(b) A new employee whose statement of availability indicates that his last employment is or was in an occupation in an activity specified in paragraph (a) may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangement with the USES.

SEC. 11. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the State of Wyoming fair and reasonable employment ceilings and manpower allowances limiting the number of employees or specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply and/or the relative urgency of the establishment's products or service to the war effort. Except as authorized by the State Manpower Director or his representative, no employer shall hire any new employee for work in such establishments, if the hiring of such an employee would result in such establishhment's exceeding the employment ceiling or manpower allowance currently applicable to it.

SEC. 12. *Control of migration*—(a) *Out-migration.* Any resident of the State of Wyoming wishing to seek employment in any area within the States of Utah, Idaho, Montana, Colorado and Wyoming in which he has not worked or lived during the preceding 30-day period shall apply to the United States Employment Service nearest his present home or place of employment for a statement of inter-area clearance. Such inter-area clearance statement shall be granted if:

(1) He is entitled to, or is not required to obtain, a statement of availability; and

(2) His reasons for wishing to seek employment elsewhere are such as to take precedence over the local need for his services.

(b) *In-migration.* An in-migrant worker may be employed only if:

(1) He has been granted a statement of inter-area clearance or its equivalent by the United States Employment Service in the area of his last residence or employment: *Provided,* That if the in-migrant worker's last place of residence was outside the States of Montana, Utah, Idaho, Colorado and Wyoming, he may be employed if he presents a statement of availability or evidence that he is not required to obtain one; or

(2) He has been recruited through the clearance system of the United States Employment Service.

SEC. 13. *Release of workers hired contrary to program.* Any employer shall, upon written request of the United States Empoyment Service, release from employment any worker whom it has hired contrary to the provisions of this program. Any worker so released shall be issued or denied a statement of availability or referral so far as practicable on the basis of the facts existing when he was improperly hired.

SEC. 14. *Short term employment.* In order to facilitate the employment of individuals during vacation, off-season, or similar short periods, the United States Employment Service may, upon consent of the worker entitled thereto, issue statements of availability or referral cards containing limitations as to the length of time for which the worker is available for employment. Upon ter-

mination of the assigned time limit, such workers may be rehired by their former employers.

SEC. 15. *Exclusions.* No provision of the Employment Stabilization Program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for a specific job predetermined to last less than seven days, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program, unless the employee is customarily engaged in work or less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, country or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum exent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 16. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the Employment Stabilization Program in accordance with regulations and procedures of the War Manpower Commission.

SEC. 17. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statement of availability forms are available at each office of the United States Employment Service.

SEC. 18. *Retention of statement of availability or referral card by employer.* Each employer upon hiring a worker upon presentation of a United States Employment Service referral card or a statement of availability where referral cards are not necessary, shall retain and file such statement or referral card and shall make them available for inspection upon request of the United States Employment Service.

When a worker is employed who does not need a referral card or a statement of availability, the employer shall retain a signed statement in his file showing the worker's name, address, last employer and final employment date of the worker's last employment. This statement shall be retained in the file in lieu of the statement of availability or referral card.

SEC. 19. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program except in a manner consistent with such restrictions.

SEC. 20. *Hiring and discharge.* (a) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) In order to obtain the maximum utilization of available manpower, employers engaged in essential or locally needed activities shall refrain from discharging workers except for gross misconduct; *Provided*, That insofar as it will not interfere with the effective prosecution of the war, no employer shall be expected to retain in his employment, a worker who is incompetent or who fails to conform to reasonable shop rules or standards of conduct.

SEC. 21. *Continuance on job.* Pending the issuance of a statement of availability or referral card to a worker, he should remain on his job.

SEC. 22. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 23. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 24. *Enforcement of program.* (a) Violations of this program which constitute violations of War Manpower Commission Regulations No. 4 as amended August 16, 1943, issued pursuant to Executive Order 9328, are subject to the penal provisions of the act of October 2, 1942, (Pub. No. 729, 77th Cong.); the provisions of § 4001.10 of the Regulations of the Economic Stabilization Director issued October 27, 1942, apply to all wages or salaries paid in violation of Regulation No. 4.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower program, regulation, or policy, and for so long as such employer continues his non-compliance after such finding.

(c) The United States Employment Service of the War Manpower Commission may deny referral to any employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission program, policy or regulation and for so long as such employer continues his non-compliance.

(d) Any other appropriate sanctions may be invoked by the WMC against an employer or worker who, after notice, hearing and final decision, has not complied with any WMC program, regulation or policy and for so long as such employer or worker continues his non-compliance after such finding.

SEC. 25. This program as amended shall become effective 12:01 a. m., July 1, 1944.

JAMES W. MORGAN,
Director.

Approved by:

JOHN E. GROSS,
Acting Regional Director.

APPENDIX A—OCCUPATIONS IN LUMBERING AND MINING, MILLING, SMELTING, AND REFINING ACTIVITIES

1. All production and maintenance occupations in the following activities:

(a) Mining, dressing and beneficiating (milling) of all minerals, with the exception of coal and the precious metals:

(b) Removal of overburden, sinking of shafts, development of new ore bodies and similar services performed preparatory to the mining of the minerals specified above;

(c) Prospecting and exploration activities, in connection with the development of the minerals specified above, carried on in accordance with an authorization of or with the aid of a governmental agency, or as a substantial organized and responsible pursuit under a bona fide contract or authorization;

(d) Primary smelting and refining of the minerals specified above.

2. All production and maintenance occupations in coal mining.

3. All production and maintenance occupations in the following activities:

(a) All logging operations, irrespective of whether such operations are conducted by logging contractors or are carried on in combination with the operation of sawmills or pulp mills;

(b) All operations of sawmills, including the operations of box factories operated in conjunction with sawmills at the same plant site, but excluding sawmills carried on primarily in conjunction with pulp mills, shingle mills, match block and match plank operations, cooperage stock mills, cooperage establishments, and furniture establishments;

(c) All operations of planing mills engaged primarily in the production of dressed lumber, but excluding planning mills primarily engaged in the production of finished mill products such as shingles, doors, sashes, window frames, match blocks, and match planks, and similar products;

(d) Veneer mill operations, including all activities incident to the production of veneer;

(e) Plywood mill operations, including all activities incident to the production of plywood;

The term "production and maintenance occupations" includes all engineering, technical, supervisory, service, and clerical occupations required in connection with the

production and maintenance operations in the activities specified above. The term does not include occupations carried on in administrative offices removed from the site of productive operations.

[F. R. Doc. 44-12904; Filed, August 26, 1944; 12:42 p. m.]

WAR PRODUCTION BOARD.

[Certificate 118, Revocation]

Ice Delivery in Toledo, Ohio, Area

Approval of Joint Action Plan

The Attorney General.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw my certificate and finding dated August 24, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of ice in Toledo, Ohio, and nearby towns in Ohio and Michigan.

Donald M. Nelson,
Chairman.

August 21, 1944.

[F. R. Doc. 44-12941; Filed, August 26, 1944; 11:25 a. m.]

[Consent Order C-909]

Al Green

Abraham Greenberg, also known as Al Green, of Alexandria, Louisiana, is charged by the War Production Board with having begun and carried on the construction of a residence and a 2-story garage on Lot 18 of the Maddox Subdivision Extension, being a part of Lots 16 and 18 of the Willow Glen Subdivision in Rapides Parish, Louisiana, on or about April 3, 1944, without securing approval from the War Production Board, in wilful violation of Conservation Order L-41. These structures are incomplete. However, materials and labor used to date represent an expenditure of approximately $5,000.

Abraham Greenberg, also known as Al Green, admits that he knew that approval of the War Production Board was necessary before beginning construction and that, nevertheless, construction of the above described structures was begun and carried on without such approval, and he has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Abraham Greenberg, also known as Al Green, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Abraham Greenberg, also known as Al Green, and his successors or assigns, nor any other person shall do any construction on the property described as Lot No. 18 of the Maddox Subdivision Extension, being a part of Lots Nos. 16 and 18 of the Willow Glen Subdivision in Rapides Parish, Louisiana, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Abraham Greenberg, also known as Al Green, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 26th day of August 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-13006; Filed, August 26, 1944; 4:20 p. m.]

SEP 1 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 173

Washington, Wednesday, August 30, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 29, Amdt. 4 of Partial Suspension]

PART 1460—FATS AND OILS

USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

The order, as amended (8 F.R. 12255, 16353, 9 F.R. 2816, 6009), partially suspending War Food Order No. 29, is amended to read as follows:

Unless otherwise ordered by the Director of Distribution, the restrictions of (b) of War Food Order No. 29, as amended (8 F.R. 15561, 9 F.R. 651, 3252, 4319), shall not apply to the delivery of crude oil by any person to a refiner, or to the acceptance of delivery of crude oil by a refiner, where such delivery or acceptance of delivery occurs during the period from October 1, 1943, to December 31, 1944, both inclusive.

This amendment shall become effective at 12:01 a. m., e. w. t., August 30th 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-12958; Filed, August 28, 1944; 12:28 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 24]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING APPLES IN CERTAIN WASHINGTON COUNTIES

§ 1111.7 *Wages of workers engaged in picking apples in the Counties of Chelan, Douglas, and Okanogan, Washington.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and class of workers.* Persons engaged in picking apples in the Counties of Chelan, Douglas, and Okanogan, State of Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Definitions.* When used in this specific wage ceiling regulation, the term "picking" means the removal of apples from trees and placing them in boxes furnished by the producer.

(c) *Wage rates; maximum wage rates for picking apples.*

Piece rate, 10 cents per box of 35 pounds.

(d) *Administration.* The Washington WPA Wage Board located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(e) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 24 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this specific

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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wage ceiling regulation No. 24 and any violation of this specific wage ceiling regulation No. 24 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; as amended by Pubic Law 383, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 28th day of August 1944.

PHILIP BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44–13065; Filed, August 29, 1944; 11:23 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Order 20]

PART 602—GENERAL ORDERS AND DIRECTIVES

DISCONTINUANCE OF FILING OF CONSUMER DECLARATIONS IN DESIGNATED COUNTIES IN OHIO

The Area Distribution Manager at Cincinnati, Ohio, has recommended that Local Adjustment No. 1, as amended, issued pursuant to Solid Fuels Administration for War Regulation No. 21 be revoked.

After considering this recommendation and retail dealer distribution conditions in the counties of Butler, Warren, Hamilton, Clermont, Brown and Adams in the State of Ohio, I have decided that the filing of consumer declarations with retail dealers in those counties is no longer necessary and should be discontinued. Accordingly, pursuant to Executive Order No. 9332, *It is hereby ordered:*

Local Adjustment No. 1, as amended, issued pursuant to Solid Fuels Administration for War Regulation No. 21 is hereby revoked, *Provided, however,* That civil or criminal liabilities resulting from violation of Local Adjustment No. 1, as amended, shall not be affected by this order.

This order shall become effective immediately.

Issued this 28th day of August 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44–13067; Filed, August 29, 1944; 10:20 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[Gen. License 32A, Amdt.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FOREIGN FUNDS CONTROL; REMITTANCES FOR LIVING EXPENSES IN LIBERATED AREAS

AUGUST 29, 1944.

Amendment to General License No. 32A under Executive Order No. 8389, as amended, Executive Order No. 9193, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 32A (9 F.R. 3489) is hereby amended in the following respects:

1. Section 131.32a (a) is amended to read as follows:

§ 131.32a *General License No. 32A*—(a) *Certain remittances to specified liberated areas for living expenses authorized.* A general license is hereby granted authorizing remittances by any individual through any domestic bank to any individual within the liberated areas specified in paragraph (h) of this general license, and any domestic bank is authorized to effect such remittances, provided the following terms and conditions are complied with:

(1) Such remittances are made only for the necessary living expenses of the payee and his household and do not exceed $500 in any one calendar month to any one household;

(2) Such remittances are not made from a blocked account other than from an account in a banking institution within the United States in the name of, or in which the beneficial interest is held by, a citizen of the United States who is the payee or a member of his household; and

(3) Such remittances are effected only by the payment of the dollar amount of the remittance to a domestic bank for credit:

(i) When the remittance is to any individual within the area specified in paragraph (h) (1) hereof, to a postliberation blocked account in the name of "Bank of Sicily, Account AF".

(ii) When the remittance is to any individual within the area specified in paragraph (h) (2) hereof, to a postliberation blocked account in the name of "Bank of Naples, Account AF".

2. Paragraph (h) (2) is amended to read as follows:

(2) Sardinia and the following provinces of Italy: Cosenza, Reggio Calabria, Potenza, Foggia, Bari, Brindisi, Catanzaro, Matera, Avellino, Taranto, Lecce, Naples, Salerno, Benevento, Rome, Littoria, Frosinone, and Campobasso.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regs. Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–13041; Filed, August 28, 1944; 12:26 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 214]

PART 801—GENERAL REGULATIONS

PART 804—INDIVIDUAL LICENSES

MISCELLANEOUS AMENDMENTS

In the column headed "Commodity" in § 801.2 *Prohibited exportations* the commodity descriptions "Brake blocks, asbestos, molded and semi-molded" and "Brake blocks, not molded" wherever they may appear in said section are amended to read "Brake blocks, molded and semi-molded" and "Brake blocks, woven" respectively.

Paragraph (c) of § 804.2 *Applications for licenses* is hereby amended by deleting from group number 132 the commodities and Schedule B numbers assigned thereto and inserting in lieu thereof the following:

Commodity and Schedule B No.	
132. Automotive replacement parts and accessories, except bus bodies and parts including starting, lighting and ignition equipment; copper cables; high tension wire in lengths not exceeding 100 feet; bolts, machine screws, nuts, rivets and washers; brake blocks, woven; brake linings, not molded; clutch facings, woven; and carbon brushes and stock when such items are to be used solely as automotive repair and replacement parts.	7223.08 thru 7227.00, 7092.00, 6425.00, 6430.00, 6435.00, 8090.00, 8459.05, 8457.00, 8458.30, 8474.01.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 26, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44–13040; Filed, August 28, 1944; 12:15 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24, Amdt. 1]

PURCHASE OF MACHINE TOOLS, MANUFACTURING MACHINERY, AND SIMILAR EQUIPMENT NEEDED FOR CIVILIAN PRODUCTION

Section 944.45 *Priorities Regulation 24* is hereby amended as follows:

1. The last sentence of paragraph (b) is hereby amended to read as follows: "However, the approval of the War Production Board must be obtained, as explained in paragraph (c), before the unrated purchase order is placed".

2. Paragraphs (b) (1) and (b) (2) are hereby revoked, and the following note should be inserted at the end of the new paragraph (b).

NOTE: Former paragraph (b) (1) now appears as the last sentence of paragraph (b). Paragraph (b) (2) was revoked August 28, 1944.

Issued this 28th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13043; Filed, August 26, 1944; 4:22 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 55]

RESTRICTIONS ON USE OF CARDED COTTON YARNS IN THE MANUFACTURE OF COPPER WIRE AND CABLE

The following direction is issued pursuant to CMP Reg. 1:

(a) Pursuant to paragraph (t) of CMP Regulation No. 1, wire mills are hereby directed not to use, after September 18, 1944, 14/1, 30/2 or finer two ply carded cotton yarns in the production of the types of wires and cables listed below:

Type F cords	Type RF fixture wire	Annunciator wire.
Type PD cords	Type FF fixture wire	Office wire.
Type FO cords	Type CF fixture wire	Inside telephone wire.
Type C cords	Type CFC fixture wire	
Type K cords	Type CFPO fixture wire	
Type PWP cords	Type CFPD fixture wire	
Type HPD cords	Type AF fixture wire	
Type HC cords	Type AFC fixture wire	
Type X cords	Type AFPO fixture wire	
Type CX cords	Type AFPD fixture wire	

(b) Address all communications concerning this direction to the Wire Mill Branch of the Copper Division, Washington 25, D. C.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13102; Filed, August 29, 1944; 11:51 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-336 as Amended Aug. 29, 1944]

PAPER CUPS AND PAPER FOOD CONTAINERS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of paper cups and paper food containers and the material used in their manufacture, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Definitions

§ 3270.61 *Limitation Order L-336*—(a) *Definitions.* For the purpose of this order:

(1) "Paper cups and paper food containers" means all empty .open nested paper cups and round nested paper food containers with or without lids. The term does not include flat envelope types of cup, wedge-shaped food pails or nested paper plates.

(2) "In-plant feeding" means the serving of food, drink or refreshments on the premises of a plant, business activity, governmental agency or institution to its employees when the food or drink is prepared on the premises of the plant, business activity, governmental agency or institution or when the food, or drink prepared in bulk (such as coffee or soup), is brought to the plant, business activity, governmental agency or institution and served in paper cups or paper food containers on the premises. It shall also include the serving of food, drink and refreshments by (i) military exchanges and service departments, (ii) hospitals serving their patients, (iii) service welfare organizations such as USO, Red Cross, etc., (iv) persons engaged in serving passengers in trains and in planes, and (v) educational institutions in serving their students. In-plant feeding includes the serving of food, drink and refreshments between meals as well as at meal-time. For instance, the use of paper cups for drinking water is included within the meaning of the term.

(3) "A caterer or concessionaire" means a person who has an agreement with an operator of a plant, business activity, governmental agency or institution to regularly provide in-plant feeding for its employees, and who prepares his food or drink on the premises of the plant, or brings his food, or drink prepared in bulk (such as coffee or soup), to the plant and serves it on the premises. It does not include persons supplying drink or refreshments in paper cups or paper food containers from outside the plant.

(4) "Hot drink cup" means any unwaxed tall cup, double-wrapped, or single-wrapped of comparable weight, which is suitable for dispensing hot liquids.

(5) "Cold drink cup" means any one or two-piece waxed cup of six-ounce size or larger.

(6) "Military exchanges and service departments" means U. S. Army and Marine Corps Post Exchanges; U. S. Navy and Coast Guard Ship's Service Departments; War Shipping Administration Training Organization Ship's Service activities.

General Restrictions

(b) *Prohibitions.* (1) No manufacturer shall make packages of cups for retail sales.

(2) No person shall sell or deliver the following types of paper cups if he knows or has reason to believe that they will be used for the purposes stated:

(i) Paper cups for retail sales. This restriction shall not apply to stocks of paper cups made up for retail sales which were on hand on January 29, 1944.

(ii) Hot drink cups for any purpose other than military or in-plant feeding.

(iii) Paper cups for serving beverages out of individual paper, glass or metal containers (except for in-train feeding).

(iv) Portion control cups for retail sales or for party favors.

(3) No person shall commercially use paper cups to serve beverages out of individual paper, glass or metal containers. This restriction shall not apply to users' stocks on hand on January 29, 1944, or to in-train feeding.

(c) *Quantity limitation of hot drink cups.* No person shall commercially use more hot drink cups in any month than 80% of his average monthly consumption during the months of January through March 1944. This provision does not apply to the Army, Navy, military exchanges or service departments. However, the War Production Board may authorize a quota to a person who does not have one or an increase in quota, where there has been an increase in the number of production workers, installation of new in-plant feeding facilities, or where such action appears justified from the facts presented. Application for authorization of a quota to a person who does not have one or an increase in quota may be made by letter to the appropriate field office of the War Production Board.

(d) *Inventory.* No user shall accept delivery of, or have set aside or held by any person for his account any paper cups and paper food containers which will increase his inventory of any size and type to more than his reasonably anticipated requirements for the ensuing thirty days, subject to the following exceptions:

1. A user may accept the minimum commercial packing case quantity whenever his inventory is less than a thirty-days' supply.

2. A user whose purchase orders during 1943 for a particular kind of paper cup or paper food container printed specially for him averaged less than 25,000 in number, may accept that kind of printed paper cup or paper food container in quantities equal to the average order for it placed by him during 1943, provided he has on hand less than a two months' supply.

Restriction on Manufacturers

(e) *Maintenance of production of hot drink cups and flat bottom cold drink cups.* To meet the requirements of the armed forces and in-plant feeding operations, manufacturers of hot drink cups and flat bottom cold drink cups shall maintain a rate of monthly production of these items equivalent to the highest monthly production attained during 1943 and the first quarter of 1944 to the extent permitted by Paragraph (f) and subject to contingencies beyond his control.

(f) *Restrictions on tonnage of paper and paperboard to be processed.* No person shall, unless specifically authorized by the War Production Board, accept more paper and paperboard for the manufacture of paper cups and paper food containers in the second and third quarters of 1944 combined than 200% of the tonnage of paper and paperboard that he used for that purpose in the fourth quarter of 1943. No person shall, unless specifically authorized by the War Production Board, accept more paper and paperboard for the manufacture of paper cups and paper food containers in any calendar quarter beginning October 1, 1944 than his quota for the fourth quarter of 1944 and for each succeeding quarter, until the War Production Board determines otherwise, is 100% of the tonnage of paper and paperboard that he used for the manufacture of paper cups and paper food containers in the fourth quarter of 1943. A change in these quotas may be made necessary by a change in the amount of pulp which may be allocated to the entire industry for any quarter.

Restrictions on Distribution

(g) *Distribution of production between military and civilian requirements.* (1) Regardless of preference ratings, each manufacturer of paper cups must set aside the following percentage of his production of paper cups in each month beginning with July 1944, for delivery to the Army and the Navy (excluding domestic military exchanges and service departments but including those located outside the continental United States) on orders received from them before the 15th of the preceding month:

17% of his monthly production of 6 to 9 oz. hot drink cups but not more than 60% of these shall be of any one size.

45% of his monthly production of 6 to 10 oz. flat bottom cold drink cups but not more than 60% of these shall be of any one size.

80% of his monthly production of 12 to 24 oz. flat bottom cold drink cups.

If he has not received orders from the Army or Navy by the 15th of the preceding month for the full amount of the set-aside, he may release any surplus for delivery on orders as specified below. He shall make up his set-aside of flat bottom cold drink cups within each of the two size groupings specified above from sizes in accordance with orders placed by the Army and Navy. Set-asides under this paragraph shall be computed on the basis of the number of cups.

The balance of each manufacturer's monthly production of hot drink cups and flat bottom cold drink cups shall be used exclusively to fill non-military orders and orders from domestic military exchanges and service departments in accordance with Priorities Regulation No. 1 and the provisions of this order.

(2) Any distributor who delivers hot drink cups or flat bottom cold drink cups to the Army or Navy including military exchanges and service departments outside continental United States shall notify the manufacturer who supplied him with the cups, giving the contract or purchase order number, and the cups so sold shall be deducted from the set-aside for the following month by the manufacturer. No manufacturer shall make any deduction from the military set-aside because of deliveries made by a distributor unless he receives the above information from the distributor.

Use of Preference Ratings

(h) *Assignment of ratings.* Any person may use the blanket MRO rating assigned to him by any regulation of the War Production Board (including CMP Regulation No. 5, CMP Regulation No. 5A and orders in the P or U series to buy paper cups and paper food containers for in-plant feeding, subject to the restrictions contained in this order.

(i) *Use of rating by caterer.* A caterer or concessionaire may use his customer's blanket MRO rating to buy paper cups and paper food containers for use in providing in-plant feeding to employees of the customer.

(j) *Ratings on application.* Preference ratings for users not included above and preference ratings differing from those assigned may be assigned on application by any person on Form WPB-541 (formerly PD-1A). The assignment of a rating to an applicant on this form will permit him to use that rating to get only the specific quantities and items authorized. This application shall be filed with the appropriate field office, and shall be given consideration on the basis of the requirements for extreme emergencies in in-plant feeding operations, disaster and blood donor feeding by the Red Cross or operating supplies for industrial plants.

(k) *Application and extension of ratings.* The ratings assigned pursuant to or permitted to be used by this order may be applied or extended in accordance with Priorities Regulation No. 3. Ratings applied or extended to get paper cups or paper food containers may not be extended to obtain materials for use in their manufacture.

(l) *Equipment for use of chinaware.* No person may use his blanket MRO rating to purchase paper cups or paper food containers for the serving of hot food or beverages if such person is equipped to use chinaware or other containers. In the event that such equipment can only serve a portion of his needs, he may use his MRO rating to order only the quantity of paper cups or paper food containers required in excess of such equipment.

(m) *Paper cups for packaging purposes.* Attention is called to the fact that persons buying paper cups and paper food containers for use in packaging food or other products for shipment or delivery are not permitted to use blanket MRO ratings for this purpose. Persons engaged in in-plant feeding operations also may not use their blanket MRO ratings to buy paper cups and paper food containers which are to be sent to a food packer to be filled and returned to the plant for in-plant feeding.

Miscellaneous

(n) *Appeals.* Appeals from Order L-336 shall be filed by addressing a letter to the appropriate field office of the War Production Board.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provisions appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(o) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(p) *Communications.* All inquiries relating to this order other than requests for authorization or appeals shall be addressed to War Production Board, Containers Division, Washington 25, D. C., reference Order L-336.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13117; Filed, August 29, 1944; 11:53 a. m.]

PART 3287—GOVERNMENT SERVICES

[Limitation Order L-286, as Amended Aug. 25, 1944, Amdt. 1]

AMMUNITION

Section 3287.21 *Limitation Order L-286* is hereby amended in the following respects:

1. By striking out "Note: Item 1 of list amended August 25, 1943." and the list of calibers and gauges appearing in paragraph (a) (5) and substituting the following:

NOTE: This list amended August 29, 1944.

.22 caliber rim fire.	.32–20 caliber.
.22 Hornet caliber.	.348 caliber.
.22 caliber High Power.	.35 caliber.
.220 Swift caliber.	.351 caliber.
.25–20 caliber.	.357 Magnum caliber.
.25–35 caliber.	.38 caliber.
.250–3000 caliber.	.380 caliber.
.257 Roberts caliber.	.38–40 caliber.
.30–06 caliber.	.44–40 caliber.
.30–30 caliber.	.45 caliber.
.30–40 Krag caliber.	10-gauge.
.300 caliber (except .300 H & H Magnum).	12-gauge.
.30 caliber.	16-gauge.
.303 caliber.	20-gauge.
.32 caliber.	28-gauge.
	410-gauge.

2. By changing the reference in paragraph (b) (4) from "paragraph (c)" to "paragraph (d)".

3. By striking out paragraph (b) (6) and substituting the following:

NOTE: Paragraph (b) (6) allowing sales from certain stocks in the hands of dealers on August 25, 1943, was taken out of the order by the amendment of August 29, 1944.

4. By striking out all of the present paragraph (c), including all four certificate forms; by inserting in its place, and re-designating it as paragraph (c), the present paragraph (d), making in it the following change:

Strike out "Form PD-860" and substitute "Form WPB-2682 (formerly PD-860)".

5. By inserting a new paragraph (d) as follows:

(d) *Certificate.* Before buying or accepting delivery of any ammunition under paragraph (b) (4) of this order, a purchaser must sign and deliver to the seller a certificate in substantially the form set out below (The standard certificate in Priorities Regulation 7 may be used instead, provided the address of the purchaser is included). The seller shall be entitled to rely on it unless he knows or has reason to know it is false. The certificate records may be handled in either or both of these ways: the purchaser may sign and deliver to the seller a separate certificate with his purchase,

or the seller may simply write out the certificate one time at the top of a paper and have the purchasers sign one after the other below the certificate. In either case the purchaser must sign and give his address.

CERTIFICATE

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the U. S. Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order and to receive the item(s) ordered for the purpose for which ordered.

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Purchaser Address

6. By changing the word "Governmental" in paragraph (e) (6) to "Government".

7. By making the following changes in Schedule A appearing at the end of the order:

(i) By changing the note appearing at the top of Schedule A from "Note: Paragraphs (1) and (4) amended August 25, 1943," to "Note: Paragraph (4) amended August 29, 1944."

(ii) By striking out all of paragraph (4) and substituting the following:

(4) To any farmer or rancher for protection of crops and livestock, or for hunting, or both:

100 rounds of .22 caliber rim fire cartridges.
40 rounds of center fire rifle ammunition (or 50 rounds of the kind ordinarily packaged fifty to the box, such as .25–20, .32–20, .22 Hornet, .38–40 and .44–40).
25 rounds of shotgun shells of any gauge.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13104; Filed, August 29, 1944; 11:50 a. m.]

PART 3287—GOVERNMENT SERVICES

[Supplementary Limitation Order L-286-b]

AMMUNITION

§ 3287.23 *Supplementary Limitation Order L-286-b*—(a) *Purpose.* In order to protect crops and livestock and to increase the food supply, this order permits all persons, including farmers and ranchers, to get special and additional quotas of ammunition to shoot predators and to hunt game.

(b) From now through December 31, 1944, a manufacturer, supplier or dealer may sell and deliver to any person for protection of crops and livestock, or for hunting, or both, upon receipt of a certificate as provided in paragraph (f), and any person may buy and accept delivery for those purposes, not more than:

150 rounds of .22 caliber rim fire cartridges.
40 rounds of center fire rifle ammunition (or 50 rounds of the kind ordinarily packaged fifty to the box, such as .25–20, .32–20, .22 Hornet, .38–40 and .44–40).
100 rounds of shotgun shells of any gauge.

(c) *Farmers and ranchers.* It is the intent of this order to let farmers and ranchers get this special quota of ammunition during the rest of 1944 but not to get more than that. If a farmer or rancher gets any of this special quota of ammunition, he may not get any more of his regular quarterly quotas of ammunition under Limitation Order 286 before January 1, 1945. If a farmer or a rancher gets any of his regular quarterly quotas of ammunition under Limitation Order 286 after August 29, 1944 and before January 1, 1945, he must charge it against this special quota and get only what is left of this special quota. He does not have to charge against this special quota any of his regular quarterly quotas of ammunition that he has actually received before August 29, 1944.

(d) *What does not have to be charged against this special quota.* A person does not have to charge against this special quota any ammunition that he gets or has gotten under specific authorization by the War Production Board on Form WPB–2682 or the old Form PD–360.

(e) *How this ammunition may be bought.* A person does not have to buy all of his special quota at one time. He may do so, but instead he may get parts of it from time to time before January 1, 1945, as long as he signs for it each time and, counting what he has already bought and what he is buying, never goes over his quota.

(f) *Certificate.* Before buying or accepting delivery of any ammunition under this supplementary order, a person must sign and deliver to the seller a certificate in substantially the form set out below (The standard certificate in Priorities Regulation 7 may be used instead provided the address of the purchaser is included). The seller shall be entitled to rely on it unless he knows or has reason to know it is false. The certificate records may be handled in either or both of these ways: the purchaser may sign and deliver to the seller a separate certificate with his purchase or the seller may simply write out the certificate one time at the top of a paper and have the purchasers sign one after the other below the certificate. In either case the purchaser must sign and give his address.

CERTIFICATE

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the U. S. Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order and to receive the item(s) ordered for the purpose for which ordered.

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Purchaser Address

(g) *Applicability of regulations.* This supplementary order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time. Particular attention is called to the record-keeping requirements in Priorities Regulation 1.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13103; Filed, August 29, 1944; 11:50 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-23-c, as Amended August 29, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of domestic cooking appliances and domestic heating stoves for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.66 *Limitation Order L-23-c*—(a) *Definitions.* For the purpose of this order:

(1) "Domestic cooking appliances" means the following non-electric appliances: Gas ranges, cook stoves and hot plates for household use; coal and wood ranges and cook stoves for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating, radiant and portable heaters; trailer and caboose stoves; and laundry stoves (except water jacketed and permanently built-in coil types). Domestic heating stoves shall not include floor or wall furnaces.

(3) "Stove" means any domestic cooking appliance or domestic heating stove.

(4) "Accessories" means aprons, high closets, high shelves, clocks, lights, timers, broilers not using the oven burner, broiler pans other than iron, steel or aluminum, cover-alls and any other instruments, attachments, or appurtenances (except top-burner lighters, thermostats, thermometers, top work space and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: Top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal in the unit.

(6) "Base period" means the twelve month period from July 1, 1940 to June 30, 1941.

(b) *General restrictions on production.* (1) [Deleted Aug. 29, 1944.]

(2) No person shall manufacture, fabricate or assemble any stove except to the extent authorized by the War Production Board on Form GA-1850. (Application for authorization should be made in accordance with paragraph (b) (3)). The War Production Board will authorize limited production quotas so that the aggregate production of each type of stove will not exceed the percentage of the base period production specified in Schedule A. Production will not be authorized in any plant where such production, or labor requirements therefor, will interfere with war production in that plant, or in any other plant located in the same area.

(3) A person wishing to make stoves under paragraph (b) (2), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-23-c. This letter should state the proposed production in units of each model per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on form CMP-4B for the controlled materials.

(c) *Special restrictions on production.* In addition to the restrictions contained in paragraph (b), all of the following special restrictions must also be complied with:

(1) [Deleted Aug. 29, 1944.]

(2) No person shall manufacture, fabricate or assemble any accessories or incorporate them into any stove except that those non-electric accessories, not including cover-alls, which were in his stock in a completely assembled and finished condition on June 7, 1944, may be used in the production of stoves.

(3) No thermostats for use with stoves shall be produced.

(4) [Deleted Aug. 29, 1944.]

(5) No person shall use any "bright work", "bright finish", metal finish or trim containing copper, nickel or chrome in the production of stoves.

(d) *Exceptions.* (1) The restrictions of this order do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a practicable minimum working inventory.

(2) [Deleted Aug. 29, 1944.]

(3) [Deleted Aug. 29, 1944.]

(e) *Reports.* Manufacturers of stoves shall report on or before the tenth day of each month on Form WPB-3249. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture, fabricate or assemble more stoves than he has been authorized to make on Form GA-1850 (including a person who has no authorization) may apply for permission to do so under Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires. Application may also be made under Priorities Regulation 25 by any person for permission to manufacture, fabricate or assemble any accessories or to produce thermostats for use with stoves. Accessories made under Priorities Regulation 25 authorization may be assembled or incorporated into stoves.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (2), (c) (2) or (c) (3), should be filed on Form WPB-1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeals should be filed from the restrictions of paragraphs (b) (2), (c) (2) or (c) (3).

(i) *Communications.* All communications concerning this order, except appeals, shall unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-23-c.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

	Percentage of total unit production by all producers in the base period (July 1, 1940 to June 30, 1941)
Domestic cooking appliances:	
1. Gas ranges and cook stoves	40
2. Combination, bungalow and kitchen heater ranges	40
3. Coal and wood ranges and cook stoves	100
4. Fuel oil ranges and cook stoves	40
5. Gas hot plates	75
6. Portable and drum ovens	75
Domestic heating stoves:	
1. Gas fired heaters	75
2. Oil fired heaters	40
3. Coal and wood heaters	100
4. Coal and wood laundry stoves	100

SCHEDULE B: Deleted Aug. 29, 1944.

INTERPRETATION 1: Superseded June 7, 1944.

INTERPRETATION 3

CHROMIUM PLATING FOR REFLECTOR PLATES

The restrictions contained in paragraph (c) (5) do not prohibit the use of chromium plated steel for heat reflectors as a functional part of radiant heaters, where no suitable substitute material has been found and where the use of such reflectors is necessary to avoid high floor temperature and to decrease fire hazard. [Issued July 12, 1944.]

[F. R. Doc. 44-13106; Filed, August 29, 1944; 11:50 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-23-c, Revocation of Interpretation 2]

CHANGES IN STOVE MODELS

Interpretation 2 to Limitation Order L-23-c is hereby revoked.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13107; Filed, August 29, 1944; 11:50 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-74, as Amended Aug. 29, 1944]

OIL BURNERS

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of oil burners for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.71 *General Limitation Order L-74*—(a) *Definitions.* For the purpose of this order:

(1) "Oil burner" means any device which is designed for burning fuel oil for furnishing heat. It includes, but is not limited to the following types:

(i) Mechanical, steam or air atomizer oil burner.

(ii) Vertical or horizontal rotary oil burner.

(iii) Mechanical vaporizing oil burner.

(iv) Pot type vaporizing oil burner.

It shall include any oil burner for any boiler burner unit or for any furnace burner unit, any oil burner used as part of any water heater and any combination oil and gas burner, but does not include any oil burner used as a part of any domestic cooking appliance or of any domestic heating stove as defined in L–23–c, or any oil burner used in connection with any locomotive scheduled under L–97, or any oil burner used as a part of any commercial cooking and food and plate warming equipment as defined in L–182.

(2) "Class A oil burner" means any oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 5, No. 6 or heavier fuel oil, or which regardless of what grade fuel oil it burns, is designed or manufactured specifically for shipboard use or for heat processing. An oil burner will be considered as designed or manufactured specifically for heat processing if it is produced for use in connection with devices intended for the application of heat for purposes other than for space heating or hot water supply systems. Heat processing will, therefore, include, but is not limited to rendering sea water drinkable, melting tar or asphalt for road or roof use, dehydrating milk, sterilizing, and the like.

(3) "Class B oil burner" means any oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 1 (except a Class C oil burner), No. 2, No. 3, or No. 4 fuel oil, but does not include any oil burner designed or manufactured specifically for shipboard use or for heat processing.

(4) "Class C oil burner" means any pot type vaporizing oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 1 fuel oil, but does not include any oil burner designed or manufactured specifically for shipboard use or for heat processing.

(5) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including Numbers 1, 2, 3, 4, 5, and 6, bunker C, diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum product used for the same purposes as the above designated grades.

(6) "Replacement" means replacement of any oil burner by another oil burner.

(7) "New installation" includes an oil burner installed in a new heating plant or an oil burner installed as a conversion from any other fuel.

(8) "Producer" means any person who manufactures, fabricates or assembles oil burners.

(b) *Restrictions on producers of Class B oil burners.* No producer shall manufacture or assemble a Class B oil burner or deliver such a burner either assembled or in sets of parts except to fill an order already received, which has been approved on Form WPB–1319. He may produce or assemble such burners only to the extent necessary to fill orders on hand which he cannot fill from his inventory of completely assembled burners. Any person who wants to buy a Class B oil burner from a producer should file Form WPB–1319 in triplicate with the War Production Board, Plumbing and Heating Division, Washington 25, D. C.

(c) *Restrictions on delivery of Class B oil burners for installation; restrictions on installation.* No dealer or distributor may deliver a Class B oil burner for installation, either assembled or in sets of parts, and no person may install a Class B oil burner, except as follows:

(1) *Replacement.* A dealer may deliver any Class B oil burner from his stock for installation as a replacement, and the installation may be made, if the owner of the premises has applied for and obtained the approval of the appropriate War Production Board District office on Form WPB 1319. The dealer may deliver and the installation may be made without approval from any source, if the burner to be replaced is over ten years old, or has actually broken down and is beyond repair during the season in which it is in use. No installation may be made for replacement unless the installer arranges to have the old burner scrapped or dismantled, but this requirement does not mean that the installer is entitled to take the old burner without the owner's consent or without crediting him with its value.

(2) *New installations.* Any person may deliver a Class B burner from a dealer's inventory for a new installation if the Petroleum Administration for War has specifically approved in writing the delivery of fuel oil for a Class B oil burner on the premises in question.[1] The authorization of a local War Price and Rationing Board to accept delivery of fuel oil will not be sufficient.

(3) *Food processing installations.* Any person may deliver a Class B burner from a dealer's inventory for use in raising and preparing crops, poultry, livestock and other agricultural products for market.

(4) *Bureaus assembled in other products.* If the War Production Board has approved the delivery of a Class B oil burner on Form WPB–1319 for physical incorporation in or assembly with another product, such as a water heater, further authority under this order is not required for delivery of the assembled unit, but the restrictions of L–79 (prohibiting delivery except to fill a rated order) must be complied with.

(5) *Sales to dealers.* Any dealer or distributor may sell or deliver any Class B oil burner to another dealer or distributor for resale.

(6) *Oversea shipment.* Any dealer or distributor may deliver a Class B burner to fill a rated order for shipment to a foreign country or a territory or overseas possession of the United States.

(d) Restrictions on sale of Class A and Class C oil burners:

(1) Class A oil burners may be delivered only on orders bearing a preference rating of AA–5 or higher. (In case of a new installation in the continental United States, application for preference rating must be accompanied by copy of authorization from the Petroleum Administration for War, permitting the delivery of fuel oil.)

(2) Class C oil burners may be delivered without a preference rating. (However, authorization for delivery of fuel oil must be obtained from the Petroleum Administration for War in accordance with its order PDO–13.)

(e) *General exception.* Regardless of the terms of this order, any Class B oil burner (as defined by this order as in force prior to June 28, 1943) authorized under an appeal from L–74 as in force prior to June 28, 1943, may be manufactured, fabricated, assembled and delivered.

(f) *Exceptions and appeals.*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture or assemble more Class B oil burners than permitted under paragraph (b) may apply for permission to do so as explained in Priorities Regulation 25. However, any Class B oil burners manufactured pursuant to an authorization under that regulation are subject to all delivery restrictions in paragraphs (b) and (c).

(2) *Appeals.* Any appeals from the provisions of this order, other than the manufacturing restrictions of paragraph (b), shall be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the manufacturing restrictions of paragraph (b).

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–74.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Bureau of the Budget.* The Bureau of the Budget has approved the use of Form WPB–1319 and other reporting requirements of this order, in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13105; Filed, August 29, 1944; 11:51 a. m.]

[1] Under PDO–13, as amended or supplemented from time to time. At present applications to the P. A. W. for approval are made by letter, which must be submitted in quadruplicate.

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–75, as Amended Aug. 29, 1944]

COAL STOKERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the manufacture of coal stokers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.76 *General Limitation Order L–75*—(a) *Definitions.* For the purposes of this order,

(1) "Coal stoker" means any device designed and produced for the purpose of feeding coal as a fuel to a combustion chamber; including, but not limited to, any feed screw, ram, spreader, or moving grate. Coal stokers shall not include any device designed and produced for the purpose of feeding coal as a fuel to a locomotive.

(2) "Class A coal stoker" means any coal stoker which has a grate area of 36 square feet or less, and a coal feeding capacity in excess of 60 pounds per hour. For the purpose of this paragraph, side dump plates designed to burn coal shall be considered a part of the grate area.

(3) "Class B coal stoker" means any coal stoker which has a maximum coal feeding capacity not in excess of 60 pounds per hour.

(b) *Restrictions.* (1) No manufacturer, distributor, or dealer may deliver or accept delivery of a new Class A stoker except:

(i) To fill orders of or for ultimate delivery to the Army or Navy;

(ii) For approved installation in a building or project authorized by any order of the P–19 series on Form GA–1456 or in the P–55 series on Form WPB–2896.

(iii) To fill orders authorized on Form WPB–1319. Applications for such authorization must be filed with the appropriate War Production Board Field Office. (This application form may be used by dealers and distributors for inventory. The use of the form, for appropriate War Production Board field plus installation) is no more than $5,000, is required of any ultimate consumer not covered by (i) or (ii) and is permissible in lieu of application under (ii). If the total cost exceeds $5,000, application must be made under (i) or (ii).) Any order so authorized by the War Production Board shall be deemed a "rated order" for the purposes of section 944.2 of Priorities Regulation No. 1. Use of Form WPB–1319 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) No person shall manufacture a Class B stoker.

(c) *Manufacture of replacement parts.* Nothing in this order shall be construed to prohibit or restrict the manufacture of replacement parts for any type of coal stoker.

(d) *Avoidance of excessive inventories.* No person shall accumulate inventories of any materials (whether raw, semi-processed or processed) for manufacture into coal stokers in excess of the minimum amount necessary to maintain production of coal stokers to the extent permitted by this order.

(e) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Exceptions and appeals.*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture any Class B stokers may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restriction of paragraph (b) (2), should be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restriction of paragraph (b) (2).

(g) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(h) *Applicability of other orders.* Insofar as any other order heretofore or hereafter issued by the War Production Board, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(i) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref: L–75.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13115; Filed, August 29, 1944; 11:53 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–182, as Amended Aug. 29, 1944]

COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of commercial cooking and food and plate warming equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.46 *General Limitation Order L–182*—(a) *Definitions.* For the purposes of this order:

(1) "Commercial cooking and food and plate warming equipment" means new equipment (except equipment specially designed to use electricity as the heating agent) designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It does not include cooking appliances for household use. It does include, but is not limited to, such items as the following:

Bakers.
Broilers.
Fryers.
Griddles.
Grills.
Hot plates.
Ovens (except built-in types).
Ranges.
Roasters.
Steamers.
Toasters.
Urns.
Warmers.

It also includes new steam-jacketed kettles, regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, except enamel and glass lined kettles specifically designed for use by the chemical and pharmaceutical industry for the rendering of oils and fats.

(2) "Ultimate consumer" means any person who uses commercial cooking and food and plate warming equipment for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale.

(b) *Restrictions on production.* (1) No person shall produce any commercial cooking and food and plate warming equipment listed on Schedule I to this order. No person shall produce any other commercial cooking and food and plate warming equipment except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA–1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts, including

repair and replacement parts for equipment listed on Schedule I. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce commercial cooking and food and plate warming equipment which will not be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-182. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B for the controlled materials.

(4) Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. This program calls in each calendar quarter for production by the industry as a whole of not more than 18% of the aggregate production of the industry in the year 1941, in addition to production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration. Individual authorizations will be issued in amounts sufficient to carry out this program.

(c) *Restrictions on delivery.* No manufacturer, distributor or dealer may deliver or accept delivery of new commercial cooking and food and plate warming equipment except as follows:

(1) To fill orders of or for ultimate delivery to the Army,[1] Navy, Maritime Commission or War Shipping Administration, or to any agency of the United States Government placing orders for equipment to be delivered to or for the account of any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to fill ship chandlers' or marine distributors' orders authorized by the Maritime Commission on Form WPB-646 and to fill orders for equipment obtained by ship chandlers or marine distributors by the use of Form WPB-646 for delivery only to persons as authorized by that form.

(2) For approved installation in a building or project authorized by any order of the P-19 series on Form CMPL-224 or Form GA-1456, or in the P-55 series on Form WPB-2896.

(3) As appproved by the War Production Board on Form WPB-1319. The ultimate consumer should apply to the Plumbing and Heating Division, War Production Board, Washington 25, D. C. on this form, describing the equipment to be delivered. The War Production Board will return a copy to him with its approval or denial of the application indicated. If approval is granted, the ultimate consumer may certify by endorsement on his purchase order in the standard form prescribed in Priorities Regulation 7, adding the serial number of authorization on Form WPB-1319 he has received, or, if he prefers, he may certify as follows:

> The War Production Board has authorized me to accept delivery on this order, under the terms of Order L-182 (and L-248) with which I am familiar. Delivery approved on Form WPB-1319, serial number .....
>
> .....
> (Consumer)

A dealer or distributor receiving an order so certified may obtain delivery of material to fill the order if he endorses a similar certificate on his purchase order. Any person may deliver in reliance on such a certificate unless he knows or has reason to believe it to be false. A dealer or distributor who wants to buy for inventory must also apply on Form WPB-1319, filed with the Plumbing and Heating Division, War Production Board, Washington 25, D. C., indicating the manufacturer of the product he wishes to buy. If his application is approved, the procedure to be followed is the same as set forth above with respect to consumers' applications, except that he may buy only the product of the manufacturer indicated. Applications for material under this order and Order L-248 may be made on a single Form WPB-1319.

(4) Delivery of repair parts may be made as limited in Order L-79.

(d) *Exceptions.* The restrictions of paragraph (c) do not apply to griddles, hot plates, grills and coffee urns (1 to 3 gallon), provided the net weight of each does not exceed 50 lbs., nor do they apply to coffee makers of any weight. Also, the restrictions of this paragraph do not apply to deliveries by an ultimate consumer to a dealer, or by a dealer to another dealer or manufacturer.

(e) *Reports.* Every manufacturer of any commercial cooking and food and plate warming equipment who has an inventory of such equipment, either new or used, shall execute and file with the War Production Board on or before the 10th day of each calendar quarter a report on Form WPB-1509 (formerly PD-638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-248 may be made on a single Form WPB-1509. The Bureau of the Budget has approved the reporting requirements of this order in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(g) *Exceptions and appeals.*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce any commercial cooking and food and plate warming equipment listed on Schedule I, and any person who wants to produce more commercial cooking and food and plate warming equipment not so listed than he has been authorized to produce on Form GA-1850 (including a person who has no authorization), may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b) (1), should be filed on Form WPB-1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) (1).

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref.: L-182.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

Barbecue machines.
Chicken singers.
Chop suey ranges (ranges with built-in kettles—water and sewer connections).
Cruller fryers.
Cup warmers.
Dish warmers.
Egg boilers.
Nut blancher ovens.
Nut fryers.
Nut roasters.
Oyster stoves.
Peanut roasters.
Plate warmers.
Potato chip fryers.
Roll warmers.
Rotisseries (revolving spit barbecue machine).
Sausage warmers.
Waffle irons.
Warming ovens.

INTERPRETATION 1: Superseded June 7, 1944.

[F. R. Doc. 44-13114; Filed, August 29, 1944; 11:53 a. m.]

[1] Under Interpretation 1 to the preceding version of this order, material for Army Pre-Flight training schools, to be owned privately and not by the Army, could not be delivered without War Production Board approval. This is still true.

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-185, as Amended Aug. 29, 1944]

WATER HEATERS

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of water heaters for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.51 *General Limitation Order L-185.*—(a) *Definitions.* (1) "Direct fired water heater" means any device for the direct transference of heat produced by electricity or by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a hot water supply system. The term includes, but is not limited to, coils, side-arm water heaters, bucket-a-day stoves, laundry stoves (with cored water sections), dome type water heaters, steel hot water supply heaters, or service water tank heaters having not more than two cored water sections, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, electric water heaters, and solar water heaters. The term does not include any low pressure cast iron or steel boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(2) "Indirect water heater" means any device to which steam or hot water is piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, submerged type water heaters or any indirect water heater (including tanks) commonly referred to as a storage water heater consisting of a heating element installed in a hot water storage tank for the purpose of heating and storing hot water for any use, and any indirect water heater consisting of a coil or a nest of tubes installed in a shell or pressure vessel having a diameter 12" or less (if other than circular in cross section and internal cross sectional area 113 sq. in. or less) and designed for the purpose of supplying hot water to a hot water supply system or a hot water space heating system. The term does not include any storage tank, the manufacture of which is governed by Limitation Order L-199, even though used in conjunction with any indirect water heater. It is not intended by the foregoing definition to include any product which is controlled by Limitation Order L-123.

(3) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(4) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(5) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(6) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication, or assembly of any direct fired or indirect water heater, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts not including tanks;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) For tank spuds or tappings;

(4) For coils and tubular units built with copper tubing of 1½" outside diameter or less, in indirect water heaters only. However, the shells, steam heads, tube plates and other cast parts of indirect water heaters shall be of ferrous metal, or non-metallic materials except that terminal outlets and spacer plates may be of a copper base alloy in which no primary tin or copper is used, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. specification B-145-42-T.

The exceptions to the restrictions in the use of copper, stainless steel, or monel metal contained in paragraphs (b) (2) and (b) (4) do not apply to the production of indirect water heaters designed for hot water space heating systems.

(5) For coils and terminal outlets for direct fired side-arm water heaters, except that any copper base alloy used in the production of terminal outlets may contain no primary tin or copper, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. Specification B-145-42-T.

(6) For current carrying parts and heating elements for electric water heaters.

(c) *Use of copper, stainless steel, and monel metal in the installation of repair and replacement parts.* (1) No person shall in any repair or replacement use or install parts containing in the aggregate more than two pounds of copper or copper base alloy, stainless steel, or monel metal, if the weight of the copper, copper base alloy, stainless steel, or monel metal so used or installed exceeds by more than one pound the weight of copper, copper base alloy, stainless steel, or monel metal replaced. The restrictions in this subparagraph do not apply to the replacement of ferrous heating elements for direct or indirect water heaters.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Copper Order M-9.

(d) [Deleted Aug. 29, 1944.]

(e) *Restrictions on production.*—(1) *Water heaters except electric.* No person shall manufacture or assemble more units of direct fired (other than electric) or indirect water heaters than his quota, which for each calendar year, shall be determined by the percentage indicated on Schedule A of his 1941 unit production of the same classification of water heaters. However, regardless of the number of water heaters he may have produced before July 1, 1944, his quota for the period from that date through December 31, 1944, shall be ½ the quota for each calendar year. If additional production is necessary to fulfill the approved War Production Board program, any person may request authorization to exceed his quota by addressing a letter to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., stating his proposed additional production in units per quarter, and the War Production Board may authorize additional production on Form GA-1850. Where the applicant will need controlled materials in order to produce the additional equipment, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials.

(2) *Electric water heaters.* (i) No person shall manufacture or assemble any electric water heaters except to the extent authorized by the War Production Board on Form GA-1850. The War Production Board will authorize limited production so that the aggregate production of electric water heaters for each calendar year will not exceed 37 per cent of the aggregate production of the industry from July 1, 1940 through June 30, 1941, except that for the period from July 1, 1944, through December 31, 1944, the aggregate production shall not exceed 18½ per cent. Production will not be authorized in any plant where such production or labor requirement therefor will interfere with war production in that plant or in any other plant located in the same area.

(ii) A person wishing to make electric water heaters (other than those excepted by paragraph (f)), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L-185. This letter should state the proposed production in units per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on Form CMP-4B for the controlled materials.

(iii) No person may manufacture or assemble electric water heaters in more than three sizes (based on water storage

capacity) nor in more than one model in each size, but a change in the number or design of heating elements shall not constitute a change in size or model. Each person shall report in a letter the size and model designation of the electric water heaters he intends to produce. Each person shall thereafter produce only those sizes and models so reported unless written authorization is received from the War Production Board to produce any other models or sizes. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Exceptions to manufacturing restrictions.* The restrictions of this order do not apply to the production of water heaters or parts required by the Army, Navy, Maritime Commission, or War Shipping Administration, or by rules and regulations promulgated by the Coast Guard for merchant vessels, for use in ships, boats, planes, laundries, kitchens, hospitals, bakeries, or advance bases, or to fill orders authorized by the Maritime Commission on Form WPB-646. Water heaters produced under this paragraph (f) shall not be charged against the production quotas set forth in paragraphs (e) (1) and (e) (2).

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture or assemble more direct fired or indirect water heaters than the quota fixed for him or the amount he has been authorized to make on Form GA-1850 (including a person who has no such quota or authorization), may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization under paragraphs (e) (1) and (e) (2) (ii).

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (e) (1) and (e) (2) (i), shall be filed on Form WPB-1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (e) (1) or (e) (2) (i).

(h) *Communications.* All communications concerning this order, unless otherwise directed should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-185.

(i) *Reports.* Manufacturers of water heaters shall report on or before the tenth day of each month on Form WPB-3717, following the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PERMITTED PERCENTAGES OF 1941 UNIT PRODUCTION

	Percent
A. Direct fired water heaters:	
1. Underfired water heaters	80
2. Coal and wood fired water heaters	100
3. Side-arm heaters	70
4. All others	50
B. Indirect water heaters	87

[F. R. Doc. 44-13110; Filed, August 29, 1944; 11:52 a. m.]

PART 3288[1]—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-187 as Amended Aug. 29, 1944]

CAST IRON BOILERS

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of cast iron boilers for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.56[1] *General Limitation Order No. L-187*—(a) *Definition.* For the purposes of this order: "Cast iron boiler" means any pressure vessel designed to absorb heat generated by the burning of a fuel through cast iron heating surfaces in order to provide heat for the interior of structures, for processing, or for domestic hot water supply. It does not mean a small heater known in the industry as a dome top, a flat top, or a bucket-a-day hot water supply boiler or laundry stove, or any heating device commonly known as a gas steam radiator.

(b) *Restrictions on production.* No person shall in the first three months of 1944, and in each following three months period, manufacture more low pressure cast iron boilers than 25% of the low pressure cast iron boilers he manufactured in the whole year 1940, except that any person may exceed this quota if he applies to the War Production Board by letter for permission and permission is granted. These quota limitations do not apply to the manufacture of repair parts for boilers. The War Production Board will not authorize for production by all manufacturers more low-pressure cast iron boilers than were produced in 1940.

(c) *Reports.* Manufacturers of low pressure cast iron boilers shall report on or before the tenth of each month on Form WPB-1510. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref.: L-187.

(e) *Violations and false statements.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(g) *Production under Priorities Regulation 25.* Any person who wants to make more cast iron boilers than the quota fixed in paragraph (b) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply under paragraph (b) for special permission to exceed his quota. No appeals should be filed under this order.

[1] Formerly Part 3046, § 3046.1.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13112; Filed, August 29, 1944; 11:52 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-199 as Amended Aug. 29, 1944]

PLUMBING AND HEATING TANKS

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of plumbing and heating tanks for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.6 *General Limitation Order L-199*—(a) *Definitions.* For the purpose of this order:

(1) "Tank" means any metal expansion tank, metal hot water storage tank

and metal range boiler, if the tank or range boiler is used in hot water supply systems or in hot water space heating systems. The term does not include any tank used as an integral part of a direct fired water heater or indirect water heater, the manufacture of which is covered by Limitation Order L–185.

(2) "Hot water supply system" means any system for supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(3) "Hot water space heating system" means any system which is designed for the purposes of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Base period" means the calendar year 1941.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication or assembly of any tank, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts;

(2) For temperature, pressure, and vacuum safety valves;

(3) For tank spuds or tappings.

(c) *Restrictions on sizes and design of tanks.* No person may fabricate, manufacture, or assemble black iron, galvanized iron, or porcelain enameled range boilers or black iron or galvanized iron expansion tanks, except in accordance with the specifications in Schedules A, B and C.

(d) *Use of non-ferrous tanks for replacement.* No person may deliver or install copper, copper base alloy or monel metal tanks in existing inventories except to replace a non-ferrous tank of similar capacity or larger.

(e) *Restrictions on production.* No person shall manufacture or assemble more tanks than his quota, which, for each calendar year, shall be determined by the percentage indicated below of his base period unit production of the same classification of tanks. However, regardless of the number of tanks he may have produced before June 2, 1944, the quota for the period from that date through December 31, 1944 shall be 7/12 the quota for each calendar year:

	Percent
Range boilers and expansion tanks	70
Storage tanks	75

Any person may request authorization to exceed his quota by addressing a letter to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., stating his proposed additional production in units per quarter, and the War Production Board may authorize additional production on Form GA–1850, if additional production is necessary to fulfill the approved War Production Program. Where the applicant will need controlled materials in order to produce the additional equipment, the letter requesting authorization should be accompanied by an application on Form CMP–4B for the controlled materials.

(f) *General exceptions.* The restrictions of paragraphs (b) and (c) do not apply to the production of articles or parts not available in the producer's inventory for use in ships, boats, planes or advance bases when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture or assemble more tanks than the quota fixed in paragraph (e) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (e).

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (e), should be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (e).

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L–199.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

BLACK IRON OR GALVANIZED RANGE BOILERS—STANDARD, EXTRA HEAVY, AND DOUBLE EXTRA HEAVY—PERMITTED SPECIFICATIONS

Inside diameter of tank	Length of shell (length of sheet—not over-all length)	Nominal capacity	Tappings pipe size	Tappings
Inches	*Inches*	*U. S. Gals.*	*Inches*	*Number*
12	30	15	1	6
12	60	30	1	6
14	60	40	1	6
18	60	66	1	6
20	60	82	1	6
24	60	120	1¼	6

Construction: Welded seams only.
Hand Holes and Manholes: None permitted.
Inspection Tappings: None permitted.
Tappings: Six tappings. One side tapping, 6 inches from the top edge of sheet, and one 6 inches from the bottom edge of sheet in line; two tappings in the top; one tapping in the bottom; and one tapping on the side at 180° from the line of the other two side tappings—15 gallon size tanks to have such tappings 9 inches from the bottom edge of sheet, all other size tanks to have such tapping 18 inches from the bottom edge of sheet.

SCHEDULE B

PORCELAIN ENAMELED RANGE BOILERS—PERMITTED SIZES (NOMINAL CAPACITY)

30 U. S. Gallons.
40 U. S. Gallons.
52 U. S. Gallons.

SCHEDULE C

EXPANSION TANKS—PERMITTED SPECIFICATIONS

Inside diameter	Length of shell (length of sheet—not over-all length) (inches)	Nominal capacity (U. S. gal.)
12	20	10
12	30	15
12	60	30
14	30	20
14	60	40

Construction: Welded seams only.

INTERPRETATION 1: Superseded November 22, 1943.

INTERPRETATION 2: Superseded June 2, 1944.

[F. R. Doc. 44–13111; Filed, August 29, 1944; 11:52 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–248 as Amended Aug. 29, 1944]

COMMERCIAL DISHWASHERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the manufacture of commercial dishwashers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.61 *General Limitation Order L–248*—(a) *Definitions.* For the purposes of this order:

(1) "Commercial dishwasher" means any new mechanical device designed for washing dishes, cutlery, glassware or kitchen utensils in establishments where

food is prepared for consumption or sale on the premises. The term does not include dishwashers designed for domestic use.

(2) "Ultimate consumer" means any person who uses a commercial dishwasher for washing dishes, cutlery, glassware and kitchen utensils.

(3) [Deleted June 7, 1944]

(4) [Deleted June 7, 1944]

(5) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Restrictions on production.* (1) No person shall produce any commercial dishwashing equipment except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA–1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce commercial dishwashing equipment which will not be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–248. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP–4B for the controlled materials.

(4) Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. This program calls in each calendar quarter for production by the industry as a whole of not more than 23% of the aggregate production of the industry in the year 1941, in addition to production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration. Individual authorizations will be issued in amounts sufficient to carry out this program.

(c) *Restrictions on delivery.* No manufacturer, distributor, or dealer may deliver or accept delivery of new commercial dishwashers except as follows:

(1) To fill orders of or for ultimate delivery to the Army,[1] Navy, Maritime Commission or War Shipping Administration, or to any agency of the United States Government placing orders for equipment to be delivered to, or for the account of, any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to fill orders authorized by the Maritime Commission on Form WPB–646.

(2) For approved installation in a building or project authorized by any order of the P–19 series on Form CMPL–224 or Form GA–1456, or in the P–55 series on Form WPB–2896.

(3) As approved by the War Production Board on Form WPB–1319. The ultimate consumer should apply to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., on this form, describing the equipment to be delivered. The War Production Board will return a copy to him with its approval or denial of the application indicated. If approval is granted, the ultimate consumer may certify by endorsement on his purchase order in the standard form prescribed in Priorities Regulation 7, adding the serial number of authorization on Form WPB–1319 he has received, or, if he prefers, he may certify as follows:

The War Production Board has authorized me to accept delivery on this order, under the terms of Order L–248 (and L–182) with which I am familiar. Delivery approved on Form WPB–1319, serial number ----------

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(Consumer)

A dealer or distributor receiving an order so certified may obtain delivery of equipment to fill the order if he endorses a similar certificate unless he knows or has reason to believe it to be false. A dealer or distributor who wants to buy for inventory must also apply on Form WPB–1319, filed with the Plumbing and Heating Division, War Production Board, Washington 25, D. C., indicating the manufacturer of the product he wishes to buy. If his application is approved, the procedure to be followed is the same as set forth above with respect to consumers' applications except that he may buy only the product of the manufacturer indicated. Applications for equipment under this order and Order L–182 may be made on a single Form WPB–1319.

(4) Delivery of repair parts may be made as limited in Order L–79.

(5) A dealer or distributor may make delivery to another dealer or distributor or to a manufacturer.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial dishwashers.

(e) *Simplified practices.* No person shall manufacture, fabricate or assemble any commercial dishwasher designed for washing cutlery, glassware or kitchen utensils exclusively. No person shall manufacture, fabricate or assemble any other type of commercial dishwasher except in accordance with the specifications and practices given below in this paragraph. However, this paragraph does not revoke or modify the terms of any appeal granted under this order.

(1)

Minimum capacity (dishes per hour)	Maximum content exclusive of motor, switches and wiring (pounds)		Maximum motor size (h. p.)
	Iron and steel	Copper base alloy	
1,500	600	18	¾
3,500	900	22	2
5,000	1,150	35	3

(2) Body (hood and tanks) shall be manufactured of not heavier than 14 gauge black iron or 14 gauge galvanized iron.

(3) No thermostatic controls shall be used.

(4) Spray pipes, feed pipes, and other piping shall be galvanized iron.

(5) To the extent that copper base alloy castings are permitted by this order, the alloy shall be of a type and grade in the production of which the use of refined copper or refined tin is not necessary.

(6) No metal other than iron, steel, aluminum, magnesium or copper base alloy shall be used, except zinc for coating or spraying, and metal necessary for assembling or installing.

(f) *Exceptions from simplified practices.* None of the restrictions in paragraph (e) shall apply to commercial dishwashers manufactured to specifications of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships.

(g) *Reports.* Every manufacturer of any commercial dishwashers who has an inventory of such equipment, either new or used, shall execute and file with the War Production Board on or before the 10th day of each calendar quarter a report on Form WPB–1509 (formerly PD–638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L–182 may be made on a single Form WPB–1509. The Bureau of the Budget has approved the reporting requirements of this order in accordance with the Federal Reports Act of 1942.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the regulations of the War Production Board, as amended from time to time.

(i) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits the production or delivery of commercial dishwashers to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture, fabricate or assemble any commercial dishwashers designed for washing cutlery, glassware or kitchen utensils only, and any person who wants to produce more commercial dishwashers than he has been authorized to make on Form GA–1850 (including a person who has no authorization) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires.

(2) *Appeals.* Any appeal from the provisions of this order, other than the quota restrictions of paragraph (b) or the prohibition of paragraph (e) against the manufacture of dishwashers designed for washing cutlery, glassware or kitchen utensils exclusively, should be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the quota restrictions of paragraph (b) or the prohibition of paragraph (e) against the manufacture, fabrication or assembly of commercial dishwashers designed for washing cutlery, glassware or kitchen utensils exclusively.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington (25), D. C., Ref: L–248.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using, materials under priority control and may be deprived of priorities assistance.

(m) [Deleted Aug. 29, 1944.]

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13109; Filed, August 29, 1944; 11:52 a. m.]

PART 3290[1]—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L–262 as Amended Aug. 29, 1944]

FISH NETTING

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of fish nets for defense, for private account and export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.176[1] *General Limitation Order L–262*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For purposes of this order.

(1) "Seine twine" means any type of cabled or hawser laid twine of cotton, or other materials, customarily used in the production of netting.

(2) "Commercial fish netting" means any type of netting used by commercial fisherman for the taking of fish (including shell fish) or for the taking of bait (except bait for sport fishing).

[NOTE: Paragraph (3) formerly (2) redesignated Aug. 29, 1944.]

(3) "Military order" means an order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(c) *Restriction on production and sales.* (1) No person who produces during any calendar month more than 100 pounds of netting made of seine twine shall produce (either by machine or by hand), or process in any stage of production, any netting except

(i) That required to fill specific military orders for camouflage netting; or

(ii) Commercial fish netting.

(2) No such person shall sell or deliver any netting which he knows or has reason to believe will be used for any purpose other than camouflage or for the taking of fish or bait for commercial purposes.

(d) [Deleted Aug. 29, 1944.]

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Reports.* All producers of fish netting shall on or before the 10th day of each calendar month file Form WPB–2695 as specified in said form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Records.* All producers of fish netting shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: L–282.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13113; Filed, August 29, 1944; 11:53 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328B, Direction 3]

CHILDREN'S SNOW SUITS PLAN NO. 1

The following direction is issued pursuant to Conservation Order M–328B:

1. The time within which persons who were assigned a preference rating under Children's Snow Suits Plan No. 1 of Schedule A are required to purchase materials for which a preference rating was assigned and to produce and accept and fill orders for the garments they are required to manufacture from such materials is hereby extended to December 15, 1944.

2. All individual directions heretofore issued under the above mentioned special program are hereby amended to conform with the above.

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13116; Filed, August 29, 1944; 11:53 a. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS AND CENTRAL STEAM HEAT

[Utilities Order U–7, as Amended Aug. 29, 1944]

NATURAL GAS

Whereas, increased gas requirements for war production and civilian uses, coupled with scarcity of materials for the construction of pipelines and other facilities, have resulted in shortages of nat-

[1] Under Interpretation 1 to the preceding version of this order, material for Army Pre-Flight training schools, to be owned privately and not by the Army, could not be delivered without War Production Board approval. This is still true.

[1] Formerly Part 3229, § 3229.1.

ural gas in certain areas of the United States and are threatened in others; during periods of adverse weather conditions the demand for natural gas in almost all areas increases beyond the capacity of existing facilities to meet such demands; and the following order is deemed necessary to conserve existing reserves of natural gas and to safeguard deliveries to war industries and essential civilian services, and in other respects is necessary and appropriate in the public interest and to promote the war effort:

§ 4500.10 *Utilities Order U–7*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Natural gas" means any combustible natural gas or gases and fuel gas derivatives of natural gases, fuel gas derivatives of petroleum produced as by-products in the production, refining or processing of petroleum, or mixtures of any of the aforesaid gases with blue gas, carburetted water gas, coke oven gas, producer gas, blast furnace gas, oil gas, or any other manufactured gas; but does not include liquefied petroleum gas in the liquid phase.

(3) "Utility" means any person supplying natural gas for general use by the public.

(4) "Non-utility supplier" means any person supplying or capable of supplying natural gas or who owns or operates natural or manufactured gas production, transmission, or distribution facilities and who is not included in the definition of "utility" in paragraph (a) (3): *Provided*, That no person engaged in the production, refining or processing of petroleum or natural gas shall be considered a non-utility supplier, except as to the use or disposition of natural gas as a combustible fuel gas after completion of such production, refining or processing.

(5) "Consumer" means any ultimate user of gas produced, transmitted or distributed by any "utility" or "non-utility supplier", including any utility or non-utility supplier which is itself an ultimate user of gas.

(6) "Stand-by facilities" means equipment capable of utilizing electrical energy, oil, coal or any other fuel or energy to replace natural gas and for the operation of which a supply of such fuel or energy is obtainable or could have been obtained in the exercise of reasonable diligence.

(7) "Premises" means any building or structure and its adjuncts: *Provided*, That in the case of "consumer" who receive deliveries of gas for the operation of equipment not contained within a building, any delivery point and the confines of the area supplied with natural gas from such delivery point shall be deemed a "premises".

(8) "Residential consumer" means any "consumer" receiving natural gas for the operation of space heating, hot water heating, cooking or refrigeration equipment used for residential purposes, where the total input capacity of the space heating equipment does not exceed 250,000 B. T. U. per hour.

(9) "Non-residential consumer" means any "consumer" other than a residential consumer as defined in (a) (8).

(b) *Integration of gas system operations.* (1) Each utility or non-utility supplier shall, as far as practicable, so operate and maintain its transmission, storage, distribution and gas manufacturing facilities as to achieve maximum deliverability of natural gas in any area or areas in which a shortage exists or is imminent and to conserve existing gas reserves; and no utility or non-utility supplier shall abandon any such facilities except upon specific authorization of the War Production Board. Where necessary for such purposes, the War Production Board may, from time to time, issue specific directions as to the operation of gas manufacturing, transmission, storage and distribution facilities.

(2) Each utility or non-utility supplier shall maintain in operating condition all gas manufacturing facilities owned or operated by such utility or non-utility supplier which were in operating condition on November 12, 1942. Each utility or non-utility supplier shall repair and maintain in operating condition such other facilities including gas manufacturing facilities owned or operated by such utility or non-utility supplier as the War Production Board may, from time to time, direct. Wherever repair and maintenance of gas facilities requires the use of materials in excess of those available under any order issued by the War Production Board, application for authority to use or acquire such materials should be made to the War Production Board in accordance with established procedures.

(3) The War Production Board may, from time to time, issue specific directions respecting the delivery of natural gas from one utility or non-utility supplier to another or to any consumer, and respecting the interconnection of any facilities; and no utility or non-utility supplier shall deliver or accept or fail to deliver or accept deliveries of gas or fail to interconnect facilities in violation of any such direction. Subject to such directions and to the provisions of paragraph (b) (5), each utility or non-utility supplier shall so interchange natural gas with its interconnected utilities or non-utility suppliers as to achieve, directly or indirectly, the maximum deliverability in any area or areas in which a shortage exists or is imminent.

(4) Upon specific direction of the War Production Board, utilities or non-utility suppliers shall curtail gas deliveries to specified classes of consumers on their systems if necessary in order to make available gas for delivery to utilities or non-utility suppliers on whose systems there exists a shortage which adversely affects or threatens service to war producers or other essential consumers. Any utility or non-utility supplier may request the War Production Board to direct another utility or non-utility supplier to deliver gas to it, on the ground that such delivery will safeguard service to war producers or essential consumers, or will otherwise be in the interest of the war effort.

(5) No utility shall deliver natural gas to any other utility or non-utility supplier not theretofore regularly supplied by such utility (except emergency deliveries to relieve a shortage resulting from the failure or breakdown of gas production, transmission or distribution facilities), without specific approval of the War Production Board. Any utility making such emergency deliveries shall report directly to the War Production Board, Office of War Utilities, Natural Gas Division, Ref.: U–7, the nature of the emergency and the amount and duration of such deliveries.

(6) Each non-utility supplier in any area served by any utility with which such non-utility supplier is interconnected or is capable of being interconnected, shall upon notice from the War Production Board so order its operations as to make available to such utility, or to any essential war producer or other consumer, all natural or manufactured gas which it is capable of producing or supplying in excess of the minimum requirements of its own essential operations. Any non-utility supplier which on October 1, 1943 was supplying natural gas to a utility in an area in which a shortage exists or is imminent shall not discontinue deliveries to such utility without the approval of the War Production Board, unless it is no longer capable of making such deliveries, or pursuant to the provisions of paragraph (c) (1).

(c) *Operations during gas shortages.* (1) In the event of an existing or imminent gas shortage in any area, each utility or non-utility supplier supplying such area shall conduct its operations and reduce deliveries to non-residential consumers in accordance with the following schedule, subject to such further or special directions as the War Production Board may from time to time issue: *Provided*, That to the extent, if any, required by the emergency nature of the shortage such utility or non-utility supplier may, in the first instance, reduce deliveries without regard to such schedule, but shall, as soon as possible thereafter, readjust its operations and deliveries to conform in all respects to such schedule during the continuance of the gas shortage period. The utility or non-utility supplier shall:

(i) First, within the limit of contractual rights, reduce deliveries to all consumers purchasing natural gas under contracts permitting the supplier to interrupt deliveries: *Provided*, That deliveries of gas to exempted consumers, as defined in paragraph (c) (6), shall be reduced only to the extent that the fuel requirements of such consumers can be supplied from the consumers' stand-by facilities: *And provided*, That deliveries shall be maintained to any consumer to the minimum extent necessary to prevent permanent damage to production and service facilities, except that such deliveries shall be interrupted under paragraph (c) (1) (v) below.

(ii) Second, if such action has not previously been taken, operate utility's or

non-utility supplier's stand-by gas manufacturing facilities up to their maximum operating capacity: *Provided*, That any utility may request the War Production Board to direct the operation of specific consumer stand-by facilities (in addition to those provided above) prior to the operation of such utility's stand-by manufacturing facilities, upon the ground that such action would relieve the gas shortage more expeditiously, or with less use of critical fuels, or would otherwise be in the interest of the war effort.

(iii) Third, reduce deliveries without regard to the supplier's contractual rights or those of any consumer to all remaining consumers having stand-by facilities, to the extent of the capacity of stand-by facilities.

(iv) Fourth, if such action has not previously been taken, notify all domestic and other consumers by radio, newspaper, or any other available means of general communication, that a temporary gas emergency in the area exists or is imminent and appeal for the immediate institution of voluntary curtailment by all gas consumers, to be maintained until notification that the emergency has passed.

(v) Fifth, interrupt deliveries within the limits of contractual rights to any consumers purchasing gas under contracts permitting the supplier to interrupt deliveries, who have not been fully curtailed under previous steps: *Provided*, That deliveries of gas to exempted consumers shall be reduced only to the extent that the full requirements of such consumers can be supplied from the consumers' stand-by facilities.

(vi) Sixth, reduce deliveries to all consumers not fully curtailed under previous steps, without regard to the supplier's contractual rights or those of any consumer or the non-existence of stand-by facilities: *Provided*, That deliveries of gas to exempted consumers shall be reduced only to the extent that the full requirements of such consumers can be supplied from the consumers' stand-by facilities.

(vii) Seventh, reduce deliveries to exempted consumers on a uniform proportionate basis so far as practicable pending receipt of special directions from the War Production Board.

(2) A "gas shortage" shall be deemed to exist whenever (i) a utility or non-utility supplier finds it necessary to reduce deliveries to its consumers, or (ii) the utility or non-utility supplier is able to maintain full deliveries to all consumers only by excessive withdrawals from storage or reserves which impair its ability to meet its forthcoming peak-day requirements to the usual extent, or (iii) the War Production Board notifies a utility or non-utility supplier that it considers a shortage to exist on such system.

(3) Deliveries to residential consumers during gas shortages shall be made pursuant to such directions as the War Production Board may from time to time issue: *Provided*, That any utility may at any time submit to the War Production Board a practicable program for the curtailment of its domestic consumers during such gas shortages and request that it be declared operative by the War Production Board among consumers of such utility.

(4) Except as set forth in the proviso of the first paragraph of paragraph (c) (1), or pursuant to special directions of the War Production Board, deliveries to any consumer in the respective groups defined above in paragraphs (c) (1) (i) to (c) (1) (vii) inclusive, shall not be reduced until deliveries to all consumers in prior groups have been fully suspended in accordance with the specific provisions of such paragraph: *Provided*, That deliveries to consumers in any group who consume less than 3000 mcf of gas per month need not be suspended before commencing curtailment of successive groups where such consumers are scattered or for other reasons not susceptible of speedy curtailment. Reductions to consumers defined in paragraph (c) (1) (i) shall be on such basis as will relieve the shortage most expeditiously; reduction to consumers within all groups defined in paragraph (c) (1) (iii) to (c) (1) (vii) inclusive shall so far as practicable be made on a uniform proportionate basis: *Provided*, That any utility or non-utility supplier may request the War Production Board to approve a specific program for such interruptions within any class of consumers, on a geographic or other basis which will relieve gas shortages more expeditiously.

(5) Each utility or non-utility supplier shall classify each of its non-residential consumers subject to probable curtailment within the applicable grouping set forth in paragraphs (c) (1) (i) to (c) (1) (vi), inclusive. Certain utility or non-utility suppliers will be required by the War Production Board to submit such a classification of non-residential consumers using 3000 MCF or more per month on Form WPB–619, together with the other data relative to operations during shortages required by such form. Only the War Production Board can classify consumers as 'exempted consumers'. Unless modified or revised by direction of the War Production Board, such consumer classification lists submitted on Form WPB–619 shall determine the grouping of each consumer in the application of the curtailment schedule set forth in paragraph (c) (1). At the direction of the war Production Board specific consumers or classes of consumers may at any time be classified in any of the groups defined in paragraphs (c) (1) (i) to (c) (1) (vii), inclusive, or in any special group, without regard to size, nature, or terms of delivery, whenever such action will assist in relieving gas shortage more expeditiously, or with less use of critical fuels, or in other respects will be in the interest of the war effort.

(6) An "exempted consumer" means a non-residential consumer whose operations have been determined by the War Production Board to be so important that an interruption of gas deliveries would seriously impair the war effort. The War Production Board will from time to time provide each supplier with a list of the exempted consumers on its system.

(7) Whenever, pursuant to any of the provisions of this order, or any special direction of the War Production Board, a utility or non-utility supplier is required to reduce deliveries to any consumer, it shall notify such consumer accordingly. Upon receipt of such notification each consumer shall reduce his acceptance of gas deliveries in accordance therewith.

(8) Notwithstanding any provisions of this order, if the War Production Board, after investigation, shall determine that any consumer having stand-by facilities, has failed to provide himself with an adequate supply of fuel for the operation of such stand-by facilities despite the availability of such fuel, the War Production Board may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such stand-by facilities.

(9) The following reports shall be filed with the War Production Board relative to gas shortages:

(i) Whenever any utility or non-utility supplier reduces deliveries of gas to any consumer pursuant to paragraph (c) (1) (v) above or any subsequent subparagraph of (c) (1), such utility or non-utility supplier shall immediately notify the War Production Board, Office of War Utilities, Natural Gas Division, Ref.: U–7, by telegram, of the extent of such reduction.

(ii) On or before the 15th day of each month following a calendar month during which reductions in delivery have occurred, each affected utility or non-utility supplier shall submit a report on Form WPB–620 of the aggregate volumes of natural gas conserved by such reductions in delivery and the volumes of natural gas replaced by consumer stand-by facilities and by utility or non-utility supplier gas manufacturing stand-by facilities.

(iii) On or before the 15th day of each month, each utility or non-utility supplier in certain areas specifically designated by the War Production Board shall submit on Form WPB–2077 a report of natural gas underground storage operations, summarizing such operations for the calendar month preceding the date of reporting.

(d) *Restrictions on deliveries of natural gas to non-residential consumers.* (1) No utility or non-utility supplier shall deliver natural gas to any non-residential consumer for the operation of any gas-fired equipment (including space heating equipment) and no non-residential consumer shall accept such deliveries, in any area listed on Exhibit B or Exhibit C, except in cases described in paragraphs (d) (2) or (d) (3) below, or unless:

(i) Such equipment was installed and in regular operation at the same premises prior to November 30, 1942: *Provided*, Deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L–31, or

(ii) Such equipment was converted from some other fuel to natural gas, and such conversion was completed and in regular operation at the same premises

prior to November 30, 1942: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L–31, or

(iii) Such equipment replaces gas-fired equipment of equal or greater capacity previously installed and regularly operated at the same premises for the same purposes: *Provided*, That non-space heating equipment is not replaced with space heating equipment, or

(iv) Such deliveries have been specifically approved by the War Production Board: *Provided*, That deliveries of natural gas may be made where necessary for the operation of oil well or gas well drilling equipment.

(2) In any area listed on Exhibit B, a utility or non-utility supplier may deliver and any non-residential consumer may accept deliveries of natural gas for the operation of any gas-fired equipment when all of the following conditions are met:

(i) The aggregate input capacity of such equipment plus the aggregate input capacity of all other gas-fired equipment installed on the premises of the consumer since March 1, 1942 is less than 500,000 Btu per hour;

(ii) Such equipment is not used primarily for space heating purposes;

(iii) Such equipment cannot, for technological reasons, utilize fuel other than natural gas or liquefied petroleum gases;

(iv) Such equipment does not replace, and is not intended to replace, equipment utilizing fuels other than natural gas;

(v) Such equipment has not been converted from some other fuel to natural gas unless such conversion was completed prior to November 1, 1943, at the same premises and deliveries of natural gas for the operation thereof were not prohibited prior to that date.

(3) In any area listed on Exhibit C, a utility or non-utility supplier may deliver and any non-residential consumer may accept deliveries of natural gas for the operation of any gas-fired equipment when all of the following conditions are met:

(i) The aggregate input capacity of such equipment plus the aggregate input capacity of all other gas-fired equipment installed on the premises of the consumer since March 1, 1942 is less than 1,500,000 Btu per hour;

(ii) Such equipment is not used primarily for space heating purposes;

(iii) Such equipment does not replace, and is not intended to replace, equipment utilizing a fuel other than natural gas;

(iv) Such equipment has not been converted from some other fuel to natural gas unless such conversion was completed prior to November 1, 1943, at the same premises and deliveries of natural gas for the operation thereof were not prohibited prior to that date.

(4) The War Production Board may, by specific direction, establish monthly delivery quotas, limit increases in or require decreases of the monthly volume of natural gas which may be delivered to or accepted by any non-residential consumer in certain gas shortage areas, whenever it is determined that such action is necessary or appropriate; and upon the issuance of such directions no person shall make or accept deliveries which are not in conformance therewith.

(e) *Restrictions on deliveries of natural gas to residential consumers.* No utility or non-utility supplier shall deliver to any residential consumer, and no residential consumer shall accept delivery of natural gas for the operation of any space heating equipment, in any area listed on Exhibit B or Exhibit C unless:

(1) In any area listed on Exhibit B:

(i) Such equipment was installed and in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to the same date by Limitation Order L–31; or

(ii) Such equipment was converted from some other fuel to natural gas, and such conversion was completed and in regular operation at the same premises prior to December 2, 1942: *Provided*, That deliveries of natural gas for the operation of such equipment were not prohibited prior to the same date by Limitation Order L–31; or

(iii) In the case of new construction, such equipment was specified in the construction contract and was installed prior to March 1, 1943: *Provided*, That deliveries of natural gas for the operation thereof were not prohibited prior to that date by Limitation Order L–31; or

(iv) Such equipment replaces gas-fired equipment of equal or greater input capacity installed and regularly operated at the same premises, whether by the same or another consumer; or

(v) Such deliveries have been specifically approved by the War Production Board.

(2) In any area listed on Exhibit C, any of the five conditions set forth in (e) (1) above exists, or the utility, after investigation, certifies on the applicant's Form WPB–3314 that

(i) The equipment was installed in new residential premises whose foundation was completed after May 31, 1944; or

(ii) The existing heating equipment using a fuel other than natural gas has become worn out or unavoidably damaged beyond repair.

(3) In any area listed on Exhibit B or Exhibit C, the utility certifies that on the basis of information submitted by applicant on Form WPB–3314, the case falls into one of the following categories:

(i) Applications from persons transferring from one place of residence to another, who have owned gas-fired equipment which had been installed in the previous premises where its operation was permissible under Limitation Order L–31 or Utilities Order U–7: *Provided*, That the new premises in which the equipment is to be installed are piped for gas and are not presently equipped with other space-heating equipment capable of utilizing a fuel other than natural gas.

(ii) Applications from persons moving into residential premises not equipped with any space-heating equipment, and which can be heated only by gas-fired equipment either because the premises lack flues or fuel storage facilities necessary for the operation of space-heating equipment utilizing a fuel other than natural gas, or because such alternative equipment as would be practicable is not procurable in the locality.

(iii) Applications from persons moving into residential premises already piped for gas, whether or not such premises are equipped with other space-heating equipment, in cases where the applicant owns a room-size space heater having an input capacity not in excess of 25,000 BTU per hour, which the applicant had owned and operated in the previous premises and the operation of which was permitted under Limitation Order L–31 or Utilities Order U–7. (This category does not apply in the State of California.)

(iv) Applications from persons owning or leasing a structure which has been, or is being, converted into dwelling units which have no space-heating facilities and cannot be practicably heated with equipment using a fuel other than natural gas: *Provided*, That the total input capacity of the equipment covered by the application plus the capacity of all other gas-fired space-heating equipment supplying the residential portion of the premises, does not exceed 250,000 BTU per hour.

(4) In any area listed on Exhibit B or Exhibit C an application is filed by the consumer with the utility supplier on Form WPB–3314 and is supported by the following certifications to and by the utility:

(i) A certification by the physician in attendance that the household has no member or employee physically able, or able without injury to health, to tend coal-fired heating equipment; and

(ii) A certification by the applicant on the Form WPB–3314 application that the hardship claimed cannot be relieved by a partial conversion to gas or the installation of an auxiliary single-room gas-fired heater or circulator; and

(iii) A certification by the utility on the Form WPB–3314 application that the case has been investigated, that the facts alleged by the applicant are correct and that it is not possible to alleviate the hardship claimed by installing auxiliary heating equipment using a smaller quantity of gas.

(f) *Conversions and prohibited installations.* (1) No person shall install or cause to be installed gas-fired equipment designed to receive deliveries of natural gas from any utility if such deliveries are prohibited by paragraphs (d) or (e) of this order.

(2) If the War Production Board, after investigation, shall determine:

(i) That the gas-fired equipment owned or operated by any person can, without exceptional expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available, and

(ii) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war

producers or essential civilian services, the War Production Board may upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of natural gas for the operation of such gas-fired equipment.

(g) *Conservation for war needs.* (1) When the War Production Board by special direction prohibits or limits the use of natural gas for specific purposes in order to safeguard essential gas supplies in the interest of the war effort, no person shall use, deliver, or accept natural gas in violation of restrictions thus established.

(2) The War Production Board may, from time to time, reclassify any area with respect to Exhibit B or Exhibit C whenever such action is in the interest of the war effort.

(h) *Appeals and applications.* (1) Any person affected by this order, or any direction issued thereunder, who considers that compliance therewith or the operation thereof would work an exceptional and unreasonable hardship, or would in other respects be prejudicial, may appeal for relief by letter to the War Production Board.

(2) Any person who considers that any reduction in or prohibition of deliveries of natural gas made, or proposed to be made pursuant to any provision of this order, or any direction issued thereunder, interferes or will interfere materially with war production or essential civilian service, may apply to the War Production Board for relief by letter communication setting forth all relevant details.

(3) In areas listed on Exhibit B or Exhibit C, applications for new deliveries of gas under paragraphs (d) and (e) shall be filed with the utility or non-utility supplier on Form WPB-3314.

(i) New deliveries to non-residential consumers which are clearly permissible under the provisions of paragraph (d) may be made by the utility without referring the application to the pipe line supplier or the War Production Board, but such applications shall be kept in the utility's file with the action taken indicated under Item 15 for inspection by the War Production Board. All other applications for new non-residential deliveries not clearly permissible under the provisions of paragraph (d) must be referred to the pipe line supplier for transmittal to the War Production Board after completion of Item 16 on Form WPB-3314.

(ii) New deliveries to residential consumers which are clearly permissible under the provisions of paragraph (e) may be made by the utility without referring the application to the pipe line supplier or the War Production Board but such applications shall be kept in the utility's file with the action taken indicated under Item 15 for inspection by the War Production Board. All other applications for new residential deliveries which are not clearly permissible under the provisions of paragraph (e) must be sent to the War Production Board for approval before deliveries can be made, but such applications need not be referred to the pipe line supplier for completion of Item 16 on Form WPB-3314.

(4) Any utility affected by this order which considers that the gas situation in its area warrants a change in classification with respect to Exhibits B and C may apply for such reclassification by a letter addressed to the War Production Board, Ref: U-7, stating the reasons therefor, including its system supply and demand data.

(l) *Reports and information.* (1) Each utility and non-utility supplier shall keep and preserve for not less than two years accurate and complete records concerning deliveries of natural gas to consumers or to other utilities or non-utility suppliers. Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(2) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Office of War Utilities, Washington 25, D. C. Ref.: U-7.

(k) *Violations.* Any person who wilfully violates any provision of this order or any direction issued hereunder, or who, in connection with such order or direction wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 29th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[NOTE: Exhibit A revoked August 4, 1944.]

EXHIBIT B

New York.
New Jersey.
Pennsylvania.
Maryland.
Virginia.
District of Columbia.
West Virginia.
Kentucky.
Ohio.
Indiana.
Michigan.
Wisconsin.
Illinois (only the area supplied by the Natural Gas Pipe Line Co. of America in the following counties: Boone, Bureau, Cook, De Kalb, Du Page, Grundy, Henry, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Livingston, McHenry, Ogle, Whiteside, Will, Winnebago, and the area supplied by the Panhandle Eastern Pipe Line Co. in the following counties: Adams, Champaign, Christian, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Effingham, Fulton, Greene, Knox, Lawrence, Logan, Macon, Mason, McLean, Morgan, Moultrie, Peoria, Piatt, Pike, Richland, Sangamon, Scott, Shelby, Tazewell, Vermilion and McDonough).
Missouri (only the area supplied by the Panhandle Eastern Pipe Line Co.).
Wyoming (only the area supplied by the Mountain Fuel Supply Co.).
Utah.
California (only the area supplied by the San Diego Gas and Electric Co.).

EXHIBIT C

Arizona.
New Mexico (only the area supplied by the El Paso Natural Gas Co. in Hidalgo, Grant, Luna and Dona Ana Counties).
Colorado (only the area supplied by the Colorado Interstate Gas Co.).
Wyoming (only the area supplied by the Colorado Interstate Gas Co.).
Nebraska (only the area supplied by the Northern Natural Gas Co. and the Natural Gas Pipe Line Co. of America).
Iowa.
Minnesota.
Kansas (only the areas supplied in full or in part by one or more of the following companies: Cities Service Gas Co., Consolidated Gas Utilities Corp., Natural Gas Pipeline Co. of America, Northern Natural Gas Co., Panhandle Eastern Pipeline Co., except the following counties: Finney, Grant, Haskell, Kearney, Morton, Seward, Stanton and Stevens).
Oklahoma (only the area supplied by the Cities Service Gas Co.).
Missouri (except the area supplied by the Panhandle Eastern Pipe Line Co.).
Arkansas (only the area supplied by the Mississippi River Fuel Corporation).
Illinois (except the area supplied by the Natural Gas Pipe Line Co. of America in the following counties: Boone, Bureau, Cook, De Kalb, Du Page, Grundy, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Livingston, McHenry, Ogle, Whiteside, Will, Winnebago and Henry, and the area supplied by the Panhandle Eastern Pipe Line Co. in the following counties: Adams, Champaign, Christian, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Effingham, Fulton, Greene, Knox, Lawrence, Logan, Macon, Mason, McLean, Morgan, Moultrie, Peoria, Piatt, Pike, Richland, Sangamon, Scott, Shelby, Tazewell, Vermilion and McDonough).
Tennessee.
Mississippi (only the area supplied by the Southern Natural Gas Co.).
Alabama (only the area supplied by the Southern Natural Gas Co.).
Georgia (only the area supplied by the Southern Natural Gas Co.).
California (except the area supplied by the San Diego Gas and Electric Co.).
South Dakota (only the area supplied by the Northern Natural Gas Co.)

[F. R. Doc. 44-13108; Filed, August 29, 1944; 11:52 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[MPR 539-A]

CUSTOM MILLING AND KILN DRYING OF NORTHEASTERN SOFTWOODS

In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended,

and Executive Orders 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.* Such specifications and standards as are used in this regulation were, prior to such use in general use in the industry affected.

MAXIMUM PRICE REGULATION 539–A—CUSTOM MILLING AND KILN DRYING OF NORTHEASTERN SOFTWOODS

SEC.
1. Higher than maximum prices prohibited.
2. What is Northeastern softwood lumber.
3. What is "custom milling service".
4. What is a custom mill.
5. Invoicing and records.
6. Services not listed.
7. No quantity limitations.
8. Transportation charges.
9. Enforcement.
10. Licensing.
11. Geographical applicability.
12. Maximum prices.

AUTHORITY: Secs. 1 to 12, inclusive, (§ 1499.2267) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of custom milling or custom kiln drying services on Northeastern softwood lumber at higher than maximum prices prohibited.* (a) On and after September 2, 1944, no person shall sell or provide, and no person shall buy or receive in the course of trade or business, any "custom milling service", defined in section 3 below, on Northeastern softwood lumber, at prices higher than the maximum prices set by this regulation; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may of course be charged and paid.

SEC. 2. *What is Northeastern softwood lumber.* "Northeastern softwood lumber" under this regulation means any lumber which on sales by the sawmill is subject to RMPR 219[1] (Northeastern Softwood Lumber).

SEC. 3. *What is "custom milling service".* Under this regulation "custom milling" means only the operations specifically priced under section 12 performed, in the States of Maine, New Hampshire, Vermont, Connecticut, Massachusetts, or Rhode Island, as a service for others, upon lumber in which the person performing these services has no financial interest.

SEC. 4. *What is a custom mill.* Even though the services you perform may meet the definition of "custom milling" above, this regulation does not apply to you unless you qualify as a custom mill under this section.

(a) *General.* A custom mill is one which performs custom milling services upon lumber subject at mill level to RMPR 219, and which:

(1) Does not operate as a "mill" under the definitions contained in RMPR 219.

(2) Does not own or control, is not owned or controlled by, and is not under common control with a "mill" producing the species covered by RMPR 219.

(b) *Operation not qualifying under paragraph (a) may get special permission.* If you do not qualify as a "custom mill" under paragraph (a) above, you may under certain special conditions get authority to operate under this regulation. The rules covering this are as follows:

(1) An application must be filed with the OPA Regional Office for the region in which the applicant's mill is located. This application must show:

(i) The location of the plant, with a description of the physical lay-out of operations in relation to any other activities relating to forest products carried on by the applicant wherever located.

(ii) The extent of ownership or control of or by any other operations relating to forest products, or of common ownership or control, giving name, location, and nature of the other operations.

(iii) Applicant's milling facilities, and the capacity thereof in MBM per day, together with a statement of total footage in rough boards and rough or surfaced dimension, plank and timbers, and of green or partially dry lumber in these sizes, sold during the 30 day period preceding date of application.

(iv) Any other information the applicant may wish to submit.

(2) Special authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber, green, partially dry, rough, or in thicknesses over 1".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

In granting the authority, the Regional Office may make such limitations and conditions as to duration of the authority, quantity or lumber to be milled, etc., as may be appropriate and consistent with the above findings. The authorization may be granted, or the application denied, by letter or telegram.

(c) Unless the operation qualifies, or is specially authorized, as a "custom mill" under paragraphs (a) or (b) above, its maximum prices for custom milling of Northeastern softwood lumber are the charges set forth as additions for workings in RMPR 219.

SEC. 5. *Invoicing and records.* Invoices must show the species, size, condition, and workings of the lumber before and after milling, with a detailed description of all services performed thereon for which a charge is made. Copies of invoices, or similar records, must be kept at the place where the custom milling is performed, available for examination by the Office of Price Administration. These records must be kept for two years.

SEC. 6. *Services not listed.* If a custom mill is required to perform a service for which prices are not specifically provided, these services are still under Maximum Price Regulation 165.

SEC. 7. *No quantity limitations.* The maximum prices set forth in this regulation apply to all transactions regardless of the quantity of lumber involved.

SEC. 8. *Transportation charges.* No service charge may be made by a custom mill for the arrangement of transportation of lumber or advancement of freight charges thereon.

SEC. 9. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 10. *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not during the period of suspension, make any sale for which his license has been suspended.

SEC. 11. *Geographical applicability.* This regulation applies to services performed in the States of Maine, New Hampshire, Vermont, Connecticut, Massachusetts, and Rhode Island.

SEC. 12 *Maximum prices.* The maximum prices per one thousand feet board measure for custom milling and custom kiln drying of lumber which on mill sales is subject to RMPR 219, are as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1663, 4604.

[2] 8 F.R. 13240.

TABLE 1—CUSTOM MILLING—ALL GRADES, GREEN OR DRY

	1 x 3"	1 x 4"	1 x 5"	1 x 6"	1 x 7" to 9"	1 x 10" to 14"	R. W. 1 x 3" to 14"
S1S-S1E-S2S or S2E	$4.00	$3.50	$3.00	$2.50	$2.00	$2.00	$2.25
S1S1E, S1S2E, S2S1E, S4S or S/L	5.00	4.50	4.00	3.50	3.00	3.00	3.25
D. and M. add to S4S	.50	.50	.50	.50	.50	.50	.50
Novelty siding (patterns No. 105 and No. 106) add to S4S	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Beading 1 side, add to D. & M.	.50	.50	.50	.50	.50	.50	.50
For surfacing only (no resawing or ripping) add	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Resawing—1 line	5.00	4.50	4.00	3.50	3.00	3.00	3.25
Resawing each additional line	2.50	2.50	2.00	2.00	1.50	1.50	1.75
Ripping—1 line	5.00	4.50	4.00	3.50	3.00	3.00	3.25
Ripping each additional line	2.50	2.50	2.00	2.00	1.50	1.50	1.75
For resawing or ripping 1 line only—no surfacing—add to 1 line price	.50	.50	.50	.50	.50	.50	.50
For clipping to exact length	.25	.25	.25	.25	.25	.25	.25
Sorting for width if necessary for surfacing on edges	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Bundling	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Grading, marking and tallying after remilling (applicable only when all three services performed)	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading open cars or trucks [1]	2.00	2.00	2.00	2.00	2.00	2.00	2.00
For closed-type cars add to open-car charge [1]	1.00	1.00	1.00	1.00	1.00	1.00	1.00

[1] May not be used more than once on any order.

NOTE 1. *Thickness.* 5/4" and 6/4" take same prices as 1" stock.

TABLE 2—CUSTOM MILLING—ALL GRADES, GREEN OR DRY

	2 x 3"	2 x 4"	2 x 5"	2 x 6"	2 x 7"-9"	2 x 10"-14"	R. W. 2 x 3" to 14"
S1S-S1E-S2S or S2E	$4.00	$3.50	$3.00	$2.50	$2.00	$2.00	$2.25
S1S1E-S1S2E-S2S1E-S4S or S/L	5.00	4.50	4.00	3.50	3.00	3.00	3.25
D. and M. Add to S4S	.50	.50	.50	.50	.50	.50	.50
For beading 1 side Add to D. & M.	.50	.50	.50	.50	.50	.50	.50
For surfacing only (no resawing or ripping) Add	.50	.50	.50	.50	.50	.50	.50
Resawing—1 line	4.50	4.00	3.50	3.00	2.50	2.50	2.75
Resawing each additional line	2.50	2.50	2.00	2.00	1.50	1.50	1.75
Ripping—1 line	4.50	4.00	3.50	3.00	2.50	2.50	2.75
Ripping each additional line	2.50	2.50	2.00	2.00	1.50	1.50	1.75
For resawing or ripping 1 line only (no surfacing) Add	.50	.50	.50	.50	.50	.50	.50
Clipping to exact length	.25	.25	.25	.25	.25	.25	.25
Sorting for width if necessary for surfacing on edges	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Grading, marking and tallying after remilling (applicable only when all three services performed)	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading open cars or trucks [1]	2.00	2.00	2.00	2.00	2.00	2.00	2.00
For closed type cars add to open-car charge [1]	1.00	1.00	1.00	1.00	1.00	1.00	1.00

[1] May not be used more than once on any order.

TABLE 3—CUSTOM MILLING—ALL GRADES, GREEN OR DRY

	3 x 3"	3 x 4"	3 x 5"	3 x 6"	3 x 7" to 9"	3 x 10" to 14"	R. W. 3 x 3" to 3 x 14"
S1S-S1E-S2S or S2E	$4.00	$3.50	$3.00	$2.50	$2.00	$2.00	$2.25
S1S1E-S1S2E-S2S1E-S4S or S/L	5.00	4.50	4.00	3.50	3.00	3.00	3.25
Resawing—1 line	4.50	4.00	3.50	3.00	2.50	2.50	2.75
Resawing each additional line	2.50	2.50	2.00	2.00	1.50	1.50	1.75
Ripping—1 line	4.50	4.00	3.50	3.00	2.50	2.50	2.75
Ripping each additional line	2.50	2.50	2.00	2.00	1.50	1.50	1.75
Clipping to exact length	.25	.25	.25	.25	.25	.25	.25
Sorting for width if necessary for surfacing on edges	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Grading, marking and tallying after remilling (applicable only when all three services performed) Add	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Unloading, handling and reloading open cars or trucks [1]	2.00	2.00	2.00	2.00	2.00	2.00	2.00
For closed type cars, add to open car charge [1]	1.00	1.00	1.00	1.00	1.00	1.00	1.00

[1] May not be added more than once on any order.

TABLE 4—CUSTOM KILN DRYING

Kiln drying, including all handling (unloading from cars, handling through kilns, and reloading cars, etc.)

Thinner than 10/4	$10.00
10/4 & 12/4 inc.	12.00

GENERAL NOTES

1. Charges for additional lines of both resawing and ripping are based on original size of piece ripped or resawn.

2. Where surfacing is done following resawing and/or ripping surfacing charges shall be based on size or sizes of stock resulting from the resawing and/or ripping operation.

3. Where stock thinner than 1" is surfaced, resawn, or ripped, charges may be computed on surface measure. Where the first line of resawing reduces thickness to less than 1" additional lines may be figured on surface measure, instead of original size, as provided in Note 1.

4. Fractional or odd thickness: Use price of next thinner even size. Compute footage on actual rough measure.

5. Fractional or odd widths not listed: Use price of next listed width, either wider or narrower, whichever is lower. Compute footage on actual rough measure.

6. Prices on combination milling, such as ripping and resawing, must be computed on the cheapest method of producing the end product from the particular sizes remanufactured, regardless of how the custom mill actually produces the end product.

7. For milling quantities of less than 1,000 feet board measure of any size or operation, the charge for 1,000 feet may be made. For milling lots of not more than 5,000 feet where not part of a larger order, a charge of 50¢ per M feet may be made.

8. The custom kiln drying charges cover only standard grades as described in the official grading rules covering the various Northeastern softwoods subject to RMPR 219, when dried to ordinary commercial standards. Prices on drying special grades, or thicker than 12/4, or moisture content lower than standard will be given on application to the Office of Price Administration, Washington 25, D. C. The application must state the requested price, and contain a complete description of the item to be priced, including species, size, and the maximum moisture content allowed.

9. Customer must furnish accurate inbound piece tally on each shipment; otherwise custom mill may add 50¢ per M for tallying.

10. Where lumber is handled from car to car without processing, regular handling charges will apply.

Effective date. This regulation shall become effective September 2, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13050; Filed, August 28, 1944; 4:31 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 79]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 5.7 (a) is amended by changing the phrase "May-June 1944 and July-August 1944" to read "May-June, July-August, and September-October 1944."

2. Section 5.7 (d) (1) is amended by changing the words "May-June 1944 and July-August 1944" to read "May-June,

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17486, 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3080, 3075, 3340, 3704, 3577, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6106, 6504, 6628, 7167, 7260, 7705, 7770, 8242, 8813.

July-August and September-October 1944";

3. Section 5.7 (d) (2) is amended to read as follows:

(2) His application must be made, on OPA Form R-315, and must show his December 1942 use in pounds, of meats which still have a point value. (In giving that information he may give his best estimate if he does not have records, and indicate that the figures given are estimates.) If he used no such meats he need state only that he requests an adjustment under this section. A user who applied for this adjustment for the May-June 1944 period was not required to apply again to obtain the adjustment for the July-August 1944 period. However, any user who wishes to obtain this adjustment for the September-October 1944 period must apply under this section;

4. Section 5.7 (d) (4) is amended by changing the phrase "May-June or July-August 1944" to "May-June, July-August or September-October 1944."

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61 and Supplement 1 thereto, and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319, 9134, 9389)

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13096; Filed, August 29, 1944; 11:38 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 90]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The first sentence of section 13.3 (i) is amended by changing "(a)" to "(e)".

This amendment shall become effective August 28, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; War Food Order Nos. 56, 58, 59, 61, and Supp. 1 thereto, and 64, 8 F.R. 2005, 2251, 3471, 7093, 9 F.R. 4319, 9134, 9389)

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13046; Filed, August 28, 1944; 4:30 p. m.]

PART 1305—ADMINISTRATION

[GEN. RO 7,[1] Amdt. 11]

METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 7 is amended in the following respects:

1. The words "and type" following the word "number" in the first sentence of section 1.3 are deleted.

2. The second sentence of section 1.3 is deleted.

This amendment shall become effective September 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Orders Nos. 56, 58, 59, 61 and 64, 8 F.R. 2005, 2251, 3471, 7093.)

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13092; Filed, August 29, 1944; 11:35 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 92,[2] Amdt. 2]

ADJUSTABLE PRICING OF CERTAIN COTTON TEXTILES

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Order No. 92 is amended in the following respect:

In § 1305.120 (a) subparagraph (2) is revoked and subparagraph (1) is amended to read as follows:

1. All goods covered by Maximum Price Regulation No. 11.[3]

This Amendment No. 2 shall become effective August 28, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13047; Filed, August 28, 1944; 4:28 p. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[MPR 33,[1] Amdt. 6]

CARDED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 33 is amended in the following respects:

1. In § 1307.66 (b), Table II is amended to read as follows:

(2) TABLE II—BASE-GRADE YARNS

[Cents per pound]

Yarn numbers	Single	Ply
6s	38.50	41.00
8s	39.00	41.50
10s	39.75	42.25
12s	40.75	43.75
14s	41.75	45.25
16s	42.75	46.50
18s	43.75	47.75
20s	44.75	48.75
22s	46.00	50.50
24s	47.25	52.25
26s	48.75	54.25
28s	49.75	55.75
30s	51.00	57.50
32s	52.50	59.00
34s	53.50	60.50
36s	54.50	61.50
38s	55.75	62.75
40s	56.75	64.25
42s	58.50	66.50
44s	60.00	68.00
46s	61.75	69.75
48s	63.50	71.50
50s	65.50	73.50

2. In Table V of § 1307.68 (b) the premium of "10%" is changed to "9%" and the premiums of "5%" are changed to "4.5%".

This amendment shall become effective as of June 30, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13048; Filed, August 28, 1944; 4:28 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 533-5,[2] Amdt. 1]

NORTHEASTERN LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 533-5 is amended in the following respects:

1. In section 10 (b), at the end of the paragraph, the following sentences are added: "Culls may be purchased at two-thirds of the No. 2 grade price by paying only for the net usable scale. If no price is provided for the No. 2 grade of log, culls may be purchased at one-half of the woods-run price by paying only for the net usable scale."

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10002, 11479, 11880, 11676, 12403, 12488, 12557, 12744, 14472, 15486, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2267, 2476, 2789, 3030, 3075, 3340, 3577, 4704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5915, 6108, 6628.

[1] 8 F.R. 2585, 2907, 4840, 6065, 11738, 16279, 16839, 9 F.R. 2267, 5216, 7704.

[2] 9 F.R. 7502, 9896.

[3] MPR 11 (Fine Cotton Goods) 9 F.R. 2661.

[1] 7 F.R. 7557, 8948, 10070; 8 F.R. 2345, 3526, 9750, 13497.

[2] 9 F.R. 5249.

2. In section 11 a new paragraph (d) is added, to read as follows:

(d) *General.* If a seller or a buyer wishes to charge or pay for extras, or to buy or sell a species or grade of logs for which maximum charges or prices are not specifically stated in the regulation or provided for in paragraphs (a), (b), or (c) above, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item for which approval is desired:

(i) If a species of log, he shall supply a complete description of the grades and the grading rules pertaining to the species;

(ii) If an extra, a description of the service performed or the thing for which an extra charge is to be made.

(3) An explanation of the method that he used in computing his requested price.

(4) Why he believes that this price will not be out of line with the maximum prices established in the regulation.

As soon as request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approval may be made by telegram or letter.

3. Section 13 (c) (2) (iv) is amended to read as follows:

(iv) *Exception.* When white birch Select and No. 1 logs are sorted and sold as an individual species in Grafton County, Carroll County, Belknap County and that portion of Merrimack County north of the Boston and Maine R. R. in New Hampshire, the Select and No. 1 grades can include 8" and up logs as well as logs above the minimum diameter set forth for the Select and No. 1 grades with the number of defects per log acceptable in the smaller diameter logs the same as for the larger diameter logs, *Provided*, That not more than 50 percent of the diameter is in heartwood.

4. The headnote of section 15 and section 15 (a) are amended to read as follows:

SEC. 15. *Zones 3 and 3A*—(a) *Area of production.*

Zone 3 comprises all of the States of New Jersey and Pennsylvania. (See Tables 9 and 10 for prices.)

Zone 3A comprises the entire State of Delaware, the counties of Accomac and Northampton in the State of Virginia, and the following counties in Maryland—Cecil, Kent, Queen Anne, Talbot, Caroline, Dorchester, Wicomico, Somerset, and Worcester. (See Tables 9A and 10 for prices.)

5. Section 15 (b) (2) is amended to read as follows:

(2) *Supplement to general scaling rule in section 9.* The diameter shall be measured inside the bark at the small end of the log at the smallest diameter. Veneer logs shorter than 8' in length shall be known as bolts and shall be cut to the lengths specified by the buyer, plus a 3" allowance for trim.

6. In section 15 (d), the heading of Table 9 is changed to read "Table 9 (Zone 3)", and beneath the table a note is added, to read as follows:

NOTE: *Bolts (See section 15 (b) (2).* For No. 1 grade and No. 2 grade bolts cut to lengths specified by the buyer, deduct $2.50 from the No. 1 grade and No. 2 grade log prices listed above. For woodsrun grade bolts the woodsrun grade log prices listed above may be used.

7. In section 15 (d), a new table 9A is added, to read as follows:

TABLE 9A (ZONE 3A)

PER M FEET LOG SCALE

Species	No. 1 or Veneer grade	No. 2 grade	Woodsrun grade
Poplar	$57.50	$37.50	$40.00
Gum	52.50	32.50	35.00
Elm	50.00	30.00	32.50
Ash	45.00	22.50	25.00
Beech	50.00	30.00	32.50
Maple	50.00	30.00	32.50
Sycamore	45.00	22.50	25.00
Cypress			25.00
Pine	45.00	22.50	25.00
Other species except oak			25.00

NOTE: *Bolts (See section 15 (b) (2)).* For No. 1 grade and No. 2 grade bolts cut to lengths specified by the buyer, deduct $2.50 from the No. 1 grade and No. 2 grade log prices listed above. For woodsrun grade bolts the woodsrun grade log prices listed above may be used.

This amendment shall become effective August 28, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13051; Filed, August 28, 1944; 4:29 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 10]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 289 is amended in the following respects:

1. Section 1 (i) is amended to read as follows:

(i) Limburger, Brick, Munster and Swiss cheese.

2. Section 27 is amended to read as follows:

SEC. 27. *Maximum prices for Limburger, Brick, Munster and Swiss cheese*—(a) *Sales by cheese factories or cheese makers, assemblers, primary wholesalers and service wholesalers*—(1) *In Wisconsin.* (i) The maximum prices for the sale of Limburger, Brick, Munster and Swiss cheese conforming with the standards prescribed in paragraph (c) (8) (i), (ii), (iii) and (iv) respectively, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table A below:

TABLE A

[In cents per pound]

Sales and deliveries by	Limburger in "factory wrapped packages"—(gross weight)—see par. (b) (2)		Brick	Munster	Swiss
	1 lb. and 2 lbs.	½ lb.			
Cheese factories or cheese makers (see par. (c) (7) (ii))	26	26½	26½	26½	33
Assemblers (see par. (b) (1))	27½	28½	27	27	34½
Primary wholesalers	28½	29½	27½	28	36
Service wholesalers	32½	33½	30½	31	42

(ii) The maximum prices for the sale of Limburger, Brick, Munster and Swiss cheese containing either more moisture or less milk fat, or more moisture and less milk fat, than prescribed in paragraph (c) (8) (i), (ii), (iii) and (iv) respectively, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table A until August 25, 1944 with respect to Limburger, Brick and Munster cheese and until December 4, 1944 with respect to Swiss cheese. After the expiration of the maximum prices in Table A with respect to such sale the maximum prices therefore shall be the appropriate prices set forth in Table B below.

TABLE B

[In cents per pound]

Sales and deliveries by	Limburger in "factory wrapped packages"—(gross weight)—see par. (b) (2)		Brick	Munster	Swiss
	1 lb. and 2 lbs.	½ lb.			
Cheese factories or cheese makers (see par. (c) (7) (ii))	12	12½	12	12	20
Assemblers (see par. (b) (1))	13½	14½	12½	12½	20½
Primary wholesalers	14½	15	13½	13½	21½
Service wholesalers	16½	17	14½	15	24½

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5140, 5427, 5429, 5588, 5917, 5919, 5921, 6105, 7699.

(2) *Outside Wisconsin.* The maximum price for the sale of cheese delivered at any place outside of Wisconsin shall be the appropriate price set forth in Table A or B above plus the lowest published railroad carlot freight rate per pound gross weight from the applicable point named below to the place of delivery multiplied by 1.15:

From Monroe, Wisconsin for Limburger and Swiss.

From Plymouth, Wisconsin for Brick and Munster.

In calculating the transportation charge the 3 percent transportation tax imposed by section 620 of the Revenue Act of 1942 shall be included.

(3) The prices in Tables A and B for Swiss cheese are for cheese contained in tubs. Where the seller does not furnish the buyer with a tub, the maximum prices set forth in Tables A and B above shall be reduced by 50 cents for each loaf of Swiss cheese so sold.

(b) *General provisions*—(1) *Transportation charges; cheese factory to assembler.* (i) In addition to the maximum prices established in paragraph (a), a cheese assembler may compensate any cheese factory, cheese maker, or other person who hauls cheese from the cheese factory to the assembler's warehouse for such hauling services. The maximum price which may be paid by a cheese assembler or charged by a cheese factory or hauler or other carrier for this service may not exceed the appropriate price set forth in Table C below. This price must be based on the actual distance from the cheese factory to the assembler's warehouse. The distance between the cheese factory and the assembler's warehouse shall be computed via the shortest publicly traveled route.

TABLE C

Miles—not over (one way)	Cents per 100 lbs. net weight	Miles—not over (one way)	Cents per 100 lbs. net weight
5	17	120	46
10	18	130	47
15	20	140	49
20	21	150	51
25	23	160	53
30	24	170	55
35	26	180	56
40	27	190	58
45	29	200	60
50	30	210	62
55	31	220	63
60	32	230	65
65	34	240	66
70	35	250	68
75	36	260	69
80	37	270	71
85	38	280	72
90	40	290	74
100	42	Over 290	75
110	44		

(ii) Except that if the hauling service is performed by a common or a contract carrier, the maximum price for such hauling service shall be the appropriate published rate of such carrier.

(iii) An assembler who, either with his own truck or by other means, performs the hauling service from the factory to the assembling warehouse, may not pay the allowable hauling charge or any portion thereof to any person not actually performing the service; and no person, including factory, cheese maker, trustee, or any agent thereof, may charge or accept any payment for such service which is in fact performed by the assembler or his agent.

(2) *Special wrapping of Limburger cheese.* (i) When a "factory wrapped package" of limburger cheese is further wrapped with a special outside wrapper marked with the net weight of the cheese, the person performing the special outside wrapping service may, if he has purchased the cheese on the basis of gross weight and sells it on the basis of net weight, increase his established maximum price as follows:

	Cents
For each ½ lb. package	1¼
For each 1 lb. package	2¾
For each 2 lb. package	4½
For each package weighing more than 2 pounds	[1] 1

[1] Per package plus 1¾¢ per pound (net weight).

Provided, however, Only one special wrapping charge may be added to the maximum prices set forth in Table A and Table B of paragraph (a).

(ii) The maximum prices of any subsequent seller of a "factory wrapped package" of Limburger cheese which has been further wrapped with a special outside wrapper marked with the net weight of the cheese shall be increased over the maximum prices set forth in Table A and Table B of paragraph (a) for such a seller in the same amount as set forth in subdivision (i) of this subparagraph (2).

Example: If a one pound package of cheese is specially wrapped at the cheese factory, the maximum price in Table A at the cheese factory shall be increased from 26¢ to 28¾¢ and the respective maximum prices on one pound packages for assemblers, primary wholesalers and service wholesalers shall likewise be increased 2¾¢; or if the pound package is specially wrapped by a primary wholesaler, his maximum price shall be increased from 28½¢ to 31¼¢ and the maximum price for service wholesalers shall likewise be increased 2¾¢, but the maximum prices for cheese factories and assemblers shall not be increased.

(3) *Allowances and fees.* (i) The maximum prices established in paragraph (a) shall not be increased by brokerage fees, commissions or other charges not specifically authorized by this paragraph (b).

(ii) When a person described in paragraph (a) employs a person in the brokerage of cheese, the provisions of Revised Maximum Price Regulation 165 [1] shall apply. The fee established by that regulation shall be paid without increasing any of the maximum prices established in paragraph (a).

(4) *Calculations.* All calculations of any transportation rate or charge and of any maximum price established by this section shall be made on a cents-per-pound basis and shall be carried to the second decimal point. The price per pound (carried to the second decimal point) shall be multiplied by the number of pounds sold and the total price then adjusted to the nearest cent, or the next higher cent where the total price ends with a decimal of .50 cents: *Provided, however,* All maximum prices of "service wholesalers" made on a cents-per-pound basis and carried to the second decimal point shall be rounded to the nearest 1/10 of a cent or to the next higher 1/10 of a cent where the second digit beyond the decimal point is the numeral, five.

(5) *Maximum prices for sales at retail by factories, assemblers and wholesalers.* (i) The maximum price for the sale at retail to an ultimate household user of any cheese delivered at any place by a cheese factory, cheese maker, assembler, primary wholesaler or service wholesaler, shall be the appropriate maximum price established in that place for a sale by a cheese factory plus 27 percent.

(ii) No sale described above of a quantity in excess of 15 lbs. shall be considered a sale at retail.

(6) *Maximum prices in places not on railroad line or siding.* The maximum price for the sale of any cheese delivered in a place not on a railroad line or siding shall be the maximum price for a similar sale of that cheese in the nearest place that is located on a railroad line or siding. *Provided, however,* Where the latter place is more than 50 miles from the place of delivery, transportation costs from that place to the place of delivery, not to exceed the lowest common carrier rate where one exists may be added.

(7) *Maximum prices for sales not already provided for.* The maximum price for the sale or delivery in any place of any cheese described in this section for which a maximum price is not established by this section shall be the maximum price established for "sales by cheese factories" of that particular cheese in that place by paragraph (a) of this section except that where the requirements of paragraph (c) (1) of this section are satisfied, the appropriate price established for assemblers shall be the maximum price.

(8) *Special provisions for records and reports.* The provisions of section 5 shall apply to all sales of cheese as described in this section other than those by a cheese factory or cheese maker to an assembler. However, for all such latter sales the cheese factory or cheese maker shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act, as amended, remains in effect, remittance statements furnished to the cheese factory or cheese maker by the assembler.

(9) *Evasive practices prohibited*—(i) *Used cheese boxes.* The maximum prices established by this section shall not be

[1] 9 F.R. 7439.

evaded by the selling or furnishing of used cheese boxes at less than their reasonable market value by any buyer of any cheese described in this section or his agent of affiliate to any seller of such cheese, his agent or affiliate. Any sale of used cheese boxes by a buyer of any cheese described in this section, his agent or affiliate, to a seller of such cheese, his agent or affiliate at any price less than the prices established in Table D below shall be considered prima facie evidence of an evasion of the maximum prices established by this section.

TABLE D

Used boxes for Limburger, Brick and Munster	Full box	Half box	Quarter box
F. o. b. assembly warehouse	25	15	10
Delivered to cheese factory	26	16	11

(ii) *Supplies.* No buyer of any cheese described in this section, his agent or affiliate, shall sell, lend or otherwise transfer supplies or equipment to a seller of such cheese, his agent or affiliate, at less than the market value of such supplies and equipment. Any sale or transfer contrary to the provisions of this subparagraph is an evasion of paragraph (a) of this section and is hereby prohibited.

(iii) The practice described in subdivisions (i) and (ii) of this subparagraph (9) are in addition to any evasive practices prohibited by section 8 of this regulation.

(c) *Definitions* — (1) *"Assembler"* means a person who accumulates cheese and grades it in accordance with legal requirements, or, in the absence of such requirements, in accordance with customary industry practices; stores it in a refrigerated space; paraffins (if not already paraffined) or otherwise prepares it for shipment, weighs, packs and customarily ships it.

(i) No person shall be entitled to charge the maximum prices established for "assemblers" unless he performs all of the above described functions.

(ii) The prices established for "assemblers" shall include transportation costs, if any, from the cheese factory or cheese maker to the assembling warehouse whether the assembling warehouse is located inside or outside the State of Wisconsin.

(2) *"Delivered at any place."* The phrase, "delivered at any place" comprehends all sales whether made on the basis of actual delivery to the point of shipping destination or on the basis of f. o. b. shipping point or some other point. Sales f. o. b. any point shall be considered "delivered" at that point.

(3) *"Factory wrapped packages"* means pieces of partially cured Limburger cheese which have been wrapped at the cheese factory with parchment, manila paper and lead-tin foil or otherwise according to customary trade practice.

(4) *"Place"* means any city, town, village or hamlet within the United States.

(5) *"Primary wholesaler"* means a person who sells to a wholesaler or to a retailer distributing warehouse, or who sells to, and makes delivery of cheese in large lots (as stated below) to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental user:

Limburger, in lots of more than 15 pounds.
Brick, in lots of more than 20 pounds.
Munster, in lots of more than 20 pounds.
Swiss, in lots of more than 18 pounds.

Provided, however, No person shall be considered a "primary wholesaler" unless he was engaged in making sales as described above in this subparagraph (5) prior to January 1, 1943, and unless during the calendar year of 1942 at least 20% of the total amount of Limburger, Brick, Munster and Swiss cheese sold by him was sold in the manner described above: *And provided further,* No person shall be considered a "primary wholesaler" as to any cheese sold to a processor for processing.

(i) The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of an individual commercial, industrial, institutional, or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(6) *"Retailer distributing warehouse"* means a place where cheese is received and held for disposition to retail stores. Chain store warehouses and retailer owned cooperative warehouses are included in the meaning of "retailer distributing warehouse."

(7) *"Service wholesaler"* means a person who sells to, and makes delivery of cheese in small lots (as stated below) to the physical premises of, an individual retail store or individual commercial, industrial, institutional or federal or non-federal governmental user:

Limburger, in lots of 15 pounds or less.
Brick, in lots of 20 pounds or less.
Munster, in lots of 20 pounds or less.
Swiss, in lots of 18 pounds or less.

(i) No person shall be deemed a "service wholesaler" unless he owns or maintains a warehouse in the marketing area in which the physical premises of the above described purchasers are located. The physical premises of an individual retail store means the place where the cheeses described in this section are sold to ultimate household users. The physical premises of an individual commercial, industrial, institutional, or federal or non-federal governmental users means the place where such cheeses are consumed by such users.

(ii) The maximum prices established for "service wholesalers" shall not apply to any sale by a cheese factory or cheese maker or association of cheese factories or cheese makers to any purchaser described in this subparagraph (7) whose physical premises are located

(a) At a point on or east of the 99th meridian and more than 50 miles from the place where the cheese factory is located, or

(b) At a point west of the 99th meridian and more than 100 miles from the place where the cheese factory is located

where the sale or delivery is made by, through, or with the assistance of any agent, commission salesman, or trucking or hauling agent or contractor. For any such sales, the maximum price shall not exceed the appropriate maximum price in that place for a sale by a cheese factory or cheese maker for the particular type of cheese as established in paragraph (a) of this section, plus the total of the exact sums paid by the cheese factory, cheese maker or association, to the agent, commission salesman and trucking or hauling agent or contractor for making the sale to the purchaser, and for performing "local transportation services." *Provided, however,* That in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "primary wholesalers," or, in the event the cheese factory, cheese maker or association owns or maintains a warehouse in the marketing area and sales and deliveries are made in small lots as prescribed in this subparagraph (7), in no case may the maximum price exceed the appropriate maximum price established in paragraph (a) for "service wholesalers." "Local transportation services" means and is limited to, the actual distance traversed from the railroad siding in, or point of entrance to, the city, town, village, or hamlet in which the physical premises of the purchaser are located, to such physical premises.

(8) The maximum prices in Table A of paragraph (a) are for cheeses covered by the definitions set forth below which definitions are for the purpose of establishing standards of identity for specific pricing: *Provided, however,* The prescribed moisture and milk fat standards shall become effective with reference to Limburger, Brick, and Munster cheeses 90 days after May 27, 1944 and with respect to Swiss cheese 90 days after September 4, 1944.

(i) *Limburger cheese.* The food product commonly known as Limburger cheese, a soft smear ripened cheese with a strong and characteristic odor and taste,

is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by the adding of skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria present in such milk or which may be added. Sufficient rennet is then added to cause setting to a semi-solid mass. The mass is so cut, stirred, and heated as to promote separation of whey and curd. The final cooking temperature is about 98° F. When the curd is sufficiently firm about one-half of the whey is removed. The curd and whey remaining in the vat is stirred and immediately dipped into forms or molds. (Another method requires draining practically all of the whey and the addition of salt brine to the curd in the vat before dipping.) The forms containing the cheese are usually turned at regular intervals during the first day, and a slight pressure may or may not be applied to the cheese. The cheeses may or may not be cut before being placed on a salting table where they are rubbed with dry salt two or three times during the first 48 hours. The cheeses are then placed in a curing room at a temperature of about 60° F. having a relative humidity of about 95 percent. To develop and control the proper rind smear each cheese is washed in a weak brine solution about every other day until proper color and smear are obtained, which usually requires about 12 days. The cheese is wrapped in parchment, wax and foil, and placed in a cold room for further curing or until shipped. The cheese contains not more than 48 percent of moisture and its solids contain not less than 50 percent of milk fat.

(ii) *Brick cheese.* The food product commonly known as Brick cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by adding skim milk, or by adding cream. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet or other suitable coagulant is added to cause setting to a semi-solid mass. This mass is so cut, stirred, and heated as to promote separation of the whey and curd. The final cooking temperature is about 108° F. When the curd is sufficiently firm about one-half of the whey is removed. The whey and curd remaining in the vat is again stirred and immediately dipped into forms or molds. (Another method requires draining practically all of the whey and the addition of salt brine to the curd in the vat before dipping.) The forms containing the cheese are then turned at regular intervals during the first day and a slight pressure may or may not be applied to the cheese. The cheeses are then salted. They may be dry salted or immersed in brine. They are then placed on shelves in a curing room having a temperature of about 65° F. and a relative humidity of about 85 percent. The cheeses are then washed frequently in a weak brine solution over a period of about 12 days. The cheeses are usually paraffined or waxed, wrapped in parchment or suitable moisture resistant wrapper and then with an overwrap of suitable paper and packed in boxes for further holding or for shipment. The cheese contains not more than 43 percent of moisture and its solids contain not less than 50 percent of milk fat.

The term Brick cheese includes a pasteurized cured Brick cheese made by approximately the same process, including, but not limited to Beer Kaese cheese and cheese sold under such names as Bier Kase, Lager Kase, Baummeister, Milltown Bar and Beer Cheese, which cheese contains not more than 43 percent of moisture and its solids contain not less than 50 percent of milk fat.

(iii) *Munster cheese.* The food product commonly known as Munster cheese, also known as Muenster cheese is prepared from cow's milk by the following process:

Milk may or may not be pasteurized. It may be standardized to adjust the fat content by removing a portion of the fat, by adding skim milk, or by adding cream. The milk may be warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. Sufficient rennet is added to cause setting to a semi-solid mass. The mass is cut into small cubes and stirred gently for a few minutes and then allowed to settle. The final cooking temperature is usually higher than the setting temperature. When the curd is sufficiently firm and there is a slight development of acid the whey is removed and the curd is dipped into perforated round or oblong hoops or forms.

The forms containing the cheese are turned several times at regular intervals during the first day. It is then taken out of the hoop and rubbed with dry salt about 3 days in succession, or it can be brine salted. The cheese is then transferred to the ripening cellar which should have a uniform temperature of about 55° F. and a relative humidity of about 75 percent. During the ripening period the cheese is usually kept on shelves and turned about twice a week. The rind of the cheese is usually colored by dipping in a vegetable coloring matter or by applying the color to the surface of the cheese. It is then wrapped in parchment or moisture resistant material and packed in boxes. The cheese contains not more than 44 percent of moisture and its solids contain not less than 50 percent of milk fat.

(iv) *Swiss cheese.* The food product commonly known as Swiss cheese, drum Swiss or block Swiss is prepared from cow's milk by the following process:

Milk may or may not be pasteurized but is usually clarified. It may be standardized to adjust the fat content by removing a portion of the fat or by adding skim milk. The milk is warmed, when necessary, and subjected to the action of harmless lactic acid forming bacteria which may be present in the milk or which may be added. A propionic acid forming organism may also be added. Sufficient rennet is added to cause setting to a semi-solid mass. The mass is so cut, stirred, and heated as to promote the separation of whey and curd. The final cooking temperature is about 127° F. When the curd is sufficiently firm it is allowed to settle in the kettle and is then removed from the whey with a dipping cloth. The mass of curd is then placed in a cheese hoop or block form on the press table, and put under pressure for a period of about 16 hours. Cheese is removed from the press table and immersed in brine for a period of about 3 days, then it is left in a cold room for about 12 days. It is then held in a curing room at a temperature of about 75° F. for a period of about 6 weeks or until the "eyes" have formed in the body of the cheese. It is then held at a lower temperature for further aging. The cheese contains not more than 40 percent moisture and its solids contain not less than 43 percent milk fat.

(d) Reference to other maximum price regulations governing sales of cheese:

(1) Sales at retail shall be priced under the provisions of Maximum Price Regulations Nos. 422[3] and 423.[4]

This amendment shall become effective September 4, 1944, except as provided in section 27 (a) (1) (ii) and (c) (8).

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13099; Filed, August 29, 1944; 11:38 a. m.]

[3] 8 F.R. 9395, 10569, 10987, 12243, 12611, 13294, 14853, 15251, 15598, 15607, 17369, 17370; 9 F.R. 95, 3510, 3648, 4017, 4214, 4434, 5655, 6826, 6951, 7339, 7520, 7937.

[4] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13294, 14854, 15567, 15608, 16091, 17371; 9 F.R. 95, 3510, 3648, 4017, 4217, 4434, 5671, 6829, 7340, 7520, 7937.

PART 1358—TOBACCO

[MPR 260,[1] Amdt. 9]

CIGARS, CIGAR CUTTINGS, AND CLIPPINGS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 260 is amended in the following respects:

1. Section 1358.102a is amended to read as follows:

(a) *Maximum prices for imported cigars*—(1) *Listed imported cigars.* The maximum list price and the maximum retail price of any imported cigar listed in § 1358.117, Appendix B, which is sold after September 3, 1944 shall be the maximum prices set forth in that section for the imported cigar of the same brand name and front mark and of the same size, shape and quality.

(2) *Imported cigars not listed.* (i) The maximum list price and the maximum retail price of any imported cigar not listed in § 1358.117, Appendix B, which an importer did not sell prior to September 4, 1944 and which he desires to sell after such date, shall be the maximum prices set forth in that section for an imported cigar of comparable size, shape and quality. Maximum prices for an imported cigar determined by an importer under this subdivision shall not be charged, paid or received until authority to establish such maximum prices has been given by the Office of Price Administration, Washington, D. C. Such authorization will be given only after receipt, in duplicate, of all the information and evidence requested in OPA Form 635–1065, shown in § 1358.117a, Appendix C. Copies of such form will be furnished to each applicant making request therefor to the Office of Price Administration, Tobacco Section, Washington, D. C.

(ii) Within 30 days after September 4, 1944, every importer of an imported cigar, sold prior to such date, which is not listed in § 1358.117, Appendix B, shall apply for authorization of his maximum prices in the same manner provided in (i), above. An importer who has applied for authorization of his maximum prices under this subdivision may continue to sell the cigar being priced at maximum prices heretofore properly established under this regulation, until receipt by him of an order issued by the Office of Price Administration in accordance with (3), below.

(3) After receipt of an application filed under (2), above, the Office of Price Administration, Washington, D. C., will, by order, establish a maximum list price and a maximum retail price for the imported cigar being priced.

(4) Importers' and wholesalers' discounts on sales of any imported cigar priced under (1) or (2), above, shall not be less than those allowed in March 1942 on their sales of imported cigars in the same price class to the same class of purchasers. Importers' and wholesalers' price differentials in packings charged in 1942 on sales of imported cigars in the same price class may be charged on sales of such imported cigar, but shall not be increased. Importers' and wholesalers' price differentials in packings allowed in March 1942 on sales of imported cigars in the same price class shall be allowed on sales of such imported cigar and shall not be reduced. If an imported cigar is of a price class not previously sold by a particular importer, the maximum discounts on sales thereof shall be those established under this regulation for imported cigars of that price class by the most closely competitive importer thereof and packing differentials charged or allowed shall not be greater or less, respectively, than those charged or allowed by such most closely competitive importer on sales of imported cigars of that price class.

(5) On or before the first delivery after September 3, 1944 of an imported cigar for which maximum prices have been established under this regulation, every seller (other than a retailer) shall notify the purchaser of the exact amount of his maximum list price and the exact amount of the maximum retail price of such imported cigar by delivering to such purchaser a written statement as set forth below. However, no such notice shall be required where the maximum list price and the maximum retail price are the same as those previously established for the particular imported cigar under this regulation. Where the imported cigar being priced was imported and sold by the importer prior to September 4, 1944, and an application has been filed by him under (2) (ii), above, notice shall be given by the importer to the purchaser on or before the first delivery of such imported cigar after an order of authorization of maximum prices has been received by the importer, as provided in (3) above; such notice shall be given by other sellers (except retailers) on or before the first delivery of such imported cigar after receipt of notice from their suppliers in accordance with this subparagraph.

On our _____ (describe cigar by brand name, front mark and size) of imported cigars, we are authorized by the Office of Price Administration to establish a maximum list price of $_____ per thousand and a maximum retail price of _____ cents each (or _____ for _____ cents). Importers' and wholesalers' discounts on sales of this cigar are to be not less than those allowed in March 1942 on their sales of imported cigars in the same price class to the same class of purchasers. All packing differentials charged in March 1942 on sales of imported cigars in the same price class may be charged on sales of this cigar and may not be increased. All packing differentials allowed in March 1942 on sales of imported cigars in the same price class are to be allowed on sales of this cigar and may not be reduced. Wholesalers receiving this notice are required to give similar notice to every purchaser to whom they sell or deliver this imported cigar on or before the first delivery to such purchaser. The Office of Price Administration requires you to keep this notice for examination.

(6) The maximum prices of any new imported cigar established under this paragraph shall be subject to modification by the Office of Price Administration or any duly authorized officer thereof at any time.

2. The second sentence of § 1358.103 is amended by deleting the phrase "or by an importer of imported cigars under § 1358.117 Appendix B."

3. Section 1358.113 (c) is revoked.

4. Section 1358.117 is amended to read as follows:

§ 1358.117 *Appendix B.*

Brand	Front mark and packing	List price	Retail price
		Per 1,000	*Each*
Belinda	Adonis (50)	$200.00	$0.26
	After dinner (25)	297.00	.39
	Americans (25)	212.50	.28
	Apollos (50)	125.00	.17
	Belinda Belindas (25)	425.00	.55
	Belinda Queens (25)	251.75	.33
	Belvederes (25)	203.80	.28
	Brevas (50)	198.00	.28
	Coronas (25)	385.00	.55
	Fancy Tales of Smoke (25)	368.50	.50
	Panteias (50)	130.00	.20
	Perfectos (25)	246.50	.33
	Petit Coronas (25)	261.75	.33
	Premiers (25)	330.00	.44
	Puritanos Finas (50)	145.00	2/.55
	Regalia (50)	145.00	2/.55
	Sabrosas (50)	210.00	.28
	Senators (25)	203.50	.28
	Symbols (25)	161.50	.20
Bolivar	Americans (25)	209.00	.28
	Coronas (25)	400.00	.55
	Eloisas (25)	240.00	.33
	Perfect esp. (25)	285.00	.38
	Petit Coronas (25)	275.00	3/1.10

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8997, 10255, 10475, 11113, 8 F.R. 1974, 2206, 4476, 9 F.R. 3087, 3710.

Brand	Front mark and packing	List price	Retail price
		Per 1,000	*Each*
Cabanas	Americans (25)	212.25	$0.28
	Belvederes (25)	208.50	.28
	Chicas (25)	250.00	3/1.00
	Coronas' (25)	385.00	.55
	Delights (25)	176.00	.22
	Exquisitos (25)	247.50	.33
	Fancy Tales (25)	376.00	.50
	Grandes (25)	616.00	.80
	Imperiales (25)	337.50	.45
	Largas (10, 25, 50-5 tray)	450.00	.60
	Number 76 (E. C. S.) (50)	262.50	.35
	Perfectos (25)	246.25	.33
	Petit Ducs (50)	176.00	.22
	Premiers (25)	407.00	.55
	Premier Chico (25)	262.50	.35
	Puritanos Finos (50)	148.50	.20
	Regalia-Comme il Faut (50)	214.50	.28
	Tabacos Del Almuerzo (50)	242.00	.33
	Universities (25)	247.50	.33
Cabanas E. M. S.	Coronas (50)	396.00	.55
	Eloisas (50)	230.00	.30
	Grandes (50)	621.25	.80
	Largas (50)	455.25	.60
	Number 76 (50)	267.75	.36
	Obsequios (50)	371.25	.50
	Premiers (50)	418.00	.55
Hoyo de Monterrey.	Americans (25)	212.25	.28
	Aquilas Imperiales (25)	487.50	.65
	Belvederes (25)	203.50	.28
	Brevas (50)	266.25	.28
	Hoyo Corona Chicas (25)	250.00	3/1.00
	Coronas (25)	385.00	.55
	Delights (25)	203.50	.28
	F. C. & G. #2 (25)	250.00	3/1.00
	Imperiales (50)	161.50	.20
	Invencibles (25)	262.50	.35
	Monterreys (Individual) (5).	960.00	1.25
	Obsequios (25)	319.00	.44
	Panetelas (50)	150.00	.20
	Perfectos (25)	246.25	.33
	Perlas (25)	236.50	.33
	Symbols (25)	161.50	.20
H. Upmann	After Dinner (25)	290.00	.38
	Amatistas (25)	385.00	.55
	Amatistas (glass jars) (50)	401.50	.55
	Americans (25)	212.25	.28
	Arcadia (jars) (25)	275.00	3/1.10
	Belvederes (25)	203.50	.28
	Cadets (50)	161.50	.20
	Casinos (50)	145.00	3/.55
	Club Specials (25)	300.00	.40
	Coronas (25)	385.00	.55
	Coronas Major (25)	308.00	.39
	Coronas Minor (25)	262.50	.35
	Fancy Tales (25)	390.50	.55

Brand	Front mark and packing	List price	Retail price
		Per 1,000	*Each*
H. Upmann—Continued.	Magnificos (26)	300.25	$0.39
	Perfectos (25)	240.25	.33
	Perfectos (glass jars) (50)	258.50	.33
	Petit Cetros (25)	211.75	.28
	Petit Coronas (25)	249.75	.35
	Princess (50)	161.50	.20
	Reciprocities (50)	145.00	3/.55
	Royal Coronas (25)	426.25	.55
	Symbols (25)	161.50	.20
La Intimad	Belvederes (25)	199.00	.28
	Coronas (25)	375.00	.56
	Coronas Chicas (25)	260.00	3/1.10
	Eloisas (25)	240.00	.33
	Perfectos (25)	240.00	.33
	Petit Obsequios (25)	245.00	.33
	Selection #1 (25)	410.00	.55
	Spuyten Duyvils (30)	255.00	3/1.10
	Waldorf (50)	205.00	.28
Partagas	Almirantes (25)	250.00	.33
	Americans (25)	212.25	.28
	Belvederes (25)	203.50	.28
	Corona de Luxe (25)	385.00	.55
	Duke of Fife (25)	262.50	.35
	Fancy Tales of Smoke (25).	368.50	.50
	Invencibles Superfinos (25).	296.25	.39
	Londres Finos (100)	206.25	.28
	Obsequios (25)	360.00	.48
	Palmas (25)	248.75	.35
	Palmas Chicas (25)	156.00	.20
	Panetelas (50)	135.00	.17
	Panetelas Extra (50)	154.00	3/.55
	Perfectos (25)	246.25	.33
	Petit Cetros (25)	190.00	.27
	Puritanos Finos (50)	148.50	.20
	Symbols (25)	161.50	.20
Por Larranaga	Americans (25)	212.25	.28
	Almirantes (25)	247.50	.33
	Belvederes (25)	203.50	.28
	Cetros (25)	450.00	.60
	Clubman (25)	308.00	.39
	Coronas (25)	385.00	.55
	Demi Tasse (50)	123.75	3/.50
	Elegantes (25)	213.25	.28
	Eloisas (25)	226.00	.30
	Gold Cup (50)	264.00	.33
	Invencibles (25)	264.00	.33
	Nacionales (25)	324.50	.44
	Nacionales B. N. (50)	330.00	.44
	Nuevos Belvederes (25)	165.00	.22
	Nuevos Perfectos (25)	206.25	.28
	Patriotas (25)	330.00	.44
	Perfectos (25)	246.25	.33
	Petit Larranaga (25)	250.00	3/1.00
	Puritanos Finos (50)	148.50	.20
	Reyes (25)	247.50	.33
	Selected Vega (25)	262.50	.35
	Senoritas (50)	123.75	3/.50
	Symbols (25)	203.50	.28

Brand	Front mark and packing	List price	Retail price
		Per 1,000	*Each*
Punch	Alfonsos (25)	310.00	$0.42
	Belvederes (25)	199.00	.28
	Invencibles (25)	370.00	3/1.10
	Nacionales B. N. (50)	305.00	.42
	Perfectos (25)	240.00	.33
	Symbols (25)	200.00	.28
Romeo and Julieta.	Americans (25)	212.25	.28
	Apollos (50)	140.00	3/.55
	Belvederes (25)	203.50	.28
	Cetros (25)	425.00	.57
	Cetros B. N. (25)	507.00	.65
	Clemenceaus (25)	642.00	.80
	Club Specials (25)	310.00	.42
	Corona de Luxe (25)	385.00	.55
	Corona de Luxe B. N. (50)	420.00	.55
	Creme de la Creme (50)	214.50	.28
	Deliciosos (25)	210.00	.28
	Epicures (25)	155.00	.20
	Kings (25)	195.75	.26
	Panetelas (50)	135.00	.18
	Perfeccionados (25)	203.50	.28
	Perfectos (25)	246.25	.33
	Petit Coronation de Luxe (25)	257.25	.35
	Populares (50)	142.00	3/.55
	Principes (25)	296.25	.39
	Romeo Largas (25)	450.00	.60
	Tabacos Del Alm. (50)	255.00	.35
Ramon Allones	Americans (25)	212.25	.28
	Aces B. N. (50)	288.75	.37
	Allones Grandes (25)	525.00	.70
	Belvederes (25)	203.50	.28
	Club Cabinet B. N. (100)	270.00	.35
	Coronas (25)	385.00	.55
	Coronas Largas (25)	450.00	.60
	Deliciosas (25)	206.25	.28
	Demi Tasse (50)	123.75	3/.50
	Eliosas (25)	225.00	.30
	Grovnicos de Luxe #1 (25).	418.00	.55
	Grovnicos de Luxe #2 (25).	376.00	.50
	Grovnicos de Luxe #3 (25).	268.75	.39
	Grovnicos de Luxe #4 (25).	214.50	.28
	Mignon (25)	169.25	.22
	No. 76 (50)	262.50	.35
	Obsequios (25)	330.00	.44
	Petit Cetros (25)	176.00	.22
	Petit Obsequios (25)	253.00	.33
	Premiers (25)	436.25	.60
	Private Stock #1 (25)	368.50	.50
	Private Stock #2 (25)	262.50	.35
	Real Perfectos (25)	246.25	.33
	Trumps (25) & B. N. (50)	244.00	3/1.00
	White Ash #1 (25)	292.50	.39

5. Section 1358.117a is added to read as follows:

§ 1358.117a *Appendix C.*

OPA Form 625-1065 Form approved Budget Bureau No. 09-44128 (9-44)

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

DETERMINATION OF MAXIMUM PRICES FOR IMPORTED CIGARS

Name of importer

Check one: ☐ Wholesale ☐ Retail

Address—Number and street

City, postal zone number, State

Name of manufacturer

Brand of imported cigars

Address

Discount allowed to wholesaler ____ %

If the sizes of this brand of cigars were not imported and sold by you during March 1942, give the date of your first importation ____ 194..

Send at least one cigar of each size and front mark listed below.

Front mark	Per thousand cigars: Factory list price	Weight	Duty ad valorem	Duty specific	Internal revenue	Determined wholesale list price	Determined retail price	Comparable imported cigar*: Brand	Front mark

*See Maximum Price Regulation No. 260, § 1358.117a, Appendix B, for comparable imported cigar brand and front mark.

Name of person furnishing above information | Title | Date

This amendment shall become effective September 4, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13100; Filed, August 29, 1944; 11:37 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 355,[1] Amdt. 18]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 355 is amended in the following respects:

1. Paragraph (e) of section 5 is added to read as follows:

(e) Except as authorized hereafter in this paragraph (e) of section 5, you must not grind, bone, roll or cube any cut or grade of meat not authorized to be preground, pre-boned, pre-rolled or precubed in sections 20, 22 or 30 of this regulation, unless such preparation is performed in the presence of the customer ordering it, and in such a manner that he can observe it.

If you first have gotten permission from the Director of your appropriate District Office of the Office of Price Administration, you may fill bona fide telephone orders for ground, boned, rolled or cubed cuts of meat (otherwise prohibited from being prepared) even though the purchaser is not present in the store to observe the preparation, but you may prepare them only after you have received a bona fide telephone order requiring such preparation. You must not prepare them in anticipation of orders—telephone or otherwise. If you wish permission to make such sales, you first must submit your written application requesting such permission to your appropriate District Office of the Office of Price Administration. The application must state the name and address of each store for which the permission is requested, the reasons why permission to fill telephone orders is sought, must be signed by you, and must set forth facts which indicate the existence of the following conditions:

(1) That you customarily filled telephone orders during the year immediately preceding May 17, 1943;

(2) That you have continued to fill telephone orders since May 17, 1943, on those items which you were permitted to sell in this manner, but not on items which required grinding, boning, rolling or cubing in the customer's presence;

(3) That your inability to fill telephone orders on items which required grinding, boning, rolling or cubing in the customer's presence has resulted in delay in filling orders and has caused inconvenience to you and your customers since May 17, 1943.

Upon receipt of an application, the appropriate District Office of the Office of Price Administration shall conduct whatever investigation it deems necessary concerning the statements in the application, and, upon the basis of the statements and such investigations the Director of the appropriate District Office of the Office of Price Administration shall make such findings as are justified. If the findings of the District Director indicate that the requirements of this section have been satisfied, he will grant permission in writing authorizing you to fill telephone orders for such ground, boned, rolled or cubed cuts and grades of meats even though the customer is not present in your store to observe the preparation.

When you receive permission you must comply with the following rules in filling telephone orders:

Rule 1. The ground, boned, rolled or cubed meat must not be placed on display to the public.

Rule 2. The ground, boned, rolled or cubed meat must be wrapped immediately following its preparation.

Rule 3. The wrapper containing the ground, boned, rolled or cubed meat must be marked with the customer's name; the cut, grade and weight of the meat before preparation; the price per pound; and the total charge.

Rule 4. The ground, boned, rolled or cubed meat must not be sold, offered, delivered, or diverted in any manner to any customer other than the one making the telephone order.

Rule 5. You must not pre-grind, pre-bone, pre-roll or pre-cube any cut or grade of meat in anticipation of telephone orders if such preparation is not generally authorized in sections 20, 22 or 30 of this regulation.

Rule 6. No addition may be charged the customer for the grinding, boning, rolling, cubing, or any other special preparation.

Rule 7. No addition may be charged the customer for delivery service.

2. Section 12 is amended by inserting "(a)" after the caption reading "*Prohibitions and penalties*".

3. Paragraph (b) of section 12 is added to read as follows:

(b) Specifically but not exclusively the following retail merchandising practices are prohibited:

(1) The boning and/or rolling of any rib roast of beef at any time prior to receiving a specific order from a customer for the particular rib roast which is to be boned and/or rolled.

(2) The boning and/or rolling of any short loin of beef prior to receiving a specific order from a customer for the particular short loin which is to be boned and/or rolled.

(3) The preparation and/or sale of beef tenders either as a separate meat item, or as one of the incidental products resulting from special fabrication.

(4) The pre-cubing of steaks from any wholesale or retail cut of beef other than boneless top or bottom rounds.

(5) The addition of any charge for delivery service.

4. Part I of section 22 (a) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube...	.....	.....	.....	.31	.31

5. Paragraph (b) of Note 1 appended to section 22 (a), (b), (b) (1), (c), (d), (d) (1), (e), (f), (f) (1), (g), (h), (h) (1), (i), (j), (j) (1), (k), (l), (l) (1), (m), (n), (n) (1), (o), (p), (p) (1), (q), (r), (r) (1), (s), (t), (t) (1), (u), (v), (v) (1), (w), (x), and (x) (1), and section 30 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l) is amended to read as follows:

(b) Except as provided in section 5 (e), if a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. Compliance with this observation requirement may be secured by either of the following methods:

(1) The grinding operation may be performed at the meat counter.

(2) The grinding operation may be performed in the refrigerator: *Provided*, That the meat is shown to the customer immediately before and after grinding, and the right to observe the grinding operation is granted to every customer requesting such grinding and printed notice of such right is posted in two or more conspicuous places at the meat counter. Such notices shall consist of letters one inch high and shall be in the following form:

> Meat grinding equipment kept under refrigeration. We invite you to watch the grinding of your meat. OPA grants you this right. Ask the clerk.

No addition may be charged the customer for the grinding.

6. Paragraph (c) of Note 1 appended to section 22 (a) (b), (b) (1), (c), (d), (d) (1), (e), (f), (f) (1), (g), (h), (h) (1), (i), (j), (j) (1), (k), (l), (l) (1), (m), (n), (n) (1), (o), (p), (p) (1), (q), (r), (r) (1), (s), (t), (t) (1), (u), (v), (v) (1), (w), (x), and (x) (1), and section 30 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l) is amended to read as follows:

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5504.

ground at the customer's request and which is wrapped and marked with that customer's name, or which has been prepared, wrapped and marked with the customer's name as a result of a telephone order, if the retailer is authorized to fill such telephone orders under section 5 (e).

7. Note 2 appended to section 22 (a), (b), (b) (1), (c), (d), (d) (1), (e), (f), (f) (1), (g), (h), (h) (1), (i), (j), (j) (1), (k), (l), (l) (1), (m), (n), (n) (1), (o), (p), (p) (1), (q), (r), (r) (1), (s), (t), (t) (1), (u), (v), (v) (1), (w), (x), and (x) (1), and section 30 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l) is amended to read as follows:

Note 2. Cube steaks. (a) The retailer is permitted to pre-cube steaks from boneless top and bottom beef rounds only. A single price has been established for such steaks from boneless top and bottom beef rounds of Utility and Cutter and Canner grades and no pre-cubed steak of any grade may be sold at a price higher than the price fixed for cube steaks of utility and cutter and canner grades.

(b) Except as provided in section 5 (e), if a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

8. Part I of section 22 (b) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.29	.29

9. Part I of section 22 (b) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.28	.28

10. Part I of section 22 (c) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.30	.30

11. Part I of section 22 (d) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

12. Part I of section 22 (d) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.27	.27

13. Part I of section 22 (e) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

14. Part I of section 22 (f) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

15. Part I of section 22 (f) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.25	.25

16. Part I of section 22 (g) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

17. Part I of section 22 (h) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.26	.26

18. Part I of section 22 (h) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.23	.23

19. Part I of section 22 (i) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.29	.29

20. Part I of section 22 (j) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.27	.27

21. Part I of section 22 (j) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.26	.26

22. Part I of section 22 (k) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.29	.29

23. Part I of section 22 (l) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.27	.27

24. Part I of section 22 (l) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.26	.26

25. Part I of section 22 (m) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.30	.30

26. Part I of section 22 (n) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

27. Part I of section 22 (n) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.27	.27

28. Part I of section 22 (o) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.30	.30

29. Part I of section 22 (p) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

30. Part I of section 22 (p) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.27	.27

31. Part I of section 22 (q) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.30	.30

32. Part I of section 22 (r) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

33. Part I of section 22 (r) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.27	.27

34. Part I of section 22 (s) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.31	.31

35. Part I of section 22 (t) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

36. Part I of section 22 (t) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.27	.27

37. Part I of section 22 (u) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.31	.31

38. Part I of section 22 (v) is amended follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.28	.28

39. Part I of section 22 (v) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.27	.27

40. Part I of section 22 (w) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.31	.31

41. Part I of section 22 (x) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.29	.29

42. Part I of section 22 (x) (1) is amended by the addition of an item to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
Cube				.28	.28

43. Part I of section 30 (a) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.26	.26

44. Part I of section 30 (b) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.25	.25

45. Part I of section 30 (c) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.23	.23

46. Part I of section 30 (d) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube				.23	.23

47. Part I of section 30 (e) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.24	.24

48. Part I of section 30 (f) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.24	.24

49. Part I of section 30 (g) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.25	.25

50. Part I of section 30 (h) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.25	.25

51. Part I of section 30 (i) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.25	.25

52. Part I of section 30 (j) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.26	.26

53. Part I of section 30 (k) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.26	.26

54. Part I of section 30 (l) is amended by the addition of item 15 to read as follows:

	Choice or AA	Good or B	Commercial or B	Utility or C	Cutter and Canner or D
15. Cube	.....	.....	.....	.26	.26

This amendment shall become effective September 4, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13101; Filed, August 29, 1944; 11:37 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 394,[1] Amdt. 7]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 394 is amended in the following respects:

1. Paragraph (e) of section 5 is added to read as follows:

(e) Except as authorized hereafter in this paragraph (e) of section 5, you must not grind, bone, roll or cube any cut or grade of kosher meat not authorized to be pre-ground, pre-boned, pre-rolled or pre-cubed in sections 16, 19 or 24 of this regulation, unless such preparation is performed in the presence of the customer ordering it, and in such a manner that he can observe it.

If you first have gotten permission from the Director of your appropriate District Office of the Office of Price Administration, you may fill bona fide telephone orders for ground, boned, rolled or cubed cuts of kosher meat (otherwise prohibited from being prepared) even though the purchaser is not present in the store to observe the preparation, but you may prepare them only after you have received a bona fide telephone order requiring such preparation. You must not prepare them in anticipation of orders—telephone or otherwise. If you wish permission to make such sales, you first must submit your written application requesting such permission to your appropriate District Office of the Office of Price Administration. The application must state the name and address of each store for which the permission is requested, the reasons why permission to fill telephone orders is sought, must be signed by you, and must set forth facts which indicate the existence of the following conditions:

(1) That you customarily filled telephone orders during the year immediately preceding May 17, 1943.

(2) That you have continued to fill telephone orders since May 17, 1943, on those items which you were permitted to sell in this manner, but not on items which required grinding, boning, rolling or cubing in the customer's presence.

(3) That your inability to fill telephone orders on items which required grinding, boning, rolling or cubing in the customer's presence has resulted in delay in filling orders and has caused inconvenience to you and your customers since May 17, 1943.

Upon receipt of an application, the appropriate District Office of the Office of Price Administration shall conduct whatever investigation it deems necessary concerning the statements in the application, and, upon the basis of the statements and such investigations the Director of the appropriate District Office of the Office of Price Administration shall make such findings as are justified. If the findings of the District Director indicate that the requirements of this section have been satisfied, he will grant permission in writing authorizing you to fill telephone orders for such ground, boned, rolled or cubed cuts and grades of kosher meats even though the customer is not present in your store, to observe the preparation.

When you receive permission you must comply with the following rules in filling telephone orders:

Rule 1. The ground, boned, rolled or cubed meat must not be placed on display to the public.

Rule 2. The ground, boned, rolled or cubed meat must be wrapped immediately following its preparation.

Rule 3. The wrapper containing the ground, boned or rolled or cubed meat must be marked with the customer's name; the cut, grade and weight of the meat before preparation; the price per pound; and the total charge.

Rule 4. The ground, boned, rolled or cubed meat must not be sold, offered, delivered, or diverted in any manner to any customer other than the one making the telephone order.

Rule 5. You must not pre-grind, pre-bone, pre-roll or pre-cube any cut or grade of meat in anticipation of telephone orders if such preparation is not generally authorized in Sections 16, 19 or 24 of this regulation.

Rule 6. No addition may be charged the customer for the grinding, boning, rolling, cubing, or any other special preparation.

Rule 7. No addition may be charged the customer for delivery service.

2. Section 12 is amended by inserting "(a)" after the caption reading *"Prohibitions and penalties"*.

3. Paragraph (b) of section 12 is added to read as follows:

(b) Specifically but not exclusively the following retail merchandising practices are prohibited:

(1) The boning and/or rolling of any rib roast of beef at any time prior to receiving a specific order from a customer for the particular rib roast which is to be boned and/or rolled.

(2) The pre-cubing of steaks from any wholesale or retail cut of kosher beef.

(3) The addition of any charge for delivery service.

4. Paragraph (b) of Note 1 appended to section 19 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l) is amended to read as follows:

(b) Except as provided in section 5 (e), if a customer buys any retail cut of kosher meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. Compliance with this observation requirement may be secured by either of the following methods:

(1) The grinding operation may be performed at the meat counter.

(2) The grinding operation may be performed in the refrigerator: *Provided*, That the meat is shown to the customer immediately before and after grinding, and the right to observe the grinding operation is granted to every customer requesting such grinding and printed notice of such right is posted in two or more conspicuous places at the meat counter. Such notice shall consist of letters one-inch high and shall be in the following form:

> Meat grinding equipment kept under refrigeration. We invite you to watch the grinding of your meat. OPA grants you this right. Ask the clerk.

No addition may be charged the customer for the grinding.

5. Paragraph (c) of Note 1 appended to section 19 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l), is amended to read as follows:

(c) The kosher retailer shall not have in his store or cooler any ground kosher meat except ground kosher beef, ground kosher veal or ground kosher lamb, or kosher meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name, or which has been prepared, wrapped and marked with the customer's name as a result of a telephone order, if the retailer is authorized to fill such telephone orders under section 5 (e).

6. Note 2 appended to section 19 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l) is amended to read as follows:

Note 2. Cube steaks. (a) The kosher retailer is not permitted to pre-cube steaks from any wholesale or retail cut of kosher beef.

(b) Except as provided in section 5 (e), if a customer buys any retail cut of kosher meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

This amendment shall become effective September 4, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13095; Filed, August 29, 1944; 11:36 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 124]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 4746.

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. In § 1390.4 (a), the last sentence of the text preceding subparagraph (1) is revoked.

2. Section 1390.7 (d) is redesignated Section 1390.7 (e).

3. Section 1390.7 (d) is added to read as follows:

(d) *Allowance for scrap or wastage.* Where the manufacturer's October 1, 1941, price determining method included an allowance to the purchaser for scrap or wastage, generated during the manufacturing process, this allowance shall be determined as follows:

(1) Where, on October 1, 1941, the manufacturer determined the amount of this allowance on the basis of the current market price thereof, the allowance shall be determined as follows: The manufacturer shall multiply the estimated quantity of the scrap or wastage by the market price in effect therefor as of the date when he determines his maximum price.

(2) Where, on October 1, 1941, the manufacturer determined the amount of this allowance on the basis of a percentage of the current market price thereof, the allowance shall be determined as follows: The manufacturer shall first multiply the market price in effect for the scrap or wastage, as of the date when he determines his maximum price, by the percentage of the market price he was using to determine the allowance on October 1, 1941. The manufacturer shall then multiply the resultant figure by the estimated quantity of the scrap or wastage.

4. The first paragraph of § 1390.25 (a) (44) is amended to read as follows:

This subparagraph is applicable to textile bobbins and spools made principally of wood. Notwithstanding any other provisions of this regulation, the maximum manufacturers' prices for such bobbins and spools shall be determined as follows: The manufacturer shall multiply the net price he had in effect to a purchaser of the same class on October 1, 1941, by 109%.

5. Section 1390.26 (c) is amended to read as follows:

(c) *Reports on products brought under this regulation.* Whenever the sale or rental of any products or services are brought within the scope of this regulation by an amendment thereto, the reports required by § 1390.5 (d) shall be filed within thirty days after the effective date of such amendment.

6. In Appendix B, the following item is added in alphabetical order:

Ground key work, metal, such as valves, cocks and stops primarily made to the purchaser's specifications when sold by the manufacturer thereof to manufacturers and resellers of machines and parts, manufacturers and resellers of farm equipment (as defined in Maximum Price Regulation 246) and manufacturers of automotive parts (as defined in Maximum Price Regulation 452). Sales of metal ground key work by persons engaged in the business of selling machines or parts are also covered by this regulation.

7. In Appendix B, the following item is added under the heading "Marine equipment":

Hatch Covers, metal.

8. In Appendix B, the item "Dies, jigs and fixtures (except where the die is sold or a separate charge is made therefor in connection with the sale of the product in the production of which it is used and the maximum price established for the product includes the price for such die)" is amended to read "Dies, jigs and fixtures (except where the die, jig or fixture is sold, or a separate charge is made therefor, in connection with the sale of the product in the production of which it is used and the maximum price established for the product includes the price for such die, jig or fixture)."

9. In Appendix C, the item "Parts and subassemblies sold for use in farm equipment, as defined in § 1361.9 (a) (3) of Maximum Price Regulation No. 133—Retail Prices for Farm Equipment", is revoked.

10. In Appendix C, the following item is added in alphabetical order:

Farm equipment (the maximum prices of which are established by Maximum Price Regulation 246).

11. In Appendix C, the item "Manual valves" is amended to read "Manual valves, except ground key work, listed in Appendix B."

This amendment shall become effective September 4, 1944.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13097; Filed, August 29, 1944; 11:36 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 74]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.1 is amended by deleting the fifth sentence and substituting instead the following: "A stamp having an expiration date and sent by a consumer to an establishment with a mail order is considered used within its valid period, if the envelope in which it is enclosed is postmarked within the time it is valid for consumer use."

2. Section 1.2 (b) is amended by deleting the last two sentences.

3. Section 1.4 (a) (2) is amended by deleting all but the first sentence.

4. Section 1.4 (c) (2) is amended by adding "The Board should write on each stamp issued the words 'No Book'."

[1] 8 F.R. 15839, 16605, 16996, 9 F.R. 92, 572, 764, 2232, 2656, 2947, 2829, 3340, 3944, 5254, 5491, 5806, 6233, 6455, 6647, 7080, 7773, 8254, 8339, 8340, 8931, 9355, 9901.

5. Section 1.4 (c) (3) is deleted.

6. Section 1.4 (d) (1) is amended by adding the following: "The person authorized to issue a stamp under this paragraph shall write on it the words 'No Book'."

7. Section 1.4 (d) (2) is deleted.

8. Section 1.5 (d) is amended by deleting the last two sentences.

9. Section 1.6 is amended by deleting the words "within its valid period" from the first sentence and by adding the following: "A special shoe stamp which is not marked 'Mexico' is valid for consumer use at any time regardless of date of issuance. A special shoe stamp marked 'Mexico' is valid for consumer use for thirty days after the date of issue."

10. Section 1.7 (a) (1) is amended by deleting the last three sentences.

11. Section 1.7 (b) (2) is amended by deleting the fifth and sixth sentences.

12. Section 1.10 (c) is deleted.

13. Section 1.15 is amended by deleting from the second sentence the words "time of issue or the time of expiration either by reference to a date or a war ration shoe stamp and the".

14. Section 2.8 (a) is amended by deleting the sentence "Ration currency may be forwarded to a supplier only within twenty days after its expiration for consumer use or to the District Office within the time it is valid for deposit as provided in the next section.", and substituting instead the following: "War ration shoe stamps may be forwarded to a supplier only within twenty days after their expiration for consumer use or to the District Office within the time they are valid for deposit as provided in the next section."

15. Section 2.9 (a) is amended to read as follows:

(a) *Time for depositing is limited.* A war ration shoe stamp may not be deposited to an establishment's account later than thirty days after its expiration for consumer use. A ration check may be deposited at any time. A certificate (OPA Form R-1705A or 1705B), regardless of when issued, may be deposited at any time and shall be valid for consumer use at any time after its date of issue. (This includes certificates that had expired before April 15, 1944.) A special shoe stamp may be deposited at any time. However, a special shoe stamp marked "Mexico" and received by an establishment within the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona or San Diego, California, shall not be valid for deposit.

16. Section 2.9 (c) is amended by deleting the second sentence.

17. Section 2.10 (a) is amended by deleting the fourth and fifth sentences.

This amendment shall become effective September 2, 1944.

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13094; Filed, August 29, 1944; 11:35 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,[1] Amdt. 41]

HAND OPERATED VALVES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1499.166, a paragraph is added under the heading "Valves—hand operated", to read as follows:

This regulation does not apply to sales of metal ground key work which are subject to the provisions of Maximum Price Regulation 136, as amended.

This amendment shall become effective Sept. 4, 1944.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13096; Filed, August 29, 1944; 11:36 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[2] Amdt. 20]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (3) is amended to read as follows:

"Rationed cheeses" means all cheeses of any kind, variety or description (but not including "cottage cheese," "creamed cottage cheese" containing five percent or less butterfat by weight, "whey products," or any cheese in the manufacture of which neither cow's milk nor milk solids, derived from cow's milk, are used) and any other edible product containing thirty percent or more by weight of such cheeses.

2. The definition of "Rationed cheeses" in section 27.1 (a) is amended to read as follows:

"Rationed cheeses" means all cheeses of any kind, variety or description (but not including "cottage cheese," "creamed cottage cheese" containing five percent or less butterfat by weight, "whey products," or any cheese in the manufacture of which neither cow's milk nor milk solids, derived from cow's milk, are used) and any other edible product containing thirty percent or more by weight of such cheeses.

3. The definition of "whey product" in section 27.1 (a) is amended by substituting the figure "10" for the figure "25" and by deleting the second sentence.

This amendment shall become effective September 2, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 8232.

[2] 9 F.R. 6781, 7000, 7061, 7062, 7167, 7208, 7259, 7262, 7844, 7426, 7876, 7774, 8182, 8769, 8954, 9953, 10049, 10087.

PART 1499—COMMODITIES AND SERVICES

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB, Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 54, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13093; Filed, August 29, 1944; 11:35 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1,[1] Amdt. 75]

DICHLORO-DIPHENYL-TRICHLOROETHANE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.2 (h) is added to read as follows:

(h) Sales of dichloro—diphenyl-trichloroethane (DDT) and compositions thereof by the original manufacturer of the DDT to the United States or any agency thereof or to any person who will use such commodity to fulfil a contract or subcontract with the United States or any agency thereof: *Provided*, That the person making such sale or sales files a report with the Office of Price Administration on or before the 10th of each month setting forth with respect to deliveries of DDT or compositions thereof during the preceding month: (1) a description of each product delivered, (2) the name and address of each buyer to whom a delivery was made, (3) the quantity of each product delivered to each buyer, (4) the price charged for each product. If at any time the Office of Price Administration determines, after consultation with the purchasing agencies of the government, that the need for exception has expired and so notifies in writing the manufacturer of the DDT, this exception shall not apply to the commodities thereafter sold, delivered or supplied to which such notice relates. This exception shall not apply to sales of any composition of DDT by any person other than the original manufacturer of the DDT nor shall it apply to sales other than those made pursuant to a contract or subcontract with the United States or any agency thereof, such sales being subject to the provisions of the General Maximum Price Regulation.

This amendment shall become effective September 4, 1944.

NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13091; Filed, August 30, 1944; 11:37 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4429–4431, 4433, 4488, 4491, 35 Stat. 428, 49 Stat. 1384, 1544, 54 Stat. 1028 (46 U.S.C. 375, 391a, 392, 404, 407–409, 411, 481, 489, 396, 369, 367, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the regulations and approval of equipment are prescribed:

Subchapter D—Tank Vessels

PART 33—LIFESAVING APPLIANCES

EQUIPMENT: LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

Section 33.3–1 (i) is amended to read as follows:

§ 33.3–1 *Tank ship lifeboat equipment; ocean and coastwise*—T/OC. • • •

(i) *Hatchets.* Two hatchets attached to the boat by individual lanyards and readily available for use, one at each end of the boat. All hatchets provided for use on vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Section 33.3–2 (g) is amended to read as follows:

§ 33.3–2 *Tank ship lifeboat equipment; Great Lakes—T/L.* • • •

(g) *Hatchets.* Two hatchets attached to the boat by individual lanyards and readily available for use, one at each end of the boat. All hatchets provided for use on vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Section 33.3–3 (c) is amended to read as follows:

§ 33.3–3 *Tank ship lifeboat equipment; bays, sounds, lakes other than Great Lakes, and rivers—TB/BR.* • • •

(c) *Hatchets.* Two hatchets attached to the boat by individual lanyards and readily available for use, one at each end of the boat. All hatchets provided for use on vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Subchapter F—Marine Engineering

PART 52—CONSTRUCTION

BOILER AND SUPERHEATER TUBES

Section 52.12–2 (e) is amended to read as follows:

§ 52.12–2 *Materials and workmanship.* • • •

(e) (1) The ends of all tubes and nipples shall be expanded and flared not less than one-eighth inch over the diameter of the tube hole on all water tube boilers and headers, or they may be flared not less than one-eighth inch, rolled and beaded, or flared, rolled and seal welded, or rolled and seal welded without flaring provided the throat of the weld is not less than three-sixteenths inch nor more than three-eighths inch.

(2) The ends of tubes or nipples of water tube boilers when not seal welded shall project through the tube plates or headers not less than one-fourth inch nor more than one-half inch before flaring. When the tubes enter at an angle, the maximum limit of one-half inch shall apply only at the point of least projection.

(3) If the tubes or nipples are welded, they shall be re-expanded to provide for shrinkage after welding. Welding shall be done by qualified welders using approved electrodes of a diameter not exceeding five-thirty-seconds inch. Carbon content of the plate, headers and tubes shall not exceed 0.35 per cent and stress relieving shall not be used after welding.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Section 59.11 (j) is amended to read as follows:

§ 59.11 *Lifeboat equipment.* • • •

(j) *Hatchets.* Two hatchets attached to the boat by individual lanyards and readily available for use, one at each end of the boat. All hatchets provided for use on vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Section 60.9 (j) is amended to read as follows:

§ 60.9 *Lifeboat equipment.* • • •

(j) *Hatchets.* (See § 59.11 (j) of this chapter, which is identical with this section.)

Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 76.14 (g) is amended to read as follows:

§ 76.14 *Equipment for lifeboats on vessels of classes* (a), (b), (c), (d), *and* (e). • • •

(g) *Hatchets.* Two hatchets attached to the boat by individual lanyards and readily available for use, one at each end of the boat. All hatchets provided for use on vessels on and after, October 1, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Section 76.14a (c) (7 F.R. 7611) is amended to read as follows:

§ 76.14a *Equipment for lifeboats on vessels of class* (f). • • •

(c) *Hatchet.* One hatchet attached by a lanyard and readily available for use. All hatchets provided for use on merchant vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 94.13 (c) is amended to read as follows:

§ 94.13 *Equipment for lifeboats.* • • •

(c) *Hatchet.* One hatchet attached by a lanyard and readily available for use. All hatchets provided for use on merchant vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Subchapter J—Rivers

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.22 (c) is amended to read as follows:

§ 113.22 *Equipment for lifeboats on vessels on all rivers except western rivers whose waters flow into the Gulf of Mexico and the Yukon River.* • • •

(c) *Hatchet.* One hatchet attached by a lanyard and readily available for use. All hatchets provided for use on merchant vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Section 113.22a (b) is amended to read as follows:

§ 113.22a *Equipment for lifeboats on vessels on western rivers whose waters flow into the Gulf of Mexico and the Yukon River.* • • •

(b) *Hatchet.* One hatchet attached by a lanyard and readily available for use. All hatchets provided for use on merchant vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.6a (a) (6) is amended to read as follows:

§ 153.6a *Additional equipment for lifeboats on seagoing barges of 100 gross tons or over.* (a) • • •

(6) *Hachet.* One hatchet attached by a lanyard and readily available for use. All hatchets provided for use on merchant vessels on and after 1 October,

1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

Section 153.7a (p) is amended to read as follows:

§ 153.7a *Equipment for life rafts approved on and after March 15, 1943.* • • •

(p) *Hatchet.* One hatchet attached by a lanyard and readily available for use. All hatchets provided for use on merchant vessels on and after 1 October, 1944 shall be of an approved type. Hatchets provided prior to 1 October, 1944 may be continued in service provided they are in good and serviceable condition.

APPROVAL OF EQUIPMENT

DAVIT

Schat P. H. A. davit, B. U. type MD60-17½ (Arrangement Dwg. No. BA-876, dated 17 June, 1944) (working load of 9,600 pounds per arm, or 19,200 pounds per set), submitted by the Lane Lifeboat and Davit Corporation, Foot of 40th Road, Flushing, N. Y.

FIRE RETARDANT MATERIAL FOR VESSEL CONSTRUCTION

Seaporcel Flush Type (Panel for Class B bulkhead construction), ¼" asbestos millboard insulation, metal veneered each side of panel, submitted by the Seaporcel Corp., 39-30 Borden Avenue, Long Island City, N. Y.

LINE-THROWING GUN

Shoulder line-throwing gun, Model 66, 45-70 cal. (Dwg. No. D-000, dated 29 June, 1943), submitted by the Harrington and Richardson Arms Company, Worcester, Mass.

SEA ANCHOR

Sea anchor, Type T (U. S. Coast Guard Dwg. MMI-562, and specification dated 1 November, 1943, revised 1 June, 1944), submitted by Kent Marine Products Corporation, 426 Great East Neck Road, West Babylon, N. Y.

L. T. CHALKER,
Rear Admiral, USCG,
Acting Commandant.

AUGUST 28, 1944.

[F. R. Doc. 44-13066; Filed, August 29, 1944; 8:58 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RULES GOVERNING STANDARD AND HIGH FREQUENCY BROADCAST STATIONS

ALTERNATE MAIN TRANSMITTERS

The Commission on August 22, 1944, effective immediately, amended § 3.64 to read as follows:

§ 3.64 *Alternate main transmitters.* The licensee of a standard broadcast station may be licensed for alternate main transmitters provided that a technical need[*] for such alternate transmitters is shown and that the following conditions are met:

(a) Both transmitters are located at the same place.

(b) The transmitters have the same power rating except at stations operating with different daytime and nighttime power when it shall be permissible to employ transmitters of power ratings appropriate to either the licensed daytime or nighttime power.

(c) The external effects from both transmitters are substantially the same as to frequency stability, reliability of operation, radio harmonics and other spurious emissions, audio frequency range and audio harmonic generation in the transmitter.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i); Sec. 303 (e), 48 Stat. 1082; 47 U.S.C. 303 (e).)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-13086; Filed, August 28, 1944; 11:24 a. m.]

[*] Such as licensees maintaining 24-hour schedule and needing alternate operation for maintenance, or where developmental work requires alternate operation.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 25A]

PART 503—ADMINISTRATION

DESIGNATION OF EMPLOYEES AUTHORIZED TO ADMINISTER OATHS AND AFFIRMATIONS

Pursuant to the Independent Offices Appropriation Act, 1944, the National War Agencies Appropriation Act, 1944, the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to provide for the administration of oaths and affirmations by designated employees of the Office of Defense Transportation, Administrative Order ODT 25 (9 F.R. 4825) is hereby superseded, and, *It is hereby ordered,* That:

Sec.
503.440 Employees designated to administer oaths and affirmations in connection with activities of the Office of Defense Transportation.
503.441 Employees designated to administer oaths and affirmations in connection with civil service matters.
503.442 Procedure; termination of designation; instructions.

AUTHORITY: §§ 503.440 to 503.442, inclusive, issued under the Independent Offices Appropriation Act, 1944, 57 Stat. 196, 5 U. S. Code 16a; the National War Agencies Appropriation Act, 1944, 57 Stat. 536; the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U. S. Code §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 8007; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 8884.

§ 503.440 *Employees designated to administer oaths and affirmations in connection with activities of the Office of Defense Transportation.* The following employees of the Office of Defense Transportation are hereby designated and authorized to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of the Office of Defense Transportation:

(a) Executive officer, assistant executive officer, regional administrative officers;

(b) Regional directors, assistant regional directors, transportation specialists, district managers, assistant district managers, and examiners, of the Highway Transport Department;

(c) Regional director, assistant regional directors, assistant to the regional director, transportation specialist, and dispatchers of the Division of Puerto Rican Transport, Puerto Rico;

(d) Regional director and assistant regional director, Hawaii;

(e) The Alaskan representative; and

(f) Attorneys of the Office of the General Counsel.

§ 503.441 *Employees designated to administer oaths and affirmations in connection with civil service matters.* The executive officer, assistant executive officer, and each regional administrative officer of the Office of Defense Transportation, and such other employees of the Office of Defense Transportation as may be designated in writing by such executive officer or by a regional administrative officer, are hereby designated and authorized to administer the oath required by section 1757, Revised Statutes, as amended (5 U. S. Code 16), incident to entrance into the executive branch of the Federal Government, or any other oath required by law in connection with employment therein, including any oath required by law in connection with civil service matters. The authority herein conferred does not include authority to execute the officer's certificate of residence.

§ 503.442 *Procedure; termination of designation; instructions.* The following provisions shall apply to the administering or taking of oaths, affirmations, and affidavits by the employees designated in §§ 503.440 and 503.441 of this order:

(a) Any employee who administers to or takes from any person any oath, affirmation, or affidavit under the authority of this order, in signing the jurat, shall append to his signature his official title and official station. It shall not be necessary to affix a seal.

(b) All oaths and affirmations made under the authority contained in this order shall be administered without charge or fee.

(c) The authority of a designated employee pursuant to the provisions of this order shall expire at the termination of the employee's service with the Office of Defense Transportation, unless sooner terminated by administrative action.

(d) The executive officer is authorized to issue such instructions as he may deem necessary to implement the provisions of this order.

Administrative Order ODT 25 (9 F.R. 4825) is hereby revoked as of the effective date of this Administrative Order ODT 25A.

This Administrative Order ODT 25A shall become effective August 29, 1944.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-13067; Filed, August 29, 1944; 10:25 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

RECEIVING OF GRAIN, SOY BEANS, FLAXSEED AND BUCKWHEAT INTO GRAIN ELEVATORS

APPLICATION FOR EXEMPTION AS SEASONAL INDUSTRY

Notice of correction in the matter of applications of the National Grain Trade Council, millers' national federation and sundry other parties for the exemption of the receiving of grain, soy beans, flaxseed, and buckwheat into grain elevators from the Maximum Hours Provision of the Fair Labor Standards Act of 1938, as industries of a seasonal nature pursuant to section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder.

Whereas, the text of paragraph numbered 3 of the Administrator's Decision in the above entitled matter, as published in the FEDERAL REGISTER on June 14, 1941 (6 F.R. 2889), reads as follows:

(3) The storing of grain including flaxseed, buckwheat, and soy beans by mill elevators is a branch of an industry and of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938, and regulations issued thereunder, and therefore is entitled to the exemption provided in section 7 (b) (3) of the said act; and

Whereas, the words "wheat flour" immediately preceding the words "mill elevators" in the above paragraph were inadvertently omitted;

Now, therefore, the said paragraph is hereby corrected to read as follows:

(3) The storing of grain, including flaxseed, buckwheat, and soy beans by wheat flour mill elevators is a branch of an industry and of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938, and regulations issued thereunder, and therefore is entitled to the exemption provided in section 7 (b) (3) of the said act.

Signed at New York, New York, this 25th day of August 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-12960; Filed, August 28, 1944; 12:23 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 250 et al.]

WEST COAST CASE; OREGON AIRWAYS, ET AL.

NOTICE OF HEARING

In the matter of the applications of Oregon Airways, et al., for certificates and amendment of existing certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that hearing in the above-entitled proceeding is hereby assigned for public hearing on November 1, 1944, at 10:00 a. m. (Pacific war time) in Room 402, Civic Auditorium, San Francisco, California.

Dated at Washington, D. C., August 28, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-13084; Filed, August 29, 1944; 11:24 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6644]

FISHER'S BLEND STATION, INC.

NOTICE OF HEARING

In re application of Fisher's Blend Station, Inc. (KJR); date filed, May 15, 1944; for renewal of license (main and auxiliary); class of service, broadcast; class of station, broadcast; location, Seattle, Washington; operating assignment specified: frequency, 950 kc; power, 5 kw—Main, DA-N, 1 kw—Auxiliary; hours of operation, unlimited time. File No. B5-R-63.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Fisher's Blend Station, Inc., Radio Station KOMO, Docket No. 6614, for the following reasons:

1. To determine whether Station KJR renders primary service to a substantial portion of the primary service area of Station KOMO.

2. To determine whether Station KOMO renders primary service to a substantial portion of the primary service area of Station KJR.

3. To determine whether a grant of the instant application would be consistent with the provisions of § 3.35 of the Commission's regulations.

4. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of §1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fisher's Blend Station, Inc., Radio Station KJR, Skinner Building, 1326 Fifth Avenue, Seattle, Washington.

Dated at Washington, D. C., August 23, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-13087; Filed, August 29, 1944; 11:24 a. m.]

[Docket No. 6652]

FRANK E. HURT

NOTICE OF HEARING

In re application of Frank E. Hurt (KFXD); date filed, July 6, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Boise, Idaho; operating assignment specified; frequency, 580 kc; power, 1 kw; hours of operation, unlimited—Da. File No. B5-P-3668.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing in consolidation with the applications of Queen City Broadcasting Company, Inc., Docket No. 6653, and Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Idaho Breadcasting Company, Docket No. 6654, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation proposed herein, and what other broadcast service is available to these areas and populations.

3. To determine nature and character of the proposed program service and whether it will provide for the program needs of the areas and populations proposed to be served.

4. To determine whether the proposed operation would serve an outstanding public need or national interest.

5. To determine the extent of any interference which may result from the simultaneous operation of the proposed station and stations CKUA, Edmonton, Alberta, Canada, and KMJ, Fresno, California, and whether in view thereof the proposed assignment would be consistent with the Commission's Rules and the North American Regional Broadcasting Agreement.

6. To determine the extent of any interference which would be involved as a result of the simultaneous operation of the proposed station and the operation

proposed by Queen City Broadcasting Company, Inc., in application File No. B5–P–3613.

7. To determine whether the transmitter site proposed in this application would comply with the Commission's Rules and Standards of Good Engineering Practice, particularly with respect to affording primary service day and night to the city of Boise, Idaho.

8. To determine whether the proposed antenna system will comply with the Commission's Rules and the Standards of Good Engineering Practice, particularly with respect to the provisions requiring an effective unattenuated field at one mile of at least 175 mv/m.

9. To determine whether a grant of this application would be consistent with the Commission's Supplemental Statement of Policy of January 26, 1944.

10. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

11. To determine whether, upon the evidence adduced at the hearing, the public interest, convenience and necessity would be served by granting this application, the application of Queen City Broadcasting Company, Inc. (File No. B5–P–3613), the application of Idaho Broadcasting Company (File No. B5–P–3631), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Frank E. Hurt, Radio Station KFXD, 1024 12th Avenue, South, Nampa, Idaho.

Dated at Washington, D. C., August 24, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13088; Filed August 29, 1944; 11:24 a. m.]

[Docket No. 6653]

QUEEN CITY BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Queen City Broadcasting Company, Inc. (New); date filed, May 18, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Boise, Idaho; operating assignment specified: frequency, 600 kc; power, 1 kw; hours of operation, unlimited—DA-N. File No. B5–P–3613.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Frank E. Hurt, Radio Station KFXD, Docket No. 6652, and Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Idaho Broadcasting Company, Docket No. 6654, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation proposed herein, and what other broadcast service is available to these areas and populations.

3. To determine nature and character of the proposed program service and whether it will provide for the program needs of the areas and populations proposed to be served.

4. To determine whether the proposed operation would serve an outstanding public need or national interest.

5. To determine the extent of any interference which may result from the simultaneous operation of the proposed station and stations CJOR, Vancouver, British Columbia, and CRQC, Saskatoon, Saskatchewan, and whether in view three of the proposed assignment would be consistent with the Commission's rules and the North American Regional Broadcasting Agreement.

6. To determine the extent of any interference which would be involved as a result of the simultaneous operation of the proposed station and the operation proposed by Frank E. Hurt (KFXD), in application File No. B5–P–3668.

7. To determine whether the proposed antenna system will comply with the Commission's Rules and the Standards of Good Engineering Practice, particularly with respect to the provisions requiring an effective unattenuated field at one mile of at least 175 mv/m.

8. To determine whether a grant of this application would be consistent with the Commission's Supplemental Statement of Policy of January 26, 1944.

9. To determine whether, upon the evidence adduced at the hearing, the public interest, convenience and necessity would be served by granting this application, the application of Frank E. Hurt (KFXD) (File No. B5–P–3668), the application of Idaho Broadcasting Company (File No. B5–P–3631), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Queen City Broadcasting Company, Inc., 66 Cobb Building, 4th and University Sts., Seattle, Washington.

Dated at Washington, D. C., August 24, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13089; Filed, August 29, 1944; 11:25 a. m.]

[Docket No. 6654]

IDAHO BROADCASTING CO.

NOTICE OF HEARING

In re application of Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Idaho Broadcasting Company (New); date filed, June 1, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Boise, Idaho; operating assignment specified: frequency, 1340 kc; power, 250 watts; hours of operation, unlimited. File No. B5–P–3631.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Frank E. Hurt, Radio Station KFXD, Docket No. 6652, and Queen City Broadcasting Company, Inc., Docket No. 6653, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation proposed herein, and what other broadcast service is available to these areas and populations.

3. To determine the nature and character of the proposed program service and whether it will provide for the program needs of the areas and populations proposed to be served.

4. To determine whether the proposed operation would serve an outstanding public need or national interest.

5. To determine whether the equipment to be used at the proposed station would comply with the Commission's rules and regulations and Standards of Good Engineering Practice, particularly with respect to transmitter, frequency monitor and modulation monitor.

6. To determine whether granting of this application would be consistent with the Commission's Supplemental Statement of Policy of January 26, 1944.

7. To determine whether upon the evidence adduced at the hearing, public interest, convenience and necessity would be served by granting this application, the application of Frank E. Hurt (KFXD) (File No. B5–P–3668), the application of Queen City Broadcasting Company, Inc. (File No. B5–P–3613), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the

basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Idaho Broadcasting Company, 29 South State Street, Salt Lake City, Utah.

Dated at Washington, D. C., August 24, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F.R. Doc. 44-13090; Filed, August 29, 1944; 11:25 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 468]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 24, 1944, by Gianukos Bemos & Company, of car ART 15926, cantaloupes, now on the C&NW (Wood St. Station) to Heller Brothers, New York, N. Y. via Erie Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13083; Filed, August 29, 1944; 11:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Divesting Order 67]

ABEL EDGAR CHERNACK

In re: Patent of Abel Edgar Chernack.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on January 18, 1943, vested, by Vesting Order No. 666, as property of Abel Edgar Chernack, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,245,758; June 17, 1941; Abel Edgar Chernack; Flexible tube.

2. Having found in said Vesting Order No. 666 that Abel Edgar Chernack was a resident of France and was a national of a foreign country (France);

3. Having thereafter received an executed claim by or on behalf of Abel Edgar Chernack, residing at 115 Cambridge Street, Elmwood, Connecticut, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, and that the said claimant was at the time, and at all times since then has been and now is an individual residing in the United States; and that claimant is not a national of a designated enemy country; and that the foregoing vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on February 17, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-13072; Filed, August 29, 1944; 11:00 a. m.]

[Divesting Order 69]

LEONARD ELION

In re: Patent of Leonard Elion.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on January 18, 1943, vested by Vesting Order No. 671, as property of Leonard Elion, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,158,411; 5-16-39; Leonard Elion; Method for restraining or preventing the action of proteolytic enzymes.

2. Having found in said Vesting Order No. 671 that Leonard Elion was a resident of Netherlands and was a national of a foreign country (Netherlands);

3. Having thereafter received an executed claim by or on behalf of Leonard Elion, residing at Larchmont, New York, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, and that the said claimant was at that time, and at all times since then has been and now is an individual residing in the United States; and that claimant is not a national of a designated enemy country; and that the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on February 25, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-13073; Filed, August 29, 1944; 11:00 a. m.]

[Divesting Order 73]

AMERICAN DIAGRID CORP.

In re: Patent of American Diagrid Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on October 2, 1942, vested, by Vesting Order No. 201, as property in which a national or nationals of a foreign country or countries had interests, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for

past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,104,443; 1-4-38; Stephan Szego; Floor, roof and like structure.

2. Having determined, before issuing said Vesting Order No. 301, that the said property was property of Stephan Szego and that Stephan Szego was a resident of Germany and was a national of a foreign country (Germany);

3. Having thereafter received an executed claim by or on behalf of American Diagrid Corporation, a corporation of Delaware, having its principal place of business at New York, New York, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, as assignee of record in the United States Patent Office, and that the said claimant was at that time, and at all times since then has been and now is a corporation organized in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13074; Filed, August 29, 1944; 11:01 a. m.]

[Divesting Order 74]

AMERICAN ROLLING MILL CO.

In re: Patent of American Rolling Mill Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on January 2, 1942, vested, by Vesting Order No. 660, as property of Rene Michel, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for any past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,866,941; 7-5-32; R. Michel; Rolling Mill.

2. Having found in said Vesting Order No. 660 that Rene Michel was a resident of France and was a national of a foreign country (France);

3. Finding, as the result of further investigation, conducted subsequent to the date of vesting, that the aforesaid patent was surrendered and that Reissue Patent No. 19,406 was issued in lieu thereof on December 25, 1934;

4. Having thereafter received an executed claim by or on behalf of American Rolling Mill Company, a corporation of Ohio, having its principal place of business at Middletown, Ohio, hereinafter called claimant, in which it was recited that the above entitled reissue patent was on the date of vesting owned by the said claimant;

5. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, as assignee of record in the United States Patent Office, and that the said claimant was at that time, and at all times since then has been and now is a corporation organized in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

6. Having neither assigned, transferred, or conveyed to anyone the said original or reissue patent or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

7. Determining that the error committed in vesting said original patent should be corrected by quitclaiming to said claimant any rights of the undersigned in and to the original and reissue patents and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such patent originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the rights of the undersigned in and to the original and reissue patents be quitclaimed to claimant.

Now, therefore, the undersigned, without warranty, quitclaims to the claimant all his rights in and to the original patent identified above and the aforesaid reissue thereof.

Executed at Washington, D. C., on May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13075; Filed, August 29, 1944; 11:01 a. m.]

THE HOOVER CO.

[Divesting Order 81]

In re: Patent of The Hoover Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on August 26, 1942, vested, by Vesting Order No. 112, as property in which a national or nationals of a foreign country or countries had interests, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor and Title

1,976,800; 10-16-34, K. Nesselmann; Absorption refrigerating system.

2. Having determined, before issuing said Vesting Order No. 112, that the said property was property of Siemens-Schuckertwerke A. G., and that Siemens-Schuckertwerke A. G., was a corporation organized under the laws of Germany and was a national of a foreign country (Germany);

3. Having thereafter received an executed claim by or on behalf of The Hoover Company, a corporation of Ohio, having its principal place of business at North Canton, Ohio, hereinafter called claimant, in which it was recited that the above-entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, as assignee of record in the United States Patent Office, and that the said claimant was at that time, and at all times since then has been and now is a corporation organized in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or, any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13076; Filed, August 29, 1944; 11:01 a. m.]

[Divesting Order 84]

REYNOLDS METALS CO.

In re: Patent of Reynolds Metals Company.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on June 4, 1942, vested, by Vesting Order No. 16, as property of a National or Nationals of a Foreign County or Countries designated in Executive Order No. 8389, as amended, as defined therein, the property identified as follows:

All right, title and interest, including all accrued royalties and all damage and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,162,094; 6-13-39; T. W. Mahone; Carton.

2. Having determined, before issuing said Vesting Order No. 16, that the said property was property of Duisburger Kupferhuette and that Duisburger Kupferhuette was a corporation organized under the laws of Germany and was a national of a foreign country (Germany);

3. Having thereafter received an executed claim by or on behalf of Reynolds Metals Company, a corporation of Delaware, having its principal place of business at Richmond, Virginia, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant as assignee of record in the United States Patent Office;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, and that the said claimant was at that time, and at all times since then has been and now is a corporation organized in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13077; Filed, August 29, 1944; 11:01 a. m.]

[Divesting Order 85]

WILLEM L. J. SPOOR

In re: Patents of Willem L. J. Spoor.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on January 16, 1943, vested, by Vesting Order No. 671, as property of Willem L. J. Spoor, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date, Inventor, and Title

1,973,669; 9-11-34; W. L. J. Spoor; Rotary pump.

2,015,200; 9-24-35; W. L. J. Spoor; Rotary pump.

2. Having found in said Vesting Order No. 671 that Willem L. J. Spoor was a resident of Netherlands and was a national of a foreign country (Netherlands);

3. Having thereafter received an executed claim by or on behalf of Willem L. J. Spoor, residing at Montclair, New Jersey, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, and that the said claimant was at that time, and at all times since then has been and now is an individual residing in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not rqeuire the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13078; Filed, August 29, 1944; 11:01 a. m.]

[Divesting Order 86]

U. S. INDUSTRIAL CHEMICALS, INC.

In re: Patent of U. S. Industrial Chemicals, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on January 16, 1943, vested, by Vesting Order No. 666, as property of Societe Ricard Allenet & Cie, Distilleries des Deux Sevres, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,659,958; 2-21-28; E. Ricard, H. Guinot; Process for dehydration of alcohol for carburants;

2. Having found in said Vesting Order No. 666 that Societe Ricard Allenet & Cie, Distilleries des Deux Sevres was a corporation organized under the laws of France and was a national of a foreign country (France);

3. Having thereafter received an executed claim by or on behalf of U. S. Industrial Chemicals, Inc., a corporation of Delaware, having its principal place of business at New York, New York, hereinafter called claimant in which it was recited that the above entitled property was on the date of vesting owned by U. S. Industrial Alcohol Company and thereafter by claimant as assignee of record in the United States Patent Office;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by U. S. Industrial Alcohol Company, predecessor in title of claimant, and that the U. S. Industrial Alcohol Company and said claimant were at that time, and at all times since then have been and now are corporations organized in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13079; Filed, August 29, 1944; 11:03 a. m.]

[Divesting Order 87]

UNITED STATES RADIUM CORP.

In re: Patent of United States Radium Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on October 2, 1942, vested, by Vesting Order No. 201, as property in which a national or nationals of a foreign country or countries had interests, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,718,899; 6-25-29; Alois Fischer; Method of uniting radio-active material with a metallic carrier;

2. Having determined, before issuing said Vesting Order No. 201, that the said property was property of Alois Fischer and that Alois Fischer was a resident of Austria and was a national of a foreign country (Austria);

3. Having thereafter received an executed claim by or on behalf of United States Radium Corporation, a corporation of Delaware, having its principal place of business at New York, New York, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by Alois Fischer;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by Alois Fischer, assignor to claimant by assignment of record in the United States Patent Office, and that Alois Fischer and said claimant were at that time, and at all times since then have been and now are, respectively, an individual residing in the United States and a corporation organized in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on May 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13080; Filed, August 29, 1944; 11:03 a. m.]

[Divesting Order 88]

GEORGE DE BECSE

In re: Patents of George De Becse.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

1. Having, on October 2, 1942, vested, by Vesting Order No. 201, as property in which a national or nationals of a foreign country or countries had interests, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent number, Date, Inventor, and Title

2,154,150; 4-11-39; George De Becse; Apparatus for carrying out physical and chemical reactions;

2,209,444; 7-30-40; George De Becse; Manufactures from dolomitic materials;

2. Having determined, before issuing said Vesting Order No. 201, that the said property was property of George De Becse and that George De Becse was a resident of Hungary and was a national of a foreign country (Hungary);

3. Having thereafter received an executed claim by or on behalf of George De Becse, residing at Lawrenceburg, Indiana, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, and that the said claimant was at that time, and at all times since then has been and now is an individual residing in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the Alien Property Custodian, without warranty, assigns, transfers, and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on May 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13081; Filed, August 29, 1944; 11:03 a. m.]

[Divesting Order 90]

LEOPOLD LION

In re: Patent of Leopold Lion.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

1. Having, on October 20, 1943, vested, by Vesting Order No. 2430, as property of Leopold Lion, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Issued, Inventor, and Title

2,189,506; 2-6-40; Leopold Lion; Luminous advertising device;

2. Having found, in said Vesting Order No. 2430, that Leopold Lion was a resident of Germany and was a national of a foreign country (Germany);

3. Having thereafter received an executed claim by or on behalf of Leopold Lion, residing at New York, New York, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, and that the said claimant was at that time, and at all times since then has been and now is an individual residing in the United States; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the Alien Property Custodian without warranty, assigns, transfers, and conveys to claimant the

property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on May 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13062; Filed, August 29, 1944; 11:08 a. m.]

[Vesting Order 3975]

LUIGI CRISTIANI AND GIOVANNI MASCARINI

In re: Patents and interests of Luigi Cristiani and Giovanni Mascarini in contracts with Additive Color Process Corporation and John M. Aufiero.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Luigi Cristiani and Giovanni Mascarini are citizens and residents of Italy and are nationals of a foreign country (Italy);

2. That the property described in subparagraph 4a hereof is property of Luigi Cristiani;

3. That the property described in subparagraphs 4b, 4c and 4d hereof is property of Luigi Cristiani and Giovanni Mascarini;

4. That the property described as follows:

(a) All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof in and to the following United States Letters Patent:

Patent Number, Date, Inventor and Title

2,200,467, 5-14-40, Luigi Cristiani, Apparatus for color photography.

(b) All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof in and to the following United States Letters Patent:

Patent number, Date, Inventor and Title

2,200,468, 5-14-40, Luigi Cristiani and Giovanni Mascarini, Apparatus for color photography.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Luigi Cristiani and Giovanni Mascarini by virtue of an agreement dated January 14, 1938 (including all modifications thereof and supplements thereto, if any) by and between Luigi Cristiani and Giovanni Mascarini and Additive Color Process Corporation, which agreement relates, among other things, to United States Letters Patent No. 2,200,466.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Luigi Cristiani and Giovanni Mascarini by virtue of an agreement dated February 4, 1938 (including all modifications thereof and supplements thereto, if any) by and between Luigi Cristiani, Giovanni Mascarini and John M. Aufiero, which agreement relates, among other things, to United States Letters Patent No. 2,200,466

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13063; Filed, August 29, 1944; 11:08 a. m.]

[Vesting Order 3976]

ELIE GRANAT AND COMPAGNIE DES FORGES ET ACIERIES DE LA MARINE ET D'HOMECOURT

In re: Patents and interests of Elie Granat and Compagnie Des Forges et Acieries de La Marine et D'Homecourt in an agreement with Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Elie Granat is a resident of France and is a national of a foreign country (France);

2. That Compagnie Des Forges et Acieries de La Marine et D'Homecourt is a corporation organized under the laws of France and is a national of a foreign country (France);

3. That the property described in subparagraph 4 hereof is property of Elie Granat and Compagnie Des Forges et Acieries de La Marine et D'Homecourt;

4. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement, in and to the following patents:

Patent Number, Date of Issue, Inventor and Title

1,642,438; 9-13-27; Elie Granat; Electric transmission system.

1,694,121; 12-4-28; Elie Granat; Electric distant control device.

1,697,976; 1-8-29; Elie Granat; Disconnecting and reconnecting device for distant control arrangements.

1,701,671; 2-12-29; Elie Granat; Differential electric distant control device comprising static transmitters.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Elie Granat and Compagnie Des Forges et Acieries de La

Marine et D'Homecourt by virtue of an agreement dated June 28, 1929 (including all modifications thereof and supplements thereto, if any) by and between them and Westinghouse Electric & Manufacturing Company, which agreement relates, among other things, to Patent No. 1,701,671.

[F. R. Doc. 44-13069; Filed, August 29, 1944; 11:04 a. m.]

[Vesting Order 3977]

LA CELLOPHANE, SOCIETE ANONYME

In re: Interest of La Cellophane, Societe Anonyme in agreements with E. I. du Pont de Nemours & Company, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That La Cellophane, Societe Anonyme is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of La Cellophane, Societe Anonyme;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in La Cellophane, Societe Anonyme by virtue of an agreement dated June 9, 1923 (including all modifications thereof and supplements thereto, if any) by and between E. I. du Pont de Nemours & Company, Inc. and Arena Trading Corporation, relating, among other things, to certain United States Letters Patent, including Patent No. 2,276,151.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in La Cellophane, Societe Anonyme by virtue of an agreement dated December 26, 1923 (including all modifications thereof and supplements thereto, if any) by and between Du Pont Cellophane Company, Inc. and Arena Trading Corporation, relating, among other things, to certain United States Letters Patent, including Patent No. 2,276,151.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in La Cellophane, Societe Anonyme by virtue of an agreement dated March 18, 1929 (including all modifications of and supplements to such agreement, including, but without limitation, a letter dated January 31, 1940 from La Cellophane, Societe Anonyme to E. I. du Pont de Nemours & Company, Inc.; a letter dated December 21, 1940 from Comptoir des Textiles Artificiels to E. I. du Pont de Nemours & Company, Inc., and a letter dated March 26, 1941 from E. I. du Pont de Nemours & Company, Inc. to Comptoir des Textiles Artificiels) by and between La Cellophane, Societe Anonyme and E. I. du Pont de Nemours & Company, Inc., relating, among other things, to certain United States Letters Patent, including Patent No. 2,276,151.

[F. R. Doc. 44-13070; Filed, August 29, 1944; 11:04 a. m.]

[Vesting Order 3978]

ERNST CLEMENS MATTHES

In re: Interest of Ernst Clemens Matthes in an agreement with the Schaaf & Good Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Ernst Clemens Matthes is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Ernst Clemens Matthes;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ernst Clemens Matthes by virtue of an agreement dated November 17, 1937 (including all modifications thereof and supplements thereto, and including, but without limitation, an agreement entitled "Amendments to License Agreement" dated December 29, 1937) by and between Schaaf & Good Company and Ernst Clemens Matthes, which agreement relates, among other things, to United States Letters Patent No. 2,001,906,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13071; Filed, August 29, 1944; 11:04 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 28, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATION BETWEEN DURANGO AND CORTEZ, COLO.

Upon further consideration of the application for authority to coordinate common carrier services by motor vehicle in the transportation of property between Durango and Cortez, Colorado, and intermediate points, filed with the Office of Defense Transportation,

It is hereby ordered, That Supplementary Order ODT 3, Revised-28 (8 F.R. 8518) be, and it hereby is, amended by deleting the words The Rio Grande Southern Railroad Company (Cass M. Herrington, Receiver) where they appear in said supplementary order and substituting in lieu thereof the words The Rio Grande Southern Railroad Company, Cass M. Herrington, Receiver, operator in part of Ed Haines, doing business as Haines Motor Freight.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-13064; Filed, August 29, 1944; 10:25 a. m.]

[Supp. Order ODT 3, Rev. 260]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS AND OKLAHOMA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3284, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Adams Transfer and Storage Co. (a corporation), 228 West 4th Street, Kansas City, Mo.

Leland R. Atherton and Fannie D. Atherton, doing business as Atherton Transfer and Storage Co., 127 North Water Street, Wichita, Kans.

Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, 819 W. Prisco, Oklahoma City, Okla.

Keystone Freight Lines (a corporation), 1522 E. 5th Place, Tulsa, Oklahoma.

The Santa Fe Trail Transportation Co. (a corporation), 419 West 2d Street, Wichita, Kans.

Yellow Transit Co. (a corporation), 311 S. Western Avenue, Oklahoma City, Okla.

Wichita Forwarding Company (a corporation), 1719 Wyoming Street, Kansas City, Mo.

[F. R. Doc. 44-13058; Filed, August 29, 1944; 10:26 a. m.]

[Supp. Order ODT. 3, Rev. 293]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN MISSOURI

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3284, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

[1] Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Arkansas Motor Freight Lines, Inc., Ft. Smith, Ark.
W. E. Smith and Lee R. Smith, doing business as Smith Truck Lines, Joplin, Mo.

[F. R. Doc. 44-13059; Filed, August 29, 1944; 10:26 a. m.]

[Supp. Order ODT 3, Rev. 294]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN EVANSVILLE, IND., AND MEMPHIS, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

[1] Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William S. Ellis and Fay O. Ellis, doing business as Ellis Trucking Co., Indianapolis, Ind.
Highway Express, Incorporated (Lessee and operator of Maurice Stanley, doing business as Shippers Forwarding Co.), Evansville, Ind.

[F. R. Doc. 44-13060; Filed, August 29, 1944; 10:27 a. m.]

[Supp. Order ODT 3, Rev. 295]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CINCINNATI, OHIO, AND KNOXVILLE, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

[1] Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Dixie Ohio Express Co., Inc., Akron, Ohio.
Hyatt Spaulding and Herman Gettlefinger, doing business as Blue & Gray Transportation Co., Cincinnati, Ohio.
Silver Fleet Motor Express, Inc., Louisville, Ky.

[F. R. Doc. 44-13061; Filed, August 29, 1944; 10:27 a. m.]

[Supp. Order ODT 3, Rev. 296]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those

that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Walter Petersen, an individual, doing business as Nielsen & Petersen, Grand Island, Nebr.

Albert S. Larsen, doing business as Larsen Transfer, Dannebrog, Nebr.

Jack John Romans and Peter J. Kowalski, doing business as Loup Valleys Transfer, Loup City, Nebr.

[F. R. Doc. 44-13068; Filed, August 29, 1944; 10:28 a. m.]

[Supp. Order ODT 8, Rev. 301]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NASHVILLE, TENN., AND CINCINNATI, OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 8, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hayes Freight Lines, Inc., 119 N. 18th Street, Mattoon, Ill.

Hoover Motor Express Co., Inc., 414 Fifth Avenue, S., Nashville, Tenn.

[1] Filed as part of the original document.

Johnson Freight Lines, Inc., 1911 Central Avenue, Chattanooga, Tenn.

Silver Fleet Motor Express, Inc., 216 E. Pearl Street, Louisville, Ky.

Southeastern Motor Truck Lines, Inc., 420 6th Avenue, S., Nashville, Tenn.

[F. R. Doc. 44-13065; Filed, August 29, 1944; 10:26 a. m.]

[Supp. Order ODT 6A-42]

COMMON CARRIERS

COORDINATED OPERATIONS IN FAYETTEVILLE, N. C., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 6757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-42" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

D. J. Thurston, Jr., doing business as Thurston Motor Lines, Wilson, N. C.

Carolina Transportation Company (a corporation), Raleigh, N. C.

[F. R. Doc. 44-13066; Filed, August 29, 1944; 10:27 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 943]

AMERICAN FUEL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 943 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Docket Nos. 3120-414, 429, 417, 446 and 467.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Orders Nos. 209, 218, 234, 235 and 244, as amended by Amendment No. 1 thereto, issued under Maximum Price Regulation No. 120 are hereby revoked.

(b) Coals produced by Malcolm N. McKinnon, doing business as the American Fuel Company, Salt Lake City, Utah, at the American Fuel Mine, Mine Index No. 147, in District No. 20, for shipment by rail may be sold and purchased at per net ton prices not to exceed the following respective prices f. o. b. the rail shipping point:

Size group:	
1	$4.65
2	4.65
3	4.45
4	4.40
5	4.45
6	4.40
7	3.80
8	3.60
9	3.60
10	3.15
11	3.15
12	2.95
13	3.80
14	3.55
15	3.35

(c) Coal produced by Utah Fuel Company of Salt Lake City, Utah, at its Sunnyside No. 1 Mine, Mine Index No. 22, in District No. 20 for shipment by rail for all uses may be sold and purchased at prices not to exceed the following respective prices per ton f. o. b. the rail shipping point:

Size groups						
1	2	3	4	5	6	7-15, inclusive
$4.25	$3.95	$3.75	$3.70	$3.75	$3.70	$3.30

(d) Coals produced by Hardscrabble Coal Company (John G. Diamanti) of Helper, Utah, at its Hardscrabble Mine, Mine Index No. 130, in District No. 20, for shipment by rail may be sold and purchased at per net ton prices not to exceed the following respective prices f. o. b. the rail shipping point:

Size groups														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
$4.75	$4.75	$4.75	$4.85	$5.75	$6.75	$6.75	$2.90	$2.90	$3.65	$3.85	$3.35	$3.10	$2.85	$3.65

(e) Coal produced by Utah Blue Diamond Coal Company of Salt Lake City, Utah, at its Utah Blue Diamond Mine, Mine Index No. 178 in District No. 20 for shipment by rail may be sold and purchased at per net ton prices not to exceed the following respective prices f. o. b. the rail shipping point:

Size groups:	2	3	4
	$4.15	$4.15	$3.95

(f) Coals produced by B. A. Howard (Deer Creek Coal Company) of Huntington, Utah, at its Deer Creek Mine, Mine Index No. 131, in District No. 20 for shipment by rail may be sold and purchased at per net ton prices not to exceed the following respective prices f. o. b. the rail shipping point:

Size groups														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
$4.65	$4.65	$4.65	$4.65	$4.65	$4.65	$3.85	$3.60	$3.60	$3.15	$3.15	$2.95	$3.50	$3.25	$3.25

(g) This Order No. 943 may be revoked or amended at any time.

(h) There may be added to the maximum prices established herein a sum not exceeding the amount permitted by § 1340.231 (b) (3) of Maximum Price Regulation No. 120 (Amendment 73).

(i) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(j) This order shall become effective August 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13045; Filed, August 28, 1944; 4:31 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 28, 1944.

REGION I

Connecticut Order 4-F, covering fresh fruits and vegetables in Connecticut, filed 3:34 p. m.

REGION II

Buffalo Order 1-F, Amendment 19, covering fresh fruits and vegetables in designated cities in New York, filed 4:02 p. m.

Buffalo Order 2-F, Amendment 19, covering fresh fruits and vegetables in Rochester, E. Rochester, Fairport and Pittsford, filed 3:40 p. m.

District of Columbia Order 1-F, Amendment 21, covering fresh fruits and vegetables in designated areas, filed 3:46 p. m.

Erie Order 13-F, Amendment 2, covering fresh fruits and vegetables in Erie, Pa., filed 12:27 p. m.

Maryland Order 1-F, Amendment 20, covering fresh fruits and vegetables within 10 mile radius of Baltimore City Hall, filed 3:45 p. m.

Maryland Order 2-F, Amendment 8, covering fresh fruits and vegetables in Entire Eastern Shore of Maryland, excluding Cecil County, filed 3:52 p. m.

Maryland Order 3-F, Amendment 7, covering fresh fruits and vegetables in a certain designated area, filed 3:46 p. m.

Newark Order 4-F, Amendment 15, covering fresh fruits and vegetables in certain counties in New Jersey, filed 12:25 p. m.

Trenton Order 6-F, covering fresh fruits and vegetables in certain counties in New Jersey, filed 3:51 p. m.

Wilmington Order 2-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Delaware, filed 3:51 p. m.

Wilmington Order 3-F, Amendment 3, covering fresh fruits and vegetables in designated areas in Delaware, filed 3:53 p. m.

REGION III

Escanaba Order 9-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Michigan, filed 12:29 p. m.

Escanaba Order 10-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Michigan, filed 12:29 p. m.

Escanaba Order 11-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Michigan, filed 12:29 p. m.

Escanaba Order 12-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Escanaba District, filed 12:24 p. m.

Escanaba Order 13-F, Amendment 24, covering fresh fruits and vegetables in certain cities in Michigan, filed 12:24 p. m.

Escanaba Order 14-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Wisconsin and Michigan, filed 12:24 p. m.

Escanaba Order 15-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Michigan, filed 12:24 p. m.

Escanaba Order 16-F, Amendment 24, covering fresh fruits and vegetables in Sault Ste. Marie, Chippewa County, Michigan, filed 12:24 p. m.

Escanaba Order 17-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Michigan, filed 3:48 p. m.

Louisville Order 4-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Kentucky, filed 3:43 p. m.

Louisville Order 5-F, Amendment 2, covering fresh fruits and vegetables in certain designated counties in Kentucky, filed 3:46 p. m.

Louisville Order 6-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Kentucky, filed 3:44 p. m.

Louisville Order 7-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Kentucky, filed 3:44 p. m.

REGION IV

Atlanta Basic Order 2-B, covering wholesale food prices in Region IV, filed 3:42 p. m.

Raleigh Order 6-F, covering fresh fruits and vegetables in the Raleigh, N. C. District Area, filed 3:55 p. m.

Raleigh Order 8-F, Amendment 1, covering fresh fruits and vegetables in the Raleigh District Area, filed 3:55 p. m.

Richmond Order 14, Amendment 8, covering poultry in the Richmond District, filed 3:53 p. m.

Memphis Order 18, covering retail food prices in the Memphis District Area, filed 12:39 p. m.

Memphis Order 4-F, Amendment 47, covering fresh fruits and vegetables in the Memphis District, filed 12:30 p. m.

Savannah Order 1-F, Amendment 49, covering fresh fruits and vegetables in Chatham, Bryan, Effingham and Liberty, filed 12:38 p. m.

Savannah Order 2-F, Amendment 44, covering fresh fruits and vegetables in certain counties in Georgia, filed 12:40 p. m.

Savannah Order 3-F, Amendment 42, covering fresh fruits and vegetables in certain counties in Georgia, filed 12:40 p. m.

Savannah Order 4-F, Amendment 41, covering fresh fruits and vegetables in certain counties in Georgia, filed 12:41 p. m.

Savannah Order 5-F, Amendment 22, covering fresh fruits and vegetables in certain counties in Georgia, filed 12:42 p. m.

REGION V

Arkansas Order 2-F, Amendment 22, covering fresh fruits and vegetables in Pulaski County, Ark., filed 12:31 p. m.

Arkansas Order 3-F, Amendment 20, covering fresh fruits and vegetables in Garland County, Ark., filed 12:31 p. m.

Dallas Order 1-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Texas, filed 3:33 p. m.

Fort Worth Order 1-F, Amendment 31, covering fresh fruits and vegetables in Tarrant County, Tex., filed 3:33 p. m.

Fort Worth Order 2-F, Amendment 31, covering fresh fruits and vegetables in certain county (Taylor County) in Texas, filed 3:33 p. m.

Fort Worth Order 3-F, Amendment 31, covering fresh fruits and vegetables in Green County, Tex., filed 3:32 p. m.

Fort Worth Order 4-F, Amendment 31, covering fresh fruits and vegetables in McLennan County, Tex., filed 12:44 p. m.

Forth Worth Order 5-F, Amendment 31, covering fresh fruits and vegetables in Wichita County, Tex., filed 12:44 p. m.

Oklahoma Order 2-F, Amendment 22, covering fresh fruits and vegetables in certain areas in Oklahoma, filed 3:34 p. m.

REGION VI

Des Moines Order 1-F, Amendment 30, covering fresh fruits and vegetables in the Des Moines Area, filed 12:27 p. m.

Duluth-Superior Order 1-F, Amendment 30, covering fresh fruits and vegetables in Duluth, Procter, City and Town of Superior, filed 12:38 p. m.

La Crosse Order 1-F, Amendment 30, covering fresh fruits and vegetables in certain cities in Wisconsin and Minnesota, filed 12:34 p. m.

La Crosse Order 2-F, Amendment 25, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wis., filed 12:34 p. m.

La Crosse Order 3-F, Amendment 25, covering fresh fruits and vegetables in Rochester, Minn., filed 12:34 p. m.

La Crosse, Revocation of Order 4-F and Amendments 1 to 24 inc., covering fresh fruits and vegetables in Sparta, Wis., filed 12:35 p. m.

Peoria Order 11, Amendment 3, covering community food prices in certain areas in Illinois, filed 12:42 p. m.

Springfield Order 1-FS, Amendment 5, covering fresh fruits and vegetables in certain area in Illinois, filed 12:33 p. m.

Springfield Order 7-F, Amendment 1, covering fresh fruits and vegetables in certain areas in the State of Illinois (The Springfield District), filed 12:32 p. m.

Sioux City Order 2-F, Amendment 30, covering fresh fruits and vegetables in Sioux City, Iowa and Sioux City, Nebr., filed 12:32 p. m.

Sioux City Order 12, Amendment 3, covering community food prices in Sioux City, Iowa, and Sioux City, Nebr., filed 12:33 p. m.

REGION VIII

San Diego Order 1-F, Amendment 56, covering fresh fruits and vegetables in the San Diego Area, filed 4:01 p. m.

San Diego Order 2-F, Amendment 5, covering fresh fruits and vegetables in certain areas in California, filed 3:59 p. m.

San Diego Order 3-F, Amendment 4, covering fresh fruits and vegetables in designated areas in California, filed 4:00 p. m.

Copies of any of the above orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-13044; Filed, August 28, 1944; 4:31 p. m.]

WAR FOOD ADMINISTRATION.

WHITEWOOD SALES CO., WHITEWOOD, S. DAK.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Whitewood Sales Company stockyards, Whitewood, South Dakota, posted on June 12, 1941, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 28th day of August 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-13042; Filed, August 28, 1944; 3:51 p. m.]

WAR MANPOWER COMMISSION.

WILLIAMSPORT, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Williamsport Area VI is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Control of hiring and solicitation of workers.
2. Adoption, approval and establishment of area plan.
3. General provisions of the plan.
4. Existing contracts.
5. Advertising.
6. Advance notice of lay-offs.
7. Limited statements of availability.
8. Request to remain on or return to a job.
9. Release of individuals hired or solicited in violation of employment stabilization plan.
10. Definitions as used in this plan.

Purpose. In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Area Director of the War Manpower Commission for the Williamsport Manpower Area, with the concurrence of the Williamsport Management-Labor Committee, pursuant to the authority granted by WMC Regulation No. 7 and the Employment Stabilization Plan for Region III adopted August 23, 1943, hereby establishes the following plan for the Williamsport Manpower Area, with respect to the stabilization of employment throughout the area.

SECTION 1. *Control of hiring and solicitation of workers.* (a) All solicitation and hiring of workers in the Williamsport Manpower Area shall be conducted in accordance with the provisions of this employment stabilization plan.

(b) The provisions of this plan will be applicable in the counties of Clinton, Lycoming, Montour, Union, Snyder, Sullivan, and the western third of Northumberland—which includes the following townships, boroughs and cities: Townships—Lewis, Delaware, Turbot, Augusta, East Chilisquaque, West Chilisquaque, Point and Gearhart. Boroughs—Turbotville, Watsontown, McEwensville, Milton, Northumberland, and Riverside. City—Sunbury.

(c) The provisions under sections 3, 4, 5, 6, 7, 8 and 9 are the minimum mandatory provisions of all stabilization plans in Region III.

SEC. 2. *Adoption, approval and establishment of area plan.* (a) This plan was adopted by the Williamsport Management-Labor Committee on September 1, 1943;

(b) Was approved by the Regional Director September 15, 1943;

(c) Becomes effective 12:01 A. M., September 15, 1943, superseding any existing area plan then in effect.

(d) This plan may be adapted as the need arises to meet changing area conditions by the Area Manpower Director after consultation with the Williamsport Management-Labor Committee: *Provided,* That such adaptions are not in conflict with minimum national standards as set forth in Regulation 7 and with regional standards set forth in this plan: *And provided further,* That such adaptions are approved by the Regional Director.

(e) The Williamsport Management-Labor Manpower Committee are hereby authorized to consider questions of policy standards and safeguards in connection with the establishment and administration of this plan, and to make recommendations on these subjects to Regional or Area Directors.

SEC. 3. *General provisions of the plan—*
(a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in paragraph (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Exclusions.* No provisions of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment.

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration.

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii.

(4) The hiring by a foreign, state, county or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, state, county or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program.

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

(6) The hiring of a school teacher for vacation employment or the re-hiring of a school teacher for teaching at the termination of the vacation period.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provisions in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 4. *Existing contracts.* Nothing in this plan shall be construed to prejudice existing rights of an employee under any agreement with his employer.

SEC. 5. *Advertising.* Advertising for employees:

(a) Shall not be of a nature which will have a disruptive effect upon the labor market in a particular area, including either the publication of wage rates which induce turnover and piracy or the solicitation of workers by employers outside an area except through arrangements with the United States Employment Service of the War Manpower Commission.

(b) Should state clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(c) Should state clearly that before employers hire employees possessing skills which appear on the List of Critical Occupations, clearance must be obtained from the United States Employment Service.

SEC. 6. *Advance notice of lay-offs.* Employers are required when possible to provide at least three days advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupation.

SEC. 7. *Limited statements of availability.* Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action: *Provided,* That such action is agreeable to both employer and employees involved: *And provided further,* That such limited statement of availability shall not be issued for a period longer than three months.

SEC. 8. *Request to remain on or return to a job.* The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 9. *Release of individuals hired or solicited in violation of employment stabilization plan.* Employers who willingly or knowingly have solicited or hired individuals in violation of provisions of this plan must, upon receiving written notice from the United States Employment Service of the War Manpower Commission, arrange to release these workers within 24 hours after receiving notifications of the violations.

SEC. 10. *Definitions.* As used in this plan: (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(c) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439).

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(g) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

(h) "Suspension" for the purpose of this plan, suspension will be considered to mean lay-off.

F. D. SMITH,
Area Director.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-12976; Filed, August 26, 1944; 12:41 p. m.]

[Amdt. 1]

WILLIAMSPORT, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for Williamsport Area VI, dated September 15, 1943, is hereby amended as follows:

1. The following is added to section 1 and is designated as paragraph (b):

(b) The Area Manpower Director may fix for all or any establishments in the Williamsport Area, fair and reasonable employment ceilings, and/or allowances, limiting the number of employees, or specified types of employees, which such establishments may employ during specified periods. Such ceilings and/or allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee if the hiring of such employee would result in the establishment's exceeding the employment ceiling and/or manpower allowance currently applicable to it.

2. Former paragraphs (b) and (c) of section 1 are redesignated as paragraphs (c) and (d).

Dated: June 20, 1944.

F. D. SMITH,
Area Director.

Approved: August 17, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-12977; Filed, August 26, 1944; 12:41 p. m.]

[Amdt. 2]

WILLIAMSPORT, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for Williamsport Area VI, dated September 15, 1943, is hereby amended as follows:

Section 3 (e) of the Williamsport employment stabilization plan is amended by the addition of subparagraph (4) as follows:

(4) The new employee is a male worker.

Dated: June 20, 1944.

F. D. SMITH,
Area Director.

Approved: August 17, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-12978; Filed, August 26, 1944; 12:41 p. m.]

[Amdt. 3]

WILLIAMSPORT, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for Williamsport Area VI, dated September 15, 1943, is hereby amended as follows:

The word "seniority" is added to section 4, "Existing contracts" so that section 4 will read as follows:

SEC. 4. *Existing contracts.* Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

Dated: June 29, 1944.

F. D. SMITH,
Area Director.

Approved: August 17, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-12979; Filed, August 26, 1944; 12:41 p. m.]

MONTANA

EMPLOYMENT STABILIZATION PROGRAM

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Encouragement of local initiative and use of existing hiring channels.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring of workers last employed in certain occupations in lumbering and in mining, smelting and refining activities.
11. Release of workers hired contrary to program.
12. Short term employment.
13. Exclusion.
14. Appeals.
15. Content of statements of availability.
16. Retention of statements of availability or referral card by employer.
17. Solicitation of workers.
18. Hiring and discharge.
19. Continuance on job.
20. Representation.
21. No change of laws or collective bargaining agreements.
22. General referral policies.
23. Enforcement of program.
24. Employment ceilings.
25. Control of migration.
26. Effective date.

Appendix A—Occupations in coal mining, lumbering and mining, milling, smelting and refining activities.

The following employment stabilization program for the State of Montana is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Program," effective August 16, 1943 (8 F.R. 11338).

SECTION 1. *Purpose.* The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities;

(b) The reduction of unnecessary labor migration;

(c) The direction of the flow of scarce labor where most needed in the war program;

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* For the purpose of this program:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "State" includes Alaska, Hawaii, and the District of Columbia.

(c) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) "Essential activity" means any essential activity included in the War Manpower Commission list of Essential Activities.

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(h) The term "discharge" includes refusal of an employer to re-employ a worker in his former or a comparable position without prejudice.

(i) "Referral" of a worker for employment is properly evidenced by an approved USES form identifying the worker, prospective employer, issuing office, and official.

(j) "Employment ceiling" means the highest level of total employment or of specified types of employees which an establishment is not permitted to exceed, based upon an approved and necessary production schedule.

Ceilings may be established so as to:

(a) Permit employment expansion,

(b) Maintain employment at present or specified levels, or

(c) Reduce the employment level.

The employment ceiling is subject to change as production schedules change.

(k) "Manpower allowances" means an administrative determination of the number of employees or specified types of employees within the ceiling which an establishment is currently not permitted to exceed and is used as the means for the current allocation and referral of available labor. This manpower allowance is subject to change as supply factors in the labor market may warrant.

(l) "Manpower priority committee" means a group of representatives of Federal procurement services and other Federal manpower claimant agencies who advise the State Director with respect to priorities service and ceiling adjustments.

(m) "Priority referral" is a program which provides that employers in an area may hire male workers only from among those referred by the United States Employment Service so that workers may be referred to jobs in the order of the relative importance of those jobs to the war effort as determined by the State Manpower Director after advice from Manpower Priority Committee.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers, in, or for work in, the State of Montana shall be conducted in accordance with this employment stabilization program.

SEC. 4. *Encouragement of local initiative and use of existing hiring channels.* To the maximum degree consistent with this Employment Stabilization Program and with its objectives, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statement of availability by United States Employment Service.* A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

SEC. 8. *Referral in case of underutilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service, when:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(d) The new employee is a male worker over the age of 16.

SEC. 10. *Hiring of workers last employed in certain occupations in lumbering and in mining, milling, smelting and refining activities.* (a) A statement of availability issued to a worker whose last employment is or was in an occupation specified in Appendix A, (Occupations in activities in which manpower shortages threaten critically needed production) shall indicate that the worker has been so employed.

(b) A new employee whose statement of availability indicates that his last employment is or was in an occupation specified in Appendix A may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the USES.

SEC. 11. *Release of workers hired contrary to program.* Any employer shall, upon written request of the United States Employment Service, release from employment any worker whom it has hired contrary to the provisions of this program. Any worker so released shall be issued or denied a statement of availability or referred, so far as practicable on the basis of the facts existing when he was improperly hired.

SEC. 12. *Short term employment.* In order to facilitate the employment of individuals during vacation, off-season, or similar short periods, the USES may, upon consent of the worker entitled thereto, issue statements of availability or referral cards containing limitations as to the length of time for which the worker is available for employment. Upon termination of the assigned time limit, such workers may be rehired by their former employers.

SEC. 13. *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 14. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the Employment Stabilization Program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 15. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 16. *Retention of statement of availability or referral card by employer.* Each employer upon hiring a worker upon presentation of a USES referral card or a statement of availability where referral cards are not necessary, shall retain and file such statement or referral card and shall make them available for inspection upon request of the USES.

When a worker is employed who does not need a referral card or a statement of availability, the employer shall retain a signed statement in his file, showing the worker's name, address, last employer, final employment date of the worker's last employment. This statement shall be retained in the file in lieu of the statement or availability or referral card.

SEC. 17. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

SEC. 18. *Hiring and discharge.* (a) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) In order to obtain the maximum utilization of available manpower, employers engaged in essential or locally needed activities shall refrain from discharging workers except for gross misconduct; provided that insofar as it will not interfere with the effective prosecution of the war, no employer shall be expected to retain in his employment, a worker who is incompetent and who fails to conform to reasonable shop rules or standards of conduct.

SEC. 19. *Continuance on job.* Pending the issuance of a statement of availability or referral card to a worker, he should remain on his job.

SEC. 20. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 21. *No change of laws or collective bargaining agreements.* No part of this stabilization program shall be construed to be in conflict with the requirements of any Federal or State law or any collective bargaining agreements, so long as such agreement is consistent with applicable War Manpower Commission policies, procedures, and standards.

SEC. 22. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 23. *Enforcement of program.* (a) Violations of this program which constitute violations of War Manpower Commission Regulations No. 4 as amended August 16, 1943, issued pursuant to Executive Order 9328, are subject to the penal provisions of the act of October 2, 1942, (Pub. No. 729, 77th Cong.); the provisions of § 4001.10 of the Regulations of the Economic Stabilization Director issued October 27, 1942, apply to all wages or salaries paid in violation of Regulation No. 4.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Program, regulation, or policy, and for so long as such employer continues his noncompliance after such finding.

(c) The USES of the WMC may deny referral to any employer who the WMC finds, after notice, hearing and final decision, has not complied with a WMC program, policy or regulation and for so long as such employer continues his noncompliance.

(d) Any other appropriate sanctions may be invoked by the WMC against an employer or worker who, after notice, hearing and final decision, has not complied with a WMC program, regulation or policy and for so long as such employer or worker continues his non-compliance after such finding.

SEC. 24. *Employment ceilings.* The State Manpower Director may fix for all or any establishments in the State of Montana fair and reasonable employment ceilings and manpower allowances limiting the number of employees or specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply and/or the relative urgency of the establishment's products or service to the war effort. Except as authorized by the State Manpower Director or his representative, no employer shall hire any new male employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or manpower allowance currently applicable to it.

SEC. 25. *Control of migration*—(a) *Out-migration.* Any resident of the State of Montana wishing to seek employment in any area within the States of Utah, Idaho, Montana, Colorado, and Wyoming in which he has not worked or lived during the preceding 30-day period shall apply to the United States Employment Service nearest his present home or place of employment for a statement of inter-area clearance. Such inter-area clearance statement shall be granted if:

(1) He is entitled to, or is not required to obtain, a statement of availability, and

(2) His reasons for wishing to seek employment elsewhere are such as to take precedence over the local need for his services.

(b) *In-migration.* An in-migrant worker may be employed only if:

(1) He has been granted a statement of inter-area clearance or its equivalent by the USES in the area of his last residence or employment, provided that if the in-migrant worker's last place of residence was outside the States of Montana, Utah, Idaho, Colorado, and Wyoming, he may be employed if he presents a statement of availability or evidence that he is not required to obtain one; or

(2) He has been recruited through the clearance system of the United States Employment Service.

SEC. 26. *Effective date.* This program shall be effective as of 12:01 a. m. July 1, 1944.

APPENDIX A—OCCUPATIONS IN COAL MINING, LUMBERING AND MINING, MILLING, SMELTING AND REFINING ACTIVITIES

I. *All production and maintenance occupations* in the following activities:

(a) Mining, dressing, and beneficiating (milling) of minerals, with the exception of coal and the precious metals;

(b) Removal of overburden, sinking of shafts, development of new ore bodies, and similar services performed preparatory to the mining of the minerals specified above;

(c) Prospecting and exploration activities, in connection with the development of the minerals specified above, carried on in accordance with an authorization of or with the aid of a governmental agency, or as a substantial organized and responsible pursuit under a bona fide contract or authorization;

(d) Primary smelting and refining of the minerals specified above.

II. *All production and maintenance occupations* in coal mining.

III. *All production and maintenance occupations* in the following activities:

(a) All logging operations, irrespective of whether such operations are conducted by logging contractors or are carried on in combination with the operation of sawmills or pulp mills;

(b) All operations of sawmills, including the operations of box factories operated in conjunction with sawmills at the same plant site, but excluding sawmills carried on primarily in conjunction with pulp mills, shingle mills, match block and match plank operations, cooperage stock mills, cooperage establishments, and furniture establishments;

(c) All operations of planing mills engaged primarily in the production of dressed lumber, but excluding planing mills primarily engaged in the production of finished mill products such as shingles, doors, sashes, window frames, match blocks, and match plants, and similar products;

(d) Veneer mill operations, including all activities incident to the production of veneer;

(e) Plywood mill operations, including all activities incident to the production of plywood.

The term "production and maintenance" occupations includes all engineering, technical, supervisory, service, and clerical occupations required in connection with the production and maintenance operations in the activities specified above. The term does not include occupations carried on in administrative offices removed from the site of productive operations.

Dated: August 12, 1944.

O. C. LAMPORT,
State Director.

Approved: August 12, 1944.

JOHN E. GROSS,
Acting Regional Director.

[F. R. Doc. 44-12982; Filed, August 28, 1944; 12:43 p. m.]

ZANESVILLE, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Zanesville, Ohio, Area as subject to Executive Order No. 9301 (8 F.R. 1625)

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 House," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Zanesville, Ohio, Area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Zanesville Area shall include:

Muskingum County.

2. The effective date of this designation is September 1, 1944.

3. Not later than the effective date, each employer in the Zanesville Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his wokers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before August 15, 1944.

Date of issuance: August 1, 1944.

ROBERT C. GOODWIN,
Regional Director.

[F. R. Doc. 44-13055; Filed, August 28, 1944; 4:56 p. m.]

SANDUSKY, OHIO, AREA

MINIMUM WARTIME WORKWEEK

Designation of the Sandusky, Ohio, Area as subject to Executive Order No. 9301 (8 F.R. 1625)

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Sandusky, Ohio, Area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Sandusky Area shall include:

Erie County (all).
Huron County (all).

2. The effective date of this designation is September 15, 1944.

3. Not later than the effective date, each employer in the Sandusky Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work. Such applications must be filed before August 31, 1944.

Date of issuance: August 23, 1944.

ROBERT C. GOODWIN,
Regional Director.

[F. R. Doc. 44-13064; Filed, August 28, 1944; 4:53 p. m.]

SEP 2 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 174

Washington, Thursday, August 31, 1944

The President

EXECUTIVE ORDER 9472

ESTABLISHING CERTAIN AWARDS FOR THE MERCHANT MARINE

By virtue of the authority vested in me as President and as Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. (a) The Administrator of the War Shipping Administration, hereinafter referred to as the Administrator, is hereby authorized to issue a citation as public evidence of deserved honor and distinction to any United States ship or to any foreign ship operated by or for the account of the United States Maritime Commission or the War Shipping Administration which, subsequent to September 8, 1939, or during the present war has served or shall serve in outstanding action against attack or in gallant action in marine disasters or other emergencies at sea.

(b) The Administrator shall award a plaque to any ship so cited; and a replica of such plaque shall be preserved, under such regulations as the Administrator may prescribe, as a permanent historical record.

(c) The Administrator shall also award an appropriate citation ribbon bar to the master and each person serving on board such ship at the time of the action for which citation is made, as public evidence of such honor and distinction: *Provided*, That whenever such master or person would be entitled hereunder to the award of an additional citation ribbon, a suitable device shall be awarded, in lieu thereof, to be attached to the ribbon originally awarded.

2. (a) There is hereby established the Merchant Marine Meritorious Service Medal, with accompanying ribbon and appurtenances, for award by the Administrator, under such regulations as he shall prescribe, to any master, officer, or member of the crew of any United States ship, or any foreign ship operated by or for the account of the United States Maritime Commission or the War Shipping Administration who, subsequent to September 8, 1939, or during the present war has been or shall be officially commended by the Administrator for conduct or service of a meritorious character but not of such an outstanding character as would warrant an award of the Merchant Marine Distinguished Service Medal established pursuant to the act of April 11, 1942, ch. 241, 56 Stat. 217.

(b) No more than one Merchant Marine Meritorious Service Medal shall be awarded to any one person, but for each succeeding commendation justifying such an award a suitable device may be awarded to be worn with the medal and ribbon.

3. The Administrator is hereby authorized, until two years after the termination of the present war, to provide and issue, under such regulations as he may prescribe, a distinctive service ribbon bar to each master, officer, or member of the crew of any United States ship who shall have served at any time during the period beginning September 8, 1939, and ending December 6, 1941.

4. In case any person who is entitled to an award under this order dies before the award can be made to him, the award may be made to such representative of the deceased as the Administrator may deem proper.

5. The design of the plaque, medal, and ribbons herein authorized, shall not duplicate the design of any medals or ribbons awarded by the War or Navy Department.

6. The Administrator may delegate his authority hereunder and issue such other regulations as may be appropriate to carry out the provisions of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 29, 1944.

[F. R. Doc. 44-13133; Filed, August 29, 1944; 2:38 p. m.]

EXECUTIVE ORDER 9473

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE INTERNATIONAL NICKEL COMPANY, INC., LOCATED IN AND AROUND HUNTINGTON, WEST VIRGINIA

WHEREAS after investigation I find and proclaim that the plants and facili-

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–8, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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ties of The International Nickel Company, Inc., located in and around Huntington, West Virginia, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of labor disturbances; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of The International Nickel Company, Inc., located in and around Huntington, West Virginia, and to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operation thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the said company, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities under the terms and conditions of employment which are in effect at the time that possession thereof is taken, subject to the provisions of Section 5 of the War Labor Disputes Act.

3. The Secretary of War shall permit the management of said plants and facilities to continue with its managerial functions to the maximum degree possible, consistent with the aims of this order.

4. All federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the Department of Justice, and the Office of Price Administration, are directed to cooperate with the Secretary of War to the fullest extent possible in carrying out the purposes of this order.

5. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for said plants and facilities and all persons employed or seeking employment therein, and their families and homes.

6. Posession, control and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of War within sixty days after he determines that the productive efficiency of said plant, facility or part thereof prevailing prior to the interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 29, 1944.

[F. R. Doc. 44–13183; Filed, August 30, 1944; 11:17 a. m.]

Administrator by Executive Orders of the President, the regulations for cotton warehouses, as amended, and as they now appear in Title 7, Chapter I, Subchapter D, Part 101, of the Code of Federal Regulations, and the Cumulative Supplement thereto, are hereby amended as follows:

§ 101.16 *Form.* • • •

(b) Except as to warehouse receipts issued on or before August 30, 1944, or when an expiration date authorized by the Department is shown on the face of the receipt, every negotiable receipt issued for cotton stored in a licensed warehouse shall be effective until surrendered for delivery of the cotton, and every nonnegotiable receipt shall be effective until surrendered for delivery of the cotton or until all cotton covered by the receipt has been delivered in response to proper delivery orders of the person rightfully entitled to the cotton: *Provided*, That nothing herein contained shall prohibit a warehouseman from legally selling the cotton when his accrued storage and other charges approach the current market value of the cotton (Reg. 4, sec. 1, par. 2).

§ 101.21 *Return of receipts before delivery of cotton.* Except as permitted by law or by these regulations, a warehouseman shall not deliver cotton for which he has issued a negotiable receipt under the act until such receipt has been returned to him and canceled; and shall not deliver cotton for which he has issued a nonnegotiable receipt until such receipt has been returned to him or he has obtained from the person lawfully entitled to such delivery or his authorized agent a written delivery order, properly signed, specifying by bale or tag number each bale to be delivered from any receipt or receipts. Before delivering, or upon delivery of, all the cotton covered by a nonnegotiable warehouse receipt, the warehouseman may require the surrender of the receipt. For the purpose of these regulations, return of a receipt to a warehouseman means surrender of the receipt to the warehouseman at his office in the city or town in which the cotton is stored (Reg. 4, sec. 6).

§ 101.29 *Warehouse charges.* A licensed warehouseman shall not make any unreasonable, exorbitant or discriminatory charge for services rendered. Before a license to conduct a warehouse is granted under the act, the warehouseman shall file with the Department a copy of his rules, if any, and a schedule of the charges to be made by him if licensed. Effective at the beginning of any cotton season, a licensed warehouseman may change his rate of charges for storage and other services, and the new rates may apply to all cotton then in storage as well as cotton received thereafter. At or before the beginning of each season every licensed warehouseman shall file with the Department a copy of his rules, if any, and of his schedule of charges for the ensuing year. Should a licensed warehouseman wish to make changes in his rates to become effective at any time other than at the beginning of a season, he shall file with the Department an amended schedule showing the contemplated changes, accompanied by a statement, if requested by the Department, setting forth the reasons therefor. No increase shown in such an amended schedule shall apply to cotton in storage at the time the changes become effective, except that any change made under authority of any Federal price control legislation may apply to cotton already in storage: *Provided, however*, That no increase made under such authority shall apply to cotton then in storage unless notice that such increase might be made has been entered in the face of the warehouse receipt. A licensed warehouseman may demand payment of all accrued charges at the close of each cotton season. If, upon demand, the owner of the cotton refuses to pay such charges at the end of a season, the warehouseman may take such action to enforce collection of his charges as is permitted by the laws of the state in which the warehouse is located. Each licensed warehouseman shall keep a copy of his current rules and schedule of charges exposed conspicuously in the place prescribed by § 101.6 (Reg. 2, sec. 4), and at such other place accessible to the public as the Secretary or his designated representative may from time to time designate. (Reg. 5, sec. 7.) For the purposes of this regulation the cotton season shall commence on August 1 of each year and end on July 31 of the following year.

The foregoing amendments shall become effective at 12:01 a. m., e. w. t., August 30, 1944.

(39 Stat. 486–491, 41 Stat. 266, 42 Stat. 1282, 46 Stat. 1463; 7 U.S.C. 241–273; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of August 1944.

ASHLEY SELLERS,
Assistant Administrator.

[F. R. Doc. 44–13184; Filed, August 30, 1944; 11:16 a. m.]

— *Regulations*

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter D—Warehouse Regulations

PART 101—COTTON WAREHOUSES

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of the United States Warehouse Act approved August 11, 1916, as amended (39 Stat. 486–491, 41 Stat. 266, 42 Stat. 1282, 46 Stat. 1463; 7 U.S.C. 241–273), and by virtue of the authority vested in the War Food

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF WAGE RATES FOR HARVESTING SUGARCANE IN LOUISIANA

Determination of fair and reasonable wage rates for persons employed in the harvesting of sugarcane in Louisiana during the period September 1, 1944, to June 30, 1945.

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, and Executive Order No. 9392, issued October 28, 1943, the following determination is hereby issued:

§ 802.24q *Fair and reasonable wage rates for persons employed in the harvesting of sugarcane in Louisiana during the period September 1, 1944 to June 30, 1945.* The requirements of section 301

(b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the harvesting of sugarcane in Louisiana during the period from September 1, 1944, to June 30, 1945, if all persons employed on the farm during that period in the harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following.

(a) *Time rates for adult males and adult females.*

	Per day of 9 hours	Per hour when working day is longer or shorter than 9 hours
		Cents
(1) Cutting, topping, stripping:		
(i) Adult males	$2.70	30.0
(ii) Adult females	2.20	25.0
(2) Loading	3.25	37.0
(3) Cutting and loading	2.99	33.0
(4) Tractor drivers and truck drivers	3.40	38.0
(5) Teamsters	3.20	36.0
(6) Hoist operators	2.90	33.0
(7) Any other harvesting operations not connected with mechanical loading or mechanical harvesting:		
(i) Adult males	2.30	26.0
(ii) Adult females	1.85	21.0
Operations connected with mechanical loading or mechanical harvesting:		
(8) Operators of mechanical loading or harvesting equipment	3.65	41.0
((9) Grabmen, spotters, ropemen	3.25	37.0
(10) Pilers	2.90	33.0
(11) Scrappers	2.70	30.0
(12) Other operations connected with mechanical loading or mechanical harvesting	2.70	30.0

(b) *Time rates for harvesting operations performed by children.* (1) For children between the ages of 14 and 16 years, the rate per day of 8 hours (maximum hours per day for such children) shall be not less than three-fourths of the rates established under paragraph (a) for adult male workers for a 9-hour day. For a working day shorter than 8 hours, the rate shall be in proportion.

(c) *Piece rates for adult males, adult females, or children 14 to 16 years.*

For the following operations	Rate per ton	
	Large barrel varieties such as C. O. 290; C. P. 29-103; C. P. 29-116; 31-291; 160; 103; 33-243	Small barrel varieties
(1) Cutting top and bottom and stripping	$1.17	$1.35
(2) Cutting top and bottom	.91	1.00
(3) Loading	.28	.37
(4) (1) and (3) combined	1.45	1.72
(5) (2) and (3) combined	1.19	1.37

(6) The piece rate for a particular operation calculated on a basis other than prescribed under subparagraphs (1) or (2) of this paragraph (c) shall be such as to provide earnings per day, or per hour, of not less than the per day or per hour rates specified under paragraphs (a) or (b) above, whichever is applicable: *Provided, however,* That minimum earnings per hour or per day shall not apply to prisoners of war but they shall be paid at the same piece rate as other laborers.

(d) *General provisions.* (1) Nothing in this determination shall be construed to mean that a producer may qualify for a payment under the Act who has not paid in full the amount agreed upon between the producer and laborer;

(2) The producer shall furnish to the laborer without charge the customary perquisites, such as a habitable house, medical attention, and other customary incidentals;

(3) The producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined herein.

(Sec. 301, 50 Stat. 909; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13186; Filed, Augut 30, 1944; 11:16 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79-108, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN COLUMBUS, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-108 (9 F.R. 142, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Columbus, Georgia, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.146 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Columbus, Georgia, milk sales area, and is referred to hereinafter as the "sales area":

The city of Columbus, Georgia, and the county of Muscogee in the State of Georgia, and Phenix City located in Russell County in the State of Alabama.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 125 units of milk, cream, and milk byproducts, unless more than 63 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79-108, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-108, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13128; Filed, August 29, 1944; 12:32 p. m.]

[WFO 79-109, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN BIRMINGHAM, ALA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-109 (9 F.R. 143, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Birmingham, Alabama, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.142 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, of baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Birmingham, Alabama, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Birmingham and the territory within the following boundaries and located within Jefferson and Shelby counties, Alabama: Beginning at a point nine (9) miles due north of the northeast corner of the Jefferson County Courthouse, Birmingham division, thence running due west for fifteen (15) miles, thence running due south for eighteen (18) miles, thence running due east for twenty-eight (28) miles, thence running due north for eighteen (18) miles, thence running due west for thirteen (13) miles to the point of beginning.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 125 units of milk, cream, and milk byproducts, unless more than 63 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business; *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–109, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–109, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 3219)

Issued this 28th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13129; Filed, August 29, 1944; 12:33 p. m.]

[WFO 79–110, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MONTGOMERY, ALA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–110, (9 F.R. 144, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Montgomery, Alabama, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.143 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk

byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Montgomery, Alabama, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Montgomery and the county of Montgomery in the State of Alabama.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts, unless more than 75 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50-percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provision hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–110, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–110, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13130; Filed, August 29, 1944; 12:33 p. m.]

[WFO 79-126, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AUSTIN, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-126 (9 F.R. 645, 9 F.R. 4321,

4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Austin, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.159 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Austin, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Austin and justices' precincts 1, 2, 3, 5, and 6 in Travis County, all in the State of Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–126, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–126, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–18131; Filed, August 30, 1944; 12:33 p. m.]

[WFO 79–128, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN ANTONIO, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–128 (9 F.R. 648, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the San Antonio, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.163 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) the term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the San Antonio, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of San Antonio and all of the remaining territory within the boundary lines of Bexar County, in the State of Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 500 units of milk, cream, and milk byproducts, unless more than 250 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to estab-

lish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t. September 1, 1944. With respect to violations of said War Food Order No. 79–128, as amended, rights accrued or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–128, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319)

Issued this 28th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13132; Filed, August 29, 1944; 12:33 p. m.]

[WFO 79–133, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EL PASO, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–133 (9 F.R. 1076, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the El Paso, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.161 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the El Paso, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of El Paso; that part of justices' precinct 1 south of North Line Drive extended and North Line Drive, northwest of U. S. Highway 54, south of Hercules Drive, east of Diana Drive, south of Gas Line Road, and southwest of the Southern Pacific Railroad; that part of justices' precinct 2 south of the north boundary of Fort Bliss Military Reservation to the intersection of U. S. Highway 62, and south of U. S. Highway 62; and the entire area of justices' precinct 8; all in El Paso County, Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese;

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–133, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–133, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 29th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13137; Filed, August 29, 1944; 3:21 p. m.]

[WFO 79–139, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MOBILE, ALA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–139 (9 F.R. 1411, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Mobile, Alabama, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.174 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .952 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Mobile, Alabama, milk sales area, and is referred to hereinafter as the "sales area":

The city of Mobile, Alabama and an area included within a radius of ten (10) miles of the northeast corner of the Mobile County Court House.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts, unless more than 75 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-

handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–139, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–139, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 29th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13138; Filed, August 29, 1944; 3:21 p. m.]

[WFO 44, Amdt. 5]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1944 PACK OF CANNED FISH

War Food Order No. 44, as amended (8 F.R. 4227, 8797; 9 F.R. 2489, 4321, 4319, 7361), is further amended as follows:

1. By deleting the provisions of § 1465.20 (b) (2) and inserting, in lieu thereof, the following:

(2) Seventy percent, by net weight, of each canner's 1944 pack of each of the classes numbered 1, 2, 3, or 5 (designated in (b) (1) hereof) is hereby established as his respective quotas of the 1944 pack of such classes for sale or delivery to government agencies: *Provided*, That, for the purpose of making such computations, there shall not be considered as a part of the 1944 pack of any such class any portion thereof which, at 12:01 a. m., p. w. t., August 30, 1944, the particular canner has either (i) delivered to government agencies, or with respect to which he has submitted a written tender to government agencies in accordance with the conditions of a written contract; or (ii) has sold, or has on hand unsold which he is entitled to sell, pursuant to the provisions of this order, to persons other than government agencies. Sixty percent, by net weight, of each canner's 1944 pack of the class numbered 4 (designated in (b) (1) hereof) is hereby established as his quota of his 1944 pack of such class for sale or delivery to government agencies. Forty-five percent, by net weight, of each canner's 1944 pack of each of the classes numbered from 6 to 9, inclusive (designated in (b) (1) hereof), for the period March 1, 1944, to June 24, 1944, both dates inclusive, and 55 percent, by net weight, of each canner's 1944 pack of each of the classes numbered from 6 to 9, inclusive (designated in (b) (1) hereof), for the period June 25, 1944, to February 28, 1945, both dates inclusive, are hereby established as each canner's respective quotas of his 1944 pack of each of the said classes numbered from 6 to 9, inclusive, for sale or delivery to government agencies. No canner may sell or deliver, in the aggregate, to government agencies, a total quantity, by net weight, of his 1944 pack of any class of canned fish (designated in (b) (1) hereof) in excess of a quantity of canned fish equal to the percentage of his 1944 pack of such class plus 60,000 pounds, by net weight, of the canned fish of such class.

2. By deleting §§ 1465.20 (b) (3) and (4) and inserting, in lieu thereof, the following:

(3) For each 70 pounds of canned fish of any class numbered either 1, 2, 3, or 5 (designated in (b) (1) hereof) which a canner has sold or delivered to government agencies, or with respect to which he has submitted to government agencies a written tender of delivery of such canned fish in compliance with a written contract between such canner and such government agencies, such canner may sell or deliver 30 pounds of canned fish of the same class to persons other than government agencies: *Provided*, That, prior to the time of each such written tender, such canner had obtained, with respect to the canned fish included in such written tender, an inspection certificate, issued by an inspection service approved by the government agency to which the tender has been made, indicating that such canned fish meets all the specifications set forth in such canner's written contract for such canned fish.

(4) For each 60 pounds of canned fish of the class numbered 4 (designated in (b) (1) hereof) which a canner has sold or delivered to government agencies, or with respect to which he has submitted to any government agency a written tender of delivery of such canned fish in compliance with a written contract between such canner and government agency, such canner may sell or deliver 40 pounds of canned fish of the same class to persons other than government agencies: *Provided*, That, prior to the time of each such written tender, such canner had obtained, with respect to the canned fish included in such written tender, an inspection certificate, issued by an inspection service approved by the government agency to which the tender

has been made, indicating that such canned fish meets all the specifications set forth in such canner's aforesaid written contract for such canned fish.

This order shall become effective at 12:01 a. m., p. w. t., August 30, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 44, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 44, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13139; Filed, August 30, 1944; 4:54 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 821]

BRANIFF AIRWAYS, INC.

NONCOMPLIANCE WITH PILOT REQUIREMENTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to Braniff Airways, Inc., for the route between Houston, Texas, and Austin, Texas.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 28th day of August 1944.

The following Special Civil Air Regulation is made and promulgated to become effective September 1, 1944:

Any first pilot listed in Braniff Airways, Inc., air carrier operating certificate on September 1, 1944, as qualified to operate aircraft in scheduled air transportation between Dallas and Corpus Christi via Houston, and Dallas and Corpus Christi via Austin will be deemed competent to pilot aircraft in scheduled air transportation between Houston, Texas, and Austin, Texas, via red civil airway No. 32, upon completion of two one-way trips accompanied by a company check pilot.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-13190; Filed, August 30, 1944; 11:43 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5020]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HOLZBEIERLEIN & SONS, INC.

§ 3.45 (c) *Discriminating in price—Direct discrimination—Compensatory payments.* In or in connection with the sale and distribution in commerce, of "Bamby" bread, or any other bakery products, (1) paying or contracting to pay anything of value to or for the benefit of District Grocery Stores, Inc., for advertising services or facilities furnished by such customer, unless such payment or consideration is available to all other competing customers on proportionally equal terms; or (2) paying or contracting to pay anything of value to or for the benefit of any customer for services or facilities furnished by or through such customer in connection with the handling, sale or offering for sale of respondent's said bakery products, unless such payment or consideration is available to all other competing customers on proportionally equal terms; prohibited. (Sec. 2 (d), 49 Stat. 1527; 15 U.S.C., sec. 13d) (Cease and desist order, Holzbeierlein & Sons, Inc., Docket 5020, August 16, 1944)

In the Matter of Holzbeierlein & Sons, Inc., a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the respondent's answer, amended answer and waiver of intervening procedure, and the Commission having made its findings as to the facts and its conclusion that respondent Holzbeierlein & Sons, Inc., has violated and is violating the provisions of subsection (d) of section 2 of "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914 (the Clayton Act), as amended by an act approved June 19, 1936 (the Robinson-Patman Act);

It is ordered, That the respondent, Holzbeierlein & Sons, Inc., a corporation, its officers, representatives, agents and employees, in or in connection with the sale and distribution in commerce, as "commerce" is defined in the aforesaid Clayton Act, of "Bamby Bread" or any other bakery products, do forthwith cease and desist from:

(1) Paying or contracting to pay anything of value to or for the benefit of District Grocery Stores, Inc., for advertising services or facilities furnished by such customer, unless such payment or consideration is available to all other competing customers on proportionally equal terms.

(2) Paying or contracting to pay anything of value to or for the benefit of any customer for services or facilities furnished by or through such customer in connection with the handling, sale or offering for sale of respondent's said bakery products, unless such payment or consideration is available to all other competing customers on proportionally equal terms.

It is further ordered, That respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it is complying and has complied with the order to cease and desist hereinabove set forth.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13174; Filed, August 30, 1944; 10:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 212]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

SHIPMENTS MADE BY SEA FREIGHT

Correction

In F.R. Doc. 44-12985, appearing on page 10454 of the issue for Tuesday, August 29, 1944, the reference made to the second form in § 808.5 should be to Form FEA-166.

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, Direction 1]

SPOT AUTHORIZATIONS UNDER PRIORITIES REGULATION NO. 25

The following direction is issued pursuant to Priorities Regulation 13:

(a) A holder may make a special sale of copper, copper base alloy, aluminum or steel in a form described as a controlled material in CMP Regulation 1, to a buyer who gives him an order bearing a CMP allotment symbol whose initial letter is "Z". The buyer need not charge material bought under this paragraph against any CMP allotment account. No special permission from the War

Production Board is required to make such a sale to a buyer who has been authorized to use a CMP allotment symbol whose initial letter is "Z".

(b) A holder may also make a special sale of a noncontrolled material or product which, pursuant to Priorities Regulation 13, may be sold to a user on a rating of AA-5, if the buyer furnishes an order bearing a CMP allotment symbol whose initial letter is "Z" which has been granted to him under Priorities Regulation 25.

(c) A production schedule authorized under Priorities Regulation 25 does not permit the person holding such a schedule to acquire materials or products which are limited under Priorities Regulation 13 to sales on ratings higher than AA-5 or which require special permission of the War Production Board.

Issued this 30th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13187; Filed, August 30, 1944; 11:30 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[General Conservation Order M-146, as Amended Aug. 30, 1944]

QUARTZ CRYSTALS

§ 3286.36 *Conservation Order M-146*—(a) *Definitions.* For the purpose of this order:

(1) "Quartz crystals" means naturally occurring crystalline quartz having a transparent interior, each single crystal of which weighs not less than 50 grams. The term includes any piece cut from quartz crystals except blanks, fabricated forms, and scrap. The term also does not include the following types of quartz:

Amethyst quartz.
Rose quartz.
Yellow quartz (sometimes known as false topaz or citrene).
Milky quartz.
Siderite or sapphire quartz.
Sagenitic quartz (enclosing crystals of rutile, tourmaline, stibnite, asbestos, hornblende, epidote, etc.).
Cat's-eye or tiger's-eye quartz.
Aventurine quartz (spangled with scales of mica, hematite, or other minerals).
Chalcedony quartz.
Carnelian quartz.
Chrysoprase quartz.
Prase quartz.
Agate quartz.
Onyx quartz.
Sardonyx quartz.
Agate-jasper quartz.
Flint quartz.
Hornstone quartz.
Basanite, lydian stone, or touchstone.
Jasper quartz.

(2) "Blank" means any semi-fabricated piece of quartz crystal which is of such size, shape, and physical characteristics as to be suitable for the fabrication of radio oscillators or filters or other products for use in implements of war, of telephone resonators, or of optical parts. The term includes wafers, bars, sections, and other semi-fabricated forms. The term does not include scrap.

(3) "Scrap" means that part of any quartz crystal, other than a blank or a semi-fabricated or fabricated form, remaining after a piece or pieces have been cut therefrom, if such remnant, because of size, shape, or physical characteristics, is not suitable for the fabrication of radio oscillators or filters or other products for use in implements of war, of telephone resonators, or of optical or electrical parts.

(4) "Supplier" means any person who imports or produces from domestic sources quartz crystals for the purpose either of his own fabrication or of sale to others, or who sells quartz crystals to others.

(5) "Fabricator" means any person who fabricates blanks or other semi-fabricated or fabricated forms from quartz crystals.

(6) "Put into fabrication" means the first change by the fabricator in the form of quartz crystals from that form in which such crystals were received by him.

(7) "Fabricate" means cut, saw, file, grind, polish, or otherwise change the form, shape, or characteristics. The term includes mounting or installing in holders.

(8) "Implements of war" means:

(i) Combat end products complete for tactical operations, including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles;

(ii) Parts, assemblies, and materials to be physically incorporated in any of the foregoing items;

(iii) Facilities or equipment used to manufacture any of the foregoing items, produced for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or for any foreign country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Restrictions on fabrications.* (1) On and after March 20, 1944, no person shall fabricate quartz crystals or blanks except in the manufacture of:

(i) Radio oscillators and filters or other products for use in implements of war, or in Governmental activities directly connected with defense, public health, welfare, or security.

(ii) Radio oscillators and filters for use in radio systems to be owned, used, and operated by Federal agencies, by commercial broadcasting stations, or by commercial air lines, or for use in commercial communication systems.

(iii) Telephone resonators,

(iv) Optical or electrical parts for use in implements of war, or for use in research or production instruments manufactured to fill orders bearing a preference rating of AA-2X or higher.

(v) Radio oscillators and filters and optical parts to be used in the replacement of parts which are defective, cracked, or broken, provided the equipment or instruments requiring such parts are implements of war or are needed solely in activities directly connected with defense, public health, welfare, or security, or

(vi) Radio oscillators and filters to be exported to any foreign country for use in radio systems owned, used, and operated by a governmental department or agency of such foreign country or for use by a commercial airline operating in such foreign country.

(2) No person shall fabricate radio oscillators, radio filters, or optical parts from scrap except as specifically authorized in writing by the War Production Board. Application for such authorization should be made under Priorities Regulation 25 in the manner explained in that regulation.

(c) *Restrictions on purchase, receipt, and use.* On and after March 8, 1943, no person shall purchase or receive (unless for the purpose of selling or delivering to others), and no person shall use

(1) Quartz crystals or blanks, except for fabrication as permitted under the provisions of paragraph (b), or

(2) Fabricated forms of quartz crystals, except for purposes for which fabrication of quartz crystals is permitted under the provisions of paragraph (b): *Provided, however,* That the restrictions of this paragraph (c) (2) shall not apply to fabricated forms of quartz crystals which were already mounted or installed in holders on May 18, 1942, or to fabricated forms of quartz crystals, the purchase, receipt, or use of which has been specifically authorized by the War Production Board.

(d) *Special directions.* The War Production Board at its discretion may at any time issue special directions to any person with respect to the use, fabrication to final product, delivery, acceptance of delivery, or placing of orders by such person of or for quartz crystals, blanks, or semi-fabricated or fabricated forms thereof, or special directions to any fabricator with respect to the types and sizes of semi-fabricated and fabricated forms of quartz crystals which he may or must fabricate, and the grades and types of quartz crystals which he may or must use in the fabrication of such blanks or fabricated forms of quartz crystals.

(e) *Reports*—(1) *Stocks and inventories.* Every person who, on the 13th day of May, 1942, or on the last day of any calendar month thereafter has title to or is in possession or control of twenty-five (25) pounds or more of quartz crystals, or more than ten (10) pieces in the form of blanks or in other semi-fabricated or fabricated forms thereof, which have not been mounted or installed in holders, shall, on or before the close of business on the 5th day of the succeeding month, report to the War Production Board, in duplicate, on Form WPB-1033 (formerly PD-484).

(2) *Fabrication.* Every person who fabricates quartz crystals or blanks during any calendar month shall report to the War Production Board in duplicate on Form WPB-1033 (formerly PD-484) on or before the 5th day of the succeeding calendar month.

(3) *Other reports.* All persons affected by this order shall file such other reports as may be requested from time to time by the War Production Board, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) [Deleted Aug. 30, 1944.]

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C. Ref: M-146.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals.* (1) *Production under Priorities Regulation 25.* Any person who wants to fabricate quartz crystals or blanks for a purpose not permitted by paragraph (b) (1), and any person who wants to fabricate radio oscillators, radio filters or optical parts from scrap may apply for permission to do so as explained in Priorities Regulation 25. The restrictions of paragraph (c) do not apply to the purchase, receipt or use of quartz crystals or blanks in respect of which fabrication is authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b), should be made by filing a letter (in triplicate) referring to the particular provision appealed from and stating fully the grounds of appeal. No appeal should be filed from the restrictions of paragraph (b).

Issued this 30th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13188; Filed, August 30, 1944; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-385, Interpretation 1]

The following interpretation is issued with respect to General Conservation Order M-385:

1. Q. Does the four weeks' supply referred to in paragraph (b) (3) include textiles obtained without the use of the preference rating, that is, so called "free" goods?—A. Yes.

2. Q. Does the four weeks' supply referred to in paragraph (b) (3) include all textiles that the manufacturer has on hand?—A. No. It includes only the textiles of the same construction as the textiles for which the rating is used.

3. Q. May a processor who has on hand less than four weeks' supply of a textile accept delivery of the same textile on a rating if as a result of said delivery he will have on hand more than a four weeks' supply?—A. Yes. For example, if a processor has on hand 3½ weeks' supply he may accept delivery of an additional four weeks' supply. However, he may not at any one time accept delivery of more than a four weeks' supply.

4. Q. Does the supply "on hand" referred to in paragraph (b) (3) include goods not located at the Processor's plant ready for production?—A. Yes. It includes goods wherever located if title has passed to the processor.

5. Q. Do the provisions of paragraph (j) of Conservation Order M-317 apply to cotton textiles as defined in that order which are obtained with the rating assigned by order M-385?—A. Yes. Paragraph (j) of M-317 provides that "no person shall accept delivery of any cotton textiles if his aggregate inventory exceeds or would then exceed the lesser of (1) a practicable minimum working inventory, or (2) his requirements for 90 days."

6. Q. Do the provisions of paragraph (b) (7) apply to all textiles obtained on a rating assigned by this order?—A. Yes. All the textiles obtained on the rating must be used for the production of the item for which the rating was used, and production must be completed within 60 days after delivery of the textiles.

7. Q. May processors appeal from the provisions of any of the paragraphs of this order?—A. Yes. Any person who considers that compliance with any of the provisions of this order would work an exceptional and unreasonable hardship on him may appeal for relief pursuant to paragraph (h) (4).

8. Q. Do the words "a processor of the same item" in paragraph (b) (1) mean only a person who made the item from the particular fabrics listed for it in Column 2 of preference rating schedule of Supplement II?—A. No. Any person who made the item, regardless of the material which was used, may use the rating assigned by the order if he meets and complies with the requirements of the order. For example, in Group 1 of the preference rating schedule of Supplement II the item listed is "dresses, misses and women's, sizes 12 to 44". Anyone who made dresses in these sizes, whether of cotton, rayon, wool or other fabrics, may use the rating if he is otherwise qualified.

9. Q. Do the limitations of paragraph (b) (2) on the total production of an item apply to a processor who does not use the rating assigned by this order?—A. No.

10. Q. Do the limitations of paragraph (b) (2) on the total production of an item, regardless of price, apply to a processor's production of that item made of materials other than the textiles for which a rating is assigned?—A. Yes. They apply to the processor's total production of that item, regardless of the material out of which it is made. Thus, if a processor makes dresses out of rayon, wool, or other fabrics and uses a rating to obtain cotton textiles the total production of all dresses, regardless of the material from which they are made, may not exceed his base period production of dresses.

11. Q. Are the prices indicated for each item in the preference rating schedule of Supplement II net prices, or are they subject to the usual discounts?—A. The prices listed are gross. They are subject to the customary trade and other discounts. For example, if the processor's usual practice is to sell the item at a price less 8% discount, the item must be produced for sale by him at or below the price indicated for it in the preference rating schedule less 8%.

12. Q. Do the provisions of paragraph (e) as to equitable distribution apply to all garments manufactured by a processor, whether from "free" goods or rated goods?—A. The provisions of this paragraph apply to the total production of each item for which the rating is used, including production from "free" goods, as well as from goods obtained on the rating. Thus, if a person uses a rating to get material to make misses and women's dresses up to $15.75 per dozen, he must comply with the provisions of paragraph (e) with respect to his total production of dresses up to $15.75 per dozen, even though a large part of this production is from "free" goods.

13. Q. Are nurses' uniforms, or any other type of uniform, included within the term "dresses" in Groups 1 and 2 of the preference rating schedule of Supplement II?—A. No.

14. Q. May a person who manufactures an item for the armed forces, or any other government agency, consider his dollar volume of his production of this item for the government in determining his right to use a rating under (b) (1), or his production quota under (b) (2)?—A. Yes. However, he may not take into consideration his production of other items for the government. For example, if a person manufactured shirts for the Army during the base period, he is qualified to use the rating assigned by Groups 11 and 12 of the preference rating schedule of Supplement II to make men's shirts, and he may consider his dollar volume of production for the Army in computing his quota under paragraph (b) (2). However, if he made men's shorts for the Army, he may not consider this production for the purpose of qualifying him to use a rating for men's shirts, or in computing his production quota for men's shirts.

15. Q. May a person, who during the base period was engaged in production for the armed forces making items not listed in the preference rating schedule, use a rating assigned by Supplement II for an item listed in the schedule?—A. No. However, he may apply for an authorization pursuant to paragraph (b) (8).

Issued this 30th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13189; Filed, August 30, 1944; 11:29 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 6,[1] incl. Amdts. 1–6]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

This compilation of Procedural Regulation 6 includes Amendment 6, effective September 4, 1944. The text added or amended by Admendment 6 is underscored.

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942 (Public, No. 421, 77th Cong., 2d Sess., Jan. 30, 1942), the following rules are hereby prescribed for the adjustment of maximum prices established by the Office of Price Administration for commodities or services which are essential to the war program and which are or will be the subject of Government contracts or subcontracts:

Sec.

1300.401 Right to apply for adjustment.
1300.402 Form of application.
1300.403 Revoked.
1300.404 Place for filing application and number of copies.
1300.405 Action by regional offices.
1300.406 Revoked.
1300.407 Action by Administrator.
1300.408 Protest of denial of application.
1300.409 Amendment of this regulation.
1300.410 Definitions.
1300.411 Effective date.
1300.411a Effective dates of amendments.
1300.412 Appendix A.
1300.413 Appendix B.
1300.414 Revoked.

AUTHORITY: §1300.401 to § 1300.414, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1300.401 *Right to apply for adjustment.* (a) Any seller who has entered into or proposes to enter into a Government contract or subcontract thereunder, who believes that his maximum price or prices impedes or threatens to impede the production, manufacture, or distribution of a commodity or the supply of a service which is essential to the war program and which is or will be the subject of such contract or subcontract may apply for adjustment of his maximum price or prices in the manner set forth below.

(b) No seller may file an application under paragraph (a) if the maximum price or prices sought to be adjusted is established by any price regulation that expressly prohibits such application or by any of the following price regulations: Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, 123, 171, 148, 156, 169, 239, 286.[2]

(c) Upon the filing of an application for adjustment or within five days prior thereto, and until final disposition of the application, contracts may be entered into or proposed and bids submitted at the price or prices requested in the application, and deliveries may be made under such contracts, except that the seller may not receive and the buyer may not pay the amount by which the price exceeds the maximum price unless and until an order granting a higher price has been issued. The seller shall include in any sale, contract to sell, or offer to sell at the price requested in an application the following:

(i) The maximum price for the commodity or service in question.

(ii) A statement that the quoted price is subject to approval of the Office of Price Administration.

(iii) A statement that an appropriate application has been filed, or will be filed within five days, with the Office of Price Administration.

(d) Any Government agency may appear as an interested party in the case of any such application.

[§ 1300.401 amended by Am. 2, 8 F.R. 6173, effective 5–17–43]

§ 1300.402 *Form of application.* An application for adjustment shall be made on Form OPA 612.205 set out in Appendix A, incorporated as § 1300.412 of this procedural regulation. An application may be filed for each commodity or service for which a specific price increase is sought or, subject to the approval of the Office of Price Administration, for a group of related commodities or services for which a general price increase is sought. Such forms may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix A.

[§ 1300.402 amended by Am. 2, 8 F.R. 6173, effective 5–17–43]

§ 1300.403 Revoked.

[§ 1300.403 revoked by Am. 3, 8 F.R. 6174, effective 5–17–43]

§ 1300.404 *Place for filing application and number of copies.* (a) An original and two copies of an application for adjustment shall be filed.

(b) Except as indicated in paragraph (c), an application for adjustment may be filed either with the appropriate Regional Office of the Office of Price Administration, or with the Office of Price Administration, Washington, D. C.

(c) The following applications for adjustment shall be filed with the Office of Price Administration, Washington, D. C.:

(1) Any application made with respect to a contract entered into or proposed to be entered into:

(i) With the Department of the Navy, the total value of which exceeds $200,000;

(ii) With the War Department, the total value of which exceeds $5,000,000;

(iii) With any agency of the United States other than the War Department or the Department of the Navy;

(iv) With the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States," or with any agency of any such Government.

(2) Any application made pursuant to the following price regulations of the Office of Price Administration or with respect to the following commodities:

(i) Edible offal and other meat or meat products subject to the General Maximum Price Regulation;

(ii) Revised Price Schedule No. 67—New Machine Tools.

[§ 1300.404 amended by Am. 1, 7 F.R. 5664, effective 7–23–42; and Am. 6, effective 9–4–44]

§ 1300.405 *Action by regional offices.* After due consideration, the Regional Office may, by order, grant, in whole or in part, or deny any application for adjustment which is properly pending before it. The decision of the Regional Office shall be accompanied by a statement of the reasons for its action. In cases of unusual difficulty or importance, the Regional Office shall refer the application for decision to the Administrator in Washington, D. C.

§ 1300.406 Revoked.

[§ 1300.406 revoked by Am. 5, 9 F.R. 6256, effective 6–12–44.]

§ 1300.407 *Action by Administrator.* After due consideration, the Administrator may, by order, grant, in whole or in part, or deny any application for adjustment which:

(a) Is filed with the Office of Price Administration, Washington, D. C., and not transmitted to a Regional Office for action, or

(b) Is filed with the appropriate Regional Office but is referred for decision to the Administrator by that office. The decision of the Administrator shall be accompanied by a statement of the reasons for his action.

[Former paragraph (a) revoked and former (b) and (c) redesignated (a) and (b) by Am. 5, 9 F.R. 6256, effective 6–12–44.]

§ 1300.408 *Protest of denial of application.* Any applicant whose application for adjustment is denied in whole or in

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[1] 7 F.R. 5087.

[2] Revised Price Schedule No. 2, Aluminum Scrap and Secondary Aluminum Ingot; Revised Price Schedule No. 3, Zinc Scrap Materials and Secondary Slab Zinc; Revised Price Schedule No. 4, Iron and Steel Scrap; Revised Price Schedule No. 8, Pure Nickel Scrap, etc.; Revised Price Schedule No. 12, Brass Mill Scrap; Revised Price Schedule No. 20, Copper Scrap and Copper Alloy Scrap; Revised Price Schedule No. 30, Wastepaper; Maximum Price Regulation No. 47, Waste Rags, Waste Ropes and Waste Strings; Maximum Price Regulation No. 55, Second-Hand Bags; Revised Price Schedule No. 70, Lead Scrap Materials, etc.; Revised Price Schedule No. 87, Scrap Rubber; Maximum Price Regulation No. 90, Rayon Waste; Maximum Price Regulation No. 115, Silk Waste; Maximum Price Regulation No. 123, Raw and Processed Wool Waste Materials; Maximum Price Regulation No. 171, Nitrocellulose Film Scrap; Revised Maximum Price Regulation No. 148, Dressed Hogs and Wholesale Pork Cuts; Maximum Price Regulation No. 156; Certain Beef and Beef Products Purchased by Certain Federal Agencies; Revised Maximum Price Regulation No. 169, Beef and Veal Carcasses and Wholesale Cuts; Revised Maximum Price Regulation No. 239, Lamb and Mutton Carcasses and Cuts at Wholesale and Retail; Maximum Price Regulation No. 286, Certain Sausage Products for War Procurement Agencies.

part may file a protest against such order in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1300.408 amended by Am. 5, 9 F.R. 6256, effective 6-12-44; and Am. 6, effective 9-4-44]

§ 1300.409 *Amendment of this regulation.* Any provision of this Procedural Regulation No. 6 may be amended or rescinded by the Administrator at any time. Such amendment or rescission shall be published in THE FEDERAL REGISTER and shall take effect from the date of its publication, unless otherwise specified therein.

§ 1300.410 *Definitions.* As used in this Procedural Regulation No. 6, the terms:

(a) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(b) "Government contract" means any contract with the United States or any agency thereof or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government.

(c) "Appropriate Regional Office" means:

(1) If the application for adjustment is made with respect to a contract entered into or proposed to be entered into with the War Department or the Department of the Navy, the Regional Office of the Office of Price Administration for the region in which is located the field purchasing office or depot of the War Department, or the naval purchasing office with which the applicant is negotiating or expects to negotiate.

If such purchasing offices or depots are located in more than one region, for the region in which is located the plant of the applicant in which the commodity involved is or will be produced or in which the service involved is or will be supplied.

(2) If the application for adjustment is made with respect to a subcontract under a Government contract, the Regional Office of the Office of Price Administration (i) for the region in which is located the plant of the applicant in which the commodity involved is or will be produced or in which the service involved is or will be supplied or (ii) if such plants are located in more than one region, for any region in which any such plant is located.

[Paragraph C amended by Am. 6; effective 9-4-44]

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other Government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

(f) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or under, heretofore or hereafter issued thereunder.

[Paragraph (f) added by Am. 1, 7 F.R. 5664, effective 7-23-42]

(g) As used herein, the term: "Commodity or service essential to the war program" means any commodity or service purchased (1) for the ultimate use of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States or for lend-lease purposes; or (2) by any Government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States"; or (3) for use in the production or manufacture of any commodity or in the supply of any service as defined in (1) or (2).

"Government contract" means any contract with the United States or any agency thereof or with the Government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(h) "Subcontract" means any purchase order or agreement to perform all or any part of the work required under, or to make or furnish any commodity needed for the performance of, another Government contract or subcontract thereunder.

[Paragraphs (g) and (h) added by Am. 2, 8 F.R. 6173, effective 5-17-43]

§ 1300.411 *Effective date.* This Procedural Regulation shall become effective July 3, 1942. [Procedural Regulation 6 originally issued July 1, 1942]

§ 1300.411a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

§ 1300.412 *Appendix A.*

Form OPA-612:205

Form Approved
Budget Bureau No.
08-R244.1

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

WASHINGTON, D. C.

Application for adjustment of maximum prices for commodities or services under government contracts or subcontracts

NOTES: (1) Unless otherwise indicated, "commodity" refers to a particular size and specification.

(2) If the application covers, subject to the approval of the Office of Price Administration, a group of related commodities or services, the answers to questions must be in sufficient detail and in appropriate form to provide an adequate factual basis for appraising the application.

(3) If the application is made with respect to a commodity or service (or commodities or services) which is or will be subject to several contracts, submit, on extra sheets, answers to questions I-2a, I-2b and I-2c for each contract.

(4) The term "contract" includes purchase orders, letters of intent, or other arrangements not yet completed; where appropriate, the terms "commodity or service" includes commodities or services and "price" includes prices.

(5) One original and two copies of the form and of all supplementary statements, must be filed.

---------- hereby makes
(Applicant)

application to the Office of Price Administration, pursuant to Procedural Regulation No. 6, for the adjustment of the maximum price established for the particular commodity or service described below, which is or will be the subject of Government contracts or subcontracts.

The following facts are furnished to the OPA in support of this application:

Name of company ----------

Address ----------
(Street) (City) (State)

I. Description of commodity or service and contract on which adjustment is sought:

1. Brief description of commodity or service (indicate unit of measure):

---

2. (a) Serial number or other identification of contract, giving name and address of purchaser or prospective purchaser:

1. Identification of contract----------
2. Name of purchaser----------
3. Address of purchaser----------
(Street) (City) (State)

(b) If price adjustment is sought with respect to deliveries under existing contracts, submit:

1. Date of contract ----------

---

2. Estimated date of completion ----------

---

3. Total quantity of commodity or service contracted for ----------

---

4. Total quantity of commodity or service remaining to be delivered or supplied -------

(c) If price adjustment is sought for a proposed contract, submit

1. Final delivery date to be stipulated by proposed contract ----------

---

2. Estimated date at which deliveries will begin ----------

---

3. Total quantity of commodity or service contracted for ----------

---

4. Value of contract (Proposed unit price times quantity) ----------

---

(d) If contract is a subcontract, submit serial number or other identification of prime contract whether or not there are intermediate subcontracts ----------

3. Established maximum price per unit, pursuant to Maximum Price Regulation No. ----------
(indicate unit)

4. Requested unit price ----------

5. Give names and addresses of the plants of the applicant in which the commodity or service is being or will be produced or supplied

---

II. *Importance of commodity or service in company's operations:*

	Sales of particular commodity or service involved		Total company sales
	Units	Dollars	Dollars
1. Actual sales for 1943			
2. Actual sales Jan. 1, 1944 to ——, 1944 (Present date)			
3. Estimated sales Jan. 1, 1944 to Dec. 31, 1944, assuming price adjustment requested is granted for the particular commodity or service involved			

III. *Unit cost of commodity or service:*

General instructions. Give actual cost data, if available. If no actual cost figures are available, give careful estimates. *Indicate, however, by encircling the appropriate figures where estimates are being submitted.* Both actual and estimated cost figures must be based upon the total sales of the particular commodity or service involved and not merely upon sales under the particular contract involved. *In no circumstances are income taxes and excess profits taxes to be included as costs.*

1. *Direct materials.* In computing cost of direct materials use costs as shown on your books. If material cost is estimated, use the same method by which your books are kept. Material cost must represent actual cost; state separately any charges added to costs of materials.

2. *Direct labor.* State cost of direct or production labor following the classifications in your own records. For each classification, use actual wages of men employed on the job; or, if this is not practicable, base cost on departmental or shop average wage rates for each classification.

3. *Other manufacturing costs, selling expenses, and other expenses.* These costs should be stated in accordance with the method of allocation established in your company. Explain on a separate sheet in triplicate, attached to this form, the items included under these headings and the basis of allocation of such items of cost to the commodity or service involved. If standard costs are used, adjust these costs for over- or under-absorption during the period to which the costs apply.

	Costs as of the Base Date of the Applicable Price Regulation*	Current Costs
1. Direct materials		
2. Direct labor		
3. Other manufacturing costs		
4. Selling and advertising expenses		
5. Other expenses		
6. Total cost		
7. Number of units on which cost computation is based		
8. Period used for computing costs		

*If the applicable price regulation has no base date, this column need not be filled in.

Any substantial changes in the above listed cost components should be explained carefully in triplicate on attached sheets.

IV. State whether the applicant has entered into, or will enter into, a government contract or subcontract, or will make deliveries, at the requested unit price—pursuant to Procedural Regulation No. 6—pending final action by the Office of Price Administration

---------- Yes ( )
---------- No ( )

V. Submit the following:

A. Balance sheets as of the close of:

1. 1936 through 1943 (fiscal or calendar years).

2. Most recent accounting period.

B. Income statements for:

1. 1936 through 1943 (fiscal or calendar years).

2. Most recent accounting period.

Instructions: (1) Income statements must show: (a) net sales, (b) cost of commodities and/or services sold, stating separately, total direct labor costs, total direct material costs, and total other manufacturing costs, (c) general and administrative expenses, segregating compensation to officers and directors, and (d) net profits before income and excess profits taxes. All charges to operations representing accumulations of reserves must be shown in detail on the statements.

(2) The applicant need not file with the application any required financial data (a) which were previously submitted on *Form A—Annual Financial Report—or Form B—Interim Financial Report*—issued by the Office of Price Administration, or (b) which, for the years 1936 through 1941, can be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue. Consideration of the application will be expedited, however, if such data are filed with the application.

Applicant

By ----------

Title

[Appendix A amended by Am. 2, 8 F.R. 6173, effective 5-17-43; Am. 3, 8 F.R. 6174, effective 5-17-43; and Am. 4, 8 F.R. 12024, effective 9-6-43; and Am. 6, effective 9-4-44]

§ 1300.413 *Appendix B.*

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Regional Offices and States and Territories Covered

Region I. Boston Regional Office, 55 Tremont St.: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

Region II. New York Regional Office, 350 Fifth Avenue: New York, New Jersey, Pennsylvania, Delaware, Maryland, and District of Columbia.

Region III. Cleveland Regional Office, 363 Union Commerce Building: Ohio, Michigan, Indiana, Kentucky, and West Virginia.

Region IV. Atlanta Regional Office, Candler Building, Peachtree Street: Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina, and Virginia.

Region V. Dallas Regional Office, Fidelity Union Building: Texas, Oklahoma, Louisiana, Missouri, Arkansas, and Kansas.

Region VI. Chicago Regional Office, 226 West Jackson Blvd.: Illinois, Wisconsin, Iowa, Minnesota, North Dakota, and Nebraska.

Region VII. Denver Regional Office, 506 Kittredge Bldg.: Colorado, New Mexico, Utah, Idaho, Montana, and Wyoming.

Region VIII. San Francisco Regional Office, 1355 Market Street: California, Nevada, Arizona, Oregon, and Washington.

Region IX. Territorial Office, Office of Price Administration, Washington, D. C., Alaska, Puerto Rico, Virgin Islands, Canal Zone, and Hawaii.

§ 1300.414 Revoked.

[§ 1300.414 revoked by Am. 5, 9 F.R. 6256, effective 6-12-44]

Issued this 29th day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13140; Filed, August 29, 1944; 5:03 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 5 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

1. The table in section 1 (a) is amended by adding item 7 to read as follows:

Column 1	Column 2	Column 3	Column 4	
Item No.	Product	Section	Section	Appendix
7	Yellow cling peaches, halves, sliced, quartered, and diced (California only)	5	16	D

2. In section 16, Appendix D is added to read as follows:

APPENDIX D—YELLOW CLING PEACHES, HALVES, SLICED, QUARTERED, AND DICED

Explanation of how maximum prices are figured for packed yellow cling peaches, halves, sliced, quartered, and diced.

This appendix includes the specific pricing provisions for packed yellow cling peaches, halves, sliced, quartered, and diced, produced in the state of California. It does not apply to these styles of pack of packed yellow cling peaches produced in states other than California, nor does it apply to packed whole or pickled yellow cling peaches produced in any area.

Conversions for grade, for syrup differential, and for container type and size under subparagraph (2), (3) or (4) of section 5 (a) of this supplement are to be made in the same order and in the same manner as those for packed apricots. The explanation at the beginning of Appendix B of this section applies to this appendix for that purpose, except that no conversion is provided here for style of pack.

TABLE 1—AREAS

1. California

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9493.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS WHO MADE SALES OF THE STYLE OF PACK BEING PRICED DURING THE BASE PERIOD

Area 1

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Yellow clings, halves and quartered:				
Fancy	$0.53	$2.52–$2.68	$1.88	$6.41–$6.97
Choice	.46	2.26– 2.40	1.70	7.81– 8.37
Standard	.45	2.06– 2.22	1.69	7.06– 7.49
Seconds	.39	1.93– 2.08		
Water	.36	1.87– 1.96	1.34	5.62– 6.23
Pie			1.22	6.08– 6.72
Solid pack pie			1.76	7.36– 7.88
Yellow clings, sliced:				
Fancy	.55	2.62– 2.68	1.90	8.81– 8.79
Choice	.52	2.32– 2.44	1.80	7.95– 8.35
Standard	.47	2.12– 2.24	1.68	7.22– 7.66
Seconds	.40	1.98– 2.04		
Water	.41	1.90– 2.00	1.44	5.78– 6.44
Pie			1.34	6.22– 6.59
Solid pack pie			1.98	7.42– 8.19

For any grade of yellow cling peaches, diced, packed in No. 2½ or No. 10 cans:

The permitted increase is the same amount as that named above for the same grade and container type and size of yellow cling peaches, halves and quartered; and

The processor shall figure the limitations of the price range by adding $0.06, in the case of No. 2½ cans, or $0.20, in the case of No. 10 cans, to the bottom and top respectively of the price range named above for the same grade and container type and size of yellow cling peaches, halves and quartered.

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF THE STYLE OF PACK BEING PRICED DURING THE BASE PERIOD

Area 1

Style	No. 2½ cans					No. 10 cans					
	Fancy	Choice	Standard	Seconds	Water	Fancy	Choice	Standard	Water	Pie	Solid pack pie
Yellow clings, halves and quartered	$2.60	$2.34	$2.14	$1.98	$1.91	$8.69	$8.06	$7.27	$5.98	$6.40	$7.62
Yellow clings, sliced	2.60	2.38	2.18	2.01	1.95	8.65	8.15	7.44	6.11	6.41	7.81

For any grade of yellow cling peaches, diced, packed in No. 2½ or No. 10 cans, the dollars-and-cents maximum price (for processors who were not in business during 1941 or who made no sales of packed yellow cling peaches, diced, during the base period) shall be the price named above for the same grade and container type and size of yellow cling peaches, halves and quartered, plus $0.06, in the case of No. 2½ cans, or plus $0.20, in the case of No. 10 cans.

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

To convert from a can size in this column	To a can size listed at the head of a column below multiply by the appropriate conversion factor				
	8-ounce	No. 1 tall	No. 2	No. 2½	No. 10
8-ounce				2.58	8.67
No. 1 tall				1.54	5.18
No. 2				1.31	4.40
No. 2½	.39	.65	.76		3.36
No. 10	.12	.20	.23	.30	

TABLE 6—CONVERSION FROM TIN TO GLASS

[Dollars per dozen containers]

If you can figure a price for a can size in this column—	To get a price for the glass container size at the head of a column below, add (or subtract) the indicated amount	
	No. 2½ glass	No. 308 glass
No. 2½	+$0.20	−$0.30

TABLE 7—SYRUP DIFFERENTIALS

If you pack fruit in syrup of which the density does not correspond to the grade of the fruit, subtract the differential stated below for the grade from the prices computed from Table 3 or 4 and add to the resulting figures the differential for the syrup you use.

Area 1

[Dollars per dozen containers]

Syrup	No. 2½ cans	No. 10 cans
Extra heavy (Fancy)	$0.27	$1.62
Heavy (Choice)	.18	.96
Light (Standard)	.10	.48
Slightly sweetened water (Seconds)	.04	

The density of the syrup referred to above is defined as follows:

"Extra heavy syrup" means syrup having a cut-out density of 24°–35° Brix.

"Heavy syrup" means syrup having a cut-out density of 19°–24° Brix.

"Light syrup" means syrup having a cut-out density of 14°–19° Brix.

"Slightly sweetened water" means syrup having a cut-out density of less than 14° Brix.

TABLE 8—GRADE DIFFERENTIALS

Area 1

[Differences between successive grades (dollars per dozen containers)]

	No. 2½ cans		No. 10 cans	
	Halves, quartered, and diced	Sliced	Halves, quartered, and diced	Sliced
Fancy and choice	$0.26	$0.28	$0.68	$0.50
Choice and standard	.20	.20	.79	.71
Standard and seconds	.16	.17		
Standard and water	.23	.23	1.29	1.23
Standard and pie			.87	1.23
Standard and solid pack pie			.35	.38

This amendment shall become effective August 29, 1944.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13141; Filed, August 29, 1944; 5:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[1] Amdt. 30]

PROHIBITION AGAINST HIGHER THAN MAXIMUM RENTS

Rent Regulation for Hotels and Rooming Houses is amended to read as follows:

1. Section 2 (a) is amended to read as follows:

(a) *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after the effective date of regulation of any room in a hotal or rooming house within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

[1] 9 F.R. 2165, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6569, 7329, 8054.

2. Section 2 (c) is added to read as follows:

(c) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944, shall demand or receive a security deposit for or in connection with the use or occupancy of any room in a hotel or rooming house within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944, except as provided in this paragraph (c). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is established under section 4 (a), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b) or (c)—(i) Renting prior to effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by renting prior to the effective date of regulation, no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(ii) *Renting on or after effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by a renting on or after the effective date of regulation, no security deposit shall be demanded, received, or retained.

(4) *Maximum rent established under section 4 (d) or (f).* Where the maximum rent of the housing accommodations is established under section 4 (d) or (f), no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (c), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars to secure the return of the movable articles specified in the order.

3. Section 13 (a) (11) is amended to read as follows:

(11) "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of room or the transfer of a lease of such room.

This regulation shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13143; Filed, August 29, 1944; 5:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami Area,[1] Amdt. 7]

PROHIBITION AGAINST HIGHER THAN MAXIMUM RENTS

Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after October 15, 1943 of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

2. Section 2 (c) is added to read as follows:

(c) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of any room in a hotel or rooming house within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (c). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is established under section 4 (a), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b) or (c)—(i) Renting prior to effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by a renting prior to the effective date of regulation, no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(ii) *Renting on or after effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by a renting on or after the effective date of regulation, no security deposit shall be demanded, received, or retained.

(4) *Maximum rent established under section 4 (d) or (f).* Where the maximum rent of the housing accommodations is established under section 4 (d) or (f), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (c), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in ex-

[1] 8 F.R. 14043, 16033; 9 F.R. 3422, 5003, 8054.

cess of ten dollars to secure the return of the movable articles specified in the order.

3. Section 13 (a) (11) is amended to read as follows:

(11) "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of a room or the transfer of a lease of such room.

This regulation shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13147; Filed, August 29, 1944; 5:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City Area,[1] Amdt. 12]

PROHIBITION AGAINST HIGHER THAN MAXIMUM RENTS

Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after November 1, 1943 of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

2. Section 2 (c) is added to read as follows:

(c) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of any room in a hotel or rooming house within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (c). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is established under section 4 (a), no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b) or (c)*—(i) *Renting prior to effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by a renting prior to the effective date of regulation, no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit, or may order its elimination.

(ii) *Renting on or after effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by a renting on or after the effective date of regulation, no security deposit shall be demanded, received, or retained.

(4) *Maximum rent established under section 4 (d) or (f).* Where the maximum rent of the housing accommodations is established under section 4 (d) or (f), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (c), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars to secure the return of the movable articles specified in the order.

3. Section 13 (a) (11) is amended to read as follows:

(11) "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of a room or the transfer of a lease of such room.

This regulation shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13146; Filed, August 29, 1944; 5:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[1] Amdt. 33]

PROHIBITION AGAINST HIGHER THAN MAXIMUM RENTS

Rent Regulation for Housing is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after the effective date of regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents that those provided by this regulation may be demanded or received.

2. Section 2 (d) is added to read as follows:

(d) *Security deposits* — (1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a) or (b).* Where the maximum rent of the housing accommodations is established under section 4 (a) or (b), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect

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[1] 8 F.R. 15581, 16219, 16893; 9 F.R. 2066, 3422, 5003.

[1] 9 F.R. 5807, 5915, 6359, 6569, 6819, 7329, 9054.

on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (c) or (d).* Where the maximum rent of the housing accommodations is established under section 4 (c) or (d) no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(4) *Maximum rent established under section 4 (e), (f) or (j).* Where the maximum rent of the housing accommodations is established under section 4 (e), (f) or (j), no security deposit shall be demanded, received, or retained.

(5) *Maximum rent established under section 4 (g) or (h).* Where the maximum rent of the housing accommodations is established under section 4 (g) or (h), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(6) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

3. Section 13 (a) (10) is amended to read as follows:

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13142; Filed, August 29, 1944; 5:04 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Atlantic County Area,[1] Amdt. 3]

PROHIBITION AGAINST HIGHER THAN MAXIMUM RENTS

Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after the effective date of regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

2. Section 2 (d) is added to read as follows:

(d) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a) or (b).* Where the maximum rent of the housing accommodations is established under section 4 (a) or (b), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (c) or (d).* Where the maximum rent of the housing accommodations is established under section 4 (c) or (d) no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant may order a decrease in the amount of such deposit or may order its elimination.

(4) *Maximum rent established under section 4 (e), (f) or (i).* Where the maximum rent of the housing accommodations is established under section 4 (e), (f) or (i), no security deposit shall be demanded, received, or retained.

(5) *Maximum rent established under section 4 (g) or (h).* Where the maximum rent of the housing accommodations is established under section 4 (g) or (h), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(6) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

3. Section 13 (a) (10) is amended to read as follows:

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13148; Filed, August 29, 1944; 5:04 p. m.]

[1] 9 F.R. 6819, 8054.

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Miami Area,[1] Amdt. 9]

PROHIBITION AGAINST HIGHER THAN MAXIMUM RENTS

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter

[1] 8 F.R. 13118, 14047, 16033; 9 F.R. 3423, 4028, 6360, 7168, 8053.

entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after November 1, 1943 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

2. Section 2 (d) is added to read as follows:

(d) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944, except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is established under section 4 (a), no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b), (c) or (f).* Where the maximum rent of the housing accommodations is established under section 4 (b), (c) or (f), no security deposit shall be demanded, received, or retained.

(4) *Maximum rent established under section 4 (d) or (e).* Where the maximum rent of the housing accommodations is established under section 4 (d) or (e), no security deposit shall be demanded, received or retained except in the amount (or lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

3. Section 13 (a) (10) is amended to read as follows:

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13144; Filed, August 29, 1944; 5:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, New York City Area,[1] Amdt. 11]

PROHIBITION AGAINST HIGHER THAN MAXIMUM RENTS

Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after November 1, 1943 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

2. Section 2 (d) is added to read as follows:

(d) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a) or (b).* Where the maximum rent of the housing accommodations is established under section 4 (a) or (b), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (c) or (d).* Where the maximum rent of the housing accommodations is established under section 4 (c) or (d) no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(4) *Maximum rent established under section 4 (e) or (f).* Where the maximum rent of the housing accommodations is established under section 4 (e) or (f), no security deposit shall be demanded, received, or retained.

(5) *Maximum rent established under section 4 (g) or (h).* Where the maximum rent of the housing accommodations is established under section 4 (g) or (h), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(6) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

3. Section 13 (a) (10) is amended to read as follows:

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

This amendment shall become effective September 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in

[1] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2067, 3423, 4028, 6360, 8054.

accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13145; Filed, August 29, 1944; 5:04 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 52]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Appendix A of Revised Ration Order 13 is amended in the following respect:

The item "Pickles; relishes; pickled onions, tomatoes and watermelon; cocktail onions, mushrooms and oranges; and spiced cantaloupe and watermelon" is amended to read as follows:

Pickles; relishes; pickled or spiced green tomatoes; cocktail mushrooms.

This amendment shall become effective August 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13149; Filed, August 29, 1944; 5:02 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 94, Amdt. 1]

SALES BY GOVERNMENT AGENCIES AND RESALES BY CERTAIN BUYERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Order 94 is amended in the following respects:

1. Section 17 (f) is amended to read as follows:

(f) "Sell" includes sell, supply, dispose, barter, exchange, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

2. Section 18 (a) is amended to read as follows:

(a) *In general.* The provisions of this supplementary order as to Government agencies shall supersede the provisions of all maximum price regulations and supplementary orders previously issued (except those listed in subparagraph (1) herein) to the extent that they are inconsistent with or contrary to any provisions of this supplementary order.

(1) The following supplementary orders are not superseded by this Supplementary Order 94, but remain in full force and effect:

Revised Supplementary Order 10—Judicial Sales.

Supplementary Order 27—Sales by Certain Stores Operated or Regulated by the War Department or the Department of the Navy.

Supplementary Order 46—Exemption of Auction Sales of Contents of Dead Letters or Packages by Post Office Department.

Supplementary Order 68—Exemption of Seized, Unclaimed Abandoned Commodities sold at Auction by the Bureau of Customs.

This amendment shall become effective September 1, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13175; Filed, August 30, 1944; 11:14 a. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[RPS 7,[1] Amdt. 14]

COMBED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 7 is amended in the following respects:

1. In § 1307.1 (c), the reference to § "1307.12 (d) (4) (vi)" is changed to § "1307.12 (c) (4)".

2. Section 1307.1 (d) (2) is amended to read as follows:

(2) The provisions of Revised Price Schedule No. 7 shall not apply to:

(i) Retail sales of combed yarn.

(ii) Sales or purchases of Nos. 56s and finer 2 ply mercerized or gassed grey yarn imported from England and sold exclusively for use by hosiery manufacturers.

(iii) Sales or deliveries which are covered by the Second Revised Maximum Export Price Regulation.[3]

(iv) Sales or purchases of No. 140/1 mule spun yarn put up on cops and imported from England.

3. In § 1307.9 (b), "120s" is changed to "140s".

4. Section 1307.9 (d) is revoked.

5. In § 1307.9 (g), the specifications for "ply" are amended to read "singles and plied," and the specifications for "cotton content" are amended to read as follows:

Cotton content—American cotton which, according to the respective count, does not exceed the following staple lengths:

Yarn numbers:	*Staple length*
8s to 24s	1 1/16"
25s to 30s	1 1/32"
31s to 44s	1 1/8"
45s to 54s	1 3/32"
55s to 70s	1 5/16"
71s to 80s	1 7/32"
81s to 90s	1 1/4"
91s to 100s	1 5/16"
101s to 120s	1 3/8"
121s and up	1 5/16"

6. Section 1307.12 is amended to read as follows:

§ 1307.12 *Appendix A: Maximum prices for combed yarns and for mercerizing, bleaching and/or gassing thereof*—(a) *Terms of sale*—(1) *Freight*—(i) *Sales and deliveries by producers.* As applied to sales and deliveries by the producer, the maximum prices established herein include freight up to one cent per pound to the purchaser's place of business. The producer may require the purchaser to pay any freight in excess of one cent per pound. If the producer does not pay the freight, the maximum prices shall be that shown herein less freight (up to one cent per pound) at the lowest published rate. In the case of sales or deliveries for export, if export is by sea, the seaport from which the yarn is shipped, or, if export is overland, the point at which the yarn leaves the United States, shall be regarded as the purchaser's place of business.

(ii) *Sales and deliveries of stock yarn.*[4] As applied to sales and deliveries of stock yarn, the maximum prices established herein are prices f. o. b. the stock-yarn seller's shipping point.

(2) *Discounts and commissions.* The maximum prices established by Revised Price Schedule No. 7 are gross prices before any discounts are deducted and they include all commissions.

The maximum prices for combed yarns (as distinguished from those for commission mercerizing, bleaching, and/or gassing) established in paragraph (b) below, shall be discounted by 2 percent

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 843, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6547, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773.

[1] 7 F.R. 1221.

[2] 8 F.R. 4132, 5987, 7662, 9006, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834.

[3] As used in Revised Price Schedule No. 7, the term "stock yarn" means combed yarn owned by a person independent of the producer thereof and stored in space (1) owned or leased by such person on February 1, 1942; (2) owned or leased by such person and located within 25 miles of his principal place of business; or (3) approved by the Administrator, upon a duly filed petition for adjustment or exception, as a stock-yarn warehouse established to carry out a legitimate distributive function and not for the purpose of evading Revised Price Schedule No. 7; the term "independent" means not controlling, controlled by, or under common control with.

where payment is made within 30 days of delivery.

(b) *Maximum prices.* The prices set forth below in Table I are maximum prices for sales of base-grade yarns. For a yarn number intermediate between any two appearing in Table I, the maximum price shall be that price obtained from this table by interpolation in accordance with the respective yarn numbers.

TABLE I—BASE-GRADE YARNS

[Cents per pound]

Yarn numbers	Singles	Plied
8s	49.00	51.80
10s	49.80	52.60
12s	50.00	53.00
14s	50.50	54.00
16s	51.25	55.00
18s	52.00	56.00
20s	53.00	57.00
22s	54.00	58.50
24s	55.00	60.00
26s	56.00	61.50
28s	57.50	63.20
30s	59.00	65.50
32s	60.50	67.00
34s	62.00	69.00
36s	63.50	70.80
38s	65.00	72.00
40s	66.50	74.00
42s	68.00	76.00
44s	69.50	77.50
46s	71.00	79.00
48s	73.00	81.00
50s	75.00	83.00
52s	77.00	85.00
54s	79.00	87.00
56s	81.00	89.00
58s	83.00	91.50
60s	85.00	94.00
62s	87.00	96.00
64s	89.00	98.00
66s	91.00	100.00
68s	93.00	102.25
70s	95.00	105.00
72s	97.00	107.00
74s	99.00	109.00
76s	101.00	111.00
78s	103.00	113.00
80s	105.00	115.00
82s	107.00	118.00
84s	110.00	122.00
86s	114.00	126.00
90s	122.00	136.00
100s	143.00	162.00
110s	165.00	185.00
120s	190.00	215.00
130s	225.00	260.00
140s	[1] 275.00	320.00

[1] 140/1 mule spun yarn, put up on cops, and imported from England, is subject to the Maximum Import Price Regulation.

(c) *Premiums.* Where applicable, the premiums set forth below may be charged in addition to the maximum prices set forth in Table I above.

No premiums may be charged for any combed yarn except as permitted herein.

(1) *Jobbers.* (i) A jobber* may:

(a) Sell to a given customer broken-case[1] lots of combed yarn in quantities of 1,500 pounds or less per calendar month at a premium of 9 percent and in quantities in excess of 1,500 pounds per calendar month at a premium of 4.5 percent: *Provided,* That in no event shall sales of broken-case lots at a premium, irrespective of quantity per sale, exceed 15,000 pounds in any calendar month to all of the seller's customers.

(b) Sell combed yarn in lots of 1 to 3 unbroken cases at a premium of 4.5 percent: *Provided,* That except as set forth below no jobber may avail himself of this premium on that portion of his sales in any calendar month which is in excess of 3,000 pounds to the same customer or 20,000 to all his customers.

(ii) On lots of 1 to 3 unbroken cases, the following concerns may avail themselves of the premium set forth in (b) above on that portion of their respective sales of combed yarn in any calendar month which is not in excess of the amounts set forth below:

Name	Permissible amount to any given customer	Permissible amount to all customers
Thos. D. Toy & Co., 118 East 25th St., New York, N. Y.	*Pounds* 5,000	*Pounds* 60,000
Ernest W. Hayward & Co., 407 Fourth Ave., New York, N. Y.	3,000	40,000
Meyer & Rasmaussen, Inc., 221-227 Fourth Ave., New York, N. Y.	5,000	80,000

(2) *High twist.* For turns per inch exceeding the range provided for in the specifications for base-grade yarns, premiums may be charged in accordance with the following tables:

SINGLE TWIST

[All numbers herein inclusive]

Yarn Nos.	Multiples[1] 3.75 to 4.24	Multiples 4.25 to 4.74	Multiples 4.75 to 5.24	Multiples 5.25 and up
	Cents per pound			
Up to 30s	0.20	0.60	0.95	1.35
31s to 40s	.30	.85	1.35	1.90
41s to 50s	.40	1.20	2.00	2.75
51s to 60s	.55	1.60	2.65	3.75
61s to 70s	.70	2.05	3.40	4.80
71s to 80s	.85	2.55	4.20	5.90
81s to 90s	1.00	3.05	5.10	7.10
91s to 100s	1.20	3.60	6.00	8.40
101s and up	1.65	4.90	8.15	11.40

[1] As used in this table "multiple" means the quotient of the number of turns per inch divided by the square root of the yarn number.

PLIED TWIST[1]

(All numbers herein inclusive)

Yarn Nos.	Multiples[2] 3.75 to 4.24	Multiples 4.25 to 4.74	Multiples 4.75 to 5.24	Multiples 5.25 and up
	Cents per pound			
Up to 30s	0.35	0.50	0.65	0.75
31s to 40s	.50	.70	.85	1.05
41s to 50s	.70	.85	1.05	1.20
51s to 60s	.90	1.15	1.40	1.60
61s to 70s	1.15	1.50	1.75	2.05
71s to 80s	1.45	1.80	2.20	2.55
81s to 90s	1.75	2.20	2.65	3.10
91s to 100s	2.10	2.60	3.10	3.60
101s and up	2.70	3.15	3.80	4.05

[1] If the single, as well as the plied, twist of a plied yarn exceeds that provided for in the base-grade specifications, the applicable premium set forth in the "Single Twist" Table above may be charged in addition to the premium for plied twist set forth herein.

[2] As used in this table, "multiple" means the quotient of the number of turns per inch divided by the square root of the number of the single-yarn equivalent of the plied yarn.

(3) *Put-up.* For yarns in the following put-ups, premiums may be charged as indicated.

Put-up	Yarn Nos.	Premium
		Cents per lb.
Perforated dye tubes: Without socks	10s to 50s	1.00
	51s and up	3.00
With socks	10s to 50s	2.00
	51s and up	5.00
Cross-tied skeins	10s to 20s	.50
	21s to 50s	1.00
	51s to 80s	2.00
	81s and up	4.00

(4) *Mercerized, bleached, and/or gassed yarns and the mercerizing, bleaching and/or gassing of yarns.* Table II states the premiums allowable for yarns which are mercerized, bleached and/or gassed. Table III states the maximum prices for the mercerizing, bleaching and/or gassing of yarns on a job or commission basis.

Winding and handling charges. The premiums and maximum prices set forth below include all charges for quilling, cone winding and special handling: *Providing,* That if the processor does not

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*As used herein, "jobber" means a person at least 75 percent of whose sales of combed yarn during the calendar month preceding any given transaction consisted of stock yarn sales. See footnote 1 for definition of "stock yarn".

[1] As used herein the term broken case means a case from which at least 25 percent of the contents have been removed.

quill or wind his maximum price shall be the price specified herein less his customary charge [9] for quilling or winding.

Shrinkage allowance. Three per cent of the maximum price for the grey yarn may be added to the price of yarn which is bleached, except that no shrinkage allowance shall be permitted where plied yarn has been mercerized and bleached. The following percentages of the maximum price for the grey yarn may be added to the price of plied yarns which have been gassed: For 50s and below, 2½ per cent; 51s to 90s, inclusive, 3 per cent; 91s to 110s, inclusive, 3½ per cent; 111s to 140s, inclusive, 4 per cent.

No shrinkage allowance may be added to the maximum prices for mercerizing, bleaching and/or gassing.

Long chain bleaching done alone. The charges listed under this heading may be made only when bleaching is the sole finishing operation and when this is done on long chains.

TABLE II—PREMIUMS FOR YARN WHICH HAS BEEN MERCERIZED, BLEACHED AND/OR GASSED

[Cents per pound]

Yarn No.	Singles			Plied				
	Mercerizing	Bleaching done alone or in conjunction with mercerizing	Long chain bleaching done alone	Mercerizing	Mercerizing and bleaching	Bleaching done alone	Long chain bleaching done alone	Gassing
20s and below	26	12	15.25	15	22	11	15.25	3
21s–30s	29	13.5	17	16.75	25	13.5	17	3
31s–40s	31	15.25	19	18.5	27.5	15.25	19	3
41s–50s	33.5	17	20.5	20	29	17	20.5	4
51s–60s	38	19	21	21	30	19	21.5	4
61s–70s	43	21.25	23.5	25	32	21.25	23.5	5
71s–80s	49	23.5	27.5	27	39	23.5	27.5	5.5
81s–90s	55	27.5	32.5	32.5	44.5	27.5	32.5	6
91s–100s	62	30.5	40	40	52	30.5	40	7
101s–110s	72	34.5	47	47.5	62.5	33.5	47	7
111s–120s	81	38.5	55	55	70.5	37	55	8
121s–130s	91	43.5	64	65	81.5	42.5	65	9
131s–140s	102	49.5	74	80	96	80	85	10

TABLE III—MAXIMUM PRICES FOR MERCERIZING, BLEACHING AND/OR GASSING

[Cents per pound]

Yarn No.	Singles			Plied				
	Mercerizing	Bleaching done alone or in conjunction with mercerizing	Long chain bleaching done alone	Mercerizing	Mercerizing and bleaching	Bleaching done alone	Long chain bleaching done alone	Gassing
20s and below	26	12	15.25	13.5	19	12	15.25	3
21s–30s	28	13.5	17	15	21.5	13.5	17	3
31s–40s	30	15.25	19	16.5	25	15.25	19	3
41s–50s	32	17	20.5	18	26.5	17	20.5	4
51s–60s	36.5	19	21.5	19	26.5	19	21.5	4
61s–70s	41	21.25	23.5	20.5	26.5	21.25	23.5	5
71s–80s	47	23.5	27.5	24	33	23.5	27.5	5.5
81s–90s	53	27.5	32.5	29	38.5	27.5	32.5	6
91s–100s	60	30.5	40	36	45.5	30.5	40	7
101s–110s	70	34.5	47	43	54	33.5	47	7
111s–120s	79	38.5	55	50	62.5	37	55	8
121s–130s	89	43.5	64	60	73.5	42.5	65	9
131s–140s	100	49.5	74	75	90	80	85	7

(5) *Other premium yarns.* (i) For plies or for put-ups other than, or for twist slacker than, those included in the definition of base-grade yarn, a premium not exceeding the additional cost, if any, over base-grade plies, put-ups, or twist, respectively, may be charged.

(ii) For combed yarns which, in order to meet breaking-strength or other requirements reasonably related to the use to which they are to be put, are made with American cotton of staple lengths greater than those provided for in the definition of base-grade yarn or of Sea Island, SXP, Pima, or Egyptian cotton, a premium not in excess of 130 per cent of the additional cost (as hereinafter defined) may be charged.

As used herein, the term "additional cotton cost" means the difference in cents per pound, adjusted for waste [9] between the market value [10] of the specific kind, grade, and staple of cotton used or to be used in the premium yarn, and the market value [11] of strict middling American cotton of the staple length specified for the same yarn number in the definition of base-grade yarn.

(iii) In addition to the premium allowable under (ii) above, a premium of not more than six per cent of the maximum price exclusive of said premium may be charged for combed yarn sold to a manufacturer or converter thread for use solely in the manufacture of thread: *Provided*, That no premium may be charged hereunder unless the seller receives a written statement from the buyer (which the seller shall preserve for not less than two years) that the yarn is to be used solely in the manufacture of thread.

7. Section 1307.13 is amended to read as follows:

§ 1307.13 Appendix B: *Maximum prices for the following imported English combed yarns when sold pursuant to a contract with a war procurement agency or a subcontract under a contract with a war procurement agency*—(a) *Terms of sale.* The prices set forth in (b) (1) below are subject to terms of 2% 60 days.

(b) *Maximum prices*—(1) *Prices prior to addition of importation charges*—(i) *Combed lace yarns gassed unprepared in skeins:*

Yarn numbers:	*Cents per pound*
98/2	151
120/2	179
140/2	213

(ii) *Combed label yarns gassed, bleached and prepared in skeins:*

Yarn numbers:	*Cents per pound*
78/2	145
98/2	167
120/2	199
140/2	235
150/2	257
160/2	296
170/2	336
180/2	350

(2) *Importation charges.* Actual charges paid for import duty, import taxes, ocean freight, and war risk insurance may be added to the applicable maximum price for imported English yarn determined in accordance with this section: *Provided*, That the amount of such charges shall be separately set forth in an invoice or similar document delivered to the purchaser.

This amendment shall be effective as of June 30, 1944: *Provided*, That the provisions with respect to and the maximum

[9] In determining his maximum price for processed yarns in accordance with this subparagraph the processor who has not made a customary charge for quilling or winding shall subtract the cost he would normally incur for the cost of these operations. The processor shall compute this cost by giving due consideration not only to the direct labor cost which would be involved, but also to the overhead and other costs which he recognizes in his normal accounting procedure.

[9] In adjusting for waste, the following net waste factors are to be used:

Cotton	*Net waste factor*
American:	
1 1/32"	1.26
1 1/16" and 1 3/32"	1.28
1 1/8" and 1 5/32"	1.31
1 3/16" and 1 7/32"	1.33
1 1/4" to 1 11/32", incl	1.36
1 3/8" and over	1.38
Sea Island	1.43
SXP and Pima	1.35
Egyptian	1.33

[10] As of the date the contract of sale of premium yarn is made.

[11] Determination of the market values referred to herein shall be made from such weekly quotations, appropriately adjusted for location, as are or may hereafter be published by the War Food Administration, or, in the case of kinds, grades, and staples of cotton for which such quotations are not published, from actual quotations or sales made by brokers, shippers, or dealers customarily acting as sources of supply for such cotton.

prices established for yarn numbers 110 to 140 single and yarn numbers 130 to 140 ply listed in Table I of § 1307.12 shall be effective August 28, 1944: *Provided further*, That up to and including September 30, 1944 deliveries against contracts entered into prior to August 28, 1944 at an agreed firm price may be made at prices in conformity with the regulation or price schedule applicable to such contracts at the time they were made.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13040; Filed, August 28, 1944; 4:28 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 17]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.2 (a) (3) is amended to read as follows:

(3) Sales between original suppliers made pursuant to assignments or reassignments under Petroleum Directive No. 59 of the Petroleum Administration for War unless for a transaction of this type a price shall be established either by an amendment hereafter made to the regulation or by an order in writing of the Price Administrator or his duly authorized representative.

2. Section 1.14 (n) is amended to read as follows:

(n) "Schedule D area" means Schedule "D" area of Zone 6 of District 1 of Petroleum Administration for War and covers an area described as follows:

(1) The entire State of West Virginia with the exception of the Counties of: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Randolph and Tucker.

(2) The following counties or portions thereof in the State of Pennsylvania: Allegheny; Armstrong; Beaver; Butler; Cameron; Clarion; the township of Sandy in Clearfield County; the townships of Chapman, East Keating, Leidy, Noyes, and West Keating in Clinton County; Crawford; Elk; Erie; Fayette, Forest; Greene; Jefferson; Lawrence; McKean; Mercer; Potter; Tioga; Venango; Warren; Washington; and all of Westmoreland except the townships of Derry, Fairfield, Ligonier and St. Clair.

(3) The following counties in the State of New York: Allegany, Cattaraugus, Chautauqua, Erie, Niagara, and Steuben.

*Copies may be obtained from the Office of Price Administration.

3. Section 2.30 (d) (1) is amended in the following respects:

a. In the table of prices "Alleghany" is corrected to read "Allegany".

b. Maximum prices within the counties listed below are modified to read as follows:

Within the county of:	*Cents per gallon*
Allegany	9.7
Excepting: Townships of New Hudson, Belfast, Angelica, West Almond and all townships north thereof	10.0
Cattaraugus	9.7
Excepting: Townships of Conewango, Napoli, Little Valley, Great Valley, Humphrey, Ischua, and all townships north thereof	9.9
Chautauqua	9.5
Excepting: Townships of Sheridan, Dunkirk, Hanover, Pomfret, Arkwright, Villenova, Cherry Creek, Ellington, Charlotte, Stockton, Portland, Chautauqua, Westfield, Ripley, Mina, Sherman, and North Harmony	9.6
Erie	9.5
Excepting: Townships of Collins, Concord, Sardinia	9.9
Niagara	9.6
Steuben	9.6
Excepting: Townships of Hornellville, Hartsville, Greenwood, West Union, Troupsburg, Jasper, Canisteo, Howard, and Freemont	9.9

4. Section 2.36 (c) (1) is amended to the extent that maximum prices within the counties listed below are modified to read as follows:

Within the county of:	*Cents per gallon*
Allegheny	8.8
Armstrong	8.8
Beaver	8.8
Butler	8.8
Cameron	9.3
Clarion	8.8
Clearfield	9.8
Excepting: Township of Sandy	9.3
Clinton	9.8
Excepting: Townships of Chapman, East Keating, Leidy, Noyes and West Keating	9.3
Crawford	8.8
Elk	9.3
Erie	8.8
Fayette	9.3
Forest	8.8
Greene	9.3
Jefferson	9.3
Lawrence	8.8
McKean	9.3
Mercer	8.8
Potter	9.3
Tioga	9.3
Venango	8.8
Warren	8.8
Washington	9.3
Westmoreland	9.3
Excepting: Townships of Derry, Fairfield, Ligonier and St. Clair	9.8

5. Section 2.38 (a) is amended to the extent that .3 of a cent per gallon is deducted from each price listed in said section.

6. Section 3.4 (b) is amended as follows:

a. The table is amended to read as follows with the footnotes and price areas unchanged except as indicated for footnote 4 and Price Area K and K-1:

Price area [1]	*Dollars per 42-gallon barrel* [6]
A	1.02
B	0.97
C	0.97
D	0.97
E	1.14
F	1.51
G	1.56
H [3]	1.74
I	1.77
J	1.95
K [4]	2.01
K-1	2.16
L	1.97
M	1.77
N	1.72
O	1.62
P	1.27
Q	1.22
R	1.15
S	0.92
T	0.99
U	0.96
V	1.36
W	1.07

b. Footnote 4 is amended to read as follows:

[4] On sales f. o. b. refineries and terminals within Price Area K for shipment to ultimate destinations in Petroleum Administration for War District 1 outside of such Price Area K, the maximum price shall be the price designated above less 15¢ per barrel.

c. Price Area K description shall be amended to read as follows:

K comprises those counties or parts thereof which are within Schedule D area as defined in section 1.14 (n).

d. The following is inserted between the description of Price Area K and the description of Price Area L:

K-1 comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, and Columbiana.

7. Section 4.11 (d) is renumbered 4.23 (c) and amended to read as follows:

(c) *City of St. Louis.* In the City of St. Louis the maximum delivered-at-destination price for 70-74 Octane ASTM gasoline delivered in tank cars and transport trucks to consumers shall be 7.385¢ per gallon.

8. Section 4.36 (a) is amended to read as follows:

(a) *Pittsburgh, Pennsylvania.* In Pittsburgh, Pennsylvania, a refiner's maximum price for Ethyl Grade gasoline on sales in bulk lots to other refiners f. o. b. the refiner's shipping point shall be 9.3¢ per gallon, except that the maximum price on sales for shipment to ultimate destinations in Petroleum Administration for War District One outside of the Schedule D area, as defined in section 1.14 (n), shall be 8.7¢ per gallon.

9. The heading of Article VI is amended to read as follows:

ARTICLE VI—INCREASES OR REDUCTIONS TO MAXIMUM PRICES DETERMINED UNDER ARTICLE V OR ESTABLISHED UNDER ARTICLE VIII

10. The heading of section 6.3 is amended to read as follows: "*On sales of*

distillate and distillate type fuels and fuel oils" and section 6.3 (a) (1) is amended to read as follows:

(1) *Within the area, generally; at all selling levels*—(i) *Increases to maximum prices determined under Article V.* Except as provided in subparagraph (2) below, within the states or portions thereof listed below the amount designated below may be added to a maximum price determined under Article V for any distillate or distillate type fuel or fuel oil having a viscosity below 85 Seconds Saybolt Universal (100° F.) including but not limited to the following: kerosene, No. 1 fuel oil and range oil, tractor fuel, gas house oils, distillate diesel fuels, Nos. 2, 3 and 4 fuel oils, standard light gas oil, gas house standard light gas oils, and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or for other distillate fuel oil use.

State or portion thereof	Cents per gallon to be added	
	Kerosene, No. 1 fuel oil or range oil	Any other fuel or fuel oil described above
Connecticut	1.8	1.8
Delaware	1.8	1.8
Florida (east of the Apalachicola River)	1.3	1.0
Georgia	1.3	1.0
Maine	1.8	1.8
Maryland	1.8	1.8
Massachusetts	1.8	1.8
New Hampshire	1.8	1.8
New Jersey	1.8	1.8
New York	1.8	1.8
Excepting Schedule D area	1.3	1.0
North Carolina	1.8	1.2
Pennsylvania	1.8	1.8
Excepting Schedule D area	1.3	1.0
Rhode Island	1.8	1.8
South Carolina	1.8	1.2
Vermont	1.8	1.8
Virginia	1.8	1.8
West Virginia	1.8	1.8
Excepting Schedule D area	1.3	1.0
District of Columbia	1.8	1.8

(ii) *Reductions to certain maximum prices established under Article VIII.* Except as hereunder provided in subparagraph (2), within the areas listed below, maximum prices established prior to September 1, 1944, under Article VIII for any of the products listed in (i) above shall be reduced as follows:

Area:	Reduction in cents per gallon
Schedule D area	.5
North Carolina	.3
South Carolina	.3
Georgia	.5
Florida (east of the Apalachicola River)	.5

11. Section 6.4 (a) (1) is amended to read as follows:

(1) *Within the area, generally; at all selling levels*—(i) *Increases to maximum prices determined under Article V.* Except as provided in subparagraph (2) below and except at the shipping points designated in section 3.4, there may be added within the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York,[1] North Carolina, Pennsylvania,[1] Rhode Island, South Carolina, Vermont, Virginia, West Virginia,[1] and the District of Columbia, the sum of 30 cents[1] per barrel to a maximum price determined under Article V for any residual or residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above including but not limited to Nos. 5 and 6 fuel oils, bunker C, Navy grade, residual and diesel fuel oils, residuum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy special fuel oil, Mirando and Mirando type crude when sold as No. 5 or other residual fuel oil or as a heavy gas enrichment oil.

(ii) *Reductions to certain maximum prices established under Article VIII.* Except as provided in subparagraph (2) below, within Schedule D area maximum prices established prior to September 1, 1944, under Article VIII for any of the products listed in (i) above shall be reduced 15¢ per barrel.

12. Sections 6.5 (a) (1) and (a) (2) are revoked. Section 6.5 (a) (3) is renumbered 6.5 (a) (2) and 6.5 (a) (1) is added to read as follows:

(1) *Within the area, generally, at all selling levels*—(i) *Increases to maximum prices determined under Article V.* Except as hereunder provided in subparagraph (2), within the states or portions thereof listed below the amount designated below may be added to a maximum price determined under Article V for deliveries of gasoline.

State or portion thereof:	Cents per gallon
Connecticut	1.2
Delaware	1.2
Florida (east of the Apalachicola River)	.6
Georgia	.6
Maine	1.2
Maryland	1.2
Massachusetts	1.2
New Hampshire	1.2
New Jersey	1.2
New York	1.2
Excepting Schedule D area	.6
North Carolina	.8
Pennsylvania	1.2
Excepting Schedule D area	.6
Rhode Island	1.2
South Carolina	.8
Vermont	1.2
Virginia	1.2
West Virginia	1.2
Excepting Schedule D area	.6
District of Columbia	1.2

(ii) *Reductions to certain maximum prices established under Article VIII.* Except as hereunder provided in subparagraph (2), within the areas listed below maximum prices established prior to September 1, 1944, under Article VIII for any of the products listed in (i) above shall be reduced as follows:

Area:	Reductions in cents per gallon
Schedule D area	0.6
North Carolina	.4
South Carolina	.4
Georgia	.3
Florida (east of the Apalachicola River)	.3

This amendment shall become effective September 1, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13058; Filed, August 28, 1944; 4:30 p. m.]

[1] In Schedule D area add 15¢ instead of 30¢.

PART 1340—FUEL

[RMPR 137, Amdt. 5]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 137 is amended in the following respects:

1. The title of section 11 is amended to read: *"Increases and reductions in maximum prices,"* the title to section 11 (b) is amended to read *"Increases and reductions in maximum prices of particular products in designated areas,"* and the title to section 11 (b) (1) is amended to read: *"Area increases and reductions."*

2. Section 11 (b) (1) (i) is amended to read as follows:

(i) *Eastern Seaboard increases and reductions.* The following table sets forth an amount per gallon for specified areas and products which shall be added to or subtracted from March 1942 prices for each specified product in arriving at a maximum price under section 10 (a) (1).

*Copies may be obtained from the Office of Price Administration.

	Amount of increase or decrease in cents per gallon					
	Gasoline		Kerosene range oil and No. 1 fuel oil		No. 2 fuel oil and Diesel fuel	
	Increase	Decrease	Increase	Decrease	Increase	Decrease
Connecticut	0.4		1.7		1.4	
Delaware	0.4		1.7		1.4	
Florida (East of the Apalachicola River)	0.1		1.2		0.9	
Georgia	0.1		1.2		0.9	
Maine	0.4		1.7		1.4	
Maryland	0.4		1.7		1.4	
Massachusetts	0.4		1.7		1.4	
New Hampshire	0.4		1.7		1.4	
New Jersey	0.4		1.7		1.4	
New York	0.4		1.7		1.4	
Excepting Schedule D area comprising the Counties of Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Steuben		0.2	1.2		0.9	
North Carolina	0.0		1.4		1.1	
Pennsylvania	0.4		1.7		1.4	
Excepting Schedule D area comprising the Counties of Allegheny; Armstrong; Beaver; Butler; Cameron; Clarion; Clearfield except the township of Sandy; Clinton except the townships of Chapman, East Keating, Leidy, Noyes and West Keating; Crawford; Elk; Erie; Fayette; Forest; Greene; Jefferson; Lawrence; McKean; Mercer; Potter; Tioga; Venango; Warren; Washington; Westmoreland except the townships of Derry, Fairfield, Ligonier, and St. Clair		0.2	1.2		0.9	
Rhode Island	0.4		1.7		1.4	
South Carolina	0.0		1.4		1.1	
Vermont	0.4		1.7		1.4	
Virginia	0.4		1.7		1.4	
West Virginia		0.2	1.2		0.9	
Excepting the Counties of Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Randolph, and Tucker	0.4		1.7		1.4	
District of Columbia	0.4		1.7		1.4	
Corporate limits Bristol, Tennessee	0.4		1.7		1.4	

This amendment shall become effective September 10, 1944.

Issued this 28th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13052; Filed, August 28, 1944; 4:29 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING.

[MPR 266,[1] Amdt. 10]

CERTAIN TISSUE PAPER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 266 is amended in the following respects:

1. Section 1347.515 (b) (2) is amended to read as follows:

(2) *F. o. b. mill basis.* Where shipments of toilet tissue are made on an f. o. b. mill basis the manufacturer's maximum price shall be a price computed in accordance with the provisions of paragraph (a) (1) of this section less the sum of $0.60 per cwt., or the highest delivered price charged by the manufacturer during October 1 to October 15, 1941 for sales in the zone in which the manufacturer's mill is located less $0.50 per cwt. The manufacturer may elect to use either one of the aforementioned methods of calculation.

On shipments to the Army, Navy or Lend-Lease Administration freight charges to the point of delivery may be added by the manufacturer to the resulting f. o. b. mill price, except that the f. o. b. mill price plus freight charges shall in no event exceed the prices charged by the manufacturer for deliveries during March 1942.[2] On shipments to all other persons freight charges to the point of delivery may be added by the manufacturer to the resulting f. o. b. mill price: *Provided,* That, in no event shall such maximum price including freight charges exceed the manufacturer's maximum delivered price which would apply at the given destination under this regulation.

2. Section 1347.516 (b) (3) is amended to read as follows:

(3) *F. o. b. mill basis.* Where shipments of paper towels are made on an f. o. b. mill basis the manufacturer's maximum price shall be a price computed in accordance with the provisions of paragraph (a) (1) of this section less the sum of $0.60 per cwt., or the highest delivered price charged by the manufacturer during October 1 to October 15, 1941, for sales in the zone in which the manufacturer's mill is located less $0.50 per cwt. The manufacturer may elect to use either one of the aforementioned methods of calculation.

On shipments to the Army, Navy or Lend-Lease Administration freight charges to the point of delivery may be added by the manufacturer to the resulting f. o. b. mill price, except that the f. o. b. mill price plus freight charges shall in no event exceed the prices charged by the manufacturer for deliveries during March 1942.[2] On shipments to all other persons freight charges to the point of delivery may be added by the manufacturer to the resulting f. o. b. mill price: *Provided,* That, in no event shall such maximum price including freight charges exceed the manufacturer's maximum delivered price which would apply at a given destination under this regulation.

This amendment shall become effective Sept. 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13176; Filed, August 30, 1944; 11:13 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9335, 10714; 8 F.R. 531, 2431, 4131, 7383; 9 F.R. 4090, 8145.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341, Amdt. 5]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 341 is amended in the following respects:

1. The schedule of percentages in section 7 is amended to read as follows:

Model year	Percentages	
	As is	Warranted
1944, and 1943 and 1942 sold new in 1944	81	103
1943, and 1942 sold new in 1943	81	103
1942	72	92
1941	62	80
1940	56	74
1939	53	71
1938	49	67
1937	44	62
1936	41	58
1935	37	54
1934[1]	33	50

[1] 1933 and lower model year vehicles take the percentage applicable to 1934.

2. The warranty in section 8 is amended to read as follows:

DEALER'S WARRANTY

The used vehicle described below is hereby warranted to be in good operating condition and to remain in such condition under normal use and service for a period of 90 days after delivery, or 1000 miles, whichever may first occur.

We agree, if said vehicle is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements which may be necessary to its good operating condition in accordance with normal use and service, at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

[2] Except in the case of manufacturers who have been granted relief in accordance with former § 1347.510.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence, or accident.

Make of used vehicle_____ Model_____
Date of delivery_____ Speedometer reading_____ Serial or Motor No.
_____ Total selling price $_____

_____
(Name of dealer making sale)

Per _____
(Name of proper representative thereof and title)

_____
(Address)

This amendment shall become effective September 4, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13178; Filed, August 30, 1944; 11:13 a. m.]

PART 1363—FEEDING STUFFS

[MPR 552]

PET FOODS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, that the maximum prices of pet foods, as established by the General Maximum Price Regulation, be continued in effect, as provided in this Maximum Price Regulation No. 552.

The Price Administrator has consulted with representative members of the industry, prior to the issuance of this regulation.

In the judgment of the Price Administrator, the maximum prices, here established, are generally fair and equitable, and they will further the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and of Executive Orders Nos. 9250 and 9328.

A statement of the considerations involved in the issuance of this regulation has been issued, simultaneously herewith, and has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 552—PET FOODS

ARTICLE I—GENERAL PROVISIONS

Sec.
1. Applicability.
2. Sales at other than maximum prices.
3. Evasion.
4. Documents, records and reports.
5. Enforcement.
6. Licensing.
7. Protests, and petitions for amendment.
8. Definitions.

ARTICLE II—PRICING PROVISIONS

9. Maximum prices of processors for sales to retailers.
10. Maximum prices of processors on new type of sales, or on new products.
11. Maximum prices of processors on sales to private brand dealers.
12. Recalculation of processor's maximum prices.
13. Maximum prices of private brand dealers on sales to retailers.
14. Maximum prices on sales to wholesalers.
15. Maximum prices of wholesalers and retailers.
16. Adjustment of prices to nearest quarter cent.
17. Notification of change in maximum prices.
18. Addition of freight charges.

AUTHORITY: Secs. 1 to 18, inclusive (§ 1363.-151), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Applicability.* Except for those sales exempted by paragraph (a) of this section, this regulation shall apply to all sales within the United States and to all deliveries, whether immediate or future, pursuant to said sales, of the commodities covered hereby.

(a) *Exempt sales*—(1) *Export sales.* This regulation shall not apply to any export sale. The maximum price for such sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, as amended.[1]

(2) *Emergency purchases.* This regulation shall have no application to any purchase by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure, or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1[2] to the General Maximum Price Regulation, as amended:[3] *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

(3) *Pet foods containing fresh horsemeat.* If one of the ingredients of a pet food is fresh horsemeat, this regulation shall not apply to any sales, thereof. Maximum prices for such sales shall be determined pursuant to the provisions of Maximum Price Regulation No. 367.[4]

SEC. 2. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive any of the commodities covered by this regulation, at prices above the maximum prices established by this regulation, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in subparagraph (1) of this section.

(1) Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended. The authorization may be given by an order of the Administrator or of any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

(b) Prices lower than the maximum prices established by this regulation, may, of course, be charged or paid.

SEC. 3. *Evasion.* Any method whereby a seller obtains greater consideration than the maximum price, or where he gives less than the consideration due the buyer for the maximum prices charged, is an evasion of this regulation and, therefore, prohibited, and any offer or agreement which accomplishes or attempts to accomplish such result is equally prohibited.

SEC. 4. *Documents, records and reports.* (a) Every seller, and every purchaser in the course of trade or business, shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of every sale and purchase covered by this regulation, including the date thereof, the name of the seller and purchaser, the kind and quality of the commodity, the price paid or received, the quantity sold or purchased and, in addition, records showing, as precisely as possible, the basis upon which he determined his maximum price for such sale.

The term "purchaser in the course of trade or business" includes, but is not limited to, commercially operated kennels.

(b) Upon demand, every such person shall submit such records to the Office of Price Administration, and keep such further records as the Office of Price Administration may require from time to time, subject to the approval of the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(c) On each sale covered by this regulation, the seller shall give his customer an invoice or bill of sale which must show the seller's maximum price on the particular type and kind of sale, the sale price, the amount of any freight charges included in the sale price, and the quantity and type of the commodity sold; and

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4132, 8967, 7062, 9008.
[2] 9 F.R. 3561, 3800, 4391, 4948.
[3] 9 F.R. 3169.
[4] 9 F.R. 4918, 5941, 6048, 10660; 8 F.R. 2200.

the seller shall retain a copy of said invoice for his records.

SEC. 5. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation and suspension provisions, civil enforcement actions, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 6. *Licensing.* The provisions of Licensing Order No. 1 [5] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 7. *Protests and petitions for amendment.* Any person desiring to file a protest against, or seeking an amendment of, any provisions of this regulation may do so in accordance with the provisions of Revised Procedural Regulation No. 1, as amended,[6] issued by the Office of Price Administration.

SEC. 8. *Definitions.* When used in this regulation, the following terms shall have the following meanings:

(a) "United States" includes the 48 states and the District of Columbia.

(b) "Person" means an individual, corporation, partnership, association or other organized group of persons, or the legal successor or representative of any of the foregoing, and includes the United States, or any other Government, or any political sub-division or agency of any of the foregoing.

(c) "Processor" means with respect to any lot of pet foods, the primary manufacturer thereof.

(d) "Wholesaler" and "retailer" mean with respect to any lot of pet foods, persons making "sales at wholesale" or "sales at retail" as the same are defined in the General Maximum Price Regulation. A processor maintaining a warehouse or store, separate from his manufacturing plant, may be a wholesaler or retailer if his sales fall within this definition.

(e) "Private brand dealer" means, with respect to any lot of pet foods, any seller who has pet food manufactured for him by a processor, and resells them other than as a wholesaler or retailer.

(f) "Your supplier" means the person from whom you buy a lot of pet foods.

(g) "Your buyer" means the person to whom you sell a lot of pet foods.

(h) "Closest competitor" means a person who normally buys or sells the same or similar quantities of pet food and who has the same or a similar credit standing.

(i) "Pet foods" means any mixture of two or more ingredients manufactured for feeding dogs, cats and other four-footed fur bearing animals used as pets. The mixture cannot be made solely of ingredients from one primary grain product, nor can it contain fresh horsemeat. Different types of pet foods are defined in paragraphs (j), (k), (l) and (m) of this section.

(j) "Moist pet foods" are those containing over 15 per centum of moisture content.

(k) "Frozen pet foods" are moist pet foods which are frozen, or semi-frozen.

(l) "Dehydrated pet foods" are moist pet foods, artificially dried to a moisture content of 15 per centum, or less.

(m) "Dry pet foods" are all types of pet foods, as defined in paragraph (i) except those described in paragraphs (j), (k) and (l).

ARTICLE II—PRICING PROVISIONS

SEC. 9. *Maximum prices of processors for sales to retailers.* If you are a processor, and you sell pet foods to retailers, your maximum price shall be either:

(a) Your maximum price on the particular type and kind of sale, as the same was determined under the General Maximum Price Regulation, or

(b) If you so elect, your maximum price on the particular type and kind of sale as recalculated under section 12, hereof, *Provided, however,* That if you do not recalculate your maximum price on each type and kind of sale which you are then making within 30 days after the effective date of this regulation, you shall not, thereafter, make such a recalculation with respect to that type and kind of sale.

SEC. 10. *Maximum prices of processors on new types of sales, or on new products.* If you are a processor of pet foods, and your maximum prices for a particular type or kind of sale to retailers, or for the sale to retailers of a particular type and kind of product, has not been determined, as provided in section 9 of this regulation, then before making such a sale, you shall determine your maximum price in the manner set forth in section 12.

SEC. 11. *Maximum prices of processors on sales to private brand dealers.* (a) If you are a processor of pet foods, and you are making sales to private brand dealers, your maximum price on each type and kind of sale you make shall be your maximum price for such sale determined under the General Maximum Price Regulation.

However, if you so elect, you may recalculate your maximum price on any such sale in the manner provided for the recalculation of your maximum prices as set forth in section 12 of this regulation: *Provided,* That such recalculation must be made no later than 30 days after the effective date of this regulation.

(b) If you made no previous sales of the particular type and kind to the buyer, your maximum price on the sale to him shall be your maximum price on the same type and kind of sale to his closest competitor.

(c) If you made no previous sales, whatsoever, of the particular type and kind, your maximum price shall be the maximum price of your closest competitor on that type and kind of sale.

SEC. 12. *Recalculation of processor's maximum prices.* (a) If you are a processor of dry pet foods, you may recalculate your maximum prices on each type and kind of sale you make to retailers or private brand dealers, during the period ending 30 days after the effective date of this regulation, by adding:

(1) Your maximum price on the particular type and kind of sales as determined under the General Maximum Price Regulation; and

(2) If your commodity is made by the same formula, as it was in March, 1942, the amount of all increases, since March, 1942, in the cost of ingredients and packaging materials; or

(3) If you have changed your formula, since March 1942, the amount of the increases in the cost of ingredient and packaging materials used in your present formula, over their costs in March, 1942.

(b) If you are a processor of moist or frozen pet foods, then during the period ending 30 days after the effective date of this regulation, if you elect to recalculate your maximum price, you shall file a verified application [7] for the establishment of a new maximum margin on each type and kind of sale you make, with the Office of Price Administration, at Washington, D. C. The application shall set forth:

(1) A description of the commodity for which a new maximum margin is sought; this shall include a description of the kind and amount of each ingredient contained in the commodity, the physical form in which it is sold, and the nature and degree of processing which is done on the product.

(2) The brand name.

(3) The weight and type of the package.

(4) The number of packages to a shipping unit.

(5) The maximum margin requested, and the method used in computing the same.

(6) An itemized breakdown of costs, involved in the preparation of the commodity as of the effective date of this regulation, computed according to your own system of accounts. This breakdown shall include ingredient and packaging materials costs, direct labor costs, factory overhead, and selling and administrative costs.

The Office of Price Administration shall establish a maximum margin for each type and kind of sale you make. The margin, so established shall be added to your ingredient and packaging materials cost, determined as of the effective date of this regulation, and the resultant sum shall be your maximum price.

(c) The following is the manner in which you shall determine ingredient and packaging materials costs as of the effective date of this regulation:

(1) If the price of the ingredients or packaging materials is subject to the General Maximum Price Regulation, or to a specific regulation, you shall use the maximum price to you, at your plant, in the quantities you normally purchase, from your customary supplier, as if you

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[5] 8 F.R. 13240.

[6] 7 F.R. 8961; 8 F.R. 3533, 6173, 11806.

[7] Copies of OPA Form 634–1059, the form on which this application shall be submitted, are obtainable at the District Offices of the Office of Price Administration.

had purchased them on the effective date of this regulation.

(2) If the price of the ingredients or packaging materials is not controlled, you shall use their replacement cost to you at your plant, in the quantities you normally purchase from your customary supplier, as if you had purchased them on the effective date of this regulation.

(d) If you are a processor of dehydrated pet foods you may, at your option, recalculate your maximum prices on sales to retailers under either Paragraph (a) or (b) of this section.

SEC. 13. *Maximum prices of private brand dealers on sales to retailers.* If you are a private brand dealer you shall determine your maximum price for each type and kind of sale you make to retailers:

(a) By adding to your maximum price on that type and kind of sale, as determined under the General Maximum Price Regulation, any lawful increase which your supplier elects to charge on his sale of the commodity to you pursuant to section 12 of this regulation; or

(b) If your maximum price for that type and kind of sale was not determined under the General Maximum Price Regulation, you shall file a verified application with the Office of Price Administration, at Washington, D. C., for the establishment of a maximum margin. Such application shall contain the information required to be filed by processors under section 12 (b) (1) to (5), and in addition, you shall set forth your supplier's maximum price on the sale of the commodity to you.

The Office of Price Administration shall establish a maximum margin for the particular type and kind of sale. The margin, so established, shall be added to your supplier's maximum price, and the resultant sum shall be your maximum price.

SEC. 14. *Maximum prices on sales to wholesalers.* (a) If you are a processor of, or a private brand dealer in, pet foods, you shall determine your maximum price on sales to wholesalers by allowing the same discount under your maximum price to retailers, to each wholesaler which you allowed to him on the particular type and kind of sale, prior to the effective date of this regulation.

(b) If you did not make the particular type and kind of sale, prior to the effective date of this regulation, you shall give to your buyer the discount you allowed him on your most similar commodity, or if you sold no similar commodity, the discount allowed by your closest competitor, on such a sale.

(c) If you sell to a new purchaser, you shall give him the discount which you allowed to his closest competitor, on the particular type and kind of sale, prior to the effective date of this regulation.

SEC. 15. *Maximum prices of wholesalers and retailers.* Wholesalers and retailers, making sales of pet foods, shall determine their maximum prices, pursuant to Maximum Price Regulations Nos. 421,[8] 422,[9] 423,[10] whichever is applicable to him.

SEC. 16. *Adjustment of prices to nearest quarter cent.* Processors of and private brand dealers in pet foods shall, after determining their maximum price, on a particular type and kind of sale, adjust the same to the nearest five cents per shipping unit of sale. A shipping unit of sale shall have a minimum net weight of 20 pounds and a maximum net weight of 100 pounds.

SEC. 17. *Notification of changes in maximum prices.* With the first delivery of any commodity covered by this regulation, after a seller changes a maximum price pursuant to any provision of this regulation or of any amendment thereto he shall:

(a) Supply each wholesaler and retailer subject to the provisions of Maximum Price Regulation Nos. 421, 422 or 423, who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS SUBJECT TO MAXIMUM PRICE REGULATION NO. 421, 422 OR 423.

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery, of it to you from your customary type of supplier containing this notification on or after (insert date when new price becomes effective). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after making such change in the maximum price of an item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the seller shall give the written notice set forth above by attaching it to, or writing it on, the invoice issued in connection with the transaction, and by firmly attaching it to the case or carton in which the commodity is shipped.

(b) Notify each purchaser of the item from him who is a distributor, wholesaler or retailer not subject to Maximum Price Regulation No. 421, 422 or 423 of such change in maximum price by the following written notice attached to or written on the invoice issued in connection with his first transaction with such purchaser after the new price becomes effective:

NOTICE TO DISTRIBUTORS, WHOLESALERS OR RETAILERS NOT SUBJECT TO MAXIMUM PRICE REGULATIONS NO. 421, 422 OR 423

Our OPA ceiling price for (describe item by kind, variety, brand and container type and size) has been changed from $_____ to $_____ under the provisions of Maximum Price Regulation No. 552. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you after (insert date when new price becomes effective), of any allowable change in your maximum price. This notice must be made in the manner prescribed in section 17 of Maximum Price Regulation No. 552.

SEC. 18. *Addition of freight charges.* If the seller's maximum price, determined under the General Maximum Price Regulation, did not include freight charges, then he may add actual freight charges incurred to his maximum price, or if he uses a zone freight basis in making sales, he may add to his maximum price, the average freight charge for the zone.

NOTE: The reporting and record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.[1]

This regulation shall become effective on September 4, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13179; Filed, August 30, 1944; 11:12 a. m.]

PART 1381—PRIMARY FOREST PRODUCTS AND WOOD PRESERVATION

[RMPR 161,[1] Amdt. 16]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In Appendix B,

T. R. Lewis, c/o Umpqua Hotel, Roseburg, Oregon.

is added to the list of "Approved scalers and graders."

This amendment shall become effective September 4, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13180; Filed, August 30, 1944; 11:14 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 24]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

[8] 8 F.R. 9368, 10569, 10987, 13203.
[9] 8 F.R. 9395, 10569, 10987, 12443, 12611, 13204.
[10] 8 F.R. 9407, 10570, 10988, 12443, 12611, 13204.

*Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 9368.
[1] 9 F.R. 2357.

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5157 (a) (5) is amended by adding immediately after the period at the end thereof the following sentence: "However, no ration shall be issued under this subparagraph on or after September 1, 1944."

2. The undesignated center headnote "Late Applicants for Heat and Hot Water Rations for the 1943–44 Heating Year" and the note immediately preceding § 1394.5315 are revoked.

3. Section 1394.5315 is amended by adding after the phrase "November 30, 1943", the phrase "but before September 1st, 1944."

4. Sections 1394.5315, 1394.5316, 1394.5317, 1394.5318, 1394.5319, 1394.5320, 1394.5321, 1394.5322, 1394.5323, 1394.5324, 1394.5327 and 1394.5328 are removed from the text of the order inserted in Appendix A and renumbered sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37, respectively.

5. Sections 1394.5325, 1394.5326 and 1394.5329 are revoked.

6. An undesignated center headnote is added preceding § 1394.5330 as follows: "Fuel Oil Limitation Area."

7. Section 1394.5360 is amended to read as follows:

§ 1394.5360 *Who may apply for a renewal.* (a) An application to renew a ration for heat or hot water, or both, for the 1944–45 heating year may be made by any person to whom such a ration for all or part of the 1943–44 heating year was issued, or by any member of his family, or by someone acting for either of them. However, a ration may not be renewed if it has expired for any of the reasons specified in § 1394.5502.

(b) The application may be made at any time during the heating year and must be made on OPA Form R–1167 (Revised). All the information required by the form must be furnished.

8. Section 1394.5361 (a) is amended by substituting the phrase "section 28 (a) (1) of Appendix A" for the phrase "§ 1394.5317 (a) (1)".

9. Section 1394.5361 (d) is added as follows:

(d) *Ration for period less than heating year.* If the renewed ration for heating a private dwelling by means of central heating equipment is needed for less than the entire heating year, the annual ration shall first be figured according to paragraphs (a) and (b) of this section and then reduced for the period for which it is needed, as follows: The appropriate percentages shown opposite the dates between which the ration is needed shall be determined from Revised Table VIII (OPA Form R–1130). The annual ration shall be multiplied by the percentage which is the difference between the appropriate percentages so determined. If the dates are not listed, the appropriate percentages are determined by the Board from the nearest dates which are listed.

10. Section 1394.5363 (d) is added as follows:

(d) *Ration for period less than the heating year.* If the renewed ration for heating any residential premises (other than a house trailer) by means of one or more space heaters is needed for less than the entire heating year, the annual ration shall first be figured according to the preceding paragraphs of this section and then reduced for the period for which it is needed, as follows: The appropriate percentages, shown opposite the dates between which the ration is needed, shall be determined from Revised Table VIII (OPA Form R–1130). The annual ration shall be multiplied by the percentage which is the difference between the appropriate percentages so determined. If the dates are not listed, the appropriate percentages are determined by the Board from the nearest dates which are listed.

11. Section 1394.5365 (a) is amended by substituting the phrase "section 32 (a) (1) of Appendix A" for the phrase "§ 1394.5321 (a) (1)".

12. Section 1394.5365 (b) is amended by substituting the phrase "section 32 (b) of Appendix A" for the phrase "§ 1394.5321 (b)".

13. Section 1394.5366 (a) (3) is amended by substituting the phrase "section 33 of Appendix A" for the phrase "§ 1394.5322".

14. Section 1394.5366 (b) is added as follows:

(b) However, if the months of the 1944–45 heating year for which the renewed ration is needed are not the corresponding or equivalent months for which the ration for the 1943–44 heating year was issued, the renewed ration shall be figured according to § 1394.5378.

15. Section 1394.5367 (a) (1) is added as follows:

(1) Class 3 coupon sheets will also be issued if the ration is granted for less than the period between date of application and the end of the 1944–45 heating year (§§ 1394.5361 (d), 1394.5373 (d), 1394.5375 (b), 1394.5377 (a) (2) or 1394.5378) even though the amount of fuel oil which the applicant may so acquire is more than 300 gallons. However, this subparagraph (1) shall not apply where (i) fuel oil deposit certificates are to be issued or (ii) the period for which the ration is granted begins before April 15, 1945 and ends on a date after April 15, 1945.

16. Section 1394.5367 (c) (2) is added as follows:

(2) However, if the application is made after September 1, 1944 the gallonage value of the first fuel oil deposit certificate issued to the applicant will be the total amount of fuel oil which the applicant may acquire divided by the number of coupon validity periods (for which the ration is to be issued) which begin on or after the date of the application. (However, if the application is made on or after the date on which period 5 begins, only one fuel oil deposit certificate shall be issued for the total amount of fuel oil which the applicant may acquire.) Subsequent fuel oil deposit certificates will be issued according to paragraph (c) (1) of this section.

17. Section 1394.5367a is added as follows:

§ 1394.5367a *Class 3 coupon sheets—*(a) *They have fixed value coupons only.* Class 3 coupon sheets have coupons of a fixed gallonage value of one (1), five (5), twenty-five (25) and one hundred (100) gallons, respectively.

(b) *When these coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a coupon from a Class 3 coupon sheet only during the validity period of the coupon sheet.

(c) *When these coupons may be used by dealers and primary suppliers.* Fuel oil may be transferred to a dealer or primary supplier in exchange for a coupon from a Class 3 coupon sheet only on and after the first date when the coupon may be used for a transfer of fuel oil to a consumer.

18. An undesignated center headnote "New Applicants for Heat and Hot Water Rations for the 1944–45 Heating Year" immediately preceding § 1394.5371, an undesignated center headnote "Private Dwellings (Heat and central heating equipment; hot water by any equipment)" immediately preceding § 1394.5373, a center headnote "Residential Premises, Including Private Dwellings Using Space Heaters (Excluding House Trailers)" immediately preceding § 1394.5375, an undesignated center headnote "House Trailers" immediately preceding § 1394.5377, an undesignated center headnote "Other Premises (Residential using central heating; non-residential using any equipment)" immediately preceding § 1394.5378, an undesignated center headnote "Deductions of Fuel Oil on Hand" immediately preceding §1394.5380, an undesignated center headnote "Ration Evidences for New Applicants" immediately preceding § 1394.5381, an undesignated center headnote "New Applicants Outside the Limitation Area" immediately preceding § 1394.5382, and §§ 1394.5371, 1394.5372, 1394.5373, 1394.5374, 1394.5375, 1394.5376, 1394.5377, 1394.5378, 1394.5379, 1394.5380, 1394.5381, 1394.5382 and 1394.5383 are added as follows:

§ 1394.5371 *Who is a new applicant.* (a) A new applicant is a person who applies for a ration for the 1944–45 heating year for the operation of fuel oil burning equipment designed for and furnishing heat or hot water, or both, for use in any premises and who may not apply for a renewal ration (§ 1394.5360).

(b) The new applicant must be the person controlling the use of the fuel oil burning equipment, but he may authorize someone to make the application for him.

§ 1394.5372 *How a new applicant applies for a ration—*(a) *What form must*

be *used*. The new applicant who needs a ration for use in a private dwelling, or for use in any other residential premises furnished with heat or hot water, or both, by means of one or more space heaters or units of cooking equipment, must apply on Form OPA R–1100 (Revised). All other new applicants must apply on Form OPA R–1101 (Revised).

(b) *Previous ration holder's name to be given.* The new applicant must, except for good cause shown, submit with his application the name of the person to whom a heat or hot water ration for the premises was issued for any previous heating year.

(c) *Number of applications which may be made.* (1) A separate application must be made for each unit of fuel oil burning equipment serving the premises and the application shall cover only the part of the premises served by such unit, except that if two or more units of equipment serving a single building are under common control, a single application must be made for all such units.

(2) If two or more persons are entitled to apply for a ration for the same unit of equipment, application may be made by either of such persons, or by all jointly.

PRIVATE DWELLINGS

(Heat by central heating equipment; hot water by any equipment)

§ 1394.5373 *How the applicant's heat ration for a private dwelling is figured—(a) Annual ration where central heating equipment used.* The new applicant's ration for heating a private dwelling by means of central heating equipment for the 1944–45 heating year shall be determined by multiplying the amount of fuel oil consumed in heating the dwelling during the base period (adjusted to normal according to section 4 (c) of Appendix A) by two-thirds (⅔). (The amount of fuel oil consumed in heating the dwelling during the base period—that is, from June 1, 1941 through May 31, 1942—is the amount determined by the Board to have been consumed during that period when it figured the ration for any previous heating year, and the new applicant need not furnish any information concerning such consumption.) However:

(1) If two-thirds (⅔) of such fuel oil consumption is more than the maximum of the range for heating the dwelling, the annual ration shall be the maximum of that range (the range is figured according to section 5 of Appendix A); or

(2) If two-thirds (⅔) of such fuel oil consumption is less than the minimum of the range for heating the dwelling, the annual ration shall be either that minimum or 85% of such past consumption, whichever is less; or

(3) If the fuel oil consumption during the base period was not determined by the Board for the purpose of figuring the ration for any previous heating year, or if such consumption was then found to be not representative of normal fuel oil requirements for heating the dwelling, or if such consumption is not available to the Board, the annual ration shall be the midpoint of the range.

(b) If one or more children under six (6) years of age regularly live in the dwelling, the annual ration shall be increased by:

(1) 125 gallons in Zones A–1, A–2 and A–3;
(2) 100 gallons in Zones B–1, B–2 and B–3;
(3) 75 gallons in Zones C–1, C–2 and C–3;
(4) 50 gallons in Zone D.

(c) *Annual ration where both space heaters and central heating equipment used.* Where the new applicant applies for a ration for heating premises by means of both a space heater and central heating equipment, the annual ration shall be figured only for the central heating equipment. The ration issued, however, may be used for the operation of the central heating equipment or space heater, or both.

(d) *Ration for less than heating year.* If the new applicant's ration for heating a private dwelling by means of central heating equipment is needed for less than the entire heating year, the annual ration shall first be figured according to paragraphs (a) and (b) of this section and then reduced for the period for which it is needed as follows: The appropriate percentages, shown opposite the dates between which the ration is needed, shall be determined from Revised Table VIII (OPA Form R–1130). The annual ration shall be multiplied by the percentage which is the difference between the appropriate percentages so determined. If the dates are not listed, the appropriate percentages are determined by the Board from the nearest dates which are listed.

§ 1394.5374 *How the new applicant's hot water ration for a private dwelling is figured.* (a) The new applicant's ration for domestic hot water in a private dwelling for the 1944–45 heating year shall be figured according to § 1394.5362.

RESIDENTIAL PREMISES, INCLUDING PRIVATE DWELLINGS USING SPACE HEATERS (EXCLUDING HOUSE TRAILERS)

§ 1394.5375 *How the new applicant's heat ration is figured for all residential premises (other than a house trailer) using space heaters.—(a) General.* The new applicant's ration for heating any residential premises (other than a house trailer) by means of one or more space heaters, for the 1944–45 heating year, shall be figured according to § 1394.5363.

(b) *Ration for less than heating year.* If the new applicant's ration for heating residential premises (other than a house trailer) by means of one or more space heaters is needed for less than the entire heating year, the ration shall be figured according to § 1394.5363 (d).

§ 1394.5376 *How the new applicant's hot water ration is figured for residential premises (other than a private dwelling) using space heaters, cooking equipment or separate water heating equipment.* (a) The new applicant's ration for hot water in residential premises (other than a private dwelling) furnished by means of an attachment to a space heater or to cooking equipment or by means of separate water heating equipment for the 1944–45 heating year shall be figured according to § 1394.5364.

HOUSE TRAILERS

§ 1394.5377 *How the new applicant's heat or hot water ration is figured for a house trailer.—(a) Heat—(1) General.* The new applicant's ration for heating a house trailer for the 1944–45 heating year shall be the amount of fuel oil the applicant needs for the purpose but not more than twice the maximum of the range (the range is figured according to section 5 of Appendix A).

(2) *Ration for less than heating year.* If the new applicant's ration for heating a house trailer is needed for less than the entire heating year, the annual ration shall first be figured according to paragraph (a) (1) of this section and then reduced for the period for which it is needed as follows: The appropriate percentages, shown opposite the dates between which the ration is needed, shall be determined from Revised Table VIII (OPA Form R–1130). The annual ration shall be multiplied by the percentage which is the difference between the appropriate percentages so determined. If the dates are not listed, the appropriate percentages are determined by the Board from the nearest dates which are listed.

(b) *Hot water.* The new applicant's ration for hot water in a house trailer furnished by means of separate water heating equipment shall be two-thirds (⅔) of the applicant's normal requirements for the purpose, but not more than two-thirds (⅔) of the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person regularly living in the trailer and multiplying that sum by the number of months for which the ration is needed. No ration may be issued for domestic hot water in a house trailer furnished by means of a space heater or cooking equipment, whether or not equipped with a water heating attachment.

OTHER PREMISES

(Residential using central heating; non-residential using any equipment)

§ 1394.5378 *How the new applicant's heat or hot water ration is figured for residential premises (other than a private dwelling) using central heating or separate water heating equipment or for non-residential premises using any equipment.* (a) The new applicant's ration for furnishing heat or hot water, or both, to residential premises (other than a private dwelling) by means of central heating equipment or separate water heating equipment, or to non-residential premises by means of any heating or hot water equipment, for the part of the 1944–45 heating year for which it is needed shall be figured as follows:

(1) If fuel oil was used for the purpose during at least the base period months corresponding or equivalent to the part of the 1944–45 heating year for which the ration is needed, the ration shall be two-thirds (⅔) of the amount of fuel oil consumed for the purpose (adjusted to normal according to section 9 (c) of Appendix A) during those corresponding or equivalent months.

(2) If fuel oil was not used for the purpose during at least those corresponding or equivalent months in the base period, or if for any reason (other than weather conditions) the fuel oil consumption during the corresponding or equivalent months is not representative of the normal fuel oil requirements for the part of the 1944–45 heating year for which the ration is needed, or if the consumption during such months is not available, the ration shall be two-thirds (⅔) of the amount of fuel oil needed to meet the normal requirements of the premises for the purpose for that part of the 1944–45 heating year for which the ration is needed.

§ 1394.5379 *Boards may issue coupons for space heater rations in instalments.* (a) Where application is made for a ration for heat or hot water furnished by means of one or more space heaters in any residential premises, the Board may, after figuring the ration for the period for which it is needed, give the applicant, from time to time during that period, Class 3 coupon sheets containing coupons of such gallonage value as the Board shall determine. However, the gallonage value of the total of all such instalments shall not exceed the total ration figured.

DEDUCTIONS OF FUEL OIL ON HAND

§ 1394.5380 *Fuel oil on hand will be deducted from the new applicant's ration.* (a) The Board shall, before issuing ration evidences to the new applicant, deduct from the ration the amount of fuel oil he has on hand, at the date of application, for the purpose for which the ration is needed.

RATION EVIDENCES FOR NEW APPLICANTS

§ 1394.5381 *The new applicant's ration will be evidenced by coupon sheets or fuel oil deposit certificates—(a) Class 3, 4A, 5A and 6A coupon sheets.* Class 3 coupon sheets (OPA Forms R–1107 through R–1110) and Class 4A, 5A and 6A coupon sheets (OPA Forms R–1137 through R–1166A) will be issued to new applicants in the manner provided in Section 1394.5367. (Sections 1394.5367a and 1394.5368 describe these coupon sheets and explain when and where the coupons from these sheets may be used.)

(b) *When fuel oil deposit certificates will be issued.* If the amount of fuel oil which the applicant may acquire for heat or hot water, or both, for the 1944–45 heating year is twenty thousand (20,000) gallons or more, fuel oil deposit certificates will be issued, instead of coupons, upon the request of the applicant. The fuel oil deposit certificates shall be issued according to § 1394.5367 (c) (2).

NEW APPLICANTS OUTSIDE THE LIMITATION AREA

§ 1394.5382 *Application for, determination and issuance of, rations for new applicants for use outside the limitation area.* (a) Regardless of any other provisions of this Order:

(1) Application by a new applicant for a ration for heat or hot water, or both, for use outside the limitation area shall be made to the nearest Board in the thermal subzone nearest the premises in which the ration is to be used.

(2) The Board shall, in such case, figure the ration and issue coupon sheets or ration checks in the same manner as if such premises were located in the thermal subzone in which the application is made.

§ 1394.5383 *Issuance of ration not a waiver of violations of Section 1394.5603.* (a) The issuance of a ration to a new applicant who was required to apply for a ration for the operation of the equipment in the premises for the 1942–43 or 1943–44 heating year, and omitted to do so, shall not be deemed a waiver of any violation by him of § 1394.5603.

19. Section 1394.5460 (c) is amended by substituting for the phrase "§ 1394.5327", the phrase "§ 1394.5368."

20. Section 1394.5462 (a) is amended to read as follows:

(a) The issuance of fuel oil deposit certificates as renewed rations for heat or hot water for the 1944–45 heating year is covered by § 1394.5368 (d). The issuance of fuel oil deposit certificates to new applicants as rations for heat or hot water for the 1944–45 heating year is covered by § 1394.5381 (b).

This amendment shall become effective on September 1, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–13181; Filed, August 30, 1944; 11:12 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 168]

SCRAP CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 6.56 is added to read as follows:

SEC. 6.56 *Scrap chewing tobacco—(a) Adjustment of manufacturers' maximum prices—(1) For changes in package contents—(i) Increase in package contents from 1¾ to 2¼ oz.* If a manufacturer's maximum list price per dozen, established under § 1499.2 of the General Maximum Price Regulation, for sales of an item of scrap chewing tobacco in packages containing 1¾ oz. each, is 96¢ and his stated retail price per package for such item is 10¢, the maximum list price per dozen for sales of the item in packages containing 2¼ oz. each, shall be $1.23 and the maximum retail price per package for sales of such item shall be 13¢ or two packages for 25¢.

*Copies may be obtained from the Office of Price Administration.

(ii) *Other changes in quantity of package contents.* Any manufacturer of an item of scrap chewing tobacco for which a maximum list price and a maximum retail price have been established under the General Maximum Price Regulation or under this section, who desires to change the quantity of package contents or package size, except as provided in (i) above, shall apply by letter to the Office of Price Administration, Tobacco Section, Washington, D. C., for authority to establish a maximum list price for the new quantity of package contents or package size. The letter shall state:

(*a*) The change in the quantity of package contents or package size the manufacturer desires to make.

(*b*) His maximum list price per dozen packages, together with applicable discounts and allowances, for the present quantity of package contents or package size and his stated retail price per package.

(*c*) His actual costs for packaging material and packaging labor involved in the manufacture of the present quantity of package contents or package size.

(*d*) His estimated costs for packaging material and packaging labor involved for the package contents or package size he proposes to make. Such estimate shall be based upon his most recent accounting period.

After receipt of the application, the Price Administrator will, by order, establish maximum prices for the applicant and subsequent sellers of the new quantity of package contents or package size, which are in line with the maximum prices established by this section. Maximum prices so established may be revoked or modified by the Price Administrator at any time.

(2) *For same package contents.* (i) Any manufacturer of an item of scrap chewing tobacco, the maximum list price and the stated retail price of which are listed in Columns 2 and 3, respectively, Table A, below, may adjust those prices to the new maximum list price and maximum retail price shown on the same line under Columns 4 and 5, respectively, of such table.

TABLE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Variety	Maximum list price per dozen packages	Stated retail price per package	New maximum list price per dozen packages	New maximum retail price per package
Plain	$0.48	$0.05	$0.88	$0.05
Plain	.96	.10	1.15	.12
Plain	.99	.10	1.19	.12
Plain	1.00	.10	1.20	.12
Sweetened	.96	.10	1.06	.11
Sweetened	1.23	[1].13	1.35	.14
Sweetened	1.44	.15	1.54	.16

[1] Or 2 for $0.25.

(ii) Any manufacturer of an item of scrap chewing tobacco, the maximum list price and the stated retail price of which are not listed in Columns 2 and 3, respectively, Table A in (i), above, who desires to adjust his maximum list price for such item, shall apply by letter to the Office of Price Administration, Tobacco

Section, Washington, D. C., for authority to establish an adjusted maximum list price for the item. The letter shall state:

(a) His maximum list price per dozen packages, together with applicable discounts and allowances, for the item and his stated retail price per package.

(b) The quantity of package contents or package size.

After receipt of the application, the Price Administrator will, by order, establish maximum prices for the applicant and subsequent sellers of the item, which are in line with the maximum prices established by this section. Maximum prices so established may be revoked or modified by the Price Administrator at any time.

(b) *Adjustment of wholesaler's maximum prices.* Upon receipt of notification pursuant to (d), below, of an adjustment of his supplier's maximum list price for an item of scrap chewing tobacco, a wholesaler may adjust his maximum price only in accordance with such notification. Such adjustment shall be applicable to floor stocks. Where any manufacturer has not adjusted his maximum list price under (a) (1) or (2), above, with respect to any item of scrap chewing tobacco, the wholesaler shall not adjust his maximum price with respect to that item.

(c) *Adjustment of retailers' maximum prices.* Upon receipt of notification pursuant to (d), below, from the manufacturer or wholesaler of an adjustment of the maximum retail price for an item of scrap chewing tobacco, a retailer may adjust his maximum price for such item only in accordance with such notification. Such adjustment shall be applicable to floor stocks. Where any manufacturer has not adjusted the maximum list price and maximum retail price with respect to any item of scrap chewing tobacco, the retailer shall not adjust his maximum price with respect to that item.

(d) *Notification of adjustment required.* Every seller (other than a retailer) of an item of scrap chewing tobacco, the maximum list price and maximum retail price of which have been adjusted in accordance with (a) or (b), above, shall supply each purchaser of the item from him with the following written notice attached to or stated on the invoice covering the first delivery to the purchaser after September 4, 1944:

(Insert date)

On our ------- (describe item by variety, brand, and container type and size) of scrap chewing tobacco, we are authorized by the Office of Price Administration to establish a maximum list price of $------- per dozen and a maximum retail price of ------- cents per package (or ------- packages for ------- cents). Customary discounts and allowances in effect in March 1942 on your purchases of scrap chewing tobacco will not be lowered. Wholesalers receiving this notice are required to give similar notice to every purchaser to whom they sell or deliver this item of scrap chewing tobacco on or before the first delivery to such purchaser. The Office of Price Administration requires that you keep this notice for examination.

(e) *Maintenance of customary discounts and allowances.* A seller's customary discounts and allowances shall not be less than those given by him in March 1942 on his sales of scrap chewing tobacco. Every retailer shall maintain his customary price differentials if any allowed in March 1942 below the manufacturer's stated retail price.

(f) *State and local taxes.* Maximum prices established by (a) (1) and (2), above, are exclusive of state and local taxes upon tobacco products. Sellers may add to these prices the amount of such tax applicable to the item being priced and paid or payable by them to the taxing authority or to a prior vendor.

(g) *Units of sale.* Maximum prices shall be stated in terms of the same general units (like dozens, packages, etc.) in which the seller has customarily quoted prices for the product.

(h) *Definitions.* When used in this section, the term:

"Scrap chewing tobacco" means manufactured scrap chewing tobacco prepared from tobacco leaves cut or broken into small pieces, or from tobacco scraps, cuttings, or clippings, flavored, sweetened, and intended primarily for chewing purposes, as defined in Regulation No. 8, relating to taxes on tobacco products, issued by the Bureau of Internal Revenue, United States Treasury Department.

"List price" means the manufacturer's gross price before discounts and allowances.

"Item" means a variety, brand (if any) and container type and size of scrap chewing tobacco.

This amendment shall become effective September 4, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13182; Filed, August 30, 1944; 11:13 a. m.]

Chapter XIII—Petroleum Administration for War

[PAO 11, Supp. Order 7]

Part 1515—Petroleum Production Operations

USE OF MATERIAL IN OIL DEVELOPMENT DRILLING OPERATIONS IN SOUTHWESTERN MICHIGAN

Section 1515.13 *Supplementary Order No. 7* as amended August 26, 1944, to *Petroleum Administrative Order No. 11*, as amended July 1, 1944.

§ 1515.13 *Supplementary Order No. 7 to Petroleum Administrative Order No. 11*—(a) *Scope of this order.* Except as otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No. 11, as amended July 1, 1944, or by the provisions of any exception issued pursuant to paragraph (m) of Petroleum Administrative Order No. 11, as amended July 1, 1944, the provisions of this supplementary order shall to the extent provided herein be applicable to the use of material in petroleum production operations in Southwestern Michigan, but not elsewhere.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended July 1, 1944, shall apply in this supplementary order. In addition:

(1) "Southwestern Michigan" means the following counties in the State of Michigan:

Allegan, Barry, Berrien, Branch, Calhoun, Cass, Kalamazoo, Kent, Muskegon, Ottawa, St. Joseph and Van Buren.

(2) "One-half of a quarter-quarter section" means a regular half (north, south, east, or west half) of a "quarter-quarter section" as the term "quarter-quarter section" is used in Petroleum Administrative Order No. 11, as amended July 1, 1944.

(3) A "quarter of a quarter-quarter section" means a regular quarter (northeast, southeast, southwest, or northwest quarter) of a "quarter-quarter section" as the term "quarter-quarter section" is used in Petroleum Administrative Order No. 11, as amended July 1, 1944.

(c) *Authorized uses of material in oil development drilling operations.* Material may be used to drill, deepen, complete, recomplete, and provide additions to any well in Southwestern Michigan for the purpose of producing oil, except in a "Restricted Area", if there is compliance with the following provisions:

(1) Where the well is drilled to a depth not exceeding 1650 feet,

(i) The well must be located on a drilling unit consisting of a quarter of a quarter-quarter section upon which no other drilling or producible well is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil or producible of oil, and

(iii) All separate property interests in the drilling unit upon which the well is located must first be consolidated, and

(iv) The well must be located at least 300 feet from every lease line, property line, and subdivision line separating unconsolidated property interests, and

(v) The well must be located at least 500 feet from every other drilling or producible well.

(2) Where the well is drilled to a depth of more than 1650 feet but not exceeding 2500 feet,

(i) The well must be located on a drilling unit consisting of one-half of a quarter-quarter section upon which no other drilling or producible well is located, and

(ii) The drilling unit upon which the well is located must not be attributed in whole or in part to any other well drilling for oil or producible of oil, and

(iii) All separate property interests in the drilling unit upon which the well is located must first be consolidated, and

(iv) The well must be located at least 300 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(v) The well must be located at least 800 feet from every other drilling or producible well. However, where a well drilled prior to the date of this order is located within 100 feet of the center of one-half of a quarter-quarter section, a well may be located on any one-half of a quarter-quarter section adjoining the one-half of a quarter-quarter section upon which the well drilled prior to the date of this order is located: *Provided*, That the well is located at least 725 feet from all other drilling or producible wells and at least 300 feet from the boundaries of the drilling unit upon which it is located, and

(vi) Not more than two wells (drilled before or after the date of this order) shall be located on any quarter-quarter section.

(3) The well must be drilled with due diligence to maintain a vertical well bore.

(d) *Violations.* Any person who willfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(e) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11550; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of August 1944.

J. HOWARD MARSHALL,
Acting Deputy Petroleum Administrator for War.

[F. R. Doc. 44-13173; Filed, August 30, 1944; 10:39 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S.O. 210-A]

Part 95—Car Service

ICING AND REICING OF FRUITS AND VEGETABLES IN DESIGNATED SOUTHERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of August A. D. 1944.

Upon further consideration of Second Revised Service Order No. 210 (9 F.R. 9748-49) of July 22, 1944, and good cause appearing therefor: *It is ordered*, That:

Second Revised Service Order No. 210 (9 F.R. 9748-49) of July 22, 1944, restricting the icing and reicing of refrigerator cars loaded with fruits or vegetables at points in the South, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., September 1, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13172; Filed, August 30, 1944; 10:27 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

HUSUNG HARDWARE CO.

ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES AND REQUIRING RECORDS TO BE FURNISHED

To: W. H. Husung, Husung Hardware Co., 625 Main Street, Alamosa, Colorado.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On June 30, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from June 30, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. More than 50 days have elapsed since June 30, 1944. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Alamosa, Colorado, does not exceed seven days. The only communication received from you is your answer dated July 10, 1944. You have not requested an oral hearing.

3. All of the accusations against you which are set out in the specification of charges are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, September 16, 1944.

2. That prior to midnight, September 16, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or destroy all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of or destroyed all explosives and ingredients of explosives as required by paragraph 2 of this order, you shall, prior to midnight, September 16, 1944, deliver or mail to L. L. Naus, Engineer in Charge, United States Bureau of Mines, 925 United States National Bank Building, 17th and Stout Streets, Denver 2, Colorado, a sworn statement of your transactions in and destructions of explosives and ingredients of explosives beginning with the date of this order and ending with the final sale or other disposition or with the final destruction of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location at the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and numbers and dates of Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed, and the places where destroyed.

4. That prior to midnight, September 16, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to L. L. Naus, Engineer in Charge, United States Bureau of Mines, 925 United States National Bank Building, 17th and Stout Streets, Denver 2, Colorado.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than Five Thousand Dollars ($5,000), or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 25th day of August 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-13119; Filed, August 29, 1944; 12:27 p. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 850]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 4, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the

sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Arkansas 5023D1 Mississippi	$240,000
Indiana 5083A3 Dubois	50,000
Indiana 5089B3 Harrison	75,000
Kansas 5027C1 Morris	100,000
Kentucky 5049B3 Clark	25,000
Louisiana 5019B1 Jefferson Davis	151,000
Michigan 5040G4 Allegan	60,000
Missouri 5032F2 Atchison	50,000
North Carolina 5036B4 Randolph	60,000
Texas 5061E1 Coleman	100,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-13134; Filed, August 29, 1944; 3:18 p. m.]

[Administrative Order 851]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 8, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Alabama 5045S1 Escambia	$25,000
Missouri 5063S1 Mt. Vernon	28,000
Texas 5133S1 Waller	57,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-13135; Filed, August 29, 1944; 3:18 p. m.]

[Administrative Order 852]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 14, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
South Carolina 5014S7 Aiken	$31,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-13136; Filed, August 29, 1944; 3:18 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3941]

IDA KRAUTHAN, ET AL.

In re: Interests in real property owned by Ida Krauthan, Lena Werner, Elizabeth Kratsch, Margaret Kratsch and Alfred Kratsch.

Under theh authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the following-named persons, whose last known addresses appear opposite their respective names, are residents of Germany and are nationals of a designated enemy country (Germany);

Names and Last Known Addresses

Ida Krauthan, Heinrichstrasse Bad Kostritz, in Thuringen, Germany.

Lena Werner, Obotritenring, 75 Schwerin, in Mecklenburg, Germany.

Elizabeth Kratsch, Siebenberge, 2 Ronneburg, Thuringen, Germany.

Margaret Kratsch, Siebenberge, 2 Ronneburg, Thuringen, Germany.

Alfred Kratsch, Erlasstrasse I, Ronneburg, Germany.

2. That Ida Krauthan is the owner of the life estate in the real property described in subparagraph 6-a hereof;

3. That Lena Werner, Elizabeth Kratsch, Margaret Kratsch and Alfred Kratsch are the owners of the property described in subparagraph 6-a hereof;

4. That Lena Werner is the owner of the property described in subparagraph 6-b hereof;

5. That Alfred Kratsch is the owner of the property described in subparagraph 6-c hereof;

6. That the property described as follows:

a. The reversionary or ground rent interest in and to the real property situated in the City of Baltimore, State of Maryland, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. The reversionary or ground rent interest in and to the real property situated in the City of Baltimore, State of Maryland, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. Real property situated in the City of Baltimore, State of Maryland, particularly described in Exhibit C attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances, thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons now within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a foreign enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 6 hereof, subject to recorded liens, encumbrances and other rights of record, and subject particularly to all right, title, interest and estate, both legal and equitable, of Edwin T. Dickerson in and to the property described in subparagraph 6-a hereof, held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All those lots, pieces or parcels of land, together with the improvements thereon erected, situate, lying and being in the City of Baltimore, State of Maryland, particularly described as follows:

PARCEL 1

Beginning for the first thereof on the south side of Elmora Avenue at the distance of sixty six feet six inches easterly from the east side of Greenview Avenue and at a point in a line with the center of a partition wall there situate and running thence easterly binding on the south side of Elmora Avenue sixteen feet to a point in a line with the center of a partition wall there situate thence southerly to and through the center of said last mentioned partition wall and continuing the same course parallel with Greenview Avenue in all seventy nine feet to the north side of a ten foot alley there situate thence westerly binding on the north side of said alley with the use thereof in common with others sixteen feet and thence northerly to and through the center of said first mentioned partition wall in all seventy nine feet to the place of beginning the improvements whereon are numbered and known as 3209 Elmora Avenue.

PARCEL 2

Beginning for the same on the west side of the York Turnpike Road at a point distant one hundred and seventeen feet southerly from the corner formed by the intersection of the west side of the York Turnpike Road and the south side of Calvin Avenue and running thence southerly on the west side of the York Turnpike Road sixteen feet thence westerly parallel with Calvin Avenue one hundred and twenty feet to the east side of an alley ten feet wide there situate thence northerly bounding on the east side of said alley with the use thereof in common sixteen feet and thence easterly by a straight line one hundred and twenty feet to the place of beginning.

PARCEL 3

Beginning for the same on the west side of Payson Street at the distance of thirty eight feet eight inches southerly from the corner formed by the intersection of the west side of Payson Street with the south side of Baker Street which place of beginning is designated

to be at a point in a line with the centre of the partition wall there erected thence running southerly binding on the west side of Payson Street eighteen feet ten inches to a point in a line with the centre of the partition wall there erected thence running westerly parallel with Baker Street to and through the centre of said last mentioned partition wall and continuing the same course in all eighty five feet to the east side of an alley ten feet wide there situate thence northerly along the east side of said alley with the use thereof in common with others eighteen feet ten inches to intersect a line drawn westerly from the place of beginning to and through the centre of the partition wall first mentioned herein and thence easterly reversing the line so drawn and binding thereon parallel with Baker Street eighty five feet to the place of beginning Being known and designated as No. 1540 North Payson Street.

PARCEL 4

Beginning for the same on the east side of Drew Street (formerly Twenty eighth Street) at the distance of four hundred nineteen feet and six inches southerly from the southeast corner of Drew and Bank Streets and at the centre of the partition wall there situate and running thence southerly binding on the east side of Drew Street fifteen feet and six inches to the centre of another partition wall there situate thence easterly through the centre of said last mentioned partition wall and continuing the same course in all ninety five feet to the west side of a fourteen foot alley there situate thence northerly binding on said alley fifteen feet and six inches and thence westerly and in the course passing through the centre of the partition wall first mentioned in this description ninety five feet to the place of beginning. The improvements thereon being known as No. 455 Drew Street. The mention of Bank Street, Drew Street and Eastern Avenue in the above description is for the purpose of description only and is not intended as a dedication thereof to public use.

PARCEL 5

Beginning for the first thereof on the west side of Streeper Street at the distance of one hundred and twenty eight feet nine inches northerly from the northwest corner of McElderry and Streeper Streets and at the centre of a partition wall there situated running thence northerly binding on the west side of Streeper Street twelve feet nine inches to the centre of another partition wall there situated thence westerly through the centre of said last mentioned partition wall and continuing the same course in all sixty five feet to the east side of a ten foot alley there situated thence southerly binding on the east side of said alley twelve feet nine inches and thence easterly in a straight line and through the centre of the partition wall first mentioned sixty five feet to the place of beginning, Now known as No. 620 North Streeper Street.

PARCEL 6

Beginning for the same on the southeast side of Whittier Avenue at the distance of eighty four feet northeasterly from the corner formed by the intersection of the southeast side of Whittier Avenue with the northeast side of Parkwood Avenue said point of beginning being at a point in a line with the centre of the partition wall between the house erected on the lot of ground now being described and the house erected on the lot of ground next adjacent thereto on the southwest and running thence northeasterly bounding on the southeast side of Whittier Avenue twenty one feet to a point in a line with the centre of the partition wall between the house erected on the lot of ground now being described and the house erected on the lot of ground next adjacent thereto on the northeast thence southeasterly parallel with Parkwood Avenue along said line and through the centre of said last mentioned partition wall and continuing the same course in all one hundred and ten feet to the northwest side of Orem Avenue thence south westerly bounding on Orem Avenue twenty one feet to intersect a line drawn southeasterly from the place of beginning through the centre of the partition wall first mentioned in this description and thence northwesterly reversing said line so drawn and binding thereon one hundred and ten feet to the place of beginning The improvement on said lot being known as No. 2317 Whittier Avenue.

EXHIBIT B

All that certain lot, piece or parcel of land, together with the improvements thereon erected, situate, lying and being in the City of Baltimore, State of Maryland, particularly described as follows:

Beginning for the first thereof on the east side of Potomac Street at a point distant one hundred and twenty four feet and six inches southerly from the southeast corner of Potomac and Lombard Streets said place of beginning being in the centre of a partition wall there erected thence southerly binding on the east side of Potomac Street thirteen feet nine inches to the centre of a partition wall there erected thence easterly through the centre of said last mentioned partition wall and continuing the same course in all sixty nine feet more or less to the west side of an alley nine feet wide there laid out thence northerly binding on the west side of said alley with the use thereof in common with others thirteen feet nine inches thence westerly and through the centre of the partition wall first herein mentioned sixty nine feet more or less to the place of beginning. The improvements thereon being known as No. 119 South Potomac Street.

EXHIBIT C

All that certain lot, piece or parcel of land, together with the improvements thereon erected, situate, lying and being in the City of Baltimore, State of Maryland, particularly described as follows:

Beginning for the same at the southwest corner or intersection of Cairo Street and Bruce alley and running thence west bounding on the south side of Cairo Street twenty five feet to the centre of the division wall between the house on the lot now being described and that on the lot next adjoining on the west thence south parallel with Fulton Avenue and passing through the centre of said division wall fifty five feet to the south side of an alley three feet wide laid out parallel with Cairo Street and to be forever kept open for common use thence east bounding on the south side of said alley twenty five feet to Bruce alley and thence north bounding on Bruce alley fifty five feet to the place of beginning.

[F. R. Doc. 44-13156; Filed, August 30, 1944; 10:13 a. m.]

[Vesting Order 3979]

C. E. MOORE

In re: The undivided one-quarter (25%) interest of C. E. Moore in Patent No. 1,818,910.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That the executors, administrators, heirs, assigns and legatees of C. E. Moore, deceased, are residents of France and are nationals of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of said executors, administrators, heirs, assigns, or legatees of C. E. Moore, deceased;

3. That the property described as follows:

An undivided one-quarter (25%) interest which stands of record in the United States Patent Office in the name of C. E. Moore, in and to the following patent:

Patent Number, Date of Issue, Inventor and Title

1,818,910; 8-11-31; Pierre Sanine; Automatic change speed mechanism,

including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such one-quarter interest is entitled,

is property of nationals of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 27, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13157; Filed August 30, 1944; 10:13 a. m.]

[Vesting Order 3996]

HANS WOHLDORF

In re: Patent No. 2,048,310 owned by Hans Wohldorf.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Hans Wohldorf is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Hans Wohldorf;

3. That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title
2,048,310; 7-21-36; Hans Wohldorf; Coupling device for vehicles;

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13158; Filed, August 30, 1944; 10:13 a. m.]

[Vesting Order 3997]

CHEMIPULP PROCESS INC.

In re: Interest of Chemipulp Process Inc., in an agreement with Japan Cellulose Industry Reporters, Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Japan Cellulose Industry Reporters, Ltd., is a corporation organized under the laws of Japan and is a national of a foreign country (Japan);

2. That the property described in subparagraph 3 hereof is property of Japan Cellulose Industry Reporters, Ltd.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Japan Cellulose Industry Reporters, Ltd., by virtue of an agreement dated October 26, 1933 (including all modifications thereof and supplements thereto, if any) by and between said Japan Cellulose Industry Reporters, Ltd., and Chemipulp Process Inc., which agreement relates, among other things, to Patent No. 1,998,874,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13159; Filed, August 30, 1944; 10:13 a. m.]

[Vesting Order 3998]

OSCAR KIND

In re: Interest of Oscar Kind in an agreement with Ketcham Wire & Manufacturing Co.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Oscar Kind is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Oscar Kind;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Oscar Kind by virtue of a certain oral agreement evidenced by a letter dated December 23, 1938 from Oscar Kind to Ketcham Wire & Manufacturing Co., (including all modifications thereof and supplements thereto, if any) by and between Oscar Kind and Ketcham Wire & Manufacturing Co., which agreement relates, among other things, to United States Letters Patent No. 2,019,570,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13160; Filed, August 30, 1944; 10:13 a. m.]

[Vesting Order 3999]

AUTOMOBILES HOTCHKISS, SOCIETE ANONYME DES ANCIENS ETABLISSEMENTS, HOTCHKISS ET CIE

In re: Interest of Automobiles Hotchkiss, Societe Anonyme des Anciens Establissements, Hotchkiss et Cie, in an agreement with F. C. Reggio.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Automobiles Hotchkiss, Societe Anonyme des Anciens Establissements, Hotchkiss et Cie, is a business organization having a place of business at St. Denis Sur Seine, France, and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Automobiles Hotchkiss, Societe Anonyme des Anciens Establissements, Hotchkiss et Cie;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Automobiles Hotchkiss, Societe Anonyme des Anciens Establissements, Hotchkiss et Cie, by virtue of an agreement dated December 20, 1935 (including all modifications thereof and supplements thereto, if any) by and between it and F. C. Reggio, which agreement relates, among other things, to Patent No. 2,087,070,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13161; Filed, August 30, 1944; 10:13 a. m.]

[Vesting Order 4000]

ALFRED EDOUARD LAMARTHE

In re: Interest of Alfred Edouard LaMarthe in an agreement with Koret, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Alfred Edouard LaMarthe is a resident of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof, is property of Alfred Edouard LaMarthe;

3. That the property described as follows:

All interests and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Alfred Edouard LaMarthe by virtue of an agreement dated August 13, 1936 (including all supplements thereto and modifications thereof, including, but without limitation, agreements dated August 7, 1939 and March 8, 1940 between Alfred Edouard LaMarthe and Fa-Clie Fastener Corporation) by and between Alfred Edouard LaMarthe and Koret, Inc., which agreement relates, among other things, to United States Letters Patent No. 2,142,904,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "National" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13162; Filed, August 30, 1944; 10:14 a. m.]

[Vesting Order 4001]

GEDEON RICHTER

In re: Interest of Gedeon Richter in an agreement with The Lakeside Laboratories, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Gedeon Richter is a resident of Budapest, Hungary and is a national of a foreign country (Hungary);

2. That the property described in subparagraph 3 hereof is property of Gedeon Richter;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Gedeon Richter by virtue of an agreement dated August 25, 1939 (including all modifications thereof and supplements thereto, if any) by and between Gedeon Richter and The Lakeside Laboratories, Inc. which agreement relates, among other things, to United States Letters Patent No. 2,198,357,

is hereby payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien

Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13163; Filed, August 30, 1944; 10:14 a. m.]

[Vesting Order 4002]

DENES HALASZ

In re: Patent and interest of Denes Halasz in an agreement with Bela Karlovits and Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That Denes Halasz is a resident of Hungary and is a national of a foreign country (Hungary);

2. That the property described in subparagraph 3 hereof is property of Denes Halasz;

3. That the property described as follows:

(a) An undivided interest, which stands of record in the United States Patent Office in the name of Denes Halasz, in and to the following United States Letters Patent:

Patent No., Date of issue, Inventors, and Title

2,210,918; 8-13-40; Bela Karlovits and Denes Halasz; Process for the conversion of energy and apparatus for carrying out the process;

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Denes Halasz by virtue of an agreement dated May 25, 1938 (including all modifications thereof and supplements thereto, including, but without limitation, a letter dated May 20, 1940 from Westinghouse Electric & Manufacturing Company to Bela Karlovits and Denes Halasz and a supplemental agreement dated January 17, 1941 between Westinghouse Electric & Manufacturing Company, Bela Karlovits and Denes Halasz) by and between Westinghouse Electric & Manufacturing Company, Bela Karlovits and Denes Halasz relating, among other things, to United States Letters Patent Nos. 2,210,918 and 2,216,743,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13164; Filed, August 30, 1944; 10:14 a. m.]

[Vesting Order 4003]

ERNST JACOBSBERG

In re: Patent No. 2,250,914 owned by Ernst Jacobsberg.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Ernst Jacobsberg is a resident of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Ernst Jacobsberg;

3. That the property described as follows:

All right, title and interest including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor, and Title

2,250,914; 7-29-41; Ernst Jacobsberg; Process for making woolly fabrics of staple fibre;

is property of a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be paid, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13165; Filed, August 30, 1944; 10:14 a. m.]

[Vesting Order 4004]

N. V. ELECTRICITATS-MAATSCHAPPIJ, ET AL.

In re: Interests of N. V. Electricitats-Maatschappij "Electrostoom," N. V. Ramie Union and F. M. Van Gelderen in agreements with Ideal Commutator Dresser Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That N. V. Electricitats-Maatschappij "Electrostoom" and N. V. Ramie Union are business organizations existing under the laws of The Netherlands and are nationals of a foreign country (Netherlands);

2. That F. M. Van Gelderen is a resident of The Netherlands and is a national of a foreign country (Netherlands);

3. That the property described in subparagraph 5 (a) hereof is property of F. M. Van Gelderen and N. V. Ramie Union;

4. That the property described in subparagraph 5 (b) hereof is property of N. V. Electriciteits-Maatschappij "Electrostoom";

5. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in F. M. Van Gelderen and N. V. Ramie Union, and each of them, by virtue of an agreement dated August 1, 1931 (including all modifications thereof and supplements thereto, if any) by and between N. V. Ramie Union, F. M. Van Gelderen, and Ideal Commutator Dresser Company, which agreement relates, among other things, to United States Letters Patent No. 1,678,752,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Electriciteits-Maatschappij "Electrostoom" by virtue of an agreement dated February 1, 1927 (including all modifications thereof and supplements thereto, including, but not by way of limitation, an undated document entitled "Supplemental and Amendatory Agreement" between the parties named below) by and between N. V. Electriciteits-Maatschappij "Electrostoom" and Ideal Commutator Dresser Company, which agreement relates, among other things, to United States Letters Patent Nos. 1,700,985 and 1,933,555,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13166; Filed, August 30, 1944; 10:14 a. m.]

[Vesting Order No. 4005]

MANFRED CHRISTIAN AND ARGUS MOTOREN GESELLSCHAFT M. B. H.

In re: Interests of Manfred Christian and Argus Motoren Gesellschaft m. b. H. in certain United States Patents and Interests of Argus Motoren Gesellschaft m. b. H. in an agreement with Hans Reissner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Manfred Christian is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That Argus Motoren Gesellschaft m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5 (a) hereof is property of Manfred Christian;

4. That the property described in subparagraph 5 (b) and 5 (c) hereof is property of Argus Motoren Gesellschaft m. b. H.;

5. That the property described as follows:

(a) An undivided one-half interest which stands of record in the United States Patent Office in the name of Manfred Christian, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor and Title

2,275,053; 3-3-42; H. Reissner and M. Christian; Variable pitch propeller for aircraft;

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, to which the owner of such interest is entitled,

(b) All right, title and interest of Argus Motoren Gesellschaft m. b. H. in and to the United States Letters Patent

Patent No., Date of Issue, Inventor and Title

2,140,718; 12-20-38; H. Reissner; Adjustable propeller;

2,275,053; 3-3-42; H. Reissner and M. Christian; Variable pitch propeller for aircraft;

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Argus Motoren Gesellschaft m. b. H. by virtue of an agreement dated May 29, 1935 (including all modifications thereof and supplements thereto, and including, but without limitation, two supplemental agreements dated May 6, 1936 and July 12, 1938, respectively) by and between Argus Motoren-Gesellschaft m. b. H. and Professor Hans Reissner, which agreement relates, among other things, to United States Letters Patent No. 2,140,718,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13167; Filed, August 30, 1944; 10:15 a. m.]

[Vesting Order 4006]

ADALBERT MÜLLER AND THEODOR STENZINGER

In re: Interest of Adalbert Müller and Theodor Stenzinger in an agreement between Warwick Chemical Company and Chemische Fabrik Pfersee G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Adalbert Müller and Theodor Stenzinger are each citizens and residents of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Adalbert Müller and Theodor Stenzinger;

2. That the property described as follows:
All interest and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Adalbert Müller and Theodor Steninger, and each of them, under an agreement dated June 25, 1935 (including all supplements thereto and modifications thereof, if any) by and between Warwick Chemical Company and Chemische Fabrik Pfersee G. m. b. H., which agreement relates, among other things, to United States Letters Patent No. 2,015,868,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13168; Filed, August 30, 1944; 10:15 a. m.]

[Vesting Order 4007]

JOSEPH HEITNER

In re: Interest of Joseph Heitner in an agreement with Eugene J. Ther.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Joseph Heitner is a resident of Hungary and is a national of a foreign country (Hungary);

2. That the property described in subparagraph 3 hereof is property of Joseph Heitner;

3. That the property described as follows:
All interest and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Joseph Heitner of Budapest, Hungary, by virtue of all agreements both oral and written (including all modifications thereof and supplements thereto, if any) by and between the said Joseph Heitner and Eugene J. Ther of Oak Park, Illinois, which agreements relate to United States Patent Application Serial No. 376,690 filed January 30, 1941, now Patent No. 2,226,941,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13169; Filed, August 30, 1944; 10:15 a. m.]

[Vesting Order 4008]

ALFRED WINKLER, ET AL.

In re: Patent and Interests of Alfred Winkler, Max Dunnebier and the Firm of Winkler & Dunnebier in Certain Agreements with Baltimore Paper Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Alfred Winkler and Max Dunnebier are residents of Neuwied, Germany, and are nationals of a foreign country (Germany);

2. That the firm of Winkler & Dunnebier is a business organization existing under the laws of Germany and is a national of a foreign country (Germany);

3. That the property identified in subparagraphs 4 (a) and 4 (b) hereof is property of Alfred Winkler and/or Max Dunnebier and/or the firm of Winkler & Dunnebier;

4. That the property described as follows:
(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No.	*Date of Issue, Inventors, and Title*
1,674,187	6-19-28; Alfred Winkler and Max Dunnebier; Apparatus for withdrawing and folding sheets from a stack of sheets;

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in the firm of Winkler & Dunnebier and/or Alfred Winkler and/or Max Dunnebier by virtue of agreements dated December 31, 1925, December 23, 1929 and November 23, 1931 (including all modifications thereof and supplements thereto, if any) between Alfred Winkler and Max Dunnebier, doing business as the firm of Winkler & Dunnebier, and Baltimore Paper Company, which agreements relate, among other things, to United States Letters Patent No. 1,774,536,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right of allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13170; Filed, August 30, 1944; 10:15 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 297]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LITTLE ROCK AND BENTON, ARK.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7894; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carrier's possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of August 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

J. E. Howe, doing business as Howe Truck Line, Benton, Ark.
H. Q. Hamilton, Neil Sims and Roy C. Martin, doing business as Motor Express, Fort Smith, Ark.

[F. R. Doc. 44–13062; Filed, August 29, 1944; 10:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[R. O. 17, Administrative Order 25]

GRIMSRUD HANSON COMPANY

Administrative Exception Order No. 25 under Ration Order 17.

The petitioner, Grimsrud Hanson Company, is a corporation engaged in the sale of shoes, whose principal business office is located at St. Paul, Minnesota. The petitioner sells shoes primarily through approximately 300 small independent retail outlets, such as country stores and shoe repair shops, which handle shoes as a side line in connection with the operation of some other business. In all cases the shoes are delivered to the retail outlet on a consignment basis, and each outlet agrees to handle shoes supplied exclusively by the petitioner.

Because the persons operating the retail outlets handle shoes only as a side line, many of them would not handle shoes unless they were given assistance by representatives of the supplier in preparing and presenting to the District Office the necessary applications, and in preparing and filing inventories, maintaining proper records, and generally in complying with the requirements of the Ration Order.

The outlets through which the petitioner sells shoes are located in Minnesota, Wisconsin, North Dakota, South Dakota, and Iowa and are all in OPA Region VI. To obtain efficient and uniform handling of all problems of the various outlets concerned, the petitioner seeks permission for all distributing establishments handling shoes supplied exclusively by the petitioner, on a consignment basis, to apply at a centrally located District Office for all relief which may be afforded under Ration Order 17.

The relief requested in this case may be granted in this and all similar cases without defeating or impairing the effectiveness or the policy of Ration Order 17.

It is hereby ordered, That each distributing establishment which is now or may be hereafter supplied with shoes, on a consignment basis, exclusively by the Grimsrud Hanson Company, be and hereby is authorized to apply for all relief afforded by Ration Order 17 to the St. Paul, Minnesota, District Office.

It is further ordered, That any establishment subject to this order which

avails itself of the provisions thereof by making application to the St. Paul, Minnesota, District Office shall thereafter be subject to the jurisdiction of that District Office for all purposes of Ration Order 17 so long as it continues to receive its supply of shoes exclusively from the petitioner. However, the District Office serving the area in which a retail outlet is located shall have jurisdiction of that outlet for the purposes of enforcing Ration Order 17 and this exception order. No provision of this order shall be construed to relieve any such establishment of its duty to keep records required by Ration Order 17.

It is further ordered, That the Grimsrud Hanson Company shall file and maintain with each OPA District Office in which it has outlets, a current list of its distributing establishments located within the area served by such District Office.

Issued and effective this 29th day of August 1944.

JEROME M. NEY,
Acting Assistant Deputy Administrator in Charge of Rationing.

[F. R. Doc. 44-13150; Filed, August 29, 1944; 5:02 p. m.]

[MPR 188, Order 7 Under Order 1052]

WEST COAST CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 7 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by West Coast Chair Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order permits the manufacturer, West Coast Chair Company, 26th and East G Streets Tacoma, Washington, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052) established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) *Manufacturer's maximum prices.* West Coast Chair Company may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 6% of its maximum prices for such sales as established in Order No. 1052. The permitted adjustment of 6% may be made only if separately stated.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge allowed by this Order No. 7 for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 30th day of August 1944.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13152; Filed, August 29, 1944; 5:03 p. m.]

[MPR 399, Order 5]

MODEL ICE BOXES PURCHASED FROM PROCUREMENT DIVISION, TREASURY DEPARTMENT

ADJUSTMENT OF MAXIMUM PRICES

Order No. 5 under section 1 of Maximum Price Regulation No. 399. New ice boxes. Approval of maximum prices for resales of one model ice box purchased from Procurement Division, Treasury Department.

For the reasons set forth in an opinion issued simultaneously herewith as filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with section 1 of Maximum Price Regulation No. 399, *It is ordered:*

(a) This order established maximum prices for all sales at retail and wholesale of the ice boxes purchased by successful bidders from Procurement Division, Treasury Department, which are described as follows:

Manufacturer: McKee Mfg. Corp., Cobleskill, N. Y.
Model number: F52.
Rated ice capacity: 100 lbs.
Food storage capacity: 6 cu. ft.

(1) For all sales at retail by ice companies and retail establishments controlled by ice companies, the maximum price shall be $97.50 each.

(2) For all other sales at retail, the maximum price shall be $104.50 each.

(3) For all sales at wholesale the maximum price shall be 62½% of the maximum retail price set forth in (2) above, or $65.31 each. This price is f. o. b. seller's city.

(4) The successful bidder may add to the maximum prices established by this order no more than the actual transportation cost for the refrigerator by the most economical means from the warehouse of Procurement Division, Treasury Department, to his city, provided he separately states the transportation charge on his invoice. Any other seller may add to the maximum price established by this order for his sales, no more than the transportation charge which he was required to pay to his supplier, provided such extra charge is separately stated. No other transportation charges may be added to the maximum prices established by this order.

(5) Prices lower than the maximum prices may be charged and paid.

(b) At the time of or prior to the first invoice to each purchaser for resale, the original successful bidder, and every wholesaler must notify the purchaser for resale, in writing, of the maximum prices established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) No person may offer for sale, sell, or deliver an ice box covered by this order, at retail, unless there is securely attached thereto a retail ceiling price tag setting forth, in dollars and cents, the maximum price established by this order for sales at retail of the particular ice box. A tag in the following form is sufficient.

OPA base retail ceiling price..... $------
Transportation charge..... $------
OPA approved ceiling price..... $------

This tag may not be removed before delivery to the purchaser.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective August 30, 1944.

Issued this 29th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13151; Filed, August 29, 1944; 5:03 p. m.]

Regional and District Office Orders.

[Region III Order G-2 Under MPR 280, Amdt. 2]

FLUID MILK IN CLEVELAND REGION

Amendment No. 2 to Order No. G-2 under Maximum Price Regulation No. 280. Maximum prices for specific food products. Fixing the maximum prices for milk sold in the States of Indiana (except Lake County), Kentucky, Michigan, Ohio and West Virginia.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration, by § 1351.817a of Maximum Price Regulation No. 280, *It is hereby ordered:*

1. That subsection (1) of section (b) of Order No. G–2 under Maximum Price Regulation No. 280, as amended, be, and the same is hereby amended to read as follows:

(1) *Primary handlers.* Subject to the limitations set forth in subsection (4) hereof, the maximum price at which a primary handler may sell such fluid milk shall be determined as follows:

(i) The purchase price of said milk adjusted by the required butterfat differential set forth in subsection (3) hereof, plus

(ii) A handling charge not exceeding 45 cents per cwt. exclusive of standardization, pasteurization, and transportation charges hereinafter set forth, when such milk is delivered into containers of a capacity greater than 10 gallons, including tank trucks, or tank cars, or

(iii) A handling charge not exceeding 50 cents per cwt. exclusive of standardization, pasteurization, and transportation charges hereinafter set forth, when such milk is delivered into containers of 10 gallons capacity or less, provided by the purchaser, or

(iv) A handling charge not exceeding 55 cents per cwt. exclusive of standardization, pasteurization and transportation charges hereinafter set forth, when such milk is delivered into containers of 10 gallons capacity or less provided by the seller.

2. That subsection (3) of section (b) of said order be, and the same is hereby amended to read as follows:

(3) The following butterfat differential shall be applicable only in the event the butterfat content of milk sold by a handler varies from the butterfat content of said milk at the time of the purchase:

(i) For each one tenth of 1% by which the butterfat content is increased on resale, 6 cents may be added.

(ii) For each one tenth of 1% by which the butterfat content is decreased on resale, 5 cents shall be deducted.

3. That subsection (4) of section (b) of said order be, and the same is hereby amended to read as follows:

(4) *Provided, however,* That in no event shall the total of all handling charges, exclusive of standardization, pasteurization and transportation charges hereinafter set forth, exceed 65 cents per cwt. for milk delivered into containers of a capacity greater than 10 gallons including tank trucks or tank cars, 70 cents per cwt. for milk delivered into containers of 10 gallons capacity or less provided by the purchaser or 75 cents per cwt. for milk delivered into containers of 10 gallons capacity or less provided by the seller, nor shall the maximum price, exclusive of such charges, for any fluid milk sold by either a primary or secondary handler, exceed the following:

Butterfat content	Delivered into containers of more than 10 gallon capacity, including tank trucks and tank cars.	Delivered into buyer's containers of 10 gallon capacity or less.	Delivered into seller's containers of 10 gallon capacity or less.
3.5 percent	$3.85	$3.90	$3.95.
Less than 3.5 percent	$3.85 less 5¢ for each 1/10 of 1 percent under 3.5 percent butterfat content.	$3.90 less 5¢ for each 1/10 of 1 percent under 3.5 percent butterfat content.	$3.95 less 5¢ for each 1/10 of 1 percent under 3.5 percent butterfat content.
More than 3.5 percent	$3.85 plus 6¢ for each 1/10 of 1 percent over 3.5 percent butterfat content.	$3.90 plus 6¢ for each 1/10 of 1 percent over 3.5 percent butterfat content.	$3.95 plus 6¢ for each 1/10 of 1 percent over 3.5 percent butterfat content.

This Amendment No. 2 to Order No. G–2 under Maximum Price Regulation No. 280 shall become effective August 21, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 21, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44–13122; Filed, August 29, 1944; 12:29 p. m.]

[Region III Order G–22 Under MPR 329, Amdt. 1]

FLUID MILK IN DESIGNATED COUNTIES IN INDIANA

Amendment No. 1 to Order No. G–22 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk, Counties of De Kalb, Dubois, Lagrange, Montgomery, Noble, Ohio, Orange, Perry, Posey, Randolph, Steuben, Washington and Whitley, all in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (b) and (c) of Maximum Price Regulation No. 329, *It is hereby ordered,* That:

1. Section (b) of Order No. G–22 under Maximum Price Regulation No. 329 (purchases of milk from producers for resale as fluid milk) be, and the same is hereby amended to read as follows:

(b) (1) Any milk distributor in the Counties of Ohio, Orange, Perry, Posey and Washington in the State of Indiana may pay producers for "milk" an amount not to exceed $3.20 per cwt. f. o. b. plant for "milk" of 4% butterfat content, plus or minus 5 cents for each one tenth of one percent butterfat variation over or under 4%: *Provided, however,* That such milk distributors shall be subject to the express restrictions of § 1351.402 (b) (c) (d) (e) and (f) of Maximum Price Regulation No. 329.

(2) Any milk distributor in the County of Dubois in the State of Indiana may pay producers for "milk" an amount not to exceed $3.20 per cwt. f. o. b. producer's farm for "milk" of 4% butterfat content, plus or minus 5 cents for each one tenth of one percent butterfat variation over or under 4%: *Provided, further,* That such milk distributors shall be subject to the express restrictions of § 1351.402 (b) (c) (d) (e) and (f) of Maximum Price Regulation No. 329.

This amendment shall become effective August 21, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R 4681)

Issued August 21, 1944.

C. J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44–13123; Filed, August 29, 1944; 12:32 p. m.]

[Region III Order G–23 Under MPR 329, Amdt. 1]

FLUID MILK IN DESIGNATED COUNTIES IN KENTUCKY

Amendment No. 1 to Order No. G–23 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (a), (c) and (f) of Maximum Price Regulation No. 329, *It is hereby ordered,* That:

1. Section (a) of Order No. G–23 under Maximum Price Regulation No. 329 (purchases of milk from producers for resale as fluid milk) be, and the same is hereby amended to read as follows:

(a) (1) Any "milk" distributor in the Counties of Allen, Ballard, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Daviess, Fulton, Graves, Hickman, Hopkins, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Muehlenberg, Ohio, Simpson, Todd, Trigg, Union, Warren, and Webster in the State of Kentucky may pay to producers an amount not to exceed $3.40 per cwt. for "milk" of 4% butterfat content, plus or minus 5 cents for each one tenth of one percent variation over or under 4%: *Provided,* That each such distributor shall be subject to the express limitations and restrictions of § 1351.402 (b) (c) (d) (e) and (f).

(2) Any "milk" distributor in the County of Henderson in the State of Kentucky may pay to producers an

amount not to exceed $3.63 per cwt. f. o. b. purchaser's receiving plant for "milk" produced in said county and state, of 4% butterfat content, plus or minus 5 cents for each one tenth of 1% variation over or under 4% butterfat content: *Provided*, That each such distributor shall be subject to the express limitations and restrictions of § 1351.402 (b) (c) (d) (e) and (f).

This amendment shall become effective August 21, 1943.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R 4681)

Issued August 21, 1944.

C. J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-13124; Filed, August 29, 1944; 12:32 p. m.]

[Region III Order G-25 Under RMPR 122, Amdt. 1]

SOLID FUELS IN ANDERSON, IND.

Amendment No. 1 to Order No. G-25 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the city of Anderson, Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph (ii) (A) (3) in section (c) be amended to read as follows:

Column I	Column II	Column III
3. Mine price classification D and lower	$9.30	$9.80

This Amendment No. 1 to Order No. G-25 under Revised Maximum Price Regulation No. 122 shall become effective August 22, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R 4681)

Issued August 22, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-13125; Filed, August 29, 1944; 12:30 p. m.]

[Region III Order G-32 Under MPR 329]

FLUID MILK IN FRANKLIN COUNTY, OHIO

Order No. G-32 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (a) and (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Any "milk" distributor in Franklin County, Ohio may pay to producers the following quantity bonuses in addition to the maximum price permitted to be paid to producers for "milk" by the provisions of Order No. G-9 under Maximum Price Regulation No. 329, (Purchases of milk from producers for resale as fluid milk) issued by the Regional Administrator of Region III on September 15, 1943:

Daily average delivery:	Bonus per cwt. on all milk delivered
100# to 199#:	$0.10
200# to 299#:	.15
300# to 399#:	.20
400# or more:	.25

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) The provisions of this order shall terminate on December 31, 1944, unless revoked prior to said date.

This order shall become effective August 24, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-13126; Filed, August 29, 1944; 12:30 p. m.]

[Region III Order G-52 Under RMPR 122]

SOLID FUELS IN LANCASTER, OHIO, AREA

Order No. G-52 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Lancaster, Ohio, Area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Lancaster in the State of Ohio and all territory within one mile of said corporate limits. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point within the corporate limits of the City of Lancaster in the State of Ohio, and at or to any point within one mile of the said corporate limits; and they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-52; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order;

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit;

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash or credit sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for sales on a "direct delivery" basis; Column III shows maximum prices for "yard sales" to dealers reselling coal and to consumers. All prices are for sales on a net ton basis.

SCHEDULE I

Column I	Column II	Column III
I. High Volatile Bituminous Coals from Producing District No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee) (excluding Mine Index No. 439.)[1]		
A. Lump, Size Group No. 2 (larger than 3" but not exceeding 6"):		
1. Mine Price Classifications G through K	$7.45	$8.95
2. Mine Price Classification O	7.25	6.75
B. Egg:		
1. Size Group No. 4 (top size larger than 6" x bottom size larger than 2" but not exceeding 3") Mine Price Classifications L through N.	7.00	6.50
2. Size Group No. 5 (top size larger than 3" but not exceeding 6" x bottom size larger than 2" but not exceeding 3", top size larger 6" x bottom size 2" and smaller) Mine Price Classifications B through E.	7.80	7.30
C. To the prices stated in Sections A and B may be added $0.15 per ton provided the coal is mined in Sub-district 6 of District 8 and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rockcastle, Wayne and Whitley.	—	—
II. High Volatile Lump Coals from Producing District No. 4 (Ohio) Size Group No. 2 (larger than 2" but not exceeding 5"):		
A. From the Hocking Freight Origin District	5.75	5.25
B. From the Crooksville Freight Origin District	5.55	5.05

[1] In accordance with Regional Supplementary Order No. 3, $0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing and if such charge is separately stated on the dealers invoice.

All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-52 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders such service. Every service charge shall be separately stated in the dealer's invoice.

Wheel-in and carry from curb.. $0.75 per ton.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every dealer subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration, the same records he was required to preserve and keep under § 1340.262 (a) and (b) of Regulation No. 122.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing; the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of th solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Columbus District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or at any place other than his truck.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-52 under Revised Maximum Price Regulation No. 122 shall become effective September 5, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 22, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-13127; Filed, August 29, 1944; 12:30 p. m.]

[San Francisco Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SAN FRANCISCO, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Francisco District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. You will find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one.

Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the San Francisco District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

ROBERT B. PARKS,
Acting District Director.

APPENDIX A—LIST #1—RESTAURANTS & HOTELS

Orange juice.
Tomato juice.
Fruit cocktail.
Crab cocktail.
Tomato soup.
Prunes.
Toast.
Waffle.
Dry cereal with cream.
Baked ham.
Roast pork.
Roast turkey.
Frankfurters.
Swiss steak.
Sea bass.
Corn beef hash.
Lamb chops.
Veal cutlet.
Spaghetti.
Smoked Alaska cod.
Vegetable plate.
Assorted cold meats.
Baked beans.
Spanish omelette.
Ham & eggs.
Egg sandwich.
Chicken sandwich.
Bacon & tomato sandwich.
French fried potatoes.
Potato salad.
Grapefruit & avocado salad.
Ice cream.
Cake.
Pie.
Custard.
Club breakfast (juice, 2 eggs, toast, and coffee).
Lunch (spaghetti & meat balls).
Dinner (roast chicken).
Coffee.
Milk.

LIST #2—NIGHT CLUBS

Lettuce or romaine salad.
Combination salad.
Shrimp salad.
Crab Louis.
Alligator pear salad.
Chicken salad.
Hearts of celery.
Canape of anchovies.
Tomato or clam juice.
Shrimp or crab cocktail.
Cracked crab.
Oysters—half shell.
Onion soup.
Tomato soup.
Soup maritata & vermicelli.
Consomme—soup du jour.
Half broiled or fried chicken.
Chicken saute sec—mushrooms or artichokes.
Scaloppine a la marsala.
Lamb chops (2).
Sirloin New York cut.
Filet mignon.
Frog legs poulette.
Spaghetti Caruso.
Baked lobster thermidor.
Cream chicken Raphael Weill.
Chicken liver brouchette.
Welsh rarebit.
Ravioli Genovese.
Spaghetti Italian.
Ham or bacon & eggs with potatoes.
Boneless squab en casserole, rice.
Assorted cold meats—potato salad.
Chicken or turkey sandwich.
Club house sandwich.
Monte Cristo sandwich.
String beans or new peas.
Au gratin or cottage fried potatoes.
Milk.
Coffee.

LIST #3—FISH SPECIALTY

Crab cocktail.
Shrimp cocktail.
Tomato stuffed with fresh crab or shrimp.
Lobster louie.
Mixed green salad bowl, french dressing.
Rock cod chioppino with crab, clams & prawns.
Fresh crab a la newburg en casserole.
Broiled salmon or halibut, butter sauce.
Sand dabs or rex sole, meuniere.
Cracked crab.
Fried fresh monterey abalone steak.
Fried eastern scallops.
Cold prawns in shell.
Olympia oyster fry.
Lobster thermidor.
Broiled lobster.
Fresh crab curry with rice.
Baked deviled crab.
Creamed crab meat on toast.
Lobster a la newburg.
Chef's combination fried sea food plate.
Eastern oyster hangtown fry.
Broiled fresh swordfish steak.
Broiled rainbow trout.
Filet of sole.
Bouillabaisse.
New York steak.
Broiled chicken.
Lamb chops.
Broiled select eastern oysters with bacon.
Broiled sea bass steak, maitre d'hotel.
Fresh green peas, string beans or spinach.
Shoestring or french fried potatoes.
Fresh crab meat sandwich.
Steamed clams, plain or bordelaise.
Fried fresh white baits.
Fried jumbo prawns, meuniere.
Monterey cheese.
Coffee.
Milk.

LIST #4—SPECIAL GROUP & FOREIGN

Minestrone.
Chicken soup.
Sirloin steak.
Tenderloin steak.
Chopped tenderloin.
Mixed grill kidney.
Baked ham.
Veal scalloped.
Cheese souffle.
Lobster thermidor.
Broiled lobster.
Brook trout.
Deviled crab.
Veal cutlet.
Chicken pie.
Omelet palachinken.
Spaghetti.
Fruit salad.
Combination salad.
Pineapple cottage cheese salad.
Crab or shrimp salad.
Shrimp or crab cocktail.
Tamales.
Don far gung (soup).
Ngow yuke chow mein.
Wa mein—noodles.
Foo yong gai.
Bok shoy yoke.
Li hong jang chop suey.
Ngow yuke chop suey.
Rice bok fan.
Rice gai chow fan.
Rice cha sui chow fan.
Cha sui.
Won ton.
Jow har look.
How yow ngow yuke.
French pastry.
Coffee.
Milk.

[F. R. Doc. 44-13121; Filed, August 29, 1944; 12:28 p. m.]

[Shreveport Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SHREVEPORT, LA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Shreveport District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Shreveport, Louisiana District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from the order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of August 1944.

J. E. BRUMFIELD,
District Director.

APPENDIX A—THE 40 BASIC FOOD ITEMS

Fruit and vegetable juices:
1. Orange.
2. Tomato.

Pie, doughnuts, etc.:
3. Buttered toast.
4. Apple pie.

Breakfast items:
5. Dry cereal with milk.
6. Two eggs, toast and coffee.
7. Ham, bacon or sausage, one egg, toast and coffee.
8. Ham, bacon or sausage, two eggs, toast and coffee.
9. Ham and eggs.
10. Two eggs fried.
11. Egg omelet.
12. Hot cakes.
13. Waffles.

Soups, etc.:
14. Soup.

Luncheon and dinner items a la carte:
15. Roast beef.
16. Hamburger steak.
17. Liver and onions, or bacon.
18. Creamed chicken.
19. Fried chicken.
20. Tenderloin of trout.
21. Baked red snapper.

Noon luncheon—two most popular luncheons:

22.	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert
23.			

Evening dinner—two most popular:

24.	Soup or appetizer	Salad	Entree
	No. of veg.	Drink	Dessert
25.			

Sandwiches:
26. Ham.
27. American cheese.
28. Hamburger.
29. Chicken salad.
30. Bacon and tomato.
31. Hot beef sandwich with potatoes and gravy.

Drinks:
32. Coffee.
33. Iced tea.
34. Milk.

Steaks:
35. T-bone.
36. Sirloin.
37. Tenderloin.
38. Pork chop.
39. Veal cutlet.
40. Ham steak.

[F. R. Doc. 44-13120; Filed, August 29, 1944; 12:27 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-930, 70-934]

NIAGARA HUDSON POWER CORP., ET AL.

NOTICE OF FILING OF AMENDMENT TO APPLICATION-DECLARATION AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 26th day of August, 1944.

In the matters of Niagara Hudson Power Corporation; New York Power and Light Corporation, Hudson Valley Fuel Corporation, File No. 70-930; New York Power and Light Corporation, Niagara Hudson Power Corporation, File No. 70-934.

Notice is hereby given that Niagara Hudson Power Corporation (Niagara Hudson), a subsidiary of The United Corporation, a registered holding company and New York Power and Light Corporation (New York Power), a subsidiary of Niagara Hudson, have filed an amendment to the applications and declarations heretofore submitted pursuant to the Public Utility Holding Company Act of 1935;

All interested persons are referred to said amendment on file in the offices of the Commission for a statement of the transactions now proposed which may be summarized as follows:

Under the applications and declarations as heretofore filed and as more fully set forth in Holding Company Act

Release No. 5203, New York Power proposed to refinance its outstanding 240,127 shares of Cumulative Preferred stock (7% and $6 series) by offering the holders of such stock an opportunity to exchange each share of stock held for one share of $100 par value cumulative preferred stock with a dividend rate not in excess of 5% per annum, plus a cash payment in an amount representing the difference between the redemption prices of the stocks outstanding and the offering price of the new cumulative preferred stock.

Under the provisions of the amendment to said application-declaration, New York Power now proposes to offer at competitive bidding 240,000 shares of new cumulative preferred stock with a par value of $100 per share, the dividend rate to be not in excess of 5% per annum, such shares to be sold for cash at not less than the par value thereof.

New York Power proposes to use the proceeds from the sale of such shares, together with treasury cash, for the redemption of its 7% and $6 preferred stock at the redemption price ($115 per share for the 7% and $105 per share for the $6 preferred stock).

A hearing having been held on August 24, 1944 with respect to the applications and declarations as heretofore proposed and said amendment having been filed at the hearing, and the Commission deeming it appropriate that a further hearing be held with respect to the amendment filed herein; and

It further appearing to the Commission that it is appropriate that the hearings be reconvened for the purpose of affording an opportunity to any interested person, who may so desire, to appear and be heard with respect to said amendments;

It is hereby ordered, That the hearings upon said applications and declarations and amendments thereto be reconvened on September 19, 1944, at 11 a. m., e. w. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of said hearing be given to applicants-declarants and to the New York Public Service Commission by mailing a copy of this notice and order forthwith by registered mail, and that notice be given to all other persons by a general release of this Commission and distributed to the press and mailed to the mailing list for releases under the act, and by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That any person desiring leave to be heard, or otherwise wishing to participate in this proceeding, shall notify this Commission on or before September 14, 1944 in the manner provided by Rule XVII of the Commission's rules and practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13118; Filed, August 29, 1944; 12:27 p. m.]

[File No. 70-812]

CONSOLIDATED ELECTRIC AND GAS CO. AND CENTRAL ILLINOIS ELECTRIC AND GAS CO.

ORDER RELEASING JURISDICTION OVER FINANCIAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of August, 1944.

The Commission by order dated February 4, 1944 and by a supplemental order dated February 18, 1944, having in the above entitled matter approved a plan submitted by Consolidated Electric and Gas Company, providing for the sale through competitive bidding of the common stock of its subsidiary, Central Illinois Electric and Gas Company and the use of the proceeds to acquire certain debt securities of the parent company; said order of February 4, 1944, among other things, having reserved jurisdiction with respect to the payment of fees in the amount of $20,000 for financial services rendered by Central Republic Company, Inc., of Chicago, Illinois, for Consolidated Electric and Gas Company in connection with adjustments of the property account of Central Illinois Electric and Gas Company and the reclassification of its common stock preparatory to the sale of such common stock to the public for approximately $7,052,000; and

The record in the above entitled matter having been examined by the Commission; and it appearing to the Commission that under all the circumstances, the fee of $20,000 is not unreasonable;

It is hereby ordered, That jurisdiction with respect to the payment of said fee be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13153; Filed, August 30, 1944; 9:44 a. m.]

[File No. 70-906]

CENTRAL NEW YORK POWER CORP., ET AL.

ORDER MODIFYING CONDITION AND GRANTING EXTENSION OF TIME

In the matter of Central New York Power Corporation, Kanata Realty Company, Inc., and Northern Development Corporation; File No. 70-906.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of August 1944.

Applications and declarations having been filed with this Commission by Northern Development Corporation (Northern), Central New York Power Corporation (Central), and its subsidiary, Kanata Realty Company, Inc. (Kanata), the first two companies being subsidiaries of Niagara Hudson Power Corporation (Niagara Hudson), in turn a subsidiary of The United Corporation, a registered holding company, pursuant to the Public Utility Holding Company Act of 1935, regarding, among other things, the sale by Kanata and the acquisition by Northern and Central of certain land containing undeveloped water, dam and power sites; and

The Commission having by order dated June 28, 1944, granted the applications and permitted the declarations to become effective subject to the terms and conditions prescribed in Rule U-24, which rule provides in part that, unless otherwise requested, the transactions proposed be carried out within sixty days of the Commission's order granting the applications and permitting the declarations to become effective; and

The applicants-declarants having advised the Commission of their unexpected inability to consummate the proposed transactions within the sixty-day period provided by Rule U-24 due to pending litigation in respect of legal title to a small portion of land to be transferred by Kanata to Central; and having requested that the terms and conditions of said rule be modified to the extent necessary to extend the time within which the transactions as set forth in the application and declarations may be consummated; and the Commission deeming it appropriate that such request be granted;

It is ordered, That the terms and conditions contained in our order of June 28, 1944 (Holding Company Act Release No. 5131) be, and hereby are, modified to the extent necessary to extend the time within which such transactions may be consummated to November 1, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13154; Filed, August 30, 1944; 9:44 a. m.]

[File No. 70-938]

NORTH AMERICAN CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of August 1944.

The North American Company, a registered holding company, has filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-44 of the general rules and regulations promulgated thereunder, regarding a proposal to pay a dividend on its common stock payable in the common stock of Pacific Gas and Electric Company having a par value of $25 per share, owned by The North American Company, at the rate of one share of such stock of Pacific Gas and Electric Company on each one hundred shares of the outstanding common stock of The North American Company. In lieu of certificates for fractions of shares of stock of Pacific Gas and Electric Company, cash will be paid at the rate of 33 cents for each 1/100th of a share of such stock of Pacific Gas and Electric Company, this rate being based on the approximate market price of $33.00 per share as of July 28, 1944, the date the proposed dividend was declared.

Said declaration having been filed on the 1st day of August, 1944, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such amended notice, or otherwise, and not having ordered a hearing thereon; and

The North American Company having requested that the Commission issue its order on or before August 28, 1944; and

The Commission finding that the requirements of section 12 (d) and Rules U-43 and U-44 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13155; Filed, August 30, 1944; 9:44 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

COTTONSEED PROCESSORS

NOTICE WITH RESPECT TO U. S. STANDARD GRADES AND PROCESSORS LIABILITY

AUGUST 28, 1944.

TO ALL COTTONSEED PROCESSORS:

Commodity Credit Corporation (hereinafter called "Commodity"), hereby notifies all processors with respect to Commodity's Offer to Cottonseed Processors, 1944 C. C. C. Cottonseed Form A, (9 F.R. 9340) as follows:

1. *United States Standard Grades.* Cottonseed purchased on a chemical grade basis as provided in section 2 (a) of the offer may be graded on the basis of "United States Standard Grades" as amended September 8, 1943, rather than on the basis of "United States Standard Grades" as amended July 18, 1939.

2. *Processor's liability with respect to linters.* The processor's liability with respect to linters stored for Commodity pursuant to section 3 (i) (2) of the offer shall not be held to extend to loss or damage caused solely by an act of God, except in the case of fire, lightning, windstorm, tornado or other risk normally insured against by the processor.

COMMODITY CREDIT CORPORATION,
By J. B. HUTSON,
President.

[F. R. Doc. 44-13185; Filed, August 30, 1944; 11:16 a. m.]

WAR MANPOWER COMMISSION.

[G. O. 9, Amdt. 1]

PHILADELPHIA, PA.-CAMDEN, N. J., AREA

MINIMUM WARTIME WORKWEEK

The designation of the Philadelphia, Pennsylvania-Camden, New Jersey, area, dated August 8, 1944 (9 F.R. 9299) as subject to Executive Order No. 9301 is hereby amended to read as follows:

By virtue of the authority vested in me as Regional Manpower Director of Region No. III by § 903.2 of War Manpower Commission on Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Philadelphia, Pennsylvania-Camden, New Jersey, area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Philadelphia, Pennsylvania-Camden, New Jersey, area shall include:

In Pennsylvania: Philadelphia County; Delaware County; Bucks County; Chester County, excluding North Coventry Township, East Coventry Township, South Coventry Township, East Vincent Township, Spring City Borough; Montgomery County excluding Pottstown Borough, Lower Pottsgrove Township, Royersford Borough, Upper Pottsville Township, Douglass Township, New Hanover Township, Red Hill Borough, Pennsburg Borough, Upper Hanover Township, East Greenville Borough, West Pottsville Township, Perkiomen Township, Schwenksville Borough, Marlboro Township, Greenlane Borough, Upper Frederick Township, Lower Frederick Township.

In New Jersey: Chester Township, Cinnaminson Township, Palmyra, Riverton, Moorestown Township in Burlington County; Audubon, Barrington, Bellmawr, Berlin Township, Berlin, Brooklawn, Camden, Clementon, Collingswood, Delaware Township, Gibbsboro, Gloucester City, Gloucester Township, Haddon Township, Haddonfield, Haddon Heights, Hi Nella, Laurel Spring, Lawnside, Lindenwold, Magnolia, Merchantville, Mount Ephriam, Oaklyn, Pennsauken Township, Pine Hill, Pine Valley, Runnemede, Somerdale, Stratford, Tavistock, Voorhees Township Woodlynne in Camden County, Glayton, Deptford Township, East Greenwich Township, Elk Township, Franklin Township, in part (North of Newfield), Glassboro, Greenwich Township, Harrison Township, Logan Township, Mantua Township, Monroe Township in part (Williamstown and West), National Park, Paulsboro, Pitman, South Harrison Township, Swedesboro, Washington Township, Wenonah, West Deptford Township, Westville, Woodbury, Woodbury Heights, Woolwich Township, in Gloucester County.

2. The effective date of this designation is September 1, 1944 for all essential and locally needed establishments and October 1, 1944 for all other establishments.

3. Not later than the effective date, each employer in the Philadelphia, Pennsylvania-Camden, New Jersey, area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any workers;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State, or local law or regulation limiting hours of work.

Date of issuance: August 24, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-13171; Filed, August 30, 1944; 10:33 a. m.]

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U. S. GOVERNMENT PRINTING OFFICE: 1944

SEP 8 '44

U.S.

FEDERAL REGISTER

VOLUME 9 NUMBER 175

Washington, Friday, September 1, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79–14, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AKRON, OHIO, SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–14 (8 F.R. 13424, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Akron, Ohio, milk sales area, is hereby further amended by deleting therefrom the provisions in § 1401.49 (e) (3) and inserting, in lieu thereof, the following:

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 104 percent; (ii) butterfat in cream: 78 percent; (iii) milk byproducts other than cottage, pot, or baker's cheese: 78 percent; and (iv) cottage, pot, or baker's cheese, 78 percent of skim milk equivalent. For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., Sept. 1, 1944. With respect to violations of said War Food Order No. 79–14, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–14, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 29th day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-13196; Filed, August 30, 1944; 12:20 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51115]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

MISCELLANEOUS AMENDMENTS

AUGUST 30, 1944.

Section 8.33 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.33 (c)), is hereby amended by deleting the period and inserting the following immediately before the parenthetical matter at the end: "or if it is entered by a transferee who has filed the bond provided for in § 8.39. When merchandise is withdrawn for transportation by a transferee, the collector at the port of withdrawal shall endorse the withdrawal to show whether the transferee has filed the bond provided for in § 8.39."

Section 8.39 (b), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.39 (b)), is hereby amended by deleting from the first line "limit the right of withdrawal to one person" and substituting therefor "designate a particular transferee."

Section 8.39, Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.39), is further amended by deleting the parenthetical matter at the end of paragraph (d) and by adding the following new paragraph:

(e) A transferee may further transfer the right to withdraw the merchandise, subject to the provisions of this section relating to original transfers. (Sec. 557, 46 Stat. 744, secs. 2, 22, 23, 52 Stat., 1072, 1087, 1088, sec. 624, 46 Stat. 759; 19 U.S.C. 1557, 1624)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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Section 18.16 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 18.16 (a)), is hereby amended by changing the period at the end of the second sentence to a semicolon and adding the following: "and the collector shall endorse the withdrawal to show whether the transferee has filed the bond provided for in § 8.39."

(Sec. 557, 46 Stat. 744, sec. 22 (a), 52 Stat. 1087, sec. 624, 46 Stat. 759; 19 U.S.C. 1557, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: August 30, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–13207; Filed, August 30, 1944; 4:01 p. m.]

General
Reprinted by the U.S. Govt.

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

WAGE ADJUSTMENT FOR EMPLOYERS IN ALASKA

The National War Labor Board under paragraph (d) of § 803.4[1] has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(36) All employers in the Territory of Alaska. (Approved September 25, 1943)

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–13238; Filed, August 31, 1944; 9:34 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1944 6th Supp. Dept. Circ. 570, Rev. Apr. 20, 1943]

PART 226—SURETY COMPANIES

HAWKEYE CASUALTY CO.

AUGUST 30, 1944.

A certificate of authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279–80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241 (U. S. Code, title 6, secs. 6–13), as an acceptable surety on Federal bonds. An underwriting limitation of $42,000 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

Name of company, location of principal executive office and State in which incorporated:

Hawkeye Casualty Company, Des Moines, Iowa.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44–13239; Filed, August 31, 1944; 9:51 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–606]

DEMAMBRO RADIO SUPPLY CO.

Joseph A. DeMambro, doing business as DeMambro Radio Supply Company at 1111 Commonwealth Avenue, Boston, Massachusetts, is a wholesale dealer in electronic equipment. Early in June, 1943, he placed five purchase orders for 15,254 radio tubes with one of his suppliers, an order for 3,865 with another, and four orders for 11,839 with another, in each instance certifying that he was entitled to purchase the items specified under the provisions of Limitation Order L–265. On July 12, 1943, he ordered an additional 625 tubes from one of his suppliers with a similar certification. All these certifications were contrary to the facts but only in the last case was the certification wilfully false, previous certificates having been based on misinterpretation of the order. On July 13 and 14, 1943, he accepted transfer of 1,495 of the tubes under certain of the above orders and on July 15 accepted transfer of 335 more, at which time he was not entitled to accept transfer of over 1,293 tubes. These acts were in knowing and wilful violation of General Limitation Order L–265. By reason of the foregoing facts, it is hereby ordered, that:

§ 1010.606 *Suspension Order No. S–606.* (a) Joseph A. DeMambro, whether doing business as DeMambro Radio Supply Company or otherwise, his and its agents, successors and assigns, shall not directly or indirectly accept the transfer of any electronic equipment, as defined in General Limitation Order L–265, except to fill orders rated A–1–a or higher, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph A. DeMambro, whether doing business as DeMambro Radio Supply Company or otherwise, his and its agents, successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 30, 1944, and shall expire on October 30, 1944.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13217; Filed, August 30, 1944; 4:36 p. m.]

PART 933—COPPER

[Conservation Order M–9–c, as Amended Aug. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of copper for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.4 *Conservation Order M–9–c—*(a) *Restrictions on manufacture of articles appearing on combined list.* No manufacturer of any article on the combined list attached, or of parts (including repair parts[1]) for any such article, may, if such article or parts contain copper products, or copper base alloy products, continue their manufacture by means of processing, assembling or finishing.

(b) *Restrictions on manufacture of articles not appearing on combined list out of inventory on hand on June 30, 1942.* (1) A manufacturer of any article omitted from the combined list or excepted from that list, or of parts (including repair parts[1]) for such an article, may not continue the manufacture thereof by means of processing, assembling or finishing:

(i) Unless all copper products or copper base alloy products contained in such articles or parts were acquired by the manufacturer after June 30, 1942; or

(ii) Unless such articles or parts are being manufactured to fill a purchase order, existing or prospective,[2] bearing a preference rating of AA–5 or higher or, in the case of a controlled materials producer under the Controlled Materials Plan, to fill an authorized controlled material order; and no such article or part so manufactured shall be delivered except to fill such an order; or

(iii) Unless the manufacturer has been specifically authorized in writing by the War Production Board to manufacture the article or parts in question, with the copper products or copper base alloy products being used. Applications for specific authorizations shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C., Reference: M–9–c.

(2) The provisions of paragraph (b) (1) shall not apply to a manufacturer assembling a completed fractional horsepower electric motor into machinery of any kind omitted from the combined list or excepted from that list. The provisions of paragraph (b) (1) shall also not apply to the manufacturing of any machinery omitted from the Combined List or excepted from that list, or of parts (including repair parts) for such machinery, if the only copper products or copper base alloy products used which were in the inventory of the manufacturer on June 30, 1942 are bushings, bearings, nuts, bolts, screws, washers, and wire weighing in the aggregate less than

[1] See also paragraph (f) (3) permitting the manufacture of repair parts to make specific repairs of used articles under certain conditions.

[2] Priorities Regulation No. 1, § 944.14, prohibits the manufacture of more than a practicable minimum working inventory of articles or parts to fill prospective orders.

[1] 8 F.R. 12967; 9 F.R. 2587, 3067, 3288, 4905, 5769, 6395, 8176, 10088, 10147.

5% of the total weight of the article or part.

(c) *General restrictions on manufacture and plating.* (1) The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No manufacturer may continue the manufacture of any article or parts (including repair parts) omitted from the Combined List or excepted from that list if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material [1] is practicable. Furthermore, no manufacturer may continue the manufacture of any article or parts (including repair parts) omitted from the combined list or excepted from that list if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a higher type or grade of copper or copper base alloy than is necessary for the article's proper operation.

(2) The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, subcontract or purchase order call for an alloy with a higher copper or tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this subparagraph to use copper base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25 D. C., Reference: M-9-c. A provision similar to this subparagraph (2) appears in Order M-43 and one application is sufficient under both Orders M-9-c and M-43).

[Paragraph (3) formerly (2) redesignated Aug. 31, 1944]

(3) (i) The use of copper products or copper base alloy products for plating any article on the combined list or for plating any parts (including repair parts) of such an article, is prohibited unless such plating is expressly stated in the list to be permissible or such plating is an undercoating for lead, chromium or nickel. Undercoatings for lead should, in general, be less than 0.00005 inch in thickness.

(ii) The use of copper products or copper base alloy products for plating any article omitted from the combined list or excepted from that list, and the plating of parts (including repair parts) for such an article, is permitted provided that:

(a) Such plating is not for decorative purposes, or part of a decoration.

(b) The use of, or the normal wear on, such article or parts would make impracticable any other form of coating.

(d) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order. No person shall deliver or accept delivery of any article or parts (including repair parts) which he knows or has reason to believe was manufactured, processed, assembled or finished in violation of any applicable provision of this order.

(e) *General restrictions on deliveries.* The disposition of frozen and excessive inventories containing certain copper products or copper base alloy products shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34), as amended from time to time.

(f) *Exceptions*—(1) *Applicability of order to certain Governmental agencies.* The provisions of this order shall not apply to the use of copper products or copper base alloy products in the manufacture of any article on the "Military Exemption List", or part therefor, which is being produced for purchase by, or for the account of, or for use by, the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Coast Guard applicable to the contract, subcontract or purchase order.

(2) *Installation.* The provisions of this order shall not apply to the installation of any article or part (including a repair part) for the ultimate consumer on his premises when any manufacturing of such article or part is incidental to the installation and is done on the consumer's premises. This exception does not, however, in any way affect or modify the provisions of Supplementary Conservation Order M-9-c-4 (restricting the installation of certain types of copper and copper base alloy pipe, tube, and building materials) or of any other order restricting installation.

(3) *Repair.* The restrictions of this order shall not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, if the manufacturer of the parts or the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and when all manufacturing done by him is with knowledge of the particular used article to be repaired. The restrictions of this order shall also not apply to the manufacture of repair parts to make a specific repair of a used article, or to a person repairing a used article, on or off the premises of the owner, even if the manufacturer of the parts or the person making the repair uses copper products or copper base alloy products weighing in the aggregate more than two pounds, when (i) the copper scrap or copper base alloy scrap derived from the article being repaired weighs within one pound of the copper product or copper base alloy product used, (ii) all such scrap is delivered to a scrap dealer or to any other person to whom such delivery may be made under the provisions of Copper Order M-9 and (iii) all manufacturing done is with knowledge of the particular used article to be repaired.

(4) *Research, developmental and experimental activities.* [2] The provisions of this order shall not apply to the use of copper products or copper base alloy products to make experimental models or test runs, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items, nor shall such items, if designed primarily for future civilian markets, be exhibited to the public. Research, developmental or experimental activities in connection with products or materials designed primarily for future civilian markets must be carried on without diverting any manpower, technical skill or facilities from activities connected with the war effort.

(g) *Special products; restrictions and exceptions*—(1) *Printing and publishing industries.* After October 3, 1943, the provisions of this order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electrotyping, stereotyping, and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste, and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3. All other uses in those industries of copper products, copper base alloy products, copper scrap, and copper base alloy scrap are governed by Conservation Order M-339. Nothing contained in this paragraph (g) (1) shall affect the prohibition against the manufacture of powder containing copper products or copper base alloy products under paragraph (a) and the Combined List of this order.

(2) *Insect screening.* This order does not restrict the sale or delivery of used or second-hand insect screening. However, no person shall sell or deliver to any one person more than 50 sq. ft. of any other copper or copper base alloy insect screening unless the sale or delivery is made to: (i) A jobber, wholesaler or retailer; (ii) the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (except Defense Plant Corporation) or any person acting as agent of any such corporation (except Defense Plant Corporation); or (iii) any person upon specific authorization of the War Production Board. Applications for specific authorization shall be made by letter addressed to the War Production Board, Copper Division, Washington 25, D. C., Ref: M-9-c. Nothing contained in this paragraph (g) (2) affects the prohibitions on the manufacture, processing, assembling or finishing of insect screening with copper products or copper base alloy products under paragraph (a) and the combined list. (See the item "insect screening" under the heading "Miscellaneous" on the combined list.)

(3) *Copper products not controlled by order.* The provisions of this order shall not apply to the manufacture of the following articles and parts (including repair parts) even though they contain copper products, or copper base alloy products, since these articles are specifically governed by the following orders:

Shoe findings and footwear of all kinds governed by Supplementary Conservation Order M-9-c-1.

Fire protective equipment governed by General Limitation Order L-39.

Motorized fire apparatus governed by General Limitation Order L-43.

Bronze paste, bronze ink, and bronze leaf, and products made with bronze paste, bronze ink, bronze leaf and bronze powder (other than decalcomanias and ship bottom paint), governed by Supplementary Conservation Order M-9-c-3.

Jewelry as defined in and governed by Supplementary Conservation Order M-9-c-2.

Musical instruments governed by Supplementary Limitation Order L-37-c.

Water meters governed by Schedule I of Limitation Order L-164.

Gold filled and rolled gold plate governed by Direction 2 to Order M-199.

(4) *Attachment and assembly work.* (i) The provisions of this order do not apply to attaching finished slide fasteners, hook and eyes, brassiere hooks, sewon, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, eyelets (other than eyelets usable as shoe eyelets), garter trimmings, hose supporters, insignia, jewelry, loops, mattress buttons, pin fasteners, pins, staples, slides, and trouser trimmings. The order does apply to the manufacture, processing, assembling and finishing of the closures and associated items listed above where the provisions of this order are more restrictive than other orders of the War Production Board.

(ii) The provisions of this order do not apply to the assembling of watch or clock movements finished prior to June 15, 1942, into cases not made of copper or copper base alloy. The provisions of this order do, however, apply to the manufacture, processing and finishing of watch and clock cases and of all other parts of watches and clocks and to assembling watches and clocks except as specifically exempted in this paragraph.

(h) *Definitions.* For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap but shall not include alloyed gold produced in accordance with U. S. Commercial Standard CS 67-38.

(3) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(4) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings, or forgings, or fabricated to any greater extent.

(5) "Manufacturer" means a person who manufactures, processes, assembles, or finishes. "Manufacture" includes processing, assembling, and finishing.

(i) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeal.* Any appeal from the provisions of paragraphs (a) or (c) of this order shall be made by filing Form WPB-1477 (formerly PD-500 revised) with the War Production Board, Washington 25, D. C., Reference: M-9-c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the War Production Board.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Copper Division, Washington 25, D. C., Reference: M-9-c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply irrespective of whether the articles or parts whose manufacture is governed hereby are being manufactured pursuant to a contract made prior or subsequent to the effective date of this order. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of any articles or parts, the limitation of such other order shall be observed.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

COMBINED LIST

The manufacture, processing, assembling or finishing of the items listed below and of all parts (including repair parts) therefor is prohibited if such article or part contains copper products or copper base alloy products, except to the extent permitted by the exceptions noted on the list. Where this list excepts an item if the use of copper products or copper base alloy products in making the item is limited or if the item is being produced for a particular end use, the manufacture, processing, assembling and finishing of the item made under the terms of such an exception is governed by paragraphs (b) and (c) of this order.

AUTOMOTIVE, TRAILER [3] AND TRACTOR EQUIPMENT AND FARM MACHINERY

See also Order L-158 governing the manufacture of automotive replacement parts for passenger automobiles, motor trucks, truck trailers, passenger carriers, and off-the-highway motor vehicles.

Ambulance hardware (for locks, see under the heading "Miscellaneous" on this list).

Automotive maintenance equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-270).

Defrosters (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).

[1] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials entitled "Materials Substitutions and Supply."

[2] Copper products and copper base alloy products in controlled material forms may be ordered for research, developmental and experimental activities by placing an order bearing the controlled material symbol V-9 and the standard CMP certification, all as provided in Order P-43.

[3] See also under "Passenger Transportation Equipment" on this List.

Heaters (except when the only copper products or copper base alloy products used are (i) for parts necessary for conducting electricity, or (ii) for radiators for passenger carriers having a seating capacity of not less than eleven persons).
Hearse hardware (for locks see under the heading "Hardware" on this list).
Horns (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Hub and gas-tank caps.
Lights, lamps, headlamps and accessories (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity and for plating reflectors as provided by the item "Reflectors • • •" on this list under the heading "Miscellaneous").
Miscellaneous fittings and trim.
Motorcycles (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Motor-driven power cycles as defined in Order L-901 (except when the only copper products or copper base alloy products used are for parts necessary for generating and conducting electricity, or for carburetors, clutch facings or repair parts).
Mouldings.
Rear-view mirrors and hardware.

BUILDING SUPPLIES

(Excluding supplies for ships, boats and aircraft)

Access panels.
Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under L-38 or otherwise).
Anchors and dowels.
Blinds, including fixture fittings and trimmings.
Caulking anchors.
Cement flooring and composition flooring (except that crude arsenical copper precipitate may be used for flooring for hospital operating and anesthesia rooms, for places where explosives are handled or stored and for places where explosive vapors may be present).
Conduits.
Cornices.
Doors, windows, door and window frames and sills and parts excluding door handles and knobs. (This does not prohibit the use of copper or copper base alloy insect screening and weatherstripping to make or repair any of the above mentioned items, if the only copper or copper base alloy used is insect screening or weatherstripping). For door handles and knobs, see under the heading "Hardware". For the prohibition on manufacturing of copper or copper base alloy weatherstripping see "Weatherstripping and insulation" under this sub-heading "Building Supplies", and for the prohibition on manufacturing of copper or copper base alloy insect screening see "Insect screening" under the heading "Miscellaneous" on this list.
Drip pans.
Elevators and escalators (except when the only copper products or copper base alloy products used are for bearings, worm gears and parts necessary for conducting electricity).
Expansion bolts and caulking anchors.
Fences and gates.
Grilles, grids and gratings.
Gutters, leaders, downspouts, expansion joints, and accessories thereto.
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conduction of electricity).
Linoleum stripping.
Ornamental metal work.
Partitions.
Pile butt protection.
Pipe, tube, tubing and fittings for water supply or water distribution systems and installations or for any gas supply or gas distribution system (except corporation stops and couplings therefor, curb stops and couplings therefor, adapters, unions, solder nipples and ferrules and except for all such pipe, tube, tubing and fittings for use in chlorine gas equipment).
Plumbing and heating supplies:
Bands on pipe covering.
Cistern and low-water floats, and toilet floats.
Hot water heaters, tanks, and coils (except when the only copper products or copper base alloy products used are permitted by the terms of Orders L-185 and L-65).
Pipe, tube, tubing and fittings for piping systems (except solder nipples and ferrules).
Plumbing fixture fittings and trim (except when the only copper products or copper base alloy products used are permitted by the terms of Schedules V and XII of Order L-42 or any schedules or orders taking their place, or are permitted by a specific authorization of the War Production Board granted pursuant to such a schedule or order).
Push, kick, switch, floor and all other device plates.
Radiator shields and covers.
Railings.
Roof, roofing, louvers, marquees, roofing nails, flashings, flashing valleys, and other roofing items.
Sheet, roll, strip and rod for building construction.
Shelves.
Stair and threshold treads, nosing and edgings.
Store fronts.
Termite shields.
Terrazzo strips, reglets, moulding and trim.
Thresholds and saddles.
Tie rods.
Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except that any copper products or copper base alloy products may be used for valves, controls, or parts necessary for conducting electricity, copper strip may be used for fins, copper tube may be used for water courses and headers, and cast brass also may be used for headers, if the copper content of the cast brass does not exceed 82% and the tin content 3½%).
Vents, ventilators and skylights.
Water containers for humidification.
Weatherstripping and insulation.

BURIAL EQUIPMENT

Burial urns.
Burial vaults.
Caskets and casket hardware. See also Order L-64.
Memorial tablets.
Morticians' supplies.
(See also the item "Boxes, • • •" under the heading "Miscellaneous" on this list.)

CLOTHING AND DRESS ACCESSORIES

(See also Order L-68)

Dress ornaments.
Handbag fittings.
Insignia.
Metal cloths.
(See also the item "Slide fasteners • • •" under the heading "Miscellaneous" on this list.)

FURNISHINGS AND EQUIPMENT

Andirons, screens, and fireplace fittings.
Candlesticks.
Cooking and table utensils.
Counters.
Curtain fasteners, rods and rings.
Cuspidors.
Fans (See the item "Fans • • •" under the heading "Miscellaneous" on this list).
Furniture.
Furniture hardware (except bushings for hospital bed springs if the copper content of the brass does not exceed 74% and the tin content 2%). For locks, see under the heading "Hardware" on this list.
Gas heater and stove installation connections.
Hollow-ware.
Mud scrapers.
Portable heaters. For electric portable heaters, see the item "Electrical appliances • • •" under the heading "Miscellaneous".
Shower curtains.
Stoves and ranges for household cooking use, gas (except when each valve contains not more than ½ oz. of copper base alloy and each control contains not more than 1½ oz. of copper base alloy and the stove or range contains no other copper or copper base alloy whatever; or except when the stove or range contains no copper or copper base alloy whatever other than 1½ oz. of copper base alloy in each control and the copper base alloy contained in any valves which either were finished prior to August 7, 1942, or which were or will be finished subsequent to that date pursuant to the granting of an appeal on or before May 26, 1944, or the issuance of a written specific authorization issued subsequent to May 26, 1944 to a valve manufacturer. Valve manufacturers desiring specific authorization to make valves out of copper base alloy products should apply by letter addressed to the Copper Division, War Production Board, Washington 25, D. C., Reference M-9-c, setting forth the relevant facts including the alloy of the copper base alloy products to be used).
Stoves and ranges other than gas stoves and ranges for household cooking use (except when the only copper products or copper base alloy products used are for valves, ferrules for compression fittings, controls other than timers, and parts necessary for conducting electricity).
Timers, for stoves and ranges.
Trays.
Upholsterers' supplies, including nails and tacks.
Vases, pitchers, bowls, and artcraft.
Washing tubs and washing boilers.
Waste baskets, hat trees, humidors and similar items.

HARDWARE

(Excluding hardware for aircraft)

Builders' finishing hardware, including hinges, door knockers, door checks, door pulls, door stops, door handles, door knobs, and hangers and tracks (except when the only copper products or copper base alloy products used are permitted by the terms of Schedule I of Order L-236). For locks, latches and padlocks, see below on this list.
Decorative hardware (including house numbers).
Expansion bolts.
Incinerator hardware and fittings.
Letter boxes and mail chutes.

Locks, latches and padlocks (except when the only copper products or copper base alloy products used are permitted by the terms of Schedule I of Order L-236; and except for interior working parts of railway car door locks and railway switch padlocks and for all parts of postal locks when manufactured by the Mail and Equipment Section of the United States Post Office).
Marine joiner hardware (except when the only copper product or copper base alloy product used are permitted by the terms of Schedule II of Order L-336).
Sash balances.

INDUSTRIAL MACHINERY

Pulp and paper manufacturing:
Stock and water lines, including shower pipes.

JEWELRY, GIFTS AND NOVELTIES

All jewelry, gifts and novelties including, but not limited to:
Advertising specialties.
Atomisers (see also this list under "Miscellaneous").
Bar fittings.
Book ends.
Cosmetic containers.
Lighters.
Napkin rings.
Picture frames.
Smokers' accessories, including ash trays.
Souvenirs.

PASSENGER TRANSPORTATION EQUIPMENT

(Including railroad cars, street and interurban cars, busses, and trailers, but excluding locomotives)

All items under the heading "Furnishings and equipment".
Air conditioning equipment and refrigeration equipment (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-126 and the schedules thereto and when the production of the equipment is permitted under the terms of Order L-38, either because the order therefor is an "authorized order" under Order L-38 or otherwise).
Bands on pipe covering.
Decorative hardware and ornamental metal work (for locks, see under the heading, "Hardware" on this List).
Door knockers, checks, pulls and stops.
Doors and windows, door and window frames and window sills.
Drinking water reservoirs.
General and finish hardware (except for repair and replacement purposes).
Lighting fixtures (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity).
Pipe, tube, tubing, and fitting for plumbing and heating (except for essential repairs).
Shower rods, heads and pans.
Sinks and drainboards.
Screening.
Towel and luggage racks.
Trolley frog bodies, trolley wire crossover bodies, trolley clamps used for supporting Fig. 0 or grooved trolley wire (unless used for carrying current), and miscellaneous items such as machine screws, bolts and studs used with overhead trolley line material.
Water containers for humidification.
Weatherstripping and insulation.

MISCELLANEOUS

Alarm and protective systems, other than fire protective systems covered by Order L-99 (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Arch supports.
Atomisers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs).
Barrel hoops.
Badges.
Bar and counter equipment and fittings.
Barber shop equipment and supplies.
Barrel hooks.
Bathroom accessories.
Beauty parlor equipment and supplies (except for repair and replacement parts of commercial permanent wave equipment and commercial hair driers, when the only copper products or copper base alloy products used are permitted by the terms of Order L-65).
Beverage dispensing units and parts thereof (except for self-contained drinking water coolers as defined in Schedule I of Order L-126 or under any schedule of Order L-38).
Bicycles, and similar vehicles, and equipment therefor (except valves for bicycle tires and tubes). (See also Order L-52.)
Binoculars, including opera glasses.
Bird and pet cages and stands.
Blow torches, gasoline, kerosene and alcohol (except when the only copper products or copper base alloy products used are for the pump barrel, including pump barrel collar, pump check valve assembly, pump cylinder cap, brazing material, pack nut, valve stem, burner and jet block, filler plug bushing, feed pipe bushings and pump bushings).
Bottle coolers.
Boxes, cans, jars and other containers.
Branding, marking, and labeling devices and stock for same (except where the devices and the stock are for affixing governmental, notarial and corporate seals). See also the item "Stencils • • •" on this list.
Brushes (except for the types used in electric motors and generators; and except for industrial brushes used for (a) applications requiring non-sparking characteristics, (b) burring of needles, (c) the manufacture of precision gauges, or (d) the manufacture of combat end-products complete for tactical operations (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks, and vehicles), when prescribed for field or combat use by the Army or Navy of the United States, or when prescribed for field or combat use by the Army or Navy of any foreign country, and (e) except for drawing, spacing, or binding wire for other industrial brushes where copper or copper base alloy wire is essential to the efficient performance of the brush). The term "drawing, spacing, or binding wire" does not include "stapling wire."
Cabinets.
Canes.
Carpet rods.
Cash registers.
Change making, and coin handling machines and devices (except for machines and devices, the production of which has been authorized under Order L-64-c).
Chimes and bells (except for any bells when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, and except for bells for use on board ship when the only copper products or copper base alloy products used are for parts necessary for conducting electricity or where the use of such products is essential to the proper functioning of the parts).
Clips.
Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.
Clock and watch cases.
Clothes line pulleys and reels and scrubbing boards.
Cooking utensils (except for commercial processing machinery when the only copper products or copper base alloy products used are permitted by the terms of Order L-292 or by a specific authorization of the War Production Board granted pursuant to such order).
Cooling towers (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity, heat exchangers, bearings, worm gears for speed reducers, and spray nozzles when the copper content of the brass in the nozzles does not exceed 80% and the tin content 2%).
Cutlery, including pocket cutlery (except when the only copper products or copper base alloy products used contain no nickel and are for rivets and lining of pocket cutlery).
Daubers for shoe polish.
Dishwashing machines (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-248 or by a specific authorization of the War Production Board granted pursuant to such order) and domestic garbage grinders.
Dispensers, hand, for hand lotions, paper products, soap and straws.
Dog collars and other similar harness and equipment for pets.
Domestic ice refrigerators as defined in Order L-7-c.
Domestic laundry equipment as defined in Order L-6 (except that copper products or copper base alloy products may be used in the assembly of new domestic laundry equipment when such assembly is specifically authorized by the War Production Board under Order L-6; and except that copper products or copper base alloy products may be used in the production of repair and replacement parts for domestic laundry equipment to the extent permitted by the terms of Order L-6).
Domestic mechanical refrigerators as defined in Order L-5.
Domestic vacuum cleaners as defined in Order L-18-b (except that copper products or copper base alloy products may be used in the production of repair or replacement parts for domestic vacuum cleaners).
Electric blankets.
Electric irons, portable, designed primarily to be used in ironing or pressing wearing apparel and having a self-contained heating element in which heat is generated by the passage of electricity (except that copper products or copper base alloy products may be used in the manufacture of current carrying parts and for plating).
Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.
Electrical appliances, as defined in Order L-65 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-65).
Electrolytic devices for the removal and prevention of scale in boilers and condensers.
Flashlights and lanterns powered by dry cell batteries (except when the only copper products or copper base alloy products used are for the plating of parts necessary for conducting electricity other than cases). For other lanterns, see the item "Lanterns • • •" on this list.
Fans, electric, as defined in Order L-176 (except when the only copper products or copper base alloy products used are permitted by the terms of Order L-176 or by a specific authorization of the War Production Board granted pursuant to such order).

Flower pots, boxes and holders for same.
Flower shears.
Food dispensing utensils, devices and machines.
Fountain pens (except that copper products or copper base alloy products may be used as an undercoating in the plating of outside functional parts).
Fountains (except drinking water fountains when the only copper products or copper base alloy products used are permitted by Schedules V and XII of Order L–42).
Furniture grommets.
Games as defined in Order L–81.
Garden tools and equipment.
Hair curlers, hair brushes and combs, shoe horns and button hooks.
Hand saw screws nuts and washers for attaching saw blades to the handle.
Hammers including mallets except heads for hammers and mallets when they are manufactured from scrap material generated by the plant in which they are intended to be used).
Health supplies, except the following:
Acoustic aids,
Anaesthesia apparatus and supplies,
Atomizers (medical use only),
Diagnostic equipment and supplies,
Hypodermic syringes and needles,
Infant incubators,
Instruments,
Laboratory equipment and supplies,
Medicinal chemicals (limited to medical use only),
Operating room supplies and equipment,
Ophthalmic products and instruments,
Physical therapy equipment (limited to medical use only),
Respirators, resuscitators and iron lungs,
Rubber hospital sundries,
Splints and fracture equipment,
Sterilizers, blanket and solution warmers,
Surgical and orthopaedic appliances (including artificial limbs and arms but not including arch supports),
Sutures and suture needles, and
X-ray equipment and supplies.
Hooks, including hat and coat hooks.
Ice cream freezers for use in the home.
Insect screening.
Kitchen utensils, devices and machines other than electrical appliances. For electrical appliances see the item "Electrical appliances • • •" on this list.
Kitchen and miscellaneous household articles.
Lace tips.
Ladders and hoists (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity), including fittings.
Lamps, electric (except that copper products or copper base alloy products may be used for parts necessary for conducting electricity, but only in the case of non-portable lamps for use in hospitals or in industry, otherwise than in offices, or in the case of bicycle lamps of the generator type).
Lamps, other than electric (except when the only copper products or copper base alloy products used are for valves, controls, and wicks, and for burners for mantle type kerosene lamps).
Lanterns (except for generators, valves, controls and fonts). This item does not apply to lanterns powered by dry cell batteries which are covered by the item "Flashlights • • •" on this list.
Lawn sprinklers, mowers, seeders and rollers.
Lighting fixtures for use outside of a building (except when the only copper products or copper base alloy products used are for parts necessary for conducting electricity). For lighting fixtures in a building see "Lighting fixtures" under the heading "Building Supplies and Hardware" on this list.
Livestock and poultry equipment (except for bull rings; and except when the only copper products or copper base alloy products used are for valves, controls, parts necessary for conducting electricity, and wafer thermostats).
Loose-leaf binders.
Luggage fittings, trim and hardware.
Manicure implements.
Match and pattern plates, matrices, and flasks.
Mattress buttons and furniture glides.
Medals, including decorations.
Mirrors.
Motion picture and projection equipment (i) except for parts to repair and maintain necessary existing equipment in public theaters and educational institutions and (ii) except for motion picture and projection equipment of the types the production and distribution of which is regulated by Order L–267 or Order L–325).
Name, identification, instruction and data plates.
Non-operating or decorative uses of copper or copper base alloy, or the use of the same in such parts of installations and equipment (mechanical or otherwise) as bases, frames, guards, standards and supports.
Package handles and holders.
Paint (except for ship bottoms).
Pari-mutuel, gambling and gaming machines, devices and accessories.
Pencils, mechanical (except that copper products or copper base alloy products may be used as an undercoating in the plating of outside functional parts.
Phonographs or other record players.
Photographic equipment and accessories ((i) except document copying machines and equipment therefor for business purposes and for use by the U. S. Post Office; (ii) except for X-ray equipment; and (iii) except for photographic equipment and accessories of the types the production and distribution of which is regulated by Order L–267).
Pins (except when the only copper products or copper base alloy products used contain no nickel and are used solely for heads or caps for laundry net pins and laundry identification pins).
Pleasure boat fastenings, fittings, hardware, and motors.
Pole-line hardware.
Powder, except for non-decorative uses.
Printing rollers (except to the extent that an equivalent poundage in copper or copper base alloy is returned to a brass mill in the form of old rollers or scrapings from old rollers).
Putty and scraping knives.
Radio receiving sets and vacuum tubes (except when their manufacture is permitted by the terms of Order L–265).
Razors operated by electricity (except for repair parts).
Razors not operated by electricity (except when the only copper products or copper base alloy products used in making safety razors or parts are for heads and for plating, and, in making straight razors or parts are for rivets, pins and washers.
Reclaimers for heating water.
Reflectors (except that copper products or copper base alloy products may be used as an undercoating in electroplating in connection with silvering).
Refrigerator display cases.
Saddlery hardware and harness fittings.
Scales, except commercial, industrial and laboratory scales and laboratory balances. (See also Order L–190.)
Screens and points for oil wells.
Seismograph loading pole couplings.
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communication facilities.
Signs, including street signs. (See also Order L–29.)
Slide fasteners, hooks and eyes, brassiere hooks, sew-on, machine attached or riveted snap fasteners, buckles, buttons, corset clasps, garter trimmings, hose supporters, personal hardware, pin fasteners, slides, and trouser trimmings; except as may be permitted by the terms of Order L–114 and eyelets, loops; staples, rivets, burrs and tacks for use on wearing apparel, except as may be permitted by the terms of Order L–114.
Slot, game and vending machines, including parking meters (except sanitary napkin vending machines when the only copper products or copper base alloy products used are for tumblers for locks).
Soda fountain equipment (except for repair and replacement parts manufactured in conformity with the inventory restrictions of Order L–98).
Sound equipment attachments for motion picture projection machines (except for attachments the production and distribution of which is regulated by Order L–325).
Sporting goods, and fishing and hunting equipment and supplies (i) except fishing equipment and supplies for commercial fishing use; and (ii) except ammunition made from copper base alloy products allotted to manufacturers for the purpose of making civilian ammunition.
Staples and staplers. "Staples" means any two-pronged metal fasteners made from wire or strip which are usually cohered and which are applied by a device especially designed for the purpose. The term "staples" does not include any fasteners applied by foot-operated or power-driven stitching machines, but it does include rolls of wire designed to be both formed and applied as "staples" by a hand-operated device. "Staplers" means any devices designed for the purpose of applying staples as fasteners. The term "staplers" includes among others, all devices commonly known as stapling machines and tackers, as well as hammers of the tacker type, but it does not include foot-operated or power-driven stitching machines.
Stationery supplies:
Desk accessories. (See also Order L–73.)
Office supplies. (See also Order L–73.)
Pencils. (See also Order L–227–b.)
Pens and penholders.
Statues.
Stencils, adjustable and otherwise (except for hand cut stencils for marking shipments).
Sundials.
Table flatware (except that copper products or copper base alloy products may be used as an undercoating in electroplating).
Telescopes.
Tent poles and parts.
Thermos jugs and bottles.
Tokens.
Toys.
Tying devices for laundry.
Unions and union fittings (except seats and except for other parts of unions and union fittings where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fitting makes the use of any other material dangerous or impractical). (See also Order L–288.)
Umbrellas.
Valve handles.
Valves over 2-inch size (except seats, discs, stems, yoke sleeves, yoke bushings, stem bearings and packing glands, and except for other parts of such valves (i) where and to the extent that the physical and chemical properties of the liquid or gas passing through the valve makes the use of any other material dangerous or impractical or (ii) where and to the extent permitted by the terms of Order L–252 or by a specific authorization of the War Production Board granted pursuant to that order).
Voting machines.
Weather vanes.
Weight reducing and exercising machines.
Wool.

MILITARY EXEMPTION LIST

(The effect of an item being on this list is explained in paragraph (f) (1) of the order.)
Bakery equipment (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this list.
Bicycle coaster brakes.
Binoculars.
Blow torches, gasoline, kerosene and alcohol (parts other than tanks, only).
Boxes, cans, jars and other containers (for radio and communications equipment and for powder charges).
Buttons and insignia for military uniforms when and to the extent that their manufacture is specifically authorized in writing by the War Production Board.
Carbonated beverage dispensing units and soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).
Conduits and pipe (for radio and electrical communications equipment).
Chronometer and watch cases.
Decorations as defined in Army and Navy Regulations when produced to fill purchase orders rated AA–3 or higher only.
Electric blankets.
Field ranges and ski stoves.
Fishing equipment and supplies for use on life boats and rafts.
Furniture hardware (for use within magnetic circle on board ship).
Hammers, including mallets.
Heaters, automotive (parts necessary for conducting electricity and radiators only).
Hoists, for handling powder, projectiles and explosives (for use on board ship).
Hot water heater coils for hospital, laundry and bakery projects.
Insect screening, when and to the extent that its manufacture is specifically authorized in writing by the War Production Board.
Instruction and data plates of wrought material of a gauge of 1/32d of an inch or less for use in aircraft, on board ship and on army ordnance fire control equipment (and of a gauge of 3/32d of an inch or less for use on board ship when name plates of such a gauge are specified by the Maritime Commission).
Instruction and data plates from cast material of a gauge of 5/32d of an inch or less or of 7/32d of an inch or less in the case of a ship builders name plate (for use on board ship but only if and to the extent specified by the specifications, other than performance specifications, of the governmental agency acquiring the plate).
Kitchen utensils devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts).
Ladders and stairs, for use in gasoline storage spaces on board ship (treads, only).
Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of copper products or copper base alloy products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this list.
Lighting equipment and accessories for use in aircraft, on board ship and for use in lighting aids for marine or aerial navigation, and for searchlights.
Locks and latches (for use on board ship) and padlocks (for use where non-sparking metal is necessary to prevent a hazard from explosives).
Mirrors, when they are to be installed on board ship and the only copper product or copper base alloy product used is for coating the backing of the mirror to a thickness not in excess of .0015 inch.
Motion picture and projection equipment.
Paint (for ship bottoms and flying boat hull bottoms).
Phonographs and other record players being produced on a rating of AA–6 or higher.
Photographic equipment and accessories.
Pins for hinges (for use on board ship).
Prescription scales (health supplies).
Safety lamps, flame type (for use on board ship and for use in other places where there is danger of explosion).
Shells and caps for electric sockets (for use in aircraft and on board ship).
(i) Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots, aircraft, Navy Bureau of Aeronautics and Army Air Force equipment and accessories, Navy winter N–1 suits including trouser and jackets, Signal Corps equipment and accessories, and submarine boat equipment, being produced on a rating of AA–3 or higher; and (ii) sew-on, machine attached or riveted snap fasteners, buckles, eyelets, staples, rivets and burrs, being produced on a rating of AA–3 or higher.
Sound equipment attachments for motion picture projection machines.
Telescopes.
Unions and union fittings (for use on board ship).
Valve handles (for use within magnetic circle on board ship).
Valves (for use on board ship).
Valves of vacuum type, up to 3 inches.

NOTE: Interpretations 1–4 are obsolete.

INTERPRETATION 5

USE OF COPPER IN THE MANUFACTURE OF CERTAIN DRAINS AND STRAINERS

Copper Conservation Order M–9–c, as amended December 10, 1941, specifically prohibited any person from using after March 31, 1942, any copper or copper base alloy in the manufacture of gutters, leaders or downspouts, or accessories thereto, and of all roofing items, to go on private buildings. These provisions have remained in the order without interruption.

In addition, since May 7, 1943, paragraph (d) (1) of Order M–9–c (relettered as paragraph (c) (1) when the order was amended on October 4, 1943), has provided that no manufacturer may continue to manufacture from copper or copper base alloy, any article the manufacture of which, with copper or copper base alloy, is not specifically prohibited by the order, if it is practicable to use any material less scarce than copper, brass or bronze to make the article.

For some time, many manufacturers have been making floor, roof, cesspool and shower drains and strainers out of galvanized steel or iron; and it has been demonstrated that the use for such purposes of this type of material instead of copper or copper base alloy is practicable for all uses to which these articles are put except their use in places where explosives are handled or stored or where explosive vapors may be present. Furthermore, the types of iron and steel used as well as zinc, are less scarce materials than copper or copper base alloy.

Accordingly, manufacturers are prohibited by Copper Conservation Order M–9–c from using brass or other copper and copper base alloy materials to make all roof, floor, cesspool and shower drains or strainers, even if the drains or strainers are not accessories to gutters, leaders or downspouts, or roofing items. An exception to the foregoing arises in the case of drains or strainers for floors in places where explosives are handled or stored or where explosive vapors may be present. (Issued Oct. 19, 1943.)

[F. R. Doc. 44–13251; Filed, August 31, 1944; 10:30 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–38, as Amended Aug. 31, 1944]

INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel, copper, and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.6 *Limitation Order L–38*—(a) *Purpose and scope.* The general purpose of this order is to assure that the limited quantities of refrigeration and air conditioning equipment being produced will be delivered to those persons who need it most; to explain the methods for applying for priority help when a buyer needs such equipment; and to limit manufacture to the extent necessary to avoid interference with war programs. An ultimate consumer may apply a MRO rating to get a new system or new parts to replace his equipment which has worn out, but in most cases he must apply to the War Production Board to get additional equipment. Dealers and distributors must have orders rated AA–5 or higher to get new systems or parts for inventory. Manufacturers may not produce any of certain kinds of equipment, and have quotas for other kinds. It will be noted that certain types of equipment, such as domestic refrigerators, are not included in this order, as they are covered by other orders of the War Production Board.

Definitions

(b) *Definitions.* For the purpose of this order:

(1) "System" means any refrigerating or air conditioning system, consisting of an assembly or combination of machinery, equipment, or other apparatus designed primarily to lower temperature or remove water vapor, directly or indirectly, by mechanical, chemical or physical means. The term does not include a domestic mechanical refrigerator, a domestic ice refrigerator, or heat exchanger equipment, as defined, respectively, in paragraphs (b) (5), (b) (6) and (b) (9) of this order; or coils or low sides which are incorporated into "food processing machinery" (as defined in Order L-292). The term includes the equipment used in a domestic air conditioning system for reducing the temperature of air, but not the furnace or warm air distribution system. It does not include electric fans (see Order L-123 and Order L-176), nor does it include an ice storage house requiring no refrigeration equipment (see Order L-41, as to when permission to construct is necessary).

(2) "Parts" includes any assemblies of parts, equipment, insulated enclosures and cold storage doors (except insulation materials used therein), accessories, implements or devices designed or intended for incorporation or use in a system or for installation therewith in causing it to perform its functions, except the following materials:

Liquid or gaseous refrigerants
Oil or other lubricants
Cleaning fluids or other solvents
Anti-freeze fluids
Drying agents
Paints, enamels, varnishes, thinners and seam fillers
Wax polishes and rust preventives
Soldering and brazing fluxes and welding rods
Non-metallic filters
Belts and belting
Gaskets
Packing
Insulation materials
Small hardware, such as nuts, bolts, washers, screws and cotter pins

(3) "Producer" means any person to the extent that he is engaged in the manufacture, fabrication, or assembly of new systems or parts, or industrial type extended surface heating equipment, or industrial type humidifying equipment. The term does not include any sales or distribution outlet of a producer.

(4) "Deliver" means: (i) to transfer physical possession, title, or ownership; or (ii) to install for use (but not including a temporary installation solely for the purpose of testing the system or part, or the moving of an installed system from one point on the owner's property to another); or (iii) to place in the hands of any carrier or otherwise in transit for transfer of possession to another person; (regardless of whether such transfer, installation, or shipment is for the purpose of sale, trade, loan, lease, consignment, or other type of transaction).

(5) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating), but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(6) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(7) "Industrial type extended surface heating equipment" means any apparatus employing a heat transfer element and designed primarily to increase the temperature of gaseous matter, in connection with the operation of any refrigerating or air conditioning system.

(8) "Industrial type humidifying equipment" means any apparatus designed primarily to add water vapor to gaseous matter, in connection with the operation of any industrial or commercial refrigerating or air conditioning system, or for any purpose other than the health or comfort of persons.

(9) "Heat exchanger equipment" means an assembly, bundle or nest of bare or finned tubes installed in a shell or pressure vessel, and designed for the transfer or exchange of heat between two or more fluids (liquids, gases, or vapors), without the use, as a refrigerant, of (i) ammonia, carbon dioxide, methyl chloride, sulphur dioxide, or chlorinated hydro-carbon refrigerants (trichloromonofluoromethane monochlorodifluoromethane, dichlorodifluoromethane, dichloromonofluoromethane, trichlorotrifluoroethane, and dichlorotetrafluoroethane), or (ii) brine or water which has been cooled by the use of ice or any of such refrigerants.

(10) "For direct use by the Army, Navy, Maritime Commission or War Shipping Administration" means for direct use by the regular personnel or regular employees of such an agency only (or "for military exchanges or service departments" under Priorities Regulation 17), but regardless of whether delivery is made by the producer or dealer directly to such an agency, or through or to an intermediate dealer or contractor. The term does not mean for use in any privately operated plant or shipyard financed by, or controlled by, any of such agencies, or operated on a cost-plus-fixed-fee basis.

Restrictions on Deliveries

(c) *AA-5 or higher ratings required.* No person shall deliver or accept delivery of any new system, any new parts, any new industrial type extended surface heating equipment, any new industrial type humidifying equipment or any reconditioned system containing a new condensing unit (with or without motor or controls) or containing a new compressor unit, except under an order rated AA-5 or higher. Certain exceptions are made in (f) below. Paragraph (e) explains what form should be used in applying for ratings.

(d) *Restriction on use of blanket MRO ratings; exceptions to this rule.* (1) The blanket MRO ratings (as defined in (e) (2) of Priorities Regulation 3) assigned by CMP Regulations 5 and 5A or any other regulation, order, or certificate may not be used to get any new system, condensing unit (with or without motor or controls), compressor unit, low side, evaporator, cold storage door, insulated enclosure, or any reconditioned system containing a new condensing unit (with or without motor or controls) or containing a new compressor unit, unless it is needed to replace equipment of substantially the same size or capacity which has become worn out or damaged beyond repair while in the purchaser's possession and unless he has had it at least ninety days. In addition, no blanket MRO rating may be used to get any new parts to enlarge the size or capacity of any used or reconditioned system or to improve its design or change its function. If new equipment is needed for the purposes prohibited under these rules, it should be applied for in accordance with (e) below.

(2) The restrictions in (d) (1) above do not apply to the use of AA-1 blanket MRO ratings assigned by CMP Regulation 5, or 5A or any preference rating order, providing the equipment is to be installed and operated in the production area, cafeteria or restaurant of an industrial plant (excluding offices, recreation rooms, conference rooms, drafting rooms, first aid rooms, change and rest rooms, and dispensaries).

(e) *How to apply for ratings.* (1) When an ultimate consumer needs a new system, new parts, new industrial type extended surface heating equipment or humidifying equipment, and may not use his MRO rating to get them, he should apply on Form WPB-617, or other appropriate construction form when permission for construction is required. Form WPB-1319 should be used in all other cases. (These forms are not required for equipment to be delivered for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.)

(2) Distributors or dealers who need such new equipment for inventory should extend their customers' ratings, and may apply on Form WPB-547 (formerly PD-1X) to get additional inventory from producers, or on Form WPB-541 (formerly PD-1A) if they buy from distributors.

(3) Applications for new systems or parts for export should be made on Form WPB-1319 and such other applicable forms as may be required by FEA regulations, or in accordance with Priorities Regulation 9.

(f) *When rated orders not required.* A rated order is not necessary under this order for the following transactions (although other orders, such as L-123, may still require a rating for particular parts, such as electric motors):

(1) When a repairman under CMP Regulation 9A or Order P-126 installs any part for a farmer or householder, in repairing a system owned or operated by the latter, if the repairman merely replaces a part of substantially the same size or capacity which the repairman knows or has reason to believe has become worn out or damaged beyond repair while in the purchaser's possession and after he has had it for at least ninety days.

(2) The delivery and receipt of a complete new farm milk cooler, or a new system to be used in a farm milk cooler owned by a farmer, when the purchaser has a purchase certificate from a county farm rationing committee under applicable orders of the War Food Administration. A dealer who has received a specific order from a farmer having a purchase certificate may apply a preference rating of AA-3 to his order, in accordance with Priorities Regulation 3, to get a farm milk cooler or system to fill the farmer's order, or to replace in his inventory the cooler or system used to fill the order. Ratings to afford the dealer an additional inventory, however, must be applied for on WPB-547 or WPB-541 as explained in (e) (3) above.

(3) (i) Any transfer to a trustee or receiver for the benefit of creditors or (ii) the return of an unused system or parts to the person from which purchased (although after such return the equipment remains subject to this order as new equipment).

(4) *Deliveries on Z-1 orders.* A rating of AA-5 or higher is not necessary for the delivery of any insulated enclosure or parts on an order identified by the allotment symbol Z-1. However, special restrictions on the delivery of condensing units, compressors, and temperature and refrigerant controls are contained in paragraph (g) (3).

(g) *Restrictions on production—(1) New systems, and parts for new systems.* During the calendar year starting January 1, 1944, and during each subsequent calendar year, no person shall manufacture or assemble more of any "class" of new systems or parts of new systems (not including parts for maintenance and repair) as shown on Schedule A, than his quota for that class. There is no quota for any person for any item which is followed by the figure "0" in the column headed "Quotas" in the schedule; except that the items marked with an asterisk may be produced to the extent necessary to fill accepted orders for items to be delivered for direct use by the Army, Navy, Maritime Commission, War Shipping Administration, or Veterans' Administration. Where a quota is given in that column for a particular item, each person's quota for that class is to be computed in terms of aggregate dollar volume (producer's sales price at the factory, exclusive of installation charges), and is the greater of the following two quantities:

(i) His dollar volume of all unfilled orders on hand rated AA-5 or higher for that class of new system or parts; or

(ii) The percentage, as specified in the "Quotas" column of Schedule A, of the aggregate dollar volume of that class of new systems or parts produced by him during the calendar year 1940, in addition to his current production required to fill all orders, for direct use by the Army, Navy, Maritime Commission, War Shipping Administration, or Veterans' Administration.

Any person may manufacture and assemble parts for maintenance and repair without reference to these quota restrictions and should not include them in the above quotas.

(2) *Production under special authorizations.* Additional quotas may be authorized under special provisions. For example, see Direction 1 on evaporative coolers.

(3) *Production under Priorities Regulation 25.* Any person who wishes to produce any items of a "class" for which he has no quota or a limited quota under Schedule A, may apply for permission to do so as explained in Priorities Regulation 25. The following special restrictions apply to all production authorized under Priorities Regulation 25: No person may use in the manufacture or assembly of any item on Schedule A, as authorized under Priorities Regulation 25, any new condensing unit, compressor, temperature controls, except:

(i) Condensing units, compressors, or controls obtained from excess stock under Priorities Regulation 13, or the use of which in such production has been authorized in accordance with Direction 4 to Priorities Regulation 1; or

(ii) Condensing units, compressors or controls bought on an order identified by the allotment symbol Z-1 assigned under Priorities Regulation 25, and supplied by a manufacturer, either directly, or through a dealer, jobber, or manufacturer's distribution outlet. A dealer, jobber, or outlet must not deliver, to fill such an order, a new condensing unit, compressor or control from stock or one obtained by use of a rating assigned on Form WPB-547 (PD-1X), but may obtain the condensing unit, compressor or control only by extending the Z-1 symbol (and AA-5 rating, if any) to his supplier after he has received a specific order bearing such an allotment symbol.

Miscellaneous Provisions

[NOTE: Paragraph (h) formerly (i) redesignated, former paragraph (h) deleted Aug. 31, 1944]

(h) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless this order states otherwise.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order, other than the production restrictions of paragraph (g), shall be made by filing a letter in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provisions appealed from stating fully the grounds of the appeal. No appeal should be filed from the restrictions of paragraphs (g) (1) or (g) (2).

(4) *Communications.* All reports to be filed and other communications concerning this order (except appeals), unless otherwise directed, should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-38.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Lists A, B, C, and D revoked Aug. 31, 1944.

SCHEDULE A—PRODUCTION QUOTAS FOR CLASSES OF SYSTEMS AND PARTS

[Schedule A added Aug. 31, 1944.]

The following classes of systems and parts are to be used in figuring the permitted quotas for any calendar year under paragraph (g) (1). If the producer's quota for any class (not marked "0") would be greater under the paragraph (g) (1) (i), he can produce enough of that class needed to fill all unfilled orders on hand rated AA–5 or higher for that class, referred to as "r. o." (rated orders) in the Schedule below. If it would be greater under (g) (1) (ii) for the calendar year, his quota for the class is the specified percentage of the dollar volume of that class made by him in 1940, plus the quantity needed to fill all unfilled orders for direct use by the Army, Navy, Maritime Commission, War Shipping Administration, and Veterans' Administration. (Parts for maintenance and repair are not counted in the quotas).

The first column below describes each class of systems or parts for which quotas are fixed. The second column shows the alternative quotas that each producer is allowed.

System or part:	Quotas
1. High side equipment of all types, including (but not limited to) condensing units, compressor units, centrifugal machines, and condensers	25% or r. o.
2. Low side equipment of all types, including (but not limited to) fin coils, (gravity and forced air) unit coolers, and plate type evaporators	25% or r. o.
3. Air conditioning units, self-contained, store type, under 3 h. p.	0.
4. Air conditioning units, self-contained, store type, 3 h. p. and over	25% or r. o.
5. Air conditioning units, self-contained, room coolers	0.
6. Beer precoolers	0.
7. Blood plasma cabinets, rivet coolers and industrial low temperature cabinets, except for food freezing or food storage	25% or r. o.
8. Bottled beverage equipment	0.
9. Bulk beverage dispensing equipment	0.
10. Counter and back-bar refrigerators	0.
11. Display cases, refrigerated, of all types	0.
12. Drinking water coolers (non-mechanical)	0.
13. Drinking water coolers (mechanical), bottle type	0.
14. Drinking water coolers (mechanical), pressure type, under 5 gals. per hour capacity (based on ambient temperature of 90° F. while reduced water from 80° F. inlet to 50° F. outlet using a waste-water precooler using 60% spill)	0.
15. Drinking water coolers (mechanical), pressure type, 5 gals. per hour and over capacity (based on ambient temperature of 90° F. while reducing water from 80° F. inlet to 50° F. outlet using a waste-water precooler using 60% spill)	25% or r. o.
16. Evaporative coolers ("desert coolers") 2000 c. f. m. and over	25% or r. o.
17. Evaporative coolers ("desert coolers") less than 2000 c. f. m.	0.[2]
18. Farm freezers (for the freezing and storing of food on a farm)	0.
19. Home freezers and storage cabinets	0.
20. Ice cream freezers, 20 qt. capacity and less [1]	0.
21. Ice cream and frozen food dispensing equipment [1]	0.
22. Ice cube makers, self-contained, cabinet type	0.
23. Low temperature cabinets, commercial, for food freezing or food storage, other than for ice cream	0.
24. Reach-in refrigerators of all types	25% or r. o.
25. Salad coolers (Bain Marie), mechanical	0.
26. Soda fountain equipment, refrigerated, of all types [1]	0.
27. Walk-in coolers (not including beer pre-coolers)	25% or r. o.
28. All other systems and insulated enclosures	25% or r. o.

[1] May be built to fill orders for the Army, Navy, Maritime Commission, War Shipping Administration, or Veterans' Administration.

[2] See (g) (2) of the order.

NOTE: The name or description of any "class," as listed above, includes all fixtures, items or parts which are within the meaning of such name or description as customarily used within the trade or industry; and does not include any fixture, item or part not within such meaning. This applies in all cases, even though a particular fixture or item in a certain class could be used for the same purpose, or a similar purpose, as an item or fixture in another class.

Examples. A home freezer may not be produced on the theory that it could or may be used as an industrial low temperature cabinet; nor may an industrial low temperature cabinet be produced for delivery as a home freezer. A beer pre-cooler may not be produced on the theory that it could or may be used as a walk-in cooler; nor may a walk-in cooler be produced for delivery as a beer pre-cooler.

[F. R. Doc. 44–13253; Filed, August 31, 1944; 10:31 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L–89, as Amended Aug. 31, 1944]

ELEVATORS AND ESCALATORS

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of elevators and escalators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.32 *General Conservation Order L–89*—(a) *Definitions.* For the purpose of this order:

(1) "Elevator" means any hoisting or lowering mechanism, equipped with a car or platform which moves in guides in a substantially vertical direction; including electric, hydraulic and hydro-electric elevators, electric dumbwaiters, home lifts and elevettes; but excluding mine material hoists, man lifts, platform lifts and portable elevators. The term shall also mean inclinators, and electrically operated elevating devices appurtenant to stationary stairways.

(2) "Escalator" means a moving inclined continuous stairway or runway used for raising or lowering persons.

(3) "Order" means any commitment or other arrangement for the ultimate delivery of an elevator, escalator, or parts or accessories therefor within the United States or Canada.

(4) "Export order" means any commitment or other arrangement for the ultimate delivery of an elevator, or elevator or escalator parts or accessories therefor, outside the United States or Canada.

(5) "Approved order" means (i) any order for a new elevator bearing a preference rating of AA–5 or higher authorized on Form WPB–617 (formerly PD–200), except an order for a new elevator to replace the existing one or to install in an existing shaft, (ii) any order for parts or equipment for an elevator or escalator bearing a rating of AA–5 or higher involving less than $500, exclusive of installation labor costs, except an order for spare or maintenance parts not required for immediate use if, by its fulfillment, the parts inventory of the purchaser is increased beyond $50 for each elevator operated by him or if his total purchase of such parts would thereby exceed $100 for each elevator in any calendar year, or (iii) an order for repair or maintenance parts in whatever amount may be the minimum necessary when there has been an actual breakdown, or suspension of operations of an elevator or escalator is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. No order shall be subdivided for the purpose of coming within subdivision (ii) of this subparagraph. The term "any order" includes a group of orders for equipment for one or more elevators or escalators where all of the equipment is customarily purchased as part of a single order.

(6) "Maintenance" means the minimum upkeep necessary to continued operation of an elevator or escalator in sound working condition, and "repair" means the restoration of an elevator or escalator to sound working condition when rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(b) *Restrictions on accepting orders or export orders.* (1) No person shall manufacture an escalator except as authorized under Priorities Regulation 25, and no person shall accept an order for delivery of an escalator except for one

manufactured in accordance with authorization given under that regulation.

(2) The following restrictions apply to acceptance of an order or an export order for a new elevator or for elevator or escalator parts or accessories. (i) No person shall accept an order, except an approved order, without authorization in writing from the War Production Board. Application for authorization shall be filed by the purchaser with the War Production Board on Form WPB–1236 in accordance with instructions contained on the Form. The War Production Board may grant an application filed with it on such conditions, if any, as it may prescribe. (ii) No person shall accept an export order without approval by the Foreign Economic Administration of an application for a license to export the items covered by such order to which a rating has been assigned by the Foreign Economic Administration in accordance with authority delegated to it by the War Production Board. Applications for export licenses shall be filed with the Foreign Economic Administration and shall include a description of the elevators or elevator parts or accessories.

(3) Any person may accept and fill an unrated order for an elevator as provided in Priorities Regulation 24. The provisions of Priorities Regulation 24 with respect to unrated orders do not apply to the sale or production of escalators, and escalators may be sold on unrated orders, as provided in paragraph (b) (1) of this order, without regard to the restrictions of that regulation.

(c) *Restrictions on use of materials.* No non-ferrous metals (except aluminum and magnesium) or stainless steel shall be used in the manufacture of car enclosures, facias, hanger covers, car doors or gates, hoistway doors, car or landing thresholds or face plates of operating or signal fixtures; or in the manufacture of parts therefor.

(d) *Exemptions.* (1) The restrictions of paragraphs (b) and (c) of this order shall not apply to any elevator or elevator parts, equipment or accessories, to be installed and used aboard any ships owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(2) The restrictions of paragraph (b) shall not apply to an order placed by a manufacturer or dealer for elevator or escalator parts, equipment or accessories to be delivered for further manufacture or for resale for maintenance and repair purposes.

(e) *Miscellaneous provisions*—(1) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time require. Specific reports and questionnaires will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time. Where the limitations imposed by other L, M or R orders are applicable to the subject matter of this order, the most restrictive limitation shall apply.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (b) (1) shall be made by filing Form WPB–1477 (formerly PD–500) or by letter in triplicate, referring to the provisions appealed from and stating fully the grounds for the appeal. The appeal shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) (1).

(5) *Communications.* All reports required to be filed hereunder, and all communications, concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L–89.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Paragraph (b) (2) provides that no person shall accept an order (except an approved order) unless the order has been authorized on Form WPB–1236 (this restriction not applying to acceptance of orders exempted under paragraph (d)). An "approved order" (as defined in paragraph (a) (5) (iii)), includes an order for repair or maintenance parts for an elevator or escalator where suspension of operations is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. A suspension of operations may be considered imminent if the condition of the cables of an elevator or the steps or hand rails of an escalator or of any other parts of an elevator or escalator would make definitely dangerous its continued operation without making the repairs; and such condition may be assumed where the cables, steps, hand rails, or other parts have been condemned pursuant to a state law or municipal ordinance requiring suspension of operations unless their repair or replacement is made within the period (normally 30 to 90 days) specified on the inspector's report. However, a possible future breakdown cannot be considered as meaning that suspension of operations is imminent. [Issued May 29, 1944]

INTERPRETATION 2

ELEVATORS AND ESCALATORS; ORDERS FOR MATERIAL AND LABOR EXCEEDING $500

Some question has arisen as to whether an order rated as AA–5 or higher pursuant to CMP Regulation 5 or 5A is an "approved order" as defined in paragraph (a) (5) (ii) of Order L–89 if material alone cost less than $500 but material and labor installation together exceed $500. An order for material costing less than $500, other than material to be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is an approved order, as defined in Order L–89, even though the cost of both material and labor exceeds $500 and even though installation is made by the seller of the material as a normal business practice under a single fee for both material and labor. However, an MRO order for material costing less than $500, which will be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is not an approved order, as defined in Order L–89, if the material and labor together amount to more than $500 and the installation is made by the seller of the material as a normal business practice under a single fee. (See Interpretations 8 and 11 to CMP Regulation 5.) [Issued May 29, 1944]

[F. R. Doc. 44–13260; Filed, August 31, 1944; 10:30 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L–268, Revocation]

OXY-ACETYLENE APPARATUS

Section 1226.102 *General Conservation Order L–268* is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Order L–123, as amended.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13261; Filed, August 31, 1944; 10:32 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L–292, as Amended Aug. 31, 1944]

FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77 *General Limitation Order L–292*—(a) *Definitions.* For the purpose of this order:

(1) "Processor" means any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution, including the operation of a food processing plant on a farm. It does not include (i) a person to the extent

that he engages in the production or raising of crops, livestock, or other farm produce; or (ii) a person to the extent that he prepares food for consumption on the premises (such as a hotel or restaurant), or distributes it at retail (such as a grocery or retail meat market); or (iii) governmental agencies processing food for governmental use, hospitals, charitable institutions processing food for their own use, or educational institutions.

(2) "Food processing machinery" means new machinery and equipment, of the kinds specified in Schedule A with a retail sales value of $50 or more for each machine or piece of equipment, excluding (i) refrigerating machinery and equipment as defined in Limitation Order L–38, (ii) machinery and equipment used on a farm for production of food or tobacco or on a fishing vessel for handling food, prior to delivery to a processor, (iii) scales and balances as defined in limitation Order L–190, (iv) conveying machinery as defined in Limitation Order L–193, (v) machinery and equipment used for packaging, filling or labelling containers, except as otherwise indicated in Schedule A, (vi) oil processing machinery and equipment used in processing animal, fish and vegetable fats, oils and greases, and (vii) water filters as water-treating equipment.

(3) "Manufacturer" means any person engaged in the making or assembling of food processing machinery; and includes his subsidiaries and affiliates in the same business.

(4) "Dealer" means any person except a manufacturer engaged in the business of buying and reselling food processing machinery.

(5) "Approved order" means any order for delivery (under sale, lease, consignment or otherwise) of food processing machinery bearing (i) a rating of AA–5 or higher assigned on any WPB or FEA Form listed in paragraph (c) or (ii) a CMP Regulation 5 or 5A rating applied to replace an existing piece of machinery of substantially the same size and capacity, worn out or damaged beyond repair.

(b) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of food processing machinery except on an approved order. Any person who places an approved order shall in addition to the certification used in applying the rating (Priorities Regulation 3 or 7) give the form number upon which he received the rating, or if the rating was assigned by CMP Regulation 5 or 5A, he shall add to the certification a statement substantially as follows: "This rating was assigned by CMP Regulation 5 (or 5A) and the machinery is ordered to replace other machinery of substantially the same size and capacity, worn out or damaged beyond repair."

(2) The restrictions of subparagraph (1) above shall not apply to: (i) Deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace in inventory machinery delivered by him to fill approved orders, (ii) delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commission, or War Shipping Administration, (iii) delivery to a manufacturer of food processing machinery to be incorporated into other food processing machinery, or (iv) delivery of food processing machinery from one portion of an enterprise manufacturing, building or assembling it to a portion using it, when the material for its production was obtained by the manufacturer in accordance with Direction 34 of CMP Regulation 1.

(c) *Instructions for obtaining an approved order other than pursuant to a CMP Regulation.* (1) Processors seeking food processing machinery for delivery within the United States or Canada, in order to get a rating should file:

(i) Form WPB–617 with the War Production Board for any food processing machinery which is to be installed as part of a project approved under Order L–41.

(ii) Form WPB–748 with the War Food Administration for all other dairy, egg or poultry processing equipment.

(iii) Form WPB–576 with the War Food Administration for all other canning machinery or equipment.

(iv) Form WPB–3155 with the War Food Administration for all other meat canning, meat packing and meat processing machinery or equipment.

(v) Form WPB–541 with the War Production Board for any other food processing machinery.

(2) All persons, other than processors, seeking any food processing machinery for delivery within the United States or Canada should file Form WPB–541 with the War Production Board.

(3) All persons, including processors, seeking any food processing machinery for export by them to other than Canada should file Form WPB–541 or Form FEA–419, whichever is appropriate with the War Production Board.

(d) *Restrictions on manufacture.* No manufacturer shall make or assemble any new food processing machinery or equipment of the kinds listed on Schedule B except as permitted by production quotas assigned under paragraph (f) of this order. The limitations and restrictions of this paragraph shall not apply to the manufacture of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were made before June 5, 1943.

(e) *Conservation of critical materials.* No person shall use stainless steel or tin, copper or copper base alloys, secondary copper-nickel alloys (white metal) made from scrap or remelt, nickel or chromium, in the manufacture or assembly of any food processing machinery except in contact parts or corrosion points. (As used herein "contact parts" means those parts which come in direct contact with any food products. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.) These restrictions on the use of materials shall not apply to repair parts for food processing machinery produced before June 30, 1943, if parts made of other material would not be interchangeable with the parts to be repaired or replaced. This paragraph also does not restrict the use of copper and copper-base alloys in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers.

(f) *Production quotas.* The War Production Board may at any time issue schedules as amendments to this order, fixing production quotas for certain types of food processing machinery. From the effective date of any such schedule no manufacturer may carry on production except as permitted by the schedule or schedules applicable to the food processing machinery made or assembled by him. The reference to "quota provisions of paragraph (g) (2) (ii) of Order L–292" in schedules issued by the War Production Board before March 11, 1944 shall, for the purpose of such schedules, mean this paragraph (f) of Order L–292.

(g) *Miscellaneous provisions*—(1) *Reports.* On or before the 15th day of each calendar month, each manufacturer shall file a report on Form WPB–2721. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) [Deleted Aug. 31, 1944.]

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L–292.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make or assemble more food processing machinery or equipment (including the kinds listed in Schedule B) than the quotas fixed under paragraph (f) of this order and schedules issued in accordance with that paragraph (including a person who has no quota under this order or the applicable schedule), may apply for permission to do so as explained in Priorities Regulation 25. Any quota restrictions in the applicable schedules based upon the necessity of having rated orders on hand do not apply to production authorized under that regulation.

(2) *Appeals.* Any appeal from the provisions of this order other than the quota restrictions of paragraph (d), paragraph (f) and the schedules issued under paragraph (f), should be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant to which the appeal relates. No appeal should be filed from the quota restrictions of paragraph (d), paragraph (f) or the schedules issued under paragraph (f).

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery" under paragraph (a) (2).

1. Baking and macaroni processing machinery and equipment. This term includes all preparation and processing machinery and equipment, and slicing and wrapping machinery used in commercial bakeries.

2. Brewing and winery machinery and equipment, including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, freezing, and fresh packing of fruits, vegetables, fishery products including fishery by-products) and all other human or animal food. It also includes preparation machinery and equipment used for dehydrating such foods. It does not include (i) preparation equipment for meat and meat products (ii) home canning and home dehydrating equipment (iii) container sealing and closing and jar capping machines (iv) refrigerating equipment, and (v) steam jacketed kettles regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 60 pounds per square inch, as governed by Limitation Order L–182. (Machinery for filling, labeling and casing dehydrated foods is covered by Order L–332.)

4. Coconut shredding and processing equipment.

5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.

6. Confectionery machinery and equipment.

7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, eggs and poultry, including bottling, bottle capping and bottle labeling machinery and equipment and wrapping machinery but excluding (i) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (ii) machinery or equipment covered by the provisions of Limitation Order L–257.

8. Flour, grain, feed milling and processing machinery and equipment and seed cleaning equipment.

9. [Deleted Nov. 22, 1943]

10. [Deleted Mar. 11, 1944]

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes power-driven disc and blade saws (of fractional horsepower or more), band saws (1 horsepower or more), slicers (1 horsepower or more), and grinders (1 horsepower or more), and all other machinery and equipment used in the preparation and processing of meat products, filling, labelling and casing machinery, except (i) home canning equipment, (ii) container sealing and closing and jar capping machines, and (iii) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labelling machinery and equipment but excluding refrigeration machinery and equipment.

13. Sugar processing machinery and equipment.

14. Tobacco processing machinery and equipment, including wrapping machinery.

15. [Deleted Mar. 11, 1944]

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless specifically provided for under the terms of paragraph (f).

1. [Deleted Mar. 11, 1944]
2. [Deleted Mar. 11, 1944]
3. All cocoanut shredding and processing equipment.
4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated coffee.
5. All confectionery machinery.
6. [Deleted Mar. 11, 1944]
7. [Deleted Mar. 11, 1944]
8. [Deleted Mar. 11, 1944]
9. [Deleted Mar. 11, 1944]
10. [Deleted Mar. 11, 1944]
11. [Deleted Mar. 11, 1944]
12. [Deleted Mar. 11, 1944]
13. [Deleted Mar. 11, 1944]
14. Tobacco processing machinery and equipment, including wrapping machinery.

SCHEDULE C

[Deleted Mar. 11, 1944]

SCHEDULE D

[Deleted Mar. 11, 1944]

INTERPRETATION 1

FOOD PROCESSING MACHINERY

Paragraph (a) (5), in defining "approved orders" for food processing machinery, includes orders bearing a preference rating of AA–5 or higher assigned on certain specified forms (WPB–617, 576, 748, etc.) These forms in some cases call for the name and address of the supplier.

In these cases, the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-per-minute dairy can washer costing $1000 may not be used to get a 6-can-per-minute can washer costing $2500. Similarly, a rating for a copper lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited. [Issued March 31, 1944.]

INTERPRETATION 2

FOOD PROCESSING MACHINERY

In accordance with paragraph (f) of General Limitation Order L–292, as amended, certain quota schedules have been established limiting the amount of controlled materials which may be used in manufacturing certain classes of food processing machinery during a specified quota period. The quota is a percentage of the average annual amount of such material consumed during a specified base period. The percentage applies to each controlled material (steel, copper or aluminum) separately. No part of the percentage of one controlled material shall be added to the total percentage of another. However, the permitted percentage of a particular controlled material may be divided in any way between the several categories of such material. For example: where a manufacturer is permitted to consume during the quota period 110% of the average annual amount of steel and copper he consumed during the base period, he is not permitted to apply part or all of his steel quota to his copper quota and thereby exceed his copper quota of 110%. However, he may consume during the quota period such amount of carbon steel and such amount of alloy steel as he chooses provided the aggregate does not exceed 110% of the average annual amount of steel consumed during the base period. This rule is subject to the restriction of any order of the War Production Board against the use of a higher grade or larger quantity of material than is necessary (for example, see paragraph (c) (1) of Order M–9–c, dealing with copper). [Issued April 3, 1944.]

[F. R. Doc. 44–13256; Filed, August 31, 1944; 10:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–138, as Amended Aug. 31, 1944]

ISTLE

§ 3290.261 *Conservation Order M–138*—(a) *Definitions.* For the purposes of this order:

(1) "Istle" means raw unprocessed pita and palma istle of the grade "fair average quality" only.

(2) "Istle product" means yarn, roving, or twine or products made therefrom processed from "istle," alone or in combination with other fibers.

(3) "Processor" means any person who processes "istle" or any "istle product."

(4) "Damaged istle" means "istle" that has been rejected by Defense Supplies Corporation, or "istle" upon which an adjustment has been made by an insurance adjuster as a result of any kind of damage making a given bale or bales unsuitable, wholly or in part, for use in the manufacture of products permitted by this order.

(5) [Deleted July 5, 1944]

(6) [Deleted July 5, 1944]

(b) *Importation of istle.* The importation of istle and istle products is subject to the provisions of General Imports Order M–63 as amended from time to time.

(c) *Processing restrictions.* (1) No person shall put into process any istle or istle product, except for incorporation into any of the following products:

(i) Rope.

(ii) Twine, provided only palma istle is used.

(iii) Any product for ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States, the Maritime Commission or War Shipping Administration.

(iv) Any product, for the manufacture of which any istle or istle product is allocated in accordance with paragraph (e).

(2) No processor shall use in any calendar month more than 25 per cent of the quantity of palma istle which he used in the period from January 1, 1944, through March 31, 1944.

(d) *Restrictions on the use of damaged istle and damaged istle products.* Any processor or dealer who has in his possession damaged istle defined in paragraph (a) (4), or istle products defined in paragraph (a) (2) that are damaged, shall report to the War Production Board the nature of the damage and the quantity not suitable for the manufacture of the products, or for the end uses permitted by this order. The report shall be by letter setting forth all pertinent facts, including a statement of the portion of each bale or package actually damaged. After making that report and receiving from the War Production Board an acknowledgment which does not object to his claim of damage, he may then use or dispose of the portion of each bale or package, actually damaged and so reported, free from the restrictions of this order. (Note: See paragraph (i).)

(e) *Control and allocation.* The War Production Board may from time to time allocate the supply of istle, and istle products, and specifically direct the time, manner and quantities in which deliveries to or by particular processors shall be made or withheld. It may also direct, permit, or prohibit particular uses of istle, or istle products, by any processor, in connection with the allocation of such material to him. Any direction, prohibition or allocation, pursuant to this paragraph, must, to be valid, be in writing and in the name of the War Production Board.

(f) *Restrictions on deliveries.* No person shall accept delivery of, or purchase any istle or istle product, for any use prohibited by this order. No person shall sell or deliver any istle or istle product to any person whom he knows or has reason to believe is not entitled to receive the same, or to any person who he has reason to believe will put such material to a use prohibited by this order.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all the applicable provisions of the regulations of the War Production Board, as amended from time to time.

(i) *Reports.* Any person who acquires or puts into process any istle shall report on Form WPB-914, formerly PD-469-Part 1, as required on the form. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Persons affected by this order shall file such other reports and questionnaires as may from time to time be required, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference: M-138.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13258; Filed, August 31, 1944; 10:32 a. m.]

PART 3291—CONSUMER DURABLE GOODS

[General Limitation Order L-140-a as Amended Aug. 31, 1944]

CUTLERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals used in the production of cutlery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.175 *General Limitation Order L-140-a*—(a) *Definitions.* For the purposes of this order:

(1) "Cutlery" means any professional food processing cutlery, as defined in Schedule A, any professional kitchen cutlery, as defined in Schedule B, any household kitchen cutlery, as defined in Schedule C, any household table cutlery, as defined in Schedule D, any pocket cutlery, as defined in Schedule E, any scissors, shears and trimmers, as defined in Schedule F, any hand hair or fetlock clippers, as defined in Schedule G, any industrial cutlery, as defined in Schedule H, and any hunting or fixed blade sheath knife, any carving sets, any poultry shears, any implement designed or intended for manicuring, for pedicuring or for extracting blackheads, including but not limited to nail files, nail nippers, nail clippers, pushers, picks, cuticle scissors, cuticle pushers, cuticle clippers and cuticle nippers, and any other hand operated, fixed or folding, cutting blade or fork with a handle or handles of any material attached so as to become an integral part of the implement. "Cutlery" shall not include any article of flatware, as defined in Order L-140-b, when issued, or any of the articles subject to Order L-30-d, as amended from time to time, or surgical instruments.

(2) "Manufacturer" means any person engaged in the business of fabricating or assembling any new cutlery from any raw material, purchased parts or previously used or fabricated material, or who performs any hand or mechanical fabricating or assembling operation on an article of cutlery.

(3) "Process" means the first change by a manufacturer in the form of material (whether raw material, semi or fully fabricated material or finished parts) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form by him. Any manufacturer who did not maintain records during the base period as to his processing of metals in terms of weight, but who maintained records in terms of units of cutlery only, may apply all percentages contained in this order and schedules in terms of units rather than in terms of weight.

(4) "Base period" means the period beginning July 1, 1940 and ending June 30, 1941, inclusive.

(5) Gauges when referred to in this order, are subject to commercial tolerances.

(b) *Restrictions on kinds of cutlery which may be manufactured.* No manufacturer shall process any metal for new cutlery which is not of a type defined in a schedule in this order.

(c) *Restrictions on quantity of cutlery produced.* No manufacturer shall process more metal in the production of any new cutlery than the amount specified for that class of cutlery in the appropriate schedule attached to this order.

(d) *Exceptions for military orders.* In addition to the production permitted by paragraph (c) above a manufacturer may process sufficient additional amounts of metal to fill purchase orders or contracts for cutlery to be delivered by him to or for the account of

(1) The War Shipping Administration,

(2) The United States Maritime Commission,

(3) The United States Navy (excluding purchase orders placed by or for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specifically authorize on Form WPB-1319, pursuant to an application filed on said Form, the filling of purchase orders for cutlery for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale within but for use outside the 48 United States and the District of Columbia. Form WPB-1319 is to be filed and executed only by the Bureau of Naval Personnel, Navy Department, Washington, D. C., and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified

(4) The United States Army (excluding purchase orders placed by or for delivery to United States Army post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specially authorize on Form WPB-1319, pursuant to an application filed on said form, the filling of purchase orders for cutlery for delivery to and use by post exchanges located in areas designated by the United States Army as "staging areas." Form WPB-1319 is to be filed and executed only by the Army Exchange Service of New York, and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified.

(e) *Specifications.* No manufacturer shall process any metal for the production of any new cutlery which does not conform to the specifications contained in the applicable schedules in this order.

(f) *Metal restrictions.* No manufacturer shall process any metals other than iron, carbon steel, alloy steel (if not containing nickel), aluminum, magnesium, gold and silver in the production of cutlery, except

(1) Lead for bolsters or rivets;

(2) Chromium for plating;

(3. Zinc as provided in Schedule G and H of this order subject to the restrictions contained in the M-11 series, as amended from time to time.

(4) Copper and copper base alloy not containing nickel, except in impurities, as provided in Schedule E of this order for linings and rivets of pocket knives.

(g) *Hardness of knife blades and sharpening steels.* No manufacturer shall process any steel for the production of:

(1) Knife blades for cutlery which when finished tests less than 45, Rockwell C Scale;

(2) Sharpening steel which when finished tests less than 62, or more than 68, Rockwell C Scale.

(h) *Special provision affecting distribution of overruns, rejects and cancellations.* When material for the production of cutlery is obtained with priorities assistance and, because of cancellations of orders or other reasons, can no longer be used for the purpose for which the assistance was given, such material may only be used as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1. Similarly, when such material has been manufactured into cutlery to fill a specific contract and that cutlery, because of overruns, rejects, cancellations or other reasons, cannot be used for that purpose, it may be used or disposed of only as allowed in that section. One of the ways in which these materials or products may be used or disposed of is outlined in subparagraph (5) of that paragraph, which permits use and disposal in any manner specifically authorized in writing by the War Production Board. Applications for such authorization may be made on Form WPB-1319.

(i) [Deleted Aug. 31, 1944]

(j) [Deleted Aug. 31, 1944]

(k) *Reports.* (1) Before making any cutlery every manufacturer of cutlery shall execute and file in duplicate with the War Production Board, Washington 25, D. C., Ref: L-140-a, a report as to the aggregate amount of all metals processed by that manufacturer during the base period and grouped in accordance with the classes as specified in the definitions contained in the individual schedules attached to this order. Manufacturers who compute their processing of metals in units in accordance with paragraph (a) (3) of this order may file such report in units. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington 25, D. C., Ref.: L-140-a, on or before the 10th day of July, 1943, and on or before the 10th day of each calendar month thereafter, Form WPB-1600 (formerly PD-855).

(l) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of cutlery to a greater extent than does this order, the other order shall govern unless it states otherwise.

(m) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to process more metal in the production of any cutlery than the quota fixed in paragraph (c) and the appropriate schedules of this order (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. Also any person who wishes to make any implement (other than nail scissors) designed for manicuring or any implement designed for pedicuring or extracting black heads may apply for permission as explained in Priorities Regulation 25. A person making any item listed on any schedule of this order pursuant to authorization under Priorities Regulation 25 must comply with all provisions of the applicable schedule except the metal quotas.

(2) *Appeals.* Any appeal from the provisions of this order, other than the quota restrictions of paragraph (c) and the appropriate Schedule of this order should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (c).

(o) *Communications.* All reports to be filed hereunder or communications concerning this order should be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-140-a.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PROFESSIONAL FOOD PROCESSING CUTLERY

Definitions. "Professional food processing cutlery" means any hand operated knives, cleavers, splitters, sharpening steels, beef tiers, ham stringers, coring hooks, canning or pitting spoons, and other hand cutlery designed for, but not limited to, use in packing houses, quick-freezing plants, canneries and dehydrating plants for slaughtering, cleaning, dressing, boning and otherwise processing meats, poultry, fish, vegetables, fruits, and other food stuffs; and also hand cutlery designed for, but not limited to, use in butcher shops and provision markets for the further processing of meats and other foods.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon, and does not apply to the grind or finish of the blade or bowl, or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional food processing cutlery except that which conforms to the following specifications.

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Minimum length in inches
Butcher knife. Not lighter than .083" in thickness	1	4	6
Steak knife (Scimitar shape)	1	2	10
Trimming or heading knife	1	1	-------
Ribbing knife	1	1	-------
Boning knife (Straight blade)	2	2	-------
Boning knife (Curved blade)	1	1	-------
Sticking knife	1	1	6
Sticking knife (chicken)	1	1	-------
Sticking knife (turkey)	1	1	-------
Skinning knife	2	1	-------
Pinners knife (pinfeather)	1	1	-------
Sharpening steels	1	3	-------
Fish slitting or gutting knife	1	1	-------
Fish splitting knife	1	1	-------
Fish sliming knife	1	1	-------
Fish filet knife	1	1	-------
Clam knife	1	1	-------
Oyster knife	2	1	-------
Scallop knife	1	1	-------
Sponge or fishermen's sheath knife	1	1	-------
Ham stringer	1	1	-------
Beef tier	1	1	-------
Fruit canning knife (California type)	1	3	-------
Canning knife (California type)	1	1	-------
Tomato knife	1	1	-------
Beet topping knife	1	1	-------
Pitting spoon	3	1	-------
Tomato spoon	1	1	-------
Coring hook	2	1	-------
Cleavers	2	1	-------
Splitters	2	1	-------

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional food processing cutlery more iron and steel in the aggregate than 225% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional food processing cutlery.

SCHEDULE B—PROFESSIONAL KITCHEN CUTLERY

Definitions. "Professional kitchen cutlery" means any hand operated knives, forks, scrapers, turners and spatulas used in the preparation of food, designed for, but not limited to, use in the bakery trade and in kitchens of hotels, restaurants, cafeterias, hospitals, institutions and other public eating places.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length," unless otherwise specified, means the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional kitchen cutlery except that which conforms to the following specifications:

[NOTE: "Butcher knife * * *" amended Aug. 31, 1944.]

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Length in inches
Butcher knife (not heavier than .072" in thickness, nor lighter than .060" in thickness).	1	2	9" Maximum.
Cook's knife (Sabatier shape, no heel, no bolster)	1	2	9" Minimum.
Meat slicer	2	1	10" Minimum.
Utility slicer	2	1	9" Maximum. 5" Minimum.
Paring knife	2	1	3¼" Maximum
Cook's fork (forged blade).	1	1	14" including handle.
Cook's fork (blanked blade, hardened and tempered).	1	1	
Spatula	1	3	9" Minimum.
Baker's scraper (1 weight of blade only).	1	1	
Cake turner (spatula type).	1	1	
Hamburg turner (spatula type).	1	1	

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional kitchen cutlery more iron and steel in the aggregate than 75% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional kitchen cutlery.

SCHEDULE C—HOUSEHOLD KITCHEN CUTLERY

Definitions. "Household kitchen cutlery" means hand operated knives and forks used in the preparation and serving of food, and designed for use in home kitchens.

"Pattern" means the outline shape of the blade of a knife or fork. It does not apply to the grind or finish of the blade or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household kitchen cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	Length in inches
Slicer	2	1	9" maximum
Cook's fork (blanked blade, hardened and tempered).	1	1	10¾" maximum (including handle).

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household kitchen cutlery more iron and steel in the aggregate than 35% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household kitchen cutlery.

SCHEDULE D—HOUSEHOLD TABLE CUTLERY

Definitions. "Household table cutlery" means any knife, fork, spoon or any other cutlery of plated or unplated metal, with handles made of other material than metal, designed for the actual serving and eating of food in the home, other than all metal flatware.

"Pattern" means the outline shape of the blade of a knife or fork or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household table cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	Length in inches
Table knife	1	1	
Dessert fork	1	1	
Dessert spoon	1	1	
Teaspoon	1	1	

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household table cutlery more iron and steel in the aggregate than 50% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household table cutlery.

SCHEDULE E—POCKET CUTLERY

Definitions. "Pocket cutlery" means any folding blade knife.

"Pattern" means the outline shape of the skeleton or frame. It does not apply to the shape of, number of or finishes of blades, or to the type of material, finish or color of the handle.

"Length", unless otherwise specified, means the outside measurement of the skeleton or frame of the knife, subject to a tolerance (plus or minus) of 1/16th inch.

"Number of blades per knife" refers only to the number of blades which may be fastened directly or indirectly to each skeleton or frame and does not refer to the shape or finish of the blades. Different styles of blades may be mounted on the same pattern of skeleton or frame. For instance, the specifications state that not more than one blade may be fastened to each skeleton or frame of a pruning, maize or navy knife. The manufacturer may produce as many styles of blades for such pruning, maize or navy knives as he wishes, so long as each completed knife contains only a single blade, irrespective of its style.

Permissible types. No manufacturer shall process metal in the production of pocket cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	No. of blades per knife
General utility knife	1	1	Maximum 4
Premium stock knife or cattle knife	3	1	Maximum 3
Jack knife. No. of weights, 2.	1	3	2 only.
Pruning, maize or navy knife.	1	1	1 only.
Budding or grafting knife.	1	1	1 only.
Electrician's knife	1	1	2 only.
Scout knife	1	1	4 only.
Self opening knife	1	2	1 only.

No item in this List E may be made with a handle less than 3⅜ inches in length nor less than 3/8 of an inch in thickness at the narrowest point.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of pocket cutlery more iron and steel in the aggregate than 60% of the average quarterly amount of iron, steel and other metals in the aggregate processed by that manufacturer during the base period in his production of pocket cutlery. Copper and copper base alloy not containing nickel, except in impurities, may be used for linings and rivets.

SCHEDULE F—SCISSORS; SHEARS AND TRIMMERS

Definitions. "Scissors" means any two bladed, hand operated cutting implement having two rings, each of a size sufficient to accommodate not more than one finger or thumb in each ring, designed for use in industrial plants, schools, dressmakers' establishments, department stores, homes, etc., for cutting cloth, paper and miscellaneous materials; including nail scissors, but excluding surgical scissors and barber shears and scissors.

"Shears and trimmers" means any two bladed, hand operated cutting implement having one ring of a size sufficient to accommodate two or more fingers and a second ring which is smaller and barber shears or scissors possessing a protruding finger rest, but not including animal and agricultural shears and trimmers or metal cutting shears or snips.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of scissors more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of scissors.

During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of shears and trimmers more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of shears and trimmers.

SCHEDULE G—HAND HAIR CLIPPERS

Definitions. "Hand hair clippers" means clippers operated by hand, designed for but not limited to use in barber shops, beauty parlors, hospitals or homes for cutting human hair, and including fetlock clippers.

"Length" means the over-all measurement of the article from the tip of the stationary handle to the tip of the cap or head.

"Pattern" means the outline shape of the head, cap and handles, including horns and finger rests of the completed article, without the plates. It does not refer to the finish, color or weight of the article.

Permissible types. No manufacturer shall process metal in the production of any hand hair clippers except those which conform to the following specifications:

General description	Maximum No. of patterns	Maximum No. of lengths
Large heavy duty clippers	1	1
Light weight clippers	1	1
Fetlock clippers	1	1

Permissible amount of metal. During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new hand hair clippers and fetlock clippers more iron, steel and zinc in the aggregate than 65% of the amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of new hand hair clippers, and fetlock clippers.

SCHEDULE H—INDUSTRIAL CUTLERY

Definitions. "Industrial cutlery means hand operated knives or similar articles designed for use primarily in, but not limited to, shoe, rubber, linoleum, electrical and other manufacturing plants; and in the shipbuilding, storage battery, automotive, tire repair, painting, furniture, office supply and other trades; including but not limited to putty knives, scrapers, wallpaper trimmers, paper hangers' knives, casing knives, corner knives, linoleum knives, roofing knives, manual training knives, wood carving knives, pattern makers' knives, stencil knives, rubber knives, shoe knives, cotton sampling knives, broom corn knives, and similar industrial knives; and also adjustable knife blades with detachable handles designed for essential cutting operations.

Permissible amounts of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of industrial cutlery more iron, steel, and zinc in the aggregate than 200% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of industrial cutlery.

[F. R. Doc. 44-13259; Filed, August 31, 1944; 10:33 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-329, Revocation]

STAPLES AND STAPLERS

Section 3291.306 *Limitation Order L-329* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The use of certain materials in the manufacture of staples and staplers remains subject to the applicable regulations and orders of the War Production Board.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13262; Filed, August 31, 1944; 10:32 a. m.]

PART 3292 [1]—AUTOMOTIVE VEHICLES PARTS AND EQUIPMENT

[Limitation Order L-80 as Amended Aug. 31, 1944]

OUTBOARD MOTORS AND PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.121 [1] *Limitation Order L-80*—(a) *Definitions.* For the purpose of this order:

(1) "Outboard motor" means any detachable motor (electric or internal combustion motor) for the propulsion of rowboats, canoes, dinghies, or any other type of boat.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(3) "Producer" means any person fabricating, processing, manufacturing or assembling any outboard motor or component part thereof.

(4) "Horse power rating" means the rating applied to outboard motors by the National Outboard Motor Association (Pittsburgh Testing Laboratories) or by the Society of Automotive Engineers.

(5) "Preferred order" means any order or contract for outboard motors or parts to be delivered to or for the account of the Army or Navy of the United States, U. S. Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, and the Office of Scientific Research and Development.

(b) *General restrictions.* (1) Except as provided in paragraph (b) (2), no producer shall process, fabricate, work on or assemble any materials for use in the production of outboard motors or parts, nor shall any producer manufacture or assemble any outboard motors or parts except to the extent required to fill preferred orders.

(2) During the month of April 1942, and during each month thereafter, until otherwise ordered, no producer shall manufacture more repair and replacement parts than 75% of his average monthly production of such repair and replacement parts for outboard motors during the calendar year 1941.

(3) No producer shall sell, lease, trade, lend, deliver, ship or transfer any outboard motors of 6 horsepower rating or more to any person whatsoever, except to fill preferred orders, or pursuant to specific authorization of the War Production Board.

[1] Formerly Part 1155, § 1155.1.

(c) [Deleted Aug. 31, 1944]

(d) [Deleted Aug. 31, 1944]

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(f) [Deleted Aug. 31, 1944.]

(g) *Exceptions—Production under Priorities Regulation 25.* Any person who wants to process, fabricate, work on or assemble materials in the production of outboard motors or parts which he is not permitted to make under paragraphs (b) (1) or (b) (2), or who wants to make more parts than he is permitted to make under paragraph (b) (2), (including a person who is not permitted to make any parts under this order), may apply for permission to do so as explained in Priorities Regulation 25. No appeal should be filed from the restrictions of this order.

(h) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: L–80.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13252; Filed, August 31, 1944; 10:31 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L–180 as Amended Aug. 31, 1944]

MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.51 *Limitation Order L–180*—(a) [Deleted Jan. 22, 1944]

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board, as amended from time to time, except where otherwise stated.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck-tractor, truck-trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment or held for the account of the owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20-hour rate 80° F.
Group	*Group*	
I		80
I	IM	90
I	IH	100
IS		90
IS	2L	100
(E-116) (IIE-125)	2ME	110
IIHF (Ford)		100
(II-115)	(2M-105) (2H-116)	110
IIS	3L	110
III	3M (3H-133)	120
Special (12 Volt)		45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity 20-hour rate 80° F.		Volts	Container sizes					
				Long		Wide		High	
	Minimum	Maximum		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
				For batteries with double insulation					
Size A	155	165	6	16	16¾	7¾	7¾	9¼	11
Size B	195	220	6	19¾	20½	7¾	7¾	9¼	11
Size C	235	245	6	22½	23½	7¾	7¾	9¼	11
Size D	385	395	6	21½	22	10¼	10¾	12	12¼
Size E	95	105	12	17½	18	7¼	8	9¼	11
Size F	95	105	12	19¾	21½	7¾	7¾	9¼	11
Size G	115	125	12	20¼	21½	8½	9	9¼	11
Size H	135	145	12	20¼	21½	9	10	9¼	11
Size I	155	165	12	20¼	21½	10¼	11¼	9¼	11
				For batteries with single insulation					
Size J	195	205	6	16	16¾	6¾	7½	9	10¼
Size K	335	345	6	25	25½	7¾	7¾	9¼	11¼
Size L	140	155	12	20¼	21½	8½	9	9¼	11
Size M	150	170	12	20¼	21½	9	10	9¼	11
Size N	180	205	12	20¼	21½	10¼	11¼	9¼	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand on August 29, 1942, *Provided:*

(i) No additional material is required;

(ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) No producer shall, during any calendar quarter of 1944, manufacture automotive replacement storage batteries in excess of the number (hereinafter referred to as "quota") obtained by multiplying the percentage shown below for that calendar quarter of 1944 by the total number of such batteries sold by him during the calendar year 1941:

Calendar Quarter of 1944:	*Percentage of 1941 sales*
January 1 to March 31	22½
April 1 to June 30	22½
July 1 to September 30	30
October 1 to December 31	25

(2) Notwithstanding subparagraph (1) of this paragraph (f), a producer may, in addition to the quotas permitted thereby,

(i) Manufacture during the second, third and fourth calendar quarters of 1944 that number of replacement batteries by which he failed to reach his full quota during the next preceding calendar quarter, *Provided,* That this additional production does not exceed 5% of the number of replacement batteries sold by him during the calendar year 1941; and, in addition,

(ii) Manufacture during the first, second and third calendar quarters of 1944 not in excess of 5% of the number of such batteries sold by him during the calendar year 1941, provided he deducts such number from his quota for the next succeeding calendar quarter of 1944; *And provided further,* That in no event shall any producer manufacture during the calendar year 1944 a number of such replacement batteries in excess of 100% of the number of such batteries which he sold during the calendar year 1941.

(3) *Additional 10% production authorized in 1944.* In addition to the production authorized by subparagraphs (1), (2) (i) and (ii) of this paragraph (f), producers may manufacture replacement batteries during the period January 1, 1944 to December 31, 1944 in an amount equal to 10% of the total number of such batteries sold by the producer during the calendar year 1941 or the calendar year 1943, whichever is higher, except as provided in subparagraph (5) below. In no event, however, shall the production of any producer for the year 1944 exceed 110% of the number of replacement batteries sold by him during the calendar year 1941 or the calendar year 1943, whichever is higher.

(4) *Foregoing not applicable to producers of less than 25,000 units.* The restrictions on production of replacement batteries contained in this paragraph (f) (1) and (2) (i) (ii) and (3) shall not apply to a producer who during the year 1941 sold less than 25,000 replacement batteries; *Provided, however,* That during the year 1944 his total production shall not exceed 25,000 units.

(5) *Plants in Group I Labor Market Areas not authorized to increase production.* On and after January 1, 1944, no producer whose plant is located in a Group I Labor Market Area as classified by the War Manpower Commission as of January 1, 1944, shall produce replacement batteries in any such plant in excess of 100% of his sales of batteries produced in that plant in the calendar year 1941 or the calendar year 1943, whichever is higher.

(6) *Production in excess of 110% limitation may be authorized.* Any producer having a plant which is not located in a Group I or Group II Labor Market Area who believes that such plant has capacity available to produce replacement batteries in excess of 110% of the sales of batteries produced at such plant in the calendar year 1941 or in the calendar year 1943, whichever is higher, may file an application in writing at the Field Office of the War Production Board nearest to such plant, for leave to increase production at such plant. Such application shall contain a full statement of the plant's capacity, the labor presently employed and the additional production which can be secured, by quarters. Thereupon the War Production Board may authorize an increase in the production of replacement batteries at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published Directions supplemental to this order.

(g) *Restrictions on inventories of producers of automotive replacement bat-*

teries. (1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

(h) *General restrictions*—(1) *Return of used batteries.* On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (1) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(2) *Consumer's certificate.* Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will, within thirty days after receiving the replacement battery here ordered, dispose of through scrap channels a used automotive battery (excepting in the event of the loss or theft of such battery) of similar size for each replacement battery delivered to me.

(Signed) _____
Vehicle Owner or Operator

_____
Address

Date_____

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(3) *Electric fence user's certificate.* Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell or deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that the consumer purchases the battery for use in connection with an electric fence or other piece of farm machinery which had formerly been operated in whole or in part by dry cell batteries, and provided further that the producer or distributor secures from the consumer, for each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) the consumer's signature to a certificate, to be supplied by the producer or distributor, in the following form:

Electric Fence or Farm Equipment User's Certificate

I hereby certify that the battery purchased by me under this date is for use in connection with an electric fence or other farm equipment; that I have previously not used a storage battery for this purpose and, therefore, have no used battery to turn in.

(Signed) _____
Purchaser

_____
Address

Date_____

(i) *Metal-containing parts of used, traded-in, imperfect or condemned batteries to be disposed of as scrap in 30 days.* No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels. The provisions of this paragraph shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Porto Rico or the Virgin Islands.

(j) *Exceptions to applicability of this order.* The limitations and prohibitions contained in this order shall not be applicable to:

(1) Any contract or purchase order for material to be delivered to, or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) [Deleted Aug. 31, 1944.]

(l) [Deleted Aug. 31, 1944.]

(m) *Reports.* On or before the 25th day of January, the 15th day of April, July and October 1944 and the 15th day of January 1945, each producer shall execute and file with the War Production Board Form WPB 2163 (PD 765) reporting for each of his plants, with the address of each, the shipments of automotive replacement storage batteries made during the preceding calendar quarter from each plant. These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(o) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce more automotive replacement storage batteries than the amounts permitted under paragraph (f) (including a person who is not permitted to make any under this order) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for special authorization as explained in paragraph (f) (6). The restrictions of paragraph (g) relating to inventories do not apply to automotive replacement storage batteries authorized under Priorities Regulation 25.

(2) *Appeals.* An appeal from the provisions of this order other than the restrictions of paragraph (f) may be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provisions appealed from and stating fully the grounds for appeal. No appeal should be filed from the restrictions of paragraph (f).

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: L-180.

(q) [Revoked January 5, 1943.]

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13260; Filed, August 31, 1944; 10:33 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, as Amended Aug. 31, 1944]

AUTOMOTIVE MAINTENANCE EQUIPMENT

§ 3292.56 *Limitation Order L-270*—(a) *What the order does.* This order explains what is meant by "Automotive Maintenance Equipment", how much and what kinds of such equipment may be made, and how it may be sold.

(b) *Definitions.* For the purposes of this order:

(1) "Producer" means any person who manufactures any automotive maintenance equipment, whether for his own account or for the account of others.

(2) "Manufacture" means to fabricate or assemble any item of automotive maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed in Schedules A, B, C or D to this order.

(4) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.

(5) "Item" means any product listed in Schedules A, B, C or D to this order and includes all sizes and types in such listing.

(6) "Repair part" means any part or component of any item of automotive maintenance equipment not consumed or used up in ordinary operation of the automotive maintenance equipment.

(7) "Military order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, United States Maritime Commission or the War Shipping Administration.

Provisions Relating to Production

(c) *General policy.* In processing applications for priorities assistance on Form CMP-4B, the War Production Board will be guided by the policy that the total production will not exceed the approved WPB program for the products to which this order applies and that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(d) *Restrictions on production of individual items*—(1) *No production of Schedule A items.* Except to fill military orders, no producer shall manufacture any item listed in Schedule A.

(2) *Limitation on production of Schedule B items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule B in excess of fifty (50) percent of the number of the like item manufactured by him in the corresponding calendar quarter in 1941.

(i) *Provision for minimum factory runs.* In the event that the limitation imposed by this paragraph (d) (2) should result in restricting production to less than his minimum practical factory run of any item listed in Schedule B, a producer may, notwithstanding the provisions of paragraph (d) (2), manufacture a minimum practical factory run: *Provided,* That the total number of any such item manufactured by him in any two consecutive calendar quarters shall not exceed fifty (50) percent of the total number of the like item manufactured by him in the two corresponding calendar quarters of 1941.

(3) *Limitation on production of Schedule C items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule C in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941.

(4) *Limitation on production of Schedule D items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule D in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941, unless a quarterly quota in excess of one hundred (100) percent of the corresponding quarter of 1941 production has been assigned to the producer under the following procedure:

(i) *Special quotas on Schedule D items.* A request for assignment of a special quota for production of any item listed in Schedule D, in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding quarter of 1941, may be made by a producer who can increase production within the limitations of paragraph (c).

Such a producer may file an application in writing with the Automotive Division of the War Production Board, Washington 25, D. C., Ref: L-270, for permission to increase production at such plant by giving complete explanation of the circumstances justifying such increase. Thereupon the War Production Board may authorize an increase in the production of the item at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published directions supplemental to this order.

The War Production Board may likewise direct an increase in the production of items on Schedule D in conformity with paragraph (c), in such quantities and upon such conditions as it shall find requisite in the public interest.

(e) *Limitation on production of repair parts.* Except to fill military orders, no producers shall manufacture in any calendar quarter a dollar volume of repair parts for automotive maintenance equipment in excess of ten (10) percent of the total dollar volume of automotive maintenance equipment manufactured by him in the corresponding calendar quarter of 1941.

Provisions Relating to Critical Materials

(f) *Use of steel.*[1] No producer shall use any steel or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical materials is practicable, and when so used such steel or other critical materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(g) *Use of copper.*[1] No producer shall use any copper products or copper base alloy products in the manufacture of automotive maintenance equipment other than in the following: (i) conductors of electrical current, (ii) bearings, bushings, thrust washers and similar parts which require oil, grease or water lubrication, (iii) valve seats, tubes, and similar parts where condensation or corrosion make substitutions of less critical materials impracticable: *Provided,* That any copper products or copper base alloy products so used shall be reduced to the minimum practical gauge, size and grade necessary for the proper operation of the automotive maintenance equipment.

Provisions Relating to Distribution

(h) *Sales by producers only on rated orders.* No producer shall sell, transfer or deliver, on consignment or otherwise, any item on Schedules A, B, C or D, except pursuant to orders bearing preference ratings of AA-5 or higher:

(1) Assigned on Forms WPB-541 (PD-1A), on Form WPB-542 (PD-3A), on Form WPB-547 (PD-1X), or on Canadian Form PB-1010.

(2) Assigned on export licenses or requisitions approved by Foreign Economic Administration.

(3) Assigned pursuant to application on Form CMP-4B, on CMP-4A, on Canadian Forms PB-1005, on PB-1006, or on PB-1007 and used only for the procurement of items on Schedules A, B, C or D to be physically incorporated in other end-products. The use of preference ratings assigned on these forms is prohibited for the procurement of any items on Schedules A, B, C or D for resale as such.

(i) *Sales of stationary crankshaft regrinders only on WPB-1319 ratings.* On and after June 1, 1944, notwithstanding the provisions of paragraph (h), no producer shall sell, transfer or deliver, on consignment or otherwise, any stationary crankshaft regrinders, except to fill military orders or pursuant to ratings assigned on Form WPB-1319.

(1) Application should be made by the user on Form WPB-1319, in accordance with the instructions for its use, which is obtainable at all field offices of the War Production Board.

(j) *No ratings required for repair parts.* No preference ratings are required for the purchase of repair parts for automotive maintenance equipment.

Miscellaneous Provisions

(k) *Quarterly reports by producers on Form WPB-3614.* Each producer of automotive maintenance equipment shall execute and file with the Automotive Division of the War Production Board within fifteen days after the close of each calendar quarter a report, (on Form WPB-3614), of the number of units of

[1] See latest quarterly copy of publication entitled, *Material Substitution and Supply List.* Conservation Division, War Production Board.

each item listed in Schedules A, B, C or D produced by him in such calendar quarter. The reporting provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture any automotive maintenance equipment or repair parts which he is not permitted to make under paragraphs (d) or (e), or who wants to make more automotive maintenance equipment or repair parts than permitted under those paragraphs, may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for a special quota on Schedule D items as explained in paragraph (d) (4) (i). All provisions of this order except paragraphs (d) and (e) apply to production authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraphs (d) and (e) may be made by filing Form WPB–1477 in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (d) or (e).

(m) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(o) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Reference: L–270.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

See paragraph (d) (1) of this order.

Alignment gauges (except as listed in Schedule B)
Battery chargers: floor, stand and wall type (except as listed in Schedule C)
Battery chargers: trickle type (except industrial installation)
Battery testers (except as listed in Schedule C)
Body and fender tools: hand, pneumatic, hydraulic or electric operated
Brake testing machines: automotive vehicle type
Car washers: pressure or nozzle type
Car washing machinery
Chassis dynamometers
Chuck gauges: any type of air pressure measuring gauge which is attached in any manner to a flexible air line to be used for inflating tires
Combustion analysers: automotive vehicle type
Distributor setting machines (except as listed in Schedule B)
Electrical testing equipment: automotive vehicle type (except as listed in Schedules B or C)
Engine flushing machines: internal
Engine reconditioning equipment (except as listed in Schedules B, C, or D)
Engine repair stands (except as listed in Schedule C)
Frame straightening equipment (except heavy duty—as listed in Schedule C)
Frame straightening racks
Front end equipment (except as listed in Schedules B or C)
Gasoline mileage testers
Headlight testers: automotive vehicle type
Jacks: bumper or wheel rim
Jacks: pit, lift or vibrating; mechanical or hydraulic (except as listed in Schedule C)
Jacks: portable or tool box type (less than 3-tons lifting capacity, measured by load raising ability through the entire jacking range from minimum to maximum height)
Jacks: shop, wheel type; mechanical or hydraulic (except as listed in Schedule D)
Lifts: automotive vehicle type (except heavy duty as listed in Schedule C)
Motor analyzing equipment (except as listed in Schedules B or C)
Spark plug cleaners: pedestal or stand type
Spark plug testers
Tire air hose reels
Tire air pressure gauges (except as listed in Schedules B or C)
Tire air service equipment: tower, pedestal or wall type (except as listed in Schedules B, C or D)
Tire pumps (except as listed in Schedules C or D)
Tire scuff checking devices (except as listed in Schedule B)
Tow bars
Wheel balancers: automotive vehicle type
Wheel spinners

SCHEDULE B

See paragraph (d) (2) of this order.

Alignment gauges: portable (including only caster, camber, king-pin, toe-in, tracking, turning radius, or combinations thereof)
Alignment gauges: stationary, drive-over type
Battery jumpers
Bearing oil leak detectors
Brake bleeders
Brake fillers
Brake lining appliers: hand type
Brake shoe gauges
Cylinder leakage testers: automotive vehicle testing type
Degreasing flushers: transmission or differential
Distributor setting machines: bench model
Front end machines: light duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all automotive vehicles of 1½ tons and less capacity.
Fuel pump testers: automotive vehicle testing type
Master air gauges: tire air gauge testers
Piston expanding machines
Speedometer testing machines
Transmission jacks
Wheel straightening equipment
Wrecking cranes: truck mounted type

SCHEDULE C

See paragraph (d) (3) of this order.

Air chucks
Air pressure gauges: pencil type or truck service type
Armature growlers: automotive vehicle testing type
Battery chargers: fast type (battery leads not to exceed 7 feet each; AC lead not to extend beyond charger case)
Battery chargers: wall type (six or more battery capacity)
Battery testers (prong type)
Brake drum gauges
Brake drum grinding attachments
Brake drum lathes
Brake lining grinders: portable or spindle mounted
Brake relining machines
Cam angle meters
Circuit testers: automotive vehicle testing type
Cleaners: steam vapor (self-firing or generating)
Clutch pressure plate grinders
Clutch rebuilding equipment
Coil testers: automotive vehicle testing type
Compression gauges: automotive vehicle testing type
Condenser testers: automotive vehicle testing type
Connecting rod aligners
Crankshaft regrinders: portable
Cylinder head resurfacers
Cylinder hones
Cylinder reboring bars
Engine repair stands: engine revolving type
Frame straightening machines: heavy duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for removing all lateral and vertical bends from the frames of all automotive vehicles.
Front end machines: heavy duty; to include all gauges, tools and parts accessory and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all conventional axle automotive vehicles.
Generator test benches: automotive vehicle testing type
Jacks: pit or lift (not less than 5-tons lifting capacity)
Horses or trestles: automotive shop type
Lifts: automotive vehicle twin post type (capacity not less than 10-tons)
Magneto rechargers
Magneto testers
Main bearing boring machines
Motor block test heads: automotive vehicle testing type
Piston pin bushing hones: portable
Piston regrinders
Spark plug cleaners: bench type
Timing lights; automotive vehicle testing type
Tire pumps: hand or foot operated
Tire valve service tools
Vacuum gauges: automotive vehicle testing type
Valve refacers
Valve seat grinders
Valve seat insert tools
Wheel removing dollies: automotive vehicle type

SCHEDULE D

See paragraph (d) (4) of this order.

Bushing grinders
Connecting rod boring attachments
Connecting rod boring machines
Connecting rod rebabbitting jigs
Crankshaft regrinders: stationary
Cylinder sleeve pullers
Jacks: curb wheel type (less than two tons capacity)
Jacks: shop wheel type (four and ten tons capacity)
Shell bearing boring machines
Spark plug pumps

INTERPRETATION 1, 2, AND 3: Obsolete.

[F. R. Doc. 44–13257; Filed, August 31, 1944; 10:32 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L–238, as Amended Aug. 31, 1944]

SUN GLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of materials entering into the production of sun glasses and sun glasses cases; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.76 *General Limitation Order L–238*—(a) *Definitions.* For the purposes of this order:

(1) "Sun glasses" means spectacles or goggles designed primarily to protect the wearer's eyes from sun-glare and other harmful or discomforting rays of the sun.

(2) "Sun glasses case" means a case or container designed for carrying sun glasses when not being worn.

(3) "Aviation sun glasses" means sun glasses designed for use in aircraft by pilots, observers and other aircraft personnel.

(4) [Revoked May 9, 1944]

(b) *Restrictions on the use of metals.* Except as provided in paragraph (c) of this order, no person shall incorporate any metal in the manufacture of sun glasses or any part thereof or sun glass cases or any part thereof.

(c) *Exceptions to paragraph (b).* (1) The provisions of paragraph (b) of this order shall not apply to the manufacture of sun glasses or sun glasses cases which are manufactured:

(i) [Revoked May 9, 1944]

(ii) From metal to the extent permitted by Appendix A, attached to this order.

(iii) From copper base alloys obtained from idle or excess inventories pursuant to Priorities Regulation 13. (Any person who purchases component parts containing copper base alloy may use those parts in the manufacture of sun glasses or sun glasses cases, unless he knows or has reason to believe that the parts were not made from copper base alloy obtained from idle or excess inventories pursuant to Priorities Regulation 13.)

(2) The provisions of paragraph (b) of this order shall not apply to the manufacture of aviation sun glasses which are manufactured pursuant to a contract or purchase order for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the Government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act), *Provided*, That the specifications of such contract or purchase order specify aviation sun glasses which cannot be manufactured within the limitations of paragraph (b) and (c) (1) of this order. Notwithstanding the provisions of Priorities Regulation 17, the foregoing provisions of this paragraph (c) (2) shall not apply to any contract or purchase order for delivery to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy Ship's Service Department. Aviation sun glasses which are manufactured in accordance with the foregoing provisions of this paragraph (c) (2) shall be sold or delivered only to the Army or Navy of the United States (not including United States Army or Marine Corps Post Exchanges or United States Navy Ship's Service Departments), or the appropriate agency of the United States Government for Lend-Lease purposes.

(d) *Quota restrictions.* (1) No person shall manufacture more sun glasses, in any calendar quarter, than ninety per cent of the number of sun glasses that he manufactured during the corresponding calendar quarter of 1942.

(2) Purchase orders or contracts for sun glasses placed by the Army or Navy of the United States, or of any Agency of the United States Government for Lend-Lease purposes, shall not be charged against the quota permitted by paragraph (d) (1). Notwithstanding the provisions of Priorities Regulation No. 17, purchase orders or contracts for delivery of sun glasses to or for the account of any United States Army or Marine Corps Post Exchange or any United States Navy or Coast Guard Ship's Service Department shall be charged against the quota permitted by paragraph (d) (1), to the extent of seventy-five per cent of the number of sun glasses included in such orders and contracts.

(e) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture more sun glasses than the quota fixed in paragraph (d) (including a person who has no quota under this Order) may apply for permission to do so as explained in Priorities Regulation 25. The restrictions of paragraph (b) on the use of metals continue to apply to production which may be authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this Order, other than the restrictions of paragraph (d), shall be made by filing a letter in triplicate to the War Production Board, Washington 25, D. C., Reference L–238, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the restrictions of paragraph (d)."

(h) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L–238.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Pursuant to the provisions of paragraph (b) and paragraphs (c) (1) (ii) of this order, a person may incorporate the following materials in the manufacture of sun glasses to the extent indicated:

(1) Steel for:
(i) Core wire in plastic temples.
(ii) Spring clips in slip-over type sun glasses;
(iii) Hinges, hinge pins, and rivets; and
(iv) Snaps for sun glasses cases.
(2) Brass for barrel-hinges, hinge pins, rivets, and screws to fill orders bearing preference ratings of AA–5 or higher.
(3) Copper (strike), zinc, silver, gold and palladium for electroplating.
(4) Aluminum

INTERPRETATION 1

ASSEMBLY OF SUN GLASSES

The use of certain material in the manufacture of sun glasses or parts and the number of sun glasses which may be manufactured are prohibited or restricted by the terms of General Limitation Order L–238, with certain exceptions stated in the order.

Such provisions also apply to the assembly of sun glasses. Thus, any person who assembles or combines parts of sun glasses, such as frames and lenses, is manufacturing sun glasses and is governed by the terms of General Limitation Order L–238. [Issued May 11, 1944.]

[F. R. Doc. 44–13255; Filed, August 31, 1944; 10:32 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–128, as Amended Aug. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials (including components) and facilities used in the manufacture of general industrial equipment for defense, for private account and for export; and the following order

is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.1 *General Limitation Order L–123*—(a) *Equipment which may not be delivered without an AA–5 or better rating.* No person (including a manufacturer, distributor, or dealer) shall accept any order for or deliver, and no person shall accept delivery of, any new item of the following equipment (more fully described in the attached List A) except for an order bearing a preference rating of AA–5 or higher:

1. Air filters.
2. Air washers.
3. Arc welding machines.
4. Baling presses.
5. Compressors.
6. Ceramic machinery and equipment.
7. Concrete products machinery.
8. Dust collectors, industrial.
9. Dynamometers (electric type) and rotary converters.
10. Electric motors and generators (fractional horsepower).
11. Fans, blowers and exhausters.
12. Flexible metallic hose, tubing and fittings.
13. Heat exchangers.
14. High pressure blowers.
15. Lifting magnets.
16. Oil filtering and re-refining machines.
17. Ovens, industrial; drying, curing and finish-baking types.
18. Paper shredders.
19. Pressure vessels (including air receivers).
20. Pumps.
21. Stationary steam engines.
22. Wire working machinery.
23. Insulation blowing machines.
24. Electroplating and anodizing equipment.
25. Oxy-acetylene apparatus.

Deliveries within a company. The above restriction applies to deliveries from one department (a branch, division, or section) of a single organization to another department of the same organization when the item is for incorporation into other machinery produced by that organization, or when it is for installation and operation for the organization's own use.

The restriction does not apply to deliveries from one department to another of the same organization, of items which it is to resell as such.

(b) *Certain transactions for which no rating is required by this order.* The above restriction does not apply to the following transactions:

(1) *Repair parts.* Delivery of repair parts for any item (but no complete item may be considered as a repair part and delivered under this exemption, even though it could be used as a component part of another item or of machinery not covered by this order).

(2) *Farm supplies.* When items which are farm supplies under Priorities Regulation 19 are delivered to a farmer or dealer upon a certificate in accordance with that regulation.

(3) *Petroleum industry item.* When items used in the petroleum industry and covered by Order P–98–c are delivered in accordance with that order.

(4) *Items no longer needed.* When an item is returned to the person from whom it was obtained, or when it can no longer be used for the purpose for which priorities assistance was given to help obtain it and the holder disposes of it in accordance with applicable provisions of Priorities Regulations 1 or 13.

(5) *Items ordered and put in transit before the restriction became applicable.* The completion of delivery of items which had been placed in the hands of a common or contract carrier for shipment to the customer prior to the date upon which the restriction in (a) became applicable.

(6) *Certain orders rated below AA–5 but unfilled when restriction became applicable.* Delivery to fill any rated order which was rated below AA–5 and could have been filled just before the date upon which the restriction in (a) became applicable without violating any WPB order, rule or regulation.

(7) *Deliveries of machinery not covered by this order.* The delivery of new machinery, not covered by this order, into which an item has been incorporated as a necessary component part (or which is delivered in unassembled condition with an item which is a necessary component part, for assembly at the site of installation).

(8) *Used items.* The delivery of any item which has been sold to a person acquiring it for use, and put into regular use by him.

(9) *Specific authorizations.* Deliveries specifically authorized or directed by the War Production Board.

(10) *The replacement of a fractional horsepower electric motor or generator which is traded-in when repair is needed.* When a fractional horsepower electric motor or generator is delivered to a householder or other user solely for replacement of a used one which needs repair and the seller, in accordance with his regular business practice, takes the broken down or defective motor or generator in trade and repairs it or delivers it to another person who will repair it (whenever repair is practicable) so that it will be resold under similar conditions (or scraps it promptly when repair is impracticable).

(It must be noted that no repairman or other person may deliver such an item unless he either complies with the foregoing conditions, or receives a AA–5 or higher rating for the delivery from his customer, even though he has obtained the items under a regulation or order which assigns a rating for repair or maintenance purposes, such as the following: CMP Regulations 5, 5A, or 9A; or Orders L–79, P–126, or P–148.)

This exemption permits a dealer not having repair facilities to deliver such a traded-in motor or generator, if it is repairable, to the manufacturer or some other supplier who will repair it or have it repaired within a reasonable time, and get one in exchange without a AA–5 or higher rating. The manufacturer or other supplier who is asked to deliver a new item to a dealer in exchange for a used one is responsible for determining if the traded-in item is repairable.

(11) *Portable air compressors owned and used in a rental business.* When portable air compressors owned by a person engaged in the business of renting them, are leased by the owner. This exemption does not apply to the sale of a new item by such owner, or to the original purchase of the items by him.

(12) *Delivery to a consumer of an item for plumbing or heating repair.* When an item is delivered to a consumer for plumbing or heating repair upon a certificate from the latter in accordance with Order L–79.

(13) *Deliveries of replacement parts for motor vehicles.* When replacement parts for motor vehicles are delivered to any person in accordance with Order L–158.

(14) *Deliveries under Priorities Regulation 24.* Delivery of any item under and in accordance with Priorities Regulation 24.

(c) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(4) *Communications.* All reports required to be filed hereunder, and all communications (except appeals) concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref. L–123.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Under paragraph (a) of the order, a rating of AA–5 or better is required for delivery of a new item of equipment in any class described below. Exceptions to this rule are listed in paragraph (b). "Item" means any new piece of equipment. Where a class description covers an item sometimes sold with a motor or other driving unit and sometimes without, in either case the item is subject to the restrictions of the order.

Component parts for the repair or manufacture of an item are not subject to the order as items in that class. However, if a particular part is itself within some other

class as described below, then it is subject to the order.

1. *Air filters.* Any equipment or device designed to filter or strain air or other gaseous matter for the purpose of removing dust or other particles of material or odors. Excluded are types using a non-metallic filtering medium, commonly known as the "throw-away" or "replaceable" types.

2. *Air washers.* Any equipment or device designed to wash air, including spray washers and scrubbers.

3. *Arc welding machines.* Any machine or device designed to use, transform, or generate electricity (either direct or alternating current) for the deposit of metal by the electric arc process. Excluded are: Welding cable, electrode holders and arc welding electrodes.

4. *Baling presses.* Any machine or device designed to compress bulky materials into compact bundles or bales. Included are types for handling ferrous and non-ferrous scrap, paper, rubber, textiles, or miscellaneous waste materials. Excluded are balers which are farm machinery and equipment covered by Orders L–257 or L–257–a.

5. *Compressors.* Any portable or stationary machine or apparatus of the reciprocating type, designed to compress or exhaust air or other gas. Excluded are (i) items for use in therapeutic machines; (ii) items especially designed and fabricated solely for incorporation into or repair of other machinery (not compressors) produced by the same manufacturer; (iii) items for use in a refrigerating or air conditioning system, as defined in Order L–38.

6. *Ceramic machinery and equipment.* Any machine or device designed to crush, mix, prepare, form, cut, fire, burn, or otherwise process raw ceramic materials into finished ceramic products. "Ceramic products" includes structural clay products such as brick, tile, terra cotta and flue block, sewer pipe and drain tile, conduit, sanitary pottery, paving brick, flower pots, decorative pottery, artware pottery, tableware pottery, stoneware, crockery, earthware, and porcelain.

7. *Concrete products machinery.* Any machine or apparatus designed to mix, prepare, form or otherwise process concrete or its components into block, brick, pipe or conduit. Included are block machines, pipe machines, mixers, skip hoists, off-bearing hoists, pallets, forms, and their accessories and attachments of any size or kind.

8. *Dust collectors, industrial.* Any equipment or device designed to collect or filter dust from air, flue gases, or other gas.

9. *Dynamometers.* Electric type; and rotary convertors

10. *Electric motors and generators (fractional horsepower).* Any machine or device containing an armature or similar rotating part and designed to transform electric energy into mechanical energy, or mechanical energy into electric energy, or to transform or amplify electric energy of one type, voltage, or frequency into another, if built in a frame size smaller than frame size 203 (or frames smaller than those corresponding to one horsepower, 1800 RPM, 60 cycle, 2 or 3 phase). Excluded are starting motors, generators and magnetos designed for use in automotive vehicles covered by order L–158, or in internal combustion engines.

11. *Fans, blowers and exhausters.* Any device or machine which moves, compresses, or exhausts air or other gases by centrifugal, rotary or axial means. Excluded are: (i) propeller type fans designed for desk, pedestal, wall bracket, ceiling, and portable window mounting, powered by a fractional horsepower electric motor drawing 200 watts or less, as covered by Limitation Order L–176; (ii) items specially designed and fabricated solely for incorporation into or repair of other machinery (such as pulverizers, stokers, and boilers) produced by the same manufacturer; (iii) propeller type fans for use as a part of internal combustion engines; (iv) high pressure blowers included in Item 14 of this List A.

12. *Flexible metallic hose, tubing and fittings.* Any quantity of such hose, tubing or fittings, not electric conduit type.

13. *Heat exchangers.* Any equipment or apparatus consisting of an assembly, bundle, or nest of one or more bare or finned tubes (metallic or non-metallic) or metal plates, or any shell or pressure vessel for containing the same, designed for the transfer or exchange of heat between two or more fluids (liquids, gases or vapors). Excluded are the following: (i) Any item which is direct fired or installed within a flue gas passage; (ii) any item which permits direct contact involving physical mixing of the fluids (other than direct contact boiler feed water heaters); (iii) any steam surface condenser designed to condense exhaust steam from a prime mover to maintain a minimum exhaust pressure; (iv) any item for use on aircraft; (v) any radiator-type cooler; (vi) any unit heater, convector, unit ventilator, unit cooler or blast coil when any such item is for space heating or cooling or industrial space heating or drying; (vii) any indirect water heater, commonly referred to as a storage water heater and consisting of a heating element installed in a hot water storage tank for heating and storing hot water for any purpose; (viii) any indirect water heaters consisting of a coil or nest of tubes installed in a shell or pressure vessel with a diameter of 12 inches or less, or with an internal cross sectional area of 113 square inches or less when not circular in cross section, and used for supplying hot water for any purpose; (ix) any item of non-metallic construction for use in a chemical supplemental laboratory; (x) items specially designed and fabricated solely for incorporation into or repair of other machinery (not heat exchanger) produced by the same manufacturer; and (xi) items for use in a refrigerating or air conditioning system, as defined in Order L–38.

14. *High pressure blowers.* Any blower, compressor, exhauster, or vacuum pump of the rotative type, designed for pressure differential of 1½ pounds or more per square inch (including any diesel engine supercharger or scavenger, or any ballast unloading blower). Excluded are items for use in a refrigerating or air conditioning system, as defined in Order L–38.

15. *Lifting magnets (electric).* Circular types, 5 inches in diameter and larger.

16. *Oil filtering and re-refining machines.* Any equipment or device designed to filter, or to re-refine by heating or bleaching, lubricating or cutting oils which have been used. Excluded are centrifuges.

17. *Ovens, industrial, drying, curing and finish-baking types.* Any oven of the types used in industrial or commercial processes for drying, curing, or finish-baking ceramic, concrete, plastic or other products, except food or food products. Excluded are heat treating furnaces.

18. *Paper shredders.* Any machine or device designed to cut paper into narrow shreds, as used in the destruction of confidential papers or the preparation of packaging materials. Excluded are shredders for reprocessing waste into new paper.

19. *Pumps.* Any mechanically operated mechanism of the rotary, centrifugal or reciprocating type, designed for raising, circulating or otherwise moving any liquid. Included are pumps sold separately, or with a driving unit. Excluded are the following: (i) pumps specially designed and fabricated solely for incorporation into or repair of other machinery (not pumps) produced by the same manufacturer, (ii) pumps for use as parts of internal combustion engines, or parts of motor vehicles of the types covered by Order L–158; (iii) pumps for use as parts of fire fighting equipment of the types covered by Order L–43; (iv) pumps which are farm machinery and equipment as defined in Order L–257; (v) service station type measuring and dispensing pumps; (vi) the following pumps when designed and used solely for heating of building space; condensate return pumps and hot water circulating pumps; (vii) pumps of the sanitary type for milk or egg processing; (viii) pumps ordinarily used for construction contractors' purposes or by construction contractors for dewatering and supply as defined in Order L–192.

20. *Pressure vessels (including air receivers of all sizes and types).* Any sealed carbon steel or alloy steel vessel or shell designed to withstand internal or external pressure for the purpose of retaining one or more fluids (liquids, gases, or vapors). Excluded are the following types: (i) direct fired vessels, such as boilers; (ii) vessels designed to contain water under pressure for domestic supply; (iii) vessels for transportation; (iv) vessels designed as heat exchangers or enclosures therefor (included in Item 13 of this List A); (v) vessels designed for cooking or preparing food stuffs; (vi) field assembled storage vessels such as spheres and spheroids; (vii) vessels, other than air receivers, with a liquid capacity of less than 30 cubic feet.

21. *Stationary steam engines.* Any steam engine not designed for use in locomotives or other equipment used for transportation purposes, not marine.

22. *Wire working machinery.* Any new machine or equipment having a value of more than $100 designed to cut, form, or fabricate any product from wire. Excluded are rubber covering machines, strainers and stoppers, vulcanizers of all types, and wire tying machines.

23. *Insulation blowing machines.* Any machine or device designed to blow insulating materials of any kind into the walls, ceiling or other part of a building or other structure to insulate it against heat transfer.

24. *Electroplating and anodizing equipment.* "Electroplating equipment" means any of the following equipment intended to be used in the process of depositing metal by means of a solution and an electric current (except equipment for electrolytic refining of metals): Rinse tanks, acid dip tanks, plating tanks, cleaner tanks, spray tanks, linings for tanks, anode and cathode rods, racks and other forms for holding cathodes, motor-generator sets, generators, rectifiers, panel boards, individual plating barrels, automatic or semi-automatic barrel plating machines, semi-automatic plating machines, full automatic plating machines, buffing lathes, degreasers, washing machines, ball anode containers, tank rheostats, cathode agitators, voltage regulators, plating baskets, filters and filter presses, dryers, tumbling barrels, and ventilating equipment.

"Anodizing equipment" means any of the following equipment intended to be used in the electrochemical treatment of the surface of any metal to produce a corrosion-resistant film on the surface of the metal: cleaner tanks, rinse tanks, anodizing tanks, chrome dip tanks, dye tanks, linings for tanks, anode and cathode rods, racks, motor-generator sets, generators, rectifiers, tank rheostats, panel boards, automatic anodizing machines, temperature controllers and regulators, baskets, meters, control and recording instruments, voltage regulators, and ventilating equipment.

25. *Oxy-acetylene apparatus.* "Oxy-acetylene apparatus" means (i) any new device which uses oxygen, in conjunction with

acetylene or other fuel gases, for the welding, heating, spraying or cutting of metals; or (ii) any new acetylene generator.

[Interpretations 1, 2 and 3 to Limitation Order L-123 revoked February 28, 1944]

[F. R. Doc. 44-13254; Filed, August 31, 1944; 10:31 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, as Amended Aug. 31, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of farm machinery and equipment and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.15 *Limitation Order L-257*—(a) *What this order does.* This order describes the rules governing the manufacture of farm machinery and equipment and repair parts for sale in the continental United States and possessions. (Manufacture for export is covered by Order L-257-a.) To aid manufacturers in planning a continuour production cycle, it is the intention that this will be the basic order from year to year. However, it is expected that a new schedule of quota percentages will be issued as a part of the order each year for the "current quota period" starting July 1 of that year, and this will become the "applicable schedule" for that period. For example, the applicable schedule for the period July 1, 1943 to June 30, 1944, is Schedule A; for the following twelve-month period starting July 1, 1944, the new applicable schedule might be called Schedule B, etc. In order that producers may plan their production and order materials in advance, they may assume that the schedule in effect at any particular time will continue into the next "current quota period", until such time as a new schedule is issued. There is no quota limitation on repair parts or attachments:

In addition to quota and other limitations on manufacture, this order also has rules on the filing and approval of production schedules, covering machinery and equipment (both farm and non-farm) and repair parts. Producers affected must stick to their schedules, with certain exceptions, so that the various programs, both farm and non-farm, can be met on time.

(b) *Definitions.* For the purpose of this order (and any orders supplementary hereto, unless otherwise indicated):

(1) "Producer" means any person, other than a supplier, engaged in the manufacture (in the United States) of farm machinery and equipment or of attachments or repair parts for farm machinery and equipment.

(2) "Small producer" means any producer whose total net sales (including exports and sales by affiliates) of all products did not exceed $100,000 during the calendar year 1941; and includes any other producer who has been classified by the Smaller War Plants Corporation as a "smaller, distressed producer" and is specifically designated as such for the purpose of this order by the War Production Board, on such terms and conditions as may be proper.

(3) "Manufacture" means to put into process, machine, fabricate, or otherwise alter materials by physical or chemical means.

(4) "Supplier" means any person engaged in the manufacture (for sale to a producer in the United States) of materials, parts, assemblies or subassemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(5) "Machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) of the types ordinarily manufactured for farm use, and listed on the applicable schedule attached hereto.

(6) "Farm use" means use for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry). The term also includes use for the production or care of crops in "victory gardens" with respect to atomizing hand sprayers, hand dusters, wheel-type hand cultivators and wheel-type hand plows, and use for any civilian purpose with respect to horseshoes, muleshoes, oxenshoes and harness hardware.

(7) "Farm machinery and equipment" means machinery and equipment which is manufactured specifically for farm use, including irrigation and drainage equipment (excluding tile), horseshoes, muleshoes, oxenshoes, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, fencing, poultry netting and wire, wire fencing, bale ties or straps, oil well casing and water pipe, grain bins and corn cribs, water storage tanks, nails (all kinds), and sundry hardware (including hand tools, chains, barn door track, pulleys, scales, and similar items not specified on the applicable schedule).

(8) "Non-farm machinery and equipment" means machinery and equipment, as defined in paragraph (b) (5) above, which is manufactured pursuant to rated orders for any purpose other than farm use and includes industrial models of wheel-type tractors (CMP Code 319) not ordinarily manufactured for farm use.

(9) "Attachment" for machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine. No item (other than Item No. 313) listed on the applicable Schedule shall be deemed an attachment.

(10) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of "farm machinery and equipment" and shall include plow shares and shapes, and water pump cylinders. No item listed on the applicable schedule shall be deemed a repair part.

(11) "Base production" means the weight of a producer's total manufacture in the United States of any item of farm machinery and equipment for sale in the United States during either the calendar year 1940 or 1941, in whichever year such weight was the greater.

(12) "United States" means the forty-eight states, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and all other territories and possessions of the United States.

(13) "Current quota period" means the twelve-month period which starts July 1 of any year and ends June 30 of the following year, as identified on the applicable schedule.

(14) "Applicable schedule" means the particular schedule relating to a current quota period, and fixing manufacturing quotas (for sale in the United States) for each item listed for that period.

(c) *Restrictions on production for domestic farm use*—(1) *Manufacturing quotas.* During any current quota period, no producer shall manufacture, for sale in the United States, more of any item of farm machinery and equipment (by weight) than his quota for that item. This quota is figured by taking the percentage shown for the item on the applicable schedule, and multiplying it by his base production of the item. Exceptions to this general rule are stated in paragraph (d). Special restrictions are set forth in subparagraph (2) below and in paragraph (f).

(2) *Special restrictions.* (i) The quota for items of farm machinery and equipment for any person who had no "base production" in 1940 or 1941 is limited to an aggregate value of not more than $2,500 during any current quota period. This limit does not apply to repair parts or attachments under paragraphs (d) (1) and (d) (3), nor to any production under Direction 3 to this order, nor to any item which may be specifically removed from quota limitations.

(ii) No item which is not provided for in the applicable schedule shall be manufactured as "farm machinery and equipment" for sale in the United States.

(iii) No person shall manufacture for sale in the United States any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type.
Combines.
Pick-up hay balers and field hay harvesters.
Corn pickers.
Power sprayers over ten gallons per minute.
Any item requiring tires to be mounted on wheel rims of the following sizes (diameter): 15", 16", 18", 20" and 21".

(iv) No producer who is not a "small producer" shall manufacture, for sale in the United States, any item of farm machinery and equipment or repair parts (or non-farm machinery and equipment) except to the extent listed on an approved production schedule under paragraph (e).

(3) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular areas, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions*—(1) *No quota for repair parts.* Producers may manufacture repair parts for sale in the United States without any restrictions as to quota. However, they must comply with paragraph (e) with respect to production schedules.

(2) *Bracketed items.* Wherever, in an applicable Schedule, two or more items are bracketed together, the producer must apply the individual percentages to his base production of each item in the bracket and add up the various weights. This total permissible weight may then be distributed among all or any one or more of the items in that bracket as he chooses (regardless of the individual quota percentages).

(3) *No quota restrictions on attachments.* "Attachments" may be manufactured for sale in the United States without any restrictions as to quota. However, it is necessary to comply with paragraph (e) with respect to production schedules.

(4) *Small producers.* Any "small producer" may use the quota percentage "100%" instead of the quota percentage listed on any applicable schedule for any item or items which he makes, but only to the extent that the weight of his total manufacture of all items of farm machinery and equipment during the current quota period does not exceed, in the aggregate 100% of his base production of these items. In addition, small producers do not have to comply with certain provisions of this order with respect to production schedules or monthly reports, as stated in subparagraph (c) (2) (iv) and paragraphs (e) and (k). However, this does not relieve them from complying with all CMP Regulations and procedures.

(5) *Production before or after current quota periods*—(i) *Advance planning of production.* Before the beginning of any current quota period, producers may plan their production, order materials and start initial fabrication in accordance with the applicable schedule for the coming period. For this purpose, until such time as a new applicable schedule is issued, it may be assumed that the schedule currently in effect will apply for this next period. In other words, the schedule in effect is always the "applicable schedule" unless and until displaced by a new schedule.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of quotas for sale in the United States under an applicable schedule (including all amendments appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period but only to the extent that they can be completed by July 31 of this next period. However, uncompleted quotas (domestic, and those under Schedule B-6) under Order L-170 may be carried over as explained above for completion any time before June 30, 1944. In addition, uncompleted quotas for the following items of harvesting machinery and equipment under Schedule A (including special authorizations, etc.) may be carried over for completion any time before September 30, 1944:

Combines (Items 126 and 126a only).
Corn binders (Items 132 and 132a only).
Corn pickers (Items 133–136).
Field ensilage harvesters (Item 137).
Peanut pickers (Item 161).
Corn shellers (Items 166 and 167 only).
Hay balers (Items 172, 172a and 172b only).
Feed grinders and crushers (Items 174, 175, and 175a only).
Portable elevators (Item 188).

(6) *Substitute materials.* Any person may manufacture for sale in the United States the following items, without regard to the restrictions of this order, if they are made from the substitute materials listed:

Bee hives.
Farm gates.
Feed trucks.
Grit boxes.
Hog troughs.
Laying nests.
Livestock feeders.
Milk stools.
Poultry feeders.
Poultry waterers.

These items are unrestricted only if they are made entirely (except for nails and essential strappings and fastenings, and except for doors in the case of livestock feeders) from any one or more of the following materials:

NOTE: List amended July 14, 1944.

Glass or other ceramic products.
Plain concrete.

Some of the items listed above are also given quotas on the applicable schedule. These quotas apply only to the extent that the items are to be made from iron or steel.

NOTE: See Direction 3 to this order which removes quota restrictions under certain conditions.

(7) *Substitution for critical materials encouraged.* If the weight of any item of farm machinery and equipment manufactured by a producer has been or will be increased by his substituting for more critical materials any of the materials listed above in subparagraph (d) (6), he may still manufacture in any current quota period the number of units which would have been within his domestic quota before making the substitution. Also a producer may apply for additional quota for any item in which he can substitute these materials entirely for more critical materials.

(8) *Assignments of quota.* All assignments of quota specifically authorized by appeal under Limitation Order L-170 for the period starting November 1, 1942, or under this Order L-257, are re-authorized for each current quota period. The assignee, in figuring his additional quota, must take the percentage on the applicable schedule for each item transferred and multiply it by the assignor's base production of that item. The assignor's quota is, to that extent, revoked.

(e) *Production schedules*—(1) *AA-2 for purpose of scheduling production.* Producers and other persons authorized to manufacture under this order may schedule their production of items of farm machinery and equipment and repair parts as if the orders for these items bore a rating of AA-2.

(2) *Production schedules must be filed: exemption for "small producers".* With respect to each item of machinery and equipment (both farm and non-farm) and repair parts, each producer must file a production schedule on Form WPB-3181, listing the quantities he plans to have available for shipment (within his quota and other authorizations under this order) to various classes of customers, in accordance with the instructions on the form. This production schedule is deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board. "Small producers" do not have to file this form.

(3) *Items on approved schedule to be available for shipment; changes in schedule.* Each producer must have available for shipment each month to each class of customer the quantities of each item and of repair parts as indicated on his approved schedule. However, he may complete (within his approved total) more than his schedule in any month, except that, in the case of wheel-type tractors, a producer may not complete in any calendar quarter more tractors than the total shown on his approved schedule for that quarter, plus any approved amounts scheduled but not completed in previous quarters. He may also, if necessary, delay completion of any quantities scheduled for any class of customer for any month up to the last day of the next month. Any other change in an approved schedule must be reported on Form WPB-3181 and the change will be deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board.

(4) *Deliveries for farm use protected.* A producer must deliver all quantities of items and repair parts listed on an approved schedule (WPB-3181) for farm use and for export without regard to preference ratings, unless otherwise specifically directed in writing by the War Production Board. Small producers may deliver items for farm use and for export without regard to any orders bearing preference ratings of AA-2x or lower.

(f) Further restrictions. (1) [Deleted Mar. 23, 1944]

(2) *Restrictions on sale for domestic use.* Subject to such directions as may be issued from time to time as to rationing control by the War Food Administrator, no person shall sell any item of new farm machinery and equipment (except poultry equipment, horseshoes, muleshoes, oxenshoes, and harness hardware) which was manufactured for sale in the United States, and which he knows or has reason to believe will not be used in the hands of the ultimate consumer for farm use, except to fill a contract or purchase order bearing a preference rating of AA-4 or higher. If the rated order is for an item which farmers can get only by furnishing purchase certificates under Food Production Order 14 or any other applicable regulation of the War Food Administration, the seller must not fill the order from stock. However, in the following special cases,

the seller may sell any of these items from stock for non-farm use on an order rated AA–4 or higher:

(i) If the item is in his stock as a replacement for one previously sold on a rated order, or

(ii) After he has extended the rated order to his supplier and has actually received the particular item, or

(iii) If the rated order is placed with him directly by the Army or Navy (and not indirectly by a contractor or otherwise), or

(iv) If he is a producer (but producers must comply with all applicable orders and regulations, particularly paragraph (e) (4) of this order).

(g) *Excess inventory.* Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts authorized to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(h) *Conservation of materials.* (1) If any other order of the War Production Board limits the use of critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts to a greater extent than this order does, the other order shall govern unless it states otherwise.

(2) The War Production Board may also from time to time issue special orders requiring standardization, simplification, substitution, or other measures to save critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture for sale in the United States more farm machinery and equipment (except tractors) than the quotas fixed in the applicable schedule or paragraph (c) (2) (i), or who wants to manufacture as "farm machinery and equipment" any item not provided for in the applicable schedule, may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization to increase his quota under paragraph (c) (3), or (until September 15, 1944) under Direction 4 to this order. With respect to repair parts, attachments, and other items not subject to quota restrictions, a person may also apply as explained in Priorities Regulation 25 if he wants to make more of any of those items than are shown on his approved production schedule, or if he has no approved schedule for the item. The provisions of paragraphs (c) (2) (iv), (e) and (k) with respect to approved production schedules and reports do not apply to production authorized under Priorities Regulation 25, but the delivery restrictions of paragraph (f) (2) continue to apply to such production.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (c) (1), (c) (2) (i) and (c) (2) (ii), shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the restrictions of paragraph (c) (1), (c) (2) (i), or (c) (2) (ii).

(k) *Reports.* Each producer who is not a "small producer" must file by the 10th day of each month a report on Form WPB–1768 of his production during the previous month in accordance with the accompanying instructions. The first report must be filed on or before September 10, 1943. In addition, if any serious production trouble or delay develops between dates of filing the above Form WPB–1768, the producer should immediately advise the War Production Board, including the following information where applicable:

(1) The name of any material or component part, the non-delivery of which is, or will be, materially retarding his production.

(2) The name of the manufacturer or supplier with whom the order was placed.

(3) Producer's purchase order number.

(4) Date of the order.

(5) Supplier's order number.

(6) Promised date of delivery.

"Small producers" and all other persons authorized to manufacture under this order who do not report monthly on Form WPB–1768, must file by August 10, 1944, a report on Form WPB–3808 of their production during the entire current quota period starting July 1, 1943. This report should be filled out in accordance with the instructions on the form.

(l) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board, unless this order states otherwise.

(m) *Order L–170.* Except as otherwise stated in this order, it supersedes Limitation Order L–170 as of July 1, 1943.

(n) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C. Ref: L–257.

NOTE: The reporting requirements in paragraphs (k), (e) (2) (iii), (e) (2) and (e) (3) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Schedule A deleted August 31, 1944, since it expired June 30, 1944. Any quotas under that Schedule which are not completed by the end of the grace period specified in paragraph (d) (5) (ii) of L–257 are cancelled. Production for farm use for the current quota period July 1, 1944 to June 30, 1945, is covered by Schedule B.

[F. R. Doc. 44–13305; Filed, August 31, 1944; 12:04 p. m.]

PART 1029—FARM MACHINERY

[Limitation Order L–257, Schedule B, as Amended Aug. 31, 1944]

SCHEDULE B QUOTAS, DOMESTIC FARM USE, JULY 1, 1944 TO JUNE 30, 1945

§ 1029.17 *Schedule B to Limitation Order L–257.* In accordance with the provisions of Order L–257, this Schedule B is the "Applicable Schedule" for the current quota period July 1, 1944 to June 30, 1945. With a few minor changes, such as consolidations of certain items, it contains the same items and corresponding item numbers as shown on Schedule A. However, there have been important changes in the quota percentages for the new "current quota period", and also more liberal "bracketing" of many items is permitted.

The production quotas set forth in this Schedule B should be used by producers as the basis for planning their production, establishing production schedules and ordering material under CMP. The War Production Board may establish a final distribution pattern which is not in accord with these quotas. Any additional controls or exemptions which may be desirable with regard to production quotas, and any modifications with respect to final distribution of completed machines, will be issued as the need arises. In figuring his permitted production, each producer must comply with the provisions of the basic Limitation Order L–257, unless this Schedule B states otherwise.

EXPLANATORY NOTES TO SCHEDULE B

Quotas for new machinery and equipment for farm use are expressed as a percentage of the net shipping weight of each item produced during 1940 or 1941, whichever was higher.

There are no quota limitations on the manufacture of repair parts or attachments. There are also no quota limitations on any item having no quota percentage and marked "not limited".

In accordance with paragraph (d) (2) of L–257, production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket, so long as the total weight does not exceed that determined by applying the various quota percentages to the items in the particular bracket.

"Small producers" may use the quota percentage of 100% for any item or items they manufacture, so long as their aggregate production of all items (excluding repair parts and attachments) does not exceed 100% of their total 1940 or 1941 production, whichever was higher, as provided in paragraph (d) (4).

Any item of farm machinery and equipment not provided for in this schedule B is not to be manufactured for sale in the United States, unless specifically exempted under the order. Moreover, any manufacture of an item in excess of the percentages established in this Schedule B, even though it may be scheduled for production under paragraph (e), is permitted only if specifically authorized pursuant to paragraph (c) (3) or under a direction to this order.

NOTE: Table amended August 31, 1944.

GROUP 1 PLANTING SEEDING AND FERTILIZING MACHINERY

DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)

Item No.		Quota Percent
1	One row, one horse, corn	81
2	One row, one horse, corn and cotton, peanut and other	75
3	One row, two horse, corn and cotton	75
4	Two row, corn	77
5	Two row, corn and cotton	77
6	Three row and over, corn	90
7	Three row and over, corn and cotton	100

DIVISION 2: PLANTERS (TRACTOR MOUNTED)

8	One row, corn	0
9	One row, corn and cotton	73
10	Two row, corn	94
11	Two row, corn and cotton	71
12	Three row and over, corn	125
13	Three row and over, corn and cotton	125

DIVISION 3: POTATO PLANTERS (HORSE AND TRACTOR DRAWN)

14	One row	140
14a	Two row and larger	140

DIVISION 4: TRANSPLANTERS

15	Horse or tractor drawn, tractor mounted or self-propelled	147
16	Hand, wheel type	147

DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)

17	One row—combined with item 64.
18	Two row—combined with item 65.
19	Three row and over—combined with item 66.

DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)

20	One row—combined with item 67.
21	Two row—combined with item 68.
22	Three row and over—combined with item 69.

DIVISION 7: BEET AND BEAN DRILLS OR PLANTERS

23	Horse or tractor drawn or tractor mounted	122

DIVISION 8: GRAIN DRILLS

24	One horse, plain or fertilizer, three to seven disc or run	90
25	Fertilizer drills, horse or tractor drawn	103
26	Plain drills, horse or tractor drawn	91

DIVISION 9: BROADCAST SEEDERS

27	Wheeled, horse or tractor drawn	82
28	Endgate	82
29	Hand (wheelbarrow and other)	82

DIVISION 10: GARDEN PLANTERS

30	Hand, wheel type	77
31	Horse or tractor drawn, one row or multiple row (one row is a unit)	109

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

DIVISION 11: FERTILIZER DISTRIBUTORS

32	Horse or tractor drawn or tractor mounted	94
32d	Hand propelled	90

DIVISION 12: LIME SPREADERS (HOWERS)

33	Wheeled hopper type sower, horse or tractor drawn	61
34	End-gate type	61
34a	Trailer type	61
35	Truck body type	100

DIVISION 13: MANURE SPREADERS AND LOADERS

36	Four wheel, horse or tractor drawn	63
37	Two wheel, tractor drawn	78
37a	Manure loaders	125

DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINES

38	Limestone pulverizers (farm size, under 14")	49
39	Uni-carrier, chassis or rear tool bar (short and long) for mounting tools, pull type	80
39a	Tool frame, attached or rear tool bar (short and long) for mounting tools on tractor	80
40	Potato cutter	100
40a	Misc. planting, seeding and fertilizing equipment	80
40b		80

DIVISION 15: ATTACHMENTS

41	Attachments consolidated into a single Item 313	

GROUP 2: FARM PLOWS AND LISTERS

DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)

42	Walking, one horse, steel bottom	62
43	Walking, one horse, chilled bottom—combined with item 42	
44	Walking, two horse and larger—combined with item 42	
45	Sulky	90
46	Gang, two bottom and larger	90

DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)

47	One bottom, tractor drawn	63
47a	One bottom two way (one furrow) tractor drawn	63
48	Two bottom, tractor drawn	89
48a	Two bottom, two-way (two furrow) tractor drawn	89
49	Three bottom, tractor drawn	96
50	Four bottom, tractor drawn	101
51	Five bottom and larger, tractor drawn	87
52	One bottom, tractor mounted	40
52a	One bottom, two-way (one furrow) tractor mounted	40
53	Two bottom, tractor mounted	62

DIVISION 3: DISC PLOWS (HORSE DRAWN)

54	Single disc and larger	0

DIVISION 4: DISC PLOWS (TRACTOR DRAWN)

55	One disc	73
56	Two disc	66
57	Three disc	80
58	One disc—direct connected (1 wheel type)—combined with item 55	
59	Two disc—direct connected (1 wheel type)—combined with item 56	
59a	Three disc—direct connected (1 wheel type)—combined with item 57	
59b	Three disc, tool bar type—combined with item 57	
60	Four disc, tractor drawn	74
61	Five disc, tractor drawn	65
62	Six disc and larger, tractor drawn	72

DIVISION 5: ONE-WAY DISC PLOWS OR TILLERS

63	Under five feet	70
63a	Five foot and over	70

DIVISION 6: LISTERS AND MIDDLEBUSTERS (HORSE OR TRACTOR DRAWN) (WITH OR WITHOUT PLANTING ATTACHMENTS)

64	One row, horse or tractor drawn	76
65	Two row, horse or tractor drawn	74
66	Three row and larger, horse or tractor drawn	126

DIVISION 7: LISTERS AND MIDDLEBUSTERS (TRACTOR MOUNTED) (WITH OR WITHOUT PLANTING ATTACHMENTS)

67	One row, tractor mounted	80
68	Two row, tractor mounted	81
69	Three row and larger, tractor mounted	92
69a	Three row ridgers	85

DIVISION 8: SUB-SOIL PLOWS

70	Horse drawn	60
71	Tractor drawn	60
72	Tractor mounted	60

GROUP 2: FARM PLOWS AND LISTERS—Continued

DIVISION 9: PLOW STOCKS

73	Single or double stocks	66

DIVISION 10: OTHER PLOWS AND LISTERS

74	Basin tiller	100
75	Cane row plows	133
76	Misc. plows and listers	60

DIVISION 11: ATTACHMENTS

77	Attachments consolidated into a single Item 313	

GROUP 3: HARROWS, ROLLERS, PULVERIZERS & STALK CUTTERS

DIVISION 1: FARM TYPE HARROWS

78	Spike tooth harrow sections, horse or tractor drawn	69
79	Spring tooth harrow sections, horse or tractor drawn	66
80	Disc harrows, horse drawn	70
80a	Disc harrows, tractor drawn or tractor mounted	70
80b	Disc harrow, offset—tractor drawn	70
81	Disc harrows, tractor mounted and tool bar type, combined with 80a	
81a	Cane disc harrows, tractor mounted and tool bar type	133

DIVISION 2: SMOOTH LAND ROLLERS

82	Smooth land rollers, not including lawn rollers	61

DIVISION 3: SOIL PULVERIZERS AND PACKERS

83	Soil pulverizers and packers	57

DIVISION 4: STALK CUTTERS

84	Stalk cutters, horse or tractor drawn	75
84b	Weed cutters (rotary blade type; not hand type)	75
84c	Cane stubble shavers	85

DIVISION 5: RIDGE BUSTERS

85	Ridge busters, horse or tractor drawn	100
86	Ridge busters, tractor mounted	100

DIVISION 6: OTHER HARROWS AND ROLLERS

87	Combination harrow and rollers	91
87a	Seed-bed row rollers	72
88	Field markers	60
89	Misc. harrows and rollers	60

DIVISION 7: ATTACHMENTS

90	Attachments consolidated into a single Item 313	

GROUP 4: CULTIVATORS AND WEEDERS

DIVISION 1: CULTIVATORS (HORSE & TRACTOR DRAWN)

91	One horse (all types, including hillers, disc hoes, shovel plows, little joes, and similar type harrows and rotary harrows	57
92	One row, walking, two horse	96
93	One row, riding, two horse	90
93b	Two row, riding, horse drawn	90
94	One and two row, riding, horse drawn, listed corn type	90
94b	Two row and over, tractor drawn, listed corn type	100
95	Beet and bean cultivators	67
95b	Two row wing and disc hoes and hillers, potato, horse or tractor drawn or tractor mounted	144
96	Field cultivators, including chisels and orchard cultivators	82
97	Hand cultivators, wheel type, including hand plows	110

DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)

98	One row	83
99	Two row, shovel or disc type	79
99a	Two row, listed corn type	79
100	Three row and over, all types	120
101	Narrow row, four and six row (beet, bean and vegetable cultivators)—combined with item 100.	
101a	Combination cultivators and planters, two row, corn and cotton	75
101b	Cane cultivators	133
101d	Field cultivator, mounted and tool bar type, including chisel and orchard cultivators	84

DIVISION 3: ROTARY HOES

102	Rotary hoes, horse or tractor drawn	68

DIVISION 4: WEEDERS, DRAWN OR MOUNTED

103	Rod weeders	90
104	Tooth weeders, one horse, walking	150
104a	Tooth weeders, two horse, riding	150
104b	Tooth weeders, tractor drawn or tractor mounted	150

GROUP 4: CULTIVATORS AND WEEDERS—Continued

DIVISION 8: OTHER CULTIVATORS & WEEDERS

Item No.		Quota Percent
106	Beet, cotton, or vegetable thinners	130
106b	Cyclone weeder	95
106	Misc. cultivators and weeders	55

DIVISION 9: ATTACHMENTS

107	Attachments consolidated into a single Item 313	

GROUP 5: FARM SPRAYERS, DUSTERS, & ORCHARD HEATERS

DIVISION 1: POWER SPRAYERS

108	Market garden type, under six G. P. M.	100
108a	Orchard type, auxiliary engine	100
108b	Orchard type, power take-off	100
108g	Field or row crop type, auxiliary engines	100
108h	Field or row crop type, power take-off	100
108m	Field or row crop type, tractor mounted	100
108n	Propeller blast type	100
109	Traction sprayers	100

DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC. WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GAL.)

110	All types other than atomizing	80
111	Knapsack, all contained, combined with item 110	
112	Trombone pump type, combined with item 110	
113	Bucket pump type, single cylinder, combined with item 110	
114	Bucket pump type, double cylinder, combined with item 110	
115	Atomizing, single action (1 qt. and larger capacity)	80
116	Atomizing, continuous (1 qt. and larger capacity) combined with item 115	

DIVISION 3: HAND PUMP SPRAYERS (CAPACITY SIX GAL. OR MORE)

117	Barrel pump sprayer	87
118	Wheelbarrow sprayer	90

DIVISION 4: SPRAY PUMPS, POWER

119	Spray pumps, power	104

DIVISION 5: WEED AND PEAR BURNERS

120	Weed and pear burners	60

DIVISION 6: DUSTERS

121	Power duster, auxiliary engines	128
121a	Power duster, power take-off	128
122	Traction dusters	100
123	Hand dusters, all types	100

DIVISION 7: ORCHARD HEATERS

124	Orchard heaters and smudge pots	100
124a	Wind frost protection machines	75

DIVISION 8: ATTACHMENTS

125	Attachments consolidated into a single Item 313	

GROUP 6: HARVESTING MACHINERY

DIVISION 1: COMBINES (HARVESTER-THRESHERS)

126	Width of cut, 6 ft. & under, auxiliary engines	75
126a	Width of cut, 6 ft. & under, power take-off	75
127	Width of cut, over 6 ft., including 10 ft.	110
128	Width of cut, over 10 ft., including 15 ft.	118
128a	Windrowers or swathers	97
128b	Combines, width of cut, over 15 ft.	118

DIVISION 2: GRAIN AND RICE BINDERS

129	Grain binders (ground drive)	60
130	Grain binders (power take-off)	79
131	Rice binders	72

DIVISION 3: CORN BINDERS

132	Corn binders, ground drive	92
132a	Corn binders, power take-off	92
132b	Corn harvester, sled and wheel type	72

DIVISION 4: CORN PICKERS

133	One row, mounted type	130
134	Two row, mounted type	135
135	One row, pull type	135
136	Two row, pull type	135

DIVISION 5: FIELD ENSILAGE HARVESTERS—ROW TYPE

137	Field ensilage harvesters (row type)	135

DIVISION 6: POTATO DIGGERS AND PICKERS

138	Walking plow type	130
139	One row, ground drive	130
139a	One row, power take-off	130
139b	Two row, power take-off	130
139c	Potato pickers	130

GROUP 6: HARVESTING MACHINERY—Continued

DIVISION 7: BEAN CUTTERS OR PULLERS

140	Horse or tractor drawn	127

DIVISION 8: SUGAR BEET & CANE HARVESTING EQUIPMENT

140	Beet lifters, horse or tractor drawn or tractor mounted	78
141b	Beet harvesters	150
141c	Beet loaders	150
141d	Cane harvesters	99
141e	Cane loaders	150

DIVISION 9: OTHER HARVESTING EQUIPMENT

142	Cotton harvesters, stripper type	150
142a	Cotton pickers	150
143	Vegetable pullers and pickers	150
143a	Green pea harvesters	150
143b	Spinach harvesters	150
144	One row soybean harvesters	150
144a	Grass seed harvesters or strippers	80
144b	Flax pickers	160
144c	Hop pickers	67
144d	Peanut diggers	150
144e	Misc. harvesting equipment	90

DIVISION 10: ATTACHMENTS

145	Attachments consolidated into a single Item 313	

GROUP 7: FARM HAYING MACHINERY

DIVISION 1: MOWERS

146	Horse or tractor drawn (ground drive)	69
147	Tractor mounted or semi-mounted (power take-off drive)	76

NOTE: Production of Items 146 and 147 for non-farm use is governed by this Order L-257 only if the particular item is a sickle bar mower having bars more than 4 ft. in length. All other mowers for non-farm use are governed by Order L-87.

DIVISION 2: RAKES

148	Sulky (dump)	62
149	Side delivery (including comb, side rakes tedders)	113
150	Sweep	90

DIVISION 3: HAY LOADERS

151	Hay loaders	77

DIVISION 4: STACKERS

152	Stationary	90
152a	Combination stacker-loaders	150

DIVISION 5: PICK-UP HAY BALERS & BALE LOADERS

153	Pick-up hay balers—power take-off	100
153a	Pick-up hay balers—auxiliary engine	100
153b	Field bale loader	150

DIVISION 6: OTHER HAYING MACHINERY

154	Field hay choppers and harvesters	150
155	Misc. haying machinery	90

DIVISION 7: ATTACHMENTS

157	Attachments consolidated into a single Item 313	

GROUP 8: MACHINES FOR PREP. CROPS FOR MARKET OR USE

DIVISION 1: STATIONARY THRESHERS—GRAIN, RICE & ALFALFA

158	Threshers, width of cylinder under 28 ins.	46
159	Threshers, width of cylinder 28 ins. & over	47

DIVISION 2: STATIONARY PEA & BEAN THRESHERS

160	Stationary pea and bean threshers	133

DIVISION 3: PEANUT PICKERS

161	Peanut pickers	61

DIVISION 4: ENSILAGE CUTTERS—SILO FILLERS

163	Ensilage cutters (silo fillers)	69

DIVISION 5: FEED CUTTERS—HAND AND POWER

163	Feed cutters, hand and power	80

DIVISION 6: CORN SHELLERS

164	Corn shellers (hand)	43
165	Spring (3, 4, 6 and 8 hole)	6
166	Cylinder (150 Bu. and under)	53
167	Cylinder (Over 150 bushels)	45

DIVISION 7: CORN HUSKERS AND SHREDDERS

168	Combination corn huskers—shredders	94
169	Corn huskers	41
170	Corn shredders	64

DIVISION 8: STATIONARY HAY & STRAW BALERS

171	Horse	70
172	Auxiliary engine	26
172a	Belt-driven or power take-off	36
172b	Broom corn balers	75
172d	Peanut hay balers	74

GROUP 8: MACHINES FOR PREP. CROPS FOR MARKET OR USE—Continued

DIVISION 9: FEED GRINDERS AND CRUSHERS (FARM)

177c	Hand	62
174	Power, burr type	56
175	Hammer type	56
175a	Roughage mills, combination type with cutter head and grinders	60
175b	Feed mixers (not concrete mixers)	56

DIVISION 10: GRAIN CLEANERS AND GRADERS

176	Cleaners and graders—farm type (small grain and seed)	62

DIVISION 11: SORTERS AND GRADERS

177	Potato sorters and graders	130
177a	Fruit and vegetable graders, washers, suckers, conveyors	90
177b	Vegetable toppers	90
177c	Nut hullers, graders, suckers, conveyors	50

DIVISION 12: MAPLE SYRUP EVAPORATORS

178	Complete sets of pans, not including furnaces	69
179	Furnaces	88

DIVISION 13: CANE SYRUP EVAPORATOR

180	Complete sets of pans, not including furnaces	65
181	Furnaces	77

DIVISION 14: CANE MILLS—FARM SIZE

182	Cane mills (farm size)	63

DIVISION 15: CIDER MILLS AND FRUIT PRESSES

183	Cider mills and fruit presses	75

DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE

184	Tobacco curers	71
185	Broom corn de-seeders	80
186	Miscellaneous	40

DIVISION 17: ATTACHMENTS

187	Attachments consolidated into a single Item 313	

GROUP 9: FARM ELEVATORS AND BLOWERS

DIVISION 1: ELEVATORS—PORTABLE

188	Elevators, portable	100

DIVISION 2: ELEVATORS—STATIONARY

189	Elevators, stationary	72

DIVISION 3: BLOWERS—GRAIN & FORAGE

190	Blowers (grain)	150
190a	Blowers (forage)	150

DIVISION 4: ATTACHMENTS

191	Attachments consolidated into a single Item 313	

GROUP 10: TRACTORS

DIVISION 1: FARM TRACTORS, WHEEL TYPE, BY RATED BELT H. P.

192	Special purpose, under 30 hp.	55
192a	Special purpose, 30 and over	55
194	All purpose under 30 hp.	55
196	All purpose 30 and over	55

DIVISION 2: GARDEN TRACTORS

199	Garden tractors (including motor tillers)	70

DIVISION 3: ATTACHMENTS

197	Attachments consolidated into a single Item 313	

GROUP 11: ENGINES

(Items 198, 199, 200, 201, 202 and 203 cancelled—scheduled by automotive division)

DIVISION 4: ATTACHMENTS

204	Attachments consolidated into a single Item 313	

GROUP 12: FARM WAGONS, GEARS & TRUCKS (NOT MOTOR)

DIVISION 1: WAGONS AND TRUCKS

205	Wagon gears (less box)	70
206	Truck gears (less box)	70
206a	One horse wagon (less box)	70

DIVISION 2: WAGON BODIES

207	Wagon & truck boxes, farm	57

DIVISION 3: FARM SLEIGHS

208	Sleighs & bob-sleds, farm	100

GROUP 12: FARM WAGONS, GEARS & TRUCKS (NOT MOTOR)—Continued

DIVISION 4: TRAILERS—FARM

Item No.		Quota Percent
209	Trailers, farm	0*

*Unless special permission is given under paragraph (c) (8) of L-257.

DIVISION 5: OTHER TRANSPORTING EQUIPMENT (NOT MOTOR TRUCKS)

210	Tobacco trucks	70
210a	Buggies and spring wagons, farm	70
211	Cane wagons and carts	112
211e	Misc.	80

DIVISION 6: ATTACHMENTS

212	Attachments consolidated into a single Item 313	

GROUP 13: DOMESTIC WATER SYSTEMS (FARM TYPE)

DIVISION 1: DEEP & SHALLOW WELL SYSTEMS

213	Deep well, reciprocal	69
214	Deep or shallow well jet type	81
215	Shallow well, 250–499 gals. per hour	74
216	Shallow well, 500 gals. per hour and over	70

DIVISION 2: POWER PUMPS

217	Horizontal type up to and including 75 gal. P. M. 100 lbs. pressure	76

DIVISION 3: WATER WELL CASING

218	Water well casing (fabricated by other than pipe mills)	100

DIVISION 4: ATTACHMENTS

219	Attachments consolidated into a single Item 313	

GROUP 14: FARM PUMPS AND WINDMILLS

DIVISION 1: PUMPS, WATER

220	Pitcher Pumps	97
221	Hand and windmill pumps	86

DIVISION 2: WINDMILLS

222	Windmill heads	100
223	Windmill towers	100

DIVISION 3: PUMP JACKS

224	Pump jacks	100

DIVISION 4: ATTACHMENTS

226	Attachments consolidated into a single Item 313	

GROUP 15: IRRIGATION EQUIPMENT

DIVISION 1: IRRIGATION PUMPS

227	Turbine pumps	107
228	Combined with Item 227	
230	Centrifugal pumps (excluding self-priming type)	96
230	Hydraulic rams	100

DIVISION 2: DISTRIBUTION EQUIPMENT

231	Land levelers	66
231a	Blade ditchers and terracers	66
231b	One disc terracers	66
231c	Corrugators	66
231d	Scrapers	66

NOTE: Items 231 to 231d are exclusive of Power Ditchers, Draglines, and Other Self-Powered Machines

232	Portable Pipe and Extensions, Sprinklers (Excluding Lawn Sprinklers), Valves and Gates, Expressed in Terms of Net Shipping Weight in lbs.	94

DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT

(List Each Item Separately)

233, 234 and 235	Misc.	60

DIVISION 4: ATTACHMENTS

236	Attachments consolidated into a single Item 313	

GROUP 16: DAIRY FARM MACHINES & EQUIPMENT

DIVISION 1: MILKING MACHINES

237	Milking machines (complete outfits)	80

DIVISION 2: FARM CREAM SEPARATORS

238	Capacity 200 lbs. per hour or less	46
239	Capacity 201 lbs. to 800 lbs. per hour	46
240	Capacity 801 lbs. to 1500 lbs. per hour	46

DIVISION 3: FARM MILK COOLERS

241	Immersion type	100
242	Surface or tubular type	64

DIVISION 4: FARM BUTTER MAKING EQUIPMENT

Item No.		Quota Percent
243	Butter churns	78
244	Butter molds	80

DIVISION 5: OTHER DAIRY FARM EQUIPMENT

245	Milk pails	130
246	Milk strainers	130
247	Stirrers	60
248	Cream setter cans	50
248a	Sterilizing tanks	70
248b	Dairy washing tanks	72
248c	Dairy water heaters (excluding boiler-type and pressure type heaters)	70
248d	Can racks	70
248e	Misc. dairy farm equipment (list additional items separately)	10

DIVISION 6: ATTACHMENTS

249	Attachments consolidated into a single Item 313	

GROUP 17: BARN AND BARNYARD EQUIPMENT

DIVISION 1: FEED CARRIERS, LITTER CARRIERS AND FEED TRUCKS

250	Feed carriers	80
251	Litter carriers	100
252	Track for feed and litter carriers	100
253	Feed trucks (iron and steel)	67

DIVISION 2: HAY UNLOADING EQUIPMENT

254	Hay carriers	90
255	Track for hay carriers	72
256	Hay forks, harpoon and grapple	90

DIVISION 3: CATTLE STALLS, PEN EQUIPMENT AND STANCHIONS

258	Cattle stalls & fittings	80
259	Livestock pens	80
260	Cattle stanchions & fittings	72

DIVISION 4: LIVESTOCK DRINKING CUPS AND WATERING BOWL

261	Livestock drinking cups	100
262	Outside livestock watering bowls	80

DIVISION 5: BARNYARD STOCK TANKS

263	Barnyard stock tanks	100
264	Hog troughs (iron and steel)	66
265	Livestock dipping tanks	75

DIVISION 6: FEEDERS, FEED COOKERS AND TANK HEATERS

265a	Livestock feeders (iron and steel)	90
266	Feed cookers	77
267	Tank heaters	100

DIVISION 7: BARN DOOR TRACK & HANGERS (REMOVED FROM THIS ORDER)

DIVISION 8: OTHER BARN & BARNYARD EQUIPMENT

270	Hog waterers	105
270a	Hog oilers	65
271	Hog rings	110
271a	Hog ringers	110
272a	Cattle deborning equipment	60
272f	Anti-cow kickers	45
272b	Hay hoists	60
272i	Bull staffs	100
272j	Bull rings	100
272k	Misc. barn and barnyard equipment	80

DIVISION 9: ATTACHMENTS

273	Attachments consolidated into a single Item 313	

GROUP 18: FARM POULTRY EQUIPMENT

DIVISION 1: INCUBATORS

274	Incubators, 1,000-egg capacity and smaller	60
275	Incubators, over 1,000-egg capacity	90

DIVISION 2: FLOOR BROODERS

276	Oil (over 100 chick capacity)	115
277	Coal (over 100 chick capacity)	115
278	Gas (over 100 chick capacity)	115
279	Wood (over 100 chick capacity)	115
280	Electric (over 100 chick capacity)	115
280a	All types 100 chick capacity and smaller	115

DIVISION 3: BATTERY BROODERS (HEATED)

281	Three deck and smaller (heated)	80
282	Four deck (heated)	70
283	Five deck (heated)	65

DIVISION 4: GROWING AND LAYING BATTERIES

284	Growing	69
285	Laying	0

GROUP 18: FARM POULTRY EQUIPMENT—Con.

DIVISION 5: POULTRY FEEDERS

Item No.		Quota Percent
286	Poultry feeders (iron and steel)	95

DIVISION 6: POULTRY WATERERS AND WATER HEATERS

287	Poultry waterers (iron and steel)	97
287a	Automatic float valves	100
287b	Fountain heaters	100

DIVISION 7: LAYING NESTS AND GRIT BOXES

288	Laying nests (iron and steel)	80
289	Egg baskets	100
289b	Grit boxes (iron and steel)	80

DIVISION 8: OTHER FARM POULTRY EQUIPMENT

290	Leg bands	110
290a	Wing bands	110
291	Egg graders	120
292	Egg candlers	125
292a	Poultry punches	50
292b	Roof saddles	115
292c	Draft equalizers	115
292d	Chimney caps	115
292g	Killing cones	50
292h	Fowl catchers	50
292i	Miscellaneous farm poultry equipment	50

DIVISION 9: ATTACHMENTS

293	Attachments consolidated into a single Item 313	

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

DIVISION 1: BEEKEEPERS' SUPPLIES

294	Beekeepers' supplies (except bee hives)	119
295	Bee hives (not limited).	

DIVISION 2: SILOS

296	Silos (total wt. of iron & steel)	80

DIVISION 3: HORSE SHOES—INCL. MULE & OXEN SHOES

297	Horse shoes (including mule and oxen shoes)	107

DIVISION 4: HARNESS HARDWARE

298	Harness hardware	100

DIVISION 5: POWER SHEEP-SHEARING MACHINES

299	Power sheep-shearing machines	100
299a	Power cattle and horse clippers	71

DIVISION 6: ELECTRIC FENCE CONTROLLERS

300	Electric fence controllers	100
301	Electric fence accessories	120

DIVISION 8: FARM WOOD-SAWING MACHINES

309	Farm wood-sawing machines, incl. self-powered cross-cut and drag 5 H. P. and less	93

DIVISION 9: FARM GATES

310	Farm gates	80

DIVISION 10: FARM ELECTRIC PLANT: (WIND-DRIVEN)

311	Farm electric plants (wind-driven) electric generating plants only—does not include batteries or towers	85
311a	Towers for wind-driven electric generating plants (engine driven farm lighting plants and batteries transferred to automotive division)	85

DIVISION 11: ATTACHMENTS

312	Attachments consolidated into a single Item 313	

GROUP 20: ATTACHMENTS

313	Attachments for all items in Groups 1-19; no quota limit. See paragraph (d) (3) of L-257.	

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18306; Filed, August 31, 1944; 12:04 p. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-1-e, Direction 1]

INFORMATION REQUIREMENT CONCERNING END-USE OF COMPONENTS

The following direction is issued pursuant to Limitation Order L-1-e:

Limitation Order L-1-e enumerates in Schedule A certain automotive components. Of these components, axles, transmissions and wheels, are now being scheduled pursuant to that order and other components may be scheduled later on. These components go into motor trucks and a great variety of other products being produced under other programs. In preparing component schedules under Order L-1-e, the War Production Board finds it essential to determine the relative urgency of the use to be made of the components, whether in trucks, trailers, construction machinery, farm equipment or otherwise. In many instances the manufacturer of the component does not have information in sufficient detail to inform the War Production Board as to the end-use of the component, since this information is frequently known only to the purchaser of the component and in some cases only to the customer of that purchaser. Unless purchase orders for automotive components already placed, as well as future orders, are properly identified, the War Production Board may be compelled to postpone delivery by the component manufacturer or to remove the orders entirely from his shipping schedule.

Consequently, in order that each manufacturer of the automotive components scheduled under Order L-1-e may be in a position to furnish the War Production Board with the required information, all purchasers of any such components are directed to furnish immediately to the manufacturer of the component the following information in respect to the items which he has ordered:

1. The specific use the purchaser will make of the component: for example—truck, landing craft, farm tractors, truck replacements, etc.

2. The program or project for which the component is required: for example—farm machinery, advanced naval base, heavy truck, truck replacement, etc.

3. The Government Contract Number (if any) identifying the prime contract placed by the claimant agency for such program or project: for example—W-04-353-Eng-339 (this indicates Army Engineer Corps—Contract No. 399); NOBe-1161 (this indicates Navy-Bureau of Ships—Contract No. 1161).

4. The claimant agency sponsoring the program or project: for example—the Army, Navy, War Food Administration, Office of Defense Transportation, etc.

The foregoing information must also be furnished to manufacturers of components by purchasers of components in respect to all future orders for any components scheduled under Order L-1-e, at the time the orders are given the manufacturer.

In supplying the information to the manufacturer, the purchaser should furnish a separate statement for purchase orders involving different programs or covered by more than one Government Contract Number.

If the purchaser of the component does not have any part of the foregoing information, he may get it from his customer and the customer likewise, if he does not have the information, may get it from his customer.

This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13307; Filed, August 31, 1944; 12:05 p. m.]

Subchapter C—Director, Office of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U-1 as Amended Aug. 31, 1944]

UTILITIES

DEFINITIONS

(a) Definitions.

PART II—HOW TO OBTAIN MATERIAL

(b) Preference ratings.
(c) CMP allotment number.
(d) Certification.

RESTRICTIONS ON ORDERING MATERIAL

(e) Scheduling deliveries.
(f) Exceptions to paragraph (e).
(g) Short item deliveries.

RESTRICTIONS ON USE OF MATERIAL

(h) Restrictions on use of material for maintenance and repair.
(i) Restrictions on use of material for minor plant additions.
(j) Restrictions on use of material for major plant additions.

SELLING MATERIAL

(k) Sales of material.
(l) Refusal to sell to other producers.

INVENTORY REDISTRIBUTION

(m) Clearing orders through Regional Utility Engineers.

GENERAL PROVISIONS

(n) Appeals.
(o) Records.
(p) Communications to War Production Board.
(q) Violations.
(r) Applicability of WPB regulations.
(s) Special delivery quota and inventory directions.

SCHEDULES

Schedule A, Material Classes.
Schedule B, Delivery Quotas.
Schedule C, Limits on Practical Working Minimum Inventory.
Schedule D, Items To Be Cleared Through Regional Utility Engineers.

§ 4500.1 *Utilities Order U-1—(a) Definitions.* (1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, supplying, or having facilities built for supplying, directly or indirectly for general use by the public, one or more of the following services:

(i) Electric power,

(ii) Gas, natural or manufactured, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines,

(iii) Water, other than exclusively for irrigation purposes,

(iv) Central steam heating, or

(v) Any of the foregoing services but not for general use by the public, if a specific direction from the War Production Board entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington 25, D. C., Ref.: U-1.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Controlled materials" means controlled materials as defined in Schedule I of CMP Regulation 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition. It does not include any plant addition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service. It does not include any plant addition.

(6) "Plant addition" means the construction or installation of new facilities or the replacement of existing facilities with facilities of greater capacity.

(7) "Minor plant addition" means a plant addition having a net material cost of not more than $10,000. No job or project may be subdivided to come within this limit.

(8) "Major plant addition" means a plant addition having a net material cost of more than $10,000.

(9) "Net material cost" means the cost of material incorporated in plant less the cost of material removed from plant, priced in accordance with the producer's regular accounting practice.

(10) "Operating supplies" means material, other than fuel, which is used or consumed in the course of a producer's operations, except in maintenance, repair, and plant additions.

(11) "Inventory" means all material in the producer's possession, without regard to its accounting classification, excluding, however, (i) material incorporated in plant, (ii) appliances and merchandising supplies, (iii) fuel, (iv) water purification and treatment material except equipment, (v) gas chemical material, (vi) material segregated for use in approved major plant additions, and (vii) scrap.

(12) "Class" means any one of those categories of material established as a basis for classification of inventory in Schedule A of this order.

How To Obtain Material

(b) *Preference ratings.* (1) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in every class except (i) the transmission and distribution class and (ii) the meter class, for use in maintenance and repair, as operating supplies, and for minor plant additions.

(2) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in (i) the transmission and distribution class and (ii) the meter class, for use in the repair of an actual or imminent breakdown.

(3) A preference rating of AA-3 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in (i) the transmission and distribution class and (ii) the meter class, for use in maintenance and repair, as operating supplies, and for minor plant additions, except where an AA-1 rating is assigned in paragraph (b) (2) above.

(4) Material obtained with the AA-1 rating may be used for purposes which are assigned lower ratings, but it may be replaced in inventory only by applying the lower rating to an equivalent dollar value of material in the same class. Material obtained with the AA-3 rating may be used for purposes which are assigned the AA-1 rating and may be replaced in inventory with either the AA-1 rating or an authorized AA-3 rating. The provisions of this paragraph (b) (4) supersede those of § 944.11, paragraph (a), of Priorities Regulation 1.

(5) Preference ratings for major plant additions may be obtained by filing an application on Form WPB-2774.

(c) *CMP allotment number.* (1) The abbreviated CMP allotment number U-9 is hereby assigned to orders to be placed by a producer for controlled materials for use in maintenance and repair, as operating supplies and for minor plant additions. Allotments of material for major plant additions may be obtained by filing an application on Form WPB-2774.

(2) An order for controlled materials for use in maintenance and repair, as operating supplies, and for minor plant additions bearing the abbreviated CMP allotment number U-9 and the certification required by paragraph (d) of this order shall be deemed an authorized controlled materials order. This abbreviated CMP allotment number shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(d) *Certification.* The ratings assigned by subparagraphs (b) (1), (2) and (3) of this order and the abbreviated CMP allotment number U-9 may be applied by a producer only by the use of a certification in substantially the following form unless an order of the War Production Board affecting a particular item of material requires some other form of certification:

Preference Rating ....., Abbreviated CMP Allotment Number U-9. The undersigned producer certifies, subject to the penalties of Section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive, for utility uses under Utilities Order U-1, the material ordered, and to use the preference ratings or allotment numbers which the undersigned has placed on this order.

The certifications set forth in Priorities Regulation 3 and CMP Regulations 1 and 5 may not be used but the standard form of certification provided in Priorities Regulation 7 is permissible if the producer adds a statement saying that material ordered is for utility uses under Utilities Order U-1.

Restrictions on Ordering Material

(e) *Scheduling deliveries.* Except as permitted by paragraphs (f) and (g) below, no producer shall schedule for delivery to it in any calendar quarter any material to be used for maintenance and repair, as operating supplies, or for minor plant additions, unless both of the following conditions are satisfied:

(1) [Deleted Aug. 31, 1944.]

(2) The producer does not have reason to believe that its inventory of material in the same class is or will, by virtue of its acceptance of the delivery when made, become in excess of a practical working minimum. A practical working minimum inventory is that amount of material which a producer, exercising prudent operating judgment, considers the smallest quantity of material it can hold and render war-time service at minimum standards. It may be less than the values established in Schedule C, but it shall in no case exceed them.

(3) No producer may place an order for any item of material, including material for major plant additions, if the required item or a practical substitute therefor is in the producer's inventory in excess of minimum requirements for that item.

(f) *Exceptions to paragraph (e) (2).* (1) The restrictions of paragraph (e) (2) do not apply to a producer so long as its inventory does not exceed $25,000 in value, except that such a producer must restrict its inventory to that amount of material which, in the exercise of prudent operating judgment, it considers the smallest quantity it can hold and render war-time service at minimum standards. Each purchase of material by such a producer, however, must be treated as the purchase of a "short item", and is subject to the provisions of paragraph (g) below. A producer engaged in furnishing more than one of the services named in paragraph (a) (1) may consider its inventory for each service separately for the purposes of this paragraph.

(2) The restrictions of paragraph (e) (2) do not apply to material excepted from inventory by the definition in paragraph (a) (11).

(3) [Deleted Aug. 31, 1944.]

(4) [Deleted Aug. 31, 1944.]

(5) The War Production Board may from time to time establish specific limits for permissible inventory for individual producers, modifying the provisions of Schedule C.

(6) [Deleted Aug. 31, 1944.]

(7) Notwithstanding the restrictions of paragraph (e) or of paragraph (g) below a producer may schedule an item of material for delivery in a minimum procurable commercial quantity, and in the case of cast iron, carbon steel, and non-metallic pipe, may schedule for delivery a minimum carload quantity.

(g) *Short item deliveries.* Even though it cannot schedule deliveries without exceeding the limits of paragraph (e) (2), a producer may schedule for delivery material which it will require for use in maintenance and repair, as operating supplies, and for minor plant additions during the ninety-day period following the date it expects to receive such material, so long as the producer's inventory of the required material, together with material already scheduled for delivery, will be insufficient to meet requirements during such ninety-day period.

(1) [Deleted Aug. 31, 1944.]

(2) [Deleted Aug. 31, 1944.]

Restrictions on Use of Material

(h) *Restrictions on use of material for maintenance and repair.* A job which can be classed as maintenance or repair, as those terms are defined in paragraphs (a) (4) and (5), may be done without regard to the dollar value of the material required when the following standards are met:

(1) The job must be necessary to maintain or restore service at minimum service standards or to prevent damage to facilities from serious overload, deterioration, storm, flood, climate, soil conditions, or similar contingencies.

(2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

(3) No facility or part which is serviceable in its existing installation may be replaced except to avoid an imminent breakdown.

(i) *Restrictions on use of material for minor plant additions.* A job which is a plant addition, as defined in paragraph (a) (6), rather than maintenance and repair, may be done without special permission from the War Production Board, if it is a "minor plant addition"; that is, if its net material cost does not exceed $10,000. Paragraph (a) (9) explains what is meant by net material cost. However, all minor plant additions are subject to the following restrictions:

(1) No facility or part which is serviceable in its existing installation may be replaced except to avoid an imminent breakdown.

(2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

(3) New facilities must be necessary for rendering service at minimum standards

(4) No extension of a line to consumer premises may be made or connected by a producer unless it is authorized by a Supplementary U-1 order or by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.

(5) In the case of any building construction or alteration involving a cost in excess of $800 for materials and labor, the provisions of paragraph (e) of Schedule A to CMP Regulation 6, relating to structural design, and the restrictions on the use of certain materials contained in Appendix I, Schedule A to CMP Regulation 6 must be observed. Applications for relief from these restrictions must be filed by producers on Form WPB-2774.

(j) *Restrictions on use of material for major plant additions.* No material may be used for a major plant addition unless the job has been authorized by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.

Selling Material

(k) *Sales of material.* A producer may sell material which is in its inventory or which it acquired for major plant additions only in accordance with the following rules:

(1) It may be sold without a preference rating or allotment number to any producer as defined in Order U-1, unless it is:

(i) Printing machinery and equipment, subject to Order L-226;

(ii) Construction machinery, subject to Orders L-192 and L-196;

(iii) Electric generating equipment, subject to Orders L-102 and L-94; or

(iv) Industrial power trucks, subject to Order L-112.

(2) It may be sold without a preference rating or allotment number to any person if it is used material or equipment unless it is one of the items in paragraph (k) (1) above, or:

(i) Controlled materials; or

(ii) Scrap.

(3) It may be sold pursuant to a specific written authorization from the War Production Board to the seller or to the purchaser.

(4) It may be sold without a preference rating or allotment number to a person who produces, or to the person from whom the producer purchased, the material in its present form.

(5) It may be sold without a preference rating or allotment number to a scrap dealer as scrap unless it is rubber tires or automotive parts.

(6) It may be sold without a preference rating or allotment number to the Army, Navy, Maritime Commission, or a public housing authority for the repair of an actual or threatened breakdown of their electric, gas, water or central steam heating facilities.

(7) Producers may sell material pursuant to this paragraph (k). However, if a producer chooses to do so he may sell pursuant to the provisions of Pri. Reg. 13.

(l) *Refusal to sell to other producers.* Any producer may, by specific direction from the War Production Board, be prohibited from applying or extending preference ratings assigned by this order or by any other certificate or order, upon a determination by the War Production Board, that such producer has wilfully refused to sell (after receiving a bona fide offer to purchase at not less than maximum prices established by regulations of the Office of Price Administration, made by any financially responsible producer who is authorized—under applicable regulations—to accept delivery of the material specified in such offer) material in inventory when such material is required by another producer for the repair of an actual breakdown of facilities or equipment.

(1) [Deleted Aug. 31, 1944.]

(2) [Deleted Aug. 31, 1944.]

Inventory Redistribution

(m) [Deleted Aug. 31, 1944.]

General Provisions

(n) *Appeals.* Relief from any of the restrictions of this order may be requested by filing a letter with the War Production Board, Office of War Utilities, Washington 25, D. C., Ref.: U-1, stating the reasons why relief is necessary. If the relief requested involves a request to make a plant addition, the request should be filed on Form WPB-2774.

(o) *Records.* In addition to the records required to be kept under Priorities Regulation 1, each producer who applies the preference ratings or allotment number hereby assigned shall maintain a continuing record of inventory and of segregated material in his possession.

(p) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-1.

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(r) *Applicability of WPB regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time, unless there is a conflict between this order and such regulations, in which case this order shall govern, if it specifically so provides. No producer is, however, subject to the restrictions of CMP Regulation 5 nor may any producer in any way use the preference ratings therein assigned.

(s) *Special delivery quota and inventory directions.* Nothing in this order is intended to supersede any special inventory base established by a specific direction from the War Production Board to a named producer. All such directions shall remain in effect unless modified by a further specific direction to the producer affected. Special quotas for scheduled deliveries heretofore established by a specific direction from the War Production Board to a named producer are revoked.

(t) *Special provisions relating to Form WPB-2774 approvals issued prior to this amendment.* With respect to WPB-2774 authorizations issued prior to the date of this amendment and involving between $1,500 and $10,000 net material cost, producers may:

(1) Use the preference ratings and allotment numbers assigned in paragraphs (b) and (c) of this order in lieu of those specifically assigned on such a Form WPB-2774 authorization.

(2) Treat as segregated under paragraph (a) (11) any material to be used pursuant to such a WPB-2774 authorization.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

MATERIAL CLASSES

Material in the inventory of any producer which has an inventory, as defined in paragraph (a) (11), in excess of $10,000 shall be carried on the producer's own records and reported to the War Production Board as may be required, classified as follows:

WATER PRODUCERS

Class 1—Material for sources of supply, water treatment plants, reservoirs, elevated and pressure tanks, pumping and booster stations, including related pipe, valves, valve parts, and fittings.

Class 2—Meters.

Class 3—Transmission and distribution material (excluding meters), such as cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe fittings, valves and valve parts, hydrants, parts for meters and hydrants, and other transmission and distribution material and supplies except pipe, valves, valve parts, and fittings included in Class 1 above.

Class 4—Other material and supplies.

GAS PRODUCERS

Class 1—Production and pumping station material.

Class 2—Meters and house regulators.

Class 3—Transmission and distribution material (excluding meters and house regulators), such as cast iron, steel and wrought iron pipe, copper and brass pipe and tubing, pipe fittings, valves, and valve parts, governors and regulators, parts for meters, regulators, and governors, other transmission and distribution material and supplies.

Class 4—Other material and supplies.

ELECTRIC POWER PRODUCERS

Class 1—Generating station material.

Class 2—Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.

Class 3—Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper shapes.

Class 4—Wood poles and cross arms.

Class 5—Meters.

Class 6—Transmission and distribution material (excluding Classes 2, 3, 4 and 5 above), such as iron and steel poles, towers and parts, line hardware, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.).

Class 7—Other material and supplies.

CENTRAL STEAM HEATING PRODUCERS

Class 1—Production plant material.

Class 2—Transmission and distribution material.

Class 3—Other material and supplies.

[Schedule B deleted Aug. 31, 1944.]

SCHEDULE C

LIMITS ON PRACTICAL WORKING MINIMUM INVENTORY

For purposes of paragraph (e) (2) a practical working minimum inventory (except for producers having a total inventory of $10,000 or less, who are exempted by paragraph (f)) may in no case exceed the following dollar values:

WATER PRODUCERS[1]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 3—Sixty per cent of the dollar value of material in this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Class 4—Two-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

GAS PRODUCERS[1]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Classes 2 and 3—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 4—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

ELECTRIC POWER PRODUCERS[1]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Classes 3 and 4—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 5—Fifty meters at each operating headquarters plus one and three-quarters percent of the meters installed in plant on the first day of the preceding calendar quarter.

Class 6—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 7—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

CENTRAL STEAM HEATING PRODUCERS[1]

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

Class 3.—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.[1]

[Schedule D deleted Aug. 31, 1944.]

[F. R. Doc. 44-13240; Filed, August 31, 1944; 10:31 a. m.]

[1] These definitions are reprinted here for convenience in reference; please note that they differ from definitions used in the current order:

"Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

"Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

"Operating supplies" means (1) material which is essential to the operation of any of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts, and (2) material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion, shall not include any work order, job, or project in which the cost of material shall exceed $1500 in the case of underground construction and $500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

[1] See Schedule A for complete identification of classes.

PART 4500—POWER, WATER, GAS AND CENTRAL STEAM HEAT

[Utilities Order U-1, Direction 2, as Amended Aug. 31, 1944]

The following direction is issued pursuant to Utilities Order U-1.

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application form WPB-2774, to authorizations issued to producers on form WPB-2774 before the revised application form came into use.

(b) *Provisions applicable to certain WPB-2774 authorizations.* Except as noted in paragraph (d) below, the following special provisions are hereby made applicable to all WPB-2774 authorizations issued to electric, water, gas, or central steam heat producers and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774, except that transformers, poles, crossarms and meters must not be used in quantities which exceed those specifically approved on the application. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction, installation or purchase authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1) above, except for purchase of:

(i) Carbon steel for jobs for which more than 100 tons of carbon steel have been allotted for all quarters;

(ii) Copper wire and cable for jobs for which more than 10,000 pounds of copper wire and cable have been allotted for all quarters; and

(iii) Aluminum wire and cable for jobs for which more than 5,000 pounds of aluminum wire and cable have been allotted for all quarters.

Where specific allotments of these three materials have been made in quantities which exceed the quantities indicated, these specific allotments remain in force, subject to the provisions of CMP Regulation 6 and the su-

thorization under which the allotment was made.

(3) Producers are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments other than those which remain in force under paragraph (b) (2) above.

(4) The preference rating AA-9 is hereby assigned for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above; except that the rating must not be used to purchase transformers, poles, crossarms and meters in quantities which exceed those specifically rated for purchase on the application.

(5) The abbreviated allotment number and preference rating assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum, or to the extent that the applicant is permitted to replace the item used in accordance with the "short item" procedure of Utilities Order U-1.

(6) The abbreviated allotment number and preference rating assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction, installation or purchase authorized.

(7) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-9 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 3. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U-9 for identification purposes.

(c) [Deleted Aug. 31, 1944]

(d) *Cases to which paragraph* (b) *does not apply.* The provisions of paragraph (b) above do not apply to authorizations which were revoked or on which all authorized work was completed prior to the effective date of this direction. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB-2774 application.

(e) *Section headings on WPB-2774.* References herein to "section III" and "section V" of form WPB 2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB-2774 prior to that of February 21, 1944.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13241; Filed, August 31, 1944; 10:33 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-c, as Amended Aug. 31, 1944]

CERTAIN GOVERNMENT AGENCIES

§ 4500.2 *Supplementary Utilities Order U-1-c*—(a) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve facilities of the Army, Navy, Maritime Commission, War Shipping Administration, or Civil Aeronautics Authority, upon the direct order of such agencies when all of the following conditions are satisfied:

(1) The total cost of material for each extension, exclusive of any part built by or for the consumer, does not exceed $10,000. No job or project may be subdivided to come within these limits.

(2) [Revoked Aug. 31, 1944]

(3) The extension does not duplicate an adequate service of the same type already installed or constitute a stand-by service.

(b) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13242; Filed, August 31, 1944; 10:33 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-c as Amended Aug. 31, 1944]

§ 4500.4 *Supplementary Utilities Order U-1-c*—(a) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric facilities may be made or connected by producers to permit the operation of farm production equipment when all of the following conditions are satisfied:

(1) The prospective consumer possesses one of the following types of electric farm equipment of sufficient capacity for the use contemplated, or can obtain such equipment without priorities assistance, or a preference rating of AA-5 or better has been assigned to deliveries of such equipment to him:

(i) Water pump for livestock.
(ii) Milking machine.
(iii) Milk cooler.
(iv) Incubator.
(v) Brooder.
(vi) Feed grinder.
(vii) Milk sterilizer.

(2) There is no other means of operating such equipment on the premises.

(3) The length of such extension, including any part built by or for the consumer, will not exceed 100 feet per animal unit, determined in accordance with Schedule I annexed hereto.

(4) The prospective consumer will use electric service to operate equipment for farm production and has livestock on hand aggregating not less than five animal units, determined in accordance with Schedule I of this order.

(5) Primary and secondary lines and service drops will be constructed of the following types and sizes of conductor:

(i) Any type or size having conductivity equal to or less than that of No. 4 AWG copper, or

(ii) Any type or size of conductor which can be obtained from the excess inventory of any producer.

(6) The prospective consumer's application for service is accompanied by a certification from his County Agricultural Conservation Committee in substantially the following form:

(To the Utility Addressed):

Mr. ----------, who has livestock on hand aggregating not less than five animal units is eligible for an electric connection of -------- feet under the terms of Supplementary Utilities Order U-1-c. In the opinion of this County Agricultural Conservation Committee this connection will result in a substantial increase in farm production, or a substantial saving of farm labor, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-c.

(For County Agricultural Conservation Committee)

(7) The length of any continuous extension built in any calendar quarter, including any part built by or for the consumer, does not exceed 5,000 feet.

(8) The extension does not duplicate an adequate service already installed or constitute a standby service.

(9) Distribution transformers are so located that the maximum number of consumers will be served from each transformer; and no transformer is installed to serve a consumer if the service can be rendered by an extension of secondary of 750 feet or less except where such an extension would result in unworkably low voltage at the consumer's premises. Transformers relocated in compliance with this paragraph may be replaced with transformers of a larger size if necessary to avoid overload.

(b) *Exception for certain extensions.* Extensions which would have been permitted by Supplementary Utilities Order U-1-c prior to the amendment of April 6, 1944, may be made or connected if both of the following conditions are satisfied:

(1) The prospective consumers' request for a certification by the County Agricultural Conservation Committee was filed with such committee on or before April 20, 1944; and

(2) A certification, in the form required by Supplementary Utilities Order U-1-c prior to the amendment of April 6, 1944, has been issued by the County Agricultural Conservation Committee to the prospective consumer on or before June 1, 1944.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—EQUIVALENT ANIMAL UNITS

Livestock on hand:	
1 milk cow	One unit.
10 beef cattle (all cattle, including calves, other than milk cows and cattle in feed lot)	One unit.
20 cattle (in feed lot)	One unit.
30 breeding ewes	One unit.
160 lambs (in feed lot)	One unit.
3 brood sows	One unit.
30 feeder pigs	One unit.
75 laying hens	One unit.
600 chickens (broilers)	One unit.
250 chickens (not laying hens or broilers)	One unit.
40 turkeys or geese (in laying flock)	One unit.
125 turkeys or geese (not in laying flock)	One unit.
6 milk goats	One unit.
30 goats (other than milk goats)	One unit.
160 kids	One unit.

[F. R. Doc. 44-13243; Filed, August 31, 1944; 10:33 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-d, as Amended Aug. 31, 1944]

§ 4500.5 *Supplementary Utilities Order U-1-d* is amended to read as follows:

(a) *Definitions.* For the purpose of this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purpose.

(2) "Industrial consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve premises which are being built or remodeled under authority of a specific direction, order, certificate or other authorization for construction or remodeling issued by the War Production Board (but not to serve farm buildings except farm dwellings), when the conditions of the applicable subparagraph (1), (2), or (3) below, in addition to the conditions of subparagraph (4) below, are satisfied.

(1) *Domestic consumers.* The extension, including any part built by or for the consumer, must be built within the limits established by the Housing Utilities Standards issued by the War Production Board.

(2) *Industrial consumers.* The extension must be designed to use the smallest sizes and quantities of equipment, conductor and pipe required to furnish service at minimum standards.

(3) *Commercial consumers.* The length of the extension including any part built by or for the consumer does not exceed 1,000 feet.

(4) *All consumers.* (i) The cost of material for any continuous extension built in any calendar quarter, excluding the cost of material for any part built by or for the consumer, does not exceed $10,000.

(ii) The extension does not duplicate an adequate service of the same type already installed or constitute a standby service.

(iii) The producer has completed Form WPB-3348 for filing with the builder's application under L-41.

(c) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13244; Filed, August 31, 1944; 10:30 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-e, Revocation]

Section 4500.6 *Supplementary Utilities Order U-1-e* is hereby revoked. Extensions of service to victory gardens may be made under the provisions of Supplementary Utilities Order U-1-f as amended. This revocation does not affect any liabilities incurred under this order.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13245; Filed, August 31, 1944; 10:30 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-f, as Amended Aug. 31, 1944]

§ 4500.7 *Supplementary Utilities Order U-1-f*—(a) *Definitions.* For the purposes of this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purposes.

(2) "Industrial consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers when all of the following conditions are satisfied:

(1) If construction or remodeling by the consumer is involved, no specific direction, order, certificate or other authorization for construction has been issued by the War Production Board to authorize such construction or remodeling. If such authorization has been issued, the construction of utility facilities, except to farm buildings other than farm dwellings, is governed by Supplementary Utilities Order U-1-d.

(2) Extensions, including any part built by or for the consumer, can be built within the limits of the Utilities Construction Standards, shown in Schedule I of this order. In the case of extensions of natural gas facilities to serve lessors of property on which producing natural gas wells have been completed, the portion built by or for the consumer need not be included.

(3) The cost of material for any continuous extension built in any calendar quarter, excluding the cost of material for any part built by or for the consumer, does not exceed $10,000.

(4) The extension does not duplicate an adequate service of the same type already installed or constitute a stand-by service.

NOTE: Former subparagraph (4) deleted; former subparagraph (5) redesignated (4) Aug. 31, 1944.

(c) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

(d) *Effect of amendment of this order on construction started.* Construction of extensions permitted by Supplementary Utilities Order U-1-f prior to this amendment may be completed if construction other than right of way clearing has started prior to the date of this amendment.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—UTILITIES CONSTRUCTION STANDARDS

The material used in extensions permitted by Supplementary Utilities Order U-1-f must conform to the limitations set out in this Schedule I and must not exceed, in dollar value, the limits of paragraph (b) (3).

A. PERMITTED TYPES OF CONDUCTOR AND PIPE

I. *Domestic extensions.* a. *Electric conductor for primary, secondary, and service drop:*

(1) Any type or size of conductor having conductivity equal to or less than that of No. 6 AWG copper, or

(2) Any type or size of conductor which can be obtained from the excess inventory of any producer.

b. *Pipe.* Any type of pipe.

II. *Commercial and industrial extensions.* No limitation, except as shown below in B, II.

B. PERMITTED QUANTITIES OF CONDUCTOR TRANSFORMERS AND PIPE

I. *Domestic extensions.* a. *For electric service,* (1) In cases where the consumer has in his possession an electric range, refrigerator, or washing machine, one transformer and not more than 1,000 feet of extension per consumer including primary, secondary, and service drop; (2) in other cases than described in (1) above, not more than 1,000 feet of extension per customer including primary, secondary and service drop, but no transformer except to replace transformers in service.

b. *For water, gas or central steam heating service,* not more than 1,000 linear feet of main and service pipe for each consumer. However, if copper or copper base alloy pipe or tubing is installed by a producer, such pipe or tubing must be obtained from the inventory of a producer and may not be replaced.

c. [Deleted Aug. 31, 1944]

II. *Commercial and industrial extensions.* a. In the case of facilities to serve an industrial or commercial consumer who is (1) engaged, as his principal activity, in the manufacture of a product or in the conduct of a business or activity listed in Schedules I or II of CMP Regulation 5, as amended; or (2) an electric, water, gas, steam heat, telephone or telegraph utility; or (3) engaged in the petroleum industry, except in retail marketing, as those terms are defined in Preference Rating Order P-98-b; or (4) engaged in the business of mining, or of burning refractories, and has been assigned a serial number under Preference Rating Order P-56; or (5) engaged in the business of radio communication or radio broadcasting; or (6) a hospital, the smallest sizes and quantities of equipment, conductor and pipe required to furnish service at minimum standards.

b. In the case of facilities to serve an industrial or commercial consumer who is not engaged in a business or activity listed above, not more than 1,000 feet of extension per consumer. For electric extensions this length shall include primary, secondary and service drop and no new transformer installations may be made except to replace transformers installed and in service.

6. PERMITTED QUANTITIES OF NON-METALLIC PIPE

NOTE: Deleted April 6, 1944.

[F. R. Doc. 44-13246; Filed, August 31, 1944; 10:30 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-g, as Amended Aug. 31, 1944]

§ 4500.8 *Supplementary Utilities Order U-1-g.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, temporary extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve temporary business, civic or recreational facilities when all of the following conditions are satisfied:

(a) The cost of material for such utility extensions is less than $1,500,

(b) Such extensions will be dismantled at the expiration of ninety days from date of installation and all material salvaged and returned to inventory,

(c) The extension does not duplicate an adequate service of the same type already installed, or constitute a standby service.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13247; Filed, August 31, 1944; 10:34 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-h, Revocation]

Section 4500.9 *Supplementary Utilities Order U-1-h* is hereby revoked and is superseded by Supplementary Utilities Order U-1-d as amended simultaneously with this revocation. This revocation does not affect any liabilities incurred under the order.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13248; Filed, August 31, 1944; 10:31 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-i]

§ 4500.10 *Supplementary Utilities Order U-1-i.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric facilities may be made or connected by producers to permit the operation of irrigation water pumps when all of the following conditions are satisfied:

(a) The prospective consumer possesses an electrically driven irrigation water pump not smaller than 25 g. p. m., or can obtain one without priorities assistance.

(b) There is no other means of operating such a pump on the premises.

(c) The total cost of material for the extension, exclusive of any part built by or for the consumer, does not exceed $1500. No job or project may be subdivided to come within these limits.

(d) The installation does not duplicate an adequate service of the same type already installed, or constitute a standby service.

(e) The extension is necessary to provide irrigation for not less than 5 acres of land.

(f) The prospective consumer's application for service is accompanied by a certification from his County Agricultural Conservation Committee in substantially the following form:

(To the Utility Addressed):

Mr. _____ is eligible under Supplementary Utilities Order U-1-i for an electric connection to provide service for an electrically driven irrigation water pump not smaller than 25 g. p. m. In the opinion of this County Agricultural Conservation Committee, this connection will result in the irrigation of not less than five acres of land and a substantial increase in farm production, and is in accord with the spirit, as well as the letter, of Supplementary Utilities Order U-1-i.

_____
(For County Agricultural Conservation Committee)

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13249; Filed, August 31, 1944; 10:33 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 12,[1] Amdt. 5]

WAR RATION BOOK NO. 3

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 12 is amended in the following respect:

1. Section 8 (e) is amended to read as follows:

(e) Any member of the armed forces of the United States or of the United Nations, who has been issued a War Ration Book No. 3 in accordance with the provisions of section 6a and who is subsequently discharged from the armed forces, may apply at his local War Price and Rationing Board for a War Ration Book No. 3 containing "aeroplane" stamps. Such person, after surrendering his War Ration Book No. 3 to the Board, must fill out OPA Form No. R-129 and submit it to the Board together with his discharge papers (or other evidence of his discharge from the armed forces). The Board shall return the discharge papers (or other evidence) to the applicant. The Board, in accordance with the provisions of section 5, shall issue a new War Ration Book No. 3 in exchange for the one which was originally issued to the applicant. Before issuing the new War Ration Book No. 3, the Board shall remove all expired stamps and all valid stamps except the last stamp (or series of stamps) which became valid and shall write "Exchange Book" in ink or indelible pencil on the front cover of the book.

This amendment shall become effective September 4, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; E.O. 9335, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 31st day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13290; Filed, August 31, 1944; 11:57 a. m.]

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 16,[2] Amdt. 7]

RAW CANE SUGARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 7483, 11514, 17188; 9 F.R. 6504.

[2] 6 F.R. 4063, 4971, 4843, 5468; 7 F.R. 123, 844, 1239, 2133, 2132, 8948; 8 F.R. 6842, 16991; 9 F.R. 95, 2406, 4880.

Revised Price Schedule 16 is amended in the following respects:

1. The introductory text of § 1334.9 (a) is hereby revoked.

2. Section 1334.9 (a) (1) is amended to read as follows:

(1) (i) The maximum price per pound for raw cane sugars from off-shore producing areas of 96 degrees polarization, duty paid, cost, insurance and freight, shall be 3.75 cents, for delivery at points at which deliveries have customarily been made by Commodity Credit Corporation for a particular refinery, or, if such deliveries have not customarily been made by Commodity Credit Corporation, then at receiving scales located at the refinery port.

(ii) If a buyer receives delivery of off-shore sugars elsewhere than at such points, the total cost to the buyer shall not exceed the specified maximum price applicable at the point where the buyer has customarily received deliveries from Commodity Credit Corporation or, if such deliveries have not customarily been made by the Commodity Credit Corporation, at the receiving scales located at the refinery port plus an amount equal to all charges that would have been incurred in moving the sugar over the customary route from such point to the buyer's refinery.

3. Subparagraphs (3), (4) and (5) of paragraph (a), § 1334.9 are hereby revoked.

4. Subparagraph (6) of paragraph (a), § 1334.9 is redesignated (2).

5. Section 1334.9 (b) (1) is amended to read as follows:

(1) 3.75 cents per pound, f. o. b. conveyance for delivery to a refinery, less the per pound transportation charge at the published freight rate from the raw sugar mill to the refinery nearest freightwise to such raw sugar mill. The maximum delivered price to a refinery shall be the above f. o. b. price plus actual transportation cost from the selling raw sugar mill to the refinery processing such sugar.

This amendment shall become effective September 3, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13206; Filed, August 30, 1944; 3:57 p. m.]

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 60,[1] Amdt. 12]

DIRECT-CONSUMPTION SUGARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1320, 2132, 2510, 8684, 9767, 8938, 8949, 8948; 8 F.R. 5809, 6044, 6424, 9268, 10079; 9 F.R. 5802.

1. Section 1334.51 (a) (1) is amended to read as follows:

(1) The maximum basis prices for the following direct-consumption sugars per one hundred pounds f. o. b. United States seaboard cane sugar refinery nearest freightwise to the point of delivery shall be as follows:

(i) For sales of fine granulated cane sugar refined in Continental United States	$5.50
(ii) For sales of fine granulated beet sugar processed in Continental United States	5.40
(iii) For sales of fine granulated sugar from off-shore areas, domestic or foreign, duty paid	5.45
(iv) For sales of turbinado, washed-white, or similar sugar from off-shore areas, domestic or foreign, for direct consumption	5.25
(v) For sales of direct-consumption sugars other than those provided for above in this section, processed from United States mainland sugar cane including but not limited to turbinado, plantation white and high-washed sugars	5.40

2. Subparagraphs (2), (3), (4), and (5) of paragraph (a), § 1334.51 are hereby revoked.

3. Subparagraphs (6) and (7) of paragraph (a), § 1334.51 are hereby redesignated (2) and (3) respectively.

4. Redesignated § 1334.51 (a) (2) is amended by deleting therefrom the phrase, "paragraphs (a) (1), (a) (2), (a) (3), (a) (4) (i), and (a) (5)" and inserting in its stead the phrase "paragraph (a) (1)."

5. The introductory text of redesignated § 1334.51 (a) (3) (i) is amended by changing the word "subparagraphs" to "subparagraph" and the figure (7) to (3) and by deleting the phrase "(2), (3), (4) and (5)."

6. Redesignated § 1334.51 (a) (3) (ii) is amended by changing the word "paragraphs" to "paragraph" and by deleting the phrase "(a) (2), (a) (3), (a) (4) and (a) (5), respectively."

7. Redesignated § 1334.51 (a) (3) (iii) is amended by changing the word "paragraphs" to "paragraph," and by deleting the phrase "(a) (2), (a) (3), (a) (4) and (a) (5), respectively" and by changing the figure (7) in each of the instances used to the figure (3).

8. Section 1334.51 (c) is amended to read as follows:

(c) Where the buyer is a United States Army or Navy procurement agency, sales to such agency by refineries located on the Atlantic seaboard and in the States of Louisiana and Texas shall be exempted from the provisions of paragraph (a) (3). On such sales the maximum f. o. b. basis price at seller's refinery may be collected regardless of the amount of further transportation costs paid by the buyer or the point to which the sugar may be moved.

9. Section 1334.51 (d) is added to read as follows:

(d) *Notification to wholesalers and retailers of authorized change in maximum price.* With the first delivery of direct-consumption sugar after the effective date of any provision in this regulation establishing a new maximum price, the primary distributor shall supply each purchaser with a written statement showing that price and for each wholesaler and retailer who purchases from him, the statement shall be as follows:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for direct-consumption sugar (describe item by variety, grade, brand, if any, container type and size) has been established by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification on or after (insert effective date of the applicable amendment). You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of 60 days after the primary distributor has established his maximum price under this section, and with his first shipment after the 60-day period to each purchaser who has not made a purchase within that time, the seller shall include the notice set forth above in each case or carton containing the item, or securely attach it to the case or carton, or insert it on or attach it to the invoice accompanying the shipment.

This amendment shall become effective September 3, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13210; Filed, August 30, 1944; 3:58 p. m.]

PART 1340—FUEL

[MPR 510, Amdt. 3]

LUBRICATING OILS, GREASES, AND CERTAIN OTHER PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 510 is amended in the following respects:

1. Section 1 (b) is amended to read as follows:

(b) *Commodities.* Motor oils including aviation oils, stock oils (neutrals, bright stocks, steam refined and other stock oils), greases, industrial oils, petroleum sulfonates, petroleum coke (except when sold by resellers as fuel), industrial naphthas and solvents, mineral oil polymers, any petroleum product sold for lubricating purposes including upper motor lubricants, and any other fraction of crude petroleum which is sold as a source of any of the foregoing commodities, unless specifically excluded in the following paragraph.

The following commodities are not included in this regulation: Insecticides; germicides; core oils and core washing oils; household oils and other specialty lubricants and compounds normally sold to consumers by sellers other than petroleum refiners, compounders, jobbers and service stations; petrolatum, paraf-

fin wax, microcrystalline wax, slop wax, and any compound a major portion of which consists of any of these products; asphalt and asphalt products; crude petroleum; naphthenic acids; those petroleum products coming under Maximum Price Regulation No. 88 or any superseding regulation; and those petroleum products excepted from price control by any applicable price regulation.

2. Section 1 (c) is amended to read as follows:

(c) *Area.* This regulation applies in the forty-eight states of the United States, the District of Columbia and the territories and possessions of the United States, except the Panama Canal Zone and the Territory of Alaska.

3. Section 10 (b) (2) (i) is amended by changing the "24–40 Pour point" to read "25–40 Pour point."

4. Section 14 (c) is revoked, and the reference thereto in the index of section 9 (a) is deleted and the pricing notes of Article II, 1 (c) and 2 (b), are deleted. The headnote of section 14 is amended to read as follows:

SEC. 14. *All products; minor differences and blending methods (to be used only where a maximum price cannot be determined under the preceding pricing methods).*

5. Section 15 (c) is amended to read as follows:

(c) If a maximum price for a product was heretofore approved for a seller under the Third Pricing Method contained in § 1340.159 (b) (4) (iii) (a) of Revised Price Schedule No. 88 (changes necessitated by shortages of ingredients) such approval shall continue in full force and effect.

6. Section 13 (a) (1) is amended to read as follows:

(1) A maximum price properly established in accordance with the provisions of the General Maximum Price Regulation, prior to February 25, 1943, for industrial oils and greases; prior to May 13, 1943, for petroleum sulfonates and mineral oil polymers; or prior to the date of inclusion under this regulation for any other product, may be continued as the maximum price under this regulation provided a sale was made at such price, or such price was evidenced by publication in the seller's published price list or other customary method of publication used by the seller.

7. Section 16 is amended to read as follows:

SEC. 16. *All products, all sellers; final pricing methods*—(a) *Comparable products margin.* A seller, unable to arrive at a maximum price for a product under the preceding pricing methods, shall establish his maximum price on the basis of the average of the mark-ups on two comparable products. This maximum price shall be calculated by the steps set forth below and filed, prior to making a sale, with the Petroleum Branch of the Office of Price Administration at Washington, D. C., on the form indicated. Upon filing, the price shall be the seller's maximum price until changed or disapproved by the Office of Price Administration.

(1) *Resellers.* A reseller shall:

(i) Select two products of similar end-use on which he has established maximum prices. If he has more than two products of similar end-use he shall select the two products closest in current delivered costs to the current delivered cost of the product being priced, and in any case no product shall be selected which varies in current delivered cost more than 25% from the current delivered cost of the product being priced. When the reseller has only one product of similar end-use he shall so state and shall establish and file his maximum price on the basis of the one product.

End-use. Two products shall be considered as having similar end-use if sold for the same general purpose; for example, products in each of the following categories may be considered as having similar end use; motor oils; pressure gun greases; gear lubes; wheel bearing greases; hydraulic oils; rust preventives; cutting oils (except that where possible the seller must show oils sold for the same type of cutting operation) turbine oils; quenching oils; textile oils; ink oils.

(ii) Divide the maximum price for each such product by its current delivered cost.

(iii) Add the resulting figures and divide by two.

(iv) Multiply the current delivered cost of the product being priced by the figure obtained in (iii).

(v) Copy form, fill it in and forward to Petroleum Branch, Office of Price Administration, Washington, D. C.

OFFICE OF PRICE ADMINISTRATION

Report of Maximum Price

Section 16—Maximum Price Regulation No. 510

Company Name .....
Address .....
Product being priced: Class of customer .....
Unit of sale .....
1. Name .....
2. End-use .....
3. Current delivered cost * .....
4. Maximum price .....
(Line 3 multiplied by average ratio below)
Comparable products on which seller has established maximum prices:
Unit of sale ..... Class of customer .....

	Name (1)	End-use (2)	Maximum price (3)	Current delivered cost * (4)	Ratio column 3 divided by column 4 (5)
Product No. 1					
Product No. 2					

Total Column 5 .....
Average ratio (Total Column 5 divided by 2 if 2 products shown) .....

*Current delivered cost to be used by resellers. Refiners, blenders, compounders use ingredients values as defined in section 8 (e) and explained in section 16 (a) (2); that is refinery values, inventory values, ingredient costs, etc.

(2) *Producers.* A producer shall determine his maximum price by the procedure for resellers in (1) above but shall use the total of the current delivered costs of the ingredients in each product in place of "current delivered cost" of the product in determining margins. A refiner for an ingredient which he manufactures shall use in the place of current delivered cost of the ingredient its inventory value, works billing price, refinery value, or any other value which will serve as a basis for comparing the products.

(3) *Government specification products.* A product manufactured to meet a particular government specification may be priced under paragraph (b) below on the basis of competitive prices for products meeting the same specification if the seller prefers not to use the comparable products method in (a) above.

(b) *Sellers unable to establish a maximum price under (a) above.* If a seller is unable to use the comparable products margin method set forth in (a) above, the seller shall establish his maximum price on the basis of his most comparable product, competitive products or by any method which results in a maximum price in line with the level of maximum prices otherwise established by this regulation. This maximum price shall be filed, prior to making a sale, with the Petroleum Branch of the Office of Price Administration at Washington, D. C., together with the following information:

(1) Why the "comparable margin method" set forth in (a) above is not applicable, indicating the name, established maximum price, end-use, and current delivered cost of the seller's product which is most comparable to the new product.

(2) Names and established maximum prices of two competitive products which are comparable, giving all the information which the seller is able to obtain regarding the specifications and composition of such products.

(3) Any other information which the seller can give to substantiate the maximum price he is filing.

(c) *Effect of a filing.* If a seller files the information required, the maximum price he sets under this section shall be his maximum price until it is disapproved in writing by the Office of Price Administration or until the seller is notified in writing that a substitute maximum price has been set by the Office of Price Administration. Either an approved maximum price or a substitute maximum price set by the Office of Price Administration may be replaced by another maximum price upon written notice to the seller. All maximum prices established under this section 16 shall be in line with the level of maximum prices otherwise established by this regulation.

(d) *Failure to file a maximum price.* If a seller shall fail to report a maximum price as required by this section, the Office of Price Administration may at any time upon written notice to the seller establish his maximum price for the particular product at the particular point effective retroactively to the date of the making of a sale of the product.

(e) *Customary allowance, discounts, etc.* All customary allowances, discounts, or other price differentials and all practices relating to the payment of transportation charges in effect with respect to the most comparable products shall apply to the product being priced.

This amendment shall become effective September 5, 1944.

NOTE: The reporting and record-keeping requirements of this Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13288; Filed, August 31, 1944; 11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 6 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

1. The table in section 1 (a) is amended by adding item 8 to read as follows:

Column 1	Column 2	Column 3	Column 4	
Item No.	Product	Section	Section	Appendix
8	Snap beans (except New Jersey and Maryland).	8	15	D

2. In the table headed "Metal Containers" in section 12, the item "No. 2 cyl.....307 x 512" is amended to read as follows:

No. 2 cyl.....307 x 510 or 307 x 512

3. In section 15, Appendix D is added to read as follows:

APPENDIX D—SNAP BEANS

Explanation of how maximum prices for packed snap beans are figured. For packed snap beans, conversions for grade, for styles of pack, for sieve size, and for container type and size under subparagraph (2), (3), or (4) of section 5 (a) of this supplement are to be made in the same order and in the same manner as those for packed peas. The explanation at the beginning of Appendix C applies to this appendix for that purpose, except that for packed snap beans conversions are made for style of pack (whole or cut) and sieve size instead of for variety and sieve size (step 3). This conversion from one style of pack and sieve size to another (for example, from cut snap beans to whole snap beans) must be made in the same manner a conversion from one variety and sieve size of packed peas to another is made under Appendix C.

The term "ungraded," as used in connection with sieve size, means not separated by sieve size. Also, the term includes all blends of more than three sieve sizes.

Special pricing provisions applicable to packed pole beans in areas other than Area 11, packed bush beans in Area 11, asparagus style of pack, French style of pack, and blends of sieve sizes, appear at the end of the tables.

TABLE I—AREAS

1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut.
2. New York.
3. Pennsylvania, Delaware, West Virginia and Virginia.
4. New Jersey and Maryland.*
5. Kentucky, Tennessee, North Carolina, Louisiana, Mississippi, Alabama, Georgia and South Carolina.
6. Florida.
7. Missouri, Arkansas, Oklahoma and Kansas.
8. Texas (except those counties included in Area 10[2]).
9. North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Illinois, Michigan, Indiana and Ohio.
10. Montana, Idaho (except those counties included in Area 11[3]), Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico and those counties in Western Texas listed below.[4]
11. Washington, Oregon, California, and those counties in Northern Idaho listed below.[5]

TABLE 2—BASE PERIOD PRICES

Areas 1, 2, 9, 10 and 11: Weighted average selling price for the first 60 days after the beginning of 1941 spring pack.

Areas 3, 4, 5, 6, 7 and 8: Weighted average selling price for the first 60 days after the beginning of 1941 spring and fall packs.

*Prices to be announced later.

[2] The following counties in Texas are included in Area 10: Sherman, Moore, Potter, Randall, Swisher, Hall Lubbock, Lynn, Dawson, Martin, Midland, Upton, Crockett, Terrell, and all others west thereof.

[3] The following counties in Idaho are included in Area 11: Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce, Lewis and Idaho.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED SNAP BEANS WHO MADE SALES DURING THE BASE PERIOD

(PART 1) WHOLE SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Sieve size	No. 2 cans						No. 10 cans					
			Fancy		Ex-Standard		Standard		Fancy		Ex-Standard		Standard	
			Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges
1	1		$0.32	$1.77–$2.09	$0.30	$1.63–$1.87	$0.28	$1.54–$1.77	$1.57	$8.67–$9.55	$1.47	$7.99–$9.16	$1.37	$7.35–$8.62
2			.32	1.64– 1.88	.30	1.30– 1.72	.28	1.41– 1.61	1.57	8.04– 9.21	1.47	7.35– 8.43	1.37	6.91– 7.89
3			.32	1.45– 1.67	.30	1.31– 1.51	.28	1.22– 1.40	1.57	7.10– 8.18	1.47	6.42– 7.40	1.37	5.98– 6.86
4			.32	1.32– 1.52	.30	1.18– 1.36	.28	1.09– 1.25	1.57	6.47– 7.45	1.47	5.78– 6.66	1.37	5.34– 6.12
5		5 and up	.32	1.26– 1.46	.30	1.13– 1.29	.28	1.04– 1.18	1.57	6.17– 7.15	1.47	5.54– 6.32	1.37	5.10– 5.78
6		Ungraded	.32	1.26– 1.46	.30	1.13– 1.29	.28	1.04– 1.18	1.57	6.17– 7.15	1.47	5.54– 6.32	1.37	5.10– 5.78
7	2	1	.35	2.17– 2.57	.32	2.03– 2.41	.30	1.94– 2.30	1.72	10.63–12.59	1.57	9.95–11.81	1.47	9.51–11.27
8		2	.35	2.00– 2.36	.32	1.86– 2.20	.30	1.77– 2.09	1.72	9.80–11.56	1.57	9.11–10.78	1.47	8.67–10.24
9		3	.35	1.75– 2.07	.32	1.61– 1.91	.30	1.52– 1.80	1.72	8.58–10.14	1.57	7.89– 9.36	1.47	7.45– 8.82
10		4	.35	1.58– 1.86	.32	1.44– 1.70	.30	1.35– 1.59	1.72	7.74– 9.11	1.57	7.06– 8.32	1.47	6.62– 7.79
11		5 and up	.35	1.50– 1.78	.32	1.36– 1.62	.30	1.27– 1.51	1.72	7.35– 8.72	1.57	6.66– 7.94	1.47	6.22– 7.40
12		Ungraded	.35	1.50– 1.78	.32	1.36– 1.62	.30	1.27– 1.51	1.72	7.35– 8.72	1.57	6.66– 7.94	1.47	6.22– 7.40
13	3	1	.36	1.86– 2.18	.34	1.72– 2.02	.32	1.65– 1.89	1.76	9.11–10.68	1.67	8.42– 9.90	1.57	8.06– 9.26
14		2	.36	1.71– 2.01	.34	1.57– 1.85	.32	1.51– 1.71	1.76	8.38– 9.85	1.67	7.69– 9.06	1.57	7.40– 8.38
15		3	.36	1.50– 1.76	.34	1.36– 1.60	.32	1.29– 1.47	1.76	7.35– 8.62	1.67	6.66– 7.84	1.57	6.33– 7.20
16		4	.36	1.35– 1.59	.34	1.21– 1.43	.32	1.14– 1.30	1.76	6.62– 7.79	1.67	5.93– 7.01	1.57	5.59– 6.37
17		5 and up	.36	1.29– 1.51	.34	1.15– 1.35	.32	1.08– 1.22	1.76	6.32– 7.40	1.67	5.64– 6.62	1.57	5.29– 5.98
18		Ungraded	.36	1.29– 1.51	.34	1.15– 1.35	.32	1.08– 1.22	1.76	6.32– 7.40	1.67	5.64– 6.62	1.57	5.29– 5.98
19														
20														
21	4							To be announced						
22														
23														
24														
25	5	1	.32	1.95– 2.25	.31	1.81– 2.09	.30	1.73– 1.98	1.57	8.56–11.03	1.52	8.87–10.24	1.47	8.43– 9.70
26		2	.32	1.79– 2.07	.31	1.66– 1.92	.30	1.56– 1.80	1.57	7.77–10.14	1.52	8.13– 9.31	1.47	7.64– 8.82
27		3	.32	1.57– 1.81	.31	1.45– 1.68	.30	1.36– 1.54	1.57	7.09– 8.67	1.52	7.01– 8.08	1.47	6.57– 7.85
28		4	.32	1.41– 1.63	.31	1.27– 1.47	.30	1.19– 1.36	1.57	6.91– 7.99	1.52	6.22– 7.20	1.47	5.78– 6.66
29		5 and up	.32	1.36– 1.56	.31	1.22– 1.40	.30	1.13– 1.29	1.57	6.66– 7.64	1.52	5.98– 6.86	1.47	5.54– 6.32
30		Ungraded	.32	1.36– 1.56	.31	1.22– 1.40	.30	1.13– 1.29	1.57	6.66– 7.64	1.52	5.98– 6.86	1.47	5.54– 6.32

[1] Copies may be obtained from the Office of Price Administration.
[1] 9 F.R. 9493.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED SNAP BEANS WHO MADE SALES DURING THE BASE PERIOD—Con.

(PART 1) WHOLE SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Sieve size	No. 2 cans						No. 10 cans					
			Fancy		Ex-Standard		Standard		Fancy		Ex-Standard		Standard	
			Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges
21	6	1	$0.33	$2.11–2.37	$0.31	$1.96–2.22	$0.30	$1.87–2.11	$1.57	10.34–11.61	$1.52	$9.60–10.88	$1.47	$9.16–10.34
22		2	.33	1.94–2.18	.31	1.80–2.02	.30	1.70–1.92	1.57	9.51–10.68	1.52	8.82–9.90	1.47	8.33–9.44
23		3	.33	1.69–1.91	.31	1.51–1.75	.30	1.46–1.64	1.57	8.28–9.26	1.52	7.40–8.58	1.47	7.15–8.04
24		4	.32	1.52–1.72	.31	1.36–1.56	.30	1.29–1.45	1.57	7.45–8.43	1.52	6.76–7.64	1.47	6.32–7.10
25		5 and up	.32	1.47–1.65	.31	1.33–1.49	.30	1.23–1.39	1.57	7.20–8.08	1.52	6.52–7.30	1.47	6.09–6.81
26		Ungraded	.32	1.47–1.65	.31	1.33–1.49	.30	1.23–1.39	1.57	7.20–8.08	1.52	6.52–7.30	1.47	6.09–6.81
27	8	1	.30	1.73–1.99	.28	1.59–1.83	.27	1.50–1.72	1.42	8.48–9.75	1.37	7.19–8.27	1.32	7.35–8.43
28		2	.29	1.60–1.84	.28	1.46–1.68	.27	1.37–1.57	1.42	7.84–9.02	1.37	7.15–8.23	1.32	6.71–7.69
29		3	.29	1.42–1.64	.28	1.29–1.48	.27	1.19–1.37	1.42	6.96–8.04	1.37	6.27–7.25	1.32	5.83–6.71
30		4	.29	1.29–1.49	.28	1.15–1.33	.27	1.06–1.22	1.42	6.33–7.30	1.37	5.64–6.52	1.32	5.10–5.98
31		5 & up	.28	1.24–1.43	.28	1.11–1.26	.27	1.01–1.15	1.42	6.08–6.96	1.37	5.44–6.12	1.32	4.96–5.64
32		Ungraded	.29	1.24–1.43	.28	1.11–1.25	.27	1.01–1.15	1.42	6.08–6.96	1.37	5.44–6.12	1.32	4.96–5.64
33	8	1	.29	1.79–2.19	.28	1.66–2.02	.27	1.57–1.91	1.42	8.77–10.73	1.37	8.13–9.90	1.32	7.69–9.36
34		2	.29	1.66–2.02	.28	1.52–1.86	.27	1.43–1.75	1.42	8.13–9.90	1.37	7.45–9.11	1.32	7.01–8.58
35		3	.29	1.46–1.80	.28	1.34–1.64	.27	1.25–1.53	1.42	7.25–8.82	1.37	6.57–8.04	1.32	6.12–7.50
36		4	.29	1.34–1.64	.28	1.21–1.47	.27	1.12–1.36	1.42	6.57–8.04	1.37	5.93–7.20	1.32	5.49–6.66
37		5 & up	.28	1.29–1.57	.28	1.15–1.41	.27	1.06–1.30	1.42	6.33–7.69	1.37	5.64–6.91	1.32	5.19–6.37
38		Ungraded	.28	1.29–1.57	.28	1.15–1.41	.27	1.06–1.30	1.42	6.33–7.69	1.37	5.64–6.91	1.32	5.19–6.37
39	9	1	.28	1.98–2.23	.27	1.79–2.17	.26	1.70–2.06	1.37	9.46–11.42	1.32	8.77–10.63	1.27	8.33–10.09
40		2	.28	1.77–2.15	.27	1.64–1.98	.26	1.55–1.87	1.37	8.67–10.54	1.32	8.04–9.70	1.27	7.60–9.16
41		3	.28	1.56–1.88	.27	1.42–1.72	.26	1.33–1.61	1.37	7.64–9.21	1.32	6.96–8.43	1.27	6.53–7.89
42		4	.28	1.40–1.70	.27	1.27–1.53	.26	1.18–1.42	1.37	6.86–8.33	1.32	6.22–7.50	1.27	5.78–6.96
43		5 & up	.28	1.34–1.62	.27	1.20–1.46	.26	1.11–1.35	1.37	6.57–7.94	1.32	5.98–7.15	1.27	5.44–6.62
44		Ungraded	.28	1.34–1.63	.27	1.20–1.46	.26	1.11–1.36	1.37	6.57–7.95	1.32	5.98–7.15	1.27	5.44–6.62
45	10	1	.37	1.80–1.94	.35	1.65–1.79	.33	1.56–1.68	1.81	8.82–9.51	1.72	8.08–8.77	1.62	7.64–8.23
46		2	.37	1.66–1.79	.35	1.51–1.63	.33	1.41–1.53	1.81	8.08–8.77	1.72	7.40–7.99	1.62	6.91–7.50
47		3	.37	1.45–1.57	.35	1.31–1.41	.33	1.21–1.31	1.81	7.10–7.69	1.72	6.42–6.91	1.62	5.98–6.42
48		4	.37	1.31–1.41	.35	1.16–1.26	.33	1.07–1.15	1.81	6.42–6.91	1.72	5.68–6.17	1.62	5.24–5.64
49		5 and up	.37	1.25–1.35	.35	1.10–1.20	.33	1.01–1.09	1.81	6.12–6.53	1.72	5.39–5.88	1.62	4.95–5.34
50		Ungraded	.37	1.25–1.35	.35	1.10–1.20	.33	1.01–1.09	1.81	6.12–6.62	1.72	5.39–5.88	1.62	4.95–5.34
51	11	1	.44	2.01–2.45	.43	1.87–2.29	.42	1.88–2.06	2.16	9.85–12.00	2.11	9.16–11.22	2.06	9.21–10.19
52		2	.44	1.85–2.25	.43	1.71–2.09	.42	1.71–1.89	2.16	9.08–11.02	2.11	8.38–10.24	2.06	8.39–9.26
53		3	.44	1.62–1.98	.43	1.48–1.82	.42	1.47–1.63	2.16	7.94–9.70	2.11	7.26–8.93	2.06	7.20–7.99
54		4	.44	1.46–1.78	.43	1.32–1.62	.42	1.30–1.44	2.16	7.15–8.72	2.11	6.47–7.96	2.06	6.37–7.06
55		5 and up	.44	1.42–1.74	.43	1.29–1.57	.42	1.28–1.40	2.16	6.96–8.53	2.11	6.32–7.69	2.06	6.17–6.86
56		Ungraded	.44	1.42–1.74	.43	1.29–1.57	.42	1.28–1.40	2.16	6.96–8.53	2.11	6.32–7.69	2.06	6.17–6.86

(PART 2) CUT SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

1	1	2	$0.33	$1.39–1.69	$0.30	$1.34–1.54	$0.28	$1.31–1.49	$1.57	$8.81–7.79	$1.47	$8.57–7.55	$1.37	$8.42–7.30
2		3	.32	1.31–1.51	.30	1.26–1.46	.28	1.23–1.41	1.57	8.42–7.40	1.47	8.17–7.15	1.37	8.08–6.91
3		4	.32	1.23–1.41	.30	1.18–1.36	.28	1.16–1.32	1.57	8.08–6.91	1.47	8.78–6.68	1.37	8.08–6.47
4		5 and up	.32	1.15–1.33	.30	1.13–1.29	.28	1.11–1.27	1.57	8.84–6.52	1.47	8.54–6.32	1.37	8.44–6.22
5		Ungraded	.32	1.15–1.33	.30	1.13–1.29	.28	1.11–1.27	1.57	8.84–6.52	1.47	8.54–6.32	1.37	8.44–6.22
6	2	2	.35	1.67–1.97	.32	1.51–1.77	.30	1.41–1.64	1.72	8.15–9.65	1.57	7.40–8.67	1.47	6.91–8.04
7		3	.35	1.58–1.86	.32	1.42–1.64	.30	1.31–1.53	1.72	7.74–9.11	1.57	6.98–8.13	1.47	6.43–7.50
8		4	.35	1.46–1.74	.32	1.33–1.57	.30	1.24–1.46	1.72	7.28–8.53	1.57	6.53–7.68	1.47	6.08–7.15
9		5 and up	.35	1.39–1.63	.32	1.26–1.50	.30	1.23–1.38	1.72	6.81–7.99	1.57	6.27–7.35	1.47	5.98–6.76
10		Ungraded	.35	1.39–1.63	.32	1.26–1.50	.30	1.23–1.38	1.72	6.81–7.99	1.57	6.27–7.35	1.47	5.98–6.76
11	3	2	.36	1.49–1.78	.34	1.35–1.59	.32	1.28–1.46	1.76	7.30–8.58	1.67	6.62–7.79	1.57	6.27–7.16
12		3	.36	1.41–1.65	.34	1.27–1.49	.32	1.20–1.36	1.76	6.91–8.06	1.67	6.22–7.30	1.57	5.88–6.67
13		4	.36	1.33–1.54	.34	1.20–1.40	.32	1.14–1.26	1.76	6.47–7.55	1.67	5.88–6.86	1.57	5.59–6.26
14		5 and up	.36	1.28–1.45	.34	1.13–1.33	.32	1.09–1.23	1.76	6.09–7.10	1.67	5.54–6.52	1.57	5.34–6.03
15		Ungraded	.36	1.28–1.44	.34	1.13–1.33	.32	1.09–1.23	1.76	6.09–7.10	1.67	5.54–6.52	1.57	5.34–6.03
16														
17														
18	4							To be announced.						
19														
20														
21	5	2	.33	1.53–1.74	.31	1.38–1.55	.30	1.26–1.43	1.57	7.45–8.53	1.52	6.76–7.74	1.47	6.27–7.25
22		3	.32	1.45–1.67	.31	1.31–1.51	.30	1.23–1.40	1.57	7.10–8.16	1.52	6.42–7.40	1.47	5.98–6.86
23		4	.32	1.37–1.57	.31	1.23–1.41	.30	1.13–1.31	1.57	6.71–7.69	1.52	6.08–6.91	1.47	5.54–6.42
24		5 and up	.32	1.30–1.50	.31	1.16–1.34	.30	1.07–1.23	1.57	6.37–7.35	1.52	5.68–6.57	1.47	5.24–6.08
25		Ungraded	.32	1.30–1.50	.31	1.16–1.34	.30	1.07–1.23	1.57	6.37–7.35	1.52	5.68–6.57	1.47	5.24–6.08
26	6	2	.32	1.66–1.85	.31	1.50–1.70	.30	1.41–1.59	1.57	8.08–9.06	1.52	7.35–8.38	1.47	6.91–7.79
27		3	.32	1.57–1.77	.31	1.43–1.61	.30	1.33–1.51	1.57	7.60–8.67	1.52	7.01–7.80	1.47	6.53–7.46
28		4	.32	1.48–1.66	.31	1.33–1.51	.30	1.24–1.40	1.57	7.35–8.13	1.52	6.52–7.40	1.47	6.08–6.86
29		5 and up	.32	1.41–1.59	.31	1.27–1.43	.30	1.17–1.33	1.57	6.91–7.79	1.52	6.22–7.01	1.47	5.73–6.52
30		Ungraded	.32	1.41–1.59	.31	1.27–1.43	.30	1.17–1.33	1.57	6.91–7.79	1.52	6.22–7.01	1.47	5.73–6.52
31	7	2	.26	1.40–1.62	.26	1.24–1.42	.24	1.13–1.29	1.27	6.86–7.94	1.22	6.08–6.96	1.18	5.54–6.32
32		3	.26	1.33–1.53	.26	1.16–1.34	.24	1.05–1.21	1.27	6.52–7.50	1.22	5.68–6.57	1.18	5.14–5.93
33		4	.26	1.25–1.43	.25	1.10–1.26	.24	1.00–1.14	1.27	6.12–7.01	1.22	5.39–6.17	1.18	4.90–5.59
34		5 and up	.26	1.17–1.35	.25	1.04–1.20	.24	.95–1.09	1.27	5.73–6.62	1.22	5.10–5.88	1.18	4.66–5.34
35		Ungraded	.26	1.17–1.35	.25	1.04–1.20	.24	.95–1.09	1.27	5.73–6.62	1.22	5.10–5.88	1.18	4.66–5.34
36	8	2	.26	1.46–1.68	.26	1.32–1.52	.24	1.19–1.36	1.27	6.81–7.85	1.22	6.37–7.34	1.18	5.83–7.10
37		3	.26	1.30–1.50	.26	1.22–1.40	.24	1.13–1.29	1.27	6.37–7.34	1.22	5.98–7.35	1.18	5.49–6.66
38		4	.26	1.30–1.50	.26	1.15–1.41	.24	1.05–1.20	1.27	6.37–7.34	1.22	5.64–6.91	1.18	5.14–6.32
39		5 and up	.26	1.22–1.48	.26	1.09–1.33	.24	1.02–1.22	1.27	5.98–7.26	1.22	5.34–6.52	1.18	5.00–5.98
40		Ungraded	.26	1.22–1.48	.26	1.09–1.33	.24	1.02–1.22	1.27	5.98–7.26	1.22	5.34–6.52	1.18	5.00–5.98
41	9	2	.26	1.53–1.89	.26	1.33–1.65	.24	1.26–1.42	1.27	7.50–9.26	1.22	6.52–8.06	1.18	6.17–6.96
42		3	.26	1.45–1.79	.26	1.25–1.55	.24	1.18–1.34	1.27	7.10–8.77	1.22	6.12–7.60	1.18	5.78–6.57
43		4	.26	1.35–1.67	.26	1.18–1.46	.24	1.14–1.24	1.27	6.62–8.18	1.22	5.78–7.15	1.18	5.59–6.06
44		5 and up	.26	1.27–1.57	.25	1.12–1.38	.24	1.07–1.21	1.27	6.22–6.76	1.22	5.49–6.76	1.18	5.24–5.95
45		Ungraded	.26	1.27–1.57	.25	1.12–1.38	.24	1.07–1.21	1.27	6.22–7.69	1.22	5.49–6.76	1.18	5.24–5.95
46	10	2	.37	1.43–1.67	.35	1.27–1.49	.33	1.22–1.44	1.81	7.01–7.69	1.72	6.71–7.30	1.62	6.47–7.06
47		3	.37	1.36–1.48	.35	1.20–1.30	.33	1.24–1.24	1.81	6.62–6.81	1.72	6.32–6.81	1.62	6.08–6.57
48		4	.37	1.27–1.39	.35	1.22–1.33	.33	1.18–1.26	1.81	6.22–6.81	1.72	5.98–6.47	1.62	5.78–6.17
49		5 and up	.37	1.19–1.31	.35	1.15–1.26	.33	1.13–1.21	1.81	5.83–6.42	1.72	5.64–6.12	1.62	5.54–5.95
50		Ungraded	.37	1.19–1.31	.35	1.15–1.26	.33	1.13–1.21	1.81	5.83–6.43	1.72	5.64–6.12	1.62	5.54–5.95
51	11	2	.39	1.59–1.95	.38	1.46–1.78	.37	1.43–1.59	1.91	7.79–9.56	1.86	7.15–8.72	1.81	7.01–7.79
52		3	.39	1.51–1.86	.38	1.37–1.67	.37	1.34–1.48	1.91	7.40–9.06	1.86	6.71–8.18	1.81	6.57–7.25
53		4	.39	1.41–1.73	.38	1.29–1.57	.37	1.27–1.41	1.91	6.91–8.48	1.86	6.32–7.69	1.81	6.22–6.91
54		5 and up	.39	1.33–1.63	.38	1.22–1.50	.37	1.20–1.33	1.91	6.52–7.99	1.86	5.98–7.35	1.81	6.03–6.52
55		Ungraded	.39	1.33–1.63	.38	1.22–1.50	.37	1.20–1.33	1.91	6.52–7.99	1.86	5.98–7.35	1.81	6.03–6.52

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SNAP BEANS DURING THE BASE PERIOD—Continued

(PART 1) WHOLE SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SNAP BEANS DURING THE BASE PERIOD

(PART 1) WHOLE SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SNAP BEANS DURING THE BASE PERIOD

(PART 1) WHOLE SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Sieve size	No. 2 cans			No. 10 cans		
			Fancy	Extra standard	Standard	Fancy	Extra standard	Standard
1	1	1	$1.90	$1.78	$1.65	$9.31	$8.58	$8.06
2		2	1.76	1.61	1.51	8.62	7.89	7.40
3		3	1.66	1.43	1.31	7.64	6.91	6.42
4		4	1.42	1.27	1.17	6.96	6.22	5.73
5		5 and up	1.36	1.21	1.11	6.66	5.93	5.44
6		Ungraded	1.36	1.21	1.11	6.66	5.93	5.44
7	2	1	2.37	2.22	2.12	11.61	10.88	10.39
8		2	2.18	2.03	1.93	10.68	9.95	9.46
9		3	1.91	1.76	1.66	9.38	8.62	8.13
10		4	1.72	1.57	1.47	8.43	7.69	7.20
11		5 and up	1.64	1.49	1.39	8.04	7.30	6.81
12		Ungraded	1.64	1.49	1.39	8.04	7.30	6.81
13	3	1	2.02	1.87	1.77	9.90	9.16	8.67
14		2	1.86	1.71	1.61	9.11	8.38	7.89
15		3	1.63	1.48	1.38	7.99	7.25	6.76
16		4	1.47	1.32	1.22	7.20	6.47	5.98
17		5 and up	1.40	1.25	1.15	6.86	6.12	5.64
18		Ungraded	1.40	1.25	1.15	6.86	6.12	5.64
19								
20								
21	4			To be announced				
22								
23								
24								
25	5	1	2.10	1.95	1.85	10.29	9.56	9.06
26		2	1.93	1.78	1.68	9.46	8.72	8.23
27		3	1.69	1.54	1.44	8.28	7.55	7.06
28		4	1.52	1.37	1.27	7.45	6.71	6.22
29		5 and up	1.46	1.31	1.21	7.15	6.42	5.93
30		Ungraded	1.46	1.31	1.21	7.15	6.42	5.93
31	6	1	2.24	2.09	1.99	10.98	10.24	9.75
32		2	2.06	1.91	1.81	10.09	9.36	8.87
33		3	1.80	1.65	1.55	8.82	8.08	7.60
34		4	1.62	1.47	1.37	7.94	7.20	6.71
35		5 and up	1.56	1.41	1.31	7.64	6.91	6.42
36		Ungraded	1.56	1.41	1.31	7.64	6.91	6.42
37	7	1	1.86	1.71	1.61	9.11	8.38	7.89
38		2	1.72	1.57	1.47	8.43	7.69	7.20
39		3	1.53	1.38	1.28	7.50	6.76	6.27
40		4	1.30	1.24	1.14	6.81	6.08	5.59
41		5 and up	1.38	1.18	1.08	6.52	5.78	5.29
42		Ungraded	1.33	1.18	1.08	6.52	5.78	5.29
43	8	1	1.99	1.84	1.74	9.75	9.02	8.53
44		2	1.84	1.69	1.59	9.02	8.28	7.79
45		3	1.64	1.49	1.39	8.04	7.30	6.81
46		4	1.49	1.34	1.24	7.30	6.57	6.08
47		5 and up	1.43	1.28	1.18	7.01	6.27	5.78
48		Ungraded	1.43	1.28	1.18	7.01	6.27	5.78
49	9	1	2.13	1.98	1.88	10.44	9.70	9.21
50		2	1.96	1.81	1.71	9.60	8.87	8.38
51		3	1.72	1.57	1.47	8.43	7.69	7.20
52		4	1.55	1.40	1.30	7.60	6.86	6.37
53	9	5 and up	1.48	1.33	1.23	7.25	6.52	6.03
54		Ungraded	1.48	1.33	1.23	7.25	6.52	6.03
55	10	1	1.87	1.72	1.62	9.16	8.43	7.94
56		2	1.72	1.57	1.47	8.43	7.69	7.20
57		3	1.51	1.36	1.26	7.40	6.66	6.17
58		4	1.36	1.21	1.11	6.66	5.93	5.44
59		5 and up	1.20	1.15	1.05	6.37	5.64	5.14
60		Ungraded	1.20	1.15	1.05	6.37	5.64	5.14
61	11	1	2.23	2.08	1.98	10.93	10.19	9.70
62		2	2.05	1.90	1.80	10.04	9.31	8.82
63		3	1.80	1.65	1.55	8.82	8.08	7.60
64		4	1.62	1.47	1.37	7.94	7.20	6.71
65		5 and up	1.58	1.43	1.33	7.74	7.01	6.52
66		Ungraded	1.58	1.43	1.33	7.74	7.01	6.52

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SNAP BEANS DURING THE BASE PERIOD—Continued

(PART 2) CUT SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Sieve size	No. 2 cans			No. 10 cans		
			Fancy	Extra standard	Standard	Fancy	Extra standard	Standard
1	1	2	$1.49	$1.44	$1.40	$7.30	$7.06	$6.86
2		3	1.41	1.36	1.32	6.91	6.66	6.47
3		4	1.32	1.27	1.24	6.47	6.22	6.08
4		5 and up	1.24	1.21	1.19	6.08	5.93	5.83
5		Ungraded	1.24	1.21	1.19	6.08	5.93	5.83
6	2	2	1.82	1.64	1.53	8.92	8.04	7.50
7		3	1.72	1.54	1.42	8.43	7.55	6.96
8		4	1.61	1.45	1.35	7.89	7.10	6.62
9		5 and up	1.51	1.39	1.30	7.40	6.81	6.37
10		Ungraded	1.51	1.39	1.30	7.40	6.81	6.37
11	3	2	1.62	1.47	1.37	7.94	7.20	6.71
12		3	1.53	1.38	1.28	7.50	6.76	6.27
13		4	1.43	1.30	1.21	7.01	6.37	5.93
14		5 and up	1.34	1.23	1.16	6.57	6.03	5.68
15		Ungraded	1.34	1.23	1.16	6.57	6.03	5.68
16								
17								
18	4			To be announced				
19								
20								
21	5	2	1.63	1.48	1.38	7.99	7.25	6.76
22		3	1.56	1.41	1.31	7.64	6.91	6.42
23		4	1.47	1.32	1.22	7.20	6.47	5.98
24		5 and up	1.40	1.25	1.15	6.86	6.12	5.64
25		Ungraded	1.40	1.25	1.15	6.86	6.12	5.64
26	6	2	1.75	1.60	1.50	8.58	7.84	7.35
27		3	1.67	1.52	1.42	8.18	7.45	6.96
28		4	1.57	1.42	1.32	7.69	6.96	6.47
29		5 and up	1.50	1.35	1.25	7.35	6.62	6.12
30		Ungraded	1.50	1.35	1.25	7.35	6.62	6.12
31	7	2	1.51	1.33	1.21	7.40	6.52	5.93
32		3	1.43	1.25	1.13	7.01	6.13	5.54
33		4	1.34	1.18	1.07	6.57	5.78	5.24
34		5 and up	1.26	1.12	1.02	6.17	5.49	5.00
35		Ungraded	1.26	1.12	1.02	6.17	5.49	5.00
36	8	2	1.62	1.44	1.32	7.94	7.06	6.47
37		3	1.54	1.36	1.24	7.55	6.67	6.08
38		4	1.44	1.28	1.17	7.06	6.27	5.73
39		5 and up	1.35	1.21	1.12	6.62	5.93	5.49
40		Ungraded	1.35	1.21	1.12	6.62	5.93	5.49
41	9	2	1.71	1.49	1.34	8.38	7.30	6.57
42		3	1.62	1.40	1.26	7.94	6.86	6.17
43		4	1.51	1.32	1.19	7.40	6.47	5.83
44		5 and up	1.42	1.25	1.14	6.96	6.12	5.59
45		Ungraded	1.42	1.25	1.14	6.96	6.12	5.59
46	10	2	1.50	1.43	1.36	7.35	7.01	6.76
47		3	1.42	1.34	1.29	6.96	6.57	6.32
48		4	1.33	1.27	1.22	6.52	6.22	5.98
49		5 and up	1.25	1.20	1.17	6.12	5.88	5.73
50		Ungraded	1.25	1.20	1.17	6.12	5.88	5.73
51	11	2	1.77	1.62	1.51	8.67	7.94	7.40
52		3	1.68	1.52	1.41	8.23	7.45	6.91
53		4	1.57	1.43	1.34	7.69	7.01	6.57
54		5 and up	1.48	1.36	1.28	7.25	6.66	6.27
55		Ungraded	1.48	1.36	1.28	7.25	6.66	6.27

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor:					
	8 oz.	No. 1 picnic	No. 303	No. 2	No. 2½	No. 10
8 ounces				1.82		8.92
No. 1 picnic				1.52		7.45
No. 303				1.14		5.59
No. 2	.55	.66	.88		1.35	4.91
No. 2½				.74		3.63
No. 10	.11	.13	.18	.20	.28	

TABLE 8—GRADE DIFFERENTIALS—Continued

(PART 1) WHOLE SNAP BEANS, ETC.—Continued

Item No.	Area	Sieve size	No. 2 cans: Fancy and Ex-Standard	No. 2 cans: Ex-Standard and Standard	No. 2 cans: Standard and Sub-Standard	No. 10 cans: Fancy and Ex-Standard	No. 10 cans: Ex-Standard and Standard	No. 10 cans: Standard and Sub-Standard
13	3	2	$0.15	$0.10	$0.10	$0.74	$0.49	$0.49
14		3	.15	.10	.10	.73	.49	.49
15		4	.15	.10	.10	.73	.49	.49
16		5 and up	.15	.10	.10	.74	.49	.49
17		Ungraded	.15	.10	.10	.74	.48	.49
18	4	2	.15	.10	.10	.74	.49	.49
19		3	.15	.10	.10	.73	.49	.49
20		4	.15	.10	.10	.73	.49	.49
21		5 and up	.15	.10	.10	.73	.50	.49
22		Ungraded	.15	.10	.10	.73	.50	.49
23	5	2	.18	.12	.10	.88	.59	.49
24		3	.18	.12	.10	.88	.59	.49
25		4	.16	.11	.10	.79	.54	.49
26		5 and up	.14	.10	.10	.68	.49	.49
27		Ungraded	.14	.10	.10	.68	.49	.49
28	6	2	.18	.12	.10	.88	.59	.49
29		3	.18	.12	.10	.88	.59	.49
30		4	.16	.11	.10	.79	.54	.49
31		5 and up	.14	.09	.10	.69	.44	.49
32		Ungraded	.14	.09	.10	.69	.44	.49
33	7	2	.22	.15	.10	1.08	.73	.49
34		3	.22	.14	.10	1.08	.69	.49
35		4	.19	.13	.10	.93	.64	.49
36		5 and up	.17	.11	.10	.84	.53	.49
37		Ungraded	.17	.11	.10	.84	.53	.49
38	8	2	.07	.05	.10	.34	.25	.49
39		3	.08	.05	.10	.39	.25	.49
40		4	.06	.05	.10	.30	.24	.49
41		5 and up	.05	.03	.10	.24	.15	.49
42		Ungraded	.05	.03	.10	.24	.15	.49
43	9	2	.15	.11	.10	.73	.54	.49
44		3	.16	.11	.10	.73	.54	.49
45		4	.14	.09	.10	.65	.44	.49
46		5 and up	.12	.08	.10	.59	.39	.49
47		Ungraded	.12	.08	.10	.59	.39	.49
48	10	2	.15	.10	.10	.74	.49	.49
49		3	.15	.10	.10	.73	.49	.49
50		4	.15	.10	.10	.73	.49	.49
51		5 and up	.15	.10	.10	.74	.48	.49
52		Ungraded	.15	.10	.10	.74	.48	.49
53	11	2	.15	.10	.10	.74	.49	.49
54		3	.15	.10	.10	.73	.49	.49
55		4	.15	.10	.10	.73	.49	.49
56		5 and up	.15	.10	.10	.73	.50	.49
57		Ungraded	.15	.10	.10	.73	.50	.49
58	12	2	.18	.12	.10	.88	.59	.49
59		3	.18	.12	.10	.88	.59	.49
60		4	.16	.11	.10	.79	.54	.49
61		5 and up	.14	.10	.10	.68	.49	.49
62		Ungraded	.14	.10	.10	.68	.49	.49
63	13	2	.18	.12	.10	.88	.59	.49
64		3	.18	.12	.10	.88	.59	.49
65		4	.16	.11	.10	.79	.54	.49
66		5 and up	.14	.10	.10	.68	.49	.49
67		Ungraded	.14	.10	.10	.68	.49	.49

(PART 2) CUT SNAP BEANS (SOME BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Sieve size	No. 2 cans: Fancy and Ex-Standard	No. 2 cans: Ex-Standard and Standard	No. 2 cans: Standard and Sub-Standard	No. 10 cans: Fancy and Ex-Standard	No. 10 cans: Ex-Standard and Standard	No. 10 cans: Standard and Sub-Standard
1	1	2	$0.05	$0.04	$0.10	$0.20	$0.16	$0.40
2		3	.05	.03	.10	.20	.11	.40
3		4	.03	.02	.10	.13	.08	.40
4		5 and up	.03	.02	.10	.11	.08	.40
5		Ungraded	.03	.02	.10	.11	.08	.40
6	2	2	.18	.13	.10	.74	.54	.49
7		3	.16	.11	.10	.64	.44	.49
8		4	.13	.09	.10	.54	.37	.49
9		5 and up	.11	.08	.10	.44	.30	.49
10		Ungraded	.11	.08	.10	.44	.30	.49
11	3	2	.07	.05	.10	.30	.20	.49
12		3	.06	.04	.10	.25	.17	.49
13		4	.05	.03	.10	.20	.13	.49
14		5 and up	.04	.03	.10	.16	.11	.49
15		Ungraded	.04	.03	.10	.16	.11	.49

TABLE 6—CONVERSIONS FROM TEN TO GLASS

ALL SNAP BEANS

[Dollars per dozen container]

If you can figure a price for a can size in the column:	To get a price for the glass container size at the head of a column below, add the indicated amount: No. 303	No. 2½
No. 303	$0.15	
No. 2½		$0.15

TABLE 7—SIEVE SIZE CONVERSION FACTORS

(PART 1) WHOLE SNAP BEANS

To convert from a sieve size in this column	To a sieve size listed at the head of a column below, multiply by the appropriate conversion factor: 1 sieve	2 sieve	3 sieve	4 sieve	5 sieve and up	Ungraded
1 sieve	1.80	1.20	.81	.72	.69	.87
2 sieve	1.54	1.03	.69	.62	.59	.74
3 sieve	1.48	1.00	.67	.60	.57	.72
4 sieve	1.27	.86	.58	.52	.49	.62
5 sieve and up	1.44	.96	.65	.58	.55	.69
Ungraded	1.44	.96	.65	.58	.55	.69

(PART 2) CUT SNAP BEANS

To convert from a sieve size in this column	To a sieve size listed at the head of a column below, multiply by the appropriate conversion factor: 2 sieve	3 sieve	4 sieve	5 sieve and up	Ungraded
2 sieve	1.00	.66	.50	.46	.58
3 sieve	1.51	1.00	.75	.69	.87
4 sieve	2.00	1.33	1.00	.92	1.16
5 sieve and up	2.17	1.44	1.08	1.00	1.26
Ungraded	1.72	1.14	.86	.79	1.00

TABLE 8—GRADE DIFFERENTIALS

In each case in figuring prices based on grade differentials, if the processor has base prices for both a higher and lower grade than the item being priced, he shall use the differential between the item being priced and the next higher grade. (For example, if the item being priced is Extra Standard and he has base prices for both Fancy and Standard grades and now wishes to price Extra Standard he takes the difference between Extra Standard and Standard.)

(PART 1) WHOLE SNAP BEANS. (SOME BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

[Differences between successive grades per dozen container]

Item No.	Area	Sieve size	No. 2 cans: Fancy and Ex-Standard	No. 2 cans: Ex-Standard and Standard	No. 2 cans: Standard and Sub-Standard	No. 10 cans: Fancy and Ex-Standard	No. 10 cans: Ex-Standard and Standard	No. 10 cans: Standard and Sub-Standard
1	1	2	$0.15	$0.10	$0.10	$0.74	$0.49	$0.49
2		3	.15	.10	.10	.73	.49	.49
3		4	.15	.10	.10	.73	.49	.49
4		5 and up	.15	.10	.10	.74	.49	.49
5		Ungraded	.15	.10	.10	.74	.48	.49
6	2	2	.15	.10	.10	.74	.49	.49
7		3	.15	.10	.10	.73	.49	.49
8		4	.15	.10	.10	.73	.49	.49
9		5 and up	.15	.10	.10	.73	.50	.49
10		Ungraded	.15	.10	.10	.73	.50	.49
11	3	2	.15	.10	.10	.74	.49	.49
12		3	.15	.10	.10	.73	.49	.49
13		4	.14	.09	.10	.65	.44	.49
14		5 and up	.12	.08	.10	.59	.39	.49
15		Ungraded	.12	.08	.10	.59	.39	.49

TABLE 8—GRADE DIFFERENTIALS—Continued

(PART 2) CUT SNAP BEANS, ETC.—continued

Item No.	Area	Sieve size	No. 2 cans: Fancy and Ex-Standard	No. 2 cans: Ex-Standard and Standard	No. 2 cans: Standard and Sub-Standard	No. 10 cans: Fancy and Ex-Standard	No. 10 cans: Ex-Standard and Standard	No. 10 cans: Standard and Sub-Standard
16	4	To be announced						
17								
18								
19								
20								
21	5	2	$0.15	$0.10	$0.10	$0.74	$0.49	$0.49
22		3	.15	.10	.10	.73	.49	.49
23		4	.15	.10	.10	.73	.49	.49
24		5 and up	.15	.10	.10	.74	.48	.49
25		Ungraded	.15	.10	.10	.74	.48	.49
26	6	2	.15	.10	.10	.74	.49	.49
27		3	.15	.10	.10	.73	.49	.49
28		4	.15	.10	.10	.73	.49	.49
29		5 and up	.15	.10	.10	.73	.50	.49
30		Ungraded	.15	.10	.10	.73	.50	.49
31	7	2	.18	.12	.10	.88	.59	.49
32		3	.18	.12	.10	.88	.59	.49
33		4	.16	.11	.10	.79	.54	.49
34		5 and up	.14	.10	.10	.68	.49	.49
35		Ungraded	.14	.10	.10	.68	.49	.49
36	8	2	.18	.12	.10	.88	.59	.49
37		3	.18	.12	.10	.88	.59	.49
38		4	.16	.11	.10	.79	.54	.49
39		5 and up	.14	.09	.10	.69	.44	.49
40		Ungraded	.14	.09	.10	.69	.44	.49
41	9	2	.22	.15	.10	1.08	.73	.49
42		3	.22	.14	.10	1.08	.69	.49
43		4	.19	.13	.10	.93	.64	.49
44		5 and up	.17	.11	.10	.84	.53	.49
45		Ungraded	.17	.11	.10	.84	.53	.49
46	10	2	.07	.05	.10	.34	.25	.49
47		3	.08	.05	.10	.39	.25	.49
48		4	.06	.05	.10	.30	.24	.49
49		5 and up	.05	.03	.10	.24	.15	.49
50		Ungraded	.05	.03	.10	.24	.15	.49
51	11	2	.15	.11	.10	.73	.54	.49
52		3	.16	.11	.10	.73	.54	.49
53		4	.14	.09	.10	.65	.44	.49
54		5 and up	.12	.08	.10	.59	.39	.49
55		Ungraded	.12	.08	.10	.59	.39	.49

TABLE 9—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

[All areas, varieties, sieve sizes and grades]

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies:

No. 2 cans, $0.11.
No. 10 cans, $0.54.

To figure amount of subsidy for other container sizes, multiply the amount named above for No. 2 cans by the appropriate conversion factor in Table 5.

Special pricing provisions applicable to packed pole beans in areas other than Area 11, packed bush beans in Area 11, certain styles of pack, and blends of sieve sizes. The following special pricing provisions are applicable to packed pole beans in areas other than Area 11, packed bush beans in Area 11, asparagus style of pack, French style of pack, and blends of sieve sizes. In each case, the maximum price referred to in the provisions is the gross maximum price (after all appropriate conversions made under subparagraph (2), (3) or (4) of section 5 (a), and before subtraction of the direct subsidy payable per unit of the finished product).

(a) *Maximum prices for packed pole beans in areas other than Area 11.* In each area other Area 11, the maximum prices for packed pole beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans twenty-five cents per dozen, higher than the maximum prices for packed bush beans in the same area.

(b) *Maximum prices for packed bush beans in Area 11.* In Area 11, the maximum prices for packed bush beans shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans, twenty-five cents per dozen, lower than the maximum prices for packed pole beans in that area.

(c) *Maximum prices for asparagus style of pack.* The maximum prices for asparagus style, horizontal style or vertical style of pack, shall be: In No. 2 cans twenty-five cents per dozen, in No. 2½ cans, thirty-two and one-half cents per dozen, and in No. 10 cans, $1.25 per dozen, higher than the maximum prices for packed whole beans of the same variety and grade.

(d) *Maximum prices for French style of pack.* The maximum prices for French style of pack shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans, twenty-five cents per dozen, higher than the maximum prices for packed whole beans of the same variety and grade.

(e) *Maximum prices for blends of sieve sizes.* (1) The maximum price of a blend of two sieve sizes of a variety, style of pack and grade shall be the maximum price of the larger sieve size in the blend.

"Blend of two sieve sizes" means a combination of two sieve sizes, which contains not more than 10 per cent by volume of snap beans which are larger than the larger sieve size declared in the blend, and not more than 2 percent by volume of snap beans which are two or more sieve sizes larger than the larger sieve size declared in the blend.

If the combination contains more than the specified percentage by volume of sieve sizes larger than the larger sieve size declared in the blend, the maximum price shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container.

(2) The maximum price of a blend of three sieve sizes containing only No. 4 sieve size and larger shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container. The maximum price of a blend of three sieve sizes of a variety, style of pack and grade, which blend includes at least one sieve size which is smaller than No. 4 sieve size shall be: In No. 2 cans, five cents per dozen, in No. 2½ cans, seven and one-half cents per dozen, and in No. 10 cans, twenty-five cents per dozen, more than the maximum price of the largest sieve size in the blend, packed in the same container.

"Blend of three sieve sizes" means a combination of three sieve sizes, which contains not more than 5 per cent by volume of snap beans which are larger than the largest sieve size declared in the blend, and not more than 1 per cent by volume of snap beans which are two or more sieve sizes larger than the largest sieve size declared in the blend.

If the combination contains more than the specified percentage by volume of sieve sizes larger than the largest sieve size declared in the blend, the maximum price shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container.

(3) The maximum price of a blend of four or more sieve sizes of a variety, style of pack and grade shall be the same as the maximum price for the same variety, style of pack and grade, ungraded as to sieve size, packed in the same container.

4. Table 3 of Appendix B to section 15 is amended in the following respects:

a. In Part 1, Area 1, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item No. and variety	Style and size	No. 2 can: Permitted increase	No. 2 can: Price ranges: Fancy	No. 2 can: Price ranges: Standard
•	•	•	•	•
5a	Colossal, Mammoth, Large.	0.80	3.09–3.79	3.49–3.59
•	•	•	•	•
8a	Large, Medium Small.	.65	3.37–3.45	3.17–3.25

b. In Part 2, Area 2, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item No. and variety	Style and size	No. 2 can: Permitted increase	No. 2 can: Price ranges: Fancy	No. 2 can: Price ranges: Standard
•	•	•	•	•
5a	Colossal, mammoth, large.	0.88	3.38–3.48	3.18–3.28
•	•	•	•	•
8a	Large, medium, small.	.84	3.20–3.28	3.00–3.08

c. In Part 3, Area 3, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item No. and variety	Style and size	No. 2 can: Permitted increase	No. 2 can: Price ranges: Fancy	No. 2 can: Price ranges: Standard
•	•	•	•	•
5a	Colossal, Mammoth, Large.	.85	3.63–3.77	3.43–3.57
•	•	•	•	•
8a	Large, Medium, Small.	.77	3.25–3.35	3.05–3.15

d. In Part 4, Area 4, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item No. and variety	Style and size	No. 2 can		
		Permitted increase	Price ranges	
			Fancy	Standard
•	•	•	•	•
5a	Colossal, Mammoth, Large	1.10	3.63–3.79	3.42–3.56
•	•	•	•	•
8a	Large, Medium, Small	1.02	3.39–3.46	3.19–3.26

e. In Part 5, Area 5, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item No. and variety	Style and size	No. 2 can		
		Permitted increase	Price ranges	
			Fancy	Standard
•	•	•	•	•
5a	Colossal, Mammoth, Large	.85	3.62–3.77	3.49–3.57
•	•	•	•	•
8a	Large, Medium, Small	.77	3.25–3.35	3.05–3.15

5. Table 4 of Appendix B to section 15 is amended in the following respects:

a. In Part 1, Area 1, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item number and variety	Style and size	No. 2 can	
		Fancy	Standard
•	•	•	•
5a	Colossal, Mammoth, Large	3.74	3.54
•	•	•	•
8a	Large, Medium, Small	3.41	3.21

b. In Part 2, Area 2, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item number and variety	Style and size	No. 2 can	
		Fancy	Standard
•	•	•	•
5a	Colossal, Mammoth, Large	$3.43	$3.26
•	•	•	•
8a	Large, Medium, Small	3.24	3.04

c. In Part 3, Area 3, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item number and variety	Style and size	No. 2 can	
		Fancy	Standard
•	•	•	•
5a	Colossal, Mammoth, Large	$3.70	$3.50
•	•	•	•
8a	Large, Medium, Small	3.50	3.30

d. In Part 4, Area 4, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item number and variety	Style and size	No. 2 can	
		Fancy	Standard
•	•	•	•
5a	Colossal, Mammoth, Large	$3.69	$3.49
•	•	•	•
8a	Large, Medium, Small	3.48	3.28

e. In Part 5, Area 5, Item No. 5a is added immediately preceding Item No. 6, and Item No. 8a is added immediately preceding Item No. 9, to read as follows:

Item number and variety	Style and size	No. 2 can	
		Fancy	Standard
•	•	•	•
5a	Colossal, Mammoth, Large	$3.70	$3.50
•	•	•	•
8a	Large, Medium, Small	3.30	3.10

6. In Table 3 of Appendix A to section 16, the figure "2.45" in the column headed "Permitted increase," under the column headed "No. 10 cans," is amended to read "3.18." and the figure "9.77–10.97" in the column headed "Price range," under the column headed "No. 10 cans," are amended to read "10.50–11.70."

7. In Table 4 of Appendix A to section 16, the figure "10.37" in the column headed "No. 10 cans" is amended to read "11.10."

This amendment shall become effective August 30, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13177; Filed, August 30, 1944; 11:14 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 7 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. In section 5, the undesignated paragraph immediately preceding paragraph (a) is amended to read as follows:

The processor shall figure a maximum price for each factory at which he processes the item being priced. (However, he may then elect to combine prices as provided in section 10 (f)).

2. The undesignated paragraph at the end of section 5 (a) (1) (i) is amended to read as follows:

In figuring weighted average prices during the base period, the processor may, if he wishes, figure a single weighted average for any group of factories located in the same pricing area. For this purpose, the processor shall include all sales (as described above) made during the first 60 days after the beginning of the 1941 pack at each factory included in the group.

This amendment shall become effective August 30, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13209; Filed, August 30, 1944; 3:57 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 550, Correction]

CURED AND SMOKED FISH

1. In Maximum Price Regulation 550 the paragraph entitled "Notice to wholesalers and retailers" set out in section 1.10 is corrected by inserting "550" after the words "Maximum Price Regulation No. ------" and by inserting the words "August 21, 1944" following the words "on and after" at the end of that paragraph.

2. In section 5.1 (b) the numbers "3.1," "3.3" and "3.4" are corrected to read "5.1", "5.3" and "5.4" respectively.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13280; Filed, August 31, 1944; 11:56 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 239,[1] Amdt. 14]

LAMB AND MUTTON CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. The date "March 28, 1944" contained in paragraph (b) (2) of § 1364.159 is amended to read "September 1, 1944".

2. The words "other than to war procurement agencies" appearing in subdivisions (ii) and (iii) of paragraph (b) (2) of § 1364.159 are hereby deleted and the words "other than to contract schools" are substituted therefor.

3. The words "the War Shipping Administration and/or" appearing in paragraph (b) (3) and the words "and/or the War Shipping Administration" appearing in paragraph (b) (4) of § 1364.159 are hereby deleted.

4. The definition of "Hotel supply house" appearing in § 1364.160 (a) (5) is amended to read as follows:

(5) "Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of lamb and mutton carcasses and/or wholesale cuts, variety meats and edible by-products and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products and/or processed meat products to ultimate consumers pursuant to the provisions of § 1364.168a of this regulation; and which during the period of September 15 through December 15, 1942, sold and/or delivered to purveyors of meals, not less than 70 percent of the total volume by weight of all meats, variety meats and edible by-products and/or sausage and similar products thereof, sold by it, other than to war procurement agencies. The status of any selling establishment as a hotel supply house shall not be affected where such establishment is physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment, but is not owned or controlled by, or does not own or control such packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment. "Own or control" within the meaning of this definition means to own or control directly or indirectly a partnership equity or in excess of 10 percent of any class of outstanding stock or to have made loans or advances in excess of 5 percent of the other person's monthly sales.

5. Subdivisions (ii) and (iii) of paragraph (a) (10) of § 1364.160 are hereby deleted.

6. Subdivisions (iv) and (v) of paragraph (a) (10) of § 1364.160 are hereby redesignated (ii) and (iii).

7. That portion of paragraph (a) of § 1364.168 immediately preceding the proviso clause is amended to read as follows:

(a) Notwithstanding the terms of any contract, agreement or other obligation, no hotel supply house, packing or slaughtering plant, packer's branch house, wholesaler's or other seller's establishment shall sell and/or deliver to purveyors of meals other than contract schools, during any three month quota period beginning June 1, September 1, December 1 or March 1, a total volume by weight of hotel supply cuts (fabricated meat cuts) in excess of 90 percent of the total volume by weight of beef, veal, lamb and mutton, not including canned meats of any kind, variety meats and edible by-products of any kind, and/or sausage and similar products thereof, sold or delivered by such selling establishment from September 15, 1942, through December 15, 1942, to purveyors of meals, other than to contract schools (in no event shall a war procurement agency be deemed to be a purveyor of meals), except that any selling establishment which was not engaged in sales of beef, veal, lamb and mutton to purveyors of meals from September 15, 1942, through December 15, 1942, for the reason that the selling unit and all facilities thereof were under the contr l of an agency of the United States Government, may determine its quota by reference to the three month quota period of 1942 immediately prior to such assumption of control:

8. Section 1364.168 (b) is amended to read as follows:

(b) Any selling establishment which has established a quota pursuant to paragraph (a) of this § 1364.168 may, subject to the conditions hereinafter set forth, redetermine its quota for sales to purveyors of meals for each three month quota period beginning September 1, 1944, on the basis of its sales to purveyors of meals during the corresponding three month period of 1942: *Provided*, That such selling establishment shall fix its quota for each three month quota period thereafter, other than the period beginning December 1, by reference to sales made by it during the corresponding three month period of 1942. For the three month quota period beginning December 1, such selling establishment shall determine its quota on the basis of its sales to purveyors of meals during the three month period beginning December 1, 1941. Any selling establishment which elects to fix its quotas for sales to purveyors of meals, pursuant to the alternative method stated herein, shall file not later than September 1, 1944, the records required under § 1364.159 (b) (2) for each three month period beginning December 1, 1941, and ending November 30, 1942. The right to elect the alternative method of computing quotas shall be exercised on or before September 1, 1944, and such election shall be made by the filing of the alternative quota data required herein. After September 1, 1944, no selling establishment may elect the alternative quota and any selling establishment which has failed to file the alternative quota reports as required herein shall remain subject to the quota computed by reference to sales made from September 15, 1942, through December 15, 1942. Sales or deliveries by any selling establishment during the three month quota period beginning September 1, shall not exceed the quota fixed on the basis of sales made from September 15, 1942, through December 15, 1942, unless the alternative method of computation has been elected through the timely filing of the alternative quota computations and such computations permit a higher quota. If the alternative quota computation for the three month period beginning September 1, is less than the quota computed by reference to sales made by it from September 15, 1942, through December 15, 1942, sales during the quota period beginning September 1, shall not exceed the lower quota.

9. Section 1364.168 (e) is added to read as follows:

(e) Any order issued pursuant to the provisions of paragraph (b) of this § 1364.168 is revoked as of August 31, 1944, and each regional administrator shall notify every person affected by this paragraph of the revocation.

10. Section 1364.170 (i) is amended to read as follows:

(i) *Transportation and delivery.* Subject to the limitations in paragraph (i) (4) of this section, the following may be added to the applicable zone prices for transporting lamb or mutton from the point of slaughter to the distribution point and for delivery from the distribution point to the buyer's place of business.

(1) *For transportation from the point at which the meat was slaughtered to the seller's distribution point.* (i) For transportation from the point at which the meat was slaughtered in Price Zone 2, 3 or 4 to a distribution point located in any of those price zones, other than another slaughter or packing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 75 cents per hundredweight.

(ii) For transportation from the point at which the meat was slaughtered in Price Zone 1 or 5 to 10, inclusive, to a distribution point located in the same price zone as the slaughter point, other than another slaughter or packing plant owned or controlled by the same seller, the seller may add the actual cost of transportation computed at the lowest common carrier rate for the method of transportation used, but in no event more than 25 cents per hundredweight.

(2) *For delivery from the distribution point to the buyer's place of business.* (i) If meat is delivered by the seller to the place of business of a retailer, wholesaler, hotel supply house, purveyor of meals or commercial user, or to the designated delivery point of a war procurement agency or other government agency located within a radius of 25 miles from

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[1] 9 F.R. 9492, 9612, 10194, 10356, 10497.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 10666, 8 F.R. 3539, 4785, 8677, 9066.

*Copies may be obtained from the Office of Price Administration.

the distribution point, the seller may add 25 cents per hundredweight.

(ii) If meat is delivered by the seller to the place of business of a retailer, wholesaler, hotel supply house, purveyor of meals or commercial user, or to the designated delivery point of a war procurement agency or other government agency located more than 25 miles from the point of distribution, the seller may add the actual cost of transportation, but not to exceed $.50 per hundredweight from a distribution point in Price Zones 1, or 5 to 10, inclusive, and $.75 per hundredweight from a distribution point in Price Zones 2, 3 or 4.

(iii) Where the distribution point and the buyer's place of business coincides, as in the case of truck routes, the seller may, at his option, treat the point of origin of the truck route as the distribution point.

(3) *For delivery by a packer's branch house, wholesaler or hotel supply house.* If the seller is a packer's branch house, wholesaler or hotel supply house who has paid a charge under paragraph (i) of this section for delivery and/or transportation, he may upon resale of lamb or mutton carcasses and wholesale cuts, upon which the charge has been made, add the amount of such charge up to $.25 upon sales made from a distribution point located in Price Zones 1 and 5 to 10, inclusive, and up to $.50 in Price Zones 2, 3 and 4.

(4) *Limitation on total charge for transportation and delivery.* Notwithstanding any of the provisions of paragraph (i) (1) to (i) (3), inclusive, of this section, nothing therein contained shall be construed to permit a total charge for transportation and/or delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than 50 cents per hundredweight in Price Zone 1 or 5 to 10, inclusive, or $1.00 per hundredweight in Price Zone 2, 3 or 4. The additions specified in this paragraph (i) for transportation and for delivery may be charged: *Provided*, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or delivery which is included in the maximum price charged.

(5) *How to compute cost.* The cost of transportation or delivery is to be computed on the basis of the lowest common carrier rate for the method of transportation employed.

(6) *Railway express shipments.* Where lamb or mutton is shipped by express to a purveyor of meals by a hotel supply house, no charge may be made by the seller for transportation or delivery. The buyer pays the shipping charges directly to the carrier.

11. Section 1364.170 (j) is amended to read as follows:

(j) *Peddler truck selling addition.* On a peddler truck sale involving delivery of not more than 100 pounds of lamb or mutton in a total delivery of not more than 150 pounds of meats and meat products in any one day from such peddler truck to any buyer's store door, a peddler may add to the applicable zone wholesale prices, the sum of $1.25 per hundredweight. If such sale involves a delivery of more than 100 pounds of lamb or mutton or a total delivery of more than 150 pounds of meats and meat products, the peddler may add to the applicable zone wholesale prices an amount not in excess of 75 cents per hundredweight, applicable to the total delivery of lamb or mutton in the one day from such peddler truck to the buyer's store door. These additions shall be in lieu of any delivery and/or transportation addition permitted under paragraph (i) of this section.

12. Section 1364.177 (c) (3) is redesignated as (d) and amended to read as follows:

(d) (1) The applicable zone prices in Zones 1 and 5 to 10, inclusive, for fabricated lamb and mutton carcasses (War Shipping Administration Specifications) shall be the prices specified in subparagraph (2) hereof (the applicable Zone 2, 3 and 4 prices) plus the following:

Zone:	
1	$1.50
5	.50
6	.75
7	1.00
8	1.25
9	1.50
10	1.75

(2) Subject to the additions and deductions hereafter provided in Column IV, the following table prices shall be the applicable Zone 2, 3 and 4 prices on sales of fabricated lamb and mutton carcasses (War Shipping Administration Specifications) made:

Column I By—	Column II To—	Column III Which sales require deliveries	Column IV Additions and deductions
(i) Any person (other than a slaughterer, packer, or packer's branch house).	The War Shipping Administration or to such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency (stock pile).	To a commercial warehouse or a storage place designated by the War Shipping Administration.	None.
(ii) Any slaughterer, packer, or packer's branch house.	The War Shipping Administration or such person as may be authorized by the War Shipping Administration to make such purchases under the direction and control of that agency (stock pile).	To a commercial warehouse or a storage place designated by the War Shipping Administration.	Deduct $0.50 per cwt. from table price.
(iii) Any person (other than a slaughterer, packer, or packer's branch house).	A licensed ship supplier	To the buyer's place of business.	Deduct $0.25 per cwt. from table price.
(iv) Any slaughterer, packer, or packer's branch house.	A licensed ship supplier	To the buyer's place of business.	Deduct $0.75 per cwt. from table price.
(v) A slaughterer, packer or packer's branch house which is a licensed ship supplier.	A ship operator	To ship side	None.
(vi) A licensed ship supplier (Other than a slaughterer, packer or packer's branch house) who purchased the fabricated lamb or mutton carcasses (War Shipping Administration Specifications) from the War Shipping Administration (stock pile) or from a person who has accumulated an inventory of fabricated lamb or mutton carcasses (War Shipping Administration Specifications) under direction and control of the War Shipping Administration.	A ship operator	To ship side	Add $1.50 per cwt. to table price.
(vii) Any licensed Ship supplier (other than a slaughterer, packer or packer' branch house).	A ship operator	To ship side	Add $1.25 per cwt. to table price.

All prices are on dollars per hundredweight basis. The prices for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing, strapping, inspection and grading in accordance with War Shipping Administration Specifications.

(The additions and deductions specified in §§ 1364.170 and 1364.171 of this regulation are not applicable.) For fabricated lamb and mutton carcasses (War Shipping Administration Specifications), not boxed but wrapped in Kraft paper and cheese cloth, $0.25 per hundredweight shall be deducted from table prices]

	Lamb				Mutton	
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
Fabricated carcasses	27.75	26.25	24.00	21.75	14.50	12.25

All sales or deliveries under this paragraph (d) are made subject to the provisions of § 1364.169 (c) and for the purposes of this subparagraph (2), the term "fabricated lamb or mutton carcasses (War Shipping Administration Specifications)" shall be substituted for the term "wholesale cut" in § 1364.169 (c). No person shall sell or deliver any fabricated lamb or mutton carcass which does not meet War Shipping Administration Specifications to the War Shipping Administraton or to a licensed ship supplier for resale as ship stores or to any ship operator for ship stores.

For purposes of this subparagraph (2), a sale of fabricated lamb or mutton carcasses (War Shipping Administration Specifications) by any selling establishment which satisfies the definition of "hotel supply house" as defined in § 1364.160 (a) (5) shall be deemed to be a sale by a person other than a slaughterer, packer, or packer's branch house.

(3) The War Shipping Administration or any person authorized by the War Shipping Administration to make purchases under its direction and control is authorized to purchase and sell fabricated lamb and mutton carcasses (War Shipping Administration Specifications).

(4) "Fabricated lamb or mutton carcasses (War Shipping Administration Specifications)" means carcasses satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. Fabricated lamb or mutton carcasses (War Shipping Administration Specifications) shall be graded in accordance with § 1364.167 of this regulation, and no fabricated lamb or mutton carcasses (War Shipping Administration Specifications) so graded shall be packed for sale and/or delivery to the War Shipping Administration, to a licensed ship supplier or to any person for resale as ship stores, authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator except in the presence of an official United States inspector designated by the Food Distribution Administration, or other United States Government agency regularly performing grading and/or inspection service who shall certify that the cutting, boning, trimming, and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(5) For purposes of subparagraphs (2), (3) and (4) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943) to sell and/or deliver meats and other food products to ship operators and (ii) a "ship operator" means any person as defined in Food Distribution Regulation No. 3 who conducts" * * * the business of vessels for the account of the United States under a general agency form of service agreement aproved by the Administrator of the War Shipping Administration; or operating as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; which is owned, chartered or operated by any allied or neutral country," or any other person conducting the business of vessels who is designated as a ship operator by the War Shipping Administration.

13. Section 1364.173 is added to read as follows:

§ 1364.173 *Records and reports.* Whenever used in this § 1364.173, the term "shipment" shall mean all commodities which are consigned to a single buyer as part of a single freight car or truck movement to the place of business or warehouse of the buyer, other than a consignment for delivery of the entire content of a common carrier freight car or truck to a war procurement agency.

(a) Except as provided in paragraph (b) of this § 1364.173, every person making a sale of any meat item subject to this revised regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the name and address of the buyer and seller; identifying each such item sold; setting forth the quantity and grade, the weight thereof, and the price charged and/or received therefor, including a separate statement of the transportation and delivery charge as required by § 1364.170 (i) (4).

(b) (1) In the case of any shipment made to a buyer located within a radius of 25 miles from the seller's distribution point, and in the case of any c. o. d. shipment made, irrespective of the distance, each person shipping any of the meat items subject to this revised regulation shall send with each such shipment a copy of the written statement referred to in paragraph (a) hereof.

(2) In the case of a shipment made to a buyer located beyond a radius of 25 miles from the seller's distribution point, other than a c. o. d. shipment, each person shipping any of the meat items subject to this regulation shall send with each such shipment a copy of the written statement referred to in paragraph (a) hereof: *Provided, however*, That if the shipment made to the buyer is commenced before 12 o'clock noon, that portion of the statement with respect to the price charged or received therefor and the separate statement of the transportation and delivery charge may be omitted but must be mailed to the buyer on the same day. If the shipment made to the buyer is commenced after 12 o'clock noon, that portion of the statement with respect to the price charged or received therefor, and the separate statement of the transportation and/or delivery charge may be omitted but must be mailed to the buyer before 12 o'clock noon of the following business day.

(3) Where the shipment made constitutes the entire content of a common carrier freight car or truck, the copy of the statement referred to in paragraph (a) shall be posted in the freight car or truck near or on the door. Where the shipment made constitutes only a part of the content of a common carrier freight car or truck, the copy shall be securely attached in a conspicuous place to one of the items included within the shipment. Where the shipment made is by a vehicle other than a common carrier, the copy referred to shall be given to and carried by the driver and he shall be authorized to display it to enforcement officers on request.

(4) Every person transferring any of the meat items subject to this regulation to a business establishment or warehouse controlled or operated by him, which constitute the entire content of a vehicle, shall send with each vehicle making such transfer, a statement showing the name and address of the owner, the point of destination and that the meat items are not being transferred to a buyer in connection with the sale. The transfer must be identified in the same manner as required in the foregoing subparagraph (3) of this paragraph (b) except that the statement with respect to price or transportation and delivery charge shall not be required.

(c) Every seller subject to this Revised Maximum Price Regulation No. 239, making sales or deliveries of lamb or mutton carcasses or wholesale cuts shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, a complete and accurate record of each such sale or delivery showing the date of sale, the name and address of the buyer, the quantities, weights and grades sold and the price charged therefor. Kosher sales and sales to purveyors of meals are to be shown separately.

This amendment shall become effective September 5, 1944.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13291; Filed, August 31, 1944; 11:59 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Atlantic County Area,[1] Corr. to Amdt. 2]

In Amendment 2 to the Rent Regulation for Housing in the Atlantic County Defense-Rental Area the first paragraph of section 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13303; Filed, August 31, 1944; 11:58 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami Area,[2] Corr. to Amdt. 6]

In Amendment 6 to the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area the first paragraph of section 5 (a) (9) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13302; Filed, August 31, 1944; 11:58 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Miami Area,[3] Corr. to Amdt. 8]

In Amendment 8 to the Rent Regulation for Housing in the Miami Defense-Rental Area the first paragraph of section 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13294; Filed, August 31, 1944; 11:59 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, New York City Area,[4] Corr. to Amdt. 10]

In Amendment 10 to the Rent Regulation for Housing in the New York City Defense-Rental Area the first paragraph of section 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13295; Filed, August 31, 1944; 11:58 a. m.]

[1] 9 F.R. 6819.
[2] 8 F.R. 14043, 16033; 9 F.R. 3422, 5003.
[3] 8 F.R. 13113, 14047, 16033; 9 F.R. 3423, 4028, 6360.
[4] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2067, 3423, 4028, 6360.

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City Area,[1] Corr. to Amdt. 11]

In Amendment 11 to the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area the first paragraph of section 5 (a) (9) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13301; Filed, August 31, 1944; 11:58 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[2] Corr. to Amdt. 29]

In Amendment 29 to the Rent Regulation for Hotels and Rooming Houses the first paragraph of section 5 (a) (9) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13298; Filed, August 31, 1944; 11:58 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[3] Corr. to Amdt. 32]

In Amendment 32 to the Rent Regulation for Housing the first paragraph of section 5 (a) (12) is corrected by adding the words "(before interest)" following the words "net income."

Issued and effective this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13292; Filed, August 31, 1944; 11:58 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service

PART I—PERSONNEL

SPECIAL CONSULTANTS

Pursuant to the authority contained in section 208 (c) of the Act of July 1, 1944, 58 Stat. 667, the following regulation is prescribed:

§ 1.3 *Special consultants.* When the Service requires the services of consultants who cannot be obtained when needed through regular Civil Service appointment, or under compensation provisions of the Classification Act of 1923, as amended, the Administrator on recommendation of the Surgeon General may appoint special consultants to assist and advise in the operations of the Service at such per diem or other rates of compensation as he shall determine. No such consultant shall be employed for an aggregate of more than one-half of the number of working days of any fiscal year unless the Administrator, because of special circumstances, shall approve an extension thereof.

Dated: August 29, 1944.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: August 29, 1944.

WATSON B. MILLER,
Acting Federal Security Administrator.

[F. R. Doc. 44-13278; Filed, August 31, 1944; 11:32 a. m.]

PART 12—INTERSTATE QUARANTINE

USE OR SHIPMENT OF GARBAGE

Pursuant to the authority contained in section 602 of the Act of July 1, 1944, 58 Stat. 667, section 14½ of the Interstate Quarantine Regulations of the United States (42 C. F. R. 12.18) is hereby repealed and pursuant to section 361 (a) of the Act of July 1, 1944, 58 Stat. 667, the following regulation is prescribed:

§ 12.18 *Use or shipment of garbage.* (a) The feeding of uncooked garbage to swine intended for human consumption is found to contribute substantially to the interstate spread of trichinosis, and heat treatment of garbage which is less than the minimum heat treatment herein defined is found to be insufficient for the destruction of trichinae therein. For the purpose of this regulation, the minimum heat treatment of garbage shall consist of causing all particles thereof to be heated to a minimum temperature of 212° F. and to be held at that temperature for at least 30 minutes. The term "person" shall include an individual, firm or corporation.

(b) No person shall transport, or receive, or cause to be transported or received, garbage in interstate traffic and feed such garbage to swine unless, prior to such feeding, such garbage has received minimum heat treatment as defined in subsection (a) of this regulation.

(c) No person transporting garbage in interstate traffic shall make, or agree to make, delivery thereof to any person with knowledge of the intent or customary practice of such person to feed swine garbage which has not been subjected to minimum heat treatment as defined in subsection (a) of this regulation.

Dated: August 26, 1944.

[SEAL] L. R. THOMPSON,
Acting Surgeon General.

Approved: August 29, 1944.

WATSON B. MILLER,
Acting Federal Security Administrator.

[F. R. Doc. 44-13279; Filed, August 31, 1944; 11:32 a. m.]

[1] 8 F.R. 15581, 16219, 16033; 9 F.R. 2066, 3422, 5003.
[2] 9 F.R. 2165, 2200, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6559.
[3] 9 F.R. 5807, 5915, 6359, 6559, 6819.

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Subchapter E—War Contracts

[Gen. Order 57, Supp. 1]

PART 298—SETTLEMENT OF CLAIMS ARISING UNDER TERMINATED WAR CONTRACTS

LOANS

Whereas, The Commission is authorized by section 10 of the Contract Settlement Act of 1944 (58 Stat. 649) (1) to enter into contracts with any Federal Reserve Bank, or other public or private financing institution, guaranteeing such financing institution against loss of principal or interest on loans, discounts, or advances or on commitments in connection therewith, which such financing institution may make to any war contractor or to any person who is or has been engaged in performing any operation deemed by such contracting agency to be connected with or related to war production, for the purpose of financing such war contractor or other person in connection with or in contemplation of the termination of one or more such war contracts or operations; and (2) to make, enter into contracts to make, or to participate with any Government agency, any Federal Reserve Bank, or public or private financing institution in making loans, discounts, or advances, or commitments in connection therewith, for the purpose of financing any such war contractor or other person in connection with or in contemplation of the termination of such war contracts or operations;

Whereas, the Commission is authorized by section 23 of said Contract Settlement Act of 1944 to delegate any authority and discretion conferred upon it by or pursuant to said act to any officer or employee of the Commission, or to any other Government agency, and to authorize successive redelegations of such authority and discretion; and whereas the Federal Reserve Banks are authorized by section 10 of said act to act as fiscal agents of the United States on behalf of the Commission; and

Whereas, in order to facilitate the exercise of the Commission's powers, functions, duties, and discretion under the Contract Settlement Act of 1944, it is necessary that the Commission delegate its authority thereunder to the Federal Reserve Banks and to appropriate officers of the Commission for the performance of the functions and activities authorized by said act relative to the guaranteeing of loans;

It is therefore ordered, That § 298.103 of the regulations of the Commission with respect to the settlement of claims arising under terminated war contracts (9 F.R. 9837) be and it hereby is amended to read:

§ 298.103 *Loans and loan guarantees or commitments by Federal Reserve Banks.* The Federal Reserve Banks are authorized, to the extent herein specified, to act as fiscal agents of the Commission for guaranteeing financing institutions against loss of principal or interest on loans, discounts, or advances or on commitments in connection therewith, which such financing institution may make to any war contractor or to any person who is or has been engaged in performing any operation deemed by the Commission to be connected with or related to war production, for the purpose of financing such war contractor or other person in connection with or in contemplation of the termination of work under one or more such war contracts or operations, pursuant to the policies, principles, methods, and procedures relative to such guarantees and commitments therefor prescribed by the Director of Contract Settlement. The Federal Reserve Banks are authorized to approve, after consultation with and in the absence of objection by authorized representatives of the Commission, all applications for such guarantees of loans totaling (a) $500,000 or less to any one borrower when the requested percentage of guarantee is not in excess of 90 per centum of the loan, and (b) $100,000 or less to any one borrower when the requested percentage of guarantee is not in excess of 95 per centum of the loan. The Director of Finance and the Assistant Directors of Finance, and such other officers and employees as they may designate, are authorized to act as representatives of the Commission in connection with the execution of guarantees and commitments therefor or the making of loans by the Federal Reserve Banks.

It is further ordered, That the aforementioned regulations be amended by adding thereto two sections as follows:

§ 298.104 *Guarantees of loans exceeding $500,000.* Applications from financing institution for guarantees of termination loans totaling more than $500,000 to any one borrower shall be made to the Director of Finance, United States Maritime Commission, Washington 25, D. C.

§ 298.105 *Direct loans.* Applications from war contractors for direct loans, as provided in section 10 of the act, shall be made to the Director of Finance, United States Maritime Commission, Washington 25, D. C.

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

AUGUST 24, 1944.

[F. R. Doc. 44-13282; Filed, August 31, 1944; 11:50 a. m.]

Chapter III—War Shipping Administration

[Gen. Order 8, Supp. 10 (Rev.), Amdt. 2]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

REDETERMINATION AND READJUSTMENT OF TIME CHARTER HIRE

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-GLAF vessels chartered or requisitioned for use pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended.

Section 302.92 *Basic rates* (of General Order 8, Supplement 10, Revised) is amended by striking out paragraph (a) and inserting in lieu thereof:

(a) *Dry cargo vessels.* The time charter rate per deadweight ton per month for dry cargo vessels shall be:

Tonnage:	*Rate per deadweight ton per month*
23,000 and over	$3.00
22,000–22,999	3.05
21,000–21,999	3.10
20,000–20,999	3.15
19,000–19,999	3.20
18,000–18,999	3.25
17,000–17,999	3.30
16,000–16,999	3.35
15,000–15,999	3.40
14,000–14,999	3.45
13,000–13,999	3.55
12,000–12,999	3.65
11,000–11,999	3.75
10,000–10,999	3.85
9,000– 9,999	4.00
8,000– 8,999	4.10
7,000– 7,999	4.35
6,000– 6,999	4.65
5,000– 5,999	5.00
4,000– 4,999	5.40
3,500– 3,999	5.60
3,000– 3,499	5.85
2,500– 2,999	6.15
2,000– 2,499	6.80
1,500– 1,999	6.90
1,000– 1,499	7.35

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

AUGUST 31, 1944.

[F. R. Doc. 44-13281; Filed, August 31, 1944; 11:50 a. m.]

[Gen. Order 3, Supp. 1]

PART 341—SHIP WARRANT REGULATIONS

SUBPART J—RATES

Section 341.93 *Rate Orders* is amended to read:

§ 341.93 *Rate Orders and other rate advices.* (a) All modifications, amplifications or changes made by the Administration in the rates and conditions authorized by this order (§§ 341.91 to 341.93, inclusive) pursuant to the act of July 14, 1941 (55 Stat. 591), shall be in the form of "Rate Orders" or other advices hereafter to be issued.

(b) The rates, surcharges and conditions prescribed pursuant to this Order (§§ 341.91 to 341.93, inclusive), including modifications, amplifications or changes therein as authorized by the Administration in the form of "Rate Orders" or other advices, must be observed with respect to all vessels operated for account of the United States unless a departure therefrom was or is specifically authorized by the Administration; as to all other vessels, such authorized rates, surcharges and conditions, including modifications, amplifications or changes therein, shall, where applicable, constitute the maxima in which the Administration will concur as a condition to the

granting, or to the continued recognition, of the warrants authorized by the act of July 14, 1941, unless otherwise specifically authorized by the Administration.

(E.O. 9054, 7 F.R. 837, 55 Stat. 891)

[SEAL] E. S. LAND,
Administrator.

AUGUST 30, 1944.

[F. R. Doc. 44-13280; Filed, August 31, 1944; 11:50 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Huse Publishing Company, 116 N. 4th Street, Norfolk, Nebraska; printing; 7 learners (T); linotype operator, pressman, compositor, proofreader, engraver, bindery worker for a learning period of 1,000 hours provided that if any learners are students combined work and school hours in any one week do not exceed 48 hours at 30 cents for the first 500 hours and 35 cents for the following 500 hours; effective August 30, 1944, expiring August 29, 1945.

Wallace Nutting Shops, 46 Park Street, Framingham, Massachusetts; hand coloring pictures; 2 learners (T); colorist for a learning period of 160 hours at 30 cents an hour; effective August 24, 1944, expiring October 5, 1944.

Signed at New York, New York, this 29th day of August 1944.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 44-13305; Filed, August 30, 1944; 2:52 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3501), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4734), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7690).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Dixie Shirt Company, Inc., Spartanburg, South Carolina; men's civilian and army shirts; 10 percent (T); effective August 26, 1944, expiring August 25, 1945.

Eagle Brothers, 108 S. Main Street, Mahanoy City, Pennsylvania; boys' shirts; 10 percent (AT); effective August 29, 1944, expiring February 28, 1945.

Hilb Manufacturing Company, 1731 Arapahoe Street, Denver, Colorado; ladies' slack suits, skirts, lounging pajamas and robes; 5 learners (T); effective August 30, 1944, expiring August 29, 1945.

Industrial Undergarment Corporation, 340 Mill Street, Poughkeepsie, New York; ladies' underwear; 10 percent (T); effective September 1, 1944, expiring August 31, 1945.

McAdoo Manufacturing Company, 6 Hancock Street, McAdoo, Pennsylvania; infants' wear, polo shirts, diaper covers; 39 learners (E); effective August 29, 1944, expiring November 28, 1944.

Model Sportswear Company, 212 "E" Street, Pen Argyl, Pennsylvania; ladies', misses, and children's blouses; 10 learners (T); effective August 28, 1944, expiring August 27, 1945.

Racine Shirt Company, Inc., Greensburg, Indiana; work shirts, mackinaws and coats; 10 percent (T); effective August 31, 1944, expiring August 30, 1945.

Shawnee Garment Manufacturing Company, 115½ North Bell Street, Shawnee, Oklahoma; men's and boys' overalls, pants, shirts and work coats; 10 learners (T); effective September 2, 1944, expiring September 1, 1945.

South Side Dress Company, 1805 Pittston Avenue, Scranton, Pennsylvania; children's and ladies' dresses; 10 percent (T); effective August 29, 1944, expiring August 28, 1945.

Wyoming Frocks, Incorporated, 342-346 Wyoming Avenue, Wyoming, Pennsylvania; ladies' and misses' dresses; 15 learners (E); effective August 28, 1944, expiring February 27, 1945.

GLOVE INDUSTRY

Richmond Glove Corporation, 306 Salem Avenue, West, Roanoke, Virginia; work gloves; 10 learners (AT); effective August 26, 1944, expiring February 27, 1945.

Saranac Glove Company, 42 Saranac Street, Littleton, New Hampshire; leather dress and work gloves; 5 learners (T); effective August 28, 1944, expiring August 27, 1945.

The Tex-Sun Glove Company, Inc., 110 East 6th Avenue, Corsicana, Texas; work gloves; 20 learners (E); effective August 28, 1944, expiring February 27, 1945.

HOSIERY INDUSTRY

Athens College Hosiery Mill, Athens, Alabama; Full-fashioned hosiery; 36 learners (AT); effective September 12, 1944, expiring June 30, 1945.

Sunshine Hosiery Mills, 215 South Church Street, Murfreesboro, Tennessee; seamless and full-fashioned hosiery; 5 percent (T); effective August 29, 1944, expiring August 28, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Reinbeck, Iowa; to employ learners as commercial switchboard operators at its Reinbeck exchange, located at Reinbeck, Iowa; effective August 26, 1944, expiring August 25, 1945.

Dalton Telephone Company, Dalton, Georgia; to employ learners as commercial switchboard operators at its Dalton exchange, located at Dalton, Georgia; effective August 25, 1944, expiring August 24, 1945.

Douglas Telephone Company, Douglas, Georgia; to employ learners as commercial switchboard operators at its Douglas exchange, located at Douglas, Georgia; effective August 25, 1944, expiring August 24, 1945.

CIGAR INDUSTRY

General Cigar Company, Inc., 7th and Poplar Streets, Benton, Kentucky; machine made cigars; 10 percent (T); cigar machine operating for a learning period of 320 hours at 30 cents an hour; cigar packing and machine stripping for a learning period of 160 hours at 30 cents an hour; effective August 22, 1944, expiring August 21, 1945.

Signed at New York, N. Y., this 29th day of August 1944.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 44-13206; Filed, August 30, 1944; 2:52 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6658]

QUEEN CITY BROADCASTING CO., INC.

NOTICE OF HEARING

Correction

In F. R. Doc. 44-13089, appearing on page 10594 of the issue for Wednesday, August 30, 1944, the seventh line of paragraph 5 should read "thereof the proposed assignment would".

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order Number 4009]

SOCIETA' ITALIANA PIRELLI AND COMPAGNIE INTERNATIONALE PIRELLI

In re: Patents and interests of Societa' Italiana Pirelli and Compagnie Internationale Pirelli in an agreement dated June 30, 1933 with General Electric Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societa' Italiana Pirelli is a corporation organized under the laws of Italy with its principal place of business at Milan, Italy and is a national of a foreign country (Italy);

2. That Compagnie Internationale Pirelli is a corporation organized under the laws of Belgium with its principal place of business at Brussels, Belgium and is a national of a foreign country (Belgium);

3. That Trefileries et Laminoirs du Havre is a business organization organized under the laws of France and is a national of a foreign country (France);

4. That the property described in subparagraph 7a hereof is property of Societa' Italiana Pirelli;

5. That the property described in subparagraph 7b hereof is property of Trefileries et Laminoirs du Havre;

6. That the property described in subparagraph 7c hereof is property of Societa' Italiana Pirelli and Compagnie Internationale Pirelli;

7. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number	*Date of Issue*	*Inventor*	*Title*
2,133,398	10-18-38	Mario Purita	Electric cable and method of repairing the same;

(b) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number	*Date of Issue*	*Inventor*	*Title*
2,043,033	6-2-36	Pierre T. Capdeville	Underground electric cable;

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societa Italiana Pirelli and Compagnie Internationale Pirelli, and each of them, by virtue of an agreement dated June 30, 1933 (including all modifications thereof and supplementa thereto, including, but not by way of limitation, the supplemental agreement by letter dated April 12, 1934 to General Electric Company from Societa Italiana Pirelli and Compagnie Internationale Pirelli, and the amendatory agreement by letter dated March 4, 1935 from General Electric Company to Societa Italiana Pirelli) by and between General Electric Company, Societa Italiana Pirelli and Compagnie Internationale Pirelli, which agreement relates, among other things, to United States Letters Patent No. 2,043,033,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Italy, Belgium, France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such propefty or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13264; Filed, August 31, 1944; 10:38 a. m.]

[Vesting Order 4011]

ELIZABETH AKESSON

In re: Estate of Elizabeth Akesson, deceased; File D-17-370; E. T. sec. 7999.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Andrew R. Bratter, 15 W. Kellogg Blvd., 328 Court House, St. Paul, Minnesota, Administrator, acting under the judicial supervision of the Probate Court of Ramsey County, Minnesota;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Olga Streda, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Olga Streda, in and to the estate of Elizabeth Akesson, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13265; Filed, August 31, 1944; 10:39 a. m.]

[Vesting Order 4012]

GEORGE BAUER

In re: Estate of George Bauer, deceased; File: D-28-8617; E. T. sec. 10287.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Therese Bauer, Germany.
Wilhelmina Konrad, Germany.
Maria Albert, Germany.
Helene Wohlmannstetter, Germany.
Therese Troemml, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Therese Bauer, Wilhelmina Konrad, Maria Albert, Helene Wohlmannstetter and Therese Troemml, and each of them, in and to the Estate of George Bauer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13268; Filed, August 31, 1944; 10:39 a. m.]

[Vesting Order 4013]

MARIE BAUR

In re: Estate of Marie Baur, deceased; File D-28-4286; E. T. sec. 7334.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Strubel, Max Strubel and Anna Strubel, and each of them, in and to the Estate of Marie Baur, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, namely, Germany,

Nationals and Last Known Address

Wilhelm Strubel, Offenburg, Germany.
Max Strubel, Offenburg, Germany.
Anna Strubel, Offenburg, Germany.

That such property is in the process of administration by Harold Henry, as Executor of the Estate of Marie Baur, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13267; Filed, August 31, 1944; 10:39 a. m.]

[Vesting Order 4014]

J. J. BRUTTY

In re: Estate of J. J. Brutty, deceased; File D-28-7707; E. T. sec. 8226.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hoyt Hunter, Quinn, South Dakota, Administrator, acting under the judicial supervision of the County Court of Pennington County, South Dakota;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Margaret Nurgus, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Margaret Nurgus in and to the estate of J. J. Brutty, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13266; Filed, August 31, 1944; 10:40 a. m.]

[Vesting Order 4015]

SOPHIA GOODRIDGE

In re: Trust under the will of Sophia Goodridge for the benefit of Maria Bourbier; File No. D-28-2194; E. T. sec. 2952.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Union and New Haven Trust Company, as executor, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

(2) Such property and interests are payable or deliverable to or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Maria Bourbier, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Bourbier in and to the trust created under the Will of Sophia Godridge, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13269; Filed, August 31, 1944; 10:40 a. m.]

[Vesting Order 4016]

ISRAEL GROSSMAN

In re: Estate of Israel Grossman, deceased; File D-34-737; E. T. sec. 10101.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Alexander S. Levine, Executor, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Eddie Kohn, Hungary.
Frances Kohn, Hungary.
Terris Kohn, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Eddie Kohn, Frances Kohn and Terris Kohn, and each of them, in and to the Estate of Israel Grossman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13270; Filed, August 31, 1944; 10:40 a. m.]

[Vesting Order 4017]

TED KANEKO

In re: Estate of Ted Kaneko, deceased; File D-39-17544; E. T. sec. 10299.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Sei Kaneko, Japan.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Sei Kaneko, in and to the estate of Ted Kaneko, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to

indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13271; Filed, August 31, 1944; 10:41 a. m.]

[Vesting Order 4018]

HUGO KOMPMAN

In re: Estate of Hugo Kompman, deceased; File D–28–8746; E. T. sec. 10624.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John T. Dempsey, 11 South La Salle Street, Chicago, Illinois, Administrator, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Fritz Kompman, Czechoslovakia.
Heins Kompman, Germany.

And determining that—

(3) Fritz Kompman, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied country, Czechoslovakia, is a national of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Kompman and Heins Kompman, and each of them, in and to the estate of Hugo Kompman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13272; Filed, August 31, 1944; 10:41 a. m.]

[Vesting Order 4019]

AGNES NUTTING LADD

In re: Estate of Agnes Nutting Ladd, deceased; File No. D–28–8681; E. T. sec. 10497.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Greenwich Trust Company, as executor, acting under the judicial supervision of the Court of Probate, District of Greenwich, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Krauss, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Krauss in and to the estate of Agnes Nutting Ladd, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13273; Filed, August 31, 1944; 10:41 a. m.]

[Vesting Order 4020]

FRANK X. MANLE

In re: Estate of Frank X. Manle, deceased; File D–28–7846; E. T. sec. 8446.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John T. Dempsey, 11 South LaSalle Street, Chicago, 3, Illinois, Administrator With the Will Annexed, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helene Frank, nee Maennle, Germany.
Eufrosina Siebert, nee Maennle, Germany.
Adelheid Maennle, Germany.
Rosa Maennle, Germany.
Karl Maennle, Germany.

Child or children, names unknown, of Helene Frank, nee Maennle, Eufrosina Siebert, nee Maennle, Adelheid Maennle, Rosa Maennle and Karl Maennle, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helene Frank, nee Maennle, Eufrosina Siebert, nee Maennle, Adelheid Maennle, Rosa Maennle, Karl Maennle, and child or children, names unknown, of Helene Frank, nee Maennle, Eufrosina Siebert, nee Maennle, Adelheid Maennle, Rosa Maennle, Karl Maennle, and each of them, in and to the estate of Frank X. Manle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13274; Filed, August 31, 1944; 10:41 a. m.]

[Vesting Order 4035]

FRIEDRICH DOPPENSCHMITT

In re: Patent and interest of Friedrich Doppenschmitt in Agreements with Forstner Chain Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Friedrich Doppenschmitt is a resident of Pforzheim, Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is the property of Friedrich Doppenschmitt;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Helene Frank, nee Maennle, Eufrosina Siebert, nee Maennle, Adelheid Maennle, Rosa Maennle, Karl Maennle, and child or children, names unknown, of Helene Frank, nee Maennle, Eufrosina Siebert, nee Maennle, Adelheid Maennle, Rosa Maennle, Karl Maennle, and each of them, in and to the estate of Frank X. Manle, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title

2,079,386; 5–4–37; Karl Schofer, Germany; Method for the production of bands for ornamental and useful purposes;

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Friedrich Doppenschmitt by virtue of agreements dated July 22, 1937 (including all modifications thereof and supplements thereto, if any) by and between the said Friedrich Doppenschmitt and Forstner Chain Corporation, which agreements relate, among other things, to United States Letters Patent Nos. 1,694,703 and 2,079,386.

[F. R. Doc. 44–13275; Filed, August 31, 1944; 10:38 a. m.]

[Vesting Order 4039]

FABBRICA ITALIANA VALVOLE RADIO ELETTRICHE AND FABBRICA ITALINA MAGNETI MARELLI

In re: Interest of Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli in an agreement dated September 1, 1934 with Westinghouse Electric International Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli are business organizations organized under the laws of and having their principal places of business in Italy, and are nationals of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli, and each of them, by virtue of an agreement dated September 1, 1934 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a letter agreement between the parties dated September 1, 1934) by and between Westinghouse Electric International Company and Fabbrica Italiana Valvole Radio Elettriche and Fabbrica Italiana Magneti Marelli, which agreement relates, among other things, to Patent No. 2,279,275,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by nationals of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as

may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13276; Filed, August 31, 1944; 10:36 a. m.]

[Vesting Order 4043]

RENE J. L. MOINEAU AND/OR SOCIETE D'EXPLOITATION DES BREVETS MOINEAU

In re: Patents and Interests of Rene J. L. Moineau and/or Societe d'Exploitation des Brevets Moineau in an agreement between Rene J. L. Moineau and Robbins & Myers, Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Rene J. L. Moineau is a resident of Paris, France and is a national of a foreign country (France);

2. That Societe d'Exploitation des Brevets Moineau is a corporation organized under the laws of the Duchy of Luxembourg and is a national of a foreign country (Luxembourg);

3. That the property described in subparagraph 4 hereof is property of Rene J. L. Moineau and/or Societe d'Exploitation des Brevets Moineau;

4. That the property described as follows:

(a) All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number	*Date of Issue*	*Inventor*	*and Title*
1,892,217	12-27-32	Rene J. L. Moineau	Gear mechanism;
2,028,407	1-21-36	Rene J. L. Moineau	Gear mechanism;

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Rene J. L. Moineau by virtue of an agreement dated October 1, 1936 (including all modifications thereof, and supplements thereto, if any) by and between Rene J. L. Moineau and Robbins & Myers, Inc., which agreement relates, among other things, to United States Letters Patent No. 1,892,217,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (France and Luxembourg);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13277; Filed, August 31, 1944; 10:39 a. m.]

[Vesting Order 3712, Amdt.]

FRANZ FUCHS AND LEOPOLDINE MÜELLER

In re: Real property, property insurance policies and a bank account owned by Franz Fuchs and Leopoldine Mueller.

Vesting Order Number 3712, dated May 29, 1944, is hereby amended as follows and not otherwise:

By inserting in the said Vesting Order Number 3712, immediately following each place where the name Leopoldine Mueller appears, the words "also known as Leopoldine Muller," except where the said name last appears in subparagraph 3–c of said Vesting Order Number 3712.

All other provisions of said Vesting Order Number 3712 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13263; Filed, August 31, 1944; 10:41 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Dir., Aug. 15, 1944; Amdt. 2]

INTERNATIONAL ASSN. OF MACHINISTS, A. F. OF L., LODGE NO. 68

ORDER DIRECTING OFFICE OF PRICE ADMINISTRATION TO RESTRICT GASOLINE RATIONS

AUGUST 21, 1944.

This directive supplements that of August 15, 1944, as amended on August 18, 1944, directing the Office of Price Administration to take certain action in connection with the government's possession and operation of five machine shops in the San Francisco area under Executive Order No. 9463.

In view of Executive Order No. 9466, dated August 19, 1944, wherein the Secretary of the Navy is authorized to take possession and to operate 99 additional similar plants in the San Francisco area, I hereby direct the Office of Price Administration to take the action stated in my directives of August 15, 1944 and August 18, 1944, in connection with the government's possession and operation of these 99 plants.

FRED M. VINSON,
Director.

[F. R. Doc. 44–13197; Filed, August 26, 1944; 11:46 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 944]

CONTRACTORS CONSTRUCTION CORP., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 944 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

CONTRACTORS CONSTRUCTION CORP., 209 FOUNTAIN SQUARE BLDG., CINCINNATI, OHIO, CONTRACTORS CONSTRUCTION CORP. MINE, NO. 6 SEAM, MINE INDEX NO. 4070, PERRY COUNTY, OHIO, SUBDISTRICT 5, STRIP MINE, PRICE CLASSIFICATION: HOCKING, FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP NO. 102, RAIL SHIPPING POINT: SHAWNEE, OHIO

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipment and railroad fuel	330	345	305	305	305	275	255	245	275	245	----	275
Truck shipment	365	385	345	335	315	305	295	280	----	----	----	----

M. M. LEWIS, RURAL ROUTE #1, WATERVILLE, OHIO, LITTLE MITE, NO. 5 SEAM, MINE INDEX NO. 4040, STARK COUNTY, OHIO, SUB-DIST. 4, STRIP MINE

	Size group Nos.								
	1	2	3	4	5	6	7	8	9
Truck shipment	380	350	335	330	320	280	265	245	----

NEW JOESTES COAL CO., NAVARRE, OHIO, NEW JOESTES MINE, NO. 7 SEAM, MINE INDEX NO. 4057, TUSCARAWAS COUNTY, OHIO, SUB-DIST. 4, STRIP MINE, PRICE CLASSIFICATION: MIDDLE FREIGHT ORIGIN DISTRICT, RAILROAD FUEL PRICE GROUP, NO. 102, RAIL SHIPPING POINT: STILLWATER, (GOSHEN) OHIO

	Size group Nos.											
	1	2	3	4	5	6	----	8	9	10	11	12
Rail shipment and railroad fuel	330	328	300	295	290	290	250	240	290	235	----	280
Truck shipment	360	350	330	320	320	280	265	245	----	----	----	----

BARR COAL CO., BOX 14, NELSONVILLE, OHIO, SMITH MINE, NO. 7 SEAM, MINE INDEX NO. 4065, ATHENS COUNTY OHIO, SUB-DIST. 5, DEEP MINE, PRICE CLASSIFICATION: HOCKING, FREIGHT ORIGIN DISTRICT, R. R. FUEL PRICE GROUP NO. 102, RAIL SHIPPING POINT: FLOODWOOD (KIMBERLY) OHIO.

	Size group Nos.											
	1	2	3	4	5	6	----	8	9	10	11	12
Rail shipment and railroad fuel	330	345	305	305	305	275	255	245	275	----	----	275
Truck shipment	365	365	345	330	315	305	295	280	----	----	----	----

This order shall become effective August 31, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1944.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 44–13211; Filed, August 30, 1944; 3:56 p. m.]

with § 1340.210 (a) (6) of maximum price regulation No. 120: *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in district No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. However, producer is subject to the provisions of § 1340.224 and all other provisions of maximum price regulation No. 120.

AVERY COAL CO., COFFORDALE, ALA., AVERY NO. 2 MINE, BROOKWOOD SEAM, MINE INDEX NO. 3939, TUSCALOOSA COUNTY, ALA., RAIL SHIPPING POINT: THAYILLA, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 1 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7.

	Size Group Nos.											
	1, 2, 3, 4, 5	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17, 18	22, 23					
Rail shipment and railroad fuel	355	385	345	350	280	245	295					
Truck shipment	420	440	420	380	375	360	345					

J. W. BENNETT, WATSON, ALA., BENNETT MINE, PRATT SEAM, MINE INDEX NO. 3940, JEFFERSON COUNTY, ALA., RAIL SHIPPING POINT: MINERAL SPRINGS, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 6

Rail shipment and railroad fuel	380	380	370	380	370	270	270					
Truck shipment	470	465	455	450	410	415	395					

THOMAS COAL CO., JASPER, ALA., BARNEY THOMAS MINE, MARY LEE SEAM, MINE INDEX NO. 3941, WALKER COUNTY, ALA., RAIL SHIPPING POINT: PARRISH, ALA., DEEP MINE, MAXIMUM PRICE GROUP NO. 1 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 7

Rail shipment and railroad fuel	355	385	345	350	340	245	295					
Truck shipment	425	440	420	380	380	360	345					

[MPR 136, Order 287]

KNOX PORCELAIN CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 287 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Knox Porcelain Corporation, Docket No. SO–28–4196.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register,

This order shall become effective August 31, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1944.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 44–13212; Filed, August 30, 1944; 3:56 p. m.]

[MPR 120, Order 945]

AVERY COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 945 under maximum price regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance

under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a under Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The Knox Porcelain Corporation, 100 Mynderse Street, Knoxville, Tennessee, is authorized to increase its list prices for all items of electrical equipment that it manufactures, by multiplying by 108% its list prices duly in effect just prior to the issuance of this order. (The discounts, allowances, and terms of delivery duly in effect just prior to the issuance of this order shall remain in effect.)

(b) Purchasers of items of electrical equipment from the Knox Porcelain Corporation for resale, are authorized to add to their maximum prices for each class of purchasers duly in effect just prior to the issuance of this order, the following:

(1) The applicable dollars-and-cents amount of the increased costs due to the adjustment in maximum prices granted to the Knox Porcelain Corporation in paragraph (a); and

(2) The resellers' customary markup on such increased cost.

(c) The Knox Porcelain Corporation shall notify its customers who buy its electrical equipment for resale, of the amount by which this order permits resellers to increase their maximum prices.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

This order shall become effective August 31, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13214; Filed, August 30, 1944; 3:59 p. m.]

[MPR 136, Order 288]

PFAUDLER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 288 under Maximum Price Regulation 136, as amended, machines and parts, and machinery services. The Pfaudler Company, Docket No. 3136-478.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to §1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

(a) The Pfaudler Company, 89 East Avenue, Rochester, New York, shall determine its maximum prices for the items of dairy and processing equipment listed below by multiplying the maximum price to each class of purchasers, duly in effect just prior to the issuance of this order, by the following applicable percentage:

Item:	Percentage
Steel dairy storage tanks	103
Steel pasteurettes	106
Glass pasteurettes	105
Hemispherical kettles	105
Glass Lo-Vat pasteurizers	108
Truck and trailer tanks	119

(b) Purchasers from the Pfaudler Company who buy for resale the items listed in paragraph (a) shall determine their maximum prices by adding to the maximum price to each class of purchasers duly in effect just prior to the issuance of this order, the dollars-and-cents amounts by which their costs have increased due to the adjustment in maximum prices granted herein to the Pfaudler Company.

(c) The Pfaudler Company shall notify those customers who buy for resale the items listed in paragraph (a), of the amounts by which this order permits resellers to increase their maximum prices.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

This order shall become effective August 31, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13215; Filed, August 30, 1944; 3:59 p. m.]

[MPR 188, Rev. Order 1513]

GALVAN MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 1513 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Authorization of maximum prices for rain water cut-offs for the Galvan Manufacturing Company of New Albany, Indiana.

Order No. 1513 under § 1499.158 of Maximum Price Regulation No. 188 is redesignated Revised Order No. 1513 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is hereby ordered,* That:

(a) The Galvan Manufacturing Company, New Albany, Indiana, may sell, offer to sell and deliver the following types of rain water cut-offs at the maximum net prices indicated:

26-gauge:	
3 inch	$6.82
4 inch	9.72
5 inch	18.19
6 inch	21.08
28-gauge:	
3 inch	$6.50
4 inch	9.44
5 inch	17.80
6 inch	20.52

(b) All jobbers of the Galvan Manufacturing Company may sell, offer to sell and deliver the following types of rain-water cut-offs at the maximum net prices indicated:

26-gauge:	
3 inch	$8.85
4 inch	12.65
5 inch	23.65
6 inch	27.40
28-gauge:	
3 inch	8.45
4 inch	12.25
5 inch	23.15
6 inch	26.70

(c) This Revised Order No. 1513 may be revoked or amended by the Price Administrator at any time.

(d) This Revised Order No. 1513 shall become effective August 31, 1944.

Issued this 30th day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13213; Filed, August 30, 1944; 3:58 p. m.]

[MPR 64, Order 156]

A. & J. MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 156 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of a magazine type coal-heater manufactured by A & J Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and in accordance with section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) Any wholesale distributor may sell and deliver to retailers the Model No. 600 magazine type coal circulating heater manufactured by A & J Manufacturing Company, Gadsden, Alabama, at prices no higher than those set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
600	$54.10	$55.60	$58.50	$62.50

These prices are f. o. b. distributors' cities.

(b) Any person, other than a mail order house, may sell and deliver at retail, the Model No. 600 magazine type coal circulating heater manufactured by A & J Manufacturing Company, Gadsden, Alabama, at prices no higher than set forth below for sales in each zone:

Model No.	Zone 1	Zone 2	Zone 3	Zone 4
600	$86.50	$88.95	$90.50	$92.95

(c) Any mail order house may sell and deliver at retail the Model No. 600 magazine type coal circulating heater manufactured by A. & J. Manufacturing Company, Gadsden, Alabama, at prices no higher than those specifically authorized in writing by the Office of Price Administration, Washington, D. C., upon application.

(d) At the time of or prior to the first invoice for a sale of the Model No. 600 coal heater described above, after the effective date of this order, A & J Manufacturing Company and each wholesale distributor shall notify the purchaser of the maximum prices and conditions set by this order for resales by the purchaser. In addition, A & J Manufacturing Company shall, before delivering any Model No. 600 coal heater to a wholesale distributor, or to a retailer other than a mail order house, attach securely to each heater a tag or label which plainly states the maximum retail ceiling prices established by this order for sales in each zone. This tag or label shall be attached to the front of the heater.

(e) Any mail order house selling the Model No. 600 coal circulating heater through a retail store must, before offering it for sale, attach securely to the front of the heater a tag or label which plainly states the maximum retail ceiling price established by the Office of Price Administration for sales by the seller in the particular zone.

(f) For the purpose of this order, Zones 1, 2, 3, and 4 shall comprise the following states:

Zone 1: Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina, North Carolina.

Zone 2: Wisconsin, Michigan, Iowa, Missouri, Arkansas, Louisiana, Illinois, Indiana, Ohio, Pennsylvania, New York, West Virginia, Virginia, Maryland, New Jersey, Delaware, Connecticut, Rhode Island, Vermont, New Hampshire, Massachusetts, Florida, District of Columbia.

Zone 3: Minnesota, North Dakota, South Dakota, Nebraska, Colorado, Kansas, Oklahoma, Texas, New Mexico, Maine.

Zone 4: Arizona, Utah, Wyoming, Montana, Idaho, Nevada, California, Oregon, Washington.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order may become effective on the 1st day of September 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13299; Filed, August 31, 1944; 11:55 a. m.]

[MPR 136, Rev. Order 216]

BENDIX AVIATION CORP.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 216 under Maximum Price Regulation 136, as amended.

Machines and parts, and machinery services. Zenith Carburetor Division of the Bendix Aviation Corporation, (docket No. 3136-392).

Order No. 216 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 216 under Maximum Price Regulation 136, as amended, and is revised and amended to read as follows:

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

(a) The maximum prices for sales by all persons of the following carburetor models manufactured by the Zenith Carburetor Division of the Bendix Aviation Corporation, Detroit, Michigan, shall be determined by deducting from the following list prices all discounts, allowances and other deductions that the seller had in effect to a purchaser of the same class on March 31, 1942.

Model	Outline	List price per unit
TU4C	9549	$16.65
R-20	9150	7.55
OH-⅛	425068	7.00
UC-⅛	426041	10.75
20BW11	9987	14.05
8F-2	A-18702 (F-5508)	19.90
22AX8	9536	20.90
161X7	9749	6.70
CH-⅛	A-18010	5.85
161J7	9705	7.55
59B3	9452	4.25
UC-⅛	425041	11.40
8F-2	380022	21.00
124¼TOP	7078	11.25
TU4IH	9314	8.75
161X7	9707	6.90
22AX8	9538	21.25
28AV11	9778	8.65
63AW11A	(S-750) (9762)	18.25
61SL7	10085	20.90
63AW12R	10094	26.05
20BW11R	9994	22.05
TU4C	9790	17.10
K5A	7433	21.15
63AW11R	9865	27.90
63AW11	9786	16.50
OH-⅛	A-18920	6.20
93½	5827	11.30
256Y	6602	19.50
K5AC	6817	19.20
IN186EX1	7031	13.45
K5A	7074	21.15
TU4Y	7352	12.25
455-1	7375	20.70
22AX8	9537	20.85
22AX8	9539	21.10
62AXJ9	8964	16.05
455	7398	20.30
455	7617	21.80
455	7636	19.90
28AV11	9041	8.15
28AV11	9043	8.30
28AV11	9048	8.10
28BV11	9824	8.70
61M2AEX7	9738	10.95
28AV11	9796	8.05
28BVX9R	(S-711) (9441)	19.35
22AX8C	9528	20.70
28AV11	(S-616) (9778)	8.75
63AW11	(S-750) (9763)	18.00
124¼	32000	9.15
TU4CD	9549	14.55
UR-¾	(F-6279) (A14770)	9.85
161X7	(S-847) (9752)	6.60
63AW11B	9786	17.05
F343x1B		10.35
161J7	9706	7.25
124¼TOP	8672	12.25
161XJ7	9667	7.95
61A8R	10081	10.90
4575	(S-108) (6816)	20.90
62AJ10	(S-480) (9841)	15.70
28BV10	9068	8.25
20BW12	10080	26.65
28AV11	9829	9.05
28AV11	9472	9.05
455	(S-266) (7398)	20.65
28BV11R	9633	21.70
161X7	9752	6.70
20BW11	(S-769) (9987)	16.25
28BV10	9604	9.80
TU3½XV	8358	14.10
UR-¾	(F-4127) (A-14240)	14.05
UR-¾	A-16020B	10.45
TU3YV	8798	9.10
455	8705	19.15
UR-¾	38000	10.35
UR-¾	A-18240	10.85
UR-¾	A-18270	11.00
UC-⅛	426026	11.35
8F-1	A-18531	16.15
UR-¾	425040	12.05
UR-¾	A-18260	11.55
UC-⅛	426080	10.80
161-7	(S-632) (10034)	7.90
UR-¾	(F-5749) (A-18240)	12.15
UC-⅛	426020	10.80
R20T	7138	8.90
R20T	9711	8.70
62AXJ10	(S-496) (8981)	12.75
UR-¾	(F-4721) (A-14770)	13.10
UR-¾	(F-4228) (A-14770)	13.25
61A5	9572	8.55
63AWE10	(S-546) (9225)	16.70
62A9	9792	14.25
63AW14	10073	35.60
28BV12	9826	9.10
28BV11	9818	8.20
62AX9	(S-648) (9803)	14.85

(b) The Zenith Carburetor Division of the Bendix Aviation Corporation shall notify its customers who buy carburetor models for resale of the method that resellers must use to determine their maximum prices for the carburetor models covered by this revised order.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective September 1, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13298; Filed, August 31, 1944; 11:55 a. m.]

[RMPR 161, Order 50]

AASEN AND McCUE, ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 50 Under § 1381.156 of Revised Maximum Price Regulation No. 161. West Coast Logs., Overtime additions.

Pursuant to the provisions of § 1381.156 of Revised Maximum Price Regulation No. 161—West coast logs, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order No. 9250 and 9328, it is hereby ordered:

(a) *New authorizations.* The following persons being on a 54-hour week may add to the maximum prices of all logs produced and sold by them $1.50 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name, Address, and Effective Date

Aasen & McCue, Coquille, Oregon, July 25, 1944.

Jay-Kay Logging Co., Leaburg, Oregon, August 10, 1944.

(b) *New authorizations.* The following persons being on a 60-hour week may add to the maximum prices of all logs produced and sold by them $2.00 per thousand feet, log scale, on sales made on and after the effective date indicated:

Name, Address, and Effective Date

Cooston Logging Co., Marshfield, Oregon, July 18, 1944.

(c) *Change of status.* The following persons who have heretofore been authorized to make specific additions are now authorized to make the following additions, since the number of hours maintained has been changed, effective on the date indicated:

Name and address	New number of hours	Additions permitted	Effective date
Manthe Logging Co., Longview, Wash.	60	$2.00	July 31, 1944
Ray Hanson Logging Co., Rt. 1, Box 48, Nehalem, Oreg.	48	1.00	Dec. 31, 1943
Byerley Logging Co., 718 Pacific Bldg., Portland, Oreg.	48	1.00	Oct. 1, 1943
E. H. Gehrke Jr., Logging Co., Marine Drive, Port Angeles Wash.	48	1.00	July 1, 1944

(d) *Cancellations.* The following authorizations are cancelled, and no additions are permitted on sales made on and after the effective date indicated:

Name, Address and Effective Date

Picco Logging Co., Montesano, Washington, January 1, 1944.

Valentin Logging Co., Rose Lodge, Oregon, November 1, 1943.

Rose Brothers, Marshfield, Oregon, July 1, 1943.

Issued this 31st day of August 1944.

Effective this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13296; Filed, August 31, 1944; 11:54 a. m.]

[MPR 188, Order 8 Under Order 1052]

FORT SMITH CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 8 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by Fort Smith Chair Company.

For the reasons set forth in an opinion and issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order permits the manufacturer, Fort Smith Chair Company, North Third and J Streets, Fort Smith, Arkansas, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052) established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) *Manufacturer's maximum prices.* Fort Smith Chair Company may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 3% of its maximum prices for such sales as established in Order No. 1052. The permitted adjustment of 3% may be made only if separately stated.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge allowed by this order No. 8 for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 1st day of September, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13304; Filed, August 31, 1944; 11:59 a. m.]

[RMPR 436, Order 16]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 16 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Hewitt Pool, Carter County, Oklahoma.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436; *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Oklahoma, Carter County, Hewitt Pool	$0.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13300; Filed, August 31, 1944; 11:56 a. m.]

[RMPR 436, Order 17]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 17 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising Maximum price of crude petroleum from:

Canfield Pool, Pawnee County, Oklahoma.
Huffman Pool, Pottawatomie County, Oklahoma.
Lookout Pool, Osage County, Oklahoma.
Piggot Pool, Osage County, Oklahoma.
Wilson Pool, Pawnee County, Oklahoma.
Wood Pool, Creek County, Oklahoma.
Maud Pool, Wabash County, Illinois.
Oatesville Pool, Pike County, Indiana.
West Princeton Pool, Gibson County, Indiana.
Bowman Pool, Pike County, Indiana.
Atyeo Pool, Lyon County, Kansas.
South Adams Pool, Arenac County, Michigan.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436; *It is hereby ordered:*

(a) That nothwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person puchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Oklahoma:	
Pawnee County, Canfield Pool	$0.35
Pottawatomie County, Huffman Pool	.35
Osage County, Lookout Pool	.35
Osage County, Piggot Pool	.35
Pawnee County, Wilson Pool	.35
Creek County, Wood Pool	.35
Illinois:	
Wabash County, Maud Pool	.25
Indiana:	
Pike County, Oatesville Pool	.35
Gibson County, West Princeton Pool	.35
Pike County, Bowman Pool	.35
Kansas:	
Lyon County, Atyeo Pool	.35
Michigan:	
Arenac County, South Adams Pool	.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13297; Filed, August 31, 1944; 11:54 a. m.]

Regional and District Office Orders.

[Jacksonville Order G-2 Under MPR 426, Revocation]

ICEBERG LETTUCE IN JACKSONVILLE, FLA., DISTRICT

Revocation of Order No. G-2 under section 2 (b) of Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than trucklot quantities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Jacksonville District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, issued by the Administrator of Region IV of the Office of Price Administration, *It is hereby ordered*, That Order No. G-2 under section 2 (b) of Maximum Price Regulation No. 426, as amended, issued October 13, 1943, by the District Director of the Jacksonville District Office be, and it hereby is, revoked, subject to the provisions of Supplementary Order No. 40, effective April 2, 1943 (8 F.R. 4325).

This order shall become effective August 24, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R. 408)

Issued August 23, 1944.

C. W. BUTLER,
District Director.

[F. R. Doc. 44-13200; Filed, August 30, 1944; 9:22 p. m.]

[Richmond Order G-2 Under MPR 426]

ICEBERG LETTUCE IN RICHMOND, VA., DISTRICT

Order No. G-2 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than trucklot quantities.

By reason of changes in the underlying regulation, Maximum Price Regulation Number 426, as amended, and under the authority vested in the District Director of the Richmond District Office of the Office of Price Administration by section 2 (b) of the said regulation and by Regional Delegation Order Number 16, *It is hereby ordered*, Subject to the provisions of Supplementary Order Number 40, issued April 8, 1943 (8 F.R. 4325):

Order Number G-1 issued October 18, 1943 under Maximum Price Regulation Number 426, as amended, is revoked.

This order shall become effective as of August 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 426; RDO 16)

Issued this 24th day of August 1944.

J. FULMER BRIGHT,
District Director.

[F. R. Doc. 44-13201; Filed, August 30, 1944; 2:21 p. m.]

[Region IV Order G-20 Under RMPR 122]

SOLID FUELS IN NEW BERN, N. C.

Order No. G-20 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of New Bern, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any typing agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule, consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the city of New Bern, North Carolina. Extra charges are specified for deliveries beyond the corporate limits of said town.

(i) "Direct delivery or domestic" basis.

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 7

Size	Per ton 2,000 lb.	Per ½ ton, 1,000 lb.	Per ¼ ton, 500 lb.
Egg (size group No. 2), top size larger than 3", bottom size no limit, in price classifications A-F	$12.25	$6.30	$3.31
Screened or domestic run-of-mine (size group No. 6), in price classifications A and B	10.15	5.33	2.79
Pea stoker (size group No. 5), top size not exceeding ¾", bottom size smaller than ¾", in price classification A, and straight run of mine (size group No. 7), larger than 1¼" x 0 in price classifications A and B	9.55	5.03	2.64

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Lump (size group No. 1), bottom size larger than for screened run-of-mine and egg, top size larger than 3", bottom size no limit, in price classifications A, B and C	$11.60	$6.09	$3.13

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Egg (size group No. 5), top size 6" to larger than 5", bottom size 3" to larger than 2" and top size larger than 6", bottom size 2" and smaller, in price classifications F-K	$11.20	$5.85	$3.05
Egg (size group No. 6), top size 6" to larger than 5", bottom size 2" and smaller, and top size 3" but not exceeding 5", bottom size 3" to larger than 2", in price classifications E-L	10.10	5.20	2.78
Stoker (size group No. 10), double screened, top size 1¼" and smaller, bottom size smaller than 1¼", in price classifications B-G	9.96	5.23	2.74

BRIQUETTES

"Glen Rogers" briquette	$13.55	$7.03	$3.64

(2) *Maximum authorized service charges and required deductions*—(i) *Carry from curb.* If a buyer requests such service, the dealer may charge not more than 50¢ per ton therefor.

(ii) *Carry up or down stairs.* If a buyer requests such service, the dealer may charge not more than $1.00 per ton therefor.

(iii) *Yard sales.* On deliveries to other dealers at the yard, the dealer must reduce the price by $1.00 per ton.

(iv) *Sacked coal.* On deliveries of sacked or bagged coal, a dealer may not

charge more than 65¢ per 100 lbs. not including sack.

(v) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatement to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoice.

(vi) *Discounts.* On deliveries of five tons or more dealer must reduce the price specified by 50¢ per ton.

(vii) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of New Bern, North Carolina. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile with a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(viii) *Sales tax.* The North Carolina State sales tax of 3% may be added to the prices established by this order.

(ix) *Credit.* No additional charge in excess of the prices listed in this schedule may be made for the extension of credit.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof. See Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this Order is subject to the licensing and registration provisions of Sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the change made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Raleigh District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, and other government, or any agency or sub-division of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

This order shall become effective August 23, 1944.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 18, 1944.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 44-13196; Filed, August 30, 1944; 2:20 p. m.]

[Region IV Order G-22 Under RMPR 122]

SOLID FUELS IN WILSON, N. C.

Order No. G-22 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for the sale of solid fuels in the City of Wilson, North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any typing agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of Wilson, North Carolina. Extra charges are specified for deliveries beyond the corporate limits of said town.

(i) *"Direct delivery or domestic" basis.*

LOW VOLATILE BITUMINOUS COALS FROM DISTRICT NOS. 7 AND 8

Size	Per ton, 2,000 lb	Per ½ ton, 1,000 lb.	Per ¼ ton, 500 lb.
Egg, top size larger than 3" bottom size no limit, in price classifications A–C, and from mine index No. 391, the No. 2 mine of the Raven Red Ash Coal Co. in District No. 8	$11.40	$5.95	$3.35
Stove, top size 3" to larger than 1¾", bottom size smaller than 3", in price classification A	10.60	5.53	3.15
Stoker pea, top size not exceeding ¾", bottom size smaller than ⅜", in price classification A	9.05	4.75	2.75
Screened run-of-mine price classifications A–D	9.00	4.75	2.75

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Egg, top size 6" to larger than 3", bottom size 6" to larger than 2", in price classification E, size Group 3	$10.60	$5.55	$3.15
Block, bottom size larger than 6" in price classification G; lump, bottom size 3" to larger than 5" in price classifications E–G; and chunk, top size 6" to larger than 6", bottom size 2" to larger than 2" from mine index No. 370, Point Lick #4 Mine of the Hatfield-Campbell Creek Coal Co.	10.15	5.33	3.01
Block, coal from mine index No. 399, Blue Diamond Coal Co., size group Nos. 1, 2, and 3	11.20	5.85	3.30
Egg, top size 6" to larger than 5" bottom size 3" and smaller, and top size 3" and larger but not exceeding 5", bottom size 3" to larger than 2", in price classifications E–G, size groups No. 5 and 6	9.00	5.05	2.90
Stoker from mine Index No. 429, Dixport Coal Co., size group No. 10	9.00	5.05	2.90
Stoker, double screened, top size not exceeding 1¼", bottom size less than 1¼" in price classifications B–G	9.20	4.85	2.90
Straight run-of-mine in price classifications A and B	8.95	4.73	2.74

BRIQUETTES

Briquettes (prepared from low volatile bituminous coal)	$11.40	$5.95	$3.35

(2) *Maximum authorized service charges and required deductions.*—(i) *Yard sales.* On deliveries to consumers at the yard, the dealer must reduce the price by 50¢ per ton. On deliveries to other dealers at the yard, the dealer must reduce the price by $1.00 per ton.

(ii) *Sacked coal.* On deliveries of District No. 7 Egg and Stove Coal, and on sales of District No. 8 Egg Coal in Size Group No. 3, dealer may not charge more than 60¢ per 100 lbs. not including sack. On deliveries of District No. 8 Egg Coal in Size Group Nos. 5 and 6, dealer may not charge more than 50¢ per 90 lbs. not including sack.

(iii) *Quantity discount.* On sales of coal in carload lots, where the dealer handles the coal, he may not charge more than mine price, plus freight, plus $1.75 per ton.

(iv) *Treated coal.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoice.

(v) The dealer may make no extra charge for delivery within the corporate limits of Wilson, North Carolina. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile with a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other items on the invoice.

(vi) Sales tax. The North Carolina State sales tax of 3% may be added to the prices established by this order.

(vii) *Credit.* No additional charge in excess of the prices listed in this schedule may be made for the extension of credit.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof. See Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by

him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Raleigh District Office of the Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(6) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(7) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

This order shall become effective August 23, 1944.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 18, 1944.

GEORGE D. PATTERSON, Jr.,
Acting Regional Administrator.

[F. R. Doc. 44-13199; Filed, August 30, 1944; 2:23 p. m.]

[Region VI Order G-104 Under 18 (c)]

FLUID MILK IN BROWN COUNTY, WIS.

Order No. G-104 under § 1499.18 (c) of the General Maximum Price Regulation. Adjusted rate for milk haulers in Brown County, Wisconsin.

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum rate for the transportation of milk or cream within or into Brown County, Wisconsin for delivery to dairies, creameries, milk stations or processing plants, condenseries, or other points of concentration located within said county, shall be $0.17 per hundred pounds of milk or cream so transported by any milk hauler (as defined in paragraph (b) hereof).

(b) As used in this order, a milk hauler means a carrier, other than a common carrier, engaged in the service of transporting milk or cream from producers for delivery as set forth in paragraph (a) hereof.

(c) No provision of this order shall be so construed as to authorize any purchaser in the course of trade or business to pay a larger proportion of inbound transportation costs incurred in the delivery or supply of fluid milk or cream, intended for human consumption as such, than he paid on such deliveries during January 1943.

(d) Order No. G-55 "Adjusted Prices for Owner-Operator Milk Haulers in Region VI" shall henceforth be inapplicable to the services of transporting milk or cream within or into Brown County, Wisconsin for delivery within said county.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-13202; Filed, August 30, 1944; 2:21 p. m.]

[Spokane Order 20-B Under MPR 426].

GRAPES IN SPOKANE, WASH., DISTRICT

Order No. 20-B under section 8 (a) (7), of Maximum Price Regulation No. 426, as amended. Grapes (Table).

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration; *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (d), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Grapes (table).	
(b) Basing Point: Bakersfield, Calif.	
(c) Wholesale receiving point: Lewiston, Idaho.	
(d) Method of transportation: Carlot to Spokane—l. c. l. to Lewiston.	
(e) Freight rate by method (d) from basing point to wholesale receiving point: $1.51 per cwt.	
	Per unit of sale per lug of 28 lb.
(f) Freight charge by method (d)	$0.47
(g) Basing point cost	1.85
(h) Protective services	.04
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	[1] 2.36

[1] Per lb. $0.0843.

NOTE: See Amendment 46 to MPR 426 for full particulars.

This order shall become effective August 26, 1944, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-13203; Filed, August 30, 1944; 2:22 p. m.]

[Spokane Order 28-B Under MPR 426]

PRUNES IN SPOKANE, WASH., DISTRICT

Order No. 28-B under section 8 (a) (7), of Maximum Price Regulation No. 426, as amended. Prunes (Italian).

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Spokane District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by Order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

With respect to the commodity described in line (a) of "Table X", there is set forth in said table in line (b), the basing point; in line (c), the wholesale receiving point; in line (d), the method of transportation which is hereby determined to be the cheapest method of transportation which is customary and generally available from said basing point to said wholesale receiving point; and in line (e), the freight rate per cwt. by said method (d) between points. With respect to the units of sale of said commodity set forth in the respective vertical columns of said "Table X", there is also set forth in said table in line (f), the freight charge by said method (d) from said basing point to said wholesale receiving point; in line (g), the basing point cost; in line (h), the charge, if any, allowable for protective services in connection with such transportation; and in line (i), the maximum price chargeable for said commodity in said wholesale receiving point.

TABLE X

(a) Commodity: Prunes, Italian.	
(b) Basing point: Yakima, Wash.	
(c) Wholesale receiving point: Lewiston, Idaho.	
(d) Method of transportation: L. c. l.	
(e) Freight rate by method (d) from basing point to wholesale receiving point: $0.79 per cwt.	
	Per unit of sale per lug of 30 lbs.
(f) Freight charge by method (d)	$0.25
(g) Basing point cost	1.95
(h) Protective services	
(i) Maximum price in wholesale receiving point (sum of "f", "g" and "h")	[1] 2.20

[1] Per lb., $0.0734.

This order shall become effective August 26, 1944, and may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 21st day of August 1944.

DAVE S. COHN,
District Director.

[F. R. Doc. 44-13204; Filed, August 30, 1944; 2:22 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-039]

MISSISSIPPI POWER & LIGHT CO. and ELECTRIC POWER & LIGHT CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of August A. D., 1944.

Electric Power & Light Corporation, a registered holding company, and its subsidiary Mississippi Power & Light Company, a public utility company, having filed a joint application and declaration, with amendments thereto, under sections 6 (a) and 7 with respect, among other things, to the issue and sale by Mississippi Power & Light Company, pursuant to the competitive bidding provisions of Rule U-50, of $12,000,000 principal amount of First Mortgage Bonds to mature in 1974; and

The Commission having, by order dated August 21, 1944, granted said application and permitted said declaration to become effective, except as to the price to be paid for said bonds, the redemption prices thereof, the interest rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transactions, as to which matters jurisdiction was reserved; and

Mississippi Power & Light Company having filed a further amendment to the application and declaration, in which it is stated that in accordance with the permission granted by the said order of the Commission dated August 21, 1944, it offered such bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Price to company	Coupon rate	Cost to company
		Percent	
White Weld & Co., and Shields & Co.	103.52	3⅛	2.9474
Blythe & Co.	103.2699	3⅛	2.9597
Halsey Stuart & Co.	103.125	3⅛	2.9669
W. C. Langley & Co.	102.9179	3⅛	2.9772
Kuhn Loeb & Co.	102.5097	3⅛	2.9975

The said amendment having further stated that Mississippi Power & Light Company has accepted the bid of White

Weld & Co. and Shields & Co. for the bonds, as set out above, and that the bonds will be offered for sale to the public at a price of 104.4877 resulting in an underwriters' spread of 0.9677; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses incurred in connection with the proposed transactions;

It is ordered, That the jurisdiction heretofore reserved over the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon, the underwriters' spread and its allocation and all legal fees and expenses incurred in connection with the proposed transactions be, and the same hereby is released and said application and declaration, be and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13283; Filed August 31, 1944; 11:47 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Philadelphia, Pa., on the 29th day of August 1944.

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, having heretofore filed an application-declaration, and amendments thereto, pursuant to sections 6 (b) and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, with respect to the refinancing of 220,078 shares of its $100 par value cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,715 shares of the 5½% series) by means of a program whereby (1) the holders of such stock have been afforded the opportunity to exchange each such share for one share of $100 par value 5% cumulative preferred stock of the company, plus a cash payment in an amount representing the difference between the respective redemption prices of the stocks outstanding and $102, with proper adjustments for accrued dividends upon the stock to be surrendered and upon the shares to be issued, (2) any shares not surrendered by way of exchange will be called for redemption at redemption prices, and (3) such number of the 220,078 shares of the $100 par value 5% cumulative preferred stock as will not be issuable by way of exchange will be issued and sold either pursuant to the competitive bidding requirements of Rule U-50 or at private sale if an exception be granted from the competitive bidding requirements of such rule; and

The Commission having by orders dated June 29, 1944, and August 3, 1944, granted and permitted such application-declaration and amendments thereto, to become effective, pursuant to section 6 (b) and 12 of the act, subject to the reservation of jurisdiction with respect to certain matters including the issuance and sale of such number of the 220,078 shares of the $100 par value 5% cumulative preferred stock as are not issuable by way of exchange; and

Northern Indiana Public Service Company having, on August 26, 1944, filed a further amendment to its application-declaration whereby it proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, such number of the 220,078 shares of its $100 par value 5%-cumulative preferred stock as are not issuable by way of exchange; and

A public hearing having been held with respect to such amendment, and the Commission having considered the record and observing no basis for imposing any terms or conditions with respect thereto, except such as relate to the requirements of Rule U-50;

It is ordered, That said amendment to the application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24 and to the requirements of paragraphs (b) and (c) of Rule U-50.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13284; Filed, August 31, 1944; 11:47 a. m.]

[File No. 70-819]

INDIANA GAS UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Security and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of August 1944.

Associated Electric Company ("Aelec"), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company ("Utilities"), having filed an application-declaration, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, concerning the acquisition by Aelec of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, and the subsequent dissolution of, Utilities; and

The Commission having, on March 9, 1944, after notice and hearing, filed its memorandum opinion and order (Holding Company Act Release No. 4934) granting the application and permitting the declaration to become effective; and

The Commission having, on June 22, 1944, upon the request of applicants-declarants, extended the time for consummating said transaction to and including August 31, 1944; and

Applicants-declarants having, on August 22, 1944, advised the Commission that the parties have been unable to consummate the transaction proposed in said application-declaration within such time, and having requested that the time for such consummation be extended to and including December 31, 1944; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors to grant said request;

It is ordered, That the time for consummating said transaction be, and hereby is, extended to and including December 31, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13285; Filed, August 31, 1944; 11:47 a.m.]

[File No. 70-736]

FEDERAL WATER AND GAS CORP., AND ALABAMA WATER SERVICE CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of August, A. D. 1944.

Federal Water and Gas Corporation, a registered holding company, and its subsidiary, Alabama Water Service Company, having filed an application pursuant to the Public Utility Holding Company Act of 1935 with respect to the following transactions:

(1) The borrowing by Federal Water and Gas Corporation from a bank of $750,000 on a one-day unsecured note;

(2) Contribution by Federal Water and Gas Corporation of $1,350,000 cash to the paid-in surplus of Alabama Water Service Company;

(3) Modification of the indenture securing the First Mortgage 3¾% Bonds of Alabama Water Service Company;

(4) Retirement by Alabama Water Service Company of $1,008,000 principal amount of its First Mortgage 3¾% Bonds at a call price of 103.9% of par;

(5) Retirement by Alabama Water Service Company of 6,793 shares of its $6 Cumulative Preferred Stock presently outstanding in the hands of the public, at the call price of $105 per share;

(6) Distribution by Alabama Water Service Company of its electric properties including materials, supplies and accounts receivable pertaining to such properties, to Federal Water and Gas Corporation as the then sole stockholder of Alabama Water Service Company;

(7) Sale by Federal Water and Gas Corporation of the electric assets received by it under (6) above, to the Cities of Andalusia, Elba, and Opp and the Alabama Electric Cooperative, Inc. for $2,500,000, subject to adjustments to the date of closing;

(8) Application by Federal Water and Gas Corporation of the proceeds from the said sale to repay the bank loan of $750,000 referred to in (1) above and to redeem $1,750,000 principal amount of it 5½ percent debentures due 1954, such redemption to be followed with 24 months from the date of sale of the said electric properties by redemption of an additional $750,000 principal amount of said debentures; and

Federal Water and Gas Corporation and Alabama Water Service Company having requested that our order with respect to the proposed transactions contain recitals and specifications to conform with the requirements of sections 371 (b), 371 (d), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended by the Revenue Act of 1942; and

A public hearing having been held after appropriate notice; the Commission having considered the record and having made and filed its findings and opinions herein;

It is ordered, That the application be, and hereby is, granted forthwith, except with respect to fees and expenses, as to which matters jurisdiction is hereby reserved, subject to the terms and conditions contained in Rule U-24.

It is further ordered and recited, That Alabama Water Service Company transfer to Federal Water and Gas Corporation all of the properties more particularly described, specified and itemized in proposed deed and bill of sale from Alabama Water Service Company to Federal Water and Gas Corporation filed with the Securities and Exchange Commission on August 26, 1944 and marked Exhibit 14 as a part of the record in this proceeding, which exhibit is hereby incorporated by reference in this order and made a part hereof with the same force and effect as if set forth at length herein; that the transfer of said properties by Alabama Water Service Company to Federal Water and Gas Corporation is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; that Federal Water and Gas Corporation, immediately upon receipt of said properties from Alabama Water Service Company forthwith transfer and convey the said properties described, specified and itemized in said proposed deed and bill of sale marked Exhibit 14 and in proposed deeds and bills of sale from Federal Water and Gas Corporation to the Cities of Andalusia, Elba, Opp and Alabama Electric Cooperative, Inc. copies of which as Exhibits A, B, C, and D, respectively, are attached to Exhibit F-2 (being the agreement made between Federal Water and Gas Corporation and the Cities of Andalusia, Elba and Opp and Alabama Electric Cooperative, Inc. which agreement together with said exhibits is a part of the record in this proceeding) and each of which said Exhibits A, B, C, and D is hereby incorporated in this order by reference with the same force and effect as if set forth at length, to the City of Andalusia, City of Elba, City of Opp and Alabama Electric Cooperative, Inc. as follows:

(a) All of said properties described, specified and itemized in said Exhibit A shall be transferred and conveyed to the City of Andalusia for and in consideration of base purchase price of $302,175.00 in cash, to be paid to Federal Water and Gas Corporation by the said City of Andalusia;

(b) All of said properties described, specified and itemized in Exhibit B shall be transferred and conveyed to the City of Elba for and in consideration of base purchase price of $40,925 in cash to be paid to Federal Water and Gas Corporation by the said City of Elba;

(c) All of said properties described, specified and itemized in Exhibit C shall be transferred and conveyed to the City of Opp for and in consideration of base purchase price of $81,900 in cash to be paid to Federal Water and Gas Corporation by the said City of Opp;

(d) All of said properties described, specified and itemized in Exhibit D shall be transferred and conveyed to Alabama Electric Cooperative, Inc., for and in consideration of base purchase price of $2,075,000 to be paid to Federal Water and Gas Corporation by the said Alabama Electric Cooperative, Inc.

All of the foregoing transfers and conveyance by Federal Water and Gas Corporation being in pursuance of agreement of sale between Federal Water and Gas Corporation, as Seller, and City of Andalusia, City of Elba, City of Opp and Alabama Electric Cooperative, Inc., as Purchasers, dated as of June 15, 1944, and executed by Federal Water and Gas Corporation on July 24, 1944; and

It is further ordered and recited, That said agreement of sale and said transfers and conveyances by Federal Water and Gas Corporation in pursuance thereof are, and each of them is, necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are, and each of them is, necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member; that the distribution of said properties described, specified and itemized in said proposed deed and bill of sale from Alabama Water Service Company to Federal Water and Gas Corporation in obedience to this order and the sale of said priorities described, specified and itemized in said deed and bill of sale and in Exhibits A, B, C, and D, attached to the agreement of sale by Federal Water and Gas Corporation to the Cities of Andalusia, Elba, Opp and Alabama Electric Cooperative, Inc., also in obedience to this order, be completed within six months from the date of this order; that Federal Water and Gas Corporation shall, within six months of said sale, apply $1,750,000 of the proceeds of sale, or an amount equivalent thereto, to the retirement or cancellation of securities representing indebtedness of Federal Water and Gas Corporation, to with: 5½% debentures of Federal Water and Gas Corporation due 1954 and issued under indenture dated May 1, 1929, and that said application and expenditure of said sum of $1,750,000 to the retirement of said debentures is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and is necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member; and that the Commission reserves jurisdiction to determine by subsequent order herein the expenditure or investment that shall be made within twenty-four months of said sale of the $750,000 balance of the proceeds of sale, or an amount equivalent thereto, as may hereafter be proposed by Federal Water and Gas Corporation and as may be shown to be necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13286; Filed, August 31, 1944; 11:47 a. m.]

[File Nos. 70-915, 70-916]

CITIES SERVICE POWER & LIGHT CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of August, A. D. 1944.

In the matters of Cities Service Power & Light Company, File No. 70-915; Derby Gas & Electric Corporation, The Danbury and Bethel Gas and Electric Light Company, File No. 70-916.

Cities Service Power & Light Company ("Power & Light") and Derby Gas & Electric Corporation ("Derby"), both registered holding companies, and The Danbury and Bethel Gas and Electric Light Company ("Danbury"), a subsidiary of Power & Light, having filed applications and declarations pursuant to sections 6, 7, 9 (a) (1), 10, 11 (b), 12 (b), 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935, and the applicable rules thereunder, proposing the following transactions:

(a) The sale by Power & Light to, and the acquisition by, Derby of all the securities which Power & Light owns of Danbury for a base consideration of $1,450,000 in cash, subject to certain adjustments to the date of sale, such securities consisting of (1) 24,000 shares of common stock of the par value of $25 per share, (2) 175 shares of 7% cumulative preferred stock of the par value of $25 per share, and (3) two 6% demand promissory notes, payable to Power & Light, dated respectively December 31, 1937 and January 27, 1938 in the respective principal amounts of $367,000 and $12,000;

(b) The application by Power & Light of the net proceeds of the said sale to the prepayment of its Bank Loan Notes in accordance with the terms thereof, as required by Power & Light's Custodian Agreement, dated March 15, 1944, with The Chase National Bank of the City of New York;

(c) The issuance and sale by Derby of $1,450,000 principal amount of debentures to mature in 1954 and 54,054 shares of no par value common stock;

(d) The issuance and sale by Danbury to Derby of 40,000 shares of Danbury's $25 par value common stock;

(e) The redemption by Danbury of its 6% First Mortgage Gold Bonds, Series A, due August 1, 1948, outstanding in the principal amount of $600,000, at the redemption price of 101½% of the principal amount thereof plus accrued interest, and its 7% cumulative preferred stock, outstanding in the amount of 16,000 shares, at the redemption price of $27.50 per share plus accrued dividends on such stock; and

(f) The surrender by Derby of the aforesaid 6% promissory notes in the aggregate principal amount of $379,000 as a capital contribution to Danbury, and the retirement by Danbury of said notes.

Power & Light having requested the Commission to issue an appropriate order and findings, in connection with its aforesaid sale of its interest in Danbury and the use of the proceeds of such sale, conforming to the requirements of section 1808 of the Internal Revenue Code;

Proceedings upon said applications and declarations having been consolidated for the purposes of hearing, a public hearing on such consolidated proceedings having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is hereby ordered, That said applications be, and the same are hereby, granted, and said declarations be, and the same are hereby, permitted to become effective, subject to the terms and conditions set forth in Rule U-24.

It is further ordered, That jurisdiction be, and the same hereby is, reserved to determine whether Derby Gas & Electric Corporation may retain the interest to be acquired by it in the gas properties of The Danbury and Bethel Gas and Electric Light Company.

It is further ordered, That the proposed sale by Cities Service Power & Light Company of its interest in The Danbury and Bethel Gas and Electric Light Company and use of proceeds, as set forth in the declaration filed by Cities Service Power & Light Company herein, are necessary to effectuate the provisions of section 11 (b) and are fair and equitable to the persons affected.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13287; Filed, August 31, 1944; 11:47 a. m.]

WAR MANPOWER COMMISSION.

HARTFORD, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Hartford Area is hereby prescribed, pursuant to § 907.2 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibility of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Referrals by the United States Employment Service.
8. Seniority.
9. Hiring contrary to the program.
10. Exclusions.
11. Appeals.
12. Content of statements of availability.
13. Solicitation of workers.
14. Hiring.
15. Representation.
16. General referral policies.
17. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Hartford Area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Hartford Area" is the area comprised of the towns of Avon, Bloomfield, Bolton, Canton, East Granby, East Hartford, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, West Hartford, Wethersfield, and Windsor.

(b) "Agriculture" means those farm activities carried on by farm owners, or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Hartford Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the Area.

SEC. 4. *Authority and responsibility of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Hartford Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* No employer in the Hartford Area shall hire any new worker except upon referral by or in accordance with arrangements with the United States Employment Service.

Notices of referral received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Workers receiving statements of availability from their employers may not be hired upon presentation of the statement of availability to a new employer. A worker shall present the statement of availability to the local office of the United States Employment Service of the War Manpower Commission for referral by it to a new job.

SEC. 7. *Referrals by the United States Employment Service.* (a) When any of the circumstances set forth in section 6 are found to exist in an individual's case and the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall refer such individual to a job opening. Pending such finding the United States Employment Service shall either request the worker to remain on his job or return to it in instances where the worker has voluntarily terminated his employment. When none of the circumstances set forth in section 6 are found to exist in an individual's case the United States Employment Service shall attempt to pursuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) The United States Employment Service shall refer any individual in the employ of an employer who the War Manpower Commission finds after notice, hearing, and final decision has not complied with any War Manpower Commission stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding. An employer who continues to be in non-compliance after notice, hearing, and final decision shall not receive any referrals of labor from the United States Employment Service.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(d) The United States Employment Service, upon the request of an individual, shall refer him to a former employer, when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

(e) The United States Employment Service shall refer any worker who has not been engaged in an essential or locally needed activity during the preceeding 60-day period.

(f) If a worker's last regular employment was in agriculture, he shall not be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration and provided further that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral.

SEC. 8. *Seniority.* Workers referred or transferred under the terms of this employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom, and

(b) Be reemployed by their home employer according to the seniority agreement or custom in effect, provided they apply for reemployment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the United States Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for reemployment with their home employer as provided in (a) and (b).

SEC. 9. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 10. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplemental to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 11. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 12. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purposes of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representative.

SEC. 14. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, advanced age, sex, national origin, or except as required by law, citizenship.

However, the establishment by an employer of unreasonable physical or experience standards for employment will be considered as evidence of under utilization of available manpower and each such case will be referred to the attention of the Area Management-Labor War Manpower Committee.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the United States Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 15. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of

which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 16. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. *Effective date.* This program shall be effective as of May 1, 1944 and is in substitution for and supersedes the employment stabilization program in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the present hostilities, unless sooner terminated by the War Manpower Commission.

Dated: June 19, 1944.

WM. G. ENNIS,
Area Director.

Approved: August 9, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-13193; Filed, August 30, 1944; 11:51 a. m.]

MERIDEN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Meriden Area State of Connecticut is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibility of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Referrals by the United States Employment service.
8. Seniority.
9. Hiring contrary to the program.
10. Exclusions.
11. Appeals.
12. Content of statements of availability.
13. Solicitation of workers.
14. Hiring.
15. Representation.
16. General referral policies.
17. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Meriden Area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) "The Meriden Area" is the area comprised of the towns of Meriden, Wallingford and Southington.

(b) "Agriculture" means those farm activities carried on by farm owners, or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439).

(f) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Meriden Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the Area, if the work is to be performed within the Area.

SEC. 4. *Authority and responsibility of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Meriden Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* No employer in the Meriden Area shall hire any new worker except upon referral by or in accordance with arrangements with the United States Employment Service.

Notices of referral received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Workers receiving statements of availability from their employers may not be hired upon presentation of the statement of availability to a new employer. A worker shall present the statement of availability to the local office of the United States Employment Service of the War Manpower Commission for referral by it to a new job.

SEC. 7. *Referrals by the United States Employment Service.* (a) When any of the circumstances set forth in section 6 are found to exist in an individual's case and the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall refer such individual to a job opening. Pending such finding the USES shall either request the worker to remain on his job or return to it in instances where the worker has voluntarily terminated his employment. When none of the circumstances set forth in section 6 are found to exist in an individual's case the USES shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) The United States Employment Service shall refer any individual in the employ of an employer who the War Manpower Commission finds after notice, hearing and final decision has not complied with any WMC stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision shall not receive any referrals of labor from the United States Employment Service.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully untilized in the war effort.

(d) The United States Employment Service, upon the request of an individual, shall refer him to a former employer, when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

(e) The United States Employment Service shall refer any worker who has not been engaged in an essential or locally needed activity during the preceding 60-day period.

(f) If a worker's last regular employment was in agriculture, he shall not be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration and provided further that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral.

SEC. 8. *Seniority.* Workers referred or transferred under the terms of this employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom, and

(b) Be reemployed by their home employer according to the seniority agreement or custom in effect, provided they apply for reemployment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the United States Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for reemployment with their home employer as provided in (a) and (b).

SEC. 9. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 10. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agriculture employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplemental to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 11. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 12. *Content of statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purposes of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representative.

SEC. 14. *Hiring.* The decision to hire, or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 15. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 16. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. *Effective date.* This program shall be effective as of May 1, 1944 and is in substitution for and supersedes the employment stabilization program in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the present hostilities, unless sooner terminated by the War Manpower Commission.

Dated: June 6, 1944.

GEORGE J. COYLE,
Area Director.

Approved: August 9, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-13192; Filed, August 30, 1944; 11:51 a. m.]

MIDDLETOWN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Middletown Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by the United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.

Sec.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Middletown Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Middletown Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Middletown Area to be either

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities, (9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Middletown Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Middletown Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Middletown Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof. (See section 9.)

SEC. 8. *Issuance of statements of availability by the United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to pursuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer, who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form the words:

> The employer hiring the above-named worker shall not retain such worker in his employ after ..... and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (See Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

(e) The new employee is a male worker.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representative.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, advanced age, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provisions in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall be effective as of June 5, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: June 19, 1944.

WM. G. ENNIS,
Area Director.

Approved: July 22, 1944.

ARTHUR C. GERNES,
Acting Regional Director.

APPENDIX A—DESIGNATION OF THE MIDDLETOWN AREA

The Middletown Area is comprised of the territories included in the following cities and towns in the State of Connecticut:

Chester, Clinton, Cromwell, Durham, East Haddam, East Hampton, Essex, Haddam, Killingworth, Marlborough, Middlefield, Middletown, Old Saybrook, Portland, Saybrook, and Westbrook.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following shall be considered additional controlled occupations in the Middletown Area:

Milling Machine Operator.
Engine Lathe Operator.
Turret Lathe Operator.
Draftsman.
Automobile Mechanic.

[F. R. Doc. 44-13194; Filed, August 30, 1944; 11:52 a. m.]

THOMPSONVILLE, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Thompsonville Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of management-labor committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statement of availability by the United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. Seniority.
19. General referral policies.
20. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Thompsonville Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) "The "Thompsonville area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Thompsonville Area, with the approval of the Regional Director, to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities, (9 F.R. 3439).

(h) "Locally needed" activity means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Thompsonville Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Thompsonville Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and,

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof. (See sec. 9.)

SEC. 8. *Issuance of statement of availability by the United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing, and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A temporary statement of availability valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary layoff is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment. Nothing in this section shall be construed to supersede the provisions of section 10 (d).

A temporary statement of availability shall contain in addition to the provisions of the regular form, the words:

> The employer hiring the above-named worker shall not retain such worker in his employ after _____, and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

(e) The new employee is a male worker.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. *Exclusions.* No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions as determined by the Area Manpower Director or his representative.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, advanced age, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *Seniority.* Workers referred or transferred with statements of availability under the terms of this area employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom; and

(b) Be reemployed by their home employer according to the seniority agreement of custom mentioned above, pro-

vided they apply for reemployment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the U. S. Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for reemployment with their home employer as provided in (a) and (b).

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 19. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 20. *Effective date.* This program shall be effective as of June 5, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: June 19, 1944.

WM. G. ENNIS,
Area Director.

Approved: July 22, 1944.

ARTHUR C. GERNES,
Acting Regional Director.

APPENDIX A—DESIGNATION OF THE THOMPSONVILLE AREA

The Thompsonville Area is comprised of the territories included in the following cities and towns in the State of Connecticut:

East Windsor, Ellington, Enfield, Somers, Stafford, Suffield, Tolland, Union, Vernon (Rockville), Willington, and Windsor Locks.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following shall be considered additional controlled occupations in the Thompsonville Area:

Draftsman.
Time study man.
Auto mechanic.
Welder.
Spinner.
Weaver.
Padding machine operator (textile).
Palmer finishing machine operator (textile).
Calendar operator (textile).
Machine adjuster III.
Press operator (printing and publishing).
Envelope machine operator (paper goods).
Screw machine operator (automatic).
Jig dyeing operator.
Cutter (envelope).
Examiner and tuber (textile).

[F. R. Doc. 44-13191; Filed, August 30, 1944; 11:51 a. m.]

WAR PRODUCTION BOARD.

[Consent Order C-301]

SAM MOORE CHAIRS, INC.

Sam Moore Chairs, Inc., a corporation, located at Christiansburg, Virginia, is engaged in the manufacture of upholstered chairs. The company is charged by the War Production Board with violation of General Limitation Order L-260, in that during the period from February 23, 1943, and June 30, 1943, it consumed in the production of furniture, essential metal parts having a total cost value of more than 25% of the total cost value of essential metal parts consumed by it during its metal base period, and that during the second and third quarters of 1943, it consumed in the production of furniture essential metal parts, in each of the said quarters, having a total cost value of more than 12½% of essential metal parts consumed by it in the production of furniture during its metal parts base period. Said corporation admits the violation as charged, and agrees that because of the violation it used more lumber in the manufacture of furniture in the year 1943, than it would have used had the violation not occurred. The corporation has consented to the issuance of this order.

Wherefore, upon agreement and consent of Sam Moore Chairs, Inc., the Regional Compliance Manager and the Deputy Regional Attorney, and upon the approval of the Compliance Commissioner; *It is hereby ordered, That:*

(a) Commencing September 1, 1944, Sam Moore Chairs, Inc., shall figure its permitted usage of lumber in the manufacture of furniture on the basis of their use of lumber in the year of 1943 of 150,000 board feet of lumber.

(b) Nothing contained in this order shall be deemed to relieve Sam Moore Chairs, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 30th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13216; Filed, August 30, 1944; 4:36 p. m.]

SEP 5

FEDERAL REGISTER

VOLUME 9 NUMBER 176

Washington, Saturday, September 2, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 26—THE FEDERAL LAND BANK OF ST. LOUIS

FEES

Sections 26.1, 26.2 of Title 6, Code of Federal Regulations are hereby revoked, effective Sept. 1, 1944 (Res. of Ex. Com. July 14, 1944).

Effective September 1, 1944, § 26.3 of Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 26.3 *Partial release of security and release of personal liability fees; land bank, Land Bank Commissioner or joint land bank and Land Bank Commissioner loans.* (a) When no reappraisal by a land bank appraiser is necessary, no fee is charged. (If the application is for a release of personal liability or for a partial release of a small portion of security for school, church, cemetery, or other public use, ordinarily no reappraisal is necessary.)

(b) When reappraisal by a land bank appraiser is required, except as indicated in paragraph (c) below, a $10 fee is charged. (Ordinarily, reappraisal is required if more than 2% of the acreage included in the mortgage is involved in a partial release of security or subordination.)

(c) When the release or subordination is for public highway purposes, regardless of whether an appraisal is or is not required, no fee is charged.

(Secs. 13 "Ninth", 17 (d), 39 Stat. 372, 375, secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 831 (d), 1016 (e), and Supp.; 6 C.F.R. 19.339, 19.340) (Res. Executive Com. Aug. 14-44)

THE FEDERAL LAND BANK OF ST. LOUIS,
WALTER H. DROSTE,
President.

Attest:

E. B. HARRIS,
Assistant Secretary.

[F. R. Doc. 44-13415; Filed, Sept. 1, 1944; 11:55 a. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9, Amdt. 2]

PART 1220—FEED

LIMITATIONS ON SALE, SHIPMENT, AND INVENTORIES OF PROTEIN MEAL AND ON USE OF SOYBEAN PRODUCTS

War Food Order No. 9 (formerly Food Production Order No. 9), (8 F.R. 16960, 9 F.R. 3475, 4319, 8767), is hereby amended as follows:

Paragraph (d) is amended to read:

(d) *Limitations on mixed feed manufacturers.* No mixed feed manufacturer shall use protein meal in the manufacture of mixed feeds, unless he used protein meal for such purpose prior to December 18, 1943. During the calendar year 1944, no mixed feed manufacturer shall use any quantity of protein meal in the manufacture of mixed feeds, which is in excess of the average quantity of protein meal used by him in the manufacture of mixed feeds during the calendar years 1942 and 1943, or 60 tons, whichever is greater: *Provided, however,* That, in computing the maximum quantity of protein meal which may be used in the manufacture of mixed feeds under this paragraph, any protein meal used in the manufacture of custom mixed feeds during the calendar years 1942 and 1943 shall not be taken into account, and any protein meal used in the manufacture of custom mixed feeds during the calendar year 1944 need not be taken into account: *Provided, further,* That, in computing the maximum quantity of protein meal which may be used by a manufacturer in the manufacture of mixed feeds under this paragraph, any protein meal used during the calendar quarters beginning July 1 and October 1, 1944, in the manufacture of cubes or pellets containing not less than 30 percent protein for the feeding of cattle or sheep on the range, which is in excess of the average quantity of protein meal used in the manufacture of cubes or pellets for such purpose during the corresponding quarters of the years 1942 and 1943, need not be taken into account. Whenever he deems it neces-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

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Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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sary to the orderly distribution of protein meal, the Director may limit the quantity of protein meal which any mixed feed manufacturer may use in the manufacture of mixed feeds during any part of the calendar year.

Paragraph (j) is amended to read:

(j) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of protein meal and mixed feed, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

Paragraph (k) is amended to read:

(k) *Records and reports.* Every person subject to this order shall maintain for not less than two years accurate records concerning his monthly production, sales, purchases, contracts for sale or purchase, deliveries and shipments of protein meal and mixed feed. Any person receiving statements pursuant to paragraph (h) shall retain such statements on file for not less than two years. In addition, the Director shall be entitled to obtain such information from, and require such reports and the keeping of such other records, by any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

Paragraph (q) is amended by adding the following:

(9) "Custom mixed feed" means any mixed feed which is specially mixed for a feeder. It does not mean any mixed feed which is specially mixed for any person for resale by such person.

NOTE: All reporting and record keeping requirements of this amendment have been approved by, and subsequent reporting and record keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9384, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 30th day of August, 1944.

ASHLEY SELLERS,
War Food Administrator.

[F. R. Doc. 44–13398; Filed, Sept. 1, 1944; 11:19 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79–111, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MUSKEGON, MICH., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–111 (9 F.R. 145, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Muskegon, Michigan, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.140 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Muskegon, Michigan, milk sales area, and is referred to hereinafter as the "sales area":

The cities of Muskegon, Muskegon Heights and North Muskegon and the townships of Laketon, Muskegon, Fruitport, and Norton, all in the county of Muskegon, Michigan.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts, unless more than 150 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk by-

products, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–111, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–111, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13314; Filed, August 31, 1944; 3:20 p. m.]

[WFO 79–114 Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHARLOTTE, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–114 (9 F.R. 149, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Charlotte, North Carolina, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.145 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Charlotte, North Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Charlotte and the township of Charlotte in the county of Mecklenburg in the State of North Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person effected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–114, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–114, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13315; Filed, August 31, 1944; 3:20 p. m.]

[WFO 79–118, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAVANNAH, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–118 (9 F.R. 636, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Savannah, Georgia, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.151 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Savannah, Georgia, milk sales area, and is referred to hereinafter as the "sales area":

The city of Savannah and Chatham County, all in the State of Georgia.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk byproducts, unless more than 50 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk.

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–118, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–118, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13318; Filed, August 31, 1944; 3:20 p. m.]

[WFO 79–122, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN HOUSTON, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426; 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–122 (9 F.R. 641, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Houston, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.155 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Houston, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Houston, justices' precincts 1, 2, 8, and that part of justices' precinct 3 lying west of the San Jacinto River and that part of justices' precinct 3 east of the San Jacinto River which lies south of the Texas and New Orleans Railroad, all in Harris County, Texas.

(c) *Base period.* The calendar of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–122, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–122, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13320; Filed, August 31, 1944; 3:21 p. m.]

[WFO 79–129, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SHREVEPORT, LA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–129 (9 F.R. 649, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the

Shreveport, Louisiana, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.164 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Shreveport, Louisiana, milk sales area, and is referred to hereinafter as the "sales area."

The city of Shreveport, police jury ward 2 in Bossier Parish, and police jury ward 4 in Caddo Parish, all in the State of Louisiana.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) Violations. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m. e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–129, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–129, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13322; Filed, August 31, 1944; 8:21 p. m.]

[WFO 79–184, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CORPUS CHRISTI, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–134 (9 F.R. 1078, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Corpus Christi, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.160 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Corpus Christi, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Corpus Christi and the remainder of the area included in Justices' precinct 1, all in Nueces County, Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the

market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–134, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–134, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13324; Filed, August 31, 1944; 3:21 p. m.]

[WFO 79–135, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AMARILLO, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–135 (9 F.R. 1079, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Amarillo, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.165 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Amarillo, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Amarillo, and the remainder of the area included in justices' precinct 1 in Potter County, all in the State of Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 7 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t. September 1, 1944. With respect to violations of said War Food Order No. 79–135, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–135, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13325; Filed, August 31, 1944; 3:22 p. m.]

[WFO 79–136, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN AUGUSTA, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–136 (9 F.R. 1408, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Augusta, Georgia, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.171 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Augusta, Georgia, milk sales area, and is referred to hereinafter as the "sales area":

The city of Augusta and the militia districts numbered 119, 120, 123, 600 and 1,260, in Richmond County, Georgia, and the townships of Langley and Schultz in Aiken County, South Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another.

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent

or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–136, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–136, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13326; Filed, August 31, 1944; 9:22 p. m.]

[WFO 79–137, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN COLUMBIA, S. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–137 (9 F.R. 1410, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Columbia, South Carolina, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.172 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, subdealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Columbia, South Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Columbia and the school districts of Columbia, Hyatt Park, Edgewood, Olympia, and St. Andrews in Richland County, and the township of Congaree in Lexington County, all in the State of South Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts, unless more than 150 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–137, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–137, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13327; Filed, August 31, 1944; 8:22 p. m.]

[WFO 79–138, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MACON, GA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–138 (9 F.R. 1481, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Macon, Georgia, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.173 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Macon, Georgia, milk

sales area, and is referred to hereinafter as the "sales area":

The city of Macon and the militia districts of Godfrey, East Macon, and Vineville, all in Bibb County, Georgia.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–138, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–138, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13328; Filed, August 31, 1944; 3:22 p. m.]

[WFO 70, 70–1; Termination]

PART 1470—FOOD STORAGE FACILITIES

TERMINATION OF RESTRICTION OF REFRIGERATED FOOD STORAGE FACILITIES

War Food Orders No. 70, as amended (8 F.R. 10703, 9 F.R. 3187, 4321, 4319), and No. 70–1, as amended (8 F.R. 10703, 9 F.R. 3189, 4321, 4319), are hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., September 2, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Orders No. 70, as amended, and No. 70–1, as amended, prior to the effective time hereof, all provisions of such orders in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any action, suit, or other proceeding, with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–13400; Filed, Sept. 1, 1944; 11:23 a. m.]

[WFO 90, 90–1; Termination]

PART 1470—FOOD STORAGE FACILITIES

TERMINATION OF RESTRICTION OF REFRIGERATED FOOD STORAGE FACILITIES

War Food Orders No. 90, as amended (8 F.R. 17335, 9 F.R. 3189, 4321, 4319), and No. 90–1, as amended (8 F.R. 17335, 9 F.R. 3187, 4321, 4319), are hereby terminated.

This order shall become effective at 12:01 a. m., e. w. t., September 2, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Orders No. 90, as amended, and No. 90–1, as amended, prior to the effective time hereof, all provisions of such orders in effect prior to the effective time hereof shall continue in full force and effect for the purpose of sustaining any action, suit, or other proceeding, with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of August, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–13401; Filed, Sept. 1, 1944; 11:23 a. m.]

[WFO 111]

PART 1470—FOOD STORAGE FACILITIES

REFRIGERATED FOOD STORAGE FACILITIES

The fulfillment of requirements for the defense of the United States will result in a shortage of refrigerated storage facilities for the freezing and storage of perishable foods. The following order is deemed necessary and appropriate in the public interest and to promote the National defense, and is issued in lieu of and for the purpose of replacing War Food Orders No. 70 and No. 90.

§ 1470.5 *Restrictions on use of refrigerated storage facilities*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Person" means any indivíual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, and includes the United States, or any agency thereof, any State or political subdivision or agency thereof, and any other governmental agency thereof.

(2) "Refrigerated storage facility" means any artificially-cooled storage space of 10,000 cubic feet or more gross volume, but shall not include:

(i) That portion of such storage space occupied by individual lockers having a capacity of less than 25 cubic feet each;

(ii) Working space;

(iii) Storage space operated as a part of the business of an established food wholesaler or retailer, or of a hotel or other establishment where persons are housed or fed.

Where any part of the artificially-cooled storage space contained in a single building is leased, such leased space shall be included in determining whether the warehouse is a refrigerated storage facility within the meaning of this definition, and the lessor of such space shall be deemed to be the person operating such refrigerated storage facility.

(3) "Working space" means space which is never used for storage in any form, and not including space which at any time during the year is used for general storage or for storage of the producer's product after it is ready for the market (except as otherwise herein excluded).

(4) "Food Wholesaler" means a person, the larger volume of whose food business is the purchase and resale of food products:

(i) Without materially changing their form or quality for distribution to retail outlets or to commercial, industrial, or institutional users, and

(ii) held by him in artificially-cooled storage space for periods not in excess of thirty (30) days.

(5) "Freezer space" means any space in a refrigerated storage facility which can be maintained at a temperature of 29 degrees Fahrenheit, or lower.

(6) "Restricted commodity" means any commodity designated by the Director not to be placed in a refrigerated storage facility.

(7) "Excluded commodity" means any commodity designated by the Director not to be placed in freezer space.

(8) "Limited-storage commodity" means any commodity designated by the Director which may be placed in freezer space, but not held there for a longer period of time than provided by this Order.

(9) "Ceiling inventory commodity" means any commodity or group of commodities designated by the Director which may not be stored in a refrigerated storage facility in any greater total quantity than designated by the Director.

(10) "Government agency" means (i) the Armed Services of the United States (excluding for the purpose of this order United States Army Post Exchanges, United States Navy Ships' Service Departments, and United States Marine Corps Post Exchanges); (ii) the War Food Administration (including, but not being restricted to, any corporate agency thereof); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other agency designated by the War Food Administrator.

(11) "Storage month" means the period during which the monthly rate charged for the storage of each item or lot of commodities in storage is applicable. If an item or lot of commodities is stored on any basis other than monthly, the term "storage month" with respect to such item or lot of commodities shall mean the calendar month.

(12) "Director" means the Director of Distribution, War Food Administration.

(13) "Order Administrator" means the person designated by the Director to serve as Order Administrator pursuant to the provisions hereof.

(14) "Deputy Order Administrator" means the person designated by the Director to serve as Deputy Order Administrator pursuant to the provisions hereof.

(b) *Restrictions.* No person shall, after the effective date of this order, unless specifically authorized by the Director:

(1) Receive in storage or cause to be stored in a refrigerated storage facility, restricted commodities.

(2) Cause to be retained in storage in a refrigerated storage facility, restricted commodities.

(3) Hold, for a period in excess of seventy-two (72) hours from the time the reservation is made, storage space reserved by any person in a refrigerated storage facility, unless the person operating such facility is furnished with car numbers or copies of the bills of lading covering commodities which have been shipped to such facility by common carrier, or, when means of transportation other than common carrier are used, other adequate evidence that the commodities to be stored have been shipped or are otherwise enroute to such facility: *Provided*, That space may be held for the account of a Government agency for a period not to exceed seven (7) days from the date the reservation is made: *Provided, further*, That this paragraph (b) (3) shall not apply to the reservation of storage space for fruits and vegetables packed in the field and moving to the first refrigerated storage facility.

(4) Receive in freezer space or cause to be received therein excluded commodities for freezing or storage.

(5) Cause to be retained in freezer space, excluded commodities.

(6) Cause to be retained in freezer space for a period in excess of ten (10) days, limited storage commodities.

(7) Receive in storage in freezer space, or cause to be received therein, limited storage commodities which have previously been held in freezer space for a period of ten (10) days or more.

(c) *Restrictions as to length of storage.* No person shall, unless specifically authorized by the Director, cause to be stored or retained in storage in a refrigerated storage facility or facilities, any commodity for a period or periods in excess of a total of ten (10) months, nor shall any person receive in such facility any commodity which has been stored in a refrigerated storage facility or facilities for a period or periods in excess of a total of ten (10) months: *Provided*, That this paragraph (c) shall not apply to the storage in a refrigerated storage facility by or for the account of a Government agency.

(d) *Restrictions as to ceiling inventories.* No person operating a refrigerated storage facility shall, after September 15, 1944, unless specifically authorized by the Director, receive or retain in storage in such facility, ceiling inventory commodities in any greater total quantity than shall be designated by the Director.

(e) *Policy.* It is hereby declared to be the policy of the War Food Administration that, so far as feasible, in adjusting his operations to comply with the limitation prescribed in paragraph (d), the

person operating such facility shall give consideration to space occupied by such ceiling inventory commodities for the account of each person for whose account such commodities were stored in such facility during the preceding calendar year, to the end that an equitable division of available space may be made.

(f) *Exemption periods.* Such time for initial compliance with any provision or requirement of this Order, or any amendment thereof, or of any Order issued by the Director, shall be allowed as the Director may designate: *Provided*, That all persons shall comply immediately with any provision or requirement as to which no such allowance of time for initial compliance shall be designated by the Director.

(g) *Permits.* Upon application made to the Order Administrator, permits for the storage of commodities otherwise restricted, excluded, limited as to storage or subject to a ceiling inventory under this order may be issued. The Order Administrator may issue such permits consistent with the authority delegated to the Order Administrator by the Director, and when the issuing of such permits would be compatible with the purposes of this Order. Permits heretofore issued under War Food Orders No. 70 and No. 90 shall remain in effect until the expiration date stated in each such permit unless they shall be sooner terminated by the Order Administrator.

(h) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(i) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises of, or commodities held in storage by, any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(j) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate in his discretion, to the enforcement or administration of the provisions of this order. (2) Every person operating a refrigerated storage facility shall, for at least one year (or for such period of time as the Director may designate), maintain an accurate record of transactions in regard to storage in such facility.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, WFO 111, Marketing Facilities Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (k) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance therewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(l) *Notification.* Every person operating a refrigerated storage facility shall:

(1) Within forty-eight (48) hours after the storage of any commodities within such facility shall be in violation of any provision of this order, notify in writing of this fact the person for whose account commodities are stored, and shall request him to remove such commodities immediately from storage.

(2) Not less than fifteen (15) days prior to the date of expiration with respect to any commodities of the ten (10) month period of storage permitted by paragraph (c), notify in writing the person for whose account such commodities are stored that he is required by this order to remove his commodities at the end of ten (10) months total storage in refrigerated storage facilities.

(m) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving or using facilities subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(n) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, in so far as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(o) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 111, Marketing Facilities Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(p) *Territorial extent.* This order shall apply only to the forty-eight (48) states of the United States, and the District of Columbia.

(q) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 2, 1944.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13402; Filed, Sept. 1, 1944; 11:23 a. m.]

[WFO 111-1]

PART 1470—FOOD STORAGE FACILITIES

DESIGNATION OF RESTRICTED, EXCLUDED, LIMITED-STORAGE, AND CEILING INVENTORY COMMODITIES AND REQUIREMENT OF REPORTS

Pursuant to the authority vested in me by War Food Order No. 111 dated August 31, 1944, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1470.6 *Restricted, excluded, limited-storage, and ceiling inventory commodities designated and reports required*—(a) *Definitions.* The definitions contained in War Food Order No. 111 shall apply to this order, and when used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

The term "cooler space" means any space in a refrigerated storage facility held at a temperature between 30 and 50 degrees Fahrenheit.

(b) *Designation of restricted commodities.* The following are designated as restricted commodities:

1. All types of flour and dry cereals.
2. Beer, wines, and liquors.
3. Canned condensed milk.
4. Canned fish and canned shellfish in hermetically sealed containers, except frozen crabmeat and shrimp.
5. Canned fruits and vegetables except citrus concentrates.
6. Canned processed cheese.
7. Carter's spread.
8. Dried skim milk.
9. Dried whole milk in gas filled hermetically sealed containers.
10. Evaporated milk.
11. Peanuts in the shell.
12. Poultry packed in barrels or in baskets.
13. Sterile canned meats.
14. Nuts in the shell (other than peanuts) when stored in the following cities or within 20 miles of the corporate limits thereof:

Baltimore, Maryland.
Boston, Massachusetts.
Buffalo, New York.
Chicago, Illinois.
Cincinnati, Ohio.
Cleveland, Ohio.
Dallas, Texas.
Detroit, Michigan.
Ft. Worth, Texas.
Jersey City, New Jersey.
Kansas City, Kansas.
Kansas City, Missouri.
Los Angeles, California.
Milwaukee, Wisconsin.
Minneapolis, Minnesota.
Newark, New Jersey.
New York City, New York.
Norfolk, Virginia.

Omaha, Nebraska.
Philadelphia, Pennsylvania.
Portland, Oregon.
St. Louis, Missouri.
St. Paul, Minnesota.
San Francisco, California.
Seattle, Washington.
Spokane, Washington.

(c) *Designation of excluded commodities.* The following are designated as excluded commodities:

1. Bones.
2. Cured meats (excluding sweet pickled and dry-cured).
3. Horse meat.
4. Lard (including rendered pork fat).
5. Lungs.
6. Oleo oil.
7. Rendered suet.
8. Tallow.
9. Udders.
10. Any commodities segregated into piles weighing less than 300 pounds, not including any such commodities stored by the owner in his own privately operated refrigerated storage facility.

(d) *Designation of limited-storage commodities.* The following are designated as limited-storage commodities:

1. Chitterlings.
2. Ears.
3. Fries.
4. Heads.
5. Hocks.
6. Kidneys.
7. Knuckles.
8. Melts.
9. Pigs feet.
10. Plucks.
11. Pork skins.
12. Pork tails.
13. Snouts.
14. Stomachs.
15. Tripe.
16. Veal tails and ox tails.

(e) *Designation of ceiling inventory commodities.* The following are designated as ceiling inventory commodities:

1. Frozen vegetables and frozen fruits (including frozen berries).
2. Packaged frozen fish.

(f) *Designation of maximum total quantity of ceiling inventory commodities.* The total quantity of ceiling inventory commodities lawfully held in each refrigerated storage facility on October 1, 1943, shall be the maximum total quantity which may be received or retained in such storage after September 15, 1944.

(g) *Exemption periods.* (1) A period of sixty (60) days after the effective date of this order shall be allowed in which to remove any commodity designated in item 12 of the list in paragraph (b) hereof now held in storage in any refrigerated storage facility.

(2) A period of fifteen (15) days after the effective date of this order shall be allowed in which to remove any commodity designated in item 10 of the list in paragraph (c) hereof now held in storage in freezer space.

(3) A period of thirty (30) days after the effective date of this order shall be allowed in which to remove any ceiling inventory commodities in excess of the maximum total quantity designated in paragraph (f) hereof, now held in storage in any refrigerated storage facility.

(h) *Records and reports.* Any person operating a refrigerated storage facility shall report to the Order Administrator, WFO 111, Marketing Facilities Branch, Office of Distribution, War Food Administration, Washington 25, D. C., the following information:

(1) On Form 111–1, within fifteen (15) days after the effective date of this order, the total quantity in pounds now held in storage in such facility of all commodities designated in item 12 of the list in paragraph (b) hereof and the total quantity in pounds now held in freezer space in such facility of all commodities designated in item 10 of the list in paragraph (c) hereof.

(2) On Form 111–2, within six (6) working days after the first and fifteenth day of each month following the effective date of this order, the number of cubic feet of cooler space held between 30 and 50 degrees Fahrenheit, and of freezer space held at 29 degrees Fahrenheit or lower in such facility occupied for all purposes, as of the first and fifteenth day of each month.

(3) On Form 111–6, within six (6) working days after the first day of each month, a list of all commodities which have been stored in a refrigerated storage facility for a period of ten (10) months or longer, the quantity in pounds of each commodity and the name of the owner thereof, designating which items are so stored by authority of a permit issued by the Order Administrator and which items are stored in violation of War Food Order No. 111. This list shall include such commodities which are so stored by or for the account of a Government agency.

(4) On Form FDA 216, within six (6) working days after the first day of each month following the effective date hereof, the quantity of each commodity as designated thereon, held in such refrigerated storage facility as of the first day of each month.

(5) On Form 111–1, not later than September 15, 1944, the quantity of each ceiling inventory commodity as designated thereon, held in such refrigerated storage facility on October 1, 1943: *Provided*, That the reports required by this paragraph (5) need not be made if such information has been previously reported on Form FDA 216.

(6) In writing, within ten (10) days, not including Sundays, after giving notice of the storage of commodities considered in violation of any provision of War Food Order No. 111 to the person for whose account such commodities are stored, if such person so notified fails or refuses to remove such commodities. This report of failure or refusal to remove such commodities shall include the following information:

(i) The quantity of each commodity so stored;

(ii) The name of the owner thereof;

(iii) The date on which the current storage month of each such commodity expires; and

(iv) The provision of War Food Order No. 111, of which such storage is considered a violation: *Provided*, That the reports required by this paragraph (6) need not be made with respect to violations which are required to be reported by paragraph (3) hereof.

(i) This order shall become effective at 12:01 a. m., e. w. t., September 2, 1944.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 111)

Issued this 31st day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–13403; Filed, Sept. 1, 1944; 11:23 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects, Operation and Maintenance

PART 130—ORDERS FIXING OPERATIONS AND MAINTENANCE CHARGES

WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

Section 130.86 of this order, as amended February 19, 1943, is hereby amended to read as follows:

§ 130.86 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), the operation and maintenance charges on assessable lands under the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington, for 1945 and for each calendar year thereafter, until further notice, are hereby fixed as follows:

(a) *Minimum charges.* For all tracts in non-contiguous single ownership, $5.00.

(b) *Flat rate.* Upon all farm units or tracts, for each assessable acre, $1.75.

(c) *Storage operation and maintenance.* For all lands with a storage water right, known as "B" lands, in addition to other charges per acre, $0.20.

(38 Stat. 583; 39 Stat. 154; 45 Stat. 210; 25 U.S.C. 385, 387)

OSCAR L. CHAPMAN,
Assistant Secretary.

AUGUST 28, 1944.

[F. R. Doc. 44–13361; Filed, Sept. 1, 1944; 9:42 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 215]

PART 810—PROGRAM LICENSES

REVOCATION OF CERTAIN PROGRAM LICENSES

It is hereby ordered, That: (1) All program licenses issued by the Foreign

Economic Administration, the Office of Economic Warfare, or the Board of Economic Warfare under the provisions of Part 810 of the regulations issued under the authority of section 6 of the Act of July 2, 1940, as amended, to any agency, and which are outstanding on the effective date of this order, shall be and the same are hereby revoked effective October 1, 1944; *Provided*, That any release certificate which has been issued prior to October 1, 1944 under the authority of any program license and which is valid and outstanding on October 1, 1944, shall continued to be valid to authorize the exportation of the commodities in the quantity and to the destination stated therein until the date on which such release certificate would normally expire if the program license under which it was issued had not been revoked.

(2) All release certificates which remain valid and outstanding on and after October 1, 1944, in accordance with the provisions of paragraph 1 of this order, shall be subject to amendment, extension, cancellation or revocation at any time by the Foreign Economic Administration.

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 28, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13355; Filed, August 31, 1944; 2:18 p. m.]

[Amdt. 216]

PART 810—PROGRAM LICENSES

REVOCATION OF PART

Subchapter B, *Export Control*, is hereby amended by deleting therefrom Part 810—*Program Licenses*.

This amendment shall become effective October 1, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 28, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13310; Filed, August 31, 1944; 2:18 p. m.]

[Amdt. 217]

PART 802—GENERAL LICENSES

SPECIAL PROVISIONS FOR MEXICO

Section 802.10 *General license "GLV"* (9 F.R. 9043) is hereby amended in the following particulars:

1. By amending that part of paragraph (b) immediately preceding the first colon to read as follows:

(b) A general license designated "GLV" is hereby granted subject to the "Special provisions for Mexico" prescribed in paragraph (c) of this section:

2. By adding to said section paragraph (c) as follows:

(c) *Special provisions for Mexico.* (1) Exportations to Mexico under the provisions of general license "GLV" are permitted only when such shipments are made in conformity with one of the following two conditions:

(i) The shipment is a "single shipment" as defined in paragraph (a) of this section, provided that such shipment is transported by a common carrier or is a mail shipment; or

(ii) If the shipment is not a mail shipment or is transported otherwise than by common carrier, not more than one such shipment may be made by or on behalf of the same exporter to or for the account of the same ultimate consignee during the same calendar week.

(2) Any person making an exportation to Mexico under this general license which is not a mail shipment and which is to be transported otherwise than by common carrier shall enter on his Shipper's Export Declaration covering such shipment a certification in the following form:

The undersigned certifies to the Foreign Economic Administration that the merchandise above described is the only shipment of the commodity (ies) classified under the Schedule B number(s) set forth herein to be exported under the provisions of general license "GLV" by the undersigned exporter to the consignee named herein during the current calendar week.

Signed

(3) Collectors of Customs are authorized to limit or prevent altogether the exportation of any commodity to Mexico under this general license whenever they shall have cause to suspect that such exportation is being made for the purpose or with the intent of evading any of the regulations of the Foreign Economic Administration.

(4) In any case where the Collector of Customs determines that the limitations in sub-division (ii) of subparagraph (1) of this paragraph will create an unnecessary hardship or that an emergency exists in a particular case he is authorized to permit more than one such shipment per calendar week under this general license provided that the value of each such shipment does not exceed the value limitations set forth in paragraph (b) of this section.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: August 21, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13311; Filed, August 31, 1944; 2:19 p. m.]

[Amdt. 218]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; PORK

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of Commerce No.	General license group
Fork, pickled or salted other than bacon, hams, shoulders or Cumberland and Wiltshire sides.....	0032.00	None

Shipments of the above commodity which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall become effective September 1, 1944.

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 29, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13312; Filed, August 31, 1944; 2:19 p. m.]

[Amdt. 219]

PART 809—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO FRENCH POSSESSIONS IN THE PACIFIC (INCLUDING NEW HEBRIDES)

Subchapter B—*Export Control* is hereby amended by adding thereto Part 809 as follows:

Sec.
809.1 Applicability.
809.2 Non-applicability.
809.3 Booking.
809.4 Form of statement of cargo availability.
809.5 Filing procedure.

AUTHORITY: §§ 809.1 to 809.5, inclusive, issued under sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No 21, 8 F.R. 16320.

§ 809.1 *Applicability.* The regulations prescribed in § 809.3 to § 809.5 inclusive, apply to exportations of all commodities set forth in § 801.2 of this subchapter under any type of export license to be made by sea freight to any of the following destinations:

French Oceania:
Clipperton Island.
Gambier Island.
Marquesas Island.
Raiatea Island.
Society Island.
Tahiti.
Tuamotu.
Tubual.
New Hebrides (British and French Condominium).
New Caledonia: Including—Loyalty Islands, Wallis Archipelago.

§ 809.2 *Non-applicability.* None of the regulations of this part shall apply to liquid commodities licensed for export to be shipped in bulk by tanker, or to commodities to be exported under general license "GUS".

§ 809.3 *Booking.* No shipment of any commodity or commodities for which a license has been issued permitting the exportation thereof may be booked for shipment by or with a steamship company or exported to any destination listed in § 809.1 unless:

(a) The exporter or his agent has submitted a statement of cargo availability covering such shipment on the form and in the manner prescribed by these regulations.

(b) The shipment has been certified for booking with a steamship company by the Division of Cargo Control, War Shipping Administration.

(c) The shipment has been transported to or within the port area from which the shipment is to be made pursuant to an effective unit permit issued by or under the authority of the Office of Defense Transportation, unless such unit permit is not required for the movement of the particular shipment; and

(d) The shipment has been booked with a steamship company within ninety (90) days after the date such shipment has been certified for booking by the Division of Cargo Control, War Shipping Administration and such booking has been approved by the Division of Cargo Control, War Shipping Administration. In the case of commodities which, because of their bulk or the necessity for special handling, require special consideration with respect to the period of movement, the provision that such shipment shall be booked with a steamship company within such ninety (90) day period shall not apply. If the shipment has been booked with a steamship company within ninety (90) days after the statement of cargo availability has been certified for booking, the actual date of loading aboard a vessel may take place after such ninety (90) day period.

§ 809.4 *Form of statement of cargo availability.* A statement of cargo availability shall be made on Form FEA–138 in accordance with the instructions for use of such form as prescribed by the Requirements and Supply Branch. All provisions, instructions, terms and conditions contained in Form FEA–138 are hereby incorporated as a part of the regulations in this subchapter, except insofar as inconsistent with the provisions of the regulations in this part, in which event the regulations in this part shall govern.

§ 809.5 *Filing procedure*—(a) *Who may file.* Any person to whom an export license has been granted or his agent may file statements of cargo availability. Any person authorized to export under a general license or the agent of any such person may file statements of cargo availability.

(b) *Where to file.* Statements of cargo availability (Form FEA–138) shall be filed with the War Shipping Administration, Division of Cargo Control, 220 Bush Street, San Francisco, 4, California.

(c) *Preparation of statements of cargo availability.* (1) A separate statement of cargo availability may be submitted for each part of a licensed exportation as such part becomes ready for shipment.

(2) Where the applicant desires to ship a number of commodities destined to one or more ultimate consignees or purchasers from one or more licensees (or one or more exporters in the case of commodities moving under general license), and the shipment is made by a single consignor to a single consignee, one consolidated statement of cargo availability may be filed.

(3) If the proposed shipment includes commodities moving under individual license or licenses, and also includes commodities moving under general license or licenses, separate statements of cargo availability may be filed for the commodities moving under individual license and the commodities moving under general license.

(4) Where the statement of cargo availability is for commodities to be shipped under general license, the general license number shall be placed in the blank space requiring a license number.

(5) In answer to the question pertaining to gross weight and cubic measurement (if shipped on a measurement basis) an approximation may be made if exact figures are not ascertainable.

(6) The description of the commodities shall be stated in the same terms required for description of commodities in applications for individual licenses.

(7) No statement of cargo availability for commodities under general license shall be submitted unless and until the applicant has a firm order for the commodities covered by the statement from the purchaser stated therein.

(8) Whenever a statement of cargo availability is required in connection with any shipment proceeding under a general in transit license, the spaces in the application form for the name and address of the consignor shall contain the name and address of the original consignor in the foreign country and the name and address of the United States shipper or forwarder.

This amendment shall become effective September 1, 1944.

Dated: August 31, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13313; Filed August 31, 1944; 2:19 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3996; Prl. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1029—FARM MACHINERY

[Limitation Order L–257–a, as Amended Aug. 31, 1944]

EXPORTS

§ 1029.16 *Limitation Order L–257–a*—(a) *What this order does.* This order describes the rules governing the manufacture for export of machinery and equipment (both farm and non-farm) and repair parts, and supplements Limitation Order L–257 covering domestic production. All general provisions of the domestic order, such as definitions and rules for production schedules, will apply to producers for export under this order, unless this order indicates otherwise. It is expected that this order L–257–a will be the basic export order from year to year, but that "applicable export schedules" of quotas will be issued for each "current quota period", just as explained in Order L–257 for domestic quotas. It may be assumed that the applicable export schedules in effect at any particular time will continue into the next "current quota period", until such time as new schedules are issued.

(b) *Additional definitions.* The definitions of Order L–257, unless otherwise indicated in this order, shall apply for the purpose of this order, and also the following:

(1) "Base shipment" means one-half the net shipping weight of the total quantity (as reported on Form PD–388) of farm machinery and equipment and

repair parts in the aggregate exported by a producer during the calendar years 1940 and 1941 combined to any country or group of countries (except Canada) listed on an applicable export schedule.

(2) "Lend-Lease order" means any order for machinery and equipment (both farm and non-farm) or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) "Applicable export schedule" means any schedule which relates to a current quota period and fixes manufacturing quotas for the foreign country or countries listed for that period.

(c) *Restrictions on production for export*—(1) *General export quotas (except Canada).* During any current quota period, no producer shall manufacture for shipment, or ship, to foreign countries more machinery and equipment (both farm and non-farm) and repair parts than his quota for the particular country or countries, as indicated on the applicable export schedule. Where countries are listed on an applicable export schedule as a group with only one quota percentage, the producer's quota for all countries in the group as a whole is the listed percentage of his base shipments to those countries. Where countries are listed individually with separate quota percentages, the producer's quota for each country is the applicable percentage of his base shipment to that country. Where the quota percentage is 0% for any country or group of countries listed, or where a particular foreign country is not listed at all, shipments can be made only by getting a special quota under paragraph (c) (4). These special quotas will be given only as the need arises.

Each export quota for a country or group of countries (except Canada) is an over-all tonnage, which the producer can divide up among farm machinery and equipment, non-farm machinery and equipment, and repair parts, as he chooses.

Exceptions to these general rules are stated in paragraph (d).

(2) *Canadian quotas.* During any current quota period, no producer shall manufacture for shipment to Canada more of any item of farm machinery and equipment (in units) or attachments (by weight) than his quota as indicated on the applicable export schedule. For each item of farm machinery and equipment (excluding attachments) the producer's quota is half the number of that item (in units) shipped by him to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. (Non-farm machinery and equipment is not included in the above quotas and may not be shipped to Canada.

For each item of attachments, the quota is half the net shipping weight of that item shipped by the producer to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. However, the producer may choose to lump all attachments as explained in paragraph (d) (3).

There is no quota limitation on the manufacture of repair parts for Canada. However, it is necessary to comply with paragraph (e) with respect to production schedules.

Exceptions to these general rules are stated in paragraph (d).

(3) *Special restrictions.* No producer shall manufacture for shipment, or ship, to any foreign country (including Canada):

(i) Any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type.
Combines.
Pick-up hay balers and field hay harvesters.
Corn pickers.
Power sprayers over ten gallons per minute.
Any item requiring tires to be mounted on wheel rims of the following sizes (diameter): 15", 16", 18", 20" and 21".

(ii) Any item of farm machinery and equipment or repair parts except to the extent listed on an approved production schedule under paragraph (e).

(4) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any export quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular countries, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions*—(1) *Production before or after current quota periods*—(i) *Advance planning of production.* Before the beginning of any current quota period, producers may plan their advance production for export as explained for domestic production in subparagraph (d) (5) (i) of Order L–257.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of export quotas under an applicable export schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period, but only to the extent that the particular items are covered by an export license or release certificate issued by or under authority of the Foreign Economic Administration, or by a Lend-Lease order, dated before July 1 of this next period. However, items for Canada may be carried over to the extent that they can be completed by July 31 of this next period. In addition, uncompleted quotas for the following items of harvesting machinery and equipment for Canada under Export Schedule X–10 (including special authorizations, etc.) may be carried over for completion any time before September 30, 1944:

Combines (Item 128 only).
Corn binders (Item 133).
Corn pickers (Items 133–136).
Field ensilage harvesters (Item 137).
Corn shellers (Items 166 and 167 only).
Feed grinders and crushers (Items 174, 175, and 175a only).
Portable elevators (Item 186).

(iii) [Deleted July 10, 1944.]

(2) *Bracketed items for Canada.* Wherever, in an applicable export schedule for Canada, two or more items are bracketed together, the producer may distribute his total quota (in units) for that bracket among all the items in that bracket, as set forth for domestic items in paragraph (d) (2) of Order L–257.

(3) *Attachments for Canada.* Any producer may choose not to follow the individual quota percentages for attachment items for Canada as indicated on the applicable export schedule, and instead manufacture up to 100% of half his total 1940 and 1941 shipments of all attachments (by weight) to Canada, under the terms set forth for domestic attachments in paragraph (d) (3) of Order L–257.

NOTE: The over-all quota for attachments under Schedule X–10 is 75%.

(e) *Production schedules.* Each producer who is not a "small producer" must have available for shipment export the quantities of items of machinery and equipment (both farm and non-farm) and repair parts as indicated on his production schedules which have been filed and approved in accordance with paragraph (e) of Order L–257. All provisions of that paragraph apply to production schedules for export, unless otherwise indicated. However, any item manufactured for export, whether for an O. E. W. country or Lend-Lease country (excluding Canada), may be shipped to any foreign country (except Canada) regardless of the schedule filed on Form WPB–3053 or WPB–3181, *Provided*, That the total shipments to any country or group of countries during the current quota period must not be more than the quota for that country or group of countries established under this order. Shifts of this nature do not have to be reported on Form WPB–3181.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Reports.* Each producer must file by the 10th day of each month a report on Form WPB–813 of his export shipments to all foreign countries (except Canada) during the previous month in accordance with the instructions on the form. However, producers whose total export quota for all countries, except Canada, is 15,000 pounds or less for any current quota period, need not file this form.

(h) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref.: L–257–a.

NOTE: This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Export Schedules X–1 through X–10 deleted August 31, 1944, since they expired June 30, 1944. Any export quotas under those Schedules which are not completed within the "carry-over" provisions of paragraph (d) (1) (ii) or L–257–a are cancelled.

[F. R. Doc. 44–13332; Filed, August 31, 1944; 4:15 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 11B, as Amended Sept. 1, 1944]

PREFERENCE RATINGS FOR MANUFACTURERS NOT OBTAINING PRODUCTION MATERIALS UNDER THE CONTROLLED MATERIALS PLAN

§ 944.32b *Priorities Regulation 11B*—(a) *Purpose and scope.* The purpose of this regulation is to provide priorities assistance in obtaining production materials for the manufacture of products other than Class A or Class B products. The use of this regulation in obtaining priorities assistance is optional. Persons who can get production materials without ratings should not apply for priorities assistance. A manufacturer of a Class A or a Class B product cannot use this regulation to get priorities assistance to buy production materials needed for the manufacture of a Class A or a Class B product.

(b) *Definitions.* For purposes of this regulation:

(1) "Unclassified product" means any product which is neither a controlled material, a Class A product, nor a Class B product, as those terms are defined in CMP Regulation No. 1.

(2) "Production material" means, with respect to any person, material or products (including fabricated parts and subassemblies) which will be physically incorporated in his unclassified product, and includes the portion of such material normally consumed or converted into scrap in the course of processing. It also includes items purchased by a manufacturer for resale to round out his line if such items do not represent more than 10 percent of his total sales. The term "production material" does not include manufacturing equipment or maintenance, repair or operating supplies as defined in CMP Regulation No. 5.

(c) *Applications for priorities assistance for production of unclassified products*—(1) *Application on Form WPB–2613.* Any person who produces unclassified products and needs priorities assistance to obtain production materials may file an application on Form WPB–2613. The application must not be based on a rate of production greater than that permitted under the restrictions of existing Limitation Orders or other applicable orders or regulations of the War Production Board.

The application must show all production materials (including products to round out a line) for which priorities assistance is requested. If an applicant desires priority assistance for materials where under an order or regulation of the War Production Board specification of quality and quantity must be shown, (for example, M–328—"Textiles, Clothing, Leather and Related Products"), the applicant must describe the material on the application form in sufficient detail to meet the requirements of the order or regulations before priorities assistance will be granted.

(2) *Applications under Priorities Regulation 25.* If a person wants to produce unclassified products covered by orders in which reference is made to Priorities Regulation 25, or which are listed on a direction to that regulation, he may apply for authorization as explained in Priorities Regulation 25.

(d) *Holders of Form WPB–2613 prohibited from extending customers' ratings.* A person who has received a rating or ratings on Form WPB–2613 or CMPL–150c for production materials for a specified product shall not extend ratings received from his customers to purchase production materials for the same product during the quarters covered by the form except that:

(1) Orders calling for delivery in the same quarter which have already been rated in accordance with applicable regulations or orders of the War Production Board need not be rerated, and

(2) A rating of AAA may be extended where necessary to obtain production material actually required to fill an order rated AAA, if such material is not actually on hand, but the rating may not be extended to replace inventories, and

(3) A rating may be extended to get cotton textiles as defined in Order M–317 required for direct or ultimate delivery or for incorporation into any material for ultimate delivery to the Army or Navy of the United States, the Maritime Commission, or the War Shipping Administration.

(e) *Authorized production schedules.* (1) Every assignment of rating on Form WPB–2613 or CMPL–150c will include authorization of a production schedule for the product for which the production materials are required. The authorization will set a maximum limit of production for the quarter.

(2) No producer who has received any rating on Form WPB–2613 or CMPL–150c shall produce the product covered by the form in an amount exceeding his authorized production schedule.

(3) A producer shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling or otherwise processing, or acquiring raw materials or parts exceeds the practicable working minimum required to meet the authorized production schedule.

(e–1) *Restrictions on use of ratings.* No rating assigned on form WPB–2613 may be used to buy any production material not listed on the form, nor may it be used to buy any item shown on List A of Priorities Regulation No. 3.

(f) *Miscellaneous provisions*—(1) *Applicability of other regulations and orders.* This order and all transactions affected hereby are subject to all applicable regulations and orders of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this regulation, or who, in connection with this regulation, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine up to $10,000, of by imprisonment or both. In addition, such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All applications filed hereunder, and all communications concerning this regulation, shall, unless otherwise directed, be addressed to the War Production Board, Washington 25, D. C., Ref.: Priorities Regulation No. 11B.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

The term "production material" in paragraph (b) (1) includes material which, at any stage of production, enters into the chemical reaction necessary to the manufacture of an unclassified product. It also includes any material which is used as a solvent, wash or extractant at any stage of the production of chemicals. (Issued June 16, 1943.)

[F. R. Doc. 44–13404; Filed, Sept. 1, 1944; 11:27 a. m.]

PART 1081—ELECTRIC POWER

[Limitation Order L–46, Revocation]

Section 1081.1 *Limitation Order L–46* is revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13405; Filed, Sept. 1, 1944; 11:28 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L–151, as Amended Sept. 1, 1944]

DOMESTIC WATTHOUR METERS

§ 3289.11 *General Limitation Order L–151*—(a) *Definition.* Wherever it appears in this order, the term "domestic watthour meter" is used to mean any device designed and manufactured for the purpose of measuring the consump-

tion of electrical energy with respect to time, and includes single phase, two and three wire types, with capacities up to 25 amperes and voltages up to 240 volts, for use on alternating current of any frequency. The term does not include electric energy meters for use on direct current or on polyphase circuits, maximum demand meters, or integrating meters, calibrated in terms other than electric energy (i. e., meters integrating weight, pressure, etc.).

(b) *Restrictions on production.* (1) No person shall manufacture or assemble any new domestic watthour meters or any new parts for the conversion of domestic watthour meters from one to another type, except as authorized by the War Production Board on Form GA-1850.

(2) The above provision in paragraph (b) (1) does not prohibit the use or delivery of existing parts for the conversion of domestic watthour meters from one to another type, such as the conversion of non-socket to socket type meters, three-wire to two-wire or two-wire to three-wire meters, or meters from one current rating to a higher current rating.

(3) A person wishing to manufacture domestic watthour meters or conversion parts, should apply for authorization by letter addressed to the War Production Board, Radio and Radar Division, Washington, 25, D. C., Reference L-151. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B, for the controlled materials.

(4) Production will be authorized for the several manufacturers as nearly as practicable according to ratios comparable to the pre-war ratios of the several companies. Production will be so authorized that the total production will not exceed the approved War Production Board program, and the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. Individual authorizations will be issued in amounts sufficient to carry out the presently approved program of 260,000 domestic watthour meters for the last six months of 1944, and any other program which may be approved later by the War Production Board.

(c) *Restrictions on delivery.* No person shall deliver or accept delivery of any new domestic watthour meter unless it is a delivery:

(1) To or for the account of the Army, Navy, Maritime Commission or War Shipping Administration.

(2) Between persons who own or operate electric power utilities which serve the public generally.

(3) Authorized by the War Production Board on Form WPB-1319. Any prospective purchaser may apply for such an authorization by filing Form WPB-1319 in accordance with the current instructions for filing such forms. These form applications should be filed with the nearest Utility Inventory Control Office of the War Production Board, addressed to the attention of the Regional Utility Engineer. The locations of these Regional Utility Inventory Control Offices are given on List A at the end of this order. As a general rule, favorable consideration will be given to the purchase of new domestic watthour meters only where one or more of the following factors appear to establish the need for them:

(i) The meters are to measure the consumption of electric energy by individual homes in a war housing project, which cannot be metered with a master meter, and delay in obtaining individual used meters would delay the occupancy of such dwellings.

(ii) The meters are required for the replacement in service of damaged meters, and the applicant cannot obtain prompt delivery of used meters for that purpose, and does not have such meters available in his own inventory for replacements.

(iii) Special or emergency conditions require the prompt delivery of new meters.

Unless one of the above conditions exists, a prospective purchaser should obtain his requirements of domestic watthour meters from such sources of supply as the excess inventories of electric utilities, used meter dealers, and meter repair shops. Information as to excess stocks of such meters in the hands of utilities may be obtained from Regional Utility Inventory Control Offices (See List A at the end of this order).

(d) *Parts for maintenance or repair.* The provisions of paragraphs (b) and (c) of this order on production and delivery do not apply to the production or delivery of parts for the maintenance or repair of domestic watthour meters. No person, however, shall manufacture so many of such parts that his inventory thereof will at any time exceed his average monthly inventory of such parts during the calendar year 1941.

(e) *Monthly reports.* On or before the tenth day of each calendar month each manufacturer of domestic watthour meters shall file with the War Production Board a report, in duplicate, in letter form, which shall show the following information as of the first of the month:

(1) Inventory of domestic watthour meters.

(2) Deliveries of domestic watthour meters during the preceding calendar month.

(3) Unfilled orders on hand for domestic watthour meters.

(f) *Applicability of War Production Board regulations and orders.* This order and all things done under it are subject to the provisions of all applicable regulations and orders of the War Production Board.

(g) *Violations and penalties.* Any person who wilfully violates any provision of this order, or who conceals any material information or furnishes false information to any department or agency of the United States is guilty of a crime. If convicted, he may be punished by fine or imprisonment; or any such person may be deprived of any or all priorities assistance. For example, he may be prohibited from getting, delivering, processing, or using anything which is subject to priority control by the War Production Board.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture or assemble more new domestic watthour meters or new parts for the conversion of domestic watt-hour meters from one to another type than have been authorized on Form GA-1850 (including a person who has no such authorization), and any person who wants to manufacture more parts than he is permitted by paragraph (d) (including a person who did not make parts in 1941) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) of this order if he desires.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraphs (b) (1) or (d) should be made by writing a letter which explains fully what provisions the person is appealing from and why he thinks he should be relieved from those provisions. He should send this letter with two signed copies, to the War Production Board. No appeal should be filed from the provisions of paragraphs (b) (1) or (d), because applications for relief under those paragraphs are handled in the ways described in paragraphs (b) (3) and (h) (1) of this order.

(i) *Letters and reports.* Letters about this order, or reports filed under it, should be addressed to the War Production Board, Washington 25, D. C., Ref: L-151; and the reports required by paragraph (e) of the order should be addressed to the attention of the Office of War Utilities. All other letters or reports, however, should be addressed to the attention of the Radio and Radar Division. All reports and forms required by this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—ADDRESSES OF REGIONAL UTILITY INVENTORY CONTROL OFFICES

17 Court St., Boston, Mass.
350 Fifth Ave., New York, N. Y.
1617 Pennsylvania Boulevard, Philadelphia, Pa.
116 Candler Building, Atlanta, Ga.
800 First National Bank Building, Pittsburgh, Pa.
226 West Jackson Boulevard, Chicago, Ill.
Mutual Interstate Building, Kansas City, Mo.
1221 Mercantile Bank Building, Dallas, Tex.
Continental Oil Building, Denver, Colo.
1031 South Broadway, Los Angeles, Calif.
7310 Woodward Ave., Detroit, Mich.
334 Midland Bank Building, Minneapolis, Minn.
Bedell Building, Portland, Oreg.

[F. R. Doc. 44-13406; Filed, Sept. 1, 1944; 11:27 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L-54-a, as Amended Sept. 1, 1944]

TYPEWRITERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the materials and facilities used in the production of typewriters for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.6 *Limitation Order L-54-a*—(a) *Definitions.* For the purpose of this order:

(1) "Manufacturer" means any person manufacturing typewriters, including sales and distribution outlets controlled by such a person.

(2) "Dealer" means any wholesaler, retailer or other distributor of typewriters, other than sales and distribution outlets controlled by a manufacturer.

(3) "Importer" means any person who imports typewriters into the United States for sale and distribution in the United States.

(4) "Typewriter" unless expressly otherwise stated, means non-portable and portable typewriters (including noiseless and electric types), and unless expressly otherwise stated, refers only to new typewriters. The term shall not include: billing machines (accounting principle); continuous forms handling machines, typewriter principle, having carbon paper handling devices constructed as an integral part of the machine; shorthand writing machines; telegraphically controlled typewriters; braille typewriters; toy typewriters; office composing machines, linotype machines or monotype machines. The term "new typewriters" means any typewriter which has never been delivered to a person acquiring it for use. This does not include rebuilt typewriters.

(5) "Sets of parts" means parts for typewriters fabricated at plants in the United States for shipment to foreign countries for assembly into typewriters.

(6) "Repair parts" means typewriter parts produced by a manufacturer to use or sell for repairing and servicing of typewriters.

(b) *Restrictions on production.* Manufacturers may produce typewriters or sets of parts only in accordance with written instructions from the War Production Board. Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(c) *Restrictions on delivery.* Manufacturers may deliver new typewriters only to persons who are authorized by the War Production Board in writing to receive them. Importers may deliver imported new non-portable typewriters only to persons who are authorized in writing to receive them. Persons who want authorization to receive new typewriters for export should submit Form WPB-1319 to the Foreign Economic Administration, Washington 25, D. C. Non-military agencies of the United States Government which want authorization to receive new typewriters should submit Form WPB-1319, to the Procurement Division of the United States Treasury. All other non-military applicants should submit Form WPB-1319 to the nearest field office of the War Production Board. Instead of using Form WPB-1319, the Army of the United States, the Navy of the United States, and the United States Maritime Commission should continue to use the same method of requesting authorization to receive new typewriters which they were using when this order was amended on May 15, 1944.

Applications on Form WPB-1319 should be made in accordance with the official instructions for the use of the form. These instructions can be obtained from any War Production Board office. In the alternative, until June 1, 1944, applications may be submitted to the War Production Board at Washington on Form WPB-1688 instead of Form WPB-1319. These forms of application have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

When a person has been authorized to receive delivery of a new typewriter, the manufacturer or importer of the typewriter may make delivery to him either directly or through a dealer.

In the past the delivery of second-hand typewriters and some new typewriters has been controlled by the Office of Price Administration. Control of deliveries of new typewriters owned by dealers, and of deliveries of all second-hand typewriters, including rebuilt typewriters, has been discontinued. Deliveries of new typewriters by manufacturers will continue to be controlled by the orders of the War Production Board instead of the orders of the Office of Price Administration.

(d) *Sequence of deliveries.* Regardless of Priorities Regulation No. 1, when authorized pursuant to the preceding paragraph, deliveries of each model of typewriter must be made in the order indicated by the delivery dates specified in the approval forms or other authorizations, unless the War Production Board specifically tells a manufacturer or importer in writing to do something else. If a manufacturer or importer receives two or more authorizations requesting the same delivery date for the same model of typewriter, and cannot make all deliveries on time, he must deliver them in the order in which the authorizations were received by him. If an authorization requests delivery before the date on which the authorization is received by the manufacturer or importer, the order must be treated as if the delivery date requested was the day when the authorization was received by the manufacturer or importer.

(e) *Shipment of sets of parts by manufacturers.* Manufacturers may ship sets of parts to foreign countries only in accordance with written instructions from the War Production Board. Those who wish to make such shipments may apply by letter to the War Production Board for authorization to do so.

(f) *Inventories of repair parts.* No manufacturer may produce more repair parts than he needs to produce in order to maintain a practicable minimum working inventory of them. This is the only restriction in this order which applies to repair parts.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Applicability of regulations.* This order and all transactions affected thereby, are subject to all applicable regulations of the War Production Board, as amended from time to time, with the exception of those provisions of Priorities Regulation No. 1 inconsistent with paragraph (d).

(i) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce more typewriters or sets of parts than he has been authorized to produce under paragraph (b) (including a person who has not been authorized to produce typewriters or sets of parts under this order), may apply for permission to do so as explained in Priorities Regulation 25. The restrictions on delivery contained in paragraphs (c), (d) and (e) continue to apply to typewriters and sets of parts authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b), may be made by filing a letter with the War Production Board, Washington 25, D. C., Ref: L-54a, referring to the pertinent provisions of the order and stating fully the grounds for the request. No appeal should be filed from the restrictions of paragraph (b).

(j) *Communications.* All communications concerning this order should be addressed to the War Production Board, Service Equipment Division, Washington 25, D. C., Ref: L-54-a.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13407; Filed, Sept. 1, 1944; 11:27 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L-190, as Amended Sept. 1, 1944]

SCALES, BALANCES AND WEIGHTS

The fulfillment of requirements for the defense of the United States has created a shortage in the materials used in the manufacture of scales, balances, and weights for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.21 *Limitation Order L-190*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Scales" means devices used for weighing persons, materials, objects or substances, or for grading, classifying, counting or evaluating materials, objects or substances in terms of weight, or the measuring of forces expressed in terms of weight. The term includes scales, balances, attachments, and weights.

(3) "Weights" means objects of established weight used in connection with the operation of scales and necessary to the operation or testing thereof.

(4) "Scales for household use" includes all scales commonly used for household purposes except dietetic scales graduated in the metric system for personal use by a person whose diet is regulated by a licensed physician and baby weighing or nursery scales.

(5) "New" scales are all scales other than those which have been used, or sold, rented or lent for the purpose of being used; except that scales which have been used solely for demonstration, trial loans or emergency repair loans are "new" scales.

(6) "Emergency repair loan" means the temporary leasing or lending of a scale to replace a similar scale while the latter is being repaired.

(7) "Class One scales" means coin-operated person weighing scales, spring type scales equipped with postal charts and having a retail list price of five dollars or less, and scales for household use, including bathroom scales and kitchen scales.

(8) "Class Two scales" means person weighing scales for clinical use and baby weighing or nursery scales.

(9) "Class Three scales" means mailing and parcel post scales, except spring type scales equipped with postal charts and having a retail list price of $5.00 or less.

(10) "Class Four scales" means all scales other than those in Class One, Class Two, Class Three, Class Five, Class Six or Class Seven.

(11) "Class Five scales" means egg grading scales, milk scales, cotton beam scales, cotton spring scales, and grain sampling, grading, and testing scales.

(12) "Class Six scales" means dietetic scales, graduated in the metric system, for personal use by a person whose diet is regulated by a licensed physician.

(13) "Class Seven Scales" means cylinder type scales, fan type scales, hanging scales, and even-balance scales of the kinds, sizes and models commonly used in making sales of merchandise direct to ultimate consumers.

(b) *Restrictions on production.* (1) No person shall fabricate parts for new Class One scales or assemble new Class One scales.

(2) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Two scales in excess of one-fourth of the total number of such scales billed by him to customers during the calendar year of 1941.

(3) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Three scales in excess of one-fourth of the total number of such scales billed by him to customers during the calendar year of 1941.

(4) No person engaged in the manufacture of scales shall increase his inventory of new scales in Class Four if that inventory following such increase will exceed one-twelfth of the total number of such scales billed by him to customers during the calendar year of 1941.

(5) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Five scales in excess of the total number of such scales billed by him to customers during the calendar year of 1941.

(6) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person may fabricate or assemble a total number of new Class Six scales in excess of the total number of such scales billed by him to customers during the calendar year of 1941.

(7) During the calendar year of 1944, and during each subsequent calendar year, no person may fabricate or assemble a total dollar value of new Class Seven scales in excess of two-fifths of the total dollar value of such scales billed by him to customers during the calendar year of 1941.

(c) *Restrictions on transfer.* (1) No person shall sell any new Class Three, Class Four or Class Five scales to fill any order for such scales in an amount of $50.00 or more, except orders to which the purchaser has applied or extended a preference rating assigned for that purpose on Form WPB-2581, Form WPB-1319 or Form GA-1456. Any person placing such an order amounting to $50.00 or more shall certify, in substantially the following form, that the preference rating applied or extended was issued on one of those forms.

The undersigned purchaser represents to the seller and to the War Production Board that the rating of ---------- applied or extended to this purchase order was issued on.

The person receiving this certification shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false.

(2) No person shall rent or lend any new Class Three, Class Four or Class Five scales to fill any order for such scales in any amount, except orders to which the person placing the order has applied or extended a rating assigned for that purpose on Form WPB-2581, Form WPB-1319 or Form GA-1456. Any person placing such an order shall put on his order the certification provided in paragraph (c) (1) of this order and the person receiving the certification shall be entitled to rely thereon unless he knows or has reason to believe it to be false.

(3) No person shall sell any new Class Three scales to fill any order for such scales in an amount over $5.00 and less than $50.00, except orders rated AA-5 or higher.

(4) No person shall sell any new Class Four or Class Five scales to fill any order for such scales in an amount over $5.00 and less than $50.00, placed by a person intending to use such scales on a farm, except orders supported by farmers' certificates under Priorities Regulation 19 and orders for which purchase certificates were issued by a County Farm Rationing Committee before September 1, 1944.

(5) No person shall sell any new Class Four or Class Five scales to fill any order for such scales in an amount over $5.00 and less than $50.00, placed by a person intending to use such scales elsewhere than on a farm, except orders rated AA-5 or higher.

(6) No person shall sell a new Class Four or Class Five scale having a retail list price of more than $5.00 to a person intending to resell it, except to fill orders rated AA-5 or higher. Scales having a retail list price of $5.00 or less may be sold without ratings to persons buying them in amounts less than $50.00 for resale.

(7) No person shall sell any new Class Two or Class Six scales to any person acquiring such scales for personal or family use except to fill the prescription of a licensed physician.

(8) The restrictions of paragraphs (c) (1) to (c) (6), inclusive, of this order shall not apply to an emergency repair loan of new scales when no used scales are available for such use, or to the selling, renting or lending of any scales which are sold or delivered as "laboratory equipment" in accordance with the provisions of Limitation Order L-144, as amended.

(d) *Applications on Form WPB-1319 and WPB-2581.* Through August 31, 1944, applications for preference ratings must be made on Form WPB-2581. Beginning September 1, 1944, application must be made on Form WPB-1319, filled out in accordance with the official instructions for the use of the form, and submitted to the nearest field office of the War Production Board. These instructions can be obtained from any War Production Board office. These forms of application have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[Paragraphs (d) through (e) resedignated (e) through (m) Aug. 31, 1944.]

(e) *Repair and maintenance parts.* (1) No person shall produce any repair or maintenance parts for scales for household use except parts to be used for rebuilding used commercial scales into baby weighing scales.

(2) During the twelve calendar months commencing April 1, 1943, and during any period of twelve calendar months commencing April 1 of any subsequent year, no person shall fabricate a quantity of parts for repair and maintenance of scales which contains, when finished, a total weight of metals greater than 150% of the total weight of metals in the parts (exclusive of those for scales for household use) used or sold by him for repair and maintenance of scales during the calendar year of 1941.

(f) *Restrictions on types, sizes and materials.* (1) So far as any other order of the War Production Board may have the effect of limiting or curtailing the use of any material in any scales or parts thereof to an extent greater than herein provided, the limitations of such order shall be observed.

(2) No manufacturer shall assemble scales equipped with poises, weighbeams, pans, scoops or commodity receivers of copper or copper base alloys. This restriction does not apply to type bars, to scales sensitive to a weight of one centigram or less, or to racks, pinions and rollers for registering poises.

(3) After a period of sixty days following October 10, 1942, no manufacturer may fabricate weights of copper or copper base alloys if such weights are of denominations of 20 grams (metric) or ½ ounce (avoirdupois) and over. This restriction does not apply to weights of classes A, B, M, S, and S2 as defined and recognized by the National Bureau of Standards.

(4) The War Production Board may from time to time issue schedules establishing simplified practices with respect to the types, sizes, forms, materials and specifications or other qualifications for scales. After the effective date of any such schedule no scales shall be fabricated, or assembled, except such as conforms to the issued schedule and except as specifically permitted by such schedule.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except that notwithstanding the provisions of Priorities Regulation No. 3, orders for scales must be certified in accordance with paragraph (c) of this order, as well as in accordance with the requirements of that regulation.

(h) *Records.* All persons to whom this order applies shall keep, and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* (1) Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, all persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(2) Each manufacturer and each distributor of scales must file form WPB-3495 monthly in accordance with the instructions thereon. This reporting requirement has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to fabricate, assemble or produce scales or repair or maintenance parts for scales which he is not permitted to make under paragraphs (b) or (d) (including a person who wants to make more than permitted by those paragraphs) may apply for permission to do so as explained in Priorities Regulation 25. The transfer and specification restrictions of paragraphs (c) and (e) apply to production authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) and (d), shall be made by letter to the War Production Board, Washington 25, D. C., Ref: L-190, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (b) or (d).

(m) *Communications.* All reports to be filed hereunder, or communications concerning this order should be addressed to: War Production Board, Service Equipment Division, Service Machinery Section, Washington 25, D. C. Ref: L-190.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Feb. 10, 1944.

INTERPRETATION 2: Revoked Feb. 10, 1944.

[F. R. Doc. 44-13409; Filed, Sept. 1, 1944; 11:27 a. m.]

PART 3302—SERVICE EQUIPMENT

[Limitation Order L-222, as Amended Sept. 1, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export of the materials used in the manufacture of floor sanding, floor finishing, floor maintenance, and portable rug scrubbing machines, industrial vacuum cleaners, and blowers for cleaning purposes; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.26 *Limitation Order L-222*—(a) *What this order does.* This order controls the production of floor sanding, floor finishing, floor maintenance, and portable rug scrubbing machines, industrial vacuum cleaners, and blowers designed for cleaning purposes. It also regulates the distribution of some of these machines.

Floor Sanding Machines

(b) *What is meant by "floor sanding machines."* "Floor sanding machines" are machines designed for the smoothing of floors or decks, by using abrasives, such as sand paper and steel wool. However, floor sanding machines do not include any machines used for smoothing stone or tile floors. The latter are floor finishing machines, and are controlled by a different part of this order.

(c) *Production of floor sanding machines is prohibited.* No person may produce any floor sanding machines.

(d) *Distribution of these machines is not restricted.* In the past the War Production Board restricted the distribution of certain sizes of floor sanding machines. Those restrictions are no longer in effect, and it is not necessary to get permission from the War Production Board to sell or deliver floor sanding machines.

Portable Electric Hand Blowers

(e) *What is meant by "blowers."* As used in this order, "blowers" means combination blowers and exhausters designed for removing dust, reclaimable materials or refuse by either air pressure or suction. These machines consist of a combination of a motor operated air pressure producer, an air impeller line, and a portable tool with attachments. Blowers do not include any machines used solely for the handling of air or other gaseous mixtures.

(f) *Production of blowers is limited.* A person may produce blowers only to fulfill an authorized production schedule under the Controlled Materials Plan (CMP), as explained in CMP Regulation No. 1. Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(g) *Distribution of blowers is not restricted.* In the past the War Production Board restricted the distribution of blowers. Those restrictions are no longer in effect, and it is not necessary to get permission from the War Production Board to sell or deliver blowers.

Industrial Vacuum Cleaners, Portable Rug Scrubbing Machines, and Floor Finishing and Floor Maintenance Machines

(h) *What is meant by "industrial vacuum cleaners."* "Industrial vacuum cleaners" are machines (either stationary or portable) which consist of a combination of a motor-operated vacuum producer, an air impeller line, and a portable tool with attachments, and which are designed primarily for the collection and removal of dust, oil, and reclaimable materials or refuse by suction, in either the wet or dry state. Industrial vacuum cleaners do not include any vacuum cleaners designed primarily for household use, or any motor-operated vacuum producing units which are part of floor sanding, floor finishing or floor maintenance machines.

(i) *What is meant by "portable rug scrubbing machines."* "Portable rug scrubbing machines" means motorized portable devices for cleaning rugs, including portable rug shampooing machines. Stationary rug cleaning machines are not restricted by this order but are restricted by Limitation Order L-91.

(j) *What is meant by "floor finishing and floor maintenance machines."* A "floor finishing or floor maintenance machine" is a motorized or handpowered mechanical device used for grinding, staining, sealing, scraping, oiling, waxing, scrubbing, or polishing floors or decks, or for collecting and removing dust, grime, oil, reclaimable materials or refuse from floors or decks. Some machines do these things separately. In other cases the floors and decks are also washed, sterilized or wiped. Typical floor finishing and floor maintenance machines include terrazo grinders, waxing and polishing machines, wet or dry scrubbers, combination scrubbers with water pick-up, drum type sweepers, and scarifying machines. Floor finishing and floor maintenance machines do not include floor sanding machines, or machines specifically designed for manipulating wet cement.

(k) *Delivery of industrial vacuum cleaners, portable rug scrubbing machines, and some floor finishing and floor maintenance machines is restricted.* New industrial vacuum cleaners, new portable rug scrubbing machines, new drum type floor finishing and floor maintenance machines making a six-inch path or wider, and new disk type floor finishing and floor maintenance machines making a ten-inch path or wider, may be delivered only under the following circumstances:

Delivery may be made to anyone whose order has been approved by the War Production Board on Form WPB-1843 before May 16, 1944, or on Form WPB-1319.

Delivery may also be made to any manufacturer or dealer who needs an industrial vacuum cleaner or other restricted machine to fill a specific order, or part of a specific order, which has been approved on Form WPB-1843 before May 16, 1944, or on Form WPB-1319.

(l) *How to get an order approved for delivery.* Those who want to get their orders approved for delivery should apply on Form WPB-1319 to the War Production Board, Service Equipment Division, Washington 25, D. C.: Ref. L-222. The instructions for the use of the form must be carefully followed; otherwise, the application will not be considered by the War Production Board. Copies of this form and the instructions can be obtained from the nearest field office of the War Production Board.

(m) *How to use a Form WPB-1843 or a Form WPB-1319 after approval is given.* If the War Production Board approves an order on Form WPB-1843 or Form WPB-1319, the form on which approval is given will be returned to the applicant, who must then give the form to the person delivering the equipment before the delivery is made. Only the supplier named in the form may deliver the equipment. Moreover, unless the form is given to the supplier within thirty days after the date on which the delivery was officially approved, the War Production Board's approval of the delivery is automatically withdrawn.

(n) *Production of industrial vacuum cleaners, portable rug scrubbing machines, and floor finishing and floor maintenance machines is limited.* The production of portable rug scrubbing machines is prohibited. The production of industrial vacuum cleaners and floor finishing and floor maintenance machines is forbidden, except to the following extent: A person may produce industrial vacuum cleaners, and floor finishing and floor maintenace machines, to fill orders approved by the War Production Board. In addition, a person may produce and maintain a stock of new industrial vacuum cleaners and floor finishing and floor maintenance machines of the sizes restricted under paragraph (k) numbering up to 15 percent of the total number of these machines shipped from his factory during the calendar year 1941.

Restricted industrial vacuum cleaners and floor machines produced before 1944 are not to be counted as part of this stock, but must be held as a stock pile to fill orders approved by the War Production Board just for delivery from that supply. A person may not produce a machine to fill an order approved for delivery only from the stock pile, nor may he produce a machine to replace one taken from the stock pile to fill an approved order.

In approving orders, and in processing applications for priorities assistance on Form CMP-4B, the War Production Board will be guided by the policy that the total production of the entire industry must not exceed the approved War Production Board program for these products, and that the production in any one plant, or labor requirements therefor, must not interfere with war production in that plant or in any other plant located in the same area.

General Provisions

(o) *Production of supplies and repair parts is not limited.* This order does not limit the production of supplies and repair parts for equipment controlled under this order.

(p) *Applicability of other orders and regulations.* This order, and all transactions affected by it, are subject to all applicable provisions of other orders and regulations of the War Production Board as amended from time to time.

(q) *Reports on Form WPB-3495 by producers of blowers are required monthly.* Before the 15th of each month, every person in the business of producing blowers must send to the War Production Board a report on Form WPB-3495. This reporting requirement has the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) *Miscellaneous reports.* Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, each person affected by this order must execute and file with the War Production Board whatever reports, information, and answers to questionnaires the War Production Board from time to time requests.

(s) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(t) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce any floorsanding machines or portable rug scrubbing machines may apply for permission to do so as explained in Priorities Regulation 25. Application for permission may also be made as explained in that regulation by any person who wants to produce more blowers than are authorized under paragraph (f) (including a person who has no such authorization), or by any person who wants to produce or maintain a stock of more industrial vacuum cleaners or floorfinishing and floor maintenance machines than are permitted under paragraph (n) (including a person who made no shipments in 1941). A person may still, of course, apply for authority to produce blowers under paragraph (f) if he desires. The delivery restrictions in this order continue to apply to all production authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (c), (f) and (n) should be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (c), (f) or (n).

(u) *Communications to War Production Board.* All reports required by this order, and all communications concerning its provisions should be addressed to: War Production Board, Service Equipment Division, Washington 25, D. C.: Ref. L-222.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13408; Filed, Sept. 1, 1944; 11:27 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-606, Stay of Execution]

DEMAMBRO RADIO SUPPLY CO.

Joseph A. DeMambro, doing business as DeMambro Radio Supply Company at 1111 Commonwealth Avenue, Boston, Massachusetts, has appealed from the provisions of Suspension Order No. S-606, issued August 23, 1944, (§ 1010.606) and has requested a stay on the ground that irreparable harm would be done its business if the Suspension Order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the Suspension Order be stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner. In view of the foregoing, *It is hereby ordered, That:*

The provisions of Suspension Order No. S-606, issued August 23, 1944 and effective August 30, 1944, are hereby stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13334; Filed, August 31, 1944; 4:16 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 6]

DELIVERIES OF CERTAIN LOW GRADE LUMBER ON UNCERTIFIED AND UNRATED ORDERS

The following direction is issued pursuant to Order L-335:

(a) *What this direction does.* This direction permits a lumber supplier to deliver certain types of lumber on uncertified orders provided such delivery does not interfere with the filing of certified orders. Receipt of such lumber on uncertified orders is also authorized.

(b) *Delivery and receipt of graded lumber.* Any lumber supplier who accumulates Number 4 or lower grades of Douglas fir, Number 4 or lower grades of Southern yellow pine, Number 4 or lower grades of Western hemlock, Number 3 or lower grades of hardwood (all species), Number 4 or lower grades of Western red cedar, or Number 4 or lower grades of Sitka spruce, and who has not been offered certified orders for such lumber is authorized to deliver that lumber on uncertified and unrated orders to any person. Any lumber distributor may place uncertified and unrated orders with his lumber supplier to obtain such lumber and may deliver such lumber to his customers on uncertified and unrated orders after it has been received by him provided the lumber is placed in transit by his supplier prior to October 1, 1944. No sawmill may place lumber in transit to fill an uncertified order after September 30, 1944 except as is permitted by Directions 1 to 5 inclusive and Direction 7 to Order L-335. Receipts of any of this lumber on uncertified and unrated orders by a Class I consumer need not be charged against the amount of lumber that he has been authorized to receive in the third or fourth quarter on Form WPB-3640. No person may deliver and no person may receive ungraded lumber under the provisions of this direction except as provided in paragraph (c).

(c) *Deliveries and receipts of culls and rejects.* Any lumber supplier may deliver culls and rejects on uncertified and unrated orders, and any lumber distributor or consumer may receive culls and rejects. However, no lumber may be treated as cull or reject under this direction if the supplier charges more than 75 percent of the price allowed him by the Office of Price Administration for the lowest standard grade of the same species. A Class I consumer need not charge receipt of such lumber against the amount he is authorized to receive in a particular quarter on Form WPB-3640.

(d) *Directions 1 to 5 inclusive and Direction 8.* Deliveries and receipts of lumber to the extent permitted by this direction are authorized notwithstanding the provisions of Direction 1 to 5 inclusive and the provisions of Direction 8.

Issued this 31st day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13333; Filed, August 31, 1944; 4:15 p. m.]

Chapter XI—Office of Price Administration

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Amdt. 33]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In § 1341.583 (b) (7) a new sentence is added to the second undesignated paragraph, as follows: "In addition, sales by processors whose factories are located in Michigan, New York, Pennsylvania or Virginia to government procurement agencies of pureed peaches prepared in those factories from Yellow Clingstone or Yellow Freestone type, washed, trimmed, pitted, pre-heated and screened or otherwise pulped, packed in No. 10 cans, in which the product occupies not less than 90% of the total volume capacity of the container, are not subject to maximum prices."

This amendment shall become effective September 1, 1944.

Issued this 1st day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13417; Filed, Sept. 1, 1944; 11:46 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16806, 17224, 17295, 17482; 9 F.R. 267, 96, 1710, 2287, 4849, 5075, 6109, 7503, 7833, 8144.

PART 1374—FURS

[MPR 558]

AUSTRALIAN AND NEW ZEALAND RABBIT SKINS AND HATTERS' FUR

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MPR 553—AUSTRALIAN AND NEW ZEALAND RABBIT SKINS AND HATTERS' FUR

Sec.
1. Sales of rabbit skins or hatters' fur at higher than maximum prices prohibited.
2. To what products, transactions and geographical areas this regulation applies.
3. Definitions.
4. Relation to other maximum price regulations.
5. Maximum prices for raw rabbit skins.
6. Maximum prices for dressed rabbit skins.
7. Maximum prices for dressed and dyed rabbit skins.
8. Maximum prices for sorted lots of dressed or dressed and dyed rabbit skins.
9. Maximum prices for rabbit skins sold by a manufacturer.
10. Maximum prices for hatters' fur.
11. Invoices.
12. Records.
13. Prohibitions.
14. Licensing.
15. Enforcement.
16. Petitions for amendment.
17. Adjustable pricing.

Appendix A: Maximum purchase prices for Australian and New Zealand raw rabbit skins.

Appendix B: Maximum prices for hatters' fur.

AUTHORITY: Secs. 1 to 17, inclusive (§ 1374.-3), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of rabbit skins or hatters' fur at higher than maximum prices prohibited.* (a) On and after September 6, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person, in the course of trade or business, shall buy or receive any rabbit skins or hatters' fur covered by this regulation at prices higher than the maximum prices established by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *To what products, transactions and geographical areas this regulation applies*—(a) *What products and transactions are covered by this regulation.* This regulation applies to all sales, purchases and deliveries of raw rabbit skins imported or to be imported from Australia and New Zealand, to all sales, purchases and deliveries of such skins, dressed or dressed and dyed, and to all sales, purchases and deliveries of hatters' fur of the grades listed in Appendix B made from such skins.

(b) *What geographical areas are covered.* This regulation applies to the continental United States, but not to the territories and possessions of the United States.

(c) *Export sales.* The maximum prices at which a person may export rabbit skins or hatters' fur covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation,[1] issued by the Office of Price Administration.

SEC. 3. *Definitions.* The definition in § 1499.20 of the General Maximum Price Regulation[2] shall apply to the terms used in this regulation, to the extent that they are not inconsistent with the definitions set forth in this section.

(a) *Rabbit skins.* The term "rabbit skins" includes raw, dressed, and dressed and dyed rabbit skins.

(b) *Raw rabbit skins.* The term "raw rabbit skins" means the undressed or untanned skins of rabbits pelted in Australia or New Zealand and imported or to be imported into the continental United States.

(c) *Dressed or dressed and dyed rabbit skins.* The term "dressed or dressed and dyed rabbit skins" means raw rabbit skins which have been processed with the hair on and made suitable for use in the manufacture of commodities such as fur garments, fur trimmings, gloves, toys, slippers, etc.

(d) *Hatters' fur.* The term "hatters' fur" means the fur removed from raw rabbit skins, as defined in paragraph (b) of this section, suitable for use in the manufacture of fur felt for hats.

(e) *Primary dealer.* The term "primary dealer" means any person who purchases raw rabbit skins from a foreign seller or his agent either before or after the arrival of such skins in the continental United States and who sells them raw, dressed or dressed and dyed.

(f) *Secondary dealer.* The term "secondary dealer" means any person, other than a manufacturer, who purchases for resale rabbit skins which have been sold by a primary dealer.

(g) *Manufacturer.* The term "manufacturer" means any person who purchases rabbit skins for use in the manufacture of commodities such as fur garments, fur trimmings, hats, gloves, toys, slippers, etc.

[1] 8 F.R. 4132, 8967, 7662, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201.
[2] 9 F.R. 1368, 8169, 8196, 8199.

SEC. 4. *Relation to other maximum price regulations.* This regulation shall apply, and the General Maximum Price Regulation, Revised Supplementary Regulation 14 thereto, Maximum Price Regulation 541[3] and the Maximum Import Price Regulation[4] shall not apply to all rabbit skins and hatters' fur covered by this regulation, except that rabbit skins purchased by a primary or secondary dealer on or before July 7, 1944 may be sold and delivered by the primary or secondary dealer at his applicable maximum price determined under the General Maximum Price Regulation up to and including December 1, 1944: *Provided*, That such purchases are evidenced by a written contract or other written evidence of purchase and that, on or before October 6, 1944 a report signed by the primary or secondary dealer is filed in duplicate with the Consumer Goods Price Division of the Office of Price Administration, Washington 25, D. C., attaching a copy of each contract or other written evidence of each purchase and stating the following information to the extent that it is not disclosed in such contracts or other written evidence:

(a) The name and address of the seller and whether he is a primary or secondary dealer;

(b) The date of each purchase;

(c) The quantity and assortment or grade of raw, dressed, and dressed and dyed rabbit skins, stated separately, in inventory on July 7, 1944;

(d) The quantity and assortment or grade of raw, dressed, and dressed and dyed rabbit skins, stated separately, to be received after July 7, 1944, including the name and address of each person from whom the rabbit skins were purchased; and

(e) The seller's maximum prices under the General Maximum Price Regulation and the maximum prices under this regulation for the rabbit skins covered by this report.

SEC. 5. *Maximum prices for raw rabbit skins*—(a) *Maximum prices for raw rabbit skins purchased from a foreign seller.* The maximum prices at which any person may purchase raw rabbit skins from a foreign seller or his agent, before or after their arrival in the continental United States, are set forth in Appendix A of this regulation.

(b) *Maximum prices for raw rabbit skins sold by primary or secondary dealers.* The maximum prices for sales or deliveries of raw rabbit skins by primary or secondary dealers shall be the sum of: (i) The applicable maximum price for the raw rabbit skins set forth in Appendix A of this regulation, (ii) freight, including inland freight from port of entry, bank commissions, bank cable charges, customs brokerage, cartage, and marine and war risk insurance premiums actually paid; and (iii) a markup of 10% of the total of items (i) and (ii) of this paragraph.

SEC. 6. *Maximum prices for dressed rabbit skins*—(a) *Maximum prices for dressed rabbit skins sold by primary dealers.* The maximum prices for sales or deliveries of dressed rabbit skins by primary dealers shall be the sum of: (i) The applicable maximum price for the raw rabbit skins set forth in Appendix A of this regulation, (ii) freight, including inland freight from port of entry, bank commissions, bank cable charges, customs brokerage, cartage, and marine and war risk insurance premiums actually paid, (iii) the actual cost of dressing the raw rabbit skins, and (iv) a markup of 15% of the total of items (i), (ii) and (iii) of this paragraph.

(b) *Maximum prices for dressed rabbit skins sold by secondary dealers.* The maximum prices for sales or deliveries of dressed rabbit skins by secondary dealers, whether purchased by the secondary dealer in a raw or dressed condition, shall be the sum of: (i) The applicable maximum price for the raw rabbit skins set forth in Appendix A of this regulation, (ii) freight, including inland freight from port of entry, bank commissions, bank cable charges, customs brokerage, cartage, and marine and war risk insurance premiums actually paid, (iii) the actual cost of dressing the raw rabbit skins, and (iv) a markup of 20% of the total of items (i), (ii) and (iii) of this paragraph.

SEC. 7. *Maximum prices for dressed and dyed rabbit skins*—(a) *Maximum prices for dressed and dyed rabbit skins sold by primary dealers.* The maximum prices for sales or deliveries of dressed and dyed rabbit skins by primary dealers shall be the sum of: (i) The applicable maximum price for the raw rabbit skins set forth in Appendix A of this regulation, (ii) freight, including inland freight from port of entry, bank commissions, bank cable charges, customs brokerage, cartage, and marine and war risk insurance premiums actually paid, (iii) the actual cost of dressing the raw rabbit skins, and (iv) a markup of 25% of the total of items (i), (ii) and (iii) of this paragraph.

(b) *Maximum prices for dressed and dyed rabbit skins sold by secondary dealers.* The maximum prices for sales or deliveries of dressed and dyed rabbit skins by secondary dealers shall be the sum of: (i) The applicable maximum price for the raw rabbit skins set forth in Appendix A of this regulation, (ii) freight, including inland freight from port of entry, bank commissions, bank cable charges, customs brokerage, cartage, and marine and war risk insurance premiums actually paid, (iii) the actual cost of dressing and dyeing the raw rabbit skins, and (iv) a markup of 25% of the total of items (i), (ii) and (iii) of this paragraph.

SEC. 8. *Maximum prices for sorted lots of dressed or dressed and dyed rabbit skins.* The maximum price for the sale or delivery of a particular grade of dressed or dressed and dyed rabbit skins sorted out of a lot of dressed or dressed and dyed rabbit skins shall be the applicable maximum price for the unsorted lot, as determined under section 6 or 7 of this regulation, increased by 10%. However, the total sum received for all

[3] 9 F.R. 6565.
[4] 8 F.R. 11691, 12997; 9 F.R. 2260, 7504, 8062.

the skins in the lot may not exceed the applicable maximum price for the entire lot if it were sold on an unsorted basis.

SEC. 9. *Maximum prices for rabbit skins sold by a manufacturer.* The maximum prices for sales or deliveries of rabbit skins by a manufacturer shall be the sum of (a) his actual delivered cost of the rabbit skins (not to exceed the applicable maximum price), and (b) if the rabbit skins are dressed or dressed and dyed, the actual cost to the manufacturer of dressing or dressing and dyeing the raw rabbit skins.

SEC. 10. *Maximum prices for hatters' fur.* The maximum prices at which any person may sell, purchase or deliver hatters' fur are set forth in Appendix B of this regulation.

SEC. 11. *Invoices*—(a) *Raw rabbit skins.* Every primary dealer, secondary dealer and manufacturer shall, in connection with each sale or delivery of raw rabbit skins, deliver to the purchaser an invoice showing:

(1) The date of sale;
(2) The name and address of the seller and purchaser;
(3) The shipping terms, if any;
(4) The terms of sale;
(5) A description of the raw rabbit skins, as follows:
(i) The number of bales,
(ii) The number of each bale,
(iii) The foreign shipper's mark on each bale,
(iv) The grade or grades in each bale,
(v) The foreign shipper's net weight of each bale and, where there is more than one grade in a bale, the foreign shipper's net weight of each grade; and
(6) The selling price and, in the case of a sale to a secondary dealer, the maximum price for each grade in each bale.

(b) Dressed or dressed and dyed rabbit skins. Every primary dealer, secondary dealer and manufacturer shall, in connection with each sale or delivery of dressed or dressed and dyed rabbit skins, deliver to the purchaser an invoice showing:

(1) The date of sale;
(2) The name and address of the seller and purchaser;
(3) The shipping terms, if any;
(4) The terms of sale;
(5) A description of the dressed or dressed and dyed rabbit skins, as follows:
(i) The seller's identifying lot number or numbers,
(ii) The kinds and, where sold in graded lots, the grades of dressed rabbit skins, and the quantity of each kind and grade,
(iii) The kinds and, where sold in graded lots, the grades of dressed and dyed rabbit skins, and the quantity of each kind and grade of dressed and dyed rabbit skins, and the dyer's name or trade mark identifying the dye process; and
(6) The selling price and, in the case of a sale to a secondary dealer, the maximum price for each kind and, where sold in graded lots, for each grade of dressed and dyed rabbit skins.

(c) *Hatters' fur.* Every seller shall, in connection with each sale or delivery of hatters' fur, deliver to the purchaser an invoice showing:

(1) The date of sale;
(2) The name and address of the seller and purchaser;
(3) The shipping terms, if any;
(4) The terms of sale;
(5) A description of the hatters' fur, as follows:
(i) The seller's identifying lot number or numbers, and
(ii) The grade and quantity of each grade; and
(6) The selling price for each grade.

SEC. 12. *Records*—(a) *Current records.* Every primary or secondary dealer in rabbit skins, every manufacturer and every seller of hatters' fur must keep a duplicate of the invoice delivered by him in connection with every sale or delivery of rabbit skins or hatters' fur, and every purchaser, in the course of trade or business, must keep the invoice received by him in connection with every purchase of rabbit skins or hatters' fur for which a maximum price is established by this regulation. Such invoices must contain the information required by section 11. In addition, every primary or secondary dealer, every manufacturer, and every seller of hatters' fur must record on his retained duplicate invoice of sale the name and address of the person or persons from whom he purchased the rabbit skins or hatters' fur sold and the purchase invoice or other purchase record number or numbers covering such purchases by the seller. When a lot of rabbit skins or hatters' fur is assigned a new lot number or numbers covering such purchases by the seller, either by reason of processing or otherwise, the primary or secondary dealer, manufacturer, or seller of hatters' fur must maintain records of such change of number referring to the former lot number or numbers.

(b) *Dressed rabbit skins.* In addition to the records required under paragraph (a) of this section, every primary dealer, secondary dealer and manufacturer who dresses raw rabbit skins or has them dressed for his account must keep records which will show with respect to each lot:

(1) The name and address of the dresser;
(2) The number of raw skins dressed;
(3) The net weight of the raw skins;
(4) The actual cost of dressing;
(5) The identifying number of each dressed lot; and
(6) The number of rejected skins in each dressed lot.

(c) *Dyed or dressed and dyed rabbit skins.* In addition to the records required under paragraph (a) of this section, every primary dealer, secondary dealer and manufacturer who dyes or dresses and dyes rabbit skins or has them dyed or dressed and dyed for his account must keep records which will show with respect to each lot:

(1) The name and address of the dyer or dresser and dyer;
(2) The net weight of the raw skins dressed and dyed;
(3) The number of raw skins dressed and dyed and the number of dressed skins dyed;
(4) The actual cost of dyeing or dressing and dyeing;
(5) The identifying number of each dyed or dressed and dyed lot;
(6) The number of skins on which there was no charge for dyeing or dressing and dyeing.

SEC. 13. *Prohibitions.* (a) No person shall make a sale of rabbit skins or hatters' fur which is conditioned, directly or indirectly, on the purchase of any other commodity or service.

(b) No person shall, for the purpose of evading the price limitations set forth in this regulation, sell, purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with the seller. No person shall do any other act which, directly or indirectly, increases the consideration paid for any rabbit skins or hatters' fur. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying agreements, trade understandings and all similar practices.

(c) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by this section.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price regulations. A person may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. *Enforcement.* Any person who does any act, or fails to do any act, in violation of this regulation is subject to the criminal penalties, civil enforcement suits, suits for treble damages and proceedings for the suspension of license provided by the Emergency Price Control Act of 1942, as amended.

SEC. 16. *Petitions for amendment.* Any person seeking a modification of any provisions of this Maximum Price Regulation No. 553 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[2] issued by the Office of Price Administration.

SEC. 17. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authoriza-

[1] 8 F.R. 13240.
[2] 7 F.R. 8961; 8 F.R. 3313, 3513, 6173, 11585; 9 F.R. 1504, 3073.

tion may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by the official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

APPENDIX A—MAXIMUM PURCHASE PRICES FOR AUSTRALIAN AND NEW ZEALAND RAW RABBIT SKINS

The prices listed below are the maximum purchase prices for the specified grades of raw rabbit skins, f. o. b. Australian or New Zealand port of shipment, including all export taxes. The maximum purchase price for any grade of raw rabbit skins not specifically listed in this section shall be a price in line with the maximum price for the nearest related grade of raw rabbit skins listed, making adjustments downward to reflect customary differentials between such grades (including geographical origin and section) in accordance with the purchaser's established practice.

(a) *Australian raw rabbit skins*—(1) *Maximum purchase prices for sleeved grades of raw rabbit skins of New South Wales (Sydney) and Tasmania origin.*

Grade:	Price (Per pound, net weight)
1st winter pelt	$2.47
2d winter pelt	2.31
1st winter	2.28
2d winter	2.14
1st incoming pelt	2.23
2d incoming pelt	2.09
1st incoming	2.06
2d incoming	1.95
Autum pelt	1.90
Autumn	1.68
Rack pelt	1.52
Rack	1.52
1st milky	1.85
2d milky	1.71
3d milky	1.52
4th milky	1.19
5th milky	1.00
¾ grown	1.33
½ grown	1.14
Kittens	.83
1st damaged	1.57
2d damaged	1.43
3d damaged	1.24
4th damaged	1.00
5th damaged	.90

(2) *Maximum purchase prices for butcher grades of New South Wales (Sydney) and Tasmania origin.* The maximum purchase prices for butcher grades of raw rabbit skins of New South Wales (Sydney) and Tasmania origin shall be 80% of the maximum purchase prices set forth in (1), above for the corresponding sleeved grades.

(3) *Maximum purchase prices for raw rabbit skins of Victoria (Melbourne) origin.* The maximum purchase prices for sleeved grades of raw rabbit skins of Victoria (Melbourne) origin shall be 90% of the maximum purchase prices set forth in (1), above. The maximum purchase prices for butcher grades of such rabbit skins shall be 80% of the maximum purchase prices for sleeved grades, determined under this subparagraph.

(4) *Maximum purchase prices for raw rabbit skins of South Australia (Adelaide) origin.* The maximum purchase prices for sleeved grades of raw rabbit skins of South Australia (Adelaide) origin shall be 85% of the maximum purchase prices set forth in (1), above. The maximum purchase prices for butcher grades of such rabbit skins shall be 80% of the maximum purchase prices for sleeved grades, determined under this subparagraph.

(5) *Maximum purchase prices for Australian raw rabbit skins purchased on an ungraded basis.* The maximum purchase prices for Australian raw rabbit skins purchased on an ungraded basis, or otherwise lacking description as to grade, country or region of origin, shall be $.56 per pound, net weight.

(b) *New Zealand raw rabbit skins*—(1) *Maximum purchase prices for sleeved grades of New Zealand raw rabbit skins.*

Grade:	Price (per pound, net weight)
1st winter buck	$2.57
1st early winter buck	2.47
2d winter buck	2.33
2d early winter buck	2.23
Spotty winter buck	2.14
1st late winter buck	1.95
1st spring buck	1.62
1st winter doe	2.42
1st early winter doe	2.33
2d winter doe	2.19
2d early winter doe	2.00
Spotty winter doe	1.90
1st late winter doe	1.71
1st spring doe	1.33
1st incoming	2.23
2d incoming	2.04
1st late autumn	2.04
1st early autumn	1.71
Dawny autumn	1.47
Prime and light rack	1.43
Summer buck and doe	1.05
Runner	.95
Sucker	.76
1st winter broken	1.47
2d broken	1.33
3d broken	1.05
Summer broken	.90
1st milky	1.33
2d milky	1.19
3d milky	.95

(2) *Maximum prices for bloodstained and crutch-gutted grades of New Zealand raw rabbit skins.* The maximum purchase prices for bloodstained and crutch-gutted grades of New Zealand raw rabbit skins shall be 85% of the maximum purchase prices for the corresponding sleeved grades set forth in subparagraph (1) of this paragraph.

(3) *Maximum purchase prices for New Zealand raw rabbit skins purchased on an ungraded basis.* The maximum purchase prices for New Zealand raw rabbit skins purchased on an ungraded basis, or otherwise lacking description as to grade, country or region of origin, shall be $0.65 per pound, net weight.

APPENDIX B—MAXIMUM PRICES FOR HATTERS' FUR

The maximum prices for sales, deliveries or purchases of hatters' fur are set forth below:

Grade of fur:	Price per pound, f. o b. seller's shipping point
Entire	$8.00
Unpulled	5.00

The above maximum prices for hatters' fur are subject to a discount of 8% for payment within 60 days.

This regulation shall become effective September 6, 1944.

NOTE: The reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13419; Filed, Sept. 1, 1944; 11:45 a. m.]

PART 1377—WOODEN CONTAINERS

[MPR 481,[1] Amdt. 6]

SLACK COOPERAGE AND COOPERAGE STOCK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 481 is amended in the following respects:

1. Section 3 (b) is amended to read as follows:

(b) *Products covered.* The term "slack staves" as used in this regulation includes all hardwood knife-cut and jointed and all softwood and hardwood staves sawed on a parallel sided drum saw and produced in any of the following states: Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont or Virginia.

The term "slack heading," as used in this regulation, includes slack heading 12¾" through 24" in diameter sawed from softwood or hardwood, kiln-dried and circled, and produced in any of the states listed in the preceding paragraph.

The term "slack cooperage," as used in this regulation, includes any barrel, keg, tub, bucket, pail or kit made entirely or partially from the staves and heading covered by this regulation.

The term "wood hoops," as used in this regulation, includes all knife-cut beveled barrel or keg hoops and headliners and rived or split hoops made of wood and produced in any of the states listed above.

2. In section 4 (a), the text preceding the tables is amended to read as follows:

(a) *Factory or mill sales.* In direct factory sales of more than 6,000 pounds, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railhead, for slack cooperage stock are shown below.

(1) Staves and heading produced in the following states: Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia or West Virginia.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14312, 16790; 9 F.R. 2946, 3512, 4966, 8815, 8931.

Knife-cut, beveled, wood hoops and headliners produced in Arkansas, Louisiana, Indiana, or Ohio.

3. A new subparagraph, designated (2) is added at the end of section 4 (a) to read as follows:

(2) For staves, heading and knife-cut, beveled wood hoops and headliners produced in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island or Vermont and for rived or split wood hoops produced in any state listed in section 3 (b) of this regulation, the maximum prices, f. o. b. mill or railhead, shall be those established under the general maximum price regulation.

4. Section 5 (a) is amended to read as follows:

(a) *Factory or mill sales.* (1) The maximum f. o. b. factory price of any slack barrel or keg made entirely or partially of staves and heading produced in the states of Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia or West Virginia shall be the producer's f. o. b. factory price as established by the general maximum price regulation for the same barrel to a purchaser of the same class plus actual increase in the cost of the materials used in the barrel, plus 5 cents per barrel.

(2) The maximum prices for kegs and barrels made entirely or partially of stock produced in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island or Vermont and for tubs, buckets, pails or kits made of any stock covered by this regulation shall be the prices established under the general maximum price regulation.

This amendment shall become effective September 6, 1944.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13420; Filed, Sept. 1, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 13 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (h) is added to read as follows:

(h) Spare stamp numbered "25" in War Ration Book IV is good for ten points in all counties in the State of Washington, in all counties in the State of Oregon except in Malheur county, and in the counties of Boundary, Bonner, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce, Lewis, and Idaho in the State of Idaho. It may be used by consumers in that area from September 3, 1944 to 12:01 a. m. October 22, 1944, only to acquire lamb. If received from a consumer in that way, it may be used within that area by a person, other than a consumer, who does not have a ration bank account within that area, for a transfer of any food covered by Revised Ration Order 16 or for exchange at a board within that area for certificates or ration coupons valid for foods covered by Revised Ration Order 16. However, it may not be so used for transfer or exchange after November 21, 1944. Also, it may be used by a person, other than a consumer, who has a ration bank account within that area, for deposit in that account in the same way as a ten point red stamp. However, it may not be used for deposit after December 1, 1944.

This amendment shall become effective September 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 31st day of August 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-13337; Filed, August 31, 1944; 4:18 p. m.]

[1] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Amdt. 49]

GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respect:

1. Section 25, Table 10 is amended by changing the prices of the following items and by eliminating the price "to wholesaler" of Corn, fancy golden sweet, cream style, "Snider" to read as follows:

Items and brand names	Unit	Price at wholesale	Retail price (per unit)
Beans, Pinto, Capo	cs. 24/#2 can	$2.90	$0.15
Corn, fancy golden sweet, cream style, Snider	cs. 24/#2 can	3.25	.18

2. Section 32, Table 18a is amended by deleting all "La Campana" and "La Sultana" vegetable oil items.

3. Section 32, Table 18b is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

TABLE 18b—MAXIMUM PRICES FOR VEGETABLE OILS BOTTLED IN THE TERRITORY OF PUERTO RICO

Item and brand name	Container, size and unit	At wholesale	At retail (per unit)
All brands	Cs. 4/1 gallon	$8.60	$2.05
	Cs 6/½ gallon	7.00	1.40
	Cs. 12/1 quart	7.20	.75
	Cs. 24/12 ounces	6.20	.32
	Cs. 24/8 ounces	4.50	.23
	Cs. 24/4 ounces	2.95	.15

4. Section 42, Table 331 is amended by changing the prices of one item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Raisins, Bohack	cs. 48/15 oz. pkgs.	$7.00	$0.20

5. Section 42, Table 33m is amended by changing the price of one item to read as follows:

Item and brand name	Unit	Price at wholesale	Retail price (per unit)
Dill pickles, Libby.	cs. 4/105 (96 oz.) glass.	$4.10	$1.25

6. Section 54 is amended in the following respects:

a. Under paragraph (a) *Definitions*, "Group A" is amended to read as follows:

GROUP A

Piece goods, yard goods or pound goods, and all garments with the exception of headwear and footwear and the garments and articles enumerated in Group B or Group C.

b. Under paragraph (a) *Definitions*, "Group B" is amended by deleting the article "quilts".

This amendment shall become effective September 6, 1944.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13421; Filed, Sept. 1, 1944; 11:45 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 54]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Appendix K in Section 15 is amended in the following respects:

1. In Table 1 in paragraph (f), items 9, 10, 11 and 12 are amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 3493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7580, 7425, 7583, 7759, 7774, 7834, 8148, 9066, 9090.

TABLE 1—MAXIMUM PRICES FOR PEACHES

Col. 1	2	3	4	5	6	7
No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices for fruit loaded on car or truck at shipping point	Maximum prices for sales delivered to any wholesale receiving point in any quantity.[2]	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer.[3]
9	Fruit box (WPB L-232 No. 35) with a net weight of not less than 16 pounds and not more than 18 pounds.	Per box	All season	$1.40		Column 6 price plus 40 cents.
10	Standard bushel basket	Per bushel	All season	2.30		Column 6 price plus $1.05.
11	Fruit box (WPB L-232 No. 35) with a net weight of less than 16 pounds, bushel baskets, the contents of which do not meet the requirements of pack specified for standard containers (see paragraph (b) (3) (i)) and peaches graded and packed in any other container.	Per pound	All season	7.5 cents	Price in Col. 5 *plus* freight (including 3% transportation tax) from shipping point and *plus* protective service allowances.[3]	
12	Peaches produced in Montana, Wyoming, Utah, Colorado and New Mexico and sold loose and ungraded (orchard run) in any container [4]; or peaches sold graded in bulk (loose without containers).	Per pound	All season	6.3 cents		Column 6 price plus 2½c cents.

2. In Table A in paragraph (g), Column 3 is amended by deleting the phrase "Fruit box (WPB L-232 No. 35) 17-19 pounds" and substituting the phrase "Fruit box (WPB L-232 No. 35) 16-18 pounds," and by deleting the phrase "fruit boxes (WPB L-232 No. 35) with a net weight of less than 17 pounds or more than 19 pounds" and substituting the phrase "fruit boxes (WPB L-232 No. 35) with a net weight of less than 16 pounds or more than 18 pounds," where those phrases appear under item 1 for the states of Montana, Wyoming, Utah, Colorado, and New Mexico.

3. In Table B in paragraph (g), Column 3 is amended by deleting the phrase "Fruit box (WPB L-232 No. 35) 17-19 pounds" and substituting the phrase "Fruit box (WPB L-232 No. 35) 16-18 pounds", and by deleting the phrase "fruit boxes (WPB L-232 No. 35) with a net weight of less than 17 pounds or more than 19 pounds" and substituting the phrase "fruit boxe (WPB L-232 No. 35) with a net weight of less than 16 pounds or more than 18 pounds", where those phrases appear under item 1 for the states of Montana, Wyoming, Utah, Colorado, and New Mexico.

This amendment shall become effective 12:01 a. m. September 1, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: August 30, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13336; Filed, August 31, 1944; 4:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11[1] to GMPR,[2] Amdt. 53]

EXCEPTIONS FOR CERTAIN SERVICES; CONVERSION OF RAW MATERIALS INTO AVIATION GASOLINE

The statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The first sentence of § 1499.46 (b) (103) is amended to read as follows:

(103) Conversion of raw materials supplied by the customer into synthetic rubber, aviation gasoline of 87 octane rating or higher, or into the components of aviation gasoline of 87 octane rating or higher.

This amendment shall become effective September 6, 1944.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13422; Filed, Sept. 1, 1944; 11:44 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,[3] Amdt. 23]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Table V of section 24 the prices for California under the column Sept. "1944" are amended to read as follows:

State and Producing Area:	September 1944
California:	
Modoc and Siskiyou Counties	2.45
Rest of State	2.60

This amendment shall become effective at 12:01 a. m., September 1, 1944.

Issued this 31st day of August 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: August 30, 1944.

MARVIN JONES,
War Food Administration.

[F. R. Doc. 44-13335; Filed, August 31, 1944; 4:18 p. m.]

[RMPR 271,[1] Amdt. 24]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

A new section 26 is added, to read as follows:

SEC. 26. *Miscellaneous adjustments for crop losses.* (a) In Table V of section 24, the prices for September in the column "1944" are increased by the following amounts:

State	September	
	Sept. 1-15	Sept. 17-30
Indiana	$0.90	$0.45
Illinois	.90	.45
Michigan	.90	.45
Wisconsin	.90	.45
Maine	.90	.45
New Hampshire	.90	.45
Vermont	.90	.45
Massachusetts	.90	.45
Rhode Island	.90	.45
Connecticut	.90	.45
New York, Long Island	.90	.45
New York, rest of state	.90	.45
New Jersey	.90	.45
Pennsylvania	.90	.45
Ohio	.90	.45
West Virginia	.90	.45
Delaware	.90	.45
Maryland	.90	.45
Virginia	.90	.45
Tennessee	.90	.45
Kentucky	.90	.45
Georgia	.90	.45
North Carolina	.90	.45
South Carolina	.90	.45
Other States	0	0

This amendment shall become effective September 1, 1944.

Issued this 1st day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: August 31, 1944.

MARVIN JONES,
War Food Administration.

[F. R. Doc. 44-13418; Filed, Sept. 1, 1944; 11:44 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6426.

[2] 9 F.R. 1385.

[3] 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—SECURITY OF PORTS AND CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

MANNING OF VESSELS IN PORT; GUARDS

Pursuant to the authority contained in section 1, Title II of the Espionage Act, approved June 15, 1917, 40 Stat. 220, as amended by the Act of November 15, 1941, 55 Stat. 763 (U.S.C. Title 50, sec. 191,191a), and by virtue of the Proclamation and Executive Order issued June 27, 1941 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581) respectively, the regulations relating to the control of vessels in the navigable waters of the United States, are hereby amended as follows:

Amend § 6.322 (a) to read as follows:

§ 6.322 *Manning of vessels in port.*

• • •

(a) Self-propelled vessels of 1000 gross tons or over except when "out of service".

(1) A crew of officers and men equivalent to the regular deck and engine room sea watches not including day men.

(2) Among the total number of persons required to be aboard as set forth in (1) there shall be at least:

1 Licensed Deck Officer.
1 Licensed Engineer Officer.
1 Qualified Member of Engine Department (Oiler, Watertender, Fireman).

(3) The remaining persons required to be aboard shall be physically fit to assist in an emergency and it is not necessary that they be seamen.

(4) Men serving on the ship as guards and watchmen may be included to make up the remaining persons required in (3) above.

Amend the first sentence of § 6.331 *When guards shall be used* by inserting a colon after the word "schedule" and by deleting the words "in addition to the crew requirements set forth under the section on manning."

Amend § 6.333 (c) to read as follows:

§ 6.333 *Those who may be guards.*

• • •

(c) Members of the crew when approved by the master or senior deck officer aboard.

RALPH A. BARD,
Acting Secretary of the Navy.

Approved: August 31, 1944.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 44-13399; Filed, Sept. 1, 1944; 11:23 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

COLONIAL PARKWAY LANDS, VIRGINIA

TRANSFER OF JURISDICTION FROM NATIONAL PARK SERVICE TO FEDERAL WORKS AGENCY

Pursuant to the authority contained in the act of Congress approved October 14, 1940 (54 Stat. 1125), entitled "An Act to expedite the provision of Housing in connection with national defense, and for other purposes," as amended, *It is ordered*, That, for the purposes and subject to the conditions hereinafter set forth, jurisdiction over the following described tract of land, comprising a portion of the Colonial Parkway, Colonial National Historical Park, Virginia, administered by the National Park Service, is hereby transferred to the Federal Works Agency:

A strip of land thirty (30) feet in width being fifteen (15) feet on each side of the following described center line:

Beginning at Station 898 plus 76.81, a point in the southerly line of lands of Williamsburg Restoration, Inc., and in the northerly line of lands of the United States (Colonial Parkway); thence S. 37°33' E., 347 feet to Station 902 plus 23.81; thence S. 36°21' E., 179.5 feet to Station 904 plus 03.31, a point in the southerly line of lands of the United States (Colonial Parkway), and in the northerly line of lands of the City of Williamsburg School Board.

The jurisdiction hereby transferred is limited to the use and occupancy of said parkway land necessarily incident to the construction, operation and maintenance of a 39-inch water line across the parkway as a part of the Chickahominy Water Supply Line, a Defense Public Works project to furnish water to the City of Newport News, Virginia, and shall be exercised by the transferee in such manner as not to interfere with the primary use of the land for parkway purposes.

This transfer of jurisdiction is made and accepted subject to the following conditions:

1. That the said water line shall be installed at such depth that the top of the pipe will not be less than three (3) feet below the bottom of the pavement of the parkway. The installation, operation and maintenance of said water line shall be accomplished, without cost or expense to the Department of the Interior, under the general supervision and approval of the Director of the National Park Service or his authorized representative.

2. That the installation, operation and maintenance of said water line shall be accomplished in such manner as not to disturb the pavement or obstruct travel on the parkway.

3. That any settlements or depressions in said road or parkway resulting from such work, and any damages otherwise caused to the Colonial National Historical Park incident to the installation, operation and maintenance of said water line, shall be promptly repaired by the transferee at its expense and all work in connection therewith shall be accomplished subject to the general supervision and approval of the Director of the National Park Service or his authorized representative.

4. That the transferee shall supervise and inspect the water line regularly and shall immediately repair any leaks found therein. Upon making any repairs thereto, the ground and road will be immediately restored by the transferee, in so far as is possible, to the same condition as that in which it existed prior to the commencement of such work. Any landscape feature scarred or damaged by the transferee shall be restored as nearly as possible to its original condition at the expense of the transferee in a manner satisfactory to the Director of the National Park Service or his authorized representative.

5. That said use and occupancy of parkway land shall be subject to such rules and regulations as the Secretary of the Interior or his duly authorized representative may from time to time prescribe for the government of the parkway.

6. That the Department of the Interior shall not be responsible for any injuries to persons or damage to property which may arise incident to the installation, maintenance and operation of said water line and the grantee under any easement granted by the Federal Works Agency covering the land described in this instrument shall save the United States harmless from any and all such claims.

7. That the jurisdiction hereby transferred shall revest in the National Park Service upon a finding by the Secretary of the Interior, after notice to the transferee and after an opportunity for a hearing, that the said transferee has not complied with the foregoing conditions.

8. That in the event of abandonment or non-use of said Colonial Parkway land by the transferee for a period of two (2) consecutive years, the jurisdiction hereby transferred shall automatically revest in the National Park Service.

9. That in the event of the disposal of the water line by the Federal Works Agency, any easement granted in connection therewith by that Agency, under the authority of the act of October 14, 1940, supra, shall be subject to the terms and conditions as set forth in this order of transfer of jurisdiction.

The license issued to the Federal Works Agency on October 7, 1942, for the construction, operation and maintenance of a water line across Colonial Parkway land, is hereby revoked.

Dated: August 22, 1944.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 44-13423; Filed, Sept. 1, 1944; 9:42 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 23—SOUTHWEST REGION NATIONAL WILDLIFE REFUGES

SALT PLAINS NATIONAL WILDLIFE REFUGE, OKLA.; FISHING

Under authority of section 10 of the Migratory Bird Conservation Act, of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.3 of the regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284) the following is hereby ordered:

§ 23.798 *Salt Plains National Wildlife Refuge, Oklahoma; fishing.* Noncommercial fishing is permitted in the waters hereinafter specified of the Salt

Plains National Wildlife Refuge, Oklahoma, in accordance with the laws and regulations of the State of Oklahoma during such times, in such numbers, and in such manner as the Director of the Fish and Wildlife Service may from time to time determine to be appropriate, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), and subject to the following conditions, restrictions, and requirements:

(a) *Waters open to fishing.* The waters of the Salt Plains National Wildlife Refuge lying south and east of a line beginning at the northeast corner of section 9, T. 26 N., R. 9 W. and extending southwest diagonally to the southwest corner of section 17 and thence due south on the section line common to sections 19 and 20 and 29 and 30 all in, T. 26 N., R. 9 W., Indian Meridian, Oklahoma, shall be open to fishing.

(b) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Oklahoma. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law.

(c) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Oklahoma Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Oklahoma Game and Fish Commission or of the Fish and Wildlife Service.

(d) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(e) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing or the use of power boats will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are suitably posted by such officer.

OSCAR L. CHAPMAN,
Assistant Secretary.

AUGUST 29, 1944.

[F. R. Doc. 44-13360; Filed, Sept. 1, 1944; 9:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

EASTERN POWDER, INC.

ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES AND REQUIRING RECORDS TO BE FURNISHED

To: Eastern Powder, Inc., 622 Hospital Trust Building, Providence, Rhode Island.

Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On July 14, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from July 14, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. Your answer dated July 27, 1944, was received on July 29, 1944, and considered. More than 30 days have elapsed since July 14, 1944. You have not requested an oral hearing.

3. All of the accusations against you, which are set out in the specification of charges, are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, September 16, 1944.

2. That prior to midnight, September 16, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or use or destroy all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of or used or destroyed all of the explosives and ingredients of explosives, as required by paragraph 2 of this order, you shall, prior to midnight, September 16, 1944, deliver or mail to A. D. Look, Engineer in Charge, United States Bureau of Mines, 449 Federal Building, Albany 1, New York, a sworn statement of your transactions in and uses and destructions of explosives and ingredients of explosives beginning with the date of this order and ending with the final sale or other disposition or use or destruction of the explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location on the opening of business on the date of this order, the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind manufactured by you and the dates on which manufactured, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses and the numbers and dates of the Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind used by you and the dates on which used, the amount of each kind destroyed by you, the dates on which destroyed, and the places where destroyed.

4. That prior to midnight, September 16, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to A. D. Look, Engineer in Charge, United States Bureau of Mines, 449 Federal Building, Albany 1, New York.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than Five Thousand Dollars ($5,000), or imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 26th day of August 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-13359; Filed, Sept. 1, 1944; 9:41 a. m.]

Office of the Secretary.

[Order 1984]

FORD COLLIERIES AND ROCHESTER AND PITTSBURGH COAL CO.

DELEGATION OF AUTHORITY

Pursuant to the provisions of Executive Order No. 9474 of August 31, 1944, the Solid Fuels Administrator for War, and the Deputy Solid Fuels Administrator for War subject to such supervision and direction as the Administrator shall from time to time determine, are hereby authorized to exercise any and all power, authority and discretion conferred upon the Secretary of the Interior, with respect to the mining properties referred to in Executive Order No. 9474, to the same extent and with the same effect as the said power, authority and discretion may be exercised directly by the Secretary of the Interior.

Dated: August 31, 1944.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 44-13413; Filed, Sept. 1, 1944; 11:42 a. m.]

Solid Fuels Administration for War.

[Order No. 1983]

FORD COLLIERIES AND ROCHESTER AND PITTSBURGH COAL CO.

POSSESSION OF COAL MINES

AUGUST 31, 1944.

Pursuant to the provisions of Executive Order No. 9474 issued by the President of the United States on August 31, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines, collieries and facilities of the Ford Collieries Company, Curtisville, Pennsylvania, and the Rochester and Pittsburgh Coal Company, Indiana, Pennsylvania, and of any and all real and personal property and other assets used in connection with the operation thereof.

The Regulations for the Operation of Coal Mines Under Government Control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this order, except as may be otherwise directed.

Emory M. Ford is hereby designated Operating Manager for the United States for each and all of the mines, collieries and facilities of the Ford Collieries Company, and Heath S. Clark is hereby designated as Operating Manager for the United States for each and all of the mines, collieries and facilities of the Rochester and Pittsburgh Coal Company. As Operating Manager for the United States, each is authorized and directed to operate any and all such respective properties in accordance with aforementioned Regulations for the Operation of Coal Mines Under Government Control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such mines, collieries and facilities, and for the production, distribution and sale of their products.

The Operating Manager for the United States shall forthwith fly the flag of the United States at each such mine, colliery and facility, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States Government possession of the mines, collieries and preparation facilities of this mining company has been taken by Order of the Secretary of the Interior.

HAROLD L. ICKES,
Secretary of the Interior.

Dated: August 31, 1944.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 44-13412; Filed, Sept. 1, 1944; 11:42 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 853]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 21, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	*Amount*
Iowa 5007C2 Marshall	$45,000
Iowa 5009E5 Scott	150,000
Iowa 5031C4 Grundy	50,000
Iowa 5047G6 Franklin	200,000
Minnesota 5015C3 Faribault	25,000
Minnesota 5065D2 Dakota	100,000
Missouri 5023C3 Lewis	250,000
Missouri 5030F1 Lawrence	85,000
Missouri 5034D1 Macon	120,000
Missouri 5042D1 Caldwell	125,000
Missouri 5050C1 Lafayette	120,000
Missouri 5051B1 Nodaway	155,000
New York 5019A2 Otsego	70,000
Oklahoma 5006H1 Caddo	158,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-13329; Filed, August 31, 1944; 3:14 p. m.]

[Administrative Order 854]

ALLOCATION OF FUNDS FOR LOANS [1]

AUGUST 22, 1944.

There is hereby amended:

(a) Administrative Order No. 581, dated May 13, 1941, by changing the project designation therein given as "Arkansas 1032A1 Benton" to read "Arkansas 1032T1 Benton";

(b) Administrative Order No. 626, dated October 8, 1941, by changing the project designation therein given as "Arkansas 2032A2 Benton" to read "Arkansas 2032T3 Benton";

(c) Administrative Order No. 852, dated August 14, 1944, by changing the project designation therein given as "South Carolina 5014S7 Aiken" to read "South Carolina 5045S1 Edgefield";

(d) Administrative Order No. 562, dated March 8, 1941, by changing the project designation therein given as "Texas 1121A1 Brazos" to read "Texas 1121GT1 Brazos";

(e) Administrative Order No. 609, dated July 23, 1941, by changing the project designation therein given as "Texas 2121A2 Brazos" to read "Texas 2121GT2 Brazos";

(f) Administrative Order No. 636, dated November 10, 1941, by changing the project designation therein given as "Texas 2121GT1 Brazos" to read "Texas 2121GT3 Brazos";

(g) Administrative Order No. 785, dated November 3, 1943, by changing the project designation therein given as "Texas 4-3121GT2 Brazos" to read "Texas 4-3121GT4 Brazos."

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-13330; Filed, August 31, 1944; 3:15 p. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-31]

EASTERN MASSACHUSETTS STREET RAILWAY CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Eastern Massachusetts Street Railway Company, Boston, Massachusetts. (Case No. S-1239)

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943 published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Eastern Massachusetts Street Railway Company, Boston, Massachusetts;

I find that the transportation by the Eastern Massachusetts Street Railway Company of United States mails in the State of Massachusetts, pursuant to contract with the United States Post Office Department is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 30th day of August 1944.

D. W. TRACY,
Acting Secretary of Labor.

[F. R. Doc. 44-13414; Filed, Sept. 1, 1944; 11:52 a. m.]

[1] Orders referred to appear at 6 F.R. 2490, 3322, 1438, 3870, 5974; 8 F.R. 15900; 9 F.R. 10660.

CIVIL AERONAUTICS BOARD.

[Docket No. 876, et al.]

ADDITIONAL SERVICE; KETCHIKAN AREA IN SOUTHEASTERN ALASKA

NOTICE OF HEARING

In the matter of the applications (all filed pursuant to section 401 of the Civil Aeronautics Act of 1938, as amended) of:

Ellis Air Transport, Docket No. 876, for authority to conduct certain operations between Ketchikan and Annette Island Air Base via Metlakatla.

Ketchikan Air Service, Docket Nos. 912 and 913, for authority to conduct certain operations between Ketchikan and Edna Bay via intermediate points, and Ketchikan and Tamgass Harbor via Metlakatla and over an irregular route to all points in the First Judicial District of Alaska.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended particularly sections 401 and 1001 of said Act, that a hearing in the above-entitled proceedings is assigned to be held on September 14, 1944 at 10 a. m. at Ketchikan, Alaska, before Examiner Raymond W. Stough.

Dated: Anchorage, Alaska, August 26, 1944.

By the Civil Aeronautics Board.

RAYMOND W. STOUGH,
Director, Alaska Office.

[F. R. Doc. 44-13362; Filed, Sept. 1, 1944; 10:20 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5859]

MINNESOTA BROADCASTING CORP.

ORDER STATING HEARING ISSUES

In re application of Minnesota Broadcasting Corporation (WTCN), Minneapolis, Minnesota, for construction permit. File No. B4-P-2439.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of August, 1944;

The Commission having under consideration the application of Minnesota Broadcasting Corporation (WTCN), Minneapolis, Minnesota, for construction permit (File No. B4-P-2439; Docket No. 5859) and the proceedings held thereon; and

It appearing, that, on January 26, 1944, and subsequent to the hearing held

on said application, the Commission adopted a supplemental statement of policy concerning applications for permits to construct or change radio stations, which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

(1) To determine whether the representations made on behalf of the applicant in its application and the hearing previously held thereon remain in force and effect and are now applicable;

(2) To determine whether a grant of the application of Minnesota Broadcasting Corporation (WTCN) will serve an outstanding public need or national interest;

(3) To determine whether, after due consideration of the policies and orders of the War Production Board and the facts with respect to existence or availability of necessary materials, there is reasonable prospect that the proposed operation in the vicinity in question can be provided for without substantial delay;

(4) To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy concerning applications for permits to construct or change radio stations, dated January 26, 1944; and

(5) To determine whether, in view of the facts shown on all of the issues, public interest, convenience or necessity would be served by the granting of this application, the application of WHB Broadcasting Company (WHB), Kansas City, Missouri (Docket No. 6022) or either of them.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-13393; Filed, Sept. 1, 1944; 10:56 a. m.]

[Docket No. 6022]

WHB BROADCASTING CO.

ORDER STATING HEARING ISSUES

In re application of WHB Broadcasting Company (WHB) Kansas City, Missouri, for construction permit. File No. B4-P-2873.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of August, 1944;

The Commission having under consideration the petitions of WHB Broadcasting Company (WHB), Kansas City, Missouri, for grant of its application for construction permit (File No. B4-P-2873; Docket No. 6022) and the proceedings heretofore on said application; and

It appearing, that, on January 26, 1944, and subsequent to the hearing held on said application, the Commission adopted a supplemental statement of policy concerning applications for permits to construct or change radio stations, which necessarily involves the determination of matters not heretofore specified in the issues in the above-entitled matter;

It is, therefore, ordered, That the record in the above-entitled matter be, and it is hereby, reopened for further hearing on the following issues:

(1) To determine whether the representations made on behalf of the applicant in its application and the hearing previously held thereon remain in force and effect and are now applicable;

(2) To determine whether a grant of the application of WHB Broadcasting Company (WHB) will serve an outstanding public need or national interest;

(3) To determine whether, after due consideration of the policies and order of the War Production Board and the facts with respect to existence or availability of necessary materials, there is reasonable prospect that the proposed operation in the vicinity in question can be provided for without substantial delay;

(4) To determine whether the granting of this application would be consistent with the Commission's supplemental statement of policy concerning applications for permits to construct or change radio stations, dated January 26, 1944; and

(5) To determine whether, in view of the facts shown on all of the issues, public interest, convenience or necessity would be served by the granting of this application, the application of Minnesota Broadcasting Corporation (WTCN), Minneapolis, Minnesota (Docket No. 5859) or either of them.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION.
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-13394; Filed, Sept. 1, 1944; 10:56 a. m.]

[Docket No. 6658]

MISSISSIPPI BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Mississippi Broadcasting Company, Inc. (New); date filed, June 17, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Jackson, Mississippi; operating assignment specified: frequency, 1240 kc; power, 100 watts; hours of operation, unlimited. File No. B3-P-3642.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of Birney Imes, Docket No. 6596 and Mississippi Broadcasting Co., Inc., Docket No. 6659, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the character of service proposed to be rendered by the applicant and whether it will meet the requirements of the populations and areas proposed to be served.

4. To determine the qualifications and character of the personnel who will be employed to operate the proposed station.

5. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of Station WGRM, Greenwood, Mississippi, as well as the areas and populations which would be affected thereby and the nature of other broadcast service available to those areas and populations.

6. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of a new station at Meridian, Mississippi, as proposed in the application of Birney Imes, Jr. (File No. B3-P-3588; Docket No. 6596), as well as the areas and populations which would be affected thereby and the nature of other broadcast service available to those areas and populations.

7. To determine (1) whether the proposed operation would be consistent with the provisions of the rules and regulations of this Commission and the conditions and standards prescribed in the Communications Act of 1934, as amended; (2) the facts concerning the existence or availability of materials necessary to construct and operate the proposed station; and (3) whether there is a reasonable prospect that the proposed operation could be provided for without substantial delay, as required by the Commission's supplemental statement of policy of January 26, 1944.

8. To determine whether the proposed radiating system complies with the standards of good engineering practice, particularly with reference to the height of the vertical lead.

9. To determine whether a grant of the application would constitute a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

10. To determine whether, in view of the facts adduced under the foregoing issues and the issues in Docket No. 6596, public interest, convenience and necessity would be served through the granting of this application, the application of Birney Imes, Jr., or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Mississippi Broadcasting Co., Inc., % D. W. Gavin, P. O. Box 591, Meridian, Mississippi.

Dated at Washington, D. C., August 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-13395; Filed, Sept. 1, 1944; 10:56 a. m.]

[Docket No. 6659]

MISSISSIPPI BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Mississippi Broadcasting Company, Inc. (New); date filed, May 8, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Macon, Mississippi; operating assignment specified: frequency, 1240 kc; power, 250 watts; hours of operation, unlimited. File No. B3-P-3612.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Birney Imes, Docket No. 6596 and Mississippi Broadcasting Co., Inc., Docket No. 6658, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the character of service proposed to be rendered by the applicant, whether it will meet the requirements of the populations and areas proposed to be served, and whether economic support is available for the proposed operation.

4. To determine the qualifications and character of the personnel who will be employed to operate the proposed station.

5. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942 and supplements thereto.

6. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the applicant's proposed station and from the operation of a new station at Meridian, Mississippi, as proposed in the application of Birney Imes, Jr. (File No. B3-P-3588; Docket No. 6596), as well as the areas and populations which would be affected thereby and the nature of other broadcast service available to those areas and populations.

7. To determine whether a grant of the application would constitute a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

8. To determine whether, in view of the facts adduced under the foregoing issues, and the issues in Docket No. 6596, public interest, convenience and necessity would be served through the granting of this application, the application of Birney Imes, Jr., or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Mississippi Broadcasting Co., Inc., % D. W. Gavin, P. O. Box 591, Meridian, Mississippi.

Dated at Washington, D. C., August 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-13396; Filed, Sept. 1, 1944; 10:56 a. m.]

[Docket No. 6660]

EVANSVILLE ON THE AIR, INC.

NOTICE OF HEARING

In re application of Evansville On The Air, Inc. (WGBF); date filed, July 24, 1944; for renewal of license; class of service, broadcast; class of station, broadcast; location, Evansville, Indiana; operating assignment specified: frequency, 1280 kc; power, 1 kw Night, 5 kw Day; hours of operation, unlimited. File No. B4-R-490.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing, for the following reasons:

1. To determine whether Station WGBF renders primary service to a substantial portion of the primary service of Station WEOA.

2. To determine whether Station WEOA renders primary service to a substantial portion of the primary service of Station WGBF.

3. To determine whether a grant of the instant application would be consistent with the provisions of § 3.35 of the Commission's regulations.

4. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Evansville On The Air, Inc., Radio Station WGBF, 519 Vine Street, Evansville, Indiana.

Dated at Washington, D. C., August 28, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-13397; Filed, Sept. 1, 1944; 10:56 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-546]

EMPIRE GAS AND FUEL CO.

ORDER FIXING DATE OF HEARING

AUGUST 31, 1944.

Upon consideration of the application filed May 13, 1944, as supplemented by Empire Gas and Fuel Company, a Pennsylvania corporation having its principal place of business at Wellsville, New York, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, for authority to acquire and operate the following described facilities:

Approximately 8.1 miles of eight-inch line, beginning at a point of connection with the New York State Natural Gas Corporation pipe line at the Carpenter Farm, Hebron Township, Pennsylvania, and extending in a northeasterly direction to connect with applicant's six-inch pipe line at Holmes Junction, Oswayo Township, Potter County, Pennsylvania.

The Commission orders, That:

(a) A public hearing be held commencing on September 12, 1944, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1757 K Street NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(b) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13411; Filed, Sept. 1, 1944; 11:40 a. m.]

[Docket No. G-562]

UNITED NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 31, 1944.

Upon consideration of the application filed July 31, 1944, by United Natural Gas Company, a Pennsylvania corporation having its principal place of business at Oil City, Pennsylvania, for a certificate of public convenience and necessity under Section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 37½ miles of 12¾-inch O. D. pipe line beginning at the point of delivery of gas to it near the Ellwood City compressing station of The Manufacturers Light and Heat Company in Beaver County, Pennsylvania, and extending in a northerly direction to Applicant's Mineral compressing station in Venango County, Pennsylvania; *the Commission orders*, That:

(a) A public hearing be held, commencing on September 11, 1944, at 10 a. m. (e. w. t.) in the hearing room of the Federal Power Commission, 1757 K Street, N. W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(b) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13410; Filed, Sept. 1, 1944; 11:40 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4851]

B. C. REMEDY CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of August A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John P. Bramhall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, September 6, 1944, at ten o'clock in the forenoon of that day (central standard time), in Federal Court Room, Post Office Building, Tuscaloosa, Alabama.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13363; Filed, Sept. 1, 1944; 10:18 a. m.]

[Docket No. 4855]

STANBACK CO., LTD., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of August, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John P. Bramhall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, September 8, 1944, at ten o'clock in the forenoon of that day (central standard time) in Federal Court Room, Post Office Building, Tuscaloosa, Alabama.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law, and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13364; Filed, Sept. 1, 1944; 10:18 a. m.]

[Docket No. 4885]

FRENCO LABORATORIES

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of August, A. D. 1944.

In the matter of Chester D. French, an individual doing business under the name and style of Frenco Laboratories.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereb, is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, October 26, 1944, at ten o'clock in the forenoon of that day (Pacific standard time) in Court Room 479, Department 8, Fourth Floor, City Hall, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13365; Filed, Sept. 1, 1944; 10:18 a. m.]

[Docket No. 4896]

INTERNATIONAL TRADING CORP.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY.

In the matter of International Trading Corporation, a corporation, and George W. Nelson, individually and as president of International Trading Corporation.

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 30th day of August, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 9, 1944, at ten o'clock in the forenoon of that day (Pacific standard time), in Room 117, Federal Office Building, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13366; Filed, Sept. 1, 1944; 10:19 a. m.]

[Docket No. 4904]

SUPER-COLD CORP.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of August, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 23, 1944, at ten o'clock in the forenoon of that day (Pacific standard time), in Court Room 479, Department 8, Fourth Floor, City Hall, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13367; Filed, Sept. 1, 1944; 10:19 a. m.]

[Docket No. 4944]

SUPERSILT MFG. CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of August A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 2, 1944, at ten o'clock in the forenoon of that day (Pacific standard time), in room 528, New United States Court House, Portland, Oregon.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13368; Filed, Sept. 1, 1944; 10:19 a. m.]

[Docket No. 5046]

IMPERIAL CANDY CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of August A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Saturday, October 7, 1944, at two o'clock in the afternoon of that day (Pacific standard time), in room 506, United States Court House, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13369; Filed, Sept. 1, 1944; 10:19 a. m.]

[Docket No. 5064]

R. C. MILLER AND CO., AND MARIE LEIBLINGER AND CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of August, A. D. 1944.

In the matter of R. C. Miller, an individual trading as R. C. Miller and Company, and Marie Leiblinger and Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, November 6, 1944, at ten o'clock in the forenoon of that day (Pacific standard time), in room 203, Federal Building, Pasadena, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13370; Filed, Sept. 1, 1944; 10:19 a. m.]

[Docket No. 5095]

GRAND RAPIDS FURNITURE HOUSE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of August, A. D. 1944.

In the matter of Joseph Fried, an individual, trading and doing business as Grand Rapids Furniture House.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, November 3, 1944, at ten o'clock in the forenoon of that day (Pacific standard time), in room 229, Post Office Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13371; Filed, Sept. 1, 1944; 10:20 a. m.]

[Docket No. 5196]

WASHINGTON BREEDERS ASSN.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of August A. D. 1944.

In the matter of Norman Collins and Roy Montgomery, individuals trading as Washington Breeders Association.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, October 4, 1944, at ten o'clock in the forenoon of that day (Pacific standard time), in room 506, United States Court House, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts, conclusions of facts, conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-13372; Filed, Sept. 1, 1944; 10:20 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4021]

ADOLPH MARCUS

In re: Estate of Adolph Marcus, deceased; File No. D-66-1746; E. T. sec. 10520.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by David Marcus, Esq., 20 Lombardi Street, Newark, New Jersey, Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Betty Feder, Roman, Roumania.
Pess Berkowits, Roman, Roumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Betty Feder and Pess Berkowits, and each of them in and to the estate of Adolph Marcus, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44-13378; Filed, Sept. 1, 1944; 10:40 a. m.]

[Vesting Order 4022]

MARGARET NOTTROTT, ET AL.

In re: United States of America, Plaintiff, vs. Certain Land situate in the City of St. Louis, State of Missouri, in Block 5728, Known as Tract No. 108, and Margaret Nottrott, etc., et al., Defendants; File F-28-15022; E. T. sec. 9834.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by James J. O'Connor, Clerk of the United States District Court, Eastern Judicial District of Missouri, Eastern Division, Depositary, acting under the judicial supervision of the United States District Court, Eastern District of Missouri, Eastern Division;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Margaret Nottrott, also known as Margaret Nottrott Peetz, Germany.
Carl Peetz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of $301.56 in the possession of James J. O'Connor, Clerk of the United States District Court, Eastern Judicial District of Missouri, Eastern Division, as Depositary, and which was ordered paid to the Alien Property Custodian of the United States in an Order of Final Distribution dated April 26, 1944, entered by the United States District Court, Eastern District of Missouri, Eastern Division, in a proceeding entitled United States of America, Plaintiff, vs. Certain Land situate in the City of St. Louis, State of Missouri, in Block 5728, Known as Tract No. 108, and Margaret Nottrott, etc., et al., Defendants,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44-13379; Filed, Sept. 1, 1944; 10:40 a. m.]

[Vesting Order 4023]

AUGUSTE STOLZ OERTEL

In re: Estate of Auguste (Augusta) Stolz Oertel, also known as Augusta Stolz, deceased; File No. D-28-8231; E. T. sec. 9293.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Otto Leiber, 3622 Windsor Avenue, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of Cook County, State of Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Bertha Henagen, Germany.
Gustav Lill, Germany.
Fritz Lill, Germany.
Lina Polenberg (Potenberg), Germany.
Auguste (Augusta) Boettcher nee Midtke, Germany.
Otto Oertel, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bertha Henagen, Gustav Lill, Fritz Lill, Lina Polenberg (Potenberg), Auguste (Augusta) Boettcher nee Midtke, and Otto Oertel, and each of them, in and to the estate of Auguste (Augusta) Stolz Oertel, also known as Augusta Stolz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44-13380; Filed, Sept. 1, 1944; 10:40 a. m.]

[Vesting Order 4024]

HERMAN ROGGE

In re: Estate of Herman Rogge, deceased; File D-28-8812; E. T. sec. 10813.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hermann Rogge, Sr. and Mrs. Hermann Rogge, Sr., and each of them, in and to the Estate of Herman Rogge, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hermann Rogge, Sr., Germany.
Mrs. Hermann Rogge, Sr., Germany.

That such property is in the process of administration by D. B. Gannon, as Administrator of the Estate of Herman Rogge, acting under the judicial supervision of the County Court of Dallas County, Dallas, Texas;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44-13381; Filed, Sept. 1, 1944; 10:40 a. m.]

[Vesting Order 4025]

JULIA ROTHSCHILD

In re: Estate of Julia Rothschild, deceased; File D-28-3734; E. T. sec. 6305.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gus Hirschland, 315 Washington Street, St. Louis, Missouri, Executor, acting under the judicial supervision of the Probate Court of Greene County, Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Segfreid (Segfrid) Feist, Germany.
Clara Feist, Germany.
Malchen Feist Isadore, Germany.
Jennie Feist Kaufman, Germany.
Matilda Feist, Germany.
Leopold Feist, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Segfreid (Segfrid) Feist, Clara Feist, Malchen Feist Isadore, Jennie Feist Kaufman, Matilda Feist and Leopold Feist, and each of them, in and to the estate of Julia Rothschild, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the

Allen Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Allen Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Allen Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13382; Filed, Sept. 1, 1944; 10:41 a. m.]

[Vesting Order 4026]

ERNST RUHNOW

In re: Estate of Ernst Ruhnow, deceased; File D–28–7482; E. T. sec. 7641.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Louise Goltz, 5939 South Troy Street, Chicago, Illinois, Administratrix, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Las Known Address

George Ruhnow, Germany.
Hertha Ruhnow, Germany.
Kathe Ruhnow, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of George Ruhnow, Hertha Ruhnow and Kathe Ruhnow, and each of them, in and to the estate of Ernst Ruhnow, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13383; Filed, Sept. 1, 1944; 10:41 a. m.]

[Vesting Order 4027]

EMILIE SCHMIDT

In re: Trust under the will of Emilie Schmidt, deceased; File D–28–5595; E. T. sec. 1697.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Ida Schmidt and Amanda Kolhaas, and each of them, in and to the trust estate created under the last will and testament of Emilie Schmidt, deceased,

is properly payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ida Schmidt, Germany.
Amanda Kolhaas, Germany.

That such property is in the process of administration by E. T. H. Talmage and Ferdinand Jelke as Trustees acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for the County of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the nationals interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or in the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13384; Filed, Sept. 1, 1944; 10:41 a. m.]

[Vesting Order 4028]

MARY STAGER

In re: Estate of Mary Stager or Miss Mary Stager or Mary A. Stager, deceased; File No. 017–3890.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry M. Stager, as administrator, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Heim Vendelné Steger Julianna (sometimes known as Julia Heim, also known as Vendelni Heim or Vendelné Heim, and known, before marriage, as Julianna Steger), Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Heim Vendelné Steger Julianna (sometimes known as Julia Heim, also known as Vendelni Heim or Vendelné Heim, and known, before marriage, as Julianna Steger) in and to the estate of Mary Stager or Miss Mary Stager or Mary A. Stager, late of Hartford, Connecticut, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13385; Filed, Sept. 1, 1944; 10:41 a. m.]

[Vesting Order 4029]

MATHILDA WIDMANN

In re: Estate of Mathilda Widmann, also known as Mathilde Widmann, deceased; File D–28–2393; E. T. sec. 3368.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anna Kelly, 916 University Boulevard, Mitchell, South Dakota, Executrix, acting under the judicial supervision of the County Court of the State of South Dakota, in and for the County of Davison;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marta Metcher (Melcher), Reutlingen, Waiblinger St. 4 Wurttemberg, Germany.
Berta Engel, Reutlingen, Waiblinger St. 4 Wurttemberg, Germany.
Karl Bosler, Reutlinger, Waiblinger, Garten at 77, Germany.
Mathilde Engel, Reutlingen, Germany.
Gertrude Marlene Metcher, Reutlingen, Germany.
Charlotte Metcher, Reutlingen, Germany.
Alfred Metcher, Munich, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marta Metcher (Melcher), Berta Engel, Karl Bosler, Mathilde Engel, Gertrude Marlene Metcher, Charlotte Metcher, and Alfred Metcher, and each of them, in and to the estate of Mathilda Widmann, also known as Mathilde Widmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13386; Filed, Sept. 1, 1944; 10:42 a. m.]

[Vesting Order 4040]

ANTON JURAN

In re: Estate of Anton Juran, also known as Tony Juran, deceased; File: D–66–1669; E. T. sec. 10225.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jack K. Ransom, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Stanislaus;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Albina Juran, Germany.
Albert Juran, Germany.
Maria Zeleny, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Albina Juran, Albert Juran, and Maria Zeleny, and each of them, in and to the Estate of Anton Juran, also known as Tony Juran, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13387; Filed, Sept. 1, 1944; 10:42 a. m.]

[Vesting Order 4041]

FREDERICK W. RONNAU

In re: Estate of Frederick W. Ronnau, also known as Fred Ronnau, F. W. Ron-

nau, Bill Reno and William Reno, deceased; File D-28-2354; E. T. sec. 3536.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Garibaldi, Administrator, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Sacramento;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Toni D. Ronnau, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Toni D. Ronnau, in and to the estate of Frederick W. Ronnau, also known as Fred Ronnau, F. W. Ronnau, Bill Reno and William Reno, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13388; Filed, Sept. 1, 1944; 10:42 a. m.]

[Vesting Order 4042]

MINNIE RUMMELSBURG

In re: Estate of Minnie Rummelsburg, deceased; File D-28-8605; E. T. sec. 10245.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur H. Rummelsburg and Morris H. Rummelsburg, Executors, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Isadore Rummelsburg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Isadore Rummelsburg, in and to the estate of Minnie Rummelsburg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13389; Filed, Sept. 1, 1944; 10:42 a. m.]

[Vesting Order 4046]

KATHARINE JOHNSON ASHE

In re: Estate of Katharine Johnson Ashe, deceased; File D-28-8872; E. T. sec. 11010.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Olga Beauharnais or her heirs and Xenia Beauharnais or her heirs, and each of them, in and to the Estate of Katharine Johnson Ashe, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Olga Beauharnais or her heirs, Germany.
Xenia Beauharnais or her heirs, Germany.

That such property is in the process of administration by The Exchange National Bank of Colorado Springs as Executor of the Estate of Katharine Johnson Ashe, acting under the judicial supervision of the County Court of El Paso County, State of Colorado;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13390; Filed, Sept. 1, 1944; 10:42 a. m.]

[Vesting Order 4047]

CLAUS DEEDE

In re: Estate of Claus Deede, also known as Charles Deede, deceased; File D-28-4044; E. T. sec. 7009.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Chris Siems, Executor, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Herman Wehrenberg, Germany.
Christopher Deede, Germany.
Maria Schmidt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Herman Wehrenberg, Christopher Deede and Maria Schmidt, and each of them, in and to the Estate of Claus Deede, also known as Charles Deede, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13391; Filed, Sept. 1, 1944; 10:43 a. m.]

[Vesting Order 4048]

GEORGE JACOB DIENSTDORF

In re: Estate of George Jacob Dienstdorf deceased; File D-28-7900; E. T. sec. 8669.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mary Dienstorf, Peter Dienstorf, Elsa Pfeiffer, Minna Pfeiffer and Joseph Dienstorf, and each of them, in and to the estate of George Jacob Dienstdorf, Deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mary Dienstorf, Germany.
Peter Dienstorf, Germany.
Elsa Pfeiffer, Germany.
Minna Pfeiffer, Germany.
Joseph Dienstorf, Germany.

That such property is in the process of administration by Roland Dilg, 6300 Lincoln Avenue, Morton Grove, Illinois, as Executor of the estate of George Jacob Dienstdorf, Deceased, acting under the judicial supervision of the Probate Court, County of Cook, State of Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13392; Filed, Sept. 1, 1944; 10:43 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev.-296]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA, GA., AND BIRMINGHAM, ALA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended,[1] a copy of which plan is attached hereto as Appendix 2,[2] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or

[1] 7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 8357, 8778.

[2] Filed as part of the original document.

bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hoover Motor Express Co., Inc., 415 South 5th Avenue, Nashville, Tennessee.
Great Southern Trucking Co. (a corporation), 1863 Clarkson Street, Jacksonville, Fla.
United Motor Freight Terminal, Inc., 1701 1st Avenue South, Birmingham, Ala.
Jack Cole Co., Inc., 3012 5th Avenue South, Birmingham, Ala.
Deaton Truck Line, Inc., 1022 North 19th Street, Birmingham, Ala.
Howard Hall Co., Inc., 2800 South 2nd Avenue, Birmingham, Ala.

[F. R. Doc. 44-13373; Filed, Sept. 1, 1944; 10:35 a. m.]

[Supp. Order ODT 3, Rev. 299]

COMMON CARRIERS

COORDINATED OPERATIONS IN EASTERN UNITED STATES

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyound the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

[1] Filed as part of the original document.

This order shall become effective September 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Chernock Transfer Co., Inc., 2014 North Charles Street, Baltimore, Md.

William J. Teal, doing business as Apex Universal Van Service, 2547 Pennsylvania Avenue, Baltimore, Md.

Carl F. Weber, doing business as Weber's Van & Storage Co., 7820 Old Harford Road, Baltimore, Md.

[F. R. Doc. 44-13374; Filed, Sept. 1, 1944; 10:35 a. m.]

[Supp. Order ODT 8, Rev. 300]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA AND NEWNAN, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect under further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX I

Great Southern Trucking Co. (a corporation), 1863 Clarkson Street, Jacksonville, Fla.

Harvey Coley Pike, doing business as H. C. Pike Transfer Co., Newnan, Ga.

[F. R. Doc. 44-13375; Filed, Sept. 1, 1944; 10:35 a. m.]

[Supp. Order ODT 8, Rev. 302]

COMMON CARRIERS

COORDINATED OPERATIONS IN OKLAHOMA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved,

[1] Filed as part of the original document.

the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Frisco Transportation Co. (a corporation), Chase and Lyon Streets, Springfield, Mo.
L. D. Tindall, Earl Powers and W. H. Mayo, doing business as O. C. & E. Motor Freight Lines, Okemah, Okla.

[F. R. Doc. 44-13376; Filed, Sept. 1, 1944; 10:36 a. m.]

[Supp. Order ODT 3, Rev. 304]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NASHVILLE, TENN., AND LOUISVILLE, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providenly utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be reqhisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the tranafer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hayes Freight Lines, Inc., 119 North 15th Street, Mattoon, Ill.
Hoover Motor Express Co., Inc., 414 Fifth Avenue, South, Nashville, Tenn.
Johnson Freight Lines, Inc., 1911 Central Avenue, Chattanooga, Tenn.
Silver Fleet Motor Express, Inc., 216 East Pearl Street, Louisville, Ky.

[F. R. Doc. 44-13377; Filed, Sept. 1, 1944; 10:36 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Rhode Island Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN RHODE ISLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the State Director of the Rhode Island State Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the State of Rhode Island.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

CHRISTOPHER DEL SESTO,
State Director.

APPENDIX A—LIST OF FORTY FOOD ITEMS

Appetizer:
- Tomato juice.
- Fruit juice.
- Fruit cocktail.

Soups:
- Vegetable soup.
- Consomme.
- Fish chowder.

Egg dishes:
- Two eggs (any style).

Fish entrees:[1]
- Filet of flounder.
- Broiled mackerel.
- Boiled schrod.
- Fish cakes.

Meat entries:[1]
- Liver and bacon.
- Pork chop.
- Hamburger steak.
- Roast beef.
- Roast pork.
- Roast ham.
- Corned beef hash.
- Lamb stew.
- Roast lamb.

Sandwiches:
- Ham sandwich.
- Ham and egg sandwich.
- Bacon and egg sandwich.
- American cheese sandwich.
- American cheese and jelly sandwich.
- Lettuce and tomato sandwich.
- Hamburger sandwich.
- Egg salad sandwich.

Miscellaneous:
- Pork and beans.
- Vegetable plate.
- Cereals (hot or cold).

Salads:
- Fruit salad.
- Vegetable salad.

Desserts:
- Apple pie.
- Custard pie.
- Ice cream.
- Pudding.

Beverages:
- Hot tea.
- Milk.
- Hot coffee (cup or pot).

[1] Entrees include vegetables as in the period of April 4-10, 1943.

[F. R. Doc. 44-13219; Filed, August 31, 1944; 9:26 a. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 9]

SOLID FUELS IN BOSTON, MASS.

Amendment No. 9 to Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (9) containing Appendix 9, is hereby added to paragraph (o) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(o) *Appendices establishing specific maximum prices* • • •

(9) *Appendix 9—Specified solid fuels; metropolitan Boston area*—(a) *Maximum prices established by this Appendix 9.* This Appendix 9 establishes specific maximum prices for sales of Pennsylvania anthracite, ambricoal, New England coke, Malden coke and Lynn coke in the Metropolitan Boston Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuel. Price Schedule I contains prices for sales of Pennsylvania anthracite and ambricoal on a delivered basis; Price Schedule II contains prices for yard sales of Pennsylvania anthracite and ambricoal to consumers; Price Schedule III sets forth prices for yard sales of Pennsylvania anthracite and ambricoal to dealers; Price Schedules IV, V, and VI set forth prices for various kinds of sales of New England, Malden and Lynn coke; and Price Schedule VII sets forth prices for various kinds of sales of ambricoal in 25 pound paper bags.

The Metropolitan Boston Area includes the following cities and towns in the Commonwealth of Massachusetts: Arlington, Ashland, Belmont, Boston, Braintree, Brookline, Cambridge, Chelsea, Dedham, Dover, Everett, Framingham, Hingham, Holliston, Lexington, Malden, Medford, Melrose, Milton, Natick, Needham, Newton, Quincy, Reading, Revere, Sherborn, Somerville, Stoneham, Sudbury, Wakefield, Waltham, Watertown, Wayland, Wellesley, Weston, Weymouth, Winchester, Winthrop and Woburn.

(b) *Maximum prices for Pennsylvania anthracite and ambricoal* (except in 25 pound paper bags)—(1) *Price Schedule*

1: Sales on a delivered basis—(a) *Maximum prices for sales on a "direct delivery" basis to consumers at any point in the Metropolitan Boston Area.*

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$16.10	$8.55	$4.65	$0.95
Pea	14.15	7.60	4.15	.85
Buckwheat	12.40	6.70	3.70	------
Rice	11.25	6.15	3.45	------
Barley	10.25	5.65	3.20	------
Yard screenings	8.50			
Ambricoal	14.20	7.90	4.35	.90

(b) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel, the maximum prices set forth above shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by 50¢ per ton, which reduction is a "cash discount." No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania anthracite yard screenings or on any sales of less than a ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than 1 ton lots) within 10 days thereafter, terms shall be net 30 days.

(c) *Maximum authorized service and deposit charges.* (i) If the buyer requests such services of him, the dealer may make the following charges for carry or wheel service.

	Per net ton	Per ½ ton	Per ¼ ton
	Cents	*Cents*	*Cents*
For any carry or wheeling from a "direct delivery" point outside the structure in which the coal is to be stored to such structure, including dumping from the outside into said structure	50	25	15
For any carry inside of said structure to point of storage, except carries up flights of stairs	25	15	10
For any carry up flight of stairs and to point of storage, per flight	50	25	15

(ii) The maximum prices per 100 pounds include carrying in bags from dealer's truck or wagon to point of storage on street level. For any carry either up or down flights of stairs, the maximum charge shall be 10 cents per flight.

(iii) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on, or as predetermined liquidated damages for failure to return, the bags shall be 25 cents per bag.

(2) *Price Schedule II: Yard sales to consumers.* (a) Maximum prices for sales delivered at the yard of any dealer in the Metropolitan Boston Area to consumers:

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove and chestnut	$14.10	$7.80	$3.90	$0.85
Pea	12.15	6.90	3.40	.75
Buckwheat	10.40	6.00	3.00	.65
Rice	9.25	5.45	2.75	.60
Barley	8.25	4.95	2.50	------
Yard screenings	5.00			
Ambricoal	12.80	7.00	3.50	.75

(b) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days for net 10 days E. O. M.

(c) *Maximum authorized bagging and deposit charges.* (i) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(ii) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by him shall be 25 cents per bag.

(3) *Price Schedule III: Yard sales to dealers.* (a) Maximum prices for sales delivered at the yard of any dealer in the Metropolitan Boston Area to dealers in fuels who resell them.

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut	$12.60	$7.05	$3.55	$0.75
Pea	11.65	6.05	3.05	.65
Buckwheat	9.90	5.25	2.65	.60
Rice	8.75	4.70	2.35	.55
Barley	7.75	4.15	2.10	------
Yard screenings	5.00			
Ambricoal	12.20	6.75	3.40	.75

(b) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(c) *Maximum authorized bagging and deposit charges.* (i) The maximum prices per 100 pounds are for 100 pounds bagged but do not include the bag. If the buyer requests such service of him, the seller may make the following charges for bagging tons, one-half tons and one-quarter tons:

	Cents
Per ton	50
Per half-ton	25
Per quarter-ton	15

(ii) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by him shall be 25 cents per bag.

(4) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold.

Kind and size	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, and pea	$0.50	$0.25	$0.10	$0.05
Buckwheat and rice	.25	.10	.05	------
Franklin:				
Broken and chestnut	.75	.35	.20	.10
Egg	1.00	.50	.25	.10
Stove	1.25	.60	.30	.10
Rice	.10	.05	None	None
Greenwood:				
Egg, stove, chestnut, and pea	.25	.15	.05	None
Salem Hill:				
Egg and stove	.85	.45	.20	.05
Chestnut	.45	.25	.10	None
Brooder nut	.70	.35	.20	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None
Leggitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.65	.35	.15	None
Buckwheat	.50	.25	.15	None
Rice	.10	.05	None	None
Reppller:				
Broken, egg, stove, chestnut and pea	.50	.25	.15	None
Buckwheat, rice and barley	.40	.20	.10	None
East Bear Ridge:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
Barley	.15	.10	None	None
Dial Rock:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.35	.15	.05	None
Steele or Alden:				
Broken, egg, stove, chestnut, pea and buckwheat	.25	.15	.05	None
Rice	.10	.05	None	None
Raven Run, Orange Disc, or Delano: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None

(c) *Maximum prices for coke.* (1) The maximum prices established by this subparagraph (c) shall apply only to coke produced by the following producers:

New England Coke Co., or its affiliated producing company, at their plant located in Everett, Massachusetts.

Malden and Melrose Gas Light Co., Malden, Massachusetts.

Lynn Gas and Electric Co., Lynn, Massachusetts.

All other coke shall be priced under the appropriate provisions of Revised Maximum Price Regulation No. 122, unless and until specific prices are established by amendment of this Appendix 9.

(ii) The maximum amount which may be required by the seller as a deposit on, or as predetermined liquidated damages for failure to return, burlap bags furnished by him shall be 25 cents per bag.

(4) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of listed named Pennsylvania anthracite coals are sold.

Kind and size	Amount of addition: Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, and pea	$0.50	$0.25	$0.10	$0.05
Buckwheat and rice	.25	.10	.05	------
Franklin:				
Broken and chestnut	.75	.35	.20	.10
Egg	1.00	.50	.25	.10
Stove	1.25	.60	.30	.10
Rice	.10	.05	None	None
Greenwood:				
Egg, stove, chestnut, and pea	.25	.15	.05	None
Salem Hill:				
Egg and stove	.85	.45	.20	.05
Chestnut	.45	.25	.10	None
Brooder nut	.70	.35	.20	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.35	.20	.10	None
Leggitts Creek or Black Stork:				
Broken, egg, stove, chestnut and pea	.65	.35	.15	None
Buckwheat	.50	.25	.15	None
Rice	.10	.05	None	None
Reppller:				
Broken, egg, stove, chestnut and pea	.50	.25	.15	None
Buckwheat, rice and barley	.40	.20	.10	None
East Bear Ridge:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
Barley	.15	.10	None	None
Dial Rock:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.35	.15	.05	None
Steele or Alden:				
Broken, egg, stove, chestnut, pea and buckwheat	.25	.15	.05	None
Rice	.10	.05	None	None
Raven Run, Orange Disc, or Delano: Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None

(2) *Price Schedule IV: Maximum prices for sales of coke, in bulk, delivered into consumers' bins at any point in the Metropolitan Boston Area.*

Size	Per ton: C. o. d.	Per ton: Charge	Per ½ ton: C. o. d.	Per ½ ton: Charge	Per ¼ ton: C. o. d.	Per ¼ ton: Charge
Nut, egg, stove and furnace	$14.75	$15.25	$8.15	$8.40	$4.35	$4.60
Pea	12.55	13.05	7.05	7.30	3.80	3.95
Breeze	7.00	7.00	------	------	------	------

Terms of sale for charge sales shall be net 30 days.

(3) *Price Schedule V: Maximum prices for "yard sales" of coke, in bulk, at the yard of any dealer in the Metropolitan Boston Area.* (a) Maximum prices for "yard sales" to dealers in fuel who resell it:

Size:	Price per net ton
Nut, Egg, Stove and Furnace	$13.15
Pea	11.45

Less $1.00 per ton if payment is made by the buyer within 10 days after receipt of the fuel; net 30 days.

(b) The maximum price for "yard sales" of Nut, Egg, Stove and Furnace sizes to consumers shall be $14.25. Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days.

(4) *Price Schedule VI: Bagged coke and coke in one bushel baskets.* (a) Prices (in cents per bag) for Coke in one-half bushel paper bags:

	Chestnut coke	Pea coke
	Cents	*Cents*
Sales to dealers (including retail stores), f. o. b. buyer's trucks at dealer's yard	18	16
Sales to ultimate consumers at dealer's yard	20	18
Delivered to retail stores	20½	18½
Sales to ultimate consumers from dealer's truck, delivered	23	21
Sales at retail stores:		
Chain stores	24	22
Independent outlet	25	23

(b) (1) Prices for one bushel baskets of bulk coke, delivered to consumer's bin or storage facilities, and including any carry that may be necessary except carries up or down flights of stairs:

	Per bushel (cents)
Chestnut Coke	40
Pea Coke	36

(ii) The maximum charge for any carry up or down flights of stairs shall be 5 cents per bushel per flight.

(c) Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days e. o. m.

(d) *Maximum prices for ambricoal in 25 pound paper bags*—(1) *Price Schedule VII: Prices (in cents per bag) for ambricoal in 25 pound paper bags:*

	Cents
Sales to dealers (including retail stores), f. o. b. buyer's trucks at dealer's yard	18½
Sales to ultimate consumers at dealer's yard	20½
Delivered to retail stores	21
Sales to ultimate consumers from dealer's truck, delivered	23½
Sales at retail stores:	
Chain stores	24½
Independent outlet	25½

(2) Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(e) *Fractions of a cent.* Whenever a price established by subparagraphs (c) (4) or (d) (1) of this Appendix 9 ends in one-half of a cent, the fraction shall be treated as follows:

(1) In the case of sales to dealers, f. o. b. buyer's trucks, at dealer's yard, and sales delivered to retail stores, the total amount charged shall be adjusted to the next lower cent if an odd number of units is sold.

(2) In all other sales, including the sale of a single unit, the total amount charged may be adjusted to the next higher cent if an odd number of units is sold, *Provided, however,* That the seller shall allow the purchaser to buy an even number of units to the extent that the available supply is adequate.

This Amendment No. 9 shall become effective September 11, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-13227; Filed, August 31, 1944; 9:27 a. m.]

[Region I Order—G-70 Under RMPR 122, Amdt. 10]

SOLID FUELS IN BERLIN, N. H., AREA

Amendment No. 10 to Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (10), containing Appendix 10, is hereby added to paragraph (c) of Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 to read as follows:

(c) *Appendices establishing specific maximum prices.* * * *

(10) *Appendix 10: Specified solid fuels in Berlin, New Hampshire Area*—(a) *Maximum prices established by this Appendix 10.* This Appendix 10 establishes specific maximum prices for sales of Pennsylvania anthracite and Niagara-Hudson coke in the Berlin, New Hampshire Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said solid fuels. Price Schedule I contains prices for sales on a delivered basis and Price Schedule II contains prices for yard sales to consumers.

The Berlin, New Hampshire Area includes the following cities, towns and townships in the State of New Hampshire: Berlin, Dummer, Gorham, Milan, Randolph and Shelburne. "Niagara-Hudson Coke" means the by-product coke produced by Hudson Valley Fuel Corporation, Troy, New York.

(b) *Price Schedule I: Sales on a delivered basis*—(1) *Base maximum prices for sales on a "direct delivery" basis to consumers at any point in the Berlin, New Hampshire, Area.*

Kind and size	Per net ton	Per ½ ton	5–85 lb. bags	1–85 lb. bag
Pennsylvania anthracite:				
Egg, stove and chestnut	$16.90	$8.85	$4.55	$0.95
Pea	15.35	8.10	4.15	.90
Buckwheat	12.70	6.75	3.50	.75
Rice	11.65	6.25	3.25	.70
Yard screenings	8.00	------	------	------

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	55 lb. bag
Niagara-Hudson Coke: Egg, stove and chestnut	$15.80	$8.20	$4.25	$0.90

(2) *Prices for specified localities.* (a) The foregoing base prices shall apply to all deliveries to consumers whose bins or storage facilities are located in Berlin, Gorham, Milan or Shelburne.

(b) The sum of fifty cents (50¢) per net ton, or twenty-five cents (25¢) per half-ton, may be added for deliveries to consumers whose bins or storage facilities are located in Dummer or Randolph.

(3) *Quantity discounts.* The foregoing per net ton prices, except that for Pennsylvania Anthracite Yard Screenings, shall be reduced by the following amounts when the purchaser orders the specified quantities for immediate delivery or for delivery at one specified time and the dealer may properly, under the regulations and orders of the Solid Fuels Administration for War, deliver the specified quantity:

Quantity (in net tons)	*Discount per net ton*
2 or more, but not more than 20	$0.25
21 or more, but less than a carload	.50
Carload (not less than 20 tons)	1.25

If the dealer may not properly deliver the specified quantity, but may deliver at least two (2) net tons, the discount applicable to the quantity which may properly be delivered shall be granted.

(4) *Maximum authorized service and deposit charges.* (a) The maximum prices for 85 pound bags (either 1 or 5) of Pennsylvania anthracite, and the maximum price for 55 pound bags of Niagara-Hudson Coke, include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of half-ton and larger quantities of Pennsylvania Anthracite, and of quarter ton and larger quantities of Niagara-Hudson Coke to the buyer's bin or storage space.

	Per net ton	Per ½ ton	Per ¼ ton of coke
For any carry or wheel from a "direct delivery" point, including the first flight of stairs, if any	$0.50	$0.25	$0.15
For each flight of stairs after the first	.30	.25	.15

(c) *Price Schedule II: Yard sales to consumers—(1) Maximum prices for sales delivered at the yard of any dealer in the Berlin, New Hampshire Area to consumers.*

Kind and size	Per net ton	Per ½ ton	5–85 lb. bags	1–85 lb. bag
Pennsylvania anthracite:				
Egg, stove and chestnut	$15.90	$8.35	$4.30	$0.90
Pea	14.35	7.60	3.90	.80
Buckwheat	11.70	6.25	3.25	.65
Rice	10.65	5.75	3.00	.60
Yard Screenings	4.50			

Kind and size	Per net ton	Per ½ ton	Per ¼ ton	55 lb. bag
Niagara-Hudson Coke:				
Egg, stove and chestnut	$14.80	$7.80	$4.00	$0.50

(2) *Quantity discounts.* The provisions of subparagraph (b) (3) shall apply to the foregoing maximum prices for yard sales to consumers.

(d) *Terms of sale.* (1) Terms of sale for Pennsylvania anthracite Yard Screenings, for less than ton lots of any other solid fuel for which specific maximum prices are established by subparagraphs (b) and (c) and for sales of carload quantities which are subject to the discount of $1.25 per net ton provided for by subparagraphs (b) (3) and (c) (2), may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(2) In all other cases, the following "cash discounts" for payment within the periods specified shall be granted from the maximum prices set forth in subparagraphs (b) and (c), including those prices as reduced by the quantity discounts (other than the carload discount) required by subparagraphs (b) (3) and (c) (2):

Period	Cash discount per net ton
At time of delivery or within 10 days after date of delivery	$0.50
After 10 days after date of delivery, but within 30 days after date of delivery	.25

(e) *Deposit charges.* The maximum prices for 85 pound bags of Pennsylvania anthracite and 55 pound bags of Niagara-Hudson coke including bagging, but do not include the bag. When burlap bags are furnished by the dealer, the maximum amount which may be required as a deposit on, or as predetermined liquidated damages for failure to return the bags shall be 15 cents per bag.

This Amendment No. 10 shall become effective August 23, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 16th day of August, 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-13226; Filed, August 31, 1944; 9:27 a. m.]

[Harrisburg Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN HARRISBURG, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Harrisburg District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, meals and beverages as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in the table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other food items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entrees and then indicate the type of meal, for example: steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board, on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Harrisburg District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

W. C. YOUNG,
District Director.

APPENDIX A

1. Tomato juice.
2. Fruit cocktail.
3. Vegetable soup (bowl).
4. Bacon and eggs.
5. Two eggs, any style.
6. Filet of sole.
7. Deviled crab.
8. Hot cakes and syrup.
9. Spaghetti and meat balls.
10. Vegetable plate.
11. Cold cereal and milk.
12. Chicken chow mein.
13. Apple pie.
14. Ice cream, per plate.
15. Rice pudding.
16. Beef liver and onions.
17. Calves liver and bacon.
18. Pork chops (2).
19. Hamburger steak.
20. Beef stew.
21. Breaded veal cutlet.
22. Roast of lamb.
23. Sirloin steak.
24. Chicken a la king.
25. Cold cut platter.
26. Hot beef sandwich.
27. Pot roast of beef.
28. Boiled ham sandwich.
29. Lettuce and tomato sandwich.
30. Hamburger sandwich.
31. Frankfurter sandwich.
32. Combination salad.
33. Fruit salad.
34. Coffee (cup).
35. Milk (half pint).
36. Club breakfast—fruit—toast—coffee.
37. Chicken dinner (courses).
38. Ham and egg sandwich.
39. Baked ham.
40. Chicken croquettes.

[F. R. Doc. 44-13220; Filed, August 31, 1944; 9:26 a. m.]

[Camden Order G-1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN CAMDEN, N. J., DISTRICT

Order No. G-1 under section 8 (a) (7) of Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail.

Amount of freight from basing point to wholesale receiving point allowed for determining maximum prices of certain fresh fruits and vegetables at all wholesale receiving points in the Counties of Atlantic, Camden, Burlington, Gloucester, Salem, Cumberland and Cape May, in the State of New Jersey.

For the reasons stated in an opinion issued simultaneously herewith and pursuant to the authority contained in section 8 (a) (7) of Maximum Price Regulation No. 426, this order is hereby issued.

SECTION 1. *What this order does.* This order establishes the amount of freight from basing point to wholesale receiving point which may be added to the Maximum basing point price for the purpose of determining maximum selling prices of the fresh fruits and vegetables listed in the appendices annexed hereto and made a part hereof at the wholesale receiving points listed in said appendices and the markets which each wholesale receiving point so listed serves.

SEC. 2. *Where this order applies.* This order applies in the Counties of Camden, Burlington, Gloucester, Salem, Cumberland, Atlantic and Cape May in the State of New Jersey.

SEC. 3. *Determination of the amount of freight allowed in establishing maximum selling price.* The amount of freight from basing point to wholesale receiving point which may be added to the maximum basing point price for the purpose of determining maximum selling prices of the items covered by this regulation at all wholesale receiving points in the area described above and in the markets they serve shall be the amounts set forth in the appendices annexed hereto.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

The amount of freight from basing point to any wholesale receiving point other than the City of Philadelphia is determined by adding the appropriate amount listed in Appendix B to the appropriate amount listed in Appendix A.

SEC. 4. *Effective date.* This order shall become effective 12:01 a. m. on August 22, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; MPR 426, 8 F.R. 16409)

Issued this 22d day of August 1944.

W. HAROLD DEMPSEY,
District Director.

APPENDIX A—FREIGHT FROM BASING POINT TO PHILADELPHIA

Commodity	Standard container and minimum contents	Basing point	Date	Freight allowance
Carrots bunched	In crate, 72 bunches	El Centro, Calif	Jan. 16–Mar. 31	$1.80
	Each bunch 1 lb.	El Centro, Calif	Apr. 1–May 31	1.60
		Salinas, Calif	June 1–Nov. 30	1.96
		Salinas, Calif	Dec. 1–Jan. 15	1.59
Cucumbers, except hothouse	Bushel, 48 pounds	Wachula, Fla	Jan. 1–May 31	.72
	Bushel, 48 pounds	Ponchatoula, La	June 1–June 30	.77
	Lug Box, 28 pounds	Wachula, Fla	Jan. 1–May 31	.41
	Lug Box	Ponchatoula, La	June 1–June 30	.43
Cucumbers, hothouse	Per pound	Davenport, Iowa	All year	.02½
Egg Plant	1½ bu. crate, 45 lbs	Ft. Myers, Fla	All year	.74
	Bushel, 30 lbs	Ft. Myers, Fla	All year	.61
Grapefruit, pink, California and Arizona	1⅗ bushel	Los Angeles, Calif	Nov. 16–Apr. 30	1.20
			May 1–Oct. 31	1.27
Grapefruit, pink, all other States	1⅗ bushel	Weslaco, Texas	All year	1.14
Grapefruit, white, California and Arizona	1⅗ bushel	Los Angeles, Calif	Nov. 16–Apr. 30	1.30
			May 1–Oct. 31	1.27
Grapefruit, white, all other States including "Indian River"	1⅗ bushel	Homestead, Fla	All year	.90
Lemons, all States	1⅗ bushels	Los Angeles, Calif	Nov. 1–Apr. 30	1.24
			May 1–Oct. 30	1.30
Green peas	Bushel, 28 pounds	Calipatria, Calif	Sept. 1–March 31	.73
		Santa Barbara, Calif	April 1–Aug. 31	.81
		El Centro, Calif	Jan.–Feb	1.60
Lettuce, Iceberg	L. A. or Salinas crate 60 pounds and 48 heads or more.	Salinas, Calif	March–Apr	1.64
		Salinas, Calif	May	1.69
		Salinas, Calif	June 1–Oct. 15	1.79
		Salinas, Calif	Oct. 16–Dec. 31	1.64
Oranges, California and Arizona	1⅗ bushel	Los Angeles, Calif	Nov. 16–Apr. 30	1.32
			May 1–Nov. 15	1.39
Oranges, all other including "Indian River"	1⅗ Bushel	Homestead, Fla	All year	.90
Snap beans	Bushel, 28 pounds	Pompano, Fla	All year	.46
Spinach	Bushel, 18 pounds	Crystal City, Tex	All year	.41
Sweet peppers	⅓ Bushel Crate, 37 lb	Pompano, Fla	All year	.61
	Bushel, 25 pounds	Pompano, Fla	All year	.40
Pears	Standard Western Pear, box, 50 pounds.	Sacramento, Calif	All year	.91
Cantaloup or Honeyballs	78 lb. content, jumbo crate.	Mendota, Calif	July 26–Nov. 26	1.99
Honeydew	Jumbo honeydew crate 30 lb.	Mendota, Calif	July 26–Nov. 26	1.08
Persian melons	Jumbo crate 46 lb. or more.	Mendota, Calif	July 26–Nov. 26	1.08
Casaba melons	Jumbo or standard crate 42 lb.	Mendota, Calif	July 26–Nov. 26	1.05
Crenshaw melons	Jumbo or standard crate 40 lb.	Mendota, Calif	July 26–Nov. 26	.99
Tangerines, all States except California and Arizona	1⅗ Bushel	Homestead, Fla	All year	.92

APPENDIX B—FREIGHT TO ALL WHOLESALE RECEIVING POINTS

Commodity in standard containers packed as in appendix A	For any wholesale receiving point in Camden and Burlington Counties	For any wholesale receiving point in Gloucester, Salem, and Cumberland Counties	For any wholesale receiving point in Atlantic and Cape May Counties
Carrots, bunched	$0.30	$0.36	$0.44
All citrus fruits, standard containers (1⅗ or 1⅘ bu.)	.33	.40	.49
Pears, standard container, 50 lb	.20	.25	.30
Cucumbers, except hothouse	.20	.24	.30
Egg plant, 1½ bushel or crate	.13	.23	.27
Green peas	.13	.16	.18
Cabbage	.21	.26	.31
Lettuce, iceberg	.30	.34	.37
Spinach	.07	.10	.11
Sweet peppers, 1½ bushel or crate	.16	.21	.24
Honey balls or cantaloup, 78 lb. container	.32	.42	.48
Honey dew, 90 lb. container	.16	.21	.24
Persian melons, 46 lb. container	.18	.23	.26
Casaba melons, 42 lb. container	.17	.22	.25
Crenshaw melons, 40 lb.	.16	.21	.24

"To determine the full amount of freight from basing point to any wholesale receiving point, except Philadelphia add to appropriate amount named in this appendix B to the appropriate amount named for the item in Appendix A.

[F. R. Doc. 44-13284; Filed, August 31, 1944; 9:19 a. m.]

[Region II Order G-8 Under SR 15]

FLUID MILK IN MIDDLETOWN, N. Y.

Order No. G-8 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation. Adjusted maximum prices for the sale and delivery of fluid milk in glass or paper containers to sub-dealers in Middletown, Orange County, New York.

For the reasons set forth in an opinion issued simultaneously herein and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, *It is hereby ordered:*

(a) On and after June 21, 1944, the maximum prices which any fluid milk processor, whose processing plant is located within the town of Wallkill or Wawayanda, Orange County, New York, may sell or deliver fluid milk in glass or paper containers, f. o. b. such plant to a sub-dealer who sells fluid milk in glass or paper containers within Middletown City, Orange County, New York, shall be the higher of either of the following:

(1) The maximum prices established for such processor by § 1499.2 of the GMPR; or

(2) The applicable adjusted maximum price for the particular grade or kind of fluid milk specified in the following schedule:

Grade or kind of milk	Adjusted maximum price
Grade A pasteurized	$0.09½ per quart. .05 per pint. .02⅝ per ½ pint.
Golden guernsey	.12½ per quart.
Homogenized-vitamin D	.10½ per quart.
Chocolate drink	.09½ per quart. .05 per pint. .02⅝ per ½ pint.
Buttermilk	.08½ per quart.

(b) Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a ½ cent or more, the seller shall adjust the maximum price to the next higher full cent, where the fraction is less than a half-cent, the seller shall adjust the maximum price to the next lower full cent.

(c) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter, either by special order or by price regulation issued hereafter or by supplementary order which may be contrary hereto.

(d) *Geographical applicability.* This order applies to all sales by fluid milk processors whose processing plants are located in the towns of Wallkill or Wawayanda, of fluid milk in glass or paper containers to subdealers who sell fluid milk within Middleton City.

(e) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms herein.

(f) *Definitions.* (1) "Fluid milk" means cow's milk produced, processed, distributed and sold for human consumption in fluid form as whole milk.

(2) "Subdealer" means any milk dealer who purchases fluid milk in glass or paper containers from a milk processor and resells such fluid milk to consumers, stores, hotels, restaurants and institutions in the same containers as those in which he purchases it from such processor.

(3) "Milk processor" means a person who processes fluid milk and sells such milk in paper or bottle containers to subdealers.

(4) "Grade A pasteurized fluid milk" means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk, and meeting the requirements and standards of the appropriate statutes, orders or regulations of the State of New York, unless such standards are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such milk is sold and delivered.

(5) "Golden Guernsey" means fluid milk produced from pure bred Guernsey cows.

This order shall become effective June 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-13235; Filed, August 31, 1944; 9:19 a. m.]

[Nashville Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN NASHVILLE, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Nashville District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration your lawful ceiling prices for 40 food items and meals as set forth in Appendix A to this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale and your ceiling prices for each.

(b) If you do not offer all the 40 items listed in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists or posted prices.* When you have made the list of food items and meals to be posted, and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated, and signed by the owner or manager of your establishment with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Nashville District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 8th day of August 1944.

SAM M. BONEY,
District Director.

APPENDIX A

Appetizer:
Tomato juice.
Shrimp cocktail.
Soup:
Vegetable.
Consomme.
Egg dishes:
Two eggs, any style.
Bacon or ham and eggs.
Plain omelet.
Fish entrees:
Fried fish.
Fillet of sole.
Meat entrees:
Pork chop.
Lamb chop.
Veal cutlet.
Roast veal.
Roast turkey.
Chicken a la king.
Roast pork or ham.
Hamburger steak.
Fried ham.
Lamb stew or any meat stew.
Miscellaneous:
Vegetable plate.
Croquettes.
Hot cakes and syrup.
Baked spaghetti and macaroni.
Cereals—hot or cold.
Pork and beans.
Sandwiches:
Lettuce and tomato.
Hamburger.
Ham and cheese.
Ham.
Hot beef.
Hot pork.
Salads:
Fruit.
Combination.
Desserts:
Apple pie.
Ice cream.
Beverages:
Coffee.
Milk.
Tea.
Meals:
Club breakfast (fruit or cereal, bacon and egg or 2 eggs—toast and coffee)
Chicken dinner (3 courses)

[F. R. Doc. 44-13218; Filed, August 31, 1944; 9:27 a. m.]

[Region V Order G-3 Under MPR 336, MPR 355, and MPR 394]

FABRICATED MEAT CUTS IN TULSA, OKLA.

Order No. G-3 under section 5 (c) of Maximum Price Regulation No. 336. Retail ceiling prices for pork cuts and certain sausage products. Maximum Price Regulation No. 355. Retail ceiling prices for beef, veal, lard and mutton cuts and all variety meats and edible by-products. Maximum Price Regulation No. 394. Retail ceiling prices for kosher beef, veal, lamb and mutton cuts.

Pursuant to section 5 (c) of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 and Maximum Price Regulation No. 394, as incorporated by Amendment 15 to Maximum Price Regulation No. 336, and Amendment 17 to Maximum Price Regulation No. 355, and Amendment 6 to Maximum Price Regulation No. 394, the Regional Administrator of Region V, on his own motion, finds that the area contained within the corporate limits of the City of Tulsa, Oklahoma, to be an area deficient in supplies of fabricated meat cuts for purveyors of meals, because the following conditions exist:

(1) Purveyors of meals within said area are unable to obtain fabricated meat cuts covered by the above named regulations in sufficient volume to supply their requirements as determined under Ration Order No. 16, during the two-month period immediately preceding May 1, 1944;

(2) The dealers in the area selling fabricated meat cuts do not have adequate facilities or quotas to supply the requirements of purveyors of meals located in the area as determined under (1) above; and

(3) Purveyors of meals in the area customarily have relied upon, and find it necessary to continue to rely upon, local retail dealers for supplies of meat sufficient to fill their requirements.

Accordingly, the area within the corporate limits of the City of Tulsa, Oklahoma, is hereby ordered and declared to be an area deficient in the supply of fabricated meat cuts covered by the above named price regulations for purveyors of meals within the intent and purposes of said section 5 (c) of each of the aforesaid maximum price regulations.

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective August 26, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.)

Issued and effective at Dallas, Texas, this the 26th day of August 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44-13236; Filed, August 31, 1944; 9:20 a. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 14]

SOLID FUELS IN CANON CITY, COLO., AREA

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 14. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 14 is issued.

1. The table of maximum prices, as set forth in paragraph (3) of Appendix VIII, Canon City, Florence Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 2 Delivered prices	
		From mine	From yard
Bituminous coal produced in District 17:		*Per ton*	*Per ton*
Sub-district 2, Canon #1:			
(A)	#2—0" lump	$6.65	$7.35
(B)	#3—3" lump and #4—8" x 3" egg.	6.85	7.35
(C)	#6—3" x 1½" nut	5.00	6.10
(D)	#10—1½" x 1" range	5.00	6.10
(E)	#13—1½" x 0" slack	3.00	4.40
Sub-district 3, Canon 2:			
(F)	#2—6" lump	6.30	6.80
(G)	#3—3" lump and #4—8" x 3" egg.	6.30	6.80
(H)	#6—3" x 1½" nut	5.45	5.95
(I)	#10—1½" x 1" range	5.45	5.95
(J)	#13—1½" x 0" slack	3.00	4.40

This is the first and only amendment to Order No. G-26 that makes any change whatsoever in Appendix VII.

2. *Effective date.* This Amendment No. 13 shall become effective on August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-13230; Filed, August 31, 1944; 9:21 a. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 13]

SOLID FUELS IN ROCKY FORD, COLO., AREA

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 13. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 13 is issued.

1. The table of maximum prices, as set forth in paragraph (3) of appendix VII, Rocky Ford Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 Delivered Prices		Part 2 Yard prices per ton
		Per ton	Per ½-ton	
Bituminous coal produced in District 17:				
Sub-district 2, Canon #1:				
(A)	#2—6" lump	$9.40	$4.95	$8.90
(B)	#3—3" lump	9.40	4.95	8.90
(C)	#7—6" x 1½" egg	8.55	4.55	8.05
(D)	#9—3" x 1½" nut	8.35	4.45	7.85
(E)	#10—1½" x 1" range	7.95	4.25	7.45
(F)	#11—1½" x ⅜" pea	7.20	3.85	6.70
(G)	#13—1¼" x 0" slack	6.15	3.35	6.65
Sub-district 3, Canon #2:				
(H)	#2—6" lump	8.85	4.70	8.35
(I)	#3—3" lump	8.85	4.70	8.35
(J)	#7—6" x 1½" egg	8.50	4.50	8.00
(K)	#9—3" x 1½" nut	8.20	4.35	7.70
(L)	#10—1½" x 1" range	7.80	4.15	7.30
(M)	#11—1½" x ⅜" pea	7.15	3.85	6.65
(N)	#13—1¼" x 0" slack	6.15	3.35	6.65

This is the first and only amendment to Order No. G-26 that makes any change whatsoever in Appendix VIII.

2. *Effective date.* This amendment No. 14 shall become effective on August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-13231; Filed, August 31, 1944; 9:21 a. m.]

[Region VII Order G-26 Under RMPR 122, Amdt 15]

SOLID FUELS IN CHEYENNE AREA

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 15. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 15 is issued.

1. The Table of Maximum Prices, as set forth in paragraph (3) of Appendix XI, Cheyenne Trade Area, is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 Delivered prices: Per ton	Part 1 Delivered prices: Per ½-ton	Part 2 Yard prices per ton
Bituminous coa. produced in District 19:				
Sub-district 2, Rock Springs:				
(A)	#1—6" lump	$10.95	$5.85	$9.95
(B)	#7—6" x 1½" nut	9.75	5.15	8.75
(C)	#6—3" x 1½" nut	9.45	5.00	8.45
(D)[1]	#15—1½" x 0" slack	7.05	3.80	6.55
Sub-district 3, Hann. - Rawlins, (Elk Mountain and Burn Right Coals by truck only):				
(E)	#1—6" lump	9.55	5.20	8.85
(F)	#6—3" x 1½" nut	9.40	4.95	8.40
(G)[1]	#15—1½" x 0" slack	7.00	3.75	6.50
Bituminous Coal produced in District 17:				
Sub-district 4, Oa. Hills:				
(H)	#6—3" lump	11.95	6.25	10.95
(I)	#1—6" lump	11.75	6.15	10.75
(J)	#4—6" x 3" grate	11.55	6.05	10.55
(K)	#9—3" x 1½" nut	10.90	5.70	9.90
Sub-district 5, Mt. Harris:				
(L)	#6—3" lump	11.25	5.95	10.25
(M)	#1—6" lump	11.10	5.80	10.10
(N)	#9—3" x 1½" nut	10.50	5.50	9.50
Bituminous Coal produced in District 16:				
Sub-districts 1, 2, and 4, Louisville, Lafayette, and Marshall [2]:				
(O)	#2—6" lump	10.40	5.45	9.40
(P)	#5—6" x 2½" egg	10.15	5.35	9.15
(Q)	#8—2½" x 1¼" nut	7.50	4.00	7.00
(R)[1]	#9—1¼" x ¾" pea	7.30	3.85	6.70
(S)[1]	#11—1¼" x 0" slack	6.50	3.50	6.00
Sub-districts 6 and 8, Erie and Frederick:				
(T)	#2—6" lump	9.70	5.10	8.70
(U)	#5—6" x 2½" egg	9.70	5.10	8.70
(V)	#8—2½" x 1¼" nut	7.40	3.95	6.90
(W)[1]	#9—1¼" x ¾" pea	7.15	3.85	6.65
(X)[1]	#11—1¼" x 0" slack	6.80	3.60	6.00

[1] Pea and slack prices per net ton are based on sales in lots of 2 tons or more. On sales of pea or slack of less than 2 tons the maximum price shall be the listed price per net ton plus 20¢.

This is the first and only amendment to Order No. G-26 that makes any change whatsoever in Appendix XI.

2. *Effective date.* This Amendment No. 15 shall become effective on August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-13232; Filed, August 31, 1944; 9:21 a. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 16]

SOLID FUELS IN LOWER ARKANSAS VALLEY AREA

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 16. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 16 is issued.

1. Appendix XXXVI, lower Arkansas Valley Trade Area, which was added to Order No. G-26 by Amendment No. 7, is hereby amended and rewritten to read as follows:

(q) *Appendices establishing specific maximum prices for certain trade areas in Region VII.* * * *

APPENDIX XXXVI, AS AMENDED—LOWER ARKANSAS VALLEY TRADE AREA

(1) *To what sales this Appendix XXXVI applies.* This Appendix XXXVI applies only to sales made by dealers in the lower Arkansas Valley Trade Area of the State of Colorado, which means all that area contained within and a distance of five miles beyond the corporate boundaries of the municipalities of La Junta, Las Animas, Lamar, Granada, and Holly, respectively.

(2) *La Junta maximum prices.* If you are a dealer and sell in the Lower Arkansas Valley Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard in the municipality of La Junta, any one or more of the kinds and sizes of coal named in this Appendix XXXVI, as amended, your maximum prices therefor are those set forth in parts 1 and 2 of the following

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 Delivered prices: Per ton	Part 1 Delivered prices: Per ½-ton	Part 2 Yard prices per ton
Bituminous coal produced in District 17:				
Subdistrict 1, Walsenburg:				
(A1)	#1—6" lump	$8.65	$4.60	$8.15
(B1)	#2—6" lump	8.60	4.55	8.10
(C1)	#3—3" lump	8.45	4.50	7.95
(D1)	#4—6" x 3" grate	8.35	4.45	7.85
(E1)	#5—6" x 3" grate	8.15	4.35	7.65
(F1)	#9—3" x 1½" nut	7.80	3.90	7.30
(G1)	#11—1¼" x ¾" pea	6.35	3.45	5.85
(H1)	#13—1½" x 0" slack	5.75	3.15	5.25
Subdistrict 2, Canon #1:				
(A2)	#1—6" lump	9.00	4.75	8.50
(B2)	#2—6" lump	8.95	4.75	8.45
(C2)	#3—3" lump	8.90	4.70	8.40
(D2)	#4—6" x 3" grate	8.75	4.65	8.25
(E2)	#5—6" x 3" grate	8.50	4.50	8.00
(F2)	#9—3" x 1½" nut	8.15	4.35	7.65
(G2)	#11—1¼" x ¾" pea	6.75	3.65	6.25
(H2)	#13—1½" x 0" slack	6.05	3.30	5.55
Subdistrict 3, Canon #2:				
(A3)	#1—6" lump	8.15	4.35	7.65
(B3)	#2—6" lump	8.05	4.30	7.55
(C3)	#3—3" lump	8.05	4.30	7.55
(D3)	#4—6" x 3" grate	8.15	4.35	7.65
(E3)	#5—6" x 3" grate	7.90	4.20	7.40
(F3)	#9—3" x 1½" nut	7.70	4.10	7.20
(G3)	#11—1¼" x ¾" pea	6.35	3.45	5.85
(H3)	#13—1½" x 0" slack	5.85	3.20	5.35
Sub-district 6, Aguilar:				
(A6)	#1—6" lump	8.10	4.30	7.60
(B6)	#2—6" lump	8.00	4.25	7.50
(C6)	#3—3" lump	7.90	4.20	7.40
(D6)	#4—6" x 3" grate	8.00	4.25	7.50
(E6)	#5—6" x 3" grate	7.70	4.10	7.25
(F6)	#9—3" x 1½" nut	7.60	4.05	7.10
(G6)	#11—1¼" x ¾" pea			
(H6)	#13—1½" x 0" slack	5.85	3.20	5.35
Subdistrict 7, Trinidad:				
(A7)	#1—6" lump	7.75	4.15	7.25
(B7)	#2—6" lump	7.65	4.10	7.40
(C7)	#3—3" lump	7.65	4.10	7.40
(D7)	#4—6" x 3" grate	7.75	4.15	7.25
(E7)	#5—6" x 3" grate	7.05	3.80	6.55
(F7)	#9—3" x 1½" nut	7.30	3.90	6.80
(G7)	#11—1¼" x ¾" pea			
(H7)	#13—1½" x 0" slack	5.80	3.15	5.30
Subdistrict 9, New Mexico:				
(A9)	#1—6" lump	7.80	3.90	7.30
(B9)	#2—6" lump	7.70	4.10	7.20
(C9)	#3—3" lump	7.70	4.10	7.20
(D9)	#4—6" x 3" grate	7.80	3.90	7.30
(E9)	#5—6" x 3" grate	7.70	4.10	7.20
(F9)	#9—3" x 1½" nut	7.60	4.05	7.10
(G9)	#11—1¼" x ¾" pea	6.15	3.35	5.65
(H9)	#13—1½" x 0" slack	5.95	3.25	5.45

(3) *Las Animas maximum prices.* If you are a dealer and sell in the Lower Arkansas Valley Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard in the municipality of Las Animas, any one or more of the kinds and sizes of coal named in this Appendix XXXVI, your maximum prices therefore are the same as those established for La Junta as above set forth in paragraph (2) of this Appendix XXXVI plus the actual freight differential between La Junta and Las Animas, which is 10¢ per ton on all sizes except Sizes #11 and #13, as to which the freight differential is 15¢ per ton.

(4) *Lamar maximum prices.* If you are a dealer and sell in the Lower Arkansas Valley Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard in the municipality of Lamar, any one or more of the kinds and sizes of coal named in this Appendix XXXVI, your maximum prices therefor are the same as those established for La Junta as above set forth in paragraph (2) of this Appendix XXXVI plus the actual freight differential between La Junta and Lamar, which is 20¢ per ton on all sizes except Sizes #11 and #13, as to which the freight differential is 25¢ per ton.

(5) *Granada maximum prices.* If you are a dealer and sell in the Lower Arkansas Valley Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard in the municipality of Granada, any one or more of the kinds and sizes of coal named in this Appendix XXXVI, your maximum prices therefor are the same as those established for La Junta as above set forth in paragraph (2) of this Appendix XXXVI plus the actual freight differential between La Junta and Granada, which is 30¢ per ton on all sizes except Sizes #11 and #13, as to which the freight differential is 35¢ per ton.

(6) *Holly maximum prices.* If you are a dealer and sell in the Lower Arkansas Valley Trade Area, either f. o. b. your yard or delivered by truck direct from the mine or from your yard in the municipality of Holly, any one or more of the kinds and sizes of coal named in this Appendix XXXVI, your maximum prices therefor are the same as those established for La Junta as above set forth in paragraph (2) of this Appendix XXXVI plus the actual freight differential between La Junta and Holly, which is 40¢ per ton on all sizes except Sizes #11 and #13, as to which the freight differential is 45¢ per ton.

(7) *Letter designation.* For record-keeping purposes, the letter designation set forth in the Table of Maximum Prices for La Junta may be used by all dealers in the Lower Arkansas Valley Trade Area to show the kind of solid fuel sold.

(8) *Special service charges.* If, in connection with the sale and delivery of coal made by you at any place in the Lower Arkansas Valley Trade Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such services are as follows:

	Per ton	Per ½ ton
"Wheel-in"	$0.50	$0.35
"Pull-back or trimming"	.25	.15
"Carrying up or down stairs"	1.00	.50
Oil or chemical treatment	.25	.15

2. This Amendment No. 16 shall become effective on the 3d day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-13233; Filed, August 31, 1944; 9:22 a. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 17]

SOLID FUELS IN MONTEZUMA, COLO., AREA

Order No. G-26 under Revised Maximum Price Regulation No. 122, Amendment No. 17. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 17 to Order G-26 is issued.

1. That part of the "Table of Maximum Prices" for Cortez in the "Montezuma Trade Area" pertaining to "Bituminous Coal Produced in District 18, Sub-districts 8 and 10, San Juan and Hogback" as the same appears in paragraph (2) of Appendix XXXVII, Montezuma Trade Area, is amended by deleting the designations (A), (B) and (C) for the three price lines and substituting therefor the designations (F), (G) and (H), respectively.

2. This amendment shall become effective on the 11th day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-13226; Filed, August 31, 1944; 9:25 a. m.]

[La Crosse Order G-1 Under MPR 426 and MPR 285]

FRESH FRUITS AND VEGETABLES IN DESIGNATED CITIES IN WISCONSIN AND MINNESOTA

Order No. G-1 under § 1439.3-15 Appendix H (f) Appendix I (g) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285. Delivery differentials for wholesalers of

certain fresh fruits and vegetables in La Crosse, Black River Falls and Eau Claire, Wisconsin, Winona and Rochester, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the La Crosse, Wisconsin District Office of the Office of Price Administration, by § 1439.3–15, Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285, it is hereby ordered:

(a) *What this order does.* This order determines the limits of the free delivery zones at the five wholesale receiving points of La Crosse, Black River Falls and Eau Claire, Wisconsin, and Winona and Rochester, Minnesota. It also establishes differentials for non-delivered sales in the free delivery zones and for delivered sales beyond the free delivery zones. The order applies to such fresh fruits and vegetable items as are now or may hereafter be subject to the pricing provisions of Maximum Price Regulation No. 285, Imported fresh bananas, sales except at retail, and Appendices H and I of Maximum Price Regulation No. 426, Fresh fruits and vegetables for table use, sales except at retail. The only sellers who are subject to this order are those wholesalers who price under the Maximum Price Regulation No. 285, and secondary jobbers and service wholesalers, as these terms are used in Appendices H and I of Maximum Price Regulation No. 426.

(b) *Establishment of delivery zones.* 1. The five free delivery zones established by this order shall be the areas within the city limits of, and within a radius of 5 miles of the city limits of, the Cities of La Crosse, Black River Falls and Eau Claire, Wisconsin; Winona and Rochester, Minnesota.

2. The zones in which charges may be made for delivery are the areas outside the free delivery zones.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation No. 426—1. Non-delivered sales:* For sales on a non-delivered basis of the commodities covered in Appendices H and I of Maximum Price Regulation No. 426, there shall be deducted from the maximum price for delivered sales in a free delivery zone 5¢ per container for standard shipping containers weighing under 50 pounds gross weight and 10¢ per container for standard shipping containers weighing 50 pounds or over, gross weight. A deduction of 2¢ or 5¢, respectively, shall be made for non-delivered sales of half standard shipping containers or more, or for bulk sales weighing as much as or more than half a standard container of the items being sold. No deductions need be made for sales in less than half containers and for bulk sales in less than half containers and for bulk sales which weigh less than half a standard container of the item being sold.

2. *Delivered sales in a free delivery zone.* The maximum price for delivered sales in a free delivery zone shall be the maximum delivered price computed under Maximum Price Regulation No. 426 for the type of sale being made without any deduction from or addition thereto.

3. *Delivered sales beyond a free delivery zone.* For deliveries beyond a free delivery zone, the amount set out below may be added to the maximum price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route. The prices set forth below shall be computed on the gross weight, whether in bulk or in containers:

25 miles or less	25 to 50 miles	50 to 75 miles	Beyond 75 miles
Beyond free delivery zone: 20¢ cwt. but not less than 10¢ per stop.	Beyond free delivery zone: 25¢ cwt. but not less than 10¢ per stop.	Beyond free delivery zone: 30¢ cwt. but not less than 15¢ per stop.	35¢ cwt. but not less than 15¢ per stop.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation No. 285—1. Non-delivered sales and delivered sales in a free delivery zone.* For non-delivered sales and for deliveries in the free delivery zone, the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285 for the type of sale being made. Customary discounts and price differentials, including any differential or discount for f. o. b. seller or non-delivered sales, must be maintained.

2. *Delivered sales beyond a free delivery zone.* For deliveries beyond a free delivery zone, the amount set out below may be added to the price for delivered sales in the free delivery zone. Deliveries beyond a free delivery zone shall be computed via the nearest publicly traveled route. Delivery charge shall be computed for the net weight of bananas delivered.

25 miles or less	25 to 50 miles	50 to 75 miles	Beyond 75 miles
Beyond free delivery zone: 30¢ cwt.	Beyond free delivery zone: 25¢ cwt.	Beyond free delivery zone: 30¢ cwt.	35¢ cwt.

(e) *Definitions and explanations.* 1. Unless the context otherwise requires, the terms used herein shall have the same meanings as given them in Maximum Price Regulation No. 285 and Maximum Price Regulation No. 426.

2. "Delivery" means physical delivery to the premises of a retail store, hotel, restaurant or institution.

3. Delivery within a free delivery zone or "delivered within a free delivery zone" means delivery by a seller who maintains distribution facilities within that zone. Delivery by a seller in a free delivery zone, who has his distribution facilities in a different free delivery zone, shall not constitute a delivery in a free delivery zone as herein defined, and such seller shall be entitled to add the delivery charges beyond the free delivery zone in which he has his distribution facilities.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) *Effective date:* This order shall become effective on June 21, 1944.

(Pub. Laws 421 and 729, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this nineteenth day of June 1944.

P. H. GRIFFIN,
District Director.

Approved:

E. O. POLLOCK,
Regional Director of Distribution, War Food Administration.

[F. R. Doc. 44–13221; Filed, August 31, 1944; 9:28 a. m.]

[La Crosse Order G–1 Under MPR 426 and MPR 285, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN DESIGNATED CITIES IN WISCONSIN AND MINNESOTA

Amendment No. 1 to Order No. G–1 under § 1439.3–15 Appendix H (f) Appendix I (g) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285. Delivery differentials for wholesalers of certain fresh fruits and vegetables in La Crosse, Black River Falls, and Eau Claire, Wisconsin, Winona and Rochester, Minnesota.

Order No. G–1 under § 1439.3–15 Appendix H (f) Appendix I (g) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285 is amended in the following respects:

In line four (4) of paragraph one (1) after the words Appendix I (g) add the words "Appendix J" and "Appendix K".

In line ten (10) and sixteen (16) subsection (a) of paragraph one (1) after the words H and I add the words "J" and "K".

In line two (2) of subsection C of paragraph one (1) after the words H and I add the words "J" and "K".

In line two (2) of subsection C–1 of paragraph one (1) after the words H and I add the words "J" and "K".

This amended order may be revoked, revised, amended or corrected at any time.

This amended order shall become effective 17th day of July 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.G.O. 51, 9 F.R. 405)

Issued this 15th day of July 1944.

W. C. MCSHANE,
For P. H. GRIFFIN,
District Director.

Approved:

E. O. POLLOCK,
Regional Director of Distribution, War Food Administration.

[F. R. Doc. 44–13222; Filed, August 31, 1944; 9:28 a. m.]

[Region VI Order G–11 Under MPR 165]

LUMBER SAWING SERVICES IN SOUTHWESTERN WISCONSIN

Order No. G–11 under Maximum Price Regulation No. 165, as amended. Services. Adjusted prices for custom lumber sawing services in Southwestern Wisconsin.

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, Services, it is hereby ordered:

(a) *Geographical applicability.* This order applies to all custom sawing services performed in the counties of La Crosse, Monroe, Juneau, Vernon, Sauk, Richland, Crawford, and Grant in the State of Wisconsin, and to all custom sawing services performed by persons whose residence and principal place of operations are located within these counties.

(b) *The maximum prices established.* The following maximum prices are hereby established for the enumerated custom lumber sawing services:

	Per M board feet
Custom sawing alive	$0.50
Custom sawing for grade	11.00
Piling of custom sawn lumber	1.50

(c) *Evasion.* This order may not be evaded by any agreement, scheme, or device of any character. For example, no agreement or arrangement may be made whereby the purchaser pays any part of the saw mill employees' wages. It shall be considered an evasion for any saw mill operator to compel a customer desiring live sawing to purchase grade sawing or to compel any purchaser requiring merely sawing to buy piling services.

(d) *Definitions.* (1) "Custom sawing" means the manufacture into lumber, as a service for others, of logs in which the person performing the services has no financial interest.

(2) "Sawing for grade" refers to a method of sawing in which the log is turned and three or more faces are cut so as to gain the highest quality of lumber obtainable from the log, conforming to standard sizes and grades generally accepted by the lumber industry. For purposes of this order, "custom sawing for grade" shall not include the sawing of lumber departing from standard sizes or grades, nor to that intended for special uses (e. g., railroad ties).

(3) "Sawing alive" refers to a method of sawing (commonly used in the production of farm lumber) whereby the log is not turned as in sawing for grade but is sawn through and through in a manner that will produce two slabs.

(4) "Piling" means an orderly arrangement of lumber that facilitates handling, seasoning, and storage, in which lumber is flat piled so that the face of the board is horizontal, and each course or layer of boards rests upon stickers that permit air circulation below and above the course.

(e) *Other custom sawing services.* Custom sawing services of a type not specifically covered by this order are governed by the provisions of Revised Maximum Price Regulation No. 165. Except as herein specifically modified, all provisions of Revised Maximum Price Regulation No. 165 shall remain in full force and effect.

(f) *Revocability.* This order may be revoked, amended, or corrected at any time. This order shall become effective on July 31, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–13223; Filed, August 31, 1944; 9:29 a. m.]

[Region VII Order G–26 Under RMPR 122, Amdt. 10]

SOLID FUELS IN PUEBLO, COLO., AREA

Order No. G–26 under Revised Maximum Price Regulation No. 122, Amendment No. 10. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 10 is issued.

1. The "Table of Maximum Prices," as set forth in paragraph (3) of "Appendix IV, Pueblo Trade Area," is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 Delivered Prices		Part 2
		Per ton	Per ½-ton	Yard prices per ton
Bituminous coal produced in District 17:				
Sub-district 2, Canon #1:				
(A)	#2—6" lump	$8.85	$4.70	$8.35
(B)	#3—3" lump	8.85	4.70	8.35
(C)	#7—6" x 1½" egg	8.00	4.25	7.50
(D)	#9—3" x 1½" nut	7.60	4.05	7.10
(E)	#10—1¼" x 1" range	7.35	3.95	6.85
(F)	#11—1¼" x ⅝" pea	6.55	3.85	6.05
(G)	#13—1¼" x 0" slack	5.50	3.00	5.00
Sub-district 3, Canon #2:				
(H)	#2—6" lump	8.30	4.40	7.80
(I)	#3—3" lump	8.30	4.40	7.80
(J)	#7—6" x 1½" egg	7.95	4.25	7.45
(K)	#9—3" x 1½" nut	7.45	4.00	6.95
(L)	#10—1¼" x 1" range	7.20	3.85	6.70
(M)	#11—1¼" x ⅝" pea	6.50	3.50	6.00
(N)	#13—1¼" x 0" slack	5.50	3.00	5.00

This is the first and only amendment to Order No. G–26 that makes any change whatsoever in Appendix IV.

2. *Effective date.* This Amendment No. 10 shall become effective on August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–13224; Filed, August 31, 1944; 9:25 a. m.]

[Region VII Order G–26 Under RMPR 122, Amdt. 11]

SOLID FUELS IN COLORADO SPRINGS, COLO., AREA

Order No. G–26 under Revised Maximum Price Regulation No. 122, Amendment No. 11. Solid fuels sold and delivered by dealers.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 11 is issued.

1. The "Table of maximum prices," as set forth in paragraph (3) of "Appendix V, Colorado Springs trade area," is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES—Continued

Kind and letter designation	Size	Part 1 Delivered prices: Per ton	Part 1 Delivered prices: Per ½ ton	Part 2 Yard prices: To dealers per ton	Part 2 Yard prices: To others per ton
Bituminous coal produced in District 17—Continued. Sub-district 3, Canon #1					
(F)	#2—6" lump and egg	$6.05	$4.00	$5.40	$6.15
(G)	#3—3" x 1½" nut	6.05	4.00	5.40	6.15
(F)	#2—6" lump and egg, Washed	6.60	4.35	5.85	6.60
(G)	#3—3" x 1½" nut, Washed	6.60	4.35	5.85	6.60
(H)	#11—1½" x 1½" pea	6.25	4.10	5.55	6.30
(I)	#12—1½" x 0" slack	6.10	4.00	5.40	6.15
Bituminous coal produced in District 17: Sub-district 4, Oak Hills:					
(J)	#2—6" lump and egg	6.05	4.00	5.40	6.15
(K)	#2—6" lump and egg, Washed	6.60	4.35	5.85	6.60
(L)	#3—3" x 1½" nut	6.60	4.35	5.85	6.60
(M)	#11—1½" x ¾" pea	6.25	4.10	5.55	6.30
(N)	#12—1½" x 0" slack	6.10	4.00	5.40	6.15
Sub-district 5, Mt. Harris:					
(O)	#2—6" lump	6.05	4.00	5.40	6.15
(P)	#2—6" lump and egg	6.60	4.35	5.85	6.60
(Q)	#3—3" x 1½" nut	6.60	4.35	5.85	6.60
(R)	#11—1½" x ¾" pea	6.25	4.10	5.55	6.30
(S)	#12—1½" x 0" slack	6.10	4.00	5.40	6.15
(T)	#2—6" lump and egg, Washed	6.60	4.35	5.85	6.60
(U)	#3—3" x 1½" nut, Washed	6.60	4.35	5.85	6.60
(V)	#11—1½" x ¾" pea, Washed	6.25	4.10	5.55	6.30
(W)	#12—1½" x 0" slack, Washed	6.10	4.00	5.40	6.15
Sub-district 7, Trinidad #1 (coking coal):					
(X)	#10—1½" x ¾" pea	7.10	4.65	6.30	7.05
(Y)	#12—1½" x 0" slack	6.90	4.50	6.15	6.90
Subdistrict 8, Trinidad #2, (coking coal):					
(Z)	#10—1½" x ¾" pea	7.20	4.80	6.40	7.15
Sub-bituminous coal produced in District 18:					
(A)	#12—1½" x 0" slack	6.90	4.50	6.15	6.90
Subdistricts 1, 2, and 4, Lehi, Alpine, Lafayette and Marshall No. 4:					
(A)	#1, #, and #—6" lump, lump and egg and 6" x 3½"	6.60	4.30	5.85	6.60
(D)	#2—6" x 3½" nut	6.45	4.20	5.70	6.45
Subdistrict 3, Marshall #, and Subdistrict 5, Erie: (O)	#2 and #—6" lump and 6" x 3½" lump and egg	6.45	4.20	5.70	6.45
Subdistricts 6 and 9, Frederick and El Paso: (D)	#1, #, and #—6" lump, lump and egg and 3½" grate	6.45	4.20	5.70	6.45
Sub-bituminous coal produced in District 16: Sub-district 9, El Paso:					
(E)	#—6" x 3½" nut	6.30	4.10	5.55	6.30
Sub-district 10, Jefferson: (D)	#—6" x 3½" nut	6.30	4.10	5.55	6.30
(D)	#—6" x 3½" nut	6.10	3.95	5.35	6.10
All sub-districts:					
(H)	#—3½" x 1½" nut	6.25	4.05	5.55	6.30
(I)	#—1½" x ¾" pea	6.10	3.95	5.35	6.10
(J)	#10—1½" x 0" slack	5.90	3.85	5.15	5.90
(K)	#11—1½" x 0" slack	5.75	3.75	5.05	5.80
(L)	#12—¾" x 0" slack	5.75	3.75	5.05	5.80

[1] Pea and slack prices per net ton are based on sales for commercial use in lots of two tons or more. On sales of pea or slack for domestic use in lots of two tons or more and on sales of pea or slack for domestic use in lots of less than two tons, the maximum price shall be the above-listed price, plus the listed price plus 50¢.

[2] Normally, the maximum price per ton for sales in lots of less than two tons, the maximum price per ton shall be the above-listed price, plus the listed price plus 50¢. In the case of sales in lots of less than two tons, the maximum price per ton shall be the above-listed price, plus the listed price plus 50¢. However, if your maximum price per sack shall not exceed the number of pounds per sack times your maximum yard price per ton to dealers for the same coal reduced to cents per pound, times two.

"Sub-bituminous coal" means coal produced in District 16 and any sub-district thereof, as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior. The "sub-bituminous coal" produced in District 16 is commonly referred to as "lignite".

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 Delivered prices: Per ton	Part 1 Delivered prices: Per ½ ton	Part 2 Yard prices: To dealers per ton	Part 2 Yard prices: To others per ton
Bituminous Coal produced in District 17: Sub-district 2, Canon #1:					
(A)	#2—6" lump	$6.20	$4.15	$5.50	$6.25
(B)	#2—6" lump	6.20	4.15	5.50	6.25
(C)	#2—6" x 1½" egg	6.75	4.50	5.95	6.70
(D)	#3—3" x 1½" nut	6.75	4.50	5.95	6.70
(E)	#11—1½" x ¾" pea	6.40	4.30	5.70	6.45
(F)	#12—1½" x 0" slack	6.25	4.20	5.55	6.30
Sub-district 3, Canon #2:					
(G)	#2—6" lump	6.20	4.15	5.50	6.25
(H)	#2—6" lump and egg	6.75	4.50	5.95	6.70
(I)	#2—6" x 1½" egg	6.75	4.50	5.95	6.70
(J)	#3—3" x 1½" nut	6.75	4.50	5.95	6.70
(K)	#10—1½" x ¾" range	6.40	4.30	5.70	6.45
(L)	#11—1½" x ¾" pea	6.40	4.30	5.70	6.45
(M)	#12—1½" x 0" slack	6.25	4.20	5.55	6.30

This is the first and only amendment to Order No. G–26 that makes any change whatsoever in Appendix V.

2. *Effective date.* This Amendment No. 11 shall become effective on August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–13228; Filed, August 31, 1944; 9:30 a. m.]

[Region VII Order G–26 Under RMPR 122, Amdt. 12]

SOLID FUELS IN DENVER, COLO., AREA

Order No. G–26 under Revised Maximum Price Regulation No. 122, Amendment No. 12. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels when sold by dealers within specified trade areas in Region VII.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.260 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 12 is issued.

1. The "Table of maximum prices," as set forth in paragraph (3) of "Appendix V. Denver metropolitan trade area," is hereby amended to read as follows:

TABLE OF MAXIMUM PRICES

Kind and letter designation	Size	Part 1 Delivered prices: Per ton	Part 1 Delivered prices: Per ½ ton	Part 2 Yard prices: To dealers per ton	Part 2 Yard prices: To others per ton
Bituminous coal produced in District 17: Sub-district 1, Walsenburg:					
(A)	#2—6" lump and egg	$6.45	$4.00	$5.30	$6.05
(B)	#2—6" x 1½" nut: Raw	6.30	4.40	7.05	7.80
(C)	Washed	6.40	4.45	7.15	7.90
(D)	#11—1½" x ¾" pea	6.55	4.70	6.35	7.00
(E)	#12—1½" x 0" slack	5.55	3.10	5.15	5.80

This is the second amendment to Order No. G–26 that makes a change in Appendix VI. The only previous change was made by Amendment No. 1, and that change is now incorporated herein, so that the Table of Maximum Prices now effective in the Denver Metropolitan Trade Area as established by Appendix VI is as hereinabove set forth.

2. *Effective date.* This Amendment No. 12 shall become effective on August 3, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of August 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–13225; Filed, August 31, 1944; 9:25 a. m.]

[Region VIII Order G–3 Under MPR 329, Amdt. 7]

FLUID MILK IN KINGS OR TULARE COUNTIES, CALIF.

SAN FRANCISCO REGIONAL OFFICE REGION VIII

Amendment No. 7 to Order No. G–3 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1351.408 (b) of Maximum Price Regulation No. 329 as amended, Order No. G–3 under Maximum Price Regulation No. 329 is hereby amended by adding a new paragraph (k) to read as follows:

(k) Notwithstanding any of the foregoing provisions of this order, any purchaser may pay to any producer whose dairy is located in Kings or Tulare counties a permitted addition to the maximum prices specified in paragraphs (a), (b) and (j) of this order, provided the following conditions are met:

(1) The permitted addition must be paid before September 1, 1944.

(2) The amount of the permitted addition, when added to any other sum paid by the purchaser to the producer, including certificates of indebtedness, between January 1, 1944 and September 1, 1944 with respect to milk delivered during the year 1943, shall not exceed $.021 for each pound of milk fat purchased from that producer in 1943.

This amendment shall become effective August 22, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub Law 383, 78th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681).

Issued this 22d day of August 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

Approved:

PAUL C. ADAMS,
Officer in Charge,
Dairy and Poultry Branch,
War Food Administration.

[F. R. Doc. 44–13237; Filed, August 31, 1944; 9:20 a. m.]

[Region II 2d Rev. Order G–26 Under RMPR 122, Amdt. 4]

BUCK RUN COLLIERY CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 4 to Second Revised Order No. G–26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Silver Brook", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Second Revised Order No. G–26 is amended in the following respects:

1. Paragraph (a) (1) is amended by adding the following table of increases to the tables already incorporated:

FOR SALES OF ANTHRACITE PRODUCED AND PREPARED BY BUCK RUN COLLIERY COMPANY

Permitted per net ton increase above applicable area ceiling price for anthracite

Size	
Broken, egg, stove, nut and pea	$0.65
Buck	.50
Rice	.10

2. Paragraph (e) is amended by redesignating subparagraphs (7) and (8) as subparagraphs (8) and (9) respectively, and adding a new subparagraph (7) to read as follows:

(7) "Anthracite produced and prepared by Buck Run Colliery Company" refers to anthracite produced and prepared by the Buck Run Colliery Company, at its Buck Run Colliery, Buck Run, Pennsylvania.

This Amendment No. 4 to Second Revised Order No. G–26 shall become effective August 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–13306; Filed, August 31, 1944; 1:31 p. m.]

[Region II Order G–6 Under SR 15 and MPR 280, Amdt. 1]

FLUID MILK IN NEW YORK REGION

Amendment No. 1 to Order No. G–2 under § 1499.75 (a) 9 of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 of Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Amendment to section (c) of Order No. G–2.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and by § 1351.807 of Maximum Price Regulation No. 280, as amended, and pursuant to a directive from the Director of Economic Stabilization, *It is hereby ordered,* That:

Section (c) of Order No. G–2 be amended by increasing by ½¢ per quart and ½¢ per half pint, the into store maximum prices for the sale of each type of fluid milk other than Grade A raw and pasteurized, except for sales to schools, and as so amended, section (c) shall read as follows:

(c) The maximum price for the sale and delivery of each type of fluid milk other than those types specified herein shall be the maximum price established for the seller by the General Maximum Price Regulation plus the amount set forth below for the appropriate type of delivery and container size.

Type of delivery	Container size	Amount to be added
		Cents
Into store	Quart	1
	Pint	½
	½ pint	½
To schools	Quart	½
	Pint	½
	½ pint	None
Out of store	Quart	1
	Pint	½
	½ pint	None
To the home	Quart	1
	Pint	None

This Amendment No. 1 to Order No. G–2 shall become effective August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–13308; Filed, August 31, 1944; 1:31 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 30, 1944.

REGION II

Pittsburgh Order 1–F, Amendment 20, covering fresh fruits and vegetables in Pittsburgh and certain surrounding communities, filed 3:49 p. m.

Trenton Order 5–F, Amendment 4, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth, filed 3:50 p. m.

REGION V

Dallas Order 2–F, Amendment 9, covering fresh fruits and vegetables in Dallas District, except Dallas and Bowie Counties, filed 3:46 p. m.

Dallas Order 22, covering dry grocery items in certain named counties in Texas, filed 3:26 p. m.

Houston Order 1–F, Amendment 22, covering fresh fruit and vegetables in certain areas in Texas, filed 3:27 p. m.

Houston Order 3–F, Amendment 10, covering fresh fruit and vegetables in certain areas in Texas, filed 3:27 p. m.

St. Louis Order 3–W, Amendment 1, covering dry groceries in the City and the County of St. Louis, filed 3:47 p. m.

St. Louis Order 4–W, Amendment 1, covering dry groceries in St. Louis District, except city and county of St. Louis, filed 3:47 p. m.

St. Louis Order G–18, Amendment 4, covering dry groceries in the City and the County of St. Louis, filed 3:49 p. m.

St. Louis Order G–19, Amendment 4, covering dry groceries in the City and the County of St. Louis, filed 3:48 p. m.

St. Louis Order G–20, Amendment 4, covering dry groceries in the St. Louis District, except city and county of St. Louis, filed 3:48 p. m.

Tulsa Order 5–F, Amendment 16, covering fresh fruit and vegetables in certain counties in Oklahoma, filed 3:51 p. m.

Wichita Order G–25, covering dry groceries and certain perishables in designated counties in Kansas, filed 3:29 p. m.

Wichita Order G–26, covering dry groceries and certain perishables in designated counties in Kansas, filed 3:46 p. m.

REGION VI

Omaha Order 15, Amendment 4, covering dry groceries and perishables in Douglas & Sarpy Counties, Nebr., and Council Bluffs, Iowa.

REGION VIII

Fresno Order 1–F, Amendment 22, covering fresh fruit and vegetables in Fresno, Calif., filed 3:31 p. m.

Fresno Order 3–F, Amendment 20, covering fresh fruit and vegetables in Modesto, Calif., filed 3:31 p.m.

Fresno Order 4–F, Amendment 17, covering fresh fruit and vegetables in named cities in Calif., filed 3:31 p. m.

Sacramento Order 4–F, Amendment 3, covering fresh fish and seafood in the Redding Area, filed 3:48 p. m.

Fresno Order 6–F, Amendment 3, covering fresh fruit and vegetables in a 10 mile radius of the Court House in Makersfield, Kern County, filed 3:32 p. m.

Sacramento Order 1–F, Amendment 14, covering fresh fruit and vegetables in the Sacramento–Stockton Area, filed 3:50 p. m.

Sacramento Order 6–F, Amendment 12, covering fresh fruit and vegetables in the Sacramento District Central County Area, filed 3:50 p. m.

Sacramento Order 7–F, Amendment 13, covering fresh fruit and vegetables in the Sacramento District Northern County Area, filed 3:51 p. m.

Sacramento Order 1–P, Amendment 3, covering fresh fish and seafood in the Sacramento Area, filed 3:32 p. m.

Sacramento Order 2–P, Amendment 3, covering fresh fish and seafood in the Stockton-Marysville Area, filed 3:32 p. m.

Sacramento Order 3–P, Amendment 3, covering fresh fish and seafood in the Chico-Red Bluff Area, filed 3:33 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–13416; Filed, Sept. 1, 1944; 11:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–72 and 59–66]

STANDARD GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of August 1944.

Standard Gas and Electric Company, a registered holding company, having, on March 24, 1943, filed a plan for its recapitalization pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and the Commission having on the aforesaid date issued an order instituting proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of said act with respect to said company, which order also set the issues presented by the plan and the proceedings so instituted for consolidated hearings; hearings having been held on the matters so consolidated; and the Commission having, on May 29, 1944, issued its findings and opinion disapproving the provisions in said plan with respect to the note and debenture holders;

Notice is hereby given that on August 28, 1944, Standard Gas and Electric Company filed an amended plan for its recapitalization pursuant to the provisions of said section 11 (e). All interested persons are referred to said amended plan, which is on file at the office of this Commission, for a statement of the transactions therein proposed which may be summarized as follows:

1. Standard Gas and Electric Company (hereinafter sometimes referred to as Standard Gas) proposes to discharge and retire all of its outstanding notes and debentures in the principal amount of $59,000,000 by the distribution and delivery of the following cash and securities for each $1,000 principal amount of such notes or debentures:

(a) $90 in cash;

(b) A new five-year 4% debenture of Standard Gas in the principal amount of $400;

(c) 3 shares of the common stock of Pacific Gas and Electric Company;

(d) 12 shares of the common stock of Oklahoma Gas and Electric Company;

(e) 5 shares of the common stock of The California Oregon Power Company;

(f) 2 shares of the common stock of Mountain States Power Company.

The amended plan provides that holders of notes and debentures of other principal amounts will participate ratably according to their holdings, except that payment of cash will be made in lieu of the delivery of fractional shares of common stock of Pacific Gas and Electric Company, Oklahoma Gas and Electric Company, The California Oregon Power Company, and Mountain States Power Company (herein sometimes referred to as "the operating public utility companies") and in lieu of the delivery of new debentures of Standard Gas of denominations less than $100. Accrued interest will be paid in cash on all notes and debentures at the regular semi-annual dates fixed therefor until the amended plan becomes effective, and then will be paid on each issue for the period elapsed since the last preceding interest-payment date; when the amended plan becomes effective, interest will cease. The new debentures will bear interest from the date upon which the amended plan shall become effective.

For the purposes of the computations required in the determination of the amounts of cash to be paid to the holders of the outstanding notes and debentures in partial discharge thereof and the amounts of cash to be paid to such holders in lieu of the delivery of fractional shares of common stock of the operating public utility companies, a basic value is assigned to each share of such stock. The basic value of each share and the aggregate basic value of the shares to be distributed for each $1,000 principal amount of notes and debentures, as so assigned, are as follows (subject to adjustment under certain condition as hereinafter provided):

Company	Number of shares to be distributed	Basic value per share	Aggregate basic value
Pacific	3	$33	$99
Oklahoma	12	21	252
California Oregon	5	24	120
Mountain States	2	21	42
Total aggregate basic value for shares to be distributed for each $1,000 principal amount of notes or debentures			513

The plan further provides for an increase or decrease of such aggregate basic value, but by not more than three percent thereof, with corresponding adjustment of the amount of cash payable, in proportion to any increase or decrease in the average market value of certain public utility companies between August 15, 1944, and the day the amended plan shall be approved by the Commission.

2. Standard Gas proposes that the new debentures to be issued to its note and debenture holders shall have the following characteristics:

(a) They will be dated as of the effective date of the amended plan and will be payable five years after that date;

(b) They will be in bearer form, with the privilege of registration as to principal only, will be in denominations of $100, $500 and $1,000, and will bear interest from the date thereof at the rate of 4% per annum, payable in equal semi-annual installments.

(c) They will be issued under a trust agreement in which Standard Gas will covenant, among other things, substantially as follows:

(i) No pledge will be made of, and no other lien (except for taxes or charges which are not overdue or which are being contested) will be placed upon, any of the property or assets of Standard Gas;

(ii) Standard Gas will not borrow any money, or become indebted other than for current debts incurred in operation and administration in the ordinary course of business, except that it may from time to time borrow, or become indebted for, not to exceed $500,000 in principal sum at any time outstanding;

(iii) Standard Gas will not declare or pay any dividends in cash on its capital stock or make any other distribution thereon unless and until the principal amount of the outstanding new debentures shall have been reduced to $5,000,000 or less; and in no event will it declare or pay any dividends from any source other than earned surplus accumulated after the effective date of the amended plan.

(iv) Standard Gas will pay into a sinking fund on a specified date in each

year an amount equal to 66⅔% of its net income (as determined in accordance with the Uniform System of Accounts for Public Utility Holding Companies prescribed by the Commission as amended effective January 1, 1943) for the preceding calendar year, the moneys so paid to be used for the purchase of new debentures or, to the extent not so used within a specified time, to the redemption thereof, and with the privilege to Standard Gas of tendering to the sinking fund (at the cost thereof to it), in lieu of cash, new debentures purchased from time to time by Standard Gas with funds other than those representing proceeds of the sale of capital assets by it; and

(v) Standard Gas will pay into a sinking fund the proceeds received in cash (after deduction of expenses and taxes) from all sales of capital assets or collections of indebtedness (other than current indebtedness) by Standard Gas, such proceeds to be used for the purchase or redemption of new debentures;

(d) The new debentures will be redeemable as a whole or in part, at any time, at the option of Standard Gas, at the principal amount thereof and accrued interest thereon, upon at least thirty days' published notice;

(e) Provision will be made in the trust agreement whereby the new debentures may become due and payable prior to the date fixed for their maturity in the event of the occurrence of certain defaults, including the violation of any of the covenants to be made therein by Standard Gas.

3. Standard Gas proposes to reclassify all of its presently outstanding stock into 5,020,135 shares of new no par value stock, each share of which will be represented by capital in the amount of $10.00 and be entitled to one vote. No holder of the new common stock shall have any preemptive right to purchase any additional shares of stock which may thereafter be issued. No dividends shall be declared upon the new common stock until such time as the principal amount of the indebtedness represented by the new debentures, or by any renewal thereof or substitution therefor, has been reduced to $5,000,000 or less.

4. Standard Gas proposes to retire its outstanding prior preference and preferred stock by the distribution to the holders thereof of the new common stock as follows:

(a) 10.5 shares of new common stock for each share of Prior Preference Stock, $7.00 Cumulative, and all accumulated and unpaid dividends thereon, or a total of 3,867,654 shares representing 77% of the new common stock to the holders of the Prior Preference Stock, $7.00 Cumulative;

(b) 9 shares of the new common stock for each share of Prior Preference Stock, $6.00 Cumulative, and all accumulated and unpaid dividends thereon, or a total of 900,000 shares, representing 18% of the new common stock, to the holders of the Prior Preference Stock, $6.00 Cumulative;

(c) ½ share of the new common stock for each share of $4.00 Cumulative Preferred Stock and all accumulated and unpaid dividends thereon, or a total of 252,480⅔ shares, representing 5% of the new common stock, to the holders of the $4.00 Cumulative Preferred Stock.

No certificates for fractional shares of the new common stock of Standard Gas will be issued. In lieu thereof, scrip certificates will be issued representing rights to such fractional shares and exchangeable, when accompanied by other certificates in such amount as to represent in the aggregate one or more full shares of stock, for certificates for such full shares. The holders of scrip certificates will not be entitled to any rights as shareholders until the scrip certificates are so exchanged. If not so exchanged within two years from the date upon which the amended plan shall become effective, all such scrip certificates will become void.

5. Standard Gas proposes to eliminate its presently outstanding common stock from participation in its recapitalization.

6. The amended plan provides that when it shall have become effective, Standard Power and Light Corporation, a Delaware corporation, the issuer of the Standard Power and Light Corporation 6% Gold Debentures, due February 1, 1957, in respect of which the payment of the principal and interest was assumed by Standard Gas on January 7, 1930, shall forthwith become and be free and discharged from all liability (if any there be) as to the payment of the principal of, and the interest on, such debentures and the performance of the covenants, obligations and conditions on its part expressed in the Trust Agreement, dated February 1, 1927, between Standard Power and Light Corporation and Guaranty Trust Company of New York, as Trustee, under which such debentures were issued.

If this Commission should approve the amended plan for the recapitalization of Standard Gas, that company requests that this Commission apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said act to enforce and carry out the terms and provisions of the amended plan.

The Commission being required by the provisions of section 11 (e) of the act to find, after notice and opportunity for hearing and before approving any plan filed thereunder, that such plan, as submitted or as amended, is necessary to effectuate the provisions of section 11 (b), and is fair and equitable to the persons affected thereby; and it appearing appropriate that notice be given and a hearing held on the amended plan to afford all interested persons an opportunity to be heard with respect thereto; and

It appearing that the common issues of fact and law arising in connection with the amended plan and the proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) heretofore instituted and now pending make it appropriate that hearings on said matters be consolidated;

It is hereby ordered, (a) That the hearings on the amended plan of Standard Gas and Electric Company and on the pending proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) with respect to Standard Gas and Electric Company be consolidated, subject to a reservation of jurisdiction to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to said amended plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved;

(b) That the consolidated hearings be held on the 21st day of September, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before the 18th day of September, 1944.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That notice of this hearing be given to Standard Gas and Electric Company and to all other persons; such notice to be given to Standard Gas and Electric Company, Pacific Gas and Electric Company, Oklahoma Gas and Electric Company, The California Oregon Power Company, Mountain States Power Company, Standard Power and Light Corporation, Guaranty Trust Company of New York, Pam, Hurd and Reichmann, A. J. Fleischmann and Continental National Bank and Trust Company of Chicago by registered mail and to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under said act; and

It is further ordered, That Standard Gas and Electric Company mail a copy of the amended plan and this notice and order at least fifteen days prior to September 21, 1944, to each of its security holders at his last-known address; and

It is further ordered, That without limiting the scope of issues presented by said amended plan, by said amended declaration and application, or by the pending proceedings instituted pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of said act, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the amended plan as proposed or as modified is necessary to effectuate the provisions of section 11 (b)

of the act and is fair and equitable to the persons affected thereby;

2. Generally, whether the proposed transactions of Standard Gas and Electric Company are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modification should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–13356; Filed, Sept. 1, 1944; 9:41 a. m.]

[File No. 70–935]

INDIANA & MICHIGAN ELECTRIC CO. AND AMERICAN GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of August, A. D. 1944.

American Gas and Electric Company, a registered holding company, subsidiary of Electric Bond and Share Company, also a registered holding company and Indiana & Michigan Electric Company, a utility subsidiary of American Gas & Electric Company, having filed joint applications and declarations and amendments thereto, pursuant to sections 6 (b), 7 (e), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-50 thereunder with respect to: (1) the issuance of notes to banks in the principal amount of $7,880,000 by Indiana & Michigan Electric Company and the use of the proceeds of such notes to purchase from American Gas and Electric Company 38,017 shares of the 6% and 7% preferred stock of Indiana & Michigan Electric Company and to redeem from the public 38,976 shares of such stock; (2) the cancellation, by Indiana & Michigan Electric Company, of all of its presently issued preferred stock and the restatement of its charter so as to provide that the authorized shares will consist of 250,000 shares of $100 par value cumulative preferred stock and 1,250,000 shares of no par value common stock and to provide voting rights to the preferred stock under certain circumstances; (3) the issuance and sale under competitive bidding pursuant to Rule U-50 of 120,000 shares of the newly authorized $100 par value cumulative preferred stock, the bid or bids thereon to fix the dividend rate and the price to be paid to the company; and (4) the issuance and sale by Indiana & Michigan Electric and the acquisition by American Gas and Electric Company of 129,024 shares of common stock for cash in the amount of $3,000,000; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That said applications-declarations, as amended, be and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24, and to the following terms and conditions:

(1) That the proposed issuance and sale of the 120,000 shares of $100 par value cumulative preferred stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transaction;

(2) That Indiana & Michigan Electric Company shall not pay any cash dividends on its common stock out of earned surplus accumulated prior to October 1, 1944.

(3) That within one year from the date of this order the proceeds of the sale of the new preferred stock in excess of that necessary in effecting the redemption and acquisition of the presently outstanding preferred stock shall have been dedicated to one or more of the following: (a) the purchase of properties for which negotiations are now in process, (b) the redemption of publicly-held securities of Indiana General Service Company, or (c) the construction of additional generating facilities, and that, failing such dedication within such period, such proceeds shall be used for the redemption of the long-term debt and/or preferred stock of Indiana & Michigan Electric Company.

It is further ordered, That jurisdiction be, and hereby is, reserved over all legal fees and expenses to be paid in connection with the proposed transactions and to the extent necessary to ensure compliance with any of the conditions contained in this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–13358; Filed, Sept. 1, 1944; 9:41 a. m.]

[File No. 70–909]

CENTRAL INDIANA GAS COMPANY

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of August, A. D. 1944.

Central Indiana Gas Company, a subsidiary of a registered holding company, having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 6 (b) and 12 (c) thereof, said application-declaration relating to the purchase by the company at 102 of $301,000 principal amount of its First Mortgage 4% Bonds due 1962 from five insurance companies who were the original purchasers of the entire issue, the retirement of said bonds, and the modification of the indenture securing the $3,250,000 remaining outstanding bonds in respect of the annual interest rate, the optional redemption price and sinking fund provisions of said bonds;

Said application-declaration containing a request that the Commission enter an order finding that, with respect to the proposed issuance and sale of said bonds, compliance with paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate; and

A public hearing having been held after appropriate notice, the Commission having made and filed its findings and opinion therein; and

The Commission finding that, with respect to the proposed issuance and sale of bonds, an exemption from the requirements of Rule U-50 is appropriate;

It is hereby ordered, That, pursuant to the applicable provisions of said act, the aforesaid application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the conditions prescribed by Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–13357; Filed, Sept. 1, 1944; 9:41 a. m.]

WAR MANPOWER COMMISSION.

[Amdt. 2]

BURLINGTON, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

AUGUST 22, 1944.

The employment stabilization program for the Burlington Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 19 *General Referral Policies* (originally section 18) is hereby amended by inserting the figure one (1) at the beginning of the section as previously adopted and by adding the following paragraph:

(2) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt Standards of Priority Referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: August 25, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: August 29, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44–13331; Filed, August 31, 1944; 4:14 p. m.]

WILLIMANTIC, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Willimantic Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by the United States Employment Service.
9. Referral in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. Seniority.
19. General referral policies.
20. Effective date.

SECTION 1. *Purpose.* The employment stabilization program has been adopted in the Willimantic Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Willimantic Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Willimantic Area with the approval of the Regional Director to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such area exceeds the available supply. A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director, with the approval of the Regional Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Willimantic Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Willimantic Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

The Area Director may after consultation with the Area Labor-Management Committee authorize the United States Employment Service to designate a union or unions as hiring halls, with the right to make referrals to specific job openings. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof. (See section 9.)

SEC. 8. *Issuance of statements of availability by the United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

The employer who continues to be in non-compliance after notice, hearing, and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment. Nothing in this section shall be construed to supersede the provisions of section 10 (d).

A temporary statement of availability shall contain in addition to the provisions of the regular form the words:

> The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

(e) The new employee is a male worker.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by an employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions determined by the Area Manpower Director or his representative.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *Seniority.* Workers referred or transferred with statements of availability under the terms of this area employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom; and

(b) Be reemployed by their home employer according to the seniority agreement of custom mentioned above, provided they apply for reemployment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the

U. S. Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for reemployment with their home employer as provided in (a) and (b).

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 19. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 20. *Effective date.* This program shall be effective as of May 31, 1944 and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: June 19, 1944.

WM. G. ENNIS,
Area Director.

Approved: July 22, 1944.

ARTHUR C. GERNES,
Acting Regional Director.

APPENDIX A—DESIGNATION OF THE WILLIMANTIC AREA

The Willimantic Area is comprised of the territories included in the following cities and towns in the State of Connecticut:

Andover, Ashford, Chaplin, Columbia, Coventry, Hampton, Hebron, Lebanon, Mansfield, Scotland, and Windham.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following shall be considered additional controlled occupations in the Willimantic Area:

Dresser tender (textile).
Comber tender.
Twister tender.
Card tender.
Spinner, frame.
Automobile mechanic.
Machine fixer III (textile).
Yarn winder.

[F. R. Doc. 44-13195; Filed, August 30, 1944; 11:52 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 177

Washington, Tuesday, September 5, 1944

The President

EXECUTIVE ORDER 9474

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE THE MINES, COLLIERIES, AND PREPARATION FACILITIES OF THE FORD COLLIERIES COMPANY OF CURTISVILLE, PENNSYLVANIA, AND ROCHESTER AND PITTSBURGH COAL COMPANY OF INDIANA, PENNSYLVANIA [1]

WHEREAS after investigation I find and proclaim that there are interruptions of the operations of the mines, collieries, and facilities of the Ford Collieries Company of Curtisville, Pennsylvania, and Rochester and Pittsburgh Coal Company of Indiana, Pennsylvania, as a result of existing and threatened strikes and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruptions; and that the exercise, as herein specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these mines, collieries, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities of the Ford Collieries Company of Curtisville, Pennsylvania, and Rochester and Pittsburgh Coal Company of Indiana, Pennsylvania, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale, and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of section 8 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. The Secretary of the Interior shall permit the managements of the mines, collieries, and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

5. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 31, 1944.

[F. R. Doc. 44-13444; Filed, Sept. 1, 1944; 4:40 p. m.]

[1] See Orders 1983 and 1984, Sec. Int., 9 F.R. 10780.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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EXECUTIVE ORDER 9475

TRANSFERRING THE FUNCTIONS AND RESPONSIBILITIES OF THE RUBBER DIRECTOR

By virtue of the authority vested in me by the Constitution and the statutes, particularly the Act of December 18, 1941, entitled "First War Powers Act, 1941" (Public 354—77th Congress), as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. The Office of Rubber Director, established by Executive Order 9246, dated September 17, 1942, is abolished and the authority and functions of the Rubber Director are transferred to the Chairman of the War Production Board except as provided for in paragraph 3 of this order.

2. All regulations, rulings and other directives relating to the rubber program issued under Executive Order 9246 shall remain in effect except insofar as they may be amended by the Chairman of the War Production Board.

3. Rubber Reserve Company, under the direction of the Secretary of Commerce, shall have responsibility for:

(a) Purchase, sale, acquisition, storage and transportation of synthetic and natural rubbers in amounts determined by the Chairman of the War Production Board to be necessary to meet the requirements of the Nation's rubber program.

(b) Research, development and testing of synthetic rubbers and new monomers therefor and the testing of tires and tubes made therefrom by test fleets owned by or operated for the government, financed by or conducted in cooperation with the Rubber Reserve Company.

(c) Subject to directives of the Chairman of the War Production Board, operation of plants of the synthetic rubber program owned by Defense Plant Corporation or Rubber Reserve Company or operated under contract with either of them, except those which are within petroleum refineries.

4. The personnel, property, records, unexpended balances of appropriations, and other funds of the War Production Board primarily concerned with and available for the discharge of any of the functions, responsibilities, powers, and authorities that are vested in the Rubber Reserve Company by paragraph 3 of this order shall, to the extent determined by the Director of the Bureau of the Budget, be transferred to the Rubber Reserve Company. In determining the amounts transferred hereunder, allowance shall be made for the liquidation of obligations previously incurred against such balances of appropriations, allocations, or other funds transferred.

5. Nothing herein shall be construed to limit the powers conferred upon the Price Administrator by the "Emergency Price Control Act of 1942", as amended.

6. Any provision of any Executive Order conflicting with this order is superseded to the extent of such conflict.

7. This order shall take effect as of September 1, 1944.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 1, 1944.

[F. R. Doc. 44–13506; Filed, Sept. 2, 1944; 4:50 p. m.]

EXECUTIVE ORDER 9476

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE THE MINES, COLLIERIES, AND PREPARATION FACILITIES OF CERTAIN COAL COMPANIES

WHEREAS after investigation I find and proclaim that there are interruptions of the operations of the mines, collieries, and facilities of the companies named in the list attached hereto and made a part hereof, created in the State of Pennsylvania, as a result of existing and threatened strikes and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruptions; and that the exercise, as herein specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these mines, collieries, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities of the companies named in the list attached hereto and made a part hereof, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of section 5 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. The Secretary of the Interior shall permit the managements of the mines, collieries, and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

5. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has

been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 3, 1944.

LIST OF NAMES AND LOCATIONS OF COMPANIES

Heisley Coal Co., Nanty-Glo, Pa.
Imperial Coal Co., Nettleton, Pa.
Monroe Mining Co., Revloc, Pa.
Springfield Coal Co., Nanty-Glo, Pa.

[F. R. Doc. 44-13563; Filed, Sept., 1944; 12:33 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9-14]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS OF OILSEED FOR OCTOBER, 1944

Pursuant to the authority vested in me by War Food Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319, 8767), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.17 *Set aside requirements for processors of oilseed for October 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during October 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop," and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to a buyer named in a certificate of designated buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed Management Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

No. _____ Date
State and County Code and Order Number
Issued _____ 194..

CERTIFICATE OF DESIGNATED BUYER

_____ is authorized to
(Name and Address)
purchase and accept delivery of _____
(tons—pounds) of _____ oilseed
(Kind)
_____ from amounts
(Meal—cake or pellet)
set aside by _____
(Name of processor)
of _____ to be
(Address of processor)
ordered through _____;
(Name, address of jobber)
pursuant to the order of the Director of Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

OFFICE OF PRODUCTION,
_____
(Agricultural Conservation Committee)
of _____
(Address)
By _____
(Chairman or designated member)

J. B. Hutson, Director
Expiration date _____

(2) Agricultural Conservation Committees may commence issuing certificates of designated buyers pursuant to this order during September 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during September 1944. A processor shall be entitled to credit such deliveries made in September 1944 against the quantity of oilseed meal which he is required to set aside in October 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person responsible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(5) No processor shall be required to honor a Certificate of Designated Buyer for oilseed meal set aside pursuant to this order unless the designated buyer furnishes the processor or his agent with (i) shipping instructions, and, in the case of a designated buyer other than a feeder, (ii) the statement required by paragraph (h) of War Food Order No. 9 before midnight of the expiration date shown on the certificate. If a processor elects not to honor a certificate of designated buyer pursuant to this paragraph, he shall return such certificate to the issuing officer and he may dispose of the oilseed meal covered by such certificate free from the restrictions of this order. The expiration date for any certificate of designated buyer issued under this order shall be not later than October 16, 1944, unless a later date (but in no event later than October 20, 1944) is authorized by the Chief of the Feed Management Branch, Office of Production, War Food Administration. No processor, however, shall be required to honor any certificate bearing an expiration date later than October 16, 1944, unless required to do so by notice from the Chief of the Feed Management Branch received before midnight of that date. In such case, the processor will be required to honor certificates of designated buyers bearing expiration date later than October 16, 1944, but not later than October 20, 1944. Any oilseed meal set aside pursuant to this order for which the processor has received no certificate before midnight of October 16, 1944 (or later, but not later than October 20, 1944, if the notice provided for herein is received from the Chief of the Feed Management Branch), may be disposed of by the processor free from the restrictions of this order: *Provided, however,* That the provisions of this paragraph shall not apply to oilseed meal required to be set aside by this order which has not heretofore been reported to the Director.

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than 20 percent of the oilseed meal covered by any such contract.

(d) *Processor's reports*—(1) *Report of tonnage for September delivery for credit against October set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in September 1944 for credit against his set aside in October 1944, he must report to the Director in writing (or by telegraph) not later than September 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in September 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than November 10, 1944, for each plant operated by him. Certificates of designated buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue certificates of designated buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Release of oilseed meal set aside under prior orders.* Any processor who has on hand oilseed meal, which has been reported pursuant to any set aside order prior to War Food Order No. 9–12 (9 F.R. 9582) as set aside for sale and delivery to designated buyers and for which the processor has received no shipping instructions from the designated buyers prior to the issuance of this order, may sell and deliver such oilseed meal free from the restrictions of the order under which it was set aside.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref: WFO 9–14.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767)

Issued this 30th day of August 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-13424; Filed, Sept. 1, 1944; 8:14 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 15-9]

PART 1401—DAIRY PRODUCTS

CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, as amended (8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4919), it is hereby ordered, as follows:

§ 1401.186 *Percentage of Cheddar cheese to be set aside in September 1944*—(a) *Definitions.* (1) "WFO 15" means War Food Order No. 15, as amended.

(2) Each term defined in WFO 15 shall, when used herein, have the same meaning as set forth for such term in WFO 15.

(b) *Percentage.* Each person who is required by WFO 15 to set aside Cheddar cheese during September 1944 shall set aside, in said month, a quantity of Cheddar cheese equal at least to 50 percent of all Cheddar cheese produced by him in that month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 15, 8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319)

Issued this 31st day of August 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-13354; Filed, Sept. 1, 1944; 9:01 a. m.]

[WFO 79-103, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MEMPHIS, TENN., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–103 (9 F.R. 135, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Memphis, Tennessee, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.136 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Memphis, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Memphis and all of Shelby County, Tennessee, and the city of West Memphis in Crittenden County, Arkansas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 250 units of milk, cream, and milk byproducts, unless more than 125 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of

business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the elective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–103, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–103, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13338; Filed, Sept. 1, 1944; 9:01 a. m.]

[WFO 79–104, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHATTANOOGA, TENN., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–104 (9 F.R. 137, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Chattanooga, Tennessee, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.144 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Chattanooga, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Chattanooga and the civil districts 1, 2, 3, and 4 in Hamilton County, Tennessee; and the militia districts of Creek in Dade County, Ninth in Catoosa County, and Lookout Mountain, Lisbon, Rossville, and Chickamauga in Walker County, Georgia.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another,

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director, and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed bythe Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–104, as amended, rights accrued or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–104, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13343; Filed, Sept. 1, 1944; 9:01 a. m.]

[WFO 79–105, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN KNOXVILLE, TENN. METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–105 (9 F.R. 138, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Knoxville, Tennessee, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.138 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundred-

weight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Knoxville, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Knoxville and Knox County, the towns of Maryville and Alcoa in Blount County, the town of Jefferson City in Jefferson County, and the towns of Lenoir City and Loudon in Loudon County, all in the State of Tennessee.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other diary products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–105, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–105, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13339; Filed, Sept. 1, 1944; 9:01 a. m.]

[WFO 79–106, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN NASHVILLE, TENN., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–106 (9 F.R. 139, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Nashville, Tennessee, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.137 *Quota-restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Nashville, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Nashville, and Civil Districts Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, and 13 all in Davidson County, Tennessee.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk byproducts, unless more than 50 units of such daily average shall consist of cream. For the purpose of this order a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another.

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of childen, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–106, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–106, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved

by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13340; Filed, Sept. 1, 1944; 9:01 a. m.]

[WFO 79-107, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ATLANTA, GA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-107 (9 F.R. 140, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Atlanta, Georgia, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.141 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Atlanta, Georgia, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Atlanta and the counties of Fulton and De Kalb, all in the State of Georgia.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 250 units of milk, cream, and milk byproducts, unless more than 125 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information

required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–107, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–107, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–18341; Filed, Sept. 1, 1944; 9:02 a. m.]

[WFO 79–112, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN BATTLE CREEK, MICH., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–112 (9 F.R. 147, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Battle Creek, Michigan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.139 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Battle Creek, Michigan, milk sales area, and is referred to hereinafter as the "sales area":

The city of Battle Creek and the townships of Emmett, Pennfield, Bedford, and Battle Creek, in Calhoun County, Michigan.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk byproducts, unless more than 50 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hard-

ship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–112, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–112, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E. O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13342; Filed, Sept. 1, 1944; 9:02 a. m.]

[WFO 79-113, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WINSTON-SALEM, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–113 (9 F.R. 148, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Winston-Salem, North Carolina, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.147 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Winston-Salem, North Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Winston-Salem and, in addition thereto, the territory within a radius of 5 miles from the Court House in said city of Winston-Salem, in the county of Forsyth, State of North Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–113, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–113, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13344; Filed, Sept. 1, 1944; 9:02 a. m.]

[WFO 79-115, Amdt. 5]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MIAMI, FLA., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–115 (9 F.R. 632, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Miami, Florida, metropolitan milk sales area, is hereby further amended, so as to read as follows:

§ 1401.149 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, skim milk, buttermilk, flavored milk drink, or skim milk beverage for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Miami, Florida, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Miami and the entire area included in the election precincts numbered 1 to 84, inclusive, that part of 85 comprising parts of Miami Springs town, 87 to 106, inclusive, and those parts of 107, 108, 109, 110, 111, 112, comprising parts of the cities of Coral Gables, Miami, and South Miami, all in Dade County, Florida.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk, and for milk byproducts, multiply his base of milk solids in milk byproducts by the following percentages:

	Percent
January	115
February	120
March	130
April	110
May	110
June	90
July	80
August	80
September	85
October	90
November	90
December	100

(2) For cream, multiply his base of butterfat in cream by the following percentages:

	Percent
January	86.25
February	90.00
March	97.50
April	82.50
May	82.50
June	67.50
July	60.00
August	60.00
September	63.75
October	67.50
November	67.50
December	75.00

(3) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk, cream, or milk byproducts shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1st, 1944. With respect to violations of said War Food Order No. 79–115, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–115, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13345; Filed, Sept. 1, 1944; 9:02 a. m.]

[WFO 79-116, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN TAMPA, FLA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–116 (9 F.R. 633, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Tampa, Florida, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.150 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, subdealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, skim milk, buttermilk, flavored milk drink, or skim milk beverage for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Tampa, Florida, milk sales area, and is referred to hereinafter as the "sales area":

The city of Tampa, and the election precincts numbered 1 to 40, inclusive, 42, 43, 44, that part of 46 comprising part of Temple Terrace City, 58, 59, and 60, in Hillsborough County, Florida.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk, cream, or milk byproducts shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–116, as amended, rights accrued or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–116, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13316; Filed, August 31, 1944; 8:20 p. m.]

[WFO No. 79–117, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN JACKSONVILLE, FLA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–117 (9 F.R. 635, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Jacksonville, Florida, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.148 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, skim milk, buttermilk, flavored milk drink, or skim milk beverage for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Jacksonville, Florida, milk sales area, and is referred to hereinafter as the "sales area":

The area included within the city of Jacksonville and Duval County in the State of Florida.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent.

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk, cream, or milk byproducts, shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Direc-

tor may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–117, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–117, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13317; Filed, August 31, 1944; 3:20 p. m.]

[WFO 79–119, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DURHAM, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–119 (9 F.R. 637, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Durham, North Carolina, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.152 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Durham, North Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Durham and the townships of Durham and Patterson, all in Durham County, North Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk byproducts, unless more than 50 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–119, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–119, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13319; Filed, August 31, 1944; 3:21 p. m.]

[WFO 79-120, Amdt. 3]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHARLESTON, S. C. SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–120 (9 F.R. 638, 4321, 4319), as amended relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Charleston, South Carolina, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.153 *Quota restrictions* — (a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Charleston, South Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Charleston and Charleston County, all in the State of South Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 250 units of milk, cream, and milk byproducts, unless more than 125 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into

consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–120, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–120, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13346; Filed, Sept. 1, 1944; 9:02 a. m.]

[WFO 79–121, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN JACKSON, MISS., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–121 (9 F.R. 639, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Jackson, Mississippi, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.154 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed from milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Jackson, Mississippi, milk sales area, and is referred to hereinafter as the "sales area":

The city of Jackson and the area included in beats 1, 4, and 5, all in Hinds County, Mississippi.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas.

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–121, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–121, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13347; Filed, Sept. 1, 1944; 9:03 a. m.]

[WFO 79–123, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WACO, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F. R. 12426, 9 F. R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–123 (9 F. R. 642, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Waco, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.156 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Waco, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Waco and justices' precinct 1 and that part of 4 comprising part of the city of Waco, all in McLennan County, Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–123, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–123, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13321; Filed, August 31, 1944; 3:21 p. m.]

[WFO 79–124, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DALLAS, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–124 (9 F.R. 643, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Dallas, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.157 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus

.933 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Dallas, Texas, milk sales area, and is referred to hereinfter as the "sales area":

The city of Dallas and Justices' precincts 1, 2, 3, 7, and 8, all in Dallas County, Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–124, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–124, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13348; Filed, Sept. 1, 1944; 9:03 a. m.]

[WFO 79-125, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FORT WORTH, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–125 (9 F.R. 644, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Fort Worth, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.158 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Fort Worth, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Fort Worth and justices' precincts 1, 2, 5, and 6, all in Tarrant County, Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a.m., e.w.t., September 1, 1944. With respect to violations of said War Food Order No. 79–125, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–125, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13349; Filed, Sept. 1, 1944; 9:04 a. m.]

[WFO 79–127, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GALVESTON, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–127 (9 F.R. 647, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Galveston, Texas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.162 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Galveston, Texas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Galveston and justices' precincts 1, 2, and 5, all in Galveston County, Texas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler of producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, cream, or milk solids is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas.

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–127, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–127, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13350; Filed, Sept. 1, 1944; 9:04 a. m.]

[WFO 79–130, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LITTLE ROCK, ARK., SALES AREA

Pursuant to War Food Order No. 79 (8 F. R. 12426, 9 F. R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–130 (9 F. R. 650, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Little Rock, Arkansas, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.166 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Little Rock, Arkansas, milk sales area, and is referred to hereinafter as the "sales area":

The city of Little Rock and the townships of Badgett, Big Rock, and Hill, all in Pulaski County, Arkansas.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts. *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12.01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No 79–130, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–130, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-13323; Filed, August 31, 1944; 8:21 p. m.]

[WFO 79–131, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GREENSBORO, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–131 (9 F.R. 870, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Greensboro, North Carolina, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.168 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pound of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Greensboro, North Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The cities of Greensboro and High Point, and the townships of Gilmer, High Point and Morehead, all in Guilford County, North Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts, *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided,* That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–131, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–131, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13351; Filed, Sept. 1, 1944; 9:04 a. m.]

[WFO 79–132, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ASHEVILLE, N. C., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–132 (9 F.R. 872, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Asheville, North Carolina, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.167 *Quota restrictions.* — (a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, or milk byproducts for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or milk byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is designated as a "milk sales area" to be known as the Asheville, North Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Asheville and the townships of Asheville, Lower Hominy, Swannanoa, and that part of the township of Limestone comprising part of the town of Biltmore Forest, all in Buncombe County, North Carolina.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk by 100 percent;

(2) For cream, multiply his base of butterfat in cream by 75 percent;

(3) For milk byproducts, multiply his base of milk solids in milk byproducts by 100 percent; and

(4) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations of said War Food Order No. 79–132, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–132, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13353; Filed, Sept. 1, 1944; 9:04 a. m.]

[WFO 79–143, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. PETERSBURG, FLA., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–143 (9 F.R. 3763, 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the St. Petersburg, Florida, milk sales area, is hereby further amended, so as to read as follows:

§ 1401.177 *Quota restrictions*—(a) *Definitions.* (1) Each term defined in War Food Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in War Food Order No. 79, as amended.

(2) The term "WFO 79" means War Food Order No. 79, dated September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who (i) receives in a previously packaged and processed form milk, cream, skim milk, buttermilk, flavored milk drink, or skim milk beverage for delivery, and (ii) does not operate facilities for the processing and bottling of milk.

(4) The term "industrial user" means a person, as determined by the market agent, in his capacity as a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of primarily for resale to consumers off the premises where made.

(5) The term "base" means the total pounds delivered by a handler within the sales area during the base period (i) of milk solids in milk, (ii) of butterfat in cream, or (iii) of milk solids in milk byproducts, minus the quota exempt deliveries described in (j) hereof, and then divided by the number of days in the base period. (For the purpose of this order, the milk solids content of milk or milk byproducts shall be computed as follows: Each hundredweight of milk, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of solids calculated by multiplying the pounds of butterfat content of such milk or byproducts by .906, and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 65.63 pounds of milk solids minus .953 pounds of milk solids for each one-half percent of butterfat content of such cheese.)

(b) *Milk sales areas.* The following area is designated as a "milk sales area" to be known as the St. Petersburg, Florida, milk sales area, and is referred to hereinafter as the "sales area":

The city of St. Petersburg, and the election precincts numbered 1 to 21, inclusive, 21–A, and 23 to 47, inclusive, in Pinellas County, Florida.

(c) *Base period.* The calendar month of June 1943 is designated the base period.

(d) *Quota period.* Each calendar month is designated as a quota period.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined for each quota period as follows:

(1) For milk, multiply his base of milk solids in milk, and for milk byproducts, multiply his base of milk solids in milk byproducts by the following percentages:

	Percent
January	115
February	125
March	135
April	115
May	105
June	95
July	85
August	90
September	95
October	105
November	110
December	115

(2) For cream, multiply his base of butterfat in cream by the following percentages:

	Percent
January	85.80
February	93.60
March	101.40
April	85.80
May	78.00
June	70.20
July	62.40
August	62.40
September	66.30
October	70.20
November	78.00
December	81.90

(3) Multiply each of the foregoing results by the number of days in the quota period.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk, cream, or milk byproducts shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, 1943, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e).

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided*, That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts, unless more than 100 units of such daily average shall consist of cream. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(i) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from each handler involved; or

(2) Upon application and after written notice to the Director and each handler involved, whenever (i) a handler has denied service to an existing account; (ii) an account customarily rotates among handlers, inclusive of any account with a public agency or institution which is let on a bid basis; (iii) a sub-handler regularly making 50 percent or more of his deliveries under his own brand or trade name submits an application; or (iv) a sub-handler applies in order to consummate a bona fide sale of business: *Provided*, That any ruling by a market agent under this authority may be reviewed by the Director upon petition, or upon the initiative of the Director.

(j) *Quota exclusions and exemptions.* Deliveries of milk, cream, or milk byproducts, (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products, from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of WFO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(l) *Petition for relief from hardship.* (1) Any person affected by WFO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, the hardship involved, and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(m) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 10 days following the close of each quota period, the information required by the market agent to establish the volume of deliveries of milk, cream, and milk byproducts, under the provisions of this order, during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(n) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas.

(o) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(p) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., September 1st, 1944. With respect to violations of said War Food Order No. 79–143, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–143, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 30th day of August 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13353; Filed, Sept. 1, 1944; 9:04 a. m.]

[Suspension Order Docket No. FDA–GL–101]

PART 1590—SUSPENSION ORDERS

H. GRAVER COMPANY

An order having been issued, after hearing, in the above-entitled matter on March 24, 1944 (9 F.R. 3284), concerning the set aside requirements to be observed by H. Graver Company, Chicago, Illinois, pursuant to War Food Order 75–2, as now or hereafter amended and supplemented; and

A petition having been filed by H. Graver Company requesting a modification of said order; and

It having been determined that a modification of said order would further the maintenance of an adequate supply and efficient distribution of meat to meet war and essential civilian needs:

It is therefore ordered, That paragraph (a), (i) and (ii), respectively, of the order heretofore issued in the above-entitled matter on March 24, 1944 (9 F.R. 3284) be and the same hereby is amended to read as follows:

(a) H. Graver Company, the respondent, in accordance with War Food Order 75–2, as now or hereafter amended and supplemented, shall set aside, reserve, and hold for delivery to governmental agencies or persons entitled to purchase set aside meat under said order,

(i) An amount of the conversion weight of each week's production of beef

graded "U. S. Choice," "U. S. Good," and "U. S. Commercial," obtained from steers and heifers whose carcasses meet Army specifications for carcass or frozen boneless beef, which amount, together with the amount of such beef required to be set aside by the respondent under War Food Order 75–2, as now or hereafter amended and supplemented, will equal 65 percent of the conversion weight of each week's production of such beef;

(ii) An amount of each week's production of beef graded "U. S. Utility," produced from steers and heifers whose carcasses meet Army weight specifications, in the form of carcass or frozen boneless beef meeting Army specifications, which, together with the amount of such beef required to be set aside under War Food Order 75–2, as now or hereafter amended and supplemented, will equal 65 percent of respondent's weekly production of such beef,

for and until such time as the amount of beef set aside pursuant to this order and the order heretofore issued herein on March 24, 1944 (9 F.R. 3284) shall equal 13,151,092 pounds, the amount of beef which it has been found and determined was delivered by respondent in excess of its quotas during the quota periods beginning September 27, 1942, December 27, 1942, and March 28, 1943.

It is further ordered, That paragraph (b) of the order heretofore issued on March 24, 1944 (9 F.R. 3284) be and the same hereby is deleted and that paragraph (c) of said order be and the same hereby is redesignated and amended to read as follows:

(b) Any terms used in this order and the order heretofore issued herein on March 24, 1944 (9 F.R. 3284) which are defined in War Food Order 75, as now or hereafter amended and supplemented, and War Food Order 75–2, as now or hereafter amended and supplemented, shall have the meaning therein given to them unless otherwise distinctly expressed or manifestly incompatible with the intent thereof.

It is further ordered, That paragraphs (d) and (e), respectively, of the order heretofore issued herein on March 24, 1944 (9 F.R. 3284) be and the same hereby are redesignated as paragraphs (c) and (d), respectively.

It is further ordered, That this amendment shall become effective at 12:01 a. m., e. w. t., September 3, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; and Delegations of Authority, 8 F.R. 13696, 14251; 9 F.R. 6202)

Issued this 1st day of September 1944.

C. W. KITCHEN,
Deputy Director.

[F. R. Doc. 44–13458; Filed, Sept. 2, 1944; 11:22 a. m.]

[WFO 6–1, Amdt. 5]

PART 1405—FRUITS AND VEGETABLES

CITRUS FRUIT

War Food Order No. 6–1, as amended, (8 F.R. 998, 2376, 14785, 9 F.R. 4321, 4319, 8000, 9943) is further amended by deleting from § 1405.3 (a) (1) "5 percent" wherever the term appears therein and inserting, in lieu thereof, the word "none."

This amendment shall become effective at 12:01 a. m., p. w. t., September 3, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 6–1, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 6–1, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 6, 8 F.R. 511, 9 F.R. 4321, 4319)

Issued this 2d day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13491; Filed, Sept. 2, 1944; 3:14 p. m.]

[WFO 75–2, Amdt. 14]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75–2, § 1410.18, as amended (9 F.R. 8769, 9077, 9815, 10073), is further amended as follows:

1. By striking the figure "50" wherever it appears in (b) (1) (i) and (b) (1) (ii) and inserting in lieu thereof the figure "60".

2. By striking the figure "35" in (b) (1) (iii) and inserting in lieu thereof the figure "45".

This order shall become effective at 12:01 a. m., e. w. t., September 3, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319, 4973, 5767, 10033)

Issued this 1st day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13455; Filed, Sept. 2, 1944; 11:24 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

[B. A. I. Order 368, Amdt. 2]

PART 93—SPECIAL REGULATIONS GOVERNING EXPORT AND IMPORT OF LIVESTOCK TO AND FROM MEXICO

MISCELLANEOUS AMENDMENTS

Pursuant to the authority conferred upon the Secretary of Agriculture by the Act of Congress approved August 30, 1890, as amended (26 Stat. 416, 44 Stat. 775, 46 Stat. 1460; 21 U.S.C. 101–105), Part 93, Chapter I, Title 9, Code of Federal Regulations [B. A. I. Order 368], as amended, is hereby further amended as follows:

Section 93.13 [regulation 13] is amended to read as follows:

§ 93.13 *Diagnostic tests for dairy and breeding cattle.* No dairy or breeding cattle shall be exported to Mexico unless they are shown by proper certificates to have passed a negative test for tuberculosis and, if they are more than 6 months old, a negative blood test for brucellosis (Bang's disease) within 30 days of the date of shipment from origin. However, the test for tuberculosis may be waived in respect to cattle from a tuberculosis-free accredited herd and the test for brucellosis may be waived in respect to animals that have been officially vaccinated as calves within the previous 12 months.

The said tuberculin test may be applied by an inspector, a duly authorized veterinarian of the Mexican government in the United States, or a veterinarian accredited by the Bureau. Certificates issued by such accredited veterinarians shall be endorsed by an inspector. Blood tests for brucellosis shall be made in laboratories recognized by the Bureau and State authorities for that purpose, and the certificate shall be issued or endorsed by the inspector in charge of disease-eradication work in the State of origin. Test charts and certificates shall include descriptions of the cattle with ages and markings.

The following new section, designated as § 93.16 [regulation 16] is added:

§ 93.16 *Accommodations for animals transported on vessels.* Owners or masters of vessels carrying animals from the United States to Mexico shall provide for such animals feed, water, space, ventilation, fittings, and other facilities determined by the Chief of Bureau to be necessary for their safe and proper transportation and humane treatment. Such owners or masters shall not accept for transportation any animal that in the judgment of the inspector is in an unfit condition to withstand the rigors of such transportation.

This amendment, which for purpose of identification is designated Amendment 2 to B. A. I. Order 368, shall be effective on and after September 20, 1944.

Done at Washington this 1st day of September 1944. Witness my hand and seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44–13425; Filed, Sept. 1, 1944; 3:18 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51116]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

WAIVER OF COASTWISE LAWS

AUGUST 28, 1944.

Section 8 of the Act of June 19, 1886, as amended, and section 27 of the Merchant Marine Act, 1920, as amended, waived to permit certain foreign vessels allocated to the War Shipping Administration by the Government of any of the United Nations to transport passengers or merchandise, or both, in the coastwise trade.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. App. 635), I hereby waive compliance with the provisions of section 8 of the Act of June 19, 1886, as amended, and section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 289, 883), to the extent necessary to permit the transportation of passengers or cargo, or both, in the coastwise trade by any foreign vessel while it is allocated to the War Shipping Administration by the Government of any of the United Nations and has on board a "Certificate of Ownership and Operation" issued by the War Shipping Administration certifying that it is so allocated. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44–13447; Filed, Sept. 2, 1944; 10:51 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 3]

PART 25—DEPOSIT OF FUNDS

Under the authority contained in R.S. 161 (5 U.S.C. 22), the regulations governing the deposit of funds, as amended on May 24, 1943 (8 F.R. 6920; 22 CFR, Cum. Supp., Part 25), are hereby amended by changing the words "Division of Accounts" in § 25.1 to read "Division of Budget and Finance".

[SEAL] CORDELL HULL,
Secretary of State.

SEPTEMBER 4, 1944.

[F. R. Doc. 44–13542; Filed, Sept. 4, 1944; 11:14 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter H—Forestry

PART 61—GENERAL FOREST REGULATIONS

DEDUCTION FROM GROSS PROCEEDS FOR ADMINISTRATIVE PURPOSES

Section 61.25 (25 CFR Part 61) is amended to read as follows:

§ 61.25 *Deduction for administrative purposes.* In all sales of timber from either allotted or unallotted land a sufficient deduction will be made from the gross proceeds to cover the cost of examining, supervising, advertising, collecting, disbursing, accounting, marketing, scaling, caring for the slash, and protecting from fire the timber and young growth left standing on the land being logged or upon adjacent land. Unless special instructions have been given by the Commissioner of Indian Affairs as to the amount of the deduction or the manner in which it is to be made, 10 per cent of the gross amount received for the timber sold under regular supervision from allotted or from unallotted land will be deducted by the Superintendent to cover administrative expenses as required by the Act of February 14, 1920 (41 Stat. 415; 25 U.S.C. 413), as amended. When timber on either allotted or unallotted land is sold for a lump sum on an estimate in such a manner that no administration by the Indian Service subsequent to the sale is required, a deduction of 5 per cent of the sale price will be made to cover the cost of estimating the timber and effecting the sale. (Sec. 1, 41 Stat. 415, 47 Stat. 1417; 25 U. S. C. 413)

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 1, 1944.

[F. R. Doc. 44–13507; Filed, Sept. 4, 1944; 9:50 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPPERS OF BY-PRODUCT AND OTHER SPECIAL PURPOSE COAL MOVING VIA THE GREAT LAKES

Under § 602.502[1] of SFAW Regulation No. 23, shippers of by-product coal and other special purpose coal who ship such coal by lake are to spread their shipments throughout the current season of navigation and to conclude them on or before November 1, 1944. Both shippers and consumers of such coal have inquired whether it is permissible to continue such shipments beyond November 1 because of present lack of shipping facilities, inadequate storage space on consumers' docks, or for other reasons.

It is the intention of the regulation to encourage completion of lake shipments of by-product and other special purpose coal by November 1, but shippers are not prohibited from making shipments thereafter. Shippers should arrange to complete their shipments to docks on Lake Superior prior to November 1, if they possibly can, and then arrange to complete their shipments to the docks on the west bank of Lake Michigan and to the Detroit area.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 4th day of September 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44–13512; Filed, Sept. 4, 1944; 10:46 a. m.]

[1] 9 F.R. 8114.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter B—Bureau of the Public Debt

[1944 1st Supp. to Dept. Circ. 530, 5th Rev.]

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

REDEMPTION OF UNITED STATES SAVINGS BONDS THROUGH QUALIFIED BANKS AND TRUST COMPANIES

SEPTEMBER 5, 1944.

The general payment and redemption provisions of the regulations governing United States Savings Bonds as set forth in Subpart H of Department Circular No. 530, Fifth Revision, dated June 1, 1942 (7 F.R. 5158), as amended, are supplemented as follows, effective October 2, 1944:

Payment at banks and trust companies. Notwithstanding the foregoing provisions of this subpart, the provisions of Treasury Department Circulars Nos. 529, 554, 571, 596, and 653, all as supplemented, amended, or revised, and any instructions on the bonds, an individual (natural person) whose name is inscribed on the face of a bond of Series A, B, C, D, or E, either as owner or coowner in his own right, may present such bond (unless marked "duplicate") to any incorporated bank or trust company which has qualified as a paying agent under the provisions of Department Circular No. 750, dated September 5, 1944, and upon identification to the satisfaction of such paying agent and upon signing the request for payment, may receive immediate payment for the bond at the current redemption value if presented prior to maturity, or at full maturity value if presented at or after maturity. No charge will be made to the owner.

Payment at qualified banks or trust companies is confined to bonds of Series A, B, C, D, and E and will be made only to a person named on the face of the bond as owner or coowner in his own right. Redemption of bonds of Series F and G, and partial redemption of bonds of any series, may not be effected at incorporated banks or trust companies.

The provisions of this supplement do not supersede the procedure heretofore established for the redemption of savings bonds, which will continue in full force and effect. However, they provide certain additional facilities for the redemption of savings bonds, which may be availed of by owners concerned, under the conditions set forth herein and when offered by qualified banks and trust companies.

(R. S. 161 (5 U.S.C. 22), sec. 22 (h) of the Second Liberty Bond Act, as amended by the Public Debt Act of 1943 (31 U.S.C. 757 c (h)))

[SEAL] H. MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 44-13552; Filed, Sept. 4, 1944; 9:59 a. m.]

[1944 Dept. Circ. 750]

PART 321—REGULATIONS GOVERNING PAYMENTS BY INCORPORATED BANKS AND TRUST COMPANIES IN CONNECTION WITH REDEMPTION OF U. S. SAVINGS BONDS

Pursuant to the authority of the Second Liberty Bond Act, as amended, the following regulations are hereby prescribed to govern payments by incorporated banks and trust companies in connection with the redemption of United States Savings Bonds on and after October 2, 1944:

SUBPART A—AUTHORITY TO ACT

Sec.
321.1 Banks and trust companies authorized to act.
321.2 Application and qualification.
321.3 Termination of a bank's qualification to pay bonds.

SUBPART B—GENERAL

321.4 Meaning of terms.
321.5 Reimbursement of banks' costs.
321.6 Announcements, etc., of authority to pay bonds.

SUBPART C—SCOPE OF AUTHORITY OF BANKS

321.7 General.
321.8 Payments authorized.
321.9 Specific limitations of payment authority.

SUBPART D—PAYMENT AND ACCOUNTING

321.10 Examination of bonds presented for payment.
321.11 Certification of requests for payment.
321.12 Determination of redemption values and payment of bonds.
321.13 Forwarding paid bonds to the Federal Reserve Bank.
321.14 Redemption of paid bonds by Federal Reserve Banks.
321.15 Losses resulting from payments.
321.16 Preservation of rights.
321.17 Redemption of bonds not payable by banks.
321.18 Functions of Federal Reserve Banks.
321.19 Supplements, amendments, etc.

AUTHORITY: §§ 321.1 to 321.9, inclusive, issued under R.S. 161 (5 U.S.C. 22), the Second Liberty Bond Act, as amended, and the Public Debt Act of 1941 (55 Stat. 7).

SUBPART A—AUTHORITY TO ACT

§ 321.1 *Banks and trust companies authorized to act.* All banks and trust companies, incorporated under general or special laws of the United States, the District of Columbia, any State, territory or insular possession of the United States, or the Canal Zone, are eligible and are hereby authorized, on and after October 2, 1944, to make payments in connection with the redemption of United States Savings Bonds, subject to the provisions of this circular and any instructions issued hereunder: *Provided, however,* That each bank or trust company must be duly qualified by the Federal Reserve Bank of the district[1] before it may make any such payment. Federal Reserve Banks, as fiscal agents of the United States, are authorized to qualify eligible banks and trust companies hereunder, and to terminate any such qualifications as hereinafter provided.

§ 321.2 *Application and qualification.* Any eligible bank or trust company which desires to qualify to make payments in connection with the redemption of United States Savings Bonds should make application to the Federal Reserve Bank of the Federal Reserve District in which it is located on Application-Agreement Form PD 1958 (see appended exhibit A), copies of which may be obtained from the appropriate Federal Reserve Bank. If the application is approved, the Federal Reserve Bank will forward to the bank or trust company a Notice of Qualification Form PD 1959 (see appended exhibit B), establishing that it is qualified to make payments in connection with the redemption of the United States Savings Bonds hereinafter specified. If the application is not approved, the bank or trust company will be so advised in writing by the Federal Reserve Bank of the District.

§ 321.3 *Termination of a bank's qualification to pay bonds.* The Secretary of the Treasury or under authority of the Secretary the appropriate Federal Reserve Bank, as fiscal agent of the United States, may, by written notice, at any time and without previous demand or notice, terminate the qualification of any bank or trust company to pay United States Savings Bonds. A duly qualified bank or trust company may discontinue making payments at any time upon written notice to the Federal Reserve Bank, and its qualification shall thereupon cease.

SUBPART B—GENERAL

§ 321.4 *Meaning of terms.* Hereinafter, for the purposes of this part, unless otherwise indicated specifically, or by context, the terms:

(a) "Bank(s)" shall mean any eligible incorporated bank or trust company duly qualified pursuant to the provisions of this circular to make payments in connection with the redemption of the United States Savings Bonds hereinafter specified, including such branches and facilities thereof located within the United States (including the territories and insular possessions of the United States and the Canal Zone) as it may desire to utilize for this purpose. The term "facilities," as used herein, is defined as those bank facilities at army and navy installations and at defense plants which have been established for the duration of the war with the specific approval of the Treasury Department.

(b) "Bond(s)" shall include only United States Savings Bonds of Series A, B, C, D or E, including bonds of Series E designated "Defense Savings Bonds" or "War Savings Bonds." (Savings Bonds of Series F and G are not included.)

(c) "Owner(s)" shall mean an individual (natural person) whose name is inscribed as an owner (or coowner) in his own right on a bond which is registered in any of the following forms:

(1) In the name of a single individual in his own right, e. g. "John A. Jones";

(2) In the names of two individuals as coowners, e. g. "John A. Jones or Mrs. Ella S. Jones" (each is considered as an "owner," and payment may be made to either without the consent of the other); or

(3) In the name of one individual, payable on death to another, e. g. "John A. Jones, payable on death to Mrs. Ella S. Jones," or "John A. Jones, p. o. d. Mrs. Ella S. Jones." (In this example, John A. Jones is the "owner" and Mrs. Ella S. Jones is the beneficiary. Payment under this circular to a beneficiary is not authorized.

(d) "Federal Reserve Bank" includes each Federal Reserve Bank and each Branch of a Federal Reserve Bank which has been or may hereafter be utilized by such Federal Reserve Bank to conduct any of the transactions in connection with which the term is used in this circular.

§ 321.5 *Reimbursement of banks' costs.* A bank shall not make any charge against the owners of bonds for payments made hereunder. However, each bank shall be entitled to receive, for its service in paying bonds hereunder, reimbursement for bonds paid and forwarded to the Federal Reserve Bank each calendar quarter according to the following scale, which shall be applicable separately to each bank and each of its branches and facilities, if utilized, and if the bonds paid by each are separately scheduled and accounted for:

15 cents each for the first 1,000 bonds.
12 cents each for the second 1,000 bonds.
10 cents each for all over 2,000 bonds.

The date such bonds are forwarded to the Federal Reserve Bank will govern the rate of reimbursement, and the payment of such amount as the bank is entitled to receive shall be made by the Federal Reserve Bank on behalf of the Treasury Department.

§ 321.6 *Announcements, etc., of authority to pay bonds.* Any announcement of or any reference to a bank's authority to pay savings bonds may be made only in a form or manner or contain such statements or substance as may be approved by the Secretary of the Treasury or, under authority of the Secretary, by the Federal Reserve Bank of the District, as fiscal agent of the United States. A bank shall not make such announcements or references unless and until it is officially qualified to pay bonds.

[1] For the purpose of this circular, banks and trust companies in Puerto Rico, the Virgin Islands and the Canal Zone shall be considered as being within the Second Federal Reserve District and shall make application to the Federal Reserve Bank of New York, and banks and trust companies in Alaska and Hawaii shall be considered as being within the Twelfth Federal Reserve District and shall make application to the Federal Reserve Bank of San Francisco.

SUBPART C—SCOPE OF AUTHORITY OF BANKS

§ 321.7 *General.* In order to protect the interests of the owners and to insure receipt by the proper persons of the proceeds thereof, savings bonds are registered, are not transferable, and are payable only to the owner named on the bond (except as otherwise specifically provided in the regulations governing the bonds). This policy must be understood and effectuated by each bank, notwithstanding the authority granted herein to make payments of bonds, since it is of the utmost importance that payment of the appropriate redemption value of the bonds be made to and received by only the persons entitled under the terms and conditions of the bonds and applicable regulations.

§ 321.8 *Payments authorized.* Subject to the terms of the bonds and to the provisions of the regulations governing them (Treasury Department Circular No. 530, as currently in effect on the date of payment) and the provisions of this circular, a bank may make payment of any United States Savings Bond of Series A, B, C, D or E, to the individual (natural person) whose name is inscribed as the owner (or coowner) in his own right on the bond: *Provided,* That such individual presents the bond to the bank for payment and that the individual is known to the bank or establishes his identity to the complete satisfaction of the bank. This authority to make payments to the owner named on the bond will be held to include the following exceptional cases:

(a) Where the name of the owner as inscribed on the bond has been changed by marriage and the bank knows or can establish to its complete satisfaction the identity of the owner whose name has been so changed. The signature to the request for payment should show both names, for example: "Miss Mary T. Jones, now by marriage Mrs. Mary J. Smith." A bank is not authorized to pay a bond for an owner whose name as inscribed on the bond has been changed in any other manner.

(b) Where the name of the owner inscribed on the bond is that of a minor child who is not of sufficient competency and understanding to execute the request for payment and comprehend the nature of such act but upon whose behalf request for payment is made by a parent with whom the child resides: *Provided, however,* That the form of registration does not indicate a guardian or similar representative of the estate of the minor owner has been appointed or is otherwise legally qualified. The parent requesting payment on behalf of the minor child must be known or his or her identity established to the complete satisfaction of the bank, and the parent must sign the request for payment in the form: "John A. Jones, on behalf of John C. Jones" and affix an endorsement in substantially the following form, which may be typed on the back of the bond: "I certify that I am the _____ (father or mother) of John C. Jones and the person with whom he resides. He is _____ years of age and is not of sufficient competency and understanding to sign the request." Such a payment may not be made to any person other than a father or mother.

§ 321.9 *Specific limitations of payment authority.* A bank is not authorized hereunder to pay a bond:

(a) If the bond is presented for payment prior to the expiration of 60 days from the issue date (the issue date should not be confused with the date appearing in the issuing agent's dating stamp).

(b) If the bank does not know or can not establish to its complete satisfaction the identity of the person requesting payment as the owner of the bond (including the establishment of the identity of parents requesting payment on behalf of minor children, as set forth in § 321.8 (b)).

(c) If the owner requesting payment (form for which appears on the back of each bond) does not sign his name in ink as it is inscribed on the face of the bond and show his home or business address. (See also §§ 321.8 (a) and (b) and 321.10 (d).)

(d) If the bond appears to bear a material irregularity, for example, an altered, illegible, incomplete or unauthorized inscription, issue date or issuing agent's validating stamp impression; or if a bond appears to be altered, or is mutilated or defaced in such a manner as to create doubt or arouse suspicion with respect to the bond or any essential part thereof.

(e) If the bond is marked "Duplicate."

(f) If Treasury Department regulations require the submission of documentary evidence to support the redemption of the bond, as in the case of deceased owners, incompetents or minors under legal guardianship or the change of an owner's name as inscribed on a bond if for any reason other than marriage.

(g) If the owner named on the bond and requesting payment is a minor who, in the opinion of the bank, is not of sufficient competency and understanding to execute the request for payment and comprehend the nature of such act. (Note the authority granted to banks to make payments of bonds to either parent on behalf of a minor child under the provisions of § 321.8 (b).)

(h) If it is known to the bank that the owner has been declared in accordance with law, incompetent to manage his estate.

(i) If partial redemption is requested. Attention is directed to § 321.17 hereof for handling bonds of the foregoing classes of cases which may not be paid by banks.

SUBPART D—PAYMENT AND ACCOUNTING

§ 321.10 *Examination of bonds presented for payment.* Before making payment of bonds presented hereunder the bank:

(a) Shall determine that the person requesting payment as the "owner" (as defined in this circular) is known or his identity is established to the satisfaction of the bank.

(b) Shall examine the bond and determine that it is a bond which the bank is authorized to pay under the provisions of this circular.

(c) If the request for payment on the back of the bond is already executed, shall determine that the request is properly signed by the registered owner presenting the bond and that his home or business address is shown.

(d) If the request for payment on the back of the bond has not been executed or has been improperly executed by the owner presenting the bond, shall require such owner to properly sign the request and show his home or business address.

§ 321.11 *Certification of requests for payment.* In view of the provisions of this circular governing payment of bonds and the requirements as to the data to be endorsed on each bond, under § 321.12, a bank will not be required in the case of any bond paid to it to complete the certification form at the end of the request for payment, nor determine the authenticity of any certification which may appear on the bond at the time it is presented for payment: *Provided, however,* That each bank submitting paid bonds shall be understood by such submission to have represented and certified that the identity of the owner requesting payment has been duly established to the satisfaction of the bank by one of its officers or by an employee duly authorized by the bank.

§ 321.12 *Determination of redemption values and payment of bonds.* The redemption value of a bond is determined from the period of time (years and full half-year) that it has been outstanding, and the table of redemption values on each bond. The Federal Reserve Bank of the district will furnish each bank with a table of redemption values from which it will be possible, after determining the month and year of issue of any bond, to immediately establish its current value. After establishing such value, payment thereof to the owner requesting payment shall be made in cash. No objection will be made to an arrangement between the owner and the bank under which the owner accepts in lieu of cash, a credit to his checking or savings account with the bank, or a check or similar instrument payable to his order. Each bank shall place on the face of each bond paid by it the word "Paid", the amount and date of payment and the name, location and transit (or code) number of the bank. Other data pertinent to the payment procedure of a bank may be included if approved by the Federal Reserve Bank of the District. The Federal Reserve Bank will furnish rubber stamps for this purpose or, in lieu

thereof, will approve suitable stamps prepared by a bank. The affixation of such data shall be construed by and between the bank and the Treasury Department to be a certification by the paying bank that the bond has been paid in accordance with the terms and requirements of this circular and that payment of the proceeds of the bond has been made to the owner.

§ 321.13 *Forwarding paid bonds to the Federal Reserve Bank.* After payment, the bonds shall be forwarded to the Federal Reserve Bank of the district in accordance with instructions issued by such Federal Reserve Bank.

§ 321.14 *Redemption of paid bonds by Federal Reserve Banks.* Upon receipt of the paid bonds the Federal Reserve Bank will make immediate settlement with the forwarding bank for the total amount of payments made on such bonds; however, such settlement shall be subject to adjustment if any discrepancies are discovered at a later date.

§ 321.15 *Losses resulting from payments.* Section 22 of the Second Liberty Bond Act, as amended, provides:

(l) Any losses resulting from payments made in connection with the redemption of savings bonds shall be replaced out of the fund established by the Government Losses in Shipment Act, as amended, under such regulations[1] as may be prescribed by the Secretary of the Treasury. The Treasurer of the United States, any Federal Reserve Bank, or any incorporated bank or trust company authorized or permitted to make payments in connection with the redemption of such bonds, shall be relieved from liability to the United States for such losses, upon a determination by the Secretary of the Treasury that such losses resulted from no fault or negligence on the part of the Treasurer, the Federal Reserve Bank, or the incorporated bank or trust company • • •. The provisions of Section 3[2] of the Government Losses in Shipment Act, as amended, with respect to the finality of decisions by the Secretary of the Treasury shall apply to the determinations made pursuant to this subsection. • • •.

(a) *Consideration of facts concerning loss.* In any case in which a loss occurs, the paying bank shall be afforded ample opportunity to present all of the facts pertaining to the circumstances of the payment for consideration by the Secretary.

§ 321.16 *Preservation of rights.* Nothing contained in these regulations shall be construed to limit or restrict any existing rights which holders of savings bonds may have acquired under the circulars offering such bonds for sale and the regulations prescribed thereunder.

§ 321.17 *Redemption of bonds not payable by banks.* Any bonds which a bank is not authorized to pay pursuant to the provisions of this circular should be forwarded by the owner, or his agent, after certification of the requests for payment, to the Federal Reserve Bank or Branch of the District for redemption. If a bank should undertake to forward such unpaid bonds at the request and in behalf of the person entitled to payment, such bonds must be sent separate and apart from bonds which the bank has paid. Any documentary evidence required to support the redemption should accompany the bond or bonds when forwarded to the Federal Reserve Bank.

§ 321.18 *Functions of Federal Reserve Banks.* The Federal Reserve Banks, as fiscal agents of the United States, are authorized to perform such duties, and prepare and issue such forms and instructions, as may be necessary to the fulfillment of the purpose and requirements of this circular. The Federal Reserve Banks, in their discretion, may utilize any or all of their branches in the performance of these duties.

§ 321.19 *Supplements, amendments, etc.* The Secretary of the Treasury may at any time or from time to time supplement, amend, or withdraw, in whole or in part, the provisions of this circular, or of any amendments or supplements thereto, information as to which will be furnished promptly to the Federal Reserve Banks and to the banks qualified hereunder.

[SEAL] H. MORGENTHAU, JR.,
Secretary of the Treasury.

EXHIBIT A

Form PD 1958 Treasury Department
Fiscal Service, Bureau of the Public Debt

APPLICATION-AGREEMENT

Payments by Incorporated Banks and Trust Companies in connection with the redemption of United States Savings Bonds

Date. ----------, 194...

To the Federal Reserve Bank of ----------
As fiscal Agent of the United States

The undersigned, eligible under the provisions of § 321.1 of United States Treasury Department Circular No. 750, hereby applies for qualification to make payments in connection with the redemption of United States Savings Bonds, as provided in the said Circular No. 750, and, upon being so qualified, hereby agrees:

1. To be bound by and to comply with the provisions of Treasury Department Circular No. 750, including all supplements and amendments thereof and instructions as may be issued thereunder.

2. That the Secretary of the Treasury, or the Federal Reserve Bank of ----------; by written notice, may, at any time, and without previous demand or notice, terminate the qualification of the undersigned, if such authority is granted pursuant to this application; and that in the event of such termination the undersigned, after receipt of such notice or after the date of termination specified therein, will not thereafter pay any United States Savings Bonds.

It is understood that the undersigned may withdraw from this Agreement at any time upon written notice of such intention to the Federal Reserve Bank of ----------.

IN WITNESS WHEREOF, the undersigned has caused this Agreement to be executed under seal by the officer below named, thereunto duly authorized by a resolution of its governing board or committee adopted on the ----- day of ----------, 194...

(Name)

(Address)
By ---
(Signature of Officer)

(Title of Officer)

ACKNOWLEDGMENT

STATE OF ----------
County of ----------, ss.

On this ---- day of ----------, 194..., before me appeared ----------, to me personally known, who, being by me duly sworn, did say that he is the ----------
(Title of Officer)
of the ---------- and
(Name of Institution)
that the seal affixed to the above instrument is the corporate seal of said institution, and that the above instrument was signed and sealed in behalf of said institution by authority of its governing board or committee, and said officer acknowledged said instrument to be the free act and deed of said institution.

Notary Public

EXHIBIT B

Form PD 1959 Treasury Department
Fiscal Service, Bureau of the Public Debt

NOTICE OF QUALIFICATION OF AN INCORPORATED BANK OR TRUST COMPANY TO MAKE PAYMENTS IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

----------, 194...

To ----------

Your Application-Agreement Form PD 1958, dated ---------- has been approved as of this date. You are hereby notified that you are qualified to make payments in connection with the redemption of United States Savings Bonds pursuant to the provisions of Treasury Department Circular No. 750, and any supplements or amendments thereof and instructions issued pursuant thereto.

FEDERAL RESERVE BANK OF ----------
Fiscal Agent of the United States
By ---

[F. R. Doc. 44-13561; Filed, Sept. 4, 1944; 10:00 a. m.]

[1944 Dept. Circ. 751]

PART 322—REGULATIONS GOVERNING REPLACEMENT OUT OF THE FUND ESTABLISHED BY THE GOVERNMENT LOSSES IN SHIPMENT ACT, AS AMENDED, OF ANY LOSSES RESULTING FROM PAYMENTS MADE IN CONNECTION WITH THE REDEMPTION OF UNITED STATES SAVINGS BONDS

SEPTEMBER 5, 1944.

SUBPART A—REGULATIONS PRESCRIBED

Sec.
322.1 Application of regulations.

SUBPART B—REPORTS OF LOSSES

322.2 Loss to the United States.
322.3 Erroneous payments reported or discovered by Federal Reserve Banks.
322.4 Report to Treasury of cases involving erroneous payment.

SUBPART C—FINAL DETERMINATION OF LOSSES

322.5 Reported erroneous payment, general action by Treasury.
322.6 Restitution by paying agents.

SUBPART D—REPLACEMENT OF LOSSES OUT OF THE FUND

322.7 Replacements and recovery in connection with losses.

SUBPART E—INVESTIGATION OF LOSSES

322.8 Use of Secret Service Division.

SUBPART F—SUPPLEMENTS, AMENDMENTS, ETC.

322.9 Supplements, amendments, etc.

AUTHORITY: §§ 322.1 to 322.9, inclusive, issued under R.S. 161 (5 U.S.C. 22) the Second Liberty Bond Act, as amended, and the Public Debt Act of 1941, sec. 3 (55 Stat. 7).

SUBPART A—REGULATIONS PRESCRIBED

§ 322.1 *Application of regulations.* Pursuant to the authority of the Second Liberty Bond Act, as amended, the following regulations are hereby prescribed for the replacement out of the fund established by the Government Losses in Shipment Act, as amended, of any losses to the United States resulting from payments made in connection with the redemption of United States Savings Bonds, and shall apply to losses resulting from payments made (1) by the Treasurer of the United States, (2) by the Federal Reserve Banks and Branches, as fiscal agents of the United States, and (3) by incorporated banks and trust companies qualified pursuant to Treasury Department Circular No. 750, to pay savings bonds.

SUBPART B—REPORTS OF LOSSES

§ 322.2 *Loss to the United States.* A loss to the United States may result from an erroneous (or unauthorized) payment in connection with the redemption of savings bonds.

§ 322.3 *Erroneous payments reported or discovered by Federal Reserve Banks.* If an incorporated bank or trust company, qualified to pay savings bonds, after returns have been made to the Federal Reserve Bank finds an erroneous payment to have been made, immediate report should be made to the Federal Reserve Bank. Any such erroneous payments so reported, and any other erroneous payments found by a Federal Reserve Bank in returns from an incorporated bank or trust company shall, so far as possible, be adjusted between the Federal Reserve Bank and the incorporated bank or trust company concerned.

§ 322.4 *Report to Treasury of cases involving erroneous payments.* Any such erroneous payments which are not adjusted and any other erroneous payments otherwise found after the account of the Treasurer of the United States has been charged shall immediately be reported to the Treasury Department, Division of Loans and Currency, Merchandise Mart, Chicago 54, Illinois.

SUBPART C—FINAL DETERMINATION OF LOSSES

§ 322.5 *Reported erroneous payment, general action by Treasury.* Following receipt of the report of an erroneous payment the Treasury Department will appropriately advise the paying agent concerned, unless such action is unnecessary. The Department shall determine whether or not appropriate adjustment may be effected with the persons concerned in the erroneous payment and in this connection will expect the cooperation of the paying agent, if necessary.

(a) If it is determined that no loss to the United States will occur the paying agent will be so advised.

(b) If it is determined that a final loss to the United States has occurred, the paying agent will be given every opportunity to present the full facts relating to the payment for consideration of the Secretary of the Treasury. If the Secretary shall determine that the final loss resulted from no fault or negligence on the part of the paying agent, the paying agent shall be relieved from liability to the United States. If, however, the Secretary of the Treasury finds fault or negligence on the part of the paying agent, notice to that effect will be given such paying agent who will make prompt restitution.

§ 322.6 *Restitution by paying agents.* In no case will the Treasurer of the United States, a Federal Reserve Bank or Branch, or the banking institution which made the erroneous payment be called upon to make restitution unless and until it is determined that a final loss has been incurred as a result of an erroneous payment due to the fault or negligence of such paying agent.

SUBPART D—REPLACEMENT OF LOSSES OUT OF THE FUND

§ 322.7 *Replacement and recovery in connection with losses.* When it is established to the satisfaction of the Secretary of the Treasury that a loss has resulted from a payment made in connection with the redemption of a United States Savings Bond, the loss shall be subject to immediate replacement out of the fund established by the Government Losses in Shipment Act, as amended. Any recovery or repayment on account of any such loss as to which replacement shall have been made out of the fund shall be credited to the fund.

SUBPART E—INVESTIGATION OF LOSSES

§ 322.8 *Use of Secret Service Division.* The Treasury Department, and, in appropriate cases, Federal Reserve Banks, as fiscal agents of the United States, may request the Secret Service to investigate losses and assist in the recovery of improper payments. The Treasurer of the United States, the Federal Reserve Banks, and qualified banking institutions should cooperate with the Secret Service to the fullest extent in facilitating investigations and making recoveries.

SUBPART F—SUPPLEMENTS, AMENDMENTS, ETC.

§ 322.9 *Supplements, amendments, etc.* The Secretary of the Treasury may at any time or from time to time supplement, amend, or withdraw, in whole or in part, the provisions of this circular, or of any amendments or supplements thereto, information as to which will be furnished promptly to the Federal Reserve Banks and to banking institutions qualified to make payments of savings bonds under the provisions of Treasury Department Circular No. 750.

[SEAL] H. MORGENTHAU, JR.
Secretary of the Treasury.

[F. R. Doc. 44-13562; Filed, Sept. 4, 1944; 9:59 a. m.]

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[1] Regulations governing replacement of losses resulting from payments made in connection with the redemption of United States Savings Bonds are set forth in Treasury Department Circular No. 751.

[2] The provisions of section 3 of the Government Losses in Shipment Act, as amended, with respect to the finality of decisions by the Secretary of the Treasury are: "Notwithstanding any provision of law to the contrary, the decision of the Secretary of the Treasury that such loss, destruction, or damage has occurred or that such shipment was made substantially in accordance with such regulations shall be final and conclusive and shall not be subject to review by any other officer of the United States."

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 260]

REPORT, OCCUPATIONAL DEFERMENT OF FEDERAL GOVERNMENT EMPLOYEES

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 38A[1], entitled "Report, Occupational Deferment of Federal Government Employees."

The foregoing addition shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 26, 1944.

[F. R. Doc. 44-13489; Filed, Sept. 2, 1944; 2:54 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1942, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-608]

L. B. NAUSS & SONS, INC.

L. B. Nauss & Sons, Inc., of Railroad Avenue, Gloucester, Massachusetts, is engaged in the business of selling at retail

[1] Filed with the Division of the Federal Register.

lumber and other building supplies. Between about November 19, 1943, and February 11, 1944, it sold Number 2 Douglas Fir to certain of its customers on unrated orders in violation of Conservation Order M–208. During approximately the same period of time, it also applied unauthorized ratings to orders for lumber and other materials in violation of Priorities Regulation 3. The responsible officers of L. B. Nauss & Sons, Inc., were aware of Conservation Order M–208 and Priorities Regulation 3 and the violations were the result of gross negligence.

These violations of Conservation Order M–208 and Priorities Regulation 3 have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.608 *Suspension Order No. S–608.* (a) L. B. Nauss & Sons, Inc., its successors or assigns, shall not receive any lumber as defined in or governed by Order L–335 (as amended from time to time) except by the extension of certified orders received from its customers or other distributors, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve L. B. Nauss & Sons, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 1, 1944, and shall expire on December 31, 1944.

Issued this 30th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13434; Filed, Sept. 1, 1944; 4:18 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335 Direction 15]

DELIVERY OF FLITCHES

The following direction is issued pursuant to Order L–335:

(a) *Definition.* For the purpose of this direction a flitch is any segment of a log which has been produced so that it can be converted into veneer.

(b) *Delivery of flitches to veneer manufacturers.* Any person may deliver flitches to a veneer manufacturer and any veneer manufacturer may receive flitches without regard to the provisions of Order L–335. The veneer manufacturer in determining whether he is a Class I Consumer does not include flitches in his requirements for lumber. Flitches that a veneer manufacturer receives under the provisions of this direction may not be used for any purpose other than producing veneer.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13449; Filed, Sept. 2, 1944; 11:15 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L–335, Direction 16]

FARMER'S RECEIPT OF LUMBER PRODUCED FROM HIS OWN TREES

The following direction is issued pursuant to Order L–335:

(a) *Definition.* For the purpose of this direction "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees, or poultry. It does not include a person who has just a "victory garden" or a person who raises food or other agricultural products entirely for his own use.

(b) *Farmer's receipts of lumber cut from his own trees.* Any farmer who cuts trees on his own farm may have them sawed into lumber by a sawmill and may receive up to 5,000 board feet of lumber sawed from such trees in a calendar year without giving the sawmill a certificate or rating as required by Order L–335. This direction will be authority for the sawmill to deliver back to the farmer this amount of lumber without requiring a certificate or a rating. If a farmer wishes to receive more than 5,000 board feet of lumber which has been cut from his own trees he may do so only by providing the sawmill with a certificate which he has obtained from his County Agricultural Conservation Committee or any other certificate he is authorized to use, or by extending a certificate that he has received from another lumber consumer. Certificates that the farmer receives from another lumber consumer may be extended in the same way that a distributor extends certificates that he receives from his customers. This is explained in paragraph (o) (1) of Order L–335.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13450; Filed, Sept. 2, 1944; 11:15 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Limitation Order L–215, as Amended Sept. 2, 1944]

TEXTILES, CLOTHING AND LEATHER MACHINERY

Section 3290.150 *General Limitation Order L–215* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of textile, clothing and leather machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.150 *General Limitation Order L–215*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Assignment and use of ratings to obtain textile, clothing and leather machinery.* Any person (including Government Agencies) applying for a rating to obtain any machinery on List A shall use Form WPB–1319, or in cases involving construction, Form WPB–617.

It will be the policy of the War Production Board not to assign any ratings except for military and extremely urgent civilian purposes.

No person shall use any preference ratings to obtain deliveries of items on List A except those assigned on Form WPB–1319 or WPB–617.

Before filing WPB–1319, applicants should consult the current instructions booklet relating to this form.

(c) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, purchases, production and sales.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Leather working machinery:
- Tanning machinery.
- Shoe manufacturing machinery.
- Shoe repairing machinery.
- Other leather working machinery.

Textile machinery and equipment (machinery and mechanical equipment used in mills for carding, combing, spinning, throwing, weaving, winding, knitting, printing, bleaching, dyeing and otherwise processing or finishing cotton, wool, silk, flax, hemp, jute and other fibers and products of these fibers).

Industrial sewing machines.

Cotton ginning and delinting machinery.

[F. R. Doc. 44–13452; Filed, Sept. 2, 1944; 11:15 a. m.]

PART 3290 [1]—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M–22, Direction 1]

RAW SILK FOR SEWING THREAD AND FISH LINES

The following direction is issued pursuant to General Preference Order M–22:

1. Manufacturers of silk sewing thread may apply for allocations of raw silk to be used for the manufacture of silk sewing thread during the 3rd and 4th calendar quarters of 1944. Applications by letter must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than September 8, 1944. Applications will be granted pro rata based

[1] Formerly Part 963.

on the amount of raw silk consumed in the production of silk sewing thread by each applicant in the 6 months ending June 30, 1941.

2. Manufacturers of silk fish lines may apply for allocations of raw silk to be used for the manufacture of silk fish lines during the 4th calendar quarter of 1944. Applications by letter must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than September 11, 1944. Applications will be granted pro rata based on the amount of raw silk consumed in the production of silk fish lines by each applicant in the 6 months ending June 30, 1941.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13451; Filed, Sept. 2, 1944; 11:15 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 44]

SYNTHETIC ORGANIC DETERGENTS

§ 3293.1044 *Schedule 44 to General Allocation Order M-300*—(a) *Definitions.* (1) "Critical synthetic organic detergents" means those alkyl aryl sulfonates, alkyl amide sulfuric esters and polyglycol fatty acid esters known by the following trade names: Nacconol NRSF; Nacconol HG; Nacconol NRG; Nacconol NR; Santomerse No. 1; Santomerse No. 55; Santomerse No. 3; M. P. 189; M. P. 189 SX; M. P. 646; Ultrawet A; Ultrawet 40A; Ultrawet 60A; Igepon T; Igepon T. D.; Synthetic Detergent 92; Neutronyx 33.

(2) "Special military order" means any purchase order for the items indicated below placed by the indicated service units, or placed by any person for critical synthetic organic detergents required for the manufacture of the items listed below for sale directly to the indicated service units:

1. Army All-Purpose Soap (Specification O. Q. M. G.-100A) for Jersey City Q. M. Depot.
2. Navy Salt Water Soap (Specification 51D7, 51846 or 51847) for Navy Bureau of Supplies and Accounts.
3. Mobile Laundry Detergent for Jersey City Q. M. Depot or for Marine Corps Q. M.
4. Germicidal Rinse for Jersey City Q. M. Depot.

(3) "Regular order" means any purchase order which is not a "special military order."

(b) *General provisions.* Critical synthetic organic detergents are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is October 1, 1944. The allocation period is the calendar month. The small order exemption without use certificate is 100 pounds in the aggregate of all kinds of synthetic organic detergents per person per month.

(c) *Deliveries against "special military orders."* Beginning October 1, 1944, each supplier shall make deliveries of critical synthetic organic detergents during any month against "special military orders" only to the extent authorized or directed by the War Production Board, without regard to preference ratings.

(d) *Deliveries against "regular orders".* Beginning October 1, 1944, each supplier shall make deliveries of critical synthetic organic detergents against "regular orders" during any month in accordance with applicable preference ratings, subject to the following conditions:

(1) No deliveries against "regular orders" shall be made if such deliveries will prevent fulfilling all deliveries against "special military orders" which have been specifically authorized by the War Production Board.

(2) The aggregate quantity of critical synthetic organic detergents delivered against "regular orders" during any month shall not exceed the quantity specifically authorized for each category by the War Production Board.

(e) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver critical synthetic organic detergents shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed allocation month. A separate set of forms shall be filed for each critical synthetic organic detergent for which authorization to use or deliver is required. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-44. In grade space specify the trade name of the particular detergent. The unit of measure is pounds. In Table I, first, in Column 1 list names of customers placing "special military orders" and specify in Column 1a contract numbers and in Column 4 the quantity ordered for delivery in the next month. Second, list in Column 1 the names of all suppliers who have specified resale in their certificates, in Column 1a specify whether the resale is to be authorized or is to be in exempt 100-pound lots, and in Column 4 specify the requested quantities. Third, specify in Column 1 "regular orders", without specifying customers' names, specify the end use categories separately in Column 1a, and in Column 4 specify the aggregate quantity for each category of use. Fourth, specify in Column 1 "100 lb. exempt orders", without listing customers' names, leave Column 1a blank, and specify the aggregate quantity in Column 4. Fill in the other columns as indicated.

If the applicant supplier is seeking authority to use any part of his own production or stock, he shall apply as if the consuming part of his organization had filed a purchase order and use certificate with the production or distribution part of his organization (the actual filing of such order and certificate is not necessary).

In Table II each producer of critical synthetic organic detergents shall fill in Columns 8 through 16 as indicated. Distributors who purchase for resale shall fill in Columns 8, 10, 12 and 13 and leave the other columns of this table blank. In Columns 10 and 13, suppliers shall enter only those stocks not authorized for use or delivery on the dates specified.

(f) *Statements of use with purchase orders.* Each person placing purchase orders for more than 100 lbs. of critical synthetic organic detergents per month from all suppliers shall furnish each of his suppliers with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. Specify proposed use as follows:

(1) For "special military orders" placed by consumers, state "Special Military Order, Contract _____" (specify each military contract number).

(2) For "regular orders" placed by consumers, state "For _____" and specify proposed product as follows:

Rubber.	Insecticides.
Textiles.	Soap.
Dye stuffs.	Germicides.
Leather.	Dairy cleaners.
Metal.	Other (specify).
Pulp and paper.	

(3) For orders placed by suppliers for detergents for resale without further processing or admixture, state "For resale on further authorization", or "For resale in lots of 100 lbs. or less per customer per month."

(g) *Special directions with respect to other synthetic organic detergents.* The War Production Board may from time to time issue special directives with respect to production, use and delivery, by the producer, of any synthetic organic detergent which is not listed in paragraph (a) (1) above, but is similar to any critical synthetic organic detergent listed in that paragraph. The test of similarity is whether the synthetic organic detergent in question is capable of filling "special military orders" as defined in paragraph (a) (2).

(h) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-800-44.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13453; Filed, Sept. 2, 1944; 11:15 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-39, as Amended Sept. 2, 1944]

FIRE PROTECTIVE, SIGNAL AND ALARM EQUIPMENT

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials entering into the production of fire protective, signal and alarm equipment, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.1 *General Limitation Order L-39*—(a) *Definitions.* For the purpose of this order:

(1) "Fire protective equipment" means: sprinkler systems, couplings, playpipes and allied fittings, fire hose, fire hydrants, fire pumps, hose dryers, hose racks, indicator posts, lightning protection systems, piped extinguishing systems, portable fire extinguishers including back pack types, foam generators, stirrup pumps, water spray nozzles, and all other fire protective equipment for preventing or extinguishing fires, excepting self-propelled motorized fire apparatus and auxiliary units including trailer, skid, front mounted and portable apparatus.

(2) "Signal and alarm equipment" means the following types of equipment:

(i) All types of signal or alarm systems or equipment designed for protective purposes, such as: fire, police and burglar alarm systems, watchmen's time recording systems, intrusion systems, and boundary protection systems, whether such systems are central station, proprietary, auxiliary or local; recording locks; and portable watch clocks.

(ii) All types of paging and call systems (other than intercommunicating systems), such as doctor and nurse call systems and factory paging systems.

The term does not include air raid warning devices.

(3) "Dry-pendant sprinkler head" means a sprinkler head for use in a pendant position on a dry pipe system and permanently attached to an extension nipple so as to exclude water from the nipple.

(4) "Incendiary bomb control equipment" means any pump, device, instrument, or material designed for the removal, control or extinguishment of incendiary bombs.

(5) "Stirrup pump" means a manually operated pump used to draw water or other liquid from a separate container to extinguish or control fires.

(6) "Air raid warning device" means any siren, whistle, horn, diaphone, signal or device used or intended for use to warn or signal civilians in connection with air raids or other war hazards.

(7) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 percent of the weight of all metal in the alloy.

(b) *General restrictions*—(1) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) of this order, no person shall incorporate in any fire protective, signal or alarm equipment, air raid warning device, or parts thereof, any bismuth, cadmium, chromium, copper, monel metal, nickel, tin, or alloy of any such metals, asbestos, rubber or synthetic rubber, except to the extent permitted in Appendix A hereof.

(2) [Deleted July 13, 1944]

(3) *Restrictions on foam extinguishers.* No person shall purchase or accept delivery of any foam extinguisher except for use in the protection of inflammable liquids, and no person shall sell or deliver any foam extinguisher which he knows or has reason to believe will be used in violation of this paragraph (b) (3).

(4) *Restrictions on manufacture of alkali metal (loaded stream) extinguishers.* No person shall in any quarter complete the manufacture of any type of alkali metal salt solution (loaded stream) extinguishers in excess of 25 percent of the total of such type (irrespective of size) manufactured by such person during the twelve month period ending November 30, 1941, except to fill purchase orders or contracts from any agency or government listed in subdivisions (i), (ii), and (iii) of this paragraph (b) (4). In determining the number of extinguishers manufactured during said twelve month base period ending November 30, 1941, extinguishers manufactured to fill contracts or purchase orders from, or for delivery to any of the following shall be excluded:

(i) The Army or Navy of the United States, United States Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The Government of any of the following countries: the United Kingdom, Canada, and other dominions, Crown Colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for delivery to or for the account of any country listed above or any other country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) *Restrictions on manufacture of stirrup pumps.* No person shall manufacture any stirrup pump, or part thereof, except to fill purchase orders from the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, Defense Supplies Corporation, or from any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) *Restriction on manufacture of soda-acid fire extinguishers.* No person shall manufacture any soda-acid fire extinguisher.

(7) *Restrictions on sale and delivery of signal and alarm equipment and air raid warning devices.* (i) No person shall sell, deliver or install any signal and alarm equipment costing $200 or more or any air raid warning device costing $25 or more except to fill the following kinds of orders:

(a) Orders from or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration;

(b) Orders for equipment (signal and alarm equipment and air raid warning devices), the delivery of which has been specifically authorized by the War Production Board on Form WPB–1319. (Any person receiving specific authorization on Form WPB–1319 must notify his supplier by placing on his purchase order the following certification, in addition to the certification in Priorities Regulation 7: "Delivery approved on Form WPB–1319, case no. —, under Order L–39". The supplier may get delivery of the equipment from his supplier to fill the order, if necessary, by placing the same certification on his order.)

(c) Orders for equipment the delivery of which has been specifically authorized on Form GA–1456.[1] (A person receiving an authorization for this equipment on Form GA–1456 must notify his supplier by placing on his purchase order the following certification, in addition to the certification in Priorities Regulation 7: "Delivery approved on Form GA–1456 under Direction 1 to CMP Regulation 6". The supplier may get delivery of the equipment from his supplier to fill the order, if necessary, by placing the same certification on his order.)

Cost is determined under this paragraph by taking the installed cost to the purchaser. If the equipment is leased rather than sold, cost is determined by taking the price which would be charged to the building owner if the equipment were installed and sold outright.

(ii) [Revoked Feb. 16, 1944]

(iii) In conjunction with the granting of specific authorization to receive signal or alarm equipment or air raid warning devices on Form WPB–1319, the War Production Board may also assign preference ratings to the authorized deliveries on such form. Any preference rating so assigned shall be applied and extended only in accordance with the terms of Priorities Regulation 3.

(8) *Restriction on the manufacture of signal or alarm equipment.* Except upon specific authorization by the War Production Board, no person shall manufacture, install, deliver or accept delivery of any smoke, fire, or intrusion detector employing photo-electric principles, except to fill purchase orders from a purchaser listed in paragraph (b) (4) of this order and unless such item is for use on board ship.

(9) *Restrictions on the manufacture of air raid warning devices.* No person shall manufacture, sell, purchase, deliver, install or accept delivery of any air raid warning device which requires for its operation a motor in excess of three (3) horse power.

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[1] Authorization on Form GA–1456 is issued for approved construction projects upon application on Form WPB–617, and persons needing signal and alarm equipment or air raid warning devices for use in a project should ask for the equipment on their project application. However, when a person wishes only to get this equipment for installation in an existing structure and no other construction is involved, he should follow these rules:

1. If the cost of installation materials is not more than $500, the application should be filed on Form WPB–1319.

2. If the cost of installation materials is more than $500, the application should be filed on Form WPB–617.

"Installation materials" include such items as wire, tubing and conduit used to install the equipment in the structure, but of course the equipment itself is not included.

(10) *Restrictions on sale and delivery of cotton rubber-lined fire hose.* No person shall sell or deliver any new cotton rubber-lined fire hose except to fill the following kinds of orders:

(i) Orders bearing a preference rating of AA–5 or higher;

(ii) Orders which had been placed prior to August 23, 1943, and which bear a preference rating of A–9 or higher; or

(iii) Orders from distributors. (Distributors may sell or deliver only to persons to whom sale or delivery is authorized to be made by this paragraph (b) (10).)

No person shall purchase or accept delivery of any cotton rubber-lined fire hose if he knows or has reason to believe that the sale or delivery of such hose is prohibited by this paragraph.

(11) *Restrictions on manufacture of incendiary bomb control equipment.* Effective thirty days after January 20, 1943, no person shall manufacture any incendiary bomb control equipment, except when and to the extent authorized by the War Production Board, or to the extent permitted by paragraph (b) (5) of this order.

(c) *Exceptions to paragraph (b) (1).* The restrictions of paragraph (b) (1) shall not apply to:

(1) Brass fire hose couplings, provided that such couplings are delivered to or for the account of:

(i) The Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, and are for use on board ship; or

(ii) Any person whose purchase order bears a rating which was assigned for the specific couplings on Form WPB–646 (formerly Form PD–300); or

(iii) The Panama Canal; or

(iv) Any person for use on board ships warranted by the United States Maritime Commission.

(2) Carbon dioxide extinguishers manufactured in accordance with specifications of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(d) *Representations on orders from government agencies.* Any purchase order or contract from any agency or government named in subparagraphs (i), (ii), or (iii) of paragraph (b) (4) of this order shall constitute a representation that the conditions exist under which such purchase order or contract may be filled within the terms of this order. Said representation may be relied upon by the person with whom the purchase order or contract is placed and by his subcontractors and suppliers.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture more fire protective, signal and alarm equipment than is permitted under paragraphs (b) (4), (b) (5), (b) (8) and (b) (11) (including a person who cannot manufacture such equipment under this order), or who wants to manufacture any soda-acid fire extinguishers prohibited by paragraph (b) (6), or any air raid warning devices requiring a motor in excess of three horsepower (prohibited by paragraph (b) (9)), may apply for permission to do so as explained in Priorities Regulation 25. A person may still apply for authorization under paragraphs (b) (8) for signal or alarm equipment and (b) (11) for incendiary bomb control equipment, if he desires. The restrictions on delivery contained in paragraphs (b) (3), (b) (7) and (b) (10) and the restrictions on use of material in paragraph (b) (1) continue to apply to fire protective, signal and alarm equipment authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraphs (b) (4), (b) (5), (b) (6), (b) (8), (b) (9) and (b) (11) shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L–39, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of the above paragraphs.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L–39.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

In accordance with the provisions of paragraph (b) (1) of this order, the materials named in this Appendix A may be incorporated in the manufacture of fire protective equipment signal or alarm equipment, and air-raid warning devices, and in component parts thereof, to the extent indicated in this Appendix A:

(1) [Deleted Sept. 2, 1944.]

(2) Bismuth:

(i) As a component of fusible link alloy;

(ii) Up to five and one-half (5½) per cent in solder.

(3) Cadmium, only to the extent permitted by General Preference Order M–65 or by any relief granted on an appeal taken under that order.

(4) Chromium, in alloy steel for any part;[3] and in plating to the extent essential to the efficient functioning of the parts plated.

(5) Copper or copper base alloys (where copper base alloys are permitted, the alloys used shall be of the lowest type and grade that are practical for the particular application) in:

(i) Pumps for vaporizing liquid extinguishers;

(ii) Lock nuts on removable hose connections;

(iii) Bodies, ends, inner chambers, valves and their component parts for vaporizing liquid and loaded stream extinguishers;

(iv) Either collars or caps (but not both) on any 2½-gallon foam extinguisher; and in any part of 2½-gallon foam extinguishers which are produced to fill orders from or for the account of the Army or Navy of the United States, the Coast Guard, the United States Maritime Commission or the War Shipping Administration, when the extinguishers are for shipboard use and when the use of copper or copper base alloy is required by the specifications (including performance specifications) applicable to the order;

(v) Fittings, strainers, syphon tubes and valves for carbon dioxide and gas operated dry powder extinguishers;

(vi) Any part of couplings for suction hose, linen hose, chemical hose, booster hose, and potable water purification plants, but in no case shall the alloy used for castings contain more than 74 per cent copper and 2 per cent tin;

(vii) The following parts of couplings for cotton rubber-lined fire hose: Any part for any type of coupling in sizes other than 1½" and 2½"; snap clamps, clamp pins, and wire springs for "Jones" type couplings in 1½" and 2½" sizes; latch assemblies for "British" type couplings in 1½" and 2½" sizes; swivels and wires for screw type couplings in 1½" and 2½" sizes; but in no case shall the alloy used for castings contain more than 74 per cent copper and 2 per cent tin;

(viii) Expansion rings for any kind of hose;

(ix) Hose and hydrant adapters;

(x) Any part of siamese connections, wyes and steamer connections; and any part of fittings for hose reels and standpipe connections; but in no case shall the alloy used for castings contain more than 74 per cent copper and 2 per cent tin;

(xi) Playpipes made only from drawn, brazed sheet or cast brass;

(xii) Nozzles, and nozzle tips, except tips and handles for portable deluge nozzles; but in no case shall the alloy used in castings contain more than 74 per cent copper and 2 per cent tin.

(xiii) The following hydrant fittings to the extent essential to their efficient functioning; valve seats, discs, guides, operating valve stems, stuffing boxes, bushings, rivets, retainer rings, and outlet nipples;

(xiv) The following indicator post and valve fittings to the extent essential to their efficient functioning: Valve stems; seats; discs; packing glands; glands of bonnet openings; extension stem operating washer, nut and target mechanism;

(xv) Parts of portable generators, engines and fixed piped systems to the extent essential to their efficient functioning (The parts

[3] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel-chromium-molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C.

referred to herein include generator bodies except bases, shut-off valves except handles, screens, check valves, inner chambers, heads, stoppies, closing and other operating mechanisms.);

(xvi) Valve seats, discs, stems, guides, and clapper arms;

(xvii) The following parts of automatic sprinkler systems and signal or alarm equipment: Actuating, indicating, and recording units of alarm or signal systems; condenser parts; contacts; diaphragm assemblies; labels of inspection laboratories; links; tubing and fittings; valves not over 2 inches; wire and cables; impellers and rings for fire pumps and for water flow alarms; deflectors on any sprinkler heads if made of casting, but the alloy shall not contain more than 74 per cent copper and 2 per cent tin; all other parts of open and closed sprinkler heads, but the alloy for frames for closed heads shall not contain more than 86 per cent copper and 6 per cent tin, the alloy for frames for open heads shall not contain more than 74 per cent copper and 2 per cent tin, and the alloy for lever arms shall contain no tin and not more than 74 per cent copper.

(xviii) Impellers, retaining rings and bushings for fire pumps;

(xix) Watchmen's time recording systems where required for efficient functioning;

(xx) The following parts of air raid warning devices: motors up to three horse power, actuating units, wire and cable, control and reducer valves only to the extent necessary to the efficient functioning thereof.

(xxi) Name and identification plates of a gauge of .03125 inch or less for fire extinguishers which are to be used in aircraft or on board ship.

(6) [Revoked.]

(7) [Deleted May 1, 1944.]

(8) Nickel, in signal or alarm systems as a component of bi-metal thermal discs for thermostats, as plating for protection against corrosion where magnetic properties of nickel are essential, as a component of wire wound resisters, as a component of thermocouple wire and as a component of permanent magnets; in signal or alarm systems for plating component parts of control mechanisms essential to the efficient functioning of the system, where less critical material as a substitute would not be suitable; and in alloy steel for any part.[3]

(9) Tin:

(i) As a component of fusible link alloy; and in dry pipe valve seat rings, but not to exceed fifty per cent in weight;

(ii) In copper base alloys the use of which is permitted by paragraph (5) hereof, but only where no tin-free alloy can be used, and only to the extent permitted by General Preference Order M-43;

(iii) Up to ten per cent by weight in metal for coating steel shells for vaporizing liquid extinguishers;

(iv) In solder, provided that the tin content does not exceed that permitted by General Preference Order M-43;

(v) As a component of foil for use in anti-intrusion and anti-sabotage systems, to the extent essential to the efficient functioning of the equipment, provided that the use of tin for this purpose is properly authorized under General Preference Order M-43.

(10a) [Deleted May 1, 1944.]

(10b) [Deleted May 1, 1944]

(11) Monel metal:

(i) In balls for check valves in dry pipe valves, accelerating equipment, and water flow alarms for automatic sprinkler systems;

(ii) In helical springs for fire detecting thermostats;

(iii) In vanes and pressure type flexible joints for water flow alarm devices.

(iv) In screens in marine type strainers and nozzles to fill orders from or for the account of the United States Navy when required by the applicable specifications.

(12) [Deleted May 1, 1944]

(13) Asbestos:

(i) In gaskets for hydrants, fixed or portable foam applicator pipes, and alarm systems.

(ii) As packing for vaporizing liquid extinguishers.

(14) Rubber and synthetic rubber, to the extent permitted by Rubber Order R-1, as amended, or to the extent permitted by any relief granted pursuant to an appeal taken in accordance with the provisions of that order.

[F. R. Doc. 44-13454; Filed, Sept. 2, 1944; 11:15 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-604]

ATLAS MANUFACTURING CO.

D. L. King, T. J. Morris and R. A. Beaux, are partners doing business as the Atlas Manufacturing Company at Rogers, Arkansas, and are engaged in the manufacturing of poultry feeders and poultry waterers. During the period from October 8, 1943 to March 1, 1944, they manufactured and sold at least 16,289 poultry feeders and poultry waterers of the aggregate value of $17,226.60. During this period, by the terms of General Limitation Order L-257, their manufacture of these items was limited to an amount not exceeding the value of $2500, for the reason that they had not been engaged in such manufacture during the years 1940 or 1941. The manufacture of $14,726.60 aggregate value of poultry feeders and poultry waterers in excess of this permitted amount was a violation of General Limitation Order L-257. During the period from November 1, 1943, to March 1, 1944, the respondents placed orders for, and obtained delivery of 71,088 pounds of galvanized steel sheets certifying that this material was required for maintenance, repair and operating supplies, when, in fact, it was used for production purposes, in violation of CMP Regulation No. 5 and Priorities Regulation No. 3. The respondents were familiar with General Limitation Order L-257, and their actions constituted wilful violations of that Order. Respondents' violations of CMP Regulation No. 5 and Priorities Regulation No. 3 resulted from their gross negligence.

These violations have hampered and impeded the war effort of the United States by diverting critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.604 *Suspension Order No. S-604.* (a) D. L. King, T. J. Morris and R. A. Beaux, doing business as Atlas Manufacturing Company or otherwise, their and its successors or assigns, shall not manufacture, fabricate, process or machine any sheet metal poultry feeders as specified in General Limitation Order L-257.

(b) Deliveries of material to D. L. King, T. J. Morris and R. A. Beaux, individually or doing business as Atlas Manufacturing Company, or under any other name, their or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) No allocations, including allotments, shall be made to D. L. King, T. J. Morris, and R. A. Beaux, doing business as Atlas Manufacturing Company, or otherwise, their and its successors or assigns, of any materials or products, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve D. L. King, T. J. Morris and R. A. Beaux, individually or doing business as Atlas Manufacturing Company, or otherwise, their or its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on September 2, 1944, and shall expire on January 2, 1945.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13503; Filed, Sept. 2, 1944; 4:17 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-605]

ROGERS PLUMBING CO.

J. M. Henderson of Rogers, Arkansas, doing business as Rogers Plumbing Company, is engaged in the manufacture of poultry feeders and waterers. On or about July 24, 1943, respondent filed Form PD-629 in which he falsely represented to the War Production Board that he had manufactured 16,000 poultry feeders in 1940 and 1941, when, in fact, he was not engaged in manufacturing such items of any farm machinery or equipment in either of the years 1940 or 1941. These misstatements subjected J. M. Henderson to administrative action under the provisions of General Limitation Order L-257 and Priorities Regulation No. 1. On the basis of these false representations, respondent obtained substantial allotments of controlled materials in the third and fourth quarters of 1943, and purchased controlled materials during such quarters greatly in excess of the allotments obtained by his prior false representations, in violation of CMP Regulation No. 1. During the period from May 1, 1943, to August 17, 1943, respondent placed orders for, and obtained delivery of 10,370 lbs. of galvanized sheet steel, certifying that this steel was required for maintenance, repair and

[3] See footnote on p. 10859.

operating supplies. Such steel was not used by him for essential maintenance and repair operations, but was, in fact, used for production purposes, in violation of CMP Regulation No. 5. The respondent was familiar with the provisions of CMP Regulation No. 1 and CMP Regulation No. 5, and his actions constituted wilful violations of these regulations.

These violations have hampered and impeded the war effort of the United States by diverting critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.605 *Suspension Order No. S–605.* (a) J. M. Henderson, doing business as Rogers Plumbing Company or otherwise, his and its successors or assigns, shall not manufacture, fabricate, process or machine any sheet metal poultry feeders as specified in General Limitation Order L–257.

(b) Deliveries of material to J. M. Henderson, doing business as Rogers Plumbing Company or otherwise, his and its successors or assigns, for use in the manufacture, fabrication, processing or machining of sheet metal poultry feeders or poultry waterers as specified in General Limitation Order L–257, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) No allocations, including allotments, shall be made to J. M. Henderson, doing business as Rogers Plumbing Company or otherwise, his and its successors or assigns, of any materials or products for use in the manufacture, fabrication, processing or machining of sheet metal poultry feeders or poultry waterers as specified in General Limitation Order L–257, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve J. M. Henderson, doing business as Rogers Plumbing Company or otherwise, his and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on September 2, 1944, and shall expire on January 2, 1945.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13504; Filed, Sept. 2, 1944; 4:17 p. m.]

NOTE: Column D amended Sept. 4, 1944.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–63, Revocation]

ILLINOIS PURE ALUMINUM CO.

Suspension Order No. S–63 was issued against the Illinois Pure Aluminum Company, Lamont, Illinois, a manufacturer of aluminum kitchen utensils, effective July 2, 1942. An appeal was filed with the Chief Compliance Commissioner on June 25, 1943. The case was reviewed by the Chief Compliance Commissioner, as a result of which on July 31, 1943 the appeal was dismissed. The Chief Compliance Commissioner has further reviewed the matter in the light of changed conditions affecting aluminum and the issue of General Limitation Order L–30–e on August 15, 1944. As a result of this review he has directed that Suspension Order No. S–63 be revoked forthwith. In view of the foregoing:

It is hereby ordered, That: § 1010.63 *Suspension Order No. S–63* be revoked.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13502; Filed, Sept. 2, 1944; 4:17 p. m.]

PART 933—COPPER

[Copper Order M–9, as Amended Sept. 4, 1944]

§ 933.1 *Copper Order M–9*—(a) *Purpose.* The primary purpose of this order is to govern the acceptance of delivery (whether on purchase, toll agreement or otherwise) of specified types of copper and copper-base alloy materials (other than controlled materials), and copper-clad and copper-base alloy-clad steel scrap, all of which for convenience are called copper raw materials throughout this order. The production, delivery and acceptance of controlled materials are governed by applicable CMP and priorities regulations.

(b) *Acceptance of delivery of copper raw materials.* Except as specifically authorized in writing by the War Production Board, no person shall accept a delivery of any copper raw material other than those shown opposite his class in column B of the following table:

Class of person (A)	Copper raw materials: Acceptance of delivery authorized by this order without application to the War Production Board. (B)	Report form used to apply for specific WPB authorization to accept delivery of copper raw materials other than those shown in Column B. (C)	Other WPB report forms regarding copper raw materials and copper controlled materials. (D)
Refiner—Any person who produces refined copper. This includes any person who converts copper-clad or copper-base alloy-clad steel scrap into refined copper or other usable forms of copper.	Other unalloyed copper scrap. Other copper-base alloy scrap. Copper precipitates.	WPB–2950 [1]	WPB–3212.
Scrap Dealer—Any person regularly engaged in the business of buying and selling scrap but who does not melt such scrap.	Other unalloyed copper scrap. Other copper-base alloy scrap. Brass mill scrap	None	WPB–202 or WPB–3202.
Jobber Dealer—Any person who receives physical delivery of refined copper, copper-base alloy ingot or copper or copper-base alloy shot and sells or holds the same for sale without change in form.	None	WPB–2950	None.
Brass Mill—Any person who produces brass mill products, brass mill castings or intermediate shapes.	Brass mill scrap Fired cartridge and artillery cases (from Government plants only).	WPB–3112 WPB–2954	WPB–3508. WPB–3007.
Copper Wire Mill—Any person who produces copper wire mill products or intermediate shapes.	None	WPB–2953	WPB–3505.
Brass and Bronze Foundry—Any person who produces foundry copper or copper-base alloy products.	[3]	WPB–2958	WPB–3506.
Ingot Maker—Any person who produces copper-base alloy ingot for delivery as such	[3]	WPB–2959	WPB–3150.
Miscellaneous Producer—Any person not falling in one of the classes described above, who requires copper raw materials in his regular production operation. Examples: Chemical plants, iron foundries, aluminum foundries, electrotypers, etc.	None	WPB–2959	None.
Scrap Generator—Any person, other than a scrap dealer, who in his normal operations generates or accumulates scrap or copper-clad or copper-base alloy-clad steel scrap but who is not in the business of producing copper raw materials or copper controlled materials.	None	None	WPB–482 or WPB–2915.

[1] Refiners requiring copper-clad or copper-base alloy-clad steel scrap should apply by supplementary letter setting forth the copper raw material involved, the amount required, and other pertinent data such as inventory, receipts, production, consumption and shipments, on the basis of which authorization to accept delivery is requested.

[2] Footnote 2 deleted Sept. 4, 1944.

[3] Foundries and ingot makers may exchange copper-base alloy ingot on an equivalent copper content basis without charging such deliveries against their authorizations.

(c) *Restriction on disposal of scrap and copper-clad and copper-base alloy-clad steel scrap.* (1) No person (other than one who is in the business of producing copper raw materials or copper controlled materials) shall melt or process any scrap or copper-clad or copper-base alloy-clad steel scrap, generated in his plant through fabrication or accumulated in his operations through obsolescence, except as specifically authorized by the War Production Board, or dispose of such material in any way other than by delivery to a person authorized to accept such delivery. In no event shall any such person keep on hand more than thirty (30) days' accumulation of scrap or copper-clad or copper-base alloy-clad steel scrap unless such accumulation aggregates less than five tons.

(2) Any material purchased as scrap, if not sold as scrap, may be sold in controlled material form only to fill authorized controlled material orders including orders identified by a CMP allotment symbol whose initial letter is Z or with the specific authorization of the War Production Board in writing. However, any CMP allotment symbol or number received as a result of such sales may not be used to replace the material sold.

(3) Nothing herein contained shall prohibit any public utility from using in its own operations wire or cable which has become scrap by obsolescence, provided the lengths of such wire or cable are in excess of five feet and the quantity of such material so used by such public utility in any calendar month does not exceed five tons.

(d) *Specific authorization and directions.* This order is designed to prescribe the general regulations under which deliveries of copper raw materials may be accepted. At times the provisions of this order will not fit the needs of a particular person. In any such case, the person affected may apply by letter to the Copper Division, War Production Board, for a specific authorization to cover his needs. Situations may arise which will require the War Production Board, from time to time, to issue specific authorizations or directions to a person as to the source, destination, amount or grade of copper raw materials to be delivered, acquired or used by him.

(e) *Definitions.* (1) "Copper" means unalloyed copper.

(2) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. Copper-base alloy does not include alloyed gold produced in accordance with United States Commercial standards CS 51–35 and CS 67–38.

(3) "Scrap" means all copper or copper-base alloy materials or objects (except those containing 0.10% or more beryllium and governed by supplemental order M–160a) which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason. This does not include fired cartridge and artillery cases or copper-clad or copper-base alloy-clad steel scrap.

(4) "Copper wire mill product" means bare, insulated or armored wire and cable for electrical conduction made from copper, copper-base alloy, or copper-clad steel containing over 20% copper by weight.

(5) "Brass mill product" means sheet, rod, wire or tube made from copper or copper-base alloy. This does not include copper wire mill products.

(6) "Foundry copper or copper-base alloy product" means cast copper or copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding or forging. (The process of casting includes the removal of gates, risers and sprues and sand-blasting, tumbling or dipping, but does not include any further machining or processing.)

(7) "Copper raw materials" as used in this order, includes the following materials as defined:

(i) "Refined copper"—Copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars, or other refined shapes. This does not include copper-base alloy ingot, brass mill castings, intermediate shapes or controlled materials.

(ii) "Brass mill scrap"—Scrap which is the waste or by-product of industrial fabrication or production of brass mill products or copper wire mill products. This does not include material which has been reclaimed from use or which is unsuitable for brass mill use because of contamination.

(iii) "Other copper-base alloy scrap"—Copper-base alloy scrap other than brass mill scrap. This includes spent bullets but does not include fired cartridge and artillery cases.

(iv) "Other unalloyed copper scrap"—Unalloyed copper scrap other than brass mill scrap.

(v) "Copper-clad or copper-base alloy-clad steel scrap"—All copper-clad or copper-base alloy-clad or -coated steel materials or objects in which the cladding or coating amounts to 3% or more by weight and (*a*) which are the waste or by-product of industrial fabrication, or (*b*) which have been discarded on account of obsolescence, failure or other reasons. This does not include spent bullets.

(vi) "Fired cartridge and artillery cases"—Unreloadable fired cartridge cases or artillery cases which have been manufactured from brass mill products.

(vii) "Brass mill casting"—A copper-base alloy casting from which brass mill or copper wire mill products or intermediate shapes may be rolled, drawn or extruded without remelting.

(viii) "Copper-base alloy ingot"—a copper-base alloy casting used in remelting, alloying or deoxidizing operations.

(ix) "Copper or copper-base alloy shot"—Shot produced from copper or copper-base alloy and to be used in remelting, alloying, deoxidizing or chemical operations.

(x) "Copper or copper-base alloy powder"—Copper or copper-base alloy in the form of powder or flake, other than flake type bronze powder which is governed by Supplementary Conservation Order M–9–c–3.

(xi) "Intermediate shape"—Any product which has been rolled, drawn or extruded from refined copper or brass mill castings and which will be re-rolled, redrawn, insulated or further processed into finished brass mill or copper wire mill products by other producers of such products.

(xii) "Copper precipitates (or cement copper)"—Copper metal precipitated from mine water by contact with iron scrap, tin cans, or iron in other forms.

(f) *Reports and communications.* Any person of a class listed in Column (A) of the table in paragraph (b) must file all report forms shown opposite his class in Columns (C) and (D) of the table unless otherwise directed.

Except as provided by instructions accompanying application forms, all communications filed pursuant to this order or concerning the subject matter hereof should be addressed: "Copper Division, War Production Board, Washington 25, D. C."

(g) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(h) *Revocations.* General Preference Order M–9–a and Supplementary Order M–9–b are hereby revoked as these orders are superseded by this order, M–9. These revocations do not affect any liabilities incurred under orders M–9–a and M–9–b.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13546; Filed, Sept. 4, 1944; 11:43 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P–142, Direction 4]

REDUCTION IN TRACK MATERIAL AUTHORIZATIONS

The following direction is issued pursuant to Preference Rating Order P–142 (§ 3216.1):

(a) Each authorization on form letter GA–1844 (dated June 1, 1944) permitting a railroad operator to place advance orders for track materials for the first and second quarters of 1945 is hereby reduced by 25% of the amount authorized for the first quarter and

by 18% of the amount authorized for the second quarter. This means that the advance authorizations for each category of track materials ("for new rail" and "for maintenance" as indicated in GA–1844) are reduced by the above amounts for each quarter. "Track materials" means those items of track material listed in paragraph (b) (2) of Order P–142.

(b) Railroad operators must cancel outstanding purchase orders for track materials already placed for the first and second quarters of 1945 to the extent necessary to conform with advance authorizations as reduced by paragraph (a). Final authorizations will be issued on a firm basis, as usual, when firm allotments of new rail are made for each quarter.

(c) This direction applies only to railroad operators under Order P–143 (serial numbers below 1,000) and not to transit or other operators.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13549; Filed, Sept. 4, 1944; 11:43 a. m.]

PART 3284—BUILDING MATERIALS[1]

[Limitation Order L–205, as Amended Sept. 4, 1944]

HOUSE TRAILERS AND EXPANSIBLE MOBILE HOUSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply, for defense, for private account and for export, of the metals and other materials entering into the production of house trailers and expansible mobile houses; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Section 3284.126 *Limitation Order L–205*[1] is hereby amended to read as follows:

§ 3284.126 *Limitation Order L–205*—(a) *Purpose of this order.* This order tells what house trailers and expansible mobile houses may be made, what material may be used in making them, and how they may be sold.

(b) *Restrictions on production*—(1) *House trailers.* No person shall manufacture, fabricate, or assemble a house trailer, except as authorized by a production schedule issued by the War Production Board, or except as permitted by paragraph (f).

(2) *Expansible mobile houses.* No person shall manufacture, fabricate or assemble an expansible mobile house, except as permitted by paragraph (f).

(c) *Authorization and scheduling of production*—(1) *Applications to produce.* Applications to produce house trailers should be submitted to the War Production Board on Form CMP–4B, addressed to the War Production Board, Building Materials Division, Washington 25, D. C. Authorized production schedules will be made on Form GA–1850. Each house trailer manufacturer is expected to produce during the specified period the number of trailers he is authorized to manufacture.

(2) *Policy in authorizing production schedules.* Manufacture of house trailers will be authorized so that the total production by the industry will not exceed the approved War Production Board program and so that production in any one plant or labor requirements therefor will not interfere with the war production in that plant or in any plant located in the same area.

(3) *Transfer of production schedules.* If a manufacturer finds that he is unable to complete his authorized production schedule within the specified period, he shall immediately notify the Building Materials Division of the War Production Board. The War Production Board may transfer from one manufacturer to one or more other manufacturers that portion of an authorized production schedule which cannot be completed during the specified period. Any arrangement by one manufacturer to have house trailers produced for him by another must first be submitted to the War Production Board for approval.

(4) *Information.* The War Production Board will, on request of any manufacturer of house trailers, give notice to all manufacturers of the total production authorized and the production authorized to each individual manufacturer.

(d) *Restrictions on use of material in production of house trailers.* No person shall use more than 678 pounds of steel and 4 pounds of copper, exclusive of Class B products, in the manufacture, fabrication or assembly of a single-axle house trailer, nor more than 751 pounds of steel and 4 pounds of copper, exclusive of Class B products, in the manufacture, fabrication or assembly of a tandem-axle house trailer. The maximum exterior body length of any house trailer shall not exceed 24 feet.

(e) *Restrictions on delivery of house trailers.* Except as deliveries of house trailers are made to dealers for resale, no manufacturer or dealer shall deliver a new or used house trailer manufactured after July 15, 1943, unless delivery has been specifically authorized by the War Production Board on Form WPB–3538. Permission may be aplied for by filing an original and two copies of Form WPB–3538 with the War Production Board's nearest local office for his District. A copy of the application will be returned to the seller with approval or denial indicated on the Form. The approved Form will be authority for the seller to deliver. No person shall deliver or accept delivery of a house trailer if he knows or has reason to believe that such house trailer was manufactured contrary to paragraphs (b) or (d).

(f) *Exemptions from provisions of this order.* This order does not apply to any house trailer or expansible mobile house manufactured to fill a specific order from or for the account of the Army, Navy, Maritime Commission, War Shipping Administration, or the National Housing Agency.

(g) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications.* All reports required hereunder and all communications concerning this order (except appeals, and applications on Form WPB–3538) shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Reference L–205.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture more house trailers than permitted under paragraph (b) (1) (including a person who has not been permitted to make any house trailers), and any person who wants to manufacture expansible mobile houses not permitted by paragraph (b) (2), may apply for permission do so as explained in Priorities Regulation 25. A person who wants to make house trailers may still file an application to make them under paragraph (c) (1). The restrictions of this order on the use of material and on deliveries will apply to production of house trailers authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal by a manufacturer from the provisions of this order other than the restrictions of paragraphs (b) (1) and (b) (2) should be filed on Form WPB–1477 with the Field Office of the War Production Board for the district in which is located the plant of the appellant to which the appeal relates. An appeal from any action taken by the War Production Board on an application filed on Form WPB–3538 pursuant to paragraph (e) of this order may be filed by letter in triplicate with the Field Office of the War Production Board where the original application was filed. No appeal should be filed from the restrictions of paragraphs (b) (1) or (b) (2).

(k) *Definitions.* For the purpose of this order:

(1) "House trailer" means a portable shelter designed and constructed to be used as a human habitation and to be towed or transported on wheels without being dismantled or substantially changed in form. "House trailer" does not include an "expansible mobile house".

(2) "Expansible mobile house" means a portable shelter designed and constructed to be used as a human habita-

[1] Formerly Part 3088, § 3088.1.

tion, and so constructed that parts of it may be folded or collapsed against its center portion when being transported, and may be unfolded so as to provide additional room space when the expansible mobile house is stationary.

(3) "Class B products" means Class B products as defined in paragraph (b) (9) of CMP Regulation 1. (For the official List of Class B products, refer to "Products and Priorities" issued by the War Production Board.)

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13544; Filed, Sept. 4, 1944; 11:43 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-225, as Amended Sept. 4, 1944]

ELECTRICAL CONDUIT, ELECTRICAL METALLIC TUBING AND RACEWAYS

§ 3284.56 *Limitation Order L-225*—(a) *Definition.* For the purposes of this order:

(1) "Rigid electrical conduit" means rigid steel or iron pipe (whether or not galvanized, sherardized, enameled, or treated with other protective coating) designed to protect insulated electric wire, cables or conductors for the transmission of electricity, such pipe being manufactured in iron pipe sizes ¼" to 6" inclusive. Rigid electrical conduit shall include, but is not limited to conduit commonly known as "heavy wall conduit".

(2) "Electrical metallic tubing" means steel tubing (whether or not galvanized, sherardized, enameled or treated with other protective coating) designed to protect insulated electric wires, cables, or conductors for the transmission of electricity and manufactured in trade sizes ⅜" to 2" inclusive, from the following gauges of steel:

Trade size:	*BW gauge*
⅜"	19
½"	19
¾"	18
1"	17
1¼"	16
1½"	16
2"	16

Electrical metallic tubing shall include, but is not limited to steel tubing commonly known as "thin wall conduit".

(3) "Flexible metal conduit" or "flexible metal tubing" means helically wound flexible steel tubing manufactured in trade sizes ⅜" to 3" inclusive, designed to protect insulated electric wires, cables or conductors for the transmission of electricity.

(4) "Raceways" means any ferrous metal enclosure or channel, designed expressly for the protection and/or the holding of electrical wires and cables, including but not limited to, surface metal raceways, under floor metal raceways, cellular metal floor raceways, metal wireways, metal wiring troughs and metal under plaster extension raceways. Raceways shall not include busways, rigid electrical conduit, flexible metal conduit, flexible metal tubing, electrical metallic tubing or wiring channel or raceways which are a part of any fluorescent lighting fixture.

(5) "Manufacturer" means any person who makes, constructs or assembles rigid electrical conduit, electrical metallic tubing, flexible metallic tubing, flexible metallic conduit or raceways.

(6) "Used" means having been installed or put in service.

(7) "Distributor" means any person regularly engaged in the business of buying electrical supplies from a manufacturer for the purpose of resale.

(8) "Electrician" means any person other than a distributor who is engaged in installing, maintaining or repairing electrical systems.

(9) "Put in process" means the first change by a manufacturer in the form of material from that form in which the material was received by him.

(10) "Industrial lighting fixture" means a lighting fixture designed and constructed to provide general or localized illumination for an area of manufacturing, processing, storage or transportation, including, but not limited to, a machine shop, laboratory, warehouse, power plant, yard platform, dock, pier, passageway, arsenal, camp or cantonment.

(11) "Hazardous location" means premises, locations, rooms or portions thereof in which:

Class I highly inflammable gases, flammable volatile liquids, mixtures or other highly flammable substances are manufactured or used or are stored in other than original containers; or

Class II combustible dust or flyings are likely to be present in quantities sufficient to produce an explosive or combustible mixture; or

Class III it is impracticable to prevent such combustible dust from collecting on or in motors, lamps or other electrical devices in such quantities as may prevent normal radiation and cause overheating of such motors, lamps or devices; or

Class IV easily ignitable fibres or materials producing combustible flyings are handled, manufactured, stored or used.

(b) *Restrictions on manufacture and installation of rigid electrical conduit.* (1) No person shall in the manufacture of rigid electrical conduit, during any calendar quarter, put in process any metal in excess of one-tenth (1/10) of the total weight of metal put in process in the manufacture of rigid electrical conduit by him during the calendar year 1941.

(2) No person shall install rigid electrical conduit in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical Code.

(3) No person shall install rigid electrical conduit sizes ¼" to 2" inclusive, except:

(i) When the installation is in a Class I, II, III or IV hazardous location and the 1940 edition of the National Electrical Code establishes the use of such rigid electrical conduit as a minimum acceptable standard of wiring; or

(ii) To suspend an industrial lighting fixture.

(4) No person shall install rigid electrical conduit sizes 2½" to 6" inclusive, except when

(i) The installation is such that the electric wires or cables require for safety purposes protection from mechanical injury; or

(ii) The installation is made in wet locations as defined in Article 100 of the 1940 edition of the National Electrical Code; or

(iii) The installation is made in a Class I, II, III or IV hazardous location and the 1940 edition of the National Electrical Code establishes the use of such rigid electrical conduit as a minimum acceptable standard of wiring; or

(iv) Electric wires or cables are required, because of the construction of a building or structure, to be enclosed within concrete or masonry.

(c) *Restrictions on manufacture and installation of electrical metallic tubing.* (1) No person shall in the manufacture of any electrical metallic tubing during any calendar month put in process any metal in excess of one-sixteenth (1/16) of the total weight of metal put in process in the manufacture of electrical metallic tubing by him during the calendar year 1941.

(2) No person shall install electrical metallic tubing in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical Code.

(3) No person shall install any electrical metallic tubing, except:

(i) To enclose electric wire or cable which requires, for safety purposes, protection from mechanical injury; or

(ii) To enclose electric wire or cable required, because of the construction of a building or structure, to be enclosed within concrete or masonry; or

(iii) To enclose electric wire or cable located in elevator hoistways and used for elevator power, control and signal purposes; or

(iv) To enclose electric wire or cable located in wet locations as defined in Article 100 of the 1940 edition of the National Electrical Code; or

(v) To suspend an industrial lighting fixture.

(d) *Restrictions on manufacture and installation of flexible metal conduit or flexible metal tubing.* (1) No person shall in the manfacture of flexible metal conduit or flexible metal tubing during any calendar month put in process any metal in excess of one twenty-fourth (1/24) of the total weight of metal put in

process in the manufacture of flexible metal conduit or tubing by him during the calendar year 1941.

(2) No person shall install flexible metal conduit or flexible metal tubing in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical Code.

(3) No person shall install any flexible metal conduit or flexible metal tubing, except to provide a flexible enclosure for:

(i) Electric wire or cable which is a component part of a machine; or

(ii) Electric wire or cable extending less than twelve (12) feet from rigid electrical conduit, electrical metallic tubing or raceways to electric motors, current consuming devices or electric control equipment.

(e) *Restrictions on manufacture and installation of raceways.* (1) No person shall, in the manufacture of any raceway, during any calendar quarter, put in process any metal in excess one-eighth (⅛) of the total weight of metal put in process in the manufacture of metal raceways by him during the calendar year 1941.

(2) No person shall install raceways in a size greater than the minimum size permitted for such installation by the 1940 edition of the National Electrical Code.

(3) No person shall install any raceway except to enclose electric wire or cable:

(i) Which requires for safety purposes protection from mechanical injury; or

(ii) Which is required, because of the construction of a building or structure, to be enclosed within concrete or masonry.

(f) *Restrictions on sale by a manufacturer or distributor.* No manufacturer or distributor shall sell or deliver any rigid electrical conduit, electrical metallic tubing, flexible metallic tubing, flexible metallic conduit or raceways, except that:

(i) A distributor or manufacturer may sell or deliver such conduit, tubing or raceways pursuant to an order or contract bearing a preference rating of AA-5 or better; or

(ii) A manufacturer may sell or deliver such conduit, tubing or raceways to another manufacturer; or

(iii) A distributor may sell or deliver such conduit, tubing or raceways to another distributor.

(g) *Specific exemptions.* The installation of any rigid electrical conduit or any electrical metallic tubing or any flexible metal conduit or flexible metal tubing or any raceway shall not be prohibited in any way by the provisions of this order provided such tubing, conduit or raceway:

(1) Has been used; or

(2) Is or will be incorporated into

(i) Aircraft, armament, radio, radar, ships, tanks, vehicles, weapons, protective alarm systems or locomotives; or

(ii) Any equipment designed and constructed to be used in combat; or

(3) On or before December 16, 1942

(i) Was in the possession of an electrician; or

(ii) Had been delivered or was in transit to the site of installation; or

(4) Is to enclose electrical conductors located adjacent to telephone equipment or other apparatus when the metallic shielding of such electrical conductors is required to insure the proper operation of the telephone equipment or other apparatus.

(h) *Extension of ratings for certain conduit and tubing.* Notwithstanding the provisions of any priority regulation, any person having a rated order for rigid electrical conduit may extend such rating for an equal amount in linear feet of electrical metallic tubing of the same size, and any distributor having a rated order for electrical metallic tubing may extend such rating for an equal amount in linear feet of rigid electrical conduit of the same size.

(i) *Filing of monthly reports of deliveries and inventory of rigid electrical conduit and electrical metallic tubing.* On or before the fifteenth day of July, 1943, and on or before the fifteenth day of each succeeding calendar month thereafter, every manufacturer of rigid electrical conduit and electrical metallic tubing shall file with War Production Board, Building Materials Division, Washington 25, D. C., Reference L-225, a report on Form WPB-2474 (or Form PD-827) containing the information required thereon for the preceding month.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Exceptions and appeals.*—(1) *Production under Priorities Regulation 25.* Any person desiring to put in process more metal in the manufacture of rigid electrical conduit, electrical metallic tubing, flexible metal conduit or flexible metal tubing, or raceways than the amounts permitted by this order (including a person who did not put into process any metal for these purposes during 1941) may apply for permission to do so as explained in Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (1), (c) (1), (d) (1) and (e) (1), should be filed on Form WPB-1477 with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraphs (b) (1), (c) (1), (d) (1) or (e) (1).

(m) *Applicability of other orders.* Insofar as any construction work is subject to the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War, and the Secretary of the Navy, or to the "List of Prohibited Items for Construction Work" dated June 29, 1942, issued by the Army and Navy Munitions Board, and insofar as any other order issued by the War Production Board or to be issued by it hereafter limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such directive, list, or order shall govern unless otherwise specified therein.

(n) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priority regulations of the War Production Board as amended from time to time.

(o) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C. Ref: L-225.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13547; Filed, Sept. 4, 1944; 11:43 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-173, as Amended Sept. 4, 1944]

FLOOR AND WALL FURNACES [1]

Section 3288.41 *General Limitation Order L-173* is hereby amended to read as follows.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the manufacture of floor and wall furnaces for defense, for private account and for export; and the following order is deemed necessary and ap-

[1] Formerly Oil and Gas Burning Domestic Space Heaters.

propriate in the public interest and to promote the national defense:

§ 3288.41 *General Limitation Order L–173*—(a) *Definitions.* For the purpose of this order, "floor or wall furnaces" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution ducts or pipes as integral parts of such heating devices. "Floor and wall furnaces" does not include direct fired gas unit heaters or any domestic heating stoves as defined in Limitation Order L–23–c.

(b) *General restrictions.* (1) No person shall produce any floor or wall furnaces except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA–1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce floor or wall furnaces which will not be delivered to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–173. This letter should state the proposed production in units per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on Form CMP–4B for the controlled materials.

(4) A limited production will be authorized on these applications, but only where the applicant's proposed use of labor will not interfere with local and inter-regional recruitment of labor. This production is in addition to the production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission or War Shipping Administration.

(c) *Reports.* (1) Manufacturers of floor and wall furnaces shall report on or before the tenth day of each month on Form WPB–3316, following the instructions on the Form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture, fabricate or assemble more floor or wall furnaces than he has been authorized to make on Form GA–1850 (including a person who has no authorization) may apply for permission to do so as explained in Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraph (b) (1), should be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b) (1).

(e) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(f) *Communications.* All communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–173.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13548; Filed, Sept. 4, 1944; 11:43 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–84, Amdt. 2]

CORDAGE FIBER, CORDAGE YARN AND CORDAGE

Section 3290.221 *General Conservation Order M–84* is amended as follows:

1. Subparagraph (ii) of paragraph (a) (1) shall read:

(ii) To fill orders placed by or for the account of any United States Government agency having in effect a plan approved by the War Production Board, to screen its orders and requisitions for rope and to eliminate unnecessary end uses of rope manufactured from critical fibers. Only the Army, Navy, and Maritime Commission now have such approved plans in effect. The Army and Navy approved plans require that orders for their account for rope made in whole or in part from Manila or agave, shall be approved by the War Production Board, and therefore no processor shall accept any such order unless the acceptance is approved by the War Production Board on application from or on behalf of the processor: Application may be made by the processor or on his behalf by letter or telegram addressed to the War Production Board, Cordage Branch, Washington 25, D. C., stating government contract and item number, quantity and kind of fiber required, and the size of the rope to be made. The War Production Board will consult with the Service or agency involved and approve applications if the proposed end use of the rope, in view of current supplies, justifies the use of the fiber.

2. In paragraph (c) (2), delete present subparagraph (iv), and substitute "(iv) Purse lines", to be immediately followed by a new paragraph, "Any processor may, however, elect at his own option to include American hemp line fiber as an extender in the manufacture of any of the rope products listed in paragraph (c) (2) (i), (ii), (iii), (iv), above."

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13550; Filed, Sept. 4, 1944; 11:44 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–312, as Amended Sept. 4, 1944]

COIR YARN AND PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of coir yarn and products for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.231 *Conservation Order M–312*—(a) *Definitions.* For the purposes of this order:

(1) "Coir yarn" means single or plied yarn or roving, twisted or spun, by hand or by machine from coir fiber obtained from the fibrous shell of the coconut.

(2) "Coir rope" means a rope formed of single or plied "coir yarns" laid or twisted together.

(3) "Coir product" means any product made from "coir yarn."

(4) [Deleted Sept. 4, 1944.]

Restrictions

(b) *Processing, use, delivery.* (1) No person shall use or put into process any of the following grades of coir yarn, i. e.:

Special Superior Anjengo Star
Superior Anjengo A–AA–AAA
Superior Aratory A–AA–AAA
Real Alapat A–AA–AAA

or their equivalent, except for the manufacture of the products listed in List A.

(2) No person shall use or put into process any coir yarn of grades other than those listed in subparagraph (1) above, except for the manufacture of the products listed in List B.

(3) The War Production Board may from time to time authorize the use of coir yarn for hop growing purposes and the manufacture of cocoa mats or matting for boilers, vegetable and fruit washers, filtering equipment, or for road rollers.

NOTE: Subparagraph (4), formerly (3), redesignated Sept. 4, 1944.

(4) No person shall accept delivery of, deliver, purchase or sell coir yarn for any use not permitted by this order, and no person shall sell or deliver any coir yarn to any person who he has reason to believe will put such material to a use not permitted by this order.

(c) *Importation.* The importation of coir yarn and coir products shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

Equitable Distribution

(d) *Reports.* All processors and owners of coir yarn, having 500 pounds or more at any time during a calendar month, shall file a report monthly, not later than the tenth day of the following month, on Form WPB–914. This reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

General Provisions

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all the applicable regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference: M–312.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A added Sept. 4, 1944.

1. Rope.
2. Matting for ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

LIST B

NOTE: List B added Sept. 4, 1944.

1. A coir product for ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.
2. Rope.
3. Commercial wrapping twine.
4. Mats, other than those permitted by paragraph (1) of this List B in an amount in pounds (based on the coir yarn content) in any calendar month not in excess of 50% of his average monthly use of all grades of coir yarn during the calendar years 1940 to 1942, inclusive: *Provided, however,* that no coir yarn other than Calicut or Ceylon coir yarn shall be used in the manufacture of such mats.
5. Sugar bags, when the coir yarn is spun from coir fiber produced in Puerto Rico.

[F. R. Doc. 44–13545; Filed, Sept. 4, 1944; 11:43 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–328B, Direction 4]

CHILDREN'S APPAREL PLAN NO. 2

The following direction is issued pursuant to Conservation Order M–328B:

1. The time within which persons who were assigned a preference rating under Children's Apparel Plan No. 2 of Schedule A are required to purchase materials for which a preference rating was assigned is hereby extended to September 30, 1944; and the time within which they are required to produce and accept and fill orders for the garments they are required to manufacture from such materials is hereby extended to October 30, 1944.

2. All individual directions heretofore issued under the above mentioned special programs are hereby amended to conform with the above.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13551; Filed, Sept. 4, 1944; 11:44 a. m.]

Chapter XI—Office of Price Administration

PART 1389—APPAREL

[MPR 438,[1] Amdt. 6]

MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 438 is amended in the following respects:

1. The date in the third unnumbered paragraph of section 3 is amended to read December 1, 1944.

2. The date in the fourth unnumbered paragraph of section 4 (a) is amended to read December 1, 1944.

3. The date in the last sentence of section 6 (b) is amended to read December 1, 1944.

4. The date in the fifth sentence of section 6 (b) (2) is amended to read December 11, 1944.

5. The date in the last sentence of the text of section 6 (b) (3) is amended to read December 21, 1944.

6. The date in the first sentence of the effective date provision is amended to read December 1, 1944. The date September 1, 1944 in the third sentence of this provision is amended to read December 1, 1944.

This amendment shall become effective September 1, 1944.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–13436; Filed, Sept. 1, 1944; 4:20 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10503, 12712, 14012; 9 F.R. 172, 2477, 7041.

PART 1389—APPAREL

[RMPR 506,[1] incl. Amdts. 1–2]

MAXIMUM PRICES FOR STAPLE WORK GLOVES

This compilation of Revised Maximum Price Regulation 506 includes Amendment 2, effective September 1, 1944. The text added or amended by Amendment 2 is underscored. The prices in Tables I through 12 of Appendix A and Tables I and II of Appendix B are amended by Amendment 2.

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 506 has been issued simultaneously herewith and filed with the Division of the Federal Register.[2] In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1389.604 *Maximum prices for staple work gloves.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328, Revised Maximum Price Regulation No. 506 (Maximum Prices for Staple Work Gloves) which is annexed hereto, and made a part hereof, is hereby issued.

REVISED MAXIMUM PRICE REGULATION NO. 506—MAXIMUM PRICES FOR STAPLE WORK GLOVES

CONTENTS

Sec.
1. Scope of this regulation.
2. How to find retail ceiling prices.
3. How to find wholesale ceiling prices.
4. How to find manufacturers' ceiling prices.
5. When taxes may be added.
6. Marking of gloves.
7. Disclosure.
8. Records and reports.
9. Excessive prices forbidden.
10. Adjustable pricing agreements.
11. Licensing and enforcement.
12. Relation to other regulations.
13. How this regulation may be amended.

Appendix A—Tables of ceiling prices for sales by manufacturers and sales at wholesale.
Appendix B—Tables of ceiling prices for sales at retail.
Appendix C—Suggested form to be used by manufacturers in applying for ceiling prices under section 4 (b).

AUTHORITY: Sec. 1389.604 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 389, 78 Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Scope of this regulation—*(a) *Kinds of work gloves covered.* The specified staple work gloves covered by this regulation are work gloves of the following kinds:

(1) Single thickness canton flannel gloves.

(2) Canton flannel gloves with double thickness palm.

(3) Fully-lined canton flannel gloves.

(4) Two-thumbed canton flannel gloves.

(5) Jersey gloves.

(6) Combination leather and canton flannel or jersey gloves. However, grain leather palm gloves are not covered by this regulation.

For the purposes of this regulation (except Appendix A) "gloves" means both gloves and mittens.

(b) *Kinds of sales covered.* This regulation applies to all sales including sales at retail, sales at wholesale and sales by manufacturers. These kinds of sales are defined as follows:

(1) *Sales at retail.* All sales to individual consumers are "sales at retail." Such sales may, of course, be made by someone who is primarily a wholesaler or a manufacturer.

Sales to industrial, commercial, governmental, and charitable institutions which do not resell are also considered "sales at retail" if made by a person who sells principally to individual consumers, and only incidentally to institutions of these kinds. If not made by such a person, sales to these institutions are considered sales at wholesale or sales by manufacturers.

(2) *Sales at wholesale.* A sale at wholesale is any sale which is neither a sale at retail as explained in (1) nor a sale by a manufacturer as explained in (3). For example, a sale by a jobber, who buys work gloves from a manufacturer and resells them to a retailer or to an industrial user, is a sale at wholesale. Sales from jobber to jobber, and from retailer to retailer are also sales at wholesale, but are called "special sales", as explained in section 3.

(3) *Sales by a manufacturer.* A sale by a manufacturer is a sale of work gloves by a person:

(i) Who fabricated the gloves sold; or

(ii) Who sold or consigned to the fabricator of the gloves any of the principal materials from which they were made; or

(iii) Whose business is under the same ownership or control as the person who fabricated the gloves.

(c) *Where this regulation applies.* This regulation covers sales in the 48 states and the District of Columbia.

SEC. 2. *How to find retail ceiling prices.* Ceiling prices for sales at retail are listed in the tables in Appendix B. Two tables of ceiling prices are provided. Table I lists retail ceiling prices for gloves purchased from a wholesaler (the term "wholesaler" is defined in section 3 (a)). Table II lists retail ceiling prices for gloves purchased direct from the manufacturer.

The ceiling prices in the tables are not given by the kind of glove, but by the supplier's net ceiling price. The tables show the retail ceiling price which corresponds to each different supplier's net ceiling price. Before using the tables, the retailer must find his supplier's net ceiling price according to the instructions given below. Retailers should also pay particular attention to section 6 (Marking of gloves).

[Above paragraphs amended by Am. 2, effective 9–1–44]

(a) *Where retailer does not know the supplier's ceiling price.* If the retailer does not know the ceiling price of the manufacturer or wholesaler who supplies him, he may inquire of the supplier, who is required to disclose his ceiling price. Moreover, if the gloves to be priced are those specified in Appendix A, the retailer can find the ceiling prices for manufacturers in column (a) of the tables in Appendix A, and the ceiling prices for wholesalers in column (b) of these tables.

(b) *Where retailer's suppliers have different ceiling prices.* Some manufacturers have two ceiling prices for the same number—a Group I ceiling and a Group II ceiling. If the retailer pays the Group I ceiling price (or less), he takes that ceiling to figure his retail price; but if he pays the manufacturer a higher price, he takes the Group II ceiling. If, however, he buys gloves with the identical manufacturer's lot number or brand name at different prices, making one purchase at or below the Group I ceiling and another above, he must use the Group I ceiling to figure his retail price on all gloves of this lot number or brand name. Moreover, if he buys gloves with the identical manufacturer's lot number or brand name from a wholesaler and also from the manufacturer, he must use Table II in determining his retail ceiling price, and must take the manufacturers' ceiling, not the wholesalers' ceiling, to figure his retail ceiling for this number.

Example. Retailer B buys work gloves of lot No. 908, manufactured by the X Company for $1.55 per dozen, which is the manufacturer's ceiling. Later he gets more gloves of lot No. 908 from a wholesaler who charges him $1.85 per dozen, the wholesaler's ceiling. In figuring his retail ceiling for work gloves of this lot number, B takes $1.55 as his supplier's ceiling price. In Table II of Appendix B, he finds $0.17 per pair as his ceiling price for this lot number (not $0.21).

[Paragraph (b) amended by Am. 2, effective 9–1–44]

(c) *Where gloves are bought at a "special sale".* Sales which are neither sales by a manufacturer nor "regular sales" at wholesale are called "special sales". These include sales by retailers to retailers, sales by brokers, commission merchant, job-lot dealers or like persons and sales of other types. (The difference between "regular" and "special" sales is more fully explained in section 3.)

If the retailer has bought a glove at a "special sale", he does not figure his ceiling price by taking the price of his own supplier. Instead, he takes the ceiling price of the supplier of the person who made the "special sale". If a succession of special sales has been made, he takes the ceiling price of the supplier of the person who made the first of these special sales. Thus, the retail ceiling price of a pair of gloves is the same as if the retailer had bought directly from the original supplier, without any special sale intervening.

Example 1. C, a retail chain, buys one dozen 8 oz. canton flannel gloves from a manufacturer at $1.55, which is the manufacturer's ceiling. C sells them to D, another retail chain at $1.60 (which is equal to C's cost plus freight actually paid by him).

In figuring his retail ceiling D assumes his supplier's ceiling to be $1.55 (the ceiling of C's supplier) not $1.60 (the price D actually paid). Accordingly, from Table II in Appendix B, D finds a retail ceiling of $0.17 per pair.

Example 2. E, an independent retailer, buys one dozen 18 oz. double palm cotton flannel gloves from a wholesaler at $2.85 (the jobber's ceiling). He decides to liquidate and sells them to an auctioneer for $2.50 a dozen. The auctioneer resells them to F, another retailer, for $2.90 (this being the price paid by E, plus transportation charges incurred by the auctioneer).

In figuring his retail ceiling F takes $2.85 as his supplier's ceiling, so that his retail ceiling, found from Table I in Appendix B, is $0.32 (not $0.33).

[Examples 1 and 2 amended by Am. 2, effective 9–1–44]

(d) *Where a retail sale is made by manufacturer.* Where a sale at retail is made by a manufacturer, the retail ceiling is found from Table II in Appendix B. But since the manufacturer has no "supplier," he takes the Group I manufacturers' ceiling for these gloves (found in column (a) of the tables in Appendix A) and uses this as his "supplier's ceiling price."

[Paragraph (d) amended by Am. 2, effective 9–1–44]

SEC. 3. *How to find wholesale ceiling prices.* Under this regulation, there are two kinds of sales at wholesale. They are called "regular sales" and "special sales", and are explained in this section. Different methods of pricing are provided for these two kinds of sales.

(a) *Regular sales at wholesale—*(1) *What is a regular sale.* A "regular sale" is a sale by a wholesaler to a person who sells principally at retail or is an industrial user, and whose business is not under the same ownership and control as the seller's.

A "wholesaler" is a person or business organization to which all the following statements apply:

(i) It sells goods to retailers in general, and not primarily to a single retailer, or to a group of retailers which are under common ownership.

(ii) It buys and sells goods in "wholesale quantities", as understood in the trade, and sells through traveling salesmen or circulated catalogs.

(iii) It carries at all times at its principal place of business a representative stock of work gloves, and makes at least 50% of its work glove deliveries from stock (as opposed to drop shipments).

(iv) It is not under the same ownership or control as the person who fabricates the work gloves which it sells.

(v) It extends credit, and carries its own accounts. It may, of course, entrust or assign its delinquent accounts to others for collection.

(vi) It is not (*a*) a buying office or other agency representing retailers, (*b*) a stock-carrying affiliate of retailers, (*c*) a central office or warehouse for stores which are commonly owned or controlled, (*d*) a drop shipper, (*e*) a broker, (*f*) a commission-merchant, (*g*) a selling-agent, or (*h*) a job-lot dealer.

A person who wishes to qualify as a "wholesaler" but was not such a wholesaler in 1942, must, before making any sales at ceilings for regular sales at wholesale, send a statement by registered mail to the Office of Price Administration ("Men's Clothing Section"), Washington 25, D. C. The statement must give the "wholesaler's" name and address, and the date on which he commenced business as a wholesaler.

(2) *Ceiling prices for "regular sales".* For the work gloves specified in Appendix A, ceiling prices for regular sales at wholesale are those stated in column (b) of the tables in that Appendix.

For work gloves not specifically priced in Appendix A and which a wholesaler had in stock on the effective date of this regulation, the ceiling prices for regular sales at wholesale are those established under the prior applicable price regulation (either the General Maximum Price Regulation[3] or Maximum Price Regulation 210[4]).

In some cases, the Office of Price Administration may establish by individual order manufacturers' ceiling prices for work gloves not specifically priced in Appendix A. The individual order will also establish ceiling prices for regular sales at wholesale of these gloves and will require the manufacturer to notify the wholesaler of his maximum resale prices.

(b) *Special sales.* Sales at wholesale which are not "regular sales" as explained in paragraph (a) are "special sales". They include (but are not confined to) sales by wholesalers to wholesalers, sales by retailers to retailers, and all sales by brokers, commission merchants, job-lot dealers, and like persons.

(1) *Ceiling prices for special sales.* The ceiling prices for a "special sale" is the net price actually paid by the seller (not exceeding the ceiling price), plus any charges for transportation actually paid by him. Moreover, any person who buys at a special sale and resells at another special sale must figure his ceiling price by taking the price paid by the seller in the first special sale.

Example 1. G, a large retailer, buys a dozen 8 oz. canton flannel gloves from a manufacturer at $1.55 per dozen, the manufacturer's ceiling price, and pays $0.10 per dozen for freight. He now wants to resell them to H, a second retailer.

G's ceiling price for this sale is $1.65, his cost plus freight.

Example 2. L, a wholesaler, buys a dozen hot mill gloves from a manufacturer at $3.65 per dozen, the manufacturer's ceiling price. L now liquidates and resells the gloves to auctioneer M for $3.25 per dozen. Now M wants to resell the gloves to another wholesaler.

In figuring his price for this second special sale, M takes as his cost $3.65 (the price paid by L) and adds freight paid by him. If M pays $0.07 for freight, M's ceiling price is $3.72.

[Examples 1 and 2 amended by Am. 2, effective 9–1–44]

(2) *Disclosure in special sales.* In any special sale, the seller must mark the bill or invoice with the words "special sale", and must disclose any information required by the provisions of section 7 (a).

SEC. 4. *How to find manufacturers' ceiling prices—*(a) *Work gloves specified in Appendix A.* For the work gloves specified in Appendix A, ceiling prices for sales by manufacturers are those stated in column (a) of the tables in that Appendix. Column (a), however, states two manufacturers' ceiling prices for each glove specified—a Group I ceiling and a Group II ceiling. Some manufacturers must use the Group I ceiling only, some may use the Group II ceiling only, and some may use both, according to the rules stated in the following subparagraphs (1), (2), and (3).

(1) *How a manufacturer finds his "wholesale percentage".* (i) In order to find what proportion of his sales must be made at Group I prices, a manufacturer must find the percent of his 1941 deliveries which were made at wholesale prices. This is called the manufacturer's "wholesale percentage". A "wholesale price" means (*a*) any price at or below which a manufacturer, during

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[1] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5004.

[3] 9 F.R. 1385, 5169, 6106.

[4] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 1813, 2025, 6359, 13050, 73742, 16170.

1941, normally supplied wholesalers, or any other large volume purchaser (e. g., chain stores and mail order houses) commonly known or regarded as "wholesale trade"; (b) any price at which industrial users or other purchasers (e. g., independent retailers) were supplied during 1941, if, during this period, the manufacturer's price to them was no higher than his price to "wholesale trade"; (c) any price during 1941 at which a manufacturer, who did not sell to "wholesale trade" during this period, normally supplied industrial users or other purchasers, if this price was no higher than the prices at which manufacturers supplying "wholesale trade" sold to such trade during 1941. In determining whether certain sales were made at "wholesale prices," allowance must be made for differences in gloves sold.

Example 1. During 1941, W, a work glove manufacturer, supplied only wholesalers, chain stores, and mail order houses. For the purposes of this regulation, all of the prices at which W sold these purchasers are "wholesale prices."

Example 2. During 1941, Y, a work glove manufacturer, supplied only wholesalers and industrial users. He sold the same gloves to both types of purchasers at the same prices. For the purposes of this regulation, all of the prices at which Y sold these purchasers are "wholesale prices."

Example 3. During 1941, Z, a work glove manufacturer, supplied only wholesalers and independent retailers. He sold the same gloves to independent retailers as he sold to wholesalers, but at higher prices. Only the prices at which Z sold to wholesalers are "wholesale prices."

Example 4. During 1941, V, a work glove manufacturer, supplied wholesalers and independent retailers. He sold a number to wholesalers at $4.75 a dozen. He also sold to independent retailers at $5.00 a dozen, a number which was similar except for an extra feature that was worth 25¢ a dozen. Both the $4.75 and the $5.00 sales would be considered sales at "wholesale prices."

(ii) A manufacturer will figure his "wholesale percentage" as follows:

(*a*) Find the number of dozens of staple work gloves covered by this regulation delivered to all purchasers in 1941.

(*b*) Find the number of these which were delivered at wholesale prices.

(*c*) Divide the number delivered at wholesale prices by the total of all deliveries (divide (*b*) by (*a*)). The resulting figure, expressed as a percent, is the manufacturer's "wholesale percentage".

Example 1. P, a work glove manufacturer, delivered 10,000 dozen staple work gloves in 1941. All these were delivered at prices generally charged to independent retailers, and none at "wholesale prices."

P's "wholesale percentage" is zero.

Example 2. R, a work glove manufacturer, delivered 100,000 dozen staple work gloves in 1941. All these deliveries were made to volume purchasers including jobbers, chain stores and industrial users and none were delivered at higher prices.

R's "wholesale percentage" is 100%.

Example 3. S, a work glove manufacturer, delivered 80,000 dozen staple work gloves in 1941. 20,000 of these were delivered to his volume trade at "wholesale prices", and 30,000 to independent retailers at higher prices.

S's "wholesale percentage" is 40% (20,000 divided by 50,000).

(2) *How a manufacturer uses his wholesale percentage.* Each manufacturer who delivered staple work gloves at "wholesale prices" in 1941 must, during the remainder of 1944 and each subsequent calendar year, make a certain quota of his deliveries of staple work gloves at Group I prices. This quota is that percentage of his total annual deliveries which is equal to his "wholesale percentage" (found under (1)). For example, if a manufacturer's "wholesale percentage" is 40%, and he delivers 300,000 dozen staple work gloves during the remainder of 1944, 120,000 dozen must be delivered at Group I prices. If, at the end of a year, a manufacturer fails to meet his quota, he has exceeded his ceiling prices to the extent of the deficiency, and will be liable to civil and criminal penalties accordingly. In calculating the annual quota of deliveries which must be made at Group I prices, follow these instructions:

(i) *What deliveries are counted in finding the quota.* In figuring the quota of deliveries which must be made at Group I prices in 1944, the manufacturer takes all deliveries made from May 16, 1944, to December 31, 1944, inclusive. In any subsequent year, all deliveries for the entire calendar year will be included.

Example 1. In 1941 the ABC Company sold 70% of its staple work gloves at "wholesale prices" and 30% at higher prices. Its "wholesale percentage" is 70%. From May 16, 1944, to December 31, 1944, its anticipated deliveries of work gloves are 250,000 dozen.

The ABC Company will determine its obligation as follows:

	Dozen
Anticipated deliveries	250,000
Quota to be delivered at Group I prices (70% of 250,000)	175,000
Remainder which may be sold at Group II prices	75,000

For convenience in meeting the quota of deliveries which must be made at Group I prices, it is suggested that a manufacturer keep a current record of deliveries at Group I and Group II prices made after May 16, 1944, in this form:

Date	Number of dozens delivered at Group I prices	Number of dozens delivered at Group II prices	Total number of dozens delivered

At periodic intervals (e. g., at the end of each month), the manufacturer should total deliveries at Group I prices and all deliveries. He should then divide the former total by the latter. If the proportion of deliveries at Group I prices is below his wholesale percentage, it would be advisable for him to ship only at his Group I ceilings until the proportion of deliveries at Group I prices equals the wholesale percentage. This procedure should be repeated for subsequent periods, until the end of the year.

Example 2. In 1941 the X Company sold all of its staple work gloves at "wholesale prices". Its "wholesale percentage" is thus 100%. In 1944, all of its deliveries must be made at Group I prices.

Example 3. In 1941 the Z Company sold none of its staple work gloves at "wholesale prices". Its "wholesale percentage" is thus zero. In 1944, all of its deliveries may be made at Group II prices.

(ii) *Sales to particular purchasers not required.* A manufacturer who may make deliveries at Group II prices may make these deliveries to any class of purchaser. Likewise, a manufacturer may make deliveries at Group I prices to any class of purchaser. Moreover, a manufacturer who delivers the required proportion of his work gloves at Group I prices may deliver as many more at Group I prices as he wishes.

(iii) *Calculating and filing the "wholesale percentage."* Every manufacturer of staple work gloves must keep available for inspection by the Office of Price Administration the records and the tabulation or work sheets which he used in figuring his "wholesale percentage". He is also required to file a statement of his wholesale percentage, as provided in section 8 (c) (2).

(3) *Inability to calculate a wholesale percentage.* Any manufacturer who sells staple work gloves but did not do so in 1941, or who, because of other reasons, is unable to determine a wholesale percentage, must apply to the Office of Price Administration (Men's Clothing Section), Washington 25, D. C., for the authorization of a "wholesale percentage."

This application must set forth: (i) the manufacturer's name and address; (ii) the date when he commenced business; and (iii) the total number of dozens of staple work gloves delivered to each class of purchaser during the first 12 months of business, or, if the manufacturer does not have one year's experience, during such other portion of time as he has been in business. Until this authorization is granted the manufacturer must make all deliveries at or below Group I ceiling prices.

[Subparagraph (3) amended by Am. 2, effective 9-1-44]

(b) *Other work gloves covered by this regulation.* For work gloves covered by this regulation but not specified in Appendix A, a manufacturer's ceiling prices are those authorized by the Office of Price Administration, on application by the manufacturer.

An application for the fixing of a ceiling price must be filed with the Office of Price Administration (Men's Clothing Section) Washington 25, D. C. The application must contain information in the detail indicated by the suggested form in Appendix C, and must be accompanied by a sample of the glove.

Pending action on such an application a person must not sell or deliver the glove except in accordance with the provisions of section 10 (b) (Adjustable pricing agreements).

SEC. 5. *When taxes may be added.* When a tax on a particular sale or delivery is imposed by a statute or ordinance which permits stating the tax separately from the price, the tax may be separately charged or collected in addition to the ceiling price. This applies only to sales taxes, gross receipt or gross proceeds taxes, and compensating use taxes, and does not apply to any tax imposed on a prior sale or delivery.

SEC. 6. *Marking of gloves*—(a) *Marking required at retail.* Every person is forbidden to sell or offer to sell at retail or display in a retail store any pair of staple work gloves which is not marked as required by this section. If any part of the required marking has not been performed by the manufacturer, it must be supplied by the retailer.

(1) On and after June 21, 1944, the marking must show the retail ceiling price.

(2) On and after September 15, 1944, the marking must show, in addition to the retail ceiling price, the manufacturer's lot number or brand name for the glove and a statement of defects (if any).

(b) *Marking and information required of manufacturers.* Every manufacturer is forbidden to deliver any pair of work gloves which is put into the process of manufacture on or after August 6, 1944, unless it contains markings showing the manufacturer's lot number or brand name for the glove, and a statement of defects (if any). Moreover, each manufacturer must supply each retail purchaser with a list of retail ceiling prices for staple work gloves supplied him. If the gloves are distributed through wholesalers, the manufacturer must supply the wholesaler who in turn must supply each retailer. This list must be forwarded by the manufacturer or wholesaler not later than the first invoicing or billing of any pair of staple work gloves covered by this regulation, or before June 6, 1944 (whichever is later). The manufacturer or wholesaler must keep this list up to date thereafter by sending supplemental lists to each retailer at the time of shipment of any new numbers subsequently sold. The list must be in substantially the following form:

[Paragraphs (a) and (b) amended by Am. 1, 9 F.R. 6239, effective 6-6-44]

RETAIL CEILING PRICE LIST

AS REQUIRED BY THE OFFICE OF PRICE ADMINISTRATION

(Retail ceiling prices for ABC Company staple work gloves [1]—for work gloves bought from manufacturers at Group I prices [2])

Mfrs' lot No. or brand name	Description of glove	Appendix A, RMPR 506, No.[3] (if any)	Retail price per pair
903	8 oz. Men's single thickness canton flannel gloves, knit wrist	Table 1	$0.17
907	Double palm, canton flannel gloves, men's 18 oz. palm, 8 oz. stripe back, knit wrist.	Table 2	.27
XYZ brand	Gunn pattern, men's split palm, ¾ leather thumb, leather pull, leather knuckle strap, 8 oz. canton flannel back, waterproof safety cuff.	Table 12, 14B	.65

NOTICE: Each pair of gloves must be marked with the ceiling price. A pair of gloves must not be sold above the ceiling price, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

[1] The gloves may be identified by trade-mark, or by manufacturer's or distributor's name.

[2] In appropriate cases, the list would be entitled "for work gloves bought from wholesalers" or "for work gloves bought from manufacturers at Group II prices".

[3] The number of the table, and the place in the table where the glove is described in Appendix A of RMPR 506. If the glove is not specified in Appendix A, write "none".

(c) *Elements of marking.* The elements required to be marked are explained in this paragraph.

(1) *Lot number or brand name.* The lot number or brand name must be different for each pair of gloves having a different manufacturer's ceiling price.

(2) *Ceiling price.* This must be the correct ceiling price for the circumstances in which the pair of gloves is offered for sale at retail.

(3) *Defects, if any.* If the pair of gloves is a "second" or imperfect, it must be so marked.

(d) *Manner of marking.* The required markings must be attached to at least one glove of each pair. The required marking must be attached by stitching, adhesive, pins or staples, or stamped on the glove itself, except where some other method is authorized. The required markings may be in one or more parts, and may be accompanied by other information, but all portions must be clearly visible to the purchaser.

EXAMPLE OF MARKING

LOT NO. 903
RETAIL CEILING 17¢

(e) *Exceptions to marking requirements.* (1) Industrial users need not attach the markings required by this section to any gloves which they sell to their employees at or below the net prices actually paid by the industrial user plus any charges for transportation actually paid by him. On all other sales by industrial users to their employees the industrial user is required to mark only the retail ceiling price.

(2) On sales and deliveries by manufacturers to industrial users it is not necessary to attach the required markings to each pair of gloves. In such cases, the seller may place the required markings on the package, wrapper or other container in which the gloves are packed.

[Paragraph (c) added by Am. 1, 9 F.R. 6239, effective 6-6-44]

(3) In the case of sales at retail which are based on orders received by mail pursuant to a mail order catalog, the retail seller need not mark each pair of gloves, as required by section 6 (a), if he forwards with the gloves a sales memorandum stating the retail purchase price (not exceeding the ceiling price), and the identity of the gloves.

[Subparagraph (3) added by Am. 2, effective 9-1-44]

SEC. 7. *Disclosure*—(a) *Description of gloves.* Any person who has sold for resale any staple work gloves may be required to supply any subsequent buyer with any information needed by him for the marking and pricing of these gloves. This information must be furnished in writing promptly upon receipt of a written request from the buyer. Unless he has reason to believe it is erroneous, the buyer may rely on the information so furnished. If the buyer does have reason to believe the information is erroneous, he may nevertheless act on it, providing he immediately sends to a district or state office of the Office of Price Administration a statement of the circumstances and a request for a determination of the facts.

(b) *Sales slips and receipts.* Any seller who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase must continue to do so. Upon request from a purchaser any seller, regardless of previous custom, must give the purchaser a receipt showing the date, the name and address of the seller, the type of gloves sold, and the price received for it.

(c) *Retail ceiling price list.* Any retailer who has received from his supplier a "retail ceiling price list" must display it promptly to any person who requests to see it during regular business hours. If the retailer sells through more than one department or selling establishment, a copy of the list must be made available in each separate unit where staple work gloves are sold.

(d) *Invoices.* Every manufacturer selling staple work gloves and every person selling these gloves at wholesale, must give the purchaser an invoice showing: (1) the name and address of the purchaser; (2) the manufacturer's lot number or brand name for each different pair of gloves sold; (3) a description of each pair of gloves bearing a different lot number or brand name, similar to the description in Appendix A, or some identifying reference to the description set forth in the "retail ceiling price list" (described in section 6 (b)) previously supplied the same purchaser for the same lot number or brand name; (4) the quantity sold and the selling price of each different lot number or brand name; and (5) the terms of sale (e. g., 2/20 net 40, freight prepaid to city of destination).

[Item (3) amended by Am. 1, 9 F.R. 6239, effective 6-6-44]

SEC. 8. *Records and reports*—(a) *Records to be kept by retailers.* Every person who sells staple work gloves governed by this regulation at retail must keep the following records, and make them available on request, to the Office of Price Administration.

(1) Invoices and other documents received by the seller showing costs, descriptions and sources of work gloves sold by him.

(2) Such records as he has customarily kept showing prices charged by him for work gloves sold at retail.

(b) *Records to be kept and filed by persons selling at wholesale.* Every person who sells work gloves covered by this regulation at wholesale must keep the following records, and make them available on request to the Office of Price Administration:

(1) Invoices and other documents received by the seller showing costs, descriptions and sources of work gloves sold by him.

(2) Copies of invoices and other documents showing prices and identification by name, trademark, lot number, etc., of work gloves sold by him at wholesale.

Moreover, every person who wishes to qualify as a "wholesaler" under section 3 (a) (1), but was not such a wholesaler in 1942, must file the statement therein described before making any sales at ceilings for regular sales at wholesale.[6]

(c) *Records to be prepared, kept, and filed by manufacturers*—(1) *Price list.* Every manufacturer of staple work gloves must prepare a list of all staple work glove items which he delivers on or after May 16, 1944. This list must show the lot number of each such work glove, and, following each lot number, a description of the glove and the manufacturer's ceiling price. If the lot number is sold at Group I prices, the list must show whether it is sold to retailers or to wholesalers or to both. The description, like the descriptions in Appendix A, should specify cut or pattern, weight, and kind of materials used, thickness of glove, type of wrist, additional features (if any), and size classification. This record must be prepared on or before June 6, 1944, and must be kept up to date thereafter by adding any new numbers or any changes in the description of old numbers. This list must be kept and made available on request to the Office of Price Administration, but need not be filed.

(2) *Records and statement of wholesale percentage.* Every manufacturer of staple work gloves must keep the records and work sheets from which he found his "wholesale percentage" as provided in section 4 (a) (1). These records must include a list showing: (i) each lot number of staple work gloves covered by this regulation delivered during 1941; (ii) a description of each such number, in detail similar to descriptions in Appendix A; (iii) each class of purchaser (e. g., jobbers, chain stores, mail order houses, industrial users, independent retailers) to which each number was delivered; (iv) the quantity (in dozens) delivered to each class of purchaser, and (v) the prices at which delivery was made to each class of purchaser. The records required by this subparagraph must be prepared on or before June 6, 1944, and thereafter must be kept and made available on request to the Office of Price Administration. Further, the manufacturer must file with the Office of Price Administration (Men's Clothing Section) Washington 25, D. C., on or before June 6, 1944, a statement showing the total number of dozens of staple work gloves delivered by him in 1941, and the number delivered at wholesale prices.

SEC. 9. *Excessive prices forbidden.* On and after the effective date of this regulation, the following practices are forbidden regardless of any contract or other obligation:

(a) *Charging more than ceiling price.* Every person is forbidden to sell or deliver any staple work gloves at a price higher than the ceiling price set by this regulation. A lower price may, of course, be charged.

(b) *Buying for more than the ceiling price.* Every person is forbidden to buy or receive any staple work gloves, in the course of trade or business, at a price higher than the price set by this regulation.

(c) *Combination sales.* Every person is forbidden to require any purchaser to buy or agree to buy any other article, service, package or wrapper, in connection with the sale or delivery of any staple work gloves. But any seller may refuse to sell less than a minimum quantity of any one style number, if this minimum has been customary for the seller.

(d) *Indirect price increases.* Every person is forbidden to do any other act which directly or indirectly increases above the ceiling price the consideration paid by the purchaser for any staple work gloves. Any practice which is a device to secure the effect of a higher than ceiling price is as much a violation as outright raising of the ceiling price. This applies to devices making use of commissions, services, transportation charges, premiums, taxes, special provisions, tying agreements, trade understandings and all similar practices.

(e) *Indirect violations.* Every person is forbidden to offer, attempt or agree to do any of the acts forbidden by this section.

(f) *Stating prices above the ceiling price.* Every person is forbidden to state a gross price above the ceiling price, except where the seller customarily allows a percentage discount on all sales to one or more classes of customers. To customers of these classes, a seller may state a price which gives the net ceiling price after deducting the percentage discount. Wherever such a gross price is stated, the seller must also state expressly the discount allowed, the net ceiling price and the retail ceiling price. The amount actually collected or paid must never exceed the net ceiling price.

Example. X, a wholesaler, customarily grants terms of 2% 10 days to all its customers. In selling gloves with a ceiling of $1.85 per dozen, it may prepare the invoice as follows:

Terms: 2% 10 days

Lot No.	Quantity	Description	Price	Amount
902	Doz. 50	Men's 8 oz. single thickness canton flannel gloves, knit wrist, $1.85 per dozen. Retail ceiling price 21¢ per pair.	$1.887	$94.35

[Example amended by Am. 1, 9 F.R. 6899, effective 6-6-44 and Am. 2, effective 9-1-44]

SEC. 10. *Adjustable pricing agreements.* Adjustable pricing agreements may be entered into notwithstanding the provisions of section 9, to the extent permitted by this section.[6]

(a) *When regulation fixes a ceiling price.* In cases where this regulation fixes a ceiling price, a person may sell at that ceiling price, subject to an agreement with the buyer to charge a higher price if it becomes the legal ceiling price by the time of delivery. But one must never charge a price which is higher than the maximum price in effect at the time of delivery. Moreover, unless specifically authorized by the Office of Price Administration, a person must not deliver or agree to deliver at a price which is to be adjusted upward in accordance with action by the Office of Price Administration after delivery.

(b) *Where regulation does not fix a ceiling price.* In cases where a ceiling price is not fixed by the regulation, a person must not make any contract or sale unless the price is expressly subject to adjustment in accordance with any action which may be taken by the Office of Price Administration. Moreover, unless specifically authorized by the Office of Price Administration, a person must not make any delivery until a ceiling price has been fixed by the Office of Price Administration.

(c) *When specific authorization will be given.* Specific authorization to deliver or agree to deliver at a price which is to be adjusted in accordance with action by the Office of Price Administration after delivery will be given only where:

(1) A request for the fixing or changing of a ceiling price has been filed; and

(2) The authorization is necessary to promote distribution or production; and

(3) It will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

This authorization may be given by the Administrator or by any other official of the Office of Price Administration to whom the power to grant such authorization has been delegated, and may be given by order, letter or telegram.

SEC. 11. *Licensing and enforcement*—(a) *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provisions of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 12. *Relation to other regulations*—(a) *Regulations superseded.* The coverage of this regulation is stated in section 1. Where this regulation applies, it supersedes (except as indicated in section 3 (a) (2), the provisions of the following regulations:

(1) General Maximum Price Regulation.

(2) Section 3.5 of Revised Supplementary Regulation No. 14 (formerly § 1499.73 (a) (37) of Amendment 49 to Supplementary Regulation 14).

(3) Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(b) *Contractors' services.* This regulation does not apply to charges for contractors' services, which are governed by Maximum Price Regulation 172[6] (Charges of Contractors in the Apparel Industry).

"Contractor" is defined in § 1389.52 of that regulation.

(c) *War procurement agencies.* This regulation does not apply to sales of work gloves made according to military specifications, when the sales are made to any war procurement agency as defined in Maximum Price Regulation 157[6] (Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes).

(d) *Export sales.* This regulation does not apply to export sales of work gloves. Such sales are covered by the Second Revised Maximum Export Price Regulation.[7]

(e) *Import sales.* The provisions of this regulation do not apply to deliveries made from points outside the 48 states and the District of Columbia. Such sales and deliveries are governed by the provisions of the Maximum Import Price Regulation.[8] This regulation does, however, apply to domestic sales when the articles sold were originally imported.

SEC. 13. *How this regulation may be amended.* (a) Any person who seeks a modification of any provision of this regulation may file a petition for amendment of general applicability in accordance with Revised Procedural Regulation No. 1[9] issued by the Office of Price Administration.

(b) Pending an amendment, a person must not sell or deliver work gloves at prices other than those fixed in the regulation except in accordance with the provisions of section 10 (Adjustable pricing agreements).

APPENDIX A—TABLES OF CEILING PRICES FOR SALES BY MANUFACTURERS AND SALES AT WHOLESALE

(a) *Instructions for manufacturers.* 1. In using the following tables, bear in mind the rules for pricing by manufacturers which are stated in section 4 (How to find manufacturers' ceiling prices).

2. Prices are stated in column (a), per dozen pair of gloves. On shipments weighing 100 pounds, or more, the seller must prepay or allow transportation costs to the city of destination. However, where such shipments are made at transportation rates higher than freight rates, the seller is required to allow or prepay only that portion of the transportation cost which is equal to the freight cost on such shipments. On less than 100 pound shipments, the seller need not allow or prepay any transportation costs.

3. All prices are net 40 days, less 2% in 20 days. If the seller wishes, he may extend more favorable terms. But no seller may change these terms if the change would result under any circumstances in a higher net price.

(b) *Instructions for wholesalers.* 1. In using the following tables, bear in mind the rules for wholesale pricing in section 3 (How to find wholesale ceiling prices). Notice especially that these prices apply only to "regular sales", not to "special sales".

2. Prices are stated in column (b), per dozen pair of gloves, f. o. b. seller's place of business.

3. Terms for sales at wholesale are net 30 days. If the seller wishes, he may extend more favorable terms. But no seller may change these terms if the change would result under any circumstances in a higher net price.

NOTE.—The ceiling prices listed for manufacturers and wholesalers in the tables below apply to first quality gloves. The ceiling for a pair of work glove "seconds" is determined by dividing the appropriate dozen ceiling price in the tables for the same gloves of first quality by 12, and then multiplying the quotient by 75%.

[Note added by Am. 2, effective 9-1-44]

TABLE 1—WHITE AND UNBLEACHED CANTON FLANNEL GLOVES, WITH SINGLE THICKNESS BACK AND PALM

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Clute pattern:			
Knit wrist:[1]			
6 oz. Men's	$1.40	$1.52½	$1.67½
6 oz. Women's	1.37½	1.50	1.62½
6 oz. Small Women's	1.35	1.47½	1.60
8 oz. Men's	1.55	1.70	1.85
8 oz. Women's	1.52½	1.67½	1.82½
10 oz. Men's	1.75	1.90	2.07½
10 oz. Women's	1.72½	1.87½	2.05
12 oz. Men's	1.92½	2.10	2.30
12 oz. Extra large men's	2.05	2.22½	2.45
Band top:[2]			
8 oz. Men's	1.55	1.70	1.85
8 oz. Women's	1.52½	1.67½	1.82½
10 oz. Men's	1.77½	1.92½	2.12½
12 oz. Men's	1.97½	2.15	2.35
Double gauntlet:[3]			
10 oz. Men's	2.45	2.65	2.92½
12 oz. Men's	2.60	2.82½	3.10
12 oz. Men's, with turtle neck [4] not less than 10 oz	2.65	2.87½	3.15
Gunn or fourchette pattern:			
Knit wrist:[1]			
8 oz. Men's	1.60	1.72½	1.90
8 oz. Men's, reversible	1.60	1.72½	1.90
10 oz. Men's	1.75	1.90	2.07½
10 oz. Men's, reversible	1.75	1.90	2.07½
12 oz. Men's	1.92½	2.10	2.30
Double gauntlet:[3]			
10 oz. Men's	2.45	2.65	2.92½
12 oz. Men's	2.60	2.82½	3.10
12 oz. Men's, with turtle neck [4] not less than 10 oz	2.65	2.87½	3.15

[Table 1 amended by Am. 2, effective 9-1-44]

TABLE 2—CANTON FLANNEL GLOVES, WITH DOUBLE THICKNESS NAP OUT PALM AND SINGLE THICKNESS BACK

	Column A—Manufacturers' prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist:[1]			
Men's 14½ oz. palm, 8 oz. stripe back	$2.22½	$2.45	$2.65
Men's 18 oz. palm, 8 oz. stripe back	2.40	2.60	2.85
Women's 18 oz. palm, 8 oz. stripe back	2.37½	2.57½	2.82½
Men's 18 oz. palm, 10 oz. white back	2.45	2.65	2.92½
Women's 18 oz. palm, 10 oz. white back	2.42½	2.62½	2.87½
Double safety:[5]			
Men's 18 oz. palm, 8 oz. stripe back	2.72½	2.97½	3.25
Men's 18 oz. palm, 8 oz. stripe back, with turtle neck not less than 10 oz	2.80	3.07½	3.32½
Men's 18 oz. palm, 10 oz. white back	2.77½	3.05	3.30
Men's 18 oz. palm, 10 oz. white back, with turtle neck not less than 10 oz	2.85	3.12½	3.40
Double gauntlet:[3]			
Men's 18 oz. palm, 8 oz. stripe back	3.00	3.25	3.57½
Men's 18 oz. palm, 8 oz. stripe back, with turtle neck [4] not less than 10 oz	3.07½	3.35	3.65
Men's 18 oz. palm, 10 oz. white back	3.05	3.32½	3.62½
Men's 18 oz. palm, 10 oz. white back, with turtle neck [4] not less than 10 oz	3.12½	3.40	3.72½
Processed palm:			
Knit wrist:[1]			
Men's 14½ oz. material palm, 8 oz. stripe back	2.30	2.50	2.75
Men's 18 oz. material palm, 8 oz. stripe back	2.45	2.65	2.92½
Women's 18 oz. material palm, 8 oz. stripe back	2.42½	2.62½	2.87½
Men's 18 oz. material palm, 10 oz. white back	2.50	2.72½	2.97½
Women's 18 oz. material palm, 10 oz. white back	2.47½	2.70	2.95

See footnotes at end of tables.

[6] 7 F.R. 4882, 6684, 8351, 8948, 10864; 8 F.R. 8063.

[7] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948; 8 F.R. 3948, 7507, 15609, 17374; 9 F.R. 1456.

[8] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

[9] 9 F.R. 2350.

[6] 9 F.R. 8791.

[6] 8 F.R. 13240.

TABLE 5—continued

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Processed palm—Continued.			
Double safety: [1]			
Men's 18 oz. material palm, 8 oz. stripe back	$2.77½	$2.05	$2.30
Men's 18 oz. material palm, 8 oz. stripe back with turtle neck not less than 10 oz.	2.85	2.12½	2.40
Men's 18 oz. material palm, 10 oz. white back	2.82½	2.10	2.37½
Men's 18 oz. material palm, 10 oz. white back, with turtle neck not less than 10 oz.	2.90	2.17½	2.45
Double gauntlet: [2]			
Men's 18 oz. material palm, 8 oz. stripe back	2.05	2.22½	2.62½
Men's 18 oz. material palm, 8 oz. stripe back, with turtle neck [4] not less than 10 oz.	2.12½	2.40	2.72½
Men's 18 oz. material palm, 10 oz. white back	2.10	2.37½	2.70
Men's 18 oz. material palm, 10 oz. white back, with turtle neck [4] not less than 10 oz.	2.17½	2.45	2.77½

[Table 2 amended by Am. 1, 9 F.R. 6239, effective 6-6-44 and Am. 2, effective 9-1-44]

TABLE 9—HOT MILL GLOVES (BEHAM OR GUTSHAM, NAP IN OR NAP OUT)

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist,[1] Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	$2.35	$2.22½	$2.57½
Band top,[3] Men's 12 oz. palm and pull, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	2.05	2.07½	4.35
Band top,[3] Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	2.42½	2.75	4.07½
Double gauntlet,[2] Men's 12 oz. palm and pull, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	4.00	4.25	4.75
Double gauntlet,[2] Men's 12 oz. palm, 12 oz. lining, 12 oz. back, 10 oz. knuckle strap	3.90	4.12½	4.82½

TABLE 6—WHITE FLANNEL GLOVES, WITH DOUBLE THICKNESS PALM AND SINGLE THICKNESS BACK, NAP IN

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted palm:			
Knit wrist,[1] Men's 18 oz. palm, 10 oz. back	$2.40	$2.60	$2.85
Band top,[3] Men's 18 oz. palm, 10 oz. back	2.45	2.65	2.92½
Double gauntlet,[2] Men's 18 oz. palm, 10 oz. back	3.00	3.25	3.57½

TABLE 8—DOUBLE THROUGHOUT, NAP OUT FLANNEL "CHORE" GLOVES

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted material:			
Knit wrist: [1]			
Men's 12–13½ oz.	$2.35	$2.55	$2.80
Men's extra large 12–13½ oz.	2.45	2.65	2.92½
Women's 12–13½ oz.	2.32½	2.52½	2.77½
Men's 14½ oz.	2.42½	2.62½	2.87½
Men's extra large 14½ oz.	2.52½	2.75	3.00
Women's 14½ oz.	2.40	2.60	2.85
Men's 16 oz.	2.52½	2.75	3.00
Men's extra large 16 oz.	2.62½	2.85	3.12½
Women's 16 oz.	2.50	2.72½	2.97½
Men's 18 oz.	2.70	2.92½	3.22½
Men's extra large 18 oz.	2.82½	3.10	3.37½
Double safety: [1]			
Men's 12–13½ oz.	2.65	2.87½	3.15
Men's 14½ oz.	2.75	2.97½	3.27½
Men's 16 oz.	2.85	3.12½	3.45
Processed material:			
Knit wrist: [1]			
Men's 12–13½ oz. material	2.25½	2.45½	2.70½
Men's extra large 12–13½ oz. material	2.32½	2.52½	2.77½
Women's 12–13½ oz. material	2.20	2.40	2.65
Men's 14½ oz. material	2.30	2.50	2.75
Men's extra large 14½ oz. material	2.40	2.62½	2.87½
Women's 14½ oz. material	2.27½	2.47½	2.72½
Men's 16 oz. material	2.40	2.62½	2.87½
Men's extra large 16 oz. material	2.47½	2.70	2.97½
Women's 16 oz. material	2.30	2.50	2.75
Men's 18 oz. material	2.30	2.52½	2.77½
Men's extra large 18 oz. material	2.42½	2.65	2.92½
Double safety: [1]			
Men's 12–13½ oz. material	2.75	2.90	3.20
Men's 14½ oz. material	2.82½	3.00	3.30
Men's 16 oz. material	2.92½	3.20	3.52½

TABLE 4—GUNN OR FOURCHETTE PATTERN, TWO-THUMB (NOT REINFORCED), WHITE NAP OUT SINGLE THICKNESS CANTON FLANNEL GLOVES ("HUSKING" GLOVES)

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist: [1]			
Men's 8 oz.	$1.70	$1.80	$1.97½
Women's 8 oz.	1.72½	1.87½	2.05
Men's 10 oz.	1.85	2.12½	2.32½
Women's 10 oz.	1.92½	2.10	2.30
Men's 12 oz.	2.15	2.35	2.65

TABLE 7—TWO-THUMB, WHITE NAP OUT SINGLE THICKNESS CANTON FLANNEL WELT SEAM MITTENS

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist: [1]			
Men's 12 oz. palm and thumb, with 6 oz. thumb reinforcement	$2.30	$2.50	$2.75
Women's 10 oz. palm and thumb, with 6 oz. thumb reinforcement	1.97½	2.20	2.30

See footnotes at end of tables.

TABLE 6—"CHORE" AND SMELTER MITTENS

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Quilted material:			
Knit wrist: [1]			
Men's 12–13½ oz.	$2.35	$2.55	$2.80
Men's extra large 12–13½ oz.	2.45	2.65	2.92½
Women's 12–13½ oz.	2.32½	2.52½	2.77½
Men's 14½ oz.	2.42½	2.62½	2.87½
Men's extra large 14½ oz.	2.52½	2.75	3.00
Women's 14½ oz.	2.40	2.60	2.85
Men's 16 oz.	2.52½	2.75	3.00
Men's extra large 16 oz.	2.62½	2.85	3.12½
Women's 16 oz.	2.50	2.72½	2.97½
Men's 18 oz.	2.70	2.92½	3.22½
Men's extra large 18 oz.	2.82½	3.10	3.37½
Double safety: [1]			
Men's 12–13½ oz.	2.65	2.87½	3.15
Men's 14½ oz.	2.75	2.97½	3.27½
Men's 16 oz.	2.85	3.12½	3.45
Processed material:			
Knit wrist: [1]			
Men's 12–13½ oz. material	2.25½	2.45½	2.70½
Men's extra large 12–13½ oz. material	2.32½	2.52½	2.77½
Women's 12–13½ oz. material	2.20	2.40	2.65
Men's 14½ oz. material	2.30	2.50	2.75
Men's extra large 14½ oz. material	2.40	2.62½	2.87½
Women's 14½ oz. material	2.27½	2.47½	2.72½
Men's 16 oz. material	2.40	2.62½	2.87½
Men's extra large 16 oz. material	2.47½	2.70	2.97½
Women's 16 oz. material	2.30	2.50	2.75
Men's 18 oz. material	2.30	2.52½	2.77½
Men's extra large 18 oz. material	2.42½	2.65	2.92½
Double safety: [1]			
Men's 12–13½ oz. material	2.75	2.90	3.20
Men's 14½ oz. material	2.82½	3.00	3.30
Men's 16 oz. material	2.92½	3.20	3.52½

TABLE 10—LEATHER COMBINATION GLOVES (LINED LEATHER PALM, 8 OZ. CANTON FLANNEL BACK)

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist: [1]			
Men's 12 oz.	$2.40	$2.60	$2.85
Men's 14 oz.	2.45	2.65	2.92½
Men's 16 oz.	2.50	2.70	2.97½
Band top: [3]			
Men's 12 oz.	2.45	2.65	2.92½
Men's 14 oz.	2.50	2.70	2.97½
Men's 16 oz.	2.55	2.75	3.02½
Double gauntlet: [2]			
Men's 12 oz.	3.00	3.25	3.57½
Men's 14 oz.	3.05	3.30	3.62½
Men's 16 oz.	3.10	3.35	3.67½

TABLE 8—"CHORE" AND SMELTER MITTENS

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Double throughout, nap-out flannel "chore" mittens:			
Knit wrist: [1]			
Men's 14½ oz.	$2.20	$2.42½	$2.62½
Men's 16 oz.	2.37½	2.57½	2.82½
Men's 20 oz.	2.50	2.72½	2.97½
Double throughout, nap out canton flannel "smelter" mitten:			
Open top, Men's 20 oz.	2.70	2.95	3.22½

TABLE 9—SINGLE THICKNESS PLAIN JERSEY GLOVES

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist: [1]			
Men's 8 oz.	$1.62½	$1.77½	$1.92½
Men's 9 oz.	1.77½	1.92½	2.12½
Women's 9 oz.	1.75	1.90	2.07½
Small Women's 9 oz.	1.72½	1.87½	2.05
Men's 10½ oz.	1.90	2.07½	2.25
Women's 10½ oz.	1.87½	2.02½	2.22½
Men's 13 oz.	2.10	2.27½	2.50

TABLE 10—FULL LINED JERSEY GLOVES, OPEN WRIST ("SLIP ON")

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Men's 13½-14 oz. plain shell	$2.50	$2.72½	$2.97½
Men's extra large 13½-14 oz. plain shell	2.60	2.82½	3.10
Women's 13½-14 oz. fleece in or out plain shell	2.30	2.50	2.75
Men's 13½-14 oz. cut presser fancy shell	2.62½	2.85	3.12½

TABLE 11—CHILDREN'S SINGLE THICKNESS JERSEY GLOVES

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
Knit wrist:			
Ages up to 5, 9 oz. plain	$1.40	$1.52½	$1.67½
Ages 5 to 10, 9 oz. plain	1.42½	1.55	1.70
Ages 10 to 15, 9 oz. plain	1.45	1.60	1.72½
Ages up to 5, 9 oz. plain mitten	1.15	1.25	1.37½
Ages 5 to 10, 9 oz. plain mitten	1.17½	1.27½	1.40
Ages 10 to 15, 9 oz. plain mitten	1.20	1.30	1.42½
Gauntlet:			
Ages up to 5, 9 oz. plain	1.87½	2.02½	2.22½
Ages 5 to 10, 9 oz. plain	1.97½	2.15	2.35
Ages 10 to 15, 9 oz. plain	2.07½	2.25	2.47½

See footnotes at end of tables.

TABLE 12—LEATHER COMBINATION GLOVES (LINED LEATHER PALM, 8 OZ. CANTON FLANNEL BACK)

	Column A—Manufacturers' prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
No. 12. Clute pattern—split palm,[6] 5 oz. or heavier lining, without leather finger tips, not more than ¾ leather thumb:			
A. Men's knit wrist [1]	$3.40	$3.70	$4.05
B. Women's knit wrist [1]	3.30	3.60	3.92½
C. Men's single ply safety (not less than 2½" finished)	3.50	3.80	4.17½
D. Men's single ply gauntlet (not less than 4½" finished)	3.60	3.90	4.27½
E. Women's single ply gauntlet (not less than 4" finished)	3.50	3.80	4.17½
No. 12/1. Clute pattern—split palm,[6] 5 oz. or heavier lining, without leather finger tips, not more than ¾ leather thumb, 6 oz. canton flannel back:			
A. Men's knit wrist [1]	3.30	3.60	3.92½
B. Women's knit wrist [1]	3.20	3.45	3.80
C. Men's single ply safety (not less than 2½" finished)	3.40	3.70	4.05
D. Men's single ply gauntlet (not less than 4½" finished)	3.50	3.80	4.17½
E. Women's single ply gauntlet (not less than 4" finished)	3.40	3.70	4.05
No. 13. Gunn pattern—knit wrist,[1] 6 oz. or heavier palm lining, leather finger tips:			
A. Men's split palm,[6] ¾ leather thumb	4.80	5.20	5.72½
B. Men's side split palm,[7] ¾ leather thumb	5.65	6.20	6.72½
B/1. Men's heavy side split palm,[8] ¾ leather thumb	6.90	6.40	7.02½
C. Men's heavy side split palm,[8] full leather thumb, forefinger and little finger, leather wrist pull	6.75	7.40	8.02½
D. Men's side split palm,[7] full leather thumb and forefinger	5.95	6.45	7.07½
D/1. Men's heavy side split palm,[8] full leather thumb and forefinger	6.15	6.70	7.32½
E. Men's side split palm,[7] ¾ leather thumb, 10½ oz. seal jersey back	5.60	6.15	6.67½
E/1. Men's heavy side split palm,[8] ¾ leather thumb, 10½ oz. seal jersey back	5.80	6.35	6.90
No 13/1. Gunn pattern—split palm,[6] 6 oz. or heavier lining, ¾ leather thumb, leather finger tips:			
A. Men's single safety (not less than 2½" finished)	4.90	5.30	5.82½
B. Men's double safety [9]	5.10	5.55	6.07½
C. Men's single gauntlet (not less than 4½" finished)	5.00	5.45	5.95
D. Men's double gauntlet (not less than 4½" finished)	5.35	5.80	6.37½
No. 14. Gunn pattern—6 oz. or heavier palm lining, leather finger tips, waterproof safety: [9]			
A. Men's split palm,[6] ¾ leather thumb	5.15	5.60	6.12½
Women's split palm,[6] ¾ leather thumb	5.05	5.50	6.00
B. Men's split palm,[6] ¾ leather thumb, leather pull, leather knuckle strap	5.80	6.25	6.80
C. Men's side split palm,[7] full leather thumb, leather pull, leather knuckle strap	6.75	7.40	8.02½
Women's side split palm,[7] full leather thumb, leather pull, leather knuckle strap	6.65	7.30	7.92½
C/1. Men's heavy side split palm,[8] full leather thumb, leather pull, leather knuckle strap	7.00	7.65	8.32½
Women's heavy side split palm,[8] full leather thumb, leather pull, leather knuckle strap	6.90	7.55	8.22½
D. Men's side split palm,[7] full leather thumb and forefinger, leather pull, leather knuckle strap	6.95	7.60	8.27½
D/1. Men's heavy side split palm,[8] full leather thumb and forefinger, leather pull, leather knuckle strap	7.25	7.90	8.62½
E. Men's side split palm,[7] full leather thumb and forefinger, leather pull, ⅜ length leather back	7.25	7.90	8.62½
E/1. Men's heavy side split palm,[8] full leather thumb and forefinger, leather pull, ⅜ length leather back	7.50	8.15	8.92½
G. Men's side split palm,[7] full leather thumb and forefinger, leather pull, ¾ length leather back	7.45	8.10	8.87½
G/1. Men's heavy side split palm,[8] full leather thumb and forefinger, leather pull, ¾ length leather back	7.75	8.40	9.22½
H. Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull, leather knuckle strap	7.75	8.40	9.22½
Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull	7.55	8.20	9.00
H/1. Clute pattern—Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull, leather knuckle strap	7.65	8.30	9.10
Clute pattern—Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull	7.45	8.10	8.87½
No. 15. Gunn pattern—6 oz. or heavier palm lining, leather finger tips, waterproof gauntlet:			
A. Men's split palm,[6] ¾ leather thumb, gauntlet cuff [10]	5.60	6.15	6.67½
Women's split palm,[6] ¾ leather thumb, gauntlet cuff [10]	5.50	6.05	6.55
B. Men's split palm,[6] ¾ leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	6.30	6.85	7.50
C. Men's side split palm,[7] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	7.25	7.90	8.62½
Women's side split palm,[7] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	7.10	7.75	8.45

TABLE 12—continued

	Column A—Manufacturers' price		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
No. 18. Gunn pattern—Continued.			
C/1. Men's heavy side split palm,[8] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	$7.80	$8.15	$8.93½
Women's heavy side split palm,[8] full leather thumb, leather pull, leather knuckle strap, gauntlet cuff [10]	7.40	8.05	8.80
D. Men's side split palm,[8] full leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cuff [10]	7.45	8.10	8.87½
D/1. Men's heavy side split palm,[8] full leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cuff [10]	7.75	8.40	9.23½
E. Men's side split palm,[8] full leather thumb and forefinger, leather pull, ¾ length leather back, gauntlet cuff [10]	7.70	8.35	9.17½
E/1. Men's heavy side split palm,[8] full leather thumb and forefinger, leather pull, ⅞ length leather back, gauntlet cuff [11]	8.00	8.75	9.62½
G. Men's side split palm,[8] full leather thumb and forefinger, leather pull, ⅞ length leather back, gauntlet cuff [11]	7.90	8.65	9.40
G/1. Men's heavy side split palm,[8] full leather thumb and forefinger, leather pull, ¾ length leather back, gauntlet cuff [11]	8.25	9.00	9.82½
H. Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cuff [11]	8.05	8.80	9.57½
Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull, gauntlet cuff [11]	8.15	8.90	9.70
H/1. Clute pattern—Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cuff [11]	7.95	8.70	9.47½
Clute pattern—Men's heavy side split palm,[8] full leather thumb and finger backs, leather pull, gauntlet cuff [11]			

[8] Knit wrist—Maximum weight of tubing: 12 yards per pound. Minimum wrist length: men's, 2¾" finished; women's and small women's 2¼" finished; men's extra large, 2⅝" finished.

[9] Band top—Same weight material as glove. Minimum wrist length: men's, 1⅝" finished; women's and small women's 1½" finished.

[10] Gauntlet cuff—Double, 2 ply, thickness, not less than 5" finished.

[11] Gauntlet cuff—Double, 2 ply, thickness, not less than 4½" finished.

[12] Safety cuff—Double, 2 ply, thickness, not less than 2½" finished.

[13] Shoulders and other pound stock (except middle splits), and light weight side split leather not in excess of 2 oz. per square foot.

[14] Average minimum weight of palm leather 2¼ oz. per square foot. Either cow or horse side split.

[15] Average minimum weight of palm leather 3 oz. per square foot. Either cow or horse side split.

[16] Safety cuff—Waterproofed. Minimum length of cuff: Men's, 2½" finished; women's 2" finished. Weight of cuff material not less than 28 oz. per square yard.

[17] Gauntlet cuff—Waterproofed. Minimum length of cuff: men's, 4½" finished; women's, 4" finished. Weight of cuff material not less than 23 oz. per square yard.

[18] Gauntlet cuff—Waterproofed, not less than 5" finished. Weight of cuff material not less than 23 oz. per square yard.

[Tables 2 through 12 amended by Am. 2, effective 9–1–44]

APPENDIX B—TABLES OF CEILING PRICES FOR SALES AT RETAIL.

Instructions. Ceiling prices for staple work gloves are not given by kind of glove but by the supplier's net ceiling price. This price must be found according to the rules in section 2 (How to find retail ceiling prices). Read this section before using the tables.

Two tables of retail ceiling prices are provided. You must use Table I to find the retail ceiling price for gloves purchased from a wholesaler. Table II must be used to find the retail ceiling price for gloves purchased direct from the manufacturer.

When you have found your supplier's net ceiling price, look in Column 1 of the appropriate table for the bracket in which this price belongs. Then look at the figure opposite in Column 2; this is your retail ceiling price per pair of gloves.

For example, suppose your supplier's net ceiling price is $1.55, and that you purchased the gloves from the manufacturer. Your ceiling price will be found in Table II. Follow down Column 1 in Table II until you find the bracket $1.49–1.57+. Opposite these figures, in Column 2, you find the retail ceiling of $.17. If your supplier's ceiling had been $1.57½, your price would still be $.17, since $1.57+ includes any fraction of a cent over $1.57.

However, if you purchase gloves at a "special sale", you are not permitted to use these tables, but you must find your ceiling according to the rule given in section 2 (c).

TABLE I—RETAIL CEILING PRICES FOR WORK GLOVES PURCHASED FROM WHOLESALERS

Column 1—Supplier's Ceiling Price (per dozen)	Column 2—Retail ceiling (per pair)	Column 1—Supplier's Ceiling Price (per dozen)	Column 2—Retail ceiling (per pair)
$1.00–1.10+	$0.13	$5.11–5.19+	$0.68
1.11–1.19+	.13	5.20–5.28+	.68
1.20–1.28+	.14	5.29–5.37+	.69
1.29–1.37+	.15	5.38–5.46+	.71
1.38–1.48+	.16	5.47–5.54+	.72
1.47–1.55+	.17	5.55–5.63+	.73
1.56–1.64+	.18	5.64–5.72+	.74
1.65–1.73+	.19	5.73–5.81+	.75
1.74–1.82+	.20	5.82–5.90+	.76
1.83–1.90+	.21	5.91–5.99+	.77
1.91–1.99+	.22	6.00–6.08+	.78
2.00–2.08+	.23	6.09–6.17+	.79
2.09–2.17+	.24	6.18–6.25+	.80
2.18–2.26+	.25	6.26–6.34+	.81
2.27–2.35+	.26	6.35–6.43+	.82
2.36–2.44+	.27	6.44–6.52+	.83
2.45–2.53+	.28	6.53–6.61+	.84
2.54–2.61+	.29	6.62–6.70+	.85
2.62–2.70+	.30	6.71–6.79+	.86
2.71–2.79+	.31	6.80–6.88+	.87
2.80–2.88+	.32	6.89–6.96+	.88
2.89–2.97+	.33	6.97–7.05+	.89
2.98–3.06+	.34	7.06–7.14+	.90
3.07–3.15+	.35	7.15–7.23+	.91
3.16–3.24+	.36	7.24–7.32+	.92
3.25–3.32+	.37	7.33–7.41+	.93
3.33–3.41+	.38	7.42–7.50+	.94
3.42–3.50+	.39	7.51–7.59+	.95
3.51–3.59+	.40	7.60–7.68+	.96
3.60–3.68+	.41	7.69–7.76+	.97
3.69–3.77+	.42	7.77–7.85+	.98
3.78–3.86+	.43	7.86–7.94+	.99
3.87–3.96+	.44	7.95–8.06+	.90
3.96–4.06+	.45	8.04–8.12+	.91
4.04–4.12+	.46	8.13–8.21+	.92
4.13–4.21+	.47	8.22–8.30+	.93
4.22–4.30+	.48	8.31–8.39+	.94
4.31–4.39+	.49	8.40–8.47+	.95
4.40–4.48+	.50	8.48–8.56+	.96
4.49–4.57+	.51	8.57–8.65+	.97
4.58–4.66+	.52	8.66–8.74+	.98
4.67–4.75+	.53	8.75–8.83+	.99
4.76–4.83+	.54	8.84–8.92+	1.00
4.84–4.93+	.55	8.93–9.01+	1.01
4.94–5.01+	.56	9.02–9.10+	1.02
5.02–5.10+	.57	9.11–9.18+	1.03

TABLE II—RETAIL CEILING PRICES FOR WORK GLOVES PURCHASED DIRECT FROM MANUFACTURERS

Column 1—Supplier's Ceiling Price (per dozen)	Column 2—Retail ceiling (per pair)	Column 1—Supplier's Ceiling Price (per dozen)	Column 2—Retail ceiling (per pair)
$1.00–1.13+	$0.13	$7.15–7.32+	$0.90
1.13–1.21+	.13	7.24–7.32+	.91
1.22–1.30+	.14	7.33–7.41+	.92
1.31–1.39+	.15	7.42–7.50+	.93
1.40–1.48+	.16	7.51–7.59+	.94
1.49–1.57+	.17	7.60–7.68+	.95
1.58–1.66+	.18	7.69–7.77+	.96
1.67–1.75+	.19	7.78–7.86+	.97
1.76–1.84+	.20	7.87–7.95+	.98
1.85–1.93+	.21	7.96–8.04+	.99
1.94–2.02+	.22	8.05–8.13+	.90
2.03–2.11+	.23	8.14–8.22+	.91
2.12–2.20+	.24	8.23–8.31+	.92
2.21–2.29+	.25	8.32–8.40+	.93
2.30–2.38+	.26	8.41–8.49+	.94
2.39–2.47+	.27	8.50–8.58+	.95
2.48–2.56+	.28	8.59–8.67+	.96
2.57–2.66+	.29	8.68–8.76+	.97
2.66–2.74+	.30	8.77–8.85+	.98
2.75–2.83+	.31	8.86–8.94+	.99
2.84–2.92+	.32	8.95–9.03+	1.00
2.93–3.01+	.33	9.04–9.12+	1.01
3.02–3.10+	.34	9.13–9.21+	1.02
3.11–3.18+	.35	9.22–9.30+	1.03
3.19–3.27+	.36	9.31–9.38+	1.04
3.28–3.36+	.37	9.39–9.47+	1.05
3.37–3.45+	.38	9.48–9.56+	1.06
3.46–3.54+	.39	9.57–9.65+	1.07
3.55–3.63+	.40	9.66–9.74+	1.08
3.64–3.73+	.41	9.75–9.83+	1.09
3.74–3.81+	.42	9.84–9.92+	1.10
3.82–3.90+	.43	9.93–10.01+	1.11
3.91–3.99+	.44	10.02–10.10+	1.12
4.00–4.08+	.45	10.11–10.19+	1.13
4.09–4.17+	.46	10.20–10.28+	1.14
4.18–4.26+	.47	10.29–10.37+	1.15
4.27–4.35+	.48	10.38–10.46+	1.16
4.36–4.44+	.49	10.47–10.55+	1.17
4.45–4.53+	.50	10.56–10.64+	1.18
4.54–4.62+	.51	10.65–10.73+	1.19
4.63–4.71+	.52	10.74–10.82+	1.20
4.72–4.80+	.53	10.83–10.91+	1.21
4.81–4.89+	.54	10.92–11.00+	1.22
4.90–4.98+	.55	11.01–11.09+	1.23
4.99–5.07+	.56	11.10–11.18+	1.24
5.08–5.16+	.57	11.19–11.27+	1.25
5.17–5.25+	.58	11.28–11.36+	1.26
5.26–5.34+	.59	11.37–11.45+	1.27
5.35–5.43+	.60	11.46–11.54+	1.28
5.44–5.53+	.61	11.55–11.63+	1.29
5.53–5.61+	.62	11.64–11.72+	1.30
5.62–5.70+	.63	11.73–11.81+	1.31
5.71–5.79+	.64	11.82–11.90+	1.32
5.80–5.88+	.65	11.91–11.98+	1.33
5.89–5.97+	.66	12.00–12.08+	1.34
5.98–6.06+	.67	12.09–12.17+	1.35
6.07–6.15+	.68	12.18–12.26+	1.36
6.16–6.24+	.69	12.27–12.35+	1.37
6.25–6.33+	.70	12.36–12.44+	1.38
6.34–6.42+	.71	12.45–12.53+	1.39
6.43–6.51+	.72	12.54–12.62+	1.40
6.52–6.60+	.73	12.63–12.71+	1.41
6.61–6.69+	.74	12.72–12.80+	1.42
6.70–6.78+	.75	12.81–12.89+	1.43
6.79–6.87+	.76	12.90–12.98+	1.44
6.88–6.96+	.77	12.99–13.07+	1.45
6.97–7.06+	.78	13.08–13.16+	1.46
7.06–7.14+	.79		

[Appendix B amended by Am. 2, effective 9–1–44]

APPENDIX C—SUGGESTED FORM TO BE USED BY MANUFACTURERS IN APPLYING FOR CEILING PRICES UNDER SECTION 4 (a).

APPLICATION FOR AN AUTHORIZED CEILING PRICE

This is a suggested form. Copies will not be supplied by the Office of Price Administration.

Firm Name ..... Address .....
Type of trade customarily sold to. (Check:)— Chain stores or mail order houses ( ) Other Retailers ( ) Jobbers ( )
Glove Description:
Cut or pattern .....
Thickness ..... Size Classification .....
Type of wrist .....
Additional features (if any) .....
Material Description:
Glove fabric ..... Weight .....
Cuff fabric ..... Weight .....
Lining fabric ..... Weight .....
Leather ..... Grade .....

Item	Yards per dozen	Current ceiling price	Cost per dozen
Material Cost:			
Glove fabric		Per yd.	
Cuff fabric		Per yd.	
Lining fabric		Per yd.	
Leather		Per sq. ft.	
Freight in			
Total Material Cost			
Deduct Discount on Purchases			
Net Material Cost			
Trimming Cost:			
Thread			
Boxes and cartons			
Labels			
Others (specify)			
Total Trimming Cost			
Total Material and Trimming Cost			
Direct Labor Excluding Make-up, Overtime and Social Security:			
Cutting			
Sewing			
Put-up			
Inspection			
Total Direct Labor			

Submitted by:
Name .....
Title .....
Date .....

Effective date. This regulation shall become effective for sales by manufacturers and sales at wholesale on May 16, 1944, and for sales at retail on June 6, 1944. Prior to the effective date, any person may sell and deliver either at prices determined under existing regulations, or at prices determined under Revised Maximum Price Regulation 506. [Revised Maximum Price Regulation 506 originally issued May 11, 1944]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–13437; Filed, Sept. 1, 1944; 4:21 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2, Amdt. 1 to Supp. 3]

OATS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

No. 177——8

Supplement 2 to FPR 2 is amended in the following respects:

1. The following county base price is added to the list of county base prices for the State of Florida in Table IV of Appendix A:

Jefferson	92

2. The following county base price is added to the list of county base prices for the State of New York in Table IV of Appendix A:

Wayne	84

3. The county base prices in Table IV of Appendix A for the States of Oregon and Washington are amended so as to read as follows:

Baker	66
Benton	66
Clackamas	70
Clatsop	71
Columbia	71
Coos	73
Crook	71
Curry	74
Deschutes	71
Douglas	72
Grant	67
Harney	68
Hood River	70
Jackson	73
Jefferson	69
Josephine	73
Klamath	79
Lake	78
Lane	70
Lincoln	73
Linn	68
Malheur	67
Marion	69
Multnomah	71
Polk	68
Tillamook	73
Washington	70
Wheeler	68
Yamhill	69
All other counties in Area A.	

WASHINGTON

Chelan	67
Clallan	74
Clark	71
Cowlitz	71
Okanogan	67
Pacific	72
Pend Oreille	83
Pierce	71
Perry	64
Grays Harbor	72
Island	70
Jefferson	74
King	71
Kitsap	69
Klickitat	67
Lewis	71
Mason	72
San Juan	70
Skagit	71
Skamania	69
Snohomish	71
Stevens	64
Thurston	71
Wahkiakum	71
Whatcom	71
Yakima	68
All other counties in Area A.	

This amendment shall become effective September 7, 1944.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–13462; Filed, Sept. 2, 1944; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 11]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 289 is amended in the following respects:

1. Section 18 (a) (2) is amended by adding the following sentence:

This definition has no application to sections 19, 20, 24, 25, 27, 28, 29, 30 and 31 of this regulation.

2. Section 19 (a) (1) (iii) is amended to read as follows:

(iii) The prices in the preceding subdivisions (i) and (ii) are prices for Cheddar cheese of 39% or less moisture content packed in boxes customarily employed for the particular styles listed in Table A.

3. Section 19 (d) (2) (ii) is amended to read as follows:

(ii) *Outside Wisconsin.* The maximum price for the sale of any "cheese item" where delivery is made to the physical location of, an individual Army post or Naval base, or a Federal hospital, school or penal institution located at any place outside Wisconsin shall be the appropriate price in either Table I or Table J above, whichever is applicable, plus a "transportation factor".

4. Section 19 (e) is amended by adding the following sentence:

(e) *Provided however,* All maximum prices of "service wholesalers" made on a cents per pound basis and carried to the second decimal point shall be rounded to the nearest ⅒th of a cent or to the next higher ⅒th of a cent where the second digit beyond the decimal point ends with the numeral, five.

5. Section 26 (c) (1) is amended to read as follows:

(c) *Sales by processors of canned sweetened condensed milk in cartons.* (1) Maximum prices for sales and deliveries by a processor of sweetened condensed milk (as defined in paragraph (d) (15) and containing 42% sugar), in cans, packed in cartons shall be either (i) the prices listed in Table B subject to adjustments for variations in composition and can weights as set forth in (c) (2) below, or (ii) the highest prices to purchasers (other than the United States Government, or any agency thereof) charged by that processor in March 1942, whichever shall be the higher.

6. Section 22 (a) (4) is amended to read as follows:

(4) By manufacturers to wholesalers "for deliveries" to wholesalers the prices named in subparagraph (3) above, less 3 per cent.

[1] 9 F.R. 5140, 5427, 5429, 5588, 5917, 5919, 5921, 6105, 7699.

7. Section 28 (d) is amended by adding the following sentence:

(d) *Provided however,* All maximum prices of "service wholesalers" made on a cents per pound basis and carried to the second decimal point shall be rounded to the nearest ⅒th of a cent or to the next higher ⅒th of a cent where the second digit beyond the decimal point ends with the numeral, five.

8. Section 29 (b) (3) is amended by adding the following sentence:

(3) *Provided however,* All maximum prices of "service wholesalers" made on a cents per pound basis and carried to the second decimal point shall be rounded to the nearest ⅒th of a cent or to the next higher ⅒th of a cent where the second digit beyond the decimal point ends with the numeral, five.

9. Section 29 (c) (8) (vi) is added to read as follows:

(vi) None of the above described cheeses which has been grated shall be subject to the provisions of this section.

10. Section 30 (b) (3) is amended by adding the following sentence:

(3) *Provided however,* All maximum prices of "service wholesalers" made on a cents per pound basis and carried to the second decimal point shall be rounded to the nearest ⅒th of a cent or to the next higher ⅒th of a cent where the second digit beyond the decimal point ends with the numeral, five.

11. Section 30 (d) (2) is amended to read as follows:

(2) Sales of any "cheese item" containing either more moisture or less milk fat, or, more moisture and less milk fat, than prescribed in paragraph (a) (1) (ii) shall be priced at the prices established for "skim milk cheese" in section 28 of Revised Maximum Price Regulation No. 289 except that for a period of 90 days after June 5, 1944, either the price for the "cheese item" established under provisions of Revised Maximum Price Regulation No. 280,[1] or, the price established in this section for Monterey cheese, whichever is lower, shall govern.

12. Section 31 (a) (1) (i) is amended to read as follows:

(i) The maximum price for the sale of any "cheese item" conforming with the standards prescribed in paragraph (c) (8) (i) and (ii) respectively of this section, and delivered at any place in Wisconsin shall be the appropriate price set forth in Table A below:

TABLE A

[In cents per pound and package]

Sales and deliveries by	Bulk prices (per pound)	¼ oz. portions per box 18 oz. (net weight)	1¼ oz. portions per box 15 oz. (net weight)	3 oz. portions per box 18 oz. (net weight)
Factory	36			
Assembler	37½			
Primary wholesaler	39.75	66	60	57
Service wholesaler	46	78	69	66

13. Section 31 (b) (3) is amended by adding the following sentence:

(3) *Provided however,* All maximum prices of "service wholesalers" made on a cents per pound basis and carried to the second decimal point shall be rounded to the nearest 1/10th of a cent or to the next higher 1/10th of a cent where the second digit beyond the decimal point ends with the numeral, five.

14. Section 31 (c) (7) is amended to read as follows:

(7) "Service wholesaler" means a person who sells to, and makes delivery (on any day) of any one or more of the cheeses described in this section in quantities of 30 pounds or less to the physical premises of, an individual retail store or an individual commercial, industrial, institutional, or federal or non-federal governmental users.

This amendment shall become effective September 7, 1944.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13463; Filed, Sept. 2, 1944; 11:46 a. m.]

[1] 9 F.R. 6520.

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR. 540,[2] Amdt. 2]

MAXIMUM PRICES FOR USED PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Maximum Price Regulation 540 is amended in the following respects:

1. Paragraph (c) of section 3 is revoked.

2. The phrase in section 3 (a) which reads "in paragraphs (b) and (c)" is amended to read "in paragraph (b)."

3. The narrative in section 6, preceding paragraph (a), is amended to read as follows:

How to find the base price. In figuring his maximum price, the seller shall take as his base price a price found by following the directions given below which apply to the used car he is selling, always using, when he does so, the prices given in Appendix B for the particular region in which the car is located at the time of sale, except where the car is located at the time of sale not more than 100 miles from the boundary between regions B and C. If the car is located 100 miles, or a lesser number of miles, from either of these boundaries, the following shall determine what region shall be used for the purpose of selecting the price in Appendix B. If the seller is a dealer, or other seller generally engaged in the business of selling used cars, he shall use the Appendix B price for the region in which is located his established place of business. If he has an established place of business in more than one region, he shall use the first applicable of the following: The Appendix B price for the region in which is located the established place of business from which the sale is made; the Appendix B price for the region in which is located the established place of business closest to the place of sale. If the seller is a person not generally engaged in the business of selling used cars, he shall use the Appendix B price for the region which contains the state where the used car being sold is registered at the time of sale, or if not registered at the time of sale, the state where it was last registered before the time of sale. The regions for which prices are listed in Appendix B, and the states included in each region, are stated in Appendix A.

4. A new section 6a is added to read as follows:

SEC. 6a. *Maximum price for a used car consisting of a used chassis and a new station wagon body installed by the seller or installed at his request which cannot be priced under sections (5) and (6).* The maximum price for a used car consisting of a used chassis and a new station wagon body, installed by the seller or installed at his request, for which a maximum price cannot be determined under sections (5) and (6) shall be a warranted price (that is a price which requires the furnishing in writing to the purchaser of the warranty in section 7) specifically authorized by the Regional Office of the Office of Price Administration for the region in which the seller's principal place of business is located or an Office of Price Administration District Office in that region authorized by such Regional Office. A seller who seeks such an authorization under the provisions of this section shall file with the above office an application setting forth: (a) Both the base price under section 6 (b), and a description, of the used car from which the chassis being used in the combination was taken (The description shall show the make, year, series model, body type, and serial and motor numbers.); (b) the actual, or if not available the estimated, market value of the equipment removed from the used car described under (a), and not to be used in the conversion; (c) the cost to the seller of the new station wagon body; (d) the cost to the seller of preparing the chassis for the new station wagon body, not including reconditioning costs; (e) any other installation costs to the seller separately itemised; (f) the price the seller proposes to charge and the reasons for such a price; (g) any other facts, including costs, which the seller wishes to submit in support of the application. The authorisation will be given in the form of an order.

[*] Copies may be obtained from the Office of Price Administration.

[2] 9 F.R. 7671.

5. Section 11 is amended to read as follows:

SEC. 11. *Certificate of transfer that must be completed for a sale of a used car.* Every person when he sells or purchases a used car shall complete a certificate of transfer, Appendix F, in accordance with the instructions in that appendix. Copies of the certificate of transfer may be obtained from dealers or from the local War Price and Rationing Board. For the purpose of this section, a trade-in of a used car is a sale, and the person trading in the used car must take the steps required of sellers, in this section, and the person accepting the used car traded in must take the steps required of purchasers, in this section. When the used car has been sold, the seller shall insert the information on the certificate required by Appendix F, and both the seller and purchaser shall certify on the certificate that they have complied with this regulation, and that the selling price was not above the maximum price established by the regulation. The completed certificate shall be delivered to the purchaser. Where the purchaser is a dealer, or other seller generally engaged in the business of selling used cars, he shall turn the certificate in to his local War Price and Rationing Board not later than five days after he purchases the used car. Where the purchaser is not a dealer, or other seller generally engaged in the business of selling used cars, he shall turn the certificate in to his local War Price and Rationing Board on or before the date he applies to that Board for a gasoline ration for the used car he has purchased. Any misrepresentation in connection with this certificate shall be subject to the penalties provided by the applicable statutes of the United States.

6. Section 12 is amended to read as follows:

SEC. 12. *Records and reports*—(a) *Records.* Every person who sells a used car shall, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, keep and make available for examination by the Office of Price Administration records customarily kept in connection with the sale of a used car, and a copy of the warranty, if any, furnished in accordance with section 7.

(b) *Inventory report of used cars as of September 11, 1944.* Every dealer, or other seller generally engaged in the business of selling used cars, shall file with his local War Price and Rationing Board not later than September 21, 1944, a report on the form in Appendix G, of all used cars in his stock as of September 11, 1944, inclusive.

(c) *Additional records and reports.* Every dealer, or other seller generally engaged in the business of selling used cars, shall keep such records and file such reports in addition to those required by paragraphs (a) and (b) as the Office of Price Administration may from time to time require. Such additional records and reports, however, shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

7. Paragraph (2) Buick in Appendix B is amended by changing the serial number "33448272" for a 1939—8—Series 40—Special Buick to read "33593652".

8. Paragraph (11) Hudson in Appendix B is amended by changing the numeral "5", designating the number of cylinders for a 1940 model year Hudson, Series 43—Country Club, to read numeral "6".

9. Appendix D is amended to read as follows:

APPENDIX D—TABLE OF ALLOWANCES FOR "IN-BUILT" EQUIPMENT, HEATERS AND RADIOS WHICH MAY BE INCLUDED IN MAXIMUM PRICES

Year and make	Description	Price
(1) 1938 Buick	Automatic transmission	$20
(2) 1937 Buick	Automatic transmission	15
(3) 1942 Cadillac	Hydramatic transmission	100
(4) 1941 Cadillac	Hydramatic transmission	85
(5) 1942 Chrysler	Vacamatic transmission and fluid drive.	45
(6) 1941 Chrysler	Vacamatic transmission and fluid drive.	35
(7) 1940 Chrysler	Overdrive transmission	25
(8) 1939 Chrysler	Overdrive transmission	20
(9) 1938 Chrysler	Overdrive transmission	15
(10) 1937 Chrysler	Overdrive transmission	10
(11) 1942 DeSoto	Simplimatic transmission and overdrive.	45
(12) 1941 DeSoto	Simplimatic transmission and overdrive.	35
(13) 1940 DeSoto	Overdrive transmission	25
(14) 1939 DeSoto	Overdrive transmission	20
(15) 1938 DeSoto	Overdrive transmission	15
(16) 1937 DeSoto	Overdrive transmission	10
(17) 1942 Dodge	All fluid drive	30
(18) 1941 Dodge	Fluid drive	25
(19) 1942 Hudson	Drivemaster	45
(20) 1942 Hudson	Overdrive transmission	45
(21) 1942 Hudson	Vacumotive drive	15
(22) 1941 Hudson	Overdrive transmission	35
(23) 1941 Hudson	Vacumotive drive	15
(24) 1940 Hudson	Overdrive transmission	25
(25) 1942 Lincoln	Liquamatic drive	85
(26) 1941 Lincoln	Liquamatic drive	65
(27) 1942 Lincoln Zephyr.	Liquamatic drive	85
(28) 1941 Lincoln Zephyr.	Overdrive transmission	35
(29) 1940 Lincoln Zephyr.	Overdrive transmission	25
(30) 1939 Lincoln Zephyr.	Overdrive transmission	20
(31) 1938 Lincoln Zephyr.	Overdrive transmission	15
(32) 1937 Lincoln Zephyr.	Overdrive transmission	10
(33) 1942 Mercury	Liquamatic drive	65
(34) 1941 Mercury	Overdrive transmission	35
(35) 1940 Mercury	Overdrive transmission	25
(36) 1939 Mercury	Overdrive transmission	20
(37) 1942 Nash	Overdrive transmission	40
(38) 1941 Nash	Overdrive transmission	30
(39) 1940 Nash	Overdrive transmission	25
(40) 1939 Nash	Overdrive transmission	25
(41) 1938 Nash	Overdrive transmission	20
(42) 1937 Nash	Overdrive transmission	15
(43) 1942 Oldsmobile	Hydramatic transmission	75
(44) 1941 Oldsmobile	Hydramatic transmission	65
(45) 1940 Oldsmobile	Hydramatic transmission	50
(46) 1939 Oldsmobile	Automatic transmission	25
(47) 1938 Oldsmobile	Automatic transmission	20
(48) 1937 Oldsmobile	Automatic transmission	15
(49) 1942 Packard	Overdrive transmission	40
(50) 1942 Packard	Electromatic clutch	10
(51) 1941 Packard	Overdrive transmission	35
(52) 1941 Packard	Electromatic clutch	10
(53) 1940 Packard	Overdrive transmission	30
(54) 1939 Packard	Overdrive transmission	$25
(55) 1942 Studebaker	Overdrive transmission	40
(56) 1941 Studebaker	Overdrive transmission	30
(57) 1940 Studebaker	Overdrive transmission	25
(58) 1939 Studebaker	Overdrive transmission	25
(59) 1938 Studebaker	Overdrive transmission	20
(60) 1937 Studebaker	Overdrive transmission	15
(61) 1942 Willys	Overdrive transmission	30
(62) 1941 Willys	Overdrive transmission	25
(63) All years and makes.	Heater	10
64) All years and makes.	Radio	30

10. The instructions in Appendix F, Certificate of Transfer of Used Passenger Automobiles, are amended to read as follows:

INSTRUCTIONS

This certificate is to be prepared by the seller and signed by both the seller and purchaser.

Where the seller is a dealer, or other seller generally engaged in the business of selling used cars, in addition to the information he must insert on the face of the certificate, he must insert on the reverse side of the certificate the following:

(a) When he sells a used car he acquired prior to September 12, 1944, he must insert a statement showing (1) the date he purchased the used car, (2) the name and address of his local War Price and Rationing Board, and (3) whether or not the used car is listed in the inventory report of used cars as of September 11, 1944, he filed with his local War Price and Rationing Board in accordance with section 12 (b) of Maximum Price Regulation 540.

(b) When he sells a used car he acquired on or after September 12, 1944, he must insert a statement showing (1) the date he purchased the used car, (2) the name and address of the person from whom he purchased it, (3) the name and address of his local War Price and Rationing Board, and (4) whether or not he filed with his local War Price and Rationing Board a Certificate of Transfer for this purchase.

Whether the seller is under paragraph (a) or (b) above, he must affix his signature just below the statement he makes on the reverse side of the certificate.

Where the purchaser is a dealer, or other seller generally engaged in the business of selling used cars, he must present this certificate to his local War Price and Rationing Board not later than five days after he purchases the used car.

Where the purchaser is neither a dealer, nor other seller generally engaged in the business of selling used cars, he must present this certificate to his local War Price and Rationing Board on or before the date he applies for a gasoline ration for the used car he purchased.

The information required below shall be supplied in so far as possible from the vehicle registration card.

11. A new Appendix G is added to read as follows:

APPENDIX G

OPA Form 6063-1063 (6-44)

Budget Bureau No. 09-44117
Approval Expires September 30, 1944

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

Inventory Report of Used Cars in Stock on September 11, 1944 of a Dealer or Other Seller Generally Engaged in the Business of Selling Used Cars.

Name of Seller

Address—Number and Street

City, Postal Zone Number, State

Date

INSTRUCTIONS

Every dealer or other seller generally engaged in the business of selling used cars must list below all the used passenger cars in his stock as of September 11, 1944 (use continuation sheet if necessary) and file this report with the War Price and Rationing Board serving his area not later than September 21, 1944.

Year	Make	Model series	Body type	Serial number	Motor number

The undersigned certifies that the used cars listed above, or on the continuation sheet, if any, constitute all the used cars in his stock as of September 11, 1944.

Sign here.....
(Name of seller or authorized agent) (Title) (Date)

This amendment shall be effective September 12, 1944.

Issued this 2d day of September, 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13464; Filed, Sept. 2, 1944; 11:46 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 169,[1] Amdt. 46]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.451 (a) (4) is amended to read as follows:

(4) Except as permitted in paragraph (l), (m), (n), (o), (p), (q) or (r) of Schedule I (§ 1364.452), regardless of any contract, agreement or other obligation, no person shall sell or deliver any beef or any part or portion of any beef carcass and no person in the course of trade or business shall buy or receive any beef or any part or portion of any beef carcass unless such beef or part or portion is a beef carcass or a beef wholesale cut as defined in § 1364.455 for which applicable prices have been established.

2. Section 1364.452 (l) (3) is amended to read as follows:

(3) "Boneless beef for Army canned meat" as used in subparagraph (2) means beef derived from the grades and classes and satisfying the specifications and requirements contained in CQD No. 305, "Beef, Processing, Army," issued July 26, 1944, by the Quartermaster Depot of the United States Army. Any boneless beef for canned meat which has been rejected by a war procurement agency or any of its authorized agents or representatives shall not be sold as boneless beef for Army canned meat.

3. Paragraph (r) is added to § 1364.452 to read as follows:

(r) *Application for maximum selling price for specialty steak products.* Any seller who desires to manufacture and sell specialty steak products such as chip steaks, frosted steaks, sandwich steaks, French steaks, tenderredy steaks, or similar specialty meat products to purveyors of meals (defined in § 1364.455 (b) (2)) and/or to intermediate distributors for resale to purveyors of meals, and who, prior to March 31, 1942, was engaged in the production and sale of such a product may apply to the Office of Price Administration, Washington, D. C. on OPA Form No. 635-1088, (see § 1364.532, Appendix G for a copy which may be reproduced by you) for a maximum selling price setting forth in such application (1) a description of the product including (i) the wholesale cut and grade of meat used, (ii) a description of the complete processing operation, (iii) the type of wrapping and packaging and (iv) the weight of the individual packages; (2) a break-down of the costs involved in the preparation of the product including (i) ingredient costs (separately itemized), (ii) costs of packaging materials, (iii) direct labor costs, (iv) indirect labor costs, (v) administrative costs, (vi) selling costs and (vii) other costs (itemized). In every case the applicant shall indicate whether the costs are actual costs or estimated costs; (3) the volume by weight and dollar volume sold and delivered for each month during any six consecutive months of 1941 and 1942, inclusive, including (i) the weight and dollar volume sold to purveyors of meals, (ii) the weight and dollar volume sold to wholesalers, (iii) the weight and dollar volume sold to retailers and (iv) the weight and dollar volume sold to others; (4) the ceiling price requested and the method used in arriving at the ceiling price.

Notwithstanding any of the provisions of this paragraph (r), any seller who, prior to May 1, 1944, purchased for resale chip steaks or other similar specialty steak products and who still has such product on hand, may apply for authorization to sell such inventory stocks. Such application shall contain a full and complete description of the product and shall indicate the price paid therefor and the total volume on hand. The application shall also indicate the approximate time necessary to dispose of the inventory stocks.

Upon receipt of an application filed pursuant to this paragraph (r), the Price Administrator may authorize a maximum selling price for the specialty steak product subject to such conditions as he deems necessary and proper in the interest of effective price control.

The Price Administrator may at any time adjust any maximum price established under this paragraph (r) so as to bring it in line with the level of maximum prices otherwise established by this regulation.

4. The last sentence in the definition of "Hotel supply house" contained in § 1364.455 (b) (1) and § 1364.470 (b) (1) is amended to read as follows:

Any selling establishment which satisfies the definition herein contained and which in addition sells or delivers frozen boneless beef (Army Specifications) and/or ground beef and miscellaneous beef items to any purchasing agency of a war procurement agency and/or which sells fabricated beef cuts (War Shipping Administration Specifications) shall nevertheless be deemed to be a hotel supply house.

5. Section 1364.467 (l) (3) is amended to read as follows:

(3) Frozen boneless veal (F. S. C. C. Specifications) as used in this paragraph (l) means veal derived from veal carcasses of utility or cull grade, and satisfying the specifications and requirements of Item 69-a of Schedule F S C-10 (as amended) of the Food Distribution Administration, issued December 2, 1942.

6. That part of paragraph (a) (10) preceding subdivision (i) of § 1364.470 is amended to read as follows:

(10) "Boneless and miscellaneous veal cuts" means and is limited to any of the following cuts meeting the following minimum specifications, derived from veal carcasses of utility or cull grades:

7. Section 1364.532 is added to read as follows:

§ 1364.532 *Appendix G.*

OPA Form 635-1088 Form Approved Budget Bureau No. 08-R1101

This form may be reproduced without change

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON 25, D. C.

APPLICATION FOR MAXIMUM SELLING PRICE FOR SPECIALTY STEAK PRODUCTS

1 Description of product (brand name, if any).....
a Specify wholesale cut and grade of meat used.....
b Type of wrapping and packaging.....
c Weight of individual package.....
d Description of the processing.....

Name of Company.....
Address—Number and Street.....
City, Postal Zone Number, State.....

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1121, 2023, 2135, 3424, 4643, 4762, 5955.

2 Cost of finished product per 100 pounds[1].....

a Weight and cost of meat and other ingredients used in producing 100 lbs. of finished product			Credits for trimmings, bones, etc.		(6) Net cost of ingredients (3) minus (5)
(1) Item	(2) Weight	(3) Cost	(4) Weight	(5) Dollar value	

b Total net cost of ingredients[2].....
c Packaging materials[2].....
d Labor (of which direct labor is $.....)[2].....
e General and administrative expenses[2 3].....
f Selling expenses[2].....
g Other costs[2 4].....
h Total cost (sum of items 2b through 2g).....

3 a Were you producing this product prior to March 31, 1942? Yes ☐ No ☐

b If answer is yes, specify weight and dollar volumes sold and delivered in any six consecutive months of 1941 and 1942.

Month	Year	Purveyors of meals		Wholesalers		Retailers		Others	
		Weight	Dollar volume	Weight	Dollar volume	Weight	Dollar volume	Weight	Dollar volume

4 Ceiling price requested.....
5 Explain how proposed ceiling price was computed.....

I certify that the information given herein is true and correct to the best of my knowledge and belief.

Sign here.....
Name Title Date

[1] Indicate for each item if costs are actual or estimated.
[2] All costs for items 2a through 2g should be figured on basis of 100 lbs. of finished product.
[3] Explain your method of allocating these expenses.
[4] Specify the nature of the charges included in this account.

This amendment shall become effective September 7, 1944.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13465; Filed, Sept. 2, 1944; 11:44 a. m.]

PART 1389—APPAREL

[MPR 547,[1] Amdt. 1]

MAXIMUM PRICES FOR SPECIFIED LOW PRICE-LINE GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 547 is amended in the following respects:

1. Section 1 is amended by inserting after the phrase "issued June 20, 1944," the following phrase: "and Maternity Dresses and Slips Program No. 1, issued July 11, 1944."

2. The text of paragraph (a) of section 2 is amended by designating it as subparagraph (1) and by adding thereto, after the examples which follow items 1 through 4, a new subparagraph (2) to read as follows:

Item	Sales by manufacturers (per dozen)	Sales other than by manufacturers and other than at retail (per dozen)	Sales at retail (per garment)	
			Garments purchased from persons other than manufacturers	Garments purchased from manufacturers
5. Maternity dresses (sizes 12-20)	$15.75 less 8%	$16.75 net	$2.00	$1.80
6. Maternity slips (sizes 32-44)	$8.95 less 8%	$9.50 net	1.15	1.05

For all items, the time limit for payment will be the seller's customary business practice to purchasers of the same class. Sales other than at retail are f. o. b. point of shipment.

Examples: 1. A retailer purchases maternity slips from a manufacturer at $8.95 per dozen less 8%. His ceiling price for a sale at retail is $1.05 each.

2. A retailer purchases maternity slips from a wholesaler at $9.50 net per dozen. His ceiling price for a sale at retail is $1.15 each.

3. A wholesaler purchases maternity slips from a manufacturer at $8.95 less 8%. The wholesaler's ceiling price for a sale to a retailer is $9.50 per dozen net.

4. A wholesaler purchases maternity dresses from another wholesaler at $16.75 net. He now wishes to sell to a retailer. His ceiling price is $16.75 net, the same as his cost.

5. A manufacturer's ceiling price for a sale of maternity dresses to a retailer or a wholesaler is $15.75 per dozen less 8%.

3. Section 9 (a) (2) is amended by inserting after the phrase "June 20, 1944," the phrase "and July 11, 1944."

This amendment shall become effective September 7, 1944.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13466; Filed, Sept. 2, 1944; 11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 11 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (e) (11) is added to read as follows:

(11) E5, F5, and G5 are valid beginning September 3, 1944.

This amendment shall become effective September 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-13461; Filed, Sept. 2, 1944; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 12 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 19) (OPA Forms R-1313 and 1611) which are made a part hereof.

This amendment shall become effective at 12:01 a. m., September 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319;

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7701,

[1] 9 F.R. 6772, 6825, 7262, 7433, 8147, 8931, 9266, 9278, 9785, 9896, 9-10425, 10497.

WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319; and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13458; Filed, Sept. 2, 1944; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 21]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 7.6 (1) is added to read as follows:

(1) *Allotments for industrial users of pork having a point value.* An industrial user who, during the third quarter of his base period, used pork which on August 13, 1944 has a point value (other than zero) may apply for an allotment covering such pork. The application shall be made before September 11, 1944 on OPA Form R-315, to the board or district office with which he is registered, and must estimate the number of pounds of such pork, separately for each item (as listed in section A of the Official Table of Trade Point Values—No. 17-18) which he used during the third quarter of his base period. The board or district office may grant the application if it finds that the industrial user, during the third quarter of his base period, used pork which has a point value other than zero on August 13, 1944. The amount of his allotment shall be computed in the following way:

(1) The number of pounds of each such item of pork which he used during the third quarter of his base period is multiplied by the point value in effect for that item on August 13, 1944 as shown on the Official Table of Trade Point Values (No. 17-18);

(2) The resulting figures are added together and multiplied by 0.35.

The result represents his allotment for the third allotment period of 1944 for pork having a point value on August 13, 1944. (Section 7.6 (d) applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a certificate, and in determining the amount of the certificate.) If the application is made on or after September 11, 1944, the allotment shall be reduced five percent for each day which has elapsed since September 10, 1944.

This amendment shall become effective September 7, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6731, 7000, 7081, 7082, 7167, 7208, 7258, 7262, 7344, 7438, 7578, 7774, 8182, 8708, 9054, 9956, 10049, 10087, 10890.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9135, 9389)

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13467; Filed, Sept. 2, 1944; 11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 29 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (b) (4) is added to read as follows:

(4) For the allotment period from October 1, 1944 to December 31, 1944, inclusive:

Processed foods	Class of product or use (on schedule I of OPA form R-1200)	Factor
(i) Fruits:		
(a) Canned and bottled	All	12
(b) Frozen	All	0
(c) Dried and dehydrated	All	0
(ii) Vegetables:		
(a) Canned and bottled	All	12
(b) Frozen	All	0
(iii) Miscellaneous:		
(a) Dry beans	All	0
(b) Jellies, jams, marmalades, preserves, fruit butters	All	8

This amendment shall become effective September 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13469; Filed, Sept. 2, 1944; 11:42 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 30 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 19) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., September 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F. R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13460; Filed, Sept. 2, 1944; 11:46 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 270,[1] Amdt. 4]

DRY EDIBLE BEANS AND CERTAIN OTHER DRY FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In Table 1 in section 3 (a) the price named for blackeye beans, U. S. No. 3 and lower, is amended to read "$5.80."

This amendment shall become effective September 9, 1944.

Issued this 4th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: August 26, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-13557; Filed, Sept. 4, 1944; 11:49 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 156,[1] Amdt. 2]

CANNED MEAT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 156 is amended in the following respects:

1. Item 3 of the Price Table in section 14 is amended to read as follows:

Product	Size of can	Price per dozen cans
3. Beef and gravy:	*Ounces*	
(i) Braised	20	$8.40
(ii) Unbraised	20	6.95

2. Section 15 is added to read as follows:

SEC. 15. *Sales of canned meat pursuant to developmental contracts.* The

[1] 9 F.R. 9260.

[1] 9 F.R. 7966, 10048.

provisions of section 4.4 of Revised Supplementary Regulation No. 1 under the General Maximum Price Regulation shall be applicable to sales of a canned meat product otherwise subject to this Revised Maximum Price Regulation No. 156, for which the seller has no ceiling price, substituting for the purposes of this section the words "Revised Maximum Price Regulation No. 156" where the words "the General Maximum Price Regulation" appear in section 4.4 of Revised Supplementary Regulation No. 1 under the General Maximum Price Regulation.

This amendment shall become effective September 2, 1944, except that item 3 of the price table in section 14 shall become effective as of August 4, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13493; Filed, Sept. 2, 1944; 8:32 p. m.]

PART 1377—WOODEN CONTAINERS

[RMPR 186,[1] Amdt. 10]

WESTERN WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The text of § 1377.110 (d) is amended to read as follows:

(d) *Additions for use of specified grades of lumber.* On sales to customers who certify in writing that they will not use the increase in prices of containers as a basis for requesting an increase in the prices of commodities which they pack, a manufacturer who uses the grade and species of lumber shown in Table 3A, below, in the manufacture of agricultural containers, may make additions shown in the table to the maximum f. o. b. factory prices established by the regulation. The footages of any grade on which these specified additions may be made shall not exceed in any one quarter the percentage of the total footage of the manufacturer's agricultural container shook production in which the same grade was used in the corresponding quarter during the year August 1, 1943–August 1, 1944.

Any manufacturer who did not use the grades and species shown in Table 3A in the manufacture of agricultural containers in a corresponding period of August 1, 1943–August 1, 1944, may apply to this Office for permission to make additions under this section. The footages for which authorization to make the additions will be granted will be based upon the applicant's estimated total quarterly production and the average percentages of higher grades used by competitive manufacturers in the area.

On or before the 10th day of November, February, May and August, each manufacturer who has made additions under this section must submit to the Lumber Branch, Office of Price Administration, Washington, D. C., a certified statement of the footages of each species and grade for which additions were made, the total average cost of the higher grades used and the total footage of shook produced during the preceding quarter and the corresponding quarter of the August 1, 1943–August 1, 1944 period.

This amendment shall become effective September 7, 1944.

Issued this 4th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13558; Filed, Sept. 4, 1944; 11:48 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 28 to 3d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (12) is added to read as follows:

(12) For the reporting period beginning October 29, 1944 and ending December 2, 1944—5.

This amendment shall become effective September 8, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 4th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13559; Filed, Sept. 4, 1944; 11:48 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 53]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Appendix H in section 15 is amended in the following respects:

1. Table 4 in paragraph (b) is amended as follows:

a. The words "July 1–October 31" and the phrase "To be announced later" are deleted wherever they appear.

b. Item numbers 6, 7, 8, 9 and 10 are redesignated 7, 8, 9, 10 and 11 respectively.

c. Item numbers 6 and 12 are added to read as follows:

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 173, 908, 1181, 2091, 2290, 2553, 3330, 3947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2006, 2023, 2091, 2493, 4090, 4096, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6106, 6420, 6711, 7259, 7266, 7434, 7425, 7580, 7583, 7759, 7774, 7834.

TABLE 4—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc	Unit	Season	Maximum prices f. o. b. shipping points in Florida and California[1]	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer[4]
6	Snap beans in bushel containers with a net weight of 28 pounds or more.	Bushel	Oct. 1–Oct. 31	$2.70	$2.70 plus freight (including 3% transportation tax) from Pompano, Florida, plus 10 cents protective services for all markets east of and including Chicago, Illinois; and from San Jose, California, plus 10 cents for protective services for all markets west of Chicago, Illinois.[2]	Col. 6 price plus 75 cents.
12	Snap beans in bushel containers with a net weight of less than 28 pounds and in all other containers.[3]	Pound	Oct. 1–Oct. 31	9.6 cents per pound	Maximum price above (item 6) divided by 28.	Col. 6 price plus 2 1/10 cents per pound.

2. Table 7 in paragraph (b) is amended by adding item numbers 4b, 8b, 12b and 16b to read as follows:

TABLE 7—MAXIMUM PRICES FOR CUCUMBERS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Florida, Louisiana, California and Iowa. For season beginning July 1 prices shall apply to shipping points in all States	Maximum prices for sales delivered to any wholesale receiving point in any quantity.	Maximum prices for sales by certain persons in less than carlots or less than trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer.[1]
4b	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of 48 pounds or more.	Bushel	Oct. 1–Oct. 31	$2.10	Col. 5 price plus freight (including 3% transportation tax) from Ponchatoula, Louisiana, for all markets east of and including Denver, Colorado, and from Modesto, California, for all markets west of Denver, Colorado; and plus 10 cents for protective service.	Col. 6 price plus 75 cents.
8b	Cucumbers, except hothouse cucumbers, in lug boxes with a net weight of 25 pounds or more.	Lug	Oct. 1–Oct. 31	$1.22	Col. 5 price plus freight (including 3% transportation tax) from Ponchatoula, Louisiana, for all markets east of and including Denver, Colorado, and from Modesto, California, for all markets west of Denver, Colorado; and plus 10 cents for protective service.	Col. 6 price plus 45 cents
12b	Cucumbers, except hothouse cucumbers, in bushel containers with a net weight of less than 48 pounds and in lug boxes with a net weight of less than 25 pounds and in all other containers.[2]	Pound	Oct. 1–Oct. 31	4.4 cents	Maximum prices for Item 4b above divided by 48.	Col. 6 price plus 1½ cents per pound.
16b	Hothouse cucumbers in any container.	Pound	Oct. 1–Oct. 31	11.3 cents per pound [4]	Col. 5 price plus express (including 5% transportation tax) from Davenport, Iowa.[3]	Col. 6 price plus 3¼ cents per pound.

This amendment shall become effective September 9, 1944.

Issued this 4th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: August 26, 1944.

MARVIN JONES,
War Food Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, I hereby approve the prices established by the foregoing amendment and find that they are necessary as an aid to the effective prosecution of the war.

FRED M. VINSON,
Director,
Office of Economic Stabilization.

[F. R. Doc. 44-13560; Filed, Sept. 4, 1944; 11:49 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 55]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.[*]

Maximum Price Regulation No. 426 is amended in the following respects:

1. The first three paragraphs of the preamble to Maximum Price Regulation No. 426 are revoked.

2. In section 1 (e), the last two sentences are revoked.

3. In section 1 (f) (1) the sentence, "The ceiling price for carlot or trucklot sales at a particular wholesale receiving point is the same regardless of the number and type of prior handlers, regardless of the seller's size or type of operations, and regardless of the purchaser's size or type of operations.", and the last undesignated paragraph are revoked.

4. Section 1 (f) (2) is amended to read as follows:

(2) *Less than carlot or trucklot sales in the market.* A ceiling price is established for less than carlot or trucklot sales at wholesale receiving points.

5. Section 1 (f) (4) is revoked.

6. Section 2 is amended to read as follows:

SEC. 2. *Sales of imported fresh fruits and vegetables.* Unless otherwise specifically provided, the maximum price per unit at any wholesale receiving point for each unit of a particular kind of fresh fruit or vegetable (standard container, other container or pound) imported from any country, possession or territory, shall be the maximum price per unit for sales delivered to that wholesale receiving point for the most closely similar variety of the same kind of domestic fresh fruit or vegetable applicable to the particular seller.

In determining the maximum price applicable, an importer (the person who makes the first sale of the particular goods being priced in the United States) shall price as if he were a grower or country shipper with respect to commodities covered by Appendices H and I, a grower-distributor with respect to commodities covered by Appendix J, and a shipping point distributor with respect to commodities covered by Appendix K.

7. Section 8 (a) (7) is amended to read as follows:

(7) "Freight from basing point to wholesale receiving point" or "freight from shipping point to wholesale receiving point" means the cost per package for transportation by the cheapest customary and generally available means. It does not include the cost of refrigeration, other protective services, diversions, demurrage, local cartage or unloading; but the transportation tax imposed by section 620 of the Revenue Act of 1942 is included.

To wholesale receiving points in principal markets where carlot or trucklot quantities are customarily received, this freight factor will ordinarily be based on the railroad carload rate from the basing point or f. o. b. shipping point. However, to some wholesale receiving points in principal markets, located relatively near the basing point or shipping point, motor or water transportation may be customary and cheaper than rail transportation and generally available. In these cases the freight factor for motor or water transportation would be applicable.

To wholesale receiving points in secondary markets, where it is not customary to receive carlots or truckIots, the freight factor will ordinarily be based on the carlot or truckIot factor to a nearby wholesale receiving point in a principal market, plus the cost of transportation by the cheapest customary and generally available means from the wholesale receiving point in the principal market to the wholesale receiving point in the secondary market.

For example, it is customary for carlots of lettuce to be received at Philadelphia, Pa., and the cheapest customary and generally available means of transportation from the basing points (El Centro and Salinas, Cal.) is by rail. The freight factor for determining lettuce prices at Philadelphia is therefore based on the railroad carload rate. On the other hand, it is not customary for carlots of lettuce to be received at Atlantic City, New Jersey. Intermediate sellers in Atlantic City customarily purchase lettuce in less-than-carlot quantities from carlot receivers in Philadelphia and transport it to Atlantic City by truck or rail. The freight factor to be used in determining prices at Atlantic City, therefore, would be the Philadelphia freight factor, as determined above, plus the cost at the customary truck rate or rail rate (whichever is the cheapest customary and generally available method from Philadelphia to Atlantic City).

However, in the event a carlot or truckIot is sold by a country shipper on a delivered basis direct to a wholesale receiving point in a secondary market the seller's maximum price shall be figured direct to that wholesale receiving point. In the example above, a carlot or truckIot of lettuce sold directly to a wholesaler at Atlantic City would be priced on the basis of the railroad carload rate from the basing point to Atlantic City.

Regional Directors of the Office of Price Administration, and such district officers as they in turn may authorize, shall determine the cheapest method of transportation which is customary and generally available from the basing point or shipping point to each wholesale receiving point within their jurisdiction, and shall figure the freight to be used in determining maximum prices at each wholesale receiving point in markets within their jurisdiction.

8. Appendix H in section 15 is amended in the following respects:

a. The first sentence of paragraph (a) is amended to read as follows:

This appendix establishes maximum prices for certain sales of spinach, snap beans (green and wax), carrots, green peas, eggplant, sweet peppers, cucumbers, cabbage, lettuce, sweet potatoes, black raspberries, red raspberries, dewberries, watermelons, cantaloupes and other melons, red sour cherries, and such other fresh fruits and vegetables as may later be added.

b. The phrase "for California-Arizona carrots," in footnote 1 to Table 1 is deleted.

c. Footnote 1 to Table 9 in paragraph (b) is deleted.

d. Column 4 of Table 14 in paragraph (b) is amended to read as follows:

Col. 4
Season
July 16–Sept. 10
Sept. 11–Sept. 25
Sept. 26–Nov. 10
Nov. 11–Nov. 25
Nov. 26–Feb. 10
Feb. 11—Mar. 10
Mar. 11–Apr. 10
Apr. 11–May 10
May 11–July 15

e. The heading of the table in paragraph (c) is amended to read as follows:

TABLE OF MAXIMUM MARKUPS TO BE ADDED TO THE APPLIANCE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

[See columns 5 and 6 of tables in paragraph (b)]

f. Subparagraph (1) is added to paragraph (b) to read as follows:

(1) For sales of listed commodities covered by this appendix made f. o. b. shipping point by growers or country shippers, if the seller furnishes precooling, initial icing or refrigeration services in any case, he may charge, in addition to the named f. o. b. shipping point price (see Column 5 of the applicable table in paragraph (b)), for the services furnished not in excess of the lowest of the following: (i) The lowest available common or contract carrier rates for the same services, (2) the amount the seller may charge for such services under Maximum Price Regulation No. 165, or (3) the applicable amount permitted for protective services in the case of sales delivered to any wholesale receiving point. However, in each case the grower or country shipper shall show separately on his invoice the specific nature of the services furnished and the amount charged for the services.

For sales of listed commodities on a delivered basis, the maximum prices named include protective service allowances which cover any precooling, initial icing, refrigeration, or other services.

g. In paragraph (d) (1), the phrase "for precooling, initial icing or refrigeration services in sales f. o. b. shipping point;" is inserted after the phrase "for sales through agents;" in the first sentence following the headnote of subparagraph (1).

h. Paragraphs (d) (2) (i), (e) (3) and (e) (4) are amended by deleting the phrases "the listed commodity", "the listed commodity being priced" and "a listed commodity" wherever they appear and substituting therefor in each case the words "the particular goods being priced".

i. Paragraph (f) is amended by deleting the first sentence immediately following the headnote.

9. Appendix I in section 15 is amended in the following respects:

a. The heading of the table in paragraph (d) is amended to read as follows:

TABLE OF MAXIMUM MARKUPS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE

[See Columns 5 and 6 of tables in paragraph (c)]

b. Paragraphs (e) (2) (i), (f) (3) (ii) and (f) (4) (iii) are amended by deleting the words "kind of" wherever they appear, and substituting therefor in each case the word "particular".

c. Paragraph (e) (2) (i) is amended by deleting the phrase "without packing any part of the particular citrus fruits sold."

d. Paragraph (g) is amended by deleting the first sentence immediately following the headnote.

e. Paragraph (j) is added to read as follows:

(j) *Fractions of a cent*—(1) *Standard containers.* Any maximum price, figured for citrus fruit in a standard container, which contains a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and increased to the nearest higher cent if the fraction is one-half cent or more.

(2) *Non-standard containers and in bulk.* Any maximum price, figured for citrus fruit on a pound basis, shall be carried to the second decimal place of a cent (hundredths of a cent). Any final calculation of a total maximum price applicable to an individual sale which contains a fraction of a cent shall be reduced to the nearest lower cent if the fraction is less than one-half cent and increased to the nearest higher cent if the fraction is one-half cent or more.

10. Appendix J in section 15 is amended in the following respects:

a. In Table B in paragraph (e), footnote designation 1 is added after the word "auction" in Col. 5 and footnote 1 is added to read as follows:

[1] This markup applies not only to sales by primary receivers through auction but also to sales by all persons, other than primary sellers, through terminal auctions (see paragraph (g) (3)).

b. Paragraphs (f) (2) (vi) and (g) (4) (ii) are amended by deleting the words "kind of" wherever they appear and substituting therefor in each case the word "particular".

c. Paragraph (1) is amended by deleting the first sentence immediately following the headnote.

d. Paragraph (1) (2) is amended by deleting the words "carlot or truckIot" and substituting therefor the word "primary."

11. Appendix K in section 15 is amended in the following respects:

a. Footnote designation 4 is added to the heading of Column 5 of Table 1 and footnote 4 is added to read as follows:

[4] No separate charge shall be made for precooling since an allowance for precooling is included in the f. o. b. price (see paragraph (h)).

b. Footnote 3 to Table 2 in paragraph (f) is amended by adding the parenthetical

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[1] 8 F.R. 16409, 16294, 16519, 16423, 17373; 9 F.R. 890, 902, 1561, 3008, 3023, 3091, 3493, 4030, 4036, 4068, 4434, 4786, 4787, 4877, 5998, 5929, 6104, 6108, 6420, 7711, 7259, 7266, 7580, 7425, 7588, 7759, 7774, 7834, 8143, 9066, 9090, 9269, 9356, 9512, 9569, 9633, 9509, 9776, 9896, 9897.

[*] Copies may be obtained from the Office of Price Administration.

cal phrase "(exclusive of precooling)" immediately following the word "furnished".

c. Footnote designation 6 is added to the heading of Column 5 of Table 2 and footnote 6 is added to read as follows:

⁶ No separate charge shall be made for precooling since an allowance for precooling is included in the f. o. b. price (see paragraph (h)).

d. In Table B in paragraph (g), footnote designation 3 is added after the word "auction" in Col. 5 and footnote 3 is added to read as follows:

³ This markup applies not only to sales by primary receivers through auction but also to sales by all persons, other than growers, grower-packers or shipping point distributors, through terminal auctions (see paragraph (m) (3)).

e. Paragraph (r) is amended by deleting the first sentence immediately following the headnote.

12. The effective date provision of Amendment 49 is amended by adding a sentence to read "For apples shipped from the shipping point and actually sold before August 16, 1944, and apples shipped from the shipping point (whether sold or unsold) before August 9, 1944, this amendment shall become effective September 6, 1944.

This amendment shall become effective September 1, 1944.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: August 31, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-13435; Filed, Sept. 1, 1944; 4:20 p. m.]

Chapter XIII—Petroleum Administration for War

[PDO 22 as Amended Sept. 2, 1944]

PART 1543—PETROLEUM PROCESSING, REFINING, AND MARKETING

FUEL OIL

The fulfillment of requirements for the defense of the United States will result in a shortage of aviation gasoline, diesel fuel, motor fuel, gas oil, and other petroleum products for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest to promote the national defense and to provide adequate supplies for military and other essential uses.

§ 1543.2 *Petroleum Distribution Order No. 22, as amended September 2, 1944*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "District Five" means the States of Washington, Oregon, California, Nevada, and Arizona, and the territories of Alaska and Hawaii.

(3) "Fuel oil" means residual oil, heavy crude oil, or either of these materials blended with a gas oil, when such oils are to be burned as fuel, and includes light domestic fuel, bunker grade fuel and industrial fuel, and railroad and heavy industrial fuel, as herein defined.

(4) "Light domestic fuel" means any fuel oil having a viscosity not above 60 Saybolt Seconds Furol at 122° F.

(5) "Bunker grade fuel and industrial fuel" means any fuel oil having a viscosity above 60 and not above 150 Saybolt Seconds Furol at 122° F.

(6) "Railroad and heavy industrial fuel" means any fuel oil having a viscosity above 150 Saybolt Seconds Furol at 122° F., all fuel oil used by railroads in steam locomotives and steam plants, and all fuel oil used by industrial plants wherein a fuel oil having a viscosity above 150 Saybolt Seconds Furol at 122° F. is usable.

(7) "Furnace oil" means any distillate which is to be burned for heating purposes, except Pacific Specification 100 (stove oil) and lower viscosity fuels.

(8) "Non-military use" means the use of fuel oil other than by the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, United States Maritime Commission, Foreign Economic Administration, and the vessels and military forces of the United Nations.

(b) *Specifications for fuel oil.* No person in District Five shall, for non-military use, manufacture or deliver:

(1) Furnace oil of a viscosity below 35 Saybolt Seconds Universal at 100° F.

(2) Light domestic fuel of a viscosity below 35 Saybolt Seconds Furol at 122° F.: *Provided*, That light domestic fuel of a viscosity of not less than 27 Saybolt Seconds Furol at 122° F. may be manufactured and delivered for non-military use in Los Angeles County, California.

(3) Bunker grade fuel and industrial fuel of a viscosity below 140 Saybolt Seconds Furol at 122° F.: *Provided*, That bunker grade fuel and industrial fuel of a viscosity of not less than 95 Saybolt Seconds Furol at 122° F. may be manufactured and delivered for non-military use in the States of Oregon and Washington, and in the Territory of Alaska.

(4) Railroad and heavy industrial fuel of a viscosity below 200 Saybolt Seconds Furol at 122° F.

Provided, That materials which do not meet the above specifications may be manufactured as intermediate products which are thereafter blended to the above specifications prior to delivery from the refinery for non-military use.

(c) *General exception for stocks on hand.* This order shall not apply to fuel oil which on the effective date hereof shall already have been shipped from the refinery.

(d) *Prohibition against changing grades of fuel oil.* No person in District Five shall deliver to any consumer of fuel oil any grade of fuel oil for non-military use which is of lower viscosity than the viscosity prescribed in this order for the grade of fuel oil normally used by such consumer prior to the issuance of this order.

(e) *Applications for specific exceptions.* (1) Any persons affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an application for an exception, setting forth the pertinent facts and reasons why he considers himself entitled to relief. All such applications for exception shall be filed in quadruplicate and shall be addressed to the District Director in Charge, Petroleum Administration for War, 855 Subway Terminal Building, 417 South Hill Street, Los Angeles 13, California.

(2) Any person whose application for exception to this order has been denied in whole or in part may appeal to the Petroleum Administrator for War, Washington, D. C., by filing a letter in triplicate with the District Director in Charge, Petroleum Administration for War, 855 Subway Terminal Building, 417 South Hill Street, Los Angeles 13, California, stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provisions of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(g) *Effective date.* This order shall become effective on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 2d day of September 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-13510; Filed, Sept. 4, 1944; 10:22 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[Gen. Order 11, Corr. to Supp. 4]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTERS FOR TANK VESSELS

Clause 1 of Part II of the *Time Charter for Tank Vessels* as prescribed by § 302.55, published in the FEDERAL REGISTER for Saturday, April 8, 1944, at page 3788 is corrected by striking out the words "sale already" where such words appear in the first sentence of said clause and inserting in lieu thereof the

words "safe ready" so that said first sentence will read as follows:

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct.

Reference heretofore or hereafter made to Part II of the above-mentioned *Time Charter for Tank Vessels* shall be deemed to refer to said Part II as corrected above.

[SEAL] A. J. WILLIAMS, *Secretary.*

SEPTEMBER 1, 1944.

[F. R. Doc. 44-13471; Filed, Sept. 2, 1944; 11:52 a. m.]

[G. O. 8, Supp. 10 (Rev.), Corr. to Amdt. 2]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

REDETERMINATION AND READJUSTMENT OF TIME CHARTER HIRE

In § 302.92 (a) (9 F.R. 10719) the figures "6.80" are corrected to read: "6.50".

[SEAL] A. J. WILLIAMS, *Secretary.*

SEPTEMBER 4, 1944.

[F. R. Doc. 44-13543; Filed, Sept. 4, 1944; 11:23 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Exemption Order ODT 21-2A, Amdt. 2]

PART 521—CONSERVATION OF MOTOR EQUIPMENT—EXCEPTIONS, PERMITS AND EXEMPTIONS

CERTIFICATES OF WAR NECESSITY

Pursuant to Executive Orders 8989, as amended, and 9156, paragraph (a) of § 521.3506 of Exemption Order ODT 21-2A (8 F.R. 7404) is hereby amended to read as follows:

§ 521.3506 *Exemption of certain motor vehicles.* The following described commercial motor vehicles are hereby exempted from the provisions of General Order ODT 21, as amended:

(a) Any rental car hired for a period of time in excess of 30 consecutive days.

This Amendment 2 to Exemption Order ODT 21-2A shall become effective on September 5, 1944.

(Gen. Order ODT 21, as amended, 7 F.R. 7100, 9437, 8 F.R. 2510, 7357, 7880, 9033, 13071, 9 F.R. 7451; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R 3349)

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-13472; Filed, Sept. 2, 1944; 11:48 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket Nos. 1403 and 1496]

PAN AMERICAN-GRACE AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the application of Pan American-Grace Airways, Inc., for amendment to its certificate of public convenience and necessity under section 401 of the Civil Aeronautics Act, as amended, to permit temporary scheduled operations for passengers, property and mail between Chiclayo, Peru and Iquitos, Peru.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on October 2, 1944, at 10 a. m. (eastern war time) in the Foyer, Commerce Auditorium, Commerce Building at 14th Street and Constitution Avenue NW., Washington, D. C., before Examiners Francis W. Brown and James S. Keith.

Dated Washington, D. C., August 31, 1944.

By the Civil Aeronautics Board.

FRED A. TOOMBS, *Secretary.*

[F. R. Doc. 44-13511; Filed, Sept. 4, 1944; 10:24 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-575]

TENNESSEE NATURAL GAS LINES, INC.

NOTICE OF APPLICATION

SEPTEMBER 1, 1944.

Notice is hereby given that on August 30, 1944, Tennessee Natural Gas Lines, Inc., a Delaware corporation, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate approximately 17 miles of 10¾-inch transmission pipe line beginning at a proposed point of connection with the pipe line of Tennessee Gas and Transmission Company near Ashland City, Tennessee, and extending in a southeasterly direction to Nashville, Tennessee.

According to the application, applicant's source of gas supply will be from the Tennessee Gas and Transmission Company. If the proposed facilities are constructed, applicant intends to make natural gas available principally to the City of Nashville, Tennessee.

Any person desiring to be heard or to make any protest with reference to this application should, on or before the 19th day of September, 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-13345; Filed, Sept. 2, 1944; 9:27 a. m.]

[Docket No. G-576]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

SEPTEMBER 1, 1944.

Notice is hereby given that on August 30, 1944, Cities Service Gas Company filed an application with the Federal Power Commission for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, as amended, for authority to construct and operate the following facilities:

(i) 52 miles of 16" pipeline from Applicant's present facilities in the Burbank Field near Shidler, Osage County, Oklahoma, to Applicant's Cotton Valley measuring station, Washington County, Oklahoma.

(ii) 6.4 miles of 16" gas pipeline between Applicant's Altoona 16" line and Vilas 16" line, Wilson County, Kansas.

(iii) A close engine jacket Water System and two Dust Scrubbers at Applicant's Grabham compressing station, Montgomery County, Kansas.

(iv) Two Dust Scrubbers at Applicant's Petrolia compressing station, Allen County, Kansas.

The application states that the aforesaid facilities are required to transport natural gas delivered at applicant's Blackwell station to the east side of applicant's pipe line system in order to meet the increasing demands of applicant's markets due to war production.

Any person desiring to be heard or to make any protest with reference to the aforesaid application should, on or before September 16, 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 44-13346; Filed, Sept. 2, 1944; 9:27 a. m.]

[Docket No. G-440]

UNITED FUEL GAS CO., ET AL.

ORDER POSTPONING HEARING

SEPTEMBER 1, 1944.

In the matter of United Fuel Gas Company, Warfield Natural Gas Company, Cincinnati Gas Transportation Company, and Huntington Development and Gas Company.

It appearing to the Commission that: (a) By order of June 14, 1944, the Commission ordered that a public hearing in the above-docketed matter be held

commencing on September 5, 1944, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(b) Good cause exists for the postponement of the hearing in this matter;

The Commission orders that: (a) The public hearing in the above-docketed matter be and the same is hereby postponed to October 3, 1944, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

At the commencement of such public hearing, pursuant to the provisions of § 50.63 of the provisional rules of practice and regulations under the Natural Gas Act, the Respondents, United Fuel Gas Company, Warfield Natural Gas Company, Cincinnati Gas Transportation Company, and Huntington Development and Gas Company, shall proceed with the presentation of evidence relevant and material to the matters heretofore set forth in the Commission's order of June 14, 1944.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13508; Filed, Sept. 4, 1944; 9:51 a. m.]

[Project No. 469]

MINNESOTA POWER & LIGHT CO.

ORDER POSTPONING HEARING

SEPTEMBER 1, 1944.

It appearing to the Commission that: (a) On July 28, 1944, the Commission entered an order for hearing in the above-entitled matter, to commence September 8, 1944;

(b) On August 16 and 17, 1944, a conference was held between representatives of Minnesota Power & Light Company and members of the staff of the Commission with respect to the actual legitimate original cost of said project, as of July 31, 1924, wherein agreement was reached as to such cost, subject to the approval of the Commission;

(c) By order entered August 29, 1944, the Secretary of the Commission was directed to submit the statement of cost of said project, together with the amounts claimed but disallowed as project costs, as agreed upon in the aforesaid conference, to Minnesota Power & Light Company for its acceptance and approval;

The Commission finds that: Good cause exists for the postponement of said hearing; and

The Commission orders that: The hearing heretofore set for September 8, 1944, in the above-entitled matter, be and the same hereby is postponed subject to the further order of the Commission.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13509; Filed, Sept. 4, 1944; 9:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 469]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 26, 1944, by La Mantia Brothers, Arrigo, of car PFE 41034, cantaloupes, now on the C&NW, Morgan St., to Shippers Service Company, Detroit, Michigan, via Wabash.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13426; Filed, Sept. 1, 1944; 3:58 p. m.]

[S. O. 70-A, Special Permit 470]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, August 28, 1944, by L. S. Taube Company of car MDT 146333, potatoes, now on the CB&Q to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13427; Filed, Sept. 1, 1944; 3:58 p. m.]

[S. O. 70-A, Special Permit 471]

RECONSIGNMENT OF SWEET POTATOES AND PEARS AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, August 28, 1944, by E. B. Fadler & Company, of car PFE 26270, sweet potatoes, now on the Kansas City Southern Railroad, to M. J. Steffenson & Son, Omaha, Nebraska (Burlington); and of car PFE 96736, pears, now on the Union Pacific Railroad, to Fadler Produce Company, Pittsburg, Kansas (Frisco.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13428; Filed, Sept. 1, 1944; 3:58 p. m.]

[S. O. 200, 5th Amended Gen. Permit 13]

REICING OF POTATOES FROM COLORADO AND WYOMING

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point or points in the States of Colorado, and Wyoming, to reice in transit one time only and to accord the reicing at stations designated by shippers or, at the carriers' option, at the first reicing station on either side of such designated station.

This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., September 1, 1944, and shall expire at 12:01 a. m., October 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13429; Filed, Sept. 1, 1944; 3:58 p. m.]

[2d Rev. S. O. 224, Special Permit 8]

REICING OF MELONS AND PEARS AT SAN FRANCISCO AND STOCKTON, CALIF.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Service Order No. 224 of August 24, 1944 (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 224 insofar as it applies to the reicing, one time only, to full bunker capacity, August 26 or 27, 1944, as ordered by Quartermaster Marketing Center, San Francisco, California, of 32 refrigerator cars consisting of 13 cars honey dew melons, 6 cars cantaloupes, 6 cars Bartlett pears, 7 cars Casaba melons, all at Bay Shore Yards on the Southern Pacific Company, and 2 cars Bartlett pears at Military Hold Yards, Stockton, California, on the Western Pacific Railroad, all the above consigned to Port Transportation Officer, San Francisco Port of Embarkation, Fort Mason for the Property Officer, San Francisco Quarter Master Corps, c/o Pier 24, for export; account ship delayed and additional ice needed to keep fruit in best condition for movement abroad.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13430; Filed, Sept. 1, 1944; 3:58 p. m.]

[Rev. S. O. 226, Special Permit 3]

REICING OF CARROTS AT PEORIA, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (9 F.R. 10649) of Service Order No. 226 of August 24, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reiop ice, one time only, at Peoria, Illinois, (T.P.&W.RR) August 25, 1944, with not to exceed twenty-five thousand (25,000) pounds of ice, as ordered by Mefford Brothers Fruit Company, car FGEX 51305, carrots, originating in California, August 17, 1944, consigned to Sales Officer, U. S. Navy, Norfolk, Virginia (SP-RI-TP&W-Big 4-NYC.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13431; Filed, Sept. 1, 1944; 3:58 p. m.]

[S. O. 70-A, Special Permit 472]

RECONSIGNMENT OF CAR AT DELAWARE, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 29, 1944, by National Produce Company of car WFE 61048, now on the Wood Street Terminal, to Dinovo Brothers, Delaware, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13531; Filed, Sept. 4, 1944; 11:06 a. m.]

[S. O. 70-A, Special Permit 473]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 29, 1944, by Gianukos Demos Company, of car SFRD 23797, cantaloupes, now on the Alton Railroad, to Degaro Company, Cincinnati, Ohio (C&O).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13532; Filed, Sept. 4, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 474]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 29, 1944, by Chicago Tomato Company, of car PFE 62515, cantaloupes, now on the Wabash Railroad, to Sawyer and Company, Boston, Mass. (Erie).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by

filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13533; Filed, Sept. 4, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 475]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, August 30, 1944, by C. W. Lingenfelter of car URT 6503, peaches, now on the Missouri Pacific Railroad, to Vernon Vaughan, Houston, Texas (Mo. Pac.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13534; Filed, Sept. 4, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 476]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, August 30, 1944, by C. W. Lingenfelter, of car URTX 8921, peaches, now on the Missouri Pacific to G. B. Hall Wholesale Company, Monett, Missouri (Frisco.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13535; Filed, Sept. 4, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 477]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 31, 1944, by Bacon Bros. of cars of potatoes, now on the Chicago and North Western Railway (Wood Street).

NRC 3042 to Endsley Produce Co., Robinson, Ill. (B/4).

NWX 1297 to J. C. Broub, Seymour, Ind. (CMSt.P&P).

URT 9071 to Helman Co., Terre Haute, Ind. (C&EI).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13536; Filed, Sept. 4, 1944; 11:09 a. m.]

[S. O. 70-A, Special Permit 479]

RECONSIGNMENT OF HONEYDEW MELONS AT PITTSBURGH, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Pittsburgh, Pennsylvania, August 31, 1944, by O'Donnell Fruit Company of car PFE 52161, honeydew melons, now on the Pennsylvania Railroad, to Colley Woods Company, Boston, Massachusetts (P.R.R.-N.Y.,N.H.&H.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13537; Filed, Sept. 4, 1944; 11:09 a. m.]

[S. O. 200, Amended Gen. Permit 8]

REICING OF POTATOES FROM WASHINGTON

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes in the State of Washington, to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River, at stations designated by shippers or, at carriers' option, at the first icing station west or east of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective 12:01 a. m., September 1, 1944, and shall expire at 12:01 a. m., October 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13538; Filed, Sept. 4, 1944; 11:10 a. m.]

[S. O. 200, Amended Gen. Permit 9]

REICING OF POTATOES FROM IDAHO OR OREGON

Pursuant to the authority vested in me by paragraph (e) of the first ordering

paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

Subject to the Exception shown below, to disregard the provisions of Service Order No. 200 insofar as it applies to the reicing in transit of any refrigerator car loaded with potatoes, other than sweet, originating at any point or points located in Idaho groups B or C, or in Oregon group B, as defined in Items 1013 and 1043, respectively, of National Perishable Freight Committee's Perishable Protective Tariff No. 13, Agent J. J. Quinn's I. C. C. No. 22, supplements thereto or reissues thereof, when subject to compulsory billing and modified refrigeration service provided in Rule No. 200, paragraph K, of the above named tariff, supplements thereto or reissues thereof.

Exception: Such reicing by the Union Pacific Railroad on such cars moving east of Granger, Wyoming, on that line, may be accorded only at Denver, Colorado, Council Bluffs, Iowa, Kansas City, Kansas, or Omaha, Nebraska.

This general permit shall become effective at 12:01 a. m. September 1, 1944, and shall apply only to cars billed on and after that date; and shall expire at 12:01 a. m., October 2, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register .

Issued at Washington, D. C., this 30th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13539; Filed, Sept. 4, 1944; 11:10 a. m.]

[2d Rev. S. O. 224, Gen. Permit 2]

ICING OF FRUITS AND MELONS AT ARIZONA OR CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (9 F.R. 10429) of Second Revised Service Order No. 224 of August 24, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing of refrigerator cars loaded with citrus fruits, deciduous fruits or melons, originating at origins located in the States of Arizona or California.

This general permit shall become effective at 12:01 a. m., September 1, 1944, and shall apply only to cars on and after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13540; Filed. Sept. 4, 1944; 11:10 a. m.]

[2d Rev. S. O. 224, Special Permit 4]

REFRIGERATION OF PRUNES AT MILTON, OREG.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (9 F.R. 10429) of Second Revised Service Order No. 224 of August 24, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the according of standard refrigeration to full bunker capacity on car NADX 12990, prunes, shipped by Stadelman Fruit Company from Milton, Oregon, consigned to H. Schnell, New York, New York, (U. P. to Kansas City, Mo. Pac. to St. Louis, Wabash to Huntington, Indiana, Erie beyond).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13541; Filed, Sept. 4, 1944; 11:10 a. m.]

[S. O. 184, Amdt. 5]

REQUIREMENTS CONCERNING BILL OF LADING FOR CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of September A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924; 9 F.R. 3594, 9 F.R. 4442; 9 F.R. 9295) and good cause appearing therefor:

It is ordered, That Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 C.F.R. § 95.333, as amended, be further amended by striking from the last ordering paragraph, as amended, the clause "That this order shall become effective at 7:00 a. m., September 9, 1944"; and by inserting in lieu thereof the following clause "That this order shall become effective at 7:00 a. m., November 9, 1944:". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 7:00 a. m., September 9, 1944; that a copy of this order and direction shall be served upon each state railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13528; Filed, Sept. 4, 1944; 11:08 a. m.]

[S. O. 228]

UNLOADING OF BEER AT LOS ANGELES, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of September A. D. 1944.

It appearing, That car PFE 20892, containing beer, at Los Angeles, California, on the Union Pacific Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

Beer at Los Angeles, California, be unloaded. (a) The Union Pacific Railroad Company, its agents or employees, shall unload forthwith car PFE 20892, containing beer, at Los Angeles, California, consigned to order of shipper, Manhattan Distributors, Inc., notify Merchants Wholesale Liquor Company.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of beer has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Union Pacific Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.,

and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-13529; Filed, Sept. 4, 1944; 11:08 a. m.]

[S. O. 229]

FURNISHING OF COAL CARS BY READING CO. AT MINE OF PHOENIX COAL CO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of September A. D. 1944.

It appearing, that by petition dated August 29, 1944, from the Assistant Deputy Solid Fuels Administrator, Solid Fuels Administration for War, to the Director, Office of Defense Transportation, the Assistant Deputy recited that on July 24, 1944, the Solid Fuels Administration for War wrote the Phoenix Coal Company, Llewellyn, Pennsylvania, prohibiting "shipments of chestnut, pea, buckwheat and rice anthracite with an ash content exceeding that prescribed in Solid Fuels Administration for War Regulation No. 9 (8 F.R. 15560) produced at (the) Phoenix breaker * * * on and after six days from the date of * * * (that) letter * * *"; that the Solid Fuels Administration for War advises further that directions will be issued to retail dealers prohibiting their receipt of coal from this mine with an ash content in excess of that prescribed in such regulation; that this action will result in detention of cars at destination for unloading or other disposition and is a waste of cars and transportation; Solid Fuels Administration requests the Director of the Office of Defense Transportation, and the Director of that office has requested this Commission to prohibit the furnishing, supplying or placing of coal cars at the mine of the Phoenix Coal Company, Llewellyn, Pennsylvania; in the opinion of the Commission an emergency exists requiring immediate action.

It is ordered, That, the Reading Company shall not furnish, supply or place coal cars at the mine of the Phoenix Coal Company, at Llewellyn, Pennsylvania, for chestnut, pea, buckwheat and rice anthracite coal loading. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., September 6, 1944, and shall remain in force until further order of the Commission; that a copy of this order and direction shall be served upon the Reading Company, upon the Pennsylvania Public Utility Commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-13530; Filed, Sept. 4, 1944; 11:08 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 126, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WICHITA, KANS., AND PONCA CITY, OKLA.

Upon consideration of a petition to substitute Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Lines, as a party to Supplementary Order ODT 3, Revised-126 (8 F.R. 16568), and good cause appearing therefor; *It is hereby ordered*, That:

1. Supplementary Order ODT 3, Revised-126 be, and it hereby is, amended by substituting Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Lines, and

2. Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, on and after the effective date of this amendment, shall perform, subject to the provisions of said order, the functions of Benjamin Cain, doing business as Cain's Truck Lines, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective September 5, 1944.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-13475; Filed, Sept. 2, 1944; 11:49 a. m.]

[Supp. Order ODT 3, Rev. 127, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WICHITA AND EL DORADO, KANS.

Upon consideration of a petition to substitute Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Lines, as a party to Supplementary Order ODT 3, Revised-127 (8 F.R. 16568), and good cause appearing therefor; *It is hereby ordered*, That:

1. Supplementary Order ODT 3, Revised-127 be, and it hereby is, amended by substituting Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Lines, and

2. Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, on and after the effective date of this amendment, shall perform, subject to the provisions of said order, the functions of Benjamin Cain, doing business as Cain's Truck Lines, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective September 5, 1944.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-13473; Filed, Sept. 2, 1944; 11:49 a. m.]

[Supp. Order ODT 3, Rev. 134, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN FRANKFORT AND LOUISVILLE, KY.

Upon consideration of a petition for the amendment of Supplementary Order ODT 3, Revised-134 (8 F.R. 17441), filed with the office of Defense Transportation by the parties subject thereto, and good cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-134 be, and it hereby is, amended by adding in Appendixes 1 and 2 thereto Albert Gatewood and Gavin Tandy, doing business as Claxon Truck Line, Frankfort, Kentucky, as a party subject to said order and as a participant in the plant for joint action effectuated by, and made a part of, that order.

This amendment shall become effective September 5, 1944.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-13476; Filed, Sept. 2, 1944; 11:49 a. m.]

[Supp. Order ODT 3, Rev. 303]

COMMON CARRIERS

COORDINATED OPERATIONS IN CALIFORNIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and pur-

poses of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

G. L. Moser, doing business as Lloyd Moser Transportation Co., 590 Bryant Street, San Francisco, Calif.

Glenn R. Baxley, doing business as Blue Line Truck Service, 474 Valencia Street, San Francisco, Calif.

J. Freitas, doing business as J. Freitas Transfer & Drayage Co., 840 12th Street, San Francisco, Calif.

Leslie C. George, 1986 Silver Avenue, San Francisco, Calif.

[F. R. Doc. 44-13478; Filed, Sept. 2, 1944; 11:49 a. m.]

[Supp. Order ODT 3, Rev. 305]

COMMON CARRIERS

COORDINATED OPERATIONS IN NORTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F. R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed

[1] Filed as part of the original document.

pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plant for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

D. J. Thurston, Jr., doing business as Thurston Motor Lines, Pender Street Extended, Wilson, N. C.

Carolina Transportation Company (a corporation) (Lessee and Operator of L. Russell Stallings, Mrs. N. H. Stallings and John L. Barbee, doing business as Stallings Transfer Service), Raleigh, N. C.

[F. R. Doc. 44-13479; Filed, Sept. 2, 1944; 11:50 a. m.]

[Supp. Order ODT 3, Rev. 306]

COMMON CARRIERS

COORDINATED OPERATIONS IN MICHIGAN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2[1], and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportatoin of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Arvilla Werner and Carlos M. Dunn, doing business as Werner & Dunn Trucking Co., 134 Bentley Street, Lapeer, Mich.

Earl C. Smith, Inc., 1424 Fourth Street, Port Huron, Mich.

[F. R. Doc. 44-13480; Filed, Sept. 2, 1944; 11:50 a. m.]

[Supp. Order ODT 3, Rev. 307]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHARLOTTE AND STATESVILLE, N. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Smith's Transfer Corporation, 327 West Avenue, Lenoir, N. C.

Frederickson Motor Express Corporation, 2109 Hutchison Avenue, Charlotte, N. C.

[F. R. Doc. 44-13481; Filed, Sept. 2, 1944; 11:50 a. m.]

[Supp. Order ODT 3, Rev. 308]

COMMON CARRIERS

COORDINATED OPERATIONS IN KENTUCKY AND TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transpor-

[1] Filed as part of the original document.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

tation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hoover Motor Express Company, Inc., 414 Fifth Ave., So., Nashville, Tenn.

Gid's Motor Express (a corporation), Tompkinsville, Ky.

[F. R. Doc. 44-13482; Filed, Sept. 2, 1944, 11:50 a. m.]

[Supp. Order ODT 3, Rev. 309]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LITTLE ROCK AND FORT SMITH, ARK.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778.) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Keystone Freight Lines (a corporation), 1522 East 5th Place, Tulsa, Okla.

Harvey Jones, doing business as Jones Truck Line, Springdale, Ark.

[F. R. Doc. 44-13483; Filed, Sept. 2, 1944; 11:51 a. m.]

[Supp. Order ODT 9, Rev. 310]

COMMON CARRIERS

COORDINATED OPERATIONS IN ARIZONA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges,

[1] Filed as part of the original document.

operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Tucson Warehouse & Transfer Company (a corporation), 110 East 6th Street, Tucson, Ariz.

Citizens Transfer & Storage Co., Inc., 44 West 6th Street, Tucson, Ariz.

G. L. Gibbons, doing business as Lightning Delivery and Transfer Service, 2 East 6th Street, Tucson, Ariz.

Fermin R. Montiel, doing business as Ralph's Transfer, 657 West St. Marys Road, Tucson, Ariz.

C. R. Dusenberry, doing business as City Transfer Co., 721 North 3d Avenue, Tucson, Ariz.

Ben A. Wilson, Administrator of the estate of Joseph L. Wilson, doing business as Terminal Transfer, 302 South Park Avenue, Tucson, Ariz.

[F. R. Doc. 44-13484; Filed, Sept. 2, 1944; 11:51 a. m.]

[Supp. Order ODT 6A-43]

COMMON CARRIERS

COORDINATED OPERATIONS IN DETROIT, MICH., AREA

Coordinated operations within an area comprised of Detroit, Michigan, and a zone extending twenty-five air miles from the boundaries thereof.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-43" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

[1] Filed as part of the original document.

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Joseph A. Smith, doing business as Exhibitors Truck Service, 2310 Cass Avenue, Detroit, Mich.
2. Film Truck Service (a corporation), 1006 Fox Theatre Building, Detroit, Mich.
3. G. E. Leveque, doing business as Cinema Service, 2540 Cass Avenue, Detroit, Mich.
4. Gordon Roe, Owendale, Mich.
5. H. C. Craven, doing business as Exhibitors Service, 2310 Cass Avenue, Detroit, Mich.

[F. R. Doc. 44-13486; Filed, Sept. 2, 1944; 11:52 a. m.]

[Supp. Order ODT 6A-44]

COMMON CARRIERS

COORDINATED OPERATIONS IN SIOUX CITY, IOWA, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-44" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Bekins Van & Storage Company (a corporation), Fifth and Wesley Streets, Sioux City, Iowa.

Brady Transfer & Storage Company (a corporation), Fort Dodge, Iowa.

Hi-Speed Motor Express, Inc., 201 Iowa Street, Sioux City, Iowa.

Holdcroft Transportation Company (a corporation), Chicago, Ill.

F. McManigal, doing business as Mack's Delivery Service, Sioux City, Iowa.

Carl Propeck, doing business as Propeck's Transfer, 309 Water Street, Sioux City, Iowa.

Rosenthal Transfer & Storage, Inc., 914 Fourth Street, Sioux City, Iowa.

Sioux Transportation Co. (a corporation), 310 Jennings Street, Sioux City, Iowa.

Harold F. Stephens, doing business as, Stephens Transfer Co., 310 Water Street, Sioux City, Iowa.

Ralph L. Towns, doing business as Towns Transfer, Sioux City, Iowa.

W. R. Towns, doing business as Towns-Chapman, 309 Jones Street, Sioux City, Iowa.

Union Transfer Co. (a corporation), doing business as Union Freightways, 720 Leavenworth Street, Omaha, Nebr.

N. W. Aalfs and Joe Burbach, doing business as Union Truck Depot, 308 Jennings Street, Sioux City, Iowa.

Watson Bros. Transportation Co., Inc., 802 South 14th Street, Omaha, Nebr.

Leo Wilson and Lillian M. Wilson, doing business as Wilson Van Lines, Sioux City, Iowa.

Wilson Storage & Transfer Co. (a corporation), Sioux Falls, S. Dak.

[F. R. Doc. 44-13487; Filed, Sept. 2, 1944; 11:52 a. m.]

[Supp. Order ODT 20A-172]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATION IN JUNCTION CITY, KANS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F. R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Junction City, Kansas, so as to assure maximum utilization of their facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessarry traffic, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence.

[1] Filed as part of the original document.

The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Topeka, Kansas, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–172" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Topeka, Kansas.

8. This order shall become effective September 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Bell Taxi, 108 E. 6th, Junction City, Kans.
Dime-N-Taxi, 124 N. 9th, Junction City, Kans.

[F. R. Doc. 44–13474; Filed, Sept. 2, 1944; 11:48 a. m.]

[Supp. Order ODT 3, Rev. 239, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS IN NEBRASKA

NOTE: Amendment 1 to Supplementary Order ODT 3, Revised–239, amending Appendix 2, was filed with the Division of the Federal Register September 2, 1944, 11:48 a. m. as F. R. Doc. 44–13477.

[Supp. Order ODT 3, Rev. 312]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA, GA., AND GREENVILLE, S. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 9, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Akers Motor Lines, Inc. (lessee and operator of Gettys Transfer Co.) Gastonia, N. C.
Great Southern Trucking Co., 1863 Clarkson Street, Jacksonville, Fla.

[F. R. Doc. 44–13485; Filed, Sept. 2, 1944; 11:51 a. m.]

OFFICE OF ECONOMIC STABILIZATION.

[Directive, Aug. 26, 1944]

DAIRY PRODUCTION, 1944

PAYMENTS IN DROUGHT AREAS

The War Food Administrator having submitted certain information and recommendations to me on August 4 and

[1] Filed as part of the original document.

August 26, 1944, with reference to a program for dairy production payments in drought areas during the period August 5, 1944, to March 31, 1945, it is hereby found and determined that the purposes of the hold-the-line order, specifically, the policy established by Executive Orders 9250 and 9328 (3 CFR Cum. Supp., pp. 1213, 1267) will be effectuated by the making of payments to equalize, to the extent necessary, the excess costs incurred by dairy farmers who are forced to produce under winter conditions because of drought.

The War Food Administrator is, therefore, hereby authorized and directed to absorb, during the period August 5, 1944, through March 31, 1945, by the use of Commodity Credit Corporation funds, the aforesaid excess costs incurred by dairy farmers who are forced to produce under winter conditions because of drought. Such drought payments shall be in addition to payments made under the WFA Dairy Production Payments Program.

Effective date: August 5, 1944. Issued this 26th day of August 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-13488; Filed, Sept. 2, 1944; 2:19 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Maximum Import Price Reg., Order 39]

BRAZILIAN QUARTZ CRYSTAL

ADJUSTMENT OF MAXIMUM PRICES

Order No. 39 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328 it is ordered:

(a) *What this order does.* This order permits importers of Brazilian quartz crystal, until October 15, 1944, to make delivery of Brazilian quartz crystal, purchased prior to July 6, 1944, at prices higher than might properly be charged under the Maximum Import Price Regulation.

(b) *Maximum prices for Brazilian quartz crystal purchased by the importer prior to July 6, 1944.* Notwithstanding the provisions of the Maximum Import Price Regulation, any importer who purchased Brazilian quartz crystal from the foreign seller before July 6, 1944, may sell and deliver to industrial users (and industrial users may buy and receive) such Brazilian quartz crystal, for use in performance of a Federal Government contract or subcontract: *Provided*, That delivery is made by October 15, 1944 and that the reports required by paragraph (c) are filed, at prices not higher than the following:

(1) If the quartz crystal was contracted to be sold by the importer to the industrial user prior to July 6, 1944, the maximum price shall be the contract price, if one was stated.

(2) If the quartz crystal was not contracted to be sold by the importer to the industrial user prior to July 6, 1944 or if no contract price was stated, the maximum price shall be the highest price charged, offered or quoted by the importer to the same class of purchaser for the same grade and size of quartz crystal, during the 30 days next preceding July 6, 1944.

(c) *Filing of reports.* (1) The importer shall, within 10 days from the effective date of this order, file with the Export-Import Price Branch of the Office of Price Administration, Washington, D. C., a certified statement containing the following:

(i) Inventory of imported quartz crystal, by size and grade, on hand July 6, 1944.

(ii) List of purchase contracts entered into prior to July 6, 1944, on which delivery of quartz crystal had not been completed on July 6, 1944, showing the date of contract, name and address of foreign seller, quantity and description of quartz crystal covered by purchase contract, price paid to foreign seller and estimated total landed costs.

(iii) Prices paid to foreign sellers during 30-day period prior to August 20, 1943. If no purchases were made during the period, prices paid on last purchase prior to that period.

(iv) Prices charged, offered or quoted during 30-day period prior to July 6, 1944.

(2) The importer, on or before October 31, 1944 shall file with the Export-Import Price Branch of the Office of Price Administration, Washington, D. C., a statement of all sales of Brazilian quartz crystal for period July 6, 1944 to October 15, 1944 made pursuant to this order to industrial users, showing the date of sale, the name and address of purchasers, quantity and description of quartz crystal sold and prices charged.

(3) The reports required under this order are in lieu of the reports required under the Maximum Import Price Regulation.

(d) *Discounts, credit terms and transportation charges.* The importer shall apply to the maximum prices established herein the same discounts, credit terms and practices relating to the payment of freight charges on sales of imported quartz crystal which he used during the 30-day period next preceding July 6, 1944.

(e) *Brokers' or agents' commissions.* Maximum prices established in this order may not be increased by any commission paid any broker or to any buying or selling agent unless such commission was paid during the 30-day period prior to July 6, 1944.

(f) *Definitions.* The terms used herein shall have the same meaning as like terms used in the Maximum Import Price Regulation.

(g) *Invoices.* Every seller making sales of imported quartz crystal under this order shall include on each invoice the following statement:

The invoiced quartz crystal are sold to you at prices established under Order No. 39 issued under section 21 of the Maximum Import Price Regulation. Copy of said order may be obtained from the Export-Import Price Branch of the Office of Price Administration, Washington, D. C.

(h) *Effective date.* This order shall become effective September 2, 1944.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13443; Filed, Sept. 1, 1944; 4:20 p. m.]

	Size groups										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	J	J	H	H	H	H	J	J	J		
Rail shipment	285	260	270	270	270	260	235	235	225		
Truck shipment	425	425	425	385	375	375	375	325	290	290	255
Railroad fuel	260	290	360	360	300	275	235	235	235	235	

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for all rail shipment and for roalroad fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

[MPR 120, Order 952]

KAY DOT COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 952 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Kay Dot Coal Company.

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Kay Dot No. 1 Mine of the Kay-Dot Coal Company located in Washington County, Pennsylvania in Subdistrict No. 7, District No. 2, operating in the Pittsburgh Seam, is hereby assigned Mine Index No. 4136 and classified in Railroad Fuel Price Group No. 2, and in Maximum Truck Price Group No. 6.

(b) Coals produced at the Kay Dot No. 1 Mine, Mine Index No. 4136 of the Kay Dot Coal Company, located in Washington County, Pennsylvania in Subdistrict No. 7, District No. 2 for the uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices in cents not exceeding the following:

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective September 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13441; Filed, Sept. 1, 1944; 4:21 p. m.]

[MPR 120, Order 953]

L. H. AND J. W. BORGMAN, INC., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 953 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

L. H. AND J. W. BORGMAN, INC., R. 4, TUNNELTON, W. VA., MT. VIEW MINE, M. V. FREEPORT (UPPER FREEPORT) SEAM, MINE INDEX NO. 2020, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT: HOWESVILLE, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.				
	1	2	3	4	5
Price classification	J	J	J	J	J
Rail shipment and railroad fuel	300	300	290	285	285
Truck shipment	310	310	285	275	265

CHRISTOPHER NATIONAL COAL CO., MORGANTOWN, W. VA., NATIONAL MINE INDEX 2031 MINE, SEWICKLEY SEAM, MINE INDEX NO. 2031, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: NATIONAL, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.				
	1	2	3	4	5
Price classification	J	J	J	J	J
Rail shipment and railroad fuel	260	260	250	245	230
Truck shipment	265	260	255	245	235

MON-VALLEY COAL AND LUMBER CO., LOCK DRAWER 676, MORGANTOWN, W. VA., MON MINE, PITTSBURGH SEAM, MINE INDEX NO. 2036, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: NEAR, MAIDSVILLE, W. VA., MAXIMUM TRUCK PRICE GROUP NO. 3.

	F	F	F	F	F
Price classification					
Rail shipment and railroad fuel	275	275	260	250	240
Truck shipment	310	310	285	275	265

SUNCREST COAL CORPORATION, FAIRMONT, W. VA., MINE NO. 34 B MINE, PITTSBURGH SEAM, MINE INDEX NO. 2026, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: GALLIHUE, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	F	F	F	F	F
Price classification					
Rail shipment and railroad fuel	275	275	260	250	240
Truck shipment	310	310	285	275	265

NOTE: The size group numbers referred to herein for rail shipments and for railroad fuel are those described in the table of prices in Amendment No. 95 to maximum price regulation No. 120, and for truck shipments, as described in the table of prices in Amendment No. 105 to maximum price regulation No. 120.

This order shall become effective September 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

BANKS COAL CO., SASSAFRAS, KY., BANKS MINE, WHITESBURG SEAM, MINE INDEX NO. 7127, LETCHER COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: WHITESBURG, KY., F. O. G. 100, DEEP MINE MAXIMUM TRUCK PRICE GROUP NO. 5

	Size Group Nos.													
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	300	285	280	280
Truck shipment	380	360	335	335	320	295	260	255						

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13442; Filed, Sept. 1, 1944; 4:21 p. m.]

[MPR 120, Order 959]

BANKS COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 959 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

DEPUE COAL CO., 408 YUSTER BLDG., COLUMBUS, OHIO, KINGS CREEK NO. 1 MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7192, LETCHER COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: ROXANA, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size Group Nos.												
	1	2	3	4	5	6	7	8	9	10	11-12-13	14	15	20-21
Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	300	285	280	280
Truck shipment	280	280	225	225	220	205	200	255						

DEPUE COAL CO., 408 YUSTER BLDG., COLUMBUS, OHIO, KINGS CREEK NO. 2 MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7193, LETCHER COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: ROXANA, KY., F. O. G. 100 DEEP MINE, MAXIMUM TRUCK PRICE NO. 5

Price Classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	300	285	280	280
Truck shipment	280	280	225	225	220	205	200	255						

DEPUE COAL CO., 408 YUSTER BLDG., COLUMBUS, OHIO, KINGS CREEK NO. 3 MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7194, LETCHER COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: ROXANA, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price Classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	300	285	280	280
Truck shipment	280	280	225	225	220	205	200	255						

DEPUE COAL CO., 408 YUSTER BLDG., COLUMBUS, OHIO, KINGS CREEK NO. 4 MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7195, LETCHER COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: ROXANA, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	300	285	280	280
Truck shipment	280	280	225	225	220	205	200	255						

DEPUE COAL CO., 408 YUSTER BLDG., COLUMBUS, OHIO, KINGS CREEK NO. 5 MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7196, LETCHER COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: ROXANA, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	300	285	280	280
Truck shipment	280	280	225	225	220	205	200	255						

DEPUE COAL CO., 408 YUSTER BLDG., COLUMBUS, OHIO, CANNEL COAL MINE, ELKHORN AND CANNEL SEAM, MINE INDEX NO. 223, LETCHER COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: ROXANA, KY., F. O. G. 100, DEEP MINE

Price classification [1]	H	H	H	H	H	H	G	E	G	E	D	J	J	J
Rail shipments and railroad fuel [1]	380	375	300	300	345	335	315	315	315	370	300	295	255	280
Truck shipment [1]	380	360	225	225	220	205	200	255						

[1] Previously established. The listed maximum prices include all adjustments authorized by amendment No. 115, effective Aug. 16, 1944. Cannel coal: For all methods of shipment to all destinations—lump, 435; egg, 385; chips, 335; machine cuttings, 235.

HURTS CREEK COAL CO., HYDEN, KY., HURTS CREEK MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 3731, LESLIE COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: COMBS, KY., F. O. G. 100

Price classification	K	K	K	K	J	J	H	G	E	G	D	K	K	K
Rail shipments and railroad fuel	380	375	365	365	360	330	330	325	325	360	315	300	295	295
Truck shipment [1]	380	360	225	225	220	205	200	255						

[1] Previously established.

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120, effective August 16, 1944.

This order shall become effective September 3, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13466; Filed, Sept. 2, 1944, 11:43 a. m.]

[MPR 188, Order 30 Under Order A-2, Amdt. 2]

LANDEN PUTTY WORKS

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 2 to Order No. 30 under subparagraph (a) (13) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188. Maximum prices for putty manufactured by Landen Putty Works, Malden, Massachusetts, and sold outside of New England.

For the reasons set forth in an opinion issued simultaneously herewith, paragraph (a) (1) of Order No. 30 under paragraph (a) (13) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188 is amended to read as follows:

NET PRICE PER 100 POUNDS F. O. B. BOSTON, MASSACHUSETTS

	100-lb. and 25-lb. steel drums	25-lb. cans	12½-lb. cans	5-lb. cans	1-lb. cans
Glaziers (commercial)	$2.45	$2.95	$3.10	$3.45	$4.95
Glaziers 5% white lead	3.20	3.70	3.85	4.20	5.70
Glaziers 20% white lead	4.25	4.75	4.90	5.25	6.75
Strictly pure linseed oil (meets Federal Spec. TT-P-791a Type I)	4.25	4.85	5.00	5.35	6.85
Strictly pure linseed oil 5% white lead	4.35	5.35	5.50	5.85	7.35
Strictly pure linseed oil 10% white lead (meets Federal Spec. TT-P-791a Type II)	5.35	5.85	6.00	6.35	7.85
Strictly pure 20% white lead	6.20	6.70	6.85	7.20	8.70
Factory steel sash (for interior glazing)	3.80	4.00	4.15	4.50	----
Master plumbers (same as commercial)	2.45	2.95	3.10	3.45	4.95

This amendment shall become effective September 4, 1944.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13457; Filed, Sept. 2, 1944; 11:42 a. m.]

[MPR 188, Rev. Order 869]

MEMPHIS FURNITURE MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 869 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturer's maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a high chair and play yard manufactured by Memphis Furniture Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. 869 is revised and amended to read as set forth herein:

(a) This revised order establishes maximum prices for sales and deliveries of a high chair and a play yard manufactured by Memphis Furniture Manufacturing Company, Memphis, Tennessee.

1 (i) For all sales and deliveries by the manufacturer to retailers, and to persons other than retailers who resell the article, the maximum prices are those set forth below:

Article	Model No.	Maximum price to retailers
		Each
High chair	0595	5.00
Play yard	127	5.80

These prices are for the articles described in the manufacturer's applications dated August 22, 1943, which were completed October 13, 1943.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by this order for such resale. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 3d day of September 1944.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13469; Filed, Sept. 2, 1944; 11:43 a. m.]

[MPR 188, Order 2225]

EASTERN FURNITURE MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2225 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a high chair and a nursery chair manufactured by Eastern Furniture Manufacturing Company.

Article	Model No.	Maximum price to persons who sell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
High chair	0595	4.25	5.00
Play yard	127	4.93	5.80

These prices are f. o. b. factory, and are for the articles described in the manufacturer's applications dated August 22, 1943 which were completed October 13, 1943.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for these sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons other than the manufacturer, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
High chair	0595	5.00
Play yard	127	5.80

These prices are for the articles described in the manufacturer's applications dated August 22, 1943, which were completed October 13, 1943.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 3, 1944.

Issued this 2d day of September 1944.

JAMES G. ROGERS,
Acting Administrator.

[F. R. Doc. 44-13470; Filed, Sept. 2, 1944; 11:43 a. m.]

[FPR 2, Order 2 to Supp. 3]

BARLEY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of section 11 (b) (3) of Supplement No. 3 to Food Products Regulation No. 2, *It is hereby ordered*, That:

(a) Base prices for imported malting barley, produced in Canada, imported by rail in carload quantities, shall be as follows:

(1) On track, loaded in cars at Duluth, Minnesota and at Superior, Wisconsin, $1.32½ per bushel, United States dollars.

(2) On track, loaded in cars at all other points of destination in Minnesota and Wisconsin, and at all points of destination in Illinois, shall be calculated as follows: If the transportation charge from the Canadian point of origin to any such destination point exceeds the transportation charge from the point of origin to either of the base points specified in (1) above, the excess shall be added to the above base point price in (1) above; if it is less, the difference shall be deducted.

(b) Whenever it becomes necessary under the provisions of this supplement to adjust the price of such barley according to premiums or discounts provided for barley graded under United States Official Grain Standards, the base prices in (a) above shall be deemed to be for "Standard Grade", or No. 2 Barley having a minimum test weight of 46 pounds. Base prices for other grades and qualities shall be determined by adding to or subtracting from the base price for the "Standard Grade" the premiums and discounts provided in Table I of Appendix A of Supplement No. 3 to Food Products Regulation No. 2, except that no further premium for malting barley may be added.

(c) The base prices established by this order include the import duty; and in calculating the maximum price the importer may not add any duty paid.

(d) The foregoing base prices shall apply only to malting barley as defined

Article	Model No.	Maximum price to retailers	Maximum price to jobbers	Maximum price to mail-order houses
		Each	*Each*	*Each*
High chair	550	$6.20	$5.58	$5.89
Nursery chair	650	2.71	2.44	2.36

These prices are net, f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries, on and after the effective date of this order, to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
High chair	550	$6.20
Nursery chair	650	2.71

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 3, 1944.

Issued this 2d day of September 1944.

JAMES G. ROGERS,
Acting Administrator.

[F. R. Doc. 44-13470; Filed, Sept. 2, 1944; 11:43 a. m.]

in section 5 (b) (2) (i) of Supplement No. 3 to Food Products Regulation No. 2. They may be used by any importer, where applicable, for the entering of any quantity, after the importer has filed a notice of intention to import such quantity through one or more of the points provided for in (a) above. Such notice of intention shall be filed with the Cereals, Feeds and Agricultural Chemicals Branch of the Office of Price Administration, Washington, D. C.

(e) This order may be revoked or amended by the Price Administrator at any time.

NOTE: The base prices established by this order are not maximum prices but are to be used in the determination of the maximum prices that may be paid for imported malting barley, as provided in section 11 (c) of Supplement No. 3 to Food Products Regulation No. 2. If you are an importer the maximum price for the sale of imported malting barley shall be determined pursuant to the provisions of section 11 (d) of Supplement No. 3 to Food Products Regulation No. 2.

This order shall become effective September 1, 1944.

Issued this 1st day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13440; Filed, Sept. 1, 1944; 4:23 p. m.]

[MPR 491, Order 1]

FOREST PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 491. Pressure preservative treatment of forest products and pressure treated forest products. Order authorizing adjustable pricing in sales on specified-length orders.

A petition has been filed by a treating company selling poles and piling subject to MPR 491, seeking amendment of the regulation to restore, in whole or in part, the former allowance of an addition to the maximum price for selection of specified lengths where the material is so ordered by the buyer. Specified-length additions were authorized in the original regulation, but such authority was withdrawn in Amendment 1 to the regulation, effective July 24, 1944.

A meeting with the Industry Advisory Committee was held on August 22, 1944, and further study of the question is being made. Since the regulation is nation-wide in scope, a proper disposition of the question must be based on consideration of price history and industry practices which may vary from one region to another as well as with different species. For that reason some time will be required before final action is taken in the matter.

It has been shown that authorization to use adjustable pricing on sales in specified lengths where so ordered by the buyer, is necessary to promote distribution of pressure-treated poles and piling and that such authorization will be consistent with the purposes of the Emergency Price Control Act of 1942, as amended. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to section 12 of Maximum Price Regulation 491, *It is hereby ordered*, That:

(a) Treating plants subject to MPR 491 may sell and deliver, and any person may buy and receive, pressure-treated poles and piling on orders calling for specified lengths, at prices not over the prevailing ceiling at time of shipment but by agreement between buyer and seller subject to any addition for specified lengths authorized by the Office of Price Administration after delivery.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of permissible additions for specified lengths as hereinbefore described, or upon denial of the petition. It may be revoked or amended by the Administrator at any time.

(c) This order shall become effective September 5, 1944.

Issued this 4th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13554; Filed, Sept. 4, 1944; 11:48 a. m.]

Regional and District Office Orders.

[Region VIII Order G-1 Under MPR 425, Amdt. 1]

FRESH FRUITS, BERRIES AND VEGETABLES IN SAN FRANCISCO REGION

Amendment No. 1 to Order No. G-1 under Maximum Price Regulation 425, as amended. Fresh fruits, berries, and vegetables for processing.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by section 15 (a) of Maximum Price Regulation 425, *It is hereby ordered*, That paragraphs (a), (b), and (c) of Order No. G-1 be amended to read as follows:

(a) *Fees and commissions.* (1) Processors of apples subject to the provisions of Maximum Price Regulation 425, as amended, are hereby authorized to pay to their agents or brokers the usual fees or commissions for services performed in the purchase of apples for processing: *Provided, however*, Such fees or commissions shall not exceed the allowable fees or commissions for such agent or broker determined under the provisions of Maximum Price Regulation No. 165, as amended.

(2) Processors of wild blackberries (Evergreen), subject to the provisions of Maximum Price Regulation 425, as amended, are hereby authorized to pay to their agents or brokers the usual fees or commissions for services performed in the purchase of wild blackberries for processing: *Provided, however*, Such fees or commissions shall not exceed the allowable fees or commissions for such agent or broker determined under the provisions of Maximum Price Regulation No. 165, as amended.

(b) *Applicability.* (1) Paragraph (a) (1) shall apply to Region VIII.

(2) Paragraph (a) (2) shall apply to the territory in Clatsop and Columbia Counties in the State of Oregon, within a line drawn from Astoria, southeast to Elsie, northeast to Jewel, to Vesper, to Mist, to Clatskanie, and bounded on the north by the Columbia River. The towns named shall include the area within a radius of three miles thereof.

(c) Definition. "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This amendment may be revoked, amended, or corrected at any time.

This amendment shall become effective upon its issuance.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of August 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44-13438; Filed, Sept. 1, 1944; 4:23 p. m.]

[Region VIII Order G-3 Under § (e)]

HANLEY & KINSELLA LABORATORIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. G-3 under § 1499.3 (e) as amended of the General Maximum Price Regulation. Two-way insecticide screen paint. Maximum prices for sales and deliveries of two-way insecticide screen paint manufactured by Hanley & Kinsella Laboratories, Inc.

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator by section 3 (e) of the General Maximum Price Regulation, *It is ordered:*

(a) The maximum prices for sales at wholesale and at retail of Two-Way Insecticide Screen Paint manufactured by Hanley & Kinsella Laboratories, Inc., of St. Louis, Missouri, by resellers subject to the General Maximum Price Regulation who cannot determine their maximum prices under sections 2 or 3 (a) of the General Maximum Price Regulation shall be those stated in Appendices A and B hereof, respectively;

(b) This order shall apply to sales in the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho;

(c) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation the provisions of which may be contrary hereto;

(d) This order shall become effective August 31, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of August 1944.

CHARLES R. BAIRD,
Regional Administrator.

APPENDIX A—MAXIMUM PRICES FOR SALES AT WHOLESALE OF TWO-WAY INSECTICIDE SCREEN PAINT MANUFACTURED BY HANLEY & KINSELLA LABORATORIES, INC.

4-oz.	$3.52 dozen.
8-oz.	$6.94 dozen.
16-oz.	$10.84 dozen.
32-oz.	$15.52 dozen.
Gallon	$16.38 case of 4 gallons.

APPENDIX B—MAXIMUM PRICES FOR SALES AT RETAIL OF TWO-WAY INSECTICIDE SCREEN PAINT MANUFACTURED BY HANLEY & KINSELLA LABORATORIES, INC.

4-oz. bottle	$0.49
8-oz. bottle	0.89
16-oz. bottle	1.39
32-oz. bottle	1.99

[F. R. Doc. 44-13439; Filed, Sept. 1, 1944; 4:22 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on August 28, 1944.

REGION I

Boston Order 5-F, Amendment 2, covering fresh fruit and vegetable prices in Commonwealth of Mass., except Dukes & Nantucket Counties, filed 4:36 p. m.

Augusta Order 1-F, Amendment 8, covering fresh fruit and vegetables in Portland, S. Portland and Westbrook, Maine, filed 4:37 p. m.

Augusta Order 2-F, Amendment 2, covering fresh fruit and vegetables in Maine except designated cities and towns, filed 4:38 p. m.

REGION II

District of Columbia Order 1-F, Amendment 22, covering fresh fruit and vegetables in portion of Md. within 2 miles of the District of Columbia boundary line, filed 4:35 p. m.

Binghamton Order 1-F, Amendment 20, covering fresh fruit and vegetables in certain designated areas in New York, filed 3:16 p. m.

Buffalo Order 1-F, Amendment 20, covering fresh fruit and vegetables in named areas in New York, filed 4:21 p. m.

Scranton Order 12, covering dry groceries in named counties in Pennsylvania, filed 4:22 p. m.

Scranton Order 13, covering dry groceries in named counties in Pennsylvania, filed 4:23 p. m.

Williamsport Order 1-F, Amendment 21, covering fresh fruit and vegetables in designated counties in Pennsylvania, filed 3:18 p. m.

REGION III

Columbus Order 3-F, Amendment 27, covering fresh fruit and vegetables in Columbus and Franklin Counties, Ohio, filed 4:35 p. m.

Cincinnati Order 1-F, Amendment 45, covering fresh fruit and vegetables in Hamilton County, Ohio, filed 4:35 p. m.

Cincinnati Order 2-F, Amendment 36, covering fresh fruit and vegetables in Butler, Clark, Montgomery and Scioto Counties, Ohio, filed 4:23 p. m.

Detroit Order 1-F, Amendment 33, covering fresh fruit and vegetables in designated counties in Michigan, filed 4:25 p. m.

Detroit Order 10, Amendment 10, covering community food prices in designated counties, filed 4:23 p. m.

Grand Rapids Basic Order 1-B, covering retail food prices in certain designated areas in Michigan, filed 4:24 p. m.

Grand Rapids Basic Order 2-B, covering wholesale food prices in named counties in Michigan, filed 4:23 p. m.

REGION IV

Charlotte Order 2-F, Amendment 10, covering fresh fruit and vegetables in designated counties in North Carolina, filed 4:25 p. m.

Memphis Order 4-F, Amendment 48, covering fresh fruit and vegetables in the Memphis District, filed 4:23 p. m.

Montgomery Order 16-F, Amendment 8, covering fresh fruit and vegetables in Montgomery County, Alabama, filed 3:09 p. m.

Montgomery Order 17-F, Amendment 5, covering fresh fruit and vegetables in Houston County, Alabama, filed 3:09 p. m.

Montgomery Order 18-F, Amendment 5, covering fresh fruit and vegetables in Dallas County, Ala., filed 3:09 p. m.

Montgomery Order 19-F, Amendment 6, covering fresh fruit and vegetables in Mobile County, Ala., filed 3:10 p. m.

REGION V

San Antonio Order 1-F, Amendment 9, covering fresh fruit and vegetables in certain areas in Texas, filed 4:25 p. m.

San Antonio Order 2-F, Amendment 9, covering fresh fruit and vegetables in certain areas in Texas, filed 4:25 p. m.

San Antonio Order 3-F, Amendment 5, covering fresh fruit and vegetables in designated counties in Texas, filed 4:26 p. m.

San Antonio Order 4-F, Amendment 5, covering fresh fruit and vegetables in certain areas in Texas, filed 4:33 p. m.

Shreveport Order 2-F, Amendment 28, covering fresh fruit and vegetables in the Shreveport District, filed 3:13 p. m.

Shreveport Order 3-F, Amendment 17, covering fresh fruits and vegetables in the Shreveport District, filed 3:13 p. m.

REGION VI

Chicago Order 2-F, Amendment 27, covering fresh fruit and vegetables in named counties in Illinois, and Lake County, Ind., filed 4:40 p. m.

Duluth-Superior Order 1-F, Amendment 31, covering fresh fruit and vegetables in Duluth, Procter City and City and Town of Superior, filed 3:04 p. m.

Fargo-Moorhead Order 1-W, Amendment 3, covering dry groceries in area described therein, filed 3:17 p. m.

Fargo-Moorhead Order 2-W, Amendment 2, covering dry groceries in area described therein, filed 4:34 p. m.

Fargo-Moorhead 2d Rev. Order 18, Am. 2, covering dry groceries and perishables in certain area described therein, filed 4:41 p. m.

Fargo-Moorhead 2d Rev. Order 21, Amendment 2, covering community food prices in area described therein, filed 4:40 p. m.

Fargo-Moorhead 2d Rev. Order 22, Amendment 2, covering community food prices in area described therein, filed 4:40 p. m.

Green Bay Order 9, Amendment 5, covering community food prices in certain area in Wisconsin, filed 4:36 p. m.

Green Bay Order 12, Amendment 8, covering community food prices in certain area in Wisconsin, filed 4:36 p. m.

La Crosse Order 1-F, Amendment 31, covering fresh fruit and vegetables in La Crosse & Sparta, Wis. and Winona, Minn., filed 3:19 p. m.

La Crosse Order 3-F, Amendment 27, covering fresh fruit and vegetables in Eau Claire & Chippewa Falls, Wis., filed 3:19 p. m.

La Crosse Order 5-F, Amendment 26, covering fresh fruit and vegetables in Rochester, Minn., filed 3:20 p. m.

Quad-Cities Order 2-F, Amendment 21, covering fresh fruit and vegetables in designated cities in Illinois and Iowa, filed 4:21 p. m.

Quad-Cities Order 3-F, Amendment 8, covering fresh fruit and vegetables in designated counties in Ill. and Iowa, filed 4:21 p. m.

Springfield Order 1-FS, Amendment 6, covering fresh fruit and vegetables in designated counties in Illinois, filed 3:10 p. m.

Sioux City Order 2-F, Amendment 31, covering fresh fruit and vegetables in Sioux City, Iowa and Sioux City, Nebr., filed 3:13 p. m.

Omaha Order 3-W, Amendment 2, covering dry groceries in Omaha, Nebr. and Council Bluffs, Iowa, filed 3:14 p. m.

Omaha Order 4-W, Amendment 2, covering dry groceries in Lincoln, Nebr., filed 3:14 p. m.

Omaha Order 7-F, Amendment 9, covering fresh fruit and vegetables in Omaha, Nebr. and Council Bluffs, Iowa, filed 3:06 p. m.

Omaha Order 8-F, Amendment 9, covering fresh fruit and vegetables in Lincoln, Nebr., filed 3:06 p. m.

Omaha Order 17, Amendment 2, covering community dry groceries and perishables in certain counties in Nebraska, filed 3:07 p. m.

REGION VIII

Los Angeles Order 1-F, Amendment 28, covering fresh fruit and vegetables in the San Bernardino-Riverside Area, filed 4:36 p. m.

Phoenix Order 4-F, Amendment 16, covering fresh fruit and vegetables in the Tucson Area, filed 4:21 p. m.

Phoenix Adopting Order 6 under 1-B, covering community food prices in the Gila Valley Area, filed 3:08 p. m.

Phoenix Revocation of Order 10, covering community food prices in the Gila Valley Area, filed 3:07 p. m.

San Francisco Order G-8, Amendment 8, covering community food prices in certain areas in the San Francisco District, filed 3:05 p. m.

San Francisco Order G-9, Amendment 7, covering community food prices in designated areas in the San Francisco District, filed 3:05 p. m.

San Francisco Order G-10, Amendment 7, covering community food prices in designated areas in the San Francisco District, filed 3:07 p. m.

San Francisco Order G-11, Amendment 7, covering community food prices in named counties in California, filed 3:03 p. m.

San Francisco Order G-12, Amendment 7, covering community food prices in named counties in California, filed 3:03 p. m.

San Francisco order G-13, Amendment 1, covering community food prices in named counties in California, filed 3:04 p. m.

Copies of any of these orders may be obtained at the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-13555; Filed, Sept. 4, 1944; 11:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-957]

CRESCENT PUBLIC SERVICE CO. AND OKLAHOMA UTILITIES CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of August, A. D. 1944.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Crescent Public Service Company ("Crescent"), a registered holding company, and its wholly owned subsidiary, Oklahoma Utilities Company ("Oklahoma").

All interested persons are referred to said documents which are on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Oklahoma proposes to sell to Oklahoma Natural Gas Company, a gas utility company, all of its natural gas production, transmission, and distribution properties and systems located in the counties of Creek, Lincoln, Tulsa, Okfuskee, and Okmulgee in the State of Oklahoma, together with all leases, franchises, and easements, for a base price of $280,000, subject to certain adjustments.

Oklahoma proposes to utilize the proceeds of the aforesaid sale to reduce its 7% unsecured Promissory Note outstanding in the principal amount of $719,648, as of June 30, 1944. Both the aforesaid unsecured Promissory Note and the common stock of Oklahoma (both owned by Crescent) are pledged under the Trust Indenture securing Crescent's Collateral Trust 6% Income Bonds, Series B, due October 1, 1954, outstanding as of June 30, 1944 in the principal amount of $2,802,000. The amount to be paid by Oklahoma on its unsecured Promissory Note will be paid to the Trustee under the aforementioned Indenture.

After the consummation of the proposed sale it is contemplated that Oklahoma will convert its remaining assets to cash and pay such amount to the Indenture Trustee in reduction of the principal of its outstanding unsecured Promissory Note. Oklahoma will, thereupon, request the Trustee to surrender the aforesaid Note, on which a balance of the principal amount will remain unpaid, and Oklahoma's common stock, and will thereafter dissolve.

Crescent states the proposed transactions are the final steps in disposing of its interest in Oklahoma as part of its plan for compliance with section 11 of the act. Crescent represents that at or before the consummation of the proposed sale of the utility assets of Oklahoma, a plan under section 11 (e) providing for its liquidation will be filed with this Commission and that cash to be paid to the Indenture Trustee by Oklahoma will be used by Crescent in effectuating the distribution of its assets in accordance with the said plan.

The Indenture securing Crescent's Collateral Trust Income Bonds requires, among other things, that as a prerequisite to the voting of the securities of Oklahoma in favor of the sale of properties owned by Oklahoma sixty days' written notice be given to holders of Crescent's bonds, written consents be obtained from at least 25% in principal amount of outstanding bonds, and that written objections of 25% or more in principal amount of outstanding bonds shall not have been filed with the said Trustee. The material to be sent to registered holders of Crescent's Income Bonds in the solicitation of their consents will be filed as part of the present application or declaration (or both), and it is requested that the declaration in this respect be permitted to become effective pursuant to Rule U-62.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said applications or declarations (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on September 15, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 16th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Crescent Public Service Company, Oklahoma Utilities Company and The Corporation Commission of the State of Oklahoma; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before September 13, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said applications and declarations, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the consideration to be received for the assets of Oklahoma is fair and reasonable;

(2) Whether the solicitation material to be sent to the bondholders of Crescent contains full disclosure of all pertinent facts involved in the proposed transactions;

(3) Generally, whether in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or the rules and regulations promulgated thereunder;

(4) Whether, if the proposed transactions are authorized, the imposition of terms and conditions is necessary and appropriate in the public interest or for the protection of investors and consumers and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13448; Filed, Sept. 2, 1944; 11:18 a. m.]

WAR MANPOWER COMMISSION.

FITCHBURG, MASS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following substitute employment stabilization program for Fitchburg Area is hereby prescribed, pursuant to §907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Referrals by the United States Employment service.
9. Hiring contrary to the program.
10. Exclusions.
11. Appeals.
12. Statements of availability.
13. Solicitation of workers.
14. Hiring.
15. Representation.
16. General referral policies.
17. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Fitchburg Area, with the approval of the Regional Director. The purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Fitchburg Area" is comprised of the territory designated in appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners, or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30 day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(f) Locally needed activity means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

(h) "Employment ceilings" will represent the maximum number of employees or specific types of employees which an establishment may have in its employ during a specified time period.

(i) "Priority referral" is a requirement that workers secure jobs and that employers hire workers only upon referral by, or in accordance with arrangements with the United States Employment Service.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Fitchburg Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Fitchburg Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutes and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* No employer in the Fitchburg Area shall hire any new worker except upon referral by or in accordance with arrangements with the United States Employment Service.

Notice of referral received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Workers receiving statements of availability from their employers may not be hired upon presentation of the statement of availability to a new employer. A worker shall present the statement of availability to the local office of the United States Employment Service of the War Manpower Commission for referral by it to a new job.

SEC. 8. *Referrals by the United States Employment Service.* (a) When any of the circumstances set forth in section 7 are found to exist in an individual's case and the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall refer such individual to a job opening. Pending such finding the United States Employment Service shall either request the worker to remain on his job or return to it in instances where the worker has voluntarily terminated his employment. When none of the circumstances set forth in section 7 are found to exist in an individual's case the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) The United States Employment Service shall refer any individual in the employ of an employer who the War Manpower Commission finds after notice, hearing, and final decision has not complied with any War Manpower Commission stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding. An employer who continues to be in non-compliance after notice, hearing, and final decision shall not receive any referrals of labor from the United States Employment Service.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(d) The United States Employment Service, upon the request of an individual, shall refer him to a former employer, when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

(e) The United States Employment Service shall refer any worker who has not been engaged in an essential or locally needed activity during the preceding 60-day period.

(f) If a worker's last regular employment was in agriculture, he shall not be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *Provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral.

SEC. 9. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service promptly release from employment any worker hired in violation of this program.

SEC. 10. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employees' principal work; but such work shall not constitute the individual's "last employment" for the purpose of the

program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring of a foreign, State, County, or Municipal Government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, County, or Municipal Government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 11. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment Stabilization Program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 12. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission Officer and office, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 14. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Area Manpower Director may fix for all or any establishments in the Fitchburg Area, fair and reasonable employment ceilings, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or, the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling currently applicable to it.

The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 15. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advise and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this program.

SEC. 16. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. *Effective date.* This program shall become effective as of August 18, 1944, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

APPENDIX A—DESIGNATION OF THE FITCHBURG AREA

The Fitchburg Area is comprised of the territories included in the following cities and towns in the Commonwealth of Massachusetts:

The cities of: Fitchburg, Gardner, and Leominster.

The towns of: Ashburnham, Ashby, Ayer, Baldwinville, Boxborough, Clinton, Groton, Harvard, Hubbardston, Lancaster, Lunenburg, Otter River, Pepperell, Princeton, Shirley, Sterling, Templeton & E. Templeton, Townsend, Westminster, and Winchendon.

Dated: August 28, 1944.

F. X. POWERS,
Area Director.

Approved: August 28, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-13494; Filed, Sept. 2, 1944; 8:22 p. m.]

LOWER NAUGATUCK VALLEY, CONN., AREA EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Lower Naugatuck Valley Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring contrary to the program.
11. Exclusions.
12. Appeals.
13. Statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Seniority.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Lower Naugatuck Valley Area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Lower Naugatuck Valley Area" is the area comprised of the towns of Ansonia, Derby, Seymour, Shelton and Oxford.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Lower Naugatuck Valley Area to be either

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area Manpower Director.

(g) Essential activity means any activity included in the War Manpower Commission List of Essential Activities.

(h) Locally needed activity means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms employment and work as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Lower Naugatuck Valley Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Lower Naugatuck Valley Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this Committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of Statements of Availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 6 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in noncompliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix A) or his statement of availability indicates that his last employment was in such an occupation;

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired.

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if made as a result of any misrepresentations on the part of such worker pertaining to previous employment, when otherwise a referral would not have been made, or if it is found that it should not have been made in the first instance.

SEC. 11. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county or municipal government, or their political subdivision or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except, as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 16. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 17. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Seniority.* Workers referred or transferred in accordance with section 8 of this area stabilization agreement shall:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or plant custom.

(b) Be re-employed by their home employer according to the seniority agreement or custom mentioned above providing they apply for re-employment within forty days of either the date they terminate from the plant to which they first transferred or the date when the U. S. Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for re-employment with their home employer as provided in (a) and (b).

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has re-employment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 19. *Effective date.* This program shall become effective as of October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

WM. J. CRONIN, Jr.,
Area Director.

Approved:

DAVID G. NAGLE,
Acting Regional Director.

APPENDIX A—ADDITIONAL CONTROLLED OCCUPATIONS

The following shall be considered additional controlled occupations in the Lower Naugatuck Valley:

(1) Occupations in which the demand for workers in the area exceeds the available supply:

Brass roller,
Chippers,
Grinder operators,
Laborers,
Non-ferrous casters,
Screw machine operators, and
Sewing machine operators.

[F. R. Doc. 44-13498; Filed, Sept. 1, 1944; 8:23 p. m.]

[Amdt. 1]

LOWER NAUGATUCK VALLEY, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Lower Naugatuck Valley Area, dated October 15, 1943, is hereby amended as follows:

Section 9 of said program is hereby amended by adding the following new paragraph:

(e) The new employee is a male worker.

Dated: August 12, 1944.

WM. J. CRONIN, Jr.,
Area Director.

Approved: August 26, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-13499; Filed, Sept. 2, 1944; 8:23 p. m.]

TORRINGTON, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Torrington Area is hereby prescribed, pursuant to § 9073 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring contrary to the program.
11. Exclusions.
12. Appeals.
13. Content of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Torrington Area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Torrington Area" is the area comprised of the towns of Barkhamsted, Burlington, Canaan, Colebrook, Cornwall, Goshen, Hartland, Harwinton, Litchfield, Morris, New Hartford, Norfolk, North Canaan, Salisbury, Sharon, Torrington, Winchester.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the

cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Torrington Area to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area War Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area War Manpower Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439)

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Torrington Area shall be conducted in accordance with this employment stabilization program.

"All hiring and solicitation of workers . . . for work in the Torrington Area" as used in this section shall include hiring and solicitation, whether within or outside the Torrington Area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Torrington Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area War Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 6 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulations, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A statement af availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(d) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form the words:

> The Employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 8. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or

in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee is to be hired for work in an additional controlled occupation or his statement of availability indicates that his last employment was in such an occupation;

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made);

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided further that such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if made as a result of any misrepresentations on the part of such worker pertaining to previous employment, when otherwise a referral would not have been made, or if it is found that it should not have been made in the first instance.

SEC. 11. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Content of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 16. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 17. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Effective date.* This program shall become effective as of November 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

MARY M. DEWEY,
Area Director.

Approved:

DAVID G. NAGLE,
Acting Regional Director.

APPENDIX A

Armature Winder I	6-69.811
Automatic Screw Machine Operator	4-78.146
Auto Mechanic	5-81.010
Blacksmith II	4-86.010
Blacksmith Helper	8-93.71
Broaching Machine Operator	6-78.081
Card Tender Finisher (textile)	6-19.001
Carpenter	5-25.110
Caster	6-81.812
Chain Machine Operator	6-72.316
Chucking Machine Operator	6-78.021
Clock Adjuster	4-71.510
Coil Winder II	6-69.014
Coremaker Helper	8-62.10
Cupola Repairman	5-24.120
Cupola Tender	4-81.261
Cupola Tender Helper	6-81.068
Cut-off Machine Operator	6-66.348
Cylindrical Grinder Operator	4-78.511
Disk Grinder	6-78.512
Draftsman	0-46.18
Draw Bench Operator I	4-66.312
Dresser Tender	4-19.211
Drop-Hammer Operator III	6-66.110
Electric Truck Operator	7-68.410
Enamel-Machine Operator	7-60.216
Engine Lathe Operator I	4-78.011
Filer, Machine	4-78.281
Fireman, Stationary	7-70.040
Floor Assembler	6-78.032
Forming Press Operator I	6-66.627
Four Slide Machine Operator	4-75.160
Grinder	6-77.710
Hairspring Truer	6-72.218
Hammersmith	4-86.210
Hand Screw Machine Operator	4-78.031
Header Operator	4-66.125
Heavy Foundry Laborer	8-62.10
Honing Machine Operator	4-78.411
Honing Machine Operator, Automatic	6-78.412
Internal Grinder	4-78.512
Jig Boring Machine Operator	4-78.042
Job Setter II	4-75.160
Knitting Machine Operator I (knit goods)	4-14.061
Knitting Machine Operator—Full Fashioned Hosiery (hosiery)	4-14.062
Laborer, Process (misc. steel products)	8-62.76
Laborer, Process (needle, pin and rel. products)	9-13.65
Laborer, Process (nonferrous metal alloys and products)	8-62.86
Lapper	6-78.412
Looper II (hosiery)	6-14.420
Machine Fixer II (hosiery):	
(a) Knitting Machine Fixer	5-63.222
(b) Looper Fixer	5-66.226
(c) Seamer Machine Fixer	5-63.228

Machinist Helper	8-94.61
Metal Spinner	4-94.201
Milling Machine Operator II	4-78.031
Molder, Helper	6-82.950
Nail Making Machine Set-Up Man	7-83.315
Oil Burner Service Man	5-83.024
Oiler II	7-71.010
Planer Operator II	4-78.071
Plater I	4-74.010
Plumber	5-30.210
Polisher II	6-77.060
Power Shear Operator	6-88.664
Profiling Machine Operator I	5-78.111
Punch Press Operator	6-88.627
Radial Drill Press Operator	6-78.082
Riveting Machine Operator IV	6-95.074
Rod Straightener	8-82.10
Roller (nonferrous metal alloys and products)	4-88.021
Sand Blaster I	6-82.720
Screw Machine Set-Up Man Automatic	4-75.160
Sewing Machine Operator (hosiery)	6-27.513
Shaper Operator	4-78.061
Sheet Metal Worker II	4-80.010
Spinner, Frame	6-19.041
Spinner, Mule	6-72.213
Spot Welder	6-85.060
Spray Painter I	7-16.210
Steam Fitter	5-30.410
Sticker (nonferrous metal alloys and products)	6-88.035
Surface Grinder Operator I	4-78.513
Swaging Machine Operator II	6-86.120
Tool Clerk	1-38.05
Tool Grinder Operator	5-84.110
Tool Hardener	4-87.230
Truck Driver, Heavy	7-86.250
Tube Drawer	4-88.311
Tumbling Barrel Operator	9-02.01
Turret Lathe Operator	4-78.021
Welder, Acetylene	4-85.030
Welder, Arc	4-85.020
Wire Drawer III (wire)	4-88.511

[F. R. Doc. 44-13495; Filed, Sept. 2, 1944; 3:22 p. m.]

[Amdt. 1]

TORRINGTON, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Torrington Area, dated November 15, 1943, is hereby amended in the following respects:

1. Section 2 (f) of said program is hereby amended by inserting after the word "Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" in the last paragraph of said section, so that the same shall read as follows:

(f) "Additional controlled occupation" means an occupation fund by the Area Manpower Director for the Torrington Area with the approval of the Regional Director to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 7 is hereby amended by deleting subparagraph (c) in its entirety, thereby making subparagraph (d) of said section, subparagraph (c), and adding the following sentence after the word "employment" at the end of the first paragraph of said subparagraph:

Nothing in this section shall be construed to supersede the provisions of section 9 (d).

3. Section 8 is hereby amended by changing the title from "Referral in Case of Under-Utilization" to "Referral by the United States Employment Service" and adding the following as the second paragraph:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

4. Section 9 is hereby amended by deleting the words in subparagraph (c) enclosed in parenthesis, so that said paragraph shall read as follows:

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period:

5. Section 10 is hereby amended by striking out the semi-colon after the word "hired" in the second line, inserting the phrase "in violation of this program" and by striking out paragraphs (a) and (b) of said section so that the same shall read as follows:

An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

6. Section 11 of said program is hereby amended by striking out subparagraph (g) thereof in its entirety.

Dated: August 12, 1944.

MARY M. DEWEY,
Area Director.

Approved: August 26, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-13496; Filed, Sept. 2, 1944; 3:22 p. m.]

[Amdt. 2]

TORRINGTON, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Torrington Area, dated November 15, 1943 is hereby amended in the following respect:

Section 9 of said program is hereby amended by adding the following new paragraph:

(e) The new employee is a male worker.

Dated: August 12, 1944.

MARY M. DEWEY,
Area Director.

Approved: August 26, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-13497; Filed, Sept. 2, 1944; 3:23 p. m.]

WAR PRODUCTION BOARD.

[C-205]

SPALSBURY STEIS DEEVERS SHOE CO.

Spalsbury Steis Deevers Shoe Company, a corporation, with its general office and factory in Fredericktown, Missouri, is engaged in the manufacture of women's and growing girls' shoes. On or about May 1, 1944, it began the production of a line of misses' shoes at $2.01 per pair and manufactured a total of 21,552 pairs of such shoes. During the base period selected by the company it did not produce any misses' and children's shoes so that the manufacture of such shoes without an established quota was in violation of Conservation Order M-217. On July 3, 1944, the War Production Board gave authorization to complete the manufacture of 5,706 pairs of such shoes out of materials on hand so that the company manufactured a total of 15,846 pairs of such shoes without authorization and in violation of Conservation Order M-217.

Spalsbury Steis Deevers Shoe Company admits the production of 15,846 pairs of misses' and children's shoes for which it had no established quota and in violation of M-217 and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Spalsbury Steis Deevers Shoe Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Spalsbury Steis Deevers Shoe Company, its successors and assigns, shall not manufacture any line of foot wear (except military foot wear) not manufactured by it in its six months base period.

(b) Spalsbury Steis Deevers Shoe Company, its successors and assigns, shall reduce its production of women's and growing girls' shoes in the established price line of $2.95 to $3.25 so that its total production of such shoes for the period commencing September 1, 1944, and ending February 28, 1945, shall be 15,846 pairs less than it would otherwise be permitted to produce under the provisions of Conservation Order M-217.

(c) Nothing contained in this order shall be deemed to relieve Spalsbury Steis Deevers Shoe Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Produc-

tion Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the date of issuance, and shall expire on February 28, 1945.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13501; Filed, Sept. 2, 1944; 4:17 p. m.]

[C-203]

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF WILKINSBURG

First Federal Savings and Loan Association of Wilkinsburg, a corporation, located at 1010 Center Street, Wilkinsburg, Pennsylvania, is engaged in the business of financing residential properties. During the latter part of March, 1944, it did construction on a building which it owned at 711 Penn Avenue, Wilkinsburg, Pennsylvania, at a cost of $2,384.24, including new construction at a cost of $1,267.98, without securing approval from the War Production Board, in wilful violation of Conservation Order L-41. First Federal Savings and Loan Association of Wilkinsburg admits having done this construction. It does not desire to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the First Federal Savings and Loan Association of Wilkinsburg, the Regional Attorney and the Regional Compliance Chief, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither First Federal Savings and Loan Association of Wilkinsburg, its successors and assigns, nor any other person shall do any further construction on the property located at 711 Penn Avenue, Wilkinsburg, Pennsylvania, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve First Federal Savings and Loan Association of Wilkinsburg, its successors or assigns, from any restriction, prohibition or provision contained in any order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13432; Filed, Sept. 1, 1944; 4:17 p. m.]

[C-204]

SOUTH SIDE JOURNAL, INC.

South Side Journal, Inc., is a corporation with its principal place of business in St. Louis, Missouri. It is engaged in publishing and circulating a free distribution newspaper and shopping guide in St. Louis. During the fourth quarter of 1943 and in the first and second quarters of 1944, it used or caused to be used in the publication of such newspaper print paper in excess of its quota established by Limitation Order L-241 amounting to 45,000 pounds. South Side Journal, Inc., admits such excess usage of print paper and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of South Side Journal, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) South Side Journal, Inc., its successors and assigns, shall reduce its consumption of print paper during the third and fourth quarters of 1944 so that its total usage for such two quarters shall be 45,000 pounds less than it would otherwise be permitted to use during such two quarters under the provisions of Limitation Order L-241.

(b) Nothing contained in this order shall be deemed to relieve South Side Journal, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance, and shall expire on December 31, 1944.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13433; Filed, Sept. 1, 1944; 4:18 p. m.]

SEP 8 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 178

Washington, Wednesday, September 6, 1944

Regulations

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1942, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 937—ZINC

[Conservation Order M-11-b, as Amended Sept. 5, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.3 *Conservation Order M-11-b*—(a) *Scope of the order.* This order controls generally the use of zinc and zinc products. Under the order some uses are entirely prohibited, other uses are permitted free of any restriction, and still other uses are permitted but with a limitation on the amount of zinc and zinc products which may be used. Special restrictions may also be found in other orders of the War Production Board relating to particular articles or parts. In such case the more restrictive provision governs. In no case shall any person use any zinc or zinc products in violation of this order.

(b) *Definitions.* For the purpose of this order:

(1) "Zinc" means zinc metal which has been produced by an electrolytic, electro-thermic, or fire refining process. It includes zinc scrap, zinc metal produced from scrap, and any alloy in which the percentages of zinc metal by weight is more than 50%.

(2) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings, or dust.

(c) *Prohibited articles; List A.* The use by any person of zinc and zinc products in the manufacture of articles on List A of this order, and of parts for these articles, is prohibited. This prohibition includes the use of zinc and zinc products to apply any protective coating or plating (other than paint) of zinc to articles on List A. It does not include the use of zinc or zinc products in the manufacture of repair parts to replace similar parts of zinc, or to the protective coating of such repair and replacement parts.

(d) *Unrestricted articles and uses; List B.* There are set forth in List B of this order certain articles and uses for which zinc and zinc products may be used with no restriction insofar as this order is concerned. For articles on this list, other orders of the War Production Board may limit production; this order does not remove any such limitation, but merely authorizes free use of zinc and zinc products providing other orders of the War Production Board are not violated.

(e) *Restricted articles.* For articles not on either List A or List B, the use of zinc and zinc products is permitted, but with the following limitation on the amounts which may be used; namely, that no person shall in any calendar quarter use more:

(1) Zinc in the production of any zinc products not requiring further processing, assembling, or finishing; or

(2) Zinc products in the manufacture of any article or parts;

Than 20% of the amount by weight of zinc or zinc products used by him for the same purpose during the entire calendar year 1941. As in the case of List A articles (see paragraph (c) above), this restriction does not apply to the use of zinc or zinc products in the manufacture of repair parts to replace similar parts of zinc or to the protective coating of such parts.

(f) *General exceptions.* The prohibitions and restrictions in paragraphs (c)

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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and (e) shall not apply to the use of zinc or zinc products for the manufacture of any items under a specific contract or sub-contract covering the manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(g) *Restrictions on sales and deliveries of zinc and zinc products.* No person shall sell or deliver any zinc or zinc products to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(h) *Exceptions under Priorities Regulation 25.* All requests for exceptions from the restrictions on use of zinc or zinc products in paragraphs (c) and (e) and List A must be filed under Priorities Regulation 25. Some other orders of the War Production Board contain restrictions on the use of zinc or zinc products. An authorization granted under Priorities Regulation 25 will not waive the other restrictions unless the order containing them or a direction to Priorities Regulation 25, states that it will. In the absence of such a statement, it is also necessary to get relief from the restrictions of the other order in the manner provided in that order.

(i) *Violation.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The use of zinc or zinc products in the items below and in all component parts of such items is prohibited except to the extent permitted by the foregoing order.

(1) Advertising novelties.
(2) Andirons.
(3) Ash trays.
(4) Banks, personal toy, miniature.
(5) Bookends.
(6) Box openers.
(7) Bulletin and menu boards, directories and similar items, and letters for same.
(8) Calendar bases and holders.
(9) Candlesticks.
(10) Caskets, burial.
(11) Cigar and cigarette lighters.
(12) Coat hooks.
(13) Compacts.
(14) Cosmetic containers.
(15) Costume jewelry.
(16) Door chimes.
(17) Fireplace fittings.
(18) Grave markers.
(19) Handbag fittings.
(20) Jewelry cases.
(21) Letter openers.
(22) Lipstick holders.
(23) List finders.
(24) Lotion dispensers.
(25) Merchandise displays.
(26) Mirror frames.
(27) Novelty jewelry.
(28) Ornamental and decorative uses (whether or not the item is included in List A).
(29) Paper coatings.
(30) Paper weights.
(31) Pen bases.
(32) Perfume dispensers.
(33) Picture frames.
(34) Slugs and token of all kinds (except as permitted in List B of this order).
(35) Smokers' accessories.
(36) Soot removers (except as produced from scrap).
(37) Souvenirs.
(38) Spittoons.
(39) Statues.
(40) Vaults, burial.

LIST B

Zinc or zinc products may be used for any of the following articles or purposes with no restriction insofar as this Order is concerned except where the list otherwise indicates.

(1) For use to comply with safety regulations issued under government authority which require the use of zinc to the extent employed, or in safety equipment as defined by General Limitation Order L–114 where and to the extent the use of any less scarce materials is impractical.

(2) For use in chemical and industrial plants to the extent that corrosive or chemical action makes the use of any other material impractical.

(3) For use in research laboratories where and to the extent that the physical or chemical properties make the use of any other material impractical.

(4) For health supplies of the following types only:
(i) Dental instruments, apparatus and equipment;
(ii) Dental supplies and appliances;
(iii) Lamps, health electric;
(iv) Medicinal chemicals (limited to medical uses only);
(v) Ophthalmic products and instruments;
(vi) Physiotherapy products, electrical;
(vii) Surgical and medical instruments, equipment and supplies;
(viii) Orthopedic appliances;
(ix) X-Ray apparatus and tubes.

(5) For precision measuring, recording and control instruments, systems or equipment for use in industrial processes.

(6) For stamping and forming dies.

(7) For use as zinc dust in the following:
(i) Metal refining and recovery;
(ii) Smoke mixtures;
(iii) Rubber processing;
(iv) Chemicals for medicinal products;
(v) Sodium hydrosulfite and sulfoxylate and zinc hydrosulfite;
(vi) Dyestuffs, intermediates and dyes;
(vii) Electroplating;
(viii) Lubricating pipe joint compounds.

(8) For adjustable stencils for marking shipments and products.

(9) For applying a protective coating or plating (other than paint) except where prohibited by paragraph (c) of this order.

(10) For dry cell batteries and portable electric lights.

(11) For printing plates.

(12) For the manufacture of zinc oxide.

(13) For eyelets and grommets.

(14) For universal portable electric tools.

(15) For portable pneumatic tools which, in the course of normal use, are lifted, held, and operated by not more than two persons.

(16) For light power driven tools.

(17) For data, instruction and identification plates.

(18) For air compressors.

(19) For airline, water, and oil separators.

(20) For air regulators, as part of spraying equipment.

(21) For closures for glass containers.

(22) For repair parts to replace similar parts of zinc.

(23) For motors, electric.

(24) For pulleys for power transmission.

(25) For flexible couplings.

(26) For coal stokers.

(27) For domestic electric ranges.

(28) For closures and associated items as defined by General Limitation Order L–68.

(29) For electric fans.

(30) For mechanical pencils.

(31) For motorized fire apparatus.

(32) For air brakes.

(33) For communication equipment.

(34) For condensers.

(35) For fare boxes for public conveyances.

(36) For sterilizer equipment.

(37) For temperature, humidity, and pressure control devices.

(38) For textile machinery.

(39) For industrial turbines.

(40) For fire protective, signal and alarm equipment.

(41) For builder's finishing hardware as defined by General Limitation Order L–236, Schedules I and II.

(42) For research, developmental or experimental activities. Zinc or zinc products may be used to make experimental models or test runs, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items, nor shall such item designed primarily for future civilian markets, be exhibited to the public. Research, developmental or experimental activities in connection with products or materials designed primarily for future civilian markets must be carried on without diverting any manpower, technical skill, or facilities from activities connected with the war effort.

(43) For plumbing fixtures, fittings and trim.

(44) For can openers.

[F. R. Doc. 44–13606; Filed, Sept. 5, 1944; 11:53 a. m.]

be amended. In view of the foregoing: It is hereby ordered, that

Section 1010.575, *Suspension Order No. S–575* issued July 15, 1944, and effective July 22, 1944, be and hereby is reinstated as of September 4, 1944 and shall expire December 24, 1944; the stay of execution directed by the Chief Compliance Commissioner on August 3, 1944, be and hereby is revoked as of September 4, 1944; and that the suspension order be and hereby is amended by substituting for the present paragraph (b) the following:

(b) Deliveries of material to Atlas Furnace and Engineering, Inc., its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, except those ratings authorized by CMP Regulation No. 9a, or unless hereafter specifically authorized in writing by the War Production Board.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13568; Filed, Sept. 4, 1944; 4:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–607]

MIDWEST HEATER CO.

Midwest Heater Company, a Nebraska corporation with its principal place of business at Omaha, Nebraska, is engaged in the business of manufacturing direct fired gas and electric water heaters. Between January 15, 1943, and July 28, 1943, respondent produced, fabricated and assembled 247 gas fired water heaters to fill contracts or orders which were not for the account of the National Housing Authority or for war housing requirements, in violation of General Limitation Order L–185. Between July 1, 1943, and February 25, 1944, it manufactured, fabricated, assembled and installed metal jackets on 755 gas fired water heaters in violation of General Limitation Order L–185. Between June 17, 1943, and March 25, 1944, the corporation produced and transferred physical possession and title to 259 electric water heaters which were not in fulfillment of preferred orders, in violation of General Limitation Order L–65. In the third and fourth quarters of 1943, the respondent failed to return unused or excess portions of allotments, and used allotments for purposes not authorized, in violation of CMP Regulation No. 1. In addition, the respondent failed to file reports required by L–65, and failed to keep accurate and complete records as required by General Limitation Order L–65, General Limitation Order L–185, Priorities Regulation No. 1, and CMP Regulation No. 1.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–575, Reinstatement and Amendment]

ATLAS FURNACE & ENGINEERING, INC.

The Atlas Furnace & Engineering, Inc., of Minneapolis, Minnesota, a corporation engaged in the business of cleaning and repairing furnaces and heating apparatus and in installing new heating systems was suspended on July 22, 1944 by Suspension Order No. S–575. It appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on August 3, 1944. The appeal has been considered by the Chief Compliance Commissioner who has concluded that the present suspension order might permanently affect the business of the respondent in a manner unforeseen, and has therefore directed that the stay be terminated, the suspension order be reinstated and that the suspension order

These violations arose through the gross negligence of the president of the corporation in his failure to make any efforts to familiarize himself with the orders and regulations of the War Production Board affecting his business. As a result of these violations, critical materials have been diverted from the war effort to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.607 *Suspension Order No. S–607.* (a) Midwest Heater Company, its successors and assigns, shall not manufacture or assemble any direct fired water heaters as defined and governed by General Limitation Order L–185, unless hereafter specifically authorized in writing by the War Production Board.

(b) Deliveries of material to Midwest Heater Company, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) No allocation, including allotments, shall be made to Midwest Heater Company, its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Midwest Heater Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on September 2, 1944, and shall expire on January 2, 1945.

Issued this 23d day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13505; Filed, Sept. 2, 1944; 4:17 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–613]

BARRY & ZETZEL SHOE CO.

Maurice Barry and Samuel Zetzel, doing business as Barry & Zetzel Shoe Company, 11 Liberty Square, Lynn, Massachusetts, are manufacturers of civilian footwear. From June, 1943, to July, 1944, they put into process leather and fabric for the manufacture of, and manufactured 72,505 pairs of civilian footwear, although they had no quota as required by Conservation Order M–217 and, therefore, acted in violation of the order. Some of the footwear so manufactured were Roman sandals with multiple straps and prohibited by Conservation Order M–217. Maurice Barry and Samuel Zetzel knew of the requirements of Conservation Order M–217 and their actions were wilful violations of that order.

These violations of Conservation Order M–217 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.613 *Suspension Order No. S–613.* (a) Neither Maurice Barry nor Samuel Zetzel, whether doing business as Barry & Zetzel Shoe Company or otherwise, their and its successors or assigns, shall manufacture any civilian footwear as defined in or governed by Conservation Order M–217, as amended from time to time, without specific written authorization from the War Production Board.

(b) The prohibitions contained herein shall apply severally to Maurice Barry and Samuel Zetzel (doing business as Barry & Zetzel Shoe Company or under any other name), their and its successors or assigns, or persons acting on their or its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Maurice Barry and Samuel Zetzel, whether doing business as Barry & Zetzel Shoe Company or otherwise, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13500; Filed, Sept. 2, 1944; 4:16 p. m.]

PART 1226 [1]—GENERAL INDUSTRIAL EQUIPMENT

INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L–126, Schedule I as Amended Sept. 5, 1944]

§ 1226.12 [1] *Schedule I to Limitation Order L–126*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles self-contained drinking water coolers for supplying drinking water for human consumption.

(2) "Self-contained" means a single cabinet or housing for a drinking water cooler containing or manufactured to contain two or more of the following assemblies:

(i) Water cooling low side or evaporator with or without controls.

(ii) Bubbler valve fountain assembly or assemblies, or glass- or pitcher-filler assembly or assemblies.

(iii) Electric refrigeration condensing unit with or without controls.

(3) [Revoked Sept. 5, 1944.]

(4) [Revoked Sept. 5, 1944.]

(b) *Required specifications.* Pursuant to Limitation Order L–126 the following required specifications are hereby established for self-contained drinking water coolers:

(1) [Revoked Sept. 5, 1944.]

(2) *Restrictions of materials.* (i) In the manufacture of self-contained drinking water coolers, no producer shall use:

(*a*) [Revoked Sept. 5, 1944.]

(*b*) Block tin tubing, or tin coatings;

(*c*) Alloy steel, stainless steel, monel, or other nickel alloy metals, except in refrigerant and lectric controls, and then only provided that such use is limited to the minimum amount practicable;

(ii) In the manufacture of self-contained drinking water coolers (exclusive of condensing units, motors, controls, and wiring) no producer shall use copper or copper base alloy except in the following parts:

(*a*) Low sides,
(*b*) Pre-coolers,
(*c*) Bubblers,
(*d*) Water valves,
(*e*) Water lines,
(*f*) Liquid and suction lines,
(*g*) Refrigerant or temperature controls,
(*h*) Glass- or pitcher-fillers; and the aggregate weight of copper or copper base alloy used in all of such parts contained in any such water coolers shall not exceed ten (10) pounds, plus an additional ½ pound for each gallon of water cooled per hour based on an ambient temperature of 90° F. while reducing water from 80° F. inlet to 50° F. outlet.

(c) *Exceptions from* (b) (2). The restrictions in paragraph (b) (2) shall not prohibit the production, delivery, and acceptance of self-contained drinking water coolers, for use aboard ship, delivered to or for the account of, and for direct use by, the United States Army, or Navy, the Maritime Commission, or the War Shipping Administration, where (a) such coolers are manufactured in accordance with plans which have already (prior to July 3, 1942) been drawn and accepted by or for the account of such an agency, or (b) such coolers are manufactured in accordance with the specifications issued prior to July 3, 1942, by such an agency (including performance specifications) requiring materials not in accordance with the restrictions of this schedule; but in any case such coolers may vary from the restrictions of the schedule only to the extent required by such plans or specifications.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13605; Filed, Sept. 5, 1944; 11:53 a. m.]

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[1] Formerly Part 1071, § 1071.3.

PART 1260—RUBBER PROCESSING MACHINERY AND EQUIPMENT

[General Limitation Order L–143–a as Amended Sept. 5, 1944]

The fulfillment of requirements of the national defense has created a shortage in the supply of certain critical materials used in the manufacture of rubber processing machinery and equipment for the national defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1260.2 *General Limitation Order L–143–a*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Rubber processing machinery or equipment" means machinery or equipment of the kinds listed in Groups I, II, III, IV and V, of List A, designed for use in the manufacture of products from natural crude rubber, latex, reclaimed rubber, scrap rubber, and all types of synthetic rubber. The term also means and includes any such machinery or equipment (except "plastics molding machinery" and "fixtures" controlled by Allocation Order L–159) for experimental use or for use in the manufacture of products from plastics or rubber substitutes. The term does not mean or include "retreading, recapping and repair equipment," which is subject to the provisions of General Limitation Order L–61.

(3) [Deleted Sept. 5, 1944.]

(4) [Deleted Sept. 5, 1944.]

(5) [Deleted Sept. 5, 1944.]

(6) [Deleted Sept. 5, 1944.]

(7) [Deleted Sept. 5, 1944.]

(8) [Deleted Sept. 5, 1944.]

(b) *Production and delivery.* No person shall manufacture or deliver any new rubber processing machinery or equipment except to fill orders in accordance with the following restrictions:

Any order for new rubber processing machinery or equipment may be accepted, but orders which are not specifically rated on Form WPB–1277 or scheduled under paragraph (c) shall be treated as unrated orders.

Orders classified as "unrated" may be filled by a supplier only to the extent that he is able to do so without interfering with, or in any way delaying, his production or shipment of orders specifically rated on Form WPB–1277 or orders scheduled under paragraph (c).

Blanket MRO ratings or other forms of priorities assistance (except as authorized on Form WPB–1277) may not be used to obtain new rubber processing machinery or equipment. MRO ratings may, however, be used to the extent authorized by other War Production Board orders and regulations, for the purpose of obtaining parts for the maintenance and repair of machinery or equipment.

(c) *Scheduling and shipping directions.* (1) The War Production Board may from time to time request all the manufacturers of a particular item of rubber processing machinery or equipment to file operation reports and schedules of unfilled orders. When so requested, each manufacturer shall file forms WPB–3100 and WPB–3101 in accordance with the instructions accompanying them. Form WPB–3101 will be returned to the manufacturer with shipping directions noted thereon and shall be deemed a "frozen" schedule within the meaning of Priorities Regulation 18 for the number of calendar months designated by the War Production Board.

(2) Each manufacturer must make shipments in accordance with his frozen schedule, notwithstanding any other preference order, directive or regulation of the War Production Board, but subject to Priorities Regulation 18, and must so schedule his production as to meet the shipping dates prescribed in his frozen schedule.

(3) If a manufacturer is unable, for reasons beyond his control, to fulfill his frozen schedule on time, or if he is able to make shipments ahead of schedule, he must in either case make shipments, as far as practicable, in the same sequence as required by the schedule. In any case where the delay or acceleration in shipments will affect dates of shipment by more than 15 days, the manufacturer shall notify the War Production Board of the following facts:

(i) The reason for the delay or acceleration.

(ii) The revised dates on which he expects to make shipments under each purchase order affected.

(4) In the absence of specific shipping directions issued pursuant to this paragraph (c), any manufacturer shall produce rubber processing machinery or equipment, and make shipments thereof in fulfillment of orders authorized pursuant to paragraph (b) of this order, in accordance with applicable preference ratings, allotments, regulations or directions issued by the War Production Board.

(d) *Application for preference rating.* Any person who requires new rubber processing machinery or equipment to fulfill essential Government or civilian orders may apply for a preference rating on Form WPB–1277 in accordance with the instructions accompanying the form. If a preference rating is granted, the applicant may use the rating only to obtain new rubber processing machinery or equipment specified on the form, by certifying to the supplier named in his application, in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he has been granted a preference rating of ---------- on Form WPB–1277, Case No. ----------, for the acquisition of the particular rubber processing machinery or equipment specified in the attached purchase order or contract.

Date:

Signature and Title of Authorized Official

A dealer who accepts an order certified under this paragraph may extend the rating to his supplier by using the general form of certification specified in Priorities Regulation 7.

(e) [Deleted Sept. 5, 1944.]

(f) [Deleted Sept. 5, 1944.]

(g) *Miscellaneous provisions.*

(1) [Deleted Sept. 5, 1944.]

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable Regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Office of Rubber Director, Washington 25, D. C., Ref.: L–143–a.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) [Deleted Sept. 5, 1944.]

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

GROUP 1—BASIC RUBBER PROCESSING MACHINERY (INCLUDING LABORATORY SIZES)

Bale cutters	Crackers
Washers	Grinders
Refiners	Tubing machines (extruders)
Mills	Cement mixers
Plasticators	Dispersion mixers
Masticators	Aprons for mixing mills
Banbury mixers	Mill take-off devices
Calenders	Automatic Mill Mixing Devices
Strainers	

GROUP II—TIRE AND TUBE MAKING EQUIPMENT

Spreaders
Bias cutters
Slitters
Let-off stands
Bead making machines
Bead covering machines
Bead flippers
Bead winders
Bead cutters
Bead piping machines
Stock servicers & turrets
Festooning machines
Tire building machines
Band & pocket building machines
Tire cores & drums
Bead locaters (or setting rings)
Stitchers
Debaggers and extractors
Vacuum expanders
Mechanical baggers & expanders
Molds, tire & tube
Molds, airbag
Matrices
Curing rings
Curing ring presses
Equalizer plates
Tube mandrels
Tread & tube cutters
Tube splicers
Valve applying machines
Tube testing devices
Vulcanizers, all types
Tire cleaners
Tire balancing machines
Tire inspection machines
Buffers, curing bag
Tire wrapping machines
Cord dipping, saturating and drying equipment

GROUP III—INSULATED WIRE & CABLE MACHINERY

Rubber covering machines
Vulcanizers, all types
Strainers
Extruders (tubing machines)

GROUP IV—MECHANICAL GOODS EQUIPMENT

[NOTE: "Brushing machines" and "Dusting machines" deleted Sept. 5, 1944]

Belt making machines
V-Belt covering machines
Belt slitters
Belt stretchers
Belt vulcanizing presses
Coating machines
Cutting machines (all types for rubber products & rubberized fabrics)
Hose covering machines
Hose making machines
Hose wrapping machines
Lining strippers
Spreaders
Hydraulic presses, vulcanizing, all types
Vulcanizers, all types
Rag rollers
Tubers

GROUP V—DRUG & SURGICAL SUNDRIES & RUBBER FOOTWEAR

Dipping machines
Trimmers
Hydraulic presses, vulcanizing
Presses, dieing out or preforming
Rubber outsole cutting machines
Vulcanizers, all types

[F. R. Doc. 44-13599; Filed, Sept. 5, 1944; 11:52 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, as Amended Sept. 5, 1944]

NEWSPAPERS

§ 3133.6 *Limitation Order L-240—(a) The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports customarily filed by the publisher with the Audit Bureau of Circulations will be controlling, in the absence of special circumstances. Thus, if a publisher filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule II to Order L-241 and that order shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper.* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A roll of print paper is considered "used" when it is first opened and placed in production.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit, and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location. However, it does not include print paper shipped by water and held in warehouse by a paper manufacturer or merchant as part of the inventory of the manufacturer or merchant; such paper does not become part of a publisher's inventory until it is delivered to him.

(i) *Transfer of quotas—(1) Quotas established by different orders.* Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Orders L-241 (commercial printing), L-244 (magazines) or L-245 (books) and he may not permit any part of his consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is permitted to order or accept for the publication of his newspaper is limited by this order. The amount of print

paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L–241.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

Consumption Quota

(j) *Allowable consumption.* In the first quarter of 1944, and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k), plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota*—(1) *Base tonnages.* Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 4% of the amount over 25 tons but not over 125 tons.

(ii) Deduct 8% of the amount over 125 tons but not over 250 tons.

(iii) Deduct 12% of the amount over 250 tons but not over 500 tons.

(iv) Deduct 20% of the amount over 500 tons but not over 1000 tons.

(v) Deduct 24% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(8) *Adjustment for print paper lighter than 32-pound basis weight.* Beginning July 1, 1944, if a publisher orders print paper lighter than 32-pound basis weight, his consumption quota for the current calendar quarter shall be reduced proportionately as follows: First, determine the percentage by which 32-pound paper exceeds such lighter paper in weight. Second, multiply the tonnage of lighter paper so ordered by this percentage. Third, subtract the result from the publisher's consumption quota. For example, if a publisher has a consumption quota of 200 tons and orders 100 tons of 30-pound basis weight paper, his consumption quota shall be reduced by 6⅔ tons, since 32-pound paper is 6⅔% heavier than 30-pound paper.

(9) *Borrowing for 14th Sunday.* Inasmuch as there are 14 Sundays in the fourth quarter of 1944 and only 12 in the first quarter of 1945 the publisher of a Sunday newspaper may deduct the tonnage of print paper consumed in his December 31, 1944 issue from his first quarter 1945 consumption quota rather than his fourth quarter 1944 consumption quota.

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota in any succeeding quarter.

(m) *Exceptions for small newspapers.* Excepted from the provisions of paragraph (k) are certain small newspapers and special types of newspapers described in this paragraph (m).

(1) During the third calendar quarter of 1944, the restrictions on the consumption of print paper established by this order do not apply to:

(i) *Special types of newspapers.* Any newspaper containing 8 pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies.

(ii) *Newspapers using less than 25 tons per quarter.* Any newspaper which shall consume less than 25 tons of print paper in the third calendar quarter, regardless of the tonnage of paper consumed previously. The publisher of any such newspaper is authorized, in addition, to increase his permitted usage by the tonnage of print paper consumed in printing copies of his newspaper furnished to the Armed Services of the United States, whether such copies are sold or are distributed free of charge.

(2) Beginning October 1, 1944, paragraph (m) (1) shall be inoperative and thereafter the consumption quotas of small newspapers and special types of newspapers described in this paragraph (m) (2) shall be computed as follows:

(i) *Special types of newspapers.* Any newspaper containing 8 pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical and scientific organizations and societies shall have a consumption quota of print paper in any calendar quarter equal to either its average quarterly consumption of print paper in the first three calendar quarters of 1944 or its consumption of print paper in the corresponding calendar quarter of 1943, whichever is greater. Having selected one of these two methods, the publisher must use that method thereafter.

(ii) *Small newspapers.* Any person may use or cause to be used in the publication of a newspaper during any calendar quarter a tonnage of print paper equal to 1¼ tons multiplied by the number of days per week on which the newspaper is published. For example, any person may use 1¼ tons of print paper per calendar quarter for the publication of a weekly newspaper, 2½ tons per calendar quarter for the publication of a semi-weekly newspaper, etc. It makes no difference whether the publisher used that much paper, or any paper, in the publication of a newspaper during any previous period.

(iii) *Other newspapers using less than 25 tons per quarter.* If, prior to October 1, 1944, a publisher used less than 25 tons of print paper per calendar quarter for civilian readers, his quarterly consumption quota shall be equal to either his average quarterly consumption of print paper for civilian readers in the first three calendar quarters of 1944 or his consumption of print paper for civilian readers in the corresponding calendar

quarter of 1943, whichever is greater. Having selected one of these two methods, the publisher must use that method thereafter. The publisher of any such newspaper is authorized, in addition, to increase his permitted usage by the tonnage of print paper which shall be consumed in printing copies of his newspaper sold to United States Armed Services personnel on a subscription basis and copies sold to units of the United States Armed Services or organizations, which distribute them exclusively to service men, *Provided, however,* That such additional tonnage shall not exceed in any calendar quarter either his average quarterly consumption of print paper in the first three calendar quarters of 1944 for copies furnished to United States Armed Services personnel or his consumption of print paper for such copies in the corresponding calendar quarter of 1943, whichever is greater. Having selected one of these two methods, the publisher must use that method thereafter.

Delivery Quota

(n) *Computation of delivery quota.* In August 1944, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* Total the publisher's consumption quotas for the third and fourth quarters of 1944. Add the ex-quota tonnage, if any, which may have been granted on appeal for use in the third and fourth quarters of 1944. Subtract the publisher's consumption in July 1944. Divide by 5.

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, at the end of the current calendar year, greater than: (i) 40 days' supply for publishers in the states named in List A, (ii) 65 days' supply for publishers in the states named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

List A

Connecticut.	Nebraska.
District of Columbia.	New Hampshire.
Delaware.	New Jersey.
Illinois.	New York.
Indiana.	North Dakota.
Iowa.	Ohio.
Kansas.	Pennsylvania.
Kentucky.	Rhode Island.
Maine.	South Dakota.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
Minnesota.	Wisconsin.
Missouri.	

List B

Alabama.	Georgia.
Arizona.	Idaho.
Arkansas.	Louisiana.
California.	Montana.
Colorado.	Mississippi.
Florida.	New Mexico.
Nevada.	Tennessee.
North Carolina.	Texas.
Oklahoma.	Utah.
Oregon.	Washington.
South Carolina.	Wyoming.

[NOTE: Last sentence of subparagraph (2) deleted Sept. 5, 1944.]

(3) *Exclusions.* In computing the maximum tonnage which a publisher may have in his inventory, he shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters. He shall also exclude print paper which he has received by Great Lakes or coastal water-borne shipments; provided on May 1 of any calendar year he shall have on hand or available for use not more than (i) a 40 days' supply if he is located in one of the states named on List A above, or (ii) more than a 65 days' supply if he is located in one of the states named in List B above and provided further that no publisher may order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and closed navigation seasons) in excess of his delivery quota for that calendar year.

[Paragraphs (4), (5), (6), and (7), formerly (3), (4), (5), and (6) redesignated Sept. 5, 1944]

(4) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the first six months of 1944.

(5) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload it may be increased to one full carload. If it is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(6) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(7) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 5 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(o) *Exceptions.* Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (n) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(p) *Certification.* On and after December 24, 1943, each order by a publisher for delivery of print paper shall contain substantially the following certification, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

> The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, and to receive the item(s) ordered for the purpose for which ordered.

No person may deliver print paper to a publisher except upon a delivery order which bears the above certification.

(q) *Copies of orders.* On and after March 1, 1944, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board copies of all orders for the delivery of print paper placed by him or for his account. Such copies must be mailed within three days after the orders are placed. On or before March 15, 1944, every such publisher shall mail to the War Production Board copies of all orders for the delivery of print paper placed by him or for his account since January 1, 1944. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(r) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

Miscellaneous Provisions

(s) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(t) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(u) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(v) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L–240.

(w) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Dec. 24, 1943.
INTERPRETATION 2: Revoked Dec. 24, 1943.
INTERPRETATION 3: Revoked Dec. 24, 1943.

[F. R. Doc. 44–13598; Filed, Sept. 5, 1944; 11:52 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2 as Amended Sept. 5, 1944]

INVENTORIES

§ 3175.2 *CMP Regulation 2—(a) Definitions.* For the purposes of this regulation:

(1) "Item of controlled material" means any item in any class of controlled material listed in the attached Schedule A which is different from all other items in that class by reason of one or more of its specifications, such as length, width, thickness, temper, alloy, finish, method of manufacture, etc.

(2) "User of controlled material" means any person, including government operated consuming establishments, who uses any item of controlled material for production, construction, operating supplies, or maintenance or repair.

(b) *General maximum inventory limitation.* (1) No user of controlled material shall, after April 1, 1943, accept delivery of any item of controlled material if his inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item he will be required by his current practices to put into use during the succeeding 60-day period for production, construction, operating supplies, or maintenance or repair, in order to carry out his authorized operations. The provisions of this subparagraph shall not apply to the acceptance of delivery of controlled material if the delivery is made under a specific direction of the War Production Board issued pursuant to paragraph (t) (3) (iii) of CMP Regulation 1 and the person accepting delivery, in the course of his operations, will convert such controlled material into another form of controlled material.

(2) The War Production Board may, by specific inventory direction, fix longer or shorter periods or otherwise vary the inventory limits under subparagraph (1) of this paragraph (b), for any specified person or class of persons. Any such action will be governed by the principle that inventories of materials are to be kept at the minimum consistent with sound production practice.

(3) Nothing in this regulation shall be deemed to permit any person to accept delivery of any item of controlled material if his inventory of such item is, or will by virtue of such acceptance become, in excess of a minimum practicable working inventory thereof.

(c) *Exceptions to paragraph (b).* Notwithstanding the provisions of paragraph (b), any person may accept delivery of material in excess of the prescribed limits under the following circumstances.

(1) If any producer of controlled material exercises his privilege under CMP Regulation No. 1 of making delivery prior to the delivery date specified by the user of controlled material, such delivery may be accepted and the prescribed limits exceeded to the extent that such excess results from such prior delivery.

(2) If a user of controlled material has promptly instructed a producer or other supplier to reduce, postpone, or cancel a delivery, and the material has been shipped or loaded for shipment before receipt of such instruction, delivery of such material may be accepted and the prescribed limits exceeded to the extent that such excess results from such delivery, *Provided*, The producer or supplier promptly advises such user why the delivery has been made despite the receipt of reduction, postponement, or cancellation instructions.

(3) If a user of controlled material would be authorized under paragraph (b) to accept delivery of a quantity of an item of controlled material less than the minimum shown opposite the appropriate class of controlled material on the attached Schedule A, he may accept delivery of the full minimum shown on Schedule A.

(4) If a user of controlled material has promptly instructed a producer to reduce or postpone a delivery of a special item which cannot be readily disposed of in the course of the producer's business, and the producer advises such user that he has already started production thereof, specifying the minimum quantity which he will have to complete in the light of the production he has started, such user may accept delivery of such minimum quantity and exceed the prescribed limits to the extent that such excess results from such delivery. This exception applies only to the acceptance of delivery of such special items before they are needed and not to acceptance of such special items which will not be needed at all.

(d) *Scheduling of deliveries.* Every user of controlled material must apply for allotments, schedule deliveries, and place orders in such manner that deliveries may be made without violating the provisions of this regulation. If by reason of change in authorized operations, slowing or stoppage of production, delayed delivery by a producer or other supplier, or other cause, a person who has ordered material for future delivery would, if he accepted delivery on the dates specified, exceed the limits prescribed by this regulation, he shall promptly revise and adjust his applications, outstanding orders and scheduled deliveries and, if necessary, postpone or cancel the same, directly or through his claimant agencies, so that deliveries will conform to this regulation.

(e) *Separate inventories.* (1) In determining his inventory, a person shall include all controlled material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) A person who has more than one operating unit may divide his operations and apply this regulation to each division independently, but he may not thereafter change such divisions without specific authorization of the War Production Board. Any person who has been operating under the Production Requirements Plan shall continue to divide his operations in the same manner as under that plan to the extent that such division is consistent with this paragraph.

(f) *Geographical application.*—This regulation shall not apply to persons outside the forty-eight states and the District of Columbia except pursuant to specific direction of the War Production Board.

(g) *Prohibited deliveries.* No person shall deliver any item of controlled material if he knows or has reason to believe that acceptance of such delivery would be in violation of this regulation.

(h) *Redistribution of excess inventories.* Excess inventories of controlled materials, including inventories of materials which are not in such form as to be usable by the holder, shall be subject to redistribution to other persons by voluntary action, pursuant to Priorities Regulation No. 13, or if necessary, through requisitioning by the War Production Board.

(i) *Reports.* Users of controlled materials, including government operated consuming establishments, shall file such reports on Form CMP–7 or other designated forms, as may be required from time to time by the War Production Board.

(j) *Appeals.* Any person affected by this regulation who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, Redistribution Division, Reference: CMP Regulation No. 2, setting

forth the pertinent facts and the reasons he considers he is entitled to relief.

(k) *Miscellaneous provisions*—(1) *Applicability of other orders and regulations.* All persons affected by this regulation shall remain subject to all applicable provisions of other War Production Board regulations and orders as amended from time to time.

(2) *Communications.* All communications concerning this regulation shall be addressed to: War Production Board, Redistribution Division, Washington, D. C., Reference: CMP Regulation No. 2.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

[NOTE: Schedule A amended in its entirety Sept. 5, 1944.]

If a user of controlled material would be authorized under paragraph (b) to accept delivery of a quantity of an item of controlled material less than the minimum shown opposite the appropriate class of controlled material on the following schedule, he may accept delivery of the full minimum shown on the schedule. He may not thereafter accept a further delivery of that item until his inventory of that item is within the limitations of paragraph (b).

Class of controlled material	*Minimum quantity*[1] *lbs.*
ALUMINUM	
Cable (electrical transmission only)	2,000
Ingot (excluding ingot for aluminum castings, sheet, plate, strip, rod, bar, extrusions, and powder)	2,000
Extruded shapes—whichever is the smallest of the following:	
(1) A six months' supply of the particular extruded shape;	
(2) A quantity of the particular extruded shape sufficient to complete a contract; or	
(3) The following quantities of the particular extruded shape;	
Weight of individual extruded shape per linear foot:	
Up to ½ lb. inclusive per foot	100
Over ½ lb. to 1 lb. inclusive per foot	200
Over 1 lb. to 2 lbs. inclusive per foot	350
Over 2 lbs. to 4 lbs. inclusive per foot	500
Over 4 lbs. to 8 lbs. inclusive per foot	750
Over 8 lbs. per foot	1,000
Rivets	50
All other controlled material forms of aluminum	500
COPPER AND COPPER BASE ALLOYS	
All controlled material forms of copper and copper base alloy	500

[1] If the minimum mill quantity of any item of controlled material stated in Schedule IV of CMP Regulation 1 is greater than the amount of that item stated in this list, a user who is purchasing that item from a producer may accept delivery of the minimum mill quantity specified in Schedule IV.

Class of controlled material—Continued

	Minimum quantity[1] *lbs.*
STEEL	
Carbon steel (including wrought iron):	
Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bars, rails and track accessories, structural shapes and piling, wheels and axles	50,000
All other controlled material forms of carbon steel	10,000
Alloy steel—including stainless:	
Steel castings	2,000
Alloy tubing:	
Airframes and engine tubing	[2] 5,000
Other alloy tubing up to 7⅛" O. D	[2] 10,000
Other alloy tubing over 7⅛" O. D	[2] 20,000
All other controlled material forms of alloy steel	10,000

[2] Or 10,000 ft. or a minimum mill production run, whichever is least.

[3] Or a minimum mill production run whichever is the smaller.

INTERPRETATION 1

INVENTORY MATERIAL

Paragraph (b) (1) of CMP Regulation No. 2 prohibits the acceptance of delivery of any item of controlled material if the user's inventory of such item is, or will by virtue of acceptance become, greater than the maximum prescribed. For the purpose of this regulation, material is considered to be inventory until it is actually put into process or is actually installed or assembled. Putting into process does not include minor initial operations, such as painting, and does not include any shearing, cutting, trimming or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection, testing and ageing nor segregation or earmarking for a specific job or operation.

For example, if a manufacturer who uses wire or rod cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed.

If a manufacturer purchases and stores steel castings in the form purchased, the steel castings are not put into process when the castings are painted and stored. Consequently the inventory of castings includes those painted and stored.

If a manufacturer shears steel sheet and stocks in sheared form, such stock is still part of his inventory, if the material does not continue in production. [Issued June 19, 1943.]

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 2

PROMPT CANCELLATION AND SPECIAL ITEMS

(a) CMP Regulation No. 2 requires a user of controlled material to promptly cancel, postpone, or reduce delivery when his requirements of controlled materials are reduced. Such cancellations must be made as rapidly after he discovers that his requirements are reduced as is practicable.

(b) Paragraph (c) (4) of the regulation permits the receipt of a special item of controlled material in greater amounts than presently needed under the following circumstances: (1) if the user has promptly instructed the producer to reduce or postpone the delivery of the item and (2) if the user has received from the producer a statement that the item is a special item on which production has been begun and that the producer must complete a minimum amount in order to prevent undue loss in production. This exception applies only to special items the user will need and does not permit acceptance of items which will not be needed at all.

(c) Before a producer may deliver such special items he must notify his customer in writing that the item is a special item stating the amount which is the minimum amount he must complete without undue loss of production. The customer is entitled to rely on this notice and need make no further inquiries. A special item, as the term is used in the regulation, means one that the producer does not usually make, stock or sell, and which he cannot readily dispose of in the course of his business. An item which is a special item to one producer may not be a special item to another producer.

(d) The producer, on receipt of a notice from his customer to reduce or postpone delivery, must be diligent in taking the special item out of his schedule or in stopping production if it has already been started. [Issued March 20, 1944.]

INTERPRETATION 3

EFFECT OF REDUCTION IN CONSUMPTION RATE OF PERMITTED INVENTORIES

(a) Paragraph (b) of CMP Regulation No. 2 prohibits the acceptance of delivery of an item of controlled material if a person's inventory will become, because of the delivery, or already is, in excess of the amount permitted by the regulation. Priorities Regulation No. 1, § 944.14, makes a similar restriction. If material is acquired within these restrictions, neither regulation prohibits the mere possession of an inventory if a change in circumstances makes it greater than the amount they permitted. For instance, if based upon current rate of production a manufacturer's permitted inventory of one item of steel is 100 tons and he has in inventory 60 tons, he may receive a further delivery of 40 tons. If after receiving the delivery of 40 tons his rate of consumption, because of contract cancellation or the like, is reduced drastically, the mere fact that he has an inventory of 100 tons, although his permitted inventory may be only 10 tons, is not a violation of the regulation. He may not, of course, accept any further deliveries of steel until his inventory has been reduced below 10 tons (except as provided in paragraphs (c) (2) and (c) (4) of CMP Regulation No. 2, relating to material already shipped and special items).

(b) Similarly, the regulation does not affect the liability of a customer for material in inventory when the customer cancels his contract. Such liability is controlled by the provisions of the contract between them and by contract law. [Issued June 14, 1944.]

[F. R. Doc. 44-13604; Filed, Sept. 5, 1944; 11:53 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Revocation of Inventory Direction 10]

ALLOY STEEL AIRFRAME AND ENGINE TUBING

Section 3175.1010 *Inventory Direction 10 to CMP Regulation 2* is hereby revoked. Schedule A of CMP Regulation 2 has been amended to incorporate the provisions of this direction.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13601; Filed, Sept. 5, 1944; 11:52 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Revocation of Inventory Direction 14]

ALLOY STEEL TUBING OTHER THAN AIRFRAME AND ENGINE TUBING

Section 3175.116 *Inventory Direction 14 to CMP Regulation 2* is hereby revoked. Schedule A of CMP Regulation 2 has been amended to incorporate the provisions of this direction.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13602; Filed, Sept. 5, 1944; 11:53 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 2, Revocation of Inventory Direction 19]

ALUMINUM AND ALUMINUM ALLOY EXTRUDED SHAPES

Section 3175.119 *Inventory Direction 19 to CMP Regulation 2* is hereby revoked. Schedule A of CMP Regulation 2 has been amended to incorporate the provisions of this direction.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13603; Filed, Sept. 5, 1944; 11:52 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 56]

ELIMINATION OF FORMS IN WHICH ALUMINUM IS ALLOTTED

The following directive is issued pursuant to CMP Regulation 1:

(a) Allotments of aluminum will no longer be made in the eight forms formerly specified in Schedule I of CMP Regulation 1. Allotments will be made only in terms of "aluminum" without further specification. However, applications for allotments must continue to be made in terms of the eight forms.

(b) A person who has received an allotment in terms of the eight forms may combine such allotments into one account and may thereafter allot to his suppliers in terms of "aluminum" without further specification, and, in placing authorized controlled material orders for aluminum, may charge against such single account irrespective of the forms or shapes ordered. If a person receives an allotment in one or more of the specified shapes, he may treat it as an allotment of "aluminum" without regard to such shapes.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13600; Filed, Sept. 5, 1944; 11:52 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 2, as Amended Sept. 4, 1944]

SAWMILLS' SHIPMENTS FROM WESTERN PINE REGION

The following direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, and South Dakota which produce the following species of lumber: Ponderosa pine, sugar pine, lodgepole pine, Idaho white pine and white fir (except Idaho white pine and white fir produced west of the crest of the Cascade mountain range in the States of Oregon and Washington), Western white spruce, and Engelmann spruce.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 10,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 10,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of August, 1944, sawmills that receive orders of the types described in pargaraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA) to the extent that such orders do not require more than 20 percent of the sawmill's anticipated monthly shipments. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TPS;

(3) Orders placed by any other persons which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the lumber purchased thereby is for the use of one of the agencies mentioned in subparagraph (1) of this paragraph, or is for "command construction" or "advance base procurement". A person who receives such a certification from the Central Procuring Agency may extend that certification in placing orders with his supplier to the extent necessary to obtain the lumber required for delivery on the order bearing the original certification of the Central Procuring Agency.

[NOTE: Undesignated paragraph deleted Sept. 4, 1944]

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 20 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) *Sawmills producing less than 10,000 board feet not getting certified orders may ship on uncertified orders.* Any sawmill defined in paragraph (a) which is smaller than the type of sawmill included in paragraph (b) must accept certified orders (whether military or not) of consumers and distributors offered it in accordance with paragraphs (x) (1) and (x) (2) of Order L-335 but if such a sawmill has not been offered certified orders for all of its lumber it may ship the balance to lumber distributors on uncertified and unrated orders. A shipment of lumber on a distributor's uncertified and unrated orders must not be made if it will interfere with the filling of a certified order. Retail sales by sawmills are subject to the provisions of paragraphs (u) and (v) of Order L-335 and the provisions of Directions Nos. 6, 8, and 8 (a) to Order L-335.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13564; Filed, Sept. 4, 1944; 8:21 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 8a]

TEMPORARY PROVISIONS RELATING TO THE DELIVERY OF CERTAIN LUMBER ON UNCERTIFIED AND UNRATED ORDERS.

The following direction is issued pursuant to Order L-335:

(a) *What this direction does.* This direction permits lumber distributors to deliver to "all other consumers" accumulated stocks of slow moving items which are not adaptable to war uses if the delivery of such lumber does not interfere with the filling of certified orders. It also permits sawmills and distributors in certain areas to dispose of their excess stocks of Douglas fir, larch, and Red cedar to farmers in those areas when they are not required to fill certified orders.

(b) *Sale of inventory by distributors.* Any lumber distributor as defined in paragraph (b) of Direction 8 to Order L-335 is authorized to deliver to "all other consumers" as defined in paragraph (m) of Order L-335 on uncertified and unrated orders up to an amount of lumber not exceeding ⅓ of his

lumber inventory as of September 1, 1944. Delivery of this lumber may be made at any time between September 1 and December 31, 1944. However, no lumber in the grades of No. 2, No. 3, or No. 4 common in Idaho White pine, Ponderosa pine or Sugar pine may be delivered under the above provision. This direction makes no provision for replacement of lumber in inventory which is sold under this paragraph.

(c) *Delivery of Douglas fir, larch, and Red cedar to farmers.* Any Douglas fir, larch, or Red cedar produced east of the Cascade mountain range in the States of Washington and Oregon and in the States of California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, and South Dakota may be sold by sawmills and lumber distributors on uncertified and unrated orders of farmers located in the States of Washington, Oregon, California, Arizona, New Mexico, Nevada, Utah, Colorado, Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Iowa, and Minnesota. For the purposes of this direction a "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees, or poultry. It does not include a person who has just a "victory garden" or a person who raises feed or other agricultural products entirely for his own use.

(d) *Deliveries may not interfere with filling of certified orders.* No delivery may be made under the provisions of this direction if the delivery will interfere with the filling of a certified order.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13565; Filed, Sept. 4, 1944; 3:21 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. VI to Schedule A]

The following Supplement VI to Schedule A is issued pursuant to Conservation Order M-328B. (§3290.120a.)

KNIT GOODS PROGRAM No. 4

Item No.	Items	Sizes	Yarns
	Hosiery		
1	Infant's long ribbed hose	3 to 5½	Cotton.
2	Infant's half socks	4 to 6½	Cotton.
3	Boys' half socks and crew socks	7 to 11½	Cotton.
4	Boys' golf socks	7 to 11½	Cotton.
5	Children's ¾ and ⅞ hose	6 to 10½	Cotton.
6	Men's work socks	Finished weight not less than 1¼ pounds per dozen.	Cotton
	Underwear		
7	Children's waist suits	2 to 12	Cotton.
8	Children's vests and pants	2 to 16	Cotton.
9	Children's and infant's sleepers and gowns	0 to 12	Cotton.
10	Infant's shirts, wrappers and bands	0 to 6	Cotton.
11	Infant's pants	1 to 6	Cotton.
	Women's outsize tuckstitch underwear		
12	Women's tuckstitch vests	46 to 56	Cotton.
13	Women's tuckstitch pants, knee length	46 to 56	Cotton.
14	Women's tuckstitch pants, ¾ length	46 to 56	Cotton.

Application Form WPB-3732.
Filing Date September 15, 1944.

The above items are required to be produced during October, November and December 1944.

Priorities assistance will be given only for cotton yarn.

Applicants should base their estimated production on their present labor and machinery.

Each applicant whose application is granted is required to produce the items within the same price lines within which he produced these items in the corresponding calendar quarter of 1942 (base period); and the proportion of his production of each item within each price line to his entire production of the item (under this program) shall be the same as his production of the item within each price line in the base period was to his total production of the item in the base period. The whole or part of a quota of any item within any price line may be shifted from a higher to a lower price line, but not from a lower to a higher price line. "Price line" means the manufacturer's sale price for an item.

Applications that are not completely and accurately filled out may be denied.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13597; Filed, Sept. 5, 1944; 11:52 a. m.]

Subchapter D—Office of Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Direction 1]

COMMUNICATIONS, REPORTS, APPLICATIONS AND AUTHORIZATIONS

The following direction is issued pursuant to Rubber Order R-1:

Wherever Rubber Order R-1 as amended August 25, 1944 (including Appendixes), requires communications, reports or applications to the Office of the Rubber Director, War Production Board, they shall be made to the War Production Board and where the order requires any authorization to be obtained from the "Rubber Director, War Production Board" an authorization from the "War Production Board" shall be sufficient.

Issued this 4th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13569; Filed, Sept. 4, 1944; 4:30 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 97]

CHANGES IN REFERENCES IN CERTAIN REGULATIONS, ORDERS OR OTHER DOCUMENTS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1305.125 *Changes in references in certain regulations, orders or other documents.* (a) All references to Maximum Price Regulation No. 165 as amended, Services, in Supplementary or Revised Supplementary Service Regulations heretofore issued, and in all other Office of Price Administration regulations, orders or other documents heretofore issued shall henceforth be deemed to be references to Revised Maximum Price Regulation No. 165 (Services), unless the context of such references clearly otherwise requires.

(b) In all instances in supplementary or revised supplementary service regulations heretofore issued where reference is made to those sections of Maximum Price Regulation No. 165 as amended, Services, which are listed in the left hand column of the chart below, such reference shall hereafter be deemed to refer to the comparable sections of Revised Maximum Price Regulation No. 165 (Services) which are listed in the right hand column of the chart below.

MPR 165 as amended:	*RMPR 165 section*
§ 1499.102	4 and 5
§ 1499.103	6
§ 1499.103 (footnote 2)	6 (footnote 3)
§ 1499.106	14
§ 1499.106 (a)	14 (a)
§ 1499.106 (b)	14 (b)
§ 1499.114 (d)	16 (a)
§ 1499.114 (f)	16 (b)
§ 1499.116	23

(c) In all other regulations, orders or documents issued heretofore by the Office of Price Administration where reference is made to the sections of Maximum Price Regulation No. 165 as amended, Services, such references shall be deemed to refer to the comparable sections of Revised Maximum Price Regulation No. 165 (Services), unless the context of such references clearly otherwise requires.

This Supplementary Order No. 97 shall become effective as of August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13593; Filed, Sept. 5, 1944; 11:49 a. m.]

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*Copies may be obtained from the Office of Price Administration.

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 24]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 is amended in the following respect:

In § 1316.61 (b) (4), Table III, other than the footnotes, is amended to read as follows:

TABLE III—SHEETING YARN GROUP

(Specifications for the types and classes of cloth listed herein are set forth in Table III–A)

SPOT COTTON PRICE—20.87¢ PER POUND

Type and class of cloth:	*Cents per pound* [1]
Sheetings:	
Class A	43.00
Class B	44.00
Class C [2]	45.50
Drills: [3]	
Class A	41.50
Class B	42.50
Class C	43.50
Class D	44.50
Class E	45.50
Three-leaf jeans [2]	46.00
Four-leaf twills: [3] [4]	
Class A	42.00
Class B	43.00
Class C	45.50
Class D	46.00
Osnaburgs: [4] [5]	
Class A	34.00
Class B	35.00
Class C	36.00
Class D	37.00
Class E	37.50

This amendment shall become effective September 5, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–13890; Filed, Sept. 5, 1944; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 8 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. The table in section 1 (a) is amended by adding item 9 to read as follows:

Column 1 Item No.	Column 2 Product	Column 3 Section	Column 4	
			Section	Appendix
9	Tomatoes	8	15	E

2. In section 15, Appendix E is added to read as follows:

APPENDIX E—TOMATOES

Explanation of how maximum prices for packed tomatoes are figured. For packed tomatoes, the order in which conversions are to be made for grade and container type and size under subparagraph (2), (3) or (4) of section 8 (a) of this supplement differs from that specified in the note at the beginning of section 8 (a) (2). In figuring maximum prices for packed tomatoes under those subparagraphs, steps are to be taken in the order indicated below in all cases (although in many cases not all of the steps are necessary):

1. Convert for container size.
2. Add the permitted increase specified in Table 3 for the grade sold in the base period.
3. Convert for grade.
4. Apply the limitations of the price range.
5. Convert for container type and size.
6. Subtract subsidy payable per unit of the finished product, for sales to purchasers other than government procurement agencies.

Conversions from metal containers to glass containers must be made after applying the limitations of the price range (see step 5) and not in base period prices, since permitted increases and price ranges are based on cost increase and base period price data for metal containers only. The processor must first construct a maximum price for the item when packed in metal containers and then add (or subtract) the appropriate amount named in Table 6, even though he sold the item in glass containers during the base period.

TABLE 1—AREAS

1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Northern Pennsylvania (Wayne, Susquehanna, Bradford, Tioga, Potter, McKean, Warren, Forest, Erie, Crawford and Venango Counties) and New Jersey.
2. Maryland, Delaware and Southern Pennsylvania (all of the State of Pennsylvania not included in Area 1).
3. Virginia.
4. West Virginia, Kentucky, Tennessee, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, North Dakota, South Dakota, Nebraska, Kansas and Missouri.
5. North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Oklahoma, Texas and Arkansas.
6. Montana, Idaho, Wyoming, Colorado, Utah, New Mexico, Arizona and Nevada.
7. Oregon, Washington and California.

TABLE 2—BASE PERIOD PRICES

All areas: Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED TOMATOES WHO MADE SALES DURING THE BASE PERIOD

Area and grade	No. 2 cans		No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges
Area 1:						
Fancy whole	$0.43	$1.60–$1.70	$0.59	$2.05–$2.27	$2.02	$6.63–$7.33
Fancy	.42	1.52– 1.62	.57	1.94– 2.16	1.97	6.25– 6.95
Extra standard	.38	1.25– 1.35	.52	1.64– 1.86	1.78	5.73– 6.23
Standard	.36	1.12– 1.22	.49	1.43– 1.65	1.60	4.92– 5.56
Substandard	.34	1.02– 1.12	.46	1.25– 1.47	1.60	4.42– 5.06
Area 2:						
Fancy whole	.33	1.41– 1.53	.45	1.89– 2.09	1.55	6.29– 6.97
Fancy	.32	1.39– 1.45	.43	1.78– 1.98	1.50	5.91– 6.59
Extra standard	.30	1.17– 1.31	.41	1.60– 1.72	1.41	5.32– 6.00
Standard	.29	1.05– 1.13	.39	1.40– 1.58	1.36	4.83– 5.51
Substandard	.28	.95– 1.03	.38	1.28– 1.40	1.32	4.33– 5.01
Area 3:						
Fancy whole	.30	1.38– 1.51	.41	1.85– 1.95	1.41	5.65– 6.35
Fancy	.29	1.25– 1.43	.39	1.74– 1.84	1.32	5.27– 5.97
Extra standard	.27	1.19– 1.26	.37	1.57– 1.65	1.27	4.82– 5.52
Standard	.26	1.04– 1.10	.35	1.42– 1.50	1.22	4.35– 5.05
Substandard	.25	.94– 1.00	.34	1.24– 1.32	1.18	3.85– 4.55
Area 4:						
Fancy whole	.37	1.40– 1.58	.50	1.85– 2.07	1.74	6.18– 6.86
Fancy	.36	1.32– 1.50	.49	1.74– 1.96	1.69	5.80– 6.48
Extra standard	.34	1.19– 1.33	.46	1.60– 1.78	1.60	5.30– 6.07
Standard	.33	1.11– 1.17	.45	1.50– 1.60	1.55	5.01– 5.69
Substandard	.32	1.01– 1.07	.44	1.32– 1.42	1.50	4.51– 5.19
Area 5:						
Fancy whole	.32	1.26– 1.43	.44	1.81– 1.91	1.50	5.89– 6.59
Fancy	.31	1.28– 1.40	.42	1.70– 1.80	1.46	5.51– 6.21
Extra standard	.29	1.15– 1.23	.39	1.56– 1.64	1.36	5.06– 5.76
Standard	.28	1.01– 1.09	.38	1.38– 1.46	1.32	4.57– 5.27
Substandard	.27	.91– .99	.37	1.20– 1.28	1.27	4.07– 4.77
Area 6:						
Fancy whole	.38	1.44– 1.56	.47	1.82– 1.92	1.54	6.13– 6.83
Fancy	.37	1.36– 1.48	.46	1.71– 1.81	1.50	5.75– 6–15
Extra standard	.35	1.23– 1.31	.43	1.53– 1.63	1.42	5.34– 5.70
Standard	.34	1.17– 1.25	.42	1.47– 1.57	1.38	4.98– 5.48
Substandard	.33	1.07– 1.15	.41	1.29– 1.39	1.34	4.48– 4.98
Area 7:						
Fancy whole	.43	1.64– 1.76	.53	2.07– 2.21	1.74	6.63– 7.07
Fancy	.41	1.56– 1.68	.51	1.96– 2.10	1.66	6.25– 6.69
Extra standard	.37	1.42– 1.54	.46	1.74– 1.88	1.50	5.70– 6.36
Standard	.33	1.25– 1.31	.41	1.51– 1.59	1.34	4.88– 5.28
Substandard	.30	1.15– 1.21	.37	1.33– 1.41	1.22	4.38– 4.78

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1963, 5306, 15906, 16744; 9 F.R. 2020, 2237, 2477, 2790, 3339, 7700, 9278, 9838, 10088.

[1] 9 F.R. 9493, 9613, 10194.

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED TOMATOES DURING THE BASE PERIOD

Area and grade	No. 2 cans	No. 2½ cans	No. 10 cans
Area 1:			
Fancy whole	$1.65	$2.16	$6.98
Fancy	1.57	2.05	6.60
Extra standard	1.30	1.75	5.98
Standard	1.17	1.54	5.24
Substandard	1.07	1.36	4.74
Area 2:			
Fancy whole	1.47	1.99	6.68
Fancy	1.39	1.88	6.25
Extra standard	1.24	1.66	5.66
Standard	1.09	1.52	5.17
Substandard	.99	1.34	4.67
Area 3:			
Fancy whole	1.42	1.90	6.60
Fancy	1.34	1.79	5.62
Extra standard	1.19	1.61	5.17
Standard	1.07	1.46	4.70
Substandard	.97	1.28	4.20
Area 4:			
Fancy whole	1.49	1.96	6.52
Fancy	1.41	1.85	6.14
Extra standard	1.26	1.69	5.73
Standard	1.14	1.55	5.25
Substandard	1.04	1.37	4.85
Area 5:			
Fancy whole	1.42	1.86	6.24
Fancy	1.34	1.75	5.86
Extra standard	1.19	1.60	5.41
Standard	1.06	1.43	4.92
Substandard	.95	1.24	4.42
Area 6:			
Fancy whole	1.50	1.97	6.38
Fancy	1.42	1.76	5.95
Extra standard	1.27	1.58	5.52
Standard	1.21	1.52	5.28
Substandard	1.11	1.34	4.73
Area 7:			
Fancy whole	1.70	2.14	6.85
Fancy	1.62	2.08	6.47
Extra standard	1.45	1.81	6.08
Standard	1.28	1.55	5.08
Substandard	1.18	1.37	4.88

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

(PART 1) AREAS 1–5, INCLUSIVE

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor			
	No. 1 Picnic	No. 2	No. 2½	No. 10
No. 1 Picnic	.....	1.86	2.12	7.33
No. 2	.64	.....	1.36	4.70
No. 2½	.47	.74	.....	3.46
No. 10	.14	.21	.29	.....

(PART 2) AREAS 6 AND 7

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				
	No. 1 tall	No. 303	No. 2	No. 2½	No. 10
No. 1 Tall	.....	.....	1.20	1.49	4.57
No. 303	.....	.....	1.18	1.46	4.77
No. 2	.83	.85	.....	1.24	4.05
No. 2½	.67	.69	.81	.....	3.27
No. 10	.21	.21	.25	.31	.....

TABLE 6—CONVERSION FROM TIN TO GLASS

[Dollars per dozen containers]

If you can figure a price for a can size in this column	To get a price for a glass container size in this column
No. 2½ can	2½ glass—add $0.15 per dozen.
No. 2½ can	303 glass—subtract $0.13 per dozen.

TABLE 7—GRADE DIFFERENTIALS

In each case in figuring prices based on grade differentials, if the processor has base prices for both a higher and lower grade than the item being priced, he shall use the differential between the item being priced and the lower grade, except that substandard shall not be used as the lower grade. (For example, if the processor has base prices for both Fancy and Standard grades and now wishes to price Extra Standard he takes the difference between Extra Standard and Standard.)

[Differences between successive grades (per dozen containers)]

Area	No. 2 cans	No. 2½ cans	No. 10 cans
Area 1:			
Fancy whole and fancy	$0.08	$0.11	$0.36
Fancy and extra standard	.27	.30	.62
Extra standard and standard	.13	.21	.74
Standard and substandard	.10	.18	.80
Area 2:			
Fancy whole and fancy	.08	.11	.38
Fancy and extra standard	.15	.23	.80
Extra standard and standard	.15	.14	.49
Standard and substandard	.10	.18	.80
Area 3:			
Fancy whole and fancy	.08	.11	.33
Fancy and extra standard	.15	.18	.45
Extra standard and standard	.12	.15	.47
Standard and substandard	.10	.18	.80
Area 4:			
Fancy whole and fancy	.08	.11	.33
Fancy and extra standard	.15	.16	.41
Extra standard and standard	.13	.14	.38
Standard and substandard	.10	.18	.80
Area 5:			
Fancy whole and fancy	.08	.11	.38
Fancy and extra standard	.15	.15	.43
Extra standard and standard	.14	.15	.49
Standard and substandard	.10	.18	.80
Area 6:			
Fancy whole and fancy	.08	.11	.33
Fancy and extra standard	.15	.18	.43
Extra standard and standard	.06	.06	.29
Standard and substandard	.10	.18	.80
Area 7:			
Fancy whole and fancy	.08	.11	.36
Fancy and extra standard	.14	.22	.44
Extra standard and standard	.20	.26	.96
Standard and substandard	.10	.18	.80

TABLE 8—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

[All areas and grades]

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than government procurement agencies.

Container size:	*Amount to be subtracted*
No. 1—Picnic	$0.08
No. 1—Tall	.10
No. 303	.10
No. 2	.12
No. 2½	.16
No. 10	.54

This amendment shall become effective at 12:01 a. m. September 5, 1944.

Issued this 4th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13556; Filed, Sept. 4, 1944; 11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 279,[1] Amdt. 3]

HOPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 279 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Purpose of the regulation.* The purpose of this regulation is to establish maximum prices for sales of all varieties of Pacific Coast hops and sales of all varieties of the 1943 and subsequent years' crops of New York State hops. This regulation does not apply to sales of hop oils, hop concentrates and other hop derivatives. The maximum prices for sales of those commodities are covered by the General Maximum Price Regulation. Sales of lupulin, as well as sales of New York State hops prior to the 1943 crop, remain exempt from price control. Sales of packaged hops by sellers at retail, other than packers, are exempted from the provisions of this regulation.

2. Section 2 is amended to read as follows:

SEC. 2. *General definitions.* (a) When used in this regulation, the term

(1) "Hops" means the dried cones (strobiles) of the cultivated varieties of hop plants (humulus lupulus). The term includes the following:

(i) "Baled hops" which means hops compressed in bales containing more than 150 pounds, dry weight, of such hops.

(ii) "Packaged hops" which means hops packed in containers holding not more than one pound, dry weight, of such hops.

(iii) "Pacific Coast hops" which means hops produced in the States of California, Idaho, Oregon and Washington.

(iv) "New York State hops" which means hops produced in the State of New York.

(2) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of the foregoing.

(3) "Grower" means a person who produces hops on a farm or ranch (excluding grower dealers and grower cooperatives).

(4) "Dealer" means a person whose business customarily includes the purchase of hops from growers for resale to the brewing trade generally and to brewers supply dealers, and who customarily maintains a permanent sales office and sales personnel for sales of hops to the brewing trade generally. The term does not include brewers supply dealers but does include the following:

(i) "Grower cooperative" which means a non-profit organization acting on behalf of its grower members and selling hops produced by such members to brewers supply dealers or to the brewing trade generally; and which has received authorization from the Office of Price Administration to price as a grower cooperative. The authorization will be granted by the Office of Price Administration, Washington, D. C., by letter or order to any organization making application therefor if it can be shown that: (a) The organization with respect to hops, is engaged primarily in the

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11586, 12442.

[2] 9 F.R. 1721.

business of marketing hops for its grower members; (*b*) the organization customarily maintains a permanent sales office and sales personnel for sales of hops to the brewing trade generally; and markets hops in the manner customarily followed by dealers generally; (*c*) the organization is in full compliance with the requirements of Supplementary Order No. 84,[3] issued by the Office of Price Administration.

(ii) "Grower dealer" which means (*a*) a person whose business includes the production of hops on farms and ranches and the purchase of hops from other growers; whose total annual sales of hops customarily include at least 35% (in pounds, dry weight) of hops purchased from other growers; who customarily sells at least 50% (in pounds, dry weight) of his total annual sales direct to brewers; or (*b*) who sold at least 75% of his own production of the 1942 crop of hops to brewers; and (*c*) who customarily maintains a permanent sales office and sales personnel for sales of hops to the brewing trade generally.

(5) "Brewers supply dealer" means a person who customarily resells hops to brewers; who prior to December 5, 1942 customarily and regularly engaged in the business of selling hops, diverse equipment, supplies or services to brewers; and whose annual sales of hops to brewers do not exceed 30% of his total annual sales of all commodities and services to brewers.

(6) "Packer" means a person who packs hops in packages containing not more than one pound, dry weight, of such hops and includes sellers of packaged hops which are packaged by a person to whom the seller supplies the hops for packaging.

3. Section 3 (d) is redesignated section 3 (e) and a new section 3 (d) is added to read as follows:

(d) *Maximum prices for Pacific Coast baled hops of the 1944 and subsequent years' crops*—(1) *Growers' maximum prices.* A grower's maximum price, f. o. b. grower's farm, warehouse or place of business, for sales of the 1944 and subsequent years' crops of Pacific Coast baled hops of the particular classification stated on the inspection certificate required under section 10, shall be the price shown in Table I, below, for sales by growers of hops of the same specifications, plus any inspection fee or charge paid by the grower, as provided in section 8.

(2) *Dealers' maximum prices.* A dealer's maximum price, f. o. b. Pacific Coast shipping point, for sales of the 1944 and subsequent years' crops of Pacific Coast baled hops of the particular classification stated on the inspection certificate required under section 10, shall be the price shown in Table I, below for sales by dealers of hops of the same specifications, plus any inspection fee or charge paid by the dealer, as provided in section 8.

TABLE I

Leaf and stem content percent by weight	Less than 1 percent seeds by weight		1 percent seeds by weight		2 percent seeds by weight		3 percent seeds by weight		4 percent seeds by weight		5 percent seeds by weight		6 percent or more seeds by weight	
	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price
Less than 1	$0.83	$0.91	$0.80	$0.89	$0.78	$0.87	$0.76	$0.85	$0.74	$0.83	$0.72	$0.81	$0.70	$0.79
1	.81¼	.90¼	.79¼	.88¼	.77¼	.86¼	.75¼	.84¼	.73¼	.82¼	.71¼	.80¼	.69¼	.78¼
2	.80½	.89½	.78½	.87½	.76½	.85½	.74½	.83½	.72½	.81½	.70½	.79½	.68½	.77½
3	.79¾	.88¾	.77¾	.86¾	.75¾	.84¾	.73¾	.82¾	.71¾	.80¾	.69¾	.78¾	.67¾	.76¾
4	.79	.88	.77	.86	.75	.84	.73	.82	.71	.80	.69	.78	.67	.76
5	.78¼	.87¼	.76¼	.85¼	.74¼	.83¼	.72¼	.81¼	.70¼	.79¼	.68¼	.77¼	.66¼	.75¼
6	.77½	.86½	.75½	.84½	.73½	.82½	.71½	.80½	.69½	.78½	.67½	.76½	.65½	.74½
7	.76¾	.85¾	.74¾	.83¾	.72¾	.81¾	.70¾	.79¾	.68¾	.77¾	.66¾	.75¾	.64¾	.73¾
8	.76	.85	.74	.83	.73	.81	.70	.79	.68	.77	.66	.75	.64	.73
9	.75¼	.84¼	.73¼	.82¼	.71¼	.80¼	.69¼	.78¼	.67¼	.76¼	.65¼	.74¼	.63¼	.72¼
10	.74½	.83½	.72½	.81½	.70½	.79½	.68½	.77½	.66½	.75½	.64½	.73½	.62½	.71½
11	.73¾	.82¾	.71¾	.80¾	.69¾	.78¾	.67¾	.76¾	.65¾	.74¾	.63¾	.72¾	.61¾	.70¾
12	.73	.82	.71	.80	.69	.78	.67	.76	.65	.74	.63	.72	.61	.70
13	.72¼	.81¼	.70¼	.79¼	.68¼	.77¼	.66¼	.75¼	.64¼	.73¼	.62¼	.71¼	.60¼	.69¼
14	.70½	.79½	.68½	.77½	.66½	.75½	.64½	.73½	.62½	.71½	.60½	.69½	.58½	.67½
15	.69¼	.78¼	.67¼	.76¼	.65¼	.74¼	.63¼	.72¼	.61¼	.70¼	.59¼	.68¼	.57¼	.66¼
16	.67¾	.76¾	.65¾	.74¾	.63¾	.72¾	.61¾	.70¾	.59¾	.68¾	.57¾	.66¾	.55¼	.64¾
17	.66¼	.75¼	.64¼	.73¼	.62¼	.71¼	.60¼	.69¼	.58¼	.67¼	.56¼	.65¼	.54¼	.63¼
18	.64¾	.73¾	.63¾	.71¾	.60¾	.69¾	.58¾	.67¾	.56¼	.65¼	.54¾	.63¾	.52¾	.61¾
19	.63¼	.72¼	.61¼	.70¼	.59¼	.68¼	.57¼	.66¼	.55¼	.64¼	.53¼	.62¼	.51¼	.60¼
20 or more [1]														

[1] Subtract 3 cents for each 1 percent above 20 percent leaf and stem content.

(3) *Brewers' supply dealers' maximum prices.* A brewers supply dealer's maximum price, f. o. b. his local warehouse or place of business, for sales of the 1944 and subsequent years' crops of Pacific Coast baled hops shall be:

(i) The grower's maximum price in accordance with (1), above, for the particular quantity of hops to be priced, plus the amount of 9¢ per pound for such hops purchased by the brewer's supply dealer from a grower, or

(ii) The dealer's maximum price in accordance with (2), above, for the particular quantity of hops to be priced, plus the amount of 5¢ per pound for such hops purchased by the brewer's supply dealer from a dealer.

(iii) The brewer's supply dealer may add to the amount determined at (i) or (ii), above, the applicable amount of transportation costs, not including local hauling and unloading charges, paid by the brewer's supply dealer with respect to the particular quantity of hops to be priced.

(4) *Brewers' maximum prices.* A brewer's maximum price, f. o. b. his platform or warehouse, for sales of the 1944 and subsequent years' crops of Pacific Coast baled hops, shall be his supplier's maximum price for the particular quantity of such hops to be priced, plus the applicable amount of transportation charges paid by the brewer.

4. Section 3 (f) is added to read as follows:

(f) *Maximum prices for New York State baled hops of the 1944 and subsequent years' crops*—(1) *Growers' maximum prices.* A grower's maximum price, f. o. b. grower's farm, warehouse or place of business, for sales of the 1944 and subsequent years' crops of New York State baled hops of the particular classification stated on the inspection certificate required under section 10, shall be the price shown in Table II, below, for sales by growers of hops of the same specifications, plus any inspection fee or charge paid by the grower, as provided in section 8.

(2) *Dealers' maximum prices.* A dealer's maximum price, f. o. b. New York State shipping point, for sales of the 1944 and subsequent years' crops of New York State baled hops of the particular classification stated on the inspection certificate required under section 10, shall be the price shown in Table II, below, for sales by dealers of hops of the same specifications, plus any inspection fee or charge paid by the dealer, as provided in section 8.

TABLE II

Leaf and stem, content percent by weight	Less than 1 percent seeds by weight		1 percent seeds by weight		2 percent seeds by weight		3 percent seeds by weight		4 percent seeds by weight		5 percent seeds by weight		6 percent or more seeds by weight	
	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price	Grower's maximum price	Dealer's maximum price
Less than 1	$1.15	$1.24	$1.13	$1.22	$1.11	$1.20	$1.09	$1.18	$1.07	$1.16	$1.06	$1.14	$1.08	$1.12
1	1.14	1.23	1.12	1.21	1.10	1.19	1.08	1.17	1.06	1.15	1.04	1.13	1.02	1.11
2	1.13	1.22	1.11	1.20	1.09	1.18	1.07	1.16	1.05	1.14	1.03	1.12	1.01	1.10
3	1.12	1.21	1.10	1.19	1.08	1.17	1.06	1.15	1.04	1.13	1.02	1.11	1.00	1.09
4	1.11	1.20	1.09	1.18	1.07	1.16	1.05	1.14	1.03	1.12	1.01	1.10	.99	1.08
5	1.10	1.19	1.08	1.17	1.06	1.15	1.04	1.13	1.02	1.11	1.00	1.09	.98	1.07
6	1.09	1.18	1.07	1.16	1.05	1.14	1.03	1.12	1.01	1.10	.99	1.08	.97	1.06
7	1.08	1.17	1.06	1.15	1.04	1.13	1.02	1.11	1.00	1.09	.98	1.07	.96	1.05
8	1.07	1.16	1.05	1.14	1.03	1.12	1.01	1.10	.99	1.08	.97	1.05	.95	1.04
9	1.06	1.15	1.04	1.13	1.02	1.11	1.00	1.09	.98	1.07	.96	1.05	.94	1.03
10	1.05	1.14	1.03	1.12	1.01	1.10	.99	1.08	.97	1.06	.95	1.04	.93	1.02
11	1.04	1.13	1.02	1.11	1.00	1.09	.98	1.07	.96	1.05	.94	1.03	.92	1.01
12	1.03	1.13	1.01	1.10	.99	1.08	.97	1.06	.95	1.04	.93	1.02	.91	1.00
13	1.02	1.11	1.00	1.09	.98	1.07	.96	1.05	.94	1.03	.92	1.01	.90	.99
14	1.00	1.09	.98	1.07	.96	1.05	.94	1.03	.93	1.01	.90	.99	.88	.97
15	.98	1.07	.96	1.05	.94	1.03	.92	1.01	.90	.99	.88	.97	.86	.95
16	.96	1.05	.94	1.03	.92	1.01	.90	.99	.88	.97	.86	.95	.84	.93
17	.94	1.03	.92	1.01	.90	.99	.88	.97	.86	.95	.84	.93	.82	.91
18	.92	1.01	.90	.99	.88	.97	.86	.95	.84	.93	.82	.91	.80	.89
19	.90	.99	.88	.97	.86	.95	.84	.93	.82	.91	.80	.89	.78	.87
20 or more [1]														

[1] Subtract 3 cents for each 1 percent above 20 percent leaf and stem content.

(3) *Brewers supply dealers' maximum prices.* A brewers supply dealer's maximum price, f. o. b. his local warehouse or place of business, for sales of the 1944 and subsequent years' crops of New York State baled hops shall be:

(i) The grower's maximum price in accordance with (1), above, for the particular quantity of hops to be priced, plus the amount of 9¢ per pound for such hops purchased by the brewers supply dealer from a grower, or

(ii) The dealer's maximum price in accordance with (2), above, for the particular quantity of hops to be priced, plus the amount of 5¢ per pound for such hops purchased by the brewers supply dealer from a dealer.

(iii) The brewers supply dealer may add to the amount determined at (i) or (ii), above, the applicable amount of transportation costs, not including local hauling and unloading charges, paid by the brewers supply dealer with respect to the particular quantity of hops to be priced.

(4) *Brewers' maximum prices.* A brewer's maximum price, f. o. b. his platform or warehouse, for sales of the 1944 and subsequent years' crops of New York State baled hops, shall be his supplier's maximum price for the particular quantity of such hops to be priced, plus the applicable amount of transportation charges paid by the brewer.

5. Section 4 is amended to read as follows:

(4) *Maximum prices for packaged hops.* A seller's (other than a seller at retail who is not a packer) maximum prices, f. o. b. packing plant or seller's place of business, for sales of Pacific Coast packaged hops (except such hops of the 1942 crop) and New York State hops of the 1943 and subsequent years' crops, shall be the dealer's maximum price in accordance with the applicable provisions of section 3 for the particular crop year and classification of hops to be priced, plus the amount of 8¢ per pound and the applicable amount of transportation charges paid by the seller with respect to the particular quantity of hops to be priced.

6. Section 5 is amended to read as follows:

(5) *Inability otherwise to fix maximum prices.* If a seller is unable to determine his maximum price for a particular sale of Pacific Coast or New York State baled hops of the 1944 or subsequent years' crops, he shall apply by letter to the Office of Price Administration, Washington, D. C., requesting authorization of a maximum price. The letter shall set forth a statement of the facts which make it impossible for him to determine his maximum price under other provisions of this regulation. Until a maximum price is authorized by the Office of Price Administration the applicant may deliver the hops but may not receive payment for them.

7. Section 8 is redesignated section 15 and a new section 8 is added to read as follows:

SEC. 8 *Inspection fees.* The maximum prices established under section 3 (d) and section 3 (f) for sales of Pacific Coast and New York State baled hops of the 1944 and subsequent years' crops include the amount of any inspection fee or charge which the seller has actually paid, upon issuance to him of an inspection certificate, to any certifying agency acting under the Farm Products Inspection Act and regulations thereunder, or to his supplier who has so paid such inspection fee or charge. The amount of such fee or charge shall be separately stated on the seller's invoice to the purchaser. Only one inspection fee or charge may be added by a seller to the maximum price of any particular quantity of hops.

8. Sections 10, 11, 13 and 14 are redesignated sections 11, 12, 14 and 16, respectively, and a new section 10 is added to read as follows:

SEC. 10 *Inspection of hops*—(a) *Certificate required.* Except as provided in (c), below, no person shall sell or deliver any Pacific Coast or New York State baled hops of the 1944 and subsequent years' crops, except on the basis of an inspection certificate issued pursuant to the Farm Products Inspection Act and regulations thereunder, and instructions and procedures issued pursuant to such regulations, showing the seed content and the leaf and stem content of the hops in percentage of weight and identifying the hops by lot or symbol number. The inspection certificate shall be procured by the first seller of the hops or by any person designated by him. Such certificate shall be retained by the first sellers for a particular lot of hops shall Control Act of 1942, as amended, remains in effect, and a copy thereof shall be delivered by him to his purchaser upon delivery of the hops or when he accepts final payment as provided in (c), below. The maximum price of all sellers for a particular lot of hops shall be based on the classification stated on the final inspection certificate covering such lot of hops issued to the first seller, or any person designated by him. When any lot of hops has been appropriately inspected and identified and a final inspection certificate has been issued with respect thereto to the first seller or any person designated by him, no person subsequently selling or delivering the same lot of hops shall be required to obtain another inspection certificate covering such lot, but such subsequent sale or delivery shall be deemed to be on the basis of an inspection certificate if the seller's invoice shows the true lot or symbol number identifying the bales of hops to be sold or delivered and the certificate number. A final inspection certificate shall mean either the initial inspection certificate issued to the first seller, or any person designated by him, or, if a

review or appeal of the initial inspection has been requested by the first seller, the review or appeal inspection certificate issued to such seller, or any person designated by him.

(b) *Marking of bales.* Every seller before delivery of any Pacific Coast or New York State baled hops of the 1944 or subsequent years' crops shall mark clearly on each bale the lot or symbol number identifying the hops with the inspection certificate pertaining to such hops.

(c) *Delivery before issuance of certificate.* Pacific Coast or New York State baled hops of the 1944 and subsequent years' crops may be delivered by any seller before an inspection certificate has been obtained by the first seller, or any person designated by him, only if

(1) Such hops have been officially sampled and

(2) The bales have been marked as required in (b), above. In such event, the seller may receive at the time of such delivery an amount not to exceed 55¢ per pound (including any advances made prior to delivery) for the hops delivered, and the purchaser shall not make any further payment to the seller for such hops until an inspection certificate has been issued with respect to the hops so delivered. After issuance of the inspection certificate, final settlement may be made between the seller and the purchaser for the full purchase price of the hops on the basis of the inspection certificate but such final settlement shall not result in a total payment for the hops in excess of the seller's maximum price under this regulation.

9. Section 12 is redesignated section 13 and paragraph (b) thereof is amended to read as follows:

(b) *Evasion.* The maximum prices established under this regulation shall not be evaded, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium or other privilege; by tying agreement, or other trade understanding; by any change of style of packing; by business practices relating to tare or packing; by the use of grower cooperatives for marketing purposes; or in any other way.

This amendment shall become effective September 2, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: September 2, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-13492; Filed, Sept. 2, 1944; 3:32 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305,[1] Amdt. 12]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY A DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 1351.1763 (a) is amended to read as follows:

(a) The maximum price at which any person, other than the processor or jobber, may resell corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, shall be the maximum price calculated under Maximum Price Regulation Nos. 421, 422 and 423 or the General Maximum Price Regulation, whichever is applicable.

2. Section 1351.1766 (d) (1) is amended to read as follows:

(1) With respect to any lot of corn products, other than hominy feed, corn bran, corn germ cake and corn germ meal, a person, other than either a wagon wholesaler or one whose sales of such corn products are covered by Maximum Price Regulations 421, 422 or 423, who buys corn products whether in carlots or in less than carlots and resells the same to any person; and

3. Section 1351.1766 (i) (1) is amended to read as follows:

(1) With respect to any lot of corn products. other than hominy feed, corn bran, corn germ cake and corn germ meal, a person whose sales of corn products are covered by Maximum Price Regulation Nos. 422, 423; and

4. Section 1351.1766 (j) (1) is amended to read as follows:

(1) With respect to any lot of corn products, other than hominy feed, corn bran, corn germ cake and corn germ meal, a person whose sales of corn products are covered by Maximum Price Regulation No. 421; and

5. Section 1351.1766 (l) is added to read as follows:

(l) Wagon wholesaler means, with respect to any lot of corn products, a person who purchased such lot and who distributes it to retail stores or to commercial, industrial, or institutional users from an inventory stocked in trucks or other conveyances under the supervision of driver-salesmen who make deliveries at the time and point of sales.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1063, 2501, 3178, 3705, 5316, 6177, 6440, 7567, 16297, 16790; 9 F.R. 3072, 4224, 5827, 6109.

This amendment shall become effective September 6, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13592; Filed, Sept. 5, 1944; 11:48 a. m.]

PART 1371—IMPORT PRICES

[Max. Import Price Reg.,[1] Amdt. 5]

MANUFACTURED GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2 (a) (2) of the Maximum Import Price Regulation is amended to read as follows:

(2) "Imported manufactured goods", other than beverages and animal and poultry foods or feeds.

This Amendment No. 5 shall become effective on September 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13594; Filed, Sept. 5, 1944; 11:49 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND MIXTURES

[MPR 118,[2] Amdt. 24]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 118 is amended in the following respects:

1. Section 1400.118 (d) (3) is amended to read as follows:

(3) *Grey soft-filled sheeting.* The base maximum prices for grey soft-filled sheeting shall be as follows:

Class	Average yarn numbers (All numbers inclusive)	Cents per lb.
A	Up to 14.99s	43.00
B	15 to 20.99s	44.00
C	21 to 24.99s	45.50
D	25s and above	47.50

The following premiums may be added to the above base-maximum price:

[1] 9 F.R. 2350, 7504, 8062.

[2] 8 F.R. 12186, 12934; 9 F.R. 401, 10088.

	Cents per yard
For goods 3.22 yards per pound and heavier before napping (weight to be prorated to 42 inches for goods over 42 inches in width)	1
For goods 3.33 yards per pound and lighter before napping (weight to be prorated to 42 inches for goods over 42 inches in width)	¾
For goods made with feeler motion	⅞
For single napping:	
Goods less than 40 inches in width after napping	¾
Goods 40 inches and over in width after napping	1
For double napping:	
Goods less than 40 inches in width after napping	1
Goods 40 inches and over in width after napping	1¼
	Percent
For goods 42 inches and over in width as sold:	
If napped add to napped price	5
If unnapped add to the unnapped price	5

2. Section 1400.118 (d) (13) (iv) (*a*) is amended to read as follows:

(iv) *Wide sheeting.* (*a*) the base maximum prices for clean sheetings 42" and wider (other than domestic sheetings which are subject to Revised Price Schedule No. 89) shall be:

Class	Average yarn numbers (all numbers inclusive)	Cents per lb.
A	Up to 14.99s	46.00
B	15's to 20.99s	47.125
C	21's to 24.99's	48.75
D	25's and above	51.00

3. Section 1400.118 (d) (13) (v) (*a*) is amended to read as follows:

(v) *Wide broken twills.* (*a*) The base maximum price for clean broken twills 42" and wider shall be 44.50 cents per pound.

4. Section 1400.118 (d) (13) (vi) is amended to read as follows:

(vi) *Wide drills and four-leaf twills.* The maximum price for clean drills and four-leaf twills 42" and wider and made of single yarns throughout shall be:

Class	Yds. per lb., pro rata to 37"	Cents per lb.
A	2.00 and under	44.50
B	2.01 to 2.50	45.50
C	2.51 to 3.00	46.625
D	3.01 to 3.50	47.625
E	3.51 to 4.00	48.75
F	4.01 and over	50.875

This amendment shall become effective September 5, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13589; Filed, Sept. 5, 1944; 11:49 a. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[2d Rev. MPR 339,[1] Amdt. 3]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 339 is amended in the following respects:

1. In paragraph (a) of section 5, the third sentence is amended to read as follows: "Except as provided in paragraph (b) of this section, other sellers may use the insert until July 15, 1944."

2. Paragraph (b) of section 5 is amended to read as follows:

(b) *Responsibility for marking.* No person who first sells the hosiery in a finished state and no retailer may deliver any hosiery covered by this regulation unless all of the marking provisions of this section are complied with. A person selling at wholesale, hosiery which he purchases in the finished state, may not deliver such hosiery if not correctly marked as required by this section, unless he includes on or annexes to the invoice for the delivery the following statement:

The hosiery in this shipment is not correctly marked. OPA 2d Rev. MPR 339 requires you to remark it correctly before you sell it.

Please note that you must:

[Specify corrections which must be made. Example: "Change 45gg ceiling price to 81¢" or "substitute regular markers for inserts."]

These marking provisions do not apply to sales made to "exporters," as that term is defined in Second Revised Maximum Export Price Regulation. However, exporters must mark any hosiery which they sell in the domestic market in accordance with the provisions of this section. These marking requirements likewise do not apply to retail sales of hosiery made by a manufacturer to employees.

3. Paragraph (c) of section 5 is revoked and paragraphs (d) and (e) of that section are re-designated paragraphs (c) and (d) respectively.

4. A new subparagraph (3) is added to the re-designated paragraph (d) of section 5 to read as follows:

(3) *Invoices.* Each person, in connection with every sale (except a sale at retail) shall deliver an invoice or other similar document showing:

(i) The name and address of the seller and the purchaser.

(ii) The date of invoicing.

(iii) The number of dozens of hosiery delivered, broken down by gauge or needle count and the number of dozens in each gauge or needle count of irregulars, seconds and thirds.

(iv) The selling price per dozen for each of the kinds of hosiery specified in (iii) and the terms of sale.

(v) The seller's ceiling price per dozen for each of the kinds of hosiery specified in (iii) where the selling price is not the same as the ceiling price.

Every seller (including sellers at retail) shall retain for inspection by the Office of Price Administration a copy of each invoice given or received pursuant to this section.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 206, 4024.

This amendment shall become effective September 11, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13595; Filed, Sept. 5, 1944; 11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 77]

CORN PRODUCTS OF DRY CORN MILLING PROCESS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.3 (p) (2) is amended to read as follows:

(2) All sales of corn products of the dry corn milling process except sales by wagon wholesalers as defined in Maximum Price Regulation 305.

This amendment shall become effective September 6, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13591; Filed, Sept. 5, 1944; 11:48 a. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9, Amdt. 2]

PART 1220—FEED

LIMITATIONS ON SALE, SHIPMENT, AND INVENTORIES OF PROTEIN MEAL AND ON USE OF SOYBEAN PRODUCTS

Correction

The signature of Federal Register Document 44-13998, appearing at page 10747 of the issue for Saturday, September 2, 1944, should read as follows: "Ashley Sellers, Assistant War Food Administrator."

[WFO 9-6, Amdt. 2]

PART 1220—FEED

LIMITATIONS ON MIXED FEED MANUFACTURERS

War Food Order No. 9-6 (9 F.R. 1481, 4319, 9582) is hereby revised and amended in its entirety to read as follows:

Pursuant to the authority vested in me by War Food Order No. 9 (formerly Food Production Order No. 9) (8 F.R. 16960; 9 F.R. 3475, 4319, 8767, 10747), issued on December 18, 1943, to effectuate the purposes of such order pertaining to the use of protein meal in the manufacture of mixed feeds and to promote the orderly

distribution of protein meal; it is hereby ordered, that:

§ 1220.8 *Quarterly limitation on the use of protein meal in the manufacture of mixed feed.* During any quarter (beginning January 1, April 1, July 1 or October 1) of the calendar year 1944, no mixed feed manufacturer shall use any quantity of protein meal in the manufacture of mixed feeds (other than custom mixed feeds) in excess of (1) the average quantity of protein meal used by such manufacturer in the manufacture of mixed feeds (other than custom mixed feeds) in the corresponding quarters of the calendar years 1942 and 1943, or (2) 30 percent of the maximum quantity of protein meal which the manufacturer is permitted to use in the manufacture of mixed feeds during the calendar year 1944 under the provisions of paragraph (d) of War Food Order No. 9, whichever is greater: *Provided, however,* That, in computing the maximum quantity of protein meal which may be used by a manufacturer, during the quarters beginning July 1 and October 1, 1944, in the manufacture of mixed feeds under this order, any protein meal used in the manufacture of cubes or pellets containing not less than 30 percent protein for the feeding of cattle or sheep on the range, which is in excess of the average quantity of protein meal used in the manufacture of cubes or pellets for such purpose during the corresponding quarters of the years 1942 and 1943, need not be taken into account: *Provided, further,* That this order shall not apply to any mixed feed manufacturer who uses no more than 60 tons of protein meal in the manufacture of mixed feeds during the calendar year 1944. Nothing herein shall be construed to permit any mixed feed manufacturer, during the calendar year 1944, to use any quantity of protein meal in the manufacture of mixed feeds in excess of the maximum quantity permitted under paragraph (d) of War Food Order No. 9, Amendment No. 2.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767, 10747)

Issued this 2d day of September 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-13587; Filed, Sept. 5, 1944; 11:13 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 73, Corr. to Amdt. 3]

PART 1598—GENERAL REGULATIONS

CONTRACT SCHOOLS, MARINE HOSPITALS, AND MARITIME ACADEMIES PERMITTED TO BUY SET ASIDE AND RESTRICTED FOOD

Section 1598.1 (c) of War Food Order 73, Amendment 3, appearing in 9 F.R. 10036 dated August 18, 1944, is corrected to read as follows:

(c) *Purchases of set aside and restricted foods by marine hospitals.* Notwithstanding the provisions of any War Food Order now or hereafter issued, unless specifically prohibited therein, any marine hospital may purchase any set aside or restricted food from any person and any person may sell or deliver set aside or restricted food to any marine hospital and such sales or deliveries may be considered by the sellers in the same manner as sales to the War Shipping Administration: *Provided,* That all such purchases by such marine hospital shall be made by written order on contract containing the following certificate signed by the Public Health Service officer in charge of such hospital:

The undersigned certifies and represents to the War Food Administration that he is the _____
(Position held)
of _____
(Hospital, name and address)
which is a marine hospital operated by the United States Public Health Service pursuant to the Public Health Service Act and that all of the items and quantities of food hereon are required for and will be used in feeding patients at said hospital.

_____
(Title)

All set aside and restricted foods purchased by marine hospitals shall be used by such hospitals only for feeding patients of such hospitals.

Issued this 4th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13566; Filed, Sept. 4, 1944; 8:27 p. m.]

[WFO 45, Amdt. 6]

PART 1491—BEANS

RESTRICTIONS ON DELIVERY OF BEANS

War Food Order No. 45, as amended (9 F.R. 9775), § 1491.1, is further amended as follows:

1. By deleting (a) (1) and substituting in lieu thereof the following:

(1) "Beans" means dry threshed beans of the following classes, as defined in the United States Standards for Beans, as revised, effective September 1, 1941: Pea beans; Great Northern beans; Small White beans; Flat Small White beans; Light Red Kidney beans; Dark Red Kidney beans; Pink beans: Western Red Kidney beans; Small Red beans; Pinto beans; and Baby Lima beans.

2. By deleting (b) (1) and substituting in lieu thereof the following:

(1) Every country shipper shall during each calendar month, set aside and thereafter hold for delivery to governmental agencies or authorized purchasers a quantity of Pea beans, Great Northern beans, Small White beans, Flat Small White beans, Small Red beans or Pinto beans equal to at least 40 percent of his total deliveries of such classes of beans into civilian channels during such calendar month, and a quantity of Light Red Kidney beans, Dark Red Kidney beans, Western Red Kidney beans, Pink beans or Baby Lima beans equal to at least 100 percent of his total deliveries of such classes of beans into civilian channels during such calendar month.

This amendment shall become effective at 12:01 a. m., e. w. t., September 5, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 4th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13567; Filed, Sept. 4, 1944; 8:27 p. m.]

[WFO 79-108, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE MEMPHIS, TENN., METROPOLITAN MILK SALES AREA

Correction

In F.R. Doc. 44-13338, appearing on page 10819 of the issue for Tuesday, September 5, 1944, paragraph (g) should read as follows:

(g) *Quota adjustments.* Each handler may, within any quota period, (1) increase his quota of milk solids in milk by one pound for each one pound of milk solids by which he decreases his quota for milk byproducts: *Provided,* That his quota of milk solids in milk shall not be so increased by more than 3 percent, and (2) increase his quota of milk solids in milk byproducts by one pound for each one pound of milk solids by which he decreases his quota for milk.

[WFO 22-6, Amdt. 2]

PART 1425—CANNED AND PROCESSED FOODS

CANNED VEGETABLES, CANNED FRUITS, CANNED VEGETABLE JUICES, AND CANNED FRUIT JUICES REQUIRED TO BE SET ASIDE DURING 1944

War Food Order No. 22-6, as amended (9 F.R. 1824, 4321, 4319, 6497), is further amended as follows:

1. By deleting Table 1 attached thereto and inserting, in lieu thereof, Table 1 attached hereto.

2. By deleting the provisions of § 1425.8 (d) (4) and inserting, in lieu thereof, the following:

(4) Each canner and each processor who, pursuant to the provisions of this order, is required to set aside any commodity listed in the aforesaid column A of Table 1 shall be deemed to have met the set-aside requirements of this order if he sets aside the entire quantity of the respective commodity packed by him

and in his possession on and after September 3, 1944, if such amount is not less than the quantity of the respective commodity required to be set aside by such person pursuant to the provisions of War Food Order No. 22–6, as amended, in effect prior to such date.

This order shall become effective at 12:01 a. m., e. w. t., September 3, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22–6, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 22–6, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 22, as amended, 8 F.R. 2243, 6397, 9 F.R. 4321, 4319)

Issued this 2d day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

TABLE 1—CANNED VEGETABLES, CANNED FRUITS, CANNED VEGETABLE JUICES, AND CANNED FRUIT JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style variety (sequence does not denote preference)	Grade preferences			Can size
	Specific reserve	Contingency reserve	Total (Cols. B and C)		First	Second	Third	
Apples	20	*2	22	Heavy pack	Standard	Fancy		10.
Applesauce	24	*3	27		Fancy	Standard		10–2.
Apricots	90	*10	100	Halved, unpeeled.	Choice	Standard		10–2½.
Berries [1]	68	*7	75		Waterpack	(2)		10.
Blueberries	68	*7	75		Waterpack	(2)		2.
Cherries R. S. P.	90	*10	100	Waterpack	Standard			10–2.
Fig	38	*4	42	Kadota	Choice	Fancy		10–2½.
Fruit cocktail	71	*7	78		Choice	Fancy		10–2½.
Peaches	69	*7	76	Yellow cling-stone halved or sliced.	Choice	Top Standard.[3]		10–2½.
				Yellow free-stone halved or sliced.	Choice	Fancy		10–2½.
Pears	73	*7	80	Bartlett, halved.	Choice	Top Standard.[3]	Fancy	10–2½.
Pineapple	55	*6	61	Sliced, crushed, chunks, tidbits (except cocktail tidbits).	Fancy	Choice	Std.	10–2½–2.
Pineapple juice	93	*7	99		Fancy			10–3 cyl.–2.
Asparagus	43	4	47	All green or naturally bleached.	Fancy cut	Fancy spear		10–2½–2.
Beans, Lima	86	6	92	Fresh	Extra Standard	Top Standard[3]	Fancy	10–2.
Beans, snap	47	5	52	Green, cut, Wax, cut.	Extra Standard	Top Standard[3]	Fancy	10–2½–2.
Beets	49	5	54	Cut, quartered, diced, sliced.	Fancy	Top Standard[3]		10–2½–2.
Carrots	145	15	160	Diced	Fancy	Top Standard[3]		10–2½–2.
Corn, sweet [4]	26	3	29	White, yellow, cream style, whole kernel.	Fancy or extra Standard.	Top Standard.[5]		10–2.
Peas	36	4	40	Alaska 3, 4 sieve; sweet 3-sieve and larger; ungraded.	Extra Standard	Top Standard.[5]	Fancy	10–2.
Pumpkin or squash	17	2	19		Fancy	Top Standard.[4]		3½.
Sauerkraut	34	0	34		Fancy	Top Standard.[4]		10–3½.
Spinach	48	5	53		Fancy	Top Standard.[4]		10–3½–2.
Tomatoes	43	4	47		Extra standard	Top standard.[5]	Fancy	10–2½–2.
Tomato catsup	46	5	51		Fancy 30–32 percent solids.	Fancy 33 percent solids or over.	Fancy 28–29 percent solids.	10–3 cylinder, 2½–2. 14 ounce glass or larger. 4
Tomato juice	60	6	66		Fancy			10–3 cyl.–2.
Tomato puree	27	3	30	Heavy (minimum specific gravity—1.040).	Fancy			10.
Tomato paste	28	3	30		Fancy			10–2¾–3–6 ounce.

*Indicates that Government intends to purchase all of contingency reserve in addition to the specific reserve.
[1] Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.
[2] Syrup pack not desired.
[3] Top standard means 70–74 inclusive as defined in terms of U. S. grades.
[4] Top standard means 80–84 inclusive as defined in terms of U. S. grades.
[5] Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

[F. R. Doc. 44–13460; Filed, Sept. 2, 1944; 8:14 p. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Q—Alaska Commercial Fisheries

PART 201—ALASKA FISHERIES GENERAL REGULATIONS

RULES OF PRACTICE FOR HEARINGS UPON CLAIMS OF NATIVES

201.21b–1 *Rules of practice for hearings upon claims of natives of Alaska*—(a) *Notice of hearings.* Hearings upon the petitions of Indians or other natives of Alaska pursuant to the provisions of § 201.21b of the regulations for protection of the commercial fisheries of Alaska, 1944 (8 F.R. 2890, shall be public hearings and shall be instituted by the Secretary of the Interior or an official duly authorized to act in his behalf, by publication of notice of time, place and subject matter of hearing in the FEDERAL REGISTER not less than 20 nor more than 60 days before the day set for the hearing.

(b) *Powers of presiding officer.* Subject to review by the Secretary, the presiding officer shall have power to: (1) rule upon motions and requests; (2) change the time and place of hearing and adjourn the hearing; (3) examine witnesses and receive evidence; (4) admit or exclude evidence; (5) hear oral arguments and receive briefs and memoranda on facts and law; (6) do all acts and take all measures necessary for the maintenance of order at the hearing and the official conduct of the proceeding; and (7) make proposed findings of fact, conclusions of law and recommendations of appropriate action to be taken.

At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken except at the request of the Secretary unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Secretary shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place for such taking of testimony shall be given to all persons who have filed notice of intention to appear at the hearing.

The presiding officer may take official notice of any generally recognized fact or any established technical or scientific fact.

(c) *Appearance of witnesses and parties.* At the hearing any interested person shall be given an opportunity to appear either in person or through his authorized counsel or representative and to be heard with respect to matters relevant and material to the proceeding. Any interested person who desires to be heard in person at any hearing under these rules shall before proceeding to testify state his name, address and occupation. If any such person is appearing through a counsel or representative, such person or such counsel or representative shall before proceeding to testify or otherwise to participate in the hearing state for the record his authority to act as such counsel or representative and the names and addresses and occupations of such persons and such counsel or representative. Any such person or such counsel or representative shall give other information respecting his appearance as the presiding officer may request. If any interested person fails to enter an appearance at the hearing, he shall be deemed to have waived the right to be heard in the proceeding.

The testimony, including records and documents, given at the hearing shall be reported and a transcript thereof shall be made, which shall be a part of the record of the proceeding. The record so made shall be the sole official record. Every party shall be afforded adequate opportunity to cross-examine, rebut or offer countervailing evidence. Evidence shall be received with respect to the matters specified in the notice of the hearing in such order as the presiding officer shall announce.

The testimony of the witnesses shall be given upon oath.

The presiding officer will be responsible for the completeness of the record on all points at issue.

After offering evidence, witnesses may be questioned by the presiding officer or by any agent designated by him or by any person who has entered an appearance, for the purpose of assisting the presiding officer in ascertaining the material facts with respect to the subject matter of investigation.

(d) *Rules of evidence.* All testimony having reasonable probative value shall be admitted, regardless of common law or statutory rules of evidence, but immaterial, irrelevant or unduly repetitious testimony shall be excluded.

(e) *Stipulations.* In any such proceeding, a stipulation of fact signed by the parties or their representatives may be introduced in evidence with respect to any issue.

(f) *Depositions.* The presiding officer may order evidence to be taken by deposition at any stage of the proceeding before any person designated by him and having the power to administer oaths or affirmations. Unless notice be waived, no deposition shall be taken except after reasonable notice to the parties. Any person desiring to take a deposition of a witness shall make application in writing setting out the reasons why such deposition should be taken and stating the time when, the place where, and name and address of the person before whom it is desired the deposition should be taken, the name and address of the witness and the subject matter concerning which the witness is expected to testify. If good reason be shown, the presiding officer will make and serve upon the parties or their attorneys an order naming the witness whose deposition is to be taken and specifying the time when, the place where and the person before whom the witness is to testify. These may or may not be the same as those named in the application. The deponent shall be subject to cross-examination by all the parties appearing. In lieu of oral cross-examination, parties may transmit written cross-interrogations to the deponent. The testimony of the witness shall be reduced to writing by the officer before whom the deposition is taken, or under his direction, after which the deposition shall be subscribed by the witness and certified in the usual form by the officer. Such deposition, unless otherwise ordered by the presiding officer for good cause shown, shall be filed in the record in the proceeding and a copy thereof supplied to the party upon whose application said deposition was taken or his attorney.

(g) *Affidavits.* Affidavits if relevant and material may be received and marked as exhibits provided they are filed with the presiding officer before the close of the hearing. Every interested person shall be permitted to examine all affidavits which have been so filed and to file counter affidavits with the presiding officer within a period of time to be fixed by him, not more than five days following the close of the hearing.

(h) *Objections.* The transcript shall not include argument on objections except as ordered by the presiding officer. The ruling of the presiding officer shall be a part thereof. Only objections made before the presiding officer may subsequently be relied upon in the proceeding.

Formal exception to rulings of the presiding officer are unnecessary. It is sufficient that a party at the time the ruling of the presiding officer is made or sought makes known the action which he desires the presiding officer to take, or his objection to an action taken and his grounds therefor.

(i) *Documentary evidence and exhibits.* Documentary evidence and exhibits which are otherwise competent under the regulations in this part shall be received and need not be read into the record.

(j) *Oral argument and briefs.* A request for oral argument at the close of testimony will be granted or denied by the presiding officer in his discretion. Such argument may be limited by the presiding officer to any extent that he finds necessary for the expeditious disposition of the proceeding and shall be reduced to writing and made part of the transcript.

Briefs may be filed in addition to oral argument or in lieu thereof, within such times as the presiding officer may prescribe.

(k) *Proposed findings and recommendation.* Each party may be requested by the presiding officer to file proposed findings of fact and conclusions, based solely upon the evidence of record, and the briefs in support thereof, and an appropriate form of order to be entered. The presiding officer shall then make his proposed findings of fact and conclusions of law and recommend an appropriate form of order to be entered. The said proposed findings of fact and conclusions of law, together with the proposed order, shall be mailed or otherwise delivered to each party to the proceeding or to his attorney of record, and copies of the same shall be transmitted at the same time to the Secretary.

(l) *Objections to findings and recommendations.* Within 15 days after receipt of the proposed findings and recommendations of the presiding officer, the parties may file exceptions thereto and briefs in support thereof. Copies of the petition to review the proposed findings and recommendation and the supporting briefs shall be served upon all parties of record, who shall have the right to file counter-petitions and answering briefs within 25 days.

(m) *Transmittal of record.* After the close of the hearing, the official transcript of testimony taken, including any exhibits and briefs filed at the hearing, shall be transmitted to the Secretary. Copies of all documents filed with or submitted to the presiding officer subsequent to the hearing shall also be transmitted to the Secretary. No free copies of transcripts of testimony will be available in any proceeding under these rules.

(n) *Order.* After receipt of the proposed findings and recommendation of the presiding officer, the Secretary will issue his order affirming, modifying, or revising the proposed findings and recommendation of the presiding officer in the case, and the Secretary's order shall be published in the FEDERAL REGISTER.

(o) *Rehearing.* Any person alleging an interest therein may file a petition for rehearing within 20 days from the date on which the final order appears in the FEDERAL REGISTER. Any such petition for rehearing must be under oath and must state concisely and specifically the grounds upon which it is based, and in what respect the order is claimed to be unjust, unwarranted or erroneous, and show that the failure previously to present such evidence is not due to lack of reasonable diligence. It should be addressed to the Secretary. If the petition for rehearing is found to have merit, the petitioner will be required to serve a copy of his petition together with all argument, on each adverse party within 15 days from date of notice. Each adverse party will be allowed 20 days thereafter in which to file his answer. Thereafter the case will be considered again, and appropriate action taken, which may consist in adhering to the former decision or modifying or vacating same, or the making of any further or other order deemed warranted.

(p) *Revision.* The foregoing regulations may be revised by the Secretary of the Interior at any time without prior notice. Such revisions shall be promptly published in the FEDERAL REGISTER.

(44 Stat. 752; 48 U.S.C. 221)

ABE FORTAS,
Acting Secretary of the Interior.

SEPTEMBER 1, 1944.

[F. R. Doc 44–13553; Filed, Sept. 4, 1944; 9:50 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. 1512]

AERO-TRANSPORTES, S. A.

NOTICE OF FURTHER HEARING

In the matter of the application of Aero-Transportes, S. A., for a temporary foreign air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended, authorizing use of the airport at Brownsville, Tex., for a period of ninety days, pending repairs and improvements to the airport at Matamoros, Mex., and authorizing use of the airport at Eagle Pass, Tex., for the same period pending repairs and improvements to the airport at Piedras Negras, Mex.

The hearing in the above-entitled proceeding, adjourned until a date to be assigned, is now assigned to be held on September 11, 1944, at 2:30 p. m. (eastern war time) in the foyer of the Auditorium, Commerce Building, Washington, D. C.

Dated Washington, D. C., September 4, 1944.

By the Civil Aeronautics Board.

[SEAL] FERDINAND D. MORAN,
Examiner.

[F. R. Doc. 44-13576; Filed, Sept. 5, 1944; 10:13 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-575]

TENNESSEE NATURAL GAS LINES, INC.

NOTICE OF APPLICATION

Correction

The FEDERAL REGISTER serial number for the above-entitled document appearing on page 10881 of the issue for Tuesday, September 5, 1944, should read "F.R. Doc. 44-13445".

[Docket No. G-576]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

Correction

The FEDERAL REGISTER serial number for the above-entitled document appearing on page 10881 of the issue for Tuesday, September 5, 1944, should read "F.R. Doc. 44-13446".

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 478]

RECONSIGNMENT OF WATERMELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 31, 1944, by Cohen & Gordon of car IC 45155, watermelons, now on the Chicago Produce Terminal, to Red Owl, Inc., Green Bay, Wisconsin.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13581; Filed, Sept. 5, 1944; 11:14 a. m.]

[S. O. 70-A, Special Permit 480]

RECONSIGNMENT OF CABBAGE AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, September 1, 1944, by Plowaty Bergart Company, of car MDT 18942, cabbage, now on the C. B. & Q. Railroad, to Liberty Grocers Company, Memphis, Tennessee.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13582; Filed, Sept. 5, 1944; 11:14 a. m.]

[S. O. 70-A, Special Permit 481]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 1, 1944, by Fry Distributing Company, of car PFE 96981, oranges, now on the Chicago Produce Terminal, to Cohen Brothers, Appleton, Wisconsin, via C&NW.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13583; Filed, Sept. 5, 1944; 11:14 a. m.]

[S. O. 70-A, Special Permit 483]

RECONSIGNMENT OF WATERMELONS AT KANSAS CITY AND TRENTON, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, September 1, 1944, by T. B. Wilcox, of car PGEX 35190, watermelons, now on the C. R. I. & P. Railroad, to John T. O'Brien, Chicago, Illinois (CRI&P), and to the reconsignment at Trenton, Missouri, September 1, 1944, by T. B. Wilcox of car PFE 61602, watermelons, now on the C. R. I. & P. Railroad, to John T. O'Brien, Chicago Illinois (CRI&P).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by

filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13584; Filed, Sept. 5, 1944; 11:14 a. m.]

[2d Rev. S. O. 224, Special Permit 5]

REICING OF HONEYDEW MELONS FROM HURON, CALIF.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944, (9 F. R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the reicing in transit to full bunker capacity of car NADX 12935, honeydew melons, moving August 29, 1944, from Costa Distributing Company, Huron, California, to Charles Taxin Company, Philadelphia, Pennsylvania (SP-D&RGW-MoPac-Penna.), because car has inadequate bunker capacity for 6,500 pounds of ice.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13585; Filed, Sept. 5, 1944; 11:14 a. m.]

[2d Rev. S. O. 224, Special Permit 6]

REICING OF FRUITS AND VEGETABLES AT PITTSBURGH, PA.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the reicing at Pittsburgh, Pennsylvania, of refrigerator cars loaded with fresh fruits or fresh or green vegetables.

This special permit shall become effective at 12:01 a. m., September 2, 1944, and shall expire at 11:59 p. m., September 4, 1944, and shall apply to all such cars reiced at Pittsburgh during the effectiveness of this permit.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13586; Filed, Sept. 5, 1944; 11:14 a. m.]

[S. O. 230]

UNLOADING OF EMPTY BOTTLES AT CHICAGO, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of September, A. D. 1944.

It appearing that car C&A 17831, containing empty used beverage bottles at Chicago, Illinois, on the Pennsylvania Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Empty bottles at Chicago, Illinois, to be unloaded. (a) The Pennsylvania Railroad Company, its agents or employees, shall unload forthwith car C&A 17831, containing empty used beverage bottles, on hand at Chicago, Illinois, consigned to E. Marks & Company.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of empty bottles has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Pennsylvania Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13579; Filed, Sept. 5, 1944; 11:13 a. m.]

[S. O. 231]

UNLOADING CORK WASTE AT LAREDO, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of September, A. D. 1944.

It appearing, that twenty-four cars, containing cork waste in bales at Laredo, Texas, in bond, on the International-Great Northern Railroad Company (Guy A. Thompson, Trustee), have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Cork waste at Laredo, Texas, to be unloaded. (a) The International-Great Northern Railroad Company (Guy A. Thompson, Trustee), its agents or employees, shall unload forthwith CP 174030, NP 12368, CP 179158, PRR 62222 and twenty (20) other cars containing cork waste in bales, on hand at Laredo, Texas, shipped from Girard Point Station, Philadelphia, Pennsylvania, "In Bond" by F. B. Vandergrift & Company, consigned to Jose A. Montmayer e Hijos, Laredo, Texas, routed PRR-MP-T&P-IGN.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of cork waste have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective immediately, and that a copy of this order and direction shall be served upon The International-Great Northern Railroad Company (Guy A. Thompson, Trustee), and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13580; Filed, Sept. 5, 1944; 11:13 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3994]

ROLF FINKELDEY

In re: Mortgage, property insurance policies and claim owned by Rolf Finkeldey and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Rolf Finkeldey, also known as Rolf Robert Finkeldey and as Ralph Finkeldey and hereinafter referred to as Rolf Finkeldey, Hans Finkeldey, also known as Hans Otto Rudolph Finkeldey and as Hans Otto Finkeldey and hereinafter referred to as Hans Finkeldey, Robert Finkelday, also known as Robert Helmut Finkeldey and as Robert H. Finkeldey and hereinafter referred to as Robert Finkeldey, and Kurt Finkeldey, also known as Kurt Karl August Finkeldey and hereinafter referred to as Kurt Finkeldey, is Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Rolf Finkeldey, Hans Finkeldey, Robert Finkeldey and Kurt Finkeldey are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. A certain mortgage executed by Lesebarn Building Co., Inc., as mortgagor, on August 8, 1919 in favor of the United States Title Guaranty Company, as mortgagee, and recorded on August 9, 1919 in the Office of the Register of Kings County, New York, in Liber 4592 of Mortgages, Page 156, and thereafter assigned to Rolf Finkeldey, Hans Finkeldey, Robert Finkeldey and Kurt Finkeldey by an Assignment of Mortgage recorded in the Office of the Register of Kings County, New York, in Liber 4806 of Mortgages, Page 473, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations,

b. All right, title and interest of Rolf Finkeldey, Hans Finkeldey, Robert Finkeldey and Kurt Finkeldey in and to:

(1) Fire Insurance Policy No. 19302 issued by the Springfield Fire and Marine Insurance Company of Springfield, Massachusetts, and any and all extensions or renewals thereof,

(2) War Damage Insurance Policy No. 106-54-2211 issued by the War Damage Corporation through the Royal Insurance Company, Limited, of New York, New York, and any and all extensions or renewals thereof,

which policies insure the premises covered by the mortgage described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Rolf Finkelday, Hans Finkelday, Robert Finkeldey and Kurt Kinkeldey in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to, and held for and in the names of Rolf Finkeldey, Hans Finkeldey, Robert Finkeldey and Kurt Finkeldey by Richter and Kaiser, Inc., 186 Remsen Street, Brooklyn, New York, and represented on the books of Richter and Kaiser, Inc., as a credit balance arising by reason of collections received on account of the mortgage described in subparagraph 3-a hereof, and any and all security rights in and to any and all collateral for any or all of such obligations, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany):

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13513; Filed, Sept. 4, 1944; 11:02 a. m.]

[Vesting Order 4049]

PAUL HARMSEN

In re: Estate of Paul Harmsen, deceased; File D-28-8308; E. T. sec. 9576.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph B. Weller, Executor, acting under the judicial supervision of the County Court of the State of Oregon, for the County of Wasco.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Earnest Harmsen, Germany.
Gustav Harmsen, Germany.
Herman (Henry) Harmsen, Germany.
Anna Harmsen, Germany.
Emma Harmsen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Earnest Harmsen, Gustav Harmsen, Herman (Henry) Harmsen, Anna Harmsen, and Emma Harmsen, and each of them in and to the estate of Paul Harmsen, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13514; Filed, Sept. 4, 1944; 11:02 a. m.]

[Vesting Order 4050]

PIETRO ISAIA

In re: Estate of Pietro Isaia, deceased; File D-38-3181; E. T. sec. 9898.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Albert B. Ferrera, Administrator de bonis non, acting under the judicial supervision of the Circuit Court of the State of Oregon in and for the County of Multnomah;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals and Last Known Address

Maria Isaia, Italy.
Giuseppe Isaia, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Maria Isaia and Giuseppe Isaia, and each of them, in and to the estate of Pietro Isaia, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13515; Filed, Sept. 4, 1944; 11:02 a. m.]

[Vesting Order 4051]

ERNEST KOPF

In re: Estate of Ernest Kopf, deceased; File D–28–8552; E. T. sec. 10122.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Henry Kopf, also known as Henrich and Hinrich Kopf in and to the estate of Ernest Kopf, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Henry Kopf, also known as Henrich and Hinrich Kopf, Germany.

That such property is in the process of administration by W. E. Lilley, as Administrator of the Estate of Ernest Kopf, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Merced;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13516; Filed, Sept. 4, 1944; 11:02 a. m.]

[Vesting Order 4052]

OTTO BROESKE

In re: Estate of Otto Broeske, deceased; File D–66–905; E. T. sec. 5635.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Johann Broeske, Auguste Broeske, Adolf Broeske, Anna Giehl, Fritz Broeske, Franz Broeske, Paul Broeske, August Broeske, Georg Broeske, Maria Broeske, and person or persons, names unknown, heirs-at-law, and next of kin of Otto Broeske, deceased, and each of them, in and to the Estate of Otto Broeske, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johann Broeske, Germany.
Auguste Broeske, Germany.
Adolf Broeske, Germany.
Anna Giehl, Germany.
Fritz Broeske, Germany.
Franz Broeske, Germany.
Paul Broeske, Germany.
August Broeske, Germany.
Georg Broeske, Germany.
Maria Broeske, Germany.
Person or persons, names unknown, heirs-at-law, and next of kin of Otto Broeske, deceased, Germany.

That such property is in the process of administration by Arthur H. Gruhle, 804 Michigan Avenue, Sheboygan, Wisconsin, as Administrator of the Estate of Otto Broeske, acting under the judicial supervision of the County Court of Sheboygan County, Wisconsin;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13517; Filed, Sept. 4, 1944; 11:08 a. m.]

[Vesting Order 4053]

ELIZABETH BUERK

In re: Estate of Elizabeth Buerk, deceased; File D-28-7749; E. T. sec. 8525.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Maria Barbara Lusch, Louise (Lauer) Tutt, Otto Ohm, and Hulda (Hilda) Ohm, and each of them, in and to the estate of Elizabeth Buerk, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Maria Barbara Lusch, Germany.
Louise (Lauer) Tutt, Germany.
Otto Ohm, Germany.
Hulda (Hilda) Ohm, Germany.

That such property is in the process of administration by William A. Keesler, 3065 Lincoln Avenue, Chicago, Illinois, as Executor of the Estate of Elizabeth Buerk, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, with one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13518; Filed, Sept. 4, 1944; 11:08 a. m.]

[Vesting Order 4054]

CONRAD DOERING

In re: Estate of Conrad Doering, deceased; File D-28-8638; E. T. sec. 10385.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest, and claim of any kind or character whatsoever of Heinrich Döring, VI and his surviving issue, and each of them, in and to the Estate of Conrad Doering, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Döring, VI or his surviving issue, Germany.

That such property is in the process of administration by the Wells Fargo Bank & Union Trust Co., as Executor of the Estate of Conrad Doering, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13519; Filed, Sept. 4, 1944; 11:08 a. m.]

[Vesting Order 4055]

GEORGE KUGLER

In re: Estate of George Kugler, deceased; File D-28-7563; E. T. sec. 7959.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—
(1) The property and interests hereinafter described are property which is in the process of administration by Clarence Woessner, 402 Eighth Avenue, Sterling, Illinois, and Fred J. Johnson, R. F. D., Sterling, Illinois, Executors, acting under the judicial supervision of the County Court of Whiteside County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Johannes Kugler, Germany.
Christina (Heinselmann) Heinselman, Germany.
Anna (Heinselmann), Heinselman, Germany.

And determining that—
(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johannes Kugler, Christina (Heinzelmann) Heinselman and Anna (Heinselmann) Heinselman, and each of them, in and to the estate of George Kugler, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13520; Filed, Sept. 4, 1944; 11:03 a. m.]

[Vesting Order 4056]

OTTO K. ORTLEB

In re: Estate of Otto K. Ortleb, deceased; File D-28-8689; E. T. sec. 10539.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Edward Ortleb, Augusta Ortleb and Erna Krech, and each of them, in and to the estate of Otto K. Ortleb, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Edward Ortleb, Germany.
Augusta Ortleb, Germany.
Erna Krech, Germany.

That such property is in the process of administration by Paul K. Ortleb, 3223 Children Street, St. Louis, Missouri, as Administrator of the estate of Otto K. Ortleb, deceased, acting under the judicial supervision of the Probate Court of the City of St. Louis, Missouri;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13521; Filed, Sept. 4, 1944; 11:03 a. m.]

[Vesting Order 4057]

MARTHA B. PRUETER VS. ELIZABETH E. DROGMILLER, ET AL.

In re Martha B. Prueter vs. Elizabeth E. Drogmiller, et al., File D-28-4046; E. T. sec. 7025.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Carl Hamann, Ernest Hamann, Reinholt Hamann and Fritz Hamann, and each of them, in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "Martha B. Prueter vs. Elizabeth E. Drogmiller, et al., No. 161531" in the Court of Common Pleas of Lucas County, Ohio,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl Hamann, Germany.
Ernest Hamann, Germany.
Reinholt Hamann, Germany.
Fritz Hamann, Germany.

That such property is in the process of administration by the Sheriff of Lucas County, Toledo, Ohio, Depositary, acting under the judicial supervision of the Court of Common Pleas of Lucas County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13522; Filed Sept. 4, 1944; 11:03 a. m.]

[Vesting Order 4058]

GEORGE J. SCHLEICHER

In re: Estate of George J. Schleicher, deceased; File D-28-8623; E. T. sec. 10314.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Dorothy Buschfeld in and to the Estate of George J. Schleicher, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Dorothy Buschfeld, Germany.

That such property is in the process of administration by Louis Schorre, c/o Farmers State Bank and Trust Company, Cuero, Texas, as Administrator with the Will Annexed of the Estate of George J. Schleicher, acting under the judicial supervision of the County Court of De Witt County, Texas;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13523; Filed Sept. 4, 1944; 11:03 a. m.]

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13523; Filed, Sept. 4, 1944; 11:04 a. m.]

[Vesting Order 4059]

MARIE SCHMITT

In re: Estate of Marie Schmitt, deceased; File D–28–7970; E. T. sec. 8863.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Katherine Sauer in and to the Estate of Marie Schmitt, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Katherine Sauer, Germany.

That such property is in the process of administration by Roland M. Shivel, Administrator, Michigan National Bank Building, Grand Rapids, Michigan, acting under the judicial supervision of the Probate Court for the County of Kent, Michigan;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany;

And having made all determinations and taken action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13524; Filed, Sept. 4, 1944; 11:04 a. m.]

[Vesting Order Number 4060]

JOHN THOEMING

In re: Estate of John Thoeming, deceased, File D–28–7936; E. T. sec. 8783 (A).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Catharine Dammann, Anna Hadenfeldt, Katherine Arp, Helene Arp, Maria Reimers, Sophia Arp, Katharina Arp, Margaretha Arp, Joachim Arp, Claus Delfs, Hinrich Delfs and Mrs. Markus Ruge, and each of them, in and to the estate of John Thoeming, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Catharine Dammann, Germany.
Anna Hadenfeldt, Germany.
Katherine Arp, Germany.
Helene Arp, Germany.
Maria Reimers, Germany.
Sophia Arp, Germany.
Katharina Arp, Germany.
Margaretha Arp, Germany.
Joachim Arp, Germany.
Claus Delfs, Germany.
Hinrich Delfs, Germany.
Mrs. Markus Ruge, Germany.

That such property is in the process of administration by George Butenschoen, 401 Lane Building, Davenport, Iowa, as Administrator, and the Clerk of the District Court of Scott County, Iowa, as Depositary, of the Estate of John Thoeming, acting under the judicial supervision of the District Court of Scott County, Iowa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13525; Filed, Sept. 4, 1944; 11:05 a. m.]

[Vesting Order 4061]

RUDOLF ALLERT

In re: Trust under the last will and testament of Rudolf Allert, deceased; File D–28–1786; E. T. sec. 990.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Frieda Gravenhorst, Walter Stange, Margarethe Gericke, also known as Grete Gericke and Bruno Rost, and each of them, in and to the trust created under the Last Will and Testament of Rudolf Allert, deceased,

is property payable or delivered to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frieda Gravenhorst, Germany.
Walter Stange, Germany.
Margarethe Gericke, also known as Grete Gericke, Germany.
Bruno Rost, Germany.

That such property is in the process of administration by The Chase National Bank of the City of New York, as Trustee, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13526; Filed, Sept. 4, 1944; 11:05 a. m.]

[Vesting Order 4062]

ANDREW BAUER

In re: Estate of Andrew Bauer, deceased; File D–28–2753; E. T. sec. 11102.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Theresa Bauer, Joseph (Josef) Bauer, Johann Kick, George Kick, Maria Kick Appel, Margaretta Kick and Barbara Kick, and each of them, in and to the Estate of Andrew Bauer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Theresa Bauer, Germany.
Joseph (Josef) Bauer, Germany.
Johann Kick, Germany.
George Kick, Germany.
Maria Kick Appel, Germany.
Margaretta Kick, Germany.
Barbara Kick, Germany.

That such property is in the process of administration by John Peter Weisenfels, as Executor of the Estate of Andrew Bauer, acting under the judicial supervision of the County Court of Wichita County, Wichita Falls, Texas;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13527; Filed, Sept. 4, 1944; 11:05 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 2234]

L. D. COTTON

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2234 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of knives manufactured by L. D. Cotton.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by L. D. Cotton, 6500 Ursula Place, Seattle 8, Washington, of knives of his manufacture, as described in his application dated May 23, 1944 after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Model	To jobbers or distributors who stock the knives	Maximum price to retailers
		Each	*Each*
Sheath hunting knife	X6	$1.60	$2.00
Sheath hunting knife	X1	1.74	2.17
Sheath hunting knife	X3	1.04	1.30
Sheath hunting knife	X4	1.18	1.47

These maximum prices are f. o. b. Seattle, Washington and are subject to a cash discount of 2% ten days, net thirty days.

(b) The maximum price for all sales and deliveries at wholesale for the knives described in paragraph (a) above shall be the prices set forth below as follows:

Article	Model	Maximum price to retailers
		Each
Sheath hunting knife	X6	$2.00
Sheath hunting knife	X1	2.17
Sheath hunting knife	X3	1.30
Sheath hunting knife	X4	1.47

(c) The maximum prices for a sale at retail of the knives described in paragraph (a) above shall be as follows:

Article	Model	Maximum price to consumers
		Each
Sheath hunting knife	X6	$3.35
Sheath hunting knife	X1	3.60
Sheath hunting knife	X3	2.15
Sheath hunting knife	X4	2.45

(d) On each knife shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2234 may be revoked or amended by the Price Administrator at any time.

This Order No. 2234 shall become effective on the 5th day of September 1944.

Issued this 4th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13570; Filed, Sept. 4, 1944; 4:41 p. m.]

[MPR 188, Order 2235]

A. FINKELSTEIN

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2235 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a knife manufactured by A. Finkelstein.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9320, *It is ordered:*

(a) The maximum prices for all sales and deliveries by A. Finkelstein, 91 Grand Street, New York, New York, of a knife of his manufacture, as described in his application dated June 19, 1944, filed August 10, 1944, after such article became subject to Maximum Price Regulation No. 188, are as follows:

Article	Model	To jobbers or distributors who stock the knife	Maximum price to retailers
Knife	S-100	Each $2.40	Each $3.00

These prices are f. o. b. New York City and are subject to a cash discount of 2% ten days, net thirty days.

(b) The maximum price for all sales and deliveries at wholesale for the knife described in paragraph (a) above shall be the price set forth below as follows:

Article	Model	Maximum price to retailers
Knife	S-100	$3.00

(c) The maximum prices for a sale at retail, by any person, of the knife described in paragraph (a) above shall be as follows:

Article	Model	Maximum price to consumers
Knife	S-100	$5.00

(d) On each knife shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from him of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2235 may be revoked or amended by the Price Administrator at any time.

This Order No. 2235 shall become effective on the 5th day of September 1944.

Issued this 4th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13571; Filed, Sept. 4, 1944; 4:41 p. m.]

[Max. Import Price Reg., Order 38]

IMPORTED FOODS

COMPUTATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* All importers who sell foods imported by them must compute their maximum prices for such sales under this order if those sales would otherwise have been governed by the Maximum Import Price Regulation. This order does not apply to anyone except the importer but it applies to importers who (being classified as wholesalers or retailers) have previously been governed by Maximum Price Regulations Nos. 421, 422 and 423 as well as to importers who have previously been governed by the Maximum Import Price Regulation or the General Maximum Price Regulation.

Not all imported foods are covered by this order even when sold by the importer. Only those are covered which, were it not for this order, would be subject to the Maximum Import Price Regulation. This means that imported foods, even when sold by the importer, must be priced under (1) any other price regulation (except the General Maximum Price Regulation) which is or may be made applicable to such sales or (2) any supplementary regulation or order which has been or may be issued under the General Maximum Price Regulation which establishes specific dollar-and-cent maximum prices for all importers of the particular food commodity. This order does not apply to imported fresh fruits or vegetables.

Foods which are classified as imported industrial materials, and so have heretofore been covered by the Maximum Import Price Regulation, now come under this order when sold by the importer. Other sellers, such as intermediate distributors who have formerly priced under the Maximum Import Price Regulation, price under Maximum Price Regulations Nos. 421, 422 or 423 if they are wholesalers or retailers of food products, subject to those regulations; otherwise they remain under the Maximum Import Price Regulation.

Foods which are classified as imported manufactured goods, and so have heretofore been excepted from the Maximum Import Price Regulation, are now brought under this order when sold by the importer. Such sales have previously been governed by the General Maximum Price Regulation or by Maximum Price Regulations Nos. 421, 422 or 423. The three last-named regulations have been amended so they no longer apply to sales by importers (except in the case of fresh fruits and vegetables) but they continue to apply to sales by wholesalers and retailers of foods not imported by them.

(b) *Relation of this order to the Maximum Import Price Regulation.* This order supersedes any provision of the Maximum Import Price Regulation with which it is inconsistent, but such regulation applies to importers of foods in any respect not covered by this order. The definitions in the regulation apply to the defined terms when used in this order.

(c) *Maximum prices on sales by importers.* On and after September 11, 1944, regardless of any contract, agreement or other obligation, no importer shall sell or deliver, and no person shall buy or receive from an importer, any food produced outside the Continental United States and subject to this order (as ex-

plained in paragraph (a)) at a price in excess of the price determined as follows:

(1) If the importer delivered during March 1942, to the same class of purchaser, the same food item imported by him and if his present foreign supplier sold or, in the absence of a sale, offered for sale the same food item during April 1943, his maximum price shall be the sum of his total permitted landed cost of the item (as defined in paragraph (e)) plus the dollar-and-cent amount by which the highest price at which he made such delivery exceeds the actual total landed cost of the same item on his last foreign purchase prior to March, 1942. The importer who computes his maximum price in this manner must file the reports required by paragraph (f) below.

(2) If the importer did not deliver during March, 1942, to the same class of purchaser, the same food item imported by him, or if his present foreign supplier did not sell or offer for sale the same food item during April, 1943, his maximum price shall be established by the Office of Price Administration upon application by the importer before the item is sold or offered for sale. The maximum price so established shall be in line with the level of maximum prices computed under subparagraph (1), above, for the same class of imported foods, when sold to the same class of purchaser. The application shall be filed in form of a letter addressed to the Imported Foods Section, Food Price Division, Office of Price Administration, Washington, D. C., and shall contain answers to the following questions:

1. What is the nature and description of the item? State the kind, brand, variety, grade, container size and container type.
2. What is the name and address of the foreign supplier?
3. Is your foreign supplier the producer, packer or jobber?
4. What was the highest price which your foreign supplier charged you, or if he did not sell to you, which he charged other importers of the same class, for the same item during April, 1943 (if he made no such sale during that period, so indicate, and then answer question No. 5)?
5. If your foreign supplier did not sell the same item to you or any other importer of the same class during April, 1943, what was his firm offering price for the item to you, or if he did not offer it to you, to other importers of the same class, on April 30, 1943 (if he did not offer the item on that date, so indicate, and then answer question No. 6)?
6. If you are unable to answer either question No. 4 or 5, what information do you have as to prices which other foreign sellers of the item were charging or asking during April, 1943 (attach any documentary evidence which is available to you)?
7. What is your present total landed cost for this item—itemized to show foreign supplier's price, terms of purchase, transportation charges, import duties (if any), marine and war risk insurance premiums, any other direct import expenses and any repackaging costs?
8. What is your proposed selling price (including terms of sale) to each class of trade (wholesaler, retailer, industrial user or other consumer) to which you expect to sell?
9. What was the customary mark-up charged by similar importers for this type of item when sold to similar customers in March 1942? Is this mark-up figured on cost or on selling price?

(d) *Exception of high-cost purchases.* Notwithstanding the provisions of paragraph (c) above, any wholesaler or retailer (as those terms are defined in Maximum Price Regulations Nos. 421, 422 or 423) who, prior to September 5, 1944, had stock on hand which he had purchased, or had outstanding a written contract to purchase, from a foreign seller any food item subject to this order at a price higher than that which may be included in computing its total permitted landed cost, may, upon receipt of written authorization from the Office of Price Administration, sell and deliver such item prior to December 1, 1944, at a price not in excess of the maximum price which would have been permitted under the applicable price regulation in effect at the time of purchase. Application for such authorization shall be filed with the Imported Foods Section, Food Price Division, Office of Price Administration, Washington, D. C., no later than October 15, 1944 and shall contain the following information:

1. Complete identification and quantities of each item in stock and on order for which exception is sought.
2. Description of purchase commitments (including copies of contracts if possible) showing name and address of foreign supplier, date of purchase, description of commodity, price paid or to be paid, delivery date, and total landed cost (estimated where goods not yet received).
3. Prices proposed to be charged and method of computing them under regulation in effect when purchases were made.

(e) *Limitation of total permitted landed cost.* In calculating his total permitted landed cost under this order, the importer may include no more than the following costs, and only those of the following factors which he included in computing the landed cost of his last purchase prior to March, 1942 on which he figured his March, 1942 markup under paragraph (c) (1) of this order:

1. The price actually paid to his foreign supplier but not in excess of the highest price (in dollars) his foreign supplier charged for the same food item to a purchaser of the same class during April, 1943 or, in the absence of a sale, his foreign supplier's highest offering price during the same period.
2. Actual transportation (including marine insurance) charges incurred to the port of entry.
3. Import duties paid.
4. War risk insurance premiums paid at rates in effect at the time of shipment based on a value representing no more than 105% of the sum of the price paid to the foreign supplier, freight to the port of entry, and premiums paid for marine and war risk insurance.
5. Warehouse charges, if incurred, not to exceed 60 days in the Continental United States.
6. Repackaging costs, if incurred, but not to exceed material and labor costs during March, 1942 for the same packaging.
7. A reasonable commission, if incurred, to a purchasing agent outside the Continental United States.

(f) *Reports.* Any importer who establishes a maximum price for any item under paragraph (c) (1) of this order shall file with the Imported Foods Section, Food Price Division, Office of Price Administration, Washington, D. C., within ten days after the first delivery of each such item, a report in the form of a letter answering the questions stated in paragraph (c) (2) and also stating what was the highest price which he charged for the same item to each class of purchaser to whom deliveries were made during March, 1942 and what was his actual total landed cost of that item on his last foreign purchase prior to March, 1942.

(g) *Changes in maximum prices.* Any importer who establishes a maximum price for any food item under paragraph (c) (1) or (c) (2) of this order shall reduce that price with respect to future importations of the same item by the amount of any decrease in his total permitted landed costs; he may increase that maximum price in the amount of any increase in transportation charges, marine or war risk insurance rates, or import duties.

(h) *Brokers' or agents' commissions.* Any commission paid to a broker or agent in the Continental United States by a purchaser buying from an importer shall be considered part of the price and, when added to the amount paid to the importer, may not exceed the importer's maximum price.

(i) *Revision of maximum prices.* The Price Administrator may revise at any time any maximum price established under this order so as to bring it in line with the level of maximum prices otherwise established under this order for the same class or kind of food item for sale by the same class of importer to the same class of purchaser.

(j) *Invoice statements.* Any importer, other than a wholesaler or retailer (as those terms are defined in Maximum Price Regulations Nos. 421, 422 and 423), who sells or delivers any imported food item subject to this order shall include on each invoice therefor whichever of the following statements is applicable:

(1) The invoiced imported foods are sold to you at a price not exceeding our maximum price which we have established under paragraph (c) (1) of Order No. 38 under the Maximum Import Price Regulation issued by the Office of Price Administration.

(2) The invoiced imported foods are sold to you at a price not exceeding our maximum price as approved by the Office of Price Administration under paragraph (c) (2) or Order No. 38 under the Maximum Import Price Regulation.

(k) *Notification.* With the first delivery of any item priced under this order to each wholesaler or retailer after September 10, 1944, and also with the first delivery to each wholesaler or retailer after any change in the maximum price made in accordance with paragraph (g), the importer shall supply each wholesaler or retailer who purchases from him with a written notice, reading as follows:

(Insert Date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, style of pack,

and container type and size) has been changed in accordance with Order No. 88 under the Maximum Import Price Regulation. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier with this notification after (insert effective date of change in maximum price). You must figure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 or 423, whichever is applicable to you.

This notice shall be included in each case, carton, or other receptacle containing the item, or be securely attached to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

This order shall become effective on September 11, 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13596; Filed, Sept. 5, 1944; 11:50 a. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 71-A 9]

HANDLING OF MILK IN NEW YORK METROPOLITAN MARKETING AREA

NOTICE OF RESUMPTION OF HEARING ON PROPOSED AMENDMENTS

Notice of resumption of hearing on proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the New York metropolitan marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 900.1 et seq.) and the announcement made on August 17, 1944, by the presiding officer of the hearing on proposed amendments to the New York milk marketing agreement and order (7 CFR, Cum. Supp., 927.0 et seq.; 8 F.R. 8589, 9862; 9 F.R. 4735), which hearing convened on August 15, 1944, at the Hotel Commodore, New York City, notice is hereby given that the said hearing will be resumed on September 20, 1944, at 10:00 a. m., e. w. t., at the McAlpin Hotel, New York City, for the purpose of receiving evidence only with respect to the following proposed amendments which were included in the notice of hearing issued on July 14, 1944 (9 F.R. 8099):

1. *Emergency in supplying fluid milk to the marketing area.* That portion of § 927.10 of the proposed amendments in the notice of hearing which provides for taking action to meet a shortage of fluid milk for the marketing area.

2. *Butterfat differential to producers.* Increasing the amount of the producer butterfat differential for each one-tenth of one percent of butterfat above or below 3.5 percent in milk delivered by any producer. (See § 927.2 (c) of the proposed amendment in the notice of hearing and § 927.7 (c) of the present order.)

3. *Pool plants.* The proposed provisions with respect to the determination of the plants which are to be in the equalization pool and the method to be followed in making such determinations; the dairy farmers who are to receive minimum prices for milk; and the reports, and payments into the producer-settlement fund, that will be required from handlers with respect to milk received at other than pool plants. (See particularly §§ 927.1, 927.3, 927.6, and 927.9 (h) of the proposed amendments in the notice of hearing.)

NOTE: This will permit full consideration of the question of what plants and dairy farmers are to participate in the producer-settlement fund or the equalization pool.

4. *Basis of classification.* The basis for the classification of milk, including the methods and standards to be used in (a) determining the plant at which milk shall be classified, (b) accounting for milk, and (c) accounting for and classifying plant loss; including the procedure to be followed by the market administrator in issuing rules and regulations relating thereto. (See § 927.4 (a) and (b) and Exhibit A of the proposed amendments in the notice of hearing.)

5. *Changes in minimum class prices.* Changing the minimum class prices for milk, the butterfat from which is classified in (a) all the products included in Classes II-B and II-C under the present order, (b) the frozen desserts or mix in Class II-F under the present order, and (c) the evaporated milk, milk powder, and malted milk powder in Class III under the present order; together with requisite changes in the class definitions for these products to facilitate any changes in the minimum prices for milk in the separate products classified and priced the same under the present order. (See § 927.3 (b) (3), (4), (7), and (8) and § 927.4 (a) (6), (7), (10), and (11) of the present order; and § 927.4 (c) (5), (6), (9), (10), (13), (16), (17), and (25) and § 927.5 (c) (5), (6), (9), (10), (13), (16), (17), and (25) of the proposed amendments in the notice of hearing.)

NOTE: This will permit full consideration of the various proposals for increasing or decreasing the minimum class prices for milk in these products, including the proposal to increase the minimum class price for milk in milk powder by 30 cents per hundredweight and the proposals to establish a formula for pricing such milk.

Before any additional evidence is received on the proposed amendments which were included in the notice of hearing, other than the amendments which are herein specifically referred to, a further notice will be issued and published in the FEDERAL REGISTER.

Copies of this notice may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331, South Building, Washington 25, D. C., or may be there inspected.

Dated: September 4, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13568; Filed, Sept. 5, 1944; 11:19 a. m.]

WAR PRODUCTION BOARD.

[Certificate 25[1], Amdt. 1]

MANUFACTURERS OF SYNTHETIC RUBBER AND RUBBER-CONSUMING PRODUCTS

EXCHANGE OF TECHNICAL INFORMATION

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, approved June 11, 1942, after consultation with you, I am requesting all manufacturers of synthetic rubber and of rubber-consuming products to collaborate, under the direction and supervision of the War Production Board or Rubber Reserve Company, in the exchange of technical information and in the furtherance of technical improvements, research, developments, and testing relating to the manufacture and utilization of synthetic rubber and the manufacture of rubber-consuming products, upon the express condition and understanding that such information and the results of such improvements, research, developments, and testing will be made available to such persons, in such manner and to such extent as may be prescribed by the War Production Board or Rubber Reserve Company. I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such request, is requisite to the prosecution of the war.

Dated: August 31, 1944.

J. A. KRUG,
Acting Chairman.

[F. R. Doc. 44-13577; Filed, Sept. 5, 1944; 10:11 a. m.]

[1] 7 F.R. 10204.

SEP 8 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 179

Washington, Thursday, September 7, 1944

The President

EXECUTIVE ORDER 9477

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE CLEVELAND GRAPHITE BRONZE COMPANY, LOCATED AT CLEVELAND, OHIO

WHEREAS after an investigation I find and proclaim that the plants and facilities of the Cleveland Graphite Bronze Company, located at Cleveland, Ohio, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Cleveland Graphite Bronze Company, located at Cleveland, Ohio, and, to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Cleveland Graphite Bronze Company, and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of Section 5 of the War Labor Disputes Act.

3. The Secretary of War shall permit the management of the plants and facilities taken under the provisions of this order to continue with its managerial functions to the maximum degree possible, consistent with the aims of this order.

4. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein, and their families and homes. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Secretary of War to the fullest extent possible in carrying out the purposes of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 5, 1944.

[F. R. Doc. 44-13708; Filed, Sept. 6, 1944; 12:04 p. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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EXECUTIVE ORDER 9475A

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE CERTAIN PLANTS AND FACILITIES OF THE HUGHES TOOL COMPANY LOCATED AT HOUSTON, TEXAS

WHEREAS, after an investigation, I find and proclaim that the main plant of Hughes Tool Company, located at 400 Hughes Street, Houston, Texas, and the Aircraft Strut Plant of the Hughes Tool Company, located at 7790 Wallaceville Road, Houston, Texas, are plants and facilities that are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are threatened interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the following plants and facilities:

The Main Plant of the Hughes Tool Company located at 400 Hughes Street, Houston, Texas and,

The Aircraft Strut Plant of the Hughes Tool Company located at 7790 Wallaceville Road, Houston, Texas;

and, to the extent that he may deem necessary, of any real or personal property and other assets wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Hughes Tool Company and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the Directive Order of the National War Labor Board dated June 16, 1944.

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the threatened interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 2, 1944.

[F. R. Doc. 44-13681; Filed, Sept. 6, 1944; 11:11 a. m.]

Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 132—READMISSION AND TEMPORARY ADMISSION

IMPORTED LABORERS

SEPTEMBER 1, 1944.

The following amendments to Part 132, Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

That part of § 132.5 (a) (9 F.R. 5768) before subparagraph (2) is amended to read as follows:

§ 132.5 *Aliens imported to perform labor during wartime.* (a) Any alien who applies for temporary admission into the United States under Title VII of Public Law 373 of June 28, 1944 (58 Stat. 547), shall establish to the satisfaction of the examining immigrant inspector:

(1) That he is seeking admission as one of a specific group of workers who are being imported by the War Manpower Commission for employment in the continental United States with industries and services essential to the war effort; he shall present an alien laborer's identification card (Form I-100) identifying him as such; such card shall be prepared either prior to embarkation or at the port of entry;

The citation at the end of § 132.5 is amended by substituting "58 Stat. 547" for "58 Stat. 11".

JOSEPH SAVORETTI,
Acting Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc, 44-13654; Filed, Sept. 5, 1944; 5:00 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Procurement and Disposal of Equipment and Supplies

[Procurement Regs. 1, 3, 6, 7, 8, 9, 11, 12, 13, 15]

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Parts 801, 803, 806, 807, 808, 809, 811, 812, 813 and 815 are hereby prescribed. These regulations are also contained in War Department Procurement Regulations dated 5 September 1942 (9 F.R. 8363) as amended by change 40, 31 August 1944,[1] the particular regulations being Nos. 1, 3, 6, 7, 8, 9, 11, 12, 13 and 15.

In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

AUTHORITY: Section 5a, National Defense Act, as amended, 41 Stat. 764; 54 Stat. 1225; 10 U.S.C. 1193–1195, and the First War Powers Act 1941, 55 Stat. 838; 50 U.S.C. Sup. 601–622.

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[Procurement Reg. 1]

PART 801—GENERAL INSTRUCTIONS

SUBPART C—APPLICABILITY OF REGULATIONS

In § 801.108 paragraphs (d) (3), (e), (f) and (g) are amended to read as follows:

§ 801.108 *Applicability of regulations.* • • •

(d) *Army Air Forces.* • • •

(3) Except as specifically otherwise provided, all communications to the Army Air Forces or to the Commanding General, Army Air Forces, relating to procurement, should be addressed to the attention of the Procurement Division, Assistant and Chief of Air Staff, Materiel and Services.

(e) *Service commands.* These regulations are applicable to the procurement activities of the service commands. Where procurement is accomplished by a service command at the direction of the chief of a technical service or his duly authorized representative, the directions will contain references to the applicable sections of the procurement regulations and will also contain supplementary instructions where appropriate. In such a case, for the purposes of these regulations, the procurement shall be regarded as procurement by the technical service concerned and the contract will be regarded as a contract of that technical service. In all other cases, except as provided in § 803.318c (b), the service command accomplishing the procurement shall act independently of any technical service and the term "technical service" and the term "service", as used in these regulations, shall be deemed to refer to the service commands and the term "chiefs of technical services" and "chiefs of services" shall be deemed to refer to the Commanding Generals of the service commands. In connection with this paragraph see paragraph (c).

(f) *Procurement, contracting, termination and renegotiation authority of commanding officers outside continental United States.* (1) In general, each commanding officer in charge of United States armed forces outside the continental United States and its territories and possessions, including Alaska, who is responsible direct to the War Department, in connection with the procurement of supplies and facilities which he may deem necessary or appropriate to facilitate the prosecution of the war and to accomplish the mission confided in him or to protect the health, safety and welfare of the forces under his command, may disregard the provisions of the procurement regulations, Army Regulations and other regulations, circulars, or instructions, and any provisions or restrictions of the laws of the United States which may be applicable within the United States or any territory or possession thereof. This matter is more fully treated in section I of Circular No. 330, War Department, 1944.

(2) Likewise, in general, commanding officers in charge of United States armed forces outside the continental United States but within the territories or possessions of the United States, including Alaska, who is responsible direct to the War Department, in connection with the procurement of supplies and facilities which he may deem necessary or appropriate to facilitate the prosecution of the war and to accomplish the mission confided in him, or to protect the health, safety and welfare of the forces under his command, may disregard the provisions of the procurement regulations, Army Regulations or other War Department regulations, restrictions, circulars or instructions, and if he finds that to do so would facilitate the prosecution of the war, may disregard any provisions of law relating to procurement: *Provided, however,* That he is not authorized to disregard any of the provisions of (i) Title II of the First War Powers Act, 1941, (ii) the restrictive provisions contained in Executive Order No. 9001 or (iii) except where express authority to take such action is given in a particular case, any law approved after 18 December 1941. This matter is more fully set forth in section II of Circular No. 330, War Department, 1944.

(3) Each commanding officer referred to in subparagraph (1) or (2) above is authorized to exercise, within the limit of his command, subject to any applicable regulations or instructions of the Director of Contract Settlement, or of the War Department, any authority and discretion granted to the War Department under the Contract Settlement Act of 1944. The chiefs of the several technical services, subject to any such applicable regulations or instructions, are also authorized by Part 815, to exercise with respect to any contracts or class of contracts being administered under their direction, and made or performed outside of the continental limits of the United States or in Alaska, any such authority and discretion granted by that Act. The procedures applicable to the termination of contracts set out in Part 815 are not applicable outside the continental United States or in Alaska, but may furnish useful suggestions as to procedures appropriately to be followed in such areas. This matter is more fully treated in section III of Circular No. 330, War Department, 1944.

(4) Authority and discretion under the Renegotiation Act of 1943 and under the Renegotiation Act of 1942 have been delegated to each commanding officer in charge of United States armed forces in Alaska or outside the continental United States, who is responsible direct to the War Department, as more fully set forth in section IV, Circular No. 330, War Department, 1944.

(g) *Procurement within the United States for armed forces abroad.* It is to be noted that the provisions of Circular No. 330, War Department, 1944, referred to in paragraph (f) have no application to procurement within the United States for armed forces abroad.

[1] Changes 36 and 39 appear at 9 F.R. 9460, 9585.

PART 803—CONTRACTS

SUBPART A—GENERAL

In paragraph (a) of § 803.303a subparagraphs (2) and (3) are substituted for the former subparagraphs (2) through (5), inclusive, to read as follows:

§ 803.303a *Letters of intent and letter orders.* • • •

(a) *Use of provisions for allowance of profit in standard termination provisions.* • • •

(2) The chief of each technical service is authorized by supplemental agreement at any time to amend any letter of intent or letter order to include therein the appropriate standard termination provisions referred to in subparagraph (1) above. Whenever possible such amendments will be made before the giving of notice of termination but may be made even after such notice is given. If any such amendment made after notice of termination includes the portions of the standard termination provisions authorizing the payment of a profit to the contractor, then such amendment may be made only after a finding by the chief of the technical service or any duly authorized representative within his headquarters office that an allowance for profit is reasonable under the circumstances. In the case of the Army Air Forces the authority to make such finding may be exercised by any duly authorized representative of the Commanding General, Army Air Forces within the headquarters offices of the Army Air Forces or of any of its major commands.

(3) Each amendment shall recite that it is made pursuant to the Contract Settlement Act of 1944.

SUBPART B—AUTHORITY TO MAKE AWARDS, CONTRACTS, AND MODIFICATIONS THEREOF; REQUIRED APPROVALS

1. Paragraph (a) of § 803.304 is amended to read as follows:

§ 803.304 *Definitions*—(a) *Standard forms of contract.* The phrase "standard forms of contract", as used in this subpart, includes:

(1) Forms of contract which may from time to time be approved for the general use of all technical services by the Legal Assistant to the Director of Materiel or the Chief, Legal Branch, Director of Materiel, Headquarters, Army Service Forces. The following contract forms are hereby approved for such use:

(i) United States Standard forms of contract provided they comply with the requirements of Subpart H.
(ii) Long Form Supply Contract:
Lump Sum Supply Contract (See § 813.1301).
(iii) Short Form Supply Contracts:
Purchase Order or Delivery Order and Voucher for Purchases and Services other than Personal (See § 813.1317a).[1]
Purchase Order (See § 813.1317b).[1]
Government's Order and Contractor's Acceptance (See § 813.1317c).[1]
Informal Invitation, Informal Bid, and Acceptance (See § 813.1317d).[1]
Delivery Order (See § 813.1317e).
Contractor's Offer and Government's Acceptance (See § 813.1317f).[1]
(iv) Construction and related contracts:
Lump Sum Construction Contract (See § 813.1302).
Cost-Plus-A-Fixed-Fee Construction Contract (See § 813.1303).
Cost-Plus-A-Fixed-Fee Architect-Engineer Contract (See § 813.1304).
Fixed-Fee Architect-Engineer-Construction-Management Services Contract (See § 813.1312).
Lump-Sum Contract for Architect-Engineer Services (With Optional Supervision) (See § 813.1316).
(v) Letter Orders:
Letter Order for Supplies (No Price Stated) (See § 813.1307).
Letter Order for Supplies (Price Stated) (See § 813.1308).
Letter Order Contract for Cost-Plus-A-Fixed-Fee Construction (See § 813.1309).
Letter Order Contract for Lump-Sum Construction (See § 813.1310).
(vi) Supplemental Agreements for Advance payments:
Supplemental Agreement for Advance Payments with Interest on Fixed-Price Contracts (see § 813.1320).
Supplemental Agreement for Advance Payments with Interest on Fixed-Fee Contracts (See § 813.1321).
Supplemental Agreement for Advance Payments with Interest on a Letter Purchase Order (See § 813.1322).
Supplemental Agreement for Advance Payments without Interest on Fixed-Price Contracts (See § 813.1323).
Supplemental Agreement for Advance Payments without Interest on Fixed-Fee Contracts (See § 813.1324).
Supplemental Agreement for Advance Payments without Interest on Letter Purchase Orders (See § 813.1325).
(vii) Utility Service Forms:
Negotiated Electric Service Contract (Connection Charge) (See § 813.1315a).
Negotiated Utility Service Contract (No Connection Charge—Electric, Gas, Water, Sewage) (See § 813.1315b).[1]
(viii) Miscellaneous Contracts:
Defense Supplies Corporation (See § 813.1311).
Metals Reserve Company (See § 813.1311a).
War Supplies Limited (See § 813.1313).
Government-Owned Equipment Rental Agreement (See § 813.1314).
Informal Invitation, Informal Bid, and Acceptance (Sale of Property) (See § 813.1326).[1]
Letter of Committment (Raw Materials under CMP) (See § 813.1328).
Contract Adjusting Royalties (See § 813.1329).

[1] To be used in accordance with instructions appearing in the cited paragraph.

(2) Forms of contract, devised by a particular technical service, or a staff division exercising procurement functions, to meet the needs of a recurrent situation of a special type which may from time to time be approved by the Legal Assistant to the Director of Matériel or the Chief, Legal Branch, Director of Matériel, Headquarters, Army Service Forces (see § 801.107 (h)), for the use of that technical service or staff division. Forms so approved should be periodically revised (see § 803.301 (a)) to accord with requirements of these procurements regulations published following approval of the forms. If deviation from such requirements appears to be necessary, the forms should be resubmitted for approval.

(3) The forms of contract enumerated below are (15 August 1944) in use by the various offices named. Except where the particular form was approved under subparagraph (2) by memorandum or indorsement, in which case the precise terms approved together with any conditions on their use will appear from the pertinent file, it may be assumed that that version of the form was approved (subject to all requirements of these procurement regulations) which on 15 August 1944 was authorized by the technical service or staff division involved for use by personnel under its jurisdiction.

Office of the Chief of Chemical Warfare Service:
Short Form Research Contract (consideration nominal)
Negotiated Sale Contract
Office of the Chief of Engineers:
Engineer Form No. 84.—Release of Claim for Additional Fee.
Engineer Form No. 85.—Release of Claim for Additional Fee to Extent only of Joint Venturer.
W. D. (Engineers) Form No. 17.—Hire by Government of Plant or Equipment.
W. D. (Engineers) Form No. 520.—Contract for Reconditioning Construction and Maintenance Equipment.
W. D. (Engineers) Form No. 715.—War Department Lease of United States Property (Military Industrial Facilities).
W. D. (Engineers) Form No. 843.—Contract for Dismantling, Demolition and Removal.
Office of the Chief of Ordnance:
Notice of Award.
Equipment Lease Form.
Sale of Scrap (Allocated).
Gage Repair Contract.
"Drive-Away" Carrier, Repair Services.
Letter Order for Emergency Supplies.
Master Facilities Lease.
Contract for Spare Parts and Military Publications.
Office of the Quartermaster General:
QMC Form No. 300.—Purchase Order for Use in Purchasing Certain Food Supplies.
QMC Forms No. 315, 315b, and 316 (Tentative).—Invitation, Bid and Acceptance Form for Purchasing Coal.
QMC Form No. 327.—Contract for Sale of Waste Material.
QMC Form No. 328.—Negotiated Sale Contract.
Uniform Burial Contract QMC Form No. P642.—Contract for Purchasing Lubricating Oils and Greases.
QMC Form No. 1013.—Contract for Warehouse Services.
Research and Development Contract.
Office of the Chief Signal Officer:
O. C. S. O. Form No. 6–D.—General Contract for Purchase Order.
W. D. S. C. Form No. 57.[1]—Trunkline and other Communication Facilities and Services.
W. D. S. C. Form No. 134.[1]—Contract for Communication and Electric Time Facilities and Services.
W. D. S. C. Form No. 1137.—Telephone Service Order.
W. D. S. C. Form No. 1165.[1]—General Conract for Commercial Telephone Service Similar to that Furnished the Business Public.
A. T. & T. Co. Form C276C (5–37).[1]—Application for Private Line Service or Channel.
Letter Order for Supplies (No Price Stated).
Letter Contract for Motion Picture Training Film.
Contract for Motion Picture Training Film.
Letter Order for Stock Film and Sound Track.
General Contract for Operation and Maintenance in connection with Army Telephone Systems.[1]
Contract for Maintenance in Connection with Army-Owned Teletypewriter Equipment.
Government-Owned Equipment Rental Agreement.
Office of the Surgeon General:
S. G. Form No. 1–F.—Supply Contract.
S. G. Form No. 2–B.—Long Term Supply Contract.
S. G. Form No. 3–B Purchase Order. (and Appendix "A").
Contract with Universities for Courses of Instruction.
Medical Research Contract (Cost Basis).
Blood Plasma Contract.
Supplemental Agreement for Use of Cellular Residue.

[1] It is emphasized that these forms should contain the standard clauses set forth in §§ 803.323, 803.325, and General Condition 12 of W. D. Contract Form No. 47 (§ 813.1317c (b)).

Office of the Chief of Transportation:
- TC Form No. 101..... Lease of Equipment Under Public No. 779, 77th Congress.
- TC Form No. 102..... Lease of Equipment with Indemnity, Under Public No. 779 77th Congress.
- TC Form No. 103..... Standard Master Ship Repair Contract.
- TC Form No. 104..... Freight Handling Services.
- TC Form No. 224..... Contract for Movement of Household Goods and Effects (see Circular No. 214, W. D., 1944).
- TC Form No. 225..... Government-Owned Facilities Lease Agreement.

Army Air Forces:
- Material Command, Contract Form No. 33—Fixed Price Supply Contract.
- Army Air Forces, Form No. 98—Purchase Order.
- Letter Contract for Supplies or Services (Fixed Price).
- Letter Contract for Supplies or Services (CPFF).
- Cost-Plus-A-Fixed-Fee Supply Contract (CPFF Form 3, revised).
- General Airlines Service Contract (and Supplement).
- Contract Pilot School.
- Blanket Bailment Agreement.
- Sale of Property (General).
- Sale of Propeller Boxes.
- Contract for Return of Excess Parts to Manufacturers.
- Sale of Aircraft and Spare Parts.

Office of the Provost Marshal General:
- Contract for Prisoner of War Labor.

Office, Director of Personnel:
- Contract for Correspondence Instruction.
- Contract for Radio and Phonograph Recordings.

Service Commands:
- Contract for Training in Medicine and Dentistry.
- Contract for Training in Veterinary Medicine.
- Training Unit Contract.
- Boiler Inspection Contract.
- Contract for Inspection and Maintenance of Autcmatic Fire Alarm Systems.
- Laundry and Dry Cleaning Contract; Hospital Laundry Contract (see Part Two, ASF Circular No. 128, 8 May 1944).

2. Section 803.308g is revised by the addition of a reference to § 803.308h (d) in the second sentence, as follows:

§ 803.308g *Supplements and change orders dealing with or directly affecting matters pending before the General Accounting Office in respect of the amended contract.* Chiefs of technical services may not approve or authorize the execution of any supplemental agreement or change order which deals with or directly affects the claim under the contract amended thereby which has been transmitted to the General Accounting Office, or any dispute under the contract which has been referred to the General Accounting Office. This limitation of authority is applicable to action taken pursuant to §§ 803.306 (c), (d), 803.308a, 803.308b, 803.308e, 803.308h (d), 803.379 and 803.380 notwithstanding any authority granted to the chiefs of the technical services by those sections respectively. In requesting any approval of the Director, Purchases Division, Headquarters, Army Service Forces, required by these regulations, the chiefs of the several technical services will call attention to any matters pending before the General Accounting Office with respect to the contract in question, or any closely related contract which may be affected or dealt with by the supplementary agreement, change order, or action, approval of which is requested, and will state fully the circumstances in any such pending matter.

3. In § 803.308h paragraph (d) (1) is amended by the addition of subdivisions (v) and (vi); paragraph (f) is redesignated (g); and a new paragraph (f) is added, as follows:

§ 803.308h *Defective, informal and quasi-contracts.* • • •

(d) *Action under Section 17 by the technical service.* (1) • • •

(v) No claim relating to the furnishing of such materials, services or facilities has been referred to the General Accounting Office (see § 803.308g).

(vi) Final payment has not been made under the contract as theretofore formally amended in writing.

• • • • • •

(f) *Form of contract or supplemental agreement.* Any contract or supplemental agreement executed or proposed for execution pursuant to the authority of section 17 of the Contract Settlement Act of 1944 must contain, in addition to the usual provisions required by existing regulations, the following:

(1) Recitals of the principal facts and circumstances which justify a finding that the action taken is within the scope of section 17 of the Contract Settlement Act of 1944, including a statement in cases of action within the scope of subsection (a) of such section 17, that the materials, services or facilities in question were related to the prosecution of the war.

(2) Recital that the execution of the contract or supplemental agreement has been authorized by or in behalf of the Secretary of War pursuant to the authority of the Contract Settlement Act of 1944.

(3) A provision whereby the contractor releases and discharges the Government of and from all liabilities for furnishing or arranging to furnish the materials, services or facilities in question.

(g) *Action by War Department Board of Contract Appeals.* The War Department Board of Contract Appeals in connection with any appeal pending before it under the "Disputes" article of a contract (see e. g. § 803.326) may authorize or direct the taking of any action pursuant to section 17 of the Contract Settlement Act of 1944 which in its opinion is required or authorized by that section.

SUBPART H—MANDATORY AND OPTIONAL CONTRACT PROVISIONS

In § 803.351 paragraph (d) is amended, and paragraph (e) is added as follows:

(d) *Article for use in contracts for the purchase of lumber or coal.*

ARTICLE ..... *Escalation in relation to OPA ceiling prices.* The contractor represents and warrants that the prices shown herein are not in excess of the maximum prices established by the Office of Price Administration, or other authorized government agency, and in effect upon the date hereof for the supplies to be furnished hereunder. In the event such maximum price applicable to any item is increased or decreased the price payable for any subsequent delivery of such item made in accordance with the provisions of the contract, shall be increased, or decreased, by the same number of cents, or fraction thereof, per unit, that such maximum price may be increased, or decreased, up to and including the date of delivery.

NOTE: Where the foregoing article is used, the following clause may be added:

Price adjustment in relation to other factors. In the event that the establishment and maintenance by the Office of Price Administration or other Government agency of maximum prices for the type of_____ covered by this contract is terminated during the contract period, and if during the remainder of such period changes should occur in working hours, wage scales, or other conditions of employment, which changes are a part of the general revision of such conditions [within the producing district where the coal is mined], the parties hereto, upon the request in writing of one to the other within 30 days after the effective date upon which any such change occurs, may redetermine by negotiation the unit price affected, provided that pending such negotiation the contractor shall continue deliveries hereunder. Any price redetermination as herein provided shall be applicable to all deliveries after the effective date upon which the change occurs permitting redetermination as herein provided.

(e) *Article for use in contracts for the purchase of basic steel products from steel mills (Schedule I of CMP Regulation 1, as amended from time to time).*

ARTICLE ..... *Escalation in relation to OPA ceiling prices.* The contractor represents and warrants that the prices shown herein are not in excess of the maximum prices established by the Office of Price Administration, or other authorized government agency, and in effect upon the date hereof for the supplies to be furnished hereunder. In the event such maximum price applicable to any item is increased or decreased the price payable for any subsequent delivery of such item made in accordance with the provisions of the contract, shall be increased by the same number of cents, or fraction thereof, per unit, that such maximum price may be increased up to and including the date of delivery. If the OPA maximum price in effect on the date of shipment of any of the supplies to be delivered hereunder is less than the price stated herein, the price payable for such supplies shall be the OPA maximum ceiling price in effect on the date of shipment.

NOTE: Where the foregoing article is used, the clause set forth in the note to § 803.351 (d) may be added.

SUBPART L—MISCELLANEOUS

1. In § 803.394 that portion of paragraph (b) preceding the colon is amended as follows:

§ 803.394 *Contracts for electric power.* • • •

(b) *War Department Power Procurement Officer.* Pursuant to the directives from the President, set forth in § 803.394 (a) the Secretary of War has designated Col. S. M. Weaver as War Department Power Procurement Officer and Major George P. Steinmetz as Deputy War Department Power Procurement Officer, with the following responsibilities for contracts of 1000 kilowatts or over for electric service to all installations where the War Department has an interest in the cost of electric service:

• • • • •

2. In § 803.395 paragraph (b) is revised by the insertion of a reference to section 12, Pub. Law 580, 77th Congress, as follows:

§ 803.395 *Contracts within section 9, Military Appropriation Act, 1944 and 1945.* • • •

(b) Except as may be provided in other applicable statutes (see, e. g., section 12, Public Law 580, 77th Congress), the statutes above-quoted affect (1) each War Department contract for architectural, engineering, technical or professional services (i) made with any individual; or (ii) made with a firm or corporation which is engaged primarily in the business of furnishing such services, and (2) each War Department contract for the employment of the services of accountants or other experts to assist in inaugurating new or changing old methods of transacting business of the Department. Except as above stated, they do not apply to any contracts with firms or corporations for services related to the development, invention, design, procurement, production, repair, or maintenance of war supplies, materiel or facilities or for research or services concerning any such supplies, materiel or facilities, or to any other type of War Department contract.

• • • • •

[Procurement Reg. 6]

PART 806—INTERBRANCH AND INTERDEPARTMENTAL PURCHASES

SUBPART A—GENERAL

Section 806.602 (a) (1) is revised as follows:

§ 806.602 *Definitions*—(a) *Procurement.* The term "procurement" as used in this regulation refers to the procedure necessary to obtain a given item or class of items and includes the execution of the following functions:

(1) *Specification (Abbr. Spec.)* This function involves the responsibility for the preparation or supply of specifications in accordance with the provisions of AR 850-25 to be used in the procurement of the item or items. Specifications will be such as to provide items meeting the approved military characteristics. For items not covered by military characteristics, specifications will be such as to provide items meeting the technical requirements of the using arms and services and the services interested therein by virtue of their missions.

• • • • •

SUBPART B—INTERBRANCH PROCUREMENT

1. In § 806.603 paragraph (b) is amended by the addition of subparagraph (6); paragraph (d) is revoked; and paragraph (f) is amended by the addition of subparagraph (5), as follows:

§ 806.603 *Authority of Procurement Assignment Board.* • • •

(b) *Purchase of an item by other than the service assigned such responsibility.* • • •

(6) Purchases made pursuant to the provisions of this paragraph will be subject to the applicable restrictions concerning local purchases and purchases of restricted or prohibited items. See § 811.1187 et seq.

• • • • •

(d) [Revoked]

• • • • •

(f) *Procedure.* • • •

(5) Where items are assigned to a technical service other than the Medical Department for the requirements of the Army at large, the separate and additional requirements for such items for hospitals are not included therein. Determination of requirements and provision of funds for such separate and additional requirements for hospitals are the responsibility of the Medical Department.

2. That portion of § 806.604 preceding paragraph (a) is amended to read as follows:

§ 806.604 *Report of actions of the Procurement Assignment Board.* (1) There is contained in Appendix I to these procurement regulations[1] a condensed record of the assignments made by the Board since the beginning of the calendar year 1942. Actions taken by the Board are reported in ASF circulars. From time to time, information as to such actions will be consolidated in the Appendix. Reference is made to the first page of the Appendix for a more complete statement as to what is covered therein.

[1] Filed as part of the original document.

(2) Certain actions of the Board are set forth in the paragraphs immediately following. The Appendix, however, contains cross references to these paragraphs.

• • • • •

2. In § 806.604 (c) the last paragraph of footnote 2 is deleted.

3. Section 806.605b is revoked, as follows:

§ 806.605b *Contracts for recapping and retreading tires, and repairing tires and tubes.* [Revoked]

SUBPART C—INTERDEPARTMENTAL PURCHASES

In § 806.606 paragraph (f) is added and paragraph (g) revised, as follows:

§ 806.606 *Purchases under contracts of Procurement Division, Treasury Department.* • • •

(f) *Delivery orders under contracts of the Procurement Division, Treasury Department.* (1) Delivery orders issued under contracts of the Procurement Division, Treasury Department, will contain sufficient data to enable prompt identification by disbursing and auditing agencies of the correct listing in the proper General Schedule of Supplies. These data will include contract number, item number, and, where applicable, supplement, region or zone number.

(2) Reference is made to the discussion in § 806.614 concerning the suggested form of delivery order. As stated in § 806.614 (d), all orders issued under contracts of the Procurement Division, Treasury Department, are included within the term "delivery orders" even though such orders are frequently referred to as "purchase orders."

(3) Each delivery order should show the name of the finance officer by whom payment will be made.

(g) *Mandatory schedules.* The following is a list of the classes of the General Schedule of Supplies which are mandatory on the field services of the War Department:

Description of item	Schedule of Supplies	Period
Explosives and blasting accessories	4, Supp. No. 1	July 1 to Dec. 31, 1944.
Gasoline: Tank Wagon and Drum Deliveries, Tank-Car, Transport-Truck and Marine Deliveries.	7 and Supps., Regions 1 to 6, incl	July 1, 1944 to June 30, 1945.
Fuel Oil: Tank Wagon and Drum Deliveries, Tank-Car, Transport-Truck, and Marine Deliveries.	7 and Supps., Regions 1 to 6, incl	July 1, 1944 to June 30, 1945.
Gasoline, Diesel Oil, and Lubricating Oil, Service-Station Deliveries.	7 and 16	July 1, 1944 to June 30, 1945.
Tire chains	8, Supp. No. 3	July 1, 1944 to June 30, 1945.
Automotive storage batteries	17, Supp. No. 2 (Revised)	March 16 to Sept. 15, 1944.
Telephones and parts	17, Supp. No. 6	Sept. 1, 1941 to Aug. 31, 1942 (portion extended to Feb. 28, 1945).
Electric lamps	17, Supp. No. 3	Sept. 1, 1944, to Aug. 31, 1945.
Wood furniture	26, Part I	Jan. 1 to Dec. 31, 1943 (portion extended to Dec. 31, 1944).
Wood furniture	26, Part I	Jan. 1 to Dec. 31, 1944.
Steel furniture	26, Part II	Jan. 1 to Dec. 31, 1942 (portion extended to Dec. 31, 1944).
Steel insulated filing cabinets	26, Part II, Supp. No. 1	July 1, 1943 to Dec. 31, 1943 (extended to Dec. 31, 1944).
Floor and window coverings	27	April 1 to Sept. 30, 1944.
Books	35	Dec. 1, 1943, to Nov. 30, 1944.
Machine tools (only the following items: 40-M-0-100, and 40-P-22 to 40-P-37, incl.).	40	Sept. 1, 1944 to Aug. 31, 1945.
Woodworking saws	40, Supp. No. 1	July 1, 1944, to June 30, 1945.
Paper drinking cups	58, Supp. No. 3	July 1, 1944, to June 30, 1945.
Office equipment	54	July 1, 1944, to June 30, 1945.
Offset duplicating supplies and certain office equipment	54	July 1, 1944, to June 30, 1945.
Portable drinking fountains	62, Supp. No. 1	Mar. 1, 1944, to Feb. 28, 1945.

Description of item	Schedule of Supplies	Period
Airplane tires and tubes	88	Apr. 24 to June 30, 1943 (extended to Nov. 30, 1944).
Recording and transcription service	103, Supp. No. 2 (Revised)	Sept. 1, 1944, to Aug. 31, 1945.
Household and quarters furniture	(Part 1)	Aug. 1, 1944, to Jan. 31, 1945.
Household and quarters furniture	(Part 2)	Aug. 1, 1944, to Jan. 31 1945.

NOTE: (1) Some of the schedules listed above are mandatory only upon some of the activities of the War Department. In case of doubt as to whether it is mandatory that a particular item be procured under a schedule, the schedule itself should be consulted and provisions of the schedule should be regarded as controlling.
(2) Attention is called to the provisions of § 811.1187 et seq., as to restrictions concerning local purchases and the purchases of restricted or prohibited items. Such restrictions apply to items, even though they may be listed on the General Schedule of Supplies.

[Procurement Reg. 7]

PART 807—DISPOSITION OF PROPERTY

SUBPART A—GENERAL

1. Section 807.111 is amended to read as follows:

§ 807.111 *Compliance with OPA and WPB regulations*—(a) *General.* All sales or other transfers (except transfers within the Government) of property made under the authority of this part or otherwise, shall conform to applicable orders and regulations of the War Production Board and the Office of Price Administration.

The term "sales," as used in paragraphs (a) to (h), includes, where appropriate, retentions of property by contractors as authorized by procurement regulations, and the term "buyers" similiary includes such contractors.

(b) *WPB regulations.* Officers responsible for disposal of War Department property may rely upon a representation by the buyer to the effect that the purchase is being made in compliance with all War Production Board regulations affecting the buyer, unless they have knowledge or reason to believe that such representation is false. Such a representation should be incorporated in each written contract of sale. War Department representatives are not responsible, however, for compliance with War Production Board regulations in the case of sales of contractor-owned property.

(c) *Exemptions from OPA price ceilings.* Price ceilings established by the Office of Price Administration do not apply to a sale (other than a sale of food or of a commodity originally purchased solely for the purpose of resale in substantially the same form or for stockpiling) where the sale is:

(1) To another Government agency (§§ 807.307 to 807.310 (a));

(2) To any foreign government or agency thereof;

(3) To a contractor (but not to a subcontractor) for use in carrying out his prime contract with a Government agency (§ 807.301);

(4) To any relief organization for donation or export sale (§ 807.302);

(5) Of a single item or group of items where the sales price estimated to be obtainable for all substantially similar items available for sale at the place of sale does not exceed $300 (§§ 807.206 (b), 807.701).

(6) Of personal property when sold together with an interest in land or buildings in a single transaction;

(7) Of all or substantially all the Government-owned contents of a factory or plant to the owner, lessee, or operator; or to any other single buyer purchasing for use;

(8) Of building installations, facilities, appurtenances, equipment and personal property attached to the land (except standing timber);

(9) Of scrap metal to a dealer in such material purchasing solely for resale, provided:

(i) That the dealer certifies that he is purchasing such material for resale and that in reselling he will not exceed the applicable OPA maximum prices, and

(ii) That the seller has no reason to doubt the accuracy of the dealer's certificate (§ 807.410 (b)).

(d) *Reliance on buyers' certificates.* Unless contracting officers (and contractors selling termination inventory) have reason to doubt the accuracy of the certificate hereinafter set forth, they may make any sale (other than of food or of a commodity originally purchased solely for the purpose of resale in substantially the same form or for stockpiling), without verifying OPA ceiling prices, in reliance upon a certificate in the following form executed by the buyer:

> The undersigned hereby certifies that the price paid (to be paid) (to be credited to the Government) for the goods purchased (to be purchased) (to be retained by the undersigned) under (identify contract, bid or quotation) does not exceed one of the following:
>
> (a) The maximum price applicable to purchases by the undersigned, from usual sources of supply, of the goods in the quantity and at the place of delivery specified in such contract (bid, quotation), or
>
> (b) The maximum selling price applicable to sales by the undersigned, in its capacity as a manufacturer, producer or processor of the same goods, disregarding minor differences in specifications or design, in the quantity and at the place of delivery specified in such contract (bid, quotation).

(e) *Contract termination inventories.* A sale of any item of raw materials, supplies, component parts, semi-processed and semi-fabricated material included in a termination inventory, not exempt (see paragraph (c)) and not made in reliance upon a certificate (see paragraph (d)), nevertheless complies with OPA regulations if made at a price not exceeding acquisition cost (§ 807.206 (c)) (although a sale may be made at a price in excess of acquisition cost if it complies with OPA regulations). "Acquisition cost" of termination inventory means the purchase price, plus freight, if any, paid by the contractor for the item and may be averaged. Freight charges which cannot be definitely assigned or allocated to the item may be estimated. Where the item being sold has been fabricated or processed by the contractor, direct labor costs plus the appropriate allocable factory overhead (which may be estimated if actual figures are not available) may be added to the acquisition cost. The cost shown by contractors on termination inventory schedules may be accepted by contracting officers as representing acquisition cost. The acquisition cost of property furnished to the contractor by the Government may be estimated, if the actual cost is unknown or cannot reasonably be ascertained. Contractors who make sales of termination inventory will furnish the purchaser certain information as required by OPA Supplementary Order No. 94.

(f) *OPA assistance.* In the event a proposed sale is not exempt from OPA price ceilings (see paragraph (c)), and is not to be made in reliance upon a certificate (see paragraph (d)) or in the case of contract termination inventories, at a price not exceeding acquisition cost (see paragraph (e)), contracting officers may call upon the members of the price staff of any OPA office for aid in determining the OPA maximum price, if any, applicable thereto.

(g) *Information obtainable.* If assistance of OPA officials is not available, interested personnel may refer to the terms of OPA Supplementary Order No. 94 for a recital of various exemptions not discussed and various instructions as to methods of determining OPA price ceilings too numerous to set forth in detail in these procurement regulations.

(h) *Liability for violations.* The OPA grants exemption to War Department officials and employees and to contractors making sales in reliance upon certificates, as set forth in paragraph (d), from any liability for the violation of any OPA maximum price ceilings, unless the seller has reason to doubt the accuracy of such certificates.

2. Section 807.115 is revised as follows:

§ 807.115 *Information as to sales of War Department property.* It is the policy of the War Department to have the facts on all public sales of War Department property kept available at the point of sale for public inspection during normal business hours for any proper purpose. The facts on sales to war contractors will likewise be kept available for inspection by the interested parties.

* * * * *

SUBPART C—DISPOSITION OF PROPERTY FOR PURPOSES DIRECTLY RELATED TO THE PROSECUTION OF THE WAR

1. Sections 807.316, 807.317 and 807.318 are added, as follows:

§ 807.316 *Donations to schools engaged in pre-induction training.* The Secretary of War, exercising the discretion conferred upon him by the act of May 26, 1928 (45 Stat. 753, 20 U.S.C. 94) and the act of February 28, 1936 (49 Stat. 1147, 10 U.S.C. 1258), has authorized and directed the donation of property of the classes specified in paragraph (d) below to educational institutions engaged in preinduction training under the following conditions:

(a) To be eligible for donations, an institution must:

(1) Be operated by a state or municipality, or must be certified by a state department of education or similar state authority responsible for the supervision of education to be an institution not operated for profit and to have a curriculum of a type approved by the certifying authority for similar institution;

(2) Provide training for no less than 15 students in the course in which the donated property is to be used;

(3) Provide a course of instruction which will require the use of the donated property not less than 15 hours per week during the school year;

(4) Use the property to be donated in a preinduction training program recommended by the Military Training Division, Headquarters, Army Service Forces; and

(5) Provide adequate facilities to maintain the property.

(b) All requests for the donation of property to educational institutions will be forwarded to the commanding general of the service command in which the institution is located, directed to the attention of the Pre-Induction Training Officer. The commanding general of the service command may approve the request if he determines that (1) all efforts to supply the property from salvage have been exhausted, (2) that the request is reasonable and proper in view of the training to be given; and (3) that the institution meets the standards prescribed by the Secretary of War and set forth in paragraph (a) above.

(c) The recommendation of the commanding general of the service command which shall contain the specific findings required by paragraph (b) will be forwarded to the chief of the technical service having control of the property to be donated (attention Redistribution and Salvage Officer) in the case of property of the Army Service Forces, and to the Commanding General, Air Service Command, Patterson Field, Ohio, in the case of property of the Army Air Forces. The chief of the technical service or the Commanding General, Air Service Command, will, if the request is approved, direct the appropriate installation to supply the property, citing this paragraph.

(d) The following property may be donated under the authority of this paragraph: (1) Obsolete or excess machinery, mechanical equipment and tools; (2) aircraft, aircraft parts, instruments or engines which are obsolete or impaired to the extent that repair would not be economical.

(e) Aircraft, aircraft engines, instruments or parts will be donated only upon the execution and agreement by the donee that the articles donated will not be used in actual flying. Under no circumstances will any donation be made which will result in current procurement to replace the property donated. No property will be considered available for donation after it has been reported as surplus to a Disposal Agency.

(f) No property will be shipped until receipt of payment by the donee of all expenses necessary for packing, handling and delivery to the carrier. Property shipped by carrier will be on commercial bill of lading with transportation charges collect. The shipping directions of the chief of the technical service or Commanding General, Air Service Command, given pursuant to paragraph (c) hereof, together with the shipping document, will constitute a credit voucher to the property account. Two lists of the property donated will be forwarded to the commanding general of the service command who recommended the donation.

§ 807.317 *Sales to contractors for return in kind.* (a) The chiefs of technical services are authorized to sell property from War Department stocks to prime contractors for the purpose of maintaining or expediting production, under agreements by such contractors to replace the items delivered with identical articles procured by the contractors or to make payment therefor, in the form prescribed in this paragraph. Property from War Department stocks will be made available to prime contractors under the authority of this paragraph only when the property is needed by the contractor to maintain or expedite the production rate under the prime contract, and when the contractor has outstanding subcontracts for the acquisition of identical articles which can be used to replace the War Department stock. The property sold to a contractor under the authority of this paragraph will not exceed in estimated value on amount equal to 5% of the total amount of the principal contract.

(b) The following procedure will be followed in making property available to contractors under the authority of this paragraph:

(1) Requests for the delivery of property under this paragraph will be addressed to the chief of the technical service or his delegate, and signed by the contracting officer for the contract involved. The request will state the specific quantity or number of articles desired, and will give technical service number and nomenclature, and will specify the time within which the articles will be replaced. The request will also state fully the reasons and circumstances under which the request is made.

(2) The chief of technical service will notify the contracting officer of the approval or disapproval of the request, and will advise him of the depot from which the property will be delivered, if the request is approved. The chief of the technical service will direct the depot from which the property is to be delivered to make delivery to the contractor, upon receipt of notice from the contracting officer as provided in subparagraph (4) below. The instructions to the depot will require that a special property record be maintained for each such transaction, and that the depot arrange for adequate inspection of the property at the time of its delivery at the contractor's plant, and for inspection of the replacement items upon their delivery to the War Department by the contractor.

(3) Upon approval by the chief of technical service, the contracting officer will arrange with the contractor for the execution of a supplemental agreement in the following form, which agreement will recite that it is executed pursuant to the First War Powers Act and Executive Order No. 9001:

> ARTICLE ——. In consideration of the sale and delivery by the United States to the contractor of the articles listed on Exhibit A, the contractor agrees:
>
> (1) To replace said articles by delivery to the United States of identical articles at the place or places designated by the contracting officer on or before ——————, or
>
> (date)
>
> (2) Failing the replacement of said articles on said date, to pay to the United States an amount to be determined by the contracting officer, which will include the cost to the government of the articles, and all packing, handling and other costs.
>
> (3) That said articles will be used by the contractor only for the performance of the contract; and
>
> (4) That the amount of $—— shall be withheld by the United States until said articles are replaced or the value thereof determined by the contracting officer in accordance with this agreement.
>
> (5) That if an advance payment is outstanding under the prime contract, the advance payment lien shall attach to the said articles listed in Exhibit A, and any amounts to be withheld as provided in (4) above, shall be withheld only from amounts remaining due after the deduction of liquidation payments required by the advance payment article.

(4) The contracting officer will specify an amount, not exceeding 5% of the total amount of the principal contract, to be withheld which in his opinion is adequate to cover the cost to the government of the articles to be delivered to the contractor.

(5) Upon the execution of such supplemental agreement, the contracting officer will (i) promptly transmit a copy thereof to the finance officer, with a request that the specified amount be withheld until receipt of notice of replacement or instructions to make a final deduction, and (ii) notify the Depot Supply Officer that he is authorized to deliver the articles.

(6) Three copies of the shipping document covering the property delivered to the contractor will be forwarded by the depot to the contracting officer. Two copies will be signed by the contractor acknowledging receipt of the property. One copy will be retained by the contracting officer and the other forwarded to the Depot Supply Officer. The third copy will be retained by the contractor.

(7) The following notation will be typed on the shipping document and signed by the contractor:

> Receipt from the United States Government of the property listed hereon for use on Contract No. —— is hereby acknowledged. It is agreed that replacement of this property will be made in kind on or before —————— (date) or payment made therefor in accordance with said contract.
>
> ——————— ———————————
> (Date) (Signature of the contractor)

(8) The Depot Supply Officer will notify the contracting officer when the re-

placement has been made and accepted, and the contracting officer will transmit such notice to the finance officer.

(9) If the property is not replaced in kind by the contractor on or before the date specified in the supplemental agreement, the Depot Supply Officer will report such fact to the contracting officer who will take action to obtain the replacement of the property or will notify the finance officer of the amount payable to the government under the agreement, advising the Depot Supply Officer of the completed action. In the event of payment by the contractor in lieu of replacement, the written advice of the contracting officer to the Depot Supply Officer that settlement has been effected will constitute a valid credit voucher to the Depot Supply Officer's property account.

§ 807.318 *Miscellaneous sales under specific statutes and Army regulations.* The chiefs of the technical services are authorized to sell or otherwise dispose of any property which is not determined to be surplus pursuant to this part, in accordance with the provisions of AR 45–75, AR 45–90, AR 30–2280, AR 30–2290, AR 95–25, AR 500–60, and AR 850–100. Property determined to be surplus will be disposed of only in accordance with this part.

SUBPART F—DISPOSITION OF SERVICEABLE NON-MILITARY PROPERTY OTHER THAN TERMINATION INVENTORY

Subpart F is revised as set forth below:

§ 807.600 *Scope of subpart.* This subpart provides authority and procedures for disposing of non-military property other than termination inventories, in addition to those set forth in Subparts C and D. In this connection attention is called to the policy of the War Department set forth in § 807.103 requiring constant and active review of non-military property on hand and in the process of manufacture and prompt disposition of excess property.

§ 807.601 *Redistribution.* Non-military property other than termination inventory is composed largely of production and construction equipment and materials used in the manufacture of items of issue, and in construction. When such property becomes idle or excess, it can most effectively be returned to productive use through vigorous effort of the local establishment having jurisdiction of the property, with assistance of the chief of the technical service concerned when local effort has not resulted in redistribution within a reasonable period. Property that cannot be redistributed by such means within a reasonable period (which should not exceed 60 days) after it becomes idle or excess should be reported to a disposal agency, in order that it may be offered for disposal in the broadest industrial market. Accordingly, when it has been determined that items of non-military property other than termination inventory are not required for immediate or definitely foreseeable need at the point of use, action will be immediately taken to redistribute such items within the technical service concerned or to return the property to a direct war use in accordance with Subpart C. When such items cannot be redistributed immediately to fill known requirements the procedures established in this Subpart F will be promptly instituted and vigorously pursued.

§ 807.602 *Circularization.* Although circularization of non-military property, other than part 3 property, is not required, it may be used in those cases where it is considered to be an effective aid to redistribution. When so used, circularization should be accomplished on a selective basis; only important and substantial items of property should be included and only those offices likely to have requirements for the particular property should be circularized. In no event should circularization be permitted to limit local redistribution efforts or delay the disposal as surplus of property that cannot promptly be redistributed.

§ 807.603 *Deviation from procedures.* The Director, Readjustment Division, is authorized to permit deviation from the procedures established in this subpart.

Production Equipment and Utility Equipment

§ 807.610 *Application.* The procedures established in §§ 807.610 to 807.616, inclusive, are applicable to production equipment and utility equipment. Such property will be referred to as "part 1 property".

(a) Production equipment includes the following:

Machine tools.
Metal working machinery.
Cleaning and spraying equipment.
Compressors and vacuum pumps.
Industrial pumps.
Industrial conveying machinery.
Engines and turbines, general purpose.
Heat exchangers.
Optical machinery.
Industrial cranes and hoists.
Thermal driers and dehydrators.
Fans, blowers and exhausters, industrial types.
Pressure and vacuum filters.
Pressure vessels (other than boilers).
Electric motors, integral horsepower, and electric motor controls.
Power conversion equipment.
Foundry equipment.
Heat treating equipment.
Welding and cutting equipment, industrial types.
Crushing, pulverizing, screening and mixing equipment and machinery, industrial types.
Special industry machinery (specialized machinery for food products, pulp and paper, printing trades, rubber working; petroleum, ceramics, glass, shoemaking, textile, tanning, pharmaceutical, chemical and other special industries).

(b) Utility equipment includes major items of equipment used in the generating, processing, transmission or distribution of electricity, gas and water, and in the disposal of sewage.

(c) The procedures established under §§ 807.610 to 807.616, inclusive, will not apply to:

(1) Part 1 property comprised in complete industrial installations that have been placed in standby or reported as excess under War Department Circular No. 8, 1944.

(2) Items of part 1 property which the chief of the technical service concerned desires to hold in standby for definitely foreseeable production needs: *Provided*, That items (other than those suitable solely for production of purely military items) will be so held only with the approval of the Director, Readjustment Division, Headquarters, Army Service Forces.

§ 807.611 *Local redistribution.* When part 1 property becomes idle, the local establishment having jurisdiction thereof will promptly initiate action to redistribute the property for the following purposes:

(1) Military supply requirements or current production needs, or other purposes in accordance with Subpart C.

(2) Authorized modernization of the permanent military establishment.

(3) Authorized war reserve. Prior to the cessation of hostilities, only such idle production equipment as is suitable solely for production of purely military items will be retained in war reserve.

§ 807.612 *Redistribution assistance by chief of service.* When local efforts have not resulted in redistribution of an item of part 1 property within 30 days after it becomes idle, the local establishment having jurisdiction of the item will immediately refer it to the chief of technical service concerned for redistribution assistance. The chief of the technical service, if he so desires, may direct that such reference be made prior to the expiration of 30 days after the property becomes idle. Redistribution efforts of the local establishment will be continued after such reference, and the reference will not be permitted to delay or limit local redistribution efforts.

§ 807.613 *Determination of surplus.* Items of part 1 property that have not been redistributed within 60 days after they become idle will be deemed surplus, without further action, and will be immediately disposed of by the local establishment in accordance with Subpart G. If, at any time prior to the expiration of such 60 day period, the chief of the technical service concerned considers that further redistribution efforts are not warranted, he may direct the local establishment to proceed immediately to dispose of the property as surplus in accordance with Subpart G, without awaiting the expiration of the 60 day period. Except in the case of nominal quantities to be disposed of under § 807.701, the local establishment will prepare the necessary papers for reporting to the Disposal Agency sufficiently in advance to permit immediate reporting not later than the 60th day after the property becomes idle.

§ 807.614 *Production equipment in use on other than war production.* Production equipment in the possession of contractors under leases or similar arrangements with the War Department that is being used exclusively on work other than war production will be regarded as being idle for the purpose of §§ 807.610 to 807.616, inclusive, and the procedures prescribed hereunder will be immediately instituted with respect to such equipment.

§ 807.615 *Interim procedure.* It is essential that vigorous action be taken to redistribute or dispose of as surplus all part 1 property that is now idle or in storage. As to property that becomes idle after 1 September 1944, the effective date of this section, the policy of the War Department to accomplish redistribution or disposal as surplus within a maximum period of 60 days can be attained through the procedures established above. As to property now idle or in storage, the following measures will be taken:

(a) Part 1 property in storage at the effective date of this paragraph which has not been circularized under procedures heretofore in effect or reported to the chief of the technical service concerned as idle or excess, will be immediately referred by the local establishment having jurisdiction thereof to the chief of the technical service concerned in accordance with § 807.612, and if not redistributed within 30 days after such reference will be immediately disposed of in accordance with Subpart G.

(b) Part 1 property which has been reported to the chief of the technical service concerned as idle or excess under procedures heretofore in effect, but has not been circularized, will be immediately disposed of in accordance with Subpart G upon the expiration of 30 days after the effective date of this section, if not redistributed during that period.

(c) Part 1 property as to which circularization has been initiated under procedures heretofore in effect will be immediately disposed of in accordance with Subpart G upon the expiration of 30 days after the effective date of this section (or upon the expiration of the circularization period under procedures heretofore in effect, if such circularization period expires earlier than 30 days after the effective date of this section), if not redistributed during that period.

§ 807.616 *Storage of surplus part 1 property.* (a) After it has been reported to a Disposal Agency as surplus, production equipment may be turned over to Ordnance Department, and utility equipment may be turned over to the Corps of Engineers, for storage pending disposal. The technical service turning over such property for storage will notify the Disposal Agency of the change of location of the property, and will submit a copy of such notification, together with a copy of the report of surplus, to the storing establishment.

(b) When a technical service desires to turn over utility equipment to the Corps of Engineers for storage, the local establishment having jurisdiction of the equipment will notify the division engineer of the Corps of Engineers nearest to the location of the equipment, who will issue shipping instructions. The technical service requesting storage will prepare and ship the equipment in accordance with such shipping instructions. All costs of packing, handling, and transportation will be borne by the technical service requesting storage. Accountability will be transferred to the Corps of Engineers without transfer of funds. Transfer will be coordinated with the interested accountable property officer for compliance with applicable regulations in regard to the transfer of accountability for property.

(c) The procedure for turning over production equipment to Ordnance Department for storage is set forth in Subpart H, ASF Circular No. 4, 1944.

Construction Equipment

§ 807.620 *Application.* The procedures established in §§ 807.620 to 807.624, inclusive, are applicable to construction equipment, which includes all construction equipment of a standard type not so restricted in design as to render it unsuitable for non-military use of a recurring nature. Such construction equipment includes, but is not limited to, drilling and boring equipment, earth and rock, including core drills, rock drills, churn drills, earth borers and horizontal augers; power cranes and shovels, drag lines, buckets, stiff-leg derricks, and dredges; scrapers, maintainers, and graders; tractors, track-laying and wheel types; tractor-mounted construction equipment including angledozers, bulldozers, and power control units; winches and hoists, contractors' elevating, road brooms, concrete buggies and carts, bins, centerline marking equipment, road discs, ditchers, aggregate dryers, joint and crack filling machinery, road forms, form tamping machines, mud jacks, portable snowloaders, tamping rollers, scarifiers, concrete towers, contractors' crawler wagons, and similar equipment; construction material mixers, spreaders, pavers, surfacers, finishers, tampers, vibrators, and related construction machinery; construction material processing equipment, including asphalt plants and portable crushers. Such property will be referred to as "part 2 property."

§ 807.621 *Local redistribution.* When part 2 property is determined to be excess, the local establishment having jurisdiction thereof will promptly initiate action to redistribute the property for military supply requirements or current construction needs, or other purposes in accordance with Subpart C.

§ 807622 *Redistribution assistance by chief of service and Chief of Engineers.* When local efforts have not resulted in redistribution of an item of part 2 property within 30 days after it is determined to be excess, the local establishment will immediately refer it to the chief of the technical service concerned and to the Chief of Engineers (attention: Redistribution and Salvage Officer) for redistribution assistance. The chief of the technical service of origin, if he so desires, may direct that such reference be made prior to the expiration of 30 days after the property is determined to be excess. Redistribution efforts of the local establishment will be continued after such reference, and the reference will not be permitted to delay or limit local redistribution efforts. The Chief of Engineers is specifically charged with acquiring items of part 2 property that are not redistributed within the technical service of origin which are suitable for troop use or tactical operations.

§ 807.623 *Determination of surplus.* Items of part 2 property that have not been redistributed within 60 days after they have been determined to be excess will be deemed surplus, without further action, and will be immediately disposed of by the local establishment in accordance with Subpart G. If, at any time prior to the expiration of such 60 day period, the chief of the technical service of origin, with the concurrence of the Chief of Engineers, considers that further redistribution efforts are not warranted, he may direct the local establishment to dispose of the property in accordance with Subpart G, without awaiting the expiration of the 60 day period.

§ 807.624 *Storage of surplus part 2 property.* After it has been reported to a disposal agency as surplus, part 2 property may be turned over to the Corps of Engineers for storage pending disposal. When a technical service desires to turn over part 2 property to the Corps of Engineers, the local establishment having jurisdiction of the equipment will notify the division engineer of the Corps of Engineers nearest to the location of the equipment, who will issue shipping instructions. The technical service requesting storage will prepare and ship the property in accordance with such shipping instructions. All costs of packing, handling and storage will be borne by the technical service requesting storage. Accountability will be transferred to the Corps of Engineers without transfer of funds. Transfer will be coordinated with the interested accountable property officer for compliance with applicable regulations in regard to the transfer of accountability for property. The technical service requesting storage will notify the disposal agency of the change of location of the property, and will submit a copy of such notification, together with a copy of the report of surplus, to the storing establishment.

Property Other Than Production and Utility Equipment, Construction Equipment and Controlled Materials

§ 807.630 *Application.* The procedures established in §§ 807.630 to 807.634, inclusive, are applicable to property other than production and utility equipment (part 1 property), construction equipment (part 2 property), and Controlled Materials (part 4 property). Such property will be referred to as "part 3 property".

(a) Sections 807.630 to 807.634, inclusive, do not apply to property peculiar to aircraft production to the extent that any of the provisions hereof may be inconsistent with the procedures established for the redistribution of such property by or under the direction of the Aircraft Resources Control Office of the Aircraft Production Board or the Surplus War Property Administration.

§ 807.631 *Local redistribution.* When part 3 property is determined to be excess, the local establishment having

jurisdiction thereof will promptly initiate action to redistribute the property for military supply requirements or current production or construction needs, or other purposes in accordance with Subpart C.

(a) *Nominal quantities.* Unless requirements therefor are known to exist, or can be quickly ascertained, single items or groups of items, where the cost, estimated if not known, of all substantially similar items in excess at any one time and at any one place does not exceed $100, will be deemed surplus, without further action, and disposed of in accordance with § 807.701.

§ 807.632 *Circularization.* When local efforts have not resulted in redistribution of part 3 property within 30 days after it is determined to be excess, circularization will be immediately initiated. The chief of the technical service concerned, if he so desires, may direct that circularization be initiated prior to the expiration of 30 days after the property is determined to be excess.

(a) *Preparation of circularization lists.* (1) Circularization lists will be on 8 × 10½ paper and will contain the following information:

(i) Name of issuing office together with the station identification number and appropriate letter symbol of the technical service concerned.

(ii) Serial number of list. Each issuing office will serially number each list circularized beginning with the number 1.

(iii) Date of circularization, which will be the date of transmittal required under (b).

(iv) Serial number of items or lots. Each item or lot will be serially numbered.

(v) Description of items or lots. Description will comprise such information as would be required by the controlling technical service if it were procuring the property, including, when pertinent, name of manufacturer, manufacturer's catalog number if available, identification numbers, location, age, condition, quantity and cost per unit, estimated, if not known.

(vi) Specific instructions by which an interested agency may be guided in negotiating sale or transfer of property reported. Names, mail and telephone addresses of officers authorized to carry on negotiations, will be included in each list circularized.

(2) For the purpose of convenient abbreviation in communications regarding property circularized, items may be identified by code, which will include in sequence, the station identification number and the letter symbol of the issuing office, serial number of list, serial number of item. For example a particular lot of valves listed as the second item of the third list circularized by an office of Ordnance Department, having station identification number "12345" would be identified as "12345–Ord–3–2".

(b) *Transmittal of lists.* Circularization lists of part 3 property will be transmitted to the offices listed in §807.902. As soon as practicable, the chiefs of technical services will ascertain informally from each other and from the Navy Department the type and kinds of property likely to be included in part 3 property circularization lists in which each has an interest and thereafter circularization will be limited to those services which have indicated an interest in the type of property being circularized. Transmittal of part 3 circularization lists to War Production Board is required for the sole purposes of advertising the availability of excess property to military agencies, war contractors and others to whom disposition is permitted under Subpart C of this part. Such transmittal does not impose any restrictions upon the movement of the property included therein that are not otherwise imposed by applicable regulations of War Production Board, nor does it impose any obligation to sell or transfer to any prospective purchaser or transferee referred by the War Production Board to the War Department representative responsible for disposal or to accord them any favored treatment whatever.

(c) *Items not to be circularized.* (1) Nominal quantities, as specified in § 807.631 (a), will not be included in circularization lists of part 3 property.

(2) Items that are peculiar to the technical service of origin will not be circularized. Determination as to what items are peculiar to the technical service and its contractors will be made by the chief of the technical service concerned. In those cases where the peculiarity of the item is not obvious, determination should be based upon informal inquiry as outlined in paragraph (b). The chief of the technical service will advise the offices responsible for circularization of part 3 property as to the items or classes of items that are to be withheld from circularization under this section. Such items will be deemed surplus, without further action, when determined to be excess to the technical service concerned, and will be disposed of in accordance with Subpart G.

§ 807.633 *Determination of surplus.* Items of part 3 property that have not been redistributed within 30 days after the transmittal of circularization lists under paragraph (b) will be deemed surplus, without further action, and, with the exception of stockpile materials, will be immediately disposed of by the local establishment having jurisdiction thereof in accordance with Subpart G.

§ 807.634 *Action to be taken on stockpile materials.* Stockpile materials in excess of the minimum quantities indicated in § 807.909 at any one location will be reported by the chief of technical service concerned to the Director, Production Division, Headquarters, Army Service Forces, for disposition instructions. W. D., A. G. O. Form 257 will be used for this purpose. After reporting, the chief of technical service concerned will take action in accordance with the provision of § 807.210 (b).

Controlled Materials

§ 807.640 *Application.* The procedures established in § § 807.640 to 807.644, inclusive, are applicable to Controlled Materials; that is, steel, copper, copper-base alloy and aluminum, in mill-product forms, as listed in War Production Board CMP Regulation No. 1. Such property will be referred to as "part 4 property".

(a) Sections 807.640 to 807.644, inclusive, do not apply to property peculiar to aircraft production to the extent that any of the provisions hereof may be inconsistent with the procedures established for the redistribution of such property by or under the direction of the Aircraft Resources Control Office of the Aircraft Production Board or the Surplus War Property Administration.

§ 807.641 *Local redistribution.* When part 4 property is determined to be excess, the local establishment having jurisdiction thereof will promptly initiate action to redistribute the property for military supply requirements or current production or construction needs, or other purposes in accordance with Subpart G.

(a) *Nominal quantities.* Unless requirements therefor are known to exist, or can be quickly ascertained, single items or groups of items, where the cost, estimated if not known, of all substantially similar items (e. g., all tool steel, all structural shapes, all carbon steel bars, all copper strip, all aluminum tubing) in excess at any one time and at any one place does not exceed $100, will be deemed surplus, without further action, and disposed of in accordance with § 807.701.

§ 807.642 *Redistribution assistance by chief of service and War Production Board.* When local efforts have not resulted in redistribution of part 4 property within 30 days after it is determined to be excess, the local establishment will immediately refer the property to the chief of the technical service concerned and to the regional office of the War Production Board for the region in which the property is located, for redistribution assistance. The chief of the technical service concerned, if he so desires, may direct that such reference be made prior to the expiration of 30 days after the property is determined to be excess. For the purpose of such reference, the property will be listed in substantially the form set forth in § 807.901 (a) for steel, § 807.901 (b) for copper and copper-base alloy, and § 807.901 (c) for aluminum. Nominal quantities, as specified in § 807.641 (a) will not be referred to the chief of service or the War Production Board. Redistribution efforts of the local establishment will be continued after such reference, and the reference will not be permitted to delay or limit local redistribution efforts. Reference of part 4 property to War Production Board is required for the sole purposes of advertising the availability of excess property to military agencies, war contractors and others to whom disposition is permitted under Subpart C of this part. Such transmittal does not impose any restrictions upon the movement of the property included therein that are not otherwise imposed by applicable regulations of War Production Board, nor does it impose any obligation to sell or transfer to any prospective purchaser or transferee referred by the War Production Board to the War Department representative responsible for disposal or to accord them any favored treatment whatever.

§ 807.643 *Determination of surplus.* Items of part 4 property that have not been redistributed within 30 days after reference to the chief of service and War Production Board under § 807.642 will be deemed surplus, without further action, and, with the exception of stockpile materials, will be immediately disposed of by the local establishment in accordance with Subpart G.

§ 807.644 *Action to be taken on stockpile materials.* Stockpile materials in excess of the minimum quantities indicated in § 807.909 at any one location will be reported by the chief of technical service concerned to the Director, Production Division, Headquarters, Army Service Forces, for disposition instructions. W. D., A. G. O. Form 257 will be used for this purpose. After reporting, the chief of technical service concerned will take action in accordance with the provision of § 807.210 (b).

SUBPART G—DISPOSAL OF SURPLUS PROPERTY

1. Paragraph (e) of § 807.702 is amended to read as follows:

§ 807.702 *Reporting to disposing agency.* Surplus property other than that required to be disposed of under § 807.701 will be promptly reported to disposal agencies as follows:

* * * * *

(e) *Non-military property other than termination inventories*—(1) *Part 1 property (production and utility equipment) and part 4 (controlled materials).* Part 1 property and part 4 property will be reported to the Regional Office of Reconstruction Finance Corporation for the region in which the property is located.

(2) *Part 2 property (construction equipment).* Surplus part 2 property will be reported to the Regional Office of the Procurement Division, Treasury Department, for the region in which the property is located.

(3) *Part 3 property.* Surplus part 3 property other than aircraft, food and commercial ships, will be reported to Reconstruction Finance Corporation or Procurement Division, Treasury Department in accordance with the assignments set forth in § 807.904. Reports will be transmitted to the Regional Office of the appropriate Disposal Agency for the region in which the property is located. The assignments of those items likely to be included in § § 807.630 to 807.634, inclusive, are as follows:

Procurement Division, Treasury Department:
- Paper and paper products.
- Cotton, wool and linen basic textiles, and fabricated textile products.
- Basic metal products as follows:
  - Barbed and twisted wire.
  - Woven wire and chain link fencing and fence posts.
  - Insect screening.
  - Wire springs.
  - Wire hoops.
  - Chain and attachments.
  - Nails, tacks and staples.
  - Bolts, nuts, screws, rivets, washers, turnbuckles, eyelets and grommets.
  - Strapping.
  - Builders basic hardware and casket, furniture, and trunk and luggage hardware.
- Glass, pottery and ceramic basic materials and products.
- Rubber fabricated materials and products.
- Containers, closures and packing materials.
- Industrial trucks, tractors, trailers, stackers and accessories.
- Agricultural machinery and implements.
- Motor vehicles, engines, parts, components, assemblies and accessories.
- Plumbing and heating materials and equipment.
- Commercial and household electric appliances, lamps and dry cell and storage batteries.
- Commercial and domestic air-conditioning and refrigerating equipment.
- Hand tools and mechanics' measuring tools.
- Office machines, typewriters, cash registers, calculating and computing scales.
- Furniture and fixtures.
- Professional and scientific instruments and apparatus.
- Apparel and footwear.

Reconstruction Finance Corporation:
- Leather, and boot and shoe cut stock and findings.
- Lumber, veneer, plywood and millwork.
- Petroleum and petroleum products.
- Chemicals.
- Paints, varnishes, lacquers, japans, thinners, pigments, driers, fillers and related products.
- Ferro and nonferrous additive alloys.
- Nonferrous metals (except aluminum, copper and copper-base alloy).
- Fabricated structural iron and steel and architectural metal work.
- Power boilers.
- Storage tanks.
- Insulated wire and cable.
- Basic non-metallic structural products.
- Abrasives.
- Asbestos basic products.
- Graphite and carbon basic products.
- Refractories.
- Mechanical power-transmission equipment and bearings.
- Electric motors, fractional horsepower.
- Electrical building supplies.
- Communication equipment.
- Railroad transportation equipment.
- Indicating, recording and controlling instruments.

Procurement Division, Treasury Department—Continued.
- Basic metal products as follows—Con.
  - Bolts, nuts, screws, rivets, washers, turnbuckles, eyelets and grommets.
  - Strapping.
  - Builders basic hardware and casket, furniture, and trunk and luggage hardware.
- Glass, pottery and ceramic basic materials and products.
- Rubber fabricated materials and products.
- Containers, closures and packing materials.
- Industrial trucks, tractors, trailers, stackers and accessories.
- Agricultural machinery and implements.
- Motor vehicles, engines, parts, components, assemblies and accessories.
- Plumbing and heating materials and equipment.
- Commercial and household electric appliances, lamps and dry cell and storage batteries.
- Commercial and domestic air-conditioning and refrigerating equipment.
- Hand tools and mechanics' measuring tools.
- Office machines, typewriters, cash registers, calculating and computing scales.
- Furniture and fixtures.
- Professional and scientific instruments and apparatus.
- Apparel and footwear.

Reconstruction Finance Corporation:
- Leather, and boot and shoe cut stock and findings.
- Lumber, veneer, plywood and millwork.
- Petroleum and petroleum products.
- Chemicals.
- Paints, varnishes, lacquers, japans, thinners, pigments, driers, fillers and related products.
- Ferro and nonferrous additive alloys.
- Nonferrous metals (except aluminum, copper and copper-base alloy).
- Fabricated structural iron and steel and architectural metal work.
- Power boilers.
- Storage tanks.
- Insulated wire and cable.
- Basic non-metallic structural products.
- Abrasives.
- Asbestos basic products.
- Graphite and carbon basic products.
- Refractories.
- Mechanical power-transmission equipment and bearings.
- Electric motors, fractional horsepower.
- Electrical building supplies.
- Communication equipment.
- Railroad transportation equipment.
- Indicating, recording and controlling instruments.

2. Section 807.704 is amended to read as follows:

§ 807.704 *Transmittal of reports.* Reports of surplus property will be transmitted to Procurement Division, Treasury Department, in triplicate and to other Disposal Agencies in duplicate, with information copy to the Director, Readjustment Division, Headquarters, Army Service Forces. The information copy to Readjustment Division need not be accompanied by letter of transmittal.

APPENDIX

1. In § 807.901 the headnote is revised and that portion of the text preceding paragraph (a) is deleted, as follows:

§ 807.901 *Part 4 property*—(a) *Form of circularization list for part 4A property.* * * *

2. In § 807.904 the table setting forth classifications of property assigned to disposal agencies is amended in the following respects: Under the heading "Reconstruction Finance Corporation" item 19 is revised to read "19 Chemicals (except as indicated);" and "65 Drugs and medicines (except as indicated)" is deleted. Items under the heading "Treasury Procurement Division" are revised as set forth below:

Treasury Procurement Division	
* * * * *	
25 53	Rigging hardware and chain attachments.
* * * * *	
32 51	Fuses.
* * * * *	
57 112	Glass stemmed laboratory thermometers.
57 113	Glass stemmed chemical thermometers.
57 114	Household and commercial thermometers.
57 119	Thermometers not elsewhere classified.
* * * * *	

3. Section 807.907 is revised with respect to States listed under the Boston region, as follows:

§ 807.907 *Regional offices of Reconstruction Finance Corporation.* * * *

BOSTON REGION

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont. Regional Manager, Reconstruction Finance Corporation, 40 Broad Street, Boston 9, Mass. (Mr. John J. Hagerty, Manager).

[Procurement Reg. 8]

PART 808—FEDERAL, STATE AND LOCAL TAXES

SUBPART B—FEDERAL EXCISE TAXES

The table in § 808.801 is revised in the following respects: Under "Manufacturers' excise taxes" the exemption for tires and tubes (fourth column) is changed to read "Exempt to extent provided in § 808.810 (also see Note 1"). Under "Retailers excise taxes" the Internal Code reference (second column) for "Luggage" is changed to read "Sec. 1651, IRC; Regs. 51, Subpart G."

[Procurement Reg. 9]

PART 809—LABOR

SUBPART B—WALSH-HEALEY PUBLIC CONTRACTS LAW

Section 809.934 is amended to read as follows:

§ 809.934 *Fireworks industry.* Commercial fireworks, fuses, flares, and railroad torpedoes.

Date effective: September 8, 1944.

Wage: 40 cents an hour or $16.00 per week for a week of 40 hours, arrived at either upon a time or piecework basis.

SUBPART G—WAGE AND SALARY STABILIZATION

1. In § 809.979 paragraph (m) (2) is revised. In paragraph (n) "justification" should read "jurisdiction" in the second subparagraph (1). In the second sentence of paragraph (p) "sufficient" should read "insufficient". Section 809.979 (m) (2) is set forth below.

§ 809.979 *Jurisdiction and procedure of Regional War Labor Boards.* • • •

(m) *Directive orders in dispute cases.* • • •

(2) If after the issuance of a directive order no timely petition for review is filed within the period provided in paragraph (n) and if the National War Labor Board within such a period does not review the order on its own motion, the order shall on the day following the last day for filing such a petition stand confirmed as the order of the National War Labor Board and shall immediately be effective according to its terms: *Provided*, That the National War Labor Board may at any time prior to the expiration of the time for filing a petition for review make such an order, or any part thereof, immediately effective pending any further proceedings. If a timely petition for review of a directive order of a Regional Board is filed by a party in accordance with the provisions of paragraph (n), or if the National War Labor Board reviews such an order on its own motion, the entire order shall be suspended, unless and until the National War Labor Board directs, or has directed, otherwise, or unless the parties otherwise agree. However, the date of expiration of the escape period fixed in a directive order of a Regional Board granting a maintenance of membership provision shall not be affected by the filing of a petition for review of this or any other provision of the order. If only a part of the order is sought to be reviewed, any party may petition the National War Labor Board to make the rest of the order immediately effective according to its terms. The parties may in any case mutually agree upon the date when the order, or any part thereof, shall take effect, except that where a wage or salary adjustment is made subject to the approval of the Economic Stabilization Director, the parties may not by their agreement make such adjustment effective prior to the date of such approval. Notwithstanding any other provisions of this section, that part of a directive order of a Regional Board which continues in effect the terms and conditions of a prior contract which has expired or been otherwise terminated, shall not be suspended or stayed by the filing of a petition for review, but shall be effective according to its terms, unless and until the national board, upon consideration of a petition for review, otherwise directs.

2. In § 809.980dd paragraph (b) (6) of General Order No. 36 replaces former paragraphs (b) (6) and (b) (7), as follows:

§ 809.980dd *General Order No. 36.* • • •

(b) • • •

(6) No general order heretofore or hereafter issued by the National War Labor Board shall be applicable to the Territory of Hawaii unless expressly extended thereto by action of the National War Labor Board or Territorial War Labor Board for Hawaii: *Provided, however*, That the Territorial War Labor Board for Hawaii may in case of small total wage and salary increases, modify the provisions of subparagraphs (1) through (5) above, or adopt and apply to the Territory any of the general orders of the National War Labor Board or parts thereof and issue such amendments thereto as it may in its discretion deem necessary for the effective administration of its duties hereunder. Such action shall be promptly reported to the National War Labor Board and shall be subject to the National War Labor Board's ultimate power of review but any modification or reversal thereof shall not be retroactive.

3. Section 809.980ee is added, as follows:

§ 809.980ee *General Order No. 37.*

The National War Labor Board hereby supplements General Order No. 30 by delegating to the Secretary of War, or to such agency as he may designate, subject to final review by the National War Labor Board, the authority to establish wage or salary schedules for civilian employees of the War Department in the various government-owned, government-operated installations located in the Territory of Hawaii, in accordance with the provisions of the Act of Congress of October 2, 1942, Executive Order 9250 dated October 3, 1942, Executive Order 9328 dated April 8, 1943, the Supplementary Directive of May 12, 1943 and all other Executive Orders and Regulations issued thereunder, subject to the following limitations:

(a) The June 6, 1944 level of wage and salary rates prevailing in army installations in the Territory of Hawaii shall be maintained in accordance with the directions subsequently set forth in this Order.

(b) Exclusive of the Hawaiian Air Depot, the approval of any wage or salary schedules resulting from job classifications shall not cause an overall increase in the job rates as weighted by the number of employees in each job classification in all the establishments to which that schedule is applied, to exceed five percent.

(c) Wage rates to be established through job classifications for the Hawaiian Air Depot shall be in conformity with the schedules for other War Department installations established in the Territory.

(d) The rates for any new job classifications subsequently created in any War Department installation shall bear the proper relationship to the rates for immediately interrelated job classifications in that installation. (See § 809.980n).

[Procurement Reg. 11]

PART 811—MISCELLANEOUS PURCHASE INSTRUCTIONS

SUBPART D—PATENTS

1. In § 811.1112 paragraphs (b), (i), (j) (1) and (j) (5), (l), (m), (n) (2), (q) and (x) (4) are amended to read as follows:

§ 811.1112 *Adjustment of royalties for use of inventions.* • • •

(b) *Basic statute.* The act makes provision for adjusting royalties for the use of inventions for the benefit of the United States, in aid of the prosecution of the war, and for other purposes. Paragraphs (c) to (h), inclusive, contain a summary of the provisions of the act as applied to the War Department. Paragraphs (i) of this section to § 811.1114 (c), inclusive, contain the rules and regulations prescribed thereunder for exercise of such of the powers, duties and authorities of the Secretary of War under the act as have been or may hereafter be delegated by him.

(i) *Delegations.* The Secretary of War has delegated to each of the following:

1. Commanding General, Army Service Forces
2. Commanding General, Army Air Forces
3. Assistant Chief of Air Staff, Materiel and Services
4. Chief, Procurement Division, Office of Assistant Chief of Air Staff, Materiel and Services
5. Commanding General, Materiel Command, Army Air Forces
6. Director, Purchases Division, Headquarters, Army Service Forces
7. Chiefs of the Technical Services, Army Service Forces
8. Royalty Adjustment Board, Materiel Command, Army Air Forces

in matters properly before them and for action under the direction of the Under Secretary of War, the following powers, duties and authorities conferred upon him by the act:

(1) To determine that notice should be given and to give notice of the fact that the rates or amounts of royalties are believed to be unreasonable or excessive;

(2) To receive and hear such facts and circumstances as may be presented by the licensee or licensor, and such other facts and circumstances as are relevant to an evaluation of the factors specified in paragraph (k), and to recommend appropriate action;

(3) To negotiate voluntary adjustments of royalties or settlements of infringement claims against the United States, before suit against the United States has been instituted, and to withdraw any notice given under subparagraph (1) above, provided that no such notice shall be withdrawn unless the licensor(s) shall have first agreed substantially as follows:

The undersigned hereby consents to the withdrawal of the notice issued_____ [date of notice] under the Royalty Adjustment Act 1942 (Public No. 768, 77th Congress; 35 U. S. C. 89–96) and in consideration of such withdrawal hereby releases any and all claims or demands now held by the undersigned against the United States, or any officer or agent thereof, arising out of the issuance of said notice.

but in particular cases for good cause shown the Director may authorize substantial deviation from or omission of the foregoing consent and release.

(4) To fix and specify, by order, fair and just rates or amounts of royalties, and to authorize the payment thereof, if any royalty be allowed, by the licensee to the licensor, subject, however, to the approval of such order by the Director; and

(5) To enter into an agreement, before suit against the United States has been instituted with the owner or licensor of an invention, or of the Letters Patent therefor, effecting a voluntary adjustment of royalties charged or chargeable to the United States, or in settlement and compromise of any claim against the United States accruing to such owner or licensor under the provisions of the Act or any other law by reason of the manufacture, use, sale or other disposition referred to in paragraph (c) or for compensation to be paid such owner or licensor based upon

future manufacture, use, sale or other disposition of such invention, subject, however, to the approval of the Director in each case where that approval is required by subparagraphs (4) or (5) of § 811.1113 (c), subparagraph (1) of § 811.1113 (g) or § 811.1114 (a).

(j) *Further delegations.* (1) The Secretary of War has further delegated the powers, duties and authorities described in subparagraphs (1), (2) and (3) of paragraph (i), for action in matters properly before them and under the direction of the Under Secretary of War, to each of the following:

1. All Division Engineers of the Corps of Engineers
2. Assistant Air Judge Advocate, Headquarters, Army Air Forces
3. Chief, Legal Division, Office of the Chief of Transportation
4. Assistant Chief, Engineering and Technical Service, Office of the Chief Signal Officer.
5. Royalty Adjustment Board, Office of the Surgeon General

• • • • •

(5) The powers, duties and authorities referred to in paragraphs (i) and (j) shall not be redelegated by any delegate under the general authority to redelegate conferred in § 801.107 (i); except that the power to negotiate voluntary adjustments of royalties or settlements of infringement claims against the United States, before suit against the United States has been instituted, as set forth in subparagraph (3) of paragraph (i), may be redelegated by the chiefs of the technical services, Army Service Forces, to such officer or officers as the chief of the technical service may from time to time designate, such redelegations, however, to be subject to such rules and regulations governing the exercise of delegated powers under the act as have been or may from time to time be prescribed by or on behalf of the Secretary of War.

(l) *Duties of the technical services.* Subject to the rules and regulations set forth in this section and in § 811.1114 (a) to (c), inclusive, the chiefs of the technical services are, in matters properly before them and acting under the direction of the Under Secretary of War, under the duty of causing the powers, duties and authorities delegated under the act to be exercised in such manner and at such times as may be necessary to prevent unreasonable or excessive royalties from being charged to the War Department. This duty may be discharged pursuant to such instructions as may be issued by the chiefs of the technical services for the guidance of their respective services.

(m) *Policy of the War Department in the Administration of the Act.* The policy of the War Department is (1) that, so far as practicable, a licensor shall not be subjected to duplicating interrogation by two or more technical services in relation to his royalty receipts from the use of a particular invention or series of related inventions; and (2) that, so far as practicable, each licensor shall, where such royalties are believed to be unreasonable or excessive, be given fair opportunity to effect a voluntary adjustment thereof before notice is given. The regulations set forth in paragraph (n) and in § 811.1113, are designed to effectuate this policy.

(n) *Procedure in the giving of notice.* • • •

(2) If, upon consideration of the reply to the initial inquiry, further investigation is believed to be advisable, a memorandum shall, before the licensor is further interrogated in relation to the matter, be transmitted to the Director requesting clearance to do so. The office of the Director may thereupon grant such clearance as appears proper in the light of the information which the records of that office contain regarding the issuance by any other technical service of the War Department or by any other department or agency of the Government of a notice in the same matter, or the consideration which has been or is being given to the issuance of such a notice. The request for clearance shall state the name and address of licensor, and the inventive subject matter, and so far as known and practicable the name(s) and address(es) of the licensee(s) and the numbers of the patent(s) and patent application(s) concerned. A clearance once given remains in force till modified or revoked by the Director.

(q) *Form of the notice.* The following form of notice is approved for use subject to such deviations as may be necessary or appropriate in any given case:

[Letterhead of Delegate]

In the Matter of

_____, [et al.]
Licensor(s)

and

_____, [et al.]
Licensee(s)

NOTICE

To: Licensor(s) and Licensee(s): You and each of you will hereby take Notice, that:

Pursuant to the Royalty Adjustment Act 1942 (Public No. 768, 77th Congress; 35 U.S.C., 89–96), Notice is hereby given that the royalties which are charged or chargeable directly or indirectly to the War Department on account of the manufacture, use or sale to or for the United States of the alleged inventions relating to _____;
[subject-matter]

by virtue of the license agreement(s) between _____, as licensor, and the following licensees, are believed to be unreasonable or excessive:

[Names of all licensees]

This Notice becomes effective upon its receipt by you or five (5) days after the mailing hereof, whichever dates is the earlier.

The licensor or any licensee, if he so requests within ten (10) days from the effective date of this Notice, may within thirty (30) days from the date of such request present in writing or in person any facts or circumstances which may, in his opinion, have a bearing upon the rates or amounts of royalties, if any, to be determined, fixed and specified.

From and after the effective date of this notice and until the making of an order under said Act, each licensee is hereby directed (a) not to pay to licensor any royalties under said license(s) which are charged or chargeable directly or indirectly to the War Department and (b) to segregate said royalties from licensee's general funds and safely keep the same until such time as the disposition thereof is directed by such order.

The foregoing Notice is hereby given in behalf of the Secretary of War.

By direction of the Under Secretary of War:

[Signature (and title) of delegate]

The foregoing Notice is directed to the following: [Names and addresses of all licensors and licensees] _____

The foregoing notice shall be forwarded by registered mail, return receipt requested, to the last known address of each licensee and licensor named therein.

• • • • • •

(x) *Procedure upon approval of an order.* • • •

(4) The Director will cause to be distributed a copy of the order to each of the following:

The General Accounting Office.
Navy Department.
Treasury Department.
Maritime Commission.
Defense Plant Corporation.
Office of Strategic Services.
Director, Renegotiation Division, Headquarters, Army Service Forces.
Chief, Patents Division, Office of The Judge Advocate General.
Chief patent officer of each of the technical services.
Air Judge Advocate.
All Royalty Adjustment Boards.

2. In § 811.1113 paragraphs (a) (1), (d) (2) and (e) (2) are amended and paragraph (l) is added as follows:

§ 811.1113 *Voluntary adjustments of royalties effected before an order is made*—(a) *Available procedures for voluntary adjustments.* The delegate having the matter in hand may, subject to such rules and regulations governing the exercise of delegated powers under the Act as have been or may from time to time be prescribed by or on behalf of the Secretary of War, negotiate a voluntary adjustment of royalties before an order is made, in any of the following manners:

(1) Before notice under the act has been given:

(i) By receiving a supplemental agreement entered into between licensor and licensee (s) and executed by each of them;

(ii) By receiving a unilateral agreement executed by licensor (see paragraph (i)); or

(iii) By causing the United States to execute a contract with licensor alone, or with licensor and all licensees materially affected, in the manners provided in paragraphs (c) to (h).

• • • • • •

(d) *Contract articles providing for royalty refund or price reduction.* • • •

(2) The following contract articles providing for royalty refund or price reduction, when accompanied by the definitions of terms used therein as set forth in Article 1 of § 813.1329, are appropriate for use in the manner set forth in paragraphs (g) to (i) below:

ARTICLE ..... *Refund of royalties.*

A. Licensor agrees (i) forthwith to deliver to [name and address of officer or board] a written report signed by Licensor showing the amount and manner of computation of that part of the subject royalties which have prior to the date of this contract been received by Licensor and, (ii) to pay to the Treasurer of the United States, at the same time and place, so much of said part of the subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

B. Licensor agrees that, forthwith upon receipt by Licensor on or after the date of this contract of any of the subject royalties, Licensor shall (i) deliver to [name and address of officer or board] a written report signed by Licensor showing the amount and manner of computation of said royalties, and (ii) pay to the Treasurer of the United States, at the same time and place, so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

C. Licensor agrees to and does hereby authorize and direct Licensee [or, the licensee named in said license] (i) to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of that part of the subject royalties which are due for payment by Licensee to Licensor and have not been paid prior to the date of this contract and, (ii) to pay to the Treasurer of the United States, at the same time and place, so much of said part of the subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

D. Licensor agrees to and does hereby authorize and direct Licensee [or, the licensee named in said license], as and when any of the subject royalties fall due for payment to Licensor on or after the date of this contract, (i) to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of the said subject royalties and (ii) to pay to the Treasurer of the United States, at the same time and place, so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

E. Licensee agrees (i) forthwith to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of that part of the subject royalties which are due for payment to Licensor and have not been paid prior to the date of this contract and (ii) to pay to the Treasurer of the United States, at the same time and place, so much of said part of the subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

F. Licensee agrees that, as and when any of the subject royalties fall due for payment to Licensor on or after the date of this contract, licensee shall (i) forthwith deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of the said subject royalties and (ii) pay to the Treasurer of the United States, at the same time and place, so much of the said subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

ARTICLE ..... *Refund of royalties and price reduction.*

G. (a) Licensee agrees (i) to deliver to [name and address of officer or board] a written report signed by Licensee showing the amount and manner of computation of that part of the subject royalties not heretofore paid to Licensor, which have heretofore accrued or many hereafter accrue in respect of supplies, equipment, materials or parts thereof delivered prior to....., 194.. [date when price reduction is to become effective] and (ii) to pay to the Treasurer of the United States, at the same time and place, so much of said part of the subject royalties as are in excess of the reduced royalties specified in Article 2 hereof.

(b) Licensee agrees (i) to reduce the contract price of all supplies, equipment, materials and parts thereof delivered to the Government on and after the date set forth in clause (a) of this Article, to the extent necessary to secure to the Government the full benefit of the reduced royalties specified in Article 2 hereof, and (ii) to pay or credit to the Government, as the Contracting Officer concerned may direct, the amount of such price reduction.

(e) *Contract articles providing for release of infringement claims.* * * *

(2) If the license, whose royalties are being adjusted is exclusive, the following contract article is appropriate provided both Licensor and Licensee are parties to the contract:

ARTICLE ..... *Release of past infringement.* Licensor and Licensee hereby jointly and severally release each and every claim and demand which they or either of them now have or may hereafter have against the Government, its officers, agents, servants and employees, for infringement of any patent covering the said inventions by reason of the manufacture, use or sale of any article or material or the use of any process prior to the date of this contract or the use or sale thereafter of any article or material so manufactured.

* * * * *

(l) *Numbering and distribution.* (1) It is unnecessary to number royalty adjustment agreements, notwithstanding the provisions of § 803.309.

(2) The executed original of every royalty adjustment agreement (whether or not executed by the Government) will be forwarded to the Chief, Audit Division, Room 506, General Accounting Office, Washington 25, D. C., under the following conditions:

(i) If such agreement provides that the Government is to make or receive the payment of an amount determinable at the time of the execution of the contract (such as, for example, refund of royalties already accrued or received), the agreement will be forwarded immediately.

(ii) If such agreement provides that the Government is to make or receive the payment of money upon the happening of or in an amount which is contingent upon a future event (such as, for example, refund of royalties to accrue or to be received), the agreement will be forwarded immediately or upon the happening of any event which requires the payment or receipt of moneys under the agreement.

(3) If such an agreement contains any provision granting to the Government an interest (such as an assignment or license) in or under patents or applications for patents, the agreement is required by Executive Order No. 9424, 18 February 1944, to be recorded in the United States Patent Office. Such recording will be carried out in the manner provided in paragraph 4 of AR 25–10. An agreement providing for a waiver of royalties under existing private licenses, even for a limited time, is subject to the foregoing.

(4) If a royalty adjustment agreement contains provisions such as to require both that it be forwarded to the General Accounting Office (subparagraph (2) above) and that it be recorded in the Patent Office (subparagraph (3) above), and the War Department has in its possession no more than one executed original thereof, such original shall first be transmitted for recording in the Patent Office (in compliance with paragraph 4 of AR 25–10) with a request that it be returned, and upon return thereof said original shall then be forwarded to the General Accounting Office. Hereafter the representative of the War Department shall, if possible, secure an executed original and an executed duplicate original of all documents required to be forwarded under subparagraph (2) and recorded under subparagraph (3) above, and the executed duplicate original shall be used for complying with paragraph 4 of AR 25–10.

3. Section 811.1114 (c) is added, as follows:

§ 811.1114 *Agreements in settlement and compromise after an order is made and before suit against the United States has been instituted.* (See § 811.1112 (g).)

* * * * *

(c) *Numbering and distribution.* (See § 811.1113 (l).)

SUBPART D—PRICE AND RATIONING REGULATIONS

Subpart D is completely revised to read as follows:

§ 811.1130 *General*—(a) *Scope of this section.* This section deals primarily with certain problems arising from or associated with the relation of the maximum price and rationing regulations issued by the Office of Price Administration (hereinafter sometimes referred to as OPA) to War Department purchases and sales. It discusses separately (1) price regulations in general, (2) problems primarily associated with purchases, (3) information pertinent to sales, and (4) matters relating to rationing. (For a further discussion as to OPA matters primarily relating to War Department sales, see § 807.111 et seq.) The discussion is introductory and is not intended to be complete. Complete details and the text of OPA regulations and orders may be found in the FEDERAL REGISTER, or may be procured from any OPA office. Should these sources fail, inquiries should be sent through the chief of the technical service concerned to the OPA Branch, Purchases Division, Headquarters, Army Service Forces, Washington 25, D. C.

(b) *Function of OPA Branch.* (1) Because of penalties imposed by the Emergency Price Control Act of 1942, as amended, upon contractors who violate price ceilings, contractors must proceed with caution in the acceptance of contracts. To expedite procurement and sales, it is important that War Department personnel be familiar with the problems involved and able, whenever possible, to be of assistance or guidance to contractors. It is an important function of the OPA Branch to undertake the solution of specific problems.

(2) Whenever contact or negotiation is necessary between one of the services

and the Office of Price Administration on any price regulation or rationing problem which involves a general policy or might affect more than one of the services, the negotiations will be conducted through the Chief, OPA Branch, Purchases Division.

§ 811.1131 *OPA price regulations in general*—(a) *General.* (1) The Office of Price Administration, pursuant to the Emergency Price Control Act of 1942, as amended, and appropriate delegations of authority, establishes ceiling prices for certain sales of commodities and services. These ceilings are established either by (i) Price Schedules; (ii) Maximum Price Regulations; (iii) Temporary Maximum Price Regulations; (iv) the General Maximum Price Regulation; or (v) other directives. Certain exemptions from price control have been granted and methods for obtaining relief provided, as discussed more fully hereafter.

(2) Definition of commodity: By statutory definition, the term commodity, as to which a ceiling price may be established, includes, with certain exceptions set forth in the statute, commodities, articles, products, materials and services.

(b) *Specific Price Regulations (Price Schedules and Maximum Price Regulations).* The distinction between price schedules and maximum price regulations is historical only. Both are price regulations, essentially similar in nature, and are hereafter referred to without distinction as specific price regulations. They establish ceiling prices for the commodities or services specified therein.

(c) *The General Maximum Price Regulation (GMPR).* The General Maximum Price Regulation (hereafter referred to as GMPR) places a price ceiling on practically all commodities and services sold or rendered by manufacturers, wholesalers and retailers, if not covered by specific price regulations (see §§ 811.1131 (e), 811.1132 (f) for exemptions). In general, ceiling prices on items covered by this regulation are based on the highest prices charged in March, 1942. Other formulae are used in the event the March 1942 method is inapplicable. Specific price regulations, as to the specific articles or services covered therein, take precedence over the GMPR, whether issued prior or subsequent to the GMPR.

(d) *The service regulation: MPR 165.* As above noted (par. (c)) all services (along with commodities) were brought under control of the OPA by the GMPR. Effective August 19, 1942, Maximum Price Regulation 165 brought under specific control a long list of services, leaving those not specifically listed still covered by the GMPR, subject to exemptions (see § 811.1132 (f)).

(e) *Exemptions*—(1) *General.* OPA has granted exemption of certain purchases and sales from price control. In some cases, specific commodities and services have been exempted from all price control. In other cases, though in general the commodities and services are subject to price ceilings, some purchases and sales thereof, depending on the identity of the buyer or seller, or on other special considerations, have been exempted.

(2) *How exemptions are effected.* (i) In the case of commodities and services covered by the GMPR, exemptions are granted respectively by OPA Revised Supplementary Regulation No. 1 and OPA Supplementary Regulation No. 11.

(ii) In the case of commodities or services covered by specific price regulations, exemptions are granted by the terms of the regulation itself, either (*a*) by specific terms or (*b*) by incorporating in the regulation by reference terms of other directives.

(iii) In addition to the foregoing methods, exemptions may be granted in specific cases or otherwise by the terms of various OPA orders.

(iv) When determining whether or not an exemption exists, the language apparently granting the exemption must be carefully examined, bearing in mind particularly that although certain transactions may be exempt from price control by the GMPR, they still may be subject to control by specific price regulations unless such regulations, or orders issued supplementary thereto, specifically exempt them.

(3) *Particular exemptions of interest.* Reference is made to certain exemptions of primary interest in connection with purchases (see § 811.1132 (b) to (f)) and sales (see § 811.1134 (b)).

(f) *Procedure for obtaining relief*—(1) *General.* The OPA has provided methods for obtaining relief with respect to price control, in proper cases, by way of elevation of ceiling prices, exemption, or otherwise.

(2) *Obtaining higher maximum price.* (i) OPA Procedural Regulation No. 6, effective July 3, 1942, as amended, sets forth the procedure to be followed (except where other OPA regulations specifically otherwise provide) to obtain higher maximum prices for commodities or services under Government contracts or subcontracts. In substance, the regulation provides that (*a*) any seller who has entered into or proposes to enter into a Government contract, or a subcontract thereunder, who believes that his maximum price or prices impedes or threatens to impede the production, manufacture or distribution of a commodity or the supply of a service which is essential to the war program and which is or will be the subject of such contract or subcontract, may apply for adjustment of his maximum price or prices; (*b*) any government agency may appear as an interested party in the case of any such application; (*c*) upon the filing of an application for adjustment, or within five days prior thereto and until final disposition of the application, contracts may be entered into or proposals and bids submitted at the higher price or prices requested in the application, and deliveries may be made under such contracts, except that the seller may not receive and the buyer may not pay the amount by which the price exceeds the maximum price unless and until an order granting a higher price has been issued; (*d*) the seller shall include in any sale, contract to sell, or offer to sell at the price requested in the application the following: The maximum price for the commodity or service in question; a statement that the quoted price is subject to the approval of the Office of Price Administration; and a statement that an appropriate application has been filed, or will be filed within five days with the Office of Price Administration, and (*e*) applications involving War Department contracts exceeding $5,000,000 in value must be filed with the OPA in Washington, D. C. (Other applications, [with a few exceptions] may be filed either with the appropriate regional office of the OPA or with the OPA in Washington, D. C.)

(ii) Special procedure to obtain higher maximum prices is provided by amendments to MPR 136, (Machines and Parts and Machinery Services), effective April 12, 1943 and June 25, 1943, respectively, to which reference is made for complete details. This procedure is available to any person who has entered into a "war contract", defined as a contract for the sale of machine or part purchased for the ultimate use of the armed forces of the United States or for lend-lease purposes, or for use in the production or manufacture of any such commodity. Provision is also made for adjustments of the maximum prices of machinery services.

(3) *Certain specific cases.* For methods of obtaining relief in certain cases primarily relating to purchases (see § 811.1132 (c) to (e)).

(g) *Dissemination of information by chiefs of technical services.* Whenever the Office of Price Administration makes an industry-wide revision of ceiling prices on any item purchased by the War Department, or other revision in ceiling prices affecting products purchased by the War Department, the chief of the technical service involved will notify all contracting officers.

§ 811.1132 *Purchases*—(a) *General.* This section deals with OPA matters primarily relating to purchases. (For a discussion as to sales see § 807.111 et seq.; § 811.1134 (a) to (c). Interested personnel should, in addition, be familiar with the preceding paragraphs of this section.

(b) *Exemptions of purchases by virtue of War Department-OPA Agreement, September 1942.* Among the exemptions from price control heretofore granted by the OPA by methods indicated in § 811.1131 (e) are transactions involving certain so-called military items. By agreement between the OPA and the War Department, military items exempt in September 1942 will remain exempt. However, under this agreement, OPA has reserved the right to resume control over exempt items if it develops that the War Department is unable to control prices effectively through its own procurement policies.

(c) *Exemptions of secret contracts and subcontracts*—(1) *Exemption.* OPA Supplementary Order No. 42, which applies to all specific price regulations and to the GMPR, exempts from price control sales and deliveries of any commodity or service made under a contract or subcontract properly certified as secret to

the OPA (see subpar. (3) of this paragraph for proper certification).

(2) *Period of exemption.* The exemption applies only for such period as is necessary for the preservation of secrecy. The purchasing agency certifying the contract as secret must notify the contractor or subcontractor and the OPA whenever the contract or subcontract ceases to be secret. Upon receipt of such notification by the contractor or subcontractor, the exemption will end. (See subpar. (3) of this paragraph for proper notification.)

(3) *Procedure.* The certification mentioned in subparagraph (1) of this paragraph, made by a representative of the purchasing agency, shall set forth the date of the secret contract or subcontract and its number or other designation. It shall not name the commodity or service covered thereby or the name or address of the contractor. The notice mentioned in subparagraph (2) of this paragraph shall identify the contract and state that it is no longer secret. Both the certificate and the notice shall be sent to: The Security Officer, Office Services Division, Office of Price Administration, Federal Office Building No. 1, Washington 25, D. C.

(d) *Exemption of developmental contracts*—(1) *Definition of developmental.* A contract or subcontract is deemed by the terms of OPA Revised Supplementary Regulation No. 1, to be "developmental" if the manufacturer or supplier thereunder requires a period of time for the accumulation of sufficient production experience to permit him to make a fair estimate of his manufacturing costs, or if the purchaser thereunder requires a period of time to select a product, or both.

(2) *Exemption.* OPA Revised Supplementary Regulation No. 1 (insofar as ceiling established by the GMPR are concerned) and many specific price regulations grant exemptions from price control in connection with developmental contracts and subcontracts properly certified as being "developmental". The exemptions are not automatic, but are conditioned on complying with the procedure set forth in subparagraph (4) of this paragraph. Also, not all developmental contracts are exempt, even when such procedure is followed, so in each case the pertinent OPA regulations should be consulted.

(3) *Period of exemption.* Any exemption of a developmental contract or subcontract applies only so long as the period necessary for development continues. The OPA reserves the right, after consultation with the certifying Government agency, to determine when the developmental period shall expire (for services, MPR 165 fixes a maximum time limit of 90 days).

(4) *Procedure.* (i) To obtain exemption of a developmental contract or subcontract, where exemption is provided for (see subpar. (2) of this paragraph) it is necessary that the contract or subcontract be certified by the War Department as being developmental and that the contractor or subcontractor file a report within ten days after entering into the contract or subcontract. The certificate, with blank spaces filled in appropriately may be in the following form:

> In accordance with the provisions of Maximum Price Regulation No. _____ Section _____ [or the General Maximum Price Regulation] the following contract is hereby certified as developmental: Contract No. _____ Date of Contract _____ Name and address of supplier_____ _____Commodity covered _____

The report, to be filed by the contractor or subcontractor must describe the product or service, the terms of the contract or subcontract (including pricing provisions) and the production plans of which the contract or subcontract is a part, and must estimate the duration of the developmental work. Both the certificate and the contractor's report should be sent (the certificate in duplicate) to the Office of Price Administration, Washington 25, D. C. Attention: War Goods Price Coordinator.

(e) *Exemption of emergency purchase*—(1) *Exemption.* OPA Revised Supplementary Regulation No. 1 (insofar as ceilings established by the GMPR are concerned) and many specific price regulations grant exemptions from price control of "emergency purchases" made by the War Department. The exemptions are not automatic, but are conditioned on complying with the procedure set forth in subparagraph (3) of this paragraph. Also, not all emergency purchases are exempt, even when such procedure is followed, so in each case, the pertinent OPA regulations should be consulted.

(2) *Definition.* To satisfy the definition of "emergency" for purposes of the exemption (i) the subject matter of the purchase must be needed at once, and (ii) at least a portion of the purchase must be capable of immediate delivery (or performance in the case of services) either from stock or after a short period of production. In any case, the emergency exemption is applicable only to the quantity immediately deliverable. The exemption will not apply to contracts or agreements for future delivery.

(3) *Procedure.* To obtain exemption of an emergency purchase, where exemption is provided for (see subpar. (1) of this paragraph), the purchasing officer must certify that it was imperative to secure the commodity or service immediately and that it was impossible to secure, or unfair to require, immediate delivery or performance at the maximum price which would otherwise be applicable. The certificate must set forth, in addition, (i) the name and address of the seller, (ii) the date of purchase, (iii) the date of delivery, (iv) a description of the commodity or service purchased, (v) the quantity purchased, (vi) the price, and (vii) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price. The certificate must be filed with the OPA in Washington within five days (ten days in the case of services) after the purchase is made. It should be sent in duplicate to: Office of Price Administration, Washington 25, D. C., Attention: War Goods Price Coordinator. (No report is required in the case of services unless the total price thereof exceeds $500.00, and a similar exemption is extended in some specific price regulations to emergency purchases.)

(f) *Other exemptions of primary interest in connection with purchases*—(1) *General.* Attention is called in this paragraph to certain exemptions from price control by the GMPR (but not necessarily from control by specific price regulations: see § 811.1131 (e) (2) (iv)) not specified in preceding sections, of primary interest in connection with purchases.

(2) *Commodities.* The following exemptions as to commodities are established by OPA Revised Supplementary Regulation No. 1, which provides in part that the GMPR shall not apply to sales or deliveries of the following commodities or in the following transactions:

(i) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum and agricultural components used in the manufacture of furfural, under the conditions and to the extent stated in the regulation.

(ii) Sales and deliveries to the United States or its agencies of the following commodities:

(*a*) Aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats, and torpedoes;

(*b*) Amphibians, armed vehicles, automobiles, tanks, trailers and trucks, when sold for military purposes;

(*c*) Component parts and subassemblies of any product excepted under (*a*) and (*b*), regardless of the person to whom sold or delivered, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated but not including raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those excepted under (*a*) and (*b*);

(*d*) Military propellants and explosives;

(*e*) The following Army field and emergency rations and commodities: completed rations; C; D; K; Five-in-One; Mountain; Bail Out; Combat; Jungle; Life Raft; Corned Beef Hash (5½ lb. can); Meat and Vegetable Hash (6 lb. 12 oz. can); Chili Con Carne, and Ten-in-One.

(iii) Dehydrated vegetables sold to the Armed Forces of the United States.

(iv) The list of exemptions in this paragraph is not complete. Interested personnel are referred to the text of OPA Revised Supplementary Regulation No. 1.

(3) *Services.* The exemptions mentioned in subparagraph (1) of this paragraph are established, as to services, by OPA Supplementary Regulation No. 11 (which also has been incorporated by reference into the so-called Service Regulation MPR 165; see § 811.1131 (d)). It provides, in part, that the GMPR shall not apply to compensation for the following services:

(i) The lubrication, painting, rental, storage, washing, operation, repair, conversion, modification, maintenance or other services of aircraft, including maintenance of or repairs to engines, parts, accessories, instruments and other equipment used in connection with aircraft.

(ii) The list of exemptions in subparagraph (3) of this paragraph is not complete. Interested personnel are referred to the texts of OPA Supplementary Regulation No. 11 and Maximum Price Regulation No. 165.

(g) *Responsibility of contracting officers as to purchases.* (1) Contracting officers, in executing contracts covering procurement of commodities or purchases unless otherwise specifically directed, are not required to verify the prices charged by any vendor or contractor against the maximum prices fixed in accordance with the Emergency Price Control Act of 1942, and in the absence of actual knowledge of violation of price limitations, they may assume that prices charged do not exceed maximum prices. Likewise, in connection with cost-plus-a-fixed-fee contracts, contracting officers in approving items for reimbursement are not responsible for determining whether the costs of materials, supplies, tools, equipment or machinery exceed the maximum prices thus fixed. In the interests of economical purchasing, however, contracting officers are expected to exert reasonable effort to be familiar with the OPA regulations that apply to the commodities and services which they buy.

(2) Where a contracting officer is definitely informed that the price or proposed price of a commodity or service is in excess of the OPA maximum, he should proceed as follows:

(i) Try to negotiate a reduction in the price to conform to the OPA standard;

(ii) If such a reduction proves impossible, endeavor to have the contractor file an application for an adjustment of the established maximum price with OPA under Procedural Regulation 6 (see § 811.1131 (f));

(iii) If necessary, and if immediate deliveries can be made, make emergency purchases for immediate delivery in excess of the OPA maxima, complying with the requirements set forth in paragraph (e);

(iv) If recourse to the foregoing methods proves unsuccessful and the contracting officer believes an impairment of production of essential war material is threatened, report should be made at once to the chief of the technical service concerned and the services of the OPA Branch enlisted to remove the impediment.

(v) As a last resort, the statutes provide for the requisition of needed articles already in existence, and for mandatory orders to compel the supply of essential military items. For the conditions and procedures governing the use of these methods, see Part 814.

(h) *Acceptance of contractor's certification in connection with purchases.* The action of certifying and disbursing officers in connection with such price limitations is governed by Fiscal Directive SPBFA-11A, June 19, 1942, providing as follows:

1. The certification now required on Standard Form No. 1034-revised, as used in connection with payments made to vendors or contractors for purchases or services rendered other than personal will be continued in use and is a proper and sufficient warranty of compliance by the vendor or contractor with the price ceilings established in accordance with the provisions of the Emergency Price Control Act of 1942, Public Law 421, approved January 30, 1942.

2. In the absence of actual knowledge of violation of price limitations, certifying officers may rely upon the certificate of the vendor or contractor as to the correctness of the prices charged and will not be required to verify such prices against maxima established by the Office of Price Administration. Disbursing Officers may rely upon their records and the certificate of the vendor or contractor and will not be required to verify such maxima prices.

3. Disbursing officers will make payment in accordance with the above outlined procedure.

The form of certification (Standard Form 1034) is as follows:

I certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to American production and labor standards, and all conditions of purchase applicable to the transactions have been complied with; and that State or local sales taxes are not included in the amounts billed.

The words "the above bill is correct and just" and "all conditions of purchase applicable to the transactions have been complied with" constitute a proper and sufficient warranty by the vendors and contractors that the prices billed are within any applicable price ceilings established by the OPA. Accordingly, no additional certificate or statement by the vendors and contractors with respect to maximum prices should be required. Also, no special certificate accompanying quotations, or warranty in the contract with respect to compliance with price regulations will be required.

(i) *Exemption from liability of contracting and finance officers in connection with purchases.* Supplementary Order No. 7, entitled "Removal of Liability of War Procurement Agencies and Governments whose Defense is Vital to the defense of the United States," effective July 11, 1942, provides that prohibitions contained in maximum price regulations against buying or receiving a commodity or service at a price higher than the permitted maximum shall not apply to (1) any War Procurement Agency of the United States or any contracting or paying finance officer thereof or (2) the Government of any country whose defense is deemed by the President to be vital to the defense of the United States under the terms of the Act of March 11, 1941. It provides further that any such War Procurement Agencies or contracting or paying finance officers of any such government or agency, shall be relieved of any criminal or civil liability imposed by a maximum price regulation or by the Emergency Price Control Act of 1942. The OPA statement of considerations involved in the issuance of Supplementary Order No. 7 states such purchases are typically not purchases "in the course of trade or business" within the meaning of the act.

(j) *Non-exemption of contractors holding War Department contracts.* The OPA has advised, however, that this exemption is applicable only to Government contracting officers in connection with Government purchases and does not extend to purchases made by contractors even when operating under cost-plus-a-fixed-fee contracts, and even though purchases made by them are reimbursable by the Government. Cost-plus-a-fixed-fee contractors, as well as all other prime contractors, are buyers "in the course of trade or business" within the meaning of Section 4 (a) of the Emergency Price Control Act of 1942, as amended, and are, therefore, subject to the prohibitions of that section.

§ 811.1134 *Sales*—(a) *General.* For a general discussion of OPA matters primarily relating to War Department sales other than by Army stores, see § 807.111 *et seq.* (See § 811.1132–811.1132 (j) for a discussion of purchases.) Interested personnel should in addition be familiar with §§ 811.1130 to 811.1131 (f).

(b) *Exemption of sales by Army stores (OPA Supplementary Order No. 27).* OPA Supplementary Order No. 27, effective November 14, 1942, as amended, exempted sales and deliveries of any commodity or service by the War Department through its sales stores, including commissaries, Army canteens, and post exchanges, from all OPA price regulation. The OPA retained the right, however, to make price regulations applicable to such sales.

(c) *Other OPA regulations pertaining to sales.* If officers making sales on behalf of the War Department have any problems with relation to ceiling prices in connection with such sales which are not covered by the provisions of these procurement regulations including § 807.111 (b) et seq., solution of such problem should be reached through contact with appropriate OPA officials by reference of the problems to the Chief, OPA Branch, Purchases Division, as provided in § 811.1130 (b).

§ 811.1135 *Rationing regulations*—(a) *General.* The OPA issues regulations covering the rationing of scarce consumer goods. These regulations do not restrict Army purchases of the goods concerned, but to control illegal sales ("black markets") sellers of rationed goods, whether sales are made to the Army or otherwise, are required by OPA, upon replacement of their stocks, to produce so-called "ration evidences" obtained from their customers. Accordingly, Army procurement officers, in purchasing rationed goods, furnish the seller with ration evidences for the goods purchased, or otherwise cooperate with OPA policies.

(b) *Applicable OPA directives.* Sugar (Ration Order 3), processed foods (Ration Order 13), meats, fish, fats, and cheese (Ration Order 16), gasoline (Ration Order 5c), fuel oil in part of the United States (Ration Order 11), and shoes (Ration Order 17), have been subjected to rationing. Procedures under the rationing system are established by OPA General Ration Orders 3, 3A, 3B, 5 and 11.

(c) *Where certain War Department instructions may be found.* Interested personnel may find instructions in the following War Department publications covering the general subjects indicated:

1. Circular Letter 30, OQMG, 13 February 1943 and supplements thereto—ration banking accounts;

2. Circular 201, W. D., 1943—food rationing;
3. Circular 291, W. D., 1943; Circular 89, W. D., 1944—non-rationed food items containing rationed commodities;
4. Circulars 246, 282, W. D., 1944—Certain petroleum products; and
6. Circular 255, W. D., 1944—Shoes.

SUBPART H—MISCELLANEOUS MATTERS

1. Section 811.1183 is amended by revising the last sentence. The section, as amended, reads as follows:

§ 811.1183 *Procurement of spare parts.* Certain restrictions and procedures have been prescribed with respect to the procurement of spare parts, particularly initial concurrent spare parts. Such restrictions and procedures are set forth in Circular No. 227, War Department, 1944, as amended by section IV, Circular 318, War Department, 1944.

2. Section 811.1187 is revised to refer to applicable War Department circulars. The section as amended reads as follows:

§ 811.1187 *Restrictions on purchases of selected items.* The purchase of various items or classes of materiel and supplies has been restricted or prohibited due to shortages of such items or classes of equipment or of materials used in the construction thereof and for other reasons. Certain of these items or classes are mentioned below together with a reference to the War Department circulars setting forth the restrictions or prohibition. These circulars must be examined for a more detailed statement of the items and classes of materiel and supplies affected and of the nature of the restriction or prohibition.

1. Office furniture and equipment. See section II, Circular No. 168, War Department, 1943 and section III, Circular No. 216, War Department, 1943.
2. Interoffice communication systems, sound recording equipment and public address systems. See section I, Circular No. 2, War Department, 1944.
3. Farm machinery and equipment. See section VI, Circular No. 204, War Department, 1944, as amended by section III, Circular No. 217, War Department, 1944.
4. Spare parts. See paragraph § 811.1183.

3. Section 811.1187a is added, as follows:

§ 811.1187a *Restrictions on local purchases.* (a) Detailed provisions respecting restrictions upon and procedures required to be followed in connection with local purchases (including local purchases from appropriated as well as unappropriated funds) are set forth in section VII, Circular 310, War Department, 1944.

(b) It is essential that local purchases be kept to a minimum in order not to impinge on materiel and supplies intended for civilian economy. Local purchases are generally less economical, often result in an accumulation of nonstandard supplies which have limited use and tend to create excesses of standard items in depot stocks.

(c) Responsibility for controlling local purchases is a continuing command function in all echelons and at all installations. It shall be exercised vigorously and systematically.

[Procurement Reg. 12]

PART 812—RENEGOTIATION AND PRICE ADJUSTMENT

SUBPART C—CONTRACT PROVISIONS FOR PRICE ADJUSTMENT UPON CONTINGENCIES AND SHORT-TERM PRICING

1. Section 811.1231 is amended to read as follows:

§ 811.1231 *Adjustments under changes article in fixed price supply contracts*—(a) *General.* The "changes" article authorized for use in fixed price supply contracts (see § 813.1301 (b)) permits the contracting officer by a written order to make changes in the drawings or specifications, or in the requirements as to packing and shipment. The article authorized in § 803.329a may be used in supply contracts in lieu of that authorized in § 813.1301 (b) in which event the contracting officer is also empowered to increase or decrease within stated limits the quantities called for by the contract or to accelerate or reduce the rate of deliveries. An equitable adjustment is to be made and the contract modified accordingly,

(1) If such changes cause an increase or decrease in the amount due under the contract or in the time required for its performance (§ 813.1301 (b)), or

(2) If such changes cause an increase or decrease in the amount of work under the contract or in the time required for its performance (§ 803.329a).

If the parties fail to agree the dispute is to be determined as provided in the Disputes article.

The different types of changes which may be ordered will raise different kinds of problems in effecting the equitable adjustment required. These are discussed in paragraphs (b) to (d).

(b) *Types of adjustments after a change order.* There are two types of adjustments either or both of which may be required to be made as the result of a change order:

(1) Adjustments attributable to increases or decreases in the unit costs for the balance of the contract as a result of the change order including changes in the direct expenses and in the allocations of indirect expenses,

(2) Adjustments attributable to the portion of the work done prior to the change order including items such as work in process, materials or machinery no longer usable, and subcontract or purchase order cancellation charges.

It is important that the difference between these two types of charges be clearly understood and observed in order to avoid duplication of the expenses incurred by the Government. Ordinarily it is desirable that these two types of adjustments be kept distinct, although the results may be included in a single written instrument. From the standpoint of pricing such separation is particularly desirable since including those adjustments which are attributable to work done prior to the change order in the adjustment of unit prices tends to distort the unit prices for the purpose of pricing continuation orders and other comparable contracts. Where the two types of adjustment mentioned in (1) and (2) above are not set out in a single instrument it is important that each instrument shall indicate that it accomplishes only a part of the "equitable adjustment" contemplated as a result of the change order.

(c) *Adjustments attributable to the balance of the contract.* Efficient administration of the contract requires that the charges attributable to the change in unit costs as a result of the change order be determined and adjusted as quickly as possible in order that the contractor shall assume the same risks as he assumed in negotiating the original contract price. In effecting this adjustment, consideration must be given to the factors and principles relating to the negotiation of a new contract discussed in ASF Manual M-601 "Pricing in War Contracts", with particular attention to changes in the cost factors. Any necessary adjustment will in every case be reflected in an increase or decrease of the unit price of the items to be delivered after the change became effective. The claim for this type of adjustment is similar in nature to a a claim asserted by a contractor under subparagraph (f) of the Uniform Termination Article (see e. g. §§ 803.324, 815.901, 815.321 (b)). Including this adjustment in a written agreement need not be delayed pending completion of the adjustment discussed in the next paragraph. In the event that the contract in question contains the optional price adjustment article set forth in § 803.360a or § 803.360a (a), consideration will be given to the desirability of a negotiation for price adjustment under that article in lieu of the adjustment described in this paragraph.

(d) *Adjustments attributable to the work before the change order.* A claim for the adjustment of charges attributable to the work done prior to the effective date of the change order is similar in nature to a claim with respect to the uncompleted portion of the contract arising upon termination under the termination article (see e.g. §§ 803.324, 815.-901, 815.901a). In adjusting such charges the provisions of Part 815 are not controlling but may be used as a guide. The adjustment of this type of charges may be reflected in a lump sum payment and should normally be so reflected where substantial amounts are involved. In the event that the contractor includes in his claim the cost of any property which is rendered unusable by reason of the change order, the contracting officer must safeguard the interests of the Government by assuring that the value of such property is reflected in the adjustment made by reason of the change. Such property rendered unusable will be disposed of by use of one of the following methods:

(1) By retention of the property by the contractor, with a credit to the Government of an amount therefor to be agreed upon between the contractor and the contracting officer;

(2) By sale of the property at a price to be approved by the contracting officer, the proceeds to be credited to the Government; or

(3) By transfer of title to the property to the Government and delivery of pos-

session thereof in such manner as may be agreed upon by the contractor and the contracting officer.

The written agreement reflecting the adjustment will show as to each general category of property rendered unusable which method of disposition is to be followed. If title is to be taken by the Government, the agreement will provide clearly what is to be done with the property. The contracting officer will take all necessary action for prompt execution of the provisions of the supplementary agreement relating to property which is to be transferred to the Government.

(e) *Adjustments of changes resulting in a reduction in quantity.* A reduction in the quantity to be delivered under the contract made pursuant to the "changes" article set forth in § 803.329a constitutes a partial termination within the meaning of the Contract Settlement Act of 1944. The use of a "changes" article to effect a reduction in quantity and the problems incident thereto are discussed in § 815.300 (c). Attention, however, is directed to the importance of safeguarding the interest of the Government in property rendered unusable because of the reduction by securing title thereto or otherwise receiving credit for the value thereof.

2. In § 812.1232 the reference at the end of paragraph (d) is revised. The paragraph, as amended, reads as follows:

§ 812.1232 *Escalation* • • •

(d) *Escalation in relation to OPA ceiling prices.* Escalation in relation to OPA ceiling prices is not permitted, except that escalation articles may be included in contracts for the purchase of certain basic commodities to the extent and in the form set forth in § 803.351 (d) et seq.

SUBPART H—AUDITS AND INSPECTIONS UNDER TITLE XIII OF THE SECOND WAR POWERS ACT

Section 812.1263 (a) is amended to read as follows:

§ 812.1263 *Preliminary steps before audit or subpena.* (a) No audit is to be made without first advising the War Production Board. Communications on this subject should be addressed to Chief, Contract Review Branch, Procurement Policy Division, War Production Board, 4th and Independence Avenue, SW., Washington 25, D. C. It is the intent of this notification to prevent conflict and duplication of audit with other Departments. Approval from the War Production Board should therefore be obtained before proceeding.

APPENDIX

NOTE: For Renegotiation Regulations, see 9 F.R. 4135, 6154, 7020, 9107, 9907.

[Procurement Reg. 13]

PART 813—FORMS OF CONTRACTS

1. In § 813.1303 subparagraph 2 of Article IV is amended to read as follows:

§ 813.1303 *W. D. Contract Form No. 3.* • • •

ART. IV. *Records and Accounts Inspection and Audit.* • • •

2. The Contracting Officer shall at all times be afforded proper facilities for inspection of the work and shall at all times have access to the premises, work and materials, to all books, records, correspondence, instructions, plans, drawings, receipts, vouchers, and memoranda of every description of the Contractor pertaining to said work except such documents as have been submitted in support of reimbursement vouchers; and the Contractor, without additional compensation therefor, shall preserve such papers to such extent and for such period as may be required by law.

• • • • •

2. In § 813.1304 subparagraph 2, of Article III–B is amended to read as follows:

§ 813.1304 *W. D. Contract Form No. 4.* • • •

ART. III–B. *Records and accounts, inspection and audit.* • • •

2. *Access to records by Contracting Officer and Architect-Engineer.* The Contracting Officer shall at all times be afforded proper facilities for inspection of the work and shall at all times have access to the premises, work and materials, to all books, records, correspondence, instructions, plans, drawings, receipts, vouchers, and memoranda of every description of the Architect-Engineer pertaining to said work except such documents as are submitted in support of reimbursement vouchers; and the Architect-Engineer, without additional compensation therefor, shall preserve such papers to such extent and for such period as may be required by law. Likewise, any duly authorized representative of the Architect-Engineer shall be accorded the privilege of examining the books, records, and papers of the Contracting Officer relating to the actual cost of the work for the purpose of checking and verifying such cost.

• • • • •

3. In §§ 813.1307 to 813.1310, inclusive, the footnotes in paragraph 6 of the forms are amended. The paragraphs, as amended, read as follows:

§ 813.1307 *W. D. Contract Form No. 7.* • • •

6. (a) In case a definitive contract is not executed by _____, 19__ (or any subsequent date at any time mutually agreed upon) because of the inability of the parties to agree upon a definitive contract, this order will terminate on the stated date or such subsequent date, as the case may be.

(b) The Government may at any time terminate this order in whole or in part for its convenience by giving you written notice of such termination.

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the costs incurred by you in the performance of this order and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.* Any such negotiated settlement shall be embodied in a Supplemental Agreement.

(d) If you and the Contracting Officer are not able to agree upon such a negotiated settlement within 90 days after the effective date of the termination (or within such longer period as at any time may be mutually agreed upon), the Government binds itself (without duplication of any of the following payments or of payments previously made) to reimburse you for the costs incurred by you in the performance of this order and for any amounts paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. In lieu of reimbursing you for expenditures made by you in settling any of your obligations for commitments, the Government, in the discretion of the Contracting Officer, may assume such obligations or any of them. The total of such reimbursement (and of all payments previously made), together with the amount of any obligations assumed, shall not exceed the amount above specified.

If such termination shall take place pursuant to paragraph 6 (a) of this order no allowance of profit will be made to you. If termination shall take place for the convenience of the Government pursuant to paragraph 6 (b) of this order, such allowance of profit will be made to you with respect to the work done by you prior to the effective date of the termination as the Contracting Officer may find to be reasonable under all the circumstances.

(e) The Government may permit you to sell or retain at prices or on terms agreed to by the Government any equipment, completed supplies, materials or work in process and the proceeds of any such sale, or such agreed prices, shall be paid or credited to the Government in such manner as the Contracting Officer may direct.

(f) Upon payment or reimbursement to you pursuant to paragraph 6 (c) or 6 (d) of this order, title to all equipment, completed supplies, work in process, materials, plans, information, and other things, for which you are so paid or reimbursed (except such property as may be sold or retained by you as above provided) will vest in the Government (if title thereto has not already become vested in the Government). The Government will also become entitled to any rights under any commitment which it may assume, or for the settlement of which it shall have reimbursed you.

(g) Any dispute which arises under this paragraph 6 regarding a matter of fact (*including any dispute (1) as to whether termination has in fact taken place for the convenience of the Government or because of the inability of the parties to agree upon a definitive contract, or (2) as to the extent of any allowance of a profit in the event of a termination for the convenience of the Government*) will be treated and resolved as a dispute under the "Disputes" article [1] incorporated in this order by reference.

(h) Partial payments on account of any amount admittedly due to you pursuant to this paragraph 6 may be made by the Government at any time in the discretion of the Contracting Officer.

• • • • •

§ 813.1308 *W. D. Contract Form No. 8.* • • •

6. (a) In case a definitive contract is not executed by _____, 19____ (or any subsequent date at any time mutually agreed upon) because of the inability of the parties to agree upon a definitive contract, this order will terminate on the stated date or such subsequent date, as the case may be.

(b) The Government may at any time terminate this order in whole or in part for its convenience by giving your written notice of such termination.

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting

[1] Where the letter order is for an amount less than $20,000, the "Disputes" article will not have been incorporated by reference by virtue of paragraph 3 or 6 (g) of the letter order, since contracts in such amount are not required to contain that article (see § 803.326). In that event the language of the letter order will be appropriately modified expressly to incorporate by reference either the "Disputes" article set forth in § 803.326 or that contained in General Provision 12 of W.D. Contract Form No. 18 (paragraph § 813.1317b).

Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the unit price above specified for all completed supplies, the costs incurred by you with respect to the uncompleted portion of this order, and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made with respect to such uncompleted portion of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.* Any such negotiated settlement shall be embodied in a Supplemental Agreement.

(d) If you and the Contracting Officer are not able to agree upon such a negotiated settlement within 90 days after the effective date of the termination (or within such longer period as at any time may be mutually agreed upon), the Government binds itself (without duplication of any of the following payments or of payments previously made):

(1) To pay you the unit price above specified for all completed supplies;

(2) To reimburse you for the costs incurred by you with respect to the uncompleted portion of this order and for any amounts paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments with respect to such uncompleted portion of this order. In lieu of reimbursing you for expenditures made by you in settling any of your obligations for commitments with respect to the uncompleted portion of this order, the Government, in the discretion of the Contracting Officer, may assume such obligations or any of them.

If such termination shall take place pursuant to paragraph 6 (a) of this order no allowance of profit will be made to you (except as the payment of the unit price for completed supplies may include a profit). If termination shall take place for the convenience of the Government pursuant to paragraph 6 (b) of this order, such allowance of profit (in addition to any profit included in paying the unit price for completed supplies) will be made to you with respect to the work done by you on uncompleted supplies prior to the effective date of the termination as the Contracting Officer may find to be reasonable under all the circumstances.

(e) The Government may permit you to sell or retain at prices or on terms agreed to by the Government any equipment, completed supplies, materials or work in process and the proceeds of any such sale, or such agreed prices, shall be paid or credited to the Government in such manner as the Contracting Officer may direct.

(f) Upon payment or reimbursement to you pursuant to paragraph 6 (c) or 6 (d) of this order, title to all equipment, completed supplies, work in process, materials, plans, information, and other things, for which you are so paid or reimbursed (except such property as may be sold or retained by you as above provided) will vest in the Government (if title thereto has not already become vested in the Government). The Government will also become entitled to any rights under any commitment which it may assume, or for the settlement of which it shall have reimbursed you.

(g) Any dispute which arises under this paragraph 6 regarding a matter of fact (*including any dispute (1) as to whether termination has in fact taken place for the convenience of the Government or because of the inability of the parties to agree upon a definitive contract, or (2) as to the extent of any allowance of a profit in the event of a termination for the convenience of the Government*) will be treated and resolved as a dispute under the "Disputes" article[1] incorporated in this order by reference.

[1] See footnote 1, page 10961.

(h) Partial payments on account of any amount admittedly due to you pursuant to this paragraph 6 may be made by the Government at any time in the discretion of the Contracting Officer.

* * * * *

§ 813.1309 *W. D. Contract Form No. 9.* * * *

6. (a) In case a definitive contract is not executed by ----------, 19-- (or any subsequent date at any time mutually agreed upon) because of the inability of the parties to agree upon a definitive contract, this order will terminate on the stated date or such subsequent date, as the case may be.

(b) The Government may at any time terminate this order in whole or in part for its convenience by giving you written notice of such termination.

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the costs incurred by you in the performance of this order and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.* Any such negotiated settlement shall be embodied in a Supplemental Agreement.

(d) If you and the Contracting Officer are not able to agree upon such a negotiated settlement within 90 days after the effective date of the termination (or within such longer period as at any time may be mutually agreed upon), the Government binds itself (without duplication of any of the following payments or of payments previously made) to reimburse you for the costs incurred by you in the performance of this order and for any amounts paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. In lieu of reimbursing you for expenditures made by you in settling any of your obligations for commitments, the Government, in the discretion of the Contracting Officer, may assume such obligations or any of them. The total of such reimbursement (and of all payments previously made), together with the amount of any obligations assumed, shall not exceed the amount above specified.

If such termination shall take place pursuant to paragraph 6 (a) of this order no allowance of profit will be made to you. If termination shall take place for the convenience of the Government pursuant to paragraph 6 (b) of this order, such allowance of a fee will be made to you with respect to the work done by you prior to the effective date of the termination as the Contracting Officer may find to be reasonable under all the circumstances; but such fee shall in no event exceed ____ per cent (____%) of so much of the estimated cost set forth in paragraph 1 as is allocable to such work.

(e) The Government may permit you to sell or retain at prices or on terms agreed to by the Government any equipment, materials or work in process and the proceeds of any such sale, or such agreed prices, shall be paid or credited to the Government in such manner as the Contracting Officer may direct.

(f) Upon payment or reimbursement to you pursuant to paragraph 6 (c) or 6 (d) of this order, title to all equipment, work in process, materials, plans, information, and other things, for which you are so paid or reimbursed (except such property as may be sold or retained by you as above provided) will vest in the Government (if title thereto has not already become vested in the Government). The Government will also become entitled to any rights under any commitment which it may assume, or for the settlement of which it shall have reimbursed you.

(g) Any dispute which arises under this paragraph 6 regarding a matter of fact (*including any dispute (1) as to whether termination has in fact taken place for the convenience of the Government or because of the inability of the parties to agree upon a definitive contract, or (2) as to the extent of any allowance of a fee in the event of a termination for the convenience of the Government*) will be treated and resolved as a dispute under the "Disputes" article[1] incorporated in this order by reference.

(h) Partial payments on account of any amount admittedly due to you pursuant to this paragraph 6 may be made by the Government at any time in the discretion of the Contracting Officer.

* * * * *

§ 813.1310 *W. D. Contract Form No. 10.* * * *

6. (a) In case a definitive contract is not executed by ----------, 19-- (or any subsequent date mutually agreed upon) because of the inability of the parties to agree upon a definitive contract, this order will terminate on the stated date or such subsequent date, as the case may be.

(b) The Government may at any time terminate this order in whole or in part for its convenience by giving you written notice of such termination.

(c) In the event of any termination pursuant to either paragraph 6 (a) or paragraph 6 (b) of this order, you and the Contracting Officer will attempt to agree by negotiation upon a settlement estimated by the parties to be the aggregate amount (less payments previously made to you) of the costs incurred by you in the performance of this order and the amounts paid or to be paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. *In case of termination pursuant to paragraph 6 (b), such negotiated settlement may include a reasonable allowance for profit.* Any such negotiated settlement shall be embodied in a Supplemental Agreement.

(d) If you and the Contracting Officer are not able to agree upon such a negotiated settlement within 90 days after the effective date of the termination (or within such longer period as at any time may be mutually agreed upon), the Government binds itself (without duplication of any of the following payments or of any payments previously made) to reimburse you for the costs incurred by you in the performance of the order and for any amounts paid by you or for your account in settling with the approval of the Contracting Officer your obligations for commitments made in the performance of this order. In lieu of reimbursing you for the expenditures made by you in settling any of your obligations for commitments, the Government, in the discretion of the Contracting Officer, may assume such obligations or any of them. The total of such reimbursement (and of all payments previously made), together with the amount of any obligations assumed, shall not exceed the amount above specified.

If such termination shall take place pursuant to paragraph 6 (a) of this order no allowance of profit will be made to you. If termination shall take place for the convenience of the Government pursuant to paragraph 6 (b) of this order, such allowance of profit will be made to you with respect to the work done by you prior to the effective date of the termination as the Contracting Officer may find to be reasonable under all the circumstances.

(e) The Government may permit you to sell or retain at prices or on terms agreed to by the Government any equipment, materials or work in process and the proceeds of any such sale, or such agreed prices, shall be paid or credited to the Government in such manner as the Contracting Officer may direct.

(f) Upon payment or reimbursement to you pursuant to paragraph 6 (c) or 6 (d) of this order, title to all equipment, work in process, materials, plans, information, and other things, for which you are so paid or reimbursed (except such property as may be sold or retained by you as above provided) will vest in the Government (if title thereto has not already become vested in the Government). The Government will also become entitled to any rights under any commitment which it may assume, or for the settlement of which it shall have reimbursed you.

(g) Any dispute which arises under this paragraph 6 regarding a matter of fact (*including any dispute (1) as to whether termination has in fact taken place for the convenience of the Government or because of the inability of the parties to agree upon a definitive contract, or (2) as to the extent of any allowance of a profit in the event of a termination for the convenience of the Government*) will be treated and resolved as a dispute under the "Disputes" article[1] incorporated in this order by reference.

(h) Partial payments on account of any amount admittedly due to you pursuant to this paragraph 6 may be made by the Government at any time in the discretion of the Contracting Officer.

* * * * *

4. In § 813.1311 Articles 17 and 18 are amended to read as follows:

§ 813.1311 *War Department Contract Form No. 13A.* * * *

ART. 17. *Definitions.* (Insert § 813.1301, Art. 23.)

ART. 18. *Alterations.* (Insert § 813.1301, Art. 24.)

5. Section 813.1311a is added as follows:

§ 813.1311a *War Department Contract Form No. 13 B.*

Contract No. ----------

CONTRACT (SUPPLIES) WAR DEPARTMENT AND METALS RESERVE COMPANY

(A subsidiary of Reconstruction Finance Corporation)

Contract for: ----------
Amount: ----------
Location: ----------
Payment: To be made by ----------
----------, U. S. Army, at ----------

The supplies and services to be obtained by the instrument are authorized by, are for the purposes set forth in, and are chargeable to the following allotments, the available balances of which are sufficient to cover the cost of the same: ----------
----
This contract is authorized by the following laws: ----------
----

CONTRACT

Subject and pursuant to the terms and conditions hereinafter stated and contained in the Exhibit hereto attached and made a part hereof:

Seller: Metals Reserve Company, 811 Vermont Avenue, N.W., Washington 25, D. C. (hereinafter called "Contractor"), agrees to sell and deliver,

Buyer: United States of America (hereinafter called "Government"), represented by the Contracting Officer executing this contract, agrees to buy and receive,

Material: ----------

Quantity: ----------

Quality: ----------

Price and Delivery: ------ per ------ f. o. b. railroad cars or trucks at ------ in accordance with delivery schedule attached. The Government is to prepare bills of lading, except where the material is sold on a delivered basis at destination designated by the Government.

Weighing, Sampling and Analysis: ------

Payment: Promptly upon receipt of Contractor's invoice with certificates of weights and analysis, if any, attached.

Cancellation: Notwithstanding any other provision hereof, the obligation of the Contractor to deliver any balance of ------ which might be undelivered after ------ may be canceled by Contractor after ------, upon written notice to the Government, provided the Contractor is not in default. Such cancellation shall be effective upon receipt of such notice.

Executed in Quadruplicate.

Dated:

METALS RESERVE COMPANY,
Contractor.

By ----------

UNITED STATES OF AMERICA.

By ----------

(Official title)

NOTE: Exhibit to be attached to W. D. Contract Form No. 13B (§ 813.1311a).

EXHIBIT

ART. 1. *Changes.* (Insert § 803.329a.)

ART. 2. *Extras.* (Insert § 813.1301, Art. 3.)

ART. 3. *Inspection.* (Insert § 813.1301, Art. 4.)

ART. 4. *Delays—Damages.* (Insert § 803.-352.)

ART. 5. *Responsibility for supplies tendered.* (Insert § 813.1301, Art. 6.)

ART. 6. *Payments.* (Insert § 813.1301, Art. 8.)

ART. 7. *Officials not to benefit.* (Insert § 803.322.)

ART. 8. *Covenant against contingent fees.* (Insert § 803.323.)

ART. 9. *Disputes.* (Insert § 803.326.)

ART. 10. *Termination at the option of the Government.* (Insert § 803.324, the article following paragraph (6).)

ART. 11. *Notice of shipments.* (Insert § 803.328.)

ART. 12. *Subcontracting.* (Insert § 803.-367.)

ART. 13. *Anti-discrimination.* (Insert § 803.325.)

ART. 14. *Convict labor.* (Insert § 803.345.)

ART. 15. *Assignment of rights hereunder.* No claim under this contract shall be assigned.

ART. 16. *Disclosure of information.* (Insert § 803.336.)

ART. 17. *Employment of aliens.* (Insert § 803.337.)

ART. 18. *Definitions.* (Insert § 813.1301, Art. 23.)

ART. 19. *Alterations.* (Insert § 813.1301, Art. 24.)

6. In § 813.1312, subparagraph 2, of Article XIII, is amended to read as follows:

§ 813.1312 *W. D. Contract Form No. 12.*

ART. XIII. *Records and accounts, inspection and audit.* * * *

2. *Access to records by Contracting Officer and A–E–M.* The Contracting Officer shall at all times be afforded proper facilities for inspection of the work and shall at all times have access to the premises, work and materials, to all books, records, correspondence, instructions, plans, drawings, receipts, vouchers, and memoranda of every description of the A–E–M pertaining to said work except such documents as are submitted in support of reimbursement vouchers; and the A–E–M shall preserve such papers, without additional compensation therefor, to such extent and for such period as may be required by law. Likewise, any duly authorized representative of the A–E–M shall be accorded the privilege of examining the books, records, and papers of the Contracting Officer relating to the actual cost of the work for the purpose of checking up and verifying such cost.

7. In § 813.1315b (d), subparagraph 5 of the special provisions for gas service is amended to read as follows:

§ 813.1315b *W. D. Contract Form No. 27.*

(d) * * *

SPECIAL PROVISIONS D—GAS SERVICE

* * * * *

5. *Metering and billing.* Gas will be measured by ---------- meters to be (number and type) furnished, installed, maintained, calibrated and read by the Contractor, the readings of which will be combined for billing purposes.

When orifice meters are used to measure gas furnished hereunder, such meters shall be of standard manufacture and shall be installed and operated in accordance with the manufacturer's specifications and recommendations. Computations of gas deliveries shall be made in accordance with the manufacturer's recommendations and shall be corrected for the specific gravity of the gas, which shall be determined by spot specific gravity tests made monthly or at more frequent intervals if required, or by a recording gravitometer.

Upon request of the Contracting Officer or his representative, the Contractor will submit to the Government records and charts from its metering equipment, together with calculations therefrom, for the Government's inspection and verification, subject to return by the Government within ten days after receipt thereof, after which return the charts and records shall be kept on file by the Contractor for the mutual use of both parties for such period and to such extent as may be required by law.

8. Sections 813.1317 and 813.1317a are amended to read as follows:

§ 813.1317 *Short forms.* In § 813.-1317a and immediately following, there are set forth certain short forms of contracts for procuring supplies or services, to be used in accordance with the "explanatory notes" applicable to each.

§ 813.1317a *W. D. Contract Form No. 383, revised 26 June 1944 (W. D. Forms Nos. 383, 383a, 383b and 383c); Short Form*—(a) *Explanatory note.* W. D. Contract Form No. 383, revised 26 June 1944, comprising W. D. Forms Nos. 383, 383a, 383b and 383c, will be used in compliance with instructions appearing in TM 38–403 (Station Supply Procedure), which supersedes ASF Manual M403; and in ASF Manual M408 (Depot Supply Procedure).

[1] Where the letter order is for an amount less than $20,000, the "Disputes" article will not have been incorporated by reference by virtue of paragraph 3 or 6 (g) of the letter order, since contracts in such amount are not required to contain that article (see § 803.-326). In that event the language of the letter order will be appropriately modified expressly to incorporate by reference either the "Disputes" article set forth in § 803.326 or that contained in General Provision 12 of W.D. Contract Form No. 18 (§ 813.1317b).

(b) *Contract forms.*

War Department Form No. 383

Form Prescribed by Comptroller General, U. S. June 26, 1944.

PURCHASE ORDER ☐ OR DELIVERY ORDER ☒ (Indicate by ×)

AND VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

WAR DEPARTMENT

Date ..... Insert Name and Address of Procuring Office .....

Delivery order No.	Contract No.	Purchase order No.	Requisition No.	Purchase authority	D. O. Vou. No.

TO:	SHIP TO:	Paid by
Vendor: Return white copy with vendor's certificate completed or white copy with certified or original and two copies of your invoice To:	Payment will be made by Finance Officer At:	(For use of paying office)

F. o. b.	(Del. date(s))	Discount terms

If purchase order: This instrument is negotiated under authority of the First War Powers Act, 1941, and Executive Order No. 9001, 27 December, 1941. In accordance with your price list/oral quotation written quotation of ..... 194.., please furnish the following, subject to the terms and conditions stated on both sides of this form.
If delivery order: Please furnish the following in accordance with basic purchase agreement identified above. The provisions on the reverse side of this form do not apply when used as delivery order.

The officer(s) whose signature(s) appear below certify that the available balance of funds chargeable (indicated below under accounting classification) is sufficient.

.....

.....

Item No.	Articles or services	Quantity ordered	Unit	Unit price	Amount	Quantity received
	Total.....					

Vendor's certificate: I certify that the above bill is correct and just, that payment therefor has not been received; that all statutory requirements as to American production and labor standards, and all conditions of purchase applicable to the transactions have been complied with and that State or local sales taxes are not included in the amounts billed.

.....
Payee (sign original only)*

Per ..... Title .....

(This certificate not required when a like certificate is made by payee on attached bill or bills) | Vendor's invoice No.

(Vendor must NOT use this space)

Differences .....

.....

.....

.....

Account verified: correct for.....

.....

.....
(Signature or initials)

Pursuant to authority vested in me, I certify that the above articles were received in good condition, after due inspection, acceptance, and delivery prior to payment as required by law, or the services were performed as stated, that they were procured without written contract, in open market, or as indicated above and were necessary for the public service and that the prices charged are just and reasonable and in accordance with the agreement.

Signature..... Title.....

Accounting classification

Appropriation (including limitation) symbol	Appropriation title	Station code	Limitation or project amount	Appropriation amount

Check No. ..... dated ..... 19.. for $..... on Treasurer of the United States in favor of Payee named above.
Cash, $..... on ..... 19... Payee .....

*When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary" or "Treasurer" as the case may be.

Per .....

Title .....

[Reverse side of W. D. Form No. 383]

GENERAL PROVISIONS APPLYING TO THIS ORDER

1. *Payments.* The Contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. If the Contracting Officer permits, (a) payments may be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, (b) when requested by the Contractor, payments for accepted partial deliveries may be made whenever such payments would equal or exceed either $1,000 or 50% of the total amount of the contract.

2. *Inspection.* Whether or not an inspection point is specified herein, all material and workmanship shall be subject to inspection and test at all times and places (including inspection and test after arrival at destination) and, when practicable, during manufacture. In case any articles are found to be defective in material or workmanship, or otherwise not in conformity with the specification requirements, the Government shall have the right to reject such articles, or require their correction. Final inspection shall be conclusive except as regards latent defects, fraud, or such gross mistakes as amount to fraud. In the event public necessity requires the use of materials or supplies not conforming to the specifications, payment therefor shall be made at a proper reduction in price.

3. *Variation in quantities,* (Insert § 803.320)

4. *Notice of shipments.* (Insert § 803.326)

5. *Taxes.* (Insert § 803.357 (b))

6. *Walsh-Healey Act.* If this contract is for an amount in excess of $10,000, the representations and stipulations required by Section 1 of the Act of June 30, 1936 (Walsh-Healey Act, Public No. 846, 74th Cong.), to be included in all contracts therein specified, are hereby incorporated and made a part of this contract with the same force and effect as if fully set forth in the contract. Such representations and stipulations shall be subject to all applicable regulations, determinations, and exemptions of the Secretary of Labor now or hereafter in effect.

7. *Eight-hour law.* This General Provision 7 shall apply if General Provision 6 is not applicable. (Insert § 803.346)

8. *Anti-discrimination.* (Insert § 803.328)

9. *Convict labor.* The Contractor shall not employ any person undergoing sentence of imprisonment at hard labor.

10. *Changes.* Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the Contracting Officer may at any time, by a written order, and without notice to the sureties, if any, make changes in the drawings or specifications. Changes as to shipment and packing of all supplies may also be made as above provided. If such changes cause an increase or decrease in the amount due under this contract, or in the time required for its performance, an equitable adjustment shall be made and the contract shall be modified in writing accordingly.

11. *Delays; damages.* If the Contractor refuses or fails to perform this contract within the time specified, or any extension thereof,

the Government may, by written notice, terminate the right of the Contractor to proceed with deliveries or with such part or parts thereof as to which there has been delay, and may hold the Contractor liable for any damage caused the Government by reason of such termination. The right of the Contractor to proceed with the performance of this contract shall not be terminated under this General Provision 11 if the delay is due to causes beyond the control and without the fault or negligence of the Contractor, including without being limited to, any preference, priority, or allocation order issued by the Government or any other act of the Government.

12. *Disputes.* Except as otherwise specifically provided in this contract, all disputes concerning questions of fact which may arise under this contract, and which are not disposed of by mutual agreement, shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail a copy thereof to the Contractor. Within 30 days from said mailing the Contractor may appeal to the Secretary of War, whose decision or that of his designated representative, representatives, or board shall be final and conclusive upon the parties hereto. Pending decision of a dispute hereunder the Contractor shall diligently proceed with the performance of this contract.

13. *Assignment of rights hereunder.* This General Provision 13 shall apply if this contract is for $1,000 or more, unless this contract is marked secret, confidential, or restricted. (Insert § 803.355.)

14. *Officials not to benefit.* Insert § 803.322.)

15. *Covenant against contingent fees.* (Insert § 803.323.)

16. *Termination at the option of the Government.* The performance of work under this contract may be terminated by the Government whenever the Contracting Officer shall determine that such action is for the best interests of the Government. If this contract is so terminated, fair compensation, within the meaning of the Contract Settlement Act of 1944 (Public No. 395, 78th Cong.), as the same may from time to time be amended, will be provided for contractor.

17. *Definitions.* Except for the original signing of this contract, and except as otherwise stated herein, the term "Contracting Officer" as used herein shall include his duly appointed successor or his authorized representative.

SHIPPING INSTRUCTIONS

A. Mark each package with complete destination, Delivery Order or Purchase Order number, name of Contractor, commodity, quantity, Delivery Order or Purchase Order item number, package number.

B. Packing list must accompany each shipment, showing package number and contents.

C. If purchase is f. o. b. destination, delivery charges are absorbed in the prices. If purchase is f. o. b. origin, delivery charges are excluded from the prices and Government bill of lading will be used, or commercial bill of lading will be used and exchanged for Government bill of lading at destination.

War Department Form No. 383a
Form Prescribed by Comptroller General, U. S.
June 26, 1944.

PURCHASE ORDER ☐ OR DELIVERY ORDER ☐ (Indicate by ×)

AND VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

WAR DEPARTMENT

Date ..... Insert Name and Address of Procuring Office .....

Delivery order No.	Contract No.	Purchase order No.	Requisition No.	Purchase authority	D. O. Vou. No.

To:	Ship to:	Paid by
Vendor: Return white copy with vendor's certificate completed or white copy with certified original and two copies of your invoice. To:	Payment will be made by Finance Officer At:	(For use of paying office)

F. o. b.	Del. date(s)	Discount terms

If purchase order: This instrument is negotiated under authority of the First War Powers Act, 1941, and Executive Order No. 9001, 27 December, 1941. In accordance with your price list, oral quotation, written quotation of ..... 194.., please furnish the following, subject to the terms and conditions stated on both sides of this form.
If delivery order: Please furnish the following in accordance with basic purchase agreement identified above. The provisions on the reverse side of this form do not apply when used as delivery order.

The officer(s) whose signature(s) appear below certify that the available balance or funds chargeable (indicated below under accounting classification) is sufficient.

.....

.....

Item No.	Articles or services	Quantity ordered	Unit	Unit price	Amount	Quantity received

Memorandum:

Vendor's Invoice No.

(Vendor must NOT use this space)

Differences.....

.....

.....

Account Verified: correct for .....

.....
(Signature or initials)

Inspection report: I certify that the items listed in Quantity Received column above were inspected by me, and that they conform to the contract requirements, and/or that the services specified in the contract were actually rendered.

....
(Date) Inspecting Officer

Receiving report: I certify that the items listed in Quantity Received column above were received by me in the quantities and conditions stated, and that the same have been taken up on the property accounts at this station.

....
Date(s) received Accountable Officer

Accounting classification

Appropriation (including limitation) symbol	Appropriation title	Station code	Limitation or project amount	Appropriation amount

Check No. ..... dated ..... 19 ..., for $ ..... on Treasurer of the United States in favor of Payee named above.

Cash, $ ..... on ....., 19... Payee..... .....
(Sign original only) Property Vou. No.

.....

Title .....

[Reverse side of W. D. Form No. 383a]

This is the same as the reverse side of W. D. Form No. 383.

War Department Form No. 383b
Form prescribed by Comptroller General, U. S., June 26, 1944.

PURCHASE ORDER ☐ OR DELIVERY ORDER ☐ (Indicate by X)

AND VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

WAR DEPARTMENT

Date.....

(Continuation sheet—Original)

Delivery Order No.	Contract No.	Purchase order No.	Requisition No.	Purchase authority	Sheet of

Item No.	Articles or services	Quantity ordered	Unit	Unit price	Amount	Quantity received
	Total.....					

War Department Form No. 383c
Form prescribed by Comptroller General, U. S., June 26, 1944.

PURCHASE ORDER ☐ OR DELIVERY ORDER ☐ (Indicate by X)

AND VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

WAR DEPARTMENT

Date.....

(Continuation sheet—Memorandum)

Delivery Order No.	Contract No.	Purchase order No.	Requisition No.	Purchase authority	Sheet of

Item No.	Articles or services	Quantity ordered	Unit	Unit price	Amount	Quantity received
	Total.....					

9. In § 813.1329, the first "Whereas" clause and articles 1, 2, and 6 are amended to read as follows:

§ 813.1329 *W. D. Contract Form No. 29.* • • •

Whereas, on or about the ..... day of ....., 19....., Licensor and Licensee entered into an instrument of license, providing for the payment of certain royalties;

• • • • •

ARTICLE 1. *Definitions.* Where used in this contract, the following terms have the meanings here assigned to them, viz.:

(a) "Said license" means the instrument of license dated .....; 19.. above mentioned;

(b) "Said inventions" means each and all of the inventions whose practice is licensed in and by said license;

(c) "The Act" and "the Royalty Adjustment Act 1942 (Public No. 768, 77th Congress; 56 U.S.C. 89–96);

(d) "Notice under the Act" means the notice contemplated by Section 1 of the Act;

(e) "Period of this agreement" means the period of time beginning the ..... day of ..... 19.. [insert date as of which the royalty adjustment is to take effect] and ending when the head of any department or agency of the Government gives notice under the Act that the reduced royalties specified in this contract are believed to be unreasonable or excessive, but in any event ending six months after the cessation of hostilities in any war in which the United States are now engaged;

(f) "Subject royalties" means that portion of the royalties accruing under said license, in respect to the practice of said inventions during the period of this agreement, which is charged or chargeable to the Government; and

(g) "Secretary of War" includes any officer or board exercising the powers, duties and authorities of the Secretary of War under the Act in respect of said license or said inventions.

ART. 2. *Royalty Reduction.* Licensor agrees that the subject royalties shall be and they are hereby reduced to ....% [or, reduced to an amount not exceeding $..... in any calendar year] in lieu of the rates specified in said license.

• • • • •

ART. 6. *Reserved Rights.* Nothing herein contained shall limit the right of the head of any department or agency of the Government, including but not limited to the Secretary of War, to give notice [or, further notice] under the Act if at any time it is believed that the reduced royalties specified in Article 2 hereof are unreasonable or excessive, nor shall the Government be deemed to have approved the rates or amounts of said reduced royalties or be estopped at any time to contest the enforceability, validity or scope of, or the title to, any patent in respect of which said royalties are payable.

10. Footnote 1 to the signature lines at the end of § 813.1329 is deleted.

[Procurement Reg. 15]

PART 815—TERMINATION OF CONTRACTS FOR THE CONVENIENCE OF THE GOVERNMENT

SUBPART A—POLICY AS TO TERMINATION OF CONTRACTS AND SUPERVISION OF TERMINATION SETTLEMENTS

Introduction

1. In § 815.100 former (a), (b) and (c) are redesignated (1), (2) and (3), and paragraph (a) is added, as follows:

§ 815.100 *Scope of part.* • • •

(a) *Contracts made or to be performed outside continental United States or in Alaska.* (1) By War Department Circular 330, 1944, all war contracts made or to be performed outside the continental limits of the United States or Alaska have been exempted from the provisions of the Contract Settlement Act of 1944 except to the extent that the commanding officer in charge of United States armed forces outside the continental United States or in Alaska, who is responsible direct to the War Department, may choose at his discretion to make some or all of the provisions of the act applicable to any such contract or class of contracts. By Circular 330, each such commanding officer is authorized to exercise, within the limits of his command, subject to any applicable regulations or instructions of the Director of Contract Settlement or of the War Department, any authority or discretion granted to the War Department under the act.

(2) With respect to any contracts or class of contracts being administered under the direction of the chiefs of any technical service, and made or performed outside of the continental limits of the United States or in Alaska, such chief of the technical service is hereby granted authority:

(i) To make some or all of the provisions of the Act applicable thereto, and

(ii) To exercise with respect thereto, subject to any such applicable regulations of the Director of Contract Settlement or of the War Department, any authority or discretion granted to the War Department under the act.

(3) The procedures set out in this part are not applicable outside the continental United States or in Alaska, but may furnish useful suggestions to the commanding officers mentioned above as to appropriate procedure to be followed in such areas. The chiefs of the technical services, however, in their administration of contract terminations in such areas should adhere to the procedures in this part as closely as is practicable. This matter, insofar as it relates to the commanding officers mentioned above, is more fully treated in section III of Circular 330, War Department, 1944.

2. In paragraph (h) of § 815.104, the words "76th Congress" are added immediately following the words "Public Law 703" in the last sentence.

3. In paragraph (a) of § 815.107, the parenthetical reference in the first sentence is amended to read "(see §§ 815.150 (b), 815.206)" and paragraph (b) is amended by the substitution of subparagraphs (2) and (3) for the former subparagraphs (2) to (5), inclusive.

§ 815.107 *Amendments of contracts to insert termination provisions.* • • •

(b) *Letters of intent, letter contracts and letter orders.* • • •

(2) The chief of each technical service is authorized by supplemental agreement at any time to amend any letter of intent or letter order to include therein the appropriate standard termination provisions. Whenever possible, such amendments will be made before the giving of notice of termination but may be made even after such notice is given. If any such amendment made after notice of termination includes the portions of the standard termination provisions authorizing the payment of a profit to the contractor, then such amendment may be made only after a finding by the chief of the technical service or any duly authorized representative within his headquarters office that an allowance for profit is reasonable under the circumstances. In the case of the Army Air Forces the authority to make such finding may be exercised by any duly authorized representative of the Commanding General, Army Air Forces, within the headquarters offices of the Army Air Forces or of any of its major commands.

(3) Amendments pursuant to this paragraph shall not be allowed to delay in any manner whatsoever the execution of a definitive contract in accordance with § 803.303a.

Organization and Responsibility for Terminations

4. Section 815.202 is amended to reflect the redesignation of the Assistant Chief of Air Staff, Materiel; Maintenance and Distribution, as Assistant Chief of Air Staff, Materiel and Services, Section 815.202, as amended, reads as follows:

§ 815.202 *Staff supervision.* Staff supervision of terminations in the Army Service Forces is assigned to the Director of Materiel who will coordinate the activities of all headquarters staff divisions relating to this subject through the Readjustment Division. With respect to the Army Air Forces, staff supervision of terminations is vested in the Commanding General, Army Air Forces who acts with respect to such matters through the Assistant Chief of Air Staff, Materiel and Services.

5. Section 815.208 is amended by the addition of a sentence at the end thereof. The section, as amended, reads as follows:

§ 815.208 *Authority to vary procedures.* The chief of each technical service, consistently with the general policy of this part and with the policy stated in § 815.106, may authorize variations from the procedures herein prescribed in any case or class of cases, unless in his opinion such variation involves a matter of policy which should be considered and passed upon by higher authority. In determining whether a matter of policy should be considered and passed upon by higher authority, consideration shall be given by the chief of the technical service to the following factors:

(a) Whether there is involved a conflict with a policy theretofore approved by higher authority;

(b) Whether there is involved a decision on an important question of policy which has not theretofore been passed upon by higher authority;

(c) Whether there is involved a decision on any matter in which uniformity among the several technical services is especially desirable;

(d) Whether there is involved a decision on an important or doubtful question of law, cost interpretation, accounting practice or fiscal policy;

(e) Where deviation from the procedures herein prescribed will tend to set a precedent which may be undesirable in other cases.

In any case where a substantial deviation from the general policies prescribed in this part is involved, such deviation may be made only with the approval of the Director, Readjustment Division, Headquarters, Army Service Forces, who will obtain any appropriate concurrences of other Headquarters staff divisions, where in his judgment such concurrences are desirable. The Director, Readjustment Division, may authorize:

(i) Any deviation from the provisions of these regulations in any case or class of cases;

(ii) Such action or procedures as he deems appropriate in any case or class of cases where this regulation does not adequately cover the problems raised.

SUBPART B—PROCEDURES RELATING TO TERMINATION OF LUMP SUM SUPPLY CONTRACTS

Service of Termination Notice and Action Connected Therewith

1. In § 815.325 (c) (5) the parenthetical reference is amended to read as follows: "(see § 815.431 et seq.)"

Property Disposition

2. Section 815.350 is amended by the addition of reference to subcontractors in the second sentence. The last sentence in paragraph (c) is revised to refer to § 815.437a and subparagraph (3) of paragraph (d) is revised to correct cross reference:

§ 815.350 *Disposition of property.* As stated in paragraph (b) of § 815.106, so far as permitted by the contract being terminated, property acquired for the performance of the contract is to be disposed of with reasonable dispatch, as advantageously as is reasonably possible and in a manner which makes such property available for other productive use at the earliest possible moment. The settlement and payment of the amounts owing to contractors and subcontractors are not, however, to be delayed by reason of failure to dispose of property. Property not disposed of prior to the reaching of an agreement for settlement will be transferred to the Government, unless previously transferred in accordance with the provisions of Subpart F–I of this part (§ 815.850 et seq). The policies and procedures with respect to the removal of property from contractors plants subsequent to termination are set forth in said Subpart F–1. Property included in termination inventories will be disposed of in accordance with the provisions in Part 807, which set forth procedures to be followed and price policies applicable to various classes of property.

• • • • •

(c) *Approval of the contracting officer.* Pursuant to the provision quoted in paragraph (a) the contractor (1) may be authorized or directed by the contracting officer to make reasonable efforts to sell property to which he has title at prices approved by the contracting officer, or (2) may be permitted to retain such property to which he has title with the approval of the contracting officer at a price mutually agreeable. Such authorizations to sell or retail property shall be subject to the regulations relating to sales of termination inventories set forth in Part 807. In each instance the prior approval or subsequent ratification of the contracting officer must be obtained except as provided in § 815.354 (a), and except in the case of settlements made pursuant to authority given under § 815.437a.

(d) *Protection of the rights of assignees and the Government.* • • •

(3) Where the Government has made advance payments, or partial payments pursuant to §§ 815.500 to 815.512 on the contract in process of termination, the interest of the Government in preserving adequate security or obtaining payment where property is to be retained by the contractor or in the proceeds of the property which is to be sold or retained for sale by the contractor should be protected by proper coordination, in advance, with the officers charged with the administration of such advance payments or partial payments.

3. In § 815.351 (b) the parenthetical reference to § 815.361 is deleted.

4. Section 815.353 is amended to read as follows:

§ 815.353 *Where contractor or subcontractor is willing to forego reimbursement for the cost of any property.* Frequently as to certain property (e. g. standard materials and parts) the contractor will be willing to retain or take over property at cost and agree not to include such property in any request for reimbursement. Unless in rare instances where the contracting officer wants the specific property transferred to the Government (as, for example, because it is a critical material or because it has risen sharply in value) it will be normal procedure for the contracting officer to notify the contractor, at the time of serving the termination notice or by subsequent written instructions (see par. 10a of the instructions to contractor, § 815.936), that, without further authority of the contracting officer, the contractor may retain any property to which he has title if he agrees to make no request for reimbursement. The contracting officer should direct the contractor similarly to advise subcontractors and suppliers (see par. 19 of the instructions to contractors). However, in any case where there is an advance payment or partial payment outstanding with respect to the contract, the interest of the Government will be protected by the contracting officer by proper coordination in advance with the officers charged with the administration of advance payments or partial payments, as provided in § 815.360 (d) (3). Where such blanket authority has previously been granted, it should appropriately be limited or conditioned, if the interests of the Government so require, before an advance or partial payment is thereafter made.

5. Paragraph (a) of § 815.355 is amended to read as follows:

§ 815.355 *Retention of property by price contractor at less than cost.* • • •.

(a) *Diversion of property or orders to other contracts.* (1) It is the policy of the War Department to encourage contractors and subcontractors so far as possible to divert to other war production all materials, equipment, and supplies which have become excess by reason of the termination of a contract or subcontract. If notice of termination of any contract to which such property is diverted is thereafter given, the contractor is entitled in the settlement of this contract to reimbursement for the property so diverted to the extent that the property is properly allocable to this contract and is within the reasonable quantitative requirements of the entire contract. Thus, where the cost of such property was not included in the settlement of the original terminated contract, or where the cost was included but the contractor retained the property at an agreed value, the cost or agreed value, as the case may be, together with any charges properly applicable thereto, may be included as part of the cost of materials applicable to the contract to which such property was diverted.

(2) Where a saving to the Government may be effected, contractors and subcontractors should divert property from a terminated contract to a continuing contract in accordance with subparagraph (1) above even if it necessitates the cancellation of orders which have already been placed for materials, equipment, or supplies under the continuing contract. The charges incurred by reason of the cancellation of such orders may be dealt with in either of the following ways:

(i) The contractor may take such cancellation charges into consideration when calculating the amount at which he will agree to retain the property for transfer to the continuing contract. If an agreement is reached whereby the contractor retains the property at an amount thus calculated, and the continuing contract to which the property is transferred is later terminated, the reasonable cost to the contractor of cancelling such orders, may be included as part of the cost of materials applicable to the continuing contract.

(ii) In the alternative, with the approval of the contracting officer, such cancellation charges may be included in the termination claim under the contract from which the property is transferred, in which event such charges shall not be considered in determining the agreed value of the property, or in a later termination settlement of the continuing contract.

(3) Similarly, it is the policy of the War Department to encourage the transfer of orders for materials, equipment, supplies and services from contracts or subcontracts being terminated to continuing contracts or subcontracts where a saving to the Government may be effected and where the property or services covered by the orders transferred will be properly allocable to the continuing contract and within the reasonable quantitative requirements of the entire contract. Where the transfer of an order from a contract being terminated to a continuing contract necessitates the cancellation of orders under the continuing contract, the cancellation charges thereon may be included as part of the cost of materials applicable to the contract being terminated.

6. In §§ 815.356 and 815.357 references to the Termination Accounting Manual are deleted.

Preparation and Review of Contractors' and Subcontractors' Accounting Statements and Proposals for Settlement: Accounting Guides to a Negotiated Settlement

7. Section 815.445 is amended to correct the reference. The section, as amended, reads as follows:

§ 815.445 *Accounting guides for use in connection with negotiating settlement.* In negotiating a settlement, the contracting officer should have as a guide an accounting memorandum, prepared by Government accounting personnel, containing the available accounting data as to the costs incurred by the contractor with respect to the uncompleted portion of the contract and computations based upon such data and other available information as to the rate of profit which it is expected the contractor would have earned if he had been permitted to complete the contract. This accounting memorandum will ordinarily be prepared on either the inventory basis or the total cost basis as described in paragraph 20 of TM 14–1005. This memorandum will not limit the contracting officer in arriving at what he considers to be a proper settlement, but should be given weight by him in connection with other relevant and available criteria and considerations.

Negotiation of Settlements

8. Paragraph (f) of § 815.560 is amended to read as follows:

§ 815.560 *Formula settlements.* • • •

(f) *Final payment.* When the amount due the contractor on his termination claim has been finally determined, a voucher will be prepared in the usual manner covering the portion of the amount so determined which remains unpaid and will be presented to the finance officer for payment. A copy of the determination pursuant to which payment is made will be attached to the voucher, and the voucher should contain substantially the following statement:

> The payment covered by this voucher is a full and final payment of all amounts due on the contractor's termination claim under Contract W-------, as finally determined pursuant to Section 13 of the Contract Settlement Act of 1944 by the -------, (War Department, War Department Board of Contract Appeals, Appeal Board, Court) in its determination dated----------, a copy of which is attached hereto.

The voucher should also include a certificate by the contracting officer substantially as follows:

> This payment is authorized under the Contract Settlement Act of 1944.

SUBPART D—COST-PLUS-A-FIXED-FEE CONTRACTS

General

1. In § 815.651, paragraphs (a), (b) and (d) are amended and paragraph (g–1) is added, as follows:

§ 815.651 *Steps in the termination of cost-plus-a-fixed-fee contracts.* • • •

(a) *Issuance of a notice of termination and action directed therein.* The contracting officer will issue a notice of termination (see §§ 815.914 and 815.915) to the contractor ordering the contractor to stop all work and the making of all commitments and directing him to issue similar orders to all subcontractors, vendors and suppliers, and to request them to furnish statements of charges on account of such termination. A copy of such termination notice will be promptly furnished to the disbursing officer currently designated as the paying officer for the contract. Provision may be made for ordering the continuation of some of the work, in the discretion of the contracting officer. With respect to the issuance of a notice of termination, the following provisions of this part relating to the termination of lump sum supply contracts are also applicable to the termination of cost-plus-a-fixed-fee contracts.

(1) Preparatory steps, §§ 815.301 to 815.306, 815.312 to 815.315.

(2) Service of termination notice and action connected therewith, §§ 815.320 and 815.321. [He should, of course, obtain a statement of charges and a proposal for settlement from each of his subcontractors and suppliers despite the fact that the Government may have agreed to assume his commitments to such subcontractors and suppliers.]

(3) Initial conference, §§ 815.322 and 815.323. The attention of the contractor should be directed particularly to the necessity of prompt performance of the applicable obligations listed in § 815.321.

(b) *Termination and settlement of subcontracts.* The prime contractor will take steps forthwith upon receipt of the termination notice to terminate subcontracts and purchase orders in compliance with such notice and to obtain inventories, accounting data, cost statements and proposals for a negotiated settlement of any lump sum subcontracts and purchase orders. (See § 815.325 (c).) In the case of cost-plus-a-fixed-fee subcontracts the prime contractor will obtain the accounting and other data necessary to permit (1) the negotiation of a settlement of such a contract or (2) final determination and payment of the reimbursable costs under such subcontract and any necessary adjustment of the fixed fee thereunder, if such determination is necessary.

• • • • •

(d) *Settlement of cost-plus-a-fixed-fee subcontracts, purchase orders and other obligations of the prime contractor.* (1) The prime contractor and the subcontractor may settle by negotiation in the manner set forth in paragraph (c) all amounts due with respect to any cost-plus-a-fixed-fee subcontract or other obligation under a cost-plus-a-fixed-fee prime contract, the amount of any adjustment of any fixed fee payable under such a subcontract and the costs and expenses incurred by the subcontractor in connection with the termination and settlement of such cost-plus-a-fixed-fee subcontract. The amount of any such settlement, when approved by the contracting officer as made in good faith and with protection of the interests of the Government, shall be reimbursable to the prime contractor.

(2) If such a settlement by negotiation is not made, settlement of such cost-plus-a-fixed-fee subcontract or other obligations will be made in accordance with the terms of the subcontract.

(3) Audit of the unreimbursed costs of such cost-plus-a-fixed-fee subcontracts will be made in a manner consistent with the applicable instructions set forth in paragraph (g–1).

• • • • •

(g–1) *Method of presenting and auditing costs under terminated cost-plus-a-fixed-fee supply contracts and subcontracts.* (1) *General.* In connection with the settlement of cost-plus-a-fixed-fee supply prime contracts and cost-plus-a-fixed-fee subcontracts thereunder terminated for the convenience of the Government or in process of settlement on and after 21 July 1944, the procedure set forth in this paragraph will be put into effect as promptly as possible.

(i) Costs of the contractor not reimbursed by the Government will not be included in form 1034 vouchers but will be dealt with as provided in subparagraph (4) below.

(ii) The only form 1034 vouchers which will be prepared after the procedure described in this paragraph is in effect will be:

(*a*) A voucher representing the final negotiated settlement of the contract or a final determination by the contracting officer of the amount due to the contractor on its termination claim.

(*b*) A voucher for each partial payment which may be necessary to provide the contractor with interim financing prior to final settlement.

(*c*) A voucher based upon any supplemental agreement effecting a partial negotiated settlement of the contract or upon any partial determination by the contracting officer of the amount due to the contractor on its termination claim.

(iii) Any final or partial settlement voucher going to the disbursing officer will be supported only by the final or partial settlement agreement or by the final or partial determination of the contracting officer. Vouchers for partial payments will be supported only by the certificate prescribed in § 815.506 (d), except that if interim financing is provided by controlled partial payments (as prescribed in § 815.506 (f)) the vouchers will also be supported by the supplemental agreement providing for such controlled partial payments.

(2) *Proposal forms.* Upon termination, unreimbursed costs incurred by the contractor, which are reimbursable under the contract will under the procedure herein prescribed, form part of the costs proposed to be dealt with in the termination settlement. Such costs will not be reimbursed in accordance with the usual cost-plus-a-fixed-fee procedure, but proof that such reimbursable costs have been incurred will be presented to the contracting officer as part of the contractor's settlement proposal. Instead of presenting these costs on the usual voucher forms they will be summarized, as presented from time to time on a new form, which is set out in § 815.940, entitled "Contractor's Partial Proposal for Settlement of a Terminated Cost-plus-a-fixed-fee Contract", supported by appropriate schedules of such costs. In much the same manner as in the case of forms 1034 and 1035 the new forms will be used by the contractor as a method of presenting costs for inclusion in the settlement and will be examined by the Government auditor. The proposal form, however, will not be sent to the disbursing officer. Inasmuch as no payments will be made directly on the basis of this form, the form will not be the subject of the usual cost-plus-a-fixed-fee audit by the General Accounting Office. When the contractor has submitted his complete proposal for settlement on the Partial Proposal for Settlement Forms above mentioned, the contractor will present as his final proposal for settlement a summary and recapitulation of these partial proposal forms, supported by any other information or schedules which the contractor may deem appropriate.

(3) *Retention of Government copies of proposal and date.* Government copies of the Contractor's Proposal Forms referred to in subparagraph (2) above and the supporting data therefor will be retained in War Department files, separated from the files of 1034 vouchers, at the project or elsewhere, as the chief of the technical service concerned may prescribe.

(4) *Numbering of proposal forms.* Every Partial Proposal for Settlement Form, when prepared, will be serially numbered by the contractor beginning with number "1". A separate number series will be maintained for each cost-plus-a-fixed-fee contract or subcontract.

(5) *Audit procedures.* The procedure prescribed by TM 14–1000 "Administrative Audit Procedures for Cost-plus-a-fixed-fee Supply Contracts" will be applied in connection with all reimbursable costs submitted by the contractor on the Partial Proposal for Settlement Form for consideration in connection with the termination settlement. The documentary evidence requirements set forth in TM 14–1000 will also be continued but such evidence will be presented and maintained for War Department administrative purposes only.

(6) *Certificate of evidence of payment.* The "Certificate of Evidence of Payment" required by paragraph 28 of TM 14–1000 will be furnished to the General Accounting Office (with respect to items for which the contractor has been reimbursed prior to the effective date of the notice of termination), but the deduction of uncleared checks in accordance with subparagraph *a* (4) of that paragraph will not be made. The auditor will continue to check the evidence of payment on a selective basis and at the time of final settlement will consider the necessity of recommending to the contracting officer the elimination from consideration in the settlement of any costs on which doubt has been caused by lack of evidence of payment.

(7) *Information for disbursing officer.* For the assistance of the disbursing officer he will be advised in writing by the contracting officer of the bureau voucher submitted to him for payment prior to putting into effect the procedures contemplated by this paragraph, or, in the case of terminations thereafter, prior to the effective date of the termination.

(8) *Scope of application of this paragraph; partial terminations.* The instructions contained in this paragraph apply to all complete terminations of cost-plus-a-fixed-fee supply contracts and cost-plus-a-fixed-fee subcontracts thereunder and to all terminations of such contracts or subcontracts which do not involve any substantial continuing performance. The continuation of work on subsidiary items or spare parts or incidental work on minor aspects of the contract will not be considered a substantial continuing performance. Until further notice, however, the instructions given in this paragraph will not be applied with respect to the partial termination of a contract where there is any substantial amount of continuing performance, unless the prior written approval of the Director, Readjustment Division, Headquarters, Army Service Forces, has been obtained.

(9) *Items affected by General Accounting Office action.* Procurement Regulations provide that negotiated settlements will not be made of items of termination claims which are the subject of suspensions by the General Accounting Office (either outstanding at the time of settlement or previously cleared by a deduction) unless the Director, Readjustment Division, has given prior written approval of such a negotiated settlement. It is recognized that contractors may be unwilling to enter into negotiated settlements of their termination claims based on unreimbursed items of cost, unless at the same time they also receive a final closing agreement with reference to all items of cost incurred and reimbursed prior to termination, including final disposition of all items questioned or suspended by the General Accounting Office. Accordingly, every effort should be made to answer both all suspensions and all informal inquiries from the General Accounting Office promptly. The assistance of the chief of the technical service in answering suspensions should be sought if necessary. The General Accounting Office audit of vouchers at the project should usually be complete by the time a final settlement agreement is to be considered and all informal inquiries should have been answered by that time. If at the time a final settlement agreement is to be negotiated, any informal inquiries (deemed likely to give rise to formal exceptions) have not been cleared or if there are outstanding suspensions the items involved in such informal inquiries or suspensions of the General Accounting Office will not be made the subject of negotiation without the prior written approval of the Director, Readjustment Division. All clearances of suspensions with the General Accounting Office will be made through the office of the Fiscal Director, by request made through the office of the chief of the technical service and the Director, Readjustment Division.

(10) *Presentation of proposals affecting suspended items.* The Partial Proposal for Settlement Form will not be utilized by the contractor in presenting for settlement reimbursable costs which have been suspended by the General Accounting Office and deducted by the disbursing officer. Settlement of such items will be presented by the contractor in a memorandum which includes a full explanation of the circumstances justifying such settlement. If the contracting officer believes a negotiated settlement of such items to be proper, recommendation therefor may be submitted by the contracting officer through channels for approval by the Director, Readjustment Division, of the negotiation of a settlement as provided in § 815.651 (g) (3).

(11) *Unreimbursed overhead items.* The Partial Proposal for Settlement Form will be used by the contractor in presenting claims for settlement of overhead or administrative costs for any year for which final overhead settlement vouchers for such year have not been paid or submitted to the disbursing officer for payment prior to the date of putting into effect the procedure outlined in this paragraph, or, in the case of terminations hereafter, prior to the effective date of the termination notice. In the negotiation or determination of overhead allowances in connection with termination settlements, full recognition should be given to the fact that such negotiations or determinations may be relevant in connection with other Government contracts with the same contractor performed in the same period. Accordingly, so far as practicable, effort should be made to coordinate the actions of Government personnel of all interested Government agencies in ascertaining overhead allowances.

(12) *Auditor's report for final settlement negotiation.* When the final settlement proposal has been submitted by the contractor, the auditor will prepare a final report to be submitted to the contracting officer for his assistance in negotiating a final lump-sum settlement with the contractor. The auditor's report will summarize in an appropriate manner all costs which have been submitted by the contractor on the new Partial Proposal for Settlement Form. It will also include a complete list of General Accounting Office suspensions which are disputed by the contractor and any uncleared informal inquiries by the General Accounting Office related to the terminated contract.

(13) *Determinations of costs where negotiated settlement is not practicable.* Subparagraph (2) of § 815.651 (g) provides that, if a settlement cannot be negotiated, the contracting officer will determine the items payable to the contractor, of the types mentioned in subparagraph (1) of § 815.651 (g), substantially in accordance with the procedures for a formula settlement under a lump-sum supply contract. For this purpose Partial Proposal for Settlement Forms will be employed by the contractor in presenting unreimbursed reimbursable costs for the consideration of the contracting officer. The contracting officer will cause these forms to be reviewed and audited as provided in subparagraph (5) above, together with such other evidence and data as may be presented to him or as he may require as a basis of his general findings of fact and determination.

2. Section 815.654 is amended to read as follows:

§ 815.654 *Interim financing.* (a) Pending the final determination of the total amount due the contractor on account of termination, the contracting officer is authorized to make partial payments on account in general in accordance with §§ 815.506 to 815.512. Such partial payments will be made in amounts within the estimates of the total amounts due to the contractor, and will not take the form of direct reimbursement of the costs summarized in Partial Proposal for Settlement Forms.

(b) Where advance payment funds have been established, they should be utilized in lieu of partial payments. These funds are available for the payment of all termination costs, including the making of partial payments to subcontractors. In the case of a total termination, such funds may be utilized on termination without further payment of interest (§§ 803.348a and 813.1321). In the case of partial terminations (whether effected under the termination article or the changes article of the contract), many advance payment agreements outstanding require the payment of interest. The Procurement Regulations have been amended so as to authorize the amendment of existing advance payment agreements, either before or after termination, to provide that in the case of partial or total terminations of prime contracts, the advance payment balance outstanding, to the extent that partial payments out of the revolving fund are made to subcontractors or supplies against their termination claims, shall not bear interest from the time those partial payments are made until the contractor is reimbursed for termination settlements with such subcontractors. (See §§ 803.321 (m) and 803.349a.)

SUBPART G—FORMS

Inventory Forms

Section 815.940 is added as follows:

§ 815.940 *Standard form of contractor's partial proposal for settlement of terminated cost-plus-a-fixed-fee contract.*

War Department Form No. 70
August 1944

Budget Bureau No. 49—R217
Approval expires November 30, 1944

CONTRACTOR'S PARTIAL PROPOSAL FOR SETTLEMENT OF TERMINATED COST-PLUS-A-FIXED-FEE CONTRACT

Contractor's Name	Address	
Effective date of termination	Government contract No.	Partial proposal for settlement: Date / Number

Summary	Amount
Total	

CERTIFICATE

The undersigned, individually and as an authorized representative of the contractor, certifies that, to the best of his knowledge and belief:

(1) *Contractor's own charges.* The summary of charges, exclusive of charges arising from termination claims filed against the undersigned by its subcontractors, (which term is used in this certificate to include suppliers) and supporting schedules and explanations have been prepared from the books of account and records of the undersigned in accordance with the terms of this contract; they include only those charges allocable to this contract; they have been prepared with knowledge that they will, or may, be used directly or indirectly as the basis of settlement of a claim or claims against the United States; and the charges as stated are fair and reasonable.

(2) *Subcontractors' charges.* (a) The contractor has examined, or caused to be examined, to an extent which it considers adequate in the circumstances, the claims of its immediate subcontractors (exclusive of charges arising from termination claims filed against such immediate subcontractors by their subcontractors); (b) the settlements on account of immediate subcontractors' own charges are fair and reasonable, said charges are allocable to this contract, and said settlements were negotiated in good faith, and are not more favorable to its immediate subcontractors than those which the undersigned would make if reimbursement by the Government were not involved; (c) the contractor has received from all its immediate subcontractors appropriate certificates with respect to their claims, which certificates, if the claims are for more than $1,000, are substantially in the form of this certificate; and (d) the contractor has no knowledge leading it to doubt the reasonableness of the settlements with more remote subcontractors or to doubt that the charges for them are allocable to this contract.

Upon receipt by the contractor of amounts covering settlements with its immediate subcontractors, the contractor will pay or credit such subcontractors promptly with the amounts so received, to the extent that it has not previously done so.

The undersigned certified that to the best of his knowledge and belief the statements with respect to accounting matters made in the above Certificate are true. Signature of supervisory accounting official	Name of contractor By (Signature of authorized executive official)
Title	Title / Date

War Department Form No. 70-A
August 1944

Budget Bureau No. 49—R217
Approval expires November 30, 1944
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(Detail sheet)

CONTRACTOR'S PARTIAL PROPOSAL FOR SETTLEMENT OF TERMINATED COST-PLUS-A-FIXED FEE CONTRACT

Contractor's name	Government contract No.	Partial proposal for settlement: Date / Number

Item date or number	Contractor's voucher number		Vendor's name	Contractor's check number	Amount
		Total			

[F. R. Doc. 44-13661; Filed, Sept. 6, 1944; 9:37 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

[Amdt. 53]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AIRWAYS

AUGUST 12, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Civil Airways: Red Civil Airways Nos. 2, 7, 17 and 29; Blue Civil Airways Nos. 9 and 13. Designation of Civil Airways: Red Civil Airway No. 4; Blue Civil Airways Nos. 33, 34, 35, 36 and 37.

1. By striking in § 600.10201 *Red civil airway No. 2 (Whitehall, Mont., to Bozeman, Mont.)* the following portion of the caption: "Bozeman, Mont." and substituting in lieu thereof the following: "Rapid City, S. Dak." and adding after the words: "Belgrade, Mont., radio range station." the following: "From the intersection of the center lines of the on course signals of the southeast leg of the Sheridan, Wyo., radio range and the north leg of the Casper, Wyo., radio range via the intersection of the center lines of the on course signals of the southeast leg of the Sheridan, Wyo., radio range and the west leg of the Rapid City, S. Dak., radio range to the Rapid City, S. Dak., radio range station."

2. By adding a new § 600.10203 *Red civil airway No. 4 (Otto, N. Mex., to Las Vegas, N. Mex.)* to read as follows: "From the Otto, N. Mex., radio range station via the Santa Fe, N. Mex., Municipal Airport to the Las Vegas, N. Mex., radio range station."

3. By inserting in § 600.10206 *Red civil airway No. 7 (Atlanta, Ga., to Greensboro, N. C.)* after the words: "the southwest leg of the Greensboro, N. C., radio range." the following: "From the intersection of the center lines of the on course signals of the southwest leg of the Greensboro, N. C., radio range and the southeast leg of the Winston-Salem, N. C., radio range via the Winston-Salem, N. C., radio range station and the Winston-Salem, N. C., Municipal Airport to the Greensboro, N. C., radio range station."

4. By amending §600.10216 *Red civil airway No. 17 (Martinsburg, W. Va., to Baltimore, Md.)* to read as follows:

§ 600.10216 *Red civil airway No. 17 (Fort Wayne, Ind., to Baltimore, Md.).* From the Fort Wayne, Ind., radio range station via the center of the city of Findlay, Ohio and the center of the city of Hayesville, Ohio to the Pittsburgh, Pa., radio range station. From the Martinsburg, W. Va., radio range station to the Baltimore, Md., radio range station.

5. By amending § 600.10228 *Red civil airway No. 29 (Baltimore, Md., to Elmira, N. Y.)* to read as follows:

§ 600.10228 *Red civil airway No. 29 (Rochester, N. Y., to Baltimore, Md.).* From the intersection of the center lines of the on course signals of the southwest leg of the Rochester, N. Y., radio range and the east leg of the Buffalo, N. Y., radio range to the intersection of the center lines of the on course signals of the southwest leg of the Rochester, N. Y., radio range and the northwest leg of the Elmira, N. Y., radio range. From the intersection of the center lines of the on course signals of the southeast leg of the Elmira, N. Y., radio range and the north leg of the Williamsport, Pa., radio range via the Williamsport, Pa., radio range station and the Harrisburg, Pa., radio range station to the Baltimore, Md., radio range station.

6. By striking in § 600.10308 *Blue civil airway No. 9 (Kirksville, Mo., to U. S.-Canadian Border)* the following portion of the caption: "Kirksville, Mo." and substituting in lieu thereof the following: "Columbia, Mo." and by striking the following: "From the Kirksville, Mo., radio range station via" and substituting in lieu thereof the following: "From the Columbia, Mo., radio range station via the Kirksville, Mo., radio range station;".

7. By striking in § 600.10312 *Blue civil airway No. 13 (Lake Charles, La., to Texarkana, Ark.)* the following portion of the caption: "Texarkana, Ark." and substituting in lieu thereof the following: "Chanute, Kans." and adding after the words: "the southwest leg of the Texarkana, Ark., radio range," the following: "From the Neosho, Mo., radio range station via the intersection of the center lines of the on course signals of the north leg of the Neosho, Mo., radio range and the east leg of the Chanute, Kans., radio range to the Chanute, Kans., radio range station."

8. By adding a new § 600.10332 *Blue civil airway No. 33 (Fort Wayne, Ind., to Toledo, Ohio)* to read as follows:

§ 600.10332 *Blue civil airway No. 33 (Fort Wayne, Ind., to Toledo, Ohio).* From the Fort Wayne, Ind., radio range station to the intersection of the center lines of the on course signals of the northeast leg of the Fort Wayne, Ind., radio range and the east leg of the Goshen, Ind., radio range.

9. By adding a new § 600.10333 *Blue civil airway No. 34 (Memphis, Tenn., to Little Rock, Ark.)* to read as follows:

§ 600.10333 *Blue civil airway No. 34 (Memphis, Tenn., to Little Rock, Ark.).* From the intersection of the center lines of the on course signals of the southwest leg of the Memphis, Tenn., radio range and the southeast leg of the Little Rock, Ark., radio range to the Little Rock, Ark., radio range station.

10. By adding a new § 600.10334 *Blue civil airway No. 35 (Kansas City, Mo., to Des Moines, Iowa)* to read as follows:

§ 600.10334 *Blue civil airway No. 35 (Kansas City, Mo., to Des Moines, Iowa).* From the intersection of the center lines of the on course signals of the northeast leg of the Kansas City, Mo., radio range and the south leg of the Des Moines, Iowa, radio range to the intersection of the center lines of the on course signals of the northwest leg of the Kirksville, Mo., radio range and the south leg of the Des Moines, Iowa, radio range.

11. By adding a new § 600.10335 *Blue civil airway No. 36 (Akron, Colo., to North Platte, Nebr.)* to read as follows:

§ 600.10335 *Blue civil airway No. 36 (Akron, Colo., to North Platte, Nebr.)* "From the Akron, Colo., radio range station to the Big Spring, Nebr., radio marker station.

12. By adding a new § 600.10336 *Blue civil airway No. 37 (Casper, Wyo., to Rapid City, S. Dak.)* to read as follows:

§ 600.10336 *Blue civil airway No. 37 (Casper, Wyo., to Rapid City, S. Dak.).* From the Casper, Wyo., radio range station to the intersection of the on course signals of the southeast leg of the Sheridan, Wyo., radio range and the west leg of the Rapid City, S. Dak., radio range.

This amendment shall become effective 0001 e.w.t., August 31, 1944.

J. E. Sommers,
Deputy Administrator.

[F. R. Doc. 44-13572; Filed, Sept. 5, 1944; 9:18 a. m.]

[Amdt. 55]

PART 600—DESIGNATION OF CIVIL AIRWAYS

REDESIGNATION OF CIVIL AIRWAY FROM AMARILLO, TEX., TO CHARLESTON, S. C.

AUGUST 18, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Red Civil Airway No. 10

1. By striking in § 600.10209 *Red civil airway No. 10 (Amarillo, Tex., to Charleston, S. C.)* the following portion of the caption: "Amarillo, Tex." and substituting in lieu thereof the following: "Trinidad, Colo." and striking the words: "From the Amarillo, Tex., radio range station via the Wichita Falls, Tex., radio range station to the intersection of the center lines of the on course signals of the southeast leg of the Wichita Falls, Tex., radio range and the north leg of the Fort Worth, Tex., radio range," and substituting in lieu thereof the following: "From the Trinidad, Colo., radio range station via a point located at latitude 36°47' and longitude 102°15'30"; the Amarillo, Tex., radio range station and the Wichita Falls, Tex., radio range station to the intersection of the center lines of the on course signals of the southeast leg of the Wichita Falls, Tex., radio range and the north leg of the Fort Worth, Tex., radio range."

This amendment shall become effective 0001 e. w. t., September 1, 1944.

J. E. Sommers,
Deputy Administrator.

[F. R. Doc. 44-13573; Filed, Sept. 5, 1944; 9:18 a. m.]

[Amdt. 79]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS AND RADIO FIXES

MISCELLANEOUS AIRWAYS

AUGUST 12, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Airway Traffic Control Areas: Red Civil Airways Nos. 2, 17, 29. Blue Civil Airways Nos. 9, 13. Designation of Airway Traffic Control Areas: Red Civil Airway No. 4. Blue Civil Airways Nos. 33, 34, 35, 36, 37. Redesignation of Radio Fixes: Green Civil Airway No. 4. Red Civil Airways Nos. 2, 12, 17, 29. Blue Civil Airways Nos. 9, 13. Designation of Radio Fixes: Red Civil Airway No. 4. Blue Civil Airways Nos. 33, 34, 35, 36, 37

1. By striking in § 601.10202 *Red civil airway No. 2 airway traffic control areas (Whitehall, Mont., to Bozeman, Mont.)* the following portion of the caption: "Bozeman, Mont." and substituting in lieu thereof the following: "Rapid City, S. Dak."

2. By adding a new § 601.10204 *Red civil airway No. 4 airway traffic control areas (Otto, N. Mex., to Las Vegas, N. Mex.)* to read as follows:

§ 601.10204 *Red civil airway No. 4 airway traffic control areas (Otto, N. Mex., to Las Vegas, N. Mex.)* All of Red civil airway No. 4.

3. By striking in § 601.10217 *Red civil airway No. 17 airway traffic control areas (Martinsburg, W. Va., to Baltimore, Md.)* the following portion of the caption: "Martinsburg, W. Va." and substituting in lieu thereof the following: "Fort Wayne, Ind."

4. By amending § 601.10229 *Red civil airway No. 29 airway traffic control areas (Baltimore, Md., to Elmira, N. Y.)* to read as follows:

§ 601.10229 *Red civil airway No. 29 airway traffic control areas (Rochester, N. Y., to Baltimore, Md.)* All of Red civil airway No. 29.

5. By striking in § 601.10309 *Blue civil airway No. 9 airway traffic control areas (Kirksville, Mo., to U. S.-Canadian Border)* the following portion of the caption: "Kirksville, Mo." and substituting in lieu thereof the following: "Columbia, Mo."

6. By striking in § 601.10313 *Blue civil airway No. 13 airway traffic control areas (Lake Charles, La., to Texarkana, Ark.)* the following portion of the caption: "Texarkana, Ark." and substituting in lieu thereof the following: "Chanute, Kans."

7. By adding a new § 601.10333 *Blue civil airway No. 33 airway traffic control areas (Fort Wayne, Ind., to Toledo, Ohio)* to read as follows:

§ 601.10333 *Blue civil airway No. 33 airway traffic control areas (Fort Wayne, Ind., to Toledo, Ohio).* All of Blue civil airway No. 33.

8. By adding a new § 601.10334 *Blue civil airway No. 34 airway traffic control areas (Memphis, Tenn., to Little Rock, Ark.)* to read as follows:

§ 601.10334 *Blue civil airway No. 34 airway traffic control areas (Memphis, Tenn., to Little Rock, Ark.).* All of Blue civil airway No. 34.

9. By adding a new § 601.10335 *Blue civil airway No. 35 airway traffic control areas (Kansas City, Mo., to Des Moines, Iowa)* to read as follows:

§ 601.10335 *Blue civil airway No. 35 airway traffic control areas (Kansas City, Mo., to Des Moines, Iowa).* All of Blue civil airway No. 35.

10. By adding a new § 601.10336 *Blue civil airway No. 36 airway traffic control areas (Akron, Colo., to North Platte, Nebr.)* to read as follows:

§ 601.10336 *Blue civil airway No. 36 airway traffic control areas (Akron, Colo., to North Platte, Nebr.).* All of Blue civil airway No. 36.

11. By adding a new § 601.10337 *Blue civil airway No. 37 airway traffic control areas (Casper, Wyo., to Rapid City, S. Dak.)* to read as follows:

§ 601.10337 *Blue civil airway No. 37 airway traffic control areas (Casper, Wyo., to Rapid City, S. Dak.).* All of Blue civil airway No. 37.

12. By inserting in § 601.4004 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* after the words: "Amarillo, Tex., radio range station;" the following: "the intersection of the center lines of the on course signals of the southwest leg of the Gage, Okla., radio range and the northwest leg of the Pampa, Tex., radio range;"

13. By amending § 601.40202 *Red civil airway No. 2 (Whitehall, Mont., to Bozeman, Mont.)* to read as follows:

§ 601.40202 *Red civil airway No. 2 (Whitehall, Mont., to Rapid City, S. Dak.).* The intersection of the center lines of the on course signals of the southeast leg of the Sheridan, Wyo., radio range and the west leg of the Rapid City, S. Dak., radio range.

14. By adding a new § 601.40204 *Red civil airway No. 4 (Otto, N. Mex., to Las Vegas, N. Mex.)* to read as follows:

§ 601.40204 *Red civil airway No. 4 (Otto, N. Mex., to Las Vegas, N. Mex.).* No radio fix designation.

15. By inserting in § 601.40212 *Red civil airway No. 12 (Kansas City, Mo., to Detroit, Mich.)* before the words: "Kirksville, Mo., radio range station"; the following: "The intersection of the center lines of the on course signals of the northeast leg of the Kansas City, Mo., radio range and the south leg of the Des Moines, Iowa radio range;"

16. By striking in § 601.40217 *Red civil airway No. 17 (Martinsburg, W. Va., to Baltimore, Md.)* the following portion of the caption: "Martinsburg, W. Va." and substituting in lieu thereof the following: "Fort Wayne, Ind."

17. By amending § 601.40229 *Red civil airway No. 29 (Baltimore, Md., to Elmira, N. Y.)* to read as follows:

§ 601.40229 *Red civil airway No. 29 (Rochester, N. Y., to Baltimore, Md.).* Williamsport, Pa., radio range station.

18. By striking in § 601.40309 *Blue civil airway No. 9 (Kirksville, Mo., to U. S.-Canadian Border)* the following portion of the caption: "Kirksville, Mo." and substituting in lieu thereof the following: "Columbia, Mo."

19. By striking in § 601.40313 *Blue civil airway No. 13 (Lake Charles, La., to Texarkana, Ark.)* the following portion of the caption: "Texarkana, Ark." and substituting in lieu thereof the following: "Chanute, Kans."

20. By adding a new § 601.40333 *Blue civil airway No. 33 (Fort Wayne, Ind., to Toledo, Ohio)* to read as follows:

§ 601.40333 *Blue civil airway No. 33 (Fort Wayne, Ind., to Toledo, Ohio).* No radio fix designation.

21. By adding a new § 601.40334 *Blue civil airway No. 34 (Memphis, Tenn., to Little Rock, Ark.)* to read as follows:

§ 601.40334 *Blue civil airway No. 34 (Memphis, Tenn., to Little Rock, Ark.).* No radio fix designation.

22. By adding a new § 601.40335 *Blue civil airway No. 35 (Kansas City, Mo., to Des Moines, Iowa)* to read as follows:

§ 601.40335 *Blue civil airway No. 35 (Kansas City, Mo., to Des Moines, Iowa).* No radio fix designation.

23. By adding a new § 601.40336 *Blue civil airway No. 36 (Akron, Colo., to North Platte, Nebr.)* to read as follows:

§ 601.40336 *Blue civil airway No. 36 (Akron, Colo., to North Platte, Nebr.).* No radio fix designation.

24. By adding a new § 601.40337 *Blue civil airway No. 37 (Casper, Wyo., to Rapid City, S. Dak.)* to read as follows:

§ 601.40337 *Blue civil airway No. 37 (Casper, Wyo., to Rapid City, S. Dak.).* No radio fix designation.

This amendment shall become effective 0001 e. w. t., August 31, 1944.

J. E. SOMMERS,
Deputy Administrator.

[F. R. Doc. 44-13574; Filed, Sept. 5, 1944; 9:18 a. m.]

[Amdt. 81]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS AND RADIO FIXES

REDESIGNATION OF AIRWAY FROM AMARILLO, TEX., TO CHARLESTON, S. C.

AUGUST 18, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Airway Traffic Control Areas: Red Civil Airway 10. Redesignation of Radio Fixes: Red Civil Airway 10

1. By amending § 601.10210 *Red civil airway No. 10 airway traffic control areas (Amarillo, Tex., to Charleston, S. C.)* to read as follows:

§ 601.10210 *Red civil airway No. 10 airway traffic control areas (Trinidad, Colo., to Charleston, S. C.).* All of Red civil airway No. 10 between the Amarillo, Tex., radio range station and the Charleston, S. C., radio range station.

2. By striking in § 601.40210 *Red civil airway No. 10 (Amarillo, Tex., to Charleston, S. C.)* the following portion of the caption: "Amarillo, Tex.," and substituting in lieu thereof the following: "Trinidad, Colo."

This amendment shall become effective 0001 e. w. t., September 1, 1944.

J. E. SOMMERS,
Deputy Administrator.

[F. R. Doc. 44-13575; Filed, Sept. 5, 1944; 9:18 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3407]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATION-WIDE DISTRIBUTORS

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.72 (e) *Offering deceptive inducements to purchase—Free goods:* § 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of electric toasters, watches, pen and pencil sets, jewelry ensembles, leather wallets, silverware sets, chinaware, dresser sets, cameras, cosmetics, razor blades, cigarette lighters, or any other articles of merchandise, (1) supplying, etc., others with pull cards or circulars having pull tabs thereon, or other lottery devices for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof; (2) mailing, etc., to respondent's agents, or to distributors or to members of the public pull cards or circulars having pull tabs thereon, or other lottery devices so

prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof; (3) selling, etc., any merchandise by the use of pull cards or circulars having pull tabs thereon, or any other lottery device; or (4) using the terms "free" or "without cost" or any other terms of similar import or meaning to describe or refer to merchandise offered as compensation for distributing respondent's merchandise; prohibited. (Sec. 5b, 52 Stat. 112; 15 U. S. C., sec. 45b) (Modified cease and desist order, Nation-Wide Distributors, Docket 3407, August 16, 1944)

In the Matter of Aaron N. Sauer, Individually and Trading as Nation-Wide Distributors

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts; and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated February 7, 1939; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondent to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondent, Aaron N. Sauer, individually and trading as Nation-Wide Distributors, or trading under any other name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of electric toasters, watches, pen and pencil sets, jewelry ensembles, leather wallets, silverware sets, chinaware, dresser sets, cameras, cosmetics, razor blades, cigarette lighters, or any other articles of merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to, or placing in the hands of others, pull cards or circulars having pull tabs thereon, or other lottery devices for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof.

2. Mailing, shipping or transporting to his agents or to distributors or to members of the public pull cards or circulars having pull tabs thereon, or other lottery devices so prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof.

3. Selling or otherwise disposing of any merchandise by the use of pull cards or circulars having pull tabs thereon, or any other lottery device.

4. Using the terms "free" or "without cost" or any other terms of similar import or meaning to describe or refer to merchandise offered as compensation for distributing respondent's merchandise.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13674; Filed, Sept. 6, 1944; 11:16 a. m.]

[Docket No. 3238]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WILLIAM C. STEFFY, ET AL.

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or corrections—Identity:* § 3.69 (c 10) *Misrepresenting oneself and goods—Promotional sales plans:* § 3.96 (b) *Using misleading name—Vendor—Connections and arrangements with others:* § 3.96 (b) *Using misleading name—Vendor—Identity.* In connection with offer, etc., in commerce, of silverware, earthenware, chinaware, radios or sales promotional plans, including premium certificates, coupons, cards, or other and similar devices redeemable in silverware, earthenware, chinaware or any other merchandise, and on the part of respondent individuals, trading as Atlas Globe China Company, Advertising Department, Rogers Silverware Distributors, Bordeau China Company, or China Sales Syndicate, or trading under any other name or names, or trading through the corporations Security Silverware Distributors, Inc., United States Sales Corporation, or through any other corporation or corporations, and on the part of their representatives, etc., and among other things, as in order set forth, representing through the use of the term "Rogers Silverware", either alone or in connection with any other term or terms in a corporate or trade name, or in any other manner, that respondents have an interest in, form a part of, or have any connection with, the manufacturers of Simon L. and George H. Rogers Silverware, or representing in any manner that respondents have an interest in, form a part of, or have any connection with, the International Silverware Company, the Atlas Globe China Company, or any other manufacturer or manufacturers of silverware, chinaware or earthenware; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Modified cease and desist order, William C. Steffy, et al., Docket 3238, August 16, 1944)

§ 3.69 (a) *Misrepresenting oneself and goods—business status advantages or connections—business methods:* § 3.69 (a) *Misrepresenting oneself and goods—business status, advantages or connections—operations as special or other advertising:* § 3.69 (b) *Misrepresenting oneself and goods—goods—free goods:* § 3.69 (c 10) *Misrepresenting oneself and goods—promotional sales plans:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—free goods:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—terms and conditions.* In connection with offer, etc., in commerce, of silverware, earthenware, chinaware, radios or sales promotional plans, including premium certificates, coupons, cards, or other and similar devices redeemable in silverware, earthenware, chinaware or any other merchandise, and on the part of respondent individuals, trading as Atlas Globe China Company, Advertising Department, Rogers Silverware Distributors, Bordeau China Company, or China Sales Syndicate, or trading under any other name or names, or trading through the corporations Security Silverware Distributors, Inc., United States Sales Corporation, or through any other corporation or corporations and on the part of their representatives, etc., and among other things, as in order set forth, (1) representing merchandise delivered in redeeming certificates, coupons or trading cards as "free" or as a gift or gratuity or as delivered without cost to the holders of said certificates, coupons or trading cards when said merchandise is not in fact delivered to the holders of said certificates, coupons or trading cards without cost and unconditionally; (2) representing that respondents are conducting any special campaign or advertising campaign to introduce, advertise or sell any article or articles of merchandise on behalf of a manufacturer or manufacturers of silverware, earthenware or chinaware, or any other manufacturer or concern unless such a campaign is in fact being conducted at the instance of and on behalf of such manufacturer or concern; or (3) representing that respondents sell premium certificates, cards, coupons or other and similar devices or other merchandise in any territory or locality exclusively to any purchaser therein unless and until such is the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) (Modified cease and desist order, William C. Steffy, et al., Docket 3238, August 16, 1944)

§ 3.69 (b) *Misrepresenting oneself and goods—goods—free goods:* § 3.69 (b), *Misrepresenting oneself and goods—goods—refunds:* § 3.69 (b) *Misrepresenting oneself and goods—goods—terms and conditions:* § 3.69 (b) *Misrepresenting oneself and goods—goods—undertakings, in general:* § 3.69 (c) *Misrepresenting oneself and goods—prices—exaggerated as regular and customary:* § 3.69 (c 10) *Misrepresenting oneself and goods—promotional sales plans:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—free goods:* § 3.72 (k 15) *Offering deceptive inducements to purchase or deal—returns and reimbursements:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—terms and conditions:* § 3.72 (p) *Offering deceptive inducements to purchase or deal—undertakings, in general.* In connection with offer, etc., in commerce, of silverware, earthenware, chinaware, radios or sales promotional plans, including premium certificates, coupons, cards, or other and similar devices redeemable in silverware, earthenware, chinaware or any other merchandise, and on the part of respondent individuals, trading as Atlas Globe China Company, Advertising Department, Rogers Silverware Distributors, Bordeau China Company, or China Sales Syndicate, or trading under any other name or names, or trading through the corporations Security Silverware Distributors, Inc., United States Sales Corporation, or through any other corporation or corporations, and on the part of their representatives, etc., and among other things, as in order set forth, (1) representing that the respondents will give a set of silverware or other merchandise free, or will refund the sum of $4.50, or any other sum, to the purchaser of said premium certificates, gift cards, coupons or other and similar devices on the redemption of a specified number of cards, certificates or coupons unless such merchandise is delivered to said purchaser, without cost and unconditionally and said premium certificates, gift cards, coupons or other and similar devices are redeemed without cost to the holders thereof and unconditionally, and said refund is made to said purchaser upon the redemption of the specified number of premium certificates, gift cards, coupons or other and similar devices; (2) representing that the retail price of radios is $24.90 or $39.99 or any other amount or amounts unless and until said radios are customarily and ordinarily sold at retail at such amount or amounts; or (3) representing that certificates, coupons or trading cards will be redeemed with certain articles of merchandise, unless the merchandise described is delivered to the holders of such certificates, coupons or trading cards without cost or condition; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Modified cease and desist order, William C. Steffy, et al., Docket 3238, August 16, 1944)

§ 3.99 (b) *Using or selling lottery devices—in merchandising.* In connection with offer, etc., in commerce, of silverware, earthenware, chinaware, radios or sales promotional plans, including premium certificates, coupons, cards, or other and similar devices redeemable in silverware, earthenware, chinaware or any other merchandise, and on the part of respondent individuals, trading as Atlas Globe China Company, Advertising Department, Rogers Silverware Distributors, Bordeau China Company, or China Sales Syndicate, or trading under any other name or names, or trading through the corporations Security Silverware Distributors, Inc., United States Sales Corporation, or through any other corporation or corporations, and on the part of their representatives, etc., and among other things, as in order set forth, (1) supplying, etc., others with its said radios or other merchandise together with a padlock and a number of keys which said padlock and keys are to be used or may be used to conduct a lottery, gaming device or gift enterprise in the sale or distribution of said radios or other merchandise to the general public; (2) selling or otherwise disposing of any merchandise by means of a lottery, game of chance, or a gift enterprise; or (3) supplying to, or placing in the hands of, others any lottery device, game of chance or a gift enterprise so as to enable such persons to dispose of or sell any merchandise by the use thereof; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) (Modified cease and desist order, William C. Steffy, et al., Docket 3238, August 16, 1944)

In the Matter of William C. Steffy, Lorina Steffy, and G. V. Parkinson

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents William C. Steffy and G. V. Parkinson, in which said respondents admit all of the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearings as to said facts, and upon the testimony taken before Robert S. Hall, an examiner of the Commission therefore duly designated by it, relative to the acts and practices of respondent Lorina Steffy, and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated August 2, 1939; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondents to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondents William C. Steffy and G. V. Parkinson, individually and trading as Atlas Globe China Company, Advertising Department, Rogers Silverware Distributors, Bordeau China Company, or China Sales Syndicate, or trading under any other name or names, or trading through the corporations Security Silverware Distributors, Inc., United States Sales Corporation, or through any other corporation or corporations, and on the part of their representatives, agents and employees, directly or through any other corporate or other device, in connection with the offering for sale, sale and distribution of silverware, earthenware, chinaware, radios or sales promotional plans, including premium certificates, coupons, cards, or other and similar devices redeemable in silverware, earthenware, chinaware or any other merchandise, in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing through the use of the term "Rogers Silverware" either alone or in connection with any other term or terms in a corporate or trade name, or in any other manner, that respondents have an interest in, form a part of, or have any connection with, the manufacturers of Simon L. and George H. Rogers Silverware, or from representing in any manner that respondents have an interest in, form a part of, or have any connection with the International Silverware Company, the Atlas Globe China Company, or any other manufacturer or manufacturers of silverware, chinaware or earthenware.

(2) Representing merchandise delivered in redeeming certificates, coupons or trading cards as "free" or as a gift or gratuity or as delivered without cost to the holders of said certificates, coupons or trading cards when said merchandise is not in fact delivered to the holders of said certificates, coupons or trading cards without cost and unconditionally.

(3) Representing that respondents are conducting any special campaign or advertising campaign to introduce, advertise or sell any article or articles of merchandise on behalf of a manufacturer or manufacturers of silverware, earthenware or chinaware, or any other manufacturer or concern unless such a campaign is in fact being conducted at the instance of and on behalf of such manufacturer or concern.

(4) Representing that respondents sell premium certificates, cards, coupons or other and similar devices or other merchandise in any territory or locality exclusively to any purchaser therein unless and until such is the fact.

(5) Representing that the respondents will give a set of silverware or other merchandise free, or will refund the sum of $4.50, or any other sum, to the purchaser of said premium certificates, gift cards, coupons or other and similar devices on the redemption of a specified number of cards, certificates or coupons unless such merchandise is delivered to said purchaser, without cost and unconditionally and said premium certificates, gift cards, coupons or other and similar devices are redeemed without cost to the holders thereof and unconditionally, and said refund is made to said purchaser upon the redemption of the specified number of premium certificates, gift cards, coupons or other and similar devices.

(6) Representing that the retail price of radios is $24.90 or $39.99 or any other amount or amounts unless and until said radios are customarily and ordinarily sold at retail at such amount or amounts.

(7) Supplying to, or placing in the hands of, others said radios or other merchandise together with a padlock and a number of keys which said padlock and

keys are to be used or may be used to conduct a lottery, gaming device or gift enterprise in the sale or distribution of said radios or other merchandise to the general public.

(8) Selling or otherwise disposing of any merchandise by means of a lottery, game of chance, or a gift enterprise.

(9) Supplying to, or placing in the hands of, others any lottery device, game of chance or a gift enterprise so as to enable such persons to dispose of or sell any merchandise by the use thereof.

(10) Representing that certificates, coupons or trading cards will be redeemed with certain articles of merchandise, unless the merchandise described is delivered to the holders of such certificates, coupons or trading cards without cost or condition.

It is further ordered, That this proceeding in so far as it relates to respondent Lorina Steffy, be and the same hereby is, closed without prejudice.

It is further ordered, That the respondents William C. Steffy and G. V. Parkinson shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13673; Filed, Sept. 6, 1944; 11:16 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 220]

PART 802—PROGRAM LICENSE

GENERAL LICENSE; GIFTS TO PRISONERS OF WAR AND INTERNEES

Subchapter (8) of paragraph (a) of § 802.16 *General license, gifts to prisoners of war and internees* is hereby amended by revising the commodity description of "Coffee in plain bags • • •" to read "Coffee in plain bags not in excess of two (2) pounds", and by revising the commodity description of "Nuts—only pecans, Brazil nuts • • •" to read "Nuts—all kinds, out of shells, in cellophane bags or cardboard containers".

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 31, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13657; Filed, Sept. 6, 1944; 9:10 a. m.]

[Amdt. 221]

PART 811—BLANKET LICENSES "BL/T"

SPECIAL PROVISIONS; TRACK-LAYING TRACTORS

Paragraph (a) of § 811.3 *Special provisions* (9 F.R. 7812) is hereby amended by adding to the commodities listed therein the following:

Commodity:	*Schedule B No.*
Parts and accessories for track-laying tractors	7689.01

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380; 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 2, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13656; Filed, Sept. 6, 1944; 9:10 a. m.]

[Amdt. 222]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars: In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of Commerce No.	General License Group
Clocks and watches:		
Watch parts (report jewel bearings in 9990.99)	9990.00	
Watch crystals of all materials	9989.00	K
All other watch parts	9989.00	None
Cotton semimanufactures:		
Cotton batting, unglazed wadding, carded cotton and roving	3009.00	
Batting, unglazed wadding and carded cotton	3009.00	K
Roving	3009.00	None
Hair and manufactures:		
Cattle, ox, calf, and horse body hair, new except ear hair	3690.50	K
Human hair	3690.90	K
Iron and steel manufactures—Miscellaneous:		
Sewing machine needles (include shoe machine)	6189.00	
Domestic sewing machine needles	6189.00	K
Industrial sewing machine needles	6189.00	None
Other iron and steel manufactures (include bottle openers, hand bottle cappers, sheet steel ware, steel stampings)	6209.98	
Stencils of iron or steel	6209.99	K
Other iron and steel manufactures, n. e. s.	6209.98	None
Jewelry:		
Articles to be worn or carried about the person, of metals other than solid gold or platinum	9626.00	
Containing diamonds or other precious stones	9626.00	None
Of palladium	9626.00	None
Other	9626.00	K
Men's jewelry of metals other than solid gold or platinum	9621.00	
Containing diamonds or other precious stones	9621.00	None
Of palladium	9621.00	None
Other	9621.00	K
Women's jewelry of metals other than solid gold or platinum	9623.00	
Containing diamonds or other stones	9623.00	None
Of palladium	9623.00	None
Other	9623.00	K
Miscellaneous:		
Cellulose acetate manufactures, n. e. s.	9819.00	K
Manufactures of all compounds of cellulose (except cellulose acetate) n.e.s. (include Celastic, Colescut, Celluloid, Dumold, Fiberloid, Nizinoid, Pyradiolin, Pyralin, and Viscoloid)	9820.00	K
Methyl methacrylate products, fabricated, not molded	9813.03	K
Molded products of phenol-formaldehyde fabricated	9812.01	K
Molded products of methy methacrylate	9812.03	K
Molded products of synthetic gums and resins, n. e. s	9812.98	K
Molded products of urea-formaldehyde fabricated	9812.07	K
Notions, cheap novelties, and specialties (include costume forms)	9840.98	
Apparel findings of metal (report shoe findings in 9853.00)	9840.98	None
Pins, bank, bobby, common straight and safety	9840.98	None
Other notions, cheap novelties and specialties	9840.98	K
Phenol formaldehyde products, fabricated, not molded	9813.01	K
Sponges, natural or synthetic (report rubber sponges in 2042.00)	9821.00	K
Synthetic resin products, n. e. s.	9813.98	K
Urea formaldehyde products, fabricated, not molded	9813.07	K
Office appliances:		
Typewriter parts	7775.00	
Spools, ribbon, typewriter	7775.00	K
Parts for repair	7775.00	K
All other typewriter parts	7775.00	None
Paper and related products and manufactures:		
Paper hangings and wallpaper	4778.00	K
Other paper and paper products (include paper patterns whether printed, blank, or transfer impressions and quilt or blanket types (bat) of fiber insulation)	4799.00	
Cups, paper	4799.00	None
Patterns and stencils	4799.00	K
Other paper and paper products	4799.00	None
Textile, sewing and shoe machinery:		
Sewing machine parts for domestic use	7553.98	K
Textile products:		
Wool felt hats (include bodies)	3952.00	K
All other commodities, n. e. s.	9999.90	
Incense	9999.90	K
Mannequins and parts	9999.90	K
Medals, not awards, except solid gold, platinum or palladium	9999.90	K
Rosaries and parts	9999.90	K
Sealing wax	9999.90	K
Shrines and parts	9999.90	K
Soap bores	9999.90	K
All other commodities, n. e. s.	9999.90	None

Shipments of the commodity "pins, bank, bobby, common, straight and safety" which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exist pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to the Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

This amendment shall become effective immediately upon publication except with respect to "pins, bank, bobby, common, straight and safety" as to which it shall become effective September 9, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 4, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13658; Filed, Sept. 6, 1944; 9:11 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-615]

THE HOUSE OF RUTTENBERG

Joseph Ruttenberg, Ida Ruttenberg, Melvin Ruttenberg and Samuel Ruttenberg, partners, doing business as The House of Ruttenberg, are engaged in the wholesale and retail sale of hardware, paints and furniture through their store located at 419 Kaighn Avenue, Camden, New Jersey. During their second quarter of 1943 (May 1 to July 31), the partners received consumers' goods of the value of $28,909 in excess of their allowable receipts for this period; during their third quarter of 1943 (August 1 to October 31) they received consumers' goods of the value of $23,611 in excess of their allowable receipts for that period; during their fourth quarter (November 1 to January 31, 1944) they received consumers' goods of the value of $24,479 in excess of their allowable receipts for that period, and during their first quarter of 1944 (February 1 to April 30) they received consumers' goods of the value of $41,217 in excess of their allowable receipts for that period. The excessive receipts of consumers' goods during each of these periods constituted violations of Consumers' Goods Inventory Limitation Order L-219. The partnership was familiar with the provisions of Limitation Order L-219 and its actions constituted wilful violations of that order.

These violations of Limitation Order L-219 have interfered with the controls established by the War Production Board for the distribution of critical materials and have hampered and impeded the war effort of the United States. In view of the foregoing, It is hereby ordered, that:

§ 1010.615 *Suspension Order No. S-615.* (a) Joseph Ruttenberg, Ida Ruttenberg, Melvin Ruttenberg and Samuel Ruttenberg, partners, doing business as The House of Ruttenberg, or under any other name, their and its successors and assigns, during their third quarterly period of 1944 (August 1 to October 31) shall compute their allowable receipts of consumers' goods in accordance with the provisions of Consumers' Goods Inventory Limitation Order L-219 as a controlled merchant whose mercantile inventory is greater than its inventory limit at the beginning of any quarterly period; they shall not during their third quarter of 1944 (August 1 to October 31), receive consumers' goods in excess of 90% of the amount thus computed under the provisions of Consumers' Goods Inventory Limitation Order L-219, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph Ruttenberg, Ida Ruttenberg, Melvin Ruttenberg and Samuel Ruttenberg, partners, doing business as The House of Ruttenberg, or under any other name, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13652; Filed, Sept. 5, 1944; 4:39 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-569]

SEIDEL ROSENSON & SONS, INC.

Seidel Rosenson & Sons, Inc., is a California corporation having its principal place of business at 5127 South Broadway, Los Angeles, California, where it operates a general department store known as "Kay's". The President and General Manager of this corporation is Robert Rosenson and the Secretary-Treasurer is his brother, Theodore Rosenson; the two individuals as partners own and operate under common ownership and control with "Kay's" two other department stores, one situated in Inglewood, California, and the other in Huntington Park, California; these three stores are subject as a unit to the restrictions and controls of Consumers' Goods Inventory Limitation Order L-219. The corporation (together with the individual officers) violated Consumers' Goods Inventory Limitation Order L-219 by receiving merchandise during the second quarter of 1943 having a value of $90,247 in excess of allowable receipts and during the third quarter of 1943 by receiving merchandise of a value of $80,975 in excess of allowable receipts. Partial restitution has been made by voluntary reduction in their receipts of consumers' goods; however, the responsible officers of Seidel Rosenson & Sons, Inc., were aware of Consumers' Goods Inventory Limitation Order L-219, and these violations were the result of gross negligence.

These excess receipts of consumers' goods have interfered with the War Production Board's allocation controls and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.569 *Suspension Order S-569.* (a) Unless hereafter specifically authorized in writing by the War Production Board, Seidel Rosenson & Sons, Inc., its successors or assigns, shall reduce its inventory at the close of the third calendar quarter and of the fourth calendar quarter in 1944 below the allowable inventory limit under Consumers' Goods Inventory Limitation Order L-219 (as applicable to its then operations, and as amended from time to time) for the quarters in question by a total amount of not less than $20,000, this amount being distributed between the two quarters as it may see fit.

(b) Nothing contained in this order shall be deemed to relieve Seidel Rosenson & Sons, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 5, 1944, and shall expire on December 31, 1944.

Issued this 26th day of August 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13655; Filed, Sept. 5, 1944; 5:16 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L-99, Direction 1]

TEMPORARY SUSPENSION OF SCHEDULE B IN CASES WHERE APPEALS HAVE BEEN FILED

The following direction is issued pursuant to Limitation Order L-99:

Any person who has filed an appeal from the restrictions of Schedule B is relieved from complying with them until September 30, 1944, or until otherwise ordered by the War Production Board in acting on his appeal.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13663; Filed, Sept. 5, 1944; 4:39 p. m.]

PART 3270—CONTAINERS

[Order M-290, Direction 2 as Amended Sept. 6, 1944]

USE OF SOLID FIBRE CONTAINER PRODUCTION EQUIPMENT

The following amended direction is issued pursuant to Order M-290:

(a) *Purpose.* This direction is issued in order to insure timely production of the items listed in Schedule A and to reduce the current excessive backlog of orders for these items.

(b) *Restrictions on use of solid fibre container production equipment.* No person shall use solid fibre container production equipment to fill any order except a preferred order unless he can do so without interfering with the delivery of preferred orders on hand on the delivery dates specified by the purchaser. A preferred order is an order for any item listed in Schedule A

which, in case of all items except V-boxes and W-boxes, bears the certificate set forth in Paragraph (g).

(c) *Use of solid fibre container production equipment to produce preferred orders.* All persons are directed to use all of their solid fibre container production equipment to the fullest extent to fill all preferred orders which they may have on hand at any time, regardless of the preference ratings on other orders for solid fibre containers which they may then have on hand.

(d) *Scheduling of solid fibre container orders on which specifications are changed.* If a person has unfilled rated orders for solid fibre containers other than preferred orders, and the specifications on them are changed to call for corrugated rather than solid fibre containers, he shall not treat them as new orders, but as orders received on the date the original rated order for solid fibre containers was received.

(e) *Applicability of regulations.* All applicable provisions of the regulations of the War Production Board as amended from time to time remain fully applicable to the production of solid and corrugated fibre containers except as they are specifically modified by this direction.

(f) *Modification of this direction and requests for procurement of V-board.* This direction may be modified by the War Production Board from time to time with respect to specific container manufacturers. Any person who does not have sufficient V-board to run V-box orders which he has on hand should promptly advise the Fibre Box Section, Paperboard Division, War Production Board, Washington 25, D. C.

(g) *Certification.* No person shall treat any order for any item listed in Schedule A (except V-boxes and W-boxes) as a preferred order, unless he receives with each purchase order a certification signed as provided in Priorities Regulation No. 7 in substantially the following form:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Direction 2 to Order M-290 of the War Production Board and that the items covered by this purchase order are included in the items listed in Schedule A of said direction.

A jobber, in placing this certificate on his orders, may rely on the certificate supplied to him by his customer.

(h) *Individual directives.* All orders for domestic solid fibre freezer boxes specifying delivery before November 1, 1944 placed pursuant to individual directives shall be filled in accordance with such directives. Individual directives to fill orders for domestic solid fibre freezer boxes shall become null and void on November 1, 1944. All orders for domestic solid fibre freezer boxes for delivery after November 1, 1944 must comply with the provisions of this direction in order to be regarded as preferred orders.

Issued this 6th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

[NOTE: Schedule A added Sept. 6, 1944.]

1. V-boxes and W-boxes (as defined in Paragraph (g) of Order L-317).

2. Interior boxes or parts when sold to be packed for the account of the military services in accordance with Army specification 100-14A, OQMC 99, Navy specifications 59P16A and 58B-11, and joint Army and Navy specifications JAN-P108.

3. Solid fibre board sheets to be made into fibre drums.

4. Freezer boxes for packing butter, meat and fish.

5. Solid fibre containers for packing military explosives, TNT, nitromon or dynamite.

[F. R. Doc. 44-13679; Filed, Sept. 6, 1944; 11:29 a. m.]

PART 3284—BUILDING MATERIALS

[General Limitation Order L-277, as Amended Sept. 6, 1944]

ELECTRICAL WIRING DEVICES AND HEATER CORD SETS

§ 3284.31 *General Limitation Order L-277*—(a) *Definitions of "electrical wiring device and replacement heater cord set."* (1) "Electrical wiring device" means any unit of an electric circuit which does not consume electrical energy, but is used for the purpose of switching, tapping, or connecting such circuit. The term includes, but is not limited to the following:

(i) Sockets and lampholders of all types and component parts thereof;

(ii) Switches, such as: tumbler, push, rotary, snap, pull, door, pendant, cord, canopy, appliance switches; and component parts thereof;

(iii) Receptacles, such as: weatherproof, watertight, non-watertight, motor base, polarized, locking, electric range, pilot light recptacles; and component parts thereof;

(iv) Caps, plugs, connectors and taps, such as: weatherproof, watertight, non-watertight, polarized, locking and electric range plugs, current taps, attachment plugs and component parts of such caps, plugs, connectors and taps;

(v) Rosettes, adapters; and component parts thereof.

(2) "Electrical wiring devices" shall not include lighting fixtures, portable lamps, flashlights, fuses, fuse cutouts, lugs, mechanical wire connectors, knife blade switches, fluorescent starter switches, relays, push buttons, automatic control equipment, circuit breakers, cord sets, or any unit of an electric circuit designed and constructed to connect, convey or control electrical energy in excess of 60 amperes or 600 volts.

(3) "Replacement heater cord set" means any heater cord set not produced for original use in the manufacture or assembly of any new electrical appliance. "Heater cord set" means any assembly of insulated wire, an attachment plug and an appliance plug or terminals which is used to connect an electrical appliance to a source of electrical current.

(b) *Definition of "manufacturer".* "Manufacturer" means any person who produces, processes or assembles electrical wiring devices, component parts thereof, or heater cord sets. However, the term does not include a repairman who, in the normal course of his business, assembles electrical wiring devices, component parts thereof, or heater cord sets, if such items are for use only with the equipment he is currently repairing.

(c) *Restrictions on manufacture of heater cord sets.* (1) On and after July 5, 1944, no manufacturer shall manufacture or assemble replacement heater cord sets except pursuant to an authorization issued by the War Production Board on Form GA-1850. The amount authorized will be based on the manufacturer's 1940 total production of such sets, available facilities including manpower required, and the availability of controlled materials to meet such production.

(2) All heater cord sets shall be six feet in length. The conductors shall be size No. 16 or No. 18 American Wire Gauge and shall be either type HC, type HPD, type HSJ, or the equivalent insulated copper wire. The wire shall test three thousand or more cycles in flexure.

(d) *Restrictions on sale and delivery of electrical wiring devices.* No manufacturer may ship, transfer, sell or otherwise dispose of an electrical wiring device except on an order bearing a preference rating of AA-5 or higher.

(e) *Restrictions on sale and delivery of replacement heater cord sets.* On or after July 5, 1944, no manufacturer may ship, transfer, sell or otherwise dispose of replacement heater cord sets except on an order bearing a preference rating of AA-5 or higher.

(f) *Violations and false statements.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB 1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(i) *Communications.* Reports and other communications concerning this order shall be addressed to: War Production Board, Building Materials Division, Washington, 25, D. C., Ref: L-277.

Issued this 6th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13676; Filed, Sept. 6, 1944; 11:28 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-382]

PROTECTIVE COATINGS

§ 3293.621 *Conservation Order M-382*—(a) *Definitions.* For the purpose of this order:

(1) "Protective coating" means any liquid organic coating, thinner or remover which either alone or mixed with other materials is normally applied to any surface by brush, spray, dip, roller coat, or other method of application. The term includes but is not limited to paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover, and stain. The term does not include adhesive, cement, printing ink, coating for the manufacture of coated fabric, coating for leather (limited to hides, skins and splits, etc., which have not been incorporated into any product), and coating for footwear (of any material, including leather).

(2) "Critical coating" means any protective coating as defined above, which contains one or more of the following allocated raw materials:

Acetone and diacetone, as defined in Order M-352.
Benzene, as defined in Order M-300-22.
Butyl alcohols and butyl acetates, as defined in Order M-159.
Cadmium (cadmium pigments only), as defined in Order M-65.
Chrome pigments (Class B only), as defined in Order M-370.
Copper chemicals (cuprous oxide only), as defined in Order M-227.
Ethyl acetate and isopropyl acetate, as defined in Order M-327.
Ethyl cellulose, as defined in Order M-175.
E W. naphtha, as defined in Order M-340.
Isopropyl alcohol, as defined in Order M-300-12.
Methyl ethyl ketone, as defined in Order M-169.
Methyl isobutyl ketone, as defined in Order M-300-24.
Phenolic resins (Protective Coatings A only), as defined in Order M-246.
Phosphate plasticizers, as defined in Order M-183.
Phthalate plasticizers, as defined in Order M-303.
Phthalic alkyd resins, as defined in Order M-139.
Toluene, as defined in Order M-300-21.
Urea and melamine aldehyde resins, as defined in Order M-300-34.
Vinyl polymers, as defined in Order M-10.
Xylene, as defined in Order M-300-23.

The effect of revocation of, or amendment to, the above orders is explained in paragraph (h).

(3) "Producer" means any person engaged in the business of making critical coatings.

(4) "Distributor" means any person who buys critical coatings for the purpose of resale as such.

(5) "Consumer" means any person who uses critical coatings.

(b) *Restrictions on producers.* On and after September 20, 1944, no producer may deliver critical coatings unless all the following conditions have been met:

(1) *Labeling.* If the critical coatings are packaged in containers of 5 gallon capacity or larger, the producer must have labeled all such containers, "Contents subject to WPB Order M-382". This statement must be plainly visible and easily reachable on the containers.

(2) *Receipt of end-use certificate.* The producer must have received from the person accepting delivery of the coatings, the end-use certificate set forth in Appendix A. The person ordering protective coatings from a producer may not know that the coatings he wants are critical coatings. When such is the case, the producer must advise that person to furnish a certificate.

(3) *Receipt of allocation of raw materials.* The producer must have received War Production Board authorization under the applicable M orders listed in paragraph (a) (2), relating to each of the allocated raw materials contained in the critical coating. In other words, the necessary quantity of each allocated ingredient must have been previously authorized for the specific coating for the specific end use certified.

(4) *Notification to purchaser.* In the event the producer is unable to fill in full any purchase order (for critical coatings) accompanied by an end-use certificate specifying more than one use, by reason of the limitations imposed by paragraph (b) (3) of this order, he must have notified the purchaser in writing (either on the invoice or otherwise) what quantity of specific critical coating he is able to deliver for each end use stated on the purchaser's end-use certificate. For example, the purchaser may have ordered 100 gallons of a certain lacquer and certified to the producer that 75 gallons will be used for aircraft parts and 25 gallons for civilian furniture. War Production Board may have only allocated sufficient raw materials to the producer to enable him to make up for this particular purchaser, 75 gallons for aircraft and 10 gallons for civilian furniture. The producer must notify the purchaser that War Production Board has only permitted him sufficient raw material to enable him to manufacture and deliver against his particular purchase order, 85 gallons of lacquer of which only 75 gallons may be used for aircraft parts and only 10 gallons for civilian furniture.

(c) *Restrictions on purchasers from producers and distributors.* Any person accepting delivery from a producer or distributor, on and after September 20, 1944, of any protective coating packaged in a container labeled "Contents subject to WPB Order M-382", or of any protective coating (not so labeled) which that person knows or has reason to believe is a critical coating, is subject to the following restrictions:

(1) *End-use certificate.* No person may accept delivery of any such coatings from a producer unless he has furnished the producer with the end-use certificate set forth in Appendix A. Similarly, no person may accept delivery of any such coatings from a distributor without furnishing the distributor with the end-use certificate, except that any person may accept delivery of a total of 275 gallons or less of such coatings in the aggregate from all distributors in any calendar month without furnishing an end-use certificate.

(2) *Consumer's use restricted.* If the person accepting delivery is a consumer and has filed an end-use certificate, he shall not use the coatings delivered in a greater quantity for any end use, or for any other end uses, than those specified on his certificate. Furthermore, if the producer or distributor gives him the notification described in paragraphs (b) (4) or (d) of this order, the consumer shall not use any greater quantity of a particular coating for any particular end use described or his certificate than his producer or distributor has notified him could be delivered for this use.

(3) *Distributor's deliveries restricted.* If the person accepting delivery of such coatings is a distributor who furnished an end-use certificate to obtain these coatings, he must, before redelivering the coatings, ascertain the end use to which his customer intends to put the coatings. No distributor may deliver more than 275 gallons of such coatings to any person during any calendar month without obtaining from that person the end-use certificate set forth in Appendix A. In the absence of any notification to the contrary from his supplier, no distributor shall redeliver a greater quantity of a particular coating for any particular end use than that specified on his (the distributor's) end-use certificate. Furthermore, if the supplier gives him the notification described in paragraph (b) (4) or (d) of this order, the distributor shall not redeliver any greater quantity of a particular coating for an end use certified (by the distributor) than his supplier has notified him could be delivered for this use.

(d) *Distributor's notification to purchaser.* In the event that a distributor is unable to fill in full a purchase order (for critical coatings) accompanied by an end-use certificate specifying more than one end use, the distributor shall notify the purchaser in writing (either on the invoice or otherwise) what quantity of specific critical coating he is able to deliver for each end use stated on the purchaser's end-use certificate.

(e) *Exceptions.* Paragraphs (b), (c) and (d) of this order do not apply to the following:

(1) *Coatings made from small deliveries of raw material.* Any producer may deliver a critical coating to any person for any purpose, if all the allocated raw materials contained in it were obtained by the producer under the small order exemption provisions of the applicable M orders governing the allocated materials.

(2) *Coatings made from previously acquired raw materials.* Any producer may deliver a critical coating to any person for any purpose, if the producer acquired all of the allocated raw materials contained in it prior to the effective date of the applicable M orders governing those allocated raw materials, and if the applicable M orders in no way restrict stocks of the raw materials acquired prior to the effective date of these applicable M orders.

(f) *Disposal of coatings for other uses than those for which the raw materials were originally authorized.* If for any reason a critical coating cannot be delivered or used for the specific end use for which the various allocated raw materials contained in it were authorized by War Production Board, that coating may be delivered or used by a producer, or by a consumer or distributor who filed an end-use certificate to obtain the critical coating, or by a person who obtained the critical coating as an idle or excess stock under Priorities Regulation 13, only in accordance with the following rules:

(1) *Delivery by producer or distributor.* Any producer or distributor hav-

ing a critical coating on hand as a result of spoiled batches, rejections due to failure to meet specification or consumer requirements, cancelled orders or anticipated orders which failed to materialize, or excess and idle stocks obtained by him from a consumer pursuant to Priorities Regulation 13, must first obtain War Production Board authorization before delivering or using the critical coating for other end uses than those for which the ingredients were originally authorized. Application for such authorization should be made by letter in duplicate addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-382, setting forth the following information:

Type, color and specification number of critical coating;

Quantity, and package sizes;

Composition (i. e. the allocated raw materials contained in it);

Specific end use for which those allocated materials were originally authorized by War Production Board;

Approximate date of such authorization, and of manufacture;

Reasons why the critical coating cannot be used for the end use for which the allocated raw materials were authorized;

Specific end use or uses for which the producer or distributor desires to sell or use the critical coating.

(2) *Use by consumer.* Any consumer desiring to use a protective coating, packaged in a container labeled "Contents subject to WPB Order M-382" or a protective coating (not so labeled) which he knows or has reason to believe is a critical coating, for a different end use than that specified on his end-use certificate, or in a greater quantity for a specified end use than his producer or distributor has notified him could be delivered for this use, the consumer must first obtain War Production Board authorization before using the protective coating. Applications should be made in the same manner and substantially the same information furnished, as described in paragraph (f) (1) above. A consumer acquiring critical coatings pursuant to Priorities Regulation 13 not in excess of the amount shown in the remarks column of that regulation may use them for any purpose. He may also use any critical coatings acquired pursuant to Priorities Regulation 13 without limitation as to quantity for the same use that the original holder acquired them.

(3) *Delivery of excess or idle stocks of protective coatings.* Excess or idle stocks of protective coatings may be delivered on "special sales" pursuant to Priorities Regulation 13.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable War Production Board regulations, as amended from time to time.

(h) *Applicability of orders listed in paragraph (a) (2).* In case the provisions of this order conflict with provisions of M orders listed in paragraph (a) (2), the provisions of this order shall govern, insofar as critical coatings are concerned, unless the M order specifically states that this order does not apply. In the event that an M order listed in paragraph (a) (2) is revoked, the subject material shall no longer be considered for the purpose of determining what is a "critical coating", except when the subject material is transferred to control under another order (for example, Order M-300). The definition of an allocated raw material listed in paragraph (a) (2) shall change for the purpose of this order when the definition is altered by amendment of the governing M order listed in paragraph (a) (2), or by the order or amendments to the order to which the material may be transferred.

(i) *Records.* All persons affected by this order must maintain accurate and complete records of all transactions as required by Priorities Regulation 1, § 944.15. Such records must include complete statements of all receipts and withdrawals of allocated raw materials, and amounts of allocated raw materils consumed in production batches of critical coatings, and the disposition of production batches.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

(k) *Budget Bureau approval.* The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-382.

Issued this 6th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

END-USE CERTIFICATE

A certificate in substantially the form appearing below, signed either manually or as provided in Priorities Regulation 7, must be furnished (1) to a producer by all consumers or distributors who purchase directly from that producer, pursuant to paragraphs (b) (2) and (c) (1) of this order, and (2) to a distributor by any person who purchases more than 275 gallons from distributors in any calendar month, pursuant to paragraphs (c) (1) and (c) (3) of this order, before any deliveries of critical coatings are made or accepted. This certificate may either be endorsed upon the purchase order for the critical coating, or submitted on a separate paper with the purchase order. The end use stated in the certificate should specify the particular item to be coated. For those coatings containing allocated ingredients which are only authorized for specific military contracts and specifications, such military contract and specification numbers should be included in the end use statement. Primary Products and End Use List, WPB-I-317, may be used as a guide for submitting end use statements:

Pursuant to Order M-382, the undersigned hereby certifies to the producer or distributor and to the War Production Board that the critical coatings covered by Purchase Order No. ------, dated ----------, will be used (or delivered in the case of a distributor) solely for the purposes and in the quantities listed below:

Quantity	*Description of Critical Coating*	*End Use*
----------	----------	----------
----------	----------	----------
----------	----------	----------

---------- (Name of purchaser) ---------- (Address)

---------- (Date)

By ----------
(Signature & title of duly authorised official).

[F. R. Doc. 44-13678; Filed, Sept. 6, 1944; 11:28 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M-24-c, as Amended Sept. 6, 1944]

ALLOY SCRAP SEGREGATION

§ 3294.126 *Supplementary Order M-24-c*—(a) *Definition.* For the purpose of this order, "alloy scrap" means scrap consisting of any of the alloy irons or alloy steels listed in Schedule A hereto.

(b) *Segregation of alloy scrap.* Each person who produces in any calendar month a total of ten tons or more of alloy scrap of the types described in Groups 1–9 inclusive and Groups 21–25 inclusive of Schedule A, or a total of 1 ton or more of alloy scrap of the types described in Groups 10–20 inclusive and Group 26 of Schedule A, shall segregate such scrap into the groups shown in Schedule A.

(c) *Mingling of segregated scrap prohibited.* No person shall (except in melting iron or steel) mingle alloy scrap segregated in accordance with paragraph (b) with scrap which is unclassified or in a different group, nor ship or deliver such alloy scrap without clearly identifying the group to which it belongs.

(d) *Limitations on use of alloy scrap.* Alloy scrap shall be melted only in the production of alloy iron or alloy steel, except that the following grades of alloy scrap may be melted in the production of carbon steel or iron:

(1) Chromium or chrome-vanadium steel scrap with chromium 1.65% maximum (e. g. 5000, 5100, 52100, 6100 series).

(2) Chromium-molybdenum steel scrap with molybdenum 0.27% maximum (e. g. 4100 series).

(3) Nickel - chromium - molybdenum steel scrap with nickel 0.70% maximum, chromium 0.60% maximum, molybdenum 0.30% maximum (e. g. 8600, 8700, 9400 series).

Issued this 6th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

WROUGHT AND CAST CONSTRUCTIONAL ALLOY STEELS

NOTE: Items 10, 11, and 13 amended Sept. 6, 1944.

Column 1 scrap groups	Column 2 description	Column 3 examples of steels in scrap group (see note)
1	Nickel Type (Nickel 1–2.25% inclusive).	2100, 2200, 2800.
2	Nickel-Chromium Type (Nickel 1–2.25% inclusive).	3100, 3200, 3300, 3400.
3	Nickel-Molybdenum Type (Nickel 1–2.25% inclusive).	4600, 4800.
4	Chromium and Chromium-Vanadium Types (Chromium 0.70–1.75% inclusive).	5100, 52100, 6100.
5	Nickel-Chromium-Molybdenum Type (Nickel 1–2.25% inclusive).	4300.
6	Nickel-Chromium-Molybdenum Type (Nickel under 1%, Molybdenum 0.08–0.35% inclusive).	8600, 8700, 8800, 8900, 9400, 9500.
7	Carbon-Molybdenum and Manganese-Molybdenum Types (Molybdenum 0.15%–0.65%, inclusive.)	4000, 4050, 4100, 4300, 4600, 5400, 8600.
8	Carbon-Molybdenum and Manganese Molybdenum Types (Molybdenum 0.65% and over).	
9	Chromium-Molybdenum Type (Molybdenum 0.15% and over).	4100.
	ALLOY TOOL AND SPECIAL STEELS	
10	Tungsten content of 12% or more with a maximum molybdenum content of 1½%.	Class B High Speed Steel High Tungsten Hot Work Steels.
11	Tungsten content of 6% or more up to but not including 12% with a maximum molybdenum content of 1½%.	Regular Tungsten Hot Work Steels.
12	Tungsten content of less than 6% but not less than 1% with a maximum molybdenum content of 1½%.	74100, Fast Finishing Steel, Low Tungsten Steels, Tungsten Molybdenum Hot Work Steels.
13	Molybdenum content of 7% or more with a maximum tungsten content of 2½%.	Class A High Speed Steels Grades II and III.
14	Molybdenum content of not less than 3½% or more than 6% with tungsten content of not less than 4½% or more than 6½%.	Class A High Speed Steel Grade I.
	CORROSION AND HEAT RESISTING ALLOY STEELS	
15	Chromium 10–14% inclusive, Nickel 0.78% maximum (Free machining grades).	
16	Chromium 10–14% inclusive, Nickel 0.78% maximum (all other grades).	
17	Chromium over 14%, Nickel 0.78% maximum.	
18	Chromium 16% and over, Nickel over 6%, except as included in classification 18A or 18B.	
18A	Chromium 16% and over, Nickel over 6%, Phosphorus up to and including 0.04%, Sulphur 0.18%–0.35% inclusive.	
18B	Chromium 16% and over, Nickel over 6%, Sulphur up to and including 0.04%, Phosphorus 0.12%–0.17% inclusive, Selenium 0.15%–0.35% inclusive.	
19	Chromium 16% and over, Nickel over 6% (All other grades).	
20	All other grades of ferrous corrosion and heat resisting alloys containing chromium, nickel, molybdenum, tungsten, cobalt, or copper.	
	ALLOY CAST IRON	
21	Nickel Type (Nickel 1–6.25% inclusive).	
22	Nickel-Chromium Type (Nickel 1–6.25% inclusive).	
23	Nickel-Molybdenum Type (Nickel 1–2.5% inclusive).	
24	Chromium Type (Chromium 0.5%–1.5% inclusive).	
25	Molybdenum Type (Molybdenum 0.15–0.65% inclusive).	
26	Nickel Type (Nickel 13–22% inclusive).	

NOTE: The steel series and other designations listed in Column 3 are for illustration only. Scrap of other analyses should be segregated in the appropriate group according to the descriptions in Column 2.

[F. R. Doc. 44-13677; Filed, Sept. 6, 1944; 11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[RMPR 122, Amdt. 36]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In §1340.254 (b) Rule 2, a period is inserted after the word "sale"; the words following the word "sale" are deleted, and a sentence is added after the word "sale" to read as follows: "Dealers qualifying under this Rule 2 may add to their prices so determined an amount not exceeding the amount of any subsequent increase in their supplier's maximum price, and shall, of course, precisely reflect any decrease in such supplier's maximum price."

Amendment No. 36 to Revised Maximum Price Regulation No. 122 shall become effective September 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of September 1944.

JAMES G. ROGERS, JR.,
Acting Administrator.

*Copies may be obtained from the Office of Price Administration.

[F. R. Doc. 44-13634; Filed, Sept. 5, 1944; 4:10 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271, Amdt. 22]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 271 is amended in the following respects:

1. Section 7 is amended by adding an undesignated paragraph to read as follows:

The maximum prices established by this regulation shall not be exceeded by buyers or sellers by splitting or sharing of margins, joint account transactions or otherwise.

2. Section 9 (h) (2) is amended to read as follows:

(2) Every country shipper making shipments of potatoes or onions in any conveyance other than railroad freight car, shall post or cause to be posted in the conveyance, a manifest showing the following:

The name and address of the shipper; the location of the shipping point; the quantity, grade, state or area of production and maximum price, f. o. b. shipping point of the goods; and the name and address of the person to whom shipped. If the goods are shipped unsold the manifest shall show that fact, and the shipper shall give his own name and address as the person to whom the goods are shipped.

The shipper shall retain a copy of the manifest pursuant to section 22 of this regulation.

3. Section 13 is revoked.

4. Section 25 (b) (2), (3) and (4) are amended to read as follows:

(2) *Cotton, mesh or burlap bags.*

10 pounds	add 5¢
15 pounds	add 3½¢
25 pounds	add 2½¢
50 pounds	add 1¢

(3) *Paper bags.*

10 pounds	add 2½¢
15 pounds	add 2¢
25 pounds	add 1¢
50 pounds	add ½¢

(4) *Kraft paper bags specially treated for moisture proof.*

10 pounds	add 2½¢
15 pounds	add 2¢
25 pounds	add 1½¢
50 pounds	add ½¢

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: August 26, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-13638; Filed, Sept. 5, 1944; 4:11 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 13]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. A new undesignated paragraph is added to section 15, to read as follows:

This section shall not apply to any imported food item which you purchase from a wholesaler who has imported that item.

2. A new section 15a is added to read as follows:

SEC. 15a. *Items which you import.* On and after September 11, 1944, this regulation shall not apply to you for sales of any item purchased by you directly from a foreign seller or his agent (except as provided in Section 22a), for importation into the continental United States. Your ceiling price for such items shall be determined by you in accordance with Order No. 38 issued under the Maximum Import Price Regulation[2] or the General Maximum Price Regulation[3] or any other applicable maximum price regulation covering the sale of the item by importers. If you have an existing ceiling price for any such item, you must, by the opening of business on September 11, 1944, refigure that ceiling price in accordance with the applicable maximum price regulation or order covering the sale of the item by importers.

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13635; Filed, Sept. 5, 1944; 4:08 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[4] Amdt. 25]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6a is added to read as follows:

SEC. 6a. *Dry groceries which you import.* On and after September 11, 1944, this regulation shall not apply to you for sales of any dry grocery item purchased by you directly from a foreign seller or his agent (except as provided in section 20 (1)), for importation into the continental United States. Your ceiling price for such items shall be determined by you in accordance with Order No. 38 under the Maximum Import Price Regulation[2] or the General Maximum Price Regulation[3] or any other applicable maximum price regulation covering the sale of the item by importers. If you have an existing ceiling price for any such item, you must, by the opening of business on September 11, 1944, refigure that ceiling price in accordance with the applicable maximum price regulation or order covering the sale of the item by importers.

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13636; Filed, Sept. 5, 1944; 4:09 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[5] Amdt. 26]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6a is added to read as follows:

SEC. 6a. *Dry groceries which you import.* On and after September 11, 1944, this regulation shall not apply to you for sales of any dry grocery item purchased by you directly from a foreign seller or his agent (except as provided in section 18 (c) for certain items of packed pineapple and packed pineapple juice) for importation into the continental United States. Your ceiling price for such items shall be determined by you in accordance with Order No. 38 under the Maximum Import Price Regulation[2] or the General Maximum Price Regulation[3] or any other applicable maximum price regulation covering the sale of the item by importers. If you have an existing ceiling price for any such item, you must, by the opening of business on September 11, 1944, refigure that ceiling price in accordance with the applicable maximum price regulation or order covering the sale of the item by importers.

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13637; Filed, Sept. 5, 1944; 4:09 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 453,[6] Amdt. 4]

WHOLESALERS' AND RETAILERS' MAXIMUM PRICES FOR AUTOMOTIVE PARTS

A statement of the consideration involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 3 is amended by adding an undesignated paragraph following paragraph (c) to read as follows:

NOTE: Any commodity, including an automotive part, traded in in connection with the sale or purchase of a part covered by this regulation is a partial payment for the part being sold. Therefore, a reasonable allowance must be made for the commodity traded in.

2. Section 8 (b) is amended to read as follows:

(b) *Allowance that may be added instead of manufacturer's federal excise tax.* A wholesaler or retailer who is entitled to add to a maximum price a manufacturer's federal excise tax under the provisions of paragraph (a), instead of adding such a tax may add an allowance approximating it which shall not exceed a percentage of that maximum price if he states this percentage allowance on the invoice (1) separately from all other charges and (2) designates it as "special handling charge authorized by OPA." This percentage allowance is as follows:

1. For a sale at wholesale: 4%.
2. For a sale at retail: 8%.

Wholesalers and retailers are cautioned against representing this allowance as the exact amount of the federal excise tax, since where it is in excess of this tax such a representation may be construed to be a violation of section 3325 of the Internal Revenue Code.

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13639; Filed, Sept. 5, 1944; 4:12 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 146,[1] Amdt. 19]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 146 is amended in the following respects:

1. Section 1382.1 is amended by adding at the end thereof, the following sentence:

The provisions of this Maximum Price Regulation 146 shall not be applicable to retail sales as defined in paragraph (a) (8) of § 1382.8. Such retail sales shall be subject to the General Maximum Price Regulation.

2. Section 1382.9 is amended to read as follows:

§ 1382.9 *Applicability of General Maximum Price Regulation.* Any sale or delivery covered by Maximum Price Regulation 146 is not subject to the General Maximum Price Regulation.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5648.
[2] 9 F.R. 2350, 7504, 8062.
[3] 9 F.R. 1385, 5169, 6106, 8150.
[4] 9 F.R. 5656, 6828, 6951, 7339, 7520, 7937.
[5] 9 F.R. 5671, 6829, 7340, 7520, 7937.
[6] 8 F.R. 11582, 13256, 15458; 9 F.R. 3651.
[1] 9 F.R. 3313.

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13640; Filed, Sept. 6, 1944; 4:10 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC AND ADMIXTURES

[MPR 478,[1] Amdt. 4]

COATED AND COMBINED FABRICS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 478 is amended in the following respects:

1. In section 7a, paragraph (c) is amended and paragraphs (d) and (e) are added to read as follows:

(c) *Reports of proposed maximum prices.* The manufacturer shall file a report with the Office of Price Administration, Washington, D. C., within ten days after he begins to perform any service required to be priced under this section. This report shall contain the following information:

(1) A description of the service being priced and of the coated or combined fabric being used as a basis for pricing.

(2) The maximum price to each class of purchaser of the coated or combined fabric used as a basis for pricing, the cost (as defined in section 8 (d) (2)) of the cloth used in its production, the date on which the cost price of the cloth used was in effect in the manufacturer's plant, and the value of the cloth specified as the working allowance provided for in the service being priced.

(3) The proposed maximum price for the service for each class of purchaser, computed in accordance with paragraph (b).

(d) *Quotations, invoices, and payments pending approval of maximum prices.* Payments for a service priced under this section may not be accepted until the report required by paragraph (c) has been filed with the Office of Price Administration. Until a maximum price has been approved by the Office of Price Administration for a service priced under this section, a notification that the proposed price is subject to the approval of the Office of Price Administration must appear on all quotations and invoices. If the price approved by the Office of Price Administration is less than that set forth in the invoices, all invoices which have been issued must be changed to the approved maximum price, and if payments in excess of the approved price have been collected, refunds must be made.

(e) *Approval of maximum prices.* The Office of Price Administration may approve or disapprove the proposed maximum price, or may approve a maximum price that differs from the proposed maximum price but which is consistent with the level of maximum prices fixed by the regulation. The proposed maximum price, however, shall be deemed to be approved unless within fifteen days after the mailing of the report (or within fifteen days after the mailing of all additional information which may have been requested) the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. The Office of Price Administration may at any time adjust an approved maximum price (not to apply retroactively) so as to make it consistent with the level of prices otherwise established by this regulation.

2. Section 8 (f) is amended to read as follows:

(f) *Reports and approvals of maximum prices*—(1) *Report of price computed under paragraph (b).* If a manufacturer receives total orders exceeding $1,000 in the case of a fabric, or exceeding $500 in the case of a service, for a fabric or service that must be priced under this section, he shall file a report with the Office of Price Administration, Washington, D, C. This report shall be filed within ten days after the manufacturer has received a sufficient dollar volume of orders to necessitate filing of the report, and shall contain information required by the form set forth in Appendix A and shall be made on a copy of that form.

(2) *Quotations, invoices, and payments pending approval of maximum prices.* Payments exceeding $1,000 in the case of a fabric, or exceeding $500 in the case of a service, for a fabric or service being priced under this section, may not be accepted until the report required by subparagraph (1) has been filed with the Office of Price Administration. Until a maximum price has been approved by the Office of Price Administration for a fabric or service being priced under this section, a notification that the proposed price is subject to the approval of the Office of Price Administration must appear on all quotations and invoices covering orders exceeding the first $1,000 in the case of a fabric, or exceeding the first $500 in the case of a service. If the price approved by the Office of Price Administration is less than that set forth in the invoices required to carry such notification, all such invoices which have been issued must be changed to the approved maximum price, and if payments in excess of the approved maximum price have been collected, refunds must be made.

(3) *Approval of maximum prices.* The Office of Price Administration may approve or disapprove the proposed maximum price, or may approve a maximum price that differs from the proposed maximum price but which is consistent with the level of maximum prices fixed by this regulation. The proposed maximum price, however, shall be deemed to be approved unless within fifteen days after the mailing of the report (or within fifteen days after the mailing of all additional information which may have been requested) the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. The Office of Price Administration may at any time adjust an approved maximum price (not to apply retroactively) so as to make it consistent with the level of prices otherwise established by the regulation.

(4) *Report and approval where recomputation under paragraph (c) results in a higher price.* If the recomputation required by paragraph (c) results in a higher maximum price than the price previously approved by the Office of Price Administration, and if on any subsequent order the manufacturer elects to charge a higher price than the maximum price previously approved by the Office of Price Administration, he must file a report with the Office of Price Administration, Washington, D. C., within ten days after entering into a contract at such increased price. The provisions of subparagraphs (1), (2), and (3) shall be applicable to reports, quotations, invoices, payments, and approval of the increased price.

3. In section 8b, paragraph (c) is amended, and paragraphs (d) and (e) are added, to read as follows:

(c) *Reports of maximum prices.* The manufacturer shall file a report with the Office of Price Administration, Washington, D. C., within ten days after he has sold or delivered any fabric priced under this section. This report shall contain the following information:

(1) A description of the coated or combined fabric being priced, including the number of yards involved, and of the fabric used as a basis for pricing.

(2) The maximum price to each class of purchaser of the coated or combined fabric used as a basis for pricing, and a statement of the section of this regulation under which this maximum price was determined, and the proposed maximum price to each class of purchaser of the fabric being priced.

(3) The cost of the cloths used in the coated or combined fabric used as a basis for pricing and in the fabric being priced. The cost of the cloths shall be determined in accordance with section 8 (d) (2). The dates on which the prices of the cloths used were in effect in the manufacturer's plant must be reported.

(d) *Quotations, invoices, and payments pending approval of maximum prices.* Payments for a fabric priced under this section may not be accepted until the report required by paragraph (c) has been filed with the Office of Price Administration. Until a maximum price has been approved by the Office of Price Administration for a fabric priced under this section, a notification that the proposed price is subject to the approval of the Office of Price Administration must appear on all quotations and invoices. If the price approved by the Office of Price Administration is less than that set forth in the invoices, all invoices which have been issued must be changed to the approved maximum price, and if payments in excess of the approved price have been collected, refunds must be made.

(e) *Approval of maximum prices.* The Office of Price Administration may approve or disapprove the proposed maximum price, or may approve a maximum price that differs from the proposed maximum price but which is consistent with

[1] 8 F.R. 14080; 9 F.R. 877, 1321.

the level of maximum prices fixed by the regulation. The proposed maximum price, however, shall be deemed to be approved unless within fifteen days after the mailing of the report (or within fifteen days after the mailing of all additional information which may have been requested) the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information. The Office of Price Administration may at any time adjust an approved maximum price (not to apply retroactively) so as to make it consistent with the level of prices otherwise established by the regulation.

4. The paragraph numbered 1 of Appendix A is amended to read as follows:

1. Description of fabric or service being priced: (a) Give a definite description of the fabric or base material; if base is a textile, give width, and thread count of the greige goods and describe all finishes; if the base is a fibre (paper, etc.), give a full and complete description of it; (b) State the type of coating used (rubber, synthetic rubber, pyroxylin, ethyl cellulose, synthetic resin, or oxidizable oil); give the dry weight of coating and process involved in its application, and the number of coats; (c) Submit a sample of the finished material.

5. Subparagraph b of the table under paragraph 4 of Appendix A is amended to read as follows:

b. Direct materials

Rubber, if any.....	$.....	$.....	.....
	(August 1, 1943, prices must be used in your calculations. If OPA has established lower maximum prices, such prices must be used.)		
Fabric or base material	$.....	$.....	.....
Finishing charges..	$.....	$.....	.....
Other materials ...	$.....	$.....	.....
	(Base period prices for fabric or base material, finishing charges, and other materials must be used in your calculations. If there was no base period price, you must use the first price after the base period. If OPA has established lower maximum prices, such prices must be used.)		

This amendment shall become effective September 11, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13641; Filed, Sept. 6, 1944; 4:08 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 75]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 1.7 (a) (4) is amended to read as follows:

(4) An employer or institution that gets shoes under this section or section 3.6 may let its employees, students or residents, as the case may be, use the shoes but it must keep title to them. However, if a resident of a charitable or correctional institution leaves the institution, it may give him the shoes he has been wearing to take with him and, if it is the custom of the institution, it may give him a new pair of discharge shoes. Upon the termination of an employee's contract of employment and after collecting ration currency from the employee, an employer may, without registering as an establishment, transfer to the employee the shoes he has been wearing. It shall surrender all ration currency so received to the District Office within five days.

2. Section 1.7 (d) is added to read as follows:

(d) *Employers and institutions may dispose of shoes.* (1) If an employer or institution discontinues furnishing shoes to its employees, residents or students, or if it has worn shoes which can no longer be used by its employees, students or residents for the purposes for which it furnishes shoes to them it may make application to the District Office to transfer such worn shoes ration-free, without registering as an establishment. The application shall state the number of employees, students or residents who are furnished shoes, the number of pairs of shoes acquired since February 7, 1943, the condition of the shoes sought to be transferred ration-free and the reasons why they can no longer be used or that the employer or institution is no longer furnishing shoes. If the District Office is satisfied that the worn shoes sought to be transferred ration-free cannot be worn by the applicant's employees, students, or residents for the purposes for which it furnishes shoes to them, or that it has in fact discontinued the furnishing of shoes to its employees, students or residents, it shall issue to the applicant a written authorization to transfer such shoes as non-rationed without registering as an establishment. However, such shoes may not be transferred as non-rationed if the price charged for them is more than fifty percent of the price paid for them by the applicant. For the purposes of this subparagraph, "price paid" means the invoice price paid by the employer or institution, plus any separable transportation expense (a charge for freight or postage not included in the invoice price). In determining the price paid, a cash or trade discount need not be deducted from the invoice price.

(2) If an employer or institution has odd lot shoes on hand which it desires to transfer or if it discontinues furnishing shoes to its employees, students or residents and desires to transfer its stock of new shoes, it may make application to the District Office for permission to transfer such shoes without registering as an establishment. The application shall state the number of shoes on hand, and in the case of odd lot shoes sought to be transferred, their size and type. If the District Office is satisfied that the applicant is in fact discontinuing the furnishing of shoes for the use of its employees, students or residents, or that the shoes it desires to transfer cannot be used by its employees, students or residents, the District Office shall send the applicant a written authorization to transfer the shoes for ration currency, without registering as an establishment. The applicant shall surrender all ration currency so received to the District Office within five days.

(3) If an employer or institution desires to resume the furnishing of shoes to its employees, students or residents after having discontinued this practice in accordance with the provisions of subparagraph (1) or (2) above, it may apply to the District Office for stamps or certificates. The District Office may grant the application only if it determines that there has been a substantial change in circumstances (other than the disposition of shoes under subparagraphs (1) or (2)) leading to the decision by the employer or institution to resume furnishing shoes for the use of its employees, students or residents.

3. Section 1.12 is amended to read as follows:

SEC. 1.12. *Anyone may acquire used shoes.* Anyone may acquire used shoes without giving up ration currency. However, shoes returned for exchange under section 1.10 (a) and shoes acquired for wear-testing or as samples may not be transferred or acquired as used shoes. Shoes acquired by employers and institutions under section 1.7 (a) may be transferred or acquired as used shoes only in accordance with the provisions of section 1.7 (d). (The term "used" is explained in section 3.13.)

4. Section 3.6 (c) is amended by adding the following:

(For rules governing the use and disposition of shoes acquired under this section by an employer or institution, see section 1.7.)

This amendment shall become effective Sept. 9, 1944.

NOTE: The record-keeping requirements and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13642; Filed, Sept. 6, 1944; 4:08 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15839, 16608, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2628, 3340, 3944, 5254, 5941, 5805, 6233, 6455, 6647, 7080, 7773, 8254, 8339, 8940.

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 76]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (2) is amended by deleting the following: "Shoes completed, packaged, and shipped from the factory before April 16, 1943, of the following kinds except that shoes which did not fall within the specifications of this paragraph at the time they were shipped from the factory, may not be marked or transferred as non-rationed", and substituting instead the following: "Shoes completed, packaged and shipped from a factory in the United States before April 16, 1943, or imported before that date of the following kinds, except that shoes which did not fall within the specifications of this paragraph at the time they were shipped from a factory in the United States or imported, may not be marked or transferred as non-rationed".

2. Section 2.11 (a) (3) is amended by deleting the following: "Shoes completed, packaged and shipped from the factory before August 16, 1943, made wholly of materials other than leather", and substituting instead the following: "Shoes completed, packaged and shipped from a factory in the United States before August 16, 1943, or imported before that date made wholly of materials other than leather".

3. Section 2.11 (a) (4) is amended by inserting after the date "August 16, 1943" the following: "or imported after that date."

4. Section 2.11 (a) (5) is amended to read as follows:

(5) Unassembled moccasins or moccasin kits made for use in handicraft activities if manufactured in the United States before August 31, 1943, or imported before that date.

5. Section 2.11 (a) (6) is amended by inserting after the words "in the infants' range", the following: "made in the United States or imported."

6. Section 2.11 (a) (7) is amended by inserting after the word "Shoes" the following: "made in the United States or imported."

7. Section 2.11 (a) (8) is amended to read as follows:

(8) Burial slippers made in the United States or imported.

8. Section 2.11 (a) (9) is amended to read as follows:

(9) House slippers, made in the United States or imported,

9. Section 2.11 (a) (10) is amended to read as follows:

(10) Ballet slippers which were manufactured in the United States before January 1, 1944, or imported before that date, or which, if manufactured in the United States or imported after that date, have no cattle hide leather in the uppers and no cattle hide grain leather in the outsoles (other than heads, bellies, shins or shanks of 5 iron or less).

10. Section 2.11 (a) (11) is amended to read as follows:

(11) Evening slippers made in the United States before September 5, 1944, or imported before July 7, 1943, which at the time of manufacture were made with uppers principally of gold or silver leather or imitation leather with gold or silver finish.

11. Section 2.11 (a) (12) is amended to read as follows:

(12) Baseball, track and football shoes made in the United States or imported.

12. Section 2.11 (a) (13) is amended to read as follows:

(13) Men's and women's knee-height riding boots made in the United States before July 7, 1943, or imported before that date (including boots without lacing and with partial lacing but not including full lace boots or jodhpur or cowboy boots.).

13. Section 2.11 (a) (14) is amended to read as follows:

(14) Infants' footwear of size 4 or smaller, made in the United States or imported.

14. Section 2.11 (a) (15) is amended to read as follows:

(15) Shoes constructed to be worn over another shoe which are shipped from a factory in the United States before July 15, 1944 or imported before that date.

15. Section 2.11 (a) (16) is amended by inserting after the word "Shoes" the following: "manufactured in the United States or imported".

16. Section 2.11 (a) (17) is amended by deleting the following: "Women's and misses' evening slippers manufactured before December 18, 1943", and substituting instead the following: "Women's and misses' evening slippers manufactured in the United States before December 18, 1943 or imported before that date".

17. Section 2.11 (a) (18) is amended to read as follows:

(18) Men's patent leather shoes made in the United States before September 5, 1944, or imported before that date.

18. Section 2.11(a) (19) is amended to read as follows:

(19) Shoes manufactured in the United States or imported which do not have a rubber sole and which contain no leather other than shearling.

19. Section 2.15(a) is amended to read as follows:

(a) Any registered distributing establishment whose ration currency has been destroyed, damaged, lost, stolen or paid to the Collector of Customs for non-rationed shoes, or whose shoes have been (1) taken from him by judicial process, or the enforcement of a security interest, (2) exported to a foreign country or to a territory or possession of the United States (other than the District of Columbia) or delivered as slop-chest supplies, ships' stores, or to Ships' Service Stores Afloat, pursuant to section 3.5, or transferred to or for the account of an exempt person or agency designated in section 3.6, without getting ration currency, (3) damaged, destroyed, lost or stolen, or (4) released from rationing under section 2.11(a)(7) after the establishment paid ration currency for them, may get a certificate to replace the ration currency or shoes, as the case may be. Application for replacement certificate should be made to the District Office (on OPA Form R-1704) and should show the facts necessary to establish the eligibility for the replacement certificate, including all information required by the form prescribed. In the case of an application for currency to replace shoes which have been exported, there shall be attached to the application, a shipper's export declaration certified by the Collector of Customs or ocean bill of lading signed by the steamship company, or if the shoes were mailed, a certificate of mailing certified by a postal employee, covering the shoes which were exported.

20. Section 3.4(b)(4) is added which reads as follows:

(4) Are non-rationed shoes under section 2.11.

21. Section 3.13 (d) is added to read as follows:

(d) Whenever the term "shoes" is used in this order, it refers to rationed shoes unless the context of the language used indicates otherwise.

This amendment shall become effective September 5, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13643; Filed, Sept. 5, 1944; 4:10 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[RMPR 294,[1] Revocation]

WESTERN PRIMARY FOREST PRODUCTS

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2628, 3340, 3944, 4891, 5254, 5805, 6233, 6647, 6455, 7080, 7773, 8254, 8339, 8340.

[1] 8 F.R. 6544, 10560, 15906; 9 F.R. 4883.

Revised Maximum Price Regulation 284 and all amendments issued thereunder are revoked subject to the provisions of Supplementary Order 40.[1]

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13644; Filed, Sept. 5, 1944; 4:13 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 554]

WESTERN RED CEDAR POLES AND PILING

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

MPR 554—WESTERN RED CEDAR POLES AND PILING

Sec.

1. Sales of Western red cedar poles and piling at higher than maximum prices prohibited.
2. Products and transactions covered.
3. Basic maximum prices.
4. Transportation addition.
5. Treatment addition.
6. Definitions of territories.
7. Prohibited practices.
8. Purchasing commissions.
9. Adjustable pricing.
10. Special pricing.
11. Applications for adjustment and petitions for amendment.
12. Records.
13. Enforcement and licensing.
14. Exports.
15. Maximum prices for poles and piling.

AUTHORITY: Secs. 1 to 15, inclusive (§ 1426.254), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Western Red Cedar poles and piling at higher than maximum prices prohibited.* (a) On and after September 11, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Western red cedar poles and piling covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of the earlier ceiling may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited, that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. *Products, species and transactions covered.* This regulation covers all sales and purchases of the Western Red Cedar (Thuja plicata) poles and piling produced in the states of California, Idaho, Montana, Oregon, Washington, and Canada.

SEC. 3. *Basic maximum prices.* The basic maximum prices are set out in section 15. These maximum prices are all f. o. b. the railroad loading-out point or towable waters nearest the mill or point of production in the normal direction of delivery to the point of destination.

SEC. 4. *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. railroad loading-out point or towable water prices when the seller makes delivery to the destination. Transportation from the mill or point of production to the railroad loading-out point or booming and rafting ground must, in every instance, be provided on the seller's account. All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* (1) When estimated weights or guaranteed mean diameters are used, the appropriate published rate times the estimated weight or mean diameter is the proper transportation charge, even though the estimated weights or diameters may be higher than actual. Estimated weights higher than those set forth in the tables may not be used. To compute mean diameters add 1" to the top or butt diameter, whichever is the controlling factor, and increase or decrease that figure by 1" for each 10 lineal feet. Add the top and butt diameters thus determined and divide by two to find the mean diameter. The charge for transportation shall be evened out to the nearest quarter cent per lineal foot or five cents per pole, whichever is applicable.

(2) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside of metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls of not over 10 miles, 7 cents per 100 pounds for hauls of more than 10 but not over 20 miles, 9 cents per 100 pounds for hauls of more than 20 but not over 30 miles, two tenths of a cent per 100 pounds to be added to the 30-mile charge. No addition is allowed for the return trip.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the Census of 1940. On shipment by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such haul times the estimated weight or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery. If the order and shipment are for less than a truckload, a minimum charge for 10,000 pounds may be made.

(c) *Rail shipments of poles and piling.* (1) On eastbound shipments by rail the transportation addition for all shippers may be computed as the estimated weights shown in the appropriate table times the rail freight rate from Seattle, Washington.

(2) On southbound shipments by rail or combined water and rail in the case of poles and piling produced in Canada to destinations covered in Pacific Freight Tariff Bureau Tariff No. 80-H or appropriate interstate tariffs the transportation addition may be computed as the estimated weights shown in the appropriate table times the rail freight rate arrived as follows:

(i) When the published rail rate is greater than the Seattle, Washington rate, the Bellingham, Washington published rate may be used; on shipments of poles or piling produced in Canada the Bellingham rate may be used regardless of the location of rail shipping point.

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[1] 8 F.R. 4325.

(ii) When the published rail rate is greater than the Portland, Oregon rate but not greater than the Seattle, Washington published rate, the Seattle, Washington published rate may be used.

(iii) When the shipping point is North of the California-Oregon State line and takes a published rail rate not greater than the Portland rate, the Portland published rate may be used.

(iv) When the shipping point is in the State of California the published rate from Arcata, California may be used.

(3) On shipments of Western red cedar poles and piling from points in Idaho, Montana, and that part of Washington east of the crest of the Cascade Mountains to points for which there is no published through railroad freight rate via the Minnesota Transfer-Twin Cities Gateway, the transportation addition may be computed on the basis of the local freight rate or rates from the original loading-out point to destination.

(4) Regardless of the foregoing provisions of this paragraph (c), if a treating-in-transit rate is applicable and results in a lower total cost of transportation, the treating-in-transit rate must be used.

(d) For other means of transportation, where there are no published rates the actual cost of such transportation may be charged, that is, the out-of-pocket cost to the seller whether public or private means of transportation are used.

(e) *Averaging inbound transportation charges from multiple loading-out points.* The addition for inbound transportation may be calculated by multiplying the estimated weight of the material by the local freight rate from the loading-out point of the untreated poles or piling. If the untreated material is received from more than one point, an average rate of all inbound freight may be used. The average must be determined by the following formula:

(1) The total inbound freight charges on all receipts during the preceding three months of the type and species of the item to be priced—divided by—

(2) The total weight of all receipts of such items during the three-month period, regardless of whether inbound freight actually was involved, but excluding any material sold f. o. b. original loading-out point.

This average rate may be used in computing the "inbound freight" addition on all sales f. o. b. treating plant or concentration yard made during the quarter next following that on which the average is based. The average may also be used in selling on a delivered basis as provided in this section, except that where treating-in-transit rates are available, the entire addition for transportation (including inbound) must be figured on the through rate from the loading-out point indicated on the freight bills surrendered in connection with the outbound shipment. The transit charge itself may be added.

SEC. 5. *Treated products.* (a) The maximum prices for Western red cedar poles and piling preservatively treated by pressure process are established by Maximum Price Regulation 491.[1]

(b) The maximum price for all Western red cedar poles and piling preservatively treated by non-pressure methods (except as otherwise provided herein in Tables 5 and 6) shall be determined in accordance with the provisions of section 9 of this regulation.

SEC. 6. *Definitions of territories.* (a) The term "Western schedule" as used in section 15, Table 1, refers to sales of treated poles shipped from treating plants or concentration yards located in California or in those parts of Oregon, Washington, and Canada west of the crest of the Cascade Mountains (regardless of the location of the original loading-out point), and to sales of untreated poles shipped from original loading-out points or from concentration yards in that same territory.

(b) The term "Eastern schedule", as used in section 15, Table 2, refers to sales of treated poles shipped from treating plants or concentration yards located outside the area described in paragraph (a), regardless of the location of the original loading-out point. It applies also to sales of untreated poles shipped from original loading-out points or from concentration yards located outside the area described in paragraph (a).

SEC. 7. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on April 1, 1942. The cash and credit periods recognized by the seller on April 1, 1942, shall not be reduced.

(2) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(3) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(4) Making the buyer take something he does not want in order to get what he does want.

SEC. 8. *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating Western Red Cedar poles and piling, or for any related service (such as "expediting") which does not involve actual physical handling of those products, if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the products. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the products in connection with which the service is performed.

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 10. *Special pricing.* If a seller wishes to sell a specification of Western Red Cedar poles not specifically priced in this regulation or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information.

(a) The requested price.

(b) A complete description of the item for which a price approval is desired.

(1) If a specification other than ASA is to be priced, he shall furnish a copy of the specification.

(2) If any other extra is to be priced he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential existed, a detailed analysis of comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until the price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

[1] 8 F.R. 15694.

SEC. 11. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[1] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 12. *Records.* All sellers of Western Red Cedar poles and piling products must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $1,000 worth of Western Red Cedar poles and piling. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 13. *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by the regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(c) The provisions of Licensing Order No. 1[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not during the period of suspension, make any sale of which his license has been suspended.

SEC. 14. *Exports.* The maximum price for export sales of Western red cedar poles and piling is governed by the Second Revised Maximum Export Price Regulation.[4]

SEC. 15. *Maximum prices for poles and piling.* (a) All maximum prices set forth below are f. o. b. cars at the railroad loading-out point or dumped, boomed, and rafted on towable waters nearest the point of in the normal direction of delivery to the point of destination.

(b) *Quantity discounts on treated poles.* When the seller takes a firm order for treated poles, he must make discounts for quantity as follows:

	Percent
For 3,000 to 4,999 poles	2½
For 5,000 poles or more	5

For purposes of this paragraph a "firm order" is one requiring shipment from time to time over a period of 12 months, as ordered by the buyer, with guarantee of payment for any poles not ordered shipped at the end of the 12-month period, and covering at least 5 lengths with 3 classes in each length. The maximum price for treated poles subject to this discount is the sum of the appropriate untreated price taken from Tables 1, 2, 3, and 4 and the additions for treatment and services made according to Tables 5 and 6 or section 5, excluding any addition for transportation.

TABLE 1—MAXIMUM PRICES FOR WESTERN RED CEDAR POLES—WESTERN SCHEDULE

[See section 6 (a) F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price, each
16	5	220	$3.00
	6	190	2.20
	7	135	1.80
	8	135	1.70
	9	105	1.30
	10	85	1.05
18	3	440	4.60
	4	350	3.85
	5	265	3.20
	6	185	2.30
	7	175	1.95
	8	160	1.85
	9	120	1.45
	10	90	1.15
20	1	615	8.05
	2	530	6.40
	3	440	4.90
	4	360	4.10
	5	265	3.35
	6	200	2.45
	7	175	2.30
	8	160	1.85
	9	120	1.45
	10	90	1.25
22	1	750	8.90
	2	635	8.50
	3	530	8.05
	4	425	4.75
	5	350	4.35
	6	280	3.50
	7	220	3.25
	8	205	2.50
	9	180	1.90
	10	120	1.85
24	H. D. 1	1,285	13.00
30" Top	1	1,120	11.15
	1	880	7.00
30" Top	2	900	10.75
	3	730	8.75
	3	645	8.45
	4	540	6.10
	5	440	4.80
	6	370	4.35
	7	310	4.05
	8	205	4.65
	9	235	4.10
26	H. D. 1	1,460	13.95
30" Top	1	1,285	13.00
	1	1,055	9.45
30" Top	2	1,180	12.40
	2	980	8.15
	3	750	8.75
	4	600	8.40
	5	570	7.65
	6	495	7.00
	7	415	5.95
	8	445	5.35

[1] 7 F.R. 8087, 8664; 8 F.R. 6173, 6174, 12034; 9 F.R. 6256.
[2] 9 F.R. 5791.
[3] 8 F.R. 13204.
[4] 8 F.R. 4132, 5967, 7662, 9990, 15199; 9 F.R. 1036, 5923, 7201.

TABLE 1—MAXIMUM PRICES FOR WESTERN RED CEDAR POLES—WESTERN SCHEDULE—Continued

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price, each
40"	H. D. 1	1,725	$24.35
30" top	1	1,360	15.95
	1	1,330	11.15
30" top	2	1,400	14.50
	2	1,145	10.75
	3	970	10.10
	4	750	9.55
	5	705	8.65
	6	615	8.05
	7	615	7.90
45	H. D. 1	1,990	28.40
30" top	1	1,525	24.35
	1	1,585	13.00
30" top	2	1,575	20.80
	2	1,365	12.40
	3	1,145	11.50
	4	1,010	10.75
	5	880	9.90
	6	880	9.70
50	H. D. 1	2,515	28.45
30" Top	1	2,090	28.40
	1	1,760	15.95
30" Top	2	1,750	25.55
	2	1,585	14.30
	3	1,365	13.25
	4	1,230	12.20
	5	1,145	10.95
	6	1,145	10.05
55	H. D. 1	2,870	43.50
30" Top	1	2,615	36.45
	2	2,025	24.35
30" Top	2	2,015	30.35
	2	1,760	20.90
	3	1,540	15.75
	4	1,410	12.75
	5	1,410	12.20
60	H. D. 1	3,395	48.50
30" Top	1	2,970	43.50
	1	2,290	28.40
30" Top	2	2,455	37.90
	2	1,935	25.85
	3	1,760	20.30
	4	1,670	16.30
65	H. D. 1	4,100	64.65
30" Top	1	3,495	48.50
	1	2,815	36.45
30" Top	2	2,985	44.00
	2	2,200	30.35
	3	2,025	25.60
	4	1,935	21.05
70	H. D. 1	4,540	82.65
30" Top	1	4,300	64.65
	1	3,170	43.50
30" Top	2	3,510	58.05
	2	2,540	37.90
	3	2,375	31.40
	4	2,200	27.05
75	1	5,095	48.50
	2	3,170	44.00
	3	2,730	36.20
	4	2,640	32.85
80	1	4,400	64.65
	2	3,695	58.05
	3	3,170	50.75
	4	3,080	46.40
85	1	4,840	82.65
	2	3,960	72.60
	3	3,520	61.50
	4	3,520	63.45
90	1	5,810	100.70
	2	4,980	95.60
	3	4,225	90.60

TABLE 2—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE

[See section 6 (b) F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price each
16	5	220	$3.00
	6	190	2.20
	7	135	1.80
	8	135	1.70
	9	105	1.30
	10	85	1.05
18	3	440	4.60
	4	350	3.85
	5	265	3.20
	6	185	2.30
	7	175	1.95
	8	160	1.85
	9	120	1.45
	10	90	1.15
20	1	615	8.05
	2	530	6.40
	3	440	4.90
	4	360	4.10
	5	265	3.35
	6	200	2.45
	7	175	2.30
	8	160	1.85
	9	120	1.45
	10	90	1.25
22	1	750	8.90
	2	635	8.50
	3	530	8.05
	4	425	4.75
	5	350	4.35
	6	280	3.50
	7	220	3.25
	8	205	2.50
	9	180	1.90
	10	120	1.85
24	H. D. 1	1,285	13.00
30" Top	1	1,120	11.15
	1	880	7.00
30" Top	2	900	10.75
	3	730	8.75
	3	645	8.45
	4	540	6.10
	5	440	4.80
	6	370	4.35
	7	310	4.05
	8	205	4.65
	9	235	4.10
26	H. D. 1	1,460	13.95
30" Top	1	1,285	13.00
	1	1,055	9.45
30" Top	2	1,180	12.40
	2	980	8.15
	3	750	8.75
	4	600	8.40
	5	570	7.65
	6	495	7.00
	7	415	5.95
	8	445	5.35

TABLE 2—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE—Continued

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price each
28	H. D. 1	1,660	$8.65
	2	480	5.40
	3	400	4.90
	4	320	4.10
	5	240	3.35
	6	180	2.45
	7	160	2.05
	8	160	1.85
	9	120	1.45
	10	90	1.25
30	H. D. 1	1,990	28.40
30" Top	1	1,525	24.35
	1	1,585	13.00
30" Top	2	1,575	20.80
	2	1,365	12.40
	3	1,145	11.50
	4	1,010	10.75
	5	880	9.90
	6	880	9.70
35	H. D. 1	2,515	28.45
30" Top	1	2,090	28.40
	1	1,760	15.95
30" Top	2	1,750	25.55
	2	1,585	14.30
	3	1,365	13.25
	4	1,230	12.20
	5	1,145	10.95
	6	1,145	10.05
40	H. D. 1	2,870	43.50
30" Top	1	2,615	36.45
	2	2,025	24.35
30" Top	2	2,015	30.35
	2	1,760	20.90
	3	1,540	15.75
	4	1,410	12.75
	5	1,410	12.20
45	H. D. 1	3,395	48.50
30" Top	1	2,970	43.50
	1	2,290	28.40
30" Top	2	2,455	37.90
	2	1,935	25.85
	3	1,760	20.30
	4	1,670	16.30
50	H. D. 1	4,100	64.65
30" Top	1	3,495	48.50
	1	2,815	36.45
30" Top	2	2,985	44.00
	2	2,200	30.35
	3	2,025	25.60
	4	1,935	21.05
55	H. D. 1	4,540	82.65
30" Top	1	4,300	64.65
	1	3,170	43.50
30" Top	2	3,510	58.05
	2	2,540	37.90
	3	2,375	31.40
	4	2,200	27.05
60	1	5,095	48.50
	2	3,170	44.00
	3	2,730	36.20
	4	2,640	32.85
65	1	4,400	64.65
	2	3,695	58.05
	3	3,170	50.75
	4	3,080	46.40
70	1	4,840	82.65
	2	3,960	72.60
	3	3,520	61.50
	4	3,520	63.45
75	1	5,810	100.70
	2	4,980	95.60
	3	4,225	90.60

TABLE 2—MAXIMUM PRICES WESTERN RED CEDAR POLES—EASTERN SCHEDULE—Continued

A. S. A. Length in feet	Class	Estimated weight in pounds per pole	Maximum price each
65	H. D. 1	3,300	$ 64.65
30" Top	1	3,160	46.50
	2	2,560	36.45
30" Top	2	2,695	44.00
	2	2,000	30.35
	3	1,840	25.60
	4	1,760	21.05
70	H. D. 1	4,000	82.65
30" Top	1	3,800	64.65
	1	2,880	43.50
30" Top	2	3,175	58.05
	2	2,400	37.90
	3	2,160	31.40
	4	2,080	27.05
75	1	3,960	48.50
	2	2,880	44.00
	3	2,490	38.20
	4	3,400	32.85
	1	4,000	64.65
	2	3,360	58.05
	3	2,880	50.75
	4	2,800	46.40
85	1	4,400	82.65
	2	3,600	72.60
	3	3,200	61.50
	4	3,200	60.45
90	1	5,280	100.70
	2	4,480	95.60
	3	3,840	90.60

TABLE 3—MAXIMUM PRICES EASTERN AND WESTERN SCHEDULE FOR LONG POLES

[F. o. b. cars loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]
[A. S. A. Quality with minimum butt circumference as specified in table]

Length 14 feet	Class	Minimum circumference 0" from butt	Estimated weight pounds per pole	Maximum price each
		Inches		
95	1	65	6,750	$110.00
	2	61½	5,930	105.00
	3	57½	5,250	100.00
100	1	67	7,500	120.00
	2	63½	6,550	115.00
	3	59	5,750	110.00
105	1	68½	8,250	130.00
	2	65	7,100	125.00
	3	61	6,300	120.00
110	1	70	9,000	140.00
	2	66½	7,750	135.00
	3	62½	6,850	130.00
115	1	71¾	9,750	150.00
	2	68½	8,350	145.00
	3	64½	7,500	140.00
120	1	73½	10,500	175.00
	2	70	9,050	160.00
	3	66	8,100	150.00
125	1	75½	11,350	200.00
	2	71½	9,800	180.00
	3	67½	8,750	175.00

TABLE 4—MAXIMUM PRICES FOR WESTERN RED CEDAR RE-INFORCING STUBS—ANCHOR LOGS—SHORT ROUND MATERIAL—PROCESSING AND NON-PRESSURE TYPE PRESERVATIVE TREATMENT OF SAME—EASTERN OR WESTERN SCHEDULE

[F. o. b. Cars Loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Minimum diameter small end	Minimum circumference small end (inches)	Estimated weight in lbs. per lin. ft.	Maximum price for ea. lin. ft. or fraction thereof	Maximum charge for roofing ea. piece	Maximum charge for Preservative treatment Spec. ½" Pen. 5' butt treatment	Maximum charge for Preservative treatment Spec. ½" Pen. Each additional foot or fraction thereof
5 inch	15	6	$0.07½	$0.08	$1.00	$0.09
6 inch	18½	8	.10	.09	1.30	.11
7 inch	22	10	.11½	.10	1.55	.14
8 inch	25	15	.15	.12	1.80	.18
9 inch	28	20	.18	.13	2.00	.22
10 inch	31	25	.20	.15	2.40	.25
11 inch	34	30	.21	.16	2.70	.29
12 inch	38	35	.23	.18	3.35	.36
13 inch	41	40	.25	.19	4.05	.43
14 inch	44	45	.26	.21	4.75	.50
15 inch	47	50	.28	.23	5.30	.58
16 inch	50	55	.30	.25	6.10	.65

GENERAL NOTES APPLYING TO TABLES 1, 2, 3, AND 4

1. These prices include all production costs before processing and treating such as yarding and inspection.

2. *Piling.* The maximum price for Western Red Cedar piling shall be the price for the closest equivalent A. S. A. size pole in the same length.

3. On orders to established concentration, distribution or treating plant yards for less-than-carload minimum weight as established by railroad tariffs, and where the invoice value at maximum prices for the untreated poles or other round material does not exceed $300.00 on items 50 feet and shorter, or $450.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value of the treated or untreated material not including transportation but including the treating and processing additions provided in Table 5 and 6. The transportation addition on "less than carload sales" must not exceed that permitted by section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the shipment is made. The service charge may be made only on sales, f. o. b. seller's yard, with transportation outbound for the buyer's account.

4. *Cut back allowance.* When requirements of the buyer exceed the available supply of the seller for one or more classes or lengths of poles for delivery required, the seller may cut back the next lower class pole in the five foot longer length on orders for poles 45' and shorter and the next lower class pole in the ten foot longer length on orders for poles 50' and longer, and may charge the maximum price for the class and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the class and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the

concentration yards. No addition may be made for the labor included in such cutting back operations. The seller shall keep a record of such sales and show this charge as a separate item on the invoice.

5. *Inspection service.* On shipments where the buyer requests special inspection service, furnished by an approved inspection agency, an addition may be made to cover the actual cost of such service. This charge must be shown separately on the invoice.

6. *Branding and marking.* The manufacturer's brand showing year mark, class, and length of pole may be branded on the face of butt treated poles at no extra charge. For any additional branding or marking on butt treated poles, and for all branding on untreated poles, an addition of not more than 7½ cents may be made for each additional branding or marking operation required by the buyer and performed with one iron.

7. *Heavy duty and 30" top poles.* On sales of heavy duty and 30" top #1 and #2 poles an addition for inbound freight may be added computed at the difference in estimated weights between the pole as sold and the pole cut back times the freight rate to the concentration yard.

8. *Untreated poles, stubs, anchor logs and short round material.* On shipments from treating plant yards of untreated poles, stubs, anchor logs and short round material, the seller may add a charge of not more than $0.075 per cwt. times the estimated weight for that length and size in the appropriate table.

9. *Storage.* When the buyer requires storage of treated poles until released for shipment as required, the seller may add a yarding charge of not more than $0.05 per cwt. times the estimated weight for the same class and length in the appropriate table.

10. *Specifications not priced.* To price any specification of pole other than American Standard Association, the seller shall determine the size A. S. A. pole of the same length having the same or nearest the larger circumference 6' from the butt, and this price is the tentative maximum price for the specification to be priced. The tentative price so determined and any price for other lengths or extras not specifically priced shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C. as provided in section 10.

TABLE 5—MAXIMUM PRICE ADDITIONS TO POLE PRICE FOR NONPRESSURE TYPE TREATMENT AND PROCESSING WESTERN RED CEDAR POLES

A. S. A. Length in feet	Class	Butt treated, incised, ½" guaranteed penetration creosote treatment [1]	Full length creosote or other preservative without separate butt treatment: Incised ground line area and treated over 3 hours and under 8 hours hot or cold [2]	Full length creosote or other preservative without separate butt treatment: Incised ground line area and 8 hours minimum hot followed by cold treatment [2 3]	Roof only	Roof and one grain	Each additional grain	Staining or painting	Machine or hand shave full length	Reduced sapwood addition to shaving price [4]
16	5	$1.15	$1.00	$1.35	$0.11	$0.19	$0.08	$0.75	$0.40	$0.05
	6	1.05	.90	1.20	.11	.19	.08	.70	.40	.05
	7	.90	.80	1.05	.11	.19	.08	.70	.40	.05
	8	.75	.75	.95	.11	.19	.08	.70	.35	.05
	9	.65	.65	.90	.07	.15	.08	.65	.35	.05
	10	.50	.60	.85	.07	.15	.08	.45	.35	.05
18	3	1.60	1.65	2.20	.15	.22	.08	1.10	.75	.05
	4	1.40	1.55	2.05	.11	.19	.08	1.05	.60	.05
	5	1.20	1.20	1.60	.11	.19	.08	.85	.55	.05
	6	1.15	1.00	1.30	.11	.19	.08	.75	.45	.05
	7	1.00	.90	1.20	.11	.19	.08	.75	.45	.05
	8	.85	.80	1.05	.11	.19	.08	.70	.40	.05
	9	.75	.75	.90	.07	.15	.08	.50	.30	.05
	10	.65	.75	.90	.07	.15	.08	.45	.30	.05
20	1	2.10	2.10	2.90	.15	.22	.08	1.15	.75	.05
	2	1.90	1.85	2.50	.15	.22	.08	1.15	.75	.05
	3	1.75	1.75	2.35	.15	.22	.08	1.15	.75	.05
	4	1.50	1.60	2.15	.11	.19	.08	1.00	.60	.05
	5	1.30	1.40	1.90	.11	.19	.08	.90	.55	.05
	6	1.15	1.30	1.75	.11	.19	.08	.80	.45	.05
	7	1.00	1.20	1.60	.11	.19	.08	.80	.45	.05
	8	.85	1.00	1.35	.11	.19	.08	.80	.45	.05
	9	.75	.90	1.20	.07	.15	.08	.75	.40	.05
	10	.65	.75	1.00	.07	.15	.08	.55	.30	.05
22	1	2.35	2.25	3.05	.18	.26	.08	1.30	.95	.05
	2	2.15	2.00	2.70	.18	.26	.08	1.20	.85	.05
	3	1.95	1.85	2.50	.15	.22	.08	1.10	.70	.05
	4	1.70	1.75	2.35	.15	.22	.08	1.00	.65	.05
	5	1.50	1.50	2.05	.11	.19	.08	.90	.55	.05
	6	1.35	1.40	1.85	.11	.19	.08	.85	.45	.05
	7	1.30	1.25	1.70	.11	.19	.08	.80	.45	.05
	8	1.30	1.10	1.45	.11	.19	.08	.80	.45	.05
	9	1.15	1.10	1.30	.07	.15	.08	.75	.45	.05
	10	1.10	.90	1.15	.07	.15	.08	.75	.45	.05
24	1	2.35	2.40	3.20	.18	.26	.08	1.30	.95	.05
	2	2.15	2.20	2.90	.18	.26	.08	1.20	.85	.05
	3	1.95	1.90	2.60	.15	.22	.08	1.10	.70	.05
	4	1.70	1.85	2.45	.15	.22	.08	1.00	.60	.05
	5	1.50	1.60	2.15	.11	.19	.08	.90	.55	.05
	6	1.35	1.45	1.95	.11	.19	.08	.85	.45	.05
	7	1.30	1.35	1.80	.11	.19	.08	.80	.45	.05
	8	1.30	1.25	1.65	.11	.19	.08	.80	.45	.05
	9	1.15	1.20	1.60	.07	.15	.08	.75	.45	.05
	10	1.10	1.10	1.45	.07	.15	.08	.75	.45	.05
26	H. D.	4.00	3.55	4.70	.30	.41	.11	1.80	1.35	.30
	30" Top 1	3.55	3.10	4.15	.26	.37	.11	1.70	1.20	.15
	30" Top 1	2.65	2.95	3.95	.22	.30	.08	1.45	1.05	.15
	30" Top 2	2.30	2.55	3.75	.26	.37	.11	1.60	1.15	.10
	2	2.40	2.70	3.60	.22	.30	.08	1.35	1.00	.10
	3	2.20	2.55	3.35	.18	.26	.08	1.25	.85	.10
	4	1.95	2.25	3.00	.15	.23	.08	1.10	.70	.10
	5	1.75	2.05	2.75	.11	.19	.08	1.00	.70	.10
	6	1.60	1.90	2.55	.11	.19	.08	.95	.65	.10
	7	1.50	1.75	2.35	.11	.19	.08	.90	.60	.10
	8	1.30	1.70	2.25	.11	.19	.08	.90	.55	.10
	9	1.30	1.55	2.05	.07	.15	.08	.90	.55	.10
28	H. D.	4.50	4.15	5.55	.30	.41	.11	1.95	1.50	.40
	30" Top 1	4.00	3.75	4.95	.30	.41	.11	1.80	1.35	.40
	30" Top 1	3.10	3.55	4.75	.26	.37	.11	1.60	1.20	.15
	30" Top 2	2.75	3.35	4.50	.26	.37	.11	1.75	1.30	.40
	2	2.75	3.20	4.25	.26	.34	.08	1.45	1.05	.15
	3	2.50	2.95	3.95	.22	.30	.08	1.35	1.00	.15
	4	2.30	2.75	3.65	.18	.26	.08	1.30	.90	.15
	5	2.10	2.50	3.35	.18	.26	.08	1.20	.85	.15
	6	1.90	2.30	3.10	.15	.22	.08	1.15	.75	.15
	7	1.65	2.10	2.85	.15	.22	.08	1.15	.70	.15
	8	1.65	1.95	2.60	.15	.22	.08	1.15	.70	.15

TABLE 5—MAXIMUM PRICE ADDITIONS TO POLE PRICE FOR NONPRESSURE TYPE TREATMENT AND PROCESSING WESTERN RED CEDAR POLES—Continued

A. S. A. Length in feet	Class	Butt treated, incised, ½" guaranteed penetration creosote treatment [1]	Full length creosote or other preservative without separate butt treatment: Incised ground line area and treated over 3 hours and under 8 hours hot or cold [2]	Full length creosote or other preservative without separate butt treatment: Incised ground line area and 8 hours minimum hot followed by cold treatment [2 3]	Roof only	Roof and one grain	Each additional grain	Staining or painting	Machine or hand shave full length	Reduced sapwood addition to shaving price [4]
30	H. D.	$5.05	$5.10	$6.80	$0.34	$0.45	$0.11	$2.10	$1.75	$0.40
	30" Top 1	4.50	4.45	5.95	.30	.41	.11	1.95	1.50	.40
	1	3.55	4.25	5.65	.26	.37	.11	1.70	1.30	.40
	30" Top 2	4.25	4.25	5.65	.30	.41	.11	1.90	1.50	.40
	2	3.30	3.90	5.20	.26	.37	.11	1.60	1.15	.40
	3	2.80	3.60	4.80	.22	.34	.11	1.45	1.05	.35
	4	2.60	3.30	4.40	.19	.30	.11	1.40	1.00	.30
	5	2.30	3.00	4.00	.19	.30	.11	1.30	.95	.25
	6	2.05	2.70	3.60	.19	.30	.11	1.30	.95	.20
	7	2.05	2.60	3.45	.19	.30	.11	1.30	.95	.15
46	H. D.	5.80	6.70	8.95	.34	.45	.11	2.25	1.90	.60
	30" Top 1	5.05	5.90	7.85	.34	.45	.11	2.10	1.75	.60
	1	4.00	5.60	7.45	.30	.41	.11	1.80	1.35	.55
	30" Top 2	4.60	5.45	7.30	.30	.41	.11	2.00	1.70	.60
	2	3.75	5.20	6.95	.26	.37	.11	1.75	1.30	.50
	3	3.25	4.75	6.35	.22	.34	.11	1.60	1.25	.40
	4	2.95	4.45	5.95	.22	.34	.11	1.60	1.20	.40
	5	2.80	4.05	5.40	.22	.34	.11	1.60	1.15	.30
	6	2.50	3.90	5.20	.22	.34	.11	1.60	1.15	.25
50	H. D.	6.55	7.70	10.25	.34	.45	.11	2.40	2.40	1.20
	30" Top 1	5.80	6.70	8.95	.34	.45	.11	2.25	1.90	.85
	1	4.50	6.40	8.55	.30	.41	.11	1.95	1.60	.50
	30" Top 2	5.10	6.30	8.40	.30	.41	.11	2.05	1.90	.45
	2	4.32	6.00	7.80	.30	.41	.11	1.90	1.80	.45
	3	3.65	5.55	7.40	.26	.37	.11	1.75	1.30	.40
	4	3.30	5.35	7.00	.26	.37	.11	1.70	1.35	.40
	5	2.70	4.85	6.45	.26	.37	.11	1.70	1.25	.40
	6	2.70	4.75	6.35	.26	.37	.11	1.70	1.20	.40
54	H. D.	7.10	8.75	11.70	.34	.45	.11	2.55	2.25	1.85
	30" Top 1	6.55	7.85	10.20	.34	.45	.11	2.40	2.40	1.20
	1	5.05	7.30	9.75	.34	.45	.11	2.10	1.75	.75
	30" Top 2	5.55	7.05	9.45	.30	.41	.11	2.20	2.30	1.20
	2	4.60	6.75	9.00	.30	.41	.11	2.00	1.70	.65
	3	4.10	6.35	8.35	.26	.37	.11	1.85	1.65	.45
	4	3.60	5.90	7.85	.26	.37	.11	1.80	1.55	.45
	5	3.30	5.60	7.45	.26	.37	.11	1.80	1.45	.45
60	H. D.	8.00	9.80	13.05	.34	.45	.11	2.70	2.90	1.70
	30" Tops 1	7.10	8.55	11.40	.34	.45	.11	2.55	2.65	1.45
	1	5.80	8.15	10.85	.34	.45	.11	2.25	2.20	1.20
	30" Top 2	6.35	7.95	10.55	.30	.41	.11	2.65	2.35	1.80
	2	5.10	7.60	10.15	.30	.41	.11	2.05	2.10	1.10
	3	4.30	7.05	9.40	.26	.37	.11	1.95	2.00	1.00
	4	3.95	6.70	8.95	.26	.37	.11	1.95	1.90	1.00
66	H. D.	8.80	11.20	14.95	.34	.45	.11	2.85	3.10	1.70
	30" Top 1	8.00	9.80	13.10	.34	.45	.11	2.70	2.80	1.80
	1	6.55	9.35	12.45	.34	.45	.11	2.40	2.40	1.80
	30" Top 2	7.10	8.70	11.62	.34	.45	.11	2.55	2.60	1.80
	2	5.58	8.30	11.05	.30	.41	.11	2.20	2.20	1.40
	3	5.05	7.85	10.45	.26	.37	.11	2.10	2.20	1.30
	4	4.70	7.45	9.95	.26	.37	.11	2.10	2.10	1.20
72	H. D.	9.90	11.35	15.15	.34	.45	.11	3.00	3.20	2.10
	30" Top 1	9.80	10.80	14.40	.34	.45	.11	2.85	3.10	1.80
	1	7.10	10.30	13.75	.34	.45	.11	2.55	2.65	1.95
	30" Top 2	8.05	9.75	13.00	.34	.45	.11	2.70	2.80	1.80
	2	6.35	9.30	12.40	.30	.41	.11	2.35	2.35	1.75
	3	5.80	8.75	11.65	.26	.37	.11	2.25	2.20	1.65
	4	5.00	8.35	11.15	.26	.37	.11	2.26	2.10	1.45
78	1	8.00	11.50	15.35	.34	.45	.11	2.70	2.80	2.00
	2	7.10	10.60	14.15	.34	.45	.11	2.55	2.50	1.90
	3	6.55	9.70	12.95	.34	.45	.11	2.40	2.40	1.80
	4	5.60	9.30	12.40	.34	.45	.11	2.40	2.30	1.70
90	1	9.80	12.95	17.25	.34	.45	.11	2.85	3.10	2.20
	2	8.05	11.75	15.65	.34	.45	.11	2.70	2.80	2.10
	3	7.20	10.80	14.40	.34	.45	.11	2.55	2.60	2.00
	4	6.80	10.45	13.95	.34	.45	.11	2.55	2.25	2.00
96	1	9.90	14.15	18.85	.34	.45	.11	3.00	3.20	2.50
	2	8.80	12.60	16.80	.34	.45	.11	2.85	3.00	2.30
	3	7.80	11.75	15.65	.34	.45	.11	2.70	2.80	2.10
	4	7.30	11.65	15.55	.34	.45	.11	2.70	2.60	2.00
99	1	10.90	15.85	21.15	.34	.45	.11	3.15	3.60	2.90
	2	9.75	14.35	19.15	.34	.45	.11	3.00	3.40	2.8
	3	8.60	13.30	17.75	.34	.45	.11	2.85	3.20	2.70

[1] On poles treated west of the crest of the Cascade Mountains or in California these prices may be increased by 5%. If poles are not incised no increase to these prices is allowed.

[2] If the buyer does not require ground-line incising with this type of treatment deduct 5% from the price of under 8 hours' treatment.

[3] Where guaranteed penetration at the ground line area is required in this type of treatment add to these prices the ½" guaranteed penetration butt treatment addition for the same length and class of pole, but the reduction set forth in Note 2 above must be made.

[4] This addition is permitted when the sapwood is reduced in machine shaving to less than ½" average thickness.

TABLE 6—MAXIMUM PRICE ADDITIONS TO TABLE 3 POLE PRICES FOR NON-PRESSURE TYPE TREATMENT AND PROCESSING LONG WESTERN RED CEDAR POLES

Length in feet	Class	Butt treated, ¾" guaranteed penetration creosote treatment [1]	Full length creosote or other preservative without separate butt treatment: Incised ground line area and treated over 2 hours and under 5 hours hot or cold [2]	Full length creosote or other preservative without separate butt treatment: Incised ground line area and 5 hours minimum hot followed by cold treatment [3] [4]	Roof only	Roof and one gain	Each additional gain	Staining or painting	Machine or hand shave full length	Reduced sapwood addition to shaving price [4]
8	1	$11.00	$16.75	$22.25	$0.40	$0.55	$0.15	$3.25	$4.00	$3.20
	2	10.75	15.85	21.10	.40	.55	.15	3.20	3.80	3.05
	3	9.60	14.35	19.10	.40	.55	.15	3.05	3.60	2.90
100	1	12.90	17.30	23.00	.40	.55	.15	3.75	4.50	3.60
	2	11.75	16.00	21.25	.40	.55	.15	3.50	4.25	3.40
	3	10.60	15.45	20.55	.40	.55	.15	3.25	4.00	3.20
105	1	13.90	18.45	24.55	.50	.65	.15	4.20	5.10	4.10
	2	12.75	17.35	23.05	.50	.65	.15	3.90	4.85	3.90
	3	11.60	16.15	21.45	.50	.65	.15	3.50	4.40	3.50
110	1	14.50	19.05	25.15	.50	.65	.15	4.75	5.60	4.50
	2	13.75	18.50	24.60	.50	.65	.15	4.25	5.35	4.30
	3	12.60	17.20	22.85	.50	.65	.15	3.90	4.90	3.90
115	1	15.90	20.80	27.65	.50	.65	.15	5.50	6.35	5.10
	2	14.75	19.70	26.20	.50	.65	.15	5.00	6.10	4.90
	3	13.60	18.50	24.60	.50	.65	.15	4.60	5.65	4.50
120	1	16.50	22.10	29.60	.50	.65	.15	6.25	7.35	5.90
	2	15.75	20.85	27.75	.50	.65	.15	5.60	7.10	5.70
	3	14.60	19.50	26.95	.50	.65	.15	5.00	6.65	5.30
125	1	17.90	23.55	31.30	.50	.65	.15	7.00	8.50	6.80
	2	16.75	22.15	29.45	.50	.65	.15	6.40	8.25	6.60
	3	15.60	20.60	27.45	.50	.65	.15	5.75	7.90	6.30

[1] On poles treated west of the crest of the Cascade Mountains or in California these prices may be increased by 5%. If poles are not incised no increase to these prices is allowed.

[2] If the buyer does not require ground-line incising with this type of treatment deduct 5% from the price of under 5 hours' treatment.

[3] Where guaranteed penetration at the ground line area is required in this type of treatment add to these prices the ½" guaranteed penetration butt treating addition for the same length and class of pole but the reduction set forth in Note 2 above must be made.

[4] This addition is permitted when the sapwood is reduced in machine shaving to less than ½" average thickness.

NOTES APPLYING TO TABLES 5 AND 6

1. *Additional height butt treatment.* An additional charge may be made for butt treatment for one foot or portion thereof in excess of the standard height, but the total charge must not be more than the maximum charge for creosote butt treatment of the same class pole five feet longer.

2. *Extended incised area.* When the buyer requires an extended ground-line incised area greater than 3 feet, the maximum charge for creosote butt treatment shall not exceed the maximum charge for the next larger class pole in the five foot longer length to provide for this service and any additional height treatment.

3. *Bolt holes and step holes.* For the first boring in any plane of a pole, stub, anchor log or other short round material add $0.05. For each additional boring in that same plane add $0.03.

4. *Continuous slab gain.* An addition may be made for each 12 inches or part thereof of continuous slab gain not to exceed the charge for "Each Additional Gain.".

5. *Full length immersion of butt treated poles.* For butt treated poles immersed full length in creosote, stain or other preservative, under 2 hours the seller may add to the butt treated price the staining and painting charge for the same length and class of pole.

6. *Push braces.* For framing and boring on push brace poles, an addition of $0.50 may be made to the maximum price for class and length of pole used.

7. *Specifications not priced.* For any specification of treating or processing not priced in this table a maximum price addition may be determined in accordance with section 10.

TABLE 7—SPLIT CEDAR HOP-POLES

[F. O. B. cars loading-out point]

	Estimated weight in pounds per pole	Maximum price each
6" min. face 20' long split hop-poles	140	$1.00

This regulation shall become effective September 11, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13645; Filed, Sept. 5, 1944; 4:14 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 555]

WESTERN POLES AND PILING

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 555—WESTERN POLES AND PILING

Sec.
1. Sales of Western poles and piling at higher than maximum prices prohibited.
2. Products, species and transactions covered.
3. Basic maximum prices.
4. Transportation addition.
5. Treatment addition.
6. Prohibited practices.
7. Purchasing commissions.
8. Adjustable pricing.
9. Special pricing.
10. Applications for adjustment and petitions for amendment.
11. Records.
12. Enforcement and licensing.
13. Exports.
14. Maximum prices for poles and piling.

AUTHORITY: Secs. 1 to 14, inclusive. (§ 1426.255) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Western poles and piling at higher than maximum prices prohibited.* (a) On and after September 11, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Western poles and piling covered by this regulation at prices higher than the maximum prices fixed by this regulation and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of the earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application, and the permission, if granted, will be so limited, that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. *Products, species, and transactions covered.* This regulation covers all sales and purchases of poles and piling (except Western Red Cedar) produced in "Western" territory. Western Red Cedar poles and piling are covered by Maximum Price Regulation 554.

"Western" territory is all that area within or west of the States of North Dakota, South Dakota, Wyoming, Colorado; the Oklahoma Panhandle (Cimarron, Texas, and Beaver Counties); and West Texas (all Texas counties within or west of Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney, and Maverick Counties.) It includes Mexico and Canada, when the poles and piling are imported through ports of entry in the above territory.

SEC. 3. *Basic maximum prices.* The basic maximum prices are set out in Tables 1, 2 and 3. These maximum prices are all f. o. b. the railroad loading-out point or towable waters nearest the mill or point of production in the normal direction of delivery to the point of destination.

SEC. 4. *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. railroad loading-out point or towable water prices when the seller makes delivery to the destination. Transportation from the mill or point of production to the railroad loading-out point or booming and rafting ground must, in every instance, be provided on the seller's account. All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* (1) When estimated weights or guaranteed mean diameters are used, the appropriate published rate times the estimated weight or mean diameter is the proper transportation charge, even though the estimated weights or diameters may be higher than actual. Estimated weights higher than those set forth in the tables may not be used. The estimated weight must be taken from the tables for the exact type of product actually ordered. To compute mean diameters add 1" to the top or butt diameter, whichever is the controlling factor, and increase or decrease that figure by 1" for each 10 lineal feet. Add the top and butt diameters thus determined and divide by two to find the mean diameter. The charge for transportation shall be evened out to the nearest quarter cent per lineal foot, or five cents per pole, whichever is applicable.

(2) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside of metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls of not over 10 miles, 7 cents per 100 pounds for hauls of more than 10 but not over 20 miles, 9 cents per 100 pounds for hauls of more than 20 but not over 30 miles, and for each mile over 30 miles, two tenths of a cent per 100 pounds to be added to the 30-mile charge. No addition is allowed for the return trip.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the Census of 1940. On shipment by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such haul times the estimated weight or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery. If the order and shipment are for less than a truckload, a minimum charge for 10,000 pounds may be made.

(c) *Rail shipments of poles and piling (other than lodgepole pine.)* (1) On eastbound shipments by rail the transportation addition for all shippers may be computed as the estimated weights shown in the appropriate table times the rail freight rate from Seattle, Washington.

(2) On southbound shipments by rail or by combined water and rail in the case of poles and piling produced in Canada to destinations covered in Pacific Freight Tariff Bureau Tariff No. 80–H or appropriate intrastate tariffs the transportation addition may be computed as the estimated weights shown in the appropriate table times the rail freight rate arrived at as follows:

(i) When the published rail rate is greater than the Seattle, Washington, rate, the Bellingham, Washington published rate may be used; on shipments of poles or piling produced in Canada the Bellingham rate may be used regardless of the location of rail shipping point.

(ii) When the published rail rate is greater than the Portland, Oregon rate but not greater than the Seattle, Washington published rate, the Seattle, Washington published rate may be used.

(iii) When the shipping point is north of the California-Oregon State line and takes a published rail rate not greater than the Portland rate, the Portland published rate may be used.

(iv) When the shipping point is in the State of California the published rate from Arcata, California may be used.

(3) Regardless of the foregoing provisions of this paragraph (c), if a treating-in-transit rate is applicable and results in a lower total cost of transportation, the treating-in-transit rate must be used.

(d) For other means of transportation, where there are no published rates the actual cost of such transportation may be charged, that is, the out-of-pocket cost to the seller, whether public or private means of transportation are used.

(e) *Averaging inbound transportation charges from multiple loading-out-points.* This addition for inbound transportation may be calculated by multiplying the estimated weight of the material by the local freight rate from the loading-out point of the untreated poles or piling. If the untreated material is received from more than one loading-out point, an average rate of all inbound freight may be used. The average must be determined by the following formula:

(1) The total inbound freight charges on all receipts during the preceding three months of the type and species of the item to be priced—divided by—

(2) The total weight of all receipts of such items during the three-month period, regardless of whether inbound freight actually was involved, but excluding any material sold f. o. b. original loading-out point.

This average rate may be used in computing the "inbound freight" addition on sales f. o. b. treating plant or concentration yard made during the quarter next following that on which the average is based. The average may also be used in selling on a delivered basis as provided in this section except that where treating-in-transit rates are available, the entire addition for transportation (including inbound) must be figured on

*Copies may be obtained from the Office of Price Administration.

the through rate from the loading-out point indicated on the freight bills surrendered in connection with the outbound shipment. The transit charge itself may be added.

SEC. 5. *Treated products.* (a) The maximum prices for Western poles and piling preservatively treated by pressure process are established by Maximum Price Regulation 491.[1]

(b) The maximum price for any product preservatively treated by non-pressure methods shall be the maximum price established in accordance with the provisions of section 9 of this regulation.

SEC. 6. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on April 1, 1942. The cash and credit periods recognized by the seller on April 1, 1942, shall not be reduced.

(2) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(3) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(4) Making the buyer take something he does not want in order to get what he does want.

SEC. 7. *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating Western poles and piling, or for any related service (such as "expediting") which does not involve actual physical handling of those products, if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the products. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the products in connection with which the service is performed.

SEC. 8. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 9. *Special pricing.* If a seller wishes to sell a species or specification of western poles or piling not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information:

(a) The requested price;

(b) A complete description of the item for which price approval is desired;

(1) If a specification other than Navy 39P–14a Class 2 for piling or A. S. A. for poles, he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or, if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 10. *Applications for adjustment and petitions for amendment*—(a) *Government Contracts.* See Procedural Regulation 6[2] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation 1[3] issued by the Office of Price Administration.

SEC. 11. *Records.* All sellers of Western poles and piling products must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $1,000 worth of Western Red Cedar poles and piling. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 12. *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by the regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury department, or any of their agencies.

(c) The provisions of Licensing Order No. 1,[4] licensing all persons who make sales under price control, are applicable to all sellers subject to the regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Exports.* The maximum price for export sales of Western Poles and piling is governed by the Second Revised Maximum Export Price Regulation.[5]

SEC. 14. *Maximum prices for poles and piling.* (a) All maximum prices set forth below are f. o. b. cars at the railroad loading-out point or dumped, boomed, and rafted on towable waters nearest the point of production in the normal direction of delivery to the point of destination.

(b) *Quantity discounts on poles.* When the seller takes a firm order for poles, he must make discounts for quantity as follows:

	Percent
For 2000 to 4999 poles	2½
For 5000 poles or more	5

For purposes of this paragraph a "firm order" is one requiring shipment from time to time over a period of 12 months, as ordered by the buyer, with guarantee of payment of any poles not ordered shipped at the end of the 12-month period, and covering at least 5 lengths with 3 classes in each length. The maximum price for poles subject to this discount is the untreated price taken from Tables 1, 2, or 3 and the additions for treatment and services made according to section 5, excluding any addition for transportation.

[1] 8 F.R. 15594.

[2] 7 F.R. 8067, 8664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256.

[3] 9 F.R. 5791.

[4] 6 F.R. 13340.

[5] 6 F.R. 4132, 5967, 7662, 9998, 15193; 9 F.R. 1036, 5923, 7201.

TABLE 1—LODGEPOLE PINE POLES AND PILING

Specifications: The maximum prices specified below apply to Lodgepole pine poles manufactured in accordance with the specifications of the American Standards Association.

Length	Class	Estimated weight per pole shipping dry	Maximum price for each pole
		Pounds	
16'	6	155	$1.70
	7	135	1.50
	8	120	1.15
	9	110	.90
20'	5	300	2.95
	6	225	2.20
	7	200	1.75
	8	180	1.55
	9	135	1.10
	10	125	.90
25'	1	850	5.15
	2	720	4.95
	3	600	4.45
	4	480	4.25
	5	400	3.95
	6	320	2.85
	7	260	2.45
	8	225	2.20
	9	200	1.70
30'	1	1,000	5.50
	2	850	5.10
	3	720	4.90
	4	610	4.70
	5	500	4.45
	6	420	3.80
	7	350	3.60
	8	325	3.40
	9	260	2.55
35'	1	1,200	7.00
	2	1,000	6.80
	3	850	6.60
	4	720	6.40
	5	600	5.80
	6	500	5.00
	7	470	4.90
	8	450	3.80
40'	1	1,500	8.05
	2	1,300	7.65
	3	1,100	7.45
	4	900	7.20
	5	800	6.80
	6	700	6.15
45'	1	1,800	9.80
	2	1,550	9.45
	3	1,300	9.00
	4	1,150	8.40
	5	1,000	7.90
50'	1	2,000	13.85
	2	1,800	12.60
	3	1,550	10.90
	4	1,400	10.30
	5	1,300	9.50
55'	1	2,300	24.00
	2	2,000	19.70
	3	1,750	14.70
	4	1,600	12.10
	5	1,450	11.40
60'	1	2,600	29.45
	2	2,200	24.00
	3	2,000	19.00
	4	1,900	15.20

1. The maximum prices for Lodgepole pine piling shall be the maximum price established in this Table 1 for the most nearly equivalent A. S. A. size pole of the same length.

TABLE 2—MAXIMUM PRICES CLEAN PEELED DOUGLAS FIR POLES, AMERICAN STANDARD ASSOCIATIONS SPECIFICATIONS

[F. o. b. cars loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Length in feet	Class	Weight in pounds: Each	Weight in pounds: Per linear foot	Price: Each	Price: Per linear foot
16–18–20	10	200	10	$1.60	$0.08
	9	220	11	1.70	.085
	8	300	15	1.80	.09
	7	310	15.5	1.90	.095
	6	350	17.5	2.00	.10
	5	400	20	2.10	.105
	4	440	22	2.20	.11
	3	490	24.5	2.40	.12
	2	530	26.5	2.60	.13
	1	580	29	3.00	.15
22–25	10	350	10	2.25	.09
	9	300	12	2.35	.095
	8	350	14	2.50	.10
28–30	7	400	16	$2.65	$0.105
	6	468	18.5	2.75	.11
	5	525	21	3.00	.12
	4	575	23	3.25	.13
	3	600	24	3.50	.14
	2	650	26	3.75	.15
	1	700	28	4.25	.17
35	9	360	13	3.05	.10
	8	450	15	3.15	.105
	7	480	16	3.30	.11
	6	510	17	3.60	.12
	5	600	20	3.90	.13
	4	660	22	4.20	.14
	3	810	27	4.50	.15
	2	980	31	5.10	.17
	1	1,110	37	5.70	.19
35	8	560	16	3.85	.11
	7	595	17	4.20	.12
	6	665	19	4.90	.14
	5	770	22	5.25	.15
	4	875	25	5.60	.16
	3	1,065	31	6.30	.18
	2	1,260	36	6.65	.19
	1	1,435	41	7.70	.22
40	7	680	17	5.20	.13
	6	800	20	5.60	.14
	5	920	23	6.40	.16
	4	1,120	28	7.20	.18
	3	1,320	33	8.00	.20
	2	1,560	39	8.80	.22
	1	1,760	44	9.20	.23
45	7	810	18	6.30	.14
	6	945	21	7.20	.16
	5	1,125	25	8.10	.18
	4	1,350	30	9.00	.20
	3	1,575	35	9.45	.21
	2	1,845	41	10.35	.23
	1	2,070	46	11.25	.25
50	7	950	19	7.50	.15
	6	1,100	22	8.00	.16
	5	1,300	26	9.50	.19
	4	1,600	32	10.50	.21
	3	1,850	37	11.50	.23
	2	2,150	43	12.50	.25
	1	2,500	50	13.00	.26
55	6	1,320	24	11.00	.20
	5	1,540	28	11.55	.21
	4	1,815	33	12.10	.22
	3	2,145	39	13.20	.24
	2	2,475	45	14.20	.26
	1	2,860	52	14.80	.27
60	5	1,740	29	13.20	.22
	4	2,040	34	14.40	.24
	3	2,460	41	15.60	.26
	2	2,850	47	16.20	.27
	1	3,300	55	16.80	.28
65	5	2,015	31	14.95	.23
	4	2,340	36	16.25	.25
	3	2,795	43	17.55	.27
	2	3,250	50	18.85	.29
	1	3,835	59	19.50	.30
70	5	2,240	32	16.80	.24
	4	2,590	37	18.20	.26
	3	3,080	44	19.60	.28
	2	3,640	52	21.00	.30
	1	4,340	62	21.70	.31
75	4	2,925	39	20.25	.27
	3	3,450	46	21.75	.29
	2	4,050	54	23.25	.31
	1	4,800	64	24.00	.32
80	4	3,200	40	22.40	.28
	3	3,760	47	24.00	.30
	2	4,400	55	25.60	.32
	1	5,240	65.5	26.40	.33
85	3	4,165	49	27.20	.32
	2	4,930	58	28.90	.34
	1	5,780	68	29.75	.35
90	3	4,950	55	30.60	.34
	2	5,400	60	32.40	.36
	1	6,300	70	33.30	.37

1. To price any specification of pole other than American Standard Association, the seller shall determine the size A. S. A. pole of the same length having the same or nearest larger circumference 6' from the butt and this price is the tentative maximum price for the specification to be priced. The tentative price so determined and any price for other lengths or extras not specifically priced, such as roofing or framing, shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C., as provided in section 9.

LENGTH SPECIFICATIONS

All additions allowed by the following footnotes must be shown separately on the invoice.

In all the specified length groups below, the lengths shall be evenly distributed.

2. For specified length groups, 5 or more consecutive lengths in A. S. A. multiples: No addition.

3. For specified length groups, of 4 consecutive lengths in A. S. A. multiples: add $.005 per lin. ft.

4. For specified length groups, of 3 consecutive lengths in A. S. A. multiples: add $.01 per lin. ft.

5. For specified length groups, of 2 consecutive lengths in A. S. A. multiples: add $.015 per lin. ft.

6. For random length orders when the purchaser specifies restricted loading, the seller may add ⅔ of the appropriate specified length addition above.

WINTER OR BARK STUCK PEELING

8. For clean peeled poles which are delivered during the winter peeling or bark stuck season (October 1 to February 28 or 29, inclusive): add $.02 per lin. ft.

9. For rough peeled poles which are delivered during the winter peeling or bark stuck season (October 1 to February 28 or 29, inclusive): add $.01 per lin. ft.

10. *Butt treating.* When fir poles are sold butt-treated, the seller may apply, in accordance with section 9, for authorization of an addition to the untreated fir pole price.

11. *Less than carload sales.* On orders to established concentration, distribution or treating plant yards for less-than-carload minimum weights as established by railroad tariffs and where the invoice value at maximum prices for the untreated poles or other round material does not exceed $175.00 on items 50 feet and shorter, or $250.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value of the butt treated or untreated material not including transportation but including the treating additions provided in footnote 10 above. The transportation addition on "less-than-carload sales" must not exceed that permitted in section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the sale is made. The services charge may be made only on sales f. o. b. seller's yard, with transportation outbound for the buyer's account.

12. *Cut back allowance.* When requirements of the buyer exceed the available supply of the seller for one or more classes or lengths of poles for delivery required, the seller may cut back the most similar class pole in the five foot longer length and may charge the maximum price for the class and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the class and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the concentration yard. No addition may be made for the labor included in such cutting-back operations. The seller shall keep a record of such sales and show this charge as a separate item on the invoice.

13. *Inspection service.* On shipments where the buyer requests special inspection service, furnished by an approved inspection agency, an addition may be made to cover the actual cost of such service. This charge must be shown separately on the invoice.

TABLE 3—CLEANED PEELED DOUGLAS FIR PILING, NAVY SPECIFICATION 39P 14A CLASS 2

[F. O. B. Cars Producer's Loading-out Point or Dumped, Boomed, Rafted and Prepared for Towing in Towable Waters]

Diameters	8" Min. Butt including 8'-1' to 8'-6'		9" Min. Butt including 9'-1' to 9'-6'		10" Min. Butt including 10'-1' to 10'-6'		11" Min. Butt including 11'-1' to 11'-6'		12" Min. Butt including 12'-1' to 12'-6'		13" Min. Butt including 13'-1' to 13'-6'		14" Min. Butt including 14'-1' to 14'-6'		15" Min. Butt including 15'-1' to 15'-6'		16" Min. Butt including 16'-1' to 16'-6'		17" Min. Butt including 17'-1' to 17'-6'		18" Min. Butt including 18'-1' to 18'-6'		19" Min. Butt including 19'-1' to 19'-6'		20" Min. Butt including 20'-1' to 20'-6'	
Lengths	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot	Weight pounds per lin. foot	Price per lin. foot
15' to 17' incl	19	$0.10	23	$0.12	29	$0.14	35	$0.16	41	$0.18	48	$0.21	----	----	----	----	----	----	----	----	----	----	----	----	----	----
18' to 22' incl	18	.10	22	.12	28	.14	33	.16	39	.18	46	.21	----	----	----	----	----	----	----	----	----	----	----	----	----	----
23' to 27' incl	18	.10	21	.12	26	.14	32	.16	38	.18	45	.21	----	----	----	----	----	----	----	----	----	----	----	----	----	----
28' to 32' incl	18	.10	20	.12	25	.14	30	.16	36	.18	43	.21	50	$0.23	----	----	----	----	----	----	----	----	----	----	----	----
33' to 37' incl	18	.11	20	.13	24	.15	29	.16	35	.18	41	.21	48	.23	----	----	----	----	----	----	----	----	----	----	----	----
38' to 42' incl	18	.11	20	.13	23	.15	28	.17	33	.19	40	.22	46	.24	----	----	----	----	----	----	----	----	----	----	----	----
43' to 47' incl	18	.11	20	.13	23	.15	28	.17	32	.19	38	.22	45	.24	52	$0.26	60	$0.26	68	$0.28	77	$0.30	86	$0.32	95	$0.34
48' to 52' incl	18	.11	20	.13	23	.15	28	.17	31	.19	37	.22	43	.24	50	.26	58	.26	66	.28	75	.30	84	.32	93	.345
53' to 57' incl	----	----	20	.14	23	.16	28	.17	29	.19	35	.22	42	.24	48	.25	55	.26	64	.28	73	.30	82	.32	91	.34
58' to 62' incl	----	----	20	.14	23	.16	28	.17	28	.19	34	.22	40	.24	47	.25	54	.26	62	.28	71	.30	80	.32	89	.34
63' to 67' incl	----	----	----	----	23	.17	28	.19	28	.21	33	.23	39	.25	45	.26	53	.27	61	.29	68	.31	77	.33	87	.35
68' to 72' incl	----	----	----	----	23	.18	28	.20	28	.21	31	.23	37	.25	43	.26	51	.27	59	.29	66	.31	75	.33	85	.35
73' to 77' incl	----	----	----	----	----	----	28	.21	28	.22	31	.24	36	.25	41	.26	49	.27	57	.29	65	.31	73	.33	83	.35
78' to 82' incl	----	----	----	----	----	----	28	.22	28	.22	31	.24	34	.25	40	.26	48	.27	55	.29	63	.31	71	.33	80	.35
83' to 87' incl	----	----	----	----	----	----	----	----	28	.24	31	.25	34	.26	39	.27	46	.28	53	.30	61	.32	69	.34	78	.36
88' to 92' incl	----	----	----	----	----	----	----	----	28	.25	31	.26	34	.27	38	.29	44	.30	52	.31	59	.33	67	.35	76	.37
93' to 97' incl	----	----	----	----	----	----	----	----	----	----	31	.27	34	.28	38	.30	43	.31	50	.32	57	.34	65	.36	74	.38
98' to 102' incl	----	----	----	----	----	----	----	----	----	----	32	.28	36	.29	40	.31	47	.32	49	.33	55	.35	64	.37	72	.39
103' to 107' incl	----	----	----	----	----	----	----	----	----	----	----	----	36	.30	40	.32	42	.34	47	.35	54	.37	62	.39	70	.41
108' to 112' incl	----	----	----	----	----	----	----	----	----	----	----	----	38	.31	42	.33	44	.35	46	.36	53	.38	60	.40	68	.43
113' to 117' incl	----	----	----	----	----	----	----	----	----	----	----	----	----	----	44	.34	46	.36	48	.38	51	.40	58	.42	66	.44
118' to 122' incl	----	----	----	----	----	----	----	----	----	----	----	----	----	----	46	.35	48	.37	50	.39	50	.41	57	.43	65	.45
123' to 127' incl	----	----	----	----	----	----	----	----	----	----	----	----	----	----	48	.368	50	.368	52	.405	52	.425	55	.445	62	.46
128' to 132' incl	----	----	----	----	----	----	----	----	----	----	----	----	----	----	50	.38	52	.40	54	.42	54	.44	53	.46	61	.48

1. If a top diameter only is specified, or where the top diameter controls, the butt size shall be determined by adding 1 inch for each 10 feet or fraction thereof.

SPECIFICATIONS NOT COVERED

2. For all lengths butt or top specifications, and other extras not specifically priced, such as sniping and boring, price according to section 9.

UNPEELED PILING

3. For unpeeled piling, deduct: $0.025 per lin. ft.

LENGTH SPECIFICATIONS

Additions allowed by the following footnotes must be shown separately on the invoice.

Orders calling for specific quantities of any length are specified single length orders for that quantity. On all orders for specified length groups, the shipment must contain a distribution of lengths so that the average of the lengths actually shipped does not deviate from the average of the group ordered by more than 25 percent of the difference between the shortest and longest lengths in the group ordered.

4. For specified length groups of one size of 20' or more spread: No addition.

5. For specified length groups of one size of over 10' but less than 20' spread: add $0.005 per lin. ft.

6. For specified length groups of one size of over 5' but less than 11' spread for example, 48' to 58': add $0.01 per lin. ft.

7. For specified length groups of one size of not over 5' spread, for example, 64'–65'–66'–67'–68': add $0.02 per lin. ft.

8. For specified length groups of one size of not over 3' spread, for example, 79'–80'–81': add $0.025 per lin. ft.

9. For specified single lengths: add $.03 per lin. ft.

10. For random length orders where the purchaser specifies restricted loading the seller may add ⅓ of the proper specified length addition above.

WINTER OR BARK STUCK PEELING

11. For cleaned peeled piling which is delivered during the winter or bark stuck peeling season (October 1 to February 28 or 29, inclusive): add $0.02 per lin. ft.

12. For rough peeled piling which is delivered during the winter or bark stuck peeling season (October 1 to February 28 or 29, inclusive): add $0.01 per lin. ft.

13. *Less than carload sales.* On orders to established concentration, distribution or treating plant yards for less than carload minimum weight as established by railroad tariffs and where the invoice value at maximum prices for the untreated piling or other round material does not exceed $175.00 on items 50 feet and shorter or $250.00 where 50 percent of the items are more than 50 feet in length, the seller may add a service charge of not more than 25% of the total invoice value not including transportation. The transportation addition on "less than carload sales" must not exceed that permitted by section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the sale is made. The service charge may be made only on sales f. o. b. seller's yard, with transportation outbound for the buyer's account.

This regulation shall become effective September 11, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13646; Filed, Sept. 5, 1944; 4:13 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 556]

WESTERN RAILROAD TIES AND WOODEN MINE MATERIALS

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 556—WESTERN RAILROAD TIES AND WOODEN MINE MATERIALS

Sec.

1. Sales of Western railroad ties and mine material at higher than maximum prices prohibited.
2. Products, species and transactions covered.
3. Basic maximum prices.
4. Transportation addition.
5. Treatment addition.
6. Tie contractors' addition.
7. Definitions of territories.
8. Prohibited practices.
9. Purchasing commissions.
10. Adjustable pricing.
11. Special pricing.
12. Applications for adjustment and petitions for amendment.
13. Records.
14. Enforcement and licensing.
15. Exports.
16. Maximum prices for Western mine materials.
17. Maximum prices for railroad ties.

AUTHORITY: Secs. 1 to 17, inclusive, (§1426.256) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Western railroad ties and mine material at higher than*

*Copies may be obtained from the Office of Price Administration.

maximum prices prohibited. (a) On and after September 11, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Western railroad ties and mine material covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of the earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application, and the permission, if granted, will be so limited, that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, Washington 25, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. *Products, species, and transactions covered.* This regulation covers all sales and purchases of the Western railroad ties and mine material listed below when produced in the territory described, except as provided in paragraph (d) below.

(a) *Products covered.* (1) Western mine pit posts and stulls, whether peeled or unpeeled and whether processed or unprocessed, Western mine ties, timbers, blocks, cross bars, caps, lagging, and wedges, and any other wooden mine material.

(2) Western railroad cross ties and switch ties.

(b) *Species covered.* All species produced in the territory described below are covered. The price tables cover particular species as designated in each table; any species not listed in the price tables is nevertheless covered, and is to be priced according to section 11 as a special.

(c) *Territory covered.* Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; Cimarron, Texas and Beaver Counties, Oklahoma; those counties in Texas west of the east line of Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney, and Maverick Counties. Material produced in Canada or Mexico is subject to this regulation when imported through ports of entry in the territory just described, maximum prices to apply f. o. b. cars at the port of entry.

(d) *Excepted products and species.* Sawn railroad ties of the Redwood species (Sequoia sempervirens) are not covered by this regulation but remain subject to Maximum Price Regulation No. 253.[1] Railroad ties of Redwood species are subject to this Maximum Price Regulation No. 556 only when they are split or hewn. Sawn wooden mine materials of Redwood, Douglas fir, hemlock or true firs, produced in Canada, California, and in Oregon and Washington west of the crest of the Cascade Mountains are not subject to this regulation but to Revised Maximum Price Regulation No. 26[2] or Maximum Price Regulation No. 253.

SEC. 3. *Basic maximum prices.* The basic maximum prices for Western mine materials are set out in section 16 and for Western Railroad ties in section 17. Except as otherwise provided in footnotes to tables 5 and 8 these maximum prices are all f. o. b. the railroad loading-out point nearest the mill or point of production in the normal direction of delivery to the point of destination.

SEC. 4. *Transportation addition.* Except as otherwise provided in footnotes to Tables 5 and 8, the transportation charges set forth below may be added to the maximum f. o. b. railroad loading-out point prices when the seller makes delivery to the destination. Except when ties are sold f. o. b. mill as allowed by footnote to Tables 5 and 8 transportation from the mill or point of production to the railroad loading-out point must, in every instance, be provided on the seller's account. All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* (1) When estimated weights are used, the appropriate published rate times the estimated weight is the proper transportation charge, even though the estimated weights may be higher than actual. Estimated weights higher than those set forth in the tables may not be used. The estimated weight must be taken from the tables, in Sections 16 or 17 for the exact type of product ordered. The charge for transportation shall be evened out to the nearest quarter-dollar per MBM, or quarter cent per lineal foot, whichever is applicable.

(2) When estimated weights are not used, the amount added for transportation must not be more than the amount actually paid to the common or contract carrier.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside of metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls of not over 10 miles, 7 cents per 100 pounds for hauls of more than 10 but not over 20 miles, 9 cents per 100 pounds for hauls of more than 20 but not over 30 miles, and for each mile over 30 miles, two tenths of a cent per 100 pounds to be added to the 30-mile charge. No addition is allowed for the return trip.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the Census of 1940. On shipment by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor carrier rate for such haul times the estimated weight or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

(c) *Averaging-out.* (1) When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more railroad loading-out points to a single destination on varying freight rates, the seller may average out the transportation charges applying from the railroad loading-out point to the destination.

(2) In order that no single invoice shall appear to be false or over the ceiling, the seller must write on each invoice that the particular shipment is part of a larger order. Then, when shipment has been completed, he must render a final invoice which shows the individual prices, loading-out point, the amount shipped from each loading-out point, each destination, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered sale price and also with the maximum price permitted by this regulation.

SEC. 5. *Treatment addition.* (a) The maximum prices for Western railroad ties and mine material preservatively treated by pressure process are established by Maximum Price Regulation 491.

(b) The maximum price for Western railroad ties and mine material preservatively treated by non-pressure methods shall be the maximum price established by the General Maximum Price Regulation for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest untreated price f. o. b. loading-out point, paid in March 1942 by this seller of treated products and the maxi-

[1] 7 F.R. 9230, 10648; 8 F.R. 1139, 4136, 4720, 7197, 11479; 9 F.R. 5482.

[2] 9 F.R. 1016, 3513, 4227, 7505.

mum price established in this regulation for the same size, and grade of untreated product. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated product. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated product. (If the seller of a treated product did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated product.)

SEC. 6. *Tie contractors' addition.* (a) In Table No. 5, a "tie contractors' addition" is provided. It applies to cross ties (not switch ties) produced in the fringe area (as defined in the following section) of Western pine and the associated species listed in Table 5. This may be made by all persons who have registered as tie contractors.

(b) *Registered contractors.* Any person who has been authorized to act as a tie contractor prior to August 1, 1944, must file a request for registration with the Lumber Branch of the Office of Price Administration, Washington 25, D. C., before October 1, 1944.

(c) The Lumber Branch of the Office of Price Administration, Washington, D. C., may by letter or telegram authorize any person not meeting these qualifications to act as a tie contractor upon presentation of proof that the granting of this authorization will supply a service needed by tie users by increasing production and availability of cross ties in the area covered by this regulation.

SEC. 7. *Definitions of territories.* (a) The term "north and west area" means the States of California, Idaho, Montana, and Nevada, and those parts of Oregon and Washington east of the crest of the Cascade Mountains; and Canada.

(b) The term "fringe area" means the States of North Dakota, South Dakota, Utah, Wyoming, Colorado, Arizona, and New Mexico; Cimarron, Texas, and Beaver Counties, Oklahoma; and those counties in Texas west of the east line of Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney, and Maverick Counties; and Mexico.

SEC. 8. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices or cash discounts from what they were on April 1, 1942. The cash and credit periods recognized by the seller on April 1, 1942, shall not be reduced.

(2) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(3) Quoting a gross price above the maximum price, even if accompanied by a discount, the effect of which is to bring the net price below the maximum.

(4) Making the buyer take something he does not want in order to get what he does want.

SEC. 9. *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling or locating Western railroad ties and mine material products, or for any related service (such as "expediting") which does not involve actual physical handling of those products, if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the products. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price or value of the products in connection with which the service is performed.

SEC. 10. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 11. *Special pricing.* If a seller wishes to sell a specification of Western Railroad Ties and Wooden Mine Material not specifically priced in this regulation, or wishes to make changes for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information.

(a) The requested price;

(b) A complete description of the item for which price approval is desired:

(1) If a specification other than those provided by the regulation, he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 12. *Applications for adjustment and petitions for amendment.* (a) *Government contracts.* See Procedural Regulation No. 6[1] for adjustment provisions on certain government contracts or sub-contracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 13. *Records.* All sellers of Western railroad ties and mine material must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $400.00 worth of Western railroad ties and mine material. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 14. *Enforcement and licensing.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by the regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission, and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(c) The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[1] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256.
[2] 9 F.R. 5791.
[3] 8 F.R. 13240.

SEC. 15. *Exports.* The maximum price for export sales of Western railroad ties and mine material is governed by the Second Revised Maximum Export Price Regulation.[4]

TABLE 4—WESTERN MINE WEDGES AND CAP PIECES

| Estimated weights per | | |

SEC. 15. *Exports.* The maximum price for export sales of Western railroad ties and mine material is governed by the Second Revised Maximum Export Price Regulation.[8]

[8] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5923, 7201.

SEC. 16. *Maximum prices for Western mine materials.* All maximum prices set forth below are f. o. b. the railroad loading-out point nearest the mill or point of production in the normal direction of delivery to the point of destination. These maximum prices do not include treatment.

TABLE 1—WESTERN MINE PIT POSTS AND STULLS

[Area: This table applies in the entire area covered by the regulation]

Diameter at small end	Lengths up to and including 8'. Peeled. (Per linear foot)	Lengths over 8'. Peeled. (Per linear foot)	Estimated weights (Per linear foot)	
			Green	Dry
Up to 6", incl	$0.0525	$0.0625	9.0	7.0
Over 6" to 8", incl	.08	.09	16.5	12.5
Over 8" Up to 10", incl	.11	.12	24.0	18.0
Over 10" Up to 12", incl	.1275	.1375	34.0	26.0
Over 12" Up to 14", incl	.165	.175	46.0	35.0
Over 14" Up to 16", incl	.225	.235	58.0	45.0
Over 16" Up to 18", incl	.285	.295	70.0	54.0
Over 18" Up to 20", incl	.36	.37	86.0	65.0
Over 20" Up to 22", incl	.46	.47	104.0	80.0

Deductions for unpeeled Western mine pit posts and stulls:

	Per lineal ft.
Up to 12", incl	$0.0075
Over 12", Up to 18", incl	.01
Over 18", Up to 22", incl	.0125

TABLE 2—WESTERN MINE TIES

[Area: This table applies in the entire area covered by the regulation except that sawn Redwood produced in California and sawn Douglas Fir and related species produced west of the crest of the Cascade Mountains in Washington, Oregon and Canada are subject to the appropriate lumber regulations]

Up to 6" x 6", 7' and shorter	Mining grade per M'BM	No. 1 Mining grade M'BM	Estimated wts. Per M'BM	
			Green	Dry
North and west area (See section 7 (a))	$23.50	$28.50	3,800	3,200
Fringe area (See section 7 (b))	28.50	33.50	3,800	3,200

TABLE 3—WESTERN MINE TIMBERS, BLOCKS, CROSS BARS AND LAGGING

[Area: This table applies in the entire area covered by the regulation except that sawn Redwood produced in California and sawn Douglas Fir and related species produced west of the crest of the Cascade Mountains in Washington, Oregon, and Canada are subject to the appropriate lumber regulations]

All sizes, up to 20' in length	Mining grade per M'BM	No. 1 Mining grade per M'BM	Estimated weights per M'BM	
			Green	Dry
North and west area (See section 7 (a))	$23.50	$28.50	3,800	3,200
Fringe area (See section 7 (b))	28.50	33.50	3,800	3,200

NOTE: For specified lengths longer than 20', add $2.00 per M'BM.

TABLE 4—WESTERN MINE WEDGES AND CAP PIECES

[Area: This table applies in the entire area covered by the regulation except that sawn Redwood produced in California and sawn Douglas Fir and related species produced west of the crest of the Cascade Mountains in Washington, Oregon, and Canada are subject to the appropriate lumber regulations]

Size	Maximum prices per piece	Estimated weights per M'BM	
		Green	Dry
0" x 2" x 4" x 12" wedge	$0.015	3,800	3,200
0" x 2" x 6" x 20" wedge	.035	3,800	3,200
0" x 3" x 6" x 16" wedge	.04	3,800	3,200
1" x 3" x 6" x 18" wedge	.0625	3,800	3,200
2" x 4" x 6" x 26" wedge	.13	3,800	3,200
2" x 6" x 4" x 30" wedge	.15	3,800	3,200
4" x 6" x 30" cap	.175	3,800	3,200

NOTE: For any size wedge not specifically priced above, a tentative maximum price of $40.00 per M'BM is established. The use of this maximum price is conditional on the filing of copies of the invoices showing a complete description of the odd sized wedge so priced within 15 days of the use of it. This tentative maximum price may be adjusted by the Lumber Branch, Office of Price Administration, by letter or telegram, within 30 days after it is filed with that Branch. If not adjusted within that time, it shall become the maximum price for that seller.

SEC. 17. *Maximum prices for railroad ties.* All maximum prices set forth below except as provided in footnotes to Tables 5 and 8, are f. o. b. cars at the railroad loading-out point nearest the mill or point of production in the normal direction of delivery to the point of destination. These maximum prices do not include treatment.

TABLE 5—WESTERN PINE, ETC., RAILROAD TIES

[Area: This table applies in the entire area covered by the regulation except for the species qualifications set forth below]

[Species: Lodgepole pine, tamarack, Ponderosa pine, larch, Douglas fir, Engelmann spruce and related species, or any combination of these species, except Douglas fir, hemlock and true firs produced in Oregon and Washington west of the crest of the Cascade Mountains; and California and Canada. Specifications: The maximum prices specified below apply to untreated cross ties manufactured in accordance with the specifications of the American Railway Engineering Association]

Area	Cross ties per M'BM	Switch ties per M'BM	Estimated weights per M'BM	
			Green	Dry
North and west area (see section 7 (a))	$28.50	$31.50	3,800	3,200
Fringe area (see section 7 (b))	28.50	35.50	3,800	3,200

1. For 8'6" and 9'0" cross ties, add $2.00 per M'BM.

2. In the fringe area, but not in the north and west area, a tie contractor may add $5.00 per M'BM on Western railroad cross ties. No tie contractor addition is allowed on switch ties. See section 6 for definition of tie contractor.

3. For railroad ties of Western pine and associated species produced in Arizona, New Mexico, or Colorado and sold f. o. b. mill or point of production, the maximum price shall be $22.50 per M'BM. On delivered sales, additions for transportation may be made in accordance with section 4 (a) and (b), the charges to be computed for the entire haul from mill to destination, but in no case to exceed $10.00 per M'BM.

TABLE 6—DOUGLAS FIR, ETC., RAILROAD TIES

[Area: This table applies in California and west of the crest of the Cascade Mountains in Washington, Oregon and Canada]

[Species: Douglas fir and other West Coast species. Graded under A. R. E. A. rules or W. C. L. A. Rules No. 12]

	Cross ties per M' BM	Switch ties per M' BM 8' 0"–17'
A. R. E. A. or select Par. 206	$28.50	$31.50
No. 1, Par. 206	26.00	28.00
No. 2, Par. 207	23.00	26.00

	Green	Dry	Green	Dry
Estimated weights:				
Fir	3,500	3,100	3,200	2,900
Hemlock	4,000	3,200	3,800	3,000

1. No additions for odd or fractional thickness, widths, or lengths, except as provided in footnote 5 below.

2. Hemlock and true firs: Deduct $1.00 per M'BM.

3. P. O. H. C. ties, add $1.50 per M'BM.

4. For switch ties longer than 17' use timber schedule in Maximum Price Regulation 26—Douglas Fir and Other West Coast Lumber.

5. For 8'6" and 9' cross ties, add $2.00 per M'BM.

TABLE 7—WESTERN RED CEDAR RAILROAD CROSS TIES

[Area: This table applies in California and west of the crest of the Cascade Mountains in Washington, Oregon and Canada. Grades as provided in A. R. E. A. or Par. 737, W. C. L. A. Rules No. 12]

	Per M'BM	Estimated weights	
		Green	Dry
A. R. E. A. or select Par. 205	$32.00	3,000	2,800
No. 1, Par. 206	30.00	3,000	2,800
No. 2, Par. 207	28.50	3,000	2,800

1. No additions for odd thicknesses, widths or lengths.

TABLE 8—SPLIT OR HEWN REDWOOD CROSS TIES

[(Area: This table applies in California) Grades as provided in A. R. E. A. or Standard Specifications for Grades of Redwood Lumber, Rev. Dec. 1943]

	Per M' BM	Estimated Weight per M'BM
A. R. E. A. or Par. 173	$32.50	4,000

1. When split redwood ties are delivered by truck from a production or concentration point to any place other than a railroad loading-out point, the maximum price shall be computed on the basis of $32.50 per M'BM f. o. b. the truck loading point, and to this price may be added the trucking charges provided in section 4 (a) or (b), computing the addition for the truck mileage from the truck loading point to destination.

2. When split redwood ties are delivered by truck from the production or concentration point to a railroad loading-out point other than the nearest railroad loading-out point, the maximum price shall be computed on the basis of $32.50 per M'BM f. o. b. the truck loading-out point, and to this price may be added the trucking charges provided in section 4 (a) or (b), computing the addition by multiplying the railroad mileage from the nearest loading point to destination by the applicable trucking rate.

This regulation shall become effective September 11, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13647; Filed, Sept. 8, 1944; 4:15 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A[1], Amdt. 14]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

The undesignated parenthetical paragraph following section 2.3 (b) (2) (iii) is amended to read as follows:

(The emergency oil shortage area includes the entire continental United States. However, the Director of the Fuel Rationing Division may, by the issuance of an order, exclude from the emergency oil shortage area any area in the states outside the area described in Revised Ration Order 11 as the "limitation area", or any area in the states of Georgia, Florida, Oregon, Washington and Idaho.)

This amendment shall become effective on September 9, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13648; Filed, Sept. 8, 1944; 4:11 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11564.

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Supp. Service Reg. 33]

HAND LAUNDRIES IN WASHINGTON, D. C. AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 33 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 33 is hereby issued.

§ 1499.2268 *Hand laundries in the Washington, D. C. area*—(a) *Dollars-and-cents maximum prices established for hand laundry services sold by hand laundries in the Washington, D. C. area.* (1) The maximum prices established by Revised Maximum Price Regulation No. 165, for hand laundry services sold by hand laundries in the Washington, D. C. area are hereby modified and henceforth shall be the prices set forth in Appendix A.

(2) *Definitions.* As used in this supplementary service regulation the term:

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing 10 or less employees.

"Washington, D. C. Area" means the District of Columbia, Arlington County, Virginia, and all that portion of Montgomery and Prince Georges Counties in Maryland, lying within a radius of seven miles of the AAA milestone, located at the rear of the White House, Washington, D. C.

"Shirts" as used in Appendix A means all shirts except the following:

Shirts made of silk, wool, rayon and other artificial fibers; gabardine shirts; full dress shirts.

The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with the OPA. If no such prices have been filed, the maximum price to be charged for all shirts shall be the price established for shirts by Appendix A.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7439.

(3) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry located in the Washington, D. C. area shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(4) *Elimination of individual adjustments.* On and after the effective date of this Supplementary Service Regulation the provisions of section 16 (a) of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation. On and after the effective date of this regulation, all surcharges and percentage surcharges made by hand laundries located in the Washington, D. C. area shall cease and all percentage adjustments granted by the Office of Price Administration to hand laundries located in the Washington, D. C. area are hereby revoked.

(5) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

(6) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165.

APPENDIX A

Laundry service:	Price
Shirts	.16
Collars	.03
Socks	.05
Undershirts	.10
Shorts	.10
Unionsuits	.17
Pajamas	.23
Overalls	.30
Coveralls	.45
Trousers and slacks	.35
Nurses' Uniforms	.35
Handkerchiefs	.03
Hand Towels	.03
Bath Towels	.05
Kitchen Towels	.03
Sheets	.10
Pillow Slips	.05
Dish and Wash Cloths	.03

This supplementary service regulation shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13649; Filed, Sept. 5, 1944; 4:11 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR,[1] Amdt. 169]

MANUFACTURERS' MAXIMUM PRICES FOR WOMEN'S AND CHILDREN'S HANDBAGS, PURSES AND POCKETBOOKS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 3.14 is amended in the following respects:

1. Paragraph (a) (2) is amended to read as follows:

(2) A manufacturer's sale is a sale of a handbag (other than to an ultimate consumer) by a person (i) who fabricated the handbag, or (ii) who sold or consigned to the fabricator any of the principal materials from which the handbag was fabricated, or (iii) who is, directly or indirectly, under the same ownership, control or management as a person described in (i) or (ii).

A manufacturer's sale also includes a sale by a person described in (i), (ii) or (iii) above to a department, establishment or business which is directly or indirectly owned or controlled by (or which directly or indirectly owns or controls) such person.

2. In paragraph (b) a new sentence is added following the first sentence to read as follows:

Under this section, a handbag shall be deemed to have been "delivered" only at the time that physical possession was actually transferred to the purchaser or to any carrier (including a carrier owned or controlled by the seller) for delivery to the purchaser.

3. Paragraph (c) (3) is amended to read as follows:

(3) *Invoices.* In connection with every sale of handbags, including sales for cash, you must deliver to the purchaser an invoice showing: (i) the date, (ii) your name and address, (iii) the name and address of the purchaser, (iv) terms of sale, (v) style number or other designation of each different style of handbag sold, (vi) category number or description of covering material of each style sold, (vii) the quantities of each different style of handbag sold, (viii) the price charged by you for each different style of handbag sold.

You must keep available, for inspection by the Office of Price Administration, a duplicate copy of each invoice delivered.

4. Paragraph (h) is amended to read as follows:

(h) *Commodities covered by this section.* This section covers all women's and children's handbags, purses, and pocketbooks, except handbags fabricated according to military specifications for wear with uniforms and distributed under agreements restricting the sale of the handbags to persons authorized to wear such uniforms (such as bags fabricated especially for Wave's, Wacs, etc.).

CATEGORY NUMBER

1. Fur. When outside surface of the handbag is made of two principal materials (excluding frame and fittings), value of fur must be greater than value of the other principal component material; when outside surface of the handbag is made of three or more principal component materials, fur must be the material of greater value than any other single component material taken separately.

2. Alligator, crocodile and ostrich.

3. Reptile and aquatic leathers; Snake, lizard, frog, top grain seal, walrus, and shark.

4. All leathers other than those listed in categories 2 and 3, and patent cloth (hand japanned fabric processed exactly as patent leather is processed).

5. Corde, sequins, beads (other than wooden beads), hand embroidery, hand crochet and pure silk fabrics.

(a) "Corde" includes only handbags of which 70% of the outside surface is made of textile strings sewn together on a "Bonnas" type machine or on a hand loom.

(b) "Sequins", "beads" and "hand embroidery" includes only handbags of which 50% of the outside surface of the handbag is covered with sequins, beads or hand embroidery.

6. 100% wool broadcloth and 100% wool felt.

7. Textiles: Woven and knitted cotton, wool (except wool listed in category 6), rayon and other synthetic fibers.

8. All others: String, cord, cordette, plastic, metal, straw, grass, wood, imitation leather, etc.

Except where the materials listed in a category have been specifically defined, if the outside surface of a handbag is made of two or more principal component materials, the handbag is included in the category listing the material which constitutes 70% or more of the outside surface. If no principal material constitutes 70% or more of the outside surface, the handbag is included in the category listing the principal material or lower unit value. (Value is determined by a comparison of pieces of equal size of the materials involved).

5. In Paragraph (j) (1) the last sentence of the first paragraph is amended to read as follows:

However if a price line shown in the proper group is below the price line allowed under any of the exceptions to Rule 1 you may use the price line limit allowed by the exceptions.

This amendment shall become effective September 11, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13650; Filed, Sept. 5, 1944; 4:13 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1385, 6169, 6106, 8150.

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[2d Rev. Restaurant MPR 7-1, Amdt. 3]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DENVER REGION

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

2d Revised Restaurant Maximum Price Regulation No. 7-1 is amended in the following respects:

1. The second unnumbered paragraph in the preamble is amended to read as follows:

In the judgment of the Regional Administrator of Region VII, the prices of food and beverages sold for immediate consumption in the States of Colorado, Montana, New Mexico, Utah, and Wyoming, and all that portion of the State of Idaho lying south of the southern boundary of Idaho County, and all of

Malheur County in the State of Oregon, and all of Mohave and Coconino Counties in the State of Arizona lying north of the Colorado River, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

2. Section 9 *Rules for new proprietors* is amended to read as follows:

SEC. 9. *Rules for new proprietors.* (a) If you acquire another's business, or if after the seven-day period you did acquire another's business, and if you continue to operate an eating or drinking place at the same location, you are subject to the same ceiling prices and duties as the previous proprietor. If, however, you engage or plan to engage in a different type of operation than that of the previous proprietor, you may apply to your District Office of the Office of Price Administration for permission to price under paragraph (b) of this section. If your operation began before June 24, 1944, your application must be filed on or before July 13, 1944. Otherwise, your application must be filed not less than ten days before nor more than ten days after you commence operation. Your application for permission to price under paragraph (b) shall contain the following information:

(1) Your name and address and the name and address of your eating or drinking place.
(2) The name and address of the previous proprietor.
(3) The date when you acquired the business.
(4) The date when you commenced or plan to commence operation.
(5) A brief description of the type of operation by the previous proprietor.
(6)) A brief description of your type of operation.
(7) A list showing the meals and food items you will serve and the prices you propose to charge.
(8) The names and addresses of the two nearest eating or drinking places of the same type as yours.

If permission to price under paragraph (b) is granted to you, it may be subject to such conditions as the Office of Price Administration deems necessary. You may not price under paragraph (b) until permission is granted to you by your District Office of the Office of Price Administration.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices.

(c) You are subject to the record requirements of section 11 and the posting requirements of section 12 immediately upon the opening of your place of business.

3. A new section designated 9a is added, to read as follows:

SEC. 9a. *Changing the location of your place of business or type of operation.* If you change the location or the type of operation of your eating or drinking place or if, after the seven-day period, you did make such change or changes, you are subject to the same maximum prices and duties as formerly, irrespective of such change of location or type of operation. You may, however, apply to your District Office of the Office of Price Administration for permission to price in accordance with the method set forth in paragraph (b) of section 9 of this regulation. If you changed the location or changed the type of operation of your eating or drinking place before June 24, 1944, your application must be filed on or before July 13, 1944; otherwise, it must be filed not less than ten days before nor more than twenty days after the change is made. Your application for permission to price under paragraph (b) of section 9 shall contain the following information:

(1) Your name and address and the name and address of your eating or drinking place.
(2) The former name and address of your eating or drinking place if its location has been changed.
(3) A brief description of your former type of operation and of any change in type of operation which you have made or plan to make.
(4) The date when you changed or plan to change the location or type of operation of your eating or drinking place.
(5) A list showing the meals and food items you will serve and the prices you propose to charge.
(6) The names and addresses of the two nearest eating or drinking places of the same type as yours.

If permission to price under paragraph (b) of section 9 is granted to you, it may be subject to such conditions as the Office of Price Administration deems necessary. You may not price under paragraph (b) of section 9 until permission is granted to you by your District Office of the Office of Price Administration.

4. Section 15 *Geographical applicability* is amended to read as follows:

SEC. 15. *Geographical applicability.* This 2d Revised Restaurant Maximum Price Regulation No. 7–1 applies to the States of Colorado, Montana, New Mexico, Utah, and Wyoming, and all that portion of the State of Idaho lying south of the southern boundary of Idaho County, and all of Malheur County in the State of Oregon, and all that part of Mohave and Coconino Counties of the State of Arizona lying north of the Colorado River.

5. This amendment shall become effective June 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; and G.O. 50, 8 F.R. 4808)

Issued this 21st day of June 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44–13609; Filed, Sept. 5, 1944; 1:49 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1E,[1] Amdt. 11]

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1E is amended in the following respects:

1. Section 4.1 (a) (4) is added to read as follows:

(4) To replace a lost or stolen tire or tube.

2. Section 5.2 (a) is amended to read as follows:

SEC. 5.2 *Certification by inspector prior to filing application*—(a) *Inspection of tires and tubes.* No consumer may file an application for a tire or tube and no such application shall be considered, until an inspector authorized by the Office of Price Administration has currently inspected the tire or tubes to be replaced, and has executed and signed the "Certification by Inspector" contained in OPA Form R–1: *Provided, however,* That if application is made for a tire to be mounted on a passenger automobile or commercial motor vehicle, all tires mounted on such vehicle shall be inspected and their condition certified to by an authorized inspector.

3. Section 5.6 (a) is amended to read as follows:

SEC. 5.6 *Action by certificate holders*—(a) *Use of certificate.* A certificate may be used at any time within thirty (30) days by the person to whom it was issued for the purpose specified thereon.

4. Section 6.1 is amended to read as follows:

SEC. 6.1 *Prohibitions*—(a) *General prohibition.* Notwithstanding the terms of any contract, agreement, or other obligation, regardless of when made, no person, unless permitted by this order, or by an order, authorization or regulation issued by the War Production Board, shall:

(1) Make or offer to make, accept or offer to accept, or solicit a transfer of any tire or new tube; or

(2) Use, alter or change the physical location of any tire or new tube; or

(3) Mount any tire or new tube upon a wheel or rim.

(b) *Removal of tires by automobile dealer.* (1) No automobile dealer shall remove a tire or new tube mounted on a passenger automobile which he holds for sale, except for repair or recapping or unless it is being removed:

(i) As part of the process of scrapping the vehicle; or

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12484, 13920, 15878, 17566, 17223; 9 F.R. 727.

(ii) Pursuant to a duly issued certificate; or

(iii) From a passenger automobile which he has contracted to sell without tires.

(2) Any tire which an automobile dealer has removed for repair or recapping from a passenger automobile which he holds for resale must be remounted on such vehicle.

This amendment shall become effective October 1, 1944.

Issued this 6th day of September 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

GERALD A. BARRETT,
Acting Regional Administrator.

[F. R. Doc. 44-13700; Filed, Sept. 6, 1944; 11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2, Amdt. 2 to Supp. 2]

OATS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 5 (a) (13) is amended to read as follows:

(13) "Commission merchant" means either of the following:

(i) A person who, with respect to any lot of oats he does not own and which he receives as a carload shipment or in a lot of 60,000 pounds or more on behalf of the owner, negotiates or has negotiated a sale of such oats in his own name to a person other than himself on a recognized grain exchange in any of the following cities:

Buffalo, N. Y.	Louisville, Ky.
Chicago, Ill.	Memphis, Tenn.
Cincinnati, Ohio.	Milwaukee, Wis.
Dallas, Tex.	Minneapolis, Minn.
Denver, Colo.	Omaha, Nebr.
Des Moines, Iowa.	Peoria, Ill.
Duluth, Minn.	St. Joseph, Mo.
Enid, Okla.	St. Louis, Mo.
Fort Worth, Tex.	Salina, Kans.
Hutchinson, Kans.	Sioux City, Iowa.
Indianapolis, Ind.	Toledo, Ohio.
Kansas City, Mo.	

Or, (ii) A person who, with respect to any lot of oats he owns, negotiates or has negotiated a sale of such oats in his own name for his own account to any other person on a recognized grain exchange in any of the cities listed in (i) above. In order to qualify under this provision, the sale of oats for the seller's own account on the grain exchange must presently be and must have been permissible continuously since January 1, 1943 either under the rules of the grain exchange on which the sale is made or by statute of the state in which the grain exchange is located.

Regardless of any of the provisions of this supplement, division of commission charges may be made with and paid to exchange members in accordance with rules of the respective exchanges which were in effect January 1, 1943, and sellers of oats who are members may receive such divisions.

This amendment shall become effective September 11, 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13706; Filed, Sept. 6, 1944; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2, Amdt. 1 to Supp. 3]

BARLEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 5 (b) (13) is amended to read as follows:

(13) "Commission merchant" means either of the following:

(i) A person who, with respect to any lot of barley he does not own and which he receives as a carload shipment or in a lot of 60,000 pounds or more on behalf of the owner, negotiates or has negotiated a sale of such barley in his own name to a person other than himself on a recognized grain exchange in any of the following cities:

Buffalo, N. Y.	Louisville, Ky.
Chicago, Ill.	Memphis, Tenn.
Cincinnati, Ohio	Milwaukee, Wis.
Dallas, Tex.	Minneapolis, Minn.
Denver, Colo.	Omaha, Nebr.
Des Moines, Iowa	Peoria, Ill.
Duluth, Minn.	St. Joseph, Mo.
Enid, Okla.	St. Louis, Mo.
Fort Worth, Tex.	Salina, Kans.
Hutchinson, Kans.	Sioux City, Iowa.
Indianapolis, Ind.	Toledo, Ohio
Kansas City, Mo.	

Or, (ii) A person who, with respect to any lot of barley he owns, negotiates or has negotiated a sale of such barley in his own name for his own account to any other person on a recognized grain exchange in any of the cities listed in (i) above. In order to qualify under this provision the sale of barley for the seller's own account on the grain exchange must presently be and must have been permissible continuously since January 1, 1943 either under the rules of the grain exchange on which the sale is made or by statute of the state in which the grain exchange is located.

Regardless of any of the provisions of this supplement, division of commission charges may be made with and paid to exchange members in accordance with rules of the respective exchanges which were in effect January 1, 1943, and sellers of barley who are members may receive such divisions.

This amendment shall become effective September 11, 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13707; Filed, Sept. 6, 1944; 11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 150]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

Revised Maximum Price Regulation 150 is redesignated Second Revised Maximum Price Regulation 150 and is revised and amended to read as set forth herein. In the Judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and comply with all the provisions and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Orders 9250 and 9328.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

SECOND REVISED MAXIMUM PRICE REGULATION 150—FINISHED RICE AND RICE MILLING BY-PRODUCTS

Sec.

1. Applicability.
2. Sales at other than maximum prices.
3. Evasion.
4. Enforcement.
5. Licensing.
6. Records and reports.
7. Protests and petitions for amendment.
8. Definitions.
9. Maximum prices for the sale or delivery of finished rice by any person subject to this regulation other than a primary distributor.
10. Maximum prices for the sale or delivery of finished rice by a primary distributor.
11. Contents of invoice covering the sale or delivery of finished rice and rice milling by-products.
12. Maximum price for the sale or delivery of rice milling by-products.
13. Maximum prices for sales not specifically provided for in this regulation.
14. Toll-milling.

AUTHORITY: Secs. 1351.451, 1 to 14, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Applicability.* (a) Except as provided in paragraph (b) hereof this regulation shall apply to all sales within the United States and the District of Columbia of domestic and imported finished rice and rice milling by-products, whether for immediate or future delivery.

(b) *Sales excepted.* This regulation shall not apply to:

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*Copies may be obtained from Office of Price Administration.

(1) Sales and deliveries of finished rice by wholesalers which shall be and remain subject to Maximum Price Regulation 421, and sales and deliveries by retailers which shall be and remain subject to Maximum Price Regulations 422 and 423.

(2) Sales and deliveries of bolted rice polish which shall be and remain subject to the General Maximum Price Regulation.

(3) Sales and deliveries of sweet rice which shall be and remain subject to the General Maximum Price Regulation.

(4) Sales and deliveries of wild rice.

(5) Any export sale of any finished rice or rice milling by-products. The maximum price for such sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.[1]

(6) Sales and deliveries of finished rice and rice milling by-products, whenever circumstances of emergency make their purchase by the United States, or any of its agencies imperative and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable. Such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

SEC. 2. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive any of the commodities covered by this regulation at a price above the maximum price established by this regulation, nor shall any person agree, solicit, offer, or attempt to do any of the foregoing: *Provided, however,* That this prohibition is subject to the exception provided for in subparagraph (1) of this paragraph.

(1) Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by an order of the Administrator or of any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

(b) Prices lower than the maximum prices established by this regulation may be charged or paid.

SEC. 3. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to finished rice or rice milling by-products, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement or an agreement requiring the buyer to sell any commodity in return, or other trade understanding or by any other means.

SEC. 4. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for damages, and criminal penalties, as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 5. *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 6. *Records and reports.* (a) Every person shall keep for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect a complete record of each sale or purchase subject hereto showing the date thereof, the names and addresses of the buyer and seller, the price contracted for, paid or received, and the quantity and quality of the finished rice or rice milling by-products sold or purchased.[3]

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.[4]

SEC. 7. *Interpretations, protests and petitions for amendment.* Any person seeking an interpretation or an amendment of, or desiring to file a protest against, any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1, as amended,[5] issued by the Office of Price Administration.

SEC. 8. *Definitions.* (a) As used in this regulation, the following terms shall have the following meanings:

(1) "Finished rice" means milled rice, converted milled rice, unpolished rice and brown rice.

(2) "Converted milled rice" is rice which has been processed in the manner described in patent Nos. 2286486 and 2287737 registered in the United States Patent Office.

(3) "Milled rice," "second head milled rice", "screenings milled rice," "brewer's milled rice," "unpolished rice" and "brown rice" mean the rices defined as such in "The United States Standards for Milled Rice" published by the United States Department of Agriculture.

(4) "Rice milling by-products" mean rice hulls (whether whole or ground), rice bran and rice polishings.

(5) "Rice hulls" mean the product consisting of the outer covering of the rice.

(6) "Rice bran" means the pericarp or bran layer of the rice with only such quantity of hull fragments as is unavoidable in the regular milling of rice.

(7) "Rice polishings" mean a by-product of rice obtained in the milling operation of brushing the grain to polish the kernel.

(8) "Bolted rice polish" means rice polishings which have been processed by being passed over a fine mesh screen to remove the bran and coarser particles.

(9) "Transportation cost" means:

(i) Where the carrier is not owned or controlled by the seller, the amount paid such carrier, not exceeding any applicable common or contract carrier rate for a like shipment nor any applicable maximum price for such service.

(ii) Where the carrier is owned or controlled by the seller, the reasonable value of the transportation in question not exceeding, if any, the common or contract carrier rate nor the maximum price for a like service if performed by a person other than the seller.

(10) "Person" means an individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing, and includes the United States or any other Government or any political subdivision or agency of any of the foregoing.

(11) "Processor" means with respect to a particular lot of rice milling by-products a person who produced such lot.

(12) "Jobber" means with respect to a particular lot of rice milling by-products, a person who purchases such lot and resells the same without unloading into a warehouse.

(13) "Wholesaler" means with respect to a particular lot of rice milling by-products, a person who purchases such lot, unloads his purchase into a warehouse, and resells the same other than at retail.

(14) "Retailer" means with respect to a particular lot of rice milling by-products a person who purchases and resells the same to a feeder.

(15) "Importer" means with respect to a particular lot of finished rice or rice

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[1] 8 F.R. 4132.

[2] 8 F.R. 13240.

[3] The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[4] Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

[5] 7 F.R. 9661.

milling by-products, a person who imports rice or rice milling by-products from a foreign country into the United States or who makes the first sale thereof after such importation.

SEC. 9. *Maximum prices for the sale or delivery of finished rice by any person subject to this regulation, other than a primary distributor.* (a) The maximum prices for the sale or delivery of finished rice, f. o. b. the rice mill where processed, per 100 pounds, sacked or packed in containers furnished by the seller, by any person subject to this regulation other than a primary distributor shall be as follows:

(1) For finished rice consisting of not less than 96 percent of whole kernels and not more than 4 percent of broken kernels nor more than 1 percent of a variety other than the predominant variety, the maximum prices shall be as follows:

Variety	Milled rice	Unpolished rice	Brown rice	Converted milled rice (when sold to the U. S. Government or any of its agencies)*
Rexoro	$8.25	$7.40	$8.75	$9.05
Nira	8.25	7.40	6.75	8.65
Fortuna	7.50	6.80	6.20	8.15
Edith	7.00	6.50	6.00	8.10
Prelude	7.00	6.50	6.00	8.10
Calady	6.65	6.10	5.85	7.99
Blue Rose	6.50	6.10	5.85	8.15
Ark Rose	6.50	6.10	5.85	8.15
Southern Pearl	6.50	6.10	5.85	8.15
California Pearl	6.50	6.10	5.85	7.75
Lady Wright	6.50	6.10	5.75	8.00
Zenith	6.50	6.10	5.85	8.15
Early Prolific	6.20	5.70	5.40	7.60
Any other variety	6.20	5.70	5.40	7.60

*When converted milled rice is sold to any person other than the United States Government or any of its agencies the maximum price shall be the maximum price for milled rice.

(2) For finished rice not covered by subparagraph (1) above, the maximum price shall be as follows:

(i) For any lot of milled rice containing more than 4 percent broken kernels, either:

(*a*)

Class:	Maximum price
Second Heads—Rexoro, Nira and Fortuna	$6.00
Second Heads—any other variety	5.25
Screenings	4.50
Brewers	4.00

or (*b*) The figure obtained:

(*1*) By multiplying the percentage of whole kernel finished rice in the lot by $5.40 (or, at the option of the seller, by multiplying the percentage of each variety and kind of whole kernel rice in the lot by the maximum price for each such variety and kind respectively, as specified in subparagraph (1) above and totaling the results); and/or

(*2*) By multiplying the percentage of broken kernel finished rice in the lot by $4.00 (or, at the option of the seller, by multiplying the percentage of each class or kind of broken kernels in the lot by the maximum price for each such class or kind of broken kernels respectively, as specified in inferior subdivision (*a*) above and totaling the results); and

(*3*) By totaling the results of (*1*) and (*2*) if the lot contains both whole kernel finished rice and broken kernel finished rice.

(ii) For unpolished rice broken kernels, $4.75.

(iii) For brown rice broken kernels, $4.50.

(3) For finished rice which has been granulated the maximum prices shall be:

(i) Where the seller furnishes a certificate of a recognized grading service certifying to the variety or kind of finished rice in the lot before granulation, the maximum price for such variety or kind shall be as above set forth in this section plus an increase at the rate of 10 cents per 100 pounds.

(ii) Where no such certificate is furnished, $4.00 per 100 pounds.

(4) The maximum prices specified in subparagraphs (1) to (3) above, both inclusive, may be increased as indicated below for the sale or delivery of any finished rice which is processed in any one of the following cities or within the railroad switching limits thereof, f. o. b. such places:

City:	*Amount of increase per 100 pounds*
St. Louis, Mo	$0.25
Memphis, Tenn	.08
Baton Rouge, La	.10
New Orleans, La	.10
San Francisco, Calif	.09
Stockton, Calif	.05
Sacramento and West Sacramento, Calif	.03
Woodland and Merritt, Calif	.03
Biggs, Calif	.01
Dos Palos, Calif	.01

(5) The maximum prices specified in subparagraphs (1) to (4) above, both inclusive, shall be decreased at the rate of 15 cents per 100 pounds for the sale or delivery of finished rice in bulk or in 100 pound sacks or other containers furnished by the buyer.

(6) (i) The maximum prices specified in subparagraphs (1) to (4) above, both inclusive, may be increased for the sale or delivery of milled or unpolished rice in containers of less than 100 pounds furnished by the seller at the rate per 100 pounds as set forth in the following table:

Size of containers	Cartons or cellophane bags	Kraft bags or other containers
Up to and including 12 ozs	$1.65	$0.90
Over 12 ozs. up to and including 1 lb	1.50	.90
Over 1 pound up to and including 2 lbs	1.35	.90
Over 2 pounds up to and including 3 lbs	1.20	.90
Over 3 pounds up to and including 5 lbs	.65	.65
Over 5 pounds up to and including 10 lbs	.50	.50
Over 10 pounds up to and including 25 lbs	.15	.15
Over 25 pounds up to and including 50 lbs	.10	.10

Where containers of less than 100 pounds are furnished by the buyer, the seller shall determine the differential to be included in his maximum price by subtracting from the appropriate differential above the cost of the containers furnished by the buyer.

(ii) The maximum prices specified in subparagraph (1) above for the sale or delivery of brown rice containing not more than 4 percent broken kernels may be increased for the sale or delivery thereof in containers furnished by the seller at the following rates per 100 pounds:

Size of containers	Cartons or cellophane bags	Kraft bags or other containers
Up to and including 1 pound	$2.15	$1.55
Over 1 pound up to and including 2 pounds	2.00	1.55

Where such containers are furnished by the buyer, the seller shall determine the differential to be included in his maximum price by subtracting from the appropriate differential above the cost of the containers furnished by the buyer.

(iii) The maximum prices specified in subparagraph (1) above for the sale or delivery of brown rice containing not more than 4 per cent broken kernels may be increased for the sale or delivery thereof for packing and resale by the buyer in containers of 2 pounds or less at the rate of $.65 per 100 pounds: *Provided*, That within 10 days of each such sale the seller delivers to the district office of the district in which the sale is made or the appropriate regional office of the Office of Price Administration a copy of the invoice of the sale showing the quantity sold, the price paid and the name and address of the buyer and seller together with a verified certificate signed by the buyer and stating that he will use the rice in question for packing and resale in containers of 2 pounds or less.

(b) The maximum price for the sale or delivery of finished rice at any point other than the rice mill where processed in the case of domestic finished rice or the port of entry in the case of imported finished rice by any person subject to this regulation other than a primary distributor shall be the appropriate maximum price set forth in paragraph (a), above, plus the transportation cost actually incurred for the transportation of the finished rice from the rice mill where processed, or port of entry, as the case may be, to the buyer's receiving point.

(c) The maximum prices set forth in the foregoing subparagraphs of this section may be increased for storage charges, where storage is furnished by the seller, at the rate of ⅛ of one cent per 100 pounds for each day's delay in shipment beyond 30 days from the date of sale or beyond the delivery date or period specified in the contract of sale, whichever is later, where such delay is occasioned by the buyer's failure to furnish adequate shipping instructions within such time prior thereto as is reasonably sufficient to permit of shipment prior thereto.

SEC. 10. *Maximum prices for the sale or delivery of finished rice by primary distributors.* (a) "primary distributor" means, with respect to a particular lot of finished rice, a person who performs the following functions, and who performed the same prior to April 28, 1942: Receives delivery of finished rice, containing not more than 50 percent broken kernels, at a warehouse in carload quantities, unloads it into space in said warehouse not owned or controlled by his supplier or any of his customers and sells the same for his own account in quantities of 20,000 pounds or less at such point to wholesalers or for delivery to distributing warehouses of retailers: *Provided*, That in any given year, following the effective date of this regulation, his total volume of sales cannot exceed the total volume that he warehoused and sold, other than as a wholesaler, in quantities of 40,000 pounds or less during the period from April 28, 1941 to April 28, 1942; and *Provided, further*, That a miller may be a primary distributor of finished rice only if he unloads such rice at a warehouse located outside any city and the recognized switching limits thereof in which he owns or operates a rice mill.

(b) Any person making any sales as a primary distributor under this regulation must make application in writing within 30 days after the effective date hereof to the regional office of each region of the Office of Price Administration in which he does business as a primary distributor for permission to make sales as such, and he must receive a written approval of his application. Said application shall contain:

(1) The name and address of the applicant.

(2) The length of time he has been in the business of receiving finished rice in carload quantities on his own account and reselling the same in lots of 40,000 pounds or less to wholesalers or for delivery to distributing warehouses of retailers.

(3) The volume of sales made in lots of 40,000 pounds or less on his own account during the period from April 28, 1941 to April 28, 1942.

(4) The name and address of each warehouse from which he customarily distributes finished rice in lots of 40,000 pounds or less. If the seller is also a miller, he must give the name and address of his mill or mills, and the name and address of the warehouse or warehouses from which he will distribute finished rice in lots of 20,000 pounds or less.

Any regional office of the Office of Price Administration is hereby authorized to grant to sellers of finished rice in lots of 20,000 pounds or less, written permission to function as primary distributors upon the receipt of an application provided for in this paragraph.

(c) The maximum price for the sale or delivery of finished rice by a primary distributor shall be the maximum price for the sale or delivery of finished rice as specified in paragraphs (a) and (b) of section 10 plus an addition at the rate of 15 cents per 100 pounds, plus the inbound and outbound transportation costs actually incurred by the primary distributor.

SEC. 11. *Contents of invoice covering the sale or delivery of finished rice and rice milling by-products.* (a) At or prior to the time of delivery, every seller of finished rice subject to this regulation shall furnish the purchaser with an invoice covering the finished rice in question. This invoice must bear the same lot number or other mark of identification as the lot in question. The invoice shall set forth and warrant to the purchaser and every subsequent transferee:

(1) That the finished rice in question; is milled rice, unpolished rice, brown rice or mixed milled rice as the case may be.

(2) Except as otherwise provided in subparagraph (3) of this paragraph;

(i) The minimum percentage of whole kernel finished rice of all varieties in the lot;

(ii) The variety and minimum percentage of whole kernel finished rice of the predominant variety in the lot;

(iii) The variety and the maximum percentage of whole kernel finished rice of every other variety in the lot;

(iv) The variety and the maximum percentage of each variety of second head finished rice in the lot;

(v) The maximum percentage of screenings finished rice in the lot; and

(vi) The maximum percentage of brewers finished rice in the lot.

(3) To the extent that the maximum price is calculated by multiplying the percentage of whole kernel finished rice in the lot by $6.20 and/or by multiplying the percentage of broken kernel finished rice in the lot by $4.00, the invoice need set forth only the percentage of whole kernel finished rice and/or of broken kernel finished rice in the lot.

(b) At or prior to the time of delivery, every seller of rice milling by-products subject to this regulation shall furnish the purchaser with an invoice covering the rice-milling by-products in question. This invoice must bear the same lot number or other mark of identification as the lot in question.

SEC. 12. *Maximum price for the sale or delivery of rice milling by-products.* (a) The maximum price for the sale or delivery by a processor of rice hulls, rice bran or rice polishings, sacked, shall be as follows:

(1) For all sales except sales to a feeder in quantities of 20,000 pounds or less:

(i) $10.00 per ton for rice hulls, plus his transportation cost.

(ii) $30.00 per ton for rice bran plus his transportation cost.

(iii) $38.00 per ton for rice polishings plus his transportation cost.

(2) For sales to a feeder in quantities of 20,000 pounds the maximum prices set forth in subparagraph (1) above may be increased at the rate of $2.00 per ton.

(b) The maximum price of an importer shall be the maximum price of a processor, f. o. b. a mill, as if located at the port of entry, plus transportation cost from the port of entry to the buyer's receiving point.

(c) The maximum price for the sale or delivery of rice milling by-products, sacked, by a jobber shall be the applicable maximum price of the processor or importer from whom the rice milling by-products in question were purchased, plus the applicable markup below:

(1) $1.00 per ton for sales in quantities of 20,000 pounds or less; or

(2) 50 cents per ton for all other sales.

(d) The maximum price for the sale or delivery of rice hulls, sacked, by a wholesaler shall be $2.00 per ton maximum markup over the maximum price of the processor, importer or jobber, as the case may be, from whom the rice hulls in question were purchased plus his transportation cost.

(e) The maximum price for the sale or delivery of rice bran or rice polishings, sacked, by a wholesaler shall be $2.50 per ton maximum markup over the maximum price of the processor, importer or jobber, as the case may be, from whom the rice bran or rice polishings in question were purchased plus his transportation cost.

(f) The maximum price for the sale or delivery of rice hulls, sacked, by a retailer shall be $3.00 per ton maximum markup over the maximum price of the processor, importer, jobber or wholesaler, as the case may be, from whom the rice hulls in question were purchased plus his transportation cost.

(g) The maximum price for the sale or delivery of rice bran or rice polishings, sacked, by a retailer shall be $4.00 per ton maximum markup over the maximum price of the processor, importer, jobber or wholesaler, as the case may be, from whom the rice bran or rice polishings in question were purchased plus his transportation cost.

(h) When a given lot of rice milling by-products is sold by more than one member of the same class, as set forth above, the maximum aggregate markup of all such sellers in the same class shall not exceed the maximum markup of a single handler in such class.

(i) The maximum prices for the sale or delivery of rice hulls, rice bran and rice polishings, unsacked, or in buyer's sacks, shall be the maximum prices hereinbefore in this section set forth less the customary differential, applying to sales unsacked or in buyer's sacks, in relation to sales sacked by a like class of seller during March 1942.

SEC. 13. ***Maximum prices for sales not specifically provided for in this regulation.*** The maximum price for the sale of finished rice or rice milling by-products by any person not otherwise specifically provided for in this regulation shall be the maximum purchase price which he could lawfully have paid his supplier for the lot in question, plus his transportation cost.

SEC. 14. *Toll-milling.* (a) "Toll-milling" or "custom milling" is the practice by which an owner of rough rice arranges to have his rough rice milled by another and pays a fee for the milling.

(b) Any person who rendered the service of toll-milling during the base period from April 1, 1941 to April 1, 1942, upon presenting evidence of this fact (stating specifically the quantity of rough rice toll-milled by him during the base period) to and registering with the nearest District office of the Office of Price Administration, may (in any given year following the effective date of this regulation) toll-mill the same quantity of rough rice he toll-milled during the base period. All other persons are prohibited from rendering the service of toll-milling after the effective date of this regulation.

This amendment shall become effective September 11, 1944.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13699; Filed, Sept. 6, 1944; 11:50 a. m.]

PART 1377—WOODEN CONTAINERS

[RMPR 320,[1] Amdt. 1]

EASTERN AND CENTRAL WOODEN AGRICULTURAL CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 320 is amended in the following respects:

1. In section 3, Table IV, the sixth item, "24 qt. square braid lettuce baskets with cover__Dozen__250__1.40," is deleted.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2821.

2. In section 3, Table V is amended to read as follows:

TABLE V—CRATES, PARTS, MISCELLANEOUS

Freight container Bureau No.	Container description (freight container bureau specifications except as noted)	Units	Minimum truckload	Price
	Unitized: Veneer parts, Lumber and/or Veneer cleats—Stitched and/or Nailed:			
4, 34, 40	1⅛ bu. apple box 11" x 13" x 17"—without covers.	100	1,250	$24.50
18, 22	1 bu. apple box 11" x 12½" x 16"—without covers.	100	1,250	22.00
18, 20	1 bu. apple box 10½" x 11½" x 18"—without covers.	100	1,250	22.00
	1 bu. Dozier Fruit box 11" x 12½" x 16"—¼" Veneer ½" Rails.	100	1,250	25.00
252	24 pt. American berry crates 9" or 9½" x 9" x 18".	100	1,250	40.00
260	24 pt. Berry crates—Oblong cups	100	1,250	41.50
3015	24 pt. Wired American berry crates	100	1,250	41.00
	16 qt. American berry crates	100	1,000	37.00
	16 qt. Hallock berry crates	100	1,000	36.50
	16 qt. Huckleberry crates	100	1,000	42.50
261	36 qt. berry crates—Oblong cups 9" x 11" x 22"	100	1,000	56.25
253	24 qt. American berry crates 11" x 11" x 21¼" to 22".	100	1,000	51.00
3016	24 qt. Wired American berry crates	100	1,000	52.50
3001	24 qt. Jarrell-type Folding berry crate	100	1,000	59.00
3720	24 qt. Hinged-cover berry crates—made up.	100	200	70.50
	Berry crate dividers	100		2.10
710	⅛ bu. nailed citrus crates—6" x 12" x 12"	100	2,000	13.00
690	⅛ bu. nailed citrus crates—half strap—6" x 12" x 24".	100	1,250	23.25
670	¼ bu. nailed citrus crates 9½" x 9½" x 19"	100	1,250	21.50
3677	½ bu. wirebound citrus crates 9½" x 9½" x 19".	100	1,250	22.75
671	1⅜ bu. nailed citrus crates 12" x 12" x 24"	100	1,000	34.00
705	1⅜ bu. nailed citrus crates—No center head	100	1,000	27.00
680	1⅜ bu. nailed citrus crates 1⅛" center head	100	1,000	32.50
3004	1⅜ bu. wirebound citrus crates	100	1,000	31.00
491	Cauliflower crates 8½" x 18" x 21¾" to 22"	100	1,000	30.50
485	Celery crates 20" x 11" x 20⅝"	100	1,000	30.25
480	Celery crates 16" x 10" x 22"	100	1,000	28.00
	Celery crates Ransbottom type 20" x 11" x 20¾".	100	1,000	31.25
3010	Wirebound celery crates 16" x 10" x 22"	100	1,000	29.25
920, 925	Lettuce and vegetable crates 7½" x 15" or 15½" x 18¾".	100	1,250	21.00
3000	Wirebound lettuce and vegetable crates 7½" x 15" or 15½" x 18¾".	100	1,250	24.25
926, 927, 930	Lettuce and vegetable crates 13" x 17½" x 21⅝" to 22".	100	1,000	36.00
950, 952	Lettuce and vegetable crates 9" x 13" x 21⅝" to 22".	100	1,250	24.25
3001	Folding vegetable crates 13" x 17½" x 21⅝" x 22".	100	1,000	44.50
1417	Pepper crates 13¾" x 11" x 22"	100	1,250	26.25
1235, 1236	1 bu. potato crates 12" x 12" x 15"	100	1,250	21.50
1654	1 bu. sweet potato crates 12" x 12" x 16¾"	100	1,250	21.50
3576	1 bu. folding sweet potato crates	100	1,250	31.50
1709	1 bu. vegetable crates 8" x 12" x 22"	100	1,250	23.25
1550	Radish crates 7½" x 15" x 18¾"	100	1,250	23.25
1001	6 Basket crate skeleton 10" x 11" x 22"	100	1,250	20.25
3040	Wirebound vegetable crate 12" x 12" x 16¾"	100	1,250	37.50
4054	James sweet potato crate 12 5/16" x 12¼" x 15" top 13¾" x 16" bottom.	100	1,250	26.50
	Veneer slats: Solid Lumber or Assembled Ends:			
161	Asparagus crates 10½" x 9" or 9½" top 11" bottom x 17 9/16" or 18". 2 5/32" ends, ¼" slats.	100	1,250	27.50
157	Asparagus crates 11" x 9¾" top 12" bottom x 16¼", 2 5/32" ends, ¼" slats.	100	1,250	$20.00
158	Asparagus crates 12 7/16" x 9½" top 10½" bottom x 17¼", 2 5/32", ends, ¼" slats.	100	1,250	30.00
1450	Pineapple crates 10½" x 12" x 33" ¼" x 4" slats.	100		34.50
	Pineapple crates 10½" x 12" x 33" ¼" x 4½" slats.	100		36.75
	Sawn Slats: Assembled ends:			
1150	Pony cantaloupe crate 11" x 11" x 22"	100	1,000	27.75
1151	Standard cantaloupe crate 12" x 12" x 22"	100	1,000	29.00
1152	Jumbo cantaloupe crate 13" x 13" x 22"	100	1,000	30.00
	Unitized: Veneer sides, top and bottoms, Lumber ends:			
203	Avocado boxes 4½" x 13½" x 16"—3/16" Veneer, 1 1/16" ends.	100	2,000	15.50
1025	Tomato lugs 6 1/16" x 13½" x 16":			
	End cleats attached	100	1,500	19.00
	End cleats not attached	100	1,500	18.00
1040	Tomato lugs 6 1/16" x 13½" x 16":			
	¼" Veneer: End cleats attached	100	1,500	23.25
	End cleats not attached	100	1,500	22.25
	Made up	100	500	25.25
1035	Tomato lugs 4¼" x 13½" x 16":			
	End cleats attached	100	1,500	14.75
	End cleats not attached	100	1,500	13.75
	Miscellaneous special containers:			
	¼ barrel cranberry box, 9¼" x 10½" x 15" or 9½" x 11" x 13 15/16".	100	1,250	31.50
	1 bu. market box, 17½" x 17½" x 7 1/16" without tops, ends ½", sides and bottom ¼".	100	1,250	20.00
	½ bu. market box 12 3/16" x 12 3/16" x 7 1/16", without tops, ends ½", sides and bottoms ¼".	100	1,500	13.00
	Field crates:			
	Citrus field crates:			
	Cypress 12" x 13" x 33"	100	1,000	108.00
	Gum 12" x 13" x 33"	100	1,000	76.00
	Pine 12" x 13" x 33"	100	1,000	67.00
	Tomato field crates:			
	Cypress 11" x 11" x 24"	100	1,000	67.50
	Gum 11" x 11" x 24"	100	1,000	47.50
	Pine 11" x 11" x 24"	100	1,000	42.00
	Tomato field crates:			
	Cypress 11" x 12" x 24"	100	1,000	69.50
	Gum 11" x 12" x 24"	100	1,000	49.00
	Pine 11" x 12" x 24"	100	1,000	43.50
	Field crates, 11" x 14" x 17" (½" ends, 3/16" sides and bottom, 1¼" x 1¼" cleats).	100	1,000	31.50
	Field crates, 11" x 14" x 17" (¾" ends, ½" sides and bottom, 1¼" x 1¼" cleats).	100	1,000	40.00
	Crate parts:			
	Citrus riser sticks—straight—Tangerine	100		.65
	Citrus riser sticks—straight—Orange	100		.95
	Citrus riser sticks—straight—Grapefruit	100		1.25
	Citrus riser sticks—beveled—Tangerine	100		.90
	Citrus riser sticks—beveled—Orange	100		1.20
	Citrus riser sticks—beveled—Grapefruit	100		1.45
	1 bu. and 1⅛ bu. apple box covers—Unitized, 4 slats ½" x 3"	100		4.00
	Apple box top slats ¼" x 2⅛" or 5/16" x 1½"	1,000		7.50
252	24 pt. American berry crate parts:			
	Ends	100		3.85
	Sides	100		2.20
	Tops	100		2.11
	Bottoms	100		1.74

TABLE V—CRATES, PARTS, MISCELLANEOUS—continued

Freight container Bureau No.	Container description (freight container bureau specifications except as noted)	Units	Minimum truckload	Price
253	Crate parts—Continued. 24 qt. American berry crate parts:			
	Ends	100		$5.46
	Sides	100		3.05
	Tops	100		3.32
	Bottoms	100		2.66
401	Cauliflower crate parts—8½" x 19" x 22":			
	Ends	100		7.15
	Sides	100		2.85
	Tops	100		5.00
	Bottoms	100		5.80
490	Celery crate parts—16" x 10" x 22":			
	Ends	100		5.83
	Sides	100		4.67
	Tops or bottoms	100		3.50
486	Celery crate parts—20" x 11" x 20⅝":			
	Ends	100		7.50
	Sides	100		5.20
	Tops	100		1.70
	Bottoms	100		3.15
	Celery crate parts—Ransbottom type 20" x 11" x 20⅝":			
	Ends	100		7.50
	Sides	100		5.80
	Tops	100		1.70
	Bottoms	100		2.95
675	1⅛ bu. nailed citrus crate parts:			
	Ends	100		5.30
	Centers	100		6.50
	Sides	100		4.25
	Tops	100		4.30
	Bottoms	100		3.90
703	1⅗ bu. nailed citrus crate parts:			
	Ends	100		5.30
	Sides	100		4.22
	Tops	100		4.17
	Bottoms	100		3.79
679	⅘ bu. nailed citrus crate parts:			
	Ends	100		3.45
	Centers	100		4.05
	Sides	100		2.70
	Tops	100		2.70
	Bottoms	100		2.45
923, 926	Lettuce and vegetable crate parts—7½" x 15" or 15¼" x 18⅝":			
	Ends	100		4.88
	Sides	100		2.41
	Tops	100		3.27
	Bottoms	100		3.27
924, 928, 980	Lettuce and vegetable crate parts 13" x 17¼" x 21¾" to 22":			
	Ends	100		8.70
	Sides	100		4.05
	Tops	100		5.00
	Bottoms	100		5.80
980, 982	Lettuce and vegetable crate parts 9" x 13" x 21¾" to 22":			
	Ends	100		$3.00
	Sides	100		2.50
	Tops	100		3.50
	Bottoms	100		3.75
1288, 1296	1 bu. potato crate parts 12" x 12" x 15":			
	Ends	100		5.30
	Sides	100		2.72
	Tops	100		2.72
	Bottoms	100		2.72
1417	Pepper crate parts 13⅜" x 11" x 22":			
	Ends	100		5.55
	Sides	100		4.43
	Tops	100		3.15
	Bottoms	100		3.15
1550	Radish crate parts 7½" x 15" x 18¾":			
	Ends	100		4.83
	Sides	100		2.73
	Tops	100		4.07
	Bottoms	100		4.07
1554	1 bu. sweet potato crate parts 12" x 12" x 16¾":			
	Ends	100		5.30
	Sides	100		2.72
	Tops	100		2.72
	Bottoms	100		2.72
1700	1 bu. vegetable crate parts 8" x 12" x 22":			
	Ends	100		5.80
	Sides	100		1.85
	Tops	100		1.85
	Bottoms	100		1.75
1400	Pineapple crate parts 10½" x 12" x 23":			
	Ends	100		5.15
	Centers	100		6.25
	¼" x 4" slats	100		2.23
	¼" x 4½" slats	100		2.41
1028	Tomato lug parts 6⅞" x 13½" x 16":			
	Ends—cleats attached	100		5.45
	Ends—cleats not attached	100		4.95
	Sides	100		1.20
	Tops	100		2.00
	Bottoms	100		2.20
1040	Tomato lug parts 6⅞" x 13½" x 16":			
	Ends—cleats attached	100		5.70
	Ends—cleats not attached	100		4.20
	¼" sides	100		1.20
	⅛" or ¼" tops with 2⅝" x 1¾" cleats	100		4.20
	¼" bottoms	100		2.05
4, 24, 40	¼" bu. apple box parts:			
	Ends	100		3.82
	Sides	100		2.67
	Bottom	100		1.52
	Cleats (per M'BM Net Leaver measure)			65.00

NOTES

1. All crates are priced unitized but knocked down, unless otherwise specified.

2. All dimensions on crates are inside, unless otherwise specified.

3. For all stock and customers printing add ¼¢ per impression; die charge extra for customer's account.

4. All berry crates are priced complete with cups and dividers.

5. All berry crates sold without cups or dividers, deduct 4¢ per crate and ceiling price of cups.

6. For dyed cleats add ½¢ per crate.

7. For curved sides on 1⅗ bushel nail type citrus crates, add 1½¢ per crate.

8. For curved sides on ⅘ bushel nail type citrus crates, and lugs, add 1¢ per crate.

9. For all nail type celery crates with 22" x 10" head frames, add 2¢ per crate.

10. For making up crates (except those priced made up) add 2¢ per crate.

11. All parts are complete or unitized, not sets.

12. In 1⅗ bu. wirebound citrus boxes when 4 solid fiber slats are substituted for 4 veneer slats in the blank only an addition of $3.50 per hundred may be made to the basic maximum price.

13. In 1⅗ bu. wirebound citrus boxes when 4 solid fiber slats in the blank and 1 in each end panel are substituted for veneer slats, an addition of $4.50 per hundred may be made to the basic maximum price.

14. In 1⅗ bu. wirebound citrus boxes when 4 corrugated slats are substituted for 4 veneer slats in the blank only an addition of $2.00 per hundred may be made to the basic maximum price.

15. In 1⅗ bu. wirebound citrus boxes when 4 corrugated slats in the blank and 1 in each end panel are substituted for veneer slats an addition of $2.50 per hundred may be made to the basic maximum price.

3. Section 4 (b) is amended to read as follows:

(b) *Overtime operations.* Any manufacturer whose operations during any one week exceed 40 hours may reflect the increased cost of such operations on deliveries during the succeeding week by adding to the basic maximum f. o. b. factory price as follows: (1) 2% of the basic maximum f. o. b. factory price for the first full 4 hour period of overtime operations; (2) 1% of the basic maximum f. o. b. factory price for each full 2 hour period of overtime operations in excess of 44 hours per week.

The amount of the overtime addition is to be calculated in the following manner:

(1) Divide the total number of regular man hours worked during the week in the entire agricultural package production operation into the number of overtime hours worked during the same week in the entire agricultural package operation to establish a percentage.

(2) Apply the percentage obtained as outlined above to 40 hours to determine the number of overtime hours for which addition may be made.

Examples. A mill operated a total of 4200 man hours on regular time and 200 man hours on overtime. Dividing 4200 into 200, the result is 4.8%. (Step (1) above). Applying 4.8% to 40 hours, the result is 1.92 hours overtime. (Step (2) above). Since the overtime was not a full 4 hours no addition may be made. If, however, the regular man hours were 4200 and the overtime man hours were 960, the percentage would be 22.9. Applied to 40 hours, the result is 9.2 hours or a full 4 hour and two full 2 hour periods for which overtime addition may be made. The permissible addition in this case is 4% of the basic maximum f. o. b. factory price.

4. Section 5 (b) is amended to read as follows:

(b) The seller's average percentage mark-up weighted by volume, over the f. o. b. factory price on all sales of Eastern and Central wooden agricultural containers during 1941.

5. In section 6 (c) the first sentence is amended to read as follows:

(c) The seller's average percentage mark-up, weighted by volume, over the f. o. b. factory price on all sales of Eastern and Central wooden agricultural containers during 1941.

6. Section 10 is amended to read as follows:

SEC. 10. *Prohibited practices.* Any practice which is a device to get the effect of a higher than ceiling price without actually raising the dollars and cents price is as much a violation of this

regulation as an outright over ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, typing agreements, trade understandings, changes in discount practices and the like.

This amendment shall become effective September 11, 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13698; Filed, Sept. 6, 1944; 11:49 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,[1] Amdt. 33]

MAXIMUM PRICES IN THE VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 9a is added to read as follows:

SEC. 9a. *Inability to determine maximum price.* If the maximum price at retail or wholesale cannot be determined by the seller in accordance with the applicable pricing method established in Article IV of this Maximum Price Regulation 395 for his commodity, such seller shall apply to the Territorial Director for the Virgin Islands for the authorization of a maximum price. The Territorial Director may authorize and establish a maximum price for such commodity in line with the maximum prices of other similar sellers of the same or similar commodity.

This amendment shall become effective as of August 19, 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13697; Filed, Sept. 6, 1944; 11:48 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 2—GENERAL RULES AND REGULATIONS

PART 20—SPECIAL REGULATIONS

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 2.4 *Fishing*, is amended by deleting "Olympic,".

The amendment to § 2.14 *Mountain summit climbing*, issued on May 19, 1943 (7 F.R. 2906, 8 F.R. 7283), is changed by deleting "(a)" and "(b)", and substituting therefor "(d)" and "(e)".

Paragraph (b) of § 2.17 *Pack trains and saddle horse parties* is amended by inserting "Rocky Mountain", immediately following "Kings Canyon,".

Paragraph (e) of § 2.32 *Private lands*, is amended by inserting "Olympic," immediately following "Glacier,".

Paragraph (e) of § 2.40 *Permits*, is rescinded.

Paragraph (b) of § 20.11 is amended to read as follows:

§ 20.11 *Lassen Volcanic National Park* * * *

(b) *Fishing; limit of catch and in possession.* The limit of catch and in possession per person per day shall be 10 fish, or 10 pounds of fish and 1 fish, in all waters except Mazanita Lake and Reflection Lake, where the daily limit of catch shall be 5 fish, or 5 pounds of fish and 1 fish. All fish caught, regardless of size, shall be retained.

Section 20.30 is amended to read as follows:

§ 20.30 *Fort Jefferson National Monument, fishing.* (a) No coral, shells, sea fans, or other forms of marine life found in the water, whether alive or dead, except fish, crayfish, and the common species of conch known as giant stromb (*Strombus gigas*), shall be taken or disturbed. Dead shells found above the low tide line on Loggerhead Key and Garden Key may be taken by visitors. Dead shells found above the low tide line on other keys shall not be taken without a permit from the Custodian. Dead shells occupied by hermit crabs shall not be taken or disturbed.

(b) Sea turtles, or the eggs thereof, whether on land or in the water, shall not be taken or disturbed.

(c) (1) Salt water crayfish (*Panulirus argus*), known locally as "crawfish", "Florida Lobster", or "Caribbean Spiny Lobster", shall not be caught or taken between March 21 and July 21, inclusive.

(2) Salt water crayfish caught or taken measuring less than 12 inches from tip of head to tip of tail, exclusive of "feelers", shall be immediately returned to the water alive unless seriously injured. Those retained because seriously injured shall be counted in the day's catch and shall be surrendered to the Custodian or his representative.

(d) The limit per person per day is 2 crayfish, including those retained because seriously injured, except that the total for any vessel having more than 12 persons aboard shall not exceed twenty-five.

(e) The taking or catching of crayfish for commercial purposes is prohibited.

(f) No conchs known as the giant stromb (*Strombus gigas*) shall be caught or taken except for food or for bait. The shells of conchs caught or taken for such purposes may be retained for non-commercial purposes.

(g) The limit per person per day is 2 conchs, except that the total for any vessel having more than 12 persons aboard shall not exceed twenty-five.

(h) Commercial fishing is permitted with drop lines, except within one-half mile of Garden Key, Bush Key, or Long Key, in conformity with the laws and regulations of the State of Florida.

(i) Nets may be used for collecting bait for commercial or sport fishing. Possession at any time of more than one day's supply of bait so taken is prohibited. No bait shall be taken for the purpose of sale.

(j) No underwater marine life shall be disturbed or taken from the moat or from the shoal waters surrounding Garden Key and Bush Key, or from the shoal waters of Long Key north of the 5-foot channel, where depths of water at mean low tide are less than 15 feet. The possession of fishing tackle, nets, spears, or gigs within such areas shall be prima facie evidence that the person or persons possessing the same are guilty of unlawful fishing in such waters: *Provided*, That the provisions of this paragraph shall not be construed to prohibit sport fishing in the deep water channels or from any pier within the area. (39 Stat. 535; 16 U. S. C. 3)

Issued this 28th day of August 1944.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-13664; Filed, Sept. 6, 1944; 9:38 a. m.]

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

READJUSTMENT ALLOWANCES FOR FORMER MEMBERS OF ARMED FORCES WHO ARE UNEMPLOYED

The following regulations govern the operations of State Cooperating Agencies and others concerned with the Administration of Title V of the Servicemen's Readjustment Act of 1944:

Sec.
36.501 Definitions.
36.502 Starting date of readjustment allowance payment.
36.503 Applications for allowances.
36.504 Determination of entitlement.
36.505 Registration for work and reporting unemployment.
36.506 Use of agency's type of week.
36.507 Time and frequency of allowance payments.
36.508 Required content of agency records.
36.509 Required content of claims for total unemployment.
36.510 Allowance checks—repayments, etc.
36.511 Partial unemployment claims.
36.512 Transfer of claims between agencies.
36.513 Allowances during periods of illness or of disability.
36.514 Allowances to the self-employed.
36.515 Payment of claim after death.
36.516 Agency application of disqualifications.
36.517 Additional disqualification.
36.518 Determinations and appeals with respect to unemployment.
36.519 Prosecutions and penalties.
36.520 Force of instructions on forms.
36.521 Statistical reports.
36.522 Individual reports.

AUTHORITY: §§ 36.501 to 36.522, inclusive, issued under 58 Stat. 248.

§ 36.501 *Definitions.* (a) "Act" means the Servicemen's Readjustment Act of 1944, Public No. 346, 78th Congress.

(b) "Administrator" means the Administrator of Veterans' Affairs.

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6621, 8673, 9996, 11438, 12661, 13345, 14144, 15865, 17052, 16298, 16793; 9 F.R. 1398.

(c) "Agency" means any agency administering a State Unemployment Compensation Law or the Railroad Unemployment Insurance Act, which has entered into an agreement with the Administrator to assist him in the payment of allowances.

(d) "Allowance" means the readjustment allowance payable under the act.

(e) "Employment office" means a public employment office which is utilized by the agency in administering its unemployment compensation law, and also means any facility designated as an employment office for the purposes of the Act by the Railroad Retirement Board.

(f) "Agent" means the readjustment allowance agent appointed by the Administrator under section 1100 (a) of the act, as his representative assigned to a given agency.

(g) "Value of remuneration other than cash," as used in this act, shall be determined by the agency pursuant to its rules and regulations as to such valuation under its unemployment compensation law.

§ 36.502 *Starting date of readjustment allowance payment.* (a) With respect to agencies paying benefits on a flexible week basis, allowances for unemployment are first payable for the week starting Monday, September 4, 1944. With respect to agencies then paying benefits on a calendar week basis, (i. e. the week beginning Sunday) the first week for which allowances may be paid starts September 10, 1944.

(b) Allowances for the self-employed are first payable for the month of October 1944.

(c) The allowances will be in the amount authorized in Chapter IX of the act.

§ 36.503 *Applications for allowances.* (a) The veteran's initial application shall be made through local offices or facilities of any agency for a form supplied by the Administrator. Applications may be made by mail pursuant to agency regulations and procedures.

(b) The veteran shall present his discharge or separation paper at the time of making his application whether such application is made in person or by mail.

(c) The agency may require any veteran who files an application and has no social security account number to secure such a number.

§ 36.504 *Determination of entitlement.* (a) When a veteran's discharge or separation paper specifies that the discharge or separation was "honorable" or "dishonorable", the agency shall immediately determine his entitlement and enter its determination on the application form. A veteran's discharge or separation paper may have one of the following titles:

Honorable discharge.
Certificate of active service.
Certificate of service.
Certificate of discharge.
Discharge.
Certificate of unfavorable discharge.
Bad conduct discharge.
Dishonorable discharge.

When the veteran asserts that he has lost his paper; when the paper does not specify whether his discharge or separation was honorable or dishonorable; or when the facts stated in the paper are inconclusive, incomplete or in dispute; his application shall be cleared with the Veterans' Administration through the agent.

(b) The agency shall determine the maximum number of weekly allowances to which the veteran is entitled.

(c) In determining the maximum number of weekly allowances potentially payable to the veteran, the agency shall, under section 900 (b), count "each calendar month or major fraction thereof of active service." For the purpose of such determination the term "calendar month" means the month starting with the date of the veteran's entry upon active service, and each such corresponding month ensuing consecutively thereafter: (i. e.; the first "calendar month" starts on the beginning date of active service and ends on the day preceding the same date in the succeeding month; *Provided however*, That if the succeeding month does not include enough days to have a corresponding date, his first "calendar month" will end at the close of such succeeding month. The second "calendar month" starts immediately after the end of the first "calendar month" and its termination is likewise determined, and so on with beginning and ending dates similarly determined.) When a fraction of such a month had elapsed on the veteran's discharge date, any balance of days remaining after the determination of calendar months as herein above described shall be treated as a "major fraction" if it includes 16 days or more.

(d) The period of active service is stated on some types of discharge or separation papers. All of the period between the veteran's entry upon active service and his discharge is active service. When the discharge does not show the date of entry into active service but does show the date of induction (or date of enlistment) the latter shall be accepted as date of entry into active service except as modified by other remarks on the reverse of the discharge paper.

(e) When a veteran files his first application for allowances the back of the veteran's discharge or separation paper shall be stamped or endorsed in ink with the following: "Application for Readjustment Allowances made through (name of agency) on (date)."

§ 36.505 *Registration for work and reporting unemployment.* (a) Unemployed veterans shall be registered for work in accordance with the employment office regulations, policies and procedures applicable to claimants under the Unemployment Compensation Law of the agency.

(b) Unemployed veterans shall report their unemployment at such times and in such manner as is required by the agency for claimants under its Unemployment Compensation Law.

(c) No unemployed veteran shall be eligible to receive an allowance for any week in which he was not so registered or with respect to which he did not so report: *Provided*, That such failure to be registered or to report may be waived by the agency on the same basis as would justify such a waiver as to its unemployment compensation claimants. Registration may be waived in case of illness, as provided in § 36.513.

§ 36.506 *Use of agency's type of week.* Claims for allowances filed by unemployed veterans with a given agency shall be based on the weekly time unit which currently applies to claimants under the agency's Unemployment Compensation Law: *Provided*, That any agency which applies other than a weekly time unit to unemployment compensation claimants shall adopt suitable procedures to provide for a weekly basis for allowances to unemployed veterans.

§ 36.507 *Time and frequency of allowance payments.* Allowances shall be paid at the intervals prescribed for unemployment compensation payments by the law or regulations of the agency.

§ 36.508 *Required content of agency records.* (a) Each agency shall maintain files containing all correspondence and other papers relating to individual veteran's claims, and such files shall be readily accessible to the agent, or other authorized representative of the Administrator.

(b) Each agency shall maintain a separate record for each veteran whose application is allowed. This record shall be maintained in such manner as will facilitate a prompt compilation of required statistical data and shall contain at least the following information:

(1) The veteran's name.
(2) His last service serial number, and branch of service.
(3) The date and place of the veteran's birth.
(4) The maximum number of weekly allowances to which the veteran was originally entitled.
(5) Number of weekly allowances paid, and total amount of weekly allowances paid during each consecutive period of unemployment.
(6) Number of monthly payments made to the self-employed and allowances weeks charged.
(7) Disqualifications imposed (current or past) and weeks involved.
(8) Record of transfer to or from another agency.

§ 36.509 *Required content of claims for total unemployment.* (a) The initial, or additional first claim (i. e. the first claim taken after an intervening period of employment) filed by a veteran during any period of total unemployment shall contain a signed statement covering at least the following information:

(1) Residence.
(2) Ability and availability for work.
(3) Registration for work.
(4) Name of last employer.
(5) Reason for separation from last employer.

(6) Recent refusal of job offer to job referral.
(7) Recent failure to attend a free training course.

(b) Continued claims shall contain a signed statement covering at least the following information with respect to the week for which allowance is claimed:

(1) Ability and availability for work.
(2) Registration for work.
(3) Refusal of job offer or referral.
(4) Failure to attend free training courses.
(5) Wages earned.
(6) Benefits, received or accrued under other programs, which are deductible from allowances.

§ 36.510 *Allowance checks; repayments, etc.* (a) Each agency shall supply its checks or other forms for payment of allowances in such form as is best suited to its own procedures and equipment: *Provided*, That the face of each such check (or order for payment) shall bear the following statement: "In payment for readjustment allowances under the Servicemen's Readjustment Act of 1944."

(b) Repayment to the agency of the amount of readjustment allowances paid veterans will be made promptly following receipt of certified voucher (Standard Form 1034) by the agent. Form 1034 will show the designation of the fund to be credited, the total amount to be repaid, the period covered, etc., and will be supported by a schedule or list of the individual items totaling the amount of the repayment claimed. This supporting schedule or list will contain the name of each veteran paid, his service serial number and the amount paid, and may be in the form of a copy of the check (or warrant) register or some similar product of the agency's accounting system.

(c) The amount of canceled checks and collections on account of items for which repayment had been made to the agency will be shown as a deduction from the amount stated on a subsequent Form 1034 and there will be attached a list of the checks canceled and the collections made.

(d) The agency will establish and maintain a separate depositary (banking) account for benefit payments under Title V of the act and following each reconciliation of the account will furnish the agent a summary statement showing the balance at the beginning and end of the period, the total charges and total credits during the period, and the total of the checks outstanding at the end of the period.

§ 36.511 *Partial unemployment claims.* (a) Each agency whose law provides for partial unemployment benefits shall take and pay veteran's claims for weeks of partial unemployment in a manner consistent with its methods under its unemployment compensation law.

(b) Any agency whose unemployment compensation law does not provide for the payment of partial unemployment benefits, shall provide for payment of veteran's partial unemployment benefits by adopting and putting into effect procedures which are insofar as practicable consistent with those of other agencies.

(c) Each agency's claim-form for veterans' claims for weeks of partial unemployment shall contain a signed statement by the veteran covering the following information with respect to the week covered by the claim:

(1) Items 1, 2, 3, 4, 6 and 7 listed in § 36.509 (a).
(2) Wages payable (i. e. earned).
(3) That work was for less than a full work week.
(4) Reason for less than a full work week.

§ 36.512 *Transfer of claims between agencies.* (a) When a veteran, who has been receiving allowances through a given agency, transfers to the jurisdiction of another agency, he may continue his claims against the original agency under the interstate benefit payment plan (or, by direct mail with the consent of the original agency), or, at his option, he may request the new agency to have his allowance record transferred so that the new agency may pay his allowances.

(b) The form used by each agency for transferring a veteran's allowance record under paragraph (a) of this section shall contain the same minimum information specified under § 36.508 (b).

§ 36.513 *Allowances during periods of illness or of disability.* (a) Under the provisions of section 700 (b) (4) of the act, a period of continuous unemployment will be deemed to start on the effective date of the veteran's first claim for allowances during the period of continuous unemployment.

(b) Each agency shall initially, if practicable, secure evidence of the veteran's illness or disability through a certificate of his attending physician. The veteran's signed statement or other suitable evidence shall be obtained.

(c) So far as practicable, the agency shall assist the veteran in reporting weekly his continued unemployment, due to his illness or disability, by mail or through his designated representative.

(d) The first claim for allowance filed by a veteran for a period of illness or disability shall bear a signed statement by the veteran that he is unable to work and shall specify the nature of his illness or disability. Such claims shall also provide space for a physician's certification to the same effect, or for an explanation as to why such a certification could not practicably be secured.

(e) Continued claims for allowances filed by a veteran for a period of illness or disability under this regulation shall bear a signed statement by the veteran that he was unable to work throughout the week or weeks in question.

§ 36.514 *Allowances to the self-employed.* (a) Each agency shall determine whether a veteran is engaged in self-employment, consistently with the definition of the employment relationship provided in its unemployment compensation law.

(b) A veteran shall be treated as having been fully engaged in self-employment during a given calendar month only if, throughout that month, he was engaged in his self-employment to the exclusion of any services in an employment relationship. For the purposes of this paragraph calendar month means one of the given twelve months of the calendar year.

(c) A veteran's net earnings from his self-employment include total income from self-employment less expenses incurred in securing such income. Personal or family expenditures shall not be deductible as expenses.

(d) Each self-employed individual shall maintain such records as are necessary for a determination of his net earnings. Such records shall reflect income received and expenses paid, and shall be open to inspection or audit by an authorized agency representative, or of the Veterans Administration.

(e) Veterans' claims for allowances for months of self-employment shall be filed at a local office of the agency, or by mail on forms prescribed by the Administrator.

(f) Such claims shall be cleared through agency records, and the agency shall enter from the veteran's record, the maximum number of weeks of allowance which may be paid for the month in question. At the time of making such entry on the claim, the agency shall charge the claimant's record with payment of a monthly allowance (which shall be charged as the equivalent of 5 weekly allowances), subject to reversal of the charge, if the claim is subsequently disallowed.

(g) The agency shall deliver the claim, thus endorsed as to entitlement, to the agent, who shall examine the claim and either, disallow it, request further specified facts from the agency, or allow it and determine the veteran's net earnings and allowance payable for the month in question.

(h) If the agent disallows the claim, he shall so inform the agency. If he allows the claim, he shall secure payment thereof by appropriate notification to the nearest Treasury Disbursing Office.

(i) The agent's determination as to such claim shall be subject to review within the time set by the agency's law and regulations for the filing of appeals from initial determinations. The agent shall, when an application for review has been filed, conduct a recorded hearing and based upon the record, issue his decision in accordance with the provisions of § 36.518 (c).

§ 36.515 *Payment of claim after death.* (a) In case a veteran dies, and at the time of his death there is due and payable to his readjustment allowances, the amount thereof shall, upon claim therefor, be certified to the agent. The agent shall forward such certification to the Dependents Claims Service, Veterans' Administration, Washington, D. C., for adjudication. The amount of such allowances shall be awarded under the provisions of § 5.2660 (a) and (c) of this chapter to the surviving spouse, or if there be no surviving spouse, to the child, or children, dependent mother or father, in the order named. In all other cases only so much of the unpaid allowances may be paid as may be necessary to reimburse a person who bore the expense of last illness and burial; *Provided*, That

no part of the allowances due the deceased veteran shall be used to reimburse any political subdivision of the United States, or of any State, for expenses incurred in the veteran's last sickness or burial.

§ 35.516 *Agency application of disqualifications.* Each agency shall take appropriate steps consistent with its established administrative policies, procedures, and precedent (disregarding the provision "attributable to the employer"), to enforce and apply the disqualifications provided in the act. Each agency shall interpret and apply such disqualifications so far as practicable consistently with decisions of the agent on second appeal, and with decisions of the Administrator on final review.

§ 36.517 *Additional disqualifications.* Pursuant to section 800 (c) (2) of the act, the Administrator hereby prescribes that each agency may apply the following additional disqualifications. In the case of successive (consecutive) disqualifications and the assessing of additional disqualifications (except as determined by the Administrator upon referral by the agency) the aggregate number of weeks to be assessed by the agency shall not exceed thirteen (13).

§ 36.518 *Determinations and appeals with respect to unemployment.* (a) Each determination of the agency with respect to a veteran's application or claim shall be in writing and shall bear a clear statement of his right to appeal.

(b) Such determination shall be final unless within the time set by the agency's law and regulations for the filing of appeals from initial determinations an appeal is taken therefrom. Except as provided in §§ 36.501 to 36.522, inclusive, such appeal shall be heard and decided by the same referee or tribunal which would hear and decide the appeal if it had arisen under the law of the agency. The hearing shall be conducted in accordance with the agency's law and regulations, in the same manner as are appeals from the agency's unemployment compensation benefit determinations.

(c) Each decision of such referee or tribunal shall contain: the name of the agency whose determination is appealed; the name, most recent serial number, and last known address of the claimant; a complete statement of the case; findings of fact; conclusions of law; and the decision. Such decision shall be signed and dated.

(d) Unless an appeal is heard and decided by the referee or tribunal within thirty days after the date upon which the appeal was filed with the agency the claimant may make written application to the agent to have such appeal transferred to, and heard and decided by the agent. Upon receiving such application the agent may, if after consultation with the agency, he finds that such delay was unreasonable, order the appeal transferred to him for hearing and decision.

(e) The claimant shall be promptly notified of the referee's or tribunal's decision and such decision shall be final unless within thirty days after the date of mailing of notice to the claimant's last known address or in the absence of such mailing within thirty days after the delivery of such notice a written appeal pursuant to section 1102 of the Act is filed with the agency, the referee or tribunal, or the agent.

(f) When such appeal is filed the record shall be transmitted to the agent. Upon such agent's request he shall be furnished with a transcript of the hearing on appeal.

(g) Interstate appeal proceedings shall be conducted in accordance with the law and regulations of the agency conducting the hearing and appeal.

(h) The phrase in section 1103 of the act, "the appellate procedures being subject to final appeal to the Administrator" is hereby construed to mean "the appellate proceeding and the decision being subject to final appeal to the Administrator".

(i) For the purpose of §§ 36.501 to 36.522, inclusive, the veteran shall be deemed to be the only interested party, other than the United States, except that in cases involving a strike, lock-out or other labor dispute the employer shall be deemed to be an interested party.

(j) Any appeal to the Administrator from the decision of the agent must be made in writing within sixty (60) days from the date of mailing of notice of decision to last known address of the veteran.

§ 36.519 *Prosecutions and penalties.* In case an agency discovers an apparent violation of the act, subject to penalty under section 1300 or 1301, the agency shall report the relevant facts to the agent, who will be responsible for further proceedings.

§ 36.520 *Force of instructions on forms.* The Administrator's instructions appearing on forms supplied by him under §§ 36.501 to 36.522, inclusive, shall have the same force and effect as if they were set out in full in this instruction.

§ 36.521 *Statistical reports.* Each agency shall report to the agent promptly after the close of each calendar week the number of veterans who, during that week, were paid allowances by the agency on account of unemployment, the total amount so paid, and the number of veterans whose entitlement expired during the week. The agency shall furnish such other reports or information which the Administrator finds necessary. It will be the policy of the Administrator, where feasible, to consult with the agencies before requiring additional statistical reports.

§ 36.522 *Individual reports.* (a) Each agency shall with respect to each veteran whose right to benefits has been exhausted or has expired, or whose record has been transferred to another agency, or at intervals as prescribed by the Administrator, report the following information on forms supplied by the Administrator:

(1) The name of the veteran.
(2) His serial number and branch of service.
(3) Total number of weekly allowances and amount paid during each consecutive period of unemployment and the beginning and ending dates thereof.

FRANK T. HINES,
Administrator.

SEPTEMBER 1, 1944.

[F. R. Doc. 44-13680; Filed, Sept. 6, 1944; 11:29 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. 1581]

PART 216—PAYMENTS

REDUCING TESTIMONY TO WRITING

Section 216.18 of Title 43 is hereby amended by adding thereto a paragraph reading as follows:

§ 216.18 *Reducing testimony to writing.* * * *

Where a register finds that his employees, for any reason, are unable to transcribe the testimony in contest cases which are set before him, and that he cannot obtain a competent clerk to do the work at the rates hereinabove specified, he may authorize the procurement of a qualified stenographer, following the regular contract procedure. The costs will be apportioned by the register in accordance with the rules of practice (43 CFR 221.53–221.60).

FRED W. JOHNSON,
Commissioner.

Approved: August 25, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary

[F. R. Doc. 44-13663; Filed, Sept. 6, 1944; 9:37 a. m.]

[Public Land Order 242 [1]]

NEW MEXICO

WITHDRAWAL OF PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

NEW MEXICO PRINCIPAL MERIDIAN

T. 8 N., R. 4 E.,
Sec. 1, lots 5 to 12, inclusive;
Sec. 3, lots 5 to 16, inclusive;
Sec. 4, lots 5 to 16, inclusive;
Sec. 5, lots 5 to 16, inclusive;
Sec. 6, lots 6 to 17, inclusive.
T. 9 N., R. 4 E.,
Sec. 33, N½N½.

[1] Appendix to Chapter I.

T. 8 N., R. 5 E.,
Sec. 6, lots 1 to 8, inclusive, S½N½.
The areas described aggregate 2,548.11 acres.

This order shall take precedence over but not modify the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

ABE FORTAS,
Acting Secretary of the Interior.

AUGUST 23, 1944.

[F. R. Doc. 44-13666; Filed, Sept. 6, 1944; 9:38 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Small Tract Classification No. 57]

CALIFORNIA

LEASING OF PUBLIC LANDS FOR HOME SITES, ETC.

On July 17, 1944, the Secretary of the Interior classified, under the act of June 1, 1938 (52 Stat. 609; 43 U.S.C. sec. 682a), for leasing as home, cabin, health, convalescent, and recreational sites, the following-described public land in the Sacramento, California, land district:

CALIFORNIA No. 21

MOUNT DIABLO MERIDIAN

T. 4 N., R. 14 E., sec. 27, lot 7 (SW¼NE¼), lot 10 (NW¼SE¼), 78.19 acres.

This land is located approximately 3½ miles northeast of Murphys in Calaveras County. It is in a mountainous area, at an elevation of about 3,000 feet. The Big Tree State Highway is near the south boundary of the land. The Stanislaus National Forest lies about 2 miles to the east. San Domingo Creek, a perennial stream, is adjacent to the tract on the west and north.

This land was classified by the Secretary of the Interior on his own motion. Accordingly, no preference right to a lease will be granted based on an application under the act of June 1, 1938, filed on or after July 17, 1944.

This order shall not become effective to permit the leasing of such land under the Act of June 1, 1938, until 10:00 o'clock a. m. of the 63d day from the date on which it is signed, whereupon the land shall, subject to valid existing rights and withdrawals, become subject to such leasing. Applications under the act filed on or after July 17 and prior to such 63d day, with those received at 10:00 o'clock a. m. on that day, will be held and treated as simultaneously filed. Applications filed after 10:00 o'clock a. m. of such 63d day will be received and noted in the order of their filing. The applications will be acted upon and disposed of in accordance with the provisions of 43 CFR 295.8, to the extent that it is applicable.

Lessees will be required to construct, within a reasonable time after execution of the lease, substantial improvements having a value of not less than $500. Leases will be for a period of 5 years, at an annual rental of $5, payable in advance yearly. Leases will provide for ingress and egress. Any applications filed for small tracts in the classified area should describe the land applied for according to the rectangular system of surveys as far as possible.

The Register of the district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 44-13665; Filed, Sept. 6, 1944; 9:38 a. m.]

Office of the Secretary.

[Order 1985]

HEISLEY COAL CO., ET AL.

ORDER TAKING POSSESSION

Pursuant to the provisions of Executive Order No. 9476 (9 F.R. 10817) issued by the President of the United States on September 3, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines, collieries and facilities of Heisley Coal Company, Philadelphia, Pennsylvania, Imperial Coal Corporation, Johnstown, Pennsylvania, Monroe Coal Mining Company, Philadelphia, Pennsylvania, and Springfield Coal Company, New York, New York, and of any and all real and personal property and other assets used in connection with the operation thereof.

The regulations for the operation of coal mines under government control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this order, except as may be otherwise directed.

L. G. Ball is hereby designated operating manager for the United States for each and all of the mines, collieries and facilities of Heisley Coal Company and Monroe Coal Mining Company; Charles A. Owen is hereby designated as operating manager for the United States for each and all of the mines, collieries and facilities of Imperial Coal Corporation, and Rembrandt Peale, Jr., is hereby designated as operating manager for the United States for each and all of the mines, collieries and facilities of Springfield Coal Company. As operating manager for the United States, each is authorized and directed to operate any and all such respective properties in accordance with the aforementioned regulations for the operation of coal mines under government control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such mines, collieries and facilities, and for the production, distribution and sale of their products.

The operating manager for the United States shall forthwith fly the flag of the United States at each such mine, colliery and facility, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, collieries and preparation facilities of this mining company has been taken by order of the Secretary of the Interior.

HAROLD L. ICKES,
Secretary of the Interior.

Dated: September 4, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-13662; Filed, Sept. 6, 1944; 9:37 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-6913]

CONNECTICUT POWER CO.

ORDER FIXING DATE OF HEARING AND SUSPENDING PROPOSED INCREASED RATES

SEPTEMBER 1, 1944.

It appears to the Commission that: (a) The Connecticut Power Company (Connecticut) has on file with the Commission a rate schedule, designated as The Connecticut Power Company Rate Schedule FPC No. 6, providing for the sale of electric energy to The Torrington Electric Light Company (Torrington) for resale by the latter in Torrington, Connecticut, and vicinity.

(b) By letter dated May 29, 1944, Connecticut advised the Commission of certain proposed rates to Torrington to supersede the rates provided in the aforesaid Rate Schedule FPC No. 6. Connecticut, however, did not submit with such letter the information required by the Commission's rules of practice and regulations to be filed with any proposed changes in rates. By letters of June 8, 1944, June 23, 1944, and July 31, 1944, the Commission requested such information, and advised Connecticut that no filing date would be assigned to the proposed rates until receipt of the required information. On August 4, 1944, Connecticut filed its new agreement with Torrington providing for the proposed changes in rates, together with information required under the Commission's rules of practice and regulations. Such new agreement is dated June 30, 1944, and is designated as The Connecticut Power Company Rate Schedule FPC No. 8.

(c) The information submitted on August 4, 1944, by Connecticut shows that the proposed rates provided in the aforesaid Rate Schedule FPC No. 8 would result in an estimated increase over the rates provided in Connecticut's Rate Schedule FPC No. 6 for the sale of electric energy at wholesale to Torrington of approximately $104,000 for the 12-month period beyond July 1, 1944.

(d) In response to an inquiry by the Commission with respect to the effect of Connecticut's proposed increased rates upon Torrington's rates, Torrington stated in a letter dated July 5, 1944, "That an increased cost of $104,000 in our operations would be a serious bur-

den unless increased income could follow."

(e) Unless suspended by Commission order, Connecticut's Rate Schedule FPC No. 8 would become effective as of September 3, 1944, pursuant to the provisions of the Federal Power Act and the rules of practice and regulations thereunder.

(f) The proposed increased rates provided for in Connecticut's Rate Schedule FPC No. 8 may result in excessive rates or charges to Torrington and may place an undue burden upon ultimate consumers of electric energy; may be discriminatory; and will result in increased rates or charges which have not been shown to be justified.

The Commission finds that: It is necessary, desirable and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rates or charges and that said proposed increased rates or charges be suspended pending such hearing and the decision thereon.

The Commission orders that: (a) A public hearing be held commencing on December 5, 1944, at 10 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the lawfulness of the proposed increased rates provided for in The Connecticut Power Company Rate Schedule FPC No. 8, subject to the jurisdiction of the Commission, for the sale and delivery of electric energy to The Torrington Electric Light Company for resale.

(b) Pending such hearing and decision thereon, the operation of the schedule of increased rates or charges for the sale of electric energy for resale provided for in The Connecticut Power Company Rate Schedule FPC No. 8 be and the same is hereby suspended until February 3, 1945, or such time thereafter as it shall be satisfactorily shown to the Commission that Connecticut will keep accurate account in detail of all amounts received by reason of the proposed increase in rates and will specify by whom and in whose behalf such amounts are paid.

(c) During the aforesaid suspension period, Connecticut's rates to Torrington contained in The Connecticut Power Company Rate Schedule FPC No. 6 shall remain and continue in effect, in so far as they apply to the sale of electric energy for resale.

(d) At the hearing in this matter, the burden of proof to show that the proposed increased rates or charges are just and reasonable shall be upon The Connecticut Power Company, as provided in section 205 (e) of the Federal Power Act.

(e) Interested State commissions may participate in said hearing as provided in section 39.4 of the rules of practice and regulations under the Federal Power Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13659; Filed, Sept. 6, 1944; 9:37 a. m.]

[Docket No. IT-5914]

SAFE HARBOR WATER POWER CORP.

ORDER INSTITUTING INVESTIGATION AND FIXING DATE OF HEARING

SEPTEMBER 1, 1944.

Upon consideration of the petition filed on August 31, 1944, by the Maryland Public Service Commission requesting this Commission to institute an investigation of the interstate wholesale rates of Safe Harbor Water Power Corporation and Pennsylvania Water & Power Company, and the joint petition filed on August 14, 1944, by counsel for the Mayor and City Council of Baltimore, Maryland, counsel for the County Commissioners of Baltimore County, Maryland, counsel for Bethlehem-Fairfield Shipyard, Inc., and counsel for Rustless Iron & Steel Corporation, also requesting this Commission to institute such investigation; and

It appearing to the Commission that: (a) Safe Harbor Water Power Corporation owns and operates facilities, among others, used for the transmission and sale at wholesale of electric energy which is generated in Pennsylvania and transmitted therefrom to Maryland and the District of Columbia, and consumed at points outside of Pennsylvania. Such facilities are facilities for the transmission and sale at wholesale of electric energy in interstate commerce. Safe Harbor Water Power Corporation is a public utility within the meaning of that term as used in the Federal Power Act, and is also the licensee under license for Project No. 1025 (Pennsylvania) issued by this Commission.

(b) Safe Harbor Water Power Corporation and Pennsylvania Water & Power Company are both parties to certain agreements involving the transmission and sale of electric energy subject to the jurisdiction of the Commission, which said agreements include those designated in the files of the Commission as follows: Safe Harbor Water Power Corporation Rate Schedule FPC No. 1 (also designated as Pennsylvania Water & Power Company Rate Schedule FPC No. 8), and Supplements Nos. 1 and 2 thereto; Safe Harbor Water Power Corporation Rate Schedule FPC No. 3 and Supplements Nos. 1 and 2 thereto, and Supplement No. 1 to Supplement No. 2 thereto; Safe Harbor Water Power Corporation Rate Schedule FPC No. 4 and Supplements Nos. 1 and 2 thereto; Safe Harbor Water Power Corporation Rate Schedule FPC No. 5.

(c) By order of September 1, 1944, the Commission has instituted an investigation of the interstate wholesale rates of Pennsylvania Water & Power Company.

The Commission finds that: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Federal Power Act, that an investigation be instituted by the Commission into and concerning all rates, charges, or classifications demanded, observed, charged, or collected by Safe Harbor Water Power Corporation for or in connection with any transmission or sale of electric energy subject to the jurisdiction of the Commission, and any rules, regulations, practices, or contracts affecting such rates, charges, or classifications.

The Commission orders that: (a) An investigation be and the same hereby is instituted for the purpose of enabling the Commission:

(i) To determine whether, in connection with any transmission or sale of electric energy subject to the jurisdiction of this Commission under the Federal Power Act, by Safe Harbor Water Power Corporation any rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges or classifications, are unjust, unreasonable, unduly discriminatory or preferential; and

(ii) If, after hearing, it shall find that any of such rates, charges, classifications, rules, regulations, practices, or contracts are unjust, unreasonable, unduly discriminatory, or preferential, to determine and fix by appropriate order or orders, just and reasonable rates, charges, classifications, rules, regulations, practices, or contracts to be thereafter observed and in force.

(b) A public hearing be held, commencing on October 30, 1944, at 10 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(c) Interested State Commissions may participate in this proceeding as provided for in section 39.4 of the rules of practice and regulations under the Federal Power Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13660; Filed, Sept. 6, 1944; 9:37 a. m.]

[Project No. 346]

MINNESOTA POWER & LIGHT CO.

ORDER POSTPONING HEARING

SEPTEMBER 4, 1944.

It appearing to the Commission that: (a) On July 28, 1944, the Commission entered an order for hearing in the above-entitled matter, to commence September 8, 1944.

(b) On August 16 and 17, 1944, a conference was held between representatives of Minnesota Power & Light Company and members of the staff of the Commission with respect to the charges of Electric Bond and Share Company and fees of Phoenix Utility Company claimed by Minnesota Power & Light Company as part of the actual legitimate original cost of said project, as of May 31, 1927, wherein agreement was reached as to such cost, subject to the approval of the Commission, evidenced by a stipulation executed by members of the staff of the Commission, August 24, 1944, and by representatives of Minnesota Power & Light Company, August 30, 1944:

The Commission finds that: Good cause exists for the postponement of said hearing; and

The Commission orders that: The hearing heretofore set for September 8, 1944, in the above-entitled matter, be and the same hereby is postponed subject to the further order of the Commission.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-13675; Filed, Sept. 6, 1944; 11:21 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 200, Amdt. 5]

REFRIGERATION OF POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of September A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622, 9 F.R. 9916, 9 F.R. 10051), and good cause appearing therefor:

It is ordered, That Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622, 9 F.R. 9916, 9 F.R. 10051), be, and it is hereby, further amended by substituting the following paragraph (a) (2) in lieu of paragraph (a) (2) of § 95.337 thereof:

(a) (2) *Cars of potatoes originating in certain states not to be initially iced or reiced.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice or reice any refrigerator car or cars loaded with potatoes originating in the States of North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, Delaware, New Jersey or New York (Long Island only); or any refrigerator car or cars loaded with potatoes originating at any point on the Northern Pacific Railway Company or the Union Pacific Railroad Company located in the State of Washington when consigned to any destination located in the States of Oregon or Washington.

It is further ordered, That this order shall become effective 12:01 a. m., September 6, 1944; that a copy of this order and direction shall be served upon the State Commission of each state specified in paragraph (a) (2) herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13671; Filed, Sept. 6, 1944; 10:47 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4063]

MARION BENTINCK-SMITH

In re: Estate of Marion Bentinck-Smith, deceased; File No. D-28-7382; E. T. sec. 7572.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Romney Spring, Executor, acting under the judicial supervision of the Probate Court, County of Norfolk, Commonwealth of Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elsie Pfeiffer, Germany.
Anna B. Eckstein, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests;

All right, title, interest and claim of any kind or character whatsoever of Elsie Pfeiffer and Anna B. Eckstein, and each of them, in and to the estate of Marion Bentinck-Smith, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13682; Filed, Sept. 6, 1944; 11:32 a. m.]

[Vesting Order 4064]

REGINE S. BERLA

In re: Estate of Regine S. Berla, deceased; File D-28-8739; E. T. sec. 10617.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Emilia Meyer, Thea Goldschmidt and Walter Goldschmidt, and each of them, in and to the Estate of Regine S. Berla, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emilia Meyer, Germany.
Thea Goldschmidt, Germany.
Walter Goldschmidt, Germany.

That such property is in the process of administration by Max Goldenberg, Executor, acting under the judicial supervision of the Essex County Orphans' Court, Essex County, State of New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13683; Filed, Sept. 6, 1944; 11:32 a. m.]

[Vesting Order 4065]

BOND AND MORTGAGE GUARANTEE CO.

In re: Mortgage Participation certificate No. 152707, issued by Bond and Mortgage Guarantee Company under Guarantee No. 215,698 to City of Biedenkopf; File F-28-1314; E. T. sec. 879.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of the City of Biedenkopf in and to the mortgage participation certificate No. 152707, in the face amount of $3,000, issued by the Bond and Mortgage Guarantee Company under guarantee No. 215,698,

is property payable or deliverable to, or claimed by, a political subdivision of a designated enemy country, Germany, namely,

City of Biedenkopf, Germany.

That such property is in the process of administration by Bernard L. Touroff, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, New York County, New York;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13684; Filed, Sept. 6, 1944; 11:32 a. m.]

[Vesting Order 4066]

OTTO EHMANN

In re: Estate of Otto Ehmann, deceased; File No. F-28-3764; E. T. sec. 1810.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Albert Ehmann, Herman Rehfuss and Fritz Rehfuss, and each of them, in and to the Estate of Otto Ehmann, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Albert Ehmann, Germany.
Herman Rehfuss, Germany.
Fritz Rehfuss, Germany.

That such property is in the process of administration by William Ehmann, as administrator of the Estate of Otto Ehmann, acting under the judicial supervision of the Surrogate's Court of Rockland County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13685; Filed, Sept. 6, 1944; 11:33 a. m.]

[Vesting Order 4067]

AIMEE F. C. ELLIS

In re: Trust under the will of Aimee F. C. Ellis, deceased; File No. F-28-12543; E. T. sec. 7717.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Baronin Aimee von Hoyningen Huene (formerly Aimee Ellis) and the lawful issue of Baronin Aimee von Hoyningen Huene (formerly Aimee Ellis) whose names are unknown, and each of them, in and to the Trust under the will of Aimee F. C. Ellis, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Baronin Aimee von Hoyningen Huene (formerly Aimée Ellis), Germany.
The lawful issue of Baronin Aimee von Hoyningen Huene (formerly Aimee Ellis) whose names are unknown, Germany.

That such property is in the process of administration by the Hartford National Bank and Trust Company, as trustee under the will of Aimee F. C. Ellis, deceased, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or

in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13686; Filed, Sept. 6, 1944; 11:33 a. m.]

[Vesting Order 4068]

MARIA HEYM

In re: Estate of Maria Heym, deceased; File D–6–1099; E. T. Sec. 9169.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after invetsigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Frau Theresia Girsch and Frau Frances Kvorda, and each of them, in and to the Estate of Maria Heym, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frau Theresia Girsch, Germany.
Frau Frances Kvorda, Czechoslovakia.

That such property is in the process of administration by Anita Stange, Executrix of the Estate of Maria Heym, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

Determining that Frau Frances Kvorda, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Czechoslovakia, is a national of a designated enemy country, Germany;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13687; Filed, Sept. 6, 1944; 11:33 a. m.]

[Vesting Order 4069]

CHARLES HOFFMANN

In re: Estate of Charles Hoffmann, deceased; File No. D–28–6744; E. T. sec. 10603.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Marie Mayer, Theodor Hoffmann and the Issue of Jakob Hoffmann, late of Germany, whose names are unknown, and each of them, in and to the estate of Charles Hoffmann, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely.

Nationals and Last Known Address

Marie Mayer, Germany.
Theodor Hoffmann, Germany.
Issue of Jakob Hoffmann, late of Germany, whose names are unknown, Germany.

That such property is in the process of administration by The New Britain Trust Company, as executor of the estate of Charles Hoffmann, deceased, acting under the judicial supervision of the Court of Probate, District of Berlin, State of Connecticut;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13688; Filed, Sept. 6, 1944; 11:33 a. m.]

[Vesting Order 4070]

ANNA HOLICS

In re: Estate of Anna Holics, deceased; File No. D–34–703; E. T. sec. 8839.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of John Holics in and to the Estate of Anna Holics, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

John Holics, Hungary.

That such property is in the process of administration by George Rozsa, as Executor of the Estate of Anna Holics, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13689; Filed, Sept. 6, 1944; 11:33 a. m.]

[Vesting Order 4071]

LEROY HORST, ET AL.

In re: LeRoy Horst, et al. vs. Henry Hellberg, et al.; File D–28–7936; E. T. sec. 8783 (B).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Catharine Dammann, Anna Hadenfeldt, Katherine Arp, Helene Arp, Maria Reimers, Sophia Arp, Katharina Arp, Margaretha Arp, Joachim Arp, Claus Delfs, Hinrich Delfs and Mrs. Markus Ruge, and each of them, in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "LeRoy Horst, et al. vs. Henry Hellberg, et al.," in the District Court of Scott County, Iowa,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Catharine Dammann, Germany.
Anna Hadenfeldt, Germany.
Katherine Arp, Germany.
Helene Arp, Germany.
Maria Reimers, Germany.
Sophia Arp, Germany.
Katharina Arp, Germany.
Margaretha Arp, Germany.
Joachim Arp, Germany.
Claus Delfs, Germany.
Hinrich Delfs, Germany.
Mrs. Markus Ruge, Germany.

That such property is in the process of administration by Arthur Wagner, 826 Lane Building, Davenport, Iowa, as Referee, and the Clerk of the District Court of Scott County, Iowa, as Depositary, acting under the judicial supervision of the District Court of Scott County, Iowa;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13690; Filed, Sept. 6, 1944; 11:34 a. m.]

[Vesting Order 4072]

JULIA KISS

In re: Estate of Julia Kiss, deceased; File D–34–585; E. T. sec. 6770.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Perencz Boda in and to the estate of Julia Kiss, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Perencz Boda, Hungary.

That such property is in the process of administration by Vera Paller and Nicholas Paller, as Executrix and Executor of the Estate of Julia Kiss, acting under the judicial supervision of the Surrogate's Court, County of Queens, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13691; Filed, Sept. 6, 1944; 11:34 a. m.]

[Vesting Order 4073]

THERESA MAISCH

In re: Estate of Theresa Maisch, deceased; File No. D–28–7435; E. T. sec. 7668.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Danbury National Bank, as administrator, acting under the judicial supervision of the Court of Probate, District of Bethel, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Bernhardt Hoffarth, Bahnbeamter, Heidelberg Baden, Ronerstrasse 62, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken certification, required by said Executive order all action, after appropriate consultation and or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Bernhardt Hoffarth in and to the estate of Theresa Maisch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13692; Filed, Sept. 6, 1944; 11:34 a. m.]

[Vesting Order 4074]

WILLIAM L. PRESSLER

In re: Estate of William L. Pressler, deceased; File No. D–28–8475; E. T. sec. 9866.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Louis Remde and Paul Wensel, and each of them, in and to the Estate of William L. Pressler, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louis Remde, Germany.
Paul Wensel, Germany.

That such property is in the process of administration by William E. Pressler, as Executor of the Estate of William L. Pressler, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of thre Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13693; Filed, Sept. 6, 1944; 11:34 a. m.]

[Vesting Order 4075]

LOUISE REINHARDT

In re: Estate of Louise Reinhardt, deceased; File F–28–3383; E. T. sec. 864.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Louise Reinhardt (Jenft) Schneider in and to the estate of Louise Reinhardt, deceased.

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Louise Reinhardt (Jenft) Schneider, France.

That such property is in the process of administration by Carlos A. Hepp, as Ancillary Administrator, c. t. a., of the Estate of Louise Reinhardt, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

Determining that Louise Reinhardt (Jenft) Schneider, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, France, is a national of a designated enemy country, Germany;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13694; Filed Sept. 6, 1944; 11:35 a. m.]

[Vesting Order 4076]

CHARLES P. SATTELMAYER

In re: Estate of Charles P. Sattelmayer, deceased; File D-28-4395; E. T. sec. 7423.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Mathilde Wohlbold and Emma Hakner, and each of them, in and to the Estate of Charles P. Sattelmayer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mathilde Wohlbold, Germany.
Emma Hakner, Germany.

That such property is in the process of administration by John Kiefer and John Doerr, as Executors of the Estate of Charles P. Sattelmayer, acting under the judicial supervision of the Essex County Orphans' Court, Essex County, State of New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13695; Filed, Sept. 6, 1944; 11:35 a. m.]

[Vesting Order 4077]

LEO ZENKER

In re: Estate of Leo Zenker, deceased; File D-28-8497; E. T. sec. 9959.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Franz Zenker, Alfred Zenker, Helena Zenker, Frans Zenker, Elizabeth Zenker, Hildegard Zenker Hubertina, Maria Zenker and Emil Zenker, and each of them, in and to the estate of Leo Zenker, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Franz Zenker, Germany.
Alfred Zenker, Germany.
Helena Zenker, Germany.
Frans Zenker, Germany.
Elizabeth Zenker, Germany.
Hildegard Zenker Hubertina, Germany.
Maria Zenker, Germany.
Emil Zenker, Germany.

That such property is in the process of administration by Max Pelka, as Administrator c. t. a. of the Estate of Leo Zenker, acting under the judicial supervision of the Essex County Orphans' Court, County of Essex, State of New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13696; Filed, Sept. 6, 1944; 11:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 528, Order 14]

STANDARD OIL CO. (INDIANA)

ADJUSTMENT OF MAXIMUM PRICES

Order No. 14 under Maximum Price Regulation 528. Tires and tubes, recapping and repairing. Authorization of maximum prices.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and brands of new natural rubber passenger car tubes purchased from the Standard Oil Company, (Indiana), Chicago, Illinois, shall be:

Brand and size:	*Maximum price, each*
Atlas junior tube:	
4.75-19	$1.86
7.50-16	3.48
Atlas triple base tube:	
5.25-18	2.38
Atlas red & black tube (old style):	
Group 24—4.50-20	1.97
40—5.00-20	2.32
60—5.50-18	2.15
70—5.50-19	2.15
80—5.50-20	2.32
85—6.50-17	2.90
Atlas reinforced and red & black tube:	
C-20—6.00-20	3.02

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective September 6, 1944.

Issued this 5th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13633; Filed, Sept. 5, 1944; 4:12 p. m.]

[MPR 164, Order 147]

BROWN STOVE WORKS, INC.

ADJUSTMENT OF MAXIMUM PRICES

NOTE: A correction to the opinion accompanying Order No. 147 (9 F.R. 7619) under Maximum Price Regulation No. 64 was filed with the Division of the Federal Register, September 5, 1944, 4:10 p. m., as F.R. Doc. N. P. 44-10681.

[RMPR 436, Order 18]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order revising maximum price of crude petroleum from:

Pool, County or Parish and State
Alford, Pike, Ind.
Barrett Mitchell, Gibson, Ind.
Monroe City, Knox, Ind.
Oakland City, Pike, Ind.
Princeton East, Gibson, Ind.
Dodd's Bridge (Old Shallow), Sullivan, Ind.
Sullivan, Sullivan, Ind.
Tri-County, Gibson and Pike, Ind.
Santa Claus, Spencer, Ind.
Vernon Heights, Vanderburgh, Ind.
All pools, Bourbon, Kans.
Climax, Greenwood, Kans.
Fankhauser, Lyon and Greenwood, Kans.
Lost Springs East, Marion, Kans.
New Albany, Elk, Kans.
Quincy, Greenwood, Kans.
Wintershied, Coffey and Woodson, Kans.
Georgetown, Grant, La.
Tullos-Urania, La Salle and Winn, La.
Boston Northeast, Osage, Okla.
Cole, Payne, Okla.
Penn Creek, Osage, Okla.
Chico Martinez, Kern, Calif.
West Salt Creek (Shale), Natrona, Wyo.

For the reasons set forth in the accompanying opinion and pursuant to section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

State, County or Parish, Pool	*Amount of increase (dollars per 42-gallon barrel)*
Indiana, Pike, Alford	0.35
Indiana, Gibson, Barrett Mitchell	.35
Indiana, Knox, Monroe City	.35
Indiana, Pike, Oakland City	.35
Indiana, Gibson, Princeton East	.35
Indiana, Sullivan, Dodd's Bridge (Old Shallow)	.35
Indiana, Sullivan, Sullivan	.35
Indiana, Gibson and Pike, Tri-County	.35
Indiana, Spencer, Santa Claus	.35
Indiana, Vanderburgh, Vernon Heights	.25
Kansas, Bourbon, All pools	.35
Kansas, Greenwood, Climax	.35
Kansas, Lyon and Greenwood, Fankhauser	.35
Kansas, Marion, Lost Springs East	.35
Kansas, Elk, New Albany	.35
Kansas, Greenwood, Quincy	.35
Kansas, Coffey and Woodson, Wintershied	.35
Louisiana, Grant, Georgetown	.20
Louisiana, La Salle and Winn, Tullos-Urania	.20
Oklahoma, Osage, Boston Northeast	.35
Oklahoma, Payne, Cole	.35
Oklahoma, Osage, Penn Creek	.25
State, County or Parish, Pool—Continued	
California, Kern, Chico Martinez	0.20
Wyoming, Natrona, West Salt Creek (Shale)	.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13704; Filed, Sept. 6, 1944; 11:48 a. m.]

[MPR 436, Order 19]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order revising maximum price of crude petroleum from:

Caddo (Pine Island) Pool, Caddo Parish, La.

For the reasons set forth in the accompanying opinion and pursuant to section 12 (c) of Revised Maximum Price Regulation No. 436 *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

State, County or Parish, Pool	*Amount of increase (Dollars per 42-gallon barrel)*
Louisiana State, Caddo Parish, Caddo (Pine Island) Pool	.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13705; Filed, Sept. 6, 1944; 11:48 a. m.]

[MPR 120, Order 971]

BROWN AND BROWN, ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 971 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 17. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.228 and all other provisions of Maximum Price Regulation No. 120.

BROWN & BROWN, TRINIDAD, COLO., BROWNIE MINE, GREY CREEK SEAM, MINE INDEX NO. 1003, LAS ANIMAS COUNTY, COLO., SUB-DISTRICT 7, RAIL SHIPPING POINT: TRINIDAD, COLO., DEEP MINE, LOCOMOTIVE FUEL USE

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Rail shipment	470	460	460	460	390	390	380	------	385	365	------
Truck shipment	500	500	500	500	445	445	445	400	400	400	330

	Size Group Nos.										
	12	13	14	15	16	17-18	19	10	13	17-18	19
Rail shipment	------	295	250	245	205	275	240	270	260	205	260
Truck shipment	320	295	295	295	105	410	------	------	------	------	------

Note: The Last Four Columns of Prices Listed are prices for the sizes specified when shipped for Railroad Locomotive Fuel Use: All other prices listed for rail shipments are for all uses, including all railroad fuel uses.

LEO MONTOYA, P. O. BOX 407, TRINIDAD, COLO., MONTOYA MINE, No. 1 BOTTOM SEAM, MINE INDEX No. 1904, LAS ANIMAS COUNTY, COLO., SUB-DISTRICT 7, STRIP MINE

	Size Group Nos.																
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17-18
Truck shipment	500	500	500	500	445	445	445	400	400	400	320	320	295	295	295	195	410

The Maximum prices established by this order include all adjustments authorized by Amendment No. 110 to Maximum Price Regulation No. 120, issued July 26, 1944, Effective July 31, 1944.

This order shall become effective September 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13702; Filed, Sept. 6, 1944; 11:50 a. m.]

[MPR 120, Order 969]

DUNLO COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 969 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of §1340.212 and all other provisions of Maximum Price Regulation No. 120.

DUNLO COAL CO., 1200 GRAHAM AVE., WINDBER, PA., TROY No. 8 MINE, B SEAM, MINE INDEX No. 4078, SOMERSET COUNTY, PA., SUB-DISTRICT 36, RAIL SHIPPING POINT: CARNEGIE, PA. STRIP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	335

LEWIS HARPER, 434 SPRUCE ST., CLEARFIELD, PA., LEWIS HARPER No. 4 MINE, D SEAM, MINE INDEX No. 4061, CLEARFIELD COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: GRAMPIAN, PA., DEEP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

C. VIRGIL HUGHES, COMMERCIAL TRUST BLDG., PHILADELPHIA, PA., LELAND No. 2 MINE, E SEAM, MINE INDEX No. 4072, CLEARFIELD COUNTY, PA., SUB-DISTRICT 10, RAIL SHIPPING POINT: BIGCARIA, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

WM. T. MAHAFFEY & HARRY KITCHEN, 313 E. HIGH ST., EBENSBURG, PA., MAHAFFEY No. 1 MINE, C' SEAM, MINE INDEX No. 4060, CLEARFIELD COUNTY, PA., SUB-DISTRICT 18, RAIL SHIPPING POINT: LA JOSE, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

RALPH W. NEAL, R. D. No. 1, ROSSITER, PA., MEANEAR MINE, E SEAM, MINE INDEX No. 4060, CLEARFIELD COUNTY, PA., SUB-DISTRICT 12, RAIL SHIPPING POINT: HOOVERSBURST, PA., DEEP MINE

Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	330	330	320	310

N. B. ROUGEUX, KARTHAUS, PA., N. B. ROUGEUX MINE, C SEAM, MINE INDEX No. 4055, CLEARFIELD COUNTY, PA., SUB-DISTRICT 9, RAIL SHIPPING POINT: KARTHAUS, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

GODEN & SARICKS, CLEARFIELD, PA., G & S STRIP MINE, D SEAM, MINE INDEX No. 4000, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: LUMBER, PA., STRIP MINE

	Size Group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	295
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

TONY SPERANZA, R. D. No. 1 EDRI, PA., SPERANZA MINE, PITTSBURGH SEAM, MINE INDEX No. 4069, INDIANA COUNTY, PA., SUBDISTRICT 22, DEEP MINE

Truck shipment	360	335	335	325	315

This order shall become effective September 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13701; Filed, Sept. 6, 1944; 11:51 a. m.]

[MPR 120, Order 972]

CALABRO & FRELFALL, ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 972 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reason set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*.

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

CALABRO & FERLFALL, 1101 GREENTREE ROAD, PITTSBURGH 20, PA., WAGNER MINE, PITTSBURGH SEAM, MINE INDEX No. 4128, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: RACCOON, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP NO. 6

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	A	A	C	C	F	F	H	H	H	------	------
Rail shipment	330	330	310	310	275	265	255	255	225	------	------
Railroad fuel	330	330	310	310	290	275	255	255	255	235	------
Truck shipment	425	425	425	385	375	375	375	325	290	290	255

BORTZ & BORTZ COAL CO., STONEBORO, PA., BORTZ No. 1 MINE, KITTANNING SEAM, MINE INDEX No. 4172, BUTLER COUNTY, PA., SUB-DISTRICT 1, RAIL SHIPPING POINT: FORESTVILLE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 15, MAXIMUM TRUCK PRICE GROUP No. 2

Price classification	E	E	D	D	C	C	D	D	D	------	------
Rail shipment	310	310	300	300	310	300	270	270	245	------	------
Railroad fuel	310	310	300	300	310	300	270	270	245	245	------
Truck shipment	425	425	425	415	405	405	405	320	290	290	270

J. E. BOYER, FINDLEYVILLE, PA., PERUN MINE, PITTSBURGH SEAM, MINE INDEX No. 4170, WASHINGTON COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: LIBRARY, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP No. 6

Price classification	A	A	C	C	C	C	C	C	C	C	------
Rail Shipment	330	330	310	310	310	300	275	275	255	255	------
Railroad Fuel	330	330	310	310	310	300	275	275	255	255	------
Truck Shipment	425	425	425	385	375	375	375	325	290	290	255

ARTHUR J. BOYLE, CALUMET, PA., MARGARET MINE, PITTSBURGH SEAM, MINE INDEX No. 2730, WESTMORELAND COUNTY, PA., SUB-DISTRICT 4, RAIL SHIPPING POINT: SOUTHWEST GREENSBURG, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 18

Price Classification	F	F	D	D	D	D	D	D	D	------	------
Rail Shipment	310	310	325	325	325	315	295	295	270	------	------
Railroad Fuel	315	315	325	325	325	315	295	295	270	270	------
Truck Shipment*	415	415	415	395	395	365	365	305	295	295	255

*Previously established.

BRADENVILLE FUEL COMPANY, INC., LATROBE, PA., SMITH DEEP MINE, PITTSBURGH SEAM, MINE INDEX No. 1277, WESTMORELAND COUNTY, PA., SUB-DISTRICT 4, RAIL SHIPPING POINT: SIDING 5833, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 18

Price classification	G	G	G	G	H	H	G	G	G	------	------
Rail shipment	310	310	300	300	295	285	270	270	255	------	------
Railroad fuel	310	310	310	310	310	295	270	270	260	260	------
Truck shipment*	415	415	415	395	365	365	365	305	295	295	255

*Previously established.

IVAN I. BROWN, 600 LOCUST ST., MCKEESPORT, PA., ALICE No. 2 MINE, PITTSBURGH SEAM, MINE INDEX No. 4309, ALLEGHENY COUNTY, PA., SUB-DISTRICT 7, RAIL SHIPPING POINT: LARGE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP No. 5

Price classification	C	C	C	C	F	F	F	F	F	------	------
Rail shipment	325	325	310	310	275	265	250	250	225	------	------
Railroad fuel	325	325	310	310	290	275	250	250	235	235	------
Truck shipment	425	425	425	360	360	360	360	325	295	295	270

PETE COPCHIN, BOX 537 CARMICHAELS, PA., COPCHIN MINE, SEWICKLEY SEAM, MINE INDEX No. 4198, GREENE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: POLAND, PA., STRIP MINE, R. R. FUEL PRICE GROUP 8, MAXIMUM TRUCK PRICE GROUP No. 11

Price classification	J	J	H	H	H	H	J	J	J	------	------
Rail shipment	285	285	270	270	270	260	235	235	225	------	------
Railroad fuel	285	285	270	270	270	260	235	235	230	230	------
Truck shipment	380	380	380	360	340	340	340	280	260	260	230

SIX STATES COAL CORP., 601 PLAZA BLDG., PITTSBURGH, PA., BERTHA MINE, PITTSBURGH SEAM, MINE INDEX No. 4172, WASHINGTON COUNTY, PA., SUB-DIST. 7, RAIL SHIPPING POINT: BERTHA, PA., STRIP MINE, R. R. FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP No. 6.

Price classification	J	J	H	H	H	H	J	J	J	------	------
Rail shipment	285	285	270	270	270	260	235	235	225	------	------
Railroad fuel	290	290	290	290	290	275	235	235	235	235	------
Truck shipment	425	425	425	385	375	375	375	325	290	290	255

This order shall become effective September 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13708; Filed, Sept. 6, 1944; 11:51 a. m.]

Regional and District Office Orders.

[Louisville Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN LOUISVILLE, KY., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Louisville District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly

like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Louisville District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

GEO. H. GOODMAN,
District Director.

APPENDIX A—40 BASIC FOOD ITEMS

Vegetable soup.
Cream of tomato soup.
Meat loaf.
Roast beef.
Pork chop.
Baked ham.
Fried chicken.
Beef stew.
Fish.
Steak.
Potatoes.
Green beans.
Corn.
Peas.
Combination or chef's salad.
Slaw.
Potato salad.
Tomatoes (sliced).
Ham sandwich.
Cheese sandwich.
Hamburger sandwich.
Hot beef sandwich.
Pie.
Ice cream.
Cake.
Coffee.
Tea.
Milk.
Orange juice.
Cereal.
Eggs.
Bacon and eggs.
Ham and eggs.
Rolls and toast.
Griddle cakes.
Steak dinner.
Chicken dinner.
Roast meat dinner (beef, veal, pork or lamb).
Fish dinner.
Vegetable dinner.

[F. R. Doc. 44-13607; Filed, Sept. 8, 1944; 1:47 p. m.]

[Region III Order G-1 Under Gen. Order 50, Revocation]

MALT BEVERAGES IN CLEVELAND REGION

Revocation of Order No. G-1 under General Order No. 50. Maximum prices for malt beverages in designated areas in Region III.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, *It is hereby ordered:*

1. Order No. G-1 under General Order No. 50, (Maximum prices for malt beverages in designated areas in Region III) be, and the same is hereby revoked.

This order of revocation shall become effective August 19, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 19, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-13609; Filed, Sept. 8, 1944; 1:50 p. m.]

[Region III, Order G-1 Under RMPR 269, Amdt. 2]

LIVE POULTRY IN CLEVELAND REGION

Amendment No. 2 to Order No. G-1 under Revised Maximum Price Regulation No. 269. Poultry. Uniform maximum base prices for certain live poultry items.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1429.14 (d) of Revised Maximum Price Regulation No. 269, *It is hereby ordered:*

1. That Appendix A of said Order No. G-1 under Revised Maximum Price Regulation No. 269 be, and the same is, hereby amended to read as follows:

APPENDIX A—GRADE "T" LIVE POULTRY ITEMS[1]

	Broilers, fryers, roasters, and light capons	Heavy capons	Fowl	Stags and old roosters	Young turkeys	Old turkeys	Geese
Zone I	27.8	31.3	24.3	20.3	34.6	32.6	25.3
Zone II	27.9	31.4	24.4	20.4	34.7	32.7	25.4
Zone III	28.0	31.5	24.5	20.5	34.8	32.8	25.5
Zone IV	28.1	31.6	24.6	20.6	34.9	32.9	25.6
Zone V	28.2	31.7	24.7	20.7	35.0	33.0	25.7
Zone VI	28.3	31.8	24.8	20.8	35.1	33.1	25.8
Zone VII	28.4	31.9	24.9	20.9	35.2	33.2	25.9

[1] Grades for Live Poultry Items shall be determined under the provisions of Revised Maximum Price Regulation No. 269.

(1) The above prices for live poultry items shall be in force for the months of July, August, September, October, November, and December. For from April 21, 1944, to the end of June, 1944, and for the months of January through June of succeeding years, the following additions shall be made to each of the above prices for live poultry items:

Month:	Cents per pound
January	0.5
February	1.0
March	1.4
April	1.8
May	2.2
June	1.0

For the months of July, August, September and October, the following additions shall be made to the maximum base prices of live turkey items only:

Month:	Cents per pound
July	1.0
August	1.0
September	1.0
October	0.5

These additions shall not be added cumulatively, but rather, each addition establishes the total amount which may be added for sales and deliveries during the month indicated.

This amendment shall become effective August 24, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued August 24, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-13610; Filed, Sept. 8, 1944; 1:56 p. m.]

[Region III 2d Rev. Order G-18 Under 18 (c)]

FLUID MILK IN KENTUCKY

Second Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, and notwithstanding the provisions of § 1499.2 of the General Maximum Price Regulation and § 1351.803 of Maximum Price Regulation No. 280, it is hereby ordered that:

(a) *Sales of approved fluid milk.* (1) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the following counties of: Adair, Breathitt, Casey, Clinton, Cumberland, Estill, Garrard, Green, Jackson, Larue, Lee, Lincoln, Magoffin, Marion, Menifee, Metcalfe, Monroe, Morgan, Owsley, Powell, Pulaski, Rockcastle, Russell, Taylor, Washington, Wayne, and Wolfe, in the State of Kentucky shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

(4) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the following counties of Boone, Campbell, Carter, Clay, Kenton, Knox, Laurel, Leslie, McCreary, Martin, Mason and Whitley in the State of Kentucky shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	39¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	20¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	11¢ per quart.
Retail	Glass or paper	One pint	6¢ per pint.
Retail	Glass or paper	One-half pint	7½¢ per half pint.
Retail	Glass or other	One gallon or multiples thereof	39½¢ per gallon.
Wholesale	Glass or other	One-half gallon or multiples thereof	20½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	11½ per quart.
Wholesale	Glass or paper	One pint	6½ per pint.
Wholesale	Glass or paper	One-half pint	4½¢ per half-pint.

(5) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the following counties of Greenup and Boyd in the State of Kentucky, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	23¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	13¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One-half pint	4½¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	27½¢ per gallon.
Wholesale	Glass or other	One-half gallon or multiples thereof	13¾¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	8½¢ per quart.
Wholesale	Glass or paper	One pint	4½¢ per pint.
Wholesale	Glass or paper	One-half pint	3¼¢ per half-pint.

(6) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the County of Jefferson in the State of Kentucky, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	35¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	18¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	10½¢ per quart.
Retail	Glass or paper	One pint	6¢ per pint.
Retail	Glass or paper	One-half pint	4½¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	30½¢ per gallon.
Wholesale	Glass or other	One-half gallon or multiples thereof	16½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	9½¢ per quart.
Wholesale	Glass or paper	One pint	5½¢ per pint.
Wholesale	Glass or paper	One-half pint	3¾¢ per half-pint.

(7) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the following counties of Adair, Allen, Anderson, Ballard, Barren, Bath, Bell, Boyle, Bracken, Breckenridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Carroll, Christian, Crittenden, Daviess, Edmonson, Elliott, Franklin, Fleming, Fulton, Gallatin, Graves, Grant, Grayson, Hancock, Hardin, Harrison, Hart, Henderson, Henry, Hickman, Hopkins, Jessamine, Lawrence, Lewis, Livingston, Logan, Lyon, Marshall, McClean, Meade, Mercer, Montgomery, Muhlenberg, Nelson, Nicholas, Ohio, Oldham, Owen, Pendleton, Robertson, Rowan, Scott, Shelby, Simpson, Spencer, Todd, Trigg, Trimble, Union, Warren, Webster, and Woodford in the State of Kentucky, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	35¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	27½ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	14¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or paper	One-half pint	6¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	30½¢ per gallon.
Wholesale	Glass or other	One-half gallon or multiples thereof	23½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	12¼¢ per quart.
Wholesale	Glass or paper	One pint	7¼¢ per pint.
Wholesale	Glass or paper	One-half pint	5¼¢ per half-pint.

(8) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of Bourbon, Clark, Fayette, Madison and McCracken in the State of Kentucky shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	39¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	20¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	11¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One-half pint	5½¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	35½¢ per gallon.
Wholesale	Glass or other	One-half gallon or multiples thereof	18½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	10¼¢ per quart.
Wholesale	Glass or paper	One pint	6¾¢ per pint.
Wholesale	Glass or paper	One-half pint	4¾¢ per half-pint.

(9) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of Boone, Campbell, Carter, Clay, Kenton, Knox, Laurel, Leslie, McCreary, Martin, Mason and Whitley in the State of Kentucky shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	39¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	20¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	11¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One-half pint	5½¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	35½¢ per gallon.
Wholesale	Glass or other	One-half gallon or multiples thereof	18½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	10¼¢ per quart.
Wholesale	Glass or paper	One pint	6¾¢ per pint.
Wholesale	Glass or paper	One-half pint	4¾¢ per half-pint.

(7) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the following county of Johnson, in the State of Kentucky, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	56¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	29¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	16½¢ per quart.
Retail	Glass or paper	One pint	11¢ per pint.
Retail	Glass or paper	One-half pint	8¢ per half-pint
Wholesale	Glass or other	One gallon or multiples thereof	51¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	29½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	14½¢ per quart.
Wholesale	Glass or paper	One pint	9½¢ per pint.
Wholesale	Glass or paper	One-half pint	5¢ per half-pint.

(8) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the following counties of Floyd, Harlan, Knott, Letcher, Perry and Pike in the State of Kentucky, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	57¢ per gallon.
Retail	Glass or paper	One-half gallon or mulples thereof	33¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	17¢ per quart.
Retail	Glass or paper	One pint	11½¢ per pint.
Retail	Glass or paper	One-half pint	9¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	52¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	30½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	18¢ per quart.
Wholesale	Class or paper	One pint	10¢ per pint.
Wholesale	Glass or paper	One-half pint	5¼¢ per half-pint.

(b) *Sales of special milk.* (1) Except as hereinafter provided in paragraph (2) of this section (b), any person selling special milk, as hereinafter defined, at retail or wholesale in any County in the State of Kentucky, who is permitted under the provisions of this order or has been permitted under the provisions of any previous order issued by the Regional Administrator of Region III to increase the price of approved fluid milk (raw or pasteurized regular, standard milk) sold by him, may add an amount equal to such increase and/or the sum of such increases to the retail and wholesale prices of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation or under the provisions of any previous order issued by the Regional Administrator of Region III.

(2) The adjusted maximum price of plain homogenized milk, chocolate drink, buttermilk and skim milk as established under the preceding paragraph (1) shall in no event exceed the adjusted maximum price of approved fluid milk (raw or pasteurized regular, standard milk) established under the applicable provisions of this order.

(3) If any person selling special milk at retail or wholesale in any County in the State of Kentucky cannot determine his maximum prices for such special milk under the provisions of (1) or (2) of this section (b), he may apply by letter to the Regional Office, Office of Price Administration, Union Commerce Building, Cleveland, Ohio, for determination of his maximum prices. He shall submit full information as to his present maximum prices, the prices of his most closely competitive sellers, the type and approximate butterfat content of the special milk sold by him and his most closely competitive sellers, and a full statement of the reasons why he is unable to determine adjusted prices under paragraph (1) and (2) hereof.

(c) *Fractional sales.* (1) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at retail, may adjust the unit price therefor to the next highest full cent. For sales of two or more such units, such seller shall, however, multiply such fractional unit figure by the number of units in such sale; for example, a maximum price of 7½¢ per unit may be adjusted to 8¢ for the sale of one unit, but must be 15¢ for the sale of two units, etc.

(2) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at wholesale, shall multiply such fractional unit figure by the number of units in such sale; for example, the maximum price for 24 pints of fluid milk at a per unit cost of 5½¢ would be $1.32.

(d) *Reports.* Each person, other than a retail store, adjusting his maximum prices pursuant to the provisions of this order, shall within five (5) days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter, of his maximum prices established pursuant to this order, together with a statement of his previous maximum prices.

Each such person shall, in addition to the above, file with the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio such reports as may hereafter be required by said Regional Office.

(e) *Discounts.* Any person selling approved fluid milk and/or special milk at retail or wholesale in the State of Kentucky may discontinue the granting of discounts.

(f) *Notification of retail stores.* Each distributor selling approved fluid milk and/or special milk at wholesale to a retail store or stores shall notify each store to whom he sells, by letter, of the adjustment permitted by this order, and each retail store is hereby required to comply with the requirements of the General Maximum Price Regulation as to the posting of prices of cost-of-living commodities.

(g) The provisions of this order supersede the provisions of General Order No. 1 pertaining to certain trade practices in Region III. Said Order No. 1 is therefore revoked as to all counties in the State of Kentucky.

(h) The provisions of this order supersede the provisions of Order No. G–22 under § 1499.18 (c) of the General Maximum Price Regulation insofar as the provisions of said Order No. G–22 are applicable to Jefferson County in the State of Kentucky. Therefore, Order No. G–22 is revoked in its applicability to Jefferson County in the State of Kentucky.

(i) *Definitions.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or successors of the foreging.

(2) "Approved fluid milk and special milk." (i) Approved fluid milk is defined to mean fluid cows' milk, whether raw or pasteurized, meeting the minimum butterfat content, sanitary and health requirements for fluid milk for human consumption in the particular area wherein it is delivered, including standards set by the army or navy purchasing officer making purchases for the armed forces of the United States.

(ii) Special milk is defined to mean plain homogenized milk, softcurd milk, buttermilk, regular or standard milk flavored with chocolate, chocolate drink, skim milk and, in addition to the foregoing, any milk conforming to both of the following requirements: (a) it must contain a greater butterfat content than regular or standard milk, and (b) it must have sold during the month of March, 1942, at a price higher than regular or standard milk.

(3) "Sale or delivery at retail" means a sale or sales of approved fluid milk in glass or paper containers to an ultimate consumer, other than an industrial or commercial user.

(4) "Sale or delivery at wholesale" refers to a sale of approved fluid milk or special milk in glass, paper or other containers to any person, including an industrial or commercial user, other than an ultimate consumer. For the pur-

poses of this order, a sale or delivery at wholesale shall include a sale or delivery to stores, hotels, restaurants, institutions, and any branch of the Armed Forces of the United States. A sale or delivery at wholesale does not include a sale of bulk milk made by one distributor to another, or a sale by a cooling station to a distributor.

(j) This order shall remain in effect until modified or revoked by the Regional Administrator.

This order shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued July 28, 1944.

BURKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-13611; Filed, Sept. 5, 1944; 1:54 p. m.]

[Region III 2d Rev. Order G-18 Under 18 (c), Amdt. 1]

FLUID MILK IN KENTUCKY

Amendment No. 1 to Second Revised Order No. G-18 under § 1499.18 (c) of General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, and notwithstanding the provisions of § 1499.2 of the General Maximum Price Regulation and § 1351.803 of Maximum Price Regulation No. 280, *It is hereby ordered*, That:

1. Section (a) (2) of Second Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, (Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky) be, and the same is hereby amended by deleting from the list of counties set forth therein, the counties of Henderson and Scott in the State of Kentucky.

2. Section (a) (3) of Second Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, (Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky) be, and the same is hereby amended by adding to the list of counties set forth therein, the counties of Henderson and Scott in the State of Kentucky.

3. Section (i) (2) (ii) of Second Revised Order No. G-18 under § 1499.18 (c) of the General Maximum Price Regulation, (Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Kentucky) be, and the same is hereby amended to read as follows:

(i) (2) (ii) Special milk is defined to mean Vitamin D homogenized milk, plain homogenized milk, softcurd milk, buttermilk, approved fluid milk flavored with chocolate, chocolate drink, skim milk and, in addition to the foregoing, any milk conforming to both of the following requirements: (a) it must contain a greater butterfat content than approved fluid milk and, (b) it must have sold during the month of March, 1942 at a price higher than approved fluid milk.

This amendment shall become effective August 21, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 21, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-13612; Filed, Sept. 5, 1944; 1:53 p. m.]

[Region III Order G-20 Under 18 (c), Amdt. 7]

FLUID MILK IN MICHIGAN

Amendment No. 7 to Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation. Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Michigan.

For the reasons set forth in the opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, and notwithstanding the provisions of § 1499.2 of the General Maximum Price Regulation and § 1351.803 of Maximum Price Regulation No. 280, *It is hereby ordered*, That:

1. Schedule A of Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation, as amended (Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of Michigan), be and the same is hereby amended to read as follows:

SCHEDULE A

(1) Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Alcona, Alger, Alpena, Arenac, Baraga, Cheboygan, Chippewa, Clare, Crawford, Delta, Dickinson, Gladwin, Gogebic, Gratiot, Houghton, Huron, Iosco, Iron, Isabella, Keweenaw, Luce, Mackinac, Marquette, Menominee, Montmorency, Ogemaw, Ontonagon, Oscoda, Otsego, Presque Isle, Roscommon, Sanilac, Schoolcraft, and Tuscola in the State of Michigan.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	49¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	25¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	13¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One-half pint	5¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	44¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	22½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	11¢ per quart.
Wholesale	Glass or paper	One pint	6¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per half-pint.

(2) Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Allegan, Antrim, Barry, Benzie, Cass, Charlevoix, Clinton, Eaton, Emmet, Grand Traverse, Ionia, Kalkaska, Lake, Leelanau, Manistee, Mason, Mecosta, Missaukee, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, Saint Joseph, Van Buren, Wexford, Lapeer and Midland in the State of Michigan.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	50¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	26¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	13½¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One-half pint	5¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	45¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	23½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	11½¢ per quart.
Wholesale	Glass or paper	One pint	6½¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per half-pint.

(3) Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Bay, Berrien, Branch, Calhoun, Hillsdale, Ingham, Jackson, Kalamazoo, Kent, Lenawee, Livingston, Saginaw and Shiawassee in the State of Michigan.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	51¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	27¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	14¢ per quart.
Retail	Glass or paper	One pint	8¢ per pint.
Retail	Glass or paper	One-half pint	6¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	46¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	24½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	12¢ per quart.
Wholesale	Glass or paper	One pint	7¢ per pint.
Wholesale	Glass or paper	One-half pint	3½¢ per half-pint.

(4) Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Genesee, Monroe, St. Clair and Washtenaw in the State of Michigan.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	22¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	12¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	1½¢ per quart.
Retail	Glass or paper	One pint	8½¢ per pint.
Retail	Glass or paper	One-half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	17¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	25½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	12½¢ per quart.
Wholesale	Glass or paper	One pint	7½¢ per pint.
Wholesale	Glass or paper	One-half pint	4¢ per half-pint.

(5) Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Macomb, Oakland, and Wayne in the State of Michigan.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	23¢ per gallon.
Retail	Glass or paper	One-half gallon or multiples thereof	13¢ per half-gallon.
Retail	Glass or paper	One quart or multiples thereof	1½¢ per quart.
Retail	Glass or paper	One pint	9¢ per pint.
Retail	Glass or paper	One-half pint	7¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof	18¢ per gallon.
Wholesale	Glass or paper	One-half gallon or multiples thereof	26½¢ per half-gallon.
Wholesale	Glass or paper	One quart or multiples thereof	13¢ per quart.
Wholesale	Glass or paper	One pint	8¢ per pint.
Wholesale	Glass or paper	One-half pint	4½¢ per half-pint.

This amendment No. 7 shall become effective August 24, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued August 24, 1944.

BERKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-13613; Filed, Sept. 5, 1944; 1:58 p. m.]

[Boise Special Order 1 Under Restaurant MPR 7-1, Gen. Order 50, and Rev. Delegation Order 15, Amdt. 4]

MALT BEVERAGES IN BOISE, IDAHO, DISTRICT

Amendment No. 4 to Special Order No. 1, including Amendments 1 to 3, under Restaurant MPR 7-1, General Order 50 and Region VII Revised Delegation Order No. 15. Filing of prices by restaurants and similar establishments: delegation of authority to fix maximum prices. Maximum prices for malt beverages sold by eating or drinking places.

Pursuant to section 2 of the Emergency Price Control Act of 1942, as amended, and section 20 of Second Revised Restaurant MPR 7-1 and to the authority delegated to the District Director of the Boise, Idaho District Office by Region VII Revised Delegation Order No. 15 dated September 20, 1943 and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered*, That the above described order be amended in the following respects:

Section 3 (a) is amended by an addition to the sub-title, "Brand or Trade Name", and to the "ounce" content as follows:

Brand or Trade Name	11 and 12 ounce	32 ounce
"Nortena" (Imported Mexican beer)	$0.30	None

Right to revoke, amend, modify or correct. This Amendment No. 4 to Special Order No. 1, including Amendments 1 to 3, may be revoked, amended, modified or corrected by the Price Administrator, Regional Administrator or District Director at any time.

This Amendment No. 4 to Special Order No. 1, including Amendments 1 to 3 shall become effective June 10th, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808; Region VII Revised Delegation Order No. 15)

Issued at Boise, Idaho this 10th day of June 1944.

WM. S. HILL,
Acting District Director.

[F. R. Doc. 44-13630; Filed, Sept. 5, 1944; 1:48 p. m.]

[New Mexico Order G-1 Under Gen. Order 50, Amdt. 3]

BEER AND ALE IN NEW MEXICO DISTRICT

Amendment 3 to Order No. G-1 under General Order No. 50. Maximum Prices for sales of beer and ale by dispensers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the New Mexico District Office of Price Administration by General Order No. 50, 2d Revised Restaurant Maximum Price Regulation 7-1, and Region VII Revised Delegation Order No. 15, *It is hereby ordered*, That Order No. G-1 under General Order No. 50 be amended in the following respects:

1. Subsection (d) of section 4 is amended to read as follows:

(d) The prices listed above include all taxes, local, State, and Federal, in effect up to and including March 31st, 1944, and no additional charge may be made on account of such taxes.

2. A new subsection, to be numbered (e) to section 4, be added as follows:

(e) In addition to the prices permitted in this order, a night club may, during the hours between 8 p. m. and closing time, if operating as a night club and subject to the 30 percent amusement tax imposed by the Federal Revenue Act of 1943, add the exact amount of said 30 percent amusement tax or the additional 25 percent increase if the night club was adding the 5 percent amusement tax already in force at the time the Federal Revenue Act of 1943 became effective: *Provided, however*, That this tax can be added only in the event that it is shown separately from the selling price of the beer and/or ale on the seller's invoice.

3. This Amendment No. 3 shall become effective April 1st, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4808, 2d Revised Restaurant Maximum Price Regulation 7-1, 8 F.R. 11948)

Issued this 1st day of April 1944.

JOHN D. BINGAMAN,
District Director.

[F. R. Doc. 44-13631; Filed, Sept. 5, 1944; 1:50 p. m.]

[New Mexico Order G-1 Under Gen. Order 50, Amdt. 4]

BEER AND ALE IN NEW MEXICO DISTRICT

Amendment 4 to Order No. G-1 under General Order No. 50. Maximum prices for sales of beer and ale by dispensers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the New Mexico District Office of the Office of Price Administration by General Order No. 50, 2nd Revised Restaurant Maximum Price Regulation 7-1, and Region VII Revised Delegation Order No. 15, *It is hereby ordered* That Order No. G-1 under General Order No. 50 be amended in the following respects:

1. That section 3 be and is hereby amended to read as follows:

SEC. 3. *Exceptions.* (a) Maximum prices for beer and ale items not listed in section 4 hereof which are controlled by other price regulations must not exceed the prices established thereby.

(b) The maximum prices established by this order shall not apply to sales made at any place of business which is in operation for a period of less than ten days during the calendar year, nor shall it apply to sales made on railroad trains. Maximum prices for such sales remain subject to other applicable price regulations.

2. That section 4 be and is hereby amended to read as follows:

SEC. 4. *Maximum prices established by this order.* (a) The maximum prices for sales of the beer and ale items listed below by sellers located in Colfax, San Miguel, Santa Fe, Bernalillo, Valencia, McKinley, Dona Ana, and Chavez Counties, New Mexico are as follows:

Brand	Size	Price	Size	Price
Bottled Beer:	*Oz.*		*Oz.*	
Blatz, Old Heidelberg	12	$0.21	33	$0.50
Budweiser	12	.21	32	.50
Canadian Ace	12	.21	33	.50
Country Club	12	.21		
Koenig Brau	12	.21		
Marshals	12	.21	32	.50
Pabst	12	.21	32	.50
Schlitz	12	.21	33	.50
Van Morritt	12	.25		
Acme	11	.16	32	.40
Coors	12	.17	32	.40
Falstaff	12	.16		
Grand Prize	12	.16		
Harry Mitchell	12	.16		
Manhattan	12	.16		
Rosebud	12	.16		
Rosebud	8	.13		
Tivoli	12	.16		
Walters	12	.16	32	.40
Carta Blanca	12	.35		
Carta Blanca	7	.21		
Corona	12	.35		
Cruz Blanca	12	.35		
Cruz Blanca	7	.21		
Dorans	12	.35		
Victoria	12	.35		
Bottled ale:				
Acme	12	.21		
Ballantine	12	.25		
Draught beer: All brands	8	.10		

All other sizes must be priced at the rate of 1¼ cents per ounce. The foam head of each glass must be limited to one half inch.

(b) The maximum prices for sales of the beer and ale items listed below by sellers located in Union, Taos, Rio Arriba, San Juan, Sandoval, Mora, Harding, Quay, Guadalupe, Torrance, Socorro, Catron, Lincoln, De Baca, Curry, Roosevelt, Lea, Otero, Sierra, Luna, Hidalgo, Grant, and Eddy counties, New Mexico, are as follows:

Brand	Size	Price	Size	Price
Bottled beer:	*Oz.*		*Oz.*	
Blatz, Old Heidelberg	12	$0.23	32	$0.55
Budweiser	12	.23	32	.55
Canadian Ace	12	.23	32	.55
Country Club	12	.23		
Koenig Brau	12	.23		
Marshals	12	.23	32	.55
Pabst	12	.23	32	.55
Schlitz	12	.23	32	.55
Acme	11	.18	32	.45
Coors	12	.18	32	.45
Falstaff	12	.18		
Grand Prize	12	.18		
Harry Mitchell	12	.18		
Manhattan	12	.18		
Rosebud	12	.18		
Tivoli	12	.18		
Walters	12	.18	32	.45
Carta Blanca	12	.35		
Carta Blanca	7	.23		
Bottled ale: Ballantine	12	.30		
Draught beer: All Brands	8	.10		

All other sizes must be priced at the rate of 1¼ cents per ounce. The foam head must be limited to one half inch.

(c) A night club employing a band of 3 or more musicians may, between the hours of 8 p. m. and closing time, charge 5 cents per bottle more than the appropriate maximum price listed above for the area in which such night club is located. This additional charge may be made only during such time as said band is on duty. No addition may be made to the prices listed above for draught beer. Persons selling beer or ale items at state or county fairs, may, for sales of beer or ale made on the fairgrounds, charge five cents per bottle more than the prices listed above for the area in which such fair is held.

(d) The prices listed above include all taxes, local, state, and federal, in effect up to and including April 1, 1944 and no additional charge may be made on account of any such taxes.

(e) In addition to the prices permitted in this order, a person may, during the hours when he is subject to the 20% amusement tax imposed by the Federal Revenue Act of 1943, add the exact amount of said 20% amusement tax, or the additional 15% increase if the person was adding the 5% amusement tax already in force at the time the Federal Revenue Act of 1943 became effective: *Provided, however*, That this tax may be added only in the event that it is shown separately from the selling price of the beer and/or ale on the seller's sales slip, or in cases where sales slips are not used, a price chart showing the prices of all brands of bottled beer and draught beer is posted in a conspicuous place above the bar; *Provided further*, That a sign showing the hours during which the 20% federal tax will be collected be posted in a conspicuous place visible to anyone entering the establishment.

This amendment shall become effective July 25, 1944.

(Pub Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4808, 2d Revised Restaurant Maximum Price Regulation 7-1, 8 F.R. 11948)

Issued this 25th day of July 1944.

JOHN D. BINGAMAN,
District Director.

[F. R. Doc. 44-13632; Filed, Sept. 5, 1944; 1:48 p. m.]

[Atlanta Order G-1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN ATLANTA, GA., DISTRICT

Amendment No. 1 to Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in certain areas.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, the following amendment is hereby issued:

1. Appendix A, Part I, of Order No. G-1 under General Order No. 50, is amended as follows:

(1) Under Group 1 B, in alphabetical order, the following brands or trade names of beer and ale and the maximum price per bottle thereof are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Dorquest	25	60
Hi-Brau	25	60
Namar Premium	25	60
Brand or trade name of ale:		
Spearman's English	25	60

(2) Under Group 2 B, in alphabetical order, the following brands or trade names of beer and ale and the maximum price per bottle thereof are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Dorquest	20	50
Hi-Brau	20	50
Namar Premium	20	50
Brand or trade name of ale:		
Spearman's English	20	50

(3) Under Group 3 B, in alphabetical order, the following brands or trade names of beer and ale and the maximum price per bottle thereof are added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Dorquest	18	45
Hi-Brau	18	45
Namar Premium	18	45
Brand or trade name of ale:		
Spearman's English	18	45

This Amendment No. 1 to Order No. G-1 under General Order No. 50 shall become effective on and after August 10, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, General Order No. 50, 8 F.R. 4808)

Issued August 10, 1944.

E. A. THORNWELL,
District Director.

[F. R. Doc. 44-13614; Filed, Sept. 5, 1944; 1:51 p. m.]

[Birmingham Order G-1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN JEFFERSON COUNTY, ALA.

Amendment No. 1 to Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in Jefferson County, Alabama.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, Revised General Order No. 50 and Region IV Revised Delegation Order No. 17, and for the reasons set forth in the accompanying opinion, sub-paragraphs (1), (2) and (3) of paragraph (b) of section 4 of Order No. G-1 under General Order No. 50, are amended, respectively, to read as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B, if during the base period of April 4–10, 1943, inclusive your legally established ceiling prices for beverages subject to this order and sold in 12-ounce bottles were 23¢ or more for the named higher priced beverages and 18¢ or more for the popular priced beverages.

(2) *Group 2B.* Your establishment belongs to Group 2B, if during the base period of April 4–10, 1943, inclusive your

legally established ceiling prices for beverages subject to this order and sold in 12-ounce bottles were not less than 18¢ or more than 22¢ for the named higher priced beverages and not less than 13¢ nor more than 17¢ for the popular priced beverages.

(3) *Group 3B.* Your establishment belongs to Group 3B, if during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order and sold in 12-ounce bottles were less than 18¢ for the named higher priced beverages and less than 13¢ for the popular priced beverages. All establishments not engaged in the business of selling malt beverages during the base period of April 4–10, 1943, inclusive, also belong to Group 3B.

This amendment shall become effective August 11, 1944.

Issued at Birmingham, Alabama, this August 9, 1944.

JOSEPH A. SHORT,
District Director.

[F. R. Doc. 44-13618; Filed, Sept. 5, 1944; 1:51 p. m.]

[Jackson Order G-1 Under Gen. Order 50, Amdt. 4]

MALT AND CEREAL BEVERAGES IN MISSISSIPPI

Amendment 4 to Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in the State of Mississippi.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, this Amendment 4 to Order No. G-1, issued by the Jackson (Mississippi) District Office of the Office of Price Administration under General Order No. 50, is hereby issued.

1. Appendix A, as amended, is hereby amended so as to add thereto under Group 1–B the following brands, trade names, or classifications and maximum prices to-wit:

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Old Brew Beer, Garden City Brewery, Chicago, Ill.	25	61
Spearman English Type Ale, Spearman Brewing Co., Pensacola, Fla.	25	61
All brands imported Mexican beer.	35	

2. Appendix A, as amended, is hereby amended so as to add thereto under Group 2–B the following brands, trade names, or classifications and maximum prices to-wit:

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Old Brew Beer, Garden City Brewery, Chicago, Ill.	20	43
Spearman English Type Ale, Spearman Brewing Co., Pensacola, Fla.	20	42
All brands imported Mexican beer.	30	

Effective date. This amendment becomes effective on and after August 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 50, 8 F.R. 4808)

Issued this the 19th day of August 1944.

WILLIAM E. HOLCOMB,
District Director.

[F. R. Doc. 44-13616; Filed, Sept. 5, 1944; 1:51 p. m.]

[Roanoke Order G-1 Under MPR 426, Revocation]

ICEBERG LETTUCE IN ROANOKE, VA., DISTRICT

Order No. G-1 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than truckiot quantities. Revocation.

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and under the authority vested in the District Director of the Roanoke District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, and for the reasons set forth in the accompanying opinion, *It is hereby ordered*, That Roanoke (Virginia) District Order No. G-1 under Maximum Price Regulation No. 426, as amended (Fresh fruits and vegetables for table use, sales except at retail), adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than truckiot quantities, issued October 8, 1943, be, and it is hereby, revoked, subject to the provisions of Supplementary Order No. 40, issued April 2, 1943, 8 F.R. 4325.

This order shall become effective August 19, 1944.

Issued at Roanoke, Virginia, this the 19th day of August.

BERNARD C. GOODWIN,
District Director.

[F. R. Doc. 44-13623; Filed, Sept. 5, 1944; 1:49 p.m.]

[Nashville Order G-1 Under Gen. Order 50, Amdt. 3]

MALT AND CEREAL BEVERAGES IN NASHVILLE, TENN., DISTRICT

Amendment No. 3 to District Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Nashville District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, Amendment 3 to District Order No. G-1 under General Order No. 50 is hereby issued.

In Appendix of District Order No. G-1, the items set forth below are amended to read as follows:

APPENDIX A

GROUP 1B (AS AMENDED)

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Carta Blanca—Mexican Beer	35	55
Doran's Export Beer and Ale	35	55
Arf & Arf Brew	25	40
Ballentine Ale	25	40
Barbarossa Beer	25	50
Brucks Pale Ale	25	40
Buckingham Ale	25	40
Budweiser Beer	25	40
Burger Brau	25	40
Embassy Club Beer	25	40
Esslinger Beer	25	40
Dorquest Beer	25	40
Little Man Ale	25	40
Millers Hi-Life Beer	25	40
Old Gold Beer	25	40
Pabst Blue Ribbon Beer	25	40
Red Top Ale	25	40
Ruby Beer	25	40
Schlitz Beer	25	40
All other brands not listed above	20	40
Draught beer:	*Cents*	
6-ounce glass	08	
8-ounce glass	10	
10-ounce glass	12	
12-ounce glass	14	
14-ounce glass	16	
16-ounce glass	18	

Any other ounce than listed shall be .01½ per ounce, except Michelob Beer, which shall have a maximum price of 1.6¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2B

Brand or trade name	Maximum prices per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Carta Blanca—Mexican Beer	30	50
Doran's Export Beer and Ale	30	45
Arf & Arf Brew	20	45
Ballentine Ale	30	45
Barbarossa Beer	30	45
Brucks Pale Ale	20	45
Buckingham Ale	20	45
Budweiser Beer	30	45
Burger Brau	20	45
Embassy Club Beer	30	45
Esslinger Beer	20	45
Dorquest Beer	20	45
Little Man Ale	20	45
Millers Hi-Life Beer	20	45
Old Gold Beer	20	45
Pabst Blue Ribbon Beer	20	45
Red Top Ale	20	45
Ruby Beer	20	45
Schlitz Beer	20	45
All other brands not listed above	15	35
Draught beer:	*Cents*	
6-ounce glass	08	
8-ounce glass	8	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Any other ounce than listed shall be 1¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Carta Blanca—Mexican Beer	27	45
Doran's Export Beer and Ale	27	45
Arf & Arf Brew	17	40
Ballentine Ale	17	40
Barbarossa Beer	17	40
Brucks Pale Ale	17	40
Buckingham Ale	17	40
Budweiser Beer	17	40
Burger Brau	17	40
Embassy Club Beer	17	40
Esslinger Beer	17	40
Dorquest Beer	17	40
Little Man Ale	17	40
Miller's Hi-Life Beer	17	40
Old Gold Beer	17	40
Pabst Blue Ribbon Beer	17	40
Red Top Ale	17	40
Ruby Beer	17	40
Schlitz Beer	17	40
All other brands not listed above	12	30
Draught beer:	*Cents*	
6-ounce glass	6	
8-ounce glass	8	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Any other ounce than listed shall be 1¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

This amendment shall become effective August 19, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, G.O. 50, 8 F.R. 4808)

Issued at Nashville, Tennessee this 17th day of August 1944.

SAM M. BONEY,
District Director.

[F. R. Doc. 44-13620; Filed, Sept. 5, 1944; 1:50 p. m.]

[Memphis Order G-1 Under MPR 426, Revocation]

ICEBERG LETTUCE IN MEMPHIS, TENN., DISTRICT

Revocation of Order No. G-1 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices for certain sales of iceberg lettuce in less than carlot or less than truckiot quantities.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office, Region IV, Office of Price Administration, by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, issued by said Region IV on September 7, 1943, *It is hereby ordered:*

That Order No. G-1 under Maximum Price Regulation No. 426, issued by the District Director of the Memphis District Office of the Office of Price Administration on October 2, 1943, effective October 4, 1943, be, and the same is hereby, revoked.

This order of revocation shall become effective on the 31st day of August 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R. 408)

Issued this 26th day of August 1944.

W. C. MANLEY, Jr.,
District Director.

[F. R. Doc. 44-13619; Filed, Sept. 5, 1944; 1:56 p. m.]

[Montgomery Order G-1 Under Gen. Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN DESIGNATED COUNTIES IN ALABAMA

Amendment No. 2 to Order G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in the Counties of Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike and Russell in the State of Alabama.

An accompanying opinion has been filed with the Division of the Federal Register. Appendix A to Order G-1 is amended as follows:

1. The following brands or trade names and maximum prices for 12 ounce and 32 ounce bottles thereof are added to Group 1–B under the appropriate columns:

GROUP 1-B

Brand or Trade Name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Golden Glow	25	45
Goebel's	25	45

2. The maximum prices for the brands of imported beer that are specifically listed under Group 1–B in appendix are amended to read as follows:

	Cents
Carta Blanca	35
Corona	35
Monterey	35

3. The following brands or trade names and maximum prices for 12 ounce and 32 ounce bottles thereof are added to Group 2–B under the appropriate columns.

Group 2–B brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Goebel's	20	40
Golden Glow	20	40

4. The maximum prices for the brands of imported beer that are specifically listed under Group 2–B in Appendix A are amended to read as follows:

	Cents
Carta Blanca	32
Corona	32
Monterey	32

5. The maximum prices for all brands of beer in Group 3–B are amended so that the same shall read as follows:

GROUP 3-B

Brand or trade name	Maximum prices per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Barbarossa	18	35
Blatz Pilsner	18	35
Budweiser	18	35
Berger Brau	18	35
Carlings Red Cap Ale	18	35
Down's Arf and Arf	18	35
Goebel's	18	35
Golden Glow	18	35
Heirloom Gold Medal	18	35
Pabst Blue Ribbon	18	35
Red Top Ale	18	35
Schlitz	18	35
Spearman's English Ale	18	35
Victory	18	35
Imported Beer:	*Cents*	
Carta Blanca	30	
Corona	30	
Monterey	30	
All other brands not listed above	13	

This amendment shall be effective August 4th, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued this the 4th day of August 1944.

A. H. COLLINS,
District Director.

[F. R. Doc. 44-13622; Filed, Sept. 5, 1944; 1:53 p. m.]

[Montgomery Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN DESIGNATED COUNTIES IN ALABAMA

Revised Order No. G-1 under General Order No. 50. Maximum prices for malt and cereal beverages in the Counties of Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Mont-

gomery, Perry, Pike, and Russell, in the State of Alabama.

Order G–1 under General Order 50 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Montgomery District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* It is the purpose of this order to establish specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, in containers when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of Alabama: Baldwin, Barbour, Bullock, Covington, Dallas, Escambia, Greene, Henry, Houston, Lee, Lowndes, Mobile, Montgomery, Perry, Pike and Russell.

SEC. 3. *Ceiling prices.* (a) On and after July 29, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Montgomery District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Montgomery District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which began operating after the effective date of this order also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may, but not later than the first day of October, 1944, file an application with the Montgomery District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3 seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3–B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1–B or Group 2–B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Montgomery District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3–B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before August 10, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed document as herein required, you are hereby classified as a Group 3–B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3–B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, checkroom, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating or drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught, or

(b) Posting a sign giving the same information as required on menus or bills of fare by sub-paragraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

(c) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3–B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1–B", "OPA 2–B", or "OPA 3–B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this

order your license is suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅓ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverage for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the recording-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Montgomery District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This revised Order G–1 shall become effective September 1, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Montgomery, Alabama this 25th day of August 1944.

A. H. COLLINS,
District Director.

APPENDIX A

GROUP 1-S

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Barbarossa	25	45
Blatz Pilsner	25	45
Budweiser	25	45
Burger-Brau	25	45
Carling's Red Cap Ale	25	45
Canadian Ace	25	45
Down's Arf and Arf	25	45
Fell's	25	45
Goebel's	25	45
Golden Glow	25	45
Heirloom Gold Medal	25	45
Hollands' Koenig's Premium Special	25	45
Lemp's Black Label	25	45
Pabst	25	45
Red Top Ale	25	45
Schlitz	25	45
Spearman's English Ale	25	45
Victory	25	45
Imported beer:		
Carta Blanca	35	
Corona	35	
Monterey	35	
All other brands not listed above (including unlabeled beer and ale)	30	40

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this Order may be added to the above prices.

GROUP 1-S

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Barbarossa	20	40
Blatz Pilsner	20	40
Budweiser	20	40
Burger-Brau	20	40
Carling's Red Cap Ale	20	40
Canadian Ace	20	40
Down's Arf and Arf	20	40
Fell's	20	40
Goebel's	20	40
Golden Glow	20	40
Heirloom Gold Medal	20	40
Hollands'	20	40
Koenig's Premium Special	20	40
Lemp's Black Label	20	40
Pabst	20	40
Red Top Ale	20	40
Schlitz	20	40
Spearman's English Ale	20	40
Victory	20	40
Imported beer:		
Carta Blanca	32	
Corona	32	
Monterey	32	
All other brands not listed above (including unlabeled beer and ale)	18	36

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this Order may be added to the above prices.

GROUP 2-S

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	*Cents*
Barbarossa	18	35
Blatz Pilsner	18	35
Budweiser	18	35
Burger-Brau	18	35
Carling's Red Cap Ale	18	35
Canadian Ace	18	35
Down's Arf and Arf	18	35
Fell's	18	35
Goebel's	18	35
Golden Glow	18	35
Heirloom Gold Medal	18	35
Hollands' Koenig's Premium Special	18	35
Lemp's Black Label	18	35
Pabst	18	35
Red Top Ale	18	35
Schlitz	18	35
Spearman's English Ale	18	35
Victory	18	35
Imported beer:		
Carta Blanca	30	
Corona	30	
Monterey	30	
All other brands not listed above (including unlabeled beer and ale)	18	30

Those sellers who have qualified with the proper state authorities to operate as cabarets and who are required to pay a Federal Excise Tax as cabarets may add same to above prices if such tax is separately stated and collected.

No other tax applicable to the area covered by this Order may be added to the above prices.

[F. R. Doc. 44-13631; Filed, Sept. 8, 1944; 1:47 p. m.]

[Jackson Order G–1 Under MPR 426, Revocation]

Fruits and Vegetables in Jackson, Miss., District

Order revoking Order No. G–1 issued under Maximum Price Regulation 426. Fresh fruits and vegetables for table use.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Jackson (Mississippi) District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation 426 and by Regional Delegation Order No. 16 issued by Region IV of the Office of Price Administration and which is dated September 7, 1943, *It is hereby ordered:*

1. That Order No. G–1 issued under Maximum Price Regulation 426 by the Jackson (Mississippi) District Office of the Office of Price Administration on November 25, 1943, be and the same is hereby revoked.

2. This revocation is subject to all of the provisions of Supplementary Order No. 40 issued April 2, 1943, and shall not release or extinguish any penalty or liability which may have been incurred prior to the effective date of this order of revocation.

3. This order shall become effective the 26th day of August, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this the 26th day of August 1944.

William E. Holcomb,
District Director.

[F. R. Doc. 44–13617; Filed, Sept. 5, 1944; 1:57 p. m.]

[Region IV Order G–23 Under RMPR 122]

Solid Fuels in Memphis, Tenn.

Order No. G–23 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Memphis, Tennessee.

For the reasons set forth in an Opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the City of Memphis, Tennessee. Extra charges are specified for deliveries beyond the corporate limits of said city.

(i) "Direct delivery or domestic" basis:

High Volatile Bituminous Coal From District No. 8

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Lump or Block	$9.95	$5.25
Stoker	8.45	4.48
Yard Screenings	6.75	3.68

High Volatile Bituminous Coal From District No. 9

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Lump	$7.45	$3.98
Sentry Lump	7.80	4.15
No. 11 Vein Egg	7.20	3.85
6" x 3" Egg	7.50	4.00
Nut	7.35	3.93
Stoker	7.15	3.83
No. 6 Vein Stoker	7.55	4.03
Pea and Slack Screenings	5.60	3.05

High Volatile Bituminous Coal From District No. 10

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Lump or Egg from Mines in Price Group 8	$9.00	$4.75
Nut	8.15	4.33

High Volatile Bituminous Coal From District No. 13

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)
Block or Lump:		
(a) Coals from mines in the Jagger or Mary Lee Seams and which are identified by Mine Index Numbers 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 53, or 54, or from mines in the above seams producing coal having the same maximum price, as of the date of this Order, at the mine	9.75	5.03
(b) Coals from mines in the Black Creek or Clark seams and which are identified by Mine Index Numbers 1, 2, 7, 9, 10, 11, 12, 14, 15, or 17, or from mines in the above seams producing coal having the same maximum price, as of the date of this Order, at the mine	10.05	5.20
(c) Coals from mines in the Black Creek seam and which are identified by Mine Index Numbers 16, 18, 20, 21, 22, 23, or 1306 or from mines in the above seams producing coal having the same maximum price, as of the date of this Order, at the mine	10.70	5.60
(d) Coals from mines in the Montevallo or Thompson seams and which are identified by Mine Index Numbers 3, 4, 6, or 8 or from mines in the above seams producing coal having the same maximum price, as of the date of this Order, at the mine	11.65	6.08
Stoker	8.45	4.48

(2) *Maximum authorized service charges and required deductions*—(i) *Trimming.* If buyer requests such service the dealer may not charge more than 30¢ per ton therefor.

(ii) *Carry or wheel from curb.* If buyer requests such service, the dealer may not charge more than 50¢ per ton therefor.

(iii) *Carry up or down stairs.* If buyer requests such service, the dealer may not charge more than $1.00 per ton therefor.

(iv) *Sacking.* If buyer requests such service, the dealer may not charge more than $2.00 per ton for the labor of sacking coal.

(v) *Sacked coal at the yard.* Dealer may charge not more than 60¢ for 85 lbs. of sacked coal from District No. 8, East Kentucky and Tennessee, and not more than 50¢ for 85 lbs. of sacked coal from District No. 9, West Kentucky, when sold at the yard. No deliveries are made in these quantities. The prices specified do not include sack, for which no charge in excess of the applicable maximum price may be made.

(vi) *Yard sales.* When buyer picks up coal at the dealer's yard, the domestic price must be reduced at least $1.00 per ton.

(vii) *Quantity discounts.* When a buyer purchases coal in quantities of thirty (30) tons or more, the dealer must reduce the domestic price at least

75¢ per ton. This discount is not applicable to stoker or slack coals.

(viii) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton on coals from District Nos. 8, 9, and 10, and not to exceed 15¢ per net ton on coals from District No. 13. Any such treatment charge shall be stated separately from all other items on the invoice.

(ix) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Memphis, Tennessee. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile and may make a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(x) *Terms for credit.* The prices set out in the price list are for cash sales, and if the buyer does not make payment in full for all purchases of solid fuels covered by this order within three days from the date of delivery, the dealer may add a credit charge, not to exceed 50¢ per ton.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amount of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(6) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(7) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

This order shall become effective September 1, 1944.

NOTE: The record keeping requirements of this Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 25, 1944.

GEORGE D. PATTERSON, JR.,
Acting Regional Administrator.

[F. R. Doc. 44-13615; Filed, Sept. 5, 1944; 2:00 p. m.]

[Region V Order G-1 Under Gen. Order 50, Amdt. 1]

MALT BEVERAGES IN DESIGNATED SOUTHERN STATES

Region V Order G-1 under General Order 50, Amendment No. 1. Maximum prices for malt beverages in designated southern States.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Region V Order No. G-1 under General Order 50 is amended in the following respects:

1. In section 4, paragraph (a) (2) is amended to read as follows:

(2) An establishment, except a new seller, (see definition in paragraph (e) of this section 4) unless it sold both Tables 1 and 2 brands of malt beverages at the same price, which price was not more than 17¢ per 12-ounce bottle, belongs in Group 2B if:

2. Section 4 (a) (4) is amended to read as follows:

(4) An establishment belongs in Group 3B if:

(i) It does not qualify for either Group 1B or Group 2B, or

(ii) It sold one or more brands of malt beverages listed in Table 1 as well as one or more brands of malt beverages listed in Table 2, and its legal ceiling price under MPR 259 for all the brands listed in Tables 1 and 2 which it sold was the same, and that price was not more than 17¢ per 12-ounce bottle.

3. Section 4 (d) is amended by adding paragraph (7) to read as follows:

(7) An establishment which has been classified in Group 3B under section 4 (a) (4) (ii) may apply to the district office for reclassification if it can establish that during the sixty day period prior to July 31, 1944, 70% by volume of its sales of bottled malt beverages were of brands listed in Table 2. The application shall be supported by a statement of the applicant showing the total number of bottles of malt beverages sold by the establishment during the sixty day period, and the number of bottles of each brand listed in Tables 1 and 2 which it sold during that period. The District Director may require such additional evidence as he may deem necessary. The District Director in response to such application may, if he finds that over 70% by volume of the sales made by the establishment during the sixty day period prior to July 31, 1944, were of brands listed in Table 2, reclassify such establishment into Group 2B.

This amendment shall become effective July 26, 1944.

Issued this 25th day of July 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-13629; Filed, Sept. 5, 1944; 1:52 p. m.]

[Region V Order G-4 Under MPR 336, MPR 355 and MPR 394]

FABRICATED MEAT CUTS IN ST. JOSEPH, MO.

Order No. G-4 under section 5 (c) of Maximum Price Regulation No. 336. Retail ceiling prices for pork cuts and certain sausage products. Maximum Price Regulation No. 355. Retail ceiling prices for beef, veal, lamb and mutton cuts and all variety meats and edible byproducts Maximum Price Regulation No. 394. Retail ceiling prices for kosher beef, veal, lamb, and mutton cuts.

Pursuant to section 5 (c) of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 and Maximum Price Regulation No. 394, as incorporated by Amendment 15 to Maximum Price Regulation No. 336, and Amendment 17 to Maximum Price Regulation No. 355, and Amendment 6 to Maximum Price Regulation No. 394, the Regional Administrator of Region V, on his own motion, finds that the area contained within the corporate limits of the City of St. Joseph, Missouri, to be an area deficient in supplies of fabricated meat cuts for purveyors of meals, because the following conditions exist:

(1) Purveyors of meals within said area are unable to obtain fabricated meat cuts covered by the above named regulations in sufficient volume to supply their requirements as determined under Ration Order No. 16, during the two month period immediately preceding May 1, 1944;

(2) The dealers in the area selling fabricated meat cuts do not have adequate facilities or quotas to supply the requirements of purveyors of meals located in the area as determined under (1) above; and

(3) Purveyors of meals in the area customarily have relied upon, and find it necessary to continue to rely upon, local retail dealers for supplies of meat sufficient to fill their requirements.

Accordingly, the area within the corporate limits of the City of St. Joseph, Missouri, is hereby ordered and declared to be an area deficient in the supply of fabricated meat cuts covered by the above named price regulations for purveyors of meals within the intent and purposes of said section 5 (c) of each of the aforesaid maximum price regulations.

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective August 26, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 26th day of August 1944.

C. B. BRAUN,
Regional Administrator.

[F. R. Doc. 44-13625; Filed, Sept. 5, 1944; 1:55 p. m.]

[Region V Order G-6 Under 18 (c)]

FIREWOOD IN TEXAS

Order of revocation of Order No. G-6 under section 18, paragraph (c) of the General Maximum Price Regulation. Maximum prices for firewood on sales to the Army and Navy and to the State of Texas or any of its political subdivisions in all counties in the State of Texas except in those counties comprising the Houston, Texas, District.

Pursuant to the authority vested in the Regional Administrator by the Emergency Price Control Act of 1942, as amended, and section 18, paragraph (c) of the General Maximum Price Regulation, as amended, and for the reasons set forth in the accompanying opinion, *It is ordered*, That Order No. G-6, maximum prices for firewood on sales to the Army and Navy and to the State of Texas or any of its political subdivisions in all counties in the State of Texas except in those counties comprising the Houston, Texas, District, issued by the Regional Administrator of Region V on the 1st day of December, 1943, is hereby revoked in accordance with Supplementary Order No. 40.

This order shall become effective on the 2d day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 28th day of August 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44-13626; Filed, Sept. 5, 1944; 1:59 p. m.]

[Region V Rev. Order G–7 Under 18 (c)]

FIREWOOD IN DESIGNATED COUNTIES IN TEXAS

Revised Order No. G–7 under section 18, paragraph (c) of the general maximum price regulation. Maximum prices for firewood in certain counties of the Dallas, Texas, and Fort Worth, Texas, Districts of the Office of Price Administration.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region V of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by section 18, paragraph (c) of the General Maximum Price Regulation, *It is hereby ordered*, That Dallas Regional Order No. G–7 under section 18, paragraph (c) of the General Maximum Price Regulation is hereby revised and amended and redesignated as Revised Order No. G–7. Therefore, it is hereby ordered:

(a) *Maximum wholesale per cord prices for sales of firewood in the following named counties shall be:* (1) Anderson, Bell, Cherokee, Clay, Cooke, Collin, Coryell, Dallas, Delta, Denton, Ellis, Erath, Falls, Fannin, Freestone, Grayson, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Lampasas, Limestone, McLennan, Montague, Navarro, Palo Pinto, Parker, Rains, Rockwall, Smith, Tarrant, Taylor, Tom Green, Van Zandt, Wise and Wood Counties:

(i) Hardwood 24 inches or under	$10.00
Hardwood over 24 inches	8.50
Softwood 24 inches or under	9.50
Softwood over 24 inches	8.00

(2) Bowie, Camp, Cass, Franklin, Gregg, Harrison, Marion, Morris, Panola, Red River, Rusk, Titus and Upshur:

(i) Hardwood 24 inches or under	$9.00
Hardwood over 24 inches	7.50
Softwood 24 inches or under	8.50
Softwood over 24 inches	7.00

(b) *Wholesale sale.* (1) A wholesale sale is any sale to a person purchasing for the purposes of resale and any sale to a commercial or industrial user.

(c) *Wholesale terms of sale.* (1) The wholesaler shall bear all costs of production and of delivery to and loading on the conveyance in which the firewood is to be moved to the retailer's city.

(2) If the wholesaler pays any portion of the transportation costs after the wood is loaded on to the conveyance as set out above, the purchaser may pay the wholesaler in addition to the wholesale price set out in paragraph (a) of this order a compensation for such transportation expenses. Such compensation may not exceed a mileage charge identical with the carload rail rate or a reasonable approximation thereof for shipping the wood the particular distance involved.

(d) *Maximum retail per cord prices for sales of firewood in Dallas County shall be:*

(1) Hardwood 24 inches or under	$15.00
Hardwood over 24 inches	13.25
Softwood 24 inches or under	14.50
Softwood over 24 inches	12.75

(e) *Maximum retail per cord prices for sales of firewood in Tarrant County shall be:*

(1) Hardwood 24 inches or under	$15.75
Hardwood over 24 inches	14.00
Softwood 24 inches or under	15.25
Softwood over 24 inches	13.50

(f) *Maximum retail for cord prices for sales of firewood in the following named counties shall be:* (1) Denton, Hill, Hood, Johnson, and McLennan:

(i) Hardwood 24 inches or under	$13.75
Hardwood over 24 inches	12.00
Softwood 24 inches or under	13.25
Softwood over 24 inches	11.50

(2) Collin, Ellis, and Navarro:

(i) Hardwood 24 inches or under	$13.00
Hardwood over 24 inches	11.25
Softwood 24 inches or under	12.50
Softwood over 24 inches	10.75

(3) Anderson, Bell, Cherokee, Clay, Cooke, Coryell, Delta, Erath, Falls, Fannin, Freestone, Grayson, Henderson, Hopkins, Hunt, Jack, Kaufman, Lamar, Lampasas, Limestone, Montague, Palo Pinto, Parker, Rains, Rockwall, Smith, Taylor, Tom Green, Van Zandt, Wise and Wood:

(i) Hardwood 24 inches or under	$12.50
Hardwood over 24 inches	10.75
Softwood 24 inches or under	12.00
Softwood over 24 inches	10.25

(4) Bowie, Camp, Case, Franklin, Gregg, Harrison, Marion, Morris, Panola, Red River, Rusk, Titus and Upshur:

(i) Hardwood 24 inches or under	$11.50
Hardwood over 24 inches	9.75
Softwood 24 inches or under	11.00
Softwood over 24 inches	9.25

(g) *Maximum retail prices for sales of firewood in quantities less than a cord in the Counties of Anderson, Bell, Bowie, Camp, Cass, Cherokee, Clay, Cooke, Collin, Coryell, Dallas, Delta, Denton, Ellis, Erath, Falls, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Lampasas, Limestone, Marion, McLennan, Montague, Morris, Navarro, Palo Pinto, Panola, Parker, Rains, Red River, Rockwall, Rusk, Smith, Tarrant, Taylor, Titus, Tom Green, Upshur, Van Zandt, Wise and Wood shall be:*

(1) One-half of a cord: One-half the price of a cord, plus 25¢.

(2) One-third of a cord: One-third the price of a cord, plus 50¢.

(3) One-fourth of a cord: One-fourth the price of a cord, plus 50¢.

(4) One-twelfth of a cord (sometimes known as a bundle): One-tenth the price of a cord.

(h) *Retail sale.* (1) A retail sale is any sale to an ultimate consumer other than an industrial or commercial user, the Army and Navy, the State of Texas or any of its political subdivisions, and other than sales by truckers.

(i) *Retail terms of sale.* (1) Prices for retail sales, as established in this order, involving one or more cords, a half of a cord, a third of a cord, or a fourth of a cord, include delivery to the buyer's premises or a point designated by him; if the purchaser accepts delivery at the retailer's premises or designates such premises as the place of delivery, the maximum retail prices established by this order shall be reduced by the actual amount paid by the purchaser for having such wood transported to his (the purchaser's) premises.

(2) Retail prices established in this order do not include the service of stacking. When such service is supplied by the retailer, he may demand and receive as extra compensation for this service an amount not exceeding 50¢ per cord and 25¢ per half cord; in sales involving quantities of less than one-half cord no extra charge for stacking shall be made even if this service is supplied by the retailer.

(j) *Maximum per cord prices for sales of firewood by truckers in Dallas and Tarrant Counties shall be:*

(1) The sum of the geographically applicable retail per cord prices less $2.00.

(k) *Maximum per cord prices for sales of firewood by truckers in the Counties of Anderson, Bell, Bowie, Camp, Cass, Cherokee, Clay, Cooke, Collin, Coryell, Delta, Denton, Ellis, Erath, Falls, Fannin, Franklin, Prestone, Grayson, Gregg, Harrison, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Lampasas, Limestone, Marion, McLennan, Montague, Morris, Navarro, Palo Pinto, Panola, Parker, Rains, Red River, Rockwall, Rusk, Smith, Taylor, Titus, Tom Green, Upshur, Van Zandt, Wise and Wood shall be:*

(1) The geographically applicable retail per cord price.

(l) *Maximum prices for sales of firewood by truckers in quantities less than a cord in the Counties of Anderson, Bell, Bowie, Camp, Cass, Cherokee, Clay, Cooke, Collin, Coryell, Dallas, Delta, Denton, Ellis, Erath, Falls, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Lampasas, Limestone, Marion, McLennan, Montague, Morris, Navarro, Palo Pinto, Panola, Parker, Rains, Red River, Rockwall, Rusk, Smith, Tarrant, Taylor, Titus, Tom Green, Upshur, Van Zandt, Wise and Wood shall be:*

(1) One-half cord: One half the trucker's geographically applicable cord price plus 25¢.

(2) One-third cord: One-third the trucker's geographically applicable cord price plus 50¢.

(3) One-fourth cord: One-fourth the trucker's geographically applicable cord price plus 50¢.

(4) One-twelfth of a cord (sometimes known as a bundle): One-tenth the trucker's geographically applicable cord price.

(m) *Definition of trucker.* (1) A trucker is any seller who sells directly from a truck or other conveyance without first receiving and unloading the wood at a place of business established for the purposes of carrying on the business of selling firewood.

(2) If a seller makes a sale directly from a truck or other conveyance without first unloading it at his place of business, that seller, for the purposes of this order, shall be regarded as a trucker on such sales.

(3) A sale by a trucker to a commercial or industrial user or to a purchaser for resale shall be a sale at wholesale.

(n) *Maximum per cord prices for sales of firewood to the Army and Navy and to the State of Texas or any of its political subdisivisions in all of the Counties covered by this order are established to be as follows:* (1) Prices per cord on sales to the Army and Navy in the counties composing the Dallas, Texas and Fort Worth, Texas Districts of the Office of Price Administration:

(i) The sum of the local wholesale price plus $1.50 f. o. b. first rail terminal, or if shipped by truck, f. o. b. last loading point before delivery to the Army or Navy. If the Army or Navy purchases firewood for immediate delivery from the local yard, the maximum price shall be the retail price covering sales in that particular locality to retail purchasers.

(2) Prices per cord on sales to the State of Texas or any of its political subdivisions, including but not limited to cities, towns, counties, school and road districts, in the counties composing the Dallas, Texas and Fort Worth, Texas Districts of t'.e Office of Price Administration:

(i) The applicable wholesale price plus $1.00 per cord, except that in purchases from local retail yards, for immediate delivery to the purchaser from such yards, the applicable retail maximum prices shall prevail.

(o) *Maximum service charge for cutting.* (1) In any instance where the seller sells wood over 24 inches in length and cuts it on order for the purchaser, the charge for this cutting shall be no more than the difference between the seller's maximum prices for wood "24 inches or under" and wood "over 24 inches." If there is no difference in the seller's maximum prices for the different lengths of wood, he may make a flat charge of $1.00 per cord for the cutting. No service charge for cutting shall be increased in relation to the number of times such wood is cut by the seller. The one service charge should apply for any and all cutting done for the customer.

(p) *Lower prices.* (1) Lower prices than those established herein for sales of firewood in the area covered by this order may be charged, offered, demanded or paid.

(q) *Licensing, Posting and Sales Receipts*—(1) *Licensing.* (i) A license to make sales of firewood is automatically granted to all persons who now or hereafter make such sales. But the granting of this license to any person whose license heretofore granted by the Office of Price Administration is under suspension shall become effective for sales to which the suspension applies only at the end of the period of suspension.

(ii) A license granted hereby may be suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, for violations of the license or of one or more applicable maximum price regulations. The provisions of the General Maximum Price Regulation and all other such regulations are made a part of each license granted hereby, and a violation of any such provision is a violation of the license. A person whose license has been suspended may not during the period of suspension make any sale for which his license has been suspended.

(iii) Every license heretofore granted by the Office of Price Administration and in effect when this order becomes effective, is merged and continued in the license granted by this order. The former license no longer continues as a separate license. If the former license is suspended by a pending license suspension proceeding, the license granted by this order is suspended to the same extent. Proceedings to suspend a license granted hereby may be begun and maintained without a further warning notice to any person to whom a warning notice under a previous license was sent.

(iv) No license is required of, or granted to, a farmer as a condition of selling an agricultural commodity produced by him, the United States, or any agency thereof, or any other government, its political subdivisions or agencies.

(2) *Posting.* (i) Every retail seller of wood or trucker covered by this Order shall post the maximum unit prices provided herein, covering all types and kinds of sales, in a place and manner prominent and conspicuous, with sufficient information to inform buyers of the maximum prices applying to his sales of firewood, giving the length, types of wood and prices of each.

(3) *Sales slips and receipts.* (i) Any seller of firewood covered by this order who has customarily given a purchaser a sales slip, receipt or other similar evidence of purchase shall continue to do so.

(ii) Upon request from a purchaser any seller at retail, or any trucker, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, whether the wood is hardwood or softwood, the length of the wood, the unit of sale and the price per unit.

(iii) Upon request from a purchaser any seller at wholesale shall give the purchaser a sales slip or receipt showing the date of sale, the seller's name and address, the name of the county in which the wood was felled, whether the wood is hardwood or softwood, the length of the wood, the unit of sale and the price per unit.

(r) *Definitions*—(1) *Sale of firewood.* (i) A sale of firewood shall be the sale of any wood of the size and quality set forth in this order, provided such wood is sold for use as a fuel for heating or cooking, or to dealers who will resell such wood for such purposes. "Firewood" includes slabs cut from logs, but does not include off-fall from lumber, kindling, and rotted or decayed lumber.

(2) *Cord.* (i) A cord is a quantity of wood which would occupy 128 cubic feet if cut in four feet lengths and stacked straight in a pile measuring 4 feet wide, 4 feet high and 8 feet long.

(ii) Any loss in volume resulting from cutting a cord of four foot wood into shorter lengths shall be borne by the purchaser and not by the seller, regardless of whether or not ownership (title) of the wood has passed from the seller to the buyer before the wood is cut: provided that such loss or shrinkage in volume shall not exceed twenty-four cubic feet when four foot wood is cut into two foot lengths and shall not exceed thirty-two cubic feet when four foot wood is cut into lengths less than two feet; and provided that no seller, selling firewood in lengths shorter than four feet, regardless of whether or not ownership (title) of the wood has passed from the seller to the buyer before the wood is cut, may deliver less than 104 cubic feet of firewood when cut in two foot lengths or less than 96 cubic feet of firewood when cut into lengths less than two feet, without a compensating reduction in the applicable per cord price for firewood established in this Revised Order No. G–7.

(3) *Hardwood.* (i) Hardwood is wood cut from any of the following deciduous trees: Ash, Beech, Butternut, Cedar, Dogwood, Elm, Gum, Hackberry, Hard Maple, Hickory, Locust, Oak, Osage Orange, Sycamore, Walnut.

(ii) All other woods for the purposes of this order are to be considered "softwoods."

(s) Insofar as this order establishes prices for sales of firewood in the counties of Anderson, Bell, Bowie, Camp, Cass, Cherokee, Clay, Cooke, Collin, Coryell, Dallas, Delta, Denton, Ellis, Erath, Falls, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Lampasas, Limestone, Marion, McLennan, Montague, Morris, Navarro, Palo Pinto, Panola, Parker, Rains, Red River, Rockwall, Rusk, Smith, Tarrant, Taylor, Titus, Tom Green, Upshur, Van Zandt, Wise and Wood, the "Order of Modification of Maximum Prices Established by the General Maximum Price Regulation for Firewood Sold at Wholesale and Retail in the State of Texas, as Amended," dated the 30th day of December, 1942, issued by the Regional Administrator of Region V, is revoked and superseded by the provisions of this Revised General Order No. G–7.

(t) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(u) Except as specifically provided in this order, the provisions of the General Maximum Price Regulation, as amended, are in no way affected and shall continue in full force and effect.

This order shall become effective on the 2nd day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.—E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 28th day of August 1944.

C. B. Braun,
Acting Regional Administrator.

[F. R. Doc. 44–13627; Filed, Sept. 5, 1944; 1:59 p. m.]

[Region V Order G–1 Under Gen. Order 50, Amdt. 2]

MALT BEVERAGES IN DESIGNATED SOUTHERN STATES

Region V Order G–1 under General Order 50, Amendment No. 2. Maximum prices for malt beverages in designated southern states.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator by Revised General Order No. 50, the Region V Order G–1 under General Order 50, maximum prices for malt beverages in designated Southern States, is amended as follows:

(1) Table I in section 20, Appendix A, is amended by adding the following brand names to the list of brands:

Ziegler's 830 Beer.
Flock Beer.
Peter Hand's Extra Pale.
Dorquest.
Commander Special Pilsener.
Gold Medal Tivoli.
Bay State.
Koenig's Brau
Old Gold.
Old Brew.
Pioneer Victory.
Metz Jubilee.
Birk's Trophy.
Blackhawk Topping.
Silver Fox.

(2) Table II in section 20, Appendix A, is amended by deleting the following brand names from the list of brands:

Metz Jubilee.
Koenig's Brau.
Pioneer Victory.
Birk's Trophy.
Blackhawk Topping (Zoller's).
Silver Fox.
Old Gold.
Tivoli.

(3) Table III in section 20, Appendix A, is amended by adding the following brand names and group prices thereof:

Brand	Group 1B		Group 2B		Group 3B	
	12-ounce	7-ounce	12-ounce	7-ounce	12-ounce	7-ounce
	Ct.	Ct.	Ct.	Ct.	Ct.	Ct.
Van Wyck	30	----	25	----	25	----
Doran's Canadian Ale	30	----	25	----	25	----

(4) Section 21, Appendix B, is amended as follows:

(a) The following brand names are added to the table "Brands of Beer Listed in Table I":

Ziegler's 830 Beer.
Flock Beer.
Peter Hand's Extra Pale.
Dorquest.
Commander Special Pilsener.
Gold Medal Tivoli.
Bay State.
Koenig's Brau.
Old Gold.
Old Brew.
Pioneer Victory.
Metz Jubilee.
Birk's Trophy.
Blackhawk Topping.
Silver Fox.

(b) The following brand names are deleted from the table "Brands of Beer Listed in Table II":

Metz Jubilee.
Koenig's Brau.
Pioneer Victory.
Birk's Trophy.
Blackhawk Topping (Zoller's).
Silver Fox.
Old Gold.
Tivoli.

This amendment shall become effective August 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R., 4808)

Issued at Dallas, Texas, this the 31st day of July 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44–12624; Filed, Sept. 5, 1944; 1:53 p. m.]

[Region V Order G–10 under MPR 18–c]

FIREWOOD IN SAN ANTONIO, TEX.

Order No. G–10 under section 18, paragraph (c), of the General Maximum Price Regulation. Maximum prices for firewood in the counties composing the San Antonio, Texas district of the Office of Price Administration.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region V of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by section 18, paragraph (c) of the General Maximum Price Regulation, it is hereby ordered:

(a) *Maximum wholesale prices which may be charged or received for firewood in the various counties composing the San Antonio, Texas, district of the Office of Price Administration are established to be as follows:* (1) Wholesale prices per cord for sales in the counties of Aransas, Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Crockett, De Witt, Dimmit, Duval, Edwards, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Hays, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kimble, Kleberg, La Salle, Live Oak, Llano, McMullen, Mason, Maverick, Medina, Menard, Nueces, Real, Refugio, San Patricio, Schleicher, Starr, Sutton, Terrell, Travis, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zapata and Zavala shall be:

(i) Hardwood 24 inches or under	$7.00
Hardwood over 24 inches	6.80
Softwood 24 inches or under	6.00
Softwood over 24 inches	5.50

(2) *Wholesale sale.* (i) A wholesale sale is any sale other than a retail sale and other than a sale to the Army or Navy, to the State of Texas or any of its political subdivisions, or by a trucker, whether such sale is made by a seller customarily known as a wholesaler or by a seller of any other designation.

(3) *Wholesale terms of sale.* (i) The wholesaler shall bear all costs of production and of delivery to and loading on the conveyance in which the firewood is to be moved to the retailer's city.

(ii) The purchaser from a wholesaler shall bear all costs incident to the movement of the wood in such conveyance after the wood is loaded by the wholesaler. If the wholesaler pays any portion of the transportation cost after the wood is loaded on to the conveyance as set out above, the purchaser shall pay the wholesaler in addition to the wholesale price set out hereinbefore a compensation for such transportation expenses. Such compensation shall consist of a mileage charge identical with the carload rail rate or a reasonable approximation thereof for shipping the wood the particular distance involved.

(b) *Maximum retail prices which may be charged or received for firewood in the various counties composing the San Antonio, Texas district of the Office of Price Administration are established to be as follows:* (1) Retail prices per cord for sales in Bexar and Travis Counties:

(i) Hardwood 24 inches or under	$12.50
Hardwood over 24 inches	10.75
Softwood 24 inches or under	12.00
Softwood over 24 inches	10.25

(2) Retail prices per cord for sales in the Counties of Aransas, Atascosa, Bandera, Bastrop, Bee, Blanco, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Crockett, De Witt, Dimmit, Duval, Edwards, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Hays, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kimble, Kleberg, La Salle, Live Oak, Llano, McMullen, Mason, Maverick, Medina, Menard, Nueces, Real, Refugio, San Patricio, Schleicher, Starr, Sutton, Terrell, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zapata and Zavala shall be:

(i) The maximum price for firewood sold at retail in the above counties shall be $10.50 per cord.

(3) *Retail prices for less than a cord of firewood in the counties composing the San Antonio, Texas District of the Office of Price Administration shall be:*

(i) The maximum price of one-half a cord shall be one-half the price of a cord, plus 25¢.

(ii) The maximum price of one-third a cord shall be one-third the price of a cord, plus 50¢.

(iii) A bundle of wood shall consist of one-twelfth of a cord, and the maximum price shall be one-tenth the price of a cord.

(4) *Retail sale.* (i) A retail sale is any sale to an ultimate consumer other than an industrial or commercial user, the Army and Navy, the State of Texas or any of its political subdivisions, or sales by truckers.

(5) *Retail terms of sale.* (i) Prices for retail sales, as established in this order, involving one or more cords, or a fraction of a cord of firewood, include delivery to any point within the city limits of the town or city to which, or nearest which, the retailer's yard is located; if the purchaser accepts delivery at the retailer's premises or designated such premises as the place of delivery, the maximum retail prices established

by this order shall be reduced by the actual amount paid by the purchaser for having such wood transported to his (the purchaser's) premises.

(ii) Retail prices established in this order do not include the service of stacking. When such service is supplied by the retailer, he may demand and receive as extra compensation for this service an amount not exceeding 50¢ per cord and 25¢ per half-cord; in sales involving quantities of less than one-half cord no extra charge for stacking shall be made even if this service is supplied by the retailer.

(iii) Retailers located within the city limits of San Antonio, Texas, or of any of the adjacent municipalities of Olmos Park, Terrell Hills, or Alamo Heights may not make any charge for delivery to any point within the city limits of any of the cities or municipalities above named. Deliveries by such retailers to points outside the city limits of the above named cities or municipalities may be made at the rate of ten cents per mile (one-way) based upon the number of road miles by the shortest route from the city limits of San Antonio, Olmos Park, Terrell Hills or Alamo Heights nearest the point of delivery to such point of delivery. Retailers in all other cities covered by this order must retain their March, 1942, practices as to deliveries beyond the limits of the city or town in which, or nearest which, they are located.

(c) *Truckers price per cord in the counties composing the San Antonio, Texas District of the Office of Price Administration.* (1) In Bexar and Travis Counties, the sum of the geographically applicable retail per cord price, less $2.00. In all other counties, the geographically applicable retail per cord price.

(2) Truckers price for one-half cord shall be one-half the truckers geographically applicable cord price, plus 25¢.

(3) Truckers price for one-third cord shall be one-third the truckers geographically applicable cord price, plus 50¢.

(4) Truckers bundle price shall be one-tenth the truckers geographically applicable cord price.

(d) *Definition of trucker.* (1) A trucker is any seller who sells directly from a truck or other conveyance without first receiving and unloading the wood at a place of business established for the purposes of carrying on the business of selling firewood. If a seller makes a sale directly from a truck or other conveyance without first unloading it at his place of business, that seller, for the purposes of this order, shall be regarded as a trucker on such sales.

(e) *Prices per cord on sales to the Army and Navy in the counties composing the San Antonio, Texas District of the Office of Price Administration shall be:* (1) The sum of the local wholesale price, plus $1.50, f. o. b. first rail terminal, or if shipped by truck, f. o. b. last loading point before delivery to the Army or Navy. If the Army or Navy purchases firewood for immediate delivery from the local yard, the maximum price shall be the retail price covering sales in that particular locality to retail purchasers.

(f) *Prices per cord on sales to the State of Texas or any of its political subdivisions, including but not limited to cities, towns, counties, school and road districts, in the counties composing the San Antonio, Texas District of the Office of Price Administration.* (1) The applicable wholesale price plus $1.00 per cord, except that in purchases from local retail yards, for immediate delivery to the purchaser from such yards, the applicable retail maximum prices shall prevail.

(g) *Service charge for cutting.* (1) In any instance where the seller sells wood over 24 inches in length and cuts it on order for the purchaser, the charge for this cutting shall be no more than the difference between the maximum retail prices for wood "24 inches or under" and wood "over 24 inches." If there is no difference in the seller's maximum prices for the different lengths of wood, he may make a flat charge of $1.00 per cord for the cutting. No service charge for cutting shall be increased in relation to the number of times such wood is cut by the seller. The one service charge should apply for any and all cutting done for the customer.

(h) *Licensing, posting and sales receipts*—(1) *Licensing.* (i) A license to make sales of firewood is automatically granted to all persons who now or hereafter make such sales. But the grant of this license to any person whose license heretofore granted by the Office of Price Administration is under suspension shall become effective for sales to which the suspension applies only at the end of the period of suspension.

(ii) A license granted hereby may be suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, for violations of the license or of one or more applicable maximum price regulations. The provisions of the General Maximum Price Regulation and all other such regulations are made a part of each license granted hereby, and a violation of any such provision is a violation of the license. A person whose license has been suspended may not during the period of suspension make any sale for which his license has been suspended.

(iii) Every license heretofore granted by the Office of Price Administration and in effect when this order becomes effective, is merged and continued in the license granted by this order. The former license no longer continues as a separate license. If the former license is suspended by a pending license suspension proceeding, the license granted by this order is suspended to the same extent. Proceedings to suspend a license granted hereby may be begun and maintained without a further warning notice to any person to whom a warning notice under a previous license was sent.

(iv) No license is required of, or granted to, a farmer as a condition of selling an agricultural commodity produced by him, the United States, or any agency thereof, or any other government, its political subdivisions or agencies.

(2) *Posting.* (i) Every retail seller of wood or trucker covered by this order shall post the maximum unit prices provided herein, covering all types and kinds of sales, in a place and manner prominent and conspicuous, with sufficient information to inform buyers of the maximum prices applying to his sales of firewood, giving the length, types of wood and prices of each.

(3) *Sales slips and receipts.* (i) Any seller of firewood covered by this order who has customarily given a purchaser a sales slip, receipt or other similar evidence of purchase shall continue to do so. Upon request from a purchaser, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, whether the wood is hardwood or softwood, the length of the wood, the unit of sale and the price per unit.

(ii) Sellers at wholesale and sellers of wood to the Army, Navy, State of Texas or any of its political subdivisions shall furnish the purchaser with a sales slip or receipt showing the date of sale, the seller's name and address, the name of the county in which the wood was felled, whether the wood is hardwood or softwood, the length of wood, unit of sale, and the price per unit.

(i) *Definitions*—(1) *Sale of firewood.* (i) The sale of firewood shall be the sale of any wood of the size and quality set forth in this order, provided such wood is sold for use as a fuel for heating or cooking, or to dealers who will resell such wood for such purposes.

(2) *Cord.* (i) A cord is a quantity of wood which would occupy 128 cubic feet if cut in four foot lengths and stacked straight in a pile measuring 4 feet wide, 4 feet high and 8 feet long.

(ii) Any loss in volume resulting from cutting a cord of four foot wood into shorter lengths shall be borne by the purchaser and not by the seller, regardless of whether or not ownership (title) of the wood has passed from the seller to the buyer before the wood is cut: *Provided,* That such loss or shrinkage in volume shall not exceed twenty-four cubic feet when four foot wood is cut into two foot lengths and shall not exceed thirty-two cubic feet when four foot wood is cut into lengths less than two feet; and provided that no seller, selling firewood in lengths shorter than four feet, regardless of whether or not ownership (title) of the wood has passed from the seller to the buyer before the wood is cut, may deliver less than 104 cubic feet of firewood when cut in two foot lengths or less than 96 cubic feet of firewood when cut into lengths less than two feet, without a compensating reduction in the applicable per cord price for firewood set out in this order.

(3) *Hardwood.* (i) Hardwood is wood cut from any of the following deciduous trees: Ash, Beech, Butternut, Cedar, Dogwood, Elm, Gum, Hackberry, Hard Maple, Hickory, Locust, Oak, Osage, Orange, Pecan, Sycamore and Walnut.

(ii) All other woods for the purposes of this order are to be considered "softwoods."

(j) This order is subject to revocation or amendment by the Price Administrator at any time hereafter either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price

regulation, the provisions of which may be contrary hereto.

(k) Except as specifically provided in this order to the contrary, the provisions of the General Maximum Price Regulation, as amended, are in no way affected and shall continue in full force and effect.

This order shall become effective on the 2d day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 29th day of August 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44-13626; Filed, Sept. 5, 1944; 1:55 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-663]

ASSOCIATED ELECTRIC CO. AND MISSOURI SOUTHERN PUBLIC SERVICE CO.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of September 1944.

Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Missouri Southern Public Service Company, having filed joint applications-declarations, as amended, pursuant to sections 9 (a), 10, and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, regarding the proposed sale by Missouri Southern Public Service Company of all its physical properties to New-Mac Electric Cooperative, Inc., for a base cash consideration of $170,000; the subsequent transfer by Missouri Southern Public Service Company of 40 shares of capital stock of Atlantic Utility Service Corporation and its other then remaining assets, subject to its liabilities, to Associated Electric Company, and the surrender to Missouri Southern Public Service Company of all its capital stock and indebtedness held by Associated Electric Company; and the dissolution of Missouri Southern Public Service Company; and

Applicants-declarants having requested that the Commission enter an order finding the sale of the physical properties of Missouri Southern Public Service Company is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and that such order conform to the definition of the term "order of the Securities and Exchange Commission" contained in section 373 (a) of the Internal Revenue Code, as amended, and that such order contain the recitals, specifications and itemizations required by section 1808 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held after appropriate notice in which the security holders of applicants-declarants and other interested persons were afforded opportunity to be heard; and requests for findings, briefs and oral argument having been waived; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the applications, as amended, and permit the declarations, as amended, to become effective, and to grant the request of the applicants-declarants as to the suggested recitals;

It is hereby ordered, That, pursuant to the applicable provisions of said act, including sections 10, 11 (b) (1), and 12 thereof, and the rules and regulations promulgated thereunder, the aforesaid applications-declarations, as amended, be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations of the act; and

It is further ordered, That the sale by Associated Electric Company, through its wholly-owned subsidiary, Missouri Southern Public Service Company, of the electric properties and business owned by Missouri Southern Public Service Company in Barry, McDonald and Newton Counties, Missouri, as more fully described in the contract dated February 27, 1943, as amended, between Missouri Southern Public Service Company and New-Mac Electric Cooperative, Inc., the provisions of which are a part of the record in this proceeding in accordance with the provisions of these applications-declarations, as amended, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and to effectuate and to comply with a certain divestment order issued by the Commission on August 13, 1942, pursuant to said section, in a proceeding entitled "In the Matter of Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, Respondents, File No. 59-32".

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-13651; Filed, Sept. 5, 1944; 4:34 p. m.]

[File No. 70-700]

MIDLAND UNITED CO., ET AL

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of September 1944.

In the matter of Hugh M. Morris, trustee of the estate of Midland United Company, M. U. Securities Corporation, Clarence A. Southerland and Jay Samuel Hartt, trustees of the estate of Midland Utilities Company, File No. 70-700.

Notice is hereby given that, pursuant to the Public Utility Holding Company Act of 1935, an amendment has been filed to the joint application-declaration previously filed with this Commission by Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company; its wholly-owned subsidiary, M. U. Securities Corporation; and Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company and a subsidiary of Midland United Company. All interested persons are referred to said joint application-declaration and the amendment thereto, which are on file in the offices of the Commission, for a statement of the transactions therein proposed which may be summarized as follows:

M. U. Securities Corporation proposes to liquidate and dissolve and, to that end, it is proposed (1) that M. U. Securities Corporation assign and transfer 1,859 shares of 7% Prior Lien Stock, 778 shares of 6% Cumulative Prior Lien Stock, 1,337 shares of 7% Cumulative Class A Preferred Stock, and 2,111 shares of 6% Cumulative Class A Preferred Stock, of Midland Utilities Company, at present in its portfolio, to Hugh M. Morris, Trustee of the Estate of Midland United Company, in consideration of a credit of $38,480.38 upon the net indebtedness of $550,093.77, owned by M. U. Securities Corporation to Midland United Company; (2) that M. U. Securities Corporation surrender to Midland Utilities Company, for cancellation, 64,009 shares of the latter's no par value common stock; and (3) that M. U. Securities Corporation apply its cash on hand in the amount of $1,235.03 to the payment of expenses of liquidation, accrued taxes, and then to payment, on account, of the indebtedness then due Midland United Company.

Notice is further given that any interested person may, not later than September 25, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time thereafter such joint application-declaration, as now amended, or as further amended, may become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-13668; Filed, Sept. 6, 1944; 10:34 a. m.]

[File No. 70-958]

HOPE ENGINEERING CO. AND TEXAS EASTERN OIL CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of September A. D. 1944.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Hope Engineering Company ("Hope"), a registered holding company, and its subsidiary, Texas Eastern Oil Company ("Texas").

All interested persons are referred to said document which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

The applicants or declarants (or both) state that Texas has outstanding Five-Year 5% Registered Notes in the aggregate principal amount of $162,000 which mature September 15, 1944. $100,000 principal amount of such notes is held by Hope and the balance of $62,000 is held by 14 other parties, all of whom are stockholders of Texas.

As of December 31, 1943, Texas was also indebted to Hope as follows:

First mortgage notes	$80,000
Unpaid cash advance	40,000
Unpaid accounts payable	23,900
Total	143,900

It is proposed that the $62,000 of Registered Notes held by the public shall be extended for an additional period of five years so as to mature on September 15, 1949, with Texas reserving the right to retire these notes at any time prior to maturity.

Texas proposes to issue 243,900 shares of its common stock, par value $1 (increasing its capital stock to 253,900 shares), to Hope, and Hope proposes to accept said stock, in full payment of the $100,000 of Registered Notes held by Hope and the $143,900 of indebtedness set forth above.

Hope proposes, if such transactions are consummated, to cancel accrued interest in the amount of $32,174 stated to be due to it from Texas.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said Act and rules of the Commission thereunder be held on September 18, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Hope Engineering Company and to Texas Eastern Oil Company; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before September 14, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Texas shall give additional notice of said hearing to all known holders of its common stocks, by causing a copy of this notice and order for hearing to be mailed to such holders at their last-known addresses, such mailing to be made not less than ten days prior to the date of said hearing.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issuance of securities is in conformity with the requirements of section 7 of the act;

(2) Whether the proposed action is fair and equitable to the public security holders of Texas and to the security holders of Hope;

(3) Whether the accounting entries in connection with the proposed transactions are in conformity with the standards of the Act and in accordance with sound accounting practice;

(4) Generally, whether in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or the rules and regulations promulgated thereunder;

(5) Whether, if the proposed transactions are authorized, the imposition of terms and conditions is necessary and appropriate in the public interest or for the protection of investors and consumers and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-13670; Filed, Sept. 6, 1944; 10:34 a. m.]

[File Nos. 54-67, 59-64]

PEOPLES LIGHT AND POWER CO., ET AL.

ORDER APPROVING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of September A. D. 1944.

In the matter of Peoples Light and Power Company and subsidiary companies, applicants, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Company, Texas Public Service Farm Company, West Coast Power Company, respondents, File No. 59-64.

The Commission having, on March 9, 1943 instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 (the "Act") involving Peoples Light and Power Company ("Peoples"), a registered holding company, and its subsidiaries; and

Peoples and one of its subsidiaries, West Coast Power Company ("West Coast"), having filed declarations and applications pursuant to the Public Utility Holding Company Act of 1935 with respect to: (1) the sale by West Coast of its electric properties and assets in the State of Idaho, (2) the sale by West Coast of its water properties and assets in Hailey, Idaho, (3) the payment by West Coast to Peoples of a dividend out of earned surplus and a distribution of cash by West Coast to Peoples in partial liquidation, (4) the reduction by West Coast of the stated value of its 11,500 shares of no par value capital stock, (5) the modification of the indenture securing the first mortgage bonds of West Coast, and (6) the sale by Peoples of all of the outstanding capital stock of West Coast; such declarations and applications being represented to be part of a plan filed by Peoples pursuant to section 11 (e) of the act; and

The Commission having ordered that the proceedings with respect to the application heretofore filed by Peoples pursuant to section 11 (e) of the act and the proceedings instituted pursuant to sections 11 (b) (1) and 11 (b) (2) thereof be consolidated; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

The applicants and declarants having requested that the order of the Commission include an order under the act conforming with section 373 (a) of the In-

ternal Revenue Code, as amended, and contain the findings therein specified;

The Commission having found that the foregoing proposed transactions are necessary to effectuate the provisions of section 11 (b) of said Act and are fair and equitable to the persons affected thereby;

It is ordered, That said applications and declarations be and the same hereby are granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U–24.

It is further ordered, That (a) the sale by West Coast of its electric properties and other related assets located in the State of Idaho, as more fully specified and itemized in the sales agreement with Idaho Power Company dated June 12, 1944, a copy of which was filed with this Commission on July 1, 1944 and made a part hereof by reference, (b) the sale by West Coast of its water properties and other related assets located in the City of Hailey, Idaho, as more fully specified and itemized in the sales agreement with the City of Hailey, Idaho dated July 11, 1944, filed with this Commission on July 19, 1944 and made a part hereof by reference, (c) the payment of a dividend of approximately $90,000 and the partial liquidating distribution of $450,000 by West Coast to Peoples, (d) the reduction of the stated value of the 11,500 shares of outstanding capital stock of West Coast from $650,000 to $200,000 and (e) the sale of all the outstanding shares of capital stock of West Coast by Peoples, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of Peoples and West Coast in view of sections 371 and 1808 (f) of the Internal Revenue Code, as amended;

It is further ordered, That jurisdiction be and hereby is reserved to consider all matters relating to these consolidated proceedings not disposed of by this order, to entertain such further proceedings, to make such further and supplemental findings and to take such additional and further action as may be found by the Commission to be appropriate in the premises in connection with the consummation of said plan and related and incidental transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–13067; Filed, Sept. 6, 1944; 10:34 a. m.]

[File No. 70–902]

EMPIRE DISTRICT ELECTRIC CO., ET AL.

ORDER SHORTENING PERIOD FOR INVITING BIDS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of September 1944.

In the matter of the Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company, Benton County Utilities Corporation, and Cities Service Power & Light Company, File No. 70–902.

The Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company and Benton County Utilities Corporation, public utility companies and subsidiaries of Cities Service Power & Light Company and Cities Service Company, registered holding companies, together with Cities Service Power & Light Company, having filed a joint application and declaration and amendments thereto proposing, among other things, the issuance and sale at competitive bidding by The Empire District Electric Company of $10,600,000 principal amount of first mortgage bonds, and the sale at competitive bidding by Cities Service Power & Light Company of 350,000 shares of the $10 par value common stock of The Empire District Electric Company; and

This Commission, by order dated August 1, 1944, having ordered that said application and declaration, as amended, be granted and permitted to become effective except, however, as to the terms and conditions of the proposed sales of securities at competitive bidding and private sale, and except with respect to fees, commissions and other remuneration to be paid in respect of the proposed transactions, as to which matters jurisdiction was reserved; and

The Empire District Electric Company and Cities Service Power & Light Company having filed a request, in connection with said proposed sales of securities at competitive bidding, that the ten-day period for inviting bids as provided in Rule U-50 (b) be shortened to a period of not less than six days; and

It appearing to the Commission that the requested shortening of said period would not be detrimental to the public interest or to the interests of investors;

It is ordered, That the ten-day period for inviting bids as provided by Rule U-50 (b), with respect to the proposed sales at competitive bidding of first mortgage bonds and common stock of The Empire District Electric Company, be shortened to a period of not less than six days.

It is further ordered, That the order in this proceeding dated August 1, 1944, and the reservations of jurisdiction therein contained, shall be and remain in full force and effect.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–13069; Filed, Sept. 6, 1944; 10:34 a. m.]

WAR SHIPPING ADMINISTRATION.

"STERLING"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.).

Whereas on June 22, 1942, title to the vessel "Sterling" (230454) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Public Law 101, Seventy-seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: September 4, 1944.

[SEAL] E. S. LAND, *Administrator.*

[F. R. Doc. 44–13578; Filed, Sept. 5, 1944; 10:50 a. m.]

SEP 11 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 180

Washington, Friday, September 8, 1944

The President

EXECUTIVE ORDER 9478

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE THE MINES, COLLIERIES, AND PREPARATION FACILITIES OF CERTAIN COAL COMPANIES

WHEREAS after investigation I find and proclaim that there are interruptions of the operations of the mines, collieries, and facilities of the companies named in the list attached hereto and made a part hereof, located in the States of Pennsylvania and West Virginia, as a result of existing and threatened strikes and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruptions; and that the exercise, as herein specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these mines, collieries, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities of the companies named in the list attached hereto and made a part hereof, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of section 5 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. The Secretary of the Interior shall permit the managements of the mines, collieries, and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

5. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 6, 1944.

LIST OF NAMES AND LOCATIONS OF COMPANIES

Glendale Gas Coal Co., Moundsville, W. Va.
Hitchman Coal and Coke Co., Benwood, W. Va.
Kelleys Creek Colliery Co., Elm Grove, W. Va.
Valley Camp Coal Co., Elm Grove, W. Va.
Northwestern Mining Exchange Co., Du Bois, Pa.
Pennsylvania Coal and Coke Co., Ehrenfeld, Pa.
Hillman Coal and Coke Co., Barking, Pa.
Consolidation Coal Co., Benton, Pa.
Republic Iron and Steel Corporation (Russellton Mine), Russellton, Pa.

[F. R. Doc. 44-13732; Filed, Sept. 7, 1944; 10:49 a. m.]

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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EXECUTIVE ORDER 9479

AMENDING EXECUTIVE ORDER NO. 7021 OF APRIL 19, 1935, AUTHORIZING THE GOVERNOR OF THE PANAMA CANAL TO ARRANGE FOR THE OPERATION BY THE PANAMA RAILROAD COMPANY OF PANAMA CANAL PIERS

By virtue of the authority vested in me by section 51 of title 2 of the Canal Zone Code, the last paragraph of Executive Order No. 7021 of April 19, 1935, is hereby amended to read as follows:

"NOW, THEREFORE, by virtue of the authority vested in me by section 51 of title 2 of the Canal Zone Code, the Governor of The Panama Canal is hereby authorized to contract with the Panama Railroad Company for the operation by that Company of Piers Nos. 6 and 16 and Mindi Dock at the Atlantic terminal, and Piers Nos. 6, 7, 16, 18, and one-half of Pier 15 at the Pacific terminal of the Panama Canal (all of which are owned by The Panama Canal), such operation to be carried on with funds of that Company and upon such terms and conditions as the Governor of The Panama Canal may deem equitable to both The Panama Canal and the Panama Railroad Company."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 6, 1944.

[F. R. Doc. 44–13763; Filed, Sept. 7, 1944; 11:40 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[FCA Order 409]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON LOANS SECURED BY COMMODITY CREDIT CORPORATION LOAN DOCUMENTS; COTTON

Interest rate on loans made pursuant to provisions of subsection (a) of section 8 of the Agricultural Marketing Act, as amended, upon the security of Commodity Credit Corporation loan documents.

Paragraph (b), § 70.81–50 (9 F.R. 5101), is hereby amended to read as follows:

§ 70.81–50 *Interest rate on loans secured by Commodity Credit Corporation loan documents.* • • •

(b) Those representing cotton qualified for loans from Commodity Credit Corporation to such farmers' cooperatives pursuant to agreements entered into with Commodity Credit Corporation.

(Sec. 8, 46 Stat. 14, as amended; 12 U.S.C. 1141f)

I. W. Duggan,
Governor.

September 1, 1944.

[F. R. Doc. 44-13750; Filed, Sept. 7, 1944; 11:18 a. m.]

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter C—Regulations Under the Farm Products Inspection Act

Part 61—Cottonseed Sold or Offered for Sale for Crushing Purposes (Inspection, Sampling and Certification)

Application for License as Sampler; Form

Pursuant to authority vested in the War Food Administrator, the regulations governing the inspection, sampling, and certification of cottonseed sold or offered for sale for crushing purposes (7 CFR, Cum. Supp., 61.1 et seq.; 8 F.R. 8588) are amended by striking therefrom § 61.25 (b) and inserting, in lieu thereof, the following:

§ 61.25 *Application for license as sampler; form.* * * *

(b) Each such application shall be in English, shall be signed by the applicant, shall be verified by him under oath or affirmation administered by a duly authorized officer, and shall contain or be accompanied by (1) satisfactory evidence that he is an actual resident of the United States, (2) satisfactory evidence of his experience in the handling and sampling of cottonseed, (3) a statement by the applicant that he agrees to comply with and abide by the terms of the act and these regulations so far as they relate to him, and with instructions issued from time to time governing the sampling of cottonseed, and (4) such other information as may be required.

(Pub. Law 367, 78th Cong., 2d Sess.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 6th day of September 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-13711; Filed, Sept. 6, 1944; 3:18 p. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 41, Amdt. 8]

Part 1206—Fertilizer

Chemical Fertilizer in Puerto Rico

Paragraph (g), § 1206.501, of War Food Order No. 41 (formerly Food Production Order No. 10) (9 F.R. 1073, 4319, 5033, 7919) is hereby amended to read as follows:

(g) *Fertilizer requirements for sugarcane.* Each grower's requirements for chemical fertilizer for use on sugarcane during any fertilizer year shall be determined on the basis of such grower's normal use of chemical fertilizer on sugarcane in terms of a basic formula of 14–6–10 or its nitrogen equivalent in any other formula prescribed by the Farm Rationing Committee. Normal use shall be deemed to be the average amount of chemical fertilizer per acre used by such grower during the base period January 1, 1940, to April 30, 1941, as determined from the Agricultural Adjustment Agency records, but shall not be deemed to be less than 600 pounds per acre. A grower's requirements for chemical fertilizer for any fertilizer year shall be the product of his normal use of chemical fertilizer and his acreage under active cultivation during such year, as determined by the Farm Rationing Committee. In issuing a ration card for the period September 1 to the end of the following February, however, the acreage actively cultivated during the preceding fertilizer year shall be used in calculating fertilizer requirements. In issuing a ration card for the period March 1 through August 31, the actual acreage under active cultivation during the fertilizer year shall be used in making this calculation; and, if the actual acreage figure differs from the acreage figure used for the preceding period, such adjustments as may be necessary shall be made.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 6th day of September 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-13712; Filed, Sept. 6, 1944; 3:18 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

Part 111—Assistance to Relatives and Others in Connection With Deceased Personnel

Notification in Case of Death

Section 111.1 (8 F.R. 7301, 9 F.R. 1343) is amended by changing the third sentence of paragraph (a) to read as follows:

§ 111.1 *Notification to nearest relative or other person designated to be notified in case of emergency.* * * * Such notification will include the fact, date, place and cause of death, and will, when early shipment of the remains is practicable, request the person notified to reply by telegraph whether it is desired to have the remains shipped home, and if such shipment is desired, to designate the name and address of the funeral director to whom the remains will be consigned and the name and address of the person who will incur and be responsible for interment expenses. (R.S. 161; 5 U.S.C. 22). [Par. 6, AR 600-550, 14 May 1943, as amended by C2, 22 Aug. 1944]

[Seal] Robert H. Dunlop,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-13727; Filed, Sept. 7, 1944; 9:25 a. m.]

Chapter III—Claims and Accounts

Part 306—Claims Against the United States

Burial Expenses

In § 306.51 (8 F.R. 12123) paragraph (a) (6) (i) and (ii) and paragraph (b) (5) are amended to read as follows:

§ 306.51 *Expenses allowable.*
(a) * * *

(6) *Interment expenses.* (i) Expenses not to exceed $50 incident to interment.

(ii) When the remains are shipped to the home of deceased, the next of kin will engage the services of an undertaker to receive the remains and inter them. The Government will reimburse such next of kin or other persons who incur interment expenses for such expenses actually incurred up to but not exceeding the $50 maximum; any expenses over and above this amount must be borne by the next of kin or other persons who incurred the expenses. A certificate executed by the person incurring the interment expenses, of the amount actually incurred, should be submitted by such person to the purchasing and contracting officer who arranged for preparation and shipment of the remains. The purchasing and contracting officer concerned, upon receiving such certificate, will place it in line for payment by the disbursing officer.

* * * * *

(b) *For components other than the Regular Army.* * * *

(5) Interment expenses not to exceed $50.

Section 306.52 paragraph (a) (2) is rescinded and the following substituted as set forth below; subparagraph (3) is redesignated (4); new subparagraph (3) and (5) are added as follows:

§ 306.52 *Burial services, how obtained—*
(a) *Within the continental limits of United States.* * * *

(2) *Where death occurs at decedent's regular post, camp, or station.* (i) If a burial service contract is in effect, the remains will be prepared under such contract and payment will be made by the finance officer designated in the contract to make payments thereunder.

(ii) If no burial service contract is in effect, the purchasing and contracting officer or other supply officer will negotiate with a reputable funeral director for the required embalming, preservation, casket, outside box, and hearse service, in accordance with the specifications in the Uniform Burial Service Contract form, and forward the invoices for same, properly certified, to the local finance officer for payment.

(3) *Where death occurs at place other than decedent's regular post, camp, or station, and military authorities nearest to place of death handle disposition of remains.* (i) If a burial service contract is in effect at place of death the remains will be prepared under such contract and payment will be made by the finance officer designated in the contract to make payments thereunder.

(ii) If no burial service contract is in effect at place of death, the military authorities nearest to the place of death should be notified to take charge, and such military authorities will obtain through negotiation the services of a reputable funeral director, make necessary arrangements for the required embalming, preservation, casket, outside box, and hearse service. The costs in such cases will vary, depending upon circumstances and cause of death, condition of remains, local facilities, etc. However, costs should be kept to the minimum obtainable under the standard set forth in the Uniform Burial Service Contract form to insure the arrival of the remains at destination in an acceptable state of preservation. Properly certified, itemized invoices in quadruplicate, and a copy of the telegram or other communication from the next of kin (or other person named as emergency addressee in the event there is no surviving next of kin) designating the name and address of the person who will incur interment expenses, will be transmitted by the military authorities negotiating for the services to The Quartermaster General for evaluation and payment.

(iii) The military authorities arranging for preparation will also arrange for necessary transportation to destination and will select an escort from available troops at their station (if remains are to be sent with an attendant). Transportation and escort will not be requested from the decedent's home station.

* * * * *

(5) *Next of kin not compelled to use services of contract funeral director.* In any case, regardless of whether the decedent's death occurred at his regular post, camp, or station, or away therefrom, or whether or not there was a burial contract in effect under which the remains may be prepared, the next of kin may make their own arrangements and it is not compulsory for them to utilize the services of the contract funeral director. However, reimbursement can be made as set forth below. (52 Stat. 398; 10 U.S.C. 916–916d.) (See under act 15 June 1936 (49 Stat. 1507; 10 U.S.C. 455a–455d; 32 U.S.C. 164a–164c); act 8 July 1940 (54 Stat. 743) and E.O. 8557, 30 September 1940 (Bull. 30, W.D. 1940); act 14 May 1942 (56 Stat. 281); act 1 July 1943, Public Law 110, 78th Congress). [AR 30–1830, 11 Aug. 1943 as amended by C1, 22 Aug. 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–13728; Filed, Sept. 7, 1944; 9:25 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Bureau

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5402]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] to section 121 of the Revenue Act of 1943, enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. Section 29.112 (a)–1, as amended by Treasury Decision 5356, approved April 19, 1944, is further amended as follows:

(A) By amending the first sentence of the second paragraph to read as follows:

Exceptions to the general rule are made by section 112 (b) (1) to (5), inclusive, section 112 (b) (10) and section 112 (1) in the case of certain specifically described exchanges of property in which at the time of the exchange particular differences exist between the property parted with and the property acquired, but such differences are more formal than substantial.

(B) By inserting in the fifth paragraph thereof immediately after "inclusive," the following: "section 112 (b) (10), and section 112 (l),".

PAR. 2. There is inserted immediately after § 29.112 (b) (9)–1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

(a) *Nonrecognition of gain or loss on certain reorganizations.* Section 112 (b) (relating to recognition of gain or loss upon certain exchanges) is amended by inserting at the end thereof the following:

(10) *Gain or loss not recognized on reorganization of corporations in certain receivership and bankruptcy proceedings.* No gain or loss shall be recognized if property of a corporation (other than a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended) is transferred, in a taxable year of such corporation beginning after December 31, 1933, in pursuance of an order of the court having jurisdiction of such corporation—

(A) In a receivership, foreclosure, or similar proceeding, or

(B) In a proceeding under section 77B or Chapter X of the National Bankruptcy Act, as amended,

to another corporation organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding, in exchange solely for stock or securities in such other corporation.

* * * * *

(e) *Effective date.* Provisions having the effect of the amendments made by subsection (a), * * * shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1933, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1943. * * *

§ 29.112 (b) (10)–1 *Transfer of property of insolvent corporation in reorganization in bankruptcy or receivership proceeding*—(a) *Exchange solely for stock or securities.* Section 112 (b) (10) provides for the nonrecognition of gain or loss upon certain exchanges made in connection with the reorganization of an insolvent corporation, hereinafter referred to in these regulations as a "section 112 (b) (10) reorganization". The section does not apply with respect to a railroad corporation as defined in section 77m of the National Bankruptcy Act, as amended. In order to qualify as a section 112 (b) (10) reorganization, the transaction must satisfy the express statutory requirements as well as the underlying assumptions and purposes for which the exchange is excepted from the general rule requiring the recognition of gain or loss upon the exchange of property.

Section 112 (b) (10) applies only with respect to a reorganization effected in one of two specified types of court proceedings: (1) Receivership, foreclosure or similar proceedings, or (2) bankruptcy proceedings under section 77B or Chapter X of the National Bankruptcy Act, as amended. The specific statutory requirements are the transfer of property of a corporation, in pursuance of an order of the court having jurisdiction of the corporation in such proceeding, to another corporation organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding, in exchange solely for stock or securities in such other corporation. If the consideration for the transfer consists of other property or money as well as stock and securities, the gain, if any, is recognized in an amount not in excess of such other property and money (see section 112 (d)), but no loss is recognized (see section 112 (e)). As to the assumption of liabilities in an exchange described in section 112 (b) (10), see section 112 (k) and see §§ 29.112 (a)–2 and 29.112 (k)–1.

Section 112 (b) (10) and so much of section 112 (d) and (e) as relates to section 112 (b) (10) are applicable to taxable years beginning after December 31, 1933, but do not operate to affect the tax liability for any taxable year beginning prior to January 1, 1943.

The application of section 112 (b) (10) is to be strictly limited to a transaction of the character set forth in such section. Hence, the section is inapplicable unless there is a bona fide plan of reorganization approved by the court having jurisdiction of the proceeding and the transfer of the property of the insolvent corporation is made pursuant to such plan. It is unnecessary that the transfer be a direct transfer from the insolvent corporation; it is sufficient if the transfer is an integral step in the consummation of the reorganization plan approved by the court. By its terms, the section has no application to a reorganization consummated by adjustment of the capital or debt structure of the insolvent corporation without the transfer of its assets to another corporation.

As used in section 112 (b) (10), the term "reorganization" is not controlled by the definition of "reorganization" contained in section 112 (g). However,

certain basic requirements, implicit in the statute, which are essential to a reorganization under section 112 (g), are likewise essential to qualify a transaction as a reorganization under section 112 (b) (10). Among these requirements are a continuity of the business enterprise under the modified corporate form and a continuity of interest therein on the part of those persons who were the owners of the enterprise prior to the reorganization. Thus, the nonrecognition accorded by section 112 (b) (10) applies only to a genuine reorganization as distinguished from a liquidation and sale of property to either new or old interests supplying new capital and discharging the obligations of the old corporation. For the purpose of determining whether the requisite continuity of interest exists, the interest of creditors who have, by appropriate legal steps, obtained effective command of the property of an insolvent corporation is considered as the equivalent of a proprietary interest. But the mere possibility of a proprietary interest is not its equivalent. The determinative and controlling factors are the corporation's insolvency and the effective command by the creditors over its property. The term "insolvent" as used herein refers to insolvency at any time during the course of the proceeding referred to in section 112 (b) (10), either in the sense of excess of liabilities over assets or in the sense of inability to meet obligations as they mature.

A short-term purchase money note is not a security within the meaning of section 112 (b) (10), and the transfer of the properties of the insolvent corporation for cash and deferred payment obligations of the transferee evidenced by short-term notes is a sale and not an exchange.

(b) *Exchange for stock or securities and other property or money.* If an exchange would be within the provisions of section 112 (b) (10) if it were not for the fact that the consideration for the transfer of the property of the insolvent corporation consists not only of stock or securities but also of other property or money, then, as provided in section 112 (d) (1), if the other property or money received by the corporation is distributed by it pursuant to the plan of reorganization, no gain to the corporation will be recognized. Property is distributed within the meaning of this section if it is paid over or distributed to shareholders or creditors who have by appropriate legal steps obtained effective command of the property of the corporation. If the other property or money received by the corporation is not distributed by it pursuant to the plan of reorganization, the gain, if any, to the corporation from the exchange will be recognized, under the provisions of section 112 (d) (2), in an amount not in excess of the sum of money and the fair market value of the other property so received which is not distributed. In either case no loss from the exchange will be recognized (see section 112 (e)).

For the proper treatment of a transaction involving an assumption of liabilities under so much of section 112 (d) or (e) as relates to section 112 (b) (10), see section 112 (k) and the regulations prescribed thereunder.

§ 29.112 (b) (10)–2 *Records to be kept and information to be filed.* For taxable years beginning after December 31, 1942, each corporation a party to a section 112 (b) (10) reorganization shall furnish a complete statement of all facts pertinent to the nonrecognition of gain or loss in connection with the exchange, including:

(a) A certified copy of the plan of reorganization approved by the court in the proceeding, together with a statement showing in full the purposes thereof and in detail all transactions incident, or pursuant, to the plan;

(b) A complete statement of the cost or other basis of all property, including all stock or securities, transferred incident to the plan;

(c) A statement of the amount of stock or securities and other property or money received in the exchange, including a statement of all distributions or other disposition made thereof. The amount of each kind of stock or securities or other property shall be stated on the basis of the fair market value thereof at the date of the exchange;

(d) A statement of the amount and nature of any liabilities assumed upon the exchange.

The information required by this section shall be filed as a part of the corporation's return for its taxable year within which the reorganization occurred, except that in the case of a taxable year beginning in 1943 and ending before September 1, 1944, the statement containing such information shall be filed with the Commissioner of Internal Revenue, Washington 25, D. C., on or before December 15, 1944.

Permanent records in substantial form shall be kept by every taxpayer who participates in a tax-free exchange in connection with a corporate reorganization showing the cost of other basis of the transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange.

PAR. 3. There is inserted immediately preceding § 29.112 (c)–1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

* * * * *

(d) *Technical amendments.* (1) Section 112 (c) (relating to gain from exchanges not solely in kind) is amended by inserting after "(b) (1), (2), (3), or (5)", the following: ", or within the provisions of subsection (1),", and by inserting after "paragraph" the following: "or by subsection (1)".

* * * * *

(e) *Effective date.* * * * Provisions having the effect of the amendments made by * * * subsection (d) (1), shall be deemd to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1931.

PAR. 4. Section 29.112 (c)–1 is amended as follows:

(A) By striking from the first sentence of the paragraph immediately following the example the words "section 112 (b) (1), (2), and (3)." and inserting in lieu thereof "section 112 (b) (1) and (2)."

(B) By changing the second sentence of the paragraph immediately following the example to read as follows:

As to the proper treatment of such consideration for the purposes of so much of section 112 (c) as relates to section 112 (b) (3), see § 29.112 (g)–4; and so much of section 112 (c) as relates to section 112 (b) (5), see section 112 (k) and § 29.112 (k)–1.

(C) The last paragraph thereof is amended to read as follows:

As to the receipt of other property or money on an exchange of stock or securities in connection with a section 112 (g) reorganization, see § 29.112 (g)–4; or in connection with a section 112 (b) (10) reorganization, see § 29.112 (l)–1. As to distributions in pursuance of a plan of reorganization which have the effect of a taxable dividend, see § 29.112 (g)–4, in the case of a section 112 (g) reorganization, or § 29.112 (l)–1, in the case of a section 112 (b) (10) reorganization.

PAR. 5. There is inserted immediately preceding § 29.112 (e)–1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

* * * * *

(d) *Technical amendments.*

* * * * *

(2) Section 112 (d) (relating to gain of corporation) is amended by inserting after "subsection (b) (4)" the following: "or (10)".

(3) Section 112 (e) (relating to loss from exchanges not solely in kind) is amended by inserting after "subsection (b) (1) to (5), inclusive," the following: "or (10), or within the provisions of subsection (1),".

* * * * *

(e) *Effective date.* Provisions having the effect of the amendments made by * * * subsection (d) (2), (3), * * * shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1933, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1943. * * *

PAR. 6. Section 29.112 (e)–1 is amended as follows:

(A) By inserting immediately after "section 112 (b) (1) to (5), inclusive," in the first paragraph thereof "or section 112 (b) (10),".

(B) By adding at the end of the first paragraph thereof the following sentence:

The rule provided with respect to an exchange under so much of section 112 (e) as refers to section 112 (b) (10) shall not be applied to affect the tax liability for any taxable year beginning before January 1, 1943.

(C) By inserting immediately after the first paragraph thereof the following new paragraph:

As to the nonrecognition of loss upon an exchange described in so much of sec-

tion 112 (e) as refers to section 112 (l), see § 29.112 (l)–1.

PAR. 7. There is inserted immediately preceding § 29.112 (g)–1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

* * * * *

(d) *Technical amendments.*

* * * * *

(4) So much of section 112 (g) (defining "reorganization") as precedes paragraph (1) is amended to read as follows:

(g) *Definition of reorganization.* As used in this section (other than subsection (b) (10) and subsection (l)) and in section 113 (other than subsection (a) (22))—

* * * * *

(e) *Effective date.* Provisions having the effect of the amendments made by * * * subsection (d) (2), (3), (4), * * * shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1932, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1943. * * *

PAR. 8. Section 29.112 (g)–1 is amended by inserting immediately after the caption reading "Purpose and Scope of Exception of Reorganization Exchanges" the following paragraph:

Reorganization. As used in §§ 29.112 (g)–1 to 29.112 (g)–6, inclusive, the terms "reorganization" and "party to a reorganization" mean only a reorganization or a party to a reorganization as defined in section 112 (g). With respect to section 112 (b) (10) reorganizations, see § 29.112 (b) (10)–1.

PAR. 9. Section 29.112 (g)–4 is amended by striking the last paragraph and inserting in lieu thereof the following:

Consideration received in the form of an assumption of liabilities is to be treated as "other property or money" for the purposes of so much of section 112 (c) as relates to section 112 (b) (3). For the proper treatment of an assumption of liabilities under section 112 (d) and so much of section 112 (e) as relates to section 112 (b) (4), see section 112 (k) and the regulations prescribed thereunder.

PAR. 10. There is inserted immediately preceding § 29.112 (k)–1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

* * * * *

(d) *Technical amendments.*

* * * * *

(5) Section 112 (k) (relating to assumption of liability) is amended by striking out "subsection (b) (4) or (5)" wherever appearing therein and inserting in lieu thereof the following: "subsection (b) (4), (5), or (10)".

* * * * *

(e) *Effective date.* Provisions having the effect of the amendments made by * * * subsection (d) (2), (3), (4), (5), * * * shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1933, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1943. * * *.

PAR. 11. Section 29.112 (k)–1 is amended as follows:

(A) By striking out "section 112 (b) (4) or (5)" wherever appearing therein and inserting in lieu thereof "section 112 (b) (4), (5), or (10)".

(B) By adding at the end of the first paragraph thereof the following sentence:

With respect to an exchange described in section 112 (b) (10) or so much of section 112 (d) or (e) as refers to section 112 (b) (10), the provisions of section 112 (k) shall not affect the tax liability for any taxable year beginning before January 1, 1943.

PAR. 12. There is inserted immediately after § 29.112 (k)–1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

* * * * *

(b) *Recognition of gain or loss of security holders in connection with certain corporate reorganizations.* Section 112 (relating to recognition of gain or loss) is amended by inserting at the end thereof the following:

(1) *Exchanges by security holders in connection with certain corporate reorganizations*—(1) *General rule.* No gain or loss shall be recognized upon an exchange consisting of the relinquishment or extinguishment of stock or securities in a corporation the plan of reorganization of which is approved by the court in a proceeding described in subsection (b) (10), in consideration of the acquisition solely of stock or securities in a corporation organized or made use of to effectuate such plan of reorganization.

(2) *Exchange occurring in taxable years beginning prior to January 1, 1943.* If the exchange occurred in a taxable year of the person acquiring such stock or securities beginning prior to January 1, 1943, then, under regulations prescribed by the Commissioner with the approval of the Secretary, gain or loss shall be recognized or not recognized—

(A) to the extent that it was recognized or not recognized in the final determination of the tax of such person for such taxable year, if such tax was finally determined prior to the ninetieth day after the date of the enactment of the Revenue Act of 1943; or

(B) in cases to which subparagraph (A) is not applicable, to the extent that it would be recognized or not recognized under the latest treatment of such exchange by such person prior to December 15, 1943, in connection with his tax liability for such taxable year.

* * * * *

(c) *Effective date.* * * * Provisions having the effect of the amendments made by subsection (b), * * * shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1931.

§ 29.112 (l)–1 *Exchange in connection with reorganization of insolvent corporation*—(a) *In general.* Section 112 (l) and so much of section 112 (c) and (e) as relates to section 112 (l) prescribe the rules relative to the recognition of gain or loss upon certain exchanges made by the holders of stock or securities of an insolvent corporation in connection with a reorganization described in section 112 (b) (10) or so much of section 112 (d) or (e) as relates to section 112 (b) (10). Under the general rule prescribed in section 112 (l) (1), no gain or loss shall be recognized if, pursuant to the plan of reorganization, stock or securities in the insolvent corporation are exchanged solely for stock or securities in the corporation organized or made use of to effectuate such plan. If, in addition to such stock or securities, other property or money is received upon such exchange, gain is recognized to the extent of such other property or money (section 112 (c)), but no loss is recognized (section 112 (e)). Section 112 (l) (2) imposes limitations upon the application of section 112 (l) (1) and so much of section 112 (c) and (e) as relates to section 112 (l) (1) in certain cases in which the exchange occurred in a taxable year beginning before January 1, 1943. As to the basis of the stock or securities or other property acquired upon an exchange under section 112 (l), see section 113 (a) (6).

By thus characterizing as an exchange, and regarding as a single taxable event, the event or series of events resulting in the relinquishment or extinguishment of the stock or securities in the old corporation and the acquisition in consideration thereof, in whole or in part, of stock or securities in the new corporation, the Code secures uniformity of treatment for the participating security holders, regardless of the particular steps or the procedural devices by which such exchange is effected. Thus the transaction which qualifies as a reorganization under section 112 (b) (10) may take one of several forms. In a typical creditors' reorganization there may be a transfer of the property of the old corporation to its bondholders, or the bondholders committee, upon surrender of the bonds, followed by the transfer of such property to the new corporation in consideration of stock in the latter; or there may be a transfer of the bonds to the new corporation in exchange for its stock or securities, followed by the transfer of the property of the old corporation in consideration of the surrender of its bonds. In either event, section 112 (l) treats the result to the participating security holders as an exchange of the securities of the old corporation for securities of the new corporation. In order, however, to qualify as an exchange under section 112 (l) or so much of section 112 (c) or (e) as relates to section 112 (l) the various events resulting in the relinquishment or extinguishment of the old securities and the acquisition of the new securities must be embraced within the plan of reorganization and must be undertaken for reasons germane to the plan. If the event, or series of events, qualifies as an exchange under section 112 (l) or so much of section 112 (c) or (e) as relates to section 112 (l), no antecedent event necessarily a component of the relinquishment or extinguishment of the securities of the old corporation in consideration of the acquisition of the securities of the new corporation shall be considered a transaction or event having consequences for income or excess profits tax purposes.

(b) *Exchange solely for stock or securities.* Section 112 (l) (1) provides that no gain or loss shall be recognized upon an exchange consisting of the relinquishment or extinguishment of stock or securities in an insolvent corporation described in section 112 (b) (10), or so much of section 112 (d) or (e) as relates to section 112 (b) (10), in consideration of the acquisition solely of stock or securities in a corporation organized or made use of to effectuate the plan of reorganization.

As used in section 112 (l) and this section the term security does not include a short-term note.

(c) *Exchanges for stock or securities* to section 112 (l) (1), where such exchange would be within section 112 (l) if it were not for the fact that the property received in the exchange consists not only of stock or securities in the corporation organized or made use of to effectuate the plan of reorganization, but also of other property or money, then:

(1) As provided in section 112 (c) (1), the gain, if any, to the taxpayer will be recognized in an amount not in excess of the sum of money and the fair market value of the other property but

(2) The loss, if any, to the taxpayer from such an exchange is not to be recognized to any extent (see section 112 (e)).

If the distribution of such other property or money by or on behalf of a corporation in the course of a reorganization described in section 112 (b) (10) has the effect of the distribution of a taxable dividend, then, as provided in section 112 (c) (2), there shall be taxed to each distributee (1) as a dividend, such amount of the gain recognized on the exchange as is not in excess of the distributee's ratable share of the undistributed earnings and profits of the corporation accumulated after February 28, 1913, and (2) as a gain from the exchange of property, the remainder of the gain so recognized.

Consideration received in the form of an assumption of liabilities is to be treated as "other property or money" for the purposes of so much of section 112 (c) as relates to section 112 (l).

§ 29.112 (l)–2 *Recognition of gain or loss upon exchange in taxable year beginning prior to January 1, 1943*—(a) *Final determination of tax liability prior to May 25, 1944.* Section 112 (l) (2) prescribes special rules relative to the recognition of gain or loss upon an exchange described in section 112 (l) (1), or so much of section 112 (c) or (e) as relates to section 112 (l) (1), where such exchange occurred in a taxable year of a taxpayer beginning before January 1, 1943. For such purposes the statute distinguishes between cases in which there was a final determination of the tax liability prior to May 25, 1944, and cases in which there was no such final determination.

Subparagraph (A) of section 112 (l) (2) provides that if an exchange described in section 112 (l) (1), or so much of section 112 (c) or (e) as relates to section 112 (l) (1), occurred in a taxable year beginning prior to January 1, 1943, and the tax liability of the taxpayer for such taxable year was finally determined prior to May 25, 1944, the recognition or nonrecognition or gain or loss upon such exchange shall be determined in accordance with the facts as to recognition or nonrecognition under such final determination. Gain or loss shall be recognized in the amount in fact recognized in such final determination. If no gain or loss was in fact recognized in such final determination, then no gain or loss shall be recognized under section 112 (l).

For the purposes of this section, there is a final determination of the tax liability for a taxable year if an adjustment of the tax for such taxable year is prevented by: (1) A decision of the Board of Tax Appeals or The Tax Court, which has become final; (2) a judgment, decree, or other order by any court of competent jurisdiction, which has become final; (3) a closing agreement under section 3760; (4) a compromise under section 3761; or (5) the expiration of the period of limitations upon the assessment of a deficiency and upon the refund or credit of an overpayment.

The date upon which a decision by the Board of Tax Appeals or The Tax Court becomes final is prescribed in section 1140.

The date upon which the judgment of a court becomes final must be determined upon the basis of the facts in the particular case. Ordinarily, a judgment of a United States District Court becomes final upon the expiration of the time allowed for taking an appeal, if no such appeal is duly taken within such time; and a judgment of the United States Court of Claims becomes final upon the expiration of the time allowed for filing a petition for certiorari, if no such petition is duly filed within such time.

A determination under a closing agreement becomes final on the date of its approval by the Secretary, the Under Secretary, or an Assistant Secretary.

A determination under a compromise becomes final upon the date of mailing to the taxpayer, or his duly authorized representative, of the notice of acceptance of the offer in compromise.

For periods of limitation upon the assessment and collection of deficiencies, see sections 275 to 277, inclusive; and for periods of limitation upon the allowance of a refund or credit of an overpayment, see section 322.

The fact that an adjustment in the tax liability for the taxable year may be made under a special statute of limitations, as in the case of a claim for refund under section 322 (b) (5), or under a provision such as section 734 or 3801, does not prevent a determination from becoming final within the meaning of this section.

(b) *No final determination prior to May 25, 1944.* If an exchange described in section 112 (l) (1), or so much of section 112 (c) or (e) as relates to section 112 (l) (1), occurred in a taxable year beginning prior to January 1, 1943, and the tax for such taxable year was not finally determined prior to May 25, 1944, the recognition or nonrecognition of gain or loss shall depend upon the position last maintained by the taxpayer, prior to December 15, 1943, relative to the character of such exchange as one in which the entire amount of gain or loss is recognized or one in which all or a part of the gain or loss is not recognized. For the purposes of this section, such position must have been formally maintained by the taxpayer in his return or amended return for the taxable year, in a claim for refund, in a proceeding before a court or The Tax Court or the Board of Tax Appeals, or in some formal action taken in connection with a determination or proposed determination of his tax liability for such taxable year. If the taxpayer formally maintained that such exchange constituted a transaction upon which the entire amount of the gain or loss is recognized, then gain or loss, in the amount realized upon such exchange, shall be recognized. If the taxpayer formally maintained that such exchange constituted a transaction upon which all or a part of the gain or loss is not recognized, then gain or loss shall not be recognized except to the extent that gain is recognized under section 112 (c).

§ 29.112 (l)–3 *Records to be kept and information to be filed.* Every taxpayer who receives stock or securities and other property or money upon an exchange described in section 112 (l), or so much of section 112 (c) or (e) as relates thereto, in connection with a corporate reorganization, shall furnish a complete statement of all facts pertinent to the recognition or nonrecognition of gain or loss upon such exchange, including:

(1) A statement of the cost or other basis of the stock or securities transferred in the exchange, and

(2) A statement in full of the amount of stock or securities and other property or money received from the exchange, including any liability assumed upon the exchange. The amount of each kind of stock or securities and other property (other than liabilities assumed upon the exchange) received shall be set forth upon the basis of the fair market value thereof at the date of the exchange.

If the exchange occurs in a taxable year beginning after December 31, 1943, the statement shall be incorporated in the taxpayer's income tax return for such taxable year. If the exchange occurred in a taxable year beginning prior to January 1, 1944, then:

(1) If the information is pertinent to the determination of the tax liability for a taxable year beginning prior to January 1, 1944, the statement shall be furnished at the time the taxpayer claims the benefit of section 112 (l), or if no such claim is made, within 30 days from the date of a request by the Commissioner or his duly authorized representative; or

(2) If the information is pertinent to the determination of the tax liability for a taxable year beginning after December 31, 1943, the statement shall be incorporated in the taxpayer's income tax return for such taxable year.

Permanent records in substantial form shall be kept by every taxpayer who participates in an exchange described in section 112 (l), or so much of section

112 (c) or (e) as relates thereto, showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange.

PAR. 13. Section 29.113 (a)-1 is amended by striking out "29.113 (a) (21)-1" and inserting in lieu thereof "29.113 (a) (22)-1".

PAR. 14. Section 29.113 (a)-2 is amended by striking out "113 (a) (21)" and inserting in lieu thereof "113 (a) (22)".

PAR. 15. There is inserted immediately preceding § 29.113 (a) (6)-1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

* * * * *

(c) *Basis.* Section 113 (a) (relating to basis of property) is amended—

(1) By inserting after "112 (b) to (e), inclusive," in paragraph (6) the following: "or section 112 (l).";

(2) By inserting after "property permitted by section 112 (b)" in paragraph (6) the following: "or section 112 (l)"; and

* * * * *

(e) *Effective date.* * * * Provisions having the effect of the amendments made by * * * subsection (c) (1) and (2), * * * shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1931.

PAR. 16. Section 29.113 (a) (6)-1 is amended as follows:

(A) By striking out "section 112 (b)" wherever appearing therein and inserting in lieu thereof "112 (b) or (l)".

(B) By striking out "section 112 (c) or (d)" wherever appearing therein and inserting in lieu thereof "section 112 (c), (d), or (l)".

PAR. 17. Section 29.113 (a) (7)-1 is amended by striking out "section 112" wherever appearing therein and inserting in lieu thereof "section 112 (g), or a corresponding provision of a prior revenue act,".

PAR 18. There is inserted immediately after § 29.113 (a) (21)-1 the following:

SEC. 121. REORGANIZATION OF CERTAIN INSOLVENT CORPORATIONS. (Revenue Act of 1943.)

* * * * *

(c) *Basis.* Section 113 (a) (relating to basis of property) is amended—

* * * * *

(3) By inserting after paragraph (21) the following:

(22) Property acquired on reorganization of certain corporations.—If the property was acquired by a corporation upon a transfer to which section 112 (b) (10), or so much of section 112 (d) or (e) as relates to section 112 (b) (10), is applicable, then, notwithstanding the provisions of section 270 of the National Bankruptcy Act, as amended, the basis in the hands of the acquiring corporation shall be the same as it would be in the hands of the corporation whose property was so acquired, increased in the amount of gain recognized to the corporation whose property was so acquired under the law applicable to the year in which the acquisition occurred, and such basis shall not be adjusted under subsection (b) (3) by reason of a discharge of indebtedness pursuant to the plan of reorganization under which such transfer was made.

* * * * *

(e) *Effective date.* Provisions having the effect of the amendments made by * * * subsection (c) (3), * * * shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1933, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1943. * * *

§ 29.113 (a) (22)-1 *Basis of property acquired by corporation as result of certain bankruptcy or receivership proceedings.* If, as the result of a transaction described in section 112 (b) (10), or so much of section 112 (d) or (e) as relates thereto, the property of an insolvent corporation is transferred, in pursuance of a plan of reorganization, to a corporation organized or made use of to effectuate such plan, the basis of such property in the hands of the acquiring corporation is the same as it would be in the hands of the insolvent corporation, increased in the amount of gain recognized upon such transfer under the law applicable to the year in which the transfer was made. In any such case, the adjustments to basis provided by section 270 of the National Bankruptcy Act, as amended, or section 113 (b) (3) of the Code, shall not be made in respect of any indebtedness cancelled pursuant to the plan of reorganization under which the transfer was made. If the transaction falls within the provisions of section 113 (a) (22), the basis of the property involved shall be determined pursuant to such provisions, notwithstanding that the transaction might otherwise fall within another provision of section 113 (a).

The provisions of section 113 (a) (22) are applicable in the determination of basis for all taxable years beginning after December 31, 1933, except that the basis so determined shall not be given effect in the determination of the tax liability for any taxable year beginning prior to January 1, 1943. With the exception indicated, the basis so prescribed is applicable both for income and excess profits tax purposes from the date of acquisition of such property.

Example (1). On January 1, 1935, the Y Corporation, a taxpayer making its returns on the calendar year basis, acquired depreciable property from the X Corporation as the result of a transaction described in section 113 (a) (22). On January 1, 1935, the property had, in the hands of the X Corporation, a basis of $200,000, an adjusted basis of $150,000, a fair market value as of January 1, 1935, of $80,000, and an estimated remaining life of 20 years. The 1935 transaction was treated as a taxable exchange and, accordingly, the Y Corporation claimed and was allowed depreciation in the amount of $4,000 for each of the nine taxable years 1935 through 1943, inclusive. On June 30, 1944, the property was sold for $40,000, cash. The amount of the loss sustained upon the sale is computed as follows:

Basis to Y Corporation (section 113 (a) (22))		$200,000
Adjustment for depreciation in the hands of X Corporation (section 113 (b))		50,000
Adjusted basis for depreciation in the hands of Y Corporation		$150,000
Deduct: Depreciation sustained in amount of $7,500 per year (1/20 of $150,000) for nine and one-half years, from January 1, 1935, through June 30, 1944		71,250
Adjusted basis for computing gain or loss		78,750
Sale price		40,000
Loss sustained		38,750

For the taxable years 1943 and 1944, the Y Corporation is entitled to deductions for depreciation in respect of such property in the amounts of $7,500 and $3,750, respectively, in the determination of its tax liabilities for such years. But no change in the tax liability is authorized for preceding taxable years by reason of the difference between the $7,500 depreciation sustained and the $4,000 deduction previously allowed.

Example (2). Assume the same facts as in example (1), except that the property acquired by the Y Corporation had a fair market value as of January 1, 1935, of $180,000, instead of $80,000, and that the Y Corporation claimed and was allowed depreciation in the amount of $9,000 for each of the 8 taxable years 1935 to 1942, inclusive, and in the amount of $7,500 for the taxable year 1943. In such case, the amount of the loss sustained upon the sale of the property would be computed as follows:

Adjusted basis for depreciation in the hands of Y Corporation as computed in example (1)		$150,000
Deduct:		
(1) Depreciation allowed in the amount of $9,000 per year for eight years, January 1, 1935 to December 31, 1942	$72,000	
(2) Depreciation allowable for taxable years 1943 and 1944 (1½ times $7,500)	11,250	
		83,250
Adjusted basis for computing gain or loss		66,750
Sale price		40,000
Loss sustained		26,750

No change in the tax liability is authorized for taxable years preceding 1943 by reason of the difference between the $7,500 depreciation sustained and the $9,000 deduction previously allowed.

PAR. 19. Section 29.113 (b) (1)-1 is amended by striking out of the first paragraph "section 113 (a) (1) to (21)" and inserting in lieu thereof "section 113 (a) (1) to (22)".

PAR. 20. Section 29.113 (b) (1)-2 is amended by striking out the first sentence and inserting in lieu thereof the following:

In addition to the adjustments provided in section 113 (b) (1) and § 29.113 (b) (1)-1 which are required to be made with respect to the cost or other basis of property, a further adjustment is required in certain cases in which there has been a cancellation or reduction of indebtedness in a proceeding under the Bankruptcy Act, as amended. Except as otherwise provided in section 113 (a) (21) or (22), or 113 (b) (4), such further adjustment shall be made in any case in which there shall have been a cancellation or reduction of indebtedness in any proceeding under section 12, 74

(except in the case of a "wage earner", as defined in the Bankruptcy Act, as amended), or 77B or under Chapter X, XI, XII of the Bankruptcy Act of 1898, as amended.

PAR. 21. The first sentence of § 29.113 (b) (3)–1 is amended to read as follows:

In addition to the adjustments provided in section 112 (b) (1) and § 29.113 (b) (1)–1 which are required to be made with respect to the cost or other basis of property, and except as otherwise provided in section 113 (a) (21) or (22), or 113 (b) (4), a further adjustment shall be made in any case in which there shall have been an exclusion from gross income under section 22 (b) (9) on account of the discharge of indebtedness of a corporation during the taxable year.

PAR. 22. Section 29.115–11 as amended by Treasury Decision 5304, approved November 12, 1943, is further amended as follows:

(A) By inserting immediately after subparagraph (4) of the third paragraph thereof the following:

(5) The distribution, in a taxable year of the distributee beginning after December 31, 1931, by or on behalf of an insolvent corporation, in connection with a section 112 (b) (10) reorganization, of stock or securities in a corporation organized or made use of to effectuate the plan of reorganization, if under section 112 (1) no gain to the distributee from the receipt of such stock or securities was recognized by law.

(B) By striking out of the third paragraph thereof "or (4)" and inserting in lieu thereof "(4), or (5)."

(C) By striking out of the third paragraph thereof "or (3)" and inserting in lieu thereof "(3), or (5)".

PAR. 23. To the extent necessary to accord with section 121 of the Revenue Act of 1943 as applicable to taxable years beginning prior to January 1, 1942, the amendments to, or additions of, §§ 29.112 (a)–1, 29.112 (c)–1, 29.112 (l)–1, (l)–2, and (l)–3, 29.113 (a) (6)–1, and 29.115–11 of Regulations 111 (covering taxable years beginning after December 31, 1941), set forth in this Treasury decision are hereby made applicable to taxable years beginning prior to January 1, 1942, and after December 31, 1931 (such years being covered by Regulations 103, 101, 94, 86, and 77); and the amendments to, or additions of, §§ 29.112 (b) (10)–1, 29.112 (e)–1, 29.112 (g)–1, 29.112 (k)–1, 29.113 (a)–1 and (a)–2, 29.113 (a) (7)–1, 29.113 (a) (22)–1, 29.113 (b) (1)–1 and (b) (1)–2, and 29.113 (b) (3)–1 of Regulations 111 set forth in this Treasury decision are hereby made applicable to taxable years beginning prior to January 1, 1942, and after December 31, 1933 (such years being covered by Regulations 103, 101, 94, and 86).

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62), corresponding provisions of prior revenue laws, and sec. 121 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: September 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44–13709; Filed, Sept. 6, 1944; 12:17 p. m.]

[T. D. 5403]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

PENALTIES IN CONNECTION WITH ESTIMATED TAX

In order to conform Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] to section 118 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. Section 29.58–1 added by Treasury Decision 5305, approved November 12, 1943, is amended by striking "294 (a)" from the next to the last sentence of paragraph (a) and inserting in lieu thereof "294 (d)".

PAR. 2. Section 29.58–2, added by Treasury Decision 5305, is amended by striking from the second sentence of the second paragraph of paragraph (a) "taxable year", which occurs twice in such sentence, and inserting in lieu thereof "calendar year 1943".

PAR. 3. There is inserted immediately after section 60 the following:

SEC. 118. PENALTIES IN CONNECTION WITH ESTIMATED TAX. (Revenue Act of 1943.)

* * * * *

(b) *Technical amendment.* Section 60 (b) (relating to the application of declarations of estimated tax to short taxable years) is amended by striking out "294 (a) (3), (4), and (5)" and inserting in lieu thereof "294 (d)".

(c) *Taxable years to which applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1942.

PAR. 4. There is inserted immediately after section 294 the following:

SEC. 118. PENALTIES IN CONNECTION WITH ESTIMATED TAX. (Revenue Act of 1943.)

(a) *In general.* Section 294 (relating to additions to the tax) is amended by striking out paragraphs (3), (4), and (5) of subsection (a) and inserting at the end thereof the following:

(d) *Estimated tax*—(1) *Failure to file declaration or pay installment of estimated tax*—(A) *Failure to file declaration.* In the case of a failure to make and file a declaration of estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 per centum of each installment due but unpaid, and in addition, with respect to each such installment due but unpaid, 1 per centum of the unpaid amount thereof for each month (except the first) or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed 10 per centum of the unpaid portion of such installment. For the purposes of this subparagraph each installment shall be considered to be an amount equal to the amount that would have been due and payable if a declaration showing an estimated tax in the amount of the correct tax had been timely filed, and one such installment shall be considered due on the fifteenth day of the last month of that quarter of the taxable year in which the declaration is required to be filed, and another such installment shall be considered due on the fifteenth day of the last month of each succeeding quarter of the taxable year.

(B) *Failure to pay installments of estimated tax declared.* Where a declaration of estimated tax has been made and filed within the time prescribed, or where a declaration of estimated tax has been made and filed after the time prescribed and the Commissioner has found that failure to make and file such declaration within the time prescribed was due to reasonable cause and not to willful neglect, in the case of a failure to pay an installment of the estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 per centum of the unpaid amount of such installment, and in addition 1 per centum of such unpaid amount for each month (except the first) or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed 10 per centum of the unpaid portion of such installment.

(2) *Substantial underestimate of estimated tax.* If 80 per centum of the tax (determined without regard to the credits under sections 32, 35, and 466 (e)), in the case of individuals other than farmers exercising an election under section 60 (a), or 66⅔ per centum of such tax so determined in the case of such farmers, exceeds the estimated tax (increased by such credits), there shall be added to the tax an amount equal to such excess, or equal to 6 per centum of the amount by which such tax so determined exceeds the estimated tax so increased, whichever is the lesser. This paragraph shall not apply to the taxable year in which falls the death of the taxpayer, nor, under regulations prescribed by the Commissioner with the approval of the Secretary, shall it apply to the taxable year in which the taxpayer makes a timely payment of estimated tax within or before each quarter (excluding, in case the taxable year begins in 1943, any quarter beginning prior to July 1, 1943) of such year (or in the case of farmers exercising an election under section 60 (a), within the last quarter) in an amount at least as great as though computed (under such regulations) on the basis of the taxpayer's status with respect to the personal exemption and credit for dependents on the date of the filing of the declaration for such taxable year (or in the case of any such farmer, or in case the fifteenth day of the third month of the taxable year occurs after July 1, on July 1 of the taxable year) but otherwise on the basis of the facts shown on his return for the preceding taxable year.

* * * * *

(c) *Taxable years to which applicable.* The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1942.

PAR. 5. Section 29.294–1, added by Treasury Decision 5305, is amended to read as follows:

§ 29.294–1 *Additions to the tax*—(a) *General.* Section 294 (d) provides for certain additions to the tax in the case of:

(1) Failure to file timely a declaration of estimated tax;

(2) Failure to pay within the time prescribed any installment of declared estimated tax; and

(3) Substantial underestimate of the estimated tax.

These additions to the tax are in addition to any applicable criminal penalties.

(b) *Additions for specific failures on the part of the taxpayer with respect to the estimated tax*—(1) *Failure to file declaration.* Section 294 (d) (1) (A) provides for an addition to the tax in the case of a failure to make and file a declaration of estimated tax within the time prescribed unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not due to willful neglect. Such addition to the tax shall be in an amount equal to 5 percent of the unpaid amount of each installment and in addition 1 percent of the unpaid amount of the installment for each month (except the first) or fraction thereof during which such amount remains unpaid. Such addition to the tax with respect to any installment due but unpaid shall not exceed 10 percent of the unpaid portion of such installment. For the purpose of determining the addition to the tax under sections 294 (d) (1) (A) each installment shall be considered to be an amount equal to the amount that would have been due and payable if a declaration showing an estimated tax in the amount of the correct tax imposed by Chapter 1 for the taxable year had been timely filed, and one such installment shall be considered due on the 15th day of the last month of that quarter of the taxable year in which the declaration is required to be filed, and another such installment shall be considered due on the 15th day of the last month of each succeeding quarter of the taxable year.

The application of section 294 (d) (1) (A) for taxable years beginning in 1943 in the case of taxpayers not entitled to elect under section 60 (a), relating to farmers, may be illustrated by the following examples:

Example (1). An individual filed a declaration on November 15, 1943, for the calendar year 1943, disclosing an estimated tax of $2,400, and paid installments of $700 each on November 15 and December 15, 1943. He had made payments of $500 each on March 15 and June 15, 1943, on account of tax for 1942 for which he claimed credit as payments on account of estimated tax. On March 15, 1944, he filed a return on Form 1040 showing a correct tax, without regard to section 6 of the Current Tax Payment Act of 1943, of $4,000 and paid the balance of the tax due, $1,600. Examination of his return disclosed that his entire income consisted of dividends and interest. The failure to file a timely declaration was not due to reasonable cause. Hence the individual is subject to the penalty imposed by section 294 (d) (1) (A). Under the facts assumed, installments of tax in the amount of $1,500 each were due and payable on September 15 and December 15, 1943, that is, one-half of $3,000, the balance of correct tax remaining after taking into account the two payments of $500 each made on March 15 and June 15, 1943, respectively. The entire amount of the September installment of $1,500 remained unpaid for two months; $800 of the same installment remained unpaid for four months; and $800 of the December installment remained unpaid for three months. The addition to the tax under section 294 (d) (1) (A), subject to the limitation of 10 percent of the unpaid amount of each installment, is computed as follows:

Unpaid amount		Percentage	Penalty before limitation	10% limitation	Addition to tax
Sept.	$1,500	5% plus 1%	$90		
	800	4 times 1%	32		
			122	$150	$122
Dec.	800	5% plus 2%	56	80	56
Total addition to tax under section 294 (d) (1) (A).					178

Example (2). A and B, husband and wife, are each required to file a declaration of estimated tax on or before September 15, 1943, for the calendar year 1943, but without reasonable cause fail to do so until October 15, 1943. Upon the latter date A and B file separate declarations. On the same date and also on December 15 of such year A pays $200 and B pays $50 as installments of estimated tax. A claims $100 as payment on account of estimated tax for two installments of $50 each paid on March 15 and June 15, 1943, respectively, as installments of tax for 1942. B likewise claimed $50 as payment on account of estimated tax for two installments of $25 each paid on March 15 and June 15, 1943, respectively, as installments of tax for 1942. On March 15, 1944, A and B file a joint return for the calendar year 1943, showing a correct tax without regard to section 6 of the Current Tax Payment Act of 1943 in the amount of $750 after credit for tax withheld at source. Under section 294 (d) (1) (A) the addition to such tax for failure to file declarations until October 15, 1943, would be $21, that is, the sum of (1) 5 percent of $300, the amount of the first installment of the correct tax which was unpaid for one month, (2) 5 times 1 percent of $50, the amount of the installment of the correct tax which was unpaid for six months, (3) 5 percent of $50, the amount of the second installment of the correct tax which was unpaid for one month, and (4) twice 1 percent of $50 the amount of the second installment of the correct tax which was unpaid for three months.

Example (3). On September 30, 1943, C and D file a joint declaration for the calendar year 1943. The delay was not due to reasonable cause. They file separate income tax returns for that year. C's correct tax for 1943, without regard to section 6 of the Current Tax Payment Act of 1943, amounts to $550, and D's correct tax for that year, similarly determined, amounts to $250. C and D declared $900 as their estimated tax. They claimed $100 as payments on account of estimated tax for two installments of $50 each paid on March 15 and June 15, 1943, respectively, as installments of tax for 1942 on the basis of a joint return filed for that year. They paid two installments of estimated tax of $400 each on September 30 and December 15, 1943. C and D are jointly liable for the addition to the tax for failure to file a timely declaration in the amount of $17.50, computed as follows:

C's correct tax	$550
D's correct tax	250
Total	$800
Less: Payments made on account of tax for 1942	100
Balance	$700
Balance divided by 2 (number of installments due)	$350
Addition to the tax (5% of $350)	$17.50

(2) *Failure to pay installment of declared estimated tax.* Section 294 (d) (1) (B) provides for an addition to the tax in the case of the failure to pay an installment of the declared estimated tax within the time prescribed unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not due to willful neglect. Such addition to the tax is applicable to delinquency in payment only (1) where a timely declaration of estimated tax has been made and filed or (2) where the Commissioner has found that the failure to make and file a timely declaration was due to reasonable cause and not to willful neglect. Such addition to the tax shall be in an amount equal to 5 percent of the unpaid amount of each installment of declared estimated tax and in addition 1 percent of such unpaid amount for each month (except the first) or fraction thereof during which such amount remains unpaid. The addition to the tax is limited with respect to any installment due but unpaid to 10 percent of the unpaid portion of such installment. Such addition to the tax is not applicable in cases to which the addition to the tax under section 294 (d) (1) (A) applies.

The application of section 294 (d) (1) (B) for taxable years beginning in 1943 in the case of taxpayers not entitled to elect under section 60 (a), relating to farmers, may be illustrated by the following examples:

Example (1). For the calendar year 1943 E and F, husband and wife, file timely declarations. E's separate declaration discloses a balance of estimated tax in the amount of $200. Instead of making timely payment of one installment of $100, he pays such amount ten days after the due date. The delay in payment was not due to reasonable cause. F is similarly delinquent with respect to one installment of $50 of her balance of estimated tax of $100. On the joint return of E and F for 1943 the addition to the tax with respect to the delinquent installments of estimated tax will be $7.50, which is the sum of 5 percent of $100 and 5 percent of $50.

Example (2). The timely joint declaration of G and H for the calendar year 1943 discloses a balance of estimated tax in the amount of $250. G and H are delinquent without reasonable cause for a period of less than one month in the payment of one installment of $125. They file separate income tax returns for 1943. They are jointly and severally liable for the payment of the addition to the tax for delay in paying an installment of estimated tax. Such addition amounts to $6.25, that is, 5 percent of $125.

(3) *Substantial understatement of estimated tax.* Section 294 (d) (2) provides for an addition to the tax in the case of a taxpayer who makes a substan-

tial underestimate of tax on his declaration. Such addition to the tax shall not apply to the taxable year in which falls the death of the taxpayer.

For taxable years beginning in 1943, except as hereinafter provided:

(i) In the case of individuals, other than those exercising the election under section 60 (a), relating to farmers, an addition to the tax under section 294 (d) (2) is applicable in the event that the amount of the estimated tax (increased by the amounts of the credits for taxes withheld at source under sections 143, 1622 and 466) is less than 80 percent of the tax imposed by Chapter 1 for the taxable year (determined without regard to such credits). In the event of a failure to file the required declaration, the amount of the estimated tax for the purposes of this provision is zero.

(ii) In the case of individuals exercising the election under section 60 (a), relating to farmers, the addition to the tax is applicable if the amount of the estimated tax increased by the amount of the credit for taxes withheld at source on wages and the credit under section 32 is less than 66⅔ percent of the amount of the tax (determined without regard to such credits).

(iii) The addition to the tax in any case in which there has been such underestimate as comes within the scope of section 294 (d) (2) is an amount equal to:

(*a*) The excess of 80 percent of the tax (or 66⅔ percent, in the case of farmers exercising the option under section 60 (a)) determined without regard to the credits under sections 32, 35, and 466 (e) over the amount of the estimated tax increased by the credits under such sections; or

(*b*) 6 percent of the excess of the tax determined without regard to the credit under sections 32, 35, and 466 (e) over the amount of the estimated tax increased by such credits,

whichever ((*a*) or (*b*)) is the lesser.

The addition to the tax for substantial underestimate of the estimated tax shall not apply to the taxable year in which the taxpayer makes a timely payment of estimated tax within or before each quarter of such year in an amount at least as great as though such estimated tax were computed under the law applicable to the taxable year on the basis of the taxpayer's status with respect to the personal exemption and credit for dependents on the date of filing the declaration, or on July 1 where the 15th day of the third month of the taxable year occurs after July 1, and on the basis of the tax withheld, and reasonably expected on the date of the filing of the declaration to be withheld, on wages received during the calendar year ending with or within the taxable year, but otherwise as though such estimated tax were computed on the basis of the normal tax net income, the surtax net income, and the Victory tax net income, shown on the taxpayer's return for the preceding taxable year, adjusted to conform to the law applicable to the taxable year. The normal tax net income, the surtax net income, and the Victory tax net income, shown on the taxpayer's return for the preceding taxable year shall be considered to be zero for the purposes of this section if for such year the taxpayer did not file a return and was not required to file a return. In the case of farmers exercising an election under section 60 (a), such addition to the tax shall not apply to the taxable year in which the taxpayer makes a timely payment of estimated tax within the last quarter of such year in an amount at least as great as though computed under the law applicable to the taxable year on the basis of the taxpayer's status with respect to the personal exemption and credit for dependents on July 1 of the taxable year or if the taxable year does not include July 1, on the date of filing the declaration, but otherwise as though computed on the basis of the normal tax net income, the surtax net income, and the Victory tax net income shown on the taxpayer's return for the preceding taxable year, adjusted to conform to the law applicable to the taxable year. In the case of a taxable year beginning in 1943, those quarters of the taxable year which began before July 1, 1943, are excluded for the purpose of determining the application of the relief provision under section 294 (d) (2).

The application of section 294 (d) (2) for a taxable year beginning in 1943 in the case of taxpayers not entitled to elect under section 60 (a), relating to farmers, may be illustrated by the following examples:

Example (1). A, a professional man, on January 10, 1943, made a return for the calendar year 1942 as the head of a family. On January 14, 1943, the facts making A the head of a family ceased to exist. On September 15, 1943, A filed a declaration of estimated tax on which estimated income and Victory tax for 1943 is shown in the amount of $8,000; estimated income and Victory tax withheld, none; estimated tax $8,000; total payments to collector in March and June, 1943, on account of 1942 tax, $3,044; and an unpaid balance of estimated tax, $4,956. He made payment of the unpaid balance of estimated tax in two installments of $2,478 each on September 15, 1943, and December 15, 1943. As a result of a transaction occurring on December 27, 1943, A received taxable income in an amount which made him subject to a combined normal tax, surtax, and Victory tax for the calendar year 1943 in the amount of $15,000. A's tax at 1943 rates on 1942 income, including $20,000 earned net income, amounts to $6,642, computed as follows:

Gross income shown on return for 1942	$24,624
Less: Deductions	6,724
Net income	$17,900
Less: Personal exemption	500
Income subject to surtax	$17,400
Less: Earned income credit	1,400
Income subject to normal tax	$16,000
Gross income (no Victory tax deductions)	$24,624
Less: Victory tax exemption	624
Victory tax net income	$24,000

Computation of tax:

Normal tax at 6% on $16,000	$960
Surtax on $17,400	4,782
Victory tax at 3.75 percent on $24,000	900
Estimated tax (computed on basis of 1942 income)	6,642
Less: Payments made on account of 1942 tax	3,044
Balance (½ to be paid on or before Sept. 15, 1943 and ½ on or before Dec. 15, 1943)	3,598

Since the installment which was timely paid within the third quarter of 1943 ($2,478) is at least as great one-half of $3,598, or $1,799, that is, one-half of $6,642 reduced by the amounts paid to the collector, or $3,044 (see section 6 (f) of the Current Tax Payment Act of 1943), and since the installment which was timely paid within the fourth quarter of 1943 is also at least as great as one-half of $3,598, A is not subject to the penalty for underestimating the tax for 1943.

Example (2). C, a single individual, not the head of a family, and with no dependents, received a salary of $5,000 for the calendar year 1942. He had no other income for such calendar year. The only allowable deduction shown on C's income tax return for such calendar year was $200 for contributions. On September 15, 1943, at which time C's status for personal exemption and dependents had not changed, he filed a declaration of estimated tax for the calendar year 1943. In computing his estimated tax he used the gross income, deductions, and credits shown on his 1942 return, adjusted to conform to the law applicable to 1943, and computed a tax of $1,033.30 at 1943 rates, without regard to section 6 of the Current Tax Payment Act of 1943. Since his salary had been increased to $6,000 per annum on January 1, 1943, he computed his estimated income tax withheld and to be withheld during the entire year on the excess of $6,000 over the exemption for withholding of $624 as $672, at the rate of 5 percent for the first half of the year and at the rate of 20 percent for the second half of the year. C's declaration showed an estimated tax of $361.30 and a balance of estimated tax of zero after taking into account the payments C made to the collector on account of tax for 1942 in the amount of $434.60. He received more income in 1943 than anticipated at the time he filed his declaration for 1943, and his correct tax liability for that year after deducting the amount withheld was $800, without regard to section 6 of the Current Tax Payment Act of 1943. The amount reasonably estimated as tax to be withheld on 1943 income plus the amounts paid to the collector on account of C's tax for 1942 satisfied in full the tax computed on the basis of his 1942 income but under the law and at the rates applicable to 1943, and hence C is not subject to the addition to the tax for substantial underestimate of estimated tax, even though the estimate was less than 80 percent of his tax liability for 1943.

(Sec. 118 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.) and sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: September 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-13710; Filed, Sept. 6, 1944; 12:17 p. m.]

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 26]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN HARVESTING POTATOES IN PORTIONS OF SISKIYOU AND MODOC COUNTIES, CALIF.

Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702), and June 1, 1944 (9 F.R. 6035), and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

§ 1102.14 *Wages of workers engaged in picking and other harvesting of potatoes in those portions of the Counties of Siskiyou and Modoc, lying in the Klamath Basin, State of California—(a) Areas, crops, and classes of workers.* Persons engaged in picking and other harvesting of all varieties of potatoes in those portions of the Counties of Siskiyou and Modoc, lying in the Klamath Basin, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943, as amended, on December 9, 1943, and June 1, 1944.

(b) *Wage rates; maximum wage rates for harvesting all varieties of potatoes.* (1) Wage rate for picking potatoes—5¢ per half sack of 60 pounds.

(2) Wage rate for all other harvest labor (swampers, buckers and loaders) but excluding persons engaged in hauling and excluding employees in service with current employer continuously more than 90 days prior to effective date of this specific wage ceiling regulation—$1.10 per hour.

(c) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944, as amended July 8, 1944.

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 26 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944, as amended July 8, 1944, and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 26 and any violation of this specific wage ceiling regulation No. 26 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765; 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 7th day of September 1944.

PHILIP BRUTON,
Director of Labor.

[F. R. Doc. 44-13761; Filed, Sept. 7, 1944; 11:18 a. m.]

[Specific Wage Ceiling Reg. 25]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING POTATOES IN KLAMATH COUNTY, OREG.

§ 1110.2 *Wages of workers engaged in picking and other harvesting of potatoes in Klamath County, Oregon—(a) Areas, crops, and classes of workers.* Persons engaged in picking and other harvesting of all varieties of potatoes in the County of Klamath, State of Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943, as amended, on December 9, 1943, and June 1, 1944.

Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(b) *Wage rates; maximum wage rates for harvesting all varieties of potatoes.* (1) Wage rate for picking potatoes—5¢ per half sack of 60 pounds.

(2) Wage rate for all other harvest labor (Swampers, buckers and loaders) but excluding persons engaged in hauling and excluding employees in service with current employer continuously more than 90 days prior to effective date of this specific wage ceiling regulation—$1.10 per hour.

(c) *Administration.* The Oregon WFA Wage Board located at Room 783, Pittock Block, Portland, Oregon, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944, as amended July 8, 1944.

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 25 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944, as amended July 8, 1944, and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 25 and any violation of this specific wage ceiling regulation No. 25 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 7th day of September 1944.

PHILIP BRUTON,
Director of Labor.

[F. R. Doc. 44-13760; Filed, Sept. 7, 1944; 11:18 a. m.]

[Specific Wage Ceiling Reg. 27]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING APPLES AND PEARS IN HOOD RIVER COUNTY, OREGON

Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702), and June 1, 1944 (9 F.R. 6035), and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

§ 1110.3 *Wages of workers engaged in harvesting apples and pears in Hood River County, Oregon—(a) Areas, crops, and classes of workers.* Persons engaged in picking and other harvesting of all varieties of apples and pears in the County of Hood River, State of Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943, as amended on December 9, 1943, and June 1, 1944.

(b) *Wage rates—Maximum wage rates for picking and other harvesting of all varieties of apples and pears.* (1) Wage rate for picking Bartlett pears:

(i) 10¢ per apple box or Libby Lug, for single picking;

(ii) 11⅓¢ per A. G. A. Lug, for single picking;

(iii) 2¢ more per box may be added to the above rates for size picking;

(2) Wage rates for picking all pears other than Bartlett pears:

(i) 12¢ per apple box or Libby lug, for single picking;

(ii) 13⅓¢ per A. G. A. lug, for single picking;

(3) Wage rates for picking all apples except Newton apples:

(i) 11¢ per apple box or Libby lug;

(ii) 12⅔¢ per A. G. A. lug;

(4) Wage rates for picking Newton apples:

(i) 12¢ per apple box or Libby lug;

(ii) 13⅓¢ per A. G. A. lug;

(5) Wage rates for other harvest labor:

(i) For general orchard work, except truck driving—85¢ per hour;

(ii) For foremen—$1 per hour.

(c) *Administration.* The Oregon WFA Wage Board located at Room 783, Pittock Block, Portland, Oregon, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944, as amended July 8, 1944.

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 27 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944, as amended July 8, 1944, and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 27 and any violation of this specific wage ceiling regulation No. 27 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765; 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 7th day of September, 1944.

PHILIP BRUTON,
Director of Labor.

[F. R. Doc. 44-13762; Filed, Sept. 7, 1944; 11:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3290[1]—TEXTILE, CLOTHING AND LEATHER

[General Preference Order M-37-d, as Amended Sept. 7, 1944]

RAYON YARN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rayon yarn for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.246[1] *General Preference Order M-37-d—(a) General effect of the order.* This order has superseded Supplementary order M-37-c.

(b) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(c) *Definitions.* For the purposes of this order:

(1) "Rayon yarn" means continuous filament rayon yarn made by the viscose, cuprammonium, or acetate process.

(2) "Fine rayon yarn" means rayon yarn of 300 deniers or finer.

(3) "Reserved domestic yarn" means the fine rayon yarn set aside for domestic manufacturers pursuant to the provisions of paragraph (e) of this order.

(4) "Yarn-dyed silk" means silk which was fast dyed before being woven or knitted.

(5) "Producer" means any person who produces rayon yarn.

(6) "Domestic manufacturer" means any person who consumed silk, nylon or rayon in the first six months of 1941.

(7) "Fabric converter" means any person who prior to July 26, 1941, bought silk, nylon or rayon, and caused it to be woven or knit for him on commission.

(8) "Basic monthly poundage" for any month means a poundage in terms of 100 denier rayon yarn equal to the monthly average number of pounds of raw silk (or its thrown silk equivalent) and/or nylon consumed by a person during the first six months of the year 1941. In applying the above definition to a domestic manufacturer, poundage consumed shall refer to the poundage consumed by the domestic manufacturer on his own machinery. In the case of a fabric converter, it shall refer to the poundage knit or woven by others for his account.

(9) "Current factor" for any month means a percentage which shall be established from time to time by the War Production Board. Until such time as a different factor is established, such current factor shall be 85%.

(10) "Current monthly eligibility" means:

(i) A poundage calculated as follows: Multiply the basic monthly poundage by the current manthly factor; or

(ii) A monthly eligibility specifically assigned to a named person by the War Production Board.

(11) "The equivalent of the current monthly eligibility" means a poundage calculated as follows: Divide the current monthly eligibility by 100 and multiply the result by the denier desired, but in no event by more than 200.

(d) *Allocation of certain types of viscose rayon yarn.* No producer shall sell or deliver any rayon yarn of the following types produced by him on or after March 1, 1943, except to persons authorised by the War Production Board to receive delivery of such yarn:

Viscose rayon yarn qualifying as yarn of 250 denier or coarser and having an average tenacity designation of 31 or higher in accordance with Table of Designations attached hereto, irrespective of elongation, in tests made under the following conditions:

(1) Yarns with three turns per inch twist shall be used.

(2) Yarn shall be conditioned until it reaches a regain equilibrium, approached from the dry side, in an atmosphere of 70 degrees Fahrenheit and 57% relative humidity.

(3) The loading rate on a constant-rate-of-loading machine shall be from 30 to 35, inclusive, grams per denier per minute. The loading rate on a pendulum type machine shall not exceed 35 grams per denier per minute.

(4) A denier tolerance of 3%, plus or minus, on deniers of 250 to 300 shall be allowed, based on the average denier of the lot tested. A denier tolerance of 2%, plus or minus, on deniers coarser than 300 shall be allowed, based on the average denier of the lot tested.

Any person desiring to receive deliveries of any such yarn from a producer or from the Defense Supplies Corporation, shall file an application for an allocation for the calendar quarter in which such deliveries are desired on Form PD-739 not later than the fifteenth day of the month preceding the month before the quarter in which such deliveries are desired.

(e) *Allocations of amounts of rayon yarn for domestic manufacturers.* Each producer shall each day set aside, to the extent that he possesses spindles capable of producing such fine rayon yarns:

(1) An amount of fine viscose or cuprammonium yarn equal to the production of 17% of the total number of his active spindles producing viscose or cuprammonium yarns of any denier, excluding from such total the number of spindles the production from which is equivalent to that required for filling rated orders, and for producing rayon yarn of the types specified in paragraph (d).

(2) An amount of fine acetate yarn equal to the production of 6% of the total number of his active spindles producing acetate yarns of any denier, excluding from such total the number of spindles the production from which is equivalent to that required for filling rated orders, and for producing rayon yarn of the types specified in paragraph (d).

The reserved domestic yarn thus set aside shall be selected in various denier sizes so as to yield an average denier equal to or less than the average denier of the fine rayon yarn set aside for silk replacement prior to April 1, 1942.

(f) *Disposition of reserved domestic yarn—(1) Specific allocations.* (i) Until October 31, 1944 the amount of reserved domestic yarn set aside by each producer pursuant to paragraph (e)

[1] Formerly Part 980, § 980.5.

shall be distributed in accordance with the provisions of this order as amended January 27, 1943.

(2) Beginning November 1, 1944, the amounts of reserved domestic yarn set aside by each producer pursuant to paragraph (e) shall be made available by him immediately and without further action by the War Production Board to fill orders of persons having a current monthly eligibility bearing the certification specified in paragraph (f) (4), and such yarn may be delivered only on such orders, except upon written authorization by the War Production Board.

(3) No producer shall deliver any reserved domestic yarn to any fabric converter or domestic manufacturer, and no fabric converter shall deliver any reserved domestic yarn to any domestic manufacturer, except upon orders bearing the certification specified in paragraph (f) (4), and in case such purchaser is a fabric converter unless he shall have also filed with the producer a copy of the order received by him from each commission weaver or knitter who has a current monthly eligibility, and by whom such yarn is to be woven or knit.

(4) Each person who has a current monthly eligibility, or to whom a current monthly eligibility is or has been assigned by the War Production Board, is required to place the following written certification on each order placed by him for reserved domestic yarn:

The undersigned hereby represents to the seller and to the War Production Board that he has a current monthly eligibility of ---------- pounds of rayon
(filled in) 1
yarn (under paragraph (c)(10)(i) of Order M-37-d) or (which was assigned to him by letter of the War Production Board, dated ----------) 2
(filled in)
and that he is entitled to have this order filled out of reserved domestic yarn in accordance with Order M-37-d, as amended, with the terms of which the undersigned is familiar, and that the total quantity of reserved domestic yarn purchased from all sources for delivery during the same month in which the yarn hereby purchased will be delivered does not exceed the equivalent of his current monthly eligibility.

Name of Purchaser

Address
By ---
Signature and title of duly authorized officer.
Date.

(Each person who has a current monthly eligibility because he has a basic monthly poundage as defined in paragraph (c) (8) shall insert statement (1) in the certification. Each person to whom an eligibility was or is assigned by letter of the War Production Board, or whose eligibility was or is at any time revised or determined by letter of the War Production Board, shall insert statement (2) in his certification, setting forth the date of the War Production Board letter.)

(5) The War Production Board will assign a current monthly eligibility to, or increase the current monthly eligibility of, persons who have been receiving allocations of reserved domestic yarn on Form GA-233 (formerly PD-112). The eligibility of each such person who previously had no current monthly eligibility will be established on the basis of the average monthly allocations made to him during the first quarter of 1944. The revised eligibility of each such person already having a current monthly eligibility will be established on the basis of the average monthly allocations made to him during the first quarter of 1944, plus his average monthly purchases of reserved domestic yarn on Form WPB-722 (formerly PD-113) during the same period.

(6) The War Production Board may on application filed by letter assign a current monthly eligibility on a quarterly basis or for a specified period to persons who have a current monthly eligibility and are suffering undue and unreasonable hardships by reason of their inability to procure rayon yarn. No application will be granted unless the applicant shows

(i) That he has procured all the yarn he is entitled to on his current monthly eligibility; and

(ii) That he is unable to procure yarn other than reserved domestic yarn formerly obtainable by him in quantities sufficient to maintain his operations at a rate equal to his average monthly rate during the second half of 1943.

(7) No person whose current monthly eligibility heretofore was, or hereafter is, transferred, revised, reduced, determined, or cancelled by the War Production Board (or Director General for Operations) shall, if his current monthly eligibility was or is wholly transferred or cancelled, order, purchase or accept delivery of any reserved domestic yarn, or, if his current monthly eligibility was or is determined, revised or reduced, order, purchase or accept delivery of any reserved domestic yarn in any month in excess of the current monthly eligibility last established for him by War Production Board letter.

NOTE: Paragraph (f) (2) (iii) redesignated (f) (8) and amended Sept. 7, 1944.

(f) (8) No producer or fabric converter shall make delivery of any such reserved domestic yarn to any person which he knows or has reason to believe will result in the receipt by such person in that calendar month of an amount of reserved domestic yarn in excess of such recipient's equivalent of his current monthly eligibility. No person shall order, purchase, or accept from all sources for delivery in any one calendar month an amount of reserved domestic yarn in excess of the equivalent of his current monthly eligibility. However, any person whose current monthly eligibility amounts to less than one case may purchase and receive one case of reserved domestic yarn in any calendar month, provided he deducts the excess poundage from his purchases of reserved domestic yarn during the next two calendar months.

NOTE: Paragraph (f) (2) (iv) redesignated (f) (9) Sept. 7, 1944.

(f) (9) In making deliveries of such reserved domestic yarn pursuant to subparagraphs (1) and (2) hosiery manufacturers operating knitting machines of 51 gauge and finer producing full-fashioned hosiery, or machines of 360 needle and finer producing seamless hosiery, shall be given first preference in the 50 and 65 denier sizes, and those operating knitting machines of 45 gauge and finer, producing full-fashioned hosiery, or machines of 320 needle and finer, producing seamless hosiery, shall be given first preference in the 75 denier size, such preferences to be granted in the production of any one month on the basis of orders placed with the producer on or before the final date set by such producer for receiving orders to be filled out of such production for such month: *Provided, however,* That nothing in this subparagraph shall relieve the producers from reserving the proper proportions of such denier sizes pursuant to paragraph (e) above. Manufacturers claiming such preferences shall not use any reserved domestic yarn so obtained upon any machines other than those specified herein in granting such preferences.

(g) *Prohibitions against discriminatory action by producers.* In making sales or deliveries of any rayon yarn, no person shall make discriminatory cuts in amounts or quantities between former customers and new customers or between new customers, who meet such person's regularly established prices and terms, and, except as provided in paragraph (f) (9) no person shall discriminate between such former customers, new customers, and his own consumption of such rayon yarn in any capacity. In determining the regular eligibility for rayon yarn other than reserved domestic yarn of customers of any producer (i. e., the amount of the residual supply after providing for reserved domestic yarn which the producer will sell to such customer) in accordance with whatever method consistent with this paragraph is adopted by the producer, amounts of reserved domestic yarn to which any customer may be entitled shall not be considered in computing such regular eligibility nor shall such regular eligibility be diminished by the amounts of such reserved domestic yarn.

(h) *Prohibitions against sale of reserved domestic yarn in yarn form.* No reserved domestic yarn shall be resold or exchanged in yarn form by any domestic manufacturer or fabric converter except upon the specific authorization of the War Production Board.

(i) *Disposition of reserved yarn not delivered in any month.* All reserved domestic yarn set aside pursuant to the provisions of this order shall be distributed in accordance with the provisions of this order, or held by the producer until specifically disposed of or released by the War Production Board.

(j) *Changes of machinery.* In the event that knitting machines, looms or similar fabricating machines which consumed the basic monthly poundage of the domestic manufacturer in the first half of 1941, are, or have been, moved from one location to another, scrapped, their operation discontinued, or their ownership or operation changed, the person or persons concerned shall immediately advise the War Production Board, which shall thereupon take any necessary action in connection therewith, including any appropriate revisions of the basic monthly poundage and current monthly eligibility and the assignment of appropriate basic monthly poundages and current monthly eligibility to any new owners or operators thereof.

(k) *Doubtful cases.* Whenever there is reasonable doubt as to the eligibility of any person to receive reserved domestic yarn hereunder, the matter should be referred for determination to the War Production Board.

(l) *Reports and records.* (1) Each producer with whom Forms GA-233 (formerly PD-112) and WPB-722 (formerly PD-113) are filed in duplicate shall promptly forward to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., one duplicate of each such certificate endorsed as follows: "Supplied by our Order No. ----" filling in the number of such supply order, together with a copy of his letter, or other form, accepting the purchaser's order.

(2) Each producer shall file with the War Production Board monthly allocation reports on Form PD-103, monthly production reports on Form PD-104, and such other reports as may hereafter be required, giving information on the yarn produced, when so required, in terms of the attached table of designations. Each fabric converter and domestic manufacturer shall also file with the War Production Board such reports as may hereafter be required. Each person who has a current monthly eligibility shall report monthly to the War Production Board on Form WPB-3858 his receipts, consumption and inventory of all rayon yarn.

(3) All persons operating under this order shall keep and preserve such certificates and records, including a complete file of invoices covering deliveries of rayon yarn, for not less than two years, as will clearly and adequately show their methods and rates of operation hereunder.

(m) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref: M-37-d.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 7th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE OF DESIGNATIONS

Tenacity designation	Range covered (grams per denier)	Elongation designation	Range covered (percent)
11	1.39 and lower	10	10.5 and less.
15	1.40–1.59	12	10.6–12.9
17	1.60–1.79	14	13.0–14.9.
19	1.80–1.99	16	15.0–16.9.
21	2.00–2.19	18	17.0–18.9.
23	2.20–2.39	20	19.0–20.9.
25	2.40–2.59	22	21.0–22.9.
27	2.60–2.79	24	23.0–24.9.
29	2.80–2.99	26	25.0 and over.
31	3.00–3.19		
33	3.20–3.39		
35	3.40–3.59		
37	3.60–3.79		
39	3.80 and over		

In designating yarn in accordance with the above table, the tenacity designation (an odd number) should be given first and the elongation designation (an even number) should be given next. For example, a yarn of a tenacity of 2.45 grams per denier and with an elongation of 13.6% would be referred to in terms of the above table as Type 25-14.

[F. R. Doc. 44-13750; Filed, Sept. 7, 1944; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[MPR. 157,[1] Incl. Amdts. 1–14]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

This compilation of Maximum Price Regulation No. 157 includes Amendment 14, effective September 11, 1944. The text added by Amendment 14 is underscored.

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales and fabrication of textiles, apparel and related articles used for military purposes at levels which differ from the prices at which such commodities were delivered during March 1942. Such action is required in order to adjust the maximum prices established by the General Maximum Price Regulation[2] (a) to allow for certain increases in labor and material costs which were not reflected in the prices of these commodities being delivered that month, and (b) to allow for increases in all costs directly resulting from changes in specification requirements. The maximum prices established by this regulation are, in the judgment of the Administrator, generally fair and equitable. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.[3]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1[4] issued by the Office of Price Administration, Maximum Price Regulation No. 157 is hereby issued.

AUTHORITY: §§ 1378.1 to 1378.12, inclusive, issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

Sec.
1378.1 Sales and fabrication services covered by this Maximum Price Regulation No. 157.
1378.2 Prohibition against dealing in textiles, apparel and related articles at prices above the maximum.
1378.3 Maximum prices for sales or fabrication of textiles, apparel and related articles for military purposes.
1378.4 Sales of fabrications of textiles, apparel and related articles for military purposes temporarily exempted from price regulation.
1378.4a Exceptions.
1378.5 Less than maximum prices.
1378.6 Evasion.
1378.6a Revoked.
1378.7 Enforcement.
1378.7a Licensing.
1378.8 Records and reports.
1378.8a Transfer of business or stock in trade.

[1] 7 F.R. 4273.
[2] 9 F.R. 1385, 5169, 6106, 10193.
[3] Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.
[4] Revised: 9 F.R. 10476.

Sec.
1378.9 Petitions for amendment.
1378.10 Definitions.
1378.11 Effective date.
1378.12 Effective dates of amendments.
Appendix A—Modification of maximum prices for certain commodities and transactions.

§ 1378.1 *Sales and fabrication services covered by this Maximum Price Regulation No. 157.* (a) This Maximum Price Regulation No. 157 shall apply, except as set forth in paragraph (b) of this section, and the General Maximum Price Regulation shall not apply, to sales or fabrication of textiles, apparel and related articles pursuant to contract with:

(1) Any war procurement agency of the United States government; or

(2) Any person who contracts to sell the purchased or fabricated commodity or a commodity processed therefrom to any war procurement agency of the United States government or to any contractor or subcontractor who physically incorporates such commodity or a commodity processed therefrom in an article being processed for any such war procurement agency: *Provided*, That this Maximum Price Regulation No. 157 shall not apply to any contract for the sale or fabrication of textiles, apparel or related articles unless, at the date of the delivery of goods or supply of fabrication service pursuant thereto, there is an existing contract with a war procurement agency or a subcontract with a prime contractor who has an existing contract with a war procurement agency, and such delivery or supply takes place with reference to the ultimate fulfillment of such existing contract or subcontract.

[Proviso added by Am. 5, 7 F.R. 6004, effective 8-6-42]

(b) The maximum prices established by this Maximum Price Regulation No. 157 shall not apply to any sale or fabrication service for which a maximum price is in effect, at the time of such sale or delivery, under the terms of any other maximum price regulation, schedule or order issued by the Office of Price Administration, except the General Maximum Price Regulation.

(c) (1) As used in this Maximum Price Regulation No. 157, the term "textiles, apparel and related articles" shall mean the following commodities when made in accordance with military specifications:

(i) Yarns, textiles and textile products, except surgical gauze, surgical dressings, medicated adhesive plaster, and related health supplies.

(ii) Leather, fur and products thereof;

(iii) Wearing apparel, including findings, and other individual, organizational, or ship's personnel equipment made in whole or in part of any of the materials listed in subdivisions (i) and (ii) of this subparagraph (1).

[Former subparagraph (iii) revoked, former (iv) redesignated (iii) and amended by Am. 8, 8 F.R. 7507, effective 6-17-43]

[Paragraph (c) amended by Am. 4, 7 F.R. 5716, effective 7-27-42 and as otherwise noted]

(2) If the contracting officer of any war procurement agency of the United States Government and a person who contracts to sell or supply to such agency any commodity or fabrication service, shall both certify to the Office of Price Administration that they are unable in good faith to determine whether such commodity or fabrication service falls within the term "textiles, apparel and related articles" as defined in subparagraph (1) of this paragraph (c), then such commodity shall be deemed to be included in such term and shall be subject to all of the provisions of this Maximum Price Regulation No. 157.

§ 1378.2 *Prohibition against dealing in textiles, apparel and related articles at prices above the maximum.* (a) On and after July 1, 1942, regardless of any contract, agreement, lease, or other obligation:

(1) No person shall sell or deliver any textiles, apparel or related articles or supply any fabrication service in any transaction subject to this Maximum Price Regulation No. 157, at a price in excess of the maximum prices established herein;

(2) No person in the course of trade or business shall buy or receive any textiles, apparel or related articles or fabrication service in any such transaction at a price in excess of the maximum prices established herein;

(3) No person shall offer, solicit, or attempt to do any of the foregoing. But any person may sell or agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery or supply. However, if the maximum price at the time of delivery or supply is higher than the maximum price at the time of contract, that higher maximum price may be collected only for those commodities or services which, pursuant to the terms of the contract, are scheduled to be delivered or supplied on or after the date when the higher price became effective. Moreover, no person, except as provided in § 1378.2 (c), may deliver, supply, or agree to deliver or supply at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery or supply.

[Subparagraph (3) amended by Am. 10, 8 F.R. 11605, effective 12-7-43; Am. 12, 9 F.R. 1456, effective 2-5-44; and Am. 13, 9 F.R. 10493, effective 8-25-44]

(b) The provisions of paragraph (a) (2) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Maximum Price Regulation No. 157, or by the Emergency Price Control Act of 1942.

(c) Any person who has entered into or proposes to enter into a contract with any war procurement agency of the United States Government, or a subcontract under such contract, who believes that a maximum price established by this regulation impedes or threatens to impede production of any textile, apparel or related article which is essential to the war program, and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum price established by this regulation in accordance with Procedural Regulation No. 6 * issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application or at a lower price subject to adjustment up to the price requested: *Provided*, That final settlement shall be made in accordance with the order, and, if required, refunds shall be made.

[Paragraph (c) added by Am. 2, 7 F.R. 4618, effective 7-1-42; amended by Am. 13, 9 F.R. 10493, effective 8-25-44]

§ 1378.3 *Maximum prices for sales or fabrication of textiles, apparel and related articles for military purposes.* The seller's maximum price for any sale or fabrication service covered by this Maximum Price Regulation No. 157 shall be determined as follows:

(a) In those cases in which the seller delivered the same article or supplied the same fabrication service in the period between April 1, 1941 and March 31, 1942, both inclusive:

The maximum price shall be the highest price at which delivery or supply thereof was made during said period, plus if any, the seller's increases in material and labor costs as defined herein.

[Paragraph (a) amended by Am. 5, 7 F.R. 6004, effective 8-6-42]

(1) The seller's increase in material cost shall be the difference between (i) the actual cost of material embodied in the article delivered pursuant to the highest-priced contract mentioned above and (ii) the highest cost which he would have incurred for such materials if purchased from his customary or an equivalent source of supply for delivery at any time during March 1942: *Provided*, That, in the case of products manufactured by the seller in whole or in part from raw jute fiber, the seller's increase in material cost for raw jute fiber shall be the difference between the cost specified in (i), above, and the cost which the seller would have incurred for such raw jute fiber if purchased from Defense Supplies Corporation on August 20, 1943.

[Proviso added by Am. 9, 8 F.R. 15600, effective 11-20-42]

(2) The seller's increase in labor cost shall be the difference between (i) his labor cost for the article or fabrication service computed on the basis of wage rates paid by the seller on the date of making the highest-priced contract mentioned above and (ii) such labor cost computed on the basis of wage rates paid by the seller on March 31, 1942, plus any increase subsequent thereto made pursuant to a collective bargaining contract or other wage agreement which

* 9 F.R. 10622.

contract or agreement (*a*) was entered into on or before April 27, 1942, and (*b*) provides for an unconditional increase in wage rates of a fixed amount or per cent.

(3) The foregoing costs shall be determined in accordance with the customary accounting policy of the seller.

(b) In those cases in which the seller delivered an article or supplied a fabrication service in the period between April 1, 1941 and March 31, 1942, both inclusive, the same as the article or service to be priced except for differences due to changes in specifications, including those pertaining to delivery:

The maximum price shall be the price determined in paragraph (a) of this section adjusted up or down in an amount equal to actual increases or decreases, if any, in costs directly resulting from such changes in specifications.

[Paragraph (b) amended by Am. 5, 7 F.R. 6004, effective 8-6-42]

§ 1378.4 *Sales or fabrication of textiles, apparel and related articles for military purposes temporarily exempted from price regulation.* (a) In any case in which the seller certifies that such seller, during the period between April 1, 1941 and March 31, 1942, both inclusive, did not deliver the same article or supply the same fabrication service (or an article or fabrication service the same except for difference in specifications, including those pertaining to delivery), the sale of such article or the supply of such fabrication service by such seller shall not be subject to the provisions of this Maximum Price Regulation No. 157, or the General Maximum Price Regulation.

[Paragraph (a) amended by Am. 5, 7 F.R. 6004, effective 8-6-42]

(b) The certification by the seller, referred to in paragraph (a) of this section shall be effected as follows:

(1) If the sale is made to a war procurement agency, the seller shall furnish to such agency a written certificate, and furnish a copy thereof to the Office of Price Administration within 10 days after contracting to sell or supply each article or fabrication service.

(2) If the sale is made to any person other than a war procurement agency, the seller shall furnish to his purchaser a written certificate and furnish a copy to the Office of Price Administration within 10 days after contracting to sell or supply such article or fabrication service.

(c) Sales of textiles, apparel and related articles by a war procurement agency, shall not be subject to this Maximum Price Regulation No. 157 or to the General Maximum Price Regulation.

[Paragraph (c) added by Am. 1, 7 F.R. 4541 effective 6-16-42]

(d) This Maximum Price Regulation No. 157 and the General Maximum Price Regulation shall not apply to any sale, delivery or fabrication of field jackets pursuant to a contract with a war procurement agency or a contractor or subcontractor thereof, if such contract was entered into prior to July 27, 1942.

[Paragraph (d) added by Am. 4, 7 F.R. 5716, effective 7-27-42 and amended by Am. 6, 7 F.R. 6424, effective 8-19-42]

§ 1378.4a *Exceptions.* (a) Maximum Price Regulation No. 157 shall not apply to sales or deliveries of any textiles, apparels, or related articles to any war procurement agency of the United States Government pursuant to emergency purchases made by such war procurement agency for immediate delivery: *Provided,* That the person making such emergency purchases on behalf of the war procurement agency of the United States Government files a report with the Office of Price Administration, Washington, D. C., within 5 days after a purchase is made, certifying that it was made in a situation in which it was imperative to secure the article immediately and in which it was impossible to secure, or unfair to require, immediate delivery at the applicable maximum price, and setting forth (1) the name and address of the seller, (2) date of purchase, (3) date of delivery, (4) description of article purchased, (5) quantity purchased, (6) price at which purchased, and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

[Above paragraph designated (a) and (b) added by Am. 5, 7 F.R. 6004, effective 8-6-42. § 1378.4a added by Am. 3, 7 F.R. 5180, effective 7-7-42]

(b) Maximum Price Regulation No. 157 shall not apply to sales or deliveries of any textiles, apparel or related article manufactured pursuant to a contract or subcontract with a war procurement agency which is certified to the Office of Price Administration by such war procurement agency as being a secret or confidential contract: *Provided,* That after the Office of Price Administration shall have received notice from such war procurement agency that such contract or subcontract is no longer deemed to be secret or confidential, this exception shall not apply to all subsequent sales and deliveries of the article.

§ 1378.5 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 157 may be charged, demanded, paid or offered.

§ 1378.6 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 157 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to textiles, apparel, and related items, alone or in conjunction with any other commodity or by way of commission, service, transportation, or any other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1378.6a [Revoked.]

[§ 1378.6a added by Am. 7, 8 F.R. 3948, effective 4-1-43 and revoked by Am. 8, 8 F.R. 7507, effective 6-17-43]

§ 1378.7 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 157 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

§ 1378.7a *Licensing.* The provisions of Licensing Order No. 1,[*] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1378.7a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1378.8 *Records and reports.* (a) Every person making any sales or supplying any fabrication services subject to this Maximum Price Regulation No. 157 on and after June 4, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of:

(1) Each such sale made or fabrication service supplied, showing the date thereof, the war procurement agency involved, the article sold or the nature of the service supplied, the quantity of goods sold or fabricated, and the price charged or received; and

(2) The highest price charged by such person during the period between April 1, 1941 and March 31, 1942 for delivery or supply for such article or service.

[Subparagraph (2) amended by Am. 5, 7 F.R. 6004, effective 8-6-42]

(b) Such person shall keep such records in addition to or in lieu of the records required by this section as the Office of Price Administration may from time to time require.

§ 1378.8a *Transfer of business or stock in trade.* If the business, assets or stock in trade of any business have been or shall be transferred on or after April 28, 1942, and the transferee shall carry on the business, or continue to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep, make available, prepare and file records shall be the same. The transferor shall either prepare and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

[§ 1378.8a added by Am. 14, effective 9-11-44]

§ 1378.9 *Petitions for amendment.* Any person seeking an amendment of any provision of this maximum price

[*] 8 F.R. 13240.

regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1378.9 amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1378.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 157, the term:

(1) "Person" indicates an individual, corporation, partnership, association, or other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Labor cost" means the cost of labor which is properly chargeable to the article manufactured or the service supplied, determined pursuant to the seller's customary accounting policy, but shall not include executive salaries or profit.

(3) "Seller" means a person who makes a sale or supplies a fabrication service subject to this Maximum Price Regulation No. 157, and shall include any person controlling, controlled by, or under common control with such person.

(4) "Sale" means an offer to sell, a contract of sale, or a delivery pursuant to a contract of sale, but shall not include the sale of any sample.

(5) "Fabrication" and "fabrication service" mean the manufacture of an article from materials supplied in whole or substantial part by the person to whom such article, when fabricated, is supplied or delivered.

(6) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Training Organization of the War Shipping Administration and the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States, or any agency of any of the foregoing, and shall be deemed to include stores operated as army canteens, post exchanges or ships' service activities.

[Subparagraph (6) amended by Am. 1, 7 F.R. 4541, effective 6-16-42 and Am. 12, 9 F.R. 1456, effective 2-5-44]

(7) "Field jackets" means military field jackets which meet Quartermaster Corps Tentative Specification PQD No. 20 (B) March 17, 1942, superseding PQD No. 20 (A) May 6, 1941.

[Subparagraph (7) added by Am. 4, 7 F.R. 5716, effective 7-27-42]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1378.11 *Effective date.* This Maximum Price Regulation No. 157 (§§ 1378.1 to 1378.11, inclusive) shall become effective July 1, 1942. [MPR 157 originally issued June 3, 1942]

§ 1378.12 *Effective dates of amendments.* [Effective dates of amendments are shown in notes following parts affected]

APPENDIX A—MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES AND TRANSACTIONS

In the event that the Office of Price Administration fixes a maximum price for 3.90 yard sanforized fine yarn shirting chambray in excess of 16 cents per yard, gross, then in the case of certain deliveries of shirts made from such chambray, the maximum price shall be the maximum price fixed by § 1378.3 plus an adjustment for the increased cost of chambray. The adjusted maximum price shall be applicable only on deliveries to the Department of the Navy or to the Training Organization of the War Shipping Administration during the period between December 11, 1943 and June 30, 1944, inclusive.

The adjustment per dozen for the increased cost of the chambray shall be an amount equal to the number of yards of chambray required to produce a dozen of the shirts multiplied by the difference between the net cost per yard of the chambray on the 16 cents per yard basis and the net cost per yard of the chambray at the new and higher maximum price.

[Appendix A added by Am. 11, 8 F.R. 17374, effective 12-24-43 and amended by Am. 12, 9 F.R. 1456, effective 2-5-44]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13716; Filed, Sept. 6, 1944; 4:28 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

RENT REGULATIONS

NOTE: A supplementary statement to the rent regulations pertaining to changes in established rental practices was filed with the Division of the Federal Register, September 6, 1944, 4:28 p. m. as F.R. Doc. N.P. 44-10786.

PART 1301—MACHINE TOOLS

[MPR 67,[1] Amdt. 1]

NEW MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4 (d) (1) (i) to Maximum Price Regulation 67 is amended to read as follows:

(i) *Maximum price.* Where there is a comparable machine tool produced by the same manufacturer, the maximum manufacturer's price for a machine tool covered by this paragraph (d) shall be the maximum price established by this regulation for the most nearly comparable machine tool produced by the same manufacturer, adjusted to reflect increases or decreases in current manufacturing costs due to structural differences. If the manufacturer intends to distribute the machine tool through dealers, he shall add to this increase or decrease in factory cost the amount of the resale discount allocable to such change in factory cost. For example: Assuming a change in factory cost of $225, and a resale discount of 10%, the amount of the resale discount allocable to the change in cost is $25, which is added. The change in list price will be $250 which, upon sale through a distributor at the 10% discount, will return to the manufacturer $225, or the factory cost of the change.

This amendment shall become effective September 12, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13776; Filed, Sept. 7, 1944; 11:58 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7008.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A[1] Amdt. 84]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.305 (c) is amended to read as follows:

(c) No board other than an Emergency Truck Tire Board shall issue a certificate for a truck tire with a cross-section size 8.25 or larger, unless it has been instructed to do so by an Emergency Truck Tire Board or a District Director. A District Director may act only when a decision as to the issuance of a certificate must be reached before an Emergency Truck Tire Board can be convened.

2. Section 1315.506 (a) (1) (i) and (ii) are amended to read as follows:

(i) An applicant may be granted a certificate only for a tractor-implement or a Grade III tire for such a vehicle, except that, when the vehicle cannot be operated with either type of tire, the applicant may be granted a certificate for a used truck-type tire.

(ii) In any area where recapping facilities are unavailable or inadequate, an applicant may be granted a certificate for a small tractor-implement tire or a Grade III tire for such a vehicle,

[1] 7 F.R. 9160, 9392, 9724.

even though the tire to be replaced is recappable; and if the vehicle cannot be operated with either type of tire, the applicant may be granted a certificate for a used truck-type tire.

This amendment shall become effective September 11, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13780; Filed, Sept. 7, 1944; 11:56 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Rev. RO 1C,[1] Amdt. 1]

TIRE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 1C is amended in the following respects:

1. Section 4.4 is amended to read as follows:

SEC. 4.4 *Eligibility—List C.* After all List A and List B applicants have been satisfied, but not before the 25th day of each month, a certificate authorizing the purchase or acceptance of delivery of new or used tires or new or used tubes may be granted, but only to the extent provided in section 4.1 (General proof of need) and otherwise provided in this order, to equip any vehicle, including animal drawn vehicles, not included in sections 4.2 (List A) and 4.3 (List B).

2. Section 5.10 (a) is amended to read as follows:

(a) *Use of certificate.* A certificate properly executed and issued may be used by the person to whom it was issued within the time and for the purpose specified thereon. After the expiration date thereon, the certificate shall be void if in the applicant's hand (but not if in the dealer's hand) and the applicant shall surrender it to the issuing Board.

3. Section 5.11 (c) is amended to read as follows:

(c) *Delivery pursuant to certificate.* If the foregoing requirements have been fulfilled, the dealer to whom the certificate has been surrendered, shall immediately deliver to the person indicated thereon, or to his agent, no more than the exact number, type and wheel or rim size of tires or tubes set forth on the certificates; except as otherwise provided for in section 6.3 (b).

This amendment shall become effective September 7, 1944.

Issued this 7th day of September 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

GERALD A. BARRETT,
Acting Regional Administrator.

[F. R. Doc. 44-13777; Filed, Sept. 7, 1944; 11:54 a. m.]

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 116]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 116 to Maximum Price Regulation No. 120 is corrected in the following respects:

1. In § 1340.221 (b) (1) in the column headed "Mine index numbers" of the table entitled "Prices and Size Group Numbers", No. 1216 is deleted and No. 1296 is inserted in lieu thereof.

2. In the same table in the column headed "Washed chestnut and egg", the word "egg" is deleted and the word "pea" is inserted in lieu thereof.

3. In § 1340.221 (b) (6) the numeral (6) is deleted and the numeral (5) is inserted in lieu thereof.

This correction to Amendment No. 116 to Maximum Price Regulation No. 120 shall be effective as of August 22, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13771; Filed, Sept. 7, 1944; 11:58 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 118]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. In § 1340.228 (b) subparagraphs (3), (4) and (5) are redesignated (4), (5) and (6), respectively, and in the last paragraph of redesignated subparagraph (5) the numeral (4) is deleted and the numeral (5) is inserted in lieu thereof.

2. A new subparagraph (3) in said § 1340.228 (b) is inserted to read as follows:

(3) *Maximum prices in cents per net ton for smithing coal.* The maximum prices per net ton for smithing coal from all mines, in all size groups, and by all methods of transportation shall not exceed 605 cents.

This amendment to Maximum Price Regulation No. 120 shall be effective as of July 31, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13767; Filed, Sept. 7, 1944; 11:58 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 119]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

1. In § 1340.210 (a) (10) in the first paragraph the clause beginning with the word "except" is amended to read as follows "except as is otherwise provided in subdivisions (i), (ii) and (iii) below."

2. In § 1340.210 (a) (10) in the second paragraph the second sentence is amended to read as follows:

Provision is made in subdivisions (i), (ii) and (iii) below for the obtaining of such permission; subdivision (i) states how and by what persons such permission may be obtained with regard to shipments other than those by lake and tidewater, subdivision (ii) states the same generally with regard to lake and tidewater shipments and subdivision (iii) specifies the service charges that may be made on sales for the account of the Office of Foreign Economic Administration for Lend-Lease purposes.

3. In § 1340.210 (a) (10) a new subdivision (iii) is added to read as follows:

(iii) On sales to a procurement agency of the United States for the account of the Office of Foreign Economic Administration for purposes of Lend-Lease there may be added to any price established under this regulation the sum of five cents per net ton. Furthermore, on f. o. b. vessel transactions in the event the seller pays the inland transportation charges to the port of exit and assumes railroad demurrage charges he may add an additional 15 cents per net ton to the price established under this regulation.

This amendment shall become effective as of August 8, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13772; Filed, Sept. 7, 1944; 11:57 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5156.

[1] 9 F.R. 5042, 5375, 5587, 5826, 5915, 6433, 6433, 6451, 7261, 7574, 7602, 7602, 8047, 8818, 9052, 9279, 9260, 9281, 9512, 9629, 10047, 10069, 10194, 10493, 10497.

[1] 9 F.R. 5042, 5375, 5587.

PART 1340—FUEL

[MPR 189,[1] Amdt. 25]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 189 is amended in the following respects:

1. Section 1340.313 (f) (1) is amended to read as follows:

(1) *This subparagraph sets forth a table of maximum prices for ex-lighter or ex-barge deliveries of bunker fuel to cargo or passenger vessels (except excursion steamers bunkering through pockets at loading piers).* (i) Maximum prices in the table are in cents per gross ton and are f. a. s. (free alongside) the vessel to be bunkered.

The maximum prices per gross ton are:

Grade	*A*	*B*	*C*
Foreign vessels	740	730	720
Domestic vessels	750	740	730

(ii) If the coal is transported by steam lighter alongside the vessel to be bunkered, the supplier shall reduce the above prices by at least 20 cents if the coal is delivered from a lower pier, or by at least 24 cents if the coal is delivered from an upper pier. To such reduced price, the supplier shall add the steam lighterage charge to obtain the applicable f. a. s. maximum price, or the supplier may sell the coal at a maximum f. o. b. steam lighter price not in excess of such reduced price.

(iii) *Permissible additions to f. a. s. prices.* (*a*) In general the supplier may add to the applicable f. a. s. price certain costs incurred before placing the coal alongside of the vessel. Such costs include detention of men and equipment, lighterage charges for hauling and towing less than the lighter's minimum quantity, charges for special non-flotilla towing incurred through no fault of the supplier, and lighterage charges for lightering outside the "free harbor limits."

(*b*) The supplier may also add to the applicable maximum f. a. s. prices all costs incurred in placing the coal aboard the vessel. Such costs include stevedoring, overtime, detention of men and equipment, running lines, bunkering in stream, etc., as well as workmen's compensation and social security taxes on the first three items.

(*c*) When a certain tonnage ordered is rejected by the vessel for reasons other than that the quality of coal delivered is not the same as ordered or for other fault of the supplier, the supplier may charge the vessel, in addition to the maximum price for the coals placed aboard the vessel; towing charges incurred for transporting the rejected coals to the vessel and back to the supplier's loading piers.

(*d*) The supplier may make no additions to the applicable maximum f. a. s. price for administrative or selling expenses, costs of coal or transportation, except as provided in this paragraph (f).

2. In § 1340.313 (f) (2), the following is added:

If a supplier delivers tugboat bunker fuel from bins or pockets containing a mixture of grade A, B, and C coals, an application may be filed with the New York Regional Office for the establishment of a maximum price for such mixed coals to be effective during the ensuing three months or until a new price is established. This maximum price shall be the weighted average of the maximum prices of the coals entering the mixture and sold for tugboat bunker fuel during the previous three months. Upon the 10th of the fourth month following the filing of an original application, and every fourth month thereafter the supplier shall file with the New York Regional Office a list showing the origin of all coals entering his bins during the preceding three months, setting out the name of the producer, of the mine, the mine index number, size of the coal, the f. o. b. mine price, the freight rate paid on each car, the total tonnage of all coals sold for tugboat bunker fuel during the preceding three months, the total tonnages of unmixed coals of A, B, or C grade sold for tugboat bunker fuel during the preceding three months, and the total tonnage of coals mixed in the bins sold for tugboat bunker fuel during the preceding three months with a statement of the tonnage of each of the various grades entering the mixture.

3. In § 1340.313 (f) (3), the first paragraph is amended to read as follows:

The maximum prices in cents per gross ton for t. i. b., (trimmed in bunker) deliveries of bunker fuel made directly to cargo and passenger vessels, from the St. George Coal Piers, Staten Island, New York, are:

Grade	*A*	*B*	*C*
Foreign vessels	770	760	750
Domestic vessels	780	770	760

The maximum prices for tugboat bunker fuel deliveries from the St. George Coal Piers are those set out in subparagraph (2) of this paragraph (f).

4. In § 1340.313 (f) (5) a new subparagraph (vii) is added to read as follows:

(vii) "Non-flotilla towing" refers to movement of coal by tows outside the regular flotilla movement.

5. Section 1340.313 (f) (7) is redesignated § 1340.313 (f) (8) and a new § 1340.313 (f) (7) is inserted to read as follows:

(7) All invoices for bunker fuel sold in New York harbor shall list the f. o. b., f. a. s., or t. i. b., sales price of the delivered coal and itemize all additional charges made in accordance with this paragraph (f). Where a special price for a mixture of different grades of tugboat fuel has been authorized by the New York Regional Office, the invoice covering sales of a mixture of different grades of tugboat bunker fuel shall state that the coal is a mixture of specified grades.

This amendment shall become effective September 7, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13766; Filed, Sept. 7, 1944; 11:59 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 475,[1] Amdt. 5]

DRIED FRUITS, 1943 AND LATER CROPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 475 is amended in the following respects:

1. In the first sentence of section 2 (e) the word "packer" is substituted for the word "processor."

2. Section 2 (f) is amended to read as follows:

(f) All maximum prices, except for government sales and sales described in paragraph (j) of this section, include brokerage. The packer shall maintain his customary cash and quantity discounts to different classes of purchasers.

3. Section 2 (j) is added to read as follows:

(j) For dried prunes and raisins of the 1943 crop (other than Three Crown London Layer Muscats and Zante Currants), the base price to be used by the packer in determining his maximum export prices under Second Revised Maximum Export Price Regulation [2] shall be the maximum prices respectively set forth in paragraphs (a) (4) (i) and (a) (5) (i) of this section for sales to government procurement agencies, in each case, plus an amount, based on those prices, equal to the discount customarily allowed in cash sales and the selling expense customarily included in prices in civilian sales, but not in excess of 5% for both selling expense and cash discounts. The provisions of this paragraph do not apply to sales to government procurement agencies of the United States.

This amendment shall become effective September 12, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13773; Filed, Sept. 7, 1944; 11:57 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15317, 16520; 9 F.R. 2692, 5216.

[1] 8 F.R. 13707, 14215, 16687; 9 F.R. 899, 7199, 7503.

[2] 8 F.R. 4132, 5967, 7062, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9834.

PART 1364—FISH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,[1] Incl. Amdts. 1-20]

FROZEN FISH AND SEAFOOD

This compilation of Maximum Price Regulation 364 includes Amendment 20, effective September 11, 1944. The text amended by Amendment 11 is underscored. Redesignations and the amendments to the table are indicated by notes.

In the judgment of the Price Administrator, it is necessary in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, that maximum prices be established for the sale by processors and wholesalers of frozen fish and seafood.

So far as practicable, the Price Administrator has consulted and advised with representative members of the industry which will be affected by the regulation. In the judgment of the Price Administrator, the prices established are generally fair and equitable and will effectuate the purposes of the act. The prices established are not below the average price of frozen fish and seafood in the year 1941.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Preamble amended by Supplementary Order 66, 8 F.R. 12563, effective 9-11-43]

A statement of considerations involved in the issuance of the regulation has been issued herewith and filed with the Division of the Federal Register.*

§ 1364.1151 *Maximum prices for frozen fish and seafood.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 364 (Frozen Fish and Seafood), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1364.1151 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 364—FROZEN FISH AND SEAFOOD

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ARTICLE I—PURPOSE AND SCOPE OF REGULATION

SECTION 1. *What this regulation does*—(a) *Sales covered.* This regulation fixes the maximum prices at which processors and wholesalers may sell frozen fish and seafood. These maximum prices are fixed according to species, grade, style of processing and size, as listed in section 13. The General Maximum Price Regulation applies to sales of frozen fish and seafood of any species or style of processing not listed in section 13. The provisions of this regulation do not apply to any sales at retail. A sale at retail is a sale to an ultimate consumer other than an industrial or commercial user.

The maximum price at which a person may export frozen fish and seafood covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation and amendments.

(b) *Prohibitions.* On and after April 13, 1943, the effective date of this regulation, no processor or wholesaler may sell or deliver, and no person in the course of trade or business may buy or receive from any processor or wholesaler, any frozen fish or seafood listed in section 13 at prices higher than those established by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing. However, prices lower than those established by this regulation may be charged and paid.

[Section 1 amended by Am. 20, effective 9-11-44]

SEC. 2. *How processors' maximum prices are fixed*—(a) *General rule.* The processor's maximum price for sales of frozen fish or seafood, except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section, is the applicable listed base price in section 13, with any appropriate adjustment for kind of package as provided in section 12, plus any transportation cost allowable under section 4. This is the maximum price f. o. b. shipping point nearest freezer or other warehouse.

(b) *Branch warehouse sales.* Where the processor receives frozen fish or seafood in carload lots at a warehouse remote from the original freezer and sells and delivers such frozen fish or seafood in less-than-carload lots from the stock of such warehouse, his maximum price f. o. b. shipping point nearest warehouse for such sales to wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses is the applicable listed base price in section 13, with any appropriate adjustment for kind of package as provided in section 12, plus any transportation cost allowable under section 4 (a) (1), plus a mark-up of 15 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 4 (a) (2).

However the price established in paragraph (b) may be charged by such processor only if he has two or more full time employees stationed in the city where such warehouse is located, and such employees are engaged in selling frozen fish or seafood and performing services solely for such processor. Furthermore, the price established in paragraph (b) applies only to sales of those species of frozen fish or seafood which such processor, during the greater portion of the year preceding April 13, 1943, received at such warehouse for the most part in carload lots and sold and delivered from such warehouse for the most part in less-than-carload lots.

(c) *Cash and carry sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood ex freezer, platform or other warehouse to individual retailers or purveyors of meals is the applicable listed base price in section 13, with any appropriate adjustment for kind of package as provided in section 12, plus any transportation cost allowable under section 4 (a) (1), plus a mark-up of 15 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 4 (a) (2).

(d) *Service and delivery sales to retailers and purveyors of meals.* The processor's maximum price for sales of frozen fish and seafood to individual retailers or purveyors of meals, where the processor delivers such fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals, is the applicable listed base price in section 13, with any appropriate adjustment for kind of package as provided in section 12, plus any transportation cost allowable under section 4 (a) (1), plus a mark-up of 25 percent applied to the sum of the foregoing, plus any transportation cost allowable under section 4 (a) (2).

(e) *Special provisions applicable to processors' sales of frozen halibut.* The processor in determining his maximum price for frozen halibut under the provisions of paragraph (a), (b), (c) or (d)

[1] 8 F.R. 4640.

[2] Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

of this section 2 shall use as the base price plus any transportation allowance the lowest amount determined by the application of the following three: (1) The appropriate base price listed in section 13 for frozen halibut which was originally landed fresh on the Pacific Coast of the Continental United States plus the rail rate for frozen fish for the type of shipment used from Seattle, Washington, to the processor's distribution point; (2) the appropriate base price listed in section 13 for frozen halibut which was originally landed fresh on the Pacific Coast of Canada plus the rail rate for frozen fish for the type of shipment used from Prince Rupert, British Columbia, to the processor's distribution point or (3) the appropriate base price listed in section 13 with respect to the point of landing plus the transportation allowance provided in section 4.

[Sec. 2 amended by Am. 1, 8 F.R. 5566 effective 4–26–43; Am. 16, 9 F.R. 4182, effective 4–22–44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River effective 5–11–44; Am. 18, 9 F.R. 5163, effective 5–20–44; Am. 19, 9 F.R. 7420, effective 7–1–44 and Am. 20, effective 9–11–44]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to procurement agencies of the United States.]

SEC. 3. *How wholesalers' maximum prices are fixed*—(a) *General instructions.* Each wholesaler's maximum price for the kind of frozen fish or seafood listed in section 13 is found by multiplying his "net cost", as defined in the following paragraph (b), by the appropriate percentage mark-up figure, set out in the following paragraphs (c) and (d), adding the result to the net cost, and adding thereto the allowance in section 4 (b) (2) for transportation between warehouses of the same wholesaler, when such transportation is involved.

[Paragraph (a) amended by Am. 19, 9 F.R. 7420, effective 7–1–44 and Am. 20, effective 9–11–44]

(b) *Net cost.* (1) Except as otherwise provided in subparagraphs (2) and (3) of this paragraph the wholesaler's "net cost" is the amount he paid for the particular item of frozen fish or seafood delivered at his established place of doing business, plus or minus any appropriate package differentials listed in section 12, less all discounts allowed him except the discount for prompt payment, and excluding all charges for local trucking, hauling and handling.

When a wholesaler buys frozen fish or seafood in a style of processing for which a base price is listed in section 13 and further processes it in a style of processing for which a different price is listed, he may add to his net cost the difference between the two base prices.

(2) The wholesaler's "net cost" must not exceed the sum of the following: (i) the applicable listed base price in section 13, plus or minus (ii) any appropriate package differentials listed in section 13 added or subtracted by previous handlers of the fish or seafood, plus (iii) allowable transportation costs added by previous handlers of the fish or seafood, plus (iv) the appropriate mark-up, if any, allowed his supplier, plus or minus (v) any package differentials listed in section 13 for repackaging, if any, by the wholesaler, plus (vi) allowable transportation costs for delivery of the frozen fish or seafood to the wholesaler's established place of doing business, from his supplier's place of business, exclusive of local trucking, hauling and handling charges.

(3) *Net cost for sales of halibut.* The wholesaler, in determining his "net cost" for sales of frozen halibut in accordance with the provisions of section 3 (b) (1) and (2), shall use as the base price plus any transportation allowance permitted him or his supplier the lowest amount determined by the application of the following three: (1) The appropriate base price listed in section 13 for frozen halibut which was originally landed fresh on the Pacific Coast of the Continental United States plus the rail rate for frozen fish for the type of shipment used from Seattle, Washington, to his established place of business; (2) the appropriate base price listed in section 13 for halibut which was originally landed fresh on the Pacific Coast of Canada plus the rail rate for frozen fish for the type of shipment used from Prince Rupert, British Columbia, to his established place of business; (3) the appropriate base price listed in section 13 with respect to the point of landing plus the transportation allowance permitted him or his supplier in section 4.

[Paragraph (b) amended by Am. 9, 8 F.R. 16998, effective 12–17–43; Am. 16, 9 F.R. 4182, effective 4–22–44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5–11–44; Am. 18, 9 F.R. 5163, effective 5–20–44; Am. 19, 9 F.R. 7420, effective 7–1–44; and Am. 20, effective 9–11–44]

(c) *Wholesaler's mark-up for different classes of sales.* Mark-up is the percentage over net cost set forth hereinafter for the type of sale involved. To obtain the selling price, multiply the net cost by the percentage mark-up figure; the result added to the net cost is the selling price. The mark-up which applies in any particular sale depends on the class in which the buyer and seller fall and the kind of service performed in the particular sale. The classes, types of service, and mark-ups are set forth in the following paragraph (d).

No wholesaler who purchases frozen fish or seafood from another wholesaler or from a processor whose sales are governed by section 2 (b) may sell such frozen fish and seafood to other wholesalers at a price higher than his supplier's maximum price plus transportation cost allowable under section 4 (b).

In no event shall the price charged for a sale to an individual retailer or purveyor of meals include more than one mark-up of either 7 percent or 12 percent, as the case may be (regardless of whether the mark-up is taken pursuant to this section or section 2), and one retailer-owned cooperative or cash and carry or service and delivery wholesaler mark-up.

[Paragraph (c) amended by Am. 1, 8 F.R. 5566, effective 4–26–43; Am. 10, 9 F.R. 183, effective 1–8–44; Am. 19, 9 F.R. 7420, effective 7–1–44; and Am. 20, effective 9–11–44]

(d) *Classes of sales at wholesale for the purpose of this regulation.* Depending upon the type sale to be made, a wholesaler will fall within one of the following classes. After the proper class is determined, the wholesaler will apply the mark-up provided for that class of sale:

(1) *Primary wholesalers.* Primary wholesalers with respect to any species of fish or seafood listed in the table of base prices of section 13 are wholesalers who buy frozen fish or seafood from processors in carload lots and distribute it for resale to other wholesalers, government agencies, retailer-owned cooperatives or chain store warehouses in less-than-carload lots, and who, during the greater part of the year preceding April 13, 1943, bought the greater portion of the frozen fish or seafood they sold in carload lots and distributed the greater portion of such fish or seafood in less-than-carload lots. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12 percent. In the case of sales of fish or seafood which has not been stored and warehoused, the primary wholesaler's mark-up is 7 percent. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up. Sales to wholesalers, government agencies, retailer-owned cooperatives, or chain store warehouses by wholesalers other than those who qualify as primary wholesalers as defined in this section shall be at prices no higher than their supplier's ceiling prices plus transportation costs allowable under section 4 (b), except for such less-than-carload lot sales to government agencies to which subparagraphs (3) and (4) of section 3 (d) are applicable.

[Subparagraph (1) amended by Am. 9, 8 F.R. 16998, effective 12–17–43; Am. 10, 9 F.R. 183, effective 1–8–44; Am. 11, 9 F.R. 946, effective 1–24–44; Am. 16, 9 F.R. 4182, effective 4–22–44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5–11–44; Am. 19, 9 F.R. 7420, effective 7–1–44; and Am. 20, effective 9–11–44]

(2) *Retailer-owned cooperative wholesalers.* This class includes wholesalers which are either non-profit organizations or corporations of which 51% or more of the stock is owned by its retailer customers and which generally sell and deliver from a cold storage warehouse to affiliated retail stores. The mark-up for this class of wholesaler is 10% to affiliated retail stores.

(3) *Cash and carry sales.* Cash and carry sales are sales of frozen fish or seafood to individual retailers and purveyors of meals by wholesalers and whose sales are made ex freezer or platform. The mark-up for this class of sale is 15 percent.

[Subparagraph (3) amended by Am. 19, 9 F.R. 7420, effective 7–1–44; and Am. 20, effective 9–11–44]

(4) *Service and delivery sales.* Service and delivery sales are sales of frozen fish or seafood by wholesalers to individual retailers or purveyors of meals where the wholesaler delivers such frozen fish or seafood in his own motor truck or wagon or in a motor truck or wagon used solely for his own deliveries from his established place of doing business to the individual retail store or to the place of doing business of the purveyor of meals. The mark-up for this class of sale is 25%.

[Subparagraph (4) amended by Am. 9, 8 F.R. 16998, effective 12–17–43; Am. 19, 9 F.R. 7420, effective 7–1–44; and Am. 20, effective 9–11–44]

(5) *Broken lots.* An allowance of 10 percent may be added to the mark-up for the classes of sales specified in the regulation by a processor or wholesaler who sells frozen fish or seafood, other than fillets or steaks, in broken lots to retailers or purveyors of meals: *Provided*, That no such allowance may be added for fish or seafood sold or delivered from the place where it has been frozen. A sale of a broken lot of fish or seafood is a sale of a partial lot of fish or seafood which the processor or wholesaler has broken or separated from the original content of the immediate container in which the product had been packed by the processor and which partial lot the processor or wholesaler sells and delivers to a customer apart from the remainder of the original content of the immediate container.

[Subparagraph (5) amended by Am. 18, 9 F.R. 5163, effective 5–20–44]

(6) *Country trade shipments.* Processors or wholesalers who ship to retailers and purveyors of meals located in rural areas or outlying points may add to their permitted mark-ups the actual cost of any special shipping cases and the cost of any extra refrigerant used for the shipment. Such processors or wholesalers must denote separately on invoices to customers the actual cost of the cases and the refrigerant.

[Subparagraph (6) amended by Am. 19, 9 F.R. 7420, effective 7–1–44]

(e) *Imported frozen fish and seafood.* The maximum price at which a wholesaler, including any agent of a foreign shipper, may sell any frozen fish or seafood listed in section 13 which he imports is the applicable listed base price in section 13, plus or minus the appropriate differential for packaging provided in section 12, plus transportation cost allowable under section 4 (c) plus the appropriate mark-up provided in paragraphs (c) and (d) of section 3 applied to the sum of the foregoing, plus any transportation cost allowable under section 4 (b) (2) for transportation between warehouses of the same wholesaler.

[Paragraph (e) amended by Am. 1, 8 F.R. 5566, effective 4–26–43; Am. 9, 8 F.R. 16998, effective 12–17–43; Am. 10, 9 F.R. 183, effective 1–8–44; Am. 11, 9 F.R. 946, effective 1–24–44; Am. 13, 9 F.R. 3388, effective 4–3–44; Am. 16, 9 F.R. 4182, effective 4–22–44, except with respect to sales made by sellers to buyers, both located west of the Mississippi River effective 5–11–44; Am. 19, 9 F.R. 7420, effective 7–1–44; and Am. 20, effective 9–11–44]

(f) (1) *Sales to government agencies.* The maximum price for sales to war procurement agencies shall be determined by reference to the class of sale and kind of service performed. Wholesalers or processors who had executed contracts prior to April 13, 1943 for the sale and delivery of frozen fish and seafood to war procurement agencies may continue to sell and deliver at prices set in the contracts for a period of forty-five days after April 13, 1943.

[Paragraph (f) added by Am. 1, 8 F.R. 5566, effective 4–26–43; designated (f) (1) and heading amended by Am. 15, 9 F.R. 3424, effective 3–28–44]

(2) *Sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species).* The maximum price for sales of dressed smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species) to any government agency is 21½ cents per pound. This price is f. o. b. the shipping point for dressed smelts packed in a container of the customary size and kind meeting specifications of the buying government agency. No transportation, container or other charge may be added to this maximum price. This item may be sold only to government agencies.

[Subparagraph (2) added by Am. 15]

SEC. 4. *Allowance for transportation—*(a) *When a processor may add transportation costs—*(1) *Fresh fish transportation.* If a processor freezes a species of fish or seafood in any place other than a port where fish or seafood of that species is landed ex-vessel or shipped in by a producer, he may include as part of his maximum price the actual per pound transportation cost, not to exceed the carload rail freight rate per pound for fresh fish, if such rate is available, from the port of entry to the freezing point. Where a carload rail freight rate is not available such per pound transportation cost must not exceed the lowest available common carrier rate. However, no such transportation allowance may be added in the case of fish listed in Schedule No. 11 (g) (Petrale sole—Pacific), 17 (Lingcod—Pacific), 40 (Dover sole), 40A (English sole), 40B (Sand sole), 40C (Turbot sole), 62 (Flounder—Pacific) or 67 (Rex sole), if any of these varieties has been landed fresh ex-vessel at any of the following ports of entry in California: Half Moon Bay, Point Reyes, Bodega Bay, Crescent City, Trinidad or Shelter Cove, and it is frozen in California, Washington, or Oregon.

[Subparagraph 1 amended by Am. 20, effective 9–11–44]

(2) *Frozen fish transportation.* If a processor ships frozen fish or seafood to a warehouse or other distribution point remote from the original freezer, such processor may include as part of his maximum selling price, for sales from such warehouse or other distribution point, the actual transportation cost. Such transportation cost shall not include charges for local trucking, hauling and handling, and shall not exceed the common carrier rate for the type of transportation used.

(b) *When a wholesaler may add transportation costs.* (1) Any wholesaler who buys frozen fish or seafood from a processor or other wholesaler may include as part of his net cost the actual transportation cost from his supplier's shipping point to his established place of business.

(2) Any wholesaler who ships frozen fish or seafood from one of his warehouses to a remote warehouse or other distribution point may add to his maximum price the actual transportation cost from the shipping point nearest the first warehouse to such remote warehouse or other distribution point.

(3) The actual transportation cost referred to in paragraph (b) (1)and (2) shall not include local trucking, hauling and handling charges and shall not exceed the common carrier rate for the type of shipment used.

(c) *Transportation allowance for imported frozen fish.* Any importer or agent of a foreign consignor of any frozen fish or seafood except frozen Atlantic Coast smelts and frozen Canadian lake fish covered in Schedules Nos. 70–77, inclusive, in the table of base prices in section 13 may add as a transportation allowance the lowest amount determined on the following three bases:

[Above paragraph amended by Am. 20, effective 9–11–44]

(1) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) from the seller's shipping point to the importer's receiving point:

(2) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the point at which the frozen fish or seafood entered the United States or the carload rail rate for frozen

fish or seafood from the point in the United States nearest the foreign shipper's shipping point, whichever is designated on the invoice by the importer.

(3) The actual cost of transportation (exclusive of local trucking, hauling and handling charges) to the importer's receiving point from the nearest domestic port from which a substantial volume of that species is shipped.

However, with respect to the species listed hereinafter the cost of transportation shall not exceed the cost for the type of shipment used from the ports listed for that species.

Species:	Port
Cod, haddock, pollack, hake, cusk, yellowtail, blackback, lemon sole, gray sole, sea dab, mackerel, rosefish	Boston, Mass.

(4) In determining the transportation allowance, provided in subparagraphs (1), (2) and (3) of this paragraph (c), common carrier rates shall be used. The importer may add the allowance only when he records it on an invoice to the customer purchasing the fish or seafood, designating which of the three bases he is using.

Where frozen Atlantic Coast smelts are imported for resale in the United States the freight from the point of shipment to the wholesaler's warehouse, not to exceed the carload rail freight rate, may be added.

Where frozen Canadian lake fish covered in Schedules Nos. 70–77, inclusive, in the table of base prices in section 13 are imported for resale in the United States, there may be added the actual transportation cost (excluding local trucking, hauling and handling charges) from the point of shipment in Canada to the destination point in the United States, but in no event more than the carload rail freight rate for frozen fish from the City of Winnipeg in the Province of Manitoba, Canada, to the destination point in the United States.

[Above paragraph amended by Am. 20, effective 9–11–44]

[Section 4, formerly 3a, added by Am. 19, 9 F.R. 7420, effective 7–1–44 and redesignated by Am. 20, effective 9–11–44]

SEC. 5. *Where the regulation applies.* The provisions of this regulation shall apply to the forty-eight states of the United States and the District of Columbia.

[Sec. 5, formerly 4, amended by Am. 1, 8 F.R. 5566, effective 4–26–43 and redesignated by Am. 20, effective 9–11–44]

ARTICLE II—RECORD KEEPING AND ENFORCEMENT

SEC. 6. *Records and reports.* (a) Every processor making a sale and every person making a purchase or frozen fish or seafood in the course of trade or business or otherwise dealing therein, other than a purchaser at retail, after April 13, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and of the seller, the price contracted for or received, the quantity, species, size, grade, style of processing of pack of frozen fish or seafood, and the container type and size, and indicating that the fish or seafood is frozen.

[Paragraph (a) amended by Am. 12, 9 F.R. 2023, effective 2–26–44]

(b) Such person shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraph (a) of this section as the Office of Price Administration may from time to time require.

(c) Every processor shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, such records as he has which reflect his inventories as of September 1, 1943, and October 20, 1943, of frozen fish and seafood to which footnote 3 is attached in the table of base prices in section 13.

(d) Every processor shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, such records as he has which reflect his inventories as of October 1, 1943, and October 20, 1943, of frozen fish and seafood to which footnote 4 is attached in the table of base prices in section 13;

[Paragraphs (c) and (d) added by Am. 6, 8 F.R. 14079, effective 10–20–43 and amended by Am. 20, effective 9–11–44]

(e) Every person making a sale of any frozen fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date of the sale; the name and address of the buyer and seller; the species sold; a notation that the fish or seafood is frozen; the quantity, sizes, grades and styles of processing of frozen fish or seafood where price differences exist in the table of base prices in section 13 because of these factors, and the prices charged therefor, including a separate statement of the container differentials, if any, as provided in section 12, and allowable transportation cost, if any. If the statement furnished a purchaser at the time of delivery does not identify the size, grade and style of processing, where price differences exist in the table of base prices in section 13 because of these factors, the maximum price which may be charged for the frozen fish and seafood involved in the sale is the maximum price for the lowest priced size, grade and style of processing of the species of frozen fish and seafood sold. If the seller fails to note on the statement that the fish or seafood is frozen, and if a price is listed in Maximum Price Regulation No. 418[8] for the species in the particular style of processing or dressing sold, the maximum price which may be charged for the fish or seafood involved in the sale is the lower of the prices listed in Maximum Price Regulation No. 418 and this Maximum Price Regulation No. 364.

[Paragraph (e) added by Am. 8, 8 F.R. 15662, effective 11–30–43; amended by Am. 12, 9 F.R. 2023, effective 2–26–44; and Am. 16, 9 F.R. 4182, effective 4–22–44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5–11–44 and Am. 20, effective 9–11–44]

(f) *Authorization to regional offices to modify invoice provisions.* Any Regional Administrator of the Office of Price Administration may, by order, alter, modify or suspend any of the requirements in paragraph (e) of this section if in his judgment such action is necessary in order that fish may be marketed efficiently within his jurisdiction and is consistent with the effective enforcement of this Maximum Price Regulation No. 364. The Regional Administrator may alter, modify or suspend such requirements with reference to such types of sales and such localities within his jurisdiction as he may designate, but only in the case where the buyer and seller are both located within his jurisdiction. He may make such provisions for posting the items required in paragraph (e) as in his judgment are necessary to prevent the circumvention or evasion of this regulation. The Regional Administrator may issue such order on his own initiative or upon application for adjustment of the requirements in paragraph (e) by any person subject to them. Subpart B of Revised Procedural Regulation No. 1 shall apply to such applications for adjustment.

[Paragraph (f) added by Am. 19, 9 F.R. 7420, effective 7–1–44]

[Sec. 6, formerly 7, redesignated by Am. 20 effective 9–11–44]

SEC. 7. *Indirect price increases.* No person shall evade any of the provisions of this regulation by any scheme or device and no person shall indirectly charge or receive for frozen fish or seafood a price higher than the maximum price permitted by this regulation. No person shall as a condition of selling any frozen fish or seafood require a purchaser to buy any other frozen fish or seafood or any other product.

[Sec. 7 formerly 8 redesignated by Am. 20, effective 9–11–44]

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1,[9] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 8 formerly 9a added by Supplementary Order 72, 8 F.R. 13244, effective 10–1–43 and redesignated by Am. 20, effective 9–11–44]

[8] 8 F.R. 9366, 10086, 10513, 10939, 11734, 11867, 12468, 12233, 12688, 13297, 13182, 13302, 14049, 14475, 14616, 15267, 15430, 16131, 16293, 16296; 9 F.R. 90, 1325, 1582, 1575, 2133, 2408, 2691, 3038, 3388, 3678, 3940, 4350, 4821.

[9] 8 F.R. 13240.

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 9. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[7] issued by the Office of Price Administration.

[Sec. 9 formerly 10 redesignated by Am. 20, effective 9–11–44]

[NOTE: Procedural Regulation No. 6 (9 F.R. 10628) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 10. *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

[Sec. 10 formerly 11 redesignated by Am. 20, effective 9–11–44]

SEC. 11. *Definitions.* (a) When used in this maximum price regulation the term:

"Artificially frozen" means fish which are frozen by any method other than by exposure to the elements.

"Butterfly fillet" means two single fillets which are held together as a single unit by leaving intact the belly wall of the fish.

"Carload box" means a shipment of not less than 24,000 pounds of frozen fish or seafood.

"Cellophane wrapped" means fish or fillets which are wrapped in cellophane.

"Center cut" or "Cut—center" means a cross section cut (not a head cut or tail cut) from the middle portion of and not exceeding ⅓ the length of the dressed fish.

"Chunk" or "Cut" means a cross section cut from the dressed fish not exceeding in thickness ⅓ the length thereof.

"Count", as applied to shrimp and prawn, means the number of processed shrimp or prawn to the pound.

"Cry-o-vac wrapped" means fish or fillets which have been packed in a bag of cry-o-vac composition or like material.

"Drawn fish" means a fish from which the viscera or entrails have been removed.

"Dressed" means fish from which the head and viscera have been removed or any portion of such fish not otherwise designated.

[7] 9 F.R. 10476.

"Fillet" means the heavily meated section or strip of fish cut from along the backbone and outside the rib bones, extending from the nape and gills to the tail.

"Frozen fish" means fish that are naturally or artificially frozen.

"Frozen seafood" means shellfish and mollusks that are naturally or artificially frozen.

"Government agency" means the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government.

"Grade" means any qualification of the name of the fish or seafood listed in the table of base prices in section 13.

"Gutted" means fish from which the viscera or entrails have been removed.

"Head cut" or "Cut-head" means a cross section cut from the head end of the dressed fish.

"Headless" means shrimp and/or prawn from which the head has been removed.

"Headless and veined" means shrimp and/or prawn from which the head and alimentary canal (sand vein) have been removed.

"Head-on" means shrimp and/or prawn as it comes from the water.

"Individually frozen" means fish which are singly frozen.

"Layer pack" means fish which have been placed in a container in layers that are divided by sheets of paper before they are frozen.

"Naturally frozen" means fish which are frozen by exposure to the elements for preservation.

"Pan frozen" means fish which are frozen in pans, trays, or similar receptacles in a solid cake or block.

"Parchment wrapped" means fish or fillets individually wrapped in parchment paper.

"Peeled" means shrimp and/or prawn from which the head and shell have been removed.

"Peeled and veined" means shrimp and prawn from which the head, shell, and alimentary canal (sand vein) have been removed.

"Price per pound" means the price for 16 net ounces of frozen fish.

"Processor" means the person who owns the fish or seafood at the time they are frozen, or the person who becomes the owner before they leave the original freezing point.

"A retailer" is a person other than a purveyor of meals or a chain store warehouse who buys frozen fish or seafood and resells more than 80 percent of such fish or seafood to ultimate consumers.

"Round" fish or seafood means fish or seafood as it comes from the water.

"Saddles" means the pectoral fins and the connecting cartilaginous strip of a rajafish.

"Scaled" means fish from which the scales have been removed but the skin left intact.

"Skinned" means fish from which the skin is removed.

"Steak" or "Slice" means a cross section not exceeding in thickness its largest diameter or 4 inches whichever is smaller cut from the dressed fish after the tail, fins and collar bone (nape bone) have been removed.

"Tail cut" or "Cut-tail" means a cross section cut from the tail end of the dressed fish.

"Wings" means the pectoral fins of a rajafish.

"A wholesaler" is a person who buys frozen fish or seafood and resells 20 percent or more of such frozen fish or seafood to persons other than ultimate consumers.

[Sec. 11 formerly 12 amended by Am. 1, 8 F.R. 5566, effective 4–26–43; Am. 5, 8 F.R. 12792, effective 9–23–43; Am. 7, 8 F.R. 15191, effective 11–8–43; Am. 12, 9 F.R. 2023, effective 2–26–44; Am. 13, 9 F.R. 3388, effective 4–3–44; Am. 15, 9 F.R. 3424, effective 3–28–44; Am. 16, 9 F.R. 4182, effective 4–22–44, except that with respect to sales made by sellers to buyers, both located west of the Mississippi River, effective 5–11–44; Am. 19, 9 F.R. 7420, effective 7–1–44 and redesignated by Am. 20, effective 9–11–44]

ARTICLE IV—BASE PRICES AND PACKAGE DIFFERENTIALS

SEC. 12. *Table of package differentials.* This section sets out the amount which may be added to, or which must be subtracted from, the base price listed in section 13 when the frozen fish or seafood is packed in containers of sizes and kinds herein listed or when the frozen fish or seafood is not packed in boxes or other containers.

[Introductory paragraph added by Am. 19, 9 F.R. 7420, effective 7–1–44 and amended by Am. 20, effective 9–11–44]

Parchment wrapped in 15 lb. wood or paper box	Base price.
Parchment wrapped in 10 lb. wood or paper box	Add ¼¢ per lb.
Parchment wrapped in 5 lb. wood or paper box	Add ½¢ per lb.
Parchment wrapped in 1 lb. wood or paper box	Add 1½¢ per lb.
Cellophane wrapped in 15 lb. wood or paper box	Add ¼¢ per lb.
Cellophane wrapped in 10 lb. wood or paper box	Add ½¢ per lb.
Cellophane wrapped in 5 lb. wood or paper box	Add ¾¢ per lb.
Cellophane wrapped in 1 lb. wood or paper box	Add 1¾¢ per lb.
Layer pack in 15 lb. wood or paper box	Subtract ½¢ per lb.
Layer pack in 10 lb. wood or paper box	Subtract ¼¢ per lb.
Layer pack in 5 lb. wood or paper box	Base price.
Cry-o-vac: When Cry-o-vac bags or containers of similar materials are used in conjunction with any of the above methods of wrapping or packing add to the above differentials: ¼¢ per pound for a unit of 15 pounds net weight; ½¢ per pound for a unit of 10 pounds net weight; ¾¢ per pound for a unit of 5 pounds, net weight.	
Frozen fish and frozen sea foods not packed in boxes or other containers	Subtract 1¢.

[Sec. 12 formerly 13 redesignated by Am. 20, effective 9–11–44]

SEC. 13. *Table of base prices for frozen fish and seafood.* This section lists the various species of frozen fish and seafood for which maximum prices are fixed by this regulation. The base price, in cents per pound, is listed for each species according to the style of processing and the size and in some instances, the grade. The listed base prices in this section are base prices per pound for frozen fish and seafood as packed in and including a container of a size and kind other than those containers of the sizes and kinds listed in section 12.

[Introductory paragraph added by Am. 19, 9 F.R. 7420, effective 7-1-44 and amended by Am. 20, effective 9-11-44]

FROZEN FISH AND SEAFOOD

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
	Bass, black sea. See Sched. 52.				
	Bass, striped. See Sched. 42.				
*1	Bluefish (Pomatomus saltratrix)	1	Gutted	4 pounds and over	$0.25
		2	Gutted	2 to 4 pounds	.20
		3	Gutted	1 to 2 pounds	.12
		4	Gutted	Under 1 pound	.10
*2	Bonito, Atlantic (Sarda sarda)	1	Round	2 pounds and over	.10
		2	Round	Under 2 pounds	.08
*3	Butterfish (Poronotus triacanthus)	1	Round	1 pound and over	.18
		2	Round	½ to 1 pound	.15
		3	Round	⅓ to ½ pound	.10
		4	Round	Under ⅓ pound	.08
4	Catfish, Sea—Bagre Marina	1	Round	All sizes	.07
		2	Dressed and skinned.	All sizes	.20
	Cod, Black Pacific (Sable Fish). See Sched. 26.				
	Cod, Red Pacific. See Sched. 25.				
	Cod, Rock Pacific. See Sched. 25.				
5	Cod—Atlantic Coast (Gadus callarias)	1	Gutted	Under 2½ lbs	.09
		2	Gutted	2½ lbs. and over	.09½
		3	Headed and gutted.	2½ to 10 lbs	.12
		4	Headed and gutted.	10 to 25 lbs	.12¾
		5	Headed and gutted.	25 lbs. and over	.13
		6	Steaks (sliced)	All sizes	.18
		7	Fillets	All sizes	.22¾
*6	Croaker (Micropogon undulatus)	1	Round	1½ pounds and over	.09
		2	Round	⅔ to 1½ pounds	.08
		3	Round	Under ⅔ pound	.07
		4	Gutted	1 pound and over	.10
		5	Gutted	Under 1 pound	.08
7	Cusk (Brosme brosme)	1	Fillets	All sizes	.21
8	Drum, Red, S. Atlantic and Gulf (Sciaenops ocellatus).	1	Dressed	All sizes	.18
		2	Fillets	All sizes	.26
9	Eel—Common (Anguilla rostrata)	1	Round	All sizes	.11
		2	Gutted	All sizes	.13
		3	Skinned	All sizes	.14
10	Eel, Conger (Ocean pout or Eel pout) (Zoarces anguillaris).	1	Round	All sizes	.05
		2	Gutted	All sizes	.06½
		3	Dressed and Skinned.	All sizes	.10
		4	Fillets	All sizes	.20
11	(a) Blackback (Winter Flounder) (Pseudopleuronectes).	1	Round	All sizes	.09½
		2	Fillets	All sizes	.25
		3	Headed and gutted.	All sizes	.13
	(b) Dab (Sea)	1	Round	All sizes	.07
		2	Fillets	All sizes	.25
		3	Headed and gutted.	All sizes	.10
	(c) Dab (Yellowtail) (Limanda ferruginea)	1	Round	All sizes	.07
		2	Fillets	All sizes	.25
		3	Headed and gutted.	All sizes	.10
	*(d) Fluke (Summer Flounder) (Paralichthys dentatus).	1	Round	Under 4 pounds	.07
		2	Round	4 pounds and over	.09
		3	Fillets	All sizes	.25

See footnotes at end of table.

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
	(e) Sole, gray (Glyptocephalus Cynoglossus).	1	Round	All sizes	$0.11
		11 2	Fillets	All sizes	.25
	(f) Sole, lemon (Pseudopleuronectes dignabilis).	1	Round	All sizes	.12
		11 2	Fillets	All sizes	.30
	(g) Sole, Petrale—Pacific	4	Fillets	All sizes	.27
*12	Grouper (Mycteroperca species, Ephinephelus species).	1	Gutted	All sizes	.15
		2	Dressed	All sizes	.20
		3	Steaks	All sizes	.40
		4	Fillets and tenderloins.		.50
*13	Haddock (Melanogrammus aeglefinus)	1	Gutted	2½ pounds and over	.10½
		2	Gutted scrod	Under 2½ pounds	.10
		3	Fillets	All sizes	.24½
		4	Dressed	2½ pounds and over	.12¾
14	Hake—Atlantic Coast (Urophycis species)	1	Fillets	All sizes	.20½
*15	Halibut, Pacific (Hippoglossus, hippoglossus).[10]	1	Round	All sizes	.14
		2	Drawn	All sizes	.18½
		3	Dressed	Under 10 pounds	.20½
		4	Dressed	10 thru 60 pounds	.21½
		5	Dressed	Over 60 pounds	.20½
		6	Steaks	All sizes	.30½
		7	Fillets	All sizes	.31½
16	Herring, Sea—Atlantic (Clupea harengus)	1	Round	All sizes	.04
		2	Fillets	All sizes	.11
	Lafayette. See Spot.				
17	Lingcod—Pacific (Ophiodon elongatus)	1	Dressed	All sizes	.11½
		2	Fillets	All sizes	.27
*18	Mackerel—Atlantic Coast (Scomber scombrus).	1	Round	1½ pounds and over	.11
		2	Round	1 to 1½ pounds	.10
		3	Round	½ to 1 pound	.08
		4	Round	Under ½ pound	.06
		5	Fillets	All sizes	.20
*19	Mackerel, Spanish (Scomberomorus maculatus).	1	Round	1¼ pounds and over	.16
		2	Round	Under 1¼ pounds	.15
20	Mackerel, King (Scomberomorus cavalla) (Scomberomorus regalis).	1	Gutted	All sizes	.15
*21	Mullet (Mugil species)	1	Round	1 pound and over	.10
		2	Round	Under 1 pound	.08
		3	Dressed	All sizes	.16
		4	Fillets	All sizes	.24
	Ocean Perch (Rosefish). See Sched. 27.				
	Permit. See Pompano.				
	Petrale Sole, Pleuronectidae species. See Sched. 11-(g).				
22	Pollock (Pollachius virens)	1	Dressed	All sizes	.09½
		2	Fillets	All sizes	.16¾
*23	Pompano, Atlantic Coast (Trachinotus species).	1	Round	2½ pounds and over	.50
		2	Round	1 to 2½ pounds	.35
		3	Round	Under 1 pound	.20
*24	Porgy (Stenotomus species)	1	Round	1 pound and over	.08
		2	Round	Under 1 pound	.07
	Redfish—S. Atlantic and Gulf. See Drum, Red.				
	Red Perch. See Rosefish, No. Atlantic.				
25	Red cod or Rock cod—Pacific (Sebastodes species).	1	Round	All sizes	.07
		2	Dressed	All sizes	.10½
		3	Fillets	All sizes	.23
*26	Red Snapper (Lutianus blackfordii)	1	Dressed	All sizes	.26
		2	Gutted	All sizes	.20
		3	Steaks	All sizes	.45
		4	Fillets and tenderloins.	All sizes	.60
27	Rosefish (Sebastes marinus)	1	Fillets	All sizes	.22
*28	Sablefish (Anoplopoma fimbria)	1	Round	All sizes	.13¾
		2	Dressed	All sizes	.15½
		3	Steaks	All sizes	.22½
		4	Fillets	All sizes	.32
29	Salmon—Atlantic (Salmo salar)	1	Round	All sizes	.30
*30	Salmon, Chinook or King (troll caught)—Pacific (Oncorhynchus tschawytscha) (a) Red Meated,	1	Dressed	12¾ pounds and over	.29¼
		2	Steaks	All sizes	.35¾
		3	Dressed	Under 12¾ pounds	.25
		4	Drawn	14 pounds and over	.26¼
		5	Drawn	Under 14 pounds	.22¾
		6	Fillets	All sizes	.35¾
	(b) White Meated	1	Drawn	All sizes	.18
		2	Dressed	All sizes	.19¾
		3	Steaks	All sizes	.27¾
		4	Fillets	All sizes	.29

See footnotes at end of table.

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
31A	Salmon, Silver (troll caught)—Pacific (Oncorhynchus kisutch).	1	Dressed	All sizes	$0.22¾
		2	Steaks	All sizes	.31

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
	Whiting (Merluccius bilinearis)—Cont.	4	Butterfly fillets	All sizes	$0.15¾

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
		3	Headless and veined.	All sizes	$0.15¼
		4	Butterfly fillets.	All sizes	.16¼
		5	Regular fillets.	All sizes	.08½
		6	Dressed and scaled.		
48	Wolffish (Anarhichas lupus)	1	Chunks	All sizes	.20
		2	Fillets	All sizes	.22¾
49	Crabmeat—Atlantic and Gulf Coast	1	Lump meat	1 pound net	.70
		2	Flake meat	1 pound net	.60
		3	Claw meat	1 pound net	.46
		4	Mixed; lump and flake.	1 pound net	.65
50	Crabmeat—Pacific Coast	1	Regular (mixed) meat.	5 pounds net	.73
		2	Regular (mixed) meat.	1 pound net	.80
51	Lobstermeat—N. Atlantic (Homarus Americanus).	1	Regular	1 pound	.85
52	Oysters—Atlantic and Gulf Coasts (Ostrea virginica).	1	Chesapeake	Standards	.41
		2	Chesapeake	Selects	.44
		3	Northern	Mediums	.43
		4	Northern	Selects	.47
53	Scallops (Pectin species)[1]	1	Sea	All sizes	.35½
		2	Bay	All sizes	.51
54	Shrimp and prawn[1]	1	Head-on	Under 9 count	.20
		2	Head-on	9 to 12 Count	.18
		3	Head-on	12 to 15 Count	.16
		4	Head-on	15 to 18 Count	.14
		5	Head-on	18 to 25 Count	.12½
		6	Head-on	26 to 39 Count	.11
		7	Head-on	40 and over Count	.09½
		8	Headless	Under 15 Count	.36
		9	Headless	15 to 20 Count	.31½
		10	Headless	21 to 25 Count	.28
		11	Headless	26 to 30 Count	.24½
		12	Headless	31 to 42 Count	.22
		13	Headless	43 to 65 Count	.20
		14	Headless	66 and over Count	.17½
		15	Peeled	Under 18 Count	.44½
		16	Peeled	18 to 25 Count	.39½
		17	Peeled	26 to 31 Count	.35
		18	Peeled	32 to 37 Count	.31
		19	Peeled	38 to 51 Count	.28
		20	Peeled	52 to 80 Count	.25
		21	Peeled	81 and over Count	.22
		22	Peeled and veined.	Under 20 Count	.51½
		23	Peeled and veined.	20 to 27 Count	.45
		24	Peeled and veined.	28 to 33 Count	.40½
		25	Peeled and veined.	34 to 40 Count	.36
		26	Peeled and veined.	41 to 56 Count	.33
		27	Peeled and veined.	57 to 86 Count	.29½
		28	Peeled and veined.	87 and over Count	.26½
		29	Headless and veined.	Under 16 Count	.39½
		30	Headless and veined.	16 to 21 Count	.35
		31	Headless and veined.	22 to 27 Count	.31
		32	Headless and veined.	28 to 32 Count	.27½
		33	Headless and veined.	33 to 45 Count	.25
		34	Headless and veined.	46 to 69 Count	.22½
		35	Headless and veined.	70 and over Count	.20
*55	Spiny (Rock) Lobster tails—S. Africa (Jasus lalandii).	1	10–20–30 lb	¾ pound and over	.42
		2	10–20–30 lb	½ to ¾ pound	.40
		3	10–20–30 lb	Under ½ pound	.38
*56	Spiny (Rock) Lobster tails—Caribbean, Gulf and Pacific (Panulirno Argus).	1	10–20–30 lb	¾ pound and over	.40
		2	10–20–30 lb	½ to ¾ pound	.38
		3	10–20–30 lb	Under ½ pound	.36

See footnotes at end of table.

FROZEN FISH AND SEAFOOD—Continued

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
31A	Salmon, Silver (troll caught)—Pacific (Oncorhynchus kisutch).	1	Dressed	All sizes	$0.22¾
		2	Steaks	All sizes	.31
		3	Drawn	All sizes	.20½
		4	Fillets	All sizes	.32
31B	Salmon, Silver (seine caught)—Pacific (Oncorhynchus kisutch).	1	Round	All sizes	.16½
		2	Drawn	All sizes	.19
		3	Dressed	All sizes	.21¼
		4	Steaks	All sizes	.29
		5	Fillets	All sizes	.30
*32	Salmon, Fall—Pacific (Oncorhynchus keta)	1	Dressed	All sizes	.16½
		2	Steaks	All sizes	.23½
		3	Round	All sizes	.12½
		4	Drawn	All sizes	.14½
		5	Fillets	All sizes	.23
	Sardine—Atlantic Coast. See Herring.				
	Scup. See Porgy.				
*33	Sea Bass, Black—Atlantic Coast (Centropristes striatus).	1	Round	1 pound and over	.16
		2	Round	Under 1 pound	.10
*34	Sea Bass, White—Pacific Coast (Cynoscion nobilis).	1	Dressed	All sizes	.20
		2	Fillets	All sizes	.38
35	Shad (Roe shad) (Alosa sapidissima)	1	Round	All sizes	.16
36	Shad (Buck shad) (Alosa sapidissima)	1	Round	All sizes	.08
37	Shad (Cut shad) (Alosa sapidissima)	1	Gutted	1½ pounds up	.07
38	Shad, Roe	1	12 to 14 oz. per pair.	Jumbo	.75
		2	10 to 12 oz. per pair.	Large	.60
		3	8 to 10 oz. per pair.	Medium	.45
		4	Small, under 8 oz.		.35
39	Skate (Rajafish)	1	Wings	All sizes	.06
		2	Saddles	All sizes	.05
40	Sole, Dover—Pacific	1	Round	All sizes	.07
		2	Dressed	All sizes	.08½
		3	Dressed and skinned.	All sizes	.13½
		4	Fillets	All sizes	.27
40A	Sole, English—Pacific	1	Round	13 in. and over	.08
		2	Round	11½ to 13 in.	.06½
		3	Dressed	13 in. and over	.09½
		4	Dressed	11½ to 13 in.	.07½
		5	Dressed and skinned.	All sizes	.10¾
		6	Fillets	All sizes	.27
40B	Sole, Sand—Pacific	1	Round	All sizes	.07½
		2	Dressed	All sizes	.09¼
		3	Dressed and skinned.	All sizes	.11
		4	Fillets	All sizes	.27
40C	Sole, Turbot—Pacific	1	Round	All sizes	.07
		2	Dressed	All sizes	.06½
		3	Skinned	All sizes	.10½
		4	Fillets	All sizes	.27
*41	Spot (Leiostomus Xanthurus)	1	Round	½ pound and over	.12
		2	Round	¼ to ½ pound	.08
		3	Round	Under ¼ pound	.05
*42	Striped Bass (Rock) (Roccus saxatilis)	1	Round	8 pounds and over	.16
		2	Round	4 to 8 pounds	.18
		3	Round	2 to 4 pounds	.20
		4	Round	Under 2 pounds	.14
43	Swordfish (Xiphias gladius)	1	Dressed	All sizes or section	.34½
		2	Cuts, center	All sizes	.36½
		3	Cuts, head and tail.	All sizes	.33¾
		4	Steaks, individual.	All sizes	.48
*44	Trout, Sea, Gray (Weakfish), (Cynoscion regalis).	1	Round	3 pounds and over	.10
		2	Round	1 to 3 pounds	.09
		3	Round	Under 1 pound	.08
		4	Gutted	3 pounds and over	.12
		5	Gutted	1½ to 3 pounds	.11
		6	Gutted	Under 1½ pounds	.09
45	Trout, Sea, Speckled (Spotted Weakfish) (Cynoscion nebulosus).	1	Round	All sizes	.15
		2	Gutted	All sizes	.18
46	Tuna—Atlantic Coast (Thunnus Thyssus) (Thunnus Secundodorsalis).	1	Dressed	All sizes	.14
47	Whiting (Merluccius bilinearis)	1	Round	All sizes	.05¼
		2	Dressed	All sizes	.08
		3	Dressed and skinned.	All sizes	.16¾
	Whiting (Merluccius bilinearis)—Cont.	4	Butterfly fillets.	All sizes	$0.15¾
		5	Regular fillets.	All sizes	.16¾
		6	Dressed and scaled.	All sizes	.08½
48	Wolffish (Anarhichas lupus)	1	Chunks	All sizes	.20
		2	Fillets	All sizes	.22¾
49	Crabmeat—Atlantic and Gulf Coast	1	Lump meat	1 pound net	.70
		2	Flake meat	1 pound net	.60
		3	Claw meat	1 pound net	.46
		4	Mixed; lump and flake.	1 pound net	.65
50	Crabmeat—Pacific Coast	1	Regular (mixed) meat.	5 pounds net	.73
		2	Regular (mixed) meat.	1 pound net	.80
51	Lobstermeat—N. Atlantic (Homarus Americanus).	1	Regular	1 pound	.85
52	Oysters—Atlantic and Gulf Coasts (Ostrea virginica).	1	Chesapeake	Standards	.41
		2	Chesapeake	Selects	.44
		3	Northern	Mediums	.43
		4	Northern	Selects	.47
53	Scallops (Pectin species)[1]	1	Sea	All sizes	.35½
		2	Bay	All sizes	.51
54	Shrimp and prawn[1]	1	Head-on	Under 9 count	.20
		2	Head-on	9 to 12 Count	.18
		3	Head-on	12 to 15 Count	.16
		4	Head-on	15 to 18 Count	.14
		5	Head-on	18 to 25 Count	.12½
		6	Head-on	26 to 39 Count	.11
		7	Head-on	40 and over Count	.09½
		8	Headless	Under 15 Count	.36
		9	Headless	15 to 20 Count	.31½
		10	Headless	21 to 25 Count	.28
		11	Headless	26 to 30 Count	.24½
		12	Headless	31 to 42 Count	.22
		13	Headless	43 to 65 Count	.20
		14	Headless	66 and over Count	.17½
		15	Peeled	Under 18 Count	.44½
		16	Peeled	18 to 25 Count	.39½
		17	Peeled	26 to 31 Count	.35
		18	Peeled	32 to 37 Count	.31
		19	Peeled	38 to 51 Count	.28
		20	Peeled	52 to 80 Count	.25
		21	Peeled	81 and over Count	.22
		22	Peeled and veined.	Under 20 Count	.51½
		23	Peeled and veined.	20 to 27 Count	.45
		24	Peeled and veined.	28 to 33 Count	.40½
		25	Peeled and veined.	34 to 40 Count	.36
		26	Peeled and veined.	41 to 56 Count	.33
		27	Peeled and veined.	57 to 86 Count	.29½
		28	Peeled and veined.	87 and over Count	.26½
		29	Headless and veined.	Under 16 Count	.39½
		30	Headless and veined.	16 to 21 Count	.35
		31	Headless and veined.	22 to 27 Count	.31
		32	Headless and veined.	28 to 32 Count	.27½
		33	Headless and veined.	33 to 45 Count	.25
		34	Headless and veined.	46 to 69 Count	.22½
		35	Headless and veined.	70 and over Count	.20
*55	Spiny (Rock) Lobster tails—S. Africa (Jasus lalandii).	1	10–20–30 lb	¾ pound and over	.42
		2	10–20–30 lb	½ to ¾ pound	.40
		3	10–20–30 lb	Under ½ pound	.38
*56	Spiny (Rock) Lobster tails—Caribbean, Gulf and Pacific (Panulirno Argus).	1	10–20–30 lb	¾ pound and over	.40
		2	10–20–30 lb	½ to ¾ pound	.38
		3	10–20–30 lb	Under ½ pound	.36

See footnotes at end of table.

PROBOSC FISH AND SHELLFISH—Continued

Sched No.	Name	Item No.	Style of processing	Size	Base price per pound
57	Spiny (Rock) Lobstermeat—S. Africa, Caribbean, Gulf and Pacific.	1	1 lb. net	Regular	$0.65
*58	Squid, bone—Atlantic Coast (Loligo pealei).	1	Round	All sizes	.14
*59	Squid, bone—Pacific Coast (Loligo opalescens).	1	Round	All sizes	.10
69	Smelts (Columbia River Eulachon) (Thaleichthys pacificus or any Argentinidae species)[9].	1	Round	All sizes	.10
60A	Smelts, Atlantic Coast (Osmerus Mordax)...	1	Round	8½ in. and over	.25
	(a) Jumbo	2	Round	7 to 8½ in.	.21½
	(b) Extra	3	Round	5½ to 7 in.	.14½
	(c) No. 1	4	Round	4 to 5½ in.	.08
	(d) No. 2 (Medium)	5	Dressed	5½ to 7 in.	.23½
	(e) No. 3	1	Round	All sizes	.08
61	Cod, True—Pacific (Gadus macrocephalus).	2	Dressed	All sizes	.09½
		3	Fillets	All sizes	.19½
62	Flounder—Pacific	1	Round	All sizes	.07
		2	Dressed	All sizes	.09½
63	Salmon, Pink—Pacific (Oncorhynchus gorbuscha).	3	Fillets	All sizes	.27
		1	Round	All sizes	.09½
		2	Drawn	All sizes	.10½
		3	Dressed	All sizes	.12
		4	Fillets	All sizes	.18
64	Salmon, Sockeye—Pacific (Oncorhynchus nerka).	1	Round	All sizes	.21
		2	Dressed	All sizes	.27½
65	Salmon, Chinook or King (sane caught)—Pacific (Oncorhynchus tschawytscha).	1	Round	All sizes	.19½
		2	Dressed	All sizes	.24½
66	Salmon, Steelhead—Pacific (Salmo gairdneri).	1	Round	All sizes	.14½
		2	Dressed	All sizes	.18½
67	Sole, Rex—Pacific	1	Round	All sizes	.04½
		2	Dressed and skinned.	All sizes	.10½
68	Lake herring (Leucichthys artedi) [9]	1	Round	All sizes	.07½
		2	Gutted	All sizes	.09½
		3	Headed and gutted.	All sizes	.11
		4	Headed, gutted and scaled.	All sizes	.12
		5	Fillets	All sizes	.17½
		6	Boned	All sizes	.17½
69	Lake herring—caught in Saginaw Bay (Leucichthys artedi).	1	Round	All sizes	.08½
		2	Gutted	All sizes	.13
		3	Headed and gutted.	All sizes	.11
		4	Headed, gutted and scaled.	All sizes	.12
		5	Fillets	All sizes	.17½
		6	Boned	All sizes	.17½
70	Whitefish—Canadian (Coregonus clupeiformis).[9]	1	Round or gutted.	Under 4 pounds	.15
		2	Round or gutted.	4 and over	.19
		3	Fillets	All sizes	.33
71	Tullibee—Canadian (Argyrosomus tullibee) or (Leucichthys tullibee)[9].	1	Round	All sizes	.06
		2	Gutted	All sizes	.07½
72	Lake Trout—Canadian (Cristivomer mayeush).[9]	1	Round or gutted.	All sizes	.16
		2	Fillets	All sizes	.35
73	Yellow Pike—Canadian (Yellow or Walleyed Pike) (Stizostedion vitreum vitreum).[9]	1	Round or gutted.	All sizes	.11
		2	Headless and gutted.	All sizes	.13½
		3	Fillets	All sizes	.27½
74	Sucker—Canadian (Fresh water Mullet) (Catostomidae species).[9]	1	Round	All sizes	.03
		2	Fillets	All sizes	.13
75	Pickerel—Canadian (Jacks, Great Northern Pike or Grass Pike) (Esox lucius).[9]	1	Round	All sizes	.05½
		2	Headless and gutted.	All sizes	.07½
		3	Fillets	All sizes	.16½
76	Sauger—Canadian (Sand Pike) (Stizostedion canadense).[9]	1	Round	All sizes	.08½
		2	Headless and gutted.	All sizes	.10½
		3	Fillets	All sizes	.23
77	Yellow Perch—Canadian (Perca) (flavescens).[9]	1	Round	All sizes	.06½

[Table amended by Am. 1, 8 F.R. 5566, effective 4-26-43; Am. 2, 8 F.R. 7592, effective 6-4-43; Am. 3, 8 F.R. 11175, 12445, effective 8-12-43; Am. 4, 8 F.R. 12023, effective 9-4-43; Am. 5, 8 F.R. 12792, effective 9-23-43; Am. 6, 8 F.R. 14079, effective 10-20-43; Am. 7, 8 F.R. 15191, effective 11-8-43; Am. 8, 8 F.R. 15663, effective 11-20-43; Am. 9, 8 F.R. 16998, effective 12-17-43; Am. 11, 9 F.R. 946, effective 1-24-44; Am. 13, 9 F.R. 3388, effective 4-2-44; Am. 14, 9 F.R. 3459, effective 4-7-44; Am. 16, 9 F.R. 4182, effective 4-22-44; with respect to sales made by sellers to buyers, both located west of the Mississippi River effective 5-11-44; Am. 18, 9 F.R. 5168, effective 5-20-44; Am. 19, 9 F.R. 7420, effective 7-1-44. *Items amended by Am. 20, effective 9-11-44]

[1] The base prices listed for this seafood apply only when packed in containers of more than one pound to and including 10 pounds. When packed in containers of one pound or less, 1¼ cents per pound may be added to the listed prices.

[Footnote 1 added by Am. 4, 8 F.R. 12023, effective 9-4-43 and amended by Am. 5, 8 F.R. 12792, effective 9-23-43]

[2] When scallops are frozen in scallop bags, deduct 2 cents per pound from the listed prices.

[Footnote 2 added by Am. 5]

[3] No processor shall sell any fish of this species and style at the prices listed until he shall have sold at or below the prices applicable to this item before October 20, 1943, an amount equal to that part of his October 20, 1943 inventory of that species and style which he froze before September 1, 1943. No importer shall sell any fish of this species and style frozen before September 1, 1943 outside any of the forty-eight states of the United States and the District of Columbia at prices higher than those applicable to this item before October 20, 1943.

[4] No processor shall sell any fish of this species and style at the prices listed until he shall have sold at or below the prices applicable to this item before October 20, 1943, an amount equal to that part of his October 20, 1943 inventory of that species and style which he froze before October 1, 1943. No importer shall sell any fish of this species and style frozen before October 1, 1943 outside any of the forty-eight states of the United States and the District of Columbia at prices higher than those applicable to this item before October 20, 1943.

[Footnotes 3 and 4 added by Am. 6, 8 F.R. 14079, effective 10-20-43; and amended by Am. 8, 8 F.R. 15662, effective 11-20-43]

[5] The maximum prices listed for this species of fish apply only to fish caught in Lake Superior, Lake Michigan, Lake Huron, and waters tributary thereto, except Saginaw Bay.

[Footnote 5 added by Am. 8, 8 F.R. 15662, effective 11-20-43]

[6] These prices apply to this species caught or landed in Canada except that they do not apply to fish caught in Lake of the Woods and any other body of water east of that lake which is partly in Canada and partly in the State of Minnesota or which constitutes the boundary line between Canada and the State of Minnesota; Lake Superior, Lake Huron, Lake St. Clair, Lake Erie, Lake Ontario and any of the waters connecting these five lakes; and the St. Lawrence River where it constitutes the boundary line between New York State and Canada.

To these prices may be added duty. Any person who processes this species may add to his selling price an amount which will recover the full amount of duty which he paid for the particular lot of fish involved in the processing.

[Footnotes 6, 7 and 8 added by Am. 13, 9 F.R. 3388, effective 4-2-44; 6 amended by Am. 19, 9 F.R. 7420, effective 7-1-44 and Am. 20, effective 9-11-44; 7 and 8 revoked by Am. 20, effective 9-11-44]

[7] The processor shall deduct 3½ cents from the base price if he does not either wash and repack the smelts in layers or wash and individually freeze the smelts.

[Footnote 9 added by Am. 15, 9 F.R. 3424, effective 3-28-44]

[8] The base prices listed for halibut apply to frozen halibut originally landed fresh on the Pacific Coast of the Continental United States. For frozen halibut originally landed fresh in Canada or Alaska, deduct the following amounts from the listed prices:

Style of dressing:	Deductions cents
Dressed	2½
Steaks	3½
Fillets	4
Round	2½
Drawn	2½

For frozen halibut originally landed fresh in the Atlantic Coast of the United States, add ½ cent to the listed prices.

[Footnote 10 amended by Am. 19, 9 F.R. 7420, effective 7-1-44]

[11] The base price listed for these fillets apply only if they are wrapped and marked as gray sole or lemon sole, whichever is the case; otherwise the applicable base price is that listed for Item No. 3 of Schedule No. 11 (c), Dab (Yellowtail).

[Footnotes 10 and 11 added by Am. 16, 9 F.R. 4182, effective 4-22-44, except that with respect to sales made by sellers to buyers both located west of the Mississippi River effective 5-11-44]

[Sec. 13 formerly 14 redesignated by Am. 20, effective 9-11-44]

Effective date. This regulation shall become effective in the United States on April 13, 1943. [MPR 364 originally issued April 7, 1943]

[Effective date amended by Am. 1, 8 F.R. 5566, effective 4-26-43]

[Effective dates of amendments are shown in notes following parts affected]

NOTE: The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13765; Filed, Sept. 7, 1944; 12:00 m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 398, Amdt. 4]

VARIETY MEATS AND EDIBLE BY-PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 398 is amended in the following respects:

1. The following items, "Cheek meat, Lips on", "Feet", "Head, calf, skin on", "Head meat", "Snouts (lean meat out)", "Snouts (lean meat in)", and "Tongue meat", listed in alphabetical order in the table contained in section 13 (a) (1) are amended to read as follows:

Variety meats and edible by-products	Beef	Kosher beef	Veal	Kosher veal	Lamb and mutton	Kosher lamb and mutton	Pork
Cheek meat, lips on		13.00		13.00			
Feet, scalded	10.00	11.00	10.00	10.00			
Head, calf, skin on			3.50	4.00			
Head meat	13.00	13.00	13.00	13.00	10.00		18.00
Snouts (lean meat out)							6.00
Snouts (lean meat in)							7.50
Tongue meat	11.00	11.00	11.00				10.00

2. The following items, "Feet, green", "Head, beef, skinned", and "Livers, calf, overweight", are added in alphabetical order in the table contained in section 13 (a) (1).

Variety meats and edible by-products	Bee	Kosher beef	Veal	Kosher veal	Lamb and mutton	Kosher lamb and mutton	Pork
Feet, green		4.00		4.00			
Head, beef, skinned	3.50						
Livers, calf, overweight			30.00				

3. The item "Oxtail, split joints" in the tables contained in section 13 (a) (1) and (2) is hereby deleted.

4. The following items, "Hearts" and "Kidneys", listed in alphabetical order in section 13 (a) (2) are amended to read as follows:

Variety meats and edible by-products	Beef	Veal	Lamb and mutton	Pork
Hearts	18.00	18.00	18.00	18.00
Kidneys	13.50	20.50	12.00	12.25

5. Section 13 (a) (4) is amended to read as follows:

(4) *Vinegar pickled and cooked beef tripe.*

	Regular	Honeycomb
Kits (13 pounds), each	2.00	2.35
¼ barrel (17 pounds), each	3.00	3.00
⅓ barrel (35 pounds), each	5.00	5.60
½ barrel (75 pounds), each	10.00	11.75
Barrel (200 pounds), each	26.00	30.00
Pierce (300 pounds), each	39.00	45.00
Loose, per hundredweight	12.00	14.00

6. Section 14 (d) is amended to read as follows:

(d) *Peddler truck selling addition.* On a peddler truck sale involving delivery of not more than 50 pounds of variety meats and edible by-products in a total delivery of not more than 150 pounds of meats and meat products in any one day from such peddler truck to any buyer's store door, a peddler may add to the prices specified in section 13 (a) (1) the sum of $1.50 per hundredweight. If such sale involves a delivery of more than 50 pounds of variety meats and edible by-products or a total delivery of more than 150 pounds of meats and meat products, the peddler may add to the price specified in section 13 (a) (1), an amount not in excess of $0.75 per hundredweight applicable to the total delivery of variety meats and edible by-products in the one day from such peddler truck to the buyer's store door. These additions shall be in lieu of any local delivery and/or transportation charges.

*Copies may be obtained from the Office of Price Administration.

7. Section 14 (g) is amended to read as follows:

(g) *Wholesalers' selling addition.* On sale of variety meats and edible by-products not obtained through custom slaughtering, a person, who at the time of the sale is a wholesaler, may add $1.00 per cwt. to the applicable zone price: *Provided, however,* That no person shall charge the addition permitted by this section 14 (g) unless such person shall have filed with the appropriate Regional Office of the Office of Price Administration a certified statement that the person (1) is engaged in the business of buying variety meats and edible by-products for resale other than at retail; (2) does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and is not owned or controlled, in whole or in substantial part, by another person who owns or controls in whole or in substantial part any slaughtering plant or facilities; and (3) is not a hotel supply house or peddler truck seller within the meaning of this Maximum Price Regulation No. 398. The filing of such a statement shall not preclude investigation by the Office of Price Administration of the fact relating to the nature of the business carried on by the person filing the statement, or any action or proceeding arising from such investigation.

8. The definition of "Hotel supply house" in section 16 (a) is amended to read as follows:

"Hotel supply house" means a separate selling establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of beef carcasses and/or beef wholesale cuts, ground beef and miscellaneous beef items, variety meats and edible by-products and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products and/or processed meat products to ultimate consumers pursuant to the provisions of § 1364.416 of Revised Maximum Price Regulation No. 169; and which during the period of September 15 through December 15, 1942, sold and/or delivered to purveyors of meals, not less than 70 percent of the total volume by weight of all meats, variety meats and edible by-products and/or sausage and similar products thereof, sold or delivered by it, other than to war procurement agencies. The status of any selling establishment as a hotel supply house shall not be affected where such establishment is physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment, but is not owned or controlled by, or does not own or control such packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment. "Own or control" within the meaning of this definition means to own or control directly or indirectly a partnership equity or in excess of 10% of any class of out-

standing stock or to have made loans or advances in excess of 5% of the other person's monthly sales. Any selling establishment which satisfies the definition herein contained and which in addition sells or delivers frozen boneless beef (Army specifications) and/or ground beef and miscellaneous beef items to any purchasing agency of a war procurement agency and/or which sells fabricated beef cuts (War Shipping Administration specifications) shall nevertheless be deemed to be a hotel supply house.

9. Subdivisions (ii) and (iii) of the definition of "purveyor of meals" contained in section 16 (a) are hereby revoked.

10. Subdivisions (iv) and (v) of the definition of "purveyor of meals" contained in section 16 (a) are redesignated (ii) and (iii).

11. The definitions of "Variety meats and edible by-products" "Cheek meat, lips on", "Livers, beef, unblemished", "Livers, veal or calf, unblemished", "Tongues, beef" and "Tongues, lamb" appearing in section 16 (b) are amended to read as follows:

"Variety meats and edible by-products" means any by-product of hog, cattle, calf, sheep and lamb slaughter which is listed in any form in section 13 and is clean, sound, has at all times been handled in a sanitary manner, and is free from foreign material, mucus, hair, and wool. Referring to variety meats and edible by-products derived from livestock slaughter, the term:

"Cheek meat, lips on" of cattle or calves means the lean muscle on the inside and outside of the lower jaw, with the lip attached.

"Livers, beef, unblemished" means all livers of any weight that have bright uniform color, light to chocolate brown, obtained from the slaughter of cattle other than calves.

"Livers, veal or calf, unblemished" means all livers of bright uniform color, short and plump and fine grained in texture, free from cuts or mutilations, weighing not more than 5½ pounds obtained from the slaughter of calves.

"Tongues, beef", means tongues from cattle, cut off at a point that leaves the epiglottis on the tongue. The entire gullet including the soft palate shall be removed and the hinge bone shall not protrude over the end of the tongue. One-half inch of fat may be left on the underside of the tongue, which shall be trimmed smooth in removing the glands. This grade of tongue may have a single mutilation not over 2½ inches in diameter or 1½ inches in depth, or three mutilations not over the size of a half dollar in circumference or one inch in depth. The tip may be cut off up to a point where cross section thickness does not exceed one and one-half inches.

"Tongues, lamb" means lamb or sheep tongues, scalded, skinned and trimmed so as to leave the epiglottis on the tongue. The hinge bones are to be cut flush with the butt end of the tongue. All fat is to be trimmed from the base of the tongue.

12. The definitions of "Feet" and "Livers, beef, calf, blemished" contained in section 16 (b) hereby are revoked.

13. The definitions of "Feet, green", "Feet, scalded", "Head, beef, skinned", "Livers, beef, blemished", "Livers, veal or calf, blemished", and "Livers, calf, overweight" are added in their alphabetical order in section 16 (b) to read as follows:

"Feet, green", means cattle or calf feet with hair and hooves on.

"Feet, scalded" means clean scalded cattle or calf feet, hooves removed.

"Head, beef, skinned", means a skinned beef head with the tongue removed.

"Livers, beef, blemished" means (i) all black, blemished, discolored or mutilated livers obtained from the slaughter of cattle other than calves, and (ii) all black, blemished, discolored or mutilated livers weighing more than 5½ pounds obtained from the slaughter of calves.

"Livers, veal or calf, blemished" means all black, blemished, discolored or mutilated livers weighing not more than 5½ pounds obtained from the slaughter of calves.

"Livers, calf, overweight" means all livers of bright uniform color, short and plump and fine grained in texture, free from cuts or mutilations, weighing more than 5½ pounds, but not more than 7½ pounds, obtained from the slaughter of calves.

This amendment shall become effective September 12, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13764; Filed, Sept. 7, 1944; 11:59 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Corr. to Amdts. 136, 138]

MILEAGE RATIONING: GASOLINE REGULATIONS

The following note is added to Amendments 136 and 138 of Ration Order 5C preceding the effective date provisions in each amendment:

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This correction shall become effective September 7, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13778; Filed, Sept. 7, 1944; 11:56 a. m.]

[1] 8 F.R. 15937.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 147]

MILEAGE RATIONING: GASOLINE REGULATION

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

Section 1394.7851 (b) (2) (ii) is amended to read as follows:

(ii) To carry persons to and from the polls for the purpose of voting in public elections (including primary elections); or to act as duly appointed election officials or poll watchers; or by a duly qualified and bona fide candidate for public office for purposes essential to the prosecution of his candidacy; or by the duly appointed principal campaign manager of a duly qualified and bona fide candidate for a state or federal public office, for the purpose of managing the political campaign of such candidate.

(*a*) When application is made for a special ration for the principal campaign manager of a duly qualified and bona fide candidate for a state or federal public office, the candidate shall certify to the Board that travel by the applicant is necessary to conduct the campaign, and that such applicant has been duly appointed his principal campaign manager. Only one campaign manager for each such candidate during any one period of time may be issued a ration under this subdivision.

No ration shall be issued, under this subdivision, for use by the principal campaign manager which will allow an average mileage in excess of the maximum set forth below:

1. If application is made in Area A, the maximum mileage is 400 miles per month.

2. If application is made in Area B, the maximum mileage is 475 miles per month.

3. If application is made in the gasoline shortage area, the maximum mileage is 325 miles per month.

The total mileage that may be issued for the purpose, as a special ration or supplemental ration or both, may not exceed the maximum set forth in this subdivision.

(*b*) Where the law requires a person to satisfy certain conditions before his name may be placed on the ballot in an election (including a primary election), he is not a duly qualified candidate until he has met all those conditions. However, if the payment of a fee is one of those conditions and the fee has not been fixed sixty days before the election, the applicant is a duly qualified candidate within the meaning of this subdivision if the application is filed not earlier than sixty days before the elec-

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

tion and the Board is satisfied that he has met all the other conditions and that he will pay the fee as soon as it is fixed.

This amendment shall become effective September 11, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13779; Filed, Sept. 7, 1944; 11:56 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5D,[1] Amdt. 2]

GASOLINE RATIONING REGULATIONS FOR THE PANAMA CANAL ZONE

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5D is amended in the following respects:

1. Section 1394.9006 is amended to read as follows:

§ 1394.9006 *Persons entitled to basic rations.* The owner or the person who is entitled to the use of a registered passenger automobile or a registered motorcycle and who is otherwise authorized to purchase gasoline in the Canal Zone under Article III of the 1936 Treaty between the United States and the Republic of Panama, may obtain a basic ration, for use with such automobile or motorcycle during the period from October 1, 1944, to September 30, 1945, inclusive.

2. Section 1394.9007 (b) is amended to read as follows:

(b) Coupons in Basic Class E books shall be valid for transfer of gasoline to a consumer at any time during October 1, 1944, to September 30, 1945, inclusive.

Sections 1394.9008 (b) and (c) are amended to read as follows:

(b) Pursuant to such application, a basic ration shall be issued immediately by the Chief, License Bureau, who shall remove from any Class A book issued subsequent to October 1, 1944, all expired coupons and one currently valid coupon for each full eight days which have elapsed in the valid period during which such book is issued.

(c) No more than one basic ration may be issued for a vehicle except as provided in § 1394.9038 and no person may obtain more than one basic ration for the same vehicle, during the period from October 1, 1944, to September 30, 1945.

This amendment shall become effective October 1, 1944.

Issued this 7th day of September 1944.

J. C. MEHAFFEY,
Rationing Administrator for the Canal Zone.

Approved:

GERALD A. BARRETT,
Acting Regional Administrator.

[F. R. Doc. 44-13781; Filed, Sept. 7, 1944; 11:57 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8550.

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183,[1] Corr. to Amdt. 48]

MIXED AND STRAIGHT FUEL IN PUERTO RICO

The figure "25%" in section 64 (b) (1) (ii) is corrected to read "25¢".

This correction shall become effective as of August 7, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13770; Filed, Sept. 7, 1944; 11:54 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 170]

IMPORTED DRESSED HOG BRISTLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 6.57 is added to read as follows:

SEC. 6.57 *Imported dressed hog bristle.* This section establishes maximum prices for all sales of imported dressed hog bristle of the types enumerated below. The prices established by this section include commissions and all other charges.

(a) *Maximum prices for dressed hog bristle produced in China.*

Description	Maximum price per pound f. o. b. domestic shipping point, net cash		
	Black, brown or spotted	White	Bleached
Riffings	$1.70	$2.00	$x.xx
2"	3.00	3.30	4.50
2¼"	3.90	4.20	5.25
2½"	4.80	5.10	6.00
2¾"	5.45	5.75	6.30
3"	6.15	6.45	7.00
3¼"	8.30	8.30	8.30
3½"	11.25	11.25	11.25
3¾"	12.75	12.75	12.75
4"	14.50	14.50	14.50
4¼"	16.00	16.00	16.00
4½" and longer	17.00	17.00	17.00

The above maximum prices shall be reduced by 5% for sales by Defense Supplies Corporation to dealers purchasing for resale.

The maximum price for dressed China bristle of a length for which no price is specifically listed above shall be the maximum price of the next shorter length listed.

(b) *Maximum prices for dressed hog bristle produced in India.*

Maximum price per pound f. o. b. domestic shipping point, net cash

Description:	
Shorts and/or riflings	$1.50
2½" to 3"	3.00
3" to 3¼"	5.00
3¼" to 3¾"	6.00
3¾" to 4¼"	8.50
4¼" to 4¾"	10.00
4¾" to 5¼"	12.00
5¼" to 5¾"	14.00
5¾" to 6¼"	15.50
6¼" and longer	16.00

The above maximum prices shall be reduced by 5% for sales by Defense Supplies Corporation to dealers purchasing for resale.

The maximum prices listed above are for the standard length assortments described and apply also to any individual length within the ranges enumerated.

(c) *Maximum prices for dressed hog bristle produced in Western Hemisphere Countries—(1) China style of dressing.*

Maximum price per pound f. o. b. domestic shipping point, net cash 30 days

Description:	
1¾" in length and shorter	$1.75
1⅞"	2.00
2"	2.85
2¼"	3.85
2½"	4.80
2¾"	5.45
3"	6.15
3¼"	7.50
3½"	10.50
3¾"	11.75
4"	13.50
4¼"	15.00
4½" and longer	16.00

The maximum prices for Western Hemisphere bristle, China style dressing, of a length for which no price is specifically listed above shall be the maximum price of the next shorter length listed.

(2) *South American style of dressing.*

Maximum price per pound f. o. b. domestic shipping point, net cash 30 days

Description:	
45 millimenter in length and shorter	$1.75
55 millimeter	2.30
60 millimeter	3.25
65 millimeter	3.85
70 millimeter	4.15
75 millimeter	4.65
80 millimeter	4.90
85 millimeter	6.45
90 millimeter	8.30
95 millimeter	9.30
100 millimeter	11.30
105 millimeter	12.05
110 millimeter	13.55
115 millimeter and longer	14.55

The maximum price for Western Hemisphere bristle, South American style dressing, for which no price is specifically listed above shall be the maxi-

[1] 9 F.R. 9213, 9286, 9996, 10425, 10498, 10777.

mum price of the next shorter length listed.

(d) *Invoices.* Every seller shall, with respect to each delivery of bristle for which a maximum price is established by this section, furnish an invoice or other document to the purchaser showing the name and address of the seller and the buyer, the type and length of bristle delivered and the price charged therefor.

This amendment shall become effective September 12, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13775; Filed, Sept. 7, 1944; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Supp. Service Reg. 34]

HAND LAUNDRIES IN FLINT, MICH. AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 34 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 34 is hereby issued.

§ 1499.2269 *Hand laundries in the Flint, Michigan area—(a) Dollars-and-cents maximum prices established for hand laundry services sold by hand laundries in the Flint, Michigan area.* (1) The maximum prices established by Revised Maximum Price Regulation No. 165, for hand laundry services sold by hand laundries in the Flint, Michigan area are hereby modified and henceforth shall be the prices set forth in Appendix A.

(2) *Definitions.* As used in this supplementary service regulation the term:

"Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing 10 or less employees.

"Flint, Michigan area" means the corporate limits of Flint, Michigan.

"Shirts" as used in Appendix A means all shirts except the following:

Shirts made of silk, wool, rayon and other artificial fibers; gabardine shirts; full dress shirts.

The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with the OPA. If no such prices have been filed, the maximum price to be charged for all shirts shall be the price established for shirts by Appendix A.

"Overall pants" as used in Appendix A means blue denim overall pants.

(3) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry located in the Flint, Michigan area shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(4) *Elimination of individual adjustments.* On and after the effective date of this Supplementary Service Regulation the provisions of section 16 (a) of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation. On and after the effective date of this regulation, all surcharges and percentage surcharges made by hand laundries located in the Flint, Michigan area shall cease and all percentage adjustments granted by the Office of Price Administration to hand laundries located in the Flint, Michigan area are hereby revoked.

(5) *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

(6) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165.

APPENDIX A

Laundry service	*Price*
Shirts	$0.18
Collars	.06
Socks	.06
Undershirts	.10
Shorts	.10
Unionsuits	.20
Pajamas	.25
Handkerchiefs	.03
Trousers and slacks	.40
Nurses' uniforms	.45
Sheets	.15
Pillow slips	.06
Hand towels	.04
Bath towels	.05
Kitchen towels	.04
Overalls	.35
Coveralls	.45
Overall pants	.30
Overall jackets	.25
Shop aprons	.15

This Supplementary Service Regulation No. 34 shall become effective September 12, 1944.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13774; Filed, Sept. 7, 1944; 11:58 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS, SECTION 1364

[RMPR 148, Amdt. 18]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Items 20, 21, 23, 25, 27, 28 and 31 of Schedule I (h) of Section 1364.35 are amended and item 33 of Schedule I (h) of Section 1364.35 is added to read respectively as follows:

	Size of can	Price (per 100 pounds)
20. Spiced luncheon meat:		
Cylindrical cans	12 oz.	$34.50
Rectangular cans	12 oz.	35.00
	2½ lb.	33.00
	6 lb.	32.75
21. Spiced ham:		
Cylindrical cans	12 oz.	35.00
Rectangular cans	12 oz.	35.50
	2½ lb.	33.50
	6 lb.	33.25
23. Pork sausage links:		
S. C.	2 lb.	36.50
H. C.	2 lb.	33.25
25. Corned pork	12 oz.	55.25
	6 lb.	53.50
27. Dry salt bacon	12 lb.	26.00
	14 lb.	25.75
28. Pork tongues	12 oz.	36.00
	2½ lb.	34.50
	6 lb.	34.00
31. Pork and gravy:		
Brained	30 oz.	41.00
Unbrained	20 oz.	36.00
33. Sliced bacon (Type II, C. Q. D. 33D specifications)	5 or 5⅓ lb.	30.00
	7½ lb.	29.75
	14 or 16 lb.	29.50

2. The product headings of item 26 of Schedule I (h) of Section 1364.35 are amended to read as follows:

26. Sliced bacon (F. D. A. specifications)
Sliced bacon (C. Q. D. 155A specifications.

This amendment shall become effective September 6, 1944.

Issued this 6th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13714; Filed, Sept. 6, 1944; 4:24 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 92,[1] Amdt. 3]

ADJUSTABLE PRICING OF CERTAIN COTTON TEXTILES

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 92 is amended in the following respects:

1. In Section 1305.120 (a) subparagraph (5) is added to read as follows:

(5) Ducks covered by Maximum Price Regulation No. 118,[2] when sold to war procurement agencies.

2. Section 1305.120 (b) is amended to read as follows:

(b) In connection with any sale first made on or after June 30, 1944 of any of the goods referred to in subparagraphs (1) (2) and (3) of paragraph (a) and

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7439, 9107, 9411, 17200, 8395, 8618, 8401, 9458.

[1] 9 F.R. 7502, 9896, 10578.

[2] Maximum Price Regulation No. 118 (Cotton Products), 8 F.R. 12186, 12984; 9 F.R. 401, 10088.

any delivery pursuant thereto, and in connection with any sale first made on or after August 12, 1944 of any of the goods referred to in subparagraph (4) of paragraph (a), and any delivery pursuant thereto, and in connection with any sale first made on or after September 6, 1944 of any of the goods referred to in subparagraph (5) of paragraph (a), and any delivery pursuant thereto, the producer may agree with his customer to adjust the price to conform to any revised ceiling price which may be established by the Office of Price Administration prior to the revocation of the relevant provisions of this supplementary order.

This Amendment No. 3 shall become effective September 6, 1944.

Issued this 6th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13715; Filed, Sept. 6, 1944; 4:29 p. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Carbondale Children's Dress Company, 7th Avenue & Mill Street, Carbondale, Pennsylvania; infants' and children's dresses; 10 percent (T); effective September 2, 1944, expiring September 1, 1945.

Martin Manufacturing Company, Lindell Street, Martin, Tennessee; cotton work shirts; 10 percent (T); effective August 31, 1944, expiring October 31, 1944.

Salent & Salent, Inc., Lawrenceburg, Tennessee; cotton work shirts; 10 percent (T); effective August 31, 1944, expiring October 31, 1944.

Salent & Salent, Inc., Obion, Tennessee; cotton work shirts; 10 percent (T); effective August 31, 1944, expiring October 31, 1944.

Salent & Salent, Inc., Pine Street, Lexington, Tennessee; cotton work shirts; 10 percent (T); effective August 31, 1944, expiring October 31, 1944.

Salent & Salent, Inc., Washington Street, Paris, Tennessee; cotton work shirts; 10 percent (T); effective August 31, 1944, expiring October 31, 1944.

Salant & Salant, Inc., Parsons, Tennessee; cotton work pants; 10 percent (T); effective August 31, 1944, expiring October 31, 1944.

Salant & Salant, Inc., South First Street, Union City, Tennessee; cotton work shirts; 10 percent (T); effective August 31, 1944, expiring October 31, 1944.

TELEPHONE INDUSTRY

Peoples Telephone Company, Aurelia, Iowa; to employ learners as commercial switchboard operators at its Aurelia exchange located at Aurelia, Iowa; effective September 1, 1944, expiring August 31, 1945.

CIGAR INDUSTRY

General Cigar Company, Inc., 205 Court Street, Evansville, Indiana; hand-made cigars; 10 percent (T); hand cigar making for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; machine stripping for a learning period of 160 hours at 30 cents per hour; effective September 9, 1944, expiring September 8, 1945.

General Cigar Company, Inc., 5th and Hickory Streets, Mt. Carmel, Pennsylvania; hand-made cigars; 10 percent (T); hand cigar making for a learning period of 960 hours at 30 cents per hour for the first 480 hours and 35 cents per hour for the remaining 480 hours; effective September 7, 1944, expiring September 6, 1945.

General Cigar Company, Inc., 17 South Grant Street, Shenandoah, Pennsylvania; hand-made cigars; 10 percent (T); hand cigar making for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; cigar packing for a learning period of 320 hours at 30 cents per hour; effective September 8, 1944, expiring September 7, 1945.

Jno. H. Swisher & Son, Inc., 16th and Ionia Streets, Jacksonville, Florida; machine-made cigars; 10 percent (T); cigar machine operating for a learning period of 320 hours at 30 cents per hour; cigar packing and machine stripping for a learning period of 160 hours at 30 cents per hour; effective August 31, 1944, expiring August 30, 1945.

Signed at New York, New York, this 5th day of September 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-13729; Filed, Sept. 7, 1944; 10:26 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6639]

GEORGIA BROADCASTING CO.

NOTICE OF HEARING

In re application of F. R. Pidcock, Sr. and James M. Wilder, d/b as Georgia Broadcasting Company (New); date filed, May 1, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Savannah, Georgia; operating assignment specified: frequency, 1400 kc; power, 250 w; hours of operation, unlimited time. File No. B3-P-3606.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of A. C. Neff, Docket No. 6640; Chatham Broadcasting Company, Docket No. 6641; and J. W. Woodruff & J. W. Woodruff, Jr., d/b as Albany Broadcasting Co. (WGPC), Docket No. 6642, for the following reasons:

1. To determine the legal, financial, technical and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area in whole or in part.

4. To obtain full information concerning applicant's proposals with respect to the employment of personnel to construct and operate the proposed station

and concerning the background, experience and qualifications of such proposed employees.

5. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and the operation of Station WMBR, Jacksonville, Florida, as well as the areas and populations which would be affected thereby and the nature of other broadcast service available to such areas and populations.

6. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

7. To determine whether the granting of this application would be otherwise consistent with the policies announced by the Commission in its memorandum opinion of April 27, 1942 and supplements thereto.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

9. To determine whether, in view of the facts adduced under the foregoing issues, as well as under the issues in Dockets Nos. 6640, 6641 and 6642, public interest, convenience or necessity would be served by a grant of this application, or the application of A. C. Neff (File No. B3–P–3628; Docket No. 6640), or the application of Chatham Broadcasting Company (File No. B3–P–3656; Docket No. 6641), or the application of J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Company (File No. B3–P–3643; Docket No. 6642), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Company, care of James M. Wilder, P. O. Box 305, Moultrie, Georgia.

Dated at Washington, D. C., September 4, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13730; Filed, Sept. 7, 1944; 10:12 a. m.]

[Docket No. 6640]

A. C. NEFF

NOTICE OF HEARING

In re application of A. C. Neff (New); date filed, May 31, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Savannah, Georgia; operating assignment specified: frequency, 1400 kc; power, 250 w; hours of operation, unlimited. File No. B3–P–3628.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Company, Docket No. 6639; Chatham Broadcasting Company, Docket No. 6641; and J. W. Woodruff & J. W. Woodruff, Jr., d/b as Albany Broadcasting Co., (WGPC), Docket No. 6642, for the following reasons:

1. To determine the legal, financial, technical and other qualifications of the applicant, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area in whole or in part.

4. To obtain full information concerning applicant's proposal with respect to the employment of personnel to construct and operate the proposed station and concerning the background, experience and qualifications of such proposed employees.

5. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and the operation of Station WMBR, Jacksonville, Florida, as well as the areas and populations which would be affected thereby and the nature of other broadcast service available to such areas and populations.

6. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

7. To determine whether the granting of this application would be otherwise consistent with the policies announced by the Commission in its memorandum opinion of April 27, 1942, and supplements thereto.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

9. To determine whether, in view of the facts adduced under the foregoing issues, as well as under the issues in Dockets Nos. 6639, 6641 and 6642, public interest, convenience or necessity would be served by a grant of this application, or the application of F. R. Pidcock, Sr. and James M. Wilder, d/b as Georgia Broadcasting Company (File No. B3–P–3606; Docket No. 6639), or the application of Chatham Broadcasting Company (File No. B3–P–3656; Docket No. 6641), or the application of J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Company (File No. B3–P–3643; Docket No. 6642), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: A. C. Neff, c/o Neal Blum Company, 14 West Bay Street, Savannah, Georgia.

Dated at Washington, D. C., September 4, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13731; Filed, Sept. 7, 1944; 10:12 a. m.]

[Docket No. 6641]

CHATHAM BROADCASTING CO.

NOTICE OF HEARING

In re application of Chatham Broadcasting Company (New); date filed, July 10, 1944; for construction permit; class of service, broadcast; class of station, Broadcast; location, Savannah, Georgia; operating assignment specified: frequency, 1400 kc; power, 250 w; hours of operation, unlimited time. File No. B3–P–3656.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing to be consolidated with the applications of F. R. Pidcock, Sr. & James M. Wilder, d/b as Georgia Broadcasting Company, Docket No. 6639; A. C. Neff, Docket No. 6640; and J. W. Woodruff & J. W. Woodruff, Jr., d/b as Albany Broadcasting Co., (WGPC), Docket No. 6642, for the following reasons:

1. To determine the legal, financial, technical and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area in whole or in part.

4. To obtain full information concerning applicant's proposals with respect to the employment of personnel to construct and operate the proposed station and concerning the background, experience and qualifications of such proposed employees.

5. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and the operation of Station WMBR, Jacksonville, Florida, as well as the areas and populations which would be affected thereby and the nature of other broadcast service available to such areas and populations.

6. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

7. To determine whether the granting of this application would be otherwise consistent with the policies announced by the Commission in its memorandum opinion of April 27, 1942 and supplements thereto.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

9. To determine whether, in view of the facts adduced under the foregoing issues, as well as under the issues in Dockets Nos. 6639, 6640 and 6642, public interest, convenience or necessity would be served by a grant of this application, or the application of F. R. Pidcock, Sr. and James M. Wilder, d/b as Georgia Broadcasting Company (File No. B3–P–3606; Docket No. 6639), or the application of Chatham Broadcasting Company (File No. B3–P–3656; Docket No. 6641), or the application of J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Company (File No. B3–P–3643; Docket No. 6642), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Chatham Broadcasting Company, 36 Bull Street, Savannah, Georgia.

Dated at Washington, D. C., September 4, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13732; Filed, Sept. 7, 1944; 10:13 a. m.]

[Docket No. 6642]

ALBANY BROADCASTING CO.

NOTICE OF HEARING

In re application of J. W. Woodruff & J. W. Woodruff, Jr., d/b as Albany Broadcasting Company (WGPC); date filed, June 20, 1944; for construction permit to change frequency and move transmitter and studio; class of service, broadcast; class of station, broadcast; location: present location, Albany, Ga.; requested move to, Savannah, Ga.; operating assignment specified: frequency, present assignment: 1450 kc; requested assignment: 1400 kc; power 250 w; hours of operation, unlimited time. File No. B3–P–3643.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of F. R. Pidcock, Sr. & James M. Wilder, d/b as Georgia Broadcasting Company, Docket No. 6639; A. C. Neff, Docket No. 6640; Chatham Broadcasting Company, Docket No. 6641; for the following reasons:

1. To determine the legal, financial, technical and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the areas and populations which may be expected to lose primary broadcast service from the operation of the proposed station and what other broadcast services are available to the areas and populations.

4. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed area in whole or in part.

5. To obtain full information concerning applicant's proposals with respect to the employment of personnel to construct and operate the proposed station and concerning the background, experience and qualifications of such proposed employees.

6. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and the operation of Station WMBR, Jacksonville, Florida, as well as the areas and populations which would be affected thereby and the nature of other broadcast service available to such areas and populations.

7. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

8. To determine whether the granting of this application would be otherwise consistent with the policies announced by the Commission in its memorandum opinion of April 27, 1942, and supplements thereto.

9. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

10. To determine whether, in view of the facts adduced under the foregoing issues, as well as under the issues in Dockets Nos. 6639, 6640 and 6641, public interest, convenience or necessity would be served by a grant of this application, the application of F. R. Pidcock, Sr. and James M. Wilder, d/b as Georgia Broadcasting Company (File No. B3–P–3606; Docket No. 6639), or the application of A. C. Neff (File No. B3–P–3628; Docket No. 6640), or the application of Chatham Broadcasting Company (File No. B3–P–3656; Docket No. 6641), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: J. W. Woodruff & J. W. Woodruff, Jr., d/b as Albany Broadcasting Company, 1420 2nd Avenue, Columbus, Georgia.

Dated at Washington, D. C., September 4, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13733; Filed, Sept. 7, 1944; 10:13 a. m.]

[Docket No. 6662]

CENTENNIAL BROADCASTING CO.

NOTICE OF HEARING

In re application of Centennial Broadcasting Co., (New); dated filed, May 30, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Portland, Maine; op-

erating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited. File No. B1–P–3634.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Northeastern Radio & Television Corporation, Docket No. 6663, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation to construct and operate the proposed station.

2. To obtain full information with respect to applicant's plans for the issuance of its stock.

3. To obtain full information with respect to applicant's plans to provide for the management of the proposed station.

4. To obtain full information with respect to applicant's plants for obtaining staff personnel for the proposed station.

5. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to these areas and populations.

6. To determine whether the proposed transmitting equipment complies with §§ 3.46, 3.55 and 3.59 of the Commission's rules and standards.

7. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its supplemental statement of policy of January 26, 1944.

8. To determine whether, in view of the facts shown on all the issues, public interest, convenience or necessity would be served through the granting of this application, the application of Northeastern Radio and Television Corporation (File No. B1–P–3637), or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Centennial Broadcasting Co., Room 620—230 Park Avenue, New York 17, N. Y.

Dated at Washington, D. C., September 4, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13734; Filed, Sept. 7, 1944; 10:14 a. m.]

[Docket No. 6663]

NORTHEASTERN RADIO & TELEVISION CORP.

NOTICE OF HEARING

In re application of Northeastern Radio & Television Corporation (New); date filed, June 10, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Portland, Maine; operating assignment specified: frequency, 1450 kc; power, 250 w; hours of operation, unlimited. File No. B1–P–3637.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Centennial Broadcasting Co., Docket No. 6662, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation to construct and operate the proposed station.

2. To obtain full information with respect to the program service proposed by the applicant.

3. To obtain full information with respect to applicant's plans for obtaining staff personnel for the proposed station.

4. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to these areas and populations.

5. To determine whether the proposed transmitting equipment complies with §§ 3.46, 3.55 and 3.59 of the Commission's rules and standards.

6. To determine whether the proposed radiating system complies with the standards of good engineering practice, particularly with reference to the dimensions of the counterpoise.

7. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its supplemental statement of policy of January 26, 1944.

8. To determine whether in view of the facts shown on all the issues, public interest, convenience or necessity would be served through the granting of this application, the application of Centennial Broadcasting Company (File No. B1–P–3634), or either of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Northeastern Radio & Television Corp., 615 Congress Street, Portland, Maine.

Dated at Washington, D. C., September 4, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44–13735; Filed, Sept. 7, 1944; 10:14 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 482]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 1, 1944, by Chas. Abbate, of car PFE 71868, cantaloupes, now on the Chicago Produce Terminal, to H. J. Riebe, Indianapolis, Indiana, via B/4.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13739; Filed, Sept. 7, 1944; 11:05 a. m.]

[S. O. 70–A, Special Permit 484]

RECONSIGNMENT OF HONEYDEW MELONS AT PITTSBURGH, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Pittsburgh, Pennsylvania, September 2, 1944, by O'Donnell Fruit Company, of cars MDT 16705, PFE 32060, honeydew melons, now on the Pennsylvania Railroad, to Yeckes-Eichenbaum, Inc., via Pennsylvania Railroad, to New York, New York.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13740; Filed, Sept. 7, 1944; 11:05 a. m.]

[S. O. 70-A, Special Permit 485]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 2, 1944, by L. Gillarde of car PFE 74234, cantaloupes, now on the CB&Q Railroad to F. Battaglia Brokerage Company, Duluth, Minnesota, via Soo Line.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13741; Filed, Sept. 7, 1944; 11:05 a. m.]

[S. O. 70-A, Special Permit 486]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 2, 1944, by Sepron Dist. Co., of car PFE 95690, cantaloupes, now on the Chicago Produce Terminal, to Altman & Swartz, Buffalo, New York, via NYC Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13742; Filed, Sept. 7, 1944; 11:06 a. m.]

[S. O. 70-A, Special Permit 487]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 2, 1944, by F. E. Baldwin & Company, of cars ART 20762, and ART 19146, potatoes, now on the C&NW, to A. N. Macchea Company, St. Louis, Missouri (Wabash).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13743; Filed, Sept. 7, 1944; 11:06 a. m.]

[S. O. 178, 3d Amended Gen. Permit 10]

LOADING OF PROCESSED CHEESE

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of refrigerator cars with processed cheese in glass containers or the transportation or movement of refrigerator cars so located.

This permit shall become effective at 12:01 a. m., September 5, 1944, and shall expire at 12:01 a. m., September 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13744; Filed, Sept. 7, 1944; 11:06 a. m.]

[S. O. 178, Special Permit 130]

LOADING OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of six refrigerator cars, URT 87420, 86539, 87170, 10535, LRX 7235 and URT 7004, with cheese in tin and glass by Kraft Cheese Company, at Freeport, Illinois, and the movement of the six cars so loaded from that point not later than September 3, 1944, to Bell Bluff, Virginia, Royce, New Jersey, or Battle Creek, Michigan.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13745; Filed, Sept. 7, 1944; 11:07 a. m.]

[S. O. 178, Special Permit 191]

LOADING OF EMPTY BEER CONTAINERS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car, PGE 14570, with empty beer containers and the movement of that car so loaded over the C&NW Railroad from Chicago, Illinois, not later than September 5, 1944, to St. Paul, Minnesota, as it was loaded in error, car would be moving in direction of empty movement, and will be unloaded sooner.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13746; Filed, Sept. 7, 1944; 11:07 a. m.]

[2d Rev. S. O. 224, Special Permit 7]

REICING OF HONEYDEW MELONS FROM HURON, CALIF.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944, (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the reicing in transit to full bunker capacity of car CP 286004, honeydew melons, moving August 30, 1944, from Costa Distributing Company, Huron, California, to J. E. Corcoran, Pittsburgh, Pennsylvania (SP-D&RGW-Mo.Pac.-Penna) because car has inadequate bunker capacity for 7,500 pounds of ice.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13747; Filed, Sept. 7, 1944; 11:07 a. m.]

[Rev. S. O. 226, Special Permit 4]

REICING OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944, (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice one time only at Chicago, Illinois, September 2, 1944, with not to exceed 5,000 pounds of ice for each of the following cars, as ordered by Shuman Company, ART 18008, 17175, 19665, cauliflower, now on the Chicago Produce Terminal, to be reforwarded east of Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13748; Filed, Sept. 7, 1944; 11:07 a. m.]

[Rev. S. O. 226, Special Permit 5]

REICING OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice, one time only, at Chicago, Illinois, September 2, 1944, with not to exceed 5,000 pounds of ice in each car, as ordered by La Mantia Brothers Arrigo Company, car ART 18158, peas, now on the Chicago Produce Terminal, and car MERX 4196, peas, now on the Wabash Railroad, account necessary to preserve lading over Labor Day Holiday.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13749; Filed, Sept. 7, 1944; 11:07 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3857]

SHOICHI AND SHIZU ASAMI

In re: Real property, household furniture and furnishings, property insurance policy and bank account owned by Shoichi and Shizu Asami, husband and wife.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That the last known address of Shoichi Asami and Shizu Asami is Japan, and that they are residents of Japan and nationals of a designated enemy country (Japan);

2. That Shoichi Asami and Shizu Asami are the owners of the property described in subparagraphs 4-a, 4-b and 4-c hereof;

3. That Shoichi Asami is the owner of the property described in subparagraph 4-d hereof;

4. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Certain household furniture and furnishings presently located on the premises described in subparagraph 4-a hereof and in the custody of Jane Ayako Takamura, also known as Jane Fukao,

c. All right, title and interest of Shoichi Asami and Shizu Asami, and each of them, in and to fire insurance policy No. 214672, issued by The Pennsylvania Fire Insurance Company of Philadelphia, Philadelphia, Pennsylvania, which policy insures the improvements to the property described in subparagraph 4-a hereof, and

d. That certain bank account with the Bishop National Bank of Hawaii, Honolulu, T. H., which is due and owing to and held for and in the name of Shoichi Asami, and is identified on the records of said Bishop National Bank of Hawaii as Savings Account No. 43142, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraphs 4-c and 4-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 4-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 4-b, 4-c and 4-d hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

That certain parcel of land situate on 22nd Avenue between Pahoa and Kaimuki Avenues, Honolulu, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot 14, area 7,500.0 square feet, as shown on Map 1, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 558 of Paul Ernst Richard Strauch, and being a portion of the land described in Transfer Certificate of Title No. 3950 issued to Victoria Mary Akana.

[F. R. Doc. 44-13753; Filed, Sept. 7, 1944; 11:22 a. m.]

[Vesting Order 3865]

TSURU OKUNO

In re: Real property owned by Tsuru Okuno.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Tsuru Okuno is No. 762 Toan-cho, Hiroshima-shi, Hiroshima-ken, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Tsuru Okuno is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record, including particularly, but not limited to, the leasehold rights of the Standard Oil Company of California, arising by reason of that certain agreement executed by Tsuru Okuno and the Standard Oil Company of California which expires August 31, 1947 whereby said Standard Oil Company of California is the lessee of the premises, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 7834, Land Commission Award Number 7714-B, Apana 7 to Moses Kekualwa) situate, lying and being at the East Corner of Queen Street and Waiakamilo Road, Kapalama, Honolulu, City and County of Honolulu, Territory of Hawaii, being a portion of lot number two (2), of the tract of land known as the "Queen Street Tract," as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number One Hundred Thirteen (113), and thus bounded and described:

Beginning at an iron pin at the North corner of Lot 2 of the Queen Street Tract, File Plan No. 113, on the Southeast side of Waiakamilo Road and running by true azimuths:

1. 307°25' 80.00 feet along Bishop Estate to an iron pin;

2. 37°25' 68.70 feet along Lot 4 of the Queen Street Tract, File Plan No. 113, to the proposed North side of West Queen Street to an iron pin;

3. 132°20' 66.57 feet along the proposed North side of West Queen Street to a spike;

4. Thence on a curve to the right, having a radius of 15 feet, the direct azimuth and distance of the long chord being 174°52'30" 20.28 feet to a spike;

5. 217°25' 48.04 feet along the Northeast side of Waiakamilo Road to the point of beginning.

Containing an Area of 5,181 Square Feet, or thereabouts.

[F. R. Doc. 44-13754; Filed, Sept. 7, 1944; 11:22 a. m.]

[Vesting Order 3866]

TERU SHUTOKU

In re: Real property, property insurance policies, a claim, a Ford automobile, and household furniture owned by Teru Shutoku.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Teru Shutoku is Kuroki-machi, Aza-Nakamachi Yame-gun, Fukuoka-ken, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Teru Shutoku is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Teru Shutoku in and to:

(1) Insurance policy No. 6305, issued by The California Insurance Company of San Francisco, California, in the face amount of $2,000, and expiring December 1, 1946,

(2) Insurance policy No. 28316, issued by the Fidelity & Guaranty Fire Corporation, Baltimore, Maryland, in the face amount of $2,000, and expiring October 13, 1946,

(3) Insurance policy No. 15227221, issued by the Liverpool & London & Globe Insurance Company, Ltd., Liverpool, England, in the face amount of $500, and expiring August 18, 1946,

(4) Insurance policy No. 5921, issued by The California Insurance Company of San

Francisco, California, in the face amount of $1,500, and expiring December 9, 1945,

(5) Insurance policy No. 30124, issued by the Fidelity & Guaranty Fire Corporation, Baltimore, Maryland, in the face amount of $1,000, and expiring April 5, 1947,

(6) Insurance policy No. LA957617, issued by the New Amsterdam Insurance Company, Baltimore, Maryland, in the face amount of $5/10,000, and expiring April 6, 1945,

which policies insure the improvements to the property described in subparagraph 3-a hereof.

c. All right, title, interest and claim of Teru Shutoku in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to, and held for and in the name of, Teru Shutoku, by the National Mortgage & Finance Company, Ltd., Honolulu, T. H., and represented on the books of said National Mortgage & Finance Company, Ltd., as a credit balance due Teru Shutoku arising by reason of rent collections received from the property described in subparagraph 3-a hereof, including but not limited to any and all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations,

d. One 1935 Ford DeLuxe Coupe, engine No. 18-1305894, presently in the possession of Fujikichi Moriyama, 3030 Harding Avenue, Honolulu, T. H., and

e. One Frigidaire icebox, one gas stove, one set of twin beds, one bureau, one desk and one chair, presently in the possession of Fujikichi Moriyama, 3030 Harding Avenue, Honolulu, T. H.,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b to 3-e inclusive, hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land situate, lying and being at First Avenue (corner Palolo Avenue) at Kaimuki, Honolulu, City and County of Honolulu, Territory of Hawaii, being lot number fifteen (15), in block number twelve (12), of the tract of land known as the "Kaimuki Tract", as shown on the Map thereof recorded in the Office of the Registrar of Conveyances at Honolulu in Liber 178, Pages 294-295.

Containing an area of 22,090 square feet.

EXHIBIT B

All of that certain parcel of land (portion of the land described in Royal Patent Number 7769, Land Commission Award Number 7713, Apana 20 to V. Kamamalu) situate, lying and being off the South side of King Street, at Kapaakea, Honolulu, City and County of Honolulu, Territory of Hawaii, being lot number nine (9), in block "B", of the tract of land known as the "McKinley Park Tract," as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number Two Hundred Fifty-Three (253).

Containing an area of 4,800 square feet.

[F. R. Doc. 44-13755; Filed, Sept. 7, 1944; 11:22 a. m.]

[Vesting Order 3868]

JUTARO TAKEMOTO

In re: Real property and property insurance policies owned by Jutaro Takemoto.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Jutaro Takemoto is Kami-mura, Kumamoto Prefecture, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Jutaro Takemoto is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Jutaro Takemoto in and to the following insurance policies covering improvements on the real property commonly known as 1730 Kahai Street, Honolulu, Territory of Hawaii, and particularly described in Exhibit A, attached hereto and by reference made a part hereof:

(1) Fire insurance policy No. 199616, issued by The Alliance Insurance Company of Philadelphia, San Francisco, California, and

(2) War damage insurance policy No. 1173-19-4048, issued by the War Damage Corporation, Washington, D. C.,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in suzparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Land Patent Number 8194, Land Commission Award Number 6450, Apana 1 to Kaunuohua for Moehonua), situate, lying and being at Mokauea, Kalihi, Honolulu, City and County of Honolulu, Territory of Hawaii being lot number twenty-two (22), in block number twenty-five (25), of the tract of land known as the "Kapiolani Tract", as shown on the Map thereof recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 245, Page 409, and thus bounded and described:

Beginning at the West corner of Lot 24, Block 25, and being 150 feet from the south corner of Lot 26 of said Block 25 on the north corner of Kalihi and Kahai Avenue, and running as follows:

1. N. 42°20' E., 100 ft. along Lot 24, Block 25; thence
2. N. 47°40' W., 50 ft. along Lot 21; thence
3. S. 42°20' W., 100 ft. along Lot 20, and thence
4. S. 47°40' E., 50 ft. along Kahai Avenue to the initial point.

Containing an Area of 5,000 Square Feet, or thereabouts.

[F. R. Doc. 44-13756; Filed, Sept. 7, 1944; 11:22 a. m.]

[Vesting Order 3869]

TADAO AND HISAKO TANABE

In re: Real property, property insurance policy and claim owned by Tadao Tanabe and Hisako Tanabe.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Tadao Tanabe and Hisako Tanabe is Komatsu, Oshima-gun, Yamaguchi-ken, Japan, and that they are residents of Japan, and nationals of a designated enemy country (Japan);
2. That Tadao Tanabe and Hisako Tanabe are the owners of the property described in subparagraph 3 hereof;
3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Tadao Tanabe and Hisako Tanabe, and each of them, in and to fire insurance policy No. 6022, issued by The California Insurance Company of San Francisco, San Francisco, California, which policy insures certain improvements on the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever, in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to, and held for and in the names of, Tadao Tanabe and Hisako Tanabe by The National Mortgage & Finance Co., Ltd., Honolulu, T. H., arising by reason of rent collections made by said The National Mortgage & Finance Co., Ltd., for Tadao Tanabe and Hisako Tanabe from the property described in subparagraph 3-a hereof, and any and all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 5667, Land Commission Award Number 5931 to Pehu) situate, lying and being at the corner of Maluhia Street and Eleventh Avenue, in Palolo Valley, Honolulu, City and County of Honolulu, Territory of Hawaii, being lot number sixteen (16), in block number three hundred six (306), as shown on the "Map of Palolo Land and Improvement Co.'s Property, Palolo Valley, section 1", which map is recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 205, page 329.

Containing an area of 15,000 square feet, or thereabouts.

[F. R. Doc. 44-13757; Filed, Sept. 7, 1944; 11:23 a. m.]

[Vesting Order 3987]

YOICHI HIKECHI

In re: Guardianship estate of Yoichi Hikechi, minor; File D-66-1906; E. T. sec. 11024 (H-233).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Yoichi Hikechi in and to the Guardianship Estate of Yoichi Hikechi, minor, in possession of John V. Cockett, Guardian, and all rights, claims, demands and causes of action at law or in equity of any kind or nature whatsoever of Yoichi Hikechi against the Maui Agricultural Company, Maui, Territory of Hawaii, its successors or assigns,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Yoichi Hikechi, minor, Japan.

That such property is in the process of administration by John V. Cockett, as Guardian of the Guardianship Estate of Yoichi Hikechi, acting under the judicial supervision of the Circuit Court, Second Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of

claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 8, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-13756; Filed, Sept. 7, 1944; 11:23 a. m.]

VISIBLE INDEX CORP.

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 27 of June 18, 1942 (7 F.R. 4629) and by Vesting Order No. 1983 of August 17, 1943 (8 F.R. 13849), the Alien Property Custodian vested, among other things, United States Patents Nos. 2,192,178 and 1,975,566, respectively, registered in the United States Patent Office in the name of Elder & Krische, O. H. G., as the property of a national of a designated enemy country (Germany); and

Whereas, Visible Index Corporation has filed notices of claim, Nos. 1586 and 1587, which assert respectively that said Visible Index Corporation is the owner of all right, title, and interest in and to said patents Nos. 2,192,178 and 1,975,566, and said Visible Index Corporation has amended its said claims to assert exclusive licenses under the said patents, and said Visible Index Corporation asserts that it is a corporation organized under the laws of the State of New York and having its principal place of business in said State and that all of its stock has been and now is owned by citizens of the United States.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (8 F.R. 16709), that said claims be consolidated for hearing and that a hearing thereon be held before the Vested Property Claims Committee or any member or members thereof on Thursday, September 21, 1944, at 10:00 a. m., eastern war time, at the Office of the Alien Property Custodian, Room 614, National Press Building, 14th and F Streets, N.W., Washington, D. C., to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimant and upon the persons designated in paragraph 2 of the said notices of claim, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington (25), D. C., on or before September 17, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting orders are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

VESTED PROPERTY CLAIMS COMMITTEE,
[SEAL] JOHN C. FITZGERALD,
Chairman.

SEPTEMBER 7, 1944.

[F. R. Doc. 44-13751; Filed, Sept. 7, 1944; 11:22 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-57]

COMMON CARRIERS

COORDINATED OPERATIONS IN UTAH

Pursuant to the act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfilment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

1. The Salt Lake & Utah Railroad Corporation shall suspend service of its local routes within Provo, Utah; within Orem, Utah; and of its local or shuttle bus service route from Provo, Utah, to Orem, Utah, and from Orem, Utah, to Provo, Utah. The said Salt Lake & Utah Railroad Corporation shall continue its present main bus-line operations from Salt Lake City, Utah, to Payson, Utah, with full rights to transport local passengers between any intermediate points on its present main-line schedules, and forthwith shall file with the Public Service Commission of the State of Utah and any other appropriate state regulatory body, a notice describing the operations to be suspended in compliance herewith.

2. Gronway R. Perry, doing business under the name and style of Geneva Transportation Company, shall honor all outstanding tickets issued by the Salt Lake & Utah Railroad Company between Provo, Utah, and Orem, Utah, and shall perform all of the services required to be performed under the operating rights of Salt Lake & Utah Railroad Corporation within Provo, Utah; within Orem, Utah; from Provo, Utah, to Orem, Utah; and from Orem, Utah, to Provo, Utah.

3. The carriers forthwith shall file with the Public Service Commission of the State of Utah, and any other appropriate regulatory body, and publish in accordance with law and continue in effect until further order, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commission of the State of Utah, and any other necessary regulatory body of said State for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B-57".

This Special Order ODT B-57 shall become effective September 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-13713; Filed, Sept. 6, 1944; 4:31 p. m.]

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

CONSENT TO LEVY ATTACHMENTS

Pursuant to the provisions of paragraph 3 of Executive Order No. 9462 (9 F.R. 10071), consent is hereby given to levy attachments by mesne process, garnishment, execution, or otherwise, on or against any of the real or personal property or other assets, tangible or intangible, which are now, or which may hereafter be, in the possession of the United States pursuant to the provisions of said Executive Order No. 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, entitled "Possession, Control and Operation of Motor Carriers", when, and only when, such real or personal property or other assets, tangible or intangible, are or have been pledged as collateral under a financing arrangement approved, in writing, by the Federal Manager of Motor Carrier Transportation Systems and Properties.

This consent shall not be construed as limiting the provisions of any other consent to levy attachments on the property of a particular motor carrier which has heretofore been issued, or which may be issued hereafter.

Issued at Washington, D. C., this 6th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-13737; Filed, Sept. 7, 1944; 10:34 a. m.]

CONSOLIDATED FREIGHTWAYS, INC.

CONSENT TO LEVY ATTACHMENTS

Pursuant to the provisions of paragraph 3 of Executive Order No. 9462 (9 F.R. 10071), consent is hereby given to levy attachments by mesne process, garnishment, execution, or otherwise, on or against any of the real or personal property or other assets, tangible or intangible, of Consolidated Freightways, Inc., which are now, or which may hereafter be, in the possession of the United States pursuant to the provisions of said Executive Order No. 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, entitled "Possession, Control and Operation of Motor Carriers".

Issued at Washington, D. C., this 6th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-13736; Filed, Sept. 7, 1944; 10:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RPS 60, Order 16]

AMERICAN SUGAR REFINING CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 16 under § 1334.51 (a) (2) (i) of Revised Price Schedule 60. Direct consumption sugar.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

(a) *Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar.* (1) The American Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to add a differential per 100 lb. net of 45 cents to the maximum basis price in order to determine their maximum price for fine granulated sugar packed 50 lbs. net in double bags of 2.85 yards 36'' cotton sheeting enclosed in an outer bag of 5 ply paper construction arranged (in order from inside to outside) as follows:

1 50 lb. basis weight natural kraft
1 75 lb. basis weight asphalt laminated kraft
1 50 lb. basis weight natural kraft
1 75 lb. basis weight asphalt laminated kraft
1 60 lb. basis weight natural kraft (wet strength)

Bottom amorphous wax dipped-top closed with bound over creped kraft tape, sewed and amorphous wax applied over closure.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective September 7, 1944.

(56 Stat. 23, 765; Pub. Law 161, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13723; Filed, Sept. 6, 1944; 4:24 p. m.]

[Max. Import Price Reg., Order 40]

AMERICAN IMPORT CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders No. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell and maximum prices at which wholesalers and retailers may buy and sell, cotton rag rugs imported from Mexico by The American Import Company, 62 First Street, San Francisco 5, California, hereinafter called the "importer".

(b) *Maximum prices on sales by the importer to wholesalers and retailers.* The importer may sell such imported cotton rag rugs to wholesalers at a price not exceeding 10½ cents per square foot, f. o. b. port of entry, and to retailers at 12 cents per square foot, f. o. b. port of entry. No wholesaler or retailer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may charge, and no person buying from him may pay prices higher than the following for such imported cotton rag rugs:

Class of seller:	*Maximum price*
Sales by wholesalers, f. o. b. seller's California shipping point	$0.132 per sq. ft.
Sales by retailers	$0.21 per sq. ft.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such imported cotton rag rugs are sold and shall also include on the invoice the following statement:

The enclosed Order No. 40 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling prices for the imported cotton rag rugs, and requires you to notify your customer what his maximum price is as stated in the Order.

(e) *Importer and wholesaler to notify retailers.* The importer or wholesaler selling such imported cotton rag rugs to retailers shall include on his invoice to each retailer the following statement:

Your maximum selling price for the imported cotton rag rugs as established by Order No. 40 under the Maximum Import Price Regulation issued by the Office of Price Administration, is 21¢ per square foot.

(f) *Reduction of prices.* Whenever the total landed costs to the importer, on which the above maximum prices are established, decrease by 5% or more, he shall immediately notify the Export-Import Price Branch, Office of Price Administration, Washington, D. C., of the extent of the reduction, and the Price Administrator may then establish new maximum prices for these imported cotton rag rugs.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on the 7th day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13726; Filed, Sept. 6, 1944; 4:27 p. m.]

[MPR 120, Order 968]

THE NEW RIVER CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 968 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 7. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.218 and all other provisions of Maximum Price Regulation No. 120.

THE NEW RIVER CO., MOUNT HOPE, W. VA., KELSYTH MINE, SEWELL SEAM, MINE INDEX NO. 1020, FAYETTE COUNTY, W. VA., SUBDISTRICT 2, RAIL SHIPPING POINT, KELSYTH, W. VA., STRIP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	A	A	A	A	A	A	A	B	B	B
Rail shipment	425	445	410	355	345	330	350	320	315	310
Truck shipment	465	395	415	350	335	330				

Railroad locomotive fuel:
- Any single screened lump or double screened coal 365
- Run of Mine 350
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 335
- Screenings 1¼" x 0 and Smaller 310

PANDO COAL CO., P. O. BOX 134 WELCH, W. VA., PANDO NO. 7 MINE, DAVY-SEWELL SEAM, MINE INDEX NO. 1001, MCDOWELL COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, MORGAN, W. VA., DEEP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	D	D	C	A	A	B	B	D	D	D
Rail shipment	380	390	400	355	345	330	350	310	305	300
Truck shipment	465	395	415	360	335	330				

Railroad locomotive fuel:
- Any single screened lump or double screened coal 365
- Run of Mine 350
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 335
- Screenings 1¼" x 0 and smaller 310

S. E. T. COAL CO., MULLENS, W. VA., SET MINE, POCAHONTAS #3 SEAM, MINE INDEX NO. 1019, WYOMING COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT, MULLENS, W. VA., DEEP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	D	D	C	A	A	B	B	B	B	B
Rail shipment	380	390	400	355	345	330	350	320	315	310
Truck shipment	465	395	415	360	335	330				

Railroad locomotive fuel:
- Any single screened lump or double screened coal 365
- Run of Mine 350
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 335
- Screenings 1¼" x 0 and smaller 310

MILL CREEK COAL & COKE CO., 1250 SIXTH AVE., NEW YORK CITY, N. Y., ELKHORN NO. 3 MINE, POCAHONTAS NO. 3 SEAM, MINE INDEX NO. 1018; MERCER COUNTY, W. VA., SUB-DISTRICT 3, RAIL SHIPPING POINT: COALDALE, W. VA., DEEP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	B	B	A	A	A	B	B	C	C	C
Rail shipment	395	405	410	355	345	330	350	315	310	305
Truck shipment	465	395	415	360	335	330				

Railroad locomotive fuel:
- Any single screened lump or double screened coal 365
- Run of mine 350
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 335
- Screenings 1¼" x 0 and smaller 310

BANDY COAL CO., RICHLANDS, VA., BANDY MINE, EDGE SEAM, MINE INDEX NO. 354, TAZEWELL COUNTY, VA., SUB-DISTRICT 4, RAIL SHIPPING POINT: BANDY, VA., DEEP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	B	B	A	A	A	B	B	C	C	C
Rail shipment	395	405	410	355	345	330	350	315	310	305
Truck shipment [1]	465	395	415	350	335	330				

Railroad locomotive fuel:
- All single screened lump or double screened coal 365
- Run of Mine 350
- Screenings larger than 1¼" x 0 but not exceeding 2½" x 0 335
- Screenings 1¼" x 0 and smaller 310

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 111 to Maximum Price Regulation No. 120. Effective August 5, 1944.

[1] Previously established and adjusted pursuant to amendment No. 111 to Maximum Price Regulation No. 120. Issued July 31, 1944, effective August 5, 1944.

This order shall become effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13724; Filed Sept. 6, 1944; 4:28 p. m.]

[MPR 120, Order 970]

ANCHOR COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 970 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

ANCHOR COAL CO., 1148 TERMINAL TOWER, CLEVELAND, OHIO, ANCHOR #6 MINE, No. 5 BLOCK SEAM, MINE INDEX No. 7165, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT, HIGHCOAL, W. VA., F. O. G. 122, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification	G	G	G	G	G	G	F	F	D	F	D	E	E	E
Rail shipments and railroad fuel	385	375	360	360	345	335	320	315	315	345	305	295	290	290
Truck shipment	405	385	350	350	320	300	260	255						

BAKER-TAYLOR COAL CO., NEON, KY., BAKER-TAYLOR MINE, ELKHORN SEAM, MINE INDEX NO. 7162, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, KONA, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J	L
Rail shipments and railroad fuel	365	360	350	350	345	335	315	310	310	345	300	295	285	280	240
Truck shipment	380	360	335	335	320	295	260	255							

CALDWELL COAL CO., CATLETTSBURG, KY., CALDWELL MINE, No. 8 SEAM, MINE INDEX NO. 704, BOYD COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT, RUSH, KY., F. O. G. 61, DEEP MINE

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification	M	M	M	M	K	K	J	H	E	G	F	L	L	L
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	345	295	285	280	280
Truck shipment *	380	360	335	335	320	295	260	255						

* Previously Established.

CARTER ELKHORN COAL CO., BOX 308 PRESTONBURG, KY., CARTER NO. 1 MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7176, FLOYD COUNTY, KY., SUBDIST. 1, RAIL SHIPPING POINT; DRIFT, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	H	H	H	H	H	H	G	E	C	E	C	G	G	G	L
Rail shipments and railroad fuel	380	375	360	360	345	335	315	315	315	370	300	295	285	280	240
Truck shipment	405	385	350	350	320	300	260	255							

CARTER ELKHORN COAL CO., BOX 308 PRESTONBURG, KY., CARTER NO. 2 MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7177, FLOYD COUNTY, KY., SUBDIST. 1, RAIL SHIPPING POINT; DRIFT, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	H	H	H	H	H	H	G	E	C	E	C	G	G	G	L
Rail shipments and railroad fuel	380	375	360	360	345	335	315	315	315	370	300	295	285	280	240
Truck shipment	405	385	350	350	320	300	260	255							

THE CENTRAL ELKHORN COAL CO., 1200 BRUNSON BLDG., COLUMBUS, OHIO, MINE NO. 3 (LOWER SEAM) MINE, ELKHORN NO. 1 SEAM, MINE INDEX NO. 7126, FLOYD COUNTY, KY., SUBDIST. 1, RAIL SHIPPING POINT; LACKEY, KY., F. O. G. 61, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	H	H	H	H	H	H	G	E	C	E	C	H	H	H	L
Rail shipments and railroad fuel	380	375	360	360	345	335	315	315	315	370	300	295	285	280	240
Truck shipment	405	385	350	350	320	300	260	255							

FOX GAP COAL CO., P. O. BOX 591, NORTON, VA., NO. 3 MINE, CLINTWOOD SEAM, MINE INDEX NO. 7174, WISE COUNTY, VA., SUBDIST. 7, RAIL SHIPPING POINT, NORTON, VA., F. O. G. 205, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size Group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	M	M	M	M	K	K	J	G	E	E	D	G	G	G
Rail shipments and railroad fuel	350	350	345	345	345	335	315	310	310	370	300	295	285	280
Truck shipment	380	360	335	335	320	295	260	255						

REID BRANCH COAL CO., HUEYSVILLE, KY., REID BRANCH MINE, ELKHORN NO. 1 SEAM, MINE INDEX NO. 7173, FLOYD COUNTY, KY., SUBDIST. 1, RAIL SHIPPING POINT: WELCO, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size Group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22
Price classification	H	H	H	H	H	H	G	E	C	E	C	H	H	H	P
Rail shipments and railroad fuel	380	375	360	360	345	335	315	315	315	370	300	295	285	280	205
Truck shipment	405	385	350	350	320	300	260	255							

NOTE: The Maximum Prices Established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120, effective August 16, 1944.

This order shall become effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-13725; Filed, Sept. 6, 1944; 4:27 p. m.]

[MPR 188, Order 2236]

LACKNER COMPANY, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2236 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an electric alarm clock manufactured by Lackner Company, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 2236 establishes maximum prices for sales of a new electric alarm clock manufactured by the Lackner Company, Inc., Lackner Building, Cincinnati 14, Ohio, and described in an application dated August 9, 1944.

(1) For sales to wholesalers the maximum price is $3.82 per clock, f. o. b., Cincinnati, Ohio and is subject to a discount of 1% for payment within 10 days.

(2) For sales to retailers, the maximum price is $4.77 per clock, f. o. b., seller's city.

(3) For sales at retail the maximum price is $7.95 per clock, exclusive of the federal excise tax.

(b) The manufacturer shall plainly mark each clock with the retail ceiling price before shipping it to a purchaser for resale. This may be done by marking the case or by attaching a tag or label.

(c) On and after September 7, 1944, at the time of the first invoice, the manufacturer shall notify in writing each wholesaler and each wholesaler shall notify in writing each retailer who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2236 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 2236 shall become effective September 7, 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13717; Filed, Sept. 6, 1944; 4:25 p. m.]

[MPR 188, Order 2237]

FRANK J. RICHTIG

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2237 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than price. Approval of maximum prices for sales of knives manufactured by Frank J. Richtig.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Frank J. Richtig, Clarkson, Nebraska, of knives of his manufacture, as described in his application dated February 25, 1944 after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Model	To jobbers or distributors who stock the knives	Maximum price to retailers
		Per doz.	*Per doz.*
Hunting knife or dagger with sheath.	#2—6" blade	$55.08	$81.20
	#3—6" blade	55.08	81.20
	#4—6" blade	55.08	81.20

These maximum prices are f. o. b. Clarkson, Nebraska and are subject to a cash discount of 2% ten days, net thirty days.

(b) The maximum prices for all sales and deliveries at wholesale for the knives described in paragraph (a) above shall be the prices set forth below as follows:

Article	Model	Maximum price to retailers
		Per dozen
Hunting knife or dagger with sheath.	#2—6" blade	$61.20
	#3—6" blade	61.20
	#4—6" blade	61.20

(c) The maximum prices for a sale at retail by any person of the knives described in paragraph (a) above shall be as follows:

Article	Model	Maximum price to consumers
		Each
Hunting knife or dagger with sheath.	#2—6" blade	$8.50
	#3—6" blade	8.50
	#4—6" blade	8.50

(d) On each knife shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2237 may be revoked or amended by the Price Administrator at any time.

This Order No. 2237 shall become effective on the 7th day of September 1944.

Issued this 6th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13718; Filed, Sept. 6, 1944; 4:24 p. m.]

[MPR 188, Order 2238]

NICRO STEEL PRODUCTS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2238 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of skillets manufactured by the Nicro Steel Products, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of three metal skillets manufactured by Nicro Steel Products, Inc., 1308 Elston Avenue, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, by the manufacturer to persons who stock the pan, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to stocking jobbers	Maximum price to nonstocking jobbers	Maximum price to retailers
		Each	*Each*	*Each*
Metal skillet	6"	$0.132	$0.14	$0.165
	8"	.21½	.23	.27
	12"	.33½	.35½	.42

These prices are for the sales and delivery of the articles described in the manufacturer's application. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington D. C. under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of a maximum price for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, or by persons who stock the pan, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailer
		Each
Metal skillet	6"	$0.165
	8"	.27
	12"	.42

These prices are subject to cash discounts and terms no less favorable than those customarily granted by the seller.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, or by persons who stock the pan, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 7th day of September 1944.

Issued this 6th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13719; Filed, Sept. 6, 1944; 4:26 p. m.]

[MPR 188, Order 2239]

OHIO VALLEY TOOL AND DIE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2239 under § 1499.158 of Maximum Price Regulation No. 188.

Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a fry pan manufactured by the Ohio Valley Tool and Die Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a fry pan manufactured by the Ohio Valley Tool and Die Company, 316 North Fourth Street, Steubenville, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, by the manufacturer to persons who stock the pan, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to stocking jobbers	Maximum price to persons, other than retailers, who resell from the manufacturer's stock	Maximum price to retailers
All metal fry pan	9"	*Each* 21¼¢	*Each* 23¢	*Each* 27¢

These prices are for the sales and delivery of the article described in the manufacturer's application dated May 31, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C. under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, or by persons who stock the pan, the maximum price is set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
All metal fry pan	9"	*Each* 27¢

This price is subject to cash discounts and terms no less favorable than those customarily granted by the seller.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, or by persons who stock the pan, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 7th day of September 1944.

Issued this 6th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13720; Filed, Sept. 6, 1944; 4:26 p. m.]

[MPR 188, Order 2240]

ELYRIA METAL PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2240 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a skillet manufactured by the Elyria Metal Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a skillet manufactured by the Elyria Metal Products Company, P. O. Box 492, Elyria, Ohio.

(1) (i) For all sales and deliveries since effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, by the manufacturer to persons who stock the pan, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to stocking jobbers	Maximum price to non-stocking jobbers	Maximum price to retailers
Metal skillet	8½"	*Each* $0.289	*Each* $0.30½	*Each* $0.36

These prices are for the sales and delivery of the article described in the manufacturer's application dated June 28, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the price specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C. under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, or by persons who stock the pan, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Metal skillet	8½"	*Each* $0.36

This price is subject to cash discounts and terms no less favorable than those customarily granted by the seller.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, or by persons who stock the pan, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 7th day of September 1944.

Issued this 6th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13721; Filed, Sept. 6, 1944; 4:25 p. m.]

[MPR 188, Order 2241]

MARSHALLAN MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2241 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a skillet manufactured by The Marshallan Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a metal fry pan manufactured by the Marshallan Manufacturing Company, 1061 West 11th Street, Cleveland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, by the manufacturer to persons who stock the pan, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock the maximum prices are those set forth below:

Article	Model No.	Maximum price to stocking jobbers	Maximum price to nonstocking jobbers	Maximum price to retailers
		Each	Each	Each
Metal fry pan	#5—Unpolished	20¢	21¼¢	25¢
	#5—Interior polished	21¢	22¢	26¢
	#5—Interior and exterior polished	21½¢	22¢	27¢

These prices are for the sales and delivery of the article described in the manufacturer's application dated March 25, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C. under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, or by persons who stock the pan, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Metal fry pan	#5—Unpolished	25¢
	#5—Interior polished	26¢
	#5—Interior and exterior polished.	27¢

These prices are subject to cash discounts and terms no less favorable than those customarily granted by the seller.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, or by persons who stock the pan, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 7th day of September 1944.

Issued this 6th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13722; Filed, Sept. 6, 1944; 4:26 p. m.]

[MPR 64, Order 147]

BROWN STOVE WORKS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Correction

In F.R. Doc. N. P. 44-10681, appearing on page 11020 of the issue for Thursday, September 7, 1944, the bracket designation should read as set forth above.

[RMPR 436, Corr. to Order 11]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Correction to Order No. 11 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order No. 11 under Revised Maximum Price Regulation No. 436 is hereby corrected by placing a decimal point before each series of figures in the column headed "*Amount of increase (dollars per 42-gallon barrel)*".

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13769; Filed, Sept. 7, 1944; 11:50 a. m.]

Regional and District Office Orders.

[Region V Order G-10 Under 18 (c)]

FIREWOOD IN SAN ANTONIO, TEX.

Correction

In F.R. Doc. 44-13628, appearing at page 11040 of the issue for Thursday, September 7, 1944, the bracket designation should read as set forth above.

WAR FOOD ADMINISTRATION.

Farm Security Administration.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued August 2, 1944, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION I—NEW YORK

COUNTY—MADISON

Locality I:
Consisting of the towns of Brookfield, DeRuyter, Eaton, Fenner, Georgetown, Hamilton, Lebanon, Madison, Nelson $4,520

Locality II:
Consisting of the towns of Canastota, Lenox, Lincoln, Oneida, Smithfield, Stockbridge, Sullivan 6,800

REGION III—OHIO

COUNTY—ADAMS

Locality I:
Consisting of the townships of Liberty and Wayne $4,330

Locality II:
Consisting of the townships of Bratton, Franklin, Manchester, Meigs, Monroe, Oliver, Scott, Sprigg, Tiffin, Winchester 3,420

Locality III:
Consisting of the townships of Brush, Green, Jefferson 2,126

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved: September 4, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-13672; Filed, Sept. 6, 1944; 11:11 a. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 181

Washington, Saturday, September 9, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 69–2, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

GENERAL AUTHORIZATION WITH RESPECT TO FRUIT FOR ALCOHOLIC PURPOSES

War Food Order No. 69–2 (9 F.R. 7919) issued on July 13, 1944, by the Director of Distribution is hereby amended as follows:

1. By deleting therefrom the provisions in § 1405.44 (b) (8) and inserting, in lieu thereof, the following:

(8) Any apples which fail to meet the specifications for the U. S. Utility grade, or better, as set forth in the U. S. Standards for Apples issued on August 26, 1937, and reissued in October 1939, by the United States Department of Agriculture; and

2. By deleting therefrom the provisions in § 1405.44 (c) and inserting, in lieu thereof, the following:

(c) *Additional limitations.* The apricots, plums, pears, or peaches which fail to meet the specifications for the U. S. No. 2 grades, or better, as set forth in (b) hereof, and the apples which fail to meet the specifications for the U. S. Utility grade, or better, as set forth in (b) hereof, may be used in the production for sale of any product containing 7 percent or more, of alcohol, by volume, only in the event such fruit, which fails to meet said grade specifications, has been culled from a larger lot or lots which were sorted for market in fresh form or for processing.

The provisions hereof shall become effective at 12:01 a. m. e. w. t., September 9, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69–2 prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 69–2 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 69, 8 F.R. 10477; 9 F.R. 4321, 4319, 4528, 8000)

Issued this 5th day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–13833; Filed, Sept. 8, 1944; 11:24 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3414]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LINWOOD SALES CO., INC., ET AL.

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of razor blades, watches, china and silverware, clocks, cosmetics, dresser sets, umbrellas, bedding, or any other articles of merchandise, (1) supplying, etc., others with pull cards or circulars having pull tabs thereon or other lottery devices for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof; (2) mailing, etc., to respondents' agents, etc., pull cards or circulars having pull tabs thereon or other lottery devices so prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof; (3) selling, etc., any merchandise by the use of pull cards or circulars having pull tabs thereon or any other lottery device; or (4) using the term "free", or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respond-

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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ents' merchandise; prohibited. (Sec. 5b, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Linwood Sales Co., Inc., et al., Docket 3414, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

In the Matter of Linwood Sales Co., Inc., and Bernard Abrams and Abe S. Willner, Individually and as Officers of Linwood Sales Co., Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts; and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated February 7, 1939; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondents to show cause on July 24, 1944, why this case should not be reopened for the purpost of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondents Linwood Sales Co., Inc., its officers, and Bernard Abrams and Abe S. Willner, individually, their respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of razor blades, watches, china and silverware, clocks, cosmetics, dresser sets, umbrellas, bedding, or any other articles of merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Supplying to or placing in the hands of others, pull cards or circulars

having pull tabs thereon or other lottery devices for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof.

(2) Mailing, shipping or transporting to their agents or to distributors or to members of the public pull cards or circulars having pull tabs thereon or other lottery devices so prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof.

(3) Selling or otherwise disposing of any merchandise by the use of pull cards or circulars having pull tabs thereon or any other lottery device.

(4) Using the term "free", or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondent's merchandise.

It is further ordered, That the respondents shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-13827; Filed, Sept. 8, 1944; 10:16 a. m.]

[Docket No. 3190]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SUPERIOR TEXTILE MILLS

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—History:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser — Producer status of dealer or seller—Manufacturer:* § 3.96 (b) *Using misleading name — Vendor—Producer or laboratory status of dealer or seller.* In connection with offer, etc., in commerce, of fabrics or wearing apparel, and among other things, as in order set forth, (1) representing, through the use of the word "Mills" in respondent's trade name or of the term "direct from mills to wearer," or any words or terms of similar import or meaning, or through any other means or device, or in any manner that said respondent is the manufacturer of the products sold by him unless and until such respondent actually owns and operates or directly and absolutely controls the manufacturing plant wherein said products are manufactured by him; or (2) representing that respondent's business was established in 1905, or at any time other than the date of its actual establishment; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Modified cease and desist order, Superior Textile Mills, Docket 3190, August 16, 1944]

§ 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.6 (dd) *Advertising falsely or misleadingly—Special offers:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.72 (n) *Offering deceptive inducements to purchase or deal—Special offers.* In connection with offer, etc., in commerce, of fabrics or wearing apparel, and among other things, as in order set forth, (1) representing that any article regularly included in a combination offer with other articles is "free" or that the sale thereof constitutes a "free merchandise sale."; (2) representing, designating or describing any articles or merchandise delivered only upon the condition that some other articles be purchased and paid for as "free," or in any other manner indicating that the said articles or merchandise are a gift or gratuity; (3) representing that any offer of merchandise is limited as to time or otherwise unless such offer is in fact so limited; or (4) using the term "free", or any other term of similar import and meaning, to describe, designate or refer to any merchandise which is not a gift or gratuity and delivered to the recipient thereof without cost and unconditionally; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Superior Textile Mills, Docket 3190, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August A. D. 1944.

In the Matter of Abraham Starr, an Individual Trading as Superior Textile Mills

This proceeding having been heard by the Federal Trade Commission, upon complaint of the Commission, the answer of the respondent, testimony and other evidence taken before Edward E. Reardon, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint, and in opposition thereto, brief filed herein by S. Brogdyne Teu, II, counsel for the Commission (the respondent having filed no brief and not having requested oral argument); and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated November 15, 1939; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondent to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondent Abraham Starr, individually and trading as Superior Textile Mills, or trading under any other name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of fabrics or wearing apparel in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, through the use of the word "Mills" in respondent's trade name or of the term "direct from mills to wearer," or any words or terms of similar import or meaning, or through any other means or device, or in any manner that said respondent is the manufacturer of the products sold by him unless and until such respondent actually owns and operates or directly and absolutely controls the manufacturing plant wherein said products are manufactured by him.

2. Representing that any article regularly included in a combination offer with other articles is "free" or that the sale thereof constitutes a "free merchandise sale."

3. Representing, designating or describing any articles or merchandise delivered only upon the condition that some other articles be purchased and paid for as "free," or in any other manner indicating that the said articles or merchandise is a gift or gratuity.

4. Representing that respondent's business was established in 1905, or at any time other than the date of its actual establishment.

5. Representing that any offer of merchandise is limited as to time or otherwise unless such offer is in fact so limited.

6. Using the term "free," or any other term of similar import and meaning, to describe, designate or refer to any merchandise which is not a gift or gratuity and delivered to the recipient thereof without cost and unconditionally.

It is further ordered, That respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-13828; Filed, Sept. 8, 1944; 10:16 a. m.]

[Docket No. 3497]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

K & S SALES CO., ET AL

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Terms and Conditions:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Undertakings, in General:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Value:* § 3.69 (c10) *Misrepresenting oneself and goods—Promotional Sales Plans:* § 3.72 (n10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.72 (p) *Offering deceptive inducements to purchase or deal—Undertakings, in general.* In connection with offering, etc., in commerce, of any sales stimulator plan, including certificates, coupons, and cards, redeemable in chinaware or other merchandise, and among other things, as in order set forth, (1) representing that certificates, coupons or trading cards will be redeemed with cer-

tain articles of merchandise unless the merchandise described is delivered to the holders of such certificates, coupons or trading cards without cost or condition, except the actual cost of packing, handling, and transportation; (2) representing that respondent supplies to her customers or to other persons circulars, pamphlets, or other advertising matter relating to said sales stimulator plan when such is not the fact; or (3) misrepresenting that any specified sum is the actual cost to respondent of said chinaware or other merchandise or is the actual cost of packing, handling and distributing said products, or misrepresenting in any other manner the actual cost to respondent of said products or the actual cost of packing, handling and distributing said products; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Modified cease and desist order, K & S Sales Company et al., Docket 3497, August 16, 1944]

§ 3.69 (b) *Misrepresenting oneself and goods—Goods—Free goods:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Refunds:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Results:* § 3.69 (b) *Misrepresenting oneself and goods—Goods—Terms and conditions:* § 3.69 (c10) *Misrepresenting oneself and goods—Promotional sales plans:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.72 (k3) *Offering deceptive inducements to purchase or deal—Returns and reimbursements:* § 3.72 (n10) *Offering deceptive inducements to purchase or deal—Terms and conditions.* In connection with offering, etc., in commerce, of any sales stimulator plan, including certificates, coupons and cards, redeemable in chinaware or other merchandise, and among other things, as in order set forth, (1) representing that the respondent will make refunds to the purchaser of said sales stimulator plan upon presentation of a specified number of said certificates, coupons or trading cards for redemption, unless said certificates, coupons or trading cards are redeemed without cost to the holders thereof and unconditionally, and said refund is made to said purchaser upon the redemption of the specified number of certificates, coupons or trading cards; (2) representing that the general sales of respondent's customers will be increased by reason of their use of respondent's sales stimulator plan; or (3) representing merchandise delivered in redeeming certificates, coupons, or trading cards as "free" or as gift or gratuity or as delivered without cost to the holders of said certificates, coupons or trading cards, when said merchandise is not in fact delivered to the holders of said certificates, coupons or trading cards without cost and unconditionally; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, K & S Sales Company et al., Docket 3497, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

In the Matter of K & S Sales Company, a Corporation, and Mrs. Fannye Cohn, an Individual

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and upon testimony with respect to the dissolution of the corporate respondent K & S Sales Company, and upon the answer of the individual respondent Mrs. Fannye Cohn, in which answer said respondent admits all the material allegations of fact set forth in said complaint and states that she waives all intervening procedure and further hearing as to said facts, and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated August 12, 1939; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondent to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondent, Mrs. Fannye Cohn, her representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as commerce is defined in the Federal Trade Commission Act, of any sales stimulator plan, including certificates, coupons, and cards, redeemable in chinaware or other merchandise, do forthwith cease and desist from:

(1) Representing that certificates, coupons or trading cards will be redeemed with certain articles of merchandise unless the merchandise described is delivered to the holders of such certificates, coupons or trading cards without cost or condition, except the actual cost of packing, handling, and transportation.

(2) Representing that respondent supplies to her customers or to other persons circulars, pamphlets, or other advertising matter relating to said sales stimulator plan when such is not the fact.

(3) Misrepresenting that any specified sum is the actual cost to respondent of said chinaware or other merchandise or is the actual cost of packing, handling and distributing said products, or misrepresenting in any other manner the actual cost to respondent of said products or the actual cost of packing, handling and distributing said products.

(4) Representing that the respondent will make refunds to the purchaser of said sales stimulator plan upon presentation of a specified number of said certificates, coupons or trading cards for redemption, unless said certificates, coupons or trading cards are redeemed without cost to the holders thereof and unconditionally, and said refund is made to said purchaser upon the redemption of the specified number of certificates, coupons or trading cards.

(5) Representing that the general sales of respondent's customers will be increased by reason of their use of respondent's sales stimulator plan.

(6) Representing merchandise delivered in redeeming certificates, coupons, or trading cards as "free" or as a gift or gratuity or as delivered without cost to the holders of said certificates, coupons or trading cards, when said merchandise is not in fact delivered to the holders of said certificates, coupons or trading cards without cost and unconditionally.

It is further ordered, That the respondent shall, within sixty (60) days after service upon her of this order, file with the Commission a report in writing setting forth in detail the manner and form in which she has complied with this order.

It is further ordered, That this case be, and the same hereby is, closed as to the corporate respondent K & S Sales Company, without prejudice to the right of the Commission, should future facts so warrant, to reopen the same and resume prosecution thereof in accordance with the Commission's regular procedure.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 44-13829; Filed, Sept. 8, 1944; 10:16 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VIII—Coal Mines Administration

[Order 1977]

LIQUIDATION OF COAL MINES ADMINISTRATION

Liquidation of the Coal Mines Administration; transferring of records and functions of that agency to the Solid Fuels Administration for War.[1]

By Executive Orders Nos. 9340 of May 1, 1943 (8 F.R. 5695) and 9393 of November 1, 1943 (8 F.R. 14877) the President of the United States authorized and directed the Secretary of the Interior to take possession of the coal mines of the Nation and conferred upon him certain authority and responsibilities in connection therewith. Those duties have been carried on by the Coal Mines Administration[2] of the Department of the Interior which is now in the process of terminating Government possession of the coal mines. Possession by the Government of all but two bituminous coal mines has been terminated as the result of governmental approval

[1] See Order 1982, *infra*.

[2] See Order 1847, Sec. Int., 8 F.R. 10578.

of wage contracts and resumption of normal production.

Accordingly, I order that, effective at the close of business August 31, 1944:

1. The Coal Mines Administration is discontinued and shall cease to be in effect.

2. All designations of officials of other Bureaus and Offices of the Department to serve as officials of the Coal Mines Administration are terminated.

3. All records of the Coal Mines Administration, both in its Washington and field offices, are hereby transferred to the Solid Fuels Administration for War, Department of the Interior.

4. All authority and responsibilities conferred upon the Secretary of the Interior by Executive Orders Nos. 9340 and 9393 shall cease to be discharged by the Coal Mines Administration and, in lieu thereof, shall be discharged by the Solid Fuels Administration for War.

5. The Solid Fuels Administration for War is authorized to liquidate the accumulated and currently accrued annual leave of those employees of the Coal Mines Administration who are not transferred to other agencies of the Department of the Interior or of the Federal Government.

Dated: August 16, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-13830; Filed, Sept. 6, 1944; 10:11 a. m.]

[Order No. 1982]

LIQUIDATION OF COAL MINES ADMINISTRATION, AMENDMENT

Amendment of Order No. 1977, relating to liquidation of Coal Mines Administration.

Order No. 1977, issued August 16, 1944,[1] is hereby amended by striking the word and figures "August 31, 1944" appearing at the end of the second paragraph, and by inserting in lieu thereof the word and figures "September 15, 1944."

Dated: August 31, 1944.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 44-13831; Filed, Sept. 6, 1944; 10:11 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Fri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1029—FARM MACHINERY AND EQUIPMENT, AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[General Preference Order M-330, Revocation]

Section 1029.26 *General Preference Order M-330* is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Priorities Regulation No. 19, as amended May 6, 1944.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13840; Filed, Sept. 8, 1944; 11:28 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT, AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[General Preference Order M-330, Revocation of Supp. 1]

Section 1029.31 *General Preference Order M-330, Supplement 1,* is revoked. This revocation does not affect any liabilities incurred under this supplemental order. The manufacture and delivery of valves and pipe fittings remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13841; Filed, Sept. 8, 1944; 11:28 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT, AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[General Preference Order M-330, Revocation of Supp. 2]

Section 1029.32 *General Preference Order M-330, Supplement 2,* is revoked. This revocation does not affect any liabilities incurred under this supplemental order. The manufacture and delivery of farm supplies remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13842; Filed, Sept. 8, 1944; 11:28 a. m.]

PART 3274[1]—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-145, as Amended Sept. 8, 1944]

AIRCRAFT CONTROL AND PULLEY BEARINGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of anti-friction aircraft control and pulley bearings for defense, for private account and for export; manufacturers of these bearings now make a large number of sizes of this type bearing in small quantities only; concentration in a single producer of the manufacture of a group of these sizes now made in small quantities will permit larger "runs" of such sizes, thereby effecting a large saving in time formerly spent in setting up and taking down production machinery and will release many hours of highly skilled machine setters' time urgently needed for other operations in the producer's plant; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.66[1] *Limitation Order L-145*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person, firm, corporation or other form of enterprise engaged in producing any anti-friction aircraft control and pulley bearings.

(b) *Limitation on acceptance of orders for aircraft control and pulley bearings.* (1) Except as provided in paragraph (b) (2), on and after June 10, 1942, no producer may accept any purchase order for aircraft control or pulley bearings of any of the sizes specified on Exhibit A hereto attached unless such producer is designated on Exhibit A as an "authorized producer" of such size.

(2) If on and after June 10, 1942, a producer is requested to accept a purchase order for aircraft control or pulley bearings of any size on Exhibit A as to which he is not designated an "authorized producer" but such producer has on hand completed bearings or partially or wholly completed parts for such bearings sufficient to fill such order partially or in full, then he may deliver the completed bearings on hand, or complete such bearings out of the parts on hand and deliver the same, against such order.

(c) *Maintenance of equipment by producers other than authorized producers.* Any producer who manufactured any of the sizes specified on Exhibit A during 1941 but who is not therein designated as an authorized producer of such size, is prohibited from disposing of tools and equipment used by him in manufacturing such size and shall keep such tools and equipment in such condition that whenever the War Production Board deems it necessary to name him an authorized producer he can resume production of aircraft control and pulley bearings of such size one month after notice by the War Production Board.

(d) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon

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[1] *Supra.*

[1] Formerly Part 1266, § 1266.1.

him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by addressing a letter to the War Production Board, Washington 25, D. C., Ref: L-145, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington 25, D. C. Ref.: L-145.

(h) *Applicability of Priorities Regulation 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A TO LIMITATION ORDER L-145

Size of Bearing	*Authorized producers*
K10	Fafnir Bearings Company.
X107	Norma-Hoffman Bearings Corporation.
	Fafnir Bearings Company.
X143	Federal Bearings Company.
K10H	Federal Bearings Company.
KR3	S K F Industries, Incorporated.
KR4	S K F Industries, Incorporated.
KR6	S K F Industries, Incorporated.
KS3L	Fafnir Bearings Co., Norma-Hoffman Bearings Corp., Marlin-Rockwell Corp.
KS3	Fafnir Bearings Company, S K F Industries, Incorporated.
KS5	Fafnir Bearings Company, Federal Bearings Company.
KS6	Fafnir Bearings Company.
KS8	Norma-Hoffman Bearings Corporation.
	Fafnir Bearings Company.
KS10	Federal Bearings Company.
K5A	Schatz Mfg. Co., Norma-Hoffman Bearings Corp., Fafnir Bearings Co.
K16A	Federal Bearings Company.
	Fafnir Bearings Company.
K20A	Norma-Hoffman Bearings Corporation.
KF3A	Fafnir Bearings Company.
KF4A	Fafnir Bearings Company.
KF5A	Federal Bearings Company.
KF6A	Norma-Hoffman Bearings Corporation.
	Fafnir Bearings Company.
KF8A	Federal Bearings Company.
KF10A	Fafnir Bearings Company.
KF12A	Norma-Hoffman Bearings Corporation.
KF16A	Fafnir Bearings Company.
KF20A	Norma-Hoffman Bearings Corporation.
KF3	Fafnir Bearings Company.
K21B	Federal Bearings Company, Fafnir Bearings Company.
K29B	Fafnir Bearings Company.
K37B	Fafnir Bearings Company.
K47B	Fafnir Bearings Company.
K49B	Fafnir Bearings Company.
A538	Fafnir Bearings Company.
A539	Fafnir Bearings Company, The Torrington Company.
A540	Fafnir Bearings Company.
A542	Fafnir Bearings Company, Norma-Hoffman Bearings Corporation.
A544	Fafnir Bearings Company, Federal Bearings Company.
A545	Fafnir Bearings Company, Norma-Hoffman Bearings Corporation.
A546	Federal Bearings Company, Norma-Hoffman Bearings Corporation.
D3	Fafnir Bearings Company.
D5	Federal Bearings Co., Norma-Hoffman Bearings Corp., Marlin-Rockwell Corp.
	Fafnir Bearings Company.
D6	Fafnir Bearings Company, Norma-Hoffman Bearings Corporation.
D8	Federal Bearings Company.
	Fafnir Bearings Company.
D10	Fafnir Bearings Company.
DS3	Fafnir Bearings Company, Norma-Hoffman Bearings Corporation.
DS4	Fafnir Bearings Company, Norma-Hoffman Bearings Corporation.
DS6	Fafnir Bearings Company, Norma-Hoffman Bearings Corporation.
DS8	Federal Bearings Company.
	Fafnir Bearings Company.
DS10	Federal Bearings Company.
	Fafnir Bearings Company.
DF5	Fafnir Bearings Company.
DF6	Fafnir Bearings Company.
DF8	Norma-Hoffman Bearings Corporation.
G4Y17	Fafnir Bearings Company.
K4R16	Fafnir Bearings Company.
K3L2	Fafnir Bearings Co., Federal Bearings Company, Marlin-Rockwell Corp.
G4J17	Fafnir Bearings Co.

[F. R. Doc. 44-13843; Filed, Sept. 8, 1944; 11:28 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-145-a, as Amended Sept. 8, 1944]

ANTI-FRICTION BEARINGS

The fulfilment of requirements for the defense of the United States has created a shortage in the supply of anti-friction bearings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.67 *Limitation Order L-145-a—*

(a) *Limitation on production of anti-friction bearings.* No person engaged in the production of anti-friction bearings shall hereafter make bearings of any of the sizes specified on Schedule A attached to this order unless he is designated as an "authorized producer" of such size.

A person who is not designated as an "authorized producer" of a particular size listed in Schedule A may refer persons seeking to place orders with him to those who are designated as "authorized producers"; or if he wishes to continue selling this size he may accept orders for such bearings and arrange to have them made by an "authorized producer."

(b) *Maintenance of equipment by persons other than "authorized producers".* Any person who produced any of the sizes specified on Schedule A in 1943 but who is not designated as an "authorized producer" of such size is prohibited from disposing of tools and equipment used by him to make such size and he shall keep these tools and equipment in such condition that whenever the War Production Board deems it necessary to name him an "authorized producer" he can resume production of bearings of such size one month after notice by the War Production Board.

(c) *Exceptions.* The provisions of this order do not apply to:

(1) The production of any bearings listed on Schedule A for which purchase orders have been placed prior to February 19, 1944, even though the person holding such orders is not designated as an "authorized producer";

(2) To any person whose monthly shipments in November 1943 of all anti-friction bearings did not exceed $60,000.

(d) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(e) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control, and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref: L-145-a.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—BALL BEARINGS

SAE No.	*Authorized Producers*
Light Series—Single Row—Radial:	
224	Marlin-Rockwell Corp., SKF Industries, Inc., Fafnir Bearing Co. Kaydon Engineering Corp.
232	Marlin-Rockwell Corp.
234	Torrington Co. (Bantam Div.)
236	Kaydon Engineering Corp.
238	
240	
Medium Series—Single Row—Radial:	
326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.) Kaydon Engineering Corp.
332	Marlin-Rockwell Corp.
334	Torrington Co. (Bantam Div.)
336	Kaydon Engineering Corp.
338	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.) Kaydon Engineering Corp.
340	Marlin-Rockwell Corp. Torrington Co. (Bantam Div.) Kaydon Engineering Corp.
344	
348	Torrington Co. (Bantam Div.)
352	Kaydon Engineering Corp.
Light Series—Single Row—Angular Contact:	
7224	Marlin-Rockwell Corp.
7228	SKF Industries, Inc. Kaydon Engineering Corp.
7230	Marlin-Rockwell Corp., SKF Industries, Inc.,
7232	Torrington Co. (Bantam Div.) Kaydon Engineering Corp.
7236	Marlin-Rockwell Corp.
7238	Torrington Co. (Bantam Div.)
7240	Kaydon Engineering Corp.
Medium Series—Single Row—Angular Contact:	
7324	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.) Kaydon Engineering Corp.
7326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.) Kaydon Engineering Corp.
7328	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.) Kaydon Engineering Corp.
7332	
7334	Marlin-Rockwell Corp.
7336	Torrington Co. (Bantam Div.)
7338	Kaydon Engineering Corp.
7340	
7342	
Heavy Series—Single Row:	
403	Marlin-Rockwell Corp., SKF Industries, Inc.
Q 3403–A	New Departure Div. of G. M. C.
404	Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
410	Fafnir Bearing Co., New Departure Div. of G. M. C., Hoover Ball & Bearing Co., Marlin-Rockwell Corp.
415	Fafnir Bearing Co., Marlin-Rockwell Corp., Norma-Hoffman Bearings Corp.
416	
417	
418	
419	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
420	Marlin-Rockwell Corp., SKF Industries, Inc.
421	Marlin-Rockwell Corp.
422	

SCHEDULE A—Continued

SAE No.	*Authorized Producers—Con.*
Heavy Series—Double Row:	
5403	Marlin-Rockwell Corp.
5404	
5405	Marlin-Rockwell Corp., SKF Industries, Inc.
5406	
5407	Marlin-Rockwell Corp., McGill Mfg. Co., New Departure Div. of G. M. C., SKF Industries, Inc.
5408	Marlin-Rockwell Corp., SKF Industries, Inc.
5409	Marlin-Rockwell Corp., Bearings Co. of America
5410	Marlin-Rockwell Corp., Fafnir Bearing Co., SKF Industries, Inc.
5411	Fafnir Bearing Co., Marlin-Rockwell Corp.
5412	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
5413	Fafnir Bearing Co., Marlin-Rockwell
5414	Corp.
5415	Marlin-Rockwell Corp., McGill Mfg. Co.
5416	Fafnir Bearing Co., Marlin-Rockwell Corp.
5417	Marlin-Rockwell Corp.
5418	Fafnir Bearing Co., McGill Mfg. Co., Marlin-Rockwell Corp.
Heavy Series—Angular Contact:	
7403	Marlin-Rockwell Corp.
7404	Marlin-Rockwell Corp., New Departure Div. of G. M. C.
7405	McGill Mfg. Co., Marlin-Rockwell
7406	Corp., New Departure Div. of G. M. C., SKF Industries, Inc. Fafnir Bearing Co.
7407	Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc. Fafnir Bearing Co.
7408	Ahlberg Bearing Co., Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
7409	
7412	Fafnir Bearing Co., Marlin-Rockwell
7413	Corp., New Departure Div. of
7414	G. M. C., SKF Industries, Inc.
7415	
7416	Fafnir Bearing Co., Marlin-Rockwell Corp., New Departure Div. of G. M. C.
7417	Marlin-Rockwell Corp., SKF Industries, Inc.
7418	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
7419	Marlin-Rockwell Corp., SKF Industries, Inc.
7420	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.

[F. R. Doc. 44–13837; Filed, Sept. 8, 1944; 11:29 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L–236, Schedule IV, as Amended Sept. 8, 1944]

TACKLE BLOCKS

Section 3284.85 *Schedule IV to Limitation Order L–236* is hereby amended to read as follows:

§ 3284.85 *Schedule IV to Limitation Order L–236*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, fabricates or assembles tackle blocks, with or without attached fittings.

(2) "Tackle block" means a product consisting of one or more free pulleys or sheaves mounted in a portable frame or shell, and used for moving objects by means of rope passing over the pulleys or sheaves.

(3) "Attached fittings" means beckets, hooks, shackles, swivels, and other similar devices attached in the process of manufacture or assembly as an integral part of the tackle block.

(b) *Simplified practices.* This schedule is issued pursuant to Limitation Order L–236. No producer shall manufacture, fabricate, or assemble any tackle blocks except the kinds named in the tables of Appendix A and in conformity with the types, designs, sizes, standards, grades, and other provisions set forth in this Schedule IV, including Appendix A. Exceptions to this rule are stated in paragraph (f).

(c) *Limitations on design.* (1) There are three kinds of tackle blocks described in Appendix A, and a separate table is devoted to each kind. Each table lists several permitted types, each provided with several kinds of bearings and bushings, sheaves of various sizes, and other specifications, all of which are permitted. However, no producer shall manufacture, fabricate, or assemble more than one design for each of the permitted types of tackle blocks in Tables I through III.

(2) No producer shall manufacture, fabricate or assemble any tackle blocks designed for use on pleasure boats.

(d) *Restrictions on metals.* The only metals which may be used in the manufacture of tackle blocks and attached fittings are aluminum, magnesium, and ferrous metals exclusive of stainless steel. However, copper base alloys may be used for bushings as specified in Tables I through III.

(e) *Galvanizing.* Galvanizing is permitted on metal blocks and on metal parts of wood blocks, and on attached fittings.

(f) *Exceptions.* This schedule does not apply to:

(1) (i) Tackle blocks with plain ferrous metal bearings or steel roller bushings with a capacity under 250 pounds per pair of single blocks, 500 pounds per pair of double blocks, and 750 pounds per pair of triple blocks.

(ii) Tackle blocks with a capacity of over 50 tons per pair of quadruple sheave blocks.

(2) Tackle blocks manufactured, fabricated, or assembled in establishments wholly owned and operated by the U. S. Navy.

(3) Tackle blocks specified in the Standard Plan issued by the Bureau of Ships of the U. S. Navy. (This exemption does not apply to tackle blocks specified in plans which are not designated as Standard Plan by the Bureau of Ships.)

(4) Parts manufactured, fabricated or assembled for maintenance or repair of tackle blocks.

(5) Tackle blocks manufactured, fabricated or assembled from parts in the possession of the producer on or before December 21, 1943.

(6) Tackle blocks and attached fittings specially designed and constructed for

use in the operation or equipment of life boats and life rafts.

(7) Snatch blocks specially designed and constructed for use in logging, mining and oil field operations.

(8) Conductor stringing snatch blocks.

(9) Chain hoists or manila rope hoists.

(10) Hay loading and lifting blocks.

(11) Gin blocks.

(12) Skidder blocks.

(13) Special blocks manufactured, fabricated or assembled as component and replacement parts for skyline equipment, drag scrapers, and cableway excavators.

(14) Purse seine blocks.

(15) Special extra heavy weighted steel plate blocks, 25 tons and up.

(16) Tackle blocks manufactured, fabricated or assembled to fill an order received before December 21, 1943 when such order has been scheduled for any delivery date under the provisions of Scheduling Order M–293.

(17) Oil field Crown blocks, traveling blocks, rotary drilling blocks.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—PERMITTED TYPES OF TACKLE BLOCKS

TABLE I—WOOD BLOCKS FOR MANILA ROPE

(a) *Regular mortise, inside iron strapped; single, double and triple.*
(1) Plain ferrous metal bearings:
Cast iron sheaves; shell sizes—3", 4", 5", 6", 7", 8", 10", 12".
(2) Steel Roller Bushings:
Cast iron sheaves; shell sizes—3", 4", 5", 6", 7", 8".
(3) Self-lubricating bronze bushings:
Cast iron or steel sheaves; shell sizes—3", 4", 5", 6", 7", 8", 10", 12", 14", 16".
One design only shall be used for all three.

(b) *Heavy wide mortise, double cross bolted, inside iron strapped; single, double and triple.*
(1) Plain ferrous metal bearings:
Cast iron sheaves; shell sizes—6", 7", 8", 10", 12", 14", 16".
(2) Steel roller bushings:
Cast iron or steel sheaves; shell sizes—6", 7", 8".
(3) Self-lubricating bronze bushings:
Cast iron or steel sheaves; shell sizes—6", 7", 8", 10", 12", 14", 16".
One design only shall be used for all three.

(c) *Snatch blocks, double cross bolted, iron strapped.* (May be equipped with drop link, or with safety locking device).
(1) Plain ferrous metal bearings:
Cast iron sheaves; shell sizes—6", 7", 8", 10", 12", 14", 16", 18", 20", 22".
(2) Self-lubricating bronze bushings:
Cast iron or steel sheaves; shell sizes—6", 7", 8", 10", 12", 14", 16", 18", 20", 22".
One design only shall be used for both.

TABLE II—METAL BLOCKS FOR MANILA ROPE

(a) *Steel shell blocks, single, double and triple, oval design.*
(1) Plain ferrous metal bearings:
Cast iron sheaves; shell sizes—4", 5", 6", 7", 8", 10", 12", 14", 16".
(2) Self-lubricating bronze bushings:
Cast iron or steel sheaves; shell sizes—4", 5", 6", 7", 8", 10", 12", 14", 16".
One design only shall be used for both.

(b) *Heavy steel shell blocks, single, double and triple, oval design.*
(1) Plain ferrous metal bearings:
Cast iron sheaves; shell sizes—4", 5", 6", 7", 8", 10", 12", 14", 16".
(2) Self-lubricating bronze bushings:
Cast iron or steel sheaves; shell sizes—4", 5", 6", 7", 8", 10", 12", 14", 16".
One design only shall be used for both.

(c) *Steel shell snatch blocks.* (May be equipped with drop link, or with safety locking device.)
(1) Plain ferrous metal bearings:
Cast iron sheaves; shell sizes—6", 7", 8", 10", 12", 14", 16", 18", 20", 22".
(2) Self-lubricating bronze bushings:
Cast iron or steel sheaves; shell sizes—6", 7", 8", 10", 12", 14", 16", 18", 20", 22".
One design only shall be used for both.

TABLE III—METAL BLOCKS FOR WIRE ROPE

(a) *Standard steel plate blocks; single, double and triple.*
(1) Plain ferrous metal bearings:
(i) Diamond design, cast iron sheaves.
Sheave diameters—6", 8", 10", 12", 14".
(ii) Oval design, cast iron sheaves.
Sheave diameters—6", 8", 10", 12", 14".
(2) Self-lubricating, bronze bushings:
(i) Diamond design, cast iron or steel sheaves.
Sheave diameters—6", 8", 10", 12", 14".
(ii) Oval design, cast iron or steel sheaves.
Sheave diameters—6", 8", 10", 12", 14".

(b) *Standard extra heavy steel plate blocks; single, double and triple.*
(1) Plain ferrous metal bearings:
(i) Diamond design, cast iron sheaves.
Sheave diameters—8", 10", 12", 14", 16", 18".
(ii) Oval design, cast iron sheaves.
Sheave diameters—8", 10", 12", 14", 16", 18".
(2) Self-lubricating bronze bushings:
(i) Diamond design, cast iron or steel sheaves.
Sheave diameters—8", 10", 12" 14", 16", 18", 20".
(ii) Oval design, cast iron or steel sheaves.
Sheave diameters—8", 10", 12", 14", 16", 18", 20".

(c) *Special extra heavy steel plate blocks, 25 to 50 ton capacity.*
(1) Self-lubricating bronze bushings:
(i) Diamond design, cast iron or steel sheaves. Sheave diameters—14", 16", 18", 20", 22", 24".
(ii) Oval pattern, cast iron or steel sheaves. Sheaves diameters—14", 16", 18", 20", 22", 24".
(2) Pressure lubrication:
(i) Diamond design, cast iron or steel sheaves. Sheaves diameters—14", 16", 18", 20", 22", 24".
(ii) Oval design, cast iron or steel sheaves. Sheave diameters—14", 16", 18", 20", 22", 24".

(d) *Steel cargo hoisting blocks, single.*
(1) Cast steel or malleable iron shell, steel sheaves, steel roller bearings, pressure lubrication. Sheave diameters—12", 14".

(e) *Steel plate snatch blocks* (May be equipped with drop link, or safety locking device).
(1) Plain ferrous metal bearings:
Cast iron sheaves. Sheave diameters—6", 8", 10".
(2) Self-lubricating bronze bushings:
Cast iron or steel sheaves. Sheave diameters—6", 8", 10", 12", 14", 16", 18", 20".
One design only shall be used for both.

(f) *Special extra heavy steel plate snatch blocks* (Trucking, oil field, or stevedore types).
(1) Steel sheaves with pressure lubrication or self-lubricating bronze bushings with sheave diameters of 6", 8", 10".

(g) *Malleable iron snatch blocks* (Equipped with pin type cross head).
(1) Self-lubricating bronze bushings, cast iron or steel sheaves. Sheave diameters—6", 8", 10", 12", 14", 16", 18", 20".

TABLE IV—ATTACHED FITTINGS FOR TACKLE BLOCKS

(a) The only attached fittings which are permitted for manila rope blocks are as follows:
(1) Shackle
(2) Loose Side Hook
(3) Loose Swivel Hook
(4) Stiff Swivel Hook
(5) Loose Oblong Link
(6) Swivel Eye
(7) Trip Hook
(8) Becket
(9) Sister Hooks

(b) The only attached fittings which are permitted for wire rope blocks are as follows:
(1) Shackle
(2) Loose Side Hook
(3) Loose Oblong Link
(4) Stiff Swivel Hook
(5) Swivel Hook in Yoke
(6) Oblong Swivel Eye
(7) Drilled Swivel Eye
(8) Jaw or Yoke (with or without swivel)
(9) Becket
(10) Heel Block

[F. R. Doc. 44–13839; Filed, Sept. 8, 1944; 11:30 a. m.]

[Order L–335, Direction 9, as Amended Sept. 8, 1944]

PART 3285—LUMBER AND LUMBER PRODUCTS

LIMITATIONS ON RECEIPTS OF CERTAIN SPECIES AND GRADES OF LUMBER

Direction No. 9 to Order L–335 is hereby amended to read as follows:

(a) *Limitation on receipts of lumber for specified uses.* No person shall receive the following types of lumber for use as ship dunnage or in bracing, blocking, shoring in freight cars or trucks, or for use in producing an item listed on Schedule I below: #2, 3, and 4 common grades of Ponderosa pine, Idaho white pine, sugar pine, lodgepole pine, white fir, Engelmann spruce, produced in the States of Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, or South Dakota.

(b) *Limitation on receipts of lumber for use in making hardwood flooring.* No person shall receive for use in manufacturing hardwood flooring any species of lumber other than birch, beech, maple, pecan, and oak.

(c) *Deliveries by sawmills prohibited.* No sawmill shall sell, ship or deliver, or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be received or used in violation of the provisions of this direction or any order or regulation of the War Production Board.

(d) *Appeals.* Any appeals from the provisions of this direction shall be made by mailing a letter to the Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L–335.

SCHEDULE I

Farm machinery, implements, and equipment which include any item controlled by Order L–257 but not including wooden farm pumps.

Boats, pleasure (sail boats, row boats, and motor boats).

Caskets, burial cases and other morticians' equipment (excluding shipping cases).

Fixtures, commercial.

Furniture.

Stepladders.

Ladders (except ships' ladders and ladders manufactured for use on motorized fire or rescue apparatus).

Lockers and shelving, industrial or commercial.

Millwork, building woodwork (window sash and door frames; windows; sash; doors; interior trim; stairs; cabinets; blinds; mouldings; porchwork and exterior trim; window and door screens).

Mobile houses (house trailers and expansible mobile houses).

Prefabricated buildings and structures and fabricated parts of buildings and structures.

Plumbers woodwork and fixtures (toilet seats, towel racks).

Radio and phonograph cabinets.

Refrigerators (except walk-in) and refrigerating equipment.

Scenery and display signs.

Toys, games, children's vehicles.

Trunks, valises, trunk lockers.

Woodenware and novelties (coat hangers, gavels, trays, umbrellas, buttons, cases, etc.)

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13838; Filed, Sept. 8, 1944; 11:29 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–356, as Amended Sept. 8, 1944]

SYNTHETIC FIBERS, YARNS AND FABRICS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of synthetic fibers, yarns and fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Nylon

§ 3290.326 *General Conservation Order M–356*—(a) *Definitions.* (1) "Nylon" means synthetic fiber-forming polymeric amides having a protein-like chemical structure, derivable from coal, air and water, or other substances, and characterized by extreme toughness and strength and the peculiar ability to be formed into fibers (yarns and fabrics) and into various shapes, such as bristles, sheets, etc. "Nylon" also means fibers, yarn, thread and fabrics made of nylon.

(2) "Nylon waste" means waste, noils and garnetted or reclaimed fibers (including scraps and clippings, generated in the manufacture of thread, fabrics, rope, braiding or other material containing nylon) the total nylon content of which is 95% or more by weight.

(b) *Restrictions on nylon.* (1) No person shall sell or deliver nylon except as specifically authorized in writing by the War Production Board.

(2) No person shall knowingly purchase, accept delivery or commercially use nylon contrary to any restriction of the War Production Board.

(c) *Restrictions on nylon waste.* No person shall sell, purchase, deliver, accept delivery, process or commercially use nylon waste except to recover nylon flake. No person shall mix nylon waste with any other waste material having less than 95% nylon content by weight.

Export of Fine Rayon Yarn and Rayon Fabrics

(d) *Definitions.* (1) "Rayon fabrics" mean broad woven synthetic fabrics (over 24 inches in width) made from continuous filament viscose yarn, cuprammonium yarn or cellulose acetate yarn, from viscose or acetate staple fiber, or from combinations or blends containing more than 50 per cent by weight of any such synthetic yarns. The term shall not include velvets, plushes, and other pile fabrics, upholstery, drapery and tapestry fabrics, and jacquard woven fabrics.

(2) "Fabric producer" means a person who wove, or caused to be woven for him on commission, an average of more than 25,000 yards of rayon fabrics per week during the three months' period ending September 30, 1943. Wherever the words "his total yardage production" or "produced by him" are used in paragraph (g), they refer to the yardage of rayon fabrics manufactured for, as well as by, the fabric producer.

(3) "Procurement orders" mean orders for rayon fabrics placed by the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priority Regulation 17), the Maritime Commission or War Shipping Administration.

(4) "Export orders" means, with respect to fine rayon yarns as defined in General Preference Order M–37–d, orders bearing a preference rating of AA–3 or higher, and with respect to rayon fabrics, orders bearing a preference rating of AA–5 or higher, for material which is covered by or the subject of one of the following:

(i) An export license issued by Foreign Economic Administration.

(ii) A release certificate issued by or pursuant to the authority of Foreign Economic Administration in connection with a program license of the Foreign Economic Administration.

(iii) A United States Treasury Procurement Division contract or requisition placed for Foreign Economic Administration.

(iv) A purchase by The Canadian Commodity Prices Stabilization Corporation.

(v) An order from a manufacturer, who has accepted orders for garments or materials covered by export orders defined in subdivisions (i), (ii), (iii) above, for goods to be incorporated in such garments or materials.

Deliveries to or for United States Army, Navy, Maritime Commission or War Shipping Administration, and deliveries to Canada, other than on orders referred to in subdivision (iv), are not exports for the purpose of this order.

(e) (1) No preference rating applied or assigned in connection with any export order as defined in paragraph (d) (4) shall be valid, used, or given any effect unless the preference rating is applied and extended as provided in Priorities Regulation 3 and, in addition, substantially one of the following notations (whichever is appropriate) is placed on the order:

(i) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under export license No. ------ (fill in) issued by Foreign Economic Administration.

(ii) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under release certificate No. ------ (fill in) issued by or pursuant to the authority of Foreign Economic Administration.

(iii) The goods hereby ordered are (or will be incorporated in material that is) the subject of United States Treasury Procurement Division Contract No. ---------- (fill in)

(iv) The goods hereby ordered will be delivered to or for the account of The Canadian Commodity Prices Stabilization Corporation.

(When this is done the requirements of M–328 are met, and it is unnecessary to use any other notation.)

(2) No person shall purchase, accept delivery of, deliver or knowingly sell for delivery for export any rayon yarn or rayon fabric, without a preference rated export order as defined in paragraph (d) (4), except rags or pieces of fabric shorter than ten yards.

(f) *Establishment of export quotas for fine rayon yarn.* (1) An export quota system is hereby established for the producers of fine rayon yarn as defined in General Preference Order M–37–d. Such export quotas will be established from time to time by the War Production Board within which quotas the Foreign Economic Administration will be authorized to assign preference ratings. Until further notice from the War Production Board, each producer of fine rayon yarn shall, regardless of preference ratings, each day set aside an amount of such yarn equal to the production of 4% of his active spindles producing viscose or cuprammonium yarn and 4% of his active spindles producing acetate yarn. The number of active spindles producing high tenacity tire-type rayon yarn shall not be included in computing the above percentages. The yarn thus set aside shall be known as "export yarn," and shall be set aside, as nearly as practicable, in such denier sizes as will fill the producer's orders on hand for such yarn at the time the producer sets his production schedule. No producer of fine rayon yarn shall be compelled to export or accept an order for export of fine rayon yarn in excess of the export quota so established for him: *Provided,* That no such producer shall be prohibited from exporting or accepting an order for export of fine rayon yarn in excess of such quota, unless specifically prohibited by the War Production Board.

(2) *Disposition of export yarn not booked or delivered.* All export yarn set aside from the production of any one month, pursuant to the provisions of paragraph (f) (1) and which has not

been delivered or booked during said month, shall be immediately available for sale to any person otherwise eligible to purchase such yarn.

(3) [Deleted Feb. 8, 1944]

(g) *Establishment of export quota for rayon fabrics.* (1) An export quota system is hereby established for rayon fabrics. Pursuant to such system export quotas will be fixed from time to time by the War Production Board. Until further notice from the War Production Board, each fabric producer must accept and fill export orders for rayon fabrics until they aggregate for the current calendar quarter four per cent of his total yardage production of rayon fabrics (excluding yardage produced by him to fill procurement orders) during the preceding calendar quarter. No fabric producer is required to accept or fill export orders for more than the established export quota, nor for more than fifteen per cent of any particular construction of rayon fabrics produced by him during the current calendar quarter. However, he is not prohibited from doing so, unless compliance with other orders or regulations of the War Production Board would forbid it.

(2) *Unfilled export quota to be carried over to next quarter.* If a fabric producer does not fill his entire export quota of rayon fabrics in any calendar quarter, the unfilled portion hall be added to his quota for the next succeeding quarter. The portion so carried over which is not filled in such succeeding quarter may be dropped. To illustrate: if the export quota of a fabric producer for the second quarter of 1944 is 100,000 yards and he books or delivers only 75,000 yards during that quarter, the remaining 25,000 yards shall be added to his quota for the third quarter of 1944. If his quota for that quarter is also 100,000 yards, he is required to accept and fill export orders aggregating 125,000 yards during the third quarter. Any part of the 25,000 yards not delivered during the third quarter is thereafter free from the rpstrictions of this order.

Miscellaneous Provisions

(h) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Conservation Order M–328, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports.* Each producer of rayon fabrics shall forward to the War Production Board each week a copy of every export order accepted by him during the week. Each producer of rayon fabrics shall file with the War Production Board quarterly production reports on Form WPB–658–C within the time specified on said form. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M–356.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

ALL PRODUCERS OF RAYON FABRICS REQUIRED TO REPORT

Although "fabric producer" is defined in paragraph (d) (2) to mean a person who wove or caused to be woven for him on commission an average of more than 25,000 yards of rayon fabric per week during the three months' period ending September 30, 1943, paragraph (h) (3), the reports paragraph, refers to each producer of rayon fabrics regardless of the quantity he produces. Accordingly, all producers of rayon fabrics are required to report. (Issued May 26, 1944.)

[F. R. Doc. 44–13834; Filed, Sept. 8, 1944; 11:29 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–64, as Amended Sept. 8, 1944]

CASKETS, SHIPPING CASES AND BURIAL VAULTS

§ 3291.245 *General Limitation Order L–64.*—(a) *Definitions.* For the purposes of this order:

(1) "Casket" means a container in which it is intended to place a human corpse for interment.

(2) "Burial vault" means a container in which it is intended to place a casket containing a human corpse for interment, and shall include burial boxes.

(3) "Shipping case" means a container in which it is intended to place a casket containing a human corpse for shipment and to which handles have been attached in accordance with railroad shipping regulations.

(4) "Manufacturer" means any person engaged in the production, upholstering, finishing or lining of caskets, shipping cases, burial vaults or parts made specifically for incorporation into those products.

(5) "Metal liner" means a metal container which is inserted into a wooden casket or burial box in order to provide hermetical sealing.

(6) "Metal" means metal or metallic substances in any form except metallic substances contained in powders, sprays, paints and pastes (see Conservation Orders M–1–g and M–9–c–3).

(7) [Deleted Mar. 16, 1944]

(8) "Handle hardware" means hardware attached to the outside of a casket or shipping case for carrying purposes.

(9) "Design" means the construction essentials of a casket which distinguish that casket from another casket. For the purposes of this order, two or more caskets identical in every respect other than species of wood, size, handle hardware, interior linings, upholstery, textile coverings or color of wood finishes shall be considered one design. Two or more caskets identical in every respect but containing different contours of moldings, pilasters or corners shall be considered two or more designs.

(10) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production of caskets.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of caskets, or process, fabricate, work on or assemble any caskets containing any metal, except

(i) Handle hardware for caskets consisting of

(*a*) Assemblies of bars, ears, arms or tips containing antimony, lead, aluminum or zinc which were completely fabricated and assembled prior to March 28, 1942; and

(*b*) Handle arms containing antimonial lead and steel fabricated on or after March 28, 1942, in compliance with the provisions of M–38–c as amended or any appeal granted under that order provided that not more than three pounds of antimonial lead, and 14 ounces of steel shall be used per casket.

(ii) Nameplates manufactured from secondary antimonial lead weighing not more than 14 ounces; and

(iii) Any metal parts which have been manufactured under an appeal from this order or any other order granted after June 30, 1942.

(iv) Not more than 10 pounds of iron and steel per casket of which not more than 7 pounds may be contained in handle hardware.

(2) On and after May 1, 1943, no manufacturer shall

(i) Cut a portion out of the body of the casket so as to make a dropside style;

(ii) Cut the ogee top so as to make a full couch style;

(iii) Cut panels on basic and half couch caskets except at center of panel or two inches or less off center of panel in length;

(iv) Use backing strips or filler strips on base moldings;

(v) [Deleted Mar. 16, 1944]

(vi) Use any interior fitting except what is known as basic or regular, half couch or hinged top fittings; or

(vii) Process or fabricate parts for elliptic end caskets.

(3) On and after May 1, 1943, no manufacturer shall process, fabricate, work on, assemble, finish or upholster any caskets, or parts for caskets, which do not conform to the specifications contained in Schedule A attached to this order, except that

(i) Plastic caskets produced from molds or forms completed prior to March 3, 1943 need not conform to the specifications on size of caskets contained in Schedule A but shall conform to all other specifications contained in Schedule A, and

(ii) [Deleted Mar. 16, 1944]

(4) No manufacturer shall process, fabricate, work on or assemble more designs of caskets than the following:

(i) Twelve designs of adult caskets (five feet six inches or more in inside bottom length);

(ii) One design of children's caskets (less than five feet six inches in inside bottom length);

(iii) One additional institution or hospital design (including both children and adults' sizes);

(iv) One design of still born containers; and

(v) Any other designs specifically authorized by the War Production Board pursuant to an application for permission to manufacture, fabricate or assemble substitute designs in place of designs produced on or after May 1, 1943.

(c) *Restrictions on production of metal liners.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of metal liners or produce any metal liners containing any metal, except

(i) [Deleted Mar. 16, 1944]

(ii) Lead to be used for soldering purposes, provided that such lead shall not contain more than 30% of tin by weight;

(iii) [Deleted Sept. 8, 1944]

(iv) Not more than fifty pounds per metal liner of iron and steel or galvanized steel not exceeding 26 standard gauge in thickness, provided that any manufacturer who possessed in his inventory prior to March 28, 1942, iron and steel, galvanized steel, terne sheet, or copper bearing steel exceeding 26 standard gauge in thickness may use more than fifty pounds of such steel per metal liner.

(2) No person shall use a metal liner except when hermetical sealing is required.

(i) To comply with federal, state or local government laws and regulations for the transportation or interment of a human corpse; or

(ii) In fulfillment of preferred orders.

(3) No manufacturer or jobber shall sell or otherwise dispose of a metal liner to any person unless such person furnishes the manufacturer or jobber with a certificate in substantially the following form, manually signed by that person or his authorized agent:

CERTIFICATION

The undersigned purchaser hereby certifies to ----------, ---------- (Name of seller) ----------, and ---------- (Address) to the War Production Board that the metal liners received by reason of this sale will be used by the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration or to comply with federal, state or local government laws and regulations which require hermetic sealing for the transportation or interment of a human corpse.

(Name of Purchaser)

(Address)
By ---
(Signature of Purchaser or duly authorized agent)

(Date)

(d) *Restriction on the production of shipping cases.* (1) Except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any metal for use in the production of shipping cases, or process, fabricate, work on or assemble any shipping cases containing any metal except not more than 7 pounds of iron and steel per shipping case of which not more than 5 pounds may be contained in handle hardware.

(i) [Deleted Mar. 16, 1944]

(ii) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

(3) On and after May 1, 1943, except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any shipping case, or parts for shipping cases, which do not conform to the specifications contained in Schedule A, attached to this order.

(e) *Restrictions on production of burial vaults.* (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of burial vaults, or process, fabricate, work on or assemble any burial vaults containing any metal, except not more than two pounds of iron and steel per burial vault and not more than 15 pounds of iron and steel for reinforcing purposes for a concrete vault.

(i) [Deleted Mar. 16, 1944]

(ii) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

(3) No manufacturer shall receive any iron or steel (including wire mesh) for use as reinforcing metal in the production of concrete burial vaults unless it is made from rerolled rail stock, "top cuts" or scrap iron or steel.

(4) [Deleted Mar. 16, 1944]

(5) On and after May 1, 1943, except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any burial vaults or parts for burial vaults which do not conform to the specifications contained in Schedule A attached to this order.

(f) *Restrictions on use and transfer of caskets which exceed the dimensions specified in Schedule A.* On and after June 1, 1943, no manufacturer or jobber shall sell, deliver or otherwise dispose of a casket which exceeds the dimensions specified in Schedule A attached to this order to any person unless such person furnishes the manufacturer or jobber with a certification in substantially the following form, manually signed by that person or his authorized agent.

(1) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

CERTIFICATION

The undersigned purchaser hereby certifies to ---------- ----------
Name of seller Address
and to the War Production Board that:

(1) He is familiar with the specifications for caskets contained in Schedule A of L–64, and

(2) This casket will be used for a body of such size that no casket produced in conformance with the dimensions specified in Schedule A of L–64 will be adequate.

Name of Purchaser

Address
By ---
(Signature of purchaser or duly authorized agent)

A manufacturer or jobber may rely upon such certification unless he knows or has reason to believe it to be false.

(g) [Deleted Mar. 16, 1944]

(h) [Deleted Mar. 16, 1944]

(i) [Deleted Mar. 16, 1944]

(j) *Reports.* (1) Each manufacturer of caskets shall file with the War Production Board a catalogue illustration, photograph, snap shot (post card size) or sketch of each design which he proposes to produce under paragraph (b) (4) showing the casket closed and no lining, except that head lid lining may be shown. Each design shall be identified by the factory catalogue number or other distinguishing identification which may be placed on the reverse side of each illustration submitted, together with the manufacturer's name and address.

(2) [Deleted Sept. 8, 1944]

(k) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order must be made on Form WPB–1477 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed

to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-64.

(n) *Applicability of regulations and other orders.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of caskets, metal liners, shipping cases or burial vaults to a greater extent than does this order, the other order shall govern unless it states otherwise.

(o) [Deleted Mar. 16, 1944]

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Restrictions on size	Maximum dimension (shown in inches)					Maximum inside dimensions of wood burial vaults and shipping cases used with caskets specified (shown in inches)			Net amount of lumber which may be contained in finished product (shown in board feet)		
	Length		Width		Height						
	Inside bottom edge	Overall outside length	Inside top edge	Overall outside width	Overall outside height	Length	Width	Depth	Casket specified	Burial box	Shipping case
Institution caskets	75	81	22	24¾	16	84	26¼	17	46	65	69
Octagon and flaring square caskets without base and rail moldings	75	81	22	24¾	20	84	26¼	21	56	71	75
Octagon and flaring square caskets with base and rail moldings	75	81	22	25½	20	84	26½	21	63	73	77
Vertical square caskets	75	81	22	25½	20	84	26½	21	67	73	77

Burial boxes and shipping cases exceeding these dimensions may be produced for plastic or extra size caskets provided that such caskets are not produced in violation of any rule, regulation or order of the War Production Board. No manufacturer shall produce or accumulate extra size caskets in excess of the minimum amount necessary to satisfy demands made pursuant to paragraph (f) of this order. Extra size caskets, burial vaults and shipping cases may contain an additional net amount of lumber of 2½ board feet for each three inches of additional length and three board feet for each two inches of additional width.

Extra size caskets may be made in only three designs in addition to an institution or hospital casket design and shall be produced in multiples of three inches additional length and two inches in additional width.

A tolerance of one-half inch in length and one-fourth inch in width is permitted from the specifications of caskets and burial boxes contained in this schedule.

SCHEDULE A—Continued

	Caskets	Burial vaults and shipping cases
Restrictions on lumber, laminated lumber and plywood.	Not more than 1" thick before milling operations, except: (1) 1½" before milling operations for ogee molding provided no backing strip is used on ogee. (2) 2" before milling operations for combined side and base or rail molding.	Not more than 1" thick before milling operations. Not more than 1 thickness of wood on any part, except: (1) top battens not exceeding 3" in width and 1" in thickness. (2) corner cleats not exceeding 2¼" in width and 1" in thickness, and (3) 2 skids not exceeding 1" in width and thickness respectively.
Finishing restrictions	Not more than: One coat of stain. One coat of wood filler, and One coat of sealing primer. Not more than: Two coats of varnish or similar coating material for transparent finishes or Two coats of varnish or similar coating material for artificial grain finishes or Two coats of enamel for opaque finishes. Not more than: Two different colors of transparent finishes for each species of wood used, and Two different colors of opaque finishes for each design. Two colors or artificial grain finishes may be used in place of transparent finishes, if desired.	Not more than 1 coat of varnish, paint or similar coating material. No nitro-cellulose lacquers.
Restrictions on linings, covering materials, pillows and foot rolls.	No materials in counter linings (upholstery) except cotton fabric. Maximum quantities of rayon lining materials for casket: 9 yards with hinged top fitting 7 yards with half couch fitting and 5¼ yards with basic fitting. A manufacturer may increase the amount of yards used in the above fittings by 10% when used in extra size caskets (for the purpose of this schedule each yard contains 1296 square inches). No rayon lining material in the foot half of basic or half couch caskets. No rayon materials as a bed covering in any casket. No aprons on basic caskets. No plus effects on lids (panels) or ogees on any casket. No foot rolls in any casket nor more than 1 pillow in any casket.	Not applicable.

[F. R. Doc. 44-13836; Filed, Sept. 8, 1944; 11:29 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-150, As Amended Sept. 8, 1944]

AROMATIC SOLVENTS

Section 3293.171 *Conservation Order M-150* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aromatic solvents for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.171 *Conservation Order M-150*—(a) *Definitions.* (1) "Aromatic solvents" means Class A solvents, Class A blends, Class B solvents or Class B blends as defined herein.

(2) "Class A solvents" means xylene range solvents or alternate blended solvents or naphthas containing more than 30 per cent by volume of aromatic hydrocarbons, regardless of source, as determined by the analytical procedure described in "Approximate Analysis of Hydrocarbon Thinners" published in the Scientific Section Circular No. 568 of the National Paint, Varnish and Lacquer Association, November, 1938, pages 381 and 388, and having an A. S. T. M. 50% distillation point lower than 330° F. (165.5° C.). The term shall include solvents containing some combined or commercially inextractable benzene or toluene when such are inherently present in fractionated distillates. The term does not include benzene as defined in Order M-300, Schedule 22, toluene as defined in M-300, Schedule 21, or xylene as defined in M-300, Schedule 23, or solvents of the toluene range, which are defined below as "Class B solvents".

(3) "Class A blends" means any mixture of solvents prepared by admixing Class A solvents with other solvents in any proportion.

(4) "Class B solvents" means toluene range solvents from petroleum or coal tar origin having a distillation range of 200° F. to 285° F. (93° C. to 140° C.), and containing more than 30 per cent by volume of aromatic hydrocarbons, as determined by the analytical procedure described in paragraph (a) (2) above. The term does not include benzene as defined in Order M-300, Schedule 22, toluene as defined in M-300, Schedule 21, or xylene as defined in M-300, Schedule 23, or solvents containing xylene which are defined as Class A solvents.

(5) "Class B blends" means any mixture of solvents prepared by admixing Class B solvents with other solvents in any proportion and includes mixtures of Class A and Class B solvents.

(6) "Military order" means (i) any order for the purchase of a product to be delivered to, or to be used on, or incorporated in, material or equipment delivered to or to be delivered to the U. S. Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, or to or for the account of any foreign country under the Act of March 11, 1941 (Lend-Lease Act), or (ii) any order calling for the servicing of material or equipment to be delivered to

the U. S. Army, Navy, Marine Corps, Coast Guard, Maritime Commission or the War Shipping Administration.

(7) "Coatings" means any liquid organic coating, thinner, or remover which is normally applied to any surface by brush, spray, dip, roller coat, or other method of application. The term includes but is not limited to paint, varnish, lacquer, dope, coating for fabric, printing ink, stain, coating thinner and coating remover. The term does not include adhesive or cement.

(b) *Restrictions on deliveries of aromatic solvents.* No person who produces aromatic solvents or who buys aromatic solvents for resale, shall deliver such solvents unless he furnishes his customers with the notification set forth in Schedule C. This notification must be given in writing, either on the invoice or separately. In no event, however, shall he deliver such solvents if he knows or has reason to believe that they will be used for purposes prohibited by this order.

(c) *Restrictions on use of Class A solvents and Class A blends.* The use of Class A solvents and Class A blends is subject to the following restrictions:

(1) *Use as dry cleaning fluid or type washes.* No person engaged in the business of dry cleaning or printing and publishing may use Class A solvents or Class A blends in the form in which they are received as a dry cleaning fluid (use as spotting fluid excepted) or as printing press and type washes.

(2) *Use in production of dry cleaning fluid or type washes.* No person may use Class A solvents or Class A blends for the production of any dry cleaning fluid (except spotting fluid and soap) or printing press and type washes.

(3) *Use in production of coatings.* Except to fill military orders for coatings, no person may use Class A solvents or Class A blends for the production of coatings for the end uses shown on Schedule A. This applies to a coating made by a producer for his own consumption as well as those he makes for sale.

(4) *Use as a coating.* Except to fill military orders, no person engaged in the business of making products or rendering service (for example, a furniture manufacturer or an automobile repair and refinishing establishment) may use Class A solvents or Class A blends either in the form in which the solvents or blends were received, or after further mixing by him with other materials, as a coating for the end uses shown on Schedule A.

(d) *Restrictions on use of Class B solvents and Class B blends.* No person engaged in the business of making products or rendering service (for example, a coating manufacturer, a toy manufacturer, a public utility, or a research laboratory) may use Class B solvents or Class B blends except for the following purposes:

(1) The production of Class B blends.

(2) The production or processing of products shown on Schedule B.

(3) Research and experimental purposes, provided that not more than an aggregate quantity of 55 gallons of Class B solvents or Class B blends is used by any person in any calendar month for such research and experimental purposes.

(e) *Changes in Schedules A and B.* The War Production Board may from time to time make whatever changes it may deem necessary in the end uses listed on Schedule A or in the products and end uses listed on Schedule B.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications to War Production Board.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–150.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—CLASS A SOLVENTS AND CLASS A BLENDS

List of prohibited end uses referred to in paragraphs (c) (3) and (c) (4) of this order:

Prohibited uses

Code [1]	
0341	Railroad freight cars, maintenance.
0344	Railroad refrigerator cars, exterior, maintenance.
0359	Trucks, maintenance, excluding parts.
0360	Automobiles, excluding parts.
0362	Trailers & carts (maintenance).
0365	Motorcycles & bicycles (maintenance).
0366	Skis.
0369	Road signs.
0370	Highway markings.
0552	Agricultural equipment (including farm tractors) motorized, maintenance.
0554	Agricultural equipment, horsedrawn, maintenance.
0709	Umbrella fabrics.
0730	Oilcloth—except floor oilcloth (such as table and shelf oilcloth).
0731	Enamelled oilcloth or silk oilcloth.
0732	Floor oilcloth (Linoleum)
0734	Wall covering.
0739	Window hollands (shade cloth)
0740	Display cloth.
0741	Shower curtains.
0746	Printing of textiles.
0748	Novelty case cloth.
0750	Luggage and kits.
0751	Handbags (except frames and handles).
0752	Belts.
1201	Bedsteads and bunks.
1202	Trunks and foot lockers.
1206	Venetian blinds.
1207	Mirrors and picture frames.
1208	Wood furniture—except bedsteads and bunks.
1209	Metal furniture—except bedsteads and bunks.
1210	Store fixtures—wood.
1211	Store fixtures—metal.
1212	Prefabricated partitions and shelving—wood.
1213	Prefabricated partitions and shelving—metal.
1214	Industrial and factory furniture, i. e. bins, lockers, tables, stools, etc.
1401	Prefabricated wall board.
1402	Prefabricated flooring.
1403	Weather stripping.
1405	Heating insulation.
1430	Institutional—except hospital operating rooms.
1431	Industrial plants.
1432	Defense housing.
1435	Other buildings—commercial and residential.
1604	Model airplanes.
1605	Toys and games.
1620	Jewelry, novelties, cosmetic compacts and cigarette cases.
1623	Artificial flowers, feathers and plumes.

[1] Code symbols refer to the symbols appearing in the "Primary Products and End Use List" (WPB–I–217) prepared by the Protective Coatings Branch of the Chemicals Bureau, War Production Board.

SCHEDULE B—CLASS B SOLVENTS AND CLASS B BLENDS

List of permitted products referred to in paragraph (d) (2) of this order:

1. Coatings for aircraft including instruments and parts.
2. Barrage balloon fabric.
3. Synthetic rubber.
4. Interior coatings for cans and metal closures and interior liners for metal closures where such cans and closures are to be used for the packaging of foods, drugs and pharmaceuticals.
5. Lacquers, saturants and fillers for cable, and impregnating varnishes for coils and wound apparatus.
6. Bonded mica for insulation purposes.
7. Vinyl coatings (on military orders only) where spray application is required.
8. Specification coatings (on military orders only) where the specification states that the use of Class B solvents is required.
9. Brake lining, clutch facing, and coated abrasives.
10. Any product for any end use (on military orders only) provided that not more than an aggregate quantity of 55 gallons of Class B solvents is used by any manufacturer in any calendar month for all such end uses.
11. Zinc chromate primer (on military orders only) for aluminum or magnesium surfaces.

SCHEDULE C—CERTIFICATION

Pursuant to paragraph (b) of this order, notification in substantially the following form must be sent to all customers purchasing aromatic solvents:

The _____ of _____
(quantity) (trademark or designation of solvents or blends)
_____ being delivered to you on your order #_____, dated _____, is a Class A solvent, Class A blend, Class B solvent, Class B blend (strike

out inapplicable terms) as defined in War Production Board Order M-150, and may not be used for purposes prohibited by that order.

(Name of purchaser) (Address)

By

(Date) (Signature and title of duly authorized official).

[F. R. Doc. 44-13844; Filed, Sept. 8, 1944; 11:28 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 45]

SODIUM CYANIDE

§ 3293.1045 *Schedule 45 to General Allocation Order M-300*—(a) *Definition.* "Sodium cyanide" means all grades and mixtures of sodium cyanide and solutions of sodium cyanide which contain 20% or more sodium cyanide by weight, except 25% mixture with crude calcium cyanide and except 90-91% mining grade sodium cyanide produced from calcium cyanide.

(b) *General restrictions.* Sodium cyanide is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is February 1, 1944, when sodium cyanide was first put under allocation by Order M-366 (revoked). The allocation period is the calendar month. The small order exemption (effective September 8, 1944) is 400 pounds (computed on 96% basis) per person per month.

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to October 1, 1944, will be authorized on the basis of application filed in the form heretofore prescribed in Order M-366 (revoked). Any person who received sodium cyanide prior to September 8, 1944, under the small order exemption of Order M-366 may use it without restriction under this schedule.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. A consolidated set of forms may be filed for all plants and warehouses of the applicant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-45. The unit of measure is pounds (specify per cent sodium cyanide contained in the material, such as 96%, 35%, etc.). An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. In Column 7 report total small order shipments for latest month for which figure is available and specify the month. In Table II, producers shall fill in Columns 8 through 14, and resellers, Columns 8, 10, 12 and 13.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-45, and one copy (reverse side blank) to the supplier. The unit of measure is pounds (specify per cent sodium cyanide contained in the material, such as 96%, 35%, etc.). In Column 1 specify what grade, mixture or solution of sodium cyanide is sought and in Column 2 specify pounds requested for each use specified in Columns 3 and 4 of the application.

Do not request quantities in excess of actual requirements for the month for which allocation is requested. Fill in Column 3 in terms of the following:

Barbiturates
Floting
Case hardening
Flotation reagents
Plating
Other primary product (specify)
Export (as sodium cyanide)
Inventory (as sodium cyanide)
Resale (as sodium cyanide)

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300 (indicate as far as possible whether for direct or indirect Army, Navy or Lend-Lease orders, but do not specify contract numbers).

Fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-45.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13845; Filed, Sept. 8, 1944; 11:28 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-366, Revocation]

CYANIDE

Section 3293.581 *Allocation Order M-366* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Sodium cyanide is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 45 issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of sodium cyanide (as defined in Schedule 45 under M-300) prior to October 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-366.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13838; Filed, Sept. 8, 1944; 11:29 a. m.]

Chapter XI—Office of Price Administration

PART 1306—IRON AND STEEL

[RPS 40, Amdt. 27]

RESALE OF IRON OR STEEL PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1306.165 (a) (13) is amended to read as follows:

(13) *Prohibition of the use of factors not specifically set forth in this section*—(i) *Restrictions.* Only the base prices, extras or other factors which are expressly permitted by this § 1306.165 shall be included in the computation of a maximum delivered price. No other factors may be used unless specific permission is obtained from the Office of Price Administration.

(ii) *Application for other factors.* A seller may apply by letter for permission to use factors not included in the computation of a maximum delivered price under this section if the factors requested were in effect or were used by him on April 16, 1941. The Office of Price Administration may approve, disapprove or modify the factors requested. Appropriate conditions may be imposed upon the use of factors granted. Such application shall be addressed to the attention of the Iron and Steel Branch, Office of Price Administration, Washington, D. C.

This amendment shall become effective September 13, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13856; Filed, Sept. 8, 1944; 11:51 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1B,[1] Amdt. 10]

MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1B is amended in the following respects:

1. Sections 1.3 (a) (5), 1.3 (a) (8), 1.3 (a) (16), 1.3 (a) (33), 2.1 (a), 2.1 (a) (1), 2.1 (a) (1) (iii), 2.1 (a) (1) (v), 2.1 (a) (2), 2.1 (a) (5) (i), 2.2 (a), 2.2 (a) (3), 2.2 (c), 2.3 (a), 2.3 (a) (2), 2.5 (a), 2.5 (c), 2.11 (a), 2.11 (b), 2.16 (a) (1) (i), 2.17 (b), 2.18 (a), 2.21, 2.26 (a) (1), 2.28 (a) (2), 2.28 (a) (3), 2.29 (a) (4), 2.30 (b), 2.32 (a) (1), 2.32 (a) (2), 2.32 (a) (3), 2.32 (a) (4), 2.33 (d), 2.33 (h), 2.33 (i), 2.33 (n) (1), 2.35 (f) and 2.35 (m) are amended by deleting the phrase "or tube" wherever it appears.

2. Sections 1.3 (a) (16), 1.3 (a) (33), 2.4 (a) (13) (iv), 2.7 (a), 2.10 (a), 2.10 (c), 2.11 (a), 2.12 (b), 2.16 (a) (1) (i), 2.30 (d) (3), 3.4 (a) (1), and 3.4 (a) (2) are amended by deleting the phrase "and tubes" wherever it appears.

3. Sections 1.6 (a), 1.6 (b), 2.1 (a) (1) (iv), 2.1 (a) (3), 2.1 (a) (5) (i), 2.1 (a) (6), 2.3 (a) (3), 2.8 (a), 2.9 (a), 2.9 (b), 2.9 (d), 2.10 (a), 2.11 (a), 2.12 (b), 2.13 (a), 2.15 (a), 2.16 (a) (1) (i), 2.16 (a) (2), 2.16 (a) (3), 2.17 (b), 2.17 (c), 2.18 (b), 2.18 (c), 2.19, 2.29 (a), 2.29 (a) (1), 2.29 (a) (2), 2.29 (a) (3), 2.29 (a) (4), 2.29 (b), 2.30 (a), 2.30 (b), 2.30 (d), 2.30 (d) (1), 2.31 (a), 2.31 (b), 2.31 (c) (1), 2.31 (c) (2), 2.31 (c) (3) (i), 2.31 (c) (3) (ii), 2.31 (e), 2.31 (f), 2.32 (a), 2.32 (a) (5), 2.32 (b), 2.33 (a), 2.33 (b), 2.33 (c), 2.33 (e), 2.33 (f), 2.33 (g), 2.33 (h), 2.33 (i), 2.33 (l), 2.33 (m), 2.33 (n), 2.33 (n) (2), 2.33 (n) (3), 2.33 (n) (4) (i), 2.33 (o), 2.33 (p), 2.33 (q), 2.34 (a), 2.35 (e), 235 (g), 2.35 (h), 2.35 (i), 2.35 (j) (k), 3.2 (a), 3.2 (a) (3), 3.3 (a), 3.3 (a) (5), 3.4 (a) (2), 3.6 (a), and 3.13 (a) are amended by deleting the phrase "or tubes" wherever it appears.

4. Section 2.1 (a) (1) (ii) is amended by deleting the phrase "or a tube which cannot be repaired."

5. The table in section 2.2 (c) is amended to read as follows:

Type of ration	Adjusted weekly mileage	Eligible for tires
Basic "A" only	12 miles a week	None.
Supplemental "B" occupational	Less than 48 miles a week	Grade III tire if applicant does not have a recappable carcass.
Supplemental "B" occupational or "C" preferred.	48 miles or more a week	At applicant's option a grade III or a grade I tire if he does not have a recappable carcass.
Fleet passenger and bulk rations	Adjusted mileage	According to adjusted mileage for each vehicle.

6. Section 2.4 (a) (11) is amended by deleting the phrase "tube, or recapping service".

7. Sections 2.4 (b) and 2.4 (b) (1) are amended by deleting the phrase "or for a tube" wherever it appears.

8. Section 2.4 (b) (2) is amended by deleting the phrases "and new passenger-type tubes" and "and tubes".

9. Section 2.5 (b) is amended by deleting the phrases "new tubes or" and "or tubes" wherever they appear.

10. Sections 1.5 (a) (2), 2.6, 2.10 (b), 2.14 (a) (2), and 3.3 (a) (3), are hereby revoked.

11. Section 2.8 (b) is amended by deleting the phrases "or tubes", "pasenger-type tubes", and "and truck-type tubes", and by inserting between the phrases "passenger-type tires" and "truck-type tires" the word "and".

12. Section 2.14 (a) (1) is amended by deleting the phrases "and tubes", "or tubes" and "and for tubes" wherever they appear.

13. Section 2.14 (a) (3) is amended to read as follows:

(3) *For allotment of tires.* OPA Form R-2 (Revised) authorizing an applicant to acquire an allotment of passenger-type tires and truck-type tires.

14. Section 2.16 (a) (1) is amended by deleting the phrases "the tubes or" and "or tubes".

15. Section 2.16 (a) (4) is amended to read as follows:

(4) *By the Director.* If the Director issues OPA Form R-2 (Revised) for an allotment of tires under section 2.7, he shall tear off and destroy parts A and C of such certificate. Parts B and D thereof shall be marked "passenger-type tires only", or "truck-type tires only", as the case may be.

16. Section 2.31 (c) (2) is amended by deleting the phrases "any size passenger tube" and "any size truck tube" wherever they appear.

17. Section 3.4 (a) is amended by deleting the word "tubes".

This amendment shall become effective as of September 1, 1944.

Issued this 8th day of September 1944.

R. GARCIA CINTRON,
Acting Territorial Director,
Puerto Rico.

Approved:

GERALD A. BARRETT,
Acting Regional Administrator,
Region IX.

[F. R. Doc. 44-13859; Filed, Sept. 8, 1944; 11:51 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 56,[1] Amdt. 5]

RECLAIMED RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new paragraph (g) is added to § 1315.51 to read as follows:

(g) Notwithstanding any other provisions of this schedule, the maximum prices for reclaimed rubber shall be one-quarter of a cent per pound higher than the prices determined under the provisions of paragraphs (b), (c), (e), or (f) above.

This amendment shall become effective September 13, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13860; Filed, Sept. 8, 1944; 11:49 a. m.]

PART 1335—CHEMICALS

[MPR 543,[1] Amdt. 2]

CERTAIN BARIUM CHEMICALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 543 is amended in the following respects:

1. By adding at the end of section 10 (a) (4) thereof the following sentence: "In the event an applicant under section 11 hereof is a producer of both barium carbonate and barium chloride, the Price Administrator may consider the factory costs of the combined carbonate-chloride operations."

2. By adding the following new subparagraphs to section 10 (a):

(7) "General administrative and selling expenses per unit" means general administrative and selling expenses per unit as they existed during the first six months of 1944, or as of the date an application for adjustment is filed, whichever is lower.

(8) "Total cost per unit" means factory cost per unit plus general administrative and selling expenses per unit.

3. By deleting from the first paragraph of section 11 thereof the following words: "since his current maximum price was established".

4. By amending section 11 (b) (4) thereof to read as follows:

(4) Notwithstanding limitations on the amount of adjustment heretofore indicated, no adjusted price shall exceed factory or total cost per unit if historically applicant has sold such barium chemical at not more than factory or total cost per unit.

This amendment shall become effective September 13, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13861; Filed, Sept. 8, 1944; 11:50 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9561, 12696, 14153; 9 F.R. 219, 1318, 1945, 3649, 6629, 7494, 9615.

*Copies may be obtained from Office of Price Administration.

[1] 7 F. R. 1313, 2000, 2132, 7069, 8948; 8 F.R. 120, 8645; 9 F.R. 8852.

[1] 9 F.R. 7196; 7258.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 30,[1] Amdt. 9]

WASTEPAPER

A statement of the considerations involved in the issuance of Amendment No. 9 to Maximum Price Regulation No. 30 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 30 is amended in the following respects:

1. Section 1347.14 Appendix A: (a) (1) is amended to read as follows:

(1) *List of grades and prices:*

TABLE I

Grades	Column 1: Prices for wastepaper loose or packed in any manner other than that specified in Column 2	Column 2: Prices for wastepaper packed in machine compressed bales weighing not less than 300 pounds or packed in the optional manner provided in footnotes 3 and 7, whichever is applicable
No. 1 mixed paper [2]	$14.00	$19.00
No. 1 news [3]	15.00	20.00
Overissue news [4]	17.00	22.00
Old corrugated containers [4]	25.00	28.00
Extra manilas [5]	24.00	30.00
Mixed books [6]	17.00	22.00
No. 1 heavy books and magazines [7]	28.50	36.50
No. 1 mixed ledger (colored ledger) [8]	35.00	40.00
No. 1 white ledger [9]	41.00	46.00
Mill wrappers [10]	17.00	22.00

TABLE II

Grades	Column 1: Prices for wastepaper loose or packed in any manner other than that specified in Column 2	Column 2: Prices for wastepaper packed in machine compressed bales or packed in the optional manner provided in footnotes 16 and 17
New corrugated cuttings [11]	$13.00	$18.00
Boxboard cuttings [12]	9.50	14.50
White blank news [13]	28.00	33.00
New manila envelope cuttings [14]	46.00	50.00
One cut new manila envelope cuttings [15]	52.50	57.50
Manila tabulating cards free from groundwood [16]	40.00	45.00
Manila tabulating cards groundwood [17]	22.00	27.00
No. 1 hard white shavings [18]	32.50	37.50
Hard white envelope cuttings [19]	57.50	62.50
One cut hard white envelope cuttings [20]	62.50	67.50

See footnotes at end of tables.

TABLE II—Continued

Grades	Column 1: Prices for wastepaper loose or packed in any manner other than that specified in Column 2	Column 2: Prices for wastepaper packed in machine compressed bales or packed in the optional manner provided in footnotes 16 and 17
No. 1 soft white shavings [21]	$45.00	$50.00
One cut soft white shavings [22]	52.50	57.50
Miscellaneous soft white shavings [23]	38.00	43.00
No. 1 fly leaf shavings [24]	28.50	33.50
No. 1 groundwood fly leaf shavings [25]	20.00	25.00
No. 2 mixed colored groundwood [26] shavings	13.00	18.00
No. 1 assorted kraft (old kraft) [27]	30.00	35.00
Triple sorted No. 1 brown soft kraft [28]	45.00	50.00
Mixed kraft envelope and/or bag cuttings [29]	50.00	55.00
Kraft envelope cuttings [30]	60.00	65.00
New 100 percent kraft corrugated cuttings [31]	40.00	45.00

[1] "No. 1 mixed paper" consists of wastepaper which does not have the uniform or distinctive qualities required for classification as any other grade.

[2] "No. 1 news" consists of waste newspapers.

[3] "Overissue news" consists of unused over-run newspapers from a newspaper office. Dealers' returns constitute a lower quality of this grade. Optional method of packing—securely tied bundles.

[4] "Old corrugated containers" consist of used corrugated or solid fibre containers, including any combination or mixture of 'jute', double lined Kraft, and 100% Kraft.

[5] "Extra manilas" of the highest quality consist of unprinted manila paper. Lower qualities may contain printing.

[6] "Mixed books" consist of books or magazines, including cutthrow, which may in no event exceed 20% of the total weight of the packing. Packings which contain in excess of 20% outthrow may not be sold at a price in excess of the maximum price for "No. 1 Mixed Paper."

[7] "No. 1 heavy books and magazines" consist of used and overissue books and magazines, stitchless stock, quire waste and similar printed matter. The packing may contain up to 5% outthrow. A shipment containing more than 5% outthrow but not more than 10% outthrow must be rejected or paid for only after adjustment to eliminate any payment for outthrow in excess of 5%; in such shipment the excess of outthrow becomes the property of the purchaser. When a shipment invoiced as No. 1 heavy books and magazines contains outthrow of more than 10%, such shipment must be rejected as No. 1 heavy books and magazines and may be accepted only as "No. 1 Mixed Papers," even though it would otherwise meet the definition of "Mixed books". A deduction of at least $5.00 per ton from the maximum price must be made if the material is not packed in machine compressed bales weighing not less than 500 lbs., in air compressed bales, or on skids.

[8] "No. 1 mixed ledger (colored ledger)" consists of ledger sheets, bond, and writing papers, white and colored. It must contain no more than 2% outthrow, and must be free from groundwood except to the extent that groundwood is used in the furnish of ledger sheets, bond and writing papers which were free from groundwood prior to the present war. Deliveries which fail to meet the requirement as to outthrow must be rejected or paid for only after adjustment to eliminate any payment for the excessive outthrow.

[9] "No. 1 white ledger" consists of ledger sheets, bond and writing papers, all white. It must contain no more than 2% outthrow, and must be free from groundwood except to the extent that groundwood is used in the furnish of ledger sheets, bond and writing papers which were free from groundwood prior to the present war. Deliveries which fail to meet the requirements as to outthrow must be rejected or paid for only after adjustment to eliminate any payment for the excessive outthrow.

[10] "Mill wrappers" consist of paper used as outside wrappers for rolls or bundles of finished paper stock and may contain sulphite or kraft screenings, groundwood fiber or chemical woodpulp fiber.

[11] "New corrugated cuttings" consist of new corrugated or solid fiber container board cuttings.

[12] "Boxboard cuttings" consist of new cuttings of paperboard which is used in the manufacture of folding paper cartons, set-up boxes and similar boxboard products.

[13] "White blank news" consists of unprinted cuttings or sheets of white newsprint paper.

[14] "New manila envelope cuttings" consist of new cuttings or sheets of unprinted manila paper of the quality used in the manufacture of manila envelopes.

[15] "One cut new manila envelope cuttings" consist of new one cut cuttings or sheets of unprinted manila paper of the quality used in the manufacture of manila envelopes.

[16] "Manila tabulating cards, free from groundwood" consist of new or used printed manila cards which have been manufactured for use in automatic tabulating machines. Must be free from groundwood except to the extent that groundwood is used in the furnish of manila cards which were free from groundwood prior to the present war. Lower qualities of this grade may include tabulating cards of similar stock having colors other than manila. Optional method of packing—bags or box s.

[17] "Manila tabulating cards, groundwood" consist of new or used printed manila cards, containing groundwood, which have been manufactured for use in automatic tabulating machines. Lower qualities of this grade may include tabulating cards of similar stock having colors other than manila. Optional method of packing—bags or boxes.

[18] "No. 1 hard white shavings" consist of new bond or writing paper shavings of sulphite or rag fiber content, free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of sulphite or rag fiber content which were free from groundwood prior to the present war. The highest quality of this grade consists of all white shavings. Lower qualities may contain rulings or light colored stock.

[19] "Hard white envelope cuttings" consist of new cuttings from bond or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate, free from printed matter and free from groundwood except in the extent that groundwood is used in the furnish of bond or writing papers of the quality used in the manufacture of envelopes which were free from groundwood prior to the present war.

[20] "One cut hard white envelope cuttings" consist of new one cut cuttings from bond or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate, free from printed matter and free from groundwood except to the extent that groundwood is used in the furnish of bond or writing papers of the quality used in the manufacture of envelopes which were free from groundwood prior to the present war.

[21] "No. 1 soft white shavings" consist of unprinted, all white shavings from book and similar printing papers, free from printed matter and containing not in excess of 10% of coated paper stock or heavily filled papers. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[22] "One cut soft white shavings" consist of unprinted, all white, one cut shavings from book and similar printing papers, free from printed matter and containing not in excess of 10% of coated paper stock or heavily filled papers. Must be free from groundwood except to the extent that groundwood is used in the furnish of book and similar printing papers which were free from groundwood prior to the present war.

[23] "Miscellaneous soft white shavings" consist of unprinted all white shavings from book and similar printing papers, free from printed matter but not limited with respect to coated or filled paper stock. Must be free from groundwood except to the extent that groundwood is used in the furnish of magazines, catalogs, and similar printed matter which were free from groundwood prior to the present war. Solid color and beater-dyed papers constitute a lower quality of this grade. Shavings of novel news or newsprint grades may not be included in the packing.

[24] "No. 1 fly leaf shavings" consist of the trim of magazines, catalogs, and similar printed matter. It may contain the bleed of cover and insert stock but must be free from groundwood except to the extent that groundwood is used in the furnish of magazines, catalogs, and similar printed matter which were free from groundwood prior to the present war. Solid color and beater-dyed papers constitute a lower quality of this grade. Shavings of novel news or newsprint grades may not be included in the packing.

[25] "No. 1 groundwood fly leaf shavings" consist of the trim of magazines, catalogs and similar printed matter, not limited with respect to groundwood, and may contain the bleed of cover and insert stock, but shall be free from beater-dyed papers, solid or other color printing, and coated stock.

[26] "No. 2 mixed colored groundwood shavings" consist of the trim of magazines, catalogs and similar printed matter, not limited with respect to groundwood or coated stock, and may contain the bleed of cover and insert stock as well as beater-dyed papers and solid and other color printing.

[27] "No. 1 assorted kraft (old kraft)" consists of kraft paper waste, free from corrugated waste of any kind.

[28] "Triple sorted No. 1 brown soft Kraft" consists of old, soft, natural color kraft papers completely free from papers other than those containing 100% sulphate fiber.

[29] "Mixed Kraft envelope and/or bag cuttings" consist of new cuttings from sulphate envelope or bag-stock free from groundwood and other non-sulphate fiber except to the extent that groundwood or other non-sulphate fiber is used in the furnishing of sulphate envelope or bag-stock which was free from groundwood and other non-sulphate fiber prior to the present war.

[30] "Kraft envelope cuttings" consist of new cuttings from kraft envelope stock, free from other fiber except to the extent that such other fiber is used in the furnishing of kraft envelope stock which was free from such other fiber prior to the present war.

[31] "New 100% Kraft corrugated cuttings" consist of cuttings from new corrugated or solid fiber container stock of 100% sulphate fiber content. A lower quality of this grade consists of cuttings from new corrugated stock composed of two liners which are 100% sulphate fiber with a corrugated filler of other fiber. Unless both of the liners are of 100% sulphate fiber, the material must not be sold as a price in excess of the maximum price of "New corrugated cuttings."

This amendment shall become effective September 11, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13862; Filed, Sept. 8, 1944; 11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9732; 8 F.R. 3948, 6109, 7350, 7189, 7821, 13049, 17483; 9 F.R. 6107, 8056.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Corr. to Amdt. 3 to Supp. 7]

PACKED FRUITS, BERRIES, AND VEGETABLES OF THE 1944 AND LATER PACKS

In Amendment 3 to Supplement 7 to Food Products Regulation No. 1, Item 2 is corrected to read as follows:

2. The table in section 1 (a) is amended by adding item 5 to read as follows:

Column 1: Item No.	Column 2: Product	Column 3: Section	Column 4: Section	Column 4: Appendix
5	Apricots (California only).	5	16	B

This correction shall become effective September 13, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13863; Filed, Sept. 8, 1944; 11:50 a. m.]

PART 1356—DOMESTIC AND COMMERCIAL COOKING AND HEATING STOVES AND RANGES

[MPR 527, Amdt. 1]

USED DOMESTIC GAS COOKING RANGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 527 is amended in the following respects:

1. Section 6 (c) is amended to read as follows:

(c) *Sales in the Western States and the Territory of Hawaii.* An amount equal to 10% of the prices set forth in Appendix A and Appendix B may be added to those prices for sales in the Territory of Hawaii and in the following states: Arizona, New Mexico, California, Washington, Oregon, Idaho, Nevada, Utah, Colorado, Wyoming, and Montana.

2. Section 16 is amended to read as follows:

SEC. 16. *Geographical applicability.* This regulation applies in the forty-eight states of the United States, the District of Columbia, and the Territory of Hawaii.

This amendment shall become effective September 13, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13864; Filed, Sept. 8, 1944; 11:50 a. m.]

PART 1358—TOBACCO

[RMPR 440]

FLORIDA AND GEORGIA SHADE GROWN TOBACCO

Maximum Price Regulation No. 440[1] is redesignated Revised Maximum Price Regulation No. 440, and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this revised regulation has been issued and filed with the Division of the Federal Register.*

REVISED MAXIMUM PRICE REGULATION NO. 440—FLORIDA AND GEORGIA SHADE GROWN TOBACCO.

ARTICLE I—EXPLANATION OF THE REGULATION

Sec.
1. Explanation of the regulation.
2. Certain definitions.

ARTICLE II—PRICES AND PRICING METHODS

3. Maximum prices for purchases of unsized and unsorted Florida and Georgia shade grown tobacco from growers.
4. Maximum prices for sales of Florida and Georgia shade grown tobacco by packers.
5. Maximum prices for sales of Florida and Georgia shade grown tobacco by jobbers.
6. Maximum prices for sales of Florida and Georgia shade grown tobacco by manufacturers.
7. Maximum prices for sellers unable to price under Sections 4, 5 or 6.
8. Customary discounts and allowances.
9. Adjustable pricing.

ARTICLE III—GENERAL PROVISIONS

10. Geographical applicability.
11. Export sales.
12. Records.
13. Compliance with regulation.
14. Petitions for amendment.
15. Applications for exemption of sales to or purchases from affiliates.

AUTHORITY: Secs. 1 to 15, inclusive, (§ 1358.-253) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE REGULATION

SECTION 1. *Explanation of the regulation.* The purpose of this regulation is to establish maximum prices for purchases and sales of Florida and Georgia shade grown tobacco (Type No. 62). The regulation applies to you if you are a grower, packer or jobber of this tobacco, or if you buy this tobacco from any grower, packer or jobber. It fixes maximum prices for sales and purchases of the tobacco in the continental United States. The maximum prices and pricing methods may be found in sections 3, 4, 5, and 6.

SEC. 2. *Certain definitions.* (a) When used in this regulation the term

(1) "Florida and Georgia shade grown tobacco" means United States Type No. 62, as specified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture.

(2) "Grade" means a subdivision of the type of tobacco according to group and quality, and according to color when color is treated as a separate factor.

(3) "Size" means length of the leaf.

(4) "Priming" means a picking of tobacco.

(5) "Green weight" means the weight of the tobacco at its first weighing after being cured in a barn.

(6) "Selling weight" means the weight of the tobacco when invoiced.

(7) "1942 crop" means tobacco grown during the 1942 growing season.

(8) "1943 crop" means tobacco grown during the 1943 growing season.

(9) "Crop year" means the year in which the growing season occurs.

(10) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or a legal successor or representative of any of the foregoing, and includes the United States Government, any other government, or any political subdivision or agency of the foregoing.

(11) "Packer" means a person who, with respect to the tobacco being priced, sweats, sorts, sizes, bales or otherwise processes such tobacco for use by a manufacturer of tobacco products. A manufacturer shall be deemed a packer of any tobacco with respect to which he performs, or causes to be performed for his account, any of these functions.

(12) "Jobber" means any person other than a packer or a manufacturer who, with respect to the tobacco being priced, purchases it in packed form and holds or offers such tobacco for resale.

(13) "Seller of the same class" means a seller of the same type (packer, jobber or manufacturer), performing the same primary function (packing, reselling or manufacturing), dealing in the same type of tobacco, and selling to the same class of purchaser.

(14) "Purchaser of the same class" means a purchaser of the same type (packer, jobber, manufacturer or Government agency) for whom the seller has adopted a practice of setting different prices depending upon the quantity purchased, the grades purchased, the area within which the purchaser is located, or other condition of sale.

(15) "Affiliate" means a person so related to another by reason of the method of or circumstances surrounding its organization or operation as to make it reasonable to believe that its affairs will be managed or operated in the interests of the other. Existence of common officers, directors, stockholders or member-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9493, 9613, 10194, 10356, 10497, 10630, 10709, 10714.

[1] 8 F.R. 10264, 15429.

ship, or the existence of common ownership through a holding company or companies, or voting trust or trusts, shall be deemed to create a rebuttable presumption of affiliation.

(16) "Initial credit terms" means terms fixing the time for payment of the purchase price agreed to by a seller and purchaser at or prior to delivery of the tobacco being priced.

(17) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, deliver and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(18) "Net delivered cost" means the amount you paid for the tobacco delivered at your customary receiving point, less all discounts except that for prompt payment. No charges for local hauling or trucking shall be included.

(19) "Records" means written evidence of transactions, including books of account, price lists, sales lists and slips, orders, vouchers, contracts, receipts, invoices, bills of lading, copies of letters requesting establishment of maximum prices, or reports to the Office of Price Administration, and other papers or documents necessary to determine prices charged or paid.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

ARTICLE II—PRICES AND PRICING METHODS

SEC. 3. *Maximum prices for purchases of unsized and unsorted Florida and Georgia shade grown tobacco from growers.* (a) If you are a purchaser, your weighted average purchase price during the marketing season for unsized and unsorted Florida and Georgia shade grown tobacco of any particular year's crop shall not exceed $1.23 per pound green weight.

The term "weighted average purchase price" means the total purchase price you paid for tobacco of a particular crop year divided by the number of pounds you purchased.

"Total purchase price" means (1) all compensation, including commissions and fees, paid to the seller or to another person at the seller's instance or request, and all profit or gain realized by a grower from a resale of his tobacco by any person; but (2) excludes all prices or charges paid or computed by you for tobacco grown on a farm owned or operated by you or an affiliate.

NOTE: Inability to make under-ceiling purchases will not excuse your exceeding the weighted average purchase price provided by this section. You are warned not to exceed $1.23 per pound for any purchase without assurance of your ability to make subsequent purchases at prices permitting you to maintain the prescribed weighted average purchase price.

(b) If you are a purchaser of unsized and unsorted Florida and Georgia shade grown tobacco, you shall, on or before September 15 of each crop year, file with the Office of Price Administration, Washington, D. C., a signed statement setting forth the total number of pounds of such tobacco purchased by you and the total purchase price paid therefor. This statement shall exclude the number of pounds of tobacco grown on a farm owned or operated by you or your affiliates and all prices or charges paid or computed therefor.

SEC. 4. *Maximum prices for sales of Florida and Georgia shade grown tobacco by packers*—(a) *Maximum prices for sales of sized and sorted leaves fourteen inches or more in length*—(1) *Listed grades.* If you are a packer, your maximum price per pound, selling weight, for sized and sorted leaves fourteen inches or more in length of a particular grade listed in Table I shall be as follows:

TABLE I

Grade	Maximum price per pound selling weight
Prime lights	$3.50
Light wrappers	2.75
L. L.	2.25
No. 2 Lights (slightly torn)	2.00
L. C.	1.75
K-2	.90
Bright and fleshy lights	2.25
"B" lights or medium lights	1.25

(2) *Grades not listed.* If you are a packer, your maximum price per pound, selling weight, for sized and sorted leaves fourteen inches or more in length of a particular grade not listed in Table I shall be:

(i) The highest price you charged a purchaser of the same class for the same size and grade of tobacco of the 1942 crop; or

(ii) If your maximum price for a size and grade cannot be determined under (i), your maximum price shall be the highest price charged by a seller of the same class to a purchaser of the same class for the same size and grade of tobacco of the 1942 crop; or

(iii) If your maximum price for a size and grade cannot be determined under (i) or (ii), your maximum price shall be the highest price you charged a purchaser of the same class for the most closely comparable size and grade of tobacco of the 1942 crop; or

(iv) If your maximum price for a size and grade cannot be determined under (i), (ii) or (iii), your maximum price shall be the highest price charged by a seller of the same class to a purchaser of the same class for the most closely comparable size and grade of tobacco of the 1942 crop.

(b) *Maximum prices for sales of sized and sorted leaves less than fourteen inches in length.* If you are a packer, your weighted average selling price for all your sales of sized and sorted leaves less than fourteen inches in length of any year's crop shall not, at any time, exceed $1.25 per pound, selling weight.

NOTE: This provision does not permit you to charge more than $1.25 per pound for a sale of sized and sorted leaves less than fourteen inches in length of any year's crop unless you have previously sold at prices under $1.25 per pound enough sized and sorted leaves less than fourteen inches in length of the same year's crop to maintain your weighted average selling price at that amount.

The term "weighted average selling price" means the gross dollar-and-cent amount you charged for sized and sorted leaves less than fourteen inches in length of the particular year's crop divided by the total number of pounds of such leaves you sold. The gross dollar-and-cent amount charged shall include all commissions, fees or other compensation paid by or for the purchaser to another person at your instance or request.

(c) *Maximum prices for sales of sorted and unsized tobacco*—(1) *Listed grades.* If you are a packer, your maximum price per pound, selling weight, for sorted and unsized tobacco of a grade listed in Table II shall be as follows:

TABLE II

Grade	Maximum price per pound
XL	$0.75
Broken backs	1.35
Green Lights	1.50
XL[1]	.25
Loose leaves	.10

(2) *Grades not listed.* If you are a packer, your maximum price per pound, selling weight, for sorted and unsized tobacco of a grade not listed in Table II shall be:

(i) The highest price you charged a purchaser of the same class for the same grade of sorted and unsized tobacco of the 1942 crop; or

(ii) If your maximum price for a grade cannot be determined under (i), your maximum price shall be the highest price charged by a seller of the same class to a purchaser of the same class for the same grade of sorted and unsized tobacco of the 1942 crop; or

(iii) If your maximum price for a grade cannot be determined under (i) or (ii), your maximum price shall be the highest price you charged a purchaser of the same class for the most closely comparable grade of sorted and unsized tobacco of the 1942 crop; or

(iv) If your maximum price for a grade cannot be determined under (i), (ii) or (iii), your maximum price shall be the highest price charged by a seller of the same class to a purchaser of the same class for the most closely comparable grade of sorted and unsized tobacco of the 1942 crop.

(d) *Maximum prices for sales of string grades.* If you are a packer, your maximum price per pound, selling weight, for string grades listed in Table III shall be as follows:

TABLE III

Grade	Maximum price per pound selling weight
No. 1 String wrappers (lights and thinner)	$2.00
No. 2 String wrappers (medium and heavier)	1.60
String throwouts	.40
String tops	.40

SEC. 5. *Maximum prices for sales of Florida and Georgia shade grown tobacco by jobbers.* (a) If you are a jobber, your maximum price per pound, selling weight, for a grade, or for a priming sold sorted or unsorted (whether the tobacco being priced be sized or unsized) shall be determined as follows:

(1) Determine the highest price per pound you charged for this tobacco of the 1942 crop of the same grade (and size, if sized), or of the same priming and condition, sold by you during the period October 1, 1942 through May 31, 1943 to a purchaser of the same class. If you did not sell tobacco of the 1942 crop of the same grade (and size, if sized), or of the same priming and condition, to a purchaser of the same class during the period October 1, 1942 through May 31, 1943, you shall determine the highest price per pound you charged for the most closely comparable tobacco of the 1942 crop sold to a purchaser of the same class during that period.

(2) Subtract from the price you determined in (1) your net delivered cost per pound for that tobacco of the 1942 crop; and

(3) Add the figure you obtain in (2) to your net delivered cost per pound of the tobacco being priced.

(b) If your maximum price for the tobacco to be priced cannot be determined under (a) above, your maximum price shall be the maximum price of your most closely competitive jobber to a purchaser of the same class for tobacco of the same crop year and of the same grade (and size, if sized), or of the same priming and condition.

SEC. 6. *Maximum prices for sales of Florida and Georgia shade grown tobacco by manufacturers.* If you are a manufacturer, your maximum prices for sales of this tobacco packed by you shall be determined in the manner provided in section 4, as if you were a packer. If you resell in packed form tobacco purchased by you in packed form, your maximum price shall be your net delivered cost per pound for the tobacco.

SEC. 7. *Maximum prices for sellers unable to price under sections 4, 5 or 6.* If you are required to price under section 4, 5, or 6, but cannot determine your maximum price for a sale of Florida and Georgia shade grown tobacco to a purchaser, you shall apply by letter to the Office of Price Administration, Washington, D. C., requesting that a maximum price be established for the sale. The application should state (a) the name and address of the purchaser; (b) a description of the tobacco sufficient to identify it for pricing purposes; and (c) the reasons for your inability to determine a maximum price under sections 4, 5 or 6.

After receipt of the application, the Office of Price Administration will, by order, establish a maximum price, or prescribe a method of determining it. Until a maximum price is established or a method of determining it prescribed, you may deliver the tobacco, but you may not receive payment.

SEC. 8. *Customary discounts and allowances.* If you are a seller, you shall continue to grant your customary discounts and allowances with respect to sales of the 1942 crop to the particular purchaser. If you made no sales of the 1942 crop to that purchaser, you shall continue to grant your customary discounts and allowances on sales by you of the 1942 crop to purchasers of the same class. If you made no sales of the 1942 crop, you shall grant the discounts and allowances customarily allowed on sales of the 1942 crop by a seller of the same class to purchasers of the same class.

SEC. 9. *Adjustable pricing.* You may agree to sell this tobacco at a price which can be increased up to the maximum price in effect at the time of delivery, but you may not, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by it after delivery. Such authorization may be given when a request to establish a maximum price or for a change in a maximum price is pending, but only if the authorization is necessary to promote distribution and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to establish the price or to act upon the pending request for a change in price. The authority above will be given by order except that it may be given by letter or telegram when the contemplated action will be the granting of an individual application for establishment of a maximum price.

ARTICLE III—GENERAL PROVISIONS

SEC. 10. *Geographical applicability.* The provisions of this regulation shall be applicable in the forty-eight states of the United States and the District of Columbia.

SEC. 11. *Export sales.* The maximum prices at which you may export tobacco covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Regulation,[1] issued by the Office of Price Administration.

SEC. 12 *Records.* If you buy or sell any tobacco covered by this regulation, you must keep and make available for examination by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, remains in effect, records showing the prices you charged, received or paid in those sales and the manner in which they were figured (which records may be of the same kind as you have customarily kept if your customary records supply that information). Specifically, those records shall show:

(a) The date of each sale or purchase, the date of delivery, the name of the seller or purchaser, the total number of pounds of each grade purchased or sold, the prices paid or received for each grade purchased or sold, and the amount of any discounts, commission, fee or other compensation allowed or paid to or by you in the transaction.

(b) With respect to any sale of tobacco covered by this regulation for which a specific dollar-and-cent ceiling is not provided, all data used as a basis for determining maximum prices in the manner provided by this regulation.

SEC. 13. *Compliance with regulation*—(a) *No buying or selling above maximum prices.* On and after the effective date of this regulation, regardless of any contract, agreement, or other obligation, you shall not

(1) Buy or receive unsized and unsorted Florida and Georgia shade grown tobacco at a price above the appropriate maximum price established by this regulation.

(2) Sell or deliver, or buy or receive in the course of trade or business, sized and sorted leaves fourteen inches or more in length, sorted and unsized leaves, or string grades of Florida and Georgia shade grown tobacco at a price in excess of the appropriate maximum price established by this regulation.

(3) Sell or deliver any leaves less than fourteen inches in length of sized and sorted Florida and Georgia shade grown tobacco at a price in excess of the appropriate maximum price established by this regulation.

(4) Agree, offer, solicit or attempt to do any of the foregoing.

However, you may charge, demand, pay or offer prices lower than the maximum prices fixed by this regulation.

(b) *Evasion.* (1) The provisions of this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to Florida and Georgia shade grown tobacco, alone or in conjunction with any other commodity, or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

(2) Specifically, but not exclusively, the following practices in the marketing of Florida and Georgia shade grown tobacco are prohibited:

(i) You shall not sell or buy this tobacco other than as a grade or in a condition for which maximum prices are or may be established under sections 3, 4, 5, 6 or 7.

(ii) If you are a seller, you shall not alter or deviate from the grading practices observed by you with respect to the 1942 crop, normal variations excepted.

(iii) If you are a seller, you shall not eliminate or reduce the initial credit terms allowed by you on sales of the 1942 crop to a particular purchaser or, if you made no sales of the 1942 crop to the particular purchaser, you shall not eliminate or reduce the initial credit terms allowed by you on sales of the 1942 crop to purchasers of the same class.

(iv) If you are a seller, you shall not eliminate or reduce any commission, allowance, fee or other compensation customarily paid by you on similar sales of the 1942 crops.

(v) If you are a seller, you shall not sell Florida and Georgia shade grown tobacco purchased by you from an affiliate at a higher price than that which you paid the affiliate for the same tobacco.

(c) *Penalties for violation.* If you violate any provisions of this regulation, you are subject to the criminal penalties,

[1] 8 F.R. 4132, 5987, 7662, 9996, 15193.

[1] 8 F.R. 13240.

civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, apply to you if you are a seller subject to this regulation. A seller's license may be suspended for violations of the license or of a price schedule or a regulation. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 14. *Petitions for amendment.* If you seek a general modification of this regulation, you may file a petition for amendment as provided in Revised Procedural Regulation No. 1,[2] issued by the Office of Price Administration.

SEC. 15. *Application for exemption of sales to and purchases from affiliates.* (a) If you are engaged in the business of manufacturing tobacco products and purchase this tobacco for your own use from an affiliate, you may, jointly with your affiliate, apply to the Office of Price Administration, Washington, D. C., for permission to make those sales and purchases without regard to the maximum prices established by this regulation if:

(1) Sales and purchases for which you seek such permission will be made in accordance with the business practices established by you and your affiliate prior to March 31, 1942, and since observed. Those practices must include, but are not limited to, purchases by you of all this tobacco sold by your affiliate, except insignificant portions or by-products;

(2) Compliance with the maximum price limitations established by this regulation requires or threatens to require substantial changes in the standard accounting practices used by you and your affiliate prior to and since March 31, 1942, as applied to the records of your transactions with such affiliates; and

(3) The tobacco to be sold and purchased is to be used by you solely in the manufacture of tobacco products for which maximum prices are established by a regulation issued by the Office of Price Administration.

(b) *Form of application.* The application must be in writing, signed by you and your affiliate, and must state all information necessary to substantiate the existence of the conditions required in (a) above. After receipt of your application, the Office of Price Administration may, by order, grant the requested permission if, in its judgment, that action will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. This permission, if granted, may be revoked at any time.

(c) Permission granted under this section may not be used as justification for any increase in maximum prices established for manufactured tobacco products.

This regulation shall become effective at 12:01 a. m. September 8, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: September 5, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-13782; Filed, Sept. 7, 1944; 12:01 p. m.]

PART 1381—SOFTWOOD LUMBER

[RMPR 26,[1] Amdt. 10]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 26 is amended in the following respects:

1. Section 16 (d) is amended to read as follows:

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest grade in the combination. For example, the maximum price for lumber sold as No. 2 and better is the maximum price fixed for No. 2. It is, however, permissible to quote with specified higher or lower grades developed to be shipped at the respective maximum price for each grade actually developed. Where shipments are made in this manner, each piece (or bundle if bundled) shall bear some symbol of grade identification, and each grade shall be separately invoiced and the identification symbol used on the lumber shall be shown opposite the respective grade on the invoice. Alternatively, shipper may separate grades in loading and clearly identify by symbol the grade of each separate lot in the shipment and on the invoice. Shop grades when sold to millwork manufacturers and items priced in Tables 16, 17, 18 and 19 when sold for direct mill shipment and only where final delivery is to railroad car builders, railroad car and equipment repair shops, railroad companies, or other operators, builders, or repairers of essential transportation or communication facilities are exempt from the requirements of this paragraph insofar as it pertains to the use of grade symbols on lumber and invoices.

2. In section 23, Table 10, the price of 1 x 12", D—Flat or Mixed Grain, is changed from $45 to $49.

3. In section 23, Table 11, footnote 5 (a) is amended to read as follows:

(a) For random lengths where a specified average of not over 20' nor under 14' is required, the price shall be the 4/20' R/L price plus the specified length addition applicable to the length specified as an average. If the average required is longer than 20' the price shall be the 4/20' R/L price plus 75% of the specified length addition applicable to the length specified as an average. No addition may be made for the elimination of shorts in either case.

4. In section 23, Table 12, footnote 7 (b) is amended to read as follows:

(b) For random lengths in any specified range with an average length 14' or longer required, the price shall be the appropriate bracket price (the bracket in which the average falls) plus 75% of the specified length addition for the length specified as an average. No addition is permissible under Footnote 4.

If an average less than 14' is specified or when a definite average is not specified on order at time of placement, the lengths shipped must be priced at the bracket price in which they fall.

5. In section 25, *General notes,* Notes XVI, XIX, and XXII are amended to read as follows:

XVI. Extra Standard Surfacing: When required by buyer, surfacing standard nominal rough sizes, as shown in WCLA Grading and Dressing Rules No. 12, thicker or wider than A. L. S. finished sizes, add $2.00 per M except that this charge may not be made where surfacing is "Hit and Miss" or where machine is set for both width and thickness to full nominal rough size as shown in WCLA Grading and Dressing Rules No. 12.

NOTE: Wherever the application of this note would conflict with a footnote under any price table, the table footnote governs.

XIX. For stenciling when required by the buyer, on 10 percent or more pieces, bundles or packages, of any shipment, to an extent beyond grade marking and/or the simple identification of pieces or lots, add fifty cents per M feet to price of items on which stenciling is required. This charge may not be made for grade marking or for grade or lot identification even though a stencil is employed for such marking.

XXII. For any surfacing that does not remove the item surfaced from being classified as rough lumber, no charge may be made for surfacing if rough weight is used. Alternatively, mill may charge for surfacing (where table permits) but in doing so freight charges must be estimated on net surfaced size under Shipping Weight Formula for Sizes Not Listed.

6. In Article VI the parenthetical expression under paragraph (c) is amended to read as follows:

[Prices stated are per M'BM (or per M'SM where provided for in the list) FAS vessel at mill's customary loading point. All transportation costs and other charges (if any) incident to placing lumber FAS vessel at mill's customary loading point are for the account of the mill. Where delivery is required at a point other than mill's customary loading point, deduct from the prices in this Article VI the transportation cost and other charges (if any) which would be incurred if the same lumber were sold FAS vessel at mill's customary loading point; then add actual transportation costs necessary to place lumber f. o. b. car or f. o. b. barge at such non-customary loading point, thus arriving at f. o. b. car or f. o. b. barge prices at delivery point other than mill's customary loading point. The wharfage and other charges incurred if price is FAS vessel (instead of f. o. b.) other than mill's customary loading point may be added. All such charges shall be shown in detail on the invoice.]

7. In Article VII, Tables of Estimated Weights, wherever the term "rough or S1E" appears, it is amended to read: "rough, S1E or S2E to A. L. S. or heavier."

This amendment shall become effective September 8, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13858; Filed, Sept. 8, 1944; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[1] Amdt. 28]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. The table in § 1407.687 is amended to read as follows:

Ration period	Stamp valid during ration period (Book 1)	Weight value of stamp (pounds of cornmeal)
Aug. 21 to Aug. 27	No. 20	1
Aug. 28 to Sept. 3	No. 21	1
Sept. 4 to Sept. 10	No. 22	1
Sept. 11 to Sept. 17	No. 23	1
Sept. 18 to Sept. 24	No. 24	1
Sept. 25 to Oct. 1	No. 25	1
Oct. 2 to Oct. 8	No. 26	1
Oct. 9 to Oct. 15	No. 27	1
Oct. 16 to Oct. 22	No. 28	1

2. Section 1407.704 (a) is amended by changing the phrase "eight (8)" to read "four (4)"

This amendment shall become effective as of August 21, 1944.

Issued this 8th day of September 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

GERALD A. BARRETT,
Acting Regional Administrator.

[F. R. Doc. 44-13865; Filed, Sept. 8, 1944; 11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 53]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 15.12 is added to read as follows:

SEC. 15.12 *Tokens may not be used after certain dates.* Notwithstanding the provisions of any other section of this order:

(a) On or after September 17, 1944, no retailer, wholesaler, country shipper, or processor may use tokens to give change to consumers or to industrial or institutional users.

(b) On or after September 17, 1944, no retailer, wholesaler, country shipper, or processor may acquire tokens from any ration bank.

(c) Between September 17 and September 30, 1944, inclusive, consumers may give (but not sell) tokens to other consumers without acquiring processed foods therefor, for the purpose of making up quantities of ten, or multiples of ten, for the acquisition of processed foods.

(d) On or after October 1, 1944, no consumer may use tokens to buy or acquire processed foods.

(e) On or after October 10, 1944, no person at all may use tokens to buy or acquire processed foods.

(f) On or after October 10, 1944, no person may deposit tokens in any ration bank account or exchange tokens for stamps, certificates, ration coupons or ration checks.

2. Section 15.13 is added to read as follows:

SEC. 15.13 *Special provisions for exchanging and depositing tokens between October 1 and October 9, 1944.* Notwithstanding the provisions of any other section of this order:

(a) Between October 1 and October 9, 1944, inclusive, any person, other than a consumer, may surrender tokens, in quantities of less than 250, to his board and receive certificates or ration coupons in exchange.

(b) Between October 1 and October 9, 1944, inclusive, any retailer, wholesaler, country shipper, or processor who has a ration bank account, may deposit tokens in that account, in quantities of less than 250, in sealed envelopes (OPA Form R-132). He must write on the face of the envelope his business name and address, that the tokens are deposited under the processed foods rationing program, and the number of tokens enclosed. He must also sign his name on the face of the envelope. His signature shall constitute a certification as to the truth of the statements written on the envelope.

This amendment shall become effective September 8, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13869; Filed, Sept. 8, 1944; 12:07 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 536,[1] Amdt. 1]

WESTERN FENCE POSTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 536 is amended in the following respects:

1. In section 3, paragraphs (b) (1) (i) and (b) (2) (i), paragraph (c), and paragraph (d) (1) (i) and (d) (2) (i), where the phrase "maximum price" occurs, it is changed to read "f. o. b. railroad car maximum price".

2. In section 3 (d) the first paragraph is amended to read as follows:

(d) *Maximum prices for retail yard sales.* A "retail yard" under this regulation is a wholesale or retail lumber yard or other retail business which maintains a stock of lumber, building material or other material in addition to fence posts; which gets fence posts from producers, concentrators, or wholesalers; unloads, stores, and resells them to consumers; which sells mostly for local delivery by truck; and which has been located at its particular site in order to be near a consuming area. The maximum prices for retail yard sales of fence posts, treated or untreated, shall be determined as follows:

3. In section 4, in the first textual paragraph, the last sentence is amended to read "If a delivered price on posts is to be quoted see section 5 for the permitted transportation addition; for transportation additions on split redwood stakes see special rules in paragraph (b) of this section 4."

4. In section 4, immediately above the heading of Table 1, the following is inserted: "(a) *Fence posts:*"

5. In section 4, Table 1, the column heading "F. o. b. cars railroad loading-out point (price per 100 pcs.)" is amended to read "F. o. b. railroad cars railroad loading-out point (price per 100 pcs)."

6. In section 4, Table 2, the column heading "F. o. b. cars railroad loading-out point (price per post)" is amended to read "F. o. b. railroad cars railroad loading-out point (price per post)".

7. In section 4, Table 3 is deleted and in its place a new paragraph (b) is added, to read as follows:

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[1] 7 F.R. 8961; 8 F.R. 3313, 8533, 9170, 11806.

[2] 9 F.R. 1016, 8513, 4227, 7505, 9720.

[1] 7 F.R. 6887, 8528, 9607, 10707; 8 F.R. 1894, 2315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2283, 2478, 2656, 2746, 3652.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 3791, 3932, 3973, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4618, 4876, 5074, 5486, 5595, 5829, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773, 8799, 9169, 9954, 10087, 10636.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5592.

(b) *Split redwood stakes.*

TABLE 3—No. 1 SPLIT REDWOOD STAKES—ROUGH GREEN

[As per paragraph 169 Standard Specifications for grades of California redwood lumber]

[Basing point: Scotia, Calif.]

RAIL SHIPMENT

Size	Length (feet)	F.o.b. railroad cars, railroad loading-out point (price per M pieces)	Estimated weights (pounds per M pieces)
2" x 2"	3	$35	4,000
2" x 2"	4	45	5,333
2" x 2"	5	60	6,666
2" x 2"	6	70	8,000
2" x 2"	7	85	9,333
2" x 2"	8	95	10,666
2" x 2"	9	115	12,000
2" x 2"	10	135	13,333
2" x 2"	12	150	16,000
2" x 3"	6	100	12,000
2" x 3"	7	115	14,000

Transportation additions. Since these prices are for rail shipment only, transportation additions are to be figured according to section 5 (a).

TABLE 4—No. 1 SPLIT REDWOOD STAKES—ROUGH GREEN

[As per paragraph 169 Standard Specifications for grades of California redwood lumber]

[Basing point: Scotia, Calif.]

TRUCK SHIPMENT

Size	Length (feet)	F. o. b. trucks, truck loading point (price per M pieces)	Truck transportation addition per mile per M stakes
2" x 2"	3	$23.50	$0.045
2" x 2"	4	43.00	.06
2" x 2"	5	57.50	.075
2" x 2"	6	67.00	.09
2" x 2"	7	81.00	.105
2" x 2"	8	91.00	.12
2" x 2"	9	110.00	.135
2" x 2"	10	129.00	.15
2" x 2"	12	143.50	.18
2" x 3"	6	95.50	.135
3" x 3"	7	110.00	.1575

NOTES

Truckers' sales—1. *Transportation addition.* In the case of split redwood stakes hauled by truck, the permissible transportation addition shall be computed by multiplying the amounts per mile per M stakes in Table 4 by the actual highway mileage from the basing point (Scotia, California) to the point of delivery.

2. *To retailers, delivered to yard.* The maximum price on sales by truckers delivered to a retail yard is the f. o. b. truck loading point price in table 4 plus transportation addition conforming to Note 1.

3. *Delivered to consumers.* A trucker who buys split redwood stakes from producers and hauls them to the consuming area may add a mark-up of 15 percent to the producers' f. o. b. truck price (exclusive of transportation) in Table 4 when he makes delivery to the final user. This mark-up may be made regardless of whether the trucker sells the stakes to a retail yard and makes delivery to the user on their order or sells the stakes direct to the user. Note, however, that the retail yard delivery charges permitted by section 3 (d) (4) may not be made.

Producer-consumer sales—4. On f. o. b. truck sales to a consumer who hauls stakes from the production point the producer may add 5 percent to the prices in this table 4.

8. In section 5, in the first textual paragraph, the phrase "in paragraph (d) of this section" is changed to read "in section 4 (b)".

9. In section 5 (a) (1), in last sentence, the word "tables" is substituted in place of "appendices".

10. Section 5 (d) is deleted.

This amendment shall become effective September 13, 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13857; Filed, Sept. 8, 1944; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 78]

FLAT WOVEN NAVAJO TYPE RUGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.12 (p) is added to read as follows:

(p) Flat woven Navajo type rugs produced on hand looms from domestic wool.

This amendment shall become effective on the 13th day of September 1944.

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13866; Filed, Sept. 8, 1944; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Amdt. 1 to Rev. Supp. Service Reg. 30]

DETERMINATION OF MAXIMUM COMMISSIONS OF EXCLUSIVE SALES AGENCIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.2263 (a) is amended by adding thereto an undesignated paragraph to read as follows:

If during October 1943 you were the exclusive sales agent for all sales made from a mine and you are now the exclusive sales agent for the same mine you have the option of determining your maximum commission by one of the following methods. (1) You may determine your October 194 commission in cents per net ton as set forth in the first paragraph of this paragraph (a) or (2) you may determine your maximum commission in cents per ton by calculating the weighted average of maximum October 1943 commissions on all sales of all sizes of coal from the same mine. Once you have made an election between method one and two you connot change unless authorized to do so by the Price Administrator.

This amendment shall become effective September 13, 1944.

*Copies may be obtained from the Office of Price Administration.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13867; Filed, Sept. 8, 1944; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Supp. Service Reg. 35]

RECLAIMED RUBBER

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 35, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1499.2270 *Modification of maximum prices established by Revised Maximum Price Regulation 165 for the service of processing scrap rubber into reclaimed rubber.* The maximum price which any seller may charge for the service of processing scrap rubber furnished by the buyer into reclaimed rubber, shall be one-quarter of a cent per pound of reclaimed rubber more than the maximum price established for such seller under Revised Maximum Price Regulation No. 165.

This Supplementary Service Regulation No. 35 shall become effective September 13, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13868; Filed, Sept. 8, 1944; 11:49 a. m.]

[1] 9 F.R. 7439, 9107, 9411.

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 32]

ROCHESTER COAL INDUSTRY, INC.

FINDINGS AS TO CONTRACT IN PROSECUTION OF WAR

In the matter of Rochester Coal Industry, Inc. Rochester, New York, (Case No. S-1247).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. Law 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943 published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving Local No. 291 of the Coal and Coke Truckmen, Drivers and Helpers' Union, and the concerns which are members of Rochester Coal Industry, Inc., and are engaged in transpor-

tation of coal in and around Rochester, New York;

I find that transportation of coal by any such concern, pursuant to any contract whether or not with the United States, to or from any plant, mine, or facility equipped for manufacturing, producing or mining any articles or materials which may be required or useful in connection with the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles or materials, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 8th day of September 1944.

D. W. TRACY,
Acting Secretary of Labor.

[F. R. Doc. 44-13846; Filed, Sept. 8, 1944; 11:35 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC 29 (b)]

CREAM CHEESE

PROPOSAL TO AMEND DEFINITION AND STANDARD OF IDENTITY

In the matter of a proposal to amend the definition and standard of identity for cream cheese. (Docket No. FDC 12-29).

It is proposed that by virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act (Secs. 401, 701; 52 Stat. 1046, 1055, 21 U.S.C. 341, 371, 1940 ed.); the Reorganization Act of 1939 (53 Stat. 561 ff, 5 U.S.C. 133-133v (Supp. V, 1939); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234)); and upon the basis of evidence of record at the above-entitled hearing duly held pursuant to the notice issued on March 18, 1944 (9 F.R. 3042, R. Exh. 1, p. 4), the following order be made:

Findings of fact.[1] 1. The fat and moisture content of cream cheese, conforming to the existing standard, varies considerably, the fat content ranging from about 33% to 49%, and the moisture content ranging from about 55% to 41%.[2] (R. Exh. 9, p. 360; Exh. 10, p. 386; Exh. 17, p. 861; Exh. 18, p. 885; 381-383, 519-530, 532-533, 536-537, 541-542, 265-266; Record of previous hearing 651-652, 1916-1917, incorporated at 1035-1036.)

2. Cream cheese conforming to the existing standard is made by either the "cold pack" or "hot pack" process as described in findings 9, 11, and 24 promulgated with the standard (7 F.R. 10755, 10756, R. Exh. 2, p. 6).

3. Cream cheese consists essentially of moisture, milk fat, and nonfat solids. The nonfat solids consist of the casein of the milk or cream in the starting mix which has been coagulated in the manufacturing process, lactic acid formed during such process, soluble components of milk and cream, salt added for seasoning, and gum or other moisture-retaining agent. (R. 234-236, 440, 497, 602, 664; findings 3, 9 promulgated in connection with the existing standard, 7 F.R. 10755, Exh. 2, p. 6)

4. The physical characteristics of cream cheese made by the cold pack method result from the amount of fat, moisture and nonfat solids contained in the finished product, the characteristics of such nonfat solids, and the manufacturing technique employed. Since the characteristics of nonfat solids vary, different batches of cream cheese of similar fat and moisture content may exhibit substantial differences in taste, texture and manner of spreading. (R. 436, 419, 476, 496-497, 598-599, 602-603)

5. Quantitative differences in fat and moisture content of cream cheeses manufactured by the cold pack process result from the use of starting mixes containing different quantities of fat (see finding 11 promulgated with the standard) and the extent to which the whey has been removed in draining the curd. The quantity of fat in the starting mix fixes within narrow limits the percentage of fat in the dry matter of the resulting curd. By the use of a starting mix of an appropriate fat content and removing a predetermined quantity of whey, the manufacturer can produce cream cheese containing the proportions of fat and moisture he desires. (R. 341, 892, 671, 690-693, 407-416; Exh. 7, p. 260; Exh. 11, p. 412; Record of previous hearing 2174-2178, incorporated at 260)

6. Cream cheese containing about 33% fat and 55% moisture can be manufactured from a starting mix containing about 10% fat, depending upon the characteristics of the milk and cream in the starting mix. By using such starting mix, no undue difficulty is encountered in making cream cheese by the methods prescribed in the standard containing the minimum quantity of fat and the maximum quantity of moisture permitted by the standard. Cream cheese of such fat and moisture content contains approximately 73% of fat in its solids, and was occasionally marketed before the promulgation of the standard. (R. 361-370, 372-373, 375-376, 378, 381-383, 407-416, 419, 659-660, 690-691; 191, 193-194, 261-263, 892, 22; Exh. 7, p. 260; Exh. 11, p. 412; Exh. 9, pp. 359-360; Exh. 4, p. 77; Record of previous hearing 651-652, 791-792, 1916-1917, incorporated at 1035-1036; Record of previous hearing 2174-2178, incorporated at 259).

7. The manufacture of cream cheese of predetermined fat and moisture content is less difficult by the hot pack process than by the cold pack process, since in the manufacture of hot pack cream cheese the maker can and usually does start with a cold pack cream cheese of known fat and moisture content and can adjust the fat and moisture by the addition of fixed quantities of milk or cream or both. (See finding 27 promulgated with the standard, 7 F.R. 10756, R. Exh. 2, p. 6) (R. 442-443, 148, 259).

8. Cream cheese containing about 36% to 39% of fat and about 51% to 55% of moisture, with about 77% to 80% of fat in the dry matter, is generally considered to be of better quality than cream cheese of the composition described in finding 6. (R. 97, 104-106, 261-262, 279, 909-910, 297-306, 856-869, 618-619, 722-723, 191-192, 202-203, 209, 212-213, 733-734; Exh. 17, p. 861; Exh. 8, p. 355; Record of previous hearing, 1917, incorporated at 1036).

9. The consistency of cream cheese is related to the texture of the product and the manner in which it spreads. Smoothness or texture and ease of spreading are properties desired by some consumers. A good quality cream cheese is neither very soft nor very firm. While the proportion of fat in the dry matter in cream cheese made by the cold pack process is a material factor in controlling texture and manner of spreading, this proportion in cream cheese of like fat and moisture made by the hot pack process is not as important in this respect, since the hot pack process, unlike the cold pack process, affords an opportunity to manipulate the curd so as to obtain the desired consistency. (R. 119, 138-140, 209, 942-943, 277, 385-389, 394-418, 419-421, 424-425, 445, 500-501, 682-683, 694-697; Exh. 10, p. 386; Exh. 11, p. 412)

10. The consistency of soft uncured cheese sold as cream cheese and the manner in which such products spread vary considerably. Such characteristics of cream cheese containing about 33% of fat and not in excess of 55% of moisture, are within the range of the degrees of consistency and manner of spreading exhibited by soft uncured cheese sold as cream cheese. (R. 385-389, 394-419, 450-451, 546-550, 558-562, 565-567, 585, 587, 590-593, 595, 597, 603-605, 608, 613-614, 262, 328, 869-870, 901, 941-942, 737-738, 740-741, 820-821; Exh. 10, p. 386; Exh. 11, p. 412; Record of previous hearing 352, 376-377, 1916-1917, 1920, 791-792, 794, incorporated at 1033, 1035, 1036, 1037)

11. A large proportion of cream cheese containg about 36% to 39% of fat and 55% or less of moisture. A starting mix containing approximately 13% fat is commonly employed in the manufacture of such cream cheese. If a mix of such fat content is employed and less whey is drained from the curd, soft uncured cheese having a fat content of 33% and a moisture content of 57% to 58% can be manufactured. Soft uncured cheese of such composition contains more whey

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[1] The page references to certain relevant portions of the record are for the convenience of the reader; however, the findings of fact are not based solely on that portion of the record to which reference is made, but on consideration of all the evidence in the record.

[2] On December 22, 1942 an order was promulgated by the Federal Security Administrator establishing the definition and standard of identity for cream cheese, which among other things, fixes a minimum milk fat content of 33% and a maximum moisture content of 55% for such product and prescribes the process of manufacture. The standard does not prescribe a maximum limit for fat content, nor a minimum limit for moisture content. (7 F.R. 10758, 10759, Sec. 19.515, Title 21 CFR, Cum. Supp. Sec. 19.515, R. Exh. 2, p. 6.) The enforcement of the standard was stayed pending the termination of judicial proceedings to review the order. (See *Columbia Cheese Co. et al. v. McNutt, Federal Security Administrator*, 137 F. (2d) 576, Certiorari denied, 64 S. Ct. 618, February 28, 1944.)

than normally remains in cream cheese made from a starting mix containing about 13% fat. (R. 192, 224, 250, 267–268, 276–278, 289–290, 319–321, 348, 856–858, 860–866, 867–869, 381–382, 436–438, 519–530, 532–533, 536–537, 541–542; Exh. 7, p. 260; Exh. 10, p. 386, Exh. 17, p. 861; Record of previous hearing 2174–2178, incorporated at 259)

12. The consistency, smoothness and manner of spreading of soft uncured cheese containing 33% fat and 57% or 58% of moisture are similar to the corresponding properties of cream cheese of better quality described in finding 8. The soft uncured cheese containing 33% fat and 57% or 58% of moisture is cheaper to manufacture than such cream cheese, is of less nutritional value, and is more likely to exude moisture (whey) to an undesirable extent unless gum or other moisture-retaining agent is incorporated. (R. 68, 97, 103–106, 128, 139–140, 157, 191–192, 194–196, 203, 209–212, 727–728, 730–732, 741–742, 756–758, 257–258, 269–271, 274, 277–279, 297–303, 856–866, 880, 939, 461, 481–482, 502–503; Exh. 8, p. 355)

13. Where gum is used to hold the excess whey, soft uncured cheese containing about 33% fat and 57% to 58% moisture is likely to simulate cream cheese of higher fat and lesser moisture content. Under ordinary conditions of purchase, the consumer is not able to detect such replacement of fat by moisture. (R. 481–482, 449, 469, 471–472, 963, 137–140, 104–105, 82–83, 1006–1009, 1021, 257–258, 349)

14. In the commercial manufacture of cream cheese by the hot pack process, gum or other moisture-retaining agent is universally incorporated into the product in order to prevent excessive leakage of moisture, as described in findings 14, 15, and 16 promulgated with the standard (7 F.R. 10755, 10756; R. Exh. 2, p. 6). However, it is not the general commercial practice to incorporate such an agent in cream cheese manufactured by the cold pack process. (R. 195, 210–211, 889–890, 305, 866–868, 438–441, 381–384, 501, 510)

15. Because of the use of gum or other moisture-retaining agent, soft uncured cheese containing approximately 33% fat and 57% or 58% moisture made by the hot pack process, is less likely to display undesirable leakage of whey than soft uncured cheese of similar composition made by the cold pack process. (R. 954, 501, 504, 581, 963, 730–732, 756–757, 1006–1009, 1021, 195–196, 210–211)

16. No material distinction has ever been made between hot pack and cold pack cream cheese in the labeling of such products and consumers are not generally aware of the differences. Although the two types of cream cheese can generally be distinguished by experts, they cannot readily be distinguished by consumers. (R. 137–138, 273, 405–406, 448–449)

17. Before the standard for cream was promulgated, most of the so-called cream cheese then manufactured by the hot pack process contained approximately 23% to 30% of fat and approximately 60% to 65% of moisture, as stated in finding 26 promulgated with the existing standard. As recently as April 1944, soft uncured cheese of approximately such composition was also marketed as cream cheese. While this product resembles cream cheese in general appearance (see finding 25 promulgated with the standard, 7 F.R. 10756, R. Exh. 2, p. 6), its consistency, because of its high moisture content, is quite soft. Such product is in fact neufchatel cheese, for which a definition and standard of identity has been promulgated.[1] (R. 448, 880, 1021–1022, 101–102; Record of previous hearing 1574–1589, incorporated at 1040, 1048; Exh. 18, p. 885)

Conclusions. On the basis of the foregoing findings of fact, it is concluded that:

(a) No material difficulty exists in manufacturing cream cheese to conform to the existing standard.

(b) Cream cheese containing the minimum quantity of fat and the maximum quantity of moisture permitted by the standard does not differ in identity from cream cheese of higher fat and lower moisture, although the latter product is generally of better quality due to the greater content of fat.

(c) It is likely that some consumers confuse neufchatel cheese with cream cheese as a result of former pratices of marketing soft uncured cheeses. Since the standard for cream cheese has been in force for only a brief period it is not likely that consumers have become generally aware of the differences in the identity of such soft uncured cheeses.

(d) Authorization to increase the moisture content of cream cheese to 57% or 58% would tend to encourage the production of cream cheese at the minimum fat content permitted by the standard, which would simulate a large proportion of cream cheese now being made of a substantially higher fat content. In effect, such authorization would permit the substitution of moisture for part of the fat, by the abuse of the function of gum or other moisture-retaining agent, contrary to the proper use of such agent in cream cheese, thus cheapening the product and lowering its food value. Such cheapened product would be deceptive to consumers.

(e) It would not promote honesty and fair dealing in the interests of consumers to amend the existing standard for cream cheese so as to permit an increase in the maximum amount of moisture.

Wherefore, *It is ordered*, That the regulation promulgated December 22, 1942 (Title 21, CFR, Cum. Supp., sec. 19.515), fixing and establishing a definition and standard of identity for cream cheese be not amended.

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Hearing Clerk of the Federal Security Agency, Office of the Assistant General Counsel, Room 4148 South Building, 12th Street and Independence Avenue SW., Washington 25, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs should be submitted in quintuplicate.

Dated: September 5, 1944.

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 44–13832; Filed, Sept. 8, 1944; 10:59 a. m.]

[1] 7 F.R. 10759, 21 C. F. R., Cum. Supp., 19.520, R. Exh. 2, p. 6.

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 500B–1]

COPYRIGHTS OF CERTAIN FOREIGN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that all of the persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof [the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights] are nationals of foreign countries, namely, either (i) those countries, if any, (in the cases of the persons whose names appear in the aforesaid Column 3 as authors) which are specified in said Column 3, or (ii) those countries, if any, (in the cases of the persons whose names appear in the aforesaid Column 4 as owners) in which the addresses specified in said Column 4 are located, or (iii) those countries, if any, (in the cases of persons whose names appear in neither Column 3 nor Column 4 but do appear in Column 5 of the aforesaid Exhibit A) which are indicated in said Column 5;

2. Finding that the property hereinafter described in subparagraph 3 is owned by one or more of the aforesaid persons to whom reference is made in Column 5 of said Exhibit A;

3. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the persons to whom reference is made in Column 5 of said Exhibit A in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing, excepting the rights of any

person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of reversion or revesting, if any, in any or all of the foregoing; and

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; *Provided, however*, That this order shall not vest any right of any person to renew any copyright in any or all of the works to which reference is hereinbefore made.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on May 11, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners or potential owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Tabu	G. C. Sonzogno (nationality not established).	Edizoni Suvini Zerboni, Galleria del Corso, 4, Milano, Italy (nationality: Italian).	Owner.
Unknown	Tango	G. C. Sonzogno (nationality not established).	Edizoni Suvini Zerboni, Galleria del Corso, 4, Milano, Italy (nationality: Italian).	Owner.
Unknown	Preludio ad Una (Messa Da Requiem).	Daniele Amfitheatrof	Edizoni Suvini Zerboni, Galleria del Corso, 4, Milano, Italy (nationality: Italian).	Owner.
Unknown	Deux Interludes Symphonique	Ernst Bloch of the United States	Edizoni Suvini Zerboni, Galleria del Corso, 4, Milano, Italy (nationality: Italian and Editions Musicales Polyphon, Paris, France (nationality: French).	Owners.
Unknown	Prologue-Coronation Scene	Boris Godounov (nationality not established).	W. Bessel & Cie, 78 Rue de Monceau, Paris, France (nationality: French).	Owner.
Unknown	La Fiore de Scrotchintzi	Mousorgsky (nationality not established).	W. Bessel & Cie, 78 Rue de Monceau, Paris, France (nationality: French).	Owner.
Unknown	Joshua	Mousorgsky (nationality not established).	W. Bessel & Cie, 78 Rue de Monceau, Paris, France (nationality: French).	Owner.
Unknown	Khovanchina	Mousorgsky (nationality not established).	W. Bessel & Cie, 78 Rue de Monceau, Paris, France (nationality: French).	Owner.
Unknown	Tzar Saltan	Rimsky Korsakov (nationality not established).	W. Bessel & Cie, 78 Rue de Monceau, Paris, France (national: French).	Owner.
Unknown	Snegourotchka	Rimsky Korsakov (nationality not established).	W. Bessel & Cie, 78 Rue de Monceau, Paris, France (nationality: French).	Owner.
Unknown	Unbold Ohnoesie	Rimsky Korsakov (nationality not established).	W. Bessel & Cie, 78 Rue de Monceau, Paris, France (nationality: French).	Owner.

[F. R. Doc. 44–13752; Filed, Sept. 7, 1944; 11:23 a. m.]

[Vesting Order 2041]

CHINOIN CHEMICAL AND PHARMACEUTICAL WORKS CO., LTD.

In re: Drugs, chemicals, and packing materials owned by Chinoin Chemical and Pharmaceutical Works Co., Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Chinoin Chemical and Pharmaceutical Works Co., Ltd. is a corporation organized under the laws of Hungary, having its principal place of business at Ujpest, Hungary, and that it is a national of a designated enemy country (Hungary);

2. That Chinoin Chemical and Pharmaceutical Works Co., Ltd. is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The fine drugs, particularly described in Exhibit A hereto attached and by reference made a part hereof, owned by Chinoin Chemical and Pharmaceutical Works Co., Ltd., and held on consignment by The Treemond Company, 165 Montague Street, Brooklyn, New York, presently stored in bond at Baker & William Warehouse, 114 Leroy Street, New York, New York, under Custom House Bond Numbers 78794, 98855, and 20307, and

b. The fine drugs, chemicals, and assorted packing materials, particularly described in Exhibit B hereto attached and by reference made a part hereof, owned by Chinoin Chemical and Pharmaceutical Works Co., Ltd., in the possession of Campbell Products, Inc., 79 Madison Avenue, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Hungary);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take ony one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Name	*Quantity (Grams)*
Estradiol—17—propionate	100
Estradiol carbaethoxylate	50
Progesterone crystals	20

EXHIBIT B

Merchandise

	Stock on hand Mar. 31, 1943
I. Drugs:	
A. Novatropine:	
(1) Tablets:	
(a) Packages of 20	9,897
(b) Packages of 100	1,710
(c) Packages of 500	86
(d) Folders of 12	7,047
(e) In bulk	454,204
(2) Ampuls:	
(a) Packages of 5	-------
(b) Packages of 100	-------
(c) In bulk	2,178
(d) Packages of 6	89
(3) Powder:	
(a) 15 gr. vials	248
B. Homatropine alkaloid, oz	200
C. Novatropine substance, oz	296¾
D. Mercupurin:	
(1) Ampuls:	
(a) Packages of 5, 1 cc	6,746
(b) Packages of 25, 1 cc	58
(c) Packages of 100, 1 cc	3
(d) Packages of 10, 2 cc	55
(e) Packages of 25, 2 cc	7
(f) Packages of 100, 2 cc	4
(g) In bulk, 1 cc	173
(h) In bulk, 2 cc	12
(2) Ampul salts (Molnar), kg	2
(3) Ampul salts (Chinoin)	1.25 gr. FO–809 gr. CH.
(4) Ampul salts Ortho (specific)	-------
Mercupurin (specific):	
(a) 1 cc. ampuls, gr	1,740
(b) 2 cc. ampuls, gr	80
E. Theophylline, lbs	100
Theophylline (specific), lbs	100
(a) Bulk solution, litre	687
F. Beta mercurial acid (by-product) gr	25,433
G. Mercurin:	
(1) Suppositories:	
(a) Packages of 5	616
(b) Packages of 25	42
(c) In bulk	-------
(2) Salts	-------
II. Packing material:	
A. Novatropine:	
20 tablet vials	39,798
100 tablet bottles	16,908
500 tablet bottles	462
Powder bottles	1,077
100 tablet bottle caps	18,110
500 tablet bottle caps	671
Powder bottle caps	1,077
20 tablet bottle corks	31,965
20 tablet cartons	31,584
100 tablet boxes	2,925
5 ampul boxes	512
100 ampul boxes	-------
20 tablet labels	15,390
100 tablet labels	18,023
500 tablet labels	883
Powder bottle labels	451
5 ampul box labels	841
100 ampul box labels	-------
Cellophane for powder	240
Cellophane for 500s	922
Cellophane for 5 amp. boxes	-------
Cellophane for 100 amp. boxes	277
Ampul files	-------
Ampul contents stickers	-------

EXHIBIT B—Continued

Merchandise—Continued

	Stock on hand Mar. 31, 1943
II. Packing material—Con.	
B. Mercupurin:	
1 cc. ampul labels	100,343
2 cc. ampul labels	156,140
1 cc. contents stickers	21,702
2 cc. contents stickers	12,676
Boxes for 5s, 1 cc	24,883
Boxes for 25s, 1 cc	397
Boxes for 10s, 2 cc	16,642
Boxes for 25s, 2 cc	7
Boxes for 100s	1,277
Ampul files	47,696
Box inserts, 1 cc and 2 cc	16,501
Box labels, 1 cc., 100s	2,553
Box labels, 2 cc., 100s	1,911
Do not expose to light labels	1,111
Black cards for 100 amp. boxes	111
Empty 1 cc. ampuls, gr	900
Empty 2 cc. ampuls, gr	3,720
C. Mercurin:	
Boxes for 5s	4,730
Boxes for 25s	2,723
Box inserts	14,615
Labels for 25 amp. boxes	1,499

[F. R. Doc. 44–13848; Filed, Sept. 8, 1944; 11:41 a. m.]

[Vesting Order 4078]

ANNA ZIEGLER

In re: Estate of Anna Ziegler, deceased; File No. D–28–2530; E. T. sec. 4367.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Peper, Hertha Wenke, Joachim Peper and Heinrich Meyer, and each of them, in and to the estate of Anna Ziegler, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Peper, Germany.
Joachim Peper, Germany.
Hertha Wenke, Germany.
Heinrich Meyer, Germany.

That such property is in the process of administration by Paul Hanelt, as Administrator of the Estate of Anna Ziegler, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–13849; Filed, Sept. 8, 1944; 11:41 a. m.]

[Vesting Order 4080]

GERTRUDE BECHSTEIN

In re: Estate of Gertrude Bechstein, deceased; File No. D–28–7944; E. T. sec. 8814.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Alfred Wetzel and Max Ollmann, and each of them, in and to the Estate of Gertrude Bechstein, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Alfred Wetzel, Germany.
Max Ollmann, Germany.

That such property is in the process of administration by Mary E. Breen, as executrix of the Estate of Gertrude Bechstein, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or

in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 29, 1944.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 44–13850; Filed, Sept. 8, 1944; 11:41 a. m.]

[Vesting Order 4081]

MINNIE MASS

In re: Estate of Minnie Mass, also known as Minna Mass, deceased; File No. D–28–3594; E. T. sec. 5838.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character, whatsoever of the seven children, names unknown, of Sophie Klepper; the four children, names unknown, of Doris Dunkhorst; Paul Mass; Robert Mass; Hulda Hannemann, and each of them, in and to the Estate of Minnie Mass, also known as Minna Mass, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Seven children, names unknown, of Sophie Klepper, Germany.

Four children, names unknown, of Doris Dunkhorst, Germany.

Paul Mass, Germany.

Robert Mass, Germany.

Hulda Hannemann, Germany.

That such property is in the process of administration by Fred V. Bruch, as Executor of the Estate of Minnie Mass, also known as Minna Mass, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 29, 1944.

[SEAL] FRANCIS J. MCNAMARA
Deputy Alien Property Custodian.

[F. R. Doc. 44–13851; Filed, Sept. 8, 1944; 11:41 a. m.]

[Vesting Order 4082]

LYDIA B. HOFFMANN

In re: Estate of Lydia B. Hoffmann, deceased; File No. D–28–8837; E. T. sec. 10859.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Irmgard Spiesecke Boas in and to the estate of Lydia B. Hoffmann, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Irmgard Spiesecke Boas, Germany.

That such property is in the process of administration by Walter C. Hoffmann, as executor under the will of Lydia B. Hoffmann, acting under the judicial supervision of the Court of Probate, District of West Haven, State of Connecticut;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 31, 1944.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 44–13852; Filed, Sept. 8, 1944; 11:41 a. m.]

[Vesting Order 4083]

WILLIAM MOLT

In re: Estate of William Molt, deceased; File D–28–1820; E. T. sec. 1490.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Camden Trust Company, Executor, acting under the judicial supervision of the Camden County Orphans' Court, County of Camden, State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Maria Heist, Germany.

Rosa Zimmerman, also known as Rose Zimmerman, Germany.

Christian Kalmbach, Germany.

Karl Kalmbach, Germany.

Berta Roth, also known as Bertha Roth, Germany.

Anna Binkele, Germany.

Frieda Knoller, also known as Frieda Knoeller, Germany.

Marie Finkbeiner, Germany.

Friederike Gassler, also known as Friederike Gaessler, Germany.

Franziska Haas, Germany.

Rosine Mast, Germany.

Maria Mast, Germany.

Fritz Mast, Germany.

Anna Ruoff, nee Mast, Germany.

Wilhelm Schoffel, also known as Wilhelm Schoeffel, Germany.

Otto Schoffel, also known as Otto Schoeffel, Germany.

Albert Schoffel, also known as Albert Schoeffel, Germany.

Max Schoffel, also known as Max Schoeffel, Germany.

Sofie Kuhbach, also known as Sofie Kubach, Germany.

Willie Harle, also known as Willi Haerle, Germany.
Karoline Buhrle, also known as Karoline Buehrle, Germany.
Luise (Louise) Harle, also known as Luise (Louise) Haerle, Germany.
Emma Harle, also known as Emma Haerle, Germany.
Marie Nestle, Germany.
Julie Leistner, Germany.
Matilde Molt, also known as Mathilda Molt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Heist, Rosa Zimmerman, also known as Rose Zimmerman, Christian Kaimbach, Karl Kaimbach, Berta Roth, also known as Bertha Roth, Anna Binkele, Frieda Knoller, also known as Frieda Knoeller, Marie Finkbeiner, Friederike Gassler, also known as Friederike Gaessler, Franziska Haas, Rosine Mast, Maria Mast, Fritz Mast, Anna Ruoff, nee Mast, Wilhelm Schoffel, also known as Wilhelm Schoeffel, Otto Schoffel, also known as Otto Schoeffel, Albert Schoffel, also known as Albert Schoeffel, Max Schoffel, also known as Max Schoeffel, Sofie Kuhbach, also known as Sofie Kubach, Willie Harle, also known as Willi Haerle, Karoline Buhrle, also known as Karoline Buehrle, Luise (Louise) Harle, also known as Luise (Louise) Haerle, Emma Harle, also known as Emma Haerle, Marie Nestle, Julie Leistner, and Matilde Molt, also known as Mathilda Molt, and each of them in and to the Estate of William Molt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: September 1, 1944.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 44–13853; Filed, Sept. 8, 1944; 11:42 a. m.]

[Vesting Order 4084]

FERDINAND LEUTZ

In re: Estate of Ferdinand Leutz, deceased; File 017–9989.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: Certificate No. 17 for forty-five shares of the capital stock of the Security Bank of Hebron, Hebron, North Dakota, together with all rights incident to the ownership thereof, and any and all accretions thereon; also all right, title, interest and claim of any kind or character whatsoever of Helene Leutz and Greta (Gretel) Leutz, and each of them, in and to the estate of Ferdinand Leutz, deceased, including but not by way of limitation all rights, claims, demands and causes of action, at law or in equity of any kind or nature whatsoever growing out of the administration of said estate, which said persons, or either of them, may have against Fred Schwenk, as executor of said estate or individually, or against P. S. Jungers in his capacity as attorney for said executor or individually,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helene Leutz, Germany.
Greta (Gretel) Leutz, Germany.

That such property is in the process of administration by Fred Schwenk, Hebron, North Dakota, as Executor of the Estate of Ferdinand Leutz, acting under the judicial supervision of the County Court, County of Morton, North Dakota.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1944.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 44–13854; Filed, Sept. 8, 1944; 11:42 a. m.]

[Vesting Order 4085]

FERDINAND LEUTZ

In re: Trust under the Will of Ferdinand Leutz, deceased; File 017–9989.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Helene Leutz and Greta (Gretel) Leutz, and each of them, in and to the trust estate created under the Last Will and Testament of Ferdinand Leutz, deceased, including but not by way of limitation all rights, claims, demands and causes of action, at law or in equity, of any kind or nature whatsoever growing out of the administration of said trust estate, which said persons, or either of them, may have against P. S. Jungers, as trustee of said trust estate or individually,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helene Leutz, Germany.
Greta (Gretel) Leutz, Germany.

That such property is in the process of administration by P. S. Jungers, Hebron, North Dakota, as Trustee under the Will of Ferdinand Leutz, deceased, acting under the judicial supervision of the District Court, Sixth Judicial District, County of Morton, North Dakota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1944.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 44–13855; Filed, Sept. 8, 1944; 11:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 313]

COMMON CARRIERS

COORDINATED OPERATIONS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

R. B. Hicks, doing business as Trading Post, 466 First Street, Macon, Ga.
A. C. Bailey, doing business as A. C. Bailey Transfer Company, 653 Poplar Street, Macon, Ga.
Washburn Storage Company (a corporation), 203 Poplar Street, Macon, Ga.

[F. R. Doc. 44–13783; Filed, Sept. 7, 1944; 3:20 p. m.]

[Supp. Order ODT 3, Rev. 314]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MEMPHIS AND NASHVILLE, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

[1] Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carrriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

M & N Freight Lines, Inc., 810 Michigan Avenue, Memphis, Tenn.

Roadway Express, Inc., 97 East South Street, Akron, Ohio.

Hoover Motor Express, Inc., 414 Fifth Avenue South, Nashville, Tenn.

Hayes Freight Lines, Inc., 115 North 15th Street, Mattoon, Ill.

Southeastern Motor Truck Lines, Inc., 420 Sixth Avenue South, Nashville, Tenn.

[F. R. Doc. 44-13784; Filed, Sept. 7, 1944; 3:20 p. m.]

[Supp. Order ODT 3, Rev. 315]

COMMON CARRIERS

COORDINATED OPERATIONS IN NEW YORK

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6773) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 12, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Peter Mesick, J. Peter Mesick and Benjamin S. Mesick, doing business as Mesick Trucking Company, Claverack, N. Y.

Albert Holmes, doing business as H. & H. Transportation Lines, Stottville, N. Y.

[F. R. Doc. 44-13785; Filed, Sept. 7, 1944; 3:20 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 20A–173]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN NEOSHO, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Neosho, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Springfield, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–173" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation.

8. This order shall become effective September 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Yellow Cab Co., Neosho, Mo.
32 Cab Co., Neosho, Mo.
101 Cab Co., Neosho, Mo.
Victory Cab Co., Neosho, Mo.
DeLuxe Cab Co., Neosho, Mo.

[F. R. Doc. 44–13786; Filed, Sept. 7, 1944; 3:21 p. m.]

[Supp. Order ODT 20A–174]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN NEW BEDFORD, FAIRHAVEN AND DARTMOUTH, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of New Bedford, Fairhaven and Dartmouth, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effecuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Providence, Rhode Island, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–174" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation.

8. This order shall become effective September 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 8th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Blue Bird Taxi, 2546 Acushnet Avenue, New Bedford, Mass.
Lincoln Taxi, 111 Kempton Street, New Bedford, Mass.
Victory Cab, 266 Sawyer Street, New Bedford, Mass.
Arthur W. Taber, 158 Union Street, New Bedford, Mass.
Standard Cab, Wing Street, New Bedford, Mass.
South End Taxi, Cove Street, New Bedford, Mass.
Rene Reiniche, Buttonwood Road, S. Dartmouth, Mass.
City Service & Taxi, Middle Street, New Bedford, Mass.
Diamond Taxi, 112 Middle Street, New Bedford, Mass.
Ferguson Taxi, 46 Main Street, Fairhaven, Mass.

[F. R. Doc. 44-13787; Filed, Sept. 7, 1944; 3:21 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 436, Corr. to Order 10]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 10 under Revised Maximum Price Regulation No. 436 is hereby corrected by placing a decimal point before each series of figures in the column headed "*Amount of increase (dollars per 42-gallon barrel)*".

Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13797; Filed, Sept. 7, 1944; 4:57 p. m.]

[RMPR 436, Order 21]

CRUDE PETROLEUM

ADJUSTMENT OF MAXIMUM PRICES

Order No. 21 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

	Amount of increase (dollars per 42-gallon barrel)
Irma Pool, Nevada County, Ark.	.20

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Arkansas State, Nevada County, Irma pool	.20

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13796; Filed, Sept. 7, 1944; 4:57 p. m.]

[Order 37 Under 19a]

DENVER FIRE CLAY CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 37 under § 1499.19a of the General Maximum Price Regulation. Refractory products. Order authorizing adjustable pricing.

Petition for amendment of Maximum Price Regulation No. 188 has been filed by producers of refractory products with plants located in Colorado and Utah for the purpose of increasing maximum prices for that part of the industry. Maximum Price Regulation No. 188, which governs maximum prices for these commodities, incorporates § 1499.19a of the General Maximum Price Regulation. This order is applicable to the following producers:

The Denver Fire Clay Company, Denver, Colo.
Denver Sewer Pipe and Clay Company, Denver, Colo.
The Diamond Fire Brick Company, Canon City, Colo.
The Golden Fire Brick Company, Golden, Colo.
The Standard Fire Brick Company, Pueblo, Colo.
The Trinidad Brick and Tile Company, Trinidad, Colo.
Utah Fire Clay Company, Salt Lake City, Utah.

It has been shown that authorization to use adjustable pricing, pending action on the petition for amendment is necessary to promote the production of such refractory products and that such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Therefore, in accordance with § 1499.19a of the General Maximum Price Regulation, which is made a part of Maximum Price Regulation No. 188, as amended, by incorporation, *It is hereby ordered*, That:

(a) Pending final determination by the Office of Price Administration of the petition for amendment now on file, such producers as are covered by this order are hereby authorized to sell and any person may buy from such producers such refractory products at prices not in excess of the maximum prices established in accordance with Maximum Price Regulation No. 188, as amended: *Provided, however*, That any such producer may agree with any purchaser in any contract for the sale of refractory products that the contract price may be adjusted to conform to the final determination of the Price Administrator upon the petition for amendment, and: *Provided further*, That such producers may not receive and their purchasers may not pay an amount in excess of the maximum prices established under Maximum Price Regulation No. 188, as amended, until final action is taken on the petition for amendment now pending and unless such final action permits an increase of such maximum prices.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of maximum prices for such refractory products higher than the maximum prices now prevailing or upon denial of the petition for amendment. It may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective September 8, 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13798; Filed, Sept. 7, 1944; 4:57 p. m.]

[MPR 136, Order 291]

WAYNE PUMP CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 291 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. The Wayne Pump Company, Docket No. 3136-472.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The Wayne Pump Company, Fort Wayne, Indiana, shall determine its maximum prices for the reciprocating air compressors that it manufactures, by multiplying by 114% the maximum price to each class of purchasers duly in effect just prior to the issuance of this order.

(b) Purchasers from the Wayne Pump Company, who buy reciprocating air compressors for resale, shall determine their maximum prices by adding to their maximum prices to each class of purchasers duly in effect just prior to the issuance of this order, the dollars-and-cents amounts by which the resellers' costs have been increased due to the adjustment in maximum prices granted to the Wayne Pump Company by this order.

(c) The Wayne Pump Company shall give written notification to its customers who buy its reciprocating air compressors mentioned in paragraph (a) for resale, of the amounts by which this order permits resellers to increase their maximum prices.

(d) Within 30 days after the issuance of this order, the Wayne Pump Company shall file with the Office of Price Administration, Washington, D. C., a copy of the written notification required to be given in pursuance of paragraph (c).

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

This order shall become effective September 8, 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13810; Filed, Sept. 7, 1944; 5:03 p. m.]

[MPR 188, Amdt. 1 to Order 1804]

UNITED METAL GOODS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 1804 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a new model electric alarm clock manufactured by the United Metal Goods Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered,* That paragraph (a) (1) of Order No. 1804 issued July 1, 1944 be amended to read as follows:

(1) The maximum prices for sales and deliveries by the manufacturer since the effective date of Maximum Price Regulation No. 188 of the new model electric alarm clock described in (a) above are $3.16 per unit to jobbers and $3.96 per unit to retailers. These prices are f. o. b., Brooklyn, New York, and are subject to discounts, allowances, and terms no less favorable than those customarily granted by the manufacturer.

This amendment shall become effective September 8, 1944. Issued this 7th of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13802; Filed, Sept. 7, 1944; 4:59 p. m.]

[MPR 188, Order 2244]

GRAND RAPIDS WOODCRAFT CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2244 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a cocktail table manufactured by Grand Rapids Woodcraft Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a cocktail table manufactured by Grand Rapids Woodcraft Corporation, Box 547, Grand Rapids, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Cocktail table	520	*Each* $8.20	*Each* $9.65

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated July 24, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Cocktail table	520	*Each* $9.65

This price is subject to a cash discount of two percent for payment within ten days and is for the article described in the manufacturer's application dated July 27, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13812; Filed, Sept. 7, 1944; 5:02 p. m.]

[MPR 188, Order 2245]

NEWTON FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2245 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two child's rockers manufactured by Newton Furniture Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, The Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two child's rockers manufactured by Newton Furniture Company, Shuford Rural Station, Hickory, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Childs Rocker	202	*Each* $2.66	*Each* $3.14
	204	3.75	4.42

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days net thirty days and are for the articles described in the manufacturers application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Childs rocker	202	$3.14
	204	4.42

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13808; Filed, Sept. 7, 1944; 5:01 p. m.]

[MPR 188, Order 9 Under Order 1052]

C. B. ATKIN CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 9 under Order No. 1052 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of wood household furniture manufactured by C. B. Atkin Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order permits the manufacturer, C. B. Atkin Company, Knoxville 17, Tennessee, to adjust its maximum prices for sales of wood household furniture (as defined in Order No. 1052) established by Maximum Price Regulation No. 188 by the amount specified below. This order also authorizes purchasers for resale of these articles of wood household furniture to adjust their maximum prices by adding the dollar-and-cents amount of the adjustment granted the manufacturer by this order and for which they have become obligated.

(1) *Manufacturer's maximum prices.* C. B. Atkin Company may adjust its maximum prices for sales and deliveries of wood household furniture (as defined in Order No. 1052) of its manufacture by an amount not to exceed 1.5% of its maximum prices for such sales as established in Order No. 1052. The permitted adjustment of 1.5% may be made only if separately stated.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an article of wood household furniture for which the manufacturer's maximum price has been thus adjusted may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge allowed by this Order No. 9 for which he has become obligated, provided the amount of such adjustment is separately stated on sales to persons other than ultimate consumers.

(b) At the time of or prior to the first invoice to each purchaser (other than an ultimate consumer) of an article covered by this order, the seller must furnish such purchaser with a written notice stating the number of this order and fully explaining its terms and conditions. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13811; Filed, Sept. 7, 1944; 5:03 p. m.]

[MPR 188, Order 2246]

JOHN DAHL & CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2246 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile chair manufactured by John Dahl & Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile chair manufactured by John Dahl & Company, 238 Union Street, Hackensack, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Artick	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile chair	4	$1.43	$1.69

This price is f. o. b. factory and the price is net and is for the article described in the manufacturer's application dated June 26, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile chair	4	*Each* $1.69

This price is net and is for the article described in the manufacturer's application dated June 26, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13809; Filed, Sept. 7, 1944; 5:02 p. m.]

[MPR 188, Order 2247]

DUNWOODIE COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2247 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a shadow box manufactured by The Dunwoodie Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a shadow box manufactured by The Dunwoodie Company, 150 Bleecker Street, New York 12, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Shadow box	A1081	*Each* $1.76	*Each* $2.20

This price is f. o. b. factory and is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated July 13, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	*Maximum price to retailers (each)*
Shadow Box, A1081	$2.20

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated July 13, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturers stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13817; Filed, Sept. 7, 1944; 5:05 p. m.]

[MPR 188, Order 2248]

J. A. CRUMPLER

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2248 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two tables and two chairs manufactured by J. A. Crumpler.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two tables and two chairs manufactured by J. A. Crumpler, Mebane, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Dining table	100T	$8.20	$9.65
	500T	12.12	14.26
Dining chair	100C	2.97	3.50
	500C	3.27	3.85

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated July 27, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Dining table, 100T	$9.65
Dining table, 500T	14.26
Dining chair, 100C	3.50
Dining chair, 500C	3.85

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and is for the articles described in the manufacturer's application dated July 27, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13819; Filed, Sept. 7, 1944; 5:06 p. m.]

[MPR 188, Order 2249]

EDGLEY MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2249 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a teardrop rocker manufactured by Edgley Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a teardrop rocker manufactured by Edgley Manufacturing Company, 2521 Kittrell Parkway, Dallas 4, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
	Each	*Each*
Teardrop rocker	$1.75	$2.05

This price is f. o. b. factory and is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated July 12, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article:	*Maximum price to retailers (each)*
Teardrop rocker	$2.05

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated July 12, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13806; Filed, Sept. 7, 1944; 5:00 p. m.]

[MPR 188, Order 2250]

REK-O-RACK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2250 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a record rack manufactured by Rek-O-Rack Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a record rack manufactured by Rek-O-Rack Company, 1501 North Vine Street, Hollywood 28, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Record rack	Rek-O-Rack	$1.00	$1.35

These prices are f. o. b. factory and are net and are for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices is that set forth below, f. o.b. factory:

Article and model o.:	*Maximum price to retailers (each)*
Record Rack, Rek-O-Rack	$1.35

This price is net and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13820; Filed, Sept. 7, 1944; 5:05 p. m.]

[MPR 188, Order 2251]

NEWARK CHAIR AND FURNITURE CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2251 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of dinette sets and an arm chair manufactured by Newark Chair and Furniture Company, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of dinette sets and an arm chair manufactured by Newark Chair and Furniture Company, Inc., 2-34 Nuttman Street, Newark, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Dinette set	60-45"	$19.56	$23.00
	60-54"	20.10	23.65
Arm chair	61	6.36	7.47

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's applications dated June 12, 1944, and June 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Dinette set, 60-45"	$23.00
Dinette set, 60-54"	23.65
Arm chair, #61	7.47

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's applications dated June 12, 1944 and June 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13814; Filed, Sept. 7, 1944; 5:03 p. m.]

[MPR 188, Order 2252]

R. R. WILLIAMS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2252 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a glider swing manufactured by R. R. Williams.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a glider swing manufactured by R. R. Williams, 1512 Missouri Avenue, Houston 6, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
	Each	*Each*
Glider swing	$6.64	$7.82

This price is f. o. b. factory and is net, and is for the article described in the manufacturer's application dated June 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article:	*Maximum price to retailers (each)*
Glider swing	$7.82

This price is net and is for the article described in the manufacturer's application dated June 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a

retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13821; Filed, Sept. 7, 1944; 8:05 p. m.]

[MPR 188, Order 2253]

WEYMOUTH MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2253 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a child's gate manufactured by Weymouth Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's gate manufactured by Weymouth Manufacturing Company, 337 Ralph Talbot Street, South Weymouth, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
	Each	*Each*
Child's gate	$0.73	$0.97

This price is f. o. b. factory and is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturers application dated July 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturers stock, the maximum price is that set forth below, f. o. b. factory:

Article:	*Maximum price to retailers (each)*
Child's gate	$0.97

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated July 21, 1944.

(ii) For all sale and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13790; Filed, Sept. 7, 1944; 4:56 p. m.]

[MPR 188, Order 2254]

TEXAS PRE-FABRICATED HOUSE & TENT CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2254 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a dinette set manufactured by Texas Pre-Fabricated House & Tent Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a dinette set manufactured by Texas Pre-Fabricated House & Tent Company, 160 Avery Street, Dallas 8, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Dinette set	30	$16.10	$18.95

This price is f. o. b. factory and is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated June 14, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Dinette set	30	$18.95

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and for the article described in the manufacturer's application dated June 14, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufac-

turer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13807; Filed, Sept. 7, 1944; 5:01 p. m.]

[MPR 188, Order 2255]

FLECK BAUMANN CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2255 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturer's maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for seven wallracks and two wall shelves manufactured by Fleck Baumann Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of seven wall racks and two wall shelves manufactured by Fleck Baumann Company, 1015 Lucas Avenue, St. Louis, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Wall rack	550	$3.36	$3.95
	560	3.36	3.95
	570	3.83	4.50
	518	3.36	3.95
	519	3.36	3.95
	520	1.43	1.68
	517	.63	.74
	522	.68	.80
Wall shelf	516	.38	.45

These prices are f. o. b. factory and are subject to a cash discount of two percent ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 13, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Wall rack, 550	$3.95
Wall rack, 560	3.95
Wall rack, 570	4.50
Wall rack, 518	3.95
Wall rack, 519	3.95
Wall rack, 520	1.68
Wall rack, 517	.74
Wall rack, 522	.80
Wall shelf, 516	.45

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13800; Filed, Sept. 7, 1944; 4:58 p. m.]

[MPR 188, Order 2256]

STATE TABLE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2256 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of kitchen utility cabinets manufactured by State Table Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of kitchen utility cabinets manufactured by State Table Company, 96 Junius Street, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Kitchen utility cabinet	106	$8.46	$9.95
	105	10.63	12.50

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated April 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Kitchen utility cabinet, 106	$9.95
Kitchen utility cabinet, 105	12.50

These prices are for the articles described in the manufacturer's application dated April 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a

retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13813; Filed, Sept. 7, 1944; 5:06 p. m.]

[MPR 188, Order 2257]

MODERN WOOD LETTER, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2257 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of four chests manufactured by Modern Wood Letter, Incorporated.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of four chests manufactured by Modern Wood Letter, Inc., 1330 West Main Street, Richmond, Virginia.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Chest	36 x 17 x 19	$6.09	$7.17
	51 x 22 x 8	6.69	7.88
	36 x 28 x 8	5.45	6.54
	40 x 18 x 21	6.80	8.01

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturers application dated July 6, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.:	*Maximum price to retailers (each)*
Chest, 36 x 17 x 19	$7.17
Chest, 51 x 22 x 8	7.88
Chest, 36 x 28 x 8	6.54
Chest, 40 x 18 x 21	8.01

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturers application dated July 6, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13794; Filed, Sept. 7, 1944; 4:56 p. m.]

[MPR 188, Order 2258]

ROBERT M. CLENNY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2258 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a wall bracket and a corner bracket manufactured by Robert M. Clenny.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wall bracket and a corner bracket manufactured by Robert M. Clenny, 4907 South Vernon Avenue, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
	Each	*Each*
Wall Bracket	$2.94	$3.6
Corner Bracket	1.23	1.6

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article:	*Maximum price to retailers (each)*
Wall bracket	$3.46
Corner bracket	1.46

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of

sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13793; Filed, Sept. 7, 1944; 4:55 p. m.]

[MPR 188 Order 2259]

METZ FIXTURES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2259 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of juvenile table and chair sets manufactured by Metz Fixtures.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders, Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of juvenile table and chair sets manufactured by Metz Fixtures, 751 Woodland Avenue, Cleveland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile table and chair set	130	*Each* $2.21	*Each* $2.60
	131	2.21	2.60

These prices are f. o. b. factory, are subject to a two percent cash discount, if payment is made within ten days, and are for the articles described in the manufacturer's application dated July 5, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13816; Filed, Sept. 7, 1944; 5:04 p. m.]

[MPR 188, Order 2260]

UNION CHAIR & TABLE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2260 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of unfinished furniture manufactured by Union Chair & Table Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three items of unfinished furniture manufactured by Union Chair & Table Company, Fifth Street, Medford, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished vanity table	3217	*Each* $2.98	*Each* $3.50
	3618	3.66	4.30
Unfinished kneehole desk	3418	5.47	6.43

These prices are f. o. b. factory and are for the articles described in the manufacturer's application dated December 18, 1943.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Unfinished vanity table, 3217	$3.50
Unfinished vanity table, 3618	4.30
Unfinished kneehole desk, 3418	6.43

These prices are for the articles described in the manufacturer's application dated December 18, 1943.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13792; Filed, Sept. 7, 1944; 4:55 p. m.]

[MPR 188, Order 2261]

MODERNETTES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2261 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of a juvenile set manufactured by Modernettes.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Modernettes, 305 East 10th Street, Ellensberg, Washington.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile set	Yours-mine	$6.77	$7.88

These prices are f. o. b. factory and are net thirty days. They are for the article described in the manufacturer's application dated July 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1490.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	*Maximum price to retailers (each)*
Juvenile set, Yours mine	$7.88

This price is net thirty days and is for the article described in the manufacturers application dated July 10, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13805; Filed, Sept. 7, 1944; 5:00 p. m.]

[MPR 188, Order 2262]

CASALI SPECIALTY CABINET CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2262 under § 1490.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile upholstered rocker, a juvenile plywood rocker and a juvenile plywood platform rocker, manufactured by Casali Specialty Cabinet Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile upholstered rocker, a juvenile plywood rocker and a juvenile plywood platform rocker manufactured by Casali Specialty Cabinet Company, 3838 Holbrook Avenue, Hamtramck, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile rocker	900	$4.66	$5.83
	900	5.46	6.83
	900	5.22	6.53
	700	2.36	2.96
	800	2.56	3.20

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Juvenile rocker, 900	$5.83
Juvenile rocker, 900	6.83
Juvenile rocker, 900	6.53
Juvenile rocker, 700	2.96
Juvenile rocker, 800	3.20

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's

stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13803; Filed, Sept. 7, 1944; 4:59 p. m.]

[MPR 188, Order 2263]

REST RITE PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2263 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers goods other than apparel. Approval of maximum prices for sales of a juvenile upholstered rocker and a boudoir chair manufactured by Rest Rite Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a juvenile upholstered rocker and a boudoir chair manufactured by Rest Rite Products Company, 227 East Cevallos, San Antonio, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
	Each	*Each*
Juvenile upholstered rocker	$3.83	$4.50
Boudoir chair	6.81	8.01

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article:	*Maximum price to retailers (each)*
Juvenile upholstered rocker	$4.50
Boudoir chair	8.01

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13795; Filed, Sept. 7, 1944; 4:57 p. m.]

[MPR 188, Order 2267]

MODERN FURNITURE MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2267 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sale of four items of juvenile furniture manufactured by Modern Furniture Manufacturing Company, Incorporated.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sale and deliveries, of four items of juvenile furniture manufactured by Modern Furniture Manufacturing Company, Inc., 613 East Green Street, High Point, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile rocker	5	$2.81	$3.30
Juvenile table	700	2.72	3.20
Juvenile chair	700	2.74	3.22
Juvenile table and chair set	700	8.20	9.64

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated May 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Juvenile rocker, 5	$3.30
Juvenile table, 700	3.20
Juvenile chair, 700	3.22
Juvenile table and chair set, 700	6.42

These prices are for the articles described in the manufacturer's application dated May 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other

than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13791; Filed, Sept. 7, 1944; 4:55 p. m.]

[MPR 188, Order 2268]

McGREGOR'S, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2268 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specific building materials and consumers' goods other than apparel. Approval of maximum price for sales of an electric clock manufactured by McGregor's, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 2268 establishes maximum prices for sales of a new clock manufactured by the McGregor's, Inc., 1071 Union Avenue, Memphis, Tennessee, and described in an application dated June 15, 1944.

(1) For sales by the manufacturer to retailers the maximum price since the time when Maximum Price Regulation 188 became effective for such sales, is $7.25 per clock. This price is net and f. o. b. Memphis, Tennessee.

(2) For sales at retail, the maximum price is $12.95 exclusive of the Federal Excise Tax.

(b) The manufacturer shall plainly mark each clock with the retail ceiling price before shipping it to a purchaser for resale. This may be done by marking the case or by attaching a tag or label.

(c) On and after September 8, 1944, at the time of the first invoice of this clock, the manufacturer shall notify in writing each retailer who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2268 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 2268 shall become effective September 8, 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13804; Filed, Sept. 7, 1944; 4:59 p. m.]

[MPR 188, Order 2269]

ALFRED LAZARUS CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2269 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a utility cabinet, a juvenile table & a chair and a juvenile desk and chair manufactured by Alfred Lazarus Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a utility cabinet, a juvenile table and chair and a juvenile desk and chair manufactured by Alfred Lazarus & Company, 1808 Chauteau Avenue, St. Louis, Mo.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Utility cabinet	50	$7.96	$9.95
Juvenile table and chair	940	3.62	4.53
Juvenile desk and chair	930	5.81	7.27

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated May 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	Maximum price to retailers
Utility cabinet, 50	$9.95
Juvenile table and chair, 940	4.53
Juvenile desk and chair, 930	7.27

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's Application of May 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13813; Filed, Sept. 7, 1944; 5:08 p. m.]

[MPR 188, Order 2270]

ATLAS NOVELTY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 2270 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three glass shelf tables manufactured by Atlas Novelty Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three glass shelf tables manufactured by Atlas Novelty Company, 159 North Racine, Avenue, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Glass table	734	$11.34	$13.35
	728	9.13	10.75
	730	8.42	9.91

These prices are f. o. b. factory and are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application of April 22, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and model No.:	*Maximum price to retailers (each)*
Glass table, 734	$13.35
Glass table, 728	10.75
Glass table, 730	9.91

These prices are subject to a cash discount of one percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated April 22, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of September 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13815; Filed, Sept. 7, 1944; 5:04 p. m.]

[MPR 136, Amdt. 1 to Order 93]

HART-CARTER CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 93 under Maximum Price Regulation 136, as amended. Machines and parts and machinery services. Hart-Carter Company (The Lawson Division); Docket No. 3136-299.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Order No. 93 under Maximum Price Regulation 136, as amended, is amended in the following respect:

1. Paragraph (b) is revoked.

This amendment shall become effective September 8, 1944. Issued this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13801; Filed, Sept. 7, 1944; 4:58 p. m.]

[2d Rev. Gen. Order 3]

REPRESENTATION OF ADMINISTRATOR IN COURT PROCEEDINGS

SERVICE OF PROCESS

Revised General Order No. 3 is revised and amended to read as follows:

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Act of June 28, 1940 (54 Stat. 676) as amended, and Executive Orders 9125, 9250, 9280, and 9328, the following order is prescribed:

(a) *Institution of and intervention in civil proceedings.* The General Counsel or the Acting General Counsel, the Deputy Administrator in Charge of Enforcement, or the Acting Deputy Administrator in Charge of Enforcement, the Director of the Litigation Division or the Acting Director of the Litigation Division, the Regional Enforcement Executives or the Acting Regional Enforcement Executives, the Regional Litigation Attorneys or the Acting Regional Litigation Attorneys, the District Enforcement Attorneys or the Acting District Enforcement Attorneys are each authorized to institute and/or intervene in, and to conduct appropriate civil actions or proceedings, in the name of the Price Administrator; and any of the foregoing may authorize any other attorney employed by the Office of Price Administration to institute and/or intervene in, and to conduct appropriate civil actions or proceedings in the name of the Price Administrator. Except as herein provided, no other officer or employee of the Office of Price Administration, whether employed in the principal office in Washington, D. C., or in any regional or field office, has authority to institute or intervene in proceedings on behalf of the Price Administrator.

The Price Administrator does hereby ratify, approve and confirm all acts done and all proceedings had or taken by an attorney-at-law regularly admitted to practice in any state, territory, or district, purporting to act in the name of or on behalf of the Price Administrator in any suit, action or proceeding heretofore at any time brought or purporting to be brought by the Price Administrator in any court of the United States or of any state, territory or district, said ratification, approval and confirmation to have the same force and effect as if specific authority to institute and conduct such suit, action or proceeding had been expressly granted by the Price Administrator to such attorney immediately prior to the commencement of such suit, action or proceeding. Without in any manner limiting the generality of the foregoing, the Price Administrator does hereby ratify, approve and confirm all acts done and all proceedings had or taken by any such attorney in instituting, maintaining and prosecuting any and all suits, actions and proceedings of whatsoever nature heretofore at any time brought or purporting to be brought in the name of the Price Administrator under the provisions of section 205(a) of the Emergency Price Control Act of 1942 to enjoin violations of said act or any order, schedule or regulation thereunder, or under the provisions of section 205(e) of said act as originally enacted, or as amended, to enforce any liability created by said section, or under the provisions of section 205(f) of said act to revoke the license of any person licensed under said act, or under section 202 of said act to enforce compliance or obedience to any subpoena, order or requirement issued or purporting to be issued under said section, or under subdivision 6 of subsection (a) of section 2 of the Act of June 28, 1940 (54 Stat. 676) as amended, to enforce compliance with, or obedience to, or to enjoin violations of, or to enforce any liability or duty created by, any rule, regulation, order, or subpoena issued under said subsection (a).

(b) *Service of process upon the Administrator.* Service of process upon the Price Administrator may be made by serving him personally, or by leaving a copy thereof at the Office of the Secretary, Office of Price Administration, Washington, D. C. In actions commenced outside of the District of Columbia to obtain judicial review of rationing suspension orders issued under Procedural Regulation No. 4, service of process upon the Price Administrator

may be made by personal service thereof upon the District Director, or, in the latter's absence, upon the Acting District Director of the Office of Price Administration for the OPA district in which the administrative proceedings resulting in the suspension order were originally instituted. No other officer or employee of the Office of Price Administration, whether employed in the principal Office in Washington, D. C., or in any regional or field office, is authorized to accept service of process on behalf of the Price Administrator or enter his appearance in any action or proceeding, except as herein provided.

(c) *Appearance for the Administrator in defensive suits.* The General Counsel or the Acting General Counsel and the Associate General Counsel or the Acting Associate General Counsel in charge of the Court Review, Research and Opinion Division are each authorized to appear for and represent the Price Administrator or the Office of Price Administration in any action or proceeding instituted against the Price Administrator or the Office of Price Administration in the Emergency Court of Appeals and in proceedings for the review of determinations of the Emergency Court of Appeals in the Supreme Court; and any of them may specifically authorize any attorney employed by the Office of Price Administration to appear for and represent the Price Administrator or the Office of Price Administration in any such action or proceedings. The General Counsel or the Acting General Counsel, the Deputy Administrator in Charge of Enforcement, or the Acting Deputy Administrator in Charge of Enforcement, the Director of the Litigation Division or the Acting Director of the Litigation Division are each authorized to appear for and represent the Price Administrator or the Office of Price Administration in any other action or proceeding instituted against the Price Administrator or the Office of Price Administration; and any of them may specifically authorize any attorney employed by the Office of Price Administration to appear for and represent the Price Administrator or the Office of Price Administration in any other such action or proceeding.

Issued and effective this 7th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13766; Filed, Sept. 7, 1944; 12:00 m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on September 4, 1944.

REGION I

Augusta Order 1-F, Amendment 9, covering fresh fruit and vegetables in Portland, S. Portland and Westbrook, Maine, filed 2:02 p. m.

REGION II

Altoona Order 1-F, Amendment 21, covering fresh fruit and vegetables in the Altoona and Johnstown War Price & Rationing Board Area, filed 4:17 p. m.

Altoona Order 14, covering dry groceries in the Altoona District, filed 4:01 p. m.

Albany Order 1-F, Amendment 22, covering fresh fruit and vegetables in designated cities in Albany, N. Y., filed 2:12 p. m.

Baltimore Order 27, Amendment 1, covering dry groceries in Maryland, filed 4:12 p. m.

Binghamton Order 1-F, Amendment 19, covering fresh fruit and vegetables in designated areas in New York, filed 10:31 a. m.

Buffalo Order 2-F, Amendment 20, covering fresh fruit and vegetables in Rochester, E. Rochester, Fairport and Pittsford, filed 10:42 a. m.

Camden Order 15, covering dry groceries in Area I, filed 4:11 p. m.

Camden Order 16, covering dry groceries in Area II, filed 4:10 p. m.

Erie Order 15, covering dry groceries in designated counties in Pennsylvania, filed 2:04 p. m.

Erie Order 16, covering dry groceries in designated counties in Pennsylvania, filed 2:05 p. m.

Philadelphia Order 1-F, Amendment 21, covering fresh fruit and vegetables in the City and County of Philadelphia, filed 4:12 p. m.

Philadelphia Order 2-F, Amendment 5, covering fresh fruit and vegetables in Montgomery and Delaware Counties, Pa., filed 10:42 a. m.

Philadelphia Order 3-F, Amendment 5, covering fresh fruit and vegetables in named counties in Pennsylvania, filed 10:43 a. m.

Syracuse Order 1-F, Amendment 21, covering fresh fruit and vegetables in named areas in New York, filed 4:08 p. m.

Syracuse Order 2-F, Amendment 3, covering fresh fruit and vegetables in New York with exception of certain areas, filed 4:08 p. m.

Trenton Order 15, covering dry groceries in the Trenton, N. J., district, filed 10:54 a. m.

Trenton Order 16, covering dry groceries in the Trenton, N. J., district, filed 10:54 a. m.

Trenton Order 17, covering dry groceries in the Trenton, N. J., district, filed 10:55 a. m.

REGION III

Charleston Order 3-F, Amendment 26, covering fresh fruit and vegetables in named counties in West Virginia, filed 4:07 p. m.

Charleston Order 7-F, Amendment 22, covering fresh fruit and vegetables in Lincoln, Logan, Mingo and Wayne Counties except Huntington in Wayne County, filed 4:07 p. m.

Charleston Order 8-F, Amendment 22, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:07 p. m.

Charleston Order 9-F, Amendment 21, covering fresh fruit and vegetables in Cabell County and Huntington in Wayne County, W. Va., filed 4:06 p. m.

Charleston Order 10-F, Amendment 20, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:06 p. m.

Charleston Order 11-F, Amendment 10, covering fresh fruit and vegetables in Berkeley, Jefferson and Morgan Counties, W. Va., filed 4:05 p. m.

Charleston Order 12-F, Amendment 11, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:05 p. m.

Charleston Order 13-F, Amendment 6, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:04 p. m.

Cincinnati Order 1-F, Amendment 40, covering fresh fruit and vegetables in Hamilton County, Ohio, filed 4:13 p. m.

Cincinnati Order 2-F, Amendment 39, covering fresh fruit and vegetables in Butler, Clark, Montgomery and Scioto in Ohio, filed 4:14 p. m.

Cincinnati Order 3-F, Amendment 12, covering fresh fruit and vegetables in named areas in Ohio, filed 4:14 p. m.

Detroit Order 1-F, Amendment 34, covering fresh fruit and vegetables in designated counties, filed 1:51 p. m.

Detroit Order 1-W, Amendment 3, covering dry groceries in designated counties, filed 10:52 a. m.

Detroit Order 11, Amendment 6, covering community food prices in designated counties in Michigan, filed 10:52 a. m.

Lexington Order 1-F, Amendment 43, covering fresh fruit and vegetables in Fayette County, Ky., filed 10:31 a. m.

Lexington Order 2-F, Amendment 37, covering fresh fruit and vegetables in Campbell and Kenton Counties, Ky., filed 10:32 a. m.

Lexington Order 3-F, Amendment 34, covering fresh fruit and vegetables in Boyd County, Ky., filed 10:32 a. m.

Louisville Order 18 under Order 1-B, Amendment 3, covering community food prices in the Louisville district, filed 1:51 p. m.

Louisville Order 19 under Order 1-B, Amendment 3, covering community food prices in certain areas in Kentucky, filed 1:50 p. m.

Louisville Order 20 under Order 1-B, Amendment 3, covering community food prices in certain areas in Kentucky, filed 1:51 p. m.

Saginaw Order 2-F, Amendment 31, covering fresh fruit and vegetables in designated counties in Michigan, filed 10:35 a. m.

Saginaw Order 3-F, Amendment 8, covering fresh fruit and vegetables in designated counties in Michigan, filed 10:35 a. m.

REGION IV

Jackson Order 2-F, Amendment 26, covering fresh fruit and vegetables in designated counties in Mississippi, filed 4:04 p. m.

Montgomery Order 17, covering dry groceries and perishables in designated areas in Alabama, filed 10:29 a. m.

Richmond Order 4-F, Amendment 8, covering fresh fruit and vegetables in designated counties in Virginia, filed 10:41 a. m.

Richmond Order 5-F, Amendment 6, covering fresh fruit and vegetables in designated areas in Virginia, filed 2:03 p. m.

Savannah Order 1-F, covering poultry in designated counties in Georgia, filed 10:36 a. m.

REGION V

Houston Order 1-F, Amendment 23, covering fresh fruit and vegetables in named counties in Texas, filed 10:37 a. m.

Fort Worth Order 1-F, Amendment 32, covering fresh fruit and vegetables in Tarrant County, Texas, filed 4:03 p. m.

Fort Worth Order 2-F, Amendment 32, covering fresh fruit and vegetables in Taylor County, Tex., filed 4:02 p. m.

Fort Worth Order 3-F, Amendment 32, covering fresh fruit and vegetables in Green County, Tex., filed 4:02 p. m.

Fort Worth Order 4-F, Amendment 32, covering fresh fruit and vegetables in McLennan County, Tex., filed 4:02 p. m.

REGION VI

Chicago Order 2-F, Amendment 29, covering fresh fruit and vegetables in Lake County, Ind. and named counties in Illinois, filed 2:11 p. m.

Des Moines Order 1-F, Amendment 31, covering fresh fruit and vegetables in the Des Moines area, filed 10:56 a. m.

La Crosse Order 1-F, Amendment 32, covering fresh fruit and vegetables in La Crosse and Sparta, Wis.; Winona, Minn., filed 1:52 p. m.

La Crosse Order 3–F, Amendment 28, covering fresh fruit and vegetables in Eau Claire and Chippewa Falls, Wis., filed 1:52 p. m.

La Crosse Order 5–F, Amendment 2, covering fresh fruit and vegetables in City of Rochester, Minn., filed 1:52 p. m.

North Platte Order 28, covering dry groceries in Hastings, Grand Island and Holdrege, in Nebraska, filed 4:23 p. m.

North Platte Order 29, covering dry groceries in designated areas in Nebraska, filed 2:03 p. m.

North Platte Order 30, covering dry groceries in North Platte and McCook, in Nebraska, filed 2:13 p. m.

North Platte Order 31, covering dry groceries in designated counties in Nebraska, filed 2:14 p. m.

North Platte Order 32, covering dry groceries in Scottsbluff and Crawford in Nebraska, filed 2:14 p. m.

North Platte Order 33, covering dry groceries in designated areas in Nebraska, filed 3:02 p. m.

North Platte Order 7–F, covering fresh fruit and vegetables in the North Platte district, filed 4:17 p. m.

Peoria Order 2–F, Amendment 17, covering fresh fruit and vegetables in designated cities in Illinois, filed 4:09 p. m.

Peoria Order 3–F, Amendment 17, covering fresh fruit and vegetables in designated areas in Illinois, filed 4:09 p. m.

Peoria Order 4–F, Amendment 12, covering fresh fruit and vegetables in Bloomington and Normal in McLean County, Ill., filed 4:01 p. m.

REGION VII

Montana Order 66, covering community food prices in the Great Falls and Black Eagle areas, filed 1:58 p. m.

Montana Order 67, covering community food prices in designated areas in Montana, filed 1:58 p. m.

Montana Order 69, covering community food prices in the Miles City area, filed 1:56 p. m.

Montana Order 71, covering community food prices in the Missoula area, filed 1:54 p. m.

Montana Order 72, covering community food prices in the Kalispell area, filed 1:54 p. m.

Montana Order 73, covering community food prices in the Anaconda area, filed 1:53 p. m.

Montana Order 74, covering community food prices in the Havre and Chinook areas, filed 1:53 p. m.

REGION VIII

Fresno Order 1, Amendment 2, covering community food prices in the Fresno City area, filed 4:14 p. m.

Fresno Order 2, Amendment 2, covering community food prices in the Fresno Outlying area, filed 4:16 p. m.

Fresno Order 3, Amendment 2, covering community food prices in the Merced County area, filed 4:15 p. m.

Fresno Order 4, Amendment 3, covering community food prices in the Stanislaus County area, filed 4:15 p. m.

Fresno Order 5, Amendment 2, covering community food prices in the Kern County area, filed 4:16 p. m.

Fresno Order 6, Amendment 2, covering community food prices in the Fresno district area, filed 4:16 p. m.

San Diego Order 1–F, Amendment 58, covering fresh fruit and vegetables in the San Diego district, filed 2:11 p. m.

San Diego Order 2–F, Amendment 6, covering fresh fruit and vegetables in the San Diego district, filed 2:12 p. m.

San Diego Order 3–F, Amendment 5, covering fresh fruit and vegetables in the San Diego district, filed 2:12 p. m.

Seattle Order 125, covering community food prices in the Olympia area, filed 2:05 p. m.

Seattle Order 126, covering community food prices in the Aberdeen-Hoquiam area, filed 2:05 p. m.

Seattle Order 127, covering community food prices in the Centralia-Chehalis area, filed 2:06 p. m.

Seattle Order 128, covering community food prices in the Wenatchee area, filed 2:06 p. m.

Seattle Order 129, covering community food prices in the Yakima area, filed 2:06 p. m.

Spokane Order 1–F, Amendment 23, covering fresh fruit and vegetables in Spokane County, Wash., filed 2:07 p. m.

Spokane Order 2–F, Amendment 20, covering fresh fruit and vegetables in Kootenai County, Idaho, filed 2:07 p. m.

Spokane Order 13, Amendment 4, covering community food prices in certain areas in Spokane County, Wash., filed 2:10 p. m.

Spokane Order 14, Amendment 3, covering community food prices in certain areas in Spokane County, Wash., filed 2:09 p. m.

Spokane Order 15, Amendment 4, covering community food prices in certain areas in Columbia and Walla Walla Counties, Wash., filed 2:09 p. m.

Spokane Order 16, Amendment 4, covering community food prices in certain areas of Asotin County, Wash., and Nez Perce County, Idaho, filed 2:09 p. m.

Spokane Order 17, Amendment 4, covering community food prices in certain areas of Kootenai County, Idaho, filed 2:08 p. m.

Spokane Order 18, Amendment 5, covering community food prices in certain areas of Shoshone and Kootenai Counties, Idaho, filed 2:08 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–13788; Filed, Sept. 7, 1944; 4:54 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 5, 1944.

REGION II

Buffalo Order 11, covering dry groceries in the Buffalo, New York Area, filed 3:00 p. m.

Buffalo Order 12, covering dry groceries in Monroe & Livingston Counties, N. Y., filed 3:00 p. m.

Maryland Order 1–F, Amendment 21, covering fresh fruit and vegetables in Baltimore City and suburban communities, filed 10:12 a. m.

Maryland Order 3–F, Amendment 8, covering fresh fruit and vegetables in Hagerstown, filed 10:12 a. m.

Philadelphia Order 19, covering dry groceries in designated counties in Pennsylvania, filed 2:58 p. m.

Philadelphia Order 18, covering dry groceries in designated counties in Pennsylvania, filed 2:58 p. m.

Philadelphia Order 20, covering dry groceries in Berks County, Pa., filed 2:57 p. m.

Philadelphia Order 21, covering dry groceries in Lehigh & Northampton Counties in Pennsylvania, filed 2:57 p. m.

REGION III

Saginaw Order 21, covering dry groceries in designated counties in Michigan, filed 3:01 p. m.

REGION V

Shreveport Order 3–W, covering community food pricing at wholesale in the Shreveport District, filed 10:04 a. m.

Shreveport Order G–15, covering dry groceries and perishables in designated parishes in Louisiana, filed 10:05 a. m.

Tulsa Order 6–F, Amendment 16, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 10:01 a. m.

REGION VI

Duluth-Superior Order 1–F, Amendment 29, covering fresh fruit and vegetables in Duluth, Proctor and City and Town of Superior, filed 10:14 a. m.

La Crosse Order 2–F, Amendment 6, covering fresh fruit and vegetables in designated areas in Minnesota and Wisconsin, filed 10:15 a. m.

Peoria Order 3–F, Amendment 15, covering fresh fruit and vegetables in designated areas in Illinois, filed 10:14 a. m.

Peoria Order 4–F, Amendment 10, covering fresh fruit and vegetables in Bloomington and Normal in McLean Co. and State of Illinois, filed 10:14 a. m.

Milwaukee Order 4–F, Amendment 9, covering fresh fruit and vegetables in designated areas, filed 10:13 a. m.

Milwaukee Order 4, Amendment 8, covering community food prices in Milwaukee Co. and within Racine and Kenosha, Wisconsin, filed 10:08 a. m.

REGION VII

Montana Order 75, covering community food prices in named areas in Montana, filed 2:27 p. m.

Montana Order 76, covering community food prices in the Wolf Point Area, filed 10:15 a. m.

Montana Order 77, covering community food prices in the Glasgow Area, filed 10:15 a. m.

Montana Order 78, covering community food prices in named areas in Montana, filed 10:17 a. m.

Montana Order 64, covering community food prices in the Helena and E. Helena area, filed 2:00 on Sept. 4.

Wyoming Order 34, covering community food prices in the Buffalo, Gillette and Sheridan County Area, filed 10:01 a. m.

Wyoming Order 35, covering community food prices in the Casper Area, filed 9:56 a. m.

Wyoming Order 36, covering community food prices in the Cheyenne Area, filed 10:00 a. m.

Wyoming Order 37, covering community food prices in the Cody, Lovell and Powell Area, filed 9:55 a. m.

Wyoming Order 38, covering community food prices in the Douglas Area, filed 9:59 a. m.

Wyoming Order 39, covering community food prices in the Greybull Area, filed 9:58 a. m.

Wyoming Order 40, covering community food prices in the Landon, Riverton and Thermopolis, Worland Area, filed 9:56 a. m.

Wyoming Order 41, covering community food prices in the Laramie Area, filed 9:54 a. m.

Wyoming Order 42, covering community food prices in the Rock Springs Area, filed 9:54 a. m.

Wyoming Order 43, covering community food prices in the Sheridan Area, filed 9:58 a. m.

REGION VIII

Seattle Order 110, covering community food prices in the Seattle Area, filed 10:02 a. m.

Seattle Order 111, covering community food prices in the Tacoma Area, filed 10:02 a. m.

Seattle Order 112, covering community food prices in the Everett Area, filed 10:02 a. m.

Seattle Order 113, covering community food prices in the Bremerton Area, filed 10:03 a. m.

Seattle Order 114, covering community food prices in the Bellingham Area, filed 10:03 a. m.

Seattle Order 115, covering community food prices in the Olympia Area, filed 10:03 a. m.

Seattle Order 116, covering community food prices in the Aberdeen-Hoquiam Area, filed 10:04 a. m.

Seattle Order 117, covering community food prices in the Centralia-Chehalis Area, filed 10:04 a. m.

Seattle Order 118, covering community food prices in the Wenatchee Area, filed 10:07 a. m.

Seattle Order 119, covering community food prices in the Yakima Area, filed 10:07 a. m.

Seattle Order 120, covering community food prices in the Seattle Area, filed 3:02 p. m.

Seattle Order 121, covering community food prices in the Tacoma Area, filed 3:03 p. m.

Seattle Order 122, covering community food prices in the Everett Area, filed 3:03 p. m.

Seattle Order 123, covering community food prices in the Bremerton Area, filed 3:03 p. m.

Seattle Order 124, covering community food prices in the Bellingham Area, filed 3:03 p. m.

Copies of any of the above orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLOCK,
Secretary.

[F. R. Doc. 44-13789; Filed, Sept. 7, 1944; 4:55 p. m.]

COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 6, 1944.

REGION II

Altoona Order 1-F, Amendment 22, covering fresh fruit and vegetables in the Altoona and Johnstown War Price & Rationing Board Area, filed 9:47 a. m.

Binghamton Order 1-F, Amendment 21, covering fresh fruit and vegetables in designated areas in Pennsylvania.

REGION III

Columbus Order 8-F, Amendment 18, covering fresh fruit and vegetables in designated counties in Ohio, filed 9:50 a. m.

Lexington Order 1-F, Amendment 45, covering fresh fruit and vegetables in Fayette Co., Ky., filed 9:40 a. m.

Lexington Order 2-F, Amendment 30, covering fresh fruit and vegetables in Campbell and Kenton Counties, Ky., filed 9:48 a. m.

Lexington Order 3-F, Amendment 36, covering fresh fruit and vegetables in Boyd County, Ky., filed 9:49 a. m.

REGION IV

South Carolina Order 8-W, Amendment 1, covering dry groceries in named areas in South Carolina, filed 9:42 a. m.

South Carolina Order 14, Amendment 8, covering eggs in State of South Carolina, filed 9:42 a. m.

South Carolina Order 15, Amendment 1, covering dry groceries & perishables in certain areas in South Carolina, filed 9:42 a. m.

REGION V

Fort Worth Order 5-F, Amendment 32, covering fresh fruit and vegetables in Wichita County, Texas, filed 9:53 a. m.

REGION VI

Chicago Order 8, Amendment 2, covering community dry groceries and perishables in certain areas in the Chicago District, filed 9:53 a. m.

Milwaukee Order 2-F, Amendment 30, covering community fresh fruit and vegetables in Dane County, filed 9:51 a. m.

Milwaukee Order 3-F, Amendment 29, covering fresh fruit and vegetables in Milwaukee Co., and Racine and Kenosha, filed 9:52 a. m.

Milwaukee Order 4-F, Amendment 10, covering fresh fruit and vegetables in designated counties, filed 9:52 a. m.

Milwaukee Order 5-F, Amendment 28, covering fresh fruit and vegetables in Sheboygan and Pond du Lac Counties, filed 9:51 a. m.

Twin Cities Revised Order 1-W, Amendment 2, covering dry groceries in Twin Cities Area, filed 9:53 a. m.

Sioux City Order 2-F, Amendment 32, covering fresh fruit and vegetables in Sioux City, Iowa and South Sioux City, Nebr., filed 9:50 a. m.

REGION VIII

Los Angeles Order 1-F, Amendment 27, covering fresh fruit and vegetables in the Los Angeles Metropolitan Area, filed 9:49 a. m.

Boise Order 11-W, covering wholesale community food prices in Boise City, Idaho, filed 9:43 a. m.

Boise Order 12-W, covering community food prices in the Idaho Falls, Idaho Area, filed 9:43 a. m.

Boise Order 13-W, covering community food prices in the Ontario, Oregon Area, filed 9:44 a. m.

Boise Order 14-W, covering community food prices in the City of Pocatello, Idaho, filed 9:44 a. m.

Boise Order 15-W, covering community food prices at wholesale in the Twin Falls Area, filed 9:45 a. m.

Boise Order 25, covering retail community food prices in Pocatello, Idaho, filed 9:54 a. m.

Boise Order 26, covering retail community food prices in Boise City, Idaho Area, filed 9:54 a. m.

Boise Order 27, covering retail community food prices in the Boise Valley Loop Area, filed 9:55 a. m.

Boise Order 28, covering retail community food prices in the Twin Falls Area, filed 9:56 a. m.

Boise Order 29, covering retail community food prices in Idaho Falls, Idaho, filed 9:45 a. m.

Idaho Order 30, covering retail community food prices in the Mountain Home Area, filed 9:46 a. m.

Idaho Order 31, covering retail community food prices in the Ontario, Oreg. Area, filed 9:47 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-13790; Filed, Sept. 7, 1944; 4:54 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-816]

AMERICAN LIGHT & TRACTION CO., ET AL.

ORDER RELEASING JURISDICTION WITH RESPECT TO LEGAL FEES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of September, A. D. 1944.

In the matter of American Light & Traction Company, Michigan Consolidated Gas Company, American Production Company, American Michigan Pipe Line Company, and Waverly Company, File No. 70-816.

The Commission having by orders dated December 20, 1943 and March 20, 1944 approved, among other things, the refunding of the outstanding funded debt and preferred stock of Michigan Consolidated Gas Company, a subsidiary of American Light & Traction Company; and having by said orders reserved jurisdiction over attorneys' fees incurred, and fees for advisory services rendered, in connection with the said financing; and

A supplemental application having been filed, containing various data with respect to legal services performed in connection with the transactions and a statement of legal fees incurred in the total amount of $48,500, such total consisting of $22,500 to Sidley, McPherson, Austin & Burgess, $15,000 to Angell, Turner, Dyer & Meek, $8,500 to Clare J. Hall and $2,500 to Bodman, Longley, Bogle, Middleton & Armstrong; and

It appearing to the Commission that such legal fees are not unreasonable and that jurisdiction over them should now be released; and

It appearing also to the Commission that the record is incomplete with respect to a fee of $30,000 for advisory services rendered to Michigan Consolidated Gas Company by Dillon, Read & Co. in connection with the various transactions and that jurisdiction with respect to the reasonableness of said fee should be reserved;

It is hereby ordered, That the jurisdiction reserved in the orders heretofore entered herein on December 20, 1943 and March 20, 1944 with respect to the reasonableness of the legal fees incurred and to be paid by applicants and declarants in connection with said transactions be, and the same is hereby, released.

It is further ordered, That jurisdiction is reserved with respect to the reasonableness of fees for advisory services rendered in connection with the transactions by Dillon, Read & Co.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-13823; Filed, Sept. 8, 1944; 9:21 a. m.]

[File No. 70-861]

ARKANSAS POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of September, A. D. 1944.

Notice is hereby given that an application has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under section 6 (b) and Rule U-50 promulgated thereunder, by Arkansas Power & Light

Company ("Arkansas"), an Arkansas corporation and a utility subsidiary of Electric Power & Light Corporation ("Electric"), a registered holding company, which is itself a subsidiary of Electric Bond and Share Company, also a registered holding company; and

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Arkansas proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, $30,000,000 principal amount of First Mortgage Bonds to mature in 1974, the bid or bids for such securities to fix the interest rate and the price to be paid to the company which shall not be less than 102% of the principal amount. The proceeds of the sale of the First Mortgage Bonds are to be applied, together with treasury cash, to the repayment, at the contract redemption price, of all of Arkansas' presently outstanding First and Refunding Mortgage Gold Bonds in the aggregate principal amount of $32,108,000 plus accrued interest to the date of redemption.

The issue and sale of said First Mortgage Bonds will, according to the filing, be expressly authorized by the Department of Public Utilities of Arkansas.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not become effective or be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder to be held on September 19, 1944 at 10.00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Department of Public Utilities of Arkansas and to the applicant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before September 16, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds by Arkansas are solely for the purpose of financing the business of said company and have been expressly authorized by a State Commission of the State in which Arkansas is organized and doing business.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935, or any rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13826; Filed, Sept. 8, 1944; 9:21 a. m.]

[File No. 70-948]

GENERAL GAS & ELECTRIC CORP.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of September 1944.

Declaration of dividends out of capital surplus. Declaration by registered holding company pursuant to section 12 (c) and Rule U-46 permitted to become effective with respect to the payment of dividends to prior preferred shareholders out of capital surplus where no prejudice to security holders or public is found.

General Gas & Electric Corporation (hereinafter called Gengas), a registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter called Trustees), a registered holding company, has filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 (the Act), in which it proposes to declare out of capital or unearned surplus a quarterly dividend for the period ending September 15, 1944 of $1.25 per share, on its $5 Prior Preferred Stock, no par value.

The entire issue outstanding is 60,000 shares, of which 27,889.1 shares are held by the Trustees, who have, by a letter dated August 16, 1944, waived their right to collect such quarterly dividend, until further order of the Commission. The number of shares in the hands of the public is 32,110.9 (of which 8.9 shares are held in scrip, and such scrip will not receive a dividend), so that $40,127.50 will be required to make the dividend payment.

After appropriate notice a public hearing was held. No one appeared at the hearing to oppose the proposed dividend payment. Having considered the record therein, the Commission makes the following findings:

As at June 30, 1944, the assets of Gengas, per books, available for security holders totalled $28,501,248. The only securities of, or claims against, Gengas which, according to its books, are senior to the $5 Prior Preferred Stock, consist of certain obligations payable to the Trustees. These obligations, including interest thereon, aggregate $3,250,521.

The books of Gengas, as of June 30, 1944, reflect an earned surplus deficit of $3,739,839; the capital surplus is shown as $12,921,373.

Net income of Gengas for the twelve months ended June 30,1944, amounted to $594,500. As at June 30, 1944, Gengas had cash on hand in the amount of $661,957 and United States Treasury Certificates costing $3,500,000.

A cash forecast for the twelve months ending December 31, 1944, submitted by the company in connection with the filing, indicates that Gengas will be able to meet all its cash requirements, continue to maintain an adequate cash balance, and pursue its present dividend policy. The forecast contemplates that at the end of the period the cash balance will be $857,848, plus United States Treasury Certificates costing $3,500,000.

This is the eleventh time that Gengas has filed a declaration to declare a dividend on its publicly held Prior Preferred Stock out of capital surplus. We have on each occasion considered that the assets of Gengas were substantial in relation to the size of the proposed dividend, and that the Prior Preferred Stock is, by its terms, entitled to be paid dividend arrearages in full before dividends can be paid on the other preferred stocks. These same factors are equally cogent with regard to the present declaration.

We make no adverse findings under the applicable sections of the act and rules promulgated thereunder.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13824; Filed, Sept. 8, 1944; 9:21 a. m.]

[File No. 70-960]

PHILADELPHIA ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of September 1944.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Philadelphia

Electric Company, a subsidiary of The United Corporation, a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions herein proposed, which are summarized as follows:

Philadelphia Electric Company proposes to issue and sell at public sale, pursuant to the competitive bidding provisions of Rule U-50, $65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series, due 1969, and $65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series, due 1974, the bid or bids for such bonds to fix the price to be paid to the Company. The proceeds of the sale of these bonds are to be applied, together with treasury cash or cash acquired by means of short-term bank loans, to redeem $130,000,000 principal amount of the company's First and Refunding Mortgage Bonds, 3½% Series, due 1967, at the redemption price of 106% of the principal amount thereof, together with accrued interest to the date of redemption.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said application shall not be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on said application under the applicable provisions of the act and the rules of the Commission thereunder be held on September 22, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in room 318 will at that time designate. All persons desiring to be heard or otherwise wishing to participate in the proceeding shall file with the Commission on or before September 19, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission; and

It is further ordered, That Charles S. Lobinger, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matters. The officer so designated to preside at such hearing is authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice; and

It is further ordered, That, without limiting the scope of the issues presented by such application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed issue and sale of bonds by Philadelphia Electric Company are solely for the purpose of financing the business of the company and have been expressly authorized by the State Commission of the State in which the company is organized and doing business.

(2) Whether the fees, commissions or other remunerations to be paid in connection with the proposed issue and sale of bonds are for necessary services and are reasonable in amount.

(3) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions, and if so, what the terms and conditions should be.

It is further ordered, That notice of the aforesaid hearing be given to the applicant and to the Pennsylvania Public Utility Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13825; Filed, Sept. 8, 1944; 9:22 a. m.]

[File Nos. 54-75; 70-726]

COMMONWEALTH & SOUTHERN CORP. (DEL.)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of September, A. D. 1944.

The Commonwealth & Southern Corporation (Delaware) (Commonwealth), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder regarding the proposed payment of a dividend of $1.25 per share (payable on the 28th day after approval by this Commission to stockholders of record at the close of business on the 14th day thereafter) on its 1,482,000 shares of preferred stock outstanding, the aggregate amount of such dividend payment being $1,852,500; and

Said declaration having been filed on August 22, 1944 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission regarding the proposed payment as similar in principle to those proposed by Commonwealth and permitted by the Commission's orders of June 24, September 13, November 28, 1943, March 8 and June 3, 1944 (Holding Company Act Release Nos. 4383, 4562, 4709, 4933 and 5084) and, as in the case of said prior dividend payments, as being made out of capital; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective; and

Commonwealth having requested that the effective date of the declaration be accelerated to facilitate the prompt payment of the proposed dividends to the preferred stockholders and the Commission deeming it appropriate that such request for acceleration be granted;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith, subject to the condition that Commonwealth accompany the dividend checks with a statement indicating that the dividend is being paid out of capital.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13822; Filed, Sept. 8, 1944; 9:22 a. m.]

WAR PRODUCTION BOARD.

[Certificate 83, Revocation]

TRANSPORTATION AND DELIVERY OF FLOWERS IN DETROIT, MICH., AREA

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated June 10, 1943, concerning a recommendation of the Director of the Office of Defense Transportation with respect to the transportation and delivery of flowers and related articles by motor vehicle in the Detroit, Michigan, metropolitan area.[1]

J. A. KRUG, *Acting Chairman.*

SEPTEMBER 6, 1944.

[F. R. Doc. 44-13847; Filed, Sept. 8, 1944; 11:24 a. m.]

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[1] 8 F.R. 6095.

SEP 14 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 181

Washington, Tuesday, September 12, 1944

The President

EXECUTIVE ORDER 9430

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE TWENTIETH CENTURY BRASS WORKS, INC., LOCATED AT MINNEAPOLIS, MINNESOTA

WHEREAS, after an investigation, I find and proclaim that the plants and facilities of the Twentieth Century Brass Works, Inc., located in and around Minneapolis, Minnesota, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby directed as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Twentieth Century Brass Works, Inc., located in and around Minneapolis, Minnesota, and, to the extent that he may deem necessary, of any real or personal property and other assets wherever situated, used in connection with the operation thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Twentieth Century Brass Works, Inc. and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the Directive Order of the National War Labor Board dated May 30, 1944, provided that the Secretary of War is authorized to pay the wage increases specified in said Directive Order, which accrued prior to the taking of possession of said plants and facilities under this order, only out of the net operating income of said plants and facilities during the period of their operation by the Secretary of War. In the event that it appears to the Secretary of War that the net operating income of said plants and facilities will be insufficient to pay the foregoing accrued wage increases, the Secretary shall make a report to the President with respect thereto.

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 9, 1944.

[F. R. Doc. 44-13091; Filed, Sept. 11, 1944; 11:05 a. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[W.F.O. 111–1, Amdt. 1]

PART 1470—FOOD STORAGE FACILITIES

DESIGNATION OF RESTRICTED, EXCLUDED, LIMITED-STORAGE, AND CEILING INVENTORY COMMODITIES AND REQUIREMENT OF REPORTS

Pursuant to the authority vested in me by War Food Order No. 111, issued August 31, 1944 (9 F.R. 10761), and to effectuate the purposes of such order, War Food Order No. 111–1, issued August 31, 1944 (9 F.R. 10762), is amended as follows:

1. By deleting § 1470.6 (b) (12) thereof and substituting therefor the following provision:

(12) Dried and evaporated fruits during the period commencing at 12:01, a. m., e. w. t., September 30, 1944, and ending at 12:01 a. m., e. w. t., January 1, 1945, when stored within the District of Columbia or within the following states:

California, Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Virginia, Vermont, Washington, West Virginia, and Wisconsin.

2. By deleting § 1470.6 (g) (1) thereof.

3. By amending § 1470.6 (h) (1) thereof to read as follows:

On Form 111–1, within fifteen (15) days after the effective date of this order, the total quantity in pounds now held in freezer space in such facility of all commodities designated in item (10) of the list of paragraph (c) hereof.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 111, 9 F.R. 10761)

Issued this 9th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–13936; Filed Sept. 9, 1944, 11:14 a. m.]

[WFO 112]

PART 1510—YEAST

ACTIVE DRY YEAST

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of active dry yeast for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1510.1 *Restrictions relative to active dry yeast*—(a) *Definitions.* (1) "Active dry yeast" means dried, live, leavening yeast, usually grown on a molasses wort; *Provided*, That dried yeasts containing cereals or grains for use primarily as carriers are excluded from this definition.

(2) "Person" means any individual, partnership, association, corporation, business trust, or any organized group of persons, whether incorporated or not.

(3) "Manufacturer" means any person who produces active dry yeast for delivery to others, or for his use in manufacturing other products.

(4) "Government agency" means (i) the War Food Administration (including but not being limited to, any corporate agency thereof); (ii) the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, sales commissaries, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations); and (iii) any other agency or instrumentality of the United States designated by the Director.

(5) "Deliver" means the transfer of the title to active dry yeast from the manufacturer thereof to government agency, or to some other person; and such delivery may be evidenced by execution of bill of lading, receipt, or other document acceptable to the Director.

(6) "Director" means the Director of Distribution, War Food Administration.

(7) "Order Administrator" means the person designated by the Director, pursuant to the provision hereof, to serve as the administrator of this order.

(8) "Alternate Order Administrator" means the person designated by the Director, pursuant to the provisions hereof, to serve as the alternate administrator of this order.

(b) *Restrictions.* (1) Without regard to the rights of creditors, existing contracts, or payments made, every manufacturer who owns and has in his possession active dry yeast on the effective date of this order, and every manufacturer who produces active dry yeast on or after the effective date of this order, shall promptly set aside 100 percent of said active dry yeast and thereafter hold such active dry yeast for sale and delivery to government agency. However, any manufacturer who produced active dry yeast during August 1944 may, during the remainder of the calendar year 1944 after the effective date of this order, use active dry yeast in the manufacture of other products, or deliver active dry yeast to persons other than government agency, either or both, in a total quantity not in excess of 10 percent of the quantity of active dry yeast which he produced during the calendar month of August 1944, or 10,000 pounds of active dry yeast, whichever is the lesser.

(2) No manufacturer shall use, in the manufacture of any product, active dry yeast which contains more than 8 percent of moisture by weight. No manufacturer shall deliver active dry yeast to government agency, or to others, which contains more than 8 percent of moisture by weight.

(c) *Audits and inspections.* The Director shall be entitled to make such

audit or inspection of the books, records, and other writings, premises or stocks of active dry yeast of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order,

(d) *Records and reports.* (1) Within 15 days after the effective date of this order, each manufacturer shall report to the Director, on Form FDO 112–1, the following information, separately: (i) The total quantity (in pounds) of active dry yeast which he produced during the calendar month of August 1944; and (ii) the total quantity (in pounds) of active dry yeast which he owned and had in his possession at the effective time of this order.

(2) Each manufacturer shall submit reports, on Form FDO 112–2, for the month during which this order becomes effective, and for each month thereafter, showing: (i) The total quantity (in pounds) of active dry yeast which he produced during such month; (ii) the total quantity (in pounds) of active dry yeast which he delivered to government agency during that month; and (iii) the total quantity (in pounds) of active dry yeast which he owned and had in his possession at the end of that month. The report for each month shall be sent to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref: War Food Order No. 112, in time to reach him on or before the tenth day of the month following the month for which such report is made and it shall contain the information required by the Director.

(3) The Director shall be entitled to obtain such additional information from, and require such additional reports, and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or the administration of the provisions of this order.

(4) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his production of and transactions in active dry yeast.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 112, Special Commodities Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator, and one such employee shall be designated by the Director to serve as Alternate Order Administrator.

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 112, Special Commodities Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 16, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 7th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–13870; Filed, Sept. 8, 1944; 12:56 p. m.]

Chapter XII—War Food Administration (Commodity Credit Orders)

[WFO 28, Termination]

PART 1600—OILSEEDS

COTTONSEED

War Food Order No. 28 (formerly Commodity Credit Corporation Order 7) (8 F.R. 12734, 8 F.R. 15813) is hereby terminated as of 12:01 a. m., e. w. t. Sept. 8, 1944.

With respect to violations, rights accrued, or liabilities incurred under War Food Order No. 28 prior to said date, all provisions of said War Food Order No. 28 shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–13867; Filed, Sept. 8, 1944; 3:10 p. m.]

[WFO 113]

PART 1600—OILSEEDS

RESTRICTIONS ON PURCHASES AND USE OF COTTONSEED

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of cottonseed for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1600.10 *Restrictions on purchases and on use of cottonseed*—(a) *Definitions.* (1) "Processor" means any person engaged in the business of producing cottonseed oil.

(2) "Manufacturer" means any person engaged in the business of producing cottonseed products other than oil.

(3) "Seed dealer" means any person engaged in the business of buying and selling cottonseed for planting purposes.

(4) "Recognized handler" means any person regularly engaged prior to August 1, 1943, in the business of purchasing and selling cottonseed.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, including the States of the United States, their political subdivisions and agencies.

(6) "Purchase" means to purchase, acquire by barter or exchange, or to contract to do any of the foregoing. The term "sell" shall be construed accordingly.

(7) "Cottonseed" means whole or ground cottonseed.

(8) "Damaged cottonseed" means cottonseed which has been damaged by any casualty, risk, or event insured against and may include undamaged cottonseed which, as a result of the casualty, risk, or event insured against, or of the salvage process, is so commingled with damaged cottonseed or foreign substances as to make separation impracticable.

(b) *Limitation on inventory and use of cottonseed by processors, manufacturers and seed dealers.* No processor,

manufacturer or seed dealer shall purchase or accept delivery of cottonseed of the 1944 crop in a total quantity which, taken in conjunction with the quantity of his existing supply of cottonseed, would be in excess of his processing, manufacturing, and seed sales requirements for the period ending August 15, 1945; and no cottonseed of the 1944 crop shall be used by a processor, manufacturer or seed dealer except for meeting his processing, manufacturing and seed sales requirements, or for sale to persons eligible to purchase or accept delivery of such cottonseed under this subsection or under paragraph (c) or (d) hereof.

(c) *Limitation on ginner's and recognized handler's inventory of cottonseed.* No ginner or recognized handler shall purchase or accept delivery of cottonseed of the 1944 crop if such action would result in his having on hand at any time a quantity of cottonseed of the 1944 crop exceeding the quantity for which he has contracts to sell to processors, manufacturers, and seed dealers but which he has not yet delivered, plus the greater of (1) the quantity of cottonseed of the 1944 crop purchased by him during the immediately preceding 30 days or (2) 30 tons of such cottonseed.

(d) *Restrictions on purchase of cottonseed by other persons.* No person other than a processor, a manufacturer, a seed dealer, a ginner, or a recognized handler shall purchase or accept delivery of cottonseed of the 1944 crop in a total quantity in excess of the quantity necessary to meet his planting requirements.

(e) *Prohibition on purchase and use of cottonseed for feed and fertilizer.* No person shall purchase or accept delivery of cottonseed for use as or for manufacture into feed or fertilizer, and no cottonseed purchased by or delivered to any person shall be used as or manufactured into feed or fertilizer. This restriction applies only to cottonseed in whole or ground form.

(f) *Purchase and sale of damaged cottonseed by insurers.* Notwithstanding any other provision of this order, an insurer of cottonseed which is damaged by any casualty, risk or event insured against, and any person acting on behalf of such insurer (all hereinafter called "such insurer"), may purchase and accept delivery of such damaged cottonseed. In the event that such damaged cottonseed is unsuitable for processing, manufacturing, seed sale, or planting purposes, such insurer may sell and deliver and any other person may purchase and accept delivery of such damaged cottonseed from such insurer and from any owner subsequent to such insurer for use as, manufacture into, and resale as feed or fertilizer.

(g) *Prohibition on sales.* No person shall sell cottonseed to any person if he knows or has reason to believe that the purchase thereof would be in violation of this order.

(h) *Existing contracts.* The restrictions imposed by this order shall be effective without regard to the rights of creditors, existing contracts, or payments made.

(i) *Audits and inspections.* The President of the Commodity Credit Corporation shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of cottonseed of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(j) *Records and reports.* (1) The President of the Commodity Credit Corporation shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary, or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the President of the Corporation may designate), maintain an accurate record of his transactions in cottonseed.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the President of the Commodity Credit Corporation, setting forth in such petition all pertinent facts and the nature of the relief sought. The President of the Commodity Credit Corporation may thereupon take such action as he deems appropriate, which action shall be final.

(l) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(m) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the President of the Commodity Credit Corporation. The President of the Commodity Credit Corporation is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the President of the Commodity Credit Corporation, be addressed to the President of the Commodity Credit Corporation, War Food Administration, Washington 25, D. C., Ref: WFO 113.

(o) *Effective date.* This order shall become effective on 12:01 a. m., e. w. t., September 8, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-13888; Filed, Sept. 8, 1944; 3:10 p. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 201—DISCOUNTS FOR AND ADVANCES TO MEMBER BANKS BY FEDERAL RESERVE BANKS

DISCOUNT OF NOTES, DRAFTS AND BILLS OF MEMBER BANKS

Section 201.1 (h) is amended, effective September 11, 1944, by changing the last sentence thereof to read as follows:

§ 201.1 *Discount of notes, drafts, and bills of member banks.* * * *

(h) *Determination of eligibility.* * * * The requirement of this section of the regulation that a note, draft, or bill of exchange be negotiable shall not be applicable with respect to any note, draft, or bill of exchange evidencing a loan which is in whole or in part the subject of a guarantee or commitment made pursuant to Executive Order No. 9112 or the Contract Settlement Act of 1944.

(Sec. 3, 42 Stat. 163; sec. 3, 40 Stat. 234, 42 Stat. 821; sec. 204, 49 Stat. 705; sec. 11 (i), 38 Stat. 262; sec. 402, 42 Stat. 1478, 1479, 45 Stat. 975, 46 Stat. 162; sec. 403, 42 Stat. 1479; sec. 9, 48 Stat. 180; sec. 16 (a), 48 Stat. 348; sec. 7 (a), 48 Stat. 646; 39 Stat. 753; sec. 5, 40 Stat. 235; 39 Stat. 754; sec. 404, 42 Stat. 1479; sec. 5, 47 Stat. 160; sec. 10, 40 Stat. 239; sec. 505 (b), 48 Stat. 1269; Public No. 395, 78th Congress, 58 Stat., Chap. 358; 12 U.S.C. 301, 330, 347 (b); 248 (i), 343, 347, 361, 372, 373, 348-349; 351, 352, 374, 371)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 44-13889; Filed, Sept. 8, 1944; 3:07 p. m.]

PART 223—FINANCING OF WAR PRODUCTION AND WAR CONTRACT TERMINATION

This regulation is based upon and issued pursuant to the Executive Order of the President, No. 9112 (7 F.R. 2367), dated March 26, 1942 (herein called the Executive Order), section 7 of the Act of June 11, 1942, 50 U.S.C. (Appendix) 1107, the Contract Settlement Act of 1944, approved July 1, 1944 (herein called the Settlement Act) and various provisions of the Federal Reserve Act, and

has been approved by the Director of Contract Settlement.[1]

Sec.
223.1 Objective of the Federal Reserve System.
223.2 Operations of the Federal Reserve Banks.
223.3 Rates.
223.4 Responsibility and expenses of Federal Reserve Banks.
223.5 Reports.

AUTHORITY: §§ 223.1 to 223.5, inclusive, issued under sec. 7, 56 Stat. 355; Pub. Law 395, 78th Cong.; 58 Stat., Chap. 358; sec. 11 (i) and (j) 38 Stat. 262; sec. 15, 38 Stat. 265; sec. 1, 48 Stat. 1105 as amended by sec. 323, 49 Stat. 714; 50 U.S.C. App. 1107; 12 U.S.C. 248, 391, 352 (a) and Supp., and E.O. 9112, Mar. 26, 1942, 7 F.R. 2367.

NOTE: §§ 223.1 to 223.5, inclusive, contained in Regulation V, Board of Governors of the Federal Reserve System, revised effective September 11, 1944.

§ 223.1 *Objective of the Federal Reserve System.* The objective of the Federal Reserve System in carrying out the purposes of the applicable provisions of the Executive Order and of the Settlement Act is to facilitate and expedite the financing of contractors, subcontractors and others in connection with war production and in connection with claims arising out of the termination of war contracts or operations. The Board of Governors of the Federal Reserve System and the Federal Reserve Banks will cooperate fully in order to achieve this objective. The Federal Reserve Banks have heretofore been designated as fiscal agents of the United States by the Secretary of the Treasury pursuant to the terms of the Executive Order and are authorized by the Settlement Act to act on behalf of the contracting agencies[2] as fiscal agents of the United States in carrying out the purposes of the Act.

§ 223.2 *Operations of the Federal Reserve Banks.* The operations of the Federal Reserve Banks pursuant to the provisions of the Executive Order and of the Settlement Act will be conducted, under the supervision of the Board of Governors of the Federal Reserve System, in accordance with such instructions as may be issued by the contracting agencies.

§ 223.3 *Rates.* Rates of interest, guarantee and commitment fees, and other charges with respect to loans made or guaranteed in whole or in part by any contracting agency through the agency of any Federal Reserve Bank will from time to time be prescribed, either specifically or by maximum limits or otherwise, by the Board of Governors of the Federal Reserve System with the concurrence of the Director of Contract Settlement.

§ 223.4 *Responsibility and expenses of Federal Reserve Banks.* No Federal Reserve Bank shall have any responsibility or accountability except as agent in taking any action under the Executive Order, the Settlement Act, or this regulation. In any case in which any Federal Reserve Bank shall make or participate in making any loan, discount, advance, guarantee or commitment as agent of any contracting agency under authority of the Executive Order or of the Settlement Act, all such funds as may be necessary to carry out any obligation assumed on behalf of such contracting agency shall be supplied by and disbursed under authority from such agency in accordance with such procedure as it may require. Each Federal Reserve Bank shall be reimbursed by each contracting agency for all expenses and losses (including, but not limited to, attorneys' fees and expenses of litigation) incurred by such Federal Reserve Bank in acting as fiscal agent of the United States on behalf of such contracting agency under or pursuant to the Executive Order or the Settlement Act.

§ 223.5 *Reports.* Each Federal Reserve Bank shall make such reports as the Board of Governors of the Federal Reserve System shall require with respect to its operations pursuant to the terms of the Executive Order or the Settlement Act and of this regulation.

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 44-13890; Filed, Sept. 8, 1944; 8:07 p. m.]

[1] The Executive Order, section 7 of the Act of June 11, 1942, and pertinent provisions of the Contract Settlement Act of 1944 are printed in the Appendix.

[2] The term "contracting agency" is used herein with the same meaning as that given it in the Contract Settlement Act of 1944.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3489[1]]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PREMIO SALES CO., INC., ET AL.

§ 3.6 (l) *Advertising falsely or misleadingly—Free goods or service:* §3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* §3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of clocks, watches, cameras, and various other articles of merchandise, (1) supplying, etc., others with pull cards or circulars having pull tabs thereon or any other lottery device for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof; (2) mailing, etc., to respondents' agents, or to distributors, or to members of the public, pull cards or circulars having pull tabs thereon or any other lottery device so prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof; (3) selling, etc., any merchandise by the use of pull cards or circulars having pull tabs thereon or any other lottery device; or (4) using the term "free", or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondents' merchandise; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Premio Sales Company, Inc., et al., Docket 3489, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

In the Matter of Premio Sales Company, Inc., a Corporation, and Rose Sommers, Individually and as an Officer of Premio Sales Company, Inc.

This proceeding having been heard by The Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts; and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated February 7, 1939; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondents to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondent, Premio Sales Company, Inc., a corporation, its officers and Rose Sommers, individually and as an officer of Premio Sales Company, Inc., and their respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of, clocks, watches, cameras, bedding, clothing, cigarette lighters and cases, silverware, chinaware, jewelry, dolls, kitchenware, pocketknives, pen and pencil sets, cosmetics, razor blades, or any other articles of merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to or placing in the hands of others, pull cards or circulars having pull tabs thereon or any other lottery device for the purpose of enabling such persons to dispose of or sell any merchandise by the use thereof.

2. Mailing, shipping, or transporting, to their agents, or to distributors, or to members of the public, pull cards or circulars having pull tabs thereon or any other lottery device so prepared or printed as to enable said persons to sell or distribute any merchandise by the use thereof.

3. Selling or otherwise disposing of any merchandise by the use of pull cards or circulars having pull tabs thereon or any other lottery device.

[1] 8 F.R. 2710, 4 F.R. 988.

4. Using the term "free," or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondents' merchandise.

It is further ordered, That the said respondents shall within sixty (60) days from the date of the service of this order upon them, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied therewith.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-13999; Filed, Sept. 11, 1944; 11:12 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 223]

PART 811—BLANKET LICENSE "BLT"

GENERAL PROVISIONS; MISCELLANEOUS COMMODITIES

Paragraph (f) of § 811.2 *General provisions* is hereby amended by adding to the commodities listed therein the following commodities:

Commodity	*Schedule B Number*
Nitrogenous Fertilizers:	
Ammonium sulphate	8505.00
Calcium cyanamide	8509.03
Calcium nitrate	8509.05
Sodium nitrate, n. e. s.	8509.19
Nitrogenous phosphatic types	8540.00
Ammonium phosphate	8540.00
Urea (Uramon) for fertilizer and feed	8509.25
Nitrogenous Chemical Materials n. e. s.	8509.98
Ammonium chloride	8509.98
Ammonium nitrate	8509.98
Nitrogenous Organic Waste Materials	8510.00
Phosphate Fertilizers:	
Phosphate Rock:	
Florida High Grade Hard Rock	8515.10
Florida Land Pebble	8515.20
Florida, other	8515.60
Tennessee, Idaho and Montana Rock	8515.80
Acidulated Phosphate	8519.00
Superphosphate (20 per cent)	8519.00
Concentrated superphosphate	8519.00
Phosphate Materials, other	8520.00
Potassium Fertilizers:	
Potassium chloride	8531.01
Potassium sulphate	8531.03
Potassic Fertilizer Materials (27% or more Potassium Oxide)	8531.05
Potassic Fertilizer Materials, n. e. s.	8531.98
Mixed Fertilizers:	
Prepared Fertilizer Mixtures (25% or more ammonium compound)	8551.05
Prepared Fertilizer Mixtures, n. e. s.	8551.98
Field Seeds:	
Alfalfa	2401.00
Clover, red	2402.00
Clover, other	2405.00
Alsike	2405.00
Bur clover	2405.00
Crimson	2405.00
Ladino	2405.00
Subterranean	2405.00
Sweet	2405.00
White dutch	2405.00
Timothy	2406.00
Field Seeds—Continued.	
Kentucky blue grass	2407.00
Red top	2408.00
Other field seeds:	
Legumes	
Austrian winter peas	1202.50
Lespedeza	2419.00
Korean	2419.00
Kobe	2419.00
Sericia	2419.00
Other	2419.00
Vetch	
Common and Willanette	2419.00
Hairy	2419.00
Hungarian	2419.00
Purple	2419.00
Other grasses:	
Bahia	2419.00
Bermuda	2419.00
Bluegrass, Bulbous	2419.00
Bluegrass, Canada	2419.00
Bluegrass, Sanbury	2419.00
Bluestem, little	2419.00
Bromegrass	2419.00
Bromus millis	2419.00
Buffalo grass	2419.00
Canada wild rye grass	2419.00
Carpet grass	2419.00
Dallis grass	2419.00
Dropseed	2419.00
Fescue	2419.00
Chewings (includ creeping red)	2419.00
Meadow	2419.00
Sheep	2419.00
Tall	2419.00
Grama, blue	2419.00
Grama, side oats	2419.00
Millet	2419.00
Foxtail, all kinds	2419.00
Proso, all kinds	2419.00
Oatgrass, tall	2419.00
Orchard grass	2419.00
Ryegrass, common	2419.00
Ryegrass, perennial	2419.00
Sacaton alkali	2419.00
Sudan grass	2419.00
Wheatgrass, crested	2419.00
Wheatgrass, slender	2419.00
Wheatgrass, Western	2419.00
Food and feed grains (for seed):	
Barley	1011.00
Field corn	1031.00
Sorghum	2419.00
Oats	1041.00
Rice (Paddy or rough rice)	1055.00
Rye	1061.00
Wheat	1071.00
Ensilage corn seed	2419.00
Miscellaneous:	
Beans, seed	1201.50
Peas	1202.50
Peanuts	1375.00
Soybean	2210.00
Flaxseed	2220.03
Mustard	2468.90
Rape, dwarf essex (winter)	2220.20
Flower seeds	2467.00
Vegetable seeds:	
Anise	2468.90
Artichoke	2468.90
Asparagus	2468.90
Beet (except sugar beet)	2468.90
Beet, mangel	2468.90
Broccoli	2468.90
Brussels sprouts	2468.90
Cabbage	2468.90
Chinese cabbage	2468.90
Cardoom	2468.90
Carrot	2468.90
Cauliflower	2468.90
Celeriac	2468.90
Celery	2468.90
Chard	2468.90
Chicory	2468.90
Collard	2468.90
Corn, sweet	2468.90
Upland cress	2468.90
Watercress	2468.90
Cucumber	2468.90
Egg plant	2468.90
Vegetable Seeds—Continued.	
Endive	2468.90
Herbs	2468.90
Kale	2468.90
Kohlrabi	2468.90
Leek	2468.90
Lettuce	2468.90
Muskmellon	2468.90
Mustard	2468.90
Okra	2468.90
Onion	2468.90
Parsley	2468.90
Parsnip	2468.90
Pepper	2468.90
Pumpkin	2468.90
Radish	2468.90
Rhubarb	2468.90
Rutabaga	2468.90
Salsify	2468.90
Spinach	2468.90
Squash	2468.90
Tomato	2468.90
Turnip	2468.90
Watermelons	2468.90

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16325; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 6, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13986; Filed, Sept. 11, 1944; 10:34 a. m.]

[Amdt. 224]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Department of Commerce No.	General License group
Electrical machinery and apparatus		
Insulating material, n. e. s.	7093.00	
Electric insulating cloth	7093.00	None
Electric insulating tape	7093.00	None
Other insulating materials, n. e. s.	7093.00	K
Vehicles—miscellaneous		
Vehicles and parts, other (include baby carriages, gocarts, and small watercraft)	7999.98	K
Wood manufactures		
Other wood manufactures	4299.00	
Advertising boards and sign boards	4299.00	None
Balsa manufactures	4299.00	None
Bamboo splits	4299.00	None
Battery separators	4299.00	None
Bearings and bushings	4299.00	None
Birch boards, compressed	4299.00	None
Blanks and blocks	4299.00	None
Built-up wood	4299.00	None
Bulletin boards	4299.00	None
Bungs	4299.00	None

Commodity	Department of Commerce No.	General License group
***Wood manufactures*—Con.**		
Other wood manufactures—Con.		
Car stripe and bracing (except lumber)	4290.00	None
Charging racks	4290.00	None
Douglas fir plywood (except aero grade)	4290.00	None
Fencing (snow and other made-up fencing)	4290.00	None
Fids	4290.00	None
Flagpoles	4290.00	None
Grain doors	4290.00	None
Insulation board, granule surface and structural	4290.00	K
Insulating strips	4290.00	None
Ladder stock	4290.00	None
Liners, sheils, hoops and heads, not complete barrels	4290.00	None
Molds and patterns	4290.00	None
Pegs	4290.00	None
Pipe wood	4290.00	None
Pole brackets	4290.00	None
Presto fireplace logs	4290.00	K
Rattan	4290.00	None
Saddle stirrups	4290.00	None
Sawdust	4290.00	K
Shelves	4290.00	None
Small dimension stock softwood if not sold by m. b. f.	4290.00	None
Small wood boat parts machined to shape	4290.00	None
Sucker rods	4290.00	None
Trestles	4290.00	None
Vats and tanks, including staves except windmill tank staves	4290.00	None
Wood fiber	4290.00	K
Wood flour	4290.00	K
Other wood manufactures, n. e. s.	4290.00	K

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F. R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 7, 1944.

S. H. Liebensburger,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13967; Filed, Sept. 11, 1944; 10:34 a. m.]

[Amdt. 225]

Part 808—Procedure Relating to Shipment of Licensed Exports to the Other American Republics

Filing Procedure

Subparagraph (1) of paragraph (b) of § 808.6 *Filing Procedure* is hereby amended to read as follows:

(1) Statements of Cargo Availability made on Form FEA-138 shall be filed with the Transportation Division, Foreign Economic Administration, Room 712, 61 Broadway, New York 6, New York, except that any such form which covers shipments of newsprint shall be filed with the Foreign Economic Administration, Washington 25, D. C.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 9, 1944.

S. H. Liebensburger,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-13968; Filed, Sept. 11, 1944; 10:34 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

Authority: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1942, 8 F.R. 6727.

Part 3290—Textile, Clothing and Leather

[Conservation Order M-91, Direction 1]

Inventories of Duck in the Hands of Distributors or Users

The following direction is issued pursuant to Conservation Order M-91:

Each person, other than a United States Government agency or a producer of duck, who has in inventory more than 500 yards of Army Duck, Numbered Duck, Flat Duck or Shelter Tent Duck, shall, not later than September 16, 1944, report in writing to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., his holdings of such fabrics, stating the number of yards of each type and construction he has. He may not use any part of such inventory, except for incorporation into products to fill orders of the Army or Navy, nor may he sell or deliver any part of such inventory, except to the Army or Navy, unless he has offered his entire inventory of such fabrics for sale to the Army or Navy and has received written rejections of his offer from both the Army and Navy, or unless he is expressly authorized in writing by the War Production Board to use or dispose of all or part of such inventory. However, railroad companies may use their stocks for locomotive cab curtains, harvesting machine manufacturers may continue to use their stocks, and other persons requiring filters listed in part III of Schedule A of Order M-91 may continue to use their stocks of numbered duck for these purposes; but they must, nevertheless, report their inventory by September 16, 1944.

Note: The reporting requirements of this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 9th day of September 1944.

War Production Board,
By J. Joseph Whelan,
Recording Secretary.

[F. R. Doc. 44-13966; Filed, Sept. 9, 1944; 4:07 p. m.]

Part 921—Aluminum and Magnesium

[Supplementary Order M-1-g, as Amended Sept. 11, 1944]

Aluminum Pigment and Aluminum Composition

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aluminum for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 921.9 *Supplementary Order M-1-g*—(a) *Definitions.* For the purpose of this order.

(1) "Aluminum pigment" means any material containing aluminum which is manufactured, acquired, or disposed of for use, or which is used in making paint, ink, or other coatings, or liquid welding compound.

(2) "Aluminum composition" means any paint, ink, or other coating, or liquid welding compound, in the making of which aluminum pigment is used.

(3) "Producer" means the department of Aluminum Company of America, Reynolds Metals Company, Metals Disintegrating Company, Aluminum Bronze Powder Company, Premier Bronze Powder Works, Malone Bronze Powder Works, Inc., U. S. Bronze Powder Works, Inc., Magna Manufacturing Company, which produces aluminum pigment, and any other person who may be so designated by the War Production Board.

(4) [Deleted Sept. 11, 1944.]

(b) *Restrictions upon delivery of aluminum pigment by a producer.* No producer shall deliver any aluminum pigment except pursuant to an order endorsed with a CMP allotment number in the S-2955 series, Z-2955 series or V-9 and the form of certification provided in either CMP Regulation No. 1 or 7 or in Order P-43. Such an order is an authorized controlled material order under CMP Regulations. Persons seeking to obtain aluminum pigment from a producer should apply to the War Production Board, Aluminum and Magnesium Division, on Form WPB-2360 (formerly Form CMP-13), except that where aluminum pigment is to be acquired for research, developmental or experimental activities under Order P-43, no application is necessary. A producer may refuse to accept an order for less than 100 lbs.

(c) *Deliveries of aluminum pigment and aluminum composition by any person other than a producer.* A person other than a producer may make delivery on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

(d) [Deleted Sept. 11, 1944.]

(e) [Deleted Sept. 11, 1944.]

(f) [Deleted Sept. 11, 1944.]

Note: Paragraphs (d) (e) and (f) formerly (g), (h) and (i) redesignated Sept. 11, 1944.

(d) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Ref: M-1-g.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions

of the regulations of the War Production Board as amended from time to time.

(f) *Violations.* Any person who willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14006; Filed, Sept. 11, 1944; 11:42 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-610]

E. M. FLAVIN

E. M. Flavin of 5632 Gunnison Street, Chicago, Illinois, is a broker engaged in the business of buying and selling copper wire and other metals. During the period from September 4, 1942, to October 16, 1942, respondent sold and delivered copper wire of the value of $594.18 on orders which did not bear preference ratings as required by General Preference Order M-9-a. During the period from March 21, 1943, to July 16, 1943, while operating as a "warehouse" as defined by CMP Regulation 4, respondent sold and delivered copper wire of the value of $16,852.78 on orders which were neither authorized controlled material orders, nor did they bear preference ratings of AA-5 or higher as required by CMP Regulation 4. During the period from September 4, 1942 to July 16, 1943, respondent failed to keep accurate and complete records of inventories, of materials, and of details of transactions in those materials, in violation of Priorities Regulation No. 1. E. M. Flavin was familiar with the provisions of General Preference Order M-9-a, CMP Regulation 4, and Priorities Regulation No. 1, and his actions constituted wilful violations of these orders.

These violations have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered that:

§ 1010.610 *Suspension Order No. S-610.* (a) E. M. Flavin, individually or doing business under any other name, his successors and assigns, shall not accept delivery of, sell, transfer, deliver, or otherwise deal in any copper or copper base alloy wire or cable as governed by Copper Order M-9, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve E. M. Flavin, individually or doing business under any other name, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 8, 1944, and shall expire on December 31, 1944.

Issued this 1st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13893; Filed, Sept. 8, 1944; 4:15 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-616]

DORIS LACHMAN JOSPEY

Doris Lachman Jospey of 5636 Michigan Avenue, Detroit, Michigan, between January 1 and May 15, 1944, began construction at that address on premises owned by her. She had received permission from the War Production Board to expend $3,500 in such construction. Notwithstanding this limitation, she expended $10,000 in construction on the premises. Doris Lachman Jospey was aware of Conservation Order L-41, and her doing this construction in excess of the authorization constituted a wilful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has diverted critical materials and facilities to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.616 *Suspension Order No. S-616.* (a) Neither Doris Lachman Jospey, her successors or assigns, nor any other person, shall do any construction on the premises at 5636 Michigan Avenue, Detroit, Michigan, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Doris Lachman Jospey, her successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13894; Filed, Sept. 8, 1944; 4:15 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-618]

MRS. J. C. BLACKWELL

Mrs. J. C. Blackwell of 1139 South Water Street, Wichita, Kansas, in November of 1943, began and thereafter continued construction of a new family residence at 4309 South Broadway, Wichita, Kansas, without authorization from the War Production Board. The estimated cost of this construction was in excess of $1,500, which amount exceeded the limit of $200 permitted by Conservation Order L-41, and was in violation of that order. Mrs. J. C. Blackwell was aware of the War Production Board restrictions on construction and the beginning and carrying on of this construction without authorization constituted a wilful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.618 *Suspension Order No. S-618.* (a) Neither Mrs. J. C. Blackwell, her successors or assigns, nor any other person, shall do any construction on the premises at 4309 South Broadway, Wichita, Kansas, including putting up or altering the structure unless hereafter specifically authorized in writing by the War Production Board and the Federal Housing Administration.

(b) Nothing contained in this order shall be deemed to relieve Mrs. J. C. Blackwell, her successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13895; Filed, Sept. 8, 1944; 4:15 p. m.]

PART 984—LEAD

[General Preference Order M-38, as amended Sept. 9, 1944]

§ 984.1 *General Preference Order M-38*—(a) *Definitions.* For the purposes of this order:

(1) "Lead" means and includes lead metal (including antimonial lead) in refinery shapes, whether produced from foreign or domestic ores, from scrap or drosses, or from any other lead-bearing material.

(2) "Lead base alloy" means any alloy containing 50% or more of lead metal by weight.

(3) "Refiner" means any person who produces lead as hereinbefore defined and includes any person who has such lead produced for him under toll agreement.

(4) "Dealer" means any person who procures lead either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(b) *Directions as to deliveries*—(1) *Delivery schedules.* The War Production Board may from time to time issue special directions requiring any refiner or dealer to file a report showing a schedule of his proposed deliveries of lead.

(2) *Withheld deliveries.* The War Production Board may from time to time require each refiner to set aside from his production of lead during any calendar month or other specified period (including therein lead produced for him by others under toll agreement, but excluding lead produced by him for others under toll agreement) a quantity to be determined and specified by the War Production Board and to be delivered by such refiner only pursuant to the specific written authorization of the War Production Board. Any amount so set aside shall be excluded from the refiner's schedule of proposed deliveries filed under the provisions of subparagraph (b) (1) above.

(3) *Lead from Metals Reserve Company.* Any person unable to obtain lead from regular sources of supply and wishing to procure lead from the Metals Reserve Company, must make application by written communication to the War Production Board.

(4) *Allotment of purchase orders.* The War Production Board may in its discretion require any person seeking to place a purchase order for lead to be delivered by a refiner or dealer to place the same with one or more particular refiners or dealers.

(c) *Reports.* After January 1, 1944, a quarterly report shall be filed on the 20th of April, July, October and January on Form WPB 95 by each dealer in pig lead or manufacturer of lead-bearing products who either sold or consumed forty tons or more of lead during the preceding calendar quarter, or had in his possession or under his control twenty tons of lead on the last day of the preceding calendar quarter. However, manufacturers of lead-bearing products shall file, not later than the 20th of January, 1944, a report on Form WPB 95, covering December, 1943, where required to do so by instructions on such form.

(d) *Prohibited uses of lead.* No person shall use lead or lead base alloy in the manufacture of any item on List A of this order or in the manufacture of any component material or part of such item, or for any purpose specified on List A.

(e) *Exceptions, appeals and communications*—(1) *Exceptions under Priorities Regulation 25.* All requests for exceptions from the restrictions on use of lead in paragraph (d) and List A (except for use of foil in packaging specified in item (11) (a) of List A) must be filed under Priorities Regulation 25. Some other orders of the War Production Board contain restrictions on the use of lead or lead base alloys. An authorization granted under Priorities Regulation 25 will not waive the other restrictions unless the order containing them or a direction to Priorities Regulation 25, states that it will. In the absence of such a statement, it is also necessary to get relief from the restrictions of the other order in the manner provided in that order. Attention is called especially to the restrictions on the use of lead alloys containing tin in Order M–43, cadmium in Order M–65, and bismuth in Order M–276.

(2) *Appeals.* Exceptions from the delivery restrictions of paragraph (b) or the reporting requirements of paragraph (c) may be requested only by filing an appeal. Appeals are also the only means of getting exceptions from the prohibition of the use of lead foil for packaging purposes described in Item (11) (a) of List A. Appeals must not be filed as to any other items on List A. An appeal shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The appeal shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(3) *Other communications.* All other communications about this order should be addressed to the War Production Board, Tin-Lead-Zinc Division, Washington 25, D. C., Reference: M–38.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) [Deleted Sept. 9, 1944]

NOTE: These reporting requirements have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

(1) Automobile body solder (except for repair purposes).
(2) Ballast or keels for pleasure boats.
(3) Building supplies as follows (except as a coating material):
(a) Gutters and leaders for residential buildings under three stories in height
(b) Ornamental work
(c) Puttyless frames
(d) Sash weights
(e) Spandrels
(4) Buttons, badges, emblems and regalia (except for sale to the Army or Navy of the United States, the War Shipping Administration or the United States Maritime Commission).
(5) Costume jewelry, novelties and trophies.
(6) Caskets (except for metal liners as permitted under paragraph (c) (1) of Limitation Order L–64, as amended, and where any such metal liner is to be used to comply with federal, state, or local government laws and regulations requiring hermetical sealing)
(7) Casket hardware, except
(a) Name plates manufactured from secondary antimonial lead weighing not more than 14 ounces; and
(b) Casket handle arms manufactured from secondary antimonial lead provided the quantity of such lead used for this purpose does not exceed three pounds per casket.
(8) Glass for ornamental purposes.
(9) Tennis court markers.
(10) Games or toys.
(11) Foil for the following purposes:
(a) Packaging cigarettes, tobacco, cigars, candy, gum, beverages or fluids (except cap inserts for medicinals)
(b) Permanent wave hair pads
(c) Tinsel
(d) Seals and labels
(12) Statuary and art goods (except church goods as defined in Limitation Order L–136).
(13) Weights for bats, decoys, dresses, golf clubs, saddles, darts and arrows.
(14) Any decorative purposes.

[F. R. Doc. 44–13982; Filed, Sept. 9, 1944; 10:55 a. m.]

PART 3270—CONTAINERS

[Limitation Order L–317 as Amended Sept. 9, 1944]

FIBRE SHIPPING CONTAINERS; MANUFACTURE AND USE

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials en-

tering into the production of fibre shipping containers for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.6 *Limitation Order L–317*—(a) *"Fibre shipping container"*. For purposes of this order, the term "fibre shipping container" means the following items:

(1) Any box, crate, case, basket, inner carton, hamper or sleeve in set-up or knock-down form which is made in whole or in part from solid fibre (.045 or heavier) or corrugated fibre and which is used for the delivery or shipment of materials. This does not include the following: trunks, luggage, or military locker boxes; fibre cans, tubes or drums. It also does not include combination wood-and-fibre shipping containers consisting of fifty per cent or more wood (by area).

(2) Any solid fibre (.045 or heavier) or corrugated fibre sheet or any corrugated fibre roll to be used for wrapping, packaging, or otherwise protecting a product or material for shipment. This does not include corrugated or solid fibre sheets produced for delivery to plants, of the type commonly referred to in the container manufacturing industry as "sheet plants" for their use in manufacturing fibre shipping containers. It also does not include corrugated or solid fibre sheets produced for delivery to cleated box manufacturers for use in manufacturing shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(3) Any solid fibre (.045 or heavier) or corrugated fibre interior fitting which is cut to size for use in any type of container to provide content protection, structural strength, or both. This includes, but is not limited to, the following: partitions; pads; liners; sun bursts; corrugated wrappers (single-faced, double-faced, double-walled).

(b) *"User"*. The term "user" means any person who uses fibre shipping containers for the shipment or delivery of materials in connection with his business.

(c) *"Containerboard content"*. The term "containerboard content" means the amount of solid fibre (.045 or heavier) or corrugated fibre containerboard in a fibre shipping container. This amount is computed both in terms of weight and in terms of square feet.

Manufacture and Delivery Prohibitions

(d) *General*. No person shall manufacture or deliver any new fibre shipping container which he has reason to believe will be used or accepted in violation of any provision of this order. No person shall deliver any new fibre shipping container (including "reshippers" defined in paragraph (m)) to any user except the Army or Navy unless the user furnishes with each purchase order a certification, signed as provided in Priorities Regulation 7, in substantially the following form:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L–317 of the War Production Board, and that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of that order.

If the user places a rated order, instead of the foregoing certification he may add to the certification of the rating (paragraph (v) of P–146) the following sentence: "The undersigned also certifies that the fibre shipping containers (or reshippers) covered by this purchase order will not be accepted or used in violation of the terms of Order L–317". The person receiving either certification shall be entitled to rely on it as a representation of the user unless he knows or has reason to know that it is false. The standard certification in Priorities Regulation 7 may not be used instead of the certification required by this paragraph.

(e) *Prohibited types (Schedule I)*. No person shall manufacture, from solid fibre (.045 or heavier) or corrugated fibre, any container of the types listed in Schedule I of this order.

Use Prohibitions

(f) *Prohibited uses*—(1) *Schedule II*. Schedule II of this order lists certain products which may not be packed in new fibre shipping containers and certain other products which may not be packed in less than specified quantities, in new fibre shipping containers. No user shall accept or use any new fibre shipping container for any product in violation of Schedule II. This restriction does not apply to (i) containers used for wholesalers' or retailers' deliveries (as defined in Schedule III of this order), (ii) empty containers used by the Army or Navy, or (iii) containers which are quota exempt under paragraph (t) below.

(2) *Carlining*. No person shall use in the shipping of any product any new solid fibre (.045 or heavier) or corrugated fibre sheet or roll as carlining except where needed for door-blocking. When such sheet or roll is used for door-blocking, only the necessary practicable minimum quantity shall be used.

(g) *V-boxes and W-boxes*. No user shall use any new V-box or W-box for packing any product except for delivery against military or Lend-Lease orders which specify that V-boxes or W-boxes be used. No user shall accept delivery of any V-boxes or W-boxes unless he has reason to believe that he will need them for the use permitted in this paragraph. The restrictions of this paragraph shall not apply to empty V-boxes or W-boxes used by the Army or Navy. The term "V-boxes and W-boxes" means shipping containers of the types designated as V–1, 2, 3 and W–5 and 6, in joint Army and Navy Specifications JAN–P–108 dated June 30, 1944, and parallel specifications; and in War Food Administration Export Packing Specification FSC No. 1742–E.

Quota Restrictions

(h) *Quota products (Schedule III)*. Schedule III of this order lists certain products, and certain types of container uses. Beginning as of October 1, 1943, users are permitted to accept delivery of or use only a limited amount of new fibre shipping containers for packing any of the listed products (or for any of the listed uses), during each 3-month period (exclusive of amounts which are quota-exempt under paragraph (t) below). The limited amounts are called "quotas". The 3-month periods are called "quota periods". As explained below, there are two types of quotas—"footage quotas" and "tonnage quotas".

(h–1) [Deleted Aug. 4, 1944.]

(i) *Quota restriction*. During any 3-month quota period, the total containerboard content of the new fibre shipping containers accepted or used by any user for packing any Schedule III product (or for any Schedule III use) shall exceed neither his footage quota nor his tonnage quota. Quotas are to be computed in accordance with the next five paragraphs below. (The restrictions of this paragraph shall not apply to empty containers used by the Army or Navy or to containers which are quota-exempt under paragraph (t) below).

(i–1) *General rules pertaining to quota computations*—(1) *Interchanging of quotas*. Quotas are not interchangeable as between separately listed Schedule III items. However, where several products are included within the same Schedule III item (as for instance "CDGS–651–Jewelry, Toilet Sets, Cigarette Holders, etc.—50%") the user may distribute his quota for that item among those products as he sees fit. In computing his quota for any Schedule III item (other than "retailers' or wholesalers' deliveries" as defined in Schedule III) the user must not include in his base, the amount of containerboard used during the base period for packing any Schedule II product which is included in the item.

(2) *Quota bases*. It will be noted that alternative quota bases may be selected under paragraphs (j) through (m). A user must use the same quota base for all purposes, for the same Schedule III item. For instance, he cannot use the corresponding calendar quarter of the base year for figuring his footage quota under paragraph (j) and twenty-five per cent of the entire base year for the purpose of figuring his tonnage quota for the same item under paragraph (k). Likewise a user may not change his method of computing his quota in the course of any calendar year except that he may switch from the quarterly to the calendar year base for the third and fourth quarters of 1944; *Provided*, That he does this for both quarters.

(j) *Computing footage quotas.* A user's "footage quota" for any calendar quarter for any Schedule III item (or use) shall be computed by applying the quota percentage listed in Schedule III for that item (or use) to either of the two following bases at the user's option:

(1) The containerboard content (in terms of square feet) of the new fibre shipping containers, used by him during the corresponding three-month period in 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

(2) Twenty-five per cent of the containerboard content (in terms of square feet) of the new fibre shipping containers used by him during all of 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

(k) *Computing tonnage quota.* A user's "tonnage quota" for any calendar quarter for any Schedule III item (or use) shall be computed by applying the quota percentage listed in Schedule III for that item (or use) to either of the two following bases at the user's option:

(1) The containerboard content (in terms of weight) of the new fibre shipping containers used by him during the corresponding three-month period in 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

(2) Twenty-five per cent of the containerboard content (in terms of weight) of the new fibre shipping containers used by him during all of 1942 (or other year if specified) for packing all of the products included in the item (or for that use).

In the case of a Schedule III item, the amount resulting from the computation required by this paragraph may be increased to the extent permitted in the next paragraph.

(l) *Minimum pack allowance.* In order to take advantage of this paragraph a user must waive the privilege, given to him by paragraph (i–1) of this order, of distributing his quota for an item among the several products included in the item as he sees fit. He must distribute his quota (both footage and tonnage) among those products in exactly the same proportion as he did during the base period he has selected. If he does this, and if his tonnage quota for any particular product (within the item) is not enough for a "minimum pack" of that product, his tonnage quota for that product is increased to the extent needed for a "minimum pack". However, the footage quota for that product is not increased.

"Minimum pack" means the amount of a particular Schedule III product (within an item) packed in new fibre shipping containers by the user during the corresponding three-month period of the base year applicable to that product (or twenty-five per cent of the amount so packed during the entire base year if he has chosen this base for his tonnage and footage quotas) multiplied by the quota percentage listed in Schedule III for that product.

(m) *Adjustments for "reshippers".* For quota purposes, "reshippers" shall be treated as though they were new fibre shipping containers. Accordingly, the containerboard content of all reshippers used by a user during the corresponding quarter of the base year (or twenty-five per cent of that used by him during the entire base year if he has chosen this method of computing his footage and tonnage quotas) for packing the products included in a Schedule III item may be included in figuring his footage and tonnage quotas for that item (paragraphs (j) and (k) above). Likewise, the containerboard content of all reshippers accepted or used by a user during any quota period for packing the products in any Schedule III item shall be charged to his footage and tonnage quotas for that item. The term "reshippers" means new fibre shipping containers in which empty inner containers (such as glass jars, cans, etc.) are shipped to a packer and which are then used by the packer for shipping or delivering inner containers packed by him with some product. Paragraph (d) prohibits any person from delivering reshippers to any user unless the user furnishes with each purchase order the certification required by that paragraph.

Packing specifications

(m-1) *Packing specifications for certain products—Schedule IV.* Schedule IV lists products which may only be packed in new fibre shipping containers in accordance with the provisions of that schedule. No user (except a "small user"—see paragraph (s)) shall pack those products in new fibre shipping containers except in accordance with those provisions.

Furthermore, no user shall use for packing any Schedule IV item, any new fibre shipping container of a style or design requiring the use of more containerboard, per unit packed, in its manufacture than those he most commonly used for that item during the season when he last packed it. The only exceptions to this paragraph (m–1) are the following:

1. Any fibre shipping container which was in process of manufacture on or before August 4, 1944 may be used to pack any Schedule IV product without regard to the provisions of that schedule or of this paragraph.

2. The provisions of this paragraph and those of Schedule IV do not apply to the use of fibre shipping containers to make deliveries to the Army, the Navy, the Maritime Commission, the War Shipping Administration or any United States agency making Lend-Lease purchases, when packaging specifications received in connection with such deliveries require deviations from the standards set forth in that schedule.

3. The provisions of this paragraph and of Schedule IV do not apply to the use of empty containers by the Army or the Navy.

Inventory Restrictions

(n) *Inventory restrictions.* No person shall accept delivery of, or have set aside for his account, any containers which will increase his inventory of unfilled new fibre shipping containers (including those held by others for his account as well as those he has on hand) to more than his maximum permitted inventory. He may figure his maximum permitted inventory in either (but not both) of two ways—"over-all" basis or "individual-item" basis.

(o) *Over-all basis.* On the over-all basis, his maximum permitted inventory of all sizes and types shall be no more than a combined total of 1½ carloads.

(p) *Individual-item basis.* On the individual-item basis he figures a separate inventory for each "container item class." In each class he figures how many he will need to meet his reasonably anticipated requirements in the next 30 days (as restricted by a quota on Schedule III, if any). If that is more than 1200 complete sets of that class his inventory for that class is his 30-day requirement; if not, it is 1200. The total of all his classes figured in this way will be his maximum permitted inventory, which he may divide among his several sizes and types as he sees fit. A "container item class" includes all new fibre shipping containers of the same or similar sizes and types currently being used by him. (A variation in size or type which does not make a container unsuitable for shipping the same amount of a product in substantially the same shape and form shall not be considered as representing a different size or type.)

(q) *Seasonal-foods and military exceptions.* The 30 day supply maximum in paragraph (p) above shall not apply to requirements for packing seasonal foods or to the Army's or Navy's requirements for empty new fibre shipping containers. Instead the "practicable minimum working inventory" provision in § 944.14 of Priorities Regulation 1 (and Interpretation 1a of that regulation) shall apply in those cases.

Multiple-Unit Organizations

(r) *Multiple-unit organizations.* Any user who uses new fibre shipping containers at more than one place may choose to apply the quota and inventory restrictions and the percentage specifications of Schedule IV of this order either to the operations of each place separately or to the collective operations of all his places. The same choice as to the inventory restrictions is available to any container-distributor who deals in new fibre shipping containers at more than one place. After making his choice, no person shall thereafter change it unless authorized by the War Production Board. Any user or container-distributor organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider

itself as a single user or distributor for the purposes of this paragraph.

Exceptions and Exemptions

(s) *Small-user exception.* The quota restrictions of paragraph (i) and the packing specifications of paragraph (m–1) above do not apply to any user during any calendar year in which he accepts no more than a total of $500 worth (cost price to him) of new fibre shipping containers for all products (whether or not on Schedule III or IV).

(t) *Use and quota exemptions for certain government orders.* The use prohibitions of paragraph (f) above and the quota restrictions of paragraph (i) above do not apply to new fibre shipping containers which are used by any user (whether a manufacturer or a distributor) for delivering any product to any of the following persons or which are used by any user for delivering any product to be redelivered by another party (without further processing, fabrication, or incorporation into any other product, exclusive of wholesalers' and retailers' minor finishing or decorative operations as mentioned in Schedule III) to any of the following persons:

(1) The U. S. Army or Navy (exclusive of post exchanges or ship's service departments located within the 48 states and the District of Columbia).

(2) The Maritime Commission; the War Shipping Administration; or to other persons pursuant to authorization by the Maritime Commission on Form WPB–646 (formerly PD–300).

(3) Any U. S. agency making Lend-Lease purchases.

New fibre shipping containers used for those purposes may be regarded as being in addition to the user's quota for the product involved.

(u) *Exceptions for stocks in transit or on hand.* Any user may use for the purpose for which he acquired them any new fibre shipping containers which were in his possession or which were in transit to him on or before October 11, 1943. In the case of any product added to Schedule II after that date he may use for that product the containers which he had acquired or which were in transit to him for that product on or before the date on which the item was added to the schedule. These exceptions are subject to the quota restrictions of paragraph (i).

Miscellaneous Provisions

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(w) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L–317.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—PROHIBITED TYPES OF CONTAINERS

Paragraph (e) of Order L–317 prohibits the manufacture of the following types of containers from solid fibre (.045 or heavier) or corrugated fibre.

a. Bottle and can carry-outs
b. Counter boxes
c. Display-shippers
d. Laundry boxes and laundry shells
e. Retail gift boxes

SCHEDULE II—PROHIBITED USES

NOTE: Schedule II amended Sept. 9, 1944.

Pursuant to paragraph (f) of Order L–317, users' acceptance or use of new fibre shipping containers for packing the products listed below (or, where specified below, for packing less than a specified quantity of certain products listed below) is prohibited. Some exceptions from this prohibition are allowed in paragraphs (t) and (u) of the order. In addition, paragraph (f) specifies that its prohibition does not apply to containers used for wholesalers' or retailers' deliveries (as defined in Schedule III). However, new fibre shipping containers so used for any product below must be charged to the wholesaler's or the retailer's over-all quota under Schedule III.

a. Paper products:
  Catalogues.
  Magazines, including house organs.
  Posters.
  Punch boards.
b. Fresh fruits and vegetables, except apples, grapes, limes, mushrooms, pears, tomatoes and rhubarb.
c. Building Materials:
  Building brick (except glass brick).
  Cement—except household.
  Corks—except pipe coverings and insulation board.
  Flooring, wood, molding, mopboards, trim and wainscoting.
  Insulation board, rigid (except insulating tile and panel and cork insulation board.
  Non-rigid insulation—(except blocks, batts, blankets, and formed and/or metal-encased insulation)
  Plaster—cement, lime, gypsum (this does not include dental, orthopedic, and industrial-mold grades)
  Sash and doors, except glazed, not finished further than primed
  Shingles (except asbestos siding shingles and asphalt shingles which are on Schedule III)
  Tile—except acoustical, asphalt, and glazed or unglazed floor, wall or facing tile
d. Textiles (except clothing):
  Awnings
  Blankets and comforters—less than 6 per package
  Carpets and carpeting
  Mattresses—less than 4" thick
  Rugs
  Tents
  Waste wiping rags
e. Hardware:
  Buckets and pails—wood or metal (except metal pails manufactured solely for use as dairy and milk pails and except porcelain-enameled pails)
  Cans—refuse, garbage
  Garden and farm tools, 18" or more in length—including but not limited to: Hose, rakes, shovels
  Handles, 18" or more in length—including but not limited to: shovels, picks, axes, etc.
  Wash tubs—wood or metal
f. Glass products:
  1-pt. home canning jars—less than 24 per case
g. Horticultural items:
  Bulbs
  Ornamental shrubs
  Seeds (flower)
h. Miscellaneous:
  Advertising displays of all kinds, including but not limited to floor, window and counter displays, dispenser type displays and sign boards.
  Athletic uniforms
  Ball bats
  Baskets—wicker, splint, etc.
  Bridles
  Brooms and broom handles, except as listed on Schedule III.
  Charcoal—except activated carbon
  Coal
  Cones—fir or pine
  Fertilizers
  Furniture—lawn and porch (except glass parts)
  Furniture—unfinished, set-up (except glass parts)
  Horse collars
  Hose—rubber and fabric, except wire inserted
  Ironing boards
  Ladders
  Linoleum and printed floor coverings—rugs and rolls
  Mops—except oil mops
  Nuts: unshelled, except soft shelled English Walnuts (of Mayette, Willson Wonder, Klondike, Bijou, and Momnoth Mayette varieties), Schley Pecan and Non-pareil Almonds.
  Peanuts, unshelled
  Peat moss
  Rope, string and twine
  Rope, string and twine
  Saddles
  Trunks (in carload lots)
  Whips and crops

SCHEDULE III—PRODUCTS AND USES SUBJECT TO QUOTAS

NOTE: Schedule III amended Sept. 9, 1944.

Paragraph (i) of Order L–317 places quotas on the amount of new fibre shipping containers (including reshippers as defined in paragraph (m) of the order) that may be accepted or used for packing the products or for the types of uses listed below. The percentage listed opposite the item is to be used in figuring the quotas. The base year is 1942, unless another year is specified in the schedule, for example, "Mirrors (1943)". As explained in paragraphs (i–1) through (m), alternative bases (100 per cent of the corresponding three-month period in the base year or twenty-five per cent of the entire base year) may be selected for quota computations.

Code numbers in front of some items (for example, CDGS–429 Batteries: dry cell) refer to the code numbers on the Official CMP Product List set out in "Products and Priorities" published monthly by the War Production Board, the latest copy of which may be found in any War Production Board office or obtained from the United States Government Printing Office. Each such item covers every product listed under that code num-

ber and group name in the list. In order to find out whether any product is covered by a code number, follow the directions in the front of "Products and Priorities". The restrictions of this order apply to the product even though it may not contain copper, steel or aluminum (controlled materials). An asterisk indicates that there is no code number for the product.

Quotas must be computed and kept separately for each separately listed item in this Schedule. They may not be transferred from one such item to another. However, where a listed item covers several different products (as is the case with most code numbered items and some asterisked items) quotas may be computed for the item as a whole and distributed among the various products within the item as the user sees fit. For further rules which must be followed in figuring and making charges against quotas, see paragraphs (h) through (m).

The products listed below do not include repair parts, which are not restricted by the order.

NOTE: Items marked with an asterisk cover products that are not covered by code numbers.

RESTRICTED PRODUCTS

Code	Product	Quota
		Percent
(*)	Adhesives, household: including but not limited to glue, paste, etc.	70
PLUM-586	Air (warm) distribution equipment: registers, smoke pipe, ducts, 1943	70
(*)	Albums, scrap books, diaries, drawing books, cutouts	80
(*)	Amusement equipment: automatic phonographs and gaming machines as defined in L-21, pool and billiards	80
(*)	Animal proprietary drug remedies	80
CDGS-424	Appliances, cooking or heating; commercial electric	70
CDGS-425	Appliances, cooking or heating; domestic electric	60
CDGS-426	Appliances, not cooking or heating; commercial electric (1943)	70
CDGS-427	Appliances not cooking or heating: domestic electric (except flat irons)	60
(*)	Art supplies	70
(*)	Artificial fruit, flowers and plants	80
(*)	Athletic equipment and sporting goods not otherwise listed on Schedule II or III	70
(*)	Automotive polish, waxes and cleaners	70
CDGS-678	Baby carriages and other baby conveyances	70
(*)	Bags: school, shopping	80
TEX-807	Baskets, hampers: canvas	85
CDGS-439	Batteries, dry cell	80
CDGS-443	Bed springs and inner-spring mattresses	80
CDGS-694	Beds, couches: dual sleeping and seating equipment	70
CDGS-667	Bells and gongs: not electric	70
(*)	Beverages: distilled spirits, as defined in Schedule VI of Order L-108-b	70
(*)	Beverages: malt, as defined in Schedule VI of Order L-108-b	70
(*)	Beverages: wines	70
(*)	Beverages: non-alcoholic, as defined in Schedule VI of Order L-108-b	70
(*)	Books	70
TEXT-679	Brushes, floor sweeps, brooms: wire, bristle (synthetic and natural), fibre, broomcorn, hair, fabric (except those listed in Schedule II)	70
CORK-721	Building material accessories, asbestos (except as otherwise listed)	80
BLDG-722	Building products: non-metallic: metal reinforced (except items on Schedule II)	80
BLDG-705	Building products: sheet metal	80
BLDG-709	Building products: wire fabricated	80
LUMB-743	Buildings: prefabricated wooden	80
(*)	Building products and materials not otherwise listed, except cork insulation board	80

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
PLUM-601	Burners: gas conversion: domestic	80
PLUM-602	Burners: oil: domestic	80
(*)	Calendars, blotters	80
(*)	Candles	70
(*)	Cases: for personal use for holding such articles as combs, files, knives, toilet sets, manicuring sets, and spectacles (not shipping containers or luggage)	60
CDGS-635	Castiron ware	80
(*)	Chewing gum	80
(*)	Chinaware, glassware, porcelainware, plasticware, woodenware, clay and pottery-ware (for food preparation and serving): including but not limited to plates, dishes, cups, saucers, bowls, platters, baking dishes and pitchers (except tumblers other than cut, footed or stem)	70
	baking dishes, and pitchers	70
(*)	China, glass, porcelain, wooden, plastic, clay and pottery-ware (not for food preparation and serving), including but not limited to vases, pots, statues, decorative products, and art products (but not including scientific, laboratory, hospital and industrial ware, or shades and reflectors, lantern globes and lamp chimneys)	80
(*)	Cleaning preparations—household, including but not limited to: polishes, waxes, bleaches, bluing, laundry starch, water softening compounds, cleaning compounds, wall paper cleaner, glass cleaner, deodorants, toilet bowl cleaner and drain pipe solvents	80
CDGS-654	Clocks, watches, chronometers (except alarm clocks)	70
CONT-640	Closures: metal: not home canning: and crowns: metal: not beverage: for glass containers	85
(*)	Clothing and clothing accessories (not otherwise listed), including but not limited to suits, overcoats, topcoats, raincoats, shirts, ties, gloves (except rubber), overshoes (except rubber), underwear, socks, stockings, dresses, blouses, bedroom slippers, belts, garters, veils, hats, hose, mufflers, scarfs, aprons, slips, brassieres, work clothes, but excluding safety clothes and shoes as defined in Order L-114	70
(*)	Combs	70
PLUM-609	Controls: combustion, heat generation and distribution: not industrial, 1941	70
PLUM-579	Convectors: heating: steel, copper or aluminum	80
PLUM-582	Cooking equipment: commercial; not electric	85
CDGS-644	Cots, bunks, berths, metal: not shipboard	70
CONT-628	Crowns: metal: beverage	85
(*)	Cushions, pillows, stuffed stools, hassocks and ottomans	80
CDGS-648	Cutlery	70
CDGS-110	Cycles: power: not motorcycles	85
(*)	Decalcomanias and transfers: except industrial	80
(*)	Dentifrices	70
PLUM-474	Dishwashing and glass washing machinery: commercial	85
BLDG-701	Doors, windows, metal, metal clad: not shipboard, transportation vehicle	70
CDGS-660	Emblems, pin tickets, tags: not military (1943)	70
CDGS-684	Enamelware (except hospital enamelware as defined in Order L-30-b)	70
(*)	Feathers and cotton batting: packed for domestic use	70
TOOLS-694	Files and rasps	85
CDGS-632	Flashlight cases and portable electric lanterns: incandescent	70
(*)	Floor covering: including mats, pads and runners, except items on Schedule II	70
(*)	Flowers and plants: cut or potted	60

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
CDGS-583	Food preparation and serving fixtures, equipment, appliances: commercial: not cooking	85
(*)	Food products (each product listed is a separate "item." The quotas are not interchangeable):	
	Bakery goods, such as crackers, pretzels, cookies, cakes, bread	100
	Beans, peas and lentils: dried edible	90
	Beans, with or without pork (from dried beans) (1941)	45
	Beverage compounds, concentrates and syrups including but not limited to drink powders and soft drink concentrates	80
	Butter	80
	Caviar	40
	Cereals	100
	Coffee, tea and spices (1941)	85
	Confectionery	80
	Corn meal	90
	Dessert products	65
	Dried fruits	100
	Filling, pie and cake	65
	Flavorings	65
	Flour (except home baking mixes)	100
	Food coloring	65
	Horseradish	80
	Macaroni	90
	Marshmallow and marshmallow cream	65
	Mustard	80
	Noodles	90
	Oleomargarine	100
	Pectin	90
	Popcorn—candied and otherwise, except unpopped	65
	Popcorn, unpopped	80
	Potato chips	65
	Puddings	65
	Relishes	80
	Rice	90
	Salad Dressings	80
	Salt (for all purposes)	80
	Spaghetti	80
	Sugar	80
	Vermicelli	90
	All other foods, except fishery products, dairy products, meat and meat products (which are controlled by Schedule IV), poultry, eggs unprocessed fresh fruits and vegetables (not prohibited from using fibre shipping containers under Schedule II) and processed fresh fruits and vegetables (that is, fruits and vegetables not previously preserved which are packed in a container and are preserved by the medium of heat or freezing) (1943)	85
PLUM-587	Furnaces: warm air	85
CDGS-645	Furniture: wooden, except as listed in Schedule II	70
(*)	Furniture: not otherwise listed	70
CDGS-662	Galvanized ware and non-metal coated metal articles: buckets, tubs, wash boilers, fire shovels, funnels, storage cans, pails, not garbage pails (except those listed in Schedule II)	85
CDGS-663	Galvanized ware and non-metal coated metal articles: garbage pails, garbage cans, ash cans, except those listed in Schedule II	85
(*)	Games and toys, including masquerade accessories, playing cards, dice, sleds, children's vehicles, children's playing equipment, dolls, toy furniture and all other articles and devices defined as games and toys in Limitation Order L-81	80
(*)	Greeting cards and illustrated post cards, as defined in Order L-289	80
(*)	Hair tonics, shampoos and hair dressing preparations	60
BLDG-706	Hardware, builders	70

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
BLDG-708	Hardware: casket, furniture, ladder, locker, luggage, refrigerator, hose fittings, not fire hose or flexible metal hose, screw eyes, and other bright wire goods	75
PLUM-804	Heating facilities: low pressure steam and hot water	85
PLUM-805	Heaters, (Unit) and unit heating ventilators: not direct fired	50
PLUM-805	Heaters: water: not electric	50
TEXT-062	Hooks, eyes, slide and snap fasteners, buckles, buttons, miscellaneous apparel and shoe findings	70
(*)	Ink, all types	70
(*)	Incense, odor neutralizers: except industrial	50
(*)	Insecticides, fungicides, disinfectants and other pest control compounds. This does not include preparations for pest control on crops, fowl or animals (except pet), nor compounds specifically prepared for use in governmental projects	80
(*)	Insulation, building: tile, panels, blocks, bats, blankets, formed insulation, metal encased insulation (except as otherwise listed in Schedule II)	70
CDGS-651	Jewelry, toilet sets, cigaret holders, etc.	50
(*)	Lace and ribbon	50
CDGS-637	Lamps and lanterns: liquid fuel	85
CDGS-638	Lamps: portable electric: incandescent: not industrial bench machine or physiotherapy	50
(*)	Leather: goat, kid, cabretta, kangaroo	50
(*)	Leather: all other	50
PRIN-213	Looseleaf binders and parts	70
(*)	Luggage as defined in Limitation Order L-284	50
CDGS-665	Marking devices	70
(*)	Matches	70
(*)	Mattresses: (except as listed in Schedule II)	50
BLDG-741	Millwork: woodwork (except as listed in Schedule II)	70
CDGS-666	Mirrors (1943)	50
CDGS-670	Morticians goods	85
SERV-647	Motion picture projection equipment: 35 MM	70
CDGS-671	Musical instruments (as defined in L-87-a)	50
TEXT-715	Nails and tacks: cut nails made from tack plate, wire shoe nails, non-ferrous nails, tacks	85
CDGS-668	Needles: domestic	70
CDGS-672	Office supplies	70
(*)	Ornaments—made of glass, plastic, pottery, china, metal, wood, paper, or leather (except those listed in Schedule II or III)	50
(*)	Paper or paper products not otherwise listed in Schedule I, II or III, except component parts of industrial products, condenser tissues, closures, inner-containers, cups and dishes	70
(*)	Paint, varnishes, roof coatings and cements. This item includes but is not limited to pigmented oil or oleoresinous: ready mixed, semipaste or paste, white lead in oil, colors in oil, pigmented or clear lacquers, resin emulsion paste, caseinpaste, vegetable protein paste; casein and calcimine paints in dry form or other paints and paint materials in dry form	70
(*)	Party and festivities materials; including but not limited to: favors, tallies, horns, masquerade supplies, party napkins, score pads, place cards, decorative paper dishes and holders, crepe paper, crepe paper products, banners, flags, streamers, decorations, festivity costume supplies	50
CDGS-673	Pens and pencils	70
(*)	Pet foods: dry (except proprietary drug remedies)	50
(*)	Pet furnishings: including but not limited to dog collars, muzzles, blankets, food serving utensils, treated bones, and beds, except those listed in Schedule II	50

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
PRIN-220	Photo-engravings	85
CDGS-648	Photographic equipment, accessories: not 35 mm motion picture projection equipment	70
(*)	Pictures, plaques, tapestries, mountings, folders	50
CDGS-664	Pins: common, safety	70
CDGS-661	Pins: Hairpins, bobbie pins, and hair curlers (1943)	70
BLDG-703	Plastering bases and plastering accessories	70
PLUM-571	Plumbing fixture fittings and plumbing fixture trim	70
PLUM-570	Plumbing: sanitary ware, 1943	70
(*)	Pocketbooks and all types of purses, billfolds, handbags (not luggage), pocket notebooks, key holders, identification holders, and other personal flat goods not otherwise listed in Schedule III	60
(*)	Printing and publishing products except products otherwise listed in Schedules II and III	70
PRIN-226	Printing trades machinery and equipment	85
PLUM-610	Pumps: low pressure heating	85
PLUM-580	Radiators: cast iron	50
CDGS-650	Razor blades	80
CDGS-649	Razors: not electric (1943)	70
(*)	Records: phonograph	80
CDGS-630	Refrigerators: ice: domestic (1943)	70
(*)	Sanitary tissue products: toilet tissue, towels, napkins (plain), facial tissue, sanitary napkins and medicinal tissue	85
BLDG-704	Screen cloth: insect: metal	70
(*)	Shades (cloth or paper) and shade rollers: window and door	60
(*)	Shaving creams and soap	70
(*)	Shingles and siding, asbestos and asphalt	70
(*)	Shoes (except rubber)	85
(*)	Shoe polish, cleaners, creams, dressings, dyes and preservatives	70
CDGS-652	Silverware: plated (1943)	70
CDGS-653	Silverware: sterling	80
(*)	Smoking accessories, not otherwise listed in Schedule III	80
(*)	Soap, except industrial and shaving	80
(*)	Souvenirs, novelties and pennants (not otherwise listed in Schedules II or III)	80
(*)	Sponges: natural or artificial, except industrial	80
CDGS-677	Sporting goods: except those listed in Schedule II; not mechanical rubber goods	70
CDGS-688	Staples and staplers: cohered staples and rolls of wire for hand operated stitchers: staple driving tackers: hand or foot operated stapling devices: hand operated stitchers	70
PLUM-881	Stoves and ranges, cooking: domestic: not electric, 1941	60
PLUM-884	Stoves, heating: domestic: not electric, 1941	60
PLUM-893	Stokers: grate area 36 feet or less	70
CONT-716	Strapping and seals: metal: round, flat	85
PLUM-605	Tanks, hot water storage	80
(*)	Tape, gummed, gummed-cloth, paper or seal: over 500 ft. rolls	80
(*)	Textile, household: covers, draperies, curtains, mats, doilies, pads, ironing board covers	60
(*)	Textiles, household: sheets, pillow cases, towels, work rags, napkins, table cloths, dish cloths, blankets, quilts, comforts	70
(*)	Tobacco and tobacco products	75
(*)	Toilet articles and equipment (other than toiletries and cosmetics), including, but not limited to, manicuring, hair fixing, massage and bathing, except articles otherwise listed in Schedule III	60
(*)	Toiletries and cosmetics: including but not limited to perfume, make-up, lotions, skin food, hair remover, manicuring preparations, astringents, deodorants, hair bleach and dye, face and body powder except products otherwise listed in Schedules II or III	60
BLDG-645	Tools: edge	85

RESTRICTED PRODUCTS—Continued

Code	Product	Quota
		Percent
BLDG-646	Tools: hand: not mechanics hand service: Except those listed in Schedule II	85
TOOLS-647	Tools: mechanical: hand	85
CDGS-656	Traps and cages: animal, bird, and insect except as listed in Schedule II and except mouse and rat traps	70
CDGS-674	Umbrellas and parasols	50
CDGS-691	Utensils: aluminumware: household, kitchen (1943)	70
CDGS-659	Utensils: kitchen and household: miscellaneous	70
(*)	Wall paper	50

Restricted Uses	*Quota (percent)*
Wholesalers' deliveries	70
Retailers' deliveries: mail, express and common carrier	70
Retailers' deliveries: other than mail, express and common carrier	60

These "restricted uses" items relate only to deliveries made by persons who have not produced the products delivered nor done any fabrication or processing work on them other than minor finishing or decorative operations usually performed by wholesalers and retailers (such as assembly of knocked-down furniture, monogramming of linen and jewelry, alteration of clothing). "Retailers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at retail. "Wholesalers' deliveries" means deliveries made by any such person who sells exclusively or predominantly at wholesale. The quota for each type of use represents the maximum total amount of containers which can be so used for all products (whether or not listed in Schedule III). The quota takes the place of a separate quota for each Schedule III product.

SCHEDULE IV—PACKING SPECIFICATIONS

NOTE: Tables amended Sept. 9, 1944.

TABLE I—SPECIFICATIONS OF FIBRE SHIPPING CONTAINERS (SOLID OR CORRUGATED) PERMITTED FOR PACKING MEAT AND OTHER PACKING HOUSE PRODUCTS

A user may choose to limit himself to a quota of 85 per cent of his 1943 new fibre shipping container usage (computed in accordance with paragraphs (h) through (m) of this order) for packing all of the products listed in this table. If he does this, he need not pay any attention to the rest of this schedule; but can pack said products in fibre shipping containers of any "specification" and size he sees fit. Users must decide, once and for all, whether they will limit their usage of fibre shipping containers under this paragraph or under the balance of this table; for they may not change from one method of operation to another.

Subject to the preceding paragraph and the exceptions listed in paragraph (m–1) of this order, the products listed below may only be packed in fibre shipping containers in accordance with the provisions of this table. The provisions listed under "Class A" apply to all shipments from processing or manufacturing units to units other than retail stores, and the provisions listed under "Class B" apply to all shipments to retailers from processing or manufacturing units. Except where otherwise specified, listed percentages and other provisions of this table are applicable to each class separately.

Unless an exception is provided in Column 7, the products listed in this table may not be shipped in new fibre shipping containers in any amounts except those listed for the product in Columns 1 and 4. Likewise they may not be packed in new fibre shipping containers exceeding the maximum specifications in Columns 2 and 5. However, solid fibre containers may be substituted for corrugated wherever the former have an equivalent or lower Mullen test than those of the specified corrugated containers. (In this connection, attention is called to Direction 2 to Order M–290 which restricts the manufacture of solid fibre containers.)

No containerboard interior packing or fittings may be used except as specifically indicated in Column 7.

Percentage figures appearing in Columns 3 and 6 mean that no more than the indicated percentage of the amount of the affected product which a user packs in new fibre shipping containers during the period between August 4 and September 30, 1944, and during each calendar quarter after that, may be packed in new fibre shipping containers of the capacity and specifications to which the percentage applies. Attention is called to various exceptions from this table set forth in paragraph (m–1) of Order L–317. Percentages should be computed without regard to any shipments made in accordance with these exceptions.

"Specifications" indicate the Mullen test and type of containerboard which may be used. "COR" means corrugated fibre. "F" means solid fibre.

FRESH AND FROZEN PORK

Product	Class A—Branch house, wholesale, and jobbers shipments				Class B—Direct shipments to retailers				
	(1) Capacity		(2)	(3)	(4) Capacity		(5)	(6)	(7)
	Minimum weight of contents	Maximum gross weight including container	Maximum specifications	Percent of production	Minimum weight of contents	Maximum gross weight including container	Maximum specifications	Percent of production	Exceptions
					Pounds	*Pounds*			
Pork loins	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited					
Butts	50 pound	65 pound	275-pound cor or 200-pound F	do					
Shoulders	50 pound	65 pound	275-pound cor or 200-pound F	do					
Hams	50 pound	65 pound	275-pound cor or 200 pound F	do					
BRT hams	50 pound	65 pound	275-pound cor or 200-pound F	do					
Picnics	50 pound	65 pound	275-pound cor or 200-pound F	do	15	20	125-pound cor		
Fresh bellies	50 pound	65 pound	275-pound cor or 200-pound F	do	30	40	175-pound cor		
Spareribs	30 pound	40 pound	175-pound cor	80 percent	50	65	275-pound cor or 200-pound F		
Spareribs	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited				Unlimited	None.
Pork feet	30 pound	40 pounds	175-pound cor	80 percent	90	120	350-pound cor or 275-pound F		
Pork feet	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited	110	150	350-pound F		
Pork tails	30 pound	40 pound	175-pound cor	80 percent					
Pork tails	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited					
Pork hocks	30 pound	40 pound	175-pound cor	80 percent					
Pork hocks	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited					
Pork knuckles	30 pound	40 pound	175-pound cor	80 percent					
Pork knuckles	50 pound	65 pound	275-pound cor or 200-pound F	Unlimited					
Neck bones	50 pound	65 pound	275-pound cor or 200-pound F	do					
Trimmings and boneless shoulders	110 pound	150 pound	350-pound F	do					
Tenderloins	10 pound		200-pound cor	do	10		200-pound cor	Unlimited	None

SMOKED MEATS

Smoked hams, boneless	50 pounds	65 pounds	200-pound cor	Unlimited					
Precooked hams	50 pounds	65 pounds	200-pound cor	do					
Hams in casings	50 pounds	65 pounds	200-pound cor	do					
Dry salt belly bacon	50 pounds	65 pounds	200-pound cor	do					
Bacon squares	50 pounds	65 pounds	200-pound cor	do					
Smoked briskets	50 pounds	65 pounds	200-pound cor	do	15	20	125-pound cor		
Smoked jowl butts	50 pounds	65 pounds	200-pound cor	do	30	40	175-pound cor		
Smoked picnics	50 pounds	65 pounds	200-pound cor	do	50	65	200-pound cor	Unlimited	None.
Smoked canned bacon (except cooked canned bacon)	50 pounds	65 pounds	200-pound cor	do	90	120	350-pound cor or 275-pound F		
Smoked hocks and miscellaneous smoked meats	50 pounds	65 pounds	200-pound cor	do					
Slab bacon	50 pounds	65 pounds	200 pound cor	do					
Smoked boneless butts	18 pounds	20 pounds	125-pound cor	do					
Sliced bacon	12 pounds		175-pound cor	80 percent	12		175-pound cor	60 percent	Percentages may be applied to combined total of class A and class B shipments
Sliced bacon	18 pounds	20 pounds	175 pound cor	Unlimited	18	20	175 pound cor	Unlimited	

BEEF AND SMALL STOCK CUTS

Bone-in beef cuts	80 pounds	65 pounds	275-pound cor. or 200-pound F.	Unlimited	15	20	125-pound cor.	Unlimited	Sliced dried beef in bulk permitted in 5-pound net containers on direct shipments to retailers. 125-pound corrugated. Sliced dried beef in 4-ounce cello. permitted in 3-pound net containers on direct shipments to retailers 125-pound corrugated.
					20	40	175-pound cor.	
Bone-in veal and mutton cuts.	80 pounds	65 pounds	275-pound cor. or 200-pound F.		50	65	275-pound cor. or 200-pound F.	
Boneless veal and mutton cuts.	80 pounds	65 pounds	275-pound cor. or 200-pound F.					
Smo. dried beef	80 pounds	65 pounds	275-pound cor. or 200-pound F.					
Bulk hamburger	80 pounds	65 pounds	275-pound tel. cor. or 200-pound tel. F					
Boneless beef cuts	110 pounds	150 pounds	350-pound tel. F.		90	120	350-pound cor. or 275-pound F.	
Sau. matl. (bull and cow meat, trimgs, and boneless veal).	110 pounds	150 pounds	350-pound tel. F.		110	150	350-pound F.	
Fresh tongues to freezer.	110 pounds	150 pounds	350-pound tel. F.					
Hamburger patties	18 pounds	20 pounds	200-pound dbl. dbl. cor.					
Smo. tongues	30 pounds	40 pounds	175-pound cor.					
Sliced dried beef (bulk)	30 pounds	40 pounds	175-pound cor.					
Sliced dried beef (4 oz. cello. pkd.)	30 pounds	40 pounds	175-pound cor.					

VARIETY MEATS

*Brains	10 pounds	20 pounds	125-pound cor.	Unlimited	Same as branch house wholesale, and jobber shipments Percentages to apply to entire company's operations.	Same as branch house wholesale and jobber shipments. Percentages to apply to entire company's operations.	Same as branch house wholesale and jobber shipments. Percentages to apply to entire company's operations.	*Balance not packed in 25-pound boxes to be packed in 110-pound net 150-pound gross weight boxes to the visible capacity of the box 350-pound fibre.
*Cutlets	10 pounds	20 pounds	125-pound cor.	do				
*Veal and lamb sweetbreads	10 pounds	20 pounds	125-pound cor.	do				
Veal and lamb livers	10 pounds		125-pound cor.	do				
Chitterlings	10 pounds	20 pounds	125-pound cor.	do				
*Hearts	25 pounds	40 pounds	175-pound cor.	10 percent				
*Snouts	25 pounds	40 pounds	175-pound cor.	10 percent				
*Hog stomachs	25 pounds	40 pounds	175-pound cor.	10 percent				
*Melts—all kinds	25 pounds	40 pounds	175-pound cor.	10 percent				
*Beef cheek meat	25 pounds	40 pounds	175-pound cor.	10 percent				
*Pork tongues	25 pounds	40 pounds	175-pound cor.	10 percent				
*Pork ears	25 pounds	40 pounds	175-pound cor.	75 percent				
*Livers	25 pounds	40 pounds	175-pound cor.	75 percent				
Oxtails	25 pounds	40 pounds	175-pound cor.	Unlimited				
Split oxtail joints	25 pounds	40 pounds	175-pound cor.	do				
Veal tails	25 pounds	40 pounds	175-pound cor.	do				
Kidneys	25 pounds	40 pounds	175-pound cor.	do				
Fries	25 pounds	40 pounds	175-pound cor.	do				
Honeycomb tripe	25 pounds	40 pounds	175-pound cor.	do				
**Beef heart sweetbreads.	25 pounds	40 pounds	175-pound cor.	do				
**Sweetbreads prs. pkd. in inner containers	25 pounds	40 pounds	175-pound cor.	do				**5-pound net capacity box, 125-pound test corrugated permitted for direct shipments to retailers.
brains	40 pounds	65 pounds	200-pound cor.	do				
cutlets	40 pounds	65 pounds	200-pound cor.	do				
veal and lamb sweetbreads.	40 pounds	65 pounds	200-pound cor.	do				
chitterlings	40 pounds	65 pounds	200-pound cor.	do				
veal and lamb livers.	40 pounds	65 pounds	200-pound cor.	do				
Balance of variety meat items listed in OPA Order 396.	110 pounds	150 pounds	350-pound F.	do				Pharmaceutical glands may be shipped in any type or size container.

DRY SAUSAGE

Pepperoni and cervelat—small pieces.	18 pounds	20 pounds	125-pound cor.	Unlimited	10	20	125-pound cor.	Unlimited	Single pieces of thuringer and cooked salami may be packed in individual boxes, 125-pound test corrugated, on direct shipments to retailers.
					20	40	175-pound cor.	
All other dry and semi-dry sausage.	80 pounds	65 pounds	275-pound cor or 200-pound F.	do	50	65	275-pound cor or 200-pound F.	

FRESH SAUSAGE

Pork sausage	12 pounds	20 pounds	125-pound cor.	50 percent					
Pork sausage	50 pounds	65 pounds	200-pound cor.	Unlimited					
Smoked pork sausage	12 pounds	20 pounds	125-pound cor.	50-percent					
Smoked pork sausage	50 pounds	65 pounds	200-pound cor.	Unlimited					
Polish sausage	12 pounds	20 pounds	125-pound cor.	50-percent					
Polish sausage	50 pounds	65 pounds	200-pound cor.	Unlimited					
Chili	12 pounds	20 pounds	125-pound cor.	do					
Liver loaf	1 piece		125-pound cor.	do					
Liver sausage	50 pounds	65 pounds	200-pound cor.	do					
Head cheese	18 pounds	20 pounds	125-pound cor.	50-percent					
Head cheese	50 pounds	65 pounds	200-pound cor.	Unlimited					
Blood sausage	18 pounds	20 pounds	125-pound cor.	50-percent	10	20	125-pound cor.	Unlimited	Liver loaf, liver sausage, cooked loin roll, cooked Canadian bacon, cooked hams may be shipped in individual boxes, 125-pounds test corrugated, on direct shipments to retailers.
Blood sausage	50 pounds	65 pounds	200 pound cor.	Unlimited	20	40	175-pound cor.		
Souse	18 pounds	20 pounds	125-pound cor.	50-percent	50	65	200-pound cor.		
Souse	50 pounds	65 pounds	200-pound cor.	Unlimited					
Loaf-type products	18 pounds	20 pounds	125-pound cor.	50-percent					
Loaf-type products	50 pounds	65 pounds	200-pound cor.	Unlimited					
*Frankfurters	50 pounds	65 pounds	200-pound cor.	do					
*Bologna	50 pounds	65 pounds	200-pound cor.	do					
*Luncheon meats	50 pounds	65 pounds	200-pound cor.	do					
Cooked loin rolls	50 pounds	65 pounds	200-pound cor.	do					
Cooked loin rolls	18 pounds	20 pounds	125-pound cor.	25-percent					
Cooked can bacon	18 pounds	20 pounds	125-pound cor.	25-percent					
Cooked can bacon	50 pounds	65 pounds	200-pound cor.	Unlimited					
Cooked hams	50 pounds	65 pounds	200-pound cor.	do					*To include ten 5 pound cartons, even though gross weight exceeds 65 pounds provided Classification Committee approves exception.

CANNED MEATS

3-ounce cans	24 pieces		125-pound cor	Unlimited	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Unlimited	*175-pound test corr. recommended provided exception is authorized under Rule 41, Consolidated Frt. Classifications; otherwise, 200-pound test required. **1 piece and 2 piece units, 6-pound oblong and 8-10-pound Pullman in 125-pound test corr. permitted on direct shipments to retailers. **1-piece pear shape hams permitted in 175-pound corr. on direct shipments to retailers. **175-pound test dividers permitted for 4 and 6 can packs. **125-pound test dividers permitted on 9 piece 6-pound oblong and 2 piece 6-pound oblong.
3¼-ounce cans	48 pieces		125-pound cor	Unlimited					
3½-5½-ounce cans	48 pieces		175-pound cor	Unlimited					
6-8-ounce cans	24 pieces		125-pound cor	Unlimited					
10½-11-ounce cans	9 pieces		175-pound cor	Unlimited					
12-ounce cans	24 pieces		175-pound cor	Unlimited					
15-16-ounce cans	24 pieces		175-pound cor	Unlimited					
22-ounce cans	12 pieces		175-pound cor	Unlimited					
*24-ounce cans	24 pieces		175-pound cor	Unlimited					
30-ounce cans	12 pieces		175-pound cor	Unlimited					
**6-pound oblong cans	9 pieces		275-pound cor or 200-pound F	Unlimited					
6-pound round cans	6 pieces		200-pound cor	Unlimited					
**8-10-pound Pullman cans	6 pieces	65 pounds	200-pound cor	Unlimited					
**8-10-pound Pullman cans	6 pieces	65 pounds to 90 pounds.	275-pound cor or 200-pound F	Unlimited					
Individual hams:									
**Pear shape cans	4 pieces		275-pound cor or 200-pound F	25 percent					
**Pear shape cans	6 pieces	65 pounds to 90 pounds.	275-pound cor or 200-pound F	Unlimited					
**Pear shape cans	6 pieces	90 pounds to 120 pounds.	350-pound cor or 275-pound F	Unlimited					

LARD

1-pound cartons	36 pounds	40 pounds	175-pound cor	Unlimited	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Same as branch house wholesale and jobber shipments.	Unlimited	None.
1-pound cartons and larger.	48 pounds	65 pounds	200-pound cor	do					
Bulk lard	80 pounds	65 pounds	275-pound cor or 200 pound F with inner 200 pound cor. liners	do					

INTERPRETATION 1

The restrictions of L-317 (§ 3270.6) are applicable only to new fibre shipping containers. A question has arisen as to the status of such containers which have been rejected during the course of manufacture or upon delivery because of errors in size, printing, etc. Such containers are new containers and subject to the restrictions contained in the order until they have been used for the packing of a product. (Issued Nov. 6, 1943)

INTERPRETATION 2

APPLICABILITY OF INVENTORY RESTRICTIONS TO V-BOXES

(a) *Applicability of inventory restrictions to V-boxes.* It has been called to the attention of the War Production Board that there is, in certain quarters, a misimpression to the effect that V-boxes are exempted from the Inventory Restrictions of Order L-317. This impression is completely unfounded. Inventories of V-boxes are controlled to the same extent as other fibre shipping containers by the provisions of paragraph (n) through (q) of Order L-317 and paragraph (b) of Direction 1 of that order.

(b) *Cancellation of excessive V-box orders.* V-box orders are also subject to the restrictions against placing excessive orders set forth in paragraphs (c) and (d) of Direction 1 of Order L-317. Therefore, all orders for V-boxes in excess of the amount which a person would be entitled to receive within these inventory limitations must be cancelled immediately.

(c) *Responsibility of box manufacturers.* Attention is called to the fact that box manufacturers share responsibility for seeing to it that no V-boxes (as well as other fibre shipping containers) are delivered which will cause a customer to exceed his permitted inventory, because under paragraph (d) of Order L-317 they are prohibited from manufacturing, selling, or delivering any new fibre shipping containers which they know or have reason to believe will be used or accepted in violation of the order. (Issued May 26, 1944)

[F. R. Doc. 44-13930; Filed, Sept. 9, 1944; 10:55 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-317, Interpretation 8]

EXEMPTIONS APPLICABLE TO QUOTA ALTERNATIVE IN SCHEDULE IV

The following interpretation is issued with respect to Limitation Order L-317:

Paragraph (m-1) of Order L-317 states that the meat products listed in Schedule IV may be packed in fibre shipping containers only in accordance with that Schedule. Schedule IV permits packers to elect either to limit themselves to a quota of 85 per cent of their 1943 new fibre shipping container usage (computed in accordance with paragraph (h) to (m) of the order) or to follow the specifications provided in the Schedule IV Tables.

The exemption provided by subparagraph (1) of paragraph (m-1) (fibre shipping containers which were in process of manufacture on or before August 4, 1944) only applies to packers who elect to follow the specifications in Schedule IV in their use of fibre shipping containers for the products listed in Schedule IV. It does not apply to those who avail themselves of the above-described quota alternative. They must compute their quotas in accordance with paragraphs (h) to (m) of the order in exactly the same manner as if their products were covered by Schedule III. This means that the containerboard content of all new fibre shipping containers (or reshippers) used for these products must be charged against quotas regardless of when the containers were manufactured or when they were acquired by the packer. Of course, the exemptions available to products limited by Schedule III (such as that provided for certain government deliveries by paragraph (t) are available to packers of Schedule IV products who operate under the quota rather than the specification provisions of that Schedule.

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13931; Filed, Sept. 9, 1944; 10:55 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, as Amended Sept. 8, 1944]

PLUMBING AND HEATING SIMPLIFICATION

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities necessary for the manufacture of plumbing and heating equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.11 *Limitation Order L-42*—(a) *Issuance of schedules of simplification of lines.* The War Production Board may from time to time issue schedules establishing simplified practices with respect to the types, sizes, forms, specifications or other qualifications for any plumbing or heating products, or other similar products which may be used in any other line. From and after the effective date of any such schedule, no such product shall be produced, fabricated, assembled, delivered or accepted except those that conform to the issued schedule, and except as specifically permitted by such schedule.

(b) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* The provisions of Priorities Regulation 25 shall apply to any direction or schedule issued under this order to the extent allowed in such direction or schedule.

(2) *Appeals.* Any appeal from the provisions of this order or of any direction or schedule issued under it, other than from restrictions or limitations which may be waived or modified by application for permission to do so under Priorities Regulation 25, shall be filed

on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(c) *Applicability of regulations.* All persons and transactions affected by this order and by any direction or schedule issued under it, are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(d) *Communications.* All communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref. L–42.

(e) *Violations.* Any person who willfully violates any provision of this order or of any direction or schedule issued under it, or who, in connection with this order (or any such direction or schedule) willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13926; Filed, Sept. 9, 1944; 10:54 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–42, Schedule V, as Amended Sept. 9, 1944]

PLUMBING FIXTURE FITTINGS AND TRIM

§ 3288.16 *Schedule V to Limitation Order L–42—(a) Definitions.* For the purpose of this schedule:

(1) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Limitations.* Pursuant to Limitation Order L–42, the following restrictions are established for the manufacture, assembly and finishing of plumbing fixture fittings and trim:

(1) No person shall use copper or copper base alloy, except in the items specified on List A.

(2) No person shall use zinc, except in the items specified on List B, but zinc may be used for plating, coating or galvanizing.

(3) No person shall use cadmium, chromium or nickel for plating or coating.

(4) No person shall use any metal other than aluminum in the items specified on List C.

(c) *General exceptions.* The restrictions of this schedule do not apply to the production of articles or parts not available in the producers inventory for use in ships, boats, planes or advance bases (when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels), or for use in chemical and research laboratories, abattoirs, food packing and processing plants, hospitals and all buildings in a hospital group, clinics, dispensaries and railroad cars.

(d) *Special exception.*—(1) *Production under Priorities Regulation 25.* Any person who wants to obtain increased allotments of materials to enable him to produce greater quantities of plumbing fixture fittings and trim (including a person who has obtained no allotment or who has not produced any plumbing fixture fittings and trim) may apply for such increased allotments as explained in Priorities Regulation 25. He may still, of course, apply for allotments of materials in accordance with the provisions of CMP Regulation 1. Any person who in manufacturing plumbing fixture fittings and trim wants to incorporate in such plumbing fixture fittings and trim more metal (other than copper, copper base alloy, cadmium, chromium or nickel) than is permitted under paragraph (b), or wants to produce plumbing fixture fittings and trim restricted by paragraph (b) (using other than copper, copper base alloy, cadmium, chromium or nickel) may apply for permission to do so as is explained in Priorities Regulation 25.

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—COPPER AND COPPER BASE ALLOY

Copper base alloy may be used for the following items. Castings shall be made without the use of any primary copper or tin and shall be of no higher grade than Alloy 5A of American Society of Testing Materials Specification B–145–42–T.

Number and item:

1. Drinking fountain bubbler, guard, regulator and self closing valve (to be made according to the minimum requirements of the U. S. Public Health Service)
2. Glass filler faucet
3. Upper and lower lift wires
4. Spud or insert (for flush balls and floats)
5. Flush valves for high tanks
6. Ball cock complete, including hush tube and refill tube, but not including float and float rod
7. Ring, for lead traps—not including plugs or covers

The use of copper and copper base alloy in the following items is limited to valve stems, valve seats, bonnets, disc and disc screws, or valve trimming units combining these separate parts into one unit, and springs for self-closing faucets, provided it does not exceed the weight specified for each item.

	Ounces
8. Bathtub filler (½" I. P. S.) exposed	8.0
9. Bathtub filler (½" I. P. S.) concealed	21.0
10. Combination tub and shower supply assembly (½" I. P. S.)	30.0
11. Lavatory supply fittings (combination)	9.0
12. Lavatory faucet (single)	4.0
13. Laundry tray combination faucet (½" I. P. S.)	9.0
14. Laundry tray faucet (single)	5.0
15. Service sink combination faucet (½" I. P. S.)	11.0
16. Shower, two-valve (exposed ½" I. P. S.)	11.0
17. Shower, two-valve (concealed ½" I. P. S.)	21.0
18. Sink faucet, single (plain, hose and solid flange ½" and ¾" I. P. S.)	8.0
19. Sink faucet (deck, swinging, rigid, and concealed ½" I. P. S.)	11.0
20. Self-closing faucet or stop	12.0
21. Self-closing stop for shower	12.0

Copper and copper base alloy may be used in the manufacture of the following items, provided it does not exceed the weight specified for each item:

	Ounces
22. Automatic high tank supply valve—¾"	8.0
23. Automatic high tank supply valve—1" or larger	13.0
24. Automatic high tank supply valve—1¼" or larger	16.0
25. Flushometer valve, stop and backflow preventor	13.0
26. Wash fountain trim	16.0

LIST B—ZINC PERMITTED IN THE FOLLOWING ITEMS

Number and item:

1. Clean-out plugs (fixture traps).
2. Escutcheon holders (thimbles).
3. Flush tank trip lever assembly.
4. Nuts (lock, slip, coupling or bonnet).
5. Spuds or inserts (for handles).
6. Handles, faucet.

LIST C—NO METAL EXCEPT ALUMINUM PERMITTED

NOTE: Heading of List C amended Sept. 9, 1944.

Number and item:

1. Floats (ball cock), except for spud.
2. Flush balls, except for spud and inserts.
3. Pop-up wastes.
4. Trip-lever wastes, or other mechanical waste assembly.
5. Escutcheons.

[F. R. Doc. 44–13927; Filed, Sept. 9, 1944; 10:54 a. m.]

PART 3288 [1]—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–42, Schedule XII, as Amended Sept. 9, 1944]

PLUMBING FIXTURES

§ 3288.24 [1] *Schedule XII to Limitation Order L–42—(a) Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, processes or fabricates plumbing fixtures.

(2) "Plumbing fixture" means any bathtub, bidet, bath (foot sitz), drain pool (for a septic tank system), drain

[1] Formerly Part 1076, § 1076.14.

board, fountain (drinking, wash), lavatory, laundry tray, sink (except a scullery sink, with or without drain boards), sink and laundry tray combination, sink leg, shower receptor, shower stall and receptor combination, septic tank, water closet bowl (including frostproof bowl), urinal, urinal tank, water closet tank (other than a pressure tank for a frostproof closet); but it does not include any plumbing fixture trim not specifically named in this schedule:

(b) *Limitations.* Pursuant to Limitation Order L-42 the following limitations are established for the manufacture of plumbing fixtures:

No metal may be used in the manufacture of plumbing fixtures except that:

(1) Any person may incorporate into any plumbing fixture the minimum quantity of metal which is required for coating, nuts, bolts, screws, clamps, rivets and other items of joining hardware, excluding chair carriers, which are necessary for the construction, assembly or installation of the plumbing fixture, provided that such use is not prohibited by any other order of the War Production Board.

(2) In addition, any person may incorporate into any of the following named plumbing fixtures the metals specified in quantities not exceeding those designated, provided that such use is not prohibited by any other order of the War Production Board:

(i) Into any non-metallic wash fountain, (a) the maximum of one pound of copper or copper base alloy, (b) ferrous metal as required for reinforcement, trap, column, interior piping, foot rails and levers, and fixture trim.

(ii) Into any cement or concrete laundry tray, one ounce of zinc for waste plug in each outlet and ferrous metal as follows: one compartment, one and a half pounds for reinforcement, one and a half pounds for cast-in waste fitting; two compartments, two pounds for reinforcement, two and a half pounds for cast-in twin waste fitting; three compartments, three pounds for reinforcement, four pounds for one single cast-in waste fitting and one cast-in twin waste fitting;

(iii) Into any cement or concrete shower receptor and cast-in drain, six pounds of ferrous metal;

(iv) Into any shower stall and receptor combination, twenty-four pounds of ferrous metal (only secondary quality of sheet steel, including the rejects and trimmings, may be used);

(v) Into any concrete septic tank, ferrous metal required for reinforcement only, inlet or outlet connection, internal syphon and internal syphon pipe connection;

(vi) Into any water closet bowl that is to be supplied with water through a diaphragm or a piston type flush valve or a pressure tank, one pound of ferrous metal for spud;

(vii) Into any water closet bowl that is to be supplied with water from a water closet tank, one pound of ferrous metal for spud;

(viii) Into any component working parts of any tank for water closet (other than a pressure tank for a frostproof closet), four pounds of metal;

(ix) Into any urinal, one pound of ferrous metal for spuds;

(x) Into any component working parts of any tank for urinal, having ¾" automatic flush valve, five pounds of metal; having 1" automatic flush valve, seven pounds of metal; having 1¼" or larger automatic flush valve, ten pounds of metal.

(3) The restrictions of this order shall not apply to the use of aluminum or lead.

(c) *General exceptions.* The prohibitions and restrictions contained in this schedule shall not apply to the use of metal in the manufacture of any plumbing fixture or any part thereof which is being produced:

(1) Under a specific contract or subcontract for use in chemical plants, research laboratories or hospitals, where and to the extent that the physical, chemical and aseptic properties make the use of other materials impracticable. This exception, however, does not include any plumbing fixture used in private rooms or nurses' or attendants' quarters in any plant, laboratory or hospital.

(2) Under a specific contract or subcontract for use as part of the equipment of any aircraft or any vessel other than a pleasure craft where the use of other material is impracticable: *Provided, however,* That no monel metal shall be used in the manufacture of any trough urinal.

(3) Under a specific contract or subcontract specifying trough urinals for delivery to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration for use outside the continental United States (the several States and the District of Columbia): *Provided, however,* That no monel metal shall be used in the manufacture of any such trough urinal.

(d) *Special exception*—(1) *Production under Priorities Regulation 25.* Any person who wants to obtain increased allotments of or authorization to obtain more materials to enable him to produce greater quantities of plumbing fixtures (including a person who has obtained no allotments or has not produced any plumbing fixtures) may apply for such increased allotments as explained in Priorities Regulation 25. He may still, of course, apply for allotments of materials in accordance with the provisions of CMP Regulation 1. Any person who in manufacturing plumbing fixtures wants to use metal where not permitted by paragraph (b), or who wants to incorporate in plumbing fixtures more metal (other than copper, copper base alloy, cadmium, chromium, nickel, or monel metal) than is permitted under paragraphs (b) (1) or (b) (2) may apply for permission to do so as is explained in Priorities Regulation 25.

(e) [Deleted Apr. 12, 1944]

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13928; Filed, Sept. 9, 1944; 10:54 a. m.]

[General Limitation Order L-274 Interpretation 1]

PART 3290—TEXTILE, CLOTHING AND LEATHER

NYLON HOSIERY

The following interpretation is issued with respect to General Limitation Order L-274:

Order L-274 provides that no person shall "put into production" women's hosiery not conforming with Schedules A, B, D or E (except for the Army, Navy, Maritime Commission or War Shipping Administration). The schedules provide only for cotton and rayon women's hosiery. Thus, to put women's nylon hosiery into production is prohibited. The term "put into production" includes all stages of production. Accordingly, a commission hosiery dyer or finisher may not dye or finish any nylon hosiery except for the Army, Navy, Maritime Commission or War Shipping Administration, unless the manufacture of the hosiery has been specifically authorized in writing by the War Production Board. The dyer or finisher is not justified in assuming that the hosiery is for military account or that its manufacture was specifically authorized. He should obtain a specific statement to that effect from his customer. He may rely on such a statement, unless he knows or has reason to believe that it is false.

However, women's hosiery that was knitted prior to May 15, 1943, may be dyed or finished.

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13929; Filed, Sept. 9, 1944; 10:54 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Direction 7]

PROCESSING OF RAW GOATSKINS AND CABRETTAS

The following direction is issued pursuant to General Conservation Order M-310:

In computing his quota under paragraph (h) (2) of General Conservation Order M-310 of wettings of raw goatskins and cabrettas during the three months period commencing August 1, 1944, a tanner of cabretta glove leather to be delivered against military orders (as directed by Direction No. 8, dated April 24, 1944) may count three skins of the following types as only two skins:

South African Cape Hairsheepskins.
Nigerian Hairsheepskins.
Soudan Hairsheepskins.
Brazil Cabrettas.

Monthly wettings of all types must be reported as usual on Form WPB–1437 and the actual wettings of the types computed as directed above must be reported in the "Remarks" column.

Issued this 9th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13933; Filed, Sept. 9, 1944; 10:55 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–595]

MAX N. TOBIAS BAG COMPANY, INC.

Max N. Tobias Bag Company, Inc., of 328 North Cortez Street, New Orleans, Louisiana, is a corporation engaged in the manufacturing of burlap and cotton bags. During the period from May 1, 1943, to March, 1944, the corporation increased its inventory of burlap from approximately 432,000 yards to 904,000 yards. During that period, its current rate of operation was not in excess of 100,000 yards per month. Conservation Order M–47 prohibits the purchase of burlap in excess of a minimum practicable working inventory at the purchaser's then current rate of operation. The quantity of burlap which Max N. Tobias Bag Company, Inc., purchased and had in inventory on March 31, 1944, was approximately nine months' supply, which is in excess of a minimum practicable working inventory at its then current rate of operation. The responsible officers of Max N. Tobias Bag Company, Inc., were aware of Conservation Order M–47 and its actions must be deemed to have constituted a wilful violation of the order.

This violation of Conservation Order M–47 has interfered with the controls established by the War Production Board for the allocation of critical materials, and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.595 *Suspension Order No. S–595.* (a) No allocation or allotment of burlap as defined in or governed by Conservation Order M–47, as amended from time to time, shall be made to Max N. Tobias Bag Company, Inc., until its inventory of burlap is reduced to 250,000 yards unless hereafter otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Max N. Tobias Bag Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 9, 1944.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13966; Filed, Sept. 9, 1944; 4:07 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–612]

REPUBLIC FUEL & BURNER CO.

The Republic Fuel & Burner Company, 42 South 40th Street, Philadelphia, Pennsylvania, is a corporation engaged chiefly in the selling and servicing of oil burning heating equipment. In April and May, 1944, it delivered five Class B oil burners for new installations in violation of General Limitation Order L–74. The responsible officers of Republic Fuel & Burner Company were aware of General Limitation Order L–74 and its actions constituted wilful violations of the order.

These violations of General Limitation Order L–74 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is ordered, that:

§ 1010.612 *Suspension Order No. S–612.* (a) Republic Fuel & Burner Company, its successors or assigns, shall not accept or make delivery of any oil burner or parts thereof or fittings therefor as defined in or governed by General Limitation Order L–74, as amended from time to time, unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of this suspension order shall not apply to material or parts to the minimum extent necessary to enable Republic Fuel & Burner Company, its successors or assigns, to repair equipment.

(c) Nothing contained in this order shall be deemed to relieve Republic Fuel & Burner Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 9, 1944, and shall expire on December 31, 1944.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–13967; Filed, Sept. 9, 1944; 4:07 p. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L–157, Schedule I, as Amended Sept. 11, 1944]

HAND SHOVELS, SPADES, SCOOPS, TELEGRAPH SPOONS AND SNOW SHOVELS

§ 1293.2 *Schedule I to Limitation Order L–157*—(a) *Definition.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps, forges, or otherwise fabricates hand shovels, spades, scoops, telegraph spoons, or snow shovels.

(b) *Simplified practices.* Pursuant to Limitation Order L–157, no producer shall manufacture any hand shovels, spades, scoops, telegraph spoons or snow shovels except the kinds named in Tables I through IV of Appendix A in conformity with the sizes, standards, types and varieties set forth in Appendix A.

(c) *Restrictions on material.* There are some specific items appearing on the Tables contained in this schedule which shall be manufactured only out of steel which is obtained from idle or excess inventories, pursuant to specific authorization from the War Production Board in accordance with Priorities Regulation 13 or CMP Regulation No. 1. In such cases, a footnote will appear in the table, referring to this paragraph, designating the specific items which are governed by it, and in only those cases does this paragraph apply. Such specific items will also be marked with an *.

(d) *Records.* Each producer shall keep and preserve in his files accurate and complete records showing his inventory of raw materials, and his production of hand shovels, spades, scoops, telegraph spoons, and snow shovels, and such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

APPENDIX A

Explanations and limitations—(1) *Grades.* Alloy A, B, and C designate qualities of complete hand shovels, spades, scoops, or telegraph spoons; alloy and A designating the best quality. Alloy and A-grade tools are equipped with grade XX or SA handles; B-grade tools are equipped with grade X or SB handles. C-grade tools are equipped with No. 1 or SC handles. SA, SB, and SC grades are approximately equivalent to XX, X, and No. 1, respectively, which are the handle-grade designations commonly employed by the shovel industry. Grades SA, SB, and SC are defined in Simplified Practice Recommendation R76, Ash Handles issued by the United States Department of Commerce, National Bureau of Standards.

Nothing in this provision shall be construed as prohibiting the substitution for ash of other suitable species of wood having characteristics as nearly comparable as possible to the respective grades of ash for which they are substituted; *Provided*, That the buyer consents, and all handles other than ash be marked with the name of the species of wood of which they were made.

(2) [Deleted March 10, 1944]

(3) *Blade finishes.* Black or natural finish is obtained by dipping the blade in its natural state, except that it may be wire brushed to remove scale or rust, in lacquer, or lacquer with an asphaltum base, or other suitable protective coating; the blade shall not be pickled before being wire brushed. Full polished finish is obtained by pickling the blade, finishing on roughing and finishing polishing wheels, and dipping it in lacquer, lacquer with an asphaltum base, or other suitable protective coating. No hand shovels, spades, scoops, telegraph spoons, and snow shovels shall be finished in other than black or natural finish, except moulders' shovels and grain scoops, which may be full polished on the face only, and except shovels delivered to the Army or Navy of the United States, which shovels shall be finished in accordance with the procurement specification of the War Department or Navy Department as the case may be.

(4) *Gauges.* The gauges referred to are the steel manufacturers' standard gauges, and are subject to the manufacturers' standard tolerances. The gauge of blades is to be determined by averaging five measurements taken as specified in Federal Specification GGG–S–626.

(5) *Handle finish.* Neither long handles, nor the stems of D handles, shall be painted

or otherwise finished than by sanding and waxing, except all shovels delivered to the Army or Navy of the United States, which shovels shall be painted in accordance with specifications of the War Department or the Navy Department as the case may be. Any metal used in the construction of D handles may be given a protective coating, or the entire D may be so coated, but only so far along the stem as is necessary to cover any metal used in the construction of the D.

(6) *Handle lifts.* Each kind and size of hand shovel, spade, scoop, telegraph spoon, and snow shovels shall be manufactured with only one lift, which shall be in accordance with the individual manufacturer's present standard practice, except corrugated coal shovels, which may be made with lifts of 21, 17, 14, and 11 inches, and eastern pattern scoops, which may be made with lifts of 21 and 13 inches, also in low lift of approximately 10 inches.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I—HAND SHOVELS

Kind	Grades	Gauge	No.	Blade: Multiple size [1] Hollow back	Closed back	Plain back and solid shank or solid socket [2]	Steps
				Inches	*Inches*	*Inches*	
1. Barn or general purpose	C	16	2	12 x 21			
2. Coal, corrugated [3]	Alloy, A, B, C	17	2	14 x 23			
			4	15 x 24			
3. Coal dust, or bug dust	B or C	16	4	14 x 21			
4. Round Point	Alloy, A, B, C	16	2	10 x 21¼	10 x 21¼	9⅛ x 11¾	(5)
			3	10 x 21¾	10 x 21¾	10 x 12¾	
	Alloy, A, B	14	2	11 x 22¾	11 x 22¾	11 x 13¾	
			4	12 x 23¾	12 x 23¾	12 x 14¾	
	C	16	2	10 x 21¾	10 x 21¾	10 x 13¾	
			4	11 x 22¾	11 x 22¾	11 x 13¾	
5. Square Point	Alloy, A, B, C	16	2	10 x 21¼	10 x 21¼	9⅛ x 11¾	
			3	10 x 21¾	10 x 21¾	10 x 12¾	
	Alloy, A, B	14	2	11 x 22¾	11 x 22¾	11 x 13¾	
			4	12 x 23¾	12 x 23¾	12 x 14¾	
	C	16	2	10 x 21¾	10 x 21¾	10 x 21¾	
6. Irrigating	B	16	2	10 x 21¾	10 x 21¾	10 x 12¾	
7. Mining—stiff point and spring point.	Alloy, A, B	14	2		10 x 21¾	10 x 21¾	
8. Moulders'	Alloy, A, B, C	16	2	10 x 21¾	10 x 21¾	10 x 12¾	
9. Ore	Alloy, A, B	14	4	11 x 21¾			
10. Telegraph	Alloy, A	12	2			10 x 12¾	
11. Track	Alloy, A	12	2	[6] 10 x 21¾	[6] 10 x 21¾	10 x 12¾	(7)
12. Entrenching shovel [8]							

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handled shovels of a given number (size).
[2] The trimmed blank for a solid shank shovel is to be the same size as the blank for a similar type and size of plain back shovel.
[3] To be made in lifts of 21, 17, 14, and 11 inches.
[4] With or without steps; one type only.
[5] [Deleted Sept. 11, 1944.]
[6] If step is made as an integral part of blade, add ¾ inch to the length of the multiple.
[7] To be in accordance with U. S. Army Specification No. 17-172.

TABLE II—SPADES

Kind	Grades	Gauge	Blade: Multiple size [1] Length or size number	Hollow back and closed back	Plain back and solid shank [2]	Steps
				Inches	*Inches*	
13. Ditch or post	Alloy, A, B	14	14-in	7¼ x 23	7¼ x 14	One type
			16-in	7½ x 25	7½ x 16	One type
			18-in	7½ x 27	7½ x 18	One type.
14. Drain-round point	Alloy, A, B	14	14-in	7¼ x 23	7¼ x 14	One type
			16-in	7½ x 25	7½ x 16	One type.
			18-in	7½ x 27	7½ x 18	One type
15. Garden	C	12	No. 2	8 x 21¼ [3] [4]	7¼ x 12¾ [4]	One type.
16. Nursery	Alloy, A	13	No. 2		7¼ x 12¾ [4]	One type

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle spades of a given size.
[2] The trimmed blank for a solid shank spade is to be the same size as the blank for a similar type and size of plain back spade.
[3] If sockets are rolled, a shorter multiple may be used, so that the trimmed blank will correspond with the length given.
[4] If step is made as an integral part of the blade, add ¾ inch to the length of the multiple.

TABLE III—SCOOPS AND TELEGRAPH SPOONS

Kind	Grades	Gauge	No.	Blade: Multiple size [1] Hollow back	Plain back and solid shank [2]	Steps
				Inches	*Inches*	
17. Ash pit (low lift)	C	16	4	13 x 24½		
[9]17A. Household furnace	C	[10]16	0	11½ x 22¾		
18. Break-down, diamond point	Alloy, A, B	14	5	14 x 24½		Turned.
19. Coal yard (western pattern, flat point)	Alloy, A, B	16	8	13¼ x 26		
20. Eastern pattern or locomotive [3]	Alloy, A, B, C	16	2	12¼ x 23¼		
			4	13 x 24½		
			6	13¼ x 25¼		
			8	14¼ x 26		
21. Grain corrugated (western pattern)	C	17	10	15¼ x 27		
			12	15¾ x 28		
			14	16¼ x 29		
22. Gravel, round point	Alloy, A, B, C	16	2	12½ x 22½		Turned.
TELEGRAPH SPOONS						
23. Eastern pattern	Alloy A	13			10 x 12¾ [4]	
24. Western pattern	Alloy A	13			10 x 12¾ [4]	

[1] Multiple size is the size of the flat sheet of steel required to make one blade. The same multiple size is to be used for both D and long handle scoops of a given size number.
[2] The trimmed blank for a solid shank spoon is to be the same size as the blank for a similar type and size of plain back spoon.
[3] To be furnished in lifts of 21 and 13 inches, also in low lift of approximately 10 inches.
[4] May be made from smaller multiples, if desired
[5] 15 or 17 gauge steel may be substituted for 16 gauge when the latter is not available.
[6] Item 17A is governed by the provisions of paragraph (c) of this schedule.

TABLE IV—SNOW SHOVELS

Large blade variety, having blades approximately 18 inches wide by 15 inches long, with handles attached directly to the blade or set in a socket attached to the blade.

NOTE: Governed by the provisions of paragraph (c) of this schedule.

[F. R. Doc. 44-14003; Filed, Sept. 11, 1944; 11:43 a. m.]

PART 3133—PRINTING AND PUBLISHING

[General Limitation Order L-188, as Amended Sept. 11, 1944]

LOOSE LEAF METAL PARTS AND UNITS, AND MECHANICAL BINDINGS

§ 3133.45 *General Limitation Order L-188*—(a) *Definition.* For the purpose of this order:

(1) "Binder" means a blank book, loose leaf book or cover.

(2) "Unit" means a complete device, including mechanical bindings, designed to hold together loose leaves, covers, paper products or other materials in a binder.

(3) "Part" means a component used in the construction of a unit.

(4) "To fabricate" means to change the shape or form of metal in any manner.

(5) "To assemble" means to combine parts into completed units. It does not mean to attach completed units to binders.

(b) *Allotments.* In any calendar quarter, it is the intention of the War Production Board to allot iron or steel to a fabricator of loose leaf metal parts and units in an amount equal to 18¾ percent by weight of metal fabricated by him into metal parts and units in the calendar year 1941.

(c) *Order M-126.* Conservation Order M-126 does not apply to binders.

(d) *Restrictions on materials.* No metal other than iron, steel, aluminum or zinc may be used in fabricating metal parts or units for binders. Zinc may be used only for the purpose of applying a protective coating or plating.

(e) *How to get materials.* Persons who wish to get materials to fabricate units or parts may get them pursuant to CMP regulations, or Priorities Regulation 13. In addition, they may apply under Priorities Regulation 25.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB-1477 (PD-500), referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All communications concerning this order shall be addressed to War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-188.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14004; Filed, Sept. 11, 1944; 11:42 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Sept. 11, 1944]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Orders M-21-b-1 and M-21-b-2.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of receiving steel for sale or resale in the form received or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) A distributor must reject all orders except those which he is required or permitted to fill under paragraph (d).

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not deliver any steel on an authorized controlled material order bearing a specific allotment number except in the period for which the allotment was made or within 15 days before or 30 days after such period. For example, a distributor receiving an order bearing the allotment number N-1-4Q43 may fill the order at any time during the period September 15, 1943, through January 31, 1944. Orders bearing symbols such as MRO which do not have to bear any quarterly identification are not subject to this provision.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which must be filled.* A distributor must fill the following kinds of orders unless he is required or permitted to reject them under paragraph (c):

(1) A distributor must fill all authorized controlled material orders.

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill other orders as follows, but is not required to do so regardless of whether rated or not:

(i) Orders in amounts of $25 or less. No endorsement is required on such orders.

(ii) Orders calling for delivery to one customer during any calendar quarter of not more than 10 tons of carbon steel, 1,000 pounds of stainless steel and 2 tons of other alloy steel, providing such deliveries of any one product group and type to one customer do not exceed the amounts shown below:

	Quantities in pounds per quarter unless otherwise stated		
	Carbon (including wrought iron)	Stainless	Alloy (Other than stainless)
Tool steel, including drill rod	300	-------	300
Mechanical tubing	1,000*	100*	300*
Wire rope and strand	300*	-------	-------
Music Wire	300	-------	-------
All other steel products	20,000	1,000	4,000

*Feet per quarter.

Each order placed under this paragraph (d) (4) (ii) must be accompanied by or endorsed with both the standard form of certification in CMP Regulation No. 7 and the following sentence: "This order is placed under paragraph (d) (4) (ii) of CMP Regulation No. 4."

The purpose of this paragraph (d) (4) (ii) is to permit persons using small

quantities of steel to obtain their requirements without the use of allotments; it is not to allow users of large quantities to obtain steel in addition to their purchases on authorized controlled material orders. Therefore, a person who buys any steel under this paragraph (d) (4) (ii) cannot receive any kind or type of steel from producers or distributors in any quarter in excess of the amounts shown in the above table whether it is received on authorized controlled material orders or otherwise. Consequently, in general, a person should plan to buy all his steel either under this paragraph or on authorized controlled material orders, but not both. Purchases of steel from persons other than producers or distributors do not affect the amount which can be bought under this paragraph. Such purchases are subject to the provisions of Priorities Regulation 13 and paragraph (u) of CMP Regulation No. 1.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products*—(1) *Delivery from warehouse stock.* (i) A warehouse shall fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) Beginning May 15, 1944 no person shall place orders for delivery from warehouse stock of any item of brass mill product to any one destination, during any calendar week which aggregates more than 500 pounds gross weight, or, effective immediately, for delivery, during any one calendar month, which aggregate more than 2,000 pounds gross weight and no person shall accept any delivery in excess of these amounts. However, the 500 pound limitation does not apply to a single continuous length of rod, tube, pipe, sheet or strip and neither the 500 pound nor the 2,000 pound limitation applies to condenser tubes or to the resale of brass mill products obtained by brass mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 5th Avenue, New York City, New York.

(iii) No person shall place orders for delivery from warehouse stock of any item of copper wire mill product to any one destination during any one calendar month, which aggregate more than 3,000 pounds copper content and no person shall accept any such delivery in excess of this amount, except that this limitation does not apply to the resale of copper wire mill products obtained by copper wire mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 Fifth Avenue, New York City, New York.

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Shipments direct to customer or to fill* under paragraph (f) (1) or (f) (2) to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(3) *Rejection of orders.* (i) A warehouse must not fill any order for brass mill or copper wire mill products except those which it is required or permitted to *fill specific orders.* If a warehouse wants above.

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor shall, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM, and orders which he has been specifically directed in writing by the War Production Board to fill (i) except that he may reject any such order calling for delivery at any one time, to any one person at any one destination, of more than 2,000 lbs. of any gage, alloy and size of aluminum sheet, or more than 900 lbs. of any alloy, shape and size of aluminum wire, rod or bar, or more than 600 lbs. of any alloy, size or shape of aluminum tubing, extrusions or structural shapes and (ii) except that he also may reject any order from another distributor.

(2) No distributor shall deliver any aluminum except to fill an authorized controlled material order or pursuant to a specific direction of the War Production Board.

(3) The restrictions of this regulation do not apply to aluminum powder, flake,

pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding compound. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders (Issued Feb. 27, 1943)

[F. R. Doc. 44-14000; Filed, Sept. 11, 1944; 11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Direction 1, as Amended Sept. 11, 1944]

SPECIAL PROCEDURE FOR AUTHORIZATION OF CONSTRUCTION

The following direction is issued pursuant to CMP Reg. 6:

(a) *What this direction does.* (1) GA 1456 is the form used in authorizing agricultural, commercial and industrial construction and all other kinds of construction except as indicated in paragraph (a) (2) below, and in giving priorities assistance needed in connection with the construction authorized. The form is also used in granting priorities assistance needed for construction work of the kind mentioned even though no authorization to do construction is needed. This direction tells how to buy controlled materials and other products and materials needed to carry on the construction work described in the form.

(2) This direction does not apply to a person doing construction work which has been authorized or rated on forms other than GA 1456. Other forms are used for housing (except farm houses, and hotels which use a GA 1456); for certain kinds of construction carried on by the Army and Navy; for water, gas, steam heating, electric power, telephone and telegraph facilities for use by the public; for petroleum facilities; and for certain other specialized kinds of construction which are provided for under blanket orders of the WPB or by special authorization forms. CMP Regulation No. 6 and other directions to that regulation tell how construction of the kinds mentioned in this sub-paragraph (a) (2) is handled under the Controlled Materials Plan.

(b) *Applications and authorizations.* An application for an authorization on Form GA-1456 should be made on Form WPB-617. An application to amend an authorization on Form GA-1456 should also be made on Form WPB-617. If the application is approved, Form GA-1456 will be issued assigning the allotment symbol F-6 and an appropriate preference rating which may be used to order all products, machinery, equipment, and material needed to complete the project, except as provided by the next paragraph.

(c) *Limitation on the use of the allotment symbol and preference rating.* The allotment symbol and preference rating assigned on Form GA-1456 may only be used to order materials and equipment needed to complete the project in accordance with the terms of the authorization. Furthermore, the symbol and rating may only be used to order those items of machinery and equipment of the kind that must be listed in Section III of Form WPB-617 which have been approved under the terms of the authorization on Form GA-1456. The applicant must construct in accordance with the construction limitations contained in Schedule A of CMP Regulation No. 6. The symbol and rating may not be used to purchase any material which the applicant is forbidden to use in construction by Schedule A of CMP Regulation No. 6. Certain exceptions to and special authorizations under the Schedule A may be obtained as explained in the next paragraph. If Schedule A is amended after the builder receives his GA-1456 authorization, he may construct according to either the amended schedule or the schedule in effect at the time his GA-1456 authorization was issued.

(c-1) *Authorization of prohibited material and equipment.* Schedule A of CMP Regulation No. 6 lists certain materials and equipment which may not be used in construction. If the applicant needs to use any of these materials or equipment in the construction covered by the application, he should ask for permission to use them, listing them separately as provided in the instructions on Application Form WPB-617. Appendix II of Schedule A lists certain types of equipment for which an additional special application must generally be made to the War Production Board in order to get it for a project. If the applicant needs to get any of this specially listed equipment for a project, and if Appendix II indicates that no special application form needs to be used, he may apply for permission to get this equipment on Form WPB-617, as directed by the instructions to that form. However, if Appendix II of the Construction Limitations indicates that a supplemental application must be filed to get the equipment, the applicant must file such supplemental application and must get his authorization under that application.

The War Production Board may authorize the applicant to get and use material and equipment on Schedule A, or equipment on Appendix II of Schedule A for which a special application is not required, by specific authorization on Form GA-1456. If it does so, the applicant may get and use the material or equipment, without further special authorization, notwithstanding the provisions of any other order of the War Production Board which requires authorization on a special form or letter. In order that the supplier will know that a delivery of a prohibited material or of equipment listed in Appendix II of Schedule A is permitted under this direction, the person getting an authorization for the material or equipment on Form GA-1456 should add to the standard certification in Priorities Regulation No. 7 the following: "Delivery approved on Form GA-1456 under Direction 1 to CMP Regulation No. 6."

(d) *How to order materials.* (1) The allotment symbol may be used to order controlled materials and Class A products by:

(i) The applicant;

(ii) By manufacturers of Class A products or Class A components of Class A products to be incorporated in the project;

(iii) By contractors and sub-contractors doing all or any part of the construction work.

The applicant must not use the allotment symbol or give others the right to use it before he has received a GA 1456 authorization. A manufacturer, contractor or subcontractor must not use it, or give others the right to use it, unless he has received a statement in substantially the following form endorsed on the order or contract by the person placing it, signed manually or in the way explained in Priorities Regulation 7:

Serial Number ------ (identifying project). You are authorized to use the allotment symbol P–6 to order controlled materials and Class A products needed to fill this order or contract.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that he has the right to authorize the person with whom the order or contract is placed to use the allotment symbol to fill the order or contract. The standard form described in Priorities Regulation 7 cannot be used instead of the above statement.

(2) The preference rating may be used to order all materials other than controlled materials. If an applicant, contractor or subcontractor orders a Class A product the certificate described in Priorities Regulation 7 must be used in addition to the statement set forth in paragraph (d) (1) above. If a contractor or sub-contractor needs a preference rating to buy materials the rating may be given him by use of the certificate set forth in Priorities Regulation 7. In using the rating to buy all products and materials other than controlled materials or Class A products the certificate in Priorities Regulation 7 must be used and the allotment symbol P–6 must be used along with the preference rating for purposes of identification.

(3) Each person using the allotment symbol or preference rating must maintain at his regular place of business, for a period of two years, records of the right to use the symbol or preference rating, records, kept by serial number identifying the project, of the amount of materials ordered with the allotment symbol or rating and records showing that the materials so ordered were used for the purpose for which the right to use the symbol or rating was granted.

(4) The use of the allotment symbol P–6 will not be limited to any particular month or quarter and, therefore, no quarterly identification need be shown when using it. Authorized controlled material orders must, however, show the month in which delivery is requested. The allotment symbol and preference rating may not be used by the applicant in placing authorized controlled material orders or rated orders after the expiration date of the project but delivery after such date may be accepted on orders placed before then.

(5) The allotment symbol and preference rating must not be used to order materials in greater quantities, or on earlier dates, than needed for the construction. It may be used not only to order materials needed for the construction but also to replace in inventory materials used for the construction. Attention is called to CMP Regulation No. 2 which places a restriction on inventories of controlled materials which must be complied with.

(6) A person who has the right under this direction to use an allotment symbol in ordering controlled materials must endorse the symbol on his order and the form of certification set out in CMP Regulation No. 7, signed manually or in the way explained in Priorities Regulation No. 7. An order so endorsed is an authorized controlled material order (i) if it is a "delivery order" as defined in paragraph (b) (9) of CMP Regulation No. 6, (ii) if it is in sufficient detail to permit entry on mill schedules and (iii) if, when placed with a controlled materials producer, it is received at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same.

(e) [Deleted Sept. 11, 1944.]

(f) *Transfers of allotments or preference ratings.* Transfers of allotments or preference ratings by applicants (as distinguished from making an allotment or applying a rating to a supplier) shall not be made unless the transfer of the related authorization to begin construction is approved by the authorizing agency.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14001; Filed, Sept. 11, 1944; 11:43 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L–201, as Amended Sept. 11, 1944]

AUTOMOTIVE TIRE CHAINS, TRACTOR TIRE CHAINS, AND CHAIN PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of tire chains for use on passenger autos, commercial vehicles, and farm tractors for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.76 *Limitation Order L–201*— (a) *Definitions.* For the purposes of this order:

(1) "Tire chain" means:

(i) A complete chain assembly, whether or not reinforced, made for use on a tire of a passenger auto, commercial vehicle, or farm tractor in order to increase the traction of the tire.

(ii) Any cross chain, lock, hook, plate, or side chain, whether or not reinforced, made for use in repairing a complete tire chain.

(iii) Any chain assembly of the strap-on or single-chain type.

(2) "Passenger auto" means any passenger vehicle propelled by an internal combustion engine and having a seating capacity of less than eleven persons.

(3) "Commercial vehicle" means any light, medium, or heavy motor truck, truck-tractor, truck trailer, off-the-highway motor vehicle, passenger carrier having a seating capacity of eleven or more persons, or tractor other than a farm tractor.

(4) "Consumer" means the owner or operator of the vehicle for which tire chains are required, or the user of such tire chains for any other purpose.

(b) *Limits on types and sizes of tire chains.* (1) A producer must not make any tire chains containing any metal other than low carbon steel, or any tire chains which are plated with metal.

(2) A producer must not make any tire chains except for use on the following sizes of tires:

(i) Tires for passenger autos: 6.00–16 (in "light car special" type only); 6.50–16; 7.00–16; 7:50–16.

(ii) Tires for commercial vehicles other than farm tractors: 6.00–16, 6.50–20/32 x 6; 7.00–20; 7:50–16; 7.50–17; 7.50–20/34 x 7; 8.25–20; 9.00–20; 9.75–20.

(iii) Tires for farm tractors: As required.

(3) All tire chain produced for passenger autos or commercial vehicles must be of the types called A, C, G, and M in Tire Chain Specifications No. 7140, copyrighted by The Chain Institute, Inc., Chicago, Illinois, published July 1, 1940.

(c) *Production of specially sized tire chain.* Tire chain in types and sizes other than those permitted by paragraphs (b) (2) and (b) (3) may also be made when individually ordered for delivery by the producer directly to the consumer. This is an exception to paragraphs (b) (2) and (b) (3).

(d) *Limits on production*—(1) *For passenger autos.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for passenger autos more than 24 percent of the total weight of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941–March 31, 1942.

(2) *For commercial vehicles.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for commercial vehicles more than 24 percent of the total weight of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941–March 31, 1942.

(3) *For farm tractors.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for farm tractors more than the total weight of metals used in the production of all tire chain for farm tractors sold by him either during the year April 1, 1940–March 31, 1941, or the year April 1, 1941–March 31, 1942, whichever is greater.

(4) *Increased production in critical labor areas and requirement for special authorization.* Notwithstanding the increase in production permitted by this order, no producer's plant located in a Group I or Group II Labor Shortage Area as classified by the War Manpower Commission shall, during the period April 1, 1944–March 31, 1945, put into process for the production of tire chain under this order a total weight of metals in excess of that legally put into process during the period April 1, 1943–March 31, 1944, unless specific authorization to do so is obtained from the War Production Board. The policy of the War Production Board will be to authorize the using of an increased weight of metals for such production so as to avoid increasing requirements for labor in labor shortage areas. Any producer seeking specific authorization under this paragraph should file a written statement in triplicate with the War Production Board, Washington, D. C., explaining fully how labor requirements for the requested increase will be met.

(5) *Exclusions in determining quota.* In determining production quotas under this paragraph (d) sales of tire chain during the base period to or for the account of persons described in paragraph (e) below shall not be included.

(6) *Scheduling of tire chain production.* Each producer may schedule production of the quantity of tire chain which he is allowed to produce by this paragraph (d) regardless of preference ratings on orders for tire chain or other kinds of chain. An exception to this rule is that production of tire chain under this order shall not be permitted to delay the production and delivery of any order for tire chain or other kinds of chain rated AAA; or to delay the production or delivery more than thirty days beyond the required delivery date of any order for tire or other kinds of chain for delivery to or for the use of the Army, Navy, Maritime Commission, or War Shipping Administration.

(e) *Exceptions to applicability of this order.* With the exception of the restrictions contained in paragraph (b) (1), the restrictions of this order shall not apply to:

(1) Any contract or purchase order for material to be delivered to, or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, or the Treasury Department under Treasury Procurement Supply (TPS) contract.

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Exceptions and appeals*— (1) *Production under Priorities Regulation 25.* Any person who wants to use more metal in the production of tire chains than the quota fixed in paragraph (d) (1), (d) (2) or (d) (3) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. The provisions of paragraph (d) (6) do not apply to production authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions in paragraphs (d) (1), (d) (2) and (d) (3) shall be made on Form WPB–1477 (formerly PD–500) or by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (d) (1), (d) (2) and (d) (3).

(i) *Communications.* All communications concerning this order shall unless otherwise directed be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: L–201.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14005; Filed, Sept. 11, 1944; 11:42 a. m.]

PART 3291—CONSUMERS' DURABLE GOODS

[Limitation Order L–13–a, as Amended Sept. 11, 1944]

METAL FURNITURE AND FIXTURES

§ 3291.50 *Limitation Order L–13–a*— (a) *Definitions.* For the purposes of this order:

(1) "Manufacturer" means any person engaged in the production of metal furniture and fixtures.

(2) "Metal furniture and fixtures" includes the following: Swivel chairs containing any metal other than upholstery springs, casters and joining hardware; theatre seats; school furniture; insulated metal filing cabinets, safes; metal visible reference panels; other metal visible reference equipment; metal shelving; metal filing cabinets other than insulated filing cabinets; wood filing cabinets containing more than two pounds of essential operating steel hardware per drawer; metal lockers, metal storage cabinets; metal desks, metal office chairs; metal office tables, including typewriter and office machine stands (except those which are integral parts of the machine which they support); metal bank vault equipment; metal safe deposit boxes; metal office counters; any other metal furniture and fixtures, including but not limited to, waste paper baskets, metal trays and wire baskets. The definition includes any furniture and fixtures whether or not specifically mentioned, containing more than 5% of metal in the net weight of the finished product other than such minimum amount of iron or steel as is essentially required for nails, nuts, bolts, screws, clasps, rivets, and other joining hardware for the construction and assembly of non-metal structural parts, and other than casters and upholstery springs. It does not include time card racks subject to L–54–c, medical and surgical furniture and related equipment as defined in L–214, Schedule III; dental equipment, laboratory furniture, metal drafting tables, metal doors, metal door frames, and metal shutters subject to Limitation Order L–142, metal household furniture subject to Limitation Order L–62, or graphic arts machinery subject to Limitation Order L–326 wood filing cabinets containing not more than two pounds of essential operating steel hardware per drawer and wood typewriter desks containing metal typewriter mechanisms subject to Order L–260–a.

(3) "Preferred order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *Restrictions on production.* No manufacturer shall produce any new item of metal furniture and fixtures, except:

(1) Steel seating equipment designed for use at a work bench or production machine; steel work benches where required for safety, steel foremen's desks, shop boxes, stacking boxes, tool cases, and tool room shelving inserts.

(2) To fill preferred orders (i) which state on their face that the products are for use on a steel seagoing vessel or at an advance military base outside the 48 United States and the District of Columbia; or (ii) for insulated filing cabinets, safes and metal visible reference panels, regardless of where they are to be used. A manufacturer may not produce any item to fill preferred orders under this paragraph until the preferred order is actually received by him.

(3) Such additional metal visible reference panels as can be produced out of 40% of the aggregate weight of iron and steel used by a manufacturer in the pro-

duction of metal visible reference panels in the year ending June 30, 1941.

(c) No manufacturer shall use in the production of visible reference panels any new steel other than flat rolled sheets or strip less than twelve inches in width.

NOTE: Paragraph (d) formerly (c), redesignated and amended Sept. 11, 1944.

(d) *Restrictions on transfer.* No manufacturer shall sell or deliver any new item of metal furniture and fixtures, except:

(1) To fill orders of persons who use metal furniture and fixtures when the order is not for more than $25.00 worth of such metal furniture and fixtures. No person may divide orders for the purpose of evading the provisions of this paragraph.

(2) To fill orders for items listed under paragraph (b) (1).

(3) To fill preferred orders as specified in paragraph (b) (2).

(4) As authorized on Form WPB–1319. This form should be prepared in accordance with "Instructions for approved uses of Form WPB–1319" and filed by the ultimate consumer with the nearest office of the War Production Board, except in the following instances: Applications involving purchases by the Army, Navy, Maritime Commission and War Shipping Administration as well as cases involving tax amortization should be filed with the War Production Board, Washington 25, D. C., Ref.: L–13–a; applications involving export should be filed with the Foreign Economic Administration, Requirements and Supply Branch, Washington, D. C. If approval is granted, the ultimate consumer may certify by endorsement on his purchase order in the standard form prescribed in Priorities Regulation 7, adding the case number of the authorization on Form WPB–1319 he has received, or if he prefers he may certify as follows:

The War Production Board has authorized me to accept delivery on this order under the terms of Order L–13–a with which I am familiar. Delivery approved on Form WPB–1319, Case No. .....

.....
Signature

A person receiving an authorization on Form WPB–1319 may only place his order with the manufacturer named in the application at the time the application was made.

(e) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any metal furniture and fixtures or any metal furniture and fixture parts which he knows or has reason to believe was made, assembled or delivered in violation of this order.

(f) The restrictions of this order do not apply to the rebuilding or altering of previously fabricated parts or products when the rebuilt or altered product is to be used for the same purpose as that for which the fabricated part or product was originally intended.

NOTE: Paragraph (g) formerly (d) redesignated Sept. 11, 1944.

(g) *Reports.* On or before the tenth day following the close of each calendar month, every manufacturer of safes, insulated files, or visible reference panels, shall file with the War Production Board, Form WPB–1600, according to the instructions accompanying that form. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

NOTE: Paragraph (h) formerly (e) redesignated and amended Sept. 11, 1944.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce any metal furniture and fixtures the production of which is prohibited or restricted by paragraph (b) of this order or any person who wants to use more iron or steel than he is permitted by paragraph (b) (3) to use in the manufacture of metal visible reference panels (including a person who has no quota under that paragraph) may apply for permission to do so as explained in Priorities Regulation 25. All the provisions of the order except the provisions of paragraph (b) must be complied with when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (b) should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b).

NOTE: Paragraphs (i) and (j) formerly (i) and (g) redesignated Sept. 11, 1944.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Communications.* All reports to be filed hereunder and all communications concerning this order except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–13–a.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14002; Filed, Sept. 11, 1944; 11:43 a. m.]

Chapter XI—Office of Price Administration

PART 1346—BUILDING MATERIALS
[RMPR 206,[1] Amdt. 6]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 206 is amended in the following respects:

1. Chart No. VIII of section 11.3 is hereby amended to add immediately after the column headed "Washington Zone 3" another column headed Oregon Zone 1; the amended chart to read as follows:

CHART VIII—SEATTLE TERRITORY

[Delivered by rail]

Discount number	Washington Zone 1				Washington Zone 2	Washington Zone 3	Oregon Zone 1
	Trade class 1	Trade class 2	Trade Class 3	Trade class 4	All trade classes	All trade classes	All trade classes
1	15	20	40	30	35	35	35
2	15	20	40	30	35	35	35
3	15	20	35	30	35	35	35
4	15	30	35	35	35	35	35
5	15	30	35	35	35	35	35
6	40½	44	56	51	50	45	45
7	40½	44	54½	51	50	45	45
8	40½	44	47½	47½	50	35	35
9	40½	44	47½	47½	50	35	35
10	40½	44	47½	47½	50	35	35
11	40½	44	47½	47½	50	35	35
15	.....	.....	[2] [3] 25	.....	[2] [3] 25	[2] [3] 25	[2] [3] 25
16	.....	.....	[2] [3] 25	.....	[2] [3] 25	[2] [3] 25	[2] [3] 25
17	.....	.....	.....	.....	.....	.....	[2] [3] 25
18	.....	.....	[2] [3] 25	.....	[2] [3] 25	[2] [3] 25	List
23	.....	.....	.....	.....	List	List	List
24	.....	25	25	.....	25	25	25

[1] Applies only to dealer sales. One-foot lengths 10 points less discount than above.
[2] Contractors on Federal projects 5 points less discount than above.

*Copies may be obtained from the Office of Price Administration.
[1] 8 F.R. 14281, 16095; 9 F.R. 4549, 7339, 8146, 9889.

2. Paragraph (a) (1) under section 11.4 is amended to read as follows:

(a) (1) The maximum f. o. b. factory price for straight or mixed carload shipments of sewer pipe products from a plant within Southern California, when intended for delivery by rail to a destination within any geographical zone set forth in Chart I, shall be determined by applying the appropriate discounts set forth in Chart I, to the list prices contained in section 11.2.

3. Paragraph (a) (13) under section 11.4 is amended to read as follows:

(13) The maximum f. o. b. factory price for carload shipments of sewer pipe products from a plant within the Spokane territory when intended for delivery by rail to a destination within the area covered by Chart XIII and to a purchaser designated as Class 3 in Chart XIII shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

This Amendment No. 6 shall become effective September 14, 1944.

Issued this 9th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-13950; Filed, Sept. 9, 1944; 11:49 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 530,[1] Amdt. 2]

IMPORT PRICES FOR PULPWOOD PRODUCED IN QUEBEC, NEW BRUNSWICK AND NOVA SCOTIA, CANADA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 530 is amended in the following respect:

The table of prices in section 9 (a) is amended to read as follows:

Species	*Canadian funds*
Poplar:	
Rough	$0.50
Peeled	.50
Spruce, Hemlock and Jack Pine:	
Rough	.75
Peeled	1.00

This amendment shall become effective September 8, 1944.

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

F. R. Doc. 44-13909; Filed, Sept. 8, 1944; 4:45 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 4478, 9978.

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289,[1] Amdt. 12]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 289 is amended in the following respects:

1. In the table of contents, the title of section 24 is changed to read:

24. Maximum prices for animal feeds made from milk products.

2. Section 1 (f) is amended to read as follows:

(f) Animal feeds made from milk products.

3. Footnote 2 to section 1 is amended to read as follows:

[2] Casein which is manufactured for human consumption or which is especially prepared and packed for laboratory purposes shall be priced pursuant to Maximum Price Regulation 280.

4. Section 22 (d) (3) is hereby revoked.

5. Section 24 is amended to read as follows:

SEC. 24 *Maximum prices for animal feeds made from milk products.* (a) *What products are covered.* This section establishes maximum prices for the following animal feeds made entirely from milk products: in dried form, skim milk, sour skim milk, buttermilk, whey, and whey solubles (all of which are referred to in this section as "dried milk animal feeds"); and the same products in condensed, concentrated, or evaporated form (all of which are referred to in this section as "condensed milk animal feeds"). This section also provides a method for establishing maximum prices for an animal feed product composed of a mixture of 50% or more by weight or volume of milk product ingredients and 50% or less of non-milk feed ingredients. (These mixtures are referred to in this section as "mixed animal feeds".) The animal feeds made entirely from milk products for which maximum prices are established in this section are those which meet the standards of the definitions listed in the next paragraph (b).

(b) *Definitions.* (1) "Dried skim milk" for animal feeds is the product resulting from the removal of water from clean, sound skim milk. It contains not more than 8 percent of moisture.

(2) "Dried sour skim milk" for animal feeds is the product resulting from the removal of water from clean, sound skim milk which has been soured by a suitable culture of lactic bacteria. It contains not more than 8 percent of moisture.

(3) "Dried buttermilk" for animal feeds is the product resulting from the removal of water from clean, sound buttermilk derived from natural cream to which no foreign substances have been added, excepting such as are necessary and permitted in the manufacture of butter. It contains not more than 8 percent of moisture, not more than 13 percent of mineral matter (ash), and not less than 5 percent of butterfat, as determined by the Roese-Gottlieb method.

(4) "Dried whey" for animal feeds is the by-product resulting from the manufacture of cheese or casein, either or both. This product shall contain at least 65 percent of lactose (milk sugar).

(5) "Dried whey solubles" for animal feeds is the residual by-product resulting from the partial removal of milk sugar or albumen, or both, from clean, sound whey to which no foreign substances have been added except such as are necessary in the manufacture of milk sugar.

(6) "Condensed skim milk" for animal feeds is the product resulting from the removal of a considerable portion of water from clean, sound skim milk. It contains not less than 27 percent of total solids.

(7) "Evaporated, concentrated, or condensed sour skim milk" for animal feeds is the product resulting from the removal of a considerable portion of water from clean, sound skim milk which has been soured by a suitable culture of lactic bacteria. It contains not less than 27 percent of total solids.

(8) "Evaporated, concentrated, or condensed buttermilk" for animal feeds is the product resulting from the removal of a considerable portion of water from clean, sound buttermilk derived from natural cream to which no foreign substances have been added excepting such as are permitted and necessary in the manufacture of butter. It contains not less than 27 percent of total solids, not less than 2 percent of butterfat, and not more than .14 percent of ash for each percent of solids.

(9) "Condensed whey" for animal feeds is the product resulting from the removal of a considerable portion of water from clean sound cheese or casein whey, either or both.

(10) "Condensed whey solubles" for animal feeds is the residual by-product resulting from the partial removal of milk sugar or albumen, or both, from clean, sound whey to which no foreign substances have been added except such as are necessary in the manufacture of milk sugar. It contains not less than 27 percent of total solids.

(11) "Mixed animal feed" as used in this section means an animal feed product containing 50% or more by weight or volume of milk-product ingredients and less than 50% by weight or volume of non-milk feed ingredients.

(12) "Wholesaler" means any person who buys animal feeds, unloads such animal feeds into a warehouse, and re-

[1] 9 F.R. 5140, 5427, 5429, 5588, 5917, 5919, 5921, 6105, 7699, 10090, 10679.

sells them in their original containers without mixing them.

(13) "Sale at retail" means a sale and delivery of animal feeds to consumers in quantities not exceeding 500 pounds per sale for dried milk animal feeds and 10 barrels per sale for condensed milk animal feeds.

(14) "Consumer" means any person who buys animal feeds for the purpose of actually feeding them to animals or poultry.

(c) *Maximum prices for sales and deliveries by manufacturers*—(1) *10,000 pounds or more.* Maximum prices for sales and deliveries of milk animal feeds by a manufacturer or any person other than a wholesaler or retailer, to any person, shall be the prices listed in Table A below for quantities of 10,000 pounds or more.

TABLE A

Animal feed products:	*Cents per lb.*
Dried skim milk	10.0
Dried sour skim milk	10.0
Dried buttermilk	10.0
Dried whey	8.0
Dried whey solubles	8.0
Condensed skim milk (not less than 27% total solids)	3.75
Evaporated, concentrated or condensed sour skim milk (not less than 27% total solids)	3.75
Evaporated, concentrated or condensed buttermilk (not less than 27% total solids	3.75
Condensed whey (not less than 27% total solids)	2.75
Condensed whey solubles (not less than 80% total solids)	4.6

For condensed whey only, the following additions to the maximum price set out in the above table may be made if the condensed whey contains more than 27% of total solids; For each 1% of total solids over 27% but not over 65%, 1/100 of a cent may be added to the maximum price per pound but in no event shall the maximum price exceed 5.79 cents per pound for 65% or higher solids content. No addition to maximum prices for higher solids content is permitted on other milk animal feeds.

(2) *Increases on sales of less than 10,000 pounds.* On sales by a manufacturer, or any person other than a wholesaler or a retailer, of any of the milk animal feeds named in Table A in quantities of less than 10,000 pounds, the following additions may be made to the maximum prices named:

600 to 9,999 pounds inclusive, add 1/10 cent per pound
Less than 600 pounds, add 1/4 cent per pound.

(3) The above maximum prices shall be f. o. b. the seller's plant where the milk animal feeds were produced.

(4) If the sale is made on a delivered basis, the maximum delivered price shall be the f. o. b. price listed in subparagraphs (1) and (2) above for the quantity sold, plus the lowest available freight rate from the seller's point of production of the finished product to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for transportation of the given shipment.

(d) *Maximum prices for sales and deliveries by wholesalers.* The maximum prices for milk animal feeds sold by wholesalers are the prices set out in subparagraph (c) (1) above (for quantities of 10,000 pounds or more) plus 1/4 cent per pound, plus all transportation charges actually paid by the wholesaler for moving such animal feeds to his place of business at the lowest available freight rate.

Transportation charges to be added shall be determined by dividing the total charge for a shipment by the number of pounds (net weight) shipped. If, however, the wholesaler buys animal feeds on a delivered basis, he shall calculate his cost for the animal feeds by dividing the delivered cost to him of the animal feeds by the number of pounds (net weight) delivered, and then add 1/4 cent per pound of net weight to determine his maximum selling price.

If the wholesaler delivers the animal feeds to his buyer he may add to the maximum prices established by this paragraph the lowest of the following delivery charges:

(1) His actual cost for transporting the animal feeds from his shipping point to buyer's receiving point.

(2) His customary delivery charge, if he had an established charge for such deliveries prior to September 14, 1944.

(3) The lowest published common carrier rate for shipping a like quantity of animal feeds from his shipping point to buyer's receiving point.

(e) *Maximum prices for sales and deliveries at retail.* Maximum prices for retail sales and deliveries to consumers, in quantities specified below, shall be calculated as follows:

(1) Take the maximum price per pound set out in paragraph (c) (1), if the sale is made by a manufacturer, or the price paid to the supplier, if the sale is made by a dealer who is not a manufacturer;

(2) Add the appropriate one of the following amounts:

Dried milk animal feeds	*Condensed milk animal feeds*
100 to 500 pounds, add 1/2 cent per pound	2 to 10 barrels, add 1/2 cent per pound.
99 pounds or less, add 3/4 cent per pound	Less than 2 barrels, add 3/4 cent per pound.

(3) Add the transportation charges, if any, actually paid by the retail seller in moving the animal feeds to his place of business, at the lowest available freight rate. These transportation charges shall be calculated by dividing the total shipping charges for the shipment by the number of pounds (net weight) shipped.

If, however, the animal feeds have been bought on a delivered basis, the seller shall calculate his costs by dividing the delivered cost to him by the number of pounds (net weight) delivered, and then adding the appropriate amount from (2) above.

If the seller delivers the animal feeds he may add to these maximum prices the lower of the following delivery charges:

His actual cost for transporting the animal feeds from the place of business at which the feeds were sold to the buyer's receiving point; or

His customary delivery charge, if he had an established charge for such deliveries prior to September 14, 1944.

(f) *Containers.*—(1) *Condensed milk animal feeds sold in barrels.* The maximum prices for condensed milk animal feeds are for such products packed in new or reconditioned used tight wooden barrels or other equally efficient containers. If the buyer returns used barrels to the seller, an allowance shall be made of the actual market value of such barrels.

(2) *Condensed milk animal feeds sold in less-than-barrel quantities.* If the condensed milk animal feeds are packed and sold in containers smaller than barrels, furnished by the seller, 1/4 cent per pound container cost may be added to the maximum price for half-barrels or larger, up to barrel size; and 1/2 cent per pound container cost for less than half-barrel containers. No such addition to maximum price may be made if the buyer furnishes the container.

(3) *Dried animal feeds.* The maximum prices for dried animal feeds are for products packed in a suitable container such as a tight-woven burlap bag. An allowance of the market value of the bags shall be made if bags are returned by the buyer to the seller.

(g) *Combinations of milk animal feeds.* If two or more of the milk animal feeds defined in paragraph (b) are manufactured together, or sold in one container, the price for such combined milk animal feeds shall be no higher than the maximum price for the lowest-priced milk animal feed which it contains. For example, if whey and skim milk are combined in the drying process, or are put in the same container after drying, the resulting product shall be sold at no more than the applicable whey price.

(h) *Mixed animal feeds.* When one of the milk animal feeds is mixed with a non-milk feed ingredient to form a mixed animal feed as defined in paragraph (b), the procedure in establishing the requested maximum prices shall be as follows:

For mixed animal feeds manufactured and sold before September 14, 1944, the manufacturer shall within sixty days from September 14, 1944, apply on OPA Form 635–1095 for a maximum price for each mixed animal feed manufactured by him. The following data and the information specified in the application form shall be supplied:

(1) Name of product; nature and degree of processing; types of containers.

(2) Cost of production, including ingredient cost, labor, handling, marketing, and general administrative expenses.

(3) Container costs.

(4) Volume of sales to wholesalers, retailers, and consumers by size of container in large, medium, and small quantities.

(5) Requested maximum price.

(6) Method used in determining requested maximum price.

The original and two copies of the application for a maximum price for each mixed animal feed shall be sent by registered mail to the Secretary, Office of Price Administration, Washington 25, D. C. Until a different maximum price is established by the Price Administrator, the mixed animal feed shall be sold at a price no higher than the maximum price that is in effect on September 14, 1944.

In placing a value on milk animal feeds used in the manufacture of the mixed product, no figure shall be used which is higher than the price established in this section for the lowest-priced milk animal feed used in the particular mixed product.

If the Administrator does not approve the maximum price suggested in the application, he shall, within sixty days from the date the application is received, issue an order or letter order establishing a different maximum price, or extend for another sixty days the period for determination of a price. If the Administrator has not acted within sixty days from receipt of the application, either to fix a price or to extend the period for determination, the applicant's suggested maximum price shall be deemed to be accepted as of the expiration of said sixty days. If an extension has been granted, but no different maximum price has been established, the applicant's suggested maximum price shall be deemed to be accepted as of the expiration of the sixty-day extension.

As to mixed animal feeds that have not been sold before September 14, 1944 the manufacturer shall, before the mixed feed is offered for sale, submit an application on OPA Form 635–1095, following the instructions set out in this paragraph (h) above and furnishing all of the information that is pertinent to his application, including a suggested maximum price. The Administrator shall, within thirty days from the date the application is received, either approve said suggested price as the maximum price for the product; or set a different maximum price, or set a temporary maximum price to be effective for a limited time until the Administrator can establish a maximum price. If the Administrator does not act in one of these three ways within said thirty days the suggested price named by the applicant shall be the maximum price for the product.

Failure by a manufacturer of a mixed animal feed to file an application for a maximum price is a violation of this regulation.

(i) *Animal feeds not covered by this section.* Sales of mixed animal feeds composed of milk ingredients constituting less than 50% in weight or volume are governed by the provisions of Maximum Price Regulation 378. Sales of animal feeds composed of milk ingredients constituting more than 50 percent in weight or volume, if not covered by this section, are governed by the provisions of MPR 280.

(j) *Method of computation and fractions of a cent.* In computing maximum prices pursuant to this section all calculations shall be carried to the second decimal of a cent to arrive at the maximum price per pound. Any fractions of a cent resulting after the price for the total quantity sold has been calculated shall be adjusted to the next higher cent, if it is one-half cent or more, and to the next lower cent if it is less than one-half cent.

(k) *Discounts and allowances.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. However, the maximum prices shall be decreased to reflect the seller's customary discounts and allowances including those for prompt payment.

(l) *Evasion.* Specifically, the provisions of this section shall not be evaded by any requirement by the seller or agreement between the buyer and seller that a seller may ship or a buyer receive animal feeds in smaller quantity than that which was actually ordered or would have been ordered but for the attempted evasion. Nor shall the provisions of this section be evaded by the buyer furnishing, or returning to, the seller used containers at a price or allowance other than their actual market value.

(m) *Records.* The invoice which the seller is required to deliver to the buyer under section 5 of this regulation shall, for condensed whey, state the percentage of total solids in the product. This is in addition to the other information required to be stated on the invoice. If the invoice covers a combination of milk animal feeds, as referred to in paragraph (g), it shall also specify the products of which the combination is composed.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective September 14, 1944.

Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13961; Filed, Sept. 9, 1944; 11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Amdt. 3]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. The first sentence of section 1 preceding the colon is amended to read as follows: "This regulation covers all services previously covered by Maximum Price Regulation No. 165 as amended, Services. It also covers all other services except:"

2. The first sentence of section 2 preceding the colon is amended to read as follows: "On and after August 1, 1944, regardless of any contract or other obligation:"

3. Section 4 (c) is amended to read as follows:

(c) The maximum price of your closest competitor for the same service to a purchaser of the same class,[2] if you did not actually supply it or offer it for supply in March 1942 to any purchaser. However, you may not take your closest competitor's maximum price if such price is based on his offering price.

4. A new sentence is added to section 13 to read as follows: "Such sales slip or receipt must show your name and address, the date, the description and quantity of each service sold, the price charged for each such service, and the price charged for any parts or commodities furnished with the service."

5. Section 14 is amended in the following respects:

a. Section 14 (b) (2) is amended by adding a clause to the last sentence thereof to read as follows: ", insofar as it applies to non-retail services which you sell."

b. Section 14 (b) (3) is amended by adding a sentence after the first sentence thereof to read as follows: "If you have previously filed a statement of your maximum prices under Maximum Price Regulation No. 165 as amended, and your maximum prices have not changed under this regulation, you need not refile under this regulation."

6. The first sentence of section 15 (c) is amended to read as follows:

(c) If you fail to keep the records or file the statements as required by section 14, or if such records or statements are incorrect, or if you fail to apply to OPA for the establishment of a maximum price under section 5, if you are required to do so, OPA may issue an order establishing maximum prices for the services you sell in line with prices established by this regulation.

7. The first sentence in the undesignated paragraph following section 16 (a) (3) is amended by changing the word "limitation" to "limitations".

8. The first word of the second sentence of section 16 (b) is deleted.

This Amendment No. 3 shall become effective September 14, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13960; Filed, Sept. 9, 1944; 11:49 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7439, 9107, 9411.

[2] Important! Be sure to read the definition of "purchaser of the same class." See section 23 (a) (10).

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 151]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

In § 1394.8153 (a) (1) the last sentence is amended to read as follows:

No transfer may be made pursuant to this subparagraph in exchange for a coupon detached before the presentation of the coupon book to the transferor, except that a transfer may be made in exchange for any Class A coupon, numbered "12", detached before the presentation of the coupon book if the license number and the state of registration noted on the coupon pursuant to § 1394.8004 (e) (1) is the same as the license number and the state of registration of the vehicle noted on the cover of the coupon book presented at the time of transfer.

This amendment shall become effective September 9, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 7119)

Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13909; Filed, Sept. 8, 1944; 4:34 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 557]

NATURAL CONDITION UNPACKED DRIED PRUNES AND RAISINS, 1944 AND LATER CROPS

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

ARTICLE I—EXPLANATION OF THE REGULATION AND DEFINITIONS

See.

1. Explanation of the regulation.
2. Definitions.

ARTICLE II—PRICING PROVISIONS

3. Maximum prices for sales of natural condition unpacked dried prunes and raisins by producers, dehydrators or dry-yard operators.
4. Adjustments for transportation and payment after test.
5. Maximum prices for sales of natural condition unpacked dried prunes and raisins by persons in special situations.
6. Sales for export.

ARTICLE III—MISCELLANEOUS PROVISIONS

7. Records which must be kept.
8. Adjustable pricing.
9. Compliance with the regulation.
10. Petitions for amendment.

AUTHORITY: Sees. 1 to 10, inclusive (§ 1439.-14), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—EXPLANATION OF THE REGULATION AND DEFINITIONS

SECTION 1. *Explanation of the regulation.* (a) This regulation establishes maximum prices for sales of natural condition unpacked dried prunes and raisins of the 1944 and later crops by producers, dehydrators and dry-yard operators and by all other persons for whom no maximum prices are provided by other maximum price regulations.

(b) This regulation applies in the 48 states of the United States and the District of Columbia.

(c) This regulation supersedes the provisions of all other maximum price regulations and orders as to the commodities and sellers covered.

(d) This regulation becomes effective September 9, 1944.

SEC. 2. *Definitions.* When used in this regulation the term:

"Person" means an individual, corporation, partnership, association, any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

"Producer" means a person who grows the kind of prunes or raisin variety grapes (including currants) being priced and dries or dehydrates them or has them dried or dehydrated by another person.

"Dehydrator" or "dry-yard operator" means a person other than a producer who dries or dehydrates the kind of prunes or raisin variety grapes (including currants) being priced for other persons or who purchases the kind of prunes or raisin variety grapes (including currants) being priced and dries or dehydrates them.

"Natural condition unpacked", as applied to dried prunes, means dried prunes in sacks or lug boxes or in bulk as usually delivered by producers to processors for processing; and as applied to raisins, means raisins (including currants) unstemmed in sweat boxes or picking boxes as usually delivered by producers for processing.

"Sale" includes sales, dispositions, exchanges, leases and other transfers, and contracts and offers to do any of those things. The terms "sell", "seller", "buy", "buyer", "purchase" and "purchaser" shall be construed accordingly.

"Price" means the consideration requested or received in connection with the sale of a commodity or the supplying of a service.

"Records" means written evidences of transactions and includes books, of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents, including written evidence of the tests pursuant to which prices are figured.

ARTICLE II—PRICING PROVISIONS

SEC. 3. *Maximum prices for sales of natural condition unpacked dried prunes and raisins by producers, dehydrators or dry-yard operators.* (a) The maximum prices per ton, for sales of natural condition unpacked dried prunes by producers, dehydrators or dry-yard operators, shall be as follows:

Number of dried prunes per pound	California 3 district (dollars per ton)	California outside and northwest (dollars per ton)
18	265	260
19	264	259
17	263	258
18	262	257
19	261	256
20	260	255
21	259	254
22	258	253
23	257	252
24	256	251
25	255	250
26	254	249
27	253	248
28	252	247
29	251	246
30	250	245
31	249	244
32	248	243
33	247	242
34	246	241
35	245	240
36	244	239
37	243	238
38	242	237
39	241	236
40	240	235
41	239	234
42	238	233
43	237	232
44	236	231
45	235	230
46	234	229
47	233	228
48	232	227
49	231	226
50	230	225
51	229	224
52	228	223
53	227	222
54	226	221
55	225	220
56	224	219
57	223	218
58	222	217
59	221	216
60	220	215
61	219	214
62	218	213
63	217	212
64	216	211
65	215	210
66	214	209
67	213	208
68	212	207
69	211	206
70	210	205
71	209	204
72	208	203
73	207	202
74	206	201
75	205	200
76	204	199
77	203	198
78	202	197
79	201	196
80	200	195
81	199	194
82	198	193
83	197	192
84	196	191
85	195	190
86	194	189
87	193	188
88	192	187
89	191	186
90	190	185
91	189	184
92	188	183
93	187	182
94	186	181
95	185	180
96	184	179
97	183	178
98	182	177
99	181	176
100	180	175
101	179	174
102	178	173
103	177	172
104	176	171
105	175	170
106	174	169
107	173	168
108	172	167
109	171	166
110	170	165
111	169	164
112	168	163
113	167	162
114	166	161
115	165	160
116	164	159
117	163	158

Number of dried prunes per pound	California 3 district (dollars per ton)	California outside and northwest (dollars per ton)
118	162	157
119	161	156
120	160	155
121	159	154
122	158	153
123	157	152
124	156	151
125	155	150
126	154	149
127	153	148
128	152	147
129	151	146
130	150	145
131	149	144
132	148	143
133	147	142
134	146	141

(b) The maximum prices per ton, for sales of natural condition unpacked raisins by producers, dehydrators or dry-yard operators, shall be as follows:

Natural Thompson seedless raisins	$180
Natural Sultana raisins	180
Natural Muscat raisins	195
Natural Golden Bleached Thompson seedless raisins (choice color)	225
Natural Golden Bleached Thompson seedless raisins (extra choice color)	235
Natural Golden Bleached Thompson seedless raisins (fancy color)	245
Natural Sulphur Bleached Thompson seedless raisins (fancy color)	235
Natural Soda Dipped Thompson seedless raisins (choice color)	200
Natural Valencia Type Muscat raisins	252
Natural Tray Slip Muscat raisins	210
Natural Zante currants	240

SEC. 4. *Adjustments for transportation and payment after test.* (a) The word "seller", when used in this section, shall mean the producer, dehydrator or dry-yard operator.

(b) Each seller shall ascertain the rail shipping point nearest to his ranch or place of business. The maximum price of the seller shall include delivery to the buyer at that point.

(c) In the event that the seller and buyer desire to have delivery made to a point other than the nearest rail shipping point mentioned above, the transportation charges shall be adjusted or allowance made for transportation, as follows:

(1) If delivery is made by a vehicle owned or controlled by the seller, the seller may charge the purchaser the amount by which the truck rate from the seller's ranch or place of business to the actual point of delivery exceeds $1.25 per ton. For the purpose of figuring the truck rate the following schedule of mileages and rates applicable thereto shall be used:

Miles over—	Miles but not over—	Rate (in cents per 100 pounds)
0	3	4½
3	5	5½
5	10	6
10	15	6½
15	20	7
20	25	7½
25	30	8
30	35	9
35	40	9½
40	45	10
45	50	10½
50	60	11½
60	70	13
70	80	14
80	90	15
90	100	16½
100	110	17½
110	120	18½
120	130	20
130	140	21
140	150	22
150	160	23½
160	170	24½
170	180	25½
180	190	27
190	200	28
200	220	30
220	240	31½
240	260	33½
260	280	35

However, wherever the Office of Price Administration or any of its regional or district offices has adjusted the maximum prices that may be charged by any carrier other than a common carrier for the service of transporting natural condition unpacked dried prunes or raisins by motor truck between any two points in the state where delivery is made, the prices so adjusted shall be used for the purpose of figuring the truck rate instead of those named above.

(2) If delivery is made by a vehicle owned or controlled by the buyer, the buyer shall deduct the sum of $1.25 per ton from the seller's maximum price.

(3) Any deduction or credit for hauling or transportation shall be itemized by the buyer on the settlement sheet rendered to the seller.

(d) For natural condition unpacked dried prunes, payment shall be made according to sack or box test at the purchaser's receiving point or actual grader test made at the time of delivery to the buyer's plant, and on estimates of grade or on visual grading.

(e) For natural condition unpacked raisins of any type covered by this regulation, payment shall be made according to test at the buyer's receiving point and the weight of sand, as determined by actual test, shall be deducted from the net weight of the raisins sold or delivered.

SEC. 5. *Maximum prices for sales of natural condition unpacked dried prunes and raisins by persons in special situations.* Any person who sells natural condition unpacked dried prunes or raisins and for whom no maximum price is provided by this or any other maximum price regulation shall take as his maximum price in each case the maximum price fixed for the producer, dehydrator or dry-yard operator in sections 3 and 4. The point at which he received delivery of the item shall be deemed to be his ranch or place of business for the purpose of figuring transportation charges under section 4.

SEC. 6. *Export sales.* The maximum price at which a person may export natural condition unpacked dried prunes or raisins shall be determined in accordance with the Second Revised Maximum Export Price Regulation,[1] and amendments.

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 7. *Records which must be kept.* Every person who makes sales covered by this regulation shall make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged in those sales.

SEC. 8. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. But no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon a pending request for a change in price or to give the authorization. The authorization will be given by order.

SEC. 9. *Compliance with the regulation.*—(a) *No selling or buying above maximum prices.* Regardless of any contract or obligation no person shall sell or deliver, or buy or receive in the course of trade, any item of natural condition unpacked dried prunes or raisins at a price higher than the maximum price established for it by this regulation. However, prices lower than the maximum price may be charged and paid.

(b) *Evasion.* (1) Nor shall any person evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge or

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15937.

No. 182——5

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 9435, 5923, 7201, 9834.

discount, premium or other privilege; by tying-requirement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling, or packaging, or in any other way.

(2) No buyer shall pay and no seller shall receive any buying commission or other consideration in addition to the price, directly or indirectly, in connection with the sale of his fruit.

(3) Storage costs incurred by the seller on goods owned by him shall not be added to his maximum prices. Storage by the seller of goods owned by the buyer may be charged for in accordance with the maximum price regulation applicable to such services.

(4) The practice known as toll packing, by which a producer, dehydrator or dry-yard operator arranges to have his fruit processed by a processor and to pay a fee for processing, is prohibited, except when the following conditions are complied with:

(i) The owner of the fruit must retain title during the processing.

(ii) The owner of the fruit must assume all risk of loss or spoilage during the processing, except for loss caused by the misconduct or neglect of the processor, for which the processor would be legally liable.

(iii) The processor shall not negotiate the sale of the processed fruit as agent for the owner, nor receive any fee or commission in connection with the sale of the fruit by the owner.

(iv) The processor shall return to the owner the identical fruit delivered by the owner for processing and shall not substitute other fruit on a quantity equivalent or other basis.

(v) The owner shall not sell the fruit to the processor who processed the goods for the owner and the processor shall not purchase it from the owner.

(d) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension provision, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(e) *Licensing.* The provisions of Licensing Order No. 1,[2] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. *Petitions for amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,[3] issued by the Office of Price Administration.

This regulation shall become effective September 9, 1944.

NOTE: All record-keeping requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 9th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved:

MARVIN JONES,
War Food Administrator.

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended and Executive Orders 9250 and 9328, I find that the issuance of this regulation establishing maximum prices for the designated dried fruits is necessary to aid in the effective prosecution of the war.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-13970; Filed, Sept. 9, 1944; 4:34 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 86]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Sections 1315.502 (b), 1315.601 (c), 1315.802 (a) (6) and 1315.901 (i) are revoked.

2. Section 1315.503 (b) (1) (iii) is amended to read as follows:

(iii) Which is operated on gasoline obtained against a Military Receipt for Delivery of Gasoline (OPA Form R-593), pursuant to § 1394.8154 of Ration Order No. 5C; or

3. Section 1315.653 (a) is amended by substituting "Form OPA R-593" for "Form OPA R-544 (revised)."

4. Section 1315.657 is amended by substituting "Form OPA R-593" for "Form OPA R-544 (revised)."

5. Section 1315.802 (b) is amended by deleting the phrase "declare on his tire inspection record or" and by deleting the phrase "or new tubes" wherever it appears.

6. Section 1315.1101 is amended to read as follows:

§ 1315.1101. *Who may appeal.* Any person whose application for a certificate, a part of a certificate or an authorization has been denied in whole or in part by the action of a board, District Director or Regional Administrator, or whose certificate, part of a certificate or authorization has been revoked, cancelled, suspended or modified by action of a board, District Director or Regional Administrator, under Ration Order No. 1A, may appeal from such action or from any other adverse decision of a board.

This amendment shall become effective September 15, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942; WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 11th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14011; Filed, Sept. 11, 1944; 11:56 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1F,[1] Amdt. 1]

TIRE RATIONING REGULATIONS FOR THE TERRITORY OF ALASKA

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1F is amended in the following respects:

1. Section 2.1 (a) (10) is amended to read as follows:

(10) "New," as applied to tires, means a tire that has been used less than 1,000 miles.

2. Section 2.1 (a) (15) is amended to read as follows:

(15) "Tire" means any pneumatic rubber tire capable of being used, or capable of being repaired for use, on a passenger automobile, bus, truck, or farm implement.

3. Section 2.1 (a) (17) is revoked.

4. Sections 3.2 to 3.2, inclusive, are amended by deleting the words "tube," "tubes," "or tube," "or tubes," "and tube," and "and tubes," whenever they appear in the text and headnotes.

This amendment shall become effective September 13, 1944.

Issued this 11th day of September 1944.

MILDRED R. HERMANN,
Territorial Director, Alaska.

Approved:

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 44-14010; Filed, Sept. 11, 1944; 11:57 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 120[2]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 120 is amended in the following respects:

Section 1340.217 is amended to read as follows:

§ 1340.217 *Appendix F: Maximum prices for bituminous coal produced in District No. 6.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) Maximum prices in cents per net ton for shipment to all destinations, for all uses and by all methods of transportations except truck or wagon.

PRICES AND SIZE GROUP NUMBERS

	1-2 Lump and double-screened coals bottom size larger than 2 inches	3-4-5 Lump and double-screened coals bottom size 2 inches and smaller	6 Mine run and resultants larger than 2 inches by 0	7-8 Screenings 2 inches by 0 and smaller	9 Dedusted screenings 2 inches by 10 mesh	10 Substandard coal (strip mine)	12 Crushed coal
For shipments from all mines. Exceptions — Mine index number:	310	285	280	245	285	215	280
8	350	330	325	290	310	----------	310
14	310	290	290	250	285	----------	290
19	360	330	325	290	310	----------	310

(2) Specific description of size group numbers referred to in sub-paragraph 1 of this paragraph (b).

Size Groups Nos. and Description

1—Lump coal larger than 5".
2—Lump coal bottom size larger than 2" but not exceeding 5".
Double screened coal bottom size larger than 2".
3—Lump coal bottom size larger than 1¼" but not exceeding 2".
Double screened coal bottom size larger than 1¼" but not exceeding 2".
4—Lump coal bottom size 1¼" and smaller.
Double screened coal bottom size 1¼" and smaller and top size larger than 2".
5—All double screened coal top size 2" and smaller.
6—Straight mine run, all mine run resultants larger than 2" x 0 and any mine run altered by the removal of any intermediate size.
7—Screenings top size larger than ¾" x 0 but not exceeding 2" x 0 and any altered screenings top size not exceeding 2" from which any intermediate size has been removed.
8—Screenings top size ¾" and smaller.
9—Dedusted screenings top size not exceeding 2" and bottom size larger than 100 mesh but not exceeding 10 mesh.
10—Sub-standard coal: The first cut, low grade, crop coal produced by the Strip mining method which has not been mixed with other coal and is crushed, pulverized, or otherwise reduced by any method, to a size which shall not exceed two inches shall be included within this size group. Any size in excess of two inches, or any coal of this description not crushed, pulverized or reduced shall be priced at the same price as straight run of mine.
12—Crushed coal: Any coal crushed, pulverized or reduced in size, by any method, resulting in a size not exceeding two inches shall be included within this size group. Any resulting coal in excess of two inches from which no size or sizes have been removed shall be priced at straight run of mine coal. Resulting double screened coals shall be priced at prices applicable for such coals in size groups 2, 3, 4 or 5.

(3) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

PRICES AND SIZE GROUP NUMBERS

Type of operation	1-2 Lump and double-screened coal bottom size larger than 2 inches	3-4-5 Lump and double-screened coals bottom size 2 inches and smaller and all forked coal	6 Mine run and resultants larger than 2 inches by 0 and double-screened coal top size 2 inches and smaller	7-8 Screenings 2 inches by 0 and smaller
From all underground mines	365	350	295	270
From all strip mines	355	340	285	260
Exceptions—Mine index numbers:				
8	405	380	340	305
19	405	380	340	305
29	365	350	295	270

(4) Special price instructions for shipments by truck or wagon.

(i) An underground mine is one which takes its coal entirely from underground seams from which the overburden is not removed and is not a mine taking any coal from the ground by the stripping method.

(ii) A strip mine is one producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(iii) If coals from an underground mine and from a strip mine are mixed, the maximum price for the mixture shall be the weighted average of the maximum prices for each of the mixed coals; the calculation shall be made in a reasonable manner on a per net ton basis.

(5) Specific descriptions of size group numbers referred to in subparagraph 3 of this paragraph (b).

Size Group Nos. and Description

1—Lump coal larger than 5".
2—Lump coal larger than 2" but not exceeding 5".
Double screened coal bottom size larger than 2".
3—Lump coal larger than 1¼" but not exceeding 2".
4—Double screened coal bottom size larger than 1¼" but not exceeding 2".
5—Lump coal 1¼" and smaller.
All forked coal.
Double screened coal bottom size 1¼" and smaller and top size larger than 2".
6—Double screened coal top size 2" and smaller.
Straight Run of Mine, Mine Run from which any size except screenings has been removed; also all screenings larger than 2" x 0.
7—Screenings top size larger than ¾" x 0 but not exceeding 2" x 0, and any altered screenings top size not exceeding 2" from which any intermediate size has been removed.
8—Screenings top size ¾" and smaller.

(6) All orders of adjustment issued prior to August 21, 1944 shall be void as of September 16, 1944.

This amendment shall become effective September 16, 1944.

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14007; Filed, Sept. 11, 1944; 11:57 a. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210,[1] Amdt. 15]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 210 is amended in the following respects:

1. Section 1372.106 is amended by amending the headnote thereof to read as follows:

§ 1372.106 *Relation between Maximum Price Regulation No. 210, the General Maximum Price Regulation and Supplementary Regulation No. 15 thereto.*

2. Section 1372.106 is further amended by adding a new paragraph (c) to read as follows:

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[2] 8 F.R. 13240.
[3] 8 F.R. 8313, 8533, 6173, 11806; 9 F.R. 1594, 3075, 5791, 7501, 8056.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9734.

[2] 7 F.R. 1027; 8 F.R. 2783.
[3] 9 F.R. 5042, 5875, 6587.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 6359, 13050, 13742, 16170.

(c) The provisions of Supplementary Regulation 15 to the General Maximum Price Regulation are made a part of this regulation.

This amendment shall become effective September 16, 1944.

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14009; Filed, Sept. 11, 1944; 11:58 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 25]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 36 (b) (1), (b) (2) and (b) (3) of Appendix A is amended by substituting the phrase "August 31, 1945" for the phrase "September 30, 1944" wherever it appears.

2. Section 36 (b) (3) (i) of Appendix A is revoked.

3. Section 36 (c) of Appendix A is amended by substituting the phrase "September 30, 1945" for the phrase "October 30, 1944" wherever it appears.

4. Section 36 (d) of Appendix A is amended by substituting the phrase "through August 31, 1945" for the phrase "only during the validity period of the coupon sheet."

5. Section 36 (e) of Appendix A is amended by substituting the phrase "September 30, 1945" for the phrase "November 30, 1944."

6. Section 1394.5501 (a) is amended by inserting the phrase "other than Class 4, 5 and 6 coupon sheets to which any Period 4, Period 5 or definite value coupons are still attached" beteween the word "sheets" and the word "shall."

7. Section 1394.5554 (a) (1) is added to read as follows:

(1) Every dealer or primary supplier who, at the close of business September 30, 1944, has on deposit a consumer's Class 4, 5 or 6 coupon sheet must, not later than October 10, 1944, give that consumer written notice by mail of the gallonage value of the consumer's period 4, period 5 and definite value coupons not yet detached from that sheet as at the close of business September 30, 1944. A copy of that notice, bearing date of mailing, must be kept by the dealer or primary supplier at his place of business for at least two (2) years from the date of mailing.

This amendment shall become effective on September 11, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14012; Filed, Sept. 11, 1944; 11:52 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 8A,[1] Amdt. 13]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new section 2.18 is added to read as follows:

SEC. 2.18 *Men's rubber riding boots may be transferred as non-rationed.* (a) (1) Any establishment may be authorized by the District Office to transfer as non-rationed men's below knee-height rubber riding boots, with inside pull-on loops, shaped leg and ankle, special riding boot last, and a bright finish, which were manufactured in the United States before September 15, 1944, or were imported into the United States before that date.

(2) Application for permission to transfer such rubber footwear as non-rationed shall be made to the District Office serving the locality in which the establishment is registered. The application need not be in any prescribed form but shall state the number of pairs of rubber footwear the applicant desires to transfer ration-free. Before the District Office approves an application, it shall inspect the rubber footwear included therein to determine whether or not it comes within subparagraph (a) (1) above.

(3) The District Office, if it approves the application in whole or in part, shall issue to the applicant official non-rationed stickers (OPA Form R-123 with the words "Non-Rationed Rubber Footwear" printed or stamped thereon) equal to the number of pairs of such rubber footwear to be transferred as non-rationed. The District Office (or the applicant if required by the District Office) shall write or print on each such sticker the registration number of the establishment to which it is issued.

(4) Before any such rubber footwear may be transferred or offered for sale as non-rationed, the applicant shall attach to one boot of each pair an official non-rationed sticker. Such rubber footwear may be transferred as non-rationed by and to any person at any time thereafter.

(b) Any rubber footwear of the kind described in subparagraph (a) (1) above which was brought into the United States before September 15, 1944, may be released by the Collector of Customs, certificate-free, to any establishment. However such rubber footwear may be transferred by the establishment as non-rationed only in accordance with the provisions of paragraph (a) above.

This amendment shall become effective September 15, 1944.

NOTE: The reporting provisions and record-keeping requirements of this amendment have been approved by the Bureau of Budget in accordance with the Federal Reports Act of 1942.

Issued this 11th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14008; Filed, Sept. 11, 1944; 11:57 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 4]

PART 4003—SUBSIDIES; SUPPORT PRICES

DRY EDIBLE BEANS, 1944 CROP

The War Food Administrator having submitted certain information and recommendations to me on September 5, 1944, with reference to a program to develop and introduce a subsidy program for certain dry edible beans, it is hereby found and determined that the purposes of the hold-the-line order, specifically, the policy established by Executive Orders 9250 and 9328 (3 C. F. R. Cum. Supp., pp. 1213, 1267) will be effectuated by the adoption of such a program.

The War Food Administrator is, therefore, hereby authorized and directed to develop and enter into a subsidy program which will permit dealers to pay producers of certain dry edible beans produced in 1944 the support prices announced for such beans.[1] The subsidy payments shall be in the amount by which the announced support prices for such dry edible beans exceed the applicable Office of Price Administration

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*Copies may be obtained from the Office of Price Administration.

[1] F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5259, 5502, 5926, 6030, 5804, 6360, 7169, 7301, 7708, 7773, 8068, 9405, 9685, 9620, 9902, 10049, 9901, 10644.

[1] 8 F.R. 7384, 9452, 9458, 11685, 15704; 9 F.R. 604, 946, 2222, 2902, 3943, 5379, 6361, 7202.

[1] See War Food Administrator's proclamation of May 4, 1944, 9 F.R. 4837.

maximum prices on such beans sold into civilian trade channels.

Effective date: September 8, 1944.

(E.O. 9250, E.O. 9328, 3 C.F.R. Cum. Sup.)

Issued this 8th day of September 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. D Doc. 44-13957; Filed, Sept. 9, 1944; 10:59 a. m.]

[Directive 5]

PART 4003—SUBSIDIES; SUPPORT PRICES

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

DRIED FRUITS, 1944 PACK

The Price Administrator having submitted certain information and recommendations to me dated June 15, 1944, and August 17, 1944, and the War Food Administrator having submitted certain information and recommendations to me dated June 24, 1944, and August 11, 1944, with reference to a program, (1) to fix maximum prices for the 1944 pack of dried fruits, (2) to establish and pay growers support prices for certain dried fruits produced in 1944, and (3) to develop and introduce a subsidy program for dried prunes and raisins, it is hereby found and determined that the purposes of the hold-the-line order, specifically, the policy established by Executive Order 9250 and 9323 (3 C.F.R. Cum. Supp., pp. 1212, 1267) will be effectuated by the adoption of such a program.

A. The Price Administrator is, therefore, hereby authorized and directed to take the following price action in respect to 1944 dried fruits:

1. Establish maximum prices covering packers sales of dried prunes and raisins to Government agencies which will reflect returns to producers of natural condition dried fruit equal to the grower support prices to be announced by the War Food Administration pursuant to the authorization given herein below.

2. Establish maximum prices covering packers sales of dried prunes and raisins in civilian trade channels which will reflect the increase in legal minimums for 1944 and processor's costs at 1942 levels.

3. Establish maximum prices covering packers sales of dried apricots, peaches, and pears to both Government agencies and civilians which will reflect returns to producers of natural condition dried fruit equal to the grower support prices to be announced by the War Food Administration pursuant to the authorization given herein below.

4. Establish maximum prices for packed processed dried figs for sales to both Government agencies and civilians which will reflect the following average grower prices per ton:

Calimyrnas (75% test)	$380
Adriatics (80% test)	250
Kadotas, tree picked (90% test)	240
Kadotas, natural (85% test)	230
Black Missions (85% test)	200

5. Establish maximum prices for natural condition unpacked dried prunes and raisins sold by producers, dehydrators, or dry-yard operators to reflect the support prices.

B. The War Food Administrator is hereby authorized and directed to take the following action in respect to dried fruits produced in 1944:

1. For dried prunes to establish and pay grower support prices as follows:

10 cents per pound basis for California Three-District dried prunes;

9¾ cents per pound basis for California Outside-District dried prunes

and for Oregon and Washington dried prunes the same prices as those for California Outside-District dried prunes of comparable size.

2. To announce and pay grower support prices for 1944 sun-dried natural condition raisins not to exceed $180 per ton for Sultana and Thompson seedless and $195 per ton for Muscats.

3. Insofar as the Office of Economic Stabilization is concerned, to distribute among raisin variety grape producers any profits which may accrue through the purchase and sale of raisin variety grapes.

4. To establish support prices for 1944 for dried apricots, peaches and pears not to exceed the following averages per ton:

Apricots	$560
Peaches:	
Clingstone	330
Freestone	440
Pears	340

5. To develop and enter into a subsidy program which will permit packers to pay producers the support prices for natural condition dried prunes and raisins and to meet the increased costs of processing since 1942. These subsidies will enable processor to sell these fruits, when processed and packed, in civilian trade channels at maximum prices to be established by the Office of Price Administration for packers sales in civilian trade channels.

Effective date: June 26, 1944, except as to B (1) above, for which the effective date is August 24, 1944.

(E.O. 9250, E.O. 9328, 3 C.F.R. Cum. Supp.)

Issued this 8th day of September, 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-13958; Filed, Sept. 9, 1944; 10:59 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

REMOVAL OF TRESPASSING HORSES IN SITGREAVES NATIONAL FOREST

Whereas a number of horses are trespassing and grazing on land in portions of the Heber Ranger District in the Sitgreaves National Forest, State of Arizona; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring national-forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), the following order is issued for the occupancy, use, protection, and administration of the Long Tom, Wagon Draw, Rock Tank, Delodo, and Wild Cat Allotments of the Heber Ranger District in the Sitgreaves National Forest. This area is bounded on the north by the fence boundary of the Sitgreaves Forest, on the east by a fence between cattle and sheep allotments, on the south by Mogollon Rim, an impassable barrier, and on the west by Chevalon Canyon, Coconino and Navajo Counties, Arizona:

Temporary closure from livestock grazing.[1] (a) The Long Tom, Wagon Draw, Rock Tank, Delodo, and Wild Cat Allotments of the Heber Ranger District, in the Sitgreaves National Forest, are hereby closed for the period October 1, 1944, to December 31, 1944, inclusive, to grazing of horses, excepting those that are lawfully grazing on or crossing land in such areas pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Public action of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Sitgreaves National Forest is located.

Done at Washington, D. C., this 8th day of September 1944. Witness my

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[1] This affects tabulation contained in 36 CFR, 261.50.

hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 44-13938; Filed, Sept. 9, 1944; 11:14 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 31—FLAG OF THE UNITED STATES CADET NURSE CORPS

Pursuant to the authority contained in the act of June 15, 1944 (57 Stat. 153) as amended by the act of March 4, 1944 (58 Stat. 131), providing for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies and war industries, and for other purposes, the following regulation is hereby prescribed:

§ 31.1 *Official flag.* The official flag indicative of the United States Cadet Nurse Corps shall be as follows: On a white rectangular field, centered from left to right, the official Maltese Cross, insignia of the Corps, in colors as indicated herein; a white Maltese Cross centered on a regimental red oval, which in turn is superimposed on a rectangle of grey having rounded corners top and bottom; in the left horizontal area of the Cross the letter U and in the right horizontal area of the Cross the letter S, each letter in dark blue; below the Maltese Cross insignia on the white field the words "Cadet Nurse Corps" in regimental red lettering; the flag to be fringed in regimental red with a cord and tassel of regimental red and grey. The flag shall be displayed at induction ceremonies, graduation exercises, parades, and at such other times and places, as may be authorized by the Surgeon General.

Dated September 1st, 1944.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved: September 7, 1944.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 44-13934; Filed, Sept. 9, 1944; 11:04 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

OTTER CREEK RECREATIONAL DEMONSTRATION LANDS, KY.

ORDER TRANSFERRING ADMINISTRATION FROM NATIONAL PARK SERVICE TO WAR DEPARTMENT

Pursuant to the authority contained in the act of June 6, 1942 (56 Stat. 326):

It is ordered, That, subject to existing leases, licenses, and easements, the land within the following described boundary, in the County of Meade, State of Kentucky, together with the improvements thereon, now administered by the National Park Service as a part of the Otter Creek Recreational Demonstration Project, is hereby transferred to the War Department for administration and use by that Department:

Beginning at a point in Otter Creek where same is intersected by a county road, said point being also a corner to the land now owned or formerly owned by Joe Seelye; thence along said county road the following three courses: S. 71° W. a distance of 480 feet, more or less, to a point, and S. 37°30' W. a distance of 110 feet, more or less, to a point, and N. 69° W. a distance of 470 feet, more or less, to a point; thence leaving said road and with the line of Joe Seelye S. 49° W. a distance of 2200 feet, more or less, to a point; thence continuing with the lines of Joe Seelye the following four courses: N. 17° E. a distance of 280 feet, more or less, to a point; thence N. 26°30' E. a distance of 320 feet, more or less, to a point; thence N. 1° W. a distance of 390 feet, more or less, to a point; thence N. 28° W. a distance of 160 feet, more or less, to a point; thence leaving said Seelye's land N. 20° W. a distance of 1500 feet, more or less, to a point; thence N. 1°30' E. a distance of 1160 feet, more or less, to a point; thence N. 23° W. a distance of 390 feet, more or less, to a point; thence N. 39°30' W. a distance of 240 feet, more or less, to a point; thence N. 69°30' W. a distance of 330 feet, more or less, to a point; thence N. 50° W. a distance of 600 feet, more or less, to a point; thence N. 18°30' W. a distance of 500 feet, more or less, to a point; thence N. 25°15' W. a distance of 1980 feet, more or less, to a point; thence N. 59°30' W. a distance of 1080 feet, more or less, to a point; thence S. 25°30' W. a distance of 85 feet, more or less, to a point; thence S. 2° E. a distance of 325 feet, more or less, to a point; thence S. 8° E. a distance of 410 feet, more or less, to a point; thence S. 28° E. a distance of 170 feet, more or less, to a point; thence S. 34° E. 210 feet, more or less, to a point; thence S. 50° E. a distance of 690 feet, more or less, to a point; thence S. 67° E. a distance of 160 feet, more or less, to a point; thence S. 38° W. a distance of 2460 feet, more or less, to a point; thence S. 33°30' E. a distance of 1860 feet, more or less, to a point; thence S. 44° W. a distance of 1900 feet, more or less, to a point; thence N. 49° W. a distance of 3050 feet, more or less, to a point; thence S. 28°30' W. a distance of 2540 feet, more or less, to a point; thence S. 57° E. a distance of 1980 feet, more or less, to a point; thence N. 86°30' E. a distance of 840 feet, more or less, to a point; thence N. 49°30' E. a distance of 630 feet, more or less, to a point; thence S. 88° E. a distance of 500 feet, more or less, to a point; thence S. 1°30' W. a distance of 900 feet, more or less, to a point; thence S. 76° W. a distance of 1000 feet, more or less, to a point; thence S. 37° E. a distance of 1630 feet, more or less, to a point; thence N. 68° E. a distance of 1570 feet, more or less, to a point; thence on a curve bearing South and East which long chord bears S. 15° E. a distance of 1800 feet, more or less, to a point; thence S. 86°30' E. a distance of 2100 feet, more or less, to a point; thence S. 4°30' E. a distance of 270 feet, more or less, to a point; thence S. 4° W. a distance of 120 feet, more or less, to a point; thence N. 20°30' E. a distance of 2740 feet, more or less, to a point; thence S. 89° E. a distance of 980 feet, more or less, to a point; thence S. 72°30' E. a distance of 780 feet, more or less, to a point; thence N. 28° E. a distance of 250 feet, more or less, to a point; thence N. 14° E. a distance of 160 feet, more or less, to a point; thence N. 76° E. a distance of 240 feet, more or less, to a point; thence S. 49° E. a distance of 90 feet, more or less, to a point in the center line of Otter Creek; thence in the northerly and westerly direction and following the meanders of said creek a distance of 3400 feet, more or less, to a point the place of beginning, and containing 1072 acres, more or less.

Dated: August 26, 1944.

ABE FORTAS,
Acting Secretary of the Interior.

Approved: August 29, 1944.

FRANKLIN D ROOSEVELT,
The White House.

[F. R. Doc. 44-13983; Filed, Sept. 11, 1944; 9:36 a. m.]

Chapter I—General Land Office

[Circular 1582]

PART 193—COAL PERMITS, LEASES AND LICENSES

QUALIFICATIONS OF APPLICANTS

Section 193.2 and paragraph (b) of § 193.7 are amended to read as follows:

§ 193.2 *Qualifications of applicants.* Leases and prospecting permits may be issued to citizens of the United States, associations of citizens, and corporations organized under the laws of the United States or any State or Territory thereof, including a company or corporation operating a common-carrier railroad, and to municipalities. Limited licenses or permits for the mining of coal may be issued to citizens, associations of citizens and municipalities.

In accordance with the provisions of section 27 of the Act of February 25, 1920, as amended by the Act of April 30, 1926 (44 Stat. 373, 30 U.S.C. 184), and acts supplemental thereto, every applicant for coal permit or lease other than a company or corporation operating a common-carrier railroad, must show that, with the area applied for, his or its interest or interests in such permits, leases and other applications therefor, directly or indirectly, do not exceed in the aggregate 2,560 acres in any one State.

In accordance with the provisions of section 2 of the Act of February 25, 1920, as amended by the Act of June 13, 1944 (Public Law 336, 78th Congress), every company or corporation operating a common-carrier railroad must make affidavit that it needs the coal for which it seeks a permit or lease for its own use for railroad purposes; that it operates main or branch lines in the State in which the lands involved are located; that the aggregate acreage in the permits, leases and applications therefor in which it is interested directly or indirectly does not exceed 10,240 acres; and that it does not hold more than one permit or lease for each 200 miles of its railroad lines served or to be served from such coal deposits exclusive of spurs or switches and exclusive of branch lines built to connect the leased coal with the railroad, and also exclusive of parts of the railroad operated mainly by power produced otherwise than by steam.

§ 193.7 *Petitions for leasing units.*

* * *

(b) Statement showing qualifications of petitioner to take a coal lease under the Act; proof of citizenship to be made by affidavit if native born; if naturalized, to be made as provided for in §§ 137.1, 137.2; if a corporation, by certified copy of the articles of incorporation; if a municipality, a showing of (1) the law or charter and procedure taken by which it became and exists a legal body corporate, (2) that the taking of a permit or lease is authorized under such law or charter, and (3) that the action proposed has been duly authorized by the governing body of such municipality; and the applicant must file evidence as to his or its qualifications to hold such a permit or lease, as prescribed by Section 193.2. A corporation must also submit a showing as to the residence and citizenship of its stockholders.

FRED W. JOHNSON,
Commissioner.

Approved: September 1, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-13981; Filed, Sept. 11, 1944; 9:36 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 156—INSPECTION AND CERTIFICATION

AMENDMENT TO THE REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4433, 4488, 4491 (46 U.S.C. 375, 391a, 404, 411, 481, 489), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the regulations and approval of equipment are prescribed:

Section 156.3 is amended to read as follows:

§ 156.3 *Electrical installations.* The specification covering electrical installations titled "United States Coast Guard, Merchant Marine Inspection, Specification for Electrical Installations on Merchant Vessels", dated August 31, 1944, is, during the emergency, applicable as alternative provisions to those contained in §§ 32.6-1 to 32.6-5, inclusive, 63.9, 79.9, 97.11 and 116.16 of this chapter.

APPROVAL OF EQUIPMENT

CONTAINERS FOR EMERGENCY RATIONS

Emergency drinking water container (Dwg. dated 15 April 1944), submitted by Chemical Service Co., 1117-25 S. Howland Street, Baltimore, Maryland.

Emergency provisions container (Dwg. dated 15 April, 1944), submitted by Chemical Service Co., 1117-25 S. Howland Street, Baltimore, Md.

Emergency drinking water container (Dwg. No. 668, dated 20 July, 1943, revised 9 August, 1944), submitted by The Multiple Breaker Co., Garwood, N. J.

Emergency provisions container (Dwg. No. 667, dated 20 July, 1943, revised 9 August, 1944), submitted by The Multiple Breaker Co., Garwood, N. J.

FIRE-DETECTING AND ALARM SYSTEM

Fire-detecting and alarm system (Sheets 1, 2, 3, and 4 of Dwg. No. 12243, Alt. 4, revised 13 May, 1944) (Catalog No. 572), for U. S. A. H. S. LARKSPUR only, submitted by Auth Electrical Specialty Co., Inc., 422-430 East 53rd Street, New York, N. Y. (Supersedes approval 18 August, 1944, 9 F.R. 10204).

LIFEBOAT

28' x 9' x 3'11½" metallic motor propelled lifeboat (506 cu. ft. by the .6 rule, 692 cu. ft. by Stirling rule, 52-person peacetime capacity, 40-person wartime capacity) (Arrangement and Construction Dwg. No. 89-0-11, dated 9 November, 1943, Rev. U, dated 10 August, 1944), submitted by the Imperial Lifeboat & Davit Corp., Athens, N. Y.

SAFETY VALVE

Duplex safety valve, Style DS-100 (maximum working pressure 600 p. s. i., maximum temperature 490° F) (Dwg. No. 356B, dated 1 August, 1944), submitted by the Ashton Valve Company, Boston, Mass.

L. T. CHALKER,
Rear Admiral, USCG,
Acting Commandant.

SEPTEMBER 7, 1944.

[F. R. Doc. 44-13886; Filed, Sept. 8, 1944; 1:18 p. m.]

APPROVAL OF EQUIPMENT

Correction

In Federal Register Document 44-12715, appearing on page 10306 of the issue of Thursday, August 24, 1944, the approval number for Model No. 3 adult kapok life preserver should read "B-234" instead of "B-324".

Chapter III—War Shipping Administration

PART 302 — CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 11, Rev. Supp. 7]

TIME CHARTER FOR FOREIGN FLAG DRY CARGO VESSELS

Section 302.48 is revised to read:

§ 302.48 *Amended time charter for foreign flag dry cargo vessels "Warshiptime (Rev.) Forflag".* The Administrator, War Shipping Administration, adopts the following standard form of addendum for time charters, for such foreign flag dry cargo vessels as the Administrator in his discretion may determine, heretofore entered into by the United States of America acting by and through the Administrator, to be known as "Warshiptime (Rev.) Forflag":

Contract No. ----------

Form No. 101 (Rev.) Forflag
9/9/44
Warshiptime (Rev.) Forflag

WAR SHIPPING ADMINISTRATION

AMENDED TIME CHARTER FOR DRY CARGO VESSELS

WHEREAS, the Owner and the Charterer have heretofore entered into a charter agreement dated as of ----------, 1942, providing for the charter of the Vessel upon the terms and conditions therein set forth, and

WHEREAS, the Charterer has found that in order to facilitate the prosecution of the war and otherwise to benefit the interests of the United States, it is necessary and desirable that the Charter be further amended to the extent provided for by this Addendum,

Now, THEREFORE, the Charterer and the Owner do mutually agree to amend the Charter effective upon the date hereinafter set forth so that such Charter will be as follows:

AMENDED TIME CHARTER (hereinafter sometimes referred to as the Charter), dated as of ----------, 19--, between ----------
Address ----------
Owner of the SS/MS ---------- (herein called the "Vessel"), and UNITED STATES OF AMERICA, acting by and through the Administrator, War Shipping Administration, CHARTERER, the terms of the Charter being as follows:

PART I (REVISED)

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

DEADWEIGHT capacity, as defined in Clause 5, Part II.
CLASSED ----------
BALE CAPACITY of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer ---------- cubic feet.
YEAR BUILT ----------

* * * * *

CLAUSE A. PERIOD OF CHARTER. From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however*, That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. TRADING LIMITS. As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. HIRE. The hire shall be $_____ _____ per calendar month or pro rata for any portion thereof, of which the sum of $_____ per calendar month shall be compensation to the owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

RATE REVISION. At any time, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other, but no rate redetermination prior to July 1, 1945 shall involve a change in the use rate factor of the charter hire. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within such a period, then the Owner shall be entitled to receive from the Charterer for the period commencing with the end of such period a fair and reasonable charter hire for the use of the Vessel and the services required under the terms of this Charter, the rate of hire to be not more or less favorable than the compensation that would have been payable if the Vessel were documented under the laws of the United States. Pending a determination of such a fair and reasonable charter hire either by mutual agreement or by judicial determination, the Charterer shall pay to the Owner on account thereof 75 percent of the charter hire payable prior to the end of such 30 day period, from month to month. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A. Part I.

In the event of such termination by either party, the Charterer may, at its option, defer compliance with any or all of its redelivery obligations hereunder provided, however, that compliance with such obligations shall not be extended beyond the expiration of the emergency proclaimed by the President of the United States on May 27, 1941.

CLAUSE D. VALUATION. For the period ending noon, e. w. t., April 20, 1945, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $_____ For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by _____ per cent. By mutual agreement the valuation provisions of this Clause may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

CLAUSE E. PORT OF DELIVERY.

CLAUSE F. TIME AND DATE OF DELIVERY.

CLAUSE G. PORT OF REDELIVERY. Port of delivery, unless otherwise agreed; *Provided, however*, That at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. NOTICE OF REDELIVERY. The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. UNIFORM TERMS. This Charter consists of this Part I and Part II, conforming to the Amended Time Charter for Foreign Flag Dry Cargo Vessels, published in the FEDERAL REGISTER of September 1944. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions, of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. EFFECTIVE DATE OF THIS AMENDED CHARTER. Unless otherwise agreed this Amended Charter (Addendum) shall, conditioned upon the Vessel being in every way fitted for service as required by Clause I of Part II, be effective upon completion of discharge of the Vessel in a port in the Continental United States, excluding Alaska, on the voyage current on _____, 1944, or if the vessel be in a port in the Continental United States, excluding Alaska, on _____, 1944, then effective _____, 1944, or if the Vessel has not returned to a port in the Continental United States, excluding Alaska, prior to _____ 1944 then effective _____, 1944 if the Vessel be in any port at that date, otherwise effective upon the Vessel's safe arrival at the Vessel's next port of call.

CLAUSE K. SPECIAL PROVISIONS. (1) With respect to reimbursement of war bonuses by the Charterer under any provisions of this Charter the individual war bonuses paid to the crew (including the Master and officers), shall not be in excess of the same percentage relation to the individual basic wages paid as exist between the individual basic wages and war bonuses paid on an American-flag ship with a like complement in the same service: *Provided*, That in no event shall the war bonuses for each member of the crew exceed those payable to the corresponding individual crew members of an American-flag vessel (including the Master and officers) with a like complement in the same service. If the Owner's arrangement is for the payment of a flat rate of wage per man (including the war bonuses), the Charterer agrees to reimburse the Owner the aggregate amount by which the aggregate flat wages paid by the Owner to the Master, officers or crew of the Vessel during the period of this Charter, exceeds the aggregate wages (excluding the war bonuses) which would have been payable to the Master, officers and crew of an American-flag ship with a like complement in the same service: *Provided*, That in no event shall any aggregate amount so to be reimbursed be in excess of the aggregate of the war bonuses which would have been payable to the Master, officers and crew of an American-flag ship in the same service.

In witness whereof, the Owner has executed this Charter in quadruplicate the ____ day of _____, 19..., and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19_____

_____

By _____

UNITED STATES OF AMERICA,
By E. S. LAND, *Administrator*.
War Shipping Administration.
By _____
For the Administrator.

As to execution for OWNER.
ATTEST:

_____

or if not incorporated
In the presence of:

_____
Witness
and
_____
Witness

Approved as to form:

_____
Assistant General Counsel.

I, _____, certify that I am _____ the duly chosen, qualified, and acting Secretary of _____, a corporation organized and existing under the laws of the State of _____ and having its principal place of business at _____ a party to this Charter, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Charter on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said Charter in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Charter is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL] _____
Secretary

Form No. 101 (Rev.) Forflag
9/9/44

Warshiptime (Rev.) Forflag

WAR SHIPPING ADMINISTRATION

UNIFORM TIME CHARTER TERMS AND CONDITIONS FOR DRY CARGO VESSELS

(PART II)—(REVISED)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availability of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery shall be ready to receive cargo with clean-swept holds and, as far as due diligence can make her so, tight, staunch, strong, and in every way fitted for normal commercial service for a vessel of her size, type, and description, having winches and power sufficient to run all winches at one and the same time and a Master, and a sufficient complement of officers and crew (hereinafter referred to collectively as the crew) for a vessel of her tonnage, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter.

The Vessel shall be employed in carrying passengers (to the extent permitted by law and available accommodations) and lawful merchandise, including petroleum or its products in proper containers, in lawful trades between safe ports or places, as the Charterer or its agents may direct.

The Vessel may be employed to tow or may be towed, but the Charterer shall indemnify the Owner for any loss, damage, claims or expenses resulting from any such use of the Vessel.

For the purpose of this Charter the Owner shall be entitled to the benefits of all waivers in the navigation and inspection laws granted by an authorized officer or by law or regulation.

If radio or other equipment is required to enable the Vessel to comply with this Clause and such equipment is leased by the Owner, it shall pay the rental and maintenance charges therefor, or if such charges are paid by the Charterer, such charges may be deducted from the hire.

CLAUSE 2. The whole reach and burthen of the Vessel's holds, decks, and usual places of loading (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal, reserving only space proper and sufficient in the opinion of the Master for Vessel's crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores and fuel.

CLAUSE 3A. Commencing with the time this Amended Charter becomes effective, the Charterer shall (except as otherwise expressly provided in this Charter) pay hire for the use of the Vessel and for the services required under the terms of this Charter at the rate provided in Clause C, of Part I of this Amended Charter, and subject to the provisions of said Clause C, such hire, or payments on account as therein provided, shall continue until the time of the redelivery of the Vessel to the Owner as in this Charter provided, unless the parties hereto otherwise agree: *Provided, however*, That if the Vessel shall be an actual total loss, such hire or payments on account shall continue until the time of her loss, if known, or if the date of loss cannot be ascertained, or if the Vessel is unreported, such hire or payments shall continue for one-half the calculated time necessary for the Vessel to proceed from her last known position to the next port of call, but not exceeding 14 days. If the Vessel is a constructive total loss under the terms of any insurance thereon or is declared a constructive total loss by the Charterer under the provisions of Schedule A, such hire or payments shall continue until noon (E. W. T.) of the day of the last casualty resulting in or causing or contributing to her loss, except as otherwise provided in Clause 31 of this Charter.

CLAUSE 3B. If at the time of redelivery under this Charter, the Vessel shall require repairs of any damage arising from risks insured against or assumed by the Charterer or for which the Charterer is otherwise liable, hire or payments on account as herein provided shall continue until completion by the Charterer of such repairs and of any work required of the Charterer by Clause 11, Part II, subject to the provisions of Clause 11D hereof.

CLAUSE 3C. On the first day of each calendar month, the hire or payments on account of just compensation provided for in this Amended Charter, and all other monies accruing during the preceding month in favor of the Owner, shall be due and payable.

CLAUSE 3D. The Charterer or its agents may advance currency or perform any services, or furnish any supplies or equipment, which are required by the Owner and are for the Owner's account under this Charter, and the Owner, upon being furnished evidence thereof, shall reimburse or secure the Charterer for the fair and reasonable dollar value of any currency so advanced, services so performed, or supplies and equipment so furnished, or at the Charterer's election the equivalent thereof may be deducted from the hire. It is understood that any such advances made or services performed or supplies and equipment furnished by the government of any country as aid to or for the account of the United States shall be deemed currency advanced, services performed, or supplies and equipment furnished by the Charterer.

CLAUSE 4. In the event that the Vessel is detained because of the happening of any event caused or contributed to by another vessel, person, corporation, or others, for which detention such third parties are or may be liable (the period of such detention to include the time necessary to proceed to, survey, and effect repairs unaccomplished upon the date of redelivery of the Vessel under this Charter), then for such period of detention the Charterer's obligation to the Owner for hire and for other sums otherwise accruing hereunder shall cease: *Provided, however*, That the Charterer shall indemnify and save the Owner harmless from any loss whatsoever by reason of the cessation of such obligations, and notwithstanding said cessation shall pay to the Owner a sum not less than the amount which would otherwise be payable to the Owner for such obligations in the same manner and to the same extent as if such cessation had not occurred, but on performance of this indemnity the Charterer shall immediately become subrogated, to the extent of such indemnity, to all rights whatsoever of the Owner to recover for such detention from or against such vessel, person, corporation, or others, and the Charterer shall be entitled to bring and maintain suit or suits thereon in its own name or in the name of the Owner as the Charterer may see fit: *Provided, however*, That on the written request of the Charterer, the Owner shall in each instance, assert and prosecute such claims in the name of the Owner, but for and on behalf of the Charterer and at the Charterer's expense, such claims to be in a sum not less than the amount of the indemnity paid by the Charterer.

CLAUSE 5A. Insofar as it is a factor in the Vessel's rate and valuation, deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2,240 lbs.) for cargo, fuel, fresh water, spare parts and stores but exclusive of permanent ballast. Deadweight shall be calculated without deduction for weight lost by reason of cargo refrigeration installation heretofore made, if any, and weight added by installation of refrigerated cargo capacity (including offsetting permanent ballast required thereby), arming, degaussing, demagnetising, or the installation of splinter-protection equipment or because of ice-strengthening, or other extraordinary wartime installation or equipment, including permanent ballast, heretofore or hereafter made or required by the Charterer or any other agency of the United States.

CLAUSE 5B. In the event that the Vessel's deadweight or bale cubic refrigerated capacity, when finally determined as herein provided, shall not be in accord with the description contained in Part I hereof, the hire and valuation (if any) shall be equitably adjusted to be appropriate for the Vessel's deadweight and bale cubic refrigerated capacity. Certificates of deadweight or bale cubic refrigerated capacity, in satisfactory form, heretofore or hereafter furnished by the American Bureau of Shipping, shall be accepted as final proof of deadweight capacity and bale cubic refrigerated capacity.

CLAUSE 6. Except as otherwise provided in this Charter:

(a) The Owner shall provide and pay for
(1) Wages of Master and crew;
(2) Subsistence;
(3) Galley, cabin, deck and engine room stores, supplies and equipment (except all water and fuel, for any purpose);
(4) Maintenance and repair of Vessel and equipment to the extent required of the Owner under this Charter;
(5) Sales or other taxes based on the foregoing items; and
(6) Owner's overhead expenses.

(b) The Charterer shall provide and pay for all other charges and expenses whatsoever reasonably and properly incurred in the use, operation or employment of the Vessel hereunder.

For the purposes of this Charter:

(1) The term "wages" as used herein shall include all basic and emergency wages, bonuses for seniority or length of service, overtime and vacation allowances, life, health, retirement or other insurance benefits which are not required to be provided or paid for by the Charterer hereunder.

(2) The term "subsistence" shall include the cost, including delivery, loading and inspection charges thereon, of all edibles for consumption by Master and crew, and other persons covered by Clause 7C hereof, and shall also include board and room allowances to Master and crew in lieu of subsistence and lodging aboard the Vessel.

(3) The term "galley, cabin, deck and engine room stores, supplies and equipment" shall mean those items referred to under the headings of "(15)" and "(24) Stores, Supplies and Equipment", page 8, of the General Financial Statement of the U. S. Maritime Commission, approved by the Budget Bureau No. 62-RO, 10-42.

(4) The term "maintenance and repair of Vessel and equipment" shall mean the items referred to under the headings "(25) Other Maintenance Expense" and "(40)" and "(49) Repairs", page 8 of said General Financial Statement.

(5) The term "overhead expense" shall include administrative and general expenses as presently itemized in General Order No. 22 of the U. S. Maritime Commission, Owner's advertising expenses, Owner's taxes (except sales and similar taxes, taxes assessed or based upon freights earned, and other taxes of any kind determined by the Charterer to be properly classifiable as voyage expenses), and the cost of employing agents or branch houses to perform any of the services required of the Owner under this Charter.

CLAUSE 7A. The Charterer shall reimburse the Owner for actual out-of-pocket expenses, including all taxes paid by the Owner with respect to such expenses, for:

(1) All war bonuses (war risk compensation) paid to the Master and crew (which term as used in this Clause 7 shall refer to the actual crew on board, even though in excess of the normal complement) in the manner and to the extent provided for in applicable decisions or advices of the Maritime War Emergency Board, as amended or modified from time to time, or in judicial decisions relating hereto.

(2) All extra compensation, including overtime, paid to the crew for services performed by the crew (a) in connection with cargo, at sea or in port, (b) in connection with shifting of Vessel in port for Charterer's purposes, or (c) preparatory to loading or discharging or sailing in convoy. If the Vessel operates in the Alaska trade, the Charterer shall also pay the extra crew costs exceeding costs that would have been incurred in similar operations in other ocean-going trades.

(3) All wages, and overtime paid to any extra crew members beyond the normal complement of the Vessel, or to other persons carried, who are required to be employed by the Owner because of (a) the Vessel's service under this Charter, (b) the loading or discharging of cargo, or (c) to care for any persons covered by Clause 7 C hereof. Extra wages or overtime paid to the normal complement of the Vessel in lieu of employing extra crew members or persons for the purposes above set forth shall also be reimbursed to Owner. The term "normal complement" as used in this Charter shall refer to the normal peacetime complement for off shore foreign trading for the average vessel of the same size, type and description as the Vessel chartered hereunder, as determined by the Administrator.

(4) All wages and overtime paid to security watchmen provided in compliance with any security requirements of any United States or other Government agency, and all overtime or additional wages paid to the crew by reason of compliance with such requirements.

(5) All extra clothing or effects for the Master and crew necessitated by the Vessel's service under this charter (Charterer to have title to such extra clothing and effects).

CLAUSE 7B. The Charterer shall, to the extent the Owner is not reimbursed under the provisions of Schedule A attached hereto, reimburse the Owner for out-of-pocket expenses or disbursements made on behalf of the Master or crew, or payments made to the Master or crew, for repatriation transportation (including return to port of shipment), and for wages and subsistence while awaiting and during such transportation, where such expenses, disbursements, or payments are assumed by the terms of the Ship's Articles, the Owner's collective bargaining agreements or found by the Owner to be reasonably necessary or desirable. The Owner shall also be reimbursed for the cost reasonably incurred in furnishing men to replace members of the crew whose employment has terminated at ports in Alaska or outside the continental United States where suitable replacements are not readily available.

CLAUSE 7C. The Charterer shall pay the Owner at the rate of $1.50 per day per person (not in excess of fifty (50) persons) for providing subsistence aboard the Vessel for any person carried at the request of the Charterer or any agency of the United States or the military authorities of any Allied Government, or any extra crew members beyond the Vessel's normal complement required because of the Vessel's service under this Charter, and $1.50 per day per person for providing subsistence aboard the Vessel for any extra complement thereby required. If a total of more than 50 extra persons referred to in this Clause 7C are carried on the Vessel at any one time, the Owner shall be reimbursed for his actual costs for subsistence of the number in excess of 50, unless subsistence rates or schedules applicable to such excess number have been agreed upon between the Owner and the Charterer, in which event such rates or schedules shall govern. The term "subsistence" as used in this subsection shall include victualling, supplying with linens, bedding, laundry, and similar services, but the Owner shall not be obliged to furnish linens and bedding for such extra persons in excess of 50, unless otherwise agreed.

CLAUSE 8A. The Charterer may disallow in whole or in part, as may be appropriate, and deny reimbursement for any expenses for which it is required to reimburse the Owner which are in contravention of the terms of this Charter, or are otherwise improvident or excessive.

CLAUSE 8B. The Charterer shall reimburse the Owner for any additional extraordinary costs incurred which the Charterer, in its discretion, may allow upon finding that such costs are not intended to be covered in the allowance for services hereunder. In the event the Vessel is assigned by the Charterer for service between foreign ports, the Charterer shall make such adjustment, if any, as it deems appropriate to allow for increased cost of operation.

CLAUSE 8C. In the event the Vessel is physically incapable of working for a period in excess of twenty (20) days while in a Continental United States port (excluding Alaska) or for a period of thirty (30) days while in Alaska or outside the Continental United States, the charter hire otherwise payable hereunder shall be reduced for the excess period by an amount equal to twenty (20) per cent of the service rate, plus eighty (80) per cent of the actual savings in wages for Master and crew during the entire period of lay-up. The Owner shall furnish reports of wage savings as soon as practicable after the termination of each month of such lay-up.

CLAUSE 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings and materials requisite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards and fittings and materials already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. Upon redelivery of the Vessel, the Charterer shall make good any damage to or shortage of shifting boards, fittings or materials which are on board at delivery.

CLAUSE 10. The Charterer shall pay for all fuel on board upon delivery, and the Owner shall pay for all fuel on board on redelivery not in excess of Owner's normal requirements, at market prices current at the ports and times of delivery and redelivery, respectively.

CLAUSE 11A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be in contravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions or changes, whether such installations, alterations, additions or changes were made under this Charter or prior to delivery under this Charter, except as may be otherwise provided herein.

CLAUSE 11B. Commencing with the time this Amended Charter becomes effective, the Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peace-time standards, then or thereafter set forth in sub-chapter O of Chapter I of the Regulations of the United States Coast Guard (Title 46, U.S.C.R.), or by other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by subsequent increases and changes in wartime Governmental requirements. *Provided, however*, That if the Owner has not entered into a form of addendum to the original time charter covering this Vessel designated as "Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions" and has not entered into a special agreement as and if contemplated in Paragraph Fourth of said addendum, then the obligations of the Charterer under this Clause 11B shall be limited to items hereafter required and shall not cover items heretofore required as aforesaid. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

The payments provided for in this paragraph shall be made in the same manner and shall not exceed in amount those payable to like American-flag vessels operating under similar Warshiptime (Rev.) or Warshipoiltime (Rev.) charters containing a clause substantially the same as the foregoing provisions of this paragraph.

CLAUSE 11C. Any equipment, furniture, furnishings or appliances belonging to the Vessel and not required by the Charterer may be removed by the Charterer, at the Charterer's expense, and upon termination of the Charter, unless the Vessel has been lost or requisitioned for title, any such removals are to be replaced on board the Vessel or made good by the Charterer at its expense. Storage charges arising from such removal shall be paid for by the Charterer.

CLAUSE 11D. If, at the time of redelivery under this Charter, the Vessel shall require any work or repairs of any damage arising

from risks insured against or assumed by the Charterer, or for which the Charterer is otherwise liable under this Clause, Clause 11A or any other Clause hereunder, the Charterer may, at its option, discharge such obligations by payment to the Owner in advance of an amount for reconditioning sufficient to provide for such work or repairs, which amount shall also include compensation at the rate of hire that would otherwise have been payable under this Charter, for the time reasonably required under then existing conditions to complete such work or repairs and compensation for other expenses incident to such work or repairs. If the Owner and Charterer agree such obligations may be discharged by a mutually satisfactory agreement.

CLAUSE 12. The Owner agrees at its expense to drydock the Vessel for the purpose of cleaning and painting her bottom, when necessary and not less than once in every nine months unless the Charterer otherwise agrees, and, when drydocking is due, the Charterer agrees to send the Vessel to a port where she can so drydock, clean and paint. All towage, pilotage, and other expenses incidental to such drydocking and all port charges incurred in connection therewith, shall be for the Owner's account regardless of whether Charterer's repairs are concurrently made.

CLAUSE 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master, to the extent permitted by governmental orders or directions, shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its agents, and furnish the Charterer or its agents, when required and to the extent permitted by governmental orders or directions, with a true copy of port and daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

CLAUSE 14. Subject always to the directions of the Charterer the Master shall prosecute his voyages with the utmost dispatch and shall render all customary assistance with ship's crew and boats; and shall use due diligence in caring for and ventilating the cargo. The Master (although employed by the Owner) shall be under the orders and directions of the Charterer as regards employment, agency and prosecution of the voyages; and the Charterer shall load, stow, trim and discharge the cargo at its expense under the supervision of the Master, who, if requested, is to sign bills of lading for cargo as presented, in conformity with Mate's or Tally Clerk's receipts. Bills of lading are to be signed in the form and at any rate of freight that Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify the Owner against all consequences or liabilities that may arise from the Charterer or its agents (including the Master) signing bills of lading or other documents inconsistent with this Charter, or from any irregularities in papers supplied by the Charterer or its agents.

CLAUSE 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its agents may direct, provided that the Vessel can safely lie afloat at any time of tide.

CLAUSE 16. The Owner shall provide and maintain gear for all derricks and shall maintain the gear of the ship as fitted, and shall also provide ropes, falls and blocks customary in normal commercial operation. The Owner shall also provide on the Vessel lanterns and oil for night work, and give the use of electric lights when the Vessel is so fitted. The Charterer shall have the use of any gear on board the Vessel, including slings.

CLAUSE 17. The Vessel shall work night and day, if required by the Charterer, and all winches are to be at the Charterer's disposal during loading and discharging. Shore winchmen, when available and where required, shall be provided and paid by the Charterer.

CLAUSE 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(i) *Clause paramount.* "This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further."

(ii) *Both-to-blame collision clause.* "If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact."

(iii) *General average clause.* "General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if any, shall be paid in United States money."

(iv) *Amended "Jason" clause.* "In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers."

(v) *Liberties clauses.* "In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgment of the carrier or master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such discharge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

"The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship,

the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

"In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods."

This Charter shall also be subject to the provisions of (ii), (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner, in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters, saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the Owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosions, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault or privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter arising or resulting from: Act of God; act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers or people, or seizure under legal process; strike or lockout or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this Clause shall diminish its obligations or hire under the other provisions of this Charter.

CLAUSE 20. The Insurance, Indemnity and Waiver program set forth in Schedule A annexed is hereby incorporated by reference in and made part of this Charter as though fully set forth in this Clause.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer, after deducting the Master and crew's shares, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expense sustained as a result of the service, which shall always be a first charge on such moneys; *Provided, however*, That to the extent necessary to effectuate the purposes of the Insurance, Indemnity and Waiver program (Schedule A), claims for salvage on behalf of the Owner shall be made solely at the discretion of the Charterer.

CLAUSE 22. If the Charterer shall notify the Owner that the employment or the continued employment of the Master or any member of the crew or any agent of the Owner is prejudicial to the interests of the United States in the prosecution of the war, the Owner shall make any changes necessary in the appointment.

If the Charterer shall have reason to be dissatisfied with the conduct of any member of the crew, the Owner shall, on receiving particulars of the complaint, investigate and make any changes practicable in the appointments or practices aboard the Vessel with respect to the maintenance of proper discipline, necessary to eliminate the reasons for such dissatisfaction by the Charterer.

CLAUSE 23. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force. Nothing herein shall be deemed to affect the Charterer's right of limitation or exemption from liability accorded under the provisions of Section 4 of Public Law 17, 78th Congress.

CLAUSE 24. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 25. Liability for nonperformance of this Charter shall be proved damages.

CLAUSE 26. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 27. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 28. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel. *Provided, however*, That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained. *Provided further, however*, That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the Owner, and the Vessel, her crew and cargo.

CLAUSE 29. If after redelivery the Vessel is arrested or attached upon any cause of action arising or alleged to have arisen from previous possessions or operation of the Vessel by the Charterer, or any subcharterer, or for which the Charterer is liable, the Charterer undertakes to use its best efforts to cause the release of the Vessel under the Suits in Admiralty Act or any other special remedy available to the Charterer, subject to the approval of the Attorney General of the United States.

CLAUSE 30. The Charterer (except as to matters affecting only the stability of the Vessel) shall be exclusively responsible for proper loading, stowage and discharge of goods of an inflammable, explosive or dangerous nature, and shall comply with all applicable regulations and furnish any necessary fittings.

CLAUSE 31. The Charterer shall reimburse the Owner for all expenses for wages, bonuses and subsistence of the Master and crew and other out-of-pocket costs, incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel or under this Charter or otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charterer, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 3½ per cent per annum on the then current valuation of the Vessel under valuation Option II, commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b) if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

CLAUSE 32. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainty, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said act. Nothing in this Clause 32 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other warshiptime or warshipoiltime Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 32 shall be applicable only from the effective date of this Amended Charter. Nothing in this Clause 32 shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter for the period prior to the effective date of this Amended Charter or to any charter hire or other sums accruing prior to the effective date of this Amended Charter, provided, however, that all rights, if any, which the Administrator may have to renegotiate any charter hire or other sums accruing prior to the effective date of this Amended Charter are hereby reserved by the Administrator.

CLAUSE 33A. No member of or delegate to Congress or Resident Commissioner is or shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except to the extent allowed by Title 18 U. S. Code, section 206. The Owner agrees not to employ any member of or delegate to Congress or Resident Commissioner, either with or without compensation, as an attorney, agent, officer or director.

CLAUSE 33B. The Owner shall not employ any person who advocates, or who is a member of an organization that advocates, the overthrow of the government of the United States by force or violence, to perform any work under this Charter. As a condition to the employment of any person for the performance of such work, the Owner shall, if the Charterer so directs, require each person to execute and file an affidavit in such form as to satisfy the requirements of Public Law No. 678, 77th Congress, or Public Law No. 23, 77th Congress, but the execution and filing of such affidavit shall be without prejudice to the right of the Charterer to require such further evidence in the premises as may be in the possession of the Owner as the Charterer may deem desirable.

CLAUSE 33C. The Owner agrees that in performing the work required of it by this Charter, it will not discriminate against any worker because of race, creed, color, or national origin.

CLAUSE 33D. The Owner shall not employ any person undergoing sentence of imprisonment at hard labor.

CLAUSE 33E. The Owner warrants that it has not employed any person to solicit or secure this Charter upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Charterer the right to annul this Charter or, in its discretion, to deduct from any sums payable under this Charter the amount of such commission, percentage, brokerage, or contingent fee. This warranty shall not apply to commissions payable by the Owner upon agreements or sales secured or made through bona fide established commercial or selling agencies maintained by the Owner for the purpose of securing business.

CLAUSE 34. Failure of the Master or Owner to protest against any act or omission of the Charterer, or any other agency of the United States, including any act, omission or order which in the opinion of the Master may affect the Vessel's seaworthiness or may be in contravention of the laws or regulations of the United States shall not prejudice the rights of the Owner under this Charter.

CLAUSE 35. Unless otherwise provided in this Charter or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I, and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 36A. In the event that this form of time charter is modified by the Charterer at any time prior to July 1, 1944, the Owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charterer, of any obligations imposed in connection with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

CLAUSE 36B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 37. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

SCHEDULE A (FORFLAG)—INSURANCE INDEMNITY AND WAIVER PROGRAM

I. INSURANCE

(A) Unless otherwise mutually arranged, at all times during the currency of this Charter the Charterer shall provide and pay for or assume as insurer:

(1) Insurance on the Vessel under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration (designated as Warshipreq (FOR.), a copy of which is attached hereto), in the amount of the agreed value under this Charter, and covering only war risks (including malicious damage, sabotage, strikes, riots, and civil commotion.)

It is especially agreed, however:

(a) That the Owner, at its own expense except as provided in subparagraph (b) below will insure the Vessel with the American Marine Hull Insurance Syndicate in an amount to be determined by the Owner, and under the conditions of AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) which Insurance shall include the interest of War Shipping Administration as Charterer.

(b) That the Charterer will reimburse the Owner for premiums paid on insurance taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to subparagraph (a) above. *Provided, however*, Such reimbursement shall not exceed the amount of premiums payable on the value set forth in the Charter on the attachment of said insurance and at the time any further annual premium is due and payable. In consideration of such reimbursement, any recapture of profits from said Syndicate shall accrue to the sole benefit of the Charterer, and any return of premiums under the insurance procured by the Owner shall, to the extent that they represent premiums originally reimbursed by the Charterer, be repayable to the Charterer.

(c) That the Owner (at its option and expense) may procure excess insurance, including liability insurance (without benefit of salvage, subrogation or right of contribution) above the limits of the insurance so procured, but such insurance shall not be on terms inconsistent with the provisons of this Charter or with the provisions of the insurance provided for above.

(d) That the insurance procured by the Owner pursuant to subparagraph (a) hereof as well as any additional insurance procured by the Owner pursuant to subparagraph (c) hereof, and any amount of self-insurance carried by the Owner in excess of the limits of the insurance procured pursuant to subparagraph (a) hereof, shall be subject to the provisions of Clause II of this Schedule A. In consideration of the foregoing, the Charterer hereby insures the Owner against any claim by the United States for damage to property or vessels of the United States or for loss of freight, demurrage or other claims covered by the collision clause in the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) policy, arising out of collision with the Vessel.

(e) That in the event of cancellation or termination of the insurance referred to in subparagraph (a) above (except for non-payment of premium), or upon thirty (30) days' written notice from Charterer to the Owner, the Vessel shall thereafter be insured for marine risks by the Charterer under the terms and conditions of the full form of standard hull policy of the War Shipping Administration (designated as Warshipreq (For.) for the amount of the agreed value under this Charter.

(f) The Charterer hereby insures the Owner for payments of (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, not recoverable under the insurance on the Vessel taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to sub-paragraph (a) above solely by reason of the insured valuation of said policies being insufficient to provide complete indemnity to the vessel Owner in respect of the liabilities specifically referred to in this sub-paragraph (f), and not recoverable under insurance arranged pursuant to sub-paragraph (c) above. *Provided, however*, That the liability of the Charterer under this subparagraph (f), in respect of any one such class of liabilities, shall be limited for any one collision, casualty or occurrence to the amount, if any, by which the market value of the Vessel in sound condition at the date of such collision, casualty or occurrence, plus the Vessel's then pending freight, exceeds the insured value of the Vessel for total loss purposes under the insurance taken out by the Owner pursuant to subparagraph (a) above; it being understood that the amount of the Charterer's liability hereunder, if any, shall be applicable separately to each of the foregoing three classes of liabilities, with the full amount open for each.

(g) Without limiting the liability of the Charterer as insurer under this Charter, all repairs to the Vessel coming within the terms of the insurance assumed by the Charterer or procured by the Owner pursuant to this Schedule A shall be subject to the approval of the Charterer as to the extent, time and place of repairs. All repairs shall be carried out under the supervision of the Owner.

(h) In the event the Vessel is covered by a mortgage or lien held by any department or instrumentality of the United States, then any sum or sums payable by virtue of the provisions of this Clause I of Schedule A shall be payable for distribution to such department or instrumentality and/or the persons entitled thereto as their interests may appear.

(2) All insurance which the Owner may be obligated to provide, covering the crew with respect to loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations, and loss of or damage to personal effects. Unless otherwise directed by the Charterer, the owner shall agree with the crew to provide the war risk insurance covering such items afforded by the Decisions of the Maritime War Emergency Board (as amended or modified from time to time) and the marine risk insurance covering such items afforded by the Second Seamen's War Risk Policy (published in the FEDERAL REGISTER of March 20, 1943, as Decision 1A of the Maritime War Emergency Board), as amended from time to time, and such Decisions and Policy shall be the measure and limit of the Charterer's liability under this Clause. The Owner shall give effect to the foregoing by inserting the following language, or such other language as the Charterer may from time to time direct, in the form of a rider or otherwise, in the Ship's Articles or other contract of employment on all voyages of the Vessel under this Charter:

"It is agreed that the Master, Officers, and Members of the Crew shall be furnished the war risk insurance protection covering loss of life, disability (including dismemberment and loss of function), detention, repatriation

and similar situations and loss of or damage to personal effects, required by the Decisions of the Maritime War Emergency Board, as amended or modified from time to time, and the marine risk insurance afforded by the Second Seamen's War Risk Policy, as amended from time to time."

(3) War risk protection and indemnity insurance under the terms and conditions of the standard WAR RISK PROTECTION AND INDEMNITY policy prescribed by the War Shipping Administration, a copy of which is attached hereto, for the benefit of the Owner and the Charterer, as their interests may appear.

It is specially agreed, however,

(a) That the Owner, unless otherwise agreed, shall procure marine protection and indemnity insurance under the terms and conditions of the WARTIMEPANDI Policy (Requisitioned Vessels 1943) from an American Protection and Indemnity Underwriter approved by the Charterer which issues said form of policy, which insurance shall include the interests of the Charterer and its Time Charter Agents under Service Agreements, Berth Agents and Sub-Agents acting on their behalf. The Charterer shall reimburse the Owner for all premiums paid on such insurance in consideration of which any readjustment of premiums and any return premium shall be for account of the Charterer.

(b) That to the extent that cargo claims are recoverable under said insurance or are reimbursable to the Owner under the terms of this Charter, the Charterer, and its duly authorized Agents are authorized by the Owner to attend to the adjustment and settlement of or otherwise dispose of cargo claims in such manner (not inconsistent with the terms of said Protection and Indemnity Insurance) as may be determined by the Charterer.

(c) That in the event of cancellation (except for non-payment of premium) of the insurance referred to in subparagraph (a) above by the Protection and Indemnity Underwriters, or upon thirty days' written notice from the Charterer to the Owner of its intention to terminate such insurance, the Charterer will then provide and pay for or assume as insurer, identical marine protection and indemnity insurance for the benefit of the Owner and the Charterer and the Charterer's Agents as their interests may appear.

(d) That the Charterer assumes as insurer any liability of the Owner or the Charterer on account of loss, damage or expense in respect of lend-lease cargo or cargo owned by the United States or any agency or department thereof, including but not limited to the War Department, Navy Department, Metals Reserve Company, Rubber Reserve Company, Defense Supplies Corporation, Reconstruction Finance Corporation or Foreign Economic Administration, which would be recoverable under the WARTIMEPANDI Policy (Requisitioned Vessels, 1943) in the absence of the specific exclusion relating thereto, therein.

(e) That the Charterer hereby insures the Owner for excess protection and indemnity liabilities on said Vessel on terms and conditions identical to that provided by WARTIMEPANDI Policy (Requisitioned Vessels 1943) to the extent that said WARTIMEPANDI Policy (by reason of the insured amounts in said policy) does not provide the Owner with complete protection and indemnity: *Provided, however,* That the liability of the Charterer under this subparagraph (e) in respect of any one accident or occurrence shall be limited to the amount, if any, by which the market value of the vessel in sound condition at the date of such accident or occurrence plus the vessel's then pending freight exceeds the insured amounts in said WARTIMEPANDI Policy.

(f) That the Owner (at its option and expense) may procure additional insurance in excess of the limits of the insurance procured or provided pursuant to subparagraphs (a) and (e) hereof, but such insurance shall not be on terms inconsistent with the provisions of this Charter.

(g) That the Charterer shall reimburse the Owner for all claims paid by the Owner and not recoverable pursuant to the provisions of the standard WAR RISK PROTECTION AND INDEMNITY Policy, and WARTIMEPANDI Policy (Requisitioned Vessels 1943) referred to above, solely by reason of deductible average, franchise or other similar deductions appearing in such policies.

(h) That the Charterer hereby insures the Owner for marine and war risk insurance against all carrier's liabilities with respect to cargo to be carried, carried, or which has been carried on Board the Vessel directly incurred in consequence of the operation of the Vessel and not covered by the standard protection and indemnity insurance provided or procured pursuant to this paragraph (3), including, but not limited to, liability for deviation or over-carriage, liability for drydocking with cargo on board the Vessel, liability under ad valorem Bills of Lading, and liability for carrying on deck, cargo covered by under deck Bills of Lading.

(4) Marine and war risk insurance covering the Owner's actual less (or in the case of slop chests, the actual loss of the owner thereof) as determined by the Charterer, for (i) slop chests, (ii) cash carried on board the Vessel but not in excess of $5,000 unless otherwise agreed, and (iii) consumable stores. "Consumable Stores" within the meaning of this paragraph (4) shall mean all consumable and subsistence stores (but not radio supplies, spares, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7918A, 7916A, 7918A, and 7919A (Revised Forms 1939).

(B) (a) If the Charterer elects to insure with commercial underwriters any of the risks assumed or insured against by it pursuant to this Schedule A, the Owner agrees, if so instructed by the Charterer, to file with such underwriters, on behalf of the Charterer, reports, declarations, claims and the customary insurance documents, it being understood that except to the extent of any payment to the Owner by the underwriters such action on the part of the Owner shall in no way affect the Charterer's direct liability to the Owner with respect to risks assumed or insured against by the Charterer under this Charter.

(b) As soon as practicable after attachment of this insurance, the Owner shall furnish to the Charterer a statement of all unrepaired damage known to the Owner existing at the time of attachment of this insurance, together with a report of all casualties known to the Owner which may have given rise to damage subsequent to the last drydocking in a U. S. Continental Port. Upon the request of the Charterer, the Owner shall also furnish to the Charterer copies of, or at Charterer's option permit it to inspect, all deck and engine room logs, if available, and all surveys made at or subsequent to the last drydocking of the Vessel in a U. S. Continental Port.

(c) In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

(d) Insurance heretofore provided by the Charterer under this Charter shall terminate upon the attachment of this insurance: *Provided, however,* That claims for unrepaired damage under said prior insurance shall not be due and payable until the repairs are effected or if not so effected, until the termination of this insurance, but in no case shall the Charterer, as Charterer or insurer, be liable for such unrepaired damage in addition to a subsequent total or constructive total loss under this insurance or Charter.

(e) General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Charterer's agents who shall be entitled to receive the usual charges and commissions.

II. WAIVERS

(a) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any vessel (1) owned by the United States, or (2) under charter to the United States on terms which would make the United States liable as Charterer, insurer or otherwise for such claims or (3) under charter to the United States and insured under the terms of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

(b) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any other vessel owned by or under charter to any Government, and against any cargo carried on any such vessel or on any vessel described in subparagraph (a) above, to the extent such waiver may be required by the Charterer in any specific case or cases in order to give effect to any agreement for mutual or reciprocal waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

(c) The waivers provided in this Clause II of Schedule A shall be effective only as to claims relating to the Vessel and arising out of her use or operation under this Charter, and such waivers shall not relieve the Charterer of any liability it may have to the Owner under the terms of this Charter.

(d) The Owner shall and does hereby waive any claim against any ship repairer, based on negligence or otherwise, arising out of repair or custody of the Vessel during the period of this Charter, to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the repairer: *Provided, however,* That such waiver shall not preclude recovery by the Owner against the repairer for amounts less than the customary contractual limit of $300,000 on the repairer's liability, nor for any claim by the Owner for proper replacement of defective workmanship or material in connection with any repairs which are for the Owner's account under the terms of this Charter.

(e) The Owner shall and does hereby waive any claim for loss of or damage to the vessel against any stevedore to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United Sttes and the stevedore, except with respect to claims which the Owner cannot recover under the provisions of Clause I, (A), (1) (a) of this Schedule A, by reason of the franchise in the insurance provided pursuant to said Clause.

III. INDEMNITY AND INSURANCE

(a) The Charterer shall insure the Owner for and against any loss or damage suffered, or liabilities incurred, by the Owner for which claim is waived under the provisions of Clause II of this Schedule A (except claims for salvage in excess of actual cost in connection therewith), and which is not recovered by the Owner under any other provision of this Charter: *Provided, however,* That this indemnity shall not entitle the Owner to recover for loss or damage to the Vessel in an aggregate sum in excess of the agreed valuation: *And provided further,* That this indemnity shall not entitle the Owner to recover for any period of detention or loss of use of the Vessel an aggregate sum in excess of the amount which would be payable to the Owner under the other terms of this Charter for such period.

(b) The Charterer shall reimburse, indemnify, and hold harmless the Owner, the Master and the Vessel for or from all consequences, losses and liabilities whatsoever directly resulting from compliance with or efforts to comply with any orders or directions of the Charterer, its agents, representatives or employees, or any other agency of the United States or of any allied government, or orders or directions given as provided in Clause 26 of this Charter, unless properly chargeable to the Owners under this Charter or Schedule, or recoverable under (or within the franchise of) any of the insurance procured pursuant to the terms of this Schedule A. The Owner shall, as far as may be practicable, keep the Charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

(c) The Charterer hereby assumes and indemnifies the Owner for any loss or liability, if not covered by the terms and conditions of any of the insurances provided for in this Schedule A, arising out of performance of services under any towage or pilotage contract customarily in use in the trades in which the Charterer uses the Vessel or which is specially agreed to by the Owner upon request or instructions of the Charterer.

IV. CONSTRUCTIVE TOTAL LOSS DECLARATION BY CHARTERER

If the Charterer finds, in case of casualty or serious damage or injury to the Vessel during the period of this Charter, not constituting an actual or constructive total loss under the insurance provided in this Schedule A, that the continuation of the Charter is inadvisable because of the probable high cost of repairs or indefinite loss of use of the Vessel then the Charterer nonetheless shall have the option of declaring her a constructive total loss by so notifying the Owner in writing as soon as practicable after the occurrence causing such damage or injury. In the event of such a declaration by the Charterer, the Charterer as insurer, shall forthwith pay or cause to be paid to the Owner an amount to be determined in accordance with the valuation provisions of this Charter as though the Vessel were an actual total loss. *Provided, however,* If the Vessel is in fact a constructive total loss within the terms of the insurance provided by the Owner pursuant to this Schedule A, no such payment shall be made by or on behalf of the Charterer, or if the Owner shall have elected to recover for the estimated cost of repairing the damage to the Vessel under the terms and conditions of American Hull Form Revised (Requisitioned Vessels 1943) the amount payable by the Charterer to the Owner shall be reduced by the amount payable under such insurance. If the Owner does not so elect or shall not have so elected within ninety (90) days of declaration of a constructive total loss by the Charterer then the Charterer shall be subrogated to all of the rights of the Owner under such insurance. Against any such payments received by the Owner from the Charterer or the Owner's assurer, as the case may be, the Owner will, if the Charterer elects to take title, give such releases and instruments granting the Vessel or the property of her remaining to the Charterer as the Charterer may require and that are not inconsistent with the terms and conditions of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective, and the insurance to be provided by the Charterer hereunder shall attach simultaneously with the effective date and time of this Amended Charter (Addendum) to which it is affixed; *Provided, however,* If the Vessel be then at sea the insurance provided by the Charterer shall not attach until Vessel's next arrival in safe port.

WARSHIPFEQ (FORQ POLICY)

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Charter Number_____ No. H_____

Date _____

BY THIS POLICY OF INSURANCE DOES, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured, lost or not lost:

_____

ON THE STEAMER (or Motor Vessel) called the _____ (or by whatsoever name or names the said Vessel is or shall be called), under charter to the War Shipping Administration pursuant to Charter Number_____

Loss, if any, payable to the person entitled thereto, or order.

IN A SUM as provided for in the Charter Party referred to above.

AT AND FROM_____

to the day and hour of redelivery of the Vessel under, or to the termination of the Charter referred to above, whichever shall first occur.

SPECIAL CONDITIONS

A. The following conditions shall apply to all Vessels insured hereunder.

1. (a) This policy shall respond for payments of general average, salvage, and collision liabilities incurred by the vessel, if covered hereby, even though the amount of such charges or liabilities may exceed the sum insured hereby or the contributory value or limitation of liability value may be greater than the value named herein; provided, however, except as provided in subparagraph (b) hereof, the total amount payable hereunder in respect of all claims arising out of any one occurrence or disaster, for liabilities under the Collision Clause and liabilities for salvage and general average shall not exceed, in the aggregate, double the amount insured on the vessel, plus any expenses of litigation incurred with the written consent of the War Shipping Administration; but (in addition to the foregoing limitation on the aggregate amount payable) in the case of vessels built in 1934 or thereafter neither (a) the amount recoverable in respect of liabilities under the Collision Clause nor (b) the aggregate amount recoverable in respect of salvage and general average shall (in respect of any one occurrence or disaster), exceed 110% of the amount insured, plus the amount of any such expenses of litigation.

(b) It is further agreed that the limits of liability as stated above and sue and labor charges recoverable under this policy shall be increased by the amount, if any, by which the market value of the vessel in sound condition at the time of such collision, casualty or occurrence, plus the vessel's then pending freight, exceeds the insured value hereunder for total-loss purposes; it being understood that the amount of such additional coverage shall be applicable separately to (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, with the full amount open for each.

(c) Nothing contained in this Clause I shall be construed as increasing the amount recoverable in respect of claims for physical loss of or damage to the insured vessel.

2. This insurance shall not be prejudiced by the participation of the Assured in any agreement as to the Waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

3. With respect to the risks and perils insured against hereunder, it is warranted that no insurance in excess of the value hereinafter provided for, whether for hull, machinery, disbursements, or other similar interests however described, exists or will be placed during the currency of this insurance except as permission to place additional insurance is granted by the Administrator, and then only in accordance with the terms of such permission. *Provided always,* That a breach of this warranty shall not afford the assurers any defense to a claim by mortgagee or other third parties who may have accepted this Policy without notice of such breach of warranty, nor shall it restrict the right of the Assured and/or their managers to insure in addition General Average and/or Salvage Disbursements whilst at risk, or general average, salvage or collision liabilities.

4. This insurance shall be subject to the following clauses:

(a) With leave to sail or navigate with or without pilots, to go on trial trips and to assist or tow vessels or craft whether customary or in distress or not, and whether under a pre-arranged contract or not, or be towed, all at no additional premium.

(b) This insurance shall not be subject to any Trading Warranties.

(c) Any notice required by the terms of this policy shall be transmitted by the Assured to the Director of Wartime Insurance as soon as may be reasonably practicable. In transmitting such notice the Assured shall comply with all relevant Security Orders of the War Shipping Administration.

(d) Radio apparatus and equipment and other apparatus or equipment used for the purposes of communication or as aids to navigation or safety devices shall be covered by this insurance and included within the amount insured on the vessel as hereinbefore set forth, even when not owned by the vessel owner, provided the vessel owner has prior to date of loss assumed liability therefor; but the liability of underwriters (either as to amount or as to the risks covered) shall not exceed the vessel owner's liability or the liability to which underwriters would be subject if the property were fully owned by the vessel owner, whichever shall be the lesser.

5. In the event of claims arising from collision between the insured vessel and a sister-ship, or in the event of claims for salvage services rendered to the insured vessel by a sister-ship the sister-ship salvage clause and the sister-ship collision clause contained in the attached form of policy shall be deemed deleted therefrom in any case where the assured by any charter, or other agreement entered into by the War Shipping Administration and binding upon the Assured, would be bound to waive such claims if the vessels were not sister-ships.

6. This policy is issued pursuant to the obligation assumed by the War Shipping Administration in Schedule A of the Charter Party referred to herein, and shall not be deemed to govern the relationship between the War Shipping Administration and the owner except as to such obligation nor to override any other provisions of the Charter Party.

7. It is agreed that liability for damage to cargo arising under any agreement to which the War Shipping Administration is a party or is bound, for the waiver or adjustment of collision claims, shall be among the liabilities covered by the Collision Clause herein, subject, however, to the same limitations and conditions which apply to other liabili-

ties covered by the same clause. It is further agreed that where, under any such agreement, cargo's liability for General Average is waived, the cargo's proportion of any General Average sacrifices and expenses incurred by the vessel shall be payable under this policy as part of the hull's proportion of General Average, to the extent provided in Special Condition No. 1 hereinabove.

8. As between this Policy and any other policy covering the same or similar risks on the insured Vessel, such other policy shall be deemed primary and this insurance secondary. It is agreed, nevertheless, that any losses which would be payable hereunder in the absence of such other insurance shall be advanced under this Policy if the Assured is unable to collect them under such other policy within 60 days after filing the usual proofs of loss and interest. Thereafter the Assured shall, at the expense and under the direction of the Administrator, take whatever steps the Administrator may deem necessary or advisable for the collection of such loss under such other policy; and the net recovery under such other policy shall be applied, so far as necessary to the reimbursement of the amount advanced by the Administrator.

9. Where, under the terms of the Charter Party, the Administrator has a right to declare and does declare the vessel a constructive total loss as between himself and the Assured, the Assurer shall not be liable for unrepaired damage.

B. This insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses).

C. Said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this policy, is and shall be valued at the amount in accordance with the provisions of the Charter Party, referred to above. Unless deleted or superseded by the Underwriters the following warranty shall be paramount, and shall supersede and nullify any contrary provision of the policy:

F. C. & S. CLAUSE

(1) Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking of the vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom.

(2) For the purpose of this warranty the term "consequences of hostilities or warlike operations" shall be deemed to include the following:

(a) Collision caused by failure, in compliance with wartime regulations, of the insured vessel or any vessel with which she is in collision to show the usual full peacetime navigation or anchorage lights.

(b) Stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations.

(c) Stranding caused by the failure of the insured vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime but in which the employment of a pilot is dispensed with in compliance with military, naval or other Governmental orders, or with a view to avoiding imminent enemy attack.

For the purposes of this paragraph (2) any such failure to show lights, or absence of lights, buoys, or similar peacetime aids to navigation, or failure to employ a pilot, shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land.

(d) Collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service.

(e) Stranding, collision or contact with any external substances other than water (ice included) as a result of deliberately placing the vessel in jeopardy in compliance with military, naval or other Governmental orders in order to avoid imminent enemy attack, or as an act or measure of war taken in actual process of embarking or disembarking troops or material of war.

(3) The fact that the insured vessel or any vessel with which she is in collision is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to exclude from this policy any claim which is not excluded under the terms of paragraph (2) above.

(4) Where by reason of any of the foregoing provisions damage sustained by the insured vessel in collision would not be payable under this policy, it is understood and agreed that liability of the assured for damage caused in such collision shall not be covered by the Collision Clause in the policy.

(5) It is agreed for the purposes of subdivision (2) (d) above all vessels manned and operated by the Department of the Navy of the United States of America shall be treated as though designed to be employed primarily in armed combat service.

This policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are specially referred to and made part of this policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

IN WITNESS WHEREOF, the War Shipping Administration has caused this policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Administrator.

Countersighed at Washington, D. C., this ------ day of ----------, 19---

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Beginning the adventure. Beginning the adventure upon the said Vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charterers, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

Notice of accident and survey. In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey, so that they may appoint their own surveyor if they so desire. *All repairs shall be subject to the approval of the Assurer as to the extent, time and place of repairs and without limiting the foregoing* the Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

Adventures and perils—Sue and labor. Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, or quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting, however, such of the foregoing perils as may be excluded by provisions elsewhere in the policy or by endorsement. And in case of any Loss or Misfortune, it shall be lawful for the Assured, their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expressly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

Latent defect and negligence. This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers, breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots; Provided such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers, Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

Sister-ship salvage. And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General average. General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision, or there be no contract of affreightment, payable in accordance with the law and Usages of the Port of New York, *Provided always*, That when an adjustment according to the laws and usages of the port of destination is properly demanded by the owners of the cargo, General Average shall be paid in accordance with same.

G. A. and S. Liability. When the contributory value of the Vessel is greater than the valuation herein, the liability of the Assurers for General Average contribution (except in respect to amount made good to the vessel) or Salvage shall not exceed that proportion of the total contribution due from the Vessel that the amount insured hereunder bears to the contributory value; and if because of damage for which the Assurers are liable as Particular Average the value of the Vessel has been reduced for the purpose of contribution, the amount of the Particular Average claim under this policy shall be deducted from the amount insured hereunder and the Assurers shall be liable only for the proportion which such net amount bears to the contributory value.

S., S. C., and S. and L. Liability. In the event of expenditure for Salvage, Salvage Charges, or under the Sue and Labor Clause, this Policy shall only be liable for its share of such proportion of the amount chargeable to the property hereby insured as the insured value, less loss and/or damage, if any, for which the Assurers are liable, bears to the value of the salved property: *Provided*, That where there are no proceeds or there are expenses in excess of the proceeds, the expenses, or the excess of the expenses, as the case may be, shall be apportioned upon the basis of the sound value of the property at the time of the accident and this policy without any deduction for loss and/or damage shall bear its pro rata share of such expenses or excess of expenses accordingly.

Average warranty. Notwithstanding anything herein contained to the contrary, this Policy is warranted free from Particular Average under 3 percent, or unless amounting to $4,850; but nevertheless when the Vessel shall have been stranded, sunk, on fire, or in collision with any other Ship or Vessel, the Assurers shall pay the damage occasioned thereby, and the expense of sighting the bottom after stranding shall be paid, if reasonably incurred, even if no damage be found.

Grounding in the Panama Canal, Suez Canal, or in the Manchester Ship Canal or its connections, or in the River Mersey above Rock Ferry Slip, or in the River Plate (above a line drawn from the North Basin, Buenos Aires, to the Mouth of the San Pedro River) or its tributaries, or in the Danube or Demerara Rivers, or on the Yenikale Bar, shall not be deemed to be a stranding.

Average payable on each valuation separately or on the whole, without deduction of thirds, new for old, whether the Average be Particular or General.

No claim shall in any case be allowed in respect of scraping or painting the Vessel's bottom.

Voyage. The Warranty and conditions as to Average under 3 percent to be applicable to each voyage as if separately insured, and a voyage shall be deemed to commence at one of the following periods to be selected by the Assured when making up the claim, viz: at any time at which the Vessel (1) begins to load cargo or (2) sails in ballast to a loading port. Such voyage shall be deemed to continue during the ensuing period until either she has made one outward and one homeward passage (including an intermediate ballast passage, if made) or has carried and discharged two cargoes, whichever may first happen, and further in either case, until she begins to load a subsequent cargo or sails in ballast for a loading port. When the Vessel sails in ballast to effect damage repair such sailing shall not be deemed to be a sailing for a loading port although she loads at the repairing port. In calculating the 3 percent above referred to, Particular Average occurring outside the period covered by this Policy may be added to Particular Average occurring within such period provided it occur upon the same voyage (as above defined), but only that portion of the claim arising within such period shall be recoverable hereon. The commencement of a voyage shall not be so fixed as to overlap another voyage on which a claim is made on this or the preceding policy.

Constructive total loss. No recovery for a Constructive Total Loss shall be had hereunder unless the expense of recovering and repairing the Vessel shall exceed the insured value.

In ascertaining whether the Vessel is a Constructive Total Loss, the insured value shall be taken as the required value, and nothing in respect of the damaged or break-up value of the Vessel or wreck shall be taken into account.

In the event of Total or Constructive Total Loss, no claim to be made by the Assurers for freight, whether notice of abandonment has been given or not.

Unrepaired damage. In no case shall the Assurers be liable for unrepaired damage in addition to a subsequent Total Loss sustained during the term covered by this Policy.

Full collision—sister-ship collision. And it is further agreed that if the Vessel hereby insured shall come into collision with any other ship or vessel and the Owners or Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, the Assurers will pay the Owners or Charterers such proportion of such sum or sums so paid as the Assurers' subscription hereto bears to the value of the Vessel hereby insured, provided always that their liability in respect of any one such collision shall not exceed their proportionate part of the value of the Vessel hereby insured. And in cases where the liability of the Vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, the Assurers will also pay a like proportion of the costs which the Owners or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principle of Cross-Liabilities as if the Owners or Charters of each Vessel had been compelled to pay to the Owners or Charterers of the other of such Vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Owners or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both Vessels are the property in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two Vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of Arbitrators, one to be appointed by the Managing Owners or Charterers of both Vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding: *Provided always*, That this clause shall in no case extend to any sum which the Owners or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers for injury to harbors, wharves, piers, stages and similar structures, consequent on such collision, or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury: *And provided also*, That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this Policy at the time of the Collision in question, would not be subject, nor to a greater extent than the Shipowners would be entitled in such event to recover.

WAR RISK CLAUSES

It is agreed that this insurance also covers those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained therein but which are excluded by that warranty.

This insurance, insofar as it relates to war risks, is also subject to the following warranties and additional clauses:

The Adventures and Perils Clause shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, floating and/or stationary mines and/or torpedoes whether derelict or not, and/or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention, until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, or confiscation by the Government of the United States of America or any State or political

subdivision thereof or any government which is or may become party signatory of the "United Nations Pact", promulgated on or about January 2, 1943.

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include or cover any loss, damage, or expense caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention, or loss of use.

Where, as a result of a risk or peril hereby insured against, damage sustained by the insured vessel in collision would be payable under the provisions of this policy, liability of the Assured for damage caused by such collision shall be deemed to be covered hereunder subject to the terms and provisions of the Collision Clause of this policy.

War risk protection and indemnity

Policy No. WPI
Charter No. ----

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

IN CONSIDERATION OF THE STIPULATIONS herein agreed and the terms of the charter referred to above, does insure in accordance with applicable provisions of law ---------- ---------- Hereinafter called the Assured, in respect to the vessel called ---------- ----------, in the maximum amount of $175 per gross registered ton, if the insured vessel is a dry cargo or tank vessel completed prior to January 1, 1938; or in the maximum amount of $250 per gross registered ton if the vessel does not come within the foregoing description or if it is a fully refrigerated vessel or seatrain: *Provided, however,* That the maximum amount of insurance hereunder with respect to any one accident or occurrence shall be the sound market value of the insured vessel on the date of the accident or occurrence plus her then pending freight, if such sound market value plus pending freight shall exceed $175 per gross registered ton, or $250 per gross registered ton, whichever figure is applicable to the insured vessel at and from ---------- to the day and hour of redelivery of the vessel under, or to the termination of, the charter referred to above, whichever shall first occur, subject to the terms and conditions hereinafter set forth against liabilities as hereinafter described,

Loss if any payable to ----------

WAR RISK ONLY CLAUSE

The following War Risk only Clauses (Clauses A, B and C) shall be deemed to over-ride F. & I. Clauses (Articles 1 to 25 inclusive) wherever they may be in conflict.

Clause A. This insurance covers only those liabilities which would be covered by this Policy under Articles 1 to 25 inclusive in the absence of the F. C. & S. Clause (Article 25 (d)), but which are excluded by that Clause. The Assurer agrees to indemnify the Assured against loss, damage or expense as aforesaid which the Assured shall become liable to pay and shall pay by reason of the fact that the Assured is the owner, or charterer, or the general or time charter agent or agent or berth-agent or sub-agent of the owner or charterer (mortgagee, trustee, or receiver thereof as the case may be) of the insured vessel.

Clause B. The Assurer shall also indemnify the Assured against losses arising as a result of the Assured's contractual liability, or against costs incurred by the Assured at the direction or in conformity with the wishes of the War Shipping Administration or any other Governmental agency, for repatriation of the crew to a United States port, as required, resulting from capture, seizure, arrest, restraint or detainment, or the consequences thereof or of any attempt thereat, or the consequences of hostilities or warlike operations, whether before or after declaration of war.

Clause C. This Policy is warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, requisition or confiscation by the Government of the United States of America, or any state or political sub-division thereunder, or any Government which is, or may become a party signatory of the "United Nations Pact" promulgated on or about January 2nd, 1942.

"F. AND I. CLAUSES"

(1) *Loss of life, injury and illness.* Liability for life salvage, loss of life of, or personal injury to, or illness of, any person, not including, however, unless otherwise agreed by endorsement hereon, liability to an employee (other than a seaman) of the assured, or in case of his death to his beneficiaries, under any compensation act. Liability hereunder shall also include burial expenses not exceeding $200, were reasonably incurred by the assured for the burial of any seaman. The term "Person" as aforesaid shall include any Person or Persons carried on the insured vessel.

(a) Insurance hereunder, shall cover the liability of the assured for claims under any compensation act (other than hereafter excepted) in respect of employees (i) who are members of the crew of the insured vessel, or (ii) who are placed on board the insured vessel with the intention of becoming a member of her crew, or (iii) who, in the event of the vessel being laid up and out of commission, or engaged in the upkeep, maintenance or watching of the insured vessel, or (iv) who are engaged by the insured vessel or its Master to perform stevedoring work in connection with the vessel's cargo at ports in Alaska and ports outside the Continental United States where contract stevedores are not readily available. This insurance, however, shall not be considered as a qualification under any Compensation Act, but, without diminishing in any way the liability of the Assurer under this policy, the Assured may have in effect policies covering such liabilities. All claims under such Compensation Acts for which the Assurer is liable under the terms of this policy are to be paid without regard to such other policies.

(b) Insurance hereunder shall not cover any liability under the provisions of the Act of Congress approved September 7th, 1916 and as amended, Public Act #267, Sixty-fourth Congress, known as the U. S. Employees Compensation Act.

(c) Insurance hereunder in connection with the handling of cargo for the insured vessel shall commence from the time of receipt by the Assured of the cargo on dock or wharf, or on craft alongside for loading, and shall continue until due delivery thereof from dock or wharf of discharge or until discharge from the insured vessel on to a craft alongside.

(d) Notwithstanding anything to the contrary contained in Paragraph (20), liability hereunder shall be extended to cover claims of seamen under any Workmen's Compensation Act whether the liability of the Assured for such claims arises under contract or otherwise.

(2) *Repatriation expenses.* Liability for expenses reasonably incurred in necessarily repatriating any member of the crew or any other person employed on board the insured vessel: *Provided, however, That the Assurer's liability for repatriation expenses shall be no greater than if the vessel were privately owned by an American Citizen or than if the employer were a private American Shipowner,* and that the Assured shall not be entitled to recover any such expenses incurred by reason of the expiration of the shipping agreement, other than by sea perils, or by *reason of* the voluntary termination of the agreement. Wages shall be included in such expenses when payable under statutory obligation during unemployment due to the wreck or loss of the insured vessel.

(3) *Collision.* Liability for loss or damage arising from collision of the insured vessel with another ship or vessel insofar as such liability is excluded from the liabilities insured under the Four-fourths Collision Clause in the American Institute Hull Form of policy: "And it is further agreed that if the vessel hereby insured shall come into collision with any other ship or vessel and the Assured or the Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, we, the Underwriters, will pay the Assured or Charterers such proportion of such sum or sums so paid as our respective subscriptions hereto bear to the value of the vessel hereby insured, provided always that our liability in respect of any one such collision shall not exceed our proportionate part of the value of the vessel hereby insured. And in cases where the liability of the vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, we will also pay a like proportion of the costs which the Assured or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then, unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principal of Cross-Liabilities as if the Owners or Charterers of each vessel had been compelled to pay to the Owners or Charterers of the other of such vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Assured or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both vessels are the property, in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of arbitrators, one to be appointed by the Managing Owners or Charterers of both vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. Provided always that this clause shall in no case extend to any sum which the Assured or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers, for injury to harbors, wharves, piers, stages and a similar structures, consequent on such collision, or in respect of the cargo or engagement of the insured vessel, or for loss of life, or personal injury."

Provided, however, That insurance hereunder shall not extend to any liability, whether direct or indirect, in respect of the engagements of or the detention or loss of time of the insured vessel.

(a) Claims hereunder shall be settled on the principles of Cross-Liabilities to the same extent only as provided in the four-fourths Collision Clause above mentioned.

(b) Claims hereunder shall be separated among the several classes enumerated in this policy and each class shall be subject to the special conditions applicable in respect to such class.

(c) Notwithstanding the foregoing, the Assurer shall not be liable for any claims hereunder where the various liabilities resulting from such collision, or any of them, have been compromised, settled or adjusted without the written consent of the Assurer.

(4) *Damage caused otherwise than by collision.* Liability for loss of or damage to any other vessel or craft, or to property on board such other vessel or craft, caused otherwise than by collision.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(5) *Damage to docks, buoys, etc.* Liability for damage to any dock, pier, jetty, bridge, harbor, breakwater, structure, beacon, buoy, lighthouse, cable or to any fixed or movable object or property whatsoever, except another vessel or craft or property on another vessel or craft or on the insured vessel unless elsewhere covered herein.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(b) Insurance hereunder shall cover all liabilities for said damages that the insured vessel or her owners would have if she were privately owned by an American citizen and irrespective of the ownership of any property the vessel may damage: *Provided, however,* That the rights of the Assurer shall be the same as though the vessel were privately owned.

(6) *Wreck removal.* Liability for costs or expenses of or incidental to the removal of the wreck of the insured vessel if legally liable therefore: *Provided, however,* That:

(a) From such costs and expenses shall be deducted the value of any salvage from or which might have been recovered from the wreck inuring, or which might have inured, to the benefit of the Assured;

(b) The Assurer shall not be liable for any costs or expenses which would be covered by full insurance under the American Institute Hull form of policy, 7/1/41 issued by the American Marine Hull Insurance Syndicate.

(c) The Assurer shall not be liable for any costs or expenses for which a private American vessel owner would not be legally liable, or for any costs or expenses from which a private American vessel owner could relieve himself by abandonment of the wreck to the United States Government or by other appropriate action.

(7) *Cargo.* Liability for loss of or damage to or in connection with cargo or other property (except mail or parcels post), including baggage and personal effects of persons other than members of the crew, and not exceeding $100 per person, to be carried, carried or which has been carried on board the insured vessel: *Provided, however,* That no liability shall exist hereunder for:

(a) *Specie, bullion, jewelry, etc.* Loss, damage or expense incurred in connection with the custody, carriage or delivery of specie, bullion, precious metals, precious stones, jewelry, silks, furs, banknotes, bonds or other negotiable documents, or similar valuable property.

(b) *Refrigeration.* Loss, damage or expense arising out of or in connection with the care, custody, carriage or delivery of cargo requiring refrigeration, unless the spaces, apparatus, and means used for the care, custody and carriage thereof have been surveyed by a classification or other competent disinterested surveyor under working conditions before the commencement of each round voyage and found in all respects fit, and unless the Assurer has approved in writing the form of contract under which such cargo is accepted for transportation;

(c) *Deviation.* Loss, damage or expense arising from any deviation or proposed deviation, not authorized by the contract of affreightment, known to the Assured in time to insure specifically the liability therefor, unless notice thereof is given to the Assurer and the Assurer agrees, in writing, that such insurance is unnecessary. Knowledge of the United States Governmental Departments or Agencies, other than the War Shipping Administration, its General or Time Charter Agents or Berth Agents in the continental United States, shall not be considered as knowledge of the Assured in respect to deviation or proposed deviation; furthermore, the Assured shall not be prejudiced in respect to insurance hereunder in event of delay in reporting any deviation to the Assurer due to laws or governmental regulations or practices due to military reasons.

(d) *Stowage in improper spaces.* Loss, damage or expense arising with respect to under deck cargo stowed on deck or with respect to cargo stowed in spaces not suitable for its carriage, unless the Assured shall show that every reasonable precaution has been taken by him to prevent such improper stowage;

(e) *Misdescription of goods.* Loss, damage, or expense arising out of or as a result of the issuance of bills of lading which, to the knowledge of the Assured, improperly described the goods or their containers as to condition or quantity;

(f) Loss, damage or expense arising from issuance of clean bills of lading for goods known to be missing, unsound or damaged;

(g) Loss, damage or expense arising from the intentional issuance of bills of lading prior to receipt of the goods described therein, or covering goods not received at all;

(h) Loss, damage or expense arising from delivery of cargo without surrender of order bills of lading;

(i) *Freight.* Freight on cargo short-delivered, whether or not prepaid or whether or not included in the claim and paid by the Assured: *And provided further,* That:

(j) Liability hereunder shall in no event exceed that which would be imposed by law in the absence of contract;

(k) *Protective clauses required in contract of affreightment.* Liability hereunder shall be limited to such as would exist if the charter party, bill of lading, or contract of affreightment contained (i) a negligence general average clause in the form hereinafter specified under paragraph (12); (ii) a clause providing that any provision of the charter party, bill of lading, or contract of affreightment to the contrary notwithstanding, the Assured and the insured vessel shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner of vessels by any statute or rule of law for the time being in force; (iii) such clauses, if any, as are required by law to be stated therein; (iv) and such other protective clauses as are generally in use in the particular trade;

(l) *Carriage of goods by Sea Act.* When cargo carried by the insured vessel is under a bill of lading or similar document of title subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as is imposed by said Act or law, and if the Assured or the insured vessel assumes any greater liability or obligation, either in respect of the valuation of the cargo or in any other respect, then the minimum liabilities and obligations imposed by said Act or law, such greater liability or obligation shall not be covered hereunder;

(m) *Limit of $500 per package.* When cargo carried by the insured vessel is under a charter party, bill of lading, or contract of affreightment not subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as would exist if said charter party, bill of lading, or contract of affreightment contained a clause exempting the Assured and the insured vessel from liability for losses arising from unseaworthiness provided that due diligence shall have been exercised to make the vessel seaworthy and properly manned, equipped and supplied, and a clause limiting the Assured's liability for total loss or damage to goods shipped to $500 per package, or in case of goods not shipped in packages, per customary freight unit, and providing for pro rata adjustment on such basis for partial loss or damage. The provisions of clauses (k), (l) and (m) herein may, however, be waived or altered by the Assurer, on terms agreed, in writing.

(n) *Oral contract.* In the event cargo is carried under an arrangement not reduced to writing, such cargo shall be deemed to be carried under a charter party, bill of lading, or contract of affreightment incorporating the terms and conditions of the War Shipping Administration uniform bill of lading in the present form as published in Vol. 7, No. 134, p. 5246–5251 of the FEDERAL REGISTER or as modified by the War Shipping Administration;

(o) *Assured's.* Where cargo on board the insured vessel is the property of the Assured, such cargo shall be deemed to be carried under a contract containing the protective clauses described in clauses (k), (l) and (m) herein; and such cargo shall be deemed to be fully insured under the usual form of cargo policy, and in case of loss of or damage to such cargo the Assured shall be insured hereunder in respect of such loss or damage only to the extent that he would have been if the cargo had belonged to another, but only in the event and to the extent that the loss or damage would not be recoverable from marine insurers under a cargo policy as above specified;

(p) *Land transportation.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo being transported on land or on another vessel;

(q) *Cargo on dock.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo before loading on or after discharge from the insured vessel caused by flood, tide, windstorm, earthquake, fire, explosion, heat, cold, deterioration, collapse of wharf, leaky shed, theft or pilferage unless such loss, damage or expense is caused directly by the insured vessel, her master, officers or crew;

(8) *Fines and penalties.* Liability for fines and penalties for the violation of any laws of the United States, or of any state thereof, or of any foreign country, provided, however, that the Assurer shall not be liable to indemnify the Assured against any such fines or penalties resulting directly or indirectly from the failure, neglect or fault of the Assured or its managing officers to exercise the highest degree of diligence to prevent a violation of any such laws.

(9) *Mutiny misconduct.* Liability for expenses incurred in resisting any unfounded claim by the master or crew or other persons employed on board the insured vessel, or in prosecuting such persons or persons in case of mutiny or other misconduct; not including, however, *costs which would not reasonably be incurred by a private American vessel owner under similar circumstances, nor* costs of successfully defending claims elsewhere protected in this policy.

(10) *Quarantine expenses.* Liability for extraordinary expenses, incurred in consequence of the outbreak of plague or other disease on the insured vessel, for disinfection of the vessel or of persons on board, or for quarantine expenses, not being the ordinary expenses of loading or discharging, nor the wages or provisions of crew or passengers; provided, however, that no liability shall exist hereunder if the vessel be ordered to proceed to a port where it is known that she will be subjected to quarantine;

(11) *Putting in expenses.* Liability for port charges incurred solely for the purpose of putting in to land an injured or sick seaman, and the net loss to the Assured in respect of bunkers, insurance stores and provisions as the result of the deviation.

(12) *Cargo's Propn. G/A.* Liability for Cargo's proportion of General Average, including special charges, so far as the Assured cannot recover the same from any other source: *Provided, however,* That if the charter party, bill of lading or contract of afreightment does not contain the negligence general average clause quoted below, the Assurer's liability hereunder shall be limited to such as would exist if such clause were contained therein, viz:

Negligence G/A Clause. "In the event of accident, danger, damage or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers."

(13) *Expenses and law costs.* Liability for costs, charges and expenses reasonably incurred and paid by the Assured in connection with any liability insured under this policy, provided that the Assured shall not be entitled to indemnity for the cost or expense of prosecuting or defending any claim or suit unless the same shall have been incurred with the approval in writing of the Assurer, or the Assurer shall be satisfied that such approval could not have been obtained under the circumstances without unreasonable delay, or that the expenses were reasonably and properly incurred. The cost and expense of prosecuting any claim in which the Assurer shall have an interest by subrogation or otherwise, shall be divided between the Assured and the Assurer, in proportion to the amounts which they would have been entitled to receive respectively, if the suit should be successful.

(14) If the master of the insured vessel shall be sued by reason of any event which imposes on the Assured a liability against which the Assured is indemnified under this policy, the Assurer will pay the costs and expenses of the defense of such suit subject to the provisions of paragraph (13), and will indemnify the master of such vessel to the same extent as though he were an assured under this policy: *Provided, however,* That the Assurer shall not be liable to indemnify the master in excess of the amount (a) for which the owner of said vessel would have been liable, or to which such owner could have limited liability, if such owner has been sued instead of the master, or (b) for which the Assurer would be liable under this policy had the suit been brought against the owner of the vessel.

(15) Expenses which the Assured may incur under authorization of the Assurer in the intrest of the Assurer.

GENERAL CONDITIONS AND LIMITATIONS

(16) *Prompt notice of claim.* In the event of any happening which may result in loss, damage or expense for which the Assurer may become liable, prompt notice thereof, on being known to the Assured, shall be given by the Assured to the Assurer, but failure to give such prompt notice because of wartime emergency conditions shall not prejudice this insurance.

The assurer shall not be liable for any claim not presented to the Assurer with proper proofs of loss within twelve (12) months after payment by the Assured.

(17) *Time for suit.* In no event shall suit on any claim be maintainable against the Assurer unless commenced within eighteen (18) months after the loss, damage or expenses resulting from liabilities, risks, events, occurrences and expenditures specified under this policy shall have been paid by the Assured.

(18) *Settlement of claims.* The Assured shall not make any admission of liability, either before or after any occurrence which may result in a claim for which the Assurer may be liable. The Assured shall not interfere in any negotiations of the Assurer for settlement of any legal proceedings in respect of any occurrences for which the Assurer is liable under this policy: *Provided, however,* That in respect of any occurrence likely to give rise to a claim under this Policy, the Assured is obligated to and shall take such steps to protect his and the Assurer's interests as would reasonably be taken in the absence of this or similar insurance. If the Assured shall fail or refuse to settle any claim as authorized by Assurer, the liability of the Assurer to the Assured shall be limited to the amount for which settlement could have been made.

(19) *Defense of claims.* Whenever required by the Assurer, the Assured shall aid in securing information and evidence, subject to any governmental limitations as to the confidential character of such information or evidence, and in obtaining witnesses and shall cooperate with the Assurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

(20) *Assumed contractual liability.* Unless otherwise agreed by endorsement hereon, the Assurer's liability shall in no event exceed that which would be imposed on the Assured by law in the absence of contract: *Provided, however,* That the acceptance by the Assured of towage contract or agreement limiting the liability of towboats or their owners shall not affect the Assured's right of indemnity from the Assurer for any liability, loss, damage or expense covered under this policy.

(21) *Assignment.* No claim or demand against the Assurer shall be assigned or transferred, and no person, other than a receiver of the property or the estate of the Assured, shall acquire any right against the Assurer without the express consent of the Assurer: *Provided, however,* That this shall not affect the rights of any assignee under an assignment made by virtue of any governmental order or decree, in which event such assignee shall have and possess all of the rights of its predecessor in assignment.

(22) *Subrogation.* The Assurer shall be subrogated to all the rights which the Assured may have against any other person or entity, in respect of any payment made under this policy, to the extent of such payment, and the Assured shall, upon the request of the Assurer, execute all documents necessary to secure to the Assurer such rights.

(23) *Double insurance.* The Assurer shall not be liable for any loss or damage against which, but for the insurance hereunder, the Assured is or would be insured under existing insurance excepting as provided in Paragraph (1) (a) hereof.

(24) *Limitation of liability.* If and when the Assured under this policy has any interest other than as an owner or bare boat charterer of the insured vessel, in no event shall the Assurer be liable hereunder to any greater extent than if such Assured were the owner or bare boat charterer and were entitled to all the rights of limitation to which a shipowner is entitled.

(25) Nothwithstanding anything to the contrary contained in this policy, the Assurer shall not be liable for any loss, damage, or expense sustained, directly or indirectly, by reason of:

(a) Loss, damage or expense to hull, machinery, equipment or fittings of the insured vessel, including refrigerating apparatus and wireless equipment, whether or not owned by the Assured;

(b) Cancelment or breach of any charter or contract, detention of the vessel, bad debts, insolvency, fraud of agents, loss of freight, passage money, hire, demurrage, or any other loss of revenue;

(c) Any loss, damage, sacrifice, or expense which would be payable under the terms of the American Institute Hull form of policy, 7/1/44 issued by the America Marine Hull Insurance Syndicate on hull, machinery, etc., whether or not the insured vessel is fully covered by insurance sufficient in amount to pay such loss, damage, sacrifice, or expense.

(d) Capture, seizure, arrest, restraint or detainment, or the consequences thereof, or of any attempt thereat, or the consequences of hostilities or war-like operations, whether before or after the declaration of war;

(e) The insured vessel towing any other vessel or craft, unless such towage was to assist such other vessel or craft in distress to a port or place of safety; provided, however, that this exception shall not apply to claims covered under paragraph (1) of this policy.

(f) For any claim for loss of life, personal injury or illness in relation to the handling of cargo where such claim arises under a contract of indemnity between the Assured and his sub-contractor.

IN WITNESS WHEREOF, the War Shipping Administration has caused this policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Countersigned at Washington, D. C., this _____ day of _____, 19____.

E. S. LAND,
Administrator.

(E.O. 9054, 7 F.R. 837)

September 8, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-13924; Filed Sept. 9, 1944; 10:32 a. m.]

[G.O. 11, Rev. Supp. 8]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTER FOR FOREIGN FLAG TANK VESSELS

Section 302.53 is revised to read:

§ 302.53 *Amended time charter for foreign flag tank vessels "Warshipoiltime (Rev.) Forflag".* The Administrator, War Shipping Administration, adopts the following standard form of addendum for time charters, for such foreign flag tank vessels as the Administrator in his discretion may determine, heretofore entered into by the United States of America acting by and through the Administrator, to be known as "Warshipoiltime (Rev.) Forflag";

Contract No. _____

Form No. 102 (Rev.) Forflag
9/9/44
Warshipoiltime (Rev.) Forflag

WAR SHIPPING ADMINISTRATION

AMENDED TIME CHARTER FOR TANK VESSELS

WHEREAS, the Owner and the Charterer have heretofore entered into a charter agreement dated as of _____, 1942, providing for the charter of the Vessel upon the terms and conditions therein set forth, and

WHEREAS, the Charterer has found that in order to facilitate the prosecution of the war and otherwise to benefit the interests of the United States, it is necessary and desirable that the Charter be further amended to the extent provided for by this Addendum,

NOW, THEREFORE, the Charterer and the Owner do mutually agree to amend the Charter effective upon the date hereinafter set forth so that such Charter will be as follows:

AMENDED TIME CHARTER (hereinafter sometimes referred to as the Charter), dated as of _____, 19____, between

Address _____
OWNER of the SS/MS _____
(herein called the "Vessel"), and UNITED STATES OF AMERICA, acting by and through the Administrator, War Shipping Administration, CHARTERER, the terms of the Charter being as follows:

PART I (REVISED)

The Vessel's particulars on which the rate of hire and valuation have been based in part by the Administrator are as follows:

DEADWEIGHT capacity, as defined in Clause 8, Part II.

CLASSED _____

BALE CAPACITY of refrigerated cargo space, as represented by the Owner, exclusive of ship's stores and space installed by or at the expense of Charterer _____
cubic feet _____

YEAR BUILT _____

CLAUSE A. PERIOD OF CHARTER. From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President of the United States on May 27, 1941: *Provided, however,* That either party may sooner terminate this Charter upon not less than thirty (30) days' written or telegraphic notice to the other. In either case, the Vessel shall be redelivered as hereinafter provided.

CLAUSE B. TRADING LIMITS. As and where the Charterer may from time to time determine, subject to normal trading limits for a Vessel of her size, type and description.

CLAUSE C. HIRE. The hire shall be $_____ per calendar month or pro rata for any portion thereof, of which the sum of $_____ per calendar month shall be compensation to the Owner for the use of the Vessel (herein sometimes referred to as the use rate) and the balance shall be compensation to the Owner for services required under the terms of this Charter (herein sometimes referred to as the service rate).

RATE REVISION. At any time, either party may request a redetermination of the rate of charter hire upon thirty (30) days' written or telegraphic notice to the other, but no rate redetermination prior to July 1, 1945 shall involve a change in the use rate factor of the charter hire. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter, subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined and agreed upon within such a period, then the Owner shall be entitled to receive from the Charterer for the period commencing with the end of such period a fair and reasonable charter hire for the use of the Vessel and the services required under the terms of this Charter, the rate of hire to be not more or less favorable than the compensation that would have been payable if the Vessel were documented under the laws of the United States. Pending a determination of such a fair and reasonable charter hire either by mutual agreement or by judicial determination, the Charterer shall pay to the Owner on account thereof 75 percent of the charter hire payable prior to the end of such 30 day period, from month to month. A change in the rate of charter hire under this paragraph shall not terminate the period of or otherwise modify the provisions of this Charter, and any such change shall be without prejudice to the rights of either party to terminate this Charter as provided in Clause A, Part I.

In the event of such termination by either party, the Charterer may, at its option, defer compliance with any or all of its redelivery obligations hereunder; provided, however, that compliance with such obligations shall not be extended beyond the expiration of the emergency proclaimed by the President of the United States on May 27, 1941.

CLAUSE D. VALUATION. For the period ending noon, e. w. t., April 30, 1945, the agreed valuation of the Vessel for the purposes of this Charter and the insurance provided by the Charterer, is the sum of $_____. For each subsequent twelve (12) month period the valuation, unless otherwise agreed, shall be reduced by _____

By mutual agreement the valuation provisions of this Clause may be superseded as of the date of loss or any other mutually agreeable date in the event that the Charterer shall adopt any plan with respect to replacement of vessels which is applicable to this Vessel.

CLAUSE E. PORT OF DELIVERY.

CLAUSE F. TIME AND DATE OF DELIVERY.

CLAUSE G. PORT OF REDELIVERY. Port of delivery, unless otherwise agreed; provided however, that at Owner's option, redelivery shall be made at the U. S. continental port where the Owner maintains its principal operating headquarters.

CLAUSE H. NOTICE OF REDELIVERY. The Charterer shall give not less than thirty (30) days' written or telegraphic notice.

CLAUSE I. UNIFORM TERMS. This Charter consists of this Part I and Part II, conforming to the Amended Time Charter for Foreign Flag Tank Vessels, published in the Federal Register of September, 1944. The provisions of Part II shall be incorporated by reference in and need not be attached to Part I of this Charter, and unless in this Part I otherwise expressly provided, all of the provisions, of Part II shall be part of this Charter as though fully set forth in this Part I.

CLAUSE J. EFFECTIVE DATE OF THIS AMENDED CHARTER. Unless otherwise agreed this Amended Charter (Addendum) shall, conditioned upon the Vessel being in every way fitted for service as required by Clause 1 of Part II, be effective upon completion of discharge of the Vessel in a port in the Continental United States, excluding Alaska, on the voyage current on _____, 1944, or if the Vessel be in a port in the Continental United States, excluding Alaska, on _____, 1944, then effective _____, 1944, or if the Vessel has not returned to a port in the Continental United States, excluding Alaska, prior to _____, 1944, then effective _____, 1944 if the Vessel be in any port at that date, otherwise effective upon the Vessel's safe arrival at the Vessel's next port of call.

CLAUSE K. SPECIAL PROVISIONS. (1) With respect to reimbursement of war bonuses by the Charterer under any provisions of this Charter the individual war bonuses paid to the crew (including the Master and officers), shall not be in excess of the same percentage relation to the individual basic wages paid as exist between the individual basic wages and war bonuses paid on an American-flag ship with a like complement in the same service: *Provided,* That in no event shall the war bonuses for each member of the crew exceed those payable to the corresponding individual crew members of an American-flag vessel (including the Master and officers) with a like complement in the same service. If the Owner's arrangement is for the payment of a flat rate of wage per man (including the war bonuses), the Charterer agrees to reimburse the Owner the aggregate amount by which the aggregate flat wages paid by the Owner to the Master, officers or crew of the Vessel during the period of this Charter, exceeds the aggregate wages (excluding the war bonuses) which would have been payable to the Master, officers and crew of an American-flag ship with a like complement in the same service: *Provided,* That in no event shall any aggregate amount so to be reimbursed be in excess of the aggregate of the war bonuses which would have been payable to the Master, officers and crew of an American-flag ship in the same service.

IN WITNESS WHEREOF, the Owner has executed this Charter in quadruplicate the _____ day of _____, 19__, and the Charterer has executed this Charter in quadruplicate the _____ day of _____, 19 __.

_____
By _____
UNITED STATES OF AMERICA,
By E. S. LAND, *Administrator,*
War Shipping Administration.

By _____
For the Administrator
As to execution for OWNER.
ATTEST:

_____
or if not incorporated
In the presence of:

_____
Witness
and

_____
Witness

Approved as to form:

_____
Assistant General Counsel

I, _____, certify that I am the duly chosen, qualified, and acting Secretary of _____ a corporation organized and existing under the laws of the State of _____ and having its principal place of business at _____ a party to this Charter, and, as such, I am the custodian of its official records and the minute books of its governing body; that _____ who signed this Charter on behalf of said corporation, was then the duly qualified _____ of said corporation; that said officer affixed his manual signature to said charter in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Charter is within the scope of the corporate and lawful powers of this corporation.

[CORPORATE SEAL]

_____
Secretary

Form No. 102 (Rev.) Forflag
9/9/44
Warshipotltime (Rev.) Forflag

WAR SHIPPING ADMINISTRATION

UNIFORM TIME CHARTER TERMS AND CONDITIONS FOR TANK VESSELS

(PART II) (REVISED)

CLAUSE 1. The Vessel shall be placed at the disposal of the Charterer at the port of delivery at such safe ready dock, wharf, or place as the Charterer may direct. Any time lost by the Vessel awaiting the availability of such dock, wharf, or place shall count as time on hire. The Vessel on her delivery, as far as due diligence can make her so, shall be ready to receive cargo with pipe lines and pumps in good working condition, and tight, staunch, strong, and in every way fitted for normal service for a Vessel of her size, type and description, with a Master, and a sufficient complement of officers and crew (hereinafter referred to collectively as the crew) for a Vessel of her tonnage, and due diligence shall be exercised by the Owner to maintain her in such state during the currency of this Charter.

The Vessel shall be employed in carrying petroleum or its products in bulk, in lawful trades between safe ports or places, as the Charterer or its agents may direct.

The Vessel may be employed to tow or may be towed, but the Gharterer shall indemnify the Owner for any loss, damage, claims or expenses, resulting from any such use of the Vessel.

For the purpose of this Charter the Owner shall be entitled to the benefits of all waivers in the navigation and inspection laws granted by an authorized officer or by law or regulation.

If radio or other equipment is required to enable the Vessel to comply with this Clause and such equipment is leased by the Owner, it shall pay the rental and maintenance charges therefor or, if such charges are paid by the Charterer, such charges may be deducted from the hire.

CLAUSE 2. The whole reach and burthen of the Vessel's holds, decks, and usual places of carriage (but not more than she can reasonably stow and carry), shall be at the Charterer's disposal reserving only space proper and sufficient in the opinion of the Master for Vessel's crew, Master's cabin, tackle, apparel, furniture, provisions, fresh water, stores, and fuel. The Charterer shall have the option of shipping lawful merchandise in cases, cans or other packages in the Vessel's forehold, 'tween decks or other suitable space available, subject, however, to the Master's approval as to kind, character, amount and stowage, and to the extent that the Owner is not required thereby to obtain a certificate of convenience and necessity therefor under the Transportation Act of 1940. All expenses for dunnage, loading, stowing and discharging so incurred shall be paid by the Charterer, but the Owner is not to provide any equipment not already on board for handling such cargo, and such merchandise shall be shipped at the Charterer's risk and peril.

CLAUSE 3A. Commencing with the time this Amended Charter becomes effective, the Charterer shall (except as otherwise expressly provided in this Charter) pay hire for the use of the Vessel and for the services required under the terms of this Charter at the rate provided in Clause C, of Part I of this Amended Charter, and subject to the provisions of said Clause C, such hire, or payments on account as therein provided, shall continue until the time of the redelivery of the Vessel to the Owner as in this Charter provided, unless the parties hereto otherwise agree; provided, however, that if the Vessel shall be an actual total loss, such hire or payments on account shall continue until the time of her loss, if known, or if the date of loss cannot be ascertained, or if the Vessel is unreported, such hire or payments shall continue for one-half the calculated time necessary for the Vessel to proceed from her last known position to the next port of call, but not exceeding 14 days. If the Vessel is a constructive total loss under the terms of any insurance thereon or is declared a constructive total loss by the Charterer under the provisions of Schedule A, such hire or payments shall continue until Noon (EWT) of the day of the last casualty resulting in or causing or contributing to her loss, except as otherwise provided in Clause 30 of this Charter.

CLAUSE 3B. If at the time of redelivery under this Charter, the Vessel shall require repairs of any damage arising from risks insured against or assumed by the Charterer or for which the Charterer is otherwise liable, hire as herein provided shall continue until completion by the Charterer of such repairs and of any work required of the Charterer by Clause 11, Part II; subject to the provisions of Clause C, Part I and Clause 11D, Part II hereof.

CLAUSE 3C. On the first day of each calender month, the hire provided for in this Amended Charter, and all other monies accruing during the preceding month in favor of the Owner, shall be due and payable.

CLAUSE 3D. The Charterer or its agents may advance currency or perform any services, or furnish any supplies or equipment, which are required by the Owner and are for the Owner's account under this Charter, and the Owner, upon being furnished evidence thereof, shall reimburse or secure the Charterer for the fair and reasonable dollar value of any currency so advanced, services so performed, or supplies and equipment so furnished, or at the Charterer's election the equivalent thereof may be deducted from the hire. It is understood that any such advances made or services performed or supplies and equipment furnished by the government of any country as aid to or for the account of the United States shall be deemed currency advanced, services performed, or supplies and equipment furnished by the Charterer.

CLAUSE 4. In the event that the Vessel is detained because of the happening of any event caused or contributed to by another vessel, person, corporation, or others, for which detention such third parties are or may be liable (the period of such detention to include the time necessary to proceed to, survey, and effect repairs unaccomplished upon the date of redelivery of the Vessel under this Charter), then for such period of detention the Charterer's obligation to the Owner for hire and for other sums otherwise accruing hereunder shall cease; provided, however, that the Charterer shall indemnify and save the Owner harmless from any loss whatsoever by reason of the cessation of such obligations, and notwithstanding said cessation shall pay to the Owner a sum not less than the amount which would otherwise be payable to the Owner for such obligations in the same manner and to the same extent as if such cessation had not occurred, but on performance of this indemnity the Charterer shall immediately become subrogated, to the extent of such indemnity, to all rights whatsoever of the Owner to recover for such detention from or against such vessel, person, corporation, or others, and the Charterer shall be entitled to bring and maintain suit or suits thereon in its own name or in the name of the Owner as the Charterer may see fit; provided however, that on the written request of the Charterer, the owner shall in each instance, assert and prosecute such claims in the name of the Owner, but for and on behalf of the Charterer and at the Charterer's expense, such claims to be in a sum not less than the amount of the indemnity paid by the Charterer.

CLAUSE 5A. Insofar as it is a factor in the Vessel's rate and valuation, deadweight capacity is to be established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1930, and shall be her capacity (in tons of 2240 lbs.) for cargo, fuel, fresh water, spare parts and stores but exclusive of permanent ballast. Deadweight shall be calculated without deduction for weight lost by reason of cargo refrigeration installation heretofore made, if any, and weight added by installation of refrigerated cargo capacity (including offsetting permanent ballast required thereby), arming, degaussing, demagnetizing, or the installation of splinter-protection equipment or because of ice-strengthening, or other extraordinary wartime installation or equipment, including permanent ballast, heretofore or hereafter made or required by the Charterer, or any other agency of the United States.

CLAUSE 5B. In the event that the Vessel's deadweight or bale cubic refrigerated capacity, when finally determined as herein provided, shall not be in accord with the description contained in Part I hereof, the hire and valuation shall be equitably adjusted to be appropriate for the Vessel's deadweight and bale cubic refrigerated capacity. Certificates of deadweight or bale cubic refrigerated capacity, in satisfactory form, heretofore or hereafter furnished by the American Bureau of Shipping shall be accepted as final proof of deadweight capacity and bale cubic refrigerated capacity.

CLAUSE 6. Except as otherwise provided in this Charter: (a) The Owner shall provide and pay for:

(1) Wages of Master and crew;
(2) Subsistence;
(3) Galley, cabin, deck and engine room stores, supplies and equipment (except all water and fuel for any purpose);
(4) Maintenance and repair of Vessel and equipment to the extent required of the Owner under this Charter;
(5) Sales or other taxes based on the foregoing items; and
(6) Owner's overhead expenses.

(b) The Charterer shall provide and pay for all other charges and expenses whatsoever reasonably and properly incurred in the use, operation or employment of the Vessel hereunder.

For the purposes of this Charter:

(1) The term "wages" as used herein shall include all basic and emergency wages, bonuses for seniority or length of service, overtime and vacation allowances, life, health, retirement or other insurance benefits which are not required to be provided or paid for by the Charterer hereunder.

(2) The term "subsistence" shall include the cost, including delivery, loading and inspection charges thereon, of all edibles for consumption by Master and crew, and other persons covered by clause 7C hereof, and shall also include board and room allowances to Master and crew in lieu of subsistence and lodging aboard the Vessel.

(3) The term "galley, cabin, deck and engine room stores, supplies and equipment" shall mean those items referred to under the heading of "(15)" and "(24) Stores, Supplies and Equipment," page 8, of the General Financial Statement of the U. S. Maritime Commission, approved by the Budget Bureau No. 62–RO, 10–42.

(4) The term "maintenance and repair of Vessel and equipment" shall mean the items referred to under the headings "(25) Other Maintenance Expense" and "(40)" and "(49) Repairs," page 8 of said General Financial Statement.

(5) The term "overhead expense" shall include administrative and general expenses as presently itemized in General Order No. 22 of the U. S. Maritime Commission, Owner's advertising expenses, Owner's taxes (except sales and similar taxes, taxes assessed or based upon freights earned, and other taxes of any kind determined by the Charterer to be properly classifiable as voyage expenses), and the cost of employing agents or branch houses to perform any of the services required of the Owner under this Charter.

CLAUSE 7A. The Charterer shall reimburse the Owner for actual out-of-pocket expenses, including all taxes paid by the Owner with respect to such expenses, for:

(1) All war bonuses (war risk compensation) paid to the master and crew (which term as used in this Clause 7 shall refer to the actual crew on board even though in excess of normal complement), in the manner and to the extent provided for in applicable decisions or advices of the Maritime War Emergency Board, as amended or modified from time to time, or in judicial decisions relating thereto.

(2) All extra compensation, including overtime, paid to the crew for services performed by the crew (a) in connection with cargo, at sea or in port (b) in connection with shifting of Vessel in port for Charterer's purposes, or (c) preparatory to loading or discharging or sailing in convoy. If the Vessel operates in the Alaska trade, the Charterer shall also pay the extra crew costs exceeding costs that would have been incurred in similar operations in other ocean-going trades.

(3) All wages and overtime paid to any extra crew members beyond the normal complement of the Vessel, or to other persons carried, who are required to be employed by the Owner because of (a) the Vessel's service under this Charter, (b) the loading or discharging of cargo, or (c) to care for any persons covered by Clause 7C hereof. Extra wages or overtime paid to the normal complement of the Vessel in lieu of employing extra crew members or other persons for the purposes above set forth shall also be reimbursed to the Owner. The term "normal complement" as used in this Charter shall refer to the normal peacetime complement for offshore foreign trading for the average vessel of the same size, type and description as the Vessel chartered hereunder, as determined by the Administrator.

(4) All wages and overtime paid to security watchmen, provided in compliance with any security requirements of any United States or other Government agency, and all overtime or additional wages paid to the crew by reason of compliance with such requirements.

(5) All extra clothing or effects for the Master and crew necessitated by the Vessel's service under this Charter (Charterer to have title to such extra clothing and effects).

CLAUSE 7B. The Charterer shall, to the extent the Owner is not reimbursed under the provisions of Schedule A attached hereto, reimburse the Owner for out-of-pocket expenses or disbursements made on behalf of the Master or crew, or payments made to the Master or crew, for repatriation transportation (including return to port of shipment), and for wages and subsistence while awaiting and during such transportation, where such expenses, disbursements, or payments are assumed by the terms of the Ship's Articles, the Owner's collective bargaining agreements or found by the Owner to be reasonably necessary or desirable. The Owner shall also be reimbursed for the cost reasonably incurred in furnishing men to replace members of the crew whose employment has terminated at ports in Alaska or outside the Continental United States, where suitable replacements are not readily available.

CLAUSE 7C. The Charterer shall pay the Owner at the rate of $1.50 per day per person (not in excess of fifty (50) persons) for providing subsistence aboard the Vessel for any person carried at the request of the Charterer or any agency of the United States or the military authorities of any Allied Government, or any extra crew members beyond the Vessel's normal complement required because of the Vessel's service under this Charter, and $1.50 per day per person for providing subsistence aboard the Vessel for any extra complement thereby required. If a total of more than 50 extra persons referred to in this Clause 7C are carried on the Vessel at any one time, the Owner shall be reimbursed for his actual costs for subsistence of the number in excess of 50, unless subsistence rates or schedules applicable to such excess number have been agreed upon between the Owner and the Charterer, in which event such rates or schedules shall govern. The term "subsistence" as used in this subsection shall include victualling, supplying with linens, bedding, laundry, and similar services, but the Owner shall not be obliged to furnish linens and bedding for such extra persons in excess of 50, unless otherwise agreed.

CLAUSE 8A. The Charterer may disallow in whole or in part, as may be appropriate, and deny reimbursement for any expenses for which it is required to reimburse the Owner which are in contravention of the terms of this Charter, or are otherwise improvident or excessive.

CLAUSE 8B. The Charterer shall reimburse the Owner for any additional extraordinary costs incurred which the Charterer, in its discretion, may allow upon finding that such costs are not intended to be covered in the allowance for services hereunder. In the event the Vessel is assigned by the Charterer for service between foreign ports, the Charterer shall make such adjustment, if any, as it deems appropriate to allow for increased cost of operation.

CLAUSE 8C. In the event the Vessel is physically incapable of working for a period in excess of twenty (20) days while in a Continental United States port (excluding Alaska) or for a period of thirty (30) days while in Alaska or outside the Continental United States, the charter hire otherwise payable hereunder shall be reduced for the excess period by an amount equal to twenty (20) per cent of the service rate, plus eighty (80) per cent of the actual savings in wages for Master and crew during the entire period of lay-up. The Owner shall furnish reports of wage savings as soon as practicable after the termination of each month of such lay-up.

CLAUSE 9. The Charterer shall provide necessary dunnage and shifting boards, also any extra fittings and materials requite for a special trade or for the carriage of livestock or other unusual cargo, but the Owner shall allow the Charterer the use of any dunnage and shifting boards and fittings and materials already aboard the Vessel. The Charterer shall have the privilege of using shifting boards for dunnage. Upon redelivery of the Vessel, the Charterer shall make good any damage to or shortage of shifting boards, fittings or materials which are on board at delivery.

CLAUSE 10. The Charterer shall pay for all fuel on board upon delivery, and the Owner shall pay for all fuel on board on redelivery not in excess of Owner's normal requirements, at market prices current at the ports and times of delivery and redelivery, respectively.

CLAUSE 11A. The Charterer or any agency of the United States may, at the expense of the Charterer or such agency and on the Charterer's time, install any equipment, gear or armament, and may make any alterations or additions to the Vessel. Such equipment, gear or armament so installed are to be considered Charterer's property and are to be maintained at Charterer's expense. Such work shall be done so as not to affect the seaworthiness of the Vessel or the safety of the crew, and as not to be incontravention of any applicable law of the United States or regulation made pursuant thereto. The Charterer shall, before redelivery and at its expense and on its time, remove any equipment, gear and armament installed by or at the request of the Charterer or any agency of the United States and restore the Vessel to her condition prior to any such installations, alterations, additions or changes, whether such installations, alterations, additions or changes were made under this Charter or prior to delivery under this Charter, except as may be otherwise provided herein.

CLAUSE 11B. Commencing with the time this Amended Charter becomes effective, the Charterer shall pay the full actual cost of providing and maintaining all equipment and installations on the Vessel, beyond normal peace-time standards, then or thereafter set forth in sub-chapter O of Chapter I of the Regulations of the United States Coast Guard (Title 46, U.S.C.R.) or in other wartime regulations of any agency of the United States, except that if and so long as the Vessel remains under time charter, the Owner shall provide and pay for renewals, replacements and repairs to lifeboat equipment and for minor repairs to lifeboats not belonging to the Owner, unless any such renewals, replacements or repairs are caused by subsequent increases and changes in wartime Governmental requirements. *Provided, however*, That if the Owner has not entered into a form of addendum to the original time charter covering this Vessel designated as "Uniform Addendum To Time Charter Covering Adjustments of Certain Disputed Questions" and has not entered into a special agreement as and if contemplated in Paragraph Fourth of said addendum, then the obligations of the Charterer under this Clause 11B shall be limited to items hereafter required and shall not cover items heretofore required as aforesaid. All such equipment and installations installed in or relating to lifeboats belonging to the Owner shall be the property of the Owner and all other equipment or installations shall belong to the Charterer and shall be considered as equipment installed or as alterations or additions made by the Charterer pursuant to Clause 11A of the Charter.

The payments provided for in this paragraph shall be made in the same manner and shall not exceed in amount those payable to like American-flag vessels operating under similar Warshiptime (Rev.) or Warshipotltime (Rev.) charters containing a clause substantially the same as the foregoing provisions of this paragraph.

CLAUSE 11C. Any equipment, furniture, furnishings or appliances belonging to the Vessel and not required by the Charterer may be removed by the Charterer, at the Charterer's expense, and, upon termination of the Charter, unless the Vessel has been lost or requisitioned for title, any such removals are to be replaced on board the Vessel or made good by the Charterer at its expense. Storage charges arising from such removal shall be paid for by the Charterer.

CLAUSE 11D. If, at the time of redelivery under this Charter, the Vessel shall require any work or repairs of any damage arising from risks insured against or assumed by the Charterer, or for which the Charterer is otherwise liable under this Clause, Clause 11A or any other Clause hereunder, the Charterer may, at its option, discharge such obligations by payment to the Owner in advance, of an amount for reconditioning sufficient to provide for such work or repairs, which amount shall also include compensation at the rate

of hire that would otherwise have been payable under this Charter, for the time reasonably required under then existing conditions to complete such work or repairs and compensation for other expenses incident to such work or repairs. If the Owner and Charterer agree such obligations may be discharged by a mutually satisfactory agreement.

CLAUSE 12. The Owner agrees at its expense to drydock the Vessel for the purpose of cleaning and painting her bottom, when necessary, but not less than once in every nine (9) months unless the Charterer otherwise agrees, and, when drydocking is due, the Charterer agrees to send the Vessel to a port where she can so drydock, clean and paint. The Owner undertakes to put the Vessel in drydock for cleaning and painting the bottom as soon thereafter as the Vessel is at the Owner's disposal, clear of oil and gas, at the port having suitable accommodations for the purpose. The Owner is always and solely responsible for clearing the Vessel of oil and gas but the expense and time thereof shall be for Charterer's account. The expenses incidental to sending the Vessel to drydock for painting her bottom and all port charges incurred therein shall be for the Owner's account.

Except as otherwise provided herein the expense of clearing the Vessel of oil and gas as well as all other expenses incidental to sending the Vessel to drydock or repair yard and all port charges incurred therein shall be:

(1) For Owner's account when required primarily for Owner's repairs, or

(2) For Charterer's account when required primarily for Charterer's repairs, or

(3) For account of both Owner and Charterer when repairs under (1) and (2) above are carried out concurrently and such expense shall be apportioned in accordance with normal commercial practice.

CLAUSE 13. The Charterer shall furnish the Master from time to time with all requisite instructions and sailing directions, in writing, and the Master, to the extent permitted by governmental orders or directions, shall keep a full and correct log of the voyage or voyages, which shall be patent to the Charterer or its agents, and furnish the Charterer or its agents, when required and to the extent permitted by governmental orders or directions, with a true copy of port and daily logs, showing the course of the Vessel, the distance run and the consumption of fuel.

CLAUSE 14. Subject always to the directions of the Charterer the Master shall prosecute his voyages with the utmost dispatch and shall render all customary assistance with Ship's crew and boats; and shall use due diligence in caring for the cargo. The Master (although employed by the Owner) shall be under the orders and directions of the Charterer as regards employment, agency and prosecution of the voyages. Bills of lading are, if requested by the Charterer, to be signed by the Master in the form and at any rate of freight that Charterer or its agents may direct, without prejudice to this Charter. The Charterer hereby agrees to indemnify the Owner against all consequences or liabilities that may arise from the Charterer or its agents (including the Master) signing bills of lading or other documents inconsistent with this Charter, or from any irregularities in papers supplied by the Charterer or its agents.

CLAUSE 15. Cargo may be laden or discharged in any dock or at any wharf or place that the Charterer or its agents may direct, provided that the Vessel can proceed thereto, lie at, and depart therefrom always safely afloat.

CLAUSE 16. Neither the Owner nor the Vessel shall be responsible for any admixture, if more than one quality of oil is shipped nor for leakage, contamination or deterioration in quality of the cargo. No injurious cargoes, including acids that are injurious to the Vessel, are to be shipped, it being understood that gasoline, Ethyl gasoline, benzol, creosote, molasses, and the various vegetable oils, customarily carried in tank vessels, are not to be considered as injurious. Charterer undertakes in case it employs the Vessel to carry any other cargo than petroleum and its products in bulk to indemnify the Owner against any damage that may arise to such cargo owing to the Vessel having previously loaded oil, or to oil after having loaded other cargo. If the Vessel's tanks at the time of delivery are gas free and clean and fit for the transportation of clean products, such as refined petroleum or naphtha, the Vessel is to be redelivered in the same condition as on delivery. Similarly, if her tanks are soiled at the time of delivery the Vessel may be redelivered with tanks in like condition.

CLAUSE 17. No petroleum product shall be shipped which fails to meet one or the other of the two following requirements: (1) The vapor pressure at one-hundred degrees Fahrenheit (100° F.) shall not exceed thirteen pounds (13 lbs.) as determined by the A. S. T. M. Method (Reid Method) identified as D-323 current at the time shipment is made. (2) The distillation loss shall not exceed four per cent (4%) and the sum of the distillation loss and the distillate collected in the receiving graduate shall not exceed ten per cent (10%) when the thermometer reads one-hundred twenty-two degrees Fahrenheit (122° F.). Note—The distillation test shall be made by A. S. T. M. Method identified as D-86 current at the time shipment is made. When products other than naphtha or gasoline are tested, the distillation loss may be determined by distilling not less than twenty-five per cent (25%) and deducting from one-hundred per cent (100%) the sum of the volumes of the distillate and the residue in the flask (cooled to a temperature of sixty degrees Fahrenheit (60° F.)).

CLAUSE 18. All bills of lading issued hereunder shall contain, directly or by reference, substantially the following clauses:

(i) *Cause Paramount.* "This bill of lading shall have effect subject to the provisions of the Carriage of Goods by Sea Act of United States, approved April 16, 1936, which shall be deemed to be incorporated herein, and nothing herein contained shall be deemed a surrender by the Carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. If any term of this bill of lading be repugnant to said Act to any extent, such term shall be void to that extent but no further."

(ii) *Both-To-Blame Collision Clause.* "If the ship comes into collision with another ship as a result of the negligence of the other ship and any act, neglect or default of the master, mariner, pilot or the servants of the carrier in the navigation or in the management of the ship, the owners of the goods carried hereunder will indemnify the carrier against all loss or liability to the other or noncarrying ship or her owners in so far as such loss or liability represents loss of, or damage to, or any claim whatsoever of the owners of said goods, paid or payable by the other or noncarrying ship or her owners to the owners of said goods and set-off, recouped or recovered by the other or noncarrying ship or her owners as part of their claim against the carrying ship or carrier. The foregoing provisions shall also apply where the owners, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact."

(iii) *General average clause.* "General average shall be adjusted, stated, and settled, according to Rules 1 to 15, inclusive, 17 to 22, inclusive, and Rule F of York-Antwerp Rules 1924, at such port or place in the United States as may be selected by the carrier, and as to matters not provided for by these Rules, according to the laws and usages at the port of New York. In such adjustment, disbursements in foreign currencies shall be exchanged into United States money at the rate prevailing on the dates made and allowances for damage to cargo claimed in foreign currency shall be converted at the rate prevailing on the last day of discharge at the port or place of final discharge of such damaged cargo from the ship. Average agreement or bond and such additional security, as may be required by the carrier, must be furnished before delivery of the goods. Such cash deposit as the carrier or his agents may deem sufficient as additional security for the contribution of the goods and for any salvage and special charges thereon, shall, if required, be made by the goods, shippers, consignees, or owners of the goods to the carrier before delivery. Such deposit shall, at the option of the carrier, be payable in United States money, and be remitted to the adjuster. When so remitted the deposit shall be held in a special account at the place of adjustment in the name of the adjuster pending settlement of the general average and refunds or credit balances, if, any, shall be paid in United States money."

(iv) *Amended "Jason" clause.* "In the event of accident, danger, damage, or disaster before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which or for the consequence of which the carrier is not responsible by statute, contract, or otherwise, the goods, shippers, consignees, or owners of the goods shall contribute with the carrier in general average to the payment of any sacrifices, losses or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the carrier, salvage shall be paid for as fully as if the salving ship or ships belong to strangers."

(v) *Liberties clauses.* "In any situation whatsoever and wheresoever occurring and whether existing or anticipated before commencement of or during the voyage, which in the judgement of the carrier or master is likely to give rise to risk of capture, seizure, detention, damages, delay or disadvantage to or loss of the ship or any part of her cargo, or to make it unsafe, imprudent, or unlawful for any reason to commence or proceed on or continue the voyage or to enter or discharge the goods at the port of discharge, or to give rise to delay or difficulty in arriving, discharging at or leaving the port of discharge or the usual place of discharge in such port, the carrier may before loading or before the commencement of the voyage, require the shipper or other person entitled thereto to take delivery of the goods at port of shipment and upon their failure to do so, may warehouse the goods at the risk and expense of the goods; or the carrier or master, whether or not proceeding toward or entering or attempting to enter the port of discharge or reaching or attempting to reach the usual place of discharge therein or attempting to discharge the goods there, may discharge the goods into depot, lazaretto, craft or other place; or the ship may proceed or return, directly or indirectly, to or stop at any such port or place whatsoever as the master or the carrier may consider safe or advisable under the circumstances, and discharge the goods, or any part thereof, at any such port or place; or the carrier or the master may retain the cargo on board until the return trip or until such time as the carrier or the master thinks advisable and discharge the goods at any place whatsoever as herein provided; or the carrier or the master may discharge and forward the goods by any means at the risk and expense of the goods. The carrier or the master is not required to give notice of discharge of the goods or the forwarding thereof as herein provided. When the goods are discharged from the ship, as herein provided, they shall be at their own risk and expense; such dis-

charge shall constitute complete delivery and performance under this contract and the carrier shall be freed from any further responsibility. For any service rendered to the goods as herein provided the carrier shall be entitled to a reasonable extra compensation.

"The carrier, master and ship shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destination, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, or by any committee or person having, under the terms of the war risk insurance on the ship, the right to give such orders or directions. Delivery or other disposition of the goods in accordance with such orders or directions shall be a fulfillment of the contract voyage. The ship may carry contraband, explosives, munitions, warlike stores, hazardous cargo, and may sail armed or unarmed and with or without convoy.

"In addition to all other liberties herein the carrier shall have the right to withhold delivery of, reship to, deposit or discharge the goods at any place whatsoever, surrender or dispose of the goods in accordance with any direction, condition or agreement imposed upon or exacted from the carrier by any government or department thereof or any person purporting to act with the authority of either of them. In any of the above circumstances the goods shall be solely at their risk and expense and all expenses and charges so incurred shall be payable by the owner or consignee thereof and shall be a lien on the goods."

This Charter shall also be subject to the provisions of (ii), (iii) and (iv) of this Clause 18.

CLAUSE 19. The Vessel, her Master and Owner shall not, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter, arising or resulting from: Any act, neglect, default or barratry of the Master, pilots, mariners or other servants of the Owner, in the navigation or management of the Vessel; fire, unless caused by the personal design or neglect of the Owner; collision, stranding, or peril, danger or accident of the sea or other navigable waters; saving or attempting to save life or property; wastage in weight or bulk, or any other loss or damage arising from inherent defect, quality or vice of the cargo; any act or omission of the Charterer, the owner, shipper or consignee of the cargo, their agents or representatives; insufficiency of packing; insufficiency or inadequacy of marks; explosions, bursting of boilers, breakage of shafts, or any latent defects in hull, equipment or machinery; unseaworthiness of the Vessel unless caused by want of due diligence on the part of the Owner to make the Vessel seaworthy or to have her properly manned, equipped and supplied; or from any other cause of whatsoever kind arising without the actual fault of privity of the Owner. And neither the Vessel, her Master or Owner, nor the Charterer shall, unless otherwise in this Charter expressly provided, be responsible for any loss or damage or delay or failure in performing under this Charter arising or resulting from: Act of God; act of war; act of public enemies, pirates, or assailing thieves; arrest or restraint of princes, rulers of people, or seizure under legal process; strike or lock-out or stoppage or restraint of labor from whatever cause, either partial or general; or riot or civil commotion. The Vessel shall have liberty to sail with or without pilots, to tow or to be towed, to go to the assistance of vessels in distress and to deviate for the purpose of saving life or property or of landing any ill or injured person on board. No exemption afforded to the Charterer under this Clause shall diminish its obligations for hire under the other provisions of this Charter.

CLAUSE 20. The Insurance, Indemnity and Waiver program set forth in Schedule A annexed is hereby incorporated by reference in and made a part of this Charter as though fully set forth in this Clause.

CLAUSE 21. All salvage moneys earned by the Vessel shall be divided equally between the Owner and the Charterer, after deducting the Master and crew's shares, legal expenses, hire of the Vessel during time lost, value of fuel consumed, repairs of damage, if any, and any other extraordinary loss or expense sustained as a result of the service, which shall always be a first charge on such moneys: *Provided, however,* That to the extent necessary to effectuate the purposes of the Insurance, Indemnity and Waiver Program (Schedule A), claims for salvage on behalf of the Owner shall be made solely at the discretion of the Charterer.

CLAUSE 22. If the Charterer shall notify the Owner that the employment or the continued employment of the Master or any member of the crew or any agent of the Owner is prejudicial to the interests of the United States in the prosecuting of the war, the Owner shall make any changes necessary in the appointment.

If the Charterer shall have reason to be dissatisfied with the conduct of any member of the crew, the Owner shall, on receiving particulars of the complaint, investigate and make any changes practicable in the appointments or practices aboard the Vessel with respect to the maintenance of proper discipline, necessary to eliminate the reasons for such dissatisfaction by the Charterer.

CLAUSE 23. Any provisions of this Charter to the contrary notwithstanding, the Owner shall have the benefit of all limitations of, and exemptions from, liability accorded to the Owner of vessels by any statute or rule of law for the time being in force. Nothing herein shall be deemed to affect the Charterer's right of limitation or exemption from liability accorded under the provisions of Section 4 of Public Law 17, 78th Congress.

CLAUSE 24. Nothing herein stated is to be construed as a demise of the Vessel to the Charterer.

CLAUSE 25. Liability for nonperformance of this Charter shall be proved damages.

CLAUSE 26. The Charterer shall have the option of subletting or assigning this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

CLAUSE 27. The Charterer shall have a lien on the Vessel for all moneys paid in advance and not earned.

CLAUSE 28. The Master and the Vessel shall have liberty to comply with any orders or directions as to loading, departure, arrival, routes, ports of call, stoppages, discharge, destinations, delivery or otherwise howsoever given by the government of any nation or department thereof or any person acting or purporting to act with the authority of such government or of any department thereof, and if by reason of or in compliance with any such orders or directions anything is done or is not done, such shall not be deemed a deviation or breach of orders or neglect of duty by the Master or the Vessel: *Provided, however,* That whenever any such orders or directions given otherwise than by the Government of the United States or its representative are contrary to sailing directions or other orders of the Charterer as to the employment of the Vessel, the Master shall, if practicable, apply to the Charterer or its agents or to a representative of the United States for consent or advice and shall not comply with such orders or directions unless such consent or advice to comply is first obtained: *Provided further, however,* That if it is impracticable in any case to act in accordance with the foregoing proviso, the Master's decision as to compliance with any such orders or directions shall be made with due regard to the interests of all concerned, including the Charterer, the owner, and the Vessel, her crew and cargo.

CLAUSE 29. If after redelivery the Vessel is arrested or attached upon any cause of action arising or alleged to have arisen from previous possessions or operation of the Vessel by the Charterer, or any subcharterer, or for which the Charterer is liable, the Charterer undertakes to use its best efforts to cause the release of the Vessel under the Suits in Admiralty Act or any other special remedy available to the Charterer, subject to the approval of the Attorney General of the United States.

CLAUSE 30. The Charterer shall reimburse the Owner for all expenses for wages, bonuses and subsistence of the Master and crew and other out-of-pocket costs incurred by the Owner subsequent to the date of and arising from an actual or constructive total loss of the Vessel to the extent not recovered or reimbursed under any insurance on the Vessel, or under this Charter or otherwise. If the extent of the damage or injury is not sufficient to entitle the Owner to collect for an actual or constructive total loss under the provisions of any insurance on the Vessel in the absence of a declaration by the Charterer, then in addition to reimbursement of expenses as aforesaid, the Owner shall be entitled: (a) to charter hire at the rate of 3½ per cent per annum on the then current valuation of the Vessel commencing with the date when charter hire would otherwise terminate and ending four months thereafter or on the date of such declaration, whichever date is earlier; and (b) if the Vessel is declared a constructive total loss more than four months after the date charter hire would otherwise terminate, then to charter hire in an amount equal to the use rate payable under Part I from the end of such four months until the date of such declaration.

CLAUSE 31. The Administrator (Charterer), acting pursuant to delegation of authority by the War Contracts Price Adjustment Board to the Administrator by instrument dated February 26, 1944, having found that this Agreement is in the nature of a lease contract and that the profits of the use rate and agreed valuation (if any) hereunder can now be determined with reasonable certainly, that such use rate and agreed valuation (if any) are not in excess of just compensation to which the Owner is or may be entitled, and that the provisions of this Charter with respect thereto adequately prevent excessive profits, the said use rate and agreed valuation (if any) are hereby exempted from the provisions of the Renegotiation Act, pursuant to subsection (i) (4) of the said Act. Nothing in this Clause 31 shall be construed as an admission by the Owners that the items exempted from renegotiation as aforesaid would be subject to the Renegotiation Act in the absence of the foregoing provisions. The service rate under this Charter shall be subject to renegotiation in accordance with the provisions of said Act, and with respect thereto this Charter shall be deemed to contain all the provisions required by subsection (b) of said Act, with the expressed understanding and agreement that the aggregate of the amount received or accrued to the Owner on account of the service rate under this and all other WARSHIPTIMES or WARSHIPOILTIMES Charters containing similar renegotiation provisions shall be treated as a unit for the purpose of such renegotiation. There shall be inserted in each subcontract, subject to the Renegotiation Act and involving an estimated amount of more than $100,000, a clause reciting in substance that such subcontract shall be deemed to contain all the provisions required by the Renegotiation Act. This Clause 31 shall be applicable only from the effective date of this Amended Charter.

Nothing in this Clause 31 shall be construed as an admission or agreement by the Owner as to the applicability of the Renegotiation Act to this Charter for the period prior to the effective date of this Amended Charter or to any charter hire or other sums accruing prior to the effective date of this Amended Charter: *Provided, however,* That all rights, if any, which the Administrator may have to renegotiate any charter hire or other sums accruing prior to the effective date of this Amended Charter are hereby reserved by the Administrator.

CLAUSE 32A. No member of or delegate to Congress or Resident Commissioner is or shall be admitted to any share or part of this Charter or to any benefit that may arise therefrom, except to the extent allowed by Title 10 U. S. Code, Section 206. The Owner agrees not to employ any member of or delegate to Congress or Resident Commissioner, either with or without compensation, as an attorney, agent, officer or director.

CLAUSE 32B. The Owner shall not employ any person who advocates, or who is a member of an organization that advocates, the overthrow of the government of the United States by force or violence, to perform any work under this Charter. As a condition to the employment of any person for the performance of such work, the Owner shall, if the Charterer so directs, require each person to execute and file an affidavit in such form as to satisfy the requirements of Public Law No. 678, 77th Congress, or Public Law No. 28, 77th Congress, but the execution and filing of such affidavit shall be without prejudice to the right of the Charterer to require such further evidence in the premises as may be in the possession of the Owner as the Charterer may deem desirable.

CLAUSE 32C. The Owner agrees that in performing the work required of it by this Charter, it will not discriminate against any worker because of race, creed, color, or national origin.

CLAUSE 32D. The Owner shall not employ any person undergoing sentence of imprisonment at hard labor.

CLAUSE 32E. The Owner warrants that it has not employed any person to solicit or secure this Charter upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Charterer the right to annul this Charter or, in its discretion, to deduct from any sums payable under this Charter the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by the Owner upon agreements or sales secured or made through bona fide established commercial or selling agencies maintained by the Owner for the purpose of securing business.

CLAUSE 33. Failure of the Master or Owner to protest against any act or omission of the Charterer, or any other agency of the United States, including any act, omission or order which in the opinion of the Master may affect the Vessel's seaworthiness or may be in contravention of the laws or regulations of the United States shall not prejudice the rights of the Owner under this Charter.

CLAUSE 34. Unless otherwise provided in this Charter or mutually agreed upon, all payments, notices and communications from the Charterer to the Owner, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Owner at the address provided in Part I, and all payments, notices and communications from the Owner to the Charterer, pursuant to the terms of or in connection with this Charter, shall be made or addressed to the Charterer at its offices in Washington, District of Columbia.

CLAUSE 35A. In the event that this form of time charter is modified by the Charterer at any time prior to October 1, 1944 the Owner shall, at its option, have the benefit of any such modifications, subject to the assumption by the Owner, at the request of the Charterer, of any obligations imposed in conjunction with such modifications. Said option shall be exercised within such reasonable time as the Charterer may prescribe, and, upon such exercise, the modifications shall become effective as of the date of this Charter. In the event of non-exercise by the Owner of said option, this Charter shall remain in full force and effect in accordance with its original terms.

CLAUSE 35B. This Charter may be amended, modified or terminated at any time by mutual agreement between the parties hereto.

CLAUSE 36. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

SCHEDULE A (FORFLAG)—INSURANCE INDEMNITY AND WAIVER PROGRAM

I. INSURANCE

(A) Unless otherwise mutually arranged, at all times during the currency of this Charter the Charterer shall provide and pay for or assume as insurer:

(1) Insurance on the Vessel under the terms and conditions of the full form of standard hull war risk policy of the War Shipping Administration, (designated as Warshipreq (FOR.), a copy of which is attached hereto) in the amount of the agreed value under this Charter, and covering only war risks (including malicious damage, sabotage, strikes, riots, and civil commotion.)

It is specially agreed, however:

(a) That the Owner, at its own expense except as provided in subparagraph (b) below will insure the Vessel with the American Marine Hull Insurance Syndicate in an amount to be determined by the Owner, and under the conditions of AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) which insurance shall include the interest of War Shipping Administration as Charterer.

(b) That the Charterer will reimburse the Owner for premiums paid on insurance taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to subparagraph (a) above. *Provided, however,* Such reimbursement shall not exceed the amount of premiums payable on the value set forth in the Charter on the attachment of said insurance and at the time any further annual premium is due and payable. In consideration of such reimbursement, any recapture or profits from said Syndicate shall accrue to the sole benefit of the Charterer, and any return of premiums under the insurance procured by the Owner shall, to the extent that they represent premiums originally reimbursed by the Charterer, be repayable to the Charterer.

(c) That the Owner (at its option and expense) may procure excess insurance, including liability insurance, (without benefit of salvage, subrogation or right of contribution) above the limits of the insurance so procured, but such insurance shall not be on terms inconsistent with the provisions of this Charter or with the provisions of the insurance provided for above.

(d) That the insurance procured by the Owner pursuant to subparagraph (a) hereof as well as any additional insurance procured by the Owner pursuant to subparagraph (c) hereof, and any amount of self-insurance carried by the Owner in excess of the limits of the insurance procured pursuant to subparagraph (a) hereof, shall be subject to the provisions of Clause II of this Schedule A. In consideration of the foregoing, the Charterer hereby insures the Owner against any claim by the United States for damage to property or vessels of the United States or for loss of freight, demurrage or other claims covered by the collision clause in the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943) policy, arising out of collision with the Vessel.

(e) That in the event of cancellation or termination of the insurance referred to in subparagraph (a) above (except for nonpayment of premium), or upon thirty (30) days written notice from Charterer to the Owner, the Vessel shall thereafter be insured for marine risks by the Charterer under the terms and conditions of the full form of standard hull policy of the War Shipping Administration (designated as Warshipreq (FOR.) for the amount of the agreed value under this Charter.

(f) The Charterer hereby insures the Owner for payments of (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, not recoverable under the insurance on the Vessel taken out by the Owner with the American Marine Hull Insurance Syndicate pursuant to sub-paragraph (a) above solely by reason of the insured valuation of said policies being insufficient to provide complete indemnity to the vessel Owner in respect of the liabilities specifically referred to in this sub-paragraph (f), and not recoverable under insurance arranged pursuant to sub-paragraph (c) above. *Provided, however,* That the liability of the Charterer under this subparagraph (f), in respect of any one such class of liabilities, shall be limited for any one collision, casualty or occurrence to the amount, if any, by which the market value of the Vessel in sound condition at the date of such collision, casualty or occurrence, plus the Vessel's then pending freight, exceeds the insured value of the Vessel for total loss purposes under the insurance taken out by the Owner pursuant to subparagraph (a) above; it being understood that the amount of the Charterer's liability hereunder, if any, shall be applicable separately to each of the foregoing three classes of liabilities, with the full amount open for each.

(g) Without limiting the liability of the Charterer as insurer under this Charter, all repairs to the Vessel coming within the terms of the insurance assumed by the Charterer or procured by the Owner pursuant to this Schedule A shall be subject to the approval of the Charterer as to the extent, time and place of repairs. All repairs shall be carried out under the supervision of the Owner.

(h) In the event the Vessel is covered by a mortgage or lien held by any department or instrumentality of the United States, then any sum or sums payable by virtue of the provisions of this Clause I of Schedule A shall be payable for distribution to such department or instrumentality and/or the persons entitled thereto as their interests may appear.

(2) All insurance which the Owner may be obligated to provide, covering the crew with respect to loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations, and loss of or damage to personal effects. Unless otherwise directed by the Charterer, the Owner shall agree with the crew to provide the war risk insurance covering such items afforded by the Decisions of the Maritime War Emergency Board (as amended or modified from time to time) and the marine risk insurance covering such items afforded by the Second Seamen's War Risk Policy (published in the Federal Register of March 20, 1943, as Decision 1A of the Maritime War Emergency Board), as amended from time to time, and such Decisions and Policy shall be the measure and limit of the Charterer's liability under this Clause. The Owner shall give effect to the foregoing by inserting the following language, or such other language as the Charterer may from time to time direct, in the form of a rider or otherwise, in the Ship's Articles or other contract of employment on all voyages of the Vessel under this Charter:

"It is agreed that the Master, Officers, and Members of the Crew shall be furnished the war risk insurance protection covering loss of life, disability (including dismemberment and loss of function), detention, repatriation and similar situations and loss of or damage to personal effects, required by the Decisions of the Maritime War Emergency Board, as amended or modified from time to time, and the marine risk insurance afforded by the Second Seamen's War Risk Policy, as amended from time to time."

(3) War risk protection and indemnity insurance under the terms and conditions of the standard WAR RISK PROTECTION AND INDEMNITY policy prescribed by the War Shipping Administration, a copy of which is attached hereto, for the benefit of the Owner and the Charterer, as their interests may appear.

It is specially agreed, however,

(a) That the Owner, unless otherwise agreed, shall procure marine protection and indemnity insurance under the terms and conditions of the WARTIMEPANDI Policy (Requisitioned Vessels 1943) from an American Protection and Indemnity Underwriter approved by the Charterer which issues said form of policy, which insurance shall include the interests of the Charterer and its Time Charter Agents under Service Agreements, Berth Agents and Sub-Agents acting on their behalf. The Charterer shall reimburse the Owner for all premiums paid on such insurance in consideration of which any readjustment of premiums and any return premium shall be for account of the Charterer.

(b) That to the extent that cargo claims are recoverable under said insurance or are reimbursable to the Owner under the terms of this Charter, the Charterer, and its duly authorized Agents are authorized by the Owner to attend to the adjustment and settlement of or otherwise dispose of cargo claims in such manner (not inconsistent with the terms of said Protection and Indemnity Insurance) as may be determined by the Charterer.

(c) That in the event of cancellation (except for nonpayment of premium) of the insurance referred to in subparagraph (a) above by the Protection and Indemnity Underwriters, or upon thirty days' written notice from the Charterer to the Owner of its intention to terminate such insurance, the Charterer will then provide and pay for or assume as insurer, identical marine protection and indemnity insurance for the benefit of the Owner and the Charterer and the Charterer's Agents as their interests may appear.

(d) That the Charterer assumes as insurer any liability of the Owner or the Charterer on account of loss, damage or expense in respect of lend lease cargo or cargo owned by the United States or any agency or department thereof, including but not limited to the War Department, Navy Department, Metal Reserves Company, Rubber Reserves Company, Defense Supplies Corporation, Reconstruction Finance Corporation or Foreign Economic Administration, which would be recoverable under the WARTIMEPANDI Policy (Requisitioned Vessels 1943) in the absence of the specific exclusion relating thereto, therein.

(e) That the Charterer hereby insures the Owner for excess protection and indemnity liabilities on said Vessel on terms and conditions identical to that provided by WARTIMEPANDI Policy (Requisitioned Vessels 1943) to the extent that said WARTIMEPANDI Policy (by reason of the insured amounts in said policy) does not provide the Owner with complete protection and indemnity: *Provided, however,* That the liability of the Charterer under this subparagraph (e) in respect of any one accident or occurrence shall be limited to the amount, if any, by which the market value of the vessel in sound condition at the date of such accident or occurrence plus the vessel's then pending freight exceeds the insured amounts in said WARTIMEPANDI Policy.

(f) That the Owner (at its option and expense) may procure additional insurance in excess of the limits of the insurance procured or provided pursuant to subparagraphs (a) and (e) hereof, but such insurance shall not be on terms inconsistent with the provisions of this Charter.

(g) That the Charterer shall reimburse the Owner for all claims paid by the Owner and not recoverable pursuant to the provisions of the standard WAR RISK PROTECTION AND INDEMNITY Policy, and WARTIMEPANDI Policy (Requisitioned Vessels 1943) referred to above, solely by reason of deductible average, franchise or other similar deductions appearing in such policies.

(h) That the Charterer hereby insures the Owner for marine and war risk insurance against all carrier's liabilities with respect to cargo to be carried, carried, or which has been carried on board the Vessel directly incurred in consequence of the operation of the Vessel and not covered by the standard protection and indemnity insurance provided or procured pursuant to this paragraph (3), including, but not limited to, liability for deviation or overcarriage, liability for drydocking with cargo on board the Vessel, liability under ad valorem Bills of Lading, and liability for carrying on deck, cargo covered by under deck Bills of Lading.

(4) Marine and war risk insurance covering the Owner's actual loss (or in the case of slop chests, the actual loss of the owner thereof) as determined by the Charterer, for (i) slop chests, (ii) cash carried on board the Vessel but not in excess of $5,000 unless otherwise agreed, and (iii) consumable stores. "Consumable Stores" within the meaning of this paragraph (4) shall mean all consumable and subsistence stores (but not radio supplies, spares, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A and 7919A (Revised Forms 1939).

(B) (a) If the Charterer elects to insure with commercial underwriters any of the risks assumed or insured against by it pursuant to this Schedule A, the Owner agrees, if so instructed by the Charterer, to file with such underwriters, on behalf of the Charterer, reports, declarations, claims and the customary insurance documents, it being understood that except to the extent of any payment to the Owner by the underwriters such action on the part of the Owner shall in no way affect the Charterer's direct liability to the Owner with respect to risks assumed or insured against by the Charterer under this Charter.

(b) As soon as practicable after attachment of this insurance, the Owner shall furnish to the Charterer a statement of all unrepaired damage known to the Owner existing at the time of attachment of this insurance, together with a report of all casualties known to the Owner which may have given rise to damage subsequent to the last drydocking in a U. S. Continental Port. Upon the request of the Charterer, the Owner shall also furnish to the Charterer copies of, or at Charterer's option permit it to inspect, all deck and engine room logs, if available, and all surveys made at or subsequent to the last drydocking of the Vessel in a U. S. Continental Port.

(c) In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

(d) Insurance heretofore provided by the Charterer under this Charter shall terminate upon the attachment of this insurance; provided, however, that claims for unrepaired damage under said prior insurance shall not be due and payable until the repairs are effected or if not so effected, until the termination of this insurance, but in no case shall the Charterer, as Charterer or insurer, be liable for such unrepaired damage in addition to a subsequent total or constructive total loss under this insurance or Charter.

(e) General average adjusters shall be appointed by the Owner, from a list of adjusters satisfactory to the Charterer, and shall attend to the settlement and collection of the general average, subject to customary charges. If the Vessel should put into a port of distress or be under average, she is to be consigned to the Charterer's agents who shall be entitled to receive the usual charges and commissions.

II. WAIVERS

(a) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any vessel (1) owned by the United States, or (2) under charter to the United States on terms which would make the United States liable as Charterer, insurer or otherwise for such claims or (3) under charter to the United States and insured under the terms of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

(b) The Owner shall and does hereby waive all claims for general average, salvage, collision or demurrage against any other vessel owned by or under charter to any Government, and against any cargo carried on any such vessel or on any vessel described in subparagraph (a) above, to the extent such waiver may be required by the Charterer in any specific case or cases in order to give effect to any agreement for mutual or reciprocal waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

(c) The waivers provided in this Clause II of Schedule A shall be effective only as to claims relating to the Vessel and arising out of her use or operation under this Charter, and such waivers shall not relieve the Charterer of any liability it may have to the Owner under the terms of this Charter.

(d) The Owner shall and does hereby waive any claim against any ship repairer, based on negligence or otherwise, arising out of repair or custody of the Vessel during the period of this Charter, to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the repairer: *Provided, however,* That such waiver shall not preclude recovery by the Owner against the repairer for amounts less than the customary contractural limit of $300,000 on the repairer's liability, nor for any claim by the Owner for proper replacement of defective workmanship or material in connection with any repairs which are for the Owner's account under the terms of this Charter.

(e) The Owner shall and does hereby waive any claim for loss of or damage to the vessel against any stevedore to the extent that such claim, if not waived, would ultimately be borne by the United States under contract or insurance arrangement between the United States and the stevedore; except with respect to claims which the Owner cannot recover under the provisions of Clause I, (A), (1) (a) of this Schedule A, by reason of the franchise in the insurance provided pursuant to said Clause.

III. INDEMNITY AND INSURANCE

(a) The Charterer shall insure the Owner for and against any loss or damage suffered, or liabilities, incurred, by the Owner for which claim is waived under the provisions of Clause II of this Schedule A (except claims

for salvage in excess of actual cost in connection therewith), and which is not recovered by the Owner under any other provision of this Charter: *Provided, however,* That this indemnity shall not entitle the Owner to recover for loss or damage to the Vessel in an aggregate sum in excess of the agreed valuation: *And provided further,* That this indemnity shall not entitle the Owner to recover for any period of detention or loss of use of the Vessel an aggregate sum in excess of the amount which would be payable to the Owner under the other terms of this Charter for such period.

(b) The Charterer shall reimburse, indemnify, and hold harmless the Owner, the Master and the Vessel for or from all consequences, losses and liabilities whatsoever directly resulting from compliance with or efforts to comply with any orders or directions of the Charterer, its agents, representatives or employees, or any other agency of the United States or of any allied government, or orders or directions given as provided in Clause 26 of this Charter, unless properly chargeable to the Owners under this Charter or Schedule, or recoverable under (or with the franchise of) any of the insurance procured pursuant to the terms of this Schedule A. The Owner shall, as far as may be practicable, keep the Charterer currently informed in writing as to any oral orders (involving substantial delay, expense or risk to the Vessel or her cargo) not promptly confirmed in writing by the person giving such orders.

(c) The Charterer hereby assumes and indemnifies the Owner for any loss or liability, if not covered by the terms and conditions of any of the insurances provided for in this Schedule A, arising out of performance of services under any towage or pilotage contract customarily in use in the trades in which the Charterer uses the Vessel or which is specially agreed to by the Owner upon request or instructions of the Charterer.

IV. CONSTRUCTIVE TOTAL LOSS DECLARATION BY CHARTERER

If the Charterer finds, in case of casualty or serious damage or injury to the Vessel during the period of this Charter, not constituting an actual or constructive total loss under the insurance provided in this Schedule A, that the continuation of the Charter is inadvisable because of the probable high cost of repairs or indefinite loss of use of the Vessel then the Charterer nonetheless shall have the option of declaring her a constructive total loss by so notifying the Owner in writing as soon as practicable after the occurrence causing such damage or injury. In the event of such a declaration by the Charterer, the Charterer as insurer, shall forthwith pay or cause to be paid to the Owner an amount to be determined in accordance with the valuation provisions of this Charter as though the Vessel were an actual total loss. *Provided, however,* If the Vessel is in fact a constructive total loss within the terms of the insurance provided by the Owner pursuant to this Schedule A, no such payment shall be made by or on behalf of the Charterer, or if the Owner shall have elected to recover for the estimated cost of repairing the damage to the Vessel under the terms and conditions of American Hull Form Revised (Requisitioned Vessels 1943) the amount payable by the Charterer to the Owner shall be reduced by the amount payable under such insurance. If the Owner does not so elect or shall not have so elected within ninety (90) days of declaration of a constructive total loss by the Charterer then the Charterer shall be subrogated to all of the rights of the Owner under such insurance. Against any such payments received by the Owner from the Charterer or the Owner's assurer, as the case may be, the Owner will, if the Charterer elects to take title, give such releases and instruments granting the Vessel or the property of her remaining to the Charterer as the Charterer may require and that are not inconsistent with the terms and conditions of the AMERICAN HULL FORM REVISED (Requisitioned Vessels 1943).

V. ATTACHMENT OF INSURANCE

This Schedule shall be effective, and the insurance to be provided by the Charterer hereunder shall attach simultaneously with the effective date and time of this Amended Charter (Addendum) to which it is affixed; *Provided, however,* If the Vessel be then at sea the insurance provided by the Charterer shall not attach until Vessel's next arrival in safe port.

WARSHIPBEQ (FOR.) POLICY

UNITED STATES OF AMERICA
WAR SHIPPING ADMINISTRATION

Charter Number ---------- No. H. ----------
Date ----------

BY THIS POLICY OF INSURANCE DOES, in accordance with applicable provisions of law and subject to all limitations thereof, make insurance and cause to be insured, lost or not lost:

ON THE STEAMER (or Motor Vessel) called the ---------- (or by whatsoever name or names the said Vessel is or shall be called), under charter to the War Shipping Administration pursuant to Charter Number ----------.

Loss, if any, payable to the person entitled thereto, or order.

IN A SUM as provided for in the Charter Party referred to above.

AT AND FROM ----------
to the day and hour of redelivery of the Vessel under, or to the termination of, the Charter referred to above, whichever shall first occur.

SPECIAL CONDITIONS

A. THE FOLLOWING CONDITIONS SHALL APPLY TO ALL VESSELS INSURED HEREUNDER:

1. (a) This policy shall respond for payments of general average, salvage, and collision liabilities incurred by the vessel, if covered hereby, even though the amount of such charges or liabilities may exceed the sum insured hereby or the contributory value or limitation of liability value may be greater than the value named herein: *Provided, however,* Except as provided in subparagraph (b) hereof, the total amount payable hereunder in respect of all claims arising out of any one occurrence or disaster, for liabilities under the Collision Clause and liabilities for salvage and general average shall not exceed, in the aggregate, double the amount insured on the vessel, plus any expenses of litigation incurred with the written consent of the War Shipping Administration; but (in addition to the foregoing limitation on the aggregate amount payable) in the case of vessels built in 1934 or thereafter neither (a) the amount recoverable in respect of liabilities under the Collision Clause nor (b) the aggregate amount recoverable in respect of salvage and general average shall (in respect of any one occurrence or disaster), exceed 110% of the amount insured, plus the amount of any such expenses of litigation.

(b) It is further agreed that the limits of liability as stated above and sue and labor charges recoverable under this policy shall be increased by the amount, if any, by which the market value of the vessel in sound condition at the time of such collision, casualty or occurrence, plus the vessel's then pending freight, exceeds the insured value hereunder for total loss purposes; it being understood that the amount of such additional coverage shall be applicable separately to (a) sue and labor charges, (b) general average and salvage, and (c) collision liabilities, with the full amount open for each.

(c) Nothing contained in this Clause I shall be construed as increasing the amount recoverable in respect of claims for physical loss of or damage to the insured vessel.

2. This insurance shall not be prejudiced by the participation of the Assured in any agreement as to the Waiver of claims entered into by the United States on behalf of vessels owned by or under charter to it.

3. With respect to the risks and perils insured against hereunder, it is warranted that no insurance in excess of the value hereinafter provided for, whether for hull, machinery, disbursements, or other similar interests however described, exists or will be placed during the currency of this insurance except as permission to place additional insurance is granted by the Administrator, and then only in accordance with the terms of such permission. *Provided always,* That a breach of this warranty shall not afford the assurers any defense to a claim by mortgages or other third parties who may have accepted this Policy without notice of such breach of warranty, nor shall it restrict the right of the Assured and/or their managers to insure in addition General Average and/or Salvage Disbursements whilst at risk, or general average, salvage or collision liabilities.

4. This insurance shall be subject to the following clauses: (a) With leave to sail or navigate with or without pilots, to go on trial trips and to assist or tow vessels or craft whether customary or in distress or not, and whether under a pre-arranged contract or not, or be towed, all at no additional premium.

(b) This insurance shall not be subject to any Trading Warranties.

(c) Any notice required by the terms of this policy shall be transmitted by the Assured to the Director of Wartime Insurance as soon as may be reasonably practicable. In transmitting such notice the Assured shall comply with all relevant Security Orders of the War Shipping Administration.

(d) Radio apparatus and equipment and other apparatus or equipment used for the purposes of communication or as aids to navigation or safety devices shall be covered by this insurance and included within the amount insured on the vessel as hereinbefore set forth, even when not owned by the vessel owner, provided the vessel owner has prior to date of loss assumed liability therefor; but the liability of underwriters (either as to amount or as to the risks covered) shall not exceed the vessel owner's liability or the liability to which underwriters would be subject if the property were fully owned by the vessel owner, whichever shall be the lesser.

5. In the event of claims arising from collision between the insured vessel and a sister-ship, or in the event of claims for salvage services rendered to the insured vessel by a sister-ship the sister-ship salvage clause and the sister-ship collision clause contained in the attached form of policy shall be deemed deleted therefrom in any case where the assured by any charter, or other agreement entered into by the War Shipping Administration and binding upon the Assured, would be bound to waive such claims if the vessels were not sister-ships.

6. This policy is issued pursuant to the obligation assumed by the War Shipping Administration in Schedule A of the Charter Party referred to herein, and shall not be deemed to govern the relationship between the War Shipping Administration and the owner except as to such obligation nor to override any other provisions of the Charter Party.

7. It is agreed that liability for damage to cargo arising under any agreement to which the War Shipping Administration is a party or is bound, for the waiver or adjustment of collision claims, shall be among the liabilities covered by the Collision Clause herein, subject, however, to the same limitations and conditions which apply to other liabilities covered by the same clause. It is further agreed that where, under any such agreement, cargo's liability for General Average is waived, the cargo's proportion of any General Average sacrifices and expenses incurred by the vessel shall be payable under this policy as part of the hull's proportion of General Average, to the extent provided in Special Condition No. 1 hereinabove.

8. As between this Policy and any other policy covering the same or similar risks on the insured Vessel, such other policy shall be deemed primary and this insurance secondary. It is agreed, nevertheless, that any losses which would be payable hereunder in the absence of such other insurance shall be advanced under this Policy if the Assured is unable to collect them under such other policy within 60 days after filing the usual proofs of loss and interest. Thereafter the Assured shall, at the expense and under the direction of the Administrator, take whatever steps the Administrator may deem necessary or advisable for the collection of such loss under such other policy; and the net recovery under such other policy shall be applied, so far as necessary to the reimbursement by the amount advanced by the Administrator.

9. Where, under the terms of the Charter Party, the Administrator has a right to declare and does declare the vessel a constructive total loss as between himself and the Assured, the Assurer shall not be liable for unrepaired damage.

B. This insurance covers only those risks which would be covered by this policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained herein but which are excluded by that warranty (such insurance being subject to the warranties and additional clauses contained in the War Risk Clauses).

C. Said Vessel, for so much as concerns the Assured, by agreement between the Assured and Underwriters in this policy, is and shall be valued at the amount in accordance with the provisions of the Charter Party, referred to above. Unless deleted or superseded by the Underwriters the following warranty shall be paramount, and shall supersede and nullify any contrary provision of the policy:

F. C. & S. CLAUSE

(1) Notwithstanding anything to the contrary contained in the Policy, this insurance is warranted free from any claim for loss, damage, or expense caused by or resulting from capture, seizure, arrest, restraint, or detainment, or the consequences thereof or of any attempt thereat, or any taking of the vessel, by requisition or otherwise, whether in time of peace or war and whether lawful or otherwise; also from all consequences of hostilities or warlike operations (whether there be a declaration of war or not), piracy, civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom.

(2) For the purpose of this warranty the term "consequences of hostilities or warlike operations" shall be deemed to include the following:

(a) Collision caused by failure, in compliance with wartime regulations, of the insured vessel or any vessel with which she is in collision to show the usual full peacetime navigation or anchorage lights.

(b) Stranding caused by the absence of lights, buoys, or similar peacetime aids to navigation consequent upon wartime regulations.

(c) Stranding caused by the failure of the insured vessel to employ a pilot in waters where a pilot would ordinarily be employed in peacetime but in which the employment of a pilot is dispensed with in compliance with military, naval or other Governmental orders, or with a view to avoiding imminent enemy attack. For the purposes of this Paragraph (2) any such failure to show lights, or absence of lights, buoys, or similar peacetime aids to navigation, or failure to employ a pilot, shall be presumed to be the cause of the collision or stranding unless the contrary be proved, and stranding shall include sinking consequent upon stranding or contact with any part of the land.

(d) Collision with another vessel in the same convoy or collision with any military or naval vessel, that is to say, a vessel manned by and under the control of military or naval personnel and designed to be employed primarily in armed combat service.

(e) Stranding, collision or contact with any external substances other than water (ice included) as a result of deliberately placing the vessel in jeopardy in compliance with military, naval or other Governmental orders in order to avoid imminent enemy attack, or as an act or measure of war taken in actual process of embarking or disembarking troops or material of war.

(3) The fact that the insured vessel or any vessel with which she is in collision is carrying troops or military or other supplies, or is proceeding to or from a war base, or is manned or operated by military or naval personnel, shall not alone be sufficient to exclude from this policy any claim which is not excluded under the terms of Paragraph (2) above.

(4) Where by reason of any of the foregoing provisions damage sustained by the insured vessel in collision would not be payable under this policy, it is understood and agreed that liability of the assured for damage caused in such collision shall not be covered by the Collision Clause in the Policy.

(5) It is agreed for the purposes of subdivision (2) (d) above all vessels manned and operated by the Department of the Navy of the United States of America shall be treated as though designed to be employed primarily in armed combat service.

This policy is made and accepted subject to the foregoing stipulations and conditions and to the printed conditions on the following pages which are specially referred to and made part of this policy, it being understood and agreed in the case of any conflict or inconsistency the foregoing shall prevail over those which follow.

In no case shall the insurance herein provided for cover loss or damage incurred prior to the attachment of this insurance.

IN WITNESS WHEREOF, the War Shipping Administration has caused this Policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Administrator

Countersigned at Washington, D. C. this ------ day of ----------, 19-----.

Beginning the adventure. Beginning the adventure upon the said Vessel, as above, and so shall continue and endure during the period aforesaid, as employment may offer, in port and at sea, in docks and graving docks, and on ways, gridirons and pontoons, at all times, in all places, and on all occasions, services, and trades whatsoever and wheresoever, under steam, motor power, or sail; with leave to sail or navigate with or without pilots, to go on trial trips and to assist and tow vessels or craft in distress, but if without the approval of Assurers, the Vessel be towed, except as is customary or when in need of assistance, or undertakes towage or salvage services under a prearranged contract made by Owners and/or Charterers, the Assured shall pay an additional premium if required by the Assurers, but no such premium shall be required for customary towage by the Vessel in connection with loading and discharging. With liberty to discharge, exchange and take on board goods, specie, passengers, and stores, wherever the Vessel may call at or proceed to, and with liberty to carry goods, live cattle, etc., on deck or otherwise. Including all risks of docking, undocking, changing docks, or moving in harbor and going on or off gridiron or graving dock as often as may be done during the currency of this Policy.

Notice of accident and survey. In the event of accident whereby loss or damage may result in a claim under this Policy, notice shall be given in writing to the Assurers, where practicable, prior to survey, so that they may appoint their own surveyor if they so desire. All repairs shall be subject to the approval of the Assurers as to the extent, time and place of repairs and without limiting the foregoing the Assurers shall be entitled to decide the port to which a damaged Vessel shall proceed for docking or repairing (the actual additional expense of the voyage arising from compliance with Assurers' requirements being refunded to the Assured) and Assurers shall also have a right of veto in connection with the place of repair or repairing firm proposed and whenever the extent of the damage is ascertainable the majority (in amount) of the Assurers may take or may require to be taken tenders for the repair of such damage.

Adventures and perils—sue and labor. Touching the Adventures and Perils which the Assurers are content to bear and take upon themselves, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mart and Counter-Mart, Surprisals, Takings at Sea, Arrests, Restraints, and Detainments of all Kings, Princes, and Peoples, of what nation, condition, or quality soever, Barratry of the Master and Mariners and of all other like Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship, etc., or any part thereof; excepting, however, such of the foregoing perils as may be excluded by provisions elsewhere in the policy or by endorsement. And in case of any Loss or Misfortune, it shall be lawful for the Assured, their Factors, Servants, and Assigns, to sue, labor, and travel for, in, and about the Defense, safeguard, and Recovery of the said Vessel, etc., or any part thereof, without prejudice to this insurance, to the Charges whereof the Assurers will contribute their proportion as provided below. And it is expresly declared and agreed that no acts of the Assurers or Assured in recovering, saving, or preserving the property insured shall be considered as a waiver or acceptance of abandonment.

Latent defect and negligence. This insurance also specially to cover (subject to the Average Warranty) loss of or damage to hull or machinery directly caused by the following: Accidents in loading, discharging or handling cargo, or in bunkering or in taking in fuel; Explosions on Shipboard or elsewhere; Bursting of boilers, breakage of shafts or any latent defect in the machinery or hull (excluding, however, the cost and expense of repairing or renewing the defective part); Contact with Aircraft; Negligence of Master, Charterers, Mariners, Engineers, or Pilots: *Provided* Such loss or damage has not resulted from want of due diligence by the Owners of the Vessel, or any of them, or by the Managers, Masters, Mates, Engineers, Pilots, or Crew not to be considered as part owners within the meaning of this clause should they hold shares in the vessel.

Sister-ship salvage. And it is further agreed that in the event of salvage, towage or other assistance being rendered to the Vessel hereby insured by any vessel belonging in part or in whole to the same Owners or Charterers, the value of such services (without regard to the common ownership or control of the Vessels) shall be ascertained by arbitration in the manner below provided for under the Collision Clause, and the amount so awarded so far as applicable to the interest hereby insured shall constitute a charge under this Policy.

General average. General Average, Salvage, and Special Charges payable as provided in the contract of affreightment, or failing such provision, or there be no contract of affreightment, payable in accordance with the law and Usages of the Port of New York. *Provided always,* That when an adjustment according to the laws and usages of the port of destination is properly demanded by the owners of the cargo, General Average shall be paid in accordance with same.

G. A. and S. liability. When the contributory value of the Vessel is greater than the valuation herein, the liability of the Assurers for General Average contribution (except in respect to amount made good to the vessel) or Salvage shall not exceed that proportion of the total contribution due from the Vessel that the amount insured hereunder bears to the contributory value; and if because of damage for which the Assurers are liable as Particular Average the value of the Vessel has been reduced for the purpose of contribution, the amount of the Particular Average claim under this policy shall be deducted from the amount insured hereunder and the Assurers shall be liable only for the proportion which such net amount bears to the contributory value.

S., S. C., and S. and L. liability. In the event of expenditure for Salvage, Salvage Charges, or under the Sue and Labor Clause, this Policy shall only be liable for its share of such proportion of the amount chargeable to the property hereby insured as the insured value, less loss and/or damage, if any, for which the Assurers are liable, bears to the value of the salved property. *Provided,* That where there are no proceeds or there are expenses in excess of the proceeds, the expenses, or the excess of the expenses, as the case may be, shall be apportioned upon the basis of the sound value of the property at the time of the accident and this policy without any deduction for loss and/or damage shall bear its pro rata share of such expenses or excess of expenses accordingly.

Average warranty. Notwithstanding anything herein contained to the contrary, this Policy is warranted free from Particular Average under 3 percent, or unless amounting to $4,850; but nevertheless when the Vessel shall have been stranded, sunk, on fire, or in collision with any other Ship or Vessel, the Assurers shall pay the damage occasioned thereby, and the expense of sighting the bottom after stranding shall be paid, if reasonably incurred, even if no damage be found.

Grounding in the Panama Canal, Suez Canal, or in the Manchester Ship Canal or its connections, or in the River Mersey above Rock Ferry Slip, or in the River Plate (above a line drawn from the North Basin, Buenos Aires, to the Mouth of the San Pedro River) or its tributaries, or in the Danube or Demerara Rivers, or on the Yenikale Bar, shall not be deemed to be a stranding.

Average payable on each valuation separately or on the whole, without deduction of thirds, new for old, whether the Average be Particular or General.

No claim shall in any case be allowed in respect of scraping or painting the Vessel's bottom.

Voyage. The Warranty and conditions as to Average under 3 percent to be applicable to each voyage as if separately insured, and a voyage shall be deemed to commence at one of the following periods to be selected by the Assured when making up the claim, viz: at any time at which the Vessel (1) begins to load cargo or (2) sails in ballast to a loading port. Such voyage shall be deemed to continue during the ensuing period until either she has made one outward and one homeward passage (including an intermediate ballast passage, if made) or has carried and discharged two cargoes, whichever may first happen, and further in either case, until she begins to load a subsequent cargo or sails in ballast for a loading port. When the Vessel sails in ballast to effect damage repair such sailing shall not be deemed to be a sailing for a loading port although she loads at the repairing port. In calculating the 3 percent above referred to, Particular Average occurring outside the period covered by this Policy may be added to Particular Average occurring within such period provided it occur upon the same voyage (as above defined), but only that portion of the claim arising within such period shall be recoverable hereon. The commencement of a voyage shall not be so fixed as to overlap another voyage on which a claim is made on this or the preceding policy.

Constructive total loss. No recovery for a Constructive Total Loss shall be had hereunder unless the expense of recovering and repairing the Vessel shall exceed the insured value.

In ascertaining whether the Vessel is a Constructive Total Loss, the insured value shall be taken as the repaired value, and nothing in respect of the damaged or break-up value of the Vessel or wreck shall be taken into account.

In the event of Total or Constructive Total Loss, no claim to be made by the Assurers for freight, whether notice of abandonment has been given or not.

Unrepaired damage. In no case shall the Assurers be liable for unrepaired damage in addition to a subsequent Total Loss sustained during the term covered by this Policy.

Full Collision—Sister-ship collision. And it is further agreed that if the Vessel hereby insured shall come into collision with any other ship or vessel and the Owners or Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, the Assurers will pay the Owners or Charterers such proportion of such sum or sums so paid as the Assurers' subscription hereto bears to the value of the Vessel hereby insured. *Provided always,* That their liability in respect of any one such collision shall not exceed their proportionate part of the value of the Vessel hereby insured. And in cases where the liability of the Vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, the Assurers will also pay a like proportion of the costs which the Owners or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principle of Cross-Liabilities as if the Owners or Charterers of each Vessel had been compelled to pay to the Owners or Charterers of the other of such Vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Owners or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both Vessels are the property in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two Vessels being left to the decision of a single Arbitrator. If the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of Arbitrators, one to be appointed by the Managing Owners or Charterers of both Vessels; and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. *Provided always,* That this clause shall in no case extend to any sum which the Owners or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers for injury to harbors, wharves, piers, stages, and similar structures, consequent on such collision, or in respect of the cargo or engagements of the Insured Vessel, or for loss of life, or personal injury. *And provided also,* That in the event of any claim being made by the Charterers under this clause they shall not be entitled to recover in respect of any liability to which the Owners of the Vessel, if interested in this Policy at the time of the Collision in question, would not be subject, nor to a greater extent than the Shipowners would be entitled in such event to recover.

WAR RISK CLAUSES

It is agreed that this insurance also covers those risks which would be covered by the attached policy (including the Collision Clause) in the absence of the F. C. & S. Warranty contained therein but which are excluded by that warranty.

This insurance, insofar as it relates to war risks, is also subject to the following warranties and additonal clauses:

The Adventures and Perils Clause shall be construed as including the risks of piracy, civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, floating and/or stationary mines and/or torpedoes whether derelict or not, and/or military or naval aircraft and/or other engines of war including missiles from the land, and warlike operations and the enforcement of sanctions by members of the League of Nations, whether before or after declaration of war and whether by a belligerent or otherwise; but excluding arrest, restraint, or detainment under customs or quarantine regulations, and similar arrests, restraints, or detainments not arising from actual or impending hostilities or sanctions.

If the vessels be insured under marine policies which include the risks of pirates, claims arising from piracy shall nevertheless be paid under this policy and the underwriters hereof shall have no right to contribution from the underwriters of such marine policies it being understood that as between the two sets of policies losses due to piracy are payable under marine policies only to the extent that such losses are not collectible under the war risk policies.

The Franchise warranty in the attached policy is waived and average shall be payable irrespective of percentage and without deduction of new for old. The provisions of the attached policy with respect to constructive total loss shall apply only to claims arising from physical damage to the insured vessel.

Warranted free of any claim for delay or demurrage and warranted not to abandon in case of capture, seizure, or detention, until after condemnation of the property insured. Also warranted not to abandon in case of blockade and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade to be at liberty to proceed to an open port and there end the voyage.

Warranted free of any claim based upon loss of or frustration of the insured voyage or adventure caused by arrests, restraints, or detainments, of kings, princes or peoples.

Warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, or confiscation by the Government of the United States of America or any State or political subdivision thereof or any government which is or may become party signatory of the "United Nations Pact", promulgated on or about January 2, 1943.

This insurance also covers damage to or destruction of the property insured directly caused by strikers, locked out workmen, or persons taking part in labor disturbances or riots or civil commotions including damage caused by persons acting maliciously, but this paragraph shall not be construed to include or cover any loss, damage, or expense caused by or resulting from (a) civil war, revolution, rebellion, or insurrection, or civil strife arising therefrom, or (b) delay, detention or loss of use.

Where, as a result of a risk or peril hereby insured against, damage sustained by the insured vessel in collision would be payable under the provisions of this policy, liability of the Assured for damage caused by such collision shall be deemed to be covered hereunder subject to the terms and provisions of the Collision Clause of this policy.

War risk protection and indemnity
Policy No. WPI
Charter No. _____

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

IN CONSIDERATION OF THE STIPULATIONS herein agreed and the terms of the charter referred to above, does insure in accordance with applicable provisions of law _____ hereinafter called the Assured, in respect to the vessel called _____, in the maximum amount of $175 per gross registered ton; if the insured vessel is a dry cargo or tank vessel completed prior to January 1, 1938; *or* in the maximum amount of $250 per gross registered ton if the vessel does not come within the foregoing description or if it is a fully refrigerated vessel or seatrain: *Provided, however,* That the maximum amount of insurance hereunder with respect to any one accident or occurrence shall be the sound market value of the insured vessel on the date of the accident or occurrence plus her then pending freight, if such sound market value plus pending freight shall exceed $175 per gross registered ton, or $250 per gross registered ton, whichever figure is applicable to the insured vessel at and from _____ to the day and hour of redelivery of the vessel under, or to the termination of, the charter referred to above, whichever shall first occur, subject to the terms and conditions hereinafter set forth against liabilities as hereinafter described. Loss if any payable to _____

WAR RISK ONLY CLAUSES

The following War Risk only Clauses (Clauses A, B, and C) shall be deemed to over-ride P. & I. Clauses (Articles 1 to 25 inclusive) wherever they may be in conflict.

CLAUSE A. This insurance covers only those liabilities which would be covered by this Policy under Articles 1 to 25 inclusive in the absence of the F. C. & S. Clause (Article 25 (d)), but which are excluded by that Clause. The Assurer agrees to indemnify the Assured against loss, damage or expense as aforesaid which the Assured shall become liable to pay and shall pay by reason of the fact that the Assured is the owner, or charterer, or the general or time charter agent or agent or berth-agent or sub-agent of the owner or charterer (mortgagee, trustee, or receiver thereof as the case may be) of the insured vessel.

CLAUSE B. The Assurer shall also indemnify the Assured against losses arising as a result of the Assured's contractual liability, or against costs incurred by the Assured at the direction or in conformity with the wishes of the War Shipping Administration or any other Governmental agency, for repatriation of the crew to a United States port, as required, resulting from capture, seizure, arrest, restraint or detainment, or the consequences thereof or of any attempt thereat, or the consequences of hostilities or warlike operations, whether before or after declaration of war.

CLAUSE C. This Policy is warranted free from any claim arising from capture, seizure, arrests, restraints, detainment, condemnation, preemption, requisition or confiscation by the Government of the United States of America, or any State or political sub-division thereunder, or any Government which is, or may become a party signatory of the "United Nations Pact" promulgated on or about January 2nd, 1942.

"F. AND I. CLAUSES"

(1) *Loss of life, injury and illness.* Liability for life salvage, loss of life of, or personal injury to, or illness of, any person, not including, however, unless otherwise agreed by endorsement hereon, liability to an employee (other than a seaman) of the assured, or in case of his death to his beneficiaries, under any compensation act. Liability hereunder shall also include burial expenses not exceeding $200, where reasonably incurred by the assured for the burial of any seaman. The term Person as aforesaid shall include any Person or Persons carried on the insured vessel.

(a) Insurance hereunder, shall cover the liability of the assured for claims under any compensation act (other than hereafter excepted) in respect of employees (i) who are members of the crew of the insured vessel, or (ii) who are placed on board the insured vessel with the intention of becoming a member of her crew, or (iii) who, in the event of the vessel being laid up and out of commission, or engaged in the upkeep, maintenance or watching of the insured vessel, or (iv) who are engaged by the insured vessel or its Master to perform stevedoring work in connection with the vessel's cargo at ports in Alaska and ports outside the Continental United States where contract stevedores are not readily available. This insurance, however, shall not be considered as a qualification under any Compensation Act, but, without diminishing in any way the liability of the Assurer under this policy, the Assured may have in effect policies covering such liabilities. All claims under such Compensation Acts for which the Assurer is liable under the terms of this policy are to be paid without regard to such other policies.

(b) Insurance hereunder shall not cover any liability under the provisions of the Act of Congress approved September 7th, 1916, and as amended, Public Act No. 267, Sixty Fourth Congress, known as the U. S. Employees Compensation Act.

(c) Insurance hereunder in connection with the handling of cargo for the insured vessel shall commence from the time of receipt by the Assured of the cargo on dock or wharf, or on craft alongside for loading, and shall continue until due delivery thereof from dock or wharf of discharge or until discharge from the insured vessel on to a craft alongside.

(d) Notwithstanding anything to the contrary contained in Paragraph (20), liability hereunder shall be extended to cover claims of seamen under any Workmen's Compensation Act whether the liability of the Assured for such claims arises under contract or otherwise.

(2) *Repatriation expenses.* Liability for expenses reasonably incurred in necessarily repatriating any member of the crew or any other person employed on board the insured vessel; *Provided, however,* That the Assurer's liability for repatriation expenses shall be no greater than if the vessel were privately owned by an American Citizen or than if the employer were a private American Shipowner, and that the Assured shall not be entitled to recover any such expenses incurred by reason of the expiration of the shipping agreement, other than by sea perils, or by reason of the voluntary termination of the agreement. Wages shall be included in such expenses when payable under statutory obligation during unemployment due to the wreck or loss of the insured vessel.

(3) *Collision.* Liability for loss or damage arising from collision of the insured vessel with another ship or vessel insofar as such liability is excluded from the liabilities insured under the Four-fourths Collision Clause in the American Institute Hull Form of policy: "And it is further agreed that if the vessel hereby insured shall come into collision with any other ship or vessel and the Assured or the Charterers in consequence thereof or the Surety for either or both of them in consequence of their undertaking shall become liable to pay and shall pay by way of damages to any other person or persons any sum or sums in respect of such collision, we, the Underwriters, will pay the Assured or Charterers such proportion of such sum or sums so paid as our respective subscriptions hereto bear to the value of the vessel hereby insured, provided always that our liability in respect of any one such collision shall not exceed our proportionate part of the value of the vessel hereby insured. And in cases where the liability of the vessel has been contested, or proceedings have been taken to limit liability, with the consent in writing of a majority (in amount) of the Underwriters on the hull and/or machinery, we will also pay a like proportion of the costs which the Assured or Charterers shall thereby incur, or be compelled to pay; but when both vessels are to blame, then, unless the liability of the Owners or Charterers of one or both of such vessels becomes limited by law, claims under the Collision Clause shall be settled on the principal of Cross-Liabilities as if the Owners or Charterers of each vessel had been compelled to pay to the Owners or Charterers of the other of such vessels such one-half or other proportion of the latter's damages as may have been properly allowed in ascertaining the balance or sum payable by or to the Assured or Charterers in consequence of such collision; and it is further agreed that the principles involved in this clause shall apply to the case where both vessels are the property, in part or in whole, of the same Owners or Charterers, all questions of responsibility and amount of liability as between the two vessels being left to the decision of a single Arbitrator, if the parties can agree upon a single Arbitrator, or failing such agreement, to the decision of arbitrators, one to be appointed by the Managing Owners or Charterers of both vessels, and one to be appointed by the majority (in amount) of Hull Underwriters interested; the two Arbitrators chosen to choose a third Arbitrator before entering upon the reference, and the decision of such single, or of any two of such three Arbitrators, appointed as above, to be final and binding. Provided always that this clause shall in no case extend to any sum which the Assured or Charterers may become liable to pay or shall pay for removal of obstructions under statutory powers, for injury to harbors, wharves, piers, stages and a similar structure, consequent on such collision, or in respect of the cargo or engagement of the insured vessel, or for loss of life, or personal injury."

Provided, however, That insurance hereunder shall not extend to any liability, whether direct or indirect, in respect of the engagements of or the detention or loss of time of the insured vessel.

(a) Claims hereunder shall be settled on the principles of Cross-Liabilities to the same extent only as provided in the four-fourths Collision Clause above mentioned.

(b) Claims hereunder shall be separated among the several classes enumerated in this policy and each class shall be subject to the special conditions applicable in respect to such class.

(c) Notwithstanding the foregoing, the Assurer shall not be liable for any claims hereunder where the various liabilities resulting from such collision, or any of them, have been compromised, settled, or adjusted without the written consent of the Assurer.

(4) *Damage caused otherwise than by collision.* Liability for loss of or damage to any other vessel or craft, or to property on board such other vessel or craft, caused otherwise than by collision.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(5) *Damage to docks, buoys, etc.* Liability for damage to any dock, pier, jetty, bridge, harbor, breakwater, structure, beacon, buoy, lighthouse, cable or to any fixed or movable object or property whatsoever, except another vessel or craft or property on another vessel or craft or on the insured vessel unless elsewhere covered herein.

(a) Where there would be a valid claim hereunder but for the fact that the damaged property belongs to the Assured, the Assurers shall be liable as if such damaged property belonged to another, but only for the excess over any amount recoverable under any other insurance applicable on the property.

(b) Insurance hereunder shall cover all liabilities for said damages that the insured vessel or her owners would have if she were privately owned by an American citizen and irrespective of the ownership of any property the vessel may damage: *Provided, however,* That the rights of the Assurer shall be the same as though the vessel were privately owned.

(6) *Wreck removal.* Liability for costs or expenses of or incidental to the removal of the wreck of the insured vessel if legally liable therefor: *Provided, however,* That:

(a) From such costs and expenses shall be deducted the value of any salvage from or which might have been recovered from the wreck inuring, or which might have inured, to the benefit of the Assured;

(b) The Assurer shall not be liable for any costs or expenses which would be covered by full insurance under the American Institute Hull form of policy, 7/1/41 issued by the American Marine Hull Insurance Syndicate;

(c) The Assurer shall not be liable for any costs or expenses for which a private American vessel owner would not be legally liable, or for any costs or expenses from which a private American vessel owner could relieve himself by abandonment of the wreck to the United States Government or by other appropriate action.

(7) *Cargo.* Liability for loss of or damage to or in connection with cargo or other property (except mail or parcel post), including baggage and personal effects of persons other than members of the crew, and not exceeding $100 per person, to be carried, carried, or which has been carried on board the insured vessel: *Provided, however,* That no liability shall exist hereunder for:

(a) *Specie, bullion, jewelry, etc.* Loss, damage or expense incurred in connection with the custody, carriage or delivery of specie, bullion, precious metals, precious stones, jewelry, silks, furs, banknotes, bonds or other negotiable documents, or similar valuable property.

(b) *Refrigeration.* Loss, damage or expense arising out of or in connection with the care, custody, carriage or delivery of cargo requiring refrigeration, unless the spaces, apparatus, and means used for the care, custody and carriage thereof have been surveyed by a classification or other competent disinterested surveyor under working conditions before the commencement of each *round* voyage and found in all respects fit, and unless the Assurer has approved in writing the form of contract under which such cargo is accepted for transportation;

(c) *Deviation.* Loss, damage or expense arising from any deviation or proposed deviation, not authorized by the contract of affreightment, known to the Assured in time to insure specifically the liability therefore, unless notice thereof is given to the Assurer and the Assurer agrees, in writing, that such insurance is unnecessary. Knowledge of the United States Governmental Departments or Agencies, other than the War Shipping Administration, its General or Time Charter Agents or Berth Agents in the continental United States, shall not be considered as knowledge of the Assured in respect to deviation or proposed deviation; furthermore, the Assured shall not be prejudiced in respect to insurance hereunder in event of delay in reporting any deviation to the Assurer due to laws or governmental regulations or practices due to military reasons.

(d) *Stowage in improper spaces.* Loss, damage or expense arising with respect to under deck cargo stowed on deck or with respect to cargo stowed in spaces not suitable for its carriage, unless the Assured shall show that every reasonable precaution has been taken by him to prevent such improper stowage;

(e) *Misdescription of goods.* Loss, damage, or expense arising out of or as a result of the issuance of bills of lading which, to the knowledge of the Assured, improperly described the goods or their containers as to condition or quantity;

(f) Loss, damage or expense arising from issuance of clean bills of lading for goods known to be missing, unsound or damaged;

(g) Loss, damage or expense arising from the intentional issuance of bills of lading prior to receipt of the goods described therein, or covering goods not received at all;

(h) Loss, damage or expense arising from delivery of cargo without surrender of *order* bills of lading;

(i) *Freight.* Freight on cargo short-delivered, whether or not prepaid or whether or not included in the claim and paid by the Assured; *And provided further,* That:

(j) Liability hereunder shall in no event exceed that which would be imposed by law in the absence of contract;

(k) *Protective clauses required in contract of affreightment.* Liability hereunder shall be limited to such as would exist if the charter party, bill of lading, or contract of affreightment contained (i) a negligence general average clause in the form hereinafter specified under paragraph (12); (ii) a clause providing that any provisions of the charter party, bill of lading, or contract of affreightment to the contrary notwithstanding, the Assured and the insured vessel shall have the benefit of all limitations of and exemptions from liability accorded to the owner or chartered owner of vessels by any statute or rule of law for the time being in force; (iii) such clauses, if any, as are required by law to be stated therein; (iv) and such other protective clauses as are *generally* in use in the particular trade;

(l) *Carriage of Goods by Sea Act.* When cargo carried by the insured vessel is under a bill of lading or similar document of title subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as is imposed by said Act or law, and if the Assured or the insured vessel assumes any greater liability or obligation, either in respect of the valuation of the cargo or in any other respect, then the minimum liabilities and obligations imposed by said Act or law, such greater liability or obligation shall not be covered hereunder;

(m) *Limit of $500 per package.* When cargo carried by the insured vessel is under a charter party, bill of lading, or contract of affreightment not subject or made subject to the Carriage of Goods by Sea Act of the United States or a law of any other country of similar import, liability hereunder shall be limited to such as would exist if said charter party, bill of lading, or contract of affreightment contained a clause exempting the Assured and the insured vessel from liability for losses arising from unseaworthiness provided that due diligence shall have been exercised to make the vessel seaworthy and properly manned, equipped and supplied, and a clause limiting the Assured's liability for total loss or damage to goods shipped to $500 per package, or in case of goods not shipped in packages, per customary freight unit, and providing for pro rata adjustment on such basis for partial loss or damage. The provisions of clauses (k), (l) and (m) herein may, however, be waived or altered by the Assurer on terms agreed, in writing.

(n) *Oral contract.* In the event cargo is carried under an arrangement not reduced to writing, such cargo shall be deemed to be carried under a charter party, bill of lading, or contract of affreightment incorporating the terms and conditions of the War Shipping Administration uniform bill of lading in the present form as published in Vol. 7, No. 134, p. 5246–5251 of the FEDERAL REGISTER or as modified by the War Shipping Administration;

(o) *Assured's.* Where cargo on board the insured vessel is the property of the Assured, such cargo shall be deemed to be carried under a contract containing the protective clauses described in clauses (k), (l) and (m) herein; and such cargo shall be deemed to be fully insured under the usual form of cargo policy, and in case of loss of or damage to such cargo the Assured shall be insured hereunder in respect of such loss or damage only to the extent that he would have been if the cargo had belonged to another, but only in the event and to the extent that the loss or damage would not be recoverable from marine insurers under a cargo policy as above specified;

(p) *Land transportation.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo being transported on land or on another vessel;

(q) *Cargo on dock.* No liability shall exist hereunder for any loss, damage or expense in respect of cargo before loading on or after discharge from the insured vessel caused by flood, tide, windstorm, earthquake, fire, explosion, heat, cold, deterioration, collapse of wharf, leaky shed, theft or pilferage unless such loss, damage or expense is caused directly by the insured vessel, her master, officers or crew;

(8) *Fines and penalties.* Liability for fines and penalties for the violation of any laws of the United States, or of any state thereof, or of any foreign country: *Provided, however,* That the Assurer shall not be liable to indemnify the Assured against any such fines or penalties resulting directly or indirectly from the failure, neglect or fault of the Assured or its managing officers to exercise the highest degree of diligence to prevent a violation of any such laws.

(9) *Mutiny misconduct.* Liability for expenses incurred in resisting any unfounded

claim by the master or crew or other persons employed on board the insured vessel, or in prosecuting such person or persons in case of mutiny or other misconduct; not including, however, *costs which would not reasonably be incurred by a private American vessel owner under similar circumstances, nor* costs of successfully defending claims elsewhere protected in this policy.

(10) *Quarantine expenses.* Liability for extraordinary expenses, incurred in consequence of the outbreak of plague or other disease on the insured vessel, for disinfection of the vessel or of persons on board, or for quarantine expenses, not being the ordinary expenses of loading or discharging, nor the wages or provisions of crew or passengers: *Provided, however,* That no liability shall exist hereunder if the vessel be ordered to proceed to a port where it is known that she will be subjected to quarantine:

(11) *Putting in expenses.* Liability for port charges incurred solely for the purpose of putting in to land an injured or sick seaman, and the net loss to the Assured in respect of bunkers, insurance stores and provisions as the result of the deviation.

(12) *Cargo's propn. G/A.* Liability for Cargo's proportion of General Average, including special charges, so far as the Assured cannot recover the same from any other source: *Provided, however,* That if the charter party, bill of lading or contract of affreightment does not contain the negligence general average clause quoted below, the Assurer's liability hereunder shall be limited to such as would exist if such clause were contained therein, viz.:

Negligence G/A. clause. In the event of accident, danger, damage or disaster, before or after commencement of the voyage resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequence of which, the Carrier is not responsible, by statute, contract, or otherwise, the goods, the shipper and the consignee, jointly and severally, shall contribute with the Carrier in general average to the payment of any sacrifices, losses, or expenses of a general average nature that may be made or incurred, and shall pay salvage and special charges incurred in respect of the goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if such salving ship or ships belonged to strangers.

(13) *Expenses and law costs.* Liability for costs, charges and expenses reasonably incurred and paid by the Assured in connection with any liability insured under this policy, provided that the Assured shall not be entitled to indemnity for the cost or expense of prosecuting or defending any claim or suit unless the same shall have been incurred with the approval in writing of the Assurer, or the Assurer shall be satisfied that such approval could not have been obtained under the circumstances without unreasonable delay, or that the expenses were reasonably and properly incurred. The cost and expense of prosecuting any claim in which the Assurer shall have an interest by subrogation or otherwise, shall be divided between the Assured and the Assurer, in proportion to the amounts which they would have been entitled to receive respectively, if the suit should be successful.

(14) If the master of the insured vessel shall be sued by reason of any event which imposes on the Assured a liability against which the Assured is indemnified under this policy, the Assurer will pay the costs and expenses of the defense of such suit subject to the provisions of paragraph (13), and will indemnify the master of such vessel to the same extent as though he were an assured under this policy, provided, however, that the Assurer shall not be liable to indemnify the master in excess of the amount (a) for which the owner of said vessel would have been liable, or to which such owner could have limited liability, if such owner has been sued instead of the master, or (b) for which the Assurer would be liable under this policy had the suit been brought against the owner of the vessel.

(15) Expenses which the Assured may incur under authorization of the Assurer in the interest of the Assurer.

GENERAL CONDITIONS AND LIMITATIONS

(16) *Prompt notice of claim.* In the event of any happening which may result in loss, damage or expense for which the Assurer may become liable, prompt notice thereof, on being known to the Assured, shall be given by the Assured to the Assurer, but failure to give such prompt notice because of wartime emergency conditions shall not prejudice this insurance.

The assurer shall not be liable for any claim not presented to the Assurer with proper proofs of loss within twelve (12) months after payment by the Assured.

(17) *Time for suit.* In no event shall suit on any claim be maintainable against the Assurer unless commenced within eighteen (18) months after the loss, damage or expenses resulting from liabilities, risks, events, occurrences and expenditures specified under this policy shall have been paid by the Assured.

(18) *Settlement of claims.* The Assured shall not make any admission of liability, either before or after any occurrence which may result in a claim for which the Assurer may be liable. The Assured shall not interfere in any negotiations of the Assurer for settlement of any legal proceedings in respect of any occurrences for which the Assurer is liable under this policy; *Provided, however,* That in respect of any occurrence likely to give rise to a claim under this Policy, the Assured is obligated to and shall take such steps to protect his and the Assurer's interests as would reasonably be taken in the absence of this or similar insurance. If the Assured shall fail or refuse to settle any claim as authorized by Assurer, the liability of the Assurer to the Assured shall be limited to the amount for which settlement could have been made.

(19) *Defense of claims.* Whenever required by the Assurer, the Assured shall aid in securing information and evidence, *subject to any governmental limitations as to the confidential character of* such information or evidence, and in obtaining witnesses and shall cooperate with the Assurer in the defense of any claim or suit or in the appeal from any judgment, in respect of any occurrence as hereinbefore provided.

(20) *Assumed contractual liability.* Unless otherwise agreed by endorsement hereon, the Assurer's liability shall in no event exceed that which would be imposed on the Assured by law in the absence of contract: *Provided, however,* That the acceptance by the Assured of towage contract or agreement limiting the liability of towboats or their owners shall not affect the Assured's right of indemnity from the Assurer for any liability, loss, damage or expense covered under this policy.

(21) *Assignment.* No claim or demand against the Assurer shall be assigned or transferred, and no person, other than a receiver of the property or the estate of the Assured, shall acquire any right against the Assurer without the express consent of the Assurer: *Provided, however,* That this shall not affect the rights of any assignee under an assignment made by virtue of any governmental order or decree, in which event such assignee shall have and possess all of the rights of its predecessor in assignment.

(22) *Subrogation.* The Assurer shall be subrogated to all the rights which the Assured may have against any other person or entity, in respect of any payment made under this policy, to the extent of such payment, and the Assured shall, upon the request of the Assurer, execute all documents necessary to secure to the Assurer such rights.

(23) *Double insurance.* The Assurer shall not be liable for any loss or damage against which, but for the insurance hereunder, the Assured is or would be insured under existing insurance excepting as provided in Paragraph (1) (a) hereof.

(24) *Limitation of liability.* If and when the Assured under this policy has any interest other than as an owner or bare boat charterer of the insured vessel, in no event shall the Assurer be liable hereunder to any greater extent than if such Assured were the owner or bareboat charterer and were entitled to all the rights of limitation to which a shipowner is entitled.

(25) Notwithstanding anything to the contrary contained in this policy, the Assurer shall not be liable for any loss, damage, or expense sustained, directly or indirectly, by reason of:

(a) Loss, damage or expense to hull, machinery, equipment or fittings of the insured vessel, including refrigerating apparatus and wireless equipment, whether or not owned by the Assured;

(b) Cancelment or breach of any charter or contract, detention of the vessel, bad debts, insolvency, fraud of agents, loss of freight, passage money, hire, demurrage, or any other loss of revenue;

(c) Any loss, damage, sacrifice, or expense which would be payable under the terms of the American Institute Hull form of policy, 7/1/44 issued by the American Marine Hull Insurance Syndicate on hull, machinery, etc., whether or not the insured vessel is fully covered by insurance sufficient in amount to pay such loss, damage, sacrifice or expense.

(d) Capture, seizure, arrest, restraint or detainment, or the consequences thereof, or of any attempt thereat, or the consequences of hostilities or war-like operations, whether before or after the declaration of war;

(e) The insured vessel towing any other vessel or craft, unless such towage was to assist such other vessel or craft in distress to a port or place of safety; provided, however, that this exception shall not apply to claims covered under paragraph (1) of this policy.

(f) For any claim for loss of life, personal injury or illness in relation to the handling of cargo where such claim arises under a contract of indemnity between the Assured and his sub-contractor.

IN WITNESS WHEREOF, the War Shipping Administration has caused this policy to be signed by the Administrator, but it shall not be valid unless countersigned by or on behalf of the Director of Wartime Insurance.

Countersigned at Washington, D. C. this -------- day of----------, 19--.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 8, 1944.

[F. R. Doc. 44-13925; Filed, Sept. 9, 1944; 10:32 a. m.]

PART 302 — CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO.

[G. O. 37, Supp. 4]

VALUES AND RATES OF CHARTER HIRE

Section 302.102 *Scope of order* is amended by adding the following paragraph:

(c) The values set forth in §§ 302.101 to 302.113, inclusive, (General Order 37 and its supplements) do not apply to vessels requisitioned for title. Such values apply only to:

(1) Cases where a charter embodying valuations established pursuant to §§ 302.101 to 302.113, inclusive, (General Order 37 and its supplements), has been tendered to the owner by the Administrator and duly accepted by the owner; and

(2) Cases where the Administrator has an obligation pursuant to his previously announced charter and requisition program to tender such values and where such values when tendered are accepted by the owner within the time limits of the tender or if no such limit is provided then within such time as the Administrator deems reasonable.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 9, 1944.

[F. R. Doc. 44-13965; Filed, Sept. 11, 1944; 10:39 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 178-A]

PART 95—CAR SERVICE

RESTRICTED USE OF REFRIGERATOR CARS FOR CERTAIN COMMODITIES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of September, A. D. 1944.

Upon further consideration of Service Order No. 178, § 95.328 (9 F.R. 542) of January 11, 1944, as amended (9 F.R. 1184, 9 F.R. 1187), and good cause appearing therefor:

It is ordered, That:

Service Order No. 178, § 95.328 (9 F.R. 542) as amended, of January 11, 1944, restricted the use of refrigerator cars for loading with lard, cooking oils, citrus juice, empty beer containers and certain other commodities, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., September 9, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13938; Filed, Sept. 9, 1944; 11:24 a. m.]

PART 95—CAR SERVICE

[S. O. 93, Amdt. 4]

GIANT TYPE REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of September, A. D. 1944.

Upon further consideration of Service Order No. 93 (7 F.R. 8903) of October 30, 1942, as amended (8 F.R. 13752; 8 F.R. 13925; 9 F.R. 2481), and good cause appearing therefor:

It is ordered, That:

Section 95.301 *Giant type refrigerator cars*, of Service Order No. 93 (7 F.R. 8903) of October 30, 1942, as amended, (8 F.R. 13752; 8 F.R. 13925; 9 F.R. 2481), be, and it is hereby, further amended to read as follows:

§ 95.301 *Giant type refrigerator cars.* (a) On and after 12:01 a. m., September 9, 1944, and until further order of the Commission, common carriers by railroad subject to the Interstate Commerce Act serving points in Arizona and California, shall furnish without regard to ownership for loading with commodities, in carloads, suitable for transportation in refrigerator cars, and shall accept and transport such commodities in giant type refrigerator cars as defined in paragraph (b) hereof, at the freight rates applicable on the same commodities when loaded in standard refrigerator cars (cars with inside length between bulkheads—loading space—of less than 37 feet 6 inches).

(b) For the purpose of this order, the term "giant refrigerator cars" is defined as refrigerator cars (1) with inside measurement between bulkheads (loading space) of not less than 37 feet 6 inches, and (2) convertible refrigerator cars with collapsible bunkers having inside length between bulkheads (loading space) of less than 37 feet 6 inches with bulkheads in place and in excess of 37 feet 6 inches with bulkheads collapsed. The provisions of this order shall not be construed to include the following cars: SFRD refrigerator cars in series numbers 5000 to 5069 inclusive; PFE refrigerator cars in series numbers 200001 to 200125 inclusive; BRE refrigerator cars in series numbers 300 to 329 inclusive; WFE refrigerator cars in series numbers 400 to 499 inclusive; PGE refrigerator cars in series numbers 600 to 609 inclusive; URT refrigerator cars in series numbers 89000 to 89049 inclusive;

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of paragraphs (a) and (b) of this section is hereby suspended.

(d) *Announcements of suspension.* Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions above set forth.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this amendment and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13998; Filed, Sept. 11, 1944; 11:28 a. m.]

Notices

DEPARTMENT OF STATE.

[Public Notice 1]

IMPORTATION OF COFFEE FOR CONSUMPTION

CONTINUATION OF INTER-AMERICAN COFFEE AGREEMENT

Notice is hereby given that the Inter-American Coffee Agreement, signed November 28, 1940 (55 Stat. 1143), which was continued without change for one year from September 30, 1943 (Department of State Bulletin, vol. IX, no. 225, p. 267), is being continued in force without change for a further period of one year from September 30, 1944. This continuation has been effected in accordance with the procedure outlined in article XXIV of the agreement. With regard to this agreement, a Joint Resolution of Congress, approved April 11, 1941 (55 Stat. 133) provides in part that "on and after the entry into force of the Inter-American Coffee Agreement, as proclaimed by the President, and during the continuation in force of the obligations of the United States thereunder, no coffee imported from any foreign country may be entered for consumption except as provided in the said agreement."

CORDELL HULL,
Secretary of State.

SEPTEMBER 8, 1944.

[F. R. Doc. 44-13968; Filed, Sept. 8, 1944; 4:37 p. m.]

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order 1986]

ALEXANDER MINE, ET AL.

POSSESSION OF COAL MINES

Pursuant to the provisions of Executive Order No. 9478 issued by the President of the United States on September 6, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines listed in the appendix attached hereto and made a part hereof, and of any and all real and personal property and other assets used in connection with the operation thereof.

The regulations for the operation of coal mines under Government control, as amended (8 F.R. 8655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possesesion of which is taken by this order, except as may be otherwise directed.

Each of the persons whose name is listed in the appendix is hereby designated as operating manager for the United States for the properties as indicated in the appendix. As operating manager for the United States, each is authorized and directed to operate any and all such properties in accordance with the aforementioned regulations for the operation of coal mines under Government control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such properties and for the production, distribution and sale of their products.

The operating manager for the United States shall forthwith fly the flag of the United States at each such property, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, collieries and preparation facilities of this mining company has been taken by order of the Secretary of the Interior.

HAROLD L. ICKES,
Secretary of the Interior.

Dated: September 6, 1944.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

APPENDIX

Name of Mine	*Name of Operating Manager for the United States*
Alexander Mine, Glendale Gas Coal Co., Moundsville, W. Va.	Gordon W. Wilcox
Hitchman Mine, Hitchman Coal & Coke Co., Benwood, W. Va.	Louis J. Yeager.
Maiden Mine, Kelley's Creek Colliery Co., Maidsville, W. Va.	Harry T. Ewig.
Mine No. 1, Mine No. 3 and Mine No. 4, The Valley Camp Coal Co., Elmgrove, W. Va., Valley Camp, W. Va.	Harry T. Ewig.
Kramer Mine, Northwestern Mining & Exchange Co., Du Bois, Pa.	H. J. Connolly.
Penna Mines Nos. 3, 8, 21, and 22, Pennsylvania Coal & Coke Co., Ehrenfeld, Pa., Marstellar, Pa.	Lionel H. Kringel.
Russellton Mine, Republic Steel Corporation, Russellton, Pa.	E. B. Winning.
Renton #3 Mine, Renton #6 Mine, Consolidation Coal Co., Renton, Pa., North Bessemer, Pa.	George H. Love.
Oakmont Mine, Hillman Coal & Coke Co., Barking, Pa.	A. B. Sheets.

[F. R. Doc. 44-13922; Filed, Sept. 9, 1944; 10:25 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 876, Et Al.]

ADDITIONAL SERVICE; KETCHIKAN AREA IN SOUTHEASTERN ALASKA

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the applications (all filed pursuant to section 401 of the Civil Aeronautics Act of 1938, as amended) of:

Ellis Air Transport, Docket No. 876, for authority to conduct certain operations between Ketchikan and Annette Island Air Base via Metlakatla,

Ketchikan Air Service, Docket Nos. 912 and 913, for authority to conduct certain operations between Ketchikan and Edna Bay via intermediate points, and Ketchikan and Tamgass Harbor via Metlakatla and over an irregular route to all points in the First Judicial District of Alaska.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, that hearing in the above-entitled proceedings, heretofore assigned for September 14, 1944, at 10:00 a. m., at Ketchikan, Alaska, before Examiner Raymond W. Stough, upon the request of the Ketchikan Air Service, and upon good cause shown, is postponed to September 25, 1944, at the same place and hour.

Dated: Anchorage, Alaska, August 31, 1944.

By the Civil Aeronautics Board.

RAYMOND W. STOUGH,
Director,
Alaska Office.

[F. R. Doc. 44-13994; Filed, Sept. 11, 1944; 10:24 a. m.]

LINEAS AEREAS MEXICANAS, S. A.

[Docket No. 1577]

NOTICE OF HEARING

In the matter of the application of Lineas Aereas Mexicanas, S. A., for a temporary air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended, authorizing use of the airport at Nogales, Ariz., in conducting operations over its route between Chihuahua, Cananea and Nogales, Sonora, Mexico.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said Act, that a hearing in the above-entitled proceeding is assigned to be held on September 15, 1944, at 10:00 a. m. (eastern war time) in the Foyer of the Auditorium, Commerce Building, Washington, D. C., before Examiner Ferdinand D. Moran.

Dated: Washington, D. C., September 9, 1944.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-13992; Filed, Sept. 11, 1944; 11:08 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 232]

ROUTING OF TRAFFIC IN NEW YORK HARBOR

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of September, A. D. 1944.

It appearing, that an emergency exists which, in the opinion of the Commission requires immediate action to best promote the service in the interest of the public and the commerce of the people; it is ordered, That:

(a) *Routing of traffic destined Jersey City for lighterage delivery in New York harbor.* The Reading Company is hereby directed to divert forthwith from the Central Railroad Company of New Jersey (Shelton Pitney and Walter P. Gardner, Trustees) and deliver to the Lehigh Valley Railroad Company via Manville, New Jersey, and the Lehigh Valley Railroad Company is hereby directed to accept and forward over its line to Jersey City, New Jersey, for lighterage delivery in New York Harbor a total of one hundred (100) open top cars loaded with freight (except railroad ties) which are destined to Jersey City Lighterage, New Jersey, routed over the lines of the Central Railroad Company of New Jersey (Shelton Pitney and Walter P. Gardner, Trustees), and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only as conflicting with the directions hereby made: *Provided*, That the billing covering all cars so routed shall carry a reference to this order as authority for the routing.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is deemed to be due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved without specific routing.

(c) *Divisions of rates.* In executing the orders and directions of the Commission provided for in this order, common carriers affected shall proceed, even though no division agreements are in effect, over the routes authorized; divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of said carriers to so agee, the divisions shall be hereinafter fixed by the Commission in accordance with pertinent authority conferred upon it by the

Interstate Commerce Act. If division agreements now exist on the traffic affected, over the routes herein authorized, they shall not be changed or affected by this order. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4).)

It is further ordered, that this order shall become effective at 6:00 p. m., September 8, 1944, and it shall expire immediately upon notice by the Reading Company to the Director, Bureau of Service, that the required one hundred (100) cars have been diverted as ordered herein; that copies of this order and direction shall be served upon The Reading Company, The Central Railroad Company of New Jersey (Shelton Pitney and Walter P. Gardner, Trustees) and the Lehigh Valley Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44–13939; Filed, Sept. 8, 1944; 11:24 a. m.]

[S. O. 70–A, Special Permit 488]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, September 6 or 7, 1944, by L. S. Taube & Company of cars NRC 15669 and 17153, potatoes, now on the C. R. I. & P. Railroad, to Moberly, Missouri (Wabash), and Decatur, Illinois, (Wabash), respectively, and car MDT 19271, potatoes, now on the C. G. W. Railroad, to St. Louis, Missouri (C. R. I. & P.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of September 1944.

V. C. CLINGER, *Director Bureau of Service.*

[F. R. Doc. 44–13940; Filed, Sept. 9, 1944; 11:24 a. m.]

[S. O. 70–A, Special Permit 489]

RECONSIGNMENT OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 6, 1944, by Julius Berman, of car ART 18829, cauliflower, now on the Chicago Produce Terminal, to Epkes Eichenbaum & Company, New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13941; Filed, Sept. 9, 1944; 11:24 a. m.]

[S. O. 70–A, Special Permit 490]

RECONSIGNMENT OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 6, 1944, by American Refrigerator Transit Company of car NP 94815, peas, now on the Wabash Railroad, to Star Produce Company, Philadelphia, Pennsylvania, account railroad error causing delay.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13942; Filed, Sept. 9, 1944; 11:24 a. m.]

[S. O. 70–A, Special Permit 491]

RECONSIGNMENT OF PEARS AT MARION, OHIO

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Marion, Ohio, September 6, 1944, by Justman Frankenthal Company of car MDT 146575, pears, now on the Erie Railroad to Justman Frankenthal Company, Philadelphia, Pennsylvania.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13943; Filed, Sept. 9, 1944; 11:24 a. m.]

[S. O. 70–A, Special Permit 492]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 6, 1944, by Harry Finerman Company of car SFRD 16260, carrots, now on the Wood Street Terminal to Fruit Distributors Company, Fort Wayne, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13944; Filed, Sept. 9, 1944; 11:24 a. m.]

[S. O. 178, Special Permit 132]

MOVEMENT OF CHEESE FROM MANITOWOC, WIS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading and movement of car NWX 14262, cheese in metal containers, September 7, 1944, from Pauly & Pauly Company, Manitowoc, Wisconsin, to Naval Supply Depot, Oakland, California, (C. & N. W.-U. P.-S. P.), account loaded in error.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13945; Filed, Sept. 9, 1944; 11:25 a. m.]

[S. O. 200, 2d Amended Gen. Permit 8]

REICING OF POTATOES FROM WASHINGTON

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

Subject to the exception shown below, on any refrigerator car loaded with potatoes in the state of Washington, to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River, at stations designated by shippers or, at carriers' option, at the first icing station west or east of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

Exception: This permit shall not apply to such refriegrator cars originating in the state of Washington on the Northern Pacific Railway Company or the Union Pacific Railroad Company when destined to points in the states of Washington or Oregon.

This general permit shall become effective 12:01 a. m., September 6, 1944, and shall expire at 12:01 a. m., October 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13946; Filed, Sept. 9, 1944; 11:25 a. m.]

[S. O. 200, 6th Amended Gen. Permit 13]

REICING OF POTATOES FROM COLORADO, UTAH AND WYOMING

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point or points in the States of Colorado, Utah and Wyoming, to reice in transit one time only and to accord the reicing at stations designated by shippers or, at the carriers' option, at the first icing station on either side of such designated station.

This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., September 6, 1944, and shall expire at 11:59 p. m., September 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44–13947; Filed, Sept. 9, 1944; 11:25 a. m.]

[2d Rev. S. O. 224, Special Permit 8]

REICING OF PRUNES FROM FREEWATER, OREG.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing, or reicing in transit, to full bunker capacity, of cars NP 90094, 90315, 90558, 90446, 90256, 90499, fresh prunes, moving August 27 to 29, 1944, from Freewater, Oregon, consigned to New York, New York (Nor. Pac.-Burl.-Erie), as these are test shipments moving under supervision of the Department of Agriculture.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of

this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13948; Filed, Sept. 9, 1944; 11:25 a. m.]

[Rev. S. O. 226, Gen. Permit 1]

REICING OF FRESH FRUITS OR VEGETABLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the retop icing of fresh fruits or fresh or green vegetables, as defined therein, at Chicago, Illinois.

This general permit shall become effective at 12:01 a. m., September 7, 1944, and shall apply to all cars billed or rolling on or after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13949; Filed, Sept. 9, 1944; 11:25 a. m.]

[Rev. S. O. 226, Special Permit 6]

REICING OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the retop icing at Chicago, Illinois, September 6, 1944, as ordered by Shuman Company, of car ART 15948, cauliflower, now on the Chicago Produce Terminal, account no shortage of ice and is necessary to preserve lading.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13950; Filed, Sept. 9, 1944; 11:26 a. m.]

[Rev. S. O. 226, Special Permit 7]

REICING OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the retop icing at Chicago, Illinois, September 6, 1944, with not to exceed 6 tons of ice, car ART 16829, cauliflower, now on the Chicago Produce Terminal, as ordered by Julius Berman for Epkes Kichenbaum Company, to preserve lading.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13952; Filed, Sept. 9, 1944; 11:26 a. m.]

[Rev. S. O. 226, Special Permit 8]

REICING OF PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944, (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the retop icing at Chicago, Illinois, September 6, 1944, with not to exceed two and one-half (2½) tons of ice, as ordered by La Mantia Bros. Arrigo Company, car ART 18158, peas, now on the Chicago Produce Terminal.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13951; Filed, Sept. 9, 1944; 11:26 a. m.]

[Rev. SO 226, Amended Gen. Permit 1]

ICING OF FRESH FRUITS AND VEGETABLES AT CHICAGO OR PEORIA, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the retop icing of fresh fruits or fresh or green vegetables, as defined therein, at Chicago, or Peoria, Illinois.

This general permit shall become effective at 12:01 a. m., September 9, 1944, and shall apply to all cars billed or rolling on or after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-13996; Filed, Sept. 11, 1944; 11:28 a. m.]

[Rev. S.O. 229]

ORDER PROHIBITING READING COAL CO. FROM SUPPLYING COAL CARS AT PHOENIX COAL CO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of September, A. D. 1944.

It appearing, That: By petition dated August 29, 1944, from the Assistant Deputy Solid Fuels Administrator, Solid Fuels Administration for War, to the Director, Office of Defense Transportation, the Assistant Deputy recited that on July 24, 1944, the Solid Fuels Administration for War wrote the Phoenix Coal Company, Llewellyn, Pennsylvania, prohibiting "shipments of chestnut, pea, buckwheat and rice anthracite with an ash content exceeding that prescribed in Solid Fuels Administration for War Regulation No. 9 (8 F.R. 15560) produced at (the) Phoenix breaker * * * on and after six days from the date of * * * (that) letter * * *"; that the Solid Fuels Administration for War advises further that directions will be issued to retail dealers prohibiting their receipt of coal from this mine with an ash content in excess of that prescribed in such regulation; that this action will result in detention of cars at destination for unloading or other disposition and is a waste of cars and transportation; Solid Fuels Administration requests the Director of the Office of Defense Transportation, and the Director of that office has requested this Commission to prohibit the furnishing, supplying or placing of coal cars at the mine of the Phoenix Coal Company, Llewellyn, Pennsylvania; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered,* That:

(a) The Reading Company shall not furnish, supply or place coal cars at the mine of the Phoenix Coal Company, at Llewellyn, Pennsylvania, for chestnut, pea, buckwheat and rice anthracite coal loading.

(b) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10-(17)).

It is further ordered, That this order shall become effective at 12:00 noon, September 9, 1944, and shall remain in force until further order of the Commission; that a copy of this order and direction shall be served upon the Reading Company, upon the Pennsylvania Public Utility Commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-13997; Filed, Sept. 11, 1944; 11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1632, Amdt.]

GAETANO NANNI

In re: Interest in real property located in New Orleans, Louisiana, household furnishings and bank account owned by Gaetano Nanni.

Vesting Order Number 1632, dated June 7, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gaetano Nanni is a resident of Italy and a national of a designated enemy country (Italy);

2. That Gaetano Nanni is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. An undivided one-half interest in and to that certain real property situated at 4700-4702 Constance Street, New Orleans, Parish of Orleans, Louisiana, particularly described in Exhibit A attached hereto and by reference made a part hereof, identified as that undivided one-half interest acquired by the said Gaetano Nanni by virtue of the instruments of conveyance in his favor executed on February 7, 1940 by Eureka Homestead Society and recorded on February 8, 1940 with the Register of Conveyances, in and for the Parish of Orleans, Louisiana, in Book 509, Folio 131, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds and benefits or other payments arising from the ownership of said real property.

b. Household furnishings particularly described in Exhibit B hereto attached and by reference made a part hereof, located at 4700 Constance Street, New Orleans, Louisiana, which are owned by Gaetano Nanni.

c. All right, title, interest and claim of any name or nature whatsoever of Gaetano Nanni, and of every other national of a designated enemy country, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Gaetano Nanni by Whitney National Bank of New Orleans, New Orleans, Louisiana, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations and including particularly account No. 20384 in said bank, which account is due and owing to and held for Gaetano Nanni in the name of Paul Caruso, and

d. All right, title, interest and claim of any name or nature whatsoever of Gaetano Nanni and of every other national of a designated enemy country in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Gaetano Nanni by American Bank and Trust Company, New Orleans, Louisiana, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations and including particularly account No. 59068 in said bank, which account is due and owing to and held for Gaetano Nanni in the name of Captain G. Nanni and Mrs. Mary Nanni,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraphs 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b, 3–c and 3–d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land situated in the Parish of Orleans, State of Louisiana, described as follows:

A certain Portion of ground, together with all bldgs. and impts. thereon etc. situated in square 177, bb. Valence, Constance, Bordeaux, Laurel Sts. said portion of ground measured 54' front on Valence St. by 120' in depth and front on Constance St. and is composed of the whole of the lots 27 and 28 which adjoin and measure each, 27' front on Valence St. by 120' in depth Lot No. 26 forms the corner of Constance and Valence Sts.

EXHIBIT B

Dining Room:	Front Bed Room—Continued.
1 dining room table	1 large art square
7 straight chairs	2 occasional rugs
1 M. chair	Living Room:
1 buffet	Sofa
1 server	2 overstuffed chairs
1 china closet	1 ottoman
1 L. table	1 coffee table
1 gas heater	1 large table
1 large art square	1 small stand
2 occasional rugs	1 L. Art Square
1 pr. curtains	1 occasional rug.
1 shade	Back Bed Room:
Bath:	1 large art square
Two shower curtains	3 occasional rugs
Front Bed Room:	Kitchen:
1 bed spring mattress	1 Florence gas range
2 pillows	1 table
1 wardrobe	2 chairs
1 chest of drawers	1 electrolux (3 trays, 1 drip pan)
1 mirror	2 pr. curtains
1 bed table	2 shades
1 gas heater	
2 chairs	

[F. R. Doc. 44–13903; Filed, Sept. 11, 1944; 11:14 a. m.]

[Vesting Order 3574, Amdt.]

SHIGERU SHIMOGAWA

In re: Real property, property insurance policies, and a claim owned by Shigeru Shimogawa.

Vesting Order Number 3574, dated May 3, 1944, is hereby amended as follows and not otherwise.

By deleting Exhibit A attached to and by reference made a part of said Vesting Order Number 3574 and substituting therefor Exhibit A attached hereto and by reference made a part hereof.

All other provisions of said Vesting Order Number 3574 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of those certain parcels of land situate at Kumuula and Kaukahoku, Kapalama-Kai, Honolulu, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot A–1–A, area 8,240.0 square feet, as shown on Map 3, Lot A–1–B–1, area 5,535.0 square feet and Lot A1–B–2, area 3,600.0 square feet, as shown on Map 4, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 908 (amended) of Hawaiian Pineapple Company, Limited, and being all of the land described in Transfer Certificate of Title No. 14681 issued to Shigeru Shimogawa.

[F. R. Doc. 44–13904; Filed, Sept. 11, 1944; 11:14 a. m.]

INTER-ALLIED PATENT CORP.

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 201 of October 2, 1942 (8 F.R. 625), the Alien Property Custodian vested United States Patent No. 2,063,687 as property of nationals of a foreign country designated in Executive Order No. 8389, as amended; and

Whereas, Inter-Allied Patent Corp. has filed an APC–17 Notice of Claim which asserts that claimant is a domestic corporation whose address is 201 E. 16th Street, New York 3, New York, and that it is the owner of the full legal title to United States Patent No. 2,063,687, so vested.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (8 F.R. 16709), that a hearing on said claim be held before the Vested Property Claims Committee or any member or members thereof on Monday, September 25, 1944, at 2:00 p. m. eastern war time, in Room 614, National Press Building, 14th and F Streets NW., Washington, D. C., to continue thereafter at such time and place as the Committee may determine. *It is further ordered,* That copies of this notice of hearing be served by registered mail upon the claimant and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C. on or before September 20, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] JOHN C. FITZGERALD,
Chairman.

SEPTEMBER 8, 1944.

[F. R. Doc. 44–13905; Filed, Sept. 11, 1944; 11:14 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 981]

H. F. CRAGO AND CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

H. F. CRAGO & CO., 302 TENTH ST., PHILIPSBURG, PA., QUINCY #1 MINE, D SEAM, MINE INDEX NO. 5162, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT: MCCARTNEY, PA. STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

G. B. CRAMER CONSTRUCTION CO., INC., P. O. BOX 181 BROCKWAY, PA., CRAMER NO. 1 MINE, C SEAM MINE INDEX NO. 5167, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT: FALLS CREEK, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

MARK CITRIN, CLARENCE, PA., NO. 13 MINE, B SEAM, MINE INDEX NO. 5026, CENTRE COUNTY, PA., SUBDISTRICT 9

Truck shipment	330	330	300	310	300

A. M. GLESSNER COAL CO., 597 E. MAIN ST., SOMERSET, PA., GLESSNER MINE, E SEAM, MINE INDEX NO. 5180, SOMERSET COUNTY, PA., SUBDISTRICT 36, RAIL SHIPPING POINT: ROCKWOOD, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

R. E. LEITENBERGER, 325 MARKET ST., JOHNSTOWN, PA., LEITENBERGER MINE, B SEAM, MINE INDEX NO. 5155, WESTMORELAND COUNTY, PA., SUBDISTRICT 26, RAIL SHIPPING POINT: SEWARD, PA., DEEP MINE

Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	330	330	320	310

MCGONIGAL & BAUMGARDNER, POTTERSDALE, PA., MCGONIGAL & BAUMGARDNER MINE, C SEAM, MINE INDEX NO. 5168, CLEARFIELD COUNTY, PA., SUBDISTRICT 9, DEEP MINE

Truck shipment	365	340	340	330	320

WEST FREEDOM MINING CO., NO. 4 GLASS ST., CARNEGIE, PA., WEST FREEDOM NO. 1 MINE, B SEAM, MINE INDEX NO. 5016, CLARION COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT: SLIGO, PA., STRIP MINE

Price classification	G	G	G	H	H
Rail shipment	330	330	315	285	285
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	330	320	315	305

WEST FREEDOM MINING CO., NO. 4 GLASS ST., CARNEGIE, PA., WEST FREEDOM NO. 2 MINE, A SEAM, MINE INDEX NO. 5036, CLARION COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT: SLIGO, PA., STRIP MINE

Price classification	G	G	G	H	H
Rail shipment	330	330	315	285	285
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	330	330	315	305

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13896; Filed, Sept. 8, 1944; 4:51 p. m.]

[MPR 120, Order 985]

BIG RUN FUEL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

BIG RUN FUEL CO., P. O. BOX 246, CLARKSBURG, W. VA., PLUTO MINE, REDSTONE SEAM, MINE INDEX NO. 2069, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT: VOLGA, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	H	F	F
Rail shipment and railroad fuel	275	275	250	250	240
Truck shipment	310	310	285	275	265

THE GAULEY MOUNTAIN COAL CO., ANSTED, W. VA., WILLIAMS RIVER MINE, SEWELL SEAM, MINE INDEX NO. 2067, WEBSTER COUNTY, W. VA., RAIL SHIPPING POINT: DONALDSON & WILLIAMS RIVER, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 1

Price classification	A	A	A	A	A
Rail shipment and railroad fuel	335	345	325	310	310
Truck shipment	355	350	325	315	295

JOHNSON COAL CO., FLEMINGTON, W. VA., JOHNSON NO. 4 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2073, TAYLOR COUNTY, W. VA., RAIL SHIPPING POINT: SIMPSON, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	F	F	F	F	F
Rail shipment and railroad fuel	275	275	260	250	240
Truck shipment	310	310	285	275	265

NEVILLE COAL CO., HOWESVILLE, W. VA., VICTORY NO. 1 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2042, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT: TOWSON, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	J	J	J	J	J
Rail shipment and railroad fuel	300	300	290	285	285
Truck shipment	310	310	285	275	265

SOMERSET CONSTRUCTION CO., 1301 TOWSON ST., BALTIMORE 30, MD., NO. 1 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2068, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT: REEDSVILLE, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	J	J	J	J	J
Rail shipment and railroad fuel	300	300	290	285	285
Truck shipment	310	310	285	275	265

TUCKAHOE MINING CO., INC., CLARKSBURG, W. VA., TUCKAHOE #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 2070, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT: CENTURY, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment and railroad fuel	275	275	260	260	240
Truck shipment	310	310	295	275	260

VICTORY COAL CO., BOX 162, CASSVILLE, W. VA., VICTORY COAL MINE, SEWICKLEY SEAM, MINE INDEX NO. 2085, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT: MAIDSVILLE, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

Price classification	J	J	J	J	J
Rail shipment and railroad fuel	260	260	260	245	230
Truck shipment	285	280	255	245	235

NOTE: The size group numbers referred to herein for rail shipments and for railroad fuel are those described in the Table of Prices in Amendment No. 95 to Maximum Price Regulation No. 120, and for truck shipments, as described in the Table of Prices in Amendment No. 105 to Maximum Price Regulation No. 120.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13900; Filed, Sept. 8, 1944; 4:50 p. m.]

[MPR 120, Order 986]

ST. LOUIS, ROCKY MOUNTAIN & PACIFIC CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Washed coals of size groups 1 to 12, inclusive, produced at the Brilliant No. 2 Mine, Mine Index No. 77 of St. Louis, Rocky Mountain & Pacific Company, Raton, New Mexico, in District No. 17, may be sold and purchased at prices not exceeding 10 cents per net ton more than the applicable maximum prices for the same coals unwashed.

(b) All prayers of the applicant not granted herein are hereby denied.

(c) This order may be revoked or amended at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13903; Filed, Sept. 8, 1944; 4:49 p. m.]

[MPR 136, Rev. Order 234]

CHRYSLER CORP.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 234 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chrysler Corporation. Docket No. 3136-417.

Order No. 234 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 234 under Maximum Price Regulation 136, as amended, and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended: *It is ordered:*

(a) The Chrysler Corporation, Detroit, Michigan, is authorized to sell each of its models of Crown and Royal Marine Engines set forth below at the following applicable maximum price:

CROWN MARINE ENGINE

Gear ratio	Standard rotation (maximum price)	Opposite rotation (minimum price)
Reverse	$462	$463
1.43	515	516
1.95	521	521
2.56	529	530
3.46	642	643
4.91	627	627

ROYAL MARINE ENGINE

Reverse	$590	$592
1.43	643	647
2.03	661	665
2.51	676	680
3.17	669	674
4.46	762	767

(b) When the engines listed above are boxed by the Chrysler Corporation, it may add the sum of $11.00 to the applicable maximum prices set forth above.

(c) Dealers in Crown and Royal Marine Engines manufactured by the Chrysler Corporation shall determine their maximum prices by adding to their maximum prices to each class of purchasers duly in effect just prior to the issuance of this order, the dollars-and-cents amounts by which the dealers' costs have been increased due to the adjustment in maximum prices granted to the Chrysler Corporation in paragraphs (a) and (b) of this order.

(d) All requests not granted herein are denied.

(e) The issuance of this order shall not relieve the Chrysler Corporation from any liability for violation of any regulation or order issued by the Office of Price Administration.

(f) This revised order may be amended or revoked by the Administrator at any time.

This revised order shall become effective September 9, 1944. Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13904; Filed, Sept. 8, 1944; 4:49 p. m.]

[MPR 188, Order 2271]

HOME BUILDING CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of utility cabinets manufactured by Home Building Corporation, 4534 Main, Kansas City, Missouri.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Utility cabinet	206	$8.28	$7.50
Utility cabinet	208	8.52	10.02

These prices are f. o. b. factory and are for the articles described in the manufacturer's application dated August 9, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Utility cabinet	206	$7.50
Utility cabinet	208	10.02

These prices are for the articles described in the manufacturer's application dated August 9, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 9th day of September 1944. Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13901; Filed, Sept. 8, 1944; 4:49 p. m.]

[MPR 188, Order 2272]

PENN YORK LUMBER CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a training seat manufactured by Penn York Lumber Company, 438 Central Avenue, Cedarhurst, Long Island.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Training seat		*Per dozen* $15.74	*Per dozen* $19.68

This price is f. o. b. factory and the terms are net thirty days and is for the article described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Training seat		*Per dozen* $19.68

This price is net thirty days and is for the article described in the manufacturer's application dated June 30, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 9th day of September 1944. Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13918; Filed, Sept. 8, 1944; 4:53 p. m.]

[MPR 188 Order 2273]

OARR COLEGROVE MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two juvenile sets manufactured by Oarr Colegrove Manufacturing Company, Cos Cob, Connecticut.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile set	2	$8.38	$9.86
	1	7.61	8.96

These prices are f. o. b. factory and are subject to a cash discount of two percent for cash within ten days, net thirty days and are for the articles described in the manufacturers application dated June 28, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Juvenile set	2	$9.86
	1	8.96

These prices are subject to a cash discount of two percent for payment within

ten days, net thirty days and are for the articles described in the manufacturer's application dated June 28, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 9th day of September 1944. Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13902; Filed, Sept. 8, 1944; 4:49 p. m.]

[RMPR 506, Order 54]

EISENDRATH GLOVE CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 54 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Eisendrath Glove Company, Chicago, Illinois and other sellers. Docket No. N6657-506-31-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after September 9, 1944, the Eisendrath Glove Company, Chicago, Illinois, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Eisendrath Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices: Group I ceiling	Column A Manufacturer's prices: Group II ceiling	Column B Wholesalers' prices
C-100—Large	Men's split leather palm, 8 ounce flannel back, 6 ounce or heavier palm lining, wristless "open top."	$4.40	$4.80	$5.30
C-100	Women's split leather palm, 8 ounce flannel back, 6 ounce or heavier palm lining, wristless "open top."	4.20	4.70	5.17½
C-100—Small	Small women's split leather palm, 8 ounce flannel back, 6 ounce or heavier palm lining, wristless "open top."	4.20	4.60	5.05

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturer's "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Eisendrath Glove Company on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Eisendrath Glove Company must furnish each of its customers, who, on or after September 9, 1944, purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Eisendrath Glove Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 54 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Eisendrath Glove Company.

OPA has ruled that the Eisendrath Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style Number	Column A Manufacturer's prices: Group I ceiling	Column A Manufacturer's prices: Group II ceiling	Column B Wholesalers' prices
C-100-Large-S	$4.40	$4.80	$5.30
C-100-S	4.20	4.70	5.17½
C-100-Small-S	4.20	4.60	5.05

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 54 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13906; Filed, Sept. 8, 1944; 4:48 p. m.]

[RMPR 506, Order 55]

GALENA GLOVE AND MITTEN CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 55 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Galena Glove and Mitten Company and other sellers. Docket No. M60627-506-86-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after September 9, 1944, the Galena Glove and Mitten Company, Dubuque, Iowa, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove number enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase this number from the Galena Glove and Mitten Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of this table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices: Group I ceiling	Column A Manufacturer's prices: Group II ceiling	Column B Wholesalers' prices
77	Men's gunn cut 13 ounce white or unbleached canton flannel single thickness back and palm, 9" waterproofed gauntlet.	$2.70	$2.92½	$3.25

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and information requirements of section 6 of RMPR 506. In addition to these requirements, the Galena Glove and Mitten Company on all deliveries of the style number listed in paragraph (a), made pursuant to this order, on and after September 15, 1944 must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Galena Glove and Mitten Company must furnish each of its customers, who, on or after September 9, 1944 purchases the style number listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Galena Glove and Mitten Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 55 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove number enumerated in the table below, manufactured by the Galena Glove and Mitten Company.

OPA has ruled that the Galena Glove and Mitten Company may sell the number at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of this number at or below the prices listed in Column B. Retailers will determine their ceiling prices on this number in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices: Group I ceiling	Column A Manufacturer's prices: Group II ceiling	Column B Wholesalers' prices
77-S	$2.70	$2.92½	$3.25

You will not that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(c) This Order No. 55 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566 Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13899; Filed, Sept. 8, 1944; 4:50 p. m.]

[RMPR 506, Order 56]

UNIVERSAL GLOVE CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 56 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Universal Glove Company, Toledo, Ohio, and other sellers. Docket No. N60627-506-85-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after September 9, 1944, the Universal Glove Company, Toledo, Ohio may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove number enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase this number from the Universal Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices: Group I ceiling	Column A Manufacturer's prices: Group II ceiling	Column B Wholesalers' prices
1086	Men's 14¼ ounce quilted double thickness nap cut canton flannel palm, 8 ounce single thickness white flannel back, knit wrist.	$2.10	$2.30	$2.52½

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be at Group I prices;

(3) The marking and informational requirements of Section 6 of RMPR 506. In addition to these requirements, the Universal Glove Company on all deliveries of the style number listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Universal Glove Company must furnish each of its customers, who, on or after September 9, 1944, purchases the style number listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Universal Glove Company must also notify each customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 56 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove number enumerated in the table below, manufactured by the Universal Glove Company.

OPA has ruled that the Universal Glove Company may sell this number at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of this number at or below the prices listed in Column B. Retailers will determine their ceiling prices on this number in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices: Group I ceiling	Column A Manufacturer's prices: Group II ceiling	Column B Wholesalers' prices
1086-S	$2.10	$2.30	$2.52½

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 56 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13898; Filed, Sept. 8, 1944; 4:51 p. m.]

[RMPR 506, Order 57]

RACINE GLOVE CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 57 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Racine Glove Company, Racine, Wisconsin, and othed sellers. Docket No. N60627-506-83-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after September 9, 1944, the Racine Glove Company, Racine, Wisconsin, may sell and deliver to any purchaser, and such purchaser may buy

[RMPR 506, Order 58]

WELLS, LAMONT CORP., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 58 Under Section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Wells Lamont Corporation and other sellers. Docket No. N60627-506-84-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after September 9, 1944, the Wells-Lamont Corporation, Chicago, Illinois, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove number enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase this number from the Wells Lamont Corporation may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A—Manufacturer's prices		Column B—Wholesalers' prices
		Group I ceiling	Group II ceiling	
667	Men's 13 ounce double throughout nap out flannel "chore" mitten, knit wrist.	$2.03½	$2.25½	$2.45

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturer's "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Wells Lamont Corporation on all deliveries of the style number listed in paragraph (a), made pursuant to this Order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Wells Lamont Corporation must furnish each of its customers, who, on or after September 9, 1944, purchases the style number listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Wells Lamont Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 58 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove number enumerated in the table below, manufactured by the Wells Lamont Corporation.

OPA has ruled that the Wells Lamont Corporation may sell this number at or below the prices listed in Column A below, subject to the provisions of Section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers are authorized to make regular sales at wholesale of the number at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with Section 2 of RMPR 506.

Style No.	Column A—Manufacturer's prices		Column B—Wholesalers' prices
	Group I ceiling	Group II ceiling	
667	$2.03½	$2.25½	$2.45

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 58 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13919; Filed, Sept. 8, 1944; 4:62 p. m.]

[RMPR 506, Order 59]

INDIANAPOLIS GLOVE CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 59 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Indianapolis Glove Company, Indianapolis, Indiana, and other sellers. Docket No. N60627-506-82-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after September 9, 1944 the Indianapolis Glove Company, Indianapolis, Indiana, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove number enumerated in the following table at or below the price set forth in Column A of this table. Wholesalers who purchase this number from the Indianapolis Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I, ceiling	Group II, ceiling	
Laplander	Men's 14 ounce single thickness jersey, back and palm, knit wrist.	$2.17½	$2.35	$2.62½

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturer's "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Indianapolis Glove Company on all deliveries of the style number listed in paragraph (a), made pursuant to this Order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Indianapolis Glove Company must furnish each of its customers, who, on or after September 9, 1944, purchases the style number listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Indianapolis Glove Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 59 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Indianapolis Glove Company.

OPA has ruled that the Indianapolis Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with Section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
Laplander-S	$2.17½	$2.35	$2.62½

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that this glove has been specially priced by OPA under section 4 (b).

(e) This Order No. 59 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13905; Filed, Sept. 8, 1944; 4:48 p. m.]

[RMPR 506, Order 60]

WILLIAM E. SEAL & CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 60 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum price for staple work gloves. Granting maximum prices to the William E. Seal & Company, Millersburg, Pennsylvania and other sellers. Docket No. N6657-506-66-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after September 9, 1944, William E. Seal & Company, Millersburg, Pennsylvania, may sell and deliver to any purchaser, and such purchaser may buy, from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from William E. Seal & Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style number	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
LG81	Men's clute cut side split leather palm, ¾ leather thumb, 6 ounce flannel back, 5 ounce or heavier flannel palm lining, 4½" (or longer) single (1 ply thickness) gauntlet.	$4.20	$4.60	$3.68
G41	Men's clute cut 12 ounce white canton flannel single thickness back and palm, 4½" single (1 ply thickness) gauntlet.	2.30	2.52½	2.77½
DG21	Men's clute cut 10 ounce white canton flannel single thickness back and palm, 4½" single (1 ply thickness) gauntlet.	2.15	2.35	2.60
LK96 (split)	Men's clute cut split leather ¾ leather thumb, "V" type leather finger backs, 6 ounce or heavier flannel palm lining, 3 ounce flannel back, knit wrist.	4.80	5.00	5.55
LK96 (side split)	Men's clute cut side split leather palm, ¾ leather thumb, "V" type leather finger backs, 6 ounce or heavier flannel palm lining, 6 ounce flannel back, knit wrist.	5.45	5.95	6.57½
LK96	Men's clute cut side split leather palm ¾ leather thumb, 5 ounce or heavier flannel palm lining, 3 ounce flannel back, knit wrist.	4.10	4.50	4.95
LT6	Men's 6 ounce canton flannel single thickness back and palm, leather finger tips, knit wrist.	1.60	1.72½	1.92½
HLK14	Men's 9 ounce jersey single thickness back and palm, split leather palm facing, knit wrist.	2.70	2.95	3.25

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturer's wholesale percentage, and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, Willian E. Seal & Company on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) William E. Seal & Company must furnish each of its customers, who, on or after September 9, 1944, purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. William E. Seal & Co. must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 60 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by William E. Seal & Company.

OPA has ruled that William E. Seal & Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
LG81 S	$4.20	$4.60	$5.05
G41 S	2.30	2.52½	2.77½
DG21 S	2.15	2.35	2.60
LK968 (split)	4.60	5.00	5.55
LK968 (side split)	5.45	5.95	6.57½
LK84 S	4.10	4.50	4.95
LT6 S	1.60	1.72½	1.92½
HLK14 S	2.70	2.95	3.25

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 60 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13906; Filed, Sept. 8, 1944; 4:47 p. m.]

[RMPR 506, Order 61]

MONTE GLOVE CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 61 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Monte Glove Company, Shelbyville, Indiana and other sellers. Docket No. N60627-506-80-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after September 9, 1944, the Monte Glove Company, Shelbyville, Indiana, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Monte Glove Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
K88	Men's 8 ounce striped canton flannel, single thickness back and palm, knit wrist.	$1.67½	$1.70	$1.90
RC88	Women's 8 ounce striped canton flannel, single thickness back and palm, knit wrist.	1.65	1.67½	1.85

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' "wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Monte Glove Company on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 15, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this Order.

(d) The Monte Glove Company must furnish each of its customers, who on or after September 9, 1944, purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Monte Glove Company must also notify each customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 61 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Monte Glove Company.

OPA has ruled that the Monte Glove Company may sell these numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
KM-8	$1.67½	$1.70	$1.90
KCM-8	1.65	1.67½	1.85

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 61 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This Order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13917; Filed, Sept. 8, 1944; 4:53 p. m.]

[RMPR 506, Order 62]

NATIONAL MITTEN WORKS, ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 62 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the National Mitten Works and other sellers. Docket No. N6657-506-76-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after September 9, 1944, the National Mitten Works, Kokomo, Indiana, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the National Mitten Works may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
13DTK	Men's two thumb, 12 ounce white nap cut single thickness canton flannel welt seam mitten, knit wrist.	$2.05	$2.25	$2.47½
9DTKB	Small women's two thumb 8 ounce white nap cut single thickness canton flannel welt seam mitten, knit wrist.	1.52½	1.70	1.85

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturers' wholesale percentage", and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the National Mitten Works, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 9, 1944, must place the letter "S" following the lot number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The National Mitten Works must furnish each of its customers, who, on or after September 9, 1944, purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The National Mitten Works must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 62 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the National Mitten Works.

OPA has ruled that the National Mitten Works may sell these numers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with Section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B Wholesalers' prices
	Group I ceiling	Group II ceiling	
13DTK S	$2.05	$2.25	$2.47½
9DTKB S	1.52½	1.70	1.85

You will note that the letter "S" follows the manufacturers' lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(e) This Order No. 62 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13920; Filed, Sept. 8, 1944; 4:53 p. m.]

[RMPR 506, Order 63]

NEWTON GLOVE MFG. CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 63 under section 4 (b) of Revised Maximum Price Regulation 506. Maximum prices for staple work gloves. Granting maximum prices to the Newton Glove Manufacturing Company and other sellers. Docket No. N6657-506-26-7.

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) On and after September 9, 1944, the Newton Glove Manufacturing Company, Newton, North Carolina, may sell and deliver to any purchaser, and such purchaser may buy from it, the staple work glove numbers enumerated in the following table at or below the prices set forth in Column A of this table. Wholesalers who purchase these numbers from the Newton Glove Manufacturing Company may make "regular sales" at wholesale of such gloves, at or below the prices set forth in Column B of the table. Ceiling prices for "special sales" at wholesale shall be determined in accordance with section 3 (b) of Revised Maximum Price Regulation 506.

Style No.	Glove description	Column A Manufacturer's prices		Column B Wholesalers' prices
		Group I ceiling	Group II ceiling	
80LG	Women's clute cut, 8 ounce white or unbleached canton flannel, single thickness back and palm, 8½" single (1 ply thickness) gauntlet.	$1.82½	$1.95	$1.82½
1000	Men's clute cut 10 ounce white or unbleached canton flannel, single thickness back and palm, 8½" single (1 ply thickness) gauntlet.	2.20	2.40	2.65
6RCW	Women's gunn or fourchette cut 6 ounce white of unbleached canton flannel single thickness back and palm, reversible, knit wrist.	1.35	1.47½	1.62½
44RG	Men's gunn cut 8 ounce white or unbleached canton flannel, single thickness back and palm, reversible 8½" single (1 ply thickness) gauntlet.	2.05	2.22½	2.47½
10RC	Women's gunn or fourchette cut 10 ounce white or unbleached canton flannel, single thickness back and palm, reversible, knit wrist.	1.65	1.80	2.05

(b) The maximum prices authorized in paragraph (a) are subject to the following:

(1) The instructions for manufacturers and wholesalers which preface the tables in Appendix A of RMPR 506;

(2) The provisions in section 4 (a) of RMPR 506 with respect to a manufacturer's "wholesale percentage," and the quota of deliveries which must be made at Group I prices;

(3) The marking and informational requirements of section 6 of RMPR 506. In addition to these requirements, the Newton Glove Manufacturing Company, on all deliveries of the style numbers listed in paragraph (a), made pursuant to this order, on and after September 9, 1944, must place the letter "S" following the lost number or brand name stated on the label, ticket, or other device used to mark the gloves.

(c) The definitions in RMPR 506 shall apply to this order.

(d) The Newton Glove Manufacturing Company must furnish each of its cus-

tomers, who, on or after September 9, 1944, purchases the style numbers listed in paragraph (a) for purposes of resale, a notice in the form set forth below. The Newton Glove Manufacturing Company must also notify each such customer (other than a seller at retail) that he is required in turn to transmit to his customers a copy of the notice set forth below. The notice may be attached to the invoice or may be stamped or printed on the invoice.

This notice is sent to you as required by Order No. 63 under section 4 (b) of Revised Maximum Price Regulation 506 issued by the Office of Price Administration. It lists ceiling prices fixed by OPA for the work glove numbers enumerated in the table below, manufactured by the Newton Glove Manufacturing Company.

OPA has ruled that the Newton Glove Manufacturing Company numbers at or below the prices listed in Column A below, subject to the provisions of section 4 (a) of RMPR 506 with respect to the quota of deliveries which must be made at Group I prices. Wholesalers in turn are authorized to make regular sales at wholesale of these numbers at or below the prices listed in Column B. Retailers will determine their ceiling prices on these numbers in accordance with section 2 of RMPR 506.

Style No.	Column A Manufacturer's prices		Column B
	Group I ceiling	Group II ceiling	Wholesalers' prices
801G–S	$1.82½	$1.66	$1.82½
1000–S	2.20	2.40	2.65
6RCW–S	1.35	1.47½	1.62½
44RG–S	2.05	2.23½	2.47½
10RC–S	1.65	1.80	2.00

You will note that the letter "S" follows the manufacturer's lot number or brand name. This letter indicates that these gloves have been specially priced by OPA under section 4 (b).

(c) This Order No. 63 under Revised Maximum Price Regulation 506 may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13907; Filed, Sept. 8, 1944; 4:48 p. m.]

[Rev. Gen. Order 33,[1] Corr. to Amdt. 2]

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

The amendment to Revised General Order 33, issued August 19, 1944, as Amendment 1 is hereby corrected to read Amendment 2.

Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13964; Filed, Sept. 9, 1944; 11:30 a. m.]

[1] 8 F.R. 4370.

[MPR 188, Rev. Order 2083]

NATIONAL WOOD PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2083 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries, of two items of dinette suites manufactured by National Wood Products Company, 1724 East Fifteenth Street, Little Rock, Arkansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
5 piece dinette suite	228	$19.00	$23.45
	309	21.84	25.70

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated May 9, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this revised order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
5 piece dinette suite	228	$23.45
	309	25.70

These prices are for the articles described in the manufacturer's application dated May 9, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this revised order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 11th day of September 1944.

Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13963; Filed, Sept. 9, 1944, 11:50 a. m.]

[RO 9A, Order 1]

COAL-WOOD HEATING STOVES

ACQUISITION IN CERTAIN EMERGENCY OIL SHORTAGE AREAS

It has been found that coal and wood are relatively scarce in Arizona, in Florida east of the Appalachicola River, and in the counties of Fresno, Kern, Kings, Madera, Mariposa, Merced, Stanislaus, and Tulare in the State of California. It is, therefore, undesirable to limit applicants in these areas to the acquisition of coal-wood heating stoves.

Accordingly, pursuant to the authority vested in the Director of the Fuel Division of the Office of Price Administration by section 2.3 (b) of Ration Order 9A.

It is hereby ordered, That the State of Arizona, the part of the State of Florida east of the Appalachicola River, and the counties of Fresno, Kern, Kings, Madera, Mariposa, Merced, Stanislaus, and Tulare in the State of California are hereby removed, for the purposes of Ration Order 9A, from the emergency oil shortage area.

This order shall become effective September 9, 1944. Issued this 9th day of September 1944.

JOHN G. NEUKOM,
Director,
Fuel Rationing Division.

[F.R. Doc. 44–13962; Filed, Sept. 9, 1944; 11:50 a. m.]

[MPR 188, Amdt. 52 to Order A–1]

BUILDING BRICK AND TILE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 52 to Order No. A–1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Order No. A–1 is amended in the following respects:

1. A new paragraph (a) (40) is added to Order No. A–1 to read as follows:

(40) *Modification of maximum prices for building brick (common and unglazed face) and structural clay hollow building tile.* (i) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 188, as amended, for shale and clay building brick (smooth, sanded, or wire cut) produced in the States of Ohio, West Virginia, Michigan (except the Upper Peninsula), and in that part of Pennsylvania west of and including Potter, Cameron, Clearfield, Blair and Bedford Counties, may be increased by adding thereto an amount not in excess of $3.75 per thousand for standard size brick to the f. o. b. plant prices or delivered prices. If the manufacturer had an established differential in price during the month of March 1942 for non-standard sizes of building brick (common and unglazed face) he may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formula in use by him during March 1942 in establishing a price differential between the standard size brick and the non-standard size brick under this adjustment.

(ii) The manufacturers' maximum prices established pursuant to Maximum Price Regulation No. 188, as amended, for structural clay hollow building tile (except ceramic glazed ware) produced in the area described in (i) above, may be increased by adding thereto an amount not in excess of $1.51 per ton to the f. o. b. plant prices or delivered prices.

(iii) Any jobber or dealer purchasing building brick (common and unglazed face) or structural clay hollow building tile for resale from any manufacturer who has modified his maximum prices in accordance with subdivisions (i) and (ii) above, may increase his maximum prices, established under the General Maximum Price Regulation, by the dollars-and-cents amount equal to his actual dollars-and-cents increase in cost resulting from the increase permitted in subdivisions (i) and (ii) above.

(iv) The maximum prices established herein shall be subject to at least the same cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

Any price adjustments granted prior to September 11, 1944, for any seller of brick and building tile covered by the provisions stated above are hereby revoked.

*Copies may be obtained from the Office of Price Administration.

2. Paragraph (a) (26) is hereby revoked.

This Amendment No. 52 shall become effective September 11, 1944.

Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13971; Filed, Sept. 9, 1944; 4:34 p. m.]

[MPR 136, Order 294]

CHRYSLER CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 294 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Chrysler Corporation; Docket No. 3136–485, Docket No. 6083–136–35a–26.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

(a) Chrysler Corporation, Detroit, Michigan, is authorized to sell each of the types of Ace Marine Engines M6, Standard and Opposite Rotation, set forth below at the following applicable adjusted maximum price:

Ace marine engine:	*Adjusted maximum price*
Straight	$432.00
1.42–1	483.00
1.96–1	489.00
2.56–1	501.00
3.46–1	536.00
4.90–1	588.00

(b) When the engines listed above are boxed by the Chrysler Corporation, it may add the sum of $11 to the applicable maximum prices set forth above.

(c) Dealers in the types of Ace Marine Engines M6 Standard and Opposite Rotation, mentioned in paragraph (a) shall determine their maximum prices by adding to their maximum prices to each class of purchasers duly in effect just prior to the issuance of this order, the dollars-and-cents amounts by which the dealers costs have been increased due to the adjustment in maximum prices granted to the Chrysler Corporation in paragraphs (a) and (b) of this order.

(d) Chrysler Corporation shall give written notification to the dealers mentioned in paragraph (b) of the amounts by which this order permits them to increase their maximum prices.

(e) Within 30 days after the issuance of this order, the Chrysler Corporation shall file with the Office of Price Administration, Washington, D. C., a copy of the written notification required to be given in pursuance of paragraph (d).

(f) All requests not granted herein are denied.

(g) The issuance of this order shall not relieve the Chrysler Corporation from any liability for violation of any regulation or order issued by the Office of Price Administration.

(h) This order may be amended or revoked by the Administrator at any time.

This order shall become effective September 11, 1944. Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–13973; Filed, Sept. 9, 1944; 4:35 p. m.]

[MPR 188, Order 2274]

DECORATIVE CHAIR CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of six items of hassocks manufactured by Decorative Chair Company, Inc. 26 South Bank Street, Philadelphia, Pennsylvania.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Hassock	100A	$2.68	$3.15
	100B	1.97	2.32
	100C	1.61	1.89
	200A	3.09	3.64
	200B	2.25	2.65
	200C	1.81	2.13

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within thirty days for sales to retailers and two percent for payment within ten days for sales to jobbers. The prices are for the articles described in the manufacturer's application dated June 23, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington,

D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Hancock	100A	$2.32
	100B	3.51
	100C	1.89
	200A	3.64
	200B	2.65
	200C	2.13

These prices are subject to a cash discount of two percent for payment within thirty days, and are for the articles described in the manufacturer's application dated June 23, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of September 1944. Issued this 9th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-13974; Filed, Sept. 9, 1944; 4:35 p. m.]

[Rev. RO 11,[1] Admin. Exception Order 5]

FEDERAL PUBLIC HOUSING AUTHORITY TRAILER CAMP, FARRELL, PA.

FUEL OIL RATIONING REGULATIONS

It appears that the Federal Public Housing Authority of the National Housing Agency operates a trailer project for housing war workers at Farrell, Pennsylvania. This project has 200 house trailers equipped with fuel oil burning heating stoves. 97 of the trailers also have fuel oil burning cooking stoves. The trailers are rented to tenants on a weekly basis, the rental including the use of water and electricity. The tenants are required, however, to purchase the fuel oil for the operation of the heating and cooking equipment.

Under Revised Ration Order No. 11, application for a ration for the operation of heating equipment or for the operation of cooking equipment must be made separately for each house trailer. Since the trailers are rented on a weekly basis, there are frequent changes in trailer occupants, each one of whom is required, under the order, to apply for a ration for the operation of the fuel oil burning equipment in the trailer. Rations for the use of heating esuipment are issued for the balance of the heating year which expires August 31, 1945. Although each ration holder is required to surrender to the Board all unused coupons when his ration expires because he has moved from the trailer, many of these occupants may omit to do so. The frequent changes in trailer occupants will also impose an increased burden upon the local Board in requiring it to pass upon a separate application from each new occupant and to issue individual rations in each case.

Application has been made by the Public Housing Authority for an administrative exception order, under General Ration Order 1, permitting it, instead of each trailer tenant, to apply in one application, for a ration to operate the fuel oil burning heating and cooking equipment in all its trailers at its trailer camp at Farrell, Pennsylvania.

The granting of such an exception order will not constitute an exception to or a waiver or variance of any provision setting forth standards of eligibility or need for fuel oil. Nor will the effectiveness or policy of Revised Ration Order No. 11 be defeated or impaired by permitting such application to be made and rations to be issued upon the conditions set forth in this exception order. *It is therefore ordered:*

(a) Federal Public Housing Authority may apply, in the manner provided in this order, to the War Price and Rationing Board having jurisdiction of the area, for rations for the operation of the fuel oil burning heating and cooking equipment in its house trailers located at its trailer camp at Farrell, Pennsylvania, even though the trailer occupants use, and are required to pay for, the fuel oil to operate the equipment. Application for the heat ration shall be made on OPA Form R-1100 (Revised), and the applicant shall include in the application the total floor area of all the house trailers in the camp at the time of application, which are to be heated by fuel oil burning equipment. Application for the cooking ration shall be made on OPA Form R-1103 or R-1103A. The Board may issue the rations to the applicant in accordance with this order.

(b) The allowable ration for heating the house trailer included in the application shall be the amount of fuel oil needed for such purpose not exceeding, however, the mid-point of the range (figured under section 5 of Appendix A of Revised Ration Order 11) for the total floor area submitted. If at any time after the issuance of the ration, the applicant satisfies the Board that the ration issued at the mid-point of the range does not meet its heating needs for the trailers, the Board may issue an additional ration for the purpose, all such rations, however, not to exceed twice the maximum of the range for the floor area submitted.

If the application is made after October 31, 1944, the applicant's allowable ration for heating shall be the amount of the annual ration for the 1944-45 heating year reduced for the period for which it is needed as follows: The appropriate percentages shown opposite the dates between which the ration is needed shall be determined from Revised Table VIII (OPA Form R-1130). The annual ration shall be multiplied by the percentage which is the difference between the appropriate percentages so determined. If the dates are not listed, the appropriate percentages are determined by the Board from the nearest dates which are listed. No allowance may be granted for children.

(c) The allowable ration for cooking in the house trailers shall be the amount of fuel oil the Board determines is needed for such purpose. However, the maximum allowable ration per month for cooking shall not exceed the number of the trailers in which the fuel oil burning equipment will be used for the purpose, multiplied by 30 gallons.

(d) Coupon sheets representing the rations shall be issued, and fuel oil on hand for the purpose shall be deducted, in the manner provided in Revised Ration Order 11. If the applicant is required or is eligible to become a ration bank depositor, fuel oil deposit certificates representing the rations shall be issued in the manner provided in Revised Ration Order 11.

(e) The rations issued pursuant to this order shall be used only to enable the occupants of the applicant's trailers to acquire and use fuel oil for the operation of heating and cooking equipment in these trailers. However, no ration evidences acquired pursuant to this order shall be used to obtain fuel oil for equipment if the applicant knows or has reason to believe that the occupant using the equipment has a separate ration for its operation.

(f) Transfers of fuel oil may be made to occupants of the applicant's trailers in exchange for ration evidences surrendered by the applicant to the transferor.

(g) Before any fuel oil may be acquired under this order by any trailer occupant, the applicant must obtain from the occupant a signed statement that he has been issued no fuel oil ration for the purpose of heating the house trailer, and if he also requires fuel oil for cooking, that no ration has been issued for such purpose. Each statement furnished to the applicant pursuant to this section shall constitute a representation to the Office of Price Administration, and must be retained by the applicant at its place of business for at least two years from the date of its receipt and made available at all times to the Office of Price Administration.

This order shall become effective September 9, 1944. Issued this 9th day of September 1944.

JESCOE M. NEY,
Acting Deputy Administrator in Charge of Rationing.

[F. R. Doc. 44-13973; Filed, Sept. 9, 1944; 4:35 p. m.]

[1] 9 F. R. 2357.

Regional and District Office Orders.

[Region VI Order G-16 Under RMPR 122, Appendix 5]

SOLID FUELS IN PEORIA, ILL., AREA

Appendix No. 5 to Order No. G-16 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in the Peoria, Illinois, area.

(a) *Applicability.* This Appendix No. 5 applies to sales of solid fuels in the Peoria area. The term "Peoria area" refers to the area within the city limits of Peoria, East Peoria, Bartonville, and Peoria Heights, Illinois. Section (b) of this appendix establishes prices, charges and discounts for sales by equipped rail dealers. Section (c) establishes prices for truckers and mines selling directly to consumers.

(b) *Provisions applicable to equipped rail dealers.* The following subsections shall be applicable to sales by equipped rail dealers:

(1) *Price schedule.* Immediately below, and as a part of this subsection (b) (1) is a price schedule that sets maximum prices for domestic delivered sales of specified kinds and sizes of solid fuels in lots of two tons or more. Discounts for pickups at yard are set forth in subsection (b) (4).

SCHEDULE OF PRICES FOR EQUIPPED RAIL DEALERS

	Domestic delivered cash price 2-ton lots per ton
I. Low volatile bituminous coal from District No. 7 (Southern W. Va. and Va.):	
1. Egg—price classification A	$10.75
2. Stove—(top size larger than 1¼" not exceeding 3"; bottom size smaller than 3") price classification A	10.65
3. Pea—(double screened; top size not exceeding ⅝"; bottom size less than ⅜") price classification A	9.50
II. High volatile bituminous coal from District No. 8 (Eastern Ky., Northern Tenn., parts of Va. and W. Va.):	
1. Lump—size groups Nos. 1 and 2 (4" and larger) (in price classification D-F, and egg, size group No. 5 (including 6" x 3") in price classification B-E:	
a. From mines in Subdistrict No. 6 (Southern Appalachian)	10.00
b. From all other mines in above classifications	9.75
2. Lump, size group Nos. 1 and 2, in price classifications K-S, and egg, size group No. 5, in price classifications G-N	9.50

SCHEDULE OF PRICES FOR EQUIPPED RAIL DEALERS—Continued

	Domestic delivered cash price 2 ton lots per ton
II. High volatile bituminous coal from District No. 8—Continued.	
3. Stoker, size group No. 10 (double screened, top size not exceeding 1¼"), price classification B-E	$9.40
III. High volatile bituminous coal from District No. 10 (Illinois):	
A. Southern subdistrict:	
1. Egg, size group Nos. 2 and 3 minimum top size 3"; minimum bottom size larger than 2"	8.00
2. Prepared stoker, size group Nos. 23 and 26 (including ¾" x 10 mesh and 5/16 x 10 mesh)	7.30
3. Screenings, size group Nos. 24 and 27—Washed or Dedusted (Screenings including 1¼" top size)	6.80
B. Central subdistrict—price group No. 12:	
1. Egg, size group No. 2 (including 6" x 4", 7" x 4")	5.80
2. Stoker nut, size group No. 20 (including ¾" x 5/16")	6.15
C. Fulton-Peoria subdistrict:	
1. No. 5 seam, lump and egg, size group Nos. 1, 2, and 3 (bottom size larger than 2"); Egg (minimum top size 3"; minimum bottom size larger than 2"); price group No. 24	5.25
2. No. 6 seam, lump, size group No. 1 (larger than 4") price group Nos. 27 and 28	5.80
3. No. 6 seam, egg, size group No. 5 (including 4" x 2") price group Nos. 27 and 28	5.55

SCHEDULE OF PRICES FOR EQUIPPED RAIL DEALERS—Continued

	Domestic delivered cash price 2 ton lots per ton
III. High volatile bituminous coal from District No. 10 (Illinois)—Continued.	
C. Fulton-Peoria subdistrict—Con.	
4. No. 6 seam, stoker nut, size group Nos. 18, 19, and 20 (Maximum top size 1½", minimum bottom size larger than 10 mesh or 3/32") price group Nos. 27 and 28	$6.15
5. No. 5 seam, stoker nut, size group Nos. 18, 19, and 20 (for dimensions see III-C-4 above) price group No. 24	5.10
6. No. 5 seam, washed screenings, size group No. 24 (including 1¼" x 0) price group No. 24	4.80
IV. High volatile bituminous coal from District No. 11 (Indiana):	
A. Linton Sullivan subdistrict:	
1. Block or lump, size group No. 1 (larger than 4") price group No. 16	7.70
V. Coke byproduct	14.85

(2) *Service and other charges.* Immediately below and as a part of this section (2) is a schedule of charges that sets forth prices which an equipped rail dealer may charge for the special services or conveniences described, when rendered in connection with sales of solid fuel covered by this appendix. These charges may be made only if the buyer requests the service or convenience and the equipped rail dealer renders it pursuant to the request. The charges shall be separately stated in the equipped rail dealer's invoice.

SCHEDULE OF CHARGES AND CONVENIENCES

(1) Wheel or carry from curb	$0.50 per ton.
(2) Trimming	$0.75 per 4-ton load.
(3) Carry up or down stairs	$1.00 per ton.
(4) For any credit sale, that is, a sale where the purchase price is not paid at the time the fuel is delivered.	$0.50 per ton.
(5) For any delivered sale of solid fuels less than 2 tons	$0.50 per ton.

(3) *Charge for treatment of coal.* Whenever any equipped rail dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add to the applicable maximum price set by this Appendix No. 5 a treatment charge not in excess of 10¢ per ton. When a treatment charge is made pursuant to this section, the dealer's invoice shall clearly indicate that the fuel that is the subject of the sale has been dust treated and that a charge is being made therefor.

(4) *Discounts for pickup at yard.* The maximum prices provided for in the schedule contained in section (b) (1) shall be subject to a discount of not less than 50¢ per ton if physical delivery of the coal is made at the yard of the equipped rail dealer.

(c) *Price schedule for certain truckers and mines.* The following shall be the maximum price for the named coals when delivered by truck by persons other than equipped rail dealers from mines located in the counties of Tazewell, Peoria, and Fulton, Illinois:

	Domestic delivered cash price 2-ton lots per ton
I. District No. 10—Fulton-Peoria subdistrict: 1. No. 5 seam, lump and egg, size group Nos. 1, 2, and 3 (bottom size larger than 2"); Egg (minimum top size 3" minimum bottom size larger than 2") Price Group No. 24	$5.25

With respect to all other types of coal and all services the maximum prices shall be those established under Revised Maximum Price Regulation No. 122.

(d) *Revocation of Regional Order G-1 under Maximum Price Regulation No. 122, and Appendix No. 4 to G-16.* Order G-1 under Maximum Price Regulation No. 122 (formerly designated as Regional Order No. 5) issued December 12, 1942, and Appendix No. 4 to Order No. G-16 are hereby revoked.

Issued this 28th day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

This Appendix No. 5 to Order No. G–16 shall be effective September 4, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–13881; Filed, Sept. 8, 1944; 1:00 p. m.]

[Region VIII Order G–3 Under RMPR 269]

POULTRY IN SAN FRANCISCO REGION

Order No. G–3 under Revised Maximum Price Regulation No. 269, as amended. Poultry. Definitions of processing plant and wholesaler.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1429.14 (e) of Revised Maximum Price Regulation No. 269, as amended, and with the approval in writing of the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration and the Division Counsel for Food of the Office of Price Administration, *It is hereby ordered:*

1. (a) The definition of "processing plant", as set forth in § 1429.21 (b) (3) of Revised Maximum Price Regulation No. 269, as amended, shall be modified as follows:

"Processing plant" means any business establishment which purchases or receives live poultry items and which converts the larger part of dollar volume of all poultry items handled from live into dressed, drawn, or quick frozen eviscerated poultry. "Processing plant" does not mean any person who does 75% or more of his dollar volume in the distribution as a "wholesaler" of poultry items converted from live to dressed, drawn, or frozen eviscerated, and who, in the course of such distribution as a "wholesaler", incidentally converts live birds into dressed, drawn, or eviscerated birds, or dressed birds into drawn or eviscerated birds.

2. The definition of "wholesaler" set forth in § 1429.21 (b) (5) of Revised Maximum Price Regulation No. 269, as amended, shall be modified as follows:

"Wholesaler" means any person who possesses all of the following characteristics:

(i) He must customarily receive, or purchase and receive poultry items in wholesale quantities.

(ii) He must maintain at the particular place where he is located, a business establishment where he receives and stocks poultry items, and where he employs a personnel which physically handles and distributes such poultry items to individual retail stores or institutional, industrial, commercial users, naval or military establishments or War Shipping Administration.

(iii) He must customarily sell or distribute poultry items in quantity lots which are smaller than his purchases or receipts to individual retail stores or institutional, industrial, commercial users, naval or military establishments or War Shipping Administration.

(iv) He must customarily sell or distribute at least 75% of his dollar volume of poultry items, exclusive of sales to the United States Government, or any agency thereof, for ultimate consumption within a radius of 100 miles from his place of business: *Provided*, That any person who maintains a business establishment at any place in the State of Arizona, Nevada, or in that portion of the State of Washington lying east of the summit of the Cascade Range, must customarily sell and distribute at least 75% of his dollar volume of poultry items, exclusive of sales to the United States Government, or any agency thereof, for ultimate consumption within a radius of 200 miles. *Provided further*, That any person who maintains a business establishment in the State of Utah need not include in the volume of poultry items sold in the Counties of Elko, White Pine, Lincoln and Clark in the State of Nevada in the 75% dollar volume.

3. This order may be revoked, corrected or amended at any time.

4. This order shall become effective September 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1944.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44–13885; Filed, Sept. 8, 1944; 1:08 p. m.]

[Raleigh Order G–1 Under MPR 426, Revocation]

LETTUCE IN RALEIGH, N. C., DISTRICT

Order revoking Order G–1 under Maximum Price Regulation No. 426. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices of sales of lettuce.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the District Director of the Office of Price Administration, Raleigh, North Carolina by Delegation Order 16 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation No. 426, *It is hereby ordered*, That Order No. G–1 under Maximum Price Regulation No. 426 issued by the Raleigh, North Carolina District Office of the Office of Price Administration on September 15, 1942 be and the same is hereby revoked.

This order of revocation shall become effective August 23, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R. 408)

Issued this 23d day of August 1944.

W. HANCE HOFLER,
Acting District Director.

[F. R. Doc. 44–13871; Filed, Sept. 8, 1944; 1:08 p. m.]

[Peoria Order G–1 Under MPR 426 and MPR 285, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN PEORIA, ILL.

For the reasons set forth in the accompanying opinion issued simultaneously herewith and under the authority heretofore duly vested in the District Director by the order of delegation issued by the Regional Office, Region VI, within which the Peoria District Office is located, § 1439.3–15 Appendix H (f), Appendix I (g), Appendix J (l) and Appendix K (r) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285, Order No. G–1 is hereby amended as follows:

1. The title of Order No. G–1 is hereby amended, so that, as amended, it shall read: "Office of Price Administration, Peoria District Office, Region VI, Order No. G–1 Under § 1439.3–15, Appendix H (f), Appendix I (g), Appendix J (l), Appendix K (r) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285."

2. Section (a) is hereby amended, so that as amended, it shall read:

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point in Peoria, Illinois. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the price provisions of MPR 285 and Appendices H, I, J and K of MPR 426. The only sellers who are subject to this order are those wholesalers who price under MPR 285 and secondary jobbers and service wholesalers as those terms are used in Appendix H, I, J, and K of MPR 426.

3. Section (c) is hereby amended so that, as amended, it shall read:

(c) *Differentials for non-delivered and delivered sales for items listed in Appendices H, I, J and K of MPR 426*—(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone 5¢ per container for standard shipping containers weighing under fifty pounds gross weight and 10¢ per container for standard shipping containers weighing fifty pounds or over gross weight.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone, the maximum delivered price shall be the maximum delivered price computed under MPR 426, for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the seller may add to the price for delivered sales in the free delivery zone the sum of 30¢ per cwt. The cwt. charge for commodities covered by Appendices, H, I, J and K shall be figured on the basis of gross weight.

4. This order may be amended, revoked or modified at any time. It shall become effective on the 15th day of July 1944.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681; MPR 426, as amended, 8 F.R. 9546; App. H, 9 F.R. 902; App. I, 9 F.R. 2008; App. J; App. K; MPR 285, as amended, 7 F.R. 10481)

Issued this 13th day of July 1944.

JAS. A. CARRUTHERS,
District Director.

Approved:

DONALD E. SMITH,
Acting Regional Director of Distribution,
War Food Administration.

[F. R. Doc. 44–13882; Filed, Sept. 8, 1944; 1:09 p. m.]

[Region I Order G–9 Under RMPR 122, Revocation]

SPECIFIED SOLID FUELS IN METROPOLITAN BOSTON AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended: *It is hereby ordered*, That Region I Order No. G–9 under Revised Maximum Price Regulation No. 122 (Specified Solid Fuels—Metropolitan Boston Area) be and it hereby is revoked.

This order shall become effective September 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–13872; Filed, Sept. 8, 1944; 1:08 p. m.]

[Region I Order G–70 Under RMPR 122, Corr. to Amdt. 10]

SOLID FUELS WITHIN SPECIFIED AREAS IN BOSTON REGION

In paragraph (c) (10) (b) (3) of Region I Order No. G–70 under Revised Maximum Price Regulation No. 122, added to said Order G–70 by Amendment No. 10, the figure "2" and the words "two (2)" are corrected to read "10" and "ten (10)", respectively.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–13873; Filed, Sept. 8, 1944; 1:08 p. m.]

[Region II Rev. Order G–15 Under RMPR 122, Amdt. 5]

SOLID FUELS IN DESIGNATED AREAS IN MARYLAND

Solid fuels delivered by dealers in Baltimore City and designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 123, Revised Order No. G–15 is amended in the following respects:

1. Paragraph (d) is amended by incorporating "Direct-Delivery" prices for buckwheat-sized Virginia anthracite, as follows:

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
• • •	•	•	•
Virginia anthracite			
• • •	•	•	•
Buckwheat	$9.20	$5.10	

2. Paragraph (e) (1) is amended by incorporating a "Yard Sales" price for buckwheat-sized Virginia anthracite, as follows:

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
• • •	•	•
Virginia Anthracite		
• • •	•	•
Buckwheat	$8.20	

This Amendment No. 5 to Revised Order No. G–15 shall become effective August 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–13874; Filed, Sept. 8, 1944; 1:06 p. m.]

[Savannah Order G–1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN SAVANNAH, GA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Savannah, Georgia, District Office, Region IV, by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, Amendment 18 to Maximum Price Regulation 426, and Regional Delegation Orders Nos. 35 and 36, this Order No. G–1 is hereby issued.

SECTION 1. *Purpose of order.* In accordance with the provisions of Amendment 18 to MPR 426, this order establishes free delivery zones and provides maximum prices for delivery services outside of free delivery zones, for delivery of fresh fruits and vegetables by secondary jobbers and service wholesalers in the counties of Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Brooks, Bryan, Bulloch, Burke, Calhoun, Camden, Candler, Charlton, Chatham, Clay, Clinch, Coffee, Colquitt, Columbia, Cook, Decatur, Dougherty, Early, Echols, Effingham, Emanuel, Evans, Glascock, Glynn, Grady, Irwin, Jeff Davis, Jefferson, Jenkins, Liberty, Lanier, Long, Lowndes, McDuffie, McIntosh, Miller, Mitchell, Montgomery, Pierce, Richmond, Screven, Seminole, Tattnall, Telfair, Tift, Thomas, Toombs, Treutlen, Turner, Ware, Warren, Wayne, Wheeler and Worth in the State of Georgia, and a certain area in the State of South Carolina, as more fully described in section 3 of this order.

SEC. 2. *Definitions.* "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

"Service wholesaler" means a person who maintains a store or warehouse at which the listed commodity being priced is stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells to retail stores, government procurement agencies or institutional buyers.

"Free delivery zones" are the counties or areas, hereinafter defined in section 3, of this order, in which secondary jobbers or service wholesalers, whose place of business or warehouse is located in the free delivery zone, make delivery to the premises of a purchaser whose place of business or store is located in a free delivery zone, without adding a hauling or freight charge for such delivery, to the markup specified for such sellers in Amendment 18 to MPR 426.

"Paid delivery zones" are all other counties or areas, not specifically set forth in section 3 as free delivery zones, and in which secondary jobbers or service wholesalers are permitted to make a delivery or service charge over and above the markup, specified for such sellers in Amendment 18 to MPR 426, for delivery to a purchaser located outside of a free delivery zone.

"Delivery or service charge" is the hauling or freight charge for delivery to a

purchaser located outside of a free delivery zone by a jobber or service wholesaler.

A delivery charge, for a delivery by a secondary jobber or service wholesaler, outside of a free delivery zone, shall not exceed 30¢ per one hundred pounds. Lower prices may be charged and paid.

SEC. 3. *Free delivery zones.* The following counties or areas are hereby established and designated by this order as free delivery zones:

County	County seat	Free delivery zone
Richmond	Augusta	All of Richmond County and the area in South Carolina, including the town of North Augusta, Graniteville, Vaucluse and Aiken, and all of the area situated within a distance of 200 feet of the Right of Way of U. S. Highway #1 between Augusta, Georgia and Aiken, South Carolina, including all towns, villages and communities situated on or adjacent to said highway.
Chatham	Savannah	All of Chatham County with the exception of the area known as the Island of Greater Tybee, which includes Savannah Beach.
Bulloch	Statesboro	All of Bulloch County.
Toombs	Vidalia	All of Toombs and Candler Counties.
Glynn	Brunswick	All of Glynn County.
Ware	Waycross	All of Ware County and the area in Pierce County within the corporate limits of the Town of Blackshear and the area of Pierce County situated within a distance of 200 feet of the Right of Way of Georgia State Highway #38, between the Town of Blackshear and Ware County, including all Towns, Villages and communities situated on or adjacent to said highway.
Coffee	Douglas	All of Coffee County.
Lowndes	Valdosta	All of Lowndes County.
Thomas	Thomasville	All of Thomas County.
Dougherty	Albany	All of Dougherty County.

SEC. 4. *Adjustments.* This order may be revoked, amended or corrected at any time.

SEC. 5. *Evasion.* On and after the effective date of this order, persons violating any provision or provisions of this order, whether by direct or indirect methods, in connection with any offer, solicitation or agreement, are subject to the penalties provided for by the Emergency Price Control Act of 1942.

SEC. 6. *Effective date.* This order becomes effective on and after August 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

R. E. THORPE,
District Director.

[F. R. Doc. 44-13876; Filed, Sept. 8, 1944; 1:10 p. m.]

[Region V Order G-1 under RMPR 122, Amdt. 8]

SOLID FUELS IN ST. LOUIS, MO., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the Opinion issued simultaneously herewith; *It is ordered:*

Section (c), Price Schedule (1), I (c), DuQuoin Sub-District (Price Group 11), is amended to read as follows:

(C) DuQuoin sub-district (price group 11):

(1) Lump, larger than 4"	$7.05
(2) Egg, top size—no limit, bottom size 4" to larger than 2"	7.10
(3) Stoker, ¾" x 10 Mesh	6.65
(4) Stoker, single screened coals; top size 1½" and smaller (raw)	5.80

This order shall become effective the 4th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 30th day of August 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R Doc. 44-13879; Filed, Sept. 8, 1944; 1:09 p. m.]

[Region V, Order G-2 under RMPR 122, Amdt. 3]

SOLID FUELS IN KANSAS CITY, MO.-KANS., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith; *It is ordered:*

Paragraph (d), Price Schedule, section III (C), Production Groups 4 and 5, is amended and changed to read as follows:

(C) Production groups 4 and 5.

The following maximum price is for the specified size of bituminous coal produced at mines in Ray, Clay, Caldwell, Daviess, Clinton, Carroll, Lafayette and Saline Counties, Missouri, with the exception of mines included in Lafayette County and Ray County, Missouri, as set forth under (2) and (3) below:

(1) Lump (bottom size 2" or larger), $7.00.

The following maximum price is for the specified size of bituminous coal produced in Lafayette County by Mine No. 7, Farmers Coal Mining Company, Mine Index No. 49, and the Western Coal Mining Company, Mine Index No. 140:

(2) Lump (bottom size 2" or larger), $8.00.

The following maximum price is for the specified size of bituminous coal produced in Ray County by the Elmira Coal Company, Mine Index No. 48:

(3) Lump (bottom size 2" or larger), $8.60.

Paragraph (d), Price Schedule, Section IV is amended to read as follows:

IV. *Briquettes.*

(1) Standard briquettes produced in Kansas City, Missouri, manufactured from District 14 coal, $11.75.

(2) Above briquettes sacked (25 lbs.), $13.75.

(3) Above briquettes sacked (25 lbs.) f. o. b. yard, per sack, $0.20.

This order shall become effective the 4th day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 30th day of August 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44-13877; Filed, Sept. 8, 1944; 1:09 p. m.]

[Region V Order G-5 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ST. JOSEPH, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith; *It is ordered:*

Section (c), Price Schedule III, (E) Production Group 4, as amended, is amended to read as follows:

(E) Production group 4.

The following maximum price is for the specified size of bituminous coal produced at underground mines in Caldwell, Carroll, Clay, Clinton, Daviess, and Ray Counties, except bituminous coal produced in Ray County by the Elmira Coal Mining Company, Mine Index No. 48:

(1) Lump (bottom size 2" and larger), $8.00.

The following maximum price is for the specified size of bituminous coal produced in Ray County by the Elmira Coal Mining Company, Mine Index No. 48:

(2) Lump (bottom size 2" and larger), $8.60.

This order shall become effective the 4th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 30th day of August 1944.

C. B. BRAUN,
Acting Regional Administrator.

[F. R. Doc. 44-13878; Filed, Sept. 8, 1944; 1:10 p. m.]

[Peoria Order G-2 Under MPR 426 and MPR 285, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN PEORIA, ILL.

For the reasons set forth in the accompanying opinion issued simultaneously herewith and under the authority heretofore duly vested in the District Director by the order of delegation issued by the Regional Office, Region VI, within which the Peoria District Office is located, § 1439.3-15, Appendix H (f), Appendix I (g), Appendix J (l) and Appendix K (r) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285, Order No. G-2 is hereby amended as follows:

1. The title of Order No. G-2 is hereby amended, so that as amended, it shall read:

"Office of Price Administration, Peoria District Office Region VI, Order No. G-2 Under § 1439.3-15, Appendix H (f), Appendix I (g), Appendix J (l), Appendix K (r) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285."

2. Section (a) is hereby amended, so that as amended, it shall read:

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of Joliet, Illinois. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of MPR 285 and Appendices H, I, J and K of MPR 426. The only sellers who are subject to this order are those wholesalers who price under MPR 285 and secondary jobbers and service wholesalers as those terms are used in Appendices H, I, J and K of MPR 426.

3. Section (c) is hereby amended so that, as amended, it shall read:

(c) *Differentials for non-delivered and delivered sales for items listed in Appendices H, I, J, and K of MPR 426*—(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone 5¢ per container for standard shipping containers weighing under fifty pounds gross weight and 10¢ per container for standard shipping containers weighing fifty pounds or over gross weight.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone, the maximum delivered price shall be the maximum delivered price computed under MPR 426, for the type of sale being made without any deductions from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the seller may add to the price for delivered sales in the free delivery zone the sum of 25¢ per cwt. The cwt. charge for commodities covered by Appendices H, I, J, and K shall be figured on the basis of gross weight.

4. This order may be amended, revoked or modified at any time. It shall become effective on the 15th day of July 1944.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R 7871, and E.O. 9328, 8 F.R. 4681; MPR 426, as amended, 8 F.R. 9546; App. H, 9 F.R. 902; App. I, 9 F.R. 2008; App. J; App. K; MPR 285, as amended, 7 F.R. 10481)

Issued this 13th day of July 1944.

JAS. A. CARRUTHERS,
District Director.

Approved:

DONALD E. SMITH,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44-13883; Filed, Sept. 8, 1944; 1:08 p. m.]

[Region IV Rev. Order G-18 Under RMPR 122]

SOLID FUELS IN COBB AND CHEROKEE COUNTIES, GA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered,

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this Order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule: Consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made to any point in Cobb or Cherokee Counties, Georgia.

(i) *"Direct delivery or Domestic" basis.*

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Block, 6" or 8" (size group No. 1) in price classification M	$9.40	$4.95	$2.60
Block, 6" and chunk, 6" x 6" (size group No. 2):			
(a) In price classification A	9.70	5.10	2.68
(b) In price classifications C-N	9.00	4.75	2.50
Egg, 3" x 6" (size group No. 6) and 2" x 5" (size group No. 7) in price classification A	8.10	4.30	2.33
Egg, 3" x 5" (size group No. 6) in price classifications E-K, and 2" x 5" (size group No. 7) in price classification J	8.30	4.40	2.33
Egg, 3" x 6" (size group No. 4) in price classification M	8.90	4.70	2.45
Stoker, top size not exceeding 1¼", bottom size less than 1¼" (size group No. 10)—all price classifications—untreated	8.90	4.70	2.48
Yard slack	6.80	3.80	1.95

(2) *Maximum authorized service charges and required deductions*—(i) *Carry or wheel service.* If a buyer requests such service, the dealer may not charge more than 50¢ per ton therefor.

(ii) *Yard sales.* When the buyer picks up the solid fuel covered by this order at the dealer's yard, the dealer must reduce the domestic price at least 50¢ per ton.

(iii) *Sacked coal.* A dealer may not charge more than 50¢ per 100 lb. bag of egg coal at the yard, or delivered, sack not included.

(iv) *Delivery zone.* For deliveries made beyond the corporate limits of the city or township in which the dealer's yard is located, the dealer may add 10¢ per ton per mile with a minimum charge of 50¢ for such deliveries. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(v) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge to the dealer therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(vi) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

(d) *Ex Parte 148 Freight Rate Increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler

Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of Sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refer to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Revised Order No. G–18 under Revised Maximum Price Regulation No. 122 incorporates substantially the same provisions as are found in Order No. G–18 under Revised Maximum Price Regulation No. 122, except that, as stated in the accompanying opinion, changes have been made in the price list; therefore, as of the effective date hereof, this revised order supersedes said Order No. G–18.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective September 4, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 29, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–13875; Filed, Sept. 8, 1944; 1:06 p. m.]

[Peoria Order G–3 Under MPR 426 and MPR 285, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN PEORIA, ILL.

For the reasons set forth in the accompanying opinion issued simultaneously herewith and under the authority heretofore duly vested in the District Director by the order of delegation issued by the Regional Office, Region VI, within which the Peoria District Office is located, § 1439.3–15, Appendix H (f), Appendix I (g), Appendix J (1) and Appendix K (r) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285, Order No. G–3 is hereby amended as follows:

1. The title of Order No. G–3 is hereby amended, so that, as amended, it shall read: "Office of Price Administration, Peoria District Office, Region VI, Order No. G–3 under § 1439.3–15, Appendix H (f), Appendix I (g), Appendix J (1), Appendix K (r) of Maximum Price Regulation 426 and § 1351.1254a (a) of Maximum Price Regulation 285."

2. Section (a) is hereby amended, so that as amended, it shall read:

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of the Cities of Bloomington and Normal, Illinois. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of MPR 285 and Appendices H, I, J and K of MPR 426. The only sellers who are subject to this order are those wholesalers who price under MPR 285 and secondary jobbers and service wholesalers as those terms are used in Appendices H, I, J and K of MPR 426.

3. Section (c) is hereby amended so that, as amended, it shall read:

(c) *Differentials for non-delivered sales and delivered sales for items listed in Appendices H, I, J and K of MPR 426*—(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the prices for delivered sales in the free delivery zone 5¢ per container for standard shipping containers weighing under fifty pounds gross weight and 10¢ per container for standard shipping containers weighing fifty pounds or over gross weight.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone, the maximum delivered price shall be the maximum delivered price computed under MPR 426, for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the seller may add to the price for delivered sales in the free delivery zone the sum of 20¢ per cwt. The cwt. charge for commodities covered by Appendices, H, I, J and K shall be figured on the basis of gross weight.

4. This order may be amended, revoked or modified at any time. It shall become effective on the 15th day of July 1944.

(Pub. Law 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681; MPR 426, as amended, 8 F.R. 9546; App. H, 9 F.R. 902; App. I, 9 F.R. 2006; App. J, App. K; MPR 285, as amended, 7 F.R. 10481)

Issued this 13th day of July 1944.

JAS. A. CARRUTHERS,
District Director.

Approved:

DONALD E. SMITH,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44–13884; Filed, Sept. 8, 1944; 1:08 p. m.]

[Region VI Order G–11 Under RMPR 165, Amdt. 1]

CUSTOM LUMBER SAWING SERVICES IN SOUTHWESTERN WISCONSIN

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, and by sections 3 and 16 (a) of Revised Maximum Price Regulation No. 165, Services, *It is hereby ordered:*

(a) Order No. G–11 under Revised Maximum Price Regulation No. 165, (formerly Maximum Price Regulation 165, as amended, Services, "Adjusted Prices for Custom Lumber Sawing Services in Southwestern Wisconsin," is hereby amended by the addition of paragraphs "(g)" and "(h)" to read as follows:

(g) *Records* shall be maintained and preserved by each custom sawyer, for examination at any time by the Office of Price Administration, relative to the costs and revenues resulting from the performance of custom sawing services affected by this order. Such records shall disclose, for each calendar month, the following information as a minimum:

CUSTOM LUMBER SAWING SERVICES ONLY

	Amount	Footage
(1) Income:		
Sawing for grade (standard sizes)	$	
Sawing alive		
Sawing for special sizes		
Piling		
(2) Manufacturing expense:		
Employees' wages: [1]		
Sawing for grade (standard sizes)		Hours
Sawing alive		
Sawing for special sizes		
Piling		
Moving portable mills		
Supplies, repairs, power, oil, greases		
Other (specify)		
(3) Overhead expense:		
Depreciation [2]		
Social Security		
Workmen's compensation insurance		
Other (specify)		

[1] Show the number of employees.
[2] Indicate the probable life of equipment together with its original cost.

(h) A copy of this order and of any amendments thereto shall at all times be kept available, for inspection by any person, on the premises of any person supplying custom lumber sawing services.

This amendment shall become effective September 1, 1944.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–13880; Filed, Sept. 8, 1944; 1:05 p. m.]

[Region I Rev. Supp. Order 2 under RMPR 122, Amdt. 8]

PENNSYLVANIA ANTHRACITE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Revised Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In the table in paragraph (a), the words "Raven Run" and "or Delano" are deleted from the heading "Raven Run, Orange Disc or Delano" so that said heading will read simply "Orange Disc".

2. The following is added to the table in paragraph (a):

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Delano:				
Broken, egg, stove, chestnut, and pea	$0.80	$0.25	$0.15	None
Buckwheat	.40	.20	.10	None
Rice	.10	.05	None	None

3. Subparagraph (16) of paragraph (e) is amended to read as follows:

(16) Delano means that Pennsylvania Anthracite which is produced by Delano Anthracite Colliery Company, Ashland, Pennsylvania and prepared at its Delano Breaker or its Park Breaker and which meets the quality and preparation standards established by Order No. 21 under Maximum Price Regulation No. 112.

4. Subparagraph (11) of paragraph (e) is revoked.

This Amendment No. 3 shall become effective September 11, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 1st day of September 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–13916; Filed, Sept. 8, 1944; 4:47 p. m.]

[Region I Supp. Order 8, Under RMPR 122, Amdt. 2]

PENNSYLVANIA ANTHRACITE IN LAWRENCE, MASS., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I, Supplementary Order No. 8 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. The provision for "Raven Run" in paragraph (c) is revoked.

2. The sentence at the end of paragraph (c), reading-"In addition, all references to 'Colonial' are deleted", is amended to read as follows:

In addition, all references to "Colonial" and "Raven Run" are deleted.

3. The last item in the list of orders in paragraph (d), added by Amendment No. 1 to this Supplementary Order No. 8 and reading "Subparagraph (3) of paragraph (o) of G–70 (Appendix 3) * * * Pittsfield, Massachusetts * * * (f)" is revoked.

This Amendment No. 2 shall become effective September 11, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of September 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-13910; Filed, Sept. 8, 1944; 4:48 p. m.]

[Region I Order G-70 Under RMPR 122, Amdt. 11]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-70 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Subparagraph (f) in paragraph (o) (1) (Appendix 1: Specified Solid Fuels—Plymouth, New Hampshire Area) is revoked.

2. Subparagraph (f) in paragraph (o) (2) (Appendix 2: Specified Solid Fuels—Greenfield, Massachusetts Area) is revoked.

3. Subparagraph (f) in paragraph (o) (3) (Appendix 3: Specified Solid Fuels—Pittsfield, Massachusetts Area) is revoked.

4. Subparagraph (f) in paragraph (o) (4) (Appendix 4: Specified Solid Fuels—Springfield, Massachusetts Area) is revoked.

5. Subparagraph (f) in paragraph (o) (5) (Appendix 5: Specified Solid Fuels—Holyoke, Massachusetts Area) is revoked.

6. Subparagraph (f) in paragraph (o) (8) (Appendix 8: Specified Solid Fuels—Amherst, Massachusetts Area) is revoked.

7. Paragraph (e) is amended to read as follows:

(e) *Named Pennsylvania Anthracites.* (1) The additions specified in subparagraph (2) of this paragraph (e) may be added to the specific maximum prices set forth for Pennsylvania Anthracite in any Appendix contained in paragraph (o) of this Order G-70 if the following conditions are observed:

(a) The named coal is not mixed with a coal which is not named, or with any other named coal, either in storage or delivery: *Provided, however,* That if a purchaser requests a delivery of a mixture of two or more coals, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein: *And provided further,* That two or more named coals which carry the same increase may be mixed or two or more which carry different increases may be mixed and sold at the increased price provided for that one which carries the lowest increase, in either of which cases the name used may be that of any named coal in the mixture except one carrying a greater increase than that permitted by this proviso;

(b) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(c) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coals by the names used in this order, and are complete and accurate as to any mixtures permitted by subparagraph (a) above and as to the composition thereof and name or names used therefor; and

(d) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(2) The additions which may be made for the following sizes of listed named Pennsylvania Anthracite coals, when the conditions set forth in subparagraph (1) of this paragraph (e) are observed, shall be as follows: *Provided, however,* That if a specific provision is made in a particular Appendix in paragraph (o) for specified sizes of a particular named Pennsylvania Anthracite, that provision shall govern instead of the additions set forth below.

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.05	None
Rice	.15	.10	None	None
Franklin:				
Broken	.75	.40	.20	$0.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.20	.15	.05	None
Rice	.10	.05	None	None
Greenwood: Egg, stove, chestnut and pea	.25	.15	.05	None
Salem Hill:				
Egg and stove	.85	.45	.20	.05
Chestnut	.45	.25	.10	None
Breeder nut	.70	.35	.20	.05
Pea	.40	.20	.10	None
Rice	.20	.10	.05	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.45	.25	.10	None
Rice	.45	.20	.10	None
Leggitts Creek or Black Stork:				
Broken, egg, stove, chestnut, and pea	.65	.35	.15	None
Buckwheat	.50	.25	.15	None
Rice	.10	.05	None	None
Reppiler:				
Broken, egg, stove, chestnut and pea	.50	.25	.15	None
Buckwheat, rice and barley	.40	.20	.10	None
East Bear Ridge:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
Barley	.15	.10	None	None
Dial Rock:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.25	.15	.05	None
Steele or Alden:				
Broken, egg, stove, chestnut, pea and buckwheat	.25	.15	.05	None
Rice	.10	.05	None	None
Orange Disk:				
Broken, egg, stove, chestnut, pea, buckwheat and rice	.10	.05	None	None
Delano:				
Broken, egg, stove, chestnut and pea	.50	.25	.15	None
Buckwheat	.40	.20	.10	None
Rice	.10	.05	None	None

8. Subparagraph (9) of paragraph (1) is amended to read as follows:

(9) "Named Pennsylvania Anthracite" means the following Pennsylvania Anthracite coals: Jeddo Highland, Franklin, Greenwood, Salem Hill, Silver Brook, Leggitts Creek and Black Stork, East Bear Ridge, Dial Rock, Orange Disc, Delano, Repplier, Steele and Alden.

9. Subparagraphs (15), (18) and (19) of paragraph (1) are revoked.

10. Subparagraph (23) of paragraph (1) is amended to read as follows:

(23) "Delano" means that Pennsylvania Anthracite which is produced by Delano Anthracite Colliery Company, Ashland, Pennsylvania and prepared at its Delano Breaker or its Park Breaker and which meets the quality and preparation standards established by Order No. 21 under Maximum Price Regulation No. 112.

11. Subparagraphs (34), (35) and (36) are added to paragraph (1) to read as follows:

(34) "Repplier" means that Pennsylvania Anthracite which is produced and prepared by Repplier Coal Company at its New Castle Colliery and which meets the quality and preparation standards established by Order No. 15 under Maximum Price Regulation No. 112.

(35) "Steele" means that Pennsylvania Anthracite which is produced and prepared by T. F. Steele Coal Company, Junedale, Pennsylvania, and which meets the quality and preparation standards established by Order No. 16 under Maximum Price Regulation No. 112.

(36) "Alden" means that Pennsylvania Anthracite which is produced and prepared by Alden Coal Company, Wilkes-Barre, Pennsylvania, and which meets the quality and preparation standards established by Order No. 17 under Maximum Price Regulation No. 112.

12. Subparagraph (b) (4) of paragraph (o) (9) (Appendix 9: Specified Solid Fuels—Metropolitan Boston Area) is amended to read as follows:

(4) *Certain named Pennsylvania Anthracite coals.* Notwithstanding the provisions of paragraph (e) (2) of this Order G-70, the specific maximum prices set forth above for Pennsylvania Anthracite may be increased by the following amounts when the following sizes of Jeddo Highland and Franklin are sold, if the conditions set forth in paragraph (e) (1) of this Order G-70 are observed:

Kind and size	Amount of addition			
	Per net ton	Per ½ ton	Per ¼ ton	Per 100 lbs.
Jeddo Highland:				
Broken egg, stove, chestnut, and pea	$0.50	$0.25	$0.10	$0.05
Buckwheat and rice	.25	.10	.05	None
Franklin:				
Broken and chestnut	.75	.35	.20	.10
Egg	1.00	.50	.25	.10
Stove	1.25	.60	.30	.10
Rice	.10	.05	None	None

This Amendment No. 11 shall become effective September 11, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-13911; Filed, Sept. 8, 1944; 4:45 p. m.]

[Region VI Order G-8 Under RMPR 122, Amdt. 5]

SOLID FUELS IN MADISON, WIS.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in the opinion issued herewith, *it is ordered* that paragraphs (b) and (c) of Order No. G-8, as amended, be, and they are hereby, amended to read as follows:

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-8; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than maximum price by:

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order,

(ii) Charging a price higher than the schedule price for a service,

(iii) Making a charge higher than the schedule charge authorized for the extension of credit,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(v) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) (1) is a schedule which sets forth maximum prices per net ton for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2 and 3 show maximum gross and net prices, respectively, for sales of coal delivered in quantities less than 3 tons; columns 4 and 5 show maximum prices for deliveries in quantities of 3 tons or more. Gross prices may be charged if payment is not received within ten days after delivery. No more than net prices may be charged if payment is received within ten days after delivery.

SCHEDULE

	Less than 3 tons delivered		3 tons or more delivered	
	Gross	Net	Gross	Net
I. Low volatile bituminous coal from district No. 7 (West Virginia): 1. Egg and stove (size groups Nos. 2 and 3)	$14.10	$13.45	$14.10	$13.45
II. High volatile bituminous coal from district No. 8 (West Virginia and East Kentucky): 1. Domestic stoker 1¼" and smaller size group No. 10	12.00	11.45	11.50	11.00
III. High volatile bituminous coal from district No. 9 (West Kentucky): 1. No. 6 seam stoker, size group Nos. 8-12	9.35	8.90	8.85	8.40
IV. High volatile bituminous coal from district No. 10 (Illinois): A. Southern subdistrict: 1. Lump 8" and larger, and egg 6" x 3" and 3" x 2", price group Nos. 1, 2, and 3	9.80	9.35	9.80	9.35
2. Prepared stoker, size group Nos. 22 and 23, price group Nos. 1, 2, and 3	8.90	8.50	8.40	8.00
3. Washed and Dedusted Screenings, Size Group Nos. 24 and 27, price group Nos. 1, 2 and 3	8.50	8.10	8.00	7.60
V. High volatile bituminous coal from district No. 11 (Indiana): 1. Lump and egg, size group Nos. 1, 2 and 3, price group Nos. 6 and 14	9.45	9.00	9.45	9.00
2. Lump and egg, size group Nos. 1, 2 and 3, price groups 8-12, inc., and egg, size group Nos. 4 and 5, price group No. 13	9.05	8.60	9.05	8.60
3. Stoker, size group 9 through 12, price group Nos. 6 and 14	8.50	8.10	8.00	7.60
4. Washed screenings, size group Nos. 23, 24, price group Nos. 7 and 13 and washed nut and pea, size group No. 17-22, inc., price group 9 to 12, inc.	8.10	7.70	7.60	7.25
VI. Briquettes—United and Berwind	14.00	13.90	14.00	13.90
VII. Pennsylvania anthracite: 1. Egg, stove, and nut	18.10	17.25	18.10	17.25
2. Pea	16.30	15.55	16.30	15.55
3. Buckwheat	14.25	13.70	14.25	13.70
VIII. Byproduct coke: 1. Egg, stove, and nut	15.05	14.35	15.05	14.35

(2) The prices provided for in the above schedule shall apply to all sales of all-rail coal and to the dock coal therein described which has been rescreened at the dock. The maximum prices for all sales by dealers for each size and kind of dock-run coal shall be 50¢ per net ton lower than the maximum prices set forth in the above schedule for the same size and kind of coal which has been rescreened at the dock.

(3) The maximum prices for yard sales shall be the prices set forth in columns 3 and 4 less 75¢ a ton.

(4) The maximum prices for all sales by dealers of solid fuel not provided for by the above schedule shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended.

(5) When a dealer purchases coal from a producer who has added a charge for the chemical or oil treatment thereof, that dealer, in selling that coal, may add to the applicable maximum prices set by this order a treatment charge in an amount not in excess of 10¢ per ton. The treatment charge so made shall be stated separately from all other items on the dealer's invoice.

This Amendment No. 5 to Order G-8 shall become effective September 11, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-13915; Filed, Sept. 8, 1944; 4:47 p. m.]

[Region VIII Order G 100 Under 18 (c)]

PULPWOOD IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region VIII of the Office of Price Administration by § 1499.18 (c) as amended by the General Maximum Price Regulation, *it is hereby ordered:*

(a) *Scope of the order.* (1) In general this order establishes maximum prices for sales to pulp mills located in Region VIII and for sales in Region VIII to pulp mills located in any other region for the specified types and kinds of wood for use as pulpwood. The maximum dollars and cents prices established herein supersede those established under the General Maximum Price Regulation.

(2) *Kinds of pulpwood covered.* The maximum prices for sales to pulp mills in Region VIII of all "sawmill waste" wood, "veneer mill waste", "tie mill waste", "pulpwood chips", "Forest produced cordwood", two inch clear wood, four inch clear wood produced in Region VIII, shall be those prescribed in Appendix A; provided that where a sale is made on a delivered to consumer basis, for a product which has only a base price established on an f. o. b. producing mill basis, the delivered price shall be the f. o. b. mill price plus the actual cost of transportation, not to exceed lowest available common carrier freight rate.

(3) *Kinds of sales.* The provisions of this order apply only to pulpwood of the kind and types described when sold to pulp mills. The maximum prices established herein apply to a producer, his agent, or a private contractor, wherever located.

(4) *Area covered.* This order applies to all sales and deliveries in the Puget Sound District and the Columbia River

District as defined below. A sale or delivery is deemed to be made within the described districts, when pulpwood is delivered within such area, regardless of the seller's place of business.

(b) *Definitions.* (1) "Sawmill waste", as used herein, means all waste products of lumber milling operations or remanufacturing operations, such as, but not limited to edgings, slabs, planer ends, inside block; however it does not include "tie mill waste" as defined below.

(2) "Veneer mill waste", as used herein, means all waste products of veneer milling operations, including but not limited to nubbins and cores.

(3) "Tie mill waste", as used herein, means all waste products of the mill operations including but not limited to slabs, edgings and blocks. Current tie mill operators may qualify their waste as "tie mill waste" if 80% of their total manufactured products are ties.

(4) "Pulpwood chips", as used herein, are the product of chipping operations of selected, clear wood, free from rot, bark off, which meet the size specifications of the pulp mill.

(5) "Forest produced cordwood", as used herein, means forest pulpwood produced by individual operators such as, but not limited to, farmers and ranchers.

(6) As used herein,

(i) 2" clear wood means that the slab must have a minimum of 2 inches of clear wood at the thickest point of the arc of the slab, exclusive of bark.

(ii) 4" clear wood means that forest produced cordwood must have a minimum diameter of 4 inches exclusive of bark.

(7) "Delivery point", as used herein, the delivery points are defined as:

(i) "f. o. b. conveyor" means a sale of the kind, type, quantity, and specification of wood described on the basis of f. o. b. the producing mills' conveyor, any further processing to be provided by the purchaser.

(ii) "f. o. b. transportation facilities" means a sale f. o. b. producing mill's transportation facilities and loaded on rail car, scow, or other conveyance.

(iii) "f. o. b. the pulp mill" refers to deliveries to the consuming pulp mill, f. o. b. receiving point.

(iv) "f. o. b. Rail car" means sales to pulp mills located outside Region VIII made on the basis of delivered to and loaded on rail cars ready for shipment to destination.

(8) "Puget Sound District" includes all of the area lying north of the northern boundary of the Oregon State line and the ten northern Counties of Idaho, except that for purposes of this order, pulpwood produced in Wahkiakum, Cowlitz, Clark, Skamania, and Klickitat Counties in Washington and sold to pulp mills in the Columbia River District may be sold at price levels described under the Columbia River District Tables.

(9) "Columbia River District" refers to all areas in Region VIII, not defined as the Puget Sound District.

(c) *Records and reports.* Every person selling pulpwood under this order shall keep, and make available for examination by the Office of Price Administration, the records of each sale, including name and address of the seller and purchaser, the quantity, kind, and type of wood purchased, and the maximum price.

(d) This order may be revoked, amended, or corrected at any time.

(e) This order becomes effective September 1, 1944.

(f) Applications for adjustment may be filed in accordance with Revised Procedural Regulation No. 1.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

CHARLES R. BAIRD,
Regional Administrator.

APPENDIX A

TABLE 1—PUGET SOUND DISTRICT

PULP MILLS LOCATED IN REGION VIII

Product, description and species	Process	Length	Unit	Size specification	Delivery point	Maximum price
Sawmill waste:						
Hemlock, spruce, white fir—Block and/or slab	Bark on	4'	128 cu. ft. stacked	2" clear wood	F. o. b. mill conveyor	$3.00
Douglas fir—Block and/or slab	Bark on	4'	128 cu. ft. stacked	2" clear wood	F. o. b. mill conveyor	1.25
Hemlock, spruce, white fir—Block and/or slab	Bark off	4'	128 cu. ft. stacked		F. o. b. mill conveyor	5.00
Douglas fir—Block and/or slab	Bark off	24–40"	128 cu. ft. stacked		F. o. b. mill conveyor	1.25
Hemlock, spruce, white fir—Block and/or slab	Bark on	4'	128 cu. ft. stacked	2" clear wood	F. o. b. mill trans. facilities	5.00
Douglas fir—Block and/or slab	Bark on	4'	128 cu. ft. stacked	2" clear wood	F. o. b. trans. facilities	3.00
Hemlock, spruce, white fir—Block and/or slab	Bark off	4'	128 cu. ft. stacked		F. o. b. trans. facilities	7.00
		24"	200 cu. ft. loose		F. o. b. trans. facilities	5.50
Douglas fir—Block and/or slab	Bark off	24"	200 cu. ft. loose		F. o. b. trans. facilities	4.50
Chips: Any species	Bark off		200 cu. ft. loose		F. o. b. trans. facilities	5.10
Forest cordwood: All species	Bark on	4'	128 cu. ft. stacked	4" up clear wood	F. o. b. pulp mill	13.00
	Bark off	4'	128 cu. ft. stacked	4" up clear wood	F. o. b. pulp mill	14.00
	Bark off	4'	128 cu. ft. stacked	Select	F. o. b. pulp mill	12.00
Veneer mill waste: Cores, any species		4'	128 cu. ft. stacked	2" clear wood up	F. o. b. mill trans.	8.00
Tie mill waste: Hemlock, white fir	Bark off	4'	128 cu. ft. stacked			
Intercompany pulpwood sales or pulp company to pulp mill						
Fir	Bark on	4'	128 cu. ft. stacked	4" clear wood	F. o. b. pulp mill	16.00
	Bark off	4'	128 cu. ft. stacked	4" clear wood	F. o. b. pulp mill	17.00

TABLE 2—COLUMBIA RIVER DISTRICT

Product, description and species	Process	Length	Unit	Size specification	Delivery point	Maximum price
Sawmill waste:						
Hemlock, spruce, white fir—Block and/or slab	Bark on	2'–4'	128 cu. ft. stacked	2" clear wood	F. o. b. mill conveyor	$1.00
Douglas fir—Block and/or slab	Bark on	2'–4'	128 cu. ft. stacked	2" clear wood	F. o. b. mill conveyor	1.00
Hemlock, spruce, white fir—Block and/or slab	Bark off	2'–4'	128 cu. ft. stacked		F. o. b. mill conveyor	3.00
Douglas fir—Block and/or slab	Bark off	2'–4'	128 cu. ft. stacked		F. o. b. mill conveyor	1.50
Hemlock, spruce, white fir—Block and/or slab	Bark on		200 cu. ft. loose	2" clear wood	F. o. b. mill trans. fac.	5.00
Douglas fir—Block and/or slab	Bark on		200 cu. ft. loose	2" clear wood	F. o. b. mill trans. fac.	3.00
Hemlock, spruce, white fir—Block and/or slab	Bark off	4'	128 cu. ft. stacked		F. o. b. mill trans. fac.	7.00
Douglas fir—Block and/or slab	Bark off	2–4'	128 cu. ft. stacked solid		F. o. b. mill trans. fac.	12.00
		24"	200 cu. ft. loose			4.50
Veneer mill waste:						
Cores, any species	Bark off	4'–8'	128 cu. ft. stacked		F. o. b. pulpmill	14.00
Nubbins, any species	Bark off	24–30"	128 cu. ft. stacked		F. o. b. pulpmill	14.00
Tie mill waste:						8.00
Douglas fir	Bark on	4'–8'	128 cu. ft. stacked	2" clear wood	F. o. b. pulpmill	10.00
	Bark off	4'–8'	128 cu. ft. stacked	2" clear wood		10.00
All other species	Bark on	4'–8'	128 cu. ft. stacked		F. o. b. pulpmill	12.00
	Bark off	4'–8'	128 cu. ft. stacked			6.25
Pulp chips: Any species	Bark off	200	200 cu. ft. loose		F. o. b. mill trans. fac.	12.00
Forest cordwood	Bark on	24"–80"	128 cu. ft. stacked	4" up clear wood	F. o. b. pulpmill	14.00
All species	Bark off					

TABLE 3—PUGET SOUND DISTRICT

PULP MILLS LOCATED IN LOCALITIES OUTSIDE REGION VIII

Product, description, and species	Bark process	Length	Unit of measure	Size specification	Delivery point	Maximum price
Forest produced cordwood: Lodgepole pine, tamarack, white fir, and spruce.	Bark off	100"	128 cu. ft. stacked	4" clear wood	F. o. b. rail car	$9.80

[F. R. Doc. 44-13913; Filed, Sept. 8, 1944; 4:46 p. m.]

[Region I Order G-43 Under 18 (c)]

SLACK COOPERAGE IN NEW ENGLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices for slack cooperage established by § 1499.2 of the General Maximum Price Regulation are modified so that the maximum prices for the following single headed slack wooden barrels made essentially from run-of-the-saw staves with wooden hoops, manufactured and sold in New England, shall be as follows:

Barrel description	*Manufacturer's maximum price, f. o. b. factory*
17" to 18" Head, 24" to 26" Staves	$1.00
17" to 18" Head, 28" to 31" Staves	1.10
18" to 19" Head, 25" to 26" Staves	1.05
18" to 19" Head, 28" to 31" Staves	1.15
19" to 20" Head, 24" to 26" Staves	1.10
19" to 20" Head, 28" to 31" Staves	1.20

NOTE: The above dimensions include the smaller but do not include the larger dimensions. For example, 17" to 18" Head includes a 17" Head but not an 18" Head.

(1) For each wire hoop used in place of a wooden hoop, 2¢ shall be deducted from the applicable maximum price.

(2) For each beaded steel hoop used in place of a wooden hoop, 1.5¢ may be added to the applicable maximum price.

(b) This order applies to all sales pursuant to which the buyer receives physical delivery within Maine, New Hampshire, Vermont, Massachusetts, Rhode Island or Connecticut.

(c) Each manufacturer shall continue his customary allowances, discounts or other price differentials in effect during March, 1942.

(d) No additional charges of any kind may be added to the maximum prices established by this order; but lower prices may be offered, demanded or paid.

This order shall become effective September 5, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 5, 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-13912; Filed, Sept. 8, 1944; 4:45 p. m.]

[Region VIII Order G-1 Under Supp. Reg. 14, Amdt. 4]

FLUID MILK IN DESIGNATED COUNTIES IN ARIZONA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, Order No. G-1 is hereby amended as set forth below:

1. The preamble is amended to read as follows: For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (2) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, section 18 (c), as amended, of the General Maximum Price Regulation, and § 1499.75 (a) (9) of Supplementary Regulation No. 15, *It is hereby ordered:*

2. Paragraph (1) (a) (1) be amended by striking therefrom the following:

Milk	Standard	Sales to restaurants	½ pint	Glass or paper	5

3. Paragraph 2 (a) (1) is amended to read as follows:

Locality	Grade	Butterfat	Container size	Type of container	Adjusted maximum price (cents)
Santa Cruz County—except Nogales and Patagonia.	Milk	Standard	Gallon	Glass or paper	40
	Milk	Standard	½ gallon	Glass or paper	25
	Milk	Standard	Quart	Glass or paper	13
	Milk	Standard	Pint	Glass or paper	7
	Milk	Standard	½ pint	Glass or paper	3½
	Milk	Standard	½ pint	Glass or paper sales to restaurants	5

Locality	Grade	Butterfat	Type of delivery	Container size	Type of container	Adjusted maximum price (cents)
Nogales and Patagonia.	Milk	Standard	To stores	Quart	Glass or paper	13¼
	Milk	Standard	To restaurants	Quart	Glass or paper	13¼
	Milk	Standard	To schools	½ pint	Glass or paper	3½
	Milk	Standard	To restaurants	½ pint	Glass or paper	5
	Milk	Standard	All others	½ pint	Glass or paper	4

4. This amendment may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

This amendment shall become effective immediately. Issued this 31st day of August 1944.

BEN. C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44-13914; Filed, Sept. 8, 1944; 4:46 p. m.]

[Region II 2nd Rev. Order G-26 Under RMPR 122, Amdt. 5]

DELANO ANTHRACITE COLLIERIES CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-26 is amended in the following respects:

1. Paragraph (a) (1) is amended by adding the following table of increases to the tables already incorporated:

FOR SALES OF ANTHRACITE PRODUCED AND PREPARED BY DELANO ANTHRACITE COLLIERIES CO.

Size:	*Permitted per net ton increase above applicable area ceiling price for anthracite*
Broken, egg, stove, nut and pea	$0.50
Buckwheat	.40
Rice	.10

2. Paragraph (e) is amended by redesignating subparagraphs (8) and (9) as subparagraphs (9) and (10) respec-

tively, and adding a new subparagraph (8) to read as follows:

(8) "Anthracite produced and prepared by Delano Anthracite Collieries Co." refers to anthracite produced and prepared by that company at the Delano and Park Breakers.

This Amendment No. 5 to Second Revised Order No. G–26 shall become effective September 1, 1944, except that, for purposes of an application under paragraph (b) thereof, it shall not become effective until October 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–13980; Filed, Sept. 9, 1944; 4:38 p. m.]

[Region V Order G–7 Under RMPR 122]

SOLID FUELS IN SPRINGFIELD, MO.

Pursuant to the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for reasons stated in the opinion issued herewith, *it is ordered:*

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels within the corporate limits of the City of Springfield, Missouri, as established by city ordinance.

The prices set forth in this order are the highest prices that any dealer may charge when he sells or delivers any of such fuels at or to a point within the area set forth above.

(1) *Solid fuels not covered by this order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this order which are not included in and for which prices are not established by this order. The maximum prices of such solid fuels when sold by any person covered by this order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended. Such sales shall in all respects be governed by the provisions of Revised Maximum Price Regulation No. 122, as amended.

(b) *What this order prohibits.* Regardless of any obligation no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Order No. G–7; but less than the maximum prices may at any time be charged, paid or offered,

(2) Obtain higher than maximum prices by:

(i) Charging for a service unless such service is expressly requested by the buyer and unless specifically authorized to do so by this order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(iv) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(c) *Price schedule.* (1) Below and a part of this paragraph is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

SPRINGFIELD, MO., MAXIMUM PRICE SCHEDULE

I. High volatile bituminous coal from district 10 (Illinois):

(A) Southern and DuQuoin Sub-Districts—Double-Screened Coal in Price Groups 1, 2, and 8:

Description of fuel	*Maximum price per ton*
(1) Grate or egg (minimum top size 3"; minimum bottom size larger than 2")	$8.70
(2) Nut or small egg (minimum top size larger than 1½"; minimum bottom size larger than ⅜")	8.20
(3) Household stoker (top size 1½"—bottom size ⅜")	7.80

II. Low volatile coal from district 14 (Arkansas and Oklahoma):

(A) Production groups 2 and 3: The following maximum prices are for specified sizes of low volatile coal produced at mines in the Danning-Coal Hill and Altus fields of Franklin and Johnson Counties, mines in the Philpott field of Johnson and Franklin Counties, mines in the Paris field of Logan County, and mines in Franklin County located in the Paris Basin, all in the State of Arkansas, with the exception of low volatile coal produced by the Jewel Coal Company Mine Index No. 55, which is set forth under (B) below:

(1) Lump (bottom size 2½" or larger)	$11.90
(2) Household stoker (top size 1½"—botton size ⅜")	8.00

The following maximum price is for the specified size of bituminous coal produced by the Jewel Coal Company, Mine Index No. 55: (3) Lump (bottom size 2½" or larger) 11.30

(B) Production group 5: The following maximum prices are for specified sizes of low volatile coal produced at mines in the Panama, Boaksahe, Milton, Poteau, Wister, and Howe-Heavener fields in Le-flore County, Oklahoma; the McCurtin field of Haskell County and all mines in Sequoyah County, Oklahoma; mines in the Bates field in Scott County, Arkansas; mines in the Charleston field of Franklin County, Arkansas; mines in Sebastian County, Arkansas, and mines located in the Excelsior field of Sabastian County, Arkansas:

(1) Lump (bottom size 2½" or larger)	$11.20

III. High volatile bituminous coal from district 15 (Missouri, Kansas, and Oklahoma):

(A) Production group 1: The following maximum prices are for specified sizes of bituminous coal produced at strip mines in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kansas; and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri:

(1) Lump (bottom size 2" or larger)	$6.85
(2) Nut (top size 2"—bottom size 1¼")	6.85
(3) Household Stoker (top size 1¼"—bottom size ⅛")	6.05
(4) Mill (1¼" x 0)	5.15

The following maximum prices are for specified sizes of bituminous coal produced at deep shaft mines in Cherokee County by the Atkinson Coal Company, Mine Index No. 7; and in Crawford County by, A. De Gasperi Coal Company, Mine Index No. 42; Puritan Fuel Company, Mine Index 71; Quality Coal Company, Mine Index No. 120, Umbria Coal Company, Mine Index No. 129; Victor Fuel Coal Company, Mine Index No. 131, Gaskell Coal Company, Mine Index No. 53, and Black Crown Coal Company, Mine Index No. 15:

(5) Lump (bottom size 2" or larger)	$7.35
(6) Nut (top size 2"—bottom size 1¼")	7.30

(B) Production group 2: The following maximum prices are for specified sizes of bituminous coal produced at mines in Linn County, Kansas; Bates, Henry, St. Clair, Miller, Morgan, Pettis, and Johnson Counties, and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri:

(1) Lump (bottom size 2" or larger)	$6.50
(2) Nut (top size 2" to larger than 2"—bottom size 1¼")	6.50

(C) Production group 11: The following maximum prices are for specified sizes of bituminous coal produced at mines in Craig, Roger, Tulsa, and Wagoner Counties, Oklahoma, and that part of Muskogee County, Oklahoma north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Ferum, Oklahoma:

(1) Lump (bottom size 2" or larger)	$6.15
(2) Nut (top size 2" to larger than 1¼")	7.00

(D) Production group 10: The following maximum prices are for the specified sizes of bituminous coal produced at mines in Okmulgee County, Oklahoma:

(1) Lump (bottom size 2" or larger)	$9.65
(2) Household Stoker (top size 1¼"—bottom ⅛")	6.65

(2) The prices set forth in the foregoing schedule are on a per ton basis (2,000 pounds to the ton) and are established for cash sales. Prices hereinabove provided for are subject to discounts, and extra charges as set forth below:

(i) "Cash" means payment on or before delivery. On sales involving the extension of credit, no dealer subject to this Order may charge more than 50¢ per ton in addition to the schedule prices.

(3) On sales involving quantities of one ton or more where the buyer loads the coal on to his conveyance at the dealers' yard or siding, the dealer shall apply a discount to the per net ton cash price of not less than 50¢ per ton.

(4) An amount not to exceed 25¢ may be added to the fractional per net ton price set out in the foregoing schedule when the dealer sells and delivers ½ ton.

(5) The maximum price on all sales of small lots in quantities of less than one ton put into the buyer's car or other conveyance at the seller's yard shall be 45¢ per cwt. on fuels from Districts 10 and 15, and 60¢ per cwt. on fuels from District 14. In sales of this kind the buyer may be required to furnish the container. If the buyer does not possess a container, the dealer may require a deposit charge equivalent to the replacement cost when such container is furnished.

(d) *Service charges.* (1) Below and as a part of this paragraph (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under preceding paragraph (c). These charges may be made only if the buyer requests such services of the dealer and only when the dealer renders the service. The prices for such services shall be separately stated in the dealer's invoice or bill of sale.

(i) A service charge not to exceed 50¢ per ton may be charged for the "carry in" or "wheel in" service. The "carry in" service means the service of carrying in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. The "wheel in" service means the service of wheeling in solid fuel from the curb or point nearest and most accessible to the buyer's bin or storage space to the buyer's fuel bin window. These services do not include the service of carrying fuel up or down stairs.

(ii) An amount not to exceed 50¢ per ton may be charged for the service of "trimming". "Trimming" means the arranging and placing of the fuel in the buyer's bin. This service charge for trimming shall be applicable only to the amount of the fuel actually handled.

(iii) The prices set forth in the foregoing schedule are for raw coal, i. e., coal which has not been treated. On all sales of treated coal whether, oil, paraffin, or calcium chloride treatment and regardless of whether such treatment was applied at the mine or by the dealer, the dealer may charge an amount not to exceed 10¢ per ton in addition to the schedule price.

(iv) A storage service charge not to exceed 80¢ per ton may be charged by the dealer and added to the per net ton cash price when a buyer who has purchased solid fuel leaves it and stores it in the dealer's yard.

(e) *Ex parte 148 Freight Rate Increase: Transportation tax: Missouri State Sales Tax*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December, 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by Section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of fuel and lists it separately on any sales slip or receipt given to the buyer. This tax need not be stated separately on sales to the United States or any agency thereof, the State government or any political subdivision thereof (See § 1340.-265 (b) of Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of ¼ ton or lesser quantities.

(3) *The Missouri State Sales Tax.* The seller may add to the prices listed in the schedule in paragraph (c) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(f) *Addition to increase in supplier's price prohibited.* (1) The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase cost or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(g) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this order, or any provisions thereof, at any time.

(i) *License.* (1) Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is required of all persons selling at retail commodities for which maximum prices are established. A license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(j) *Records and reports.* (1) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order. The record shall also state separately each service rendered and the charge made for it.

(k) *Posting of maximum prices: Sales slips and receipts.* (1) Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) In the case of all sales covered by this order every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. In any case if a buyer requests a receipt, the seller shall furnish the buyer with a receipt showing the name and address of the seller, the kind, sizes and quantity of the solid fuel sold to the buyer and the price or prices charged.

(l) *Enforcement.* (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Kansas City, Missouri District Office of the Office of Price Administration.

(m) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes, sell, supply, dispose, barter, exchange, lease, transfer, and deliver and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is unfeasible, because of the absence of a regular driveway free from all foreign matter which might damage trucks and tires, then direct delivery means discharging the solid fuel from the seller's truck directly at the street curb or at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Production group" and "production groups", as used in this order, refer to the production groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(6) "Price groups", as used in this order, refer to the price groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "High volatile bituminous coal" means coal produced in high volatile sections of the producing districts specified in this order.

(9) "Low volatile bituminous coal" means coal produced in the low volatile sections of the producing districts specified in this order.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semi-anthracite; bituminous and semi-bituminous and cannel coal; lignite, all coke, including low temperature coke (except by-products foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania; briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established), as of midnight, August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the area subject to this order during December 1941.

(12) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

(n) *Effect of this order on Revised Maximum Price Regulation 122.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

(2) This order No. G–7 shall become effective the 9th day of September, 1944.

NOTE: The provisions of this order which are subject to the Federal Reports Act of 1942, have been approved by the Bureau of the Budget.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this the 4th day of September 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44–13978; Filed, Sept. 9, 1944; 4:37 p. m.]

[Region VIII Order 1 Under MPR 426]

PEARS IN LOS ANGELES, CALIF.

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the District Director of the Los Angeles District Office by section 8 (a) (7) of Maximum Price Regulation No. 426, as amended, and by order of Delegation No. 35 issued under said section by the San Francisco Regional Office, Region VIII, of the Office of Price Administration, *It is hereby ordered:*

(a) With respect to the commodity described in line (1) of the Table below, there is set forth in said table in line (2) the shipping point to be used for pears originating in Lake County, California; in line (3) the wholesale receiving point; in line (4) the method of transportation which is hereby determined to be the cheapest method of transportation which is customarily and generally available from said shipping point to said wholesale receiving point; and in line (5) the freight rate per cwt., including protective services and 3% transportation tax, by said method (4) between points; and in line (6) the maximum prices arrived at using these calculations for pears originating at Lake County, California, delivered to Los Angeles, California.

1. Commodity		Pears.
2. Shipping point (pears originating in Lake County, California, only)		Lake County, Calif.
3. Wholesale receiving point		Los Angeles, Calif.
4. Method of transportation		Carlot.
5. Freight rate, including protective services and 3% transportation tax, by method (4) from said shipping point to said wholesale receiving point.		$0.62 per cwt.
6. Maximum prices at said wholesale receiving point:		

Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices of sales delivered to Los Angeles in any quantity
1	Pears produced in Lake County, Calif., packed in standard Western pear boxes (WPB L322 No. 54), and in one-way pear lugs (WPB L322 No. 56) and in two standard half-pear boxes (WPB L322 No. 55) with a net weight of not less than 46 pounds nor more than 50 pounds.	Per box, one-way lug or two half boxes.	Beginning of season:	
2			Sept. 10	$3.95.
3			Sept. 11–Oct. 10	$4.11.
4			Oct. 11–Nov. 10	$4.27.
5			Nov. 11–Dec. 10	$4.43.
6			Dec. 11–Jan. 10	$4.51.
7			Jan. 11–Feb. 10	$4.59.
8			Feb. 11–Mar. 10	$4.71.
9			Mar. 11–Apr. 10	$4.83.
			Apr. 11–end of season	$4.95.
10	Pears produced in Lake County, Calif., and packed in Washington pear lugs (WPB L322 No. 36) with a net weight of not less than 19 pounds nor more than 21 pounds.	Per lug	Beginning of season:	
11			Sept. 10	$1.65.
12			Sept. 11–Oct. 10	$1.72.
			Oct. 11–end of season	$1.79.
13	Pears produced in Lake County, Calif., and packed in standard Western pear boxes (WPB L322 No. 54) and in one-way pear lugs (WPB L322 No. 56) and in two standard half-pear boxes (WPB L322 No. 53) with a net weight of less than 46 pounds or more than 50 pounds, and pears graded and packed in any other container, except Washington pear lugs.	Per pound	Beginning of season:	
14			Sept. 10	Maximum price above for applicable month (items 1–9) divided by 48.
15			Sept. 11–Oct. 10	
16			Oct. 11–Nov. 10	
17			Nov. 11–Dec. 10	
18			Dec. 11–Jan. 10	
19			Jan. 11–Feb. 10	
20			Feb. 11–Mar. 10	
21			Mar. 11–Apr. 10	
			Apr. 11–end of season	
22	Pears produced in Lake County, Calif., and packed in Washington pear lugs with a net weight of less than 19 pounds or more than 21 pounds.	Per pound	Beginning of season:	
23			Sept. 10	Maximum price above for applicable month (items 10–12) divided by 20.
24			Sept. 11–Oct. 10	
			Oct. 11–end of season	

This order shall become effective immediately and may be revoked, amended, or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of August 1944.

FRANK S. BALTHIS, JR.,
District Director.

[F. R. Doc. 44–13979; Filed, Sept. 9, 1944; 4:37 p. m.]

[Region VIII Order G–4 Under 3 (c)]

PRESS ON, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and under the Authority vested in the Regional Administrator of Region VIII of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price for sales at retail of Tregs, a stocking run preventer, produced by Press On, Inc., 16 West 61st Street, New York City, 23, New York, shall be $0.50 per package of twelve.

(b) The maximum price hereby established shall apply to sales at retail in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

This order shall be subject to revocation or amendment by the Office of Price Administration at any time hereafter, either by special order or by any price regulation issued hereafter, or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective September 9, 1944.

Issued this 4th day of September 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383—78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 44–13975; Filed, Sept. 9, 1944; 4:36 p. m.]

[Region VIII Order G–9 Under MPR 165, Amdt. 1]

SKINNING, CUTTING AND WRAPPING GAME ANIMALS IN WASHINGTON

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, and the authority reserved by the Regional Administrator in paragraph (b) of Order No. G–9, *It is hereby ordered:*

1. The title of Order No. G–9 is amended to read as follows: "adjusted maximum prices for the services of skinning, cutting and wrapping game animals by persons engaged in the food locker business."

2. Paragraph (a) is amended to read as follows:

The adjusted maximum prices which persons engaged in the food locker business in the State of Washington and in the Counties of Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nes Perce, Shoshone, and Idaho, in the State of Idaho, may charge for the services of skinning, cutting, and wrapping game animals shall be determined as follows:

(1) The adjusted maximum price for the service of skinning game animals shall be the person's present maximum price for the service as determined under Maximum Price Regulation No. 165, as amended, plus the sum of 50 cents, provided in no event shall the adjusted maximum price exceed the sum of $1.50.

(2) The adjusted maximum price for the service of cutting and wrapping game animals shall be the person's present maximum price as determined under Maximum Price Regulation No. 165, as amended, plus the sum of one cent per pound, provided in no event shall the adjusted maximum price exceed the sum of 3½ cents per pound.

3. This amendment may be revoked, amended, or corrected at any time.

This amendment shall become effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 2d day of September 1944.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 44–13976; Filed, Sept. 9, 1944; 4:36 p. m.]

[Region VIII Order G–79 Under 18 (c), Amdt. 3]

FIREWOOD IN CERTAIN AREAS IN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, Order No. G–79 is amended in the following respects:

Appendices C and D are hereby amended to read as set forth in the exhibits attached hereto and by reference made a part hereof.

This order shall become effective September 5, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of September 1944.

CHARLES R. BAIRD,
Regional Administrator.

APPENDIX C

That portion of Santa Clara County south of a line projected east and west along the northerly boundary of Federal Township 8 South, Range 1 West, Mount Diablo Meridian.

I. RETAIL DELIVERED PRICES CORDWOOD

Dry or medium dry	Per cord, 128 cubic feet					
	4 feet	2 feet	16–18 inches	12–14 inches	9½–10 inches	4 assorted lengths, 2 feet and under
Pine (fir)	$17	$21	$22	$23	$23	------
Oak (any kind)	19	23	24	25	25	------
Madrone	19	23	24	25	25	------
Eucalyptus (gum)	17	21	22	23	23	------
Orchard (any kind)	13	18	19	20	20	$19

Fractional cord maximum prices—delivered

Half cord price..... Divide cord price by 2 and add 25 cents.
Third cord price.... Divide cord price by 3 and add 35 cents.
Quarter cord price... Divide cord price by 4 and add 45 cents.
Fifth cord price..... Divide cord price by 5 and add 55 cents.

Charges may be made in addition to the above cord prices as follows:
1. For sale of wood split to stove wood size, $3 per cord (fractional cord in proportion).
2. "Storage Charge" as defined in the Order, $2 per cord (fractional cord in proportion).

II. SACK STOVEWOOD, RETAIL PRICES PER SACK

Dry or medium dry	Cash and carry	Delivered
Pine (fir)	$0.60	$0.70
Oak (any kind)	.65	.75
Madrone	.65	.75
Eucalyptus (gum)	.60	.70
Orchard (any kind)	.80	.90

Sack size: 22 inches by 36 inches (minimum).
Deposit of 15 cents may be required on the sack.

III. CORDWOOD—SALES OTHER THAN AT RETAIL, CUTTER'S SALES AT ROADSIDE

Dry or medium dry	Per cord, 128 cubic feet					
	4 feet	2 feet	16–18 inches	12–14 inches	9½–10 inches	4 assorted lengths, 2 feet and under
Pine (fir)	$12	$15	$16	$17	$17	------
Oak (any kind)	14	17	18	19	19	------
Madrone	14	17	18	19	19	------
Eucalyptus (gum)	12	15	16	17	17	------
Orchard (any kind)	8	11	12	13	13	$12

For sale of wood split to stovewood size, $3 per cord may be added to above cord prices.
The above cord prices are for sales at roadside near woodcutter's lot.
For sales other than at retail made by cutter from any other place, or delivered, and for sales by intermediate sellers, see text of the order, section (a) (2).

APPENDIX D

SANTA CRUZ, MONTEREY AND SAN BENITO COUNTIES

I. RETAIL DELIVERED PRICES, CORDWOOD

[Cordwood shall not include Mill Blocks, Millwood or Slabwood]

Dry, medium dry	Per cord	128 cubic feet tiered				
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$19	$23	$24	$25	$25	------
Oak (any kind)	21	26	26	27	27	------
Madrone	21	25	26	27	27	------
Eucalyptus (gum)	19	23	24	25	25	------
Orchard (any kind)	13	18	19	20	20	$19

Fractional cord maximum prices—delivered

Half cord price... Divide cord price by 2 and add 25 cents.
Third cord price. Divide cord price by 3 and add 35 cents.
Quarter cord price. Divide cord price by 4 and add 45 cents.
Fifth cord price. Divide cord price by 5 and add 55 cents.

Charges may be made in addition to the above cord prices as follows:
1. For sale of wood split to stovewood size, $3 per cord (fractional cord in proportion).
2. "Storage Charge" as defined in the order, $2 per cord (fractional cord in proportion).

II. MILL BLOCKS AND SLAB WOOD—RETAIL DELIVERED PRICES

[Dry or Medium Dry—16 inches and under]

Mill blocks and slab wood	(128 cubic feet) loose measure	(128 cubic feet) tiered in tight
Pine	$11.50	$17.75
Redwood	9.50	14.75
Mixed	10.50	16.25

Half load price: Divide load price by 2 and add 20 cents.
Third load price: Divide load price by 3 and add 30 cents.
Quarter load price: Divide load price by 4 and add 40 cents.

III. SACK STOVEWOOD, RETAIL PRICES PER SACK

Dry or Medium Dry	Cash and carry	Delivered
Any kind of cordwood under sec. I (above)	$0.65	$0.75
Mill blocks, millwood, or slabwood	.30	.40

Sack size: 22 inches by 36 inches (minimum).
Deposit of 15c may be required on the sack.

IV. CORDWOOD—SALES OTHER THAN AT RETAIL, CUTTER'S SALES AT ROADSIDE

Dry or medium dry	Per cord—128 cubic feet					
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$12	$15	$16	$17	$17	------
Oak (any kind)	14	17	18	19	19	------
Madrone	14	17	18	19	19	------
Eucalyptus (gum)	12	15	16	17	17	------
Orchard (any kind)	8	11	12	13	13	$12

For sale of wood split to stovewood size, $3 per cord may be added to above cord prices
The above cord prices are for sales at roadside near woodcutter's lot.
For sales other than at retail made by cutters from any other place or delivered, and for sales by intermediate sellers, see text of the order, section (a) (2).

[F. R. Doc. 44–13977; Filed, Sept. 9, 1944; 4:36 p. m.]

[Savannah Order G-1 Under Gen. Order 50, Amdt. 1]

MALT AND CEREAL BEVERAGES IN SAVANNAH, GA., DISTRICT

Correction

In Group 3B of Appendix A, in F. R. Doc. 44-11818, appearing at page 9761 of the issue for Thursday, August 10, 1944, the prices for 32 ounce bottles for "Tru-Blu Qld Fashioned Beer" and "All other brands" should be "48" and "35," respectively.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-837]

OHIO-MIDLAND LIGHT AND POWER CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING AND PERMITTING AMENDED APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of September, A. D., 1944.

An application-declaration and amendments thereto having been filed, pursuant to the Public Utility Holding Company Act of 1935, by Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Ohio-Midland Light and Power Company, seeking approval of a proposed sale by Associated Electric Company of its entire interest in Ohio-Midland Light and Power Company, and of a proposed transfer by the latter company to Associated Electric Company of certain shares of stock of Atlantic Utility Service Corporation; and

Public hearings having been held after appropriate notice, and the Commission having been duly advised and having this day issued and filed its findings and opinion herein; on the basis of said findings and opinion,

It is ordered, pursuant to the provisions of sections 9 (a), 10, 12 (d) and 12 (f) of said act and Rules U-43 and U-44 of the general rules and regulations thereunder, that the aforesaid application-declaration, as amended, be and hereby is granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-13921; Filed, Sept. 9, 1944; 10:26 a. m.]

[File No. 70-941]

MILWAUKEE ELECTRIC RAILWAY & TRANSPORT CO. AND WISCONSIN ELECTRIC POWER CO.

ORDER APPROVING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of September 1944.

The Milwaukee Electric Railway & Transport Company, a wholly-owned subsidiary of Wisconsin Electric Power Company, and said Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company, having filed a joint declaration and application, and amendment thereto, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to the proposal of The Milwaukee Electric Railway & Transport Company (a) to redeem on September 16, 1944 at par plus accrued interest $400,000 principal amount of its First Mortgage 4% Bonds owned by Wisconsin Electric Power Company and pledged as collateral to the latter company's Mortgage and Deed of Trust dated October 28, 1938 and (b) to purchase for cash at par for retirement 10,000 shares of its capital stock of the aggregate par value of $1,000,000 from Wisconsin Electric Power Company, and the proposal of Wisconsin Electric Power Company to surrender the bonds and the stock on the basis described; and

Said joint declaration and application having been filed on the 4th day of August 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act, and the Commission not having received a request for a hearing with respect to said joint declaration and application, as amended, within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12 (c) and 12 (f) and Rules U-42 and U-43 are satisfied, that no adverse findings are necessary thereunder and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to approve said application and to permit said declaration to become effective;

It is hereby ordered, That, pursuant to said Rule U-23 and the applicable provisions of said act, said joint amended application be and the same is hereby approved and said joint amended declaration be and the same is hereby permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations, and subject further to continuation of the condition imposed on The Milwaukee Electric Railway & Transport Company by the Commission's order of June 29, 1943 (Release No. 4394) by the terms of which it is provided that if from time to time in the future additional common stock is retired by said company, its bonds will be retired to the extent necessary in order that the aggregate par amount of stock outstanding will at least equal two and one-half times the aggregate principal amount of the outstanding bonds.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 44-13969; Filed, Sept. 9, 1944; 11:32 a. m.]

[File No. 32-19]

PORTLAND ELECTRIC POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of September 1944.

The Commission having in its findings, opinion and order of July 1, 1944, issued pursuant to the Public Utility Holding Company Act of 1935, denied applications for the approval of plans of reorganization for Portland Electric Power Company ("Pepco"), a registered holding company, now in reorganization under Chapter X of the Federal Bankruptcy Act in the District Court of the United States for the District of Oregon, which plans were severally filed by Thos. W. Delzell and R. L. Clark, Independent Trustees of Pepco, by Guaranty Trust Company of New York, as Indenture Trustee under the Indenture of Trust securing the 6% Collateral Trust Income Bonds of Pepco, by a committee representing certain bondholders, and by a committee representing certain Prior Preference stockholders;

The denial of said applications having been after public hearings, notice of which was ordered by the Commission sent to all known bondholders of Pepco and to all of its stockholders of record, which notice recited, among other things, that the hearings were to be for the purpose of considering other plans which might be proposed by any person having a bona fide interest in the reorganization;

The Commission having in its said findings and opinion of July 1, 1944 made suggestions as to the form of plan which the Commission might find to be fair and equitable and otherwise in conformity with the applicable statutory standards, and having directed that any amendments to the plans then on file, or any further plans by any duly qualified person or group, conforming with the findings and opinion of the Commission, be filed in this proceeding within sixty days from July 1, 1944, in default whereof the Commission would give consideration to its power and duty itself to proceed under the provisions of section 11 (f) of the act to formulate a reorganization plan for submission to the Reorganization Court:

Notice is hereby given that an application for approval of an amended plan of reorganization dated August 25, 1944 ("the Plan") has been filed on August 28, 1944 by the Guaranty Trust Company of New York, as Indenture Trustee, the applicant stating that it believes that the Plan conforms to the findings and opinion of the Commission. All interested persons are referred to said application and plan which are on file in the office of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

1. The Plan is to be effective as of June 30, 1944.

2. It is stated that the Plan is predicated upon the findings of the Commission as to the value of Pepco's assets, and that such assets and their respective values as of June 30, 1944 are as follows:

236,819 shares Portland General Electric Co. common stock	$21,939,515
131,131 shares Portland Traction Co. common stock	8,373,635
23,180 shares Consolidated Electric & Gas Co. $6 cumulative preferred stock	811,300
$25,000 Consolidated Electric & Gas Co. collateral trust bonds	24,250
Receivables from Casadero Real Estate Co	414,553
Interurban lines, shops and car houses	$800,000
Miscellaneous real estate and real estate receivables	51,004
	$27,414,257

3. It is stated that as of the same date, the capital liabilities of Pepco are as follows:

Security	Principal amount	Accrued interest or dividends	Total
$16,157,600 6% Collateral Trust Income Bonds	[1] $16,157,600	[2] $9,942,976	$26,100,576
86,824 shares, 7% Cumulative Prior Preference Stock, $100 par	5,682,400	4,574,332	10,256,732
61,963 shares, 6% Cumulative First Preferred Stock, $100 par [3]	6,196,300	4,337,410	10,533,710
20,358.2 shares, 7.2% Cumulative First Preferred Stock, $100 par [3]	3,035,820	2,550,089	5,585,909
32,512 shares, $6 Cumulative First Preferred, no par [3]	3,251,200	2,275,840	5,527,040
3,586 shares, $6 Non-cumulative Second Preferred Stock, $1 par	358,600		358,600
988 shares, Common Stock, $1 par	988		988

[1] Excluding an aggregate of $193,000 of 1934 Bonds held by the Debtor, PGE and Casadero, and $36,600 of 1937 Bonds held by Casadero, which Bonds are to be cancelled and not participate in the Plan. Of the $16,157,600 Bonds, $15,807,000 are 1934 Bonds and $350,600 are 1937 Bonds.

[2] Including $9,800,340 accrued interest on 1934 Bonds, and $142,636 accrued interest on 1937 Bonds.

[3] Excluding shares held by Casadero to be cancelled and not to participate in the Plan, as follows: 1 share of 6% First Preferred, 20³⁵⁄₁₀₀ shares 7.2% First Preferred, and 4 shares of $6 First Preferred.

4. The authorized common stock of Portland General Electric Company ("PGE"), a subsidiary of Pepco, is to be increased from 500,000 shares to 1,500,000 shares, all without par value. The number of shares of such stock outstanding will be increased from 236,819 shares to 1,015,299.5 shares, without any increase in the total capital stock liability of PGE. The actions brought by the Independent Trustees against The Chase National Bank of the City of New York and against Central Public Utility Corporation are to be retained and enforced by the Independent Trustees. However, the right to receive any net recoveries from such actions will be assigned, as a capital contribution, to PGE. All expenses incurred subsequent to the confirmation of the Plan with respect to enforcement of such actions will be paid by PGE in such reasonable amounts as the Court from time to time may direct. PGE will continue the defense of and prosecution of its counter-claims in the action brought against it by The Chase National Bank of the City of New York and will not settle or compromise said action without approval of the Court. The members of the board of directors of PGE as of the date of confirmation of the Plan are to remain in office until their successors are elected at the first regular meeting of stockholders to be held subsequent to a period of 30 days following the first issuance under the Plan of Certificates of Beneficial Interest in PGE Common Stock.

5. All the outstanding common stock of PGE, except directors' qualifying shares, is to be transferred to an Adjustment Trustee, which shall be such bank or trust company, having its principal office in Portland, Oregon, as shall be selected by the Independent Trustees and approved by the Court and the Commission. The Adjustment Trustee will hold such stock pursuant to an Adjustment Trust Agreement.

(a) The Adjustment Trustee will issue Certificates of Beneficial Interest, Certificates of Contingent Interest and Certificates of Subordinated Contingent Interest, which will be distributed in the manner hereafter described. Said Certificates of Contingent Interest and of Subordinated Contingent Interest will not be transferable except by operation of law.

(b) Such trust will terminate on December 31, 1947 or on such other date as the litigation referred to in paragraph 4 hereof shall be finally terminated or settled, whichever date shall sooner occur, provided that the Court may extend such date upon a showing that additional time is required in order to obtain final termination or settlement of the litigation.

(c) If on or prior to the expiration date PGE shall receive any benefits from the litigation, either through the receipt of assets or reduction of liabilities as shown on the books of PGE as of June 30, 1944, PGE will notify the Adjustment Trustee thereof and the Adjustment Trustee will determine the value, in the manner specified in the Adjustment Trust Agreement, of such benefits so realized by PGE. Such determination will be subject to the approval of the Court and the Commission. PGE will credit the amount so determined to a special reserve account against which shall be charged (i) all expenses of PGE, for which it shall not have been reimbursed, relating to the litigation or to the Adjustment Trust Agreement (exclusive of charges relating to maintaining records concerning Certificates of Beneficial Interest, transferring such Certificates, and forwarding to holders of such Certificates notices of meetings and other printed material) and (ii) any taxes resulting from such benefits of the litigation. Any net credit balance in such reserve account remaining after such charges shall be maintained until termination of the Adjustment Trust, after which the amount carried in such special reserve account may be transferred to PGE's surplus accounts, subject to the approval of the Commission.

(d) As soon as feasible after the expiration date or after the date of final termination or settlement of the litigation, whichever date shall sooner occur, if there be a net amount in the special reserve account available for transfer to surplus accounts as provided above, provided the board of directors of PGE shall not have made the determination referred to below, the Adjustment Trustee will cause PGE to reclassify its outstanding common stock so that the number of shares thereof will be increased by such number as shall result from dividing such net amount in the special reserve account by the then value per share of PGE common stock computed as herein described. Such value per share shall be deemed to be the sum of (i) $21.609 (the value per share as of the effective date of the Plan as determined in the reorganization proceedings) and (ii) the net amount of undistributed net income available for dividends on common stock, accrued from the effective date of the Plan to the last day of the calendar month next preceding the date of reclassification, divided by the number of shares of common stock then outstanding. If the net amount in the special reserve account available for transfer to surplus accounts shall be less than $100,000 and if the board of directors of PGE shall within 20 days after the final determination of such amount determine that it is not in the interest of PGE or of holders of Certificates of Contingent Interest to reclassify the common stock of PGE, then such net amount shall be paid over to the Adjustment Trustee for distribution pro rata to holders of Certificates of Contingent Interest in full satisfaction thereof.

(e) Upon termination of the Adjustment Trust, the Adjustment Trustee will distribute the common stock of PGE held by it to the holders of Certificates of Beneficial Interest, Certificates of Contingent Interest and Certificates of Subordinated Contingent Interest, upon surrender thereof, in accordance with their respective interests: *Provided, however,* That no fractions of shares shall be so distributed but in lieu thereof scrip certificates.

(f) Prior to the termination of the Adjustment Trust, PGE will not declare or pay any dividends upon its common stock, except out of amounts credited to surplus from earnings subsequent to the effective date of the Plan. If the Adjustment Trustee shall receive from PGE any dividends upon its common stock, such dividends shall be distributed pro rata to the holders of Certificates of Beneficial Interest.

(g) The Adjustment Trustee will have irrevocable power to vote the common stock of PGE with respect to the reclassification of such stock referred to above. For all other purposes, the Adjustment Trustee will vote such stock in accordance with the instructions or authorizations received from the holders of Certificates of Beneficial Interest.

(h) PGE will reimburse the Adjustment Trustee for its reasonable disbursements and will pay a reasonable compensation for services under the Adjustment Trust Agreement.

6. The authorized common stock of Portland Traction Company ("Traction"), subsidiary of Pepco, is to be in-

creased from 150,000 shares to 750,000 shares, all without par value. The number of shares of such stock outstanding will be increased from 131,131 to 576,834 shares, without any increase in the total capital stock liability of Traction. Traction will purchase from Pepco, as of the effective date of the Plan, the Interurban Railroad properties, the Center Street shops and the Water Street freight terminal yards. In consideration for such purchase, Traction will assume all obligations of Pepco relating to the Interurban Railroad, and will issue to Pepco 100,000 shares of additional common stock of Traction. The members of the board of directors of Traction, as of the date of confirmation of the Plan, are to remain in office until their successors are elected at the first regular meeting of stockholders to be held subsequent to a period of 30 days following the first issuance under the Plan of certificates for shares of Traction common stock.

7. All of the 6% Collateral Trust Income Bonds of Pepco held by the Debtor and by Casadero Real Estate Company will be cancelled and will not participate in the Plan. All bonds held by PGE will be transferred to the Debtor for $13,960, the book cost thereof to PGE, and cancelled. The shares of First Preferred Stock of Pepco held by Casadero Real Estate Company will be cancelled and will not participate in the Plan.

8. Pepco and its subsidiaries, Casadero Real Estate Company and Little White Salmon Land Company, will be liquidated and dissolved, and all assets thereof not otherwise distributable under the Plan will be conveyed to a corporation, referred to as Realization Corporation, to be formed under the laws of the State of Oregon or such other state as the Court may direct. Realization Corporation will issue common stock, which will be distributed in the manner hereafter described, and will hold such assets for the purpose of liquidating the same and distributing the net proceeds of such liquidation proportionately among its stockholders. Realization Corporation will have a board of directors consisting of five members who shall initially be designated by the Court. Realization Corporation will assume payment of all reorganization expenses and allowances in the amounts to be approved by the Court.

9. Holders of 1934 Bonds of Pepco are to receive in full satisfaction of the principal amount thereof and accrued interest thereon the following securities with respect to each $1,000 principal amount of such bonds:

Certificates of Beneficial Interest in 60 shares of Portland General Electric Company common stock,

40 shares of Portland Traction Company common stock, and

10 shares of Realization Corporation common stock.

Holders of 1937 Bonds of Pepco are to receive in full satisfaction of the principal amount thereof and accrued interest thereon the following securities with respect to each $1,000 principal amount of such bonds, and a proportionate amount of such securities with respect to such bonds of a principal amount of less than $1,000:

Certificate of Beneficial Interest in 52 shares of Portland General Electric Company common stock,

35 shares of Portland Traction Company common stock,

8 shares of Realization Corporation common stock, and $6.92 in cash,

Provided, however, That no Certificate of Beneficial Interest in fractions of a share of PGE common stock and no certificate for fractions of a share of Traction common stock will be issued but in lieu thereof scrip certificates.

Holders of Prior Preference Stock of Pepco are to receive in full satisfaction of their claim thereon, including all dividends accrued, the following securities with respect to each share of such stock:

Certificate of Beneficial Interest in .860 share of Portland General Electric Company common stock,

Certificate of Contingent Interest in the amount of $157.38 with respect to shares of Portland General Electric Company common stock issuable upon the contingencies, and subject to the limitations, set forth in the Adjustment Trust Agreement,

.569 share of Portland Traction Company common stock, and

.145 share of Realization Corporation common stock,

Provided, however, That no Certificate of Beneficial Interest in fractions of a share of PGE common stock and no certificate for fractions of a share of Traction common stock will be issued but in lieu thereof scrip certificates.

Each holder of First Preferred Stock of Pepco is to receive in full satisfaction of his claim thereon, including all dividends accrued, a Certificate of Subordinated Contingent Interest in the amount of such claim, including dividends accrued through June 30, 1944, with respect to any shares of Portland General Electric Company common stock, exceeding the aggregate number required to satisfy all Certificates of Contingent Interest subject to issuance upon the contingencies set forth in the Adjustment Trust Agreement.

10. The plan states that the assets of Pepco are insufficient to make any provision for holders of Second Preferred Stock or Common Stock of Pepco; that such holders have no equity in the assets and are not affected by the Plan; that the holders of First Preferred Stock have no equity in the assets of the Debtor and have no interest, except upon the contingency that net recoveries may be realized from the litigation in an amount more than sufficient to satisfy the claims of Prior Preference Stock; that the Plan gives adequate protection for the realization by the holders of Prior Preference Stock and First Preferred Stock of the values of their respective equities; and that accordingly, if the Plan by order of the Court is submitted to any class of stockholders for acceptance, and if the Plan is not accepted by the requisite number of such holders, pursuant to section 179 of the Bankruptcy Act, the Plan may nevertheless be confirmed by the Court.

11. All creditors of Pepco, other than bondholders, will be paid in full.

12. All expenses in connection with the Plan and its consummation and all costs of administration and other allowances, in such amounts as shall be approved by the Court, will be assumed by Realization Corporation and paid out of the assets to be transferred to it under the Plan.

13. Consummation of the Plan will be under the supervision of the Court, which may construe the Plan and may cure any defect, supply any omission or reconcile any inconsistency.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such Plan, in accordance with the provisions of section 11 (f) of the act:

It is ordered, That the hearing in this matter be reconvened on September 28, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, before William W. Swift, the Trial Examiner heretofore designated, or before such other officer or officers of the Commission as may be designated by it for that purpose. The officer designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered, That without limiting the issues to be considered in this proceeding, particular attention will be directed at the reconvened hearing to the following matters and questions:

(1) Whether the proposed Plan should be approved as fair and equitable, and feasible;

(2) To what extent, if at all, the proposed Plan should be modified or amended to render it fair and equitable, and feasible;

(3) Without limiting the generality of the foregoing, whether the Plan should be amended to provide for an effective date later than June 30, 1944; and if so, as of what date should the Plan be effective;

(4) Whether, in the event that the Commission shall not approve the Plan as filed or as modified, the Commission shall itself propose a Plan for the purposes of section 11 (f), and if so, the nature and content of the Plan so to be proposed.

(5) Whether the various transactions set forth in connection with the Plan meet the requirements of applicable sections of the Public Utility Holding Company Act of 1935, particularly Sections 7, 10, 11 and 12 thereof and the rules and regulations promulgated thereunder, including (but without limitation) the following:

(a) The acquisition by Realization Corporation of assets now owned by Pepco, Casadero Real Estate Company and Little White Salmon Land Company;

(b) The acquisition by Traction of Pepco's Interurban Railroad properties, the Center Street shops and the Water Street freight terminal yard;

(c) The issuance by Realization Corporation of common stock;

(d) The issuance by PGE and Traction of additional shares of common stock without increasing their respective capital stock liabilities;

(e) The issuance by the Adjustment Trustee of Certificates of Beneficial Interest, Certificates of Contingent Interest, and Certificates of Subordinated Contingent Interest.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to all parties who have heretofore entered their appearances herein, or to their respective counsel of record, and shall give notice to all other persons by publication of a copy of this order in the FEDERAL REGISTER.

It is further ordered, That any person, who has not heretofore entered his appearance herein, desiring to be heard in connection with this proceeding, or otherwise wishing to participate therein, shall file with the Secretary of the Commission, on or before September 26, 1944, his request or application therefor as provided in Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13955; Filed, Sept. 9, 1944; 11:32 a. m.]

[File No. 59-74]

SPOKANE GAS & FUEL CO.

ORDER REQUIRING PLAN OF COMPLIANCE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of September, A. D. 1944.

The Commission having instituted a proceeding respecting Spokane Gas & Fuel Company, a subsidiary of a registered holding company, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act;

Hearings having been held after appropriate notice and the Commission having this day entered its findings and opinion thereon:

It is ordered, That Spokane Gas & Fuel Company shall forthwith diligently prepare and file with the Commission a plan of compliance with section 11 (b) (2) of the said act which plan shall, without limiting the scope thereof, include provisions for a recapitalization of Spokane Gas & Fuel Company on a sound financial basis with a capital structure consisting of not more than one class of debt and one class of stock, in amounts appropriate to the assets and earnings of the company and the applicable standards of the act, and shall include appropriate action to restate the plant and property and other accounts of the company in accordance with sound accounting principles and not inconsistent with the findings and opinion issued therein.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-13956; Filed, Sept. 9, 1944; 11:32 a. m.]

[File Nos. 70-314, 70-315, 59-21, 4-33, 54-91, 70-868]

UNITED GAS CORP., ET AL.

ORDER APPROVING PLAN PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of September 1944.

In the matter of United Gas Corporation, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 70-314; in the matter of Electric Bond and Share Company, File No. 70-315; in the matter of Electric Bond and Share Company, Electric Power & Light Corporation, United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 59-21; in the matter of investigation of organization and financing of United Gas Corporation, etc., File No. 4-33; in the matter of United Gas Corporation, Electric Power & Light Corporation, Electric Bond and Share Company, File No. 54-91; in the matter of Electric Bond and Share Company, File No. 70-868.

United Gas Corporation ("United") having filed with the Commission an application for approval of a Plan, as amended (hereinafter referred to as the "plan"), pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (the "act") and Electric Bond and Share Company ("Bond and Share") and Electric Power & Light Corporation ("Electric") having joined in said plan with respect to all transactions affecting them provided for thereon; and

United, Bond and Share and Electric having requested the Commission, pursuant to section 11 (e) of the act if it approved the plan, to apply to a Court in accordance with the provisions of subsection (f) of section 18 of the act to enforce and carry out the terms and provisions of said plan; and

Bond and Share having filed a declaration under section 12 (c) of the act seeking approval of the use of all or any part of the cash proceeds to be received by it under the plan for the acquisition and retirement of its preferred stocks and having conditioned its joinder in the plan upon the issuance of an order of the Commission permitting said declaration under section 12 (c) to become effective; and

United and certain of its subsidiaries having filed a joint application and declaration pursuant to sections 6, 7, 9 (a), 10 and 12 of the act for approval of a series of transactions incident to the refinancing of United (File No. 70-314), and in connection with the filing of said plan having filed an amendment to the joint application and declaration to provide for the issuance and sale of $100,000,000 principal amount of First Mortgage and Collateral Trust Bonds and the use of the proceeds of such sale for the redemption of its publicity held $7 preferred stock, the purchase of a portion of its outstanding second preferred stock and the redemption of the publicly held 5% Collateral Trust Gold Bonds assumed by United, as contemplated in said plan and for the issuance and sale by United Gas Pipe Line Company, a wholly owned subsidiary of United, of $23,000,000 principal amount of its First Mortgage Bonds, all of which will be issued to United in exchange for a like principal amount of United Gas Pipe Line's 6% debentures owned by United which debentures will be cancelled; and

The Commission having on March 6, 1944 issued its notice and order for hearing on said application and Plan under section 11 (e) on said declaration under section 12 (c) and having directed the consolidation of the proceedings thereon with each other and with a prior consolidated proceeding involving, among other matters, applications and declarations under sections 6, 7, 9 (a), 10 and 12 of the act for the refinancing of United and proceedings instituted by the Commission under sections 11 (b) (2), 12 (b), 12 (c), 12 (f), 18 (a) and 18 (b) of the act (File Nos. 70-314, 70-315, 59-21, 4-33); and

A copy of said notice and order for hearing of March 6, 1944 having been mailed to all security holders of the applicant (insofar as the identity of such security holders was known or available), notice having been duly given to all interested persons, all persons having been given an opportunity to be heard with respect to all matters pertaining to said proceedings, public hearings having been held, the staff of the Public Utilities Division of the Commission having prepared and filed a draft of the proposed findings and opinion and having recommended its adoption by the Commission, copies of the draft of the proposed findings and opinion having been served on all parties and persons who appeared and participated in the proceedings, an opportunity having been afforded to each of them to file a written statement of objections to all or any part thereof, briefs and answering briefs having been filed and the Commission having heard oral argument, and the Commission having this day issued and filed its findings and opinion herein; and

United, Bond and Share and Electric having requested that the Commission's order conform to and set forth the recitals specified in sections 371 and 1808 (f) of the Internal Revenue Code as amended;

It is ordered, That the plan be, and the same hereby is approved subject, however, to the condition that the applicants undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto and the consummation thereof, as are approved, allocated, or awarded by further order or orders of this Commission; and to the further conditions and reservations hereinafter set forth.

It is further ordered, That counsel for the Commission be, and they hereby are, authorized and directed to make application forthwith on behalf of the Commission to an appropriate United States District Court pursuant to the provisions of sub-section (f) of section 18 of the act to enforce and carry out the terms and provisions of the plan.

It is further ordered, That this order shall not be operative to authorize the consummation of any transactions proposed in the plan until an appropriate United States District Court shall, upon application of the Commission, enter an order enforcing the plan herein approved.

It is further ordered, That the declaration of Bond and Share under section 12 (c) with respect to the acquisition of a portion of its outstanding $5 and $6 preferred stocks be, and the same hereby is, permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U24 and to the further terms and conditions that:

(1) All purchases shall be effected on the New York Curb Exchange except that the company may purchase large blocks of stock otherwise than on said Exchange provided that notice of intention to effect each such purchase together with a statement of the identity of the seller, the price proposed to be paid and any fees or commissions to be incurred in connection therewith shall have been given to the Commission and the company shall not have been informed by the Commission that it intends to issue an order to show cause why such purchase should not be consummated. The company shall not solicit or cause to be solicited the sale of any shares to the company either on or off the said Exchange;

(2) The company shall furnish to the Commission promptly at the end of each week a report showing the number of shares of each class of preferred stock purchased each day during the week, the prices at which they were purchased and the names of the brokers through whom they were purchased;

(3) The company shall include in its quarterly reports to stockholders information as to the total number of shares of each class purchased and the aggregate purchase price for each class;

(4) No purchases shall be made after twelve months from the date of the receipt of the cash under the plan subject, however, to the right of the company to apply for an extension or extensions of such period;

(5) The company shall advise by letter the holders of record of its preferred stock fully with respect to its intention to make such purchases and the method to be employed and the Commission reserves jurisdiction with respect to the form and contents of such notice and any similar communications;

(6) All shares of preferred stock acquired by the Company pursuant to the present declaration and order shall be retired and cancelled;

(7) The company shall have the right to file substitute or additional programs with respect to the use of all or any portion of the funds which are the subject of the application, and jurisdiction is hereby reserved to require the company to make such filings or to take such other action as may be necessary or appropriate under the provisions of the act; and

(8) The Commission reserves jurisdiction in its discretion to rescind or modify its order, any such rescission or modification to be applicable to such portion of the cash permitted to be employed for such purchases pursuant to the proposals herein as shall not have been previously expended.

It is further ordered, That the joint application and declaration of United and United Gas Pipe Line Company, as amended, with respect to the issuance of $100,000,000 principal amount of First Mortgage and Collateral Trust Bonds, under sections 6, 7, 9 (a), 10, 11 (b) and 12 of the act be, and the same hereby is, granted and permitted to become effective, except as to the issues concerning the terms and conditions of the Bonds proposed to be issued and sold by United and United Gas Pipe Line Company and the fees and expenses to be incurred in connection with said proposed issuance and sale as to which matters jurisdiction be, and the same hereby is, specifically reserved, subject, however, to the terms and conditions contained in Rule U-24.

It is further ordered, That jurisdiction be, and it hereby is, reserved:

(1) To consider, determine and take appropriate action with respect to all issues involved in United Gas Corporation, et al., File Nos. 70-314, 70-315, 59-21 and 4-33, except those disposed of herein;

(2) To entertain such further proceedings, to make such further and supplemental findings and to take such additional action as may be found to be appropriate in the premises in connection with the said plan and the several transactions incident to the consummation thereof:

It is further ordered, That the issues, distributions, transfers, and exchanges of securities, and the transactions, specified and itemized below all as provided by the plan are necessary or appropriate to the integration and simplification of the holding company system of which United is a member and necessary or appropriate to effectuate the provisions of sub-section (b) of section 11 of the Public Utility Holding Company Act of 1935;

(1) The sale and transfer by Bond and Share and the acquisition by Electric for a cash purchase price of $44,000,000 of all the claims in and against United held by Bond and Share as follows: $25,000,000 principal amount of 6% Debentures due 1953 of United Gas Public Service Company assumed by United; 6% demand note in the principal amount of $25,925,000; 6% open account of indebtedness of $2,000,000; 17,310 shares of $7 preferred stock, 752,866 shares of common stock, 151,005 option warrants for the purchase of common stock of United; and $440,000 principal amount of 5% Collateral Trust Gold Bonds of Houston Gas Securities Company assumed by United.

(2) The surrender by Electric and the acquisition and cancellation by United of 17,310 shares of $7 preferred stock of United together with all rights to accumulated and undeclared dividends thereon acquired by Electric from Bond and Share in the transaction described in paragraph (1) above.

(3) The redemption and cancellation by United of 432,512 shares of its $7 preferred stock at their redemption price of $110 per share plus accumulated dividends thereon to the redemption date.

(4) The declaration, issuance and distribution by United of a dividend on its $7 second preferred stock, all of which is held by Electric, of 12,385,520 shares of its $1 par value common stock and the acceptance by Electric of such stock dividend in payment of $12,385,520 of accumulated and unpaid dividends on such stock.

(5) The surrender by Electric and the acquisition and cancellation by United of 444,680 shares of $7 second preferred stock of United together with all rights to accumulated and undeclared dividends thereon and the issuance and delivery to Electric in exchange therefor of 44,468,000 shares of the $1 par value common stock of United.

(6) The sale and transfer by Electric and the acquisition for cancellation by United in exchange for $44,000,000 in cash of $440,000 shares of second preferred stock of United having a stated value of $44,000,000 and together with the right to accumulated and unpaid dividends on such stock.

(7) The payment by Electric of the $44,000,000 received by it in the transaction described in paragraph (6) above to Bond and Share.

(8) The surrender by Electric and the acquisition by United as a contribution to capital of the securities and open account of indebtedness of United acquired by Electric from Bond and Share as described in paragraph (1) above together with option warrants for the purchase of 3,600,040 shares of common stock of United held by Electric exclusive of the 17,310 shares of $7 preferred stock of United previously surrendered as described in paragraph (2) above.

(9) The redemption and retirement by United of $3,460,000 principal amount of 5% Collateral Trust Gold Bonds of Houston Gas Securities Company due March 1, 1952 assumed by United.

(10) The issuance and distribution by United of 42,613,209 shares of its $1 par value common stock as a common stock dividend of two-thirds of a share of $1 par value common stock on each share of

such stock outstanding and the acceptance thereof by the common stockholders of United, and in connection therewith the transfer from capital surplus to stated capital of the sum of $42,613,209 to cover the capital liability to be represented by the additional shares of stock to be issued and to render such shares fully paid and nonassessable.

(11) The issuance and distribution by United of 10,653,302.2 shares of $10 par value common stock and the transfer and exchange of such shares by United and its common stockholders for the outstanding 106,533,022 shares of $1 par value common stock of United or in exchange for scrip of United.

(12) The issuance, transfer and exchange of scrip of United and the issuance and transfer of $10 par value common stock of said company in exchange therefor to the extent necessary to carry out the Plan.

(13) All other transfers and exchanges of common stock and scrip of United which are required in order to carry out the Plan.

(14) The revocation, abrogation and cancellation of all outstanding option warrants for the purchase of common stock of United.

(15) The issuance and sale by United of $100,000,000 principal amount of First Mortgage and Collateral Trust Bonds, and the issuance by United Gas Pipe Line Company of $23,000,000 principal amount of its First Mortgage Bonds, subject to the reservations and conditions hereinbefore set forth.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-13954; Filed, Sept. 9, 1944; 11:32 a. m.]

[File No. 70-959]

NATIONAL POWER & LIGHT CO. AND MEMPHIS GENERATING CO.

SUPPLEMENTAL NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of September, A. D. 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may not later than September 19, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

National Power & Light Company ("National") is a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company. National owns all of the outstanding securities of Memphis Generating Company ("Memphis") consisting of 47,000 shares of common stock with a par value of $100 per share. National proposes to sell to Memphis and the latter proposes to purchase from National 3,000 shares of said common capital stock for a total consideration of $300,000 in cash, payable upon delivery of a certificate or certificates representing the said 3,000 shares of stock. Memphis proposes to retire the said 3,000 shares of stock and effect a reduction of its capital in the amount of $300,000.

The proposed transaction is stated to be a step in compliance with the order of the Commission dated August 23, 1941 directing the dissolution of National.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-13982; Filed, Sept. 11, 1944; 9:36 a. m.]

UNITED STATES COAST GUARD.

APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4488, 4491 (46 U.S.C. 375, 391a, 481, 489), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval and withdrawal of approval of equipment are prescribed:

APPROVAL OF EQUIPMENT

LIFE RAFT

20-person improved type Taylor life raft, Model #2 (Dwg. No. R104A, dated 11 July, 1944), submitted by Flury & Crouch, West Palm Beach, Florida.

WITHDRAWAL OF APPROVAL OF EQUIPMENT

PARACHUTE FLARE

Monty red parachute signal flare plastic cartridge, submitted by Monty Laboratories Corp., Hamilton & Liberty Streets, Albany, N. Y. (Approved 14 June, 1943, 8 F.R. 8188.) Cartridges now manufactured may be placed in service and cartridges in service may be continued in service if in serviceable condition.

L. T. CHALKER,
Rear Admiral, USCG,
Acting Commandant.

SEPTEMBER 11, 1944.

[F. R. Doc. 44-13990; Filed, Sept. 11, 1944; 11:08 a. m.]

WAR FOOD ADMINISTRATION.

DESIGNATION OF AUTHORITY TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPOENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The name of Robert A. Hope is hereby added to the list of persons appearing in paragraph (A) of the "Designation of Persons to Hold Hearings, to Sign and Issue Subpoenas, and to Administer Oaths and Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592), and the said Robert A. Hope is authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 8th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 44-13937; Filed, Sept. 9, 1944; 11:14 a. m.]

WAR MANPOWER COMMISSION.

WASHINGTON, D. C., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Washington, D. C., Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective July 1, 1944 (8 F.R. 11338).

Sec.

1. Objectives.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Hiring procedures.
5. Issuance of statements of availability by employers.
6. Referral of workers by United States Employment Service.
7. Special hiring provisions.
8. Exclusions.
9. Appeals.
10. Contents of statements of availability.
11. Solicitation of workers.
12. Hiring.
13. Representation.
14. General referral policies.
15. Release of workers hired contrary to the program.
16. Discontinuance of inter-area releases.
17. Enforcement.
18. Effective date.
19. Interpretations and procedures.
20. Amendments.

SECTION 1. *Objectives.* In furtherance of the war effort the Area Director of the War Manpower Commission for the Washington, D. C., Area with the concurrence of the Area Management-Labor Committee has adopted the following program. The purpose of the program is to eliminate wasteful labor turnover, to reduce unnecessary migration by encouraging the full use of local labor, to direct scarce labor where most needed in the war program, and to obtain the

maximum utilization of the manpower resources under standards protecting the rights of all concerned.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) "Area covered" is the Washington, D. C., Area comprising the District of Columbia, Montgomery and Prince Georges Counties in Maryland, Arlington and Fairfax Counties and the City of Alexandria in Virginia.

(b) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3493).

(c) "Locally needed activity" means any activity duly approved by the Area Manpower Director or the Chairman of the War Manpower Commission as a locally needed activity.

(d) "Locally needed establishment" means any establishment designated specifically by the Area Director as a locally needed establishment.

(e) "State" includes Alaska, Hawaii, and the District of Columbia.

(f) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(g) "Employer" means any person, firm, corporation or the Federal Government who employs persons for consideration except as indicated in "Exclusions." Under this definition the Civil Service Commission represents the Federal Government as an employer insofar as positions subject to the Civil Service Act and rules are concerned.

(h) "Referral" means a statement issued by the United States Employment Service of the War Manpower Commission sending a worker with his consent to a specific job with a specific employer, for consideration of hiring by such employer.

(i) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(j) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(k) "Locality" means the area as stated in section 2 (a) above. For purposes of railroad employment, locality means the railroad operation division.

(l) "Record of prior employment" is a written certification by an applicant for employment containing the name and location of each employer for whom he has worked during the 60 days preceding such application, his occupation and the date of separation from his employer.

(m) "Solicitation" means the initiation of contract with an individual orally or through written or published communication for the purpose of inducing him to accept employment. The furnishing of employment by an employer or his agent to individuals who voluntarily and without solicitation make inquiry is not deemed to be soliciting.

(n) An "employment ceiling" is the highest level of total employment or of specified types of employees which an establishment is not permitted to exceed, based upon an approved necessary production schedule. Ceilings may be established to:

(1) Permit employment expansion;

(2) Maintain employment at present levels; or

(3) Reduce to employment level.

The employment ceiling is subject to change as production schedules change.

(o) A "manpower allowance" represents an administrative determination of the number of employees or specified types of employees, within the ceiling, which an establishment is currently not permitted to exceed and is used as the means for the current allocation and referral of available labor. This manpower allowance is subject to change as supply factors in the labor market may warrant.

(p) "Priority referral" is a program which provides that employers, except agricultural employers, may hire workers referred by the United States Employment Service of the War Manpower Commission or in accordance with arrangements approved by the United States Employment Service of the War Manpower Commission, so that workers may be referred to jobs in the order of the relative importance of those jobs to the war effort.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Washington Area shall be conducted in accordance with this Employment Stabilization Plan.

SEC. 4. *Hiring procedures.* (a) No employer shall hire any individual in, or for work in, the Washington Area except upon referral by, or in accordance with arrangements approved by the United States Employment Service of the War Manpower Commission.

(b) The Area Manpower Director may fix for all or any establishments in the Washington Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. The basic factor in determining such ceilings and allowances will be the relative urgency of the establishment's production or services required for the prosecution of the war or for community war-time needs. Other considerations will be the labor needs of the establishment and the available labor supply. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

(c) A new employee whose last regular employment was in agriculture and who is to be hired for non-agricultural work shall be hired only upon referral by or in accordance with arrangements approved by the United States Employment Service of the War Manpower Commission. No such individual shall be referred to non-agricultural work, except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral.

(d) Employers shall retain and file statements of availability, referral cards, and records of prior employment, and shall make them available for inspection upon request by a representative of the War Manpower Commission.

SEC. 5. *Issuance of statements of availability by employers.* A statement of availability shall be issued promptly to an individual when any of the circumstances set forth below is found to exist in his case.

An individual whose last employment is or was in an essential activity or a locally needed establishment shall receive a statement of availability from his employer when:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period; or for a period of seven or more days, or

(c) Continuance of his employment would involve undue personal hardships, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 6. *Referral of workers by United States Employment Service.* (a) If the employer fails or refuses to issue a statement of availability the United States Employment Service of the War Manpower Commission, upon finding that the worker is eligible for referral, shall refer the individual to employment in accordance with the provisions of this program.

(b) The United States Employment Service of the War Manpower Commission may refer any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, and for so long as such employer continues his noncompliance after such finding.

(c) If an individual is employed at less than full time, or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service of the War Manpower Commission may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(d) The issuance of a referral card by the United States Employment Service of the War Manpower Commission shall constitute a certification that the employee is eligible under War Manpower Commission regulations and this program for employment to which he is being referred and there shall be no obligation on the new employer to inquire with respect to said eligibility.

(e) A worker seeking referral to employment under any circumstances except where he has been laid off or discharged from his last employment by his employer, shall be urged to remain on his job until the statement is issued by his employer or referral is made by the United States Employment Service of the War Manpower Commission unless remaining on the job would subject him to undue personal hardship.

SEC. 7. *Special hiring provisions.* (a) Railroads, and other employers subject to the Railroad Retirement Act or the Railroad Unemployment Insurance Act, shall hire new workers who have not worked (or resided, if not previously employed) within the locality of the new employment in the 30 days preceding such hiring only through the Railroad Retirement Board's Employment Service. All orders for such workers shall be cleared by the latter agency with the United States Employment Service of the War Manpower Commission before recruiting from outside the area is undertaken.

(b) Since appointments to the Departmental Services of the Federal Government in Washington, D. C., are required by law to be apportioned among the several states, the Civil Service Commission is not required to secure clearance from the United States Employment Service of the War Manpower Commission before recruiting outside the area to fill such positions, and persons recruited to fill such positions may be hired without clearance from the United States Employment Service of the War Manpower Commission in this area. However, the provisions of any employment stabilization program in effect in the area from which the person is recruited will be complied with. Hiring by departments and agencies of the Federal Government for positions which are subject to the rules and regulations of the United States Civil Service Commission, which, so far as is consistent with the laws under which it operates, shall conduct its recruiting activities and make referrals in accordance with the War Manpower Commission's policies, procedures and standards. The provisions of this plan shall not be applicable to transfer between agencies of the Federal Government. Except as indicated the Civil Service Commission shall clear its job openings with the local United States Employment Service of the War Manpower Commission office before recruiting outside the area. The District of Columbia Government shall conform with the provisions of this program insofar as positions subject to the Civil Service Act and Rules and the Joint Regulations are concerned.

(c) The War Shipping Administration shall conduct its recruitment activities and make referrals in accordance with the War Manpower Commission's policies, procedures, and standards.

SEC. 8. *Exclusions.* No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employees' principal work, but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by the legislative and judicial branches of the Federal Government or by a foreign, State, county, or municipal government, or to the hiring of any of their employees, unless such legislative or judicial branches of the Federal Government or foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service;

(f) The hiring of a school teacher for vacation employment or the re-hiring of a school teacher for teaching at the termination of the vacation period.

SEC. 9. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program in accordance with regulations and procedures of the War Manpower Commission. The granting or denial of a referral by the United States Employment Service of the War Manpower Commission may be appealed by an employer or an employee providing an appeal is filed within five days from the receipt of notice of such determination with the United States Employment Service local office.

SEC. 10. *Contents of statements of availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, the date of issuance, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 11. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 12. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of, or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or, except as required by law, citizenship.

SEC. 13. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by the labor organization of which he is a member, or any other representative freely chosen by him, at any step in the operation of the program. Nothing contained in this program shall change, modify, or restrict any collective bargaining agreement existing between the bargaining agency of the employees and their employers.

SEC. 14. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service of the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 15. *Release of workers hired contrary to the program.* If the War Manpower Commission determines that an employer has hired any worker contrary to this program, the employer shall upon notice of such determination release the worker from his employ. Any worker so released shall be referred to his last previous employer if that employer desired to re-hire him; and if not, to employment by, or in accordance with arrangements approved by the United States Employment Service of the War Manpower Commission, where he will contribute most to the furtherance of the war program.

SEC. 16. *Discontinuance of inter-area releases.* The provisions of the previous Area Employment Stabilization Program, requiring migrant workers to obtain and present inter-area releases, are hereby rescinded.

SEC. 17. *Enforcement.* The Area Director or his designated representative shall take such action as is necessary to effect compliance with this program in accordance with authority provided under applicable Congressional enactments, executive orders, and regulations of the War Manpower Commission.

SEC. 18. *Effective date.* The provisions of this program shall become effective July 1, 1944.

All programs in force as of the above effective date, are superseded by this program.

SEC. 19. *Interpretations and procedures.* Interpretations of this program

and instructions or procedures relative to its operation shall be issued from time to time, as may be necessary, by the Area Director of the War Manpower Commission.

Sec. 20. *Amendments.* This program may be altered or amended in the same manner as provided for in its original adoption.

Dated: June 17, 1944.

ERNEST V. CONNALLY,
Area Director.

Approved: June 19, 1944.

HENRY J. TRED,
Regional Director.

[F. R. Doc. 44-13091; Filed, Sept. 8, 1944; 4:09 p. m.]

WAR PRODUCTION BOARD.

[C-309]

MUTUAL SHOE CO.

Mutual Shoe Company, 135 Maple Street, Marlboro, Massachusetts, engaged in the manufacture of shoes, is charged by the War Production Board with having manufactured during the period from September 1, 1943, to March 1, 1944, 24,613 pairs of women's and growing girls' shoes in a price range of $2.86 to $2.91 which was in excess of its civilian line quota of 6105 pairs for such line, as established under War Production Board Conservation Order M-217, by 18,508 pairs. Said Mutual Shoe Company admits the violation but denies that it was wilful and does not care to contest the issue of wilfulness and has consented to the issuance of this order. Mutual Shoe Company has for the current period ending August 31, 1944, reduced its manufacture in said line by 2,560 pairs under its established quota.

Wherefore, upon the agreement and consent of Mutual Shoe Company, the Regional Compliance Chief and the Regional Attorney and upon the approval of the Compliance Commissioner: *It is hereby ordered*, That:

(a) Mutual Shoe Company, its successors or assigns shall not avail itself of its quota for, and shall not manufacture, women's and growing girls' shoes in a price range of $2.86 to $2.91 during the period beginning September 1, 1944, and ending February 28, 1945, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Mutual Shoe Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 1, 1944.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-13092; Filed, Sept. 8, 1944; 4:18 p. m.]

[Cert. 107, Revocation]

COMMON CARRIERS OF PROPERTY BY MOTOR VEHICLE

COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO., AND POINTS IN ILLINOIS

THE ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated August 2, 1943 (8 F.R. 11117), concerning Supplementary Order ODT 3, Revised-48, issued by the Director of the Office of Defense Transportation with respect to coordinating the operations of certain common carriers of property by motor vehicle between St. Louis, Missouri, and points in Illinois.

Dated: September 8, 1944.

J. A. KRUG,
Acting Chairman.

[F. R. Doc. 44-13089; Filed, Sept. 11, 1944; 10:44 a. m.]

WAR SHIPPING ADMINISTRATION.

"LILLIAN ANNE"

NOTICE OF DEPOSIT ON ACCOUNT OF JUST COMPENSATION FOR REQUISITIONED VESSEL

Notice is hereby given that the sum of $22,500.00 was deposited with the Treasurer of the United States on September 6, 1944, pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended (57 Stat. 45), and Executive Order 9054, February 7, 1942, (7th F.R. 837), on account of just compensation for title to the vessel "Lillian Anne" (Official No. 111,098), which was requisitioned by the United States of America, represented by the War Shipping Administrator, on July 9, 1943.

By order of the War Shipping Administrator,

[SEAL] A. J. WILLIAMS,
Secretary.

SEPTEMBER 7, 1944.

[F. R. Doc. 44-13093; Filed, Sept. 9, 1944; 10:31 a. m.]

Reference

SEP 14 '44

THE NATIONAL ARCHIVES OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 9 NUMBER 188

Washington, Wednesday, September 13, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter A—Commodity Standards and Standard Container Regulations

PART 27—COTTON CLASSIFICATION UNDER THE UNITED STATES COTTON FUTURES ACT

Pursuant to the provisions of the Act of April 7, 1941 (55 Stat. 131; 7 U.S.C., Supp. III, 473d), and by virtue of the authority vested in the War Food Administrator, the regulations applicable to cotton fiber and spinning tests (7 CFR, Cum. Supp., 27.501 *et seq.*) are amended to read as follows:

ADMINISTRATION

Sec.
27.501 Authority.
27.502 Laboratories.

FIBER AND SPINNING TESTS

27.503 Testing of samples.
27.504 Requirements as to samples.
27.505 Costs of submitting samples.
27.506 Disposition of samples.

FEES

27.507 Prescribed fees.
27.508 Fees for special tests.
27.509 Payment of fees.

MISCELLANEOUS

27.510 Limitation of testing services.
27.511 Confidential information.
27.512 False and misleading information.

AUTHORITY: §§ 27.501 to 27.512, inclusive, issued under 55 Stat. 131; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 2807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14788.

ADMINISTRATION

§ 27.501 *Authority.* The Director of Distribution, War Food Administration, is charged with the administration of the provisions of the act and the regulations in this part and is authorized to issue such instructions as he may deem proper and necessary.

§ 27.502 *Laboratories.* Laboratories shall be maintained at points designated by the Director of Distribution.

FIBER AND SPINNING TESTS

§ 27.503 *Testing of samples.* The Director of Distribution or his authorized representatives, upon written requests, shall make fiber and spinning tests of the properties of cotton samples and report the results thereof to the persons from whom such requests are received, subject to compliance by such persons with the regulations in this part and to the payment by them of fees as prescribed herein.

§ 27.504 *Requirements as to samples.* Each sample of ginned cotton lint submitted for fiber tests shall weigh approximately eight ounces and each sample submitted for spinning and fiber tests, or for spinning tests alone, shall weigh not less than five pounds when carded yarn tests are desired and not less than eight pounds when combed yarn tests are desired. When the ginning of samples for spinning tests is requested, a sufficient quantity of seed cotton to provide from five to ten pounds of lint shall be submitted. Each sample submitted for testing shall be labeled or marked to show the name and address of the person submitting it and each sample shall be wrapped separately. The separately wrapped samples may be sent in one or more parcels, each of which shall bear on the outside thereof the name and address of the person submitting it. Each individual sample submitted for testing shall contain a tag or coupon bearing a number or other identification symbol. Persons who submit samples to laboratories for testing shall comply with any Federal or State quarantine requirements applicable to counties from which such samples are shipped.

§ 27.505 *Costs of submitting samples.* The transportation of samples to a laboratory for testing shall be without expense to the Government.

§ 27.506 *Disposition of samples.* The remnants of samples and the other materials accumulated in the making of tests under the regulations in this part shall be the property of the Government, but portions of such samples and materials may be used for illustrative purposes in connection with laboratory re-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

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Book 2: Titles 4-9, with index.
Book 3: Titles 10-17, with index.
Book 4: Titles 18-25, with index.
Book 5, Part 1: Title 26, Parts 2-178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28-32, with index.

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ports submitted to persons applying for such tests. Upon request, cottonseed will be returned to the owner at his expense.

FEES

§ 27.507 *Prescribed fees.* (a) Fees for fiber and spinning tests shall be assessed in accordance with items 1 to 32, inclusive, listed below:

Item No. and kind of test	Fee per test
1. Ginning of test samples	$1.00
2. Fiber length array, 3 sortings per test; three values calculated from array data; upper quartile length, mean length, and coefficient of variation	6.00
2-a. Fiber length array, 3 sortings per test; values calculated from array data; upper quartile length, mean length, coefficient of variation, and percentage of fiber by weight in each ⅛ inch length group (averages of 3 determinations)	7.50
2-b. Fiber length array of Purified or Absorbent cotton according to U. S. Pharmacopoeia Standards	10.00
3. Fiber length by fibrograph, 5 measurements per sample	.50
3-a. Fiber length by fibrograph, 5 or more replicate sub-samples, 2 measurements per sub-sample per sub-sample	.20
Minimum	$1.00
4. Fiber strength, round bundle, 10 breaks per sample	5.00
5. Fiber strength, flat bundle, 6 breaks per sample	1.00
5-a. Fiber strength, flat bundle, 5 or more replicate sub-samples, 2 breaks per sub-sample per sub-sample	.30
Minimum	$1.50
6. Fiber fineness (weight per inch) and maturity, 2 measurements each per sample	5.00
7. Fiber cross section (photomicrograph-1000 magnifications): includes one photomicrograph print and determination of average fiber diameter, wall thickness, and circularity ratio, based on measurement of 200 fibers	7.50
8. Cellulose alignment (X-ray), 2 measurements per sample	2.50
9. Combination fiber test (Nos. 2, 4, and 6)	14.00
10. Combination fiber test (Nos. 3, 5, and 6)	6.00
11. Spinning test, carded yarn: includes 22s, one of following standard counts; 14s, 36s, 44s, 50s, 60s, and one additional optional count, the two counts other than 22s to be designated by applicant; data furnished: grade and staple classification of raw cotton, manufacturing waste, yarn skein strength and appearance grade, and 3 yarn boards	20.00
12. Spinning test, combined yarn: as specified in item 11 for carded yarn (for cotton longer than 1¼ inches, yarn counts spun are 60s, and 80s or 100s, and one additional optional count)	25.00
13. Spinning test, carded and combed yarns, same yarn counts for carded and combed: as specified in items 11 and 12	32.00
14. Combination fiber and spinning tests (Nos. 2, 4, 6, and 11)	33.00
15. Combination fiber and spinning tests (Nos. 3, 5, 6, and 11)	25.00
16. Combination fiber and spinning tests (Nos. 2, 4, 6, and 12)	38.00
17. Combination fiber and spinning tests (Nos. 3, 5, 6, and 12)	$30.00
18. Combination fiber and spinning tests (Nos. 2, 4, 6, and 13)	44.00
19. Combination fiber and spinning tests (Nos. 3, 5, 6, and 13)	36.00
20. Additional yarn counts in connection with spinning tests and combination fiber and spinning tests (items 11 to 19), for each such additional count	5.00
21. Spinning, plying, and testing each count of yarn, 2 or 3 ply only (this test performed only in connection with spinning tests and combination fiber and spinning tests . . . items 11 to 19)	8.00
22. Tire cord test: manufacturing and testing 23s/6/3 tire cord, including testing for strength, elongation, twist, and gage (this test performed only in connection with spinning tests and combination fiber and spinning tests . . . items 11 to 19)	20.00
23. Yarn skein strength and size and yarn appearance determinations (20 skein breaks per sample), and furnishing one yarn board	2.00
24. Moscrop single strand test: strength and size on 6 bobbins or less (minimum 36 breaks per bobbin)	2.00
25. Shirley Analyzer separation of lint and foreign matter on 4-ounce sample of raw cotton, cotton waste, or linters	2.00
26. Shirley Analyzer separation of lint and foreign matter on 1-pound sample of raw cotton, cotton waste, or linters	5.00
27. Picker and card waste test, including nep count in card web, 5-pound sample	5.00
28. Classification, including grade and staple length, per sample	.25
29. Fabric strength test (grab method), 5 breaks each warpwise and fillingwise	8.00
30. Fabric weaving and testing, including preparation of warp, weaving, and testing of a standard sheeting construction	25.00
31. Furnishing more than two copies of test results, per sheet	.25
32. Furnishing copies of test data work sheets, per sheet	.40

(b) Persons who first submit samples for complete fiber tests as provided in items 9 and 10 may during the progress of such tests, or within sixty days after the date of the laboratory report on any test, file a supplemental request for a complete spinning test of the same cotton, and the total fees assessed for such combined tests shall be as prescribed in items 14 to 19, inclusive.

(c) Fees for combinations of tests not provided for in this section shall be as determined by the Director of Distribution.

§ 27.508 *Fees for special tests.* In the discretion of the Director of Distribution, special tests not listed in § 27.507 may be made to the extent that available facilities will permit, subject to the payment of fees as determined by him.

§ 27.509 *Payment of fees.* As soon as practicable after the fifteenth and the last day of each calendar month, bills shall be rendered by officers in charge of testing laboratories to all persons from whom payment of fees and costs under the regulations in this part shall have become due, provided that when necessary any bill may be rendered at an earlier date. Payments under the regulations in this part shall be by certified check or by draft or post office or express money order payable to the order of "Treasurer of the United States."

MISCELLANEOUS

§ 27.510 *Limitation of testing services.* If at any time funds available for services under the regulations in this part may be insufficient to provide for the testing of all samples that may be submitted for the purpose, the Director of Distribution may place reasonable limitations upon the quantities of samples to be submitted by individuals during any one fiscal year or any one calendar month, and may direct that samples received from cotton breeders shall take precedence over those received from other persons.

§ 27.511 *Confidential information.* No information concerning individual tests under the regulations in this part shall be published or communicated in such a way as to disclose to others the identity of the owners of cotton represented by samples submitted for testing, except with the written permission of such owners.

§ 27.512 *False and misleading information.* The publication or communication by any person of false or misleading information concerning the results of tests as reported by laboratories under the regulations in this part shall be deemed sufficient cause for denial of testing services to such persons.

Issued at Washington, D. C., this 11th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-14040; Filed, Sept. 11, 1944; 3:26 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 71, Amdt. 2]

PART 1595—FOOD PRIORITIES

FOOD PRIORITIES

War Food Order 71, as amended (8 F.R. 2816, 7213; 9 F.R. 4321, 4319) is hereby completely revised and amended to read as follows:

§ 1595.1 *Food Priorities—*(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not and includes the States or any subdivision thereof and the United States and any department, agency, or instrumentality thereof.

(2) "Food" means all commodities and products, simple, mixed, or compounded, that are or may be eaten or drunk by either humans or animals, irrespective of other uses to which such commodities or products may be put, and at all stages of processing from the raw commodity to the product thereof in a vendible form for immediate human or animal consumption, and includes all starches; sugars; tobaccos; vegetable, fish, marine animal, and animal fats and oils, whether edible or inedible, including their by-products and residues (whether resulting from refining, distillation, saponification, pressing, or settling); sulfated, sulfonated, and sulfurized fats and oils; tall oil; wool grease; soap; fatty acids; and glycerine.

(3) "Emergency order" means any contract or order for food to which a priority rating is attached or as to which the Director has issued specific directions, as provided in this War Food order.

(4) "Disposition" means the transfer of title to food by sale, gift, or any other means; the transfer of physical possession of food by delivery or otherwise, except for storage purposes; and the use of food in any process of production, manufacturing, or other use whereby the attributes of the food are changed.

(5) "Director" means the Director of Distribution, War Food Administration.

(b) *Assignment of priority ratings.* (1) The Director may assign priority ratings to contracts, orders, or dispositions for food by means of priority rating certificates or, at his discretion, by other means. Such ratings may be assigned to dispositions under contracts or under orders prior to or after the time of placing or acceptance. Such ratings may be granted subject to conditions imposed on the use thereof by the director. The Director may also issue specific directions as to particular dispositions without assigning specific priority ratings thereto, and such directions shall take precedence over all other dispositions, regardless of any priority which may be assigned.

(2) A priority rating of PR-10 is hereby assigned to every contract of the United States Army, Navy, Coast Guard, Marine Corps (except contracts of Army and Marine Corps post exchanges and Navy and Coast Guard ship's service stores), War Shipping Administration, or War Food Administration (including but not limited to any corporate agency thereof) for the acquisition of food, and shall automatically apply to every contract entered into by any person contracting with any one of the above agencies unless a higher priority rating is assigned to such contract by the Director.

(c) *Duration of priority ratings.* Unless an emergency order is placed within the period of time specified on the food priority rating certificate or otherwise by the Director, the rating shall expire and be without force and effect. All priority ratings may be revoked at any time by the Director. A priority rating applied or extended before the expiration date continues in effect until the food is delivered, the rating is revoked, or the emergency order is cancelled.

(d) *Extension of priority ratings.* (1) Extension of priority ratings refers to the use of the rating assigned to such an emergency order by the person filling such order, for the purpose of obtaining the food needed to fill the order or to replace food which he has taken from his inventory to fill the emergency order. No person may extend any priority rating

to any of his suppliers or subsuppliers unless the Director specifically authorizes such extension.

(2) Any person authorized to extend a priority rating shall do so only in the following manner:

(i) With respect to a written contract or order, by endorsing on or attaching to each contract or order to which the rating is extended a statement of the priority rating and a certification in substantially the form provided in Appendix A hereof, signed by an official duly authorized for such purpose.

(ii) With respect to an order placed by telegraph, by including in the telegram a certification substantially as follows:

Ratings indicated are extended pursuant to War Food Order 71.

A copy of such telegram signed by a duly authorized official shall, in every case, be furnished to the addressee thereof.

(3) Any person receiving an order or contract with such rating and certification attached shall be entitled to rely on the representations in such certification unless he knows or has reason to believe them to be false.

(4) The person authorized to extend a priority rating must place his order to which such rating is extended within the period of time specified by the Director.

(5) In extending a priority rating, no person shall order or purchase more food than needed to fill the emergency order or to replace in his inventory food used for filling the emergency order, even though he intends to cancel or reduce his orders to the correct quantity prior to delivery.

(6) No priority rating may be extended to any material other than food.

(e) *Sequence of priority ratings.* Priority ratings under this order shall be referred to and designated as Food Priority Ratings and shall have the following order of precedence: FR–1, FR–2, FR–3, FR–4, FR–5, FR–6, FR–7, FR–8, FR–9, FR–10.

(f) *Set aside quantities of food.* Unless specifically authorized by the Director, no person shall fill any emergency order by delivering the set aside portion of any food required to be set aside by any War Food order, except to fill an emergency order of an agency named in or designated pursuant to such War Food order.

(g) *Compulsory acceptance and delivery under emergency orders.* An emergency order must be accepted and filled and all dispositions under such orders must be made, whether pursuant to contract or not, in preference to any other disposition of food to the extent necessary to meet the delivery or production schedule provided in the emergency order, except that acceptance and disposition under such order need not be made:

(1) If the disposition called for cannot be made because of the previous scheduling of emergency orders bearing higher or equal priority ratings.

(2) If the person placing such order is unwilling or unable to pay prevailing market prices (but no more than any maximum price prescribed by the Office of Price Administration) for the food ordered, or is unwilling or unable to meet regularly established terms of sale or payment: *Provided*, That there shall be no discrimination against such orders in establishing such prices or terms.

(3) If the person with whom the emergency order is placed does not have a supply of such food in sufficient quantity to fill the order, and such food is of a kind which such person is not capable of producing without substantial alteration of or addition to such person's facilities. A person may not avoid acceptance or delivery by changing the form of the food produced by him.

If the person with whom the emergency order is placed is without authority to fill the order by selling the food in his possession, he shall immediately inform the person placing the emergency order of this fact and also inform him of the name of the person having such authority. Until such time as the emergency order is withdrawn or the priority rating is revoked, the person with whom the order is placed shall not make any disposition of food meeting the specifications of the order, or which can be made to meet such specifications, except as permitted by this order: *Provided*, That as soon as the person placing the order is notified that the person with whom the order is placed is without authority to fill the order, an emergency order shall thereupon be placed with the person owning or otherwise exercising proprietorship over such food. The food priority rating applying to an order for a product shall be deemed to apply also to the use of food to manufacture or produce such product.

Dispositions bearing no priority rating or lower priority ratings shall be deferred to the extent necessary to assure those dispositions bearing higher priority ratings, even though such deferment may cause defaults under other contracts or orders. Each person who has emergency orders on hand must schedule his production and deliveries so that dispositions thereunder will be made on the dates required, giving precedence in the case of unavoidable delay to dispositions bearing the higher rating.

(h) *Sequence of deliveries.* The sequence of disposition under emergency orders bearing the same priority rating shall be determined by the respective dates on which the emergency orders are placed, the emergency order placed first in point of time having precedence over other emergency orders. If emergency orders bearing the same priority rating are placed on the same day and it is impossible to deliver all the quantities specified on schedule, the sequence of disposition shall be determined by the delivery dates specified in the emergency orders.

(i) *Placing of emergency orders.* Emergency orders may be placed by regular or registered mail, by telegraph, or by personal service upon the person with whom the order is to be placed.

(j) *Failure to comply.* When the terms of an emergency order have not been complied with and such failure to comply appears to the person placing such order to be improper, a report shall be filed promptly with the Director setting forth the facts in connection with such failure to comply. The Director may thereupon take such action as he deems appropriate.

(k) *Allocations.* When specific allocations of a food are made by the War Food Administrator or the Director by a War Food order, unless otherwise provided by the Administrator or Director (as the case may be), such allocation shall be made without regard to any food priority ratings which have been assigned to deliveries under particular contracts or purchase orders and shall prevail over any such priority ratings.

(l) *Use of food obtained under priority ratings.* Any person who obtains a delivery of any food by the use of a priority rating or pursuant to an order of the Director under paragraph (b) must use such food for the purpose for which it was obtained with priority assistance. If it cannot be used for such purpose, for any reason, such person shall promptly file a report with the Director describing the food and the circumstances and shall make such disposition of the food as the Director may direct.

(m) *Contracts.* The requirements of this order shall be observed without regard to contracts now existing or hereafter made or any rights accrued or payments made thereunder.

(n) *Records and reports.* Every person participating in a transaction involving an emergency order shall keep and preserve accurate records sufficient to show the following details concerning all his transactions (including those not involving any food priority) in the food named in the emergency order: (1) A copy of contracts or orders and invoices or sales slips, (2) the dates on which all orders were accepted or rejected, (3) the delivery dates requested and the dates of actual delivery, (4) a description of the food involved, (5) a record of disposition by classes, types, quantities, and values, (6) the names of parties involved in each transaction and disposition, (7) the priority rating, if any, assigned or extended to the order or contract, (8) the names of persons, if any, to whom the priority rating is extended and the quantity of food received under each extension, and (9) the priority rating certificate, if any. The records required above may be kept by preserving the usual business papers and records insofar as they provide the information required. If the food covered by the emergency order is delivered on time, the above records need cover only the period between the placing of the order and delivery and must be preserved for a period of two years. If delivery under the emergency order is deferred, the required records must cover the period beginning with the receipt of the order and ending two months after the time for delivery or actual delivery (whichever is later), and must be preserved for a period of two years. The Director shall be entitled to obtain such information and require such reports and the keeping of such additional records by any person as may be necessary and appropriate in his discretion to the enforcement or administration of the provisions of this order.

(o) *Audits and inspections.* The Director shall be entitled to make such audits and inspections of the books, records, and other writings, premises or stocks of food of any person participating in any transaction with respect to which any priority rating issued hereunder applies, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(p) *Illegal use of priority rating.* No person shall claim or assert any priority rating for any contract or order for food unless such contract or order has priority under paragraphs (b) or (d) hereof, or has priority under paragraph (c) of this order as such paragraph (c) existed prior to the effective date of this amended order.

(q) *Petition for relief from hardship.* Any person affected by this War Food Order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to the Administrator, War Food Order No. 71, Office of the Director, Office of Distribution, War Food Administration, Washington 25, D. C. The petition shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The filing of any such petition shall not excuse compliance with any of the provisions of this order unless the Director permits withholding of deliveries pending the disposition of the petition. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he may, by requesting the Order Administrator therefor, obtain a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, which action shall be final.

(r) *Violations.* The Director may prohibit any person who violates any provision of this order from receiving, making deliveries of, or using any material subject to priority or allocation control by the War Food Administrator. In addition, any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any or all applicable laws including the Act of June 28, 1940, as amended by the Act of May 31, 1941 and Title III of the Second War Powers Act, 1942. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(s) *Priorities regulations of the War Production Board superseded.* This order supersedes all priorities regulations of the War Production Board insofar as such priorities regulations apply to food.

(t) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Administrator, War Food Order 71, War Food Administration, Washington 25, D. C.

(u) *Delegation of authority.* The administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the United States Department of Agriculture any or all of the authority vested in him by this order.

(v) *Territorial scope.* The provisions of this order shall apply to all persons in the United States, its territories and possessions, and the District of Columbia.

(w) *Effective date.* This order, as amended, shall be effective September 15, 1944. With respect to violations of said War Food Order 71, as amended, rights accrued or liabilities incurred prior to the effective date of this amendment, said War Food Order 71, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of September, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

APPENDIX A—FORMS

1. Any contract bearing a priority rating of FR–10 conferred by paragraph (b) of War Food Order 71 (7 CFR § 1595.1 (b)) may contain substantially the following language:

This contract carries an automatic priority rating of FR–10 under the terms of paragraph (b) of War Food Order 71. That Order requires that deliveries under this contract be given priority over other dispositions bearing lower or no priority ratings.

2. Any contract or order bearing a priority rating conferred by the Director under paragraph (b) of War Food Order 71 (7 CFR § 1595.1 (b)) may contain substantially the following language:

This order (contract) bears a priority rating of FR------ under authorization No. ---- issued to ---------- by the Director of Distribution, War Food Administration, pursuant to War Food Order 71. Delivery on this order (contract) is required by War Food Order 71 to be given priority over dispositions bearing lower or no priority ratings.

3. The person authorized by this Order to use an extended priority rating under paragraph (d) of War Food Order 71 (7 CFR § 1595.1 (d)) on any written contract or order, shall attach substantially the following certificate:

CERTIFICATE

This order (contract) bears a priority rating of FR— under authorization No. ------ issued by the Director of Distribution, War Food Administration. Delivery on this order (contract) must be given priority over dispositions bearing lower or no ratings. The undersigned hereby represents to the seller and to the War Food Administration that he is entitled to extend the above food priority rating and that such extension is in accordance with War Food Order 71, with the terms of which the undersigned is familiar.

Date ----------

Name

Address

By ----------

Duly authorized officer

[F. R. Doc. 44–14041; Filed, Sept. 11, 1944; 8:26 p. m.]

[WFO 76, Amdt. 3]

PART 1460—FATS AND OILS

WOOL FAT

War Food Order No. 76, as amended (8 F.R. 11465, 9 F.R. 4319), is further amended to read as follows:

§ 1460.28 *Restrictions on production, sale, and delivery of wool fat.*—(a) *Definitions.*—(1) "Wool fat" means that fat or grease extracted from wool by whatever means including all types, grades, and kinds recovered. The term also includes Adeps Lanae; USP Lanolin, Technical Lanolin, Neutral Wool Fat (grease), Neutral Degras of all grades and types, common or crude Degras, and common or crude wool grease and wool waxes, alcohols, or other derivatives of wool fat.

(2) "Lanolin" means any wool fat equivalent to or of a higher grade than technical lanolin as defined in section 13.1 of Maximum Price Regulation 53, issued August 8, 1944, by the Office of Price Administration. The term shall include both hydrous and anhydrous grades of Adeps Lanae, USP Lanolin, Cosmetic Lanolin, Technical Lanolin, and any wool fat or wool fat product represented and sold as lanolin.

(3) "Cosmetics" means all products intended to be applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, including, but not limited to, toilet soaps containing wool fat, shaving creams containing wool fat, hand lotions, after shaving lotions, and hair dressings and tonics.

(4) "Producer" means any person engaged in recovering any type or grade of wool fat regardless of whether such person further refines such wool fat.

(5) "Refiner" means any person engaged in the refining of wool fat.

(6) "Distributor" means any person who acquires wool fat for resale without further refining.

(7) "User" means any person (except a refiner of wool fat) who is engaged in the manufacture of any product by any process which requires the use of wool fat, regardless of whether wool fat is incorporated into such product.

(8) "Current rate of consumption" means the quantity of wool fat used during the preceding 30-day period or the quantity scheduled to be used during the ensuing 30-day period.

(9) "Inventory" means the total quantity of wool fat or lanolin, as the case may

be, owned by any person at any particular time.

(10) "Certified order" means a written order to a supplier of wool fat which has attached thereto or incorporated therein a certificate executed in accordance with (b) (2) hereof.

(11) "Base period" means the calendar years 1941 and 1942, or such other period as may be established by the Director.

(12) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(13) "Director" means the Director of Distribution, War Food Administration.

(b) *Certified orders.* (1) Except as specifically authorized by the Director, no person shall, in any calendar month, sell or deliver wool fat to any user on other than certified orders, unless and until he has filed or offered to fill all certified orders received by him on or before the 16th day of such month.

(2) Any user who desires wool fat for any purpose other than non-military fur dressing, or the manufacture of cosmetics or mechanic's hand soap, may, prior to the delivery of such wool fat, transmit to his supplier a written order which has attached thereto or included therein a properly executed certificate in substantially the following form:

The undersigned hereby certifies to the War Food Administration and to _____

_____ Supplier

that he is familiar with the terms of War Food Order No. 76, that this certificate is furnished to enable the undersigned to obtain delivery of _____ pounds of wool fat on or about _____, and that no Date

part of such wool fat will be used for the non-military dressing of furs or for the manufacture of cosmetics or mechanic's hand soap.

_____ _____
Date Purchaser

By _____
Title

(3) No person who receives wool fat pursuant to a certified order shall use any part of such wool fat for non-military fur dressing, or for the manufacture of cosmetics or mechanic's hand soap.

(c) *Deliveries for use in cosmetics.* (1) No person shall sell or deliver wool fat for use in the manufacture of cosmetics in excess of such percentage as may be authorized from time to time by the Director, of the yearly average amount of wool fat sold and delivered by such person for such purpose during the base period.

(2) No person shall sell or deliver wool fat for use in the manufacture of cosmetics unless and until he has notified the Order Administrator of his total sales and deliveries of wool fat direct to cosmetic manufacturers during the base period.

(d) *Inventories.* (1) No person shall produce lanolin in any amount which will cause his inventory thereof to exceed a quantity equal to a month's supply based upon his deliveries of lanolin during the preceding calendar month.

(2) No distributor shall accept delivery of lanolin or of wool fat other than lanolin in any amount which will cause his inventory of either of such products to exceed a quantity equal to a month's supply based upon his deliveries during the preceding calendar month.

(3) No user shall accept delivery of wool fat in any amount which will cause his inventory thereof to exceed (i) a quantity equal to a month's supply based upon his current rate of consumption, or (ii) 600 pounds, whichever is the greater.

(4) Except as specifically authorized by the Director, no person shall deliver wool fat to any user or distributor unless he receives, together with the order for such wool fat, a properly executed certificate in substantially the following form:

The undersigned hereby certifies to the War Food Administration and to _____

_____ that
(Supplier)

he is familiar with the terms of War Food Order No. 76, and that the acceptance of delivery of _____ pounds of _____ covered
(Specify type or grade of wool fat)

by the attached order will not cause his inventory to exceed:

* A quantity of wool fat equal to a month's supply based upon the current rate of consumption;

*600 pounds;

*A quantity of lanolin equal to a month's supply based upon deliveries during the preceding month;

*A quantity of wool fat other than lanolin equal to a month's supply based upon deliveries during the preceding month.

_____ _____
Date Deliveree

By _____
Title

(5) Notwithstanding any other provision of (d) hereof, any person may deliver or accept delivery of wool fat in quantities of 10 pounds or less for any purpose other than the manufacture of cosmetics. No certificate shall be required for any such delivery or acceptance of delivery.

(e) *Transfers between departments or plants.* The transfer of wool fat between units, departments, plants, or companies owned, controlled, or directed by the same person shall constitute delivery or acceptance of delivery within the meaning of this order.

(f) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Records and reports.* (1) Every person who uses more than 1,200 pounds of wool fat in any calendar quarter shall properly fill out and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM–1 for each month, on or before the 15th day of the following month, and Bureau of the Census Form BM–2 for each calendar quarter, on or before the 15th day of the second month following such calendar quarter. Nothing contained herein shall be construed as requiring any person to file more than one Form BM–1 in any month or more than one Form BM–2 in any calendar quarter, except that a separate report shall be filed for each plant in which such person uses wool fat.

*Strike inapplicable provisions.

(2) Every producer of wool fat shall, within 15 days after the end of each calendar month, properly fill out and mail to the Order Administrator one copy of Form PDA–476 showing his actual and estimated production, deliveries, and stocks of wool fat.

(3) Every refiner of wool fat shall, within 15 days after the end of each calendar month, properly fill out and mail to the Order Administrator one copy of Form PDA–476 showing his actual and estimated production, deliveries, and stocks of lanolin, and his actual and estimated production, deliveries, and stocks of wool fat other than lanolin.

(4) All certificates executed under this order shall be retained for inspection by and delivery to the Director upon request. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(h) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of wool fat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to any petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using wool fat. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 76, Fats and Oils Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(l) *Delegation of authority.* (1) The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(2) The Director is authorized to establish additional regulations governing the use or consumption of wool fat, or the quantity thereof held in storage or inventory by any person, whenever he finds such regulations necessary to effectuate the purposes of this order.

(m) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(n) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., October 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 76, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–14089; Filed, Sept. 11, 1944; 3:27 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 801—RULES OF ORGANIZATION

POST-DIRECTIVE COMMITTEE

SEPTEMBER 1, 1944.

Section 801.12 of the "Rules of Organization and Procedure of the National War Labor Board" has been amended to read as follows:

§ 801.12 *The Post-Directive Committee of the Board.* This Committee shall consist of two representatives of labor, two representatives of industry, and two public members who shall serve as Chairmen. For a description of the functions of this Committee, see §§ 802.12 and 802.13 below.

Adopted August 30, 1944.

(E.O. 9250, Oct. 3, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Regulations of Economic Stabilization Director, Oct. 27, 1942, 7 F.R. 8748, 8 F.R. 6489, 6490, 11980, 12139, 12238, 16702; Inflation Control Act of 1942, Act of Oct. 2, 1942, C. 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–14051; Filed, Sept. 12, 1944; 9:32 a. m.]

PART 803—GENERAL ORDERS

WAGE ADJUSTMENTS OF CERTAIN CIVILIAN NAVY EMPLOYEES

Paragraph (a) of § 803.18 (General Order No. 18 (8 F.R. 12042)) has been amended to read as follows:

§ 803.18 *Delegation of authority to Secretary of the Navy with respect to wage adjustments of certain civilian employees.* (a) The National War Labor Board hereby delegates to the Secretary of the Navy, to be exercised in his behalf by the Office of the Assistant Secretary of the Navy, (hereinafter referred to as "the Navy Department Agency") power to rule upon all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board), covering civilian employees within the continental limits of the United States, Alaska and the Territory of Hawaii, employed directly by the Navy Department (but excluding persons employed in government owned, privately operated facilities of the Navy Department), all in accordance with the further provisions of this order.

Adopted August 26, 1944.

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–14060; Filed, Sept. 12, 1944; 9:33 a. m.]

PART 803—GENERAL ORDERS

WAGE ADJUSTMENT; CUSTOM TAILORING AND COMMERCIAL PRINTING IN LOS ANGELES, CALIF., AREA

The National War Labor Board under paragraph (d) of § 803.4 (General Order 4) has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

37. The custom tailoring industry in Los Angeles County, California, of Region X. For the purposes of this sub-section this industry is to be defined as follows:

Establishments engaged in making and/or selling men's and women's clothing made to the individual measure and/or specifications of the customer, but not including those who produce their clothing by the methods commonly known as cut, make and trim.

38. Employers in commercial printing industry in Los Angeles and Orange County, and all valley communities east to and including San Bernardino and Riverside, California.

(E.O. 9250, 7 F.R. 7871)

Approved: September 5, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 14–14070; Filed, Sept. 12, 1944; 11:29 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–91, Direction 2]

OPERATION OF LOOMS TO PRODUCE TENTAGE FABRICS FOR THE ARMY AND NAVY

The following direction is issued pursuant to Conservation Order M–91:

1. Notwithstanding any of the provisions of Limitation Order L–99, each loom that at any time during the first quarter of 1943, produced or was assigned to produce Army Duck, Numbered Duck, Shelter Tent Duck or Flat Duck, may during the period commencing October 1, 1944 and ending December 31, 1944, be operated only to produce Army Duck (8 oz. on a 28½" width basis, and heavier), Numbered Duck, Flat Duck (12.10 oz. per square yard, and heavier), or Shelter Tent Duck.

2. No producer of cotton duck may have in his inventory at any time during the 4th calendar quarter of 1944, more Army Duck, Numbered Duck, Flat Duck and Shelter Tent Duck in the gray than an amount equal to one-half of his production of these fabrics in the preceding calendar month, unless he has offered in writing his entire inventory of such fabrics for sale to the U. S. Army or Navy.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14046; Filed, Sept. 11, 1944; 4:20 p. m.]

PART 1044—CADMIUM

[General Preference Order M–65, as Amended Sept. 12, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cadmium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1044.1 *General Preference Order M–65.*—(a) *Scope of this order.* This order controls deliveries of cadmium from a producer or distributor. No producer or distributor shall deliver cadmium to any person, and no person shall accept delivery of cadmium from any producer or distributor, except as provided in this order. The order also restricts the use which may be made of cadmium or cadmium products. The permitted uses will be found listed below in paragraphs (d) and (e).

(b) *Definitions.* For the purposes of this order:

(1) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material; or cadmium-bearing materials suitable for the manufacture of pigments.

(2) "Cadmium product" means an electroplated coating of cadmium.

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

(c) *Deliveries of cadmium.* Producers and distributors may deliver cadmium, and persons may accept delivery of cadmium from a producer or distributor in the following cases only:

(1) *Small order delivery.* Deliveries of cadmium from a producer or distributor may be made and accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of cadmium to the purchaser during that calendar month, from whatever source, will not aggregate more than 100 pounds of contained cadmium; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of cadmium in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The cadmium purchased will be used only as permitted in paragraphs (d) and (e) of this order and not for resale; (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a 30-day supply on the basis of his current method and rate of operation; and (v) The producer or distributor may make deliveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of this paragraph (c) (1) or that the cadmium delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to distributors.* Deliveries of cadmium may be made to and accepted by distributors.

(3) *Deliveries to Metals Reserve Company.* Deliveries of cadmium may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Deliveries to laboratories.* Deliveries of cadmium may be made to and accepted by laboratories.

(5) *WPB authorization.* Other deliveries of cadmium may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB-945. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contract or orders. Authorization certificates will be issued on or about the first of each month for this purpose. An authorization certificate will authorize the holder to accept from a producer or distributor deliveries of specified amounts of cadmium shipped during the month for which the certificate is issued. The producer or distributor may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-945 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restrictions on the use of cadmium.* No person may use in any fashion any cadmium except for one or more of the following purposes, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product, and to maintain a thirty-day supply of the cadmium containing item on the basis of current rate of deliveries for permitted uses. No person who uses cadmium may deliver the cadmium containing item to any person except on receipt by him, directly or through a dealer, from the person who will receive delivery of the cadmium containing item, of a certification substantially in the form prescribed by Priorities Regulation No. 7 that the cadmium containing item to be delivered will be used for one or more of the following purposes:

(1) For the manufacture of pigments for the following:

Luminescent paint for military uses
Luminescent printing ink for military uses
Luminescent paper for military uses
Luminescent plastic for military uses
Signal and illuminating glass ware for safety, religious, military and industrial uses only
Thermometer tubing
Rubber sea buoys
Dental rubber
Artist's colors
X-ray fluoroscopic screens for medical purposes
Luminescent coatings for cathode ray tubes, except tubes to be used in signs, lighting fixtures or lamps.

(2) For the manufacture of silver brazing alloys containing no more than 11% by weight of cadmium to be used for military and industrial purposes to the extent that the use of a less critical material is impracticable except that silver brazing alloys containing up to 19% may be manufactured for applications specifically required by the Armed Services and for identical industrial applications.

(3) For the manufacture of copper base alloys containing no more than 1¼% by weight of cadmium for the following:

(i) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.
(ii) Parts inside electronic tubes.
(iii) Resistance welding electrodes.
(iv) Overhead electrical contact wire for repair and replacement in railway, street car and trolley bus systems.
(v) Multistrand railroad signal bond wire.
(vi) Shunt wire leads for motors and generators.
(vii) Flexible terminals of resistors, condensers and field coils.

(4) For the manufacture of bearings for the following:

(i) Internal combustion engines for the propulsion of naval vessels when specifically required by the U. S. Navy.
(ii) In radio and radar equipment.

(5) For the manufacture of low melting point alloys for the following:

(i) On dry type rectifier elements.
(ii) In fire protective systems, safety devices and electrical fuses.
(iii) Plugs for screwless fasteners in rimless metal spectacles.
(iv) Dental use.

(6) For the manufacture of low melting point alloys containing no more than 10% by weight of cadmium for the following:

(i) In plastic fire control instruments for the mounting of optics.
(ii) Seals between brass and glass parts of liquid high voltage fuses.
(iii) In the manufacture of inspection gauges.
(iv) Bending of thin wall tubes.
(v) Bending of finished roll-formed and extruded shapes.

(7) For the manufacture of low melting point alloys containing no more than 6.5% by weight of cadmium for the following:

(i) Anchorage of punch press dies and bushings in drill jigs.
(ii) Location of control points and surfaces (except floor grouting) in construction of fixtures.

(8) For the manufacture of zinc base alloy, containing no more than .5% by weight of cadmium, for rolling.

(9) For the manufacture of type metal containing no more than .5% by weight of cadmium.

(10) For the manufacture of a lead base alloy containing no more than 3% by weight of cadmium for the coating of copper wire;

(11) For the manufacture of any cadmium product permitted by paragraph (e).

(12) For the manufacture of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Services has been filed with the first request for allocation for this use on Form WPB-945.

(13) For the manufacture of standard cells.

(14) For the manufacture of electrolytic testers for storage batteries.

(15) For the manufacture of cadmium impregnated carbon or of cadmium-silver alloys for use as contacts in electric current interruption devices.

(16) For use in laboratories for research, control, analysis, assaying, or educational work.

(17) For the manufacture of cadmium chemicals.

(e) *Restrictions on the use of cadmium products.* No person may use in any fashion any cadmium product except as permitted in subparagraphs (1) to (22), and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product:

(1) On functional parts which in service are subjected to frequent and extended periods of alternate immersion in sea water or wet spray of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance;

(2) On heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable;

(3) On ferrous hardware parts in direct contact with fabric or leather when used on the following:

Aircraft parachutes.
Aircraft safety belts.
Aircraft shoulder harnesses.
Aircraft bomb slings.

(4) On moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts, to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(5) On electric controllers and switches incorporated into underground mining machinery as required by the safety regulations of the Bureau of Mines;

(6) On the following ferrous parts which in service reach a temperature of 500° F. or higher and on parts in contact with such ferrous parts:

(i) Aircraft parts requiring corrosion protection;
(ii) Functional parts subject to the combined effect of corrosion and stress.

(7) On parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium or their alloys;

(8) On electrical contact parts of aircraft ignition harnesses and propeller hubs;

(9) On parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of noncorrosive fluxes and other finishes do not provide required corrosion protection.

(10) On the following parts of electronic equipment when required by the Armed Services, the Maritime Commission and War Shipping Administration:

(i) Surfaces involved in unsoldered butt joints which must remain constant in electrical and radio frequency resistance or both.
(ii) Surfaces which require good conductivity for radio frequency current.

(iii) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(11) On ferrous nuts, bolts, machine screws and washers for use in aircraft except for self-locking nuts designed for application below 250° F.;

(12) On nuts, bolts, machine screws and studs having threads ⅜ inch diameter and smaller and/or having sixteen or more threads per inch for use by the United States Navy, Maritime Commission or War Shipping Administration and for use by the United States Army in ship construction.

(13) On parts subject to frictional contact at least one of which is a moving part, to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure or binding.

(14) On parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(15) On parts of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Service has been filed with the first request for Allocation for this use on Form WPB-945.

(16) On high carbon steel springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to both alternating stresses of a magnitude approaching the fatigue limit of the steel and to corrosive influences requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Flat springs of a thickness of 3/32 inch or less;
(ii) Springs made of wire of a diameter of ⅛ inch or less;
(iii) Valve springs for marine Diesel engines; or
(iv) Springs for aircraft landing gear.

(17) On ferrous springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to corrosive influence requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Detent springs of fuses when cadmium is specifically required by the cognizant Armed Service;
(ii) Spring parts of cowl fasteners for aircraft use;
(iii) Snap rings of a wire diameter of ⅛ inch or less for military and industrial uses; or
(iv) Lock washers and lock clips of a thickness of 3/32 inch or less for military and industrial uses.

(18) On carburetor and magneto parts for aircraft engines.

(19) On external parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, and lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly designed parts performing similar functions.

(20) On hydraulic fitting coupling sleeves made of copper alloys for use in aircraft.

(21) On electrical contact parts which touch parts of aluminum, magnesium or their alloys.

(22) On torpedo parts.

(f) *Certification on purchase orders.* No person shall place an order for, deliver or accept delivery of any cadmium or cadmium product, unless the purchaser shall have certified in substantially the form set forth in Priorities Regulation No. 7 that the cadmium products to be delivered will be used for a purpose permitted by this order.

(g) *Appeals.* Any person may appeal from the provisions of paragraphs (d) and (e) of this order. Only prohibited items should be included in an appeal. Appeals should be made in letter form, in triplicate, and must be filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates, setting forth essentially the following information:

(1) Period of time, not exceeding six months, for which relief is requested;
(2) Monthly schedule of the amount of contained cadmium required;
(3) Description (and for cadmium containing alloys also the alloy composition), function, number, and cadmium requirement of each part or of each group of parts fulfilling related functions;
(4) Prime contract number, including symbol, if the item on appeal is covered by an Army, Navy, Maritime Commission or War Shipping Administration contract;
(5) Justification, including the reasons why substitutes are unsatisfactory because of performance, lack of facilities or manpower. An unsupported opinion is seldom sufficient justification.

(h) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, special kinds and amounts of cadmium, to be delivered or acquired.

(i) *Reports.* All producers, distributors and consumers of cadmium shall file reports with the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, at such time and in such manner and form as it may prescribe, showing inventory, production, purchases, sales and consumption and such other information that the War Production Board may require.

(j) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, other than appeals from the provisions of paragraphs (d) and (e), shall be addressed to: War Production Board, Tin, Lead and Zinc Division WPB Dept. 7512, Washington 25, D. C.; Ref.: M-65.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14067; Filed; Sept. 12, 1944; 11:38 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended Sept. 12, 1944]

TEXTILE BAGS

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of textile bags for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.23 *Conservation Order M-221*—(a) *Definitions.* For the purposes of this order:

(1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton or twisted paper yarns, but excepting shopping bags, carry-out bags, and combination textile-paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or the fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling, or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who in the preceding three months acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

General Restrictions for All Persons

(b) *Joint responsibility.* No person shall deliver textile bags to any other person if he has reason to believe that the other person is not entitled to accept them under the provisions of this order or that they will be used for any purpose prohibited by this order.

(c) *Sampling bag-contents.* No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric.

(d) *Sand bags.* No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war hazards.

(e) *Size changing.* No dealer, user, or commercial emptier shall change the size of any burlap bag, or convert it into a sheet, sewed burlap or bale covering while it has a commercial use as a bag, with or without mending.

(f) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(g) *Sale of used raw sugar bags.* No dealer, user or commercial emptier shall sell or deliver any jute (gunny) sugar bags of the type used for packing Puerto Rican or Cuban raw sugar to any person for any use other than packing raw sugar. For the purposes of this paragraph, the bags referred to shall be limited to bags which have been used for packing raw sugar and which are still usable as raw sugar bags, with or without such mending as is commercially practical.

(h) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person may export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Applications for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

Additional Restrictions for Bag Makers

(i) *Prohibited practices.* No bag maker shall overstitch the raw edge or selvage edge of any new cotton textile bag or manufacture any bag in a manner that wastes material, as for example, with a false seam that enables the bag to be packed with a lesser amount of any of the commodities listed in paragraph (j) than its normal capacity.

(j) *Bag sizes for certain commodities*—(1) *Sizes permitted.* No bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

Bag designed for packing commodity specified	Bag size (net weight capacity unless otherwise specified)
(1)	(2)
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat) [1]	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes [2]	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-5-10-25-50-00-100 lbs.
Seeds	2-5-10-25-50-100 lbs. 1,2 bu.[3]
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promated, enriched phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] These restrictions do not apply to open mesh bags used for packing potatoes.

[3] Additional sizes are permitted as follows: ½ bu. of hybrid seed corn; 5 bu. for cotton seed.

(2) *Exception for export.* The size restrictions for paragraph (j) (1) above shall not apply to the manufacture of bags to be exported empty or filled.

Additional Restrictions for Commercial Emptiers

(k) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(l) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal number of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal re-use.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restriction of paragraph (m) below.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

Additional Restrictions for Users

(m) *Inventory restriction.* No user shall accept delivery of any empty new or used textile bags at a time when, or when by virtue of the delivery, his inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal product (whether or not produced by him), such inventory shall not exceed the aggregate number of new or used empty textile bags which will be required to carry on his business during the next sixty days.

(n) *Bags to be fully packed.* No user shall use a bag, for packing any number of pounds of any of the commodities listed in paragraph (j), that is larger than the bag customarily used by the trade for packing that number of pounds of that commodity.

(o) *Restrictions on use of new Calcutta wheat bags.* During 1944 and each succeeding calendar year, new Calcutta wheat bags shall be used only for packing wheat or small grains and only in the states of Arizona, California, Idaho, Montana, Oregon, Utah and Washington.

(p) *Products permitted for new burlap bags.* No user shall use any new textile bag made of burlap for packing any products other than the following: agricultural products; crushed oyster shells; fertilizer; meat; mohair; petroleum waxes; stearic acid; edible or inedible tankage; wool, or wool products; or chemicals for export. These restrictions do not apply to surplus new military sand bags which may be used to pack any product.

(q) *Products permitted for new cotton bags and open mesh bags made of cotton or twisted paper yarn.* No user shall use any new textile bags made of cotton or open mesh bags made of cotton or twisted paper yarn for packing any products other than the following:

Agricultural products; chemicals; cement; coins; currency; fertilizer; glue; gypsum; malt; meat; abrasives; paste; plaster; samples; sand; securities; shell fish; small parts; edible or inedible tankage; tire chains; or such other uses as may be authorized by the War Production Board in writing. Applications for such authorizations should be made on Form WPB-1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new cotton bags, the availability of the supply, and the availability of used cotton bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

(r) *Mohair bags.* No user shall use any new or used textile bag for packing mohair unless the word "mohair" appears in legible type on both sides of the bag.

(s) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products. A "wool bag" is any new or used textile bag, made or burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a wool bag when no longer capable of carrying any of the following: fleece wools, grease wools, pulled wools, scoured wools, noils, wool wastes or mohair.

General Exceptions

(t) *Bags for certain Government agencies.* The restrictions of this order shall not apply (1) to the manufacture of textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of, the persons listed below or (2) to the purchase, acceptance, use, or export of textile bags by those persons: The Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department (for Lend-Lease requirements and for coin, currency, and securities requirements), War Shipping Administration, Maritime Commission, any person pursuant to authorization by the Maritime Commission under Form WPB-646 (formerly PD-300), or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(u) *Certification.* No person shall sell or deliver any textile bags in quantities of 1000 or more except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate signed manually or as provided in Priorities Regulation No. 7. The certificate shall be in substantially the form set forth in this paragraph, and, once filed by a purchaser with a supplier covers all future deliveries from that supplier to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-221 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

NOTE: Paragraphs (v) through (aa), formerly paragraph (u) through (z), redesignated Sept. 12, 1944.

Miscellaneous Provisions

(v) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref: M-221.

(w) *Appeals.* Appeals from Order M-221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington (25), D. C., Ref: M-221.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Budget approval.* The reporting requirements set forth in paragraph (q) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(z) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(aa) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14068; Filed, Sept. 12, 1944; 11:38 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-236, as Amended Sept. 12, 1944]

HARDWARE SIMPLIFICATION

§ 3284.81 *Limitation Order L-236*—(a) *Issuance of schedules of simplification of lines.* The War Production Board may, from time to time, issue schedules establishing simplified practices with respect to types, sizes, forms, specifications or other qualifications for any hardware. From and after the effective date of any such schedule, no such products shall be produced or fabricated, except as specifically permitted by such schedule.

(b) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating the grounds of the appeal. Appeals shall be filed with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(c) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L-236.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14068; Filed, Sept. 12, 1944; 11:38 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-236, Schedule I as Amended Sept. 12, 1944]

BUILDERS' FINISHING HARDWARE, CABINET LOCKS AND PADLOCKS

§ 3284.82 *Schedule I to Limitation Order L-236*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who manufactures, fabricates, assembles, melts, casts, extrudes, rolls, turns, spins, finishes, or otherwise processes builders' finishing hardware, cabinet locks or padlocks.

(2) "Builders' finishing hardware" means the following devices produced for supporting, guarding, operating, controlling, or securing various parts of a building or structure: butts, hinges, hasps and related items; checking floor hinges; cabinet hardware, including cabinet hinges, knobs, pulls, and catches; hydraulic door closers; hangers, track, pivots, guides, and related items; locks and door trim; sash, screen and shelf hardware; night latches and dead locks; spring hinges; lavatory door hardware; panic bolts; sash balances; door holding devices: This definition of "builders' finishing hardware" also includes articles which are commonly understood by the industry to be "builders' finishing hardware," such as metal mail boxes, screen door braces, kick plates and push bars.

(3) "Cabinet lock" means a lock (exclusive of an entrance or communicating door lock, night latch, or padlock) operated by a key or combination, which is designed and constructed for the purpose of guarding, controlling, or securing the opening of a box, cabinet, cupboard, desk, drawer, locker, wardrobe or part of a building.

(4) "Padlock" means a portable locking device consisting of a case and shackle designed and constructed for the purpose of guarding, controlling or securing the access to any building, structure, container or article.

(5) "Lend-Lease Government" means the government of any foreign country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(b) *Simplified practices.* No producer shall manufacture, put in process, assemble or otherwise complete any builders' finishing hardware, cabinet locks or padlocks except those items named in Tables I through XV of this Schedule I, and those permitted items must conform with the sizes, types, materials, grades, finishes and other specifications set forth in those Tables.

(c) *Tolerance.* A tolerance is permitted in the sizes set forth in Tables I through XV of this schedule of $\frac{2}{32}$" plus or minus.

(d) *Keys.* Locks and latches keyed alike shall be furnished with not more than one key per lock or latch. Other locks and latches shall be furnished with not more than two keys per lock or latch. Only three master keys may be furnished with each group of locks or latches when required to be master keyed.

(e) *Exceptions.* The provisions of this schedule do not apply to:

(1) Builders' finishing hardware and cabinet locks specifically designed for use in the operation of a railroad or street railway, except in the construction of a building.

(2) Railway switch padlocks.

[Subparagraphs (3) through (6) formerly (2) through (5) redesignated Sept. 12, 1944]

(3) Builders' finishing hardware, cabinet locks or padlocks specifically designed to protect electrical equipment.

(4) Prison locks, time locks, locks for bank safe deposit boxes or vault door hardware.

(5) Special hardware required for aircraft hangar doors.

(6) Elevator door hardware.

(7) Locks required for fire doors bearing underwriters' label.

(8) Builders' finishing hardware, cabinet locks or padlocks where the use of non-sparking metal is necessary to prevent a hazard in the use or storage of explosive or inflammable materials.

(9) Builders' finishing hardware and cabinet locks for use by the Army, Navy and Veterans' Administration in the construction of a permanent hospital and all buildings in the hospital group.

(10) Builders' finishing hardware and cabinet locks produced for export under a license issued by the Office of Foreign Economic Administration or to fill an order of a Lend-Lease government when the sizes, types and designs permitted in Tables I through XV will not fulfill the requirements of foreign use. (This is not an exception as to the materials or finishes permitted in Tables I through XV).

[Subparagraphs (11) and (12) formerly (6) and (8) redesignated Sept. 12, 1944]

(11) Parts produced for the repair of builders' finishing hardware, cabinet locks or padlocks.

(12) Locks required for fire doors bearing Underwriters' label.

(f) *Records.* Each producer of builders' finishing hardware, cabinet locks and padlocks shall execute and file with the War Production Board such reports and questionnaires as shall be required from time to time.

(g) *Fabricated parts.* The use of fabricated parts of copper or copper base alloy in the production of builders' finishing hardware, cabinet locks and padlocks is permitted: *Provided*, Such fabricated parts were in the possession of the producer on the 30th day of November 1943.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I—BUTTS, HINGES AND RELATED ITEMS

Materials permitted are ferrous metals.

Finishes permitted are US1B, US18A unsanded, USP, US2G, US2H and lead.

Where tips are indicated by numbers shown, such tips shall be button type only. All items listed may be made to template when required.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-116B.

Stanley numbers are taken from Stanley Works Catalog #61, for use as a guide. Similar products of other manufacturers will be permitted.

Federal No.	Description	Size
E2014	Loose pin steel butt	3½" x 3½", 3" x 3", 3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5"
E2014C	Loose pin cast iron butt	3½", 3½", 3½", 4", 4½", 5"
E2018	Loose pin light steel butt	3½" x 3", 3½" x 3½", 4" x 3"
E2022	Light narrow butt loose pin	1" x 1", 1½" x 1½", 2" x 1½", 2½" x 1½", 3" x 2",
E2022F	Light narrow butt fast pin	1" x 1", 1½" x 1½", 2" x 1½", 2½" x 1½", 3" x 2",
E2029	Steel transom butt	3" x 3", 3½" x 3½", 4" x 3", 4½" x 3½", 4" x 4",
E3029C	Cast iron transom butt	3½", 4", 4½"
E2031	Reversible butt hinge loose pin	3" x 3", 3½" x 3½", 4" x 3", 4½" x 3½", 4" x 4", 4½" x 4½"
E2040	Wide throw butt	3" x 4", 4" x 3", 4" x 4", 4" x 7", 4½" x 4", 5" x 7", 5" x 8"
E2060C	Cast iron hospital type butt	3½" x 3½", 4" x 4", 4½" x 4½", 5" x 5".
EB2080	Half surface butts	3" 3½", 4", 4½".
E2084C	Cast iron half surface butts	4½", 5"
E2138	Garage hinge	12", 18", 24", 30"
E2140	Garage hinge	12", 18", 24", 30".
E2201	Light strap hinge	3", 4", 5", 6", 8"
E2208	Strap hinge	4", 5", 6", 8", 10", 12".
E2207	Light tee hinge	3", 4", 5", 6", 8".
E2208	Heavy tee hinge	4", 5", 6", 8", 10", 12".
E2209	Extra heavy tee hinge	4", 5", 6", 8", 10", 12".
E2212	Extra heavy half surface tee hinge	6", 10", 12".
E2010	Ball bearing butt	4" x 4", 4½" x 4½", 5" x 5", 6" x 6".
E2060	Ball bearing hospital butt	4" x 4", 4½" x 4½", 5" x 5".
E2080	Half surface ball bearing butt	4", 4½", 5".
Stanley No.		
1775	Hinged garage door set	With 10" hinges.
952	Bolt hook and strap hinges	6", 8", 10", 12", 14", 16", 18", 20", 22", 24", 30", 36".
951	Screw hooks and strap hinges	6", 8", 10", 12", 14", 16", 18", 20", 22", 24", 30", 36".
1654	Bolt hooks	1¼" x 6", 1¼" x 8", 1¼" x 10", 1¼" x 12", 1¼" x 10".
1655	Screw hooks	1¼" x 4", 1¼" x 6", 1¼" x 8", 1¼" x 10", 1¼" x 12",
BB852	Ball bearing butt hinge	5" x 6" x 1½".

TABLE II—CHECKING FLOOR CLOSERS AND OVERHEAD CONCEALED CLOSERS

Materials permitted are ferrous metals zinc and aluminum. Brass may be used for regulating screw assemblies.

Finishes permitted are USP, US2G, US18A unsanded, US18A sanded and lead.

Numbers have been taken from Emergency Alternate Federal Specifications E-FF-H-121A.

Type numbers:	*Sizes permitted*
E3500	III.
E3510	I.
E3520	II and III.
E3520A	II and III.
E3525A Pivot	(Aluminum only).

One type (no Federal number) similar to "Unicheck" as manufactured by The Oscar C. Rixson Co., Chicago, Illinois.

Overhead concealed door closers of similar types and sizes to the permitted floor types, listed in this Table II.

TABLE III—CABINET HARDWARE INCLUDING CABINET HINGES

Materials permitted are ferrous metals, antimonial lead, glass, wood, plastic, aluminum and zinc.

Finishes permitted are USP, US18A unsanded, US18A sanded, US2G, enamel and lead.

CABINET HINGES

Pull surface type—(applied on outside of cabinet door) for flush and ⅜" offset doors. Each manufacturer limited to three (3) designs.

Not more than one size in each design.

Semi-surface type—semi-concealed hinges for flush doors and doors with ⅜" offset. Each manufacturer limited to three (3) designs.

Not more than one size in each design.

Half surface type—for flush doors only. Each manufacturer limited to three (3) designs.

Not more than one size in each design.

KNOBS AND PULLS

Knobs—Each manufacturer limited to three (3) designs with sizes permitted from ⅜" to 1¼" inclusive.

Pulls—Each manufacturer limited to three (3) designs with sizes permitted from 2½" to 4½" inclusive.

NOTE: Knobs and pulls shall be applied by steel screw or bolt.

CABINET CATCHES

Friction catches—Each manufacturer limited to three (3) types.

Elbow catches—Each manufacturer limited to two (2) designs.

TABLE IV—HYDRAULIC DOOR CLOSERS AND DOOR CHECKS

Materials permitted are ferrous metals, zinc and aluminum. Brass may be used for regulating screw assemblies.

Finishes permitted are USP or any lacquer finish.

Numbers have been taken from Emergency Alternate Federal Specification E-FF-H-121A.

Standard Surface Type E-3004, Sizes 3 and 4.

Standard Surface Type E-3005, Sizes 3 and 4.

Underwriters' Laboratories approved type with fusible link (one type only) size 4.

DOUBLE ACTING SURFACE CHECK

(One size only) similar to Oscar C. Rixson Company's #44.

CLOSER BRACKETS

Soffit Type, sizes 3 and 4.

Corner Type, sizes 3 and 4.

TABLE V—HANGERS, TRACK AND RELATED ITEMS

Materials permitted are ferrous metals and aluminum.

Finishes permitted are US1B, US2G, US2H, and lead.

R-W numbers are taken from Catalog #90 of the Richards-Wilcox Mfg. Co. for use as a guide for comparable items of all manufacturers.

This table shall not affect the manufacture of rolling steel shutters.

Each manufacturer is limited to the designs, sizes and quantities listed under the following sub-headings:

SLIDING DOOR HARDWARE

One type of hinged hangers for flat steel track in three sizes.

One type of rigid hangers for flat steel track in three sizes.

Flat steel track in the following three sizes: 1" x 3/16", 1¼" x 3/16", 3½" x 3/16".

Track for doors over 2,000 lbs. Each manufacturer limited to one design.

Storm-proof track. Each manufacturer limited to one design.

Trolley or formed track, rectangular or round, with removable brackets and hangers, in six sizes, suitable for the following door weights:

100 lbs.
to 300 lbs.
to 600 lbs.
to 800 lbs.
to 1200 lbs.
to 2000 lbs.

SLIDING DOOR STAY ROLLERS

Lag screw type, straight and bent. One type for light doors for side attachment, similar to R-W No. 83.

One type for light doors for floor attachment, similar to R-W No. 54.

One type for heavy doors for side attachment, similar to R-W No. 68.

Two types for heavy doors for floor attachment, similar to R-W Nos. 59 and 154.

SLIDING DOOR GUIDES

Single type for light doors, similar to R-W No. 372.

Double and triple type for parallel doors, similar to R-W Nos. 172 and 173.

One type for light center parting doors, similar to R-W No. 271.

One type for heavy center parting doors, similar to R-W No. 171.

One type used as end stop, similar to R-W No. 572.

One type for sliding-folding doors, similar to R-W No. 771.

SLIDING DOOR PULLS

Extra heavy cast pull, similar to R-W No. 470.

Cast iron or steel pulls in two sizes, similar to R-W Nos. 70-1 and 70-2.

Surface type pulls in two sizes.

BUMPER SHOES

One type, similar to R-W No. 436 x 72.

SLIDING DOOR BUMPERS

Each manufacturer limited to one design.

GARAGE DOOR HOLDER

Each manufacturer limited to one design.

DOOR LATCHES

Gravity type, reversible, in two sizes with two types of keepers.

Bar type, in two sizes with two types of keepers, similar to R-W No. 152.

Draw type for parallel doors, similar to Allith Prouty No. 296, Catalog #101.

Reversible flush type, similar to R-W No. 820.

Swinging type, similar to Lawrence Bros. No. 129, Catalog #19.

Reversible type for light doors, similar to R-W No. 325.

SLIDING-FOLDING DOOR SETS

Using formed steel track for combination of from two to ten doors.

FOLDING PARTITION DOOR HARDWARE SETS

Using hangers at top placed in center of door and no guide track at bottom, similar to R-W No. 135.

Using door supporting rollers at bottom or top and guide track at bottom or top.

With hangers at top placed in center of doors with special operating device, either manually or electrically controlled, similar to R-W No. 405.

OVERHEAD DOOR HARDWARE SETS

One type of weight counterbalanced hardware, for each standard size of one piece overhead door.

One type of spring counterbalanced hardware, for each standard size of one piece overhead door.

One type of weight counterbalanced hardware in two sizes for sectional type overhead doors.

One type of spring counterbalanced hardware in two sizes for sectional type overhead doors.

ONE OR MORE SECTION VERTICAL LIFT DOOR SETS

One type of counterbalanced hardware for each size of door.

JACKKNIFE DOOR SETS

One type of counterbalanced hardware for each size of door.

FIRE DOOR HARDWARE

Single sliding door sets using Underwriters' standard hardware with flat or round track for metal clad or steel door, incline or level track.

Center parting sliding door sets using Underwriters' standard hardware with flat or round track for metal clad or steel doors, incline or level track.

Vertical sliding door sets, with Underwriters' standard hardware, using flat track for metal clad or steel doors.

Single swing door sets, using Underwriters' standard hardware, for metal clad or steel doors.

Double swing door sets, using Underwriters' standard hardware, for metal clad or steel doors.

Single swing shutter sets using Underwriters' standard hardware, for metal clad or steel shutters.

Double swing shutter sets, using Underwriters' standard hardware, for metal clad or steel shutters.

Trap door sets for light trap doors, using hardware for metal clad or steel doors.

Trap door sets for heavy trap doors using hardware for metal clad or steel doors.

(a) Automatic closing devices for sliding fire doors shall be confined to one type, single fusible link, similar to R-W No. 201. If necessary to hang doors on level track, additional weights, chain and sheave may be furnished. Brass or bronze may be used for fusible link.

(b) Automatic closing devices for single swing fire doors shall be confined to one type, similar to R-W No. 406. Brass or bronze may be used for fusible link.

(c) Automatic closing devices for double swing fire doors shall be confined to one type, similar to R-W No. 806. Brass or bronze may be used for fusible link.

HEAVY INDUSTRIAL HINGES

Ten types similar to R-W 434-WA, B, C, CC, D, E, J, K, 1035 and 1036. All may have either disc or ball bearings.

TABLE VI—LOCKS AND LOCK TRIM

Materials permitted are ferrous metals, zinc, aluminum, plastics, wood, pottery and glass.

Brass may be used for cylinder assemblies and keys, for essential working parts of cylinder locks and for faces of cylinder locks.

Finishes permitted are US1B, US1S, US18A unsanded, US18A sanded, US2G and lead.

Each manufacturer shall be limited to the number of designs designated under each sub-heading.

Numbers have been taken from Emergency Alternate Federal Specification E-FF-H-106.

DOOR KNOBS

Each manufacturer shall be limited to three designs of wrought metal knobs and three designs of cast metal knobs in sizes not to exceed 2¼" diameter.

Glass, plastic, pottery or wood knobs—Each manufacturer limited to three designs and/or sizes of each type, sizes not to exceed 2¼" diameter.

Closet spindles of not more than one design are permitted in lieu of knobs for inside of closet doors.

KNOB ROSES

Shall be plain design, approximate diameter 1¾", 2", 2¼". Roses for cylindrical and tubular locks and latches may be 2½" in diameter. Roses may be wrought or cast.

KEY PLATES

Shall be limited to one type similar to Federal Number E351. Key plates may be wrought or cast.

ESCUTCHEON PLATES

Each manufacturer limited to three designs of rectangular or pendant types, in sizes not to exceed that necessary for the spacing of the listed locks in this table. Metal escutcheons may be wrought or cast.

TURN KNOBS

Each manufacturer limited to one design similar to Federal Number E362. Turn knobs may be wrought or cast.

LOCKS AND LATCHES

Shall be limited to the following type numbers.

Mortise Latches and Bit Key Locks

Type E4 Mortise bit key knob lock (light).
Type E4A Mortise bit key knob lock.
Type E7 Mortise bit key knob lock (heavy).
Type E10 Mortise bit key school room lock.
Type E17A Mortise bathroom lock.
Type E17C Communicating door lock (same as E17A except split bolt operated by turn knob each side).
Type E22A Mortise bit key front door lock.
Type E25 Mortise knob latch (light).
Type E26 Mortise knob latch.
Type E66 Mortise bit key dead lock.
Type EA40 Mortise bit key asylum dead lock.

Rim Locks and Latches

Commercial jobbing types. Each manufacturer shall be limited to three types. Each type may be made in three sizes. In all cases, the only permissible finish shall be japanned.

MORTISE CYLINDER LOCKS

Type E86 Mortise cylinder front door lock.
Type E91 Mortise cylinder vestibule or office lock.
Type E91B Special purpose lock.
Type E91C Special purpose lock.
Type E93 Mortise cylinder office lock.
(May also be supplied with two cylinder operation.)
Type E97 Mortise cylinder office lock or front door lock.
(May also be supplied without auxiliary latch function.)
Type E109 Mortise cylinder fire door lock.
Type E108 Mortise cylinder class room lock.
Type E114 Mortise cylinder dead lock.
Type E114A Mortise cylinder dead lock—no thumb turn.
Type E115 Mortise cylinder dead lock—two cylinder.

MORTISE ASYLUM LOCKS

The limited number of asylum locks and trim catalogued by manufacturers may be produced with only those restrictions or limitations imposed by other orders.

TUBULAR LOCKS AND LATCHES

Type E150 Knob latch.
Type E150A Closet knob latch.
Type E151 Knob latch with stop on one side.
Type E158 Cylinder dead bolt lock—Pin or disc tumbler cylinder.
Type E158B Cylinder dead bolt lock—Pin or disc tumbler cylinders (2).
Type E158C Cylinder dead bolt lock—No turn knob.
Type E164 Cylinder night latch—Pin or disc tumbler.

CYLINDRICAL CASE LOCKS AND LATCHES

Type E161 Knob latch.
Type E161A Closet knob latch.
Type E162 Knob latch (stop one side).
Type E164 Cylinder vestibule or office lock.
Type E164W Wafer tumbler vestibule or office lock.
Type E166 Cylinder office or class room lock.

HEAVY DUTY CYLINDRICAL LOCKS AND LATCHES

Heavy duty cylindrical locks and latches may be manufactured provided they are limited to the same performance in operation and control as that required in the comparable mortise locks permitted. Trim shall compare as nearly as possible with that permitted for mortise locks.

TABLE VII—MISCELLANEOUS SASH, SCREEN AND SHELF HARDWARE

Materials permitted are ferrous metals, zinc and aluminum, except where otherwise noted.

Finishes permitted are US1B, US18A unsanded, US2G, and lead, except as otherwise noted.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-111.

Stanley numbers are taken from Stanley Works Catalog #61, for use as a guide. Similar products of other manufacturers will be permitted.

SHELF HINGES

Corner braces (unfinished only) Stanley Type No. 998:
½" x ¾".
½" x 1".
½" x 1½".
⅝" x 2".
⅝" x 2½".
¾" x 1".
¾" x 1½".
¾" x 2".
¾" x 2½".
¾" x 3".
Flat corner irons (unfinished only) Stanley No. 999:
¾" x 1½".
¾" x 2".
¾" x 2½".
¾" x 3½".
¾" x 4".
⅞" x 3".
⅞" x 3½".
1" x 3".
1½" x 2½".
1½" x 3".
1½" x 3½".
⅞" x 4".
⅞" x 5".
⅞" x 6".
1" x 6".
1½" x 8".
Corner braces (unfinished only) Stanley Type No. 997:
½" x 1".
½" x 1½".
⅝" x 2".
⅝" x 2½".
¾" x 3".
¾" x 3½".
⅞" x 4".
1" x 5".
1½" x 6".
1½" x 8".
Outside corner irons (unfinished only) Stanley Type No. 996:
¾" x 4½".
⅞" x 4½".
1" x 4½".
1¼" x 4½".
1½" x 4½".
T plates (unfinished only) Stanley Type No. 995½:
2½" x 2½".
3" x 3".
4" x 4".
5" x 5".
6" x 6".
Mending plates (unfinished only) Stanley Type No. 995:
½" x 2".
⅝" x 2½".
¾" x 3".
¾" x 3½".
⅞" x 4".
1" x 5".
1¼" x 6".
1¼" x 8".
1¼" x 10".
1¼" x 12".
Hook on plate staples (unfinished only) Stanley Type No. 975: 4", 5", 6".
Twisted hook and staple (unfinished only) Stanley Type No. 972: 4", 5", 6".
Diamond point staples (unfinished only) Stanley Type No. 976: 1", 1¼", 1½", 2", 2½".
Heavy hinge hasp Stanley No. 941: 7½" (one size only).
Safety hinge hasp Stanley No. 925: 3", 4", 6", 8".
Hinge hasp Federal No. E1401: 3", 4½", 6", 8".
Safety hinge hasp Federal No. E1430: 2½", 3½", 4½", 6".
Staples on plates Stanley No. 913: 1½" x 1½", 2" x 1¼", 2½" x 1½".
Hooks and eyes Federal No. E1601: 1½", 2", 2½", 3", 4".
Door buttons Federal No. E1069: (Cast or wrought) 1¾".
Door fasteners with chain (cast or wrought) Federal No. E1116: 4".
Thumb latches, Federal No. E1158, Federal No. E1180.
House numbers (non-metallic only).
Shutter fasteners, Federal No. E1815—5".
Padlock eyes, Federal No. E1430.
Cellar window catch, Federal No. E1137.
Hand rail bracket, Federal No. 1064A.
Door stops (non-metallic only).
Hat and coat hooks: Federal No. A1162 (FF-H-111)—Steel wire.
Federal No. 1162B (FF-H-111)—Cast or malleable iron, for shipboard use only.
Letter boxes (may be manufactured of aluminum or cast iron).

BOLTS

Fed. No.		
E1019	Wrought steel barrel bolt	2", 2½", 3", 4" and 6".
E1020	Cast iron barrel bolt	2", 2½", 3", 4" and 6".
E1022	Chain bolt	3", 6", 8" and 10".
E1040	Wrought steel foot bolt	3", 6", 8" and 10".
E1049C	Cast iron foot bolt	3", 6", 8" and 10".
E1044B	Extension lever flush bolts	9", 12", 18" and 24" rods.
E1051	Cane bolt	⅜" x 20".
E1051A	Cane bolt	½" x 20".
E1053A	Mortise bolt	¼" x 12", ⅜" x 15", ½" x 24".
E1059	Wrought steel square bolt	1¼" and 1½" becksets.
E1059C	Cast iron square bolt	6", 8".
E1060	Surface bolt	6", 8".
EA1038	Cremone bolts	3", 4", 6". (Not permitted for residential or private garage use).

DOUBLE HUNG WINDOW HARDWARE

Federal No.:
EA1060—3¼"—Window spring bolt. Friction sliding springs similar in operation to Jiffy, Noiseless, etc.
E1139 Sash fasteners—3½" and 2¾".
E1142 Sash fasteners—2½".
E1201 Hook sash lift (cast or wrought).
E1242 Stop bead screw and washer.
E1264 Sash pole hook—3".
Sash socket as H. B. Ives 18008, Catalog #17.
Sashcord saddle—non-metallic.
E1264 Sash weights (only from burnt cast iron, stove plate, grate bars, annealing pots, terneplate, slag iron, city dump scrap except tin can scrap; tin can scrap if permission is granted by Administrator of M-72A).
Sash balances permitted—see Table XII.

TRANSOM HARDWARE

Federal No.:
E1097 Transom catch.
E1100 Transom catch.
E1120A Transom chains—12", 15". Rabbeted transom sash centers, similar to Sargent Co. J71-1¾", 1¾", 2¼".
Sash centers, cast, similar to Corbin 1208, 1304.

DOOR PULLS

Federal No.:
E1274 Door pull.
E1274D Door pull.
E1276 Door pull. Hospital arm pull, similar to Sargent 1598. Push plates—non-metallic. Kick plates—non-metallic.

SCREEN DOOR HARDWARE

Screen door latch—Limited to one type in one size for each manufacturer. Trim may be ferrous metals, glass or plastic.

Federal No.:
E1845 Perfection springs—#2 to #6 inclusive.
E1846 Coil spring.
E2300 Screen door hinge (full surface) one size only.
E2301 Spring hinge (full surface) one size only.
E2302 Spring hinge (half surface) one size only.
E2305 Spring hinge (full surface) one size only.
E2306 Spring hinge (half surface) one size only.
E3015 Pneumatic door closer.

SCREEN WINDOW AND STORM SASH HARDWARE

Federal No.:
E1825 Hangers.
E1825B Hangers.
E1830 Hangers. Hanger sets, similar to Stanley #1732.
EA1223 Screen lift.
E1650 Storm sash fasteners.
E1653 Storm sash fasteners.

CASEMENT WINDOW HARDWARE

Federal No.:
E1002 Casement adjuster—10" and 12".
E1002D Casement adjuster—12". Friction stay, similar to Payson #30.
E1128 Casement pivot.
E1132 Casement fastener.
E1132A Casement fastener. Hardware for industrial type sash (not to exceed 2½ lbs. per unit).

TABLE VIII—RIM NIGHT LATCHES AND DEADLOCKS

Materials permitted are ferrous metals, zinc and aluminum. Brass may be used for cylinder assemblies and keys, and essential working parts.

Finishes permitted are US1B and US18A unsanded.

All flat strikes shall be eliminated except when ordered separately. Numbers are taken from emergency alternate specification E-FF-H-106.

Federal No.:
E134 Cylinder rim night latch.
E134D Cylinder rim night latch (disc tumbler).
E136 Cylinder rim night latch.
E143 Cylinder rim dead lock. One catalog number jimmy-resisting deadlocks without chain attachment, with rim strike only. One catalog number jimmy-resisting deadlocks with double cylinders, with rim strike only.

TABLE IX—SPRING HINGES

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are US1B, US18A unsanded, USP and US2G.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-116B.

Federal No.:
E2330 Double acting, hanging strip or flush jamb type.
Sizes 2", 4", 6", 7", 8", 10".
Type with one clamp flange in sizes 8", 10", and 12".
E2331 Single acting, hanging strip or flush jamb type.
Sizes 4", 6", 7", 8", 10".
E2894 Double acting floor hinge, horizontal or vertical type.

TABLE X—LAVATORY DOOR HARDWARE AND LAVATORY STALL FITTINGS

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are US1B, US18A unsanded, USP and US2G.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-130.

Federal No.:
E4200 Gravity pivot hinge.
E4301 Swing latch (bar not more than 4" long).
E4309 Rim turn bolt.
Strikes and keepers similar to Bommer O-1052-1055-1058-1057 and 1078.

LAVATORY STALL FITTINGS

Numbers listed are taken from Catalog #66 of Bommer Spring Hinge Company for use as a guide for comparable items of all manufacturers.

1116	1153
1130	1155
1131	1156
1132	1158
1137	1159
1138	1160
1139	1161
1142	1162
1143	1163
1147—1¼" only	1170
1150	1171
1151	1172
1152	1173

TABLE XI—PANIC BOLTS

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are US1B, US18A unsanded and US18A sanded.

Brass may be used for cylinder assemblies and keys and for essential working parts, not including cross bars, vertical rods, guides, and top and bottom latches.

Each manufacturer shall be limited to three designs in trim.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-106.

Federal No.:
E300
E301
E330
E330C
E331
E331C

Lock may be either rim or mortise type.

TABLE XII—SASH BALANCES

Materials permitted are ferrous metals, zinc and aluminum.

Zinc may be used where permitted by Conservation Order M-11-b.

Finishes permitted are US2G, US8H, USP, lead and lacquer.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-111.

Federal No.:
E1250
E1250A
EB1250

TABLE XIII—CABINET LOCKS

Materials permitted are ferrous metals, zinc and aluminum.

Brass may be used for cylinder assemblies and keys, and for essential working parts.

Finishes permitted are US1B, US18, US18A unsanded, US18A sanded, US2G and lead.

Chest locks, flat key, secure lever. Each manufacturer limited to two designs, approximately 1½" x 2" for ¾" wood, 1¾" x 2½" for ⅞" wood.

Chest locks, double link, warded, barrel key. Each manufacturer limited to one design, approximately 2⅛" x 1⅜".

Chest locks, double link, pin or disc tumbler. Each manufacturer limited to one design.

Drawer locks, flat key, half mortise, secure lever, dead bolt. Each manufacturer limited to one design, approximately 1¾" x 1⅛".

Drawer locks, barrel key, half mortise, warded. Each manufacturer limited to one design, approximately 2⅛" x 1¾".

Drawer or cupboard locks, half mortise type, pin and disc tumbler. Each manufacturer limited to one design of each.

Drawer locks, surface type, flat key secure lever. Each manufacturer limited to two designs, approximate sizes 1¾" x 1¼", 1¾" x 1⅞".

Drawer or cupboard locks, half mortise, pin or disc tumbler. Each manufacturer limited to one design.

Locker and wardrobe locks, surface type, flat key, secure lever. Each manufacturer limited to four designs, approximately 1⅞" x ⅞", 2" x 1¾", 2¾" x 1¼", 2⅛ x 1¾".

Locker and wardrobe locks, surface type, barrel key. Each manufacturer limited to two designs, approximately 2⅛"—x 1¼", 3" x 1¾".

Locker and wardrobe locks, surface type, pin or disc tumbler. Each manufacturer limited to one design, approximately 1⅝" x 1¼" with ⅞" or 1⅛" cylinder.

Cam type locks, pin, disc or blade tumbler. (Complete unit consisting of cylinder, lock nut, lock nut washer and cam.) Each manufacturer limited to not more than two tumbler types.

TABLE XIV—PADLOCKS

Materials permitted are ferrous metals, zinc and brass.

Brass may only be used for cylinders and keys, and locking bolts.

Finishes permitted are US18, US18A unsanded, US18A sanded, US2G and painted.

Each manufacturer shall be limited to the types and number of each type specified below, and they must come within the size range specified:

Pin tumbler padlocks—six only. Size range, 1⅛" to 2".
Warded or lever padlocks—five only. Size range, 1" to 1¾".
Spring bolt padlocks—five only. Size range, ⅝" to 3".
Disc tumbler padlocks—five only. Size range, 1" to 2".
Secure lever padlocks—two styles in two sizes of each style.
Hose house padlocks—one style in one size.
Combination padlocks—two styles in one size of each style.
Ratchet shackle padlocks—one style in one size.
Special shackle padlocks may be furnished on order.
Chains may be furnished on order.

TABLE XV—DOOR HOLDING DEVICES

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are USP, US18A unsanded, US1B and lead.

Numbers prefixed by G-J are taken from the catalog of Glynn-Johnson Co. (issued January 1941). Similar products of any other manufacturer will be permitted.

G-J 230 Friction door holder—not exceeding 1¾ lbs. average weight (in sizes required for various size doors in hospitals only).

G-J 70 Door holder—not exceeding 2¼ lbs. average weight.

G-J 40 Door holder—not exceeding 22 oz. in weight (with strikes suitable for floor or head installation).

Roller holder—Stanley No. 454 [ferrous metal only] Stanley Works catalogue No. 61. Similar item of other manufacturers will be permitted.

[F. R. Doc. 44-14066; Filed, Sept. 12, 1944; 11:38 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-236, Schedule II, as Amended Sept. 12, 1944]

MARINE JOINER HARDWARE

§ 3284.83 *Schedule II to Limitation Order L-236*—(a) *Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who manufactures, fabricates, assembles, melts, casts, extrudes, rolls, turns, spins, finishes, or otherwise processes Marine Joiner Hardware.

(2) "Marine joiner hardware" means locks; latches; door and cabinet trim including escutcheons, bolts, hooks, knobs, levers, tee handles, roses and turn pieces; butts and hinges; spring and floor hinges; door bumpers, closers and holders; dutch door sets; and miscellaneous hardware; as listed in Tables I through V of this Schedule, designed and constructed for marine use.

(3) "Marine use" means use on any commercial tugboat, cargo, combat, commercial fishing, passenger, transport ship or vessel.

(4) "Magnetic circle" means an area having the ship's compass as its center, and within which the presence of marine joiner hardware containing ferrous metal might influence the operation of the compass.

(5) "Secondary brass" means a copper base alloy in the composition of which the percentage of copper does not exceed 74 per cent and the percentage of tin does not exceed 2 per cent of the total weight of the alloy.

(b) *Simplified practices.* Pursuant to Limitation Order L-236, after July 10, 1944, no producer shall produce marine joiner hardware listed in this schedule which fails to conform with the permitted materials, finishes, sizes, types, grades and provisions set forth in Tables I through V and elsewhere in this schedule.

(c) *Restrictions affecting pleasure boats.* No producer shall produce any marine joiner hardware designed for use on pleasure boats.

(d) *Exceptions.* The provisions of this schedule do not apply to:

(1) Parts produced for the purpose of repair of marine joiner hardware.

(2) Marine joiner hardware produced from material or parts in the possession of the producer on or before the 28th day of August, 1943.

(3) Marine joiner hardware produced to fill a contract of the Army, Navy, Maritime Commission or War Shipping Administration, when such contract for marine joiner hardware has been executed prior to August 28, 1943.

(4) Mortise locks and butts produced for installation as a replacement of locks and butts produced prior to August 28, 1943, when the sizes and types permitted by this schedule will not fit the original mortise.

(e) *Exceptions from limitations of Table I of this schedule.* Notwithstanding the restrictions established in Table I of this schedule, marine joiner hardware may be furnished in non-ferrous metal:

(1) Where its installation is within the magnetic circle; or

(2) For application on exterior parts of a ship or vessel; or

(3) Where the use of non-sparking metal is necessary to prevent a hazard in the use or storage of explosive or inflammable materials.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I—MATERIALS AND FINISHES PERMITTED

(Subject to permissible exceptions in (e) of this schedule)

The following items of marine joiner hardware shall be made only from the materials specified opposite each of them.

Butts and hinges—Steel with brass pin.
Cabinet locks—Brass.
Cupboard turns and catches—Brass.
Cylinder keys—Brass or zinc.
Door closers—Cast iron or die cast zinc base alloy body, malleable iron or steel arms.
Door bumpers—Ferrous metal with felt, cork or scrap rubber tips. (When equipped with anti-rattle or swivel hook, the hook and eye may be secondary brass.)
Key tags—Fibre, plastics, zinc, brass or aluminum.
Lock cylinders—Brass.
Lock springs—Phosphor bronze.
Name plates—Cast iron, plastics, zinc, aluminum or porcelain enamel on steel.
Padlocks—Brass or zinc base alloy.
Spindles—Steel (when spindle is cast as integral part of a knob or ring handle it may be of the same material as the knob or ring).
Wardrobe and stateroom hooks—Ferrous metal or plastics.

Items of marine joiner hardware not listed above shall be made of ferrous metal, secondary brass, zinc base alloy, zinc, plastics or aluminum.

Items made of brass or secondary brass shall not be polished finer than with #120 wheel and shall not be buffed.

Items made of ferrous metal may be furnished galvanized or zinc coated.

Items made of aluminum shall be manufactured for use only as permitted under the terms of Order M-1-j; and shall be wherever practicable of low grade aluminum.

TABLE II—LOCKS AND LATCHES

Each manufacturer shall be limited in production to the number of types and sizes indicated for each lock or latch described functionally in this table, except locks required for metal doors which may be made in sizes according to templates established prior to August 28, 1943.

Locks and latches keyed alike shall be furnished with not more than one key per lock or latch. Other locks and latches shall be furnished with not more than two keys per lock or latch. Only six master keys may be furnished with each group of locks or latches when required to be master keyed.

Cylindrical locks and latches with comparable functions may be substituted for mortise locks and latches described hereinafter.

Locks and latches may be equipped with either swing or slide latch bolts.

Handles may be substituted for knobs when necessary on locks and latches.

1. Mortise cylinder lock: (1 type, 2 sizes).
Operation—Latch bolt by knob from either side, dead bolt by key from outside and by turn piece from inside.
1A. Same as No. 1 with two cylinders.
Operation—Dead bolt by key only from either side.
3. Mortise cylinder lock, panic proof: (1 type, 2 sizes).
Construction—Latch bolt only.
Operation—Latch bolt by key from outside and by knob at all times from inside. Inside turn piece dead locks latch bolt but it is automatically released when inside knob is operated. Outside knob always rigid.
3. Mortise cylinder lock, panic proof: (1 type, 2 sizes).
Construction—Latch bolt and dead bolt.
Operation—Latch bolt and dead bolt by key from outside and by knob at all times from inside. Inside turn piece throws dead bolt but latch bolt and dead bolt are automatically released when inside knob is operated. Outside knob always rigid.
4. Mortise cylinder lock: (1 type, 2 sizes).
Latch—Swing or anti-friction.
Auxiliary latch—Swing or slide.
Operation—Latch bolt by knobs from either side except when outside knob is made rigid by stops in face then by key from outside. Inside knob always operative. Auxiliary latch dead locks latch bolt.
4A. Same as No. 4 with ¾" throw of latch bolt (for fire doors).
5. Mortise cylinder lock: (1 type, 1 size).
Latch bolt—¾" throw (for fire doors).
Operation—Latch bolt by knob from either side. Dead bolt by key from outside. Inside turn piece throws dead bolt but latch bolt and dead bolt are automatically released when inside knob is operated.
6. Mortise cylinder dead lock: (1 type, 1 size).
Operation—By key only from outside and by turn piece from inside.
6A. Same as No. 6 with two cylinders.
Operation—By key only from either side.
7. Rim cylinder lock: (1 type, 1 size).
Operation—Latch bolt by knob from either side at all times. Dead bolt by key from outside and by turn piece from inside.
8. Bit key mortise lock: (1 type, 2 sizes).
Operation—Latch bolt by knob from either side. Dead bolt by key from either side.
9. Bit key rim lock: (1 type, 2 sizes).
Operation—Latch bolt by knob from either side. Dead bolt by key from either side.
10. Rim cylinder lock for metal or wood doors: (1 type, 2 sizes).
Operation—Latch bolt by knob from either side. Dead bolt by key from outside and by turn piece from inside.
11. Bit key rim lock for metal or wood doors: (1 type, 2 sizes).
Operation—Latch bolt by knob from either side. Dead bolt by key from outside and by turn piece or key from inside.
12. Mortise communicating door lock: (1 type, 1 size).
Operation—Latch bolt by knob from either side. Split dead bolt by turn piece from either side.
13. Mortise bathroom lock: (1 type, 1 size).
Operation—Latch bolt by knob from either side. Dead bolt by turn piece from inside and emergency key from outside.
14. Rim bathroom lock: (1 type, 1 size).
Operation—Latch bolt by knob from either side. Dead bolt by turn piece from inside and emergency key from outside.
15. Mortise bathroom latch, panic proof: (1 type, 1 size).
Operation—Latch bolt by knob from either side except when outside knob is dead locked by inside turn piece. When turn piece has been thrown operation of inside knob automatically releases latch bolt. Access by emergency key from outside.
16. Bit key narrow rim lock: (1 type, 1 size).
Size of case—approximately 4¼" by 2".
Operation—Latch bolt by knob from either side. Dead bolt by key from either side.
17. Mortise knob latch: (1 type, 1 size).
Operation—Latch bolt by knob from either side.
18. Rim knob latch for metal or wood doors: (2 types, 1 size each).
Operation—Latch bolt by knob from either side.
19. Mortise screen door latch: (1 type, 1 size).
Operation—Latch bolt by knob from either side.
20. Rim screen door latch: (1 type, 1 size).
Operation—Latch bolt by knob from either side.
21. Rim screen door latch: (1 type, 1 size).
Operation—Latch bolt by knob from either side. Auxiliary slide stop on inside.
22. Rim closet latch: (1 type, 1 size).
Operation—Latch bolt by knob from either side or by knob outside and turn piece inside. Latch bolt can be set by outside key.
23. Rim wardrobe latch: (1 type, 1 size).
Operation—Latch bolt by knob from outside only.
24. Half-mortise cupboard latch: (1 type, 1 size).
Operation—Latch bolt by knob from outside only.
25. Rim toilet door latch: (1 type, 1 size).
Operation—Latch bolt by knob from either side. Latch bolt can be dead locked by thumb piece on inside.
26. Mortise cylinder night latch: (1 type, 1 size).
Operation—By key from outside and by knob from inside. Latch bolt can be held retracted by stop in face.
27. Rim cylinder night latch: (1 type, 1 size).
Operation—By key from outside and by turn knob from inside. Stop can be set to hold latch retracted.
28. Rim cylinder dead lock: (1 type, 1 size).
Operation—By key from outside and by turn knob from inside. Stop can be set to hold bolt retracted.
29. Mortise cylinder sliding door lock: (1 type, 1 size).
Operation—Latch bolt by knobs or by vertical lever handles except when locked by key from either side.

29A. Same as No. 29 except locked with a bit key.
30. Mortise sliding door latch: (1 type, 1 size).
Operation—Latch bolt by knobs or by vertical lever handles at all times.

TABLE III—DOOR, CABINET AND LOCK TRIM

1. Key plates, escutcheons and roses:
Key plates, approximate size 1¾" x 1⅛".
Lock escutcheons, approximate size 8" x 2⅛".
Screen door escutcheons, approximate size 4" x 1⅛".
Knob roses, approximate size 2" diameter.
(Knob roses for cylindrical locks may be approximately 2½" diameter).
2. Knobs:
Door knobs shall be ellipsoid or round types. Ellipsoid type shall be approximately 2½" x 1¾". Round type shall be approximately 2½" diameter.
Knobs and levers for screen door sets.
Knobs shall be approximately 1¾".
Levers shall be approximately 2".
Knobs and closet spindles for wardrobe sets. Knobs may be ellipsoid or round with closet spindle to suit thickness of door.
3. Tee and lever handles.
Each manufacturer limited to two sizes of each.
4. Turn pieces.
Shall have oval plates approximately 1¾" x 1⅛" with crescent or ellipsoid turns.
5. Vertical lever handles and quadrants.
(For sliding door locks.)
Lever handles shall be approximately 5¼" x 2¼".
6. Cabin door hooks—Navy Specification 42-H-6c, limited to sizes 3½", 3½", 4", 5", 6" and 8".
7. Ajar hooks—Same as No. 6, furnished with two eyes.
8. Square bolts—4", 6".
Square neck bolts—3" 4".
Barrel bolts—Federal type E-1019—2", 2½", 3", 4" and 5".
9. Lavatory throw bolts.
Approximate size 2⅛" x ¾"—Bar 3⅜".
10. Lavatory door pivots.
Similar to Russwin-Newton type.
11. Dutch door sets.
Set to consist of not more than two stay arms approximately 11" long, one pair 2" x 2" tight pin butts and two only friction catches approximately ⅜" x ⅜".
12. Door closers and brackets.
Door closers shall be surface type—Federal E-3004 or E-3005.
Brackets shall be corner or soffit types.
13. Door pulls.
Federal type E-1274.
14. Cupboard turns.
Federal type 1082.
15. Grab rail brackets.
Similar to #93 and #94 as shown in Sargent & Company's Catalog #49.

TABLE IV—BUTTS, HINGES, HASPS AND SPRING HINGES

Butts shall be limited to the types and sizes permitted in Table I of Schedule I of L-236 and to the types and sizes listed in Navy specification 42H34c, with the addition of the following sizes: 3 x 2¾, 4 x 3, 5 x 4, 5 x 3 and 5½ x 4½.

Strap hinges, T. hinges, cabinet hinges, and hasps shall be limited to the types and sizes permitted in Tables I, III and VII of Schedule I of L-236.

Floor hinges shall be limited to the types and sizes permitted in Table II of Schedule I of L-236.

Spring hinges shall be limited to the types and sizes permitted in Tables VII and IX of Schedule I of L-236, with the addition of the following:

3 x 3 half surface cabinet spring hinge.
4" half surface spring hinge (similar to Bommer Springs Hinge Co.'s #10001).

TABLE V—MISCELLANEOUS

1. Name plates—Limited to one design for each manufacturer. Approximate width 1", length as required by lettering.
2. Sash anti-rattlers—Limited to one size and type for each manufacturer.
3. Side sash fasteners—Limited to one size and type for each manufacturer. May be furnished with single or continuous strikes.
4. Key tags, rings and links—Key tags may be oval (approximately ¾" x 2¼"), or round (approximately 1⅜" dia.).
5. Wardrobe and stateroom hooks—Two or three prong type, base approximately 1⅝" x 1⅝", projection not over 3½".
6. Cabinet locks—Types and sizes limited to those permitted in Table XIII of Schedule I of L-236 and to those listed in Navy specifications 42L13 (INT), 42L14 (INT) and 42L4 (INT). Cabinet locks keyed alike shall be furnished with not more than one key for each lock.
7. Padlocks—Types and sizes limited to those permitted in Table XIV of Schedule I of L-236. Padlocks keyed alike shall be furnished with not more than one key for each lock.
8. Door bumpers (Floor type)—Each manufacturer limited to one style and size with anti-rattle hook and one style and size without anti-rattle hook.
(9) (a) Door bumpers (wall type) heavy weight—Each manufacturer limited to one style with anti-rattle hook and one style without anti-rattle hook. Projection not to exceed 5".
(b) Door bumpers (wall type) light weight—Each manufacturer limited to one style with anti-rattle hook and one style without anti-rattle hook. Projection not to exceed 5".

INTERPRETATION 1: Revoked July 10, 1944.

[F. R. Doc. 44-14064; Filed, Sept. 12, 1944; 11:38 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, as Amended Sept. 12, 1944]

PRODUCTION OF REPLACEMENT PARTS FOR MOTOR VEHICLES

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of chromium, copper, nickel, and other materials required for the production of replacement parts for light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment and passenger automobiles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.46 *Limitation Order L-158*—(a) *Definitions.* For the purpose of this order:

(1) "Replacement parts" for light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment and passenger automobiles, means only the parts and assemblies listed on Schedules I and II to this order, and the components entering into such items, produced for use in the repair, maintenance or improvement of these vehicles. Schedules I and II may be amended from time to time.

(2) "Component" means any of the integral pieces or parts of the items listed on Schedules I or II. Components include products of types which, while used in automotive parts, are not so used exclusively. Parts which have no functional duty in the operation of the vehicle or are only ornamental or decorative are not considered components of the authorized parts and may not be produced.

(3) "Rebuilt or reconditioned parts" means any replacement parts listed in Schedules I or II which have been used and restored for use through rebuilding or reconditioning operations.

(4) "Parts consumed in use" means those parts whose function in the operation of the vehicle results in a dissipation or deterioration of material, either in whole or in part, so that the residue has little or no salvage value.

(5) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(6) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(7) "Medium and heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(8) "Truck trailer" means a complete semi-trailer or full trailer designed for transportation of property or persons, or the chassis therefor.

(9) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(10) "Off-the-highway motor vehicle" means a motor truck, truck tractor or trailer operating off the public highway, normally on rubber tires, and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects, or the chassis therefor.

(11) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(12) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of replacement parts, as defined in paragraph (a) (1) above.

(13) "Supplier" means a person who supplies a producer with materials or the component parts for the production or assembly of replacement parts.

(14) "Distributor" means any person not a producer or supplier whose business consists, in whole or in part, of the sale of replacement parts, as defined in paragraph (a) (1) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function including garages and service stations.

(15) "Consumer" means the owner or operator of the automotive vehicle for which replacement parts are required, or the user of such replacement parts for any other purpose, not including the Army or Navy of the United States, the United States Maritime Commission, and other agencies listed in paragraph (p) (1) below.

(16) "Inventory" means a stock of new replacement parts held by a distributor for his own account. Inventory does not include any "as is", rebuilt, reconditioned or reconditionable parts, and does not include Army surplus stocks of replacement parts purchased from the Procurement Division of the Treasury Department.

Provisions Relating to Production

(b) *Preference ratings of AA-1 assigned for truck and bus parts and AA-2X for passenger car and light truck parts.* A preference rating of AA-1 is assigned to producers of replacement parts and to manufacturers of the components of such parts, enumerated in Schedules I and II to this order, except those parts and components for light trucks and passenger automobiles for the production of which a preference rating of AA-2X is hereby assigned.

(c) *Special provisions for production of replacement parts and components.* Priorities and CMP Regulations may be disregarded in applying the provisions of the following subparagraphs (1) and (2). This exemption, however, does not apply where the production authorized by these subparagraphs will interfere with any "frozen" schedule of Component Consumption Requirements issued under Order L-1-c or any other "frozen" schedule, as defined in Priorities Regulation No. 18.

(1) *Parts producers.* To provide for the production of automotive replacement parts to maintain civilian automotive transportation, each producer of automotive parts for original equipment and for replacement use is authorized to use in any month for the production of those automotive replacement parts on Schedule I up to five per cent (5%) of his total productive man or machine hours, or both, which were devoted during the preceding month to the production of automotive parts for original equipment and replacement use.

(2) *Other manufacturers.* Each manufacturer of the components of the automotive replacement parts on the list designated Schedule I is authorized to use in any month for the production of such components up to five per cent (5%) of his total productive man or machine hours, or both, which were devoted during the preceding month to the production of automotive type components. Each manufacturer of automotive type components is authorized to ship each month against orders from producers of automotive replacement parts up to five per cent (5%) of his total monthly production of such components.

(3) *Basis for calculation.* The calculation in respect to productive man or machine hours or both may be made on the basis of a calendar month or any successive period of one month, beginning at any time.

(4) *Notice of prospective interference with military orders.* Paragraphs (c) (1) and (2) shall not be applied by any producer of replacement parts or manufacturer of components for such parts in such a way as to interfere with the production of orders of the Army or Navy of the United States. Where interference with Army or Navy orders prevents or will prevent the producer of parts or the manufacturer of components from applying subparagraphs (1) and (2) above, the producer or manufacturer shall immediately notify the Automotive Division, War Production Board, in order that adjustments may be at once considered.

(5) *Parts actually critical to be produced.* The purpose of paragraphs (c) (1) and (2) is primarily to secure more critical replacement parts for civilian use, as enumerated on Schedule I. Production should be made of those Schedule I parts which are critical, against back orders where they exist. It is not the purpose of subparagraphs (1) and (2) to limit the use of facilities for production of parts or components to five per cent (5%) where additional facilities are available for this production.

(d) *Correction of critical shortages.* Whenever the War Production Board determines that a critical shortage exists in respect to replacement parts, the Board may order any producer or supplier to schedule and deliver his production in such manner as will relieve the shortage; and in addition, may direct any producer or distributor to deliver or sell to any other person, at regularly established prices and terms, such quantities of replacement parts available for civilian distribution as the War Production Board may determine.

(e) *Production restricted to listed replacement parts.* (1) No person shall manufacture any parts for use in the repair, maintenance or improvement of light, medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment or passenger automobiles, except the items, and their components, on Schedule I and Schedule II to this order, as the same may be amended from time to time. See, however, paragraph (r) (1).

(2) In the production of such parts no materials shall be used which are prohibited by any orders, regulations or other restrictions on the use of critical materials now or hereafter issued by the War Production Board.

Standardization and Simplification Provisions

(f) *Pistons and bearings.* Producers shall make replacement pistons, piston pins, piston rings and engine bearings as components of engines, only according to the following standards:

(1) Pistons as components of engines only in standard sizes and the following oversizes: .005, .020, .030, .040, .060, and semi-finished.

(2) Piston pins as components of engines only in standard sizes and the following oversizes: .003, .005, .010.

(3) Piston rings as components of engines only in standard sizes and the following oversizes: .020, .030, .040, .060; and in addition, for medium and heavy trucks and busses, .080, .100.

(4) Engine bearings as components of engines only in standard sizes and the following undersizes: .002, .010, .020, .030, .040, .060, .090 and semi-finished. In addition, connecting rod bearings with oversize outside diameter, and the "special length Ford main bearings."

Provisions Relating to Distributors' Inventories

(g) *Restrictions on distributors' inventories.* (1) No distributor of replacement parts whose place of business is located in the eastern or central wartime zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a sixty-day (60) supply. Sixty-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding two months period.

(2) No distributor of replacement parts whose place of business is located in any other wartime zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a ninety-day (90) supply. Ninety-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding three months period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts even though his inventory then exceeds, or will by reason of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above. The quantity of such specific items in dollar cost value shall not exceed the dollar cost value of his sales of such items during the preceding thirty days or the last thirty-day period in which a sale was made if the distributor is located in the eastern or central war time zones, and forty-five days in all other zones.

(h) *Initial inventory for new distributors.* Notwithstanding the restrictions of paragraph (g) above, any person may establish an initial inventory of replacement parts not to exceed one thousand ($1,000) dollars at dollar cost value for the purpose of selling replacement parts as a distributor.

(i) *Return of new replacement parts.* New replacement parts, returned by a distributor to another distributor, if not included in the inventory of the person receiving the parts during the calendar

quarter in which received, shall be included in his inventory in the next succeeding calendar quarter.

(j) *Disposition of traded-in used parts.* No distributor may keep in his inventory, in his possession or under his control any used replacements parts which have been traded in and cannot be reconditioned, for a period of more than thirty (30) days after they have been determined to be unserviceable, but he must dispose of them through customary disposal or scrap channels. Traded-in parts which can be reconditioned must be reconditioned, or returned to be reconditioned, as quickly as minimum quantities will permit.

Provisions Relating to Distribution

(k) *No preference ratings required for delivery of replacement parts for resale.* No producer or distributor need require any preference rating for the delivery of finished replacement parts for resale as such or for use by a consumer, except on Army, Navy, Maritime Commission and War Shipping Administration orders as provided in paragraph (m). All deliveries of such parts for resale or to consumers may be made as if the orders therefor bore the preference ratings assigned to their production in paragraph (b), and without regard to orders bearing a lower rating. In addition, the provisions of this paragraph are applicable to orders for finished parts required for rebuilding or reconditioning operations.

(l) *Parts for emergency repairs*—(1) *How to order parts.* Notwithstanding the provisions of paragraph (g) above, a distributor may order and accept delivery of replacement parts which he does not have in stock when required by a consumer for the emergency repair of a particular vehicle which cannot be operated without such parts. In such emergency, a distributor must file with his order to the producer a certificate in the following form:

CERTIFICATE FOR EMERGENCY REPAIR ORDER
AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation that the replacement parts specified in the attached order are essential for the repair of the following vehicle, which cannot now be operated without such parts:

Make _____ Engine Number _____
Signed _____
(Firm, partnership or corporation)
By _____
(Name and title of individual)
_____
(Address of firm, partnership or corporation)
Dated _____

A copy of the certificate must be retained by the distributor issuing it as a part of his records.

The standard form of certificate described in Priorities Regulation No. 7 may not be used in place of the above certificate.

(2) *Emergency repair orders take preference.* A producer receiving an order accompanied by a certificate for Emergency Repair must give such order precedence in shipment over other orders not of an emergency nature, and in ordering finished parts from suppliers should indicate quantity of such parts required to fill orders of this type.

(3) *Use of certificate restricted.* The Certificate for Emergency Repair may be used only to secure essential replacement parts for emergency repairs as described in this paragraph (l). It must not under any circumstances be used by a distributor to replenish his stock.

(m) *Preference ratings of AA-2X or higher required on sales by distributors to Army, Navy and Maritime Commission.* Irrespective of the provisions of this order, no distributor shall sell or deliver any replacement parts to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration except upon receipt of an order bearing a preference rating of AA-2X or higher.

(1) *Special provisions for Army orders.* No distributor may accept a purchase order for replacement parts, except parts for "post exchange" and "contractor vehicles" (Army owned but contractor operated as defined in War Department Circular 285, dated November 6, 1943), submitted to him by the Army unless the order specifies in accordance with War Department instructions the type, manufacturer, model and United States Army registration number of the vehicles covered by the purchase order; and the order must carry a certification that such vehicles are "dead-lined" for emergency repair. Neither the registration number of the vehicle nor a certification that the vehicle is "dead-lined" for emergency repair is required if the Army certifies instead that the registration number is unavailable and that a survey has been made of Army stocks in accordance with War Department Circular No. 209, dated September 13, or other specified circular, and that the parts are needed to effect immediate shipment overseas. Delivery by distributors of replacement parts against such orders for the Army must be restricted to parts in the distributors' inventory which are in his stock and are available for immediate delivery at the time the order is received from the Army. It is not sufficient that they are in inventory immediately before delivery.

(n) *Restrictions on sales to consumers*—(1) *No sale of new parts where old can be rebuilt or reconditioned.* No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can rebuild or recondition by use of available local reconditioning facilities. The provisions of this paragraph shall not apply to any replacement parts sold to a consumer where the old part is traded in on a unit exchange basis.

(2) *Used parts to be turned in.* No producer or distributor shall sell or deliver any replacement part either new, used or rebuilt, to a consumer unless the consumer turns in to the producer or distributor, concurrently with his purchase, a used replacement part of similar kind for each such replacement part delivered to the consumer. However, a used replacement part need not be turned in in the following cases:

(i) Where the used part has been consumed in use, lost or stolen;

(ii) Where the used part is a cab assembly;

(iii) Where the consumer is a Federal or Territorial Department, Bureau or Agency, or a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts;

(iv) Where the new or rebuilt part is ordered by telephone, telegraph or mail, or is to be installed by the purchaser;

(v) Where the new part to be purchased by the consumer will improve the efficiency of the vehicle, its capacity or usefulness, such parts being as follows: for all vehicles—oil filters, governors, shims, piston and piston ring expanders, and balance weights; for medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire and police equipment—auxiliary and heavier springs, differentials, trailer connections, brakes, fifth wheels for truck tractors, auxiliary fuel tanks, landing gears, heavy duty generators, auxiliary transmissions, two-speed and attachment third axles, power take-offs; heavy duty trailer axles, front wheel drive conversion units, frame extensions, wheels and rims, marker, clearance and identification lamps, spot lamps, fog lamps, and backup lamps, signaling devices, reflex reflectors, windshield defrosters, truck and bus traction sanders; for off-the-highway motor vehicles—power steering booster devices.

(3) *Use of consumer's certificates.* In any of the cases provided for in subparagraphs (2), (ii), (iv) and (v) above, in which the consumer is not required to turn in a used part, he must sign and deliver to the producer or distributor concurrently with each purchase, or on the written confirmation thereof if the order is placed by telephone or telegraph, a Consumer's Certificate in the following form:

CONSUMER'S CERTIFICATE
AUTOMOTIVE REPLACEMENT PARTS

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that: (a) the replacement parts covered by this certificate are essential for the maintenance, repair or improvement of equipment he now owns or operates; (b) these parts will be used to replace parts which, to the best of his knowledge, cannot be rebuilt or reconditioned by use of available facilities; and (c) he will, within thirty days after receiving the parts, dispose of the old parts, if any, through scrap channels.

Signed _____
Vehicle owner or operator
Date _____ Address _____

The foregoing Consumer's Certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

The standard form of certificate described in Priorities Regulation No. 7 may not be used in place of the above certificate.

(4) *Emergency Stocks for Fleet Operators.* Any owner or operator of a fleet of twenty-five (25) or more medium or heavy trucks, passenger carriers, off-the-highway motor vehicles or taxicabs may, without turning in a similar used part or filing a Consumer's Certificate, purchase engines (less starting, ignition and fuel systems); radiators; clutch assemblies; transmission assemblies; front axle assemblies; and rear axle assemblies; in quantities that will not result in his possession of an inventory which exceeds one each such assembly for every twenty-five (25) such vehicles, or multiples of twenty-five (25), which he maintains in service currently licensed.

Miscellaneous Provisions

(o) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(p) *Exceptions to applicability of this order.* (1) The terms and restrictions of this order, except as provided for in paragraphs (d) and (m) above, shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development.

(2) The terms and restrictions of this order under the headings "Provisions Relating to Distributors' Inventories" and "Provisions Relating to Distribution" shall not apply to any person located outside of the forty-eight states and the District of Columbia.

(q) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(r) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture any parts for use in the repair, maintenance or improvement of light, medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment or passenger automobiles not listed on Schedules I or II to this order may apply for permission to do so under Priorities Regulation 25. The provisions of this order do not apply to parts not listed on Schedules I and II where production is authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (e) (1) shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the restrictions in paragraph (e) (1).

(s) *Communications.* All communications concerning this order shall, unless otherwise directed be addressed to: War Production Board, Automative Division, Washington 25, D. C., Ref: Order L-158.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

(See pars. (a), (b), (c), (e) of this order)

For all vehicles: (1) engines, (component parts only); (2) clutches; (3) transmissions; (4) propeller shafts and universal joints; (5) axles; (6) braking systems; (7) wheels; (8) springs; (9) steering apparatus; (10) cooling systems; (11) fuel systems; (12) electrical systems, including generators, starters and motors.

SCHEDULE II

(See pars. (a), (b), (c) of this order)

For all vehicles: (13) engines, less starting, ignition and fuel systems; (14) tire valve assemblies; (15) mechanical starting apparatus; (16) frame and spring assemblies, except spring covers and spring clip spacer tubes; (17) shock absorbers; (18) speedometers; (19) driving mirrors; (20) windshield wiper assemblies; (21) exhaust systems; (22) radiator shells supporting radiator cores; (23) lubricating systems, including fittings; (24) lamps (but not bulbs), signal horns, and bulk and spool (a) primary wire (b) spark plug wire and (c) battery cable, the last three items only in lengths of 100 ft. maximum; (25) safety glass and channels; (26) hood, door, window and rear deck actuating mechanisms; (27) front fenders, but only types which house or hold headlights; (28) windshield defrosters (components only); (29) heater hose; (30) governors.

In addition, but only for medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment: (31) power dividers and power take-offs; (32) transfer cases; (33) coupling devices; (34) trailer landing gears; (35) cabs and seats; (36) attachment third axles; (37) front fenders without limitation as to type; (38) hoods; (39) liquid measuring gauges; (40) body mechanical and hydraulic hoists (component parts only); (41) tachometers; (42) doors and door hardware; (43) markers, clearance and identification lamps, spot lamps, (internally controlled only), fog lamps and back-up lamps; (44) fusees and flares; (45) signaling devices; (46) reflex reflectors; (47) windshield defrosters; (48) truck and bus traction sanders.

In addition, but only for passenger carriers and motorized fire equipment: (49) body structural repair parts; (50) sash; (51) destination signs; (52) fare boxes; (53) guards and grab rails; (54) door-operating mechanisms; (55) heating and ventilating equipment.

INTERPRETATION 1—RESIZING OF ENGINE PISTONS AND BEARINGS BY PRODUCERS' BRANCHES

The question of resizing engine pistons and bearings in the field to sizes other than those specified in paragraphs (f) (1) and (f) (4), respectively, of § 3292.46. Limitation Order L-158, has been the subject of some uncertainty in the industry. In order to clarify the order, with respect to the intent of these paragraphs, the following interpretation is hereby issued:

Producers' direct factory branches of warehouses, wholly owned or controlled by them, may finish engine pistons and bearings to any intermediate sizes not specified in paragraphs (f) (1) and (f) (4), respectively, of Limitation Order L-158, when ordered from the factory branch by a customer for immediate use in a specific engine. None of these intermediate sizes may be ordered from a factory branch for stock or to be held in inventory. A certificate for emergency order, as provided for in Order L-158, paragraph (l), should accompany each order placed with the factory branch for the intermediate sizes other than those specified in the paragraphs mentioned above, as a means of identifying the need for the part in a specific vehicle. (Issued Oct. 1, 1943.)

INTERPRETATION 2

PRODUCTION OF DECORATIVE HUB CAPS, WHEEL CAPS AND WHEEL TRIM RINGS NOT PERMITTED UNDER ORDER L-158

Hub caps, wheel caps and wheel trim rings which serve only as ornamental or decorative items are not considered components of wheels, Item (7) Schedule 1 to Limitation Order L-158. Consequently, they may not be produced. However, hub caps which serve as grease retainers are considered components of wheels and may be produced. (Issued Aug. 9, 1944.)

INTERPRETATION 3: Revoked Aug. 9, 1944.

DIRECTION 1: Revoked Aug. 9, 1944.

[F. R. Doc. 44-14062; Filed, Sept. 12, 1944; 11:37 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, Revocation of Direction 2]

Direction 2 to Limitation Order L-158 is revoked. It is superseded by paragraph (a) (1) of Order L-158, as amended September 12, 1944.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14063; Filed, Sept. 12, 1944; 11:37 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule B, as Amended Sept. 12, 1944]

HIDE GLUE, EXTRACTED BONE GLUE AND GREEN BONE GLUE

§ 3293.1008 *Schedule 8 to General Allocation Order M-300*—(a) *Definitions.* (1) "Hide glue" means glue known commercially as hide glue, including the types of glue known as coney and chrome glue, and also technical gelatin of the type known as clarified hide glue.

(2) "Extracted bone glue" means glue made from dry bones and known commercially as extracted bone glue.

(3) "Green bone glue" means glue of the type known commercially as green bone glue.

(4) The term "glue" where used alone means hide glue, extracted bone glue and green bone glue.

(b) *General provisions.* Hide glue, extracted bone glue and green bone glue are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is April 1, 1944, when these glues first became subject to allocation under this schedule. The allocation period is the calendar quarter. The small order exemption without use certificate for each person during the fourth quarter of 1944, or during any calendar quarter thereafter, is 10,000 pounds of hide or extracted bone glue (or both, in any proportion aggregating not over 10,000 pounds), and an additional 10,000 pounds of green bone glue.

(c) *Special interim provision.* Authorizations issued under this schedule as in effect prior to September 12, 1944, shall continue in effect indefinitely, except that authorizations to deliver shall expire not later than October 31, 1944. The small order exemption for each person during the third quarter of 1944 shall remain at 1,200 pounds of hide and extracted bone glue, and an additional 6,000 pounds of green bone glue.

(d) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 15th day of the month before the proposed delivery quarter. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-8. A single set of forms shall be filed for hide and extracted bone glue, and a separate set for green bone glue. Different plants under common ownership may file separate or combined suppliers' forms at their discretion. The unit of measure is pounds. Leave the grade space blank. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. In Table II leave Column 8 blank and fill in the other columns as indicated. Substitute "Quarter" for "Month" in the headings throughout the form.

(e) *Certified statements of use.* Each person placing orders for delivery in any quarter of an aggregate quantity from all suppliers in excess of the small order exemption, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. Proposed use should be specified in terms of the following:

Abrasives.
Adhesives.
Book binding.
Containers of wood, paper and fibre.
Cork products (however, designate gaskets as such).
Flexible glue.
Gaskets.
Gummed paper and tape.
Matches.
Paper and paper products (however, designate paper containers, gummed paper and tape as such).
Printer rollers.
Textiles.
Woodwork (however, designate wooden containers as such).
Other products (describe).

In addition to listing the above products, specify percentage for civilian and military, and specify military specification and contract number, if any.

Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(f) *One time base period report.* Each person (including suppliers who consume part of their own stocks, but excluding government departments and agencies) shall file a one time base period report on Form WPB-3442, on or before the date when he first files a certified statement of use pursuant to paragraph (e), or an application for authorization to use pursuant to paragraph (d). It is not necessary to report again under this paragraph if the same report has previously been made in accordance with the special direction dated March 10, 1944, which called for the same information as this paragraph, or in accordance with this schedule as originally issued.

Separate sets of forms shall be prepared for hide glue, extracted bone glue and green bone glue respectively, and for each different plant. One copy of each set shall be retained and one copy forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-8.

In the heading specify in space (1) the kind of glue, in space (2) "pounds", and in space (3) "M-300-8". Fill in the other spaces as indicated.

In section (1) fill in column (a) as indicated and leave column (b) blank. In the heading of column (c) specify "1941", in the heading of column (d) specify "1942", in the heading of column (e) specify "1943", in the heading of column (f) specify "receipts 7/1/42 to 7/1/43", and fill in these columns accordingly on the bottom line of section (1). Sales and exports of glue as such may be combined on the last line of the section and this line should be filled in for columns (b), (c), (d), (e) and (f). Leave column (g) blank.

Leave section II blank.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-8.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WEHRLAN,
Recording Secretary.

[F. R. Doc. 44-14069; Filed, Sept. 12, 1944; 11:38 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 86]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.803 (g) is added to read as follows:

(g) *Dealer's failure to post inventories or refusal to sell tires.* (1) A dealer customarily selling tires to consumers after September 16, 1944, who does not post the notice set forth in subparagraph (2) in the manner described or who does not, under the conditions set forth in subparagraph (3), sell a tire may be prohibited from acquiring tires for sale and from transferring tires to consumers.

(2) The notice must be posted at the start of each business day at each of his establishments in a place and manner which will make it plainly visible to prospective buyers. It shall be headed "New Truck Tires 8.25 or Larger Held for Sale" and shall list, by sizes, the number of all new truck tires with a cross-section size 8.25 or larger which he holds for sale at that establishment.

On any day on which a dealer has no new truck tires 8.25 or larger for sale, he shall post a notice in the same manner and shall show the word "None" following the heading.

The notice is deemed to be a representation to the Office of Price Administration that the dealer has not omitted from the notice any new truck tires 8.25 or larger which he holds for sale.

(3) The dealer must sell any new tire which he holds for sale at his establishment to a consumer who presents a proper certificate and who offers to pay the maximum price of the the tire established by the Office of Price Administration, in cash or by a certified or cashier's check. New tires "held for sale" at a dealer's establishment are all new passenger, new tractor-implement, new industrial-type or new truck tires in the inventory of the establishment, including tires in storage or on consignment with the dealer, but excluding any tires for which he has accepted a certificate from a consumer, or a replenishment portion of a certificate or receipt from a dealer, or an authorization of a District Office permitting their transfer to another dealer, or any tires which the National Office of the Office of Price Administration has authorized him to hold for specified classes of consumers.

(4) A dealer's failure to comply with the provisions of subparagraph (1) shall be determined at a hearing conducted by a special hearing officer who shall be appointed by the District Director for the area in which the dealer's establishment is located. The institution and conduct of the proceeding shall conform with the procedure set forth in Article II of Revised Procedural Regulation No. 4[2] with the special hearing officer exercising the powers and functions specified therein for hearing commissioners in the conduct of suspension hearings. If the special hearing officer determines that the respondent dealer has failed to comply with the provisions of subparagraph (1), he may issue an order prohibiting the dealer from acquiring tires for resale and from transferring tires to consumers. The order shall be effective five days after the date it is personally served on, or mailed to, the respondent. A respondent against whom such an order has been issued may, within 15 days after the date of service thereof, appeal by filing a statement of objections with the special hearing officer. Within three days after the receipt of the statement, the special hearing officer shall forward it, together with a copy of the notice instituting the hearing and a copy of his order, to the hearing commissioner having jurisdiction over the area in which the hearing was conducted. The appeal shall be heard and determined pursuant to the provisions of Article IV of Revised Procedural Regulation No. 4*.

If the special hearing officer determines that no order of prohibition should be issued, he may issue an admonitory order or an order dismissing the proceedings.

This amendment shall become effective September 16, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14044; Filed, Sept. 11, 1944; 4:02 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724.

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 364, Incl. Amdts. 1-20, Correction]

FROZEN FISH AND SEAFOOD

In the compilation of Maximum Price Regulation 364 (including Amendments 1-20) the following corrections are made:

1. In the preamble the reference to Amendment "11" in the second sentence is corrected to read Amendment "20".

2. In section 12, table of package differentials, the last word, "Subtract", is corrected to read, "Subtract 1¢ per lb.".

3. In section 13, the table of base prices, Schedule No. 11 (g), Sole, Petrale—Pacific, is corrected to include the following items:

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
11	(g) Sole, Petrale-Pacific	1	Round	All sizes	0.08½
		2	Dressed	do	0.10½
		3	Dressed and skinned	do	0.12¾

[2] 9 F.R. 2558, 5426, 9412.

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14043; Filed, Sept. 11, 1944; 4:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 81 to 2d Rev. Supp. 1]

PROCESSED FOODS

Second Revised Supplement 1 to Revised Ration Order 13 is amended in the following respects:

1. The factor in § 1407.1102 (b) (4) (i) (*a*) is amended by substituting the number "18" for the number "12".

2. The factor in § 1407.1102 (b) (4) (ii) (*a*) is amended by substituting the number "0" for the number "12".

3. The factor in § 1407.1102 (b) (4) (iii) (*b*) is amended by substituting the number "0" for the number "5".

This amendment shall become effective September 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280 7 F.R. 10179; WFB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14042; Filed, Sept. 11, 1944; 4:02 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[2] Amdt. 34]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 3 (c) is amended to read as follows:

(c) *Maximum prices for primary fish shipper sales to retailers or purveyors of meals.* The maximum price for a primary fish shipper sale of fresh fish or seafood (except head-on shrimp) to a retailer or purveyor of meals, except from a branch warehouse as provided in paragraph (d), is the price listed in Table C in section 22, plus the appropriate container allowance, if any, provided in section 21, plus the allowance provided in section 6 for a service and delivery sale where such sale is made. The maximum price for such a sale of head-on shrimp is the price listed in Table D in section 22, plus the appropriate container allowance, if any, provided in section 21, plus the allowance provided in section 6 for a service and delivery sale where such sale is made.

This amendment shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14073; Filed, Sept. 12, 1944; 11:42 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2880, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5056, 6108, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278.

[2] 7 F.R. 8609, 9005, 9048, 8 F.R. 544, 2022, 3367, 4785, 7322, 7671, 7826, 8376, 8677, 9998, 10571, 10782, 11380, 13296, 15191, 15609, 16425, 9 F.R. 1996, 43083.

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg.,[1] Amdt. 10]

SALES TO EXPORTERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2 of the Second Revised Maximum Export Price Regulation is amended to read as follows:

SEC. 2. *Sales to exporters.* On a sale to a person who buys for his own account a commodity for shipment outside the continental United States, the maximum price shall be the seller's maximum domestic price applicable to the transaction, except that—

(a) If such maximum domestic price does not expressly include charges for preparing, packing or otherwise servicing the commodity for shipment abroad or installing or servicing it after shipment abroad, that maximum price may be increased by any amount by which the cost of performing those services exceeds the cost of performing similar services on comparable domestic sales: *Provided, however,* That no such additional charge may be made unless separately shown on the seller's invoice.

(b) If such maximum domestic price does not expressly apply to sales to exporters as a separately-identified class of purchaser, any seller who, prior to extension of price control to his sales of the commodity, had an established practice whereby he charged exporters prices higher than he charged comparable domestic purchasers but which practice

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1096, 5435, 5932, 7201, 9836.

the applicable domestic price regulation has forced him to discontinue, may apply to the Office of Price Administration for approval of maximum prices or pricing methods which reflect that practice. Application for such approval should be addressed to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., and should fully explain the applicant's former practice, the customary differentials between his domestic prices and his prices to exporters, and the methods of conducting his export business which justify the practice. Approval will be granted where, and to the extent that, it is satisfactorily shown that the practice was in fact regularly established and is necessary to enable the seller to pay customary commissions pursuant to exclusive agency agreements, to effectuate foreign price maintenance policies, to preserve foreign good will for his products, or to protect his export sales representatives from destructive competitive practices.

This Amendment No. 10 shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14075; Filed, Sept. 12, 1944; 11:45 a. m.]

PART 1382—HARDWOOD LUMBER

[MPR 432,[1] Amdt. 5]

NORTHERN HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 432 is amended in the following respect:

Section 13 is hereby revoked.

This amendment shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14072; Filed, Sept. 12, 1944; 11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10,[2] Amdt. 24]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 10 is amended in the following respects:

1. The table under § 1407.687 is amended to read as follows:

Ration period	Stamp valid during ration period (Book 1)	Weight value of stamp (pounds of commeal)
Sept. 4 to Sept. 10	No. 22	3
Sept. 11 to Sept. 17	No. 23	3
Sept. 18 to Sept. 24	No. 24	3
Sept. 25 to Oct. 1	No. 25	3
Oct. 2 to Oct. 8	No. 26	3
Oct. 9 to Oct. 15	No. 27	3
Oct. 16 to Oct. 22	No. 28	3

2. Section 1407.704 (a) is amended by changing the phrase "four (4)" to read "twelve (12)".

This amendment shall become effective as of September 4, 1944.

Issued this 12th day of September 1944.

JACOB A. ROBLES,
Territorial Director,
Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-14071; Filed, Sept. 12, 1944; 11:42 a. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Amdt. 65]

FAIR TRADE CONTRACTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.18 (d) is amended as follows:

The words "wholesale or retail" are substituted for the word "retail" wherever it appears.

This amendment shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14074; Filed, Sept. 12, 1944; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 47 Under 3 (b), Amdt. 1]

STEIN-DAVIES CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

That Order No. 47 under § 1499.3 (b) of the General Maximum Price Regulation be and is hereby amended by substituting the words "Stein-Davies Company and/or Stein-Hall Company" wherever the words "Stein-Davies Company" appear.

This amendment shall become effective September 13, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14073; Filed, Sept. 12, 1944; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 678 Under 3 (b)]

TUBE-LUBE CO.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to §§ 1499.3 (b) and 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

§ 1499.2170 *Maximum prices for certain paint materials.* (a) The maximum prices for "Insul-Coat", a dry powder to be used in mixing a paint for vulcanizing curing bags, produced by Tube-Lube Company, Chattanooga, Tennessee, in one-pound packages shall be:

	Per pound
Sales to jobbers	$0.60
Sales to vulcanizing shops (ultimate consumer)	.90
Freight prepaid to jobbers in lots of 100 pounds or more.	

(b) All prices shall be subject to the discounts, allowances, and trade practices of the seller in effect during March 1942.

(c) No extra charge may be made for containers.

(d) With or prior to the first delivery of "Insul-Coat" to any jobber, Tube-Lube Company shall furnish him a written notice as follows:

NOTICE

	Insul-coat in one-pound packages (per pound)
My maximum price, freight prepaid on lots of 100 lbs. or more, is	$0.60
Your maximum price is	.90

(e) Tube-Lube Company shall mark each package to indicate the maximum price for sales to vulcanizing shops as follows:

Retail ceiling price ..... 90 cents

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 13, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14079; Filed, Sept. 12, 1944; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 679 Under 3 (b)]

S. C. JOHNSON & SON, INC.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to §§ 1499.3 (b) and 1499.3 (e) of the General Maximum Price Regulation, it is ordered:

§ 1499.2169 *Maximum prices for certain textile water repellent coatings.* (a) The maximum prices for sales of "Drax", a textile water repellent coating, produced by S. C. Johnson & Son, Inc., Racine, Wisconsin, in 8, 16 and 21¾ ounce glass containers shall be:

	Sales to wholesalers	Sales to dealers	Sales at retail, delivered
	Carton of 12 units	*Carton of 12 units*	*Each*
8-ounce	$3.24	$4.05	$0.48
16-ounce	5.10	6.39	.76
21¾-ounce	6.87	7.35	.87

All above prices on sales to wholesalers and dealers f. o. b. cars destination on shipments of 100 lbs. or more, gross weight. All above prices on sales to wholesalers and dealers on other shipments f. o. b. seller's nearest warehouse.

(b) All prices shall be subject to the discounts, allowances and trade practices of the seller in effect during March, 1942.

(c) No extra charge may be made for containers.

(d) With or prior to the first delivery of any size "Drax" to any wholesaler, S. C. Johnson & Son, Inc. shall furnish such wholesaler a written notice as follows:

NOTICE

	Drax		
	8 oz.	16 oz.	21¾ oz.
(1) My maximum price(s) is (are) f. o. b. ..... (insert applicable point) per carton of 12 units each.	$3.24	$5.10	$6.87.
(2) Your maximum price(s) is (are) f. o. b. ..... (insert applicable point) per carton of 12 units each.	$4.05	$6.39	$7.35.
(3) Maximum prices for sales at retail are	$0.48 each	$0.76 each	$0.87 each.

Instructions. You are required by the Office of Price Administration to send with or prior to your first delivery to a dealer a notice identical in form to items (1) and (2) of this Notice filled in with the applicable maximum prices. The dealer's maximum prices to be indicated in item (2) of your notice are set forth in item (3) of this Notice.

(e) With or prior to the first delivery of any size "Drax" to any dealer, S. C. Johnson & Son, Inc., shall furnish such dealer with a written notice as follows:

NOTICE

	Drax		
	oz.	16 oz.	21¾ oz.
(1) My maximum price(s) is (are) f. o. b. ..... (insert applicable point) per carton of 12 units.	$4.05	$6.39	$7.35.
(2) Maximum prices for sales at retail are	$0.48 each	$0.76 each	$0.87 each.

(f) S. C. Johnson & Son, Inc., shall mark each container to indicate the maximum prices for sales at retail as follows:

(1) 8 ounce containers "Retail Ceiling Price 48 cents."

(2) 16 ounce containers "Retail Ceiling Price 76 cents."

(3) 21¾ ounce containers "Retail Ceiling Price 87 cents."

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 13, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14080; Filed, Sept. 12, 1944; 11:43 a. m.]

Chapter XX—Office of Contract Settlement

[General Reg. 2]

PART 8008—INTERIM FINANCING

SUBPART B—PARTIAL PAYMENTS

SEPTEMBER 8, 1944.

Pursuant to the authority conferred upon me by section 4 (b) and section 8 (c) of the Contract Settlement Act of 1944, the following policies, principles, methods, procedures, and standards relating to partial payments on account of termination claims of all war contractors, including cost-plus-a-fixed-fee contractors, are prescribed for all contracting agencies:

Sec.

8008.51 General policies.
8008.52 Types of partial payments.
8008.53 Immediate partial payments based on contractors' estimates.
8008.54 Cost-supported partial payments.
8008.55 Controlled partial payments.
8008.56 Partial payments to subcontractors.
8008.57 Estimates of partial payment arrived at in advance of termination.
8008.58 Assignments.
8008.59 Deduction of outstanding advances, etc.
8008.60 Demands for repayment.
8008.61 Overpayments.
8008.62 Overstatements of claims.
8008.63 This regulation not exclusive.
8008.64 Speed in final settlement.
8008.79 Forms.

§ 8008.51 *General policies.* The contracting agencies are hereby directed to provide war contractors having any termination claim or claims with adequate interim financing within 30 days after proper application therefor to such agencies. Upon request of war contractors, such interim financing shall be effected through partial payments to the greatest extent practicable. Contracting agencies and war contractors shall take adequate steps to assure that subcontractors receive partial payments when desired by them. Determination of the amount of partial payments to be made under this regulation shall be without prejudice in the negotiation of final settlement. Such payments shall be subject to section 9 (b) of the act, providing any amount paid in excess of the amount finally determined to be due on the termination claim shall be treated as a loan from the Government to the war contractor receiving it.

§ 8008.52 *Types of partial payments.* (a) The types of partial payments which shall be made are as follows:

(1) Immediate partial payments, based on contractors' estimates;

(2) Cost-supported partial payments; and

(3) Controlled partial payments into special accounts.

(b) Partial payments shall, in general, be made to prime contractors on their own applications based on their own termination charges and on the applications of subcontractors transmitted through the prime contractor and any intervening subcontractors to the contracting agency. Such applications shall be made, by both prime contractors and subcontractors, in substantially the form of Application for Partial Payment provided. In appropriate cases, partial payments may be made to war contractors to enable them in advance of subcontractors' requests, to set up a fund from which prompt partial and final payments may be made to their subcontractors; in such cases, special requests will be made, which need not follow the application form. The contracting agencies may, in addition, vary the application form in such manner as they deem appropriate to the particular case to provide for the making of partial payments upon a group of war contracts.

§ 8008.53 *Immediate partial payments based on contractors' estimates.* (a) Contracting agencies shall make immediate partial payments for the benefit of any war contractor, whether prime contractor or subcontractor, promptly upon the filing of application therefor. Contracting agencies should promptly grant the request for partial payment in the largest amount believed reasonable under all the circumstances then known, but such amount shall not exceed 90% of the amount certified in the application as due on account of the contractor's own costs allocable to the terminated portion of the contract. In deciding the amount to be paid, the contractor's application should be considered in the light of the general reputation of the contractor and other relevant factors. Contracting agencies should authorize personnel making partial payments to base their determination of the amount to be paid solely on the contractor's application unless there is knowledge of other relevant factors militating against such payment.

(b) An immediate partial payment will be made in each case in an amount not less than 75% of the contract price of completed articles not delivered, plus

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 10079, 12180; 9 F.R. 171, 4470, 7201, 8025.

[2] 7 F.R. 6867, 8223, 8807, 10707; 8 F.R. 1304, 3215, 3849, 4190, 4808, 5908, 7017; 9 F.R. 2253, 2479, 2966, 3746, 3852.

75% of the contractor's estimated costs of raw materials, purchased parts, supplies, direct labor and overhead allocable to the terminated portion of a contract (but not including the cost of special facilities or other items deemed likely to be of a controversial character, and not including profit), unless (1) the contracting agency has reason to believe that the application for immediate partial payment was not filed in good faith, or that the amount requested is excessive, or that protection of the Government's interests requires denial of the application or payment in a lesser amount, or (2) unless the contractor requests payment in a lesser amount. This provision for minimum partial payments shall not be construed to limit the responsibility of the contracting agencies to make partial payments in the largest amount believed reasonable under the provisons of paragraph (a) of this section.

§ 8008.54 *Cost-supported partial payments.* When the contractor has submitted substantial accounting data, and a preliminary review thereof indicates that the application is proper and is supported by the data submitted, the contracting agency, to the extent requested, shall make an additional partial payment, or if none has previously been made, a partial payment, in an amount which, together with any other partial payments previously made on the same termination claim, equals:

(a) An amount equal to 100 percent of the amount payable, at the contract price, on account of acceptable items completed prior to the termination date under the terms of the contract, or completed thereafter with the approval of the contracting agency; plus

(b) An amount equal to 90% of the cost of raw materials, purchased parts, supplies, direct labor, and manufacturing overhead allocable to the terminated portion of the war contract; plus

(c) A reasonable percentage of other allowable costs, including administrative overhead, allocable to the terminated portion of the war contract not included in the foregoing; plus

(d) Such additional amounts, if any, as the contracting agency deems necessary to provide the war contractor with adequate interim financing.

The amount to be paid under paragraphs (a) to (d) above should not be greater than the amount which, in the opinion of the contracting agency after such a preliminary review, is due to the contractor by reason of the termination.

§ 8008.55 *Controlled partial payments.* When a war contractor requesting, or forwarding an application for a partial payment, is deemed to be insolvent or in imminent danger of insolvency, or when an application for immediate partial payment under the conditions set forth in § 8008.53 above has been in whole or in part denied, partial payments may be deposited in a special account. Partial payments deposited in special accounts will be released as particular items of cost or payments to subcontractors are approved. The interest of the Government in such controlled accounts shall be protected by such methods as the contracting agency considers advisable. Additional payments may be made, from time to time, into the controlled account by the contracting agency.

§ 8008.56 *Partial payments to subcontractors.* The application of a subcontractor for partial payment shall be filed with the war contractor in the tier immediately above him, and unless that war contractor makes the payment pursuant to authorization from the contracting agency, shall be transmitted through contractual channels to the contracting agency having jurisdiction over the prime contract. Each prime contractor and upper tier subcontractor transmitting the application shall subscribe thereon a statement substantially as set forth on the form of application; or, in any appropriate case, an explanation of its unwillingness to subscribe to such a statement. In the event that the contracting agency totally denies the application for partial payment it shall provide for the transmission of notice of the denial through contractual channels or otherwise, to the applicant. Partial payments to subcontractors are authorized to be made as follows:

(a) Such payments shall, so far as possible, be made to prime contractors in reliance on their agreement to pay over to their subcontractors or to credit against amounts owing from such subcontractors the amounts received by them for the benefit of such subcontractors.

(b) If a prime contractor or an intervening subcontractor is deemed to be insolvent or in imminent danger of insolvency, or for any other reason is unable or unwilling to pay over to his subcontractors any partial payment received for their benefit, the contracting agency may utilize the controlled account procedure set forth in § 8008.55 above.

(c) The contracting agencies may make partial payments directly to subcontractors, in accordance with such procedures as have been or may be authorized by such agencies; and should make such partial payments directly where there is evidence of unwarranted delay under the normal procedures.

In the cases provided for in paragraphs (b) and (c) above, payments may be made without the certificates of intervening contractors, provided that sufficient other information justifying such partial payments is available.

Nothing in this regulation shall be construed to prevent any war contractor from making partial or other payments to its subcontractors pursuant to delegation from the contracting agency, or subject to subsequent approval by the contracting agency.

§ 8008.57 *Estimates of partial payment arrived at in advance of termination.* Interim financing by means of partial payments will be facilitated if contractors estimate the amounts required where this is practicable, in advance of actual termination. Such prior estimates will be based upon the cost of the estimated inventory, including raw materials and work-in-process, allocable to the terminated portion of a contract at specified stages of completion, excluding those items which he intends to retain. Estimates arrived at between the contractor and a contracting agency in advance of termination will not constitute binding commitments upon a contracting agency but will be subject to confirmation and adjustment by the contracting agency on or after termination. They will, however, provide a realistic means for contractors to discuss their probable financing requirements with contracting agencies and with their immediate customers and will afford a basis on which, prior to termination, the reasonableness of contractors' estimates of costs on which the partial payments will be granted, may be checked, subject to any necessary adjustment after termination.

§ 8008.58 *Assignments.* Any interim financing by means of partial payments hereunder shall be made in such a manner as not to impair or modify any valid assignment of any claim under a war contract without the consent of the parties thereto. Contracting agencies in making partial payments, however, may rely on the statement in the application that no assignments are outstanding, in the absence of actual knowledge to the contrary by the contracting officer or notice given in accordance with the Assignment of Claims Act of 1940.

§ 8008.59 *Deduction of outstanding advances, etc.* In determining the amount of partial payments to be made, there shall be deducted from the amount otherwise payable under this regulation:

(a) Any unliquidated balances of advance and partial payments theretofore made to such war contractor, which are allocable to the terminated war contract or the terminated part of the war contract; and

(b) The amount of all credits for the disposal or retention of property as to which costs or estimated costs were included in any application for partial payment under the terminated contract.

§ 8008.60 *Demands for repayment.* Under the terms of the application form, the contractor requesting a partial payment agrees to repay to the Government, upon demand, the whole or any part of the partial payment if the contractor fails to file the prescribed forms in support of its claim within the required time, and under other stated conditions. Contracting agencies are not required to demand repayment of any partial payment or portion thereof under these conditions, but may do so whenever in their opinion the interest of the Government so requires.

§ 8008.61 *Overpayments.* Any amount of a partial payment in excess of the amount finally determined to be due on account of the war contractor's own charges shall be treated as a loan from the Government to the war contractor receiving it, and shall be payable upon demand with a penalty of 6% per annum from the date such excess arises until the date such excess is repaid. The contracting agencies shall be charged with the responsibility for instituting procedures for determining the existence of any such excess.

§ 8008.62 *Overstatements of claims.* If a war contractor overstates the amount due on account of his own termination charges in connection with any partial payment applicable to such charges, he shall pay to the United States a penalty of 6% of the amount of such overstatement; if not paid, this penalty may be deducted in the final settlement of his claim. The Director of Contract Settlement may suspend or modify any such penalty if in his opinion the imposition thereof would be inequitable.

§ 8008.63 *This regulation not exclusive.* Nothing contained in this regula-

III. *Applicant's own termination charges* (exclusive of his subcontractors' charges).

	A Charges as listed in settlement proposal submitted ....., 194....	B Best estimate of costs incurred to date of this application ....., 194.... not included under A
1. Acceptable finished product (at contract price)	$	$
2. Work in process		
3. Raw materials, purchased parts, and supplies		
4. General and administrative expense		
5. Total (sum of lines 1, 2, 3, and 4)		
6. Tools, dies, jigs, fixtures, etc.		
7. Other costs		
8. Settlement expenses		
9. Total of lines 5, 6, 7, and 8		
Amounts received:		
a. Unliquidated partial, progress, and advance payments received prior to termination		
b. Unliquidated partial, progress and advance payments received after termination for own use		
c. Credits from disposal or retention of inventory included in above charges		
Total		
Amount of partial payment requested		
Total		

IV. *Agreement of applicant.* Under section 9 (b) of the Contract Settlement Act of 1944, the amount of any partial payment made to the applicant in excess of the amount finally determined to be due on its termination claim shall be treated as a loan from the Government payable upon demand with a penalty payable by the applicant at the rate of 6% per annum from the date of the excess payment to the date of repayment. Accordingly, in requesting a partial payment, the applicant recognizes its obligation to establish promptly the amount due and to protect the interest of the Government pending final settlement, and in consideration of any partial payment which may be made, agrees as follows:

(1) *Prompt preparation of claim.* The applicant will, with all reasonable dispatch, prepare and file its statement of costs and inventory lists on the prescribed forms, and will make every reasonable effort to expedite final settlement of the termination claim and the claims of its subcontractors.

(2) *Disposal and retention of inventory.* Whenever the amount of any proceeds hereafter received by the applicant on the disposal of termination inventory plus the cost or agreed value, as the case may be, of any termination inventory which the applicant thereafter elects to retain, exceeds 10% of the amount stated by the applicant in this application as the amount of his charges (section III, line 9) and the amount of such credits has not been included as a receipt (section III, line c), the applicant within ten days will notify the contracting agency of the amount of credits on account of such inventory disposal or retention.

(3) *Repayment.* The applicant will repay to the Government upon demand, together with interest from the date of such demand at the rate of 6% per annum, the whole or any part of the partial payment to be made hereunder, if:

(a) A statement of costs and inventory lists on the prescribed forms, as provided in

§ 8008.79 *Forms.*

Form approved
Bureau of the Budget 17–R009

Office of Contract Settlement Form 4

APPLICATION FOR PARTIAL PAYMENT
(For use by either prime or subcontractor)
UNDER TERMINATED PRIME GOVERNMENT CONTRACT NO. ------

I. This application applies to (check one):
( ) A prime contract.
( ) Subcontract or purchaser order No. ...
With ----------
Amount requested $----------
This is application No. ---- under this termination.
Applicant ----------
Address ----------

II. *Status of contract or order at effective date of termination.*

Products covered by terminated contract or purchase order	Finished: Previously shipped and billed	Finished: On hand: Payment to be received through invoicing	Finished: On hand: Included in this application	Unfinished or not commenced: To be completed	Unfinished or not commenced: Not to be completed	Total covered by contract or order
Quan.						
$						
Quan.						
$						
Quan.						
$						

subparagraph 1 above, have not been filed within three months after receipt of the partial payment for which request is herein made, or within such extended period as may be allowed by the Government;

(b) The contracting agency shall find that the applicant's estimate under section III above (own costs) is overstated by reason of the disposal or retention of termination inventory subsequent to the date of this application or for any other reason;

(c) The applicant withdraws the whole or any part of its claim. Demand for repayment may be made under subparagraphs (b) and (c) only as to that portion of the partial payment that, in the opinion of the contracting agency, has become excessive.

V. *Certificate of applicant.* The undersigned certifies that the amount of his own charges (exclusive of subcontractors' charges) due as of the date of this application and allocable to the terminated portion of its contract No....., dated .....; with ....., is not less than $.....; that, to the best of applicant's knowledge, the amounts received are as set forth above; and that the applicant has not assigned any moneys payable under this contract, except as set forth above.

Name of contractor.....
Signer .....
Title.....
Date.....

VI. *Recommendation of first reviewing contractor.* The undersigned states that it has examined this application and has considered the applicant's general reputation. It has no reason to doubt the accuracy of the information contained in this application or that the amount certified by the applicant as due will constitute a proper charge to be included in the undersigned's termination claim against ..... It recommends that the requested partial payment be made.

The undersigned agrees that it will promptly pay over to the applicant or credit against amounts owing from the applicant any amount received for the benefit of the applicant under this application, and that it will repay to the Government on demand any amount not so paid or credited.

Name of contractor.....
Signer .....
Title.....
Date.....

VII. *Recommendations of other reviewing contractors.* Each of the undersigned states that it has no reason to doubt that the amount of the partial payment requested, and recommended above, is due the applicant and will constitute a proper charge in the termination claim of the undersigned.

Each of the undersigned agrees that it will promptly pay over to its immediate subcontractor or credit against amounts owing from such subcontractor any amount received for the benefit of the applicant under this application, and that it will repay to the Government on demand any amount not so paid or credited.

Contractor	Signature of officer, partner, or owner	Date	Identification of your contract
1.	.....	.....	.....
2.	.....	.....	.....
3.	.....	.....	.....
Etc.	.....	.....	.....

APPLICATION FOR PARTIAL PAYMENT UNDER THE CONTRACT SETTLEMENT ACT OF 1944

Instructions

1. *Use of form.* This application form is for use by all war contractors, either prime contractors or subcontractors, under either fixed-price or cost-plus-a-fixed-fee contracts in obtaining partial payments on their termination claims. If applicant is a cost-plus-a-fixed-fee contractor, the form may be so modified as to conform to his accounting system but must furnish the required cost information.

2. *Immediate partial payments based on estimates.* (a) Where a contractor has not had adequate time to prepare his settlement proposal, an "immediate partial payment" may be requested based on the contractor's estimate of his own charges. In applying for a payment of this type, the contractor should fill in the information required in Column B of section III. If his accounting system is not adaptable to the cost information required by section III, he should append to the application a comparable schedule of his estimated costs on such basis as his accounting system permits. Supporting data, including financial statements, may be submitted but are not required unless specifically requested by the contracting agency.

(b) The estimates need be no greater than the contractor believes adequate to support his request for partial payment. Low estimates furnished for the purpose of an immediate partial payment will in no way prejudice the contractor in the final settlement of his claim or in subsequent requests for additional partial payments. Successive applications for partial payments may be filed.

3. *Cost-supported partial payments.* Upon the submission of a settlement proposal, or at any time thereafter, a "cost-supported partial payment" may be requested based on the settlement proposal and accounting data supporting it. In applying for a payment of this type, the contractor should fill in the information required by column A of section III. In addition, he should attach a copy of the settlement proposal.

4. *Certificate of applicant.* The amount certified in section V as the amount of the contractor's charges should be the total that appears in section III, line 9. If some of the charges are cost-supported and others are estimated, appropriate entries may be made in both columns A and B, and the amount certified should then be the sum of the two figures in line 9.

5. *Property disposal credits.* In stating costs or estimated costs, the applicant should not include charges with respect to property which he intends to retain at no cost to the Government. Any credits that have resulted from the sale or retention of property as to which costs or estimated costs have been included in any application for a partial payment on this termination claim will be entered in section III, line *c*.

6. *Obligations to subcontractors.* Attention is called to the fact that the cost of delivered completed articles may not be included in the termination claim of the producer of those articles. War contractors are obligated to pay at the contract price for completed articles shipped to them by their subcontractors and suppliers prior to the termination of and in accordance with the provisions of the subcontracts or purchase orders calling for delivery of those articles. When necessary, prime contractors and subcontractors should apply for partial payments on their termination claims for the purpose of enabling them to meet such obligations promptly.

7. *Applications of subcontractors.* Subcontractors applying for a partial payment will submit this application to the contractor immediately above them. Unless that contractor has been authorized by the contracting agency to make a partial payment without obtaining specific approval in each case, he will attach his recommendation on the form provided in section VI and forward the application through the contractors above him to the contracting agency. Contractors above the immediate reviewing contractor will fill in the form of recommendation set forth in section VII and forward the application. If any contractor disapproves of the amount of the requested partial payment, or believes that he cannot properly sign the form of recommendation, he should attach a statement setting forth the reasons for his refusal to sign the form and his recommendation. In the case of an application for a cost-supported partial payment, the settlement proposal need not be forwarded beyond the first reviewing contractor unless expressly requested.

8. *Signatures.* A person other than an officer, partner, or owner may sign the application or recommendation where properly authorized, but in such a case, a copy of his authority should be attached.

9. The Contract Settlement Act of 1944 provides penalties for overstatements of amounts owing to the contractor in connection with interim financing and for excessive payments (section 8 (d) and 9 (b).) Penalties for fraud are provided for in section 10 of the act.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ROBERT H. HINCKLEY,
Director.

[F. R. Doc. 44-14025; Filed, Sept. 11, 1944; 12:21 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Rev. S. O. 112]

PART 95—CAR SERVICE

DESTINATION FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of September, A. D. 1944.

It appearing, that certain shippers of fresh or green fruits or vegetables in refrigerator cars have been moving cars from one point of delivery within the switching limits of a city or town to other points of delivery within such limits, and thereby delaying the unloading and increasing the free time for unloading under the demurrage rules; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic; It is ordered, that:

(a) *Definition.* For the purpose of applying this order, the destination shall be any point of railroad delivery on any railroad within the switching limits of the city or town at which the car is unloaded or at which it is ordered from one hold, inspection or unloading track to another hold, inspection or unloading track within the same switching limits. A demurrage day consists of a twenty-four (24) hour period or fraction thereof.

(b) The free time allowed at destination on any refrigerator car loaded with fresh or green fruits or vegetables as defined in Service Order No. 70, as amended, shall be as follows:

(1) No free time shall be allowed when car is held for ordering from one location to another location within the switching limits of the same city or town or when held for surrender of bill of lading, advise order, or payment of lawful charges prior to delivery to a connecting line for final delivery in the same switching district.

(i) Demurrage detention on the first such transaction shall be computed from the first 7:00 a. m., after notice of arrival is sent or given to the consignee or party entitled to receive it, when car is held on hold, inspection or public delivery track or from the first 7:00 a. m., after actual or constructive placement when for delivery on an other-than-public delivery track, until order to move car to another location within the switching limits of the same city or town is received by an agent of the railroad holding the car.

(ii) Demurrage detention on each subsequent transaction within the switching limits of the same city or town prior to an unloading transaction (see paragraph (2)), shall be computed from the first 7:00 a. m., following actual placement on hold, inspection or public delivery track, or actual or constructive placement on an other-than-public delivery track, to which it has been ordered, until order to move the car to another location within the switching limits of the same city or town is received by an agent of the railroad holding the car.

(2) Forty-eight (48) hours free time shall be allowed to unload, partially unload or to partly unload and partly reload, detention to be computed as follows:

(i) On cars which have previously been reconsigned, diverted or reshipped from one location to another location within the switching limits of the same city or town or have been held by a connecting line within the same switching limits for surrender of order-notify bill-of-lading, advise order, or payment of lawful charges, time will be computed from the first 7:00 a. m., following actual or constructive placement until released.

(ii) On cars which have not been previously reconsigned, diverted or reshipped from one location to another location within the switching limits of the same city or town, time will be computed from the first 7:00 a. m., after notice of arrival is sent or given to consignee or party entitled to receive it and placement on public delivery track where unloaded or partially unloaded or from the first 7:00 a. m., after actual or constructive placement on other-than-public delivery track where unloaded or partially unloaded except that on cars requiring surrender of bill of lading, "advise" order or payment of lawful charges prior to delivery time will be computed as provided in Rule 3, Section B of Agent B. T. Jones' I. C. C. No. 3722.

(c) When an order to move a car from one location to another location within the switching limits of the same city or town is received between 12:01 a. m., and 7:00 a. m., such order will be considered as received after 7:00 a. m.

(d) *Application.* (1) This order shall apply to intrastate commerce as well as to interstate and foreign commerce carried by every common carrier by railroad subject to the Interstate Commerce Act. (2) Under this order each railroad shall assess demurrage accruing for detention on its rails. (3) This order shall apply to all diversions accomplished within the destination switching limits except such diversion, if any, reconsigning the car to a new destination outside the switching limits thereof. (4) This order shall apply on cars arriving at destination on and after the effective date hereof.

(e) *Tariffs suspended.* The operation of all rules relating to free time in demurrage tariffs (other than port demurrage tariffs) insofar as they conflict with this order are suspended, except the provision for eliminating Sundays and legal holidays in computing free time. This order shall not affect Demurrage Rule 8 of Agent B. T. Jones' Tariff No. I. C. C. 3722, or similar rules in other demurrage tariffs, relating to the cancellation or refunding of demurrage charges under emergency conditions. Nothing in this order shall be construed to amend or modify the provisions of Service Order No. 70, as amended.

(f) *Publication of suspension.* Each railroad shall file and post a supplement to each of its tariffs affected hereby, announcing the suspension of the operation of any of the provisions therein, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, and shall establish the substitute provisions above set forth. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that this order shall become effective at 12:01 a. m., September 13, 1944, and shall vacate and supersede Service Order No. 112 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14054; Filed, Sept. 12, 1944; 10:45 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 16B]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

FREIGHT SHIPMENTS TO OR WITHIN PORT OR STORAGE AREAS IN THE UNITED STATES, AND TO OR THROUGH THE DOMINION OF CANADA

General outline. This order supersedes General Order ODT 16A and outstanding permits issued thereunder.

The principal revisions made in this order are (1) to free all shipments by motor truck and all shipments by vessel from ODT unit permit requirements, (2) to confine the controls over government domestic or import freight intended for storage in public warehouses at specific port areas to shipments of an aggregate weight of 20,000 pounds or more and, (3) to eliminate entirely the reporting requirements formerly prescribed in § 502.208 of General Order ODT 16A.

Section 502.202 (a) of this order requires an ODT unit permit for a rail carload shipment of "overseas" freight to or within any named port area for storage or for delivery to an ocean carrier. Paragraph (b) of this section prohibits except under certain named conditions (but not a permit) transportation of a less-than-carload shipment of overseas freight or any shipment of like traffic by motor truck or vessel to or within any named port area for storage or for delivery to an ocean carrier. It will be noted that paragraph (a) is directed to both a "person" and a "rail carrier" whereas paragraph (b) is directed to both a "person" and a "carrier".

Section 502.203 requires an ODT unit permit for a rail carload shipment of "export" government freight from points in the United States to or through the Dominion of Canada. This section is directed to both a "person" and a "rail carrier".

Section 502.204 requires an "ODT port storage forwarding permit" for any shipment of domestic or import freight of an aggregate weight of 20,000 pounds or more to or within port areas for storage for a government agency. This would apply to any mode of transportation.

Section 502.205 requires an ODT unit permit for a rail carload shipment to any interior storage areas in the United States designated by the Assistant Director in charge of the Railroad Transport Department when such shipment is intended for reshipment from such interior storage area to a destination outside the United States. This provision is directed to both a "person" and a "rail carrier".

Administrative Order ODT 17A is being issued concurrently with this order.

Nothing in this general outline of the order should be construed as affecting its specific provisions.

The text of General Order ODT 16B follows:

Pursuant to Executive Orders 8989, as amended, and 9156, in order to make available railway cars and other transportation facilities for the preferential transportation of material of war, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to assure the orderly and expeditious movement of materials and supplies of war; to coordinate domestic traffic movements with ocean shipping in order to avoid terminal congestion at port areas in the United States, and to expedite the movement of traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order

ODT 16A (9 F.R. 2749), shall be superseded, and, it is hereby ordered, that:

Sec.
502.200 Definitions.
502.201 Applicability.
502.202 Transportation and delivery of shipments of overseas freight to or within specified port areas.
502.203 Transportation of certain shipments by rail to or through the Dominion of Canada.
502.204 Transportation of shipments of government domestic or import freight to or within specified port areas for storage in public warehouses.
502.205 Transportation of carload shipments of export or overseas freight to specific interior storage areas.
502.206 Reconsignment restrictions.
502.207 Exemptions.
502.208 Issuance of special and general permits.
502.209 Procedures; delegations of authority.
502.210 Communications.

AUTHORITY: §§ 502.200 to 502.210, inclusive, issued under E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14163; and E.O. 9156, 7 F.R. 3349.

§ 502.200 *Definitions.* As used in this order (§§ 502.200 to 502.210, inclusive) or in any order, permit, or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Carrier" means any person who transports property;

(c) "Export freight" means any property which is intended for transportation from a point in the continental United States to a destination outside the continental United States;

(d) "Overseas freight" means any property which is intended for movement offshore by water from a port or place in the continental United States to a port or place outside the continental United States;

(e) "Commercial freight" means any export or overseas freight not shipped by or to a Government agency or on a United States Government bill of lading;

(f) "Import freight" means (1) any property which has moved by water from a port or place outside the continental United States to a port area within the continental United States and which has not been subsequently transported beyond such port area, or (2) any property which is transported by rail, on through billing, from a place outside the continental United States to a port area within the continental United States and is not intended for reshipment to a place outside the continental United States;

(g) "Domestic freight" means any property other than import freight which is transported to or within a port area in the continental United States and is not intended for movement to a destination outside the continental United States;

(h) "Government agency" means any agency or department of the United States, including any corporation organized and controlled by the United States, and the Dairy Products Marketing Association;

(i) "ODT block release" means an authorization by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, to his authorized permit agents, covering the issuance of ODT unit permits for the movement of a specified quantity of freight;

(j) "ODT unit permit" means a permit issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, or his authorized permit agent, as evidence that the property covered by such ODT unit permit is within the aggregate authorization of a specified effective ODT block release;

(k) "ODT port storage forwarding permit" means a permit issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agent, authorizing the transportation of shipments of domestic or import freight to or within a port area in the continental United States for storage in a public warehouse for account of a government agency;

(l) "Public warehouse" means a warehouse or other place of storage the operator of which is engaged as a warehouseman in the business of storing goods therein for compensation;

(m) "Carload shipment" means a shipment of property moving by rail (1) in a quantity the weight of which is 20,000 pounds or more, or (2) in a quantity the weight of which is less than 20,000 pounds if transported by a rail carrier at a carload rate or rates and exclusively occupying a railway car when forwarded from point of origin;

(n) "Less-than-carload shipment" means a shipment of property moving by rail in a quantity the weight of which is less than 20,000 pounds and which, if exclusively occupying a railway car when forwarded from point of origin, is not transported by a rail carrier at a carload rate or rates;

(o) "Motor truck" means (1) a straight truck, (2) a combination truck-tractor and semi-trailer, (3) a full trailer, (4) or any combination thereof, or, (5) any other rubber-tired vehicle propelled by mechanical power, when used in the transportation of property;

(p) "Property" means anything, except passengers, capable of being transported by rail, motor truck, or water;

(q) "Port area" means any locality in the continental United States within which facilities are maintained for the interchange of property between ocean vessels and other transportation instrumentalities. A port area shall include both the switching and lighterage limits of the ports or places shown in Appendix A and Appendix B of Administrative Order ODT 17A, or as such order may be amended, revised or reissued;

(r) "Interior storage area" means any storage area supplementary to a port area or range of port areas within the continental United States, as such interior storage areas may be defined from time to time in any administrative order issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, pursuant to the provisions of § 502.209 of this order;

(s) "W. S. A. forwarding authorization" means an authorization issued by the War Shipping Administrator or his duly authorized agent covering cargo subject to Directive 4, Revised (8 F.R. 1321), or as such directive may be further revised, amended, or reissued, as evidence that the shipment covered thereby is wanted at the port named by the date indicated therein, and that ocean cargo space therefor has been definitely allocated or committed;

(t) "Impedimenta" means baggage, supplies, and equipment of a military or naval organization or of the personnel thereof;

(u) "Continental United States" means the 48 states and the District of Columbia.

§ 502.201 *Applicability.* The provisions of this order shall be applicable to shipments of property to or within port or storage areas within the continental United States, and to or through the Dominion of Canada, but only in so far as the transportation takes place within the continental United States and is specifically made subject to the provisions of this order.

§ 502.202 *Transportation and delivery of shipments of overseas freight to or within specified port areas.* (a) No person shall offer for transportation to a rail carrier, and no rail carrier shall accept for transportation, or transport, any carload shipment of overseas freight to or within any port area named in Appendix A of Administrative Order ODT 17A, or as such order may be amended, revised or reissued, for storage within such port area or for delivery to an ocean carrier at such port area, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment, and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment;

(b) No person shall offer for transportation, and no carrier shall accept for transportation, or transport, to or within any port area named in Appendix A of Administrative Order ODT 17A, or as such order may be amended, revised or reissued, any less-than-carload shipment of overseas freight, or any shipment of overseas freight by motor truck or vessel for storage within such port area or for delivery to an ocean carrier at such port area, unless such shipment (1) is consigned to an officer of the United States Army or Navy at a specified service installation or warehouse; or (2) is consigned to the War Shipping Administrator, and his forwarding authorization serial identification is shown on the shipping documents covering the inland transportation of such shipment and if by motor truck or vessel, only when such forwarding authorization specifically authorizes such mode of transportation; or (3) is consigned to a specific warehouse facility; or (4) is covered by a bona fide firm booking with the ocean carrier for the transportation of such shipment and the shipper so indicates on the shipping documents covering the inland transportation of such shipment.

§ 502.203 *Transportation of certain shipments by rail to or through the Dominion of Canada.* No person shall offer to a rail carrier for transportation, and no rail carrier shall accept for transportation, or transport, from any point in the continental United States, any carload shipment (a) which is consigned to a government agency and is destined to any point within the Dominion of Canada, (b) which is consigned by a government agency to, or is consigned to a government agency at, any port in the Dominion of Canada for export therefrom, or (c) which is consigned by a government agency or transported on a United States Government bill of lading to Churchill, Manitoba; Edmonton, Alberta; or any point on the line of the Northern Alberta Railways Company, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment.

§ 502.204 *Transportation of shipments of government domestic or import freight to or within specified port areas for storage in public warehouses.* No person shall offer any shipment of domestic or import freight of an aggregate weight of 20,000 pounds or more for transportation to or within any port area named in Appendix B of Administrative Order ODT 17A or as such order may be amended, revised, or reissued, when such shipment is intended for storage for account of a government agency in a public warehouse located within any such port area, unless the transportation of such shipment to such public warehouse within such port area has been authorized by an ODT port storage forwarding permit issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agent, and the number of such permit is endorsed upon the shipping order or other appropriate shipping document covering such shipment.

§ 502.205 *Transportation of carload shipments of export or overseas freight to specific interior storage areas.* The Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, is hereby authorized to name and define in any administrative order issued pursuant to the provisions of § 502.209 of this order, specific interior storage areas in the continental United States to which carload shipments of export or overseas freight may not be transported for storage, unless the transportation of any such shipment to any such interior storage area has been authorized by the issuance of an ODT unit permit. No person shall offer for transportation, and no rail carrier shall accept for transportation, or transport, to any such interior storage area which may be hereafter named and defined in any such administrative order, any carload shipment intended for reshipment from such interior storage area to a destination outside the continental United States, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment to such interior storage area, and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment.

§ 502.206 *Reconsignment restrictions.* (a) Any shipment which is subject to the permit requirements of this order at the time it is offered for transportation, and which when reconsigned continues to be subject to such permit requirements, shall not be reconsigned to a point other than the original billed destination unless there is outstanding an effective ODT permit authorising the transportation of such shipment to such new destination;

(b) Any shipment which is not subject to the permit requirements of this order at the time it is offered for transportation, but which, when reconsigned to a new destination becomes subject to such permit requirements, shall not be so reconsigned unless there is outstanding an effective ODT permit authorizing the transportation of such shipment to such new destination.

§ 502.207 *Exemptions.* This order shall not apply to any traffic which is exempted from its provisions by the provisions of any administrative order issued pursuant to § 502.209 of this order.

§ 502.208 *Issuance of special and general permits.* The provisions of this order shall be subject to any special permit issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, and to any general permit issued by the Office of Defense Transportation, to meet specific needs or exceptional circumstances, or to prevent undue hardships.

§ 502.209 *Procedures; delegations of authority.* (a) The Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, is hereby authorized and directed to issue such administrative orders as may be necessary to implement this order, including the establishment of procedures to be followed with respect to applications for and the issuance of ODT unit permits and ODT port storage forwarding permits. Said Assistant Director may issue ODT unit permits, and the Director, Division of Storage, Office of Defense Transportation, may issue ODT port storage forwarding permits, through such permit agents as have been delegated such authority in any such administrative order;

(b) In the issuance of ODT unit permits, the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, and his authorized permit agents, subject to his general supervision, are hereby authorized to designate in any such permit the route or routes, within the continental United States, over which the shipment or shipments covered by any such permit shall be transported. Failure of a shipper to observe the routing specified in any such permit will render such permit invalid.

§ 502.210 *Communications.* Communications concerning this order should refer to "General Order ODT 16B" and except as otherwise provided herein or in any administrative order issued pursuant to the provisions of § 502.209 of this order, should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 16B shall become effective September 12, 1944.

General Order ODT 16A (9 F.R. 2749), General Permit ODT 16A–1 (9 F.R. 2754), and General Permit ODT 16A–2 (9 F.R. 9362) are hereby revoked as of the effective date of this General Order ODT 16B.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–14037; Filed, Sept. 11, 1944; 1:17 p. m.]

[Administrative Order ODT 17A]

PART 508—ADMINISTRATION

PROCEDURES AND DELEGATIONS OF AUTHORITY UNDER GENERAL ORDER ODT 16B

Pursuant to § 502.209 of General Order ODT 16B, Administrative Order ODT 17, as amended (9 F.R. 2751, 3810, 9362), shall be superseded, and it is hereby ordered, that:

Sec.

503.360 General provisions.
503.361 Delegation of authority to issue ODT unit permits.
503.362 Types of ODT unit permits; conditions.
503.363 Application for ODT unit permits.
503.364 Application for and issuance of ODT port storage forwarding permits covering shipments of government domestic freight.
503.365 Application for and issuance of ODT port storage forwarding permits covering shipments of government import freight; delegation of authority.
503.366 Exemptions.
503.367 Embargoes.

AUTHORITY: §§ 503.360 to 503.367, inclusive, issued under General Order ODT 16B.

§ 503.360 *General provisions.* General Order ODT 16B establishes permit requirements with respect to the transportation of (a) carload shipments of overseas freight to or within designated port areas in the continental United States whether for storage or for delivery to an ocean carrier; (b) certain carload shipments from points in the continental United States to or through the Dominion of Canada; and (c) shipments of domestic or import freight of an aggregate weight of 20,000 pounds or more, to or within designated port areas for storage in a public warehouse for account of a government agency. The port areas are named in Appendix A and Appendix B of this administrative order. Provision is made in § 502.206 of General Order ODT 16B for the establishment of permit requirements in connection with the transportation of carload shipments of export or overseas freight to interior storage areas in the continental United States as such interior storage areas may be named and defined in any administrative order issued pursuant to the provisions of such order. No such interior storage areas are named in this administrative order as now issued.

It is provided that shipments of export or overseas freight which are covered by the order shall be subject to "ODT unit permits". An ODT unit permit is defined in the order as "a permit issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, or his authorized permit agent, as evidence that the property covered by such ODT unit permit is within the aggregate authorization of a specified effective ODT block release." The issuance of ODT block releases by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, to his authorized permit agents will be based on applications received from the ocean cargo control agencies, viz., War Shipping Administration, as to (1) commercial overseas freight, and (2) overseas freight within the scope of the War Shipping Administrator's Directive 4, Revised (8 F.R. 1321), or as such Directive may be further revised, amended or reissued; War Department, as to overseas freight for its own account; and Navy Department, as to overseas freight for its own account, setting forth the amount of cargo space which will be available from time to time for the transportation of overseas freight from port areas in the continental United States.

General Order ODT 16B provides that shipments of government domestic or import freight subject to its provisions are to move on "ODT port storage forwarding permits" to be issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agents. Procedures governing the application for and the issuance of ODT port storage forwarding permits are outlined in §§ 503.364 and 503.365 of this Administrative Order ODT 17A.

§ 503.361 *Delegation of authority to issue ODT unit permits.* (a) Subject to such restrictions, directions, and reporting requirements as are now or may be hereafter established by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, the following are hereby authorized to issue ODT unit permits:

(1) Transportation Division, Bureau of Supplies and Accounts, Navy Department, Washington, D. C., may issue requisite ODT unit permits covering the transportation of property originating at a point in the continental United States and consigned to the Navy Department or an officer representative thereof at any port area named in Appendix A hereof;

(2) Association of American Railroads, 30 Vesey Street, New York 7, New York, may issue requisite ODT unit permits covering consignments of commercial freight originating at a point in the continental United States or in Mexico and shipped to, moving within, or delivered at a port area in the continental United States named in Appendix A hereof;

(3) The Transport Controller, Dominion of Canada, Montreal, Quebec, may issue all requisite ODT unit permits covering shipments of overseas freight originating at any point in the Dominion of Canada and moving on through billing to a port area in the continental United States named in Appendix A hereof, subject to such restrictions as may be imposed by the Traffic Control Division, Transportation Corps, Army Service Forces, covering the transportation of such shipments within the continental United States, including the designating of routing within the continental United States, and also after clearance with the Association of American Railroads with respect to consignments of commercial freight subject to ODT unit permit requirements;

(4) The Traffic Control Division, Transportation Corps, Army Service Forces, Washington, D. C., may issue all other requisite ODT unit permits covering shipments of export or overseas freight which are subject to the provisions of General Order ODT 16B, or as such order may be amended, revised, or reissued;

(5) No ODT unit permit shall be issued covering shipments of overseas freight unless (1) the property covered by such permit is within the aggregate authorization of a specified effective ODT block release issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, and (2) a "W. S. A. forwarding authorization" has been issued if the shipment is subject to such requirement pursuant to the provisions of the War Shipping Administrator's Directive 4, Revised, or as such Directive may be further revised, amended, or reissued. No ODT unit permit shall be issued covering the transportation of shipments of overseas freight to a named port area for storage therein unless arrangements have been made in advance of shipment for the storage of any such shipment immediately on its arrival at such port area. No ODT unit permit shall be issued covering shipments of export freight intended for shipment to or through the Dominion of Canada except on assurances from the Transport Controller, Dominion of Canada, that the transportation of any such shipment will not cause or contribute to traffic congestion or car detention within the Dominion of Canada.

§ 503.362 *Types of ODT unit permits; conditions.* All ODT unit permits issued shall carry identification comprised of two letters followed by six digits and one letter; for example, WE-2713-12-W. Construction of ODT unit permit numbers shall be governed by code requirements issued from time to time by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department. Such permits shall be valid for such period of time as specified individually therein, shall cover only the kind and quantity of goods specified therein, and shall be subject to conditions stated therein, including routes named. ODT unit permits issued will be of the following types and will be subject to the additional conditions outlined below which conditions shall be binding on any person offering for transportation, accepting for transportation, transporting or delivering to an ocean carrier, a shipment covered by such permit:

(a) ODT unit permits authorizing the transportation of shipments of overseas freight from a point outside a port area to a named port area for delivery to an ocean carrier;

(b) ODT unit permits authorizing the transportation or delivery of shipments of overseas freight originating in or currently within a named port area to an ocean carrier within such port area;

(c) ODT unit permits authorizing the transportation of shipments of overseas freight to or within a named port area for storage. Such permits do not authorize delivery to an ocean carrier. They will be valid only under the following conditions:

(1) That specified carrier or non-carrier storage space in such port area has been prearranged;

(2) That notwithstanding free time provisions of carrier's tariff shipper agrees on behalf of himself and the consignee that the carrier will receive instructions to deliver the property to such prearranged storage within 48 hours of receipt of carrier arrival notice by consignee, unless an ODT unit permit (as per (b) above) to deliver the property to an ocean carrier has previously been issued and is valid and effective;

(d) ODT unit permits covering the transportation of property to points within the Dominion of Canada. Such permits are valid only within the continental United States and property so transported when within the Dominion of Canada is subject to all requirements of the Transport Controller of the Dominion of Canada.

§ 503.363 *Application for ODT unit permits.* Application for the issuance of an ODT unit permit shall be made to the appropriate permit agent authorized to issue such permit pursuant to the provisions of § 503.361 hereof and shall contain such information as may be required from time to time by such permit agent, subject to the approval of the Bureau of the Budget, where such approval is required pursuant to the provisions of the Federal Reports Act of 1942.

§ 503.364 *Application for and issuance of ODT port storage forwarding permits covering shipments of government domestic freight.* Application for the issuance of an ODT port storage forwarding permit authorizing the offering of shipments of domestic freight of an aggregate weight of 20,000 pounds or more for transportation to or within a port area for storage in a public warehouse for account of a government agency, shall be made by the interested government agency to the Director, Division of Storage, Office of Defense Transportation, Washington 25, D. C. Such application shall be submitted on joint application and permit form ODT S-137 which has been prescribed by the Office of Defense Transportation and is reproduced as Appendix D hereof. When approved the document will constitute an ODT port storage forwarding permit authorizing the offering for transportation of the shipments described in such permit, subject to the conditions outlined in the permit.

§ 503.365 *Application for and issuance of ODT port storage forwarding permits covering shipments of government import freight; delegation of authority.* (a) Application for the issuance of an ODT port storage forwarding permit authorizing the offering of shipments of import freight of an aggregate weight of 20,000 pounds or more for transportation to or within a port area for storage in a public warehouse for account of a government agency shall be made by the interested government agency to the appropriate port storage officer named in Appendix C hereof, on joint application and permit form ODT S-138 which has been prescribed by the Office of Defense Transportation and is reproduced as Appendix E hereof. When such application has been approved by an appropriate port storage officer it will constitute an ODT port storage forwarding permit authorizing the offering for transportation of the shipments described in such permit, subject to the conditions outlined in the permit.

(b) Subject to the general supervision of the Director, Division of Storage, Office of Defense Transportation, each port storage officer named in Appendix C hereof is hereby authorized to issue, in his discretion, ODT port storage forwarding permits authorizing the offering of shipments of government import freight for transportation to or within any port area shown opposite his name in Appendix C hereof to public warehouses located within such port area, or for transportation from such port area to public warehouses located in any other port shown in Appendix C hereof.

§ 503.366 *Exemptions.* The provisions of General Order ODT 16B shall not apply to:

(a) Grain in bulk, soybeans, flaxseed and malt moving to an elevator located at any port named in Appendix A or Appendix B hereof when the carrier has made prior inquiry and ascertained that adequate storage or handling facilities not subject to prior commitment are available at such elevator; or moving from such elevators direct to ocean vessels by gravity, barge or floating elevator;

(b) Impediments moving in conjunction with military or naval forces to a point of embarkation;

(c) Petroleum or petroleum products in bulk, in tank cars, when to be unloaded from cars before overseas movement.

§ 503.367 *Embargoes.* Rail carriers shall issue such embargoes as may be necessary to insure compliance with the provisions of General Order ODT 16B and any administrative order issued pursuant thereto.

This Administrative Order ODT 17A shall become effective on September 12, 1944.

Administrative Order ODT 17, as amended (9 F.R. 2751, 3810, 9362), is hereby revoked as of the effective date of this Administrative Order ODT 17A.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 12th day of September 1944.

E. J. CONNORS,
Assistant Director,
Railroad Transport Department,
Office of Defense Transportation.

APPENDIX A—PORT AREAS TO OR WITHIN WHICH, SHIPMENTS OF "OVERSEAS FREIGHT" ARE SUBJECT TO ODT UNIT PERMIT REQUIREMENTS

Alabama: Mobile (including Theodore).

California: Los Angeles and Los Angeles Port Area (including the City of Los Angeles, Los Angeles Harbor, and Long Beach, and points located between the City of Los Angeles and Los Angeles Harbor or Long Beach on the direct line of any rail carrier), Port Hueneme, San Diego, San Francisco and San Francisco Bay Area (including Alameda, Benicia, Berkeley, Mare Island, Oakland, Port Chicago, Redwood City, Richmond), and Stockton.

Connecticut: New Haven, and New London.

Delaware: Wilmington.

Florida: Jacksonville, Miami, Palm Beach, Pensacola, Port Everglades, Port Tampa, and Tampa.

Georgia: Savannah.

Louisiana: Belle Chasse, Braithwaite, Lake Charles, and New Orleans.

Maine: Portland, and Searsport.

Maryland: Baltimore.

Massachusetts: Boston.

Mississippi: Gulfport.

New Jersey: Camden, and New York Harbor.

New York: New York Harbor, and Poughkeepsie.

North Carolina: Wilmington.

Oregon: Astoria, Lacoda, Linnton, and Portland.

Pennsylvania: Philadelphia (including Artificial Island and Hog Island).

Rhode Island: Davisville-Quonset Point, Portsmouth, and Providence.

South Carolina: Charleston.

Texas: Beaumont, Corpus Christi, Galveston, Houston, Port Arthur, and Texas City.

Virginia: Hampton Roads (including Norfolk, Newport News, Oyster Point, and Portsmouth).

Washington: Aberdeen, Anacortes, Bellingham, Everett, Kalama, Longview, Mukilteo, Olympia, Seattle, Tacoma, Tulalip, and Vancouver.

APPENDIX B—PORT AREAS TO OR WITHIN WHICH, SHIPMENTS OF GOVERNMENT DOMESTIC OR IMPORT FREIGHT INTENDED FOR STORAGE IN PUBLIC WAREHOUSES ARE SUBJECT TO ODT PORT STORAGE FORWARDING PERMIT REQUIREMENTS

Baltimore, Maryland; Bellingham, Washington; Boston, Massachusetts; Camden, New Jersey; Charleston, South Carolina; Everett, Washington; Galveston, Texas; Houston, Texas; Jacksonville, Florida; Los Angeles, California; Mobile, Alabama; New Orleans, Louisiana; Newport News, Virginia; New York Harbor, New York-New Jersey; Norfolk, Virginia; Oakland, California; Olympia, Washington; Pensacola, Florida; Philadelphia, Pennsylvania; Portland, Oregon; Portsmouth, Virginia; Richmond, California; San Francisco, California; Savannah, Georgia; Seattle, Washington; Tacoma, Washington; Tampa, Florida; Vancouver, Washington; Wilmington, Delaware, and Wilmington, North Carolina.

APPENDIX C—PORT STORAGE OFFICERS AUTHORIZED TO ISSUE ODT PORT STORAGE FORWARDING PERMITS COVERING GOVERNMENT IMPORT FREIGHT, AND PORTS OVER WHICH EACH DESIGNATED PORT STORAGE OFFICER WILL HAVE JURISDICTION IN THE MATTER OF ISSUANCE OF SUCH PERMITS

Port of arrival	Port Storage Officer authorized to issue Port Storage Forwarding Permits	Address
Boston, Mass.	William F. Barwell	Room 527, Boston Chamber of Commerce Building, Boston 10, Mass.
New York Harbor, New York-New Jersey.	Joseph E. Bishop	Room 2106, 10 Rector Street, New York 6, N. Y.
Philadelphia, Pa. Camden, N. J. Wilmington, Del.	Donald Jenks	Room 1230, Suburban Station Building, Philadelphia 3, Pa.
Baltimore, Md.	James B. Sweeny	Room 736, Munsey Building, Baltimore 2, Md.
Norfolk, Va. Newport News, Va. Portsmouth, Va. Wilmington, N. C. Charleston, S. C.	George Schamberger	Room 310 Flat Iron Building, Norfolk 10, Va.
Savannah, Ga. Jacksonville, Fla.	John P. Imlay	Room 48, Citizens Trust Bldg., Savannah, Ga.
Tampa, Fla.	Earl L. Coons	Room 712, Wallace S. Building, Tampa 2, Fla.
Pensacola, Fla. Mobile, Ala.	Edwin R. Brown	Room 533, Federal Building, Mobile 7, Ala.
New Orleans, La.	John M. Fush	Room 1852, Canal Bank Building, New Orleans 12, La.
Galveston, Tex. Houston, Tex.	Lilbern S. Bourne	Room 707, Electric Building, Houston, Tex.
Los Angeles, Calif.	Morgan Huntoon	Room 433, 1031 South Broadway, Los Angeles 15, Calif.
San Francisco, Calif. Oakland, Calif. Richmond, Calif.	William C. Juergens	Room 453, 1355 Market Street, San Francisco 3, Calif.
Portland, Oreg. Vancouver, Wash. Seattle, Wash. Bellingham, Wash. Everett, Wash. Olympia, Wash. Tacoma, Wash.	Daniel J. McCarthy Carl R. Elander	Room 1202, American Bank Building, Portland 5, Oreg. Room 5523, White-Henry-Stuart Building, Seattle 1, Wash.

Form ODT S-127 — Budget Bureau No. 05—R116.1, Approval expires Feb. 15, 1945

APPENDIX D

OFFICE OF DEFENSE TRANSPORTATION

DIVISION OF STORAGE

PORT STORAGE FORWARDING PERMIT NO. _____

(Permit number must be shown on shipping order or other appropriate shipping document)

GOVERNMENT DOMESTIC FREIGHT

RESTRICTED

This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 U. S. C. 31 and 32, as amended. Its transmission to or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

This joint application and permit form is authorized by General Order ODT 16, as amended, or reissued, and is to be used by U. S. Government agencies in applying to the Office of Defense Transportation for authority to offer carload or truckload shipments of *domestic* freight for transportation to or within a port area for storage in a public warehouse.

When approved, this document will constitute a Port Storage Forwarding Permit, authorizing the offering for transportation of the shipments described herein, subject to the conditions outlined below:

Number and kind of packages	Description of goods	Estimated gross weight
	Total number of carloads _____, or truckloads _____	

1. Requesting agency and address _____
2. Shipper and address _____
3. Consignee and address _____
4. Origin _____ 5. Destination _____
6. Week or weeks of intended arrival of freight at port _____
7. Name and address of public warehouse where freight is to be stored _____
8. Maximum quantity to be delivered to storage daily: Carloads _____ Truckloads _____
9. Estimated period of time freight is to remain in storage _____
10. Type of delivering carrier (check): Rail _____ Truck _____ Water _____

Remarks _____

Permit issued _____ (Date) Permit to forward to storage expires _____ (Date)

Approved _____

Director, Division of Storage. Washington 25, D. C.

Form ODT S-138 — Budget Bureau No. 05—R117.1, Approval expires Feb. 15, 1945

APPENDIX E

OFFICE OF DEFENSE TRANSPORTATION

DIVISION OF STORAGE

PORT STORAGE FORWARDING PERMIT NO. _____

(Permit number must be shown on shipping order or other appropriate shipping document)

GOVERNMENT IMPORT FREIGHT

RESTRICTED

This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 U. S. C. 31 and 32, as amended. Its transmission to or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

This joint application and permit form is authorrised by General Order ODT 16, as amended, or reissued, and is to be used by U. S. Government agencies in applying to the Office of Defense Transportation for authority to offer carload or truckload shipments of *import* freight for transportation to or within a port area for storage in a public warehouse.

When approved, this document will constitute a Port Storage Forwarding Permit, authorising the offering for transportation of the shipments described herein, subject to the conditions outlined below:

Number and kind of packages	Description of goods	Estimated gross weight
	Total number of carloads _____, or truckloads _____	

1. Requesting agency and address _____
2. Consignee and address _____
3. Port of arrival _____ 4. Approximate date storage required _____
5. Name and address of public warehouse where freight is to be stored _____
6. Maximum quantity to be delivered to storage daily: Carloads _____ Truckloads _____
7. Estimated period of time freight is to remain in storage _____
8. If any portion of the freight described above is to be reexported, state the amount _____ and the approximate date of reexportation _____
9. State whether freight is to be stored under customs bond (check) _____ (Yes) _____ (No)
10. Type of delivering carrier (check): Rail _____ Truck _____ Water _____

Remarks _____

Permit issued _____ (Date) Permit to forward to storage expires _____ (Date)

Approved _____ (Port storage officer)

_____ (City) _____ (State)

[F. R. Doc. 44-14036; Filed, Sept. 11, 1944; 1:17 p. m.]

[General Permit ODT 16B-1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS AND PERMITS

FREIGHT SHIPMENTS TO OR WITHIN PORT OR STORAGE AREAS IN THE UNITED STATES AND TO OR THROUGH THE DOMINION OF CANADA

Pursuant to the provisions of § 502.208 of General Order ODT 16B, it is hereby authorized that:

§ 522.657 *Transportation of certain freight traffic under permit.* Under the conditions and to the extent hereinafter set forth, any person may offer for transportation, and any rail carrier may accept for transportation, and transport, to or within any port area named in Appendix A to Administrative Order ODT 17A, or as such order may be amended, revised, or reissued, without observing the permit requirements of General Order ODT 16B:

(a) *Carload shipments of overseas freight consisting of tin plate when such freight is not to be reshipped by water from such port area to a port or place outside of the continental United States, in the form in which it is shipped to, or within such port area: Provided, however,* That the bill of lading or other shipping document covering the transportation shall contain a shipper's certification as follows: "Material not to be exported in present form";

(b) *Carload shipments of overseas freight consisting of tin cans to or within any port area if such shipments are to be loaded aboard a floating cannery at such port area: Provided, however,* That the bill of lading or other shipping document covering the transportation shall contain a shipper's certification as follows: "For loading aboard a floating cannery";

(c) *Carload shipments of coal, not earmarked for export, but intended for loading in bulk in an ocean vessel at a port area. Transfer of such traffic to an ocean vessel for movement to a point outside the continental United States shall not, however, be made without the requisite permit.*

(d) *Carload shipments of lard in bulk, in tank cars, to Harvey, Louisiana. Such shipments shall not, however, be reconsigned nor shipped from Harvey to export vessels without the requisite permit.*

This General Permit ODT 16B-1 shall become effective September 12, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 16B)

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14038; Filed, Sept. 11, 1944; 1:16 p. m.]

Notices

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 494]

RECONSIGNMENT OF CANNOS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, September 8, 1944, by Baldwin Pope Marketing Company, of car SFRD 23009, carrots, now on the Missouri Pacific Railroad, to Baldwin Pope Marketing Company, Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14055; Filed, Sept. 12, 1944; 10:45 a. m.]

[S. O. 70-A, Special Permit 494]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 8, 1944, by Bacon Brothers of car NRRC 10187, potatoes, now on the Wood Street Terminal (C&NW Railroad) to West Food Stores, Petersburg, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14056; Filed, Sept. 12, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 495]

RECONSIGNMENT OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 8, 1944, by M. Lapidus & Son of car ART 21076, cauliflower, now on the Wabash Railroad, to Chas. Tanin Company, Philadelphia, Pennsylvania; of car ART 94096, cauliflower, now on the Wabash Railroad, to Samone Talmisano Company, Cincinnati, Ohio; of cars PFE 92444 and 97988, cantaloupes, now on the Burlington Railroad, to Tassini & Sutich, Inc., New York, New York.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14057; Filed, Sept. 12, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 496]

RECONSIGNMENT OF CANTALOUPES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois,

September 8, 1944, by Chas. Abbate Company, of car PFE 97056, cantaloupes, now on the Chicago Produce Terminal, to Ben B. Schwartz, Detroit, Michigan, (P. M.), account railroad error in transporting car to Chicago when it was billed to stop at Minneapolis, Minnesota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14058; Filed, Sept. 12, 1944; 10:48 a. m.]

[S. O. 70-A, Special Permit 497]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 8, 1944, by Bacon Brothers of car NRC 17102, potatoes, now on the Wood Street Terminal to Verona Fruit Company, Ottawa, Illinois (CB&Q).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14059; Filed, Sept. 12, 1944; 10:46 a. m.]

[Rev. S. O. 226, 2d Amended Gen. Permit]

REICING OF FRESH FRUITS OR VEGETABLES AT DESIGNATED POINTS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the reicing of fresh fruits or fresh or green vegetables, as defined therein, at Chicago, Peoria or East St. Louis, Illinois, St. Louis, Missouri, or Pittsburgh, Pennsylvania.

This general permit shall become effective at 6:00 p. m., September 9, 1944, and shall apply to all cars billed or rolling on or after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14060; Filed, Sept. 12, 1944; 10:46 a. m.]

WAR FOOD ADMINISTRATION.

DESIGNATION OF PERSONS TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPOENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The names of Ariel L. Crowley and Paul K. Cooney are hereby added to the list of persons appearing in paragraph (a) of the "Designation of Persons to hold Hearings, to Sign and Issue Subpoenas, and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592), and the said Ariel L. Crowley and Paul K. Cooney are authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 12th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 44-14061; Filed, Sept. 12, 1944; 11:22 a. m.]

WAR SHIPPING ADMINISTRATION.

"DASH II"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 2, 1942 title to the vessel "Dash II" (241212) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: September 11, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-14062; Filed, Sept. 12, 1944; 10:43 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 2-8]

COMMON CARRIERS

SUBSTITUTION OF MOTOR VEHICLE FOR RAIL PASSENGER SERVICE

Upon consideration of the application for authority to substitute motor vehicle service for certain railroad passenger service filed with this Office by the Union Pacific Railroad Company, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor,

1. Conditioned upon compliance with paragraph 2 herein, the Union Pacific Railroad Company is authorized to substitute motor vehicle bus service between Lund, Utah and Cedar City, Utah, to be operated by the Interstate Transit Lines, a subsidiary of the Union Pacific Railroad Company, for the passenger, mail, express and baggage train service now operated as trains numbered 529 and 531 from Lund to Cedar City and as trains numbered 530 and 532 from Cedar City to Lund.

2. The Union Pacific Railroad Company and the Interstate Transit Lines, if and to the extent required by law, shall apply for and obtain from the appropriate regulatory bodies authority to suspend such rail service and to institute the motor vehicle bus service which is to be conducted, and if and to the extent required by law, both carriers shall file with the appropriate regulatory bodies, and publish in accordance with law, and continue in effect until further notice, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory bodies for special permission for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should refer to Supplementary Order ODT 2-8 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

4. This order shall become effective October 1, 1944.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14034; Filed, Sept. 11, 1944; 1:18 p. m.]

[Supp. Order ODT 3, Rev. 311]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN CONNECTICUT, MASSACHUSETTS AND RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Malkin Motor Freight Co. (a corporation), Cambridge, Mass.
Superior Motor Transportation Co., Inc., Cambridge, Mass.
Bay State Motor Express Co. (a corporation), Cambridge, Mass.

[F. R. Doc. 44-14027; Filed, Sept. 11, 1944; 1:16 p. m.]

[Supp. Order ODT 3, Rev. 316]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MEMPHIS, TENN. AND GRENADA, MISS.

Upon consideration of a plan for joint action filed with the Office of Defense

[1] Filed as part of the original document.

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so constructed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

David C. Hall, doing business as D. C. Hall Motor Transportation, 409 East 7th Street, Fort Worth, Tex.

M. R. Rutherford and J. E. Wagoner, doing business as Mayers-National Truck Line (Lessees and Operators of William B. Mayers, doing business as Mayers-National Truck Line), 122 East Iowa, Memphis, Tenn

[F. R. Doc. 44-14028; Filed, Sept. 11, 1944; 1:19 p. m.]

[Supp. Order ODT 3, Rev. 322]

COMMON CARRIERS

COORDINATED OPERATIONS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Edward R. Dysart, doing business as Dysart's Transportation, Bangor, Maine.
Peerless Motor Express, Inc., Holbrook, Mass.

[F. R. Doc. 44-14029; Filed, Sept. 11, 1944; 1:20 p. m.]

[Supp. Order ODT 3, Rev. 324]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ALBANY, N. Y., AND NEW YORK, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John Vogel, Inc., 11 Pruyn St., Albany, N. Y.
Peter Mesick, J. Peter Mesick, and Benjamin S. Mesick, doing business as Mesick Trucking Co., Claverack, N. Y.

[F. R. Doc. 44-14030; Filed, Sept. 11, 1944; 1:19 p. m.]

[Supp. Order ODT 3, Rev. 326]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND WATERLOO, IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful

[1] Filed as part of the original document.

prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

McCoy Truck Lines, Inc., Waterloo, Iowa.
Takin Bros. Freight Lines, Inc., Waterloo, Iowa.

[F. R. Doc. 44-14026; Filed, Sept. 11, 1944; 1:18 p. m.]

[Supp. Order ODT 3, Rev. 327]

COMMON CARRIERS

COORDINATED OPERATIONS IN ILLINOIS, INDIANA AND KENTUCKY

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Fred Bonifield, Alfred Bonifield and Reuben Bonifield, doing business as Bonifield Brothers Truck Lines, Metropolis, Ill.
L. A. Tucker Truck Lines, Inc., 1451 Independence Avenue, Cape Girardeau, Mo.

[F. R. Doc. 44-14081; Filed, Sept. 11, 1944; 1:20 p. m.]

[Supp. Order ODT 6A-21, Correction]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN ALBANY, N. Y., AND ADJACENT MUNICIPALITIES

Supplementary Order ODT 6A-21 is hereby corrected by substituting Anson J. Hart, John J. Hart, and George Hart, doing business as Hart's Express, in lieu of Anson J. Hart, doing business as Hart's Express, in Appendix 1 to such order.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14035; Filed, Sept. 11, 1944; 1:17 p. m.]

[Supp. Order ODT 6A-45]

COMMON CARRIERS

COORDINATED OPERATIONS IN LUBBOCK, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plant shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-45" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX

Sunset Motor Lines, Inc. (a corporation), 705 W. Washington, San Angelo, Tex.
Merchants Fast Motor Lines, Inc. (a corporation), Fort Worth, Tex.

[F. R. Doc. 44-14082; Filed, Sept. 11, 1944; 1:20 p. m.]

[Supp. Order ODT 6A-47]

COMMON CARRIERS

COORDINATED OPERATIONS IN NEW YORK, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a di-

version, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-47" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Cambels Trucking Company, Inc., 186 33rd St., Brooklyn, N. Y.
W. A. Brodie, Inc., 224 48th St., Brooklyn, N. Y.
Peter Vetri, doing business as Vetri Trucking Co., 371 40th St., Brooklyn, N. Y.
Mohrien Trucking Corporation, 161 84th St., Brooklyn, N. Y.
Charles Nichols, 30 14th St., Brooklyn, N. Y.

[F. R. Doc. 44-14033; Filed, Sept. 11, 1944; 1:19 p. m.]

OFFICE OF PRICE ADMINISTRATION.

BLAIR CITY COAL CO., ET AL.

[MPR 120, Order 907]

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications, and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

BLAIR CITY COAL CO., PINEVILLE, KY., BLAIR CITY MINE, ELKHORN No. 3 SEAM, MINE INDEX NO. 7078, PIKE COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PINEVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and railroad fuel	265	260	260	260	245	235	215	215	215	270	300	295	285	280
Truck shipment	290	280	285	285	220	205	200	205						

BROWN-MCCLURE COAL CO., WHITESBURG, KY., BROWN-MCCLURE MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7133, LETCHER COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT: BELCRAFT, KY., F. O. G. 65, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel	280	280	245	245	245	235	215	210	210	245	300	295	280	280
Truck shipment	280	280	285	235	220	205	200	205						

CONSOLIDATION COAL CO., 231 N MERIDIAN AVE., CHICAGO (1), ILL., CONSOLIDATION STRIP MINE, ELKHORN No. 3 SEAM, MINE INDEX NO. 7178, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY. F. O. G. 61, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification	H	H	H	H	F	F	E	E	C	C	A	D	D	D
Rail shipments and railroad fuel	290	275	260	260	255	240	220	215	215	270	305	300	300	300
Truck shipment	415	395	340	305	220	205	200	205						

WALTER CASTLE, STAMBAUGH, KY., CASTLE MINE, MILLERS CREEK SEAM, MINE INDEX NO. 7182, JOHNSON COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: PAINTSVILLE, KY. F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	D	D	D	D	E	E	E	E	C	C	A	G	G	G	L
Rail shipments and railroad fuel	405	395	360	360	270	240	220	215	215	270	305	295	285	280	240
Truck shipment	415	395	340	305	220	205	200	205							

DRY FORK COAL CO., WILLARD, KY., DRY FORK MINE, NO. 7 SEAM, MINE INDEX NO. 1148, LAWRENCE COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: HITCHINS, KY. F. O. G. 61, DEEP MINE

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	
Price classification	M	M	M	M	K	K	J	G	E	G	F	L	L	L	
Rail shipments and railroad fuel	280	280	245	245	245	235	215	210	210	245	295	285	280	280	
Truck shipment[1]	280	280	285	285	220	205	200	205							

[1] Previously established.

NANCY ELKHORN COAL CO., MINNIE, KY., AKERS MINE, ELKHORN 2 SEAM, MINE INDEX NO. 7141, FLOYD COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: DRIFT, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	H	H	H	H	H	H	G	F	E	C	E	C	G	G	L
Rail shipments and railroad fuel	360	375	360	360	345	335	315	315	315	315	270	300	285	280	240
Truck shipment	405	395	360	360	320	310	260	265							

NORTON COAL CO., INC., W. J. WILLIS AND G. C. MCCALL, REC'S., NORTON, VA., BLAIR SEAM STRIP MINE, BLAIR SEAM, MINE INDEX NO. 7161, WISE COUNTY, VA., SUB-DISTRICT 7, RAIL SHIPPING POINT: NORTON, VA., F. O. G. 30, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	O	O	O	O	K	K	J	F	C	E	B	C	G	G	L
Rail shipments and railroad fuel	345	340	225	225	245	235	215	215	215	270	300	295	285	280	240
Truck shipment	380	380	285	285	205	205	205	205							

PACKARD MINING CO., WILLIAMSBURG, KY., NO. 2 MINE, VANDERPOOL SEAM, MINE INDEX NO. 7187, WHITLEY COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: SAVOY, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	O	O	O	O	K	K	J	F	C	E	B	C	G	G	L
Rail shipments and railroad fuel	345	340	225	225	245	235	215	215	215	270	300	295	285	280	240
Truck shipment	380	380	285	285	205	205	205	205							

ELY & WALLACE, 924 EAST CUMBERLAND AVE., MIDDLESBORO, KY., RANDALL MINE, LOWER HIGNITE SEAM, MINE INDEX NO. 7140, BELL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: GLENS, KY. F. O. G. 113, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	H	H	H	H	F	F	K	E	C	E	C	D	K	K	K
Rail shipments and railroad fuel	360	360	360	360	360	360	335	335	335	335	315	315	300	295	280
Truck shipment	405	395	360	360	320	310	260	265							

W. L. FIELDS, LOOKOUT, KY., FIELDS MINE, UPPER ELKHORN SEAM, MINE INDEX NO. 7035, PIKE COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: HELLIER, KY. F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G	L
Rail shipments and railroad fuel	345	360	360	350	335	315	315	315	315	270	300	295	285	280	240
Truck shipment	380	380	335	335	295	295	260	265							

POUND MILL COAL CO., CORBIN, KY., POUND MILL MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7137, PERRY COUNTY, KY., SUB-DISTRICT 4, RAIL SHIPPING POINT: VICO, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	K	K	K	K	J	H	G	E	G	D	K	K	K	K	
Rail shipments and railroad fuel	280	280	280	280	245	245	215	215	245	300	295	290	280	280	
Truck shipment	295	280	285	285	235	235	205	205							

THE POWELLTON COAL CO., GUARANTY BANK BLDG., HUNTINGTON, W. VA., NO. 1 MINE, POWELLTON SEAM, MINE INDEX NO. 7116, LOGAN COUNTY, W. VA., SUB-DISTRICT 5, RAIL SHIPPING POINT: LADYSVILLE, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K	
Rail shipments and railroad fuel	280	280	245	245	245	235	215	215	215	270	300	295	280	280	
Truck shipment	280	280	285	285	220	205	200	205							

PAPPOOSE COAL CO., BLUEFIELD, W. VA., PAPPOOSE MINE, BIG EAGLE SEAM, MINE INDEX NO. 7196, MINGO COUNTY, W. VA., SUB-DISTRICT 6, RAIL SHIPPING POINT: MONAWK, W. VA., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	K	K	K	K	E	E	D	E	C	E	A	E	E	E	
Rail shipments and railroad fuel	265	260	260	260	245	235	235	315	315	270	305	295	290	280	
Truck shipment	290	280	270	340	305	305	260	265							

POUND MILL COAL CO., CORBIN, KY., POUND MILL MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7137, PERRY COUNTY, KY., SUB-DISTRICT 4, RAIL SHIPPING POINT: VICO, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	K	K	K	K	J	H	G	E	G	D	K	K	K	K	
Rail shipments and railroad fuel	265	260	260	260	245	245	215	215	245	300	295	290	280	280	
Truck shipment	290	280	285	285	235	235	205	205							

PREMIUM COALS, INC., PREMIUM, KY., HAZARD SPLINT MINE, ARBUCKLE SEAM, MINE INDEX NO. 7172, LETCHER COUNTY, KY., SUB-DISTRICT 8, RAIL SHIPPING POINT: PREMIUM, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K	
Rail shipments and railroad fuel	280	280	245	245	245	235	215	215	215	270	300	295	280	280	
Truck shipment	280	280	285	285	220	205	200	205							

B. O. ELY & SONS, MIDDLESBORO, KY., CURTIS MINE, STRAT SEAM, MINE INDEX NO. 7139, BELL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: GLENS, KY. F. O. G. 113, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	H	H	H	H	F	F	K	E	C	E	C	D	K	K	K
Rail shipments and railroad fuel	360	375	360	360	345	335	315	315	315	270	300	295	285	280	240
Truck shipment	405	395	360	360	320	310	260	265							

NOTE: The Maximum Prices established by this order include all adjustments authorized by amendment No. 115 to Maximum Price Regulation No. 120, effective August 16, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14015; Filed, Sept. 11, 1944; 12:54 p. m.]

[MPR 120, Order 908]

NANCY ELKHORN COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

DOBBIN PIECE, ROUTE 1, BOX 206, MIDDLESBORO, KY., PEERS MINE, STRAY SEAM, MINE INDEX NO. 7149, BELL COUNTY, KY., SUB-DISTRICT 6, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment	405	385	360	350	330	300	280	265

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120 effective August 16, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14016; Filed Sept. 11, 1944; 11:56 a. m.]

[MPR 120, Order 989]

BEACON FUEL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATION

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classification of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

BEACON FUEL CO., 417 BLVD. OF ALLIES, PITTSBURGH, PA., WILSON MINE, D SEAM, MINE INDEX NO. 4081, FAYETTE COUNTY, PA., SUB. DIST. 36, RAIL SHIPPING POINT, WHITE BRIDGE, PA., STRIP MINE.

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

ADAM BLACK, BROAD TOP CITY, PA., BLACK NO. 8 MINE, FULTON SEAM, MINE INDEX NO. 8168, HUNTINGDON COUNTY, PA., SUB. DIST. 33, RAIL SHIPPING POINT, BROAD TOP CITY, PA., DEEP MINE.

Price classification For all methods of transportation and all uses	B	B	B	B	C
	425	425	390	365	350

ADAM BLACK, BROAD TOP CITY, PA., BLACK NO. 1 MINE, BARNETT SEAM, MINE INDEX NO. 4083, HUNTINGDON COUNTY, PA., SUB-DIST. 33, RAIL SHIPPING POINT, BROAD TOP CITY, PA., DEEP MINE

Price classification For all methods of transportation and all uses	B	B	B	B	C
	425	425	390	365	350

COLE, LONGO & ROBERT, R. D. #6 PUNXSUTAWNEY, PA., CORTEZ MINE, B SEAM, MINE INDEX NO. 4081, JEFFERSON COUNTY, PA., SUB-DIST. 6, RAIL SHIPPING POINT, ANITA, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	365	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

EARNEST BROTHERS, BOX 111, OSCEOLA MILLS, PA., EARNEST BROS. MINE, A SEAM, MINE INDEX NO. 4077, CENTRE COUNTY, PA., SUB. DIST. 14, RAIL SHIPPING POINT, OSCEOLA MILLS, PA., STRIP MINE

Price classification	H	H	H	H	H
Rail shipment	330	330	310	285	285
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	315	305

ROXBY & SONS, BEAVERDALE, PA., ROXBY NO. 5 MINE, D SEAM, MINE INDEX NO. 8312, SOMERSET COUNTY, PA., SUB. DIST. 28, RAIL SHIPPING POINT, WINDBER, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	345	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

C. R. SELLMAN & M. C. SELLMAN, BLOOMSBURG, PA., C. & M. MINE, BLOSS SEAM, MINE INDEX NO. 4080, TIOGA COUNTY, PA., SUB. DIST. 1, STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Truck shipment	443	417	417	407	397

THE WHITE BRIDGE COAL CO., BOX 395, CONNELLSVILLE, PA., WHITE BRIDGE NO. 1 MINE, B SEAM, MINE INDEX NO. 4080, FAYETTE COUNTY, PA., SUB. DIST. 35, RAIL SHIPPING POINT, WHITE BRIDGE, PA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	330	320

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14017; Filed Sept. 11, 1944; 11:53 a. m.]

[MPR 120, Order 990]

CENTRAL MOSHANNON COAL MINING CO., ET AL

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

CENTRAL MOSHANNON COAL MINING CO., HOUTZDALE, PA., CENTRAL MOSHANNON NO. 3 MINE, D SEAM, MINE INDEX NO. 5216, CLEARFIELD COUNTY, PA., SUB-DIST. 13, RAIL SHIPPING POINT: NEW MILLPORT, PA.

	Size group Nos.				
	1	2	3	4	5
Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

INDUSTRIAL COLLIERIES CORP., C/O M. L. JACOBS, E. THIRD ST., BETHLEHEM, PA., FRANKLIN NO. 74 MINE, B SEAM, MINE INDEX NO. 5215, CAMBRIA COUNTY, PA., SUB-DIST. 29, RAIL SHIPPING POINT: JOHNSTOWN, PA., DEEP MINE

Price classification	B	B	B	B	C
Rail shipment	360	370	360	340	330
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	365	365	345	330

INDUSTRIAL COLLIERIES CORP., C/O M. L. JACOBS, E. THIRD ST., BETHLEHEM, PA., FRANKLIN NO. 73 MINE, C' SEAM, MINE INDEX NO. 5214, CAMBRIA COUNTY, PA., SUBDIST. 29, RAIL SHIPPING POINT: JOHNSTOWN, PA., DEEP MINE.

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

INDUSTRIAL COLLIERIES CORP., C/O M. L. JACOBS, E. THIRD ST., BETHLEHEM, PA., ROSEDALE NO. 72 MINE, B SEAM, MINE INDEX NO. 5213, CAMBRIA COUNTY, PA., SUBDIST. 29, RAIL SHIPPING POINT: JOHNSTOWN, PA., DEEP MINE

Price classification	B	B	B	B	C
Rail shipment	360	370	350	340	330
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	365	365	345	330

J. & S. COAL CO., BOX 61, KITTANNING, PA., J. & S. REITZ MINE, A SEAM, MINE INDEX NO. 5217, JEFFERSON COUNTY, PA., SUB-DIST. 5, RAIL SHIPPING POINT: CORSICA, PA., STRIP MINE

Price classification	H	H	H	H	H
Rail shipment	330	330	310	285	285
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	350	325	325	315	305

KATO COAL MINING CO., C/O SEBASTIAN J. KOLASA, CLARENCE, PA., KATO NO. 2 "D" MINE, D SEAM, MINE INDEX NO. 5218, CENTRE COUNTY, PA., SUB-DIST. 9, RAIL SHIPPING POINT: KATO, PA.

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

RYDERSBY & STAMPER, EMPORIUM, PA., RYDERSBY MINE, ALTON SEAM, MINE INDEX NO. 3557, CAMERON COUNTY, PA., SUB-DIST. 2, RAIL SHIPPING POINT: STERLING RUN, PA.,

Price classification	F	F	F	F	F
Rail shipment	336	336	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	[1] 360	335	[1] 335	[1] 325	315

[1] Previously established.

GEORGE F. WALLWORK, SUMMERVILLE, PA., WALLCO NO. 3 MINE, B SEAM, MINE INDEX NO. 4045, CLARION COUNTY, PA., SUB-DIST. 4, RAIL SHIPPING POINT: SLIGO, PA.

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G [1]	H	H
Rail shipment	330	330	315	285	285
Railroad locomotive fuel	320	320	[1] 305	295	295
Truck shipment [1]	355	330	330	315	305

[1] Previously established.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14018; Filed, Sept. 11, 1944; 11:52 a. m.]

[MPR 120, Order 991]

LOBB & ALLAYAUD ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSEFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and whefe the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILIPSBURG, PA., LOBB NO. 1 "C" DEEP MINE, C SEAM, MINE INDEX NO. 3994, CLEARFIELD COUNTY, PA., SUB. DIST. 14, RAIL SHIPPING POINT: OSCEOLA MILLS, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILIPSBURG, PA., LOBB NO. 1 "C" STRIP MINE, C SEAM, MINE INDEX NO. 8211, CLEARFIELD COUNTY, PA., SUB. DIST. 14, RAIL SHIPPING POINT: OSCEOLA MILLS, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILIPSBURG, PA., LOBB NO. 2, DEEP MINE, D SEAM, MINE INDEX NO. 4052, CLEARFIELD COUNTY, PA., SUBDISTRICT 14, RAIL SHIPPING POINT: OSCEOLA MILLS, PA., DEEP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILIPSBURG, PA., LOBB NO. 2, STRIP MINE, D SEAM, MINE INDEX NO. 5209, CLEARFIELD COUNTY, PA., SUBDISTRICT 14, RAIL SHIPPING POINT: OSCEOLA MILLS, PA., STRIP MINE

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILIPSBURG, PA., LOBB NO. 3, DEEP MINE, E SEAM, MINE INDEX NO. 4055, CLEARFIELD COUNTY, PA., SUB. DIST. 14, RAIL SHIPPING POINT: OSCEOLA MILLS, PA., DEEP MINE.

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILIPSBURG, PA., LOBB NO. 3 STRIP MINE, E SEAM, MINE INDEX NO. 5210, CLEARFIELD COUNTY, PA., SUB. DIST. 14, RAIL SHIPPING POINT: OSCEOLA MILLS, PA., STRIP MINE.

Price classification	F	F	F	F	F
Rail shipment	335	335	335	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	360	335	335	325	315

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14019; Filed, Sept. 11, 1944; 11:55 a. m.]

[MPR 120, Order 992]

CARRIER MILLS COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 10. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.221 and all other provisions of Maximum Price Regulation No. 120.

CARRIER MILLS COAL CO., CARRIER MILLS, ILL., CARRIER MILLS STORAGE FILE, MINE INDEX NO. 2098, SALINE COUNTY, ILL., RAIL SHIPPING POINT: LEDFORD, ILL., NO. 5 SEAM CLASSIFIED IN PRICE GROUP NO. 1, SOUTHERN SUB-DISTRICT, STORAGE PILE.

	Size group Nos.	
	14	15
Rail shipments for all uses	210	155

DIXON BLOCK COAL CO., NO. 6 VERMILION ST., DANVILLE, ILL., WALNUT GROVE MINE, NO. 7 SEAM, MINE INDEX NO. 2005, VERMILION COUNTY, ILL., RAIL SHIPPING POINT: TILTON, ILL., STRIP MINE, CLASSIFIED IN PRICE GROUP NO. 14, CENTRAL SUB-DISTRICT

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10-11-13	13	14	15	16	17-18-19-20	21-22-23	23-24	25	26-27
Rail shipment for all uses	300	300	300	270	270	270	(1)	270	265	255	255	235	155	155	200	200	200	225	240
Truck shipment	325	320	315	305	300	295	265	290	245	240	210	200	145						

[1] Size group No. 7, rail shipped coal, R. R. locomotive fuel 265, for other use 255.

MADDOX CONSTRUCTION AND COAL COMPANY, RURAL ROUTE NO. 6, DANVILLE, ILL., NO. 3 MINE, NO. 7 SEAM, MINE INDEX NO. 2004, VERMILION COUNTY, ILL., SECTION NO. 7, STRIP MINE

	Size group Nos.												
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15
Truck shipment	325	320	315	305	300	295	265	290	245	240	210	200	145

GUY S. MARTIN, 1605 TOWER GROVE AVE., ST. LOUIS, MO., DE SOTO MINE, NO. 6 SEAM, MINE INDEX NO. 1606, JACKSON COUNTY, ILL., RAIL SHIPPING POINT: DE SOTO, ILL., STRIP MINE, CLASSIFIED IN PRICE GROUP NO. 10, DU QUOIN SUBDISTRICT

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17-18-19-20	21, 22, 23	23, 24	25	26-27
Rail shipment for all uses	245	245	245	220	220	220	(1)	220	215	215	175	175	115	95	225	215	205	170	165
Truck shipments [2]	295	290	285	275	270	265	250	280	235	230	200	190	135						

[1] Size Group No. 7. Rail Shipped Coal, R. R. Locomotive Fuel 215, for other use 190.
[2] Previously established.

PROSPERITY COAL CO., 809 S. 12TH ST., HERRIN, ILL., PROSPERITY MINE, NO. 8 SEAM, MINE INDEX NO. 1308, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: CAMBRIA, ILL., DEEP MINE, CLASSIFIED IN PRICE GROUP NO. 8, SOUTHERN SUBDISTRICT

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17-18-19-20	21, 22, 23	23, 24	25	26-27
Rail shipment for all uses	260	260	260	250	250	250	(1)	250	240	210	210	175	175	110	95				165
Truck shipments [2]	330	330	320	305	300	295	265	295	255	255	225	205	170						

[1] Size group No. 7. Rail shipped coal: Railroad locomotive fuel 230, for other use 215.
[2] Previously established.

RITTER COAL CO., DU QUOIN, ILL., RED FOX MINE, NO. 6 SEAM, MINE INDEX NO. 1120, PERRY COUNTY, ILL., RAIL SHIPPING POINT: DU QUOIN, ILL., STRIP MINE, CLASSIFIED IN PRICE GROUP NO. 17, BELLEVILLE SUBDISTRICT

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17-18-19-20	21, 22, 23	23, 24	25	26-27
Rail shipment for all uses	245	245	245	220	220	220	(1)	220	215	215	175	175	115	95	205	215	205	170	165
Truck shipment [2]	295	290	285	275	270	265	250	280	235	230	200	190	135						

[1] Size group No. 7. Rail shipped coal: Railroad locomotive fuel 215, for other use 190.
[2] Previously established.

NOTE: The maximum prices established by this order include the adjustments authorized by Amendment No. 116 to Maximum Price Regulation No. 120 effective August 22, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14020; Filed, Sept. 11, 1944; 11:56 a. m.]

[MPR 120, Order 993]

CLEAR FORK COAL CO., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

CLEAR FORK COAL CO., INC., MIDDLESBORO, KY., CLEARSPLINT NO. 3 LOWER SEAM MINE, POPLAR LICK SEAM, MINE INDEX NO. 7178, BELL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: FONDE, KY., F. O. G. 115, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification	H	H	H	F	F	F	E	D	C	E	D	K	K	K
Rail shipments and railroad fuel	395	390	375	370	350	330	335	335	330	330	315	300	295	290
Truck shipment	495	490	480	470	450	430	435	435	430	430				

FLOYD ELKHORN COAL CO., DRIFT, KY., LINDSEY NO. 2 MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7179, FLOYD COUNTY, KY., SUBDISTRICT 4, RAIL SHIPPING POINT: BUCKEYE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22				
Price classification	F	F	F	H	H	H	G	E	C	E	B	G	G	G	L				
Rail shipments and railroad fuel	385	380	370	345	335	315	315	315	315	315	305	295	285	280	260				
Truck shipment	405	395	385	360	350	330	330	330	330	330									

KANAWHA AND HOCKING COAL AND COKE CO., 111 CAPITOL ST., CHARLESTON, W. VA., NO. 102 MINE, LEWISTON SEAM, MINE INDEX NO. 7004, KANAWHA COUNTY, W. VA., SUB-DISTRICT 4, RAIL SHIPPING POINT: MAMMOTH, W. VA., F. O. G. 120

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22				
Price classification															D				
Rail shipments and railroad fuel															260				
Truck shipment [1]																			

[1] Previously established.

BOWERS COAL CO., HANOVER, W. VA., BOWERS MINE, LITTLE EAGLE SEAM, MINE INDEX NO. 7180, WYOMING COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: JUSTICE, W. VA., F. O. G. 230, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22				
Price classification	K	K	K	K	E	E	D	E	C	E	A	E	E	E	E				
Rail shipment and railroad fuel	365	360	350	340	320	305	305	315	315	315	305	295	285	280	260				
Truck shipment	390	370	340	350	330	305	290	295	295	295									

THE CARBON FUEL CO., 1310 KANAWHA VALLEY BLDG., CHARLESTON, W. VA., CARBON NO. 3-B MINE, BELVOIR, W. VA., F. O. G. 128, DEEP MINE, KANAWHA COUNTY, W. VA., SUB-DISTRICT 4, RAIL SHIPPING POINT: SOUTH CARBON, W. VA., MAXIMUM TRUCK PRICE GROUP NO. 3

	Size Group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22				
Price classification	M	M	M	M	L	K	G	E	G	D	J	J	J	M					
Rail shipments and railroad fuel	350	350	345	320	320	310	310	310	305	300	300	295	295	290					
Truck shipment	365	365	360	335	335	330	330	325	320	315									

ORESTORFER COAL CO., JENKINS, KY., CHRISTOPHER MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7010, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size Group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22				
Price classification	H	H	H	H	F	F	E	E	C	E	C	C	D	D					
Rail shipments and railroad fuel	380	375	360	355	340	320	315	315	315	315	315	270	265	260					
Truck shipment	415	395	380	380	365	330	320	320	320	320									

P. H. ELKHORN COAL CO., HUSTEVILLE, KY., STOVER MINE NO. 3 MINE, ELKHORN NO. 1 SEAM, MINE INDEX NO. 7181, FLOYD COUNTY, KY., SUBDIST. 1, RAIL SHIPPING POINT: BOSCO, KY. F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22				
Price classification	H	H	H	H	H	H	G	E	C	E	C	C	D	D					
Rail shipments and railroad fuel	380	375	360	345	335	315	315	315	315	315	315	270	265	260					
Truck shipment	415	395	380	360	350	330	320	320	320	320									

F. L. WOMMACK, JENKINS, KY., WOMMACK MINE, ELKHORN NO. 3 SEAM, MINE INDEX NO. 7180, LETCHER COUNTY, KY., SUBDIST. 1, RAIL SHIPPING POINT: JENKINS, KY. F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22				
Price classification	H	H	H	H	F	F	E	E	C	E	C	C	D	D					
Rail shipments and railroad fuel	380	375	360	355	340	315	315	315	315	315	315	270	265	260					
Truck shipment	415	395	380	380	365	330	320	320	320	320									

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120, effective August 16, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14021; Filed, Sept. 11, 1944; 11:54 a. m.]

[MPR 120, Order 994]

ATLAS ENGINEERING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent

but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

THE ATLAS ENGINEERING CO., 1121 CHAPLINE ST., WHEELING, W. VA., LORD FAIRFAX NO. 3 MINE, LITTLE PITTSBURGH NO. 1 SEAM, MINE INDEX NO. 5130, GRANT COUNTY, W. VA., SUBDISTRICT 46, RAIL SHIPPING POINT: FAIRFAX, W. VA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

THE ATLAS ENGINEERING CO., 1121 CHAPLINE ST., WHEELING, W. VA., LORD FAIRFAX NO. 3 MINE, LITTLE PITTSBURGH NO. 2 SEAM, MINE INDEX NO. 5131, GRANT AND TUCKER COUNTIES, W. VA., AND GARRETT COUNTY, MD., SUBDISTRICT 45, RAIL SHIPPING POINT: FAIRFAX, W. VA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

B & B COAL CO., KANTNER, PA., B & B NO. 2 MINE-B SEAM, MINE INDEX NO. 5168, SOMERSET COUNTY, PA., SUBDISTRICT 37, RAIL SHIPPING POINT: STOYSTOWN, PA.

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

BERCHTON FUEL CO., 626 MAIN ST., BROCKWAY, PA., BERCHTON NO 1 MINE, D SEAM, MINE INDEX NO. 5182, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT: BERCHTON, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

BERCHTON FUEL CO., 626 MAIN ST., BROCKWAY, PA., BERCHTON NO. 2 MINE, E SEAM, MINE INDEX NO. 5183, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT: BERCHTON, PA., STRIP MINE

Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	355	330	330	320	310

BLUE FLAME COAL CO., HAYARD, W. VA., BLUE FLAME MINE, E SEAM, MINE INDEX NO. 5166, GARRETT COUNTY, MD., SUBDISTRICT 45, RAIL SHIPPING POINT: GORMAN, MD.

	Size group No.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

THE COUNTY COAL CO., SOMERSET, PA., COUNTY NO. 1 MINE, D SEAM, MINE INDEX NO. 5152, SOMERSET COUNTY, PA., SUB-DISTRICT 38, RAIL SHIPPING POINT: SOMERSET, PA., STRIP MINE

Price classification	D	D	D	D	D
Rail shipment	360	340	335	325	325
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	370	345	345	335	325

THE COUNTY COAL CO., SOMERSET, PA., COUNTY NO. 2 MINE, E SEAM, MINE INDEX NO. 5153, SOMERSET COUNTY, PA., SUB-DISTRICT 38, RAIL SHIPPING POINT: SOMERSET, PA., STRIP MINE

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
Railroad locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14022; Filed, Sept. 11, 1944; 11:55 a. m.]

[MPR 120, Order 995]

FOREMAN-WHITE COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210(a)(6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

FOREMAN-WHITE COAL CO., SAXTON, PA., SEABOARD NO. 2 MINE, BARNETT SEAM, MINE INDEX NO. 5081, BEDFORD COUNTY, PA., SUB-DIST. 30, RAIL SHIPPING POINT: HOPEWELL, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	B	B	B	B	C
Rail shipment	425	425	390	365	330
R. R. locomotive fuel	425	425	390	365	330
Truck shipment	435	425	390	365	330

FOREMAN-WHITE COAL CO., SAXTON, PA., SEABOARD NO. 3 MINE, KELLY SEAM, MINE INDEX NO. 5082, BEDFORD COUNTY, PA., SUB-DIST. 30, RAIL SHIPPING POINT: HOPEWELL, PA., DEEP MINE

Price classification	F	F	F	F	F
Rail shipment	425	425	390	365	330
R. R. locomotive fuel	425	425	390	365	330
Truck shipment	435	425	390	365	330

MORGANTOWN COAL CO., R. D. #2 BOSWELL, PA., FRITZ MINE, C SEAM, MINE INDEX NO. 5104, SOMERSET COUNTY, PA., SUB-DIST. 38, RAIL SHIPPING POINT: BOSWELL, PA.

Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	365	340	340	320	320

SALISBURY CONSTRUCTION CO., BOX 178, MEYERSDALE, PA., NO. 101 MINE, E SEAM, MINE INDEX NO. 5158, SOMERSET COUNTY, PA., SUB-DIST. 40, RAIL SHIPPING POINT: ROCKWOOD, PA., STRIP MINE

Price classification	H	H	H	H	H
Rail shipment	330	330	310	295	295
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	350	325	325	315	305

GARWOOD SHAFFER, R. D. No. 1 SOMERSET, PA., SHAFFER MINE, B SEAM, MINE INDEX NO. 5057, SOMERSET COUNTY, PA., SUB-DIST. 40, RAIL SHIPPING POINT: SHAMROCK, PA., DEEP MINE

Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	355	330	330	320	310

J. C. WEESE COAL MINES, INC., P. O. BOX 308 KEYSER, W. VA., ELK GARDEN NO. 1 MINE, TYSON SEAM, MINE INDEX NO. 5165, MINERAL COUNTY, W. VA., SUB-DIST. 44, RAIL SHIPPING POINT: ELK GARDEN, W. VA., DEEP MINE

Price classification	E	E	E	E	E
Rail shipment	405	385	385	370	370
R. R. locomotive fuel	405	385	385	370	370
Truck shipment	405	385	385	370	370

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14023; Filed, Sept. 11, 1944; 11:55 a. m.]

HUBERT F. JOHNSON, EAST BERNSTADT, KY., JOHNSON MINE, BERNSTADT SEAM, MINE INDEX NO. 7134, LAUREL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: EAST BERNSTADT, KY., F. O. G. III STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5.

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15-16-17	18	19	20-21
Price classification	M	M	M	K	K	K	J	G	E	G	D	K	K	K	K	K	K	K
Rail shipments and railroad fuel	365	365	360	360	350	350	335	335	335	320	315	360	360	360	360	360	360	360
Truck shipment	380	380	375	360	350	350	335	335	335	320	315	360	360	360	360	360	360	360

LETCHER COAL CO., P. O. BOX NO. 73, FLEMING, KY., LETCHER NO. 2 MINE, ELKHORN SEAM, MINE INDEX NO. 7145, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 66, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Price classification	H	H	H	H	F	F	F	E	E	C	C	A	D	D	D	D	D	D	D	D
Rail shipments and railroad fuel	380	375	360	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265
Truck shipment	380	380	375	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265

LETCHER COAL CO., P. O. BOX NO. 73, FLEMING, KY., LETCHER NO. 3 MINE, ELKHORN SEAM, MINE INDEX NO. 7146, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 66, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Price classification	H	H	H	H	F	F	F	E	E	C	C	A	D	D	D	D	D	D	D	D
Rail shipments and railroad fuel	380	375	360	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265
Truck shipment	380	380	375	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265

LETCHER COAL CO., P. O. BOX NO. 73, FLEMING, KY., LETCHER NO. 4 MINE, ELKHORN SEAM, MINE INDEX NO. 7147, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 66, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Price classification	H	H	H	H	F	F	F	E	E	C	C	A	D	D	D	D	D	D	D	D
Rail shipments and railroad fuel	380	375	360	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265
Truck shipment	380	380	375	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265

LETCHER COAL CO., P. O. BOX NO. 73, FLEMING, KY., LETCHER NO. 5 MINE, ELKHORN SEAM, MINE INDEX NO. 7148, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 66, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Price classification	H	H	H	H	F	F	F	E	E	C	C	A	D	D	D	D	D	D	D	D
Rail shipments and railroad fuel	380	375	360	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265
Truck shipment	380	380	375	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265

LETCHER COAL CO., P. O. BOX NO. 73, FLEMING, KY., LETCHER NO. 9 MINE, ELKHORN SEAM, MINE INDEX NO. 7149, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 66, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Price classification	H	H	H	H	F	F	F	E	E	C	C	A	D	D	D	D	D	D	D	D
Rail shipments and railroad fuel	380	375	360	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265
Truck shipment	380	380	375	360	355	340	330	315	315	290	270	265	265	265	265	265	265	265	265	265

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 116 to Maximum Price Regulation No. 120 effective August 16, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14024; Filed, Sept. 11, 1944; 11:54 a. m.]

[MPR 120, Order 996]

BOYD GAMBRELL, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

BOYD GAMBRELL, ARJAY, KY., BOYD GAMBRELL MINE, STRAIGHT CREEK SEAM, MINE INDEX NO. 7079, BELL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: PINEVILLE, KY., F. O. G. 111, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15-16-17	18	19	20-21	22	23
Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J	J	J	J	J	J	J
Rail shipments and railroad fuel	365	360	345	330	325	320	315	310	310	310	300	295	295	295	295	295	295	295	295	295
Truck shipment	380	380	365	345	335	330	325	320	320	320	310	305	305	305	305	305	305	305	305	305

HARLAN-WALKER COAL CORP., VERDA, KY., DARBY MINE, NO. 3 SEAM, MINE INDEX NO. 133, HARLAN COUNTY, KY., SUB-DISTRICT 2, RAIL SHIPPING POINT: MARNE NO. 2, KY., F. O. G. 80

	Size group nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15-16-17	18	19	20-21	22	23
Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J	J	J	J	J	J	J
Rail shipments and railroad fuel	365	360	345	330	325	320	315	310	310	310	300	295	295	295	295	295	295	295	295	295
Truck shipment	380	380	365	345	335	330	325	320	320	320	310	305	305	305	305	305	305	305	305	305

	Size group nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15-16-17	18	19	20-21	22	23
Price classification	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	H	H
Rail shipments and railroad fuel																			260	260
Truck shipment																				

[1] Previously established.

JESS HOLBROOK COAL CO., KONA, KY., HOLBROOK MINE, ELKHORN SEAM, MINE INDEX NO. 7160, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: KONA, KY., F. O. G. 66, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15-16-17	18	19	20-21	22	23
Price classification	K	K	K	K	K	K	J	G	E	G	D	J	J	J	J	J	J	J	J	J
Rail shipments and railroad fuel	365	360	345	330	325	320	315	310	310	310	300	295	295	295	295	295	295	295	295	295
Truck shipment	380	380	365	345	335	330	325	320	320	320	310	305	305	305	305	305	305	305	305	305

No. 188, and section 9.3 of Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This Order No. 2280 establishes maximum prices for sales of the "New Ball O'Flint" cigarette lighter manufactured by Weston International Company, 85 East Tenth Street, New York 3, New York. This order applies to all sales of the new cigarette lighter in the 48 States and the District of Columbia.

(1) For all sales and deliveries by the manufacturer, from the time Maximum Price Regulation No. 188 became applicable to these sales and deliveries, the maximum prices are those set forth below:

Article	Model	Maximum price to jobbers	Maximum price to retailers
Cigarette lighter	New Ball O'Flint	*Each* $0.28	*Each* $0.35

These prices are f. o. b. New York, New York, and are subject to a cash discount of 2% for a payment within 10 days net 30 days.

(2) For all sales and deliveries on and after the effective date of this order at wholesale, the maximum price is that set forth below:

Article	Model	Maximum price to wholesale distributors
Cigarette lighter	New Ball O'Flint	*Each* $0.42

This price is f. o. b. seller's city, and subject to the seller's customary terms, discounts, allowances, and other price differentials in effect during March 1942.

(3) For all sales and deliveries at retail by any person on and after the effective date of this order, the maximum price is that set forth below:

Article	Model	Maximum price for retail sale
Cigarette lighter	New Ball O'Flint	*Each* $0.60

(b) At the time of or prior to the first invoice covering a sale of the "New Ball O'Flint" cigarette lighter, on and after the effective date of this order, the manufacturer and every wholesaler shall notify, in writing, every purchaser for resale of the maximum prices and conditions set by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein. As used in this order, the term "manufacturer" shall have the meaning given to that term by Maximum Price Regulation No. 188.

(d) This Order No. 2280 may be revoked or amended by the Price Administrator at any time.

This Order No. 2280 shall become effective September 12, 1944.

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14013; Filed, Sept. 11, 1944; 11:52 a. m.]

[MPR 188, Order 2282]

GARRETT-THEW STUDIOS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328; *It is ordered:*

(a) The maximum prices for all sales and deliveries by Garrett-Thew Studios, Roseville Road, Westport, Connecticut, of "V" Hoe Cultivators of its manufacture, as described in its application dated July 10, 1944 after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	To Jobbers	To Retailers
"V" hoe cultivator	$1.65	$2.20

These maximum prices are f. o. b. Westport, Connecticut and are subject to a cash discount of 2%—10 days, net 30 days.

(b) The maximum prices for all sales and deliveries at wholesale for the "V" Hoe Cultivators described in paragraph (a) above shall be the prices set forth below as follows:

Article:	To retailers
"V" hoe cultivator	$2.20

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the "V" Hoe Cultivators described in paragraph (a) above shall be as follows:

Article:	Maximum price to consumers
"V" hoe cultivator	$2.30

(d) On each "V" Hoe Cultivator shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2282 may be revoked or amended by the Price Administrator at any time.

This Order No. 2282 shall become effective on the 12th day of September 1944.

Issued this 11th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14048; Filed, Sept. 11, 1944; 4:02 p. m.]

[MPR 120, Order 906]

BITUMINOUS COAL IN DISTRICT 8

ADJUSTMENT OF MAXIMUM PRICES

Correction

In the table for F. R. Doc. 44-12090, appearing at page 9926 of the issue for Tuesday, August 15, 1944, the figure "440" opposite the mine name "Hawthorne" under the heading "Truck and wagon" should be transposed from column 7 to column 6.

[MPR 188, Order 2289]

KURSH PAPER CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a porch gate manufactured by Kursh Paper Company, 608 St. Clair Street, Cleveland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article and model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Porch gate	*Each* $0.99	*Each* $1.17

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated June 9, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of articles to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum Price to retailers (each)
Porch gate	$1.17

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated June 9, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum price shall be that determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum price and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of September 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14081; Filed, Sept. 12, 1944; 11:44 a. m.]

[MPR 188, Order 2290]

WINNER INDUSTRIES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a Hidee Door manufactured by the Winner Industries, 1021 Washington Avenue, S. E., Minneapolis 14, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Hidee door	#120—20"	*Each* $1.33	*Each* $1.77
Hidee door	#226—28"	1.47	1.94

These prices are for the sales and delivery of the articles described in the manufacturer's application dated July 1, 1944, and they are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Hidee door	#120—20" #226—28"	*Each* $1.77 1.94

These prices are for the sale and delivery of the articles described in the manufacturer's application dated July 1, 1944, and they are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of September 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14082; Filed, Sept. 12, 1944; 11:44 a. m.]

[MPR 188, Order 2291]

LLOYD COMPANY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a five piece dinette set manufactured by The Lloyd Company of 214 Junius, Dallas 14, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Five piece dinette set	Dinette set	*Each* $21.99	$25.87

These prices are f. o. b. factory and are subject to a cash discount of payment within ten days, net thirty days and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allow-

ances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum Price to Retailers
Five piece dinette set	Dinette set	Each $23.87

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of September 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14083; Filed, Sept. 12, 1944; 11:45 a. m.]

[RMPR 436, Order 22]

CRUDE PETROLEUM IN PONTOTOC COUNTY, OKLA.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 22 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Pitts (Gilcrease) Pool, Pontotoc County, Okla.

Pitts (Cromwell) Pool, Pontotoc County, Okla.

Pitts (Hunton) Pool, Pontotoc County, Okla.

Pitts (Upper Simpson Series) Pool, Pontotoc County, Okla.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after September 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of Increase (Dollars per 42-gallon barrel)
Oklahoma State, Pontotoc County, Pitts (Gilcrease) Pool	$0.20
Oklahoma State, Pontotoc County, Pitts (Cromwell) Pool	.20
Oklahoma State, Pontotoc County, Pitts (Hunton) Pool	.20
Oklahoma State, Pontotoc County, Pitts (Upper Simpson Series) Pool	.20

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of September 1, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14076; Filed, Sept. 12, 1944; 11:42 a. m.]

Regional and District Office Orders.

[Delegation Order 1, Amdt. 1]

TERRITORIAL DIRECTOR OR ACTING TERRITORIAL DIRECTOR, HAWAII

DELEGATION OF AUTHORITY

Delegation Order 1 is amended to read as follows:

Delegation of authority to the Territorial Director or Acting Territorial Director concerning regulations applicable in the Territory of Hawaii.

Pursuant to the authority conferred upon the Regional Administrator for Region IX by General Order No. 39 issued by the Administrator, it is ordered:

(a) *Delegation to the Territorial Director or Acting Territorial Director for the Territory of Hawaii to sign, issue, modify and amend maximum price regulations applicable in the Territory of Hawaii.* (1) The Territorial Director or Acting Territorial Director for the Territory of Hawaii is hereby authorized to sign, issue, modify and amend maximum price regulations and statements of considerations in accordance with the provisions and standards of the Emergency Price Control Act of 1942, as amended, insofar as such regulations are applicable in the Territory of Hawaii. (2) The authority heretofore delegated to the Territorial Director for the Territory of Hawaii on December 3, 1942, is hereby confirmed, and any and all action taken by him pursuant to such delegation of December 3, 1942 is hereby ratified and approved.

(b) This amendment shall become effective September 6, 1944.

Issued this 6th day of September 1944.

JAMES P. DAVIS,
Regional Administrator.

[F. R. Doc. 44-14014; Filed, Sept. 11, 1944; 11:25 a. m.]

[San Antonio Rev. Order 1 Under Rev. Restaurant MPR 5-8]

MALT BEVERAGES IN SAN ANTONIO, TEX., DISTRICT

Correction

In F.R. Doc. 44-11864, appearing at page 9770 of the issue for Thursday, August 10, 1944, in the table under section 2 (a) the heading *"Imported Beer"* should appear between "Van Merrit" and "Corona".

[Region II Rev. Order G-34 Under RMPR 122, Amdt. 3]

PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340. 259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-34 is amended in the following respect:

1. Paragraph (a) is amended by eliminating the following anthracite from that specified under "Group I":

Anthracite produced and prepared by Delano Anthracite Collieries Co., Ashland, Pa.

Anthracite produced by the Hazel Brook Coal Company from its Continental Mines and the property of Raven Run Coal Company, prepared at its Midvalley Breaker, and marketed under the trade name "Raven Run Coal."

This Amendment No. 3 to Revised Order No. G-34 shall become effective October 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-14077; Filed, Sept. 12, 1944; 11:44 a. m.]

[Arkansas Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN ARKANSAS DISTRICT

Correction

In F.R. Doc. 44-12011, appearing at page 9861 of the issue for Saturday, August 12, 1944, the issuance paragraph should read "Issued at Little Rock, Arkansas, this 31st day of July 1944."

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 7, 1944.

REGION I

Providence Order 2-F, Amendment 14, covering fresh fruits and vegetables in the State of Rhode Island, except Shoreham, filed 3:47.

REGION III

Escanaba Order 12-F Amendment 26, covering fresh fruits and vegetables sold at retail in the city of Hancock, filed 9:29.

Escanaba Order 13-F Amendment 26, covering fresh fruits and vegetables sold at retail in the City of Ironwood, filed 9:29.

Escanaba Order 14-F Amendment 26, covering fresh fruits and vegetables sold at retail in all of Dickinson County, filed 9:29.

Escanaba Order 15-F Amendment 26, covering fresh fruits and vegetables sold at retail in the City of Menominee, filed 9:29.

Escanaba Order 16-F Amendment 26, covering fresh fruits and vegetables sold at retail in the City of Sault Ste. Marie, Chippewa County, Mich., filed 9:29.

REGION IV

Richmond Order 4-F Amendment 9, covering fresh fruits and vegetables ceiling price in the Richmond district, filed 9:50.

Columbia Order 14 Amendment 11, covering retail prices for certain shell eggs in the South Carolina district, filed 9:50.

REGION V

Arkansas Order 1-E Amendment 1, covering eggs in the State of Arkansas, filed 9:57.

Arkansas Order 2F Amendment 23, covering fresh fruits and vegetables sold at retail in Pulaski County, Arkansas, filed 3:38.

Arkansas Order 4F Amendment 22, covering fresh fruits and vegetables sold at retail in Miller County, Ark., filed 3:38.

Arkansas Order 5F Amendment 21, covering fresh fruits and vegetables sold at retail in Garland County, Arkansas, filed 3:38.

Arkansas Order 6F Amendment 23, covering fresh fruits and vegetables sold at retail in Sebastian and Crawford Counties, Ark., filed 3:38.

Arkansas Order 3-W covering dry groceries at wholesale in the District of Arkansas, filed 3:40.

Arkansas Order 20, covering dry grocery and certain items of perishables in the Arkansas District, filed 3:39.

Arkansas Order 21, covering certain dry grocery and certain items of perishables, in the Arkansas District, filed 3:39.

Arkansas Order 22, covering certain dry grocery items and certain items of perishables, in the Arkansas District, filed 3:40.

Dallas Order 1 F Amendment 30, covering fresh fruits and vegetables sold at retail in the Dallas District, filed 9:57.

Houston Order G-16, covering certain food items in certain counties in Texas, filed 9:37.

New Orleans Order 2-W Amendment 2, covering certain food items at wholesale in certain Districts in New Orleans, filed 9:51.

New Orleans Order 3-W Amendment 2, covering certain food items at wholesale in certain Districts in New Orleans, filed 9:51.

New Orleans Order G-21 Amendment 4, covering certain food items sold at retail in the New Orleans Area, filed 3:41.

New Orleans Order G-22 Amendment 3, covering certain food items sold at retail in New Mexico Order F-6 amendment 5, cover-

New Orleans Order G-23 Amendment 5, covering certain food items sold at retail in certain Areas in New Orleans, filed 3:42.

New Orleans Order G-24 Amendment 4, covering certain food items sold at retail in certain areas in New Orleans, filed 3:42.

Oklahoma Order 2-F Amendment 8, covering fresh fruits and vegetables sold at retail in the Oklahoma District, filed 9:52.

Oklahoma Order 3 F Amendment 31, covering fresh fruits and vegtables sold at retail in the Oklahoma District, filed 9:52.

Wichita Order 4-F Amendment 11, covering fresh fruits and vegetables sold at retail in Wichita District, filed 9:54.

Des Moines Order 1 F Amendment 32, covering fresh fruits and vegetables in the Des Moines Area, filed 3:43.

REGION VI

Duluth Order 1-F Amendment 32, covering fresh fruits and vegetables in the Duluth-Superior District, filed 3:45.

Duluth Order 2-F Amendment 7, covering fresh fruits and vegetables in the Duluth District, filed 3:45.

Duluth Order 3 Amendment 3, covering community food prices in Wisconsin and Minnesota, filed 3:43.

Duluth Order 10 Amendment 3, covering community food prices in Wisconsin and Minnesota, filed 3:44.

Duluth Order 2 Amendment 4, covering community food prices in certain areas in Wisconsin and Minnesota, filed 3:43.

Fargo Order 1-F Amendment 7, covering prices of certain fresh fruit and vegetables in the North Dakota Counties, filed 9:47.

Fargo Order 2-F Amendment 7, covering prices of fresh fruit and vegetables in certain counties in North Dakota, filed 9:47.

Fargo Order 3-F Amendment 7, covering prices of fresh fruit and vegetables in certain counties in Minnesota, filed 9:48.

North Platte Order 5-F, covering fresh fruits and vegetables at retail within the North Platte District, filed 9:48.

Peoria Order 5-F, covering fresh fruits and vegetables in a certain area in Illinois, filed 9:46.

Springfield Order 1-FS Amendment 7, covering fresh fruit and vegetables in certain areas in Springfield, filed 10:00.

Springfield Order 3-F, covering fresh fruits and vegetables in certain counties in Illinois, filed 9:44.

Springfield Order 35 Amendment 1, covering community prices on poultry in certain counties in Illinois, filed 9:45.

Springfield Order 42 Amendment 1, covering community prices on poultry in certain counties in Illinois, filed 9:45.

Twin Cities Order 1-F Amendment 19, covering fresh fruits and vegetables in St. Paul and Minneapolis and adjoining municipalities, filed 10:00.

REGION VII

New Mexico Order F-1 Amendment 22, covering community fresh fruits and vegetables prices in the City of Albuquerque, filed 9:49.

New Mexico Order F-2 Amendment 8, covering community fresh fruits and vegetables prices in the City of Santa Fe, filed 9:37.

New Mexico Order F-3 Amendment 8, covering community fresh fruit and vegetables prices in the City of Gallup, filed 9:38.

New Mexico Order F-4 Amendment 8, covering community fresh fruit and vegetables prices in certain areas in New Mexico, filed 9:38.

New Mexico Order F-5 Amendment 5, covering community fresh fruit and vegetables in the City of Las Vegas, filed 9:39.

New Mexico Order F-6 Amendment 5, covering community fresh fruit and vegetables in certain areas in New Mexico, filed 9:39.

New Mexico Order 1-W Amendment 4, covering dry grocery in certain areas in New Mexico, filed 9:39.

New Mexico Order 2-W Amendment 2, covering dry grocery in certain areas in New Mexico, filed 9:40.

New Mexico Order 4-W Amendment 2, covering dry grocery in certain areas in New Mexico, filed 9:41.

New Mexico Order 5-W Amendment 2, covering dry grocery in certain areas in New Mexico, filed 9:43.

New Mexico Order 6-W Amendment 3, covering dry grocery in certain areas in New Mexico, filed 9:31.

Wyoming Order 1-F Amendment 10, covering community fresh fruit and vegetables prices in the Cheyennne area, filed 9:33.

Wyoming Order 2-F Amendment 8, covering community fresh fruit and vegetables prices in the Laramie area, filed 9:33.

Wyoming Order 3-F Amendment 7, covering community fresh fruit and vegetables prices in the Casper area, filed 9:32.

Wyoming Order 4-F Amendment 7, covering community fresh fruit and vegetables prices in the Sheridan area, filed 9:32.

Wyoming Order 5-F Amendment 6, covering community fresh fruit and vegetables prices in the Rock Springs area, filed 9:33.

REGION VIII

Fresno Order 1-F Amendment 34, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:35.

Fresno Order 2-F Amendment 23, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:35.

Fresno Order 3-F Amendment 19, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:35.

Fresno Order 6-F Amendment 5, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:34.

Portland Order 1-F Amendment 32, covering fresh fruits and vegetables in certain areas in the Portland District, filed 9:34.

Nevada Order 21, covering certain dry grocery items and certain items of perishables in certain districts of Nevada, filed 3:45.

Copies of any of the above orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14084; Filed, Sept. 12, 1944; 11:45 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 8, 1944.

REGION II

Syracuse Order 3-F under Rev. GO 51, covering fresh fruit and vegetables in Syracuse, Watertown and Utica, filed 2:14 p. m.

Syracuse Order 4-F under Rev. GO 51, covering fresh fruit and vegetables in Syracuse district except Syracuse, Watertown and Utica, filed 2:14 p. m.

Syracuse Order 24, covering dry groceries in Onondaga and Madison Counties, except named towns, filed 2:15 p. m.

Syracuse Order 26, covering dry groceries in designated areas in New York, filed 2:16 p. m.

Syracuse Order 26, covering dry groceries in Jefferson, Lewis, Oswego & St. Lawrence, N. Y., filed 2:15 p. m.

Syracuse Order 27, covering dry groceries in Ontario, Wayne, Seneca & Wayne Counties, N. Y., filed 2:16 p. m.

Syracuse Order 28, covering dry groceries in the Syracuse District Office, filed 2:16 p. m.

REGION III

Saginaw Order 3-F, Amendment 7, covering fresh fruit and vegetables in named counties in Michigan, filed 2:13 p. m.

REGION VI

Des Moines Order 3, Amendment 5, covering community food prices in the Des Moines Area, filed 2:02 p. m.

Des Moines Order 4, Amendment 5, covering community food prices in the Des Moines Area, filed 2:04 p. m.

Des Moines Order 5, Amendment 5, covering community food prices in the Des Moines Area, filed 2:04 p. m.

Des Moines Order 6, Amendment 5, covering community food prices in the Ottumwa Area, filed 2:01 p. m.

Des Moines Order 7, Amendment 5, covering community food prices in the Mason City Area, filed 2:01 p. m.

Des Moines Order 8, Amendment 5, covering community food prices in the Fort Dodge Area, filed 2:02 p. m.

Des Moines Order 9, Amendment 5, covering community food prices in the Creston Area, filed 2:03 p. m.

Milwaukee Order 3-F, Amendment 30, covering fresh fruit and vegetables in Dane County, filed 2:07 p. m.

Milwaukee Order 3-F, Amendment 30, covering fresh fruit and vegetables in Milwaukee Co. and Cities of Racine and Kenosha, filed 2:06 p. m.

Milwaukee Order 5-F, Amendment 29, covering fresh fruit and vegetables in Sheboygan and Fond Du Lac Counties, filed 2:06 p. m.

Peoria Order 1-F, Amendment 18, covering fresh fruit and vegetables in designated counties in Illinois, filed 2:05 p. m.

Twin Cities Rev. Order G-6, Amendment 1, covering community fluid milk, cream and certain related items, in the Twin Cities District, filed 2:06 p. m.

Twin Cities Rev. Order G-7, Amendment 1, covering community food prices of fluid milk, cream and other related items, filed 2:06 p. m.

REGION VIII

Seattle Order 1-W, Amendment 2, covering dry groceries in designated counties in Washington, filed 2:00 p. m.

Seattle Order 2-W, covering dry groceries in Chelan, Kittitas and Yakima, Wash., filed 2:17 p. m.

Seattle Order 22, Amendment 5, covering community food prices in Island County, Eastern Clallam and Jefferson Counties, filed 2:07 p. m.

Seattle Order 24, Amendment 5, covering community food prices in designated areas in Washington, filed 2:08 p. m.

Seattle Order 25, Amendment 5, covering community food prices in certain specified areas in Western Washington, filed 2:07 p. m.

Seattle Order 26, Amendment 4, covering community food prices in certain specified areas in Central Washington, filed 2:09 p. m.

Seattle Order 130, covering community food prices in the Seattle area, filed 2:10 p. m.

Seattle Order 131, covering community food prices in the Tacoma area, filed 2:10 p. m.

Seattle Order 132, covering community food prices in the Everett area, filed 2:11 p. m.

Seattle Order 133, covering community food prices in the Bremerton area, filed 2:11 p. m.

Seattle Order 134, covering community food prices in the Bellingham area, filed 2:11 p. m.

Seattle Order 135, covering community food prices in the Olympia area, filed 2:12 p. m.

Seattle Order 136, covering community food prices in the Aberdeen-Hoquiam area, filed 2:12 p. m.

Seattle Order 137, covering community food prices in the Centralia-Chehalis area, filed 2:13 p. m.

Seattle Order 138, covering community food prices in the Wenatchee area, filed 2:13 p. m.

Seattle Order 139, covering community food prices in the Yakima area, filed 2:13 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14085; Filed, Sept. 12, 1944; 11:46 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 9, 1944.

REGION III

Grand Rapids Order 10, covering community food prices in the Grand Rapids Marketing Area, filed 9:46 a. m.

Grand Rapids Order 11, covering community food prices in the Grand Rapids Marketing Area, filed 9:46 a. m.

Grand Rapids Order 12, covering community food prices in the Grand Rapids Marketing Area, filed 9:47 a. m.

REGION IV

Atlanta Order 1-F, Amendment 20, covering fresh fruit and vegetable prices in Bibb County, Ga., filed 9:37 a. m.

Atlanta Order 4-F, Amendment 8, covering fresh fruit and vegetables in certain counties in the Atlanta District Area, filed 9:39 a. m.

Atlanta Order 5-F, Amendment 17, covering fresh fruit and vegetables in Muscogee County, Ga., and Phenix City in Russell County, Ala., filed 9:39 a. m.

Atlanta Order 6-F, Amendment 13, covering fresh fruit and vegetables in the Atlanta-Decatur Trade Area, filed 9:38 a. m.

Jacksonville Order 7-F, Amendment 10, covering fresh fruit and vegetables in designated areas in Florida, filed 9:47 a. m.

Memphis Order 19, covering community food prices in the Memphis Area, filed 9:49 a. m.

Raleigh Order 2-W, Amendment 1, covering dry groceries in certain areas in North Carolina, filed 9:47 a. m.

Raleigh Order 3-W, covering dry groceries in Raleigh, N. C. Area, filed 9:49 a. m.

Raleigh Order 8-F, Amendment 2, covering fresh fruit and vegetable prices in the Raleigh District, filed 9:48 a. m.

Raleigh Order 13, Amendment 1, covering community food prices in the Raleigh District, filed 9:48 a. m.

Savannah Order 4-W, Amendment 1, covering dry groceries in the Savannah District, filed 9:48 a. m.

Savannah Order 17, Amendment 2, covering community food prices in the Savannah District, filed 9:49 a. m.

REGION V

Dallas Order 23, covering dry groceries in Texarkana in Bowie County, Texas, filed 9:41 a. m.

Fort Worth Order 1-F, Amendment 33, covering fresh fruit and vegetables in Tarrant County, Texas, filed 9:43 a. m.

Fort Worth Order 2-F, Amendment 33, covering fresh fruit and vegetables in Taylor County, Texas, filed 9:43 a. m.

Fort Worth Order 3-F, Amendment 33, covering fresh fruit and vegetables in Green County, Texas, filed 9:42 a. m.

Fort Worth Order 4-F, Amendment 33, covering fresh fruit and vegetables in McLennan County, Texas, filed 9:41 a. m.

Fort Worth Order 5-F, Amendment 33, covering fresh fruit and vegetables in Wichita County, Texas, filed 9:41 a. m.

REGION VI

Des Moines Order 2-F, Amendment 11, covering fresh fruit and vegetables in the Des Moines District Area, filed 9:35 a. m.

Peoria Order 3, Amendment 11, covering community food prices in designated areas in Illinois, filed 9:35 a. m.

Peoria Order 5, Revocation, covering community food prices in certain areas in Illinois, filed 9:37 a. m.

Peoria Order 10, Amendment 2, covering community food prices in certain areas in Illinois, filed 9:36 a. m.

Peoria Order 13, Revocation, covering community food prices in certain areas in Illinois, filed 9:37 a. m.

Peoria Order 14, Revocation, covering community food prices in certain areas in Illinois, filed 9:37 a. m.

Peoria Order 16, covering community food prices in named counties in Illinois, filed 9:36 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14086; Filed, Sept. 12, 1944; 11:45 a. m.]

[Region V Order G-1 Under MPR 336, MPR 355, MPR 394]

FABRICATED MEAT CUTS IN WICHITA, KANS.

Correction

In F.R. Doc. 44-12145, appearing on page 9938 of the issue for Tuesday, August 15, 1944, the next to the last paragraph should read:

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP., ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of September, A. D. 1944.

In the matters of Federal Water and Gas Corporation and Subsidiary Companies, File No. 54-66; Federal Water and Gas Corporation and Subsidiary Companies, Respondents, File No. 59-61; and Federal Water and Gas Corporation, New York Water Service Corporation, File No. 59-35.

The Commission having entered its order herein on February 10, 1943 pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935 directing that:

(1) Federal Water and Gas Corporation shall take such action as may be necessary to divest itself of all interests held by, directly or indirectly, in the businesses conducted and properties owned by Alabama Water Service Company, Union Water Service Company, Ohio Water Service Company, West Virginia Water Service Company, Scranton-Spring Brook Water Service Company, New York Water Service Corporation, and the water properties in Oregon and the gas properties in Florida owned by the Peoples Water and Gas Company: *Provided*, That in the case of Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company, and New York Water Service Corporation such divestments shall not be effected through the sale of securities owned by Federal Water and Gas Corporation prior to the recapitalization of such companies in such manner as to provide for a fair and equitable distribution of voting power among security holders thereof;

(2) Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company, and New York Water Service Corporation shall take such steps as may be necessary to recapitalize their capital structures so as to fairly and equitably distribute voting power among the security holders of such companies: *Provided*, That in the case of New York Water Service Corporation the common stock shall be accorded no recognition in such recapitalization;

(3) Federal Water and Gas Corporation, Pennsylvania Water Service Company, and Scranton-Spring Brook Water Service Company shall take such action as may be necessary to cause the elimination of Pennsylvania Water Service Company and the sixty-three inactive subsidiaries of Scranton-Spring Brook Water Service Company, specified in Form U5S filed by Federal Water and Gas Corporation for the year 1941;

The Commission further having entered its order on May 19, 1944, granting an additional period of six months from February 10, 1944, within which to comply with said provisions of said order of February 10, 1943;

Notice is hereby given that Federal Water and Gas Corporation, on behalf of itself and its subsidiary companies affected by the said order of February 10, 1943, has filed an application requesting the entry of an order by this Commission under section 11 (c) of the act extending for six months from August 10, 1944 the time within which to comply with the said order of February 10, 1943;

All interested persons are referred to said application which is on file in the office of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

It is ordered That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 2:00 p. m., e. w. t., on the 27th day of September, A. D. 1944, in such room as may be designated on said day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice, on or before September 25, 1944.

It is further ordered That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 16 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered That, without limiting the scope of the issues presented by such application, particular attention will be directed at the hearing to (1) whether the applicants have exercised due diligence to comply with the Commission's order of February 10, 1943, and (2) whether a further extension of time of six months for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered That the secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Federal Water and Gas Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14047; Filed, Sept. 12, 1944; 9:32 a. m.]

[File No. 70-921]

MOUNTAIN STATES POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of September 1944.

Mountain States Power Company, a subsidiary of Standard Gas and Electric Company, a registered holding company, having filed an application and amendment thereto pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 regarding its proposal to acquire certain properties owned and operated by T. W. Allen and Bessie E. Allen, trading as Mill City Light and Water Company, for a consideration of $75,000, which properties consist of a hydro-electric generating and distribution system and domestic water pumping plant, purification equipment and distribution system at and in the vicinity of Mill City in Linn and Marion Counties, State of Oregon, with all the appurtenances, equipment and water rights, as more particularly set forth in a contract between Mountain States Power Company and T. W. Allen and Bessie E. Allen, dated April 11, 1944, and the Public Utility Commission of the State of Oregon and the Department of Public Service of the State of Washington having heretofore authorized the acquisition of the aforesaid properties; and

Said application having been filed on July 1, 1944 and an amendment thereto having been filed on August 2, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 to said application, and the Commission not having received a request for hearing with respect to said application within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are satisfied, and deeming it appropriate in the public interest and for the protection of investors and consumers to grant said application, as amended;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be and the same hereby is granted forthwith;

It is further ordered, in accordance with the provisions of the amendment to said application, that jurisdiction be and the same hereby is reserved with respect to the retainability under the standards of section 11 (b) (1) of the act, of the non-utility assets described in and to which the aforesaid application relates.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14048; Filed, Sept. 12, 1944; 9:32 a. m.]

[File Nos. 54-72, 59-66]

STANDARD GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of September 1944.

Standard Gas and Electric Company (herein referred to as "Standard Gas"), a registered holding company, having filed an amended plan dated August 26, 1944, for its recapitalization, said plan providing, among other things, for the retirement of the notes and debentures of said company by the distribution to the holders of each $1,000 principal amount thereof of shares of stock of certain operating public utility companies, cash in the amount of $90 subject to certain adjustments, and a new 5-year four per cent debenture of Standard Gas in the principal amount of $400; the Com-

mission on August 30, 1944, having entered its notice of filing and order for hearing on said amended plan calling for a hearing thereon on September 21, 1944;

Notice is hereby given that Standard Gas and Electric Company on September 11, 1944, filed Amendment No. 1 to said amended plan providing, among other things, in substance, that the holder of each $1,000 principal amount of notes and debentures of Standard Gas would receive in the aggregate $110.00 in cash (subject to certain minimum and maximum adjustments at the time the Commission shall approve the amended plan); new 5-year four per cent debentures of Standard Gas in the principal amount of $200; three shares of common stock of Pacific Gas and Electric Company, assigned a basic value of $32 per share for the purpose of certain computations provided in the amended plan and described in the Commission's aforementioned order dated August 30, 1944; twelve shares of common stock of Oklahoma Gas and Electric Company, assigned a basic value of $21 per share; five shares of common stock of The California Oregon Power Company, assigned a basic value of $34 per share; two shares of common stock of Mountain States Power Company, assigned a basic value of $21 per share; and eighteen shares of common stock of Wisconsin Public Service Corporation, assigned a basic value of $10.00 per share.

Said Amendment No. 1 further provides, among other things, that no dividends may be paid on the capital stock of Standard until payment of the principal of and interest on all of the new debentures shall have been made or provided for.

It is hereby ordered That the hearings on the amended plan of Standard Gas, dated August 28, 1944, heretofore ordered shall take place on said amended plan, as amended by the above-described Amendment No. 1, and shall be postponed to September 28, 1944 at ten o'clock in the forenoon.

It is further ordered That notice of this hearing on the amended plan as so amended be given to Standard Gas and Electric Company and to all other persons; such notice to be given to Standard Gas and Electric Company, Pacific Gas and Electric Company, Oklahoma Gas and Electric Company, The California Oregon Power Company, Mountain States Power Company, Wisconsin Public Service Corporation, Standard Power and Light Corporation, Guaranty Trust Company of New York, Pam, Hurd and Reichmann, A. J. Fleischmann, and Continental National Bank and Trust Company of Chicago by registered mail and to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under said act; and

It is further ordered That Standard Gas and Electric Company mail a copy of Amendment No. 1 to its amended plan, dated August 26, 1944, and a copy of this notice and order at least thirteen days prior to September 28, 1944, to each of its security holders at his last-known address.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14049; Filed, Sept. 12, 1944; 9:23 a. m.]

Reference

SEP 19 '44

THE NATIONAL ARCHIVES LITTERA SCRIPTA MANET 1934 OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 9 NUMBER 184

Washington, Thursday, September 14, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter II—War Food Administration (Commodity Credit)

[1944 C. C. C. Flaxseed Form 1—Instructions, Amdt. 1]

PART 255—1944 FLAXSEED LOANS

STORAGE ALLOWANCE

Pursuant to the provisions of Title III, section 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U.S.C., 1940 ed., 1302), and the Act of February 28, 1944 (58 Stat. 105), Commodity Credit Corporation has authorized the making of loans on flaxseed stored on farms, or in approved public warehouses, in accordance with the regulations in this part (1944 C. C. C. Flaxseed Form 1—Instructions). Such regulations are hereby amended as follows:

Section 255.5 *Storage allowance,* is deleted, and the following section is substituted therefor:

§ 255.5 *Storage allowance.* A storage allowance of $0.07 per bushel will be advanced, at the time the loan is made, only on the number of bushels placed under loan in farm storage, and shall be earned by the producer, (1) if the flaxseed is delivered to the Commodity Credit Corporation on or after March 31, 1945, for Arizona and California, and June 30, 1945, for other States, or (2) if, pursuant to demand by the Corporation for repayment, the flaxseed is delivered to the Commodity Credit Corporation prior to March 31, 1945, for Arizona and California, and June 30, 1945, for other States, provided such demand for repayment was not due to any fraudulent representations on the part of the producer, or to the fact that the flaxseed was damaged, threatened with damage, abandoned, or otherwise impaired. If delivery is made prior to March 31, 1945, for Arizona and California, and June 30, 1945, for other States, with the consent or approval of the Commodity Credit Corporation, a storage payment will be earned in accordance with the terms of the mortgage supplement. Earned storage shall be computed after delivery has been completed and any storage advance not earned shall be repaid to the corporation. A storage payment cannot be earned on a greater number of bushels than is specified in the chattel mortgage.

Dated: August 8, 1944.

J. B. HUTSON, *President.*

[F. R. Doc. 44-14106; Filed, Sept. 12, 1944; 3:14 p. m.]

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 941—MILK IN CHICAGO, ILLINOIS, MARKETING AREA

SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U. S. C. 1940 ed. 601 et seq.), and of the order, as amended, regulating the handling of milk in the Chicago marketing area (7 CFR, Cum. Supp., 941.0 et seq.), it is hereby found and determined that the provision of such order which provides for pro rata classification of milk or cream which is sold to a person who is a handler under another milk marketing agreement or order effective under the act, is a provision which, during October, November, and December 1944, obstructs and does not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

Therefore, effective as of 12:01 a. m., c. w. t., October 1, 1944, and continuing for the calendar months October, November, and December 1944, the following provision of § 941.4 (a) of the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, is hereby suspended: *"And provided further,* That in the case of the sale of milk or cream by a handler to a person who is a handler under another Federal

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–8, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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milk agreement or order, such milk may be classified on a pro rata basis."

(E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 12th day of September 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44–14105; Filed, Sept. 12, 1944; 3:14 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 79–102, Amdt. 4]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN THE ADMINISTRATION OF WAR FOOD ORDERS FOR THE CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79–102, as amended (8 F.R. 16313, 9 F.R. 337, 4321, 4319, 4500, 10241), is hereby further amended by adding as (5) in § 1401.135 (b) the following provision:

(5) With the prior approval of the Chief, Dairy and Poultry Branch, Office of Distribution, to increase or decrease by amounts not exceeding 5 percent, the quotas for milk of any handler or group of handlers for either or both of the quota periods of September and October 1944, in order to provide for the full utilization of milk in the public interest and to promote the national defense.

The provision of this amendment shall become effective at 12:01 a. m., e. w. t., September 11, 1944. With respect to violations of said War Food Order No. 79–102, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79–102, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 9 F.R. 4321, 4319)

Issued this 11th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–14104; Filed, Sept. 12, 1944; 3:17 p. m.]

[WFO 75–3, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

FORK REQUIRED TO BE SET ASIDE

War Food Order No. 75–3, § 1410.20 (9 F.R. 10387) is amended by striking the figure "1.45" where it appears as the conversion factor for "fatted, skinless hams and shoulders" in the table entitled "Type and Description of Product" in paragraph (c) (2) and inserting in lieu thereof the figure "1.33".

This order shall become effective at 12:01 a. m., e. w. t. September 12, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75–3, prior to said date, all provisions of said War Food Order No. 75–3, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, as amended, 8 F.R. 11119; 9 F.R. 4321, 4319, 5333, 10033)

Issued this 11th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–14089; Filed, Sept. 12, 1944; 12:12 p. m.]

[WFO 73–2]

PART 1598—GENERAL REGULATIONS

REVISION OF SCHEDULES

Pursuant to the authority vested in me by the provisions of War Food Order No. 73, as amended (9 F.R. 10036), Schedules A and B to the order are hereby revised to read as follows:

SCHEDULE A

Set-aside foods:	*Applicable War Food Order*
American cheese	15
Beef	75–2
Pork	75–3
Dried skim milk	54
Rice	10
Butter	2

SCHEDULE B

Restricted foods:	*Applicable War Food Order*
Cocoa products	25
Fats and oils products (excluding lard), (limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder))	42
Frozen dairy foods	8
Honey	47
Fluid milk, fluid cream, and milk by-products (fluid buttermilk, skim milk, flavored milk or drink or beverage containing more than 85% of milk; and cottage, pot or baker's cheese)	79
Molasses	51
Spices	19
Tea	18

This revision shall be effective on September 15, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 73, 8 F.R. 7523, 13879, 15655, 9 F.R. 4321, 4319, 10036)

Issued this 11th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–14103; Filed, Sept. 12, 1944; 3:17 p. m.]

[WFO 74–3]

PART 1598—GENERAL REGULATIONS

REVISION OF SCHEDULES

Pursuant to the authority vested in me by the provisions of War Food Order 74, as amended (9 F.R. 8002), Schedules A, B, and C to that order are hereby revised to read as follows:

SCHEDULE A

Set aside foods:	*Applicable War Food Order*
American (Cheddar) cheese	15
Beef	75.2
Pork	75.3
Turkeys	106
Dried Skim Milk	54
Rice	10
Butter	2

SCHEDULE B

Restricted foods:	
Frozen dairy foods	8
Fats and oils (excluding lard), (Limited to salad and cooking fats, shortening and compounds, margarine, and soap (bar soap and soap powder))	42
Honey	47
Imported salted fish	72
Milk, Milk by-products, and cream	79
Molasses	51
Peanuts and peanut butter	89
Spices	19
Tea	18
Dried Milk (Excepting skim)	93
Cheese and Cheese Foods (Excepting Cheddar, cottage, pot and bakers)	92

SCHEDULE C

Designated foods:	*Applicable War Food Order*
Canned fish and shellfish (Limited to Maine and California sardines, salmon, mackerel)	44
Canned fruits and fruit juices (Limited to apples, apricots, berries, red sour pitted cherries, figs, fruit-cocktail, grapefruit, peaches, pears, pineapple, orange juice, grapefruit juice, orange and grapefruit juice, and pineapple juice)	22.5, 6
Canned vegetables and vegetable juices (Limited to asparagus, lima beans, snap beans, beets, carrots, corn, peas, pumpkin and squash, spinach, tomatoes, tomato puree, tomato paste, tomato juice, and tomato catsup)	22.6
Dried fruits (Limited to apples, apricots, pears, peaches, prunes, and raisins)	16

This revision shall be effective on September 15, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; W.F.O. 74, 8 F.R. 13880, 14017, 15655, 9 F.R. 4321, 4319, and 8002)

Issued this 11th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–14088; Filed, Sept. 12, 1944; 12:12 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–61]

BINGHAM CONSTRUCTION CO.

Roy A. Bingham and Richard S. Bingham are co-partners doing business as Bingham Construction Company at 4734 "J" Street, Sacramento, California. During the period from January 18, 1944, through April, 1944 Bingham Construction Company in four instances, began and thereafter continued certain construction without authorization from the War Production Board. This construction consisted of the remodeling of a five-room dwelling located at 1013 "D" Street, Sacramento, California, the cost of which construction was in excess of $200; the remodeling of, and the making of structural changes in a building located at 716–718 "J" Street, Sacramento, California, the cost of which was in excess of $1,000; the construction of a new addition to the Del Paso Heights Grocery and Meat Market in Sacramento, California, in excess of $200; and the construction of a new repair shed located at 301 N. 16th Street, Sacramento, California, the cost of which construction was in excess of $200; all in violation of Conservation Order L–41. Roy A. Bingham and Richard S. Bingham were aware of the War Production Board re-

strictions on construction and the beginning and carrying on of each of the above construction jobs without authorization constituted wilful violations of Conservation Order L–41. These violations of Conservation Order L–41 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered that:

§ 1010.611 *Suspension Order No. S–611.* (a) Neither Roy A. Bingham nor Richard S. Bingham, doing business as the Bingham Construction Company, or under any other name, their and its successors and assigns, nor any other person, shall do any construction on the premises located at 1013 "D" Street, Sacramento, California, or at 716–718 "J" Street, Sacramento, California, or at the Del Paso Heights Grocery and Meat Market located on the southwest corner of Park Street and Grand Avenue in Del Paso Heights, Sacramento, California, or at 301 N. 16th Street, Sacramento, California, unless hereafter specifically authorized in writing by the War Production Board.

(b) For a period of two months from September 12, 1944 to November 12, 1944, deliveries of material to Roy A. Bingham, Richard S. Bingham, doing business as Bingham Construction Company, their and its successors and assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of paragraph (b) above shall not apply to deliveries to Roy A. Bingham, and Richard S. Bingham, doing business as Bingham Construction Company, or otherwise, their and its successors and assigns, of materials required to fill contracts already entered into prior to the date of this order, or to fill any order of or contract with, the Army, Navy, Maritime Commission, or any other governmental department or agency of the United States.

(d) Nothing contained in this order shall be deemed to relieve Roy A. Bingham, Richard S. Bingham or the Bingham Construction Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

Issued this 2d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14107; Filed, Sept. 12, 1944; 4:38 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S–614]

R. B. LEVITZ FURNITURE CO.

Richard B. Levitz, Leon J. Levitz, Ralph Levitz, Mary K. Levitz and Ruth R. Levitz, partners, doing business as R. B. Levitz Furniture Company of 212 High Street, Pottstown, Pennsylvania, and Richard B. Levitz, Samuel Levitz, A. Samuel Levitz, Razelle Levitz, Leon Levitz and Ralph Levitz, doing business as R. B. Levitz Furniture Company of 622–626 Cumberland Street, Lebanon, Pennsylvania, are engaged in the retail sale of furniture, home appliances and ladies apparel through their respective stores.

During the third calendar quarter of 1943 they received consumers' goods of the value of $55,605 in excess of their allowable receipts; during the fourth calendar quarter of 1943 they received consumers' goods of the value of $53,220 in excess of their allowable receipts, and during the first calendar quarter of 1944 they received consumers' goods of the value of $23,460 in excess of their allowable receipts.

These excessive receipts of consumers' goods have interfered with the allocation controls established by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.614 *Suspension Order No. S–614.* (a) Richard B. Levitz, Leon J. Levitz, Ralph Levitz, Mary K. Levitz and Ruth R. Levitz, partners, doing business as R. B. Levitz Furniture Company or under any other name, of Pottstown, Pennsylvania, and Richard B. Levitz, Samuel Levitz, A. Samuel Levitz, Razelle Levitz, Leon Levitz and Ralph Levitz, doing business as R. B. Levitz Furniture Company or under any other name, of Lebanon, Pennsylvania, their successors or assigns, during the fourth calendar quarter period of 1944 (October 1 to December 31) shall compute their allowable receipts of consumers' goods in accordance with Consumers' Goods Inventory Limitation Order L–219, as amended from time to time, as a controlled merchant whose mercantile inventory is greater than its inventory limit at the beginning of any quarterly period, and they shall not during the fourth quarter of 1944, receive consumers' goods in excess of 90% of the amount thus computed, unless hereafter specifically authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Richard B. Levitz, Leon J. Levitz, Ralph Levitz, Mary K. Levitz and Ruth B. Levitz, partners, doing business as R. B. Levitz Furniture Company or under any other name, of Pottstown, Pennsylvania, and Richard B. Levitz, Samuel Levitz, A. Samuel Levitz, Razelle Levitz, Leon Levitz and Ralph Levitz, doing business as R. B. Levitz Furniture Company, or under any other name, of Lebanon, Pennsylvania, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on October 1, 1944, and shall expire on December 31, 1944.

Issued this 5th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14108; Filed, Sept. 12, 1944; 4:36 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24 as Amended Sept. 13, 1944]

PURCHASE OF MACHINE TOOLS, MANUFACTURING MACHINERY, AND SIMILAR EQUIPMENT NEEDED FOR CIVILIAN PRODUCTION

§ 944.45 *Priorities Regulation 24*—(a) *What this regulation does.* This regulation tells how purchase orders for machine tools, manufacturing machinery, and similar equipment may be placed by companies who wish to get ready for the resumption or expansion of civilian production when this is possible without interfering with war or essential civilian production. Where suitable existing equipment is not available, this regulation modifies the restrictions on the acceptance and filling of unrated purchase orders which are imposed by the WPB orders listed at the end of this regulation. It is the policy of the War Production Board to encourage the purchase of such equipment primarily from existing excess stocks as they may be made available in order to avoid using scarce materials in making additional new equipment. When these are not available, it is the policy of the War Production Board to permit the placing of unrated orders for new equipment which will be needed for civilian production as long as the filling of these orders does not interfere in any way with direct or indirect war production. This regulation also explains when ratings may be assigned to orders for equipment needed for civilian production.

(b) *Removal of restrictions on placing, acceptance and delivery of certain purchase orders.* The various WPB orders shown on List A at the end of this regulation forbid the sale of items which they cover to fill unrated orders. Some of them require a rating before a purchase order may be placed and accepted, while others require a rating before an item may be produced or delivered to fill a purchase order. Many of them contain both kinds of restrictions. They may also require a special WPB form. This regulation overrides these restrictions and unrated purchase orders may now be placed, accepted and filled for items covered by the WPB orders mentioned on List A. However, the approval of the War Production Board must be obtained, as explained in paragraph (c), before the unrated purchase order is placed.

(c) *How a purchaser gets WPB approval to place unrated orders.* A person who wishes to place an unrated order in spite of the restrictions of the WPB order on List A may apply for War Production Board approval by filing a letter in triplicate with his nearest War Production Board field office with a list in triplicate attached giving a description of the equipment which he wishes to get including make, type, size, and approximate price. Approval of the War Production Board will be given on Form GA–1977 if it finds that no suitable existing excess equipment is available. Upon receiving War Production Board approval, the person placing the unrated order must endorse the following statement on his purchase order, signed either manually or as provided in Priorities Regulation 7: "This order approved by the War Production Board in accordance with Priorities Regulation 24." The standard form of certification contained in Priorities Regulation 7 may not be used. Approval by the War Production Board under this paragraph does not give the purchase order a rating of AA–5 under § 944.1 (b) of Priorities Regulation 1.

(d) *Report of unrated orders.* Producers of equipment subject to any WPB order on List A must file Form WPB–3940 monthly in accordance with the instructions printed on the form, showing the quantity of their rated and unrated shipments. However, if the dollar value of a producer's monthly shipments of unrated orders does not exceed 10 percent of his total shipments he need not file this report, although he must keep unrated purchase orders placed under this regulation filed so that they can be readily segregated and examined.

(e) *Effect of other WPB orders and regulations.* (1) This regulation does not relieve anyone from complying with the requirements of Priorities Regulation 1 with respect to the compulsory acceptance and filling of rated orders in preference to unrated orders.

(2) If an unrated order under this regulation is put into a production schedule it shall not become a part of any "frozen" schedule in spite of Priorities Regulation 18 or other War Production Board order, but shall be subject to postponement in favor of rated orders in accordance with Priorities Regulation 1.

(3) Attention is called to the fact that this regulation does not authorize any construction contrary to the provisions of Construction Order L–41.

(4) Except to the extent specifically provided in this regulation, it does not waive the restrictions or conditions of any other order or regulation of the War Production Board.

(f) *Other cases where unrated orders allowed.* Many types of machinery and equipment, including most jigs, dies, fixtures and special tooling, are not subject to a WPB order limiting or restricting the placing or filling of orders. Consequently, unrated orders for these items have always been permissible where they can be filled without interference with rated orders as provided in Priorities Regulation 1. Many types of machinery and equipment may be bought under Priorities Regulation 13 from somebody who is not in the business of selling such machinery and equipment without any preference rating or other authorization. Permission under this regulation is not required in the case of such purchases.

(g) *Ratings for equipment required for civilian production.* (1) The policy of the War Production Board is not to grant any ratings for equipment needed for resumption or expansion of civilian production where this equipment can be obtained out of existing available stocks or where unrated orders for it can be filled within a reasonable time. However, where this is not the case, and the equipment takes a long time to produce, the War Production Board will consider applications for ratings both for equipment covered by the WPB orders mentioned in List A and for other types of equipment.

(2) If you need equipment for war production or for civilian production which is currently authorized by the War Production Board during the war, you may apply for a rating in accordance with existing procedures and without regard to this regulation. However, if you want equipment for operations which are neither directly related to the war effort nor currently authorized by the War Production Board, you cannot get a rating except by applying on Form WPB–1319 to your War Production Board field office in accordance with the instructions printed at the end of this regulation. This is so whether the equipment you need is covered by the WPB orders on List A or not.

(3) If the War Production Board grants a rating under this regulation, it may be applied only for the make of equipment shown in the application Form WPB–1319. The rating may be applied by use of the standard certification in Priorities Regulation 7 but the following statement must be added: "This rating applied pursuant to Priorities Regulation 24." Such an order may be accepted and filled in spite of any War Production Board order requiring approval on a special form.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

M–1–b	Machine tools.
M–9	Precision measuring instruments and testing machines.
M–11	Foundry equipment and metal melting furnaces.
L–89	Elevators and escalators.
L–128	General industrial equipment.
L–193	Conveying machinery and mechanical power transmission equipment.
L–221	Electric motors and generators.
L–226	Printing trades machinery.
L–250	Electric motor controllers.
L–268	Oxy-acetylene apparatus.
L–287	Portable conveyors.
L–298	Resistance welding equipment.
L–311	Logging, lumber and wood products machinery and equipment.
L–314	Lubrication equipment.
L–332	Container machinery.

INSTRUCTIONS FOR FILING FORM WPB–1319 (SEE PARAGRAPH (g))

Follow the general instructions appearing in the WPB–1319 instruction pamphlet except to the extent the instructions printed here conflict. The following general instructions will be added to the pamphlet as paragraph (12). When the new instructions are added to the pamphlet they will supersede the instructions printed here.

12. *Applications filed pursuant to Priorities Regulation 24.—General.* Four copies of applications under this regulation must be filed with the nearest WPB field office. You must use a single WPB–1319 for all items of equipment controlled by a single WPB order, or if the items are not controlled by a WPB order, by a single WPB division. Separate forms must be used for items controlled by separate WPB orders or by separate WPB divisions if there is no order. If you are not sure what WPB order or division controls the equipment, consult your nearest WPB office or the WPB publication "Products and Priorities." If possible, file together all applications for equipment required to produce one class of product. If you are unable to file these together, state this in item 20. If you are going to buy from several different suppliers equipment which may be included in a single application, you are not required to file separate applications for each supplier but may file one application.

The authorization on WPB–1319 limits you to the make of equipment shown but you may purchase this from any supplier. If you find that you can obtain sooner a make of equipment different than the one authorized, you may file a letter in duplicate with the War Production Board, Washington 25, D. C., identifying the case number and industry division listed in your original WPB–1319 application and requesting an amendment of the authorization.

Even if the installation of the equipment for which you are applying requires construction as defined in Order L–41, you must nevertheless use form WPB–1319 for the equipment. Note however that approval of your WPB–1319 does not remove the necessity for any approval of construction which may be required by Order L–41.

Special Instructions. Disregard the *special* instructions for individual items of equipment set forth in the WPB–1319 instruction pamphlet.

Do not fill in blocks 10, 13, 14, 16, 17B, or 19.

In block 6, insert "Priorities Regulation 24" and the WPB order, if any, controlling the equipment.

In block 7, state the industry division controlling the equipment.

In block 8, check the second space (marked "to receive").

In block 19, state also any efforts you have made to get the equipment on an unrated order and why such efforts were not successful.

In block 20, state:

(a) The approximate dollar value of equipment not covered by this application which is needed to resume or increase civilian production and for which preference ratings are necessary;

(b) The approximate dollar value of necessary equipment you can obtain without the use of preference ratings whether new or from excess stocks;

(c) Why you consider this equipment vital to your resumption or increase in civilian production;

(d) Any other pertinent information.

[F. R. Doc. 44-14168; Filed, Sept. 13, 1944; 11:29 a. m.]

PART 1189—ROTENONE

[Conservation Order M-133, Revocation]

Section 1189.1 *Conservation Order M-133* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Rotenone is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 49 issued simultaneously with this revocation.

Prior to October 31, 1944, rotenone may be delivered, accepted and used in accordance with authorizations issued under Order M-133.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14160; Filed, Sept. 13, 1944; 11:28 a. m.]

PART 1229—ARSENIC

[General Preference Order M-152, Revocation]

Section 1229.1 *General Preference Order M-152* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Arsenic is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 46 issued simultaneously with this revocation.

Prior to October 1, 1944, arsenic may be delivered, accepted and used in accordance with authorizations issued under Order M-152.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14161; Filed, Sept. 13, 1944; 11:28 a. m.]

PART 1286—PYRETHRUM

[Allocation Order M-179, Revocation]

Section 1286.1 *Allocation Order M-179* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Pyrethrum is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 48 issued simultaneously with this revocation.

Prior to October 31, 1944, pyrethrum may be delivered, accepted and used in accordance with authorizations issued under Order M-179.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14162; Filed, Sept. 13, 1944; 11:28 a. m.]

PART 2175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 25]

ALLOTMENT SYMBOLS THAT DO NOT REQUIRE QUARTERLY IDENTIFICATION

The following interpretation is issued with respect to CMP Regulation 1:

Paragraph (a) of CMP Regulation No. 1 explains that in placing an authorized controlled material order the quarterly identification (which is explained in paragraph (c) (6) (i)), must be added. In certain cases, where allotments are not made, a consumer is entitled to place an authorized controlled material order without using the quarterly identification. However, in such a case, the order must still bear the requested delivery date. A list of the symbols which can be used to place an authorized controlled material order without the quarterly identification, the purpose for which such symbols are used, and the related order follows:

Symbol	Use	Order
SO	Small order procedure	CMP Regulation 1.
P-1	Petroleum industry—production	P-98-b.
P-51	Petroleum industry—special production	P-98-b.
MRO	Maintenance, repair and operating supplies	CMP Regulations 5 and 5A.
MRO-P-8	do	P-98-b, P-47.
MRO-P-47	Petroleum Industry MRO (Serial number) Maintenance, repair and operating supplies—civilian aircraft.	
MRO-P-98-e	Maintenance, repair and operating supplies—petroleum industry consumer accounts.	P-98-e.
MRO-P-133	Maintenance, repair and operating supplies—electronic equipment.	P-133.
MRO-P-136	Maintenance, repair and operating supplies—scrap yards (serialized).	P-136.
MRO-P-141	Maintenance, repair and operating supplies—public sanitary sewer facilities.	P-141.
S-1	Industrial repairmen	CMP Regulation 9A.
S-2	Extension of public sanitary sewer facilities	P-141.
S-6	Serialized mines—iron and steel producers	P-46.
T-7	(Serial number) Transportation systems	P-142.
V-9	Laboratories	P-43.
S-4	For steel only for rural water well drillers	P-148.
U-0	Utilities—under orders	U-1, U-3, U-4.
V-3	Retailers and repair shops	CMP Regulations 9 and 9A.
F-6	Construction and facilities	CMP Regulation 6, Direction 1.
W-6	Construction and facilities—Army	CMP Regulation 6, Direction 3 (CMPL-593).
N-0	Construction and facilities—Navy	CMP Regulation 6, Direction 3 (CMPL-593).
H - (Program No.)	Construction and facilities—housing	P-55-c (WPB-2898).
U-2[2]	Construction and facilities—utilities	CMP Regulation 6, Direction 4 (WPB-2774).
WH	Orders placed by warehouses	M-21-b-1 and M-21-b-2.
PX	Steel producers exchange	CMP Regulation 1, Direction 6.
AM	Purchase of aluminum ingot and powder	Direction 49 to CMP Regulation 1 and M-1-g.
F-2	MRO purchased for foreign countries	Direction 83 to CMP Regulation 1.
F-4	Discarded, offgrade, idle, and excess steel purchases	

[1] In some cases a quarterly limitation is placed on the operator who places the order. However, a controlled material supplier does not need to require a quarterly designation on any order bearing the symbol F-6.

[2] In some cases the WPB-2774 authorization gives specific quantities for specific quarters. A controlled materials supplier does not need to require a quarterly designation on any order bearing the symbol U-2.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14169; Filed, Sept. 13, 1944; 11:29 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 3]

DISPOSAL OF NE-9400 SERIES ALLOY STEEL BY DISTRIBUTORS

The following direction is issued pursuant to CMP Regulation 4:

A steel distributor may, pursuant to Direction 44 to CMP Regulation No. 1, apply to the War Production Board for permission to deliver any off-grade or rejected steel or idle or excess inventory, including alloy steel in the NE-9400 series, which he is unable to move from his stock under CMP Regulations to any person who has an approved end-use but who is not in a position to furnish a CMP allotment number or symbol with his order. To provide additional assistance to such distributors for the disposal of surplus and obsolete stocks of alloy steel in the NE-9400 series, the following direction is issued pursuant to Paragraph (i) of CMP Regulation No. 4:

(a) Any person who has received an allotment of carbon steel may, if he wishes, use that allotment to purchase alloy steel in the NE-9400 series from any distributor's stock, but this substitution may not be made when ordering from a producer.

(b) Any steel distributor operating under Order M-21-b-1 who has an inventory of alloy steel in the NE-9400 series on hand or in transit to his stock on the effective date of this direction may, if he wishes, offer and deliver, subject to the approval of his customer, any such steel on any order that he is permitted to fill under CMP Regulation No. 4 which calls for the delivery of carbon steel. Any such delivery made in accordance with this Direction 3 may be used by the distributor to support a stock replacement order for any general steel product in the manner authorized by Paragraph (c) of Order M-21-b-1.

(c) This direction, unless otherwise revoked, shall expire on December 31, 1944.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14170; Filed, Sept. 13, 1944; 11:30 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-42, Direction 4]

CAST IRON BATHTUBS

The following direction is issued pursuant to Limitation Order L-42:

(a) *What this direction does.* The War Production Board having determined upon a program of production of metal bathtubs for the remainder of the year 1944, has authorized the production of 50,000 bathtubs for the fourth quarter. This direction tells by whom and for what purposes bathtubs may be made without utilizing labor in critical labor areas in order to produce the required 50,000 metal bathtubs.

(b) *Production of bathtubs.* Prior to January 1, 1945, in addition to the bathtubs authorized by previous Directions to Limitation Order L-42, the following manufacturers may produce at their plants at the addresses indicated, recess type cast iron bathtubs, no longer than those commercially known as five foot, and in quantities not exceeding the number indicated opposite their names:

American Radiator & Standard Sanitary Corporation, Louisville, Ky.	10,000
Crane Co., Chattanooga, Tenn.	10,000
Eljer Co., Salem, Ohio	10,000
Kohler Co., Kohler, Wis.	10,000
Richmond Radiator Co., Uniontown, Pa.	10,000

(c) *Sale of bathtubs.* These bathtubs may be delivered only to fill orders (1) of or for ultimate delivery to the Army or Navy, (2) for export authorized by the Foreign Economic Administration, (3) for approved installation in projects authorized on Form GA-1456, Form WPB-2896 or Form WPB-2774, or (4) from petroleum operators, approved by the Petroleum Administration for War. No jobber, or dealer, may accept delivery of any such bathtubs to place in his inventory, whether or not he has previously delivered bathtubs to fill such orders. No jobber, or dealer, may order, or accept delivery of any such bathtubs unless he has in his possession an actual order which has been approved by the Petroleum Administration for War or which calls for the delivery of bathtubs to an authorized project or building with a specified completion date, to or for the account of the Army or Navy or for installation in a project approved by the War Production Board on Form GA-1456, Form WPB-2896 or Form WPB-2774. Shipments for export may be made only if a license has actually been issued by the Foreign Economic Administration. A manufacturer may not accept a rating alone as evidence of his authority to deliver to a dealer, but must obtain, in addition to the standard certification accompanying the extension of the rating, applicable information of the following nature:

(1) For delivery to the Army or Navy: the contract purchase order, or rating certificate number.

(2) For delivery to a petroleum operator or to a project authorized on Form GA-1456 or Form WPB-2896 or Form WPB-2774: the number and location of the project.

(3) For export authorized by the Foreign Economic Administration: the export license number.

(d) *Reports.* Each manufacturer named in paragraph (b) shall report by letter on or before the 10th day of each month to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., by size, the number of bathtubs produced and the number shipped under this direction during the preceding month. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Effect of other orders.* The restrictions of Schedule XII to Order L-42 are superseded to the extent necessary to give effect to this direction.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14156; Filed, Sept. 12, 1944; 11:27 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-103, as Amended Sept. 13, 1944]

DYESTUFFS AND ORGANIC PIGMENTS

§ 3290.266 *Conservation Order M-103*—(a) *Definitions.* For the purposes of this order:

(1) "Dyestuffs" means any organic or partially organic coloring matter. The term includes organic coloring matter even though the matter itself appears colorless. The term does not include inorganic pigments extended or otherwise processed with resinates, with dispersing agents, or with other substantially colorless organic material.

(2) "Class A dyestuffs" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs" means all anthraquinone vat dyes other than those appearing on said List A. The term includes Fast Red A. L. Salt and Fast Red A. L. Base, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs" means all other dyestuffs, except:

(i) Those derived from vegetable or animal sources;

(ii) Lithol Red CI 189, Azo Bordeaux CI 88, Alphanaphthylamine Maroon CI 82 or Pigment Green B; or

(iii) Dyestuffs certified under the provisions of the Federal Food, Drug and Cosmetic Act (Ch. 9, Title 21, U. S. Code) and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(6) "Value" means the dollar value computed from the domestic consumer's contract sales price as of January 1, 1943.

(7) "United States" means the 48 States, the District of Columbia and the Territory of Alaska.

(8) "Producer" means any person in the United States engaged in the production of organic coloring matter.

(b) *Restrictions on delivery*—(1) *Class A.* No person shall in any calendar quarter deliver to any one person more than 25 pounds of any Class A dyestuffs and no one person shall in any calendar quarter accept a total of more than 25 pounds of any Class A dyestuffs for use in the United States or Canada, except for export within the limitations prescribed in paragraph (c) *Restrictions on export* and except as provided in paragraph (d) *General exceptions.*

(2) *Class B, C and D quotas.* Except as provided in paragraph (d) (*General exceptions*) and in paragraph (b) (3), no person shall in any calendar quarter, deliver any Class B, C, or D dyestuffs for use in the United States or Canada or accept delivery of any Class B, C, or D dyestuffs for use in the United States, in excess of the quantities specified in the following schedule:

NOTE: Schedule amended Sept. 13, 1944.

May deliver	*May accept delivery*
Class B. 15% of combined amount of Class A and B dyestuffs delivered to all persons in 1941 for such use plus 250 pounds.	15% of combined amount of Class A and B dyestuffs received from all sources in 1941, *plus 250 pounds.*
(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)	
Class C. 15% of value of Class C dyestuffs delivered to all persons in 1941 for such use plus $250 value.	15% of value of Class C dyestuffs received from all sources in 1941, *plus $250 value.*
Class D. 17½% of value of Class D dyestuffs delivered to all persons in 1941 for such use plus $250 value.	17½% of value of Class D dyestuffs received from all sources in 1941, *plus $250 value.*
(For the purpose of Class D quota, in determining the value of dry and wet dispersions of organic pigments, only the organic pigment content for such dispersions shall be considered and it shall be based on the value of a comparable dry pigment.)	

(3) *Acceptance of delivery of dyestuffs for redyeing used apparel and household furnishings.* Except as provided in paragraph (d) no person shall in any calendar quarter accept delivery of any Class B, C or D dyestuffs for redyeing used apparel and household furnishings in the United States in excess of the

quantities specified in the following schedule:

Class B. 25% of combined amount of Class A and B dyestuffs received from all sources in 1941, plus 250 pounds.

(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)

Class C. 25% of value of Class C dyestuffs received from all sources in 1941, plus $250 value.

Class D. 25% of value of Class D dyestuffs, received from all sources in 1941, plus $250 value.

The seller may rely upon a signed statement by the buyer that he is authorized to accept delivery under this subparagraph (3). If he has knowledge of this fact, he may waive the signed statement.

(4) *Quota adjustments.* For the purpose of the Class B, C and D quotas, referred to in the above schedule:

(i) *Use by producer.* Amounts of dyestuffs which are or have been used by a producer in any calendar quarter or in 1941, shall be considered as having been delivered to such person in such quarter or in 1941, as the case may be.

(ii) *Credit for returned dyestuffs.* Amounts of dyestuffs returned to a vendor prior to the 22nd day after the end of the calendar quarter in which they were delivered, shall not be charged as delivered or accepted.

(iii) *Carry-over of undelivered quota.* Amounts of dyestuffs which a person may deliver or accept which have not been delivered or accepted in any calendar quarter, may be delivered or accepted prior to the 22nd day after the end of such quarter.

(c) *Restrictions on exports*—(1) *General restrictions.* No producer shall export or deliver for export from the United States to any place other than Canada any dyestuffs produced by him, except either upon orders accompanied by individual export licenses issued by the Foreign Economic Administration (the applications for which show thereon the corresponding current domestic sales price of such dyestuffs) or upon orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act). The total value, exclusive of the exceptions provided in paragraph (d), of dyestuffs so exported or delivered in any quarter shall not exceed:

(i) ¾ of 1% of the total value of all dyestuffs delivered by him in 1941 plus

(ii) 17% of the total value of dyestuffs exported or delivered for export by him from the United States to all places other than Canada in 1941.

(2) *Further restrictions on Class A, B and C.* The amount of dyestuffs, exclusive of the exceptions provided in paragraph (d), produced by him which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter, shall not exceed:

(i) As to Class A dyestuffs, ½ of 1% of the total value of all Class A dyestuffs delivered by him in 1941.

(ii) As to Class B dyestuffs, 1% of the total of all Class B dyestuffs delivered by him in 1941.

(iii) As to Class C dyestuffs, ¾ of 1% of the total value of all Class C dyestuffs delivered by him in 1941.

(3) *Carry-over of undelivered portion of export quota.* Amounts of dyestuffs which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter and which have not been exported or delivered for export in such quarter, may be exported or delivered for export in the following quarter in addition to the quota for that quarter. For the purposes of this subparagraph (3), all dyestuffs, other than Class A, B or C, shall be considered one class.

(d) *General exceptions.* The restrictions in subparagraphs (1), (2) and (3) of paragraph (b) (*Restrictions on delivery*) and the restrictions in paragraph (c) (*Restrictions on export*) shall not apply to the delivery or acceptance of delivery of dyestuffs.

(1) To or by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the United States Post Office, the Government Printing Office, the Bureau of Engraving and Printing or the Government of Canada;

(2) For ultimate delivery to any of the agencies mentioned in subparagraph (1) of this paragraph (d), or for use, to the extent specified in the prime contract, in the manufacture of any item which is being produced for any of said agencies;

(3) For use in the manufacture of materials for uniforms as described in subdivisions (i) to (ix), inclusive, of paragraph (e) (1) of General Limitation Order L–224 (Clothing for Men and Boys) and in paragraph (d) (10) of General Limitation Order L–85 (Apparel for Feminine Wear);

(4) Between or among producers and exclusive sales agents of producers;

(5) For coloring gasoline and tractor fuels;

(6) For chemical indicators or bacteriological stains;

(7) For medicinal, therapeutic or diagnostic uses;

(8) For ultimate delivery to or by a retailer (who for this purpose means one who sells dyestuffs and other merchandise directly to the general public for its consumption, e. g., a general store, a drug store, etc.) of dyestuffs in containers not exceeding 8 ounces in content; or

(9) To replace in inventory amounts which, although not acquired for any of the uses referred to in any of the subparagraphs of this paragraph (d), were nevertheless used for one or more of such purposes.

(10) For purposes other than coloring (e. g. rubber chemicals).

Provided, That all deliveries of dyestuffs exempted from the restrictions of said paragraphs (b) and (c) by subparagraphs (2), (3), (4), (5), (6), (7), or (9) of this paragraph (d) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

> The undersigned hereby certifies to his vendor and to the War Production Board that the dyestuffs to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (d) of Conservation Order M–103, or will replace inventory so used.

(e) The War Production Board may authorize the delivery and acceptance of delivery, export of and delivery for export of additional quantities of Classes A, B, C and D dyestuffs to be used as specifically directed. Such authority will be issued either in the form of individual letters or by published Directions supplemental to this order. Applications by letter for authorizations under this paragraph may be filed by producers of dyestuffs or commercial dyestuff users. Authorizations for the delivery and acceptance of delivery of additional quantities of Classes A, B, C, or D dyestuffs for domestic use (excluding dyestuffs to be used domestically in dyeing apparel for export) may be granted to the extent that it is necessary for the user to obtain additional dyestuffs to carry out a War Production Board order, direction, or approved program. Additional dyestuffs shall be deemed necessary when the user has insufficient supply of dyestuffs to carry out such orders, directions, or approved programs provided he is not using any of his regular quota to dye or print any material a deeper shade than a standard consistent with available supplies of dyestuffs and the need for the particular shades in carrying out War Production Board orders, directions, and approved programs. The granting of authorizations among dyestuff users participating in the same approved program or direction shall, insofar as practicable, be based on their proportionate participation in such program or direction. Authorizations for dyestuffs to be used in dyeing apparel for export may be granted when the dyestuffs will be used to fill contracts or subcontracts of a government agency or for other essential export uses. Authorization which in the aggregate would require more than a total of 2 per cent of the domestic dyestuff production for export as dyestuffs, or for use in redyeing apparel for export, will be granted only upon program determinations.

(f) *Treatment of mixtures.* In the case of physical mixtures of different classes of dyestuffs containing a component or components of one class to the extent of at least 90% of the value of such mixture, such mixtures shall be considered as belonging to the class to which said component or components belong. In the case of all other physical mixtures of dyestuffs, the classes of components shall be considered separately.

(g) *Restrictions on use of specific dyestuffs.* No person shall use any:

(1) [Deleted Oct. 23, 1943.]

(2) Anthraquinone in any physical form in discharging (including color and white discharge), stripping or destroying naphthol (azoic), vat or other dyes already present on textile fibers. This provision shall not prohibit the use of Anthraquinone in the manufacture of dyestuffs.

(3) Annato or annato extracts for coloring any materials other than food products.

(h) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person shall accept delivery of any Class A dyestuffs which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *General prohibitions.* No person shall deliver or accept delivery of any dyestuffs, if he knows, or has reason to believe, such material is to be used or is to be delivered or accepted in violation of the terms of this order.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(m) *Communications to the War Production Board.* All communications concerning this order, shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference: M–103.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150.
4. Golden orange R CI 1097.
5. Khaki 2G Pr 122.
6. Olive T.
7. Olive GGL.
8. Olive green B.

PART II—TRADE NAMES

Amanthrene dark olive B.
Amanthrene Khaki 2G Pr 122.
Amanthrene olive R CI 1150.
Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1097.
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol brown RP CI 1151.
Calcosol golden orange RRTL CI 1097.
Calcosol golden orange RRTP CI 1097.
Calcosol khaki G Pr 122.
Calcosol olive R CI 1150.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prtg. golden orange RRT CI 1097.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1150.
Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122.
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green BA.
Indanthrene olive RA CI 1150.
Indanthrene olive RAP CI 1150.
Indanthrene olive RW CI 1150.
Indanthrene olive RWP CI 1150.
Indanthrene orange RRIA CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene olive T.
Ponsol brown AG CI 1152.
Ponsol brown AR CI 1151.
Ponsol brown ARS CI 1151.
Ponsol green 2BL.
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G Pr 122.
Ponsol olive AR CI 1150.
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

[F. R. Doc. 44–14159; Filed, Sept. 13, 1944; 11:26 a. m.]

PART 3293—CHEMICALS

[Allocation Order M–227, Revocation]

COPPER CHEMICALS

Section 3293.316 *Allocation Order M–227* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Copper chemicals are subject to allocation under General Allocation Order M–300, as Appendix A materials, subject to Schedule 47 issued simultaneously with this revocation.

Prior to October 1, 1944, copper chemicals may be delivered, accepted and used in accordance with authorizations issued under Order M–227.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14163; Filed, Sept. 13, 1944; 11:29 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 46]

ARSENIC

§ 3293.1046 *Schedule 46 to General Allocation Order M–300*—(a) *Definition.* "Arsenic" means arsenious acid, also known as white arsenic and arsenic trioxide, whether in crude (black or gray) or refined form. The term includes any chemical derivative, or chemical compound, of arsenious acid.

(b) *General restrictions.* Arsenic is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is May 22, 1942, when arsenic was first put under allocation by Order M–152 (revoked). The allocation period is the calendar quarter and the small order exemption is 650 lbs. per person per quarter, for pharmaceuticals and for laboratory reagent use only.

(c) *Special provision for shift from M–152.* Prior to October 1, 1944, arsenic may be delivered, accepted and used in accordance with authorizations issued under Order M–152 (revoked). The forms of applications under this schedule are substantially the same as under M–152, except for reference to "M–300–46".

(d) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 10th day of the month before the requested quarter, unless the applicant is a producer, in which case the filing date is the 15th. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–46. The unit of measure is pounds. Strike out "Month" and substitute "Quarter" in the headings throughout the form. Specify grade in columns 3 and 8 as "99+% As_2O_3", "95–99% As_2O_3", "90–95% As_2O_3" or less than "90% As_2O_3". An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 5th day of the month before the requested allocation quarter. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–46, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Strike out "Month" and substitute "Quarter" in the headings throughout the form. Specify grade in Columns 1 and 11 as "99+% As_2O_3", "95–99% As_2O_3", "90–95% As_2O_3", or "less than 90 As_2O_3." Fill in Column 3 in terms of the following:

Calcium arsenate.
Lead arsenate.
Paris green.
London purple.
Zinc arsenic.
Cattle dip.
Sodium arsenite.
Antimonial lead.
Metallic arsenic.
Wood preservative.
Arsenic trichloride.
Arsenic acid.
Glass.
Other primary product (specify).
Export (as arsenic).
Inventory (as arsenic).
Resale (as arsenic).

Opposite any primary product in column 3 specify end use in Column 4 in terms of one of the following:

Insecticides.
Poison bait.
Weed killer.
Metallurgical.
Structural lumber.
Structural timber.
Wood piling.
Railroad ties.
Wallboard.
Optical and ophthalmic glass.
Flat and structural glass.
Ornamental glass.
Glass tableware.
Glass containers.
Glass bulbs and tubing.
Heat resisting glass.
Fibre glass.
Gas purification.
Other (specify).

Opposite "Export", "Inventory", or "Resale" in Column 3, fill in column 4 as required by paragraph (11–a) of Appendix E of Order M–300. Fill in Tables II and III as indicated. Leave Tables IV and V blank.

Budget Bureau approval. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemical Bureau, Washington 25, D. C., Ref: M–300–46.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14164; Filed, Sept. 13, 1944; 11:20 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 47]

COPPER CHEMICALS

§ 3293.1047 *Schedule 47 to General Allocation Order M–300*—(a) *Definition.* "Copper chemicals" means the following chemicals, in both cupric and cuprous form:

(1) Copper sulfate.
(2) Copper carbonate.
(3) Copper oxide.
(4) Copper chloride.
(5) Copper cyanide.

(b) *General restrictions.* Copper chemicals are subject to allocation under General Allocation Order M–300 as Appendix A materials. The initial allocation date is October 1, 1942, when copper chemicals were first put under allocation by Order M–227 (revoked). The allocation period is the calendar quarter and the small order exemption per person per quarter is as follows:

	Pounds
Copper sulphate	4,000
Copper carbonat	1,000
Cupric oxide	1,000
Copper chloride	1,000
Copper cyanide	1,000

The small order exemption for cuprous oxide is 75 lbs. per quarter, but this may only be delivered to and accepted by laboratories and suppliers principally engaged in supplying laboratories, and may be used only by laboratories. (The term "laboratory" means laboratory as defined in Order P–43, whether or not registered under that order:)

(c) *Special provision for shift from M–227.* Prior to October 1, 1944, copper chemicals may be delivered, accepted and used on the basis of authorizations issued under Order M–227 (revoked). The forms of applications under this schedule are substantially the same as under Order M–227, except for reference to "M–300–47".

(d) *Exemption for agricultural and animal uses of copper sulfate.* (1) Allocations of aggregate quantities of copper sulfate may be made to any producer, upon his application pursuant to paragraph (e) below, for distribution for soil treatment, or as an insecticide or fungicide for agricultural crops, or for manufacture of animal medicinals. This copper sulfate may then be prepared and delivered by the producer and may be received, redelivered and used by any person for these purposes without further application or authorization under this order, but subject to all other applicable orders and regulations of the War Production Board or of the War Food Administration.

(2) No supplier shall deliver copper sulfate under this exemption to any person unless he has certified that the copper sulfate delivered will be used, or resold for use, only for soil treatment, or as an insecticide or fungicide in the cultivation of agricultural crops, or in the manufacture of animal medicinals. This statement of use shall be put on or attached to the purchase order, followed by the certification prescribed in Appendix D of Order M–300 (the form of certificate formerly prescribed in Order M–227 may continue to be used instead). This certification need be filed only once with each supplier if the purchaser buys copper sulfate exclusively for these purposes and if the statement refers to all future deliveries. This certification need not be filed when ordering in retail packages of 100 lbs. or less labeled for the uses covered by this exemption.

(3) No supplier shall deliver under this exemption copper sulfate allocated for delivery under the regular small order exemption.

(e) *Supplier's applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 10th day of the month before the requested allocation quarter. File separate sets of forms for each copper chemical. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–47. Strike out "Month" and substitute "Quarter" in the headings throughout the form. The unit of measure is pounds. In columns 3 and 8 specify grade in terms of percentage by weight of copper content. An aggregate quantity may be requested, without specifying customers' names, for delivery under paragraph (d) and a separate aggregate quantity for exempt small orders. Fill in Table II.

(f) *Customers' applications on WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 5th day of the month before the requested allocation quarter. File separate sets of forms for each supplier and for each copper chemical. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–47, and one copy (reverse side blank) to the supplier. Strike out "Month" and substitute "Quarter" in the headings throughout the form. The unit of measure is pounds. Specify grade in Columns 1 and 11 in terms of percentage by weight of copper content. Fill in column 3 in terms of the following:

Water treatment.
Wire drawing.
Electro plating.
Mining.
Catalyst.
Gas sweetener.
Anti-fouling paints.
Preservatives.
Dyes and pigments.
Mildew-proofing.
Agriculture.
Other primary product (specify).
Inventory (as copper chemicals).
Export (as copper chemicals).
Resale (as copper chemicals).

In column 4 specify end use in terms of the following, opposite each primary product in column 3:

Synthetic rubber.
Petroleum.
Electric batteries.
Textiles.
Lumber.
Paint.
Pharmaceuticals.
Other (specify).

Applicant shall also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer and, where purchase is by government agency, shall also indicate specification number, if any.

Opposite "Inventory", "Export" or "Resale" in column 3 fill in column 4 as required by paragraph (11–a) of Appendix E of Order M–300.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–47.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14165; Filed, Sept. 13, 1944; 11:29 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 48]

PYRETHRUM

§ 3293.1048 *Schedule 48 to General Allocation Order M–300*—(a) *Definitions.* (1) "Pyrethrum" means pyrethrum flowers and the powder, dust or extract derived therefrom, excluding, however, pyrethrum insecticide.

(2) "Pyrethrum insecticide" means any compound containing pyrethrum combined with other liquid or dry materials whether active or inert, which is suitable for use as an insecticide.

(b) *General restrictions.* Pyrethrum is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is July 1, 1942, when pyrethrum was first put under allocation by Order M–179 (revoked). The allocation period is the calendar month and the small order exemption is one pound per person per month, for experimental purposes only.

(c) *Special provision for shift from M–179.* Prior to October 31, 1944, pyrethrum may be delivered, accepted and used in accordance with authorizations issued under Order M–179 (revoked). The forms of applications under this schedule are substantially the same as under M–179, except for reference to "M–300–48".

(d) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for agricultural customers and other customers. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–48. The unit of measure is pounds. In columns 3 and 8 specify grade in terms of form, such as dust, powder or liquid extract. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders for experimental uses. Fill in Table II.

(e) *Customers' applications on WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 10th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–48, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In columns 1 and 11 specify grade in terms of form, such as dust, powder or liquid extract. Fill in column 3 in terms of the following:

Agricultural.
Other primary product (specify).
Export (as pyrethrum).
Resale (as pyrethrum).

In column 4 specify product and use. For example, specify kind of insecticide in terms of insect or animal or crop, and whether for small or large size package. Opposite "export", or "resale" in column 3, fill in column 4 as required by paragraph (11–a) of Appendix E of Order M–300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Agricultural use and distribution of pyrethrum insecticides.* Use of pyrethrum insecticides in agriculture and distribution of pyrethrum insecticides to agricultural consumers (which matters are not the subject of this order) are subject to any applicable orders or regulations of the War Food Administration.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–48.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14166; Filed, Sept. 13, 1944; 11:29 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 49]

ROTENONE

§ 3293.1049 *Schedule 49 to General Allocation Order M–300*—(a) *Definitions.* (1) "Rotenone" means the active insecticidal ingredients of the roots of derris, cube, barbasco, tuba or timbo. The term includes:

(i) "Crude rotenone" in the form of root or of root which has been dried, broken, shredded, cut or chipped;

(ii) "Processed rotenone" in the form of finely ground or powdered crude rotenone; also in the form of liquid or solid extracts (or resins) obtained from crude rotenone.

(2) "Rotenone insecticide" means any compound containing rotenone combined with other liquid or dry materials, whether active or inert; provided that such compound is suitable for use as an insecticide.

(b) *General restrictions.* Rotenone is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is January 23, 1943, when rotenone was first put under allocation by Order M–133 (revoked). The allocation period is the calendar month and the small order exemption per person per month is 5 lbs. in solid form or one gallon of liquid extract.

(c) *Special provision for shift from M–133.* Prior to October 31, 1944, rotenone may be delivered, accepted and used in accordance with authorizations issued under Order M–133 (revoked). The form of applications under this schedule are substantially the same as under M–133, except for the reference to "M–300–49".

(d) *Suppliers' applications on WPB–2946 to deliver.* Each supplier seeking authorization to deliver rotenone shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 15th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–49. The unit of measure is pounds. In columns 3 and 8 specify form (dust, extract, ground, root, etc.) and percentage of pure rotenone content. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Applications on Form WPB–2945 for use or acceptance.* Each person seeking authorization to use or accept delivery of rotenone shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 10th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–49, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In columns 1 and 11 specify form (dust, extract, ground, root, etc.), and percentage of pure rotenone content. Fill in column 3 in terms of the following:

Insecticide.
Pharmaceuticals.
Other primary products (specify).
Export (in original form).
Resale (in original form).

In column 4 specify product and use. For example, specify kinds of insecticide in terms of insect and animal or crop, and whether for small or large size package. Opposite "Export" or "Resale" fill in column 4 as required by paragraph (11–a) of Appendix E of Order M–300. Fill in other columns of Table I, and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(f) *Restrictions on manufacture and processing.* (1) No person shall manufacture or process any rotenone insecticide incorporating pyrethrum.

(2) The War Production Board may from time to time issue to processors of rotenone or to manufacturers of rotenone insecticides written directions as to the content, kinds and grades of processed rotenone or of rotenone insecticides to be produced, or as to size of packages in which rotenone or rotenone insecticides may be packed.

(g) *Agricultural use and distribution of rotenone insecticides.* Use of rotenone insecticides in agriculture and distribution of rotenone insecticides to agricultural consumers (which matters are not the subject of this order) are subject to applicable orders and regulations of the War Food Administration.

(h) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–49.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14167; Filed, Sept. 13, 1944; 11:29 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M-21-a, Direction 4, as Amended Sept. 13, 1944]

CONSUMPTION OF ALLOY STEEL SCRAP IN MELTING ALLOY STEEL

The following direction is issued pursuant to paragraph (e) of Supplementary Order M-21-a. This direction covers the consumption of alloy steel scrap in the melting of alloy steel.

(a) *Definitions.* For the purposes of this direction:

(1) The term "alloy steel" includes only the types of alloy steel as defined in paragraph (a) of Order M-21-a which contain nickel or molybdenum known to have been added to obtain a desired alloying effect, and within the following composition ranges:

Nickel—0.26% to 5.25%, inclusive.

Molybdenum—0.07% to 1.50%, inclusive.

So-called stainless and/or heat-resisting steels containing 4% or more of chromium are excluded from this direction whether or not they contain nickel or molybdenum within the limits given above.

Tungsten steels are excluded from this direction whether or not they contain nickel or molybdenum within the limits given above.

(2) For the purposes of this direction, the term "alloy steel scrap" includes only scrap containing .30% or more nickel and/or .08% or more molybdenum.

(b) *Required alloy steel scrap consumption.* (1) In melting alloy steel in each calendar month, each producer in each plant must consume alloy steel scrap of the kinds listed below in not less than the following amounts. These amounts are stated in terms of percentages of the total weight of alloy steel ingots or total melted metal for alloy steel castings produced by the producer in each plant in the particular month:

	Electric furnace alloy steel	Open hearth alloy steel
	Percent	*Percent*
Total alloy steel scrap (solids plus turnings)	65	32
Alloy steel turnings	8	11

For example: A producer who produces in the month of January 10,000 tons of electric furnace alloy steel ingots must consume in his melting at least 6,500 tons of alloy steel scrap added to the furnace charge either directly or through pig iron. Of the alloy steel scrap he consumes, at least 800 tons must be in the form of alloy steel turnings.

(2) A producer who operates both electric and open hearth furnaces must consume the minimum amounts of alloy steel scrap specified in this direction in each type of furnace.

(c) *Request for exceptions.* (1) Any request for an exception from the terms of this direction shall be made by filing a letter setting forth the relief requested and the reasons why such relief should be allowed. Such requests should be addressed to Scrap Section, Steel Division, War Production Board, Washington 25, D. C. The War Production Board may grant specific written exceptions in appropriate cases. The approval of a melting schedule shall not constitute the grant of an exception.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14156; Filed, Sept. 13, 1944; 11:27 a. m.]

PART 3305—PAPERBOARD

[Limitation Order L-239, as Amended Sept. 13, 1944]

FOLDING AND SET-UP BOXES

The fulfillment of requirements for the defense of the United States has created shortages in the supply of materials entering into the production of folding and set-up boxes for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3305.16 *Limitation Order L-239*—(a) *What this order does.* This order forbids the manufacture of certain boxes and places restrictions on the manufacture of many other types, especially on the size, weight and shape of boxes used for packing various commodities.

(b) *Definitions.* For the purpose of this order: (1) "Folding box" means any collapsible container, or part thereof, made of paper or paperboard, excepting paper milk containers, liquid tight containers, pails and solid fibre or corrugated shipping containers not made on folding box machinery.

(2) "Blank" means any sheet of paper or paperboard, cut to shape or creased or scored for the purpose of being used as a folding box, set-up box, pail or part thereof.

(3) "Set-up box" means a non-collapsible or rigid container, or part thereof, made of paper or paperboard, excepting paper milk containers, liquid tight containers, cups, round nested paper food containers, pails, and solid fibre or corrugated shipping containers not made on set-up machinery.

(4) "Pail" means a wedge shaped, folded, liquid-tight, paper container.

(5) "Box" unless otherwise specified, includes folding boxes, set-up boxes, pails, blanks, and parts thereof.

(6) "Work in process" means any material for physical incorporation in boxes, on which actual box making operations have been started. No preparatory work such as art work, engravings, electrotypes, dies, or forms shall be deemed "work in process."

(7) "Virgin wood pulp" means pulp manufactured either by mechanical or chemical means from coniferous or broadleaf trees.

(8) "Gauge list" means any gauge list set forth in United States Department of Commerce Simplified Practice Recommendation R44-36 entitled "Box Board Thickness".

(9) "Multiple container" means a box containing a number of separately packaged items of the same commodity.

(10) "Set or combination box" means any box which is specifically designed to contain two or more different articles.

(11) "Liquid tight container" means any spiral or convolute wound paper container with slip-on cover made of paperboard commonly known in the trade as liquid tight container and of the type which is used to package foods for human consumption. This does not include a pail as defined in paragraph (b) (4).

Restrictions

(c) *General restrictions.* No person shall manufacture or commercially use any box in violation of any provision of this order, including its schedules, or purchase or sell any box which he knows, or has reason to believe, has been, or will be, manufactured in violation of any prohibition or restriction of this order, including its schedules.

(d) *Restrictions on use of metal.* No person shall manufacture or incorporate in the manufacture of boxes any metal bails or metal handles for boxes.

(e) *Restrictions on manufacture of seasonal boxes and sleeves.* No person shall manufacture:

(1) Any box for seasonal or other special purpose having a greater pulp content or area or weight of paper or paperboard than contained in the usual commercial box for like contents.

(2) Any sleeves or extra containers for seasonal or other special purposes unless also required for the usual commercial box for like contents.

(f) *Restrictions on dummy and display boxes*—(1) *Dummy boxes.* No person shall manufacture any commercial display box simulating a package and not intended for packaging purposes, or use for display purposes, any box not previously used for packaging.

(2) *Display boxes.* No person shall manufacture any box for simultaneous packaging and display purposes unless it is made without display features that require additional paperboard.

(g) *Restrictions on set or combination boxes.* No person shall manufacture any set or combination box without permission from the War Production Board in writing. The War Production Board will grant permission to manufacture set or combination boxes only in cases which involve no additional consumption of board over the quantity required to pack the items separately, or in cases where the resultant greater utility to the consumer is commensurate with the additional use of board involved. The restrictions of this paragraph do not apply to boxes for biological or sterile pharmaceutical products or to boxes in which are packed one article with a tool for opening the article.

(h) *Restriction on empty boxes.* No person shall knowingly manufacture boxes for sale at retail as empty boxes except frozen food locker boxes.

(i) *Restrictions on manufacture of boxes from virgin wood pulp.* No person shall manufacture any box from any of the following grades of paperboard listed in United States Department of Commerce Simplified Practice Recommendation R44-36 if any virgin wood pulp is contained in any of such paperboard: plan chipboard, filled news board, single news vat-lined chip, bending chip board, colored suit box chip back, solid jute, cracker shell board, or solid news.

(j) *Restrictions on pulp inner liners.* Except as provided in paragraph (l), no person shall commercially use, on the inside surface of any folding box, any liner made from (1) virgin wood pulp or (2) from any waste paper (including, but not limited to, white cuttings and manila cuttings) which can be processed to simulate the appearance of a virgin wood pulp liner.

(k) *Restrictions on virgin wood pulp boards.* Except as provided in paragraph (l) no person shall manufacture any box from paperboard containing in its total fibre furnish 50% or more virgin wood pulp or substitute high grade waste paper.

(l) *Permitted uses of pulp inner liners and kraft board.* The restrictions of paragraphs (j) and (k) shall not apply to boxes designed for use as outer containers in parcel post or express shipments. They also shall not apply to boxes designed for packaging any of the following products:

(1) Wet or oily foods.

(2) Products containing, by weight, 25% or more of metal.

(3) Any other product determined by the War Production Board as requiring the protection of such liner or paperboard to insure its delivery in merchantable condition to the ultimate consumer. Application for such determination may be made by the prospective packager by letter stating the pertinent facts.

(m) *Restrictions on size, weight and shape.* No person shall manufacture any box to pack a specific item unless it is made:

(1) Of paperboard no heavier than that reasonably required to transport the product with safety.

(2) No larger than is necessary to pack the product.

(3) Without extension edges, top or bottom cards, or padded tops, if the construction used requires an extra sheet of paperboard or an extra head.

Exceptions

(n) *Provisions not applicable to material completed or in process.* (1) No prohibition or restriction hereof shall apply to boxes completely manufactured or made from work in process prior to the effective date of such restriction.

(2) Where any restriction hereof limits the type, grade, or quality of paperboard which may be used in manufacturing any box, such restriction shall not apply to the use of any paperboard manufactured for that purpose prior to the effective date of such restriction.

(3) Where any restriction hereof limits the use of sheet-lined paperboard in manufacturing any box, such restriction shall not apply to the use of any paperboard sheet-lined prior to the effective date of such restriction.

(o) *Provisions not applicable to boxes for certain federal agencies.* The restrictions of this order shall not apply to boxes manufactured to meet the packaging specifications of, and delivered to or for the account of, the United States Army, Navy, Maritime Commission, War Shipping Administration, or any agency imposing such specifications for material to be delivered under the Act of Congress of March 11, 1941, entitled "An Act for the Defense of the United States" (Lend-Lease Act).

(p) *Inventory restrictions.* No person shall accept delivery of any quantity of boxes which will increase his inventory of that size and type of box to more than 25 tons or more than his reasonably anticipated requirements for the next ninety days, whichever is greater. No person shall order any quantity of boxes for delivery to him, or for his account, on any future date, if he has reason to believe that receipt thereof on that date will increase his inventory to more than the amount permitted in the first sentence of this paragraph. No person shall deliver, or accept an order for, any boxes which he has reason to believe will increase the purchaser's inventory to an amount greater than that permitted by this order.

Miscellaneous Provisions

(q) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(r) *Records.* All persons affected by this order shall keep for two years accurate and complete records concerning inventories, purchases, production and sales.

(s) *Inspection and audit.* All records required to be kept by this order shall upon request be submitted to authorized representatives of the War Production Board for inspection and audit.

(t) *Schedules.* All schedules attached to this order or issued as amendments to it are a part of this order as fully as if set out in it.

(u) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(v) *Appeals.* An appeal from the provisions of this order may be made by a letter stating informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(w) *Communications to War Production Board.* All appeals and other communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref: L-239.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE 1—RETAIL BOXES

(a) *Definition.* For the purpose of this order "retail box" means any plain or fancy, lined or unlined box furnished directly to a retailer for packaging merchandise for retail distribution, excepting parcel post boxes and boxes for packaging foods, candy, drugs, or medicinal supplies.

(b) *Quota restriction.* No person shall use for the manufacture of retail boxes in any calendar year more than 65% of the tonnage of paperboard he put in process for the manufacture of retail boxes during 1941.

(c) *Restrictions on retail set-up boxes.* (1) No person shall manufacture any retail set-up box exceeding the following maximum specifications, provided that retail set-up boxes of sizes other than specified below may be manufactured if the material used is not of heavier weight than that permitted for the box of the size having the nearest higher area in square inches:

Size—length, width, and depth	Lid depth	Paperboard shall not be heavier than regular number 50-pound bundles (sheets per bundle)
2 x 2 x 2	2	65
2½ x 1⅝ x ¾	¾	65
3 x 2½ x 1	1	65
3½ x 3½ x 1	1	65
4 x 4 x 2	2	65
4 x 4 x 4	4	60
4½ x 1 x 1	1	65
4⅞ x 4 x 5¼	¾	65
5 x 3½ x 1½	1	65
5 x 5 x 2	2	65
5½ x 5½ x 4	4	60
6 x 3 x 2	2	65
6 x 4¼ x 2½	¾	65
6 x 6 x 3	3	60
6½ x 1⅛ x 1⅛	1	65
6½ x 6½ x 1½	1	65
6½ x 6½ x 4	4	60
6½ x 6½ x 6	6	55
7 x 6 x 2	2	65
7⅛ x 7⅛ x 1½	1½	65
7⅛ x 5½ x 3½	3½	60
8 x 3 x ⅝	⅝	65
8 x 5½ x 1⅛	1⅛	65
8 x 8 x 2½	2½	60
8 x 8 x 4	4	55
8 x 8 x 8	8	50
9 x 3 x 3	3	60
9 x 6 x 3	3	60
9½ x 6¼ x ⅝	⅝	65
9½ x 6¼ x 1	1	65
9½ x 6¼ x 1½	1½	65
10 x 3½ x 2	2	65
10 x 6 x 6	6	50
10 x 7 x 2	2	65
10 x 10 x ⅝	⅝	60
10 x 10 x 4	4	50
10 x 10 x 5½	5½	50
10 x 10 x 10	2½	50
10½ x 7½ x 1¾	1¾	65
10½ x 10 x 1	1	60
10½ x 10 x 1¾	1½	60
10½ x 10 x 2½	1½	60
11 x 4½ x 1	1	65
11¼ x 8¼ x 3½	1	60
11¼ x 8¼ x 1¾	1¾	60
11½ x 8½ x 2¾	1¾	60
12 x 6 x 6	2	50
12 x 12 x 1	1	60
12 x 12 x 2	2	60
12 x 12 x 4	1	50
12 x 12 x 6	1¾	50
12 x 12 x 10	2	45
12½ x 6½ x 4	1	60
12⅝ x 9⅝ x 2½	1¾	60
13 x 4 x ⅝	⅝	65
13 x 4 x 1	1	65
13 x 6 x 6	1¾	50
14 x 10 x 1¾	1¾	60
14 x 14 x 6	2	45
14¼ x 8 x 8	2	45
15 x 11 x 2	2	50
16 x 16 x 2½	2½	50
17 x 11 x 2½	2½	50
18 x 7 x 1½	1½	50
18 x 10 x 1½	1½	50
18 x 13 x 3	1¾	50
18¼ x 7½ x 6	2	50
20 x 18 x 8	2	45
22 x 12 x 3½	1¾	50
23 x 14 x 6	1¾	50
24 x 20 x 6	2	40
26 x 2 x 2	1	60
26 x 4 x 1¾	¼	50
30 x 4 x 1¾	¼	50
30 x 5¼ x 1¾	¼	50

(2) *Material for retail set-up boxes.* No person shall incorporate in any retail set-up boxes:

(i) Any grade or quality of paperboard higher than solid news No. 2 finish, Gauge List No. 3, or

(ii) Any bottom paper if the box is strip wrapped, or

(iii) Any lining on the side of the board forming the inside of the box, except news vat lining.

(d) *Restrictions on retail folding boxes.* No person shall manufacture any retail folding box for packing wearing apparel (exclusive of shoes) or flowers of any grade of paperboard except:

(1) The grades listed in paragraph (i) of this order, if made without virgin wood pulp.

(2) Mist-colored suit boxboard containing no more virgin pulp than is required to create the mist effect.

(e) *Exception for merchandise folders.* Notwithstanding the restrictions of paragraph (i) of this order and paragraph (d) of this schedule, a virgin wood pulp liner may be used on the outside of any merchandise folder made in conformity with the following specifications:

(i) *Style.* One-piece style only, with lock closures or metal clasps.

(ii) *Sizes.* Total over-all area of blank no larger than 600 square inches.

(iii) *Caliper.* Paperboard no thicker than .020 if the blank has an over-all area of under 200 sq. inches, .022 if the area is from 200 to 400 sq. inches, or .024 if over 400 sq. inches.

SCHEDULE 2—FOOD BOXES

NOTE: Basis of weight for all boxes in paragraphs (a), (b) and (c) of Schedule II is #6 gauge list as listed in Simplified Practice Recommendation on R-44-36 of U. S. Department of Commerce.

(a) *Butter, lard, oleomargarine, shortening and similar boxes.* No person shall manufacture any box for packaging butter, lard, oleomargarine, shortening or similar products with a content capacity of less than one pound or of a heavier weight of boxboard than the following:

(1) 1 lb. butter, lard, oleomargarine or shortening boxes: 65 lbs. per M sq. ft.

(2) 2 lb. lard, shortening or oleomargarine boxes: 69 lbs. per M sq. ft.

(3) 3 lb. and 4 lb. lard or shortening boxes: 77 lbs. per M sq. ft.

(4) 5 lb. lard or shortening boxes: 82 lbs. per M sq. ft.

(5) 8 lb. lard or shortening boxes: 128 lbs. per M sq. ft.

(b) *Ice cream and frozen dessert boxes.* No person shall manufacture for ice cream or frozen dessert any:

(1) Box for direct fill factory pack, except:

(i) With content capacity of one pint, one quart, two gallons or larger than two gallons.

(ii) If in sizes of one quart or less, of a weight of boxboard no heavier than 71 lbs. per M sq. ft.

(iii) If a folding box, the outer flaps at both ends of the main panel should be no longer than 1/16 of an inch.

(2) Tuck end box of a heavier weight of boxboard than the following:

Pints---65 lbs. per M sq ft.
Quarts---71 lbs. per M. sq ft.

(3) Carry-out pail, regardless of size, of a heavier weight of boxboard than 71 lbs. per M sq. ft.

(c) *Food pails.* No person shall manufacture any food pail of a heavier weight of boxboard than the following:

(1) Hot food pails, generally known to the trade as chop suey pails: 82 lbs. per M sq. ft.

(2) All other food pails: 77 lbs. per M sq ft. for two quart size and 69 lbs. per M sq ft. for all other sizes.

(d) *Cereal boxes.* No person shall manufacture any box to hold less than 4 oz. net weight of any ready-to-eat breakfast cereal, for use by any person, including those listed in paragraph (o) of this order, except for use by the Armed Services in hospitals overseas.

(e) *Boxes for crackers and baked goods—(1) Definition.* For the purpose of this schedule "crackers and baked goods" mean products of the biscuit, cracker and pretzel industry.

(2) *Restrictions on packing.* No person shall pack crackers or baked goods without observing the following restrictions:

(i) Crackers, cookies or biscuits shall be packed not less than six bags, packets, or rolls to a folding or set-up box.

(ii) Single caddies and double caddies shall be filled to normal capacity, regardless of weight or count of contents.

(iii) Cracker caddies in carload lots shall be mill tied and knocked down flat, but not wrapped.

(f) *Boxes for crackers and baked goods; restrictions on manufacturing.* No person shall manufacture any box for packaging crackers or baked goods with false sides, ends, bottoms or covers, or that does not conform to the following specifications:

(1) *Caddies.* (i) Paperboard for caddies shall be no thicker than .050, if the caddies are single, or .055, if they are double.

(ii) Openings in caddies for bulk goods shall be not less than 10" x 10", if the caddies are single, or 10" x 20", if the caddies are double.

(iii) No single or double caddies shall be less than 6½ inches in depth, except that fruit-filled bars, sandwich varieties and shortbreads may be packed in caddies not less than 4½ inches in depth.

(iv) Flanges on telescope covers of laminated single or double caddies shall not exceed 2 inches in depth.

(2) *Nests for caddies.* Nests made from virgin wood pulp board shall be no thicker than .022 for single caddies, or .024 for double caddies.

(3) *Cartons—size.* (i) End flaps on seal end cartons shall not be more than ⅛ the width of the carton plus ½ inch, except that flaps on cartons for ground products (such as cracker meal) may be full width.

(ii) Tuck shall not exceed ⅜" from center of score line to edge of tuck, if cover flap is 5 inches or less in length, or 1 inch, if cover flap exceeds 5 inches in length.

(iii) Side flaps on tuck flap cartons shall not be longer than half the width of the carton front to back plus half the width of the tuck of the cover flap.

(4) *Cartons; weight.* The basis weight and caliper of boxboard of cartons shall be based on the cubic inch capacity of the formed carton or the legend weight, whichever is greater. Cubic inch capacity of formed cartons is calculated on center to center of score line dimensions.

(i) Basis weight of board for cracker shell type cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50	8 oz.	72	See Gauge List No. 2.
51 to 150	12 oz.	76	
151 to 200	1 lb.	80	
201 to 250	2 lb.	85	
251 and up	Over 2 lb.	90	

(ii) Basis weight and caliper of board with printing surface, such as single manila lined and bleached manila lined boards used for printed cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50	8 oz.	76	See Gauge List No. 2.
51 to 150	12 oz.	80	
151 to 200	1 lb.	85	
201 to 250	2 lb.	90	
251 and up	Over 2 lb.	96	

(iii) Basis weight and caliper of board with printing surface such as patent coated news back board used for printing cartons shall not exceed the following:

Cubic inch capacity of formed cartons	Legend weight up to and including	Weight per thousand square feet	Caliper
Up to 50	8 oz.	77	See Gauge List No. 6.
51 to 150	12 oz.	82	
151 to 200	1 lb.	88	
201 to 250	2 lb.	96	
251 and up	Over 2 lb.	104	

(5) *Cartons; printing designs.* Printing designs shall not extend (bleed) over carton edges if such extension (bleed) causes an excess use of paperboard through the use of double knives or otherwise.

(6) *Packets, trays and boats.* Paperboard for packets, trays and boats, shall be no thicker than .022.

(7) *Layer boards, strips, dividers and nestings.* (i) Layer boards, strips, dividers and nestings for cellophane bags, glassine bags, paper bags, packets, tray packages and boats shall be no thicker than .022, if made from laminated stock, and shall not exceed the basis of 90 sheets per 50 lb. bundle, if made from other stock.

(ii) Layer boards, strips, dividers and nestings for bulk receptacles shall not exceed the basis of 100 sheets per 50 lb. bundle, except that dividers for fruit-filled bars may be made of paperboard not exceeding the basis of 50 sheets per 50 lb. bundle, if not made from virgin wood pulp.

(8) *Single sale unit boxes.* Laminated paperboard for single sale unit boxes in one pound or up to and including two pound sizes shall be no thicker than .028.

(g) *Candy boxes—(1) Definitions.* For the purpose of this schedule:

(i) "Set-up candy box" means any set-up box designed for packaging chocolates or other candies, with the exception of (a) boxes of less than ½ lb. capacity or more than 5-lb. capacity and (b) boxes for bar and bulk goods.

(ii) "Finished weight" means the weight of the finished box, including all trays, partitions, decorations (made of any material), and other findings (except paper cups), but not including candy contents.

(2) *Maximum weight for standard sizes.* No person shall manufacture any set-up candy box of a maximum finished weight (subject to a 5% tolerance for variation in paperboard weight) greater than that specified for any of the following box sizes (net content capacity): 3¼ oz. for ½ lb. box, 5 oz. for 1 lb. box, 6¼ oz. for 1½ lb. box, 7¼ oz. for 2 lb. box, 8¼ oz. for 2½ lb. box, 9½ oz. for 3 lb. box, and 15 oz. for 5 lb. box.

(3) *Maximum weight for odd sizes.* For a "set-up candy box" of any size not listed in the preceding paragraph, the maximum "finished weight" shall be the same as for the nearest standard size listed in that paragraph. (For example, a 1 lb. 2 oz. box has the same maximum as a 1 lb. box; a 1 lb. 6 oz. box has the same maximum as a 1½ lb. box.

(4) *Outer containers.* No box designed as an outer container for one or more "set-up candy box" of any size shall be made except in conformity with the following specifications:

(i) *Paperboard.* Paperboard of no better grade or quality better than unlined chip or unlined news.

(ii) *Coverings.* Paperboard to have no cover papers. However, paper reinforcing strips no wider than 1¼" may be used around the top of the cover and the bottom of the base.

(iii) *Minimum size.* If designed for "set-up candy boxes" of any size listed below, minimum capacity shall be no less than the number of boxes (of that size) specified.

Set-up candy box size:	*Minimum capacity of outer container*
½ lb. or more but under 1 lb.	6 boxes.
1 lb. or more but under 2 lbs.	3 boxes.
2 lbs. or more but under 3 lbs.	2 boxes.

(5) *Exceptions.* The restrictions of this paragraph (4) do not apply to outer mailing cartons.

SCHEDULE 3—BEVERAGE BOXES

(a) *Definition.* For the purpose of this schedule "beverage" means any alcoholic or non-alcoholic beverage, exclusive of medicinal preparations.

(b) *Box prohibition.* No person shall manufacture or use any type of folding or set-up paperboard box for packaging bottled beverages. This includes, but is not limited to, boxes designed for conveying bottled beverages from bottlers to distributors and boxes, including those known as "bottle carry-outs", designed for the consumer's use in conveying bottled beverages from the distributor. This restriction does not apply to solid fibre or corrugated shipping containers.

SCHEDULE 4—TOBACCO BOXES

(a) *Cigarette wrappers.* No person shall manufacture any printed wrappers for 20s cuptype cigarette packages of paper heavier than as specified below (weight to be computed on the basis of 500 25" x 36" sheets per ream):

Cigarette size	Maximum paper weight	
	Uncoated	Coated
	Pound	*Pound*
Standard	60	65
King	65	70

(b) *Cigarette boxes.* (1) No person shall manufacture any 20-200 size cigarette box of heavier paperboard than gauge list 2, #2 finish, 65 lbs. per M sq. ft.

(2) When the boxes referred to in the preceding paragraph are shipped in carload lots, they shall be mill-tied and knocked down flat, but not wrapped.

(3) No cigarette box shall be manufactured to hold from 21 to 199 cigarettes.

(c) *Smoking tobacco boxes.* No person shall manufacture any folding box to hold less than 3½ oz. of tobacco which weighs more than 30 lbs. per M finished boxes, exclusive of the weight of the paper in which the tobacco is wrapped or of any overwrap.

SCHEDULE 5—WEARING APPAREL BOXES

(a) *Work shirt boxes.* No person shall manufacture any box for packaging work shirts that (1) holds less than six of such shirts or (2) is made from paperboard of a quality better than bleached manila lined news.

(b) *Accessories boxes.* No person shall manufacture any box for packaging less than six men's or boys' belts, garters (pairs) or suspenders.

(c) *Rubber-heel boxes.* No person shall manufacture any box for packaging rubber heels that (1) holds from two to five pairs of rubber heels, (2) is made of paperboard of better quality than bleached manila lined chip or news, or (3) is made of a paperboard caliper heavier than .018 for 1-pair boxes or .026 for boxes for six pairs or more.

(d) *Boxes for knit-wear—(1) Definition.* For the purposes of this Table, "knit-wear" means hosiery, knitted underwear, and knitted outerwear.

(2) *Manufacturing restrictions.* No person shall manufacture any box for packaging knit wear unless it conforms with the following restrictions:

(i) *Board grade.* Folding boxes shall be made of paperboard no better than patent coated news back; set-up boxes for women's rayon hosiery, of paperboard no better than white wood vat lined; and other set-up boxes of paperboard without virgin wood pulp of the grades listed in paragraph (i) of this order.

(ii) *Minimum size.* Boxes for packaging the items listed below shall be large enough to hold the number of units shown in the column entitled "Minimum box size" (prices specified below represent manufacturers' net wholesale prices):

HOSIERY

Name of item	*Minimum box size*	
Men's, women's, children's, infants':		
Over $3/doz	prs.	6
$3/doz. or less	prs.	12

KNITTED UNDERWEAR

Wool spun unionsuits, shirts and drawers		2
Men's unionsuits—10 lbs./doz. or heavier		3
Men's and women's sleeping garments		
Men's unionsuits—lighter than 10 lbs./per doz		
Athletic shirts		
Balbriggan shirts and drawers		
Sweat shirts		
Heavyweight shirts and drawers		
T-shirts		
Men's and boy's knit briefs		6
Women's and children's rayons		
Women's, misses', boys', and children's unionsuits		
Infants' and children's sleeping garments		
Infants' gowns, kimonos, and combinations		
Tuckstitch unionsuits, vests and pants		
Bloomers		
Infants' bands, shirts, binders, and pants		
Children's vests, pants, briefs, and bloomers, except rayons		12
Women's lightweight vests, pants, and briefs, except rayons		

KNITTED OUTERWEAR

Men's and boys' sweaters:		
$36/doz. or more		2
Less than $36/doz		4
Ladies' and misses' sweaters, all types:		
Over $24/doz		2
$24/doz. or less		4
Children's sweaters and sacques, over $24/doz		2
Knitted togs, over $18/doz. but not over $24/doz		4
Knitted bathing trunks and suits, $18/doz or less		6
Knitted woolen gloves and mittens, over $24/doz		6
Knitted headwear and mufflers, $24/doz or less		12

(e) *Packaging restrictions—(1) Double-packing.* No knit wear manufacturer shall "double-pack" any knit wear. "Double-pack" means packaging the same piece of merchandise in both a paper envelope and a box.

(2) *Box findings.* No knit wear manufacturer shall use any of the following inner box findings in boxes for packaging knit wear; fly leaves, platforms, paper folders, paper bands, paper stiffeners, paperboards. However, paper stiffeners and either paper folders or paper bands (if available) may be used for women's rayon hosiery and for rayon underwear.

(3) *Rayon hosiery.* No hosiery manufacturer shall use any box made of white wood vat lined paperboard for packaging any hosiery except women's rayon hosiery.

(f) *Exceptions for mail or express distribution.* The minimum-size restrictions of paragraph (d) (2) (ii), the double-packing restriction of paragraph (e) (1), and box-findings restrictions of paragraph (e) (2) shall not apply to the manufacture and packaging of knitwear in boxes for mail or express delivery from the manufacturer to direct distribution retail customers.

SCHEDULE 6—LAUNDRY BOXES

(a) *Permitted grades.* No person shall manufacture any box for the packaging of laundry from any grade of paperboard not listed in paragraph (i) of this order.

(b) *Flange depth.* No person shall manufacture any two piece laundry box with cover flange deeper than 2½ inches.

(c) *Caliper.* No person shall manufacture any laundry box of heavier weight board than the following:

Blanks:	*Caliper*
Less than 450 sq. inches	0.020
450 and less than 650 inches	.022
650 and less than 750 inches	.024
750 and less than 1100 inches	.026
1100 sq. inches and over	.030

SCHEDULE 7—SPORTING GOODS BOXES

Golf, tennis and baseball boxes. No person shall manufacture any box for packing less than twelve golf, tennis or baseballs or incorporate in the manufacture of any such box sheet lining, or paperboard exceeding in area or weight the paperboard required for a full telescope set-up box without projecting edges or dividers, basis sixty sheets per 50 ft. bundle.

SCHEDULE 8—TOY AND GAME BOXES

(a) *Limitation on manufacture.* No person shall use in the manufacture of boxes for games and toys during any period of twelve months, commencing with July 24, 1944, more than 60 percent of the tonnage of paperboard which he used for this purpose during the calendar year 1942.

SCHEDULE 9—PAPER PRODUCTS

(a) *Envelope boxes.* (1) No person shall use in the manufacture of any set-up envelope box:

(i) Any paperboard of a quality better than bending chip board or news vat lined chip, No. 2 finish, Gauge List No. 2, if cover paper is used; if cover paper is not used, the quality of the paperboard shall not be better than patent coated news back.

(ii) Any sheet lined board.

(iii) Any paperboard of a weight in excess of the maximum shown below (25" x 40"—50 lbs. per bundle), which weight shall be specified by the envelope manufacturer or packer:

	Sheets per bundle
Envelopes 14" half perimeter and less	60
Envelopes over 14" half perimeter and not exceeding 18" half perimeter	55
Envelopes over 18" half perimeter	40

(2) No person shall manufacture any envelope box that is double stripped on either box or cover.

(b) *Papeterie boxes.* No person shall use in the manufacture of any set-up box for papeteries:

(1) Any paperboard better than bending chip board or news vat lined chip, No. 2 finish, Gauge List No. 2, if cover paper is used: provided, however, that white wood vat lined board may be used in the covers and lids of hinge-style boxes; if cover paper is not used the quality of the paperboard shall not be better than patent coated news back.

(ii) Any paperboard of count in excess of the minimums shown below (25" x 40"—50 lbs. per bundle).

Boxes containing 23 envelopes or less with corresponding note paper and/or cards—60 sheets per bundle;

Boxes containing from 24 to 72 (inclusive) envelopes with corresponding note paper and/or cards—50 sheets per bundle;

Boxes containing more than 72 envelopes with corresponding note paper and/or cards—40 sheets per bundle.

(iii) Any sheet lined board or more than double stripping.

(2) No person shall manufacture any folding box for papeteries from paperboard of higher quality than patent coated news back without sheet lining, nor of greater weight per box than required for an equivalent cubical content set-up box.

(3) No box for papeteries shall be made or equipped with: (i) base or cover caps, flanges, non-paper coverings, padded tops, projections, or shoulders (ii) attached or unattached interior parts (such as dividers, drawers or slides, or partitions); or (iii) false work (such as false bottoms, ends, sides, traps, or decks); provided, however, that any such box for 24 or more envelopes with note paper and/or cards of corresponding size may be made or equipped with false work (other than false bottoms, ends, or sides) which does not enclose more than ¼ of the volume of the box.

(c) *Waxed paper cutter boxes.* No person shall manufacture any cutter boxes for packaging rolls of waxed paper excepting in accordance with the following maximum specifications:

(1) Box dimensions: 2 11/16 x 2 11/16 x 12 3/8 inches.

(2) Quality of paperboard: No higher than bleached manilla lined news basis 70 sheets per 50 lb. bundle.

(d) *Roll toilet tissue.* No person shall manufacture any boxes for packaging roll toilet tissue.

[F. R. Doc. 44-14157; Filed, Sept. 13, 1944; 11:27 a. m.]

Chapter XI—Office of Price Administration

Part 1388—Defense-Rental Areas

[Rent Reg. for Hotels and Rooming Houses,[1] incl. Amdts. 1-31]

This compilation of Rent Regulation for Hotels and Rooming Houses includes Amendment 31, effective September 13, 1944. The text amended by Amendment 31 in underscored.

§ 1388.1231 *Rent Regulation for Hotels and Rooming Houses.* The Rent Regulation for Hotels and Rooming Houses is annexed hereto and made a part hereof.

RENT REGULATION FOR HOTELS AND ROOMING HOUSES

Sec.

1. Scope of this regulation.
2. Prohibition.
3. Minimum services, furniture, furnishings, and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration and records.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.

Schedule A.

AUTHORITY: § 1388.1231 issued under 56 Stat. 23, 765; Pub. Law 383, 78th Cong.

SECTION 1. *Scope of this regulation—(a) Rooms in hotels and rooming houses and Defense-Rental Areas to which this regulation applies.* This regulation applies to all rooms in hotels and rooming houses within each of the defense-rental areas and each of the portions of a defense-rental area (each of which is referred to hereinafter in this regulation as the "Defense-Rental Area"), which are listed in Schedule A of this regulation, except as provided in paragraph (b) of this section.

In Schedule A, "the maximum rent date" and "the effective date of regulation" is given for each Defense-Rental Area listed. More than one effective date is given for different portions of a Defense-Rental Area where the same effective date is not applicable to the entire Defense-Rental Area. Wherever the words "the maximum rent date" or the words "the effective date of regulation" are referred to in this regulation, the dates given in Schedule A for the particular Defense-Rental Area or portion of the Defense-Rental Area in which the room is located shall apply. The effective date listed in Schedule A in each instance is the date rent regulation was effective in the particular Defense-Rental Area or portion of the Defense-Rental Area for rooms in hotels and rooming houses.

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part.

(3) *Charitable or educational institutions.* Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes.

(4) *Entire structures used as hotels or rooming houses.* Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(5) *Resort rooms*—(i) *Exemption.* Rooms located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1943 and ending on February 29, 1944.

The exemption provided by this paragraph (b) (5) (i) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

(ii) *Exception from exemption.* The provisions of section 1 (b) (5) (i) shall not apply to rooms in the Madison, Wisconsin Defense-Rental Area from June 15, 1944 to September 30, 1944, inclusive.

[Subparagraph (5) amended by Am. 14, 9 F.R. 2165, effective 2-24-44; and Am. 23, 9 F.R. 6569, effective 6-18-44]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of regulation.

(e) *Election by landlord to bring housing under this regulation.* Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly, or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this regulation. A landlord who so elects shall file a registration statement under this regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Rent Regulation for Housing, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Rent Regulation for Housing all housing accommodations previously brought under this regulation by such election. He shall make such revocation by filing a registration statement or statements under the Rent Regulation for Housing, including in such registration statement or statements all housing accommodations brought under this regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Rent Regulation for Housing.

SEC. 2. *Prohibition—(a) Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after the effective date of regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demended or received.

[Paragraph (a) amended by Am. 30, 9 F.R. 10631, effective 9-1-44]

(b) *Terms of occupancy*—(1) *Tenant not required to change term of occupancy.* No tenant shall be required to change his term of occupancy.

(2) *Term of occupancy during June 1942.* Where, during June 1942, a room was rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy except that he is not required to rent for that term more than the greatest number of rooms which were rented for the term at any one time during June 1942. However, if, during the year ending on June 30, 1942, a landlord had regular and definite seasonal practices with reference to the renting of rooms on a weekly or monthly basis, he may request the Administrator to approve such practices. When approval is given the landlord shall offer rooms for rent for weekly and monthly terms of occupancy pursuant to the practices so approved. The Administrator may withdraw approval at any time if he finds that the landlord has failed to conform to such practices, or if he finds that the effects of the approval are inconsistent with the Act or this regulation or are likely to result in the circumvention or evasion thereof.

(3) *Request by tenant to change term of occupancy.* Any tenant on a daily or weekly term of occupancy shall on request be permitted by the landlord to change to a weekly or monthly term unless the landlord is then renting for such term a number of rooms equal to the number which he is required to rent for that term under subparagraph (2). If the room occupied by such tenant was not rented or offered for rent for such term during June 1942, the landlord may transfer the tenant to a room, as similar as possible, which was so rented or offered for rent.

(4) *Monthly term of occupancy in tourist camps, etc.* Where, since October 1, 1942, a room, cabin, or similar accommodations in a tourist camp, cabin camp, auto court or similar establishment has been or is hereafter rented to the same tenant for a continuous period of 60 days or longer on a daily basis, the landlord shall offer such room, cabin or other accommodations for rent for a monthly term of occupancy, regardless of the provisions of subparagraph (2) of this paragraph. The room, cabin or other accommodations shall be offered for rent on a monthly basis for each number of occupants for which it is offered by the landlord for any other term of occupancy. Any tenant of such room, cabin or other accommodations on a daily or weekly basis shall on request be permitted by the landlord to change to a monthly term of occupancy.

[Subparagraph (4) amended by Am. 19, 9 F.R. 5002, effective 5-12-44]

(5) *Defense-rental areas with maximum rent date later than March 1, 1942*—(i) *Maximum rent date later than March 1, 1942 but prior to July 1, 1943.* In Defense-Rental Areas with a maximum rent date later than March 1, 1942 but prior to July 1, 1943, in section 2 (b) (2) the words "June 1943" shall be substituted for the words "June 1942" and the words "June 30, 1943" shall be substituted for the words "June 30, 1942"; in section 2 (b) (3) the words "June 1943" shall be substituted for the words "June 1942"; and in section 2 (b) (4) the words "the maximum rent date" shall be substituted for the words "October 1, 1942".

(ii) *Maximum rent date of July 1, 1943, or later.* In Defense-Rental Areas with a maximum rent date of July 1, 1943, or later, in section 2 (b) (2) the words "the thirty days ending on the maximum rent date" shall be substituted for the words "June 1942" and the words "the maximum rent date" shall be substituted for the words "June 30, 1942"; in section 2 (b) (3) the words "the thirty days ending on the maximum rent date" shall be substituted for the words "June 1942"; and in section 2 (b) (4) the words "the maximum rent date" shall be substituted for the words "October 1, 1942."

[Subparagraph (5) added by Am. 10, 8 F. R. 16893, effective 12-16-43; amended by Am. 21, 9 F.R. 5828, effective 6-1-44]

(6) *Weekly or monthly terms of occupancy less than 25%.* A landlord who is required to rent for weekly or monthly terms of occupancy less than 25% of the rooms in an establishment, under subparagraphs (2) and (4) of this paragraph, may petition the Administrator to be relieved of such requirement. Upon issuance of an order granting such petition, the provisions of subparagraphs (2), (3) and (4) of this paragraph no longer shall apply to the rooms in the establishment; but the maximum rent for a weekly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 10 days, and the maximum rent for a monthly term of occupancy shall apply where, after the date of issuance of the order, a tenant remains in occupancy for a continuous period of more than 30 days, regardless of whether the tenant occupies the same room in the establishment during the specified period. The maximum rent on a weekly or monthly basis, as the case may be, shall apply from the date of issuance of the order or the date on which occupancy commenced, whichever is the later.

The order of the Administrator granting the landlord's petition may fix maximum rents for weekly and monthly terms of occupancy and for different numbers of occupants for those terms pursuant to section 4 (g). Immediately upon issuance of the order the landlord shall post maximum rents established for weekly and monthly terms of occupancy in the manner provided by section 7 (b).

[Subparagraph (6) added by Am. 19, 9 F.R. 5002, effective 5-12-44]

(c) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944, shall demand or receive a security deposit for or in connection with the use or occupancy of any room in a hotel or rooming house within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944, except as provided in this paragraph (c). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a).* Where the maximum rent of the housing accommodations is established under section 4 (a), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b) or (c)—(i) Renting prior to effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by renting prior to the effective date of regulation, no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(ii) *Renting on or after effective date of regulation.* Where the maximum rent of the housing accommodations is established under section 4 (b) or (c) by a renting on or after the effective date of regulation, no security deposit shall be demanded, received, or retained.

(4) *Maximum rent established under section 4 (d) or (f).* Where the maximum rent of the housing accommodations is established under section 4 (d) or (f), no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (c), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has

[1] 8 F.R. 14676.

a special need therefor, the Administrator may enter an order authorising a security deposit, not in excess of ten dollars to secure the return of the movable articles specified in the order.

[Paragraph (c) added by Am. 30, 9 F.R. 10631, effective 9–1–44]

SEC. 3. *Minimum services, furniture, furnishings, and equipment.* Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with a room the same essential services, furniture, furnishings and equipment as those provided on the date or during the thirty-day period determining the maximum rent, and as to other services, furniture, furnishings, and equipment not substantially less than those provided on such date or during such period: *Provided, however,* That where fuel oil is used to supply heat or hot water for a room, and the landlord provided heat or hot water on the date or during the thirty-day period determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented or regularly offered during maximum rent period.* For a room rented or regularly offered for rent during the thirty days ending on the maximum rent date, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period, or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) *First rented or regularly offered after maximum rent period.* For a room neither rented nor regularly offered for rent during the thirty days ending on the maximum rent date, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after the maximum rent date; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) *First rent after maximum rent date where no maximum rent established under* (a) *or* (b). For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section the first rent for the room after the maximum rent date for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) *Rooms constructed and owned by the government.* For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

(e) *Meals with room.* For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment, if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two.

In Defense-Rental Areas with a maximum rent date of March 1, 1942 or earlier, no landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942. In Defense-Rental Areas with a maximum rent date later than March 1, 1942, no landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on the maximum rent date.

[Above two paragraphs amended by Am. 10, 8 F.R. 16893, effective 12–16–43]

(f) *Rooms subject to rent schedule of War or Navy Department.* For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

[Paragraph (f) amended by Am. 8, 8 F.R. 12798, effective 9–30–43]

(g) *Rent fixed by order of Administrator.* For a room for a particular term or number of occupants for which no maximum rent has been established under any other provision of this regulation, the rent fixed by order of the Administrator as provided in this paragraph (g).

The Administrator at any time on his own initiative or on petition of the landlord may enter an order fixing the maximum rent and specifying the minimum services for a room for a particular term or number of occupants for which no maximum rent has been established prior to issuance of the order under any other provision of this regulation. Such maximum rent shall be fixed on the basis of the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

[Paragraph (g) added by Am. 19, 9 F.R. 8002, effective 8–13–44]

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in services, furniture, furnishings or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date or during the thirty-day period determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7), (a) (9), (c) (4), and (c) (5) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Above paragraph amended by Am. 29, 9 F.R. 10188, effective 9–1–44]

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (4) of this section, the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

[Above paragraphs amended by Am. 17, 9 F.R. 3421, effective 3–29–44; and Am. 27, 9 F.R. 9428, effective 8–3–44]

In cases under paragraph (a) (9) of this section, the adjustment shall be on the basis of the rents which the Administrator finds necessary to relieve the substantial hardship: *Provided,* That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (c) (5) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section: *Provided,* That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (9) of this section.

[Above paragraphs added by Am. 29, 9 F.R. 10188, effective 9–1–44]

(a) *Grounds for increase of maximum rents.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the ground that:

(1) *Major capital improvement since maximum rent period.* There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in services, furniture, furnishings or equipment, and the rent during the thirty-day period ending on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

[Subparagraph (2) amended by Am. 31, effective 9–13–44]

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) *Special relationship between landlord and tenant.* The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(6) *Varying rents.* The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) *Seasonal demand.* The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Peculiar circumstances.* The rent during the thirty-day period determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (8) added by Am. 25, 9 F.R. 8054, effective 7–17–44]

(9) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income (before interest) of the property for the current year as compared with a representative period to the maximum rent date, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (9) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

[Subparagraph (9) added by Am. 29, 9 F.R. 10188, 10718, effective 9–1–44]

(b) *Decreases in minimum services, furniture, furnishings and equipment—*(1) *Decreases existing on effective date.* If, on the effective date of this regulation, the services provided for a room are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services, or, within 30 days (or, within 60 days for rooms within the Los Angeles Defense-Rental Area), after such effective date, file a petition requesting approval of the decreased services. If, on such effective date (or, on December 1, 1942 where the effective date of regulation is prior to that date), the furniture, furnishings or equipment provided with a room are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the room becomes vacant, maintain the minimum services, furniture, furnishings and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings or equipment he shall file a petition within 10 days after the change occurs. When the room becomes vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of section 5 (c) (3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of regulation (or December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings or equipment or after the effective date of regulation (or after December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) *Rent higher than rent generally prevailing.* The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(2) *Substantial deterioration.* There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Seasonal demand.* The rent on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for

different maximum rents for different periods of the calendar year.

(5) *Modification or elimination of necessity for increase under section 5 (a) (9).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (9) of this section, since the order, issued under that paragraph.

[Subparagraph (5) added by Am. 29, 9 F.R. 10188, effective 9-1-44]

(d) *Orders when facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(e) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (e) added by Am. 8, 8 F.R. 16032, effective 11-25-43]

SEC. 6. *Removal of tenant—(a) Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise determinated unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this regulation; or

(2) *Tenant's refusal of access.* The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure such violation after written notice by the landlord that the violation cease or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) *Demolition or alteration by landlord.* The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) *Room not offered for rent.* The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of 6 months after such removal or eviction.

(b) *Administrator's certificate.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(c) *Notice to Area Rent Office.* At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) *Exceptions from section 6.* The provisions of this section do not apply to:

(1) *Subtenants.* A subtenant or other person who occupied under a rental agreement with the tenant where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Daily or weekly tenants in hotel and daily tenants in rooming house.* A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis: *Provided,* That the provisions of this section do apply to a tenant on a daily or weekly basis who has requested a weekly or monthly term of occupancy pursuant to section 2 (b) (3) or (4).

(3) *Rooms subject to rent schedule of War or Navy Department.* Rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(4) *One or two occupants.* An occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(5) *Renting to family in landlord's residence.* A family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any person within such residence other than those in the one family.

[Subparagraph (5) added by Am. 2, 8 F.R. 10618, effective 8-1-43]

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

SEC. 7. *Registration and records—(a) Registration statement.* On or before the date specified in Schedule A of this regulation every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of regulation under paragraphs (b) or (c) of section 4 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) *Posting maximum rents.* Within 45 days after the effective date of regulation (or, on or before May 31, 1943 as to rooms within the Cincinnati Defense-Rental Area), every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator the landlord shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms under

section 4 (d). The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

(c) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) *Rooms subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to rooms rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments for which the rent is fixed by the national rent schedule of the War or Navy Department.

(e) *Records*—(1) *Existing records.* Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under section 4 (c), (iii) rooms rented and offered for rent on a weekly and monthly basis during June 1942, in Defense-Rental Areas with a maximum rent date of March 1, 1942 or earlier, (iv) rooms rented and offered for rent on a weekly and monthly basis during June 1943, in Defense-Rental Areas with a maximum rent date later than March 1, 1942, but prior to July 1, 1943, (v) rooms rented and offered for rent on a weekly and monthly basis during the thirty days ending on the maximum rent date, in Defense-Rental Areas with a maximum rent date of July 1, 1943, or later.

[Subparagraph (1) amended by Am. 10, 8 F.R. 16893, effective 12-16-43; and Am. 21, 9 F.R. 5820, effective 6-1-44]

(2) *Record keeping.* On and after the effective date of regulation (or on and after October 19, 1942 where the effective date of regulation is prior to that date), every landlord of an establishment containing more than 20 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may from time to time require.

SEC. 9. *Evasion.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

SEC. 10. *Enforcement.* Persons violating any provisions of this regulation are subject to criminal penalties, civil enforcement actions, and suits for treble damages as provided for by the Act.

SEC. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3,[1] (§§ 1300.201 to 1300.259a, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.259a, inclusive).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area Rent Office" means the Office of the Rent Director in the Defense-Rental Area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) "Services" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of room or the transfer of a lease of such room.

[Subparagraph (11) amended by Am. 30, 9 F.R. 10631, effective 9-1-44]

(12) "Term of occupancy" means occupancy on a daily, weekly, or monthly basis.

(13) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

[1] 9 F.R. 10484.

SCHEDULE A—DEFENSE-RENTAL AREAS

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(1) [Revoked]					
(1a) Baldwin County	Alabama	Baldwin	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(2) Birmingham	Alabama	Calhoun, Cleburne, Jefferson, St. Clair, Shelby, and Talladega	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(3) Dothan-Ozark	Alabama	Dale and Houston	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Alabama	Coffee	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(4) Gadsen	Alabama	Etowah	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(5) [Revoked]					
(6) Lanett	Alabama	Chambers	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(7) Mobile	Alabama	Mobile	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(8) Montgomery	Alabama	Elmore and Montgomery	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Alabama	Macon	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1943
(9) Muscle Shoals-Huntsville	Alabama	Colbert, Lauderdale, Limestone, Madison, and Morgan	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(10) Selma	Alabama	Dallas	Mar. 1, 1942	Oct. 1, 1942	Nov 15, 1942
(11) [Revoked]					
(12) [Revoked]					
(13) Fort Huachuca	Arizona	Cochise and Santa Cruz	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(14) Phoenix-Salt River Valley	Arizona	Gila and Maricopa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(15) Prescott-Flagstaff	Arizona	Coconino and Yavapai	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		That portion of the County of Mohave south of the Colorado River.	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(16) Tucson	Arizona	Pima	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(17) Yuma	Arizona	Yuma	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(18) [Revoked]					
(19) Blytheville	Arkansas	Mississippi	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(20) El Dorado	Arkansas	Union	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(21) Fort Smith	Arkansas	Sebastian	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(22) [Revoked]					
(23) Little Rock	Arkansas	Lonoke and Pulaski	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Arkansas	Saline	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(24) Newport-Walnut Ridge	Arkansas	Craighead, Independence, Jackson, and Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Arkansas	Randolph	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(25) Pine Bluff	Arkansas	Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Arkansas	Arkansas County and the Southern District of Prairie County consisting of the Townships of Belcher, Center, Hazen, Lower Surrounded Hill, Roe Roe, Tyler, and Wetenesaw.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(26) [Revoked]					
(27) [Revoked]					
(27a) Fresno	California	Fresno	Jan. 1, 1944	June 1, 1944	July 15, 1944
(27b) Imperial County	California	Imperial	Mar. 1, 1943	Sept. 1, 1944	Oct. 16, 1944
(28) Lassen County	California	Lassen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(29) [Revoked]					
(30) Los Angeles	California	Los Angeles and Orange	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(31) Marysville-Chico	California	Sutter and Yuba	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	California	Butte	Mar. 1, 1943	Dec. 1, 1942	Jan. 15, 1943
(32) [Revoked]					
(33) Modesto-Merced	California	Merced and Stanislaus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(33a) Monterey Bay [1]	California	Monterey County and in Santa Cruz County the Township of Watsonville.	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(34) Richmond-Vallejo	California	Contra Costa, Napa, and Solano	Jan. 1, 1941	Aug. 1, 1942	Oct. 15, 1942
(35) Riverside	California	Riverside	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(35a) Sacramento	California	Sacramento, San Joaquin and Yolo	Mar. 1, 1942	July 1, 1942	Sept. 15, 1942
(36) San Bernardino	California	San Bernardino	Mar. 1, 1942	Sept. 1, 1942	Nov. 15, 1942
(37) San Diego	California	In the County of San Diego the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
	California	County of San Diego other than the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(38) San Francisco Bay	California	Alameda, Marin, San Francisco, San Mateo, Santa Clara, and Sonoma.	Mar. 1, 1942	July 1, 1942	Sept. 15, 1942
(39) San Luis Obispo	California	San Luis Obispo	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(40) Santa Maria	California	In the County of Santa Barbara Judicial Townships Nos. 4, 5, 6, 7, 8, and 10.	July 1, 1941	Dec. 1, 1942	Jan. 15, 1943
(40a) Ventura	California	Ventura	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(41) Tulare-Kings	California	Kings and Tulare	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(42) Colorado Springs	Colorado	El Paso	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(43) Denver	Colorado	Adams, Arapahoe, Denver, and Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(44) [Revoked]					
(44a) Grand Junction	Colorado	Mesa	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(44) Leadville-Salida	Colorado	Eagle, Lake and Summit	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Colorado	Chaffee and Garfield	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(46) Pueblo	Colorado	Otero and Pueblo	Mar. 1, 1942	Nov. 1, 1943	Dec. 16, 1943
(47) Bridgeport	Connecticut	In the County of Fairfield the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
	Connecticut	County of Fairfield other than the towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(48) Hartford-New Britain	Connecticut	In the County of Hartford the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; in the County of Middlesex the Towns of Cromwell, Middlefield, Middletown, and Portland; in the County of New Haven the Towns of Meriden and Wallingford; and in the County of Tolland the Town of Vernon.	Apr. 1, 1941	Jply 1, 1942	Aug. 31, 1942
	Connecticut	County of Hartford other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; County of Middlesex other than the Towns of Cromwell, Middlefield, Middletown, and Portland; and the County of Tolland other than the Town of Vernon.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(49) New Haven	Connecticut	In the County of New Haven the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(50) New London	Connecticut	New London and Windham	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(51) Waterbury	Connecticut	In the County of Litchfield the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Beacon Falls, Cheshire, Waterbury, Middlebury, Naugatuck, Prospect, and Wolcott.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
	Connecticut	County of Litchfield other than the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Bethany, Oxford, and Southbury.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1943
(52) [Revoked]					
(53) Delaware	Delaware	New Castle	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Delaware	Kent and Sussex	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(54) [Revoked]					
(55) Banana River	Florida	Brevard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(55a) Fort Pierce	Florida	St. Lucie	Mar. 1, 1943	Dec. 1, 1943	Jan. 1, 1944
(55b) Fort Myers	Florida	Lee	Mar. 1, 1943	June 1, 1944	July 15, 1944
(56) Gainesville-Starke	Florida	Alachua, Bradford, and Clay	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(57) Jacksonville, Fla	Florida	Duval	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(58) Key West	Florida	Monroe	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(59) Lake City	Florida	Columbia	Mar. 1, 1942	May 1, 1943	June 15, 1943
(60) Marianna	Florida	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(61) Orlando	Florida	Orange	Oct. 1, 1941	Nov. 1, 1942	Dec. 16, 1942
(62) Panama City	Florida	Bay	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Franklin and Gulf	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(63) Pensacola	Florida	Escambia	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Okaloosa	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Florida	Santa Rosa	Mar. 1, 1942	May 1, 1943	June 15, 1943
(63a) St. Augustine	Florida	St. Johns	Mar. 1, 1943	June 1, 1944	July 15, 1944
(64) [Revoked]					
(65) Tallahassee	Florida	Leon	Mar. 1, 1942	Nov. 1, 1942	Dec 16, 1942
	Florida	Wakulla	Mar. 1, 1942	May 1, 1943	June 15, 1943
(66) Tampa	Florida	Hillsborough, Pinellas, and Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Highlands	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(67) [Revoked]					
(67a) Americus	Georgia	Sumter	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(68) Albany, Ga	Georgia	Dougherty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(69) Athens	Georgia	Clarke	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(70) Atlanta	Georgia	Clayton, Cobb, DeKalb, and Fulton	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(71) Augusta, Ga	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	South Carolina	Aiken	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(72) Bainbridge-Cairo	Georgia	Decatur and Grady	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(73) Brunswick	Georgia	Brantley, Camden, Glynn, McIntosh, and Wayne	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Georgia	Ware	Mar. 1, 1942	May 1, 1943	June 15, 1943
(74) Columbus, Ga	Georgia	Muscogee	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
	Alabama	In the County of Russell Election Precinct One including the City of Phenix City.	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(74a) Dublin	Georgia	Laurens	July 1, 1943	June 1, 1944	July 15, 1944
(75) Hinesville	Georgia	Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(76) Macon	Georgia	Bibb, Houston, and Peach	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(77) Moultrie	Georgia	Colquitt	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(78) Savannah	Georgia	Chatham	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(78a) Thomasville	Georgia	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.	Mar. 1, 1943	June 1, 1944	July 15, 1944
(79) Toccoa	Georgia	Stephens	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(80) Valdosta	Georgia	Lowndes	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(80a) Boise	Idaho	Ada and Elmore	Jan. 1, 1943	Jan. 1, 1944	Feb. 15, 1944
(81) Coeur d'Alene-Pend Orielle	Idaho	Bonner and Kootenai	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(82) Pocatello-Idaho Falls [1]	Idaho	Bannock	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(83) Chicago	Illinois	Cook, Du Page, Kane, and Lake	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(84) [Revoked]					
(85) Dixon	Illinois	Lee	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(86) Joliet	Illinois	Will	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(87) Kankakee	Illinois	Kankakee	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88) La Salle County	Illinois	La Salle	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88a) Macomb-Canton	Illinois	Fulton, McDonough, and Mason	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(89) Quad Cities	Illinois	Rock Island	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Scott	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(90) Quincy	Illinois	Adams	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Missouri	Lewis and Marion	Mar. 1, 1943	Nov. 1, 1942	Dec. 16, 1942
(91) Champaign-Vermillion	Illinois	Champaign and Vermillion	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(91a) Galesburg	Illinois	Knox	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(92) Rockford	Illinois	Boone and Winnebago	July 1, 1943	May 1, 1944	June 15, 1944
	Illinois	De Kalb	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(93) Savanna-Clinton	Illinois	Carroll	Mar. 1, 1942	Sept. 1, 1942	Oct. 15, 1942
	Iowa	Clinton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(94) Springfield-Decatur	Illinois	Christian, Logan, Macon, and Sangamon	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(95) [Revoked]				Aug. 1, 1942	Sept. 15, 1943
(96) [Revoked]					
(97) Columbus, Indiana	Indiana	Bartholomew, Brown, Johnson, Morgan, and Shelby	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(98) Richmond-Connersville	Indiana	Fayette	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Wayne	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(99) [Revoked]					
(100) Evansville-Henderson	Indiana	Vanderburgh	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Henderson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(101) Fort Wayne	Indiana	Allen	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Adams	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(102) Gary-Hammond	Indiana	Lake	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(103) Indianapolis	Indiana	Marion	July 1, 1941	July 1, 1942	Aug. 31, 1942
(104) La Fayette	Indiana	Fountain, Tippecanoe, and Warren	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(105) La Porte-Michigan City	Indiana	La Porte and Starke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(106) Anderson	Indiana	Huntington, Miami, and Wabash	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Delaware, Grant, Howard, and Madison	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(107) [Revoked]					
(108) South Bend	Indiana	St. Joseph and Elkhart	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(109) Terre Haute	Indiana	Parke and Vermillion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Edgar	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(110) Vincennes	Indiana	Vigo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Daviess and Knox	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Illinois	Lawrence	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(111) [Revoked]	Indiana	Martin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(112) Burlington	Iowa	In the County of Des Moines the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; in the County of Henry the Townships of Baltimore, Center, Mount Pleasant, and New London; and in the County of Lee the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
	Iowa	County of Des Moines other than the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; County of Henry other than the Townships of Baltimore, Center, Mount Pleasant, and New London; County of Lee other than the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
	Illinois	County of Henderson	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(113) Cedar Rapids	Iowa	Linn	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(114) Des Moines	Iowa	Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Jasper	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(114a) Ottumwa	Iowa	Wapello	Mar. 1, 1942	Sept. 1, 1943	Oct. 15, 1943
(114b) Sioux City	Iowa	Woodbury	July 1, 1943	June 1, 1944	July 15, 1944
	Nebraska	Dakota	July 1, 1943	June 1, 1944	July 15, 1944
(115) Baxter Springs	Kansas	Cherokee and Crawford	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Oklahoma	Ottawa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(116) Dodge City	Kansas	Finney, Ford, and Gray	Mar. 1, 1942	May 1, 1943	June 15, 1943
(116a) Great Bend	Kansas	Barton	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas	Ellis and Russell	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(117) Hutchinson	Kansas	Reno	Mar. 1, 1942	May 1, 1943	June 15, 1943
(118) Junction City-Manhattan	Kansas	Geary and Riley	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(119) Liberal	Kansas	Seward	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(120) Parsons [1]	Kansas	Labette	July 1, 1941	July 1, 1942	Aug. 31, 1942
	Kansas	Montgomery	July 1, 1941	Sept. 1, 1942	Oct. 15, 1942
(120a) Pratt	Kansas	Pratt	Mar. 1, 1943	June 1, 1944	July 15, 1944
(121) Salina	Kansas	Dickinson, McPherson, Ottawa, and Saline	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(122) Topeka-Lawrence	Kansas	Douglas, Franklin, and Shawnee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(123) Wichita	Kansas	Sedgwick	July 1, 1941	July 1, 1942	Aug. 31, 1942
(124) Fort Knox	Kentucky	Bullitt, Hardin, and Meade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(125) Louisville	Kentucky	Jefferson	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
	Indiana	Clark and Floyd	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(126) [Revoked]					
(126a) Owensboro	Kentucky	Daviess	Mar. 1, 1943	June 1, 1944	July 15, 1944
(127) Paducah	Kentucky	McCracken	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Kentucky	Ballard	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	Kentucky	Madison	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(128) Richmond, Ky	Louisiana	Parishes of Beauregard, Rapides, and Vernon	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(129) Alexandria-Leesville	Louisiana	Parishes of East Baton Rouge and West Baton Rouge	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(130) Baton Rouge	Louisiana	Parish of Calcasieu	Mar. 1, 1942	Apr. 15, 1943	May 31, 1943
(131) Lake Charles	Louisiana	Parish of Webster	July 1, 1941	July 1, 1942	Aug. 15, 1942
(132) Minden	Louisiana	Parishes of Morehouse, Ouachita, and Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(133) Monroe-Bastrop	Louisiana	Parishes of Jefferson, Orleans, and St. Bernard	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(134) New Orleans	Louisiana	Parishes of Bossier and Caddo	July 1, 1943	Sept. 1, 1944	Oct. 15, 1944
(134a) Shreveport	Maine	Penobscot	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(135) Bangor	Maine	Lincoln and Sagadahoc	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(136) Bath	Maine	Androscoggin and Cumberland	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(137) Portland	Maine	York	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Maine	Aroostook	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(138) Presque Isle	Maryland	City of Baltimore and the Counties of Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(139) Baltimore	Maryland	Frederick	July 1, 1943	June 1, 1944	July 15, 1944
(139a) Frederick	Maryland	Washington	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(140) Hagerstown	Maryland	Charles	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(141) Indian Head-Patuxent River	Maryland	St. Marys and Calvert	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
	Maryland	Montgomery and Prince Georges	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(142) Montgomery-Prince Georges	Massachusetts	Barnstable, Bristol, Middlesex, Norfolk, Plymouth, and Suffolk	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(143) Eastern Massachusetts	Massachusetts	Essex	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(144) Essex County, Mass	Massachusetts	Berkshire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(145) Pittsfield	Massachusetts	Hampden and Hampshire	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(146) Springfield, Mass	Massachusetts	Worcester	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(147) Worcester					
(148) [Revoked]					
(149) Detroit	Michigan	Macomb, Oakland, and Wayne	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
	Michigan	Washtenaw	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(150) Grand Rapids-Muskegon	Michigan	Muskegon	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Michigan	Kent and Ottawa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(150a) Hillsdale	Michigan	Hillsdale	Jan. 1, 1943	Apr. 1, 1944	May 15, 1944
(151) Jackson, Mich	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Michigan	Lenawee and Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(152) Kalamazoo-Battle Creek	Michigan	Calhoun	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Michigan	Kalamazoo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(153) Lansing	Michigan	Clinton, Eaton, and Ingham	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(154) Ludington [1]	Michigan	Mason	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(154a) Monroe, Mich	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(155) Niles	Michigan	Berrien	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(155a) Owosso	Michigan	Shiawassee	Mar. 1, 1943	June 1, 1944	July 15, 1944
(156) Port Huron	Michigan	St. Clair	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(157) Saginaw-Bay City	Michigan	Bay, Midland, and Saginaw	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(158) [Revoked]					
(159) Duluth-Superior	Minnesota	Carlton and St. Louis	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Wisconsin	Douglas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(160) Minneapolis-St. Paul	Minnesota	Anoka, Dakota, Hennepin, Ramsey, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(160a) Rochester	Minnesota	Olmsted	Mar. 1, 1944	Aug. 1, 1944	Sept. 15, 1944
(161) [Revoked]					
(162) Biloxi-Pascagoula	Mississippi	Harrison and Jackson	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(163) Centreville [1]	Mississippi	Adams, Amite, Pike, and Wilkinson	Mar. 1, 1943	May 1, 1943	June 15, 1943
(164) Columbus, Mississippi	Mississippi	Chickasaw, Clay, Itawamba, Lee, and Monroe	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Alabama	Lamar	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Mississippi	Lowndes	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Alabama	Pickens	Mar. 1, 1943	Oct. 1, 1942	Nov. 15, 1942
(165) Grenada [1]	Mississippi	Carroll, Grenada, Leflore, and Montgomery	Mar. 1, 1943	Oct. 1, 1942	Nov. 15, 1942
	Mississippi	Calhoun and Yalobusha	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(166) Hattiesburg	Mississippi	Forrest	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(167) Jackson, Miss	Mississippi	Hinds, Madison, and Rankin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(167a) Laurel	Mississippi	Jones	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(168) Meridian	Mississippi	Lauderdale	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(169) Joplin-Neosho	Missouri	Jasper and Newton	July 1, 1941	July 1, 1942	Aug. 31, 1942
(170) Kansas City	Missouri	Clay, Jackson, and Platte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kansas	Johnson, Leavenworth, and Wyandotte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(171) Pike	Missouri	Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(172) Rolla-Waynesville	Missouri	Laclede, Phelps, and Pulaski	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(173) Sedalia	Missouri	Johnson and Pettis	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(173a) Springfield, Mo	Missouri	Greene	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(174) St. Louis	Missouri	City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis.	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
	Illinois	Madison, Monroe, and St. Clair	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(175) Great Falls	Montana	Cascade	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(176) Alliance	Nebraska	Box Butte	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(176a) Fairbury-York	Nebraska	Fillmore, Jefferson, Thayer, and York	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(177) Grand Island	Nebraska	Hall	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(178) Hastings	Nebraska	Adams and Clay	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(179) Kearney	Nebraska	Buffalo	Mar. 1, 1942	Dec. 12, 1942	Jan. 26, 1943
(180) Lincoln	Nebraska	Lancaster	Mar. 1, 1942	May 1, 1943	June 15, 1943
(180a) McCook	Nebraska	Redwillow	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(181) Omaha	Nebraska	Dodge and Saunders	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
	Nebraska	Douglas and Sarpy	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Iowa	Pottawatamie	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(182) Sidney, Nebr	Nebraska	Cheyenne	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(183) [Revoked]			Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(183a) Goldfield-Tonopah	Nevada	Those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(184) Las Vegas	Nevada	Clark	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(185) Reno	Nevada	Washoe	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(186) Manchester	New Hampshire	Sullivan	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Hampshire	Hillsborough	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(187) Portsmouth	New Hampshire	Rockingham and Strafford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(187a) Atlantic County	New Jersey	Atlantic	Sept. 1, 1943	June 1, 1944	July 15, 1944
(188) [Revoked]					
(188a) Southern New Jersey	New Jersey	Burlington, Camden, and Gloucester	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
	New Jersey	Salem	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	New Jersey	Cape May and Cumberland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(189) [Revoked]					
(190) Northeastern New Jersey	New Jersey	Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union.	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
	New Jersey	Sussex	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(191) Trenton	New Jersey	Warren	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	New Jersey	Hunterdon and Mercer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(192) Alamogordo	New Mexico	Otero	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(193) Albuquerque	New Mexico	Bernalillo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(194) Carlsbad	New Mexico	Eddy	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Mexico	Lea	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(195) Deming	New Mexico	Luna	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(196) [Revoked]					
(197) Roswell	New Mexico	Chaves	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Mexico	Curry, DeBaca, and Roosevelt	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(197a) San Miguel County	New Mexico	San Miguel	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(198) Silver City-Lordsburg [1]	New Mexico	Hidalgo	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(199) Albany-Troy, N. Y	New York	Albany and Rensselaer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(200) Binghamton	New York	Broome and Tioga	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(201) Buffalo	New York	Erie and Niagara	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(202) Elmira	New York	Chemung and Steuben	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(203) Jamestown	New York	Chautauqua	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Pennsylvania	Warren	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(204) Poughkeepsie	New York	Dutchess, Orange, and Ulster	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(205) Rochester	New York	Genesee, Monroe, Orleans, and Wayne	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(206) St. Lawrence County	New York	St. Lawrence	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(207) Schenectady	New York	County of Schenectady; and in the County of Saratoga the towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
	New York	County of Montgomery and the County of Saratoga other than the towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(208) Seneca	New York	Ontario, Seneca, and Yates	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(209) Sidney, N. Y	New York	Chenango, Delaware, and Otsego	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(210) Syracuse	New York	Cayuga, Onondaga, and Oswego	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(211) Utica-Rome	New York	Herkimer, Madison, and Oneida	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(212) Watertown	New York	Jefferson	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(212a) Burlington, N. C	North Carolina	Alamance	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(212b) Asheville	North Carolina	Buncombe	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(212c) Charlotte	North Carolina	Mecklenburg	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(213) Durham	North Carolina	Durham	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(214) Elizabeth City, N. C	North Carolina	Pasquotank	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	North Carolina	Chowan and Perquimans	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(215) Fayetteville	North Carolina	Cumberland and Hoke	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(216) Goldsboro	North Carolina	Lenoir, Wayne and Wilson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(216a) Greensboro [1]	North Carolina	County of Guilford other than High Point Township	July 1, 1943	June 1, 1944	July 15, 1944
(217) Henderson	North Carolina	Vance	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(218) Jacksonville, N. C	North Carolina	Onslow	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(219) Laurinburg	North Carolina	Richmond, Robeson, and Scotland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Marlboro	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(220) Monroe, N. C	North Carolina	Union	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221) New Bern	North Carolina	Carteret and Craven	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221a) Rocky Mount	North Carolina	Edgecomb and Nash	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(221b) Fender County	North Carolina	Fender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(222) Southern Pines	North Carolina	Moore	Mar. 1, 1942	May 1, 1943	June 15, 1943
(223) Wilmington, N. C	North Carolina	New Hanover	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(224) Akron	Ohio	County of Summit and in the County of Medina the Township of Wadsworth.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
	Ohio	County of Medina other than the Township of Wadsworth	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(225) Ashtabula	Ohio	Ashtabula	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(226) Canton	Ohio	Stark	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
	Ohio	Tuscarawas	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(227) Cincinnati	Ohio	Butler, Clermont, Hamilton, and Warren	Mar. 1, 1942	Nov. 1, 1942	May 31, 1942
	Kentucky	Boone, Campbell, and Kenton	Mar. 1, 1942	Nov. 1, 1942	May 31, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(229) Cleveland	Ohio	County of Cuyahoga and in the County of Lake the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	July 1, 1942	Aug. 31, 1942
	Ohio	County of Geauga, and the County of Lake other than the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	July 1, 1942	Aug. 31, 1942
(230) Columbus, Ohio	Ohio	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Licking	Mar. 1, 1942	May 1, 1943	June 15, 1943
(230) Dayton	Ohio	Champaign, Clark, Darke, Greene, Miami, Montgomery, and Preble.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(231) [Revoked]					
(232) Lima	Ohio	Allen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(233) Lorain-Elyria	Ohio	Lorain	July 1, 1941	July 1, 1943	Aug. 15, 1942
(234) Mansfield	Ohio	Ashland, Crawford, and Richland	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Knox	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(235) Marion	Ohio	Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(236) [Revoked]					
(237) Ravenna	Ohio	Portage	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(238) Sandusky-Port Clinton	Ohio	Erie, Huron, Ottawa, and Sandusky	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(239) Sidney, Ohio	Ohio	Shelby	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(240) Toledo	Ohio	Lucas and Wood	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Hancock and Seneca	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(241) Youngstown-Warren	Ohio	Mahoning and Trumbull	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(242) [Revoked]					
(242a) Altus-Frederick	Oklahoma	Jackson and Tillman	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(243) Choteau	Oklahoma	Craig, Mayes, Rogers, and Wagoner	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(244) Clinton-Elk City	Oklahoma	Beckham, Custer, and Washita	Mar. 1, 1942	May 1, 1943	June 15, 1943
(245) Enid	Oklahoma	Garfield	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(246) Lawton	Oklahoma	Comanche	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(247) McAlester	Oklahoma	Atoka, Haskell, Hughes, Latimer, McIntosh, and Pittsburg	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(248) Muskogee	Oklahoma	Muskogee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(249) [Revoked]					
(250) Oklahoma City	Oklahoma	Cleveland, McClain, and Oklahoma	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Caddo and Grady	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Oklahoma	Canadian	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(250a) Shawnee	Oklahoma	Pottawatomie	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(251) Tulsa	Oklahoma	Creek, Osage, and Tulsa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(252) [Revoked]					
(253) Corvallis	Oregon	Benton and Linn	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(254) Medford	Oregon	Jackson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(255) Pendleton	Oregon	Umatilla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(256) Portland-Vancouver	Oregon	Clackamas, Multnomah, and Washington	Mar. 1, 1942	July 1, 1943	Aug. 31, 1942
	Washington	Clark	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
	Oregon	Clatsop	Mar. 1, 1942	Nov. 1, 1943	Dec. 16, 1942
	Oregon	Tillamook	Mar. 1, 1942	Jan. 1, 1948	Feb. 15, 1943
(257) Allentown-Bethlehem	Pennsylvania	Lehigh and Northampton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(258) Altoona-Johnstown	Pennsylvania	Blair, Cambria, and Somerset	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(259) [Revoked]					
(260) Emporium	Pennsylvania	Cameron	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	Elk	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(261) Erie	Pennsylvania	Erie	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(262) Harrisburg	Pennsylvania	Cumberland, Dauphin, Lebanon, and Perry	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Franklin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(263) Lancaster-York	Pennsylvania	Lancaster and York	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(264) Meadville-Titusville	Pennsylvania	Crawford and Venango	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(265) [Revoked]					
(266) Philadelphia	Pennsylvania	Bucks, Chester, Delaware, Montgomery, and Philadelphia	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(267) Pittsburgh	Pennsylvania	Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland.	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(268) Reading	Pennsylvania	Berks	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(269) [Revoked]					
(270) Sharon-Farrell	Pennsylvania	Mercer	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(270a) Warren	Pennsylvania	Warren	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(271) [Revoked]					
(272) Williamsport	Pennsylvania	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Columbia, Montour, Northumberland, Snyder, and Union	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	In the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	Pennsylvania	Clinton	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(273) Newport	Rhode Island	Newport	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(274) Providence	Rhode Island	Bristol, Kent, and Providence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(275) Washington County	Rhode Island	Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(276) [Revoked]					
(277) Charleston, S. C.	South Carolina	Charleston and Dorchester	Mar. 1, 1942	Aug. 1, 1942	Oct. 15, 1942
	South Carolina	Beaufort and Colleton	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(278) Columbia	South Carolina	Calhoun, Lexington, and Richland	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
	South Carolina	Sumter	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Florence	Mar. 1, 1942	May 1, 1943	June 15, 1943
(279) [Revoked]					
(280) Greenville	South Carolina	Greenville	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(280a) Myrtle Beach	South Carolina	In the County of Horry, the Townships of Conway, Dogwood Neck, and Socastee.	July 1, 1943	July 1, 1944	Aug. 15, 1944
(281) Spartanburg	South Carolina	Cherokee, Spartanburg, and Union	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(282) [Revoked]					
(283) Pierre-Hot Springs, S. Dak	South Dakota	Fall River	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(284) Rapid City-Sturgis	South Dakota	Lawrence, Meade, and Pennington	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(285) Sioux Falls	South Dakota	Lincoln, Minnehaha, and Turner	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Iowa	Lyon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Minnesota	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(286) Bristol-Kingsport	Tennessee	Greene, Hawkins, Sullivan, Unicoi, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Virginia	Independent City of Bristol and the Counties of Scott and Washington.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(287) Chattanooga	Tennessee	Bradley, Hamilton, and Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Georgia	Catoosa, Dade, and Walker	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(288) Clarksville	Tennessee	Henry, Montgomery, and Stewart	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Christian, Todd, and Trigg	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(289) Copperhill-McCaysville	Tennessee	Polk	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Georgia	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(290) Dyersburg	Tennessee	Crockett, Dyer, and Lauderdale	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(291) Jackson-Milan-Humboldt	Tennessee	Carroll, Gibson, and Madison	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(292) Knoxville	Tennessee	Blount and Knox	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Tennessee	Anderson and Roane	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(292a) Lenoir City	Tennessee	London	Mar. 1, 1943	June 1, 1944	July 15, 1944
(293) Memphis	Tennessee	Shelby	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Arkansas	Crittenden	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(294) [Revoked]					
(295) Nashville	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(296) [Revoked]					
(297) Tullahoma	Tennessee	Bedford, Coffee, Franklin, Lincoln, and Moore	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(298) Abilene	Texas	Callahan, Jones, and Taylor	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(299) Amarillo	Texas	Potter and Randall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Dallam, Hansford, Hartley, Moore, and Sherman	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(300) Austin	Texas	Bastrop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Hays, Travis, and Williamson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(301) [Revoked]					
(302) Beaumont-Port Arthur	Texas	Jefferson and Orange	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(303) Big Spring	Texas	Howard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(304) [Revoked]					
(305) Borger	Texas	Carson, Gray, and Hutchinson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(305a) Brady	Texas	McCulloch	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(306) Brownwood	Texas	Brown, Coleman, and Comanche	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(307) Bryan	Texas	Brazos	Mar. 1, 1942	May 1, 1943	June 15, 1943
(308) Childress	Texas	Childress	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(309) Corpus Christi	Texas	Nueces and San Patricio	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Bee and Kleberg	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(310) [Revoked]					
(311) Dallas	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(312) Del Rio	Texas	Kinney, Uvalde, and Val Verde	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Texas	Maverick	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(313) [Revoked]					
(314) [Revoked]					
(315) El Paso	Texas	El Paso	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(316) Fort Worth	Texas	Tarrant	Mar. 1, 1942	Oct. 15, 1942 [2]	
				Nov. 1, 1942 [2]	Dec. 16, 1942
(317) Gainesville	Texas	Denton	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(318) Greenville, Tex	Texas	Cooke	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(319) Houston-Galveston	Texas	Hunt	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(320) Killeen-Temple	Texas	Brazoria, Chambers, Galveston, Harris, and Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Bell and Coryell	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(321) Laredo	Texas	Lampasas	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(321a) Lockhart	Texas	Webb	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(322) Lower Rio Grande Valley	Texas	Justices' Precincts 1, 6, and 7 in Caldwell County	Jan. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(322a) Lubbock	Texas	Cameron, Hidalgo, and Willacy	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(323) Marfa-Alpine	Texas	Lubbock	Mar. 1, 1942	Mar. 1, 1944	Apr. 15, 1944
	Texas	Presidio	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(324) Marshall	Texas	Brewster	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
	Texas	Harrison, Marion, and Upshur	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Texas	Camp, Cass, Morris, Red River, and Titus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Texas	Smith	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(324a) Matagorda Bay	Texas	Calhoun, Jackson, and Matagorda	Jan. 1, 1943	June 1, 1944	July 15, 1944
(324b) McKinney	Texas	Collin	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324c) Midland-Odessa	Texas	Ector and Midland	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(325) Paris, Tex	Texas	Lamar	Mar. 1, 1943	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Choctaw	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(326) Pecos	Texas	Reeves and Ward	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(327) San Angelo	Texas	Tom Green	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(328) San Antonio	Texas	Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson.	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(329) Sherman Denison	Texas	Grayson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(329a) Sweetwater	Texas	Nolan	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(330) Texarkana	Texas	Bowie	July 1, 1941	July 1, 1942	Aug. 31, 1942
	Arkansas	Miller	July 1, 1941	July 1, 1942	Aug. 15, 1942
(331) Victoria	Texas	Victoria	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(332) Waco	Texas	McLennan	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(333) Wichita Falls	Texas	Wichita	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(334) [Revoked]					
(335) Provo, Utah	Utah	Utah	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(336) Salt Lake City [1]	Utah	Davis, Morgan, Salt Lake, and Weber	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 16, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elk County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(337) [Revoked]					
(337a) Burlington, Vermont	Vermont	Chittenden	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(338) Springfield-Windsor	Vermont	Windsor	Mar. 1, 1942	Oct. 1, 1942	Nov. 16, 1942
(339) Alexandria-Arlington	Virginia	Independent City of Alexandria and the Counties of Arlington and Fairfax.	Jan. 1, 1941	July 1, 1942	Aug. 31, 1942
(340) Blackstone [3]	Virginia	Nottoway	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(341) Cape Charles	Virginia	Northampton	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(341a) Front Royal	Virginia	Warren	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(342) Hampton Roads	Virginia	Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City; in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven; and in the County of Warwick the Magisterial District of Newport.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
	Virginia	Independent City of Suffolk; the County of Nansemond; the County of Norfolk other than the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; the County of Princess Anne other than the Magisterial Districts of Kempsville and Lynnhaven.	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343) Petersburg	Virginia	Independent Cities of Hopewell and Petersburg; the Counties of Dinwiddie and Prince George; and in the County of Chesterfield the Magisterial District of Matoaca.	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343a) Quantico [1]	Virginia	In the County of Prince William, the Magisterial District of Dumfries.	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1944
(344) Radford-Pulaski	Virginia	Independent City of Radford, and the Counties of Montgomery and Pulaski.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(345) Richmond	Virginia	Independent City of Richmond; the County of Henrico; and in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(346) Yorktown	Virginia	Independent City of Williamsburg; the Counties of James City and York; and in the County of Warwick the Magisterial Districts of Denbigh and Stanley.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(347) Bellingham	Washington	Whatcom	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Washington	Skagit	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(347a) Ephrata	Washington	Portion of Grant County lying between the south line of Township 23 North and the north line of Township 16 North.	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(348) Everett	Washington	Snohomish	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Washington	Island	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(349) [Revoked]					
(350) [Revoked]					
(351) Port Angeles-Port Townsend	Washington	Clallam and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(352) Puget Sound	Washington	County of Kitsap and those parts of the Counties of King and Pierce lying west of the Snoqualmie National Forest.	Apr. 1, 1941	July 1, 1942	Sept. 21, 1942
(353) Spokane	Washington	Spokane	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(354) Walla Walla	Washington	Walla Walla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Washington	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Washington	In the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley Kennewick, Kennewick Gardens, and Richland.	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(354a) Yakima	Washington	In the county of Benton, the precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima.	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(355) Charleston, West Virginia	West Virginia	Kanawha	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	West Virginia	In Putnam County the Magisterial District of Pocatalico	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(356) Huntington	West Virginia	Cabell and Wayne	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Kentucky	Boyd and Greenup	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(356a) Martinsburg	West Virginia	Berkeley	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(357) Morgantown	West Virginia	Marion and Monongalia	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(358) Point Pleasant Gallipolis	West Virginia	Jackson and Mason	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Ohio	Gallia and Meigs	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(359) Wheeling-Steubenville	West Virginia	Brooke, Hancock, Marshall, Ohio, and Wetzel	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Belmont, Columbiana, and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(360) Beliot-Janesville	Wisconsin	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361) Eau Claire	Wisconsin	Chippewa, Dunn, and Eau Claire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361a) La Crosse	Wisconsin	La Crosse	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(362) Madison, Wis.	Wisconsin	Columbia, Dane, and Sauk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(362a)	Wisconsin	Manitowoc	Mar. 1, 1943	Sept. 1, 1942	Oct. 16, 1942
	Wisconsin	That portion of the City of Kiel in the County of Calumet	Mar. 1, 1942	Apr. 1, 1944	May 15, 1944
(364) Milwaukee	Wisconsin	Kenosha, Milwaukee, Racine, and Waukesha	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(364a) Oshkosh-Fond du Lac	Wisconsin	Fond du Lac and Winnebago	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Wisconsin	That portion of the City of Waupun in the County of Dodge	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(366) Sparta	Wisconsin	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(367) Sturgeon Bay	Wisconsin	Door	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(368) Casper	Wyoming	Natrona	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369) Cheyenne	Wyoming	Laramie	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369a) Douglas	Wyoming	Converse	Mar. 1, 1943	May 1, 1944	June 15, 1944
(370) Alaska	Alaska	Territory of Alaska	Mar. 1, 1942	Nov. 1, 1942	Mar. 15, 1943
(371) Puerto Rico	Puerto Rico	Puerto Rico	Oct. 1, 1942	Feb. 1, 1944	Mar. 31, 1944

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.
[2] Sections 1, 6, 13.
[3] Remaining sections.

Schedule A amended by Am. 1, 8 F.R. 9019, effective 7-1-43; Am. 3, 8 F.R. 10730, effective 8-1-43; Am. 4, 8 F.R. 12025, effective 9-1-43; Am. 6, 8 F.R. 14676, 15561, effective 11-1-43; Am. 7, 8 F.R. 14814, effective 11-1-43; Am. 9, 8 F.R. 16207, 16427, effective 12-1-43; Am. 11, 8 F.R. 17297, effective 1-1-44; Am. 12, 9 F.R. 206, effective 2-1-44; Am. 13, 9 F.R. 847, effective 2-1-44; Am. 14, 9 F.R. 2165, effective 2-24-44; corrected by 9 F.R. 4194, effective as of 2-1-44; amended by Am. 15, 9 F.R. 2260, effective 3-1-44; Am. 16, 9 F.R. 3231, effective 4-1-44; Am. 18, 9 F.R. 4541, effective 5-1-44; Am. 20, 9 F.R. 5606, effective 6-1-44; Am. 22, 9 F.R. 5915, effective 6-1-44; Am. 24, 9 F.R. 7128, effective 7-1-44; Am. 26, 9 F.R. 9265, effective 9-1-44; Am. 28, 9 F.R. 9518, effective 9-1-44.]

Effective date. This Rent Regulation for Hotels and Rooming Houses shall become effective June 1, 1943.

[Rent Regulation for Hotels and Rooming Houses originally issued May 31, 1943]
[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14109; Filed, Sept. 12, 1944; 4:38 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Miami Area,[1] Amdt. 8]

CHANGE IN ACCOMMODATION

Section 5 (a) (2) of the Rent Regulation for Hotels and Rooming Houses in the Miami Defense-Rental Area is amended to read as follows:

(2) *Change prior to September 1, 1943.* There was, on or prior to the maximum rent date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in services, furniture, furnishings or equipment, and the rent during the thirty-day period ending on September 1, 1943 was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

This amendment shall become effective September 13, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14112; Filed, Sept. 12, 1944; 4:39 p. m.]

[1] 8 F.R. 14043, 16033; 9 F.R. 3422, 8003, 8054.

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, New York City Area,[1] Amdt. 13]

CHANGE IN ACCOMMODATION

Section 5 (a) (2) of the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended to read as follows:

(2) *Change prior to March 1, 1943.* There was, on or prior to the maximum rent date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in services, furniture, furnishings or equipment, and the rent during the thirty-day period ending on March 1, 1943 was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

This amendment shall become effective September 13, 1944.

[1] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087, 3423, 4026, 4028, 6360, 8054.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14113; Filed, Sept. 12, 1944; 4:39 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] incl. Amdts. 1-34]

This compilation of Rent Regulation for Housing includes Amendment 34, effective September 13, 1944. The text added or amended by Amendment 34 is underscored.

§ 1388.1181 *Rent Regulation for Housing.* The Rent Regulation for Housing is annexed hereto and made a part hereof.

RENT REGULATION FOR HOUSING

Sec.
1. Scope of this regulation.
2. Prohibition against higher than maximum rents.
3. Minimum services, furniture, furnishings and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.
Schedule A.

AUTHORITY: § 1388.1181 issued under 56 Stat. 23, 765; Pub. Law 383, 78th Cong.

SECTION 1. *Scope of this regulation—*(a) *Housing and defense-rental areas to which this regulation applies.* This regulation applies to all housing accommodations within each of the defense-rental areas and each of the portions of a defense-rental area (each of which is referred to hereinafter in this regulation as the "defense-rental area"), which are listed in Schedule A of this regulation, except as provided in paragraph (b) of this section.

In Schedule A, "the maximum rent date" and "the effective date of regulation" is given for each defense-rental area listed. More than one effective date is given for different portions of a defense-rental area where the same effective date is not applicable to the entire defense-rental area. Wherever the words "the maximum rent date" or the words "the effective date of regulation" are referred to in this regulation, the dates given in Schedule A for the particular defense-rental area or portion of the defense-rental area in which the housing accommodations are located shall apply. The effective date listed in Schedule A in each instance is the date rent regulation was effective in the particular defense-rental area or portion of the defense-rental area.

[1] 8 F.R. 14663.

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

(3) *Rooms in hotels, rooming houses, etc.* Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation.

(4) *Structures in which more than 25 rooms are rented or offered for rent.* Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided,* That this regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: *And provided further,* That this regulation does apply to an underlying lease of any entire structure or premises which was entered into after the maximum rent date and prior to the effective date of regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) *Rented to National Housing Agency.* Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however,* That this regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(6) *Resort housing—*(i) *Exemption.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1943 and ending on February 29, 1944.

The exemption provided by this paragraph (b) (6) (i) shall be effective only from June 1, 1944 to September 20, 1944, inclusive.

(ii) *Exception from exemption.* The provisions of section 1 (b) (6) (i) shall not apply to housing accommodations in the Madison, Wisconsin, Defense-Rental Area from June 15, 1944 to September 30, 1944, inclusive.

[Subparagraph (6) amended by Am. 17, 9 F.R. 2176, effective 2-24-44; and Am. 26, 9 F.R. 8569, effective 6-15-44]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of regulation.

SEC. 2. *Prohibition against higher than maximum rents—*(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for or in connection with the use or occupancy on and after the effective date of regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

[Paragraph (a) amended by Am. 33, 9 F.R. 10633, effective 9-1-44]

(b) *Exception in case of conversion of fuel oil heating units.* Notwithstanding any other provision of this regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the area rent office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within five days after the filing of such report, upon the expiration of such 5-day period.

(c) *Lease with option to buy.* Where a lease of housing accommodations was entered into prior to the effective date of regulation (or prior to October 20, 1942, where the effective date of regulation is prior to that date) and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation may be authorized to receive payment made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absense of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date), and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

(d) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month.

(2) *Maximum rent established under section 4 (a) or (b).* Where the maximum rent of the housing accommodations is established under section 4 (a) or (b), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (c) or (d).* Where the maximum rent of the housing accommodations is established under section 4 (c) or (d) no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Administrator at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(4) *Maximum rent established under section 4 (e), (f) or (j).* Where the maximum rent of the housing accommodations is established under section 4 (e), (f) or (j), no security deposit shall be demanded, received, or retained.

(5) *Maximum rent established under section 4 (g) or (h).* Where the maximum rent of the housing accommodations is established under section 4 (g) or (h), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(6) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph (d), any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles such as keys and ice trays. If the landlord shows that he has a special need therefor, the Administrator may enter an order authorizing a security deposit, not in excess of ten dollars, to secure the return of the movable articles specified in the order.

[Paragraph (d) added by Am. 33, 9 F.R. 10633, effective 9-1-44]

SEC. 3. *Minimum services, furniture, furnishing and equipment.* Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however,* That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented on maximum rent date.* For housing accommodations rented on the maximum rent date, the rent for such accommodations on that date.

(b) *Not rented on maximum rent date but rented during two months ending on that date.* For housing accommodations not rented on the maximum rent date, but rented at any time during the two months ending on that date, the last rent for such accommodations during the two-month period.

(c) *First rent after the maximum rent date but before effective date.* For housing accommodations not rented on the maximum rent date nor during the two months ending on that date, but rented prior to the effective date of regulation, the first rent for such accommodations after the maximum rent date. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(d) *Constructed or changed before effective date.* For (1) newly constructed housing accommodations without priority rating first rented after the maximum rent date and before the effective date of regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(e) *First rent after effective date.* For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time during the two months ending on the maximum rent date nor between that date and the effective date, the first rent for such accommodations after the change or the effective date, as the case may be, but in no event more than the maximum rent provided for such accommodations by any order of the Administrator issued prior to September 22, 1942. Within 30 days after so renting the landlord shall register the accommodations as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

If the landlord fails to file a registration statement within the time specified, the rent received for any rental period commencing on or after the date of the first renting or October 1, 1943 or the effective date of regulation, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the date of such first renting or from the beginning of the first rental period on or after October 1, 1943 or the effective date of regulation, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

[Above paragraph added by Am. 9, 8 F.R. 13390, effective 10-1-43; and amended by Am. 34, effective 9-13-44]

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however,* That if, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved.

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

[Paragraph (f) amended by Am. 20, 9 F.R. 3422, effective 3-29-44; and Am. 21, 9 F.R. 4028, effective 4-15-44]

(g) *Housing owned and constructed by the government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(h) *Housing subject to rent schedule of War or Navy Department.* For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

[Paragraph (h) amended by Am. 8, 8 F.R. 12795, effective 9-20-43]

(i) *Rent established under former section 5 (e).* For housing accommodations with a maximum rent established, prior to March 1, 1943, under the first paragraph of section 5 (e) as that paragraph appeared in Maximum Rent Regulations issued prior to such date,[8] the rent on March 1, 1943, or, if the accommodations were not rented on that date, the last rent prior thereto, but in no event more than the maximum rent established under such first paragraph of section 5 (e). The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (8).

(j) *Changed on or after July 1, 1943 or the effective date of regulation, whichever is the later, from unfurnished to furnished.* For housing accommodations changed on or after July 1, 1943 or the effective date of regulation, whichever is the later, from unfurnished to fully furnished, the first rent for such accommodations after such change. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

Within 30 days after the accommodations are first rented fully furnished, the landlord shall register the accommodations as provided in section 7. If the landlord fails to file a registration statement within the time specified, the rent received from the time of such first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the time of such first renting. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

[8] The first paragraph of section 5 (e) read as follows: "Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units."

[Paragraph (j) added by Am. 2, 8 F.R. 9020, effective 7-1-43; and amended by Am. 34, effective 9-13-44]

SEC. 5. *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases except those under paragraphs (a) (7), (a) (12), (a) (13), (c) (6), and (c) (9) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

[Above paragraph amended by Am. 32, 9 F.R. 10188, effective 9-1-44; and amended by Am. 34, effective 9-13-44]

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

[Above paragraphs amended by Am. 20, 9 F.R. 3422, effective 3-29-44]

In cases under paragraph (a) (12) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds necessary to relieve the substantial hardship: *Provided,* That the adjustment shall not result in a maximum rent higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

In cases under paragraph (c) (9) of this section, the adjustment in the maximum rent shall be in the amount the Administrator finds warranted by the modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12)

of this section: *Provided*, That no decrease shall be ordered in an amount greater than the adjustment ordered under paragraph (a) (12) of this section.

[Above paragraphs added by Am. 32, 9 F.R. 10188, effective 9-1-44]

In cases under paragraph (a) (13) of this section the adjustment shall be in the amount of the difference between the rent on the date determining the maximum rent and the rent agreed upon by the landlord and tenant as a result of a continuous process of bargaining on interrelated matters.

[Above paragraph added by Am. 34, effective 9-13-44]

(a) *Grounds for increase of maximum rent.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) *Major capital improvement after effective date.* There has been on or after the effective date of regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in the services, furniture, furnishings or equipment, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

[Subparagraph (2) amended by Am. 34, effective 9-13-44]

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the tenant or while the accommodations were vacant: *Provided*, That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date: *Provided*, That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) *Seasonal rents.* The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Substantial increase in occupancy.* There has been, since the maximum rent date, either (i) a substantial increase in the number of subtenants or other persons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on the maximum rent date, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(9) On the date determining the maximum rent the housing accommodations were temporarily exempt from real estate taxes, the landlord was passing the benefit of this tax exemption on to the tenant, and as a result the rent on that date was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Paragraph (9) added by Am. 6, 9 F.R. 12660, effective 9-15-43]

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

[Subparagraph (10) added by Am. 20, 9 F.R. 3422, effective 3-29-44; and amended by Am. 21, 9 F.R. 4028, effective 4-15-44]

(11) *Peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by peculiar circumstances and as a result was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (11) added by Am. 29, 9 F.R. 8054, effective 7-17-44]

(12) *Substantial hardship from increase in property taxes or operating costs.* Substantial hardship has resulted from a substantial decrease in the net income (before interest) of the property for the current year as compared with a representative period prior to the maximum rent date, due to a substantial and unavoidable increase in property taxes or operating costs.

For the purposes of this paragraph (a) (12) the term:

(i) "Net income (before interest)" means the amount determined by subtracting unavoidable property taxes and operating costs actually paid or accrued from total income earned.

(ii) "Property taxes and operating costs" includes all expenses necessary to the operation and maintenance of the property actually paid or accrued and properly allocated, including depreciation but excluding interest.

(iii) "Property" includes one or more structures operated as a single unit or enterprise.

(iv) "Total income earned" includes rental and other income earned from the property and the rental value of housing accommodations in the property occupied without the full payment of rent.

(v) "Current year" means a period of twelve calendar months beginning on or after the effective date of regulation. The most recent calendar or fiscal year used by the landlord or the twelve calendar months immediately prior to the filing of the petition for adjustment may be used.

This section 5 (a) (12) shall not apply to maximum rents established under section 4 (f) where the accommodations are first rented after the maximum rent date or to maximum rents established under section 4 (c), (d), (e), or (j).

[Subparagraph 12 added by Am. 32, 9 F.R. 10188, effective 9-1-44]

(13) *Rented to an employee of landlord.* The housing accommodations were rented to an employee of the landlord both on the date determining the maximum rent and at the time the order under this paragraph (a) (13) is issued, and after the date determining the maximum rent but prior to the effective date of regulation the landlord and tenant agreed, as the result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

[Subparagraph 13 added by Am. 34, effective 9-13-44]

(b) *Decreases in minimum services, furniture, furnishings and equipment—* (1) *Decreases prior to effective date.* If, on the effective date of regulation, the services provided for housing accommodations are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services or, within 30 days (or, for housing accommodations within the Los Angeles Defense-Rental Area, within 60 days) after such effective date, file a petition requesting approval of the decreased services. If, on such effective date (or on December 1, 1942 where the effective date of regulation is prior to that date), the furniture, furnishings or equipment provided with housing accommodations are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings, or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of section 5(c)(3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of regulation (or December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings, or equipment or after the effective date of regulation (or after December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable only on the grounds that:

(1) *Rent higher than rents generally prevailing.* The maximum rent for housing accommodations under paragraph (c), (d), (e), (g), or (j) of section 4 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

[Subparagraph (1) amended by Am. 2, 8 F.R. 9020, effective 7-1-43]

(2) *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Special relationship between landlord and tenant or peculiar circumstances.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant, or by peculiar circumstances, and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Subparagraph (4) amended by Am. 29, 9 F.R. 8054, effective 7-17-44]

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) *Seasonal rent.* The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(7) *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) or (c) (8) of this section.

(8) *Rent established under section 4 (f).* The maximum rent is established under section 4 (f) and is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date, taking into consideration any increased occupancy of such accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant: *Provided*, That no decrease shall be ordered below the rent on the maximum rent date.

(9) *Modification or elimination of necessity for increase under section 5 (a) (12).* There has been a modification or elimination of the necessity for the increase in the maximum rent granted under paragraph (a) (12) of this section, since the order issued under that paragraph.

[Subparagraph (9) added by Am. 32, 9 F.R. 10188, effective 9-1-44]

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(e) *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (f) amended by Am. 12, 8 F.R. 16032, effective 11-28-43]

(g) *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on the maximum rent date.

SEC. 6. *Removal of tenant*—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

(2) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) *Subtenants on expiration of tenant's lease.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling; or

(5) *Demolition or alteration by landlord.* The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation (or prior to October 20, 1942 where the effective date of regulation is prior to that date, or prior to November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

(b) *Administrator's certificate*—(1) *Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(2) *Occupancy by purchaser.* A certificate shall be issued authorizing the pursuit of local remedies to remove or evict a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), only as provided in this paragraph (b) (2).

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as hereinafter provided, the certificate shall authorize pursuit of local remedies at the expiration of three months after the date of filing of the petition.

The payment or payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate.

Any payments of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether twenty per cent of the purchase price has been paid, unless the Administrator finds that the loan is made in good faith and not for the purpose of circumventing or evading the provisions of this paragraph (b) (2).

Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the vendor to secure any unpaid balance of the purchase price, the payment requirement shall be deemed satisfied if the value of such security, plus any payments of principal made from funds not borrowed for the purpose of making such principal payments, equal twenty per cent or more of the purchase price.

(ii) Where the Administrator finds (*a*) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (*b*) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (*c*) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than three months after the date of filing of the petition.

[Subparagraph (2) amended by Am. 7, 8 F.R. 12693, effective 9-16-43; and Am. 25, 9 F.R. 6359, effective 6-9-44]

(c) *Exceptions from section 6*—(1) *Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *One or two occupants in landlord's residence.* The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(4) *Renting to family in landlord's residence.* The provisions of this section shall not apply to a family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any persons within such residence other than those in the one family.

[Subparagraph (4) added by Am. 3, 8 F.R. 10018, effective 8-1-43]

(d) *Notices required*—(1) *Notices prior to action to remove tenant.* Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations by court process or otherwise, unless at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender possession: *Provided, however,* That the requirement of this sentence shall not apply to housing accommodations within the City of Baltimore, Maryland, the Northeastern New Jersey Defense-Rental Area, or the Trenton Defense-Rental Area, when the ground for the removal or eviction of a tenant is non-payment of rent.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) *Notices at time of commencing action to remove tenant.* At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

SEC. 7. *Registration*—(a) *Registration statement.* On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

(b) *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(c) *Exceptions from registration requirements*—(1) *Housing under section 4 (g).* The provisions of this section shall not apply to housing accommodations under section 4 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *Housing in Cincinnati Defense-Rental Area.* The provisions of this section shall not apply to housing accommodations in the Cincinnati Defense-Rental Area so long as the maximum rent for such accommodations is established solely under paragraph (a) or (b) of section 4: *Provided, however,* That no payment of rent need be made by any tenant of such accommodations unless the landlord tenders a receipt for the amount to be paid.

(d) *Housing in Puerto Rico Defense-Rental Area.* The provisions of this section 7 (d) shall be substituted for the provisions of section 7 (a) for housing accommodations in the Puerto Rico Defense-Rental Area.

On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in the area rent office a form provided by the area rent office for this purpose. The form shall identify each dwelling unit and shall specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require.

(1) *Notice of maximum rent.* The landlord shall prepare the form known as "Notice of Maximum Rent" if the maximum rent for the dwelling unit is determined under paragraph (a) of section 4. The landlord shall prepare the notice in duplicate and shall send one copy to the tenant and one copy to the area rent office.

(2) *Registration statement.* The landlord shall prepare the form known as "Registration Statement" if the maximum rent for the dwelling unit is determined under any paragraph of section 4 other than paragraph (a), (g), or (h). The landlord shall prepare the Registration Statement in triplicate and shall send the three copies to the area rent office. The Administrator shall retain one copy on file, and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord.

(3) *Change in tenancy.* Within five days after renting to a new tenant, the landlord shall file a form provided by the area rent office for this purpose. The landlord shall state the maximum

rent for the dwelling unit, and he shall obtain the new tenant's signature on this form.

[Paragraph (d) added by Am. 18, 9 F.R. 206, effective 2-1-44]

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

SEC 9. *Evasion.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or otherwise.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

SEC. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3 [1] (§§ 1300.201 to 1300.259a, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.259a, inclusive).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area rent office" means the office of the Rent Director in the Defense-Rental Area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

[Subparagraph (10) amended by Am. 23, 9 F.R. 10633, effective 9-1-44]

(11) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short-time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this regulation.

SCHEDULE A—DEFENSE-RENTAL AREAS

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(1) [Revoked]					
(1a) Baldwin County	Alabama	Baldwin	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1944
(2) Birmingham	Alabama	Jefferson	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Alabama	Calhoun, Cleburne, St. Clair, Shelby, and Talladega	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(3) Dothan–Ozark	Alabama	Dale and Houston	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Alabama	Coffee	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(4) Gadsden	Alabama	Etowah	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(5) [Revoked]					
(6) Lanett	Alabama	Chambers	Mar. 1, 1943	Dec. 1, 1942	Jan. 15, 1943
(7) Mobile	Alabama	Mobile	Apr. 1, 1941	June 1, 1942	July 15, 1942
(8) Montgomery	Alabama	Elmore and Montgomery	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Alabama	Macon	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1944
(9) Muscle Shoals–Huntsville	Alabama	Colbert, Lauderdale, Limestone, Madison, and Morgan	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(10) Selma	Alabama	Dallas	Mar. 1, 1943	Oct. 1, 1943	Nov. 15, 1943
(11) [Revoked]					
(12) [Revoked]					
(13) Fort Huachuca	Arizona	Cochise and Santa Cruz	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(14) Phoenix-Salt River Valley	Arizona	Gila and Maricopa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(15) Prescott-Flagstaff	Arizona	Coconino and Yavapai	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
		That portion of the County of Mohave south of the Colorado River.	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(16) Tucson	Arizona	Pima	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1943
(17) Yuma	Arizona	Yuma	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1943
(18) [Revoked]					
(19) Blytheville	Arkansas	Mississippi	Mar. 1, 1943	Oct. 1, 1943	Nov. 15, 1943
(20) El Dorado	Arkansas	Union	Mar. 1, 1943	Sept. 1, 1942	Oct. 16, 1943
(21) Fort Smith	Arkansas	Sebastian	Mar. 1, 1943	Dec. 1, 1942	Jan. 15, 1943
(22) [Revoked]					
(23) Little Rock [1]	Arkansas	Lonoke and Pulaski	Mar. 1, 1943	Aug. 1, 1943	Sept. 15, 1943
	Arkansas	Saline	Mar. 1, 1943	Oct. 1, 1942	Nov. 15, 1943
(24) Newport-Walnut Ridge	Arkansas	Craighead, Independence, Jackson, and Lawrence	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
	Arkansas	Randolph	Mar. 1, 1943	Feb. 1, 1943	Mar. 15, 1943

See footnotes at end of table.

[1] 9 F.R. 10484.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(25) Pine Bluff [1]	Arkansas	Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Arkansas	Arkansas County and the Southern District of Prairie County consisting of the Townships of Beieber, Center, Hazen, Lower Surrounded Hill, Roe Roe, Tyler, and Watensaw.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(26) [Revoked]					
(27) [Revoked]					
(27a) Fresno	California	Fresno	Jan. 1, 1944	June 1, 1944	July 15, 1944
(27b) Imperial County	California	Imperial	Mar. 1, 1943	Sept. 1, 1944	Oct. 15, 1944
(28) Lassen County	California	Lassen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(29) [Revoked]					
(30) Los Angeles	California	Los Angeles and Orange	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(31) Marysville-Chico	California	Sutter and Yuba	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	California	Butte	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(32) [Revoked]					
(33) Modesto-Merced	California	Merced and Stanislaus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(33a) Monterey Bay [1]	California	Monterey County and in Santa Cruz County the Township of Watsonville.	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(34) Richmond-Vallejo	California	Contra Costa, Napa, and Solano	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(35) Riverside	California	Riverside	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(35a) Sacramento	California	Sacramento, San Joaquin, and Yolo	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(36) San Bernardino	California	San Bernardino	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(37) San Diego	California	In the County of San Diego the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	June 1, 1942	July 15, 1942
	California	County of San Diego other than the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(38) San Francisco Bay	California	Alameda, Marin, San Francisco, San Mateo, Santa Clara, and Sonoma.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(39) San Luis Obispo	California	San Luis Obispo	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(40) Santa Maria	California	In the County of Santa Barbara Judicial Townships Nos. 4, 5, 6, 7, 9, and 10.	July 1, 1941	Dec. 1, 1942	Jan. 15, 1943
(40a) Ventura	California	Ventura	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(41) Tulare-Kings	California	Kings and Tulare	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(42) Colorado Springs	Colorado	El Paso	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(43) Denver	Colorado	Adams, Arapahoe, Denver, and Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(44) [Revoked]					
(44a) Grand Junction	Colorado	Mesa	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(45) Leadville-Salida	Colorado	Eagle, Lake, and Summit	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Colorado	Chaffee and Garfield	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(46) Pueblo	Colorado	Otero and Pueblo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(47) Bridgeport	Connecticut	In the County of Fairfield the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Fairfield other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(48) Hartford-New Britain	Connecticut	In the County of Hartford the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; in the County of Middlesex the Towns of Cromwell, Middlefield, Middletown, and Portland, in the County of New Haven the Towns of Meriden and Wallingford: and in the County of Tolland the Town of Vernon.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Hartford other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; County of Middlesex other than the Towns of Cromwell, Middlefield, Middletown, and Portland; and the County of Tolland other than the Town of Vernon.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(49) New Haven	Connecticut	In the County of New Haven the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(50) New London	Connecticut	New London and Windham	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(51) Waterbury	Connecticut	In the County of Litchfield the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Litchfield other than the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Bethany, Oxford, and Southbury.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(52) [Revoked]					
(53) Delaware	Delaware	New Castle	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Delaware	Kent and Sussex	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(54) [Revoked]					
(55) Banana River	Florida	Brevard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(55a) Fort Pierce	Florida	St. Lucie	Mar. 1, 1943	Dec. 1, 1943	Jan. 1, 1944
(55b) Fort Myers	Florida	Lee	Mar. 1, 1943	June 1, 1944	July 15, 1944
(56) Gainesville-Starke	Florida	Alachua, Bradford, and Clay	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(57) Jacksonville	Florida	Duval	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(58) Key West	Florida	Monroe	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(59) Lake City	Florida	Columbia	Mar. 1, 1942	May 1, 1943	June 15, 1943
(60) Marianna	Florida	Jackson	Mar 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(61) Orlando	Florida	Orange	Oct. 1, 1941	Nov. 1, 1942	Dec. 16, 1942
(62) Panama City	Florida	Bay	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Franklin and Gulf	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(63) Pensacola	Florida	Escambia	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Okaloosa	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Florida	Santa Rosa	Mar. 1, 1942	May 1, 1943	June 15, 1943
(63a) St. Augustine	Florida	St. Johns	Mar. 1, 1943	June 1, 1944	July 15, 1944
(64) [Revoked]					
(65) Tallahassee	Florida	Leon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Florida	Wakulla	Mar. 1, 1942	May 1, 1943	June 15, 1943
(66) Tampa	Florida	Hillsborough, Pinellas, and Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Highlands	Mar. 1, 1943	Nov. 1, 1942	Dec. 16, 1942
(67) [Revoked]					
(67a) Americus	Georgia	Sumter	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(68) Albany	Georgia	Dougherty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(69) Athens	Georgia	Clarke	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(70) Atlanta	Georgia	Clayton, Cobb, De Kalb, and Fulton	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(71) Augusta, Ga.	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	South Carolina	Aiken	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(72) Bainbridge-Cairo, Georgia	Georgia	Decatur and Grady	Mar. 1, 1942	Sept. 1, 1942	Oct. 15, 1942
(73) Brunswick	Georgia	Brantley, Camden, Glynn, McIntosh, and Wayne	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Georgia	Ware	Jan. 1, 1941	June 1, 1942	July 15, 1942
(74) Columbus, Ga.	Georgia	Muscogee	Jan. 1, 1941	June 1, 1943	July 15, 1942
	Alabama	In the County of Russell Election Precinct One, including the City of Phenix City.	July 1, 1943	June 1, 1944	July 15, 1944
(74a) Dublin	Georgia	Laurens	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(75) Hinesville	Georgia	Liberty	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(76) Macon	Georgia	Bibb, Houston, and Peach	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(77) Moultrie	Georgia	Colquitt	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(78) Savannah	Georgia	Chatham	Mar. 1, 1943	June 1, 1944	July 15, 1944
(78a) Thomasville	Georgia	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(79) Toccoa	Georgia	Stephens	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(80) Valdosta	Georgia	Lowndes	Jan. 1, 1943	Jan. 1, 1944	Feb. 15, 1944
(80a) Boise	Idaho	Ada and Elmore	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(81) Coeur d'Alene-Pend Orielle	Idaho	Bonner and Kootenai	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(82) Pocatello-Idaho Falls [1]	Idaho	Bannock	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(83) Chicago	Illinois	Cook, Du Page, Kane, and Lake			
(84) [Revoked]					
(85) Dixon	Illinois	Lee	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(86) Joliet	Illinois	Will	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(87) Kankakee	Illinois	Kankakee	Mar. 1, 1942	June 1, 1943	June 15, 1943
(88) LaSalle County	Illinois	LaSalle	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88a) Macomb-Canton	Illinois	Fulton, McDonough, and Mason	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(89) Quad Cities	Illinois	Rock Island	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Scott	arM. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(90) Quincy	Illinois	Adams	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Missouri	Lewis and Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(91) Champaign-Vermilion	Illinois	Champaign and Vermilion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(91a) Galesburg	Illinois	Knox	July 1, 1943	May 1, 1944	June 15, 1944
(92) Rockford	Illinois	Boone and Winnebago	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Illinois	De Kalb	Mar. 1, 1942	Sept. 1, 1942	Oct. 15, 1942
(94) Savanna-Clinton	Illinois	Carroll	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Clinton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(94) Springfield-Decatur	Illinois	Christian, Logan, Macon, and Sangamon	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(95) [Revoked]					
(96) [Revoked]					
(97) Columbus, Ind.	Indiana	Bartholomew, Brown, Johnson, Morgan, and Shelby	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(98) Richmond-Connersville	Indiana	Fayette	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Wayne	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(99) [Revoked]					
(100) Evansville-Henderson	Indiana	Vanderburgh	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Henderson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(101) Fort Wayne	Kentucky	Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Allen	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(102) Gary-Hammond	Indiana	Adams	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(103) Indianapolis	Indiana	Lake	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(104) La Fayette	Indiana	Marion	July 1, 1941	July 1, 1942	Aug. 15, 1942
(105) La Porte-Michigan City	Indiana	Fountain, Tippecanoe, and Warren	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(106) Anderson	Indiana	La Porte and Starke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
	Indiana	Huntington, Miami, and Wabash	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(107) [Revoked]		Delaware, Grant, Howard, and Madison	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(108) South Bend	Indiana	St. Joseph and Elkhart	Apr. 1, 1941	June 1, 1942	July 15, 1942
(109) Terre Haute	Indiana	Parke and Vermillion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Edgar	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Vigo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(110) Vincennes	Indiana	Daviess and Knox	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Illinois	Lawrence	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Martin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(111) [Revoked]					
(112) Burlington	Iowa	In the County of Des Moines the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; in the County of Henry the Townships of Baltimore, Center, Mount Pleasant, and New London; and in the County of Lee the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	June 1, 1942	July 15, 1942
	Iowa	County of Des Moines other than the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; County of Henry other than the Townships of Baltimore, Center, Mount Pleasant, and New London; County of Lee other than the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
	Illinois	County of Henderson	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(113) Cedar Rapids	Iowa	Linn	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(114) Des Moines	Iowa	Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Jasper	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(114a) Ottumwa	Iowa	Wapello	Mar. 1, 1942	Sept. 1, 1943	Oct. 15, 1943
(114b) Sioux City	Iowa	Woodbury	July 1, 1943	June 1, 1944	July 15, 1944
	Nebraska	Dakota	July 1, 1943	June 1, 1944	July 15, 1944
(115) Baxter Springs	Kansas	Cherokee and Crawford	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Oklahoma	Ottawa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(116) Dodge City	Kansas	Finney, Ford, and Gray	Mar. 1, 1942	May 1, 1943	June 15, 1943
(116a) Great Bend	Kansas	Barton	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas	Ellis and Russell	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(117) Hutchinson	Kansas	Reno	Mar. 1, 1942	May 1, 1943	June 15, 1943
(118) Junction City-Manhattan	Kansas	Geary and Riley	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(119) Liberal	Kansas	Seward	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(120) Parsons	Kansas	Labette	July 1, 1941	July 1, 1942	Aug. 15, 1942
	Kansas	Montgomery	July 1, 1941	Sept. 1, 1942	Oct. 16, 1942
(120a) Pratt	Kansas	Pratt	Mar. 1, 1943	June 1, 1944	July 15, 1944
(121) Salina	Kansas	Dickinson, McPherson, Ottawa, and Saline	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1944
(122) Topeka-Lawrence	Kansas	Douglas, Franklin, and Shawnee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(123) Wichita	Kansas	Sedgwick	July 1, 1941	June 1, 1942	July 15, 1942
(124) Fort Knox	Kentucky	Bullitt, Hardin, and Meade	Mar. 1, 1943	Nov. 1, 1943	Dec. 16, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(125) Louisville	Kentucky	Jefferson	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
	Indiana	Clark and Floyd	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(126) [Revoked]					
(126a) Owensboro	Kentucky	Daviess	Mar. 1, 1943	June 1, 1944	July 15, 1944
(127) Paducah	Kentucky	McCracken	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Kentucky	Ballard	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(128) Richmond, Ky	Kentucky	Madison	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(130) Alexandria-Leesville	Louisiana	Parishes of Beauregard, Rapides, and Vernon	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(130) Baton Rouge	Louisiana	Parishes of East Baton Rouge and West Baton Rouge	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(131) Lake Charles	Louisiana	Parish of Calcasieu	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(132) Minden	Louisiana	Parish of Webster	July 1, 1941	July 1, 1942	Aug. 15, 1942
(133) Monroe-Bastrop, Louisiana	Louisiana	Parishes of Morehouse, Ouachita, and Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(134) New Orleans	Louisiana	Parishes of Jefferson, Orleans and St. Bernard	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(134a) Shreveport	Louisiana	Parishes of Bossier and Caddo	July 1, 1943	Sept. 1, 1944	Oct. 15, 1944
(135) Bangor	Maine	Penobscot	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(136) Bath	Maine	Lincoln and Sagadahoc	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(137) Portland	Maine	Androscoggin and Cumberland	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Maine	York	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(138) Presque Isle	Maine	Aroostook	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(139) Baltimore	Maryland	City of Baltimore and the Counties of Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(139a) Frederick	Maryland	Frederick	July 1, 1943	June 1, 1944	July 15, 1944
(140) Hagerstown	Maryland	Washington	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(141) Indian Head-Patuxent River	Maryland	Charles	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Maryland	St. Marys and Calvert	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(142) Montgomery-Prince Georges	Maryland	Montgomery and Prince Georges	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(143) Eastern Massachusetts	Massachusetts	Barnstable, Bristol, Middlesex, Norfolk, Plymouth, and Suffolk.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(144) Essex County, Mass	Massachusetts	Essex	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(145) Pittsfield	Massachusetts	Berkshire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(146) Springfield, Mass	Massachusetts	Hampden and Hampshire	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(147) Worcester	Massachusetts	Worcester	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(148) [Revoked]					
(149) Detroit	Michigan	Macomb, Oakland, and Wayne	Apr. 1, 1941	June 1, 1942	July 15, 1942
(150) Grand Rapids-Muskegon	Michigan	Washtenaw	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
	Michigan	Muskegon	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(150a) Hillsdale	Michigan	Kent and Ottawa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(151) Jackson, Michigan	Michigan	Hillsdale	Jan. 1, 1943	Apr. 1, 1944	May 15, 1944
	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(152) Kalamazoo-Battle Creek	Michigan	Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Michigan	Calhoun	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(153) Lansing	Michigan	Kalamazoo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(154) Ludington [1]	Michigan	Clinton, Eaton, and Ingham	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(154a) Monroe, Michigan	Michigan	Mason	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(155) Niles	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(155a) Owosso	Michigan	Berrien	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(156) Port Huron	Michigan	Shiawassee	Mar. 1, 1943	June 1, 1944	July 15, 1944
(157) Saginaw-Bay City	Michigan	St. Clair	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(158) [Revoked]		Bay, Midland, and Saginaw	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(159) Duluth-Superior	Minnesota	Carlton and St. Louis	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Wisconsin	Douglas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(160) Minneapolis-St. Paul	Minnesota	Anoka, Dakota, Hennepin, Ramsey, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(160a) Rochester	Minnesota	Olmsted	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(161) [Revoked]			Mar. 1, 1944	Aug. 1, 1944	Sept. 15, 1944
(162) Biloxi-Pascagoula	Mississippi	Harrison and Jackson	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(163) Centreville [1]	Mississippi	Adams, Amite, Pike, and Wilkinson	Mar. 1, 1942	May 1, 1943	June 15, 1943
(164) Columbus, Miss	Mississippi	Chickasaw, Clay, Itawamba, Lee, and Monroe	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Alabama	Lamar	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Mississippi	Lowndes	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Alabama	Pickens	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(165) Grenada [1]	Mississippi	Carroll, Grenada, Leflore, and Montgomery	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Mississippi	Calhoun and Yalobusha	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(166) Hattiesburg	Mississippi	Forrest	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(167) Jackson, Miss	Mississippi	Hinds, Madison, and Rankin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(167a) Laurel	Mississippi	Jones	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(168) Meridian	Mississippi	Lauderdale	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(169) Joplin-Neosho	Missouri	Jasper and Newton	July 1, 1941	July 1, 1942	Aug. 15, 1942
(170) Kansas City	Missouri	Clay, Jackson, and Platte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kansas	Johnson, Leavenworth, and Wyandotte	Mar. 1, 1943	Sept. 1, 1942	Oct. 16, 1942
(171) Pike	Missouri	Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(172) Rolla-Waynesville	Missouri	Laclede, Phelps, and Pulaski	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(173) Sedalia	Missouri	Johnson and Pettis	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(173a) Springfield, Mo	Missouri	Greene	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(174) St. Louis	Missouri	City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Illinois	Madison, Monroe, and St. Clair	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(175) Great Falls	Montana	Cascade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(176) Alliance	Nebraska	Box Butte	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(176a) Fairbury-York	Nebraska	Fillmore, Jefferson, Thayer, and York	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(177) Grand Island	Nebraska	Hall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(178) Hastings	Nebraska	Adams and Clay	Mar. 1, 1942	Dec. 12, 1942	Jan. 28, 1943
(179) Kearney	Nebraska	Buffalo	Mar. 1, 1942	May 1, 1943	June 15, 1943
(180) Lincoln	Nebraska	Lancaster	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(180a) McCook	Nebraska	Redwillow	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(181) Omaha	Nebraska	Dodge and Saunders	Mar. 1, 1942	Sept. 1, 1942	Sept. 15, 1942
	Nebraska	Douglas and Sarpy	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Iowa	Pottowatamie	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(182) Sidney, Nebr	Nebraska	Cheyenne	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(183) [Revoked]					
(183a) Goldfield-Tonopah	Nevada	Those portions of Esmeralda and Nye Counties consisting of Townships 1, 2, and 3 North and Townships 1, 2, and 3 South, Range 42 East, Mount Diablo Base and Meridian.	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(184) Las Vegas	Nevada	Clark	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(185) Reno	Nevada	Washoe	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(186) Manchester	New Hampshire	Sullivan	Mar. 1, 1943	Oct. 1, 1942	Nov. 15, 1942
	New Hampshire	Hillsborough	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(187) Portsmouth	New Hampshire	Rockingham and Strafford	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1943
(187a) [Revoked]					
(188) [Revoked]					
(188a) Southern New Jersey	New Jersey	Burlington, Camden and Gloucester	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	New Jersey	Salem	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	New Jersey	Cape May and Cumberland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(189) [Revoked]					
(190) Northeastern New Jersey	New Jersey	Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	New Jersey	Sussex	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	New Jersey	Warren	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(191) Trenton	New Jersey	Hunterdon and Mercer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	New Mexico	Otero	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(192) Alamogordo	New Mexico	Bernalillo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(193) Albuquerque	New Mexico	Eddy	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(194) Carlsbad	New Mexico	Lea	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(195) Deming	New Mexico	Luna	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(196) [Revoked]					
(197) Roswell	New Mexico	Chaves	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Mexico	Curry, DeBaca, and Roosevelt	Mar. 1, 1942	Feb. 1, 1943	Mar. 16, 1943
	New Mexico	San Miguel	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(197a) San Miguel County	New Mexico	Hidalgo	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(198) Silver City-Lordsburg	New Mexico	Albany and Rensselaer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(199) Albany-Troy, N. Y.	New York	Broome and Tioga	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(200) Binghamton	New York	Erie and Niagara	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(201) Buffalo	New York	Chemung and Steuben	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(202) Elmira	New York	Chautauqua	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(203) Jamestown	New York	Dutchess, Orange, and Ulster	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(204) Poughkeepsie	New York	Genesee, Monroe, Orleans, and Wayne	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(205) Rochester	New York	St. Lawrence	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(206) St. Lawrence County	New York	County of Schenectady; and in the County of Saratoga the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	June 1, 1942	July 15, 1942
(207) Schenectady	New York	County of Montgomery and the County of Saratoga other than the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(208) Seneca	New York	Ontario, Seneca, and Yates	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(209) Sidney, N. Y.	New York	Chenango, Delaware, and Otsego	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(210) Syracuse	New York	Cayuga, Onondaga, and Oswego	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(211) Utica-Rome	New York	Herkimer, Madison, and Oneida	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(212) Watertown	New York	Jefferson	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(212a) Burlington, N. C.	North Carolina	Alamance	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(212b) Asheville	North Carolina	Buncombe	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(212c) Charlotte	North Carolina	Mecklenburg	July 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(213) Durham	North Carolina	Durham	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(214) Elizabeth City, North Carolina	North Carolina	Pasquotank	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	North Carolina	Chowan and Perquimans	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(215) Fayetteville	North Carolina	Cumberland and Moke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(216) Goldsboro	North Carolina	Lenoir, Wayne, and Wilson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(216a) Greensboro	North Carolina	County of Guilford other than High Point Township	July 1, 1943	June 1, 1944	July 15, 1944
(217) Henderson	North Carolina	Vance	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(218) Jacksonville, N. C.	North Carolina	Onslow	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(219) Laurinburg	North Carolina	Richmond, Robeson, and Scotland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Marlboro	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(220) Monroe, N. C.	North Carolina	Union	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221) New Bern	North Carolina	Carteret and Craven	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221a) Rocky Mount	North Carolina	Edgecombe and Nash	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(221b) Fender County	North Carolina	Fender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(222) Southern Pines	North Carolina	Moore	Mar. 1, 1942	May 1, 1942	June 15, 1942
(223) Wilmington, N. C.	North Carolina	New Hanover	Apr. 1, 1941	June 1, 1942	July 15, 1942
(224) Akron	Ohio	County of Summit and in the County of Medina the Township of Wadsworth.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Medina other than the Township of Wadsworth	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(224.5) Ashtabula	Ohio	Ashtabula	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(224a) Canton	Ohio	Stark	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	Tuscarawas	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(227) Cincinnati	Ohio	Butler, Clermont, Hamilton, and Warren	Mar. 1, 1942	Nov. 1, 1942	May 31, 1943 or within 30 days after Section 7 (a) becomes applicable.
	Kentucky	Boone, Campbell, and Kenton	Mar. 1, 1942	Nov. 1, 1942	May 31, 1943 or within 30 days after Section 7 (a) becomes applicable.
(228) Cleveland	Ohio	County of Cuyahoga and in the County of Lake the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Lake other than the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	July 1, 1942	Aug. 15, 1942
(229) Columbus	Ohio	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Licking	Mar. 1, 1943	May 1, 1943	June 15, 1943
(230) Dayton	Ohio	Champaign, Clark, Darke, Greene, Miami, Montgomery, and Preble.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(231) [Revoked]					
(232) Lima	Ohio	Allen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(233) Lorain-Elyria	Ohio	Lorain	July 1, 1941	July 1, 1942	Aug. 15, 1942
(234) Mansfield	Ohio	Ashland, Crawford, and Richland	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Knox	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1943
(235) Marion	Ohio	Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(236) [Revoked]					
(237) Ravenna	Ohio	Portage	Apr. 1, 1941	June 1, 1942	July 15, 1942
(238) Sandusky-Port Clinton	Ohio	Erie, Huron, Ottawa, and Sandusky	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(239) Sidney, Ohio	Ohio	Shelby	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(240) Toledo	Ohio	Lucas and Wood	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Hancock and Seneca	Mar. 1, 1943	Dec. 1, 1943	Jan. 15, 1943
(241) Youngstown-Warren	Ohio	Mahoning and Trumbull	Apr. 1, 1941	June 1, 1942	July 15, 1942
(242) [Revoked]					
(242a) Altus-Frederick	Oklahoma	Jackson and Tillman	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(243) Choteau	Oklahoma	Craig, Mayes, Rogers, and Wagoner	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(244) Clinton-Elk City	Oklahoma	Beckham, Custer, and Washita	Mar. 1, 1942	May 1, 1942	June 15, 1942
(245) Enid	Oklahoma	Garfield	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(246) Lawton	Oklahoma	Comanche	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(247) McAlester	Oklahoma	Atoka, Haskell, Hughes, Latimer, McIntosh, and Pittsburg	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(248) Muskogee	Oklahoma	Muskogee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(249) [Revoked]					
(250) Oklahoma City	Oklahoma	Cleveland, McClain, and Oklahoma	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Caddo and Grady	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Oklahoma	Canadian	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(250a) Shawnee	Oklahoma	Pottawatomie	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(251) Tulsa	Oklahoma	Creek, Osage, and Tulsa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(252) [Revoked]					
(253) Corvallis	Oregon	Benton and Linn	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(254) Medford	Oregon	Jackson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(255) Pendleton	Oregon	Umatilla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(256) Portland-Vancouver	Oregon	Clackamas, Multnomah, and Washington	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Washington	Clark	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Oregon	Clatsop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oregon	Tillamook	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(257) Allentown-Bethlehem	Pennsylvania	Lehigh and Northampton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(258) Altoona-Johnstown	Pennsylvania	Blair, Cambria, and Somerset	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(259) [Revoked]					
(260) Emporium	Pennsylvania	Cameron	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	Elk	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(261) Erie	Pennsylvania	Erie	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(262) Harrisburg	Pennsylvania	Cumberland, Dauphin, Lebanon, and Perry	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Franklin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(263) Lancaster-York	Pennsylvania	Lancaster and York	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(264) Meadville-Titusville	Pennsylvania	Crawford and Venango	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(265) [Revoked]					
(266) Philadelphia	Pennsylvania	Bucks, Chester, Delaware, Montgomery, and Philadelphia	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(267) Pittsburgh	Pennsylvania	Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland.	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(268) Reading	Pennsylvania	Berks	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(269) [Revoked]					
(270) Sharon-Farrell	Pennsylvania	Mercer	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(270a) Warren	Pennsylvania	Warren	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(271) [Revoked]					
(272) Williamsport	Pennsylvania	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Columbia, Montour, Northumberland, Snyder, and Union	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	In the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1943
	Pennsylvania	Clinton	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(273) Newport	Rhode Island	Newport	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(274) Providence	Rhode Island	Bristol, Kent, and Providence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(275) Washington County	Rhode Island	Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(276) [Revoked]					
(277) Charleston, South Carolina	South Carolina	Charleston and Dorchester	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	South Carolina	Beaufort and Colleton	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(278) Columbia, South Carolina	South Carolina	Calhoun, Lexington, and Richland	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
	South Carolina	Sumter	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Florence	Mar. 1, 1942	May 1, 1943	June 15, 1943
(279) [Revoked]					
(280) Greenville, S. C.	South Carolina	Greenville	Mar. 1, 1943	Nov. 1, 1942	Jan. 14, 1943
(280a) Myrtle Beach	South Carolina	In the county of Horry, the Townships of Conway, Dogwood Neck, and Socastee.	July 1, 1943	July 1, 1944	Aug. 15, 1944
(281) Spartanburg	South Carolina	Cherokee, Spartanburg, and Union	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(282) [Revoked]					
(283) Provo-Hot Springs, S. Dak.	South Dakota	Fall River	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(284) Rapid City-Sturgis	South Dakota	Lawrence, Meade, and Pennington	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(285) Sioux Falls	South Dakota	Lincoln, Minnehaha, and Turner	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Iowa	Lyon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Minnesota	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(286) Bristol-Kingsport	Tennessee	Greene, Hawkins, Sullivan, Unicoi, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Virginia	Independent City of Bristol and the Counties of Scott and Washington.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(287) Chattanooga	Tennessee	Bradley, Hamilton, and Marion	Mar. 1, 1942	Sept. 1, 194-	Oct. 16, 1942
	Georgia	Catoosa, Dade, and Walker	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(288) Clarksville	Tennessee	Henry, Montgomery and Stewart	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Christian, Todd, and Trigg	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(289) Copperhill-McCaysville	Tennessee	Polk	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Georgia	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(290) Dyersburg	Tennessee	Crockett, Dyer, and Lauderdale	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(291) Jackson-Milan-Humboldt	Tennessee	Carroll, Gibson, and Madison	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(292) Knoxville	Tennessee	Blount and Knox	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Tennessee	Anderson and Roane	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(292a) Lenoir City	Tennessee	Loudon	Mar. 1, 1943	June 1, 1944	July 15, 1944
(293) Memphis	Tennessee	Shelby	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Arkansas	Crittenden	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(294) [Revoked]					
(295) Nashville	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(296) [Revoked]					
(297) Tullahoma	Tennessee	Bedford, Coffee, Franklin, Lincoln, and Moore	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(298) Abilene	Texas	Callahan, Jones, and Taylor	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(299) Amarillo	Texas	Potter and Randall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Dallam, Hansford, Hartley, Moore, and Sherman	Mar. 1, 1943	Sept. 1, 1942	Oct. 16, 1942
(300) Austin	Texas	Bastrop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Hays, Travis, and Williamson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(301) [Revoked]					
(302) Beaumont-Port Arthur	Texas	Jefferson and Orange	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(303) Big Spring	Texas	Howard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(304) [Revoked]					
(305) Borger	Texas	Carson, Gray, and Hutchinson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(305a) Brady	Texas	McCulloch	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(306) Brownwood	Texas	Brown, Coleman, and Comache	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(307) Bryan	Texas	Brazos	Mar. 1, 1942	May 1, 1943	June 15, 1943
(308) Childress	Texas	Childress	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(309) Corpus Christi	Texas	Nueces and San Patricio	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Bee and Kleberg	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(310) [Revoked]					
(311) Dallas	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(312) Del Rio	Texas	Kinney, Uvalde, and Val Verde	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Texas	Maverick	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(313) [Revoked]					
(314) [Revoked]					

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(315) El Paso	Texas	El Paso	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(316) Fort Worth	Texas	Tarrant	Mar. 1, 1942	{Oct. 15, 1942[2] Nov. 1, 1942[3]}	Dec. 16, 1942
	Texas	Denton	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(317) Gainsville	Texas	Cooke	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(318) Greenville, Tex	Texas	Hunt	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(319) Houston-Galveston	Texas	Brazoria, Chambers, Galveston, Harris, and Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(320) Killeen-Temple	Texas	Bell and Coryell	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Lampasas	Jan. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(321) Laredo	Texas	Webb	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(321a) Lockhart	Texas	Justices' Precincts 1, 6, and 7 in Caldwell County	Jan. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(322) Lower Rio Grande Valley	Texas	Cameron, Hidalgo, and Willacy	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(322a) Lubbock	Texas	Lubbock	Mar. 1, 1942	Mar. 1, 1944	Apr. 15, 1944
(323) Marfa-Alpine	Texas	Presidio	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Brewster	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(324) Marshall	Texas	Harrison, Marion, and Upshur	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Texas	Camp, Cass, Morris, Red River, and Titus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Texas	Smith	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(324a) Matagorda Bay	Texas	Calhoun, Jackson, and Matagorda	Jan. 1, 1943	June 1, 1944	July 15, 1944
(324b) McKinney	Texas	Collin	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(324c) Midland-Odessa	Texas	Ector and Midland	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(325) Paris, Tex	Texas	Lamar	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Choctaw	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(326) Pecos	Texas	Reeves and Ward	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(327) San Angelo	Texas	Tom Green	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(328) San Antonio	Texas	Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(329) Sherman-Denison	Texas	Grayson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(329a) Sweetwater	Texas	Nolan	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(330) Texarkana	Texas	Bowie	July 1, 1941	July 1, 1942	Aug. 15, 1942
	Arkansas	Miller	July 1, 1941	July 1, 1942	Aug. 15, 1942
(331) Victoria	Texas	Victoria	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(332) Waco	Texas	McLennan	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(333) Wichita Falls	Texas	Wichita	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(334) [Revoked]					
(335) Provo, Utah	Utah	Utah	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(336) Salt Lake City[1]	Utah	Davis, Morgan, Salt Lake, and Weber	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(337) [Revoked]					
(337a) Burlington, Vermont	Vermont	Chittenden	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(338) Springfield-Windsor	Vermont	Windsor	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(339) Alexandria-Arlington	Virginia	Independent City of Alexandria and the Counties of Arlington and Fairfax.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(340) Blackstone	Virginia	Nottoway	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(341) Cape Charles	Virginia	Northampton	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(341a) Front Royal	Virginia	Warren	Oct. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
(342) Hampton Roads	Virginia	Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City; in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven, and in the County of Warwick the Magisterial District of Newport.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Virginia	Independent City of Suffolk; the County of Nansemond; the County of Norfolk other than the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; the County of Princess Anne other than the Magisterial Districts of Kempsville and Lynnhaven.	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343) Petersburg	Virginia	Independent Cities of Hopewell and Petersburg; the Counties of Dinwiddie and Prince George; and in the County of Chesterfield the Magisterial District of Matoaca.	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343a) Quantico[1]	Virginia	In the County of Prince William, the Magisterial District of Dumfries.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1944
(344) Radford-Pulaski	Virginia	Independent City of Radford, and the Counties of Montgomery and Pulaski.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(345) Richmond, Va	Virginia	Independent City of Richmond; the County of Henrico; and in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian.	May 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(346) Yorktown	Virginia	Independent City of Williamsburg; the Counties of James City and York; and in the County of Warwick the Magisterial Districts of Denbigh and Stanley.	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(347) Bellingham	Washington	Whatcom	Mar. 1, 1943	Nov. 1, 1943	Dec. 16, 1943
	Washington	Skagit	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(347a) Ephrata	Washington	Portion of Grant County lying between the south line of township 23 North and the north line of Township 16 North.	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(348) Everett	Washington	Snohomish	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Washington	Island	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(349) [Revoked]					
(350) [Revoked]					
(351) Port Angeles-Port Townsend	Washington	Clallam and Jefferson	Mar. 1, 1943	Nov. 1, 1942	Dec. 16, 1942
(352) Puget Sound	Washington	County of Kitsap and those parts of the Counties of King and Pierce lying west of the Snoqualmie National Forest.	Apr. 1, 1941	July 1, 1942	Sept. 21, 1942
(353) Spokane	Washington	Spokane	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(354) Walla Walla	Washington	Walla Walla	Mar. 1, 1943	Oct. 1, 1943	Nov. 15, 1943
	Washington	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Washington	In the County of Benton the precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland.	Mar. 1, 1943	Jan. 1, 1943	Feb. 15, 1943
(354a) Yakima	Washington	In the County of Benton, the precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima.	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(355) Charleston, West Virginia	West Virginia	Kanawha	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	West Virginia	In Putnam County the Magisterial District of Pocatalico	Mar. 1, 1943	Aug. 1, 1943	Sept. 15, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(356) Huntington	West Virginia	Cabell and Wayne	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Kentucky	Boyd and Greenup	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(356a) Martinsburg	West Virginia	Berkeley	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(357) Morgantown	West Virginia	Marion and Monongalia	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(358) Point Pleasant-Gallipolis	West Virginia	Jackson and Mason	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Ohio	Gallia and Meigs	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(359) Wheeling-Steubenville	West Virginia	Brooke, Hancock, Marshall, Ohio, and Wetzel	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Belmont, Columbiana, and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(360) Beloit-Janesville	Wisconsin	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361) Eau Claire	Wisconsin	Chippewa, Dunn, and Eau Claire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361a) La Crosse	Wisconsin	La Crosse	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(362) Madison, Wisconsin	Wisconsin	Columbia, Dane, and Sauk	Mar. 1, 1943	Sept. 1, 1942	Oct. 16, 1942
(363) Manitowoc	Wisconsin	Manitowoc	Mar. 1, 1942	Sept. 1, 1943	Oct. 16, 1942
	Wisconsin	That portion of the City of Kiel in the County of Calumet	Mar. 1, 1942	Apr. 1, 1944	May 15, 1944
(364) Milwaukee	Wisconsin	Kenosha, Milwaukee, Racine, and Waukesha	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(365) Oshkosh-Fond du Lac	Wisconsin	Fond du Lac and Winnebago	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Wisconsin	That portion of the City of Waupun in the County of Dodge	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(366) Sparta	Wisconsin	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(367) Sturgeon Bay	Wisconsin	Door	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(368) Casper	Wyoming	Natrona	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369) Cheyenne	Wyoming	Laramie	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369a) Douglas	Wyoming	Converse	Mar. 1, 1943	May 1, 1944	June 15, 1944
(370) Alaska	Alaska	Territory of Alaska	Mar. 1, 1942	Nov. 1, 1942	Mar. 15, 1943
(371) Puerto Rico	Puerto Rico	Puerto Rico	Oct. 1, 1942	Feb. 1, 1944	Mar. 31, 1944

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.
[2] Sections 1, 6, 13.
[3] Remaining sections.

[Schedule A amended by Am. 1, 8 F.R. 9020, effective 7-1-43; Am. 4, 8 F.R. 10741, effective 8-1-43; Am. 5, 8 F.R. 12025, effective 9-1-43; Am. 10, 8 F.R. 14663, 15585, effective 10-27-43; Am. 11, 8 F.R. 14815, effective 11-1-43; Am. 13, 8 F.R. 16306, 16427, effective 12-1-43; Am. 14, 8 F.R. 17297, effective 1-1-44; Am. 15, 9 F.R. 306, effective 2-1-44; Am. 16, 9 F.R. 972, effective 2-1-44; Am. 18, 9 F.R. 2289, effective 3-1-44; Am. 19, 9 F.R. 3231, effective 4-1-44; Am. 22, 9 F.R. 4541, effective 5-1-44; Am. 23, 9 F.R. 5807, effective 6-1-44; Am. 24, 9 F.R. 5915, effective 6-1-44; Am. 27, 9 F.R. 6619, effective 6-17-44; Am. 28, 9 F.R. 7329, effective 7-1-44; Am. 30, 9 F.R. 9266, effective 8-1-44; and Am. 31, 9 F.R. 9513, effective 9-1-44]

Effective date. This Rent Regulation for Housing shall become effective June 1, 1943. [Rent Regulation for Housing originally issued May 31, 1943.]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14110; Filed, Sept. 12, 1944; 4:38 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Atlantic County Area,[1] Amdt. 4]

CHANGE IN ACCOMMODATION

Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended in the following respects:

1. The third unnumbered paragraph of section 6 is amended and the following paragraphs are added to the unnumbered paragraphs of section 5 to read as follows:

In all other cases except those under paragraphs (a) (7), (a) (12), (a) (13), (c) (6), and (c) (8) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[1] 9 F.R. 6819, 8054.

In cases under paragraph (a) (13) of this section the adjustment shall be in the amount of the difference between the rent on the date determining the maximum rent and the rent agreed upon by the landlord and tenant as a result of a continuous process of bargaining on interrelated matters.

2. Section 5 (a) (2) is amended to read as follows:

(2) *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in the services, furniture, furnishings or equipment, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

3. Section 5 (a) (13) is added to read as follows:

(13) *Rented to an employee of the landlord.* The housing accommodations were rented to an employee of the landlord both on the date determining the maximum rent and at the time the order under this paragraph (a) (13) is issued, and after the date determining the maximum rent but prior to the effective date of regulation the landlord and tenant agreed, as the result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

This amendment shall become effective September 13, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14114; Filed, Sept. 12, 1944; 4:39 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Miami Area,[1] Amdt. 10]

ACCOMMODATIONS FOR EMPLOYEE OF LANDLORD

Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. The following paragraph is added to the unnumbered paragraphs of section 5 to read as follows:

In cases under paragraph (a) (13) of this section the adjustment shall be in the amount of the difference between the rent on the date determining the maximum rent and the rent agreed upon by the landlord and tenant as a result of a continuous process of bargaining on interrelated matters.

2. Section 5 (a) (13) is added to read as follows:

(13) *Rented to an employee of landlord.* The housing accommodations were

[1] 8 F.R. 13118, 14047, 16033; 9 F.R. 3423, 4028, 6360, 7168, 8058.

rented to an employee of the landlord both on the date determining the maximum rent and at the time the order under this paragraph (a) (13) is issued, and after the date determining the maximum rent but prior to the effective date of regulation the landlord and tenant agreed, as the result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

This amendment shall become effective September 13, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14111; Filed, Sept. 12, 1944; 4:39 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, New York City Area,[1] Amdt. 12]

CHANGE IN ACCOMMODATION

Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

1. The third unnumbered paragraph of section 5 is amended and the following paragraph is added to the unnumbered paragraphs of section 5 to read as follows:

In all other cases except those under paragraphs (a) (7), (a) (12), (a) (13), (c) (6), (c) (8), and (c) (9) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

In cases under paragraph (a) (13) of this section the adjustment shall be in the amount of the difference between the rent on the date determining the maximum rent and the rent agreed upon by the landlord and tenant as a result of a continuous process of bargaining on interrelated matters.

2. Section 5 (a) (2) is amended to read as follows:

(2) *Change prior to March 1, 1943.* There was, on or prior to March 1, 1943, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in the services, furniture, furnishings or equipment, and the rent on March 1, 1943 was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

3. Section 5 (a) (13) is added to read as follows:

(13) *Rented to an employee of landlord.* The housing accommodations were rented to an employee of the landlord both on the date determining the maximum rent and at the time the order under this paragraph (a) (13) is issued, and after the date determining the maximum rent but prior to the effective date of regulation the landlord and tenant agreed, as the result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

This amendment shall become effective September 13, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14115; Filed, Sept. 12, 1944; 4:39 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 56]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15 is amended in the following respects:

1. Appendix H is amended by adding a new paragraph (g), to read as follows:

(g) *Miscellaneous adjustments for crop losses*—(1) *Cabbage.* The maximum prices named in Table 13 of paragraph (b) and the markups named in Item 25 in the table in paragraph (c) are suspended from September 13, 1944, through September 30, 1944.

2. Appendix K is amended by adding a new paragraph (t) to read as follows:

(t) *Miscellaneous adjustments for crop losses*—(1) *Apples.* From September 13, 1944, through September 30, 1944, in the states of Indiana, Illinois, Minnesota, Iowa, Missouri, Oklahoma, Nebraska, Kansas, Tennessee, Kentucky and Arkansas, the maximum prices for apples loaded on car or truck at shipping point shall be as follows, and shall be substituted for the prices named in Column 5 of Table 3 in paragraph (f):

Item 2—Per box or bushel	$3.32
Item 13—Per barrel	9.96
Item 24—In containers per pound	.073
Item 35—In bulk per pound	.0645
Item 46—Loose, ungraded, in containers per pound	.059
Item 55—Ungraded in bulk per pound	.055

This amendment shall become effective at 12:01 a. m. September 13, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: September 11, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-14090; Filed, Sept. 12, 1944; 1:06 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 415, Amdt. 8]

CERTAIN FEDERAL GOVERNMENT PURCHASES OF NEW TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new paragraph (e) is added to section 4 to read as follows:

(e) *Certain emergency sales.* Notwithstanding any other provisions of this section, the maximum prices for emergency sales of tires or tubes covered by this regulation to any government agency, shall be the prices listed in Appendix A, delivered to the buyer. Emergency sale means a sale on an order for not more than 25 tires and 25 tubes, or $1,000, whichever is less.

This amendment shall become effective September 18, 1944.

Issued this 13th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14171; Filed, Sept. 13, 1944; 11:39 a. m.]

PART 1389—APPAREL

[RMPR 330]

RETAILERS' AND WHOLESALERS' PRICES FOR WOMEN'S, GIRLS', CHILDREN'S AND TODDLERS' OUTERWEAR GARMENTS

Maximum Price Regulation 330 (Retailers' and Wholesalers' Prices for Women's, Girls' and Children's Outerwear Garments) is redesignated Revised Maximum Price Regulation 330 (Retailers' and Wholesalers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) and is revised and amended to read as set forth below.

A statement of the considerations involved in the issuance of this RMPR 330 has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13914, 14814, 15586, 16219; 9 F.R. 2087, 3423, 4028, 6360, 8054.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2006, 2023, 2091, 2493, 4030, 4036, 4068, 4434, 4788, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10677, 10777, 10878.

REVISED MAXIMUM PRICE REGULATION 330—RETAILERS' AND WHOLESALERS' PRICES FOR WOMEN'S, GIRLS', CHILDREN'S AND TODDLERS' OUTERWEAR GARMENTS

Sec.
1. Scope of this regulation.
2. How to find your ceiling prices under this regulation.
3. Pricing charts.
4. Pricing rules.
5. Maximum prices for sellers who made no deliveries of garments prior to May 18, 1944, or who cannot otherwise price.
6. Transfers of business.
7. Records.
8. Invoices and sales slips.
9. What acts are prohibited by this regulation.
10. Licensing and enforcement.
11. Relation to other maximum price regulations.
12. Adjustable pricing agreements.
13. How this regulation may be amended.
14. Delegation of authority.
15. Definitions.

Appendix A: What garments must be priced under this regulation.
B: Preparation of pricing charts.
C: Example of application for authorization to establish prices under section 5.

AUTHORITY: Sections 1 to 15 inclusive (§ 1389.551) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Scope of this regulation*—(a) *What garments are covered by this regulation.* A list of the women's, girls', children's and toddlers' outerwear garments which must be priced under this regulation is given in Appendix A at the end of the regulation. Only the garments described in that list are covered by this regulation. Hereafter the women's, girls', children's and toddlers' outerwear garments covered by this regulation are referred to as "garments."

(b) *What kinds of sales are covered.* This regulation applies to sales by retailers and wholesalers. It does not apply to sales by manufacturers, manufacturing-retailers, custom-tailors or dressmakers, as these terms are defined in section 15.

(1) "Retailer" means a person who sells to an ultimate consumer (other than an industrial or commercial user) a garment which he purchased in substantially the same form as that in which he sells it.

(2) "Wholesaler" means a person who sells to an industrial or commercial user or to a person other than an ultimate consumer, a garment which he purchased in substantially the same form as that in which he sells it.

(3) "Seller" means a person who sells any of those types of women's, girls', children's and toddlers' garments covered by this regulation. Where a seller makes sales through more than one selling unit (other than salesmen making sales at uniform prices and chains operating under orders of authorization for uniform pricing) each separate selling establishment of the seller shall be deemed to be a separate seller. Each separate department in a selling establishment constitutes a separate seller. Each separate seller in a chain, if it does not operate under an order of authorization for uniform pricing, must continue to determine its ceiling prices on the basis of its own experience during the base periods.

(c) *Where this regulation applies.* This regulation shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

SEC. 2. *How to find your ceiling prices under this regulation*—(a) *Explanation of rules.* You find your ceiling price under this regulation by calculating the markup which you took on garments you delivered during the "base period", and then applying that markup to the cost of the garments you are pricing. You find what the "base period" markup is by using one of the pricing rules which are given in section 4.

(b) *What is a "category."* The garments covered by this regulation are listed in Appendix A. Each kind of garment (such as dresses, coats, suits, skirts) is broken down into certain size groups. Each size group is described as a "category" and given a category number.

For example, all "women's" coats in sizes 32 and up are placed in Category 1; all "misses'" and "junior misses'" coats in sizes from 7 to 20, inclusive, are in Category 2; all "teen age" coats in sizes from 10 to 16, inclusive, are in Category 3; "women's" jackets sizes 32 and up are in Category 11; "girls'" dresses in sizes from 7 to 14, inclusive, are in Category 24, etc.

(c) *What is the "base period."* The base period is very important because you must figure your mark-up from your deliveries of garments during that period.

(1) *For sales of toddlers' garments, or blouses under size 30, or slacks and slack suits.* (i) The "base period" for all garments in categories 5a, 10a, 15a, 20a, 25a, 26a, 26b, and 32–39 is the period between August 1 and December 31, 1942 for retailers and the period between July 1 and October 31, 1942 for wholesalers.

(ii) For retailers who made their first delivery of garments in categories 5a, 10a, 15a, 20a, 25a, 26a, 26b, or 32–39 after October 1, 1942 (September 1, 1942 for wholesalers) but before May 18, 1944 the "base period" is the first four months immediately following the first delivery of garments.

(2) *For sales of garments in all other categories.* (i) The "base period" for retailers is the period between August 1 and December 31, 1941; for wholesalers, it is the period between July 1 and October 31, 1941.

(ii) For retailers who made their first delivery of garments in these categories after October 1, 1941 but before May 18, 1944, and for wholesalers who made their first delivery of garments after September 1, 1941, but before May 18, 1944 the "base period" is the first four months immediately following the first delivery of garments.

SEC. 3. *Pricing charts.* In order to price under this regulation you must have a pricing chart. If you price under section 5 your order of authorization will set forth your pricing chart, and you do not need to file a chart. On or before October 15, 1944, every seller subject to this regulation (except sellers who apply under section 5 and sellers who are members of chains which have received orders authorizing uniform pricing from the OPA), must file two signed copies of a pricing chart with the Office of Price Administration at the district office having jurisdiction over the area in which the seller is located. You must keep a copy of the pricing chart for your own use. On and after November 15, 1944, you may not sell or deliver any garments subject to this regulation unless you have received an acknowledgment from the OPA of the filing of your pricing chart as required by this section.

(a) *How to prepare a pricing chart.* Each pricing chart must contain the following:

(1) The seller's name and address.

(2) Type of seller (wholesaler-with stock, without stock, etc.; retailer-basement department, chain outlet, specialty shop, etc.).

(3) If your first delivery of any category covered by this regulation was after October 1, 1941 (September 1, 1941 for wholesalers), then list the date of such first delivery.

(4) A list of the categories you delivered during your base period.

(5) A list of the cost prices at which you purchased garments in each of these categories. You must indicate whether this is a unit or dozen price. If you intend to use the exception provided in Rule 1 (section 4 (b) (1)) for any cost prices, such cost prices on your pricing chart should be preceded by the symbol "S".

(6) The discount, terms or allowance at which you purchased the largest number of garments at each cost price listed in (5). (Wholesalers must also include the discounts, terms and allowances on which they customarily sold.)

(7) The selling price at which you delivered, during the base period, the largest number of garments of each cost price listed in (5).[1] If during the base period you delivered an equal number of garments at two or more different selling prices, list the lowest of these selling prices. (Wholesalers must indicate whether this is a unit or dozen price.)

For example: During the base period you delivered a total of 250 women's dresses (Category 21) which you bought at a $6.75 cost price. Of these 250 dresses, your selling price was $9.95 for 50 of the dresses, $10.95 for 125 of them, and $11.95 for 75 of them. You list $10.95 on your pricing chart as the price at which you delivered during the base period the largest number of women's dresses costing $6.75. If you had delivered 125 of these dresses at $9.95 and 125 at $10.95, you would list $9.95 as the selling price at which you delivered the largest number of women's $6.75 dresses.

[1] The selling price authorized for a particular cost price in any category by an order granting an adjustment under MPR 153, as amended, shall be deemed to be the selling price at which the seller during the base period delivered the largest number of garments of that category having the same cost price.

(8) The percentage markup taken on each selling price listed in 7.*

An example of a pricing chart and detailed instructions for its preparation are found in Appendix B.

Selling price lines and percentage markups of sellers who made their first deliveries after June 15, 1942 may be revised at any time by the OPA if they were improperly established or are based on an improper selection of competitors.

NOTE: Throughout this regulation, reference is made to categories, prices and markups listed on the seller's pricing chart. The expression "pricing chart" is intended to refer to a pricing chart correctly prepared in accordance with the instructions contained in paragraph (a) of this section. If a seller's pricing chart is improper or inaccurate, his maximum prices under section 4 of this regulation shall be prices calculated on the basis of a correct pricing chart.

(b) *How to amend a pricing chart.* If you have filed your pricing chart, and then find that it was incorrect, you may file with the district office where you filed your original chart two signed copies of an amended pricing chart setting forth the inaccuracies and the reasons therefor. However, until you have received an acknowledgment from the OPA of the receipt of this amended pricing chart, you must not take a higher percentage markup than that previously reported, or permitted under this regulation, whichever is lower.

SEC. 4. *Pricing rules*—(a) *Summary of pricing rules.* In order to find your ceiling price for a garment, you use whichever of the four following pricing rules is applicable. You will note that your ceiling price generally depends upon the relationship between your present cost and one of the cost prices listed in your pricing chart. If your present cost is based on different terms or on a different discount from those listed for the cost prices in your pricing chart, you must adjust your present cost accordingly.

For example: Your present cost is $19.75 less 5% EOM. In order to determine which pricing rule to use, you look at your pricing chart to find which cost prices listed there, if adjusted to a net basis, would be closest or equal to the actual net cost of your $19.75 less 5% EOM. You find cost prices of $19.75 less 5% EOM and $18.75 less 1/10 EOM listed on your pricing chart. To compare your present cost with those listed on your chart, you adjust all three cost prices to a net basis. Thus the $19.75 less 5% EOM which you now purchase is adjusted to $18.17 ($19.75 x 92% = $18.17); your $19.75 less 5% EOM is adjusted to $19.16 ($19.75 x 97% = $19.16); and your $18.75 less 1/10 EOM is adjusted to $18.56 ($18.75 x 99% = $18.56).

In calculating your maximum price for this $19.75 less 5% EOM line under any of the pricing rules you must adjust that cost to reflect the terms or discount listed on your pricing chart for the cost price to which you are comparing it. (For an illustration of this requirement, see the example under Rule 2 (iv).

(1) *Rules 1 and 2.* You first look at your pricing chart to find whether the category of garment which you are pricing is listed on the chart. If it is, you find your ceiling price by using Rule 1 or 2.

(2) *Rule 3.* If the category is not listed on your pricing chart you use Rule 3.

(3) *Rule 4.* If you are making a "cross-stream" or "up-stream" sale you use Rule 4.

(b) *Pricing rules for garments of a category listed on the seller's pricing chart.* To find your ceiling price for a garment of a category listed on your pricing chart, you compare the cost prices listed on the chart for the same category with the cost of the garment now being priced and then use whichever of the next two rules applies. However, for "cross-stream" and "up-stream" sales, see paragraph (d) of this section.

(1) *Rule 1. Garments purchased at a cost price listed on the seller's pricing chart.* The ceiling price for a garment which has a cost to you the same as a cost price listed for that category on your pricing chart is the selling price listed for that cost price on your chart.

However, there is an exception permitting you to price garments of the same cost as garments of the same category listed on your pricing chart under Rule 2 (ii) rather than Rule 1 if both of the following conditions are met:

(i) If this cost is lower than the cost price of any garment in the same category which was both delivered to you and offered by you for sale during the base period; and

(ii) If the selling price listed on your pricing chart for that category and cost price is substantially lower than your initial offering prices of the same styles of garments in Spring 1941 (Spring 1942 for categories 5a, 10a, 15a, 20a, 25a, 26a, 26b and 32–39).

NOTE: This exception is meant to apply to sellers who held over garments delivered to them in the Spring of 1941, and sold them at reduced prices during the base period, although they normally did not carry garments of such low price lines in the Fall. The seller must be able to show that he originally offered certain garments of a particular cost price at higher prices in Spring 1941 than the prices at which he delivered them during the base period, *and* that he did not offer for sale during the base period any garments of that cost price which were delivered to him during the base period.

For example: You want to find your ceiling price for girls' suits (Category 9) which you now purchase at $8.75. You delivered 130 girls' suits of that cost price in a particular style at $5.98 in Spring 1941, and 70 of the same style at $4.50 during the base period. These were the only $8.75 suits you delivered during the base period. Moreover, you did not offer for sale during the base period any girls' suits delivered to you during the base period at a cost of $8.75 or less. You need not price the $8.75 girls' suits which you now purchase, at $4.50 by using this Rule, but you may price them under Rule 2 (ii).

(2) *Rule 2. Garments purchased at a cost not listed on the seller's pricing chart*—(i) *Garments purchased at a cost higher than any listed on the seller's pricing chart.* The ceiling price for a garment whose cost is greater than the highest cost price listed for the same category on your pricing chart is calculated by applying to the cost of the garment you are pricing the "average percentage markup" for that category. The "average percentage markup" is found by adding together all the cost prices listed for a category, adding together all the selling prices listed for that category, and then dividing the difference between these totals by the total of the selling prices.

For example: The retailer whose pricing chart is shown in Appendix B (a) (1) wishes to find his ceiling price for a woman's dress (Category 21) which he purchased for $12.75. Since the highest cost price listed for women's dresses on his pricing chart is $10.75, he must price under Rule 2 (1). To find his average percentage markup for women's dresses he first adds together the cost prices listed for women's dresses ($5.75+$4.75+$5.50+$6.75+$6.75+$9.75+$10.75=$50.00); then he adds together the selling prices listed for those cost prices ($5.98+$7.95+$8.95+$10.95+$13.95+$14.95+$16.95=$79.68); next he subtracts the total of the cost prices from the total of the selling prices ($79.68−$50.00=$29.68); finally, he divides the remainder just obtained by the total of the selling prices ($29.68÷$79.68=37.2%). His average percentage markup is therefore 37.2%, and he finds that his ceiling price for his $12.75 cost dress is $20.30 by subtracting 37.2% from 100% (100%−37.2%=62.8%) and dividing the cost by the remainder ($12.75÷62.8%=$20.30). Note that this retailer will use the same average percentage markup of 37.2% in pricing all women's dresses costing more than $10.75.

(ii) *Garments purchased at cost prices lower than any listed on the seller's pricing chart.* Your ceiling price for a garment whose cost is less than the lowest cost price listed on your pricing chart for the same category is calculated by applying to the cost of the garment you are pricing, the percentage markup listed on your pricing chart for the lowest cost price in that category. This is done by subtracting the percentage markup from 100%, and dividing the cost of the garment you are pricing by the difference. The result is your ceiling price. If you can use the exception provided in Rule 1, you will have marked an (S) preceding one or more of the lowest cost prices on your pricing chart. In using this rule you disregard cost prices preceded by (S).

For example: You have some women's dresses (Category 21) that you bought for $2.75. During the base period you did not deliver any women's dresses costing less than $8.75. Your pricing chart shows you that the selling price at which you delivered the largest number of $8.75 dresses is $5.98. It also shows you that your percentage markup was 37.3%. By applying this same markup in pricing your $2.75 dresses, you find that your ceiling price is $4.39 ($2.75÷62.7%=$4.39).

However, if you find that your $3.75 cost price for women's dresses is marked with an (S) you disregard the percentage markup listed for that cost price and find your ceiling price for your $2.75 dresses by applying the percentage markup listed on your pricing chart for the lowest cost price line of women's dresses not preceded by (S).

(iii) *All other garments purchased at cost prices not listed on the seller's pricing chart.* Your ceiling price for a garment whose cost is between the lowest and the highest cost price listed on your pricing chart for the same category, but is not the same as any cost price listed on the chart for that category, is calculated by applying to the cost of the garment you are pricing, the percentage markup listed on your pricing chart for the next lower cost price in that category. This is done by subtracting the percentage markup from 100%, and dividing the cost of the garment you are pricing by the difference. The result is your ceiling price.

For example: You want to find your ceiling price for women's dresses (Category 21) that you now buy at $7.35. On your pricing chart you have listed women's dresses at cost prices of $6.75 and $8.75, but none at $7.75. To calculate your ceiling price you take the percentage markup listed on your chart for women's dresses costing $6.75. This is 38.4%. You apply this markup to your cost of $7.75 and find that your ceiling price is $12.58 (100% − 38.4% = 61.6%; $7.75 ÷ 61.6% = $12.58).

(iv) *Adjustment of cost prices to reflect different terms or discounts.* Where you find that a garment which you now purchase has a different cost price from any garment of the same category listed on your pricing chart, and that you bought such garment on terms different from those listed for the next lower cost price on your pricing chart, you must adjust the cost of the garment you are now pricing to reflect the terms listed on your pricing chart for the next lower cost price, and then, using the adjusted cost, take the percentage markup of the next lower cost price.

For example: The retailer whose pricing chart is shown in Appendix B (a) (1) listed the following cost prices for women's coats:

$18.75 1/10 EOM
19.75 6/10 EOM
22.75 8/10 EOM

He now wishes to price a woman's coat (Category 1) purchased at $19.75 less 3/10 EOM. This is clearly not the same cost as the $19.75 less 6/10 EOM listed on his pricing chart. He adjusts both of his $19.75 cost prices and his $18.75 less 1/10 EOM to reflect net terms. The $19.75 less 6/10 EOM listed on his pricing chart had a net cost of $18.17 ($19.75 x 92% = $18.17); the $19.75 less 3/10 EOM which he now purchases has a net cost of $19.16 ($19.75 x 97% = $19.16); the $18.75 less 1/10 EOM had a net cost of $18.56 ($18.75 x 99% = $18.56). Therefore, in pricing his woman's coat purchased at $19.75 less 3/10 EOM under Rule 2 (iii) the seller uses the percentage mark-up on his next lower cost price. This is his $18.75 less 1/10 EOM. Since this cost price was purchased at 1/10 EOM, he adjusts his $19.75 less 3/10 EOM to reflect a discount of 1/10 EOM and now shows a cost price of $19.35 less 1/10 EOM ($19.75 x 97% = $19.16 ÷ 99% = $19.35). Applying the percentage mark-up listed for $18.75 cost price (37.4%) to the woman's coat with an adjusted cost of $19.35, he finds that $30.91 is his ceiling price for women's coats purchased at $19.75 less 3/10 EOM ($19.35 ÷ 62.6% = $30.91).

(v) *Special provision for certain mail order catalogue establishments.* Those mail order catalogue establishments making sales on the basis of orders received by mail, the printing of whose Fall 1944 catalogues was completed or substantially completed (i. e. printing plates had been made) prior to August 31, 1944, may at their option continue to price garments ordered from such Fall 1944 catalogues under Rule 2 of MPR 330, but they must price under subparagraph (2) (i) of this section all garments of appropriate selling price lines ordered from any subsequent catalogue.

(c) *Pricing rules for garments of a category not listed on the seller's pricing chart.* To find your ceiling price for a garment in a category not listed on your pricing chart, you compare the cost of the garment you are pricing with the cost prices listed for other categories on your pricing chart.

(1) *Rule 3.* Your ceiling price for a garment in a category not listed on your pricing chart is calculated by applying Rules 1 and 2 above as if all the cost and selling price lines and percentage markups listed on your entire pricing chart were price lines and markups for the category of garment you are pricing. That is, where you have listed for some other category a cost price which is the same as that of the garment you are pricing, you use Rule 1; where you have not listed the same cost price for some other category you use Rule 2. However, in using Rule 2 (i) in such case, you use the average percentage markup for all categories, found by totalling all the cost prices for all categories, and all the selling prices for all categories listed on your pricing chart. Note, also, that in using Rule 2 (iii) you use the percentage markup listed for the cost price next lower than the cost of the garment you are pricing, regardless of category, and in using Rule 2 (ii) you use the percentage markup listed on the chart for the lowest cost price in any category.

For example: You want to find the ceiling price for misses' suits (Category 7) which you now buy at $9.25. You did not list any misses' suits on your pricing chart, nor did you list a cost price of $9.25 for any category at all. You did list a cost price of $8.75 for women's dresses (Category 21) which is the next lower cost price listed on your pricing chart for any category. Your pricing chart shows a percentage markup of 37.3% for these $8.75 women's dresses, since the selling price is listed at $13.95. Accordingly, your markup for your $9.25 misses' suits is 37.3%, and your ceiling price is $14.75 (100% − 37.3% = 62.7%; $9.25 ÷ 62.7% = $14.75).

However, in applying this rule you may find that you have listed the same cost price for more than one category, and that the selling prices and percentage markups listed for that cost price are different for the several categories. In any such case, you must, when applying this rule, use the selling price or the percentage markup which gives you the lowest ceiling price.

For example: In the preceding example you might have found, when pricing the misses' suits which you now buy at $9.25, that on your pricing chart you listed a cost price of $8.75 for both women's dresses (Category 21) and women's coats (Category 1), but that you listed a percentage markup of 32% on the coats and a percentage markup of 37.3% on the dresses. Using the 32% markup for your $9.25 misses' suits, you would have a ceiling price of $13.60 ($9.25÷68%=$13.60). If you could use the 37.3% markup, your ceiling price would be $14.75 ($9.25÷62.7%=$14.75). However, you must take the percentage markup which will give you the lowest ceiling price. This is 32%, and your ceiling price for your $9.25 misses' suits is therefore $13.60.

(d) *Rule 4. Special provision for "cross-stream" and "up-stream" sales.* The maximum price for a "cross-stream" or "up-stream" sale or delivery is the cost of the garment to the seller plus any freight paid by him. The following are "cross-stream" or "up-stream" sales:

(1) Sales by a retailer to another retailer;

(2) Sales by a wholesaler to another wholesaler;

(3) Sales by a retailer to a wholesaler;

(4) Sales by a wholesaler or retailer to a manufacturer or manufacturing-retailer.

SEC. 5. *Maximum prices for sellers who made no deliveries of garments prior to May 18, 1944, or who cannot otherwise price*—(a) *Who must file an application for authorization to establish maximum prices.* This section is used when you find that none of the preceding four pricing rules applies to your situation. Except in cases of transfers of business under section 6, if you did not deliver any garments under MPR 330 prior to May 18, 1944, you may not sell or deliver any garments covered by this regulation until you have received authorization from the OPA to establish maximum prices. However, if you made your first delivery of garments subject to MPR 330 between May 18, 1944, and September 18, 1944, you may continue to sell and deliver garments at ceiling prices formerly established under MPR 330 without regard to this RMPR 330 until an order has been issued to you under this section: *Provided*, That you file your application under this section on or before October 15, 1944.

If you do not file your application on or before October 15, 1944, you may not sell or deliver any garments subject to this regulation until an order has been issued to you under this section.

To prevent increases in the cost of these garments to consumers, ceiling prices will be authorized, in general, at or below the level of prices established under this regulation. In authorizing ceiling prices lower than the level of

* Any percentage markup authorized for a particular cost price and/or category by an order granting an adjustment under MPR 188, as amended, shall be deemed to be the percentage markup taken by the seller on the largest number of garments of that cost price and/or category delivered during the base period.

ceiling prices, the prior experience of the applicant, if any, and the level of ceiling prices in the trading area will be considered. Where the applicant is a department in a selling establishment (this includes leased departments) percentage markups will not be authorized in excess of the prior experience of the selling establishment or its lessees. Except as stated above, percentage markups will be based upon the markups of similar departments in competitive selling establishments. This paragraph applies to all separate sellers as defined in section 1 (b) (3).

(b) *Filing and contents of application.* Three signed copies of an application for authorization to establish maximum prices (an example appears in Appendix C) shall be filed with the Office of Price Administration at the district office having jurisdiction over the area in which you are located, setting forth the following:

(1) Applicant's name and address and the name and address of the proposed seller.

(2) Names of all owners, officers or principals of applicant. (Owners holding less than 5% of the total number of shares of corporate applicants need not be listed.)

(3) Previous business connections of all owners, officers or principals of applicant.

(4) Total number of sellers under this regulation owned or operated by applicant or by any of the applicant's owners, officers or principals.

(5) Category numbers of garments desired to be sold.

(6) Cost prices at which applicant expects to purchase each category number listed in (5).

(7) Selling price lines desired for each cost price line listed in (6).

(8) Percentage markup desired for each cost price line in (6).

(9) Discounts at which applicant intends to purchase and sell garments.

(10) Special services applicant intends to offer: installment selling, charge accounts, other credit terms, or free delivery service.

(11) A list of the names and addresses of three sellers whose method of doing business is most nearly like that by which applicant intends to operate. These sellers must be located in the same trading area as applicant.

(12) If applicant is a leased department, the name and address of the prior lessee. If the department was previously operated by the lessor, the applicant should so state.

If authorization is given, it will be accompanied by instructions as to a method for establishing maximum prices of the garments to be sold. This authorization may be revised or revoked at any time by the OPA.

(c) *Reports of changes in ownership.* Any seller who has received an order authorizing him to establish prices under this section, must report any change in ownership to the district or regional office of the OPA which granted the order. However, if the seller is a corporation, only transfers of more than 5% of the corporate stock to any individual need be reported. The report should include the names of any new owners or principals and their previous business connections.

SEC. 6. *Transfers of business.* (a) If a substantial part of the business, assets or stock in trade of any business shall be or shall have been sold or otherwise transferred after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, except as provided in paragraphs (b) and (c) of this section, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer, which are necessary to enable the transferee to comply with the record, reporting and pricing provisions of this regulation.

(b) No person shall buy, sell, transfer, lease or exchange the business, assets or stock in trade of a business for the purpose of securing higher or more advantageous markups, or for the purpose of securing any other benefit which may be prohibited to him by this regulation.

(c) If after September 18, 1944, two or more sellers merge, consolidate or combine and continue to operate as one seller, the seller who continues to operate shall establish his ceiling prices under this regulation as if he were the seller who had the largest dollar volume of sales during the twelve months immediately preceding the combination, consolidation or merger.

SEC. 7. *Records.* (a) You must keep a record showing, for each price established under this regulation, (1) the cost of the garment, (2) the selling price, (3) if you did not price under Rule 1, the percentage markup used in establishing the ceiling price, and (4) the pricing rule under which the ceiling was calculated. This record may be of the kind which you customarily kept.

(b) You must preserve the purchase invoices which you receive for all garments subject to this regulation. Upon request of any authorized agent of the OPA you must show to such agent for examination your purchase invoice for any garment covered by this regulation.

(c) You must preserve duplicate copies of all invoices and sales slips delivered by you pursuant to section 8.

(d) You must also preserve the records that you were required to prepare by § 1389.8 of MPR 153, as amended, and by § 1389.557 of MPR 330.

SEC. 8. *Invoices and sales slips*—(a) *Invoices.* Every wholesaler, in connection with every sale to a retailer shall deliver an invoice or other similar document showing (1) the date, (2) the name and address of the seller and purchaser, (3) the style number and category of each of the different styles of garment sold, (4) the quantity of each different style of garment sold, (5) the price of each different style of garment sold, and (6) all discounts, allowances and other price differentials.

(b) *Sales slips.* Every retailer who has customarily given his customers a sales slip, receipt or similar evidence of purchase must continue to do so. Upon request from a customer, a retailer, regardless of previous custom, must give the purchaser a receipt showing (1) the date, (2) the name and address of the seller, (3) the name and description of each garment sold, and (4) the price received for it.

SEC. 9. *What acts are prohibited by this regulation.* On and after September 18, 1944, regardless of any contract or other obligation, the following practices are forbidden:

(a) *Charging more than ceiling prices.* Every person is prohibited from selling or delivering any garment at a price higher than the ceiling price permitted by this regulation. A lower price may, of course, be charged.

(b) *Buying for more than ceiling price.* Every person is prohibited from buying or receiving, in the course of trade or business, any garment sold in violation of any of the provisions of this regulation.

(c) *Changing customary terms of sale.* Every person is prohibited from changing his customary discounts, allowances or price differentials on sales of garments, if the change results in a higher net price.

(d) *Combination sales.* Every person is prohibited from requiring any purchaser to buy or agree to buy any other article, service, package or wrapper in connection with the sale or delivery of any garment covered by this regulation. Every person is likewise prohibited from making a sale of garments which is conditioned directly or indirectly on the purchase of any other commodity or service. (Matched sets, however, if designed by the manufacturer for sale at a unit price, and so purchased by the seller, may be sold at a unit price unless such sale is prohibited by any order of the War Production Board.)

(e) *Indirect price increases.* Every person is prohibited from doing any other act which directly or indirectly increases, above the maximum price, the consideration paid for a garment or delivery of any garment, or, for the purposes of evading the price limitations set forth in this regulation, to purchase, deliver, contract, deal or otherwise operate with or through any other person under common control with, controlled by, controlling or otherwise affiliated with the seller. No person shall do any other act which directly or indirectly increases the consideration paid for any garment. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying agreements, trade understandings and all similar practices.

(f) *Indirect violations.* Every person is prohibited from agreeing, offering, soliciting, or attempting to do any of the acts prohibited by this regulation.

SEC. 10. *Licensing and enforcement*—(a) *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of this regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Penalties.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 11. *Relation to other maximum price regulations*—(a) *General Maximum Price Regulation.*[4] The General Maximum Price Regulation does not apply to sales of garments covered by this regulation, except that the following provisions of the General Maximum Price Regulation are made a part of this regulation and you must observe them:

(1) Sellers operating more than one retail establishment (§ 1499.4a).

(2) Federal and state taxes (§ 1499.7).

(3) Marking and posting of cost-of-living commodities (§ 1499.13) except that paragraph (b) of § 1499.13 (filing of cost-of-living statements) does not apply.

(4) Adjustment of prices of commodities subject to Fair Trade Agreements (§ 1499.18 (d)).

(b) *Export sales.* This regulation does not apply to export sales of women's, girls', children's or toddlers' garments. Such sales are covered by the Second Revised Maximum Export Regulation.[5]

(c) *Import sales.* This regulation does not apply to deliveries of garments made from points outside the continental United States. (For pricing of such garments see the Maximum Import Price Regulation.[6]) This regulation does, however, apply to domestic sales of garments originally imported into the United States.

(d) *Summer seasonal commodities.* Maximum Price Regulation 142, Retail Prices for Summer Seasonal Commodities[7] shall not apply, and this regulation shall apply to sales by retailers of girls' slacks, slack suits and overalls of cotton and rayon.

(e) *War procurement agencies.* This regulation does not apply to sales of garments made according to military specifications, when the sales are made to any war procurement agency as defined in Maximum Price Regulation 157[8], Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes.

SEC. 12. *Adjustable pricing agreements.* If you wish, you may sell at the maximum price permitted by this regulation subject to an agreement with the buyer to charge a higher price if it becomes the legal maximum price by the time delivery is made. But you must never charge a price which is higher than the maximum price in effect at the time of delivery. Moreover, unless authorized by the OPA, you must not deliver at a price which is to be adjusted upward in accordance with action taken by the OPA after delivery. This authorization will be given only where: (1) A request for a change in the applicable price is pending; (2) authorization is necessary to promote distribution or production; and (3) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 13. *How this regulation may be amended.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment of general applicability. Any such petition must be filed in accordance with the provisions of Revised Procedural Regulation No. 1[9] issued by the OPA.

SEC. 14. *Delegation of authority.* Any Regional Office of the OPA or such other offices as may be authorized by order issued by the appropriate Regional Office, may act on all (a) pricing charts and amendments thereto filed pursuant to section 2; (b) applications for authorization to establish maximum prices pursuant to section 5 (a); and (c) reports on changes in ownership filed under section 5 (c).

SEC. 15. *Definitions.* (a) Unless the context otherwise requires or unless otherwise specifically provided herein, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the terms used in this regulation.

(b) A "manufacturer" is a person who sells a garment which he has fabricated or which has been fabricated for him by an agent or by a "contractor" as that term is defined in Maximum Price Regulation No. 172.[10]

(c) A "manufacturing-retailer" is a manufacturer who maintains one or more establishments selling at retail, or who otherwise sells to ultimate consumers and who sells substantially all of the garments that he manufactures to ultimate consumers.

(d) A "custom tailor" or "dressmaker" is a manufacturer who sells to ultimate consumers from his own establishment, garments fabricated by himself to the individual specifications and at the special order of such ultimate consumers.

(e) "Cost price line", "cost price" and "cost" have the same meaning when used in this regulation. You find the cost of a garment by taking whichever of the following is lower:

(1) The actual cost of the garment, or

(2) The maximum price, at the time of purchase, that the regulations of the OPA permit your source of supply to charge for the garment.

APPENDIX A—WHAT GARMENTS MUST BE PRICED UNDER THIS REGULATION

This regulation covers the garments listed below, if fabricated from yard goods (including knitted fabrics and laces). It does not cover garments fabricated from materials obtained by the assignment of an A-2 preference rating by the War Production Board, pursuant to Limitation Order M-207; nor does it cover uniforms and women's work clothing which would ordinarily be purchased only for wear in industrial, commercial, institutional or agricultural occupations. Note, however, that sportswear and utility wear suitable for general use are covered.

(a) *Coats.* "Coats" include all outerwear garments commonly known as coats, usually worn over other outer apparel, untrimmed, trimmed, fur-trimmed and fur-lined, sport and dress, including capes and wraps, but not including rainwear garments or garments made of artificial leather. "Rainwear garments" are those which are commonly regarded as having their chief use as protection against rain.

Categories:

1. "Women's"—sizes 32 and up.
2. "Misses'" and "jr. misses'"—sizes from 7 to 20, inclusive.
3. "Teen age"—sizes from 10 to 16 inclusive.
4. "Girls'"—sizes from 7 to 14, inclusive.
5. "Children's"—sizes from 3 to 6, inclusive.
5a. "Toddlers'"—sizes from 6 months to 4 years, inclusive.

(b) *Suits.* "Suits" include all two-piece feminine outerwear garments, untrimmed, trimmed and fur-trimmed, consisting of a "separate jacket" having full or partial lining or bound inner seams and a "separate skirt" fabricated of either matching or contrasting material to be sold at a unit price. Two-piece dresses, however, are not included.

Categories:

6. "Women's"—sizes 32 and up.
7. "Misses'" and "jr. misses'"—sizes from 7 to 20, inclusive.
8. "Teen age"—sizes from 10 to 16, inclusive.
9. "Girls'"—sizes from 7 to 14, inclusive.
10. "Children's"—sizes from 3 to 6, inclusive.
10a. "Toddlers'"—sizes from 6 months to 4 years, inclusive.

(c) *Separate jackets.* "Separate jackets" include all outerwear garments commonly known as jackets which can be opened from neck to hem and which ordinarily are not worn tucked into a skirt, slacks or shorts. Note that this includes ski jackets, skating jackets and other sport jackets. Garments made of artificial leather are, however, excepted. Boleros, jerkins and other garments of the same type are considered to be jackets.

[1] 8 F.R. 13240.
[4] 9 F.R. 1385, 5169, 6166.
[5] 8 F.R. 4132, 5987, 7662, 9998, 15193.
[6] 8 F.R. 11681, 12237.
[7] 7 F.R. 3553, 3720, 5179, 5520, 8045, 8048.
[8] 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8048; 8 F.R. 3048, 7507, 15809, 17374; 9 F.R. 1456.
[9] 7 F.R. 8961; 8 F.R. 3312, 3533, 6173; 9 F.R. 3075.
[10] 7 F.R. 4382, 6684, 8351, 8948, 10864; 8 F.R. 8068.

Categories:
11. "Women's"—sizes 32 and up.
12. "Misses' " and "jr. misses' "—sizes from 7 to 20, inclusive.
13. "Teen age"—sizes from 10 to 16, inclusive.
14. "Girls' "—sizes from 7 to 14, inclusive.
15. "Children's"—sizes from 3 to 6, inclusive.
15a. "Toddlers' "—sizes from 6 months to 4 years, inclusive.

(d) *Separate skirts.* "Separate skirts" include all feminine outerwear garments commonly known as skirts, including skating skirts, but excluding culottes.

Categories:
16. "Women's"—sizes 32 and up.
17. "Misses' " and "jr. misses' "—sizes 7 to 20, inclusive.
18. "Teen age"—sizes from 10 to 16, inclusive.
19. "Girls' "—sizes from 7 to 14, inclusive.
20. "Children's"—sizes from 3 to 6, inclusive.
20a. "Toddlers' "—sizes from 6 months to 4 years, inclusive.

(e) *Dresses.* "Dresses" include all one-piece feminine outerwear garments commonly known as dresses, and all two-piece dresses consisting of a skirt and a separate blouse, or separate unlined jacket, and sold at a unit price. Such garments include dresses used for street, evening, house or utility wear. Jumpers, pinafores, brunch-coats, smocks and similar garments are considered to be dresses.

Categories:
21. "Women's"—sizes 32 and up.
22. "Misses' " and "jr. misses' "—sizes from 7 to 20, inclusive.
23. "Teen age"—sizes from 10 to 16, inclusive.
24. "Girls' "—sizes from 7 to 14, inclusive.
25. "Children's"—sizes from 3 to 6, inclusive.
25a. "Toddlers' "—sizes from 6 months to 3 years, inclusive.

(f) *Blouses.* "Blouses" include all feminine outerwear garments, commonly known as blouses or shirtwaists.

Categories:
26. "Women's", "misses' " and "jr. misses' "—all sizes.
26a. "Teen age" and "girls' "—sizes from 7 to 16, inclusive.
26b. "Children's" and "toddlers' "—sizes from 6 months to 6 years, inclusive.

(g) *Snowsuits.* "Snowsuits" include all (1) toddlers' and children's (including boys'), (2) girls' and (3) teen age outerwear garments commonly known as snowsuits or ski suits.

Categories:
27. "Children's" and "toddlers' " one and two-piece snowsuits (with or without a matching hat)—sizes from 1 to 6, inclusive.
28. "Teen age" and "girls' " one and two-piece snowsuits (with or without a matching hat)—sizes from 7 to 16, inclusive.

(h) *Legging sets and separate leggings.* "Legging sets" and "separate leggings" include all (1) toddlers' and children's (including boys'), and (2) girls' outerwear garments commonly known as legging sets and separate leggings, but excluding garments made of artificial leather.

Categories:
29. Legging sets—sizes from 1 to 14, inclusive.
30. Separate leggings—sizes from 1 to 14, inclusive.

(i) *Separate ski pants.* "Separate ski pants" include all (1) toddlers' and children's (including boys'), (2) girls' and (3) teen age outerwear garments commonly known as ski pants.

Category:
31. Separate ski pants—sizes from 1 to 16, inclusive.

(j) *Separate slacks.* "Separate slacks" include all women's girls', children's and toddlers' outerwear garments commonly known as slacks, which are usually cut in the same style as men's trousers, reaching from waist to calf or below and having long loose legs, including slacks with any attached sleeveless bodice commonly known as "overalls" or "jumpsuits", but excluding culottes.

Categories:
32. "Women's"—sizes 32 and up.
33. "Misses' " and "jr. misses' "—sizes from 7 to 20, inclusive.
34. "Teen age" and "girls' "—sizes from 7 to 16, inclusive.
35. "Children's" and "toddlers' " (including boys', except boys' tailored pants which are covered by Maximum Price Regulation 177 [1])—sizes from 6 months to 6 years, inclusive.

(k) *Slack suits.* "Slack suits" include women's, girls', children's and toddlers' outerwear garments commonly known as slack suits or slack sets, consisting of slacks and separate jacket, or slacks and separate or attached blouse, sold at a unit price. Garments commonly known as "coveralls" are included.

Categories:
36. "Women's"—sizes 32 and up.
37. "Misses' " and "jr. misses' "—sizes from 7 to 20, inclusive.
38. "Teen age" and "girls' "—sizes from 7 to 16, inclusive.
39. "Children's" and "toddlers' " (including boys', except boys' tailored suits which are covered by Maximum Price Regulation 177)—sizes from 6 months to 6 years, inclusive.

Any seller (including a separate department described in section 1 (b) (3)) who sells the following pairs of size ranges and who customarily delivered garments of both size ranges at the same percentage markups, may, at his option, establish the same ceiling price for garments in each pair of size ranges having the same cost price:

(1) Women's and misses' or junior misses' sizes.

(2) Teen-age and girls' sizes.

(3) Children's and toddlers' sizes.

A seller who selects this option, must then, in preparing his pricing chart, combine garments in each pair of size ranges when calculating the selling price at which he delivered the largest number of garments of each cost price during the base period.

For example: A department store operates a department which sells girls' and teen age coats and suits. It was the customary practice of this department to deliver girls' and teen age coats (Categories 4 and 3 respectively) at the same percentage markups, and to deliver girls' and teen age suits (Categories 9 and and 8 respectively) at the same percentage markups. In calculating the selling price at which it delivered the largest number of coats of a particular cost price, the department may use the total number of girls' coats and of teen age coats of that cost price delivered during the base period, and may establish the same ceiling price for all girls' and teen age coats having the same cost price. Similarly, in calculating the ceiling prices of its girls' and teen age suits, the department may combine the number of garments sold in both categories, and may establish the same ceiling price for all girls' and teen age suits having the same cost price.

APPENDIX B—PREPARATION OF PRICING CHARTS

(a) *Examples of pricing charts.* Examples of the pricing charts required by section 3 follow:

(1) *Retailer's pricing chart*

PRICING CHART

A. B. C. Dress Co.
123 Broadway
New City, Kansas
Type of seller: Retailer

A	B	C	D	E
Category	Cost price lines [1]	Terms	Selling prices	Percentage markup percent
1 (women's coats)	($) $11.75	8/10 EOM	$14.95	21.4
	12.75	8/10 EOM	19.98	36.1
	14.75	8/10 EOM	25.00	41.0
	18.75	1/10 EOM	29.95	37.4
	19.75	8/10 EOM	29.95	34.1
	22.75	8/10 EOM	35.00	35.0
	28.75	8/10 EOM	39.95	33.0
	29.75	Net	49.95	40.4
2 (women's dresses)	3.75	8/10 EOM	5.98	37.3
	4.75	8/10 EOM	7.95	40.3
	5.80	3/10 EOM	9.95	38.5
	6.75	8/10 EOM	10.95	38.4
	8.75	8/10 EOM	13.95	37.3
	9.75	8/10 EOM	14.95	34.8
	10.75	8/10 EOM	16.95	36.6
3 (women's slacks)	2.87½	Net	4.98	42.2
	3.75	8/10 EOM	5.98	37.3
	4.75	8/10 EOM	7.95	40.3
	4.75	8/10 EOM	7.98	40.3
4 (teen age and girls' snowsuits)	4.75	8/10 EOM	10.98	38.4
	8.75	8/10 EOM	13.95	37.3

[1] All prices listed are cost per unit.

Signed A. B. C. DRESS CO.
By JOHN DOE, *President.*

[2] 8 F.R. 13712.

(2) *Wholesaler's pricing chart*

PRICING CHART

P. & S. Company
305 South Franklin Street
Chicago, Illinois
Type of seller: Wholesaler
First delivery: December 10, 1943 (all categories)

A	B	C		D	E
Category	Cost price lines [1]	Terms		Selling prices [1]	Percentage markup
		Purchase	Sale		
1 (women's coats)	$7.00	2/10 EOM	Net	$7.75	9.7
	7.75	Net	Net	8.75	11.4
	9.15	Net	3/10 EOM	10.75	14.9
	13.50	3/10 EOM	Net	14.75	8.5
2 (misses' coats)	7.00	Net	Net	7.75	9.7
	7.75	Net	Net	8.75	11.4
	9.50	Net	Net	10.75	11.6
	13.25	Net	Net	14.75	10.2
	14.75	Net	2/10 EOM	16.75	11.9
6 (women's suits)	6.00	Net	Net	6.75	11.1
	7.75	2/10 EOM	2/10 EOM	8.75	11.4
	9.50	Net	Net	10.75	11.5
7 (misses' suits)	7.75	Net	Net	8.75	11.4
	9.50	Net	Net	10.75	11.5
	11.50	Net	Net	12.75	9.9
	13.50	3/10 EOM	Net	14.75	8.5
	14.75	Net	Net	16.75	11.9

[1] All cost and selling price lines are prices per unit.

Signed P. & S. COMPANY
By RICHARD ROE, *Partner*

(b) *How to prepare your pricing chart.* (1) State your name and address.

(2) State your type of business (wholesaler—with stock, without stock, retailer-basement department, chain outlet, specialty store, etc.).

(3) If you made your first delivery of any category covered by the regulation after October 1, 1941 (September 1, 1941 for wholesalers) state the date of your first delivery.

(4) In Column A, list the categories of the garments you are pricing. (You will find the categories in Appendix A.)

(5) In Column B, list all the cost prices at which you purchased garments that you delivered during the base period. (Section 2 (c) explains what the base period is.) If you are permitted to use the exception provided in Rule 1 (section 4 (b) (1)) for any cost prices, you should place the symbol "(8)" preceding each such cost price in your pricing chart.

(6) In Column C, list the discount, terms or allowance at which you purchased the largest number of garments at each cost price listed in Column B.

(7) If you are a wholesaler, list separately in Column C, the discounts, terms or allowances at which you customarily sold garments in each cost price listed in Column B.

(8) In Column D, list the selling price line at which you delivered during the base period the largest number of units of each cost price listed in Column B. If you delivered the same number of units at two or more selling price lines, you list the lowest selling price line.

(9) In Column E, list the percentage markup taken on each cost price listed in Column B. This is how you make this calculation:

Step 1. You subtract the cost price (Column B) from the selling price line (Column D) and the difference is the dollar markup.

Step 2. Divide this dollar markup by the selling price line (Column D) and the result is the percentage markup.

For example: In the retailer's pricing chart shown in paragraph (a) (1) above, in order to find the percentage markup taken on the $3.75 cost price for women's dresses (Category 21), you subtract $3.75 (Column B) from $5.98 (Column D). The difference is $2.23. By dividing $2.23 by $5.98 (Column D), you find your percentage markup to be 37.3%.

NOTE: The percentage markups illustrated in Column E and in the examples given throughout the regulation are markups on selling price calculated without deducting any discount on the cost price. If you usually calculate your markups on your cost prices, or if you usually deduct discounts before calculating markup, you may, under this regulation, continue to calculate your markups on cost instead of on selling price and you may deduct discounts before calculating your markup. However, you must calculate your markups in the same manner now that you did in the base period.

APPENDIX C—EXAMPLE OF APPLICATION FOR AUTHORIZATION UNDER SECTION 5.

Application for Authorization to establish maximum prices under section 5.

Name and address:
A & B Sales Company
123 Broadway
New York, New York

Name and address of proposed seller:
Milady Dress Shop
456 Main Street
New City, Kansas

Names of owners, etc. and previous business connections:
(a) John Doe, partner in A & B Sales Co. since 1937
(b) Richard Roe, partner in A & B Sales Co. since July 1943; previously President of XY Dress Co., 789 South Street, Trenton, New Jersey
(c) Jane Doe, no previous business connections.

Number of other sellers: 2
Categories, price lines, and markups desired:

Category	Cost price	Selling price line	Percentage markup
1, 2, 6 & 7	$2.50	$3.98	37.2
	2.87½	4.98	42.3
	3.75	5.98	37.3
	4.75	7.95	40.3
	5.50	8.95	38.5
	6.75	10.95	38.4
	7.75	12.95	40.1
	8.75	14.95	41.5
	9.75	16.95	42.5
	12.75	19.95	36.1
	13.75	22.95	40.1
	14.75	25.00	41.0
	18.75	29.95	37.4
	22.75	35.00	35.0
	24.75	39.95	38.0
	29.75	49.95	40.4

I will purchase garments, whenever possible, on terms of 8/10 EOM.

I will sell for cash only and will offer the following services:

(a) Free delivery within city limits.

Competitors:
(1) Excellent Dress Shop, 495 Main Street, New City, Kansas.
(2) Acme Dress Shop, 382 Main Street, New City, Kansas.
(3) Peerless Clothes, 120 Broadway, New City, Kansas.

(Signed) A & B SALES COMPANY,
By JOHN DOE, Partner.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective September 18, 1944.

Issued this 13th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14172; Filed, Sept. 13, 1944; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 171]

STORAGE AND HANDLING OF GENERAL COMMODITIES, PHOENIX, ARIZ.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 8.2 (f) is added to read as follows:

(f) *Storage and handling of general commodities at Phoenix, Arizona*—(1) *Maximum price.* The maximum prices that may be charged by Warehousemen in Phoenix, Arizona may not exceed the prices contained in Arizona Warehouse Tariff No. 1, incorporated in their application, Docket VIII-1499.75(a)(3)-44W, and identified as Exhibit 2.

(2) *Reporting provision.* Warehousemen subject to this paragraph shall file with the Transportation and Public Utilities Division, Office of Price Administration, Washington, D. C., detailed quarterly operating statements supported by balance sheets for a period of one year beginning with the last quarter of 1944; such statements shall be furnished

*Copies may be obtained from the Office of Price Administration.

within 30 days after the end of each quarter.

This amendment shall become effective September 18, 1944.

Issued this 13th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14173; Filed, Sept. 13, 1944; 11:39 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 6]

PART 4003—SUBSIDIES; SUPPORT PRICES

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

CANNED AND FROZEN FRUITS AND VEGETABLES, 1944

The War Food Administration having submitted certain information and recommendations to me on September 4, 1944, and the Price Administrator having submitted certain information to me and having concurred in those recommendations on September 8, 1944, with reference to a program for the payment of raw material subsidies with respect to the 1944 pack of frozen snap beans, sweet corn, and green peas and establishment of maximum prices for these commodities, I hereby find that:

The payment of the raw material subsidy with respect to the quantities of snap beans, sweet corn, and green peas used in producing the portion of the 1944 pack of frozen vegetables sold to purchasers other than government procurement agencies and the establishment of maximum prices for the 1944 pack of frozen snap beans, sweet corn, and green peas, computed on the basis of the resale prices, by area, of the 1943 purchase and resale program of the Commodity Credit Corporation, for sales to purchasers other than government procurement agencies, and the basis of the 1944 grower support prices per ton, by area, announced by the War Food Administration for these vegetables for freezing, for sales to government procurement agencies will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942 as amended, and Executive Orders No. 9250 and No. 9328, by aiding in the effective prosecution of the war through encouragement of production.

1. The Office of Price Administration is hereby authorized and directed:

(a) To establish maximum prices for sales of the 1944 pack of frozen snap beans, sweet corn, and green peas to purchasers other than government procurement agencies which are computed on the basis of the resale prices of the 1943 purchase and resale program of the Commodity Credit Corporation.

(b) To establish maximum prices for sales of the 1944 pack of frozen snap beans, sweet corn, and green peas to government procurement agencies which are computed on the basis of the 1944 grower support prices per ton, by area, announced by the War Food Administration for these vegetables for freezing.

2. The War Food Administration is hereby authorized and directed to absorb, by use of the Commodity Credit Corporation's funds, the difference, by area, between the resale prices of the 1943 purchase and resale program of the Commodity Credit Corporation and the 1944 grower support prices per ton, announced by the War Food Administration for snap beans, sweet corn, and green peas for freezing, with respect to the quantities of these vegetables used in producing the portion of the 1944 pack of frozen vegetables sold to purchasers other than government procurement agencies.

Effective date: September 9th, 1944.

(E.O. 9250 and E.O. 9328, 3 C.F.R. Cum. Supp.)

Issued this 9th day of September 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-14135; Filed, Sept. 13, 1944; 9:27 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 51—CLASSIFICATION OF TELEPHONE EMPLOYEES

NOTE: Schedule 461 of Annual Report Form M was filed with the Division of the Federal Register on September 13, 1944, at 9:28 a. m., as Federal Register document number N. P. 44-11132. See 9 F.R. 9793.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3666]

PARTS 71-85—EXPLOSIVES AND OTHER DANGEROUS ARTICLES[1]

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of September, A. D. 1944.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefore for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Part 2—List of Explosives and other Dangerous Articles

Superseding and amending list, section 4, orders Aug. 16, 1940, and Oct. 14, 1943, as follows:

Article	Classed as—	Exemptions and packing (section)	Label	Maximum quantity, one package, express
(Change) Ammonium bichromate	Inf. B	153, 173	Yellow	100 pounds.
(Add) Calcium resinate	Oxy. M	No exemption 168	Yellow	125 pounds.
(Add) Compounds, iron or steel rust preventing or removing	Cor. L	244, 300	White	1 gallon.
(Add) Dichlorodiphenoltrichloroethane	Poi. B	252, 301	Poison	200 pounds.
(Add) Difluorophosphoric acid, anhydrous	Cor. L	No exemption 275	White	1 gallon.
(Add) Fire extinguisher charges containing not to exceed 50 grains of smokeless powder per unit	See note re. 65 (a)			
(Add) Hydrobromic acid, anhydrous, see Hydrogen bromide.				
(Add) Hydrogen bromide	Noninf. G	302, 303	Green	300 pounds.
(Add) Monofluorophosphoric acid	Cor. L	No exemption 275	White	1 gallon.
(Change) Smokeless powder for cannon	Expl. B	No exemption 65	Red #9	10 pounds.
(Change) Smokeless powder for small arms in *quantity not exceeding 50 pounds*	Expl. B	No exemption 65	Red #9	10 pounds.
(Change) Smokeless powder for small arms in *quantity exceeding 50 pounds*	Expl. A	No exemption 65		Not accepted.

#Required for rail express and water shipments only.

[1] Parts 2, 3, and 4 of this order appear in CFR as Parts 73, 72, 75, and 80.

Part 3—Regulations Applying to Shippers (CFR 75)

Amending paragraph (g), section 28, order Aug. 16, 1940, as follows (reused containers—black powder kegs) (add):

NOTE. Because of the present emergency and until further order of the Commission, metal kegs, previously used for the shipment of black powder not contained in an interior package, may be used provided the kegs are in good physical condition and are not liable to permit escape of contents during transportation. Empty kegs previously used for shipment of black powder must be entirely free of black powder on the inside and outside before being offered for transportation.

Superseding and amending paragraphs (c) (1) (d) and (c) (4) (c), section 61, order Aug. 16, 1940, to read as follows (packing high explosive with liquid explosive ingredient):

(c) (1) (d) Bags not exceeding 50 pounds each securely closed so as to prevent leakage therefrom. Gross weight of wooden boxes not to exceed 75 pounds. Gross weight of fiberboard boxes not to exceed 65 pounds.

(c) (4) (c) Cartridges not exceeding 10 inches in diameter or 50 pounds in weight, with length not to exceed 30 inches. Bags not exceeding 12½ pounds each packed with filling holes up. Gross weight of wooden boxes not to exceed 75 pounds. Gross weight of fiberboard boxes not to exceed 65 pounds.

Amending paragraph (e) (2), section 61, order Aug. 16, 1940, as follows (packing high explosives with no liquid ingredient nor any chlorate) (add):

NOTE. Wooden boxes, having inside metal containers which are tightly and securely closed, may be equipped with hand holds in each end which must be not more than one inch by four inches and centered laterally not nearer than 1⅝ inches from top edge of end of box.

Amending section 65, order Aug. 16, 1940, as follows (labels for smokeless powders) (add):

(j) (3) *Label.* Each outside package containing smokeless powder for small arms or smokeless powder for cannon, when offered for transportation by rail express or water must have securely and conspicuously attached to it a square red label measuring 4 inches on each side and bearing in black letters the following:

SMOKELESS POWDER FOR CANNON
FOR EXPRESS SHIPMENT

HANDLE CAREFULLY

KEEP FIRE AWAY

This is to certify that the above articles are properly described by name and are packed and marked and are in proper condition for transportation, according to the regulations prescribed by the Interstate Commerce Commission.

(Shipper's Name)

SMOKELESS POWDER FOR SMALL ARMS FOR EXPRESS SHIPMENT

HANDLE CAREFULLY

KEEP FIRE AWAY

This is to certify that the above articles are properly described by name and are packed and marked and are in proper condition for transportation, according to the regulations prescribed by the Interstate Commerce Commission.

(Shipper's Name)

Superseding and amending paragraphs (b) and (c), section 69, order Aug. 16, 1940, to read as follows (fuzes, percussion, combination, time and tracer; and tracers):

(b) Tracer fuzes and tracers are devices which are attached to projectiles and contain a slow-burning composition to show the flight of projectiles at night.

(c) *Packing. Percussion, tracer, combination, time fuzes and tracers* must be packed in strong, tight, outside wooden boxes, with special provision for securing individual packages of fuzes or tracers against movement in box.

Superseding and amending paragraph (f), section 113, order July 14, 1942, to read as follows (packing paints, etc.—exemptions):

(f) *Paint, enamel, lacquer, stain, shellac, varnish, aluminum, bronze, gold, wood filler, liquid, and lacquer base liquid, and thinning, reducing and removing compounds therefor, and driers, liquid, therefor*, in glass or earthenware containers of not over 1 quart capacity each, or metal containers of not over 5 gallons capacity each, packed in strong outside containers are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight and highway. When offered for transportation by rail express such shipments are exempt from specification packaging requirements but must be marked with name of contents and bear the red label as prescribed in section 404 (e). When offered for transportation by carrier by water such shipments are exempt from specification packaging, marking other than name of contents, and labeling requirements. When fiberboard box is used for such shipments by rail freight, rail express, highway, or water, gross weight must not exceed 65 pounds. (Paragraph (f) (1) is not cancelled hereby.)

Superseding and amending paragraph (a), section 118, order Aug. 16, 1940, to read as follows (packing spirits of nitroglycerin):

118. (a) *Spirits of nitroglycerin* must consist of not over 10 percent by weight of nitroglycerin in ethyl alcohol. Solutions of nitroglycerin must consist of not over 10 percent by weight of nitroglycerin in acetone. They must be packed in specification containers as follows:

Amending section 154, order Aug. 16, 1940, as follows (no exemptions from regulations) (add):

(f) (1) Calcium phosphide.
(f) (2) Calcium resinate. See sec. 166.

Superseding and amending paragraph (a), section 166, order Aug. 16, 1940, to read as follows (packing cobalt resinate, precipitated, and calcium resinate):

166 (a) *Cobalt resinate, precipitated* and *calcium resinate*, must be packed in specification containers as follows:

Superseding and amending paragraph (a), section 176, order Aug. 16, 1940, to read as follows (packing matches):

176 (a) *Matches*, when offered for transportation, must be of a type that will not ignite spontaneously when subjected for eight consecutive hours to a temperature of 200° F., in a properly conducted laboratory test. They must not exceed 3 inches in length, nor have a stick exceeding .015 square inch in cross-section area.

Superseding and amending paragraphs (c) and (d) and notes thereto, section 212A, order Mar. 29, 1944, to read as follows (packing urea peroxide):

(c) *Spec. 21A.* Fiber drums completely coated on the inside with a suitable wax.

(d) *Spec. 22A.* Plywood drums with paper bags, spec. 2J, coated with suitable wax on the inner surface.

Amending section 245, order Aug. 16, 1940, as follows (no exemption from regulations) (add):

(r) Difluorophosphoric acid.
(s) Monofluorophosphoric acid.

Superseding and amending note, paragraph (h) (1), section 264, order Nov. 6, 1941, to read as follows (packing hydrofluoric acid):

NOTE. Each metal container, before being put into this service, must be passified by the following or an equally efficient method: By filling drum to 90 percent of capacity with hydrofluoric acid of 58 percent strength and allowing drum to stand 48 hours at a temperature of 80° F., and then 7 hours at 140° F., the internal pressure being maintained at atmospheric pressure by means of a ventilated bung.

Amend order Aug. 16, 1940, as follows (add):

275 (a) *Difluorophosphoric acid, anhydrous, and monofluorophosphoric acid, anhydrous*, must be packed in specification containers as follows:

(b) *Spec. 15A, 15B, 15C, 16A, or 19A.* Wooden boxes with inside containers as prescribed herein.

(c) Difluorophosphoric acid, anhydrous, must be packed in inside cylindrical containers; capacity not to exceed 5 pounds of material, made of stainless steel (18-8) not less than 16 gage U. S. Standard, having all seams welded to full penetration and properly annealed after all welding has been completed; each container to withstand an air test of 15 pounds per square inch without evidence of leaf; closures must be of

threaded plug type, adequate to prevent leakage.

(d) Monofluorophosphoric acid, anhydrous, must be packed in glass bottles containing not more than 4 ounces of material, closed by means of threaded-type acid-resistant caps with a gasket or lining impervious to the acid and sufficiently resilient, or cushioned, to give an acid-proof closure; caps must have at least one complete continuous thread and be wired to the bottle to prevent turning of cap when bottle is closed for shipment; or in glass bottles containing over 4 ounces but not over 5 pounds of material, with glass stoppers ground to fit and securely held in place by means of hard drying wax placed over and around the stopper.

(e) Inside containers must be cushioned by not less than 1-inch thickness infusorial earth (kieselguhr) on all sides, top, and bottom.

Kind of gas	Maximum permitted filling density (see sec. 303 (h))	Cylinders marked as shown in this column must be used except as provided in note 1 and sec. 308 (p) (2) to 308 (p) (5)
(Add) Insecticide, liquefied gas	303 (j) (1) and (3)	ICC-4B300; ICC-6.

Amending paragraph (p) (1), section 303, order Aug. 16, 1940, as follows (qualification and maintenance of cylinders) (add):

(p) (1) (j) For ICC–9 cylinders the service pressure is 200 pounds.

Superseding and amending paragraph (p) (7) (b), section 303, order Aug. 16, 1940, to read as follows (safety devices-exceptions):

(p) (7) (b) Cylinders, other than those made under spec. ICC–9, not over 12 inches long, exclusive of neck, nor over 4½ inches outside diameter.

Amending table, paragraph (p) (14) (a), section 303, order Aug. 16, 1940, as follows (quinquennial retest of cylinders) (add):

Specification under which cylinders were made	Retest pressure (pounds per square inch)
ICC–9	400 pounds

Amending paragraph (p) (14), section 303, order Aug. 16, 1940, as follows (quinquennial retest of cylinders—exceptions) (add):

(p) (14) (1) ICC–9 cylinders must be tested in accordance with the requirements of paragraphs 13 (a) and 17 (b) of the specification.

Amending Note 8, paragraph (q) (1), section 303, order Aug. 16, 1940, as follows (compressed gases shipped in tank cars) (add to Note 8):

Because of the present emergency and unless further ordered by the Commission, the current two-year period for tests is extended to two and one-half years for tank cars used for shipping chlorine and operated under reporting marks SHPX Nos. 3320 to 3399, inclusive, and CWSX Nos. 16000 to 16087, inclusive, on which these tests are now over-due or pending. This addition also amends par. (f) of section 31, par. 15 of spec. 106A300, and order dated Dec. 18, 1941, as amended, adding Note to paragraph (q) (7) of section 303, as to cars herein described.

Superseding and amending item of table, paragraph (q) (1), section 303, added by order Feb. 26, 1942, to read as follows (compressed gases shipped in tank cars):

Name of gas	Maximum permitted filling density Note 1	Required type of tank car Note 2
Liquefied petroleum gas (pressure not exceeding 65 pounds per square inch at 105° Fahr.).	Note 8 only (not including addendum)	ARA–IV and ICC–106 Note 13.

Amending section 327, order Aug. 16, 1940, as follows (packing poisons, class A) (add):

(d) It shall not be permissible to transport class A poisons if there be any interconnecting means of any character between the containers.

Amending section 360, order Aug. 16, 1940, as follows (packing paranitraniline) (add):

Superseding amending paragraph (b) (1), section 303, order Nov. 8, 1941, to read as follows (packing compressed gases):

(b) (1) *Odorization.* All liquefied petroleum gas in a tank motor vehicle shall be effectively odorized by an approved agent of such character as to indicate positively, by a distinctive odor, the presence of gas down to a concentration in air of not over one-fifth the lower limit of combustibility: *Provided, however,* That odorization is not required if harmful in the use or further processing of the liquefied petroleum gas, or if odorization will serve no useful purpose as a warning agent in such use or further processing. (Note to paragraph is not canceled.)

Amending table, paragraph (k) section 303, order Aug. 16, 1940, as follows (compressed gases in cylinders):

(d) *Spec. 21A.* Fiber drums, gross weight 400 pounds; side walls must be of at least 10 ply construction having strength not less than 1200 pounds Mullen or Cady test; in addition to tests prescribed by paragraph 4, spec. 21A, the drum must withstand two drops from a height of 6 feet to solid concrete, the first drop to be made diagonally on bottom chime and the second drop diagonally on the top chime with grain of wood running parallel to concrete surface if head is of wood.

Amending section 362, order Aug. 16, 1940, as follows (packing tear gas, etc., class C) (add):

(c) It shall not be permissible to transport class C poisons if there be any interconnecting means of any character between the containers.

Appendix—Shipping Container Specifications

Amending order Aug. 16, 1940, as follows (add):

Specification 9—Seamless or Welded or Brazed Steel Cylinders

GENERAL

1. *Compliance.* Required in all details.

2. *Type and size.* Must be seamless, welded, or brazed (brazing material must have a melting point of not less than 1000° F.). The maximum water capacity of containers in this class shall not exceed 86 cubic inches. Longitudinal seams are prohibited.

(a) *Service pressure.* Service pressure must be 200 pounds per square inch.

INSPECTION

3. *Inspection by whom and where.* By competent inspector; chemical analyses and tests, as specified, to be made within limits of the United States. Interested inspectors are authorized.

4. *Duties of inspector.* Inspect all material and reject any not complying with requirements.

(a) Verify chemical analysis by obtaining certified analysis of each heat from steel manufacturer; or if such certified analysis is lacking, then a certificate from the manufacturer of container giving sufficient data to indicate compliance with requirements is acceptable when certified by duplicate analyses from 6 samples taken at random from each shipment of steel and one cylinder selected at random from each day's production, except if a day's production be less than 1000 cylinders, then this sample shall be taken from the lot.

(b) Verify compliance of cylinders with all requirements including markings; inspect inside before closing in both ends; verify heat treatment as proper; select samples for all tests and for check chemical analyses; witness all tests; verify threads by gauge; report volumetric capacity (see report form) and minimum thickness of wall noted.

(c) Render complete report (paragraph 19) to purchaser, cylinder maker, and the Bureau of Explosives.

MATERIAL

4. *Steel.* Open-hearth or electric steel of uniform quality. Content percent for the following not over: Carbon, 0.150; phosphorus, 0.045; sulphur, 0.055.

6. *Identification of material.* Required; any suitable method.

7. *Defects.* Material with seams, cracks, laminations, or other injurious defects, not authorized.

CONSTRUCTION

8. *Manufacture.* By proper appliances and methods; dirt and scale to be removed as necessary to afford proper inspection; no defect acceptable that is likely to weaken the finished cylinder appreciably; reasonably smooth and uniform surface finish required. Seams must be made as follows:

(a) *Circumferential seams.* By welding or by brazing. Heads attached by brazing must have a driving fit with the shell, unless the shell is crimped, swaged, or curled over the skirt or flange of the head, and be thoroughly brazed until complete penetration by the brazing material of the brazed joint is secured. Depth of brazing from end of shell must be at least four times the thickness of shell metal.

9. *Wall thickness.* The wall stress at 600 pounds per square inch shall not exceed 24,000 pounds per square inch. The minimum wall for any cylinder shall be 0.040 inch.

(a) Calculation must be made by the formula:

$$S=\frac{600\ (1.3D^2+0.4d^2)}{D^2-d^2}$$

where S=wall stress in pounds per square inch; D=outside diameter in inches; d=inside diameter in inches.

10. *Heat treatment.* Body and heads formed by drawing or pressing must be uniformly and properly heat treated prior to tests.

11. *Openings in cylinder and connections (valves, fuse plugs, etc.) for such openings.* (a) Threads required; to be clean cut, even, without checks, and tapped to gauge.

(b) Taper threads to be of length not less than as specified for American Standard taper pipe threads.

(c) Straight threads having at least 4 engaged threads, to have tight fit and calculated shear strength at least 10 times the test pressure of the cylinder; gaskets required, adequate to prevent leakage.

12. Safety devices must be as required by the Interstate Commerce Commission's regulations that apply.

CYLINDER TESTS

13. *Pressure tests.* (a) Each cylinder produced shall be tested by dried air [1] or other dried gas [1] or by any suitable anhydrous liquid at a pressure of 400 pounds per square inch, held for at least 30 seconds, and shall show no leak or other defect when inspected by suitable means.

(b) One out of each 1000 cylinders or less successively produced shall be hydrostatically tested to destruction and must not burst below 1200 pounds per square inch. Each such 1000 cylinders or less successively produced shall constitute a lot and if the test cylinder shall fail, then the entire lot must be rejected. All cylinders constituting a lot shall be of identical size, design, construction, heat treatment, finish and quality.

14. *Flattening test.* Between knife edges, wedge shaped, 60° angle, rounded to ½ inch radius; test 1 cylinder taken at random out of each lot of 1000 or less, after pressure test. This flattening test is required and the test cylinder shall not have cracked when the outer surfaces of the walls are apart not more than a distance of 6 times the thickness of such walls.

15. Reheat treatment authorized for lots failing to meet the requirements of paragraph 14; such lots of cylinders after this treatment must pass all prescribed tests.

16. Only repair of brazed seams by brazing and welded seams by welding is authorized, provided such cylinders are retested and pass the tests prescribed in paragraph 13 (a).

MARKING

17. *On each cylinder.* By embossing plainly and permanently on top or bottom before heat treatment, the marks ICC 9, registered symbol of manufacturer, and registered symbol of original owner.

(a) Other marks as prescribed in (c) of this paragraph must be shown on a permanently attached name plate or by printing or decalcomania, provided that such markings are waterproofed and adherent and not easily impaired when subjected to water immersion and weathering under service conditions, or are coated over with a water-insoluble transparent lacquer.

(b) Such marks must be maintained in a legible condition and if at any time the cylinder is returned for refilling and such marks are illegible, then the cylinder must not be returned to service until it has been retested as prescribed in paragraph 13 (a) and new test date applied.

(c) Inspector's official mark; lot number; date of test (such as 5–37 for May, 1937), so placed that dates of subsequent tests can be easily added.

18. *Size of embossed marks.* At least ¼ inch high.

19. *Inspector's reports.* Required to be clear, legible, and in following form:

(Place) _____
(Date) _____

STEEL GAS CYLINDERS

Manufactured for _____ Company
Location at _____
Manufactured by _____ Company
Location at _____
Consigned to _____ Company
Location at _____
Quantity _____
Size _____ inches outside diameter by _____ inches long.
Identification marks on cylinder are:
Specification ICC 9.
Lot number _____
Identifying symbols (registered) _____
Test date _____
These cylinders were made by process of _____

The steel used was identified by heat or analysis numbers as shown on the "Record of Chemical Analysis of Steel for Cylinders" attached hereto.

The steel used was verified as to chemical analysis and record thereof is attached hereto.

All material was inspected and each cylinder was inspected both before and after closing; all accepted material and cylinders were found free from seams, cracks, laminations, and other defects which might prove injurious to the strength of the cylinder. The processes of manufacture and heat treatment were supervised and found to be efficient and satisfactory.

A test cylinder of each lot was measured and had a minimum wall thickness and volumetric capacity as shown in table below.

Date of test	Lot No.	No. in lot	Minimum wall thickness, in.	Volumetric capacity, cu. in.

Each and every cylinder was properly tapped; the threads were inspected and found to be clean cut, of proper length, and correct as to gauge.

One finished cylinder out of each lot was taken at random and burst by interior hydrostatic pressure with the following results:

Date of test	Lot No.	Pressure at which cylinder ruptured, pounds per square inch

Each and every cylinder was subjected to an interior pressure of 400 pounds per square inch and showed no leak or other defect.

Hydrostatic tests, pressure tests, flattening tests, and other tests, as prescribed in specification No. 9 were made in the presence of the inspector and all material and cylinders accepted were found to be in compliance with the requirements of that specification.

I hereby certify that all of these cylinders proved satisfactory in every way and comply with the requirements of Interstate Commerce Commission's specification No. 9 except as follows:

Exceptions: _____

(Signed) _____
Inspector

RECORD OF CHEMICAL ANALYSIS OF STEEL FOR CYLINDERS

Size _____ inches outside diameter by _____ inches long.
Made by _____ Company
For _____ Company

Lot No.	Number in lot	Heat No.	Check analysis No.	Chemical analysis		
				C	P	S

The analyses were made by _____
(Signed) _____
Inspector

[1] Warning: With this method of test, adequate protection to personnel must be provided.

Amending table, paragraph 7 (c), spec. 10B, order Aug. 16, 1940, as follows (add):

NOTE. Because of the present emergency and until further order of the Commission, for barrels of not over 80 gallons capacity, maximum number of pieces may be 7 provided they have a minimum thickness of ⅝ inch.

Amending table, paragraph 7 (c), spec. 10C, order Aug. 16, 1940, as follows (add):

NOTE. Because of the present emergency and until further order of the Commission, for barrels of not over 80 gallons capacity, maximum number of pieces may be 7 provided they have a minimum thickness of ⅝ inch.

Amending spec. 12B, order Aug. 16, 1940, as follows (add to paragraph 7):

NOTE. Because of the present emergency and until further order of the Commission, weights per thousand square feet as specified in the following table may be substituted in lieu of thicknesses, and are the minimums required, except a maximum variation of 5 percent will be allowed in the specified weights per thousand square feet:

EMERGENCY TABLE

Classified strength [1] of completed board	Solid fiber board. Minimum combined weight of component plies exclusive of adhesives (pounds per 1,000 square feet)	Facings for corrugated fiberboard			
		Double-faced		Double wall	
		Minimum combined weight of facings (pounds per 1,000 square feet)	Strength [1]	Minimum combined weight of facings including center liner (pounds per 1,000 square feet)	Strength [1]
175	149	75	23	92	[2] 55
200	190	84	100	110	85
275	237	138	135	136	
325	283	180	(3)	180	
350	283	180	(3)	180	
375	283			207	
400	283			270	
500	283				

[1] Mullen or Cady test (minimum).
[2] Non-test center facing acceptable.
[3] As necessary to secure prescribed strength of complete board but not less than 55.

(Add to paragraph 8):

NOTE. Because of the present emergency and until further order of the Commission, thickness of ply may be waived but weight must be as authorized under emergency table, paragraph 7 of this specification.

(Add to paragraph 9):

NOTE. Because of the present emergency and until further order of the Commission, thickness of facings may be waived but completed board must be as authorized under emergency table, paragraph 7 of this specification.

(Add to ref. ¶, paragraph 23a):

NOTE. Because of the present emergency and until further order of the Commission, thickness may be waived and in lieu thereof board must weigh at least 283 pounds per thousand square feet.

(Add to paragraph 28c):

NOTE. Because of the present emergency and until further order of the Commission, double-wall corrugated fiberboard at least 400-pound test, with facings having a minimum combined weight as required by table contained under emergency note to paragraph 7 of this specification, is authorized.

Cancel paragraph 29 of spec. 12B.

Amending spec. 12C, order Aug. 16, 1940, as follows:

(Add to ref. ¶, paragraph 23a):

NOTE. Because of the present emergency and until further order of the Commission, the following may be substituted in lieu of thickness. Facings at least 138 pounds per thousand square feet or inner facing at least 42 pounds and outer facing at least 90 pounds per thousand square feet.

(Add to ref. ¶, paragraph 23a):

NOTE. Because of the present emergency and until further order of the Commission, the following may be substituted in lieu of thickness: At least 283 pounds per thousand square feet.

Amending paragraph 23 (a), spec. 23P, order Aug. 16, 1940, as follows (add):

NOTE. Because of the present emergency and until further order of the Commission, the requirements prescribed in paragraph 23 (a) are modified only to the extent that a board having a minimum thickness of 0.080 inch is not required provided the board weighs at least 269 pounds per thousand square feet.

Part 4—Regulations Applying Particularly to Carriers by Rail Freight (CFR 30)

Superseding and amending paragraph (d), section 584, order Aug. 16, 1940, to read as follows (waybills, switching orders, or other billing):

(d) When the initial movement is a switching operation, the switching order, switching receipt or switching ticket, and copies thereof, prepared by the shipper, or by the carrier under the shipper's written authority, must bear the placard indorsement and the shipper's certificate prescribed by secs. 421 and 584 (a); for other switching movement, the switching ticket prepared by a railway employee must show the kind of placard required.

Superseding and amending paragraph (j), section 594, order Aug. 16, 1940, to read as follows (leaking tank cars):

(j) Whenever the leaking condition of a tank car is such that transfer of lading has been necessary, the car must be stenciled on both sides, in letters three inches in size, adjacent to the car number, "LEAKY TANK. DO NOT LOAD UNTIL REPAIRED," and indicate and mark at the location of the leak with the symbol "X", and the owner must be immediately notified by wire, such notification to indicate definitely location of leak. Stenciling must not be removed until the tank is repaired.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after September 7, 1944, and shall remain in full force and effect and be observed until further order of the Commission.

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-14063; Filed, Sept. 12, 1944; 10:45 a. m.]

Notices

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4086]

AUGUSTA F. ALINGS

In re: Estate of Augusta F. Alings, also known as Mrs. A. F. Alings and Mrs. A. F. Allings, deceased; File D-28-4022; E. T. sec. 10212.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hanny Sesselmann, Lilly Kienle, Mathilde Kempf, Julius Geist, Agenes Geist, and Werner Geist, and each of them, in and to the Estate of Augusta F. Alings, also known as Mrs. A. F. Alings and Mrs. A. F. Allings, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hanny Sesselmann, Germany.
Lilly Kienle, Germany.
Mathilde Kempf, Germany.
Julius Geist, Germany.
Agenes Geist, Germany.
Werner Geist, Germany.

That such property is in the process of administration by Magda Kienle, as Administratrix of the Estate of Augusta F. Alings, also known as Mrs. A. F. Alings and Mrs. A. F. Allings, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44-14141; Filed, Sept. 13, 1944; 11:02 a. m.]

[Vesting Order 4087]

MARY ARNOLDT

In re: Trust created under the will of Mary Arnoldt, deceased; File D-28-3893; E. T. sec. 11089.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

(a) All right, title, interest, and claim of any kind or character whatsoever of Oskar Rother, Issue, name or names unknown of Oskar Rother, Gertrude Schroeder, Paul Rother, Issue, name or names unknown of Paul Rother, and each of them, in and to the Trust created under the will of Mary Arnoldt, deceased,

(b) An undivided seven twelfths (7/12) interest in real property particularly described as follows:

Lot 906 of Tract No. 2263, partly within the City of Huntington Park, partly within the city of Southgate in the County of Los Angeles, State of California, as per map recorded in Book 23, pages 126 and 127 of Maps in the office of the County Recorder of said County. Except all water in and under said land.

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Oskar Rother, Germany.
Issue, name or names unknown of Oskar Rother, Germany.
Gertrude Schroeder, Germany.
Paul Rother, Germany.
Issue, name or names unknown of Paul Rother, Germany.

That such property is in the process of administration by the First National Bank of Pomona, as Trustee of the Trust created under the will of Mary Arnoldt, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraphs (a) and (b) above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44-14142; Filed, Sept. 13, 1944; 11:02 a. m.]

[Vesting Order 4088]

JENNIE O. BOLAND

In re: Estate of Jennie O. Boland, deceased; File D-28-8152; E. T. sec. 9070.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Elsbeth Kochenrath Rohs in and to the Estate of Jennie O. Boland, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elsbeth Kochenrath Rohs, Germany.

That such property is in the process of administration by William F. Boland and Laurence L. Cassidy, as Executors of the Estate of Jennie O. Boland, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

[F. R. Doc. 44-14143; Filed, Sept. 13, 1944; 11:02 a. m.]

[Vesting Order 4089]

TERESA BUCHL

In re: Estate of Teresa Buchl, deceased; File D-28-8561; E. T. sec. 10146.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Sister of decedent, name unknown and Brother of decedent, name unknown, and each of them, in and to the Estate of Teresa Buchl, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sister of decedent, name unknown, Germany.
Brother of decedent, name unknown, Germany.

That such property is in the process of administration by Thomas B. Hanlon, as Administrator of the Estate of Teresa Buchl, acting under the judicial supervision of the District Court of the United States for the District of Columbia, Washington, D. C.;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14144; Filed, Sept. 13, 1944; 11:02 a. m.]

[Vesting Order 4090]

ALBERTINA CALLOW

In re: Trust u/w Albertina Callow, deceased; File D-28-7002; E. T. sec. 11103.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Heins Beyer, Margarethe Albertine Beyer, and Marianne Beyer, and each of them, in and to the Trust u/w Albertina Callow, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heins Beyer, Germany.
Margarethe Albertine Beyer, Germany.
Marianne Beyer, Germany.

That such property is in the process of administration by The Fidelity Trust Company of Baltimore, Maryland, as Trustee of the Trust u/w Albertina Callow, acting under the judicial supervision of the Circuit Court of Baltimore City, Baltimore, Maryland;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14145; Filed, Sept. 13, 1944; 11:02 a. m.]

[Vesting Order 4091]

GUY CARINGELLA

In re: Estate of Guy Caringella, also known as Gaetano Caringella, deceased; File D-38-692; E. T. sec. 6913.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Carmela Palmisano Caringella, in and to the Estate of Guy Caringella, also known as Gaetano Caringella, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National and Last Known Address

Carmela Palmisano Caringella, Italy.

That such property is in the process of administration by R. E. Williams, as Administrator of the Estate of Guy Caringella, also known as Gaetano Caringella, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Bernardino;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14146; Filed, Sept. 13, 1944; 11:02 a. m.]

[Vesting Order 4092]

LILY S. EHLING

In re: Estate of Lily S. Ehling, deceased; File D-66-363; E. T. sec. 2774.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Ilonka Schreiber and issue of Ilonka Schreiber, names unknown; Lilli Ligeti and issue of Lilli Ligeti, names unknown; Lojos Legeti and issue of Lojos Ligeti, names unknown; and Mrs. Lojos Ligeti, and each of them, in and to the estate of Lily S. Ehling, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Ilonka Schreiber, Hungary.
Issue of Ilonka Schreiber, names unknown, Hungary.
Lilli Ligeti, Hungary.
Issue of Lilli Ligeti, names unknown, Hungary.
Lojos Ligeti, Hungary.
Issue of Lojos Ligeti, names unknown, Hungary.
Mrs. Lojos Ligeti, Hungary.

That such property is in the process of administration by Mercantile Commerce Bank and Trust Co., 721 Locust St., St. Louis, Missouri, as Executor of the estate of Lily S. Ehling, Deceased, acting under the judicial supervision of the Probate Court of the City of St. Louis, Missouri;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14147; Filed, Sept. 13, 1944; 11:03 a. m.]

[Vesting Order 4093]

MICHAEL FREY

In re: Trust created under the will of Michael Frey, deceased; File D-66-469; E. T. sec. 2962.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Berta Frey, Adelheid Frey, Sigfried Frey (Siegfried Frey), Hans Frey and Josef Frey, Jr., and each of them, in and to the Trust created under the will of Michael Frey, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Berta Frey, Germany.
Adelheid Frey, Germany.
Sigfried Frey (Siegfried Frey), Germany.
Hans Frey, Germany.
Josef Frey, Jr., Germany.

That such property is in the process of administration by the San Francisco Bank, as Trustee under the will of Michael Frey, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14148; Filed, Sept. 13, 1944; 11:03 a. m.]

[Vesting Order 4094]

HENRY GLASHOFF

In re: Estate of Henry Glashoff, deceased, File F-28-9031; E. T. sec. 10901.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Bertha Pohlmann, Otto Glashoff, Anna Schinkel and Lisel Glashoff, also known as Luise Glashoff and Liesel Glashoff, and each of them, in and to the Estate of Henry Glashoff, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Bertha Pohlmann, Germany.
Otto Glashoff, Germany.
Anna Schinkel, Germany.
Lisel Glashoff, also known as Luise Glashoff and Liesel Glashoff, Germany.

That such property is in the process of administration by Herman Glashoff and Harvey Elliot, as Executors of the Estate of Henry Glashoff, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Solano;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14149; Filed, Sept. 13, 1944; 11:03 a. m.]

[Vesting Order 4095]

IDA L. GOTTWALD

In re: Trust under will of Ida L. Gottwald, deceased; File D-28-2034; E. T. sec. 2345.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Martha Gottwald, Oscar Gottwald, person or persons, names unknown, heirs at law of Ida L. Gottwald, deceased, and each of them, in and to the trust created under the Will of Ida L. Gottwald, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Martha Gottwald, Germany.
Oscar Gottwald, Germany.
Person or persons, names unknown, heirs at law of Ida L. Gottwald, deceased, Germany.

That such property is in the process of administration by Curry J. Martin, 77 West Washington Street, Chicago, Illinois, as Successor Trustee of the trust created under the Will of Ida L. Gottwald, deceased, acting under the judicial supervision of the Circuit Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14150; Filed, Sept. 13, 1944; 11:03 a. m.]

[Vesting Order 4096]

HUSTER ET AL. V. VOGEL ET AL.

In re: Partition proceeding, Huster et al. v. Vogel et al., File D-28-8251; E. T. sec. 9338.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: An undivided three fifths (⅗) interest in certain real property, together with all appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record held by persons who are not nationals of designated enemy countries, situated in the District of Columbia, and particularly described as follows:

Parcel 1: Beginning for the same at the intersection of the North line of Bryant Street with the Southeasterly line of Brentwood Road, and running thence North 41° 50' East 45.20 feet along said line of said road; thence South 3°22' East 33.61 feet to the North line of Bryant Street, and thence West along said line of said street, 32.20 feet to the place of beginning; containing 543.38 square feet and being known as Parcel 143/80, according to plat of computation recorded in the Office of the Surveyor for the District of Columbia in Survey Book 146 at page 209.

Parcel 2. Beginning for the same at the intersection of the South line of Bryant Street with the Northeasterly line of 13th Street, N. E., and running thence East along said line of Bryant Street, 52.36 feet; thence South 3°22' East, 46.06 feet to the Northeasterly line of 13th Street, N. E., and thence North 50°08' West, 71.74 feet along said line of 13th Street to the place of beginning; containing 1203.76 square feet, and being known as Parcel 142/79, according to said plat of computation.

Parcel 3: Beginning for the same at a point in the Southwesterly line of 13th Street, N. E., distant South 50°08' East, 97.82 feet from the intersection of said line of said street with the Southeasterly line of Brentwood Road, and running thence by and with said line of 13th Street, South 50°08' East, 116.85 feet; thence South 3°22' East, 200.06 feet; thence North 83°17' West, 443.56 feet to the Southeasterly line of Brentwood Road; thence North 42°46' East, 232.93 feet along said line of said road; thence South 47°43' East, 99 feet; and thence North 42°18' East, 160.01 feet to the place of beginning, containing 69,823.48 square feet, and being known as Parcel 143/76 according to said plat of computation recorded in said Surveyor's Office in Survey Book 146 at page 209.

is property within the United States owned or controlled by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Eugen Huster, Germany.
Karl Huster, Germany.
Karl Peter Vogel, Germany.
Maria Elizabeth Tobler, Germany.
Rosa Franziska Wenk, Germany.
Josef Anton Vogel, Germany.
Frieda Gumann, Germany.
Gottfried Vogel, Germany.
Johann Peter Vogel, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14151; Filed, Sept. 13, 1944; 11:03 a. m.]

[Vesting Order 4097]

JOSEPH LIEBHART

In re: Trust under the will of Joseph Liebhart, deceased; File D-28-7956; E. T. sec. 8843.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Gebhard Liebhart, also known as Reverend Alquin Liebhart, Trustee under the Will of Joseph Liebhart, deceased, Theresa Liebhart, Maria Liebhart and Antonette Liebhart, and each of them, in and to the estate of Joseph Liebhart, deceased, and in and to the trust created under the will of Joseph Liebhart, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Gebhard Liebhart, also known as Reverend Alquin Liebhart, Trustee under the Will of Joseph Liebhart, deceased, Germany.
Theresa Liebhart, Germany.
Maria Liebhart, Germany.
Antonette Liebhart, Germany.

That such property is in the process of administration by Joseph J. Liebhart, as Executor, acting under the judicial supervision of the Middlesex County Orphans' Court of Middlesex County, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14152; Filed; Sept. 13, 1944; 11:04 a. m.]

MATHILDA LORBER

[Vesting Order 4098]

In re: Estate of Mathilda Lorber, also known as Matilda Panzer, Matilda Pantzer, Matilda Lober, Meriam Panzer, Matilda Moskowitz, Matilda Panser, Matilda Loba and Matilda Panzler, deceased; File 017-6658.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest, and claim of any kind or character whatsoever of Anshel Moskowic, Shaia Moscowic, Matilda (Molke) Abramowitz, Minie Marcovivi and Chaim Aoramowitz, and each of them, in and to the estate of Mathilda Lorber, also known as Matilda Panzer, Matilda Pantzer, Matilda Lober, Meriam Panzer, Matilda Moskowitz, Matilda Panser, Matilda Loba and Matilda Panzler, deceased,

is property payable or delivered to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Anshel Moskowic, Roumania.
Shaia Moscowic, Roumania.
Matilda (Molke) Abramowitz, Roumania.
Minie Marcovici, Roumania.
Chaim Abramowitz, Roumania.

That such property is in the process of administration by Jacob A. Goldberg and Hyman S. Warshavsky, 291 Broadway, New York City, as Executors, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Roumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14153; Filed, Sept. 13, 1944; 11:04 a. m.]

[Vesting Order 4099]

CHARLES MILLER

In re: Estate of Charles Miller, a minor; File No. D–66–576; E. T. sec. 3627.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All the property and estate of Charles Miller of any nature whatsoever in the possession of Carl Schmitt, as guardian of the Estate of Charles Miller, a minor,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Charles Miller, Germany.

That such property is in the process of administration by Carl Schmitt, as Guardian of the Estate of Charles Miller, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14154; Filed, Sept. 13, 1944; 11:04 a. m.]

[Vesting Order 4100]

MARGARET MILLER

In re: Estate of Margaret Miller or Margaret T. Miller, deceased; File No. D–28–2511; E. T. sec. 3678.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bruno Schmitt, as administrator, acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Charles Miller, Germany.
Agatha Schmitt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Charles Miller and Agatha Schmitt and each of them in and to the Estate of Margaret Miller or Margaret T. Miller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14155; Filed, Sept. 13, 1944; 11:04 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 8, Rev. 317]

COMMON CARRIERS

COORDINATED OPERATIONS IN NEBRASKA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John Brown and Alvin H. Brown, doing business as Brown Transfer Co., Kearney, Nebr.

State Transfer, Inc., North Platte, Nebr.

Watson Bros. Transportation Co., Inc., 802 South 14th Street, Omaha, Nebr.

[F. R. Doc. 44–14092; Filed, Sept. 12, 1944; 1:19 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 8, Rev. 318]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN BALTIMORE, MD., AND NASHVILLE, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing inter-

state or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Andrew B. Crichton, R. M. Crichton, C. N. Crichton, M. E. Crichton, R. B. Crichton and A. B. Crichton, Jr., doing business as Super Service Motor Freight Co., 808 Lea Ave., Nashville, Tenn.
Mundy Motor Lines (a corporation), 701 7th Street, Northeast, Roanoke, Va.

[F. R. Doc. 44-14096; Filed, Sept. 12, 1944; 1:19 p. m.]

[Supp. Order ODT 3, Rev. 319]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN STOCKTON AND HAVANA, MINN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Gateway City Transfer Co., Inc., 2130 South Avenue, La Crosse, Wis.
Witte Transportation Co. (a corporation), 2324 University Avenue, St. Paul, Minn.

[F. R. Doc. 44-14094; Filed, Sept. 12, 1944; 1:19 p. m.]

[Supp. Order ODT 3, Rev. 320]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN LA CROSSE, WIS., AND LANESBORO, MINN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order

[1] Filed as part of the original document.

to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Gateway City Transfer Company, Inc., 2130 South Avenue, La Crosse, Wis.
Richard E. Peterson, doing business as Peterson Transfer, Houston, Minn.

[F. R. Doc. 44-14095; Filed, Sept. 12, 1944; 1:20 p. m.]

[Supp. Order ODT 3, Rev. 321]

COMMON CARRIERS

COORDINATED OPERATIONS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

[1] Filed as part of the original document.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

F. J. Rosier, doing business as Rosier Storage Warehouse and Drayage Co., 314 Williamson Street, Savannah, Ga.

K & L Transportation Co., Inc., Waycross, Ga.

A. E. Fiveash and C. O. Fiveash, doing business as Five Transportation Co., Brunswick, Ga.

Benton Rapid Express Inc., 1 West Victory Drive, Savannah, Ga.

Acme Freight Lines, Inc., Jacksonville, Fla.

R. D. Nilson, doing business as Nilson Motor Express, Walterboro, S. C.

Fireproof Storage Co., Inc., 133 East Bay Street, Savannah, Ga.

[F. R. Doc. 44-14096; Filed, Sept. 12, 1944; 1:20 p. m.]

[Supp. Order ODT 8, Rev. 323]

COMMON CARRIERS

COORDINATED OPERATIONS IN NORTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provisions of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Ray F. Ingle, doing business as Ingle Transfer and Storage Co., 44 Valley St., Asheville, N. C.

H. C. and Edwin Allen, doing business as Allen Asheville Transfer and Storage Co., 192 Coxe Ave., Asheville, N. C.

M. L. Smith, doing business as West Asheville Transfer Co., 37 South Spruce St., Asheville, N. C.

W. L. Pearson, doing business as City Transfer Co., 12 South Market St., Asheville, N. C.

Ernest Muse, doing business as Muse Transfer Co., 103 Montana Ave., West Asheville, N. C.

[F. R. Doc. 44-14097; Filed, Sept. 12, 1944; 1:20 p. m.]

[Supp. Order ODT 8, Rev. 325]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN TULSA AND PAWHUSKA, OKLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

[1] Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Santa Fe Trail Transportation Company (a corporation), 419 West Second Street, Wichita, Kans.

W. G. Burgess, doing business as Reliable Motor Freight Line, 8 North Greenwood Avenue, Tulsa, Okla.

[F. R. Doc. 44-14098; Filed, Sept. 12, 1944; 1:21 p. m.]

[Supp. Order ODT 8, Rev. 328]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KINGSPORT, TENN., AND GREENVILLE, S. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action

[1] Filed as part of the original document.

hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

ET & WNC Motor Transportation Company (a corporation), 111 Tipton Street, Johnson City, Tenn.
Robinson Transfer Motor Lines, Inc., 545 East Main Street, Kingsport, Tenn.

[F. R. Doc. 44-14099; Filed, Sept. 13, 1944; 1:21 p. m.]

[Supp. Order ODT 8, Rev. 329]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CINCINNATI AND DAYTON, OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Haecki's Express, Inc., 806 S. 7th Street, Hamilton, Ohio.
Huey Motor Express (a corporation), Florence, Ky.

[F. R. Doc. 44-14100; Filed, Sept. 12, 1944; 1:21 p. m.]

[Supp. Order ODT 3, Rev. 330]

COMMON CARRIERS

COORDINATED OPERATIONS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F. R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordanee with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Andrews & Pierce, Inc., New Bedford, Mass.
James H. Maye and Edward A. Ney, doing business as Maye & Ney Transportation Co., New Bedford, Mass.

[F. R. Doc. 44-14101; Filed, Sept. 12, 1944; 1:22 p. m.]

[Supp. Order ODT 3, Rev. 333]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ATLANTA, GA., AND NASHVILLE, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

[1] Filed as part of the original document.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hoover Motor Express Company, Inc., Nashville, Tenn.
Southeastern Motor Truck Lines, Inc., Nashville, Tenn.

[F. R. Doc. 44-14103; Filed, Sept. 13, 1944; 1:22 p. m.]

[Supp. Order ODT 6A-46]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN IRON MOUNTAIN AND KINGSFORD, MICH.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, (8 F.R. 8757, 14582; 9 F.R. 2794) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-46" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 18, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Walton Hosking, doing business as Hosking's Transfer, Iron Mountain, Mich.
W. D. Cochran, doing business as W. D. Cochran Freight Lines, Iron Mountain, Mich.
Lency Clairmont and Ruth Norton, doing business as Lency Clairmont Transfer, 1803 7th Avenue, North Escanaba, Mich.
Grover Lewis, doing business as L & L Trucking Service, 501 Ludington Street, Escanaba, Mich.

[F. R. Doc. 44-14091; Filed, Sept. 12, 1944; 1:19 p. m.]

[Order of Termination 1]

MEADOWS TRANSFER, INC., AND KEY CITY TRANSFER & REFRIGERATION LINE

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation systems of Meadows Transfer, Inc., and Key City Transfer & Refrigeration Line by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation systems of Meadows Transfer, Ins., 339 S. W. 6th Street, Des Moines, Iowa, and Key City Transfer & Refrigerator Line, 269 Iowa Street, Dubuque, Iowa, including all real and personal property and other assets of said motor carriers, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., September 12, 1944. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 1".

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14136; Filed, Sept. 13, 1944; 10:38 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 296]

PORTER-CABLE MACHINE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 296 Under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Porter-Cable Machine Company. Docket No. 6082-136.25a-12.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation No. 136, as amended, *It is ordered:*

(a) The Porter-Cable Machine Company, 1714 North Salina Street, Syracuse, New York, is granted an adjustment in maximum prices as follows (subject to the discounts, allowances and terms of delivery duly in effect just prior to the issuance of this order):

Item:	*Adjusted maximum list price*
Radial Arm Model ERA	$150.00

(b) The maximum price for the sale of the Radial Arm Model ERA, by a reseller shall be the list price established by this order, adjusted to reflect all extra charges, discounts, allowances or differentials applicable to the list price duly in effect just prior to the issuance of this order.

(c) The Porter-Cable Machine Company shall notify its customers who buy for resale the Radial Arm Model ERA, of the amounts by which this order permits resellers to increase their maximum prices.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

This order shall become effective September 13, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14116; Filed, Sept. 12, 1944; 4:37 p. m.]

[RMPR 436, Order 23]

CRUDE PETROLEUM IN MONTANA

ADJUSTMENT OF MAXIMUM PRICES

Order revising maximum price of crude petroleum from:

Reagan Nose Pool, Glacier County, Mont.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Montana, Glacier County Reagan Nose Pool	$0.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14117; Filed, Sept. 12, 1944; 4:36 p. m.]

[RMPR 436, Order 24]

CRUDE PETROLEUM IN KANSAS

ADJUSTMENT OF MAXIMUM PRICES

Order revising maximum price of crude petroleum from:

Lost Springs East Pool, Marion County, Kans.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944 and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Kansas, Marion County, Lost Springs East Pool	$0.25

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14118; Filed, Sept. 12, 1944; 4:36 p. m.]

[RMPR 436, Order 25]

CRUDE PETROLEUM IN INDIANA

ADJUSTMENT OF MAXIMUM PRICES

Order revising maximum price of crude petroleum from:

Varner Pool, Spencer County, Ind.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after August 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of increase (dollars per 42-gallon barrel)
Indiana, Spencer County, Varner Pool	$0.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of August 1, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14119; Filed, Sept. 12, 1944; 4:37 p. m.]

[MPR 188, Amdt. 4 to 2d Rev. Order A-3]

DESIGNATED CONSUMER GOODS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188 is amended in the following respect:

1. Paragraph (e) (2) is amended to read as follows:

(2) *Consumer goods.*

Dental supplies
Furniture (as defined in Appendix A to Maximum Price Regulation No. 188)
Optical supplies
Freehand blown glassware
Illuminating glassware
Insecticide dusters and sprayers
Combs for personal use
Embossed wood top cork closures
Gas mantle rings
Scientific glass apparatus
Brooms for industrial use
Brushes for industrial use
Woodenware (except turned or shaped wood products covered by Maximum Price Regulation No. 196)
Artists' equipment and supplies
Commercial kitchen utensils and equipment

[1] Filed as part of the original document.

Laboratory, hospital and professional fixtures and equipment (except those covered by Maximum Price Regulation No. 136, as amended)
Office fixtures and safes
Business machines and equipment
School, office, and ecclesiastical supplies, including carbon paper but no other paper
Store fixtures and equipment
Dispensers
Signs and displays
Bulletin boards
Tool cases
Baskets for commercial use
Furniture frames
Garment hangers
Galvanized ware
Cutlery
Assembled wood furniture parts
Blow torches
Mopsticks
Mops
Mop wringers
Mop wringer and bucket combinations
Carpet sweepers
Carriers for delivering bottles (except cases)
Public seating equipment
Coin-operated vending and amusement machines
Pens and pencils
Lockers
Shelving

This amendment shall become effective on the 14th day of September 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14174; Filed, Sept. 13, 1944; 11:40 a. m.]

[Administrative Notice 7]

ONIONS, 1945 CROP

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers of the maximum prices he proposes to establish for dry onions of the 1945 crop.

MAXIMUM PRICES, F. O. B. COUNTY SHIPPING POINT PER 50 POUNDS, SACKED AND LOADED ON CARRIER, FOR THE SEASONS AND IN THE AREAS INDICATED

Beginning of season to May 15, inclusive—all areas	$3.05
May 16–June 15, inclusive—all areas	2.55
June 16–July 15, inclusive—all areas	2.25

Producing area	July 16–Aug. 15	Aug. 16–Oct. 31	Nov. and Dec.	Jan.	Feb.	Mar.	Apr. and after
Maine, New Hampshire, Vermont, Massachusetts, Rhode Island	$2.00	$1.75	$2.00	$2.15	$2.20	$2.45	$2.60
Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia	2.00	1.80	2.05	2.20	2.35	2.50	2.65
Michigan, Indiana, Ohio, Kentucky, Illinois, Wisconsin	1.95	1.70	1.95	2.10	2.25	2.40	2.55
Minnesota, North Dakota, South Dakota, Nebraska, Iowa, Missouri, Kansas	1.90	1.60	1.85	2.00	2.15	2.30	2.45
Montana, Idaho, Washington, Oregon (Counties of Wallowa, Union, Grant, Baker, Harney, Malheur), Wyoming, Colorado, Utah, Arizona, New Mexico	1.80	1.80	1.75	1.90	2.05	2.20	2.35
Oregon, all counties except Crook, Deschutes, Klamath, Lake Wallowa, Union, Grant, Baker, Harney and Malheur	1.85	1.60	1.85	2.00	2.15	2.30	2.45
Oregon (Counties of Crook, Deschutes, Klamath, Lake) and all other States	1.95	1.70	1.95	2.10	2.25	2.40	2.55

The foregoing prices will be incorporated into an amendment to Revised Maximum Price Regulation 271, and will be subject to the differentials set forth in Tables VI and VII of that regulation with respect to early dry onions and all other dry onions, respectively.

Issued this 13th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: September 12, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-14173; Filed, Sept. 13, 1944; 11:39 a. m.]

Regional and District Office Orders.

[Rhode Island Order G-1 Under MPR 426]

CARROTS IN PROVIDENCE, R. I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Rhode Island State Director of the Office of Price Administration by section 8 (a) (1) of Maximum Price Regulation No. 426, and by revised order of delegation issued by the Regional Director for Region I and other authority; *It is hereby ordered:*

(a) The total amount which may be added to the maximum basing point price of the commodity listed for freight (including the transportation tax imposed by section 620 of the Revenue Act of 1942) and protective services for the purpose of determining maximum selling prices thereof in the city of Providence, Rhode Island, shall be the amount set forth below:

Carrots: Bunched, any container, 12 bunches per container, minimum net weight 1 lb. per bunch, basing point Salinas, California, season June 1 to November 30, freight and protective service allowance per container 40 cents.

(b) This order applies in the City of Providence, State of Rhode Island.

(c) This order shall terminate on September 30, 1944, unless extended by order of the State Director prior to that date.

(d) This order may be revoked, amended or corrected at any time by the State Director or the Price Administrator.

This order becomes effective on September 8, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R. 408)

Issued this 5th day of September 1944.

CHRISTOPHER DEL SESTO,
State Director.

[F. R. Doc. 44-14120; Filed, Sept. 13, 1944; 9:00 a. m.]

[Region VI Rev. Order G-1 Under MPR 280]

FLUID MILK IN CHICAGO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817a of Maximum Price Regulation No. 280: *It is hereby ordered*, That Regional Order No. G-1, as amended, be redesignated as Revised Order No. G-1 under Maximum Price Regulation No. 280 and that it be revised and amended to read as follows:

(a) *Maximum prices for handler sales.* The maximum price for handler sales of 3.5% butterfat content milk f. o. b. handlers' plant shall be the base price as set forth in paragraph (b) plus the additions permitted by paragraph (c). For sales of milk having a butterfat content of other than 3.5% the handler shall apply a differential of 5¢ for each 1/10 of 1% variation in butterfat content. The periods for which maximum prices are determined shall be as follows:

(1) The maximum prices for handlers whose purchases of milk are subject to the provisions of any order, license, or agreement issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, shall be determined each month with the use of a base price determined for the same month.

(2) The maximum prices of all other handlers shall be determined for semi-monthly periods from the 1st to the 15th of a month, inclusive, and from the 16th to the end of the month, inclusive. In computing the maximum price for any semi-monthly period the base price to be used shall be the base price for the preceding semi-monthly period.

(b) *Computation of base prices.* The base price for any handler sale shall be the price computed under sub-section (1) or (2) of this section, whichever shall be applicable, plus any additions which may be provided by sub-section (3) of this section.

(1) *Agricultural marketing agreement areas.* The base price for any handler whose purchases of milk are subject to the provisions of any order, agreement, or license issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, shall be the class 1 price established for such purchases of milk.

(2) *Base price outside of agricultural marketing agreement areas.* The base price for each grade of milk shall be the weighted average price for 3.5% butterfat milk during the applicable semi-monthly period. For any milk received other than 3.5% butterfat milk, the handler shall compute a price determined as if such milk had in fact had a butterfat content of 3.5% by applying the butterfat differential customarily used by him in purchases of milk from producers.

(3) *Transportation allowances.* The prices used in the arrival at the base price shall be prices f. o. b. the handler's plant. Where the handler has paid an independent carrier for hire to transport milk from the producer to the handler's plant, the amount actually paid for such transportation may be added. Where, however, the handler has transported milk to his plant in his own conveyance, such milk shall not be included in arriving at the base price.

(c) *Additions to base prices.* Whichever of the following markups is applicable may be added to the base price determined under paragraph (b) of this order:

(1) 45¢ per cwt. when the handler receives milk in his plant, prepares it for bulk shipment, and makes delivery into a tank truck or tank car.

(2) 50¢ per cwt. when the handler receives milk in his plant, prepares it for bulk shipment, and places it in cans provided by the purchaser.

(3) 55¢ per cwt. when the handler receives milk in his plant, prepares it for bulk shipment, and places it in cans provided by the handler.

(4) 15¢ less per cwt. than the price computed under (c) (1), (2), or (3), whichever is applicable, for deliveries pursuant to an agreement, whether written or oral, covering a period of four or more months to supply a quantity of milk on a regular basis (such as a fixed number of days a week) during the operation of the agreement and pursuant to which the buyer agrees to accept at least a minimum ascertainable quantity during the contract period.

(d) *Inability to fix maximum prices.* If a handler cannot compute his maximum price for handler sales of milk under the terms of this order, he shall apply to the Regional Office of the Office of Price Administration for a maximum price. Such application shall contain a statement of the reason why the applicant cannot avail himself of the pricing provisions of this order and such additional information as the applicant may deem necessary to the proper consideration of his application. The applicant shall furnish such additional information as the Regional Office may subsequently request in order to act on the application.

(e) *Definitions.* As used in this order: (1) "Handler sale" shall mean any sale of fluid milk by a person who, on his own behalf or on behalf of others, purchases fluid milk from producers, associations of producers, or other handlers, and who sells such fluid milk at wholesale in bulk (other than in glass or paper containers) to any person other than commercial and industrial users, stores, hotels, restaurants, institutions, ultimate consumers, and governmental agencies. "Handler sale" shall not include any sale of milk to a manufacturer for use in manufacturing dairy products such as butter, cheese, evaporated or condensed milk, powdered milk, casein, and ice cream. Sales by a farmers' cooperative shall be considered handler sales in all cases where it sells fluid milk which has been processed in a plant owned or leased by it or which it has had processed for it in some other plant.

(2) "Handler" shall mean any person who makes a handler sale.

(3) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operation of a farm on which milk is produced. A farmers' cooperative is a producer with regard to all sales of fluid milk by it, except sales of fluid milk which have been processed in a plant owned or leased by it or which it has had processed for it in some other plant.

(4) "Plant" shall mean an establishment equipped to receive milk, prepare it for bulk shipment, by weighing, inspecting, testing, cooling, and placing it in cans or in tank trucks or tank cars.

(5) "Milk" means raw or pasteurized liquid cows' milk which is sold for human consumption in fluid form (including skim milk and buttermilk).

(6) "Grade" refers to the quality standards established by public health authorities or commonly used by the trade.

(f) *Applicability.* This order applies to all handler sales of fluid milk for resale for human consumption at or from a plant located in the States of Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and in Lake County, Indiana.

(g) *Revocability.* This order may be revoked, modified or corrected at any time, or may be superseded by any regulation hereafter issued, the provisions of which may be inconsistent herewith.

This order shall become effective September 1, 1944 with respect to all handlers whose purchases of fluid milk are subject to the provisions of any order, license, or agreement issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended. As to all other handlers, this order shall become effective September 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14121; Filed, Sept. 13, 1944; 9:03 a. m.]

[Region VI Order G-8 Under MPR 280]

FLUID MILK IN BLOOMINGTON AND NORMAL, ILL.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.807 (b) of Maximum Price Regulation No. 329; it is ordered:

(a) *Maximum distributor prices for sales at wholesale in bulk.* The maximum price for the sale and delivery of standard butterfat content fluid milk at wholesale, in bulk, in Bloomington and Normal, Illinois, shall be the maximum price determined under the General Maximum Price Regulation, or 37¢ per gallon, whichever shall be higher.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Bloomington and Normal, Illinois, shall mean all sales made within the city limits of Bloomington and Normal, Illinois, and all sales delivered from an establishment located in Bloomington and Normal, Illinois.

(c) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2 percent or the legal minimum established by statute or municipal ordinance, and distributed and sold for human consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons, and other institutions.

(d) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280 and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14122; Filed, Sept. 13, 1944; 9:03 a. m.]

[Region VI Order G-36 Under MPR 329, Amdt. 3]

FLUID MILK IN SPRINGFIELD, ILL.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329; *It is hereby ordered*, That paragraph (b) of Regional Order No. G-36, as amended, be amended to read as follows:

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Springfield, Illinois, or who sell within that city 50% or more of the milk sold by them.

This order shall become effective this 8th day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14123; Filed, Sept. 13, 1944; 8:59 a. m.]

[Region VI Order G-40 Under MPR 329]

FLUID MILK IN BRILLION, WIS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (a) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be 80¢ per pound of butterfat content in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of the town of Brillion, Wisconsin, or who sell within that town 50% or more of the milk sold by them. Maximum prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased fluid milk during the period from September 1, 1943, to February 29, 1944, and are not applicable to purchasers from producers who did not in that period sell to distributors covered by this order.

(c) *Definitions.* Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329, and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid on deliveries during January 1943. Except as modified by this order, the provisions of the Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

This order shall become effective August 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14124; Filed, Sept. 13, 1944; 9:05 a. m.]

[Region VI Order G-41 Under MPR 329]

FLUID MILK IN MOMENCE, ILL.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum prices which distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.75 for 3.5% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Momence, Illinois, or who sell within that city 50% or more of the milk sold by them.

(c) *Definitions.* Unless the context otherwise requires the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329, and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid in January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January 1943.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

Effective August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14125; Filed, Sept. 13, 1944; 9:05 a. m.]

[Region VI Order G-42 Under MPR 329]

FLUID MILK IN DESIGNATED COUNTIES IN ILLINOIS

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which milk distributors may pay to producers for milk sold for human consumption in fluid form shall be $2.90 for 3.5% butterfat content milk plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchasers of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within any community in the Counties of Alexander, Clay, Crawford, Edwards, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Marion, Massac, Pope, Pulaski, Richland, Saline, Union, Wabash, Wayne, White and Williamson in the State of Illinois or who sell within such community 50% or more of the milk sold by them.

(c) *Definitions.* Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Relation to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk than he paid in January 1943. Except as modified by this order, the provisions of Maximum Price Regulations No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January 1943.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order has been approved by the Regional Director of the War Food Administration.

Effective August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14126; Filed, Sept. 13, 1944; 9:07 a. m.]

[Region VI Order G-64 Under SR 15 and MPR 280, Amdt. 1]

FLUID MILK IN BARNUM, MANTOWA, DUQUETTE AND KERRICK, MINN.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, *It is ordered,* That paragraph (b) (1) of Regional Order No. G-64 be and the same is hereby amended to read as follows:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

This order shall become effective September 6, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14128; Filed, Sept. 13, 1944; 8:59 a. m.]

[Region VI Order G-43 Under MPR 329]

FLUID MILK IN CHICAGO, ILL., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price for milk which purchasers whose plants or distributing stations are located in the suburban Chicago, Illinois, marketing area may pay to producers shall be the minimum producer price for milk established under Order No. 69, issued July 20, 1944, by the War Food Administration pursuant to the Agricultural Marketing Agreement Act of 1937 as amended.

(b) *Addition of transportation or other charges.* (1) The maximum price established by paragraph (a) of this order is the maximum price for milk f. o. b. purchaser's plant. Where the transportation charges or any part thereof is paid by the purchaser, the total amount paid for transportation, plus the amount received by the producer, shall not be in excess of the price set forth in paragraph (a) of this order.

(2) Where the purchaser hauls the milk to his plant in a conveyance owned, leased or operated by him, he shall deduct from the maximum price set forth in paragraph (a) of this order the cost of such transportation. The "cost of such transportation" shall be the lowest established maximum price which may lawfully be charged by milk haulers or other carriers for hire for the hauling of milk to the purchaser's plant. For the purposes of this order, the term "transportation" shall include any payment or inducement of any kind or character paid by any producer or purchaser or any compensation or award paid to milk haulers for obtaining patrons, promptness of delivery, care, upkeep or insulation of trucks or truck bodies, compliance with sanitary requirements, or any other reasons or purposes.

(c) *Definitions.* (1) Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(2) Suburban Chicago, Illinois, marketing area shall mean all the territory geographically included within the city of Harrington, in Lake County, the townships of Dundee, Elgin, St. Charles, Geneva, Batavia, and Aurora, in Kane County, Cook, Du Page, and Will Counties, Illinois, and all of the territory geographically included within the townships of North, Calumet, and Hobart in Lake County, Indiana, except the territory lying within the corporate limits of the cities and villages of Chicago, Evanston, Wilmette, Kenilworth, Winnetka, Glencoe and Oak Park, in the State of Illinois.

(d) *Relation to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect.

(e) *Revocability.* This order may be revoked, amended, or corrected at any time. This order has been approved by the Regional Director of the War Food Administration.

This order shall be effective the 1st day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14127; Filed, Sept. 13, 1944; 9:06 a. m.]

[Region VI Order G-91 Under SR 15 and MPR 280]

FLUID MILK IN BALSAM LAKE, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) to the Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Balsam Lake, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (bulk)	$0.87	[illegible]
Gallon	.87	$0.45
Quart	.10	.12
Pint	.05½	.06½
Half pint	.03	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Balsam Lake, Wisconsin area shall mean:

1. All sales made within the city limits of Balsam Lake, Wisconsin, and all sales at or from an establishment located in Balsam Lake, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Balsam Lake, Wisconsin.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280 and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective August 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14130; Filed, Sept. 13, 1944; 9:00 a. m.]

[Region VI Order G-90 Under SR 15 and MPR 280]

FLUID MILK IN GRANT, NEBR.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration, by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum price for the sale and delivery of standard butterfat content fluid milk at wholesale and retail in Grant, Nebraska, shall be the maximum price determined under the General Maximum Price Regulation, or Maximum Price Regulation No. 280, whichever is applicable, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon (in bulk)	$0.37	
Gallon	.37	$0.45
½ gallon	.19	.23
Quart	.10	.12
Pint	.08½	.06½
½ pint	.05	.05

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the Grant, Nebraska area shall mean:

1. All sales made within the city limits of Grant, Nebraska, and all sales at or from an establishment located in Grant, Nebraska.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Grant, Nebraska.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores and to restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of Maximum Price Regulation No. 280 and of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14129; Filed, Sept. 13, 1944; 9:00 a. m.]

[Region VI Order G-92 Under SR 15 and MPR 280]

FLUID MILK IN DESIGNATED COMMUNITIES IN ILLINOIS

For the reasons set forth in an opinion issued simultaneously and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sales and delivery of fluid milk for human consumption at wholesale and retail in all communities in the counties of Alexander, Clay, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Marion, Massac, Pope, Pulaski, Saline, Union, Wayne, White and Williamson in the State of Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or General Maximum Price Regulation No. 280, whichever shall be applicable for the type of sale being made, or the following prices, whichever shall be higher.

	Standard Butterfat Content Milk		Chocolate Milk		Buttermilk	
	Wholesale	Retail	Wholesale	Retail	Wholesale	Retail
Gallons (bulk)	$0.40					
Gallons (bottled)	.40	$0.46				
½ Gallons	.21	.24				
Quarts	.11	.13	$0.11	$0.15	$0.08	$0.10
Pints	.06	.07	.06	.07	.05	.06
½ pints	.06	.06	.06	.06	.03	.05

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for sales and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the communities covered by this order shall mean all sales and deliveries made within any community located in the counties of Alexander, Clay, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Marion, Massas, Pope, Pulaski, Saline, Union, Wayne, White and Williamson in the State of Illinois and all sales and deliveries made at or from an establishment obtaining a major portion of its supply of milk from a seller at wholesale located within any such community.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for human consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, and to hotels, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships stores, officers' messes and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14131; Filed, Sept. 13, 1944; 9:01 a. m.]

[Region VI Order G-93 Under SR 15 and MPR 280]

FLUID MILK IN SPARTA, ILL.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption at wholesale and retail in Sparta, Illinois, shall be the maximum prices determined under the General Maximum Price Regulation or under Maximum Price Regulation No. 280, whichever shall be applicable, or the following prices, whichever shall be the higher:

Standard butterfat content fluid milk	Wholesale	Retail
Gallon (bulk)	$0.42	
Gallon	.42	$0.46
½ gallon	.21	.23
Quart	.10½	.12½
Pint	.05	.07
½ pint	.03	.05

Where the maximum price set forth is expressed in terms of ½¢, the price charged for a simple unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to the Army and Navy.* The maximum prices for the sales and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within Sparta area shall mean:

1. All sales made within the city limits of Sparta, Illinois, and all sales at or from an establishment located in Sparta, Illinois.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Sparta, Illinois.

(d) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, and to hotels, restaurants, schools, hospitals, prisons, and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Department's sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteen or post exchanges.

(e) *Relation of this order to Office of Price Administration regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation and the Maximum Price Regulation No. 280 shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective September 4, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued August 29, 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14132; Filed, Sept. 13, 1944; 9:01 a. m.]

[Region VI Order G-94 Under SR 15 and MPR 329]

FLUID MILK IN MANITOWOC AND TWO RIVERS, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and § 1351.408 (a) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk for human consumption in fluid form shall be 80¢ per pound butterfat in whole milk.

(b) *Applicability of producer prices.* Maximum prices established by paragraph (a) of this order shall apply to all purchases of fluid milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within the corporate limits of Manitowoc and Two Rivers, Wisconsin, or who sell within these communities 50% or more of the milk sold by them. The maximum price provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased from May 1, 1944 to August 1, 1944, and are not applicable to purchases from producers who did not in that period sell to distributors located in Manitowoc and Two Rivers, Wisconsin.

(c) *Maximum distributor price for sales to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Manitowoc and Two Rivers, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon	$0.40	$0.46
½ Gallon	.21	.24
Quart	.10½	.12½
Pint	.06½	.06½
½ Pint	.03½	.05

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Maximum distributor prices for sales to the Army and Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (c) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

1. One-half cent per quart or a proportionate amount for a part of a quart.

2. The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within Manitowoc and Two Rivers, Wisconsin, area shall mean:

1. All sales made within the city limits of Manitowoc and Two Rivers, Wisconsin, and all sales delivered from an establishment located in Manitowoc and Two Rivers, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Manitowoc and Two Rivers, Wisconsin.

(f) *Definitions.* 1. Standard butterfat content milk shall mean cow's milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance and distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all delivered sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

3. Army or Navy means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes, and stores operated as Army canteens or post exchanges.

(g) *Relation of this order to Office of Price Administration regulations.* No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of milk from producers than he paid on deliveries during January 1943. Except as modified by this order, the provisions of Maximum Price Regulation No. 329, and of the General Maximum Price Regulation, shall remain in full force and effect and shall not be evaded by any change in business or trade practices in effect during the applicable base period of such regulations.

(h) *Revocability.* This order may be revoked, amended or corrected at any time.

The portion of this order which applies to prices which may be paid to producers has been approved by the Regional Director of the War Food Administration.

This order shall be effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14133; Filed, Sept. 13, 1944; 9:02 a. m.]

[Region VI, Order G-94 Under SR 15 and MPR 329, Amdt. 1]

FLUID MILK IN MANITOWOC AND TWO RIVERS, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and § 1351.406 (a) of Maximum Price Regulation No. 329, *It is hereby ordered:*

1. That paragraph (c) of Regional Order G-94 be and the same is hereby amended to read as follows:

(c) *Maximum distributor price for sales to civilian purchasers.* The maximum price for the sale and delivery of standard content butterfat fluid milk at wholesale and retail in Two Rivers, Wisconsin shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

Container size	Wholesale	Retail
Gallon	$0.40	$0.46
½ Gallon	.21	.24
Quart	.10½	.12½
Pint	.05½	.06¼
½ Pint	.03½	.03

Where the maximum price set forth is expressed in terms of ½ cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

2. That paragraph (e) of Regional Order G-94 be and the same is hereby amended to read as follows:

(e) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Two Rivers, Wisconsin, area shall mean:

1. All sales made within the city limits of Two Rivers, Wisconsin, and all sales delivered from an establishment located in Two Rivers, Wisconsin.

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Two Rivers, Wisconsin.

This order shall be effective from September 7, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E. O. 9328, 8 F.R. 4681.)

Issued this 5th day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-14134; Filed, Sept. 13, 1944; 8:59 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-940]

LOUISVILLE GAS AND ELECTRIC CO. (DELAWARE)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of September 1944.

Louisville Gas and Electric Company (Delaware), a registered holding company, and a subsidiary of Standard Gas and Electric Company, a registered holding company, having filed a declaration with the Commission, pursuant to the Public Utility Holding Company Act of 1935 and particularly section 12 (d) thereof, and Rule U-44 of the general rules and regulations thereunder, regarding the proposed sale by Louisville Gas and Electric Company (Delaware) of its entire interest in Madison Light and Power Company, consisting of 1,500 shares of capital stock, par value $100 per share, and a claim on an open account indebtedness in the principal sum of $315,000 for a cash consideration of $624,000 to Robert A. Yunker, Michael E. Garber, Herbert L. Lyon, Herbert H. Johnson, Walter A. Greiner, George W. Cofield, Joseph M. Cooper and Marshall F. Tennis, individuals; and Louisville Gas and Electric Company (Delaware) having requested that the Commission's order conform to and set forth the recitals specified in sections 371 and 1808 (f) of the Internal Revenue Code as amended;

Public hearing upon said declaration having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered That the said declaration of Louisville Gas and Electric Company (Delaware) be and hereby is permitted to become effective subject, however, to the terms and conditions prescribed in Rule U-24; and

It is further ordered and recited That the sale and transfer by Louisville Gas and Electric Company (Delaware) of all the outstanding securities of Madison Light and Power Company, consisting of 1,500 shares of capital stock, par value $100 per share, is necessary or appropriate to the integration and simplification of the holding company system of which Louisville Gas and Electric Company (Delaware) is a member and necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14140; Filed, Sept. 13, 1944; 10:47 a. m.]

[File No. 59-37]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

ORDER EXTENDING DATE FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of September, A. D. 1944.

The Commission having instituted a proceeding pursuant to sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935 raising issues, among others, as to whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to require that Central Illinois Public Service Company revise and simplify its capital structure and take other steps so as fairly and equitably to redistribute voting power among its security holders, and to require that it restate its plant and investment, surplus, capital and other accounts so as segregate, dispose of and eliminate

writeups and intangibles in its accounts set up adequate reserves, and make other adjustments; and

Hearings having been held in such proceedings and having been continued subject to call of the trial examiner; and

The Commission having ordered that the reconvened hearing in this matter previously set for July 20, 1944, be held on September 12, 1944; and

Counsel for Central Illinois Public Service Company having requested that the date for such reconvened hearing be further extended; and

The Commission finding that it is appropriate in the public interest and in the interests of investors and consumers to extend the date for such hearing to October 16, 1944;

It is ordered, That the reconvened hearing in this matter previously set for September 12, 1944, be held on October 16, 1944, at 10 o'clock in the forenoon at the Commission's offices, 18th and Locust Streets, Philadelphia 3, Pa.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14138; Filed, Sept. 13, 1944; 10:48 a. m.]

[File No. 70-935]

INDIANA & MICHIGAN ELECTRIC CO. AND AMERICAN GAS & ELECTRIC CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of September, A. D. 1944.

American Gas & Electric Company, a registered holding company, and its subsidiary, Indiana & Michigan Electric Company, a public utility company, having filed a joint application and declaration, with amendments thereto under section 6 (b) with respect to, among other things, the issue and sale by Indiana & Michigan Electric Company, pursuant to the competitive bidding provisions of Rule U-50 of 120,000 shares of Cumulative Preferred Stock par value $100 per share; and

The Commission having by order dated August 30, 1944 granted said application and permitted said declaration to become effective except as to the price to be paid for said preferred stock, the redemption prices therefor, the dividend rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transactions as to which matters jurisdiction was reserved; and

Indiana & Michigan Electric Company having filed a further amendment to the application and declaration in which it is stated that in accordance with the permission granted by the said order of the Commission dated August 30, 1944, it offered such preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Price to company	Dividend rate	Cost to company
The First Boston Corporation	101.449	4¼%	4.06608
Smith Barney & Company	101.119	4¼%	4.07935
Lehman Bros	102.189	4¼%	4.15896
Mellon Securities Corporation	102.1699	4¼%	4.15673

The said amendment having further stated that Indiana & Michigan Electric Company has accepted the bid of The First Boston Corporation for the preferred stock as set out above and that the preferred stock will be offered for sale to the public at a price of 103⅛ resulting in an underwriters' spread of 1.676; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said preferred stock, the redemption prices therefor, the dividend rate thereon, the underwriters' spread and its allocation;

It is ordered That the jurisdiction heretofore reserved over the price to be paid for said preferred stock, the redemption prices therefor, the dividend rate thereon, the underwriters' spread and its allocation be, and the same hereby is released and said application and declaration be, and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered That jurisdiction heretofore reserved over the legal fees to be paid in connection with the proposed transactions be continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14139; Filed, Sept. 13, 1944; 10:47 a. m.]

[File No. 1-1706]

BATTLE CREEK AND STURGIS RAILWAY CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of September, A. D. 1944.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the First Mortgage 3% Gold Bonds, due December 1, 1989, of Battle Creek and Sturgis Railway Company;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on September 22, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14137; Filed, Sept. 13, 1944; 10:47 a. m.]

Reference

SEP 19 '44

THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES 1934

VOLUME 9 NUMBER 185

Washington, Friday, September 15, 1944

The President

EXECUTIVE ORDER 9481

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE CERTAIN MINES, COLLIERIES, AND PREPARATION FACILITIES

WHEREAS after investigation I find and proclaim that there are interruptions of the operations of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, as a result of existing and threatened strikes and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruptions; and that the exercise, as herein specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these mines, collieries, and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of section 5 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. The Secretary of the Interior shall permit the management of the mines, collieries, and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

5. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 12, 1944.

LIST OF MINES, COLLIERIES, AND PREPARATION FACILITIES

Consolidation Coal Company, Arkwright Mona Mine, Morgantown, West Virginia.

Cannelton Coal Company, No. 3 Mine, No. 5 Mine, No. 6 Mine, Cannelton, West Virginia.

Christopher Mining Corporation, No. 2 Mine, Maidsville, West Virginia.

Brock Inc., No. 4 Mine, Cassville, West Virginia.

Christopher Coal Company, No. 3 Mine, Osage, West Virginia.

Consolidation Coal Company, No. 25 Mine, Fairmont, West Virginia.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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[F. R. Doc. 44–14217; Filed, Sept. 14, 1944; 10:59 a. m.]

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3505][1]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NOVELTY PREMIUM COMPANY

§ 3.6 (l) *Advertising falsely or misleadingly—Free goods or service:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.72 (c) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.80 (l) *Securing agents or representatives falsely or misleadingly—Terms and conditions:* § 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy, watches, and various other articles of merchandise, (1) supplying, etc., others with push or pull cards, punch boards or other devices which are to be used, or may be used, in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (2) shipping, etc., to agents or to distributors or to members of the public, push or pull cards, punch boards, or other devices which are to be used, or may be used, in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme; (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; (4) using the terms "free" or "at absolutely no cost" or any other term or terms of similar import or meaning to describe or refer to articles offered as compensation for distributing respondents' merchandise; or (5) representing that respondents pay shipping charges on their merchandise, when in fact they do not pay such charges; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Novelty Premium Company, Docket 3505, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

In the Matter of Joseph Saladoff and Sara Saladoff, Individually, and Trading as Novelty Premium Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before Randolph Preston, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint (respondents having offered no proof in opposition thereto), brief filed herein by counsel for the Commission (respondents not having filed brief and oral argument having been waived), and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated November 18, 1940; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondents to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondents Joseph Saladoff and Sara Saladoff, individually and trading as Novelty Premium Company, or trading under any other name or names, their representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of candy, watches, clocks, guns, baby buggies, quilts, aluminum ware, or any other articles of merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Supplying to or placing in the hands of others push or pull cards, punch boards or other devices which are to be used, or may be used, in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

(2) Shipping, mailing or transporting to agents or to distributors or to members of the public, push or pull cards, punch boards, or other devices which are to be used, or may be used, in the sale and distribution of said merchandise to the public by means of a game of chance, gift enterprise, or lottery scheme.

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

(4) Using the terms "free" or "at absolutely no cost" or any other term or terms of similar import or meaning to describe or refer to articles offered as compensation for distributing respondents' merchandise.

(5) Representing that respondents pay shipping charges on their merchandise, when in fact they do not pay such charges.

It is further ordered, That the respondents shall, within 60 days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–14221; Filed, Sept. 14, 1944; 11:24 a. m.]

[1] 5 F. R. 4731.

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Revision VIII, Sept. 13, 1944]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944, and Supplements 1, 2, 3, 4, 5, and 6 theerto, are superseded by the following Revision VIII of the List, which is hereby promulgated.[1]

By direction of the President.

[SEAL] CORDELL HULL,
Secretary of State.
HERBERT E. GASTON,
Acting Secretary of the Treasury.
FRANCIS BIDDLE,
Attorney General.
JESSE H. JONES,
Secretary of Commerce.
LEO T. CROWLEY,
Administrator, Foreign Economic Administration.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

SEPTEMBER 13, 1944.

[F. R. Doc. 44–14222; Filed, Sept. 14, 1944; 11:31 a. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg 26, Amdt. 1]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN HARVESTING POTATOES IN PORTIONS OF SISKIYOU AND MODOC COUNTIES, CALIF.

Section 1102.14 (9 F.R. 11056) is hereby amended by striking out the figure "$1.10" in paragraph (b) (2) and inserting in lieu thereof the figure "$1.25."

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 14th day of September 1944.

WILSON R. BUIE,
Acting Director of Labor, War Food Administration.

[F. R. Doc. 44–14219; Filed, Sept. 14, 1944; 11:19 a. m.]

[Specific Wage Ceiling Reg. 25, Amdt. 1]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING POTATOES IN KLAMATH COUNTY, OREG.

Section 1110.2 (9 F.R. 11056) is hereby amended by striking out the figure "$1.10" in paragraph (b) (2) and inserting in lieu thereof the figure "$1.25".

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 14th day of September 1944.

WILSON R. BUIE,
Acting Director of Labor, War Food Administration.

[F. R. Doc. 44–14220; Filed, Sept. 14, 1944; 11:18 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–625]

ELIZABETH ALLEN

Elizabeth Allen of St. Louis, Missouri, in March 1943, began and thereafter car-

ried on construction of a residence located on Old Jamestown Road approximately two miles west of Black Jack, Missouri, without authorization from the War Production Board. The cost of this construction was approximately $4,100, which amount exceeded the limit of $200 permitted by Conservation Order L–41 and was in violation of that order. Elizabeth Allen was aware of War Production Board restrictions on construction and the beginning and carrying on of this construction without authorization constituted a wilful violation of Conservation Order L–41.

The violation of Conservation Order L–41 has diverted critical materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.625 *Suspension Order No. S–625.* (a) Neither Elizabeth Allen, her successors or assigns, nor any other person, shall do any construction on the premises owned by her and located on Old Jamestown Road approximately two miles west of Black Jack, Missouri, including putting up or altering the structures located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Elizabeth Allen, her successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14187; Filed, Sept. 13, 1944; 4:51 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Limitation Order L–99, Direction 2]

CONVERSION OF LOOMS TO PRODUCTION OF TENTAGE FABRICS

The following direction is issued pursuant to Limitation Order L–99:

(a) Notwithstanding any of the provisions of Limitation Order L–99 or any of the schedules of that order and regardless of any rated order heretofore or hereafter placed, commencing October 26, 1944 looms which on July 1, 1944 produced or were assigned to produce the cotton textiles listed in column I may, to the extent of the percentage indicated for each group in column II, produce only the cotton textiles of the constructions specified in column III, unless otherwise expressly authorized in writing by the War Production Board. The percentages are applicable to the daily average number of looms on assignment or production. All column references in this direction are to Table I.

(b) Each loom which under this direction may be operated only to produce the fabrics listed in column III shall be operated at least as many hours per week as the loom which is operated the most hours per week at the same plant.

(c) All the fabrics produced on looms which under this direction may be operated only to produce the fabrics listed in column III may be sold or delivered only to the U. S. Army or Navy unless rejected in writing by both the Army and Navy.

(d) No application for an exception from the provisions of this direction will be considered unless it is filed in triplicate with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than September 25, 1944 and contains the following information with respect to each plant affected by this direction:

(1) Total number of spindles (running and idle) classified according to ring sizes.

(2) Total number of looms (running and idle), stating with respect to each loom (i) the name of the manufacturer, (ii) the model, (iii) the width between swords, and (iv) the auxiliary shaft and cam equipment.

(3) A list of fabric constructions now being woven in the plant and number of looms assigned to or being operated on each construction.

(4) The yardages due on outstanding contracts for each of the fabric constructions listed in column I, classified according to proposed uses, i. e., type of clothing or other product, where known.

(e) Each person operating looms affected by this direction must report in writing to the War Production Board by September 25, 1944 the Army and Navy contracts (direct or subcontracts) he holds for fabrics which are presently being produced on the looms affected by this direction. This information may be included in an application filed in accordance with paragraph (d).

(f) Each person operating looms affected by this direction must report in writing to the War Production Board not later than October 30, 1944, the number of his looms that have been converted to produce each of the fabrics listed in column III and the estimated weekly production of each such fabric construction.

The reporting requirements of this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I

Group No.	Form WPB–668–B (6/9/44) item number	Column I	Column II	Column III
72	14 thru 20	Class A sheetings	*Percent* 12½	Tent twill (U. S. Army Spec. JQD–48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck, high sley, 9.5 oz. per sq. yd. (tentative Army Spec. JQD–580) 29" or 63" width or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
73	51 53 54 thru 59 62, 65 thru 69 70 73	Carded poplins (sheeting yarns) All three leaf herringbone twills except jeans and 8.5 oz. herringbone made to U. S. Army Spec. 6–281. All drills All four leaf twills except tent twills made to U. S. Army Spec. JQD–48. Warp and filling sateens, (Sheeting yarns) less than 42" wide. Carded gabardines.	75	Tent twill (U. S. Army Spec. JQD–48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck, high sley, 9.5 oz. per sq. yd. (tentative Army Spec. JQD–580) 29" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.
74	98 thru 104 106 107 thru 110 111	Denim Pin stripes, pin checks, express stripes, hickory stripes, etc. Cottonades and suiting coverts. Whipcords and bedford cords.	80	Tent twill (U. S. Army Spec. JQD–48) 31" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck, high sley, 9.5 oz. per square yard (tentative U. S. Army Spec. JQD–580) 29" or 63" or any width which may be developed by negotiation between the producer and the U. S. Army or Navy. Flat duck weighing 12.10 or more ounces per square yard in any width which may be developed by negotiation between the producer and the U. S. Army or Navy.

[F. R. Doc. 44–14186; Filed, Sept. 13, 1944; 4:51 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M–63, as Amended Sept. 14, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M–63—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M–63.

(b) *Restrictions on imports of materials—(1) General restriction.* No person, except as authorized in writing by the War Production Board shall purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB–1041 (formerly PD–222C) addressed to the War Production Board, Ref.: M–63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 26, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such mate-

rial was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB–1039 (formerly PD–222A), which form shall be addressed to the War Production Board, Ref.: M–63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB–1040 (formerly PD–222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M–63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M–63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 3 or more yarns	3417.010 3417.110	[1] 1/18/43 [1] 1/18/43
Carpet yarns of agave, dyed or undyed	N. S. O.	[1] 7/21/42
Cordage of agave fibers, other than sisal	N. S. O.	[1] 1/18/43
Cords and twines of agave fibers	N. S. O.	[1] 1/18/43
Fabrics woven of agave fibers	N. S. O.	[1] 9/11/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. O.	1/18/43
Alpaca llama, and vicuna hair	3535.000–3535.400 inc.	[2] 7/2/42
Alpargatas	0369.800	6/26/43
Beef and mutton tallow—includes oleo stock	0026.000	5/22/42
Beef and mutton tallow (inedible)—includes oleo stock	0015.001	5/22/42
Brazilian pebble (quartz crystals), unmanufactured	5120.000	10/8/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc.	N. S. O.	10/8/42
Broomcorn	2000.000	11/23/42
Castor beans	2231.000	4/8/42
Chrome ore (Chromite)	6213.100	[4] 12/28/41
	6213.300	[4] 12/28/41
	6213.500	[4] 12/28/41
Cinchona bark or other bark from which quinine may be extracted	2201.000	5/22/42
Columbium ore (columbite) or concentrates	6270.200	4/8/42
Cottonseed oil, crude, refined	1423.100 1423.200	5/22/42 5/22/42
Feathers for beds (including goose and duck feathers and down, and mixtures thereof, new and used)	0922.200	6/26/43
Flaxseed (linseed)	2233.000	5/22/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5730.100	4/8/42
Crystalline flake	5730.500	12/28/41
Crystalline, crucible lump and chip graphite	5730.610	4/8/43
Crystalline, dust and other crystalline lump and chip graphite	5730.630	4/8/43
Hemp (Cannabis Sativa type only), unmanufactured:		
Hackled including "line of hemp"	2263.000	9/11/42
Not hackled	2263.200	9/11/42
Tow	2263.300	9/11/42
Hides and skins:		
Deer: buck or doe	0293.100	[3] 9/11/42
Lac: crude, seed, button and stick	2105.000	[5] 4/8/42
Lard oil	N. S. O.	3/5/43
Lard (including rendered pork fat)	0026.000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0026.100	3/5/43
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species	0800.100–0317.900 inc. 0345.000 0345.100	7/2/42
Leather made from hides or skins of animals of the equine species	N. S. O.	7/2/42
Goat and kidskin leather (except vegetable-tanned)	0333.000–0333.800 inc.	7/2/42
	0335.400	7/2/42
	0340.800	7/2/42
	0345.200	7/2/42
	0345.300	7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil	2254.000	5/22/42
Manganese ore (including ferruginous) or concentrates, and manganiferrous iron ore, containing 35 percent and over of manganese	6211.200	5/14/43
	6211.300	5/14/43

See footnotes at end of table.

LIST I—Continued

Material	Commerce Import Class No.	Governing date
Muru muru nut oil	N. S. C.	8/21/42
Neatsfoot oil and animal oils known as neatsfoot stock	0808. 900	8/22/42
Oleo oil	0036. 200	8/21/42
Peanut (ground nut) oil	1427. 000	8/22/42
Peanuts:		
Shelled	1367. 000	4/2/43
Not shelled	1368. 000	4/2/43
Pyrethrum or insect flowers	2202. 000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220. 310	10/21/42
Rapeseed	2237. 000	[8] 8/22/42
Red squill	2210. 650	10/21/42
Rotenone bearing roots (cubé root (timbo or barbasco) derris and tuba) crude and advanced	2210. 750	8/4/43
	2210. 300	8/4/42
	2220. 300	8/4/42
	2220. 370	8/4/42
Rutile	6270. 200	12/28/41
Seal oil	0816. 000	7/2/43
Sesame oil, edible and inedible	1426. 200	[9] 7/21/42
	2240. 000	[9] 7/21/42
Sunflower oil, edible and denatured	1421. 000	8/22/42
	2247. 000	8/22/42
Sunflower seed	2240. 600	[4] 8/22/42
Tantalum ore (tantalite)	6270. 400	4/8/43
Tucum oil	N. S. C.	8/21/42
Whale oil (other than sperm)	0803. 500	8/22/42
Zirconium ore	6270. 500	12/28/41

[1] Moved from List II 4/28/43.
[2] Moved from List III 1/18/43.
[3] Moved from List III 4/28/43.
[4] Moved from List II 8/14/43.
[5] Moved from List III 3/5/43.
[6] Moved from List II 10/6/42.
[7] Moved from List III 8/17/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II amended Sept. 14, 1944, effective Sept. 16, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/5/43
Antimony	6650. 000	8/19/44
	6651. 000	8/19/44
	6651. 100	8/19/44
	8380. 180	8/19/44
	8380. 210	8/19/44
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500. 010	1/13/42
	5500. 020	1/13/42
	5500. 090	1/13/42
	5500. 300	1/13/42
	5500. 500	1/13/42
	5501. 000	1/13/42
	5501. 100	1/13/42
	5501. 900	1/13/42
	5502. 100	1/13/42
Babassu nuts and kernels	2239. 120	4/8/42
	2239. 180	4/8/42
Babassu nut oil	2257. 100	4/8/42
Balsa wood:		
Logs	4028. 100	6/10/43
Sawed boards, planks, deals and sawed timber	4118. 000	6/10/43
Beryl ore or beryllium ore	6270. 600	8/4/42
Beryllium oxide, carbonate and other beryllium salts	8380. 063	8/4/42

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Bristles, hog and pig	0017. 000	[1] 3/14/42
	0979. 100	[1] 3/14/42
Brushes, n. s. p. f.:		
Paint brushes (including artists)	9715. 100	[1] 9/23/43
Other (except toilet brushes and hair pencils)	9715. 900	[1] 9/23/43
Castor oil	2200. 020	4/8/42
Cattle, ox, and calf tail hair including switches	3696. 100	7/2/42
Cedar, Spanish:		
Logs	4032. 000	[1] 4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	4205. 000	[1] 4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	[1] 4/28/43
Coconut oil	2242. 500	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/42
Coir yarn	3420. 000	[1] 11/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	[1] 11/23/42
Copper	6401. 800	12/28/41
	6417. 100	3/14/42
	6430. 000	3/14/42
	6418. 300	6/1/42
Copper and brass scrap	6401. 900	12/28/41
	6418. 100	7/2/42
	6453. 000	6/1/42
	6760. 020	6/1/42
Copra	2232. 000	1/13/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	5460. 000	5/22/42
Cotton yarns and fabrics:		
Airplane cloth, type MM	N. S. C.	8/21/42
Balloon fabric, type HH	N. S. C.	8/21/42
Balloon fabric, type SS	N. S. C.	8/21/42
Cotton rope for spinning mules	N. S. C.	11/23/42
Decating apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 58's and finer	N. S. C.	11/23/42
Filter cloth	N. S. C.	11/23/42
Grey tracing cloth fabric	N. S. C.	11/23/42
Lithograph moleskin cloth	N. S. C.	11/23/42
Printers molleton	N. S. C.	11/23/42
Tracing cloth	3970. 000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Cottonseed hull fiber	N. S. C.	7/21/42
Diamonds, rough or uncut (suitable for cutting into gem stones)	8980. 000	9/16/44
Diamonds, industrial (rough or uncut, not advanced in condition or value by cleaving, splitting, cutting, boring, or other process):		
Carbonado and ballas	8952. 100	9/16/44
Diamond dust	8952. 000	9/16/44
Bort (Glaziers' and engravers' diamonds, not set, and miners' diamonds, n. e. s., and other industrial diamonds)	8952. 700	9/16/44
Emetine and salts thereof	N. S. C.	[1] 8/5/43
Fir, other than Douglas fir:		
Logs	N. S. C.	4/28/43
Lumber, rough sawed boards, planks, deals, etc.	4104. 040	4/28/43
Lumber, dressed sawed boards, planks, deals, etc.	4104. 080	4/28/43
Glycerine, crude and refined	8290. 000	8/22/42
	8291. 100	8/22/42
Hair, curled	3696. 800	6/29/44
Hides and skins:		
Buffalo hides, dry and wet	0208. 000	1/13/42
	0208. 100	1/13/42
Buffalo hides (India water buffalo, for use in rawhide articles) dry and wet	0209. 000	9/16/44
	0209. 100	9/16/44
Cabretta skins or hair sheepskins	0235. 000	7/2/42
Calf, dry and wet	0207. 000	1/13/42
	0208. 000	1/13/42
Cattle hides, dry and wet	0201. 000	1/13/42
	0202. 000	1/13/42
Goat and kid skins, dry and wet	0241. 000	7/2/42
	0242. 000	7/2/42
Kip, dry and wet	0205. 000	1/13/42
	0206. 000	1/13/42
Horse mane and tail hair, raw and drawn, including switches	3694. 000	[1] 3/14/42
	3694. 100	[1] 3/14/42
Ipecac, crude and advanced in value or condition	2210. 450	[1] 1/18/43
	2220. 170	[1] 1/18/43
Iron and steel scrap, fit only for remanufacture	6004. 000	6/1/42
	6004. 100	6/1/42
Istle or tampico fiber, manufactured in whole or in part (dressed)	3410. 010	3/5/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Istle or tampico fiber manufactures (incl. all products in whole or in part of istle)	N. S. C.	11/23/42
Istle or tampico fiber, unmanufactured (including istle waste)	3405. 000	3/14/42
Jewels, for any movement, mechanism, device or instrument dutiable under paragraphs 367 and 368 of the Tariff Act of 1930, or any meter or compass (Jewel bearings)	9880. 000	1/12/44
Jute and manufacturers:		
Waste bagging and waste sugar sack cloth	3242. 000	6/10/43
Jute yarns or roving, single	3244. 000	6/10/43
	3244. 100	6/10/43
	3244. 200	6/10/43
	3244. 300	6/10/43
Jute cordage, twine and twist of 2 or more yarns twisted together, size of single yarn or roving:		
Not bleached, dyed or otherwise treated	3245. 200	6/10/43
	3245. 300	6/10/43
	3245. 400	6/10/43
	3245. 500	6/10/43
Bleached, dyed or otherwise treated	3245. 220	6/10/43
	3245. 320	6/10/43
	3245. 420	6/10/43
	3245. 520	6/10/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	3246. 000	6/10/43
	3246. 100	6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f.	3247. 000	6/10/43
	3247. 200	6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	3248. 000	6/10/43
Woven fabrics of jute for paddings or interlinings exceeding 30 threads in warp and filling to the square inch, weighing from 4½ to 12 ounces, inclusive, per square yard	3248. 100	6/10/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	3248. 200	6/10/43
Jute sliver	3250. 000	6/10/43
Jute webbing, not exceeding 12 inches in width	3250. 700	6/10/43
Jute manufactures, n. s. p. f.	3250. 900	6/10/43
Jute bags or sacks	3249. 000	4/2/43
	3249. 100	4/2/43
Jute butts, unmanufactured	3242. 000	10/6/42
Jute, unmanufactured	3241. 000	10/6/42
Kapok	3403. 000	7/2/42
Kyanite and sillimanite	5930. 950	12/28/41
Leather, unmanufactured:		
Chamois leather	0335. 350	[4] 7/2/42
	0335. 800	[4] 7/2/42
Rough tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0339. 000	[1] 7/2/42
	0339. 100	[1] 7/2/42
Sheep and lamb leather (including shearlings and cabrettas):		
Leather for shoe purposes	0332. 000	[4] 7/2/42
	0332. 100	[4] 7/2/42
Glove and garment leather	0335. 300	[4] 7/2/42
Leather, n. s. p. f. cut into shoe uppers, vamps, or other forms	N. S. C.	[4] 7/2/42
Patent leather for the manufacture of footwear	N. S. C.	[4] 7/2/42
Grained, embossed, etc., or fancy leather	0345. 400	[4] 7/2/42
Skivers, n. s. p. f.	0335. 200	[4] 7/2/42
In the rough, in the white, crust or russet, partly finished or finished	N. S. C.	[4] 7/2/42
Other (except glove and garment)	0332. 800	[4] 7/2/42
Leather products made in whole or in part of bovine, equine or goatskin leather:		
Aprons	N. S. C.	5/27/44
Belts, transmission	N. S. C.	5/27/44
Belts, designed to be worn on the person	N. S. C.	5/27/44
Chaps, work	N. S. C.	5/27/44
Flat leather goods	N. S. C.	5/27/44
Footwear (including slippers)	N. S. C.	5/27/44
Furniture	N. S. C.	5/27/44
Garments	N. S. C.	5/27/44
Gloves, work	N. S. C.	5/27/44
Handbags and purses	N. S. C.	5/27/44

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Leather products, etc.—Con.		
Harness	N. S. C.	5/27/44
Horse collars	N. S. C.	5/27/44
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	5/27/44
Laces and thongs	N. S. C.	5/27/44
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks and other luggage; and bongo, sankets, chests, baskets, rolls, brief cases, golf bags, and other cases):		
Made wholly or in part of bovine leather	N. S. C.	5/5/43
Made wholly or in part of equine leather	N. S. C.	5/27/44
Made wholly or in part of goatskin leather	N. S. C.	5/27/44
Rifle scabbards; rifle slings, pistol holsters, and pistol belts	N. S. C.	5/27/44
Saddles and saddlery	N. S. C.	5/27/44
Suspenders	N. S. C.	5/27/44
Loofa (Luffa) sponges	N. S. C.	6/21/43
Maguey or cantala, unmanufactured	3409. 200	1/13/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204. 100	7/21/43
Mahogany logs	4031. 000	7/2/43
Mahogany rough (not further manufactured than sawed)	4202. 100	7/21/43
Manila or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 3 or more yarns	3417. 095 3417. 195	6/28/43 6/28/43
Manila or abaca fiber (except T grade tow)	3402. 300	4/26/43
Manila or abaca tow (T grade only)	3402. 500	4/26/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C. N. S. C.	4/26/43 10/6/43
Meshta fiber		
Metallic beryllium, caesium, lithium, and potassium	6980. 570	5/5/43
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and fine dust)	6740. 190	6/1/43
Mica	6560. 810	3/14/42
	6560. 840	3/14/42
	6560. 860	3/14/42
	6560. 890	3/14/42
	6560. 910	3/14/42
	6560. 940	3/14/42
	6560. 960	3/14/42
	6560. 990	3/14/42
	6561. 000	3/14/42
	6561. 300	3/14/42
	6561. 400	3/14/42
	6561. 800	7/21/42
	6561. 600	3/14/43
	6561. 900	3/14/43
	6564. 000	3/14/43
	6564. 200	3/14/42
Milkweed	N. S. C.	1/13/43
Ouricury (uricury) nuts and kernels	2239. 610 2239. 620	5/22/43 5/22/43
Ouricury (uricury) oil, inedible and edible	2257. 800 2257. 520	5/22/43 5/22/43
Palm nut kernels	2236. 800	3/14/43
Palm kernel oil	2248. 000	3/14/43
Palm oil	2243. 000	1/13/43
Pine, other than Northern white or Norway pine:		
Logs	N. S. C.	4/26/43
Lumber, sawed boards, planks, deals, etc., rough and dressed	4107. 700	4/26/43
Prima Vera:		
Logs	4003. 400	[4]4/26/43
Lumber, rough, not further manufactured than sawed, and flooring	N. S. C.	[4]4/26/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	[4]4/26/43
Pulpwood, except chipped pulpwood	(4590. 000–4595. 000 inc.	1/13/44
Punga fiber	N. S. C.	2/5/43
Quebracho extract	2344. 000	[2]7/2/43
Quebracho wood	2205. 000	[2]7/2/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	5103. 000	3/5/43
Quinine alkaloid	5103. 200	3/5/43
Other salts and derivatives of quinine	5103. 300	3/5/43
Cinchonidine and its salts	5103. 400	3/5/43
Cinchonine and its salts	5103. 500	3/5/43
Quinidine and its salts	5103. 600	3/5/43
Totaquine and totaquine compounds	N. S. C.	3/5/43
Rapeseed oil, denatured and not denatured	2296. 000	5/29/43
	2253. 000	1/13/43
Shellac, unbleached and bleached	2107. 200 2103. 000	3/14/43 3/14/42
Silk:		
Cocoons	3703. 000	10/21/42
Partially manufactured silk, and silk noils exceeding 3 inches in length, not twisted or spun	3709. 000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3703. 000	10/21/43
	3704. 000	10/21/43
Silk waste	3703. 100	10/21/43
Wild silk or tussah		
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6819. 000	7/21/43
Bullion, refined	6819. 600	7/21/43
Coin, foreign	6819. 800	7/21/42
Sweepings and scrap, including silver sulphides	6819. 900	7/21/42
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/43
Sisal and henequen, unmanufactured (except flume tow and bagasse waste)	N. S. C.	1/13/43
Talc, steatite (magnesium silicate), containing not to exceed 1½% lime and 1½% ferric oxide:		
Crude and unground	N. S. C.	11/28/42
Tin:		
Tin-plate scrap	6740. 050	7/2/43
Tung oil (China wood oil)	2241. 000	1/13/43
Tungsten ore and concentrates	6223. 000	12/28/41
Urena lobata fiber	N. S. C.	10/6/42
Vanadium ore	6260. 000	12/28/41
Yucca fiber	N. S. C.	3/5/43
Zinc blocks, pigs or slabs	6550. 200	12/28/41

[1] Moved from List I 1/8/44.
[2] Moved from List I 3/30/44.
[3] Moved from List I 2/30/44.
[4] Moved from List III 5/17/44.
[5] Moved from List I 6/22/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST III

NOTE: List III amended Sept. 14, 1944, effective Sept. 16, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fiber, processors' mill waste (including sisal and henequen processors' mill waste)	N. S. C.	5/5/43
Agave flume tow and bagasse waste not elsewhere specified on this order	N. S. C.	5/5/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing date
Alewives and other pickled or salted fish, n. s. p. f.	(0073. 300–0073. 900 inc.	7/2/43
Alfalfa seed	2401. 000	7/2/43
Anchovies, canned, not in oil or in oil and other substances	0067. 000	7/2/43
Anchovies, in oil or in oil and other substances	0064. 200 0064. 300	1/18/43 1/18/43
Apples, dried, desiccated, or evaporated	1330. 010	6/28/43
Apricots, dried, desiccated, or evaporated	1330. 120	6/28/43
Argols, tartar and wine lees, and crude calcium tartrate	8329. 000 8330. 000 8380. 013	7/3/42 7/2/42 7/2/42
Balata, Coquiran: (crude and washed)	N. S. C.	5/27/44
Balata, Masarandubas	N. S. C.	2/5/43
Balata, Peruvian chicken-wire	N. S. C.	5/27/44
Balata, Peruvian F. A. Q., white	N. S. C.	2/5/43
Barley	1020. 000	6/20/44
Beans, dried, except lava beans	N. S. C.	7/2/43
Beef and veal, pickled or cured	0029. 000	7/2/43
Beef, canned, including corned beef	0028. 000	7/2/43
Beef, fresh, chilled or frozen	0015. 000	5/14/43
Blood, dried	8508. 000	7/2/42
Bone black, bone char, and blood char	0990. 130	7/2/42
Bones, crude	0911. 200	7/2/42
Bones, ground, ash, dust, meal and flour	0911. 800	7/2/42
Bran, shorts, and other wheat by-product feeds	1181. 000	7/2/43
Brazil or cream nuts	1354. 000 1357. 000	7/2/43 7/2/43
Butter	0044. 000	7/2/42
Buttermilk, dried	0041. 300	4/2/43
Cacao butter (cocoa butter)	1430. 000	7/2/43
Canary Seed	2452. 000	7/2/43
Casein or lactarene	0943. 000	7/2/43
Cassia buds, ungrounded	1339. 000	10/6/42
Cassia, cassia vera, unground	1852. 100	10/6/42
Cassia, cassia buds and cassia vera, ground	1489. 070	10/6/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8809. 100 (0045. 100–0046. 900 inc.	1/13/43 7/2/43
Cheese	1317. 100	6/28/43
Cherries dried, desiccated, evaporated		
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed	0020. 400	4/26/43
Live	N. S. C.	4/26/43
Prepared or preserved	N. S. C.	4/26/43
Chickpeas and garbanzos, dried	1200. 000	7/2/43
Chicle, crude and refined or advanced	3131. 000 3189. 200	7/2/42 7/2/42
China clay or Kaolin	8300. 000	8/21/43
Cinnamon and chips of, unground	1538. 000	10/6/42
Cinnamon and chips of, ground	1539. 080	10/6/42
Cocoa beans or cacao beans	1501. 300	7/2/42
Cocoa powder, unsweetened and sweetened	1502. 100 1502. 300	1/18/43 1/18/43
	1502. 900	1/18/43
Coconuts, in the shell	1351. 000	10/21/43
Coconut meat, shredded and desiccated or similarly prepared	1379. 000	10/21/43
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil, etc., and not in airtight containers, weighing, with contents, not over 15 lbs. each)	0069. 000 0069. 300 0069. 900	4/2/43 4/2/43 4/2/43
Coffee, raw or green, roasted or processed	1511. 000 1511. 100	7/2/42 7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2300. 120 N. S. C.	7/21/43 1/12/44
Congo gum copal	1031. 000	7/2/42
Corn		
Corn meal, flour, grits and similar products	1090. 180 1090. 180	6/20/44 7/2/43
Corn, cracked	1250. 230	5/27/44
Corned beef hash	2815. 000	10/25/43
Cornstarch	3006. 000	7/2/43
Cotton linters (all grades)	3001. 000	7/2/43
Cotton, raw (all staple length)	3003. 600 3003. 700 3003. 800	7/2/43 7/2/43 7/2/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Cotton waste	3006. 380 3006. 600	7/2/43 7/2/43
Cream, dried	0041. 300	4/2/43
Currants, dried	N. S. C.	6/28/43
Dates, dried	N. S. C.	6/28/43
Dog food	1190. 700 1190. 800	7/2/43 7/2/43
Egg albumen, dried	0094. 000	2/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0094. 000	2/5/43
Eggs (chicken) whole, in the shell	0093. 100	7/2/42
Eggs, dried	0090. 000	2/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091. 000	2/5/43
Eggs of poultry other than chicken, whole, in the shell	0093. 500	2/5/43
Egg yolks, dried	0092. 000	2/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0092. 000	2/5/43
Ergot	2210. 230	10/6/43
Fatty acids, not specifically provided for derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260. 220	5/22/43
Linseed oil	2260. 210	7/21/43
Soybean oil	2260. 280	7/21/43
Other, not elsewhere specified	2260. 340	7/21/43
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified	2260. 260	7/21/43
Feeds, mixed livestock and poultry	1190. 300	6/20/44
Figs, dried	N. S. C.	6/28/43
Fish scrap and fish meal	0076. 000 8509. 700	7/2/43 7/2/43
Fish-liver oil, n. s. s. a. (include halibut-liver oil)	2220. 260	1/13/44
Floor coverings:		
Pile mats and floor coverings of cocoa fiber (coir fiber)	3069. 100	10/21/43
Matting and articles of cocoa fiber (coir fiber) or rattan	3063. 000	10/21/43
Fruits, dried, not elsewhere specified on this order	N. S. C.	6/28/43
Ginger root, unground, not preserved or candied	1489. 100	10/6/43
Ginger root, ground, not preserved or candied	1489. 080	10/6/43
Glue stock, not elsewhere specified	0980. 600	5/5/43
Grapes, dried, other than raisins	1319. 800	6/28/43
Grapes, fresh (other than hothouse)	1318. 800	7/2/43
Guano	8404. 600	7/2/43
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	2/5/43
Herring, (including sprats, pilchards and anchovies) all types	(0070. 000–0070. 900 inc.	7/2/43
Hide cuttings, raw	0080. 800	7/2/43
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/13/44
Hides and skins:		
Horse, colt, and ass	0211. 100	7/2/43
	0211. 300	7/2/43
	0212. 100	7/2/43
	0213. 200	7/2/43
	0212. 200	7/2/43
	0212. 500	7/2/43
Shearlings, dry and wet (except close shorn skins with commercially worthless wool, ⅛ inch and down)	N. S. C.	7/2/43
Sheep and lamb skins, except shearlings, cabrettas, etc.		
Pickled skins, not split, no wool	0234. 000	7/2/43
Pickled fleshers, split, flesh side	0234. 100	7/2/43
Pickled skivers, split, grain side	0234. 200	7/2/43
Other wooled (wool on) except shearlings	0231. 800	7/2/43
Hydrogenated or hardened oils and fats, vegetable or animal	2266. 100	7/21/43
Iodine	8300. 000	7/2/43
	8380. 030	7/2/43
Iron ore	6001. 000	7/2/43
Lamb, fresh, chilled or frozen	0022. 000	5/14/43
Leche caspi (including crude sorva gum)	2170. 000	2/5/43
Lentils	1199. 000	7/2/43
Lignalos oil or Bois de Rose	2260. 270	7/2/43
Mace, unground	1540. 000	10/6/42
Mace, ground	1550. 000	10/6/42
Mace, Bombay or wild, unground	1549. 200	10/6/42
Mace, Bombay or wild, ground	1550. 100	10/6/42
Maté	2250. 670	7/2/43
Maté, Yerba, advanced in value or condition (Paraguay tea)	1770. 900	10/6/42
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0082. 900	10/21/42

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Meat extracts, including fluid	0096. 000	7/2/43
Milk, condensed and evaporated	0040. 000 0040. 100 0040. 700	7/2/42 7/2/43 7/2/43
Milk, skimmed, dried	0041. 100	4/2/43
Milk, whole, dried	0041. 000	4/2/43
Molasses and sugar sirup, edible and inedible	(1630. 490–1640. 000 inc.	7/2/43
Mora muru nuts and kernels	2239. 630	5/22/43
	2239. 640	5/22/43
Mutton, fresh, chilled or frozen	0021. 000	5/14/43
Nitrates, Sodium and Potassium	8506. 000 8527. 500	7/2/42 7/2/42
	8527. 900	7/2/42
Nitrogenous material, n. s. p. f. (including beef meal and horn meal)	8508. 800	1/18/43
Nutmegs, unground	1539. 000	10/6/43
Nutmegs, ground	1550. 110	10/6/43
Oats, hulled and unhulled	(1041. 000 (1041. 100	7/2/42 7/2/42
Offal, edible	0023. 600	7/2/42
Oil cake and oil cake meal:		
Coconut or copra	1111. 000	3/5/43
Soybean	1112. 000	3/5/43
Cottonseed	1114. 000	7/2/43
Linseed	1115. 000	3/5/43
Peanut	1119. 000	7/2/42
Hempseed	1119. 000	7/2/42
Other n. s. p. f.	1119. 000	7/2/42
Oleo stearin	0095. 900	7/2/42
Olive oil, inedible:		
Sulphurized or foots	2244. 000	9/23/43
Other	2245. 000	9/23/43
Onions, dehydrated	N. S. C.	4/26/43
Onions, edible	1208. 300	7/2/43
Paper base stock:		
Rags for paper stock	4601. 000	7/2/42
Waste bagging, gunny cloth and bags	4602. 000	7/2/42
Grasses, fibers, waste, shavings, clippings, etc., n. e. s.	4602. 900	7/2/42
Peaches, dried, desiccated, or evaporated	1330. 630	6/28/43
Peaches, green, ripe, or in brine	1330. 610	7/2/43
Pearl shells or mother-of-pearl shells, unmanufactured	0061. 000	5/5/43
Pears, dried, desiccated, or evaporated	1330. 670	6/28/43
Pears, green, ripe or in brine	1330. 660	7/2/42
Peas, dried and split	1197. 000	7/2/43
	1198. 000	7/2/43
	0895. 500	7/2/43
Pigeons, racing or fancy	N. S. C.	7/2/43
Pigeons, other	1563. 000	10/6/43
Pimento (allspice), unground	1550. 120	10/6/42
Pimento (allspice), ground		
Pimientos, packed in brine or oil, or prepared or preserved	1244. 000	5/5/43
Pork:		
Fresh or chilled	0020. 100	5/14/43
Frozen	0020. 500	5/14/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	0030. 900 0031. 900	7/2/42 7/2/42
Prunes, prunelles, and plums:		
Green or ripe, not in brine	1330. 510	6/28/43
In brine	1330. 550	6/28/43
Dried, desiccated, or evaporated	1330. 540	6/28/43
Otherwise prepared or preserved, n. s. p. f.	1330. 550	6/28/43
Raisins:		
Made from seedless grapes	1319. 100	6/28/43
Other	1319. 200	6/28/43
Ramie fiber or China grass, unmanufactured	3409. 000	9/23/43
Rice:		
Paddy	1051. 000	10/25/43
Uncleaned or brown rice	1051. 100	10/25/43
Cleaned or milled rice	1053. 000	10/25/43
Patna rice, cleaned, for use in canned soups	1054. 000	10/25/43
Rice meal, flour, polish and bran	1059. 106	10/25/43
Broken	1059. 300	7/2/43
Rye	1044. 000	7/2/43
Sardines, in oil or in oil and other substances	0063. 200	4/2/43
	0063. 300	4/2/43
Sausage casings, sheep, lamb and goat only	0084. 000	7/2/43
Sausage casings, other	0085. 800	7/2/42
Sesame seed	2234. 000	5/22/43
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0808. 730	1/13/44
Sisal and henequen flume tow and bagasse waste	N. S. C.	1/13/43
Soap (except Castile) and soapmaker	(8712. 300–8719. 900 inc.	7/2/42
Sugar, cane	1610. 780–1610. 000 inc.	7/2/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Syrups and extracts for use in the manufacture of beverages	N. S. C.	5/5/43
Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	(0975. 000–8509. 600	7/2/43
Tapioca, tapioca flour, and cassava (including mandoica flour)	1223. 000	7/2/42
Tartaric acid	8207. 000	6/20/44
Tea, not specially provided for	1521. 000	7/21/43
Textile waste, not elsewhere specified in the order, including jute thread and flax, etc. (except sisal and henequen processors' mill waste)	N. S. C.	7/2/42
Tucum nuts and kernels	(2239. 650–2239. 660	5/22/42
Tuna fish, in oil or in oil and other substances	0065. 200	4/2/43
Turkeys:		
Dead, fresh, chilled or frozen, dressed or undressed	0024. 000	4/26/43
Live	0014. 000	4/26/43
Prepared or preserved	N. S. C.	4/26/43
Veal, fresh, chilled or frozen	0019. 000	5/14/43
Wool, apparel, 40's or coarser	(3502. 000–3509. 300 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's on the skin	(3514. 000–3525. 000	7/2/43
Wool, apparel, finer than 44's[1]	3520. 000	7/2/42
	3521. 100	7/2/42
	3521. 200	7/2/42
	3521. 300	7/2/42
	3522. 000	7/2/42
	3523. 100	7/2/42
	3523. 200	7/2/42
	3523. 300	7/2/42
	3525. 000	7/2/42
	3527. 100	7/2/43
	3527. 200	7/2/42
	3527. 300	7/2/43
	3529. 000	7/2/42
	3529. 100	7/2/43
	3529. 200	7/2/42
	3529. 300	7/2/42
Wool apparel, (finer than 40's but not finer than 44's)[1]	3513. 000	7/2/43
	3514. 100	7/2/42
	3514. 200	7/2/42
	3514. 300	7/2/43
	3524. 000	7/2/43
	3525. 100	7/2/43
	3525. 200	7/2/42
	3525. 300	7/2/43
Wool, carpet	(3501. 000–3502. 300 inc.	7/2/43

[1] Moved from List II 9/23/43.
[2] Moved from List I 1/8/44.
[3] Moved from List I 3/30/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as

such term is used in the order: *Provided, however,* That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 8, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63. (Issued May 14, 1943.)

[F. R. Doc. 44-14206; Filed, Sept. 14, 1944; 10:55 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 4]

WAREHOUSE STOCK REPLACEMENT ORDERS OF COPPER WIRE MILL WAREHOUSES

The following direction is issued pursuant to CMP Regulation 4:

Copper wire mill "Warehouses", as defined in paragraph (e) (3) of CMP Regulation 4, are authorized to enter Warehouse Stock Replacement Orders for copper wire mill products with producers or other warehouse provided:

(1) Such orders are to replace copper wire mill products (equivalent number of pounds of copper content) previously delivered from warehouse stock, in accordance with CMP Regulation 4, and not previously ordered from any source.

(2) Each such order is marked "Warehouse Stock Replacement Order pursuant to the provisions of Direction 4 to CMP Regulation 4".

Form WPB-3009 delivery reports are no longer required in the absence of other specific instructions from the War Production Board. "Warehouse Replacement" authorization letter WPBI-1047 (CMPL-488), dated October 21, 1943, is hereby cancelled.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14208; Filed, Sept. 14, 1944; 10:54 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Priorities Reg. 25, Interpretation 1]

USE OF OTHER RATINGS AND ALLOTMENTS TO FILL A PRODUCTION SCHEDULE AUTHORIZED UNDER THIS REGULATION

The following interpretation is issued with respect to Priorities Regulation 25:

If a person has been authorized to produce a product pursuant to application on Form WPB-4000, he may not thereafter apply on any other form to obtain production materials required for such production, except that where he needs a material or product for which he must apply on a special form (such as WPB-1319) he may apply on that form and use the rating assigned pursuant to such application. With this exception, the only rating or allotment he is entitled to use to obtain production materials to fill a production schedule under Priorities Regulation 25 is the one assigned pursuant to his WPB-4000 application.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14209; Filed, Sept. 14, 1944; 10:55 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-379, Direction 1]

The following direction is issued pursuant to Conservation Order M-379:

1. Notwithstanding the provisions of paragraph (b) (2) of Conservation Order M-379, no manufacturer may cut or use any denim (2.20 yard or heavier on a 28" width basis), heretofore or hereafter acquired by him, except for incorporation into the following products:

Garments manufactured to fill orders of U. S. Army or Navy.

Men's bib overalls, sizes 30 and larger.

Men's waistband overalls or dungarees, sizes 28 and larger.

Men's overall jackets (lined and unlined), sizes 34 and larger.

2. No manufacturer may use any denim (2.20 yard or heavier on a 28" width basis) after October 1, 1944, unless he complies with the following:

Of the denim he uses in each calendar month for civilian work clothing, he must use not less than 70% for the production of men's bib overalls or men's overall jackets, and he may not use more than 30% for the production of men's waistband overalls or dungarees.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14210; Filed, Sept. 14, 1944; 10:55 a. m.]

Chapter XI—Office of Price Administration

PART 1346—BUILDING MATERIALS

[MPR 224, as Amended,[1] Amdt. 8]

CEMENT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 224 is amended in the following respects:

Paragraph (a) of § 1346.104 is amended to add immediately following subparagraph (1) (b) a new subdivision (c) to read as follows:

(c) The maximum price determined pursuant to the above pricing method may be increased by a manufacturer meeting the conditions set forth below by an amount not in excess of $0.20 per barrel when the following conditions are met:

The sale is made f. o. b. a mill located within the geographical area defined herein or

The sale is made on a delivered basis and the delivered destination point is within the geographical area defined herein.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 7306, 8650, 8944, 9496; 8 F.R. 8275; 9 F.R. 267, 540, 4089, 10424.

The geographical area referred to herein is defined to be the State of Arizona; that part of California south of and including the Counties of Santa Barbara, Kern, Inyo and Mono; and the Counties of Clark and Lincoln in the State of Nevada.

This Amendment No. 8 shall become effective October 14, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14237; Filed, Sept. 14, 1944; 11:55 a. m.]

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 18, Amdt. 7]

RAW CANE SUGARS

NOTE: A correction of the statement of considerations involved in the issuance of Amendment 7 to Revised Price Schedule 16 (9 F.R. 10706) was filed with the Division of the Federal Register on September 13, 1944, at 11:38 a. m., as Federal Register document number N.P. 44-11133.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 450,[1] Amdt. 5]

WRITING PAPER AND CERTAIN OTHER FINE PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 450 is amended in the following respects:

1. Appendix A (d) (1) is amended to read as follows:

(1) *Base prices.*

Grades	Maximum base prices per cwt. Zone 1	
	21 lb. and heavier	20 lb. and lighter[1]
Extra 100% rag wedding	$35.00	$35.00
100% rag wedding	30.00	30.00
75% rag wedding	25.00	25.50
50% rag wedding	20.00	22.25
25% rag wedding	16.00	17.75

Related grades include but are not limited to: Wedding bristols, pasted vellums and papeteries.

[1] The maximum base prices for 20 lb. and lighter shall not be used in establishing a maximum base price for any grade related to papeterie or wedding paper unless the maximum base weight of such grade was reduced to the same degree as papeteries and weddings by Revised Order L-120 issued by the War Production Board.

2. Appendix A (d) (2) (iv) is amended to read as follows:

(iv) *Secondary finishes.*

Plater plate	+$1.00 per cwt.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11522, 14278; 9 F.R. 5808, 6711, 9090.

On all sales of substance 16 lbs. or less an additional 50¢ per cwt. may be added to the maximum base price for substance 20 lbs. or lighter. This addition may be made for all secondary finishes, including plater plate.

3. Appendix B (d) (1) is amended to read as follows:

(1) *Base prices.*

Grades	Maximum base prices per cwt. Zone 1	
	21 lb. and heavier	20 lb. and lighter[1]
No. 1 papeterie or wedding	$11.80	$12.50
No. 2 papeterie or wedding	10.15	11.15
No. 3 papeterie or wedding	9.20	9.85

Related grades include but are not limited to: Pasted vellums, converting vellums, deckle-edge variations, and specialties in the same furnish category.

[1] The maximum base prices for 20 lb. and lighter shall not be used in establishing a maximum base price for any grade related to papeterie or wedding paper unless the maximum base weight of such grade was reduced to the same degree as papeteries and weddings by Revised Order L-120 issued by the War Production Board.

4. The first paragraph of Appendix B (d) (2) (iv) is amended to read as follows:

(iv) *Finishes.* All finish differentials below are additional charges per cwt. for secondary finishes in substance 21 lb. and heavier. On sales of substance 17 lb. to 20 lb., inclusive, 50c per cwt. may be added to the differentials listed in the following table. On sales of substance 16 lb. or less, $1.00 per cwt. may be added to the differentials listed in the following table.

This amendment shall become effective September 19, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14239; Filed, Sept. 14, 1944; 11:56 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 451,[1] Amdt. 4]

BOOK PAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 451 is amended in the following respect:

1. Appendix A (d) (4) (vi) *Lightweight differentials* is amended to read as follows:

(vi) *Offset paper.* The minimum base weight without extra charge for offset paper shall be 25 x 38—55 pounds—500 sheets. For lighter weights additional charges shall be made and computed on the 500 sheet basis as follows:

(a) Add 1½ % of the selling price for each pound or fraction thereof below 55 pounds down to and including 40 pounds.

(b) Add 2% of the selling price for each pound or fraction thereof below 40 pounds down to and including 35 pounds plus the additional charge for 40 pounds.

(c) Add 3% of the selling price for each pound or fraction thereof below 35 pounds down to and including 30 pounds plus the additional charge for 35 pounds.

Example. Assuming paper at $10.00 per cwt.

Basis 55 lbs.	$10.00 per cwt.
Basis 40 lbs.	$12.25 per cwt. ($10.00 per cwt. plus 22½ %—1½ % per lb. from 55 lb. to 40 lb. basis weight)
Basis 35 lbs.	$13.25 per cwt. ($10.00 per cwt. plus 32½ %—1½ % per lb. from 55 lb. to 40 lb. and 2% from 40 lb. to 35 lb. basis weight)
Basis 30 lbs.	$14.75 per cwt. ($10.00 per cwt. plus 47½ %—1½ % per lb. from 55 lb. to 40 lb. and 2% per lb. from 40 lb. to 35 lb., and 3% per lb. from 35 lb. to 30 lb. basis weight)

This amendment shall become effective September 19, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14240; Filed, Sept. 14, 1944; 11:57 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 33]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 53 is amended in the following respects:

1. Sections 19.2, 19.3 and 19.4 are redesignated sections 19.3, 19.4 and 19.5 respectively.

2. A new section 19.2 is added to read as follows:

SEC. 19.2 *Maximum prices for branch houses formerly pricing under § 1499.2 (b) of the GMPR.* The maximum price of a brand of margarine sold from a branch house which did not sell or offer for sale the brand of margarine during March 1942 shall be the sum of the supplying processor's ceiling price of that brand of margarine plus the lowest carload freight rate on a per pound basis from the processing plant customarily supplying the branch house, to the branch house. In no case shall a maximum price established under this section exceed the maximum price established by the branch house heretofore under § 1499.2 (b) of the General Maximum Price Regulation.

3. Section 19.4 redesignated as section 19.5 is amended to read as follows:

SEC. 19.5 *Definitions.* When used in this Article XIX:

(a) "Processor" means (1) the manufacturer or processor, (2) any predecessor in title of, or any corporation or

[1] 8 F.R. 11539; 9 F.R. 1532, 3030, 5063.

person that conveyed its assets, business, stock-in-trade, good will or trademarks to, the manufacturer or processor, or (3) any corporation, a majority of whose voting stock is owned or controlled by the manufacturer or processor or which owns or controls a majority of the voting stock of the manufacturer or processor.

(b) "Branch house" shall mean a branch house wholly owned by the processor or manufacturer or owned by a corporation, more than 50 percent of whose stock is owned or controlled by the processor or manufacturer.

(c) "Supplying processor's ceiling price" means the processor's f. o. b. plant ceiling price for the plant customarily supplying the branch house for which a ceiling is being established.

This amendment shall become effective September 22, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14234; Filed, Sept. 14, 1944; 11:57 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 247,[1] Amdt. 2]

DOMESTIC CANNED CRABMEAT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 247 is amended in the following respects:

1. Section 1364.252 (a) is amended to read as follows:

(a) The canner's maximum prices per dozen f. o. b. factory for each kind, grade, and container size of domestic crabmeat of the 1942 pack and subsequent packs shall be those set forth below:

(1) Blue crabmeat and sand crabmeat, fancy or white fancy, No. ½ flats, $4.00; No. 1 squats, $4.70.

(2) Blue crabmeat and sand crabmeat, brown claw fancy, No. ½ flats, $3.50; No. 1 squats, $4.10.

(3) Dungeness crabmeat, fancy, No. ½ flats, $4.00.

2. Section 1364.254 is amended to read as follows:

§ 1364.254 *Notification of change of maximum price.* With the first delivery after August 30, 1943, of any item of domestic canned crabmeat packed in No. ½ flats, and with the first delivery after September 18, 1944, of any item of domestic canned crabmeat packed in No. 1 squats, in any case where a maximum price is determined pursuant to this regulation, the canner determining his maximum price shall supply each wholesaler and retailer who purchases from him with the following notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 247. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see section 6 in each case). You must refigure your ceiling price on the first delivery of any item of domestic canned crabmeat packed in No. ½ flats on and after August 30, 1943 and any item of domestic canned crabmeat packed in No. 1 squats on and after September 19, 1944.

For a period of 90 days after August 30, 1943, in the case of domestic canned crabmeat packed in No. ½ flats, and for a period of 90 days after September 18, 1944, in the case of domestic canned crabmeat packed in No. 1 squats, and with the first shipment after the 90 day period to each person who has not made a purchase within that time, the canner shall include in each case or carton containing the item the written notice set forth before, or securely attach it to the outside thereof.

3. Section 1364.266 (a) (7) is amended to read as follows:

(7) "No. ½ flats" means ½ flat cans (307×201.25) or their permitted equivalent (300×210) packed to a net weight of not less than 6.5 ounces.

4. Section 1364.266 (a) is amended by adding a new sub-paragraph (8) to read as follows:

(8) "No. 1 squats" means cans (307×208) packed to a net weight of not less than 7.8 ounces or a drained weight of not less than 6.5 ounces.

This amendment shall become effective September 19, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14238; Filed, Sept. 14, 1944; 11:55 a. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 19A,[1] Amdt. 3]

LOG-RUN SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 19A is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Maximum prices.* The maximum prices for rough short-leaf Southern pine lumber sold for direct-mill shipment from "small mills" are: $32 per M'BM for boards, $29 for dimension and $28 for small timbers. This includes delivery for 30 miles or less. These prices apply to all sales where lumber produced by small mills reaches the purchaser without first being graded, dressed, inspected, tallied or otherwise made ready for shipment at a concentration yard or mill subject to 2d RMPR 19, in conformity with that regulation, or without becoming an integral part of the stock of a distribution yard as defined in 2d RMPR 215.

The maximum prices for lumber produced by sawmills in Virginia is $2.00 per M'BM higher than the prices above.

2. Section 4 is amended to read as follows:

SEC. 4. *Delivery.* If you make delivery over 30 miles, you can add 5 cents per M for each mile over 30 and up to 100 miles, with no addition for the return trip. For example, if you deliver 50 miles, you can add $1.00 per M. If you make delivery over 100 miles, you can add only the carload rail freight for the whole distance from the nearest rail loading-out point to destination.

If the buyer makes the pick-up at the sawmill, the regular log-run price must be reduced $2.50 per M.

This amendment shall become effective September 19, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with with the Federal Reports Act of 1942.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14235; Filed, Sept. 14, 1944; 11:57 a. m.]

PART 1382—HARDWOOD LUMBER

[MPR 155,[1] Amdt. 14]

CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 155 is amended in the following respects:

1. Section 1382.51 (a) is amended to read as follows:

§ 1382.51 *Maximum prices for Central hardwood lumber.* (a) On and after June 1, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver any Central hardwood lumber, where shipment originates at the mill rather than at a distribution yard, and no person shall buy or receive in the course of trade or business any Central hardwood lumber so shipped, at prices higher than the maximum prices set forth in Appendices A, B, C, D, E, and F hereof, incorporated herein as §§ 1382.61, 1382.62, 1382.63, 1382.64, 1382.65 and 1382.66, respectively; and no person subject to this Maximum Price Regulation No. 155 shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Maxi-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8653, 8948; 8 F.R. 11811.

[1] 9 F.R. 2923, 2947, 7852.

[1] 8 F.R. 13007, 14343, 15430, 16740, 17414; 9 F.R. 1454.

mum Price Regulation No. 156 shall not be applicable to retail sales as defined in paragraph (a) (10) of § 1382.58. Such retail sales shall be subject to the General Maximum Price Regulation. Further, the provisions of this Maximum Price Regulation No. 156 shall not be applicable to sales or deliveries of Central hardwood lumber to a purchaser, if prior to June 1, 1942, such lumber had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

2. Section 1382.51 (b) is hereby revoked.

3. Section 1382.59 is amended to read as follows:

§ 1382.50 *Applicability of General Maximum Price Regulation.* Any sale or delivery covered by Maximum Price Regulation 155 is not subject to the General Maximum Price Regulation.

This amendment shall become effective September 19, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14236; Filed, Sept. 14, 1944; 11:57 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 515,[1] Amdt. 2]

SOYBEANS, 1943 CROP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 515 is amended in the following respects:

1. Section 1 (a) (6) is added to read as follows:

(6) This regulation shall have no application to any purchase by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure, or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended; *Provided, however,* that the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases, upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

2. Section 10 is amended in the following respects:

a. The definition of the term "country shipper" is amended to read as follows:

"Country shipper" means, with respect to any lot of soybeans, a person who has received the soybeans from a producer or a trucker merchant, and who has placed them in country storage facilities, such as in an elevator or warehouse located at a country shipping point.

b. The following definitions are added to the regulation:

"Storage facilities" means an elevator, warehouse or other facility used for the storage of soybeans.

"Country storage facilities" means an elevator, warehouse or other facility used for the storage of soybeans, located at a country shipping point, the term being intended to designate storage facilities through which a country shipper makes his sale.

3. Section 11 (d) is amended to read as follows:

(d) *All other sales.* The maximum price for the sale of soybeans by any seller not specifically provided for in paragraphs (a) through (c) of this section, shall be the maximum price which the seller's supplier could lawfully have charged the seller, plus actual lawful transportation charges necessarily incurred by the seller in delivering to his purchaser, plus, to the extent permitted under subparagraph (1) of this paragraph, the appropriate one of the following markups:

If the seller owns or maintains storage facilities, except country storage facilities, and he unloads the lot into them, a maximum markup of 2½ cents per bushel; or

In all other cases, a maximum markup of 1 cent per bushel.

(1) The aggregate markup for all sales by all sellers whose maximum prices are established under this section shall not exceed the applicable maximum markup specified in this paragraph, and the markup which a subsequent seller may add on resale is reduced or eliminated, as the case may be, by the amount of the markups taken by prior sellers establishing a maximum price under this paragraph (d).

This amendment shall become effective September 19, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14241; Filed, Sept. 14, 1944; 11:55 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[Petroleum Directive 64, Revocation]

Section 1545.4 (Petroleum Directive 64) is hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 2687)

Issued this 14th day of September, 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-14192; Filed, Sept. 14, 1944; 10:44 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 7]

PART 4003—SUBSIDIES; SUPPORT PRICES

CUBAN AND PUERTO RICAN DIRECT-CONSUMPTION SUGAR

The War Food Administrator has, by letter dated September 8, 1944, recommended certain measures as being necessary to obtain the importation of additional supplies of direct-consumption sugar needed to meet military, lend-lease, and civilian requirements. These measures include reimbursement of importers for certain demurrage costs on ocean vessels, increasing importers' warehouse allowance, and the payment of certain excess transportation costs in connection with the release from purchase contracts of the Commodity Credit Corporation of additional raw sugar to be refined in Puerto Rico and Cuba for shipment to the United States. Pursuant to the authority vested in me as Economic Stabilization Director, I do hereby find that such measures are necessary to insure the maximum necessary production and distribution of direct-consumption sugar to meet military, lend-lease and civilian requirements and the War Food Administration is hereby authorized and directed to carry out through the Commodity Credit Corporation such measures as described in the War Food Administrator's letter and the memorandum enclosed therewith.

(E.O. 9250 and E.O. 9328, 3 CFR. Cum. Sup. pp. 1213, 1267)

Dated this 12th day of September 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-14177; Filed, Sept. 13, 1944; 1:42 p. m.]

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—REGULATIONS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

PAYMENTS TO INSTITUTIONS OF COLLEGIATE GRADE FOR EDUCATION OR TRAINING

Sec.
36.207 Authority of manager to pay institutions.
36.208 Definition of "ordinary school year".

AUTHORITY: §§ 36.207 and 36.208 issued under 58 Stat. 248.

§ 36.207 *Authority of manager to pay institutions.* When a veteran entitled to the benefits provided under Part VIII,

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2235, 2477.

Veterans Regulation Numbered 1 (a), as amended, elects his course of training and chooses the approved educational or training institution where he wishes to pursue his course of training and is accepted by and enrolled in a full-time or a part-time course in such approved institution, the manager of the regional office is authorized to pay to such institution for the veteran's tuition, laboratory, library, health, infirmary and other similar fees, and for books, supplies, equipment and other necessary expenses, exclusive of board, lodging, other living expenses and travel, as are generally required for the successful pursuit and completion of the course by other students in the institution.

(a) *Charges for tuition, laboratory, library, health, infirmary and other similar fees.* Pursuant to the authority contained in the Servicemen's Readjustment Act of 1944, the Administrator hereby determines that the charges established in accordance therewith, and pursuant to the limitations thereof, the following provisions are fair and reasonable for the purpose of enabling the institutions to give the services required by said act and are within the intent and authority of paragraph 8, section 400 (b), Title II, of said act.

(i) The charges for tuition, laboratory, library, health, infirmary and other similar fees customarily made by the approved institution for any student who pursues the particular course of training, except that the charge for the tuition fee of a full-time veteran trainee shall be not less than $10.00 per month ($30.00 per quarter or $40.00 per semester), provided that the proper official certifies to the manager of the regional office the charges customarily made to any student pursuing the particular course.

(ii) In the case of State and municipal colleges or universities the charges for tuition, laboratory, library, health, infirmary and other similar fees are determined for all veteran trainees as the charges customarily made to nonresident students which were in effect prior to June 22, 1944, except that the charge for the tuition fee of a full-time veteran trainee shall be not less than $10.00 per month ($30.00 per quarter or $40.00 per semester), provided that the charges are not in conflict with existing laws or other legal requirements.

(iii) Arrangements pursuant to (i) and (ii) do not require a formal contract with institutions and payments will be made at the end of each term, semester, or quarter prorated in the cases of veteran trainees who withdraw during the term on the same basis as for non-veteran students.

(b) *Charges for books, supplies, equipment and other necessary expenses.* The charges for books, supplies, equipment and other necessary expenses customarily incurred for or by any student who pursues the particular course of training shall be estimated and included in the statement required of the institution under the established procedure of the Veterans Administration. Payments will be made at the end of each term, semester, or quarter on submission of a voucher by the institution to the manager of the regional office certifying to the actual cost of such books, supplies, equipment and other expenses for each veteran and also certifying that the material has been delivered to the trainee and that the institution has evidence of such delivery and of such expenditures on hand and available for the inspection of the Veterans Administration.

(c) All provisions for payment stated in this section are subject to the provision of the law that such payments may not be paid in excess of $500 for an ordinary school year in respect to any person.

§ 36.208 *Definition of "ordinary school year."* The "ordinary school year" is defined as a period of two semesters or three quarters—not less than thirty nor more than thirty-eight weeks in total length. Under this definition an institution may be paid as much as $500 for each "ordinary school year" which is completed, regardless of the time required for such completion. Thus $500 might be paid for each of four "ordinary school years" which are completed within three twelve months periods. (September 11, 1944.)

[SEAL] FRANK T. HINES, *Administrator.*

[F. R. Doc. 44-14218; Filed, Sept. 14, 1944; 11:01 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 243]

COLUMBIA NATIONAL WILDLIFE REFUGE, WASHINGTON

ESTABLISHMENT OF WILDLIFE RESERVATION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Washington are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, but not the mineral leasing laws, and reserved and set apart for the use of the Department of the Interior as a refuge and breeding ground for migratory birds and other wildlife, the reservation to be known as the Columbia National Wildlife Refuge:

WILLAMETTE MERIDIAN

T. 15 N., R. 23 E.,
Sec. 2, lots 1 and 2, S½NE¼ and S½.
T. 16 N., R. 24 E.,
Sec. 22, SW¼, SW¼SE¼, and E½SE¼;
Sec. 24, N½, SE¼SW¼, SW¼SE¼, and E½SE¼;
Sec. 26, W½SW¼;
Sec. 28, SE¼NE¼, and S½NW¼;
Sec. 30, lot 2, S½NE¼, SE¼NW¼, and S½SE¼;
Sec. 32, S½S½;
Sec. 34, S½S½.
T. 16 N., R. 25 E.,
Sec. 18, lot 4, SE¼SW¼, and S½SE¼;
Sec. 20, N½ and SW¼;
Sec. 22, W½;
Sec. 24, NE¼ and N½S½;
Sec. 26, N½NW¼ and SW¼NW¼;
Sec. 28, N½N½;
Sec. 30, lots 1, 2, and 3, NE¼, E½NW¼, NE¼SW¼, and E½SE¼;
Sec. 32, S½S½;
Sec. 34, S½N½ and S½.
T. 16 N., R. 26 E.,
Sec. 18, SE¼SE¼;
Sec. 20, NE¼, SW¼SE¼, and E½SE¼;
Sec. 22, E½E½, NW¼NE¼, N½NW¼, and SW¼NW¼;
Sec. 26, SW¼NE¼, W½NW¼, and N½SE¼;
Sec. 28, N½N½;
Sec. 32, NW¼NE¼ and N½NW¼;
Sec. 34, S½NW¼.
T. 16 N., R. 27 E.,
Sec. 24, N½NE¼, SE¼NE¼, S½SW¼, SW¼SE¼, and E½SE¼;
Sec. 30, lot 4.
T. 16 N., R. 28 E.,
Sec. 18, lots 1 and 4, NE¼NW¼, SE¼SW¼, and S½SE¼;
Sec. 20, SW¼NE¼ and NW¼SE¼;
Sec. 30, lots 1, 2, and 3, N½NE¼, SW¼NE¼, E½NW¼, and NW¼SE¼;
Sec. 32, NE¼ and S½.

The areas described aggregate 7,425.03 acres.

The reservation made by this order shall be subject to Federal Power Project No. 510 of June 19, 1924, Power Site Classification No. 234, Washington No. 45, of July 8, 1929, and the withdrawal for the use of the War Department made by Public Land Order No. 164 of September 6, 1943, so far as they affect any of the above-described lands; and as to any of such lands which are included in the first form reclamation withdrawal made by the order of the First Assistant Secretary of the Interior, dated April 26, 1937, their inclusion in the wildlife refuge shall be subject to their use pursuant to the reclamation laws.

This order shall supersede, as to any of the lands affected thereby, the withdrawal for classifications and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended.

ABE FORTAS, *Acting Secretary of the Interior.*

SEPTEMBER 6, 1944.

[F. R. Doc. 44-14223; Filed, Sept. 14, 1944; 11:50 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

BOWDOIN NATIONAL WILDLIFE REFUGE, MONTANA

Under authority of section 10 of the Migratory Bird Conservation Act, of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of section 12.3 of the regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 22.96 *Bowdoin National Wildlife Refuge, Montana; fishing.* Until further notice rough or nongame fish only may be taken for commercial purposes in such waters of the Bowdoin National Wildlife Refuge, Montana, as may be designated in permits issued by the officer in charge, between the hours of 6 a. m. and 9 p. m. each day from December 1 to March 31, both dates inclusive, in accordance with the provisions of the regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940,[1] and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Montana.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Montana State Fish and Game Commission, if such license is required. This license and the Federal permit for fishing in the waters of the refuge must be carried on the person of the licensee while so fishing. The license and permit must be exhibited upon the request of any representative of the Montana State Fish and Game Commission or of the Fish and Wildlife Service.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing hereunder shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(d) *Reports.* Each permittee authorized to take fish on the refuge for commercial purposes, shall within 10 days after the expiration or termination of his permit submit to the officer in charge, or his representative, a report correctly stating the kinds of fish and the quantity of each kind taken.

(e) *Revocation of permits.* Any permit issued under this Order may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge and it is subject at all times to discretionary revocation by the Secretary of the Interior.

(f) *Firearms.* The carrying or being in possession of firearms of any description on the refuge is not permitted.

OSCAR L. CHAPMAN, *Assistant Secretary.*

SEPTEMBER 12, 1944.

[F. R. Doc. 44-14228; Filed, Sept. 14, 1944; 11:51 a. m.]

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

LAKE MASON NATIONAL WILDLIFE REFUGE, MONTANA

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), the following is hereby ordered:

Section 22.534 *Lake Mason National Wildlife Refuge, Montana; hunting* (7 F.R. 8066, 8 F.R. 9650) is amended by deleting paragraph (a) and inserting in lieu thereof the following:

(a) *Area open to hunting.* All of the lands of the refuge controlled by the United States within Townships 9 and 10 North, Ranges 23 and 24 East, except that portion of the lake lying in the N½NW¼, sec. 24; N½N½, sec 23; N½NE¼, sec. 22; SE¼, sec. 15; S½, sec. 14; and SW¼, sec. 13, all in T. 9 S., R. 24 E., Montana Principal Meridian, shall be open to hunting.

OSCAR L. CHAPMAN, *Assistant Secretary.*

SEPTEMBER 11, 1944.

[F. R. Doc. 44-14227; Filed, Sept. 14, 1944; 11:50 a. m.]

PART 24—WEST CENTRAL REGION NATIONAL WILDLIFE REFUGES

SQUAW CREEK NATIONAL WILDLIFE REFUGE, MISSOURI

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U. S. C. 715i), the following is hereby ordered:

Section 24.860 (8 F. R. 6550) *Squaw Creek National Wildlife Refuge, Missouri; fishing,* is amended by deleting the figures "30" and by inserting after the word "May" the figure "15".

Said § 24.860 is hereby further amended by adding a new paragraph at the end thereof to read as follows:

(g) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

OSCAR L. CHAPMAN, *Assistant Secretary.*

SEPTEMBER 12, 1944.

[F. R. Doc. 44-14229; Filed, Sept. 14, 1944; 11:50 a. m.]

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838, General Directions P-10 to P-14]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Pursuant to paragraph (n) of § 401.2 (Order No. 1838 of the Secretary of the Interior, as amended) (9 F.R. 7171, 9749), the Pilchard Order, because it is deemed necessary to accomplish the purposes of that order, the following general directions, numbered P-10 to P-14 inclusive, are hereby issued.

[General Direction P-10]

GENERAL PROVISIONS

(a) *Definitions.* In construing all general directions, specific directions, instructions, delegations of authority, and other administrative instruments and statements based upon the Pilchard Order, the definitions in paragraph (b) of the order are applicable except where the context clearly indicates otherwise. Any general direction which may be issued adding or regrouping ports pursuant to paragraph (c) (4) of the Pilchard Order shall thereafter control the interpretation of all such directions, instruments, and statements, except where the contrary is clearly indicated by the context.

(b) *Effective date.* Except where a contrary provision is expressed, all general directions shall become effective on the date of issue. The general directions numbered P-10 to P-14 inclusive now being issued, however, shall become effective at noon on Sunday, September 17, 1944.

(c) *Suspension of directions between seasons.* Except where expressly provided otherwise, all general directions shall be suspended, for the several ports in California, during the period between pilchard (sardine) seasons as defined for those ports respectively in section 1065 of the California Fish and Game Code. However, any person may be held responsible after such suspension, for acts occurring during the pilchard (sardine) season. Suspension of all general directions does not affect the necessity for securing fishing permits, as required by paragraph (e) of the Pilchard Order for all operations in any gainful pursuit during the whole year.

(d) *Revocation of former general directions.* The only general directions heretofore issued, those numbered 1 to 8 inclusive, are superseded by these general directions now being issued, and are hereby revoked.

[General Direction P-11]

DISPATCHING SYSTEMS, SAN FRANCISCO AND MONTEREY

(a) *Systems established.* Pursuant to paragraph (i) (1) of the Pilchard Order, and because in the opinion of the representative of the Fishery Coordinator, it is necessary to do so for the reasons set out in that paragraph, systems are hereby set up in San Francisco and Monterey for distributing pilchard landings by direction of each load brought in to those ports in any pilchard vessel of 20 net tons or over. No load of pilchard (sardines) shall be delivered by any such vessel to any processing plant in either of those ports, nor received from any such vessel by any person for such plant, except in accordance with a dispatching direction or other consent of the Port Supervisor or his Assistant. At San Francisco, the Port Supervisor or his Assistant will be stationed adjacent to the St. Francis Yacht Club Harbor; at

[1] 5 F.R. 5284.

Monterey the Port Supervisor or his Assistant, will be stationed at the United States Naval Section Base, Monterey Breakwater.

(b) *Directions to vessels.* The master of each such pilchard vessel entering San Francisco Bay to deliver pilchard (sardines) shall report at once to the Port Supervisor or his Assistant at the waterfront, giving as near as may be his estimate of the weight of his load; he shall then receive directions as to the delivery of the load. The same procedure shall be followed on entering Monterey Bay, except that the report to the Port Supervisor at the waterfront shall include also a statement of his opinion as to the condition and size of the fish, and except for Moss Landing deliveries which are provided for in the following paragraph.

(c) *Moss Landing deliveries.* Any permittee operating such pilchard vessel fishing from Monterey and receiving directions from the Port Supervisor or Assistant Port Supervisor at Monterey to deliver all pilchard brought in during a specified period at Moss Landing, shall deliver his fish in accordance with such direction, except as provided in the last sentence of this paragraph. Any vessel making delivery of pilchard (sardines) at Moss Landing shall report to and receive delivery direction from the Assistant Port Supervisor on the waterfront at Moss Landing, such report to include the weight of his load and the condition and size of the fish as set out in the preceding paragraph for other vessels entering Monterey Bay. Any permittee operating such pilchard vessel and arriving at Moss Landing to make delivery there, whether pursuant to directions received before going out fishing from the Port Supervisor or Assistant Port Supervisor at Monterey or pursuant to an emergency modification of his permit, and who finds on arrival at Moss Landing that the conditions of sea, tide or weather make such delivery unduly hazardous, may report to the Port Supervisor or his Assistant at Monterey and receive substitute directions for delivery of his load.

(d) *Prompt delivery.* When directions have been given pursuant to the foregoing paragraphs (a), (b), or (c), the master shall deliver his load at once in accordance with the direction. If an emergency exists preventing prompt delivery, the master shall apply to the Port Supervisor or his Assistant for modification of the direction given.

(e) *Operations of smaller vessels.* Vessels of less than 20 net tons are not subject to control by the dispatching systems set up above; but the Port Supervisor and his Assistant will help the operator of such a vessel to find a market for any fish he brings in if they are large fish and in good condition. In the port of San Francisco, no person shall take any delivery of pilchard (sardines) from any such smaller vessel for processing, until after the Port Supervisor or his Assistant shall first have been informed, as by telephone from the processing plant, and shall have consented to such delivery. Any deliveries received from such vessels in either port shall be reported to the Port Supervisor just as are those received from larger vessels.

[General Direction P–12]

DISPATCHING SYSTEM, SAN PEDRO

(a) *System established.* Pursuant to paragraph (i) (1) of the Pilchard Order, and because in the opinion of the representative of the Fishery Coordinator, it is necessary to do so for the reasons set out in that paragraph, a system is hereby set up in San Pedro for distributing pilchard landings by direction of each load brought in to that port. No load of pilchard (sardines) shall be delivered by any vessel to any processing plant in that port, nor received by any person for such plant, except in accordance with a dispatching direction or other consent of the Port Supervisor or his Assistant.

(b) *Advance dispatch.* The Port Supervisor in San Pedro will receive joint applications, signed by the boat-owner and the processor concerned, to have a particular boat dispatched to a specified plant for a period of time in advance, and will act appropriately on all such applications; but any advance dispatch shall be subject to be modified by a direction, oral or otherwise, given pursuant to the preceding paragraph (a) whenever reasonably necessary in the opinion of the Port Supervisor or his Assistant to attain the objectives of the Pilchard Order.

(c) *Cancellation and replacement of advance dispatch.* Any advance dispatch issued pursuant to the preceding paragraph (b), is also subject to cancellation or modification by the issuance of another advance dispatch whenever reasonably necessary in the opinion of the Port Supervisor or his Assistant to attain the objectives of the Pilchard Order.

(d) *Prompt delivery.* All pilchard (sardines) shall be delivered in accordance with whatever direction dispatching the fish shall be applicable, as soon as is reasonably possible after arrival in port. If an emergency exists preventing prompt delivery, the master shall apply to the Port Supervisor or his Assistant for modification of the direction given.

[General Direction No. P–13]

SMALL FISH LIMITS, MONTEREY

(a) *Limit fixed; margin of error.* The maximum load of small pilchard (sardines) which may be brought into a port where this direction applies, in any one vessel, is fixed at 30 tons, and no person shall bring into the port a load of small pilchard (sardines) aggregating more than 30 tons in weight: *Provided, however,* That where there has been a bona fide mistake in estimating the weight of the load a five ton margin of error shall be allowed, so that if any person bringing in a load of small pilchard (sardines) has aimed to limit his load to 30 tons but unknowingly, by mistake, brings in not over 35 tons, he shall not be deemed to have violated this direction.

(b) *Receipt of over-size load.* No person shall take delivery of any part of a load of small pilchard (sardines) in excess of 35 tons except pursuant to a direction expressly applicable to such excess tonnage given by the Port Supervisor or his Assistant with full knowledge of the facts; and where a load of pilchard (sardines) which it appears may violate this direction is being delivered, in order to enable the person receiving delivery to secure such a direction and clear himself of the danger of liability for violating it, the person making delivery shall stop unloading for a reasonable time on a signal from the person receiving delivery, when 30 or more tons have been delivered.

(c) *Limit on number of loads.* No person shall bring in more than one load of small pilchard (sardines) in any one vessel during one twelve hour period.

(d) *Definition.* The phrase "load of small pilchard" as used herein shall be taken to have the same meaning heretofore customarily given by the pilchard fishery and processing industry generally in the port concerned to that phrase, or to the phrase "load of small fish" or "load of small sardines", with the further limitations expressly set out above.

(e) *Application.* This direction shall apply only to the port of Monterey, including Moss Landing.

[General Direction P–14]

LIMITATION OF DELIVERIES

(a) *Setting limitations.* Whenever pilchard (sardines) are being brought in to any port in such quantities that in the opinion of the Area Coordinator for Area II, they are being unloaded only after unreasonable delay and resulting substantial loss of fishing time by some of the vessels or are being processed only after unreasonable delay and resulting substantial loss of food value from the product so that in his opinion it is reasonably necessary to accomplish the purposes of the Pilchard Order, the Port Supervisor, pursuant to instructions to be given by the Area Coordinator, shall limit the amount of pilchard (sardines) which each vessel may thereafter bring into such port daily. The limits shall be set by the Port Supervisor for each day at an amount which, in his opinion, will provide the maximum tonnage which will be unloaded and processed properly and without unreasonable delay on that day by the processing equipment and labor then available in that port. The limits shall be changed from day to day as deemed necessary by the Port Supervisor but except as otherwise provided herein shall be the same for all vessels on the same day.

(b) *Notice of limits.* Notice of the fixing of limits, and of the maximum tonnage limits set for each day, shall be given by posting a statement thereof at least two and one half hours before sunset on the preceding day at the office of the Port Supervisor. If a notice is so posted, ignorance thereof by any person shall not excuse any violation of this

direction. If any person interested does not secure information elsewhere as to the limit so fixed for a certain day, he shall secure it by telephone or other communication with the office of the Port Supervisor, before departing on the preceding day for fishing. But if any vessel remains out of port for two or more successive nights, and for that reason fails to learn of the limit for the day on which it delivers fish, its delivery of fish up to the limit set on the day it left port shall not be considered a violation of this direction.

(c) *Exceptions for specific vessels.* Whenever it shall have been determined by the Area Coordinator for Area II that the catch of any vessel or group of vessels has been materially lowered by reason of their previously operating under permits amended pursuant to paragraph (f) (3) of the Pilchard Order, the Port Supervisor may set a higher limit for such vessels than for the remainder of the fleet. Whenever a permit has been issued subject to the condition expressed in the permit or in a letter to the permittee accompanying the permit when issued, such condition specifying that it might be necessary to limit the catches of the vessel because the permit is being granted at the request of the permittee for a port which is already well supplied with vessels for the season, the Port Supervisor may set a lower limit for such a vessel than for the remainder of the fleet; moreover the procedure described herein may be used to set limits applicable to such a vessel, when deemed necessary as set out in paragraph (a) above, even though it is not deemed necessary to fix limits for other vessels in the port.

(d) *Violations.* No person shall knowingly bring into such port a load of pilchard (sardines) in excess of the applicable limits so fixed: *Provided, however,* That where there has been a bona fide mistake in estimating the weight of the load, a five-ton margin of error shall be allowed so that if any person bringing in a load of pilchard (sardines) has aimed to keep his load within the applicable limit so fixed, but by mistake brings in not more than five tons in excess of that limit, he shall not be deemed to have violated this direction. In addition the Port Supervisor may, in his discretion, delay dispatching any vessel bringing in such a load, for delivery of its load, or may cancel any dispatching direction already given for such load, or as to any part thereof, until all other pilchard deliveries in the port for that day are completed. He may also, in his discretion, set limits for the vessel for following days below those for other vessels in the port; the lowered limits may be such as to reduce actual deliveries by such vessel to an aggregate amount equal to or less than the aggregate tonnage it would have delivered if it had complied with this direction. No person shall take delivery of any part of a load of pilchard (sardines) in excess of five tons over the applicable limit for the load in question except pursuant to a direction expressly applicable to such excess tonnage given to the Port Supervisor or his Assistant with full knowledge of the facts.

(a) *Representative of Area Coordinator, termination of limits.* Any of the Area Coordinator's functions under this direction, in his absence or inability to act, may be performed by his representative. Limitation of pilchard catches as set out herein is a temporary expedient and shall be terminated by the Port Supervisor as soon as possible when by reason of amending permits or other change of circumstances it is in his opinion no longer necessary.

Issued September 9, 1944, to become effective September 17, 1944.

O. E. SETTE,
Area Coordinator, Area II.

[F. R. Doc. 44-14230; Filed, Sept. 14, 1944; 11:51 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

COLUMBIA BASIN PROJECT, WASH.

REVOCATION OF FIRST FORM WITHDRAWAL

JULY 1, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Columbia Basin Project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of March 22, 1934 and April 15, 1943, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided,* That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

COLUMBIA BASIN PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 28 N., R. 34 E.,
Sec. 28, Lot 8;
Sec. 29, Lots 1 to 4 inclusive;
Sec. 32, Lots 1 to 12, inclusive;
Sec. 33, Lots 1, 2, 3, 9, 10, 13, 14, 16.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: August 16, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Columbia Basin project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary.

AUGUST 23, 1944.

[F. R. Doc. 44-14224; Filed, Sept. 14, 1944; 11:49 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the Regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Empire Carton Company, 119 East Washington Street, McAdoo, Pennsylvania; converted paper products; 3 learners (T); turner in for a learning period of 160 hours at 35 cents per hour; staying machine operator, stripper and wrapper for a learning period of 240 hours at 35 cents per hour; effective September 11, 1944, expiring February 10, 1945.

Queen Glass Company, LaVale Street, Cumberland, Maryland; glass; 2 learners (T); glass cutting for a learning period of 520 hours at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 200

hours; effective September 11, 1944, expiring February 10, 1945.

Signed at New York, New York this 12th day of September 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-14183; Filed, Sept. 13, 1944; 4:47 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940, (5 F.R. 3501), as amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942, (7 F.R. 4724), as amended by Administrative Order March 13, 1943, (8 F.R. 3079), and Administrative Order, June 7, 1943, (8 F.R. 7890)

Artificial Flowers and Feathers Learners Regulations, October 24, 1940, (5 F.R. 4203)

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940, (5 F.R. 3748) and as further amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Hosiery Learner Regulations, September 4, 1940, (5 F.R. 3530), as amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Independent Telephone Learner Regulations, July 17, 1944, (9 F.R. 7125)

Knitted Wear Learner Regulations, October 10, 1940, (5 F.R. 3962), as amended by Administrative Order, March 13, 1943, (8 F.R. 3079)

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940, (5 F.R. 3392, 3393)

Textile Learner Regulations, May 16, 1941, (6 F.R. 2446) as amended by Administrative Order March 13, 1943, (8 F.R. 3079)

Woolen Learner Regulations, October 30, 1940, (5 F.R. 4302)

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941, (6 F.R. 3753)

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Rahom Company, 44-56 South Broad Mt. Avenue, Frackville, Pennsylvania; ladies' and men's lounging robes; 4 learners (T); effective September 9, 1944, expiring September 8, 1945.

S & B Manufacturing Company, Brantley, Alabama; work pants; 10 percent (T); effective September 1?, 1944, expiring September 10, 1945.

Weil-Kalter Manufacturing Company, 4th and Cherry Streets, Troy, Missouri; woven underwear; 10 percent (T); effective September 8, 1944, expiring September 7, 1945.

TELEPHONE INDUSTRY

Fowler Telephone Company, 713 Main Street, Pella, Iowa; to employ learners as commercial switchboard operators at its Pella exchange, located at 713 Main Street, Pella, Iowa; effective September 13, 1944, expiring September 12, 1945.

Gulf States Telephone Company, Hamilton, Texas; to employ learners as commercial switchboard operators at its Hamilton exchange, located at Hamilton, Texas; effective September 16, 1944, expiring September 15, 1945.

Lexington Telephone Company, Lexington, Virginia; to employ learners as commercial switchboard operators at its Lexington exchange, located at Lexington, Virginia; effective September 6, 1944, expiring September 5, 1945.

International Telephone Company, International Falls, Minnesota; to employ learners as commercial switchboard operators at its International Falls exchange, located at International Falls, Minnesota; effective September 8, 1944, expiring September 7, 1945.

Lexington Telephone Company, Buena Vista, Virginia; to employ learners as commercial switchboard operators at its Buena Vista exchange, located at Buena Vista, Virginia; effective September 6, 1944, expiring September 5, 1945.

The McKrae Telephone Co.; Inc., 5 South 5th Street, Burlington, Kansas; to employ learners as commercial switchboard operators at its Burlington exchange, located at 5 South 5th Street, Burlington, Kansas; effective September 13, 1944, expiring September 12, 1945.

The McKrae Telephone Company, Inc., 315 N. 6th Street, Predonia, Kansas; to employ learners as commercial switchboard operators at its Predonia exchange, located at 315 N. 6th St., Predonia, Kansas; effective September 13, 1944, expiring September 12, 1945.

Sac County Mutual Telephone Company, Odebolt, Iowa; to employ learners as commercial switchboard operators at its Odebolt exchange, located at Odebolt, Iowa; effective September 11, 1944, expiring September 10, 1945.

HOSIERY INDUSTRY

Fort Payne Hosiery Mills, Inc., Fort Payne, Alabama; seamless hosiery; 5 percent (T); effective September 9, 1944, expiring September 8, 1945.

TEXTILE INDUSTRY

Cleveland Silk Mills, Cleveland, Tennessee; rayon; 14 learners (AT); effective September 11, 1944, expiring March 10, 1945.

CIGAR INDUSTRY

Florida Cigar Company, P. O. Box 61, Quincy, Florida; cigars; 10 percent (E); hand cigar rolling for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; effective September 9, 1944, expiring December 20, 1944.

Signed at New York, New York, this 12th day of September, 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-14184; Filed, Sept. 13, 1944; 4:48 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 498]

RECONSIGNMENT OF MELONS AT PITTSBURGH, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Pittsburgh, Pennsylvania, September 9, 1944, by O'Donnell, Inc., Fruit Company, of car MDT 23554, melons, now on the Pennsylvania Railroad, to J. C. Moritz, Philadelphia, Pennsylvania. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14211; Filed, Sept. 14, 1944; 10:58 a. m.]

[S. O. 70-A, Special Permit 499]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 9, 1944, by Bacon Brothers of car PFE 34479, potatoes, now on the Wood Street Terminal, to Independent Potato Exchange, Peoria, Illinois. (R. I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14212; Filed, Sept. 14, 1944; 10:58 a. m.]

[S. O. 70-A, Special Permit 500]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 11, 1944, by R. A. Klotz & Company, of car ART 21999, potatoes, now on the Wood Street Terminal (C&NW), to Atlantic Commission Company, Louisville, Kentucky. (Penna).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14213; Filed, Sept. 14, 1944; 10:58 a. m.]

[S. O. 70-A, Special Permit 501]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 11, 1944, by Bacon Brothers, of car ART 20633, potatoes, now on the Wood Street Terminal (C&NW) to F. M. Johnson Company, Bellefontaine, Ohio. (Big 4).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 11th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14214; Filed, Sept. 14, 1944; 10:58 a. m.]

[S. O. 200, Special Permit 162]

REICING OF PFE CAR AT NORTH PLATTE, NEBR.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at North Platte, Nebraska, PFE 75805, from Filer, Idaho, September 7, to Sioux Falls, South Dakota, routed UP-Fremont-CBQ-GN, consigned to Nash Finch Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14215; Filed, Sept. 14, 1944; 10:58 a. m.]

[Rev. S. O. 229, Special Permit 1]

LOADING OF COAL AT PHOENIX COAL CO.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph of Revised Service Order No. 229 of September 9, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 229 insofar as it applies to the placing of 15 cars for loading with coal at the mine of the Phoenix Coal Company.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14216; Filed, Sept. 14, 1944; 10:58 a. m.]

NATIONAL WAR LABOR BOARD.

INDUSTRY COMMISSIONS AND PANELS

AMENDMENTS AFFECTING TRUCKING COMMISSION, DETROIT BOARD AUTOMOTIVE SECTION, AND NATIONAL AIRFRAME PANEL

The National War Labor Board has issued the following amendments and supplements to certain directives and related orders with regard to industry commissions and panels which appeared in the FEDERAL REGISTER, March 23, 1944.

[Directive Order, June 8, 1944]

Order Amending Order Establishing Trucking Commission

By virtue of and pursuant to the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive orders and regulations issued under the act of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby amends paragraph 2 of its directive order of July 30, 1943,[1] defining the jurisdiction of the Commission, to read as follows:

2. The Commission shall have jurisdiction over labor disputes and voluntary wage or salary adjustments involving persons employed in the following types of trucking operations: over-the-road (common, contract or private carrier) local pick-up and delivery; transfer and storage. The Commission shall have jurisdiction over labor disputes and voluntary wage or salary adjustments involving trucking employees as defined in paragraph 3 of this order which arise in the District of Columbia. The Commission shall have power (1) to hear and determine and to issue directive orders in labor dispute cases and (2) to make final rulings on voluntary wage or salary adjustments submitted for the approval of the National War Labor Board in accordance with the National Wage Stabilization policy.

[1] 9 F.R. 3171.

[Resolution, August 15, 1944]

Resolution Restating Jurisdiction of the Automotive Section of the Detroit Board (Region XI)[1]

Resolved, That the jurisdiction of the Automotive Section of the Eleventh Regional War Labor Board shall extend to all voluntary wage and disputes cases involving any of the plants of the corporations listed below in whatever region they may be located and regardless of the union involved, except such cases as the Board may determine to process itself or by vote of the Board may refer to some other of its subordinate agencies:

General Motors Corporation.
Ford Motor Company.
Chrysler Corporation.
Briggs Manufacturing Company.
Packard Motor Car Company.
Hudson Motor Car Company.
Murray Corporation.
United Motor Service, Inc.
Chrysler Motor Parts Corp.
General Motors Truck and Coach Division (formerly Yellow Coach & Truck Mfg. Co.).

Be it further Resolved, That the Automotive Section is instructed to make arrangements to hear cases which are essentially of local interest only at or near the places in which these cases arise, thus avoiding the necessity of having the parties come to Detroit for hearings. To this end, it may utilize not only its own hearing officers but may request the appropriate Regional Board to designate a hearing officer from its staff or to appoint a panel to conduct the hearing and make a report on the facts to the Automotive Section.

Be it further Resolved, That the Automotive Section is instructed to continue its present practice of consulting with the appropriate Regional Board in cases assigned to it which involve changes in wage rates which may be disturbing to the existing area rates and will give due weight to the regional bracket determinations in deciding such cases.

[Resolution, July 21, 1944]

Resolution Revising Paragraph II (a), III (a), IV and VII of the Rules of Organization and Procedure of the National Airframe Panel[2]

II. *Jurisdiction*—(a) *In general.* Except as otherwise specified herein, the jurisdiction of the Panel shall include (1) all dispute and voluntary cases involving airframe companies whose names appear on the list to be approved by the Board from time to time (hereafter called the "Listed companies"), or (2) such other cases as may be referred to the Panel by the Board. The Panel, unless the Board otherwise directs, shall have jurisdiction of all issues in such cases. The names of the listed companies shall be made available to the New Case Committee of the Board, to the Regional War Labor Boards and other agents of the Board, and to all interested parties.

III. *Referral of Cases to Panel*—(a) *By new Case Committee of the Board.* Any dispute case involving "listed companies" shall be referred to the Panel by the New Case Committee of the Board.

IV. *Retention of cases by the Panel.* Upon receipt of any case, dispute or voluntary, the Panel shall determine whether the case falls within its jurisdiction as defined in paragraph II (a) above. If the Panel determines that the case does not fall within its jurisdiction, or that the case is one which would be handled by a Board agent, the Panel shall return the case, according to its source to the New Case Committee of the Board or to the Regional Board or other agent of the Board for appropriate action. If in any case the decision of the Panel with respect to its jurisdiction is not unanimous, the case shall, upon the request of a dissenting member, be referred to the Board for determination of the jurisdictional question. Such question shall be presented to the Board by the Chairman of the Panel.

VII. *Monthly reports.* The Chairman of the Panel shall present in writing to the Board monthly reports which shall contain, with respect to each case retained by it during the period covered by the report, information as to the wage or salary issues involved therein, including the size and nature of the wage or salary adjustments requested, the number of workers affected by such proposed adjustments, price relief and production cost data, and any other information pertaining to specific cases which the Panel deems it necessary to supply.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-14087; Filed, Sept. 12, 1944; 11:51 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4101]

FANNIE MOSS

In re: Estate of Fannie Moss, also known as Fannie K. Moss and Fannie Kraus Moss, deceased; File No. D-28-3452; E. T. sec. 5510.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Josephine Reinisch, Gustav Springer, Josephine Hoferik, Rose Zimann, Karl Kerner, Ottilie Schwartzbard and Herminie Kohn, and each of them, in and to the Estate of Fannie Moss, also known as Fannie K. Moss and Fannie Kraus Moss, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Josephine Reinisch, Czecho-Slovakia.
Gustav Springer, Germany.
Josephine Hoferik, Germany.
Rose Zimann, Germany.
Karl Kerner, Germany.
Ottilie Schwartzbard, Germany.
Herminie Kohn, Germany.

That such property is in the process of administration by Emily R. Welsberg, as administratrix of the Estate of Adele Recht, deceased, as administratrix of the Estate of Fannie Moss, also known as Fannie K. Moss and Fannie Kraus Moss, deceased, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

Determining that Josephine Reinisch, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Czecho-Slovakia, is a national of a designated enemy country, Germany;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate acount or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14183; Filed, Sept. 14, 1944; 10:38 a. m.]

[Vesting Order 4102]

LOUISE FRIEDERICKA PINGEL

In re: Estate of Louise Friedericka Pingel, deceased; File D-28-8491; E. T. sec. 9970.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Emma Bacher, Gottfried Bacher, Mina Bacher and Richard Bacher, and each of them, in and to the Estate of Louise Friedericka Pingel, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Bacher, Germany.
Gottfried Bacher, Germany.
Mina Bacher, Germany.
Richard Bacher, Germany.

That such property is in the process of administration by Eugene E. Marsh, as Administrator of the Estate of Louise Friedericka Pingel, acting under the judicial supervision of the County Court of the State of Oregon for Tillamook County;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14194; Filed, Sept. 14, 1944; 10:38 a. m.]

[Vesting Order 4103]

MAX SCHLEGEL

In re: Estate of MAX Schlegel or MAX Arno Schlegel, deceased; File No. D-28-7906; E. T. sec. 8645.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Walter Kurt Schlegel (sometimes known as Curt Schlegel, also known as Walter Curt Schlegel), Richard Paul Schlegel (also known as Paul Schlegel), Curt Schlegel, Johannes Schlegel (also known as Hans Schlegel) and Fritz Schlegel, and each of them, in and to the estate of MAX Schlegel or MAX Arno Schlegel, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Walter Kurt Schlegel (sometimes known as Curt Schlegel, also known as Walter Curt Schlegel), Germany.
Richard Paul Schlegel (also known as Paul Schlegel), Germany.
Curt Schlegel, Germany.
Johannes Schlegel (also known as Hans Schlegel), Germany.
Fritz Schlegel, Germany.

That such property is in the process of administration by Casper H. Goodspeed, as administrator of the Estate of MAX Schlegel or MAX Arno Schlegel, deceased, acting under the judicial supervision of the Codrt of Probate, District of Hartford, State of Connecticut;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14195; Filed, Sept. 14, 1944; 10:38 a. m.]

[Vesting Order 4104]

HERMAN W. SCHULS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Clara Buege, Emma Buege, and Fritz Buege, and each of them, in and to the Estate of Herman W. Schuls, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Clara Buege, Germany.
Emma Buege, Germany.
Fritz Buege, Germany.

That such property is in the process of administration by Alexander Zachary Brister, as Administrator c. t. a. of the Estate of Herman W. Schuls, acting under the judicial supervision of the Orphan's Court of Philadelphia County, Pennsylvania.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

[1] 9 F.R. 3174, 3176.
[2] 9 F.R. 3176.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14196; Filed, Sept. 14, 1944; 10:38 a. m.]

[Vesting Order 4106]

ADOLPH WERNER

In re: Estate of Adolph Werner, deceased; File D-28-1969; E. T. sec. 1920.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

The sum of $2,376.00 in the possession and custody of Mildred Throckmorton, Clerk of the County Court of Kingfisher County, Oklahoma; also all right, title and interest of the designated nationals, Albert Erdman, Ida Erdman, Agnes Erdman, Erna Erdman, Otto Erdman, Wilhelm Erdman, Helmuth Erdman, Clara Erdman, Elsbeth Erdman, Herman Miller, Otto Miller, Mrs. Wilhemia Miller Corbie and Mrs. Lena Miller Mittstet, and each of them, in and to the Estate of Adolph Werner, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Albert Erdman, Poland.
Ida Erdman, Poland.
Agnes Erdman, Poland.
Erna Erdman, Poland.
Otto Erdman, Poland.
Wilhelm Erdman, Poland.
Helmuth Erdman, Poland.
Clara Erdman, Germany.
Elsbeth Erdman, Germany.
Herman Miller, Germany.
Otto Miller, Germany.
Mrs. Wilhemia Miller Corbie, Germany.
Mrs. Lena Miller Mittstet, Germany.

That such property is in the process of administration by the Clerk of the County Court of Kingfisher County, State of Oklahoma, Depositary, Kingfisher, Oklahoma, acting under the judicial supervision of the County Court of Kingfisher County, Oklahoma;

And determining that Albert Erdman, Ida Erdman, Agnes Erdman, Erna Erdman, Otto Erdman, Wilhelm Erdman and Helmuth Erdman, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied country, Poland, are nationals of a designated enemy country, Germany;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14197; Filed, Sept. 14, 1944; 10:39 a. m.]

[Vesting Order 4107]

JULIUS E. WOLF

In re: Estate of Julius E. Wolf, deceased; File D-17-524; E. T. sec. 11295.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Gacsary Berta in and to the Estate of Julius E. Wolf, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Gacsary Berta, Budapest, Hungary.

That such property is in the process of administration by Bela Wolf, as Administrator of the Estate of Julius E. Wolf, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14198; Filed, Sept. 14, 1944; 10:39 a. m.]

[Vesting Order 4108]

KINTARO YOSHIMO

In re: Estate of Kintaro Yoshimo, deceased; File D-39-12619; E. T. sec. 7399.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Sato Yoshimo in and to the Estate of Kintaro Yoshimo, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Sato Yoshimo, Japan.

That such property is in the process of administration by Kakuso Kato, as Executor of the Estate of Kintaro Yoshimo, acting under the judicial supervision of the Probate Court of Bannock County, Idaho;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14199; Filed, Sept. 14, 1944; 10:39 a. m.]

[Vesting Order 4109]

PAUL E. ZEHE

In re: Estate of Paul E. Zehe, deceased; File No. D-28-8520; E. T. sec. 10053.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Irene Adams Lawrence, as executrix, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nations of a designated enemy country, Germany, namely,

Naturals and Last Known Address

Eugenie Moschler, Germany.
Emma Schroder, Germany.
Issue (names unknown) of Anna Muller, Germany.
Issue (names unknown) of any deceased child or children of Anna Muller, Germany.
Susanne Elisabeth Margarete Flemke, nee Zehe, Germany.
Issue (names unknown) of Susanne Elisabeth Margarete Flemke, nee Zehe, Germany.
Hans Zehe, Germany.
Issue (names unknown) of Hans Zehe, Germany.
Dr. Karl Moschler, Germany.
Hannah Moschler, Germany.
Elisabeth Moschler, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national iterest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eugenie Moschler, Emma Schroder, Issue (names unknown) of Anna Muller, Issue (names unknown) of any deceased child or children of Anna Muller, Susanne Elisabeth Margarete Flemke, nee Zehe, Issue (names unknown) of Susanne Elisabeth Margarete Flemke, nee Zehe, Hans Zehe, Issue (names unknown) of Hans Zehe, Dr. Karl Moschler, Hannah Moschler and Elisabeth Moschler, and each of them in and to the Estate of Paul E. Zehe, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: September 7, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14200; Filed, Sept. 14, 1944; 10:39 a. m.]

[Vesting Order 4116]

JOHN GONSER

In re: Estate of John Gonser, Deceased; File D-28-8141; E. T. sec. 9081.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Barbara Conselmann, Herman Conselmann, Eugen (Eugene) Conselmann, Lisette Ammann, Frida Conselmann, Emilie Merz, Pauline Bitzer, and Katharina Gallus, and each of them, in and to the estate of John Gonser, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Barbara Conselmann, Germany.
Herman Conselmann, Germany.
Eugen (Eugene) Conselmann, Germany.
Lisette Ammann, Germany.
Frida Conselmann, Germany.
Emilie Merz, Germany.
Pauline Bitzer, Germany.
Katharina Gallus, Germany.

That such property is in the process of administration by August C. Hilmer, 7324 Maryland Avenue, University City, Missouri, as Executor of the estate of John Gonser, deceased, acting under the judicial supervision of the Probate Court of the City of St. Louis, Missouri;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14201; Filed, Sept. 14, 1944; 10:39 a. m.]

[Vesting Order 4117]

FRIEDRICH OLSCHEWSKY

In re: Estate of Friedrich Olschewsky, deceased; File D-28-8586; E. T. sec. 10238.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest, and claim of any kind or character whatsoever of heirs, names unknown, of Mrs. Auguste Wekelsky, heirs, names unknown, of Mrs. Anna Wchlewsky, and heirs, names unknown, of Mrs. Katherine Jakle, and each of them, in and to the Estate of Friedrich Olschewsky, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs, names unknown, of Mrs. Auguste Wekelsky, Germany.

Heirs, names unknown, of Mrs. Anna Wchlewsky, Germany.

Heirs, names unknown, of Mrs. Katherine Jakle, Germany.

That such property is in the process of administration by Karl W. Bauhler, Jr. and Dina Dellar Olschewsky, as Executors of the Estate of Friedrich Olschewsky, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14202; Filed, Sept. 14, 1944; 10:39 a. m.]

[Vesting Order 4118]

JOHN H. RADEMACHER

In re: Estate of John H. Rademacher, deceased; File D-28-2367; E. T. sec. 4172.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Heinrich Rademacher and his issue; Maria Rademacher and her issue; Rudolph Behrends (Behrens) and other issue, name or names unknown, of Emma Behrens; Helen Koster, Martha Koster and other issue, name or names unknown, of Wilhemine Koster, Emilie Neimier and issue, name or names unknown, of Carl Peinemann; and each of them, in and to the Estate of John H. Rademacher, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Rademacher and his issue, Germany.

Maria Rademacher and her issue, Germany.

Rudolph Behrends (Behrens) and other issue, name or names unknown, of Emma Behrens, Germany.

Helen Koster, Martha Koster and other issue, name or names unknown, of Wilhemine Koster, Germany.

Emilie Neimier, Germany.

Issue, name or names unknown, of Carl Peinemann, Germany.

That such property is in the process of administration by The San Francisco Bank, as Executor of the Estate of John H. Rademacher, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14203; Filed, Sept. 14, 1944; 10:40 a. m.]

[Vesting Order 4119]

IDA ANNA SITTIG

In re: Estate of Ida Anna Sittig, deceased; File D-28-7948; E. T. sec. 8918.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ernst Schuricht and ——— Schuricht, his wife (first name unknown), Max Muller, Martha Muller, Kurth Muller, Willi Muller and family, Hildegard Schneider and family, Thekla Beer, and Gertrud Schuricht, and each of them, in and to the estate of Ida Anna Sittig, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ernst Schuricht and —— Schuricht, his wife (first-name unknown), Germany.
Max Muller, Germany.
Martha Muller, Germany.
Kurth Muller, Germany.
Willi Muller and family, Germany.
Hildegard Schneider and family, Germany.
Thekla Beer, Germany.
Gertrud Schuricht, Germany.

That such property is in the process of administration by Fred J. Sittig, 727 Nineteenth Street, Rock Island, Illinois, as executor of the estate of Ida Anna Sittig, deceased, acting under the judicial supervision of the Probate Court of Rock Island County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14204; Filed, Sept. 14, 1944; 10:40 a. m.]

[Vesting Order 4120]

GEORGE WILLIAM VOLLMER

In re: Estate of George William Vollmer, deceased; File D-28-7488; E. T. sec. 7747.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elsie Wachter, also known as Elise Wachter, and Karl M. Vollmer, and each of them, in and to the estate of George William Vollmer, Deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elsie Wachter, also known as Elise Wachter, Germany.
Karl M. Vollmer, Germany.

That such property is in the process of administration by Adolph Rinker, 209 East Charles Street, Bucyrus, Ohio, and Ermina Heckert, 215 East Charles Street, Bucyrus, Ohio, as Executors of the estate of George William Vollmer, deceased, acting under the judicial supervision of the Probate Court of Crawford County, Ohio, Docket No. 19, Page 270;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 9, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14205; Filed, Sept. 14, 1944; 10:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1002]

JOHN COLL, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

JOHN COLL, R. F. D. NO. 1, MASONTOWN, PA., COLL MINE, WAYNESBURG SEAM, MINE INDEX NO. 4194, FAYETTE COUNTY, PA., SUBDIST. 3, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

HOMER MOSER COAL CO., 126 W. MAIN ST., UNIONTOWN, PA., KYLE STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4143, FAYETTE COUNTY, PA., SUBDIST. 3, RAIL SHIPPING POINT: HAYS NO. 2 SIDING, PA. STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	E	E	C	C	B	B	C	C	C		
Rail shipment	310	310	310	310	310	300	275	275	255		
Railroad fuel	310	310	310	310	310	300	275	275	255	245	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

HOMER MOSER COAL CO., 126 W. MAIN ST., UNIONTOWN, PA., KYLE DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4142, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: HAYS NO. 2 SIDING, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	E	E	C	C	B	B	C	C	C		
Rail shipment	335	335	335	335	335	325	300	300	280		
Railroad fuel	335	335	335	335	335	325	300	300	280	270	
Truck shipment	415	415	415	385	375	375	375	310	290	290	265

RUSSELL MINING CO., 505 N. MONROE ST., BUTLER, PA., BAIRD NO. 1 MINE, UPPER KITTANNING SEAM, MINE INDEX NO. 4205, BUTLER COUNTY, PA., SUB-DIST. 1, RAIL SHIPPING POINT: ANNANDALE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 15, MAXIMUM TRUCK PRICE GROUP NO. 2

Price classification	E	E	D	D	C	C	D	D	D		
Rail shipment	310	310	300	300	310	300	270	270	245		
Railroad fuel	310	310	300	300	310	300	270	270	245	245	
Truck shipment	435	435	425	415	405	405	405	330	290	290	270

JOHN A. STRAWBERRY, R. D. No. 2, UNIONTOWN, PA., PEARL MINE, SEWICKLEY SEAM, MINE INDEX No. 2240 FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: NEWCOMER, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	H	H	H	------	------
Rail shipment	310	310	295	295	295	285	260	260	250	------	------
Railroad fuel	310	310	295	295	295	285	260	260	255	255	------
Truck shipment [1]	415	415	415	385	375	375	375	310	290	290	295

[1] Previously established.

VIRGINIA MINING CO., 775 W. MAIN ST., MT. PLEASANT, PA., CAROL MINE, PITTSBURGH SEAM, MINE INDEX NO. 4188, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: OWANSDALE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	E	E	C	C	C	D	C	C	C	------	------
Rail shipment	310	310	310	310	310	290	275	275	255	------	------
Railroad fuel	310	310	310	310	310	290	275	275	255	245	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	295

WELLER COAL CO., C/O WM. BARTON, R. D. No. 2, LAKE LYNN, PA., WELLER MINE, PITTSBURGH SEAM, MINE INDEX NO. 4187, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: OUTCROP, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 7, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	F	F	E	E	E	E	E	E	E	------	------
Rail shipment	310	310	305	305	305	295	275	275	260	------	------
Railroad fuel	310	310	305	305	305	295	275	275	265	265	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	295

WILSON COAL CO., GANS, PA., WILSON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4190, FAYETTE COUNTY, PA., SUB-DIST. 3, RAIL SHIPPING POINT: CRYSTAL SIDING, PA., & RICH HILL, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 7 MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	F	F	E	E	E	E	E	E	E	------	------
Rail shipment	310	310	305	305	305	295	275	275	260	------	------
Railroad fuel	310	310	305	305	305	295	275	275	265	265	------
Truck shipment	415	415	415	385	375	375	375	310	290	290	295

This order shall become effective September 14, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14179; Filed, Sept. 18, 1944; 4:25 p. m.]

[MPR 136, Order 297]

GIBSON REFRIGERATOR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register; and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; and in accordance with § 1390.-25a of Maximum Price Regulation No. 136 and section 9.3 of Revised Supplementary Regulation No. 14, *It is ordered:*

(a) The Gibson Refrigerator Company, Greenville, Michigan, may sell and deliver the refrigerator replacement units rebuilt by it at prices no higher than those set forth below:

Items	To distributors	To dealers	To consumers
	Each	Each	Each
Group I	$27.62	$33.28	$39.22
Group II	36.75	40.43	44.47
Group III	36.75	40.43	44.47
Group IV	22.73	25.00	27.50
Group V	13.85	15.24	16.76

Group I consists of evaporator units of the following models:

Part No.	Model No.
AZ-6619	F-22
AZ-6620	F-21
AZ-6621	F-17
6624	U-2
AZ-7125	U-3½
AY-8330	U-3
AY-8420	U-4
AY-8188	U-4½
AY-8500	F-216
AY-9856	F-217
AY-9660	F-207
AY-10637	U-247
AY-10654	U-347
AY-10660	U-447
AZ-11450	A-3-V
AZ-11709	A-2-V
SAY-13239A	U-426
AY-13322	F-206
AY-13425	F-216
AY-13559	FF-178
AY-13598	FF-218
14778	AU-428
AZ-15410	AFF-218
AZ-15474	AFF-178
AY-15680	F-209
AY-16104	AFF-219
AY-16207	WU-39
AY-16249	AWU-30 & 39
AY-16263	BWU-30 & 39
AY-16352	U-29
AY-16395	U-419
AY-16410A	U-349
AY-16858	FU-49
AY-17818	U-449
AZ-17935	AFF-179
AY-18189	F-179
AY-18872	U-410
AY-18910	AU-410
AY-18922	BU-410
AY-18925	CU-410
AY-19066	FF-200
AY-19346	U-20
AY-19564	DU-410
AY-19569	BU-410
AY-20536A	NU-40
AY-20629A	SFF-200
AY-20683	NU-60
AY-21090	FF-170
AX-21125	AAFF-170
21274	SU-330
AY-15664	F-219
AY-15807	FF-179
AY-15963	FF-219
AY-15943	FF-209
AY-21673	CU-411
AY-21807	DF-201
AY-21896	SF-201
AY-22060	SU-611
AY-22178A	BU-411
AY-22252A	FU-411
AY-22295	BA-41
AY-22469	SBA-41
AY-22548	ABA-41
AY-22809	ASU-611
AY-23184	BSU-611
AY-24232	U-42
21280	SU-440
AY-21316B	DU-411
AY-21482B	EU-411
AY-21662	FF-201
AY-24235	BU-42
AY-24250	AU-42
AY-24271	U-42
AY-24285	AF-212
AY-24292	F-212
AY-24296	BU-62
AY-24308	DF-212
AY-24330	SF-212
AY-24334	F-172
AY-24392	WU-62
AY-24386	ASF-212
AY-24546	BF-172

Group II consists of complete units used to replace similar units in refrigerators manufactured in the years 1931 and 1932, and covers Model Nos. SH-204, SH-114, SH-314 and SH-414.

Group III consists of complete units used to replace those in refrigerators manufactured in the years 1933 and 1934, and covers Model Nos. SGH-1144, SGH-2144, SGH-3044, SGH-3144 and SGH-4144.

Group IV consists of condensing units used to replace those in refrigerators having sulphur dioxide systems manufactured from 1935 through 1939, and covers Model Nos. H-5, H-6, H-7, H-8, and H-9.

Group V consists of motor compressor units of the following models: Nos. AY-6614, AY-6615, AY-6616, 8937, 8937-A, 8937-B and 25053.

These prices include the standard Gibson one-year warranty; and are net f. o. b. Belding, Michigan. They do not include any Federal Excise Tax.

(b) Any person, other than the manufacturer, may sell and deliver the Gibson refrigerator replacement units at wholesale or retail, at prices no higher than those arrived at by adding the permitted dollars-and-cents increase listed below opposite each group to the maximum prices established for such sales by the General Maximum Price Regulation.

Group:	*Permitted increase in maximum price (per unit)*
I	$1.00
II	6.75
III	11.75
IV	5.75
V	3.00

(c) Any seller for whom maximum prices are established by this order may require, as part of the consideration for the replacement unit, the surrender, by the purchaser, of the unit which the rebuilt unit is intended to replace. No allowance need be made by the seller for the unit so surrendered.

(d) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 297 shall become effective on the 14th day of September 1944.

Issued this 13th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14176; Filed, Sept. 13, 1944; 11:39 a. m.]

[RMPR 206, Order 3]

GLADDING, MCBEAN AND CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the Emergency Price Control Act of 1942, as amended, and section 3.1 (b) (2) of Maximum Price Regulation No. 206, *It is hereby ordered:*

(a) Specific authorization is hereby granted Gladding, McBean and Company, Seattle, Washington, to sell vitrified clay sewer pipe produced at the company's Taylor plant in Seattle and sold in the area covered by Charts VIII and IX, set forth below, at maximum prices which reflect the application of the following discount structure:

CHART VIII—SEATTLE TERRITORY

[Delivered by rail]

Discount No.	Washington Zone 1				Washington Zone 2	Washington Zone 3	Oregon Zone 1
	Trade class 1 [1]	Trade class 2 [1]	Trade class 3 [1]	Trade class 4 [1]	All trade classes	All trade classes	All trade classes
1	6½	12	34	23	28½	28½	28½
2	6½	12	34	23	28½	28½	28½
3	6½	12	28½	23	28½	28½	28½
6	6½	12	17½	17½	17½	17½	17½
7	6½	12	17½	17½	17½	17½	17½
8	34½	38½	54	46	45	39½	39½
9	34½	38½	50	46	45	39½	39½
10	34½	38½	42	42	45	28½	28½
11	34½	38½	42	42	45	28½	28½
15			[2] 25		[2] 25	[2] 25	[2] 25
16			[2] 25		[2] 25	[2] 25	[2] 25
17							
18			[2] 25		[2] 25	[2] 25	[2] 25
23					List	List	List
24		17½	17½		17½	17½	17½

[1] Applies only to dealer sales. 1-foot lengths 10 points less discount than above.
[2] Contractors on Federal projects 5 points less discount than above.

CHART IX—SEATTLE TERRITORY

[Delivered by truck—5-ton minimum]

Discount No.	Washington Zone 1			
	Trade class 1 [1]	Trade class 2 [1]	Trade class 3 [1]	Trade class 4 [1]
1	6½	12	34	23
2	6½	12	34	23
3	6½	12	28½	23
6	6½	12	17½	17½
7	6½	12	17½	17½
8	34½	38½	54	46
9	34½	38½	50	46
10	34½	38½	42	42
11	34½	38½	42	42
15	List	List	[2] 15	List
16			[2] 15	
17				
18	List	List	[2] 15	List
23	List	List	List	List
24	List plus 10%	1	10	10

[1] Class of customers: Trade class 1: Retail trade. Trade class 2: Retail problems; railroads; industries; general contractors. Trade class 3: Federal, State, county, city; building materials dealers. Trade class 4: Sewer contractors, wholesale plumbers; side sewer contractors.
[2] Applies only to dealer sales for delivery in metropolitan Seattle and Portland; also f. o. b. depot or dock.

(b) Any person purchasing vitrified clay sewer pipe for resale may add to his maximum prices established on or prior to September 15, 1944, an amount not exceeding the actual dollars-and-cents increased cost to him resulting from the increase in maximum prices permitted under paragraph (a) above.

All requests of the application not granted herein are denied.

This order may be revoked or amended at any time.

This order may be revoked or amended September 15, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14231; Filed, Sept. 14, 1944; 11:55 a. m.]

[MPR 120, Amdt. 1 to Order 849]

STINEMAN COAL AND COKE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 849 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

The last table of maximum prices and price classifications and all the references therein pertaining to the Stineman No. 12 Mine, Mine Index No. 5133, of Stineman Coal and Coke Company, Philadelphia, Pennsylvania, are hereby deleted.

This Amendment No. 1 to Order No. 849 shall become effective September 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14232; Filed, Sept. 14, 1944; 11:54 a. m.]

[RO 9A, Order 2]

LOUISIANA AND TEXAS

REMOVAL FROM EMERGENCY OIL SHORTAGE AREA

It has been found that coal and wood are relatively scarce in Louisiana and Texas. It is, therefore, undesirable to limit applicants in those areas to the acquisition of coal-wood heating stoves.

Accordingly, pursuant to the authority vested in the Director of the Fuel Division of the Office of Price Administration by section 2.3 (b) of Ration Order 9A,

It is hereby ordered, That the states of Louisiana and Texas are hereby removed, for the purpose of Ration Order 9A, from the emergency oil shortage area.

This order shall become effective September 14, 1944.

Issued this 14th day of September, 1944.

JOHN G. NEWKONER,
Director, Fuel Rationing Division.

[F. R. Doc. 44-14233; Filed, Sept. 14, 1944; 11:54 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

Copies of the following orders under Revised General Order 51, which were filed with the Division of the Federal Register on September 11, 1944, may be obtained from the OPA Office in the designated city.

REGION I

Augusta Order 1-F, Amendment 10, covering fresh fruit and vegetables in Portland, S. Portland, and Westbrook, Maine, filed 2:51 p. m.

REGION II

Albany Order 1-F, Amendment 23, covering fresh fruit and vegetables in designated cities in the Albany District, filed 2:52 p. m.

Wilmington Order 13, Amendment 1, covering dry groceries in that part of Delaware north of the Chesapeake and Delaware Canal, filed 2:48 p. m.

Wilmington Order 14, Amendment 1, covering dry groceries in that part of Delaware north of the Chesapeake and Delaware Canal, filed 2:49 p. m.

Wilmington Order 15, Amendment 1, covering dry groceries in that part of Delaware south of the Chesapeake and Delaware Canal, filed 2:49 p. m.

Wilmington Order 16, Amendment 1, covering dry groceries in that part of Dela-

ware south of the Chesapeake and Delaware Canal, filed 3:50 p. m.

REGION III

Louisville Order 4–F under 3–B, Amendment 3, covering fresh fruit and vegetables in designated counties in Kentucky, filed 2:52 p. m.

Louisville Order 5–F, under 3–B, Amendment 3, covering fresh fruit and vegetables in designated counties in Kentucky, filed 2:53 p. m.

Louisville Order 6–F under 3–B, Amendment 3, covering fresh fruit and vegetables in designated counties in Kentucky, filed 2:53 p. m.

Louisville Order 7–F, under 3–B, Amendment 3, covering fresh fruit and vegetables in designated counties in Kentucky, filed 2:57 p. m.

Grand Rapids Order F–14–A, Amendment 34, covering fresh fruit and vegetables in Urban Area A, filed 2:53 p. m.

REGION IV

Jackson Amendment 27 to Order 2–F, covering fresh fruit and vegetables in designated counties in Mississippi, filed 3:01 p. m.

Jackson Order 3–W, covering dry groceries in the Mississippi Area, filed 2:47 p. m.

Jacksonville Order 3–F, Amendment 16, covering fresh fruit and vegetables in Tampa, Fla., filed 2:48 p. m.

Jacksonville Order 4–F, Amendment 7, covering fresh fruit and vegetables in the North Florida Area, filed 2:36 p. m.

Jacksonville Order 5–F, Amendment 8, covering fresh fruit and vegetables in the South Florida Area, filed 2:36 p. m.

Jacksonville Order 6–F, Amendment 19, covering fresh fruit and vegetables in Jacksonville, Fla., filed 2:35 p. m.

Memphis Order 4–F, Amendment 40, covering fresh fruit and vegetables in the Memphis District, filed 2:37 p. m.

Memphis Order 6–W, covering wholesale community food prices in designated counties in Tennessee, filed 3:09 p. m.

Memphis Order 7–W, covering wholesale community food prices in designated counties in Tennessee, filed 3:09 p. m.

REGION V

New Orleans Order 2–F, Amendment 35, covering fresh fruit and vegetables in Parishes of Orleans, St. Bernard, and Jefferson, La., filed 3:05 p. m.

Oklahoma City Order 2–F, Cor. to Amendment 8, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 3:05 p. m.

Shreveport Order G–13, Amendment 4, covering eggs in the Shreveport District, filed 2:40 p. m.

Shreveport Order G–14, Amendment 5, covering eggs in the Shreveport District, filed 2:40 p. m.

Tulsa Order 5–F, Amendment 18, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 3:05 p. m.

Tulsa Order 6–F, Amendment 19, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 3:07 p. m.

REGION VIII

Fresno Order 4–F, Amendment 8, covering fresh fruit and vegetables in certain areas in the Fresno District, filed 2:44 p. m.

Fresno Order 5–F, Amendment 5, covering fresh fruit and vegetables in certain areas in the Fresno District, filed 2:43 p. m.

Los Angeles Order 1–F, Amendment 30, covering fresh fruit and vegetables in the Los Angeles Metropolitan District, filed 3:07 p. m.

Phoenix Adopting Order 7 under 1–B, covering community food prices in the "Cochise Area," filed 2:44 p. m.

Phoenix Order 13, Revocation, covering community food prices in the Cochise Area, filed 2:44 p. m.

San Francisco Order F–1, Amendment 31, covering fresh fruit and vegetables in certain areas in California, filed 3:51 p. m.

San Francisco Order F–2, Amendment 24, covering fresh fruit and vegetables in designated cities in California, filed 2:46 p. m.

San Francisco Order F–3, Amendment 28, covering fresh fruit and vegetables in designated cities in California, filed 2:51 p. m.

San Francisco Order F–4, Amendment 22, covering fresh fruit and vegetables in designated cities in California, filed 2:45 p. m.

San Francisco Order F–5, Amendment 21, covering fresh fruit and vegetables in designated cities in California, filed 2:45 p. m.

San Francisco Order F–6, Amendment 17, covering fresh fruit and vegetables in designated cities in California, filed 2:45 p. m.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–14190; Filed, Sept. 13, 1944; 4:24 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 12, 1944.

REGION II

Altoona Order 1–F, Amendment 23, covering fresh fruit and vegetable prices in the Altoona and Johnstown War Price & Rationing Board Area, filed 10:57 a. m.

Pittsburgh Order 1–F, Amendment 22, covering fresh fruit and vegetable prices in Pittsburgh and certain surrounding communities, filed 10:58 a. m.

Philadelphia Order 18, Amendment 1, covering dry groceries in designated counties in Pennsylvania, filed 10:58 a. m.

Philadelphia Order 19, Amendment 1, covering dry groceries in designated counties in Pennsylvania, filed 10:55 a. m.

Trenton Order 7–F, covering fresh fruit and vegetables in Mercer, Middlesex, and Monmouth Counties, N. J., filed 10:57 a. m.

Wilmington Order 4–F, Amendment 1, covering fresh fruit and vegetables in certain designated area in Wilmington District, filed 9:45 a. m.

Williamsport Order 2–F, Amendment 1, covering fresh fruit and vegetables in designated areas in Pennsylvania, filed 10:59 a. m.

REGION III

Cincinnati Order 2–F, Amendment 40, covering fresh fruit and vegetables in Butler, Clark, and Scioto in Ohio, filed 11:01 a. m.

Cleveland Order 2–W, Amendment 2, covering dry groceries in Cuyahoga Co., Ohio, filed 11:00 a. m.

Cleveland Order 31, covering dry groceries in designated areas in Ohio, filed 11:00 a. m.

Lexington Order 1–F, Amendment 44, covering fresh fruit and vegetables in Fayette Co., Ky., filed 11:03 a. m.

Lexington Order 2–F, Amendment 38, covering fresh fruit and vegetables in Campbell and Kenton Counties, Ky., filed 11:03 a. m.

Lexington Order 3–F, Amendment 35, covering fresh fruit and vegetables in Boyd Co., Ky., filed 11:02 a. m.

Lexington Order 12, Amendment 14, covering community food prices in designated counties in Kentucky, filed 11:01 a. m.

Grand Rapids Order F–14–C, Amendment 12, covering fresh fruit and vegetables in Urban Area C., filed 11:00 a. m.

Detroit Order 1–F, Amendment 35, covering fresh fruit and vegetables in designated counties in the Detroit District, filed 11:02 a. m.

Saginaw Order 2–F, Amendment 34, covering fresh fruit and vegetables in designated counties in Michigan, filed 11:01 a. m.

REGION IV

Jacksonville Order 27, covering community food prices in the Jacksonville, Florida Area, filed 11:03 a. m.

Jacksonville Order 28, covering community food prices in the Northern Florida Area, filed 11:04 a. m.

Jacksonville Order 30, covering community food prices in the Southern Florida Area, filed 11:05 a. m.

Memphis Order 20, covering community food prices in the Memphis Area, filed 9:45 a. m.

REGION VII

Wyoming Order 34, Amendment 1, covering community food prices in the Buffalo, Gillette, Sheridan Co., Area, filed 10:03 a. m.

Wyoming Order 35, Amendment 1, covering community food prices in the Casper Area, filed 10:03 a. m.

Wyoming Order 36, Amendment 1, covering community food prices in the Cheyenne Area, filed 10:02 a. m.

Wyoming Order 37, Amendment 1, covering community food prices in the Cody, Lovell, and Powell Area, filed 10:02 a. m.

Wyoming Order 38, Amendment 1, covering community food prices in the Douglas Area, filed 10:02 a. m.

Wyoming Order 39, Amendment 1, covering community food prices in the Greybull Area, filed 10:01 a. m.

Wyoming Order 40, Amendment 1, covering community food prices in the designated area in Wyoming, filed 10:01 a. m.

Wyoming Order 41, Amendment 1, covering community food prices in the Laramie Area, filed 10:01 a. m.

Wyoming Order 42, Amendment 1, covering community food prices in the Rock Springs Area, filed 10:01 a. m.

Wyoming Order 43, Amendment 1, covering community food prices in the Sheridan Area, filed 9:48 a. m.

REGION VIII

Spokane Order 1–F, Amendment 24, covering fresh fruit and vegetables in Spokane Co., Wash., filed 9:47 a. m.

Spokane Order 2–F, Amendment 21, covering fresh fruit and vegetables in Kootenai Co., Idaho, filed 9:45 a. m.

Spokane Order 5–F, Amendment 5, covering fresh fruit and vegetables in Asotin Co., Wash. and Nez Perce Co., Idaho, filed 9:47 a. m.

Spokane Order 6–F, Amendment 6, covering fresh fruit and vegetables in Columbia and Walla Walla Counties, Wash., filed 9:47 a. m.

Spokane Order 20, Amendment 3, covering community food prices in certain areas in Benton and Franklin Counties, Wash., filed 10:08 a. m.

Spokane Order 21, Amendment 3, covering community food prices in Latah Co., Idaho and Whitman Co., Wash., filed 10:03 a. m.

Spokane Order 22, Amendment 3, covering community food prices in certain areas in Columbia and Walla Walla Counties, Wash., filed 10:04 a. m.

Spokane Order 23, Amendment 3, covering community food prices in certain areas of Benton and Franklin Counties, Wash., filed 9:43 a. m.

Spokane Order 24, Amendment 3, covering community food prices in certain areas of Shoshone and Kootenai Counties, Idaho, filed 9:43 a. m.

Spokane Order 25, Amendment 3, covering community food prices in certain areas of Kootenai Co., Idaho, filed 9:43 a. m.

Spokane Order 26, Amendment 3, covering community food prices in certain areas of Asotin Co., Wash., and Nez Perce Co., Idaho, filed 9:43 a. m.

Spokane Order 27, Amendment 3, covering community food prices in certain areas in Latah Co., Idaho, and Whitman Co., Wash., filed 9:48 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–14181; Filed, Sept. 13, 1944; 4:24 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70–902]

EMPIRE DISTRICT ELECTRIC CO., ET AL.

SUPPLEMENTAL ORDER REGARDING SALE OF SECURITIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of September 1944.

In the matter of the Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company, Benton County Utilities Corporation, and Cities Service Power & Light Company, File No. 70–902.

The Empire District Electric Company, Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company and Benton County Utilities Corporation, public utility companies and subsidiaries of Cities Service Power & Light Company and Cities Service Company, registered holding companies, together with Cities Service Power & Light Company, having filed a joint application and declaration and amendments thereto with respect, among other things, to the merger of Ozark Utilities Company, Lawrence County Water, Light & Cold Storage Company and Benton County Utilities Corporation into The Empire District Electric Company, the issuance and sale by The Empire District Electric Company of $10,600,000 principal amount of first mortgage bonds at competitive bidding, 6,500 shares of $100 par value 5% cumulative preferred stock at private sale, and 350,000 shares of $10 par value common stock to Cities Service Power & Light Company, and the sale by Cities Service Power & Light Company of said 350,000 shares of common stock of The Empire District Electric Company at competitive bidding; and

The Commission, by order dated August 1, 1944, having granted said application, as amended, and permitted said declaration, as amended, to become effective, except as to the terms and conditions of the proposed sales of securities at competitive bidding and private sale, and except as to the fees, commissions and other remuneration to be paid in respect of the proposed transactions, as to which matters jurisdiction was reserved; and

The Empire District Electric Company and Cities Service Power & Light Company having filed a further amendment to said application and declaration, setting forth the terms and conditions of said proposed sales and the fees, commissions and other remuneration to be paid in respect of said proposed transactions, and a public hearing having been held thereon; and

It appearing that in accordance with the permission granted by said order of the Commission dated August 1, 1944, said merger was consummated, and that The Empire District Electric Company offered such bonds and Cities Service Power & Light Company offered such common stock for sale pursuant to the competitive bidding requirements of Rule U–50 and received the following bids:

	Price to Company (percent)
Bidder for the bonds (3½% coupon):	
The First Boston Corporation and G. H. Walker & Co.	105.729
Halsey, Stuart & Co., Inc.	105.519
Lehman Brothers and Lazard Freres & Co.	104.687
Shields & Company	104.645
	Per share
For the common stock:	
The First Boston Corporation and G. H. Walker & Co.	$13.459
Allen & Co.	$12.05

and

It appearing further that The Empire District Electric Company has accepted the bid of First Boston Corporation and G. H. Walker & Co. for the bonds, as set out above, and that the bonds will be offered for sale to the public at a price of 106.92%, resulting in an underwriters' spread of 1.191%; and

It appearing further that Cities Service Power & Light Company has accepted the bid of First Boston Corporation and G. H. Walker & Co. for the common stock, as set out above, and that the common stock will be offered for sale to the public at a price of $14.875 per share, resulting in an underwriters' spread of $1.416 per share; and

It appearing further that The Empire District Electric Company proposes to sell said 6,500 shares of 5% preferred stock to First Boston Corporation at a price of 100½, and that said preferred stock will be offered for sale to the public at a price of 102, resulting in an underwriters' spread of $1.50 per share; and

The Commission finding no basis for retaining jurisdiction over the terms and conditions of the proposed sales, or over the fees, commissions and other remuneration to be paid in respect of the proposed transactions; and

Cities Service Power & Light Company having requested that the Commission's order herein with respect to the proposed sale by Cities Service Power & Light Company of the common stock of The Empire District Electric Company conform to the requirements of sections 371 and 1808 of the Internal Revenue Code and of section 270–c (10) of the New York State Tax Law; and

The Commission finding that said proposed sale is a necessary and appropriate step in enabling the holding company system of Cities Service Power & Light Company to conform with section 11 (b) of the Act;

It is ordered, That the jurisdiction heretofore reserved, as to the terms and conditions of the proposed sales of securities and as to the fees, commissions and other remuneration to be paid in respect of the proposed transactions, be and the same is hereby released and that the amended application and declaration herein be and the same are hereby granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U–24.

It is further ordered, And the Commission specifically finds, that the sale by Cities Service Power & Light Company of said 350,000 shares of the $10 par value common stock of The Empire District Electric Company is necessary and appropriate to the integration or simplification of the holding company system of which Cities Service Power & Light Company is a member, and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of sections 371 and 1808 of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44–14189; Filed, Sept. 14, 1944; 10:36 a. m.]

[File No. 70–964]

OWENSBORO GAS CO. AND ASSOCIATED ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of September 1944.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Owensboro Gas Company;

All interested persons are referred to the said application-declaration which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Associated Electric Company proposes to sell its entire interest in Owensboro Gas Company to W. T. Stevenson of Owensboro, Kentucky, a non-affiliate, for the base price of $624,500, subject to adjustments. The interest to be sold includes all the outstanding 2,900 shares of common stock, of the par value of $40 per share, and open account indebtedness (bearing interest at the rate of 6% per year when earned) in the principal amount of $515,807.74, as of June 30, 1944. The agreement of sale provides that $50,000 of the purchase price is to be paid in cash on the closing date, and the balance is to be paid in installments pursuant to the terms of a 5-year purchase money note secured by a pledge of the securities and indebtedness proposed to be sold.

It is also proposed that Associated Electric Company acquire from Owensboro Gas Company all of the latter's holdings of 130 shares of capital stock

of Atlantic Utility Service Corporation, for a total cash consideration of $1.

The filing designates sections 9 (a), 10, 12 (d) and 12 (f) of the act, and Rules U-43 and U-44 promulgated thereunder, as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of the act and rules of the Commission thereunder be held on October 3, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing wil be held.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before September 30, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters:

1. Whether the proposed transactions are in the public interest and in the interest of investors and consumers;

2. Whether the consideration to be received for the proposed sale is fair and reasonable;

3. Whether the proposed acquisition by Associated Electric Company of the purchase money note and the collateral pledged thereunder complies with the provisions of section 10 of the act, and particularly whether it is detrimental to the carrying out of the provisions of section 11 of the act;

4. The propriety of the accounting treatment to reflect the proposed transactions on the books of applicants-declarants;

5. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in regard to the accounts or capital structure of Owensboro Gas Company, or otherwise in regard to the proposed transactions;

6. Whether, in all other respects, the proposed transactions comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14190; Filed, Sept. 14, 1944; 10:26 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER REGARDING SALE OF STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of September 1944.

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company, having filed an application-declaration, and amendments thereto, pursuant to sections 6 (b) and 12 of the Public Utility Holding Company Act of 1935, with respect to the refinancing of 220,078 shares of its $100 par value cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,715 shares of the 5½% series) by means of a program whereby (1) the holders of such stock were to be afforded the opportunity to exchange each such share for one share of the $100 par value 5% cumulative preferred stock of the company, plus a cash payment in an amount representing the difference between the respective redemption prices of the stocks outstanding and $102, with proper adjustments for accrued dividends upon the shares to be surrendered and upon the shares to be issued, (2) any shares not surrendered by way of exchange were to be called for redemption at redemption prices, and (3) such number of the 220,078 shares of the $100 par value 5% cumulative preferred stock as would not be issuable by way of exchange were to be issued and sold pursuant to the competitive bidding requirements of Rule U-50; and

The Commission having, by orders dated August 3, 1944, and August 29, 1944, granted said application, as amended, and permitted said declaration, as amended, to become effective, except as to the price to be received by Northern Indiana Public Service Company for such number of shares of the $100 par value 5% cumulative preferred stock as would be issued and sold pursuant to the competitive bidding requirements of Rule U-50, the underwriters' spread and its allocation, the legal fees and expenses to be paid to Willkie, Owen, Otis, Farr & Gallagher, as counsel for the exchange solicitors and as independent counsel for prospective bidders, and the fees and expenses to be paid Stone & Webster and Blodget, Inc., and Harriman, Ripley & Co., Inc. for asserted financial services and advice; and

Northern Indiana Public Service Company having filed a further amendment to the application-declaration, stating that 185,386 shares of its $100 par value 7%, 6%, and 5½%, cumulative preferred stock have been tendered for exchange for the $100 par value 5½ cumulative preferred stock of the company, plus adjustments, and that 34,692 shares of the $100 par value 5% cumulative preferred stock have been submitted for sale pursuant to the competitive bidding requirements of Rule U-50 and that the following bids for said 34,692 shares have been received:

Bidder:	*Price to the company*
The First Boston Corporation	$101.79
Harris, Hall & Company (Incorporated)	101.49

Said amendment further stating that Northern Indiana Public Service Company proposes to accept the bid of The First Boston Corporation as set forth above, and that it is proposed that said 34,692 shares of preferred stock be offered for sale to the public at a price of $103.50 per share, resulting in an underwriters' spread of $1.71 per share; and

A statement of the services and expenses of the law firm of Willkie, Owen, Otis, Farr & Gallagher being set forth in said amendment; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said preferred stock, the underwriters' spread and its allocation, and the legal fees and expenses to be paid Willkie, Owen, Otis, Farr & Gallagher in connection with the proposed transactions:

It is ordered, That the jurisdiction heretofore reserved over the price to be received for said 34,692 shares of $100 par value 5% cumulative preferred stock of Northern Indiana Public Service Company, the underwriters' spread and its allocation, and the legal fees and expenses to be paid Willkie, Owen, Otis, Farr & Gallagher in connection with the proposed transactions be, and the same hereby is, released, and the said application-declaration, as amended, be and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be and is hereby reserved over the payment of any fees and expenses to Stone & Webster and Blodget, Inc. and Harriman, Ripley & Co., Inc.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14188; Filed, Sept. 14, 1944; 10:27 a. m.]

[File Nos. 54-68, 59-55, and 70-962]

COMMUNITY GAS AND POWER CO., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of September A. D. 1944.

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company and the subsidiary companies thereof, File No. 59-55, respondents; Southern Natural Gas Company, File No. 70-962.

Notice is hereby given that Community Gas and Power Company ("Community"), a registered holding company, and American Gas and Power Company ("American"), a registered holding company and a subsidiary company of Community, have filed with this Commission Amendment No. 8 to their amended plan heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of effecting compliance with section 11 (b) of the act.

Notice is further given that a declaration or application (or both) has been filed with this Commission pursuant to sections 9 (a) (1) and 10 of the act by Southern Natural Gas Company ("Southern"), a registered holding company and a subsidiary company of Federal Water and Gas Corporation, also a registered holding company.

All interested persons are referred to said Amendment No. 8 and to said declaration or application (or both), which are on file in the office of the Commission, for statements of the transactions therein proposed, which are summarized as follows:

Amendment No. 8. 1. By order of the Commission dated July 2, 1943, American was directed, among other things, pursuant to section 11 (b) (1) of the act, to dispose of its interest in Birmingham Gas Company ("Birmingham"). The amended plan of Community and American pending before the Commission under section 11 (e) of the Act provides for the sale by American of its interest in Birmingham.

2. In Amendment No. 8 Community and American propose that American shall sell to Southern all its interest in Birmingham, consisting of 142,955 shares (62.82%) of the outstanding $2 par value common stock of Birmingham, for the sum of $1,358,072.50, equivalent to $9.50 per share. Under the contract American would also receive its pro rata portion of one-half of Birmingham's net earnings accruing to said shares of common stock from January 1, 1944, to the date of closing. The remaining shares of common stock of Birmingham (84,593.1 shares) are held by the public.

3. Of the Birmingham stock to be sold by American, 139,993 shares are pledged with The New York Trust Company as Successor Trustee under the Debenture Agreement of American, dated as of May 1, 1928, as supplemented and amended. American proposes to deposit the proceeds of sale of said 139,993 shares ($1,329,933.50) with the Trustee, pending disposition of all the pledged assets under the amended plan.

4. Community and American estimate that the expenses incident to the proposed sale of the Birmingham stock (all to be borne by American) will amount to approximately $17,500, consisting of traveling expense, telegrams, telephone calls, postage, Trustee's charges, counsel fees and other miscellaneous expense. No commissions are to be paid by American.

5. American requests that the Commission approve Amendment No. 8 as a separate step in carrying out the amended plan pending under section 11 (e) of the act.

6. American requests that, in order that it may have the exemption afforded by section 1806 (f) of the Internal Revenue Code, the Commission approve the transactions proposed in Amendment No. 8 as necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and specify and itemize the transfers of securities called for by said Amendment.

Declaration or application of Southern. 7. Southern proposes to acquire from American, pursuant to the contract referred to above, said 142,955 shares of the common stock of Birmingham for the sum of $1,358,072.50. Southern proposes to expend such funds out of treasury cash, and proposes no issuance of securities at the present time in connection therewith.

8. Southern estimates that the total of its expenses in connection with the proposed acquisition, including auditors' fees, legal fees, traveling and miscellaneous expenses, will be approximately $5,000, and states that it does not consider that it is obligated for the payment of any commission. Southern states, however, that G. L. Ohrstrom has asserted that he is entitled to the payment of a commission in connection with the proposed acquisition.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said Amendment No. 8 to the amended plan of Community and American and with respect to said declaration or application (or both) filed by Southern, and that the transactions proposed by said Amendment No. 8 should not be approved nor said declaration be permitted to become effective nor said application granted except pursuant to further order of the Commission; and

It further appearing to the Commission that some of the evidence in the pending proceeding on the amended plan of Community and American filed under section 11 (e) (File No. 54-68) and in the proceeding instituted by the Commission under section 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the act (File No. 59-55), which proceedings have heretofore been consolidated by Order dated August 12, 1943, is relevant to the issues presented by said Amendment No. 8 and by said declaration or application (or both), and that all such proceedings involve common questions of law and fact and should be consolidated;

It is ordered, That such proceedings be and the same are hereby consolidated.

It is further ordered, That a hearing on such matters under the applicable provisions of the act and rules of the Commission thereunder be held on September 28, 1944, at 10:00 a. m., e. w. t., at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such transactions proposed in said Amendment No. 8 should be approved, such application granted and such declaration permitted to become effective.

It is further ordered, That Willis E. Monty, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the consolidated proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether the proposed sale by American meets the requirements of section 12 (d) of the act and the applicable rules thereunder.

2. Whether the proposed acquisition by Southern meets the requirements of section 10 of the act, and particularly section 10 (c) thereof.

3. Whether, pursuant to sections 10 (b) (2) and 12 (d) of the act, the proposed price is reasonable and bears a fair relation to the sums invested in and the earning capacity of the utility assets underlying the common stock of Birmingham.

4. Whether, pursuant to sections 10 (b) (2) and 12 (d) of the act, the fees, commissions and other remuneration to be given directly or indirectly in connection with the proposed transactions are reasonable in amount.

5. Whether it is necessary or appropriate in the public interest or for the protection of investors, pursuant to section 10 (b) of the act, for the Commission to condition its approval of the proposed acquisition by Southern upon a fair offer by Southern to purchase shares of the common stock of Birmingham held by others than American.

6. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions with reference to the proposed transactions, and if so, what the terms and conditions should be.

7. Generally, whether the proposed transactions are detrimental to the public interest or to the interests of investors and consumers, or would tend to circumvent any provisions of the act or of the rules, regulations or orders promulgated thereunder.

It is further ordered, That notice of said hearing is hereby given to Community, American and their subsidiary companies, to Southern and its subsidiary companies, and to all interested persons; said notice to be given to Community, American, Southern and The Alabama Public Service Commission by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining to the amended plan of Community and American or to the declaration or application of Southern, and to take such other action as may appear conducive to an orderly, prompt, and economical disposition of the matters involved.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of the Commission on or before September 25, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14191; Filed, Sept. 14, 1944; 10:27 a. m.]

WAR PRODUCTION BOARD.

[C-397]

FLUORESCENT LITE EQUIPMENT CO.

Harry Goodman, doing business as Fluorescent Lite Equipment Company, 918 Commerce Street, Dallas, Texas, is charged by the War Production Board with having delivered fluorescent lighting fixtures on preference ratings of MRO AA-8 and without preference ratings, in violation of General Limitation Order L-78, during the period from January 1, 1944, to August 15, 1944. The War Production Board has further charged that those sales were made with knowledge of the existence of restrictions imposed by such limitation order and in wilful violation of the order.

Harry Goodman, doing business as Fluorescent Lite Equipment Company, admits the sales of the fixtures in question and, although he does not admit or deny, does not wish to contest the charge of the War Production Board that the above acts were wilful and done with knowledge of the pertinent regulations of the War Production Board.

Wherefore, upon the agreement of Harry Goodman, doing business as Fluorescent Lite Equipment Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *it is hereby ordered*, That:

(a) Harry Goodman, doing business as Fluorescent Lite Equipment Company, shall not from the effective date of this order until December 1, 1944, apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of fluorescent lighting fixtures or other material to Harry Goodman, doing business as Fluorescent Lite Equipment Company, are void and shall not be given any effect by suppliers of Harry Goodman, doing business as Fluorescent Lite Equipment Company, or by any other person. This does not apply to fixtures or material already delivered or in transit for delivery to him on the effective date of this order.

(c) Harry Goodman, doing business as Fluorescent Lite Equipment Company, shall not from the effective date of this order until December 1, 1944, receive or accept delivery of any fluorescent lighting equipment as defined in, or governed by, General Limitation Order L-78. This does not apply to material and fixtures in transit for delivery to him on the effective date of this order.

(d) The restrictions and prohibitions contained herein shall apply to Harry Goodman, doing business as Fluorescent Lite Equipment Company, his successors and assigns, or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve Harry Goodman, doing business as Fluorescent Lite Equipment Company, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on the date of issuance, and shall expire on December 1, 1944.

Issued this 13th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14186; Filed, Sept. 13, 1944; 4:51 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 186

Washington, Saturday, September 16, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[FCA 370]

PART 28—THE FEDERAL LAND BANK OF OMAHA

FEES REQUIRED OF BORROWERS

Section 28.1 of Title 6, Code of Federal Regulations as amended, is amended to read as follows:

§ 28.1 *Application fees*—(a) *New loans, nonresident fee.* $7.50 fee will be required with applications submitted by nonresidents of the district. Such fee will be refunded to the applicant if a nonresident personal investigation is not made.

(b) *Division of loans.* An appraisal fee of $5 should accompany each application for the division of an existing loan.

(c) *Substitution of security.* An appraisal fee of $10 will be charged on each application where it is found necessary to have an inspection by a land bank appraiser.

(Sec. 13 "Ninth", 39 Stat. 372, secs. 32, 33, 48 Stat. 48, 49, as amended; 12 U.S.C. 781 "Ninth", 1016 (e), 1017, and Sup.; 6 CFR, Cum. Supp., 19.322, 19.330, 19.331, 19.333, 19.334, 19.335; 8 F.R. 10595, 10596, 10597) (Res. Bd. Dir., September 22, 1943, 8 F.R. 14783, 14785; Res. Bd. Dir., August 22, 1944)

Section 28.3 of Title 6, Code of Federal Regulations, as amended, is amended to read as follows:

§ 28.3 *Partial releases and easements.* Appraisal fees will be based on the necessity of an inspection by a land bank appraiser. Where an inspection is not required, no fees will be charged. Where a field appraisal is necessary, the charge will be $10. (Note: Appraisal fees should not be submitted with the application. The fee will be deducted from the consideration or may be collected by the secretary-treasurer and forwarded to the bank before delivering the instrument.)

(Sec. 13 "Ninth", 39 Stat. 372, secs. 26, 32, 48 Stat. 44, 48, as amended: 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e); and 6 CFR, Cum. Supp., 19.326, 19.339, 8 F.R. 10595, 10597). (Res. Bd. Dir., August 22, 1944)

[SEAL] THE FEDERAL LAND BANK OF OMAHA,
By E. N. VAN HORNE,
President.

Confirmed:

WAYNE E. SMITH,
Secretary.

[F. R. Doc. 44-14266; Filed, Sept. 15, 1944; 9:32 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 82, Amdt. 3]

PART 1405—FRUITS AND VEGETABLES

WALNUTS

War Food Order No. 82, as amended (8 F.R. 13283, 16643; 9 F.R. 4321, 4319), is further amended as follows:

1. By deleting the provisions of § 1405.27 (a) (10) and inserting, in lieu thereof, the following:

(10) The term "orchard-run walnuts" means unshelled walnuts which have been properly hulled and dried and which have not been graded for quality or size. For the purpose of this order, any given lot of orchard-run walnuts shall be of similar condition and composition to walnuts customarily delivered from the harvest by farm producers, without blending, adulteration or dilution with any walnuts of inferior quality.

2. By deleting § 1405.27 (b) (2) and inserting, in lieu thereof, the following:

(2) *Walnuts required to be set aside.* No person shall ship after 12:01 a. m., p. w. t., September 15, 1944, unshelled walnuts unless, prior to the shipment thereof, he shall have set aside a quantity of merchantable walnuts equal at least to 20 percent, by weight, of each shipment of merchantable walnuts made by him: *Provided*, That this provision shall not apply to shipments of walnuts for which a quantity of walnuts has already been

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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SELECTIVE SERVICE SYSTEM

CIVILIAN PUBLIC SERVICE CAMP NO. 138, LINCOLN, NEBR., DESIGNATION AS CONSCIENTIOUS OBJECTORS' CAMP

Pursuant to the authority vested in me by the Director of Selective Service, I hereby designate Civilian Public Service Camp No. 138, Lincoln, Nebraska, as a camp for the assignment of conscientious objectors.

(E.O. 9279, 7 F.R. 10091)

Issued this 13th day of September 1944.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 44–14257; Filed, Sept. 14, 1944; 3:14 p. m.]

SOLID FUELS ADMINISTRATION FOR WAR

COKE, ELIMINATION FROM LIST OF SCARCER SOLID FUELS

Pursuant to the authority vested in me by Executive Order 9332 (8 F.R. 12245), I hereby direct that coke be eliminated from the list of scarcer solid fuels set forth in Solid Fuels Administration for War Order No. 1 (7 F.R. 9409).

Issued this 13th day of September 1944.

SOLID FUELS ADMINISTRATION FOR WAR,
By J. A. KRUG,
Administrator.

[F. R. Doc. 44–14255; Filed, Sept. 14, 1944; 3:14 p. m.]

TREASURY DEPARTMENT

SURETY BONDS

The Summit Fidelity and Surety Co., Akron, Ohio, has applied for the issuance of a certificate of authority to qualify as surety on bonds in favor of the United States. Pursuant to the authority vested in me by the Act of July 30, 1947, as amended (6 U.S.C., Sec. 6–13), I hereby issue a certificate of authority to the said Company, which is dated as of the date hereof, and which shall remain in force and effect until June 30, 1945, unless sooner terminated as provided by law.

The said Company is incorporated under the laws of the State of Ohio, and has been duly licensed by the Superintendent of Insurance of that State to transact the business of fidelity and surety insurance. The said Company has also complied with the other requirements of the said Act of July 30, 1947, as amended.

The said Company is hereby authorized to transact the business of fidelity and surety insurance in the State of Ohio, subject to the limitations prescribed by the Secretary of the Treasury.

Dated: September 13, 1944.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44–14256; Filed, Sept. 14, 1944; 3:14 p. m.]

WAR FOOD ADMINISTRATION

COTTON, DELEGATION OF AUTHORITY TO CHESTER L. FINCH

Pursuant to the authority vested in the War Food Administrator, Chester L. Finch, Cotton and Fiber Branch, Office of Distribution, War Food Administration, is hereby authorized, during the fiscal year ending June 30, 1945, to administer oaths and affirmations, take affidavits, examine witnesses, and call for the production of books and papers in connection with the performance of the duties required of him in the enforcement or administration of any of the following:

(1) The United States Cotton Futures Act (26 U.S.C. 1940 ed. 1920–35), and the regulations (7 CFR, Cum. Supp., 27.1 et seq. and 8 F.R. 10702) issued thereunder; and

(2) The regulations (7 CFR, Cum. Supp., 61.1 et seq.) issued under the authority contained in the so-called Farm Products Inspection Act (last set forth in Pub. L. No. 367, 78th Cong., 2d Sess.), governing the inspection, sampling, and certification of cottonseed sold or offered for sale for crushing purposes.

And the said Chester L. Finch is further authorized, during the said period, to administer to or to take from any person an oath, affirmation, or affidavit whenever such oath, affirmation, or affidavit is for use in connection with the performance of duties required of him with respect to any prosecution or proceeding under, or in the enforcement of, the United States Cotton Standards Act (7 U. S. C. 1940 ed. 51–65), and the regulations (7 CFR, Cum. Supp., 28.1 et seq.) issued thereunder.

Any exercise of the foregoing authority by the said Chester L. Finch during the portion of the fiscal year ending June 30, 1945, prior to the time of the issuance of such distribution shall be made to each person from whom an assessment was collected, as aforesaid, in the proportion that the amount of the assessment paid by the respective person bears to the total amount of the assessments paid by all persons during the said crop year. Any money so collected and remaining in the possession of the program committee upon the termination of this order shall be distributed in such manner as the Director may order.

This order shall become effective at 12:01 a. m., p. w. t., September 15, 1944. With respect to violation, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 82, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 82, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 14th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–14258; Filed, Sept. 14, 1944; 3:14 p. m.]

[WFO 4–4, as Amended, Termination]

PART 1450—TOBACCO

1943 CROP FIRE-CURED AND DARK AIR-CURED TOBACCO

War Food Order No. 4–4, issued by the Acting Director of Food Distribution, War Food Administration, on November 27, 1943, as amended, 9 F.R. 4319 (formerly designated as Director Food Distribution Order No. 4–4, as amended, 8 F.R. 16098, 16828) placing restrictions on 1943 crop fire-cured and dark air-cured tobacco is hereby terminated.

With respect to violations of said War Food Order No. 4–4, as amended, rights accrued, liabilities incurred, or appeals taken under said order, as amended, prior to the termination thereof, said War Food Order No. 4–4, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4319)

Issued this 13th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–14242; Filed, Sept. 14, 1944; 1:08 p. m.]

set aside by a previous shipper in accordance with the provisions hereof.

3. By deleting § 1405.27 (d) and inserting, in lieu thereof, the following:

(d) *Assessments.* Each person who ships merchantable walnuts shall pay to the program committee on demand made by the program manager, from time to time, the sum of 0.07 cents for each pound of merchantable walnuts shipped by such person after the effective time hereof. Any money collected as assessments during any crop year and not expended in connection with the respective crop year's program hereunder may be used and shall be refunded by the program manager in accordance with the provisions hereof. The aforesaid surplus fund may be used by the program manager during the 90 days subsequent to such crop year in paying the necessary expenses of the program manager incurred in connection with the new crop year. The program manager shall, however, from funds on hand, including assessments collected during the new crop year, distribute or make available, within 120 days after the beginning of the new crop year, the aforesaid surplus to each person from whom an assessment was collected in said previous crop year; and

[WFO 114]

PART 1480—ELEVATION FACILITIES

RESTRICTIONS ON USE OF ELEVATION FACILITIES FOR UNLOADING GRAIN FROM VESSELS

The fulfillment of requirements for the defense of the United States will result in a shortage of facilities for the elevation of grain from vessels for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1480.1 *Restrictions on the use of elevation facilities for unloading grain from vessels*—(a) *Definitions.* (1) "Elevation" and "elevate" mean unloading from a vessel.

(2) "Person" means any individual partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and any Federal, State or local governmental agency.

(3) "Director" means Director of Transportation, War Food Administration, Washington 25, D. C.

(b) *Restrictions.* No person shall elevate or offer for elevation any grain at any point or port in the United States on the Great Lakes, and connecting waters, or the St. Lawrence River, unless a permit for elevation of such grain has been obtained from the Director, or a representative of the United States Department of Agriculture, designated by him.

(c) *Application for and issuance of permits.* (1) Application for permits for elevation of grain required under (b) hereof, shall be made to the Director, or representatives designated by him, in writing, stating the place of loading, kind or type of grain, quantity, the place where elevation is to take place, the approximate date the grain will be offered for elevation, and the approximate length of time it is proposed to store the grain at the point of elevation.

(2) A permit shall be issued upon an application made pursuant to (c) (1), if the Director or his designated representatives determine that there will be available adequate elevation facilities at the time and place set forth in the application and that the grain is needed for essential uses or the elevation of the grain will not interfere with the elevation and storage of grains needed for essential uses; *Provided*, That, such permit may be issued under such conditions as it may be determined are necessary to prevent interference with the elevation, storage, and distribution of grains needed for essential uses, including a limitation on the length of time such grain may be stored at the place of elevation.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of grain of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(f) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 114, Office of Transportation, War Food Administration, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (g) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from using any elevation facilities. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, War Food Order No. 114, Office of Transportation, War Food Administration, Washington 25, D. C.

(k) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 18, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 14th day of September 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44–14279; Filed, Sept. 15, 1944; 11:07 a. m.]

this authorization is hereby ratified and confirmed.

(46 Stat. 267; 5 U.S.C. 1940 ed. 521; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 14th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-14281; Filed, Sept. 15, 1944; 11:07 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

ENFORCEMENT DIVISIONS AND PANELS

The rules of procedure relative to cases of possible violation of the Wage and Salary Stabilization Program, as adopted by the National War Labor Board on July 30, 1943, are hereby amended in their entirety to read as follows:

Sec.
802.70 Composition of Enforcement Divisions and Panels.
802.71 Jurisdiction of Enforcement Divisions.
802.72 Notice and conduct of hearing.
802.73 Findings and recommendations of Enforcement Division.
802.74 Appeal to the National War Labor Board.
802.75 Transmittal of findings to appropriate government agencies.

AUTHORITY: E.O. 9250, Oct. 3, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Regulations of Economic Stabilization Director, Oct. 27, 1942, 7 F.R. 8748, 8 F.R. 6489, 6490, 11960, 12139, 12238, 16702; Inflation Control Act of 1942, Act of October 2, 1942, C. 578, 56 Stat. 765, Pub. Law 729, 77th Cong.

§ 802.70 *Composition of Enforcement Divisions and Panels.* (a) Cases arising in any War Labor Board region involving alleged contravention of the Stabilization Act of 1942, as amended (56 Stat. 765) and the orders and regulations promulgated thereunder (hereinafter referred to as the "Act") shall be dealt with by an Enforcement Division designated by each Regional War Labor Board.[1] Each Regional Enforcement Division shall be tri-partite in character, and shall be composed of one or more representatives each of Labor, Industry, and the Public. A representative of the Public shall be designated as Chairman of each Enforcement Division. Each Regional War Labor Board may appoint as members of the Enforcement Division such number of representatives of Industry, Labor, and the Public as it sees fit: *Provided*, That in any particular case of alleged contravention of the act, any hearing shall be held before, and findings and recommendations made by, not less than three nor more than six members of the Enforcement Division consisting of equal representation of Labor, Industry and the Public, with a public member acting as Chairman. Such members shall constitute the Enforcement Division for purposes of such case.

(b) An Enforcement Division may from time to time appoint ad hoc Panels of tri-partite composition, consisting of non-members of the Enforcement Division, to hear any specified case or cases involving alleged contravention of the act. Any such Panel shall, after hearing a case, make its proposed findings and recommendations which shall be reviewed by the Enforcement Division, as provided in § 802.73.

§ 802.71 *Jurisdiction of Enforcement Divisions.* (a) In any case involving alleged contravention of the act by any employer, an Enforcement Division shall have authority, by majority vote, to make findings as to all pertinent facts and, if it finds that there has been a contravention of the Act by the employer, to recommend whether, in the light of all the circumstances in the case, any portion or all of the sanctions prescribed by the act shall be withheld. Unless such recommendation in any case provides for a withholding of all the sanctions prescribed by the act, or unless the employer waives a hearing or consents to the making of a recommendation, by the Enforcement Division, the recommendation shall be made only after a hearing, as prescribed by this procedure.

(b) Action of an Enforcement Division in any case of alleged contravention of the act, as evidenced by its findings and recommendations, shall be final, subject to appeal to the National War Labor Board as provided in § 802.74. Each Enforcement Division, however, shall be subject to general policy directives of the Regional War Labor Board and shall report to the Regional War Labor Board from time to time on its activities.

(c) If the situation requires such action, any party may be called upon to show cause before the Enforcement Division, within such time as is deemed proper by the Enforcement Division, why he should not refrain from making or receiving payment of wages at rates reported to be in contravention of the act, pending a hearing and decision by the Enforcement Division.

§ 802.72 *Notice and conduct of hearing.* (a) In any case where the Regional Attorney believes that an employer has made wage or salary payments in contravention of the act and that a hearing should be held in the matter, he shall report such case to the Enforcement Division. The Enforcement Division, after consideration of the allegation, may direct that the employer with respect to whom the allegation is made be notified to appear at a hearing before the Enforcement Division or before a Panel designated by it.

(b) Not less than ten days' written notice of a hearing shall be served personally or by registered mail upon the employer. Such notice shall contain (1) a concise statement of the nature of the alleged contravention of the act; (2) a statement advising the employer that at the hearing he may be represented by counsel and will be given full opportunity to present written or oral testimony and to examine and cross-examine witnesses on all matters relating to the allegations.

(c) If any party to a proceeding appears by attorney, notice of that fact shall be filed with the Enforcement Division and thereafter all papers shall be served upon him.

(d) For good cause shown, any hearing may be adjourned from time to time by the Enforcement Division or Panel.

(e) An employer may, at his own expense, provide for the making of a stenographic transcript of proceedings, in which case copies thereof shall be furnished without cost to the Enforcement Division or Panel and at the regular cost per copy to other persons.

(f) Evidence in support of the allegation shall be presented by the Regional Attorney. Opportunity shall be given to the employer or his counsel to present all relevant evidence and argument, written or oral.

§ 802.73 *Findings and recommendations of Enforcement Division.* (a) If a hearing is before a tri-partite Panel, the Panel shall, after the conclusion of the hearing, make proposed findings and recommendations which shall be mailed to the employer or his attorney and filed with the Enforcement Division. Within 14 days after mailing of the proposed findings (unless such time is extended by the Enforcement Division), the employer and the Regional Attorney may exchange and submit to the Enforcement Division written comments or objections to the proposed findings. At the expiration of such 14 days, the Enforcement Division shall, unless it directs a rehearing, make its final findings and recommendations in the case.

(b) If a hearing is before the Enforcement Division, the latter shall, after conclusion of the hearing, make its findings and recommendations in the case.

(c) The findings and recommendation of the Enforcement Division shall be in writing, showing the names of the members of the Division participating in such decision. If the Enforcement Division finds that the allegation of contravention of the act has been established by a preponderance of the evidence, it shall, in appropriate cases, also make findings as to the existence of any extenuating circumstances in connection therewith, and shall recommend whether there shall be withheld by the Executive Departments and other governmental agencies all or any portion of the sanctions prescribed by the act. Any dissent from the majority decision of the Enforcement Division shall be recorded on the findings and recommendation.

(d) The findings and recommendation shall be forwarded to the National War Labor Board, and a copy thereof shall be served, by registered mail on the employer or upon his attorney.

[1] Wherever in this procedure the term Enforcement Division is used, it shall also include the West Coast Lumber Commission and the Tool & Die Commission, or any agency especially designated by the National War Labor Board with jurisdicton over enforcement cases.

§ 802.74 *Appeal to the National War Labor Board.* (a) The findings and recommendation of an Enforcement Division shall be final, subject, however, to the right of the employer or the Regional Attorney, to appeal to the National War Labor Board for a review of the findings and recommendation. Such appeal shall be taken within 14 days from the date of receipt by the employer of the findings and recommendation. If the employer appeals he shall, within such 14 days, mail an original and five copies of a petition for review, including any supporting memorandum of law, to the Regional Attorney. If the Regional Attorney appeals he shall, within such 14 days, file the petition for review and four copies, including any supporting memorandum, with the Enforcement Division and mail a copy thereof to the employer or his attorney. If timely request is made to the Enforcement Division within such 14 days, the time for filing a petition for review may be extended by the Enforcement Division or agreement for such extension may be made by the Regional Attorney and the employer or his attorney.

(b) Any petition for review shall set forth concisely the respects in which it is claimed the findings were erroneous and shall state in detail the particular ground of objection to the findings or recommendation making specific reference to those portions of the record upon which reliance is placed.

(c) Either the employer or the Regional Attorney may, within 14 days from the date of mailing of a petition for review, make a reply thereto. Such reply shall be mailed and filed in the same manner and subject to the same conditions as are prescribed in paragraph (a) above for the petition for review.

(d) Upon receipt of all appeal papers filed in any case, the Enforcement Division shall cause to be sent to the National War Labor Board the entire file of the case.

(e) If no timely petition for review is filed and if the National War Labor Board does not review on its own motion, the findings and recommendation of the Enforcement Division shall, on the day following the last day for filing a petition for review, stand confirmed as the findings and recommendation of the National War Labor Board.

(f) Upon consideration of a petition for review, the National War Labor Board will render its decision upon the entire record of the case. In special cases, upon request duly made in the petition for review and upon good cause shown, the National War Labor Board may permit further oral or written argument or proof. In rendering its decision the National War Labor Board may affirm, reverse or modify the findings or recommendations or any part thereof or send the case back to the Enforcement Division for appropriate action.

§ 802.75 *Transmittal of findings to appropriate Government agencies.* (a) If within the 14 days stated above, a petition for review is not filed, or the time therefor extended, the National War Labor Board will, in due course, forward the findings and recommendation in a case to the appropriate governmental agency or agencies.

(b) If a timely petition for review is filed, the National War Labor Board, after its consideration and decision will, in appropriate cases, likewise forward the findings and recommendation in the case, accompanied by its order, to the appropriate governmental agency or agencies.

FRED E. DESMOND,
Acting Executive Director.

[F. R. Doc. 44-14295; Filed, Sept. 15, 1944; 11:54 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Rev. Reg. 21, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES

ELIMINATION OF COKE FROM SCARCER SOLID FUELS

Because coke 1¼" and smaller has recently become available in greater quantities, it is deemed advisable to amend SFAW Revised Regulation No. 21 (9 F.R. 8289, 10558) so as to eliminate such coke from the classification of scarcer kinds of solid fuels. Accordingly, SFAW Revised Regulation No. 21 is hereby amended in the following respects:

1. Section 602.411 (g) is hereby amended to read as follows:

(g) "Scarcer kinds of solid fuels" means (1) all sizes of bituminous coal, except slack, produced in District 7 or District 8, (2) packaged fuel or briquettes containing any bituminous coal produced in District 7 or District 8, and (3) all western coke except reclaimed coke, run-of-oven beehive coke, and coke which has passed through a 1⅛" screen opening. (For purposes of this paragraph, resultant coal 1½" x 0 and smaller produced in District 7, and resultant coal 2½" x 0 and smaller produced in District 8, shall be considered slack.)

2. Section 602.412 (b) is hereby amended to read as follows:

(b) During the period April 1, 1944 to March 31, 1945, inclusive, no equipped or unequipped retail dealer may deliver, and no consumer may receive from all sources combined, the scarcer kinds of solid fuels (as defined in § 602.411 (g)) in an amount which, when added to (1) the consumer's inventory of such solid fuels as of April 1, 1944, and (2) the tonnage of such solid fuels received by the consumer after April 1, 1944, exceeds 90 per cent of the consumer's annual requirements for solid fuels.

This amendment shall become effective on the date of issuance.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 14th day of September 1944.

C. J. POTTER,
Deputy Solid Fuels Administrator for War.

[F. R. Doc. 44-14267; Filed, Sept. 15, 1944; 9:35 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter A—Bureau of Accounts

[1944 7th Supp. Dept. Circ. 570, Rev. April 20, 1943]

PART 226—SURETY COMPANIES

ISSUANCE OF CERTIFICATE OF AUTHORITY AS SURETY ON FEDERAL BONDS[1]

SEPTEMBER 14, 1944.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241 (U. S. Code, title 6, secs. 6-13), as an acceptable surety on Federal bonds. An underwriting limitation of $28,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

Name of Company, Location of Principal Executive Office and State in Which Incorporated

The Summit Fidelity and Surety Company, Akron, Ohio.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14269; Filed, Sept. 15, 1944; 10:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Camp Order 138]

LINCOLN PROJECT, NEBR.

DESIGNATION AS CONSCIENTIOUS OBJECTOR CAMP

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Lincoln Project is designated as work of national importance and shall be known as Civilian Public Service Camp No. 138. Said camp, located at Lincoln, Lancaster County, Ne-

[1] Affects tabulation in § 226.1.

braska, will be the base of operations for soil conservation work in the State of Nebraska, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV–E, may be assigned to said camp in lieu of their induction for military service.

2. That the work to be undertaken by the men assigned to said Lincoln Project will consist of the establishment of a program tending to develop sound land use practices which will prevent the spread of erosion, and shall be under the technical direction of the Soil Conservation Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Office of the Assistant Director of Selective Service in charge of Camp Operations.

Issued September 11, 1944.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 44–14260; Filed, Sept. 14, 1944; 2:30 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 933—COPPER

[Conservation Order M–9–c, as Amended Aug. 31, 1944, Amdt. 1]

Section 933.4 *Conservation Order M–9–c* is hereby amended in the following respects:

1. Paragraph (i) (2) is amended to read as follows:

(2) *Applications under Priorities Regulation 25, applications for specific authorization, and appeals*—(i) *Exceptions under Priorities Regulation 25.* Except as noted below in subparagraph (iii) of this paragraph, all requests for exceptions from the restrictions in paragraph (a) on manufacture, processing, assembling or finishing of any articles on the combined list (or part of an article) must be filed under Priorities Regulation 25. Some other orders of the War Production Board contain restrictions on the use of copper products or copper base alloy products. An authorization granted under Priorities Regulation 25 will not waive the other restrictions unless the order containing them or a direction to Priorities Regulation 25, states that it will. In the absence of such a statement, it is also necessary to get relief from the restrictions of the other order in the manner provided in that order.

(ii) *Applications for specific authorization.* Where the order specifies that certain things may not be done unless the specific authorization of the War Production Board is obtained, applications for authorization should be made by letter in duplicate to the Copper Division in Washington.

(iii) *Appeals.* No appeal shall be filed from the provisions of paragraph (a) of this order except where a person wishes to make an article which is on the combined list and not on the "Military Exemption List" for one of the agencies mentioned in paragraph (f) (1) in a manner not permitted by the terms of this order. Any such appeal, or any appeal from the provisions of paragraphs (c) (1) and (c) (3) of this order, shall be made by filing Form WPB–1477 with the War Production Board, Copper Division, Washington, 25, D. C., Ref: M–9–c."

Issued this 15th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14284; Filed, Sept. 15, 1944; 11:27 a. m.]

PART 937—ZINC

[General Preference Order M–11, as Amended Sept. 15, 1944]

SLAB ZINC

Section 937.1 *General Preference Order M–11* is amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.1 *General Preference Order M–11*—(a) *Definitions.* (1) "Zinc" means all grades of metallic slab zinc (spelter) produced directly from ores, concentrates or other primary material; or redistilled from zinc scrap, including ashes, dross, skimmings, clippings, castings, engravers' plates, die cast scrap, or any secondary zinc-bearing material.

(2) "Producer" means any person producing zinc and any person who has zinc produced for him under toll agreement.

(3) "Dealer" means any person who regularly receives a physical delivery of zinc and sells or holds the same for resale without changing the form. A person who produces any zinc or who has the same produced for him under toll agreement, is a producer as to such zinc, and not a dealer.

(b) *Deliveries of zinc.* (1) Any person may accept delivery of zinc provided that the person accepting such delivery of zinc will not, after acceptance, have an inventory in excess of a practicable minimum working inventory.

(2) Any person unable to obtain zinc should make application by written communication to the War Production Board, giving quantity and grade of zinc required and such facts as are pertinent to the case.

(c) *Reports.* (1) All producers and dealers shall file Form WPB–1012 by the fifteenth of each month with the Tin, Lead and Zinc Division.

(2) Each consumer accepting delivery of zinc shall file Form 6–1151–M, in duplicate, by the fifteenth day of each month, with the United States Department of Interior, Bureau of Mines, Washington, D. C., if he has accepted or hereafter accepts as much as twenty short tons of zinc in any calendar month subsequent to December 1943.

(3) All producers, dealers and users of zinc shall file, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, such other reports as the War Production Board shall from time to time prescribe.

(d) *Special directions.* The War Production Board may issue special directions as to the source, destination, specific kinds, and amounts of zinc to be delivered or acquired or to any or all producers to set aside some portion of their production subject to further direction of the War Production Board.

(e) *Applicability of regulations.* Except as specifically provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Tin, Lead and Zinc Division, War Production Board Department 7512, Washington 25, D. C., Reference M–11.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14283; Filed, Sept. 15, 1944; 11:27 a. m.]

PART 3290—TEXTILE, CLOTHING & LEATHER

[Conservation Order M–91, as Amended Sept. 14, 1944]

COTTON DUCK

§ 3290.56 *Conservation Order M–91.* (a) (1) "Cotton duck" means cotton fabrics commonly known by that name, in any weight, 15 inches or wider, in the grey, bleached, dyed, printed or proofed state, including but not limited to the following types:

(1) Shelter tent duck
(2) Numbered (wide or sail) duck
(3) Narrow or naught duck
(4) Hose or belting duck
(5) Harvester duck
(6) Filter duck or twills
(7) Chafer duck (chafer fabric), single or plied yarn
(8) Army duck (including woven awning stripe)
(9) Single or double filling flat duck
(10) Shoe duck
(11) Gem duck
(12) Bootleg duck
(13) Ounce duck
(14) Enamelling duck
(15) Cover duck
(16) Apron duck
(17) Breaker fabric, plain or leno

(2) "Producer" means a producer of cotton duck.

Restrictions

(b) No producer shall deliver cotton duck even though he receives a rated order, unless:

(1) It is to fill a direct order or contract (not including subcontracts) with the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration; or

(2) It is hose or belting duck, single yarn chafer fabric, numbered duck, filter duck or filter twill produced on looms which on April 7, 1944 were producing or were assigned to produce cotton duck for manufacture into items listed on Schedule A, and the purchaser states in writing that it will be used for that purpose (Authorization to deliver other types of cotton duck may be granted on written application when specifications of the Army or Navy of the United States or the Maritime Commission require other types), or

(3) The producer is authorized, after application by him on Form WPB–678 (formerly PD–329), to deliver it for specified purposes. Deliveries of cotton duck, when so authorized, shall be made by such producer as nearly as possible pro rata to purchasers of cotton duck from him for the specified purposes during the year 1943, and only to purchasers who certify that the cotton duck will be used only for the purposes specified in the authorizations; or

(4) The purchaser is authorized, after application by him on Form WPB–678 (formerly PD–329) to accept delivery of cotton duck. However, no purchaser needing cotton duck for direct or ultimate delivery to, or for incorporation into any material to be delivered directly or ultimately to the Army or the Navy of the United States, the Maritime Commission or the War Shipping Administration, will be authorized to buy it unless, before filing his application with the WPB on Form 678, he has first made application for the necessary duck to the agency whose prime contract is to be filled or to the Office of the Quartermaster General, Washington, D. C., and accompanies his application to the WPB with a letter from such agency or the Office of the Quartermaster General refusing the delivery requested; or

(5) It has been rejected in writing by both the Army and Navy of the United States; or

(6) It is in lengths not exceeding ten yards produced in the ordinary course of manufacture; or

(7) [Deleted Sept. 14, 1944.]

(8) [Deleted Sept. 14, 1944.]

(c) No producer who has any loom designated for but not needed to fill orders for cotton duck for manufacture into items listed on Schedule A, shall use such looms except for deliveries to the Army or Navy of the United States. Notwithstanding any contract or purchase order made with the Army or Navy of the United States for the production of such looms, the War Production Board may at any time direct that the production of such looms shall be delivered solely or to the extent designated for manufacture into items listed on Schedule A.

(d) No industrial consumer shall:

(1) Accept delivery in a calendar month of cotton duck designated for Schedule A items, in excess of 1/12 of the yards or pounds (whichever is the standard unit of purchase) which such person put into process in 1941 for the manufacture of such items. (The fact that cotton duck for the manufacture of items on Schedule A is needed for the delivery to the Armed Services or to persons producing for the Armed Services does not permit any industrial consumer to accept more cotton duck under paragraph (b) (2) than is permitted by paragraph (d) (1).)

(2) Accept delivery of Schedule A items, unless required by him within sixty days after receipt for actual use or resale in the 48 states (or within ninety days after receipt for actual use or resale outside the 48 states) or to enable him to have minimum spare materials in stock as a reserve for emergency breakdown.

NOTE: Paragraph (c) (1), formerly paragraph (e), redesignated Sept. 14, 1944.

(e) (1) No producer shall manufacture any cotton duck on looms which on April 7, 1944 were operating on or were assigned to produce cotton duck for incorporation into any item on Schedule A, except cotton duck for incorporation into Schedule A items, or for delivery to the Army or Navy of the United States to the extent permitted by paragraph (c).

(2) Every producer of cotton duck shall operate each of his looms suitable for the production of Army Duck (8 oz. on a 28½" width basis, and heavier), Numbered Duck, Flat Duck (12.10 oz. per square yard, and heavier) or Shelter Tent Duck at least as many hours per week as the loom which is operated the most hours per week in his plant.

General Provisions

(f) All communications concerning this order shall, unless otherwise directed in writing, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M–91.

(g) Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) Any person who wilfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using materials under priorities assistance by the War Production Board.

(i) This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise provided in this order.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

PART I—HOSE OF THE TYPES LISTED BELOW MANUFACTURED FROM HOSE DUCK AND SINGLE YARN CHAFER FABRICS

A. Air drill (2" size and over, only).
Butane and propane.
Cement gun (1½" size and over, only).
Chemical (including foamite) (1½" size and over only).
Flexible pipe (3" size and over, only).
Grouting, hydraulic, jetting.
Lubrication, high pressure (1" and over, only).
Pneumatic (2" size and over, only).
Railroad (car and engine equipment):
Air brake.
Air signal.
Railroad (shop and maintenance):
Air or pneumatic (2" size and over, only).
Steam (for uses involving pressure of 50 lbs. or more).
Rotary drilling.
Sand blast (1¼" size and over, only).
Steam hose (for uses involving pressures of 50 lbs. or more).
Suction (and/or discharge)—3" sizes and over, only.
Oil, and other petroleum products and molasses.
Sand.
Water.
Water (3" size and over, only).

B. Acid.
Air drill (sizes under 2").
Beverage.
Cement gun (sizes under 1½").
Chemical (sizes under 1½").
Creamery.
Divers air.
Dredging sleeves.
Dust.
Flexible pipe (sizes under 3").
Lubrication, high pressure (sizes under 1").
Pneumatic (sizes under 2").
Radiator.
Railroad (car and engine equipment):
Tender tank.
Railroad (shop and maintenance):
Air (sizes under 2") steam (for working pressures less than 50 lbs.).
Water, welding, and other essential types.
Sand blast (sizes under 1¼").
Spray (industrial and agricultural).
Steam (for working pressures less than 50 lbs.).
Suction (and/or discharge) (sizes under 3"):
Oil, and other petroleum products and molasses.
Sand.
Water.
Tank wagon, oil and other petroleum products.
Vacuum (industrial).
Ventilating.
Water (sizes under 3").
Welding.

PART II—BELTING, PACKING AND MISCELLANEOUS FABRIC PRODUCTS LISTED BELOW MANUFACTURED WITH OR WITHOUT RUBBER OR BALATA FROM BELTING DUCKS

A. Belting:
Conveyor (all types).
Elevator.
Hog-beater.
Power transmission, flat.
Power transmission, vee type, industrial and agricultural machinery.
B. Packings:
Sheet, strip, rod, coil and other mechanical packings.
C. Miscellaneous Products:
Band saw bands.
Card clothing.
Chute and tumbling barrel liners.
Cleats and bucket pads.
Draper and feed aprons.
Drop hammer pads.
Escalator hand rails.
Granite slings.
Laundry machine tapes.
Linoleum forming belts.
Linemen's straps.
Loom and harness strapping.
Polishing belts.
Printers and lithographers supplies.
Pulley lagging.
Round belts and belting.
Rut aprons and condenser tapes.
Screen diaphragms.
Street sweepers belts.
Tank and dam seals.

PART III—COTTON DUCK PRODUCTS LISTED BELOW MANUFACTURED FROM NUMBERED OR FILTER DUCK AND FILTER TWILLS

Chemical filters.
Cane and beet sugar industrial filters.
Oil and wax filters.
Paint filters.
Dyestuff filters.
Filters used in the processing of food products.
Mining, quarrying and smelting filters.
Filters used in the processing of ceramics.
Cement filters.

PART IV—SINGLE YARN CHAFER FABRICS FOR USE IN:

Pneumatic rubber tires for airplanes, automobiles, trucks and tractors, or for use in other vehicles for direct or ultimate delivery to the U. S. Army, Navy or Maritime Commission.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

[F. R. Doc. 44-14261; Filed, Sept. 14, 1944; 4:31 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Rev. Supp. Order 10,[1] Amdt. 1]

JUDICIAL SALES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2 (d) is amended by the addition of the following:

MPR 373—Maximum Prices in the Territory of Hawaii (the following sections only: section 29—Maximum Prices for Used Refrigerators, section 43—Maximum Prices for Used Washing Machines, section 57—Maximum Prices for Used Passenger Automobiles).
MPR 540—Maximum Prices for Used Passenger Automobiles.

This amendment shall become effective September 20, 1944.

Issued this 15th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14285; Filed, Sept. 15, 1944; 11:48 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418,[1] Amdt. 35]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In section 20, Table A, the prices for Schedules 30-B, 33, 34 and 34-A are amended to read as follows for the months of September through December:

TABLE A—MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound			
					Sept.*	Oct.	Nov.	Dec.
					Bulk ex-vessel	Bulk ex-vessel	Bulk ex-vessel	Bulk ex-vessel
30-B	Salmon, Fall (Pacific Coast) Seine caught (Oncorhynchus keta).[2]	1	Round	All	0.05	0.05	0.05	0.05
33	Salmon, Chinook or King (Pacific Coast) (Oncorhynchus tschawytscha).[3]	1	Round	All	.10½	.10½	.10½	.10½
34	Salmon, Chinook or King (Pacific Coast) (Oncorhynchus tschawytscha).[4]	1	Round	All	.13½	.13½	.13½	.13½
34-A	Salmon, Chinook or King (Pacific Coast) (Oncorhynchus tschawytscha).[5]	1	Round	All	.13½	.13½	.13½	.13½

*As to 1944 the September prices apply from Sept. 14 to Sept. 30 (inclusive).

This amendment shall become effective September 14, 1944.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14259; Filed, Sept. 14, 1944; 3:53 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9897.

[2] 8 F.R. 9366, 10086, 10513, 10689, 11734, 11687, 12468, 12283, 12686, 13297, 13182, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16293, 16296; 9 F.R. 90, 1323, 1582, 1575, 2133, 2408, 2691, 2038, 3388, 3578, 3940, 4350, 4821, 6100, 6452, 7168, 11273.

[3] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 14 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (c) (3) is added to read as follows:

(3) For the allotment period from October 1, 1944 to December 31, 1944, inclusive:

Class of foods	Classes of product or use (on Schedule I of OPA Form R-1200)	Factor
(i) Meats:		
(a) Bone in and separated suet	All	0.0
(b) Boned and boneless (and canned meat and canned fish)	do	0.0
(c) Hearts, tongues, livers and sweetbreads (pancreas and thymus).	do	0.0
(ii) Cheeses and canned milk:		
(a) Group I, cheese	do	6.0
(b) Group II, cheese	do	6.0
(c) Group III, cheese	do	10.0
(d) Canned milk	do	0.0
(iii) Fats and oils:		
(a) Butter	do	8.0
(b) Margarine	do	2.0
(c) Shortening	do	0.0
(d) Cooking and salad oils	do	0.0

This amendment shall become effective September 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4318, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 15th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14286; Filed, Sept. 15, 1944; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 684, Under 3 (b)]

C. H. DRAGERT CO., INC., ET AL.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to §§ 1499.3 (b) (2) and 1499.3 (e) (3), it is ordered:

§ 1499.2171 *Maximum prices for certain paint materials.* (a) The maximum prices for sales of metallic lead paste, for metallic lead paste, and thinner for metallic lead paste shall be:

	Metallic lead paste	Vehicle for metallic lead paste	Thinner for metallic lead paste
	Per lb.	*Per gal.*	*Per gal.*
For sales by C. H. Dragert Co., Inc., Dallas, Tex., to dealers, f. o. b. factory, Dallas, Tex.	$0.24	$2	$1.80
For sales by dealers, f. o. b. their separate and individual stores	.36	3	2.25

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of metallic lead paste, vehicle for metallic lead paste to any dealer, C. H. Dragert Co., Inc. shall furnish such dealer with a written notice as follows:

NOTICE

	Our maximum price, f. o. b. Dallas, Tex.	Your maximum price, f. o. b. your store
Metallic lead paste	$0.24 per lb	$0.36 per lb.
Vehicle for metallic lead paste.	$2.00 per gal	$3.00 per gal.
Thinner for metallic lead paste.	$1.50 per gal	$2.25 per gal.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 16, 1944.

Issued this 15th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14287; Filed, Sept. 15, 1944; 11:48 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 321—DIRECTIVES

[Director 5, Rev. 2, Amdt. 1]

FORWARDING AND TRANSPORTATION OF WATERBORNE FOREIGN COMMERCE OF UNITED STATES

Section 321.5 *Directive with respect to forwarding and transportation of waterborne foreign commerce of the United States issued jointly by the Lend-Lease Administrator and the Administrator, War Shipping Administration* (Directive 5, Revision 2 (8 F. R. 9032)), is amended by adding the following new paragraph:

(g) Effective September 9, 1944, the following witness and signature clause may be used in the place and stead of the witness and signature clause prescribed in the form of bill of lading set forth in paragraph (a).

In witness whereof, there have been executed ---------- bills of lading exclusive
(Insert number)
of non-negotiable copies, all of the same tenor and date, one of which being accomplished, the others to stand void.
Dated at ---------- 19-----
For the Master,
By----------
(Insert name of agent in print)
Agents for United States of America
(War Shipping Administration)
By----------

Foreign Economic Administration concurs in this amendment.

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 9, 1944.

[F. R. Doc. 44-14282; Filed, Sept. 15, 1944; 11:13 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 164-A]

PART 95—CAR SERVICE

REFRIGERATION OF CITRUS FRUITS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of September A. D. 1944.

Upon further consideration of Service Order No. 164 (8 F.R. 15491) of November 10, 1943, and good cause appearing therefor:

It is ordered, That Service Order No. 164 (8 F.R. 15491) of November 10, 1943, 49 C.F.R. § 95.323, restricting refrigeration on citrus fruits in refrigerator cars, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14274; Filed, Sept. 15, 1944; 11:02 a. m.]

[S. O. 200, Rev. Amdt. 4]

PART 95—CAR SERVICE

REFRIGERATION ON POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of September A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9622, 9916, 10051, 11015), and good cause appearing therefor:

It is ordered, That Service Order No. 200 of April 22, 1944, be, and it is hereby, further amended by adding the following exception to paragraph (a) (1) of § 95.337 thereof:

Exception: On refrigerator cars loaded with potatoes originating at any point or points on the Union Pacific Railroad Company in the States of Colorado, Kansas, or Nebraska, or in Idaho Groups B or C, or in Oregon Group B, as defined in Items 1013 and 1043, respectively, of National Perishable Freight Committee's

Perishable Protective Tariff No. 13, Agent J. J. Quinn's I.C.C. No. 22, supplements thereto or reissues thereof, the Union Pacific Railroad Company, at its option, may accord such first or initial icing at first regular icing station en route after the car is loaded and billed. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, That this order shall become effective 12:01 a. m., September 15, 1944, and shall expire at 12:01 a. m., October 15, 1944; that a copy of this order and direction shall be served upon the State Commission of each State specified in the exception herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary*.

[F. R. Doc. 44–14275; Filed, Sept. 15, 1944; 11:02 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 25A, Amdt. 2]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

OPERATION OF VESSELS ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, §§ 502.76 and 502.77 of General Order ODT 25A, as amended (8 F.R. 7778, 9 F.R. 4652), are hereby amended to read as follows:

§ 502.76 *Certain operations restricted.* No person shall ship, forward, or transport by vessel any shipment of grain, in bulk, from any port, point, or place in the United States located on the Great Lakes, or load any vessel with grain, in bulk, preparatory to shipment or transportation from such port, point, or place, unless there is outstanding a special or general permit issued by the War Food Administration, or its designated agent, authorizing such shipment to be unloaded at or handled through an elevator located at the point to which such shipment is to be transported: *Provided, however*, That this section shall not apply to a shipment which is consigned to a port or place not included within the scope of regulations or orders issued by the War Food Administration governing the use of elevator facilities for unloading grain from vessels.

§ 502.77 *Application for special permit.* Application for issuance of the permits contemplated by § 502.77 shall be made in the manner prescribed by applicable regulations or orders issued by the War Food Administration.

This Amendment 2 to General Order ODT 25A shall become effective September 18, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 14th day of September 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44–14268; Filed, Sept. 15, 1944; 10:40 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SHOSHONE PROJECT, WYO.

REVOCATION OF FIRST FORM WITHDRAWAL

JULY 25, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Shoshone project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Order of May 2, 1919, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

SHOSHONE PROJECT

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 51 N., R. 99 W.,
Tracts 78–A, 78–C, 78–E, 78–G;
Tracts 79–A, 79–C, 79–E, 79–G.

Respectfully,

WILLIAM E. WARNE, *Acting Commissioner.*

I concur: August 24, 1944.

FRED W. JOHNSON, *Commissioner of the General Land Office.*

The foregoing recommendation regarding the Shoshone project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 42 CFR Part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

[SEAL] OSCAR L. CHAPMAN, *Assistant Secretary.*

AUGUST 28, 1944.

[F. R. Doc. 44–14226; Filed, Sept. 14, 1944; 11:49 a. m.]

RIO GRANDE PROJECT, N. MEX.

REVOCATION OF FIRST AND SECOND FORM WITHDRAWAL

JULY 5, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Rio Grande project, the withdrawal of the hereinafter described lands, withdrawn in the first and second forms prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of September 29 and October 31, 1903, March 26 and July 17, 1908, March 27, 1911 and June 3, 1926, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

RIO GRANDE PROJECT

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 8 S., R. 2 W.,
Sec. 21, Lot 4;
Sec. 28, Lot 1;
Sec. 29, Lots 1, 2, N½NE¼.
T. 9 S., R. 3 W.,
Sec. 1, Lot 5, SE¼NE¼, N½SE¼;
Sec. 12, Lots 1, 2, 4, NW¼NE¼, E½NW¼, SW¼;
Sec. 13, Lots 1 to 4, inclusive, NW¼; W½SW¼;
Sec. 14, E½E½;
Sec. 23, Lots 1, 2, E½NE¼, SW¼NE¼, E½SW¼, N½SE¼;
Sec. 24, Lots 1, 2, 4, W½NW¼, NW¼SW¼;
Sec. 25, Lot 1;
Sec. 26, Lots 1 to 4, inclusive, E½NW¼, SW¼, W½SE¼;
Sec. 34, SE¼SE¼;
Sec. 35, Lots 2 to 5, inclusive, N½NW¼, SW¼NW¼.
T. 10 S., R. 3 W.,
Sec. 4, Lots 6, 7, 8;
Sec. 9, Lots 1 to 5, inclusive;
Sec. 16, Lot 2, S½NE¼, E½NW¼, SW¼SW¼, E½SW¼, SE¼;
Sec. 20, NE¼, SE¼NW¼, SE¼;
Sec. 21, N½NE¼, SW¼NE¼, NW¼NW¼, S½NW¼, N½SW¼, SW¼SW¼;
Sec. 28, NW¼NW¼;
Sec. 29, NE¼, E½NW¼, NE¼SW¼, SE¼;
Sec. 32, E½NE¼, NW¼NE¼, E½SE¼.
T. 11 S., R. 3 W.,
Sec. 5, Lot 1, SE¼NE¼;
Sec. 8, E½SW¼;
Sec. 17, NW¼, W½SW¼;
Sec. 18, SE¼SE¼;
Sec. 19, Lots 3, 4, NE¼, E½W½, SE¼;
Sec. 20, S½SW¼, SW¼SE¼;

Sec. 29, W½NE¼;
Sec. 30, Lot 1, NE¼, E½NW¼;
Sec. 32, W½E½;
Sec. 33, SW¼NW¼, W½SW¼.
T. 12 S., R. 2 W.,
Sec. 4, Lot 4, S½NW¼, SW¼, SW¼SE¼;
Sec. 5, Lot 2, SW¼NE¼, E½SW¼, W½SE¼;
Sec. 8, N½NE¼, E½SE¼;
Sec. 9, W½NE¼, N½NW¼, SE¼NW¼, SW¼, W½SE¼;
Sec. 17, Lots 1, 2, N½NE¼.
T. 11 S., R. 4 W.,
Sec. 26, NE¼NE¼.
T. 12 S., R. 4 W.,
Sec. 2, Lot 2.
T. 14 S., R. 4 W.,
Sec. 4, Lots 1 to 4 and 6 to 9, inclusive, Lot 11;
Sec. 5, Lots 1 to 4, inclusive;
Sec. 6, Lots 1, 2, 3, N½SW¼, SW¼SW¼, N½SE¼;
Sec. 7, Lots 1 to 4, inclusive, Lots 8, 9, NE¼;
Sec. 8, Lot 1, NW¼SW¼;
Sec. 17, Lots 3, 4, W½NE¼, E½NW¼, NE¼SW¼, W½SE¼;
Sec. 18, Lots 1 to 7, inclusive, Lot 9, NE¼NW¼, W½NW¼;
Sec. 19, Lots 1 to 4, inclusive, W½NE¼, E½W½, W½SE¼;
Sec. 20, Lot 1, W½NE¼, NE¼SW¼, S½SW¼, W½SE¼;
Sec. 29, Lots 1, 2, 5 to 8, inclusive, SW¼SE¼;
Sec. 30, Lots 1, 2, NE¼, E½NW¼, SW¼NW¼, W½SE¼;
Sec. 31, E½NE¼, NW¼NE¼, SE¼;
Sec. 32, Lots 1 to 4, inclusive, NW¼NE¼, NE¼NW¼.
T. 15 S., R. 4 W.,
Sec. 5, Lots 2, 3, 4, SW¼NE¼, S½NW¼, S½;
Sec. 6, Lots 1, 2, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Secs. 7 and 8;
Sec. 17, W½NE¼, NE¼NW¼, W½NW¼, N½SW¼, SW¼SW¼, NW¼SE¼;
Sec. 18;
Sec. 19, N½, NE¼SW¼, S½SW¼, SE¼;
Sec. 20, W½NW¼, SE¼NW¼, SW¼;
Sec. 29, W½NW¼, SE¼NW¼, NW¼SW¼;
Sec. 30;
Sec. 31, Lots 1 to 4, inclusive, W½NE¼, E½W½, W½SE¼.
T. 16 S., R. 4 W.,
Sec. 6, Lots 2 to 7 and 11 to 14, inclusive, E½SW¼, SW¼SE¼;
Sec. 7, Lots 1 to 4, inclusive, W½NE¼, E½NW¼, NW¼SE¼;
Sec. 18, Lots 1 to 4, inclusive;
Sec. 19, Lots 1, 2, E½W½, NW¼SE¼;
Sec. 30, Lots 1 to 4, inclusive, E½NW¼, NE¼SW¼;
Sec. 31, Lots 1, 2.
T. 15 S., R. 5 W.,
Sec. 12, SE¼SE¼;
Sec. 13, NE¼NE¼;
Sec. 25, S½NE¼, E½SW¼, SE¼.
T. 16 S., R. 5 W.,
Sec. 1, Lot 1, SE¼NE¼, SE¼SW¼, E½SE¼;
Sec. 12, Lots 1 to 6, inclusive, NE¼NE¼, SW¼NE¼, N½NW¼, NW¼SE¼;
Sec. 13, Lots 1 to 6, inclusive, NW¼, SE¼;
Sec. 24, N½NE¼, SE¼NE¼;
Sec. 25, SE¼.

Respectfully,

H. W. BASHORE, *Commissioner.*

I concur: August 22, 1944.

FRED W. JOHNSON, *Commissioner of the General Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

[SEAL] OSCAR L. CHAPMAN, *Assistant Secretary.*

AUGUST 25, 1944.

[F. R. Doc. 44–14225; Filed, Sept. 14, 1944; 11:49 a. m.]

SALT RIVER PROJECT, ARIZ.

FIRST FORM WITHDRAWAL AND RESERVATION FOR DITCHRIDER'S QUARTERS

AUGUST 5, 1944.

The SECRETARY OF THE INTERIOR:

SIR: In accordance with the authority vested in you by the act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described land be withdrawn from public entry under the first form of withdrawal, as provided by Section 3 of the Act of June 17, 1902 (32 Stat. 388). It is further recommended that this land be designated as a United States Reserve for use as a ditchrider's quarters.

SALT RIVER PROJECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 2 N., R. 3 E.,
Sec. 4, S½NW¼SW¼NE¼NW¼, SW¼SW¼NE¼NW¼.

Respectfully,

WILLIAM E. WARNE, *Acting Commissioner.*

I concur: August 16, 1944.

FRED W. JOHNSON, *Commissioner of the General Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

[SEAL] OSCAR L. CHAPMAN, *Assistant Secretary.*

AUGUST 22, 1944.

[F. R. Doc. 44–14293; Filed, Sept. 15, 1944; 11:53 a. m.]

Office of the Secretary.

[Order 1990]

CONSOLIDATION NO. 25 MINE, ET AL.

POSSESSION OF COAL MINES

Pursuant to the provisions of Executive Order No. 9481 issued by the President of the United States on September 12, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines listed in the appendix attached hereto and made a part hereof, and of any and all real and personal property and other assets used in connection with the operation thereof.

The regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this order, except as may be otherwise directed.

Each of the persons whose name is listed in the appendix is hereby designated as operating manager for the United States for the properties as indicated in the appendix. As operating manager for the United States, each is authorized and directed to operate any and all such properties in accordance with the aforementioned regulations for the operation of coal mines under Government control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such properties and for the production, distribution and sale of their products.

The operating manager for the United States shall forthwith fly the flag of the United States at each such property, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, collieries and preparation facilities of this mining company has been taken by Order of the Secretary of the Interior.

HAROLD L. ICKES, *Secretary of the Interior.*

Dated: September 12, 1944.

[SEAL] ABE FORTAS, *Acting Secretary of the Interior.*

APPENDIX

Name of mine	*Name of operating manager for the United States.*
Consolidation No. 25 Mine, Consolidation Coal Co., Fairmont, W. Va.	George H. Love.
Mona (Arkwright) Mine, Consolidation Coal Co., Morgantown, W. Va.	George H. Love.
Cannelton Nos. 3, 5 and 6 Mines, Cannelton Coal & Coke Co., Cannelton, W. Va.	F. O. Harris.
Bunker Mine, Davis-Wilson Coal Co., Morgantown, W. Va.	R. M. Davis.
Pursglove No. 2 Mine, Pursglove Coal Co., Pursglove, W. Va.	Joseph Pursglove, Jr.
Federal No. 1 Mine, Eastern Gas and Fuel Associates, Koppers Coal Division, Grant Town, W. Va.	L. C. Campbell.
Christopher No. 2 Mine, Christopher Mining Corporation, Maidsville, W. Va.	Frank E. Christopher.
Christopher No. 3 Mine, Christopher Coal Co., Osage, W. Va.	Frank E. Christopher.
Brock No. 4 Mine, Brock, Inc., Cassville, W. Va.	Frank E. Christopher.
Jamison No. 8 Mine, Jamison Coal & Coke Co., Farmington, W. Va.	Ralph E. Jamison.

[F. R. Doc. 44–14294; Filed, Sept. 15, 1944; 11:53 a. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Animal Industry.

Anti-Hog-Cholera Serum and Hog-Cholera Virus

PROPOSED MARKETING AGREEMENT

Notice of report and opportunity to file written exceptions in respect to a proposed marketing agreement and to a proposed amended order regulating the handling of anti-hog-cholera serum and hog-cholera virus.

Pursuant to § 132.12 (c) of the rules of practice and procedure (8 F.R. 7743), Bureau of Animal Industry, notice is hereby given of the filing with the hearing clerk of this report of the Chief of the Bureau of Animal Industry with respect to a marketing agreement and amended order regulating the handling of anti-hog-cholera serum and hog-cholera virus.

Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, Department of Agriculture, Washington, D. C., not later than the close of business on the 15th day after publication of this notice in the Federal Register. Exceptions should be filed in duplicate.

The proceedings were inaugurated by the Bureau of Animal Industry following the receipt of a request from the Control Agency under date of November 27, 1939, for a public hearing on a series of Amendments proposed by it to remedy alleged defects in the marketing order that had been in effect since December 7, 1936. After consideration of the proposed amendments, notice of a public hearing was issued on April 12, 1940, and a hearing held on April 17, 18, 19 and 20, 1940, in Chicago, Illinois. During this hearing, and later, objections were voiced by the Illinois and Iowa Farm Bureaus and others to the proposed amendments. The Illinois and Iowa Farm Bureaus were particularly concerned with the proposed amendments eliminating volume contract purchasers and relating to offers to sell at other than current posted prices. Negotiations and conferences between the interested parties followed. A tentative draft of a completely revised marketing agreement was presented to the Bureau by the Control Agency on November 2, 1942. This tentative draft was considered by the Department and on February 12, 1943, a formal request was made by the Control Agency for a public hearing on this amended agreement. On December 18, 1943, notice was given of a hearing on the tentatively amended agreement which was held in Washington on January 24, 1944. This hearing in effect was a continuation of the hearing in Chicago on April 17, 18, 19 and 20, 1940. At the hearing held on January 24, 1944, no significant objections were offered to the tentatively amended agreement by those present, which included representatives of the Illinois and Iowa Farm Bureaus. However briefs were filed later by the Control Agency, the American Cooperative Serum Association, Sioux City, Iowa, and the Peters Serum Company, Kansas City, Missouri. The main purpose of the amended agreement is to remedy defects which have become apparent since 1936 and in the main most of the changes proposed are agreeable to all interested parties.

The major issues developed in these hearings were concerned with (1) Definition of the terms, "Consumer," "Dealer," "Wholesaler," "Volume Contract Purchaser," "Branch House," "Price," "Discount" and "Terms of Sale," (2) Filing of prices to all classes of buyers, (3) Trade practices involving loaning or giving syringes and equipment to buyers.

With respect to these issues it is concluded that:

(1) The terms "Consumer," "Price," "Discount," "Branch House," and "Terms of Sale" should now be defined and the definitions of "Dealer," "Wholesaler" and "Volume Contract Purchaser" should be revised to describe more clearly these classes of the trade.

(2) The filing of prices for Volume Contract Purchasers need not be required provided each selling handler files with the Control Agency and the Secretary of Agriculture executed copies of all contracts entered into with the handlers classified as volume contract purchasers within ten days after execution of each contract.

(3) The loaning or giving syringes or anything of value to dealers or wholesalers by handlers should be prohibited as an aid to fair practices in marketing.

The following amended agreement is recommended as the detailed means by which these conclusions may be carried out.

Marketing Agreement Regulating the Handling of Anti-Hog-Cholera Serum and Hog-Cholera Virus

The parties to this agreement are the contracting handlers of anti-hog-cholera serum and hog-cholera virus in the United States and the Secretary of Agriculture of the United States. This agreement is entered into pursuant to and to effectuate the declared policy of Public Law 320, 74th Congress, approved August 24, 1935 (7 U.S.C. 1940 ed. 851 et seq.).

Now, therefore, the parties hereto agree as follows:

Section 1. *Definitions.* As used herein, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(b) "Act" means the act to amend the Agricultural Adjustment Act, and for other purposes, Public No. 320, 74th Congress, approved August 24, 1935 (7 U.S.C. 1940 ed. 851 et seq.).

(c) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(d) "Serum" and "virus" mean anti-hog-cholera serum and hog-cholera virus, respectively, products used in the immunization of swine against hog cholera, manufactured and marketed in compliance with standards and regulations, promulgated by the United States Department of Agriculture, and serum and virus manufactured in a similar manner and for an identical purpose under license or authority of any State or otherwise, and marketed in interstate and foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce.

(e) "Handler" means any person who is engaged in the handling of anti-hog-cholera serum and hog-cholera virus in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce.

(f) "To handle" means to sell for shipment in, to ship in, or in any way to put into the channels of trade in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce.

(g) "To market" means to consign or to sell or in any other manner transfer or convey title to, or any interest in, serum or virus in interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce, or to enter into any contract or arrangement to do or have done any of the said acts.

(h) "Consumer" means that class of buyers comprising persons who are owners of swine or have a qualified ownership in swine who purchase serum and virus for use in such swine or that class of buyers who employ dealer administration of serum and virus to such swine.

(i) "Dealer" means that class of buyers comprising persons who seasonally purchase and maintain, under proper storage conditions, adequate stocks of serum and virus for resale to consumers in local areas; and that class of persons regularly engaged in the business of administering serum and virus in local areas for profit.

(j) "Wholesaler" means that class of persons engaged in purchasing and maintaining adequate stocks of serum and virus under proper storage conditions for resale principally to dealers throughout extensive areas; who conduct consistently active, complete and comprehensive selling operations throughout extensive areas; who maintain service and shipping facilities; who provide all other services and perform all other functions customarily incident to such marketing of serum and virus; who do not administer serum and virus and who are not directly or indirectly engaged in the business of administering serum and virus, and who shall have been found by the control agency, on evidence acceptable to it, to conform to all the standards of this definition.

(k) "Volume contract purchaser" means that class or classes of handlers comprising persons who regularly purchase, for delivery within a definite period of time, serum and virus in specified amounts, adequate, in the opinion of the control agency, to justify such special classification.

(l) "Branch House" means that class of persons who are not buyers of serum and virus, who are engaged by producers as employees or agents, including shipping agents paid on a commission basis, in the handling of serum and virus. Such persons do not administer serum and virus.

(m) "Manufacturer" or "producer" means any person who manufactures or produces and is engaged in the handling or distribution of serum and virus in the current of interstate or foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce.

(n) "Price" is the sum of money which the seller asks and receives from the purchaser in exchange for serum and virus.

(o) "Discount" means that percentage of the invoice price or that amount of money which the purchaser may deduct from the invoice price for payment at any time prior to the due date of such invoice.

(p) "Terms of sale" means the time or date at which the invoice price of serum and virus is due and payable.

(q) "Control agency" means the agency established pursuant to section 2 of this agreement.

(r) "Books and records" means any books, papers, records, copies of income tax reports, accounts, correspondence, contracts, documents, memoranda, or other data pertaining to the business of the person in question.

(s) "Subsidiary" means any person, of or over whom or which a handler or an affiliate of a handler has, or several handlers collectively have, either directly or indirectly, actual or legal control, whether by stock ownership or in any other manner.

(t) "Affiliate" means any person or subsidiary thereof, who or which has, either directly or indirectly, actual or legal control of or over a handler, whether by stock ownership or in any other manner.

(u) "Agreement" means the marketing agreement entered into by the parties hereto.

Sec. 2. *Control agency.* (a) A control agency, consisting of twelve members, is hereby established to administer the terms and provisions hereof. The members and their respective alternates for the year ending December 31, 1944, shall be as follows:

To represent manufacturers marketing their products principally through veterinarians:

(1) G. G. Graham, Kansas City, Mo., alternate, E. B. Hollecker, Kansas City, Kans.
(2) C. J. Norden, Lincoln, Nebr., alternate, A. E. Bott, East St. Louis, Ill.
(3) H. J. Shore, Fort Dodge, Iowa, alternate, A. Kushner, Topeka, Kans.
(4) G. H. Williams, Omaha, Nebr., alternate, T. W. Munce, Sioux City, Iowa.
(5) R. M. Young, Omaha, Nebr., alternate, M. F. Wallace, Kansas City, Kans.

To represent the manufacturers marketing their products principally through other channels:

(6) B. W. Harrington, Franklin, Nebr., alternate, F. D. Toler, Westplains, Mo.
(7) T. B. Huff, Sioux City, Iowa, alternate, Majon Huff, Denver, Colo.
(8) F. R. Jones, Fort Worth, Tex., alternate, C. E. Greiner, Philadelphia, Pa.
(9) E. A. Poe, South St. Joseph, Mo., alternate, T. E. Wilke, Westplains, Mo.
(10) J. E. Swaim, Chicago, Ill., alternate, W. G. Peters, Kansas City, Mo.

To represent the handlers, other than manufacturers, marketing their products principally through veterinarians:

(11) T. A. Edwards, Kansas City, Mo., alternate, P. B. Pontius, Fort Dodge, Iowa.

To represent the handlers, other than manufacturers, marketing their products principally through other channels:

(12) R. S. Williams, Sioux City, Iowa, alternate, Henry Doerr, Sioux City, Iowa.

Each of the aforesaid members and his respective alternate shall serve for a term ending on December 31, 1944, and in the event that the respective person's successor has not been selected and has not qualified by December 31, 1944, such person shall serve until his successor has been selected and has qualified.

(b) The successors to the members of the control agency, and their respective alternates, shall be selected annually by the Secretary at least fifteen days prior to the expiration of the term of office of their respective predecessors. Such selections shall be made by the Secretary from the respective nominees of groups hereinafter designated to make nominations. Nominations shall be made on December 1 of each year in the following manner: The contracting handlers who are manufacturers marketing their products principally through veterinarians, as a group, may nominate by inscribing on a ballot the names of twenty individuals to represent such contracting handlers as members and alternates. The contracting handlers who are manufacturers marketing their products principally through other channels, as a group, may nominate by inscribing on a ballot the names of twenty individuals to represent such contracting handlers as members and alternates. The contracting handlers, other than manufacturers, who market their products principally through veterinarians, as a group, may nominate by inscribing on a ballot the names of four individuals to represent such contracting handlers as members and alternates. The contracting handlers, other than manufacturers, who market their products principally through other channels may nominate by inscribing on a ballot the names of four individuals to represent such contracting handlers as members and alternates.

(c) Each of the twelve members of the control agency and each of the twelve alternates shall be selected by the Secretary from the individuals in each of the four groups comprising the forty-eight nominees for membership and alternates who receive the highest numbers, successively, of votes cast by contracting handlers entitled to vote for nominees in each group. No two individuals from the same partnership, corporation, association or any other business unit, including agents, affiliates, subsidiaries and representatives thereof, shall be selected for membership in or serve as members of the control agency at the same time. The nominees in each instance shall be nominated by a vote of the contracting handlers who are entitled under the provisions of this agreement to vote for such nominees. At any election of nominees each contracting handler shall be entitled to cast one vote on behalf of himself, agents, partners, affiliates, subsidiaries and representatives for each of the members of the control agency and their respective alternates for whom he is entitled to vote.

(d) Members of the control agency and their respective alternates, subsequent to the members herein designated, shall be selected annually for a term of one year beginning the first day of January, and shall serve until their respective successors shall be selected and shall qualify. Any individual selected as a member of the control agency or an alternate shall qualify by filing a written acceptance of his appointment with the Secretary or his designated representative.

(e) To fill any vacancy occasioned by the removal, resignation, or disqualification of any member of the control agency or an alternate, a successor for his unexpired term shall be selected by the Secretary from nominees selected by the respective group of contracting handlers in whose representation the vacancy has occurred, such nominee to be determined by the selection by the proper group as specified in paragraph (b) of this section of two nominees for each vacancy to be filled and selected in the manner specified in paragraph (c) of this section. Such selection of nominees shall be made within thirty days after such vacancy occurs. If a nomination is not made within such thirty days, the Secretary may select an individual to fill such vacancy.

(f) The members of the control agency shall select a chairman from their membership, and all communications from the Secretary may be addressed to the chairman at such address as may from time to time be filed with the Secretary. The agency shall select such other officers and adopt such rules not inconsistent with the provisions of his agreement for the conduct of its business as it may deem advisable. The agency shall give to the Secretary or his designated agent the same notice of meetings of the control agency as is given to members of the agency and their alternates.

(g) A reasonable compensation to be determined by the control agency, to be paid to the secretary of the control agency, and the expenses of the members of the control agency while engaged in the business of the control agency, shall be necesary expenses to be incurred by the control agency for its maintenance and functioning under the provisions of section 7 and section 8 hereof.

Sec. 3. *Powers of control agency.* The control agency shall have power:

(a) To administer, as hereinafter specifically provided, the terms and provisions hereof;

(b) To make, in accordance with the provisions hereinafter contained, administrative rules and regulations;

(c) To receive, investigate, and report to the Secretary of Agriculture complaints of violations of this agreement; and

(d) To recommend to the Secretary of Agriculture amendments to this agreement.

SEC. 4. *Duties of control agency.* It shall be the duty of the control agency:

(a) To act as intermediary between the Secretary and any contracting handler;

(b) To keep minute books and records which will clearly reflect all of its acts and transactions, and such minute books and records shall, at any time, be subject to the examination of the Secretary;

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees as it may deem necessary and to determine the salaries and define the duties of any such employees;

(e) To establish and foster any agency for the purpose of securing new or improved markets for the anti-hog-cholera serum and the hog-cholera virus through marketing research; to establish committees, composed of members of the control agency or producers, for the purpose of cooperating with any governmental body, agency, bureau, or Department on subjects relating to the administration of this marketing agreement. The reasonable expenses of any of said committees shall be a necessary expense incurred by the control agency for its maintenance and functioning, and any such necessary expense shall be defrayed by the control agency from funds collected pursuant to section 7 and section 8 of this agreement; and

(f) To make such disbursements as may be necessary to meet expenses necessarily incurred by the control agency for its maintenance and functioning under the provisions of this agreement.

SEC. 5. *Procedure of control agency.* (a) All decisions of the control agency, except where otherwise specifically provided, shall be by a three-fourths vote of the members who have qualified by filing their written acceptance and who are eligible to vote.

(b) The control agency may provide for voting by its members by mail or telegraph upon due notice to all members, and when any proposition is submitted for voting by such method, one dissenting vote shall prevent its adoption until submitted to a meeting of the control agency.

(c) The members of the control agency (including alternates, successors, or other persons selected by the Secretary), and any agent or employee appointed or employed by the control agency, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination, or other act of the control agency, shall be subject to the continuing right of the Secretary to disapprove of the same at any time, and upon such disapproval shall be deemed null and void except as to acts done in reliance thereon or in compliance therewith.

(d) If a member of the control agency shall be a party in interest to any dispute or complaint, or a representative of such party in interest, he shall, for the purpose of the consideration of such dispute or complaint, be disqualified as a member of the control agency. Such disqualification, however, shall not be deemed to create a vacancy in the control agency.

(e) The alternate for each member of the control agency shall have the power to act in the place and stead of such member in his absence or in the event of his removal, resignation, or disqualification until a successor for such member's unexpired term has been selected.

(f) The control agency, subject to the disapproval of the Secretary, may select an executive committee of not more than four members who shall be empowered to act for the control agency in the routine administration of this agreement, at such times as the control agency is not meeting and cannot be conveniently convened for the purpose. Any and all acts of the executive committee shall be subject to the approval of the control agency, which shall take action with respect to any act of the executive committee at the next meeting of the control agency held immediately following any action by the executive committee.

SEC. 6. *Funds of control agency.* All funds received by the control agency, pursuant to any provision of this agreement, shall be used solely for the purpose therein specified and shall be accounted for in the following manner:

(a) The Secretary shall require the control agency and its members, or alternates acting as members, to account for all receipts and disbursements.

(b) Whenever any person ceases to be a member or alternate member of the control agency, such person shall account for all receipts and disbursements hereunder and deliver all property, funds, books, and records (in his possession) of the control board to his successor in office or to such person as the Secretary may designate, and such person shall execute such assignments and other instruments as may be necessary or appropriate to vest in his successor, or in such person designated by the Secretary, the right to all of the property, funds, or claims vested in such member pursuant to the provisions hereof.

(c) Upon termination or suspension of this agreement, the funds of the control agency shall be disposed of in accordance with the provisions of section 25 (b) of this agreement.

SEC. 7. *Each handler to be assessed.* Each contracting handler shall pay to the control agency, upon demand, such contracting handler's pro rata share, as may be approved by the Secretary, of such expenses as the Secretary may find will necessarily be incurred by the control agency, during any period specified by the Secretary, for the maintenance and functioning of the control agency, as set forth in this agreement.

SEC. 8. *Shares of handlers.* (a) The share of such expenses for each contracting handler who is a manufacturer shall be that amount which is paid to the control agency pursuant to paragraph (d), and such pro rata share is hereby approved by the Secretary. These assessments may be adjusted, from time to time, by the control agency, with the approval of the Secretary, in order to provide funds sufficient in amount to cover any later findings by the Secretary of estimated expenses or the actual expenses of the control agency during the said year.

(b) The share of such expenses for each contracting handler, other than manufacturers, who markets his products principally through veterinarians, shall be such handler's pro rata share (to be computed by the disinterested agency selected under the provisions of paragraph (d) and shall be based upon such handler's percentage of the total of serum marketed by such handlers during the preceding calendar year) of the total amount expended in defraying the expenses of the two members of the control agency who have been selected by the Secretary to represent such contracting handlers, pursuant to the provisions of section 2. Such pro rata share of expenses shall be subject to the approval of the Secretary. These assessments may be adjusted, from time to time, by the control agency, with the approval of the Secretary, in order to provide funds sufficient in amount to cover any later findings by the Secretary of estimated expenses or the actual expenses of the control agency during the said year.

(c) The share of such expenses for each contracting handler, other than manufacturers, who markets his products principally through other channels, shall be such handler's pro rata share (to be computed by the disinterested agency selected under the provisions of paragraph (d) and shall be based upon such handler's percentage of the total of serum marketed by such handlers during the preceding calendar year) of the total amount expended in defraying the expenses of the two members of the control agency who have been selected by the Secretary to represent such contracting handlers, pursuant to the provisions of section 2. Such pro rata share of expenses shall be subject to the approval of the Secretary. These assessments may be adjusted, from time to time, by the control agency, with the approval of the Secretary, in order to provide funds sufficient in amount to cover any later findings by the Secretary of estimated expenses or the actual expenses of the control agency during the said year.

(d) On January 15 of each year while this agreement is effective, each manufacturer who is a contracting handler shall furnish the Secretary, through a distinterested agency, to be selected by the control agency and approved by the Secretary, a report which shall be sworn to and which shall set forth the amount of hyperimmune blood which has been collected by such contracting handler during the preceding calendar year, and each contracting handler, other than manufacturers, shall furnish the Secretary, through such disinterested agency, a report which shall be sworn to and which shall set forth the amount of serum marketed by such contracting handler during the preceding calendar year. The control agency shall inform the disinterested agency concerning the total amount of expenses to be paid by contracting handlers who are manufacturers and by contracting handlers who are other than manufacturers. The pro rata share of expenses to be paid by each manufacturer who is a contracting handler shall be based upon such handler's percentage of the total amount of hyperimmune blood which has been collected by such contracting handlers during the preceding calendar year. Such payments shall become due in quarterly installments beginning January 1 of each year, and shall be made to the disinterested agency, which shall transmit the total amount received from all contracting handlers to the control agency without disclosing the amount of each payment made by individual contracting handlers. A quarterly report shall be made to the Secretary by such disinterested agency, setting forth the amount of the quarterly payment made by each contracting handler. Any funds derived from assessments or any other source which have not been expended by the control agency at the end of the calendar year shall be carried over by the control agency to be expended during the succeeding calendar year.

SEC. 9. *Classes of buyers.* Upon such evidence and basis as warrants a conclusion that such definitions and determination are neither unreasonable nor discriminatory, the control agency shall, subject to the disapproval of the Secretary, define all classes of buyers and handlers not defined in this agreement. The control agency, subject to the disapproval of the Secretary, shall determine in all cases on its own motion or upon request of any interested party and upon evidence reasonably sufficient to determine all essential facts relating thereto, whether any person, his employee or agent, who is a handler or about to become such comes within any class or buyers or handlers defined in this agreement or pursuant to this section, excepting consumers and dealers. Any such determination shall be reviewable from time to time as may be deemed necessary by the control agency. And, the control angency shall compile, subject to the disapproval of the Secretary, lists of persons comprising each class of buyers and handlers as defined herein or pursuant hereto, excepting consumers and dealers. Such lists with additions thereto or deletions therefrom shall be immediately filed with the Secretary and distributed to handlers. The control agency on its own motion or on request of any interested party shall determine, subject to the disapproval of the Secretary, whether in specific cases any person is a consumer or dealer as defined herein and shall immediately report such determination to the Secretary and to handlers.

SEC. 10. *Open prices.* (a) Each contracting handler shall file with the Secretary and the control agency, within 10 days after the effective date of this agreement, a list of his selling prices in the United States together with discounts and terms of sale, which list shall separately set forth his selling price, applicable to serum and virus produced under each different U. S. Veterinary License as handled by him, together with discounts and terms of sale (if only one such licensed product is handled or identical prices apply to different licensed products, one selling price shall be deemed applicable to all sales) to each class of buyers, except Volume Contract Purchasers, defined in this agreement or under the provisions hereof: *Provided,* That in lieu of a price list for Volume Contract Purchasers each selling handler shall file with the control agency and with the Secretary executed copies of all contracts entered into with handlers classified as Volume Contract Purchasers by the control agency within ten days after the execution thereof. No selling price lists shall be filed for any other class or classes of buyers than those defined in this agreement or under the provisions hereof. All such filed prices shall be on a delivered basis to purchasers and shall be based on unit of 100 cc. of serum and virus; each contracting handler's selling prices, discounts and terms of sale so filed, applicable to each licensed product as set forth herein, shall be uniform for all buyers in each of the various classes of buyers defined in this agreement or under the provisions thereof, except Volume Contract Purchasers.

(b) The price list for each class of buyers filed by a contracting handler may, subject to the limitations set forth in paragraph (c) of this section, be modified at any time by such handler by filing for any class of buyers a new or amended list of prices, including discounts and terms of sale, which shall only become effective when said new or amended list shall have been on file for three days in any office designated by the control agency: *Provided, however,* That in the event such list is mailed by registered letter or telegraphed to such office, it shall be deemed to have been filed either (1) at the time during usual business hours it is actually delivered in such office, or (2) at the time during usual business hours such communication would have been received, considering the usual time required for the means of communication used, in the absence of delays in transit, whichever time is the earlier.

(c) (1) Each contracting handler agrees that he will make no sales or offers or contracts to sell, other than with a Volume Contract Purchaser, unless he has on file with the Secretary and the control agency, in conformity with paragraph (a) an effective price list including discounts and terms of sale, and that after any such price list or amended price list becomes effective he will make no sales or offers or contracts to sell at prices, discounts or terms of sale different from those set forth in his latest effective list, and will file no new or amended price list until his most recently filed price list for any class of buyers becomes effective. No contracting handler shall withdraw any filed price list prior to the effective date of such list: *Provided,* No sale shall be made to Volume Contract Purchasers unless an executed copy of the contract under which said sale is being made is filed as is provided in paragraph (a) with the control agency and the Secretary and no sales shall be made to Volume Contract Purchasers at prices, discounts or terms of sale different from those stated in the so filed executed copy of the contract under which said sale is being made.

(2) Each contracting handler agrees that he will make no sales or shipments to any buyer or handler excepting consumers and dealers unless and until the status of the vendee as a member of a class of buyers has been determined by the control agency pursuant to section 9 of the agreement.

(3) Each contracting handler agrees to make no contract for sale or contract to sell serum and virus which provides for payment at prices, discounts, and terms of sale different from those set forth in his effective price list on file with the Secretary and control agency at the time of delivery or deliveries under any such contract: *Provided,* That contracts to sell to Volume Contract Purchasers may provide for deliveries over a period of not to exceed six months from date of contract, at prices fixed in executed copy of contract on file with the control agency and the Secretary.

(4) Each contracting handler agrees to issue an invoice and deliver same to purchaser covering each sale of serum and virus to each buyer within any class of buyers as defined herein or pursuant hereto, which invoice shall completely set forth the name and address of the purchaser, the separate quantities of serum and virus sold, the unit and total price of each such quantity, any discount allowed from invoiced prices, and the terms at which such sale was made.

(d) The control agency shall immediately upon receipt of any such new or amended list, conforming to the requirements of paragraph (c) (1), issue a copy thereof to each contracting handler, and to the Secretary. All such lists shall be immediately available to the daily and trade press and to the consuming public by means of communication at least as rapid as that used to notify handlers and the Secretary. Any such new or amended price lists which do not conform to the requirements of section 10 (a) shall not be an effective price list as required by said section and shall be returned by the secretary of the control agency to the handler filing the same, together with a statement of the reasons for non-conformity to the requirements of said section. A copy of any such price list so returned together with the statement of reasons for non-conformity shall be forwarded to the Secretary.

SEC. 11. *Exceptions to filed prices.* (a) The provisions of this agreement shall not apply to any sales made by any contracting handler for delivery outside the United States.

(b) If the Secretary has reason to believe, from economic data directly available to him or secured by him under the provisions of the act, that any price list, copy of contract filed hereunder, terms of sale or discount, in whole or in part, is inequitable to consumers or

handlers by reason of the fact that it may cause immediate injury by impeding the carying out of this agreement or the effectuation of the declared policy of the act or by creating an abuse of the privilege of exemptions from the antitrust laws, he may suspend the effectiveness of such price list, copy of contract filed hereunder, term of sale or discount, in whole or in part, pending an investigation which shall be completed as soon as practicable, and he shall report such suspension to the control agency, who shall in turn immediately notify the handler whose price filing or copy of contract filed hereunder has been suspended. The Secretary may declare a filed price, contract (a copy of which has been filed hereunder), discount or term of sale, in whole or in part, to be ineffective if, after an investigation and an opportunity to be heard has been afforded the handler whose price filing or contract is questioned, the Secretary finds from the facts presented during such investigation that such price list, contract, term of sale or discount, in whole or in part, is inequitable as measured by the standards set up in this paragraph.

SEC. 12. *Handlers other than buyers.* (a) Each contracting handler agrees that he will market anti-hog-cholera serum and hog-cholera virus only to classes of buyers and through branch houses, as defined in this agreement or pursuant to the provisions hereof.

(b) Each contracting handler agrees that anti-hog-cholera serum and hog-cholera virus marketed through his branch houses shall be sold only at prices posted by such handler.

(c) Each contracting handler agrees to file with the control agency, within ten days after this agreement becomes effective, the name and location of each branch house operated by such handler, and the name of the agent or employee in charge of each branch house; and each contracting handler agrees to furnish the aforesaid information concerning each branch house subsequently established by such handler within 10 days after the establishment of each such branch house.

SEC. 13. *Uniform sales invoices.* The control agency, subject to the disapproval of the Secretary, may formulate and adopt uniform sales invoices for contracting handlers. After the adoption of such uniform sales invoices, all sales of serum or virus by contracting handlers to all classes of buyers shall be made in accordance with the terms of such invoices, and prices and terms of sale therein shall conform to the seller's filed prices and terms of sale, effective at the time of making sales covered by such invoices.

SEC. 14. *Secret rebates.* (a) The secret payment or allowance of rebates, refunds, commissions, or unearned discounts, or receiving such rebates, refunds, commissions or unearned discounts, whether in the form of money or otherwise, or secretly extending to certain purchasers special services or privileges, not extended to all purchasers under like terms and conditions, with the intent and with the effect of injuring a competitor, and where the effect may be to substantially lessen competition or tend to create a monopoly or unreasonably to restrain trade, is an unfair trade practice, and is prohibited.

(b) To sell other products at less than reasonable market value thereof, to loan or give any article of value to dealers or wholesalers, for the purpose or with the effect of influencing sales of serum or virus, is prohibited.

SEC. 15. *Enticing employees.* Maliciously enticing away the employees of competitors with the purpose and effect of unduly hampering, injuring, or embarrassing competitors in their business is an unfair trade practice, and is prohibited.

SEC. 16. *Defamation of competitors.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representation, or the false disparagement of the grade or quality of their serum or virus, with the tendency and capacity to mislead or deceive purchasers or prospective purchasers, is an unfair trade practice, and is prohibited.

SEC. 17. *Sale by false means.* The sale or offering for sale of any serum or virus by any false means or device which has the tendency and capacity to mislead or deceive customers or prospective customers as to the quantity, quality, or substance of such serum or virus is an unfair trade practice, and is prohibited.

SEC. 18. *Consignment shipping.* Shipping serum or virus on consignment, with the intent and with the effect of injuring a competitor, and where the effect may be to substantially lessen competition or tend to create a monopoly or to unreasonably restrain trade, is an unfair trade practice, and is prohibited.

SEC. 19. *False invoicing.* Withholding from or inserting in the invoice statements which make the invoice a false record, wholly or in part, of the transaction represented on the face thereof, is prohibited.

SEC. 20. *Misleading advertising.* (a) The making, causing, or permitting to be made, or publishing of any false, untrue, misleading, or deceptive statement, by way of advertisement or otherwise, concerning the grade, quality, quantity, character, nature, origin, preparation, or use of serum and virus is an unfair trade practice and is prohibited.

(b) The use by contracting handlers other than manufacturers of the words "Serum Company," "Serum Laboratories" or other equivalent words on letterheads, signs, advertising matter and otherwise where such practice tends to mislead and deceive purchasers and consumers into belief that such handler is a manufacturer, when in fact he is not, is prohibited.

SEC. 21. *Emergency reserve.* Each manufacturer who is a contracting handler shall have available on May 1 of each year a supply of completed serum equivalent to not less than forty per centum of his previous year's sales.

SEC. 22. *Who may propose amendments.* Amendments to this agreement may, from time to time, be proposed by any party to this agreement or by the control agency.

SEC. 23. *Hearing and approval relative to amendments.* After due notice and opportunity for hearing and upon determination by the Secretary that the proposed amendment has been executed by all the handlers of not less than seventy-five per cent of the volume of serum and virus handled during the then preceding marketing year (January 1–December 31), the Secretary may approve such amendment, and it shall become effective at such time as the Secretary may designate.

SEC. 24. *Effective time.* This agreement shall become effective at such time as the Secretary may determine it has been executed by all the handlers of seventy-five per cent of the volume of serum and virus handled during the preceding marketing year and may declare above his signature attached hereto, and shall continue in force until terminated in one of the ways hereinafter specified.

SEC. 25. *Termination.* (a) The Secretary may at any time terminate or suspend this agreement, or any part hereof, as to all parties hereto by giving at least seven days' notice by means of a press release or in any other manner which the Secretary may determine to be appropriate.

(b) The Secretary shall terminate this agreement at the end of the then current marketing period (December 31) whenever he finds that such termination is favored by all the handlers of not less than 75 per cent of the volume of serum and virus handled during the preceding marketing period.

(c) This agreement shall in any event terminate whenever the provisions of the act authorizing it cease to be in effect.

(d) Upon the termination or suspension of this agreement or of any provision thereof, the members of the control agency then functioning, or such other persons as the Secretary may from time to time designate, shall, if so ordered by the Secretary, liquidate the business of the control agency under this agreement, and dispose of all funds and property then in the possession or under the control of the control agency, together with claims for any funds which are unpaid or property not delivered at the time of such termination. The control agency or such other persons as the Secretary may designate (1) shall continue in such capacity until discharged by the Secretary, (2) shall, from time to time, account for all receipts and disbursements and deliver all funds and property on hand, together with the books and records of the control agency, to such person or persons as the Secretary shall direct, and (3) shall, upon the request of the Secretary, execute such assignments, or other instruments necessary or appropriate to vest in such person or persons full title to all the funds, property and claims vested in the control agency pursuant to this agreement. Any funds collected

for expenses pursuant to the provisions of this agreement, and held by the control agency or such person or persons, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the control agency or such person or persons, shall be returned to the contributing handlers in proportion to the contributions of each handler, or shall be expended by the control agency for a purpose not inconsistent with the provisions of this agreement and in a manner which the contracting handlers shall determine by a three-fourths vote of such handlers. The control agency or such person or persons shall observe the procedure governing the actions of the control agency as established under the provisions of section 5 of this agreement. Any person to whom funds, property or claims have been delivered by the control agency or its members upon direction of the Secretary, as provided in this paragraph, shall be subject to the same obligations and duties with respect to said funds, property, or claims as are imposed upon the members of the control agency.

SEC. 26. *Duration of benefits, privileges, and immunities.* The benefits, privileges and immunities conferred by virtue of this agreement shall not extend or be construed to extend further than is necessary for the purpose of carrying out the provisions of this agreement and shall cease upon its termination except with respect to acts done under and during the existence of this agreement, and benefits, privileges and immunities conferred by this agreement upon any party signatory hereto shall cease upon its termination as to such party, except with respect to acts done under and during the existence of this agreement.

SEC. 27. *Counterparts.* This agreement may be executed in multiple counterparts, and when one counterpart is signed by the Secretary, all such counterparts shall constitute, when taken together, one and the same instrument as if all such signatures were contained in one original.

SEC. 28. *Additional parties.* After this agreement first takes effect, any handler may become a party to this agreement if a counterpart thereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such contracting party.

SEC. 29. *Agents of the Secretary.* The Secretary may by designation in writing name any person (not a party to this agreement), including any officer or employee of the Government or bureau or division of the Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this agreement.

SEC. 30. *Committees; Secretary may select.* The Secretary may select such committees to meet with or advise the control agency as he deems necessary for the proper functioning of the control agency under the provisions of this agreement. One such committee or its representative shall represent the interests of consumers. The expenses for the maintenance and functioning of the advisory committees may be included within the budget submitted to the Secretary for approval, pursuant to section 7 of this agreement, and may be met by the control agency from funds paid to it for the maintenance and functioning of the control agency.

SEC. 31. *No derogation or modification of rights of Secretary or of the United States.* Nothing contained in this agreement is or shall be construed to be in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, and (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

SEC. 32. *Liability of members and employees of control agency.* No member of the control agency nor any employee thereof shall be held responsible individually in any way whatsoever to any handler signatory hereto or any other person for errors in judgment, mistakes, or other acts either of commission or omission as such member or employee, except for acts of dishonesty. The contractual obligations of the handlers hereunder are several and not joint, and no handler shall be liable for the default of any other handler.

SEC. 33. *Separability of provisions.* If any provision of this agreement is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this agreement, and the applicability thereof to any other person, circumstance or thing shall not be affected thereby.

SEC. 34. *Request for order.* Each signatory handler hereby requests the Secretary, to issue an order pursuant to the act, regulating the handling of serum and virus substantially in the same manner as provided in this agreement.

SEC. 35. In witness whereof, the contracting parties acting under the applicable provisions of the act, for the purposes and subject to the limitations herein contained and not otherwise, have hereunto set their respective hands and seals.

(Handler)

(Address)

Secretary of Agriculture

This report filed at Washington, D. C., this 15th day of September 1944.

A. W. MILLER,
Chief, Bureau of Animal Industry.

[F. R. Doc. 44-14280; Filed, Sept. 15, 1944; 11:07 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 502]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 12, 1944, by Plowaty Bergart Company, of car MDT 146124, potatoes, now on the Wood Street Terminal, to R. H. Oswald, Evansville, Indiana.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14276; Filed, Sept. 15, 1944; 11:02 a. m.]

[S. O. 70-A, Special Permit 503]

RECONSIGNMENT OF MELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 12, 1944, by Al Kaiser of car FGE 34266, melons, now on the C. B. & Q. Railroad, to Altman & Schwartz, Buffalo, New York. (N. Y. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

Issued at Washington, D. C., this 12th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14277; Filed, Sept. 15, 1944; 11:03 a. m.]

[Rev. S. O. 226, Special Permit 9]

REICING OF PEAS AT NEW YORK

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F. R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the retop icing at New York, September 9, 1944, with not to exceed 5,000 pounds of ice for each of the following cars of peas on the B & O Railroad:

ART 21475	ART 20574
NWX 70434	ART 15116
BRE 19355	

as ordered by Tassini & Saliach.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14278; Filed, Sept. 15, 1944; 11:02 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3519]

OREGON NEWS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Oregon News, whose principal place of business is Portland, Oregon, is a sole proprietorship owned by Iwao Oyama and is a business enterprise within the United States;

2. That Iwao Oyama, a subject of Japan, has been interned by order of the Attorney General of the United States and is acting directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or persons within such country;

and determining:

3. That Iwao Oyama is acting for or on behalf of or as a cloak for a designated enemy country (Japan) or persons within such country and is a national of such designated enemy country;

4. That Oregon News is controlled by Iwao Oyama and is a national of a designated enemy country (Japan);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultations and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Iwao Oyama in and to Oregon News, a sole proprietorship, and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said Oregon News, a sole proprietorship owned by Iwao Oyama, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian, to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14270; Filed, Sept. 15, 1944; 10:56 a. m.]

[Vesting Order 3709]

JAPANESE CHAMBER OF COMMERCE OF SAN FRANCISCO

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the Japanese Chamber of Commerce of San Francisco is a membership, nonprofit corporation organized and doing business under the laws of the State of California and a business enterprise within the United States;

2. That 25 (26.24%) of the members of the Japanese Chamber of Commerce of San Francisco have been found by the Alien Property Custodian to be nationals of a designated enemy country (Japan);

3. That a substantial proportion of the income of the Japanese Chamber of Commerce of San Francisco (62.4%) came from Chamber of Commerce and Industry of Japan, Tokyo, Japan, and was paid on behalf of the Government of Japan, persons, firms, or corporations residing in Japan or whose principal place of business are in Japan and who are nationals of a designated enemy country (Japan);

4. That Japanese Chamber of Commerce of San Francisco and its members acting directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or persons within such country;

and determining:

5. That Japanese Chamber of Commerce of San Francisco is controlled by or acting for or on behalf of or as a cloak for a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all property of any nature whatsoever, situated in the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to Japanese Chamber of Commerce of San Francisco including but not limited to the following:

(a) Bank accounts at the Yokohama Specie Bank, Ltd., San Francisco, California, in the name of Japanese Chamber of Commerce of San Francisco;

(b) Office equipment stored in building at 468 Bush Street, San Francisco, California, consisting of one Japanese-character typewriter, one typewriter table, one clock, one electric heater and an assortment of books, office accessories and stationery;

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14271; Filed, Sept. 15, 1944; 10:56 a. m.]

[Vesting Order 3711]

KARL BUCHHOLZ

In re: Objects of art owned by Karl Buchholz.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Karl Buchholz is Leipziger Str. 119-20, Berlin, W 8, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Karl Buchholz is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The objects of art, particularly described in Exhibit A, attached hereto and by reference made a part hereof, now in the possession of Karl Buchholz, 32 East 57th Street, New York, New York, and

b. The objects of art, particularly described in Exhibit B, attached hereto and by reference made a part hereof, now stored in the name of Buchholz Gallery, on the premises of Hudson Shipping Co., Inc., 302 East 61st Street, New York, New York,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany):

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt within the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 29, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Inventory No., Name of Artist, Title, and Invoice Date[1]

7, Ernst Barlach, Lovers, drawing, 7-31-37.
8, Ernst Barlach, The Fugitive, drawing, 7-31-37.
9, Ernst Barlach, Consolation, drawing, 7-31-37.
10, Ernst Barlach, Lying Woman, drawing, 7-31-37.
12, Ernst Barlach, Fisher Women, drawing, 7-31-37.
13, Ernst Barlach, 3 Walking Girls, drawing, 7-31,37.
14, Ernst Barlach, Dancing Coupie, drawing, 7-31-37.
16, Ernst Barlach, Christ the Teacher, drawing, 7-31-37.
17, Ernst Barlach, Chorus Singer, drawing, 7-31-37.
18, Ernst Barlach, Men in Cloak, drawing, 7-31-37.
19, Ernst Barlach, Girl, drawing, 7-31-37.
20, Ernst Barlach, Head of Russian Peasant, drawing, 7-31-37.
21, Ernst Barlach, Attack, drawing, 7-31-37.
22, Ernst Barlach, Lied an die Freude, drawing, 7-31-37.
23, Ernst Barlach, Lied an die Freude, drawing, 7-31-37.
24, Ernst Barlach, Porters, drawing, 7-31-37.
25, Ernst Barlach, Drinking Men, drawing, 7-31-37.
26, Ernst Barlach, Schmerzensmutter, drawing, 7-31-37.
27, Ernst Barlach, Man Looking Up, drawing, 7-31-37.
28, Ernst Barlach, Twins, 7-31-37.
29, Ernst Barlach, Expectation, drawing, 7-31-37.
30, Ernst Barlach, Angels, drawing, 7-31-37.
31, Ernst Barlach, Old Woman Dancing, drawing, 7-31-37.
32, Ernst Barlach, Standing Girl, drawing, 7-31-37.
33, Ernst Barlach, Abduction, drawing, 7-31-37.
36, Ernst Barlach, Group in Storm, woodcut, 7-31-37.
37, Ernst Barlach, Woman with Dying Child, woodcut, 7-31-37.
39, Ernst Barlach, Mors Imperator, woodcut, 7-31-37.
40, Ernst Barlach, Dog Catcher, woodcut, 7-31-37.
42, Ernst Barlach, Robbers at the Cemetery, woodcut, 7-31-37.
45, Ernst Barlach, Tomb of Kings, litho., 7-31-37.
47, Ernst Barlach, Supporter of the Family, litho., 7-31-37.
49, Ernst Barlach, Dona Nobis Pacem, litho., 7-31-37.
50, Ernst Barlach, Adam and Eve, litho., 7-31-37.
51, Ernst Barlach, In the Shadow, litho., 7-31-37.
52, Ernst Barlach, Sacrifice, litho., 7-31-37.
53, Ernst Barlach, Love and Sorrow, litho., 7-31-37.
54, Ernst Barlach, Self-portrait, litho.
69, Ernst Barlach, Drinking Men, bronze, 7-31-37.
70, Ernst Barlach, The Doubter, bronze, 7-31-37.
72, Ernst Barlach, Moses, bronze, 7-31-37.
73, Ernst Barlach, Revenge, bronze, 7-31-37.
516, Ernst Barlach, Peasant Girl (Schwangeres Madchen), wood, 8-20-37.
790, Ernst Barlach, Freezing Girl, bronze, 11-24-37.
792, Ernst Barlach, Fugitive, bronze, 11-24-37.
814, Ernst Barlach, Seated Woman, drawing, 11-24-37.
815, Ernst Barlach, Angel, drawing, 11-24-37.
817, Ernst Barlach, Man With Falling Cloak, drawing, 11-24-37.
818, Ernst Barlach, Man Walking, drawing, 11-24-37.
819, Ernst Barlach, Resting Girl, drawing, 11-24-37.
820, Ernst Barlach, Shepherd, drawing, 11-24-37.
821, Ernst Barlach, Call, drawing, 11-24-37.
823, Ernst Barlach, Singing Monk, drawing, 11-24-37.
1350, Ernst Barlach, Beggars, litho., 11-14-38.
1351, Ernst Barlach, Trumpeter, litho., 11-14-38.
1385, Ernst Barlach, The Poor and the Rich, drawing, 11-14-38.
1386, Ernst Barlach, Singing Girl, drawing, 11-14-38.
1387, Ernst Barlach, The Beggar, drawing, 11-14-38.
1388, Ernst Barlach, The Blind Man, drawing, 11-14-38.
1389, Ernst Barlach, Peasant, drawing, 11-14-38.
1390, Ernst Barlach, From the "Song of Joy", drawing, 11-14-38.
1391, Ernst Barlach, Humility, Despair, Hope, drawing, 11-14-38.
1392, Ernst Barlach, Freezing Peasant, drawing, 11-14-38.
1393, Ernst Barlach, Grief, drawing, 11-14-38.
1394, Ernst Barlach, Revenge, drawing, 11-14-38.
431, Max Beckmann, Self-portrait, etching, 1-15-37.
1309, Max Beckmann, Self-portrait, lithograph, 11-14-38.

[1] Invoice date for certain items omitted in original document.

1309, Max Beckmann, Woman Dressing, drawing, 11-14-38.
1312, Max Beckmann, Friends, etching, 11-14-38.
1426, Max Beckmann, On the beach, oil.
797, Marc Chagall, Cellist, etching, 11-24-37.
798, Marc Chagall, Russian Peasant, etching, 11-24-37.
802, Marc Chagall, Composition, etching, 11-24-37.
804, Marc Chagall, Interieur, lithograph, 11-24-37.
789, Edgar Degas, Galloping Horse, bronze, 11-24-37.
530, Otto Dix, Two Heads, water color, 8-18-37.
1327, Otto Dix, Young Girl, lithograph, 11-14-38.
1328, Otto Dix, Turk, lithograph, 11-14-38.
2045, Otto Dix, Landscape in Southern Germany, oil, 2-11-39.
162, Werner Gilles, Landscape, water color, 1-15-37.
164, Werner Gilles, Fishermen, water color, 1-15-37.
1119, Erich Heckel, Landscape, water color, 8-16-38.
1120, Erich Heckel, Seated Girl, water color, 8-16-38.
1141, Erich Heckel, Autumn by the Sea Coast, water color, 8-16-38.
1320, Erich Heckel, In the Studio, woodcut, 11-14-38.
1321, Erich Heckel, Young Girl, woodcut, 11-14-38.
1322, Erich Heckel, Riders, etching, 11-14-38.
1323, Erich Heckel, Roquairol, wood cut, 11-14-38.
1324, Erich Heckel, Young Girl, woodcut, 11-14-38.
1325, Erich Heckel, Girl, wood cut, 11-14-38.
79, Carl Hofer, Girl with Bathing Cape, oil, 1-15-37.
80, Carl Hofer, Flowers, oil, 1-15-37.
81, Carl Hofer, Man's Head, water color, 1-15-37.
82, Carl Hofer, Woman, drawing, 1-15-37.
83, Carl Hofer, Card Players, drawing, 1-15-37.
84, Carl Hofer, Woman in Front of Open Window, drawing, 1-15-37.
85, Carl Hofer, Young Couple, drawing, 1-15-37.
86, Carl Hofer, Woman's Head, drawing, 1-15-37.
87, Carl Hofer, Seated Woman, drawing, 1-15-37.
241, Carl Hofer, Sleeping Girl, drawing, 1-15-37.
242, Carl Hofer, Standing Woman, drawing, 1-15-37.
243, Carl Hofer, Standing Woman, drawing, 1-15-37.
244, Carl Hofer, Woman with Mirror, drawing, 1-15-37.
292, Carl Hofer, Study of Woman, drawing, 1-15-37.
293, Carl Hofer, Seated Nude, drawing, 1-15-37.
1360, Carl Hofer, Woman with Arrow, etching, 11-14-38.
1361, Carl Hofer, Seated Man, lithograph, 11-14-38.
1362, Carl Hofer, 3 Women, etching, 11-14-38.
1363, Carl Hofer, Head of a girl, etching, 11-14-38.
1229, Jawlensky, Alex, Study, water color, 9-7-38.
1230, Jawlensky, Alex, Study, water color, 9-7-38.
519, Paul Klee, Hall C, oil, 8-18-37.
1123, Paul Klee, Christian Secterian, water color, 8-16-38.
1301, Oskar Kokoschka, Head of a Woman, lithograph, 11-14-38.
1303, Oskar Kokoschka, Bach Cantata, lithograph, 11-14-38.
1306, Oskar Kokoschka, Portrait of a Girl, lithograph, 11-14-38.
1307, Oskar Kokoschka, Portrait of a Woman, lithograph, 11-14-38.
144, George Kolbe, Laying Athlete, bronze, 1-15-37.
145, George Kolbe, Standing Woman, bronze, 1-15-37.
146, George Kolbe, Standing Woman, bronze, 1-15-37.
147, George Kolbe, Crouching Girl, bronze, 1-15-37.
148, George Kolbe, Listening, bronze, 1-15-37.
151, George Kolbe, Seated Nude, drawing, 1-15-37.
153, George Kolbe, Nude, drawing, 1-15-37.
155, George Kolbe, Nude, drawing, 1-15-37.
156, George Kolbe, Standing Girl, drawing, 1-15-37.
157, George Kolbe, Standing Woman, drawing, 1-15-37.
158, George Kolbe, Kneeling Girl, drawing, 1-15-37.
160, George Kolbe, Nude, drawing, 1-15-37.
619, George Kolbe, Kneeling Girl, etching, 8-20-37.
940, George Kolbe, Nude, drawing, 1-14-38.
941, George Kolbe, Nude, drawing, 1-14-38.
942, George Kolbe, Kneeling Girl, drawing, 1-14-38.
943, George Kolbe, Kneeling Girl, drawing, 1-14-38.
944, George Kolbe, Seated Man, drawing, 1-14-38.
945, George Kolbe, Nude, drawing, 1-14-38.
946, George Kolbe, Nude, drawing, 1-14-38.
947, George Kolbe, Nude, drawing, 1-14-38.
948, George Kolbe, Kneeling Woman, drawing, 1-14-38.
949, George Kolbe, Standing Male Nude, drawing, 1-14-38.
950, George Kolbe, Standing Girl, drawing, 1-14-38.
951, George Kolbe, Standing Nude, drawing, 1-14-38.
952, George Kolbe, Standing Girl, drawing, 1-14-38.
953, George Kolbe, Standing Nude, drawing, 1-14-38.
954, George Kolbe, Standing Man, drawing, 1-14-38.
955, George Kolbe, Nude, drawing, 1-14-38.
956, George Kolbe, Nude, drawing, 1-14-38.
957, George Kolbe Nude, drawing, 1-14-38.
958, George Kolbe, Nude, drawing, 1-14-38.
959, George Kolbe, Nude, drawing, 1-14-38.
1968, George Kolbe, Girl Looking Up, bronze, 12-15-39.
578, Kaethe Kollwitz, The Family, Lithograph, 8-10-37.
586, Kaethe Kollwitz, Self-portrait, woodcut, 8-10-37.
695, Kaethe Kollwitz, Sketch of Children, drawing, 8-10-37.
806, Kaethe Kollwitz, Death Leading Woman, drawing, 11-24-37.
807, Kaethe Kollwitz, Vagabond, drawing, 11-24-37.
808, Kaethe Kollwitz, Woman greeting death, drawing, 11-24-37.
809, Kaethe Kollwitz, Death and Girl, drawing, 11-24-37.
810, Kaethe Kollwitz, Call of Death, drawing, 11-24-37.
813, Kaethe Kollwitz, Empty Dishes, drawing, 11-24-37.
829, Kaethe Kollwitz, Woman with Children, lithograph, 11-24-37.
830, Kaethe Kollwitz, Wiedersehen, lithograph, 11-24-37.
831, Kaethe Kollwitz, Versinkender, lithograph, 11-24-37.
834, Kaethe Kollwitz, Death, lithograph, 11-24-37.
835, Kaethe Kollwitz, Death takes children, lithograph, 11-24-37.
836, Kaethe Kollwitz, In the Fields, etching, 11-24-37.
838, Kaethe Kollwitz, The Captives, etching, 11-24-37.
839, Kaethe Kollwitz, Raped, etching, 11-24-37.
841, Kaethe Kollwitz, In the Fields, etching, 11-24-37.
842, Kaethe Kollwitz, Revolution, etching, 11-24-37.
844, Kaethe Kollwitz, Famished Children, lithograph, 11-24-37.
850, Kaethe Kollwitz, Death, lithograph, 11-24-37.
866, Kaethe Kollwitz, Death, lithograph, 11-24-37.
867, Kaethe Kollwitz, Not (need), lithograph, 11-24-37.
869, Kaethe Kollwitz, The End, lithograph, 11-24-37.
873, Kaethe Kollwitz, Germinal, etching, 11-24-37.
874, Kaethe Kollwitz, Crushed, etching, 11-24-37.
875, Kaethe Kollwitz, Woman and Cradle, etching, 11-24-37.
876, Kaethe Kollwitz, Woman, etching, 11-24-37.
877, Kaethe Kollwitz, Woman, etching, 11-24-27.
878, Kaethe Kollwitz, Self-Portrait, etching, 11-24-37.
881, Kaethe Kollwitz, Storm, 'etching, 11-24-37.
986, Kaethe Kollwitz, Mother with Sleeping boy, drawing, 1-31-38.
987, Kaethe Kollwitz, Widow, drawing, 1-31-38.
988, Kaethe Kollwitz, Without Work, drawing, 1-31-38.
989, Kaethe Kollwitz, In the Corner, drawing, 1-31-38.
1056, Kaethe Kollwitz, Waving Farewell, 4-1-38.
1074, Kaethe Kollwitz, Call of Death, lithograph.
1353, Kaethe Kollwitz, Prisoners, 11-14-38.
1355, Kaethe Kollwitz, Visit in the Hospital, Woodcut, 11-14-38.
1356, Kaethe Kollwitz, Self-Portrait, etching, 11-14-38.
1534, Kaethe Kollwitz, Self-Portrait, woodcut, 2-13-39.
1536, Kaethe Kollwitz, Self-Portrait, lithograph, 2-13-39.
1542, Kaethe Kollwitz, Waiting, lithograph, 2-13-39.
1543, Kaethe Kollwitz, Sacrifice, woodcut, 2-13-39.
1544, Kaethe Kollwitz, Volunteers, woodcut, 2-13-39.
1546, Kaethe Kollwitz, Widow, woodcut, 2-13-39.
1547, Kaethe Kollwitz, Widow, woodcut, 2-13-39.
1548, Kaethe Kollwitz, Mothers, woodcut, 2-13-39
1551, Kaethe Kollwitz, Call of Death, lithograph, 2-13-39.
1552, Kaethe Kollwitz, Rebellion, etching, 2-13-39.
1554, Kaethe Kollwitz, Woman, etching, 2-13-39.
1601, Kaethe Kollwitz, Mother and Child, lithograph.
1800, Kaethe Kollwitz, Self-portrait, lithograph, 10-14-39.
1804, Kaethe Kollwitz, Volunteer, Woodcut, 10-14-39.
1806, Kaethe Kollwitz, Church Wall, etching, 10-14-39.
1807, Kaethe Kollwitz, Ploughers, etching, 10-14-39.
1877, Kaethe Kollwitz, Waiting, lithograph, 10-14-39.
1882, Kaethe Kollwitz, Death and Girl, lithograph, 10-14-39.
1884, Kaethe Kollwitz, Beggar, lithograph, 10-14-39.
1885, Kaethe Kollwitz, The Return, lithograph, 10-14-39.
1886, Kaethe Kollwitz, Family, lithograph, 10-14-39.
1887, Kaethe Kollwitz, Woman with Hands Clasped, etching, 10-14-39.

1371, Alfred Kubin, Women of Weinsberg, lithograph, 11-14-38.
1372, Alfred Kubin, Winter in the Wood, etching, 11-14-38.
1373, Alfred Kubin, The Robber Knight, lithograph, 11-14-38.
1414, Alfred Kubin, David and Goliath, water color.
1443, Alfred Kubin, Fisherman's Luck, drawing, 2-11-39.
1444, Alfred Kubin, Country Orgie, drawing, 2-11-39.
1145, Alfred Kubin, Gottlieb, drawing, 2-11-39.
1446, Alfred Kubin, Wild Bull, drawing, 2-11-39.
1447, Alfred Kubin, Child Murder, drawing, 2-11-39.
1448, Alfred Kubin, A New Robinson, drawing, 2-11-39.
1449, Alfred Kubin, Shepherd, drawing, 2-11-39.
1450, Alfred Kubin, Burglar, drawing, 2-11-39.
1451, Alfred Kubin, Landscape, drawing, 2-11-39.
1475, Alfred Kubin, Gulliver, etching.
1476, Alfred Kubin, Hanted House, lithograph.
1477, Alfred Kubin, Horse, lithograph.
1478, Alfred Kubin, Horse, lithograph.
1479, Alfred Kubin, Woman Sleeping, lithograph.
1480, Alfred Kubin, Pierrot, lithograph.
1481, Alfred Kubin, Hunter and Woman, lithograph.
532, Fernand Leger, Le Repos, oil, 8-18-37.
487, Wilhelm Lehmbruck, Woman, etching, 8-23-37.
493, Wilhelm Lehmbruck, Woman's Head, lithograph.
490, Wilhelm Lehmbruck, Woman's Head, lithograph.
1460, Wilhelm Lehmbruck, Mother and Child, etching.
1470, Wilhelm Lehmbruck, Head of a Woman, etching.
90, August Macke, Zoo, water color, 1-15-37.
91, August Macke, Woman in Red Chair.
92, August Macke, Comedy Scene, water color, 1-15-37.
93, August Macke, Oriental Scene, water color, 1-15-37.
94, August Macke, Street with Cathedral, drawing, 1-15-37.
95, August Macke, Meeting, drawing, 1-15-37.
96, August Macke, Mother and Child, water color, 1-15-37.
97, August Macke, Two Men Beside the River, drawing, 1-15-37.
98, August Macke, Woman's Head, drawing, 1-15-37.
99, August Macke, Old Man with Hat.
1117, August Macke, Lady in the Park, oil, 8-16-38.
1118, Heinrich Campendomc, Woman and Animals, woodcut, 8-16-38.
89, Gerhard Marcks, Portrait Mrs. M. M., drawing, 1-15-37.
255, Gerhard Marcks, Grieving Eros, bronze 1-15-37.
265, Gerhard Marcks, Portrait, drawing, 1-15-37.
268, Gerhard Marcks, Alcina, drawing, 1-15-37.
269, Gerhard Marcks, Julo, drawing, 1-15-37.
271, Gerhard Marcks, Philomene, drawing, 1-15-37.
272, Gerhard Marcks, Philomene, drawing, 1-15-37.
273, Gerhard Marcks, Philomene, drawing, 1-15-37.
274, Gerhard Marcks, Lying Woman, drawing, 1-15-37.
275, Gerhard Marcks, Barbara, drawing, 1-15-37.
282, Gerhard Marcks, Standing Girl, drawing, 1-15-37.
283, Gerhard Marcks, Child's Portrait, drawing, 1-15-37.
284, Gerhard Marcks, Sketch, drawing, 1-15-37.
286, Gerhard Marcks, Girl with Shawl, drawing, 1-15-37.
287, Gerhard Marcks, Standing Girl, drawing, 1-15-37.
288, Gerhard Marcks, Girl with Shawl, drawing, 1-16-37.
420, Gerhard Marcks, Ino, bronze, 1-15-37.
422, Gerhard Marcks, Jolo, lithograph, 1-15-37.
423, Gerhard Marcks, Girl's Head, lithograph, 1-15-37.
424, Gerhard Marcks, Portrait of a Girl, litho., 1-15-37.
495, Gerhard Marcks, Standing Girl with Apple, bronze, 8-20-37.
496, Gerhard Marcks, Friends, bronze, 8-20-37.
498, Gerhard Marcks, Violinist, bronze, 8-20-37.
499, Gerhard Marcks, Nanna, bronze, 8-20-37.
500, Gerhard Marcks, Seated Girl, bronze, 8-20-37.
502, Gerhard Marcks, Italian peasant, bronze, 8-20-37.
504, Gerhard Marcks, Brigitte, bronze, 8-20-37.
595, Gerhard Marcks, Amazon, drawing, 8-20-37.
599, Gerhard Marcks, Ino, drawing, 8-20-37.
603, Gerhard Marcks, Barbara, drawing, 8-20-37.
604, Gerhard Marcks, Seated Girl, drawing, 8-20-37.
605, Gerhard Marcks, Lying Girl, drawing, 8-20-37.
607, Gerhard Marcks, Demeter, drawing, 8-20-37.
612, Gerhard Marcks, Standing Nude, drawing, 8-20-37.
613, Gerhard Marcks, Girl with Cloak, drawing, 8-20-37.
614, Gerhard Marcks, Seated Girl, drawing, 8-20-37.
793, Gerhard Marcks, Kneeling Girl with outstretched Arms, bronze, 11-24-37
794, Gerhard Marcks, Regula, drawing, 11-24-37.
795, Gerhard Marcks, Standing Girl, bronze, 11-24-37.
796, Gerhard Marcks, Seated Youth, bronze, 11-24-37.
1060, Gerhard Marcks, Crane, bronze.
1132, Gerhard Marcks, Man with Sword, bronze, 8-16-38.
1231, Gerhard Marcks, Nude with raised Hand, drawing, 9-7-38.
1232, Gerhard Marcks, Nude, drawing, 9-7-38.
1233, Gerhard Marcks, Walking Girl, drawing, 9-7-38.
1235, Gerhard Marcks, Nude, drawing, 9-7-38.
1236, Gerhard Marcks, Nude, drawing, 9-7-38.
1237, Gerhard Marcks, Nude, drawing, 9-7-38.
1238, Gerhard Marcks, Nude, drawing, 9-7-38.
1251, Gerhard Marcks, Hand, bronze, 9-7-38.
1482, Gerhard Marcks, Portrait of a Girl, litho.
1483, Gerhard Marcks, Portrait of a Girl, litho.
1484, Gerhard Marcks, Portrait of a Girl, litho.
1485, Gerhard Marcks, Portrait of a Girl, litho.
1486, Gerhard Marcks, Standing Girl, drawing.
1621, Gerhard Marcks, Grazing Horse, bronze, 4-28-39.
1623, Gerhard Marcks, Crane, bronze, 4-28-39.
1624, Gerhard Marcks, Crane, bronze, 4-28-39.
1972, Gerhard Marcks, Junitau, bronze, 12-15-39.
1988, Gerhard Marcks, Heron, bronze, 12-15-39.
1330, Otto Mueller, Couple at the Table, lithograph, 11-14-38.
1331, Otto Mueller, 2 Nudes, lithograph, 11-14-38.
1332, Otto Mueller, Gypsies, lithograph, 11-14-38.
1336, Otto Mueller, Nude at the water, lithograph, 11-14-38.
1335, Otto Mueller, Two Girls, lithograph, 11-14-38.
1338, Otto Mueller, Nude before the Mirror, lithograph, 11-14-38.
1339, Otto Mueller, Hindu Girl, lithograph, 11-14-38.
1340, Otto Mueller, Nude under Trees, lithograph, 11-14-38.
1341, Otto Mueller, Reclining Nude, lithograph, 11-14-38.
1342, Otto Mueller, Nude with Mirror, lithograph, 11-14-38.
1343, Otto Mueller, Girl Lying Down, 11-14-38.
1344, Otto Mueller, Pair with Masks, lithograph, 11-14-38.
327, E. V. Nay, Seashore, oil, 1-15-37.
1452, E. V. Nay, Composition, water color, 1-25-39.
1456, E. V. Nay, Landscape, water color, 1-25-39.
1458, E. V. Nay, Landscape, water color, 1-25-39.
1459, E. V. Nay, Landscape, water color, 1-25-39.
1121, Emil Nolde, Sailboats, water color, 8-16-38.
1206, Emil Nolde, Tingel Tangel, Col. Litho.
1315, Emile Nolde, Sick Man and Doctor, etching, 11-14-38.
1317, Emil Nolde, Woman, Man and Servant, etching, 11-14-38.
1318, Emil Nolde, Dancers, water color, 11-14-38.
1319, Emil Nolde, Three Kings, water color, 11-14-38.
528, Gaston Louis Roux, Woman with Fan, oil, 8-18-37.
114, Schmidt-Rottluff, K., Yellow Iris, water color, 1-15-37.
117, Schmidt-Rottluff, K., Church on the River, water color, 1-15-37.
884, Schmidt-Rottluff, K., Landscape, water color, 11-24-37.
886, Schmidt-Rottluff, K., Haystacks, water color, 11-24-37.
1345, Schmidt-Rottluff, K., At the Beach, wood cut, 11-14-38.
1346, Schmidt-Rottluff, K., Head, lithograph, 11-14-38.
1348, Schmidt-Rottluff, K., Head of a Girl, wood cut, 11-14-38.
126, Renee Sintenis, Rearing Pony, bronze, 1-15-37.
362, Renee Sintenis, Two Ponies, bronze.
507, Renee Sintenis, Self-portrait, bronze, 8-20-37.
511, Renee Sintenis, Young Donkey, bronze, 8-20-37.
512, Renee Sintenis, Colt, bronze, 8-20-37.
625, Renee Sintenis, Two Cows, etching, 8-20-37.
627, Renee Sintenis, Two Deer, etching, 8-20-37.
633, Renee Sintenis, Standing Colt, etching, 8-20-37.
634, Renee Sintenis, Standing Boy, etchings, 8-20-37.
639, Renee Sintenis, Two Giraffs, etching, 8-20-37.
694, Renee Sintenis, Scotch Terrier, etching, 8-20-37.

889, Renee Sintenis, Playing Dogs, bronze, 12-7-37.
890, Renee Sintenis, Walking Ram, bronze, 11-25-37.
1136, Renee Sintenis, Scratching Dog, bronze, 8-16-38.
1139, Renee Sintenis, Dashing Dog, bronze, 8-16-38.
1206, Renee Sintenis, Skye Terrier.
1243, Renee Sintenis, Kicking Foal, bronze, 9-7-38.
1253, Renee Sintenis, Standing Foal, etching.
1254, Renee Sintenis, Two Colts Playing, etching.
1256, Renee Sintenis, Two Colts Running, etching.
1260, Renee Sintenis, Standing Colt, etching.
1261, Renee Sintenis, Standing Colt, etching.
1262, Renee Sintenis, Standing Colt, etching.
1264, Renee Sintenis, Two Colts Playing, etching.
1267, Renee Sintenis, Boy with Colt, etching.
1268, Renee Sintenis, Boy with Colt, etching
1269, Renee Sintenis, Two Colts, etching.
1270, Renee Sintenis, Two Colts, etching.
1273, Renee Sintenis, Two Colts, etching.
1275, Renee Sintenis, Colt, etching.
1276, Renee Sintenis, Colt, etching.
1277, Renee Sintenis, Colt, etching.
1365, Renee Sintenis, Colt, etching, 11-14-38.
1367, Renee Sintenis, Boy with Dog, etching, 11-14-38.
1368, Renee Sintenis, Boy before Mirror, etching, 11-14-38.
1977, Renee Sintenis, Galloping Colt, bronze, 12-15-39.
1978, Renee Sintenis, Young Camel, bronze, 12-15-39.
1980, Renee Sintenis, Young Donkey, bronze, 12-15-39.

EXHIBIT B

Inventory No., Name of Artist, Title, and Invoice Date

829, Heinrich Campendonc, In the Forest, Oil, 8-16-37.
1112, Heinrich Campendonc, Nude and Goats, Oil, 8-16-38.
1113, Heinrich Campendonc, Moonlight, Oil, 8-16-38.
1114, Heinrich Campendonc, Portrait of a child, oil, 8-16-38.
1115, Heinrich Campendonc, Two Heads, oil, 8-16-38.
1116, Heinrich Campendonc, Full Moon, oil, 8-16-38.
Franz Marc, Waterfall, oil, 2-11-39.

[F. R. Doc. 44-14272; Filed, Sept. 15, 1944; 10:57 a. m.]

[Vesting Order 4037]

FRANZ MAYER STUDIOS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That of the outstanding capital stock of Franz Mayer Studios, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 600 shares of the par value of $100 each, 470 (78⅓%) are registered in the names of and are beneficially owned by the persons as set forth below and are evidence of control of Franz Mayer Studios, Inc.

Registered Owner, Number of Shares, and Beneficial Owner

Franz B. Mayer and Company of Munich, 100, Franz B. Mayer and Company of Munich.
Tiroler Glasmalerei und Mosaickanstalt, 130, Tiroler Glasmalerei und Mosaickanstalt.
Helmut Ammann, 260, Franz B. Mayer and Company of Munich.
Total, 470.

2. That Franz B. Mayer and Company of Munich (also known as Franz Mayer'sche Hofkunstanstalt) whose last known address is Munich, Germany is a co-partnership organized and doing business under the laws of Germany and is a national of a designated enemy country (Germany);

3. That Tiroler Glasmalerei und Mosaickanstalt, whose last known address is Innsbruck, Germany, is a business enterprise doing business under the laws of Germany and is a national of a designated enemy country (Germany); and determining:

4. That Franz Mayer Studios, Inc., is controlled by Franz B. Mayer and Company of Munich, Munich, Germany, and Tiroler Glasmalerei und Mosaickanstalt of Innsbruck, Germany, and is a national of a designated enemy country (Germany);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 470 shares of $100 par value capital stock of Franz Mayer Studios, Inc., hereinbefore more fully described in subparagraph 1 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14273; Filed, Sept. 15, 1944; 10:57 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-58]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ASHLAND, KY., AND CATLETTSBURG, KY.

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21; and in order to secure maximum use of existing transportation facilities; to conserve and providently utilize vital equipment, material, and supplies; to prevent possible traffic congestion, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage of transportation materials and facilities for defense and for private account, *It is hereby ordered*, That:

(1) Ohio Valley Bus Company, Huntington, West Virginia, and C. E. Fannin, doing business as The Blue Ribbon Lines, Ashland, Kentucky (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Ashland, Kentucky, and Catlettsburg, Kentucky, as common carriers by motor vehicle shall:

(a) Honor each other's tickets and tokens, except interchange of transfers, between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day, as set forth in schedules submitted to the Office of Defense Transportation under date of August 9, 1944;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers;

(2) The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

(3) Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

(4) The provisions of this order shall be subject to any special permit issued by the Division Director, Passenger Operations Division, Highway Transport Department, Office of Defense Transportation, to meet specific needs or special circumstances.

(5) Communications concerning this order should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., and should refer to "Special Order ODT B-58."

This Special Order ODT B-58 shall become effective September 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14265; Filed, Sept. 14, 1944; 5:09 p. m.]

[Supp. Order ODT 3, Rev. 831]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DENTON AND WHITESBORO, TEXAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 19, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of September, 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Central Freight Lines, Inc., Waco, Tex.
The Texas and Pacific Motor Transport (a corporation), Gould Building, Dallas, Tex.

[F. R. Doc. 44-14263; Filed, Sept. 14, 1944; 5:09 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 332]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KNOXVILLE, TENN., AND ATLANTA, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 19, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Huber & Huber Motor Express, Inc., Eighth and Kentucky Streets, Louisville, Ky.

The Mason & Dixon Lines, Incorporated, 219 First National Bank Building, Kingsport, Tenn.

Hoover Motor Express Co., Inc., 415 Fifth Avenue South, Nashville, Tenn.

Dixie Ohio Express Co., Inc., 1081 Sweitzer Avenue, Akron, Ohio.

[F. R. Doc. 44-14264; Filed, Sept. 14, 1944; 8:09 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 3, Rev. 334]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO., AND OKLAHOMA CITY, OKLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 19, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Be Mac Transport Co., Inc., 1316 North 14th Street, St. Louis, Mo.

Consolidated Forwarding Co., Inc., 1313 North 7th Street, St. Louis, Mo.

Frisco Transportation Co., (a corporation), Ninth and Olive Streets, St. Louis, Mo.

Tri-State Motor Transport, Inc., Fourth and Malden Lane, Joplin, Mo.

Campbell "66" Express, Inc., Springfield, Mo.

Best Motor Lines, Inc., 1210 South Lamar Avenue, Dallas, Tex.

Rias & Co., Inc., 124 West 4th Street, Kansas City, Mo.

W. G. Burgess, doing business as Reliable Motor Freight Line, 8 North Greenwood Avenue, Tulsa, Okla.

Roadway Express, Inc., 97 East South Street, Akron, Ohio.

[F. R. Doc. 44-14262; Filed, Sept. 14, 1944; 5:10 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Amdt. 1 to Order 146]

ANDES RANGE AND FURNACE CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, and in accordance with section 10 of Maximum Price Regulation No. 64 and section 9.3 of Revised Supplementary Regulation No. 14 it is ordered that Order No. 146 under Maximum Price Regulation No. 64 be amended in the following respect:

Paragraph (b) is amended by adding the following paragraph at the end thereof:

Those retailers who did not have a maximum price established for the Model No. 105 prior to April 18, 1944, shall establish as their maximum price for that model range the total of the following two figures: (1) a maximum price determined under the General Maximum Price Regulation on the basis of a delivered cost of $66.69; (2) the increase of $12.30 permitted by this paragraph. The sum of these two figures constitutes the seller's new maximum price for that model.

This amendment shall become effective September 16, 1944.

Issued this 15th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14296; Filed, Sept. 15, 1944; 11:50 a. m.]

[MPR 64, Order 159]

F. O. SCHOEDINGER

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with section 10 of Maximum Price Regulation No. 64, and section 9.3 of Revised Supplementary Regulation No. 14, *It is ordered:*

(a) F. O. Schoedinger, 322–358 Mount Vernon Avenue, Columbus, Ohio, may sell and deliver the following nine models of gas space heaters which he manufactures, at prices no higher than those arrived at by applying to the maximum list prices specified below, his customary trade discounts to every class of purchaser in effect during the period January 15 to June 1, 1941:

Model No:	*Maximum list price*
JTA–2	$17.94
KTA–2	28.84
KTA–3	28.92
KTA–4	33.57
LTA–3	22.75
LTA–4	27.54
LTA–5	33.30
TCA–5	43.28
TC–32	77.26

The maximum prices so determined are f. o. b. Columbus, Ohio, and are subject to a cash discount of 2% for payment within 10 days, net 30 days. These prices are also subject to all other terms, discounts, allowances, and price differentials no less favorable than those in effect during the period January 15 to June 1, 1941.

(b) Wholesale distributors and retailers whose present maximum prices for the gas space heaters listed above were established under Maximum Price Regulation No. 210, may sell and deliver the listed models at prices no higher than those arrived at by adding to their established maximum prices in effect for each heater prior to the effective date of this order, the dollars-and-cents amount by which their acquisition cost of each model of heater has been increased by the adjustment herein granted to the manufacturer. The sum of these two figures shall constitute the seller's new maximum price for the particular model.

(c) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order, for the sale of any heater for which a maximum price is established by this order, F. O. Schoedinger and every wholesale distributor shall notify the purchaser of the conditions set by this order which are applicable to the purchaser, and the method provided by this order for determining maximum prices for resales by the purchaser. This notice may be given in any convenient form, and must set forth specifically the dollars-and-cents amount by which the purchaser for resale may increase his previously established maximum prices in accordance with the terms of this order. In addition, within ten days after issuing each different notification to the trade required under this paragraph, the manufacturer must file a copy thereof with the Office of Price Administration, Washington, D. C.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective September 16, 1944.

Issued this 15th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14288; Filed, Sept. 15, 1944; 11:50 a. m.]

[MPR 188, Order 2294]

HINSHAW MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of two items of unfinished and two items of finished chests of drawers manufactured by Hinshaw Manufacturing Company, P. O. Box 162, West Sacramento, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Unfinished chest of drawers.	15 x 25 x 40	$4.96	$4.66
Unfinished chest of drawers.	15 x 30 x 40	4.89	5.75
Finished chest of drawers.	15 x 25 x 40	4.77	5.61
Finished chest of drawers.	15 x 30 x 40	5.70	6.70

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Unfinished chest of drawers.	15 x 25 x 40	$4.66
Unfinished chest of drawers.	15 x 30 x 40	5.75
Finished chest of drawers.	15 x 25 x 40	5.61
Finished chest of drawers.	15 x 30 x 40	6.70

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of September 1944.

Issued this 15th day of September, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14289; Filed, Sept. 15, 1944; 11:50 a. m.]

[MPR 188, Order 2295]

COLMAN FUREDI

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Colman Furedi, 503 Brook Avenue, Bronx, New York, of wooden shelves of his manufacture, as described in his applications dated January 15, 1944, February 18, 1944 and March 25, 1944 after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Model	Maximum price to jobbers	Maximum price to retailers
		Per dozen	*Per dozen*
Unfinished shelf	18"	$5.55	$6.94
Finished shelf	18"	6.20	7.75
Unfinished shelf	24"	7.12	8.90
Finished shelf	24"	8.08	10.10
Mirror shelf		14.40	18.00

These prices are for the sales and delivery of the articles described in the manufacturer's applications dated January 15, 1944, February 18, 1944, and March 25, 1944. They are f. o. b. factory and subject to cash discount of 2% for payment within ten days, net thirty days.

(b) The maximum prices for all sales and deliveries at wholesale for the shelves described in paragraph (a) above shall be the prices set forth below as follows:

Article	Model	Maximum price to retailers
		Per dozen
Unfinished shelf	18"	$6.94
Finished shelf	18"	7.75
Unfinished shelf	24"	8.90
Finished shelf	24"	10.10
Mirror shelf		18.00

These prices are for the sales and delivery of the articles described in the manufacturer's applications dated January 15, 1944, February 18, 1944 and March 25, 1944. They are f. o. b. factory and subject to terms, allowances and discounts no less favorable than those customarily granted by the seller.

(c) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 2295 may be revoked or amended by the Price Administrator at any time.

This Order No. 2295 shall become effective on the 16th day of September 1944.

Issued this 15th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14290; Filed, Sept. 15, 1944; 11:51 a. m.]

[MPR 188, Order 2296]

COLONIAL KNIFE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by the Colonial Knife Company, Oak and Agnes Streets, Providence, Rhode Island, of a knife of its manufacture, as described in its application dated April 4, 1944, and after such article became subject to Maximum Price Regulation No. 188, are as follows:

Article	Model	To jobbers or distributors who stock the knives	Maximum price to retailers
		Each	*Each*
Commando knife	5½" blade	$0.825	$1

These prices are for the sales and delivery of the article described in the manufacturer's application dated April 4, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(b) The maximum price for all sales and deliveries at wholesale for the knife described in paragraph (a) above shall be the price set forth below as follows:

Article	Model	Maximum price to retailers
		Each
Commando knife	5½" blade	$1

These prices are for the sale and delivery of the article described in the manufacturer's application dated April 4, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(c) The maximum price for a sale at retail by any person of the knife described in paragraph (a) above shall be as follows:

Article	Model	Maximum price to consumers
		Each
Commando knife	5½" blade	$1.50

(d) On each knife shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2296 may be revoked or amended by the Price Administrator at any time.

This Order No. 2296 shall become effective on the 16th day of September 1944.

Issued this 15th day of September, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14291; Filed, Sept. 15, 1944; 11:50 a. m.]

[MPR 188, Order 2307]

RIEMER CHILDREN'S FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a total of 2000 child's sofas, child's rockers, and child's chairs manufactured by Riemer Children's Furniture Company, 2080 Washington Street, Boston, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers; and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Chair	Juvenile	$4.34	$5.11
Rocker	Juvenile	5.00	5.88
Sofa	Juvenile	7.02	8.26

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 11, 1944 when covered in a fabric costing the manufacturer 35¢ per yard.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model	Maximum price to retailers
		Each
Chair	Juvenile	$5.11
Rocker	Juvenile	5.88
Sofa	Juvenile	8.26

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 11, 1944 when covered in a fabric costing the manufacturer 35¢ per yard.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of September 1944.

Issued this 15th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14292; Filed, Sept. 15, 1944; 11:48 a. m.]

WAR MANPOWER COMMISSION.

NEW HAVEN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the New Haven Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Hiring contrary to the program.
11. Exclusions.
12. Appeals.
13. Statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Seniority.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the New Haven Area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The New Haven Area is the area comprised of the towns of New Haven, East Haven, West Haven, Hamden, North Haven, Woodbridge, Orange, Bethany, Branford, North Branford, Guilford, and Madison.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the New Haven Area to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(2) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area Manpower Director.

(g) Essential activity means any activity included in the War Manpower Commission List of Essential Activities.

(h) Locally needed activity means any activity approved by the Regional Manpower Director as a locally needed activity. (9 F.R. 3439)

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the New Haven Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the Area, if the work is to be performed within the Area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the New Haven Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this Committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 6 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his noncompliance after such finding. An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

SEC. 8. *Referral in case of underutilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation;

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix A), or his statement of availability indicates that his last employment was in such an occupation;

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period;

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service promptly release from employment any worker hired,

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if made as a result of any misrepresentations on the part of such worker pertaining to previous employment, when otherwise a referral would not have been made, or if it is found that it should not have been made in the first instance.

SEC. 11. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, County, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 13. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 16. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program. It shall not be interpreted as abrogating or invalidating any bona fide collective bargaining agreement, or contract of employment.[1]

SEC. 17. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Seniority.* Workers referred or transferred in accordance with section 8 of this area stabilization agreement shall:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or plant custom.

(b) Be re-employed by their home employer according to the seniority agreement or custom mentioned above providing they apply for re-employment within 40 days of either the date they terminate from the plant to which they first transferred or the date when the U. S. Government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for re-employment with their home employer as provided in (a) and (b).

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has re-employment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 19. *Effective date.* This program shall become effective as of October 15, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

WM. J. CRONIN, JR.,
Area Director.

DAVID G. NAGLE,
Acting Regional Director.

APPENDIX A—ADDITIONAL CONTROLLED OCCUPATIONS

The following shall be considered additional controlled occupations:

(1) Occupations in which the demand for workers in the Area exceeds the available supply:

Auto mechanics.
Grinder operators.
Laborers.
Lathe operators.
Milling machine operators.
Truck and bus drivers.
Wire drawers.

[F. R. Doc. 44-14176; Filed, Sept. 13, 1944; 2:53 p. m.]

[Amdt. 1]

NEW HAVEN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the New Haven Area, dated October 15, 1943, is hereby amended as follows:

Section 9 of said program is hereby amended by adding the following new paragraph:

(e) The new employee is a male worker.

Dated August 12, 1944.

WM. J. CRONIN, JR.,
Area Director.

Approved: August 26, 1944.

DAVID G. NAGLE,
Acting Regional Director.

[F. R. Doc. 44-14182; Filed, Sept. 13, 1944; 2:53 p. m.]

[1] In view of the other provisions of this plan, this provision has been construed as applicable only with respect to seniority or similar reemployment rights provided for in the agreements and contracts described in this provision.

BIDDEFORD, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Biddeford, Maine, Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11340).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referrals in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Biddeford area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) "Biddeford area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420).

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Biddeford area to be either

(1) One of the category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such area exceeds the available supply.

A list of the "Additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director.

(g) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Biddeford area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Biddeford area is authorized to consider questions of policy, standards and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Biddeford area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essentially or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will re-employ the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(d) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form the words:

> The employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work, *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county, or municipal government, or their political sub-divisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18 *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective as of October 11, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

APPENDIX A—DESIGNATION OF THE BIDDEFORD AREA

The Biddeford Area is comprised of the territories included in the following cities and towns of York County, in the State of Maine: Acton, Alfred, Biddeford, Buxton, Cornish, Dayton, Hollis, Kennebunk, Kennebunkport, Lebanon, Limerick, Limington, Lyman, Newfield, North Kennebunkport, Old Orchard Beach, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro and Wells.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Biddeford area as additional controlled occupations:

Engine-lathe operator.
Turret lathe operator.
Vertical-turret lathe operator.
Milling-machine operator, II.
Shaper operator, I.
Planer operator, II.
Gear-generator operator.
Gear hobber operator.
Gear-shaper operator.
Cylindrical-grinder opr.
Internal-grinder opr.
Surface-grinder opr.
Sheet metal worker, II.
Sheet-metal lay-out man.
Welder, arc.
Hammersmith.
Tool grinder operator.
Tool grinder, I.
Wood chopper, II.
Lumberjack, II.
Burrer hand.
Turret lathe operator aut.
Milling mach. opr. auto.
Boring machine opr. auto.
Radial-drill press opr.
Screw-machine opr. semi-auto.
Screw-machine operator, auto.
Lapping machine operator.
Centerless grinder opr.
Thread grinder.
Cylindrical grinder opr., II.
Internal grinder, opr., II.
Floor assembler.
Gager, I.
Weaver, IV.
Auto mechanic.
Card grinder.
Picker tender.
Drawing frame tender.
Speeder tender.
Card tender.
Napper tender.
Spinner frame.
Mult. spindle drill press opr.
Doffer II.
Battery hand.
Comber tender.
Yarn winder.
Coater, IX (textile).
Dyeing mach. tender, III.
Fireman, low pressure.
Make-up man, V.
Cylinder pressman.
Ball warper tender.
Slasher tender.
Warp-tying machine tender.
Dye-weigher, II.
Cotton classer.
Machine fixer, III.
Dye-can operator.
Dry cans operator.
Smash hand.
Mixing and blending operator.
Mule spinners.
Mule fixers.
Filtration plant operator.
Printers, block and stencils.

GLEN R. CHENEY,
Asst. Area Director.

Approved:

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14243; Filed, Sept. 14, 1944; 2:37 p. m.]

[Amdt. 1]

BIDDEFORD, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Biddeford, Maine, area dated October 11, 1943, is hereby amended as follows:

Section 10 of said program is hereby amended by adding the following new paragraph:

(e) The new employee is a male worker.

Dated: September 7, 1944.

GLEN R. CHENEY,
Assistant Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14244; Filed, Sept. 14, 1944; 2:37 p. m.]

[Amdt. 2]

BIDDEFORD, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Biddeford, Maine, area dated October 11, 1943, is hereby amended as follows:

1. Section 2 (f) is hereby amended by inserting after the words "Biddeford area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Biddeford area with the approval of the Regional Director to be either

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, "all employers of labor, including the United States Civil Service Commission; and all labor organizations within the Biddeford area," so that the same shall read as follows:

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

3. Section 8 is hereby amended by deleting paragraph (c) in its entirety, and making paragraph (d) of said section, paragraph (c), and adding the following sentence after the word "employment" at the end of the first paragraph of said subparagraph: "Nothing in this section shall be construed to supersede the provisions of section 10 (d)."

4. Section 9 is hereby amended by changing the title from "Referral in case of under-utilization" to "Referral by the United States Employment Service" and adding the following as the second paragraph thereof:

(b) The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

5. Section 10 is hereby amended by deleting the words in paragraph (c) enclosed in parentheses, so that said paragraph shall read as follows:

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

6. Section 11 is hereby amended by striking out the comma after the word "hired" in the second line and inserting the phrase "in violation of this program" and by striking out paragraphs (a) and (b) of said section so that the same shall read as follows:

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

7. Section 12 is hereby amended by striking out paragraph (g) in its entirety, and by striking out the following ", or" and substituting a period.

8. Section 16 is hereby amended by adding the following, which shall be identified as paragraph (b), so that the whole section shall read as follows:

SEC. 16. *Hiring.* (a) The decision to hire or refer a worker shall be based on the qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) The Area Manpower Director may fix for all or any establishments in the Biddeford area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

(c) The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

9. Appendix B is hereby amended by inserting after the words "Biddeford area" the phrase, "with the approval of the Regional Director", so that the same shall read as follows:

The following have been designated by the Area Manpower Director for the Biddeford area, with the approval of the Regional Director, as Additional Controlled Occupations.

Dated: September 7, 1944.

GLEN R. CHENEY,
Assistant Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14245; Filed, Sept. 14, 1944; 2:38 p. m.]

[Amdt. 3]

BIDDEFORD, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Biddeford, Maine, area dated October 11, 1943, is hereby amended as follows:

1. Section 2 is hereby amended by adding the following paragraph (j):

(j) Part-time worker means any worker not available for full-time employment or for employment of thirty (30) hours per week or more.

2. Section 10, paragraph (e), previously adopted by Amendment No. 1, is hereby amended to read as follows:

(e) When the new employee is a male worker sixteen (16) years of age or over to be employed in an establishment employing eight (8) or more workers except that the provisions of this sub-section shall not apply to part-time workers as defined; or to professional workers, allocated by Procurement and Assignment Service, to include physicians, dentists, veterinarians, and sanitary engineers.

Dated: September 7, 1944.

GLEN R. CHENEY,
Assistant Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14246; Filed, Sept. 14, 1944; 2:38 p. m.]

[Amdt. 4]

BIDDEFORD, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Biddeford, Maine, area dated October 11, 1943 is hereby amended as follows:

1. Section 13 is hereby amended by deleting the present section as previously adopted and by substituting in lieu thereof the following section:

SEC. 13. *Appeals.* Any person who claims that any action taken, action denied, or decision rendered with respect to him, with respect to his employer, or with respect to any of his workers under this employment stabilization program, is unfair or unreasonable as applied to him or is inconsistent with these or other applicable policies and standards or with applicable regulations or programs, may appeal from such action or decision in accordance with War Manpower Commission regulations governing appeals.

2. Section 18 is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director after consultation with, the Area Management-Labor War Manpower Committee to determine the degree necessary, may adopt certain standards of priority referral of workers to be followed by the United States Employment Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 7, 1944.

GLEN R. CHENEY,
Assistant Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14247; Filed, Sept. 14, 1944; 2:38 p. m.]

LEWISTON, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The following Employment Stabilization Program for the Lewiston, Maine Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11340).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referrals in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Lewiston Area, with the approval

of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) "Lewiston Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420).

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Lewiston Area to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(2) An occupation in which the demand for workers in such Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Lewiston Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of management-labor committee.* The Area Management-Labor War Manpower Committee for the Lewiston Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of the committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Lewiston Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approval by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or aproval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will re-employ the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(d) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form the words: "The Employer hiring the above-named worker shall not retain such worker in his employ after _____ and shall not issue a statement of availability to such worker upon his release."

SEC. 9. *Referral in case of under utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided further that such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county, or municipal government, or their political sub-divisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective as of October 7, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

APPENDIX A—DESIGNATION OF THE LEWISTON AREA

The Lewiston Area is comprised of the territories included in the following cities and towns in the State of Maine.

(a) In Androscoggin County: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Turner, Wales, Webster, and

(b) In Oxford County: Buckfield, Hebron, Norway, Oxford, Paris, and

(c) In Franklin County: Jay.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Lewiston Area as additional controlled occupations:

Weaver.
Spooler.
Winder.
Battery hand.
Slasher tender.
Picker tender.

Frame spinner.
Mule spinner.
Card stripper.
Comber tender.
Drawing frame tender.
Slubber tender.
Card tender.
Kier boiler.
Dyer (textile manufactuing).
Range operator (textile finishing).
Sanforizing machine operator.
Assembler (shoe manufacturing).
Niggerhead operator.
Bed laster.
Automobile mechanic.
Molder, rubber.
Cupola tender.
Die polisher (nonferrous metal processing).
Swager.
Sinterer.
Wire drawer and annealer.
Lumberjack.
Truck driver (heavy).
Machine operator, woodworking.
Littleway lock stitcher.

J. B. EHRENFRIED,
Deputy Area Director.

Approved:

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14248; Filed, Sept. 14, 1944; 2:39 p. m.]

[Amdt. 1]

LEWISTON, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Lewiston, Maine, Area dated October 11, 1943, is hereby amended as follows:

Section 10 of said program is hereby amended by adding the following new paragraph:

(e) The new employee is a male worker.

Dated: September 7, 1944.

J. B. EHRENFRIED,
Deputy Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14249; Filed, Sept. 14, 1944; 2:39 p. m.]

[Amdt. 2]

LEWISTON, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Lewiston, Maine, Area dated October 11, 1943, is hereby amended as follows:

1. Section 2 (f) is hereby amended by inserting after the words "Lewiston Area" in the second line, the words "with the approval of the Regional Director" and by inserting the same phrase after the word "Director" so that the same shall read as follows:

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Lewiston Area with the approval of the Regional Director to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix C and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words, "all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Lewiston Area," so that the same shall read as follows:

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and Government Agencies. This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

3. Section 8 is hereby amended by deleting paragraph (c) in its entirety, and making paragraph (d) of said section, paragraph (c), and adding the following sentence after the word "employment" at the end of the first paragraph of said paragraph: "Nothing in this section shall be construed to supersede the provisions of section 10 (d)."

4. Section 9 is hereby amended by changing the title from "Referral in Case of Under-Utilization" to "Referral by the United States Employment Service" and adding the following as the second paragraph thereof:

(b) The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

5. Section 10 is hereby amended by deleting the words in paragraph (c) enclosed in parentheses, so that said paragraph shall read as follows:

(c) the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

6. Section 11 is hereby amended by striking out the comma after the word "hired" in the second line and inserting the phrase "in violation of this program" and by striking out paragraphs (a) and (b) of said section so that the same shall read as follows:

SEC. 11. *Hiring contrary to the program.* An employer shall upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

7. Section 12 is hereby amended by striking out paragraph (g) in its entirety, and by striking out the following at the end of paragraph (f) ", or" and substituting a period.

8. Section 16 is hereby amended by adding the following, which shall be identified as paragraph (b), so that the whole section shall read as follows:

SEC. 16. *Hiring.* (a) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) The Area Manpower Director may fix for all or any establishments in the Lewiston Area fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

(c) The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, Rules and Regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

9. Appendix B is hereby amended by inserting after the words "Lewiston Area" the phrase, "with the approval of the Regional Director", so that the same shall read as follows:

The following have been designated by the Area Manpower Director for the Lewiston Area, with the approval of the Regional Director, As Additional Controlled Occupations.

Dated: September 7, 1944.

J. B. EHRENFRIED,
Deputy Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14250; Filed, Sept. 14, 1944; 2:40 p. m.]

[Amdt. 3]

LEWISTON, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Lewiston, Maine, Area dated October 11, 1943, is hereby amended as follows:

1. Section 2 is hereby amended by adding the following paragraph:

(j) "Part-time worker" means any worker not available for full-time employment or for employment of thirty (30) hours per week or more.

2. Section 10, paragraph (e), previously adopted by Amendment No. 1, is hereby amended to read as follows:

(e) When the new employee is a male worker sixteen (16) years of age or over to be employed in an establishment employing eight (8) or more workers except that the provisions of this subsection shall not apply to part-time workers as defined, or to professional workers, allocated by procurement and assignment service, to include physicians, dentists, veterinarians, and sanitary engineers.

Dated: September 7, 1944.

J. B. EHRENFRIED,
Deputy Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14251; Filed, Sept. 14, 1944; 2:40 p. m.]

[Amdt. 4]

LEWISTON, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Lewiston, Maine Area dated October 11, 1943, is hereby amended as follows:

1. Section 13 is hereby amended by deleting the present section as previously adopted and by substituting in lieu thereof the following section:

SEC. 13. *Appeals.* Any person who claims that any action taken, action denied, or decision rendered with respect to him, with respect to his employer, or with respect to any of his workers under this employment stabilization program, is unfair or unreasonable as applied to him or is inconsistent with these or other applicable policies and standards or with applicable regulations or programs, may appeal from such action or decision in accordance with War Manpower Commission Regulations governing appeals.

2. Section 18 is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee to determine the degree necessary, may adopt certain standards of priority referral of workers to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 7, 1944.

J. B. EHRENFRIED,
Deputy Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14252; Filed, Sept. 14, 1944; 2:40 p. m.]

PORTLAND, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Portland, Maine, Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referrals in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Portland Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) "Portland Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission. (See War Manpower List of Critical Occupations, 8 F.R. 11420).

(f) "Additional controlled occupation" means any occupation found by the Area Manpower Director for the Portland Area to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such Area, or

(2) An occupation in which the demand for workers in such Area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Portland Area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The

Area Management-Labor War Manpower Committee for the Portland Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission, all employers of labor, including the United States Civil Service Commission, and all labor organizations within the Portland Area, shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statement of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will re-employ the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his non-compliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(d) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form the words: "The Employer hiring the above-named worker shall not retain such worker in his employ after ---------- and shall not issue a statement of availability to such worker upon his release."

SEC. 9. *Referrals in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix B) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired,

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, State, county or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period, or

(g) The transfer of workers between agencies and departments of the Federal Government.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective as of October 11, 1943, and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

APPENDIX A—DESIGNATION OF THE PORTLAND AREA

The Portland Area is comprised of the following list of territorial subdivisions of the State of Maine.

(a) All of Cumberland County except the towns of Brunswick and Harpswell; and

(b) The following towns in Oxford County: Brownfield, Denmark, Fryeburg, Hiram, Lovell, Porter, Stoneham, Stow, Sweden and Waterford.

APPENDIX B—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Portland Area as additional controlled occupations:

Acetylene burner.
Automobile mechanic.
Boilermaker's helper.
Brakeman (railroad).
Chipper.
Driller.
Drill press opr. (heavy).
Drop hammer opr. (forging).
Engine lathe opr.
Galvanizer.
Heater (forge).
Job setter (forging).
Job setter (machine).
Machine maintenance man.
Planer operator.
Shaper operator.
Shipfitter's helper.
Straightener.
Telegrapher (railroad).
Turret lathe operator.
Welder, arc.
Welder, tack.

WILLIAM R. CROWELL,
Area Director.

Approved:

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14253; Filed, Sept. 14, 1944; 2:35 p. m.]

[Amdt. 1]

PORTLAND, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Portland, Maine, area dated October 11, 1943, is hereby amended as follows:

Section 10 of said program is hereby amended by adding the following new paragraph:

(e) The new employee is a male worker.

Dated: September 7, 1944.

WILLIAM R. CROWELL,
Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Administrator.

[F. R. Doc. 44-14254; Filed, Sept. 14, 1944; 2:36 p. m.]

[Amdt. 2]

PORTLAND, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Portland, Maine, Area dated October 11, 1943, is hereby amended as follows:

1. Section 2 (f) of said program is hereby amended by inserting the phrase, "with the approval of the Regional Director", in the opening paragraph after the words "Portland Area" and after the word, "Director" in the last paragraph, so that the same shall read as follows:

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Portland Area with the approval of the Regional Director to be either:

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix B and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

2. Section 5 is hereby amended by deleting the words starting in the first line, "all employers of labor, including the

United States Civil Service Commission, and all labor organizations within the Portland Area".

3. Section 8 (c) is deleted in its entirety, and paragraph (d) is designated as paragraph (c). This latter paragraph is amended by adding the following sentence after the word, "employment" at the end of the first paragraph: "Nothing in this section shall be construed to supersede the provisions of section 10 (d)."

4. Section 9 is hereby amended as follows:

The title of this section is changed from *"Referral in case of under-utilization"* to *"Referral by the United States Employment Service"*.

The following paragraph is added to section 9:

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

5. Section 10 (c) is hereby amended by deleting that part of this subsection which is enclosed in parentheses so that paragraph (c) shall read as follows:

(c) the new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period, or

6. Section 11 is revised to eliminate paragraph (b) and incorporate paragraph (a) in the opening paragraph so that it shall read:

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

7. Section 12 is hereby amended by the deleting of paragraph (g) in its entirety. Paragraph (f) is amended by striking out the following: ", or" and substituting a period.

8. Section 16 is hereby amended so that same shall read as follows:

(a) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) The Area Manpower Director may fix for all or any establishments in the Portland Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishments if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

(c) The Federal Government shall be considered as a single essential employer for such purposes of this program, and all hiring for the departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

10. Appendix B is hereby amended by inserting after the words, "Portland Area," "with the approval of the Regional Director", so that the same shall read as follows:

The following have been designated by the Area Manpower Director for the Portland Area, with the approval of the Regional Director, as Additional Controlled Occupations.

Dated: September 7, 1944.

WILLIAM R. CROWELL,
Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14255; Filed, Sept. 14, 1944; 2:36 p. m.]

[Amdt. 3]

PORTLAND, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Portland, Maine, Area dated October 11, 1943, is hereby amended as follows:

1. Section 2 is hereby amended by adding the following paragraph (j):

(j) Part-time worker means any worker not available for full-time employment or for employment of thirty (30) hours per week or more.

2. Section 10, paragraph (e), previously adopted by Amendment No. 1 is hereby amended to read as follows:

(e) When the new employee is a male worker sixteen (16) years of age or over to be employed in an establishment employing eight (8) or more workers except that the provisions of this subsection shall not apply to part-time workers as defined; or to professional workers, allocated by procurement and assignment service, to include physicians, dentists, veterinarians, and sanitary engineers.

Dated: September 7, 1944.

WILLIAM R. CROWELL,
Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14256; Filed, Sept. 14, 1944; 2:36 p. m.]

[Amdt. 4]

PORTLAND, MAINE, AREA

EMPLOYMENT STABILIZATION PROGRAM

The Employment Stabilization Program for the Portland, Maine, Area dated October 11, 1943 is hereby amended as follows:

1. Section 13 of said program is hereby amended by deleting the present section as previously adopted and by substituting in lieu thereof the following section:

SEC. 13. *Appeals.* Any person who claims that any action taken, action denied, or decision rendered with respect to him, with respect to his employer, or with respect to any of his workers under this employment stabilization program, is unfair or unreasonable as applied to him or is inconsistent with these or other applicable policies and standards or with applicable regulations or programs, may appeal from such action or decision in accordance with War Manpower Commission regulations governing appeals.

2. Section 18 of said program is hereby amended by inserting the (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee to determine the degree necessary, may adopt certain standards of priority referral of workers to be followed by the United States Employment Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 7, 1944.

WILLIAM R. CROWELL,
Area Director.

Approved: September 7, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14257; Filed, Sept. 14, 1944, 2:37 p. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 9 NUMBER 187

Washington, Tuesday, September 19, 1944

The President

EXECUTIVE ORDER 9482

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE CERTAIN MINES, COLLIERIES, AND PREPARATION FACILITIES

WHEREAS after investigation I find and proclaim that there are interruptions of the operations of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, as a result of existing and threatened strikes and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruptions; and that the exercise, as herein specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these mines, collieries, and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of section 5 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. The Secretary of the Interior shall permit the managements of the mines, collieries, and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

5. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 14, 1944.

LIST OF MINES, COLLIERIES, AND PREPARATION FACILITIES

Christopher Mining Co., No. 6 Mine, Four States, W. Va.
Crab Orchard Improvement Co., No. 5 and No. 6 Mines, Eccles, W. Va.
Eastern Coal Corporation, No. 7 Mine, McVeigh, Ky.
Industrial Collieries Corporation, No. 21 Mine, Dellslow, W. Va.
Industrial Collieries Corporation, No. 41 Mine, Barrackville, W. Va.
Industrial Collieries Corporation, No. 42 Mine, Dakota, W. Va.
Industrial Collieries Corporation, No. 43 Mine, Carolina, W. Va.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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[F. R. Doc. 44–14314; Filed, Sept. 16, 1944; 11:05 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

PART 1468—GRAINS

[WFO 66, Amdt. 4]

MALTED GRAINS, MALT SYRUP, RICE, HOPS, AND HOP PRODUCTS

War Food Order No. 66, as amended (8 F.R. 10480, 13841; 9 F.R. 1084, 4321, 4319), is further amended by deleting §§ 1468.2 (b) (2) and (3) and inserting, in lieu thereof, the following:

(2) Notwithstanding the limitations contained in (b) (1) hereof, if 93 percent of the total quantity of malted grain used by any brewer in the base year at all of the plants owned by him did not exceed 70,000 bushels, such brewer may use, during any quota period, in lieu of a quota computed pursuant to (b) (1) hereof, a total quantity of malted grain which is not in excess of 100 percent of the total quantity of malted grain used by such brewer during the corresponding 3-month period of such base year. However, any such brewer may, during the quota period beginning on September 1, 1944, and ending on November 30, 1944, use an additional amount of malted grain in the manufacture of malt beverages not in excess of 10 percent of his quota of malted grain computed for such quota period in accordance with the provisions of the preceding sentence of this paragraph. The total quantity of malted grain used by any brewer whose quota therefor is computed pursuant to the provisions of this paragraph during any period of 12 consecutive calendar months beginning on March 1 of any year while this order is in effect shall not exceed 70,000 bushels.

(3) Notwithstanding the limitations contained in (b) (1) hereof, if the quantity of malted grain used by any brewer in the base year did not exceed 8,000 bushels, such brewer, in lieu of a quota computed pursuant to (b) (1) hereof, may use, during each quota period, a total quantity of malted grain which is not in excess of 2,000 bushels, except that, for the quota period beginning on September 1, 1944, and ending on November 30, 1944, any such brewer may use an additional amount of malted grain for that purpose not in excess of 200 bushels.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 66, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 66, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of September 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44–14355; Filed, Sept. 16, 1944; 3:30 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 504—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 11

LICENSING TRANSACTIONS INVOLVING PATENTS AND TRADEMARKS

Section 504.2 paragraph (a) (1) of Regulation No. 2, as amended, under General Order No. 11 (7 F.R. 9477) is hereby amended to read as follows:

§ 504.2 *Regulation No. 2 under General Order No. 11.* (a) (1) The filing in the United States Patent Office of applications for Letters Patent and for Trademark Registration (except such applications received directly or indirectly from enemy nationals on or after November 17, 1942) and the prosecution in the United States Patent Office of applications for Letters Patent and for Trademark Registration in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of Letters Patent or Trademark Registration certificate granted pursuant to any such application, *Provided,*

(i) That if the person filing or prosecuting any such application or acting as attorney or agent in connection therewith has any knowledge, information or belief concerning any instrument, agreement or understanding affecting title to, or granting any interest in, including licenses under, any such application, he shall record under the provisions of paragraph (a) (2) hereof, the instrument, agreement or understanding, if it is in his possession or control and recordable, or, if it is not in his possession or control or not recordable, he shall, at the time of filing the application or the first paper filed therein in the United States Patent Office after the date of this amended regulation (unless a report on Form APC–13P or APC–13T has previously been filed with respect to such application), file directly with the Alien Property Custodian a report on Form APC–13P for patents or Form APC–13T for trademarks, setting forth under oath the information called for therein, except that such report need not be executed under oath in cases where the person

reporting is an attorney or agent registered in the United States Patent Office, if such attorney or agent certifies that the statements made therein are true and complete to the best of his knowledge and belief;

(ii) That the person filing or prosecuting any such application shall notify the Patent Office in writing (unless he has already so notified the Patent Office) that the application is being filed and prosecuted pursuant to this amended regulation; and

(iii) That such filing, prosecution or receipt involves no communication, direct or indirect, to an enemy national.

Executed at Washington, D. C. on September 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14390; Filed, Sept. 18, 1944; 10:48 a. m.]

PART 504—REGULATIONS ISSUED UNDER GENERAL ORDER NO. 11

LICENSING TRANSACTIONS INVOLVING PATENTS AND TRADEMARKS

§ 504.5 *Regulation No. 5 under General Order No. 11.* Any partnership, association, corporation or other organization which is organized under the laws of the United States, or of any of them, or any resident of the United States, shall, for the purpose of receiving an assignment of a United States patent or patent application or of an undivided interest therein, be regarded, as a person within the United States who is not a national of any foreign country designated in section 3 of Executive Order No. 8389, as amended, except as such organization or person shall be specifically excluded by the Alien Property Custodian from the effect of this regulation, by further regulation under General Order No. 11.

Executed at Washington, D. C., on September 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14389; Filed, Sept. 18, 1944; 10:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amendment 04-2]

PART 04—AIRPLANE AIRWORTHINESS

POSITION LIGHTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 15th day of September, 1944.

Effective September 15, 1944, § 04.5827 of the Civil Air Regulations is amended by striking the words "with one unit above the other."

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-14384; Filed, Sept. 18, 1944; 10:17 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3882 [1]]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNIVERSAL INDUSTRIES, INC., ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Financial condition:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connection of advertiser—History:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (s) *Advertising falsely or misleadingly—Promotional sales plans:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.6 (gg) *Advertising falsely or misleadingly—Value:* § 3.71 (f) *Neglecting, unfairly or deceptively, to make material disclosure—Terms and conditions:* § 3.72 (n10) *Offering deceptive inducements to purchase or deal—Terms and conditions.* In connection with the offer, etc., in commerce, of sales stimulator plans or devices, including trade cards, circulars, and other advertising material, and tableware and other products used as premium merchandise in connection with the operation of any sales stimulator plan, and among other things, as in order set forth, (1) misrepresenting, in any manner, the financial condition and assets of respondents' business or the length of time in which said respondents have been engaged in business; (2) representing as customary or regular prices, or values for any of respondents' products prices or values which are, in fact, fictitious or greatly in excess of the prices at which such products are customarily offered for sale and sold in the normal course of business; or (3) misrepresenting the cost of any sales plan or sales stimulator to any dealer or merchant by failing to reveal that additional sums of money must be paid by such dealer or merchant in the operation of such sales plan or the use of such sales stimulator; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Universal Industries, Inc. et al., Docket 3882, August 16, 1944]

§ 3.6 (g) *Advertising falsely or misleadingly—Earnings:* § 3.6 (i) *Advertising falsely or misleadingly—Free goods or service.* § 3.6 (s) *Advertising falsely or misleadingly—Promotional sales plans:* § 3.6 (ee) *Advertising falsely or misleadingly—Terms and conditions:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.72 (n10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.80 (c) *Securing agents or representatives falsely or misleadingly—Earnings:* § 3.80 (i) *Securing agents or representatives falsely or misleadingly—Terms and conditions.* In connection with offer etc., in commerce, of sales stimulator plans or devices, including trade cards, circulars, and other advertising material, and tableware and other products used as premium merchandise in connection with the operation of any sales stimulator plan, and among other things, as in order set forth, (1) representing any specified sum of money as possible earnings or profits of agents, salesmen, representatives, or distributors for any stated period of time which is not a true representation of the net earnings or profits which have been made for such stated period of time by a substantial number of respondents' active agents, salesmen, representatives, or distributors in the ordinary course of business under normal conditions and circumstances; (2) representing any specified sum of money as earnings or profits of any specified agent, salesman, representative, or distributor for any stated period of time which has not, in fact, been consistently earned, net, by such agent, salesman, representative, or distributor in the ordinary course of business and under normal conditions and circumstances; or (3) using the term "free" or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondents' merchandise; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Universal Industries, Inc., et al., Docket 3882, August 16, 1944]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 16th day of August, 1944.

In the Matter of Universal Industries, Inc., a Corporation, and Abraham Leonard Koolish, Mrs. Ida B. Koolish and George William Ehrlich, Individually and as Officers and Directors of Universal Industries, Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony, and other evidence taken before Miles J. Furnas, an examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, and report of the trial examiner thereon, and briefs filed herein, and the Commission having duly made and issued its findings as to the facts, conclusion and order to cease and desist dated April 24, 1941; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondents to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

[1] 6 F.R. 2411.

It is ordered, That the respondent Universal Industries, Inc, a corporation, its officers, representatives, agents, and employees, the respondent Abraham Leonard Koolish, an individual, and respondent George William Ehrlich, an individual, and their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of sales stimulator plans or devices, including trade cards, circulars, and other advertising material, and tableware, and other products used as premium merchandise in connection with the operation of any sales stimulator plan, do forthwith cease and desist from:

(1) Misrepresenting, in any manner, the financial condition and assets of respondents' business or the length of time in which said respondents have been engaged in business.

(2) Representing as customary or regular prices or values for any of respondents' products prices or values which are, in fact, fictitious or greatly in excess of the prices at which such products are customarily offered for sale and sold in the normal course of business.

(3) Representing any specified sum of money as possible earnings or profits of agents, salesmen, representatives, or distributors for any stated period of time which is not a true representation of the net earnings or profits which have been made for such stated period of time by a substantial number of respondents' active agents, salesmen, representatives, or distributors in the ordinary course of business under normal conditions and circumstances.

(4) Representing any specified sum of money as earnings or profits of any specified agent, salesman, representative, or distributor for any stated period of time which has not, in fact, been consistently earned, net, by such agent, salesman, representative, or distributor in the ordinary course of business and under normal conditions and circumstances.

(5) Using the term "free," or any other term of similar import or meaning, to describe or refer to articles offered as compensation for distributing respondents' merchandise.

(6) Misrepresenting the cost of any sales plan or sales stimulator to any dealer or merchant by failing to reveal that additional sums of money must be paid by such dealer or merchant in the operation of such sales plan or the use of such sales stimulator.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14385; Filed, Sept. 18, 1944; 10:39 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[Gen. Order 21-60]

PART 705—DELEGATIONS OF AUTHORITY

CONTRACT SETTLEMENT AUTHORITY OF COMMISSIONER OF FEDERAL PUBLIC HOUSING AUTHORITY

Sec.
705.1 General policy.
705.2 Authorizing the Commissioner of the Federal Public Housing Authority to act for the National Housing Administrator under the "Contract Settlement Act of 1944."

AUTHORITY: §§ 705.1 to 705.2, inclusive, issued under 55 Stat. 883, 50 U.S.C., App., Sup., 601, E.O. 9070; E.O. 9116; Title 3, supra.

§ 705.1 *General policy.* The purpose of this general order is to delegate to the Commissioner of the Federal Public Housing Authority all of the functions, powers and duties contained in the Contract Settlement Act of 1944, Public Law No. 395, 78th Congress, Second Session, or contained in applicable orders and regulations issued thereunder by the Director of Contract Settlement.

§ 705.2 *Authorizing the Commissioner of the Federal Public Housing Authority to act for the National Housing Administrator under the "Contract Settlement Act of 1944."* (a) The Contract Settlement Act of 1944, Public Law No. 395, 78th Congress, Second Session, requires contracting agencies to modify and amend war contracts in the appropriate cases where such contracts do not provide for or provide against fair compensation for their termination. The act further authorizes contracting agencies to take appropriate action to accomplish the objectives of the act. A contracting agency is defined as any Government agency authorized to make contracts pursuant to section 201 of the First War Powers Act, 1941.

(b) Pursuant to authority vested in me by said Contract Settlement Act of 1944, I hereby designate the Federal Public Housing Commissioner and any officer of the Federal Public Housing Authority who is designated to act as Federal Public Housing Commissioner to perform and exercise, with respect to contracts made or to be made by the Federal Public Housing Authority connected with or related to the prosecution of the war, all of the functions, powers and duties contained in said act or contained in applicable orders and regulations issued thereunder by the Director of Contract Settlement.

(c) The Federal Public Housing Commissioner and any officer of the Federal Public Housing Authority who is designated to act as Federal Public Housing Commissioner may delegate to persons under him any of such powers, functions and duties as he may deem necessary.

JOHN B. BLANDFORD, Jr.,
Administrator.

SEPTEMBER 8, 1944.

[F. R. Doc. 44-14822; Filed Sept. 16, 1944; 11:30 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter Q—Leases and Permits on Restricted Indian Lands

PART 171—LEASING OF INDIAN ALLOTTED AND TRIBAL LANDS FOR FARMING, GRAZING AND BUSINESS

PORT MADISON AND TULALIP RESERVATIONS

This part is amended by adding the following section thereto:

§ 171.32a *Port Madison and Tulalip Reservations.* Except as otherwise provided in this section, any Indian lands on the Port Madison and Snohomish or Tulalip Reservations in the State of Washington may be leased by the Indians with the approval of the Secretary of the Interior under the terms and conditions prescribed in this part. No lease shall be made for a period in excess of 25 years. Where the lease so provides it may be renewed for an additional term not to exceed 25 years. (54 Stat. 1057; 25 U.S.C. 403, a)

Dated: September 12, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-14386; Filed, Sept. 18, 1944; 11:07 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5404]

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

RATES AND CREDITS

In order to conform Regulations 112 (Part 35, Title 26, Code of Federal Regulations, Cum. Supp.) to sections 201 and 208 (a), (b), (c), and (f) of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 35.735–1 the following:

SEC. 208. NONTAXABLE INCOME OF CERTAIN INDUSTRIES WITH DEPLETABLE RESOURCES. (Revenue Act of 1943, Title II.)

(a) *Technical amendment.* So much of section 735 (relating to nontaxable income from certain mining and timber operations) as precedes subsection (a) is amended to read as follows:

SEC. 735. NONTAXABLE INCOME FROM CERTAIN MINING AND TIMBER OPERATIONS, AND FROM NATURAL GAS PROPERTIES.

(b) *Definitions.* (1) *"Lessors", "natural gas company", etc.* Section 735 (a) (1), (2), (3), (4), and (5) (defining terms used) are respectively amended to read as follows:

(1) *Producer; lessor; natural gas company.* The term "producer" means a corporation which extracts minerals from a mineral property, or which cuts logs from a timber block, in which an economic interest is owned by such corporation. The term "lessor" means a

corporation which owns an economic interest in a mineral property or a timber block, and is paid in accordance with the number of mineral units or timber units recovered therefrom by the person to which such property or block is leased. The term "natural gas company" means a corporation engaged in the withdrawal, or transportation by pipe line, of natural gas.

(2) *Mineral unit, natural gas unit, and timber unit.* The term "mineral unit" means a unit of metal, coal, or nonmetallic substance in the minerals recovered from the operation of a mineral property. The term "natural gas unit" means a unit of natural gas sold by a natural gas company. The term "timber unit" means a unit of timber recovered from the operation of a timber block.

(3) *Excess output.* The term "excess output" means the excess of the mineral units, natural gas units, or timber units for the taxable year over the normal output.

(4) *Normal output.* The term "normal output" means the average annual mineral units, or the average annual timber units, as the case may be, recovered in the taxable years beginning after December 31, 1935, and not beginning after December 31, 1939 (hereinafter called "base period"), of the person owning the mineral property or the timber block (whether or not the taxpayer). The term "normal output", in the case of a natural gas company, means the average annual natural gas units sold in the taxable years beginning after December 31, 1935, and not beginning after December 31, 1939 (hereinafter called "base period"), of the person owning the natural gas property (whether or not the taxpayer). The average annual mineral units, natural gas units, or timber units shall be computed by dividing the aggregate of such mineral units, natural gas units, or timber units for the base period by the number of months for which the mineral property, natural gas property, or timber block was in operation during the base period and by multiplying the amount so ascertained by twelve. In any case in which the taxpayer establishes, under regulations prescribed by the Commissioner with the approval of the Secretary, that the operation of any mineral property, natural gas property, or timber block is normally prevented for a specified period each year by physical events outside the control of the taxpayer, the number of months during which such mineral property, natural gas property, or timber block is regularly in operation during a taxable year shall be used in computing the average annual mineral units, natural gas units, or timber units, instead of twelve. Any mineral property, natural gas property, or timber block, which was in operation for less than six months during the base period, shall, for the purposes of this section, be deemed not to have been in operation during the base period.

(5) *Natural gas property.* The term "natural gas property" means the property of a natural gas company used for the withdrawal, storage, and transportation by pipe line, of natural gas, excluding any part of such property which is an emergency facility under section 124.

(2) *Timber block.* Section 735 (a) (9) (defining "timber block") is amended to read as follows:

(9) *Timber block.* The term "timber block" means an operation unit which includes all the taxpayer's timber which would logically go to a single given point of manufacture.

(3) *Unit net income.* Section 735 (a) (12) (defining "unit net income") is amended by inserting after the period at the end thereof the following: "In respect of a natural gas property, the term 'unit net income' means the amount ascertained by dividing the net income, computed in accordance with regulations prescribed by the Commissioner with the approval of the Secretary from such property during the taxable year by the number of natural gas units sold in such year."

(c) *Nontaxable income.* Section 735 (b) (relating to nontaxable income from exempt excess output) is amended by inserting at the end thereof the following:

(4) *Coal and iron mines and timber properties not in operation during base period.* For any taxable year, the nontaxable income from exempt excess output of a coal mining or iron mining property or a timber block, which was not in operation during the base period, shall be an amount equal to one-sixth of the net income for such taxable year (computed with the allowance for depletion) from the coal mining or iron mining property or from the timber block, as the case may be.

(5) *Natural gas companies.* In the case of a natural gas company any of the natural gas property of which was in operation during the base period, the nontaxable income from exempt excess output for any taxable year shall be an amount equal to the excess output for such year multiplied by one-half of the unit net income for such year.

* * * * *

(f) *Taxable years to which certain amendments applicable.* The amendments made by this section with respect to lessors of mineral properties which were in operation during the base period, and with respect to lessors of timber blocks, as defined without regard to the amendments made by this section, which were in operation during the base period, and with respect to natural gas companies, shall be applicable with respect to taxable years beginning after December 31, 1941.

SEC. 201. *Taxable years to which amendments applicable.* (Revenue Act of 1943, Title II.)

Except as otherwise expressly provided, the amendments made by this title shall be applicable only with respect to taxable years beginning after December 31, 1943.

PAR. 2. Section 35.735–1 is amended to read as follows:

§ 35.735–1 *General rule.* Section 735, as amended by Public Law 172 (78th Cong., 1st Sess.) and by section 208 of the Revenue Act of 1943, provides specific rules for the computation of nontaxable income from exempt excess output which is excluded in the computation of excess profits net income of (a) a producer of minerals, (b) a producer of logs or lumber from a timber block, (c) a lessor of a mineral property, a coal or iron mining property, or a timber block, or (d) a natural gas company. It also provides specific rules for the computation of nontaxable bonus income of a producer of minerals, or a producer of logs or lumber from a timber block, as defined in such section. The exclusion of nontaxable income from exempt excess output in the case of a producer of minerals from a coal mining or iron mining property which was not in operation during the base period, or in the case of a lessor of such property applies only with respect to taxable years beginning after December 31, 1943. The exclusion of nontaxable income from exempt excess output in the case of a producer of logs or lumber from a timber block which was not an operation unit existing as of December 31, 1941, or which was not in operation during the base period, or in the case of a lessor of such property applies only with respect to taxable years beginning after December 31, 1943.

PAR. 3. Section 35.735–2 (a) as amended by Treasury Decision 5361, approved April 20, 1944, is further amended as follows:

(A) By striking out the heading and inserting in lieu thereof the following: "(a) *Producer; lessor; natural gas company*—(1) *Producer.*"

(B) By adding at the end the following new subparagraphs:

(2) *Lessor.* The term "lessor" means a corporation which owns an economic interest, as described in paragraph (1) of this subparagraph, in a mineral property, in a coal or iron mining property, or in a timber block, and is paid in accordance with the number of mineral units or timber units recovered from the mineral property, coal or iron mining property, or timber block by the person to which such property is leased. A corporation which leases a mineral property, coal or iron mining property, or a timber block in consideration for the payment, annual or otherwise, of an amount which is not based upon the number of mineral units or timber units recovered from the property or block is not a lessor within the meaning of section 735 (a) (1). However, the fact that the leasehold agreement contains a provision for minimum royalties will not of itself prevent the corporation from being a lessor within the meaning of section 735 (a) (1). Nor does the fact that the corporation which leases a mineral property, coal or iron mining property, or timber block is paid by one who is not a "producer" within the meaning of this section, e. g. an individual to whom such property or block is leased or a lessee which in turn leases the property or block to a sublessee, preclude such corporation from being a lessor within the provisions of section 735 (a) (1), providing it otherwise satisfies the provisions of such section. Likewise, the fact that a corporation which is a lessor within the meaning of section 735 (a) (1) is also a lessee paying rents or royalties to a supervening holder of an economic interest does not prevent such lessor from satisfying the provisions of section 735 (a) (1).

(3) *Natural gas company.* The term "natural gas company" means a corporation which is engaged in the withdrawal of natural gas or the transportation of natural gas by pipe line. It does not include a corporation which is engaged solely in the storage of natural gas or solely in the distribution of natural gas. For the purpose of this subparagraph, distribution means the piping of natural gas, which has been received by the distribution facilities either at the end of the pipe line or at some intermediate point along the line, to the ultimate consumers of such gas. A natural gas company need not own an economic interest in the property from which the natural gas is extracted.

PAR. 4. Section 35.735–2 (b) is amended as follows:

(A) By striking out the heading and inserting in lieu thereof the following: "(b) *Mineral unit, natural gas unit, and timber unit*—(1) *Mineral unit.*"

(B) By inserting at the end the following new subparagraph:

(2) *Natural gas unit.* The term "natural gas unit" means a unit of natural gas sold by a natural gas company. A natural gas unit does not mean a unit of natural gas as extracted or stored but means a unit as sold. A unit is any designation of quantity, such as 1,000 cubic feet, etc., customarily used by the taxpayer as a standard of measurement of sale.

PAR. 5. Paragraph (c) of § 35.735–2 is renumbered as subparagraph (3) of § 35.735–2 (b).

PAR. 6. Paragraph (d) of § 35.735–2 is amended as follows:

(A) By renumbering such paragraph as paragraph (c).

(B) By changing the first sentence to read as follows: "The term 'excess output' means the excess of the mineral units, the natural gas units, or the timber units for the taxable year over the normal output."

(C) By striking out the last paragraph and inserting in lieu thereof the following:

The timber units for an excess profits tax taxable year shall be the number of units of timber felled during the year, which is used in the computation of the depletion allowance for the purposes of Chapter I, but shall not include any timber cut by the taxpayer which owns, or has a contract right to cut, such timber and which has elected pursuant to the provisions of section 117 (k) (1) to treat such cutting as a sale or exchange of the timber as cut. As to the computation of the allowance for depletion, see § 29.23 (m)–21 of Regulations III. However, no timber acquired after December 31, 1941, shall be considered in determining the number of timber units for any taxable year beginning prior to January 1, 1944.

The number of natural gas units sold during the excess profits tax taxable year shall be the aggregate number of units sold by the natural gas company, whether as a result of withdrawal, of release from storage, or of transportation by pipe line, and regardless of whether different portions of the natural gas property were used in the withdrawal or the transportation of the natural gas sold. Natural gas withdrawn and stored, or transported by pipe line and stored, during the excess profits tax taxable year but not sold during such year shall not be included in the computation of the number of natural gas units for such taxable year for the purpose of the computation of excess output for such year.

The excess output of a lessor shall be computed in the same manner as the excess output of a producer, that is as the excess of the mineral units or the timber units for the taxable year over the normal output of the mineral property or timber block. The mineral units or timber units of a lessor for the excess profits tax taxable year shall be computed in the same manners as in the case of a producer, except that in the case of a lessor of a timber block there shall not be included in the timber units for such year any timber which has been disposed of by the lessor and which is considered to have been sold under the provisions of section 117 (k) (2). If the disposal of timber by the lessor is not considered a sale of such timber under the provisions of section 117 (k) (2), the number of timber units of the lessor for the excess profits tax taxable year shall not be affected by the fact that the producer of such timber has elected to consider the cutting of such timber as a sale or exchange of such timber cut under section 117 (k) (1).

PAR. 7. Former paragraph (e) of § 35.735–2 is amended by changing such paragraph to read as follows:

(d) *Normal output.* The term "normal output" means the average annual mineral units or the average annual timber units recovered, or the average annual natural gas units sold, in the taxable years beginning after December 31, 1935, and not beginning after December 31, 1939 (referred to in §§ 35.735–1 through 35.735–5 as the base period) of the person owning the mineral property, timber block, or natural gas property, whether or not such person is the taxpayer claiming relief under section 711 (a). (1) (I) or section 711 (a) (2) (K), and section 735. A person includes an individual, a trust, estate, partnership, company, or corporation. See section 3797. If the mineral property or timber block was not owned by the taxpayer for the entire base period, the taxpayer should, in its first excess profits tax return in which the benefits of section 711 (a) (1) (I) or section 711 (a) (2) (K), and section 735 are claimed, state the name and address of each person owning the mineral property or timber block during the base period and submit evidence establishing the mineral units or the timber units recovered from the mineral property or timber block by such other person during the period of its ownership, and the number of months in such period. If all or a portion of the natural gas property owned by the natural gas company during the taxable year was not owned by it during the entire base period, the taxpayer should, in its first excess profits tax return in which the benefits of section 711 (a) (1) (I) or section 711 (a) (2) (K), and section 735 are claimed, state the name and address of each person owning such natural gas property, or any portion thereof, during the base period and submit evidence establishing the natural gas units withdrawn, transported by pipe line, and sold by such other person during the period of its ownership, and the number of months in such period.

In any case in which two or more metals, coal, or nonmetallic substances are contained in the minerals recovered from a mineral property, a normal output shall be computed with respect to each type of metal, coal, or nonmetallic substance in such minerals.

In any case in which a natural gas company withdraws and sells natural gas at the mouth of the well, and in addition transports by pipe line and sells natural gas after such transportation, the normal output shall be computed as the aggregate of the sales prior to and subsequent to transportation.

The average annual mineral units or timber units shall be computed by dividing the aggregate of the mineral units of each type of metal, coal, or nonmetallic substance, or the aggregate of the timber units for the base period by the number of months for which the mineral property or timber block was in operation during the base period and by multiplying the amount so ascertained by twelve. The average annual natural gas units shall be computed by dividing the aggregate of the natural gas units for the base period by the number of months for which the natural gas property was in operation during the base period and multiplying the amount so ascertained by twelve. In any case in which the taxpayer establishes that the operation of a mineral property, a timber block, or a natural gas property is normally prevented for a specified period each year by physical events outside the control of the taxpayer, the number of months during which such mineral property, timber block, or natural gas property is regularly in operation during a taxable year shall be used in computing the average annual mineral units, or timber units, or natural gas units, instead of twelve. If any excess profits tax taxable year for which excess output is computed for the purposes of section 735 is a taxable year of less than twelve months, the number of months in such year, in lieu of twelve and in lieu of the number of months specified in the preceding sentence (if less than such number of months), shall be used in computing the average annual mineral units, timber units, or natural gas units.

The mineral units for a taxable year in the base period shall be the number of units of each type of metal, coal, or nonmetallic substance in the minerals recovered from a mineral property during the taxable year, which would be used in computing the depletion allowance for the purposes of Chapter I if the depletion of the mineral property were computed without regard to discovery value or percentage depletion. See § 29.23 (m)–2 of Regulations 111. The timber units for a taxable year shall be the number of units of timber felled during the year used in the computation of the depletion allowance for the purposes of Chapter I. See § 29.23 (m)–21 of Regulations 111. The natural gas units for a taxable year in the base period shall be the aggregate of the number of natural gas units withdrawn from, stored in, or transported by, the natural gas property, and sold during such year by the person owning or operating the natural gas property. Natural gas withdrawn and stored, or transported by pipe line and stored, during a taxable year in the base period but not sold during such year shall not be included in the computation of the number of natural gas units for such year for the purpose of the computation of normal output.

A mineral property, or a timber block, or a natural gas property which was in operation for less than six months during the base period shall, for the purposes of section 735, be deemed not to have been in operation during the base period. Such months need not be consecutive months.

The normal output of a lessor shall be computed in the same manner as the normal output of a producer, that is as the annual average mineral units or the average annual timber units recovered during the base period of the person owning the mineral property or the timber block. A mineral property or timber

block which is owned by a lessor and which was in operation for less than six months during the base period shall be deemed not to have been in operation during the base period. Such months need not be consecutive months.

PAR. 8. There is inserted immediately preceding § 35.735–2 (f) the following new paragraph:

(e) *Natural gas property.* The term "natural gas property" means the entire property of a natural gas company which is used for the withdrawal, storage, and transportation by pipe line of natural gas but does not include any part of such property which is an emergency facility within the provisions of section 124. As to what constitutes an emergency facility, see section 124 (e) and § 29.124–0 (b) of Regulations 111.

PAR. 9. Section 35.735–2 (f) is amended by inserting at the end thereof the following:

The mineral property of a lessor need not necessarily be coextensive with the mineral property of the producer, but will be determined solely in the light of the economic interest owned by the lessor. For example, a lessor which owns a mineral property as described in this paragraph may have leased one-half of such property to one lessee-producer, and the other half to another lessee-producer. The mineral property of each lessee would be limited to that portion of the property leased to it. The mineral property of the lessor would constitute the aggregate of the mineral property leased, unaffected by its subdivision for the purpose of the leasehold agreements. Similarly, an owner of a mineral property may have joined with another owner of an adjacent mineral property in a lease with a lessee in such manner that the lessee acquires a single mineral property. Nevertheless, insofar as the lessors are concerned, each is the owner of a separate mineral property.

PAR. 10. Section 35.735–2 (h) is amended as follows:

(A) By striking out the first sentence and inserting in lieu thereof the following:

With respect to a taxable year beginning prior to January 1, 1944, the term "timber block" means an operation unit existing as of December 31, 1941, which includes all the taxpayer's timber which would logically go to a single given point of manufacture, but shall not include any operation unit acquired after December 31, 1941. With respect to a taxable year beginning after December 31, 1943, the term "timber block" means an operation unit which includes all the timber owned by the taxpayer during each year which would logically go to a single given point of manufacture.

(B) By adding the following new paragraph at the end thereof:

The timber block of a lessor need not necessarily be coextensive with the timber block of the producer, but will be determined solely in the light of the economic interest owned by the lessor in the same manner as in the case of a lessor of a mineral property. See § 35.735–2 (f).

PAR. 11. Section 35.735–2 (i) (2) is amended as follows:

(A) By striking out the first two paragraphs and inserting in lieu thereof the following:

(2) *Gross income from the property.* For the purposes of section 735, the term "gross income from the property" for any year in the base period means the gross income from mining. The term "mining" as used herein includes not only the extraction of ores or minerals from the ground but also the ordinary treatment processes which are normally applied by the mine owners or operators to the crude mineral product after extraction in order to obtain the commercially marketable mineral product or products.

If the taxpayer sells the crude mineral product of the property in the immediate vicinity of the mine, "gross income from the property" means the amount for which such product was sold, but, if the product is transported or processed (other than by the ordinary treatment processes described below) before sale, "gross income from the property" means the representative market or field price (as of the date of sale) of a mineral product of like kind and grade as beneficiated by the ordinary treatment processes actually applied, before transportation of such product. If there is no such representative market or field price (as of the date of sale), then there shall be used in lieu thereof the representative market or field price of the first marketable product resulting from any process or processes (or, if the product in its crude mineral state is merely transported, the price for which sold) minus the costs and proportionate profits attributable to the transportation and the processes beyond the ordinary treatment processes.

The term "ordinary treatment processes", as used herein, shall include the following:

(i) In the case of coal—cleaning, breaking, sizing and loading for shipment;

(ii) In the case of sulphur—pumping to vats, cooling, breaking, and loading for shipment;

(iii) In the case of iron ore, bauxite, ball and sagger clay, rock asphalt, and minerals which are customarily sold in the form of a crude mineral product—sorting, concentrating, and sintering to bring to shipping grade and form, and loading for shipment;

(iv) In the case of lead, zinc, copper, gold, silver or fluorspar ores, potash, and ores which are not customarily sold in the form of the crude mineral product—crushing, grinding, and beneficiation by concentration (gravity, flotation, amalgamation, electrostatic, or magnetic), cyanidation, leaching, crystallization, precipitation, or by substantially equivalent processes or combination of processes used in the separation or extraction of the product or products from the ore. The furnacing of quicksilver ores is included in the term "ordinary treatment processes". The following processes are not included in the term "ordinary treatment processes": electrolytic deposition, roasting, thermal or electric smelting, refining, or substantially equivalent processes.

In case any of the ordinary treatment processes are not applied in the immediate vicinity of the mining district in which the mine is located, costs incurred for transportation to the processing location and, if transported by the taxpayer, the proportionate profits attributable to transportation, should be subtracted from the sale price of the product to determine "gross income from the property".

(B) By changing the last sentence in the last paragraph to read as follows:

If the gross income from the property is determined by excluding the costs and proportionate profits attributable to transportation and to processes other than the ordinary treatment processes listed above, or if such gross income is an amount different from the gross proceeds received from the sale of the minerals, the gross income attributable to each type of metal, coal, or nonmetallic substance shall be an amount which bears the same ratio to the gross income from the property which the gross proceeds received from the sale of such type of metal, coal, or nonmetallic substance in the minerals bears to the total gross proceeds received from the sales of all such types.

In the case of a lessor, the computation of normal unit profit shall be made in a manner similar to that in the case of a producer except that the number of mineral units to be used in the computation of normal unit profit shall be the aggregate of the number of mineral units which were paid for during the base period. If the lessor's economic interest in the mineral property during the excess profits tax taxable year for which the benefits of section 735 are claimed is different from what it was during the base period, the gross income of the lessor from the property during the base period shall be recomputed as if the lessor's economic interest which existed during the excess profits tax taxable year likewise existed in full force and effect during the base period.

PAR. 12. Section 35.735–2 (l) is amended as follows:

(A) By inserting at the end of the first paragraph the following:

With respect to a natural gas company, the term "unit net income" means the amount of net income per natural gas unit for any excess profits tax taxable year for which the benefits of section 735 are claimed. It is ascertained by dividing the net income from the natural gas property during such taxable year by the number of natural gas units sold in such year.

(B) By inserting at the end of the second paragraph the following:

In the case of a lessor, the term "coal mining property" refers to the tract or parcel of land containing coal deposits in which an economic interest is owned by the lessor, and need not necessarily be coextensive with the "coal mining property" in the case of the producer.

(C) By inserting at the end of the third paragraph the following:

In the case of a lessor, the term "iron mining property" refers to the tract or parcel of land containing iron ore deposits in which an economic interest is owned by the lessor, and need not necessarily be coextensive with the "iron mining property" in the case of the producer.

(D) By changing the second sentence in the fifth paragraph to read as follows:

With respect to taxable years beginning prior to January 1, 1944, net income from a timber block includes only income which is attributable to that portion of the operation unit which was in existence and was owned by the taxpayer on December 31, 1941; net income attributable to any standing timber which is acquired after December 31, 1941, and which after such date has become a part of the timber block existing on December 31, 1941, can be included in net income from a timber block only for years beginning after December 31, 1943.

(E) By inserting at the end the following:

The determination of net income from the natural gas property must be made with respect to the entire natural gas property of the taxpayer as a single property and cannot be made separately with respect to portions of such property. If the natural gas company is engaged in other activities in addition to the withdrawal, storage, and transportation by pipe line of natural gas, the net income from the natural gas company shall not include the income attributable to such other activities. For example, if a natural gas company is engaged in the distribution of natural gas, in addition to the withdrawal, storage, and transportation by pipe line of such gas, that portion of the net income from the sales of the natural gas which is attributable to the distribution of such gas shall not be included in the net income from the natural gas property. For the purposes of this paragraph, distribution means the piping of gas, which has been received by the distribution facilities either at the end of a pipe line or at some intermediate point along the line, to the ultimate consumer of such gas. Likewise, the net income from the natural gas property does not include any net income attributable to any portion of the property of the taxpayer which is an emergency facility. So also, income derived from leasing storage facilities to other taxpayers engaged in the withdrawal, or transportation by pipe line, of natural gas shall not be included in the determination of net income from the natural gas property. If the taxpayer derives income from activities other than the withdrawal of natural gas and the transportation of natural gas by pipe line, or is engaged in such withdrawal and transportation by using, in part, property which is not included in the natural gas property, as, for example, an emergency facility, the net income from the natural gas property shall be computed as follows:

Net income from a natural gas property means the gross income from such property as defined in this subsection less the allowable deductions attributable to such property, including overhead and operating expenses, development costs properly charged to expense, depreciation, taxes, losses sustained, and including the allowance for depletion, if any. Any allowance for depletion shall be that used in computing net income for the purposes of Chapter I for the taxable year. Deductions for depreciation and amortization of operating equipment can be charged directly to natural gas property and other property. Taxes, general expense, and overhead, which cannot be directly attributed to the natural gas property or to other property shall be fairly apportioned between (1) the natural gas property, and (2) the other property of the taxpayer, taking into account the ratio which the operating expenses directly attributable to the property constituting the natural gas property bears to the operating expenses directly attributable to the other property of the taxpayer.

Gross income from the natural gas property means the aggregate of the gross income received from the sale of natural gas at the mouth of the well or from storage plants in which the natural gas was stored, and from the sale of natural gas at the end of, or at any intermediate point along, the pipe line. It does not include any income derived from the distribution of natural gas after its transportation by pipe line. In the case of a natural gas company which transports natural gas by pipe line to a city and then distributes such gas within the city, the city gate shall be considered the end of the process of transportation by pipe line, and shall be considered the point at which distribution begins. In such a case, the market price at the city gate for the natural gas transported to that point, and subsequently sold, shall be considered to be the gross income from transportation by pipe line of such natural gas. If there is no market price at the city gate or if there is no city gate, the gross income from the natural gas property shall be determined by deducting from the gross income from the sale of such gas the costs and proportionate profits attributable to the local distribution within the city.

If any emergency facilities were used in the withdrawal, storage, or transportation of the natural gas, the gross income from the natural gas property shall be the gross income less the costs and proportionate profits attributable to the emergency facilities. Such proportionate profits shall be computed in the same manner as proportionate profits attributable to distribution facilities.

In all cases there shal be excluded in determining gross income from the natural gas property an amount equal to any rents or royalties which were paid or incurred by the taxpayer in respect of the nautral gas property and are not otherwise excluded from the gross income or deducted in computing the net income from the natural gas property. The treatment of royalties in the form of bonus payments or advanced royalties in respect to the natural gas property shall be the same as in the case of such royalties with respect to mineral properties. See § 35.735–2 (i).

The net income from the coal or iron ore from the coal or iron mining property, or from the timber block, or from the natural gas property shall be computed with the deduction of any net opeating loss deduction attributable to the coal or iron ore from the coal or iron mining property, to the timber block, or to the natural gas property. Such net operating loss deduction shall be determined by computing the net operating loss for any taxable year under section 122 (a), the net operating loss carry-overs and carry-backs under section 122 (b), and the adjustment under section 122 (c), as adjusted by section 711 (a) (1) (J) and (a) (2) (L), in accordance with the principles of determining net income from the coal or iron ore from the coal or iron mining property, from the timber block, or from the natural gas property set forth in this subsection.

In the case of a lessor of a coal or iron mining property or a timber block, the computation of unit net income shall be made in a manner similar to that in the case of a producer except that the number of mineral units or timber units to be used in the computation of unit net income shall be the number of mineral units or timber units which were paid for during the taxable year.

PAR. 13. Section 35.735–3 is amended as follows:

(A) By changing the phrase "§ 35.735–2 (d)" in the last sentence of the third paragraph of paragraph (a) to read "§ 35.735–2 (c)".

(B) By changing the phrase "§ 35.735–2 (e)" in the sentence immediately preceding the third paragraph of paragraph (b) to read "§ 35.735–2 (d)".

(C) By changing the phrase "§ 35.735–2 (d)" in the first paragraph of paragraph (c) to read "§ 35.735–2 (c)".

PAR. 14. Section 35.735–4 as amended by Treasury Decision 5361 and § 35.735–5 are renumbered §§ 35.735–6 and 35.735–7, respectively.

PAR. 15. There is inserted immediately preceding § 35.735–6, as renumbered by this Treasury decision, the following new sections:

§ 35.735–4 *Coal and iron mines and timber properties not in operation during base period.* In the case of a coal mining property, an iron mining property, or a timber block which was not in operation during the base period nontaxable income from exempt excess output is excluded under section 711 (a) (1) (I), if the taxpayer uses the excess profits credit based on income, or under section 711 (a) (2) (K), if the taxpayer uses the excess profits credit based on invested capital, in the computation of excess profits net income for taxable years beginning after December 31, 1943. Such nontaxable income from exempt excess output shall be an amount equal to one-sixth of the net income for such taxable year, computed with the allowance for depletion, from the coal mining property, iron mining property, or timber block, as the case may be. Such net income shall be determined in accordance with the provisions of § 35.735–3 (l), relating to unit net income.

§ 35.735–5 *Natural gas companies.* In the case of a natural gas company, as defined in section 735 (a) (1) and § 35.735–2 (a) (3), any portion of the natural gas property of which, as defined in § 35.735–2 (c), was in operation for six months or more during the base period regardless of whether such portion of such property is in operation during the taxable year, nontaxable income from exempt excess output is excluded in the computation of excess profits net income for any taxable year under section 711 (a) (1) (I) or section 711 (a) (2) (K). Such nontaxable income from exempt excess output shall be an amount equal to the excess output of such natural gas property for such year determined under § 35.735–2 (c) multiplied by one-half of the unit net income from such natural gas property for such year determined under § 35.735–2 (1).

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62), Sec. 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U. S. C. 729 (a)), and sec. 208 (a), (b), (c), and (f) of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted Feb. 25, 1944)

[SEAL] GEO. J. SCHOENEMAN,
Acting Commissioner of Internal Revenue.

Approved: September 15, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14312; Filed, Sept. 15, 1944; 4:19 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

WAGE AND SALARY SCHEDULES

The following sections of General Order No. 31 have been amended to read as follows:

§ 803.31 *Schedules.* • • •

II. • • •

C. • • •

2. Promotions or reclassifications involve individual adjustments which result from moving an employee into a different job classification. Promotions and reclassifications may be made between jobs which bear single rates as well as between jobs which bear rate ranges. When promoted or reclassified to a higher-rated job, an employee (subject to National War Labor Board jurisdiction) may receive a rate not in excess of 15 percent above his rate on his former job or the minimum rate for the new job, whichever is higher; *Provided, however,* That where an employee has special ability and experience, he may be paid a rate within the appropriate range corresponding to such ability and experience; *And provided further,* That a promoted or reclassified employee shall not receive a rate lower than the single rate or than the minimum of the rate range applicable to the job classification to which the employee has been promoted or reclassified. If, before the effective date of this amendment (Sept. 7, 1944) an employer has had a plan properly in existence (as defined in this general order) which provides for the payments to a promoted or reclassified employee of a rate lower than the single rate or the minimum of the range during a probationary period, such provision may be continued in effect.

• • • • •

F. *Restrictions on hiring employees at rates in excess of the minimum rate of the properly established rate range for a given job classification.*

1. *Existing establishments.* An employer shall hire employees at the minimum of the properly established rate range for a given job classification: *Provided, however,* That an employee who has special ability and experience may be hired at a rate within the range corresponding to such ability and experience. But an employer may not, within a given year (which shall be the same year as the one used by the employer in calculating the average amount of merit or length of service increases given under Section II–C–1 of this general order), hire more than 25% of all the employees hired in his establishment for job classifications for which rate ranges have been established, at rates in excess of the minima of such rate ranges for such job classifications. In any establishment in which fewer than four employees are hired within the year, for such job classifications, one employee who has special ability and experience may be hired at a rate in excess of the minimum rate of the properly established rate range. If, before the effective date of this amendment, an employer has had a plan properly in existence (as defined in this General Order) which provides that some percentage of employees in excess of 25 percent may be hired at rates above the appropriate minimum rates, such provision may be continued in effect. All other employers are subject to the restrictions of this or the following sub-section (II–F–1 or II–F–2).

2. *New establishments or new departments in existing establishments.* An employer shall hire employees at the minimum of the properly established rate range for a given job classification: *Provided, however,* That an employee who has special ability and experience may be hired at a rate within the range corresponding to such ability and experience. But an employer may not within the first year of operation hire more than 50 percent of all the employees hired in his establishment, for job classifications for which rate ranges have been established, at rates in excess of the minima of such rate ranges for such job classifications. During all subsequent years of operation, no more than 25 percent of all the employees hired in his establishment for such job classifications may be hired at rates in excess of the minima of such rate ranges for such job classifications. In any establishment in which fewer than four employees are hired within the year, for such job classifications, one employee who has special ability and experience may be hired at a rate in excess of the minimum rate of the properly established rate range.

(E.O. 9250, 7 F.R. 7871)

Approved: September 7, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-14380; Filed, Sept. 18, 1944; 9:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W. P. B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 39]

PRIORITIES ACTION BY THE VETERANS' ADMINISTRATION

§ 903.53 *Directive 39—(a) Rating of programmed material.* The Veterans Administration may assign preference ratings to the delivery of material to the extent authorized by a program determination of the Requirements Committee or an approved decision of a Division Requirements Committee of the War Production Board, as transmitted to the Veterans Administration by the War Production Board.

(b) *Form of assignment of ratings.* The Veterans Administration shall assign ratings under this directive by issuance of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision:

Under authority of the War Production Board, delivery of the material referred to herein is assigned a preference rating of ------- Application and extension of rating shall be made in accordance with Priorities Regulation No. 3.

The legend shall be endorsed on or attached to an appropriate instrument which shall show the name and address of the person to whom the rating is assigned and the quantity, dollar value and description of the items rated.

(c) *General provisions.* (1) The Veterans Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of Veterans Affairs may determine.

(2) The Veterans Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned, pursuant to the provisions of this directive, shall be maintained by the Veterans Administration for inspection by representatives of the War Production Board at any time.

(d) *Exception.* Unless otherwise specifically provided in a Program Determination or approved decision, the Veterans Administration may not assign ratings to the delivery of any material for which application for rating or for specific authorization is required by an order or regulation to be made on a form other than WPB–541.

Issued this 15th day of September 1944.

S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-14308; Filed, Sept. 15, 1944; 4:08 p. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 38]

DISTRIBUTION OF AVIATION GASOLINE OF 73 AND 80 OCTANE RATINGS FOR CIVILIAN AVIATION PURPOSES AIRCRAFT OR AIRCRAFT ENGINES

Pursuant to the authority vested in me by Executive Order 9024 of January 16, 1942, Executive Order 9040 of January 24, 1942, and Executive Order 9126 of April 7, 1942, and in order to facilitate the efficient distribution and use of aviation gasoline as hereinafter defined, it is ordered:

§ 903.52 *Directive No. 38.* (a) The Administrator of Civil Aeronautics shall perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. No. 671, 76th Congress, 54 Stat. 676) as amended by the Act of May 31, 1941 (Pub. No. 89, 77th Congress, 55 Stat. 236) and as further amended by Title III of the Second War Powers Act, March 27, 1942 (Pub. No. 507, 77th Congress, 56 Stat. 176), with respect to the exercise of control over:

(1) The use of aviation gasoline by any consumer in aircraft or aircraft engines; and

(2) The sale, transfer, delivery or other disposition of aviation gasoline by any person to any consumer, and

(3) The sale, transfer, delivery or other disposition of aviation gasoline by any person to any person other than a consumer to the extent of requiring the delivery of such certificates or other evidence as the Administrator of Civil Aeronautics may prescribe as a condition to such sale, transfer, delivery, or disposition.

The Office of Price Administration shall retain the power, co-extensive with the Administrator of Civil Aeronautics (i) to exercise control until November 1, 1944, over the use of aviation gasoline by any consumer and over the sale, transfer, delivery or other disposal of aviation gasoline by any person to any consumer, or to any person other than a consumer to the extent of requiring the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe as a condition to such sale, transfer, delivery or disposition, and (ii) on and after November 1, 1944, to exercise control over the use of aviation gasoline by any consumer otherwise than in aircraft or aircraft engines and over the sale, transfer, delivery or other disposition of aviation gasoline by any person to any consumer for use otherwise than in aircraft or aircraft engines.

(b) The authority of the Administrator of Civil Aeronautics shall include the power to regulate or prohibit the sale, transfer or delivery or other disposition of aviation gasoline by any person who has acted in violation of any order or regulation prescribed by the Administrator of Civil Aeronautics in accordance with this directive.

(c) The authority delegated by this directive does not include, however, the power to limit or restrict the quantity or use of aviation gasoline obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such gasoline for export to and use in any foreign country.

(d) The Administrator of Civil Aeronautics is authorized to perform the functions and exercise the authority delegated to him by paragraphs (a) and (b) hereof upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest, to promote the national defense, to minimize the unessential use of aviation gasoline and, in accordance with the provisions of Executive Order 9125, to require such reports and the keeping of such records, subject to the Federal Reports Act of 1942, and to make such investigations as he may deem necessary or appropriate for the administration of the powers conferred by this directive.

(e) The Administrator of Civil Aeronautics may exercise the power, authority and discretion conferred upon him by this directive through such of his personnel and in such manner as he may determine, and may accept the services of other departments and officials of the government in carrying out the purposes of this directive.

(f) Nothing herein shall be construed to limit or modify any regulation, order or directive heretofore issued by or under the authority of the Chairman of the War Production Board and now outstanding except as specifically set forth in paragraph (h) below, nor to terminate nor limit the power of the Chairman of the War Production Board to issue further directives, regulations or orders regulating the delivery or use of aviation gasoline nor to affect the authority vested in the Chairman of the War Production Board pursuant to Executive Orders 9024, 9040, and 9125 to determine the relative importance of deliveries or uses and certify as to the preferential treatment to be accorded them with respect to the delivery or use of aviation gasoline.

(g) The Administrator of Civil Aeronautics will, from time to time, advise the Petroleum Administration for War as to the amount of aviation gasoline required for essential civilian aviation purposes and may receive from the Petroleum Administration for War allocations of aviation gasoline to meet such purposes.

(h) Notwithstanding the provisions of Directive 1 (§ 903.1) the Office of Price Administration shall have no authority with respect to the exercising of distribution or rationing control over aviation gasoline as defined herein except to the extent stated in paragraph (a) hereof.

(i) The War Production Board may, from time to time, formulate and advise the Administrator of Civil Aeronautics as to policies and programs for the distribution and use of aviation gasoline and request reports on the Administrator's activities under this directive.

(j) For the purposes of this directive, the following definitions shall apply:

(1) "Aviation gasoline" means any finished petroleum product used in aircraft or aircraft engines, having a knock rating of 86 octane number or lower when tested by the ASTM Aviation Method (ASTM Designation D–614–43T) or a knock rating of 85 octane number or lower when tested by the ASTM Motor Method (ASTM Designation D–357–43T), including but not limited to aviation gasolines of 73 octane number and 80 octane number hereinafter defined as follows:

"73 Octane Number" shall include all gasoline which, after the addition of not more than 1.0 cc Tetraethyl Lead per U. S. gallon, has a knock rating of not less than 73 Octane Number by the ASTM Aviation Method (ASTM Designation D–614–43T) or a knock rating of not less than 72 Octane Number by the ASTM Motor Method (ASTM–D–357–43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN–F–23 and Amendment One dated October 19, 1943, for Grade 73 aircraft engine fuel.

"80 Octane Number" shall include all gasoline which, after the addition of not more than 2.00 cc Tetraethyl Lead per U. S. gallon, has a knock rating of not less than 80 Octane Number by the ASTM Aviation Method (ASTM Designation D–614–43T) or a knock rating of not less than 79 Octane Number by the ASTM Motor Method (ASTM–D–357–43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN–F–24 and Amendment One dated October 19, 1943, for Grade 80 aircraft engine fuel.

(2) "Person" includes any individual, partnership, association, business trust, government or government agency or any organized group of persons, whether incorporated or not.

(3) "Consumer" means any person acquiring aviation gasoline for use in an aircraft or aircraft engine.

(4) "Aircraft" means any contrivance now known or hereafter invented, used or designated for navigation of or flight in the air; and "aircraft engine" means an engine used or intended to be used for propulsion of aircraft.

Issued this 14th day of September 1944.

J. A. KRUG,
Acting Chairman.

[F. R. Doc. 44-14359; Filed, Sept. 16, 1944; 8:45 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–617]

PHILIP KAPLAN

Philip Kaplan of 1541 Pingree Avenue, Detroit, Michigan, is engaged in the business of general contracting and construction. Between January 1, and May 15, 1944, he did construction work on premises at 5636 Michigan Avenue, Detroit, Michigan, owned by Doris Lachman Jospey, to the extent of $10,000. Philip Kaplan knew of Conservation Order L–41 and that it limited such construction to $200 unless specially authorized by the War Production Board, and he knew that a special authorization had been given by the War Production Board and that it limited construction at these premises to $3,500. His doing this construction constituted a wilful violation of Conservation Order L–41.

This violation of Conservation Order L–41 has diverted critical materials and facilities to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.617 *Suspension Order No. S–617.* (a) Deliveries of material to Philip Kaplan, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Philip Kaplan, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on September 15, 1944 and shall expire on December 15, 1944.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14310; Filed, Sept. 15, 1944; 4:07 p. m.]

PART 1109—MICA

[Conservation Order M–101, As Amended September 16, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of mica for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1109.1 *Conservation Order M–101*—(a) *Definitions.* (1) "Strategic mica" means:

(i) Muscovite block and film mica of heavy stained quality or better, but excluding (a) block mica smaller than grade #6 (or grade 1" x 1"); (b) scrap mica; (c) muscovite splittings used in making built-up mica.

(ii) Phlogopite (amber) block mica, including amber bookform splittings in grades (sizes) larger than #5, but excluding (a) block mica smaller than grade #6 (or grade 1" x 1"); (b) scrap mica; (c) other forms of amber splittings used in making built-up mica.

(iii) The remaining portion or remnant of muscovite block or film mica or phlogopite block mica resulting from fabrication if such remnant contains a usable area equivalent to grade #6 or larger.

(2) "Remnant mica" means mica having a usable area equivalent to Grade 6 or larger, resulting from fabrication of strategic muscovite mica, block or film, or strategic phlogopite block mica. The term does not include film obtained from splitting strategic block mica, or sorted from film.

NOTE: Subparagraphs (3) through (6), formerly (2) through (5), redesignated Sept. 16, 1944.

(3) "Scrap mica" means:

(i) That part of strategic mica remaining after a piece has been fabricated, if such remainder or remnant contains no piece or pieces equivalent to grade #6 or larger;

(ii) Mine waste, provided no grade #6 or larger pieces can be trimmed therefrom.

(4) "To fabricate" means to cut, stamp, punch or split to predetermined shape or dimensions or to change in any manner the form, shape or size of strategic mica, unless such fabricating is for the purpose of making emergency repairs or emergency replacements to prevent a threatened breakdown.

(5) "Product containing strategic mica" means a product into which fabricated strategic mica is assembled or inserted, such as a spark plug, condenser, or radio tube.

(6) "End-product" means a finished article, such as an airplane motor or radio set, of which the product containing strategic mica is a component part.

(b) *Restrictions on fabrication and causing fabrication of strategic mica.* No person shall fabricate or cause another to fabricate any strategic mica without receiving specific authorization to do so from the War Production Board. However, there are three exceptions to this general rule:

(1) *Fabrication of mica for Schedule A products.* Any person may, without authorization from the War Production Board, fabricate or cause another to fabricate strategic mica of the particular type, quality and grade appearing in Schedule A for the manufacture of the products appearing opposite it, and any person may, without authorization from the War Production Board, use such fabricated strategic mica for the manufacture of those particular products.

(2) *Small order exemption from restrictions on fabrication.* Any person may, without authorization from the War Production Board, fabricate and deliver, or cause another to fabricate and deliver, strategic mica on any purchase order for which the fabricator will receive $100 or less. However, no person shall fill more than two such purchase orders in any month for delivery to the same customer. The fabrication and use of all strategic mica acquired under this small order exemption shall be subject to the provisions of paragraph (c) of this order.

(3) *Fabrication of remnant mica.* Any person may without authorization of the War Production Board fabricate remnant mica regardless of size or quality for the manufacture of any products listed in Schedule A.

(c) *Additional restrictions on fabrication.* (1) No manufacturer of a product or end product containing strategic mica shall fabricate or cause another to fabricate strategic mica:

(i) Of a quality better than is necessary for the particular purpose to which the strategic mica will be put, unless otherwise authorized by the War Production Board.

(ii) For use where a substitution of non-strategic mica or other material is practicable, unless otherwise authorized by the War Production Board.

(2) No person shall, without authorization from the War Production Board, fabricate strategic mica of a grade (size) larger than is required to yield the desired pattern. This restriction does not apply to the fabricator of remnant mica (described in paragraph (b) (3) of this order) or to the fabrication of stained and heavy stained strategic mica for use in capacitors as explained in Schedule A, Note (4).

(d) *Application for authorization to fabricate strategic mica.* The manufacturer of the product containing strategic mica and the person, if any, who will fabricate strategic mica for such manufacturer, shall apply to the War Production Board by submitting an original and two copies of Form WPB–1085, properly filled out by the above-mentioned person or persons. If approval is granted, it will permit the person or persons named in the application to fabricate strategic mica and use such mica for the product described in the application.

(e) *Required demonstration of economic use of mica.* The War Production Board may at any time require satisfactory evidence from the manufacturer of any end product into which the product containing strategic mica is to be assembled or inserted, or from the manufacturer of the product containing strategic mica, that a lesser quantity or a lower quality of strategic mica could not be or could not have been used than the quantity or quality applied for, or that non-strategic mica or other materials could not be or could not have been used as a substitute for strategic mica.

(f) *Restrictions on delivery of unfabricated strategic mica.* No person (other than Metals Reserve Company or its agents) shall deliver any unfabricated strategic mica to any person (other than Colonial Mica Corporation, as agent of Metals Reserve Company), unless specifically authorized to do so by the War Production Board. No person other than Metals Reserve Company or its agents shall accept delivery of any unfabricated strategic mica unless specifically authorized to do so by War Production Board. This paragraph does not apply to any delivery of unfabricated strategic mica on any purchase order for which the seller will receive $50 or less. No person shall fill more than two such purchase orders in any month for delivery to the same customer.

(g) *Applications for authorization to accept delivery of unfabricated strategic mica.* Application to the War Production Board for specific authorization to accept delivery of unfabricated strategic mica shall be made by letter, which need only state the source, quantity, grade (size) and quality of the unfabricated strategic mica which the applicant seeks permission to acquire. If the application is granted, the original authorization will be sent by the War Production Board to the person from whom delivery is requested and a copy of the authorization will be sent to the applicant. Authorization to deliver and accept delivery of unfabricated strategic mica must be obtained not only when delivery is to be made by one person to another person, including an affiliate or subsidiary, but also when delivery is to be made from one branch, division, or section of a single person to another branch, division or section of the same or any other person under common ownership or control, such as from a rifting shop or department to a fabricating shop or department owned by the same person.

(h) *Reports.* The following information should be furnished to War Production Board on Form WPB–3464:

(1) Any person fabricating 10 pounds or more of any block or film mica (strategic or non-strategic) in any one month, or who on the last day of any month possesses 100 pounds or more of such mica or of the value of $100 or more, shall file the above form on or before the 15th day of the month following, stating his inventory, receipts and consumption of all such mica.

(2) Any person fabricating 10 pounds or more of any block or film mica (strategic or non-strategic) in any one month for use in more than one product shall on or before the 15th of the following month file the above form, stating the quantity of each grade and quality fabricated for each product.

(i) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to fabricating or causing another to fabricate strategic mica irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the date of this order. In so far as any other War Production Board order may have the effect of limiting or curtailing the fabrication of strategic mica to a greater extent than herein provided, the limitations of such order shall be observed.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all other communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Mica-Graphite Division, Washington 25, D. C., Reference: M–101.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A added Sept. 16, 1944.

The following schedule shows the types, grades and qualities of strategic mica which any person may, without War Production Board authorization, fabricate or cause another to fabricate for the manufacture of the products listed. However, fabrication and use of this strategic mica are subject to the restrictions of paragraph (c) of this order.

STRATEGIC MUSCOVITE MICA

[Grade and quality]

For use in—	Clear and slightly stained	Fair stained	Good stained	Stained	Heavy stained	Type A[1]	Type B[2]	Type C[3]
Capacitors[4]	6	6	6	4 and smaller.	All grades.	5 and smaller.	4 and smaller.	4 and smaller.
Electronic tubes	None	None	6	5 and smaller.	All grades.	6	5 and smaller.	5 and smaller.
Insulation-radio and radar, antenna and chassis, test instrument and other high frequency insulation (over 1,000 cycles).	6	6	6	4 and smaller.	All grades.	6	4 and smaller.	4 and smaller.
Insulation-power and low frequency (1,000 cycles or less).	None	None	6	4 and smaller.	All grades.	None	5 and smaller	5 and smaller.
Magnetos (except capacitors).	None	None	None	1 and smaller.	All grades.	None	None	All grades.
Appliances and equipment; armed forces, essential civilian and industrial other than above.	None	None	None	None	All grades.	None	None	None.
Spark plugs	None	None	None	1 and smaller.	All grades.	None	None	All grades.

[1] (Type A) 1st quality domestic green, clear Argentine.
[2] (Type B) 2d quality domestic green, 1st quality green Madras, 1st quality Canadian, Madras ruby AQ, semiclear Argentine, Madras ruby AQ BQ.
[3] (Type C) 2d quality inferior, domestic, ruby and green; Argentine semistained; green Madras except 1st quality; 2d quality Canadian; Madras ruby BQ.
[4] For capacitor use only, stained or heavy stained mica may be used one grade larger than required to cut the pattern

STRATEGIC PHLOGOPITE

For use in	Grade and quality
Spark plugs	High heat spark plug quality and all other types.
Soldering irons	Bookpecked splittings; block except high heat spark plug quality.
Appliances and equipment; armed services, essential civilian, and industrial other than spark plugs and soldering irons.	All except high heat spark plug quality.

[F. R. Doc. 44-14335; Filed, Sept. 16, 1944; 11:45 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended Feb. 2, 1944, Amdt. 4]

(1) Add the following to the list of directions at the end of the regulation:

Direction 47—Acceptance of Orders for Steel for Delivery from Mill Stock.
Direction 48—Purchases or Sales of Controlled Materials through an Intermediary.
Direction 49—Acceptance of Orders and Shipment of Aluminum Ingot.
Direction 50—Consolidation of Army Programs W–2 and W–4.
Direction 51—War Department Small Orders.
Direction 52—Application for Permission to Use Excess Materials.
Direction 53—Controlled Materials Purchased for MRO in Foreign Countries.
Direction 54—Deferred Allotments.

(2) Add the following to the list of interpretations at the end of the regulation:

Interpretation 23—Definition of Steel.
Interpretation 24—Records of Exporters.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14331; Filed, Sept. 16, 1944; 11:44 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 35, as Amended Sept. 16, 1944]

JIGS, DIES, MOLDS, FIXTURES AND SPECIAL TOOLING

The following direction is issued pursuant to CMP Reg. 1:

(a) "Special tooling" for purposes of this direction means any jig, die, mold, fixture or other tooling of a type which has only one special use, is not a standard product and is not produced for general sale by the manufacturer of the tooling.

(b) A person who has the right to buy controlled material for MRO (maintenance, repair and operating supplies) under any regulation or order of the War Production Board, such as CMP Regulation No. 5 or orders in the "P" or "U" series, may use the allotment number or symbol assigned by the regulation or order to buy controlled material needed to make special tooling for his own use as MRO.[1] He may also use the allotment number or symbol assigned to him for MRO to buy the controlled material needed to make the tooling and turn it over to the toolmaker or he may order it for direct shipment to the toolmaker.

(c) Even though tooling needed for MRO is a B product the toolmaker may accept controlled material from his customer to manufacture special tooling for him.

(d) This direction is a special exception to the general rule stated in paragraph (g) (3) of CMP Regulation No. 1 (as explained in Interpretation No. 16) which prohibits a customer from furnishing material to the manufacturer of a B product and prohibits a manufacturer of a B product from accepting it from his customer.

[1] The term "his own use as MRO" means the use of special tooling in the person's manufacturing operations, even if the special tooling will belong to his customer.

(e) Any person who buys special tooling under this direction must charge the cost of the controlled material to his expenditures for MRO for the purpose of complying with the quantity restrictions imposed by the regulation or order under which he is operating (as, for example, paragraph (f) of CMP Regulation No. 5). Where a manufacturer buys tooling, or material for tooling, and the tooling will belong to his customer, the manufacturer need not charge his MRO quota, but the customer must charge his.

(f) In those cases where a regulation or order permits a person operating under it to use the allotment number or symbol assigned to deliveries of MRO in buying minor capital additions (as, for example, paragraph (b) (3) of CMP Regulation No. 5), the above procedure may be used in acquiring special tooling which will be treated as minor capital items.

(g) A manufacturer of special tooling need not charge his allotment account with the quantity of controlled materials delivered to him by his customers under this direction.

(h) This direction does not supersede or change the provisions of Direction No. 1 to CMP Regulation No. 5 which explains how to obtain aluminum for patterns.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14332; Filed, Sept. 16, 1944; 11:44 a. m.]

PART 3263—CELLULOSE ESTERS

[Allocation Order M–326, Revocation]

Section 3263.1 (*Allocation Order M–326*) is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Cellulose ester flake is subject to allocation under General Allocation Order M–300 as an Appendix A material, subject to Schedule 50 issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M–326 are effective under Order M–300, Schedule 50, but in the case of deliveries are limited in duration as if originally issued under that schedule.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14327; Filed, Sept. 16, 1944; 11:43 a. m.]

PART 3268—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L–23–c, as Amended Sept. 16, 1944]

DOMESTIC COOKING APPLIANCES AND DOMESTIC HEATING STOVES

The fulfillment of requirements for the defense of the United States has created a shortage of materials used in the manufacture of domestic cooking appliances and domestic heating stoves for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3268.66 *Limitation Order L–23–c*—(a) *Definitions.* For the purpose of this order:

(1) "Domestic cooking appliances" means the following non-electric appliances: Gas ranges, cook stoves and hot plates for household use; coal and wood ranges and cook stoves for household use; fuel oil ranges, cook stoves, table stoves and hot plates for household use; combination ranges (including dual oven types, ranges with built-in kitchen heaters, and bungalow types) for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; and drum and portable ovens.

(2) "Domestic heating stoves" means any device (except electric) for the direct heating of the space in and adjacent to that in which the device is located, designed for use without heat distribution pipes or ducts as integral parts of such heating devices, and includes but is not limited to circulating, radiant and portable heaters; trailer and caboose stoves; and laundry stoves (except water jacketed and permanently built-in coil types). Domestic heating stoves shall not include floor or wall furnaces.

(3) "Stove" means any domestic cooking appliance or domestic heating stove.

(4) "Accessories" means aprons, high closets, high shelves, clocks, lights, timers, broilers not using the oven burner (except for combination ranges), broiler pans other than iron, steel or aluminum, cover-alls and any other instruments, attachments, or appurtenances (except top-burner lighters, thermostats, thermometers, top work space and storage compartments) for domestic cooking appliances not essential to any of the following three major cooking operations: Top burner cooking, oven baking and oven broiling.

(5) "Steel coal or wood range or cook stove" means a coal or wood range or cook stove in which the total weight of steel is 20% or more of the total weight of metal in the unit.

(6) "Base period" means the twelve month period from July 1, 1940 to June 30, 1941.

(b) *General restrictions on production.* (1) [Deleted Aug. 29, 1944.]

(2) No person shall manufacture, fabricate or assemble any stove except to the extent authorized by the War Production Board on Form GA–1850. (Application for authorization should be made in accordance with paragraph (b) (3)). The War Production Board will authorize limited production quotas so that the aggregate production of each type of stove will not exceed the percentage of the base period production specified in Schedule A. Production will not be authorized in any plant where such production, or labor requirements therefor, will interfere with war production in that plant, or in any other plant located in the same area.

(3) A person wishing to make stoves under paragraph (b) (2), should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L–23–c. This letter should state the proposed production in units of each model per quarter. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by an application on form CMP–4B for the controlled materials.

(c) *Special restrictions on production.* In addition to the restrictions contained in paragraph (b), all of the following special restrictions must also be complied with:

(1) [Deleted Aug. 29, 1944.]

(2) No person shall manufacture, fabricate or assemble any accessories or incorporate them into any stove except that those non-electric accessories, not including cover-alls, which were in his stock in a completely assembled and finished condition on June 7, 1944, may be used in the production of stoves.

(3) No thermostats for use with stoves shall be produced.

(4) [Deleted Aug. 29, 1944.]

(5) No person shall use any "bright work", "bright finish", metal finish or trim containing copper, nickel or chrome in the production of stoves.

(d) *Exceptions.* (1) The restrictions of this order do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a practicable minimum working inventory.

(2) [Deleted Aug. 29, 1944.]

(3) [Deleted Aug. 29, 1944.]

(e) *Reports.* Manufacturers of stoves shall report on or before the tenth day of each month on Form WPB–3249. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the use of any material in the production of stoves to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(h) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture, fabricate or assemble more stoves than he has been authorized to make on Form GA–1850 (including a person who has no authorization) may apply for permission to do so under Priorities Regulation 25. He may still, of course, apply for authorization under paragraph (b) (3) if he desires. Application may also be made under Priorities Regulation 25 by any person for permission to manufacture, fabricate or assemble any accessories or to produce thermostats for use with stoves. Accessories made under Priorities Regulation 25 authorization may be assembled or incorporated into stoves.

(2) *Appeals.* Any appeal from the provisions of this order, other than the restrictions of paragraphs (b) (2), (c) (2) or (c) (3), should be filed on Form WPB–1477 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeals should be filed from the restrictions of paragraphs (b) (2), (c) (2) or (c) (3).

(i) *Communications.* All communications concerning this order, except appeals, shall unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., reference L–23–c.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

	Percentage of total unit production by all producers in the base period (July 1, 1940 to June 30, 1941)
Domestic cooking appliances:	
1. Gas ranges and cook stoves	40
2. Combination, bungalow and kitchen heater ranges	40
3. Coal and wood ranges and cook stoves	100
4. Fuel oil ranges and cook stoves	40
5. Gas hot plates	75
6. Portable and drum ovens	75
Domestic heating stoves:	
1. Gas fired heaters	75
2. Oil fired heaters	40
3. Coal and wood heaters	100
4. Coal and wood laundry stoves	100

SCHEDULE B: Deleted Aug. 29, 1944.

INTERPRETATION 1: Superseded June 7, 1944.
INTERPRETATION 2: Revoked August 29, 1944.

INTERPRETATION 3

CHROMIUM PLATING FOR REFLECTOR PLATES

The restrictions contained in paragraph (c) (5) do not prohibit the use of chromium plated steel for heat reflectors as a functional part of radiant heaters, where no suitable substitute material has been found and where the use of such reflectors is necessary to avoid high floor temperature and to decrease fire hazard. [Issued July 12, 1944.]

[F. R. Doc. 44–14323; Filed, Sept. 16, 1944; 11:43 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M–310, General Direction 8]

RELEASE OF CERTAIN SCHEDULE B RESTRICTIONS DURING OCTOBER, 1944

The following direction is issued pursuant to General Conservation Order M–310:

During October 1944, sole cutters shall not be bound by Blocks IIA and IIB of Schedule B of General Conservation Order M–310 in cutting bends, to the extent of one-third of the total number of bends cut by them during the months of June, July and August, 1944.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14326; Filed, Sept. 16, 1944; 11:43 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M–385, Interpretation 2]

The following interpretation is issued with respect to General Conservation Order M–385:

1. Q. Are aprons, pinafores, smocks and similar garments included within the term "dresses" in Groups 1 and 2 of the preference rating schedule of Supplement II?

A. No.

2. Q. Are sport shirts included within the term "shirts: business men's" in Groups 11 and 12 of the preference rating Schedule of Supplement II?

A. No. Only shirts with neckband, with or without collar, and with long sleeves are included within the term. The rating may not be used to get material to make sport shirts or short sleeved shirts.

3. Q. Under the provisions of paragraph (c) as to equitable distribution, is a 1943 customer entitled to a pro rata share of the manufacturer's production of items other than items which the customer bought in 1943?

A. Yes. Any person who purchased from the manufacturer in 1943, regardless of what he purchased, is entitled to a pro rata share of the Manufacturer's total production of each item for which the rating is used. (See question 12, Interpretation No. 1.) For example, even though a retailer in 1943 purchased from the manufacturer only shirts, he is entitled to a pro rata share of pajamas produced by the manufacturer, if the manufacturer uses the rating assigned by this order to get material to make pajamas. The retailer is entitled to his pro rata share of each quarter's production calculated on the basis of the percentage that the retailer's total purchases from the manufacturer in the corresponding quarter of 1943 is of the manufacturer's total sales during that quarter of 1943.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14330; Filed, Sept. 16, 1944; 11:44 a. m.]

PART 3293—CHEMICALS

[Supplementary Allocation Order M-326-b, Revocation]

CELLULOSE ACETATE AND CELLULOSE ACETATE BUTYRATE MOLDING POWDER

Section 3293.453 *Supplementary Allocation Order M-326-b* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Cellulose acetate and cellulose acetate butyrate molding powder (except scrap) are subject to allocation under General Allocation Order M-300 as Appendix A materials, subject to Schedule 52 issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M-326-b are effective (except as to scrap) under Order M-300, Schedule 52, but in the case of deliveries are limited in duration as if originally issued under that schedule.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14329; Filed, Sept. 16, 1944; 11:44 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 50]

CELLULOSE ESTER FLAKE

§ 3293.1050 *Schedule 50 to General Allocation Order M-300*—(a) *Definition.* "Cellulose ester flake" means material manufactured by the treatment of cellulose with acetic anhydride, with or without other reactants. The term shall include cellulose ester flake of all grades and kinds, in primary form, including cellulose acetate flake, cellulose acetate butyrate flake, and cellulose acetate propionate flake, but not including plasticized cellulose esters.

(b) *General provisions.* (1) Cellulose ester flake is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is July 1, 1943, when cellulose ester flake was first put under allocation by Order M-326 (revoked). The allocation period is the calendar month.

(2) The small order exemption is 100 pounds per person per month. Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which cellulose ester flake has been allocated, notwithstanding Order M-300 (paragraph (p) (2)). There shall be no limitation on duration of authority for use under this schedule, notwithstanding Order M-300 (paragraph (v)).

(c) *Authorizations under M-326.* Specific authorizations heretofore issued under Order M-326 are effective under this schedule, but in the case of deliveries are limited in duration as if originally issued under this schedule.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each type of flake, such as, cellulose acetate, cellulose acetate butyrate, and cellulose acetate propionate. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-50. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 10th day of the month before the requested allocation month. File separate sets of forms for each supplier and for each type of flake, such as cellulose acetate, cellulose acetate butyrate, and cellulose acetate propionate. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-50, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Yarn	Sheeting .003" and above
Staple fiber	Other primary product (specify)
Lacquer or emulsion	Export (as flake)
Photographic film	Inventory (as flake)
Molding powder	Resale (as flake)
Rods or tubes	
Sheeting below .003"	

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-50.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14324; Filed, Sept. 16, 1944; 11:43 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 51]

CELLULOSE ESTER SHEETS, RODS AND TUBES

§ 3293.1051 *Schedule 51 to General Allocation Order M-300*—(a) *Definitions.* (1) "Cellulose plastics" means plasticized cellulose ester flake, as such flake is defined in Schedule M-300-50, in the following forms:

(i) First grade rod and tube (unfabricated) produced by the wet extrusion process, but not including rod and tube produced by extrusion from molding powder.

(ii) First grade cake sheet (unfabricated), not including pieces having an area of less than two square feet, produced as a by-product of normal slicing, polishing or fabricating operations.

(iii) First grade continuous sheeting (unfabricated), not including butt rolls having less than 1 inch of material on the core, and not including trim rolls less than 4 inches in width, produced as a by-product of normal slitting or trimming operation.

(b) *General provisions.* (1) Cellulose plastics are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is July 1, 1943, when cellulose plastics first became subject to allocation under Order M-326-a (revoked). The allocation period is the calendar month.

(2) The small order exemption without use certificate is 50 lbs. of sheets, 50 lbs. of rods and 50 lbs. of tubes per person per month. Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which cellulose plastics has been allocated, notwithstanding Order M-300 (paragraph (p) (2)).

(c) *Authorizations under M-326-a.* Specific authorizations heretofore issued under Order M-326-a are effective under this schedule, but in the case of deliveries are limited in duration as if originally issued under this schedule.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 10th day of the month before the proposed delivery month. File separate sets of forms for sheets, rods and tubes respectively. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-51. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(e) *Military emergency shipments.* A supplier may make application on Form WPB-2947 for authorization to expedite shipments against anticipated emergency war orders from the Armed Services or their contractors. Column 1 shall read "Emergency shipments against Government contracts". Column 4 shall show the aggregate quantity of the proposed shipments. From the quantity allocated on this application the supplier may make such shipments without further authorization. Subsequently, on the first WPB-2947 form filed after the end of the month, the supplier shall report his emergency shipments by listing in the usual manner the customers, end uses and quantities. An entry shall be made in Column 7 for each such customer to show that the material was expedited and that shipment was made in the preceding month, as, for example, "Expedited—May." In the case of emergency shipments to contractors, suppliers must obtain written or telegraphic certification from the Armed Service involved, stating that an emergency exists. An unused material in the "emergency pool" at the end of the month shall be returned to inventory.

(f) *Certified statements of use.* Each person placing orders for delivery of more than the small order exemption quantities of cellulose plastics per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "aircraft glazing, Army ——" (specify contract number), "gas mask lenses, Army ——" (specify contract number), or in terms of any other specified product. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-51.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14325; Filed, Sept. 16, 1944; 11:43 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 52]

CELLULOSE ACETATE AND CELLULOSE ACETATE BUTYRATE MOLDING POWDER

§ 3293.1052 *Schedule 52 to General Allocation Order M-300*—(a) *Definition.* "Acetate molding powder" means both cellulose acetate molding powder and cellulose acetate butyrate molding powder, produced from cellulose ester flake. The definition of cellulose ester flake appears in Schedule M-300-50. The term "acetate molding powder" does not include scrap.

(b) *General provisions.* (1) Acetate molding powder is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is July 1, 1943, when this material was first put under allocation by Order M-326-a (subsequently amended to transfer acetate molding powder to M-326-b). The allocation period is the calendar month.

(2) The small order exemption is 100 pounds of acetate molding powder per person per month. Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which acetate molding powder has been allocated, notwithstanding Order M-300 (paragraph (p) (2)). There shall be no limitations on duration of authority for use under this schedule, notwithstanding Order M-300 (paragraph (v)).

(3) Any molder specifically authorized to use acetate molding powder may furnish the material to another molder or having actually received formal authorization, may direct the supplier to deliver to another molder, for processing pursuant to toll agreement; provided, that he instructs the other molder to use the material for the exact purpose for which the molder has been authorized to use it. The molder who is to use the material may accept and use it pursuant to these instructions without the specific authorization of the War Production Board.

(c) *Authorizations under M-326-b.* Specific authorizations heretofore issued under Order M-326-b are effective (except with respect to scrap) under this schedule, but in the case of deliveries are limited in duration as if originally issued under this schedule.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. File separate sets of forms for cellulose acetate molding powder and cellulose acetate butyrate molding powder. Send four copies (one certified) to the War Production Board. Chemicals Bureau, Washington 25, D. C., Ref: M-300-52. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and for cellulose acetate molding powder and cellulose acetate butyrate molding powder. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-52, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following.

Thread protector
Buttons
Combs
Other primary product (specify)
Export (as molding powder)
Inventory (as molding powder)
Resale (as molding powder)

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-52.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14334; Filed, Sept. 16, 1944; 11:44 a. m.]

PART 3293—CHEMICALS

[Supplementary Allocation Order M-326-a, Revocation]

CELLULOSE ESTER SHEETS, RODS AND TUBES

Section 3293.452 *Supplementary Allocation Order M-326-a* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Cellulose ester sheets, rods and tubes are subject to allocation under General Allocation Order M-300 as Appendix B materials subject to Schedule 51 issued simultaneously with this revocation.

Specific authorizations heretofore issued under Order M-326-a are effective under Order M-300, Schedule 51, but in the case of deliveries are limited in duration as if originally issued under that schedule.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14328; Filed, Sept. 16, 1944; 11:44 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-91, Direction 1, as Amended Sept. 16, 1944]

INVENTORIES OF DUCK IN THE HANDS OF DISTRIBUTORS OR USERS

The following amended direction is issued pursuant to Conservation Order M-91:

Each person, other than a United States Government agency or a producer of duck, who has in inventory more than 500 yards of Army Duck, Numbered Duck, Flat Duck or Shelter Tent Duck, shall, not later than September 16, 1944, report in writing to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., his holdings of such fabrics, stating the number of yards of each type and construction he has. He may not use any part of such inventory, except for incorporation into products to fill orders of the Army, Navy, Maritime Commission or War Shipping Administration, nor may he sell or deliver any part of such inventory, except to the Army or Navy, unless he has offered his entire inventory of such fabrics for sale to the Army or Navy and has received written rejections of his offer from both the Army and Navy, or unless he is expressly authorized in writing by the War Production Board to use or dispose of all or part of such inventory. However, manufacturers of rubber tires and other rubber products may use their stocks of flat duck for liners, shoe manufacturers may use

their stocks of flat duck in the manufacture of shoes, manufacturers of horse collars may use their stocks of numbered and flat duck in the manufacture of horse collars, manufacturers of laminated plastics material may use their stocks of flat duck and Army duck in the manufacture of such material, manufacturers of Vee type belts may use their stocks of Army duck in the manufacture of such belts, railroad companies may use their stocks for locomotive cab curtains, harvesting machine manufacturers may continue to use their stocks, and other persons requiring filters listed in part III of Schedule A of Order M-91 may continue to use their stocks of numbered duck for these purposes; but they must, nevertheless, report their inventory by September 16, 1944.

NOTE: The reporting requirements of this direction have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14356; Filed, Sept. 16, 1944; 3:48 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended Aug. 19, 1944, Amdt. 1]

Section 1075.1 *Conservation Order L-41* is hereby amended in the following respects:

1. By deleting paragraph (c) (11) and substituting the following:

(11) $1,000 for a building or group of buildings which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

2. By deleting from Schedule B, paragraph 3, the following: "(other than buildings)."

3. By deleting from Schedule B, paragraph 5, the following: "(other than buildings)."

4. By deleting from Schedule C the following:

Building used directly in furnishing electric, gas, water central steam heating, or wire communications services to the public.	WPB-2774	WPB, Washington, D. C.

Issued this 18th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14392; Filed, Sept. 18, 1944; 11:18 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M-199, as Amended Sept. 18, 1944]

SILVER

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of silver for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

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Par.
(a) Definitions.
(b) Restriction upon sale or delivery of silver by suppliers.
(c) Restrictions upon sale or delivery of silver by manufacturers.
(d) Restrictions upon purchase, acceptance of delivery, and processing of foreign silver by manufacturers.
(e) Restrictions upon purchase, acceptance of delivery, and processing of Treasury silver by manufacturers.
(f) Authorization to purchase Treasury silver from the United States.
(g) (1) Restrictions upon the purchase, acceptance of delivery, and processing of domestic silver for List B uses.
(2) Quota restrictions under toll agreements.
(3) Assignability of quotas.
(h) No quota restrictions on domestic silver for other than List B uses.
(i) Special exception as to domestic silver.
(j) Special directions as to distribution of foreign, Treasury, and domestic silver.
(k) Restrictions on holding of scrap silver.
(l) Fungibility of silver stocks recognized.
(m) Use certificate.
(n) Exceptions.
(o) Limitations of inventories.
(p) Reports.
(q) Miscellaneous provisions.

§ 3286.51 *Conservation Order M-199*—(a) *Definitions.* For the purposes of this order:

(1) "Silver" means silver bullion, semi-fabricated forms of silver, silver scrap and other secondary forms of silver, and any alloy, compound, salt, or mixture containing more than one-half of one percent of silver by weight. The term does not include alloyed gold produced in accordance with U. S. Commercial Standards CS 51-35 and CS 67-38. The term includes, however, all metal combinations, such as rolled gold plate or gold filled stock, containing more than one-half of one per cent of silver by weight exclusive of the silver content of the karat gold, if any. The term does not include finished silver products except where such products after processing are to be used in a form or style or for a purpose different from that for which they were originally designed or intended. For example, a finished piece of silverware, or jewelry, or a silver coin may be delivered, accepted, and used without further processing for the purpose for which originally designed or intended without restriction under this order. However, if such articles are to be melted down or otherwise processed for different uses, then they must be treated for the purposes of this order as "silver" (as distinguished from finished products) of the particular kind (foreign, domestic, or Treasury) from which the product was originally made. Articles containing silver which have been discarded from the use for which they were originally designed or intended because of obsolescence, defects, or other reasons shall be deemed to be scrap or secondary silver and not finished silver products. Silver findings, including chain, are considered finished silver products. The following items, as well as all other primary and semi-fabricated forms and partially fabricated parts, containing more than ½ of 1 per cent of silver by weight, are not considered finished silver products but are considered silver: ingots, bars, rods, shot, grain, leaf, powder, sheet, wire, strip, tubing, circles, anodes, salts, compounds, mixtures, brazing alloys, and solders. Silver salts, compounds, or mixtures, which are prepared for sale at retail for the personal use of the purchaser and not for use in the manufacture of a product or in a process for commercial sale, are considered finished silver products.

(2) "Domestic silver" means any silver which has been produced since July 1, 1939, from mines situated inside of the territorial limits of the United States, its territories and possessions.

(3) "Treasury silver" means any silver which has been held or owned by the United States and has been sold pursuant to the provisions of Public Law 137, approved July 12, 1943.

(4) "Foreign silver" means any silver except that which is either domestic silver or Treasury silver. Scrap generated by manufacturers from the processing of domestic silver or Treasury silver shall also be considered to be foreign silver if it does not remain in the ownership of the manufacturer whose processing operations produced it: *Provided, however,* That domestic silver scrap or Treasury silver scrap produced by suppliers in semi-fabricating operations may be sold by such suppliers to manufacturers as domestic silver casting metal or Treasury silver casting metal.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(6) "Manufacturer" means any person who uses silver by incorporating it physically in the finished products or parts thereof which he manufactures or who uses or consumes silver in any manufacturing, testing, laboratory, educational, therapeutic, plating, or repairing process. The term shall include any person who furnishes silver to a manufacturer under toll agreement to be processed and returned in semi-processed or finished form.

(7) "Supplier" means any person regularly engaged in the business of importing, smelting, or refining silver, or in the business of selling silver to manufacturers and other suppliers. The term includes any person who may import, smelt, or refine silver for his own use as a manufacturer.

(8) "Put into process" means the first change by the manufacturer in the form of the material from that form in which it was received by him. Putting into process does not include minor initial operations such as marking and does not include any alloying, shearing, cutting, trimming, or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection and testing, nor segregation or earmarking for a specific job or operation. The term also does not include the reclaiming and reforming of scrap.

(9) "Process" means cut, draw, machine, stamp, melt, mix, compound, cast, forge, roll, turn, spin, or otherwise shape or change in form or chemical composition. It also means assemble. The term does not include sand-bobbing, buffing, or polishing an assembled article.

(10) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knock-down form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article. In all other cases, the term "assemble" shall be deemed to include adding parts, whether of silver or of any other material, to an article of silver, where such article is not deemed complete and ready for immediate sale or use until such parts have been added, including adding gems, stones, or glass jewels or beads to articles or parts of silver, and adding brushes, combs, knives, forks, or other utensils to backs or handles of silver.

(11) The term "deliver" shall not be deemed to include a redelivery of silver to the owner thereof, who is a manufacturer, by a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include the delivery under the same circumstances by the owner to the person who alloys or processes the silver for the owner.

(12) The term "accept delivery" shall not be deemed to include acceptance of delivery of silver by the owner thereof, who is a manufacturer, from a person to whom such owner delivered such silver to be alloyed or processed and returned to such owner for further processing; nor does it include acceptance of delivery under the same circumstances from the owner by the person who alloys or processes the silver for the owner.

(b) *Restrictions upon sale or delivery of silver by suppliers.* (1) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to

(i) Another supplier; or
(ii) A manufacturer; or
(iii) The United States; or
(iv) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(2) No supplier shall sell or deliver foreign silver to a manufacturer except to fill orders for uses on List A.

(3) No supplier shall sell or deliver Treasury silver to a manufacturer except to fill orders for uses on List C.

(4) No supplier shall sell or deliver any kind of silver (foreign, Treasury, or domestic) to any person if he knows or has reason to believe such silver is to be received or used in violation of the terms of this order.

(c) *Restrictions upon sale or delivery of silver by manufacturers.* No manufacturer shall sell or deliver any kind of silver (foreign, Treasury, or domestic) except to:

(1) A supplier; or
(2) The United States; or
(3) Metals Reserve Company or any other corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act as amended.

(d) *Restrictions upon purchase, acceptance of delivery, and processing of foreign silver by manufacturers*—(1) *Uses on List A.* On and after July 29, 1943, no manufacturer shall purchase, accept delivery of, put into process, or process any foreign silver for any use other than a use on List A.

(2) *Temporary exception.* Notwithstanding the foregoing provisions of this paragraph (d), a manufacturer may continue the processing of any foreign silver which on July 29, 1943, he had already put into process for any use on List B to fill orders rated A-1-a or higher; also, a manufacturer may put into process and process to completion for a List C use any foreign silver owned by him on July 29, 1943, and he may complete the processing of any foreign silver already put into process by him on such date for any such use: *Provided,* That on and after September 6, 1943, no manufacturer may put into process any foreign silver in the manufacture of brazing alloys or solders, but he may complete the processing of any foreign silver already put into process by him on September 6, 1943, for any such use: *Provided, further,* That on and after May 15, 1944, no manufacturer may put into process any foreign silver owned by him on July 29, 1943, in the manufacture of official articles (item 2, List C) except to fill specific approved orders or contracts received and accepted by him prior to May 15, 1944, which call for delivery of a specified number of articles at a fixed price.

(3) *Temporary exception for List D uses.* Notwithstanding the limitations of paragraph (d) (1), a manufacturer may continue the processing of any foreign silver which on May 15, 1944, he had already put into process for any use on List D to fill orders rated AA-5 or higher; and he may purchase, accept delivery of, put into process, and process to completion for any use on List D any foreign silver required to fill specific orders rated AA-5 or higher received and accepted by him prior to May 15, 1944, which call for delivery of a specified number of articles at a fixed price.

(e) *Restrictions upon purchase, acceptance of delivery, and processing of Treasury silver by manufacturers.* No manufacturer shall purchase, accept delivery of, put into process, or process Treasury silver except for a use on List C.

(f) *Authorization to purchase Treasury silver from the United States.* Purchases of Treasury silver from the United States pursuant to Public Law 137, approved July 12, 1943, shall be made only upon specific authorization of the War Production Board. Any supplier or manufacturer desiring such authorization may apply by letter to the War Production Board, Miscellaneous Minerals Division, Washington 25, D. C., Reference: M-199, not later than the 15th day of the month preceding the month in which delivery of the Treasury silver is desired. In such letter the applicant, in addition to other pertinent information, shall state the nature of his business and the intended use of the silver in terms of the uses specified on List C.

(g) (1) *Restrictions upon the purchase, acceptance of delivery, and processing of domestic silver for List B uses.* In any calendar quarter after July 1, 1943, until further notice, no manufacturer shall purchase, accept delivery of, or put into process domestic silver for uses on List B in excess of ⅛ of the aggregate amount by weight of all silver (foreign and domestic), computed on the basis of the fine silver content thereof in troy ounces, put into process by such manufacturer for List B uses and for item 2 of List C uses (official articles) during the calendar year 1941 or the calendar year 1942, whichever year is the greater: *Provided, however,* That such manufacturer, in computing his quota of domestic silver under the foregoing provision, shall deduct from the said aggregate amount put into process by him for List B uses and for item 2 of List C uses (official articles) for the year 1941 or 1942, as the case may be, the aggregate amount by weight of silver (fine silver content, troy ounces) put into process by him in such year for List B uses and for item 2 of List C uses (official articles) to fill orders rated A-3 or higher, and the aggregate amount by weight (fine silver content, troy ounces) of sales made by him in such year of silver scrap or silver waste material resulting from the processing of silver for List B uses and for item 2 of List C uses (official articles), exclusive of orders rated A-3 or higher.

(2) *Quota restrictions under toll agreements.* In any case where prior to January 1, 1943, a manufacturer furnished silver to another manufacturer under toll agreement to be processed and returned in semi-processed or finished form, the manufacturer who furnished the silver, and not the manufacturer who did the processing under toll agreement, shall be considered, for the purpose of computation of domestic silver quotas under the provisions of paragraph (g) (1), as having put into process the silver involved. On and after November 10, 1943, where one person furnishes silver to another under toll agreement to be processed and returned, the same considerations shall apply in determining whose quota should be charged as between the person who furnishes the silver and the one who processes it: that is, the quota of the person who furnishes the silver shall be charged and not that of the toll processor.

(3) *Assignability of quotas.* Domestic silver quotas may not be assigned except as provided in § 944.28, Priorities Regulation No. 7A.

(4) *No quota restrictions on domestic silver for other than List B uses.* A manufacturer may purchase, accept delivery of, put into process, and process domestic silver without regard to the quota limitations of paragraph (g) (1) for any use on List A, any use on List C, any use on List D or any unlisted use.

(h) *Special exceptions as to domestic silver.* The restrictions of this order as to the purchase, acceptance of delivery, and processing of domestic silver for List B uses do not apply to any manufacturer who qualifies under either subparagraph (1) or (2) below; that is, a manufacturer:

(1) Who meets each and all of the following requirements:

(i) His gross sales of all repair services and products sold by him, whether or not manufactured by him, did not exceed $35,000 in the preceding calendar year.

(ii) He does not purchase, accept delivery of, or put into process in excess of 500 troy ounces, fine silver content, of domestic silver for List B uses during the period between July 1, 1944 and October 1, 1944, or in any calendar quarter thereafter.

(iii) He performs all the processing operations (except as provided in paragraph (h) (1) (v) below) from the form of silver as received from silver suppliers to the finished products, in his own plant, using his own equipment.

(iv) He does not process silver for others under toll agreement.

(v) He does not have any of the manufacturing operations on his own products performed for him by others under toll agreement, except that he may furnish silver and have findings, including chain, made for him by others under toll agreement, if (a) the aggregate weight (troy ounces, fine silver content) of such articles does not exceed, in any calendar quarter, 25% by weight of the total amount of silver (troy ounces, fine silver content) purchased by him for List B uses in the same calendar quarter, and (b) such findings, including chain, are to be incorporated in his own products; or

(2) Who meets each and all of the following requirements:

(i) He was engaged in the silver manufacturing business throughout the year 1941;

(ii) His gross receipts in the year 1941 from the sale of silver products did not exceed $25,000;

(iii) He continues to engage in the silver manufacturing business, and to have at all times not more than five persons at one time, excluding all clerical employees, working in such business, each of which persons is either over the age of 50 years or is physically incapacitated from performing ordinary factory labor; and

(iv) His gross sales of silver products for the calendar year 1943 and for each calendar year thereafter do not exceed $35,000 per year, *Provided, however,* That in no event shall he purchase, accept delivery of, or put into process domestic silver for List B uses in any calendar quarter under this exception (h) (2) in excess of 25 per cent of the aggregate amount by weight of all silver (foreign and domestic), computed on the basis of the fine silver content thereof in troy ounces, put into process by him for List B uses during the calendar year 1941.

(v) For a manufacturer to be engaged in the "silver manufacturing business" as the term is used in paragraph (h) (2), at least 75% of the gross receipts of such manufacturer in the year 1941 and succeeding years from products of all kinds sold by him (including products sold but not manufactured by him) shall have been derived from the sale of silver products manufactured by him. A silver product is one in which silver is physically incorporated and in which the amount of contained silver is greater either in weight or in value than any other single material, excluding precious or semi-precious stones, contained in such products.

(3) The exceptions set forth in paragraphs (h) (1) and (h) (2) are intended for the benefit only of manufacturers who operate on a small scale. No manufacturer shall be entitled to operate under either of these exceptions and at the same time to purchase, accept delivery of, and put into process silver under the quota provided in paragraph (g) (1). Moreover, these exceptions are mutually exclusive: a manufacturer who purchases and uses silver under paragraph (h) (1) cannot also purchase and use silver under paragraph (h) (2), and conversely, a manufacturer who purchases and uses silver under paragraph (h) (2) cannot purchase and use silver under paragraph (h) (1).

(4) Manufacturers who are owned or controlled by the same person shall be deemed to be a single manufacturer under this paragraph (h).

(i) *Special directions as to distribution of foreign, Treasury, and domestic silver.* From time to time the War Production Board may issue special directions to individual suppliers and manufacturers, specifying the sources, destinations, and amounts of silver (foreign, Treasury, or domestic) to be delivered or acquired by them.

(j) *Restrictions on holding of scrap silver.* (1) No manufacturer shall purchase or accept delivery of silver of any kind (foreign, domestic, or Treasury) if he has on hand more than a thirty days' accumulation of scrap silver, exclusive of wastes, such as mirror wastes, polishings, and sweepings, whether foreign, Treasury, or domestic, or any combination thereof, unless such accumulation aggregates less than 1,000 ounces, fine silver content.

(2) No manufacturer shall have scrap melted, reformed, and redelivered to him under toll agreement if by such redelivery his inventory of silver will be in excess of a minimum practicable working inventory, taking into consideration the orders on his books requiring use of silver and the limitations placed upon the use of silver by this order.

(k) *Fungibility of silver stocks recognized.* Although this order deals with three kinds of silver (foreign, Treasury, and domestic) which are separately defined, and imposes restrictions which vary in their application as among these kinds of silver, it is recognized that all three kinds of silver are physically identical. Accordingly, nothing in this order shall be deemed to require any person holding two or more kinds of silver to keep the various kinds physically segregated. It is also understood that a person who holds only one kind of silver at a particular moment may be called upon to deliver or to use another kind of silver. In such cases, the person holding the one kind of silver may change part or all of his stock of such silver to silver of another kind simply by selling part of his stock to a supplier, ordering an equivalent amount, silver content, of the different kind of silver required for his purposes and paying or receiving the difference in price. For the purposes of this order, physical delivery to the supplier of the silver being sold and physical delivery by the supplier of the different kind of silver being purchased are not required in order to change the character of the silver involved from the kind in stock to the kind being purchased. The form of the silver can also be disregarded. For example, a manufacturer with partially processed stocks of foreign silver which he cannot finish for List B uses under the restrictions of the order, can purchase domestic silver bars having a silver content equal to the silver content of the partially processed silver, sell those same bars back to the supplier as foreign silver, pay the difference in price, and then consider that the partially processed silver is domestic silver and may be further processed for List B uses as permitted by the order. Any purchasing or processing of domestic silver under the provisions of this paragraph for uses on List B must, however, be within the quota limitations of paragraph (g) hereof. Furthermore, at no time shall any person sell silver of any kind in excess of the amount of silver of that kind, fine silver content, owned by him. For the purposes of this order, silver owned by a person shall be deemed to include, in the case of suppliers only, silver which such supplier has contracted to purchase under a firm written contract calling for the delivery of a specific amount of silver of a specific kind within a specific period, not exceeding five months from the date of the contract.

(l) *Use certificate.* No supplier shall deliver any silver (foreign, Treasury, or domestic) to any manufacturer, and no manufacturer shall accept delivery of any silver from any supplier, unless the manufacturer shall have furnished the supplier with a certificate specifying the end use of such silver in terms of the uses specified on List A, List B, List C, and List D. Such certificate may be placed on or attached to the purchase order, and shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

Pursuant to Conservation Order M-199, the undersigned hereby certifies to the supplier and the War Production Board that the silver covered by the accompanying order (and all silver purchased from the supplier under orders placed in the future) shall be used solely for the following purposes: _____

_____

_____

_____
(Name of purchaser)

Date_____ By_____
(Signature and title of duly authorized officer)

In appropriate cases one certificate may cover the use of silver to be delivered under orders to be placed with such supplier in the future. Such certificate shall constitute a representation to, but shall not be filed with, the War Production Board. The supplier shall be entitled to rely on such representation, unless he knows or has reason to believe it to be false.

(m) *Exceptions*—(1) *United States Government.* None of the restrictions in this order as to sale, purchase, delivery, acceptance of delivery, or use of silver shall be applicable to the United States Government or any of its departments or agencies: *Provided, however,* This exception shall not be deemed to extend to a manufacturer who manufactures items for delivery to or for the account of the United States Government or any of its departments or agencies. An item is not deemed removed from the list of restricted uses simply because it is to be manufactured for delivery to or for the account of the United States Government or any of its departments or agencies.

(2) *Repair.* The restrictions of this order as to the putting into process and the processing of foreign, Treasury, or domestic silver shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use silver weighing in the aggregate more than 3 ounces and if any putting into process or processing done by such person is for the purpose of making the specific repair. The term "repair" as used in this paragraph shall include the replating of used articles, provided the article was originally made of silver or silver-plated material.

(n) *Limitations of inventories.* No manufacturer shall accept delivery of silver, in the form of raw materials, semi-processed materials, finished parts, or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of silver by this order.

(o) *Restrictions on sale and purchase of manufactured products*— (1) *General.* No person whether manufacturer, wholesaler, jobber, distributor, dealer, retailer, or consumer, shall sell, purchase, deliver, or accept delivery of any article made in whole or in part of silver if he knows or has reason to believe that it was made, assembled, or delivered contrary to the restrictions contained in this order.

(2) *Official articles.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no manufacturer shall sell or deliver official articles except to the person from whom the manufacturer received the order or contract on which the articles were manufactured. However, if any manufacturer holds any official articles which he is unable to deliver to such person, because of cancellation or cut-back of the order or contract, or because of over-run, or rejection, such manufacturer, if he has a domestic silver quota under paragraph (g) (1), following the procedure described in paragraph (k), may convert the identity of the silver content of the articles into domestic silver within the limitations of such quota, and thereafter dispose of them without restriction as List B items.

(p) *Reports.* Each supplier and each manufacturer and every other person affected by this order shall file such reports as may be requested from time to time by the War Production Board, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(q) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(2) [Deleted May 15, 1944]

(3) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations as amended from time to time.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington 25, D. C. Ref: M-199.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 18th day of September, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A: Permitted uses of foreign silver under Conservation Order M-199—these are the only uses permitted for foreign silver; domestic silver is also permitted for these uses without limit; Treasury silver (except in the form of brazing alloys or solders) is not permitted at all for these uses:

1. Manufacture of medicines and health supplies, including, without limitation, dental, surgical, veterinary, and optical (including spectacle frames) instruments, appliances, and equipment.

2. Manufacture of photographic film, photographic papers, and photographic chemicals, and use in any photographic process.

3. Manufacture of electrical contacts and other silver products or parts used for electrical current carrying purposes.

4. Manufacture of any product or use in any process to fill orders bearing a preference rating of AA-5 or higher, except uses on List B, List C, or List D.

5. Use of brazing alloys or solders manufactured of foreign silver prior to July 20, 1943, or manufactured since that date pursuant to the temporary exception set forth in paragraph (d) (2), for any purpose except a use on List B.

6. Use by a laboratory. "Laboratory" means any person engaged in the business of carrying on scientific or technological investigation, testing, development or experimentation, to the extent that he is so engaged. The term includes research laboratories, production control laboratories, testing laboratories, analytical laboratories, clinical laboratories, and instructional laboratories. It does not include any person to the extent that he is engaged in the manufacture of products for commercial sale, even though the place in which the products are manufactured may be called a laboratory.

LIST B: Restricted uses of silver under Conservation Order M-199—regardless of rated orders, only domestic silver is permitted for these uses and then only within the quota limitations of paragraph (g) (1); foreign silver and Treasury silver are not permitted at all for these uses:

1. Manufacture of silverware, including, without limitation, knives, forks, spoons, plates, platters, dishes, pitchers, vases, cups, candlesticks, and all other kinds of flatware and hollow ware and table, kitchen, and decorative utensils and objects, including silver deposit china or glassware, except glass liners or fillers for vacuum jugs and bottles.

2. Manufacture of watch cases and jewelry, including, without limitation, costume jewelry, blackout jewelry, and other articles of personal adornment, except push-pins for wrist watches. The term jewelry also includes personal accessories of all kinds such as bags, compacts, vanity cases, cigarette cases, cigarette holders, lighters, souvenirs, cuff links, pins, and clasps.

3. Manufacture of articles of identification, including discs, chains, and cords, and emblems, badges, and insignia other than official articles. What is meant by "official articles" is set forth in item 2 of List C.

4. Manufacture of church goods as defined in General Limitation Order L-136.

5. Manufacture of slide fasteners, hooks and eyes, snaps, buttons, clips (except for fountain pens and mechanical pencils), buckles, and fasteners of every description.

6. Manufacture of closures for containers.

7. Manufacture of pens and pencils, except the nibs, interior tubes, filling mechanisms, clips, and reinforcing cap-rings or bands of fountain pens, and the tips, interior operating mechanisms, clips, and reinforcing bands of mechanical pencils.

8. Manufacture of toilet articles and picture frames.

9. Manufacture of musical instruments, except strings for stringed instruments.

10. Electroplating and all other kinds of silver deposit processes, silver inlay work, and all other processes for the covering of another material in whole or in part with silver, except where essential for the operation or functioning of the part or article to which the silver is applied.

11. Manufacture of findings, including chain, for any List B use.

LIST C: Permitted uses of Treasury silver under Conservation Order M-199—these are the only uses permitted for Treasury silver; domestic silver without regard to quota limitations of paragraph (g) (1) is also permitted for these uses; foreign silver (except as temporarily permitted under paragraph (d) (3) is not permitted at all for these uses:

1. Manufacture of bearing material, bearings, and parts of bearing assemblies.

2. Manufacture of official articles. The term "official articles" means:

(a) Metallic insignia designating rank, branch of service, and "U. S." manufactured in accordance with official regulations on approved orders or contracts;

(b) Embroidered insignia, lace, stripes, or braid manufactured in accordance with official regulations, on approved orders or contracts, or on orders or contracts placed by producers of officers' uniforms, as the term "producer" is defined in Preference Rating Order P-131, as amended, for use as provided in P-131; and

(c) Decorations, medals, badges, and qualification bars (including jump rings) manufactured in accordance with official regulations, on approved orders or contracts bearing preference ratings of AA-5 or higher.

(d) Identification neck-chains manufactured on orders or contracts for the Navy Department, on Navy orders or contracts, or on orders or contracts placed by Ship's Service Stores, each article having a total length of 26 inches and a total weight, including hooks and fasteners but excluding identification tags, of not to exceed one-half troy ounce.

For the purposes of this item 2 of List C, the term "approved orders or contracts" means orders or contracts for:

(i) War Department, placed by the Quartermaster General;

(ii) Navy Department, on Navy orders or contracts, or on orders or contracts placed by Ship's Service Stores, Naval Uniform Service, Inc., or Women's Naval Uniforms, Inc., or by such other outlets as the War Production Board shall specify from time to time under Limitation Order L-131 at the request of the Bureau of Supplies and Accounts of the Navy Department.

(iii) U. S. Marine Corps, placed by the Headquarters Exchange Officer of the United States Marine Corps or by Marine Corps Post Exchanges, when authenticated by the Headquarters Exchange Officer;

(iv) Coast Guard, placed by the Coast Guard Supply Depot;

(v) U. S. Coast and Geodetic Survey, placed by the Director of the U. S. Coast and Geodetic Survey or by the Division of Purchases and Sales of the Department of Commerce;

(vi) U. S. Public Health Service, placed by the U. S. Service Exchange of the U. S. Public Health Service;

(vii) The War Shipping Administration, placed by the Chief Procurement Officer of the Training Organization of the War Shipping Administration.

3. Manufacture of brazing alloys.

4. Manufacture of solders.

5. Use of brazing alloys or solders manufactured of Treasury silver for any purpose except a use on List B.

6. [Deleted Nov. 10, 1943]

7. Manufacture of Desalination Kits.

8. Manufacture of products or use in processes pursuant to Army, Navy, or Air Corps contracts to which serial code numbers with the prefix "TAG" have been assigned by the procuring agency.

LIST D: Ex-quota uses of domestic silver under Conservation Order M-199—regardless of rated orders, only domestic silver is permitted for these uses but the quota limitations of paragraph (g) (1) do not apply; foreign silver, except on a temporary basis (paragraph (d) (3)), and Treasury silver are not permitted at all for these uses:

1. Manufacture of mirrors.

2. Manufacture of glass liners or fillers for vacuum jugs and bottles.

3. Manufacture of push-pins for wrist watches.

4. Manufacture of nibs, interior tubes, filling mechanisms, clips, reinforcing caprings or bands of fountain pens and tips, interior operating mechanisms, clips, and reinforcing bands of mechanical pencils.

5. Manufacture of strings for musical instruments.

6. Manufacture of watch crowns and bows.

7. Educational purposes. This includes the use of silver for occupational, educational, and recreational therapy as well as use by art and trade schools and classes. The production of articles with this use of silver must clearly be of secondary importance to the educational or therapeutic purposes accomplished through such use. In the event that articles produced with this use of silver fall within the description of articles restricted under List B, such articles may be sold or commercially distributed by the school, class, student, or patient only to the extent of a gross sales value of $300 per student or patient per calendar quarter and may not exceed a total weight in finished form of 100 troy ounces, fine silver content, per student or patient per calendar quarter.

INTERPRETATION 1

Conservation Order M-199 imposes certain quota limitations upon the amount of domestic silver which a manufacturer may put into process for List B uses. In many silver manufacturing processes, a manufacturer starts with a certain amount of silver in primary shapes and ends the operation with a large part of such silver in the form of scrap. It is customary for the manufacturer in these cases to have this scrap melted, rolled, or otherwise processed so as to return it to a primary shape in which it can again be subjected to manufacturing processes. This reforming of the silver scrap in some instances is done by the manufacturer himself, in other instances the work is done by others under toll agreement. The question has been presented under these quota limitations as to whether the processing of this reformed scrap must be considered as coming within this meaning of the term "put into process" or whether such processing of reformed scrap shall be considered as only the continuation of a processing operation which began when the manufacturer processed for the first time in any form for a List B use the specific amount of silver from which such scrap was produced.

It is hereby determined that for the purposes of the quota limitations of Order M-199, the term "put into process" shall be deemed to cover only the manufacturer's first processing for a List B use of a given amount of silver. It shall not be deemed to cover the subsequent processing of reformed scrap produced therefrom, whether such reforming is done by the manufacturer himself or by others for him under toll agreement. The term shall be deemed to cover, however, the first processing for a List B use of reformed scrap which was produced from putting silver into process for a use which is not on List B.

This interpretation supersedes Interpretation 1 of Conservation Order M-199 issued September 1, 1942. (Issued Nov. 10, 1943.)

INTERPRETATION 2

(a) It is customary for many silver manufacturers to ship the scrap they produce to a supplier under toll agreement for reforming and return. As suppliers and manufacturers are bound by the restrictions of the order as to the amount of silver, foreign, domestic, and Treasury, they may sell, purchase, deliver, and accept delivery of, for the various uses listed in the order, and as these toll transactions are in effect excepted from such restrictions, it is important that the amount of silver shipped by the supplier, which purports to be the return of silver reclaimed from the scrap, have a real relation to the amount of scrap sent in by the manufacturer. However, much time would be lost if the supplier were required to wait until he has reclaimed, refined, and reformed the scrap before returning anything to the manufacturer.

Accordingly, it is hereby determined that a supplier may ship the estimated silver content of the scrap to a manufacturer immediately upon his receipt of the scrap, without waiting for the scrap to be reclaimed, refined, and reformed. Furthermore, it is recognised that in cases where a manufacturer makes frequent shipments of scrap to a supplier, it is impossible as a practical matter for the supplier to know at all times that he has not shipped to that manufacturer more silver than the silver content of the scrap the manufacturer has shipped to him. In such cases it will be sufficient if the supplier will check his accounts at least once every 30 days and make sure that his total shipments of silver to any such manufacturer against scrap received have not exceeded the silver content of the scrap received from such manufacturer.

(b) Under the provisions of paragraph (m) (1), the United States Government, its departments and agencies are excepted from the restrictions of the order as to the sale, purchase, delivery, acceptance of delivery, and use of silver. This exception applies to the requirements of paragraph (1) dealing with the "use certificate." Such certificate is not required in the case of silver deliveries by a supplier to the United States Government or one of its departments or agencies.

In this same connection, a question has been raised as to whether or not this exception will permit brazing alloys and solders ordered by the Government or one of its departments or agencies to be made out of foreign silver contrary to the restrictions of paragraph (d). This exception is designed to relieve only the Government from the restrictions of the order—not the persons who manufacture items for delivery to the Government. Hence manufacturers of brazing alloys and solders are not relieved from the restrictions of paragraph (d) even though such alloys and solders are to be delivered to the Government. (Issued Nov. 10, 1943.)

[F. R. Doc. 44-14395; Filed, Sept. 18, 1944; 11:19 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[Conservation Order M-199, Direction 2 as Amended Sept. 18, 1944]

MANUFACTURE OF ROLLED GOLD PLATE AND GOLD FILLED STOCK CONTAINING MORE THAN ½ OF 1% OF SILVER BY WEIGHT, EXCLUSIVE OF THE SILVER CONTENT OF THE KARAT GOLD, IF ANY

The following amended direction is issued pursuant to Conservation Order M-199:

This direction tells how rolled gold plate and gold filled stock, which come within the definition of "silver" under Conservation Order M-199, may be made. It places restrictions upon the use of copper and copper base alloy in such manufacturing.

(a) *Definitions.* For the purposes of this direction:

(1) "Rolled gold plate and gold-filled stock" include only materials of that description which contain more than ½ of 1% of silver by weight exclusive of the silver content of the karat gold, if any.

(2) "Karat gold" means alloyed gold produced in accordance with U. S. Commercial Standard CS67-38 (issued by the National Bureau of Standards).

(3) "Copper" means unalloyed copper.

(4) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include metal alloy made from scrap. Copper base alloy does not include "karat gold."

(5) "Inter-liner" means any copper or copper base alloy used between karat gold and silver or other metal in the manufacture of gold filled stock and rolled gold plate.

(b) *Restrictions covering rolled gold plate and gold filled stock.* After August 7, 1944, no person shall make, sell, accept delivery of, or use rolled gold plate or gold filled stock, in which the base metal is copper or copper base alloy or in which the copper or copper base alloy inter-liner or inter-liners equals or exceeds 10% of the total weight of the finished rolled gold plate or gold filled stock, for any purpose for which the use, delivery or acceptance of delivery of copper is prohibited by Orders M-9-c, M-9-c-2, or any other War Production Board order. Rolled gold plate or gold filled stock in which the base is not copper or copper base alloy, and in which the total weight of the inter-liner or inter-liners is less than 10% of the total weight of the finished rolled gold plate or gold filled stock, shall not be considered a copper material and hence shall not be subject to Orders M-9-c, or M-9-c-2, or other War Production Board orders relating to copper or copper base alloy, but the use of copper base alloy containing tin for such inter-liner is prohibited in any event.

(c) *Purchase of copper for inter-liners.* Any person who wants to buy copper or copper base alloys for use as inter-liner as permitted by this Direction may place an order by the use of the symbol S-4 and the standard certification prescribed in Priorities Regulation 7. Such an order is an authorized controlled material order for the purpose of all CMP Regulations.

NOTE: Paragraph (d), formerly paragraph (c) redesignated Sept. 18, 1944.

(d) *Application of other orders.* After August 7, 1944, the provisions of this Direction with respect to rolled gold plate and gold filled stock shall govern in any case where they are inconsistent with the provisions of Order M-9-c, M-9-c-2, or any other order of the War Production Board restricting the use of copper or copper base alloy. In all other respects, any more restrictive provisions of an order of the War Production Board shall prevail. No provision of this direction shall be deemed to relieve any person from complying with any of the restrictions of Order M-199.

Issued this 18th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14394; Filed, Sept. 18, 1944; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-70, as Amended Sept. 18, 1944]

JUTE AND JUTE PRODUCTS

§ 3290.271 *Conservation Order M-70*—(a) *Control and allocation.* No processor shall make or accept delivery of, or use or put into process raw or scrap jute, jute products or scrap jute manufactured products in violation of directions of the War Production Board issued pursuant to this paragraph. The War Production Board may from time to time allocate the supply of raw and scrap jute, jute products and scrap jute manufactured products, and specifically direct the time, manner and quantities in which deliveries to or by particular processors shall be made or withheld. It may also direct or prohibit particular uses of raw and scrap jute, jute products and scrap jute manufactured products.

(b) *Restrictions on processing, sale and use.* (1) (i) No person shall use or put into process any raw jute, except for the manufacture of the products listed in List A.

(ii) No person shall use any product listed in List A, except for the uses there specified.

(iii) No person shall use any imported jute product listed in List C, except for the uses there specified.

(iv) Where restrictions on sale are listed in List A or C, no person shall sell any product covered by such restrictions, except in conformity with those restrictions.

(2) No processor shall put into process in any calendar month more raw jute than is necessary to meet his required deliveries of jute products and to maintain a practicable minimum working inventory. The term "practicable minimum working inventory" is to be strictly construed as meaning the minimum inventory which will permit of economical operation of plant and will depend, in each case, upon the practicability of changing a spinning system from the manufacture of one product to another.

(3) Whether he uses jute or any other fiber, no person shall use any soft fiber carding, drawing, roving or spinning machinery in the manufacture of any products other than products specifically permitted in this order, or in any other conservation order of the War Production Board specifically regulating the end uses for which fiber may be processed. This subparagraph does not apply to machinery normally used for processing scrap jute.

(c) *Restrictions on delivery.* No person shall sell or deliver any product controlled by this order if he knows or has reason to believe that the person who is buying or accepting delivery of the product will use it in a manner which this order, including Lists A and C, does not permit. He should satisfy himself as to this in some reasonable manner before making delivery. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(d) *Importations.* The importation of jute and jute products shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(e) *Restrictions on the use of damaged jute and damaged jute products.* Any processor, person or dealer who has in his possession damaged jute defined in paragraph (f) (13), or jute products defined in paragraph (f) (3) that are damaged, shall report to the War Production Board the nature of the damage and the quantity not suitable for the manufacture of the products, or for the end uses, permitted by this order. The report shall be by letter setting forth all pertinent facts, including a statement of the portion of each bale or package actually damaged. After making that report and receiving from the War Production Board an acknowledgement which does not object to his claim of damage, he may then use or dispose of the portion of each bale or package, actually damaged and so reported, free from the restrictions of this order excepting the restrictions in paragraph (b) (3).

(f) *Definitions.* For the purposes of this order:

(1) "Raw jute" means unprocessed jute, including butts, meshta, urena lobata of all grades (commonly called congo jute) and punga.

(2) "Scrap jute" means the material commonly called scrap jute, including millrun bagging, and sugar cloth; and burlap, excepting roofing bagging, which has been used as a container or cover, but which cannot be reclaimed for use as a container or cover by mending or other means.

(3) "Jute product" means any product processed from raw jute, either alone or in combination with other material, including but not limited to yarn, roving, rope, twine, scrim, webbing, brattice cloth, linoleum burlap, woven jute fabric, imported jute bags, sacking cloth, interlinings, and new or rewoven bale covering containing raw jute for covering raw cotton. The term shall not include burlap as defined in Conservation Order M-47, as amended, or sugar sacking for sugar areas in the Western Hemisphere.

(4) "Scrap jute manufactured product" means any end product manufactured from scrap jute either alone or in combination with other material including, but not limited to, new or rewoven jute bale covering for covering raw cotton, carded or garnetted jute felt or jute sliver, oakum and twisted jute packing and punched jute felts.

(5) "Domestic jute product" means any jute product processed in the continental United States.

(6) "Imported jute product" means any jute product, excepting burlap as defined in Order M–47, imported into the continental United States in the processed form.

(7) "Woven jute fabric" means fabric woven from jute and weighing not more than 6 ounces per yard, basis forty inches wide, excepting scrim.

(8) "Scrim" means a woven fabric composed of single yarns, not exceeding 10 threads per inch, counting the warp and filling, and weighing not more than 3.6 ounces per yard, basis forty inches wide.

(9) "Webbing" means a woven fabric, with fast edges, not exceeding 12 inches in width.

(10) "Processor", as applied to raw jute, means any person who puts into process in the continental United States raw jute, by performing any operation up to or through the manufacture of roving or yarn; as applied to scrap jute, it means any person who puts into process in the continental United States scrap jute for any purpose.

(11) "Put into process", as applied to raw jute, means placing it upon a processing machine; as applied to scrap jute, it means reclamation either by mending, by converting into fiber, or by placing scrap jute or the fiber resulting from such conversion upon a processing machine.

(12) "Dealer" means any person who purchases jute or jute products for resale but does not include a person who sells only at retail.

(13) "Damaged jute" means jute that has been rejected by Defense Supplies Corporation, or jute upon which an adjustment has been made by an insurance adjuster as a result of any kind of damage making a given bale or bales unsuitable, wholly or in part, for use in the manufacture of products permitted by this order.

(14) "Continental United States" means the forty-eight states and the District of Columbia.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(h) *Reports.* Each person classified below must within the period specified in the reporting form, file with the War Production Board each form applicable to his operations, giving the information required, as follows:

Who shall file	*Form number*
A person in the business of receiving, processing, owning or controlling raw jute.	WPB–914 (Formerly PD–469); WPB–2901, Part III.
A person in the business of processing scrap jute.	WPB–3712.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference M–70.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with The Federal Reports Act of 1942.

Issued this 18th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

(1) Single or plied yarn or roving for use in, or as:

(i) Fuses.

(ii) Electric cable or electric appliances, whether such yarn or roving is treated or untreated.

(iii) Packing material, braided or twisted, to fill orders bearing a preference rating of, AA–5 or higher.

(iv) New or rewoven bale covering for covering raw cotton: *Provided, however,* That no raw jute except butts shall be used in the manufacture of such roving or yarn.

(v) Jute centers for wire rope and wire cable.

(vi) Webbing, to fill orders bearing a preference rating of AA–5 or higher.

(vii) Webbing, for purposes other than those specified in subparagraph (1) (vi) of this List A in an amount in any calendar month not in excess of 20% of his average monthly shipments during the calendar year 1941.

(viii) Twine.

(ix) Rope, *Provided,* That yarn or roving shall be sold and delivered only to processors of rope who have received, for the calendar quarter in which delivery is to be made, directions from the War Production Board setting forth the proportions in which their deliveries of jute rope are to be apportioned between the several claimant agencies.

(2) Single yarn or scrim for use in reinforced paper.

(3) Oakum or twisted jute packing rope, *Provided, however,* That no raw jute except butts shall be used.

(4) Carded jute or jute sliver for use in insulating material, *Provided, however,* That no raw jute except butts shall be used in the manufacture of such carded jute or jute sliver.

(5) Jute sliver for use in the manufacture of tinned copper or copper alloy products.

NOTE: Paragraph 6, formerly 5, redesignated Sept. 16, 1944.

(6) Any other products not specifically elsewhere provided for in this order to fill orders of and to the extent approved under the specifications of the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration.

LIST B: Deleted May 9, 1944.

LIST C

(1) Brattice cloth, treated or untreated, for use in the control of air flow in mines.

(2) Bale covering, for covering raw cotton.

(3) Scrim, for the manufacture of reinforced paper.

(4) Linoleum burlap, for supplying to or for physical incorporation into products to fill orders for the Army or Navy of the United States, the Veterans Administration, the United States Maritime Commission or the War Shipping Administration, but only to the extent that the use of such linoleum burlap is specifically required by the terms of the prime contract involved, or to accumulate stocks of linoleum, within the limits permitted by § 944.14 of Priorities Regulation No. 1 for sale exclusively to any of the agencies mentioned herein.

(5) Woven jute fabric, to fill orders bearing a preference rating of AA–5 or higher.

(6) Webbing, to fill orders bearing a preference rating of AA–5 or higher.

(7) Webbing, for purposes other than those specified in paragraph (6) of this List C, in an amount in any calendar month not in excess of 20% of his average monthly sales or use during the calendar year 1941.

(8) Jute bags for purposes permitted under Conservation Order M–221, as it may be amended from time to time.

(9) Single or plied jute yarn or roving for use in manufacture of rope.

[F. R. Doc. 44–14393; Filed, Sept. 18, 1944; 11:18 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R–1, Appendix IV as Amended Sept. 16, 1944]

TIRE ALLOTMENT PLAN

(a) *What this order does.* This order places truck-bus tires, tractor-implement tires, and industrial tires under allocation and prescribes a procedure for the distribution of these products among claimant agencies on a quarterly basis.

For convenient reference, a summary of the "dead line" dates provided in the order as applied to any quarterly period, follows:

Dead Line	Action required	Paragraph
Feb–May–Aug–Nov.:		
1	Claimants' requirements	(d)(1)
1	Producer's production estimates	(e)
15	Allotments to Claimants	(d)(2)
20	Claimants' break-down between original equipment and replacement.	(d)(3)
25	Production directive to producers	(e)
Mar–Jun–Sept–Dec.:		
1	Vehicle manufacturer's authorization	(g)
15	Vehicle manufacturer's certification to his supplier	(h)
	Procuring agency's certification for replacement	(i)
20	Unplaced orders referred to WPB	(j)
20	Producers' open capacity reports	(k)
Beginning of quarter	Placement of unplaced orders	(j)
	Frozen schedule	(p)

Definitions

(b) *Meaning of certain terms.* As used in this order:

(1) "Tires" means tires in the groups subject to allotment. These tire groups are defined in paragraph (d). Each group is divided into sub-groups.

(2) "Producer" means a manufacturer of tires in the groups subject to allotment.

(3) "Vehicle manufacturer" means a manufacturer of rubber-borne vehicles or equipment having tires in the groups subject to allotment as part of the original equipment.

(4) "Claimant agency" means any of the following Government Offices (identifying symbols are indicated):

Military Claimants

War Department (except Ordnance, which is identified by the Symbol (O)	(W)
Navy Department	(N)
Maritime Commission	(M)
Aircraft Resources Control Office	(C)
Foreign Economic Administration—Lend-Lease	(L)

Indirect Military Claimants

Office of Defense Transportation	(T)
Office of Operations Vice Chairman[1]	
Foreign Economic Administration—Economic Warfare	(E)
War Food Administration	(A)

[1] See Table 1 attached.

Requirements, Capacities and Allotments

(c) *Forward estimates of production by producers.* Two months preceding the quarter to be covered by allotments to the claimant agencies or on or before February 1, May 1, August 1, November 1, each producer shall submit by letter to the War Production Board forward estimates of his production for the quarterly period in each of the groups and sub-groups set forth in the following paragraph. In addition, each producer shall submit similar forward estimates of his production for the following three quarterly periods.

(d) *Allotments to claimant agencies.* (1) Two months preceding the quarter to be covered by the allotment or on or before February 1, May 1, August 1, November 1, each claimant agency shall transmit to the War Production Board its total requirements for the quarterly period in each of the following groups and sub-groups:

Group A—Truck-bus tires: (This group includes truck-bus type and special purpose type pneumatic tires in all treads, whether for use on trucks, buses, farm equipment, construction machinery or other vehicles. It also includes highway type solid tires for use on any vehicles or equipment.)

A–1—Combat tires.

A–2—Extra large size tires, 16.00 and larger cross-section.

A–3—Large size tires, 9.00 through 14.00 cross-section except 9.00 x 16, 8 ply; also the following tires: 7.50 x 15, 10–12 ply; 8.25 x 15—10, 12 and 14 ply.

A–4—Medium size tires (dual bead), all 10 ply up to and including 8.25 cross-section, excluding 7.50 x 15 and 8.25 x 15.

A–5—Small size truck type tires (single bead) 8 ply and under, and 9.00 x 16, 8 ply; but excluding tires described in subgroup A–6 below.

A–6—Tires with 15 inch and 16 inch rim diameters, up to and including 7.50 cross-section (4, 6 and 8 ply only).

A–7—Solid tires.

Group B—Tractor-implement tires: (This group includes pneumatic tractor-implement type tires over 21" rim diameter and also includes size 9.00 x 16, in all treads for use on any vehicles or equipment).

B–1—Tires over 21" rim diameter and size 9.00 x 16.

Group C—Industrial tires: (This group includes pneumatic and pressed-on solid tires designed for industrial equipment. Bogie rollers are also included but only to October 1, 1944.

C–1—Bogie rollers (included to October 1, 1944 only).

C–2—Pressed-on industrial type solids, including industrial-tractor pressed-on solids, all sizes.

C–3—(Deleted).

C–4—Industrial type pneumatic tires (all sizes).

These requirements shall be divided between original equipment and replacement for each group and sub-group.

In addition, each claimant agency shall furnish to the War Production Board its estimated requirements for each group and sub-group for the following three quarterly periods.

(2) Upon the basis of requirements submitted by each claimant agency the War Production Board will allot on or before the 15th day of the second month preceding the quarter to be covered by the allotment, to each claimant a quantity of tires by groups and sub-groups for the following quarterly period and shall also make tentative allotments to each claimant for the following three quarterly periods.

(3) Within 5 days after receipt of its allotment, each claimant agency shall furnish to the War Production Board a statement showing the break-down of its allotment by group and sub-group between original equipment and replacement.

(e) *Issuance of production directives to producers.* Not later than 10 days after the time prescribed in the preceding paragraph for the issuance of allotments to the claimant agencies, War Production Board will issue to each producer a directive for the period covered by the allotments, prescribing the percentage of the producer's facilities by groups and sub-groups allocated to the production of the following classes of orders:

(1) Original equipment; (2) replacement by military claimants; (3) indirect military replacement.

"Indirect Military" refers to claimants not designated as military claimants in paragraph (b) (4).

(f) [Deleted May 31, 1944]

Original Equipment

(g) *Vehicle manufacturer's authorization.* (1) Each manufacturer of vehicles or equipment listed in Table I must file his application for original equipment tires on Form WPB–3663 with the appropriate industry division of the War Production Board in accordance with instructions accompanying the form, unless he is specifically excused from filing. A manufacturer of vehicles or equipment not listed in Table I need not file Form WPB–3663, unless he is specifically instructed to do so.

(2) On or before the first day of the month preceding each quarter, manufacturers of vehicles and equipment listed in Table I for which tires have been allotted, will be authorized by the War Production Board on Form GA–1733 to accept delivery of a specified number of tires by group and sub-group. In the case of tire mounted vehicles or equipment not listed in Table I, similar authorizations will be issued to vehicle manufacturers by the appropriate claimant agency.

(3) No manufacturer may accept delivery of tires for his production of vehicles or equipment (including tire mounted components of vehicles or equipment) unless he has been specifically authorized to accept such delivery under this order.

(h) *Vehicle manufacturer's certification to his supplier.* (1) In order to receive tires for original equipment, each vehicle manufacturer authorized under the preceding paragraph must certify to his supplier not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, in substantially the following form signed by an authorized official:

Agency identification number or symbol _____ The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is authorized to accept delivery of the following tires for his production during the quarterly period commencing _____, 1944; that the monthly deliveries specified will not result at any time in an inventory exceeding 10 days' supply based upon his total authorized monthly production:

Size Ply Type Quantity

The identification number shall consist of the appropriate symbol followed by the major program number (see Table I, unless authorization is issued by claimant agency).

No certification other than the above is required. The standard form of certification provided in Priorities Regulation 7 may not be substituted.

(2) By using the above certification, a vehicle manufacturer who buys tire mounted components for his production may authorize the manufacturer of the components to accept delivery of tires. On the basis of the certification received from his customer, the manufacturer of the tire mounted components shall use the same certification in placing his orders for tires with a producer. He must place his certified orders within the time prescribed for vehicle manufacturers.

(3) A vehicle manufacturer's authorization for tires may be reduced or cancelled at any time by the War Production Board or claimant agency issuing the same. A manufacturer who is notified that his authorization has been reduced or cancelled must immediately reduce or cancel delivery orders which he has placed under his authorization to the extent necessary to bring scheduled deliveries within the authorized amount.

(4) A vehicle manufacturer's authorization for tires may be increased by the War Production Board or claimant agency issuing the same at any time during the quarter covered by the authorization.

In placing orders under an increase in authorization, a vehicle manufacturer must certify to the producer that he does so under "Increase dated _____," and in addition, must use the above certification for vehicle manufacturers signed by an authorized official. This may be done by preceding the certification with "Increase dated _____" (inserting date of increase). If the vehicle manufacturer is unable to place his certified order for additional tires, it may be referred to the War Production Board, for placement.

The procedure described in (2) above may be followed in authorizing a manufacturer of tire mounted components to receive tires under the increase, but the increase must be identified by date in the certification.

(5) No manufacturer shall certify an order for original equipment tires until he has received his authorization under this order.

Replacement

(i) *Replacement by procuring claimant agency.* In order to receive tires for replacement purposes under its allotment for any quarter, a claimant agency which purchases tires must certify to its supplier on or before the 15th day of the month preceding the quarter in substantially the following form signed by an authorized official:

Agency identification symbol _____ The undersigned certifies that the claimant agency identified by the above symbol is authorized to procure the following tires for replacement during the quarter commencing _____, 1944 and that the tires have been charged against its allotment for that period:

Size Ply Type Quantity

Open Capacity and Unplaced Orders

(j) *Placement against open capacity.* Unplaced certified orders may be referred to the War Production Board, for placement on the basis of open capacity reports received from producers. Unplaced orders must be received by the War Production Board on or before the 20th day of the month preceding the first month of the quarter for which the orders are certified.

(k) *Report by producer of his open capacity.* Each producer shall report to the War Production Board, by letter not later than the 20th day of the month preceding the first month of the quarter, the open capacity he has available for the production of tires in each group and sub-group, after making provision for the scheduling of all orders placed with him as of the last day for placement of orders for production during the quarter. This report shall be based upon the percentage allocation of his production facilities made by directive issued to him under paragraph (e).

Producer's Acceptance and Shipment of Orders

(l) *General restrictions on acceptance.* Unless otherwise directed under the provisions of this order, no producer shall accept or fill any orders for tires except: (1) Orders certified under paragraphs (h) or (i) and presented to him within the prescribed time for placement; (2) orders for indirect military replacement.

Orders certified under paragraphs (h) or (i) must be presented not later than the 15th day of the month preceding the first month of the quarter in which shipments are to be made, except certified orders based upon an increase in a vehicle manufacturer's authorization, which may be presented at any time during the quarter.

(m) *Acceptance or fulfillment of orders in excess of authorized production.* No producer shall accept or fill any orders for tires to be delivered in any quarter in excess of the percentage allocation of his facilities for the particular class of order established by his production directive issued under paragraph (e), unless otherwise directed under the provisions of this order. No producer shall accept orders in excess of 100% of his expected production for the quarter.

(n) *Limitation on size of shipments.* No producer may ship in any calendar month to a vehicle manufacturer or claimant agency more than 40% of the tires in any size or type scheduled by him for shipment during the quarter to the particular manufacturer or agency under certified orders unless he can do so without interfering with other certified orders on his schedule. Shipments for indirect military replacement may be made only to the extent that the shipments do not interfere with the producer's frozen schedule under paragraph (p).

Scheduling Provisions

(o) *Directions by claimant agency.* A claimant agency which purchases tires may issue the following written directions to a producer: (1) Diverting a particular shipment of tires scheduled for its account by the producer; (2) changing tire sizes to be produced for its account within a particular sub-group but only if the production capacity required and the total number of tires scheduled for its account are not increased by the change.

(p) *Frozen production schedule.* On the first day of the quarter, each producer's production schedule shall become a frozen schedule within the meaning of Priorities Regulation 18 for the quarterly period, and may not be altered except as provided in that regulation. A producer may, however, accept certified orders based upon an increase in a vehicle manufacturer's authorization unless the production or shipment of any such orders will interfere with his frozen schedule. In addition, written directions may be issued by a claimant agency under paragraph (o).

The following orders shall automatically become part of a producer's frozen schedule:

(1) Orders for original equipment tires which have been certified under paragraph (h) and which the producer has accepted and agreed to ship during the quarter.

(2) Orders placed with him by the War Production Board on the basis of his open capacity report for the quarterly period.

(3) Orders for replacement tires which he has accepted and agreed to fill during the quarterly period.

(q) *Other scheduling provisions.* With respect to the production or shipment of tires, the War Production Board may notwithstanding any other order, preference rating, directive, rule, or regulation (except Priorities Regulation No. 18) of the War Production Board or other Governmental agency:

(1) Direct the return or cancellation of any purchase order on the books of a producer.

(2) Direct changes in the production or shipping schedule of a producer.

(3) Cancel purchase orders placed with one producer and direct that they be placed with another producer.

Miscellaneous Provisions

(r) *Effect of preference ratings.* Within the limits established by his production directive, a producer shall accept orders certified under paragraphs (h) and (i) in the order in which they are received by him without regard to preference ratings.

(s) *Status of unfilled orders at end of quarter.* Unless authorized in writing by the War Production Board, no producer shall carry over any order which he has accepted for delivery during a particular quarter and which he has been unable to produce and ship during that quarter to the following quarter.

(t) *Duplication of orders.* No purchaser of tires shall duplicate an order for tires in any group or sub-group even though he intends to cancel or reduce his orders to the authorized or allotted amount prior to delivery.

(u) *Use of producer's interchangeable facilities.* A producer shall use his interchangeable facilities in accordance with List 6, Appendix II, Rubber Order R-1 as amended.

(v) [Deleted May 31, 1944.]

(w) *Applicability of regulations.* Except as otherwise provided, this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(x) *Appeals.* Any appeal from the provisions of this order shall be made in writing to the Rubber Bureau, War Production Board, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(y) *Communications.* All reports required to be filed under this order and all communications concerning this order shall, unless otherwise directed, be addressed to the Production and Priorities Department, Rubber Bureau, War Production Board, Washington 25, D. C., Reference: Order R-1.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I

All original equipment tires for the following products and programs will be distributed by the War Production Board through its Industry Divisions and vehicle manufacturers should direct their applications to the War Production Board, Washington 25, D. C., Attention: the appropriate Industry Division, regardless of the claimant agency for which the vehicle will be produced.

The Office of Operations Vice Chairman is designated as the claimant for the programs listed in Table I to the extent that they involve the manufacture of rubber-borne vehicles and equipment (indirect military only) having tires in the groups subject to allotment as part of the original equipment, except for Foreign Economic Administration, Economic Warfare or as otherwise noted in the table:

Program[1] symbol	OMP code	Product description
AUTOMOTIVE DIVISION		
B-4	251	Automotive maintenance equipment.
B-4	256	Aircraft ground servicing equipment.
B-4	400	Diesel and gasoline engine driven generator sets.
AUTOMOTIVE (C/O OCO-D)[2]		
S-0	[4] 763	Trucks and truck-tractors, highway type.[4]
S-0	764	Off-the-highway motor vehicles.
S-0	[4] 765	Truck trailers, highway type.[4]
S-0	[4] 767	Third axle attachments for trucks.[4]
		Other vehicles scheduled on Form GA-1188.
BUILDING MATERIALS DIVISION		
B-7	646	Hand tools (wheelbarrows).
B-7	742	House trailers.
CONSTRUCTION MACHINERY DIVISION		
B-0	308	Construction equipment, tractor-mounted.
G-1	309	Construction equipment, special ized.
G-1	310	Construction material mixers, pavers, spreaders.
G-1	311	Construction material processing equipment.
B-8	312	Power, cranes, shovels, etc.
G-1	313	Scrapers, maintenance and graders.
B-8	316	Drilling and boring machinery.
CONSUMERS DURABLE GOODS DIVISION		
G-2	110	Power cycles.
G-2	484	Lawn mowers.
G-2	563	Commercial food preparation and service equipment.
FARM MACHINERY AND EQUIPMENT DIVISION		
A-2	[5] 319	Industrial tractors, wheel type.[5]
A-2	[5] 450	Earth working, fertilizing, spraying, etc. machinery.[5]
A-2	[5] 451	Farm elevators, harvesting, haying machinery.[5]
A-2	[5] 471	Wheeled tractors, farm.[5]
A-2	[5] 452	Farm wagons, irrigating equipment, pumps, etc.
GENERAL INDUSTRIAL EQUIPMENT DIVISION		
G-7	138	Compressors and dry vacuum pumps.
J-5	145	Conveyors and conveying systems.
J-5	147	Industrial hand-operated trucks and casters.
J-5	148	Industrial trucks and tractors, power-operated.
J-5	149	Industrial fans, blowers and exhausters.
J-5	163	Industrial spraying equipment.
J-5	167	Industrial lubricating equipment.
J-5	236	Logging and sawmill machinery and power pulpwood saws.
J-6	107	Motorized fire apparatus.
J-6	434	Mobile X-ray equipment.
J-6	613	Surgical and medical equipment.
J-6	669	Surgical and medical supplies.
SERVICE EQUIPMENT DIVISION		
S-4	428	Vacuum cleaners.
S-4	483	Floor finishing equipment.
TOOLS DIVISION		
K-7	146	Cranes and hoists.
K-7	362	Foundry machinery.
TRANSPORTATION EQUIPMENT DIVISION		
K-8	164	Railroad and transit maintenance-of-way equipment.
K-9 or T-4	[4] 754	Motor buses.[4]
K-9 or T-4	[4] 756	Trolley buses.[4]

[1] This is the program symbol under which authorization for tires for original equipment in these groups will be issued, regardless of the symbol under which the order for the vehicle was placed.

[2] WPB-3663 applications for tires for vehicles in CMP codes 763, 764, 765, and 767 should be addressed to War Production Board, Automotive Division, c/o Office, Chief of Ordnance, Detroit 32, Michigan, and should be marked "Route Direct."

[3] WPB-3663 applications for tires for vehicles in CMP codes 137 and 317 should be addressed to the Petroleum Administrator for War, Washington 25, D. C.

[4] The Office of Defense Transportation is claimant for tires for highway vehicles in CMP codes 763, 765, 767, 754 and 756.

[5] The War Food Administration is claimant for tires for vehicles in CMP codes 319, 450, 451, and 471 for on-farm use within the United States.

Office of Operations Vice-Chairman is also designated as Claimant for replacement tires for miscellaneous off-the-highway (including in-plant) vehicles and equipment (indirect military only).

[F. R. Doc. 44-14333; Filed, Sept. 16, 1944; 11:44 a. m.]

TABLE I—Continued

Program[1] symbol	OMP code	Product description
GENERAL INDUSTRIAL EQUIPMENT DIVISION—con.		
F-1	366	Welding equipment and apparatus, electric.
G-6	401	Portable motor generator sets.
J-3	406	Motor control equipment and portable rectifiers.
GOVERNMENT DIVISION		
S-4	681	Sewer cleaning machinery.
MINING DIVISION		
J-7	300	Shuttle cars.
J-7	301	Cutting machines (and trucks).
J-7	315	Coal drills and core drills.
OFFICE OF OPERATIONS VICE CHAIRMAN (C/O P., A., W.)[3]		
P-2	137	Petroleum dispensing pumps.
P-2	317	Petroleum machinery and equipment.
PLUMBING AND HEATING DIVISION		
J-8	923	Portable unit heaters.
SAFETY AND TECHNICAL EQUIPMENT DIVISION		
J-6	107	Motorized fire apparatus.
J-6	434	Mobile X-ray equipment.
J-6	613	Surgical and medical equipment.
J-6	669	Surgical and medical supplies.
SERVICE EQUIPMENT DIVISION		
S-4	428	Vacuum cleaners.
S-4	483	Floor finishing equipment.
TOOLS DIVISION		
K-7	146	Cranes and hoists.
K-7	362	Foundry machinery.
TRANSPORTATION EQUIPMENT DIVISION		
K-8	164	Railroad and transit maintenance-of-way equipment.
K-9 or T-4	[4] 754	Motor buses.[4]
K-9 or T-4	[4] 756	Trolley buses.[4]

[1] This is the program symbol under which authorization for tires for original equipment in these groups will be issued, regardless of the symbol under which the order for the vehicle was placed.

[2] WPB-3663 applications for tires for vehicles in CMP codes 763, 764, 765, and 767 should be addressed to War Production Board, Automotive Division, c/o Office, Chief of Ordnance, Detroit 32, Michigan, and should be marked "Route Direct."

[3] WPB-3663 applications for tires for vehicles in CMP codes 137 and 317 should be addressed to the Petroleum Administrator for War, Washington 25, D. C.

[4] The Office of Defense Transportation is claimant for tires for highway vehicles in CMP codes 763, 765, 767, 754 and 756.

[5] The War Food Administration is claimant for tires for vehicles in CMP codes 319, 450, 451, and 471 for on-farm use within the United States.

Office of Operations Vice-Chairman is also designated as Claimant for replacement tires for miscellaneous off-the-highway (including in-plant) vehicles and equipment (indirect military only).

[F. R. Doc. 44-14333; Filed, Sept. 16, 1944; 11:44 a. m.]

Chapter XI—Office of Price Administration

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19,[1] incl. Amdts. 1–4]

SOUTHERN PINE LUMBER

This compilation of 2d Revised Maximum Price Regulation 19 includes Amendment 4, effective September 19, 1944. The amended portions are indicated by underscoring or notes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. The standards and specifications used in this regulation were, prior to such use, in general use in the Southern pine lumber industry. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[2]

§ 1381.201 *Maximum prices for southern pine lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Second Revised Maximum Price Regulation No. 19 (Southern Pine Lumber), which is annexed hereto and made a part hereof, is hereby issued.

SECOND REVISED MAXIMUM PRICE REGULATION No. 19—SOUTHERN PINE LUMBER

ARTICLE I—SCOPE OF REGULATION

Sec.
1. Prices higher than ceiling prohibited.
2. What transactions are covered.
3. What products are covered.
4. What persons are covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Basic prices and cash discount.
6. Distributors' direct-mill sales.
7. Addition for direct-mill retail sale.
8. Transportation charges.
9. Grade marking and anti-stain.
10. Special rule on averaging out freight.
11. Special pricing rules.
12. F. A. S. sales.
13. What the invoice must contain.
14. Prohibited practices.
15. Adjustable pricing.
16. Sales for export.

ARTICLE III—MISCELLANEOUS

17. Applications for adjustment and petitions for amendment.
18. What records must be kept.
19. Enforcement.
20. Licensing.
21. Grades.
22. Grades, services or extras not listed.

ARTICLE IV—APPENDIX A: SHORTLEAF YELLOW PINE LUMBER

ARTICLE V—APPENDIX B: LONGLEAF YELLOW PINE LUMBER

ARTICLE VI—APPENDIX C: TABLE OF ESTIMATED WEIGHTS

[1] 9 F.R. 1162.

[2] Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

AUTHORITY: Secs. 1 to 22, inclusive (§ 1381.201), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. *Prices higher than ceiling prohibited.* (a) On and after February 4, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive any Southern pine lumber for direct-mill shipment at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

(b) Prices lower than the ceiling prices may, of course, be charged and paid.

SEC. 2. *What transactions are covered.* (a) This regulation covers, under the name of "sales for direct-mill shipment" all sales of Southern pine lumber, no matter who the seller is, and regardless of the quantity involved, except sales of Southern pine lumber which was part of the regular stock of a distribution yard at the time the sale was made.

Moreover, sales of shortleaf Southern pine boards, dimension, and timbers up to 8 x 8 inches, sold by sawmills which do not have planing mills or which customarily sell their lumber in rough green form, and which cut 4,000,000 feet or less of Southern pine lumber in 1943, are not subject to this regulation, but are subject to Maximum Price Regulation 19A,[3] Log-Run Southern Pine Lumber. Any sawmill subject to this Second Revised Maximum Price Regulation 19 may on special application to the Lumber Branch, Office of Price Administration, Washington, D. C., be granted permission to price all his sales of Southern pine lumber under the log-run prices in Maximum Price Regulation 19A.

[Paragraph (a) amended by Am. 2, 9 F.R. 2915, effective 3–16–44]

(b) *How to tell a mill from a distribution yard.* The term "mill" as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishments are described below: the first, (1) a typical sawmill or planing mill; the second (2) a typical concentration yard; and the third, (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill; and one which resembles (3) more than it does (1) or (2) is considered a distribution yard.

(1) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Southern pine and associated species of lumber;

(2) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock mostly Southern pine and associated species of lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail and/or full truck-load shipment and which has been located at its particular site to be near the lumber producing area;

(3) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber, except for local species, mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which had been located at its particular site in order to be near a lumber consuming area.

(c) *New yards or changed status.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards, either new or resulting from a change in operations, set up after May 24, 1943, unless the yard writes to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose of this regulation.

SEC. 3. *What products are covered.* This regulation covers all items of Southern pine lumber, whether the item is specifically named in the price tables or not (except switch ties and cross ties, which are subject to Second Revised Maximum Price Regulation 216[4]—Railroad Ties).

This means all lumber of the species included in the following definitions of shortleaf and longleaf yellow pine (the term lumber as used in this regulation includes mouldings):

[Above paragraph amended by Am. 3, 9 F.R. 6232, effective 6–12–44]

(a) "Shortleaf yellow pine" means the species of shortleaf pine (Pinus echinata), loblolly pine (Pinus taeda), slash pine (Pinus caribaea), such longleaf pine (Pinus palustris) as contains less than six annual rings per inch and less than one-third summerwood, or any other pinus species, (except longleaf yellow pine, as defined in paragraph (b) of this section) known commercially as "Southern pine."

(b) "Longleaf yellow pine" means the botanical species of Pinus palustris which contains not less than six annual rings per inch and not less than one-third summerwood.

SEC. 4. *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association or any other organized group, their legal successors and representatives, the United States or any government or any of their political subdivisions or any agency of any of the foregoing.

[3] 9 F.R. 2922, 2947, 7853.

[4] 7 F.R. 7097, 7368, 8199, 8403, 8948, 9130, 10782; 8 F.R. 434, 7268, 12936, 16209; 9 F.R. 1526, 3342, 7943.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 5. *Basic prices and cash discount*—(a) *Basic prices.* The maximum f. o. b. mill prices for shortleaf Southern pine lumber are set forth in Article IV and for longleaf Southern pine lumber in Article V.

"F. o. b. mill" means loaded on cars if any part of delivery is by rail, or loaded on trucks if delivery is entirely by truck.

[Paragraph (a) amended by Am. 2, 9 F.R. 2915, effective 3–16–44]

(b) *Cash.* If cash is paid the maximum price must be reduced by the seller's August 1941 cash discount. When a seller was not in business in August 1941, 2% cash discount for payment in 10 days shall be allowed. On specific written allocations issued by the Office of Chief of Engineers, War Department, the terms 30 days net may be used by the seller regardless of his established practice.

(c) *Shortleaf Southern pine lumber produced in Virginia.* For shortleaf Southern pine lumber produced in the State of Virginia add $2.50 per M'BM to the f. o. b. mill prices set forth in Article IV, except that no addition may be made to the prices in Tables 3A, 9, 9A, 9B, 10, 11, 12 and O. G. Batts in Table 4. This addition shall not be made, however, for the purpose of computing maximum prices under Second Revised Maximum Price Regulation 215,[5] Distribution Yard Sales of Softwood, except by yards located in Virginia.

[Paragraph (c) amended by Am. 2, 9 F.R. 2915, effective 3–16–44]

(d) *Combination grades.* (1) Lumber sold in a combination of grades may not be sold above the maximum price for the lowest-priced grade actually named in the combination except as noted below in subparagraph (2) for the grade "No. 2 Common and better." For example, the maximum price for lumber sold as No. 1 Common and better is the maximum price fixed for No. 1 Common lumber. But it is permissible to sell a combination of grades where the exact quantity of each grade shipped is separately shown on the invoice and segregated in the car by strips (except timbers) or otherwise made easily identifiable to the purchaser and separately tallied (tally card to be included in car), in which case the appropriate ceiling price for the quantity of each grade shipped may be charged.

(2) Any mill may sell dressed dry Southern pine lumber on a combination grade of No. 2 Common and better containing up to 15% of No. 3 Common at not more than the prices established in Tables 1 and 2 for No. 2 Common. This combination grade must contain all of the upper grades which are the product of the log and no mill electing to sell on this combination grade may sell any lumber at prices in excess of the No. 2 Common prices specified in Tables 1 and 2 during the period for which it is authorized to sell on the combination grade. It may, however, during this period sell grades lower than No. 2 Common at the grade prices specified in the Tables 1 and 2.

Any mill electing to sell on the combination grade No. 2 Common and better must apply for authorization to the Lumber Branch, Office of Price Administration, Washington, D. C. before May 1, 1944 to obtain an authorization number which must thereafter appear on all of its invoices for all its sales of Southern pine lumber. Any mill granted authorization to sell on this combination grade of No. 2 Common and better must give notice of at least ninety days to the Lumber Branch, Office of Price Administration, before it may return to the practice of selling on the regular grades.

The Lumber Branch shall deny the privilege of returning to the practice of selling upon the regular grades unless evidence is presented (1) that the mill has inspectors who are qualified to grade, (2) that the operation is so set up that a good grading job can be done, and (3) that the return to the practice of selling on grade is not for the purpose of selling an accumulation of upper grades withheld from combination grade sales in the past.

[Paragraph (d) amended by Am. 2, 9 F.R. 2915, effective 3–16–44]

(e) *Inspection certificates required on sales of certain grades.* Any shipment of Southern pine lumber priced in Tables 1, 2, 3A, 7, 14, 15, 16A and 21 which does not bear the grade mark of a qualified inspection agency as provided in Federal Specification MM–L–751c (May 20, 1942), must either be accompanied by a certificate of inspection by inspection agency, which has been accepted as satisfactory by any Federal purchasing organization, or be inspected by an inspector from the Federal organization making the purchase, if the shipment contains either (1) 30% No. 1 common and higher grades, or (2) 15% C and higher grades, or (3) 10% B and better. The certificate of inspection must cover all lumber in the shipment. In the absence of such a certificate, where the lumber is not grade marked as specified above lumber invoiced as No. 1 Common and higher grades in any such shipment may not be sold at prices higher than the prices provided in such tables for No. 2 Common.

Federal Standard Stock Catalog, section IV, (Part 5) "Federal Specification For Lumber and Timber; Softwood", MM–L–751c, reads in part as follows:

E. Detail requirements.

E–1. Softwood lumber shall conform to the grading rules of the various lumber associations in effect at the date of invitation for bids where such grading rules are approved by the Central Committee on Lumber Standards as in conformance with "American Lumber Standards" • • •

F. Method of inspection.

F–1. A Federal organization buying softwood lumber shall either require the firm or individual furnishing the lumber to meet the provisions of one of the following three methods of inspection procedure or may leave to the firm or individual furnishing the lumber the choice of any one of the three methods:

(1) The order may specify that each piece of lumber in the shipment must be grade-marked and also marked with the registered trade-mark of either the association or bureau of the association under whose rules it is graded or of another inspection agency satisfactory to the Federal organization making the purchase.

(2) The order may specify that the shipment must be accompanied by a certificate of inspection issued either by the association or bureau of the association under whose rules it is graded or by another inspection agency satisfactory to the Federal organization making the purchase.

(3) The order may specify that inspection will be made by an inspector from the Federal organization making the purchase.

[Paragraph (e) amended by Am. 2, 9 F.R. 2915, effective 3–16–44]

(f) *Tally card requirement.* Every person selling any Southern pine lumber for direct-mill shipment shall post within the freight car, truck, or other means of transport, a tally card showing the point of origin of the shipment and a complete description of the lumber contained in the shipment including the species, condition, working and the number of pieces of each grade, size and length. Any working, specification or extra which affects the maximum f. o. b. mill prices must be mentioned in the description.

[Paragraph (f) added by Am. 3, 9 F.R. 6232, effective 6–12–44]

SEC. 6. *Distributors' direct mill sales.*

[Parenthetical paragraph added by Am. 2, 9 F.R. 2915, effective 3–16–44; deleted by Am. 4, effective 9–19–44]

(a) *Prices*—(1) *Wholesale-type sales.* On direct-mill sales of Southern pine lumber by a direct-mill distributor, there may be added to the regular f. o. b. mill prices established in this regulation 6 percent (but not more than $3.00 per M'BM). The distributor's addition must be evened out to the nearest quarter-dollar per M'BM or in the case of plastering or fence lath to the nearest 5 cents per 1,000 pieces. For example, if the maximum price for a particular item is $30.00 the ceiling price on a wholesale-type sale is $31.75. This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water.

(2) *Commission-type sales.* On commission-type direct-mill sales of Southern pine lumber made through a direct-mill distributor the ceiling price is 4 percent (but not more than $2.00 per M'BM) higher than the regular f. o. b. mill prices established in this regulation. The distributor's commission must be evened out to the nearest quarter-dollar per M'BM or in the case of plastering or fence lath to the nearest 5 cents per 1,000 pieces. The mill must allow the direct-mill distributor a commission at least equal to the excess over the standard f. o. b. mill price. For example, if the maximum price for a particular item is $30.00, the mill ceiling on a commis-

[5] 8 F.R. 14145; 9 F.R. 221, 2553, 2948, 4227, 5314, 6457, 10094.

sion-type sale made through a direct-mill distributor is $31.25 and the mill must allow the distributor at least $1.25. This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water.

(3) *Distribution yard sales.* On direct-mill sales of Southern pine lumber made by wholesale or retail distribution yards, a mark-up of 6 percent (but not more than $3.00 per M'BM) may be made to the regular f. o. b. mill prices established in the regulation. The distributor's addition must be evened out to the nearest quarter-dollar per M'BM or in the case of plastering or fence lath to the nearest 5 cents per 1,000 pieces. This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water. (As to smaller quantities, see section 7 below.)

[Subparagraphs (1), (2), and (3) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

(4) *Mill's price or realization.* This section 6 increases maximum prices only on sales by direct-mill distributors, or yards. The mill's price, or realization after deducting the 4 percent commission, may never be higher than the regular prices established in this regulation. The mill, of course, may sell at a price at which it will realize less than its regular ceiling.

(5) *Pyramiding prohibited.* The price additions permitted in this section 6 may not be made more than once to the regular f. o. b. mill price, regardless of the number of persons participating in the transaction. For example: If direct-mill distributor making a "commission-type" sale sells a car of $30.00 lumber to a yard which, in turn, sells to a consumer for direct-mill shipment, the mill's ceiling price on the sale through the distributor is $31.25 (4 percent addition) and the yard's ceiling price to the consumer is $31.75 (6 percent addition). Note that the yard cannot add its 6 percent either to the $31.25 on a purchase through a direct-mill distributor making a commission-type sale or to $31.75 if the purchase was from a direct-mill distributor making a "wholesale-type" sale. In both cases, the 6 percent may be added only to the regular f. o. b. mill price of $30.00.

Moreover, none of the additions in this section may be applied above the addition for direct-mill retail sales in section 7 below.

(6) *Exceptions.* No commission or addition, as provided in this section, may be charged, paid or collected in connection with any sale of lumber manufactured or concentrated by a mill or concentration yard controlled by the distributor, controlling the distributor or under common control with the distributor.

A direct-mill distributor who sells through another direct-mill distributor lumber from mills or concentration yards which he owns or controls, may not charge any mark-up, commission or addition provided in paragraphs (1), (2) and (3) above on sales of lumber produced by such mills or concentration yards or produced by any other person. Such practice interposes unnecessary middlemen in the distribution of lumber and is a device to get the effect of higher-than-ceiling prices in violation of this section and of section 14(a).

"Control" as used in this section includes all circumstances of common ownership or beneficial interest, profit or loss sharing arrangements, or control based on close family relationships.

[Subparagraph (6) amended by Am. 4, effective 9-19-44]

(b) *Definitions*—(1) *Direct-mill distributor.* A direct-mill distributor is (i) a person whose volume of wholesale-type and commission-type sales of lumber from March 1, 1943 to and including August 31, 1943 was at least 75 percent of his total volume of lumber sales during that period, or whose volume of wholesale-type and commission-type sales of lumber during that period was at least 5,000,000 board feet, (persons who were in the armed services or employed by CPA between these dates may use the six months' period immediately preceding their military induction or employment by CPA); or

[Subparagraph (i) amended by Am. 4, effective 9-19-44]

(ii) A person who has been granted special permission by the Office of Price Administration to sell as a "direct-mill distributor" as provided in paragraph (c) of this section 6.

(2) *"Wholesale-type" sale.* A "wholesale-type" sale is a sale in which the seller buys lumber in carload quantities from a mill or concentration yard, and takes title to and delivers the lumber to the buyer in substantially the same form.

(3) *Commission-type sale.* A "commission-type" sale is a sale through a direct-mill distributor, acting as a commission-man. For purposes of this section, a commission-man is a person who customarily represents and sells lumber in carload quantities for two or more mills or concentration yards, receives his compensation in the form of commissions based on the amount of the lumber sold, and is independent of both buyer and seller.

(c) *New distributors.* Any person who cannot meet the requirements of a "direct-mill distributor", as defined in paragraph (b) (1) (ii) of this section 6, may make special application to the Lumber Branch, Office of Price Administration, Washington 25, D. C. He may be given permission to qualify as a "direct-mill distributor", if he meets the following tests: He must provide evidence from banks or others, showing adequate financial responsibility. He must also fill orders with the Central Procuring Agency totaling at least 1,000,000 feet of Southern pine lumber for delivery within six months, to be shipped from mills which in 1942 produced less than 5,000,000 board feet of Southern pine lumber. In the case of mills which were not operating during substantially the entire year of 1942, shipment must be made from mills whose capacity as rated by the Forest Service is less than 25,000 board feet per day. Final authorization will not be granted until the entire 1,000,000 feet of lumber has been successfully delivered within the six months period. Until final authorization is granted, the 6 percent or 4 percent addition to the maximum price, as the case may be, must be held in escrow by a bank or other third party, on all sales of lumber made by the distributor, and if the quantity is not successfully delivered within the six months, the 6 percent or 4 percent addition must be returned to the buyers.

The authorization will not be granted if it appears that the purpose of the application is to evade the regulation by interposing an unnecessary middleman in the distribution of lumber, who will not in fact render the services characteristically rendered by the type of distributor in question.

(d) *Licenses.* Authorized distributors are licensed under section 20. This means that if, for example, they ship lumber that is not up to grade, specification and tally, they may, subject to the appropriate license suspension proceedings, lose their right not only to charge the price additions but even to continue in business.

(e) *Registration.* Any person qualifying as a "direct-mill distributor" under subparagraphs (b) (i) and (ii) of this section 6 must file a letter with the Lumber Branch, Office of Price Administration, Washington 25, D. C., before March 1, 1944, stating that he meets such requirements. On and after April 1, 1944, no person may make the additions permitted in this section 6 unless he has received a registration number from the Office of Price Administration. This registration number must, after April 1, 1944, be shown on all invoices covering distributors' direct-mill sales carrying the direct-mill distributors' addition.

This registration provision does not apply to distribution yards.

[Paragraph (c) amended by Am. 2, 9 F.R. 2915, effective 3-16-44; Am. 3, 9 F.R. 6232, effective 6-12-44]

SEC. 7. *Addition for direct-mill retail sale.* (a) An addition of $3.50 per M'BM (but no charge for delivery) may be made by a mill or concentration yard on a sale of 5 M' BM or less only within a radius of 25 miles from the seller's establishment to any consumer or buyer (except a box or container manufacturer) who does not purchase for resale, where the shipment originates at a mill.

[Paragraph (a) amended by Am. 3, 9 F.R. 6232, effective 6-12-44]

(b) An addition of $3.50 per M'BM may be made by any distribution yard on sales of less than carload quantities if shipped by rail, or less than 18 M'BM if shipped by truck or water to any consumer or buyer within a radius of twenty-five miles from the distribution yard who does not purchase for resale where the shipment originates at a mill and delivery is made directly to the buyer or a site specified by him, and the seller:

(1) Delivers the lumber to the job site, if required by the buyer, at such time and in such manner as the buyer specifies;

(2) Gives the buyer the privilege of exchanging lumber and returning unused material;

(3) Agrees to make good any shortage promptly from stocks kept on hand for this purpose.

(4) Where the addition of $3.50 per M'BM is applied on sales under this paragraph the additions for direct-mill distributor's sales provided for in section 6 are not applicable.

[Subparagraph (4) added by Am. 2, 9 F.R. 2915, effective 3-16-44]

(c) For the purpose of this and other provisions contained in this regulation the size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries. The amount delivered at a particular time does not determine the quantity. For example, if the buyer and seller at the time the sale is negotiated know that the quantity to be bought for a particular job will run to 20 M'BM the sale is one for 20 M'BM even though it may be split into 5 orders of 4 M'BM each or requisitioned in quantities of 4 M'BM. And this is true regardless of whether 5 different deliveries, in loads of 4 M'BM each are made on different days.

SEC. 8. *Transportation charges*—(a) *Rail charges.* (1) Only two methods of selling are recognized by this regulation. Any other method is prohibited, as a device to evade the ceiling by manipulation of freight.

The two permitted methods are: on a delivered basis using the estimated weights in Article VI, or on an f. o. b. mill basis with actual freight (figured, of course, on actual weights) to be paid by the purchaser.

The two methods may not be combined in a single transaction; that is, a seller may not sell on a basis which gives him the benefit of favorable estimated weights but requires the use of actual weights on items where estimated weights would be unfavorable to him. Note that sales described as "ceiling delivered", or as f. o. b. mill with freight allowed or included to a given destination, are to be treated as sales on a delivered basis. In such cases, the given estimated weights must be used.

(2) The estimated green weights may be used only when green lumber is actually specified and shipped.

(3) The transportation charge, when estimated weights are used, must be evened out to the nearest quarter-dollar per M'BM (or nearest 5 cents per 1,000 pieces of lath).

(b) *Common or contract carrier (other than rail).* Where transportation is by common or contract carrier (other than rail) the only rule is that actual cost of transportation may be added to f. o. b. mill ceiling.

(c) *Private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, $1.50 per M'BM, over 10 and up to and including 20 miles, $2.00 per M'BM and over 20 and up to and including 30 miles, $2.50 per M'BM. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or $3.00 per M'BM, whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(d) *Trucking to rail or water shipping point.* When a truck haul precedes a rail or water shipment, as when a mill located away from a railhead hauls lumber by truck to the railroad, no addition may be made for the truck haul. However, in the following two cases a mill may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where a mill's rail connection has been abandoned since September 5, 1941, and it has no comparable rail shipping point.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., and may be acted upon by letter or telegram. The addition may not be made on quotations or sales until permission has been received.

(e) *Truck delivery after rail haul.* When truck delivery to yard or job site follows a rail haul, and is specified in the order, the actual cost of truck delivery may be added. This may include the actual cost of handling and reloading involved in transfer from rail cars to trucks.

(f) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in paragraphs (b) and (c) of this section.

SEC. 9. *Grade marking and anti-stain*—(a) *Additions for grade marking.* An addition of $1.00 per M'BM may be charged for lumber that bears the grade mark of an inspection agency qualified in accordance with "Federal Specification For Lumber And Timber; Softwood", MM-L-751c (May 20, 1942), except lumber priced in Tables 10 and 23 (Standard Plastering Lath and Fence Lath); Table 11 (Byrkit Lath); Tables 12 and 24 (Bed Slats); and O. G. Batts in Tables 4 and 17.

[Paragraph (a) added, former (a) deleted by Am. 2, 9 F.R. 2915, effective 3-16-44]

(b) *Anti-stain.* For chemical anti-stain treatment, an addition of 50 cents per M feet board measure may be made to the price of air dried or green lumber (but not of kiln dried lumber). For lumber 3 x 3" to 10 x 10" or 2 x 14" and wider, the permissible addition is $1.00 per M; 3 x 11" and larger, $2.00. This addition may be made only on lumber shipped from mills which have equipment for proper and thorough chemical anti-stain treatment, and only on lumber which has been chemically treated by dipping in a vat containing a chemical solution. Treatment by spraying (except of timbers) does not entitle the seller to the addition.

Since it is difficult to prove by examination of a piece of lumber after dressing whether it has been chemically anti-stain treated, it will be considered a violation of this regulation to add the anti-stain addition if the mill did not have, at the time the lumber was manufactured, a chemical dipping vat filled with a chemical solution through which its lumber moves as a part of its routine method of manufacture. Also, the addition will be considered a violation unless the mill can show invoices for the purchase of anti-stain chemicals in sufficient quantity to account for the amount of lumber produced by the mill. If it is shown that the mill does not have this kind of anti-stain equipment, or cannot show evidence of having purchased anti-stain chemicals in a volume consistent with the amount of lumber produced, the seller automatically will be considered guilty of over-charging on all lumber which has been invoiced with the anti-stain addition, without reference to individual inspection of the actual lumber shipped. In addition to liability for treble damages for this over-charge on all lumber shipped, the seller may also, under certain circumstances, be subject to fine and imprisonment and, after warning, the possible revocation of his license to sell lumber.

[Paragraph (b) amended by Am. 1, 9 F.R. 2026, effective 2-26-44]

SEC. 10. *Special rule on averaging out freight.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids per M'BM $34.75 (including 6 percent mark-up) on a single order of a hundred M'BM of lumber, the mill ceiling price being $30.00 per M'BM and the estimated freight $3.00, he can ship half of it on a rate resulting in a $2.00 freight charge and half on a rate resulting in a $4.00 freight charge.

Where this practice is adopted, the seller must observe all of the following conditions:

(a) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(b) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(c) Upon completion of the order the seller must render a final invoice showing the individual f. o. b. mill prices separately, the amount shipped from each mill, the freight charge for each ship-

ment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 11. *Special pricing rules.* (a) Where the buyer specifies restricted lengths and the shipment or orders fail to conform, the entire shipment must be priced at the random length price (unless the agreed price is lower).

(b) Where the buyer orders a random length shipment, and the given percentages of lengths as specified in footnotes to some of the price tables are not met because there is too large a percentage of shorts, the excess shorts must be priced at the separate prices for the short lengths.

(c) Where random length shipments required to average a specified length (e. g., 12' in the Board Table) fall short of this average, the price may not exceed that of the nearest even length below the average length actually shipped.

(d) Where the order does not specify whether longleaf or shortleaf is required, the seller may only charge shortleaf prices.

(e) Where the order fails to specify the grade required, the seller may only ship and charge for No. 2 Common, unless otherwise agreed.

(f) Where the invoice does not specify the grade shipped or delivered, the price of the lowest grade in the shipment shall apply to the whole order.

(g) Where moisture content requirements are waived by the purchaser the maximum price for the whole order, shipment or delivery shall be the price herein established for green lumber. However, if the waiver applies to a specified part of the order, green lumber prices shall apply only to such part. For example, if a buyer orders 100,000 feet BM of Southern pine and the order specifies 60,000 feet dry lumber and 40,000 feet MCW, the green lumber prices apply only to the 40,000 feet. In any event where a "moisture content waived" sale is made on a delivered basis, the seller may only use the given estimated weights for dry lumber in computing transportation costs.

SEC. 12. *F. A. S. sales.* On all F. A. S. sales of lumber to be shipped outside of continental United States one addition of $3.50 per M'BM may be made. This addition may be made only if the seller, at the request of the buyer, bears the expense of so many of the following services as are actually to be performed: marking, bundling, assembling, switching, unloading, tallying, painting the ends, dock insurance and other services required for the proper dispatch of offshore cargo. In other words, if the buyer actually bears the expense of any of these services because of the seller's failure to perform such service or services, the addition may not be made. However, if the buyer's requirements do not include or permit unloading and any dock services which may be incidental thereto, but all other required services are performed, the addition shall be reduced to $2.25.

SEC. 13. *What the invoice must contain*—(a) *Price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum f. o. b. mill or delivered prices must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Charges for transportation.* In all delivered sales, the invoice must contain the:

(1) Point of origin of shipment;
(2) Destination;
(3) Rail rate, if estimated weights are used; otherwise the actual amount added for transportation;
(4) The words "direct-mill shipment".

(c) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be separately shown on the invoice.

(d) *Distributors' direct-mill sales.* The invoice on any distributor's direct-mill sale must be plainly marked "wholesaler's direct-mill sale", or "commissionman's direct-mill sale" or "yard's direct-mill sale", as the case may be, and must show the name of the direct-mill distributor.

(e) *Direct-mill retail sale.* If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

SEC. 14. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are some of the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit or cash discount practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit.

(2) Refusing to ship except in higher grades or in specified or restricted random lengths, or in mixed cars, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in this regulation. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

[Subparagraph (3) added by Am. 2, 9 F.R. 6232, effective 6-12-44; former (3) revoked by Am. 2, 9 F.R. 2915, effective 3-16-44]

(4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly or falsely grading or invoicing lumber.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(7) Failing to invoice properly and in accordance with the requirements of this regulation.

(8) Unnecessarily routing lumber through a distribution yard.

(9) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(10) Making additions contained in the footnotes to the tables in Articles IV and V unless the order expressly requires the working, grade, condition, service, treatment, specification, size, or length for which the addition is permitted.

(11) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered; (for example: charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2x4's), except where the items ordered and delivered are nonstandard sizes not specifically priced in the tables. This prohibition has no application where the buyer specified the larger size to be ripped or resawn into items of smaller size and the resulting items are priced higher in the tables than the original larger size; for example, the buyer may order 1 x 4 x 12' No. 2 Common Shortleaf, priced at $38.00 per M'BM ripped to 1 x 2 x 12'. By buying the larger size ripped the price to the buyer is lower ($39.00) than it would have been had he ordered the 1 x 2 as such ($41.00). In this example the maximum price is $39.00.

[Subparagraph (11) amended by Am. 3, 9 F.R. 6232, effective 6-12-44]

(12) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(13) Breaking up an order or apportioning deliveries in order to get the $3.50 direct-mill retail sale addition.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of lumber. This prohibition has no application to section 6, *Distributors' direct-mill sales*, or to the case of a bona fide employer-employee relationship where the employee serves only one employer, in so far as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

SEC. 15. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment, but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment.

SEC. 16. *Sales for export.* The maximum price at which a person may export any Southern pine lumber shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation [6] issued by the Office of Price Administration.

ARTICLE III—MISCELLANEOUS

SEC. 17. *Applications for adjustment and petitions for amendment*—(a) See Procedural Regulation No. 6 [7] for adjustment provisions on certain government contracts and subcontracts.

[Paragraph (a) amended by Am. 8, 9 F.R. 6232, effective 6-12-44]

(b) *Petition for amendment.* (1) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 [8] issued by the Office of Price Administration.

(2) In treating with petitions for amendment or adjustment, consideration will not be given to log and bolt costs which are higher than the applicable maximum purchase prices for logs and bolts established in Maximum Price Regulation 348 (Logs and Bolts),[9] or any revision or amendment of that regulation. This rule shall be followed regardless of whether the petitioner gets logs and bolts by purchasing them, logging his own standing timber, contracting for the logging of his own standing timber, or any other means. All petitions in any way based on the cost of logs or bolts must show the actual cost to the petitioner of logs and bolts received at his plant during the three months immediately prior to filing the petition, and the cost which would have been incurred by the petitioner if all of these logs and bolts had been purchased by him at ceiling prices. To figure these ceiling prices the petitioner should refer to Maximum Price Regulation 348, as amended, which fixes the maximum prices for purchases and sales of the kinds of logs and bolts received at his plant.

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 18. *What records must be kept.* All sellers of Southern pine lumber must keep records which will show a complete description of the items of lumber sold (i. e., grade, condition of dressing, quantity, etc.), the name and address of the buyer, the date of the sale and the price, for a period of two years. Buyers must keep similar records, including the name and address of the seller. Failure to comply with this provision shall constitute a violation of this regulation. Persons violating are subject to all penalties, actions and proceedings provided for by the Emergency Price Control Act of 1942 as amended, including a fine of not more than $5,000 or imprisonment for not more than two years, or both.

SEC. 19. *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 20. *Licensing.* The provisions of Licensing Order No. 1 [10] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

SEC. 21. *Grades.* The grades and terms in this regulation are based on the 1939 standard specifications for Southern pine lumber of the Southern Pine Inspection Bureau, the 1923 Gulf Coast Classification, issued by the Southern Pine Inspection Bureau, and the 1934 standard specifications for grades of Southern pine lumber for freight cars and locomotives in accordance with the Association of American Railroads' recommended practice, issued by the Southern Pine Inspection Bureau.

[Sec. 21 amended by Am. 8, 9 F.R. 6232, effective 6-12-44]

SEC. 22. *Grades, services or extras not listed.* (a) If a seller wishes to sell a grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C. for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced;

(3) The price differential between it and the most comparable item in the price tables, between January 1 and August 1, 1941, from the seller's own records or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(4) A true copy of the order or of customer's inquiry on the basis of which the application has been submitted.

(5) A statement by the purchaser that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; and that it has been his custom to purchase lumber on such special specifications.

(b) In each case where a special price is approved, an authorization number will be assigned which must appear on all final invoices covering shipments at such special price. Quotations and deliveries may not be made at the requested price until the price has been approved. Action on the request may be by letter or telegram.

(c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.212, paragraphs (f), (g) and (h) of Maximum Price Regulation 19, or section 20 of Revised Maximum Price Regulation 19, these special prices shall no longer apply if specific prices for the items are established by this regulation; but if no specific prices are established in the price tables, the price approved under the earlier regulation shall continue in effect. However, within ninety days after the issuance of this regulation, the Lumber Branch will assign authorization numbers for each special price previously approved and thereafter such authorization numbers must appear on all invoices covering shipments at such special prices. In all cases where a special price authorization has already been assigned a number by the Lumber Branch, no new number will be issued. Special prices are subject to cancellation by letter or telegram at any time.

[Paragraph (c) amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

ARTICLE IV—APPENDIX A: SHORT LEAF YELLOW PINE LUMBER

The maximum prices for Shortleaf Yellow Pine Lumber, in straight or mixed carlots, f. o. b. mill, per M'BM, shall be as follows:

TABLE 1—BOARDS AND STRIPS

[S1S, S2S, S3S, S4S, S2S and Matched, or Shiplap. Standard or ¾"; Air dried]

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 1 common:				
4/4 Edge [1]	$37.25	$40.75	$42.25	$42.75
1 x 2 and 3"	40.00	44.00	45.50	46.00
1 x 4"	37.00	42.00	43.50	44.00
1 x 6 and 7"	39.00	42.00	43.50	44.00
1 x 8 and 9"	39.00	43.00	44.50	45.00
1 x 8 and 10"	39.50	45.00	46.50	47.00

See footnote at end of table.

[6] 8 F.R. 4132, 5967, 7662, 9998, 15193; 9 F.R. 1036, 9835.
[7] 9 F.R. 10628.
[8] 9 F.R. 10476.
[9] For pricing Southern Pine logs MPR 348 has been superseded by MPR 533-9, MPR 533-4, and MPR 533-6 depending upon the location of log production.
[10] 8 F.R. 13240.

TABLE 1—BOARDS AND STRIPS—Continued

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 1 common—Con.				
1 x 11"	$42.50	$48.00	$49.50	$50.00
1 x 12"	44.00	53.00	54.50	55.00
No. 2 common:				
4/4 edge [1]	35.25	38.00	39.00	40.75
1 x 2 and 3"	38.00	41.00	41.50	43.00
1 x 4"	35.00	38.00	38.50	40.00
1 x 6 and 7"	37.00	40.00	41.00	43.00
1 x 8 and 9"	37.00	40.00	41.00	43.00
1 x 5 and 10"	37.50	41.50	42.50	44.50
1 x 11"	40.50	44.50	45.50	47.50
1 x 12"	42.00	46.50	47.50	50.50
No. 3 common:				
4/4 edge [1]	28.50	31.50	32.50	34.25
1 x 2 and 3"	30.00	33.00	34.00	36.00
1 x 4"	29.00	32.00	32.50	34.00
1 x 6 and 7"	30.00	33.00	34.00	36.00
1 x 8 and 9"	30.00	33.00	34.00	36.00
1 x 5 and 10"	30.50	34.50	35.50	37.50
1 x 11"	30.50	34.50	35.50	37.50
1 x 12"	31.00	35.50	36.50	39.50
Dunnage:				
4/4 edge [1]	20.75	23.75	24.75	26.50
1 x 3"	22.00	25.00	26.00	28.00
1 x 4"	21.00	24.00	24.50	26.00
1 x 6 and 7"	22.00	25.00	26.00	28.00
1 x 8 and 9"	22.00	25.00	26.00	28.00
1 x 5 and 10"	22.50	26.50	27.50	29.50
1 x 11"	22.50	26.50	27.50	29.50
1 x 12"	23.00	27.50	28.50	31.50
No. 4 common:				
4/4 edge [1]	19.75	22.75	23.75	25.50
1 x 3"	21.00	24.00	25.00	27.00
1 x 4"	20.00	23.00	23.50	25.00
1 x 6 and 7"	21.00	24.00	25.00	27.00
1 x 8 and 9"	21.00	24.00	25.00	27.00
1 x 5 and 10"	21.50	25.50	26.50	28.50
1 x 11"	21.50	25.50	26.50	28.50
1 x 12"	22.00	26.50	27.50	29.50
No. 1 common:				
4/4 and 6/4 edge [1]	40.25	43.75	45.25	45.75
4/4 and 6/4 x 2 and 3"	43.00	47.00	48.50	49.00
4/4 and 6/4 x 4"	40.00	45.00	46.50	47.00
4/4 and 6/4 x 6 and 7"	42.00	45.00	46.50	47.00
4/4 and 6/4 x 8 and 9"	42.00	46.00	47.50	48.00
4/4 and 6/4 x 5 and 10"	42.50	48.00	49.50	50.00
4/4 and 6/4 x 11"	45.50	51.00	52.50	53.00
4/4 and 6/4 x 12"	47.00	56.00	57.50	58.00

TABLE 1—BOARDS AND STRIPS—Continued

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 2 common:				
5/4 and 6/4 edge [1]	$38.25	$41.00	$42.00	$43.75
5/4 and 6/4 x 2 and 3"	41.00	44.00	44.50	46.00
5/4 and 6/4 x 4"	38.00	41.00	41.50	43.00
5/4 and 6/4 x 6 and 7"	40.00	43.00	44.00	46.00
5/4 and 6/4 x 8 and 9"	40.00	43.00	44.00	46.00
5/4 and 6/4 x 5 and 10"	40.50	44.50	45.50	47.50
5/4 and 6/4 x 11"	43.50	47.50	48.50	50.50
5/4 and 6/4 x 12"	45.00	49.50	50.50	53.50
No. 3 common:				
5/4 and 6/4 edge [1]	30.80	33.80	34.80	36.25
5/4 and 6/4 x 2 and 3"	32.00	35.00	35.00	36.00
5/4 and 6/4 x 4"	31.00	34.00	34.50	36.00
5/4 and 6/4 x 6 and 7"	32.00	35.00	35.00	36.00
5/4 and 6/4 x 8 and 9"	32.00	35.00	35.00	36.00
5/4 and 6/4 x 5 and 10"	32.50	36.50	37.50	38.50
5/4 and 6/4 x 11"	32.50	36.50	37.50	39.50
5/4 and 6/4 x 12"	33.00	37.50	38.50	41.50
Dunnage:				
5/4 and 6/4 edge [1]	21.75	24.75	25.75	27.50
5/4 and 6/4 x 3"	23.00	26.00	27.00	29.00
5/4 and 6/4 x 4"	22.00	25.00	25.50	27.00
5/4 and 6/4 x 6 and 7"	23.00	26.00	27.00	29.00
5/4 and 6/4 x 8 and 9"	23.00	26.00	27.00	29.00
5/4 and 6/4 x 5 and 10"	23.50	27.50	28.50	30.50
5/4 and 6/4 x 11"	23.50	27.50	28.50	30.50
5/4 and 6/4 x 12"	24.00	28.00	29.00	32.50
No. 4 common:				
5/4 and 6/4 edge [1]	20.75	23.75	24.75	26.00
5/4 and 6/4 x 2 and 3"	22.00	25.00	26.00	28.00
5/4 and 6/4 x 4"	21.00	24.00	24.50	26.00
5/4 and 6/4 x 6 and 7"	22.00	25.00	26.00	28.00
5/4 and 6/4 x 8 and 9"	22.00	25.00	26.00	28.00
5/4 and 6/4 x 5 and 10"	22.50	26.50	27.50	29.50
5/4 and 6/4 x 11"	22.50	26.50	27.50	29.50
5/4 and 6/4 x 12"	23.00	27.50	28.50	31.50

Additions and deductions per M'BM. [See section 14 (b) (10).]

For working:
1. Rough, deduct $4.50.
2. End-matching, add $2.
3. For any other matcher dressing not otherwise provided for (except V-Joint, ECB18 or ECB28), add $2. Patterns requiring moulder work, add $6.50.
4. Ripping, add $1 for each cut; resawing, add $2 for each cut, both applicable only where machine run product is shipped.

For grade:
5. No. 1 common 85 or 90% Heart Facial Area, add $8; 85% Heart Cubical Content, add $6.
6. For grade marking in accordance with the provisions of Section 9 (a), add $1 per M'BM.
7. For combination grade No. 2 common and better as defined in section 5 (d), use No. 2 common prices.

For condition:
8. Kiln dried, add $1.
9. Green, deduct $3.50.

For lengths:
10. Random lengths must average at least 12' (with a tolerance of 3'), and must take the 12' price.
11. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
12. Odd or fractional lengths over 4', not listed, shall be counted and priced as next longer even length.
13. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in footnote 11 may not also be charged, and no total charge for such service may be greater than $6 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:
14. Stock thinner than ¾", deduct $1" from the ¾" price for each 1/12" thinner than ¾", except when dressed both sides use ¾" price. However, sizes that can be resawn from boards or strips 1" in nominal thickness shall take the 1" price, plus the resawing addition permitted.
15. 13" and wider, add $2.50 per inch or fraction thereof to 12" price and compute footage on nominal size.
16. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1 where stock is dressed clean, or will permit slight skips as defined in paragraph 48, 1939 Standard Specifications for Southern Pine Lumber.

Sub-footnote:
1. Edge widths are random widths including odd, even or fractional widths. Measurement shall be according to Paragraph 136, S. P. I. B. Rules.

[Table 1 and footnotes amended by Am. 2, 9 F.R. 2915, effective 3-16-44; and Am. 4, effective 9-19-44]

TABLE 2—DIMENSION
S18, S22, or S4S; Air Dried

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
No. 1—											
2 x 2"	$31.00	$31.00	$38.00	$39.00	$38.00	$38.00	$39.00	$40.00	$41.50	$42.50	$48.00
2 x 3"	30.00	30.00	37.00	38.00	37.00	37.00	38.00	39.00	40.50	41.50	47.00
2 x 4"	32.00	32.00	39.00	40.00	39.00	39.00	40.00	41.00	42.50	43.50	49.00
2 x 5"	32.50	32.50	39.50	42.50	41.00	41.00	41.00	42.00	43.50	47.50	52.00
2 x 6"	30.00	30.00	37.00	38.00	37.00	37.00	37.00	38.00	38.50	40.50	41.50	47.00
2 x 8"	30.00	30.00	37.00	38.00	37.00	37.00	37.00	38.00	38.50	40.50	41.50	47.00
2 x 10"	32.50	32.50	39.50	42.00	41.00	41.00	41.00	42.00	43.50	47.50	52.00
2 x 12"	34.50	34.50	41.50	44.00	43.00	43.00	43.00	44.00	47.50	49.50	54.00
No. 2—											
2 x 2"	29.00	29.00	35.00	36.00	35.00	35.00	36.00	37.00	38.50	39.50	45.00
2 x 3"	28.00	28.00	34.00	35.00	34.00	34.00	35.00	36.00	37.50	38.50	44.00
2 x 4"	31.00	31.00	37.00	38.00	37.00	37.00	38.00	39.00	40.50	41.50	47.00
2 x 6"	27.50	27.50	33.50	37.50	36.50	36.50	35.50	35.50	36.00	41.00	46.50

Grade	4' lengths	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
No. 2—Con.											
2 x 6"	$29.00	$29.00	$35.00	$36.00	$35.00	$35.00	$35.00	$36.00	$36.50	$36.50	$39.50	$45.00
2 x 8"	28.00	28.00	34.00	35.00	34.00	34.00	35.00	35.00	35.50	37.50	38.50	44.00
2 x 10"	28.00	28.00	34.00	38.00	37.00	36.00	36.00	36.00	36.00	39.50	41.50	47.00
2 x 12"	31.00	31.00	37.00	39.00	38.00	38.00	38.00	38.00	38.00	42.50	43.50	49.00
No. 3—											
2 x 2"	22.00	23.00	27.00	28.00	27.00	27.00	28.00	27.00	28.00	29.00	30.50	31.50	33.50
2 x 3"	21.00	24.00	26.00	27.00	26.00	26.00	27.00	26.00	27.00	28.00	29.50	30.50	32.50
2 x 4"	24.00	27.00	29.00	30.00	29.00	29.00	30.00	29.00	30.00	31.00	32.50	33.50	35.50
2 x 6"	20.50	23.50	25.50	29.50	28.50	27.50	27.50	27.50	27.50	27.50	31.00	32.00	35.00
2 x 8"	22.00	25.00	27.00	28.00	27.00	27.00	28.00	27.00	28.00	28.50	30.50	31.50	33.50
2 x 10"	21.00	24.00	26.00	26.00	26.00	26.00	26.00	26.00	27.00	27.50	29.50	30.50	32.50
2 x 12"	24.00	27.00	29.00	31.00	30.00	30.00	30.00	30.00	30.00	31.00	34.50	35.50	38.50

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)]:

For working:
1. Rough, deduct $4.50.
2. Shiplap, Center Matched, Dressed and Matched, Grooved, or any other matched dressing, not otherwise provided for, add $1.00. Patterns requiring Moulder work, add $6.50.
3. Ripping or resawing, add $1.00 for each cut, both applicable only when machine run product is shipped.
4. End-matched and center-matched, add $4.00.

For grade:
5. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM.
6. For Combination Grade No. 2 Common and better as defined in section 5 (d), use No. 2 Common prices.
7. No. 1 Common 85% Heart Facial Area, Add $12.00; No. 1 Common 85% Heart Cubical Content, add $8.00.

For condition:
8. Kiln dried, add $1.00.
9. Green, deduct $3.50.

For size:
10. Extra Standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.
11. Odd or fractional widths not listed, add $3.00 to nearest greater listed width and compute footage on nominal size.

For length:
12. Random lengths must average at least 14' (with tolerance of 3") and must take the 14' price.
13. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. When a 9' average is required charge the 8' price.
14. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
15. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.
16. For any length shorter than 4', cut to a specified exact length, charge the price for the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M'BM. for each necessary cross cut, but the addition permitted in footnote 14 for precision cutting may not also be charged, and no total charge for such service may be greater than $6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

17. Lengths longer than 24', add to 24' price as follows (for all grades):

	2 x 10 and smaller	2 x 11 and larger
Length:		
26'	$1	$1
28'	2	3
30'	3	5
32'	5	7
34'	7	9
36'	9	12
38'	12	15
40'	15	20

[Table 2 amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 3.—TIMBERS, ROUGH, GREEN

8 TO 16 FOOT LENGTHS

Size	No. 2 com.	No. 2 M. G.	No. 2 dense	No. 1 com.	SE and S	No. 1 M. G.	No. 1 dense	Dense SE and S	Dense No. 1 struc.	Dense Struc. SE and S	Dense struc.	Dense select struc.
3 x 8" to 4 x 4"	$29	$32	$34	$32	$33	$35	$37	$38	$39	$41	$43	$45
3 x 5" to 5 x 5"	29	32	34	32	33	35	37	38	39	41	43	45
3 x 7" to 5 x 8"	29	32	34	32	33	35	37	38	39	41	43	45
3 x 6" to 6 x 6"	27	30	32	30	31	33	35	36	37	39	41	43
6 x 7" to 8 x 8"	30	33	35	34	35	37	39	40	41	43	45	47

8 TO 20 FOOT LENGTHS

3 x 9" to 5 x 10"	$35	$36	$41	$39	$40	$42	$45	$46	$47	$49	$51	$53
6 x 9" to 10 x 10"	34	37	40	38	39	41	44	45	46	48	50	52
3 x 11" to 5 x 12"	42	45	49	46	48	49	53	55	56	58	60	62
6 x 11" to 12 x 12"	40	43	47	44	46	47	51	53	54	56	58	60
3 x 13" to 7 x 14"	50	53	57	54	56	57	61	63	64	66	68	70
8 x 13" to 14 x 14"	46	51	55	52	54	55	59	61	62	64	66	68
3 x 15" to 7 x 16"	60	63	67	64	66	67	71	73	74	76	76	80
8 x 15" to 16 x 16"	55	61	65	62	64	65	69	71	72	74	76	78
3 x 17" to 7 x 18"				74	76	77	81	83	84	86	86	90
8 x 17" to 18 x 18"				72	74	75	79	81	82	84	86	88
3 x 19" to 7 x 20"				86	88	89	93	95	96	98	100	102
8 x 19" to 20 x 20"				84	86	87	91	93	94	96	98	100

Additions and deductions per M'BM. [See section 14 (b) (10).]

For working:
1. S18, S2S, S3S, S4S, Shiplap or T and G, add $3.00.
2. Grooved 2 edges, add $3 (to dressed prices).
3. Beveling and/or outgauging, for two edges on one face, add $4; for four edges, or one face and one edge, add $6 (to dressed prices in each case).

For grade:

	3 x 3 to 8 x 8	3 x 9 to 10 x 10	3 x 11 and larger
4. 85 percent Heart facial area (add to grade specified)	$10	$12	$15
5. 90 percent Heart facial area (add to grade specified)	13	15	18
6. 85 percent Heart cubical content (add to grade specified)	8	10	12

7. For grade marking in accordance with section 9 (a), add $1 per M'BM.

For lengths:

	3 x 3 to 8 x 8	3 x 9 to 10 x 10	3 x 11 and larger
8. For longer lengths add to above prices, all grades:			
18' and 20'	$4		
22' and 24'	9	$5	$5
26'	10	6	6
28'	11	7	7
30'	12	8	10
32'	14	10	12
34'	16	12	14
36'	18	14	17
38'	21	17	20
40'	24	20	26

9. For lengths over 40', add $6 per lineal foot to 40' price.
10. Odd or fractional lengths over 8' shall be counted and priced as next longer even length.
11. For lengths shorter than 8' use nearest multiple length price plus a total of $2 per M'BM for crosscutting.
12. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
13. For precision cutting to a specified exact length, with tolerance of not more than 1/12" allowed, add $2. No addition is permitted for customary double end trimming.

For condition:
14. Air dried, 23% moisture content, 3 x 3 and larger, and 2 x 14 and 2 x 16, add $4.
15. Kiln dried, 20% moisture content, 40 square inches of end area and less, add $5; end area greater than 40 square inches, add $8.
16. Kiln dried, 20% moisture content, 2 x 14 and 3 x 16, add $6.

For size:
17. In No. 1 common and grades above, for each 1" in width above 20 x 20, add $5 to the 20 x 20 price.
18. Fractional thickness, add $3 to nearest listed greater thickness, and compute footage on nominal size.
19. Fractional widths, add $3 to nearest listed wider width, and compute footage on nominal size.
20. 2 x 14 and 2 x 16, add $3 to comparable 3" price.
21. For any average size, charge the price for the average size required and shipped.
22. For a specified cubic average, the price shall be that of the length in 13 x 13 required to equal the specified cubic average.

Table 3 amended by Am. 2, 9 F.R. 2915, effective 3-16-44; and Am. 4, effective 9-19-44.]

TABLE 3A.—2" STRUCTURAL PLANKS AND JOISTS
ROUGH GREEN

8 TO 16 FOOT LENGTHS

Size	(1,400 F.) Dense No. 1 Struc.	(1,600 F.) Dense Struc. SE&S	(1,800 F.) Dense Struc.	(2,000 F.) Dense Select Struc.
2 x 4"	$41	$43	$45	$47
2 x 5"	41	43	45	47
2 x 6"	39	41	43	45
2 x 8"	41	43	45	47

8 TO 20 FOOT LENGTHS

2 x 10"	$46	$48	$50	$52
2 x 12"	51	53	55	57

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10).]

For working:
1. S1S, S2S, S3S, S4S, shiplap, T and G, or grooved two edges, add $4.50.
2. Ripping or resawing, add $1 for each cut.
3. Beveling and/or outgauging, add $4.

For grade:

	2 x 4 to 2 x 8	3 x 10	2 x 12
4. 85% heart facial area, add to grade specified	$10	$12	$15
5. 90% heart facial area, add to grade specified	13	15	18

6. For grade marking in accordance with the provision of Section 9 (a), add $1.00 per M'BM.

For length:

	2 x 4 to 2 x 8	3 x 10	2 x 12
7. For longer lengths add to above prices, all grades:			
18' and 20'	$4		
22' and 24'	9	$5	$5
26'	10	6	6
28'	11	7	7
30'	12	8	10
32'	14	10	12
34'	16	12	14
36'	18	14	17
38'	21	17	20
40'	24	20	26

8. Odd or fractional lengths, over 8', shall be counted and priced as next longer even length.
9. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.

For condition:
10. Kiln dried, add $4.50.
11. Air dried, add $3.50.

For size:
12. Odd or fractional widths, not listed, add $3 to nearest greater listed width and compute footage on actual size.
13. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

[Table 3A added by Am. 2, 9 F.R. 2915, effective 3-16-44; amended by Am. 4, effective 9-19-44]

TABLE 4.—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS

FLOORING—HEART FACE—EDGE GRAIN

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
1 x 3"—B and Better	$70.00	$80.00	$81.00	$83.00
1 x 3"—C	56.00	66.00	67.00	69.00
1 x 3"—D	51.00	56.00	57.00	59.00
1 x 3"—No. 2	47.00	52.00	53.00	55.00
1 x 4"—B and Better	68.00	78.00	79.00	81.00
1 x 4"—C	54.00	64.00	65.00	67.00
1 x 4"—D	49.00	54.00	55.00	57.00
1 x 4"—No. 2	45.00	50.00	51.00	53.00
5/4 x 3"—B and Better	85.00	95.00	96.00	98.00
5/4 x 3"—C	70.00	80.00	81.00	83.00
5/4 x 3"—D	62.00	67.00	68.00	70.00
5/4 x 3"—No. 2	59.00	64.00	65.00	67.00

TABLE 4—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS—Continued

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
5/4 x 4"—B and Better	$83.00	$88.00	$94.00	$98.00
5/4 x 4"—C	66.00	78.00	79.00	81.00
5/4 x 4"—D	60.00	65.00	66.00	68.00
5/4 x 4"—No. 2	57.00	62.00	63.00	65.00
FLOORING—HEARTFACE—NEAR EDGE GRAIN				
1 x 3"—B and Better	$63.00	$73.00	$74.00	$76.00
1 x 3"—C	49.00	59.00	60.00	62.00
1 x 3"—D	46.00	51.00	52.00	54.00
1 x 3"—No. 2	43.00	48.00	49.00	51.00
1 x 4"—B and Better	61.00	71.00	72.00	74.00
1 x 4"—C	47.00	57.00	58.00	60.00
1 x 4"—D	44.00	49.00	50.00	52.00
1 x 4"—No. 2	41.00	46.00	47.00	49.00
5/4 x 3"—B and Better	72.00	88.00	89.00	91.00
5/4 x 3"—C	62.00	73.00	74.00	76.00
5/4 x 3"—D	57.00	63.00	63.00	65.00
5/4 x 3"—No. 2	54.00	59.00	60.00	62.00
5/4 x 4"—B and Better	76.00	86.00	87.00	89.00
5/4 x 4"—C	61.00	71.00	72.00	74.00
5/4 x 4"—D	55.00	60.00	61.00	63.00
5/4 x 4"—No. 2	52.00	57.00	58.00	60.00
FLOORING—HEART FACE—FLAT GRAIN				
1 x 3"—B and Better	$55.50	$65.50	$66.50	$68.50
1 x 3"—C	46.50	55.50	57.50	59.50
1 x 3"—D	44.50	49.50	50.50	52.50
1 x 3"—No. 2	35.50	40.50	41.50	43.50
1 x 4"—B and Better	53.50	63.50	64.50	66.50
1 x 4"—C	44.50	54.50	55.50	57.50
1 x 4"—D	42.50	47.50	48.50	50.50
1 x 4"—No. 2	34.50	39.50	40.50	42.50
5/4 x 3"—B and Better	70.00	80.00	81.00	83.00
5/4 x 3"—C	59.00	69.00	70.00	72.00
5/4 x 3"—D	54.00	60.00	61.00	63.00
5/4 x 3"—No. 2	51.00	56.00	57.00	59.00
5/4 x 4"—B and Better	68.00	78.00	79.00	81.00
5/4 x 4"—C	59.00	69.00	70.00	72.00
5/4 x 4"—D	53.00	58.00	59.00	61.00
5/4 x 4"—No. 2	49.00	54.00	55.00	57.00
FLOORING—NO HEART SPECIFICATION—EDGE GRAIN				
1 x 3"—B and Better	$58.00	$68.00	$69.00	$71.00
1 x 3"—C	50.00	60.00	61.00	63.00
1 x 3"—D	42.00	47.00	48.00	50.00
1 x 3"—No. 2	41.00	46.00	47.00	49.00
1 x 4"—B and Better	56.00	66.00	67.00	69.00
1 x 4"—C	48.00	58.00	59.00	61.00
1 x 4"—D	42.00	47.00	48.00	50.00
1 x 4"—No. 2	37.00	42.00	43.00	45.00
5/4 x 3"—B and Better	70.00	80.00	81.00	83.00
5/4 x 3"—C	61.00	71.00	72.00	74.00
5/4 x 3"—D	50.00	56.00	56.00	58.00
5/4 x 3"—No. 2	47.00	52.00	53.00	55.00
5/4 x 4"—B and Better	68.00	78.00	79.00	81.00
5/4 x 4"—C	59.00	69.00	70.00	72.00
5/4 x 4"—D	48.00	53.00	54.00	56.00
5/4 x 4"—No. 2	45.00	50.00	51.00	53.00
FLOORING—NO HEART SPECIFICATION—NEAR EDGE GRAIN				
1 x 3"—B and Better	$51.00	$61.00	$62.00	$64.00
1 x 3"—C	43.00	53.00	54.00	56.00
1 x 3"—D	37.00	42.00	43.00	45.00
1 x 3"—No. 2	36.00	41.00	42.00	44.00
1 x 4"—B and Better	49.00	59.00	60.00	62.00
1 x 4"—C	41.00	51.00	52.00	54.00
1 x 4" D	37.00	42.00	43.00	45.00
1 x 4"—No. 2	35.00	40.00	41.00	43.00
5/4 x 3"—B and Better	63.00	73.00	74.00	76.00
5/4 x 3"—C	54.00	64.00	65.00	67.00
5/4 x 3"—D	45.00	50.00	51.00	53.00
5/4 x 3"—No. 2	42.00	47.00	48.00	50.00
5/4 x 4"—B and Better	61.00	71.00	72.00	74.00
5/4 x 4"—C	52.00	62.00	63.00	65.00
5/4 x 4"—D	43.00	48.00	49.00	51.00
5/4 x 4"—No. 2	40.00	45.00	46.00	48.00
FLOORING—NO HEART SPECIFICATION—FLAT GRAIN				
1 x 3"—B and Better	$47.00	$57.00	$58.00	$60.00
1 x 3"—C	42.50	52.50	53.50	55.50
1 x 3"—D	34.00	40.00	41.00	43.00
1 x 3"—No. 2	34.00	39.00	40.00	42.00
1 x 3"—No. 3	31.00	33.00	34.00	36.00
1 x 4"—B and Better	45.50	55.50	56.50	58.50
1 x 4"—C	41.00	51.00	52.00	54.00
1 x 4"—D	35.00	40.00	41.00	43.00
1 x 4"—No. 2	34.00	39.00	40.00	42.00
1 x 4"—No. 3	30.00	32.00	33.00	35.00

TABLE 4—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS—Continued

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
5/4 x 3"—B and Better	$56.00	$66.00	$67.00	$69.00
5/4 x 3"—C	53.00	62.00	63.00	65.00
5/4 x 3"—D	44.00	49.00	50.00	52.00
5/4 x 3"—No. 2	43.00	48.00	49.00	51.00
5/4 x 3"—No. 3	34.00	36.00	37.00	39.00
5/4 x 4"—B and Better	54.00	64.00	65.00	67.00
5/4 x 4"—C	50.00	60.00	61.00	63.00
5/4 x 4"—D	42.00	47.00	48.00	50.00
5/4 x 4"—No. 2	37.00	42.00	43.00	45.00
5/4 x 4"—No. 3	32.00	34.00	35.00	37.00
DROP SIDING				
1 x 6"—Patterns 115, 117, 118, 119—B and Better	$41.00	$46.00	$47.00	$49.00
1 x 6"—Patterns 115, 117, 118, 119—C	40.00	45.00	46.00	48.00
1 x 6"—Patterns 115, 117, 118, 119—D	41.00	44.00	45.00	47.00
1 x 6"—Patterns 115, 117, 118, 119—No. 2	40.00	42.00	43.00	45.00
1 x 6"—Patterns 115, 117, 118, 119—No. 3	33.00	35.00	36.00	38.00
1 x 6"—All other Patterns—B and Better	52.00	57.00	58.00	60.00
1 x 6"—All other Patterns—C	49.00	54.00	55.00	57.00
1 x 6"—All other Patterns—D	42.00	45.00	46.00	48.00
1 x 6"—All other Patterns—No. 2	40.00	42.00	43.00	45.00
1 x 6"—All other Patterns—No. 3	33.00	35.00	36.00	38.00
1 x 8"—All Patterns—B and Better	52.00	57.00	58.00	60.00
1 x 8"—All Patterns—C	49.00	54.00	55.00	57.00
1 x 8"—All Patterns—D	42.00	45.00	46.00	48.00
1 x 8"—All Patterns—No. 2	40.00	42.00	43.00	45.00
1 x 8"—All Patterns—No. 3	33.00	35.00	36.00	38.00
1 x 10"—All Patterns—B and Better	60.00	65.00	66.00	68.00
1 x 10"—All Patterns—C	53.00	56.00	58.00	61.00
1 x 10"—All Patterns—D	45.00	48.00	49.00	51.00
1 x 10"—All Patterns—No. 2	41.50	43.50	44.50	46.50
1 x 10"—All Patterns—No. 3	34.50	36.50	37.50	39.50
BEVEL SIDING				
5/16 x 4, 5, 6 and 8"—B and Better	$40.00	$45.00	$46.00	$48.00
1/2 x 4, 5, 6 and 8"—C	37.00	42.00	43.00	45.00
1/2 x 4, 5, 6 and 8"—D	34.00	37.00	38.00	40.00
1/2 x 4, 5, 6, and 8"—No. 2	31.50	33.50	34.50	36.50
1/2 x 4, 5, 6 and 8"—No. 3	23.50	25.50	26.50	28.50
1/2 x 4, 5, 6 and 8"—B and Better	34.00	39.00	40.00	42.00
1/2 x 4, 5, 6 and 8"—C	31.00	36.00	37.00	39.00
1/2 x 4, 5, 6 and 8"—D	29.00	32.00	33.00	35.00
1/2 x 4, 5, 6 and 8"—No. 2	27.50	29.50	30.50	32.50
1/2 x 4, 5, 6 and 8"—No. 3	20.50	22.50	23.50	25.50
SQUARE EDGE SIDING				
1/2 x 4, 6, and 8"—838 or 848 finished to 7/16 x 3/4" scant in width:				
B and Better	$39.00	$44.00	$45.00	$47.00
C	36.00	41.00	42.00	44.00
D	35.00	38.00	39.00	41.00
No. 2	31.50	33.50	34.50	36.50
No. 3	19.50	21.50	22.50	24.50
CEILING—STANDARD BEAD OR V. 315 OR 326				
5/16 & 7/16 x 3" and 4":				
B and Better	$34.00	$39.00	$40.00	$42.00
C	31.00	36.00	37.00	39.00
D	29.00	32.00	33.00	35.00
No. 2	27.50	29.50	30.50	32.50
No. 3	20.50	22.50	23.50	25.50
5/16 & 7/16 x 6":				
B and Better	36.00	41.00	42.00	44.00
C	33.00	38.00	39.00	41.00
D	31.00	34.00	35.00	37.00
No. 2	29.50	31.50	32.50	34.50
No. 3	22.50	24.50	25.50	27.50
9/16 x 3" and 4":				
B and Better	$35.00	$40.00	$41.00	$43.00
C	33.00	38.00	39.00	41.00
D	31.00	34.00	35.00	37.00
No. 2	29.50	31.50	32.50	34.50
No. 3	20.50	22.50	23.50	25.50

TABLE 4—FLOORING, PLAIN END—SIDING, CEILING—PARTITION—O. G. BATTS KILN DRIED STANDARD LENGTHS—Continued

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
9/16 x 5" and 6":				
B and Better	$37.00	$42.00	$43.00	$45.00
C	35.00	40.00	41.00	43.00
D	33.00	36.00	37.00	39.00
No. 2	31.50	33.50	34.50	36.50
No. 3	22.50	24.50	25.50	27.50
11/16 to 25/32 x 3 and 4":				
B and Better	44.00	49.00	50.00	52.00
C	41.00	46.00	47.00	49.00
D	39.00	39.00	40.00	42.00
No. 2	34.00	36.00	37.00	39.00
No. 3	27.00	29.00	30.00	32.00
11/16 to 25/32 x 5 and 6":				
B and Better	45.00	50.00	51.00	53.00
C	42.00	47.00	48.00	50.00
D	37.00	40.00	41.00	43.00
No. 2	35.00	37.00	38.00	40.00
No. 3	26.00	30.00	31.00	33.00
PARTITION—STANDARD BEAD OR V				
13/16 x 4":				
B and Better	$44.00	$49.00	$50.00	$52.00
C	41.00	46.00	47.00	49.00
D	36.00	39.00	40.00	42.00
No. 2	34.00	36.00	37.00	39.00
No. 3	21.00	23.00	24.00	26.00
3/4 x 4":				
B and Better	49.00	54.00	55.00	57.00
C	46.00	51.00	52.00	54.00
D	38.00	41.00	42.00	44.00
No. 2	35.00	37.00	38.00	40.00
No. 3	23.00	25.00	26.00	28.00
13/16 x 6":				
B and Better	46.00	51.00	52.00	54.00
C	43.00	48.00	49.00	51.00
D	38.00	41.00	42.00	44.00
No. 2	36.00	38.00	39.00	41.00
No. 3	23.00	25.00	26.00	28.00
3/4 x 6":				
B and Better	51.00	56.00	57.00	59.00
C	48.00	53.00	54.00	56.00
D	40.00	43.00	44.00	46.00
No. 2	37.00	39.00	40.00	42.00
No. 3	25.00	27.00	28.00	30.00
O. G. BATTS				
5/16 or 3/8 x 3":				
B and Better	$37.00	$42.00	$43.00	$45.00
C	35.00	40.00	41.00	43.00
D	32.00	35.00	36.00	38.00
No 2	30.00	32.00	33.00	35.00
5/16 or 3/8 x 4":				
B and Better	35.00	40.00	41.00	43.00
C	33.00	38.00	39.00	41.00
D	31.00	33.00	34.00	36.00
No 2	28.00	30.00	31.00	33.00

Additions and deductions per M'BM. [See section 14 (b) (10).]

For Working:
1. End-Matching, add $2.00, applicable all items except O. G. batts.
2. Bark back, C and better, deduct $5.00, applicable flooring only.

For grades:
3. For grade-marking in accordance with the provisions of section 9 (e), add $1.00 per M'BM. (except O. G. batts.)

For condition:
4. Air-dried, deduct $1.00.

[Table 4 amended by Am. 2, 9 F.R. 2915, effective 9-16-44; and Am. 4, effective 9-19-44. In present form table 4 includes former tables 6 and 13]

TABLE 5—FLOORING, END-MATCHED KILN DRIED HEART FACE SPECIFICATION

19" to 96" Nested and Bundled for Grades B and Better and C, 12" to 96" Nested and Bundled for Grade D

Size	Grade B and Better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain—					
1 x 3"	$72.00	$59.00	$52.00		
1 x 4"	70.00	57.00	50.00		
Near edge grain—					
1 x 3"	67.00	56.00	49.00		
1 x 4"	66.00	55.00	48.00		
Flat grain—					
1 x 3"	57.50	48.50	42.50		
1 x 4"	56.50	46.50	40.50		

TABLE 7—Continued

Grade	Standard lengths [1]	4' and 6' lengths	8' lengths	5', 10', and 12' lengths	7' and 14' lengths	16' lengths	9', 18', and 20' lengths
GRADE B AND BETTER—continued							
12/4 x 11	$113.00	$100.00	$100.00	$112.00	$113.00	$114.00	$115.00
12/4 x 12	122.00	122.00	122.00	124.00	126.00	127.00	128.00
Bark strips 1 x 3 and 1 x 4 (826)	47.00						
GRADE C							
4/4 edge [2] (818 or 826)	49.75	47.00	47.00	49.75	51.75	52.50	53.25
1 x 2 and 3	52.50	42.50	49.50	52.50	53.50	54.00	55.00
1 x 4	51.00	41.00	48.00	51.00	52.00	52.50	53.50	54.00
1 x 5	53.00	43.00	50.00	53.00	54.00	54.50	55.50	56.00
1 x 6	53.00	43.00	50.00	53.00	54.00	54.50	55.50	56.00
1 x 7	55.00	45.00	52.00	55.00	56.00	56.50	57.50	58.00
1 x 8	55.00	45.00	52.00	55.00	56.00	56.50	57.50	58.00
1 x 9	58.00	48.00	55.00	58.00	59.00	59.50	60.50	61.00
1 x 10	59.00	49.00	56.00	59.00	60.00	60.50	61.50	62.00
1 x 12	61.00	51.00	58.00	61.00	62.00	62.50	63.50	64.00
5/4 and 6/4 edge [2] (818 or 826)	61.00	59.00	59.00	61.00	63.00	63.50	64.25	65.00
5/4 and 6/4 x 2 and 3	65.00	55.00	62.00	65.00	66.00	66.50	67.50	68.00
5/4 and 6/4 x 4	64.00	54.00	61.00	64.00	65.00	65.50	66.50	67.00
5/4 and 6/4 x 5	66.00	56.00	63.00	66.00	67.00	67.50	68.50	69.00
5/4 and 6/4 x 6	66.00	56.00	63.00	66.00	67.00	67.50	68.50	69.00
5/4 and 6/4 x 7	68.00	58.00	65.00	68.00	69.00	69.50	70.50	71.00
5/4 and 6/4 x 8	68.00	58.00	65.00	68.00	69.00	69.50	70.50	71.00
5/4 and 6/4 x 9	71.00	61.00	68.00	71.00	72.00	72.50	73.50	74.00
5/4 and 6/4 x 10	72.00	62.00	69.00	72.00	73.00	73.50	74.50	75.00
5/4 and 6/4 x 11	74.00	64.00	71.00	74.00	75.00	75.50	76.50	77.00
5/4 and 6/4 x 12	75.00	65.00	72.00	75.00	76.00	76.50	77.50	78.00
7/4 and 8/4 edge [2] (818 or 826)	75.00	73.00	73.00	75.00	77.00	77.50	78.25	79.00
7/4 and 8/4 x 2 and 3	79.00	69.00	76.00	79.00	80.00	80.50	81.50	82.00
7/4 and 8/4 x 4	78.00	68.00	75.00	78.00	79.00	79.50	80.50	81.00
7/4 and 8/4 x 5	80.00	70.00	77.00	80.00	81.00	81.50	82.50	83.00
7/4 and 8/4 x 6	80.00	70.00	77.00	80.00	81.00	81.50	82.50	83.00
7/4 and 8/4 x 7	82.00	72.00	79.00	82.00	83.00	83.50	84.50	85.00
7/4 and 8/4 x 8	82.00	72.00	79.00	82.00	83.00	83.50	84.50	85.00
7/4 and 8/4 x 9	85.00	75.00	82.00	85.00	86.00	86.50	87.50	88.00
7/4 and 8/4 x 10	86.00	76.00	83.00	86.00	87.00	87.50	88.50	89.00
7/4 and 8/4 x 11	88.00	78.00	85.00	88.00	89.00	89.50	90.50	91.00
7/4 and 8/4 x 12	89.00	79.00	86.00	89.00	90.00	90.50	91.50	92.00
10/4 edge [2] (818 or 826)	94.00	92.00	92.00	94.00	95.00	95.50	96.25	97.00
10/4 x 2 and 3	98.00	88.00	95.00	98.00	99.00	99.50	100.50	101.00
10/4 x 4	97.00	87.00	94.00	97.00	98.00	98.50	99.50	100.00
10/4 x 5	99.00	89.00	96.00	99.00	100.00	100.50	101.50	102.00
10/4 x 6	99.00	89.00	96.00	99.00	100.00	100.50	101.50	102.00
10/4 x 7	101.00	91.00	98.00	101.00	102.00	102.50	103.50	104.00
10/4 x 8	101.00	91.00	98.00	101.00	102.00	102.50	103.50	104.00
10/4 x 9	104.00	94.00	101.00	104.00	105.00	105.50	106.50	107.00
10/4 x 10	105.00	95.00	102.00	105.00	106.00	106.50	107.50	108.00
10/4 x 11	107.00	97.00	104.00	107.00	108.00	108.50	109.50	110.00
10/4 x 12	108.00	98.00	105.00	108.00	109.00	109.50	110.50	111.00
12/4 edge [2] (818 or 826)	101.00	99.00	99.00	101.00	103.00	103.50	104.25	105.00
12/4 x 2 and 3	105.00	95.00	102.00	105.00	106.00	106.50	107.50	108.00
12/4 x 4	104.00	94.00	101.00	104.00	105.00	105.50	106.50	107.00
12/4 x 5	106.00	96.00	103.00	106.00	107.00	107.50	108.50	109.00
12/4 x 6	106.00	96.00	103.00	106.00	107.00	107.50	108.50	109.00
12/4 x 7	108.00	98.00	105.00	108.00	109.00	109.50	110.50	111.00
12/4 x 8	108.00	98.00	105.00	108.00	109.00	109.50	110.50	111.00
12/4 x 9	111.00	101.00	108.00	111.00	112.00	112.50	113.50	114.00
12/4 x 10	112.00	102.00	109.00	112.00	113.00	113.50	114.50	115.00
12/4 x 11	114.00	104.00	111.00	114.00	115.00	115.50	116.50	117.00
12/4 x 12	115.00	105.00	112.00	115.00	116.00	116.50	117.50	118.00
Bark strips 1 x 3 and 1 x 4 (826)	41.00						

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For condition:
1. Air dried, deduct $1.00.

2. For grade marking in accordance with section 9 (e) add $1.00 per M'BM.

[Table 6 amended by Am. 2, 9 F.R. 2915, effective 9-16-44]

[Former Table 6 amended by Am. 2, 9 F.R. 2915, effective 9-16-44; Am. 3, 9 F.R. 6232, effective 6-12-44; now included in Table 4 as amended by Am. 4, effective 9-19-44]

For working:
1. Rough, B and better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S2S and S1S & C (10" and wider only), or S1S, S2S, Shiplap, all widths, add $2.00. This table may not be used in pricing flooring, ceiling, or any other pattern for which a maximum price is set in any of the tables.
4. Ripping or resawing, add $1.00 for each cut, applicable only when machine run stock is shipped.
5. Center, beads, flat tongue, square, paying strips or any other pattern requiring moulder work (not including moulder work on standard patterns), add $10.00 for 4/4 and thicker.
6. Nosed stepping, add $3.00.
7. Banding one face, add $3.00.
8. Wrapping, add $3.00.

See footnotes at end of table.

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For working:
1. Rough, B and better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S2S and S1S & C (10" and wider only), or S1S, S2S, Shiplap, all widths, add $2.00. This table may not be used in pricing flooring, ceiling, or any other pattern for which a maximum price is set in any of the tables.
4. Ripping or resawing, add $1.00 for each cut, applicable only when machine run stock is shipped.
5. Center, beads, flat tongue, square, paying strips or any other pattern requiring moulder work (not including moulder work on standard patterns), add $10.00 for 4/4 and thicker.
6. Nosed stepping, add $3.00.
7. Banding one face, add $3.00.
8. Wrapping, add $3.00.

See footnotes at end of table.

TABLE 7—Continued

Grade	Standard lengths [1]	4' and 6' lengths	8' lengths	5', 10', and 12' lengths	7' and 14' lengths	16' lengths	9', 18', and 20' lengths
GRADE B AND BETTER							
4/4 edge [2] (818 or 826)	$55.00	$47.00	$47.00	$49.75	$51.75	$52.50	$53.25
1 x 2 and 3	57.00	43.50	50.50	53.50	54.50	55.00	56.00
1 x 4	55.00	42.00	49.00	52.00	53.00	53.50	54.50	55.00
1 x 5	58.00	44.00	51.00	54.00	55.00	55.50	56.50	57.00
1 x 6	58.00	44.00	51.00	54.00	55.00	55.50	56.50	57.00
1 x 7	60.00	46.00	53.00	56.00	57.00	57.50	58.50	59.00
1 x 8	60.00	46.00	53.00	56.00	57.00	57.50	58.50	59.00
1 x 9	63.00	49.00	56.00	59.00	60.00	60.50	61.50	62.00
1 x 10	64.00	50.00	57.00	60.00	61.00	61.50	62.50	63.00
1 x 12	66.00	52.00	59.00	62.00	63.00	63.50	64.50	65.00
5/4 and 6/4 edge [2] (818 or 826)	66.00	64.00	64.00	66.00	68.00	68.50	69.25	70.00
5/4 and 6/4 x 2 and 3	70.00	60.00	67.00	70.00	71.00	71.50	72.50	73.00
5/4 and 6/4 x 4	69.00	59.00	66.00	69.00	70.00	70.50	71.50	72.00
5/4 and 6/4 x 5	71.00	61.00	68.00	71.00	72.00	72.50	73.50	74.00
5/4 and 6/4 x 6	71.00	61.00	68.00	71.00	72.00	72.50	73.50	74.00
5/4 and 6/4 x 7	73.00	63.00	70.00	73.00	74.00	74.50	75.50	76.00
5/4 and 6/4 x 8	73.00	63.00	70.00	73.00	74.00	74.50	75.50	76.00
5/4 and 6/4 x 9	76.00	66.00	73.00	76.00	77.00	77.50	78.50	79.00
5/4 and 6/4 x 10	77.00	67.00	74.00	77.00	78.00	78.50	79.50	80.00
5/4 and 6/4 x 11	79.00	69.00	76.00	79.00	80.00	80.50	81.50	82.00
5/4 and 6/4 x 12	80.00	70.00	77.00	80.00	81.00	81.50	82.50	83.00
7/4 and 8/4 edge [2] (818 or 826)	80.00	78.00	78.00	80.00	82.00	82.50	83.25	84.00
7/4 and 8/4 x 2 and 3	84.00	74.00	81.00	84.00	85.00	85.50	86.50	87.00
7/4 and 8/4 x 4	83.00	73.00	80.00	83.00	84.00	84.50	85.50	86.00
7/4 and 8/4 x 5	85.00	75.00	82.00	85.00	86.00	86.50	87.50	88.00
7/4 and 8/4 x 6	85.00	75.00	82.00	85.00	86.00	86.50	87.50	88.00
7/4 and 8/4 x 7	87.00	77.00	84.00	87.00	88.00	88.50	89.50	90.00
7/4 and 8/4 x 8	87.00	77.00	84.00	87.00	88.00	88.50	89.50	90.00
7/4 and 8/4 x 9	90.00	80.00	87.00	90.00	91.00	91.50	92.50	93.00
7/4 and 8/4 x 10	91.00	81.00	88.00	91.00	92.00	92.50	93.50	94.00
7/4 and 8/4 x 11	93.00	83.00	90.00	93.00	94.00	94.50	95.50	96.00
7/4 and 8/4 x 12	94.00	84.00	91.00	94.00	95.00	95.50	96.50	97.00
10/4 edge [2] (818 or 826)	98.00	96.00	96.00	98.00	99.00	99.50	100.25	101.00
10/4 x 2 and 3	102.00	92.00	99.00	102.00	103.00	103.50	104.50	105.00
10/4 x 4	101.00	91.00	98.00	101.00	102.00	102.50	103.50	104.00
10/4 x 5	103.00	93.00	100.00	103.00	104.00	104.50	105.50	106.00
10/4 x 6	103.00	93.00	100.00	103.00	104.00	104.50	105.50	106.00
10/4 x 7	105.00	95.00	102.00	105.00	106.00	106.50	107.50	108.00
10/4 x 8	105.00	95.00	102.00	105.00	106.00	106.50	107.50	108.00
10/4 x 9	108.00	98.00	105.00	108.00	109.00	109.50	110.50	111.00
10/4 x 10	109.00	99.00	106.00	109.00	110.00	110.50	111.50	112.00
10/4 x 11	111.00	101.00	108.00	111.00	112.00	112.50	113.50	114.00
10/4 x 12	112.00	102.00	109.00	112.00	113.00	113.50	114.50	115.00
12/4 edge [2] (818 or 826)	101.00	99.00	99.00	101.00	103.00	103.50	104.25	105.00
12/4 x 2 and 3	105.00	95.00	102.00	105.00	106.00

TABLE 9—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN—KILN DRIED—Con.

Size and grade	8' lengths	9' lengths	8' and 10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths
Common (Par. 54-56-60 A. A. R. Rules):[1]								
Rules):								
2" x 4"	$47.00	$49.00	$47.00	$47.00	$47.00	$50.00	$52.00	$62.00
2" x 6"	52.00	54.00	52.00	52.00	52.00	58.00	57.00	67.00
2" x 8"	55.00	58.00	55.00	55.00	55.00	67.00	63.00	71.00
2" x 10"	64.00	66.00	64.00	64.00	64.00	83.00	85.00	95.00
2" x 12"	68.00	69.00	68.00	68.00	68.00			

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For working:
1. Rough, deduct $2.00.
2. Where material is required S2S only, add $1.00.

For grade:
3. Edge grain, add $16.00 to select price only.
4. Dense, running boards only, add $4.00.
5. Dense, block and sprocket stock only, add $4.00. Make no addition for dense on stock less than 2" thick (except for flooring, ceiling and partition stock as provided in footnote 4).
6. Grades and specifications other than those contained in A. A. R. Rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

For condition:
7. Air dried, stain no defect, deduct $6.00.
8. Air dried, deduct $4.00.
9. Green, deduct $6.00.

For size:
10. 2¼ and 2½, add $10.00 to 4/4 prices.
11. 3¼" and 3½" par. 53, 55, 59 and 63, add $15.00 to 8/4 prices; 3¼" and 3½" par. 54, 56 and 60, add $8.00 to 8/4 prices.
12. Extra standard thickness, other than those covered by A. A. R. add $1.00 where stock is dressed clean.
13. Odd or fractional widths, add $6.00 to nearest greater listed width and compute footage on nominal rough size.

For length:
14. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
15. Extra standard thickness, other than those covered by A. A. R. add $1.00 where stock is dressed clean.
16. For precision cutting to a specified exact length, charge the price of the nearest even multiple length, up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in footnote 16 may not also be charged, and no total charge for such service may be greater than $3.00 per M'BM. If length be over one-half foot compute footage on actual length, otherwise compute on 12 inch basis on the next break above.

[1] Standard lengths are 8' to 20' inclusive, and in shipments of standard lengths, 5% of 8 foot in C and better grades may be furnished in random widths including odd, even or fractional widths. Measurement shall be according to paragraph 126, S. P. I. B. rules.

[Deleted by Am. 4, effective 9-19-44]

[Footnotes 10 and 14 amended by Am. 3, 9 F.R. 2315, effective 3-16-44: Restricted random widths deleted from Table 7 and footnotes 3 amended by Am. 4, effective 9-19-44]

TABLE 8—END-MATCHED AND CENTER-MATCHED BOARDS AND STRIPS

[Air Dried]

12' TO 20' INCLUSIVE AND BUNDLED

Size	Grade B and better	Grade C	Grade No. 1	Grade No. 2	Grade No. 3	Grade No. 4
1" x 6"	$51.50	$48.50	$40.50	$34.50	$30.50	$22.50
1" x 8"	57.50	53.50	45.50	38.50	33.50	24.50
1" x 10"	67.50	63.50	53.50	45.50	39.50	29.50
1" x 12"	67.50	63.50	53.50	45.50	39.50	29.50

TABLE 9—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN—KILN DRIED [1]

Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths
Select (Par. 51 A. A. R. Rules):[2]								
1" x 6" and 1" x 8"	$56.00	$60.00	$60.00	$63.00	$65.00	$67.00	$73.00	$85.00
Common (Par. 52 A. A. R. Rules):[2]								
1" x 4" and 1" x 6"	48.00	51.00	51.00	53.00	55.00	57.00	63.00	78.00
Select (Par. 53-62, A. A. R. Rules):[2]								
1" x 6", 1" x 8" and 1" x 10"	55.00	60.00	60.00	62.00	65.00	67.00	73.00	85.00
1" x 12"	68.00	73.00	73.00	76.00	78.00	77.00	83.00	95.00
Common (Par. 56 A. A. R. Rules):[2]								
1" x 4", 1" x 6" and 1" x 8"	48.00	51.00	51.00	53.00	55.00	57.00	63.00	78.00
1" x 10"	56.00	58.00	58.00	60.00	63.00	65.00	71.00	87.00
1" x 12"	72.00	76.00	74.00	76.00	78.00	84.00	87.00	98.00
Common (Par. 60 A. A. R. Rules):[2]								
1" x 4", 1" x 6" and 1" x 8"	36.00	38.00	40.00	42.00	45.00	47.00	50.00	62.00
1" x 10"	45.00	48.00	48.00	50.00	53.00	55.00	58.00	70.00
1" x 12"	62.00	64.00	64.00	66.00	69.00	71.00	74.00	90.00
Select (Par. 85-55-59-62 A. A. R. Rules):[2]								
2" x 4"	62.00	67.00	62.00	62.00	62.00	67.00	77.00	92.00
2" x 6"	67.00	72.00	67.00	67.00	67.00	72.00	77.00	97.00
2" x 8"	70.00	75.00	70.00	70.00	70.00	75.00	80.00	100.00
2" x 10"	75.00	80.00	75.00	75.00	75.00	80.00	85.00	105.00
2" x 12"	90.00	95.00	90.00	90.00	90.00	95.00	100.00	115.00

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For working:
1. Rough, deduct $2.00.
2. Where material is required S2S only, add $1.00.

For grade:
3. Edge grain, add $15.00 to select price only.
4. Dense, add $4.00.
5. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.
6. Heart face, common (Par. 58), add $10.00; for all heart, add $15.00.
7a. For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

See footnotes at end of table.

For condition:
8. Drying to moisture content of less than 15% add $5.00.
9. Green, deduct $5.00.

For size:
10. Extra standard thickness other than those covered by A. A. R., add $1.00 when dressed clean.
11. Odd or fractional widths, add $3.00 to nearest greater listed width and compute footage on nominal rough size.

For length:
12. For precision cutting to a specified exact length, with tolerance of not more ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
13. Odd or fractional lengths, except 9', shall be counted and priced as next longer even length.

For inspection:
14. Final inspection at destination in car repair or building establishment rather than at shipping point, add $5.00.

[1] The prices in this table apply only to direct-mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchasers may be established upon application to the lumber branch of the national office pursuant to section 22 hereof. In addition to the information specified in section 22, sellers must show for what uses the purchaser has ordered the car material.

[2] Specifications for car material designated above (A. A. R. Rules) correspond to the specifications issued by the association of American Railroads as set forth in its pamphlet M-607-33, adopted 1910, revised 1933.

[Footnote 7a added by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 9B—CAR MATERIAL, FRAMING, SPECIFIED OR RANDOM LENGTHS, 20' AND SHORTER ROUGH, GREEN [1]

Size	Group 7		Group 8		Group 9			Group 10		
	Par. 64		Par. 65	Par. 66	Par. 67	Par. 68	Par. 69	Par. 70	Par. 71	Par. 72
	Dense common	Nondense common	Dense select structural	Close grain select structural	Dense select structural	Close grain select structural	Dense common structural	Nondense common structural	Dense select structural	Close grain select structural	Dense common structural	Nondense common structural
2" to 4" x 2" to 8"	$45.00	$40.00	$53.00	$51.00	$53.00	$51.00	$47.00	$42.00	$53.00	$51.00	$46.00	$41.00
2" to 4" x 8¼" to 10"	51.00	46.00	59.00	57.00	59.00	57.00	53.00	48.00	59.00	57.00	52.00	47.00
2" to 4" x 10¼" to 12"	58.00	53.00	66.00	64.00	66.00	64.00	60.00	55.00	66.00	64.00	59.00	54.00
5" to 6" x 12⅜" to 14¾"	68.00	63.00	76.00	74.00	76.00	74.00	70.00	65.00	76.00	74.00	69.00	64.00

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For working:
1. Dressing to standard patterns, add $2.00.

For grade:
2. 85% heart facial area, add $12.00.
3. 75% heart girth measurement, add $8.00.
4. 85% heart girth measurement, add $16.00.
5. All heart, add $25.00.
6. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.

6a. For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

For condition:
7. Dry, moisture content between 15 and 20%, add $5.00.

For size:
8. 4/4, 5/4, 6/4, 7/4, add $4.00.
9. Over 4" in thickness, deduct $1.00.
10. Measurement for rough sizes must allow not less than ¼" for dressing on each dimension.

For inspection:
11. Final inspection at destination in car repair or building establishment rather than at shipping point, add $5.00.

For length:
12. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
13. Odd or fractional lengths, except 5', 7' and 9', shall be counted and priced as next longer even length.
14. Lengths longer than 20', add to 20' prices as follows (for all grades):

	10" and under	Over 10"
22' and 24'	$5.00	$5.00
26'	6.00	6.00
28'	7.00	7.00
30'	10.00	10.00
32'	12.00	14.00
34'	14.00	17.00
36'	17.00	20.00
40'	20.00	25.00

15. For lengths over 40', add $3.00 per lineal foot.

[1] The prices in this table apply only to direct-mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchases may be established upon application to the Lumber Branch of the National Office pursuant to section 22 hereof. In addition to the information specified in section 22, sellers must show for what uses the purchaser has ordered the car material.

[Footnote 6a added by Am. 2, 9 F.R. 1915, effective 3-16-44]

TABLE 10—STANDARD PLASTERING LATH AND FENCE LATH: KILN DRIED

Size	Grade No. 1	Grade No. 2	Grade No. 3
⅝ x 1½"—4' plastering lath	$6.50	$5.50	$4.00
⅝ x 1½"—32" plastering lath	4.00	2.50	-------
⅝ x 1½"—32" fence lath	5.50	3.50	-------
⅝ x 1½"—36" fence lath	6.25	4.25	-------
⅝ x 1½"—42" fence lath	7.50	5.50	-------
⅝ x 1½"—45" fence lath	9.00	7.00	-------
⅝ x 1½"—60" fence lath	11.25	9.25	-------
⅝ x 1½"—72" fence lath	13.50	11.50	-------

Additions and deductions per 1,000 pieces:

For condition:
1. Air dried, deduct 25¢.
2. Green, deduct 50¢.

TABLE 11—BYRKIT LATH, AIR DRIED OR KILN DRIED

Size	Standard lengths [1]	4', 6', and 8'
1 x 4	$30.00	$28.00
1 x 6	34.00	31.00

[1] Standard lengths are 4' and up.

TABLE 12—BED SLATS, S4S, AIR DRIED OR KILN DRIED (BUNDLED)

Grade and size	Per set (8 pieces) 36"	Per set (8 pieces) 39"	Per set (8 pieces) 42"	Per set (8 pieces) 54" to 56"
No. 1—1 x 3	$0.35	$0.37	$0.38	$0.48
No. 2—1 x 3	.28	.30	.31	.41

[Former Table 13 included in Table 4 as amended by Am. 4, effective 9-19-44]

ARTICLE V—APPENDIX B: LONG LEAF YELLOW PINE LUMBER

The maximum prices for Long Leaf Yellow lumber, straight or mixed carlots, f. o. b. mill, per M'BM, shall be as follows:

TABLE 14.—BOARDS AND STRIPS

[S1S, S2S, S3S, S4S, S2S and matched, or shiplap, standard or ¾ inch]

AIR DRIED

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 1 Common:				
1 x 2"	$40.00	$46.00	$47.50	$48.00
1 x 3"	41.00	47.00	48.50	49.00
1 x 4"	37.00	43.00	44.50	45.00
1 x 5"	42.00	48.00	49.50	50.00
1 x 6"	40.00	46.00	47.50	48.00
1 x 7"	41.00	47.00	48.50	49.00
1 x 8"	41.00	47.00	48.50	49.00
1 x 9 and 10"	42.00	48.00	49.50	50.00
1 x 11"	49.00	55.00	56.50	57.00
1 x 12"	53.00	59.00	60.50	61.00
5/4 and 6/4 x 2"	43.00	49.00	50.50	51.00
5/4 and 6/4 x 3"	44.00	50.00	51.50	52.00
5/4 and 6/4 x 4"	40.00	46.00	47.50	48.00
5/4 and 6/4 x 5"	45.00	51.00	52.50	53.00
5/4 and 6/4 x 6"	43.00	49.00	50.50	51.00
5/4 and 6/4 x 7"	44.00	50.00	51.50	52.00
5/4 and 6/4 x 8"	44.00	50.00	51.50	52.00
5/4 and 6/4 x 9 and 10"	45.00	51.00	52.50	53.00
8/4 and 6/4 x 11"	52.00	58.00	59.50	60.00
5/4 and 6/4 x 12"	56.00	62.00	63.50	64.00
No. 2 Common:				
1 x 2"	37.00	40.00	40.50	42.00
1 x 3"	38.00	41.00	41.50	43.00
1 x 4"	38.00	39.00	39.50	41.00
1 x 5"	39.00	42.00	43.00	45.00
1 x 6"	39.00	42.00	43.00	45.00
1 x 7"	37.00	40.00	41.00	43.00
1 x 8"	39.00	42.00	43.00	45.00
1 x 9 and 10"	39.00	43.50	44.50	46.50
1 x 11"	42.00	46.50	47.50	50.50
1 x 12"	46.00	50.50	51.50	54.50
5/4 and 6/4 x 2"	40.00	43.00	43.50	45.00
5/4 and 6/4 x 3"	41.00	44.00	44.50	46.00
5/4 and 6/4 x 4"	39.00	42.00	42.50	44.00
5/4 and 6/4 x 5"	42.00	45.00	45.00	46.00
5/4 and 6/4 x 6"	42.00	45.00	46.00	48.00
5/4 and 6/4 x 7"	40.00	43.00	44.00	46.00
5/4 and 6/4 x 8"	42.00	45.00	46.00	48.00
5/4 and 6/4 x 9 and 10"	42.00	46.50	47.50	49.50
5/4 and 6/4 x 11"	45.00	49.50	50.50	52.50
5/4 and 6/4 x 12"	49.00	53.50	54.50	57.50

TABLE 14—Continued

Grade	4 and 6'	8, 10, 12, and 14'	16'	18 and 20'
No. 3 Common:				
1 x 3"	29.00	32.00	32.00	34.00
1 x 4"	31.00	34.00	34.50	36.00
1 x 6"	31.00	34.00	34.50	36.00
1 x 8"	31.00	34.00	35.00	37.00
1 x 9"	32.00	35.00	36.00	38.00
1 x 10"	32.00	35.00	36.00	38.00
1 x 11"	33.00	36.00	37.00	39.00
1 x 12"	33.00	36.00	37.00	39.00
4/4 and 6/4 x 3"	31.00	34.00	34.50	36.00
4/4 and 6/4 x 4"	32.00	35.00	35.50	37.00
4/4 and 6/4 x 6"	33.00	36.00	36.50	38.00
4/4 and 6/4 x 8"	33.00	36.00	37.00	39.00
4/4 and 6/4 x 9"	34.00	37.00	38.00	40.00
4/4 and 6/4 x 10"	33.00	36.00	38.00	39.00
4/4 and 6/4 x 11"	34.00	37.00	38.00	40.00
4/4 and 6/4 x 12"	34.00	37.00	38.00	40.00
No. 4 Common and dunnage:				
1 x 3"	27.00	30.00	30.50	32.00
1 x 4"	20.00	23.00	23.50	25.00
1 x 6"	27.00	30.00	31.00	33.00
1 x 8"	28.00	29.00	30.00	32.00
1 x 9"	28.00	29.00	30.00	32.00
1 x 10"	28.00	29.00	30.00	32.00
1 x 11"	27.00	31.00	32.00	34.00
1 x 12"	27.50	32.00	33.00	36.00
4/4 and 6/4 x 3"	28.00	31.00	32.00	34.00
4/4 and 6/4 x 4"	28.00	31.00	31.50	33.00
4/4 and 6/4 x 6"	21.00	24.00	24.50	26.00
4/4 and 6/4 x 8"	28.00	31.00	32.00	34.00
4/4 and 6/4 x 9"	27.00	30.00	31.00	33.00
4/4 and 6/4 x 10"	27.00	30.00	31.00	33.00
4/4 and 6/4 x 11"	27.00	30.00	31.00	33.00
4/4 and 6/4 x 12"	28.00	32.00	33.00	35.00
4/4 and 6/4 x 11"	28.50	33.00	34.00	37.00
4/4 and 6/4 x 12"	29.00	33.50	34.50	37.50

Additions and deductions per M'BM. [See section 14 (b) (10).]

For working:
1. Rough, deduct $4.50.
2. End-matching, add $2.00.
3. For any other matcher dressing not otherwise provided for (except V-joint, ECB18, ECB28), add $2.00. Patterns requiring moulder work, add $6.50.
4. Ripping, add $1.00 for each cut; resawing, add $2.00 for each cut, both applicable only when machine run product is shipped.

For grade:
5. For grade marking in accordance with provisions of section 9 (a), add $1.00 per M'BM.
6. No. 1 Common 85 or 90% Heart facial area, add $20.00.
7. No. 2 Common 85 or 90% Heart facial area, add $12.00.

For condition:
8. Kiln dried, add $1.00.
9. Green, deduct, $3.50.

For length:
10. For precision cutting to a specified exact length, with tolerance of not more than ¼ inch allowed, add $1.50. No addition is permitted for customary double end trimming.
11. Odd or fractional lengths over 4 feet, not listed, shall be counted and priced as next longer even length.
12. For any length shorter than 4 feet, cut to a specified exact length, charge the price of the nearest even multiple length up to 12 feet. If there is no even multiple length 12 feet or shorter, charge the 12-foot price. In either case, add $1.50 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in footnote 10 may not also be charged, and no total charge for such service may be greater than $6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on 6-inch breaks on the next break above.
13. Random lengths must average at least 12 feet (with a tolerance of 3 inches), and must take the 12-foot price.

For size:
14. Stock thinner than ¾ inch, deduct $1.00 from the ⅜ inch price for each ⅛ inch thinner than ⅜ inch, except when dressed both sides use ¾-inch price. However, sizes that can be resawn from boards or strips 1 inch in nominal thickness shall take the 1-inch price, plus the resawing addition permitted.
15. 12-inch and wider, add $3.00 per inch or fraction thereof to 12-inch price and compute footage on nominal size.
16. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48, of 1939 Standard Specifications for Southern Pine Lumber.

[Table 14 amended by Am. 2, 9 F.R. 2915, effective 9-19-44; and Am. 4, effective 9-19-44]

TABLE 15—DIMENSION

S1S, S2S, S3S, S4S, air dried

Grade	6' lengths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths
No. 1—										
2 x 2"	136	136	142	144	142	142	142	144	144	140
2 x 3"	34	34	41	44	41	41	41	42	42	39
2 x 4"	35	35	42	45	42	42	42	43	43	40
2 x 5"	35	35	42	45	42	42	42	43	43	40
2 x 6"	35	35	42	45	42	42	42	43	43	40
2 x 8"	35	35	42	45	42	42	42	43	43	40
2 x 10"	35	35	42	45	42	42	42	43	43	40
2 x 12"	35	35	42	45	42	42	42	43	43	40
No. 2—										
2 x 2"	33	33	36	36	36	36	36	36	36	35
2 x 3"	33	33	36	36	36	36	36	36	36	35
2 x 4"	34	34	37	37	37	37	37	37	37	36
2 x 5"	34	34	37	37	37	37	37	37	37	36
2 x 6"	34	34	37	37	37	37	37	37	37	36
2 x 8"	34	34	37	37	37	37	37	37	37	36
2 x 10"	34	34	37	37	37	37	37	37	37	36
2 x 12"	34	34	37	37	37	37	37	37	37	36
No. 3—										
2 x 2"	23	23	26	26	26	26	26	26	26	25
2 x 3"	23	23	26	26	26	26	26	26	26	25
2 x 4"	27	27	30	30	30	30	30	30	30	29
2 x 5"	28	28	31	31	31	31	31	31	31	30
2 x 6"	28	28	31	31	31	31	31	31	31	30
2 x 8"	27	27	30	30	30	30	30	30	30	29
2 x 10"	26	26	29	29	29	29	29	29	29	28
2 x 12"	26	26	29	29	29	29	29	29	29	28

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)].

For working:
1. Rough, deduct $4.50.
2. Shiplap, center matched, dressed and matched, grooved, or any other matcher dressing not otherwise provided for, add $1.00. Patterns requiring moulder work, add $6.50.
3. Ripping or resawing, add $1.00 for each cut, both applicable only when machine run product is shipped.
4. End-matched and center matched, add $4.00.

For grade:
5. No. 2, 1050 F, Par. 333, add $2.50 to No. 2 Common prices.
6. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 2 to 2 x 8, add $15.00.
7. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 10 and 2 x 12, add $20.00.
8. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM.

For condition:
9. Kiln dried, add $1.00.
10. Green, deduct $3.50.

For size:
11. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean, or will permit slight skips as defined in Par. 48 of 1939 Standard Specifications for Southern Pine Lumber.
12. Odd or fractional widths, not listed, add $3.00 to nearest greater listed width and compute footage on nominal size.

For length:
13. Random lengths must average at least 14' (with tolerance of 3") and must take the 14' price.

For length—Continued.
14. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. Where a 9' average is required charge the 8' price.
15. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.
16. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.
17. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.50 per M'BM for each necessary cross cut, but the addition permitted in footnote 15 for precision cutting may not also be charged, and no total charge for such service may be greater than $6.00 per M'BM. If length breaks on even one-half foot, compute footage on actual length, otherwise compute on six inch breaks on the next break above.
18. Lengths longer than 24', add to 24' price as follows (for all grades):

Length:	
26'	$2.00
28'	4.00
30'	6.00
32'	10.00
34'	14.00
36'	18.00
38'	24.00
40'	30.00

[Table 15 amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

For condition:
27. Air dried, 25% moisture content, 3 x 3 and larger, and 2 x 14 and 2 x 16, add $4.00.
28. Kiln dried, 20% moisture content, 2 x 14 and 2 x 16, add $6.00.
29. Kiln dried, 15% moisture content, 40 square inches of end area and less, add $5.00; and area greater than 40 square inches, add $8.00.

For size:
30. No. 2 common and under above, for each 1" width above 29" width, add $7.50 to the nearest comparable 20' price.
31. For odd thickness, add $3.00 to nearest listed greater thickness and compute footage on nominal size.
32. Fractional widths, add $3.00 to nearest listed wider width and compute footage on nominal size.
33. 2 x 14 and 2 x 16, add $3.00 to comparable 2" price.
34. For any average size, charge the price for the average size required and shipped.
35. For a specified cubic average, the price shall be that of the length in 12 x 12 required to equal the average specified.

[Footnote 1 amended and 16a added by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 16A—2" FLAT AND JOIST

[Rough—green]

Size	No. 1 structural and merchantable '05 specified lengths			Structural square edge and sound specified lengths			Merchantable structural specified lengths		
	8' to 14'	16', 18' and 20'	22' and 24'	8' to 14'	16', 18' and 20'	22' and 24'	8' to 14'	16', 18' and 20'	22' and 24'
2 x 4"	$47.00	$49.00	$52.00	$50.00	$52.00	$55.00	$52.00	$54.00	$57.00
2 x 6"	47.00	49.00	52.00	50.00	52.00	55.00	52.00	54.00	57.00
2 x 8"	48.00	48.00	51.00	49.00	51.00	54.00	51.00	53.00	56.00
2 x 10"	57.00	60.00	62.00	60.00	62.00	65.00	62.00	64.00	67.00
2 x 12"	67.00	69.00	72.00	70.00	72.00	75.00	72.00	74.00	77.00

Additions and deductions per 1,000 feet board measure. (See section 14 (b) (10)).

For working:
1. S1S, S2S, S3S, S4S, Shiplap, T & G, or Grooved two edges, add $4.50.
2. Ripping or resawing, add $1 for each cut.
3. Beveling and/or outgauging, add $4.

For grade: Add to No. 1 Structural and Merchantable '06 Prices:
4. No. 2 Prime, 6' and over, add $2.
5. No. 2 Prime, under 6', add $10.
6. Prime structural, add as follows:

24' and under	$15
25' to 30'	17
31' to 40'	20

7. Select structural, add as follows:

24' and under	30
25' to 30'	35
31' to 40'	40

8. For grade marking in accordance with the provision of section 9 (a), add $1 per M'BM.

For length:
9. 25' to 30', add $1 per lineal foot to 24' price.
10. 31' to 36', add $2 per lineal foot to 30' price.
11. 37' to 42', add $3 per lineal foot to 36' price.
12. Odd or fractional lengths over 6' shall be counted and priced at next longer even length.
13. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
14. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $1.50. No addition is permitted for customary double end trimming.

For condition:
15. Kiln dried, add $4.50.
16. Air dried, add $3.50.

For size:
17. Odd or fractional widths, not listed, add $3 to nearest greater listed width and compute footage on actual size.
18. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

[Table 16A added by Am. 2, 9 F.R. 2915, effective 9-19-44; and amended by Am. 4 effective 9-19-44]

TABLE 16—TIMBERS, ROUGH, GREEN

Size	No. 1 common specified lengths			Square edge and sound specified lengths			No. 1 structural and merchantable '05 specified lengths		
	8' to 14'	16', 18' and 20'	22' and 24'	8' to 14'	16', 18' and 20'	22' and 24'	8' to 14'	16', 18' and 20'	22' and 24'
3 x 3 to 4 x 4	$40.00	$42.00	$45.00	$42.00	$44.00	$47.00	$44.00	$46.00	$49.00
3 x 5 to 6 x 6	40.00	42.00	45.00	42.00	44.00	47.00	43.00	47.00	47.00
3 x 7 to 6 x 8	40.00	43.00	45.00	43.00	44.00	47.00	44.00	46.00	49.00
7 x 7 to 8 x 8	42.00	44.00	47.00	44.00	46.00	49.00	47.00	49.00	52.00
3 x 9 to 5 x 10	50.00	52.00	55.00	52.00	54.00	57.00	55.00	57.00	60.00
6 x 9 to 10 x 10	49.00	51.00	54.00	51.00	53.00	56.00	54.00	56.00	59.00
6 x 11 to 12 x 12	62.00	64.00	67.00	64.00	66.00	69.00	67.00	69.00	72.00
3 x 13 to 7 x 14	73.00	75.00	78.00	75.00	77.00	80.00	80.00	82.00	85.00
8 x 13 to 12 x 14	71.00	73.00	76.00	73.00	75.00	78.00	77.00	79.00	82.00
15 x 15 to 16 x 16	87.00	87.00	90.00	87.00	87.00	90.00	93.00	94.00	97.00
8 x 15 to 14 x 16	83.00	85.00	88.00	85.00	87.00	90.00	89.00	91.00	92.00
15 x 15 to 16 x 16	85.00	87.00	90.00	87.00	89.00	92.00	92.00	94.00	97.00
3 x 17 to 9 x 18	97.00	99.00	102.00	99.00	101.00	104.00	106.00	108.00	109.00
10 x 17 to 18 x 18	97.00	99.00	102.00	99.00	101.00	104.00	106.00	108.00	109.00
3 x 19 to 8 x 20	97.00	99.00	102.00	99.00	101.00	104.00	106.00	108.00	109.00
9 x 19 to 10 x 20	112.00	114.00	117.00	114.00	116.00	119.00	119.00	121.00	124.00
12 x 19 to 18 x 20	110.00	112.00	115.00	112.00	114.00	117.00	117.00	119.00	122.00
19 x 19 to 20 x 20	112.00	114.00	117.00	114.00	116.00	119.00	119.00	121.00	124.00

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)].

For working:
1. S1S, S2S, S3S, S4S, shiplap or T. and G., add $3.00.
2. Grooved two edges, add $3.00. (to dressed prices).
3. Beveling and/or outgauging, for two edges on one face, add $4.00; for four edges, or one face and one edge, add $8.00 (to dressed price in each case).

For grade:
4. Structural square edge and sound, add $3.00 to merchantable '06 prices.
5. Merchantable structural, add $5.00 to merchantable '06 prices.
6. Square edge and sound, 85% heart cubical content, 0 x 0 and larger, not over 2" out of square, add $5.00 to merchantable '06 prices.
7. 1935 prime, 8' and over, add $5.00 to merchantable '05 prices.
8. 1935 prime, under 8', add $15.00 to merchantable '05 prices.
9. Square edge and sound, 85% heart facial area, make following additions to merchantable '05 prices:

24' and under	$10.00
Over 24'	12.00

25' to 30'	$14.00
31' to 40'	16.00

8 x 8 and under	$20.00
Over 8 x 8	22.00

10. Square edge and sound, 90% heart facial area, add $8.00 to 85% heart facial area, square edge and sound prices.
11. Flat Structural, add to merchantable '05 prices as follows: 24' and under, $15.00; 25' to 30', $17.00; 31' to 40', $20.00.
12. Square edge and sound, 85% heart girth, add $10.00 to 85% heart facial area, square edge and sound prices.
13. Square edge and sound, 90% heart girth, add $13.00 to 85% heart facial area, square edge and sound prices.
14. Select structural, add to merchantable '05 prices, as follows:

	24' and under	25' to 40'
Parts and timbers	$25.00	$35.00
Joists, planks, beams and stringers	30.00	40.00

15. Select structural, heart requirement waived, deduct $15.00 from select structural prices.
16. No. 1 timbers, add $8.00 from merchantable '05 prices.
16a. For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

For length:
17. 25' to 30', add $1.00 per lineal foot to 24' price.
18. 31' to 36', add $2.00 per lineal foot to 30' price.
19. 37' to 42', add $3.00 per lineal foot to 36' price.
20. 43' to 48', add $4.00 per lineal foot to 42' price.
21. 49' to 54', add $5.00 per lineal foot to 48' price.
22. 55' to 60', add $6.00 per lineal foot to 54' price.
23. Odd or fractional lengths over 8' shall be counted and priced as next longer even length.
24. For lengths shorter than 8' cut to nearest multiple length and price as next longer even length.
25. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
26. For precision cutting to a specified exact length, with tolerance of not more than ¼" allowed, add $2.00. No addition is permitted for customary double end trimming.

TABLE 17—FLOORING, PLAIN END—SIDING—CEILING—PARTITION—O. G. BATTS

[Kiln dried—standard lengths]

FLOORING—HEART FACE—EDGE GRAIN

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
1 x 3"—B and Better	$85.00	$86.00	$86.00	$88.00
1 x 3"—C	70.00	80.00	81.00	82.00
1 x 3"—D	58.00	63.00	64.00	66.00
1 x 3"—No. 2	55.00	60.00	61.00	63.00
1 x 4"—B and Better	83.00	93.00	94.00	96.00
1 x 4"—C	68.00	78.00	79.00	81.00
1 x 4"—D	56.00	61.00	62.00	64.00
1 x 4"—No. 2	53.00	58.00	59.00	61.00
5/4 x 3"—B and Better	107.00	117.00	118.00	120.00
5/4 x 3"—C	90.00	100.00	101.00	103.00
5/4 x 3"—D	73.00	78.00	79.00	81.00
5/4 x 3"—No. 2	71.00	76.00	77.00	79.00
5/4 x 4"—B and Better	105.00	115.00	116.00	118.00
5/4 x 4"—C	88.00	98.00	99.00	101.00
5/4 x 4"—D	71.00	76.00	77.00	79.00
5/4 x 4"—No. 2	69.00	74.00	75.00	77.00

FLOORING—NO HEART SPECIFICATION—EDGE GRAIN

1 x 3"—B and Better	$95.00	$78.00	$76.00	$78.00
1 x 3"—C	57.00	67.00	68.00	70.00
1 x 3"—D	50.00	55.00	56.00	58.00
1 x 3"—No. 2	46.00	51.00	52.00	54.00
1 x 4"—B and Better	63.00	73.00	74.00	76.00
1 x 4"—C	55.00	65.00	66.00	68.00
1 x 4"—D	48.00	53.00	54.00	56.00
1 x 4"—No. 2	46.00	51.00	52.00	54.00
5/4 x 3"—B and Better	90.00	100.00	101.00	103.00
5/4 x 3"—C	75.00	85.00	86.00	88.00
5/4 x 3"—D	58.00	63.00	64.00	66.00
5/4 x 3"—No. 2	56.00	61.00	62.00	64.00
5/4 x 4"—B and Better	98.00	98.00	99.00	101.00
5/4 x 4"—C	73.00	83.00	84.00	86.00
5/4 x 4"—D	56.00	61.00	62.00	64.00
5/4 x 4"—No. 2	54.00	59.00	60.00	62.00

HEART FACE—NEAR EDGE GRAIN

1 x 3"—B and Better	$78.00	$86.00	$89.00	$91.00
1 x 3"—C	63.00	73.00	74.00	76.00
1 x 3"—D	53.00	58.00	59.00	61.00
1 x 3"—No. 2	51.00	56.00	57.00	59.00
1 x 4"—B and Better	76.00	86.00	87.00	89.00
1 x 4"—C	61.00	71.00	72.00	74.00
1 x 4"—D	51.00	56.00	57.00	59.00
1 x 4"—No. 2	49.00	54.00	55.00	57.00
5/4 x 3"—B and Better	100.00	110.00	111.00	113.00
5/4 x 3"—C	83.00	93.00	94.00	96.00
5/4 x 3"—D	68.00	73.00	74.00	76.00
5/4 x 3"—No. 2	66.00	71.00	72.00	74.00
5/4 x 4"—B and Better	98.00	108.00	109.00	111.00
5/4 x 4"—C	81.00	91.00	92.00	94.00
5/4 x 4"—D	66.00	71.00	72.00	74.00
5/4 x 4"—No. 2	64.00	69.00	70.00	72.00

NO HEART SPECIFICATION—NEAR EDGE GRAIN

1 x 3"—B and Better	$58.00	$68.00	$69.00	$71.00
1 x 3"—C	50.00	60.00	61.00	63.00
1 x 3"—D	45.00	50.00	51.00	53.00
1 x 3"—No. 2	41.00	46.00	47.00	49.00
1 x 4"—B and Better	56.00	66.00	67.00	69.00
1 x 4"—C	48.00	58.00	59.00	61.00
1 x 4"—D	43.00	48.00	49.00	51.00
1 x 4"—No. 2	41.00	46.00	47.00	49.00
5/4 x 3"—B and better	83.00	93.00	94.00	96.00
5/4 x 3"—C	68.00	78.00	79.00	81.00
5/4 x 3"—D	53.00	58.00	59.00	61.00
5/4 x 3"—No. 2	51.00	56.00	57.00	59.00
5/4 x 4"—B and Better	81.00	91.00	92.00	94.00
5/4 x 4"—C	66.00	76.00	77.00	79.00
5/4 x 4"—D	51.00	56.00	57.00	59.00
5/4 x 4"—No. 2	49.00	54.00	55.00	57.00

HEART FACE—FLAT GRAIN

1 x 3"—B and Better	$68.00	$73.00	$74.00	$76.00
1 x 3"—C	55.00	65.00	66.00	68.00
1 x 3"—D	48.00	53.00	54.00	56.00
1 x 3"—No. 2	43.00	48.00	49.00	51.00
1 x 4"—B and Better	61.00	71.00	72.00	74.00
1 x 4"—C	53.00	63.00	64.00	66.00
1 x 4"—D	46.00	51.00	52.00	54.00
1 x 4"—No. 2	43.00	48.00	49.00	51.00
5/4 x 3"—B and Better	85.00	95.00	96.00	98.00
5/4 x 3"—C	75.00	85.00	86.00	88.00
5/4 x 3"—D	53.00	58.00	59.00	61.00
5/4 x 3"—No. 2	46.00	51.00	52.00	54.00
5/4 x 4"—B and Better	85.00	95.00	96.00	98.00
5/4 x 4"—C	73.00	83.00	84.00	86.00
5/4 x 4"—D	53.00	58.00	59.00	61.00
5/4 x 4"—No. 2	46.00	51.00	52.00	54.00

TABLE 17—FLOORING, PLAIN END—SIDING—CEILING—PARTITION—O. G. BATTS—Con.

NO HEART SPECIFICATION—FLAT GRAIN

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
1 x 3"—B and Better	$48.00	$68.00	$69.00	$61.00
1 x 3"—C	45.00	55.00	56.00	58.00
1 x 3"—D	38.00	43.00	44.00	46.00
1 x 3"—No. 2	37.00	42.00	43.00	45.00
1 x 3"—No. 3	33.00	35.00	36.00	38.00
1 x 4"—B and Better	46.50	56.50	57.50	59.50
1 x 4"—C	43.50	53.50	54.50	56.50
1 x 4"—D	36.00	43.00	44.00	46.00
1 x 4"—No. 2	35.00	40.00	41.00	43.00
1 x 4"—No. 3	31.00	33.00	34.00	36.00
5/4 x 3"—B and Better	63.00	73.00	74.00	76.00
5/4 x 3"—C	57.00	67.00	68.00	70.00
5/4 x 3"—D	45.00	50.00	51.00	53.00
5/4 x 3"—No. 2	40.00	45.00	46.00	48.00
5/4 x 3"—No. 3	38.00	37.00	38.00	40.00
5/4 x 4"—B and Better	62.00	72.00	73.00	75.00
5/4 x 4"—C	56.00	66.00	67.00	69.00
5/4 x 4"—D	43.00	48.00	49.00	51.00
5/4 x 4"—No. 2	42.00	44.00	45.00	47.00
5/4 x 4"—No. 3	33.00	35.00	36.00	38.00

DROP SIDING

1 x 6"—Patterns 115-117-118-119, B and Better	$43.00	$48.00	$49.00	$51.00
1 x 6"—Patterns 115-117-118-119, C	40.00	45.00	46.00	48.00
1 x 6"—Patterns 115-117-118-119, D	41.00	44.00	45.00	47.00
1 x 6"—Patterns 115-117-118-119, No. 2	40.00	42.00	43.00	45.00
1 x 6"—Patterns 115-117-118-119, No. 3	32.00	34.00	35.00	37.00
1 x 6"—All other Patterns, B and Better	52.00	57.00	58.00	60.00
1 x 6"—All other Patterns, C	49.00	54.00	55.00	57.00
1 x 6"—All other Patterns D	47.00	50.00	51.00	53.00
1 x 6"—All other Patterns, No. 2	42.00	44.00	45.00	47.00
1 x 6"—All other Patterns, No. 3	33.00	35.00	36.00	38.00
1 x 8"—All Patterns, B and Better	52.00	57.00	58.00	60.00
1 x 8"—All Patterns, C	49.00	54.00	55.00	57.00
1 x 8"—All Patterns, D	47.00	50.00	51.00	53.00
1 x 8"—All Patterns, No. 2	42.00	44.00	45.00	47.00
1 x 8"—All Patterns, No. 3	33.00	35.00	36.00	38.00

BEVEL SIDING

5/8 x 4-5-6-8"—B and Better	$40.00	$45.00	$46.00	$48.00
5/8 x 4-5-6-8"—C	37.00	42.00	43.00	45.00
5/8 x 4-5-6-8"—D	33.00	36.00	37.00	39.00
5/8 x 4-5-6-8"—No. 2	31.00	33.00	34.00	36.00
5/8 x 4-5-6-8"—No. 3	23.00	25.00	26.00	28.00
1/2 x 4-5-6-8"—B and Better	34.00	39.00	40.00	42.00
1/2 x 4-5-6-8"—C	31.00	36.00	37.00	39.00
1/2 x 4-5-6-8"—D	28.00	31.00	32.00	34.00
1/2 x 4-5-6-8"—No. 2	27.00	29.00	30.00	32.00
1/2 x 4-5-6-8"—No. 3	20.00	22.00	23.00	25.00

SQUARE EDGE SIDING

1/2 x 4-6-8"—838 and 848 finished to 7/16 x 1/2" scant in width:				
B and Better	$39.00	$44.00	$45.00	$47.00
C	36.00	41.00	42.00	44.00
D	34.00	37.00	38.00	40.00
No. 2	31.00	33.00	34.00	36.00
No. 3	19.00	21.00	22.00	24.00

CEILING, STD. BEAD OR V

4/16 & 7/16 x 3 & 4"—838:				
B and Better	$32.00	$37.00	$38.00	$40.00
C	30.00	35.00	36.00	38.00
D	27.00	30.00	31.00	33.00
No. 2	27.00	29.00	30.00	32.00
No. 3	19.00	21.00	22.00	24.00
4/16 & 7/16 x 6"—838:				
B and Better	34.00	39.00	40.00	42.00
C	32.00	37.00	38.00	40.00
D	29.00	32.00	33.00	35.00
No. 2	29.00	31.00	32.00	34.00
No. 3	21.00	23.00	24.00	26.00

TABLE 17—FLOORING, PLAIN END—SIDING—CEILING—PARTITION—O. G. BATTS—Con.

CEILING, STD. BEAD OR V

Grade	4, 5, and 6'	7, 8, 9, and 10'	12 and 14'	16, 18, and 20'
4/16 and 7/16 x 3 and 4"—838:				
B and Better	$35.00	$40.00	$41.00	$43.00
C	33.00	38.00	39.00	41.00
D	29.00	32.00	33.00	35.00
No. 2	30.00	32.00	33.00	35.00
No. 3	19.00	21.00	22.00	24.00
4/16 and 7/16 x 6"—838:				
B and Better	38.00	43.00	44.00	46.00
C	35.00	40.00	41.00	43.00
D	30.00	33.00	34.00	36.00
No. 2	30.00	32.00	33.00	35.00
No. 3	22.00	24.00	25.00	27.00
11/16 to 25/32 x 3 and 4—838:				
B and Better	30.00	35.00	36.00	38.00
C	47.00	52.00	53.00	55.00
D	39.00	42.00	43.00	45.00
No. 2	38.00	40.00	41.00	43.00
No. 3	28.00	30.00	31.00	33.00

CEILING, STD. BEAD OR V

11/16 to 25/32 x 6—838:				
B and Better	$51.00	$56.00	$57.00	$59.00
C	48.00	53.00	54.00	56.00
D	40.00	43.00	44.00	46.00
No. 2	39.00	41.00	42.00	44.00
No. 3	28.00	30.00	31.00	33.00

PARTITION, STD. BEAD OR V

11/16 to 25/32 x 3 and 4":				
B and Better	$50.00	$55.00	$56.00	$58.00
C	47.00	52.00	53.00	55.00
D	39.00	42.00	43.00	45.00
No. 2	38.00	40.00	41.00	43.00
No. 3	22.00	24.00	25.00	27.00
11/16 to 25/32 x 6":				
B and Better	51.00	56.00	57.00	59.00
C	48.00	53.00	54.00	56.00
D	40.00	43.00	44.00	46.00
No. 2	39.00	41.00	42.00	44.00
No. 3	28.00	30.00	31.00	33.00

O. G. BATTS

9/16 or 5/8 x 3":				
B and Better	$38.00	$43.00	$44.00	$46.00
C	36.00	41.00	42.00	44.00
D	33.00	36.00	37.00	39.00
No. 2	31.00	33.00	34.00	36.00
9/16 or 5/8 x 4":				
B and Better	36.00	41.00	42.00	44.00
C	34.00	39.00	40.00	42.00
D	33.00	36.00	37.00	39.00
No. 2	30.00	32.00	33.00	35.00

Additions and deductions per M'BM. [See section 14 (b) (10)].

For working:
1. End-matching, add $2.00, applicable all items except O. G. Batts.
2. Bark back, C and better, deduct $5.00, applicable Flooring only.

For grade:
3. For grade marking in accordance with the provisions of section 9 (a), add $1.00 per M'BM (except O. G. Batts).

For condition:
4. Air dried, deduct $1.00.

[Table 17 amended by Am. 3, 9 F.R. 2915, effective 3-16-44; Am. 3, 9 F.R. 6282, effective 6-12-44; and Am. 4, effective 9-19-44. In present form Table 17 includes former tables 19 and 25]

TABLE 21—FLOORING, PLAIN END—SIDING—CEILING—PARTITION—O. G. BATTS—Continued

Grade	Standard lengths[1]	4' and 6' lengths	8' lengths	5', 10' and 12' lengths	7' and 14' lengths	9', 18' and 20' lengths
GRADE B AND BETTER—continued						
7/4 and 8/4 x 10	$80.00	$80.00	$80.00	$80.00	$81.00	$82.00
7/4 and 8/4 x 11	83.00	83.00	83.00	83.00	84.00	85.00
7/4 and 8/4 x 12	90.00	90.00	90.00	90.00	91.00	92.00
10/4 edge [1] (618 or 828)	90.00	90.00	90.00	90.00	91.00	92.00
10/4 x 4	90.00	90.00	90.00	90.00	91.00	92.00
10/4 x 6	90.00	90.00	90.00	90.00	91.00	92.00
10/4 x 8	90.00	90.00	90.00	90.00	91.00	92.00
10/4 x 10	94.00	94.00	94.00	94.00	95.00	96.00
10/4 x 12	101.00	101.00	101.00	101.00	102.00	103.00
12/4 edge [1] (618 or 828)	98.75	98.75	98.75	98.75	99.75	100.75
12/4 x 4	105.00	105.00	105.00	105.00	106.00	107.00
12/4 x 6	110.00	110.00	110.00	110.00	111.00	112.00
12/4 x 7	110.00	110.00	110.00	110.00	111.00	112.00
12/4 x 8	110.00	110.00	110.00	110.00	111.00	112.00
12/4 x 9	110.00	110.00	110.00	110.00	111.00	112.00
12/4 x 10	114.00	114.00	114.00	114.00	115.00	116.00
12/4 x 11	125.00	125.00	125.00	125.00	126.00	127.00
GRADE C						
4/4 edge [1] (618 or 828)	69.75	69.75	69.75	69.75	70.75	71.75
4/4 x 2 and 3	55.00	55.00	55.00	55.00	56.00	57.00
4/4 x 4	61.00	61.00	61.00	61.00	62.00	63.00
4/4 x 6	64.00	64.00	64.00	64.00	65.00	66.00
4/4 x 7	67.00	67.00	67.00	67.00	68.00	69.00
4/4 x 8	67.00	67.00	67.00	67.00	68.00	69.00
4/4 and 5/4 edge [1] (618 or 828)	67.75	67.75	67.75	67.75	68.75	69.75
5/4 and 6/4 x 2 and 3	74.00	74.00	74.00	74.00	75.00	76.00
5/4 and 6/4 x 4	72.00	72.00	72.00	72.00	73.00	74.00
5/4 and 6/4 x 6	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 7	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 8	72.00	72.00	72.00	72.00	73.00	74.00
5/4 and 6/4 x 9	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 10	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 11	83.00	83.00	83.00	83.00	84.00	85.00
5/4 and 6/4 x 12	92.00	92.00	92.00	92.00	93.00	94.00
7/4 and 8/4 x 2 and 3	77.00	77.00	77.00	77.00	78.00	79.00
7/4 and 8/4 x 4	80.00	80.00	80.00	80.00	81.00	82.00
7/4 and 8/4 x 6	75.00	75.00	75.00	75.00	76.00	77.00
7/4 and 8/4 x 7	79.00	79.00	79.00	79.00	80.00	81.00
7/4 and 8/4 x 8	75.00	75.00	75.00	75.00	76.00	77.00
7/4 and 8/4 x 9	79.00	79.00	79.00	79.00	80.00	81.00

Additions and deductions per 1,000 foot board measure: [See section 14 (b) (10)].

For condition:
1. Air dried, deduct $1.00.
2. For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

[Table 18 Amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

[Former Table 19 amended by Am. 3, 9 F.R. 6282, 2915, effective 3-16-44; Am. 3, 9 F.R. 6282, effective 6-12-44; now included in Table 17 as amended by Am. 4, effective 9-19-44]

TABLE 20—CEILING, END-MATCHED

[Kiln dried—12" to 96"]

Grade	Standard lengths[1]	4' and 6' lengths	8' lengths	5', 10' and 12' lengths	7' and 14' lengths	9', 18' and 20' lengths
Grade B and better	$83.00	$83.00	$83.00	$83.00	$84.00	$85.00
Grade C	68.00	61.00	68.00	68.00	69.00	61.00
Grade D	56.50	49.00	56.50	56.50	57.00	58.00
Grade No. 2	56.00	56.00	56.00	56.00	57.00	58.00
Grade No. 3	50.00	50.00	50.00	50.00	51.00	52.00
5/4 x 6"—12" to 96"	83	83	83	83	84	85
5/4 x 6"—12" to 96"	68	61	68	68	69	61

Additions and deductions per 1,000 foot board measure: [See section 14 (b) (10)].

For condition:
1. Air dried, deduct $1.00.
2. For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

[Table 20 amended by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 18—FLOORING, END-MATCHED

[Kiln dried]

HEART FACE SPECIFICATION

10" to 96" nested and bundled for grades B and Better and C; 12" to 96" nested and bundled for grade D, 9" to 96" nested and bundled for grade No. 2.

	Grade B and Better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain—					
1 x 3"	$85	$71	$54	----	----
1 x 4"	83	69	53	----	----
Near edge grain—					
1 x 3"	80	66	51	----	----
1 x 4"	79	67	50	----	----
Flat grain—					
1 x 3"	64	55	52	$47	----
1 x 4"	61	53	49	46	----

NO HEART SPECIFICATION

10" to 96" Nested and Bundled for Grades B and Better and C; 12" to 96" Bundled for Grade D; 9" to 96" Nested and Bundled for Grades No. 2 and No. 3.

Edge grain—					
1 x 3"	$83	$68	$46	----	----
1 x 4"	83	66	44	----	----
Near edge grain—					
1 x 3"	60	55	43	----	----
1 x 4"	59	54	42	----	----
Flat grain—					
1 x 3"	47	44	42	$27	----
1 x 4"	46	43	41	26	----

TABLE 21—FINISH, S4S KILN DRIED

	Standard lengths[1]	4' and 6' lengths	8' lengths	5', 10' and 12' lengths	7' and 14' lengths	9', 18' and 20' lengths
GRADE B AND BETTER						
4/4 edge [1] (618 or 828)	$83.00	$83.00	$83.00	$83.00	$84.00	$85.00
1 x 2 and 3	68.00	61.00	68.00	68.00	69.00	61.00
1 x 4	66.50	49.00	66.50	66.50	67.00	68.00
1 x 6	66.00	66.00	66.00	66.00	67.00	68.00
1 x 7	67.00	67.00	67.00	67.00	68.00	69.00
1 x 8	61.00	61.00	61.00	61.00	62.00	63.00
1 x 9	67.00	67.00	67.00	67.00	68.00	69.00
1 x 10	68.00	68.00	68.00	68.00	69.00	70.00
1 x 11	80.00	80.00	80.00	80.00	81.00	82.00
1 x 12	78.00	78.00	78.00	78.00	79.00	80.00
5/4 and 6/4 edge [1] (618 or 828)	67.75	67.75	67.75	67.75	68.75	69.75
5/4 and 6/4 x 2 and 3	74.00	74.00	74.00	74.00	75.00	76.00
5/4 and 6/4 x 4	72.00	72.00	72.00	72.00	73.00	74.00
5/4 and 6/4 x 6	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 7	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 8	72.00	72.00	72.00	72.00	73.00	74.00
5/4 and 6/4 x 9	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 10	76.00	76.00	76.00	76.00	77.00	78.00
5/4 and 6/4 x 11	83.00	83.00	83.00	83.00	84.00	85.00
5/4 and 6/4 x 12	92.00	92.00	92.00	92.00	93.00	94.00
7/4 and 8/4 x 2 and 3	77.00	77.00	77.00	77.00	78.00	79.00
7/4 and 8/4 x 4	80.00	80.00	80.00	80.00	81.00	82.00
7/4 and 8/4 x 6	75.00	75.00	75.00	75.00	76.00	77.00
7/4 and 8/4 x 7	79.00	79.00	79.00	79.00	80.00	81.00
7/4 and 8/4 x 8	75.00	75.00	75.00	75.00	76.00	77.00
7/4 and 8/4 x 9	79.00	79.00	79.00	79.00	80.00	81.00

See footnotes at end of table.

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]

For working:
1. Rough, B and Better, deduct $3.00.
2. Rough, C, deduct $2.00.
3. S2S and T & G, (6" and wider only) or S1S, S2S, Shiplap, all widths, add $2.00. This Table may not be used in pricing Flooring, Siding, Ceiling, or any other pattern for which a maximum price is set in any of the Tables.
4. Ripping or resawing, add $1.00 for each cut, both applicable only when machine run stock is shipped.
5. Casing, base, jambs, apron, pulley stiles or any other pattern requiring moulder work (not including mouldings), add $7.00 for 1" stock, $10.00 for 5/4 and thicker.
6. Nosed stepping, add $3.00.
7. Sanding one face, add $3.00.
8. Wrapping, add $5.00.

For grade:
9. [Deleted by Am. 2, 9 F.R. 6222, effective 6-12-44.]
10. For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

For condition:
11. Air dried, stain no defect, deduct $6.00.
12. Air dried, deduct $6.00.

For size:
13. 12" and wider, add $2.50 per inch or fraction thereof to 12" prices and compute footage on nominal size.
14. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add $1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.
15. [Deleted by Am. 4, effective 9-19-44.]

For length:
16. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add $1.50. No addition is permitted for customary double end trimming.
17. Odd or fractional lengths over 6', not listed, shall be counted and priced as next longer even length.
18. For any length shorter than 6', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add $1.00 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in footnote 16 may not also be charged, and no total charge for such service may be greater than $6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six-inch breaks on the next break above.

[1] Standard lengths are 8' to 20' inclusive, and in shipments of standard lengths, 4% of 8 foot in C and Better grades shall be permitted.
[2] Edge widths are random widths, including odd, even or fractional widths measurment shall be according to paragraph 136. S. P. I. B. Rules.
[3] [Deleted by Am. 4, effective 9-19-44.]

[Footnotes 10 and 14 amended by Am. 2, 9 F.R. 2915, effective 3-16-44; Restricted random widths deleted from Table 21 and footnote 3 amended by Am. 4, effective 9-19-44]

TABLE 22—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN—KILN DRIED [1]

Size and grade	8' lengths	9' lengths	5' & 25' lengths	13' lengths	14' lengths	16' lengths	18' & 20' lengths	22' & 24' lengths
Select (par. 51 A. A. R. rules): [2]								
1 x 4 and 1 x 6	$68.00	$65.00	$60.00	$62.00	$64.00	$67.00	$73.00	$85.00
Common (par. 52 A. A. R. rules): [2]								
1 x 4 and 1 x 6	53.00	60.00	55.00	57.00	60.00	63.00	68.00	80.00
Select (par. 53-59-62 A. A. R. rules): [2]								
1 x 4, 1 x 6 and 1 x 8	58.00	56.00	60.00	62.00	64.00	67.00	73.00	85.00
1 x 10	66.00	72.00	66.00	70.00	73.00	75.00	81.00	93.00
1 x 12	82.00	89.00	84.00	86.00	89.00	91.00	97.00	109.00
Common (par. 56 A. A. R. rules): [2]								
1 x 4, 1 x 6 and 1 x 8	53.00	60.00	55.00	57.00	60.00	62.00	68.00	80.00
1 x 10	61.00	68.00	62.00	65.00	68.00	70.00	76.00	88.00
1 x 12	77.00	84.00	79.00	81.00	84.00	86.00	92.00	104.00
Common (par. 60 A. A. R. rules): [2]								
1 x 4, 1 x 6 and 1 x 8	43.00	50.00	45.00	47.00	50.00	52.00	58.00	67.00
1 x 10	51.00	58.00	53.00	55.00	58.00	60.00	66.00	75.00
1 x 12	67.00	74.00	69.00	71.00	74.00	76.00	79.00	91.00
Select (par. 53-55-59-62 A. A. R. rules): [2]								
2 x 4	70.00	75.00	70.00	70.00	70.00	75.00	80.00	90.00
2 x 6	75.00	80.00	75.00	75.00	75.00	80.00	85.00	95.00
2 x 8	75.00	80.00	75.00	75.00	75.00	80.00	85.00	95.00
2 x 10	83.00	88.00	83.00	83.00	83.00	88.00	93.00	103.00
2 x 12	98.00	103.00	98.00	98.00	98.00	103.00	108.00	118.00
Common (par. 54-56-60 A. A. R. rules): [2]								
2 x 4	52.00	54.00	52.00	52.00	52.00	55.00	57.00	67.00
2 x 6	57.00	60.00	57.00	57.00	57.00	60.00	62.00	72.00
2 x 8	57.00	59.00	57.00	57.00	57.00	60.00	62.00	72.00
2 x 10	65.00	67.00	65.00	65.00	65.00	68.00	70.00	80.00
2 x 12	81.00	83.00	81.00	81.00	81.00	84.00	86.00	96.00

See footnotes at end of table.

[1] The prices in this table apply only to direct mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchasers may be established upon application to the Lumber Branch of the National Office pursuant to section 22 hereof. In addition to the information specified in section 22, sellers must show for what uses the purchaser has ordered the car material.
[2] Specifications for car material designated above, (A. A. R. rules) correspond to the specifications issued by the Association of American Railroads as set forth in its pamphlet M-907-33, adopted 1910; revised 1933.

[Footnote 6a added by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 22B—CAR MATERIAL, FRAMING SPECIFIED OR RANDOM LENGTHS, 8' TO 14'—ROUGH GREEN [1]

Size	Group 7, par. 64, Common	Group 8, par. 66, Select Structural, no heart required	Group 9, par. 67, Select Structural, no heart required	Group 10		
				Par. 69, Common Structural	Par. 70, Select Structural, no heart required	Par. 72, Common Structural
3 to 5 x 2 to 8"	$48.00	$63.00	$63.00	$58.00	$63.00	$56.00
3 to 5 x 9 and 10"	58.00	73.00	73.00	68.00	73.00	66.00
3 to 5 x 11 and 12"	71.00	86.00	86.00	81.00	86.00	79.00
3 to 5 x 13 and 14"	82.00	97.00	97.00	92.00	97.00	90.00

Additions and deductions per 1,000 feet board measure: [See section 14(b) (10)]

For working:
1. Dressing to standard patterns, add $2.00.

For heart requirement:
2. 85% heart cubical content, add $5.00.
3. 1905 prime as to heart 8" and over, add $8.00.
4. 1905 prime as to heart under 8", add $10.00.
5. 85% heart facial area, make following additions:

	24' and under	25' to 30'	31' to 40'
5 x 8 and under	$10.00	$14.00	$20.00
Over 5 x 8	12.00	16.00	22.00

6. 90% heart facial area, add $3.00 to 85% heart facial area prices.
7. 85% heart girth, add $10.00 to 85% heart facial area prices.
8. 90% heart girth, add $13.00 to 85% heart facial area prices.
9. Select structural, heart content required, groups 8, 9 and 10, paragraphs 65, 67 and 70, add $15.00.

For grade:
10. Grades and specifications other than those contained in A. A. R. rules, the maximum price shall be the price for the A. A. R. grades and specifications which most closely correspond to the grades and specifications for the car material item involved in the sale governed by the schedule.
10a. For grade marking in accordance with section 9 (a) add $1.00 per M'BM.

For condition:
11. Dry, moisture content between 15 and 20%, add $5.00.

For size:
12. Fractional thickness, add $2.00 to nearest listed greater thickness. Compute footage on nominal rough size.
13. Fractional widths, add $3.00 to nearest listed wider width and compute footage on nominal rough size.
14. 3" sizes in all above grades, add $2.00.
15. 4/4, 5/4, 6/4, 7/4, add $5.00.
16. Over 6" in thickness, deduct $1.00.
17. Measurement for rough sizes must allow not less than 1/4" for dressing on each dimension.

For inspection:
18. Final inspection at destination in car repair or building establishment rather than at shipping point, add $5.00.

For length:
19. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add $1.50. No addition is permitted for customary double end trimming.
20. Odd or fractional lengths, except 6', 7' and 9', shall be counted and priced as next longer even length.
21. 10', 18' and 20', add $2.00 to 9' to 14' price.
22. 22' and 24', add $3.00 to 20' price.
23. 25' to 30', add $1.00 per lineal foot to 24' price.
24. 31' to 36', add $2.00 per lineal foot to 30' price.
25. 37' to 42', add $3.00 per lineal foot to 36' price.
26. 43' to 50', add $5.00 per lineal foot to 42' price.
27. 51' to 55', add $8.00 per lineal foot to 50' price.
28. 56' to 60', add $12.00 per lineal foot to 55' price.

[1] The prices in this table apply only to direct mill sales for delivery to railroads, railroad car builders and repair shops. Maximum prices applicable to other purchasers may be established upon application to the lumber branch of the National Office pursuant to section 22 hereof. In addition to the information specified in section 22, sellers must show for what uses the purchaser has ordered the car material.

[Footnote 10a added by Am. 2, 9 F.R. 2915, effective 3-16-44]

TABLE 23—STANDARD PLASTERING, AND FENCE LATH, KILN DRIED

Size	Grade No. 1	Grade No. 2	Grade No. 3
5/8 x 1 1/2"—4' plastering lath	$5.75	$3.00	$2.00
5/8 x 1 1/2"—32" plastering lath	4.00	2.50	.....
1/2 x 1 1/2"—32" fence lath	5.50	3.50	.....
1/2 x 1 1/2"—36" fence lath	6.25	4.25	.....
1/2 x 1 1/2"—42" fence lath	7.50	5.50	.....
1/2 x 1 1/2"—48" fence lath	9.00	7.00	.....
1/2 x 1 1/2"—60" fence lath	11.25	9.25	.....
1/2 x 1 1/2"—72" fence lath	13.50	11.50	.....

Additions and deductions per 1,000 pieces

For condition:
1. Air dried, deduct 25%.
2. Green, deduct 50%.

TABLE 24—BED SLATS, S4S—AIR DRIED OR KILN DRIED (BUNDLED)

Grade and size	Per set (8 pieces) 36"	Per set (8 pieces) 39"	Per set (8 pieces) 42"	Per set (8 pieces) 54" to 60"
No. 1—1 x 3	$0.35	$0.37	$0.38	$0.46
No. 2—1 x 3	.28	.30	.31	.41

[Former Table 25 included in Table 17 as amended by Am. 4, effective 9-19-44]

ARTICLE VI—APPENDIX C: THE FIGURES GIVEN REFER TO DRY WEIGHT, EXCEPT WHERE OTHERWISE SPECIFIED

FLOORING

	Longleaf (pounds)	Shortleaf (pounds)
1 x 3" (for hollow back deduct 100 lbs.)	2,000	1,800
1 x 4" (for hollow back deduct 100 lbs.)	2,100	1,900
1 1/4 x 3" (for hollow back deduct 100 lbs.)	2,200	2,000
1 1/4 x 4" (for hollow back deduct 100 lbs.)	2,300	2,100

CEILING AND PARTITION

5/16" ceiling	1,000	900
3/8" ceiling	1,200	1,100
9/16" ceiling	1,500	1,400
13/16" ceiling (and Boston partition)	1,800	1,700
1" partition	1,900	1,800
2 1/2" partition and ceiling, use same weights as flooring.		

DROP SIDING

1 x 6" (pat. 116)	2,000	2,000
1 x 8" and 10" (pat. 116)	2,100	2,100
1 x 6" (pat. 117)	1,700	1,700
1 x 8" and 10" (pat. 117)	1,800	1,800
1 x 6" (other patterns)	1,800	1,800
1 x 8" and 10" (other patterns)	1,900	1,900
Bevel and SE siding from 1"	1,100	1,000
Bevel and SE siding from 1 1/4"	1,400	1,300

ARTICLE VI—Continued

FINISH

1 x 2" to 1 x 10" S1S or S2S 25/32"	2,600	2,500
1 x 12" S1S or S2S 25/32"	2,700	2,600
1 x 2" to 1 x 10" S3S or S4S 25/32"	2,500	2,400
1 x 12" S3S or S4S 25/32"	2,600	2,500
1 1/4" x 2" to 2 x 10" S1S or S2S	2,900	2,800
1 1/4" x 12" to 2 x 12" S1S or S2S	3,000	2,900
1 1/4" x 2" to 2 x 10" S3S or S4S	2,800	2,700
1 1/4" x 12" to 2 x 12" S3S or S4S	2,900	2,800
1" finish dressed to 13/16" add	100	100
2" finish dressed to 1 1/4" add	200	200
1 x 2" to 2 x 10" rough	3,400	3,200
1 x 12" to 2 x 12" rough	3,500	3,300

CASING—BASE—JAMBS

Moulded casing, all widths	2,100	2,000
Moulded base, all widths	2,100	2,000
Jambs—1"	2,100	2,100
Jambs—1 1/4 to 2"	2,200	2,200

STRIPS AND BOARDS (1 INCH)

1 x 2" to 1 x 10", S1S or S2S 25/32"	2,700	2,500
1 x 12" S1S or S2S 25/32"	2,800	2,600
1 x 2" to 1 x 10" S3S or S4S 25/32"	2,600	2,400
1 x 12" S3S or S4S 25/32"	2,700	2,500
1 x 2" to 1 x 4" D&M	2,100	1,900
1 x 6" D&M or shiplap	2,400	2,200
1 x 8" to 1 x 10" D&M or shiplap	2,600	2,300
1 x 12" D&M or shiplap	2,600	2,400
1 x 2" to 1 x 10" rough	3,400	3,200
1 x 12" rough	3,500	3,300
For 5/4" dressed boards, deduct	100	100
For 5/4" boards, all workings, deduct	500	500
For 1 13/16" boards, all workings, deduct	300	300
For 1 13/16" boards, all workings, add	100	100
For resawing, deduct for each cut	200	200
For ripping, no deduction.		
For 1 3/4" and 1 1/2", add	300	300

2" DIMENSION, FACTORY FLOORING AND ROOF DECKING

2 x 2" to 2 x 8" rough	3,400	3,200
2 x 10" and 2 x 12" rough	3,500	3,400
2 x 2" to 2 x 8" dressed to 1 3/4"	2,700	2,500
2 x 10" and 2 x 12" dressed to 1 3/4"	2,800	2,600
For 1 3/4", add	400	400
For D&M, SL & Gr. for splines, deduct	200	200
2 x 4" to 2 x 12" rough green	4,500	4,300
2 x 4" to 2 x 12" green, dressed 1 3/4"	3,800	3,600

2" PLANK AND JOISTS

2", 2 x 2 to 2 x 12 inclusive use 2" dimension weights as shown above.
2 x 14 and wider use timber weights as shown below.

HEAVY JOISTS, TIMBERS, ETC. (OVER 2" THICK)

Rough, green	4,500	4,500
S4S 1/4" scant, green	4,200	4,200
S4S 1/2" scant, green	4,000	4,000
S4S 1/4" scant, green	3,800	3,800
T & G, SL & Gr. for splines, deduct	300	300
Dry, 3 x 3 to 4 x 4, deduct from corresponding green weight	800	800
Dry, 4 x 5 and larger, deduct from corresponding green weight	900	900

See footnotes at end of table.

ARTICLE IV—Continued

CAR SIDING, LINING AND ROOFING

	Longleaf (pounds)	Shortleaf (pounds)
1 x 4" and 1 x 6" T&G 15/16".....	3,200	3,200
1 1/4" and 1 x 6" S2S 1 1/16".....	3,600	3,600
For 9/16", deduct.....	100	100

LONGITUDINAL SHEATHING AND STOCK CAR SLATS

2 x 6" T&G 1 5/16".....	3,400	3,400
2 x 6" T&G 1 1/4".....	3,300	3,300
2 x 6" T&G 1 1/16".....	3,100	3,100
2 x 6" S2S to 1 1/4".....	2,900	2,900
2 x 6" S2S to 1 1/8".....	2,700	2,700
2 x 6" S2S to 1 1/16".....	2,600	2,600
2 x 6" T&G to 1 5/16".....	2,500	2,500
2 x 6" T&G to 1 1/4".....	2,400	2,400
2 x 6" T&G to 1 1/16".....	2,300	2,300
2 x 6" S2S to 1 1/4".....	2,900	2,900
2 x 6" S2S to 1 1/8".....	2,700	2,700
2 x 6" S2S to 1 1/16".....	2,600	2,600

CAR DECKING

2 x 6" and 2 x 8" S2S and T & G 1 5/16", dry.....	3,800	3,600
2 1/4" x 6" to 9" x 8" S2S and T & G, dry.....	2,900	2,700
2 x 6" to 3 x 8" S2S and T & G, green.....	3,800	3,800
2 x 6" to 3 x 8" S2S, dry.....	3,200	3,000
2 x 6" to 3 x 8" S2S, green.....	4,200	4,200
2 x 6" to 3 x 8" S1S 1/4" scant, dry..	3,400	3,200
2 x 6" to 3 x 8" rough, dry.....	3,600	3,400
2 x 6" to 3 x 8" rough, green*.....	4,500	4,500

[*Item amended by Am. 4, effective 9-19-44]

MISCELLANEOUS

Plastering lath, 48" K.D.....	800	800
Plastering lath, 48" green.....	1,000	1,000
Plastering lath, 32" K.D.....	540	540
Fence lath, 1/2" x 1 1/2"—48" K.D..	800	800
Bed slats, 1 x 3"—4' 6", per set of 8..	20	20
Bed slats, 1 x 3"—3' 3", per set of 8..	15	15
Byrkit lath, 4" or 6".....	1,800	1,800
O. G. Batts, use same weights as 5/16" ceiling. (For hollow back deduct 100 lbs.).....		

Any producer of Long Leaf Yellow Pine in the State of Florida whose lumber is consistently heavier than the weights in the above table, may submit to the Lumber Branch of the Office of Price Administration, Washington, D. C., for approval a list of the estimated weights used by him during the first eight months of 1941 together with a statement that he believes them to be the nearest possible estimate to the present average actual weights. After an order has been published in the Federal Register, listing the producer's name, any seller of the producer's lumber may use the approved estimated weights in computing transportation charges.

The following producers have qualified under this provision up to the day of issuance of this revised regulation. The permitted estimated weights are on file with the Federal Register and may there be examined by any interested person:

Brooks-Scanlon Corporation, Foley, Fla.
Dowling and Camp, Inc., Slater, Fla.
Peavy-Wilson Lumber Co., Holopaw, Fla.

Effective date. The regulation shall become effective February 4, 1944, except that:

(a) If lumber has been received before February 4, 1944, by a carrier other than one owned or controlled by the seller, for shipment to a buyer, that shipment is not subject to this second revised regulation. It remains subject to the terms of the earlier regulation, Revised Maximum Price Regulation No. 19.

(b) If this regulation lowers any maximum price below that fixed in the earlier regulation, contracts that were in existence prior to the issuance of this second revised regulation at lawful prices may be completed according to their terms with respect to deliveries made on or before March 1, 1944.

[2nd Revised MPR 19 originally issued January 29, 1944. Effective dates of amendments are shown in notes following the parts affected.]

(NOTE: The mere fact that this second revised regulation increases some maximum prices does not of itself allow any seller to apply the higher prices to existing uncompleted contracts without the consent of the buyer. The regulation permits the making of certain adjustable pricing agreements to cover such situations. Apart from that increasing prices in existing uncompleted contracts to the level of increased maximum prices in the regulation is purely a matter of agreement between buyer and seller.)

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14311; Filed Sept. 15, 1944; 4:34 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,[1] Amdt. 17]

PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1347.58a of Revised Price Schedule 32 is amended to read as follows:

§ 1347.58a *Adjustable pricing.* Any person may offer or agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorizations has been delegated. The authorization will be given by order or letter.

This amendment shall become effective September 21, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3331, 5462, 7261, 8061, 9616.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14336; Filed, Sept. 16, 1944; 11:47 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3]

GENERAL PRICING PROVISIONS FOR CERTAIN FEEDS AND FEED INGREDIENTS

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

FOOD PRODUCTS REGULATION 3—GENERAL PRICING PROVISIONS FOR CERTAIN FEEDS AND FEED INGREDIENTS

ARTICLE I—GENERAL DEFINITIONS

Sec.
1.1 Person.
1.2 United States.
1.3 Processor.
1.4 Store.
1.5 Retailer.
1.6 Car door seller.
1.7 Trucker-merchant.
1.8 Jobber.
1.9 Wholesaler.
1.10 Feeder.
1.11 Supplier.
1.12 Customer.
1.13 Importer.
1.14 Your supplier's maximum price on the sale to you.
1.15 Commodity.
1.16 Oil cake.
1.17 Oil meal.
1.18 Sized cake.
1.19 Pellets.
1.20 Transportation cost.
1.21 Hauling allowance.
1.22 Carload shipment.
1.23 Pool car lot.
1.24 Less-than-carload lot.
1.25 Unit of protein.
1.26 Applicable supplement.

ARTICLE II—GENERAL PROVISIONS

2.1 Export sales.
2.2 Emergency purchases.
2.3 Adjustable pricing.
2.4 Evasion.
2.5 Enforcement.
2.6 Licensing.
2.7 Documents, records and reports.
2.8 Interpretations, protests and petitions for amendment.

ARTICLE III—GENERAL PRICING PROVISIONS APPLICABLE TO VARIOUS SELLERS

3.1 Maximum pricing method for processors.
3.2 Maximum pricing method for trucker-merchants.
3.3 Maximum pricing method for jobbers and car door sellers.
3.4 Maximum pricing method for wholesalers and retailers.
3.5 Base prices for wholesalers and retailers.
3.6 Increases for sacks.
3.7 Charges for sacking.

AUTHORITY: Secs. 1.1 to 3.7, inclusive, (§ 1351.396) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

Explanation of the regulation. The purpose of this regulation is to gather into a single document the provisions most commonly used in fixing maximum prices for sales by all persons of certain feeds and feed ingredients.

Taken by itself, the regulation names no maximum prices. These are printed in separate documents which are issued as "supplements" to the regulation. For example, the basic maximum prices for sales of cottonseed meal are set forth in a separate supplement which contains the provisions which apply only to cottonseed products. It is only the more general provisions applicable to a number of commodities which are collected here. Compliance with maximum prices, it is expected, will be made easier by this standardization of generally applicable provisions and by including them in a single document rather than in many separate regulations.

Moreover, the provisions of this regulation apply to particular feeds and feed ingredients only as they become parts of these supplements. Thus, for example, whether or not section 1.7 (definition of "car door seller") becomes a part of a particular supplement depends upon whether section 1.7 is stated in that supplement to be a part of it. Not all of the sections of this regulation will apply to every supplement, and when particular sections are not listed in a supplement they are to be disregarded for the purposes of that supplement.

ARTICLE I—GENERAL DEFINITIONS

SECTION 1.1 *Person.* "Person" means an individual, corporation, partnership, association, any other organized group of persons and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

SEC. 1.2 *United States.* "United States", when it refers to an area, means the 48 states and the District of Columbia.

SEC. 1.3 *Processor.* "Processor" means, with respect to any lot, the person who manufactures such lot. When any commodity is processed (or further processed) by a person who does not own it, the owner who caused it to be processed (or further processed) shall be deemed to be the processor when he sells the commodity which results.

SEC. 1.4 *Store.* "Store" means a building where a regular business of selling and delivering feeds and/or grain is carried on, and where the owner or one or more of his employees works on substantially a full-time, year-round, basis in such business or in a general retail business of which such feed and grain business is a part.

SEC. 1.5 *Retailer.* "Retailer" means a person, other than the processor, who maintains a store, and who, with respect to any lot he has purchased and unloaded into that store, resells such lot to a feeder.

SEC. 1.6 *Car door seller.* "Car door seller" means a person, other than the processor, who meets either one of the qualifications set forth below, and who, with respect to any lot he has received as a carload shipment, resells the same to feeders in l. c. l. lots from the rail car door. To qualify as a car door seller, a person must either own or maintain a "store", as defined herein, or he must, prior to January 1, 1943, have been in the business of receiving carload shipments which he resold to feeders in l. c. l. lots from the rail car door.

SEC. 1.7 *Trucker-merchant.* "Trucker-merchant" means, with respect to any lot, a person, other than the processor, who, without having previously unloaded the lot into a warehouse or store for his own account and use, transports and delivers the lot to his customer in a truck or wagon owned or leased and operated by him.

SEC. 1.8 *Jobber.* "Jobber" means, with respect to any lot, any person, other than the processor, car door seller, or trucker-merchant, who sells such lot without having previously unloaded it into a warehouse or store.

SEC. 1.9 *Wholesaler.* "Wholesaler" means, with respect to any lot,

(a) A person, other than the processor, who, after having unloaded it into a warehouse or store, sells such lot to anyone other than a feeder; or

(b) A person, other than the processor, who does not maintain a store and who, after having unloaded it into a place of business other than a store, sells such lot to a feeder.

SEC. 1.10 *Feeder.* "Feeder" means, with respect to any lot, a person who uses such lot for feeding animals or poultry.

SEC. 1.11 *Supplier.* "Supplier" means, as to any seller, the person from whom he purchased the lot being priced.

SEC. 1.12 *Customer.* "Customer" means, as to any seller, the person to whom he sells the lot being priced.

SEC. 1.13 *Importer.* "Importer" means, with respect to any lot manufactured outside the United States, the first person to whom such lot is delivered in the United States.

SEC. 1.14 *Your supplier's maximum price on the sale to you.* "Your supplier's maximum price on the sale to you" means,

(a) If you are the importer, the base price for importers set forth in the applicable supplement; or

(b) In all other cases, the maximum per ton price your supplier could have charged on the sale and delivery to you if he had given you, and fulfilled on delivery, the same protein guarantee, if any, you are giving your customer.

SEC. 1.15 *Commodity.* "Commodity" means each variety of a product which has a different base price under the applicable supplement.

SEC. 1.16 *Oil cake.* "Oil cake" is the product remainding after the commercial extraction of oil from a nut, seed or bean.

SEC. 1.17 *Oil meal.* "Oil meal" is ground oil cake other than sized cake.

SEC. 1.18 *Sized cake.* "Sized cake" is ground oil cake which will not pass through a 3/8 inch screen. It may, however, include limited quantities of oil meal, in keeping with normal trade practices.

SEC. 1.19 *Pellets.* "Pellets" are the product which result from the processing of oil meal through a pelleting machine.

SEC. 1.20 *Transportation cost.* "Transportation cost" means:

(a) When a common carrier, contract carrier, or other carrier for hire or compensation is employed;

(1) If the shipment originates at a point in the United States, the charges (exclusive of loading charges not customarily included in such transportation charges) which are actually incurred by the seller or purchaser, as the case may be;

(2) If the shipment originates outside the United States, the charges which are actually incurred by the seller or purchaser, as the case may be, from the point of entry, not exceeding the lowest rail rate of freight applicable to the shipment for which the charges were incurred;

(b) When the seller or purchaser, as the case may be, does his own hauling, the reasonable value of the transportation service (exclusive of loading), not in excess of the maximum price he could lawfully charge for a like service if he performed it as a contract carrier;

(c) When any movement involves a combination of the types of transportation included in (a) and (b), the sum of the amounts computed separately for each portion of the movement.

SEC. 1.21 *Hauling allowance.* "Hauling allowance" means the following scale of charges:

(a) If the total haul does not exceed 100 miles.	8 cents per 100 pounds for the first 5 miles, or a fraction thereof, plus 1 cent per 100 pounds for each additional 5 miles or a fraction thereof.
(b) If the total haul exceeds 100 miles.	The lowest carload rail rate from the rail point nearest the point of origin to the rail point nearest point of destination plus 8 cents, but not more than 22 cents per 100 pounds, plus 1/4 cent per 100 pounds for each 5 miles or fraction thereof over 100 miles.

The mileage to be used in connection with the above shall be the distance via the shortest route reasonably suitable for truck or wagon movement, as the case may be, between the point where the seller received delivery and the point where his customer takes delivery.

SEC. 1.22 *Carload shipment.* "Carload shipment" means any quantity which moves as a rail carload shipment under Office of Defense Transportation or tariff requirements.

SEC. 1.23 *Pool car lot.* "Pool car lot" means a lot being shipped to the purchaser as part of a rail carload shipment of commodities sold by one seller to two or more persons.

SEC. 1.24 *Less-than-carload lot.* "Less-than-carload lot" means any lot of less than 60,000 pounds, other than a carload shipment or a pool car lot. It includes any delivery by or into a truck.

SEC. 1.25 *Unit of protein.* "Unit of protein" equals one per cent of protein and "each unit of protein or fraction thereof" means the number of full units, if any, plus an additional unit for any fractional unit.

SEC. 1.26 *Applicable supplement.* "Applicable supplement" means the supplement to this regulation in which is established maximum prices for the particular sale of the particular commodity being priced.

ARTICLE II—GENERAL PROVISIONS

SEC. 2.1 *Export sales.* The provisions of the applicable supplement shall not apply to any export sale. The maximum price for such sales shall be determined in accordance with the provisions of Second Revised Maximum Export Price Regulation, as amended.

SEC. 2.2 *Emergency purchases.* The provisions of the applicable supplement shall have no application to any purchase by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation as amended: *Provided, however,* That the Administrator may, by order, waive the reporting of any part of the information required by section 4.3 (f) in connection with a particular purchase or group of purchases upon determining that such information may not reasonably be required under all the circumstances, and he may, in lieu thereof, require the reporting of other information more suited to the circumstances.

SEC. 2.3 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by an order of the Administrator or of any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

SEC. 2.4 *Evasion.* No person shall evade the maximum prices established by an applicable supplement directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; by tying requirement or other trade understanding; by changing a previous business practice, or in any other way.

SEC. 2.5 *Enforcement.* Persons violating any provision of the applicable supplement are subject to the license revocation and suspension provisions, civil enforcement actions, suits for damages and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 2.6 *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to the applicable supplement. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 2.7 *Documents, records and reports.* Every seller, and every purchaser in the course of trade or business, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of every sale and purchase covered by the applicable supplement.

(a) *Records and documents of sales.* (1) Every person making a sale covered by the applicable supplement, to anyone other than a feeder, shall, for each such sale, make a record thereof on an invoice or bill of sale prepared in duplicate. Every person making a sale to a feeder must prepare and keep some record of such sale, not necessarily in the form of an invoice or bill of sale. In each case, the invoice, bill of sale, or other record must state the name and address of the buyer and seller, the date of sale and delivery, the kind and grade of commodity and quantity sold, and the sale price. Every such record (except that of a person making a sale of less than 5,000 pounds to a feeder) must also indicate the guaranteed protein content, if any, of the commodity, and the seller's maximum price. Every such record (except that of a person making a sale of less than 5,000 pounds to a feeder and that of a wholesaler for a sale of less than 10 tons) must indicate the point of production of the commodity (if the seller knows it), and the buyer's receiving point; it must also indicate separately any charges included in the maximum price for sacks or containers, for sacking, and for transportation (in excess of those charges for transportation, if any, included in the base price), and any markups included in the maximum price but not included in the base price.

(2) Every seller, other than one selling to a feeder, must keep one copy of the bill of sale or invoice for his files and give one copy to his customer. Every person making a sale to a feeder need give his customer a copy of the record he is required to keep only upon demand of the purchaser.

(b) *Records of purchases.* Every person making a purchase in the course of trade or business must keep in his files any document his supplier is required to give him under the provisions of the applicable supplement.

(c) *Submission of records.* Upon demand every such person shall submit such records and files, and any other required records or files, to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget.

SEC. 2.8 *Interpretations, protests and petitions for amendment.* Any person seeking an interpretation or an amendment of, or desiring to file a protest against, any provisions of this regulation or of an applicable supplement, may do so in accordance with Revised Procedural Regulation No. 1 as amended, issued by the Office of Price Administration.

ARTICLE III—GENERAL PRICING PROVISIONS APPLICABLE TO VARIOUS SELLERS

SEC. 3.1 *Maximum pricing method for processors.* If you are a processor, you figure your maximum per ton price, bulk, for all sales, by adding to the appropriate base price, the applicable maximum markup, if any, and your transportation cost, if any.

SEC. 3.2 *Maximum pricing method for trucker-merchants.* (The special statement of information that is required in connection with the use of this method of pricing, must be prepared and furnished to customers in addition to the normal records and documents required by section 2.7, unless the seller includes on the special statement the additional information required to make it conform with the requirements of section 2.7.)

(a) *Pricing method.* If you are a trucker-merchant, you figure your maximum per ton price, bulk, for the sale of any commodity, by adding to "your supplier's maximum price on the sale to you", the "hauling allowance" from the point where you received delivery from your supplier to the point at which you deliver to your customer.

(b) *Statement of information.* Every trucker-merchant shall, with respect to every lot transported by him, procure or prepare a statement setting forth the name and address of the seller and of his supplier, the date of purchase, the grade and quality of the commodity, its guaranteed protein content, if any, and the maximum price of his supplier. After the trucker-merchant delivers the lot, he must add the hauling allowance he charges his customer and sign the statement. Every trucker-merchant must give a copy of this statement of information to each customer. Both the trucker-merchant and each customer must retain such copies in their files.

(c) *Enforcement requirements.* For enforcement purposes, it is necessary that both the shipments themselves and the statements of the trucker-merchant covering such shipments be inspected while in transit. Failure of a trucker-merchant to stop for inspection in response to instructions on a sign conspicuously posted at roadsides or upon signal of an Office of Price Administration enforcement officer, shall be a violation of this supplement, subject to all penalties of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

SEC. 3.3 *Maximum pricing method for jobbers and car door sellers.* If you are a jobber or a car door seller, you figure your maximum per ton price, bulk, for the sale of a commodity, by adding to "your supplier's maximum price on the sale to you", your transportation cost, if any, and the appropriate maximum markup.

SEC. 3.4 *Maximum pricing method for wholesalers and retailers.* If you are a wholesaler or a retailer, you figure your maximum per ton price for the sale of a commodity, by adding to your base price the appropriate maximum markup, and your transportation cost, if any, from your warehouse or store.

SEC. 3.5 *Base prices for wholesalers and retailers.* Set forth in this section are various methods that you may use in arriving at a base price for use in connection with Section 3.4 of Food Products Regulation No. 3. In each case, the paragraph indicates whether the method is for use by wholesalers, retailers, or both and also the conditions, if any, for the use of each method. Further, in connection with each method, there is an indication of the additional documents and records that may be necessary.

(a) *First method; cost of the lot.* (This method may be used both by wholesalers and retailers.)

(1) If you maintain the identity of any receipt, on the sale of such a receipt you may use as your base price for all your sales of that receipt "your supplier's maximum price on the sale to you", plus your transportation cost, if any, to your warehouse or store. You may use this method of figuring a base price even though simultaneously you are figuring a maximum price for resale of other receipts of the same commodity by reference to any other method provided in this section.

(2) *Posting.* If you use this method, you must post your maximum price conspicuously in your warehouse or store, or at any other point from which you may be selling the commodity.

(b) *Second method; weekly selling price.* (This method may be used both by wholesalers and retailers in connection with the resale of any two or more receipts. In using it, you may not include in your calculations any receipt whose identity is maintained and for which you figure a base price under paragraph (a) above.)

(1) Under this method, you calculate a base price for each commodity for which you use this method, once each week. You select a day for calculation and recalculate on that day each week thereafter (except that when that day falls on a legal holiday, you recalculate on the next business day). Your base price is a weighted average of the maximum prices you could have paid your suppliers for your more recent purchases of a commodity. You compute that average as follows:

(i) Whenever you begin to use this method, you determine, as to your last receipt of the commodity and as to all your receipts of the commodity for the 28 days preceding such last receipt, "your supplier's maximum price on the sale to you" for each such sale and add to each maximum price your transportation cost to your warehouse or store if you incurred any on such sale to you.

(ii) If all such receipts were delivered to you sacked, or if all were delivered to you bulk, you then multiply each sum of price plus transportation cost by the number of tons purchased, add the results, and divide by the total number of tons in these receipts.

(b) If your receipts of a commodity which you use in figuring a base price, were delivered to you, some bulk and some sacked, before taking an average of the maximum price plus transportation cost, you must adjust your supplier's maximum price to you so that all such prices will reflect either a sacked or a bulk price. You do this either by adding to your supplier's maximum price on a sale to you the reasonable market value at the time of sale (not exceeding the lawful maximum price) of the sacks or packages in which you will deliver the commodity to your purchaser, or by subtracting from the maximum price the amount included in such price for the sacks or packages, if you know the amount, or, if you do not, the reasonable market value of the sacks or packages at the time of the sale. You then proceed as indicated in (a) above to determine your weighted average price.

(ii) The weighted average per ton price thus determined is your base price, bulk or sacked, as the case may be, for the first week for all your sales of the commodity (except, of course, for the sales you elect to price under paragraph (a) hereof).

(iii) Upon the next and all succeeding calculation days, you refigure your base price in the same manner, referring, however, only to your last receipt and all receipts of the commodity during the 14 day period preceding such last receipt.

(iv) In determining your base price for sales as a wholesaler, you may, when you recalculate (i. e. when establishing a price for the second week and each week thereafter), elect to use your last receipt prior to your last recalculation day, and the receipts for the 14 days preceding such receipt. Once you elect to use this alternative for recalculating under this method, you must continue to recalculate in the same way so long as you continue to use this method.

(2) If you wish to discontinue using this weekly selling price method, you may do so only, if on the next recalculation day, you take an inventory of the commodity. You may then treat the amount in inventory as a receipt on which "your supplier's maximum price on the sale to you" is the base price you would compute for the succeeding week.

(3) *Posting and records.* If you use this method, you must post your maximum price conspicuously in your warehouse, store, or other point from which you may be selling the commodity. You must, in addition to the other records required by the applicable supplement, retain a permanent record in your files of your maximum and selling prices for the week, and the basis upon which such price was determined.

SEC. 3.6 *Increases for sacks.* If you package any lot in your own sacks or packages prior to sale by you, you may add to your maximum price the reasonable market value (not to exceed the lawful maximum price) of the sacks or packages at the time of delivery of the commodity, except when your maximum price for the commodity is a sacked price determined in accordance with the provisions of section 3.5 (b) of Food Products Regulation No. 3.

SEC. 3.7 *Charges for sacking.* If you package any lot in your customer's sacks or packages, you may add to your maximum price the appropriate one of the following additions:

	Per ton
If your customer supplies new or re-cleaned sacks	$0.50
If he supplies any other sack	1.00

This regulation shall become effective September 21, 1944.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14342; Filed, Sept. 16, 1944; 11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Supp. 1]

COTTONSEED PRODUCTS

In the judgment of the Price Administrator, it is necessary and proper to revise the maximum prices established for cottonseed products in certain respects. Accordingly this supplement supersedes Revised Maximum Price Regulation 444 insofar as that regulation establishes maximum prices for sales of cottonseed products as that term is defined herein.

Such specifications and standards as are used in this supplement were, prior to such use, in general use in the trade or industry.

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

SUPPLEMENT 1 TO FOOD PRODUCTS REGULATION 3—COTTONSEED PRODUCTS

ARTICLE I—GENERAL PROVISIONS

Sec.

1. Explanation of the relation of this supplement to Food Products Regulation No. 3.
2. Applicability.
3. Sales at other than maximum prices.
4. Definitions.
5. Other provisions of general applicability.

ARTICLE II—PRICING PROVISIONS

6. Base per ton prices for cottonseed products.
7. Maximum prices for sales by processors.
8. Maximum prices for sales by trucker-merchants.
9. Maximum prices for sales by jobbers and car door sellers.
10. Maximum prices for sales by wholesalers and retailers.
11. Maximum prices for sales by growers.
12. Maximum prices for sales by government agencies.
13. Charges for sacks and sacking.

AUTHORITY: Secs. 1 to 13, inclusive (§1351.397), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Explanation of the relation of this supplement to Food Products Regulation No. 3.* Not all of the provisions affecting maximum prices for sales of cottonseed products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 3, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 3 which are applicable to this supplement are listed in appropriate places in the provisions which follow. When any applicable section of the regulation is amended, the amendment is also applicable to this supplement.

SEC. 2. *Applicability.* Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales within the United States of "cottonseed products" and to all deliveries of such products whether immediate or future.

(a) *Exempt sales.*—(1) *Export sales.* Section 2.1 of Food Products Regulation No. 3, dealing with export sales, is applicable to this supplement.

(2) *Emergency purchases.* Section 2.2 of Food Products Regulation No. 3, dealing with emergency purchases, is applicable to this supplement.

SEC. 3. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive, any commodity covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (1) of this paragraph.

(1) *Adjustable pricing.* Section 2.3 of Food Products Regulation No. 3, dealing with adjustable pricing, is applicable to this supplement.

(b) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

SEC. 4. *Definitions.*—(a) *Definitions appearing in Food Products Regulation No. 3.* Definitions of the following terms set forth in the designated sections of Food Products Regulation No. 3 are applicable to all of the provisions of this supplement.

"Person": Sec. 1.1 of Food Products Regulation No. 3.
"United States": Sec. 1.2 of Food Products Regulation No. 3.
"Processor": Sec. 1.3 of Food Products Regulation No. 3.
"Store": Sec. 1.4 of Food Products Regulation No. 3.
"Retailer": Sec. 1.5 of Food Products Regulation No. 3.
"Car door seller": Sec. 1.6 of Food Products Regulation No. 3.
"Trucker-merchant": Sec. 1.7 of Food Products Regulation No. 3.
"Jobber": Sec. 1.8 of Food Products Regulation No. 3.
"Wholesaler": Sec. 1.9 of Food Products Regulation No. 3.
"Supplier": Sec. 1.11 of Food Products Regulation No. 3.
"Customer": Sec. 1.12 of Food Products Regulation No. 3.
"Importer": Sec. 1.13 of Food Products Regulation No. 3.
"Your supplier's maximum price on the sale to you": Sec. 1.14 of Food Products Regulation No. 3.
"Commodity": Sec. 1.15 of Food Products Regulation No. 3.
"Oil cake": Sec. 1.16 of Food Products Regulation No. 3.
"Oil meal": Sec. 1.17 of Food Products Regulation No. 3.
"Sized cake": Sec. 1.18 of Food Products Regulation No. 3.
"Pellets": Sec. 1.19 of Food Products Regulation No. 3.
"Transportation cost": Sec. 1.20 of Food Products Regulation No. 3.
"Hauling allowance": Sec. 1.21 of Food Products Regulation No. 3.
"Carload shipment": Sec. 1.22 of Food Products Regulation No. 3.
"Pool car lot": Sec. 1.23 of Food Products Regulation No. 3.
"Less-than-carload lot": Sec. 1.24 of Food Products Regulation No. 3.
"Unit of protein": Sec. 1.25 of Food Products Regulation No. 3.
"Applicable supplement": Sec. 1.26 of Food Products Regulation No. 3.

(b) *Additional definitions.* When used in this supplement the following terms shall have the following meaning:

"Cottonseed products" means cottonseed oil meal, oil cake (loose slab cake), sized cake, pellets; whole pressed cottonseed oil meal, oil cake (loose slab cake), sized cake, pellets; cottonseed hulls and hull bran.

"Cottonseed hulls and hull bran" mean the by-products produced by a processor in the production of cottonseed oil cake.

"Feeder" means, with respect to any lot, a person who uses such lot either for feeding animals or poultry, or as a fertilizer.

"Ginner" means a person who regularly engages in the cotton ginning business.

"Grower" means a person who grew or harvested cotton, or a landlord who received cotton as or in lieu of rent for the farm where grown.

SEC. 5. *Other provisions of geenral applicability.* Provisions relating to the following matters are set forth in Food Products Regulation No. 3 and the sections of that regulation listed below are applicable to and made a part of this supplement as though set forth herein in full.

(a) *Evasion:* Sec. 2.4 of Food Products Regulation No. 3.
(b) *Enforcement:* Sec. 2.5 of Food Products Regulation No. 3.
(c) *Licensing:* Sec. 2.6 of Food Products Regulation No. 3.
(d) *Documents, records and reports:* Sec. 2.7 of Food Products Regulation No. 3.
(e) *Interpretations, protests and petitions for amendment:* Sec. 2.8 of Food Products Regulation No. 3.

ARTICLE II—PRICING PROVISIONS

SEC. 6. *Base per ton prices for cottonseed products.* Base prices for all cottonseed products are set forth below. In the case of all products, except cottonseed hulls and hull bran, these prices depend upon the giving and fulfilling of a guarantee of minimum protein content. "Standard protein content" is 41 percent for cottonseed oil meal, oil cake, sized cake and pellets, and 35 percent for whole pressed cottonseed, oil meal, oil cake, sized cake and pellets.

In the case of all products, except cottonseed hulls and hull bran, the following base prices are for sales or deliveries of 60,000 pounds or more, for carload shipments or pool carlots, and for sales and deliveries to cotton ginners. In the event you deliver a less than carload lot of any cottonseed products, other than cottonseed hulls or hull bran, to any person other than a cotton ginner, you may add $1.00 per ton to the price listed below in arriving at your base price.

(a) *Cottonseed oil meal, oil cake, sized cake, pellets and whole pressed cottonseed oil meal, oil cake, sized cake and pellets.* (1) If at the time of sale you guarantee that the lot will contain, at a minimum, the standard protein content for the commodity, and you fulfill such guarantee by delivering a lot with at least such standard protein content, base price per ton prices are as follows:

(i) For the following points of production:

Point of production	Oil cake		Oil meal and sized cake [1]		Pellets [1]	
	Cottonseed	Whole pressed cottonseed	Cottonseed	Whole pressed cotton seed	Cottonseed	Whole pressed cottonseed
Mississippi	$44.25	$37.25	$45.00	$38.00	$46.50	$39.50
Tennessee	44.75	37.75	45.50	38.50	47.00	40.00
East Arkansas [2]	44.75	37.75	45.50	38.50	47.00	40.00
West Arkansas [3]	45.25	38.25	46.00	39.00	47.50	40.50
Missouri	45.25	38.25	46.00	39.00	47.50	40.50
Illinois	44.50	38.50	46.25	39.25	47.75	40.75
Louisiana	45.25	38.25	46.00	39.00	47.50	40.50
Oklahoma	46.25	39.25	47.00	40.00	48.50	41.50
El Paso, Tex	47.25	40.25	48.00	41.00	49.50	42.50
All other points in Texas	46.25	39.25	47.00	40.00	48.50	41.50
Alabama	45.25	38.25	46.00	39.00	47.50	40.50
Georgia	45.75	38.75	46.50	39.50	48.00	41.00
Florida	45.75	38.75	46.50	39.50	48.00	41.00
South Carolina	46.25	39.25	47.00	40.00	48.50	41.50
North Carolina	46.75	39.75	47.50	40.50	49.00	42.00
New Mexico	47.25	40.25	48.00	41.00	49.50	42.50
Arizona	47.25	40.25	48.00	41.00	49.50	42.50
California	47.25	40.25	48.00	41.00	49.50	42.50

[1] If oil meal, sized cake or pellets are produced by the processor from slab cake which he purchased, the base price is increased by 50 cents per ton.
[2] East Arkansas consists of the following counties in Arkansas: Arkansas, Clay, Craighead, Crittenden, Jackson, Lawrence, Lee, Mississippi, Monroe, Phillips, Poinsett, Randolph, St. Francis, and Woodruff.
[3] West Arkansas consists of all points in Arkansas not included in East Arkansas.

(ii) For cottonseed products produced at any other point in the United States, the base per ton price shall be the price named in (i) above for the point nearest to the actual point of production.

(2) If at the time of sale you guarantee that the lot will contain any specified protein content less than the standard for the commodity and you fulfill such guarantee by delivering a lot with at least the minimum protein content you guaranteed, you determine the base per ton price by deducting from the appropriate price in subparagraph (1) above, 75 cents per ton for each unit of protein or fraction thereof by which the actual protein content of the lot is under the standard for the commodity.

(3) If at the time of sale you guarantee that a lot of cottonseed oil meal, oil cake, sized cake or pellets will contain at a minimum 43 per cent protein and you fulfill such guarantee by delivering a lot with at least 43 per cent protein, you determine the base per ton price by adding $2.00 per ton to the appropriate price set forth in subparagraph (1) above for a sale and delivery of the same commodity guaranteed to be of standard protein content.

(4) If at the time of sale you guarantee any minimum protein content and you do not fulfill such guarantee on delivery, you determine your base per ton price by dividing the base price that would be applicable if the guarantee had been fulfilled by the number of units guaranteed, and multiplying that result by the number of full units in the lot, but not by more than 41.

(5) If at the time of sale you do not guarantee any protein content, you figure your base price by multiplying the actual number of full units of protein in the lot by $1.30, if whole pressed cottonseed, or $1.05 in all other cases, except that in no case may your base price under this provision exceed the base price set forth in subparagraph (1) hereof for the sale and delivery of the same commodity with the standard protein content.

(b) *Cottonseed hulls and hull bran.* (1) The base price for cottonseed hulls is $13.00 per ton.

(2) The base price for cottonseed hull bran is $17.00 per ton, plus the transportation cost, if any, from the point of production of the cottonseed hull to the point of production of the cottonseed hull bran.

(c) *Base prices for importers.* The base per ton price for an importer depends upon the location of the point of entry of the commodity.

(1) If the point of entry is in the state of Washington or Oregon, you figure your base per ton price as follows: Determine the base price for the domestic commodity sold and delivered under the same circumstances and produced in California; add thereto the lowest carload freight rate on oil meal from San Francisco, California, to the rail point nearest your purchaser's place of business; and subtract from this total your transportation cost or your purchaser's transportation cost, as the case may be, from the point of entry to your purchaser's place of business.

(2) If point of entry is any Atlantic Coast port north of North Carolina, you determine your base per ton price as provided in (1) above substituting Tennessee for California, and Memphis, Tennessee for San Francisco.

(3) If the point of entry is located at any other point, the base per ton price is the appropriate price set out in paragraph (a) or (b) above for the domestic commodity sold and delivered under the same circumstances and produced at the point of entry.

SEC. 7. *Maximum prices for sales by processors.* Section 3.1 of Food Products Regulation No. 3, which provides a pricing method for processors, is applicable to this supplement.

(a) *Base prices.* The base price referred to in section 3.1 is the appropriate base price found in section 6 of this supplement. (Note that if you are the importer as well as the processor of the lot, you determine your base price under section 6 (c) of this supplement.)

(b) *Maximum markup.* As a processor you are not permitted to add a maximum markup in figuring the maximum price for a sale of any lot unless, with respect to that lot, you meet either of the following conditions:

(1) You have unloaded that lot into a place of business operated by you as a separate place of business not located at the production plant where the lot was produced; or

(2) You are selling in quantities of 2,000 pounds or less.

If you comply with either of these requirements, you may add the appropriate one of the following markups (except on sales to cotton ginners):

	Cottonseed hulls or hull bran	All other cottonseed products
		Per ton
If you sell to a feeder from a store not located at any production plant.	$4.00 per ton	$4.50
In all other cases if you sell from a separate place of business not located at the production plant:		
To feeders	No markup	2.00
To anyone else	No markup	1.50
If you sell to anyone from the production plant in quantities of 2,000 lbs. or less.	No markup	2.00

SEC. 8. *Maximum prices for sales by trucker-merchants, other than growers.* Section 3.2 of Food Products Regulation No. 3, which provides a pricing method for trucker-merchants, is applicable to this supplement. If you are a trucker-merchant and not a "grower", you figure your maximum price under this Section.

(a) *Your supplier's maximum price.* Section 3.2 refers to "your supplier's maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Hauling allowances.* Section 3.2 of Food Products Regulation No. 3 also refers to "hauling allowance". That term is defined in section 1.21 of Food Products Regulation No. 3.

SEC. 9. *Maximum prices for sales by jobbers and car door sellers, other than growers.* Section 3.3 of Food Products Regulation No. 3, which provides a pricing method for jobbers and car door sellers, is applicable to this supplement. If you are a jobber, or a car door seller and not a "grower", you figure your maximum price under this Section.

(a) *Your supplier's maximum price.* Section 3.3 refers to "your supplier's

*Copies may be obtained from the Office of Price Administration.

maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Maximum markup*—(1) *Jobbers.* If you are a jobber, the size of your markup depends upon whether you are a ginner, as defined herein. If no other jobber has already handled the same lot, you may add one of the following maximum markups:

	Cottonseed hulls and hull bran	All other cottonseed products
Jobbers who are also "ginners":		
For sales and deliveries of 2,000 lbs. or less	$0.75	$2.00
For carload shipments or deliveries in pool car lots	(1)	(1)
For deliveries of l. c. l. lots	.75	1.00
Jobbers who are not also "ginners":		
For deliveries of pool car lots	1.00	1.00
For all other deliveries	.75	.75

[1] No markup.

(2) *Car door sellers.* If you are a car door seller, you may add a maximum markup of $2.00 per ton for sales or deliveries of cottonseed hulls and hull bran or $3.50 per ton for sales or deliveries of all other cottonseed products.

SEC. 10. *Maximum prices for sales by wholesalers and retailers other than growers.* Section 3.4 of Food Products Regulation No. 3 which provides a pricing method for wholesalers and retailers, and section 3.5 of Food Products Regulation No. 3 which provides base prices for wholesalers and retailers, are applicable to this supplement. If you are a retailer or a wholesaler and not a "grower", you figure your maximum price under this section.

(a) *Base prices.* Base prices referred to in section 3.4 are the base prices set out in section 3.5 of Food Products Regulation No. 3.

(b) *Maximum markups.* If you are a wholesaler, your maximum markup depends upon whether you are a "ginner", as defined herein. If you qualify as a retailer, the fact that you are also a ginner does not affect your maximum markup.

In any event, you may add the appropriate one of the following markups only if no other seller of the same class as yours has already handled the same lot.

	Cottonseed hulls and hull bran	All other cottonseed products
Wholesalers who are also ginners:		
For sales and deliveries of 2,000 lbs. or less	$2	$2.00
For all other sales or deliveries	2	1.00
Wholesalers who are not also ginners	2	3.50
All retailers	4	5.00

SEC. 11. *Maximum prices for sales by all growers.* If you are a grower, you establish your maximum price under this section even though you qualify as a trucker-merchant, jobber, car door seller, wholesaler, or retailer. Your maximum price for any lot is the maximum price the processor of the lot could charge your customer if he were making the sale and delivery to your customer from his plant.

SEC. 12. *Maximum prices for sales by government agencies, including the Commodity Credit Corporation.* The maximum price any government agency, including the Commodity Credit Corporation, may charge is the same price the processor of the lot could charge if he were making the same sale or delivery from his plant.

SEC. 13. *Charge for sacks and sacking.* (a) Section 3.6 of Food Products Regulation No. 3, dealing with increases for sacks and packages, and section 3.7 of Food Products Regulation No. 3, dealing with charges for sacking, are applicable to this supplement.

(b) If you sack or package cottonseed hulls or hull bran, prior to sale by you, in your own sacks or packages, you may add not only the addition permitted under paragraph (a) hereof, but also $.75 per ton.

This supplement shall become effective on the 21st day of September 1944.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14341; Filed, Sept. 16, 1944; 11:48 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Supp 2]

BABASSU, COPRA, OURICURI, PALM KERNEL AND SESAME PRODUCTS

In the judgment of the Price Administrator, it is necessary and proper to revise the maximum prices established for the listed meal products in certain minor respects, and to reissue the existing regulation as a supplement to Food Products Regulation No. 3. Accordingly, this supplement supersedes Maximum Price Regulation 545 insofar as that regulation establishes maximum prices for sales of the listed meal products as that term is defined herein.

Such specifications and standards as are used in this supplement were, prior to such use, in general use in the trade or industry.

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

FOOD PRODUCTS REGULATION NO. 3, SUPPLEMENT NO. 2—BABASSU, COPRA, OURICURI, PALM KERNEL AND SESAME PRODUCTS

ARTICLE I—GENERAL PROVISIONS

Sec.
1. Explanation of the relation of this supplement to Food Products Regulation No. 3.
2. Applicability.
3. Sales at other than maximum prices.
4. Definitions.
5. Other provisions of general applicability.

ARTICLE II—PRICING PROVISIONS

6. Base per ton prices for listed meal products.
7. Maximum prices for sales by processors.
8. Maximum prices for sales by trucker-merchants.
9. Maximum prices for sales by jobbers and car door sellers.
10. Maximum prices for sales by wholesalers and retailers.
11. Charges for sacks.

AUTHORITY: Secs. 1 to 11, inclusive (§ 1351.398), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Explanation of the relation of this supplement to Food Products Regulation No. 3.* Not all of the provisions affecting maximum prices for sales of the listed meal products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 3, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 3 which are applicable to this supplement are listed in appropriate places in the provisions which follow. When any applicable section of the regulation is amended, the amendment is also applicable to this supplement.

SEC. 2. *Applicability.* Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales within the United States and to all deliveries, whether immediate or future, of the following commodities:

Babassu oil meal, oil cake, sized cake and pellets;
Copra oil meal, oil cake, sized cake and pellets;
Ouricuri oil meal, oil cake, sized cake and pellets;
Palm Kernel oil meal, oil cake, sized cake and pellets;
Sesame oil meal, oil cake, sized cake and pellets.

(a) *Exempt sales*—(1) *Export sales.* Section 2.1 of Food Products Regulation No. 3, dealing with export sales, is applicable to this section.

(b) *Emergency purchases.* Section 2.1 of Food Products Regulation No. 3, dealing with emergency purchases, is applicable to this supplement.

SEC. 3. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive, any commodity covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (1) of this paragraph.

(1) *Adjustable pricing.* Section 2.3 of Food Products Regulation No. 3, dealing with adjustable pricing, is applicable to this supplement.

(b) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

SEC. 4. *Definitions*—(a) *Definitions appearing in Food Products Regulation No. 3.* Definitions of the following terms set forth in the designated sections of Food Products Regulation No. 3 are applicable to all of the provisions of this supplement:

"Person": Sec. 1.1 of Food Products Regulation No. 3.
"United States": Sec. 1.2 of Food Products Regulation No. 3.
"Processor": Sec. 1.3 of Food Products Regulation No. 3.
"Store": Sec. 1.4 of Food Products Regulation No. 3.
"Retailer": Sec. 1.5 of Food Products Regulation No. 3.
"Car door seller": Sec. 1.6 of Food Products Regulation No. 3.
"Trucker-merchant": Sec. 1.7 of Food Products Regulation No. 3.
"Jobber": Sec. 1.8 of Food Products Regulation No. 3.
"Wholesaler": Sec. 1.9 of Food Products Regulation No. 3.
"Feeder": Sec. 1.10 of Food Products Regulation No. 3.
"Supplier": Sec. 1.11 of Food Products Regulation No. 3.
"Customer": Sec. 1.12 of Food Products Regulation No. 3.
"Importer": Sec. 1.13 of Food Products Regulation No. 3.
"Your supplier's maximum price on the sale to you": Sec. 1.14 of Food Products Regulation No. 3.
"Commodity": Sec. 1.15 of Food Products Regulation No. 3.
"Oil cake": Sec. 1.16 of Food Products Regulation No. 3.
"Oil meal": Sec. 1.17 of Food Products Regulation No. 3.
"Sized cake": Sec. 1.18 of Food Products Regulation No. 3.
"Pellets": Sec. 1.19 of Food Products Regulation No. 3.
"Transportation cost": Sec. 1.20 of Food Products Regulation No. 3.
"Hauling allowance": Sec. 1.21 of Food Products Regulation No. 3.
"Carload shipment": Sec. 1.22 of Food Products Regulation No. 3.
"Pool car lot": Sec. 1.23 of Food Products Regulation No. 3.
"Less-than-carload lot": Sec. 1.24 of Food Products Regulation No. 3.
"Unit of protein": Sec. 1.25 of Food Products Regulation No. 3.
"Applicable supplement": Sec. 1.26 of Food Products Regulation No. 3.

(b) *Additional definitions.* When used in this supplement the following terms shall have the following meaning:

"Listed meal products" means babassu oil meal, oil cake, sized cake, and pellets; copra oil meal, oil cake, sized cake, and pellets; ouricuri oil meal, oil cake, sized cake, and pellets; palm kernel oil meal, oil cake, sized cake, and pellets; sesame oil meal, oil cake, sized cake, and pellets, referred to collectively.

SEC. 5. *Other provisions of general applicability.* Provisions relating to the following matters are set forth in Food Products Regulation No. 3 and the sections of that regulation listed below are applicable to and made a part of this supplement as though set forth herein in full.

(a) *Evasion:* Sec. 2.4 of Food Products Regulation No. 3.
(b) *Enforcement:* Sec. 2.5 of Food Products Regulation No. 3.
(c) *Licensing:* Sec. 2.6 of Food Products Regulation No. 3.
(d) *Documents, records and reports:* Sec. 2.7 of Food Products Regulation No. 3.
(e) *Interpretations, protests and petitions for amendment:* Sec. 2.8 of Food Products Regulation No. 3.

ARTICLE II—PRICING PROVISIONS

SEC. 6. *Base per ton prices for listed meal products.* Base prices for all listed meal products are set forth below. In all cases, these prices depend upon the location of the production plant and the giving and fulfilling, or failure to give, a guarantee of minimum protein content.

The following base prices are for sales or deliveries of 60,000 pounds or more, and for carload shipments or pool car lots. In the event you deliver a less than carload lot of any listed meal product, you may add $1.00 per ton to the prices listed below in arriving at your base price.

(a) *Commodities produced in the United States at a point of entry.* (1) If, at the time of sale, you guarantee that the lot will contain, at a minimum, the standard protein content listed below for the commodity, and you fulfill that guarantee by delivering a lot with at least such standard protein content, base per ton prices are as follows:

	Protein guarantee	Base price	
		Oil cake or oil meal	Sized cake or pellets
Copra products	20% or more protein	$45.50	$47.00
Babassu products	22% or more protein	45.50	47.00
Ouricuri products	20% or more protein	45.50	47.00
Palm Kernel products	15% or more protein	45.50	47.00
Sesame products	40% or more protein	72.50	74.00

(2) In all other cases, you figure your base price by multiplying the actual number of full units of protein in the lot by the base price per unit shown for the commodity in the table below, except that in no case may your base price exceed the base price set forth in subparagraph (1) for the same commodity sold with a guarantee of standard protein content:

Product:	Base price per unit of protein
Copra products	$2.25
Babassu products	2.05
Ouricuri products	1.60
Palm kernel products	2.50
Sesame products	1.80

(b) *Commodities produced in the United States at any point other than a point of entry.* For commodities produced in the United States at any point other than a point of entry, your base per ton price shall be the appropriate price named in paragraph (a) above for the same commodity sold and delivered under the same circumstances and produced at a point of entry, plus a freight allowance equal to the lowest per ton all rail carload freight rate in the listed meal product to the production plan from the point of entry of the raw material.

(c) *Base prices for importers.* (Commodities produced outside the United States). The base per ton price of an importer is the appropriate price set out in paragraph (a) above for the domestic commodity sold and delivered under the same circumstances and produced at a point of entry.

SEC. 7. *Maximum prices for sales by processors.* Section 3.1 of Food Products Regulation No. 3, which provides a pricing method for processors, is applicable to this supplement.

(a) *Base prices.* The base price referred to in section 3.1 is the appropriate base price found in section 6 of this supplement. (Note that if you are the importer as well as the processor of the lot, you determine your base price under section 6 (c) of this supplement).

(b) *Maximum markup.* As a processor you are not permitted to add a maximum markup in figuring the maximum price for the sale of any lot unless you have unloaded such lot into a warehouse or store operated by you as a separate place of business not located at the production plant, and you sell from such warehouse or store. If, as to any lot, you comply with this requirement, you may add the appropriate one of the following markups:

	Per ton
If you sell to a feeder from a store	$4.50
In all other cases	1.50

SEC. 8. *Maximum prices for sales by trucker-merchants.* Section 3.2 of Food Products Regulation No. 3, which provides a pricing method for trucker-merchants, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.2 refers to "your supplier's maximum price on the sale to you". It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Hauling allowance.* Section 3.2 of Food Products Regulation No. 3 also refers to "hauling allowance". That term is defined in section 1.21 of Food Products Regulation No. 3.

SEC. 9. *Maximum prices for sales by jobbers and car door sellers.* Section 3.3 of Food Products Regulation No. 3, which provides a pricing method for jobbers and car door sellers, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.3 refers to "your supplier's maximum price on the sale to you." It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Maximum markup*—(1) *Jobbers.* If you are a jobber and no other jobber has already handled the same lot, you may add one of the following maximum markups:

	Per ton
For deliveries in pool car lots	$1.00
For all other deliveries	.75

*Copies may be obtained from the Office of Price Administration.

(2) *Car door sellers.* If you are a car door seller, you may add a maximum markup of $3.50 per ton for sales or deliveries of all listed meal products.

SEC. 10. *Maximum prices for sales by wholesalers and retailers.* Section 3.4 of Food Products Regulation No. 3, which provides a pricing method for wholesalers and retailers, and section 3.5 of Food Products Regulation No. 3, which provides base prices for wholesalers and retailers, are applicable to this supplement.

(a) *Base prices.* Base prices referred to in section 3.4 are the base prices set out in section 3.5 of Food Products Regulation No. 3.

(b) *Maximum markups.* This regulation aims to prevent the inclusion in any maximum price of more than one markup for any class of seller. As a retailer you can always add a retailer's maximum markup, since a seller can qualify as a retailer only when he is selling a particular lot to a person who will use the lot and will not resell it. It is therefore impossible for two retailers to handle the same lot. As a wholesaler, however, you are permitted to add the maximum markup set out below in figuring the maximum price for the sale of any lot, only if no other wholesaler has already handled the lot. On this condition the following maximum markups may be added:

	Per ton
Wholesaler	$2.50
Retailer	3.50

SEC. 11. *Charges for sacks.* Section 3.6 of Food Products Regulation No. 3, dealing with increases for sacks, is applicable to this supplement.

This supplement shall become effective on the 21st day of September 1944.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14344; Filed, Sept. 18, 1944; 11:49 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 444, Revocation]

COTTONSEED OIL MEAL, CAKE, SIZED CAKE AND PELLETS; COTTONSEED HULLS AND HULL BRAN; AND WHOLE PRESSED COTTONSEED

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 444 is revoked, subject to the provisions of Supplementary Order No. 40.[1]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7521.

This order shall become effective September 21, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14345; Filed, Sept. 16, 1944; 11:50 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 148]

MILEAGE RATIONING GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7904 (b) is amended to read as follows:

(b) *Allowance of a non-highway ration for use with a boat for a non-occupational purpose.* If application is made for a non-highway ration for use with an inboard motorboat or outboard motor operated wholly or in part for a non-occupational purpose, the Board shall allow for the non-occupational purpose an amount of gasoline for any three-month period determined by the following formulae:

(1) For an inboard motorboat, a number of gallons not in excess of two times the manufacturer's rated horsepower of the motor or motors and not in excess of the following:

(i) One hundred and twenty-five (125) gallons, for a purpose listed in subparagraph (3);

(ii) Twenty-four (24) gallons, for any other non-occupational purpose.

(2) For an outboard motor, the number of gallons not in excess of two and one-half times the manufacturer's rated horsepower of such motor and not in excess of the following:

(i) Twenty (20) gallons, for a purpose listed in subparagraph (3);

(ii) Ten (10) gallons, for any other non-occupational purpose.

(3) The purposes referred to in subparagraphs (1) (i) and (2) (i) are as follows:

(i) For conducting or chartering fishing parties;

(ii) For a boat enrolled on a member of the Coast Guard auxiliary. The application must be accompanied by the certification of an authorized Coast Guard officer that the boat is so enrolled and has been accepted by the Coast Guard for emergency duty.

(4) In the case of an inboard motorboat or outboard motor used in connection with farming, the gallonage determined by the formulae in subparagraphs (1) and (2) of this paragraph shall be multiplied by two and the non-highway ration so determined shall be issued for a six-month period.

(5) For purposes of this paragraph, non-occupational uses shall include (without limitation) use of a motorboat or outboard motor for travel between a temporary or seasonal home or lodging and a fixed place of work, sightseeing, guiding pleasure parties or conducting or chartering boats for fishing parties other than commercial fishing and the transportation of passengers who are traveling for these or other non-occupational purposes.

(6) The Board shall issue Class E or R coupons bearing serial numbers in consecutive order and accompanied by a separate folder in sufficient number to provide the quantity of gasoline allowed. The Board shall note on such folder, in addition to the usual information required, that the coupons are issued for a non-occupational purpose.

This amendment shall become effective October 1, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121 E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14343; Filed, Sept. 16, 1944; 11:49 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 149]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

[1] 8 F.R. 15937.

[1] 9 F.R. 1121, 4098.

[1] 8 F.R. 15937.

Ration Order 5C is amended in the following respects:

In § 1394.8004 (c) (2) the parenthetical phrase is amended to read as follows: "(or the name and address of the ration holder in the case of commercial motor vehicles not bearing fleet designations)"

This amendment shall become effective October 1, 1944.

(Pub. Laws 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14347; Filed, Sept. 16, 1944; 11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 32 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 20) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., September 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14340; Filed, Sept. 16, 1944; 11:47 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 13 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 20, and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 19, which are made a part hereof.

This amendment shall become effective at 12:01 a. m. September 17, 1944.

[1] 9 F.R. 173, 908, 1181, 2091, 2260, 3553, 3830, 3947, 3580, 3707, 4542, 4605, 4607, 4883, 5056, 6103, 6151, 6450, 7344, 7432, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10677, 10876.

[1] 9 F.R. 6772, 8825, 7262, 7438, 8147, 8981, 9266, 9278, 8785, 9896, 10428, 10497, 10875, 10876, 10777.

Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14339; Filed, Sept. 16, 1944; 11:47 a. m.]

PART 1436—PLASTIC AND SYNTHETIC RESINS

[MPR 406,[1] Amdt. 4]

SYNTHETIC RESINS AND PLASTIC MATERIALS AND SUBSTITUTE RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 406 is amended in the following respects:

1. The table of contents is amended in the following respects:

A new listing is added between the listings of sections 16 and 17 to read as follows:

16a. Licensing.

New listings are added between the listings of section 18 and Appendix A to read as follows:

19. Adjustable pricing.

ARTICLE IV—MANUFACTURERS' AND RESELLERS' MAXIMUM PRICES FOR SPECIFIED SYNTHETIC RESINS, PLASTIC MATERIALS, AND SUBSTITUTE RUBBER

20. Ester gum containing gum rosin.

2. A new paragraph is added between the second and third paragraphs of section 1 to read as follows:

No person shall sell or deliver any synthetic resin or plastic material or substitute rubber for which maximum prices are established under Article IV of this regulation at a price higher than the maximum price so established;

3. Section 19 and Article IV, including section 20, are added following section 18 to read as follows:

SEC. 19. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

ARTICLE IV—MANUFACTURERS' AND RESELLERS' MAXIMUM PRICES FOR SPECIFIED SYNTHETIC RESINS, PLASTIC MATERIALS, AND SUBSTITUTE RUBBER

SEC. 20. *Ester gum containing gum rosin.*—(a) *Rosin content consisting wholly of gum rosin.* The maximum price for sales by any person of ester gum the rosin content of which consists wholly of gum rosin shall be the maximum price established under any other provision of this regulation (or under the General Maximum Price Regulation, in the case of resellers) or $0.1125 per pound delivered at buyer's place of business, whichever is higher. All differentials, discounts, allowances and trade practices in effect on sales of such ester gum during March 1942 shall apply to the base price of $0.1125 set forth above.

(b) *Rosin content consisting of gum rosin and wood rosin.* The maximum price for sales by any person of ester gum the rosin content of which consists both of gum rosin and of wood rosin shall be the higher of the following: (1) The maximum price established under any other provision of this regulation (or under the General Maximum Price Regulation, in the case of resellers) or (2) A price per pound delivered at buyer's place of business equal to the weighted average of $0.1125 and $0.095, weighted according to the percentages by weight of gum rosin and wood rosin contained in the total rosin content. All differentials, discounts, allowances and trade practices in effect on sales of such ester gum during March 1942 shall apply to the base weighted average price set forth above.

(c) *Ester gum containing gum rosin in solution or in physical mixtures with other materials (other than chemical reaction).* The maximum price for sales by any person of ester gum containing gum rosin in solution or in physical mixtures with other materials (other than chemical reaction) shall be the higher of the following: (1) The maximum price established under any other provision of this regulation (or under the General Maximum Price Regulation, in the case of resellers) or (2) A price per pound delivered at buyer's place of business equal to the sum of the delivered maximum prices of the ingredients contained in a pound of the solution or physical mixture. All differentials, discounts, allowances and trade practices in effect on sales of such solution or physical mixture during March 1942 shall apply to the base price equal

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8372, 10835, 12879, 9 F.R. 6885.

to the sum of the ingredient costs set forth above.

This amendment shall become effective September 21, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14837; Filed, Sept. 16, 1944; 11:48 a. m.]

PART 1429—POULTRY AND EGGS

[RMPR 333]

EGGS AND EGG PRODUCTS

Maximum Price Regulation 333 is redesignated Revised Maximum Price Regulation 333 and is revised and amended to read as follows. A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation 333 has been issued and filed with the Division of the Federal Register.*

Insofar as this revised regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another government agency, the Price Administrator has determined with respect to such standardization that no practical alternative exists for securing effective price control with respect to the commodities subject to this revised regulation.

REVISED MAXIMUM PRICE REGULATION 333—EGGS AND EGG PRODUCTS

Explanation of the Regulation

ARTICLE I—MAXIMUM PRICES FOR EGGS

Sec.
1.1 What this regulation does; eggs.
1.2 What eggs are excluded.
1.3 Standards, specifications, and grades.
1.4 Kinds of buyers.
1.5 Pricing provisions.
1.6 F. o. b. sales
1.7 Sales by War Shipping Administration and by licensed ship suppliers.
1.8 Eggs treated for preservation.
1.9 Egg cases and cartons.
1.10 Calculations.
1.11 Maximum delivered prices for large eggs and current receipts; certain consumer grades sold to independent retailers, etc.; certain wholesale grades sold to first receivers; and procurement grades sold to U. S. Government agencies.
1.12 Additions to and deductions from Table A prices for all other grades and all other sizes of eggs.
1.13 Maximum prices on delivered sales for transactions not covered by Tables A and A–1.

ARTICLE II—EGG PRODUCTS

2.1 What this regulation does; egg products.
2.2 Standards.
2.3 Maximum delivered prices for frozen egg products; more than 30,000 pounds.
2.4 Maximum delivered prices for liquid egg products; more than 30,000 pounds.
2.5 Variations in percentage of solids; frozen or liquid yolk products.
2.6 Maximum prices for frozen and liquid egg products; 30,000 pounds or less.
2.7 Maximum prices for sales and deliveries of dried egg products; more than 3,000 pounds.
2.8 Maximum prices for sales and deliveries of dried egg products; 3,000 pounds or less.
2.9 Dried egg products; permitted increases for high percentage in solids and high palatability score.
2.10 Dried egg products; experimental specifications of the Army Quartermaster Corps.
2.11 Blends or emulsions.
2.12 Containers.

ARTICLE III—GENERAL

3.1 Maximum prices continue from year to year.
3.2 Definitions.
3.3 Adjustment of maximum prices for eggs and egg products.
3.4 Emergency purchases by a United States Government agency.
3.5 Licensing.
3.6 Prohibition against selling or buying at higher than maximum prices.
3.7 Geographical applicability.
3.8 Calculations.
3.9 Records.
3.10 Export sales.
3.11 Adjustable pricing.
3.12 Taxes.
3.13 Transfers of business or stock in trade.
3.14 Evasion.
3.15 Enforcement.
3.16 Petitions for amendment.
3.17 Applicability of certain provisions of supplementary regulations and orders.
3.18 Zones.

AUTHORITY: Secs. 1.1 to 3.18, inclusive (§ 1429.21) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

EXPLANATION OF THE REGULATION

This regulation establishes weekly zone prices for all grades of eggs when sold to all classes of buyers except household consumers who buy from a retail store. The zones are set out in section 3.18.

The delivered prices for each zone, for grades in the most common use, sold to certain types of buyers, are given in the base Table A.

Prices for other grades are calculated according to instructions in Table A–1, by referring to the base Table A.

Prices for sales by certain types of sellers to certain types of buyers are calculated according to Table A–2, by referring to the base Table A and to Table A–1.

In reading the tables, careful attention must be paid to the footnotes which qualify the prices in certain respects or set additional prices.

All eggs sold as being of a certain grade must conform to the requirements for that grade as set out in United States Department of Agriculture Tentative U. S. Standards for the particular grade, and must meet additional standards set out in this regulation. The grades must be standardized according to the United States Department of Agriculture "Specifications for Official U. S. Standards for Individual Shell Eggs."

The terms used in this regulation are, generally, those in common usage understood by the trade. However, section 3.2 defines some words that are used with special meanings.

Prices for egg products are set out in Article II of the regulation. Generally speaking, these products are priced in the same way as they were in Maximum Price Regulation 333.

ARTICLE I—MAXIMUM PRICES FOR EGGS

SECTION 1.1 *What this regulation does; eggs.* This Article I establishes maximum wholesale prices for delivered and f. o. b. sales of eggs of the domestic or barnyard hen. This section 1 sets out particularly what eggs are excluded, what standards must be met, and what kinds of buyers are covered by this regulation.

SEC. 1.2 *What eggs are excluded.* The following sales of eggs are exempt from the provisions of this regulation.

(a) *Hatching eggs.* All sales of eggs bought for the sole purpose of hatching are exempt from this regulation. If, however, after partial incubation such eggs are found to be unsuitable for hatching purposes, they may be sold for industrial use under Maximum Price Regulation No. 280.

(b) *Inedible eggs.* Eggs that are unfit for human consumption and are sold for industrial use are exempt from this regulation. They may be sold under the provisions of Maximum Price Regulation No. 280.

(c) *Eggs of other poultry.* The only eggs covered by this regulation are eggs of the domestic or barnyard hen. Eggs of other poultry are exempt.

(d) *Eggs sold at retail.* Eggs sold at retail under the provisions of Maximum Price Regulations Nos. 422 and 423 are exempt from this regulation.

SEC. 1.3 *Standards, specifications and grades.* (a) All eggs covered by this regulation shall be sold in one of the grades named herein. For the purpose of this regulation the terms "grades" and "wholesale grades" include ungraded, and current receipts.

(b) Eggs that are sold at the price named for a particular grade must meet the standards for that grade as set out in the Department of Agriculture's publications listed in paragraph (c) immediately following, in addition to other standards established by this regulation.

(c) *Grade standards.* Consumer grades must meet the standards set out in "Tentative U. S. Standards and Weight Classes for Consumer Grades for Shell Eggs".

Wholesale grades, except ungraded or current receipts, must meet the standards set out in "Tentative U. S. Standards and Weights for Wholesale Grades of Shell Eggs." The terms "ungraded" and "current receipts" means eggs the grade, size, and weight of which have not yet been determined.

Procurement grades must meet the standards set out in "Tentative U. S. Standards for Procurement Grades of Shell Eggs."

All grades except ungraded or current receipts must meet the standards set out in "Specifications for Official U. S. Standards for Quality of Individual Shell Eggs".

(d) The standards and specifications of the United States Department of Agriculture named in the above paragraph (c) are published and in effect on September 25, 1944 and are to be controlling during the effective life of this regulation. Any modifications or repeal thereof by the Department of Agriculture shall not modify or repeal the effectiveness of such standards and specifications for the purposes of this regulation.

(e) In addition to the standards set out in paragraph (c) above, all eggs except procurement grades and ungraded or current receipts must meet weight requirements as follows:

CONSUMER GRADES

Size	Minimum net weight per dozen	Minimum net weight per 30 dozen	Minimum weight for individual eggs at rate per dozen
	Ounces	*Pounds*	*Ounces*
Extra large	28	52.5	35
Large	24	45	28
Medium	21	40	30
Small	No average or minimum weight requirements		

WHOLESALE GRADES

Size	(1) Average net weight for the lot	(2) Minimum net weight per case	(3) Individual egg minimum weight for 90 percent of lot	(4) Minimum weight for individual eggs
	Lbs. per 30 doz.	*Lbs. per 30 doz.*	*Oz. per doz.*	*Oz. per doz.*
Extra large	49	48	25	24
Large	45	44	23	21
Medium	40	39	20	18
Small	No average or minimum weight requirements			

These weight specifications apply to all wholesale grades except U. S. Dirties and U. S. Checks for which there are no weight requirements.

(f) "Light dirty" eggs must meet the special requirements set out in section 3.3 and may be sold at the price named for them in Table A–1 only upon compliance with all of the conditions of section 3.3.

(g) The prices named in this regulation are for eggs that meet the standards of the grade at the time of delivery to the buyer. Failure to meet such standards is a violation of this regulation.

SEC. 1.4 *Kinds of buyers.* This regulation establishes maximum prices for sales to each kind of buyer except a household consumer who buys from a retail store that is covered by Maximum Price Regulation 427 and 423. The kinds of buyers are described in terms that are in general usage in the trade but in some instances they are particularly defined in section 3.2. No sale shall be made at a price higher than the maximum price set out in this regulation for the type of buyer to whom the sale is made.

SEC. 1.5 *Pricing provisions.* The maximum prices in this section are established with reference to the following:

(a) *Grades and sizes of eggs*—(b) *Place of delivery.* Except as otherwise set out in the paragraphs preceding the tables, the prices are delivered prices at any place within one of the zones. The geographic locations of the zones are set out in section 3.18.

(c) *Date of delivery.* The price to be used is the price given in the table for the week in which the eggs are delivered to the buyer, as set out in Table A. The weeks start with the first Thursday in January and are numbered consecutively thereafter.

(d) *Kinds of buyers and sellers.* The prices differ on sales to different kinds of buyers by different kinds of sellers, as set out in Table A–2.

(e) *Other conditions.* Other qualifying conditions, and additions to or deductions from maximum prices, are set out in the following paragraphs.

SEC. 1.6 *F. O. B. sales.* F. o. b. sales may be made only under the conditions set out in the two following paragraphs:

(a) *Within 200 miles.* If the buyer's customary receiving point is located within 200 miles of the place of business from which the seller makes the sale, eggs intended for local consumption within such 200-mile area may be sold f. o. b. the seller's place of business and the maximum price is the price for the zone in which the eggs are sold, less ten cents per case (30 dozen). If such f. o. b. sale is made to a large retailer, the ten cents shall be deducted from the price for delivery to such large retailer's warehouse and not from the price for delivery to the retailer's individual store.

(b) *Sales to a United States Government agency.* On sales to a United States Government agency the eggs may be sold f. o. b. the seller's shipping point and the maximum price is the price for the zone in which the eggs are sold.

SEC. 1.7 *Sales by War Shipping Administration and by licensed ship suppliers.* For purposes of this regulation, sales by War Shipping Administration to ship suppliers licensed by War Food Administration and sales by such ship suppliers to operators of ships under the jurisdiction of War Shipping Administration are included as sales to a U. S. Government agency.

SEC. 1.8 *Eggs treated for preservation*—(a) *Sales to a United States Government agency.* When eggs of wholesale grades Specials or Extras, procurement grades I, II, or III or consumer grades A or AA have been treated for purposes of preservation by being completely coated with mineral oil, and are sold to a United States Government agency, one cent per dozen may be added to the maximum prices.

(b) *Sales to other buyers.* During the months of March, April, May, June, July, and August, only, one cent per dozen may be added on sales (to buyers other than United States Government agencies) of wholesale grades Specials or Extras that have been treated for purposes of preservation by being completely coated with mineral oil.

(c) No additions to maximum prices on account of oil treatment are permitted except as specifically set out in these paragraphs (a) and (b).

SEC. 1.9 *Egg cases and cartons*—(a) *Retail egg cartons.* When consumer grades of eggs are packed in retail cartons supplied by the seller, two cents may be added to the maximum price for each packed carton of one dozen eggs, and one cent may be added to the maximum price for each packed carton of one-half dozen eggs. This allowance is not to be added until the complete calculation of the delivered price has been made.

(b) *Egg cases.* Except as provided in paragraph (a) above, no additions to maximum prices are permitted for egg cases or cartons. If a complete and suitable case or other container is not furnished by the seller, or is returned by the buyer to the seller, or to another person, at the seller's request, deductions shall be made from the maximum prices for each 30 dozen eggs as follows:

Case or separate part	If eggs were delivered to buyer— East of Mississippi	If eggs were delivered to buyer— West of Mississippi
	Cents	*Cents*
Cases complete with flats, fillers and covers (each)	19	22
Shells (each)	10	13
Flats (per 12)	4	4
Fillers (per 10)	4	4
Covers (each)	1	1

"East of the Mississippi" means the area located east of the Mississippi River, including the entire state of Wisconsin. "West of the Mississippi" means the area located west of the Mississippi River, including the entire states of Minnesota and Louisiana.

SEC. 1.10 *Calculations.* Fractions or decimals of a cent remaining after the total price for the quantity sold has been calculated shall be dropped if less than ½ cent and increased to the next higher cent if ½ cent or more.

SEC. 1.11 *Maximum delivered prices for large eggs and current receipts; certain consumer grades sold to independent retailers etc.; certain wholesale grades sold to first receivers; and procurement grades sold to U. S. Government agencies.* This section establishes maximum prices for delivered sales, of current receipts to a first receiver; and for the following grades of large eggs sold and delivered to the type of buyer named:

(a) Consumer grades A, B, and C, sold to an independent retailer, an independent retail route seller, a large retailer at his individual store, or an institutional user; (These four types of buyers are included within the term "independent retailers" in the headings to Table A.)

*Copies may be obtained from the Office of Price Administration.

(b) Wholesale grades Extras 1 and 2, and Standards 1 and 2, sold to a first receiver; and

(c) Procurement grades I, II, and III, sold to a U. S. Government agency.

These prices are for each week of the year (starting with the first Thursday in January), for each zone in the country.

These maximum delivered prices are set out in Table A below. Additions to or deductions from these prices for other grades and sizes of eggs, sold by certain types of sellers to certain types of buyers, are set out in Tables A–1 and A–2 which follow Table A.

Procurement grades may be sold only to U. S. Government agencies.

TABLE A—MAXIMUM PRICES BEGINNING SEPTEMBER 21, 1944, THROUGH OCTOBER 18, 1944

Weeks beginning—	Consumer grades sold to independent retailers			Wholesale grades sold to first receivers			Procurement grades sold to government agencies		
	A	B	C	Extras 1 and 2	Standards 1 and 2	Current receipts	I	II	III
Zone 1									
Sept. 21	53.1	45.4	40.4	46.2	39.9	39.4	53.1	51.8	50.2
Sept. 28	53.1	46.4	41.4	46.2	40.4	40.4	53.1	51.8	50.2
Oct. 5, 12	53.1	47.4	41.4	46.2	41.4	41.4	53.1	51.8	50.2
Zone 2									
Sept. 21	53.4	45.6	40.6	46.5	40.1	39.6	53.4	52.0	50.4
Sept. 28	53.4	46.6	41.6	46.5	40.6	40.6	53.4	52.0	50.4
Oct. 5, 12	53.4	47.6	41.6	46.5	41.6	41.6	53.4	52.0	50.4
Zone 3									
Sept. 21	53.7	45.9	40.8	46.8	40.3	39.8	53.7	52.2	50.6
Sept. 28	53.7	46.8	41.8	46.8	40.8	40.8	53.7	52.2	50.6
Oct. 5, 12	53.7	47.8	41.8	46.8	41.8	41.8	53.7	52.2	50.6
Zone 4									
Sept. 21	54.0	46.0	41.0	47.0	40.5	40.0	54.0	52.5	50.9
Sept. 28	54.0	47.0	42.0	47.0	41.0	41.0	54.0	52.5	50.9
Oct. 5, 12	54.0	48.0	42.0	47.0	42.0	42.0	54.0	52.5	50.9
Zone 5									
Sept. 21	54.3	46.2	41.2	47.3	40.7	40.2	54.3	52.8	51.2
Sept. 28	54.3	47.2	42.2	47.3	41.2	41.2	54.3	52.8	51.2
Oct. 5, 12	54.3	48.2	42.2	47.3	42.2	42.2	54.3	52.8	51.2
Zone 6									
Sept. 21	54.6	46.4	41.4	47.6	40.9	40.4	54.6	53.0	51.4
Sept. 28	54.6	47.4	42.4	47.6	41.4	41.4	54.6	53.0	51.4
Oct. 5, 12	54.6	48.4	42.4	47.6	42.4	42.4	54.6	53.0	51.4
Zone 7									
Sept. 21	54.9	46.6	41.6	47.8	41.1	40.6	54.8	53.2	51.6
Sept. 28	54.9	47.6	42.6	47.8	41.6	41.6	54.8	53.2	51.6
Oct. 5, 12	54.9	48.6	42.6	47.8	42.6	42.6	54.8	53.2	51.6
Zone 8									
Sept. 21	55.2	46.8	41.8	48.0	41.3	40.8	55.0	53.5	51.9
Sept. 28	55.2	47.8	42.8	48.0	41.8	41.8	55.0	53.5	51.9
Oct. 5, 12	55.2	48.8	42.8	48.0	42.8	42.8	55.0	53.5	51.9
Zone 9									
Sept. 21	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 10									
Sept. 21	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4
Oct. 5, 12	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
Zone 11									
Sept. 21	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 12									
Sept. 21	56.4	47.6	42.6	49.0	42.1	41.6	56.0	54.5	52.9
Sept. 28	56.4	48.6	43.6	49.0	42.6	42.6	56.0	54.5	52.9
Oct. 5, 12	56.4	49.6	43.6	49.0	43.6	43.6	56.0	54.5	52.9
Zone 13									
Sept. 21	56.7	47.8	42.8	49.3	42.3	41.8	56.2	54.8	53.2
Sept. 28	56.7	48.8	43.8	49.3	42.8	42.8	56.2	54.8	53.2
Oct. 5, 12	56.7	49.8	43.8	49.3	43.8	43.8	56.2	54.8	53.2
Zone 14									
Sept. 21	57.0	48.0	43.0	49.5	42.5	42.0	56.5	55.0	53.4
Sept. 28	57.0	49.0	44.0	49.5	43.0	43.0	56.5	55.0	53.4
Oct. 5, 12	57.0	50.0	44.0	49.5	44.0	44.0	56.5	55.0	53.4
Zone 15									
Sept. 21	57.3	48.2	43.2	49.8	42.8	42.3	56.8	55.3	53.8
Sept. 28	57.3	49.2	44.2	49.8	43.8	43.8	56.8	55.3	53.8
Oct. 5, 12	57.3	50.2	44.2	49.8	44.2	44.2	56.8	55.3	53.8

Weeks beginning—	Consumer grades sold to independent retailers			Wholesale grades sold to first receivers			Procurement grades sold to government agencies		
	A	B	C	Extras 1 and 2	Standards 1 and 2	Current receipts	I	II	III
Zone 16									
Sept. 21	57.6	48.4	43.4	50.0	42.9	42.4	57.0	55.5	53.9
Sept. 28	57.6	49.4	44.4	50.0	43.4	43.4	57.0	55.5	53.9
Oct. 5, 12	57.6	50.4	44.4	50.0	44.4	44.4	57.0	55.5	53.9
Zones 17, 17A, 17B, 17C[1]									
Sept. 21	57.9	48.6	43.6	50.2	43.1	42.6	57.2	55.8	54.2
Sept. 28	57.9	49.6	44.6	50.2	43.6	43.6	57.2	55.8	54.2
Oct. 5, 12	57.9	50.6	44.6	50.2	44.6	44.6	57.2	55.8	54.2
Zone 18									
Sept. 21	57.0	48.0	43.0	49.5	42.5	42.0	56.5	55.0	53.4
Sept. 28	57.0	49.0	44.0	49.5	43.0	43.0	56.5	55.0	53.4
Oct. 5, 12	57.0	50.0	44.0	49.5	44.0	44.0	56.5	55.0	53.4
Zone 19									
Sept. 21	56.7	47.8	42.8	49.3	42.3	41.8	56.2	54.8	53.2
Sept. 28	56.7	48.8	43.8	49.3	42.8	42.8	56.2	54.8	53.2
Oct. 5, 12	56.7	49.8	43.8	49.3	43.8	43.8	56.2	54.8	53.2
Zone 20									
Sept. 21	56.4	47.6	42.6	49.0	42.1	41.6	56.0	54.5	52.9
Sept. 28	56.4	48.6	43.6	49.0	42.6	42.6	56.0	54.5	52.9
Oct. 5, 12	56.4	49.6	43.6	49.0	43.6	43.6	56.0	54.5	52.9
Zone 21									
Sept. 21	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 22									
Sept. 21	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 23									
Sept. 21	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28	55.8	48.2	43.2	48.5	42.2	42.2	55.5	54.0	52.4
Oct. 5, 12	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
Zone 24									
Sept. 21	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 25									
Sept. 21	55.2	46.8	41.8	47.9	41.3	40.8	54.9	53.4	51.8
Sept. 28	55.2	47.8	42.8	47.9	41.8	41.8	54.9	53.4	51.8
Oct. 5, 12	55.2	48.8	42.8	47.9	42.8	42.8	54.9	53.4	51.8
Zone 26									
Sept. 21	54.9	46.6	41.6	47.6	41.1	40.6	54.6	53.1	51.5
Sept. 28	54.9	47.6	42.6	47.6	41.6	41.6	54.6	53.1	51.5
Oct. 5, 12	54.9	48.6	42.6	47.6	42.6	42.6	54.6	53.1	51.5
Zone 27									
Sept. 21	54.6	46.4	41.4	47.3	40.9	40.4	54.3	52.8	51.2
Sept. 28	54.6	47.4	42.4	47.3	41.4	41.4	54.3	52.8	51.2
Oct. 5, 12	54.6	48.4	42.4	47.3	42.4	42.4	54.3	52.8	51.2
Zone 28									
Sept. 21	54.3	46.2	41.2	47.0	40.7	40.2	54.0	52.5	51.0
Sept. 28	54.3	47.2	42.2	47.0	41.2	41.2	54.0	52.5	51.0
Oct. 5, 12	54.3	48.2	42.2	47.0	42.2	42.2	54.0	52.5	51.0
Zone 29									
Sept. 21	54.0	46.0	41.0	46.8	40.5	40.0	53.8	52.3	50.8
Sept. 28	54.0	47.0	42.0	46.8	41.0	41.0	53.8	52.3	50.8
Oct. 5, 12	54.0	48.0	42.0	46.8	42.0	42.0	53.8	52.3	50.8
Zone 30									
Sept. 21	53.7	45.8	40.8	46.5	40.3	39.8	53.5	52.0	50.4
Sept. 28	53.7	46.8	41.8	46.5	40.8	40.8	53.5	52.0	50.4
Oct. 5, 12	53.7	47.8	41.8	46.5	41.8	41.8	53.5	52.0	50.4

[1] Zone 17A add 0.2 cent to above prices; Zone 17B add 0.4 cent to above prices; Zone 17C add 0.6 cent to above prices.

TABLE A—MAXIMUM PRICES BEGINNING SEPTEMBER 21, 1944, THROUGH OCTOBER 18, 1944—Continued

Weeks beginning—	Consumer grades sold to independent retailers			Wholesale grades sold to first receivers			Procurement grades sold to government agencies		
	A	B	C	Extras 1 and 2	Standards 1 and 2	Current receipts	I	II	III
Zone 31									
Sept. 21	53.5	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28	53.5	48.2	43.2	48.5	42.2	43.2	55.5	54.0	52.4
Oct. 5, 12	53.5	48.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
Zone 32									
Sept. 21	53.8	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28	53.8	48.0	43.0	48.2	42.0	43.0	55.2	53.8	52.2
Oct. 5, 12	53.8	48.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 33									
Sept. 21	54.0	46.8	41.8	47.9	41.1	40.6	54.8	53.2	51.6
Sept. 28	54.0	47.8	42.8	47.9	41.8	41.8	54.8	53.2	51.6
Oct. 5, 12	54.0	48.8	42.8	47.9	42.8	42.8	54.8	53.2	51.6
Zone 34									
Sept. 21	54.3	46.9	41.9	48.2	41.4	40.9	55.0	53.5	51.9
Sept. 28	54.3	47.9	42.9	48.2	42.4	42.4	55.0	53.5	51.9
Oct. 5, 12	54.3	48.9	42.9	48.2	43.4	43.4	55.0	53.5	51.9
Zone 35									
Sept. 21	54.6	47.0	42.0	48.5	41.7	41.2	55.2	53.8	52.2
Sept. 28	54.6	48.0	43.0	48.5	42.2	42.2	55.2	53.8	52.2
Oct. 5, 12	54.6	49.0	43.0	48.5	43.2	43.2	55.2	53.8	52.2
Zone 36									
Sept. 21	54.9	46.8	41.8	47.8	41.1	40.6	54.8	53.2	51.6
Sept. 28	54.9	47.6	42.6	47.8	41.6	41.6	54.8	53.2	51.6
Oct. 5, 12	54.9	48.6	42.6	47.8	42.6	42.6	54.8	53.2	51.6
Zone 37									
Sept. 21	55.2	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 38									
Sept. 21	54.9	46.8	41.8	47.8	41.1	40.6	54.8	53.2	51.6
Sept. 28	54.9	47.6	42.6	47.8	41.6	41.6	54.8	53.2	51.6
Oct. 5, 12	54.9	48.6	42.6	47.8	42.6	42.6	54.8	53.2	51.6
Zone 39									
Sept. 21	55.5	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 40									
Sept. 21	55.8	47.2	42.2	48.5	41.7	41.2	55.5	54.0	52.4
Sept. 28	55.8	48.2	43.2	48.5	42.2	43.2	55.5	54.0	52.4
Oct. 5, 12	55.8	49.2	43.2	48.5	43.2	43.2	55.5	54.0	52.4
Zone 41									
Sept. 21	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 42									
Sept. 21	56.1	47.4	42.4	48.8	41.9	41.4	55.8	54.2	52.6
Sept. 28	56.1	48.4	43.4	48.8	42.4	42.4	55.8	54.2	52.6
Oct. 5, 12	56.1	49.4	43.4	48.8	43.4	43.4	55.8	54.2	52.6
Zone 43									
Sept. 21	55.8	47.0	42.0	48.2	41.5	41.0	55.2	53.8	52.2
Sept. 28	55.5	48.0	43.0	48.2	42.0	42.0	55.2	53.8	52.2
Oct. 5, 12	55.5	49.0	43.0	48.2	43.0	43.0	55.2	53.8	52.2
Zone 44									
Sept. 21	57.0	48.0	43.0	49.5	42.5	42.0	56.5	55.0	53.4
Sept. 28	57.0	49.0	44.0	49.5	43.0	43.0	56.5	55.0	53.4
Oct. 5, 12	57.0	50.0	44.0	49.5	44.0	44.0	56.5	55.0	53.4

SEC. 1.12 *Additions to and deductions from Table A prices for all other grades and all other sizes of eggs.* This section establishes additions to and deductions from Table A delivered prices for sales of various size eggs of the following grades:

(a) Consumer grades AA (certified), A, B, and C, when sold to an independent retailer, independent retail route seller, large retailer at his individual store, or institutional user;

(b) Wholesale grades Specials 1 and 2 (inspected), Specials 3 and 4 (inspected), Extras 1 and 2, Extras 3 and 4, Standards 1 and 2, Standards 3 and 4, checks and dirties, and eggs smaller than medium, when sold to a first receiver; and

(c) Procurement grades I, II, III, and IV, when sold to a U. S. Government agency.

TABLE A–1

(1) OTHER CONSUMER GRADES AND SIZES—ADJUSTMENT OF TABLE A PRICES ON SALES TO AN INDEPENDENT RETAILER, INDEPENDENT RETAIL ROUTE SELLER, LARGE RETAILER AT HIS INDIVIDUAL STORE, OR INSTITUTIONAL USER

[Amounts in cents per dozen to be added to or subtracted from the table A prices for certain grades]

Size	Grade AA USDA certified[1]	Grade A	Grade B	Grade C
Extra large	Add 4 cents per dozen to price for grade A large.	Add 2 cents per dozen to price for grade A large.	Same as price of grade B large.	Same as price of grade C large.
Large	Add 2 cents per dozen to price for grade A large.	Same as price in table A	Same as price in table A	Same as price in table A.
Medium	Same as price of grade A medium	Subtract 3 cents per dozen from price of grade A large for period beginning second Thursday in January through first Wednesday in July. For all other weeks in the year subtract 5 cents per dozen.	Same as price of grade C large.	Same as price of grade C large.
Small	Small sizes of all grades, ungraded, checks, and dirties may sell at no more than the price of grade C large.			

[1] Extra large and large eggs of AA quality must be certified as such by the USDA. Eggs not certified shall sell at no more than the price of Grade A of the respective size.

"Light dirty" eggs, if USDA certified as Grade A or better, may be sold at not more than 1 cent less than Grade A prices for the size, but only within regions where their sale has been customary in the past, and only if their sale is first authorized by the Regional Administrator. See section 3.3

TABLE A-1—Continued

(c) OTHER WHOLESALE GRADES AND SIZES—ADJUSTMENT OF TABLE A PRICES ON SALES TO A FIRST RECEIVER, PRIOR PURCHASER, OR UNITED STATES GOVERNMENT AGENCY

[Amounts in cents per dozen to be added to or subtracted from the table A prices for certain grades]

Size	Specials 1 and 2 USDA inspected [1]	Specials 3 and 4 USDA inspected [1]	Extras 1 and 2	Standards 1 and 2	Extras 3 and 4
Extra large	Add 4 cents per dozen to price for large, Extras 1 and 2.[2]	Add 3 cents per dozen to price for large Extras 1 and 2.[2]	Add 2 cents per dozen to price for large Extras 1 and 2.	Same as price of large Standards 1 and 2.	Add 2 cents per dozen to price for large Extras 3 and 4.
Large	Add 2 cents per dozen to price for large Extras 1 and 2.[2]	Add 1 cent per dozen to price for large Extras 1 and 2.[2]	Same as price in table A	Same as price in table A	Average of prices for large Extras 1 and 2 and large Standards 1 and 2.[2]
Medium	Same as price of medium Extras 1 and 2.	Same as price of medium Extras 1 and 2.	Subtract 3 cents per dozen from large Extras 1 and 2 for period beginning second Thursday in January through first Wednesday in July; subtract 8 cents per dozen for all other weeks in year.	Same as current receipts	Subtract 3 cents per dozen from large Extras 3 and 4 for period beginning second Thursday in January through first Wednesday in July; subtract 5 cents per dozen for all other weeks in year.

[1] Eggs sold as Specials must be inspected as such by the USDA. Eggs not inspected shall sell at no more than the price of Extras 1 and 2 of the respective size.

[2] The average is the sum of the two prices, divided by 2.

(i) The maximum price for Standards 3 and 4, ungraded, and eggs smaller than mediums shall be the same as for current receipts in table A.
(ii) The maximum price for Checks and Dirties shall be 1 cent less than the price for current receipts in table A.
(iii) No increase in price is permitted for any weight other than prescribed in section 1.3.

(d) OTHER PROCUREMENT GRADES AND SIZES—ADJUSTMENT OF TABLE A PRICES ON SALES TO A U. S. GOVERNMENT AGENCY

The maximum price for large eggs of procurement grade IV shall be the following amounts less than the maximum price for large eggs of procurement grade III, during the periods indicated:

Second Thursday in January to first Wednesday in July, inclusive, ½ cent less per dozen.
First Thursday in July to second Wednesday in January, inclusive, 2 cents less per dozen.

The maximum prices for extra large eggs of procurement grades I, II, III, and IV are the same as maximum prices for large eggs of the same grades. The maximum prices for medium size eggs of procurement grades I, II, III, and IV are 5 cents less per dozen than the maximum prices for large eggs of the same grades. Procurement grades of eggs of less than medium size shall not be sold at more than the maximum prices for medium size.

SEC. 1.13 *Maximum prices on delivered sales for transactions not covered by Tables A and A–1.* This section establishes maximum prices for delivered sales not covered by Tables A and A–1. After the price for the size and grade has been determined by reference to Tables A and A–1, this Table A–2 must be used to determine the maximum delivered price for the sale by the particular seller to a particular buyer.

TABLE A-2

OTHER TYPES OF SALES—ADJUSTMENT OF TABLE A AND TABLE A–1 PRICES ON TYPES OF SALES NOT COVERED BY THESE TABLES

Sellers	Grades	Buyers: First receiver, Prior purchaser	Buyers: Large retailer at warehouse, Large retail route seller, Jobber, Mfr. of egg products	Buyers: Independent retailer, Large retailer at individual store, Independent retail route seller, Institutional user	Buyers: U. S. Government Agencies
Producer, shipper, prior purchaser.	Wholesale	Same as price of wholesale grades in Tables A, A–1.	Same as price of wholesale grades in Tables A, A–1.	Same as price of wholesale grades in Tables A, A–1.	Same as wholesale grades in Tables A, A–1.
First receiver, jobber	Wholesale	Same as price of wholesale grades in Tables A, A–1.	Price of wholesale grades in Tables A, A–1 plus 1.2¢ per doz.	Price of wholesale grades in Tables A, A–1 plus 2.8¢ per doz.	Same as wholesale grades in Tables A, A–1.
Producer, shipper, prior purchaser.	Consumer	Price of consumer grades in Tables A, A–1 less 1.5¢ per doz.	Price of consumer grades in Tables A, A–1 less 1.5¢ per doz.	Same as price of consumer grades in Tables A, A–1.	Price of consumer grades in Tables A, A–1 less 0.7¢ per doz.
First receiver, jobber	Consumer	Price of consumer grades in Tables A, A–1 less 1.5¢ per doz.	Price of consumer grades in Tables A, A–1 less 0.7¢ per doz.	Same as price of consumer grades in Tables A, A–1.	Price of consumer grades in Tables A, A–1 less 0.7¢ per doz.

Sales to household consumers by any seller other than a retailer: For current receipts and other wholesale grades the maximum price is the price for large consumer Grade O eggs sold to an independent retailer, multiplied by 1.17; for all consumer grades the maximum price is the price for the grade and size when sold to an independent retailer, multiplied by 1.17.

Sales to ship operators by licensed ship suppliers of procurement grades which have been purchased from War Shipping Administration: Table A prices for the grade and size plus 1.3¢ per dozen.

ARTICLE II—EGG PRODUCTS

SEC. 2.1 *What this regulation does; egg products.* Article II of this regulation establishes maximum wholesale prices for delivered and f. o. b. sales of egg products in frozen, liquid, and dried form, and for mixtures and emulsions of egg products. Base prices are given for each product, for each month of the year, for certain named basing point cities, and the maximum price for the product is to be calculated according to the method described. For pricing frozen and liquid egg products the country is divided into Eastern and Western areas and these are defined in section 3.2. For dried egg products the prices are calculated from either New York or Seattle without regard to any area.

SEC. 2.2 *Standards.* Except for permitted sales of certain dried egg products to a procurement agency of the United States Army Quartermaster Corps, the prices named in this article are for egg products that meet the standards defined in section 3.2 and that comply with the requirements of the Federal Food, Drug, and Cosmetic Act.

SEC. 2.3 *Maximum delivered prices for frozen egg products; more than 30,000 pounds.* Maximum prices for frozen egg products (that is, frozen whole eggs, frozen reconstituted eggs, frozen whites, frozen 45% yolks, and frozen sugared or salted yolks) delivered in quantities of more than 30,000 pounds to a buyer at the refrigerated warehouse that is his customary receiving point, are established in this section.

(a) Maximum delivered prices in the basing point cities of New York, Seattle, Portland (Oregon), San Francisco, Los Angeles, San Diego, Phoenix, and Tucson, for the months named, are as follows:

TABLE B (WESTERN AREA)

[Cents per pound]

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Frozen:												
Whole or reconstituted	33.4	34.8	32.0	32.0	32.0	32.0	32.0	32.4	32.8	34.2	34.6	35.0
Whites	27.4	27.8	24.0	24.0	24.0	24.0	25.0	25.4	25.8	26.2	26.6	27.0
45-percent yolks	46.0	46.8	45.5	45.5	45.5	45.5	46.6	46.9	47.3	47.7	48.1	48.5
Sugared or salted yolks	43.6	43.5	40.3	40.3	40.3	40.3	41.2	41.6	42.0	42.4	42.8	43.2

For the basing point city of Miami, Florida, the maximum prices are one-half cent per pound more than those stated in Table B above.

To find the maximum delivered prices for any other point, except Kansas City, in the "Western Area" (which is defined in section 3.2), make the following calculation:

(1) Take the price for the particular product, for the month in which delivered, from Table B above. (The Miami price is to be used only in computing prices for delivery at points for which Miami is the basing point city.)

(2) Find the basing point city that has the lowest carlot freight rate per pound from the place of delivery. (The freight rate from the place of delivery to the basing point city must be used, not the rate for the opposite direction.) If there is no actual carlot freight rate between these places, find the lowest rate for other means of transportation.

(3) Multiply this rate by 1.16. (The result is called the "transportation factor".)

(4) Subtract the "transportation factor" (subparagraph (3)) from the Table B price (subparagraph (1)).

(5) The result is the maximum price at the place of delivery.

(b) Maximum prices in the basing point city of Kansas City, Missouri, for the months named, are as follows:

TABLE C (EASTERN AREA)

[Cents per pound]

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Frozen:												
Whole or reconstituted	34.0	33.9	30.6	30.6	30.6	30.6	31.6	32.0	32.4	32.8	33.2	33.6
Whites	26.0	26.0	22.6	22.6	22.6	22.6	23.6	24.0	24.4	24.8	25.2	25.6
45% yolks	47.5	47.4	44.1	44.1	44.1	44.1	44.1	45.5	45.9	46.3	46.7	47.1
Sugared or salted yolks	42.3	43.1	38.8	38.8	38.8	38.8	38.8	40.2	40.6	41.0	41.4	41.8

To find the maximum prices for any point in the "Eastern area" (which is defined in section 3.2), other than New York City and Miami, Florida, make the following calculation:

(1) Take the price for the product, for the month in which delivered, from Table C above.

(2) Find the actual carlot freight rate per pound from Kansas City, Missouri to the place of delivery in the "Eastern area." (The rate from Kansas City to the place of delivery must be used, not the rate for the opposite direction.) If there is no actual carlot freight rate between these places, find the lowest rate for other means of transportation.

(3) Multiply this rate by 1.16. (The result is called the "transportation factor".)

(4) Add the "transportation factor" (subparagraph (3)) to the Table C price (subparagraph (1)).

(5) The result is the maximum price at the place of delivery.

SEC. 2.4 *Maximum delivered prices for liquid egg products; more than 30,000 pounds.* Maximum base prices for the sale of liquid egg products (liquid whole eggs, liquid reconstituted eggs, liquid whites, liquid 45% yolks, and liquid sugared or salted yolks) delivered to any buyer in quantities of more than 30,000 pounds during the months of July, August, September, October, November, December and January, shall be the same as the prices per pound for the corresponding frozen egg products for the same months as set out in the above section 2.3. During the months of February, March, April, May, and June, the prices for liquid egg products shall be ½ cent per pound less than the maximum prices per pound for the corresponding frozen egg products for the same month.

SEC. 2.5 *Variations in percentage of solids; frozen or liquid yolk products.* The prices set out in sections 2.3 and 2.4 for frozen and liquid yolk products are for those products that meet the standards of the definition in section 3.2. For variations in percentage of solids in frozen or liquid yolk products the following additions to and deductions from maximum prices shall be made:

(a) For each whole 1 percent in excess of 45 percent in solids of frozen or liquid yolks not containing sugar or salt, the seller may add 85/100 cent ($0.0085) per pound to the prices in sections 2.3 and 2.4 above.

(b) For each 1 percent or fraction of 1 percent less than 45 percent in solids of frozen or liquid yolks not containing sugar or salt, the seller shall deduct 85/100 cent ($0.0085) per pound from the prices in sections 2.3 and 2.4 above.

(c) For each whole 1 percent in excess of 43 percent in solids of frozen or liquid yolks containing sugar or salt, the seller may add ¾ cent ($0.0075) per pound to the prices in sections 2.3 and 2.4 above.

SEC. 2.6 *Maximum prices for frozen and liquid egg products; 30,000 pounds or less.* Maximum prices for frozen and liquid egg products in quantities of 30,000 pounds or less are the prices in the three next preceding sections plus certain increases set out in the following subparagraphs. The applicable maximum base price for such sales is the price at the seller's manufacturing plant or refrigerated warehouse from which actual delivery is made, calculated according to the same method as that used for determining the delivered price at such place in section 2.3 above.

(a) *Increases for deliveries of 30,000 pounds or less.* On deliveries from one seller to one buyer of frozen and liquid egg products that average 30,000 pounds or less per calendar week, an increase may be added to maximum prices named in the three next preceding sections 2.3, 2.4, and 2.5 as set out in the table below.

Weekly average of deliveries from the seller to one buyer:	Permitted increase (cents per pound)
30,001 to 90,000 pounds inclusive	½
1,501 to 3,000 pounds inclusive	1
501 to 1,500 pounds inclusive	2
500 pounds or less	3

In computing the average weekly deliveries, all f. o. b. sales and all actual deliveries of all frozen and liquid egg products from the seller to any one buyer shall be included, whether or not covered by one or more separate contracts.

(b) *The weekly average is to be computed as follows*—(1) *On contract sales.* The total quantity of frozen and liquid egg products contracted to be bought by the buyer, for each delivery point, shall be divided by the number of weeks during which deliveries are to be made. The quotient shall be considered the average weekly delivery. The seller shall keep records showing actual deliveries of all frozen and liquid egg products. As of the first Monday in January and the first Monday in July of each year, the seller shall compute the total of all deliveries to each delivery point of each buyer for the preceding six months' period, and divide the total number of pounds by the total number of weeks covered by the contract. If the resulting average is found to entitle the buyer to a lower price than he has paid, the seller shall refund the difference to the buyer within six weeks.

(2) *Open market and spot business.* If no written contract is made between seller and buyer, the buyer shall indicate in writing to the seller his opinion of the total quantity of frozen and liquid egg products he will buy per week at a given delivery point. The seller may then quote on that basis, making the provision, however, in his quotation, that if the buyer lowers the quantity of his requirements so that actual deliveries fail to average the quantity indicated by the buyer, the buyer may be billed for any difference to which the seller is entitled, according to the table in paragraph (a) above. As in the case of contract sales, the seller shall maintain records of sales at each delivery point and within six weeks of the first Monday in January and the first Monday in July, make refunds in the instances where actual average deliveries warranted lower prices.

(c) *Delivery charges.* For delivery of frozen and liquid egg products in quantities of 30,000 pounds or less per week, the following increases in maximum prices may be made in addition to those permitted by paragraph (a) above.

(1) *Within 25 miles.* For delivery within 25 miles of the seller's manufacturing plant or refrigerated warehouse, an increase of ¼ cent per pound may be added to paragraph (a) increases. But see paragraph (3) below for quantities under 200 pounds.

(2) *Over 25 miles.* For deliveries to a buyer whose place of business is more than 25 miles from the seller's manufacturing plant or refrigerated warehouse, the actual freight cost, at the lowest applicable l.c.l. refrigerated rail or truck rate, may be added to paragraph (a) increases. But see subparagraph (3) below for quantities under 200 pounds.

(3) *Under 200 pounds.* For any quantity under 200 pounds, a flat charge of not more than 50 cents for the total delivery may be made in lieu of the increase permitted in subparagraphs (1) or (2) above and in addition to paragraph (a) increases.

SEC. 2.7 *Maximum prices for sales and deliveries of dried egg products; more than 3,000 pounds.* The maximum prices fixed in this section are for sales and deliveries of dried egg products (that is, dried whole eggs, dried egg yolks, flake-dried albumen, and spray-dried or powdered albumen) that meet the standards set out in the definitions in sec-

tion 3.2 Maximum prices of these dried egg products in quantities of more than 3,000 pounds, for the month in which delivered, are set out below.

(a) Maximum prices per pound for sales and deliveries in the cities of New York and Seattle, for the months named, are as follows:

TABLE D

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Dried yolk	$1.10	$1.06	$1.02	$1.02	$1.02	$1.02	$1.04	$1.06	$1.06	$1.07	$1.08	$1.09
Flake dried albumen	2.14	2.01	1.98	1.98	1.98	1.98	1.96	1.99	2.02	2.05	2.08	2.11
Powdered albumen	2.19	2.06	1.98	1.98	1.98	1.98	2.01	2.04	2.07	2.10	2.13	2.16
Whole dried egg	1.285	1.185	1.15	1.15	1.15	1.15	1.16	1.21	1.24	1.25	1.29	1.275

No premium shall be allowed for high "percentage in solids" or "palatability score", except on sales to a United States Government agency as set out in section 2.9 of this regulation.

(b) To find the maximum prices for sales and deliveries at any other place, make the following calculation:

(1) Take the price for the particular product, for the month in which delivered, from Table D above.

(2) Find out which city, New York or Seattle, has the lowest carlot freight rate per pound from the place of delivery. (The freight rate from the place of delivery to New York or Seattle must be used, not the rate for the opposite direction.) If there is no actual carlot freight rate between these places, find the lowest rate for other means of transportation.

(3) Multiply this rate by 1.14. (The result is called the "transportation factor".)

(4) Subtract the "transportation factor" (subparagraph (3)) from the Table D price (subparagraph (1)).

(5) The result is the maximum price at the place of delivery.

SEC. 2.8 *Maximum prices for sales and deliveries of dried egg products; 3,000 pounds or less.* The following increases may be added to the maximum base prices for dried egg products when sold and delivered in quantities of 3,000 pounds or less per calendar week by one seller to any one particular buyer other than a United States Government agency:

Weekly total of deliveries from the seller to one buyer	Permitted increase: Dried whole eggs, dried egg yolks (cents per pound)	Permitted increase: Flake-dried albumen, spray-dried albumen, powdered albumen (cents per pound)
1,001 to 3,000 pounds inclusive	3	5
101 to 1,000 pounds inclusive	6	8
100 pounds or less	10	12

All f. o. b. sales and all actual deliveries of all dried egg products from the seller to any one buyer shall be included, whether or not covered by one or more separate contracts.

SEC. 2.9 *Dried egg products; permitted increases for high percentage in solids and high palatability score*—(a) *Percentage in solids.* On sales to a United States Government agency only, the permitted increases set out below may be added to the maximum prices for dried eggs that contain the indicated percentages in solids. This increase may not be added on other sales.

Percentages in solids:	Permitted increase (cents per pound)
96 to 96.49 inclusive	½
96.50 to 96.99 inclusive	1½
97 to 97.49 inclusive	2½
97.50 and up	3

(b) *Palatability score.* On sales to a United States Government agency only, the permitted increases set out below may be added to the maximum prices for dried eggs that meet a palatability score of 7, 7½, or 8. This increase may not be added on other sales.

Palatability score:	Permitted increase (cents per pound)
7	½
7½	1
8	1½

SEC. 2.10 *Dried egg products; experimental specifications of the Army Quartermaster Corps.* Dried egg products which meet each requirement of "Quartermaster Corps Tentative Specification" identified as "C. Q. D. No. 117, 28 January 1944, superseding C. Q. D. No. 117 4 March 1943" as now promulgated, or as amended from time to time, when sold to a procurement agency of the United States Army Quartermaster Corps, are exempt from price control until further order of the Administrator.

SEC. 2.11 *Blends or emulsions.* The maximum prices for mixtures, blends, or emulsions of two or more egg products (whether frozen, liquid, or dried) shall be the total of the maximum prices for the separate egg products, plus the actual cost of all other ingredients.

SEC. 2.12 *Containers.* The maximum prices for all egg products (whether frozen, liquid, or dried) include the cost of a suitable and complete container or package furnished by the seller, except that when frozen egg products are sold in containers of the capacity of 20 pounds or less, one-half cent per pound may be added to the maximum price. If a suitable container or package is not furnished by the seller, or is returned by the buyer to the seller or to another person at the seller's direction, deduction shall be made from the maximum prices for the egg products in the amount of the maximum price of such containers or the current market price if there is no fixed maximum price.

ARTICLE III—GENERAL

SEC. 3.1. *Maximum prices continue from year to year.* The maximum prices for eggs and egg products, established by this regulation, continue from year to year.

SEC. 3.2 *Definitions.* When used in this regulation, the term:

(a) "Person" means an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other Government or any of its political subdivisions, and any agency of any of the foregoing.

(b) "Inspected" or "USDA inspected" means inspected by an authorized inspector in accordance with all the standards of the United States Department of Agriculture for such inspection.

(c) "Certified" or "USDA certified" means graded and certified by an authorized grader in accordance with all the standards of the United States Department of Agriculture for such grading and certification.

(d) "Checks", "dirties" and "light dirty eggs" means the eggs designated by each of those names as defined in the United States Department of Agriculture "Specifications for Official U. S. Standards for Quality of Individual Shell Eggs." "Light dirty eggs", must meet additional requirements set out in this regulation.

(e) "Independent retailer" means a retailer who maintains less than four individual stores or individual retail outlets.

(f) "Large retailer" means a retailer who maintains a group of four or more individual stores or individual retail outlets under one ownership.

(g) "Retail route seller" means a seller of eggs who distributes them to household consumers from an inventory stored in trucks or other conveyances operated by driver salesmen over regular routes. An "independent retail route seller" is one who operates less than four of such trucks and a "large retail route seller" is one who operates four trucks or more.

(h) "Institutional user" means any one of three types of users: one who prepares eggs for consumption in public eating-places such as hotels, restaurants, etc.; one who prepares eggs for consumption in institutional or other group eating-places such as hospitals, school lunchrooms, non-federal government establishments, etc.; or one who buys eggs for manufacture into other types of food, such as bakers, candy manufacturers, etc. The term does not include a manufacturer of frozen, dried, or liquid egg products, or a U. S. Government agency.

(i) "Jobber" means a dealer who purchases eggs generally in wholesale grades or as ungraded eggs from a first receiver and in less than carlot quantities; who customarily candles and grades such eggs into consumer grades; and who customarily sells such eggs to independent retailers in quantities of less than 50 cases. The term includes sellers who customarily supply ship operators with eggs in quantities of more or less than 50 cases.

(j) "First receiver" means a dealer who is located not more than 200 miles from the place in which the eggs sold will be distributed and sold to consumers; who purchases eggs generally in wholesale grades or as ungraded eggs from a producer or shipper; and who customarily sells such eggs to jobbers and retailers.

(k) "Prior purchaser" means a buyer such as a huckster or shipper. The term means every buyer except a retailer, retail route seller, institutional user, household user, first receiver, jobber, manufacturer of egg products, ship supplier, or U. S. Government agency.

(l) "Eastern area" means the states of Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Caroline, Tennessee, Vermont, Virginia, and West Virginia.

(m) "Western area" means the states of Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

(n) "Egg products" means the frozen, dried, and liquid eggs and blends, mixtures, and emulsions covered by this regulation.

(o) "Frozen whole eggs" means the frozen whole eggs defined and identified in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 to 3378, inclusive.

(p) "Frozen whites" means the whites of eggs after the eggs have been broken, the whites separated from the yolks and the whites frozen at a temperature of zero degrees Fahrenheit or below.

(q) "Frozen 45% yolks" means the frozen egg yolks defined and identified in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 and 3375 except that such egg yolks shall contain not less than 45% of total egg solids as determined by the method prescribed in such orders.

(r) "Frozen sugared or salted yolks" means the frozen egg yolks (containing not less than 43% of total egg solids) defined and identified by the United States Department of Agriculture in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 and 3375 to which has been added sugar or salt in the proportion of one pound to each nine pounds of such egg yolks.

(s) "Frozen reconstituted eggs" means a frozen mixture of egg yolks, egg whites, and whole eggs which contains not less than 26% of total egg solids determined according to the method prescribed by the United States Department of Agriculture, in orders promulgated and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3374 to 3378, inclusive.

(t) "Liquid egg products" are the unfrozen form of the various frozen egg products herein defined.

(u) "Dried whole eggs" and "dried egg yolks" means the product defined by each of those names in orders promulgated by the United States Department of Agriculture and published in Title 21, Volume 4, Number 138 of the FEDERAL REGISTER of July 20, 1939, pages 3376 and 3377.

(v) "Dried albumen" means liquid whites that have been dried into flaked or powdered form.

(w) "Percentage in solids" means the percentage in total egg solids of a lot of dried whole eggs, as determined by the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists," fourth edition, 1935, pages 297 and 298, under "Total Solids."

(x) "Palatability" means the degree to which a representative sample of a lot of dried whole eggs is pleasing to human taste when tested and scored in accordance with methods set out in the order of the War Food Administrator published in Title 7, Volume 9, Number 27 of the FEDERAL REGISTER of February 8, 1944, page 1499, and shall be evidenced by a "palatability score" as provided in such order.

SEC. 3.3 *Adjustment of maximum prices for eggs and egg products.* (a) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation for egg items in the case of any seller or group of sellers where it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of such egg items; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such egg items; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) Applications for adjustment under this section shall be filed in accordance with Revised Procedural Regulation No. 1.

(c) Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this section.

(d) In addition to the foregoing provisions each Regional Administrator is authorized to make adjustments in the maximum prices for shell eggs provided in this revised regulation not exceeding two-tenths of one cent per dozen in amount, by appropriate order issued by him: *Provided*, That such order shall be made applicable to areas within his region that are defined in such order and provided that paragraph (a) (3) of this section is complied with.

(e) Each Regional Administrator is further authorized to issue an order authorizing the sale and delivery of "light dirty eggs" as defined in this revised regulation, upon the following conditions:

(1) The order of the Regional Administrator must define the area within which such eggs may be sold and delivered.

(2) The Regional Administrator must determine that "light dirty eggs" as defined in this regulation have been sold customarily within the area defined prior to the time his order is issued. The maximum prices for light dirty eggs established by the order of the Regional Administrator, whether of consumer grade A or AA quality, shall be 1 cent less per dozen than the maximum price for consumer grade A eggs.

(3) The order of the Regional Administrator shall provide that light dirty eggs shall be sold only in sealed cartons or other sealed containers bearing upon the seal the certificate of the U. S. Department of Agriculture certifying that the eggs are of an interior quality of consumer grade A or better. The order shall further provide that, upon the effective date thereof, light dirty eggs as defined in this regulation shall become a consumer grade of eggs within the area defined in such order.

SEC. 3.4 *Emergency purchases by a United States Government agency.* A United States Government agency may purchase egg items at more than ceiling prices provided the following conditions are complied with:

(a) That the egg items are urgently needed for immediate consumption and use in a particular locality.

(b) That the egg items are not being purchased for storage purposes.

(c) That the egg items necessary to supply the urgent need are not available from supplies currently held by the purchasing agency.

(d) That due solely to the conditions of emergency the necessary supply of the particular egg item or items in the individual case cannot be obtained unless the seller incurs expense or performs or furnishes material in addition to that normally required in the sale and delivery of such egg items at the maximum prices herein provided.

(e) That the price paid or agreed to be paid has not been increased except for such additional expense actually incurred and the actual value of any additional labor so performed or material so furnished.

(f) That within 10 days after such emergency purchase is made, an officer or representative of the purchasing agency designated by it reports to the Administrator in writing the fact showing full compliance with the foregoing conditions.

SEC. 3.5. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 3.6 *Prohibition against selling or buying at higher than maximum prices.* On and after September 25, 1944, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any of the eggs or egg products covered in this regulation, and no person in the course of trade or business, shall buy or receive such eggs or

egg products, at a price higher than the maximum prices permitted by this regulation and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 3.7 *Geographical applicability.* The provisions of this Revised Maximum Price Regulation 333 shall be applicable only to the 48 states of the United States and the District of Columbia.

SEC. 3.8 *Calculations.* Fractions of a cent remaining after the total price for the quantity sold has been calculated shall be dropped if less than ½ cent and increased to the next higher cent if ½ cent or more.

SEC. 3.9 *Records.* Every seller and buyer subject to this regulation, making sales or deliveries or purchases of eggs or egg products to the value of $200 or more in any one month, shall keep for inspection of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete and accurate record of each sale or delivery or purchase of eggs or egg products, showing all of the following information that is applicable to the transaction: names and addresses of buyer and seller; date of delivery or acceptance; quantities bought or sold; prices at which bought or sold; name of the egg product; and size or weight, and grade, of the eggs.

SEC. 3.10 *Export sales.* The maximum prices at which a person may export any eggs or egg products shall be determined in accordance with the Revised Maximum Export Price Regulation.

SEC. 3.11 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery, but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 3.12 *Taxes.* If any statute of the United States or ordinance of any state or subdivision of any state imposes a tax upon the sale or delivery of any eggs or egg products covered by this regulation and does not prohibit the seller from stating and collecting the tax separately from the purchase price, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected by the vendor from whom he purchased such eggs or egg products, *Provided, however,* That:

(a) The seller states and collects the tax separately from the purchase price; and

(b) If the tax was in effect prior to the effective date of this regulation, the seller's customary business practice was to state and to collect the tax separately from the purchase price of the eggs or egg products; and

(c) Appropriate records are kept indicating the amount of the tax, by which governmental authority the tax was imposed, to whom the tax was paid (the prior vendor or the government), to what specific egg items the tax applies, and to whom they were sold.

In no other case may the amount of a tax be added to the maximum prices established by this regulation.

SEC. 3.13 *Transfers of business or stock in trade.* If the business or stock in trade of a person covered by this regulation is sold or otherwise transferred on or after December 30, 1942, and the transferee continues the business, the maximum prices of the transferee shall be the same as those which the transferor would have been subject to if no transfer had taken place, and his obligation to keep records sufficient to verify these prices shall be the same. The transferor shall either preserve and make available, or shall turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

SEC. 3.14 *Evasion.* The price limitations set forth in this regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt, of or relating to any eggs or egg products, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

Eggs or egg products shall not be exchanged, traded, or bartered for anything having a value or maximum price greater than the maximum price established for such eggs or egg items.

Except insofar as this regulation permits f. o. b. pricing, the maximum prices established by this regulation shall not be evaded or circumvented by selling eggs or egg products at a price f. o. b. the seller's shipping point.

SEC. 3.15 *Enforcement.* Persons violating any provisions of this regulation are subject to the penalties provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 3.16 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation 333 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 3.17 *Applicability of certain provisions of supplementary regulations and orders.* (a) The following provisions of the following supplementary regulations and orders shall be applicable to all agreements, sales, and deliveries covered by this Revised Maximum Price Regulation 333 unless otherwise provided in this regulation.

Revised Supplementary Regulation No. 1,[1] section 4.4 (Developmental contracts).

Supplementary Order No. 42, Amendment 1,[2] § 1307.57 (Secret contracts).

Supplementary Order No. 27,[3] § 1305.32 (Sales or deliveries of the War Department or the Navy Department through such department's sales stores).

Revised Supplementary Order No. 34,[4] (Addition of extra export packaging expenses on sales to procurement agencies of the United States).

Supplementary Order No. 31,[5] (Treatment of 3% transportation tax imposed by section 620 of Revenue Act of 1942).

Supplementary Order No. 61,[6] (establishing maximum prices for sales by United States Government agencies and exempting certain of such sales from price control).

Supplementary Order No. 84,[7] (Describing conditions for payment by a marketing cooperative of a patronage dividend).

SEC. 3.18 *Zones.* The zones referred to in this regulation are comprised of the counties or other political subdivisions of the respective states set opposite each zone number listed below.

LIST OF COUNTIES, WITH ZONE NUMBERS, ARRANGED ALPHABETICALLY BY STATES

ALABAMA

	Zone		Zone
Autauga	18	Houston	15
Baldwin	18	Jackson	19
Barbour	15	Jefferson	19
Bibb	18	Lamar	19
Blount	19	Lauderdale	20
Bullock	18	Lawrence	20
Butler	18	Lee	18
Calhoun	18	Limestone	20
Chambers	18	Lowndes	18
Cherokee	19	Macon	18
Chilton	18	Madison	19
Choctaw	18	Marengo	18
Clarke	18	Marion	19
Clay	18	Marshall	19
Cleburne	18	Mobile	18
Coffee	15	Monroe	18
Colbert	20	Montgomery	18
Conecuh	18	Morgan	20
Coosa	18	Perry	18
Covington	18	Pickens	19
Crenshaw	18	Pike	18
Cullman	19	Randolph	18
Dale	15	Russell	18
Dallas	18	St. Clair	19
De Kalb	19	Shelby	18
Elmore	18	Sumter	18
Escambia	18	Talladega	19
Etowah	19	Tallapoosa	18
Fayette	19	Tuscaloosa	19
Franklin	20	Walker	19
Geneva	15	Washington	18
Greene	18	Wilcox	18
Hale	18	Winston	19
Henry	15		

[1] 8 F.R. 4978.
[2] 8 F.R. 11061.
[3] 7 F.R. 8229.
[4] 8 F.R. 12404, 14073.
[5] 7 F.R. 9894; 8 F.R. 1312, 3702, 9521.
[6] 9 F.R. 310.
[7] 9 F.R. 1721.

ARKANSAS

	Zone		Zone
Arkansas	25	Lee	25
Ashley	25	Lincoln	25
Baxter	34	Little River	32
Benton	35	Logan	33
Boone	34	Lonoke	7
Bradley	25	Madison	34
Calhoun	25	Marion	34
Carroll	34	Miller	32
Chicot	24	Mississippi	9
Clark	27	Monroe	25
Clay	7	Montgomery	33
Cleburne	7	Nevada	27
Cleveland	25	Newton	34
Columbia	27	Ouachita	25
Conway	33	Perry	33
Craighead	7	Phillips	26
Crawford	34	Pike	27
Crittenden	9	Poinsett	7
Cross	7	Polk	33
Dallas	27	Pope	33
Desha	24	Prairie	7
Drew	25	Pulaski	7
Faulkner	33	Randolph	7
Franklin	33	St. Francis	7
Fulton	34	Saline	27
Garland	27	Scott	33
Grant	27	Searcy	34
Greene	7	Sebastian	34
Hempstead	27	Sevier	32
Hot Spring	27	Sharp	7
Howard	27	Stone	34
Independence	7	Union	25
Izard	34	Van Buren	33
Jackson	7	Washington	34
Jefferson	25	White	7
Johnson	33	Woodruff	7
Lafayette	27	Yell	33
Lawrence	7		

ARIZONA

Apache	16	Mohave	16
Cochise	16	Navajo	16
Coconimo	16	Pima	16
Gila	16	Pinal	16
Graham	16	Santa Cruz	16
Greenlee	16	Yavapai	16
Maricopa	16	Yuma	16

CALIFORNIA

Alameda	14	Orange	14
Alpine	16	Placer	44
Amador	44	Plumas	44
Butte	44	Riverside	14
Calaveras	44	Sacramento	44
Colusa	44	San Benito	14
Contra Costa	14	San Bernardino	14
Del Norte	44	San Diego	14
El Dorado	44	San Francisco	14
Fresno	44	San Joaquin	44
Glenn	44	San Luis Obispo	44
Humboldt	44	San Mateo	14
Imperial	14	Santa Barbara	14
Inyo	14	Santa Clara	14
Kern	44	Santa Cruz	14
Kings	44	Shasta	44
Lake	44	Sierra	44
Lassen	44	Siskiyou	44
Los Angeles	14	Solano	14
Madera	44	Sonoma	14
Marin	14	Stanislaus	44
Mariposa	44	Sutter	44
Mendocino	44	Tehama	44
Merced	44	Trinity	44
Modoc	44	Tulare	44
Mono	16	Tuolumne	44
Monterey	14	Ventura	14
Napa	14	Yolo	44
Nevada	44	Yuba	44

COLORADO

Adams	10	Cheyenne	7
Alamosa	13	Clear Creek	13
Arapahoe	10	Conejos	13
Archuleta	13	Costilla	13
Baca	8	Crowley	8
Bent	8	Custer	10
Boulder	13	Delta	13
Chaffee	13	Denver	10

COLORADO—continued

	Zone		Zone
Dolores	13	Moffat	13
Douglas	10	Montezuma	13
Eagle	13	Montrose	13
Elbert	8	Morgan	8
El Paso	10	Otero	8
Fremont	10	Ouray	13
Garfield	13	Park	13
Gilpin	13	Phillips	7
Grand	13	Pitkin	13
Gunnison	13	Prowers	7
Hinsdale	13	Pueblo	10
Huerfano	10	Rio Blanco	13
Jackson	13	Rio Grande	13
Jefferson	10	Routt	13
Kiowa	7	Saguache	13
Kit Carson	7	San Juan	13
Lake	13	San Miguel	13
La Plata	13	Sedgwick	7
Larimer	10	Summit	13
Las Animas	10	Teller	10
Lincoln	8	Washington	8
Logan	8	Weld	10
Mesa	13	Yuma	7
Mineral	13		

CONNECTICUT

Fairfield	14	New Haven	14
Hartford	14	New London	14
Litchfield	14	Tolland	14
Middlesex	14	Windham	14

DELAWARE

Kent	14	Sussex	14
New Castle	14		

DISTRICT OF COLUMBIA

Washington	13

FLORIDA

Alachua	17	Lake	17
Baker	16	Lee	17B
Bay	15	Leon	16
Bradford	17	Levy	17
Brevard	17A	Liberty	16
Broward	17C	Madison	16
Calhoun	15	Manatee	17B
Charlotte	17B	Marion	17
Citrus	17	Martin	17B
Clay	17	Monroe	17C
Collier	17C	Nassau	17
Columbia	16	Okaloosa	15
Dade	17C	Okeechobee	17B
De Soto	17B	Orange	17A
Dixie	17	Osceola	17A
Duval	17	Palm Beach	17B
Escambia	15	Pasco	17A
Flagler	17	Pinellas	17A
Franklin	16	Polk	17A
Gadsden	15	Putnam	17
Gilchrist	17	St. Johns	17
Glades	17B	St. Lucie	17B
Gulf	16	Santa Rosa	15
Hamilton	16	Sarasota	17B
Hardee	17B	Seminole	17A
Hendry	17B	Sumter	17
Hernando	17	Suwannee	16
Highlands	17B	Taylor	16
Hillsborough	17A	Union	17
Holmes	15	Volusia	17
Indian River	17B	Wakulla	16
Jackson	15	Walton	15
Jefferson	16	Washington	15
Lafayette	17		

GEORGIA

Appling	16	Brooks	16
Atkinson	16	Bryan	17
Bacon	16	Bulloch	16
Baker	15	Burke	15
Baldwin	15	Butts	18
Banks	15	Calhoun	15
Barrow	18	Camden	17
Bartow	18	Candler	16
Ben Hill	15	Carroll	18
Berrien	16	Catoosa	19
Bibb	15	Charlton	16
Bleckley	16	Chatham	17
Brantley	16	Chattahoochee	18

GEORGIA—continued

	Zone		Zone
Chattooga	19	McDuffie	15
Cherokee	18	McIntosh	17
Clarke	15	Macon	15
Clay	15	Madison	15
Clayton	18	Marion	15
Clinch	16	Meriwether	18
Cobb	18	Miller	15
Coffee	16	Mitchell	15
Colquitt	15	Monroe	15
Columbia	15	Montgomery	16
Cook	16	Morgan	15
Coweta	18	Murray	19
Crawford	15	Muscogee	18
Crisp	15	Newton	15
Dade	19	Oconee	15
Dawson	18	Oglethorpe	15
Decatur	15	Paulding	18
DeKalb	18	Peach	15
Dodge	15	Pickens	18
Dooly	15	Pierce	16
Dougherty	15	Pike	18
Douglas	18	Polk	18
Early	15	Pulaski	15
Echols	16	Putnam	15
Effingham	16	Quitman	15
Elbert	15	Rabun	18
Emanuel	16	Randolph	15
Evans	16	Richmond	15
Fannin	18	Rockdale	15
Fayette	18	Schley	15
Floyd	19	Screven	16
Forsyth	18	Seminole	16
Franklin	15	Spalding	18
Fulton	18	Stephens	15
Gilmer	18	Stewart	15
Glascock	15	Sumter	15
Glynn	17	Talbot	15
Gordon	19	Taliaferro	15
Grady	15	Tattnall	16
Greene	15	Taylor	15
Gwinnett	18	Telfair	16
Habersham	15	Terrell	15
Hall	18	Thomas	15
Hancock	15	Tift	15
Haralson	18	Toombs	16
Harris	18	Towns	18
Hart	15	Treutlen	16
Heard	18	Troup	18
Henry	18	Turner	15
Houston	15	Twiggs	15
Irwin	15	Union	18
Jackson	18	Upson	15
Jasper	15	Walker	19
Jeff Davis	16	Walton	15
Jefferson	15	Ware	16
Jenkins	15	Warren	15
Johnson	15	Washington	15
Jones	15	Wayne	16
Lamar	18	Webster	15
Lanier	16	Wheeler	16
Laurens	15	White	18
Lee	15	Whitfield	19
Liberty	17	Wilcox	15
Lincoln	15	Wilkes	15
Long	16	Wilkinson	15
Lowndes	16	Worth	15
Lumpkin	18		

IDAHO

Ada	11	Franklin	11
Adams	11	Freemont	11
Bannock	11	Gem	11
Bear Lake	11	Gooding	11
Benewah	44	Idaho	44
Bingham	11	Jefferson	11
Blaine	11	Jerome	11
Boise	11	Kootenai	44
Bonner	44	Latah	44
Bonneville	11	Lemhi	11
Boundary	44	Lewis	44
Butte	11	Lincoln	11
Camas	11	Madison	11
Canyon	11	Minidoka	11
Caribou	11	Nez Perce	44
Cassia	11	Oneida	11
Clark	11	Owyhee	11
Clearwater	44	Payette	11
Custer	11	Power	11
Elmore	11	Shoshone	44

IDAHO—continued

	Zone		Zone
Teton	11	Washington	11
Twin Falls	11	Yellowstone National Park (part)	11
Valley	11		

ILLINOIS

	Zone		Zone
Adams	5	Lee	6
Alexander	7	Livingston	6
Bond	5	Logan	6
Boone	6	McDonough	5
Brown	5	McHenry	6
Bureau	6	McLean	6
Calhoun	5	Macon	6
Carroll	5	Macoupin	5
Cass	5	Madison	5
Champaign	6	Marion	5
Christian	6	Marshall	6
Clark	6	Mason	6
Clay	6	Massac	7
Clinton	5	Menard	5
Coles	6	Mercer	5
Cook	7	Monroe	5
Crawford	6	Montgomery	5
Cumberland	6	Morgan	6
De Kalb	6	Moultrie	6
De Witt	6	Ogle	6
Douglas	6	Peoria	6
Du Page	6	Perry	5
Edgar	6	Piatt	6
Edwards	6	Pike	5
Effingham	6	Pope	7
Fayette	5	Pulaski	7
Ford	6	Putnam	6
Franklin	6	Randolph	5
Fulton	5	Richland	6
Gallatin	7	Rock Island	5
Greene	5	St. Clair	5
Grundy	6	Saline	7
Hamilton	6	Sangamon	6
Hancock	5	Schuyler	5
Hardin	7	Scott	5
Henderson	5	Shelby	6
Henry	5	Stark	6
Iroquois	6	Stephenson	5
Jackson	6	Tazewell	6
Jasper	6	Union	6
Jefferson	5	Vermilion	6
Jersey	5	Wabash	6
Jo Daviess	5	Warren	5
Johnson	7	Washington	5
Kane	6	Wayne	6
Kankakee	6	White	6
Kendall	6	Whiteside	5
Knox	5	Will	6
Lake	7	Williamson	6
La Salle	6	Winnebago	6
Lawrence	6	Woodford	6

INDIANA

	Zone		Zone
Adams	9	Hendricks	8
Allen	9	Henry	9
Bartholomew	8	Howard	8
Benton	8	Huntington	9
Blackford	9	Jackson	9
Boone	8	Jasper	8
Brown	8	Jay	9
Carroll	8	Jefferson	9
Cass	8	Jennings	9
Clark	9	Johnson	9
Clay	8	Knox	8
Clinton	8	Kosciusko	9
Crawford	8	Lagrange	9
Daviess	8	Lake	7
Dearborn	9	La Porte	8
Decatur	9	Lawrence	8
De Kalb	9	Madison	9
Delaware	9	Marion	8
Dubois	8	Marshall	8
Elkhart	9	Martin	8
Fayette	9	Miami	8
Floyd	9	Monroe	8
Fountain	8	Montgomery	8
Franklin	9	Morgan	8
Fulton	8	Newton	8
Gibson	8	Noble	9
Grant	9	Ohio	9
Greene	8	Orange	8
Hamilton	8	Owen	8
Hancock	9	Parke	8
Harrison	9	Perry	8

INDIANA—continued

	Zone		Zone
Pike	8	Switzerland	9
Porter	8	Tippecanoe	8
Posey	9	Tipton	8
Pulaski	8	Union	9
Putnam	8	Vanderburgh	8
Randolph	9	Vermillion	8
Ripley	9	Vigo	8
Rush	9	Wabash	9
St. Joseph	9	Warren	8
Scott	9	Warrick	9
Shelby	9	Washington	9
Spencer	8	Wayne	9
Starke	8	Wells	9
Steuben	9	White	8
Sullivan	8	Whitley	9

IOWA

	Zone		Zone
Adair	3	Jefferson	5
Adams	3	Johnson	4
Allamakee	4	Jones	4
Appanoose	4	Keokuk	4
Audubon	3	Kossuth	3
Benton	4	Lee	5
Black Hawk	4	Linn	4
Boone	3	Louisa	5
Bremer	4	Lucas	4
Buchanan	4	Lyon	2
Buena Vista	3	Madison	4
Butler	4	Marshall	4
Calhoun	3	Marion	4
Carroll	3	Marshall	4
Cass	3	Mills	2
Cedar	5	Mitchell	4
Cerro Gordo	4	Monona	2
Cherokee	2	Monroe	4
Chickasaw	4	Montgomery	2
Clarke	4	Muscatine	5
Clay	3	O'Brien	2
Clayton	5	Osceola	2
Clinton	5	Page	2
Crawford	2	Palo Alto	3
Dallas	3	Plymouth	2
Davis	5	Pocahontas	3
Decatur	4	Polk	4
Delaware	5	Pottawattamie	2
Des Moines	5	Poweshiek	4
Dickinson	2	Ringgold	3
Dubuque	5	Sac	3
Emmet	3	Scott	5
Fayette	4	Shelby	3
Floyd	4	Sioux	2
Franklin	4	Story	4
Fremont	2	Tama	4
Greene	3	Taylor	3
Grundy	4	Union	3
Guthrie	3	Van Buren	5
Hamilton	3	Wapello	5
Harrison	2	Warren	4
Hardin	4	Washington	5
Harrison	2	Wayne	4
Henry	5	Webster	3
Howard	4	Winnebago	3
Humboldt	3	Winneshiek	4
Ida	2	Woodbury	2
Iowa	4	Worth	3
Jackson	5	Wright	3
Jasper	4		

KANSAS

	Zone		Zone
Allen	3	Dickinson	2
Anderson	3	Doniphan	2
Atchison	2	Douglas	3
Barber	2	Edwards	1
Barton	1	Elk	2
Bourbon	3	Ellis	1
Brown	2	Ellsworth	1
Butler	2	Finney	1
Chase	2	Ford	1
Chautauqua	2	Franklin	3
Cherokee	3	Geary	2
Cheyenne	1	Gove	1
Clark	2	Graham	1
Clay	3	Grant	1
Cloud	3	Gray	1
Coffey	3	Greeley	1
Comanche	1	Greenwood	3
Cowley	3	Hamilton	1
Crawford	3	Harper	2
Decatur	1	Harvey	2

KANSAS—continued

	Zone		Zone
Haskell	2	Phillips	1
Hodgeman	1	Pottawatomie	2
Jackson	2	Pratt	1
Jefferson	2	Rawlins	1
Jewell	1	Reno	1
Johnson	3	Republic	1
Kearny	2	Rice	1
Kingman	1	Riley	2
Kiowa	1	Rooks	1
Labette	3	Rush	1
Lane	1	Russell	1
Leavenworth	3	Saline	1
Lincoln	1	Scott	1
Linn	3	Sedgwick	2
Logan	1	Seward	2
Lyon	2	Shawnee	2
McPherson	1	Sheridan	1
Marion	2	Sherman	3
Marshall	2	Smith	1
Meade	2	Stafford	1
Miami	3	Stanton	3
Mitchell	1	Stevens	3
Montgomery	2	Sumner	2
Morris	2	Thomas	1
Morton	3	Trego	1
Nemaha	2	Wabaunsee	2
Neosho	3	Wallace	3
Ness	1	Washington	2
Norton	1	Wichita	3
Osage	2	Wilson	2
Osborne	1	Woodson	2
Ottawa	1	Wyandotte	3
Pawnee	1		

KENTUCKY

	Zone		Zone
Adair	12	Jackson	12
Allen	12	Jefferson	10
Anderson	11	Jessamine	11
Ballard	9	Johnson	13
Barren	11	Kenton	10
Bath	11	Knott	13
Bell	12	Knox	12
Boone	10	Larue	11
Bourbon	11	Laurel	12
Boyd	11	Lawrence	12
Boyle	11	Lee	12
Bracken	10	Leslie	12
Breathitt	12	Letcher	12
Breckinridge	10	Lewis	11
Bullitt	10	Lincoln	12
Butler	11	Livingston	10
Caldwell	11	Logan	11
Calloway	11	Lyon	11
Campbell	10	McCracken	9
Carlisle	9	McCreary	12
Carroll	10	McLean	10
Carter	11	Madison	11
Casey	12	Magoffin	13
Christian	11	Marion	11
Clark	11	Marshall	10
Clay	12	Martin	13
Clinton	12	Mason	11
Crittenden	10	Meade	10
Cumberland	12	Menifee	12
Daviess	10	Mercer	11
Edmonson	11	Metcalfe	12
Elliott	12	Monroe	12
Estill	12	Montgomery	11
Fayette	11	Morgan	12
Fleming	11	Muhlenberg	11
Floyd	13	Nelson	11
Franklin	11	Nicholas	11
Fulton	9	Ohio	10
Gallatin	10	Oldham	10
Garrard	11	Owen	10
Grant	10	Owsley	12
Graves	9	Pendleton	10
Grayson	11	Perry	12
Green	12	Pike	13
Greenup	11	Powell	12
Hancock	10	Pulaski	12
Hardin	10	Robertson	11
Harlan	13	Rockcastle	12
Harrison	11	Rowan	11
Hart	11	Russell	12
Henderson	10	Scott	11
Henry	10	Shelby	10
Hickman	9	Simpson	11
Hopkins	11	Spencer	10

KENTUCKY—continued

	Zone		Zone
Taylor	12	Washington	11
Todd	11	Wayne	12
Trigg	11	Webster	10
Trimble	10	Whitley	12
Union	10	Wolfe	12
Warren	11	Woodford	11

LOUISIANA

	Zone		Zone
Acadia	23	Morehouse	24
Allen	23	Natchitoches	23
Ascension	23	Orleans	21
Assumption	23	Ouachita	24
Avoyelles	23	Plaquemines	21
Beauregard	26	Pointe Coupee	23
Bienville	23	Rapides	26
Bossier	27	Red River	26
Caddo	27	Richland	24
Calcasieu	29	Sabine	26
Caldwell	26	St. Bernard	21
Cameron	29	St. Charles	21
Catahoula	24	St. Helena	21
Claiborne	27	St. James	23
Concordia	24	St. John the Baptist	21
De Soto	26	St. Landry	23
East Baton Rouge	23	St. Martin	23
East Carroll	24	St. Mary	23
East Feliciana	23	St. Tammany	21
Evangeline	23	Tangipahoa	21
Franklin	24	Tensas	24
Grant	26	Terrebonne	23
Iberia	23	Union	26
Iberville	23	Vermilion	23
Jackson	26	Vernon	26
Jefferson	21	Washington	21
Jefferson Davis	23	Webster	27
Lafayette	23	West Baton Rouge	23
Lafourche	23	West Carroll	24
La Salle	26	West Feliciana	23
Lincoln	26	Winn	26
Livingston	21		
Madison	24		

MAINE

	Zone		Zone
Androscoggin	15	Oxford	16
Aroostook	16	Penobscot	16
Cumberland	15	Piscataquis	16
Franklin	16	Sagadahoc	15
Hancock	16	Somerset	16
Kennebec	16	Waldo	16
Knox	16	Washington	16
Lincoln	16	York	15

MARYLAND

	Zone		Zone
Allegany	13	Harford	14
Anne Arundel	13	Howard	13
Baltimore	13	Kent	14
Baltimore City	13	Montgomery	13
Calvert	13	Prince Georges	13
Caroline	14	Queen Annes	14
Carroll	13	St. Marys	13
Cecil	14	Somerset	14
Charles	13	Talbot	14
Dorchester	14	Washington	13
Frederick	13	Wicomico	14
Garrett	13	Worcester	14

MASSACHUSETTS

	Zone		Zone
Barnstable	15	Hampshire	14
Berkshire	14	Middlesex	15
Bristol	15	Nantucket	15
Dukes	15	Norfolk	15
Essex	15	Plymouth	15
Franklin	14	Suffolk	15
Hampden	14	Worcester	15

MICHIGAN

	Zone		Zone
Alcona	11	Branch	10
Alger	10	Calhoun	10
Allegan	10	Cass	9
Alpena	11	Charlevoix	11
Antrim	11	Cheboygan	11
Arenac	11	Chippewa	10
Baraga	10	Clare	11
Barry	10	Clinton	10
Bay	11	Crawford	11
Benzie	11	Delta	10
Berrien	9	Dickinson	10

MICHIGAN—continued

	Zone		Zone
Eaton	10	Mecosta	11
Emmet	11	Menominee	10
Genesee	11	Midland	11
Gladwin	11	Missaukee	11
Gogebic	10	Monroe	10
Grand Traverse	11	Montcalm	10
Gratiot	11	Montmorency	11
Hillsdale	10	Muskegon	10
Houghton	10	Newaygo	10
Huron	11	Oakland	11
Ingham	10	Oceana	10
Ionia	10	Ogemaw	11
Iosco	11	Ontnagon	10
Iron	10	Osceola	11
Isabella	11	Oscoda	11
Jackson	10	Otsego	11
Kalamazoo	10	Ottawa	10
Kalkaska	11	Presque Isle	11
Kent	10	Roscommon	11
Keweenaw	10	Saginaw	11
Lake	10	St. Clair	11
Lapeer	11	St. Joseph	10
Leelanau	11	Sanilac	11
Lenawee	10	Schoolcraft	10
Livingston	11	Shiawassee	11
Luce	10	Tuscola	11
Mackinac	10	Van Buren	9
Macomb	11	Washtenaw	11
Manistee	11	Wayne	11
Marquette	10	Wexford	11
Mason	10		

MINNESOTA

	Zone		Zone
Aitkin	2	Marshall	1
Anoka	3	Martin	3
Becker	1	Meeker	2
Beltrami	1	Mille Lacs	2
Benton	2	Morrison	2
Big Stone	1	Mower	4
Blue Earth	3	Murray	2
Brown	2	Nicollet	2
Carlton	4	Nobles	2
Carver	3	Norman	1
Cass	1	Olmsted	4
Chippewa	2	Otter Tail	1
Chisago	3	Pennington	1
Clay	1	Pine	4
Clearwater	1	Pipestone	2
Cook	4	Polk	1
Cottonwood	2	Pope	2
Crow Wing	2	Ramsey	3
Dakota	3	Red Lake	1
Dodge	4	Redwood	2
Douglas	1	Renville	2
Faribault	3	Rice	3
Fillmore	4	Rock	2
Freeborn	3	Roseau	1
Goodhue	4	St. Louis	4
Grant	1	Scott	3
Hennepin	3	Sherburne	2
Houston	4	Sibley	2
Hubbard	1	Stearns	2
Isanti	3	Steele	3
Itasca	1	Stevens	2
Jackson	2	Swift	2
Kanabec	2	Todd	2
Kandiyohi	2	Traverse	1
Kittson	1	Wabasha	4
Koochiching	1	Wadena	2
Lac qui Parle	1	Waseca	3
Lake	4	Washington	3
Lake of the Woods	1	Watonwan	2
Le Sueur	3	Wilkin	1
Lincoln	2	Winona	4
Lyon	2	Wright	3
McLeod	2	Yellow Medicine	2
Mahnomen	1		

MISSISSIPPI

	Zone		Zone
Adams	22	Choctaw	20
Alcorn	20	Claiborne	22
Amite	20	Clarke	19
Attala	20	Clay	20
Benton	22	Coahoma	25
Bolivar	24	Copiah	20
Calhoun	20	Covington	20
Carroll	22	De Soto	25
Chickasaw	20	Forrest	19

MISSISSIPPI—continued

	Zone		Zone
Franklin	22	Newton	19
George	19	Noxubee	19
Greene	19	Oktibbeha	20
Grenada	22	Panola	22
Hancock	19	Pearl River	19
Harrison	19	Perry	19
Hinds	20	Pike	20
Holmes	22	Pontotoc	20
Humphreys	22	Prentiss	20
Issaquena	24	Quitman	22
Itawamba	20	Rankin	20
Jackson	19	Scott	20
Jasper	19	Sharkey	22
Jefferson	22	Simpson	20
Jefferson Davis	20	Smith	20
Jones	19	Stone	19
Kemper	19	Sunflower	22
Lafayette	22	Tallahatchie	22
Lamar	19	Tate	22
Lauderdale	19	Tippah	20
Lawrence	20	Tishomingo	20
Leake	20	Tunica	25
Lee	20	Union	20
Leflore	22	Walthall	20
Lincoln	20	Warren	22
Lowndes	20	Washington	24
Madison	20	Wayne	19
Marion	20	Webster	20
Marshall	22	Wilkinson	22
Monroe	20	Winston	19
Montgomery	20	Yalobusha	22
Neshoba	19	Yazoo	22

MISSOURI

	Zone		Zone
Adair	5	Lewis	5
Andrew	3	Lincoln	5
Atchison	3	Linn	4
Audrain	5	Livingston	4
Barry	3	McDonald	3
Barton	3	Macon	5
Bates	3	Madison	5
Benton	4	Maries	4
Bollinger	5	Marion	5
Boone	4	Mercer	4
Buchanan	3	Miller	4
Butler	6	Mississippi	7
Caldwell	3	Moniteau	4
Callaway	4	Monroe	5
Camden	4	Montgomery	5
Cape Girardeau	6	Morgan	4
Carroll	4	New Madrid	7
Carter	5	Newton	3
Cass	3	Nodaway	3
Cedar	3	Oregon	5
Charlton	4	Osage	4
Christian	4	Ozark	4
Clark	5	Pemiscot	7
Clay	3	Perry	6
Clinton	3	Pettis	4
Cole	4	Phelps	4
Cooper	4	Pike	5
Crawford	5	Platte	3
Dade	3	Polk	3
Dallas	4	Pulaski	4
Daviess	3	Putnam	4
De Kalb	3	Ralls	5
Dent	5	Randolph	5
Douglas	4	Ray	3
Dunklin	7	Reynolds	5
Franklin	4	Ripley	5
Gasconade	4	St. Charles	5
Gentry	3	St. Clair	3
Greene	4	St. Francois	5
Grundy	4	Ste. Genevieve	5
Harrison	3	St. Louis	5
Henry	3	St. Louis City	5
Hickory	4	Saline	4
Holt	3	Schuyler	5
Howard	4	Scotland	5
Howell	5	Scott	7
Iron	5	Shannon	5
Jackson	3	Shelby	5
Jasper	3	Stoddard	6
Jefferson	5	Stone	4
Johnson	3	Sullivan	4
Knox	5	Taney	4
Laclede	4	Texas	5
Lafayette	3	Vernon	3
Lawrence	3	Warren	5

MISSOURI—continued

	Zone		Zone
Washington	5	Worth	3
Wayne	5	Wright	4
Webster	4		

MONTANA

Beaverhead	44	Mineral	44
Big Horn	11	Missoula	44
Blaine	9	Musselshell	11
Broadwater	11	Park	11
Carbon	11	Petroleum	11
Carter	9	Phillips	9
Cascade	44	Pondera	44
Chouteau	11	Powder River	9
Custer	9	Powell	44
Daniels	9	Prairie	9
Dawson	9	Ravalli	44
Deer Lodge	44	Richland	9
Fallon	9	Roosevelt	9
Fergus	11	Rosebud	9
Flathead	44	Sander	44
Gallatin	11	Sheridan	9
Garfield	9	Silver Bow	44
Glacier	44	Stillwater	11
Golden Valley	11	Sweet Grass	11
Granite	44	Teton	44
Hill	11	Toole	44
Jefferson	44	Treasure	11
Judith Basin	11	Valley	9
Lake	44	Wheatland	11
Lewis and Clark	44	Wibaux	9
Liberty	11	Yellowstone	11
Lincoln	44	Yellowstone National Park (part)	11
McCone	9		
Madison	11		
Meagher	11		

NEBRASKA

Adams	1	Jefferson	2
Antelope	1	Johnson	2
Arthur	3	Kearney	1
Banner	3	Keith	3
Blaine	1	Keyapaha	1
Boone	1	Kimball	3
Box Butte	3	Knox	1
Boyd	1	Lancaster	2
Brown	1	Lincoln	1
Buffalo	1	Logan	1
Burt	2	Loup	1
Butler	2	McPherson	1
Cass	2	Madison	1
Cedar	1	Merrick	1
Chase	3	Morrill	3
Cherry	1	Nance	1
Cheyenne	3	Nemaha	2
Clay	1	Nuckolls	1
Colfax	1	Otoe	2
Cuming	2	Pawnee	2
Custer	1	Perkins	3
Dakota	2	Phelps	1
Dawes	3	Pierce	1
Dawson	1	Platte	1
Deuel	3	Polk	1
Dixon	2	Redwillow	1
Dodge	2	Richardson	2
Douglas	2	Rock	1
Dundy	3	Saline	2
Fillmore	1	Sarpy	2
Franklin	1	Saunders	2
Frontier	1	Scotts Bluff	3
Furnas	1	Seward	2
Gage	2	Sheridan	3
Garden	3	Sherman	1
Garfield	1	Sioux	3
Gosper	1	Stanton	1
Grant	3	Thayer	1
Greeley	1	Thomas	1
Hall	1	Thurston	2
Hamilton	1	Valley	1
Harlan	1	Washington	2
Hayes	1	Wayne	1
Hitchcock	1	Webster	1
Holt	1	Wheeler	1
Hooker	1	York	1
Howard	1		

NEVADA

Churchill	16	Elko	14
Clark	14	Esmeralda	16
Douglas	16	Eureka	14

NEVADA—continued

	Zone		Zone
Humboldt	16	Ormsby	16
Lander	16	Pershing	16
Lincoln	14	Storey	16
Lyon	16	Washoe	16
Mineral	16	White Pine	14
Nye	16		

NEW HAMPSHIRE

Belknap	15	Hillsboro	15
Carroll	15	Merrimack	15
Cheshire	15	Rockingham	15
Coos	15	Strafford	15
Grafton	15	Sullivan	15

NEW MEXICO

Bernalillo	11	Mora	11
Catron	13	Otero	11
Chaves	11	Quay	25
Colfax	25	Rio Arriba	11
Curry	25	Roosevelt	11
De Baca	11	Sandoval	11
Dona Ana	13	San Juan	13
Eddy	11	San Miguel	11
Grant	13	Santa Fe	11
Guadalupe	11	Sierra	13
Harding	25	Socorro	13
Hidalgo	13	Taos	11
Lea	11	Torrance	11
Lincoln	11	Union	8
Luna	13	Valencia	13
McKinley	13		

NEW JERSEY

Atlantic	14	Middlesex	14
Bergen	14	Monmouth	14
Burlington	14	Morris	14
Camden	14	Ocean	14
Cape May	14	Passaic	14
Cumberland	14	Salem	14
Essex	14	Somerset	14
Gloucester	14	Sussex	14
Hudson	14	Union	14
Hunterdon	14	Warren	14
Mercer	14		

NEW YORK

Albany	14	Niagara	12
Allegany	13	Oneida	13
Bronx	14	Onondaga	13
Broome	13	Ontario	13
Cattaraugus	12	Orange	14
Cayuga	13	Orleans	12
Chautauqua	12	Oswego	13
Chemung	13	Otsego	14
Chenango	13	Putnam	14
Clinton	13	Queens	14
Columbia	14	Rensselaer	14
Cortland	13	Richmond	14
Delaware	14	Rockland	14
Dutchess	14	St. Lawrence	14
Erie	12	Saratoga	14
Essex	15	Schenectady	14
Franklin	14	Schoharie	14
Fulton	14	Schuyler	13
Genesee	12	Seneca	13
Greene	14	Steuben	13
Hamilton	14	Suffolk	14
Herkimer	14	Sullivan	14
Jefferson	13	Tioga	13
Kings	14	Tompkins	13
Lewis	13	Ulster	14
Livingston	13	Warren	14
Madison	13	Washington	14
Monroe	13	Wayne	13
Montgomery	14	Westchester	14
Nassau	14	Wyoming	12
New York	14	Yates	13

NORTH CAROLINA

Alamance	15	Brunswick	16
Alexander	15	Buncombe	16
Alleghany	15	Burke	15
Anson	15	Cabarrus	15
Ashe	15	Caldwell	15
Avery	15	Camden	15
Beaufort	15	Carteret	16
Bertie	15	Caswell	15
Bladen	16	Catawba	15

NORTH CAROLINA—continued

	Zone		Zone
Chatham	15	Mecklenburg	15
Cherokee	18	Mitchell	15
Chowan	15	Montgomery	15
Clay	18	Moore	15
Cleveland	15	Nash	15
Columbus	16	New Hanover	16
Craven	16	Northampton	15
Cumberland	15	Onslow	16
Currituck	15	Orange	15
Dare	15	Pamlico	16
Davidson	15	Pasquotank	15
Davie	15	Pender	16
Duplin	16	Perquimans	15
Durham	15	Person	15
Edgecombe	15	Pitt	15
Forsyth	15	Polk	18
Franklin	15	Randolph	15
Gaston	15	Richmond	15
Gates	15	Robeson	15
Graham	18	Rockingham	15
Granville	15	Rowan	15
Greene	15	Rutherford	15
Guilford	15	Sampson	16
Halifax	15	Scotland	15
Harnett	15	Stanly	15
Haywood	18	Stokes	15
Henderson	18	Surry	15
Hertford	15	Swain	18
Hoke	15	Transylvania	18
Hyde	15	Tyrrell	15
Iredell	15	Union	15
Jackson	18	Vance	15
Johnston	15	Wake	15
Jones	16	Warren	15
Lee	15	Washington	15
Lenoir	15	Watauga	15
Lincoln	15	Wayne	15
McDowell	15	Wilkes	15
Macon	18	Wilson	15
Madison	18	Yadkin	15
Martin	15	Yancey	15

NORTH DAKOTA

Adams	3	McLean	1
Barnes	1	Mercer	1
Benson	1	Morton	1
Billings	3	Mountrail	3
Bottineau	1	Nelson	1
Bowman	3	Oliver	1
Burke	3	Pembina	1
Burleigh	1	Pierce	1
Cass	1	Ramsey	1
Cavalier	1	Ransom	1
Dickey	1	Renville	1
Divide	3	Richland	1
Dunn	3	Rolette	1
Eddy	1	Sargent	1
Emmons	1	Sheridan	1
Foster	1	Sioux	3
Golden Valley	3	Slope	3
Grand Forks	1	Stark	3
Grant	1	Steele	1
Griggs	1	Stutsman	1
Hettinger	3	Towner	1
Kidder	1	Traill	1
La Moure	1	Walsh	1
Logan	1	Ward	1
McHenry	1	Wells	1
McIntosh	1	Williams	3
McKenzie	3		

OHIO

Adams	11	Cuyahoga	11
Allen	10	Darke	10
Ashland	11	Defiance	10
Ashtabula	11	Delaware	11
Athens	11	Erie	11
Auglaize	10	Fairfield	11
Belmont	11	Fayette	10
Brown	10	Franklin	11
Butler	10	Fulton	10
Carroll	11	Gallia	11
Champaign	10	Geauga	11
Clark	10	Greene	10
Clermont	10	Guernsey	11
Clinton	10	Hamilton	10
Columbiana	11	Hancock	10
Coshocton	11	Hardin	10
Crawford	11	Harrison	11

OHIO—continued

	Zone		Zone
Henry	10	Ottawa	11
Highland	10	Paulding	10
Hocking	11	Perry	11
Holmes	11	Pickaway	11
Huron	11	Pike	11
Jackson	11	Portage	11
Jefferson	11	Preble	10
Knox	11	Putnam	10
Lake	11	Richland	11
Lawrence	11	Ross	11
Licking	11	Sandusky	11
Logan	10	Scioto	11
Lorain	11	Seneca	11
Lucas	10	Shelby	10
Madison	10	Stark	11
Mahoning	11	Summit	11
Marion	11	Trumbull	11
Medina	11	Tuscarawas	11
Meigs	11	Union	10
Mercer	10	Van Wert	10
Miami	10	Vinton	11
Monroe	11	Warren	10
Montgomery	10	Washington	11
Morgan	11	Wayne	11
Morrow	11	Williams	10
Muskingum	11	Wood	10
Noble	11	Wyandot	11

OKLAHOMA

Adair	34	Le Flore	34
Alfalfa	36	Lincoln	35
Atoka	33	Logan	36
Beaver	37	Love	38
Beckham	33	McClain	33
Blaine	37	McCurtain	33
Bryan	33	McIntosh	35
Caddo	38	Major	37
Canadian	38	Marshall	38
Carter	38	Mayes	35
Cherokee	35	Murray	38
Choctaw	33	Muskogee	35
Cimarron	8	Noble	36
Cleveland	35	Nowata	35
Coal	38	Okfuskee	35
Comanche	38	Oklahoma	36
Cotton	38	Okmulgee	35
Craig	35	Osage	36
Creek	35	Ottawa	35
Custer	37	Pawnee	36
Delaware	35	Payne	36
Dewey	37	Pittsburg	34
Ellis	37	Pontotoc	38
Garfield	36	Pottawatomie	35
Garvin	38	Pushmataha	33
Grady	38	Roger Mills	34
Grant	36	Rogers	35
Greer	33	Seminole	35
Harmon	33	Sequoyah	34
Harper	37	Stephens	38
Haskell	34	Texas	34
Hughes	35	Tillman	38
Jackson	33	Tulsa	35
Jefferson	38	Wagoner	35
Johnston	38	Washington	35
Kay	36	Washita	38
Kingfisher	36	Woods	37
Kiowa	38	Woodward	37
Latimer	34		

OREGON

Baker	44	Lake	44
Benton	44	Lane	44
Clackamas	14	Lincoln	44
Clatsop	14	Linn	44
Columbia	14	Malheur	11
Coos	44	Marion	14
Crook	44	Morrow	44
Curry	44	Multnomah	14
Deschutes	44	Polk	44
Douglas	44	Sherman	44
Gilliam	44	Tillamook	14
Grant	44	Umatilla	44
Harney	11	Union	44
Hood River	14	Wallowa	44
Jackson	44	Wasco	44
Jefferson	44	Washington	14
Josephine	44	Wheeler	44
Klamath	44	Yamhill	44

PENNSYLVANIA

	Zone		Zone
Adams	13	Lackawanna	13
Allegheny	12	Lancaster	13
Armstrong	12	Lawrence	11
Beaver	11	Lebanon	13
Bedford	13	Lehigh	14
Berks	13	Luzerne	13
Blair	13	Lycoming	13
Bradford	13	McKean	12
Bucks	14	Mercer	11
Butler	12	Mifflin	13
Cambria	12	Monroe	13
Cameron	13	Montgomery	14
Carbon	13	Montour	13
Centre	13	Northampton	14
Chester	13	Northumberland	13
Clarion	12	Perry	13
Clearfield	12	Philadelphia	14
Clinton	13	Pike	13
Columbia	13	Potter	13
Crawford	11	Schuylkill	13
Cumberland	13	Snyder	13
Dauphin	13	Somerset	12
Delaware	14	Sullivan	13
Elk	12	Susquehanna	13
Erie	11	Tioga	13
Fayette	12	Union	13
Forest	12	Venango	12
Franklin	13	Warren	12
Fulton	13	Washington	12
Greene	12	Wayne	13
Huntingdon	13	Westmoreland	12
Indiana	12	Wyoming	13
Jefferson	12	York	13
Juniata	13		

RHODE ISLAND

Bristol	15	Providence	15
Kent	15	Washington	15
Newport	15		

SOUTH CAROLINA

Abbeville	15	Greenwood	15
Aiken	15	Hampton	16
Allendale	16	Horry	16
Anderson	15	Jasper	16
Bamberg	16	Kershaw	15
Barnwell	16	Lancaster	15
Beaufort	16	Laurens	15
Berkeley	16	Lee	16
Calhoun	16	Lexington	15
Charleston	16	McCormick	15
Cherokee	15	Marion	16
Chester	15	Marlboro	16
Chesterfield	15	Newberry	15
Clarendon	16	Oconee	15
Colleton	16	Orangeburg	16
Darlington	16	Pickens	15
Dillon	16	Richland	15
Dorchester	16	Saluda	15
Edgefield	15	Spartanburg	15
Fairfield	15	Sumter	16
Florence	16	Union	15
Georgetown	16	Williamsburg	16
Greenville	15	York	15

SOUTH DAKOTA

Armstrong	1	Edmunds	1
Aurora	1	Fall River	3
Beadle	1	Faulk	1
Bennett	1	Grant	1
Bon Homme	1	Gregory	1
Brookings	1	Haakon	1
Brown	1	Hamlin	1
Brule	1	Hand	1
Buffalo	1	Hanson	1
Butte	3	Harding	3
Campbell	1	Hughes	1
Charles Mix	1	Hutchinson	1
Clark	1	Hyde	1
Clay	2	Jackson	1
Codington	1	Jerauld	1
Corson	1	Jones	1
Custer	3	Kingsbury	1
Davidson	1	Lake	1
Day	1	Lawrence	3
Deuel	1	Lincoln	2
Dewey	1	Lyman	1
Douglas	1	McCook	1

SOUTH DAKOTA—continued

	Zone		Zone
McPherson	1	Spink	1
Marshall	1	Stanley	1
Meade	3	Sully	1
Mellette	1	Todd	1
Miner	1	Tripp	1
Minnehaha	2	Turner	1
Moody	1	Union	2
Pennington	3	Walworth	1
Perkins	3	Washabaugh	1
Potter	1	Washington	3
Roberts	1	Yankton	1
Sanborn	1	Ziebach	1
Shannon	3		

TENNESSEE

Anderson	19	Lauderdale	9
Bedford	20	Lawrence	20
Benton	22	Lewis	20
Bledsoe	19	Lincoln	20
Blount	19	Loudon	19
Bradley	19	McMinn	19
Campbell	19	McNairy	22
Cannon	20	Macon	20
Carroll	22	Madison	22
Carter	15	Marion	19
Cheatham	22	Marshall	20
Chester	22	Maury	20
Claiborne	19	Meigs	19
Clay	20	Monroe	19
Cocke	19	Montgomery	22
Coffee	20	Moore	20
Crockett	22	Morgan	19
Cumberland	19	Obion	9
Davidson	22	Overton	20
Decatur	22	Perry	22
De Kalb	20	Pickett	20
Dickson	22	Polk	19
Dyer	9	Putnam	20
Fayette	22	Rhea	19
Fentress	20	Roane	19
Franklin	19	Robertson	22
Gibson	22	Rutherford	20
Giles	20	Scott	19
Grainger	19	Sequatchie	19
Greene	18	Sevier	19
Grundy	19	Shelby	9
Hamblen	19	Smith	20
Hamilton	19	Stewart	22
Hancock	19	Sullivan	18
Hardeman	22	Sumner	22
Hardin	20	Tipton	9
Hawkins	19	Trousdale	20
Haywood	22	Unicoi	15
Henderson	22	Union	19
Henry	22	Van Buren	19
Hickman	22	Warren	20
Houston	22	Washington	18
Humphreys	22	Wayne	20
Jackson	20	Weakley	22
Jefferson	19	White	20
Johnson	15	Williamson	22
Knox	19	Wilson	20
Lake	9		

TEXAS

Anderson	31	Brooks	41
Andrews	40	Brown	40
Angelina	28	Burleson	40
Aransas	41	Burnet	40
Archer	39	Caldwell	41
Armstrong	33	Calhoun	41
Atascosa	41	Callahan	40
Austin	41	Cameron	41
Bailey	25	Camp	27
Bandera	41	Carson	33
Bastrop	41	Cass	27
Baylor	39	Castro	25
Bee	41	Chambers	30
Bell	40	Cherokee	31
Bexar	41	Childress	33
Blanco	41	Clay	38
Borden	43	Cochran	25
Bosque	40	Coke	40
Bowie	32	Coleman	40
Brazoria	30	Collin	33
Brazos	40	Collingsworth	33
Brewster	42	Colorado	41
Briscoe	43	Comal	41

TEXAS—continued

	Zone		Zone
Comanche	40	King	32
Concho	40	Kinney	41
Cooke	38	Kleberg	41
Coryell	40	Knox	40
Cottle	32	Lamar	33
Crane	40	Lamb	36
Crockett	43	Lampasas	40
Crosby	43	La Salle	41
Culberson	42	Lavaca	41
Dallam	8	Lee	40
Dallas	32	Leon	40
Dawson	43	Liberty	30
Deaf Smith	25	Limestone	40
Delta	33	Lipscomb	34
Denton	32	Live Oak	41
De Witt	41	Llano	41
Dickens	33	Loving	40
Dimmit	41	Lubbock	43
Donley	33	Lynn	43
Duval	41	McCulloch	40
Eastland	40	McLennan	39
Ector	40	McMullen	41
Edwards	41	Madison	40
Ellis	32	Marion	37
El Paso	42	Martin	40
Erath	40	Mason	41
Falls	40	Matagorda	41
Fannin	33	Maverick	41
Fayette	41	Medina	41
Fisher	32	Menard	41
Floyd	43	Midland	40
Foard	39	Milam	40
Fort Bend	30	Mills	40
Franklin	32	Mitchell	42
Freestone	31	Montague	38
Frio	41	Montgomery	31
Gaines	25	Moore	34
Galveston	30	Morris	27
Garza	43	Motley	43
Gillespie	41	Nacogdoches	36
Glasscock	40	Navarro	32
Goliad	41	Newton	30
Gonzales	41	Nolan	42
Gray	33	Nueces	41
Grayson	33	Ochiltree	34
Gregg	27	Oldham	25
Grimes	31	Orange	30
Guadalupe	41	Palo Pinto	39
Hale	43	Panola	28
Hall	33	Parker	39
Hamilton	40	Parmar	35
Hansford	34	Pecos	43
Hardeman	33	Polk	31
Hardin	30	Potter	33
Harris	30	Presidio	43
Harrison	27	Rains	32
Hartley	8	Randall	33
Haskel	40	Reagan	40
Hays	41	Real	41
Hemphill	34	Red River	32
Henderson	32	Reeves	40
Hidalgo	41	Refugio	41
Hill	39	Roberts	34
Hockley	25	Robertson	40
Hood	39	Rockwall	32
Hopkins	32	Runnels	40
Houston	31	Rusk	27
Howard	40	Sabine	28
Hudspeth	42	San Augustine	28
Hunt	33	San Jacinto	31
Hutchinson	34	San Patricio	41
Irion	40	San Saba	41
Jack	30	Schleicher	40
Jackson	41	Scurry	32
Jasper	29	Shackelford	40
Jeff Davis	43	Shelby	28
Jefferson	29	Sherman	34
Jim Hogg	41	Smith	27
Jim Wells	41	Somervell	39
Johnson	39	Starr	41
Jones	40	Stephens	40
Karnes	41	Sterling	40
Kaufman	32	Stonewall	43
Kendall	41	Sutton	41
Kenedy	41	Swisher	42
Kent	33	Tarrant	32
Kerr	41	Taylor	40
Kimble	41	Terrell	48

TEXAS—continued

	Zone		Zone
Terry	35	Washington	41
Throckmorton	39	Webb	41
Titus	32	Wharton	33
Tom Green	40	Wheeler	36
Travis	40	Wichita	39
Trinity	31	Wilbarger	39
Tyler	28	Willacy	41
Upshur	27	Williamson	40
Upton	40	Wilson	41
Uvalde	41	Winkler	40
Val Verde	42	Wise	39
Van Zandt	32	Wood	32
Victoria	41	Yoakum	36
Walker	31	Young	39
Waller	30	Zapata	41
Ward	40	Zavala	41

UTAH

	Zone		Zone
Beaver	13	Piute	13
Box Elder	11	Rich	11
Cache	11	Salt Lake	11
Carbon	11	San Juan	12
Daggett	11	Sanpete	11
Davis	11	Sevier	11
Duchesne	11	Summit	11
Emery	13	Tooele	11
Garfield	13	Uintah	11
Grand	13	Utah	11
Iron	13	Wasatch	11
Juab	11	Washington	13
Kane	13	Wayne	13
Millard	13	Weber	11
Morgan	11		

VERMONT

	Zone		Zone
Addison	15	Lamoille	15
Bennington	15	Orange	15
Caledonia	15	Orleans	15
Chittenden	15	Rutland	15
Essex	15	Washington	15
Franklin	15	Windham	15
Grand Isle	15	Windsor	15

VIRGINIA

	Zone		Zone
Accomac	14	Halifax	14
Albemarle	14	Hanover	14
Alleghany	13	Henrico	14
Amelia	14	Henry	14
Amherst	13	Highland	13
Appomattox	14	Isle of Wight	15
Arlington	13	James City	14
Augusta	13	King and Queen	14
Bath	13	King George	14
Bedford	13	King William	14
Bland	13	Lancaster	14
Botetourt	13	Lee	13
Brunswick	14	Loudoun	13
Buchanan	13	Louisa	14
Buckingham	14	Lunenburg	14
Campbell	13	Madison	13
Caroline	14	Mathews	14
Carroll	14	Mecklenburg	14
Charles City	14	Middlesex	14
Charlotte	14	Montgomery	13
Chesterfield	14	Nansemond	14
Clarke	13	Nelson	13
Craig	13	New Kent	14
Culpeper	14	Norfolk	15
Cumberland	14	Northampton	14
Dickenson	13	Northumberland	14
Dinwiddie	14	Nottoway	14
Elizabeth City	15	Orange	14
Essex	14	Page	13
Fairfax	13	Patrick	14
Fauquier	14	Pittsylvania	14
Floyd	14	Powhatan	14
Fluvanna	14	Prince Edward	14
Franklin	14	Prince George	14
Frederick	13	Princess Anne	15
Giles	13	Prince William	14
Gloucester	14	Pulaski	13
Goochland	14	Rappahannock	13
Grayson	14	Richmond	14
Greene	13	Roanoke	13
Greensville	14	Rockbridge	13

VIRGINIA—continued

	Zone		Zone
Rockingham	13	Sussex	14
Russell	13	Tazewell	13
Scott	13	Warren	13
Shenandoah	13	Warwick	15
Smyth	13	Washington	13
Southampton	14	Westmoreland	14
Spotsylvania	14	Wise	13
Stafford	14	Wythe	13
Surry	15	York	15

WASHINGTON

	Zone		Zone
Adams	44	Lewis	14
Asotin	44	Lincoln	44
Benton	44	Mason	14
Chelan	44	Okanogan	44
Clallam	14	Pacific	14
Clarke	14	Pend Oreille	44
Columbia	44	Pierce	14
Cowlitz	14	San Juan	14
Douglas	44	Skagit	14
Ferry	44	Skamania	14
Franklin	44	Snohomish	14
Garfield	44	Spokane	44
Grant	44	Stevens	44
Grays Harbor	14	Thurston	14
Island	14	Wahkiakum	14
Jefferson	14	Walla Walla	44
King	14	Whatcom	14
Kitsap	14	Whitman	44
Kittitas	44	Yakima	44
Klickitat	44		

WEST VIRGINIA

	Zone		Zone
Barbour	12	Mineral	13
Berkeley	13	Mingo	12
Boone	12	Monongalia	12
Braxton	12	Monroe	13
Brooke	11	Morgan	13
Cabell	11	Nicholas	12
Calhoun	12	Ohio	11
Clay	12	Pendleton	13
Doddridge	12	Pleasants	11
Fayette	12	Pocahontas	12
Gilmer	12	Preston	12
Grant	13	Putnam	12
Greenbrier	12	Raleigh	12
Hampshire	13	Randolph	12
Hancock	11	Ritchie	12
Hardy	13	Roane	12
Harrison	12	Summers	12
Jackson	11	Taylor	12
Jefferson	13	Tucker	12
Kanawha	12	Tyler	11
Lewis	12	Upshur	12
Lincoln	12	Wayne	12
Logan	13	Webster	12
McDowell	12	Wetzel	11
Marion	12	Wirt	11
Marshall	11	Wood	11
Mason	11	Wyoming	12
Mercer	13		

WISCONSIN

	Zone		Zone
Adams	5	Green Lake	5
Ashland	6	Iowa	5
Barron	4	Iron	6
Bayfield	6	Jackson	4
Brown	6	Jefferson	6
Buffalo	4	Juneau	5
Burnett	4	Kenosha	7
Calumet	6	Kewaunee	6
Chippewa	4	La Crosse	4
Clark	4	Lafayette	5
Columbia	5	Langlade	5
Crawford	5	Lincoln	5
Dane	6	Manitowoc	6
Dodge	6	Marathon	5
Door	6	Marinette	10
Douglas	4	Marquette	5
Dunn	4	Milwaukee	7
Eau Claire	4	Monroe	4
Florence	6	Oconto	6
Fon du Lac	6	Oneida	5
Forest	6	Outagamie	5
Grant	5	Ozaukee	6
Green	6	Pepin	4

WISCONSIN—continued

	Zone		Zone
Pierce	4	Taylor	4
Polk	4	Trempealeau	4
Portage	5	Vernon	4
Price	4	Vilas	6
Racine	7	Walworth	6
Richland	5	Washburn	4
Rock	6	Washington	6
Rusk	4	Waukesha	7
Saint Croix	4	Waupaca	5
Sauk	5	Waushara	5
Sawyer	4	Winnebago	5
Shawano	6	Wood	5
Sheboygan	6		

WYOMING

	Zone		Zone
Albany	9	Niobrara	9
Big Horn	11	Park	11
Campbell	11	Platte	9
Carbon	11	Sheridan	11
Converse	11	Sublette	11
Crook	9	Sweetwater	11
Fremont	11	Teton	11
Goshen	9	Uinta	11
Hot Springs	11	Washakie	11
Johnson	11	Weston	9
Laramie	9	Yellowstone National Park (part)	11
Lincoln	11		
Natrona	11		

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective September 25, 1944. Issued this 16th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: September 5, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-14348; Filed, Sept. 16, 1944; 11:51 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 36]

POWER LAUNDRIES AND DRY CLEANERS IN COLUMBIA, S. C., AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 36 has been filed with the division of the Federal Register. For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328, Supplementary Service Regulation No. 36 is hereby issued. The specifications and standards set forth in this Supplementary Service Regulation are those which, prior to the issuance of the regulation, were in general use by the trade in the affected area.

§ 1499.2271 *Power laundries and dry cleaners in the Columbia, South Carolina area.* (a) Dollars-and-cents maximum prices established for services sold by power laundries and dry cleaners, located in the Columbia, South Carolina area.

(1) *Maximum prices.* The maximum prices established by Revised Maximum Price Regulation No. 165—Services—for the retail laundry services specified in Appendices A and B, and for the retail dry cleaning services specified in Appendix C, are modified as hereinafter provided. The maximum prices for the retail laundry services specified in Appendices A and B, when sold in the Columbia, South Carolina area by power laundries, shall be the prices set forth therein. The maximum prices for the retail dry cleaning services specified in Appendix C, when sold in the Columbia, South Carolina area, shall be the prices set forth therein.

The maximum price of any bundle type retail laundry service which does not conform exactly to the description of one of the bundle type services listed in Appendix A shall be that of the highest priced listed service in Appendix A, all of whose specifications are met by the unlisted service.

(2) *Definitions.* As used in this Supplementary Service Regulation No. 36 the term:

(i) "Retail laundry service" means all laundry services except those supplied on a commercial or institutional basis.

(ii) "Power laundry" means any establishment in the Columbia, South Carolina area offering laundry services for sale, with the exception of those laundries which do all ironing by hand.

(iii) "Columbia, South Carolina area" means the counties of Richland and Lexington, South Carolina.

(iv) "Family finished bundle" means a mixed bundle of wearing apparel and flat work which is washed and returned finished, ready for use. Any power laundry covered by this order may require that a bundle contain at least 50% flat work by weight in order to qualify for the "family finished bundle" rate.

(v) "Economy bundle" means a mixed bundle of wearing apparel and flat work in which the flat work is washed and finished and in which all wearing apparel is washed, extracted, and returned damp. (The bundle shall be split into two weights, one for flat work, and one for wearing apparel.)

(vi) "Damp wash bundle" means a mixed bundle of wearing apparel and flat work washed, extracted, and returned damp.

(vii) "Rough dry bundle" means a mixed bundle of wearing apparel and flat work in which the wearing apparel is washed, extracted, and tumbled dry, but not ironed or pressed, and in which the flat work is washed and returned finished, ready for use.

(viii) "Bachelor bundle" means a bundle of men's wearing apparel washed and finished, ready to wear.

(ix) "List price" means a service in which wearing apparel, flat work, and specialties are washed and returned, ready for use, at a listed price per article without any bundle rate or allowance.

(3) *Posting requirements.* Within 30 days after the issuance of this Supplementary Service Regulation No. 36, power laundries offering retail laundry services for sale in the Columbia, South Carolina area, shall post, each within its own establishment, in a place and manner so that it is plainly visible to, and understandable by, the purchasing public, a list of the services offered for sale, and the maximum prices therefor set forth in Appendices A and B. All dry cleaners offering dry cleaning services for sale in the Columbia, South Carolina Area shall post, in the manner above provided relative to laundry services, a list of the dry cleaning services offered for sale together with the maximum prices therefor set forth in Appendix C.

(4) *Other laundry and dry cleaning services.* The maximum prices for retail list price laundry and dry cleaning services other than those set out in Appendices B and C, rendered by power laundries and dry cleaners in the Columbia, South Carolina Area, shall be governed by Revised Maximum Price Regulation No. 165.

(5) *Prohibition against indirect price increases.* No power laundry or dry cleaner covered by this Supplementary Service Regulation No. 36 may institute any practices which will result in direct or indirect price increases. Specifically, no such seller may discontinue a service offered in March 1942, or since, and sell or offer to sell in its place a higher priced laundry service, and likewise, no such seller may discontinue any element of any service offered without making a corresponding reduction in price, subject to the provisions of Supplementary Service Regulation No. 17 and Revised Supplementary Service Regulation No. 18.

(6) *Less than maximum prices.* Lower prices for any of the services covered by this Supplementary Service Regulation No. 36 may be charged, offered, demanded, or paid.

(7) *Minimum charges.* On services listed in Appendix B, any seller covered by this Supplementary Service Regulation may impose a minimum charge of 50¢ (after discount) for cash and carry customers and a minimum charge of $1.00 for delivery customers.

(8) *Cash and carry discounts.* All sellers covered by this Supplementary Service Regulation must offer a discount of at least 20% to cash and carry customers for all power laundry and dry cleaning services: *Provided, however,* That such discounts shall be applicable only if the total charge for services requested by a customer at any given time, equals or exceeds 30¢. The minimum bundle charges specified in Appendix A shall be subject to the discount provisions of this sub-paragraph.

(9) No additional charges of any kind whatsoever may be added to the maximum prices listed in this Supplementary Service Regulation.

APPENDIX A—MAXIMUM PRICES FOR BUNDLE TYPE LAUNDRY SERVICES

All prices specified by weight are for dry weight when received from the customer.

Family finished:	
Wearing apparel (finished)	[1] $0.16
Flat work (finished)	[1] .06
Minimum charge	.80
Economy bundle:	
Wearing apparel (damp)	[1] .04
Flat work (finished)	[1] .06
Minimum charge	.50
Shirts finished (if desired)	[2] .08

[1] Per pound.
[2] Each (extra).

APPENDIX A—MAXIMUM PRICES FOR BUNDLE TYPE LAUNDRY SERVICES—Continued

Damp wash:	
10 pounds	$0.44
Each additional pound	.04
Minimum charge	.44
Shirts finished (if desired)	[1].08
Rough dry:	
Wearing apparel rough dry—flat work finished	[1].06
Minimum charge	.60
Shirts finished (if desired)	[1].08
Flat work:	
Finished	[1].06
Minimum charge	.60
Bachelor bundle:	
All men's clothing	[1].18
Minimum charge	.80

[1] Per pound.
[2] Each (extra).

APPENDIX B—MAXIMUM PRICES FOR LIST PRICE LAUNDRY SERVICES

All prices specified by weight are for dry weight when received from the customer.

MEN'S LIST

Items	Each (except as otherwise noted)
Bathrobes	$0.25
Caps	.05
Coats, butler	.15
Coats, linen	.25
Collars	.03
Cuffs	.06
Drawers	.06
Handkerchiefs	.02
Neckties	.10
Nightshirts	.10
Overalls	.26
Overall pants	.20
Overall coats	.20
Pajama suits	.20
Pants, linen	.25
Pants, boys	.15
Shirts, dress	.22
Shirts, silk	.20
Shirts, plain or sport	.12
Shirts, boys	.10
Slacks	.25
Socks, per pair	.06
Undershirts	.06
Unionalls or coveralls	.30
Union suits	.10

LADIES' LIST

Aprons, plain	.05
Aprons, fancy	.10
Aprons, Hoover	.25
Blouses, plain	.10
Dresses, plain	.35
Gowns	.20
Handkerchiefs	.02
Silk pieces:	
Bloomers	.10
Teddies	.10
Slips, silk (full length)	.20
Slacks	.25
Uniforms	.25

FLAT WORK LIST

Bath mats	.10
Napkins	.02
Lunch cloths	.10
Pillow cases	.05
Rags	[1].01
Rugs	[1].07
Scarfs	.05
Sheets	.06
Tablecloths, plain	.15
Towels, bath	.06
Towels, hand	.02
Wash cloths	.01

SPECIALTIES

Blankets, single	.25
Blankets, double	.35
Chair covers, plain	[2].25
Chair covers, frilled	[2].35
Quilts	.25

[1] Per pound.
[2] Each or 0.17 per pound.

APPENDIX C—MAXIMUM PRICES FOR DRY CLEANING SERVICES

MEN'S LIST

Item	Dry cleaned and pressed	Pressed only
Bathrobes	$0.60	------
Belts	.10	------
Caps	.25	------
Cap covers	.15	------
Coat, rain	1.00	------
Coats, wool (suit or sport)	.35	$0.30
Gloves	.25	------
Hats, felt or panama (dry cleaned and blocked)	.60	------
Jackets, leather and suede	.75	------
Jackets, wool	.30	------
Overcoats and topcoats (civilian & military)	.90	.40
Pants	.30	.20
Scarfs	.25	------
Shirts, khaki	.20	------
Shirts, silk	.30	------
Shirts, wool	.25	.15
Suits, slack	.60	.40
Suits, 2 or 3 piece, wool	.60	.40
Sweaters	.30	------
Ties	.10	.05

LADIES' LIST

Bathrobes	$0.60	------
Blouses, plain	.30	$0.20
Blouses, velvet	.50	------
Coats, lined and unlined	.60	.40
Coats, fur collar	.85	.50
Coats, fur collar and cuffs	1.05	.50
Coats, velvet (long)	1.00	------
Coats, velvet (short)	.60	------
Coats, knit (dry cleaned and blocked)	1.00	[1].75
Dresses, plain or with 1 to 2 pleats	.60	.40
Dresses, 2 piece (skirt and jacket) plain or with 1 to 2 pleats	.60	.40
Dresses, 2 piece (full length dress and jacket), plain or with 1 to 2 pleats	.90	.60
Dresses, ensemble, plain or with 1 to 2 pleats	1.20	.80
Dresses, velvet (street)	1.00	------
Dresses, knit, 1 or 2 piece (dry cleaned and blocked)	1.00	[1].75
Gloves, fabric (short)	.25	------
Hats (cleaned and blocked)	.60	------
Jackets	.30	------
Jackets, velvet	.50	------
Negligee	.60	.40
Skirts, plain or with 1 to 2 pleats	.30	.20
Slips	.25	------
Suits, 2 piece, tailored, with 1 to 2 pleats	.60	.40
Suits, 3 piece, short coat, with 1 to 2 pleats	1.00	.75
Sweaters	.30	------

[1] Blocked only.

CHILDREN'S LIST

Coats (up to 25" in length)	$0.30	$0.15
Coats (26" to 32" in length)	.40	.20
Coats (33" to 40" in length)	.50	.25
Dresses (up to 30" in length)	.30	.15
Dresses (26" to 32" in length)	.40	.20
Dresses (33" to 40" in length)	.50	.25
Pants (up to 3 years)	.15	.10
Pants (4 to 6 years)	.20	.10
Pants (9 to 12 years)	.25	.15
Suits (up to 3 years)	.30	.15
Suits (4 to 8 years)	.40	.25
Suits (9 to 12 years)	.50	.35
Sweaters (small)	.15	------
Sweaters (medium)	.25	------
Sweaters (large)	.30	------

HOUSEHOLD ARTICLES LIST

Items	Dry cleaned and pressed
Afghans	$1.00
Automobile seats or back covers	.35
Automobile side or door covers	.15
Blankets, double	.50
Blankets, single	.35
Comforts, down filled	1.00
Comforts, wool filled	.75
Comforts, cotton filled	.35
Pillows, sofa	.50
Rugs, throw (average size)	[2].08
Rugs, domestic	[2].06
Rugs, oriental	[2].06

[2] Per square foot.

This Supplementary Service Regulation No. 36 shall become effective September 21, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14338; Filed, Sept. 16, 1944; 11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 172]

SCRAP CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The table in section 6.56 (a) (2) (i) is amended to read as follows:

TABLE A

Column 1	Column 2	Column 3	Column 4	Column 5
Variety	Maximum list price per dozen packages	Stated retail price per package	New maximum list price per dozen packages	New maximum retail price per package
Plain	$0.48	$0.06	$0.58	$0.08
Plain	.96	.10	1.15	.13
Plain	.99	.10	1.19	.13
Plain	1.00	.10	1.20	.13
Sweetened	.96	.10	1.06	.11
Sweetened	1.23	[1].13	1.35	.14
Sweetened	1.44	.15	1.63	.17

[1] Or 2 for $0.25.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-14367; Filed, Sept. 16, 1944; 4:45 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 92,[1] Amdt. 4]

ADJUSTABLE PRICING OF CERTAIN COTTON TEXTILES

A statement of the reasons involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Supplementary Order No. 92 is amended in the following respect:

In § 1305.120 (a) subparagraph (1) is revoked.

This Amendment No. 4 shall become effective September 16, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-14366; Filed, Sept. 16, 1944; 4:45 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7502, 9896, 11076.

PART 1316—COTTON TEXTILES

[MPR 11, Amdt. 18]

FINE COTTON GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 11 is amended in the following respects:

1. Section 1316.4 (d) Table I, other than the footnotes is amended to read as follows:

TABLE I[1]—TYPE AND CONSTRUCTION OF CLOTH

Ref. No.		Cents per yard
	Combed broadcloth	
AA1	37"—128 x 64—4.00 yd. (slub filled)	21.42
AA2	37"—128 x 68—4.20 yd	21.34
AA3	37"—136 x 60—4.00 yd	21.28
AA4	37"—136 x 72—3.85 yd. (white dobby)	27.61
AA5	37"—144 x 72—2.98 yd. (windbreaker)	31.35
AA6	37"—144 x 76—4.20 yd	22.65
AA7	37"—144 x 76—3.74 yd. (windbreaker)	26.34
AA8	38"—144 x 76—3.90 yd. (Foreign pima) (Fly yarns)	46.62
AA9	38"—144 x 76—3.90 yd. (American pima) (Fly yarns)	61.94
AA10	53"—144 x 76—2.98 yd. (Foreign pima) (Fly yarns)	69.62
AA11	53"—144 x 76—2.85 yd. (American pima) (Fly yarns)	73.28
AA12	37"—144 x 80—2.86 yd. (windbreaker)	32.55
AA13	37"—152 x 80—4.20 yd	23.48
AA14	37"—164 x 84—3.90 yd	25.64
AA15	37"—120 x 60—3.90 yd. (Fly yarns)	37.56
AA16	38"—112 x 64—3.85 yd	21.00
	Lawns	
AB1	39"—68 x 56—11.00 yd	10.63
AB2	39"—68 x 72—10.00 yd	12.05
AB3	39"—72 x 56—10.00 yd	10.62
AB4	40"—72 x 68—9.50 yd	12.46
AB5	40"—74 x 72—7.11 yd (Slub filled)	16.89
AB6	36"—76 x 72—10.00 yd	12.03
AB7	36"—76 x 72—7.75 yd	12.94
AB8	40"—76 x 72—9.65 yd	13.32
AB9	40"—76 x 72—9.00 yd	13.00
AB10	43"—76 x 72—8.00 yd	15.26
AB11	40"—80 x 80—5.40 yd	17.45
AB12	43"—80 x 80—3.20 yd (Gas mask)	26.66
AB13	39"—80 x 88—5.00 yd	20.41
AB14	39"—80 x 88—4.60 yd	22.71
AB15	40"—80 x 92—3.80 yd (Gas mask)	26.72
AB16	43"—80 x 92—3.50 yd (Gas mask)	26.65
AB17	36"—88 x 80—9.50 yd	13.34
AB18	40"—88 x 80—11.30 yd	18.79
AB19	40"—88 x 80—8.50 yd	14.70
AB20	40"—88 x 80—6.90 yd	15.73
AB21	40"—88 x 80—6.00 yd	16.72
AB22	44"—88 x 80—7.15 yd	16.76
AB23	45"—88 x 80—7.50 yd	16.83
AB24	40¼"—94 x 90—3.85 yd	23.06
AB25	37"—96 x 72—8.25 yd (shadow)	14.81
AB26	37½"—96 x 92—5.50 yd	18.18
AB27	40"—96 x 92—7.50 yd	17.57
AB28	36"—96 x 100—7.05 yd	17.52
AB29	38"—96 x 100—4.00 yd	28.12
AB30	39"—96 x 100—5.90 yd	19.79
AB31	39"—96 x 100—5.00 yd	20.86
AB32	39"—96 x 100—4.10 yd	23.97
AB33	40"—96 x 100—9.00 yd. (American pima)	22.39
AB34	40"—96 x 100—9.00 yd. (Foreign pima)	20.81
AB35	40"—96 x 100—6.75 yd	19.20
AB36	40"—96 x 100—3.97 yd	26.88
AB37	44"—96 x 100—4.40 yd	24.27
AB38	39"—96 x 108—5.00 yd	24.86
AB39	40"—108 x 112—5.40 yd	20.39
AB40	39"—108 x 124—5.24 yd	29.46
AB41	39"—110 x 128—6.40 yd	32.16
AB42	30"—116 x 144—5.21 yd	33.83
AB43	39"—96 x 72—5.75 yd	17.74
AB44	40"—96 x 92—9.50 yd. (American pima)	22.71
AB45	40"—96 x 100—9.00 yd. (American pima)	23.36
AB46	40"—108 x 112—8.75 yd. (American pima)	24.40
	Dimities	
AC1	36"—96/64 x 68—9.00 yd	12.96
AC2	36½"—116/76 x 76—8.00 yd	15.07
AC3	36½"—114/76 x 64—7.60 yd	13.87
AC4	40½"—90/64 x 72—7.55 yd	14.39
AC5	36"—94/64 x 68—6.80 yd	14.36
AC6	45"—94 x 68—8.87 yd. (stripe)	15.66
	Dimity check	
AD1	37½"—54 x 44—10.40 yd	9.25
AD2	36"—76 x 72—8.30 yd	12.70
AD3	36"—73 x 64—9.40 yd	11.86
AD4	36"—90 x 80—8.10 yd	14.44
AD5	36½"—88 x 92—7.95 yd	15.28

TABLE I[1]—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
	Pique	
AE1	38"—150/176 x 100—3.50 yd	33.63
AE2	36"—72/108 x 124—2.63 yd. (Birdseye-box loom)	49.37
AE3	38"—72/108 x 136—2.62 yd. (Birdseye)	49.64
AE4	39"—108 x 52—6.05 yd. (Voile)	16.30
AE5	40"—116 x 56—5.52 yd. (Voile)	18.34
AE6	38"—176 x 116—3.50 yd	31.85
	Ponges	
AF1	38"—72 x 100—6.25 yd	17.29
AF2	34"—98 x 92—7.15 yd	15.02
	Voile	
AG1	37½"—60 x 44—12.50 yd. (drop check)	8.77
AG2	37½"—56 x 42—11.15 yd. (check voile)	9.29
AG3	40"—74 x 56—10.00 yd. (drop check)	11.55
AG4	39"—80 x 52—9.00 yd. (slack twist)	11.50
AG5	39"—80 x 48—9.10 yd. (slack twist)	11.64
AG6	38"—80 x 48—9.80 yd	10.45
AG7	40"—68 x 76—9.20 yd. (Foreign pima)	17.34
AG8	40"—68 x 76—9.20 yd. (American pima)	18.80
	Marquisettes	
AH1	40"—26 x 14—6.50 yd. (ply yarns)	15.25
AH2	40"—26 x 14—5.20 yd. (ply yarns)	19.17
AH3	40"—42 x 20—4.80 yd	15.27
AH4	50"—42 x 20—3.98 yd	18.84
AH5	38¼"—44 x 18—12.50 yd	7.45
AH6	39"—44 x 22—11.15 yd	8.24
AH7	39¼"—46 x 20—10.75 yd	8.38
AH8	39½"—48 x 22—10.00 yd	8.95
AH9	39½"—48 x 24—9.75 yd	9.30
AH10	39½"—48 x 28—9.00 yd	9.78
AH11	39½"—48 x 32—9.40 yd	10.34
AH12	40"—48 x 28—8.00 yd	12.03
AH13	40"—48 x 32—7.60 yd	12.81
AH14	39¼"—52 x 30—11.15 yd	10.28
AH15	48"—52 x 30—9.00 yd	12.03
AH16	40"—54 x 30—9.15 yd	12.06
AH17	39½"—60 x 34—9.65 yd	11.91
AH18	40"—60 x 34—8.40 yd	13.19
AH19	40"—52 x 32—9.60 yd. (ply filling)	18.14
AH20	50"—52 x 32—7.60 yd. (ply filling)	22.13
AH21	34¼"—44 x 23/25.19—11.75 yd. Figured (rayon filling)	8.53
	Scrim	
AI 1	40"—38/80 x 36—5.41	25.09
AI 2	50"—38/80 x 36—4.34	31.06
	Fine combed plains	
AJ 1	50"—22 x 20—20.70 yd	5.35
AJ 2	52"—28 x 24—20.00 yd	6.21
AJ 3	52"—28 x 24—14.65 yd	7.00
AJ 4	36"—60 x 48—10.00 yd	10.89
AJ 5	54"—96 x 96—3.97 yd. (for industrial use)	34.53
	Organdie	
AK1	40"—84 x 80—11.00 yd	17.81
AK2	40"—84 x 80—10.75 yd. (Foreign pima)	18.23
AK3	40"—84 x 80—10.75 yd. (American pima)	19.80
AK4	45"—84 x 68—10.80 yd	18.83
AK5	45"—84 x 68—10.25 yd (Foreign pima)	19.31
AK6	45"—84 x 68—10.25 yd (American pima)	20.64
AK7	45"—84 x 80—9.75 yd	20.65
AK8	45"—84 x 80—9.50 yd (Foreign pima)	21.23
AK9	45"—84 x 80—9.50 yd (American pima)	22.63
AK10	40"—88 x 80—10.90 yd (Mule fill)	21.77
AK11	40"—80 x 84—9.12 yd (Foreign pima)	20.05
AK12	40"—80 x 84—9.12 yd (American pima)	21.55
	Typewriter cloth	
AL1	40"—154 x 166—5.98 yd. (American pima)	55.15
AL2	40"—144 x 156—5.27 yd. (American pima)	54.85
AL3	38"—130 x 142—4.99 yd. (American pima warp)	35.10
AL4	40"—124 x 128—5.10 yd. (American pima warp)	33.74
AL5	40"—126 x 144—4.85 yd. (Pima)	49.10
AL6	40"—134 x 136—5.11 yd. (Pima)	51.10

*Copies may be obtained from the Office of Price Administration.

TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
	Umbrella cloth	
AM1	29"—84/96 x 108—6.88 yd.	22.41
AM2	26"—84/104 x 108—6.40 yd.	21.69
AM3	28"—72/82 x 84—5.55 yd.	20.68
	Collar cloth	
AN 1	40½"—102/206 x 64—2.08 yd. (ply warp)	49.15
AN 2	40"—96 x 112—3.66 yd.	34.64
AN 3	38½"—100 x 64—3.63 yd.	25.81
AN 4	39"—120 x 180—3.26 yd.	25.79
AN 5	40"—200 x 119—1.26 yd. (semisoft)	109.28
	Poplins	
AO 1	37"—96 x 80—3.00 yd. (ply warp)	29.67
AO 2	37½"—102 x 48—3.15 yd. (ply warp)	31.48
AO 3	37"—136 x 60—2.72 yd. (windbreaker)	30.69
AO 4	39"—102 x 56—2.15 yd. (ply warp)	41.37
AO 5	44"—102 x 56—1.85 yd. (ply warp)	48.92
AO 6	37½"—102 x 64—2.81 yd. (ply warp)	28.78
AO 7	36"—112 x 64—3.55 yd.	32.02
AO 8	37"—116 x 52—3.60 yd.	23.92
AO 9	37"—116 x 56—3.25 yd.	27.82
AO 10	37"—136 x 48—3.02 yd. (windbreaker)	27.26
AO 11	37"—136 x 60—3.00 yd.	28.75
AO 12	40¼"—136 x 66—2.80 yd.	28.30
AO 13	37"—136 x 72—3.40 yd.	43.34
AO 14	37½"—112 x 72—3.46 yd. (ply warp)	34.65
AO 15	37½"—102 x 45—3.15 yd. (ply warp and filling)	
	Beat-up marquisettes	
AP1	39½"—36 x 14/21.33—12.50 yd. (carded filling)	7.94
AP2	39½"—48 x 22/38.50—8.31 yd.	12.53
AP3	39½"—48 x 22/38.50—8.31 yd. (carded filling)	11.56
AP4	39½"—44 x 18/25.50—10.40	9.72
	Sateen	
AQ1	38¼"—84 x 126—4.90	19.50
AQ2	38¼"—84 x 136—4.26 (carded warp)	20.50
AQ3	38¼"—84 x 136—4.25	22.75
AQ4	43"—136 x 96—3.50 (carded filling)	23.61
AQ5	39½"—96 x 160—3.35	25.84
AQ6	39"—96 x 96—2.25 (mercerized—ply yarns)	76.82
AQ7	41½"—84 x 94—2.00 (Navy flotation fabric)	98.33
	Tracing cloth	
AR1	39"—80 x 76—6.90	14.26
AR2	41"—80 x 76—5.85	14.57
AR3	42"—80 x 76—5.41	14.27
AR4	49"—80 x 76—6.00	19.25
AR5	62"—86 x 76—3.93	26.03
AR6	35"—84 x 90—6.00	20.06
AR7	42"—84 x 90—6.70	32.16
AR8	46"—84 x 90—5.89	28.46
AR 9	46"—84 x 90—5.96	28.58
AR 10	30"—85 x 88—5.61	29.94
AR 11	36"—88 x 92—7.10	18.06
AR 12	42"—88 x 92—5.70	29.21
AR 13	46"—88 x 92—5.27	29.09
AR 14	28"—88 x 96—7.00	18.34
AR 15	45¼"—88 x 96—6.12	20.97
AR 16	42"—96 x 100—6.62	26.50
	Aeroplane fabrics (ply yarns)	
AS1	36½"—80 x 86—4.00 (American pima)	45.13
AS2	39—80 x 84—3.61 (American pima)	46.99
AS3	36½"—80 x 86—3.35 (American pima)	44.28
AS4	42¾"—80 x 86—2.77 (American pima)	51.60
AS5	39½"—81 x 86—3.44 (Pacier)	36.51
AS6	36½"—80 x 86—3.55 (American pima)	44.72
	Aeroplane fabric (mercerized ply yarn)	
AT1	36½"—80 x 84—4.00 (American pima)	47.73
AT2	42"—80 x 84—3.43 (American pima)	54.93
AT3	61"—80 x 86—2.36 (American pima)	82.71
	Aeroplane fabric (single yarn)	
AU1	40"—104 x 100—4.35 (American pima)	38.08
AU2	40½"—80 x 86—3.85 (American pima)	30.39
	Dotted swiss	
AV1	36"—72 x 54/65—6.96 (unclipped weight) (box loom)	21.16
AV2	36"—70 x 50/88—7.43 (unclipped weight) (single shuttle)	23.21
AV3	36"—60 x 48/78—9.13 (unclipped weight) (single shuttle)	19.93
AV4	36"—68 x 56/98—7.50 (unclipped weight) (single shuttle)	24.20
	Jacquard broadcloth	
AW1	37"—144 x 76—4.15 yd.	33.97
AW2	37"—144x 72—3.63	35.97
	Decating apron cloth	
AX1	72"—62 x 190—.80 (Fly carded warp)	190.91
AX2	54"—62 x 190—1.20 (Ply carded warp)	167.86
AX3	77"—76 x 120—.82 (Ply warp)	160.05
AX4	74"—80 x 172—.92 (Ply warp)	181.63
AX5	75"—152 x 116—1.54 (Ply warp)	158.45
AX6	75"—226 x 152—.63 (Ply warp)	276.13
AX7	77"—75 x 172—.92 (Ply warp)	194.46

TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
	Decating cloth	
AY1	75"—62 x 168—.70 (Fly carded warp)	190.99
AY2	78"—76 x 66—.80 (Fly warp)	162.54
AY3	75"—80 x 180—.90 (Fly warp)	178.95
AY4	75"—100 x 78—.70 (Merc. warp)	159.86
AY5	75"—160 x 110—1.40 (Fly warp)	145.86
AY6	75"—213 x 165—.60 (Fly warp)	235.73
	Decating blanket	
AZ1	54"—70 x 210—1.24 (combed-ply warp and carded fill)	100.68
	Aeroplane décor cloth	
BA1	48"—64 x 52—1.86 (ply warp)	82.73
	Jacket cloth for rubber trade	
BB1	28"—96 x 96—5.71	23.14
BB2	30"—96 x 96—5.23	37.52
BB3	60"—96 x 96—2.70	44.37
	Carrier apron for rubber trade	
BC1	30"—96 x 96—2.96	51.19
BC2	60"—96 x 96—2.46	58.84
BC3	76"—96 x 96—1.96	77.62
BC4	80"—96 x 96—1.86	80.04
BC5	52"—96 x 96—1.81	82.44
BC6	36"—96 x 96—3.36	36.89
BC7	46"—96 x 96—3.19	46.22
	Printer's blanket fabric	
BD1	60"—46/92 x 60—1.82 (ply warp pima)	84.46
BD2	80"—46/92 x 60—1.19 (ply warp pima)	106.08
BD3	42"—46/92 x 60—2.14 (ply warp pima)	56.08
BD4	50"—46/92 x 60—1.84 (ply warp pima)	70.14
BD5	42"—52 x 44—1.87 (ply yarns)	52.27
BD6	46"—52 x 44—1.70 (ply yarns)	60.21
BD7	52"—52 x 60—1.79 (ply yarns)	66.01
BD8	42"—54 x 60—2.02 (ply yarns)	55.98
BD9	64"—46/92 x 60—1.61 (ply pima warp)	81.56
BD10	46"—46/92 x 60—2.21 (ply pima warp)	55.07
BD11	52"—46/92 x 60—1.96 (ply pima warp)	80.20
BD12	74"—46/92 x 60—1.41 (ply pima warp)	92.11
BD13	52"—46/92 x 60—1.27 (ply pima warp)	101.57
BD14	92"—46/92 x 60—1.09 (ply pima warp)	115.97
BD15	54"—52 x 44—1.46 (ply yarns)	67.49
BD16	50"—52 x 44—1.57 (ply yarns)	68.51
	Tablecloth	
BE1	60"—64 x 44—1.93 (combed cotton and spun rayon ply warp)	40.28
BE2	57"—64 x 64—1.86 (combed cotton and spun rayon ply warp)	45.60
	Linen warp card clothing cloth	
BF1	64"—92 x 86—.92	268.45
	Lapping cloth	
BG1	80"—40 x 35—2.20 (ply warp—carded fill)	58.22
	Special combed duck	
BH1	37½"—86 x 46—1.75 (Merc. ply yarn)	62.99
BH2	37½"—91 x 48—1.04 (Merc. ply warp)	69.77
BH3	31"—114 x 34—1.99 (20/1 wp—30/4 fill)	51.22
	Life vest (Air Corp spec.)	
BI1	44½"—100 x 100—1.70 (Merc. Ply yarn)	101.78
	Insulating fabric	
BJ1	39"—44 x 34—17.20	7.54
BJ2	40"—38 x 88—9.48	21.76
	Acid resistant glove cloth	
BK1	40"—52 x 280—.70 (Carded warp—ply yarn)	188.32
	Bedford cord	
BL1	36½"—124 x 113—3.68	37.52
	Shade cloth	
BM1	126"—64 x 64—.90	95.22
BM2	156"—64 x 64—.73	118.53
	Jersey	
BN1	40"—68 x 92—6.36	16.39
	Skip dent shirting	
BO1	38"—116 x 82—4.70	19.48
	Filler cloth	
BP1	39"—112 x 112—7.17	22.86
BP2	46½"—19 x 19—1.50	47.68
	Mechanical boot cloth (Ply yarns)	
BQ1	50"—82 x 46—1.60	91.00
	Insect netting	
BR1	39"—40"—50 x 52—8.00	16.14
BR2	45¼"—50 x 52—8.85	18.91
BR3	60½"—50 x 52—6.20	19.89

TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
	Oxford shirting	
BS1	39"—97 x 66—3.71 (Plain)	25.82
BS2	39"—68 x 53—4.10 (Plain)	21.96
BS3	39"—90 x 80—3.80 (Plain)	24.08
BS4	39"—96 x 44—3.21 (Plain)	24.53
BS5	39"—120 x 60—3.19 (Plain)	26.69
	Madras (dobby weave)	
BT1	39"—92 x 88—4.62	27.58
BT2	38"—128 x 112—4.94	33.72
	Shoe lining	
BU1	40"—104 x 50—2.17 (ply yarn)	40.00
	Brassiere fabric	
BV1	37"—136 x 64—2.90	31.62
BV2	40½"—136 x 64—2.65	34.19
BV3	37"—154 x 76—3.23	31.26
BV4	40½—154 x 76—2.95	33.97
BV5	37"—144 x 84—2.85	33.05

TABLE 1—TYPE AND CONSTRUCTION OF CLOTH—Continued

Ref. No.		Cents per yard
	Brassiere fabric—Continued	
BV6	40½—144 x 84—2.60	36.03
BV7	37"—186 x 92—3.26	31.15
BV8	40½"—186 x 92—3.00	33.84
BV9	37"—136 x 68—2.80	35.32
BV10	40½"—136 x 68—2.56	38.62
BV11	37"—136 x 72—3.73	27.58
BV12	40½"—136 x 72—3.45	28.67
BV13	37"—154 x 72—4.05	27.51
BV14	40½"—154 x 72—3.75	29.25
BV15	40"—154 x 66—3.75	25.27
	Mechanical boat cloth	
BW1	46"—56 x 56—2.12 (single yarn)	67.90
	Warp clip fabric	
BX1	39½"—60/68 x 48—7.00 (unclipped weight)	18.32
BX2	39½"—60/68 x 48—7.00 (unclipped weight—colored)	19.24

COLORED SHIRTING AND SEERSUCKERS[1]

Reference No.		Cents per yard								
		50% color			75% color			100% color		
		Pastel	Medium	Dark	Pastel	Medium	Dark	Pastel	Medium	Dark
	MADRAS									
KA-1	38"-72 x 64—5.05 yards (plain)	22.87	23.75	24.64	23.57	24.89	26.25	24.28	26.03	27.82
KA-2	38½"-72 x 64—5.17 yards (plain)	22.65	23.52	24.44	23.36	24.67	26.05	24.06	25.82	27.67
KA-3	35"-80 x 72—5.22 yards (plain)	24.08	25.05	26.06	24.88	26.34	27.84	25.67	27.60	29.53
KA-4	39"-84 x 76—4.84 yards (plain)	26.20	27.31	28.39	27.13	28.69	30.32	27.98	30.06	32.22
KA-5	38"-92 x 80—5.05 yards (plain)	26.40	27.50	28.68	27.32	28.97	30.72	28.23	30.45	32.78
KA-6	39"-96 x 84—4.85 yards (plain)	27.35	28.50	29.74	28.28	29.99	31.81	29.22	31.53	33.96
KA-7	39"-88 x 76—5.42 yards (plain)	24.42	25.27	26.16	25.16	26.44	27.78	25.91	27.63	29.41
KA-8	38"-94 x 92—5.28 yards (plain)	27.69	28.64	29.61	28.50	29.90	31.37	29.32	31.19	33.17
KA-9	38"-96 x 92—5.25 yards (plain)	27.87	28.81	29.78	28.66	30.05	31.53	29.48	31.37	33.32
KA-10	38"-96 x 92—5.89 yards (plain)	27.42	28.37	29.34	28.21	29.62	31.09	29.04	30.92	32.87
KA-11	38"-96 x 100—5.49 yards (plain)	29.03	29.98	30.95	29.81	31.21	32.66	30.63	32.52	34.47
KA-12	38"-120 x 108—5.61 yards (pattern)	33.76	34.72	35.76	34.80	36.24	37.79	35.62	37.55	39.61
KA-13	38"-120 x 112—5.52 yards (pattern)	34.46	35.43	36.46	35.50	36.94	38.49	36.33	38.24	40.30
KA-14	38"-120 x 116—5.44 yards (pattern)	35.13	36.10	37.12	36.17	37.61	39.16	37.01	38.93	40.99
	SEERSUCKER									
KB-1	39"-80 x 80—3.35 yard (pattern)	34.15	35.07	36.12						
KB-2	38"-90 x 80—4.00 yard (pattern)				31.51	32.97	34.80			
KB-3	38"-88 x 84—3.99 yard (pattern)	33.97	34.21	34.11						
KB-4	39"-98 x 84—4.73 yard (pattern)				30.84	32.09	33.41			
KB-5	38"-76 x 88—3.37 yard (pattern)	34.95	35.89	36.89						
KB-6	38"-76 x 88—3.99 yard (pattern)				33.01	34.28	35.74			
KB-7	39"-112 x 108—3.96 yard (pattern)	42.24	43.13	44.07						
KB-8	39"-112 x 108—4.72 yard (pattern)				39.10	40.43	41.84			
	BROADCLOTH									
KC-1	37"-96 x 60—4.06 yd. (pattern)	25.09	26.21	27.41	25.99	27.69	29.44	26.90	29.16	31.52
KC-2	37"-96 x 60—4.96 yd. (pattern)	24.39	25.51	26.71	25.31	26.99	28.77	26.21	28.48	30.84
KC-3	37"-96 x 60—5.22 yd. (pattern)	23.89	24.93	26.11	24.72	26.40	28.18	25.63	27.88	30.26
KC-4	37"-104 x 60—4.96 yd. (pattern)	25.14	26.37	27.66	26.14	28.00	29.93	27.14	29.61	32.19
KC-5	37"-108 x 60—4.76 yd. (pattern)	26.01	27.27	28.61	27.05	28.97	30.96	28.10	30.67	33.32
KC-6	37"-112 x 60—4.61 yd (pattern)	26.52	27.83	29.20	27.65	29.61	31.66	28.75	31.29	34.12
KC-7	37"-116 x 60—4.47 yd (pattern)	27.13	28.51	29.95	28.24	30.31	32.46	29.43	32.18	35.06
KC-8	37"-120 x 60—4.37 yd (pattern)	27.77	29.19	30.57	28.96	31.09	33.32	30.14	32.99	35.97
KC-9	37"-122 x 60—4.31 yd (pattern)	27.95	29.39	30.91	29.17	31.33	33.60	30.41	33.31	36.32
KC-10	37"-112 x 64—4.23 yd (pattern)	28.67	30.12	31.63	29.92	32.05	34.36	31.13	34.02	37.04
KC-11	37"-124 x 60—4.26 yd (pattern)	28.20	29.67	31.21	29.49	31.70	34.02	30.75	33.70	36.79
KC-12	37"-124 x 64—4.18 yd (pattern)	28.79	30.26	31.80	30.06	32.26	34.59	31.31	34.26	37.35
KC-13	37"-128 x 68—4.01 yd (pattern)	30.61	32.12	33.70	31.91	34.18	36.54	33.20	36.22	39.38
KC-14	37"-132 x 60—4.09 yd. (pattern)	29.86	31.40	33.02	31.19	33.51	35.94	32.50	35.59	38.82
KC-15	37"-136 x 60—4.00 yd. (pattern)	30.45	32.05	33.72	31.80	34.22	36.71	33.18	36.38	39.73
KC-16	37"-136 x 68—4.42 yd. (pattern)	29.73	31.11	32.55	30.89	32.96	35.12	32.08	34.84	37.74
KC-17	37"-136 x 72—4.33 yd. (pattern)	30.50	31.81	33.24	31.57	33.63	35.79	32.76	35.50	38.42
KC-18	37"-144 x 76—4.40 yd. (pattern)	32.16	33.63	35.19	33.43	35.64	37.96	34.66	37.60	40.71
KC-19	37"-144 x 76—4.40 yd. (pattern) (Colored filling).							39.20		

500 ends dark color replacing 500 ground	1,000 ends dark color replacing 1,000 ground
24.08	25.19
25.06	26.28
25.92	27.14
26.64	27.87
26.30	27.54

Reference No.	Construction	25% color pastel	50% color pastel	75% color pastel	100% color pastel
	OXFORDS				
KD-1	38"-96 x 42—4.00 yards (plain)	Cents 24.39	Cents 25.25	Cents 26.09	Cents 26.96
KD-2	39"-80 x 42—3.57 yards (plain)				27.84
KD-3	39"-84 x 42—3.75 yards (plain)				27.09
KD-4	39"-97 x 66—3.71 yards (plain)				28.68

COLORED SHIRTINGS AND SEERSUCKERS

2. In § 1316.4 (d) Table I, Paragraph (a) (1) of the footnote to "Colored shirtings and Seersuckers" is amended to read as follows:

(1) Deduct from the maximum price of the listed construction the entire cost of its warp as calculated from the following table and to the result add the new warp cost calculated in accordance with the same table.

	40/1	50/1	60/1	40/2	40/3	40/4	50/2	60/2
Greige per 100 ends	.00227	.00207	.00185	.00454	.00680	.00908	.00412	.00370
Pastel 27 cents:								
Color per 100 ends	.00819	.00280	.00246					
Medium 45 cents:								
Color per 100 ends	.00894	.00333	.00289					
Dark 65 cents:								
Color per 100 ends	.00452	.00386	.00335					

To determine the cost of each 100 ends of 40s, 50s or 60s colored ply yarns, use single yarn table for 40s, 50s and 60s respectively times the ply.

For any substitution involving a color of a cost other than the above listed costs, the warp cost shall be obtained by interpolation between or extrapolation from the costs listed above.

3. In § 1316.4 (d) Tabe I paragraph (C) of the footnote to "Colored shirtings and seersuckers" is amended to read as follows:

(C) Pickage changes:

For each pick (not exceeding 4 picks per inch) added to or omitted from a listed construction for the purpose of producing pattern effects add or subtract 0.18 cent per pick for greige filling yarns number 30 to 50 and 0.28 cent per pick for greige filling yarn number 60 and above.

4. § 1316.4 (d) Table II is amended to read as follows:

TABLE II

The following provisions shall apply to unfinished box-loom clip-spot marquisettes.

As used herein, the term "standard" means having a width of 35", 39½", 40", or 45" and a total count per inch of 36 to 43 sley (including cords if used but exclusive of selvage ends) and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39½"–40 x 18, 40s or 50s combed warp, 40s or 50s, combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harness or less.

The base maximum price for standard unfinished box-loom clip-spot marquisettes shall be 10.45 cents per yard. For any standard construction other than the base construction the maximum price shall be the base maximum price adjusted upward or downward by the following per yard differentials.

A. *Width differentials.*

35" deduct	$0.0069
40" add	.0101
45" add	.0207

B. *Warp differentials—ground.*

	35"	39½"	40"	45"
40s or 50s combed, where ground ends are more or less than 40 per inch:				
Grey, add or subtract for each two ends per inch	$0.0016	$0.0018	$0.0021	$0.0022
Pastel colors, add per end per inch	.00041	.00047	.00054	.00057
Empire colors, add per end per inch	.00064	.00063	.00072	.00075
40s or 50s carded, subtract from combed for two ends per inch	.00016	.00018	.00021	.00022

C. *Filling differentials.*

	35"	39½"	40"	45"
1. Ground:				
40s or 50s combed, where ground picks are more or less than 18 per inch:				
Grey, add or subtract for two picks per inch	$0.0040	$0.0042	$0.0045	$0.0053
Pastel colors, add per pick per inch	.00047	.00053	.00062	.00065
Empire colors, add per pick per inch	.00081	.00089	.00090	.00094
40s or 50s carded, subtract from combed for one pick per inch	.000062	.000099	.000106	.000113
2. Roving, subtract $0.011 and add per pick per inch	.0109	.0112	.0126	.0138
Grey:				
4 hank	.0066	.0073	.0063	.0080
6 hank	.0050	.0056	.0063	.0060
8 hank	.0042	.0045	.0050	.0056
10 hank	.0036	.0040	.0044	.0049
12 hank	.0033	.0036	.0040	.0046
Pastel:				
4 hank	.0105	.0117	.0134	.0143
6 hank	.0074	.0083	.0093	.0100
8 hank	.0060	.0068	.0074	.0083
10 hank	.0051	.0055	.0062	.0069
12 hank	.0045	.0049	.0055	.0061
Empire:				
4 hank	.0115	.0128	.0148	.0157
6 hank	.0081	.0090	.0103	.0110
8 hank	.0065	.0071	.0081	.0089
10 hank	.0055	.0062	.0069	.0074
12 hank	.0049	.0054	.0060	.0066

D. *Pattern differentials.*

	35"	39½"	40"	45"
Over 10 jumpers and/or 15 harness:				
Per yard per pick 2 shuttles	$0.000138	$0.000138	$0.000170	$0.000170
Per yard per pick 3 and 4 shuttles	.000170	.000170	.000213	.000213

20/2 Carded cords (other than selvage):

Add per end (all widths):	
Grey	$0.000065
Pastel colors	.000106
Empire colors	.000121

E. *Loop cutting*

Add:	
All widths, per yard	$0.0043

F. *Production differential*

After applying all necessary differentials add or subtract for each pick over or under an over-all count of 20 picks (all widths)	$0.0003

This amendment shall be effective as of June 30, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-14363; Filed, Sept. 16, 1944; 4:44 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

Correction

In F.R. Doc. 44-11482, appearing at page 9493 of the issue for Friday, August 4, 1944, the heading of section 4 (b) should read: "*Pricing Method No. 2.*"

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 47]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Correction

The next to the last paragraph of F. R. Doc. 44-11573, appearing on page 9512 of the issue for Friday, August 4, 1944, should read:

This amendment shall become effective at 12:01 a. m., August 3, 1944.

PART 1305—ADMINISTRATION

[Supp. Order 91,[1] Amdt. 3]

EXEMPTION FROM PRICE CONTROL OF CERTAIN COMMODITIES, SERVICES, COMMODITY TRANSACTIONS AND SERVICE TRANSACTIONS IN HAWAII

A statement to accompany this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Supplementary Order No. 91 is amended by deleting subparagraph (a) (1) of § 1305.119.

This amendment shall become effective as of July 8, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14403; Filed, Sept. 18, 1944; 11:53 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7419, 8046, 9898.

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 9 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. The table in section 1 (a) is amended by adding item 10 to read as follows:

Column 1	Column 2	Column 3	Column 4	
Item No.	Product	Section	Section	Appendix
10	Corn	5	15	F

2. In the first undesignated paragraph of section 5, the list of packed vegetables is amended by deleting the word "sweet" appearing in parenthesis after the word "Corn."

3. In section 15, Appendix F is added to read as follows:

APPENDIX F—CORN

Explanation of how maximum prices for packed corn are figured. In making conversions for grade, for variety, for style of pack and for container type and size under subparagraph (2), (3), or (4) of section 5 (a) of this supplement the conversions are to be made in the same order and in the same manner as those for packed peas. The explanation at the beginning of Appendix C applies to this appendix for that purpose, except that for packed sweet corn conversions are made for variety and style of pack instead of for variety and sieve size. (Step 3.) This conversion from one variety and style of pack to another variety or style of pack (for example from golden cream style sweet corn to whole grain or from golden cream style sweet corn to evergreen cream style sweet corn) must be made in the same manner as conversions from one variety and sieve size of packed peas to another is made under Appendix C.

This appendix covers the pricing of packed corn. However, the tables in the appendix apply only to the pricing of sweet corn and if any field corn or mixtures of field and sweet corn are packed by the processors he must apply for an individual authorization of a maximum price in accordance with section 10 (d).

TABLE 1—AREAS

All areas: Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

1. Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

2. Delaware, Maryland, New Jersey, New York, Virginia.

3. Indiana, Michigan, Minnesota, Ohio, Pennsylvania, Wisconsin.

4. Illinois, Iowa, Nebraska.

5. Idaho—following counties (Bonner, Boundary, Kootenai, Benewah, Shoshone, Latah, Clearwater, Nez Perce, Lewis, Idaho, Adams, Valley, Washington, Payette, Gem, Canyon, Boise, Ada, Elmore, Owyhee, Camas, Gooding, Lincoln, Minidoka, Jerome, Twin Falls, and Cassia), Utah—following counties (Box Elder, Cache, Weber, Davis, Morgan, Salt Lake, and Utah), Oregon and Washington.

6. All other States and counties in Idaho and Utah not included in Area 5.

TABLE 2—BASE PEACH PRICES

Item No.	Area	Variety	Style	No. 10 cans: Fancy: Price ranges	No. 10 cans: Fancy: Permitted increase	No. 10 cans: Extra standard: Price ranges	No. 10 cans: Extra standard: Permitted increase	No. 10 cans: Standard: Price ranges	No. 10 cans: Standard: Permitted increase	No. 2 vacuum cans: Fancy: Price ranges	No. 2 vacuum cans: Fancy: Permitted increase	No. 2 vacuum cans: Extra standard: Price ranges	No. 2 vacuum cans: Extra standard: Permitted increase	No. 2 vacuum cans: Standard: Price ranges	No. 2 vacuum cans: Standard: Permitted increase
1	1	(Golden, White, other than Evergreen and Narrow grain.	Cream	$1.65–$1.90	$0.25	$1.30–$1.55	$0.25	$1.24–$1.45	$0.21	$1.30–$1.55	$0.25	$1.06–$1.30	$0.24	$0.94–$1.16	$0.22
2			Cream	1.65–1.90	.25	1.30–1.55	.25	1.24–1.45	.21	1.30–1.55	.25	1.06–1.30	.24	.94–1.16	.22
3		Evergreen and Narrow grain.	Cream	1.90–2.15	.25	1.55–1.80	.25	1.45–1.70	.25	1.55–1.80	.25	1.30–1.55	.25	1.16–1.40	.24
4		All Varieties	Whole grain	1.90–2.15	.25	1.55–1.80	.25	1.45–1.70	.25	1.55–1.80	.25	1.30–1.55	.25	1.16–1.40	.24
5	2	(Golden, other than Evergreen and Narrow grain.	Cream	1.75–2.00	.25	1.40–1.65	.25	1.30–1.55	.25	1.40–1.65	.25	1.14–1.40	.26	1.01–1.27	.26
6			Whole grain	1.75–2.00	.25	1.40–1.65	.25	1.30–1.55	.25	1.40–1.65	.25	1.14–1.40	.26	1.01–1.27	.26
7		Evergreen and Narrow grain.	Cream	2.00–2.25	.25	1.65–1.90	.25	1.55–1.80	.25	1.65–1.90	.25	1.40–1.65	.25	1.27–1.53	.26
8		All varieties	Whole grain	2.00–2.25	.25	1.65–1.90	.25	1.55–1.80	.25	1.65–1.90	.25	1.40–1.65	.25	1.27–1.53	.26
9	3	(Golden, other than Evergreen and Narrow grain.	Cream	1.80–2.05	.25	1.45–1.70	.25	1.34–1.60	.26	1.45–1.70	.25	1.20–1.45	.25	1.07–1.33	.26
10			Whole grain	1.80–2.05	.25	1.45–1.70	.25	1.34–1.60	.26	1.45–1.70	.25	1.20–1.45	.25	1.07–1.33	.26
11		Evergreen and narrow grain	Cream	2.05–2.30	.25	1.70–1.95	.25	1.60–1.85	.25	1.70–1.95	.25	1.45–1.70	.25	1.33–1.58	.25
12		All varieties	Whole grain	2.05–2.30	.25	1.70–1.95	.25	1.60–1.85	.25	1.70–1.95	.25	1.45–1.70	.25	1.33–1.58	.25
13	4	(Golden, other than Evergreen and narrow grain	Cream	1.85–2.10	.25	1.50–1.75	.25	1.39–1.65	.26	1.50–1.75	.25	1.25–1.50	.25	1.12–1.38	.26
14			Whole grain	1.85–2.10	.25	1.50–1.75	.25	1.39–1.65	.26	1.50–1.75	.25	1.25–1.50	.25	1.12–1.38	.26
15		Evergreen and narrow grain	Cream	2.10–2.35	.25	1.75–2.00	.25	1.65–1.90	.25	1.75–2.00	.25	1.50–1.75	.25	1.38–1.63	.25
16		All varieties	Whole grain	2.10–2.35	.25	1.75–2.00	.25	1.65–1.90	.25	1.75–2.00	.25	1.50–1.75	.25	1.38–1.63	.25
17	5	(Golden, other than Evergreen and narrow grain	Cream	1.90–2.15	.25	1.55–1.80	.25	1.45–1.70	.25	1.55–1.80	.25	1.30–1.55	.25	1.16–1.42	.26
18			Whole grain	1.90–2.15	.25	1.55–1.80	.25	1.45–1.70	.25	1.55–1.80	.25	1.30–1.55	.25	1.16–1.42	.26
19		Evergreen and narrow grain	Cream	2.15–2.40	.25	1.80–2.05	.25	1.70–1.95	.25	1.80–2.05	.25	1.55–1.80	.25	1.42–1.68	.26
20		All varieties	Whole grain	2.15–2.40	.25	1.80–2.05	.25	1.70–1.95	.25	1.80–2.05	.25	1.55–1.80	.25	1.42–1.68	.26
21	6	(Golden, other than Evergreen and narrow grain	Cream	1.95–2.20	.25	1.60–1.85	.25	1.50–1.75	.25	1.60–1.85	.25	1.35–1.60	.25	1.21–1.47	.26
22			Whole grain	1.95–2.20	.25	1.60–1.85	.25	1.50–1.75	.25	1.60–1.85	.25	1.35–1.60	.25	1.21–1.47	.26
23		Evergreen and narrow grain	Cream	2.20–2.45	.25	1.85–2.10	.25	1.75–2.00	.25	1.85–2.10	.25	1.60–1.85	.25	1.47–1.73	.26
24		All varieties	Whole grain	2.20–2.45	.25	1.85–2.10	.25	1.75–2.00	.25	1.85–2.10	.25	1.60–1.85	.25	1.47–1.73	.26

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9493, 9613, 10194, 10356, 10497, 10630, 10709, 10714, 10921, 11109.

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SWEET CORN DURING THE BASE PERIOD

Item No.	Area	Variety	Style	No. 2 cans			No. 10 cans			No. 2 vacuum cans		
				Fancy	Extra standard	Standard	Fancy	Extra standard	Standard	Fancy	Extra standard	Standard
1	1	Golden	Cream	$1.26	$1.19	$1.11	$6.60	$6.14	$5.73			
2		White, other than evergreen and narrow grain	do	1.25	1.19	1.11	6.60	6.14	5.73			
3		Evergreen and narrow grain	do	1.18	1.09	1.06	6.09	5.63	5.47			
4		All varieties	Whole grain	1.31	1.26	1.17	6.66	6.26	5.98	$1.24	$1.18	$1.10
5	2	Golden	Cream	1.36	1.22	1.18	7.01	6.29	5.98			
6		White, other than evergreen and narrow grain	do	1.26	1.22	1.18	7.01	6.29	5.98			
7		Evergreen and narrow grain	do	1.26	1.12	1.10	6.80	5.78	5.68			
8		All varieties	Whole grain	1.47	1.36	1.30	7.46	6.92	6.56	1.27	1.27	1.20
9	3	Golden	Cream	1.30	1.17	1.07	6.66	6.04	5.52			
10		White, other than Evergreen and Narrow Grain.	do	1.30	1.17	1.07	6.66	6.04	5.52			
11		Evergreen and Narrow Grain	do	1.19	1.07	1.03	6.14	5.52	5.26			
12		All varieties	Whole grain	1.38	1.26	1.17	7.02	6.36	5.95	1.26	1.24	1.16
13		Golden	Cream	1.30	1.16	1.06	6.66	5.98	5.67			
14	4	White, other than Evergreen and Narrow Grain.	do	1.30	1.16	1.06	6.66	5.98	5.67			
15		Evergreen and Narrow Grain	do	1.19	1.06	1.03	6.14	5.47	5.31			
16		All varieties	Whole grain	1.48	1.29	1.23	7.27	6.55	6.26	1.41	1.36	1.30
17		Golden	Cream	1.40	1.30	1.30	7.74	7.17	6.71			
18		White, other than Evergreen and Narrow Grain.	do	1.40	1.30	1.30	7.74	7.17	6.71			
19	5	Evergreen and Narrow Grain	do	1.40	1.29	1.25	7.22	6.66	6.45	1.33	1.33	1.26
20		All varieties	Whole grain	1.62	1.56	1.51	8.34	7.96	7.68			
21		Golden	Cream	1.30	1.17	1.07	6.66	6.04	5.52			
22		White, other than Evergreen and Narrow Grain.	do	1.30	1.17	1.07	6.66	6.04	5.52			
23	6	Evergreen and Narrow Grain	do	1.19	1.07	1.03	6.14	5.52	5.26			
24		All varieties	Whole grain	1.38	1.25	1.17	7.02	6.36	5.95	1.26	1.24	1.16

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS
(Part 1) All Cream Sweet Corn

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				
	8 oz.	1 Picnic	No. 303	No. 2	No. 10
8 oz.				$1.59	$8.73
1 Picnic				1.45	7.95
No. 303				1.12	6.79
No. 2					5.16
No. 10	$0.20	$0.70	$0.20	.19	
	.11	.14	.17		

(Part 2) All Whole Kernel Corn

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor					
	8 oz.	1 Picnic	No. 303	No. 2 Vacuum	No. 2	No. 10
8 oz.					$1.82	$9.26
No. 1 Picnic					1.47	7.68
No. 303					1.13	6.85
12 oz. Vacuum					1.06	5.40
No. 2	$0.25	$0.68	$0.27	$0.24		5.09
No. 10	.11	.13	.17	.15	.20	

TABLE 6—CONVERSIONS FROM TIN TO GLASS (DOLLARS PER DOZEN CONTAINERS)

All Sweet Corn

If you can figure a price for a can size in this column—	To get a price for the glass container size at the head of a column below, add the indicated amount
No. 303	No. 303
	$0.15

TABLE 7—GRADE DIFFERENTIALS

In each case in figuring prices based on grade differentials, if the processor has base prices for both a higher and lower grade than the item being priced, he shall use the differential between the item being priced and the lower grade, except that substandard shall not be used as the lower grade. (For example, if the processor has base prices for both fancy and standard grades and now wishes to price extra standard he takes the difference between extra standard and standard)

DIFFERENCES BETWEEN SUCCESSIVE GRADES (PER DOZEN CONTAINERS)

Item No.	Area	Variety	Style	No. 2 cans			No. 10 cans			No. 2 vacuum cans		
				Fancy and extra standard	Extra standard and standard	Standard and substandard	Fancy and extra standard	Extra standard and standard	Standard and substandard	Fancy and extra standard	Extra standard and standard	Standard and substandard
1	1	Golden	Cream	$0.09	$0.08	$0.10	$0.46	$0.41	$0.50			
2		White, other than Evergreen & Narrow Grain	Cream	.09	.08	.10	.47	.41	.50			
3		Evergreen and Narrow Grain	Cream	.09	.08	.10	.47	.15	.50	$0.06	$0.06	$0.10
4		All Varieties	Whole Grain	.06	.08	.10	.20	.41	.80			
5	2	Golden	Cream	.14	.07	.10	.72	.36	.80			
6		White, other than Evergreen & Narrow Grain	Cream	.14	.07	.10	.73	.36	.80			
7		Evergreen and Narrow Grain	Cream	.14	.03	.10	.73	.10	.80	.10	.07	.10
8		All Varieties	Whole Grain	.11	.07	.10	.85	.35	.80			
9	3	Golden	Cream	.13	.10	.10	.61	.83	.80			
10		White, other than Evergreen & Narrow Grain	Cream	.13	.10	.10	.61	.83	.80			
11		Evergreen and Narrow Grain	Cream	.13	.08	.10	.63	.26	.80	.12	.08	.10
12		All Varieties	Whole Grain	.13	.08	.10	.66	.41	.80			
13	4	Golden	Cream	.13	.08	.10	.66	.41	.80			
14		White, other than Evergreen & Narrow Grain	Cream	.13	.08	.10	.66	.41	.80			
15		Evergreen and Narrow Grain	Cream	.13	.08	.10	.67	.16	.80	.15	.05	.10
16		All Varieties	Whole Grain	.14	.08	.10	.71	.30	.80			

TABLE 7—GRADE DIFFERENTIALS—Continued

Item No.	Area	Variety	Style	No. 2 cans			No. 10 cans			No. 2 vacuum cans		
				Fancy and extra standard	Extra standard and standard	Standard and substandard	Fancy and extra standard	Extra standard and standard	Standard and substandard	Fancy and extra standard	Extra standard and standard	Standard and substandard
17	5	Golden	Cream	.11	.09	.10	.57	.46	.50			
18		White, other than Evergreen & Narrow Grain	Cream	.11	.09	.10	.57	.46	.50			
19		Evergreen and Narrow Grain	Cream	.11	.04	.10	.57	.20	.50			
20		All Varieties	Whole Grain	.06	.05	.10	.30	.26	.50	.21	.06	.10
21	6	Golden	Cream	.12	.10	.10	.61	.52	.50			
22		White, other than Evergreen & Narrow Grain	Cream	.12	.10	.10	.61	.52	.50			
23		Evergreen and Narrow Grain	Cream	.12	.05	.10	.62	.26	.50			
24		All Varieties	Whole Grain	.13	.08	.10	.66	.41	.50	.12	.08	.10

TABLE 8—DIRECT SUBSIDY PAYABLE PER DOZEN CONTAINERS

ALL AREAS, VARIETIES, STYLES AND GRADES

Amount of subsidy to be subtracted from gross maximum price per dozen containers in making sales to purchasers other than Government procurement agencies

8 oz.	1 picnic	No. 303	No. 2 vacuum	No. 2	No. 10
$0.05	$0.06	$0.07	$0.06	$0.08	$0.43

This amendment shall become effective September 18, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-14361; Filed, Sept. 16, 1944; 4:43 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 2 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF 1944 AND LATER PACKS

Correction

In F.R. Doc. 44-12537, appearing at page 10194 of the issue for Tuesday, August 22, 1944, the following corrections should be made:

Under Part 1 of Table 3, the Price range for No. 10 cans, Ex. Standard, opposite Item 23, should read "6.45—7.26".

In Part 2 of Table 3, the brackets for Areas 3 and 4 should be arranged to include for Area 3 Items 13 through 18 and the sieve sizes opposite, and for Area 4 Items 19 through 24 and the sieve sizes opposite. The Price range under No. 2 cans, Standard, opposite Item No. 29, should read "1.11—1.25".

In Part 4 of Table 4, the Item 2 price for No. 10 cans, Extra standard, should read "7.57".

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 14]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. Section 14a is added to read as follows:

SEC. 14a. *Gift and holiday packages assembled by you.* If you assemble, into gift or holiday packages, any food items covered by this regulation, with or without any items not covered by this regulation, your ceiling price for each such package will be the sum of the following multiplied by 1.05:

(a) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(b) Your direct cost of the packaging materials used for the package, including the container.

2. In Section 32 (b) (37), the following item is added in alphabetical order:

Gift or holiday packages bought assembled, and containing one or more items covered by this regulation.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: September 15, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-14364; Filed, Sept. 16, 1944; 4:44 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[2] Amdt. 26]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 18a is added to read as follows:

SEC. 18a. *Gift and holiday packages assembled by you.* If you assemble, into gift or holiday packages, any food items covered by this regulation, with or without any items not covered by this regulation, you must figure your ceiling price for such package under whichever of the following paragraphs applies:

(a) For packages assembled in cardboard, wooden, or other plain containers (for example, "overseas" or "servicemen's" packages), your ceiling price will be the sum of the following, multiplied by 1.05:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

(b) For packages assembled in permanent containers designed and constructed for re-use (including but not limited to trays, cedar boxes, hampers, teakwood chests, fancy baskets), your ceiling price will be the sum of the following, multiplied by 1.10:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

2. In section 32 (b) (37), the following item is added in alphabetical order.

Gift or holiday packages bought assembled, and containing one or more items covered by this regulation.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: September 15, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-14365; Filed, Sept. 16, 1944; 4:44 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[2] Amdt. 27]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5648, 9719, 10257.

[2] 9 F.R. 5656, 6828, 6951, 7339, 7520, 7937, 9354, 9719, 10258.

[1] 9 F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259.

Maximum Price Regulation 423 is amended in the following respects:

1. Section 18b is added to read as follows:

SEC. 18b. *Gift and holiday packages assembled by you.* If you assemble, into gift or holiday packages, any food items covered by this regulation, with or without any items not covered by this regulation, you must figure your ceiling price for such package under whichever of the following paragraphs applies:

(a) For packages assembled in cardboard, wooden, or other plain containers (for example, "overseas" or "servicemen's packages), your ceiling price will be the sum of the following, multiplied by 1.05:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

(b) For packages assembled in permanent containers designed and constructed for re-use (including but not limited to trays, cedar boxes, hampers, teakwood chests, fancy baskets), your ceiling price will be the sum of the following, multiplied by 1.10:

(1) Your ceiling price for each item (or article) being packed, figured under this regulation or any other applicable maximum price regulation. If you have no ceiling price for any item (or article), use your direct cost for that item.

(2) Your direct cost of the packaging materials used for the particular package, including the container.

2. In section 27 (b) (37), the following item is added in alphabetical order.

Gift or holiday packages bought assembled, and containing one or more items covered by this regulation.

This amendment shall become effective September 16, 1944.

Issued this 16th day of September 1944.

CHESTER BOWLES,
Administrator.

Approved: September 15, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-14366; Filed, Sept. 16, 1944; 4:44 p. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445, Amdt. 17]

DISTILLED SPIRITS AND WINES

Correction

In paragraph 3 of F. R. Doc. 44-11540, appearing at page 9505 of the issue for Friday, August 4, 1944, the third from the last figure in Col. 4 of the table under paragraph (c) (2) should read: "9.035."

[*] Copies may be obtained from the Office of Price Administration.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 54]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. The following sections of Revised Ration Order 13 are revoked:

Sections 3.1 (a) (1) (ii), 3.1 (a) (1) (iii), 3.1 (a) (1) (vi), 3.1 (a) (2), 6.10, 9.10, 10.10 (b), 10.13, 10.14, 10.15, 10.16, 10.17, 10.19, 14.6, 14.7, 19.1 (m), 26.4a, 26.9, 27.1 (a) (12) (i) (b), 27.1 (a) (12) (i) (d), 27.1 (a) (12) (i) (f), 27.1 (a) (20), 27.1 (a) (21), 27.1 (a) (23), 27.1 (a) (24), 27.1 (a) (25), 27.1 (a) (26), 27.1 (a) (27), 27.1 (a) (28), and 27.1 (a) (29).

2. The parenthetical second, third and fourth sentences of section 3.1 (a) are deleted.

3. Section 4.1 (a) is amended by deleting the third sentence (beginning with the words "This article • • •") and the fourth sentence (beginning with the words "In addition, this article • • •") in the parenthetical paragraph immediately following (2).

4. Section 5.1 (a) is amended by deleting the last sentence (beginning with the words "In addition, this article • • •") in the parenthetical paragraph immediately following (3).

5. The last two sentences of section 10.2 (a) are deleted.

6. Article XXIV is revoked.

7. The first sentence of section 27.1 (a) (12) (ii) is deleted.

8. Section 27.1 (a) (10) is amended to read as follows:

(10) "Processed foods" means the following fruits and purees, fruit juices, vegetables, and vegetable juices in hermetically sealed containers of any type and sterilized by the use of heat:

(i) *Fruits and purees.*
Apples (including crabapples).
Applesauce.
Apricots.
Berries.
Cherries.
Cranberries or sauce (whole, strained, or jellied).
Figs.
Fruit cocktail, fruits for salad, or mixed fruits.
Peaches.
Pears.
Pineapple.
Plums.
Prunes.
(ii) *Fruit juices.*
Grape juice.
Grapefruit juice.
Orange juice.
Orange-grapefruit juice blended.
Pineapple juice.
(iii) *Vegetables (exclude purees).*
Tomatoes.
Tomato catsup or chili sauce.
(iv) *Vegetable juices.*
Tomato juice.
Vegetable juice combinations (containing 70% or more of tomato juice).

NOTE: Foods in the above group which are not covered by this order are listed in Appendix A. The foods listed in Appendix A are not "processed foods" as that term is used.

9. Section 6.6 (j) is amended to read as follows:

(j) *Allotments for industrial users of canned or bottled vegetables or vegetable juices having a point value.* An industrial user who, during the fourth quarter of his base period, used canned or bottled vegetables or vegetable juices, which on September 17, 1944 have a point value (other than zero) may apply for an allotment covering such vegetables or juices. The application shall be made on OPA Form R-315, to the board or district office with which he is registered, and must estimate the number of pounds of such vegetables or juices separately for each item (as listed on the Official Table of Point Values—effective September 17, 1944) which he used during the fourth quarter of his base period. The board or district office may grant the application if it finds that the industrial user, during the fourth quarter of his base period, used canned or bottled vegetables or vegetable juices which have a point value (other than zero) on September 17, 1944. The amount of his allotment shall be computed in the following way:

(1) The number of pounds of each such item of canned or bottled vegetables or vegetable juices which he used during the fourth quarter of his base period is multiplied by the point value in effect for that item on September 17, 1944 (as shown on the Official Table of Point Values—effective September 17, 1944);

(2) The resulting figures are added together and multiplied by 0.55.

The result represents his allotment for the fourth allotment period of 1944 for canned or bottled vegetables or vegetable juices having a point value on September 17, 1944. (Section 6.6 (d) applies in determining whether an industrial user who receives an allotment under this paragraph is entitled to a certificate, and in determining the amount of the certificate.)

10. Section 16.1 (a) is amended by adding at the end thereof the following: "He must retain such records in his possession notwithstanding any amendment or revocation of any part of this order."

11. Section 19.6 is added to read as follows:

SEC. 19.6 *Saving clause.* The amendment or revocation of any part of this order shall not excuse the performance of any duty imposed or affect any obligation incurred under this order (including the duty or obligation to collect points, to give up points, to keep records and to make reports) up to the effective date of such amendment or revocation, unless the amendment or revocation shall so expressly provide. A person who, but for such amendment or revocation, would have been required to make any report after the effective date of such amendment or revocation because of any act, transaction or operation prior to that date, shall make such report with respect to those acts, transactions, or operations at the time when it would have been due but for such amendment or revocation. The part of the ration order which was amended or revoked shall be considered to remain in force for the purpose of requiring the performance of any such duty imposed or obligation incurred.

12. The following is added to Appendix A in its proper alphabetical order:

Baby foods (packed in hermetically sealed containers and sterilized by the use of heat)

This amendment shall become effective at 12:01 a. m., September 17, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-14369; Filed, Sept. 16, 1944; 4:45 p. m.]

[1] 9 F.R. 8, 104, 574, 665, 765, 843, 1397, 1727, 1817, 1909, 2283, 2284, 2340, 2440, 2667, 2701, 3082, 3078, 3518, 3579, 3708, 3710, 3944, 3947, 4026, 4261, 4475, 4504, 4818, 4878, 5074, 5486, 5695, 5839, 6234, 6265, 6647, 6951, 7080, 7081, 7202, 7267, 7345, 7427, 7773, 8793, 9169, 9854.

[*] Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 12494, 13920, 15878, 17566, 17828; 9 F.R. 727, 2693, 3081, 4742, 6281, 7502, 11002.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1E,[1] Amdt. 12]

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1E is amended in the following respects:

1. The definition of the word "tube" in section 2.1 is amended to read as follows:

"Tube" means any new rubber tube designed for use within a truck tire casing.

2. Section 3.2 (d) (3) is added as follows:

No Board may issue a certificate for a passenger tube.

3. The text to section 4.2 is amended by deleting the phrase "and new tubes".

4. Section 4.2 (d) is revoked.

5. Section 6.7 (k) is amended to read as follows:

(k) *Transfer and mounting of new passenger type tubes and any type used tubes.* Any person may transfer, acquire, mount, use, alter or change the physical location of new passenger type tubes and any type of used tubes without certificate or authorization.

This amendment shall become effective September 18, 1944.

Issued this 18th day of September 1944.

MELVIN C. ROBBINS,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-14411; Filed, Sept. 18, 1944; 11:58 a. m.]

PART 1340—FUEL

[RMPR 137, Corr. to Amdt. 5]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

Pennsylvania area as set forth in section 11 (b) (1) (i) is corrected to read as follows:

Pennsylvania: Excepting Schedule D area comprising the Counties of Allegheny; Armstrong; Beaver; Butler; Cameron; Clarion; the townships of Chapman, East Keating, Leidy, Noyes and West Keating; Crawford; Elk; Erie; Fayette; Forest; Greene; Jefferson; Lawrence; McKean; Mercer; Potter; Tioga; Venango; Warren; Washington; Westmoreland except the townships of Derry, Fairfield, Ligonier, and St. Clair in Clinton County.

This correction shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14398; Filed, Sept. 18, 1944; 11:58 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 34]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new section 8.6 is added to read as follows:

SEC. 8.6 *Custom crushing.* (a) No person who crushes olives as a service for the owner of such olives shall charge and no owner of such olives shall pay for that service any more than an amount sufficient to make the cost of the oil to such owner f. o. b. crusher's mill equal to or less than the maximum price which the owner of such olives would pay if he purchased the oil at the crusher's maximum price therefor as set forth in this Article 8. In no case shall the charge of the crusher for his crushing services exceed his March 1942 established maximum price for such services under Revised Maximum Price Regulation No. 165.

(b) If the pomace or other by-products produced from the olives are to be retained by the crusher, the value of the pomace or other by-product retained must be considered in determining the cost of the crushing service.

(c) The person for whom the custom crushing is performed must furnish the custom crusher with a signed statement in writing containing such person's name, the date of the statement, the amount paid for the olives to be crushed, the date on which such olives were purchased, the name of the person from whom such olives were purchased and the cost of transporting such olives to the crusher's mill. This statement must be furnished before the custom crushing is done. A copy of such statement must be retained by the person for whom the custom crushing is performed, and both the original of such statement and the copy must be preserved for examination by the Office of Price Administration or its authorized representative at any reasonable time.

(d) When used in this section "Custom crusher" means any person who crushes olives to produce olive oil as a service for the owner of the olives.

(e) This section shall not apply to the grower of olives who has no crushing facilities of his own when such person has the olives grown by himself crushed by another.

This amendment shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14404; Filed, Sept. 18, 1944; 11:59 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B,[1] Amdt. 15]

PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 2B is amended in the following respects:

1. Sections 1.9a and 1.9b are revoked.

This amendment shall become effective October 18, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 563; Supp. Dir. IX, 9 F.R. 8776)

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14407; Filed, Sept. 18, 1944; 11:59 a. m.]

PART 1384—HARDWOOD LUMBER

[MPR 176,[1] Amdt. 11]

SOUTHERN ROTARY CUT BOX GRADE VENEER

A statement of the considerations involved in the issuance of this amend-

[1] 8 F.R. 2483, 5317, 5531, 5678, 7197, 8005, 8006, 10727, 12559, 13725, 16843; 9 F.R. 2298, 6880.

[1] 9 F.R. 5376, 5569.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1384.14 of Maximum Price Regulation 176 is amended to read as follows:

§ 1384.14 *Overtime operations*—(a) *General.* Any manufacturer of southern rotary cut box grade veneer who operates his plant 48 hours or more during a week may reflect the increased cost of his overtime operations on the basis of the board feet produced during that week or the succeeding week, whichever is the smaller, by adding to the basic maximum f. o. b. factory price as follows: (1) $1.75 per thousand feet for 8 to 14 hours' operation over 40 hours per week; (2) $2.50 per thousand for 14 to 20 hours' operation over 40 hours per week; (3) $3.25 per thousand for 20 hours or more over 40 hours per week.

The amount of the overtime addition is to be calculated in the following manner:

(1) Divide the total number of man hours compensated for at regular rates during the week (based on a 40 hour week) in the entire box veneer plant operation into the number of man hours compensated for at overtime rates during the same week in the entire box veneer plant operation to establish a percentage;

(2) Apply the percentage obtained as outlined above to 40 hours to determine the average overtime hours over 40 hours for which the specified additions may be made.

Example: In a given week a plant operates a total of 4200 man hours on regular time and 960 man hours on overtime. The ratio of regular hours to overtime hours is 22.9 (960÷4200). Applying 22.9% to 40 hours, the result is 9.2 hours. If average overtime falls between 8 and 14 hours, as it does in this case, an addition of $1.75 per thousand feet may be made to the basic maximum f. o. b. factory price. If average overtime is 9.2 hours, and the plant produces 100,000 feet during the week, it is entitled to add $1.75 per M to the selling price of 100,000 feet of its output during the following week, unless the following week's output falls below 100,000 feet in which case the addition is restricted to the week's actual output.

(b) *Report.* On or before the 10th day of October, November, December of 1944 and January of 1945 any manufacturer who makes additions for overtime operations under paragraph (a) of this section must file a report with the Lumber Branch, Office of Price Administration, Washington, D. C., showing the number of hours compensated for at regular and overtime rates, the footage of veneer produced and sold and the overtime additions for each week of the preceding month. No manufacturer who fails to file the foregoing report by the 10th day of the month may make further additions under this section without first obtaining written authorization from the Lumber Branch, Office of Price Administration, Washington, D. C.

This amendment shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14405; Filed, Sept. 18, 1944; 11:59 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Amdt. 25]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

Items 143, 146, and 186 in Designation and Rent Declaration 25 are amended to read as follows:

(143) Rochester, New York, Counties of Genesee, Monroe and Orleans.

(146) Syracuse, New York, Counties of Cayuga, Onondaga, Oswego, and Wayne.

(186) Williamsport, Pennsylvania, Counties of Cameron, Clinton, Columbia, Elk, Lycoming, Montour, Northumberland, Snyder, and Union, and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.

This amendment shall become effective October 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14413; Filed, Sept. 18, 1944; 12:01 p. m.]

PART 1388—DEFENSE-RENTAL AREA

[Designation and Rent Declaration 29,[1] Amdt. 2]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

Item 21 of Designation and Rent Declaration 29 is revoked to add the counties of Cameron and Elk in the Emporium, Pennsylvania Defense-Rental Area to the Williamsport Defense-Rental Area.

This amendment shall become effective October 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14414; Filed, Sept. 18, 1944; 12:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amdt. 28]

DESIGNATION OF AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

Items 3, 5, 6, 32, 35, 38, and 98 are amended and items 105, 106, 107, 108 and 109 are added to Designation and Rent Declaration 31 to read as follows:

(3) Arkansas, Arkansas, That portion of the State of Arkansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Johnson and Randolph.

(5) Colorado, Colorado, That portion of the State of Colorado not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Boulder, Chaffee, Garfield, and Mesa.

(6) Florida, Florida, That portion of the State of Florida not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Columbia, Dade, St. Johns, St. Lucie, Santa Rosa, Wakulla, and Walton, and in the County of Broward the city of Hollywood and the town of Hallandale.

(32) Oklahoma, Oklahoma, That portion of the State of Oklahoma not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Beckham, Canadian, Carter, Custer, Jackson, Pottawatomie, Tillman, and Washita.

(35) South Carolina, South Carolina, That portion of the State of South Carolina not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Colleton, Florence, and Orangeburg and in the County of Horry, the townships of Conway, Dogwood Neck, and Socastee.

(38) Texas, Texas, That portion of the State of Texas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the Counties of Bee, Brazos, Brewster, Collin, Denton, Gregg, Kinney, Kleberg, Lampasas, McCulloch, Nolan, Smith, Uvalde, Val Verde, and Webb, and Justices' Precincts 1, 6, and 7 in the County of Caldwell.

(98) Clarksville, Arkansas, County of Johnson.

(105) Boulder, Colorado, County of Boulder.

(106) De Funiak Springs, Florida, County of Walton.

(107) Ardmore, Oklahoma, County of Carter.

(108) Orangeburg, South Carolina, County of Orangeburg.

(109) Longview, Texas, County of Gregg.

This amendment shall become effective October 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14415; Filed, Sept. 18, 1944; 12:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Regulation for Housing,[1] Amdt. 82]

CLARKSVILLE, ARK., ETC.

Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Item 260 (Emporium Defense-Rental Area) is revoked to add the Counties of Cameron and Elk, Pennsylvania, to the Williamsport Defense-Rental Area.

2. Items 205, 210, and 272 are amended and items 19a, 41a, 54a, 242b, 280b, and 321b are added to read as follows:

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5820.
[2] 7 F.R. 5907, 10739.
[3] 9 F.R. 5823, 5915, 7329, 7431, 9265, 9513.

[1] 9 F.R. 2165, 2290, 3231, 3421, 4194, 4541, 5002, 5806, 5826, 5915, 6569, 7329, 8054, 9265, 9428, 9513, 10188.

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(19a) Clarksville	Arkansas	Johnson	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(41a) Boulder	Colorado	Boulder	June 1, 1943	do	Do.
(54a) De Funiak Springs	Florida	Walton	Oct. 1, 1943	do	Do.
(205) Rochester	New York	Genesee, Monroe, and Orleans	Mar. 1, 1942	do	Nov. 15, 1942
(210) Syracuse	do	Wayne	do	do	Do.
	do	Cayuga, Onondaga, Oswego, and Wayne	do	Nov. 1, 1942	Dec. 16, 1942
(242b) Ardmore	Oklahoma	Carter	July 1, 1943	Oct. 1, 1943	Nov. 15, 1944
(272) Williamsport	Pennsylvania	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	do	Cameron, Columbia, Montour, Northumberland, Snyder, and Union	do	Dec. 1, 1942	Jan. 15, 1943
	do	County of Elk and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.	do	Aug. 1, 1943	Sept. 15, 1943
	do	Clinton	do	Feb. 1, 1944	Mar. 15, 1944
(280b) Orangeburg	South Carolina	Orangeburg	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(321b) Longview	Texas	Gregg	July 1, 1943	do	Do.

This amendment shall become effective October 1, 1944. This amendment shall not release or extinguish any penalty, duty, or liability incurred under the Rent Regulation for Hotels and Rooming Houses.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14416; Filed, Sept. 18, 1944; 12:00 m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Regulation for Housing,[1] Amdt. 85]

CLARKSVILLE, ARK., ETC.

Schedule A of the Rent Regulation for Housing is amended in the following respects:

1. Item 260 (Emporium Defense-Rental Area) is revoked to add the counties of Cameron and Elk, Pennsylvania, to the Williamsport Defense-Rental Area.

2. Items 205, 210, and 272 are amended and items 19a, 41a, 54a, 242b, 280b, and 321b are added to read as follows:

Name of defense-rental area	State	County or Counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(19a) Clarksville	Arkansas	Johnson	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(41a) Boulder	Colorado	Boulder	June 1, 1943	do	Do.
(54a) De Funiak Springs	Florida	Walton	Oct. 1, 1943	do	Do.
(205) Rochester	New York	Genesee, Monroe, and Orleans	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(210) Syracuse	do	Wayne	do	do	Do.
	do	Cayuga, Onondaga, Oswego, and Wayne	do	Nov. 1, 1942	Dec. 16, 1942
(242b) Ardmore	Oklahoma	Carter	July 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(272) Williamsport	Pennsylvania	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	do	Cameron, Columbia, Montour, Northumberland, Snyder, and Union	do	Dec. 1, 1942	Jan. 15, 1943
	do	County of Elk and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.	Mar. 1, 1943	Aug. 1, 1943	Sept. 15, 1943
	do	Clinton	do	Feb. 1, 1944	Mar. 15, 1944
(280b) Orangeburg	South Carolina	Orangeburg	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944
(321b) Longview	Texas	Gregg	July 1, 1943	do	Do.

This amendment shall become effective October 1, 1944. This amendment shall not release or extinguish any penalty, duty, or liability incurred under the Rent Regulation for Housing.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14417; Filed, Sept. 18, 1944; 12:00 m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 150]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7904 (e) is revoked.

2. Section 1394.8153 (b) (4) is revoked.

3. In consequence of the revocation of § 1394.8153 (b) (4), Orders No. 3, No. 4 and No. 5, issued by the Deputy Administrator in Charge of Rationing pursuant to authority contained in such section, are also revoked.

This amendment shall become effective September 22, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14409; Filed, Sept. 18, 1944; 11:58 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5E,[3] Amdt. 8]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5E is amended in the following respects:

Section 2.7 (a) (13) is amended to read as follows:

(13) By a traveling salesman engaged in:

(i) The sale of necessary productive equipment or supplies for farm, factories, mines and similar productive or extractive establishments or of petroleum products, if the marketing of such equipment or supplies by salesman is essential to the war effort or to the welfare of the community; or

(ii) The wholesale of medical or food supplies or in the transportation of med-

[1] 9 F.R. 5807, 5915, 6859, 6869, 6819, 7329, 8954, 9266, 9513, 10188.

[2] 8 F.R. 15937.

*Copies may be obtained from the Office of Price Administration.

[3] 8 F.R. 9975, 16039; 9 F.R. 397, 1321, 2240, 8165, 8055, 8055.

ical supplies to and from his establishment, but not to the ultimate consumer.

This amendment shall become effective September 18, 1944.

Issued this 18th day of September 1944.

SAM P. GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 44-14412; Filed, Sept. 18, 1944; 11:57 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 26]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. The following note is inserted between paragraphs (a) and (b) of § 1394.5652:

NOTE: Where transfers are regularly made on a temperature adjustment basis, coupons equal in gallonage value to the adjusted amount of fuel oil transferred shall be surrendered.

2. Section 1394.5653 (b) is amended by adding after the period at the end of the paragraph the following: "No dealer or primary supplier shall detach coupons from a consumer's coupon sheet unless and until a transfer of fuel oil has been made by him to that consumer equal to the gallonage value of the coupons detached. (Section 1394.5712 explains what a dealer or primary supplier must do when evidences are not surrendered on time.)"

3. Section 1394.5653 (b) (1) is amended by substituting for the phrase "1394.5454" the phrase "1394.5696 (a)" and by adding the following sentence after the period at the end of the subparagraph: "(A dealer or primary supplier must comply with this subparagraph (1) even though he has filed the report required by § 1394.5712.)"

3a. Section 1394.5653 (b) (1) (i) is added as follows:

(i) No transfer of fuel oil may be made by a dealer or primary supplier to a consumer who has not within the time required by this order, surrendered to the transferor evidences for a previous transfer of fuel oil, unless the transferor has complied with § 1394.5712.

3b. Section 1394-5653 (b) (2) is amended by substituting for the phrase "1394.5454" the phrase "1394.5696 (a)".

4. Section 1394.5653 (b) (3) is added as follows:

(3) No dealer or primary supplier shall transfer fuel oil to a consumer (other than an agency specified in § 1394.5696 (a)), for which the surrender of coupons is required, and no such consumer shall accept such a transfer unless at the time of the transfer that consumer has on hand (or on deposit with the transferor) coupons equal in gallonage value to the fuel oil to be transferred, excluding the gallonage value of any coupons not yet surrendered for previous transfers of fuel oil.

5. Section 1394.5654 (a) is amended by adding the following sentence at the end thereof: "No dealer or primary supplier shall detach coupons from a consumer's coupon sheet unless and until a transfer of fuel oil has been made by him to that consumer equal to the gallonage value of the coupons detached."

6. Section 1394.5686 (c) is amended by adding the following note at the end thereof:

NOTE: Where transfers are regularly made on a temperature adjustment basis, a ration check for the adjusted amount of fuel oil transferred shall be surrendered.

7. Section 1394.5687 (b) is amended to read as follows:

(b) (1) A transfer of fuel oil may be made to a consumer who is a depositor (other than an agency specified in § 1394.5696 (a)), in exchange for his ration check in an amount equal to the fuel oil transferred, unless the transferor knows or has reasonable cause to believe that the consumer does not have on hand at the time of the transfer ration credits equal in gallonage value to the fuel oil to be transferred. In determining the amount of ration credits on hand, there shall be excluded the gallonage value of (i) ration checks not yet surrendered for previous transfers of fuel oil and (ii) ration checks issued which have not yet cleared. The check must be issued at the time of, or at the option of the transferor within 15 days before or within 15 days after, the transfer. No transfer of fuel oil may be made by a dealer or primary supplier to a consumer who has not within the time required by this order, surrendered to him evidences for a previous transfer of fuel oil, unless the dealer or primary supplier has complied with § 1394.5712.

(2) No consumer who is a depositor and who is required to deliver his ration check for a transfer of fuel oil (other than an agency specified in § 1394.5696 (a)) shall accept such a transfer, unless at the time of the transfer he has on hand ration credits (as explained in subparagraph (1) of this paragraph) equal in gallonage value to the fuel oil to be transferred.

8. Section 1394.5687 (c) is amended to read as follows:

(c) If a delivery to a consumer who is a depositor is made in the absence of the consumer or his agent, or by common or contract carrier or pipeline, the consumer shall, within seventy-two (72) hours after, or at the option of the transferor within fifteen (15) days in advance of or within fifteen (15) days after the transfer, issue his ration check to the transferor for the fuel oil transferred. No transfer of fuel oil may be made by a dealer or primary supplier to a consumer who has not surrendered to him evidences for a previous transfer of fuel oil within the time required by this order, unless the dealer or primary supplier has complied with the provisions of § 1394.5712.

9. Section 1394.5687 (f) is amended to read as follows:

(f) If a transferor permits a consumer who is a depositor to issue a check for a transfer of fuel oil after the transfer (according to and up to the maximum period permitted by paragraph (b) or (c) of this section), the transferor may, at his option, permit the consumer to include in the check the gallonage value of any fuel oil transferred by the transferor to the consumer between the date of the first mentioned transfer and the date on which the issuance of the check for that transfer is required.

10. Section 1394.5689 (a) is amended by adding the following sentence after the period at the end of the paragraph: "(A dealer or primary supplier must comply with this paragraph even though he has filed the report required by § 1394.5712.)"

11. Section 1394.5707 (a) (4) is amended by adding the following sentence after the period at the end of the subparagraph: "(A dealer or primary supplier must comply with this subparagraph (4) even though he has filed the report required by § 1394.5712.)"

12. Section 1394.5707 (a) (6) and (7) is added to read as follows:

(6) No dealer shall accept a transfer of fuel oil for which the surrender of evidences is required, unless he has on hand ration evidences or ration credits equal in gallonage value to the fuel oil to be transferred or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil to be transferred. In determining the amount of ration evidences or ration credits on hand there shall be excluded (i) evidences not yet surrendered for previous transfers of fuel oil, (ii) ration checks issued by him which have not yet cleared and (iii) ration evidences received in advance for which fuel oil of an equal gallonage value has not yet been transferred. (Consumers' coupons on deposit with the dealer in exchange for which fuel oil of an equal gallonage value has not been transferred must not be included in figuring the amount of evidences on hand.)

(7) No primary supplier within or without the limitation area and no dealer within the limitation area shall transfer to a dealer within the limitation area fuel oil for which the surrender of evidences is required, if the transferor knows or has reasonable cause to believe that the transferees does not have on hand ration evidences or credits (as explained in subparagraph (6) of this section) equal in gallonage value to the fuel oil to be transferred or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil to be transferred.

(c) No transfer or return of fuel oil, other than in connection with a transfer of a place of business or mobile facilities, may be made by a transferor to a transferee who has not within the time required by this order, surrendered to him evidences for a previous transfer of fuel oil, unless the transferor has complied with § 1394.5712.

13. Section 1394.5709 (a) is amended to read as follows:

(a) Any primary supplier who receives a transfer or return of fuel oil from a dealer who is within the limitation area, when the transfer or return is other than in connection with a transfer of the place of business or mobile facilities of such transferor, shall at the time of, or at the option of the transferor within fifteen (15) days after or within fifteen (15) days in advance of, the transfer, deliver to the transferor, coupons or other evidences equal in gallonage value to the amount of fuel oil so transferred or returned, or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil so transferred or returned. (Section 1394.5735 explains to whom evidences must be surrendered (or a primary supplier registration number furnished) when fuel oil is delivered to a person for another person's account Section 1394.5712 explains what the transferor must do when evidences are not surrendered on time.)

14. Section 1394.5709 (c), (d) and (e) are added to read as follows:

(c) No primary supplier shall accept a transfer of fuel oil from a dealer within the limitation area for which the surrender of evidences is required, unless he has on hand ration evidences and credits equal in gallonage value to the fuel oil to be transferred or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil to be transferred. In determining the amount of ration evidences and credits on hand, there shall be excluded the gallonage value of (1) ration checks not yet surrendered for previous transfers of fuel oil for which the surrender of evidences is required, (2) ration checks issued which have not yet cleared, (3) evidences received in advance for which fuel oil of an equal gallonage value has not yet been transferred, and (4) evidences due to the Office of Price Administration. (Consumers' coupons on deposit with the primary supplier in exchange for which fuel oil of an equal gallonage value has not been transferred must not be included in figuring the amount of evidences on hand.)

(d) No dealer within the limitation area shall transfer to a primary supplier fuel oil for which the surrender of evidences is required, if he knows or has reasonable cause to believe that the transferee does not have on hand ration evidences or credits (as explained in paragraph (c) of this section) equal in gallonage value to the fuel to be transferred or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil to be transferred.

15. Section 1394.5712 is added to read as follows:

§ 1394.5712 *What a dealer or primary supplier must do when evidences are not surrendered on time.* (a) A dealer or primary supplier to whom a transferee has failed to surrender evidences within fifteen (15) days after that surrender was required must, within seven (7) days thereafter, notify in writing the District Office having jurisdiction over the area in which the transferor's regular place of business is located of the transferee's failure to surrender evidences within the time required. The notice shall contain the following information:

(1) Name and business address of the transferor;

(2) Name and address of the transferee;

(3) Date and amount of each fuel oil transfer made to the transferee for which evidences have not by the date of the report been surrendered; and

(4) Date on which evidences for each such transfer were due.

16. Section 1394.5724 (d) is amended to read as follows:

(d) No allowance of loss or shortage caused by the failure of a transferee to surrender evidences in exchange for a transfer of fuel oil, as required by this order, may be made under this section unless the applicant has complied with the provisions of § 1394.5712. No allowance of loss or shortage made under this section shall operate as a waiver of any violations of this order.

17. Section 1394.5725 (b) is amended to read as follows:

(b) The Washington Office will not accept an explanation of a loss or shortage caused by the failure of a transferee to surrender evidences in exchange for a transfer of fuel oil, as required by this order, unless the primary supplier has complied with the provisions of § 1394.5712. No acceptance by the Washington Office of an explanation of a loss or shortage shall operate as a waiver of any violation of this order.

18. Section 139.5801 (k) is revoked.

This amendment shall become effective on September 22, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14410; Filed, Sept. 18, 1944; 11:57 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 22]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 4.11 (c) (5) is amended by adding at the end thereof the following: "A primary distributor may file a single report on Dairy Products Report No. 1 for each group of establishments of the type described in section 4.7 which are or will be registered together and from which he sells or transfers rationed dairy products only."

2. The first sentence of section 22.1 (a) is amended by inserting between the last word and the period at the end the words "(including Commodity Credit Corporation and Federal Surplus Commodities Corporation with respect to their operations under that agency)."

This amendment shall become effective September 22, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in Accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14408; Filed, Sept. 18, 1944; 11:59 a. m.]

PART 1418—TERRITORIES AND POSSESSION

[RMPR 183,[2] Amdt. 50]

GROCERY ITEMS IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 20b is added to read as follows:

SEC. 20b. *Maximum prices for guava paste manufactured in the Territory of Puerto Rico.*

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2367, 2353, 4350, 4391, 4874, 5165, 5219, 5259, 5502, 5926, 6030, 5804, 6360, 7169, 7201, 7708, 7773, 8983, 9405, 9688, 9620, 9901, 10049; 9 F.R. 9901, 10644.

[1] 9 F.R. 6731, 7060, 7081, 7082, 7167, 7203, 7256, 7262, 7344, 7438, 7578, 7774, 8182.

[2] 9 F.R. 9213, 9286, 9996, 10425, 10498, 10777, 11075.

TABLE 29—MAXIMUM PRICES FOR GUAVA PASTE

Item and brand name	Unit	Price to wholesaler (per 100 pounds)	Price at wholesale (per 100 pounds)	Price at retail (per pound)
All brands (first grade): Unboxed	100/14 oz. pkg.	$10.00	$11.80	$0.17
	100/15 oz. pkg.	10.60	12.20	.18
	100/16 oz. pkg.	11.20	12.90	.19

2. Section 40, Table 29 is amended by eliminating the price "to wholesaler" of Edam Cheese, 40% Fat.

3. Section 40, Table 31 is amended to read as follows:

TABLE 31—MAXIMUM PRICES FOR KLIM, NIDO, KRAFT, GOLDEN STATE AND DRYCO BRANDS

	All sales except at retail (price per carton) sale of			Price at retail (per tin)
	1 to 4	5 to 19	20 or more cartons	
12 1-pound tins	$7.70	$7.60	$7.40	$0.75
6 2½-pound tins	8.00	8.80	8.55	1.65
6 5-pound tins	16.60	16.50	16.00	3.00

4. Section 56 is amended by adding Footnote 4 to read as follows:

Footnote 4: On sales at retail a deposit charge may be imposed as follows: 2 cents for bottles of 12 and 23 ounces; and 3 cents for bottles of 32 ounces. The deposit shall be refunded to the depositor upon the return of the bottle.

5. Section 42, Table 33h is amended by adding a new item to read as follows:

Item and brand name	Unit—case of	Price at wholesale (per dozen)	Retail price (per unit)
Olives and capers: Rosemarie	24/6½ oz. net (8½ oz. fluid)	$2.16	$0.23

6. Section 42, Table 33k, is amended by changing the price "at wholesale" of one item to read as follows:

Item and brand name	Unit—case of:	Price at wholesale (per dozen)	Retail price (per unit)
Strained or homogenized: All brands	12/4½ or 4¾ oz. tin	$0.936	$0.10

7. Section 63, Table 55 is amended by changing the price "to wholesaler" and "at wholesale", of chewing gum, in cartons of 100 packages, 2 nuggets, and by adding the title "All brands" to read as follows:

Item and brand name	Price to wholesaler	Price at wholesale	Retail price
All brands (all flavors): Cartons of 100 packages 2 nuggets	$0.72	$0.75	$0.01 for 2 nuggets.

This amendment shall become effective September 23, 1944.

*Copies may be obtained from the Office of Price Administration.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14399; Filed, Sept. 18, 1944; 11:53 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378[1], Amdt. 79]

MISCELLANEOUS COMMODITIES AND SERVICES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 378 is amended in the following respects:

1. Section 25a (b) (1) (vi) is amended by adding a new item to read as follows:

(vi) *Neutral spirits.*

	Maximum price per drink
Commendador, straight or mixed	48¢

2. Section 25a (b) (1) (vii) is added to read as follows:

(vii) *Miscellaneous spirits.*

	Maximum price per drink
Mexican Domestic Tequila, Habanero, and Vodka	40¢

[1] 8 F.R. 5388.

3. Section 31 (g) is added to read as follows:

(g) The maximum price for the removal of the blackout on a motor vehicle, which has been installed as the result of part 3 of General Order No. 3, as amended, and General Order No. 36 of the Military Governor of the Territory of Hawaii, shall be $1.50 per blackout removal job. Such removal job shall include any and all removal of paint from headlight lenses, headlights, rear lights and lenses, and the removal of light shutters from the motor vehicle as permitted under the provisions of General Order No. 62 of the Military Governor of the Territory of Hawaii.

4. Section 57 (g) (1) is amended by changing the first sentence thereof to read as follows:

(1) A warranted used car is one in good operating condition for which the dealer furnishes to the purchaser the following warranty in writing:

5. Section 57 (k) is amended to read as follows:

(k) *Report of transfer which must be completed for a sale of a used car.* Every person, when he sells or purchases a used car, shall complete a report of transfer which may be obtained from dealers or from local War Price and Rationing Boards. In the case of used cars subject to Ration Order 2C—Used Passenger Automobiles (that is, all 1938 and later year model used cars), such report of transfer shall be on OPA Form THR 33—Certificate To Purchase A Rationed Passenger Car For Use. In the case of all 1937 and earlier year model used cars, such report of transfer shall be on OPA Form THP-3—Report of Transfer of Used Passenger Automobile.

The seller shall insert the details of the sale on the applicable report form, and shall sign such report and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of the War Price and Rationing Board that issued the gasoline rations for the car that is being sold. However, where the seller is a dealer, he may sign the appropriate form without appearing before the Board representative. Upon completion of the above requirements, the seller shall deliver such report to the buyer, who shall then sign and certify as to the truth and accuracy of the same before the Executive Secretary or an authorized clerk of his local War Price and Rationing Board. The completed report must then be filed by the buyer with the said Board. This paragraph shall not be applicable to sales when made to dealers.

6. A new section 70 is added to read as follows:

SEC. 70. *Maximum prices for sales of fresh fluid milk at wholesale and retail*—(a) *What this section covers.* This section applies to all sales at wholesale and retail of fresh fluid milk on the Islands of Oahu, Hawaii, Maui, Kauai, and Lanai with the exception of sales of fresh fluid milk in one-half pint containers for consumption on the premises by hotels, restaurants, soda fountains, cafes and other eating establishments located on the Islands of Oahu, Hawaii, and Maui. These excepted sales are covered by the provisions of Restaurant Maximum Price Regulation 9–1.

(b) *Maximum prices on the Island of Oahu.* Maximum prices for fresh fluid milk on the Island of Oahu shall be:

	Quantity	Maximum wholesale price	Maximum retail price
Grade AA	Quart	$0.19	$0.23
Grade AA	Pint	.11	.13
Grade AA	½ Pint	.055	.06
Grade A	Quart	.17	.20
Grade A	Pint	.10	.12
Grade A	½ Pint	.06	.10
Grade A	½ Pint	.05	.07
Certified milk	Quart	.20	.23
Certified milk	Pint	.12	.14
Certified Jersey milk	Quart	.26	.29
Certified Jersey milk	Pint	.15	.16
Certified Jersey milk	½ Pint	.08	.10

(c) *Maximum prices on the Islands of Hawaii, Maui, Kauai and Lanai.* Maximum prices for fresh fluid milk on the Islands of Hawaii, Maui, Kauai, and Lanai shall be:

	Quantity	Maximum wholesale price	Maximum retail price
Grade A	Quart	$0.17	$0.20
Grade AA	Pint	.09	.11
Grade AA	½ Pint	.05	.07
Grade A	Quart	.15	.18
Grade A	Pint	.08	.10
Grade A	½ Pint	.06	.08
Grade A	½ Pint	.045	.06

In the case of sales on the Island of Lanai of any fresh fluid milk transported from the Island of Maui, one cent per quart may be added to the maximum prices set forth above.

(d) *Inability to price.* If you are unable to determine your maximum price for sales of any fresh fluid milk in quantities and grades not set forth in paragraphs (b) and (c), you shall apply the provisions of Section 9a of this regulation to determine your maximum price.

(e) *Maximum prices for flavored milk.* Maximum wholesale and retail prices for flavored fresh fluid milk shall not exceed the maximum wholesale and retail prices established by paragraphs (b), (c) and (d) of this section for Grade A fresh fluid milk.

(f) *Grading.* All grades of fresh fluid milk refer to the specifications therefor established by the Board of Health of the Territory of Hawaii and contained in the Public Health Dairy Regulations under the heading, "Classification and Grading of Milk."

This amendment shall become effective as follows:

a. As to section 25a (b) (1) (vi) and (vii), as of July 20, 1944.

b. As to section 31 (g), as of July 21, 1944.

c. As to section 57 (g) and (k), as of August 1, 1944.

d. As to section 70, as of August 1, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14400; Filed, Sept. 18, 1944; 11:56 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 378,[1] Amdt. 80]

TEXTILE PRINTING IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 58 is amended to read as follows:

SEC. 58. *Maximum prices for textile printing.*—(a) *Scope of this section.* This section fixes maximum prices for all textile printing in the Territory of Hawaii, including hand-carved linoleum block printing, wood and zinc block printing, and screen printing.

(b) *Maximum prices.* The maximum price for the textile printing of any article listed in Table A which has not heretofore been so printed shall be determined as follows:

(1) *An article printed with 100% textile ink*—(i) *Hand-carved linoleum block prints.* The maximum price for linoleum block printing such article shall be either:

(a) The price listed in Column I of Table A for the article, or

(b) An amount determined by multiplying the maximum wholesale price of the finished unblocked article by the fraction listed in Column II of Table A for such article.

However, the maximum price for such article shall in no event exceed the dollars and cents price listed in Column III of Table A for such article.

(ii) *Wood or zinc block prints or screen prints.* The maximum price for wood or zinc printing or for screen printing such article shall be one-half the maximum price for linoleum block printing such article as determined under subparagraph (1) (i) above.

(2) *An article printed with a medium other than 100% textile ink*—(i) *Hand carved linoleum block prints.* The maximum price for linoleum block printing such article shall be one-half the maximum price for linoleum block printing such article with 100% textile ink as determined under subparagraph (1) (i), above.

(ii) *Wood or zinc block prints or screen prints.* The maximum price for wood or zinc block printing or for screen printing such article shall be one-fourth the maximum price for linoleum block printing such article with 100% textile ink as determined under subparagraph (1) (i), above.

(3) *Rounding off of maximum prices.* Any maximum price determined under this paragraph (b) shall be adjusted to the nearest nickel.

(c) *Inability to price.* Any person who is unable to determine his maximum prices for any textile printing covered by this section shall apply the provisions of section 9a of this regulation to determine his maximum price.

(d) *Records and reports.* In addition to such records as the seller is required to keep under section 10 (a) (1) of this regulation, every person making a charge for textile printing, including hand-carved linoleum block printing, wood and zinc block printing, and screen printing, shall furnish the buyer at the time of delivery with a written invoice or sales memorandum, setting forth the following information:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) A description of the item printed and the number of each such items.

(4) The type of textile printing used.

(5) The method used in pricing the textile printing, i. e., "Column I" or "Column II".

(6) The word "Textile" or "T" if 100% textile ink is used in reproducing the printing.

(7) The price paid or received.

A duplicate of this invoice or sales memorandum must be kept by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(e) *Definitions.* When used in this section 58, the term:

(1) "Textile printing" means printing on cloth.

(2) "Block printing" is the reproduction of a decorative design or pattern on cloth by means of a carved linoleum, zinc, or wood block, whereby the finished print is executed manually with respect to each unit printed in the Territory of Hawaii.

(3) "Screen printing" is the reproduction of a decorative design or pattern by means of forcing paint through a design on a screen.

(4) "Textile inks" are those inks commonly known as and labeled as textile inks.

TABLE A

Article	Column I	Column II	Column III
Aprons	$0.25	1/4	------
Aprons with bib, both blocked	.50	1/4	------
Blouse, front	.30	1/5	------
Blouse, sleeve, each	.25	1/5	------
Dresses and jumpers, blouse and skirt blocked	.90	1/5	$2.00
Handkerchiefs, 41" to 64" perimeter	.10	1/3	------
Handkerchiefs, over 64" perimeter	.15	1/3	------
Handkerchiefs, up to 40" perimeter	.05	1/3	------
Jackets, bed	.40	1/3	1.50
Lingerie cases, up to 40" perimeter	.15	1/6	------
Lingerie cases, 41" to 90" perimeter	.25	1/6	------
Lingerie cases, over 90" perimeter	.35	1/6	------

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 5388.

TABLE A—Continued

Article	Column I	Column II	Column III
Mats, place	.20	1/3	------
Napkins, up to 64" perimeter	.10	1/3	------
Napkins, over 64" perimeter	.15	1/2	------
Napkins, cocktail	.10	1/3	------
Neckties	.10	1/10	------
Nightgowns, top and skirt	1.00	1/3	$2.00
Pajamas, lounging	1.30	1/4	4.00
Pajamas, sleeping	.75	1/4	------
Pillowcase	.25	1/3	------
Pillow tops, all over design	.50	1/3	------
Pinafores and skirts with straps	.75	1/3	------
Pocket pieces for slacks, skirts or blouses or shirts	.10	1/30	------
Pocket pieces for slacks, skirts, or blouses or shirts, over 8" x 8"	.15	1/30	------
Pockets on slacks, skirt, blouse, shirt	.15	1/50	------
Purses, perimeter up to 40"	.15	1/6	------
Purses, perimeter 41" to 90"	.25	1/6	------
Purses, perimeter over 90"	.35	1/6	------
Purses, all over design, perimeter over 90"	.35	1/3	------
Robes, kimonos, negligees, hostess or breakfast coats	1.30	1/4	4.00
Runners, up to 90" perimeter	.35	1/3	------
Runners, over 90" perimeter	.50	1/3	------
Scarfs, long, not less than 134" perimeter	.50	1/3	------
Scarfs, head, perimeter not less than 90"	.35	1/3	------
Sheets, bed	.35	1/6	------
Shirts, men's sport, back or front or both	.30	1/4	------
Shorts, swimming, sports wear	.25	1/10	------
Shirts, T., polo shirts, undershirts, front and back, or both	.25	1/4	------
Shorts and Bra, swimming, both blocked	.50	1/5	------
Skirts	.50	1/5	2.00
Slacks, both jacket and trousers blocked	1.00	1/5	3.00
Swimming suits, top and skirt blocked	.75	1/5	2.00
Tablecloths up to 144" perimeter	1.10	1/2	2.00
Tablecloths up to 180" perimeter	1.30	1/2	4.00
Tablecloths up to 216" perimeter	1.75	1/2	4.00
Tablecloths over 216" perimeter	2.00	1/2	4.00
Towels up to 60" perimeter	.15	1/4	------
Towels 61" to 100" perimeter	.20	1/4	------
Towels over 100" perimeter	.25	1/4	------
Turbans	.35	1/5	------
Aprons, bib only blocked	.10	1/6	------
Aprons, bib and pocket blocked	.20	1/6	------
Apron with skirt bordered	.35	1/4	------
Blankets, baby	.15	1/5	------
Blouses	.15	1/6	------
Jumpers or dresses—blouses and skirt blocked	.80	1/5	------
Kimonos, robes	.80	1/4	------
Pajamas, lounging, blouse and trouser blocked	.80	1/4	------
Pajamas, sleeping	.33	1/6	------
Pillow, baby	.20	1/6	------
Pinafores, blouse and skirt blocked	.50	1/5	------
Pockets	.10	1/50	------
Shirts, polo, T. Sport	.10	1/10	------
Shorts, swimming, sports wear	.15	1/6	------
Sleeve, each	.10	1/6	------
Sun suit, bib only blocked	.10	1/6	------
Sun suit, bib and pocket blocked	.20	1/6	------
Sweaters	.10	1/10	------
Swimming suit, top and skirt blocked	.35	1/5	------
Swimming shorts and bra blocked	.25	1/6	------

This amendment shall become effective as of September 1, 1944.

NOTE: The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14401; Filed, Sept. 18, 1944; 11:37 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 27]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 426 is amended in the following respects:

1. Section 2a is added to read as follows:

SEC. 2a. *Individual authorization of maximum prices in certain cases*—(a) *Sales covered.* This section applies to sales of items made to members of the armed forces of the United States by any person through Post Exchanges, Ship's Stores and similar agencies, where delivery is to be made in the continental United States to a person designated by the buyer. The maximum prices otherwise established by this regulation do not apply to these sales. Until a maximum price is established pursuant to this section, the seller may deliver the item but may not charge or receive payment for it.

(b) *Application for maximum prices.* For sales of an item covered by this section the seller shall apply to the Office of Price Administration, Washington, D. C., for a maximum price. The application in each case shall be in writing and show the following:

(1) The name and address of the seller;

(2) The classification into which he normally falls under this regulation;

(3) A description of the item (as for example: kind of fruit, container type and size, weight of contents, etc.);

(4) The figure to which he would add any markup in determining a maximum price for the item under any other section of this regulation, but not including transportation charges or allowances for protective services;

(5) The point or points from which deliveries will be made, the estimated number of deliveries to each general freight zone in the United States, and the estimated freight charge for each such delivery; and

(6) The proposed maximum price for the item and a statement showing how the requested price was figured.

(c) *Establishment of maximum prices.* In appropriate cases the Administrator will, by order, establish a uniform maximum price for sales of the item delivered at any place in the continental United States.

2. Section 5 is amended to read as follows:

SEC. 5. *Exempt sales.* This regulation does not apply to the following sales:

(a) Sales at retail.

(b) Sales of mixed packages of fresh fruits to ultimate consumers, subject to the following conditions:

(1) The sale is made by the packer of the package and delivery is made either to the buyer in person or to him or his designee by mail or express;

(2) Each package contains not more than 28 pounds net weight, of which not more than 20% by weight may consist of commodities other than fresh fruits, such as, for example, dried fruit, glaced fruit, nuts, jellies, preserves, etc.;

(3) Not more than five mixed packages of fresh fruits covered by the sale are delivered in one lot to any one ultimate consumer, whether it be to the buyer or to his designee;

(4) Within five days after purchasing any fresh fruit which is to be sold in mixed packages of fresh fruits, the packer shall file an affidavit with the regional office of the Office of Price Administration for the region in which he is located, showing his name and address, the name and address of the person from whom he purchased the fruit, the date of the purchase, the quantity and a description of the fruit, and containing a statement that the fruit was purchased or received for sale in mixed packages of fresh fruits.

(c) Sales, by growers or country shippers, to packers of mixed packages of fresh fruits if the particular fresh fruit sold is to be used and sold under paragraph (b), as above.

3. Section 8 (a) (4) is amended to read as follows:

(4) "Retailer" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers.

This amendment shall become effective September 23, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 18th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: September 9, 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44-14403; Filed, Sept. 18, 1944; 11:53 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2492, 4080, 4086, 4088, 4434, 4786, 4787, 4877, 5026, 5029, 6104, 6108, 6420, 6711, 7280, 7288, 7434, 7435, 7580, 7582, 7750, 7774, 7894, 8148, 8066, 8090, 9280, 9356, 9509, 9513, 9548, 9783.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 79]

NATIVE OR ISLAND TWIST CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 4.6 (k) is amended to read as follows:

(k) Native or island twist chewing tobacco sold to or by the Federal Surplus Commodity Corporation or by another agency of the government of the United States. "Native or island twist chewing tobacco" means twist chewing tobacco pressed flat and made of fire-cured or dark air-cured tobacco, or a combination of both; and treated with a casing mixture of molasses, syrup, glycerin, alcohol and such flavorings as are normally used on twist tobacco consumed by the natives of New Guinea, the Solomons and other islands in the Southwest Pacific area.

Prior to the effective date of any contract for the sale of native or island twist chewing tobacco to or by the Federal Surplus Commodity Corporation or by another agency of the government of the United States (or, if the contract is already in effect, within ten days from September 23, 1944), the seller shall submit to the Office of Price Administration, Tobacco Section, Washington 25, D. C., a copy of such contract or a statement setting forth the date and terms thereof, including the quantity of twist chewing tobacco sold or to be sold, the name and address of the purchaser and the price paid or agreed to be paid therefor.

This amendment shall become effective September 23, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14406; Filed, Sept. 18, 1944; 11:59 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter C—Ocean and Coastwise: General Rules and Regulations

PART 92—PARTITIONS BETWEEN TOILETS IN TOILET ROOMS AND NUMBER OF TOILETS TO BE PROVIDED FOR MEMBERS OF THE CREW ON EC-2-S-C1 CARGO VESSELS

Vessels engaged in business connected with the conduct of the war.

The Acting Secretary of the Navy having by order dated 1 October 1942 (7 F.R. 7979), waived compliance with the Navigation and Vessel Inspection laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war to the extent and in the manner that the Commandant, U. S. Coast Guard, shall find to be necessary in the conduct of the war; and

The United States Maritime Commission having indicated that the efficient prosecution of the war would be impeded by the application to certain ocean and coastwise cargo vessels of certain inspection regulations requiring partitions between toilets in toilet rooms and an increased number of toilets;

Now, therefore, upon request of the United States Maritime Commission, I hereby find it to be necessary in the conduct of the war that there be waived compliance with the vessel inspection regulations administered by the U. S. Coast Guard, 46 C. F. R. 63.18, to the extent necessary to permit the omission of partitions between toilets and to permit the omission of a toilet in the deck department toilet room on the starboard side of the midship house on EC-2-S-C1 Cargo vessels.

Dated: September 16, 1944.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 44-14383; Filed, Sept. 18, 1944; 10:10 a. m.]

Chapter III—War Shipping Administration

[G. O. 37, Supp. 8]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

VALUES AND RATES OF CHARTER HIRE

Whereas it has been deemed advisable and necessary to include ore carriers within the scope of General Order 37 (§§ 302.101 to 302.113, inclusive), *It is ordered,* That General Order 37 be amended as set forth below and that all findings and interpretations heretofore made by the Administrator with respect to General Order 37 be deemed applicable to the vessels covered by this supplement.

Section 302.102 *Scope of order* is amended by striking out, in paragraph (b), first sentence, the words "ore carriers."

Section 302.103 *Vessels built during or after 1935* is amended by inserting the following three columns of figures above those appearing under the respective column headings in paragraph (c) (2):

Tonnage	Rate per dead-weight ton per month	But the aggregate monthly service rate shall not exceed—
23,000 and over	$1.025	$24,000
22,000–22,999	1.05	23,575
21,000–21,999	1.075	23,100
20,000–20,999	1.10	22,575
19,000–19,999	1.15	22,000
18,000–18,999	1.20	21,550
17,000–17,999	1.25	21,000
16,000–16,999	1.325	21,280
15,000–15,999	1.40	21,200

Section 302.104 *Vessels built during the period 1914–1934* is amended by inserting the following three columns of figures above those appearing under the respective column headings in paragraph (c) (2):

Tonnage	Rate per dead-weight ton per month	But the aggregate monthly service rate shall not exceed
23,000 and over	$1.025	$24,000
22,000–22,999	1.05	23,575
21,000–21,999	1.075	23,100
20,000–20,999	1.10	22,575
19,000–19,999	1.15	22,000
18,000–18,999	1.20	21,550
17,000–17,999	1.25	21,000
16,000–16,999	1.325	21,250
15,000–15,999	1.40	21,200

Section 302.109 *Definitions* is amended by adding the following paragraph:

(f) *Ore carrier.* An ore carrier, for the purpose of this order, shall be considered to be a dry cargo vessel.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 16, 1944.

[F. R. Doc. 44-14382; Filed, Sept. 18, 1944; 10:01 a. m.]

[G. O. 16, Amdt. 1 to Supp. 7]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

UNIFORM OCEAN BILL OF LADING FOR GOVERNMENT CARGO

§ 303.33 *Uniform ocean bill of lading for government cargo, "Warshipshortblading (U. S. Gov. Form)".* (a) All operators of vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America, War Shipping Administration, shall, as soon as possible after September 15, 1944, on all shipments of cargo owned or made by agencies or departments of the United States Government in foreign trade, use or cause to be used the uniform ocean bill of lading for government cargo designated "Warshipshortblading (U. S. Gov. Form) 9/1/44" which shall be presented for issuance by the government agency shipper to the carrier at the time of shipment.

(b) Said bill of lading shall be identical with the form prescribed by §§ 303.32 and 303.32a (General Order 16, Supp. 7 and Supp. 9) except that the designation "Warshipshortblading (U. S. Gov. Form) 9/1/44" shall be substituted for the designation "Warshipshortblading 12/15/42" wherever the latter appears in said form and except that the name of the steamship company at the top of the face and in the signature of the said government form shall be left blank. Upon presentation of the bill of lading, the government agency shipper shall insert the name of the proper steamship company.

(c) As the said government form bills of lading, "Warshipshortblading (U. S. Gov. Form) 9/1/44" will be secured by the various government agencies, it will not be necessary for operators to print them or maintain a supply.

(E.O. 9054, 7 F. R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 15, 1944.

[F. R. Doc. 44-14381; Filed, Sept. 18, 1944; 10:01 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 9A-1C]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, SUSPENSIONS AND PERMITS

MOVEMENT OF COAL ON THE GREAT LAKES

Pursuant to Executive Order 8989, as amended, it is hereby ordered that:

§ 522.605 *Suspension of provisions of General Order ODT 9A.* All provisions of General Order ODT 9A (8 F.R. 6381), shall be, and they hereby are, suspended until further order of this office.

Suspension Order ODT 9A–1B (9 F.R. 7859) issued on July 13, 1944, shall be, and the same hereby is, revoked.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

This suspension order shall become effective at 11:59 p. m. September 14, 1944.

Issued at Washington, D. C., this 14th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–14321; Filed, Sept. 16, 1944; 11:26 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 26—EAST CENTRAL REGION NATIONAL WILDLIFE REFUGES

FISHING; NECEDAH NATIONAL WILDLIFE REFUGE, WISCONSIN

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the following is ordered:

§ 26.678 *Fishing within the Necedah National Wildlife Refuge, Wisconsin.* Fishing with hook and line only (noncommercial, as defined by the State of Wisconsin laws), is permitted during the months of January and February in all of its waters of the Necedah National Wildlife Refuge and during the period May 30 to Labor Day, both inclusive, in that part of Rynearson Flowage No. 1, as marked by suitable posting, lying south of the Becker Road and the south line of T. 19 N., R. 3 E., and east of the chain of islands.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940, (5 F.R. 5284) and strict compliance therewith is required. Fishermen may not use motor boats of any kind and must follow such routes of travel within the refuge as are designated by posting. In addition all fishermen must comply with State fishing laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

The regulations of the Secretary of the Interior of June 7, 1940 (5 F.R. 2271) are hereby revoked.

OSCAR L. CHAPMAN,
Assistant Secretary.

SEPTEMBER 13, 1944.

[F. R. Doc. 44–14368; Filed, Sept. 18, 1944; 11:00 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order 1991]

CHRISTOPHER No. 6 MINE, ET AL.

POSSESSION OF COAL MINES

Pursuant to the provisions of Executive Order No. 9482, issued by the President of the United States on September 14, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines listed in the appendix attached hereto and made a part hereof, and of any and all real and personal property and other assets used in connection with the operation thereof.

The regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this order, except as may be otherwise directed.

Each of the persons whose name is listed in the appendix is hereby designated as operating manager for the United States for the properties as indicated in the appendix. As operating manager for the United States, each is authorized and directed to operate any and all such properties in accordance with the aforementioned regulations for the operation of coal mines under Government control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such properties and for the production, distribution and sale of their products.

The operating manager for the United States shall forthwith fly the flag of the United States at each such property, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, collieries and preparation facilities of this mining company has been taken by order of the Secretary of the Interior.

HAROLD L. ICKES,
Secretary of the Interior.

Dated: September 15, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX

Name of Mine and Name of Operating Manager for the United States

Christopher No. 6 Mine, Christopher Mining Co., Four States, W. Va., Frank E. Christopher.

Eccles Nos. 5 and 6 Mines, Crab Orchard Improvement Co., Eccles, W. Va., George B. Harrington.

Mine No. 7, Eastern Coal Corp., McVeigh, Ky., Laurence E. Tierney, Jr.

Besoco Mine, Leccony Smokeless Fuel Co., Besoco, W. Va., Harry E. Moran.

Richard No. 21, Industrial Collieries Corporation, Delisiow, W. Va., M. L. Jacobs.

Barrackville No. 41 Mine, Industrial Collieries Corporation, Barrackville, W. Va., M. L. Jacobs.

Dakota No. 43 Mine, Industrial Collieries Corporation, Dakota, W. Va., M. L. Jacobs.

Carolina No. 43 Mine, Industrial Collieries Corporation, Carolina, W. Va., M. L. Jacobs.

Lillybrook Mine, Lillybrook Coal Co., Lillybrook, W. Va., E. S. Pugh.

Killarney Mine, Lillybrook Coal Co., Killarney, W. Va., E. S. Pugh.

Mead Nos. 2, 3 and 6 Mines, C. H. Mead Coal Co., Eastgulf, W. Va., H. G. Schmidt.

Octavia Mine, Octavia Coal Mining Corporation, McAndrews, Ky., H. G. Tildesley.

Glen Rogers No. 2 Mine, Raleigh Wyoming Mining Co., Glen Rogers, W. Va., L. T. Putman.

Booth No. 2 Mine, River Seam Coal Co., Booth, W. Va., R. L. Wilson.

Morgan Mine, Virginia & Pittsburgh Coal & Coke Co., Rivesville, W. Va., Robert W. Hanna.

Wyco Mine, Wyoming Coal Co., Wyco, W. Va., W. F. Tams, Jr.

[F. R. Doc. 44–14387; Filed, Sept. 18, 1944; 11:07 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G–577]

KANSAS-COLORADO UTILITIES, INC.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1944.

Upon consideration of the application filed September 2, 1944, by Kansas-Colorado Utilities, Inc., for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize Applicant's acquisition and operation of all the natural gas facilities of The Central Gas Utilities Company, which facilities are located in Baca and Prowers Counties, Colorado, and Stevens, Stanton, Hamilton and Grant Counties, Kansas;

The Commission orders that: (a) A public hearing be held commencing on October 24, 1944, at 10:00 a. m., in room 314, Post Office Building, Denver, Colorado, concerning the matters involved and the issues presented in these proceedings;

(b) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–14379; Filed, Sept. 18, 1944; 9:36 a. m.]

[Docket No. G–576]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1944.

Upon consideration of the application filed August 30, 1944, by Cities Service Gas Company (Applicant), for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the following facilities:

(1) 52 miles of 16-inch gas pipeline from Applicant's present facilities in the Burbank Field near Shidler, Osage County, Oklahoma, to Applicant's Cotton Valley measuring station, Washington County, Oklahoma;

(2) 6.4 miles of 16-inch gas pipeline between Applicant's Altoona 16-inch line and Vilas 16-inch line, Wilson County, Kansas;

(3) A closed engine jacket water system and two dust scrubbers at Applicant's Grabham compressing station, Montgomery County, Kansas;

(4) Two dust scrubbers at Applicant's Petrolia compressing station, Allen County, Kansas;

The Commission orders that: (a) A public hearing be held commencing on October 18, 1944, at 2: 00 p. m., in room 527, Federal Building, Kansas City, Missouri, concerning the matters involved and the issues presented in this proceeding;

(b) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–14375; Filed, Sept. 18, 1944, 9:39 a. m.]

[Docket No. G–504]

CANADIAN RIVER GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 12, 1944.

Upon consideration of the application filed on August 3, 1944, by Canadian River Gas Company, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of an additional 600-horsepower compressor unit and a 125-kva electric generator and other necessary equipment at Applicant's Dalhart compressor station, located near Dalhart, Texas;

The Commission orders that: (a) A public hearing be held commencing on October 23, 1944, at 2:00 p. m., in room 314, Post Office Building, Denver, Colorado, concerning the matters involved and the issues presented in these proceedings;

(b) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–14374; Filed, Sept. 18, 1944; 9:39 a. m.]

FEDERAL TRADE COMMISSION.

[No. 202–2]

FLORIDA HARD ROCK PHOSPHATE EXPORT ASSN., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of September, A. D. 1944.

This matter being under investigation and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 25, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in hearing room of the Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–14316; Filed, Sept. 16, 1944; 11:14 a. m.]

[No. 202–3]

PHOSPHATE EXPORT ASSN., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of September, A. D. 1944.

This matter being under investigation and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W. Norwood, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 16, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in hearing room, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–14317; Filed, Sept. 16, 1944; 11:14 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 383]

SHIPMENT OF ROCK AT ORMAND, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of September, A. D. 1944.

It appearing, that shipments of rock in carloads originating at Ormand, California, and destined to The U. S. Naval Magazine and Net Depot, Anaheim Landing, California, for use on government construction at Anaheim Landing are being weighed on railroad track scales, thus impeding the use, control, supply, movement, and distribution of cars; in the opinion of the Commission an emergency exists requiring immediate action to avoid a shortage of equipment and congestion of traffic; it is ordered, that:

Carloads of rock destined to Anaheim Landing, California, for use on government construction at the Naval Depot, not to be weighed. (a) No common carrier by railroad subject to the Interstate Commerce Act shall weigh, or permit to be weighed, any shipment of rock in carloads, on any railroad track scales when such traffic originates on or after the effective date of this order at Ormand, California, and is destined to Anaheim Landing, California, for use on government construction at the Naval Depot, except that a representative number may be weighed to obtain average weights, in accordance with the following provisions:

(1) One entire trainload to be weighed once each week;

(2) Such weighing shall be performed on a selected different day of each succeeding week;

(3) J. G. Oliver, Chief Inspector, Transcontinental Freight Bureau, Weighing and Inspection Department, is hereby appointed to designate which trainload, after it has left the quarry, shall be weighed, and to determine the day of the week on which such weighing shall be performed;

(4) When the train selected includes less than ten (10) cars of any type rock, the weights of all cars of that type rock obtained the previous week shall be added to compute the average weight per car of that particular type of rock;

(5) Under this order the first week shall start at 12:01 a. m., September 16, 1944, Pacific War Time.

(b) *Tariffs suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 announcing the suspension of provisions in such tariffs conflicting with this order. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, That this order shall become effective at 12:01 a. m., September 16, 1944, and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14315; Filed, Sept. 16, 1944; 11:12 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2333, Amdt.]

KABUSHIKI KAISHA MITSUKOSHI

In re: Chattel mortgage and second mortgage on real properties located in Honolulu, T. H., owned by Kabushiki Kaisha Mitsukoshi, also known as Mitsukoshi, Limited.

Vesting Order Number 2333, dated October 5, 1943, is hereby amended as follows and not otherwise:

By deleting subparagraph 3-b of said vesting order and substituting therefor the following language:

b. A second mortgage executed on July 24, 1941 by International Enterprises, Limited, as mortgagor, in favor of Kabushiki, Kaisha Mitsukoshi, also known as Mitsukoshi, Limited, as mortgagee, and recorded on August 11, 1941 in the Office of the Registrar, Bureau of Conveyances, Honolulu, T. H., in Liber 1655 at pages 465-475, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds and other instruments evidencing such obligations,

All other provisions of said Vesting Order Number 2333 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on September 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14391; Filed, Sept. 18, 1944; 10:46 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 25A-1]

COMMON CARRIERS

OPERATIONS BETWEEN ASHTABULA, OHIO, AND KENOSHA, WIS.

Pursuant to the provisions of § 502.79 of General Order ODT 25A, as amended, (8 F.R. 7778, 9 F.R. 4852), *It is hereby ordered*, That:

1. J. A. Paisley Steamship Company, Cleveland, Ohio, on or before September 25, 1944, shall make available to Philadelphia and Reading Coal & Iron Company at Ashtabula, Ohio, a vessel of the self-unloader belt type for the loading of approximately 6,000 tons of anthracite buckwheat coal and thereafter shall transport such coal to a point of unloading at Kenosha, Wisconsin, designated by The Dunnebacke Company.

2. Communications concerning this order should refer to "Supplementary Order ODT 25A-1" and should be addressed to Great Lakes Carriers Division, Water Transport Department, Office of Defense Transportation, 2209 Terminal Tower, Cleveland, Ohio.

Issued at Washington, D. C., this 16th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14320; Filed, Sept. 16, 1944; 11:26 a. m.]

[ODT Certificate S-4]

COMMON CARRIERS

SUBSTITUTION OF RAIL FOR MOTOR COMMON CARRIER SERVICE BETWEEN MINNEAPOLIS AND ST. PAUL, MINN., AND POINTS IN SOUTH DAKOTA

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier between Minneapolis and St. Paul, Minnesota, on the one hand, and Aberdeen, Clark, Redfield, Watertown, and Webster, South Dakota, on the other, by Matt W. Hanten and Roy Wheaton, a partnership, doing business as Western Transportation Company, a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 18th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14388; Filed, Sept. 16, 1944; 2:14 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 506, Orders 1-21, Amdt. 1; Order 22, Amdt. 2; Orders 23-53, Amdt. 1]

STAPLE WORK GLOVES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered*, That Order Nos. 1 to 63, inclusive, under section 4 (b) of Revised Maximum Price Regulation 506 be amended in the following respects:

1. At the end of paragraph (a) of each order the following undesignated paragraph is added:

For sales and deliveries, on and after September 1, 1944, of the staple work glove numbers listed in this paragraph (a), the manufacturer's ceiling prices shall be the ceiling prices specified above for the particular style number, multiplied by 104%. Wholesalers who purchase these staple glove numbers may make "regular sales" at wholesale of any of these numbers which they purchase on or after September 1, 1944, at or below a price calculated by multiplying the applicable ceiling price listed in Column B by 102.7%. (In all cases, the ceiling price so determined must be rounded to the nearest multiple of 2½¢).

2. At the end of paragraph (d) of each order the following undesignated paragraph is added:

In connection with any sale or delivery on or after September 1, 1944 at ceiling prices determined under the last paragraph of (a) above, the ceiling price listed in the notice shall be those ceilings calculated under the provisions of the last paragraph of (a) above.

These amendments shall become effective as of September 1, 1944.

Issued this 16th day of September 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-14362; Filed, Sept. 16, 1944; 4:43 p. m.]

[MPR 120, Amdt. 1 to Order 699]

J. H. MULLIGAN COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 699 under Maximum Price Regulation No. 120 is amended in the following respects:

1. The words "Stray Seam" are deleted and the words "No. 6 Seam" are inserted at the same place.

2. The "Price Group No. 1" classification is deleted and "Price Group No. 2" is inserted in its place.

3. The maximum prices listed for Mine Index No. 2002 for rail shipments and railroad fuel are deleted and the following maximum prices are inserted in their places:

	Size group Nos.					
	1 to 6, incl.	7	8 to 12, incl.	13 and 14	26 to 29, incl	15 and 16
Rail shipments and railroad fuel	$2.70	2.25	2.10	2.45	2.80	1.40

Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This Amendment No. 1 to Order No. 699 shall become effective September 19, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of September, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14415; Filed, Sept. 18, 1944; 11:58 a. m.]

[MPR 120, Order 1007]

MAUMEE COLLIERIES CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Sullivan No. 27 Mine of the Maumee Collieries Company located in Sullivan County, Indiana, in the Linton Sullivan Subdistrict, District No. 11, operating in the No. 7 Seam, is hereby assigned Mine Index No. 2011 and classified in Price Group No. 2 for truck shipment and in Price Group No. 9 for rail shipment.

(b) Coals produced at the Sullivan No. 27 Mine, Mine Index No. 2011 of the Maumee Collieries Company, located in Sullivan County, Indiana in Linton Sullivan Subdistrict, District No. 11 for the uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices in cents not exceeding the following:

	Size groups														
	1, 2 and 3	4, 5, and 6	7	9, 10, 11 and 12	17, 18, 19, 20, 21 and 22	13 and 14	23 and 24	26 and 27	30 and 31	15	25 and 29	23	16	33	34
Rail shipment	240	260	200	215	230	180	205	195	200	145	160	165	110	190	200
Truck shipment	220	205	205	245	260	220	280	240	245	160	180	185	130	190	220

RAILROAD LOCOMOTIVE FUEL:

Mine run, modified mine run, and all lump and all double-screened coal.... $2.40
Screenings, top size not exceeding 2".... 1.85

(c) The maximum prices established herein are f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective September 19, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 363, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of September, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14420; Filed, Sept. 18, 1944; 11:04 a. m.]

[MPR 120, Order 1008]

BAGLEY COAL SALES, ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

BAGLEY COAL SALES, 118 N. WALNUT ST., VAN WERT, OHIO, MEADOW CREEK #1 MINE, JELICO SEAM, MINE INDEX NO. 7197, WHITLEY COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: ROCKHOLD, KY., F. O. B. 11, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	Q	Q	Q	Q	L	L	K	K	H	K	M	J	I	J	N
Rail shipments and railroad fuel	360	335	340	320	320	330	310	295	295	240	300	295	295	280	240
Truck shipment	405	385	380	360	360	360	345	335	335	310	360	340	340	320	280

HASKELL BURDETTE, ROUTE 6, BOX 360, CHARLESTON, W. VA., BURDETTE MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7185, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Truck shipment	390	370	340	330	320	305	290	285	------	------	------	------	------	------	------

CHAFFIN-JORGE-HEATHERMAN COAL CO., PEACH CREEK, W. VA., NO. 3-O MINE, CHILTON SEAM, MINE INDEX NO. 7185, LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: PEACH CREEK, W. VA., F. O. B. MIL, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	Q	Q	Q	Q	L	L	K	K	H	K	M	J	I	J	N
Rail shipment	380	355	340	320	320	330	310	295	295	240	300	295	295	280	240
Railroad fuel	380	355	340	320	320	330	310	295	295	240	300	295	295	280	240
Truck shipment	380	360	360	335	335	330	310	295	295	240	300	295	295	280	240

FRAME & WILKINSON, POCA, W. VA., BETSY NO. 2 MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7170, PUTNAM COUNTY, W. VA., SUB-DISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size Group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Truck shipment	330	330	335	335	320	295	260	255						

HUDSON COAL CO., HARTFORD, W. VA., WET HEN MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7135, MASON COUNTY, W. VA., SUB-DISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	330	330	335	335	320	295	260	255						

L. S. MOLES, RED HOUSE, W. VA., MOLES MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7167, PUTNAM COUNTY, W. VA., SUB-DISTRICT 4, RAIL SHIPPING POINT: BANCROFT, W. VA., P. O. G. 127, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	Q	Q	Q	Q	P	P	O	M	K	M	O	Q	Q	Q
Rail shipment	320	325	330	330	305	300	295	295	280	340	295	255	260	255
Railroad fuel	320	325	330	330	310	310	310	310	310	340	295	265	260	255
Truck shipment	290	290	335	335	320	295	260	255						

SMITH BROS. COAL CO., ROUTE 5, BOX 444, CHARLESTON, W. VA., NO. 1 MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7184, KANAWHA COUNTY, W. VA., SUB-DISTRICT 4, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

Truck shipment	360	370	340	350	320	305	260	255						

BERT WILSON, R. F. D. NO. 2, ASHLAND, KY., TROY BLEVINS MINE, NO. 5 (CLOD) SEAM, MINE INDEX NO. 7020, BOYD COUNTY, KY., SUB-DISTRICT 1, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	330	360	335	335	320	295	260	255						

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120 effective August 16, 1944.

This order shall become effective September 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14431; Filed, Sept. 18, 1944; 11:56 a. m.]

[MPR 188, Order 2333]

WENONAH MASONRY PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.158, *It is ordered:*

(a) The maximum prices for sales of "Hughes-Masonry-Recoat," a dry powder to be mixed with water and linseed oil before application to provide a paint consistency, made by Wenonah Masonry Products Company of Wenonah, New Jersey, in 5 pound bags, shall be:

Sales to jobbers	$0.75 per bag delivered
Sales to retailers	1.00 per bag delivered
Sales at retail	1.35 per bag

(b) No extra charge may be made for containers.

(c) All prices shall be subject to the discounts, allowances and trade practices of the seller in effect during March 1942.

(d) With or prior to the first delivery of "Hughes-Masonry-Recoat" to any jobber, Wenonah Masonry Products Company shall furnish such jobber a written notice as follows:

NOTICE

	"Hughes-Masonry-Recoat" (per 5 pound bag)
(1) My maximum price is...delivered...	$0.75
(2) Your maximum price to retailers is.....delivered...	1.00
(3) Maximum price for sales at retail is	1.35

Instructions. You are required by the Office of Price Administration to send with or prior to your first delivery to a retailer a notice identical in form to items (1) and (2) of this Notice filled in with the applicable maximum prices. The retailer's maximum prices to be indicated in item (2) of your notice are set forth in item (3) of this Notice.

(e) With or prior to the first delivery of "Hughes-Masonry-Recoat" to any retailer, Wenonah Masonry Products Company shall furnish such retailer with a written notice as follows:

NOTICE

	"Hughes-Masonry-Recoat" (per 5 pound bag)
(1) My maximum price is delivered	$1.00
(2) Mamimum price for sales at retail is	1.35

(f) Wenonah Masonry Products Company shall mark each 5 pound bag of "Hughes-Masonry-Recoat" to indicate the maximum price for sales at retail as follows.

Retail Ceiling Price $1.35 per 5 lb.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 19, 1944.

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14422; Filed, Sept. 18, 1944; 11:54 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 15, 1944.

REGION I

Augusta Order 1-F, Amendment 11, covering fresh fruit and vegetables in Portland, S. Portland and Westbrook, Maine, filed 11:09 a. m.

Providence Order 2-W, covering wholesale and retail community food prices in Rhode Island except New Shoreham, filed 11:09 a. m.

Providence Order 2-F, Amendment 15, covering fresh fruit and vegetables in Rhode Island, except New Shoreham, filed 11:09 a. m.

REGION II

Buffalo Order 1-F, Amendment 22, covering fresh fruit and vegetables in designated areas in New York, filed 10:13 a. m.

Buffalo Order 2-F, Amendment 22, covering fresh fruit and vegetables in Rochester, East Rochester, Fairport, and Pittsford, filed 11:09 a. m.

Camden Order 1-F, Amendment 23, covering fresh fruit and vegetables in named counties in the Camden district, filed 10:13 a. m.

Camden Order 2-F, Amendment 20, covering fresh fruit and vegetables in Atlantic and Cape May Counties, N. J., filed 10:13 a. m.

REGION III

Columbus Order 3-F, Amendment 39, covering fresh fruit and vegetables in Columbus and Franklin Counties, Ohio, filed 10:16 a. m.

Cleveland Rev. Order F-1, Amendment 4, covering fresh fruit and vegetables in certain areas in the Cleveland district, filed 10:15 a. m.

Cleveland Rev. Order F-2, Amendment 4, covering fresh fruit and vegetables in certain areas in the Cleveland district, filed 10:15 a. m.

Cleveland Order 30, Amendment 2, covering community food prices in Cuyahoga County, filed 10:15 a. m.

REGION IV

Columbia Rev. Order 1-F, Amendment 17, covering fresh fruit and vegetables within a 7-mile radius of the State House, filed 10:16 a. m.

REGION VI

Des Moines Order 1-F, Amendment 33, covering fresh fruit and vegetables in the Des Moines area, filed 10:04 a. m.

Milwaukee Order 2-F, Amendment 31, covering fresh fruit and vegetables in Dane County, filed 10:06 a. m.

Milwaukee Order 3-F, Amendment 31, covering fresh fruit and vegetables in Milwaukee County, City of Racine and City of Kenosha, filed 10:06 a. m.

Milwaukee Order 5-F, Amendment 20, covering fresh fruit and vegetables in Sheboygan and Fond du Lac Counties, filed 10:06 a. m.

Sioux Falls Order 1-F (Rev.), Amendment 4, covering fresh fruit and vegetables in designated counties in South Dakota, filed 10:07 a. m.

REGION VII

Wyoming Order 2-W, Amendment 2, covering wholesale food prices in the Casper area, filed 11:00 a. m.

Montana Order 71, Amendment 1, covering community food prices in the Missoula area, filed 10:17 a. m.

Montana Order 74, Amendment 1, covering community food prices in the Havre and Chinook area, filed 10:17 a. m.

New Mexico Order F-1, Amendment 28, covering fresh fruit and vegetables in Albuquerque, filed 10:59 a. m.

New Mexico Order F-2, Amendment 9, covering fresh fruit and vegetables in City of Santa Fe, filed 10:59 a. m.

New Mexico Order F-3, Amendment 9, covering fresh fruit and vegetables in City of Gallup, filed 10:59 a. m.

New Mexico Order F-4, Amendment 9, covering fresh fruit and vegetables in designated areas in New Mexico, filed 10:55 a. m.

New Mexico Order F-5, Amendment 6, covering fresh fruit and vegetables in Las Vegas, filed 10:55 a. m.

New Mexico Order F-6, Amendment 8, covering fresh fruit and vegetables in designated areas in New Mexico, filed 10:17 a. m.

Utah Order 2-B, covering wholesale food prices in various areas in Utah and Arizona, filed 10:00 a. m.

Utah Order 11, covering community food prices in designated area in Utah, filed 11:10 a. m.

Utah Order 12, covering community food prices in designated area in Utah, filed 11:06 a. m.

Utah Order 13, covering community food prices in designated area in Utah, filed 11:12 a. m.

Utah Order 14, covering community food prices in designated area in Utah, filed 11:14 a. m.

Utah Order 15, covering community food prices in the price area, filed 11:10 a. m.

REGION VIII

Fresno Order 1-F, Amendment 35, covering fresh fruit and vegetables in Fresno, Calif., filed 9:59 a. m.

Fresno Order 2-F, Amendment 28, covering fresh fruit and vegetables in Modesto, Calif., filed 9:59 a. m.

Fresno Order 3-F, Amendment 20, covering fresh fruit and vegetables in designated cities in Calif., filed 9:59 a. m.

Los Angeles order 1-W, Amendment 1, covering dry groceries in the Los Angeles district, filed 9:56 a. m.

Los Angeles Order 1-F, Amendment 31, covering fresh fruit and vegetables in designated areas in the Los Angeles district, filed 9:56 a. m.

Portland Order 1-F, Amendment 33, covering fresh fruit and vegetables in the Portland district, filed 10:06 a. m.

Seattle Order 140, covering community food prices in the Seattle area, filed 10:09 a. m.

Seattle Order 141, covering community food prices in the Tacoma area, filed 10:10 a. m.

Seattle Order 142, covering community food prices in the Everett area, filed 10:10 a. m.

Seattle Order 143, covering community food prices in the Bremerton area, filed 10:10 a. m.

Seattle Order 144, covering community food prices in the Bellingham area, filed 10:10 a. m.

Seattle Order 145, covering community food prices in the Olympia area, filed 10:12 a. m.

Seattle Order 146, covering community food prices in the Aberdeen-Hoquiam area, filed 10:12 a. m.

Seattle Order 147, covering community food prices in the Centralia-Chehalis area, filed 10:12 a. m.

Seattle Order, 148, covering community food prices in the Wenatchee area, filed 10:12 a. m.

Seattle Order 149, covering community food prices in the Yakima area, filed 9:55 a. m.

Seattle Order 1-P, Amendment 7, covering fresh fish and seafood in the Seattle, Wash., area, filed 10:05 a. m.

Spokane Order 1-F, Amendment 25, covering fresh fruit and vegetables in Spokane County, Wash., filed 9:55 a. m.

Spokane Order 2-F, Amendment 22, covering fresh fruit and vegetables in Kootenai County, Idaho, filed 9:56 a. m.

San Diego Order 1-F, Amendment 62, covering fresh fruit and vegetables in the San Diego district, filed 9:57 a. m.

San Diego Order 2-F, Amendment 7, covering fresh fruit and vegetables in the San Diego district, filed 9:57 a. m.

San Diego Order 3-F, Amendment 6, covering fresh fruit and vegetables in the San Diego district, filed 9:57 a. m.

Sacramento Order 6-F, Amendment 13, covering fresh fruit and vegetables in the Sacramento District Central County area, filed 11:00 a. m.

Sacramento Order 7-F, Amendment 13, covering fresh fruit and vegetables in the Sacramento District Northern County area, filed 11:06 a. m.

Sacramento Order 15, Amendment 1, covering fruit and vegetables canned and other dry groceries, filed 11:11 (in Sacramento-Stockton area).

Sacramento Order 16, Amendment 1, covering community food prices in designated area in the Sacramento district, filed 11:11 a. m.

Sacramento Order 17, Amendment 1, covering community food prices in the Quincy-Truckee-Yreka area, filed 11:12 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14360; Filed, Sept. 16, 1944; 4:43 p. m.]

[Region I Rev. Order G-1 Under MPR 426, Revocation]

LETTUCE IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Office, Region I, of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426: *It is hereby ordered:*

(a) Revised Order No. G-1 under section 2 (b) of Maximum Price Regulation No. 426, fresh fruits and vegetables for table use, is hereby revoked subject to the provisions of Supplementary Order 40.

This order shall be effective as of September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-14297; Filed, Sept. 15, 1944; 1:12 p. m.]

[Region II Order G-44 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MAMARONECK, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-44 is amended in the following respect:

1. Paragraph (d) (2) (iii) is amended by revising the maximum prices for yard sales "to dealers for resale" in Mamaroneck Village in the Town of Mamaroneck, as follows:

(iii) *For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers within Coal Area X in Mamaroneck Village in the Town of Mamaroneck.*

Size:	*Per net ton for sales of ½ ton or more (to dealers) for resale*
Broken, egg, stove, nut	$11.65
Pea	10.10
Buckwheat	8.45
Rice	7.45
Barley	6.15
Screenings "A"	4.00
Screenings "B"	3.00

"Required discounts" remain unchanged.

This Amendment No. 1 to Order No. G-44 shall become effective September 8, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 7th day of September 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-14298; Filed, Sept. 15, 1944; 1:09 p. m.]

[Region IV Order G-24 Under RMPR 122]

SOLID FUELS IN GAINESVILLE, GA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (2) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell, or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the City of Gainesville, Georgia. Extra charges are specified for deliveries beyond the corporate limits of said city. (i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Block (Size Groups No. 1 and 2—price classification A–J)	$8.75	$5.12	$2.69
Egg (Size Groups No. 5 and 6—price classifications A–K)	8.50	5.00	2.44
Stoker. (Size Group No. 10—price classifications A–E)	8.00	4.75	2.50
Yard slack	7.00	3.75	2.00

(2) *Maximum authorized service charges*—(a) *Sacked coal at the yard.* Dealer may charge not more than 50¢ for 80 lbs. of coal sold in sacks at the yard. This price does not include sack, for which no charge in excess of the applicable maximum price may be made.

(ii) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(iii) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Gainesville, Georgia. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile and may make a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(iv) *Credit.* No additional charge in excess of the prices listed in this schedule may be made for the extension of credit.

(d) *Ex parte 148 Freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by Section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for Amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(a) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective September 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 5, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-14299; Filed, Sept. 15, 1944; 1:10 p. m.]

[Region V Order G-5 Under MPR 336, MPR 355, and MPR 394]

FABRICATED MEAT CUTS IN SEDGWICK COUNTY, KANS.

Pursuant to section 5 (c) of Maximum Price Regulation No. 336, Maximum Price Regulation No. 355 and Maximum Price Regulation No. 394, as incorporated by Amendment 15 to Maximum Price Regulation No. 336, and Amendment 17 to Maximum Price Regulation No. 355, and Amendment 6 to Maximum Price Regulation No. 394, the Regional Administrator of Region V, on his own motion, finds that the area contained within the corporate limits of the county of Sedgwick in the State of Kansas, to be an area deficient in supplies of fabricated meat cuts for purveyors of meals, because the following conditions exist:

(1) Purveyors of meals within said area were unable to obtain fabricated meat cuts covered by the above named regulations in sufficient volume to supply their requirements as determined under Ration Order No. 16, during the two month period immediately preceding May 1, 1944;

(2) The dealers in the area selling fabricated meat cuts do not have adequate facilities or quotas to supply the requirements of purveyors of meals located in the area as determined under (1) above; and

(3) Purveyors of meals in the area customarily have relied upon, and find it necessary to continue to rely upon, local retail dealers for suppliers of meat sufficient to fill their requirements.

Accordingly, the area within the corporate limits of the county of Sedgwick in the State of Kansas, is hereby ordered and declared to be an area deficient in the supply of fabricated meat cuts covered by the above named price regulations for purveyors of meals within the intent and purposes of said section 5 (c) of each of the aforesaid maximum price regulations.

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

This order shall become effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 7th day of September 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-14301; Filed, Sept. 15, 1944; 1:09 p. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 6]

SOLID FUELS IN CEDAR RAPIDS, IOWA, AREA

(a) *Applicability.* This Appendix No. 6 applies to sales of solid fuels delivered in the Cedar Rapids area. The term "sales of solid fuels delivered in the Cedar Rapids area" refers to sales of solid fuels delivered within the city limits of Cedar Rapids, Iowa, and to sales of solid fuels delivered by dealers whose establishments are located within the city limits of Cedar Rapids, Iowa.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets maximum prices for domestic delivered sales of dealers of specified kinds and sizes of solid fuels in lots of one ton or more. Service charges and charges for treatment of coal are set forth in sections (c) and (d). Discounts for payment on delivery or within fifteen days for domestic at yard sales and dealer at yard sales are set forth in sub-section (e).

SCHEDULE OF COAL DELIVERED BY DEALERS

	Domestic delivered price per ton
I. Low volatile bituminous coal from District No. 3 (West Virginia):	
1. Lump and egg, size group Nos. 1 and 2, price classification A	$12.35
II. Low volatile bituminous coals from District No. 7 (West Virginia and Virginia):	
1. Lump and egg, size group Nos. 1 and 2, price classification A	12.80
2. Stove, size group No. 3, price classification A	12.30
III. High volatile coals from District No. 8 (East Kentucky and West Virginia):	
1. Lump and egg, size group Nos. 1, 2 and 3, price classification A	12.30
2. Lump, size group No. 2, price classifications C through H	12.00
3. Lump, size group No. 2, price classifications K through N	11.85

SCHEDULE OF COAL DELIVERED BY DEALERS—Con.

	Domestic delivered price per ton
III. High volatile coals from District No. 8 (East Kentucky and West Virginia)—Continued.	
4. Egg, size group No. 4, price classifications K through O, and size group No. 6, price classifications E through K	$11.85
5. Stoker, size group No. 10, price classification A	11.15
IV. High volatile coals from District No. 9 (Western Kentucky):	
1. No. 6 seam, stoker, size groups 8 to 12, inclusive	9.40
2. No. 14 seam, lump and egg, size groups 1 through 6	9.40
3. No. 14 seam, stoker, size groups 17 through 22	8.50
V. High volatile coal from District No. 10 (Illinois):	
A. Southern sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price groups 1, 2 and 3	9.40
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 1, 2 and 3	9.10
3. Prepared stoker, size groups 22 and 26, price groups 1, 2 and 3	8.55
B. Central sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price groups 12, 13 and 23	7.45
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 12, 13 and 23	7.40
C. Fulton-Peoria sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price groups 24, 25 and 26	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price groups 24 to 28, inclusive	6.85
D. Northern sub-district:	
1. Lump and egg, size groups 1, 2 and 3, price group 24	7.80
2. Egg and nut, size groups 4, 5, 6 and 8, price group 24	7.20
VI. High volatile coal from District No. 11 (Indiana):	
1. Lump and egg, size groups 1, 2 and 3, price groups 15 and 16	9.65
2. Lump and egg, size groups 1, 2 and 3, price groups 6 and 14	10.05
3. Egg and stove, size groups 4, 5, 6 and 8, price groups 6 and 14	9.05
4. Stoker, size groups 9 through 12, price groups 6 and 14	8.80
VII. By-product coke: 1. Egg, stove and nut	16.05
VIII. Briquettes, Berwind	13.45

(c) *Service charges.* Immediately below and as a part of this section (c) is a schedule of charges that sets forth prices which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated in the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

	Per ton
Trimming	$0.20
Carrying from curb	.50
Carrying up or down stairs	1.00

(d) *Charge for treatment of coal.* Whenever any dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add to the applicable maximum price set by this Appendix No. 6 a treatment charge not in excess of 10¢ per ton. When a treatment charge is made pursuant to this section, the dealer's invoice shall clearly indicate that the fuel that is the subject of the sale has been dust treated and that a charge is being made therefor.

(e) *Discounts.* The maximum prices provided for in the schedule in section (b) shall be subject to the following discounts:

	Per ton
1. If payment is made on delivery or within 15 days from the date of delivery	$0.25
2. If physical delivery of the coal sold to a consumer is made at the yard of the dealer	.75
3. If physical delivery of the coal sold to a purchaser for resale is made at the yard of the dealer	1.50

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

This Appendix No. 6 to Order No. G–16 shall be effective September 8, 1944.

Issued this 1st day of September 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–14302; Filed, Sept. 15, 1944; 1:09 p.m.]

[Region V Order G–7 Under RMPR 122, Amdt. 1]

SOLID FUELS IN SPRINGFIELD, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered:*

Order No. G–7 shall be amended by inserting, immediately following paragraph (g), a new paragraph (h) which shall read as follows:

(h) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

Section III (A) of paragraph (c) (1) of Order No. G–7 shall be amended by correcting "Dada County" to read "Dade County."

This order shall become effective this 8th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this the 8th day of September 1944.

MAX MCCULLOUGH,
Regional Administrator.

[F. R. Doc. 44–14300; Filed, Sept. 15, 1944; 1:12 p.m.]

[Region VII Order G–2 Under 3 (c)]

KOCH AUTO PARTS CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.3 (e) (1) and (2) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this order is issued.

All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

(a) *Geographical applicability.* This order shall apply only to sales made in Region VII of the Office of Price Administration, which is comprised of the States of New Mexico, Colorado, Wyoming, Montana, Utah, and all that part of the State of Idaho lying south of the northern boundary of Idaho County, and the County of Malheur of the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(b) *Prohibition.* On and after the effective date of this order, neither the Koch Auto Parts Company of Lakewood, Colorado, nor any other person shall sell or offer for sale to any ultimate consumer any rebuilt and reconditioned used motorcycle, as defined in paragraph (e) hereof, at a price higher than $481.32, f. o. b. seller's place of business, when sold with the accompanying Warranty executed by the Koch Auto Parts Company:

WARRANTY

The motorcycle described below is hereby warranted to be in good operating condition, and to remain in such condition under normal use and service for a period of 30 days after delivery, or 1,000 miles, whichever may occur first.

We agree, if said car is delivered during the above period to our place of business, to make with reasonable promptness any repairs or replacements, which may be necessary to its good operating condition in accordance with normal use and service, at a cost to the purchaser named below of not more than 50% of the normal charge for such repairs and replacements. Our normal charge is not in excess of OPA ceilings.

This warranty does not extend to tires, tubes, paint, glass, upholstery, or to any repairs or replacements made necessary by misuse, negligence or accident.

Harley-Davidson Motorcycle

Serial Number_____ Date of delivery_____

Motor Number _____

Total Selling price $_____

Speedometer reading_____

_____
Name of Purchaser

_____
Address

_____
Name of Dealer Making Sale

_____
Name of proper representative thereof and title

_____
Address

The maximum retail price of $481.32 shall be the maximum retail price for any and all ultimate consumers. The Koch Auto Parts Company may upon wholesale sales or sales to other retailers allow a discount of 10% or more from the established maximum retail price.

(c) *Tagging provision.* No person shall sell or offer to sell to any ultimate consumer a rebuilt and reconditioned used motorcycle as herein described unless the appropriate tag described below is attached. This tag shall not be removed except by the ultimate consumer. The first person offering a rebuilt and reconditioned used motorcycle, as herein defined, for sale shall fasten securely to such motorcycle a durable label or tag stating, "OPA Ceiling Price, Rebuilt and Guaranteed, $481.32".

(d) *Taxes.* Any sales tax or other excise tax incident to the sale of rebuilt and reconditioned used motorcycles imposed or required by statute or ordinance which does not prohibit the seller from stating and collecting such tax separately from the selling price may be collected by the seller in addition to the maximum price established by this order if he states such tax separately on his invoice, sales slip, or other written memorandum of the transaction.

(e) *Definition.* (1) "Rebuilt and reconditioned Used Harley-Davidson Motorcycle", as used in this order, means any Harley-Davidson Experimental Model X-A manufactured exclusively for the Army, the date of manufacture being prior to August 12, 1943, by the Harley-Davidson Motorcycle Company, Milwaukee, Wisconsin.

(2) "Ultimate consumer" means any person who purchases for his own ultimate consumption and use, other than a commercial, industrial, or institutional user. All other purchasers are persons other than ultimate consumers, user purchasers, or consumer purchasers.

(f) *Evasion.* It shall be a violation of this order to charge a price above the applicable maximum price in connection with any sale of a rebuilt and reconditioned used Harley-Davidson Motorcycle, either alone or in conjunction with any other consideration even though the price increase appears only indirectly. Specifically, the seller is not permitted to require the purchaser, as a condition of the sale or transfer of such motorcycle, to make payment over a period of time; to require him to finance the purchase through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts or services so as to increase the total compensation above the maximum price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging or transferring or trading in any other vehicle or other product or commodity, or where there is an exchange, transfer or trade-in, to require him to accept an allowance for the vehicle, product or commodity exchanged, transferred or traded in which is below its reasonable value. Furthermore, the seller is prohibited from providing for purchase of the rebuilt and reconditioned used motorcycle by a lessee under a rental contract at an agreed valuation which together with the amount paid for the rental is higher than the applicable maximum price at the time the rental contract is entered into, and from making the terms and conditions of sale more onerous to purchasers than they have customarily been except to the extent allowed by this order. However, the Office of Price Administration may upon written request grant written permission to any dealer subject to this order to change his credit terms, where such change is necessitated by orders issued by, or at the request of, the United States.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Enforcement.* Any person violating a provision of this order will be subject to the criminal penalties, civil enforcement actions, suits for triple damages, and proceedings for suspension of license provided by the Emergency Price Control Act of 1942, as amended.

(i) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(j) *Effective date.* This Order No. G–2 shall become effective on the 5th day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E. O. 9250, 7 F. R. 7871, and E. O. 9328, 8 F. R. 4681)

Issued this 5th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc, 44–14303; Filed, Sept. 15, 1944; 1:11 p. m.]

[Region VII Order G–11 Under MPR 329, Amdt. 3]

FLUID MILK IN WYOMING

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351.408 (b) of Maximum Price Regulation No. 329, as amended, and for the reasons set forth in the accompanying opinion, this Amendment No. 3 is issued.

1. Paragraph (c), as heretofore amended by Amendments No. 1 and No. 2, is hereby further amended by adding to the list of names and addresses set forth in the proviso thereof the following three names, to be designated (48), (49), and (50), respectively, as follows:

(48) E. O. Yates	Carr, Colorado.
(49) Ed Van Why	Carr, Colorado.
(50) Leo Tole	Carr, Colorado.

2. This Amendment No. 3 shall become effective on the 8th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44–14304; Filed, Sept. 15, 1944; 1:12 p. m.]

[San Diego Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SAN DIEGO, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Diego District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example; steak

dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 31, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within San Diego County in San Diego District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 1 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

STEWART O. WICKLIN,
District Director.

APPENDIX A

If you operate an eating or drinking establishment, you must post and submit lists as required by Sections 1 and 2 of this posting order to your local War Price and Rationing Board. Following is the list of 40 basic items for San Diego County.

A la carte items:
Tomato juice.
Orange juice.
Bacon or ham and eggs.
Two eggs, any style.
Waffles or hot cakes and syrup.
Chili.
Spaghetti.
Meat stew.
Boiled meats—Corned beef, New England dinner, etc.
Fish.
Liver and bacon or onions.
Roast beef.
Chicken, fried or roasted.
Lamb chops (2).
Steak.
Veal cutlet.
Roast lamb.
Fried rabbit.
Hamburger steak.
Vegetable plate.
Ham sandwich.
Ham and egg (or bacon and egg) sandwich.
American cheese sandwich.
Peanut butter and jelly sandwich.
Hamburger sandwich.
Cheeseburger sandwich.
Hot meat sandwich.
Combination salad.
Shrimp salad.
Coffee (pot).
Milk (half pint).
Pie.
Soup.

Breakfasts:
Club breakfast No. 1—Fruit or fruit juice, toast and coffee.
Club breakfast No. 2—Fruit or fruit juice, two eggs or 1 egg with ham or bacon, toast and coffee.

Dinners:
Steak dinner.
Pork chop or lamb chop dinner.
Chicken or turkey dinner.
Fish dinner.
Roast pork or baked ham dinner.

Specify items served with each dinner.

[F. R. Doc. 44-14305; Filed, Sept. 15, 1944; 1:11 p. m.]

[San Diego Order 2 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN SAN DIEGO, CALIF., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the San Diego District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example: steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the board will call you in for a conference, so that corrections can be made.

SEC. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within Imperial County in San Diego District of the Office of Price Administration.

SEC. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this Order No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

STEWART O. WICKLIN,
District Director.

APPENDIX A

If you operate an eating or drinking establishment, you must post and submit lists as required by sections 1 and 2 of this posting order to your local War Price and Rationing Board. Following is the list of 40 basic items for Imperial County.

A la carte items:
Tomato juice.
Orange juice.
Bacon or ham and eggs.
Two eggs, fried, boiled or scrambled.
Hot cakes and syrup.
Chili.
Spaghetti.
Meat stew.
Boiled meats—corned beef, New England dinner, etc.
Fish.
Liver and bacon or onions.
Roast beef.
Chicken, fried.
Lamb chops (2).
Pork chops.
Tenderloin steak.
Roast pork.
Hamburger steak.
Cold meat plate.
Vegetable plate.
Ham sandwich.
Ham and egg (or bacon and egg) sandwich.
American cheese sandwich.
Hamburger sandwich.
Hot meat sandwich.
Combination salad.
Fruit salad.
Chicken salad.
Lettuce and tomato salad.
Coffee (pot).
Milk (half pint).
Pie.
Soup.

Breakfasts:
Club breakfast No. 1—Fruit or fruit juice, toast and coffee.
Club breakfast No. 2—Fruit or fruit juice or cereal, two eggs or 1 egg with ham or bacon, toast and coffee.

Dinners:
Steak dinner.
Pork chop or lamb chop dinner.
Turkey dinner.
Fish dinner.
Roast pork or baked ham dinner.
Specify items served with each dinner.

[F. R. Doc. 44-14306; Filed, Sept. 15, 1944; 1:11 p. m.]

[Region VIII, Order G-102 Under 18 (c)]

LARSON LADDER CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum price at which any person may sell or deliver and at which any person in the course of trade or business may buy or receive any of the articles specified in the attached Appendix A, which is hereby incorporated into and made a part of this order, when manufactured by the Larson Ladder Company, 28 Moorpark Avenue, San Jose, California, shall be the price therein stated.

(b) Discounts, allowances, and other price differentials, customarily allowed by each seller during March 1942, shall continue to be allowed.

(c) This order shall apply to the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and to the following counties in the State of Idaho: Beneway, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This order may be amended or revoked at any time.

(e) This order shall become effective September 6, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of September 1944.

CHAS. R. BAIRD,
Regional Administrator.

APPENDIX A

ARTICLES MANUFACTURED BY LARSON LADDER CO., 28 MOORPARK AVENUE, SAN JOSE, CALIF.

	Maximum price per foot
Stepladders (for industrial use):	
No. 332:	
4 to 12 feet	$0.90
14 to 16 feet	1.00
18 to 20 feet	1.10
No. 1330:	
4 to 12 feet	1.56
14 to 16 feet	1.66
18 to 20 feet	1.76
Ladders (combination, mechanical, etc., for industrial use):	
No. 1882:	
16 to 40 feet	.68
44 to 48 feet	.73
No. 1990:	
16 to 40 feet	.79
44 to 48 feet	.84
No. 2020:	
16 to 40 feet	.94
44 to 48 feet	.99
Same with 3 sections—add $0.12 per foot.	
No. 1660: 12 to 32 feet	.82
No. 1662: 12 to 32 feet	.82
No. 2220: 6 to 10 feet	.70
4, 5, and 6 feet (middle)	.70
4, 5, and 6 feet (bottom)	.70
Trestles:	
No. 1440: 6 to 20 feet	1.38
	Pair
No. 1550:	
6 feet extended—10 feet	25.00
8 feet extended—13 feet	33.00
10 feet extended—17 feet	40.75
12 feet extended—21 feet	50.00
14 feet extended—25 feet	60.00
16 feet extended—28 feet	66.00
Scaffolds:	
	Each
No. 1442:	
12 feet (6 feet closed—10½ feet extended)	7.16
14 feet (7 feet closed—12½ feet extended)	8.35
16 feet (8 feet closed—14 feet extended)	9.54
20 feet (10 feet closed—17½ feet extended)	11.92

APPENDIX A—Continued

ARTICLES MANUFACTURED BY LARSON LADDER CO., 28 MOORPARK AVENUE, SAN JOSE, CALIF.—Con.

	Feet
Stages:	
No. 2336:	
12 x 12 inches to 20 feet without guardrail	$1.16
14 x 12 inches to 20 feet without guardrail	1.30
16 x 12 inches to 20 feet without guardrail	1.43½
20 x 24 inches to 12 feet to 20 feet without guardrail	1.43½
Orchard ladders:	
No. 2660:	
6–12 feet	.81
14–20 feet	.87
No. 2663:	
6–12 feet	.81
14–20 feet	.87
No. 1992: 20–40 feet	.92
No. 2880: 10–20 feet	.67

[F. R. Doc. 44-14307; Filed, Sept. 15, 1944; 1:09 p. m.]

[Region I Order G-8 Under MPR 426]

DECIDUOUS TREE FRUITS IN BOSTON REGION

For reasons set forth in an opinion accompanying this order and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix J (L) (1) and Appendix K (r) (1) *It is hereby ordered:*

(a) The provisions of Article III, section 15, Appendix J (g) (4) (ii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by secondary jobbers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(b) The provisions of Article III, section 15, Appendix J (g) (5) (iii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by service wholesalers of deciduous tree fruits not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(c) The provisions of Article III, section 15, Appendix K (m) (4) (ii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by secondary jobbers of fruit not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(d) The provisions of Article III, section 15, Appendix K (m) (5) (iii) of Maximum Price Regulation No. 426 as applied in Region I are modified to read as follows:

For sales by service wholesalers of fruit not on a "delivered" basis, the maximum price in each case is the maximum price for sales on a "delivered" basis within the seller's customary free delivery zone.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective on August 28, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, R.G.O. 51, 8 F.R. 408)

Issued this 28th day of August 1944.

ELDON C. SHOUP,
Regional Administrator.

Approved:

DALLAS E. GALBRAITH,
Acting Regional Director of Food Distribution.

[F. R. Doc. 44-14351; Filed, Sept. 16, 1944; 11:59 a. m.]

[South Carolina Order G-1 Under MPR 426, Revocation]

FRESH FRUITS AND VEGETABLES IN SOUTH CAROLINA DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the District Director of the South Carolina District Office, Region IV by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 23 issued by said Region IV, *It is hereby ordered*, That:

(a) Order G-1, issued by the South Carolina District Office, Region IV, under section 2 (b) of Maximum Price Regulation No. 426 be, and the same hereby is, revoked.

(b) This order shall become effective September 4th, 1944.

Issued this August 30, 1944.

EDWARD H. TALBERT,
District Director.

[F. R. Doc. 44-14352; Filed, Sept. 16, 1944; 11:58 a. m.]

[Omaha Order G-1 Under MPR 426, MPR 285, RPMR 271]

FRESH FRUITS AND VEGETABLES IN OMAHA, NEBR. AND COUNCIL BLUFFS, IOWA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Omaha District Office of the Office of Price Administration by § 1439.3-15, Appendix H (f), Appendix I (g), Appendix J (l), Appendix K (r) of Maximum Price Regulation No. 426, § 1351.1254a (a) of Maximum Price Regulation No. 285 and § 11 (c) (7) (iv) of Revised Maximum Price Regulation No. 271, it is hereby ordered:

SECTION 1. *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of Omaha, Nebraska and Council Bluffs, Iowa. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The commodities affected by this order are those within the coverage of Revised Maximum Price Regulation No. 271, Maximum Price Regulation No. 285 and Appendices H, I, J and K of Maximum Price Regulation No. 426. The persons affected by this order are the intermediate sellers of commodities under Revised Maximum Price Regulation No. 271, the wholesalers of the commodities under Maximum Price Regulation No. 285 and the secondary jobbers and service wholesalers of commodities under Appendices H, I, J and K of Maximum Price Regulation No. 426.

SEC. 2. *Free delivery zones established.* The free delivery zone established by this order shall be the Omaha-Council Bluffs free delivery zone which shall consist of the territory within the corporate limits of the cities of Omaha, Nebraska and Council Bluffs, Iowa.

SEC. 3. *Free delivery zone deliveries.* (a) No person affected by this order may make charges for deliveries in the free delivery zone in which he has a place of business from which items covered by this order are sold.

(b) Where a person affected by this order makes sales of items subject to Appendices H, I, J, and K of Maximum Price Regulation No. 426 on a non-delivered basis, there shall be deducted from the maximum price for delivered sales of such items in the free delivery zone 5¢ per container for containers under 50 pounds (gross weight), and 10¢ per container for containers 50 pounds or more (gross weight).

(c) For non-delivered sales and for deliveries in the free delivery zone of items under Maximum Price Regulation No. 285 the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285 for the type of sale being made. Discounts and price differentials including any differentials or discounts for f. o. b. seller or non-delivered sales must be maintained.

(d) Where a person affected by this order makes sales of items under Revised Maximum Price Regulation No. 271 on a non-delivered basis or delivered in the free delivery zone, the maximum price shall be the price determined under Revised Maximum Price Regulation No. 271 and Regional Order No. G-1 under Revised Maximum Price Regulation No. 271.

SEC. 4. *Outside free delivery zone deliveries.* (a) In accordance with the provisions of paragraphs (b) or (c) of this section, a person making deliveries outside of the free delivery zone may charge the following:

(1) For deliveries within 75 miles beyond the free delivery zone, 25¢ per cwt.

(2) For deliveries at points in excess of 75 miles beyond the free delivery zone, 30¢ per cwt.

(b) Where a seller subject to this order makes deliveries of items within the coverage of Revised Maximum Price Regulation No. 271 and Appendices H, I, J and K of Maximum Price Regulation No. 426 at points beyond the free delivery zone, he may add to the price for the items being sold, as determined under the applicable regulation for deliveries within the free delivery zone, delivery charges in the amounts set forth in paragraph (a) of this section. Mileage beyond the free delivery zone shall be computed from the outermost limits of the free delivery zone to the point of delivery along the most direct publicly traveled route. The delivery charges provided may be taken on the gross weight of the commodity being sold with container.

(c) Where a seller subject to this order makes deliveries of items within the coverage of Maximum Price Regulation No. 285 at points beyond the free delivery zone, he may add to the price for the items being sold, as determined under Maximum Price Regulation No. 285 for delivered sales in the free delivery zone, delivery charges in the amounts set forth in paragraph (a) of this section. Mileage beyond the free delivery zone shall be computed from the outermost limits of the free delivery zone to the point of delivery along the most direct publicly traveled route. The delivery charges provided shall be taken on the net weight of the commodity being sold.

(d) No person subject to this order may make delivery charges in excess of those herein provided, but lower charges may be made.

SEC. 5. *Records.* Persons making delivery charges authorized by this order shall on the written evidences of the sale or delivery required to be kept or supplied by the regulation applicable to the sale of the commodity, show the place of origin of the delivery and separately state the amount of the delivery charge being made.

SEC. 6. *Relationship with regulations.* Except as modified herein, persons making sales or deliveries of commodities within the coverage of Revised Maximum Price Regulation No. 271, Maximum Price Regulation No. 285 and Appendices H, I, J and K of Maximum Price Regulation No. 426 shall continue to be subject to the provisions of the applicable regulation.

SEC. 7. *Definitions.* (a) "Delivery" shall mean delivery to the physical premises of a retail store, hotel, restaurant or institution.

(b) "Non-delivery" shall mean any delivery other than to the physical premises of a retail store, hotel, restaurant or institution.

(c) The terms and phrases not herein defined shall be given the meaning ascribed to them in Revised Maximum Price Regulation No. 271, Maximum Price Regulation No. 285 and Maximum Price Regulation No. 426 or the Emergency Price Control Act of 1942, as amended, and if not therein defined, their ordinary meaning.

SEC. 8. *Revocability.* This order may be revoked, amended or corrected at any time.

SEC. 9. *Effective date.* This order shall become effective on August 31st, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of August 1944.

JOHN G. ALDRICH,
District Director.

Approved:

E. O. POLLOCK,
Regional Director,
War Food Administration.

[F. R. Doc. 44-14349; Filed, Sept. 16, 1944; 11:51 a. m.]

[North Platte Order G-1 Under MPR 426 and MPR 285]

FRESH FRUITS AND VEGETABLES IN NEBRASKA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the North Platte, Nebraska, District Office of the Office of Price Administration, by § 1439.3-15, Appendix H (f), Appendix I (g) of Maximum Price Regulation No. 426, and § 1351.1254a (a) of Maximum Price Regulation No. 285, it is hereby ordered:

(a) *What this order does.* This order determines the limits of the free delivery zone at the wholesale receiving point of the cities or towns of North Platte, Scottsbluff, Crawford, Grand Island, Hastings, McCook, Holdrege, Lewellen, and Kearney, all in the State of Nebraska. It also establishes differentials for non-delivered sales in the free delivery zone and for delivered sales beyond the free delivery zone. The order applies to such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Maximum Price Regulation No. 285 and Appendices H and I of Maximum Price Regulation No. 426. The only sellers who are subject to this order are those wholesalers who price under Maximum Price Regulation No. 285, and secondary jobbers and service wholesalers, as these terms are used in Appendices H and I of Maximum Price Regulation No. 426.

(b) *Establishment of delivery zones.* (1) The free delivery zone established by this order shall be the area within the corporate limits of the following cities or towns, for the wholesalers therein located: North Platte, Scottsbluff, Crawford, Grand Island, Hastings, McCook, Holdrege, Lewellen and Kearney, Nebraska.

(2) The zone in which charges may be made for delivery is the area outside the free delivery zone.

(c) *Differentials for non-delivered and delivered sales of items listed in Appendices H and I of Maximum Price Regulation No. 426*—(1) *Non-delivered sales.* For sales on a non-delivered basis there shall be deducted from the price for delivered sales in the free delivery zone, 5¢ per container for standard shipping containers weighing under 50 pounds gross weight, and 10¢ per container for standard shipping containers weighing 50 pounds or over gross weight. A deduction of 2¢ or 5¢ respectively, shall be made for non-delivered sales or half standard shipping containers or more, or for bulk sales weighing as much as or more than half a standard container of the item being sold. No deductions need be made for sales in less than half containers and for bulk sales which weigh less than half a standard container of the item being sold.

(2) *Delivered sales in the free delivery zone.* For deliveries in the free delivery zone the maximum delivered price shall be the maximum delivered price computed under Maximum Price Regulation No. 426 for the type of sale being made without any deduction from or addition thereto.

(3) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route.

All containers and in bulk—Gross weight:
25 miles or less—Beyond free delivery zone, 25¢ per cwt.
Beyond 25 miles—From free delivery zone, 35¢ per cwt.

(d) *Differentials for non-delivered and delivered sales of items under Maximum Price Regulation No. 285*—(1) *Non-delivered sales and delivered sales in the free delivery zone.* For non-delivered sales and for deliveries in the free delivery zone the maximum price shall be the maximum delivered price computed under Maximum Price Regulation No. 285 for the type of sale being made. Discounts and price differentials including any differential or discounts for f. o. b. seller or non-delivered sales must be maintained.

(2) *Delivered sales beyond the free delivery zone.* For deliveries beyond the free delivery zone the amount set out below may be added to the price for delivered sales in the free delivery zone. Deliveries beyond the free delivery zone shall be computed via the nearest publicly traveled route. Delivery charge shall be computed for the net weight of bananas delivered.

Net weight:
25 Miles or less—Beyond free delivery zone, 25¢ per cwt.
Beyond 25 Miles—From free delivery zone, 35¢ per cwt.

(e) *Definitions.* "Delivery" means delivery to the physical premises of a retail store, hotel, restaurant or institution. Unless the context otherwise requires, the terms used herein shall have the same meaning as given them in Maximum Price Regulation No. 285 and Maximum Price Regulation No. 426.

(f) This order may be revoked, revised, amended or corrected at any time.

(g) *Effective date.* This order shall become effective on August 21, 1944.

(56 Stat. 23 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of August 1944.

CHARLES SMITH,
District Director.

Approved:

DONALD E. SMITH,
Acting Director of Distribution,
War Food Administration.

[F. R. Doc. 44-14350; Filed, Sept. 16, 1944; 11:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-68, 59-55]

COMMUNITY GAS AND POWER CO., ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

In the matter of Community Gas and Power Company, American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, File No. 59-55; Respondents.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of September A. D. 1944.

Notice is hereby given that Community Gas and Power Company ("Community"), a registered holding company, and American Gas and Power Company ("American"), a registered holding company and a subsidiary company of Community, have filed with this Commission Amendment No. 10 to their amended plan heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("Act") for the purpose of effecting compliance with section 11 (b) of the act.

All interested persons are referred to said Amendment No. 10, which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

American has contracted to sell, pursuant to the terms and provisions of a contract of sale dated September 13, 1944, all its interest in Bangor Gas Company ("Bangor"), consisting of 6,000 shares of common stock of the par value of $80 each (including five directors' qualifying shares), to Esther M. Kane, Benjamin N. Kane, Howard Kane, Irwin E. Kane and Sidney A. Kane, all of Providence, Rhode Island, doing business under the name and style of Benjamin N. Kane Investment Co., a partnership, for the sum of $122,500. American is also to receive the net earnings of Bangor from August 31, 1944, to the date of closing. The proceeds to be derived from the sale by American will be deposited with The New York Trust Company, as successor trustee under American's Debenture Agreement, dated as of May 1, 1928, as supplemented and amended.

American was directed to dispose of its interest in Bangor by this Commission's order dated July 2, 1943 (entered in File No. 59-55 proceedings) pursuant to section 11 (b) (1) of the act. The amended plan of American pending before the Commission under section 11 (e) of the act provides for the sale of American's interest in Bangor.

American requests, in order that it may have the exemption afforded by section 1808 (f) of the Internal Revenue Code, that the Commission approve the transaction as necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and specify and itemize the transfer of securities.

It appearing to this Commission that it is appropriate in the public interest and in the interests of investors and con-

sumers that a hearing be held with respect to said Amendment No. 10 to the amended plan of Community and American;

It is ordered, That a hearing on such matters under the applicable provisions of the act and rules of this Commission thereunder be held on September 29, 1944, at 10:00 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such Amendment No. 10 shall be approved.

It is further ordered, That Willis E. Monty, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented in the consolidated proceedings, particular attention will be directed at the hearings to the following matters and questions:

1. Whether the proposed transaction is fair and equitable to the persons interested and is necessary to effectuate the provisions of section 11 (b).

2. Whether and to what extent it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in regard to the proposed sale, having particular regard for the consideration to be received for such sale, maintenance of competitive conditions, fees and commissions, accounts, disclosure of interest, and similar matters.

3. Generally, whether the proposed transaction is in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the Act and the rules thereunder and if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of the aforesaid hearing be given to Community and American and to the Public Utilities Commission of the State of Maine by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before September 25, 1944, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14313; Filed, Sept. 18, 1944; 10:43 a. m.]

[File No. 70-860]

OHIO EDISON CO., AND THE COMMONWEALTH & SOUTHERN CORP.

ORDER GRANTING JOINT APPLICATION-DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of September, 1944.

Ohio Edison Company, a public utility company, and its parent, The Commonwealth & Southern Corporation, a registered holding company, having filed a joint application-declaration pursuant to sections 6 and 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-44, U-45 and U-50 thereunder, regarding (1) the issue and sale by competitive bidding pursuant to rule U-50, of $30,962,000 principal amount of First Mortgage Bonds ____% Series due 1974, and 180,000 shares of ____% Preferred Stock with a par value of $100 per share, the interest rate on the bonds and the dividend rate on the preferred stock to be determined by the results of the competitive bidding, but in respect of the bonds to be a multiple of ⅛% and not to exceed 3¼% and in respect of the preferred stock to be a multiple of ⅛% or ½% but not to exceed 4½%; (2) the issue and sale to banks of $10,000,000 principal amount of 2¼% instalment notes payable in 16 equal semi-annual instalments, of which the first instalment is payable six months after the date of delivery and subsequent instalments each six months thereafter; (3) contributions by the Commonwealth & Southern Corporation to the common stock equity of Ohio Edison Company by (a) the donation to Ohio Edison Company of all of the common stock, 110,000 shares, of Pennsylvania Power Company, (b) the giving up by The Commonwealth & Southern Corporation of the claim of $1,149,707 for 12,134 shares of Ohio Edison Company's preferred stock, $6.60, $7 and $7.20 Series, surrendered by The Commonwealth & Southern Corporation to Ohio Edison Company and cancelled on December 31, 1943, and (c) the surrender to Ohio Edison Company by The Commonwealth & Southern Corporation for cancellation of 1,162 shares of Ohio Edison Company's preferred stock, $6 Series, at the cash cost thereof to The Commonwealth & Southern Corporation amounting to $96,555; and (4) the amendment of Ohio Edison Company's Articles of Incorporation to change the number of shares of its common stock from 1,436,920 shares without par value presently outstanding to 1,795,847 shares having a par value of $8 per share and correspondingly to reduce the stated capital represented by the common stock from an aggregate of $14,499,200 to $14,366,776, the difference of $132,424 to be credited to capital surplus; and

The Commonwealth & Southern Corporation having requested that the order of the Commission conform to the requirements of section 1808 (f) of the Internal Revenue code and contain the findings therein specified; and

Hearings having been held on the joint application-declaration, after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein,

It is ordered, That the joint application-declaration, as amended, be and hereby is granted and permitted to become effective forthwith, subject to the terms and conditions contained in rule U-24 and to the following terms and conditions:

1. That the proposed issuance and sale of the $30,962,000 principal amount of first mortgage bonds and 180,000 shares of preferred stock shall not be consummated until the results of the competitive bidding pursuant to rule U-50 have been made a matter of record in this proceeding and a further order entered in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose;

2. That so long as any of the new bonds or new preferred stock shall remain outstanding, Ohio Edison Company shall not declare or pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution of assets to holders of common stock by purchase of shares or otherwise, in an amount which when added to the aggregate of all such dividends and distribution subsequent to the last day of the month in which the new bonds and new preferred stock are issued would exceed 75% of the balance of the consolidated net income earned subsequent to said date available for the payment of dividends on the common stock if, at the time of the declaration of any such dividend or the making of any such distribution the aggregate of the par value of the outstanding shares of the common stock of Ohio Edison Company and of the consolidated surplus of Ohio Edison Company and subsidiary companies would be less than an amount equal to 25% of the total consolidated capitalization and surplus of Ohio Edison Company and subsidiary companies as defined in the registration statement in respect of the bonds and preferred stock filed by Ohio Edison Company under the Securities Act of 1933, as amended.

It is further ordered, That the transfer by The Commonwealth & Southern Corporation of the 110,000 shares of common stock of Pennsylvania Power Company as a capital contribution to the common stock equity of Ohio Edison Company is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, That the jurisdiction reserved by this Commission in its order of December 30, 1943 (Holding Company Act Release No. 4805) with respect to the determination of the claim for $1,149,707 by The Commonwealth & Southern Corporation in respect of the 12,134 shares of $6.60 Series, $7 Series, and $7.20 Series preferred stock of Ohio Edison Company surrendered by The Commonwealth & Southern Corporation, be and hereby is released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14378; Filed; Sept. 18, 1944; 9:38 a. m.]

[File No. 811-293]

ELMIRA SHARES CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September, A. D. 1944.

An application has been filed by Elmira Shares Corporation, a registered investment company, pursuant to section 8 (f) of the Investment Company Act of 1940, for an order declaring that the applicant has ceased to be an investment company within the meaning of said act.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on October 9, 1944, at ten o'clock a. m., eastern war time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14373; Filed, Sept. 18, 1944; 9:37 a. m.]

[File No. 59-23]

THE MIDDLE WEST CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September, 1944.

In the matter of The Middle West Corporation, North West Utilities Company, Wisconsin Power and Light Company; file No. 59-23.

The Commission having heretofore by its order dated September 10, 1943, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 ordered, among other things, that within one year North West Utilities Company (North West) shall be liquidated and its existence terminated; and that the Middle West Corporation (Middle West) and North West proceed with due diligence to submit to the Commission a plan for the prompt liquidation of North West and the termination of its existence.

Notice is hereby given that on September 9, 1944 Middle West and North West, both registered holding companies, filed a joint application requesting the entry of an order by the Commission under section 11 (c) of the act for an extension of time for one year within which to comply with the Commission's order of September 10, 1943.

All interested persons are referred to the said application which is on file in the offices of the Commission for full details concerning said matters.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering the application:

It is hereby ordered, That a hearing in this proceeding shall be held on October 10, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided for by the rules of practice, rule XVII, on or before 5:30 p. m., e. w. t., October 3, 1944.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

1. Whether Middle West and North West have exercised due diligence in their effort to comply with the order of the Commission dated September 10, 1943.

2. Whether and to what extent an extension of time for compliance with our order of September 10, 1943, is necessary or appropriate in the public interest or for the protection of investors and consumers:

It is further ordered, That the Secretary of this Commission serve notice of the entry of this order by mailing a copy thereof by registered mail to the applicants and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14372; Filed, Sept. 18, 1944; 9:36 a. m.]

[File No. 70-956]

GULF STATES UTILITIES CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September, A. D. 1944.

Gulf States Utilities Company, a public-utility subsidiary of Engineers Public Service Company, a registered holding company, having filed a declaration and amendments thereto, proposing the issue and sale, in accordance with Rule U-50 promulgated under the act, of 120,000 shares of Cumulative Dividend Preferred Stock, par $100, and the application of the proceeds from the sale of said preferred stock to be used in part for the refunding and discharging of its presently outstanding $6 Dividend Preferred Stock and $5.50 Dividend Preferred Stock, no par value, at the respective redemption prices of $110 and $108 per share plus accrued and unpaid dividends to the date of redemption and in part for the financing of the business of declarant as a public utility; and

Gulf States having requested that the ten-day period for inviting bids, as provided in our Rule U-50 (b), be shortened to a period of six days; and

A public hearing having been held after appropriate notice and the Commission having considered the record and made and filed its findings and opinion herein:

It is ordered, That said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24 and the following additional terms and conditions:

(1) That said proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms or conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof in connection with the proposed transactions;

(2) That jurisdiction is reserved over the initial offering price for the securities, the underwriter's compensation and the allocation thereof, the dividend rate, and all legal fees and expenses to be paid in connection with these transactions.

(3) That so long as any series of the new preferred stock shall be outstanding Gulf States shall not declare or pay any dividends or make any distribution to the holders of the common stock (other than a dividend payable in common stock of the company), or purchase or acquire or otherwise retire for a consideration (otherwise than from the proceeds of new financing from the issuance and sale of any shares of any class of stock of the company ranking junior to the new preferred stock) any shares of its common stock (such dividends, distributions, purchases, acquisitions and retirements being hereinafter referred to as "com-

mon stock dividend"), if the aggregate amount so paid, distributed and/or applied after June 30, 1944, would exceed in the aggregate the aggregate of the net income of the company available for dividends on its common stock accumulated after June 30, 1944: *Provided, however*, That a common stock dividend may not be paid in an amount in excess of 75% of the net income available for dividends on the common stock if, after giving effect thereto, the aggregate of the following: (1) common stock capital account, (2) earned surplus account and (3) capital surplus account, is less than 25% of the aggregate of (a) the principal amount of then outstanding debt, (b) preferred stock capital account (excluding premiums and assessments on capital stock account, (c) common stock capital account, (d) earned surplus account and (e) capital surplus account. Net income available for dividends on common stock for the purpose of this condition shall be as defined in paragraph 8 of Subdivision D of Article VI of the charter of Gulf States as amended by the certificate of amendment thereto to be filed in the office of the Secretary of State of the State of Texas, and as summarized in footnote 9 to the Commission's findings and option herein, in connection with the issuance of these securities covered by the present declaration, as amended.

It is further ordered, That the ten-day period for inviting bids as provided in rule U-50 (b) be shortened to a period of not less than six days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14370; Filed, Sept. 18, 1944; 9:37 a. m.]

[File No. 70-838]

THE LAKE SHORE GAS CO., AND ASSOCIATED ELECTRIC CO.

SUPPLEMENTAL ORDER GRANTING AND PERMITTING AMENDED APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September, 1944.

Associated Electric Company, having filed an application-declaration, pursuant to sections 9 (a), 10, 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935, regarding the proposed sale of its entire interest in The Lake Shore Gas Company, the proposed acquisition by Associated Electric Company of certain assets of The Lake Shore Gas Company, and resulted matters; and

The Commission having, on August 11, 1944, made and filed its findings and opinion and issued its order reserving jurisdiction to consider further any amendments to said application-declaration respecting the treatment of an item of $370,674.09 on the books of The Lake Shore Gas Company now carried in the account for plant and other physical property, and to enter such further orders as shall appear appropriate; and

An amendment to said application-declaration having been filed, proposing that in respect of said item of $370,674.09 the caption "Fixed Capital—Plant and other Physical Property", appearing on the face of the balance sheet of The Lake Shore Gas Company, be revised so that the same shall read as follows:

Fixed Capital—Plant and Other Physical Property (including an amount of $370,674.09 [1] representing the estimated remaining excess of the amount at which certain property, acquired in 1926 from an affiliated company, was stated (based on securities issued) over the net carrying value on the books of such company as more fully set forth in Note 1).

It being further proposed in said amendment to add as part of Note 1 to the balance sheet of The Lake Shore Gas Company an explanation of said item of $370,674.09 so that the footnote shall read as follows:

(1) *Fixed Capital:*

The amount at which fixed capital is stated represents the cost in securities of property acquired from an affiliated company in 1926 plus subsequent additions at cost (principally cash) less retirements.

This Company was organized in 1925 for the purpose of acquiring and did acquire the net assets of The Ashtabula Gas Company (another subsidiary of the then parent of this Company) issuing therefor securities of a par or stated value of $690,691.35 in accordance with authorizations and approvals of The Public Utilities Commission of Ohio. Said Commission in its order dated July 29, 1926 authorizing the acquisition of the properties of Ashtabula by this Company found "that for the purchase and sale purposes, the value of all the property, rights and other assets of said The Ashtabula Gas Company, including a working capital and stock of materials and supplies of the value of $26,800.00 (which said property is now held subject to the lien of $599,000.00 outstanding First Mortgage Bonds) is not less than the sum of $1,157,743.00."

This Company recorded said property on its books at $1,219,686.11 which was $88,443 greater than the minimum value so found by The Public Utilities Commission of Ohio and $296,182.09 in excess of the gross value and $442,674.09 in excess of the net value (after deducting the related retirement reserve) at which such property was carried on the books of The Ashtabula Gas Company. It is estimated that since the acquisition of such properties by this Company, $72,000.00 of such excess has been eliminated from the fixed capital account by charges to the reserve for retirements in respect of property retired from service. Thus, it is estimated that as at September 30, 1943, there remained in the fixed capital account of this Company, $370,674.09 of such excess of the amount at which said property was stated on the books of this Company (based on securities issued) over the net value at which it was formerly carried on the books of The Ashtabula Gas Company.

No determination has ever been made of the original cost (the cost to the person first devoting the property to public service) of the properties acquired from The Ashtabula Gas Company. It is therefore impossible at this time to estimate to what extent, if any, the book value placed on the said properties at the time of acquisition by this Company exceeded the original cost of such properties.

The Commission having considered the matter and finding that it is appropriate in the public interest and the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith and that the jurisdiction reserved in our order of August 11, 1944, be released:

It is ordered, That said application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

It is further ordered, That the jurisdiction reserved in the order of August 11, 1944, in the above matter be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14376; Filed, Sept. 18, 1944; 9:36 a. m.]

[1] As of September 30, 1943.

[File Nos. 70-7; 70-25]

COLUMBIA GAS & ELECTRIC CORP., ET AL.

NOTICE REGARDING FILING

In the matter of Columbia Gas & Electric Corporation, the Manufacturers Light and Heat Company, Manufacturers Gas Company, Pennsylvania Fuel Supply Company, Greensboro Gas Company, Fayette County Gas Company, File Nos. 70-7; 70-25.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of September, 1944.

Notice is hereby given that Columbia Gas & Electric Corporation (Columbia Gas), a registered holding company, has filed a declaration pursuant to Instruction 8C of the Uniform System of Accounts for Public Utility Holding Companies promulgated by the Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935.

Notice is further given that any interested person may, not later than September 23, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration, as filed or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas requests approval of the amount at which it proposes to record its investment in the common stock (601,301 shares) of The Manufacturers Light and Heat Company, a new corporation to be formed upon consummation of a program involving the merger and consolidation of four constituent companies, which program was approved by order of this Commission dated June 23, 1944 (Holding Company Act Release No. 5128).

Columbia Gas proposes to record its investment in the common stock of the new Manufacturers Light at $48,626,794.28 and credit its present investment accounts with amounts of $45,506,740.18 and $1,496,815.28 and its Special Capital Surplus with $1,633,240.55 and debit its Reserves for Investments in Subsidiaries with $9,001.73, such proposed entries having been arrived at as follows:

Present investment in common stock:		
Old Manufacturers Light		$30,218,287.46
Manufacturers Gas		2,413,373.94
Pennsylvania Fuel		1,395,956.82
Greensboro		9,900,000.00
Fayette		1,579,121.94
Total		45,506,740.18
Less reserve (Manufacturers Gas)		9,001.73
Net investment		45,497,738.45
Plus capital contributions to be made by forgiveness of indebtedness:		
Manufacturers Gas	$920,000.00	
Pennsylvania Fuel	575,815.28	
		1,495,815.28
Plus surplus prior to January 1, 1938, accruing during period of ownership by Columbia which, undistributed at the date of merger and consolidation, will be included in common stock or capital surplus by new Manufacturers Light:		
Old Manufacturers Light	$1,375,734.90	
Manufacturers Gas	11,553.54	
Pennsylvania Fuel	44,330.41	
Greensboro	146,014.93	
Fayette	55,606.72	
		1,633,240.55
Total		48,626,794.28

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14371; Filed, Sept. 18, 1944; 9:37 a. m.]

[File No. 70-958]

ELECTRIC POWER & LIGHT CORP., AND ARKANSAS POWER AND LIGHT CO.

ORDER GRANTING JOINT APPLICATION DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September, A. D., 1944.

Arkansas Power & Light Company, a public utility company, and its corporate parent, Electric Power & Light Corporation, a registered holding company, having filed a joint application and declaration and amendments thereto under the Public Utility Holding Company Act of 1935 and particularly sections 6 (b), 9, 10 and 12 thereof and Rules U-42, U-43 and U-44 thereunder; regarding (a) the transfer by Electric Power & Light Corporation to Arkansas Power & Light Company of all of the securities of the latter held by it consisting of 7,697 shares of $7 preferred stock and 1,233,638 shares of no par value common stock and the payment by Electric Power & Light Corporation to Arkansas Power & Light Company of $4,000,000 in cash; (b) the cancellation by Arkansas Power & Light Company of the securities to be received by it from Electric Power & Light Corporation together with 891 shares of reacquired $7 preferred stock and 453 shares of reacquired $6 preferred stock held in its treasury; (c) the issuance by Arkansas Power & Light Company to Electric Power & Light Corporation of 1,070,000 shares of new $12.50 par value common stock and the restatement of the then remaining outstanding shares of $6 and $7 preferred stock at $100 a share, the amount of the claim of such shares on liquidation; (d) the redemption by lot of 39,934 shares of the $7 preferred stock of Arkansas Power & Light Company at the redemption price of $110 plus accrued dividends; (e) the making of certain other accounting adjustments in compliance with an order of the Department of Public Utilities of Arkansas; and (f) the amendment of the articles of incorporation of Arkansas so as to confer contingent voting rights on its preferred stocks and to provide that in the event of a partial redemption of either of the classes of preferred stocks, the shares to be redeemed shall be selected by lot.

Samuel Okin having filed a request for leave to intervene in the above proceedings and having requested oral argument and permission to file a brief therein, and having been granted limited participation by the trial examiner; and

A public hearing having been held on said application and declaration after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion based thereon:

It is ordered, That said joint application and declaration, as amended, be, and the same hereby are, granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24 promulgated pursuant to the Public Utility Holding Company Act of 1935 and to the following further conditions:

(1) Within 30 days from the date hereof Arkansas Power & Light Company shall amend its certificate of incorporation so as automatically to create in the future a capital surplus of an amount sufficient to comply with a final order of the Federal Power Commission in its pending original cost determinations if such an order is issued and becomes final, and that said amendment shall be in the form of the proposed amendment heretofore submitted by Arkansas Power & Light Company as set forth in Appendix C of the findings and opinion herein, which Appendix C is hereby incorporated herein by reference and made a part hereof as if specifically set forth herein.

(2) Whenever the ratio that the par value of common stock plus surplus bears to the total capitalization of Arkansas (consisting of the aggregate of the following: (i) the principal amount of all outstanding indebtedness of the company represented by bonds, debentures, notes and other securities—in each case, maturing by their terms one year or more from their date of issue (ii) the amount of the stated or par value of all capital stock of Arkansas of all classes, and (iii) an amount equal to the surplus of Arkansas) shall be less than 20% thereof, then not more than 50% of the earnings accumulated during such period otherwise available therefor shall be used for the payment of dividends on common stock (other than dividends payable in common stock) and the acquisition of common stock until said ratio shall be not less than 20%, and whenever such ratio shall be 20% or more, but less than 25%, then not more than 75% of the earnings accumulated during such period otherwise available for such purposes shall be used therefor, and further that no dividends shall be paid on common stock nor any acquistions of common stock be made which will reduce such ratio to less than 25%.

It is further ordered, That the requests of Samuel Okin for leave to intervene, for oral argument, and for permission to file a brief, be, and hereby are, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14377; Filed, Sept. 18, 1944; 9:38 a. m.]

WAR FOOD ADMINISTRATION.

PHILLIPS COMMISSION CO.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Phillips Commission Company stockyard, Birmingham, Alabama, posted under the name of Union Stock Yards on June 10, 1928, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, and changed to Phillips Commission Company on July 6, 1943, no longer comes within the definition of a stockyard under the Act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R 5423; EO. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 15th day of September 1944.

THOMAS J. FLAVIN, *Assistant to the War Food Administrator.*

[F. R. Doc 44-14318; Filed, Sept. 16, 1944; 11:14 a. m.]

Commodity Credit Corporation.

OFFER TO COTTONSEED PROCESSORS

EXTENSION OF TIME FOR ACCEPTANCE

SEPTEMBER 15, 1944.

The date on or before which processors may notify Commodity Credit Corporation of their acceptance of the Corporation's Offer to Cottonseed Processors (1944 CCC Cottonseed Form A) dated August 1, 1944, is hereby extended from September 1, 1944, to October 1, 1944.

COMMODITY CREDIT CORPORATION,
By J. B. HUTSON,
President.

Attest:
NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 44-14397; Filed, Sept. 18, 1944; 11:16 a. m.]

Office of Distribution.

DELEGATION OF AUTHORITY TO ADMINISTRATOR AND ALTERNATE ADMINISTRATOR

Pursuant to the authority vested in me by War Food Order No. 75, as amended (8 F.R. 11119; 9 F.R. 4321, 4319, 5333, 10033) and to effectuate the purposes of that order and of War Food Order No. 75-3 as amended (9 F.R. 10387) the Administrator of said War Food Order No. 75-3, or in his absence or inability to act, the Alternate Administrator of said War Food Order No. 75-3 is hereby authorized:

(a) To grant and deny petitions for relief from hardship, including written applications by any slaughterer for revision of any conversion weight factor upon a showing that such factor will result in undue hardship in the preparation of certain products.

(b) To allocate set-aside meat to or among governmental agencies, authorized purchasers, or other persons entitled to purchase set-aside meat under a war food order.

All authority herein conferred shall be exercised subject to the supervision of the Chief of the Livestock and Meats Branch, Office of Distribution, War Food Administration, and in accordance with such general instructions concerning policy and procedure as may from time to time be issued by the Director of Distribution.

Nothing herein contained shall be construed as affecting any power or authority vested in the Director of Distribution.

Issued this 15th day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-14319; Filed, Sept. 16, 1944; 11:14 a. m.]

WAR MANPOWER COMMISSION.

BALTIMORE, MD., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Baltimore area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Purpose.
2. Basic hiring procedures.
3. Statements of availability.
4. Certificate of prior employment.
5. Employment authorizations.
6. Disposition of forms.
7. Special referral provisions.
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10. Utilization of existing hiring channels.
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13. Solicitation of workers.
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19. Effective date.

SECTION 1. *Purpose.* In furtherance of the war effort the State Director of the War Manpower Commission for Maryland, with the concurrence of the Baltimore Area Management-Labor Committee, and the approval of the Regional Director, has adopted the following stabilization program for the Baltimore area. The purpose of the program is to eliminate wasteful labor turn-over, to reduce unnecessary migration by encouraging the full use of local labor, and to obtain the maximum utilization of manpower resources under standards protecting the rights of all concerned.

SEC. 2. *Basic hiring procedures.* (a) No employer shall hire any individual in, or for work in, the Baltimore area except upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service of the War Manpower Commission.

(b) The Area Director of the War Manpower Commission, after consultation with the Area Management-Labor Committee, may issue regulations, in accordance with the provisions of this program, governing hiring procedures, the referral of workers to jobs, the priority of their referral, and the establishment of employment ceilings fixing the upper level of employment beyond which an individual employer may not hire.

SEC. 3. *Statements of availability.* (a) Statements of availability may be granted only by employers engaged in essential or locally needed activities, or by an office of the United States Employment Service.

(b) Circumstances under which statements of availability shall be granted

(1) By the employer:

(i) If the employee has been discharged, or his employment has been otherwise terminated by his employer;

(ii) If the employee has been laid off for an indefinite period or for a period of 7 or more days;

(iii) If continuance of employment would involve undue personal hardship;

(iv) If the employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation;

(v) If the employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(2) By the United States Employment Service of the War Manpower Commission:

(i) If the employer fails or refuses to issue a statement of availability promptly to an individual when any of the circumstances set forth in section 3 (b) (1) exists;

(ii) If the individual is in the employ of an employer who the War Manpower Commission finds, after notice, hearing, and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, and for so long as such employer continues his noncompliance after such finding.

(c) A statement of availability shall contain only the individual's name, address, social security number, if any, the name and address of the issuing employer or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(d) A worker seeking a statement of availability or a referral to employment under any circumstances except where he has been laid off or discharged from his last employment by his employer, shall be requested to remain on his job until the statement is issued, unless remaining on the job would subject him to undue personal hardship.

(e) A statement of availability authorizes new employment only upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service.

SEC. 4. *Certificate of prior employment.* (a) Every employer shall give every employee who is separated for any reason whatsoever from his employment in an activity other than an essential or locally needed activity, a Certificate of Prior Employment in substantially the following form:

CERTIFICATE OF PRIOR EMPLOYMENT

Name _____
S. S. No. _____
Occupation _____
Entered our employ on_____ and was separated from our pay roll on_____ 194__
Company _____
Address _____
By _____

(b) No employer in an activity other than an essential or locally needed activity shall refuse, when requested, to issue a certificate of prior employment to any such employee.

(c) No employer shall place on a certificate of prior employment any information not required by the above form.

(d) A certificate of prior employment shall not be issued to an individual separated from employment in an essential or locally needed activity.

(e) A certificate of prior employment authorizes new employment only upon referral by, with the consent of, or in accordance with arrangements with, the United States Employment Service.

SEC. 5. *Employment authorizations.* (a) The local office of the United States Employment Service will issue employment authorizations, or referral cards to available employment, to individuals under the following circumstances:

(1) When the applicant has not previously been employed;

(2) When the applicant is unable to secure a certificate of prior employment and has established to the satisfaction of the United States Employment Service that he was not at any time during the preceding 60-day period engaged in an essential or locally needed activity.

SEC. 6. *Disposition of forms.* (a) Each person who is employed shall give his new employer the referral card, certificate of prior employment, or employment authorization which has authorized his employment. The employer shall retain it as part of the personnel record of the employee as evidence that such employment is not in violation of the stabilization program, and shall make it available for inspection, upon request to a representative of the War Manpower Commission.

(b) An individual who has received a statement of availability or a certificate of prior employment as provided herein, and who desires referral to other employment, shall present the statement or certificate to the United States Employment Service as evidence of his eligibility for referral to such other employment.

SEC. 7. *Special referral provisions.* (a) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(b) No individual whose last regular employment was in agriculture shall be referred to nonagricultural work except after consultation with a designated representative of the War Food Administration.

SEC. 8. *Restrictions on employment of persons for less than 48 hours per week.* (a) Notwithstanding any other provisions of this program, no employer shall employ any person for a scheduled workweek of fewer hours than the individual worked for his most recent employer unless such employment is authorized by the local office of the United States Employment Service.

(b) Employment for a scheduled workweek of 48 hours or of 45 hours in a plant operating on a 3-shift basis shall not be considered "fewer hours" even though the applicant has previously worked more than 48 hours.

(c) The Employment Service may authorize the employment of an applicant for "fewer hours" than those worked for his most recent employer if the individual presents a compelling personal reason to warrant a reduction in his hours of work.

SEC. 9. *Restrictions on hiring by employers granted exemption from the 48-hour workweek.* The area director may prohibit the hiring without special permission of additional persons, in any category, by an employer to whom exemption has been granted from the provision of Executive Order No. 9301 establishing a minimum wartime workweek of 48 hours.

SEC. 10. *Utilization of existing hiring channels.* To the maximum degree consistent with the regulations of the War Manpower Commission and with the objectives of this employment stabilization program, local initiative and cooperative efforts will be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and government agencies.

SEC. 11. *Exclusions.* No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of an employee for agricultural employment;

(b) The hiring of an employee for work of less than 7 days' duration or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program unless the individual is customarily engaged in work of less than 7 days' duration;

(c) The hiring by a foreign, state, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees unless such foreign, state, county or municipal government, or political subdivision, or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the constitution and laws applicable to it, with the program;

(d) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(e) The hiring of an employee for domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period;

(g) The hiring of an individual who has been in the employment of the hiring employer at any time during the preceding 30-day period. The employment herein referred to does not include employment of less than 7 days' duration nor employment which is supplemental to the employee's principal work.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this program, in accordance with regulations and procedures of the War Manpower Commission. The granting or denial of a statement of availability by the United States Employment Service of the War Manpower Commission may be appealed by an employer or an employee provided an appeal is filed with the United States Employment Service local office within 5 days from the date of the notice of such determination.

SEC. 13. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 14. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

SEC. 15. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 16. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 17. *Definitions.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation, or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "Essential activity" means any activity included in the War Manpower Commission list of essential activities (9 F.R. 3439).

(c) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(d) "Critical occupation" means any occupation designated as a critical occupation by the chairman of the War Manpower Commission.

(e) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(f) "State" includes Alaska, Hawaii, and the District of Columbia.

SEC. 18. *Applicability of program.* This program shall be effective throughout the Baltimore area which includes Baltimore City; districts 1, 2, 3, 9, 12, 13,

14, and 15 of Baltimore County; districts 1 and 2 of Howard County; district 5 of Anne Arundel County and district 3 north of and including Pasadena.

SEC. 19. *Effective date.* The provisions of this program shall become effective at 12:01 a. m. on May 15, 1944.

Dated: May 1, 1944.

LAWRENCE B. FENNEMAN,
Area Director.

Approved: May 5, 1944.

HENRY E. TREIDE,
Regional Director.

[F. R. Doc. 44-14354; Filed, Sept. 16, 1944; 2:47 p. m.]

WAR PRODUCTION BOARD.

[C-208]

CLIFFORD MOOERS

Clifford Mooers, a resident of Houston, Harris County, Texas, is charged by the War Production Board with having begun and carried on the construction of a building project on Kenmore Farm located approximately five miles east of Boerne, Kendall County, Texas, including the construction of a large barn and ranch house, three tenant houses, a large corral and stable, board fences, and related structures, in wilful violation of War Production Board General Conservation Order L-41 as amended July 27, 1943. These structures are incomplete. However, materials and labor used to date represent an expenditure of approximately $25,000.

Clifford Mooers admits the charge of the War Production Board and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Clifford Mooers, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Clifford Mooers nor any of his successors or assigns nor any other person shall do any construction on Kenmore Farm, a tract of land located approximately five miles east of Boerne in Kendall County, Texas, unless specifically authorized in writing or otherwise permitted by the War Production Board or its regulations. This restriction shall apply not only to Clifford Mooers, but to any other person, firm or corporation acting directly or indirectly for him.

(b) Nothing contained in this order shall be deemed to relieve Clifford Mooers, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 15th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14309; Filed, Sept. 15, 1944; 4:07 p. m.]

[C-209]

WILLIAM J. HANNAH

William J. Hannah, also known as Blutchie Hannah, of Port Arthur, Texas, is charged by the War Production Board with having begun and carried on the construction of a one story frame store building at 401 West Eighth Street, Port Arthur, Texas, on or about May 1, 1944, without securing approval from the War Production Board, in wilful violation of Conservation Order L-41. As of this date approximately $2200 has been expended in the construction of this building and it is at this time incomplete.

William J. Hannah, also known as Blutchie Hannah, admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of William J. Hannah, also known as Blutchie Hannah, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither William J. Hannah, also known as Blutchie Hannah, and his successors or assigns, nor any other person shall do any further construction on the property at 401 West Eighth Street, Port Arthur, Texas, unless specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve William J. Hannah, also known as Blutchie Hannah, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14358; Filed, Sept. 16, 1944; 3:45 p. m.]

[C-212]

MANGEL'S OF ATLANTA, INC.

Mangel's of Atlanta, Incorporated, Atlanta, Georgia, is charged by the War Production Board with having begun construction in December, 1943, which construction consisted of alterations and remodeling of a building located at 185 Peachtree Street, N. E., Atlanta, Georgia, the estimated cost of which was in excess of $10,000, without securing approval from the War Production Board, in violation of Conservation Order L-41, the exceptions to which were not applicable. Mangel's of Atlanta, Incorporated, admits that construction was done without authorization and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Mangel's of Atlanta, Incorporated, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Mangel's of Atlanta, Incorporated, its successors or assigns, nor any other person, firm or corporation, shall do any construction on the premises at 185 Peachtree Street, N. E., Atlanta, Georgia, including altering or remodeling the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Mangel's of Atlanta, Incorporated, its successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 16th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14357; Filed, Sept. 16, 1944; 3:45 p. m.]

FEDERAL REGISTER

VOLUME 9 NUMBER 188

Washington, Wednesday, September 20, 1944

The President

PROCLAMATION 2630

REGISTRATION IN THE VIRGIN ISLANDS OF MALE PERSONS OTHER THAN CITIZENS OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Selective Training and Service Act of 1940 (54 Stat. 885), as amended by the act of December 20, 1941 (55 Stat. 844), contains, in part, the following provisions:

SEC. 2. Except as otherwise provided in this Act, it shall be the duty of every male citizen of the United States, and of every other male person residing in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and sixty-five, to present himself for and submit to registration at such time or times and place or places, and in such manner and in such age group or groups, as shall be determined by rules and regulations prescribed hereunder.

* * * * *

SEC. 5. (a) Commissioned officers, warrant officers, pay clerks, and enlisted men of the Regular Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Public Health Service, the federally recognized active National Guard, the Officers' Reserve Corps, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, and the Marine Corps Reserve; cadets, United States Military Academy; midshipmen, United States Naval Academy; cadets, United States Coast Guard Academy; men who have been accepted for admittance (commencing with the academic year next succeeding such acceptance) to the United States Military Academy as cadets, to the United States Naval Academy as midshipmen, or to the United States Coast Guard Academy as cadets, but only during the continuance of such acceptance; cadets of the advanced course, senior division, Reserve Officers' Training Corps or Naval Reserve Officers' Training Corps; and diplomatic representatives, technical attaches of foreign embassies and legations, consuls general, consuls, vice consuls, and consular agents of foreign countries, and persons in other categories to be specified by the President, residing in the United States, who are not citizens of the United States, and who have not declared their intention to become citizens of the United States, shall not be required to be registered under section 2 and shall be relieved from liability for training and service under section 3 (b).

* * * * *

SEC. 10. (a) The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this Act;

* * * * *

(4) to utilize the services of any or all departments and any and all officers or agents of the United States and to accept the services of all officers and agents of the several States, Territories, and the District of Columbia and subdivisions thereof in the execution of this Act;

* * * * *

SEC. 14. (a) Every person shall be deemed to have notice of the requirements of this Act upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 2.

WHEREAS section 206 of the Coast Guard Auxiliary and Reserve Act of 1941, approved February 19, 1941 (55 Stat. 9), provides, in part, as follows:

Members of the [Coast Guard] Reserve, other than temporary members as provided for in section 207 hereof, shall receive the same exemption from registration and liability for training and service as members of the Naval Reserve * * *;

WHEREAS registrations, under the Selective Training and Service Act of 1940 and its amendments, of male citizens of the United States, and of male persons residing within the continental United States, the Territories of Alaska and Hawaii, and in Puerto Rico, have heretofore taken place pursuant to proclamations issued by me on September 16, 1940, October 1, 1940, October 8, 1940, November 12, 1940, May 26, 1941, January 5, 1942, March 19, 1942, May 22, 1942, and November 17, 1942;

WHEREAS registrations, under the Selective Training and Service Act of 1940 and its amendments, of male citizens only who were outside the continental United States, Alaska, Hawaii, and Puerto Rico and had not been registered, have heretofore taken place pursuant to the proclamation issued by me on October 26, 1943;

WHEREAS section 15 (b) of the Selective Training and Service Act of 1940,

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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as amended by the act of July 1, 1944 (58 Stat. 720), provides that the term "United States", when used in the said Act in a geographical sense, shall include the Virgin Islands; and

WHEREAS it is advisable to accomplish expeditiously the registration of every male person other than a citizen of the United States between the ages of eighteen and forty-five years who is residing in the Virgin Islands and is now subject to registration under the Selective Training and Service Act of 1940, as amended:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the Selective Training and Service Act of 1940, as amended, do proclaim the following:

1. The registration of all male aliens and persons other than citizens of the United States residing in the Virgin Islands of the United States who have not been registered and who on October 31, 1944, shall have attained or thereafter shall attain the eighteenth anniversary of the day of their birth, and who on October 31, 1944, shall not have attained the forty-fifth anniversary of the day of their birth, shall take place between the hours of 9 a. m. and 5 p. m. on the days hereinafter designated for their registration as follows:

(a) Those who were born after October 31, 1899, but before November 1, 1926, shall be registered on any day during the period beginning Monday, October 23, 1944, and ending Tuesday, October 31, 1944.

(b) Those who were born on or after November 1, 1926, shall be registered on the day they attain the eighteenth anniversary of the day of their birth; provided that if such anniversary falls on a Sunday or a legal holiday their registration may take place on the day following which is not a Sunday or a legal holiday.

2. (a) Unless he is a person excepted by section 5 (a) of the Selective Training and Service Act of 1940, as amended, or by section 208 of the Coast Guard Auxiliary and Reserve Act of 1941, every male alien and every male person other than a citizen of the United States residing in the Virgin Islands of the United States who has not been registered under the Selective Training and Service Act of 1940, as amended, and the regulations prescribed thereunder, is required to and shall on the day or days fixed herein for his registration present himself for and submit to registration under this proclamation before a duly designated registration official or any member or clerical assistant of the Selective Service local board having jurisdiction in the area in which he resides or in which he may happen to be during that time or on that day.

(b) Any person subject to registration who, because of circumstances over which he has no control, is prevented from presenting himself for and submitting to registration at the time and in the manner required by this proclamation, shall present himself for and submit to registration immediately upon its becoming possible for him to do so.

(c) The duty of any person to present himself for and submit to registration in accordance with any previous proclamation issued under the Selective Training and Service Act of 1940, as amended, shall not be affected by this proclamation.

3. The registration under this proclamation shall be in accordance with the Selective Service Regulations governing registration. Every person subject to registration is required to familiarize himself with such regulations and to comply therewith.

4. I call upon the Secretary of the Interior, the Governor of the Virgin Islands, all officers and agents of the United States, and all persons appointed under the provisions of the Selective Training and Service Act of 1940, as amended, or the Selective Service Regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration.

5. In order that there may be full cooperation in carrying into effect the purposes of the Selective Training and Service Act of 1940, as amended, I request and urge all employers and Government agencies of all kinds to give those under their charge sufficient time in which to fulfill the obligations of registration incumbent upon them under the said Act and this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of September in the year of our Lord nineteen hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-14478; Filed, Sept. 19, 1944; 11:10 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

Subchapter A—Commodity Standards and Standard Container Regulations

PART 29—TOBACCO INSPECTION

SPRINGFIELD AND CLARKSVILLE, TENN., TOBACCO MARKETS

Pursuant to the authority vested in the War Food Administrator, the orders of designation of tobacco markets (7 CFR, Cum. Supp., 29.301) are amended by adding thereto at the end thereof the following:

§ 29.301 *Designation of tobacco markets.* * * *

(v) *The tobacco markets at Springfield and Clarksville, Tennessee.* Effective 30 days from September 18, 1944, no tobacco of any type shall be offered for sale at auction in the markets at Springfield or Clarksville, Tennessee, until such tobacco shall have been inspected and certified by an authorized representative of the War Food Administration according to standards established under the Tobacco Inspection Act (49 Stat. 731, 7 U.S.C. 1940 ed. 511 *et seq.*): *Provided, however,* That such requirement of inspection and certification may be suspended at any time when it is found impracticable to provide inspection or when the quantity of tobacco available for inspection is not sufficient to justify the cost of such service. No fee or charge shall be imposed or collected for the inspection and certification of tobacco sold or offered for sale at auction on the markets designated above.

(49 Stat. 732, 7 U.S.C. 1940 ed. 511d; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 18th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-14453; Filed, Sept. 18, 1944; 3:13 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 39, Partial Suspension]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS ON USE, PROCESSING, AND REFINING OF TUNG OIL

The provisions of § 1460.5 (b), (c), and (d) of War Food Order No. 39, as amended (8 F.R. 3482; 9 F.R. 4321, 4319, 6390) are suspended until December 31, 1944.

This order shall become effective at 12:01 a. m., e. w. t., Sept. 18, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 39, as amended, prior to said date, all provisions of said War Food Order No. 39, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 18th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-14453; Filed, Sept. 18, 1944; 3:14 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 707—MEDICAL AND DENTAL ATTENDANCE

MISCELLANEOUS AMENDMENTS

Section 707.15 is amended to read as follows:

§ 707.15 *Persons who may be admitted to Army hospitals.* (Provisions of this paragraph do **not** apply to the Army and Navy General Hospital (see AR 40–600)[1]).

(a) *General.* When suitable facilities for hospitalization are available, sick and injured persons enumerated in paragraph (b) of this section may be admitted to Army hospitals.

(b) *List.* (1) The following personnel of the Army:

(i) Officers, male and female (active or retired or receiving retirement pay) (including Philippine Scouts).

(ii) Warrant officers, male and female (active or retired or receiving retirement pay) (including Philippine Scouts).

(iii) Flight officers (including those receiving retirement pay).

(iv) Army nurses (active or retired).

(v) Cadets of the United States Military Academy.

(vi) Militarized female personnel of the Medical Department.

(vii) Aviation cadets.

(viii) Contract surgeons serving full time.

(ix) Enlisted men and women (including Philippine Scouts).

(x) Retired enlisted men.

The admission of retired personnel on inactive status will be limited to cases which, in the judgment of the commanding officer of the hospital, will be benefited by hospitalization for a reasonable time. Those requiring merely domiciliary care by reason of age or chronic invalidism will not be admitted.

(2) The following personnel who suffer personal injury or contract disease while on active duty; or who are injured in line of duty while properly participating in aerial flights as an incident to their military training, but not on active duty; or who require rehospitalization for injuries or diseases incurred in line of duty:

(i) Members of the Officers' Reserve Corps.

(ii) Members of the Enlisted Reserve Corps.

(3) Members of the Enlisted Reserve Corps not on active duty who suffer personal injury or contract disease while undergoing training as students of the Army Specialized Training Reserve Program, including those who require rehospitalization for injuries or diseases so incurred.

(4) The following personnel of the National Guard:

(i) Officers,

(ii) Warrant officers, and

(iii) Enlisted men who suffer personal injury or contract disease during activities provided for by law; or who suffer personal injury in line of duty when participating in authorized aerial flights; or who require rehospitalization for injuries or diseases incurred in line of duty. Rehospitalization must be authorized by the National Guard Bureau and in all other cases report of hospitalization must be made to that Bureau. In case of rehospitalization, existence of line of duty status may be assumed from the fact of authorization by the National Guard Bureau.

[1] Administrative regulations of the War Department relating to hospitals.

(5) The following personnel of the National Guard of the United States:

(i) Officers,

(ii) Warrant officers, and

(iii) Enlisted men who suffer injury or contract disease while on active duty or who require rehospitalization for injuries or diseases incurred in line of duty. Rehospitalization must be authorized by the National Guard Bureau and in all other cases report of hospitalization must be made to that Bureau. In the case of rehospitalization, existence of line of duty status may be assumed from the fact of authorization by the National Guard Bureau.

(6) The following personnel who suffer personal injury or contract disease in line of duty or who require rehospitalization for such injuries or diseases:

(i) Members of the Reserve Officers' Training Corps.

(ii) Members of the Citizens' Military Training Camps.

(7) (i) The following personnel of the Navy and/or Marine Corps (whether on active service or on retired, inactive or leave (furlough) status, except as provided in (*f*) and (*g*) below):

(*a*) Officers (male and female) of the Navy or Marine Corps.

(*b*) Commissioned warrant officers (male and female) of the Navy or Marine Corps.

(*c*) Warrant officers (male and female) of the Navy or Marine Corps.

(*d*) Navy nurses.

(*e*) Midshipmen of the United States Naval Academy.

(*f*) Enlisted men and women of the Navy or Marine Corps on active service, including aviation cadets and midshipmen of the Naval Reserve.

(*g*) Enlisted men of the Navy and Marine Corps on retired (inactive) status and inactive enlisted personnel transferred to the Fleet Naval Reserve or to the Fleet Marine Corps Reserve after 16 or more years of service.

(ii) The procedure for admission of the above-mentioned personnel will be as follows:

(*a*) *On active service.* On the request of their commanding officer or on their own request if the commanding officer of the hospital concerned deems such admission necessary. Whenever such request has not been received from the commanding officer of such active duty personnel, report of hospitalization should be made immediately to the Bureau of Medicine and Surgery, Navy Department, Washington, D. C.

(*b*) *On inactive status.* On authorization of the proper representative of the Navy Department, or on their own request if their admission be deemed necessary by the commanding officer of the hospital concerned, provided beds are available in the hospital concerned. Whenever such authorization has not been received, report of hospitalization should be made immediately to the Bureau of Medicine and Surgery, Navy Department, Washington, D. C., and authorization requested therefor.

(iii) The admission of patients requiring merely domiciliary care by reason of age or chronic invalidism is not authorized.

(8) Commissioned officers of the United States Public Health Service on active duty, upon the individual officer's own written request when such officers are disabled as the result of sickness or injury.

(9) Civilian employees of the United States Public Health Service on duty at any national quarantine station, or on a national quarantine vessel, or detailed for duty in foreign ports, suffering from sickness or injury, upon written authorization by a responsible officer of the United States Public Health Service.

(10) The following personnel of the United States Coast Guard on active duty, including those on shore duty and those on detached duty, upon written authorization of the responsible Coast Guard officer:

(i) Officers (male and female).

(ii) Commissioned warrant officers (male and female).

(iii) Warrant officers (male and female).

(iv) Cadets.

(v) Enlisted men and women (including Reserve cadets).

(11) The following personnel of the United States Coast and Geodetic Survey, on active duty, including those on shore duty and those on detached duty, upon written authorization of the responsible Coast and Geodetic Survey officer:

(i) Commissioned officers.

(ii) Ship's officers.

(iii) Members of the crews of vessels.

(12) Wives, or dependent husbands, and dependent children of the following Army personnel, and other dependent members of their families (when such other dependent members reside in the home of such Army personnel and are not legally dependent upon an individual not in the military service), requiring hospital treatment or isolation and when accommodations for their care are available:

(i) Officers (male and female).

(ii) Warrant officers.

(iii) Flight officers.

(iv) Aviation cadets.

(v) Enlisted men and women.

Application in each case will be made to the commanding officer of the hospital concerned by the officer, warrant officer, flight officer, aviation cadet, or enlisted man or woman with evidence satisfactory to the commanding officer showing the relationship, dependency, residence, nature of the illness, and need for hospital treatment. Dependents of military personnel should not undertake travel to a military hospital without first ascertaining whether and when accommodations will be available. If the case is under the care or within the province of an attending surgeon of the Army, application will be made by him; otherwise, it will be made direct.

(13) Civilian employees of the United States Government compensable by the United States Employees' Compensation Commission who suffer personal injury while in the performance of official duty, or who acquire a disease as a natural result of such injury, or who acquire an occupational disease in the performance of official duty, entitled to hospitalization or treatment in conformity with instructions issued from time to time by The Surgeon General.

(14) Civilians employed at military stations and paid from hospital subsistence accounts under subparagraph (18), or from nonappropriated funds under Army Regulations, provided civilian hospital service is not available.

(15) Recently discharged enlisted men and women needing hospital treatment, who arrive in the United States on Government transports, in Army hospitals in the vicinity of the port of debarkation.

(16) Civilian seamen in the service of ships operated by the War Department on presentation of a certificate from the master or other appropriate administrative authority (which may be dispensed with only in emergencies), and Transportation Corps marine officer cadets, not including United States Employees' Compensation Commission beneficiaries in either case, for a reasonable time and except for injuries or diseases resulting from their own misconduct; provided that, except in emergencies, those entitled to care by the United States Public Health Service will be admitted only when no facilities of that Service are available. A seaman is in the service of a ship, although not on board and not engaged in his duties, as long as he is under the power and jurisdiction of competent War Department authorities. Cases of traumatic injury or occupational disease incurred in the course of employment should be treated as United States Employees' Compensation Commission beneficiaries, and are admissible under subparagraph (13) of this section.

(17) In Army hospitals within the continental limits of United States, American merchant seamen (other than those covered in subparagraph (16) of this section) and American river boatmen, only on authorization of the officer in charge of the United States Public Health Service station where the application for such authorization is made, unless their condition demands immediate relief when, in the discretion of the hospital commander, they may be admitted in advance of receipt of authorization.

(18) In Army hospitals outside the continental limits of the United States in time of war and for 6 months thereafter, the following merchant seamen, including officers (other than those covered in subparagraph (16) of this section) on presentation of a Master's Certificate of Service:

(i) Merchant seamen of vessels owned by or bareboat-chartered to the War Shipping Administration.

(ii) Merchant seamen of vessels time-chartered to the War Shipping Administration.

(19) Enrolled Indians who are beneficiaries of the Indian Service upon written approval by the Office of Indian Affairs, Department of Interior, or, preferably, by the superintendent of the agency to which the Indian belongs, provided beds are available.

(20) The following when on duty at military stations:

(i) Red Cross personnel.

(ii) Other officially recognized welfare workers.

(21) Beneficiaries of the Veterans' Administration in limited numbers in certain designated Army hospitals upon request of the proper representatives of the Veterans' Administration.

(22) Prisoners of war, persons undergoing internment, and other persons in military custody or confinement.

(23) Employees of commercial air lines under contract to the Air Transport Command in Army hospitals and other medical installations outside the continental limits of the United States.

(24) Members of the Civil Air Patrol who suffer personal injury or incur sickness in line of duty while engaged on active duty assignments within the field activities of the Civil Air Patrol under the provisions of Army Air Forces regulations.

(25) Civilian employees of cost-plus-a-fixed-fee contractors of the War Department, whose employment agreements provide for the furnishing of medical service by the contractors, in Army hospitals outside the continental limits of the United States.

(26) Applicants for enlistment, selectees and inductees, while under military control.

(27) Civilian employees of the War Department who are not United States Employees Compensation Commission beneficiaries, when serving in territories or possessions of the United States where civilian hospital facilities are not obtainable or when on military missions in foreign countries, for care and treatment until completion of their assignments in such territories or possessions or in such foreign countries, and without cost to the individual except for subsistence. Cases of traumatic injury in line of duty should be treated as United States Employees Compensation Commission beneficiaries.

(28) Senior cadet nurses during the period of their training at Army hospitals.

(29) Army nurses' aides while serving in Army hospitals.

(30) Members of the United States Soldiers' Home.

(31) Other civilians, whether or not in the public service, only in case of extreme necessity and when in the opinion of the commanding officer of the hospital, or his authorized representative, admission is necessary to save life or prevent greater suffering. Under these circumstances a written report will be submitted immediately to the post commander.

(32) Such other person as may be designated by the Secretary of War.

In § 707.16 paragraph (c) is amended by the addition of subparagraph (2); that portion of the first sentence of paragraph (d) is amended by the addition of "(5) or (6)"; where the words "corps area commander" appear, they are changed to read "commanding general of the service command". The section as amended reads as follows:

§ 707.16 *Disposition of patients.* * * *

(c) *Transfer.* * * *

(2) In the zone of the interior and, where practicable, overseas, the complete original clinical record, including X-ray films, electrocardiograms, and all pertinent laboratory data and progress notes, will accompany the patient to the hospital to which he is transferred.

(d) *Discharge of members of civilian components.* Members of the civilian components, hospitalized or rehospitalized under provisions of § 707.15 (b) (2), (3), (4), (5), or (6) for personal injury or for * * *

Section 707.18 is revised as follows:

§ 707.18 *Subsistence and other charges for patients.* (Provisions of this paragraph do not apply to the Army and Navy General Hospital, except as provided in AR 40-600)—(a) *Subsistence charges; rates.* The following schedule of rates will apply and, except as indicated by asterisk (*) below, will be collected direct from patients:

(1) For persons described in detail in the following subdivisions of § 707.15 (of which the descriptions below are merely convenient summaries), $1 a day:

(i) Officers. (Army) (§ 707.15 (b) (1) (i)).

(ii) Warrant officers (Army) (§ 707.15 (b) (1) (ii)).

(iii) Flight officers (Army) (§ 707.15 (b) (1) (iii)).

(iv) Nurses (Army) (§ 707.15 (b) (1) (iv)).

(v) Militarized female personnel (Army) (§ 707.15 (b) (1) (vi)).

(vi) Aviation cadets (Army) (§ 707.15 (b) (1) (vii)).

(vii) Contract surgeons (Army) full time (§ 707.15 (b) (1) (viii)).

(viii) Retired enlisted men (Army), advanced on retired list to commissioned or warrant grades under the provisions of the act of Congress approved 7 May 1932, unless they elect to be subsisted on enlisted status (§ 707.15 (b) (1) (x)).

(ix) Officers' Reserve Corps (when not entitled to subsistence at Government expense) (§ 707.15 (b) (2) (i)).

(x) Officers of National Guard (when not entitled to subsistence at Government expense) (§ 707.15 (b) (4) (i)).

(xi) Warrant officers of National Guard (when not entitled to subsistence at Government expense) (§ 707.15 (b) (4) (ii)).

(xii) Officers of National Guard of United States (when not entitled to subsistence at Government expense) (§ 707.15 (b) (5) (i)).

(xiii) Warrant officers of National Guard of United States (when not entitled to subsistence at Government expense) (§ 707.15 (b) (5) (ii)).

(xiv) Officers (Navy and Marine Corps) (§ 707.15 (b) (7) (i) (*a*)).

(xv) Commissioned warrant officers (Navy and Marine Corps) (§ 707.15 (b) (7) (i) (*b*)).

(xvi) Warrant officers (Navy and Marine Corps) (§ 707.15 (b) (7) (i) (*c*)).

(xvii) Nurses (Navy) (§ 707.15 (b) (7) (i) (*d*)).

(xviii) *Commissioned officers of United States Public Health Service (§ 707.15 (b) (8)).

(xix) *Civilian employees of United States Public Health Service (§ 707.15 (b) (9)).

(xx) *Officers (Coast Guard) (§ 707.15 (b) (10) (i)).

(xxi) *Commissioned warrant officers (Coast Guard) (§ 707.15 (b) (10) (ii)).

(xxii) *Warrant officers (Coast Guard) (§ 707.15 (b) (10) (iii)).

(xxiii) *Cadets (Coast Guard) (§ 707.15 (b) (10) (iv)).

(xxiv) *Commissioned officers (United States Coast and Geodetic Survey) (§ 707.15 (b) (11) (i)).

(xxv) *Ship's officers (United States Coast and Geodetic Survey) (§ 707.15 (b) (11) (ii)).

(xxvi) Dependents of officers (Army) (§ 707.15 (b) (12) (i)).

(xxvii) Dependents of warrant officers (Army) (§ 707.15 (b) (12) (ii)).

(xxviii) Dependents of flight officers (Army) (§ 707.15 (b) (12) (iii)).

(xxix) Dependents of aviation cadets (Army) (§ 707.15 (b) (12) (iv)).

(xxx) *Merchant Marine officers of vessels time-chartered to War Shipping Administration, outside United States (§ 707.15 (b) (18) (ii)).

(xxxi) Red Cross personnel (in time of peace) (§ 707.15 (b) (20) (i)).

(xxxii) Other welfare workers (§ 707.15 (b) (20) (ii)).

(xxxiii) Employees of commercial air lines, outside United States (§ 707.15 (b) (23)).

(xxxiv) Members of Civil Air Patrol (§ 707.15 (b) (24)).

(xxxv) Other civilians admitted in emergencies, unless destitute (§ 707.15 (b) (31)).

(xxxvi) Designees of the Secretary of War (unless otherwise specified) (§ 707.15 (b) (32)).

(2) For persons described in detail in the following subdivisions of § 707.15 (of which the descriptions below are merely convenient summaries), an amount equal to the commutation rate established in accordance with Army Regulations.

(i) Cadets of United States Military Academy (§ 707.15 (b) (1)).

(ii) Retired enlisted men, Army (including those advanced on retired list to commissioned or warrant grades under the provisions of the act of Congress approved 7 May 1932 who elect to be subsisted on enlisted status) (§ 707.15 (b) (1) (x)).

(iii) Midshipmen of United States Naval Academy (§ 707.15 (b) (7) (i) (*e*)).

(iv) *Enlisted men (Navy and Marine Corps) on retired or inactive status, etc. (§ 707.15 (b) (7) (i) (*g*)).

*Subsistence charges for these personnel will not be collected from the patients but either will be billed by the commanding officer of the medical installation concerned direct to the Surgeon General of the Army or will be otherwise collected in accordance with instructions from time to time issued by The Surgeon General. In the case of enlisted men (Navy and Marine Corps) on retired (inactive) status, etc. (§ 707.15 (b) (7) (i) (*g*)), subsistence charges will be billed to The Surgeon General of the Army only if the admission of such personnel to the hospital has been authorized by the Bureau of Medicine and Surgery, Navy Department, Washington, D. C.; if not so authorized, the subsistence charge will be collected direct from such personnel.

(v) *Enlisted men and women (Coast Guard) (§ 707.15 (b) (10) (iii)).

(vi) *Crews of vessels (United States Coast and Geodetic Survey) (§ 707.15 (b) (11) (iii)).

(vii) Dependents of enlisted men and women (Army) (§ 707.15 (b) (12) (v)).

(viii) *Civilian employees of the Government compensable by United States Employees' Compensation Commission (§ 707.15 (b) (13)).

(ix) Civilians paid from hospital subsistence accounts or nonappropriated funds (§ 707.15 (b) (14)).

(x) *American merchant seamen or river-boatmen in United States (§ 707.15 (b) (17)).

(xi) *Merchant seamen (excluding officers) of vessels time-chartered to War Shipping Administration, outside United States (§ 707.15 (b) (18) (ii)).

(xii) *Enrolled Indians (§ 707.15 (b) (19)).

(xiii) *Beneficiaries of Veterans' Administration (§ 707.15 (b) (21)).

(xiv) *Civilian employees of cost-plus-a-fixed-fee contractors (§ 707.15 (b) (25)).

(xv) Civilian employees of War Department outside continental United States not entitled to United States Employees' Compensation Commission benefits (§ 707.15 (b) (27)).

(xvi) Senior cadet nurses (§ 707.15 (b) (28)).

(xvii) *Members of United States Soldiers' Home (§ 707.15 (b) (30)).

(b) *Medicine charges; rates.* Per diem charges of 50 cents for medicines and dressings will be collected from persons admitted to hospitals under the provisions of § 707.15 (14), (23) and (31). In the case of expensive medicines, dressings, appliances, etc., additional charges will be made at such increased rate to be determined by the commanding officer of the hospital as will reimburse the United States for their cost.

In § 707.19 paragraph (a) is revised; paragraph (b) is revoked; paragraphs (c), (d) and (e) are redesignated (b), (c) and (d) respectively; paragraph (f) is redesignated (e), and amended as set forth below:

§ 707.19 *Civilian hospital employees*—(a) *General.* The employment of civilians necessary for the proper care of patients is authorized in annual appropriations "Medical and Hospital Department, Army" under such regulations fixing their number, qualifications, assignment, pay, and allowances as may be prescribed by the Secretary of War.

(b) *Number and assignment.* [Revoked]

* * * * *

(e) *Quarters.* Such quarters as may be available will be furnished for the use of employees (including senior cadet nurses and Army nurses' aides) and, in time of war, American Red Cross workers, whose constant presence at the hospital is necessary or appropriate.

Section 707.20 is revised as follows:

§ 707.20 *Laundry*—(a) *General.* Efficient hospital administration required that the hospital laundry consist of the following, which will be laundered without charge to the individuals concerned, except as stated herein:

(1) Linen, clothing, and bedding belonging to the Medical Department.

(2) Bulk linen and bedding of enlisted men and women assigned or attached to, or on duty at, the hospital.

(3) Washable clothing of enlisted men and women while patients in the hospital.

(4) White coats and trousers of enlisted attendants.

(5) Washable clothing of civilian attendants when their contracts of employment entitled them to this service.

(6) Washable clothing (including uniforms), bulk linen, and bedding of senior cadet nurses while on duty at, or patients in, the hospital.

(7) Uniforms of American Red Cross workers serving in the hospital; and uniforms, coveralls, and work suits for civilian hospital employees when deemed necessary by the commanding officer for the maintenance of sanitary standards.

(8) Diapers and other linen of infant patients.

(9) Within the limits of available hospital laundry facilities, laundry service for the staff and related medical organizations, detachments at the hospitals, and medical personnel at nearby stations, including staffs and detachments of numbered hospitals when attached for training. Rates chargeable will be prescribed by The Surgeon General.

(b) *Purchase from commercial sources for Army hospitals and dispensaries within continental United States; when authorized.* When laundry service cannot be procured from Army owned and operated laundries and is not obtainable from Federal prison laundries or laundries of other government agencies, hospitals and dispensaries will employ commercial laundries under instructions from the commanding general of the service command.

(c) *Instructions governing purchases.* (1) War Department Procurement Regulations governing the purchase of supplies, equipment, and services are applicable to the procurement of hospital laundry services.

(2) *Periods for which purchases are to be made.* Ordinarily service will be procured for one entire fiscal year. Under special conditions it may cover other periods within one fiscal year, but in no case will a purchase cover services in different fiscal years.

(3) *Emergency purchases.* When there is an emergency which requires immediate performance of the work, it may be procured by informal contract in accordance with Procurement Regulations and instructions from the commanding general of the service command, but an emergency cannot rightly be held to continue for a longer period than may be necessary to enter into a formal contract for the service.

(4) *Procurement of laundry service by formal contract.* (i) Civilian laundry service (except when immediately necessary in emergency, (3) of this paragraph) will be procured under formal contract. The form and execution of contracts, routing and disposition of papers, etc., will be as provided for in Procurement Regulations and instructions from the commanding general of the service command or higher authority.

(ii) Bonds will not be required by contracting officers except when authorized by the commanding general of the service command.

(iii) Hospital laundry contracts will be subject only to such approval as may be prescribed by the commanding general of the service command.

(R. S. 161; 5 U.S.C. 22) [AR 40-590, 29 August 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-14452; Filed, Sept. 18, 1944; 2:38 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3472[1]]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ARVIL COMPANY

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts.* Order modifying prior cease and desist order of Commission, which, in connection with offer, etc., in commerce, of respondents' "Arvil" and "Dawn Shampoo", or other similar preparations, required respondents, their representatives, etc., to cease and desist representing (1) that said "Arvil" restores pigment in the hair shaft, causes hair to assume a natural color, etc.; (2) that graying hair indicates that hair or scalp is not in normal health; (3) that it is the consensus of scientific opinion that dandruff is caused by a germ; (4) that "Arvil" is effective as an antiseptic or astringent; (5) that either or both preparations will permanently relieve dandruff or itching scalp; (6) that either or both cure baldness or falling hair, etc.; or (7) that "Arvil" contains no harmful or dangerous drug, or that use will have no ill effects, through failure to reveal that its use is not wholly safe on the skin, particularly in the event of any injury, inflammatory or eczematous condition thereon, etc.; so as to change said last prohibition to read, "representing that the use of the preparation Arvil is safe and will have no ill effects upon the human body"; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, Arvil Company, Docket 3472, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August A. D. 1944.

In the Matter of Stafford T. Mitchell, Janet M. Mitchell, and Otis S. Mitchell, Doing Business as Arvil Company

This proceeding having been heard by the Federal Trade Commission upon the record, and an order to cease and desist having been issued pursuant thereto on December 6, 1939, and upon further consideration it now appearing to the Commission that paragraph 7 of said order should be modified in certain respects in order to conform to the present scientific findings pertaining to lead acetate hair dye preparations, and respondents having executed and filed with the Commission and instrument in which it is stated that they will not resist modification of the order in the respects outlined in said instrument;

Now, therefore, it is ordered, That paragraph 7 of the order to cease and desist entered herein on December 6, 1939, be modified to read as follows:

7. Representing that the use of the preparation Arvil is safe and will have no ill effects upon the human body.

It is further ordered, That, except as herein modified, said order to cease and desist remain in full force and effect.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14461; Filed, Sept. 19, 1944; 10:26 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 322]

PART 407—TREASURY DIVISION

SIGNATORIES

Section 407.15 (8 F.R. 7367) shall be amended to read as follows:

§ 407.15 *Signatories.* The Regional Comptroller and the Regional Cashier in each Regional Office, except the New York Region, are authorized individually to sign checks drawn on the Regional Working Fund maintained with the Treasurer of the United States for their respective Regions. In the New York Region the Assistant Comptroller and the Assistant Regional Treasurer are authorized individually to sign checks drawn on the Regional Working Fund maintained with the Treasurer of the United States for the New York Region.

All checks in excess of $5000 drawn on such accounts shall be countersigned, in all Regions except New York, by the Regional Manager, by the Manager of Loans and Properties, or by an Administrative Assistant. In the New York Region such checks shall be countersigned by the General Manager, by the Assistant to the General Manager, or by a Deputy General Manager.

Effective: September 16, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 44-14455; Filed, Sept. 18, 1944; 9:44 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

BONUS PAYMENTS NOT SUBJECT TO APPROVAL BY BOARD

General Order No. 10 has been amended to read as follows:

§ 803.10 *Bonus payments not subject to approval by Board.* (a) The payment to employees, whose wage or salary adjustments are subject to the jurisdiction of the National War Labor Board, of a bonus or gift paid to such employees in the past may be continued without the approval of the National War Labor Board: *Provided,* That,

(1) If in a fixed amount, the total amount so paid to an employee during the current bonus year does not exceed the total so paid to an employee for like work during the preceding bonus year, or

(2) If computed on a percentage, incentive or other similar basis, the rate and the method of computation are not changed in the current bonus year so as to yield a greater amount than that in the preceding bonus year, but a greater amount when resulting from the same rate and method of computation may be paid.

(b) Notwithstanding the provisions of paragraph (a) hereof, an employer may pay to each of his employees, without the approval of the National War Labor Board, a Christmas or year-end bonus in an amount not exceeding the sum of twenty-five dollars.

(c) If an employee is regularly compensated on a commission or fixed percentage basis, a change in the rate or method of compensation constitutes a wage or salary adjustment which requires the approval of the National War Labor Board.

(E.O. 9250, 7 F.R. 7871)

Approved: September 12, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-14450; Filed, Sept. 19, 1944; 9:43 a. m.]

PART 803—GENERAL ORDERS

STABILIZATION OF BONUS PAYMENTS AMONG STOCK EXCHANGE FIRMS

On September 9, 1944, pursuant to § 803.10 *Bonus payments not subject to approval by Board* (General Order 10), the National War Labor Board passed the following resolution:

Be it resolved that stock exchange firms which have paid year-end bonuses for 1943 in excess of the bonus payments made during the preceding year, pursuant to approval of the Board, shall not be permitted to use such payments as the basis for making similar payments in 1944 under the provisions of General Order 10. This action is taken for the purpose of securing stabilization of bonus payments among stock exchange firms, following the policies laid down by the Board in its ruling of August 10, 1944 in the Merrill-Lynch et al. cases. Stock exchange firms which desire to make bonus payments in excess of those permissible under General Order 10, excluding the 1943 payments from consideration, must secure approval of the Board through the customary Form 10 procedure.

(E.O. 9250, 7 F.R. 7871)

Approved: September 9, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-14460; Filed, Sept. 19, 1944; 9:43 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1, as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-619]

L. H. PAULEY AND PAULEY LUMBER CO.

Pauley Lumber Company is a Nebraska corporation with its principal office in Lincoln, Nebraska. L. H. Pauley is president of the corporation and resides in Lincoln, Nebraska. On January 14, 1944, L. H. Pauley, acting for Pauley Lumber Company, applied preference ratings of AA-3 and AA-4 to a purchase order for two carloads of ponderosa pine lumber, without authorization from the War Production Board. On that day both Pauley Lumber Company and L. H. Pauley were subject to War Production Board Suspension Order S-431 which denied both the corporation and L. H. Pauley the right to apply or extend preference ratings until January 20, 1944. The application of these preference ratings by L. H. Pauley and Pauley Lumber Company on January 14, 1944, was a violation of War Production Board Suspension Order S-431 and Priorities Regulation No. 3. Pauley Lumber Company and L. H. Pauley were aware of the provisions of War Production Board Suspension Order S-431 and Priorities Regulation No. 3, and their actions constituted grossly negligent violations of these orders.

These violations have diverted critical material to uses not authorized by the War Production Board and have hampered and impeded the war effort of the

[1] 4 F.R. 4663.

United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.619 *Suspension Order No. S–619.* (a) Pauley Lumber Company and L. H. Pauley shall not for thirty days from the effective date of this order apply or extend any preference ratings, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) The restrictions and prohibitions contained herein shall apply to Pauley Lumber Company and L. H. Pauley, its and his successors and assigns or persons acting on its or his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve L. H. Pauley, individually, or otherwise, his successors or assigns, or the Pauley Lumber Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 18, 1944.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14457; Filed, Sept. 18, 1944; 4:23 p. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S–620]

NAT SILVERSTONE

Nat Silverstone of 2425 Broadway, Oakland, California, is a dealer in commercial refrigeration equipment. In December, 1943, he delivered a refrigerator on an order which was not an authorized or approved order, in wilful violation of Limitation Order L–38. In October and November, 1943, he applied preference ratings assigned for maintenance, repair and operating supplies to orders for refrigerator condenser units and blower coils and used the material so obtained to construct and install new refrigeration systems, in violation of Priorities Regulation No. 1, and between April 10, 1943, and November 20, 1943, he delivered refrigerator parts for uses unauthorized by Limitation Order L–38 and in violation of that order; these violations of Priorities Regulation No. 1 and Limitation Order L–38 were caused by his gross negligence. He also was grossly negligent in failing to keep proper records, as required by Priorities Regulation No. 1.

These violations of War Production Board Regulations have diverted critical materials to uses not authorized by the War Production Board and have interfered with the controls established by the War Production Board for the allocation of critical materials, and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.620 *Suspension Order No. S–620.* (a) Nat Silverstone, his successors and assigns, shall not make any deliveries of any new system or new parts of commercial refrigeration equipment as defined in Limitation Order L–38 (as amended from time to time) except upon orders for direct use by the Army, Navy, Maritime Commission or War Shipping Administration or unless specifically authorized in writing by the Regional Director of the San Francisco, California, Regional Office of the War Production Board, and specific authority to act on applications for authorization is hereby delegated to the Regional Director of the San Francisco, California, Regional Office of the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Nat Silverstone, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provision hereof.

(c) This order shall take effect on September 18, 1944, and shall expire on January 18, 1945.

Issued this 8th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14458; Filed, Sept. 18, 1944; 4:23 p. m.]

PART 3293—CHEMICALS

[Conservation Order M–382, As Amended Sept. 6, 1944, Amdt. 1]

PROTECTIVE COATINGS

Section 3293.631 *Conservation Order M–382* is hereby amended in the following respects:

1. In paragraph (b), second line, the date "September 20" should be changed to "October 6".

2. In paragraph (c), third line of the text, the date "September 20" should be changed to "October 6".

Issued this 19th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14477; Filed, Sept. 19, 1944; 11:06 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 244]

OREGON

REVOCATION OF ORDER WITHDRAWING CERTAIN PUBLIC LANDS

By virtue of the authority contained in section 1, of the act of June 25, 1910, c. 421, 36 Stat. 847 (43 U.S.C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The Executive order of August 13, 1915, withdrawing certain public lands in the State of Oregon for the Lower Silvies Reservoir Site, in connection with the Harney Project, is hereby revoked.

This order shall become effective immediately as to the administration of any of the lands within a grazing district, but shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

SEPTEMBER 11, 1944.

[F. R. Doc. 44–14479; Filed, Sept. 19, 1944; 11:06 a. m.]

[Public Land Order 245]

ALASKA

WITHDRAWAL OF CERTAIN LAND FROM CHUGACH NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U.S.C., title 16, sec. 473), and by section 1 of the act of March 12, 1914, 38 Stat. 305 (U.S.C., title 48, sec. 303), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The two following-described parcels of public land in Alaska designated as Tract No. 1 and Tract No. 2, respectively, are hereby excluded from the Chugach National Forest and withdrawn from settlement, location, sale, entry, and other disposition; and, subject to valid existing rights, Tract No. 1 is reserved for survey and disposal for townsite purposes under the authority of the abovementioned act of March 12, 1914, and Tract No. 2 is reserved for the use of the Alaska Railroad:

TRACT NO. 1

Beginning at corner No. 1, which is identical with corner No. 4, U. S. Survey No. 2196 in latitude 60°29′ N., longitude 149°21′ W.

From the initial point,

Northwesterly along the shore of Upper Trail Lake approximately 9.25 chs. to corner No. 2, which is identical with corner No. 1, H. E. S. No. 220;

Northerly along the shore of Upper Trail Lake approximately 27.50 chs. to corner No. 3, not set;

S. 80°39′ W., 12.00 chs., to corner No. 4, not set;

South, 43.75 chs., to corner No. 5, not set;

East, 18.00 chs., to right of way of Alaska Railroad and corner No. 6;

N. 28°00′ E., 1.40 chs. along railroad right of way to corner No. 7;

N. 35°21′ E., 5.61 chs. along railroad right of way to corner No. 8, which is identical with corner No. 2, U. S. Survey No. 2196;

N. 45°37′ W., 5.13 chs., to corner No. 9, which is identical with corner No. 3, U. S. Survey No. 2196;

N. 36°36′ E., 3.40 chs., to corner No. 1, the place of beginning.

The tract as described contains 67.89 acres.

TRACT NO. 2

Beginning at a point south and east of the south end of The Alaska Railroad Bridge No. 29.5, at Moose Pass, Alaska, where the shore line of Middle Trail Lake intersects the east boundary of the Railroad right of way, thence southeasterly and southwesterly along the shore line to a point where said shore line again intersects the Railroad right of way at a distance of 1056 feet from the point of beginning, thence northeasterly along the east boundary of the Alaska Railroad right of way to point of beginning, containing approximately five acres.

The withdrawal made by this order shall be subject to the reservation for Federal Power Project No. 1196, made on January 20, 1932, so far as it affects any of the above-described land.

ABE FORTAS,
Acting Secretary of the Interior.

SEPTEMBER 12, 1944.

[F. R. Doc. 44–14480; Filed, Sept. 19, 1944; 11:06 a. m.]

[Public Land Order 246]

OREGON

PARTIAL REVOCATION OF ORDER ESTABLISHING CERTAIN PUBLIC LANDS

By virtue of the authority contained in section 1 of the Act of June 25, 1910, c. 421, 36 Stat. 847 (U. S. C., title 43, sec. 141) and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The Executive order dated August 27, 1921, creating Public Water Reserve No. 79, is hereby revoked as to the following described land:

WILLAMETTE MERIDIAN

T. 7 S., R. 16 E., sec. 12, NE¼SW¼.
The area described contains 40 acres.

This order shall not otherwise become effective to change the status of the land until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the land, subject to valid existing rights and existing withdrawals and reservations, shall be open to such application, petition, location or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254), and 43 CFR Part 296, to the extent that these regulations are applicable.

ABE FORTAS,
Acting Secretary of the Interior.

SEPTEMBER 12, 1944.

[F. R. Doc. 44–14481; Filed, Sept. 19, 1944; 11:06 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 11 Corr. to Rev. Suppa 7 and 8]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

TIME CHARTERS FOR FOREIGN FLAG DRY CARGO AND TANK VESSELS

Warshipreq Policy, as prescribed by § 302.48 published in the FEDERAL REGISTER for Tuesday, September 12, 1944, at page 11181, is corrected by striking out the comma after the word "Managers" in the "Latent Defect and Negligence" clause on page 11190, and inserting a period in lieu thereof.

Reference heretofore and hereafter made to Warshipreq Policy shall be deemed to refer to said Warshipreq Policy as corrected above.

Warshipreq Policy, as prescribed by § 302.53 published in the FEDERAL REGISTER for Tuesday, September 12, 1944, at page 11194, is corrected by striking out the comma after the word "Managers" in the "Latent Defect and Negligence" clause on page 11203, and inserting a period in lieu thereof.

Reference heretofore and hereafter made to Warshipreq Policy shall be deemed to refer to said Warshipreq Policy as corrected above.

[SEAL] A. J. WILLIAMS,
Secretary.

SEPTEMBER 18, 1944.

[F. R. Doc. 44–14484; Filed, Sept. 19, 1944; 11:29 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Recreational Withdrawal No. 12, Revocation]

OREGON

REVOCATION OF PUBLIC LANDS WITHDRAWAL

The orders of the First Assistant Secretary of the Interior of May 21, 1928 and April 2, 1929, withdrawing the following-described lands under the provisions of the act of June 14, 1926, 44 Stat. 741 (U.S.C., title 43, sec. 869), are hereby revoked:

WILLAMETTE MERIDIAN

T. 21 S., R. 31 E.,
Sec. 21, E½E½ and W½SE¼;
Sec. 28, N½NE¼, SE¼NE¼, E½SE¼, and SW¼SE¼;
Sec. 33, W½NE¼.
The areas described aggregate 560 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 12, 1944.

[F. R. Doc. 44–14485; Filed, Sept. 19, 1944; 11:08 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 855]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 2, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	*Amount*
South Carolina 5014S8 Aiken	$20,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44–14482; Filed, Sept. 19, 1944; 11:19 a. m.]

[Administrative Order 856]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 2, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	*Amount*
Illinois 5012B6 Bureau	$125,000
Iowa 5032E3 Butler	80,000
Iowa 5088D5 Pocahontas	50,000
Iowa 5050B3 Lyon	25,000
Iowa 5073B3 Adair	75,000
Iowa 5074D2 Allamakee	125,000
Iowa 5077A4 Davis	75,000
Louisiana 5017H1 Claiborne	$10,000
Minnesota 5073C3 Pipestone	60,000
Minnesota 5085B1 Todd	150,000
Minnesota 5097A2 Roseau	60,000
New York 5020C1 Delaware	8,000
North Carolina 5010C3 Haywood	15,000
North Dakota 5013E2 Foster	75,000
Oklahoma 5025C4 Rogers	50,000
Texas 5023C4 McCulloch	50,000
Texas 5069C6 Erath	70,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44–14483; Filed, Sept. 19, 1944; 11:19 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70–A, Special Permit 504]

RECONSIGNMENT OF MELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois,

September 13, 1944, by Gianukos Damos Company of car PFE 60613, melons, now on the Wabash Railroad, to M. Degaro, Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14423; Filed, Sept. 18, 1944; 12:02 p. m.]

[S. O. 70-A, Special Permit 505]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 13, 1944, by Bacon Brothers of cars of potatoes, now on the Wood Street Terminal, as follows:

WFE 65221 to Defiance Commission Company, Defiance, Ohio (Wabash). MDT 4521 to Hulman & Company, Terre Haute, Ind. (C. & E. I.). MDT 10965 to Illinois Fruit & Produce Co., Streator, Illinois (C. B. & Q.).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14424; Filed, Sept. 18, 1944; 12:02 p. m.]

[S. O. 70-A, Special Permit 506]

RECONSIGNMENT OF PFE CAR AT READING, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Reading, Pennsylvania, September 13, 1944, by Associated Fruit Distributors of California of car PFE 25127, now on the Reading Company, to Strock & Company, Boston, Massachusetts. (CNJ-NYNHaH).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14425; Filed, Sept. 18, 1944; 12:02 p. m.]

[S. O. 70-A, Special Permit 507]

RECONSIGNMENT OF POTATOES AND ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 13, 1944, by Christ Hansen Company of cars PGE 50067 and WFE 60837, potatoes, and PFE 97376, onions, now on the Wood Street Terminal, to Norman H. Vetter, Cincinnati, Ohio. (Big 4).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14426; Filed, Sept. 18, 1944; 12:02 p. m.]

[S. O. 70-A, Special Permit 508]

RECONSIGNMENT OF PEARS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 13, 1944, by Simon Siegel Company of car PFE 45630, pears, now on the Chicago Produce Terminal, to Simon Siegel Company, Boston, Massachusetts. (Erie-NYNHaH).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14427; Filed, Sept. 18, 1944; 12:02 p. m.]

[S. O. 70-A, Special Permit 509]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 13, 1944, by Piowaty Bergart Company of car WFE 67068, potatoes, now on the Wood Street Terminal, to Manteleone Brothers, New Orleans, Louisiana. (I. C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14428; Filed, Sept. 18, 1944; 12:02 p. m.]

[S. O. 70-A, Special Permit 510]

RECONSIGNMENT OF CAULIFLOWER AND PEAS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 14, 1944, by Le Mantia Brothers Arrigo of car ART 17978, cauliflower and peas, now on the Chicago Produce Terminal, to Martin Rinis Sons, Inc., Cleveland, Ohio. (NKP).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of the permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14429; Filed, Sept. 18, 1944; 12:03 p. m.]

[S. O. 70-A, Special Permit 512]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 14, 1944, by M. Lapidus & Sons of car PFE 90460, onions, now on the C. B. & Q. Railroad, to Elgin Fruit & Produce Company, Elgin, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14430; Filed, Sept. 18, 1944; 12:03 p. m.]

[S. O. 70-A, Special Permit 513]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 14, 1944, by National Produce Company of car WFE 62980, potatoes, now on the Wood Street Terminal (C&NW) to Dixon Fruit Company, Dixon, Illinois. (I.C.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14431; Filed, Sept. 18, 1944; 12:03 p. m.]

[S. O. 70-A, Special Permit 514]

RECONSIGNMENT OF MELONS AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, September 15, 1944, by Starr Produce Company, or car MDT 9136, melons, now on the Pennsylvania Railroad, to New York, New York, via Pennsylvania Railroad.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14432; Filed, Sept. 18, 1944; 12:03 p. m.]

[2d Rev. S. O. 224, Amended Special Permit 8]

ICING AND REICING OF FRESH PRUNES FROM FREEWATER, OREG.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944, (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing, or reicing in transit, to full bunker capacity, of cars NP 90094, 90315, 90558, 90446, 90256, 90499, 92139, 92033, fresh prunes, moving August 23 to 29, 1944, from Freewater, Oregon, consigned to New York, New York, (Nor. Pac.-Burl.-Erie), as these are test shipments moving under supervision of the Department of Agriculture.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14433; Filed, Sept. 18, 1944; 12:03 p. m.]

[Rev. S. O. 226, Corr. 2d Amended Gen. Permit 1]

ICING OF VEGETABLES AT DESIGNATED CITIES IN ILLINOIS, MISSOURI AND PENNSYLVANIA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the retop icing of vegetables, as defined therein, at Chicago, Peoria or East St. Louis, Illinois, St. Louis, Missouri, or Pittsburgh, Pennsylvania.

This general permit shall become effective at 6:00 p. m., September 9, 1944, and shall apply to all cars billed or rolling on or after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by fil-

ing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14434; Filed, Sept. 18, 1944; 12:09 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

ORDER FOR AND NOTICE OF HEARING

ARNOLD WEISSELBERG

Whereas by Vesting Order No. 27 dated June 18, 1942 (7 F.R. 4629), the Alien Property Custodian vested, among other things, Patent No. 1,747,942 and Patent No. 2,756,512 and recited therein that said patents are the property of nationals of a foreign country; and

Whereas Arnold Weisselberg has filed Notices of Claims Nos. 870 and 1209 which assert respectively that said Arnold Weisselberg is entitled in lieu of compensation for services rendered in connection with the above mentioned patents, to an interest in said patents and/or royalties accrued and to accrue therefrom, by virtue of certain alleged agreements with K. L. Lanninger, Germany, and Langbein Pfanhauser Werke, Germany, respectively, and said Arnold Weisselberg asserts that he is a citizen of the United States and his address is 27 Pearl Street, New York, New York.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (8 Fed. Reg. 16709) that said claims be consolidated for hearing and that a hearing thereon be held before the Vested Property Claim Committee or any member or members thereof on Tuesday, October 3, 1944, at 10:00 a. m., eastern war time, at the Office of Alien Property Custodian, 120 Broadway, New York 5, New York, to continue thereafter at such time and place as the Committee may determine.

It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimant and upon the persons designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before September 27, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

SEPTEMBER 19, 1944.

[F. R. Doc. 44-14463; Filed, Sept. 19, 1944; 10:40 a. m.]

FUEL REFINING CORPORATION

ORDER FOR AND NOTICE OF HEARING

Whereas, by Vesting Order No. 201, dated October 2, 1942 (8 Fed. Reg. 625), the Alien Property Custodian vested, among other things the following patents:

1,608,793	1,830,958	2,018,223
1,619,536	1,833,494	2,037,587
1,674,007	1,847,098	2,043,945
1,696,446	1,887,214	2,049,272
1,698,272	1,904,516	2,065,288
1,760,770	1,918,926	2,082,215
1,798,129	1,949,177	2,108,610
1,805,922	1,990,089	2,126,289
1,810,495	2,003,271	2,132,641
1,824,922	2,004,266	
1,829,606	2,008,658	

and recited therein that said patents are property of nationals of a foreign country (Germany); and

Whereas by Vesting Order No. 664 dated January 18, 1943 (8 F.R. 4989), the Alien Property Custodian vested, among other things, the following patents:

1,577,487	1,748,142	1,856,229
1,707,537	1,827,328	

and recited therein that said patents are property of nationals of a foreign country (Denmark); and

Whereas by Vesting Order No. 671 dated January 18, 1943 (8 F.R. 5004), the Alien Property Custodian vested, among other things, the following patents:

2,158,491	2,159,259	2,199,813
2,159,666	2,195,466	

and recited therein that said patents are property of nationals of a foreign country (The Netherlands); and

Whereas Fuel Refining Corporation has filed Notices of Claims on Form APC–1 Claim No. 904 and on Form APC–17 which assert respectively that said Fuel Refining Corporation is the owner of the entire property right in and to each of the above mentioned patents, by virtue of assignments from the aforesaid foreign nationals, and said Fuel Refining Corporation asserts that it is a corporation organized under the laws of the State of Delaware and having its principal place of business at 225 West 34th Street, New York, New York, and that all of its stock has been and now is owned by a citizen of the United States.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended, (8 F.R. 16709) that said claims be consolidated for hearing and that a hearing thereon be held before the Vested Property Claims Committee or any member or members thereof on Monday, October 2, 1944, at 10:00 a. m., eastern war time, at the Office of Alien Property Custodian, 120 Broadway, New York 5, New York, to continue thereafter at such time and place as the Committee may determine.

It is further ordered, That copies of this notice of hearing be served by registered mail upon the claimant and upon the persons designated in paragraph 2 of the said notices of claims, and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington 25, D. C., on or before September 26, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims. Copies of the claims and of the said vesting orders are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

SEPTEMBER 19, 1944.

[F. R. Doc. 44-14463; Filed, Sept. 19, 1944; 10:40 a. m.]

[Vesting Order 4124]

CAROLINE DOLLOFF

In re: Estate of Caroline Dolloff, deceased; File D-28-8687; E. T. sec. 10527.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Martha Schramme in and to the Estate of Caroline Dolloff, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Martha Schramme, Japan.

That such property is in the process of administration by Ray C. Gregory, Executor of the Estate of Caroline Dolloff, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Pierce;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14464; Filed, Sept. 19, 1944; 10:40 a. m.]

[Vesting Order 4125]

JOHN HEINTZEL

In re: Estate of John Heintzel, deceased; File D-6-1151; E. T. sec. 11233.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Teresa Unger, Katerina Zorka, Maria Elkinger, Carolina Heinzel, Frank Tury and Anna Graf, and each of them, in and to the Estate of John Heintzel, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Teresa Unger, Germany.
Katerina Zorka, Germany.
Maria Elkinger, Germany.
Carolina Heinzel, Germany.
Frank Tury, Germany.
Anna Graf, Germany.

That such property is in the process of administration by George Kochfuss, as Administrator of the Estate of John Heintzel, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14465; Filed, Sept. 19, 1944; 10:41 a. m.]

[Vesting Order 4127]

DAVID MOLDAWSKY

In re: Trust under the will of David Moldawsky, deceased; File D-87-380; E. T. sec. 7384.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Ghetel Moldawsky, Sossie Moldawsky, and Saibel Zilberman, and each of them, in and to a trust created under the will of David Moldawsky, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Ghetel Moldawsky, Rumania.
Sossie Moldawsky, Rumania.
Saibel Zilberman, Rumania.

That such property is in the process of administration by The Pennsylvania Company for Insurance on Lives and Granting Annuities and Oscar G. Bender, as trustees of the trust under the will of David Moldawsky, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14466; Filed, Sept. 19, 1944; 10:41 a. m.]

[Vesting Order 4128]

HUGO PHILLIP OPPENHEIM

In re: Trust created under the will of Hugo Phillip Oppenheim, also known as H. P. Oppenheim, deceased; File D-28-8616; E. T. sec. 10306.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Isaak Oppenheimer, Paula Stern and Elsa Oppenheimer, and each of them, in and to the trust created under the will of Hugo Phillip Oppenheim, also known as H. P. Oppenheim, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Isaak Oppenheimer, Germany.
Paula Stern, Germany.
Elsa Oppenheimer, Germany.

That such property is in the process of administration by the Wells Fargo Bank & Union Trust Co. and Elaine Rose Owen, formerly Elaine Rose Oppenheim, as Trustees of the Trust created under the will of Hugo Phillip Oppenheim, also known as H. P. Oppenheim, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14467; Filed, Sept. 19, 1944; 10:41 a. m.]

[Vesting Order 4129]

VICTOR REXIN

In re: Estate of Victor Rexin, deceased; File D–28–8351; E. T. sec. 9640.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Martha (Marta) Rexin Vilske, in and to the Estate of Victor Rexin, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Martha (Marta) Rexin Vilske, Germany.

That such property is in the process of administration by Louise Garbarino, as Administratrix of the Estate of Victor Rexin, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take ony one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14468; Filed, Sept. 19, 1944; 10:41 a. m.]

[Vesting Order 4130]

MARTHA RUSCH

In re: Estate of Martha Rusch, deceased; File D–28–8613; E. T. sec. 10297.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Lieschen Muller, or her issue, Herman Schulz, or his heirs or issue, and Fritz Rusch, or his heirs or issue, in and to the Estate of Martha Rusch, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Lieschen Muller, or her issue, Germany.
Herman Schulz, or his heirs or issue, Germany.
Fritz Rusch, or his heirs or issue, Germany.

That such property is in the process of administration by Wells Fargo Bank & Union Trust Co., as Executor of the Estate of Martha Rusch, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14469; Filed, Sept. 19, 1944; 10:42 a. m.]

[Vesting Order 4131]

CHARLES WILLIAM HENRY SCHWARZ

In re: Trust under the will of Charles William Henry Schwarz, deceased; File D–66–1619; E. T. sec. 10059.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Eda S. Lange in and to the trust created under the will of Charles William Henry Schwarz, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Eda S. Lange, Germany.

That such property is in the process of administration by Safe Deposit and Trust Company of Baltimore, as substituted trustee under the will of Charles William Henry Schwarz, acting under the judicial supervision of the Circuit Court for Baltimore County, Maryland;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14470; Filed, Sept. 19, 1944; 10:42 a. m.]

[Vesting Order 4132]

ARMIN (FRED) VETTER

In re: Estate of Armin (Fred) Vetter, deceased; File D–28–8987; E. T. sec. 11223.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Richard Vetter and Erich Vetter, and each of them, in and to the Estate of Armin (Fred) Vetter, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Richard Vetter, Germany.
Erich Vetter, Germany.

That such property is in the process of administration by William H. Ramsey, as Administrator of the Estate of Armin (Fred) Vetter, acting under the judicial supervision of the District Court of the United States for the District of Columbia, Washington, D. C.;

and determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 12, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14471; Filed, Sept. 19, 1944; 10:42 a. m.]

[Vesting Order 4135]

ERNST G. H. WERNER

In re: Estate of Ernst G. H. Werner, deceased; File No. D–28–6467; E. T. sec. 3669.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

That the property described as follows:
All right, title, interest and claim of any kind or character whatsoever of Mina Prill, the issue of Mina Prill, whose names are unknown, George Werner, the issue of George Werner, whose names are unknown, Erhart Pohl, the issue of Erhart Pohl, whose names are unknown, Gertrude Pohl, the issue of Gertrude Pohl, whose names are unknown, and each of them, in and to the Estate of Ernst G. H. Werner, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mina Prill, Germany.
The issue of Mina Prill, whose names are unknown, Germany.
George Werner, Germany.
The issue of George Werner, whose names are unknown, Germany.
Erhart Pohl, Germany.
The issue of Erhart Pohl, whose names are unknown, Germany.
Gertrude Pohl, Germany.
The issue of Gertrude Pohl, whose names are unknown, Germany.

That such property is in the process of administration by Josephine Meyer, as Executrix of the Estate of Ernst G. H. Werner, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 14, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14472; Filed, Sept. 19, 1944; 10:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 335]

COMMON CARRIERS

COORDINATED OPERATIONS IN ILLINOIS AND IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

[1] Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

McCoy Truck Line, Inc., Waterloo, Iowa.
Urban J. Haas & Cyril H. Wissel, doing business as H & W Motor Express Co., Dubuque, Iowa.

[F. R. Doc. 44-14446; Filed, Sept. 18, 1944; 1:35 p. m.]

[Supp. Order ODT 3, Rev. 336]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHARLOTTE, N. C., AND ROCK HILL, S. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

J. Wesley Lowther, doing business as Rowther Trucking Company, Rock Hill, South Carolina.
Central Motor Lines, Incorporated, Kannapolis, North Carolina.

[F. R. Doc. 44-14447; Filed, Sept. 18, 1944; 1:35 p. m.]

[Supp. Order ODT 3, Rev. 337]

COMMON CARRIERS

COORDINATED OPERATIONS IN NORTH CAROLINA AND VIRGINIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John A. Bailey, doing business as Textile Transportation, Burlington, N. C.
Associated Transport, Inc., New York, N. Y.

[F. R. Doc. 44-14448; Filed, Sept. 18, 1944; 1:35 p. m.]

[Supp. Order ODT 3, Rev. 338]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN VINCENNES AND EVANSVILLE, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and pur-

poses of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Motor Freight Corporation, Terre Haute, Ind.
2. Hancock Truck Lines, Incorporated, Evansville, Ind.
3. Morrow, Incorporated, Evansville, Ind.
4. Jesse W. Kern, doing business as Kern Motor Express, Evansville, Ind.

[F. R. Doc. 44-14449; Filed, Sept. 18, 1944; 1:36 p. m.]

[Supp. Order ODT 3, Rev. 339]

COMMON CARRIERS

COORDINATED OPERATIONS IN GEORGIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

R. E. Long, 109 Hancock Street, East, Milledgeville, Ga.
J. D. Ivey, Hancock and Jefferson Streets, Milledgeville, Ga.
E. R. Elliott, 209 South Wayne Street, Milledgeville, Ga.
Robert Stubbs, Route 1, Milledgeville, Ga.

[F. R. Doc. 44-14450; Filed, Sept. 18, 1944; 1:36 p. m.]

[Supp. Order ODT 3, Rev. 340]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN PORTLAND, MAINE, AND PROVIDENCE, R. I.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 23, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hunnewell Trucking Inc., Portland, Maine.
William A. Hogan, doing business as Atlantic Motor Lines, Boston, Mass.
Boston and Taunton Transportation Co. (a corporation), South Boston, Mass.

[F. R. Doc. 44-14451; Filed, Sept. 18, 1944; 1:37 p. m.]

[Supp. Order ODT 20A-175]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATORS IN BOSTON, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan to coordinate their taxicab operations within the area of Boston, Massachusetts, so as to assure maximum utilization of their facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, except subparagraphs (1), (m) and (n) of paragraph 5 which are disapproved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall super-

[1] Filed as part of the original document.

sede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–175" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Boston, Massachusetts.

8. This order shall become effective September 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Charles Beyers, 295 Huntington Ave., Boston, Mass.
Thomas T. Clark, 60 Kilmarnock St., Boston, Mass.
Roslindale Taxi Inc., 112 Walter St., Roslindale, Mass.
Rialto Taxi Co., Belgrade Ave., Roslindale, Mass.
John Singer, 1760 Centre St., West Roxbury, Mass.
Charles S. Donovan, 66 Tacoma St., Hyde Park, Mass.
Cleary Taxi Service Inc., 886 Columbia Road, Dorchester, Mass.
Kenmore Taxi Co. Inc., 112 Worcester St., Boston, Mass.
Town Taxi Inc., 160 Ipswich St., Boston, Mass.
Cleveland Taxi Service, 19 Braemore Road, Brighton, Mass.
Frank McCann Corporation, 16 Harcourt St., Boston, Mass.
Boston Cab Co., 51 Symphony Road, Boston, Mass.
Est. of Edward C. Murphy, 5 Stoughton St., Dorchester, Mass.
Fred T. Lynch, 100 Perham St., West Roxbury, Mass.
Central Cab Co., Inc., 421 Harrison Ave., Boston, Mass.
Independent Taxi Operators Association, 223 Albany St., Boston, Mass.
Joseph H. Boucher, 15 Acorn St., Cambridge, Mass.
Walter F. Faucett, 150 Chestnut St., Everett, Mass.
F. C. Beisar, 11 Court St., Medford, Mass.
Leroy S. Goodnoh, 43 Field Street, Roxbury, Mass.
James F. Connolly, 1634 Tremont St., Roxbury, Mass.
Egleston Sq. Ind. Taxi Co., 1984 Columbus Ave., Roxbury, Mass.
Carl H. Aspacher, 35 Callender St., Dorchester, Mass.
Lee Epstein, 9 Kerwin St., Dorchester, Mass.
Anthony Digiovanni, 195 Brooks St., East Boston, Mass.
John F. Herlihy, 255 Washington St., Boston, Mass.
William Cutillo, 84 Faywood Ave., East Boston, Mass.
Milton L. Plotnick, 124 Atlantic Ave., Beachmont, Mass.
Maurice J. Murphy, 26 Dennybrook Road, Brighton, Mass.
Checker Taxi Co., 10 Gainsborough St., Boston, Mass.
Safety Cab Co., Inc., 57 Sudbury St., Boston, Mass.
Leon A. Dyer, 173 Lake Street, Brighton, Mass.
Harry Saunders, 523 Norfolk St., Mattapan, Mass.
Constantine Bellacy, 282 Columbus Ave., Boston, Mass.
Sidney G. Mann, 9 Jefferson St., Boston, Mass.
Avenue Cab Company, Inc., 53 Penfield St., Roslindale, Mass.
Statler Cab Co., 45 Clarendon St., Boston, Mass.
William Feinstein, 1714 Commonwealth Ave., Brighton, Mass.
George F. Gould, 269 Quincy Shore Drive, Quincy, Mass.
James P. Flynn, 15 Dickens St., Dorchester, Mass.
John H. Healy, 1261 Columbus Ave., Roxbury, Mass.
Joseph H. Fountain, 3 Bayside St., Dorchester, Mass.
William Metager, 29 Pleasant St., Dorchester, Mass.
Thomas A. Woolfall, 60 Bragdon St., Roxbury, Mass.
Leo A. Mavrogeorge, 196 Shawmut Ave., Boston, Mass.
Frank F. Russo, 29 Elmore St., Roxbury, Mass.
James J. Moran, 31 Vinson St., Dorchester, Mass.
Frank Grasino, 121 Southern Ave., Dorchester, Mass.
Maurice Cohen, 9 S. Russell St., Boston, Mass.
Joseph F. Guiffre, 75 Westland Ave., Boston, Mass.
Clement VanLaningham, 106 Chester St., Allston, Mass.
Maurice P. Campot, 47 Ridgewood St., Dorchester, Mass.
Harry J. Green, 1 Peterboro Street, Boston, Mass.
Louis Guaragna, 35 Van Winkle St., Boston, Mass.
Thomas A. Patch, 46 Chelsea St., Charlestown, Mass.
Samuel J. Myers, 243 West Selden St., Mattapan, Mass.
Edward Sarro, 9 Porter St., East Boston, Mass.
Herbert Lorenzi, 374 Mass. Ave., Boston, Mass.
Louis Tiberian, 12 Pleasanton St., Roxbury, Mass.
Mack A. Vecchry, 198 Faneuil St., Brighton, Mass.
Frank G. Cotter, 15 Shaw St., W. Roxbury, Mass.
Edward Baume, 393 Blue Hill Ave., Roxbury, Mass.
Jacob Siegal, 99 Intervale St., Roxbury, Mass.
Leslie E. Physic, 890 Columbus Ave., Boston, Mass.
Hyman Lampert, 70 Allen St., Boston, Mass.
Carmine Bianco, 150 Faywood Ave., E. Boston, Mass.
Abraham Hirshberg, 10 Willard St., Boston, Mass.
R. A. Warren, 5 Albemarle St., Boston, Mass.
Edward W. Vial, 76 Alban St., Dorchester, Mass.
Raymond Sundstrom, 6 Gerrish St., Brighton, Mass.
Frank E. Carr, 38 Magnolia St., Dorchester, Mass.
Edwin Gateman, 120 Hutchings St., Roxbury, Mass.
Louis Gateman, 118 Hutchings St., Roxbury, Mass.
Joseph A. Dagostino, 356 Worth St., Boston, Mass.
Charles LaMattina, 84 Chickatawbut St., Dorchester, Mass.
Rocco LaMattina, 45 Webber St., Roxbury, Mass.
Albert C. Nix, 3 Murdock Terrace, Brighton, Mass.
Ashmont Taxi Inc., 1919 Dorchester Ave., Dorchester, Mass.
John P. Gaffey, 1452 Dorchester Ave., Dorchester, Mass.
Thomas G. Scoppa, 9 George St., Everett, Mass.
George W. Montague, 51 Aldie St., Allston, Mass.
Louis Fishera, 43 McLean St., Boston, Mass.
Herman Sachnin, 12 Sonoma St., Roxbury, Mass.
Albert Gaggiano, 170 West Canton St., Boston, Mass.

Martin Stafford, 22 Mt. Vernon St., Charlestown, Mass.
Eddy Wade, 33 Middlesex St., Boston, Mass.
Kenneth Porter, 131 West Concord St., Boston, Mass.
Francis D. Scanlon, 63 Crockett Ave., Dorchester, Mass.
William F. Hanlon, 28 Flavia St., Dorchester, Mass.
Nicholas Deltufo, 16 Langdon St., Roxbury, Mass.
Charles Reynolds, 61 Crescent St., Cambridge, Mass.
Edward Timmins, 48 Pratt St., Allston, Mass.
Enrico M. Fucillo, 194 Bremen St., E. Boston, Mass.
Thomas Williams, 7 Bollins St., Boston, Mass.
Arthur D. Widger, 16 Sumnet St., Roslindale, Mass.
Aubrey F. Mooney, 11 Mt. Cushing Terrace, Dorchester, Mass.
George P. Milan, 35 Chesbrough Rd., W. Roxbury, Mass.
James F. Lawlor, 85 Farquhar St., Roslindale, Mass.
Robert Thornton, 35 Faneuil St., Brighton, Mass.
Irving Sandman, 21 Long Ave., Allston, Mass.
John Joseph Kane, 20 Weeks Ave., Roslindale, Mass.
Michael Joseph Dunn, 41 Tower St., Jamaica Plain, Mass.
Nicholas Conaty, 220 Clarendon St., Boston, Mass.
John E. Christopher, 870 Dorchester Ave., Boston, Mass.
Joseph M. Francis, 16 Heldun St., West Roxbury, Mass.
Harry E. Smith, 2A Creston St., Jamaica Plain, Mass.
Thomas P. Scully, 17 Aldworth St., Jamaica Plain, Mass.
Michael Galvin, 63 Dustin St., Brighton, Mass.
Mary D. Mooney, 259A Brookline Ave., Boston, Mass.
Yellow Cab Co., 27 Ipswich St., Boston, Mass.
YD Taxi, 27 Ipswich Street, Boston, Mass.
Arthur P. Cotter, 27 Ipswich St., Boston, Mass.
Charles W. Cosman, 95 Gainsboro St., Boston, Mass.
Philip F. Dresser, 29 Robinwood Ave., Jamaica Plain, Mass.
Arie VanDam, 16 Summit St., Roslindale, Mass.
Kenmore Taxi Co., Inc., 112 Worcester St., Boston, Mass.
Charles Gamarnick, 119 Peterboro St., Boston, Mass.
Frank M. Goodsoe, 1211 Comonwealth Ave., Allston, Mass.
William K. Wilkinson, 144 Dudley St., Roxbury, Mass.
Century Cab Co., 781 Tremont St., Boston, Mass.
Charles H. McCormick, 338A Washington St., Dorchester, Mass.
John B. Sullivan, 52 Donnybrook Road, Brighton, Mass.
Henry P. Lanahan, 100 Varnum St., Arlington, Mass.
Irving E. Goldberg, 456 Blue Hill Ave., Arlington, Mass.
George J. Goldberg, 456 Blue Hill Ave., Arlington, Mass.
F. J. Oliver, 2 Pearl St., Charlestown, Mass.
Smoloff T. Colpitts, 1260 Columbus Ave., Charlestown, Mass.
Eli Sternberg, 54 Holworthy St., Roxbury, Mass.
Lo-Rate Cab Inc., 80 Halwath Road, Dorchester, Mass.
John W. Toole, 33 Wenham St., Forest Hills, Mass.
Charles D. Stemmler, 90 Hastings St., W. Roxbury, Mass.
Eli Freedman, 165 Crawford St., Roxbury, Mass.
John D. Fallon, Jr., 7 Greenough Ave., Jamaica Plain, Mass.
Otto S. Ryncarcsick, 1621 Dorchester Ave., Dorchester, Mass.
Edward P. Atkinson, 54 Westland Avenue, Boston, Mass.
Martin Gross, 336 South St., Brookline, Mass.
United Cab Co., 1630 Washington St., Boston, Mass.
John Paro, 38 Westland Ave., Boston, Mass.
Arthur A. Frazier, 71 Hastings St., Boston, Mass.
Michael P. Ryan, 109 Fenwood Road, Boston, Mass.
Samuel R. Wright, 56 Channing St., Quincy, Mass.
Richard Croro, 5 Hanover St., Quincy, Mass.
Philip Tagerman, 7 Copeland St., Roxbury, Mass.
Thomas Sheridan, 18 Rose Garden Circle, Brighton, Mass.
Lionel C. Gelly, 172 Huntington Ave., Boston, Mass.
John F. Poole, 50 Rockland St., Boston, Mass.
Hugh Kelly, 448 Park Drive, Boston, Mass.
Albert Weinstein, 7 Wabon St., Roxbury, Mass.
Hyman W. Evans, 14 Woolson St., Dorchester, Mass.
James T. Legg, 40 Geneva Ave., Dorchester, Mass.
John J. Conley, 54 Harvest St., Dorchester, Mass.
Franklin Park Taxi, 144 Geneva Ave., Dorchester, Mass.
Walter J. Lynch, 743 Broadway, South Boston, Mass.
Albert Wittenauer, 43 Danforth St., Jamaica Plain, Mass.
Timothy L. Hanrahan, 68 Hancock St., Dorchester, Mass.

[F. R. Doc. 44–14442; Filed, Sept. 18, 1944; 1:38 p. m.]

[Supp. Order ODT 20A–176]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ROCHESTER, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Rochester, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Rochester, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–176" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Rochester, New York.

8. This order shall become effective September 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

[1] Filed as part of the original document.

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Town Taxi Service Corporation, Rochester, New York.
Green Cab & Brokerage Co., Inc., Rochester, New York.

[F. R. Doc. 44-14443; Filed, Sept. 18, 1944; 1:33 p. m.]

[Supp. Order ODT 20A-177]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN JERSEY CITY, N. J., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transporation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F. R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Jersey City, New Jersey, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Newark, New Jersey for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-177" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Newark, New Jersey.

8. This order shall become effective September 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Premier Owners Association, Inc. (Yellow Cab Association), 96 Audubon Ave., Jersey City, N. J.
Tube Taxi Co., Inc., 8716 Blvd., Jersey City, N. J.
John Carroll, 45 Hopkins Ave., Jersey City, N. J.
Madeline Rickard T/A—Grove Transportation Co., 89 Mercer Street, Jersey City, N. J.
Gabriel Mastres, 819 Pavonia Ave., Jersey City, N. J.
John Schroeder, 364 York St., Jersey City, N. J.
James Touhey, 490 Mercer St., Jersey City, N. J.
Gus Schultz & Walter Dodd, Foye Pl., Jersey City, N. J.
Herman Kell, 56 Glenwood Ave., Jersey City, N. J.
Leo P. Prussynski, 389 Armstrong St., Jersey City, N. J.
Martin J. Rens, 17 Vroom St., Jersey City, N. J.
Frederick Wiendieck, 26 Duncan Ave., Jersey City, N. J.
Elizabeth Wiendieck, 886 Jackson Ave., Jersey City, N. J.
John Hierspiel, 334 Randolph Ave., Jersey City, N. J.
Herbert Henderson, 203 Harrison Ave., Jersey City, N. J.

[F. R. Doc. 44-14444; Filed, Sept. 18, 1944; 1:34 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 20A-178]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN DESIGNATED IOWA AND ILLINOIS AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Davenport and Bettendorf, Iowa, and Rock Island, Moline, East Moline, and Silvis, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Davenport, Iowa, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-178" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Davenport, Iowa.

8. This order shall become effective September 26, 1944 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 19th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Royal Cab Co., Davenport, Iowa.
Yellow Cab Co., Davenport, Iowa.
Royal Cab Co., Rock Island, Ill.
Irish Cab Co., Rock Island, Ill.
Yellow Cab Co., Moline, Ill.
Hart Taxi Co., Moline Ill.
Tom Pomeroy, E. Moline, Ill.

[F. R. Doc. 44-14445; Filed, Sept. 18, 1944; 1:34 p. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1006]

LANGENFELDER MINING CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

THE LANGENFELDER MINING CO., 620 MAIN STREET, MT. PLEASANT, PA., HARMON MINE, PITTSBURGH SEAM, MINE INDEX NO. 4177, WESTMORELAND COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT: MT. PLEASANT PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 6, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	B	B	C	C	C	----	----
Rail shipment	310	310	310	310	310	300	275	275	255	----	----
Railroad fuel	310	310	310	310	310	300	275	275	255	245	----
Truck shipment	415	415	415	395	395	365	365	305	285	285	255

LUCAS-SMITH COAL CO., 914 UNION TRUST BLDG., PITTSBURGH, 19, PA., SMITH MINE, LOWER KITTANNING SEAM MINE INDEX NO. 4134, ARMSTRONG COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: MONTGOMERYVILLE PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 22, MAXIMUM TRUCK PRICE GROUP NO. 10

Price classification	E	E	D	D	C	C	D	D	D	----	----
Rail shipment	310	310	300	300	310	300	270	270	245	----	----
Railroad fuel	310	310	300	300	310	300	270	270	245	245	----
Truck shipment	395	395	395	365	360	360	360	295	275	275	255

IRA E. MARKS, MAMMOTH, PA., MARKS MINE, PITTSBURGH SEAM, MINE INDEX NO. 4138, WESTMORELAND COUNTY, PA., SUBDISTRICT 8, RAIL SHIPPING POINT: MAMMOTH, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK GROUP NO. 8

Price classification	E	E	E	E	C	C	B	B	B	----	----
Rail shipment	310	310	280	280	310	300	275	275	260	----	----
Railroad fuel	310	310	290	290	310	300	275	275	260	245	----
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

MELROSE SUPPLY CO., R. D. #1 BRIDGEVILLE, PA., BATTLE RIDGE MINE, PITTSBURGH SEAM, MINE INDEX NO. 4174, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: GLADDEN, PA., STRIP MINE RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP 5

Price classification	C	C	C	C	F	F	F	F	F	----	----
Rail shipment	325	325	310	310	275	265	250	250	235	----	----
Railroad fuel	325	325	310	310	290	275	250	250	235	235	----
Truck shipment	425	425	425	390	360	360	360	325	285	285	270

MOROCCO & WARREN COAL CO., 629 SIXTH STREET, TRAFFORD, PA., PENN VALLEY MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4193, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: HUNKER, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	F	F	E	E	E	E	F	F	F	----	----
Rail shipment	310	310	305	305	305	295	275	275	260	----	----
Railroad fuel	315	315	315	315	315	300	275	275	270	270	----
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

THOMAS B. REED, 110 WALNUT AVENUE, CLAIRTON, PA., REED MINE, PITTSBURGH SEAM, MINE INDEX NO. 4146, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: LARGE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	C	C	C	C	F	F	F	F	F	----	----
Rail shipment	325	325	310	310	275	265	250	250	235	----	----
Railroad fuel	325	325	310	310	290	275	250	250	235	235	----
Truck shipment	425	425	425	390	360	360	360	325	285	285	270

GUY RUFF, P. O. BOX 83, LEMOYNE, PA., RUFF NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4170, WEST MORELAND COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT: MILLWOOD, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 16, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	G	G	G	G	H	H	G	G	G	----	----
Rail shipment	285	285	275	275	270	260	245	245	230	----	----
Railroad fuel	285	285	285	285	285	270	245	245	235	235	----
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

RUTH LUMBER & SUPPLY CO., SCOTTDALE, PA., MILDRED MINE, REDSTONE SEAM, MINE INDEX NO. 4178, WEST MORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: TARES AND SCOTTDALE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	G	G	G	G	G	G	G	G	G	----	----
Rail shipment	285	285	275	275	275	265	245	245	230	----	----
Railroad fuel	290	290	290	290	290	275	245	245	235	235	----
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

This order shall become effective September 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14419; Filed, Sept. 18, 1944; 11:56 a. m.]

[MPR 188, Order 2338]

J. R. CLARK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for all sales and deliveries by The J. R. Clark Co., of California, 300 Santa Fe Ave., Los Angeles, California, of a light weight extension ladder of its manufacture, as described in its application, after such article became subject to Maximum Price Regulation No. 188.

(1) For sales by the manufacturer, the maximum prices are those set forth below, f. o. b. destination, subject to a cash discount of 2% for payment within 30 days.

Article	To jobbers	To dealers	To industrial users
Light weight extension ladder.	*Per foot* $0.288	*Per foot* $0.36	*Per foot* $0.432

(2) For sales by jobbers, the maximum prices are those set forth below, f. o. b. destination subject to their usual and customary terms.

Article	To dealers	To industrial users
Light weight extension ladder.....	*Per foot* $0.36	*Per foot* $0.432

(3) For sales at retail, the maximum price is that set forth below:

Light weight extension ladder...$0.52 per foot

(b) To every light weight extension ladder shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. This order establishes maximum prices for sales by all jobbers and retailers. Each jobber who resells the commodity covered by this order must notify his purchaser of the maximum price established by this order for sales by the purchaser. The written notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definition set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of September 1944.

Issued this 19th day of September 1944.

JAMES P. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-14487; Filed, Sept. 19, 1944; 11:58 a. m.]

[MPR 188, Order 2335]

THOS. MCCONNELL'S SONS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of thirteen items of unfinished bookcases manufactured by Thos. McConnell's Sons, 2100 South 61st Street, Philadelphia, Pennsylvania.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Unfinished bookcase	9	$1.91	$2.25
Unfinished bookcase	15	2.35	2.80
Unfinished bookcase	24	2.47	2.90
Unfinished bookcase	30	2.81	3.30
Unfinished bookcase	36	3.06	3.60
Unfinished bookcase	45	3.36	3.95
Unfinished bookcase	19	3.61	4.25
Unfinished bookcase	2724	3.76	3.25
Unfinished bookcase	4615	3.19	3.75
Unfinished bookcase	4624	3.61	4.25
Unfinished bookcase	4630	3.87	4.55
Unfinished bookcase	4636	4.21	4.95
Unfinished bookcase	5914	2.51	2.95

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Unfinished bookcase	9	$2.25
Unfinished bookcase	15	2.80
Unfinished bookcase	24	2.90
Unfinished bookcase	30	3.30
Unfinished bookcase	36	3.60
Unfinished bookcase	45	3.95
Unfinished bookcase	19	4.25
Unfinished bookcase	2,724	3.25
Unfinished bookcase	4,615	3.75
Unfinished bookcase	4,624	4.25
Unfinished bookcase	4,630	4.55
Unfinished bookcase	4,636	4.95
Unfinished bookcase	5,914	2.95

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of September 1944.

Issued this 19th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14488; Filed, Sept. 19, 1944; 11:55 a. m.]

[MPR 188, Order 2360]

PALMER FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of certain bric brac cabinets manufactured by Palmer Furniture Co., New Haven, Connecticut.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers	Maximum price to retailers
		Per unit	*Per unit*
Bric brac cabinet....	100	$1.62	$2.02
Bric brac cabinet....	101	2.02	2.52

These maximum prices are net, f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for these sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who purchase from the manufacturer for resale at wholesale, the maximum price is that set forth below, f. o. b. shipping point:

Article	Model No.	Maximum price to retailers
		Per unit
Bric brac cabinet.....	100	$2.02
Bric brac cabinet.....	101	2.52

(ii) For all sales and deliveries by persons who purchase from the manufacturer for resale at wholesale, to any other class of purchaser or on other terms and conditions of sale, the maximum price shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser for resale the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of September 1944.

Issued this 19th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14489; Filed, Sept. 19, 1944; 11:54 a. m.]

[MPR 188, Order 2361]

SEMCO FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an occasional table manufactured by Semco Furniture Company, 721 Seneca Street, Buffalo, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Occasional table.....	73	$6.82	$8.03

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days; they are for the article described in the manufacturer's application dated May 6, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Occasional table.....	75	$8.03

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated May 6, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of September 1944.

Issued this 19th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14490; Filed, Sept. 19, 1944; 11:54 a. m.]

[MPR 188, Order 2362]

W. F. REILLY CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a baby swing manufactured by W. F. Reilly Company, 32 Edinboro Street, Boston, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Baby swing	100	Each $3.89	Each $4.89

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated August 14, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Baby swing	100	Each $4.89

This price is for the article described in the manufacturer's application dated August 14, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of September 1944.

Issued this 19th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14491; Filed, Sept. 19, 1944; 11:53 a. m.]

[MPR 188, Order 2063]

RYDER NOVELTY PRODUCERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's rocker manufactured by Ryder Novelty Producers, Ashland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's rocker	8	Each $2.46	Each $2.90

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within fifteen days, net thirty days; they are for the article described in the manufacturer's application dated July 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's rocker	8	Each $2.90

This price is subject to a cash discount of two percent for payment within fifteen days, net thirty days, and is for the article described in the manufacturer's application dated July 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 20th day of September 1944.

Issued this 19th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14492; Filed, Sept. 19, 1944; 11:53 a. m.]

[MPR 528, Order 15]

GENERAL TIRE & RUBBER CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires manufactured by The General Tire & Rubber Company, Akron, Ohio, shall be:

JUMBO JUNIOR INDUSTRIAL

Size	Ply	Type	Maximum retail price (each)
10"	6	Plain	$6.61
12"	6	Plain	7.90
14"	6	Silent grip plain	9.20
4.00-8	2	Rib	5.62
10 x 3.50-4	2	Air Corps	4.04
14 x 4.00-6	4	Air Corps	7.10
16 x 5.00-8	4	Air Corps	9.30

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective September 20, 1944.

Issued this 19th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14486; Filed, Sept. 19, 1944; 11:53 a. m.]

Regional and District Office Orders.

[Region III Order G-1 Under MPR 426, Revocation]

LETTUCE IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration, by § 1439.3, Article I, § 2 (b) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) That Order G-1 under Maximum Price Regulation No. 426 (order adjusting maximum wholesale prices of lettuce sold in Region III) issued by the Regional Administrator of Region III of the Office of Price Administration on September 25, 1943, be, and the same is hereby, revoked.

(b) The revocation of said order G-1 under Maximum Price Regulation No. 426 shall be subject to all of the conditions, stipulations, and provisions of Supplementary Order No. 40 (Effect of repeal, revocation, amendment or other modification of price regulations) issued by the Price Administrator on April 2, 1943.

This order of revocation shall become effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 7, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-14495; Filed, Sept. 18, 1944; 12:47 p. m.]

[Region III Order G-35 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MARTINSBURG, W. VA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered,* That Order No. G-35 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

Section (c) is amended to read as follows:

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis; Column III, Schedule I shows maximum prices for "yard sales" to dealers reselling coal. All prices are for sales on a net ton basis.

SCHEDULE I—COALS TRANSPORTED BY RAIL

Column I	Col. II	Col. III
I. Low Volatile Bituminous Coals from Producing District No. 7 (southeastern West Virginia and northwestern Virginia):		
A. Egg, Size Group No. 2 (top size larger than 3" x bottom size no limit) Mine Price Classifications B and C	$9.20	$8.70
B. Stove, Size Group No. 3 (top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3"):		
1. Mine Price Classification A	9.20	8.70
2. Mine Price Classifications B and C	9.10	8.60
C. Nut or Dedusted Screenings, Size Group No. 4 (top size larger than ¾" but not exceeding 1¼" x bottom size smaller than 1¼") Mine Price Classification A	8.35	7.85
D. Pea or Dedusted Screenings (Stoker) Size Group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾") Mine Price Classification A	7.75	7.25
II. Bituminous Coals from Producing District No. 1 (central Pennsylvania, western Maryland and northeastern West Virginia):		
A. Lump or Egg, Size Group No. 1 (all lump coal; double screened coal with top size larger than 2") Mine Price Classification E	7.70	7.20
B. Run of Mine (All types and sizes)		
1. Coals from the Consolidation Coal Company or the Berwind-White Coal Mining Company or Mine Index No. 3073 of the Haws Coal Company	7.75	7.25
2. All other coals:		
(1) Mine Price Classifications B through F	7.30	6.80
(2) Mine Price Classifications G and H	6.85	6.35
III. Bituminous Coals from Producing District No. 3 (northwestern West Virginia excluding Panhandle): [1]		
A. Egg, Size Group No. 2 (double screened coals with bottom size 2" and smaller) Mine Price Classifications H and J	7.10	6.60

SCHEDULE II—COALS TRANSPORTED BY TRUCK

I. Bituminous Coals from Producing District No. 1 (central Pennsylvania, western Maryland and northeastern West Virginia):		
A. Run of Mine (all types and kinds):		
1. From the Big Vein or Tyson Seams	$7.00	------
2. From the Bakerstown Seam	6.80	------
II. Bituminous Coals from Producing District No. 3 (northwestern West Virginia excluding Panhandle): [1]		
A. Run of Mine (all types and kinds) from the Freeport or Bakerstown Seams	6.35	------

[1] In accordance with Regional Supplementary Order No. 5, $0.10 per ton may be added to the prices of those coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing and if such charge is separately stated on the dealer's invoice.

This amendment to Order No. G-35 under Revised Maximum Price Regulation No. 122 shall become effective September 7, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued: September 7, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-14436; Filed, Sept. 18, 1944; 12:48 p. m.]

[Region III Order G-43 Under RMPR 122]

SOLID FUELS IN GRAND RAPIDS, MICH., AREA

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of any of the following named cities, all of which are located in the state of Michigan, namely: Grand Rapids, East Grand Rapids, Wyoming Park, Grandville, Home Acres, Godwin Heights, Comstock Park, and North Park. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point within the corporate limits of any said cities, and they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall: (1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order No. G-43, but less than maximum price, may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by (i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedule.* This schedule sets forth maximum prices for sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for credit sales on a "direct delivery" basis; Column III shows maximum prices for cash sales on a direct delivery basis when payment is made within fifteen (15) days from the date of delivery.

SCHEDULE I

Column I	Maximum price per net ton Col. II	Col. III
I. Low Volatile Bituminous Coals from Producing District No. 7 (Southwestern West Virginia and Northwestern Virginia) excluding Mine Index No. 73:[1]		
A. Lump, Size Group No. 1 (larger than screened Run of Mine including 3" and larger) Mine Price Classifications B and C	$11.00	$10.80
B. Egg, Size Group No. 3 (top size larger than 3" x bottom size no limit):		
1. Mine Price Classification A	11.35	10.85
2. Mine Price Classifications B and C	11.05	10.55
C. Stove, Size Group No. 3 (top size larger than 1¼" but not exceeding 3" x bottom size smaller than 3"), Mine Price Classification A	11.05	10.55
D. Nut or Dedusted Screenings, Size Group No. 4 (top size larger than ¾" but not exceeding 1¼" x bottom size smaller than 1¼"), Mine Price Classification A	10.30	10.00
E. Pea or Dedusted Screenings, Size Group No. 5 (top size not exceeding ¾" x bottom size smaller than ¾"), Mine Price Classification A	10.00	9.80
II. High Volatile Bituminous Egg Coal from Producing District No. 4 (Ohio).		
A. Size Group No. 3 (bottom size larger than 1¼" but not exceeding 2") from the Hocking Freight Origin District	9.05	8.55
III. High Volatile Bituminous Coals from Producing District No. 8 (Eastern Kentucky, Southwestern West Virginia, Western Virginia, and Northeastern Tennessee), excluding Mine Index Nos. 26, 385, 406 and 459:[1]		
A. Lump, Size Group No. 2 (larger than 3" but not exceeding 5") Mine Price Classifications F through K	10.25	9.75
B. Egg:		
1. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):		
a. Mine Price Classifications E through K	9.90	9.40
b. Mine Price Classifications L through N	9.50	9.00
2. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 3" and smaller), Mine Price Classifications B through M	9.50	9.00
C. Stoker, Size Group No. 10 (top size 1½" and smaller x bottom size ¼" and larger), Mine Price Classifications B through E	9.95	9.35
D. To the prices stated in Sections A, B, and C of Part III may be added $0.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8, and provided it is separately weighed and billed. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
IV. Coke (excluding reject and reclaimed coke) Egg, Stove and Nut sizes	13.30	12.80

[1] In accordance with Regional Supplementary Order No. 3, $0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing, and if such charge is separately stated on the dealer's invoice.

YARD SALES

To dealers reselling coal. On "yard sales" to dealers reselling coal the maximum prices shall be the prices shown in Column III, less $1.10 per ton.

To consumers: Quantities of 500# or more. On "yard sales" of 500# or more to consumers, the per ton maximum prices shall be the prices shown in Column III, less $0.50 per ton. Such reduced prices shall also be used in computing fractional ton prices, on such sales of 500# or more.

To consumers: Quantities less than 500#. On "yard sales" to consumers in quantities less than 500# the maximum prices, notwithstanding the prices set forth in this schedule, shall be as follows:

	Per cwt.
Low Volatile Coal	$0.65
High Volatile Coal	.60

(2) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this order No. G-43 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels, either under paragraph (c) hereof or under Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Wheel-in or carry-in from curb	$0.85
Carry up or down one flight of stairs	1.00
(For each additional flight)	.25
Half-ton deliveries—Half ton price plus $.50	
Rescreening low volatile coals at the yard	1.00

(f) *Taxes.* (1) The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(2) The prices set forth in this order do not include the 3% Michigan sales tax. Such sales tax may be collected in addition to the prices set forth in this order, provided the dealer states it separately from the price on his invoice or statement.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices: Sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Grand Rapids District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping, shoveling or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) "Screened" means passing coal over screen of appropriate size at the dealer's yard.

(7) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective September 25, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued September 8, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-14437; Filed, Sept. 18, 1944; 12:48 p. m.]

[Region III Order G-48 Under RMPR 122, Amdt. 3]

SOLID FUELS IN DETROIT, MICH., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) That paragraph B-1 of Part II of section (c) (1) be amended to read as follows:

Column I	Col. II	Col. III	Col. IV
B. Egg:			
1. Size Group 3 (chunks: top size larger than 3" but not exceeding 6" x bottom size larger than 3" but not exceeding 4"):			
a. Mine Price Classification A	$10.15		
b. Mine Price Classifications G through J	9.65		

(b) That the note at the foot of the price schedule contained in section (c) (1) be amended to read as follows:

[1] In accordance with Regional Supplementary Order No. 3, $.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing and if such charge is separately stated on the dealer's invoice.

(c) That section (e) be amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuel covered by the provisions of either this order or of Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Trimming or double handling, per ton	$0.50
Wheel-in from curb coke, per ton	1.00
Wheel-in from curb coal, per ton	.75
Service charge for deliveries in quantities of one-half ton	.50

This Amendment No. 3 to Order No. G-48 under Revised Maximum Price Regulation No. 122 shall become effective September 8, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued September 8, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-14438; Filed, Sept. 18, 1944; 12:47 p. m.]

[Region III Order G-49 Under RMPR 122, Amdt. 2]

SOLID FUELS IN CLEVELAND, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered that Order No. G-49 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Paragraph (IV) in section (c) (1) is amended to read as follows:

Column I	Col. II	Col. III	Col. IV
IV. High Volatile Bituminous Coals from Producing District No. 4 (Ohio) excluding the Freemont Mine, Index No. 123			
A. *Lump*—Size Group Nos. 1 and 2 (bottom size larger than 2") from the Ohio No. 6 and Middle Freight Origin Districts	$8.40	$8.15	$7.40
B. *Egg*—Size Group No. 3 (double screened bottom size larger than 1¼" but not exceeding 2") from the Ohio No. 8 and Middle Freight Origin Districts	7.95	7.70	6.95
C. *Stoker*—Size Group No. 5 (all double screened coals top size 2" and smaller) from the Ohio No. 8 Freight Origin District	8.30	7.95	7.20

(b) Paragraph (V) (A) (3) in section (c) (1) is amended to read as follows:

Column I	Col. II	Col. III	Col. IV
V. . . .			
A. . . .			
1. . . .			
2. . . .			
3. Mine Price Classifications D through F:			
a. Mine Index No. 97	10.65	10.40	9.65
b. All other mines	10.45	10.20	9.45

(c) Paragraph (VIII) in section (c) (1) is amended to read as follows:

Column I	Col. II	Col. III	Col. IV
VIII. *Coke—Egg, Stove and Nut Size:*			
A. Bee-hive Oven Coke	$13.13	$12.88	$12.13
B. By-product Coke			
1. Local	11.50	11.25	10.50
2. Other	12.60	12.35	11.60

(d) Section (e) is amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with the sale of any solid fuel covered by the provisions of either this order or Revised Maximum Price Regulation No. 122. These charges are made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoices.

Trimming in Bin	$0.88 per hour
Carrying from Curb	1.00 per ton
Wheel-in from Curb	.75 per ton
Service charge for deliveries in quantities of one-half ton	.65
Forking (limited to low volatile lump and egg coals from Districts 7 and 8, and Size Group No. 1, M. P. C. "A." from District 3.)	1.00 per ton

This Amendment No. 2 to Order No. G-49 under Revised Maximum Price Regulation No. 122 shall become effective September 8, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued September 8, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-14439; Filed, Sept. 18, 1944; 12:47 p. m.]

[Region VII Order G-26 Under RMPR 122, Amdt. 18]

SOLID FUELS IN LOWER ARKANSAS VALLEY

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1340.259 (a) and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 18 is issued.

1. Appendix XXXVI, as amended by Amendment No. 16, is hereby further amended by deleting the word "Lamar" from the last line of paragraph (1) and by deleting all of paragraph (4).

2. This Amendment No. 18 shall become effective retroactively as of September 1, 1944.

(36 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September, 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-14440; Filed, Sept. 18, 1944; 12:49 p. m.]

[Portland Order G-9 Under 16 (c)]

LIN BOWMAN CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the district director of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation, or to any supplementary regulation thereto, for the sale and delivery of the types of firewood specified below in the Portland-Vancouver area, are hereby adjusted so that the maximum prices therefor shall be as follows:

(1) The maximum prices for sales of wood fuel shipped in by rail by the Lin Bowman Company, Portland, Oregon, as the operator of the Portland Fuel Pool, to retail dealers located in the Portland-Vancouver area shall be:

	Per cord
Green fir slabwood (4 foot)	$5.50
Green fir slabwood (16 inch)	6.00
Green fir blockwood (16 inch)	6.50
Dry fir slabwood (4 foot)	7.50
Dry fir slabwood (16 inch)	8.00
	Per unit
Sawdust	$4.00

(2) The maximum prices for resale to ultimate consumers by retail dealers located in the Portland-Vancouver area for wood fuel purchased from the Lin Bowman Company at the wholesale prices set forth in paragraph (1) shall be:

	Per cord
Green fir slabwood (4 foot)	$10.00
Green fir slabwood (16 inch)	10.50
Green fir blockwood (16 inch)	11.00
Dry fir slabwood (4 foot)	12.00
Dry fir slabwood (16 inch)	12.50
	Per unit
Sawdust	$8.50

(b) The maximum prices set forth in subparagraphs (a) (1) and (a) (2) above apply under the following terms and conditions:

(1) *Remuneration to pool operator.* The Lin Bowman Company of Portland, Oregon, as operator of the Portland Fuel Pool, shall receive as remuneration for carrying out the operations of the pool the sum of fifty cents (50¢) for each cord of wood or unit of sawdust sold through the pool.

(2) *Surplus monies.* Surplus monies shall include all revenue in excess of fifty cents (50¢) per cord or unit derived by the Lin Bowman Company on sales under this Order G-9, less any amounts expended or withdrawn in the operation of the Portland Fuel Pool in accordance with paragraph 4 below.

(3) *Surplus account and accumulated monies.* On or about the 15th day of each month, Lin Bowman Company, as the operator, shall deposit, in any chosen one of the several established banks of Portland, Oregon, the surplus monies which accrue in the operation of the Portland Fuel Pool from operations of the previous calendar month. The operator shall authorize the bank in which the surplus account has been established to send to the district director a monthly statement of the amount in said account, as of the day on which statements are usually rendered by said bank.

To the extent that the former pool operator, the Commercial Coal Sales Company, shall upon direction of the district director of the Office of Price Administration make payment of the former pool surplus to the Lin Bowman Company, the latter shall deposit such amount in the surplus account for disposition in accordance with the provisions of this order.

In the event that the district director finds that an independent audit is necessary, the operator shall make available all books and records concerning the Portland Fuel Pool's operation to accountants of the Office of Price Administration.

(4) *Use of surplus monies.* It is the primary purpose of this order that surplus monies shall be used to maintain needed supplies rather than be accumulated. Surplus monies may be used by the operator in the following specific circumstances:

(a) To recoup deficits incurred on purchases of wool fuel where the gross margin available to Lin Bowman Company on resale at applicable maximum prices, after payment of the mill price (not to exceed the applicable mill ceiling) and freight, is less than fifty cents (50¢) per cord or unit: *Providing, however,* That surplus monies shall not be used to recoup losses resulting from sales to retail dealers at less than maximum prices.

(b) For payment of its gross margin of fifty cents (50¢) per cord on sales of firewood or per unit on sales of sawdust to retail dealers for stockpiling under contract with the Defense Supplies Corporation.

(c) For actual expenditures required for the re-racking or conditioning of railroad cars.

(d) For actual expenditures required for such other purposes as may be deemed necessary by the Office of Price Administration to further the general purposes and objectives of this order. No expenditures may be made under this sub-paragraph however except upon written authorization of the district director setting forth specifically the amount of money to be expended and the purpose for which it is to be used. The Office of Price Administration may require the expenditure of any and all surplus monies at any time. If a written authorization from the Office of Price Administration under this subparagraph requires the Lin Bowman Company to enter into a contract involving the use of surplus monies as a result of which Lin Bowman Company is subjected to loss or damage, such loss or damage shall be charged against the fund of surplus monies but no expenditures or losses shall be required to be incurred in excess of the amount of surplus monies then accrued or realizable during the term of the contract.

(e) For payment of federal and state income taxes in amounts equal to additional taxes required to be paid because of the inclusion of said surplus monies in its income.

(5) *Reports.* Lin Bowman Company shall file each month with the Portland District Office a report showing: (a) the amount of surplus monies at the beginning of the preceding month, (b) the amount of surplus monies at the end of the preceding month, (including a brief statement detailing credits and charges), (c) total number of cords (or units) of firewood sold during the preceding month together with a list of names of the dealers to whom sales were made and the amount of the sales, and a list of mills from which purchases were made and the amount of the purchases, (d) total cost f. o. b. mill, (e) total return on resale, and (f) amount spent, if any, for the reracking and conditioning of cars.

(c) *Definitions.* "Portland-Vancouver Area" as herein used, means the city of Portland, Oregon, including an area within an eight mile radius of the city limits and the city of Vancouver, Washington, including an area within a three mile radius of the city limits but extending as far east as to include the city of Camas, Washington.

(d) *Record-keeping provisions.* Every retail dealer selling fuel purchased from the Portland Fuel Pool and thus making a sale of wood fuel for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e. wet or dry, and length of pieces of wood).

(5) Place of sale. (If the price is dependent on place of delivery, then the place of delivery shall be stated).

(6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered, such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration. Each invoice or memorandum covering fuel purchased through the Portland Fuel Pool and sold by a retail dealer shall be marked as follows: "Portland Pool Fuel—OPA Order G-9."

(e) *Drying slabwood.* If a retail dealer purchases green slabwood from the Portland Fuel Pool and dries it (and cuts it to 16" lengths if purchased in 4' lengths), the maximum retail price shall be the maximum price set forth in paragraph (a) (2) for the same size dry slabwood. Similar maximum prices may be charged for wood being dried by dealers who purchased the green slabwood through the former pool arrangement when operated by the Commercial Coal Sales Company.

(f) This order may be amended, revoked, or corrected by the Office of Price Administration at any time. Failure by the operator to comply with any of the terms or conditions of the order will be cause for revocation. Upon revocation for any cause the surplus monies, if any, less federal and state income taxes, if any, shall be disposed of by the purchase and sale of a specified amount of firewood at specific prices such as will result in the complete dissipation of said surplus monies or as otherwise directed by the Office of Price Administration. The record-keeping provisions of this Order G-9 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective August 28, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong. 209250, 7 F.R. 7871, 209328, 8 F.R. 4681)

Issued this 25th day of August 1944.

McDONNELL BROWN,
District Director.

[F. R. Doc. 44-14441; Filed, Sept. 18, 1944; 12:40 p. m.]

WAR MANPOWER COMMISSION.

[Amdt. 3]

BARRE, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Barre Area effective October 20, 1943, is hereby amended in the following respects:

Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt standards of priority referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: August 29, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 8, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14473; Filed, Sept. 19, 1944; 10:51 a. m.]

[Amdt. 2]

RUTLAND, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Rutland Area effective October 15, 1943, is hereby amended in the following respects:

Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt standards of priority referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: August 29, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 8, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14475; Filed, Sept. 19, 1944; 10:51 a. m.]

[Amdt. 2]

ST. JOHNSBURY, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the St. Johnsbury Area effective October 20, 1943, is hereby amended in the following respects:

Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt standards of priority referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: August 29, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 8, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14476; Filed, Sept. 19, 1944; 10:51 a. m.]

[Amdt. 2]

SPRINGFIELD-WINDSOR, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Springfield-Windsor Area effective October 15, 1943, is hereby amended in the following respects:

Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt standards of priority referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: August 28, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 8, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14476; Filed, Sept. 19, 1944; 10:51 a. m.]

WAR PRODUCTION BOARD.

[C-210]

ELZEAR QUESNEL

Elzear Quesnel, Burlington, Vermont, in April, 1944, began construction on premises on the southeast corner of Clark and Grant Streets, Burlington, Vermont, without authorization from the War Production Board. The work consisted of remodelling a thirty-two room rooming house and the conversion of the same into fourteen apartments at an estimated cost substantially in excess of the $1,000 limitation imposed by Conservation Order L-41. Mr. Elzear Quesnel admits this violation but denies that it was wilful and does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Elzear Quesnel, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Neither Elzear Quesnel, his successors and assigns, nor any other person shall do any construction on the premises on the southeast corner of Clark and Grant Streets, Burlington, Vermont, including putting up or altering the structure, except as has been approved by the Federal Housing Administration in reference to the apartments on Grant Street or unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Elzear Quesnel, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 18th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14456; Filed, Sept. 18, 1944; 4:22 p. m.]

SEP 25 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 189

Washington, Thursday, September 21, 1944

The President

EXECUTIVE ORDER 9483

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND OPERATE CERTAIN MINES, COLLIERIES, AND PREPARATION FACILITIES

WHEREAS after investigation I find and proclaim that there are interruptions of the operations of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, as a result of existing and threatened strikes and other labor disturbances; that the effective prosecution of the war will be unduly impeded or delayed by such interruptions; and that the exercise, as herein specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these mines, collieries, and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of the mines, collieries, and preparation facilities designated in the list attached hereto and made a part hereof, and of any real or personal property, and other assets, used in connection with the operation thereof; to operate or arrange for the operation of such mines, collieries, and facilities in such manner as he deems necessary for the successful prosecution of the war; and to do all things necessary for, or incidental to, the production, sale and distribution of the coal produced, prepared, or handled by the said mines, collieries, and facilities.

2. The Secretary of the Interior shall operate the said mines, collieries, and facilities in accordance with the terms and conditions of employment which are in effect at the time possession thereof is taken, subject to the provisions of section 8 of the War Labor Disputes Act. He shall provide such protection of the employees as may be necessary to maintain production, and shall take such appropriate disciplinary action, not inconsistent with law, as may be necessary to effectuate the purposes of this order.

3. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All Federal agencies, including but not limited to the War Manpower Commission, the National Selective Service System, the War Department, and the Department of Justice, are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

4. The Secretary of the Interior shall permit the managements of the mines, collieries, and facilities taken under the provisions of this order to continue with their managerial functions to the maximum degree possible, consistent with the aims of this order.

5. Possession of the mines, collieries, and facilities taken under this order shall be terminated by the Secretary of the Interior within sixty days after he determines that the productive efficiency of the mines, collieries, and facilities has been restored to that prevailing prior to the interruption of production referred to in the recitals of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 19, 1944.

LIST OF MINES, COLLIERIES, AND PREPARATION FACILITIES

Consolidation Coal Co., Mine No. 32, Owings, W. Va.

Consolidation Coal Co., Mine No. 63, Monongah, W. Va.

Consolidation Coal Co., Mine No. 93, Jordon, W. Va.

Eastern Gas and Fuel Associates, Koppers Division, Glen White Mine, Glen White, W. Va.

Jamison Coal and Coke Co., Mine No. 9, Farmington, W. Va.

Lillybrook Coal Company, Affinity and Big Stick Mines, Affinity, W. Va.

Raleigh Wyoming Mining Co., Edwight Mines Nos. 1 and 6, Edwight, W. Va.

[F. R. Doc. 44-14516; Filed, Sept. 20, 1944; 11:48 a. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 14, Supp. Order 4, Revocation]

PART 1202—FARM MACHINERY AND EQUIPMENT

PRESSURE CANNERS

Supplementary Order No. 4 (8 F.R. 14111, 17463; 9 F.R. 3927) to War Food Order No. 14 (formerly Food Production Order No. 14) (8 F.R. 17456; 9 F.R. 4319, 7739) is hereby revoked and terminated.

This order shall become effective at 12:01 a. m., e. w. t., September 21, 1944. However, with respect to violations of said Supplementary Order No. 4 to War Food Order No. 14, or rights accrued, or liabilities incurred thereunder, prior to said date, said Supplementary Order No. 4 to War Food Order No. 14 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or proceeding with respect to any such violation, right, or liability.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 19th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-14507; Filed, Sept. 20, 1944; 11:07 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 69-2, Amdt. 2]

PART 1405—FRUITS AND VEGETABLES

GENERAL AUTHORIZATION WITH RESPECT TO FRUIT FOR ALCOHOLIC PURPOSES

War Food Order No. 69–2, as amended (9 F.R. 7919, 11093), is hereby amended as follows:

1. By deleting therefrom the provisions in § 1405.44 (b) (1) and inserting, in lieu thereof, the following:

(1) Dates, pineapples, gooseberries, and Concord grapes.

2. By deleting therefrom the provisions in § 1405.44 (b) (9).

The provisions hereof shall become effective at 12:01 a. m., e. w. t., September 20, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69–2, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 69–2, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 69, 8 F.R. 10477; 9 F.R. 4321, 4319, 4528, 8000)

Issued this 18th day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-14494; Filed, Sept. 19, 1944; 12:28 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 40-9]

PART 40—AIR CARRIER OPERATING CERTIFICATION

PASSENGER MINIMUM REQUIREMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 18th day of September 1944.

Effective September 18, 1944, § 40.2 of the Civil Air Regulations is amended by striking paragraph (c).

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-14502; Filed, Sept. 20, 1944; 10:23 a. m.]

[Civil Air Regs., Amdt. 61-2]

PART 61—SCHEDULED AIR CARRIER RULES

FLIGHT CONTROL TESTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 18th day of September 1944.

Effective September 18, 1944, § 61.7202 of the Civil Air Regulations is amended to read as follows:

§ 61.7202 *Control tests.* The pilot shall test the flight controls to the full limit of travel immediately prior to the take-off run.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-14503; Filed, Sept. 20, 1944; 10:23 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5151]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARADINE HAT CO.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Discounts and allowances.* Discriminating directly or indirectly, in the sale of hats in commerce, in the price of such products of like grade and quality as among purchasers of such products where the differences in price—which, for purposes of comparison, as used in the order, takes into account discounts, allowances, and other terms and conditions of sale—are not justified by differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which such products are sold or delivered by selling such products to some purchasers at prices which are lower than the prices charged other purchasers competing with such favored purchasers in the sale and distribution of such products; prohibited. (Sec. 2 (a), 49 Stat. 1526; 15 U.S.C., sec. 13 (a)) [Cease and desist order, Caradine Hat Company, Docket 5151, August 16, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of August, A. D. 1944.

In the Matter of Caradine Hat Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of the respondent, which answer admits, with certain exceptions, the material allegations of the complaint and waives all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of subsection (a) of section 2 of an Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act) (U.S.C., Title 15, Sec. 13):

It is ordered, That the respondent, Caradine Hat Company, a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device, in the sale of hats in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of such products of like grade and quality as among purchasers of such products where the differences in price are not justified by differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which such products are sold or delivered:

By selling such products to some purchasers at prices which are lower than the prices charged other purchasers competing with such favored purchasers in the sale and distribution of such products. (For purposes of comparison, the term "price" as used in this order takes into account discounts, allowances, and other terms and conditions of sale.)

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14517; Filed, Sept. 20, 1944; 11:29 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51125]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

BAGGAGE DECLARATIONS

Paragraph (k) of § 10.17, Customs Regulations of 1943 (19 CFR Cum. Supp., 10.17 (k)), is hereby amended as follows:

The word "temporarily" in the first sentence is deleted. The period at the end of the first sentence is deleted and the following added to that sentence: "unless or until the name of the port where claim will be made first for further allowance under the $100 exemption can be ascertained, whereupon the name of that port shall be noted on the original baggage declaration and the certified copy forwarded immediately by the collector to that port."

The second sentence is deleted.

The last sentence of paragraph (c) (5) of § 10.20, Customs Regulations of 1943 (19 CFR, Cum. Supp., 10.20 (c) (5)), is hereby amended to read: "If more than one claim may subsequently be made under the $100 exemption, the certified copy of the baggage declaration shall be forwarded to the port where claim will be made first for further allowance under the $100 exemption, in conformity with section 10.17 (k)."

(Par. 1798, sec. 201, 46 Stat. 683; sec. 337, 49 Stat. 1959; sec. 36, 52 Stat. 1093; sec. 498, 46 Stat. 728; 19 U.S.C. 1498)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: September 18, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14505; Filed, Sept. 20, 1944; 10:46 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 28]

PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN HARVESTING POTATOES IN CROOK AND DESCHUTES COUNTIES, OREG.

§ 1110.4 *Wages of workers engaged in picking and other harvesting of potatoes in the Counties of Crook and Deschutes, State of Oregon.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations", and based upon a certification of the Oregon WFA Wage Board that a majority of the producers of potatoes in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Oregon WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking and other harvesting of all varieties of potatoes in the Counties of Crook and Deschutes, State of Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for harvesting all varieties of potatoes.* (1) Wage rate for picking potatoes—6¢ per half sack of 60 pounds.

(2) Wage rate for all other work in potato harvest—$1 per hour. This classification does not include truck and wagon drivers engaged in hauling potatoes from the field to a destination off the farm. The wages of such drivers are, however, subject to the Stabilization Act of 1942, as amended by the Stabilization Extension Act of 1944.

(c) *Administration.* The Oregon WFA Wage Board located at Room 783, Pittock Block, Portland, Oregon, will have charge of the administration of this order in accordance with the provisions

of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 28 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 28 and any violation of this Specific Wage Ceiling Regulation No. 28 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765; 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 19th day of September 1944.

PHILIP BRUTON,
Director of Labor.

[F. R. Doc. 44-14508; Filed, Sept. 20, 1944; 11:07 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATIONS OF AUTHORITY

[WPB Reg. 3, Amdt. 1]

The word "name" is substituted for the word "signature" in the fourth line of subparagraph (2) of paragraph (c).

Issued this 20th day of September 1944.

J. A. KRUG,
Acting Chairman.

[F. R. Doc. 44-14509; Filed, Sept. 20, 1944; 11:38 a. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943; 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-192, Revocation of Direction 1]

REPAIR PARTS FOR CERTAIN LEND-LEASE EQUIPMENT

Direction 1 to Limitation Order L-192 is hereby revoked. This revocation does not affect any liabilities incurred under the direction. The subject matter of the direction is covered by Directive 27 (§ 903.39), paragraph (b).

Issued this 20th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14513; Filed, Sep. 20, 1944; 11:26 a. m.]

PART 3281—PULP AND PAPER

[General Limitation Order L-279, as amended Aug. 8, 1944, Amdt. 1]

PAPER SHIPPING SACKS

§ 3281.91 *General Limitation Order L-279* is hereby amended in the following respects:

Under the heading "Agricultural Products" on Appendix A, after the item "Cocoa" insert the following item "Coconut Shredded". After the item "Cotton Seed Meal" insert the item "Dessert Preparations—dry". After the item "Peat" insert the item "Pectin".

Under the heading "Agricultural Products" in Appendix A amend the following items to read as follows:

Cereals—not less than 30# when packed in container shipping sacks.
Coffee—not less than 12# when packed in container shipping sacks.
Flour—not less than 24# when packed in container shipping sacks.
Pet Food—not less than 48# when packed in container shipping sacks.
Rice—not less than 24# when packed in container shipping sacks.
Seeds—not less than 24# when packed in container shipping sacks.
Soy Bean Flour-and-Meal—not less than 24# when packed in container shipping sacks.

Under the heading "Chemicals and Pigments" under Appendix A insert the following:

After the item "Charcoal" insert the item "Chemicals—Aromatic and Intermediate".

After the item "Lead Sulphate" insert the item "Licorice Extract (Dry, Powdered)".

After the item "Manganese salts" insert the item "Metal Treating and Processing Compounds".

Delete the item "Rubber Accelerators" and insert in lieu thereof the item "Rubber Processing Chemicals".

Issued this 20th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14510; Filed, Sept. 20, 1944; 11:26 a. m.]

PART 3291 [1]—CONSUMERS' DURABLE GOODS

[General Limitation Order L-178, as Amended Sept. 20, 1944]

FILM

§3291.270 [1] *General Limitation Order L-178*—(a) *Definitions.* For the purposes of this order:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of 35 mm. film by one person to any other person, but shall not include:

(i) Transfers of 35 mm. film from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control, located within the 48 states and the District of Columbia of the United States of America;

(ii) Transfers of title merely for security purposes;

(iii) Transfers of 35 mm. film to and from warehouses where no substantial change in right, title or ownership to such 35 mm. film is effected;

(iv) Transfers to and from carriers in order to effect the transfers specified in this paragraph;

(v) The following transfers of 35 mm. film when actually delivered to the second named persons within the 48 states and the District of Columbia of the United States of America:

(*a*) Eastman Kodak Company to J. E. Brulatour, Inc.

(*b*) Du Pont, E. I. de Nemours & Company to Smith & Aller, Ltd.

(*c*) Agfa Ansco to Agfa Raw Film Corporation.

(4) "Class A producer" means any of the following producing companies and their subsidiaries:

Columbia Pictures Corporation
Hollywood Square
Hollywood, California
Metro-Goldwyn-Mayer
Culver City, California
Paramount Pictures, Inc.
5451 Marathon Street
Hollywood, California
Radio-Keith-Orpheum Corporation
780 North Gower Street
Hollywood, California
Republic Pictures Corporation
4024 Radford Avenue
North Hollywood, California
Universal Pictures Company, Inc.
Universal City, California
Twentieth Century Fox Film Corporation
10201 West Pico Boulevard
Los Angeles, California
Warner Brothers Pictures, Inc.
400 West Olive Street
Burbank, California

(5) "Class B producer" means any person other than a Class A producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters, at least one of whose motion pictures produced during 1941 was distributed by any Class A or Class B distributor.

(6) "Class C producer" means any person other than a Class A or Class B producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters.

[1] Formerly Part 3282, § 3282.1.

(7) "Class A distributor" means any of the following distributing companies and their subsidiaries:

Columbia Pictures Corporation
729 Seventh Avenue
New York, New York
Loew's Inc. (Metro-Goldwyn-Mayer)
1540 Broadway
New York, New York
Paramount Pictures, Inc.
1501 Broadway
New York City
Radio-Keith-Orpheum Corporation
1270 Sixth Avenue
New York, New York
Republic Pictures Corporation
1790 Broadway
New York, New York
Twentieth Century Fox Film Corporation
444 West 56th Street
New York, New York
Universal Pictures Company, Inc.
1250 Sixth Avenue
New York, New York
Vitagraph, Inc. (Warner Brothers)
321 West 44th Street
New York, New York

(8) "Class B distributor" means any of the following distributing companies and their subsidiaries:

Monogram Productions, Inc.
4376 Sunset Drive
Hollywood, California
Producers Releasing Corporation
1501 Broadway
New York, New York
United Artists Corporation
729 Seventh Avenue
New York, New York

(9) "Class C distributor" means any person other than a Class A or Class B distributor, who distributes 35 mm. prints of entertainment, factual, or special pictures for exhibition.

(10) "Expose", "exposing" or "exposed" includes, in addition to its normal meaning, to process by an imbibition method, such as technicolor.

(11) "Entertainment picture" means any picture, including a trailer for such picture, other than a factual or special picture or a newsreel.

(12) "Factual picture" means any picture whose main function is informational or instructional, including advertising and sales promotion pictures and newsreels produced by Class B newsreel producers, but not including special pictures or pictures whose main function is entertainment.

(13) "Newsreel" means any picture whose main function is to report news events.

(14) "Class A newsreel producer" means any of the following producing companies and their subsidiaries:

Paramount Pictures, Inc., producing Paramount News
Pathe News, Inc.
Universal Pictures Company, Inc., producing Universal Newsreel.
News-of-the-Day Newsreel, Inc.
Movietonenews, Inc.
Time Inc., producing the March of time.

(15) "Class B newsreel producer" means any person other than a Class A newsreel producer who produces newsreels.

(16) "Special picture" means any picture (i) Produced for scientific research purposes, such as recording and measuring;

(ii) Produced for micro-filming purposes;

(iii) Produced for identification picture purposes;

(iv) Produced for such other special purposes as the War Production Board may from time to time specify.

(b) *Restrictions on transfers of 35 mm. film for exposure in connection with entertainment pictures.* (1) No person shall transfer any 35 mm. film to any other person whatsoever for exposure in connection with entertainment pictures, except (i) Motion picture laboratories and other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A or B distributors; or

(ii) With specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Production Board, the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of the following persons exposing such film in connection with entertainment pictures:

(i) Any Class A producer and its Class A distributor in an amount not to exceed, in the absence of special circumstances, that specified in Schedule A of this order;

(ii) Any Class B distributor in an amount not to exceed, in the absence of special circumstances, that specified in Schedule A of this order;

(iii) Any Class B producer in such amounts as the War Production Board shall, from time to time, determine after taking into account the amounts of 35 mm. film which such Class B producer has obtained from, or, through a charge against the account of, any Class A or Class B distributor;

(iv) Any Class C producer or Class C distributor in an amount not to exceed, in the absence of special circumstances, 25% of the 35 mm. film exposed by or for the respective account of such Class C producer or Class C distributor during the calendar year 1941.

(3) In addition to the amount of 35 mm. film which the War Production Board will authorize to be transferred pursuant to paragraph (b) (2) of this order, the War Production Board will authorize the transfer of additional amounts of 35 mm. film to any Class A, B or C distributor in amounts equal to 50% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Army of the United States for distribution and exhibition by the Army of the United States in the preceding calendar quarter, and 100% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Navy of the United States for distribution and exhibition by the Navy of the United States in the preceding calendar quarter.

(c) *Restrictions on transfers of 35 mm. film for exposure in connection with factual pictures.* (1) No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with factual pictures except pursuant to (i) Such rules and regulations as the Bureau of Motion Pictures of the Office of War Information shall from time to time specify; or

(ii) The specific authorization of the War Production Board.

(2) During the three months period beginning April 1, 1943, and during each three months period thereafter until otherwise ordered, the War Production Board and the Bureau of Motion Pictures of the Office of War Information, unless there are special circumstances, shall not authorize the transfer of more 35 mm. film for exposure in connection with factual pictures than 25,150,000 linear feet.

(d) *Restrictions on transfers of 35 mm. film for exposure in connection with special pictures.* No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with special pictures except pursuant to the specific authorization of the War Production Board.

(e) *Restrictions on transfers of 35 mm. film for exposure by Class A newsreel producers.* (1) No person shall transfer any 35 mm. film for exposure by Class A newsreel producers in connection with newsreels produced by them, except (i) Motion picture laboratories or other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A newsreel producers; or

(ii) Pursuant to specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Production Board the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of Class A newsreel producers for exposure in connection with newsreels in an amount not to exceed, in the absence of special circumstances, the amount specified opposite such Class A newsreel producer's name in Schedule B of this order.

(f) *Restrictions on exposure of 35 mm. film by laboratories.* No motion picture laboratory or other service organization processing 35 mm. film shall expose any such film, except (1) For the account of any person who has been authorized by the Bureau of Motion Pictures of the Office of War information to obtain a transfer of 35 mm. film;

(2) [Deleted Sept. 20, 1944.]

(3) For the account of any person who has been authorized by the War Production Board to obtain a transfer of 35 mm. film, but not in amounts greater than have been authorized for transfer or

(4) With the specific authorization of the War Production Board.

(g) *Applications for authorizations to transfer 35 mm. film.* Any person may apply to the War Production Board for a specific authorization to transfer 35 mm. film by executing and filing Form WPB-

2165 with the Motion Picture and Photographic Section of the Consumers Durable Goods Division of the War Production Board, Washington, D. C.

(h) *Film authorizations effective only for 180 days.* All specific authorizations of the War Production Board granted pursuant to this order, heretofore or hereafter issued, shall remain in effect only for the 180 days following the date of authorization and shall have no force or effect thereafter, unless the particular authorization expressly states otherwise. This paragraph shall not apply to authorizations granted by the Bureau of Motion Pictures of the Office of War Information pursuant to paragraph (c) (1) (i) of this order.

(i) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Every motion picture laboratory and other service organization processing 35 mm. film shall execute and file with the War Production Board, Washington, D. C., Ref: L-178, on or before the 10th day following the close of each calendar month, Form WPB-2164.

(j) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Appeals.* Any appeal from the provisions of this order must be made on Form WPB-1477.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(m) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref.: L-178.

Issued this 20th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

	Linear feet
Columbia Pictures Corporation	30, 253, 296
Metro-Goldwyn-Mayer and Loew's, Inc.	42, 147, 476
Monogram Productions, Inc.	5, 848, 397
Paramount Pictures, Inc.	30, 723, 843
Producers Releasing Corporation	5, 500, 000

SCHEDULE A—Continued

	Linear feet
Radio-Keith-Orpheum Corporation	27, 435, 119
Republic Pictures Corporation	18, 380, 444
Twentieth Century Fox Film Corporation	31, 803, 366
United Artists Corporation	15, 086, 809
Universal Pictures Company, Inc.	27, 448, 441
Warner Brothers Pictures, Inc. and Vitagraph, Inc.	23, 742, 077

SCHEDULE B

Movietonenews, Inc.	12, 121, 701
News-of-the-Day Newsreel, Inc.	11, 685, 076
Paramount Pictures, Inc., producing Paramount News	11, 627, 566
Pathe News, Inc.	7, 885, 750
Time, Inc., producing the March of Time	2, 164, 195
Universal Pictures Company, Inc., producing Universal Newsreel	7, 085, 524

[F. R. Doc. 44-14512; Filed, Sept. 20, 1944; 11:28 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 17, as Amended Sept. 20, 1944]

ACRYLIC MONOMER AND ACRYLIC RESIN

§ 3295.1017 *Schedule 17 to General Allocation Order M-300*—(a) *Definitions.* For the purpose of this schedule and Order M-300:

(1) "Acrylic monomer" means the unpolymerized forms of the methyl and higher esters of acrylic and methacrylic acids.

(2) "Acrylic resin" means the polymerized form of the methyl and higher esters of acrylic and methacrylic acids, in the following forms:

Cast sheet (unfabricated) meeting specifications Nos. 33 M-1 and P-41-C of U. S. Navy and 94-12014-B of U. S. Army, but not including pieces having an area of less than three square feet produced as a by-product of normal casting or fabricating operations.
Molded sheet (unfabricated).
Molding powder.
Cast rod.
Cast tube.
Solution.
Emulsion.
Cast primary shapes.
Denture-base material.
Granular polymer.

(3) "Supplier" of acrylic monomer and acrylic resin means any person who: (i) Synthesizes monomer from raw materials; or (ii) manufactures acrylic monomer by de-polymerization of acrylic resin; or (iii) manufactures acrylic resin by polymerization of acrylic monomer; or (iv) purchases acrylic monomer or acrylic resin for the purpose of resale without further fabrication, processing or admixing.

(b) *General provisions.* Acrylic monomer and acrylic resin are subject to allocation under General Allocation Order M-300 as Appendix B materials. The initial allocation date is January 1, 1943, the date when these materials first became subject to allocation under Order M-280 (revoked). The allocation period is the calendar month. The small order exemption per person per month, without use certificate, is each and all the following:

Cast sheet	50 square feet
Molded sheet	50 square feet
Molding powder	100 pounds
Cast shapes	50 pounds
Tube	25 pounds
Rod	25 pounds
Solution	400 pounds (1 barrel)
Emulsion	400 pounds (1 barrel)
Monomer	10 gallons (80 pounds)
Granular polymers	100 pounds

Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which acrylic monomer or resin has been allocated, notwithstanding paragraph (p) (2) of Order M-300.

(c) *Special dental exception.* A supplier who delivers acrylic monomer and acrylic resin exclusively for dental use may make such deliveries, and his customers may order and accept delivery for dental use, without restriction under this order.

(d) *Special exception for suppliers' intra-company deliveries.* In the case of any group of suppliers under common ownership and control who produce both acrylic monomer and acrylic resin for general purposes, the monomer producing units may deliver acrylic monomer to the resin producing units to the extent necessary to produce resin to fill authorized orders, and the resin producing units may receive and use the monomer for this purpose, without application or specific authorization.

(e) *Suppliers' applications on WPB-2947.* Each supplier (as defined in paragraph (a) (3) above) seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 15th day of the month before the proposed use or delivery month. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-17. File a separate set of applications for each plant and for each different grade or type of acrylic monomer or acrylic resin as set forth in paragraph (a) (2) above. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified small orders. Purchase orders or releases against purchase orders for aircraft glazing sheet shall not be listed individually, but totals shall be listed. Fill in Table II.

(f) *Military emergency shipments.* A supplier may make application on Form WPB-2947 for authorization to expedite shipments against anticipated emergency war orders from the Armed Services or their contractors. Column 1 shall read "Emergency shipments against Government contracts". Column 4 shall show the aggregate quantity of the proposed shipments. From the quantity allocated on this application the supplier may make such shipments without further authorization. Subsequently, on the first WPB-2947 form filed after the end of the month, the supplier shall report his emergency shipments by listing in the usual manner the customers, end uses and quantities. An entry shall be made in Column 7 for each such customer to show that the material was expedited and that shipment was made in the preceding month, as, for example, "Expedited—May". In the case of emergency shipments to contractors, suppliers must obtain written or telegraphic certification from the Armed Service involved, stating that an emergency exists. Any unused material in the "emergency pool" at the end of the month shall be returned to inventory.

(g) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of more than the small order exemption quantity shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M-300. Examples of and uses are: "Aircraft radio lens", "industrial steamgauge lens", "military denture-base material" of "Civilian denture-base material". Military items are those which are being produced against a prime or sub-contract for the Armed Services. Confidential end uses may be described in general terms but the prime contract number must be specified.

(h) *Surplus stocks.* (1) Surplus and excess stocks of cast sheet (unfabricated) in sizes and thicknesses listed in the manufacturer's price list when the stock is sold, may be sold by the holder under Priorities Regulation 13 to any supplier (whose use or redelivery is subject to this order) or to any aircraft manufacturer, who may use the sheet for aircraft purposes without application or further authorization. A sale to any other purchaser must be authorized upon application by the holder on Form WPB-1161, and the authorized purchaser may use the sheet sold under the authorization without further application or authorization.

(2) Surplus and excess stocks of cast sheet (unfabricated) in sizes and thicknesses not listed in the manufacturer's price list when the stock is sold, may be freely sold and delivered by the holder under Priorities Regulation 13, and thereafter shall not be subject to restriction under this order.

(3) Surplus and excess stocks of acrylic monomer or resin in forms other than cast sheet may be sold under Priorities Regulation 13 without application or specific authorization, but the purchaser must apply to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-17, on Form WPB-2945 or by letter (three copies), for authorization to use this material.

(4) Instead of disposing of surplus and excess stocks in accordance with paragraphs (h) (1), (2) and (3) above, the holder may elect to treat himself as a supplier and to file application for authorization to deliver under paragraph (e) of this schedule, based on use certificates from his customers filed under paragraph (g) of this schedule.

(i) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications to the War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300-17.

Issued this 20th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14514; Filed, Sept. 20, 1944; 11:28 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 45 as Amended Sept. 20, 1944]

SODIUM CYANIDE

§ 3293.1045 *Schedule 45 to General Allocation Order M-300*—(a) *Definition.* "Sodium cyanide" means all grades and mixtures of sodium cyanide and solutions of sodium cyanide which contain 20% or more sodium cyanide by weight, except 25% mixture with crude calcium cyanide and except 90-91% mining grade sodium cyanide produced from calcium cyanide.

(b) *General restrictions.* Sodium cyanide is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is February 1, 1944, when sodium cyanide was first put under allocation by Order M-366 (revoked). The allocation period is the calendar month. The small order exemption prior to October 1, 1944 is 1,000 pounds (computed on 96% basis) per person per month; on and after October 1, 1944 the small order exemption is 400 pounds (computed on 96% basis) per person per month.

(c) *Special interim provisions.* Use, delivery and acceptance of delivery prior to October 1, 1944, will be authorized on the basis of application filed in the form heretofore prescribed in Order M-366 (revoked).

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. A consolidated set of forms may be filed for all plants and warehouses of the applicant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-45. The unit of measure is pounds (specify per cent sodium cyanide contained in the material, such as 96%, 35%, etc.). An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. In Column 7 report total small order shipments for latest month for which figure is available and specify the month. In Table II, producers shall fill in Columns 8 through 14, and resellers, Columns 8, 10, 12 and 13.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref.: M-300-45, and one copy (reverse side blank) to the supplier. The unit of measure is pounds (specify per cent sodium cyanide contained in the material, such as 96%, 35%, etc.). In Column 1 specify what grade, mixture or solution of sodium cyanide is sought and in Column 2 specify pounds requested for each use specified in Columns 3 and 4 of the application.

Do not request quantities in excess of actual requirements for the month for which allocation is requested. Fill in Column 3 in terms of the following:

Barbiturates
Floting
Case hardening
Flotation reagents
Plating
Other primary product (specify)
Export (as sodium cyanide)
Inventory (as sodium cyanide)
Resale (as sodium cyanide)

Specify end use in Column 4 as required by paragraph (11-a) of Appendix E of Order M-300 (indicate as far as possible whether for direct or indirect Army, Navy or Lend-Lease orders, but do not specify contract numbers).

Fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-45.

Issued this 20th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14515; Filed, Sept. 20, 1944; 11:29 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[Preference Rating Order P-43, Interpretation 2]

TOOLS AND TOOLING NEEDED TO MAKE EXPERIMENTAL MODELS

The following interpretation is issued with respect to Preference Rating Order P-43:

(a) *Purpose of this interpretation.* The purpose of this interpretation is to explain the extent to which the priorities assistance

provided by Order P–43 may be used to get tools and tooling needed to make experimental models.

(b) *Definition of the term "tools and tooling".* For the purposes of this interpretation, "tools and tooling" means dies, molds, jigs, fixtures, patterns and other tools and equipment used in making experimental models of articles.

(c) *Use of P–43 priorities assistance to get tools and tooling to make experimental models permitted under existing orders and regulations.* Anyone who wants to make experimental models which are permitted to be made under existing orders and regulations without taking advantage of the provisions of Priorities Regulation 23 (Experimental Models), may use the priorities assistance provided by Order P–43 to get any tools and tooling that he needs to make such models. This is true regardless of whether he carries the tools and tooling as operating supplies or capital additions.

(d) *Use of P–43 priorities assistance to get tools and tooling to make experimental models of the types which could not be made but for Priorities Regulation 23.* Anyone who wants to make experimental models of the types which could not be made but for Priorities Regulation 23 may use the priorities assistance provided by Order P–43 to get any tools and tooling needed to make the models, unless the tools and tooling are carried as capital additions. This limitation appears in paragraph (d–1) (2) of Order P–43 and in paragraph (g) of Priorities Regulation 23, which prohibit the use of the P–43 priorities assistance to get any facilities for making experimental models of the types which could not be made but for Priorities Regulation 23, if such facilities would be capital additions. The question of whether a particular tool or item of tooling would be a capital addition is determined by the purchaser's established accounting practice. If it would be a capital addition under his established accounting practice, the purchaser should get his priorities assistance for it in accordance with the standard procedures for getting tools and tooling. It would, of course, be improper for a person to change his established accounting practice for the purpose of enabling himself to use the P–43 priorities assistance. It should also be pointed out that the cost of any tools and tooling which are obtained to make experimental models of the types which could not be made but for Priorities Regulation 23 must be included in determining the cost of the models under paragraph (d) of Priorities Regulation 23.

(e) *Preference Ratings assigned by Order P–43.* Under paragraph (d–1) (1) of Order P–43, only an AA–3 rating may be used to get tools and tooling for making experimental models of products designed primarily for civilian markets. An AA–2 rating (or AA–1 in the case of a serial-numbered laboratory) may be used to get tools and tooling for making experimental models of products designed for military use. In no case, of course, may the rating be used to get more than the minimum amount of tools and tooling needed to make the experimental models.

(f) *Materials for making tools and tooling.* In any case where a person is permitted under this interpretation to use the P–43 priorities assistance to get tools and tooling for making experimental models, he may also use the priorities assistance to get materials needed to make the tools and tooling himself.

Issued this 20th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14511; Filed, Sept. 20, 1944; 11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 550,[1] Amdt. 1]

CURED AND SMOKED FISH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 550 is amended in the following respects:

1. Section 1.10 is amended to read as follows:

SEC. 1.10 *Notification to wholesalers and retailers.* With the first delivery after August 21, 1944, of any item of cured or smoked fish (except smoked mild-cured salmon) covered by this regulation and with the first delivery after September 19, 1944, of any smoked mild-cured salmon, the processor shall supply each wholesaler and retailer who purchases from him with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 550. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see Section 6 in each case). You must refigure your ceiling price on the first delivery of this item to you on and after August 21, 1944 unless this item is smoked mild-cured salmon (lox) in which case you must refigure your ceiling price on the first delivery of smoked mild-cured salmon to you on and after September 19, 1944.

For a period of 90 days after August 21, 1944 in the case of any item of cured or smoked fish (except smoked mild-cured salmon) and for a period of 90 days after September 19, 1944, in the case of smoked mild-cured salmon, and with the first shipment after the 90 day period to each person who has not made a purchase within this time, the processor shall include in each box, carton or case containing the item, the written notice set forth above.

2. Section 1.17 is amended to read as follows:

SEC. 1.17 *General pricing instructions*—(a) *Fractions.* If the maximum price for an item of smoked fish computed in accordance with the rules provided in this regulation results in a fraction of a cent, the result will be rounded out to the nearest cent. (Note that this rule does not apply to mild-cured salmon.)

(b) *Freight rate.* In computing the "freight rate" or freight charge under other provisions of this regulation the processor shall use as the per pound common carrier charge, rail carload freight rate, or common carrier rate, the total transportation charge (customarily made by the railroad or common carrier for the shipment of the type and quantity designated by the regulation) divided by the number of pounds net weight of fish received in that shipment.

3. Section 2.1 (a) is amended to read as follows:

(a) *Maximum prices.* The maximum price at which any person may sell selected mild-cured salmon is:

(1) 34½ cents per pound ex plant or warehouse located in the United States except Alaska or f. o. b. shipping point nearest such plant or warehouse plus the per pound rail carload freight charge for mild-cured salmon from Seattle, Washington to such point.

(2) 34½ cents per pounds ex plant or warehouse located in Alaska or f. o. b. shipping point nearest such plant or warehouse minus the per pound common carrier freight charge for mild-cured salmon from such Alaskan point to Seattle, Washington.

4. Section 2.1 (b) is amended to read as follows:

(b) The maximum price at which any person may sell mild-cured salmon packed in such a manner that the pack fails to meet the requirements for selected mild-cured salmon shall be the price fixed in paragraph (a) (1) or paragraph (a) (2), whichever is applicable, minus 6½ cents per pound.

5. Section 3.1 (a) is amended to read as follows:

(a) The maximum price for sales by a processor of smoked mild-cured salmon (lox) is 49 cents per pound ex processor's plant or warehouse or f. o. b. shipping point nearest processor's plant or warehouse, plus the "freight rate" as explained in section 3.2, plus the container allowance in section 3.5 where applicable.

This amendment shall become effective September 19, 1944.

Issued this 19th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–14498; Filed, Sept. 19, 1944; 4:27 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses, Amdt. 32]

CLARKSVILLE, ARK., ETC.

Correction

In F. R. Doc. 44–14416, appearing at page 11540 of the issue for Tuesday, September 19, 1944, the bracketed designation heading should read as set forth above.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9974, 10714.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 269,[1] Amdt. 31]

SOAP AND RELATED PRODUCTS IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1418.263 (a) Table XIX is amended to read as follows:

(a) *Table XIX: Maximum retail prices for bar soaps, bleaching waters, cleansers and soap powders.*

Brand	Size	Ketchikan	Wrangell, Petersburg	Juneau, Douglas	Skagway, Haines	Sitka	Cordova, Valdez, Seward	Kodiak	Anchorage	Palmer and Points on R. R. South of Curry	Fairbanks, Curry and points on R. R. North of Curry	Nome
BAR SOAPS												
Big Boy	Regular	$0.06	$0.06	$0.06	$0.06	$0.06	$0.07	$0.07	$0.07	$0.08	$0.09	$0.07
Bokay	Regular	.05	.05	.05	.05	.05	.06	.06	.06	.06	.06	.06
Camay	Regular	.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.09
Cashmere Bouquet	Regular	.11	.11	.11	.11	.11	.11	.11	.11	.11	.12	.11
Crystal White	Giant family	.06	.06	.07	.07	.07	.07	.07	.08	.08	.09	.07
Crystal White	Toilet regular	.06	.06	.06	.06	.06	.06	.06	.07	.07	.08	.06
Fels Naptha	Regular	.07	.07	.07	.07	.07	.07	.06	.08	.09	.10	.08
Ivory	Large	.13	.13	.13	.13	.14	.14	.14	.14	.15	.16	.14
Ivory	Medium	.08	.08	.08	.08	.08	.08	.08	.09	.09	.09	.08
Ivory	Guest	.06	.06	.06	.06	.06	.06	.06	.06	.06	.07	.06
Lava	Large	.12	.12	.12	.12	.12	.13	.13	.13	.13	.14	.13
Lava	Medium	.08	.08	.08	.08	.08	.08	.08	.08	.09	.09	.08
Lifebuoy	Regular	.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.09
Lux	Regular	.09	.09	.09	.09	.09	.09	.09	.09	.09	.10	.09
Moonmoss	Toilet	.05	.05	.05	.05	.05	.05	.05	.06	.06	.06	.05
Palmolive	Large	.12	.12	.13	.13	.13	.13	.13	.13	.13	.14	.13
Palmolive	Regular	.09	.09	.09	.09	.09	.09	.09	.09	.10	.10	.09
P. & G.	Regular	.05	.05	.06	.06	.06	.06	.06	.06	.07	.07	.06
Swan	Large	.13	.13	.13	.13	.13	.14	.14	.14	.15	.16	.14
Swan	Regular	.08	.08	.08	.08	.08	.08	.08	.09	.09	.09	.09
Sweetheart	Regular	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09	.09
O. P. Tar	Regular	.11	.11	.11	.11	.11	.12	.12	.11	.11	.12	.12
White King	Regular	.06	.06	.06	.06	.06	.07	.07	.07	.07	.07	.07
Woodbury	Regular	.10	.10	.10	.10	.10	.10	.11	.11	.11	.11	.11
Jergens	Regular	.06	.06	.06	.06	.06	.06	.06	.06	.06	.07	.06
BLEACHING WATERS												
Clorox	¼ gallon	.39	.39	.40	.41	.42	.44	.47	.52	.55	.67	.50
Clorox	Quart	.24	.24	.25	.26	.26	.27	.29	.31	.32	.38	.31
Clorox	Pint	.13	.13	.14	.14	.14	.15	.16	.16	.16	.19	.17
Nubora	Gallon	.54	.54	.57	.58	.59	.63	.69	.71	.75	.91	.73
Nubora	¼ gallon	.36	.36	.37	.38	.39	.42	.46	.44	.47	.57	.49
Nubora	Quart	.21	.21	.22	.23	.23	.24	.27	.26	.28	.34	.28
Purex	Gallon	.68	.68	.71	.72	.73	.77	.83	.88	.93	1.11	.87
Purex	½ gallon	.39	.39	.40	.41	.42	.44	.47	.49	.52	.61	.50
Purex	Quart	.23	.23	.28	.24	.24	.25	.27	.28	.29	.34	.29
CLEANSERS												
Babo	14 oz. can	.16	.16	.16	.16	.16	.16	.17	.17	.18	.19	.17
Bon Ami	12 oz. pkg	.17	.17	.17	.17	.17	.17	.18	.19	.19	.21	.18
Bon Ami	9½ oz. cake	.14	.14	.14	.14	.14	.15	.15	.15	.15	.17	.15
Borazo	10 oz. pkg	.19	.19	.19	.19	.19	.20	.20	.21	.22	.24	.20
Cameo (refills)	14 oz. tin	.11	.11	.11	.12	.12	.12	.13	.13	.13	.15	.13
Drano	12 oz. can	.27	.27	.27	.27	.27	.27	.28	.28	.28	.30	.39
Gold Dust	17 oz. pkg	.08	.08	.08	.08	.08	.09	.10	.10	.10	.12	.10
Insto	8 oz. tin	.24	.24	.25	.25	.25	.26	.26	.25	.26	.27	.27
Sani-Flush	23 oz. tin	.27	.27	.27	.27	.29	.28	.28	.30	.31	.34	.29
Sani-Flush	10 oz. tin	.12	.12	.12	.12	.12	.12	.13	.13	.14	.15	.13
Sapolio	10 oz. cake	.13	.13	.13	.13	.13	.13	.13	.13	.14	.14	.14
Soil-off	½ gallon	.99	.99	1.01	1.03	1.02	1.05	1.08	1.09	1.12	1.22	1.11
Soil-off	Quart	.60	.60	.61	.61	.62	.63	.65	.65	.66	.72	.67
Sunbrite	Pkg	.08	.08	.08	.08	.08	.09	.09	.10	.10	.12	.10
SOAP POWDERS												
Dash	Giant	.70	.70	.71	.72	.72	.74	.77	.77	.78	.85	.79
Dash	36 oz.—Medium	.35	.35	.36	.36	.36	.37	.39	.38	.39	.43	.39
Due	Giant	.86	.87	.89	.91	.91	.94	.98	.91	.92	.99	1.01
Due	Large	.33	.33	.34	.34	.34	.35	.37	.34	.35	.37	.38
Due	Small	.13	.13	.13	.14	.14	.14	.15	.14	.15	.16	.15
Fels-Naptha	21 oz.	.33	.33	.34	.35	.35	.35	.38	.32	.32	.34	.41
Ivory Snow or Flakes	12½ oz.	.33	.33	.34	.34	.34	.35	.37	.32	.32	.33	.38
Ivory Snow or Flakes	5 oz.	.13	.13	.13	.14	.14	.14	.15	.13	.13	.14	.15
Lux	12½ oz.	.33	.33	.34	.34	.34	.35	.37	.32	.33	.34	.38
Lux	5 oz.	.14	.14	.14	.14	.14	.15	.16	.13	.13	.14	.16
Moonrose	12½ oz.	.26	.24	.24	.25	.25	.26	.27	.23	.23	.25	.28
Nubora	Giant	.65	.65	.66	.67	.67	.69	.72	.68	.70	.76	.74
Nubora	Large	.27	.27	.28	.28	.28	.29	.31	.27	.28	.30	.32
Oxydol	Giant	.88	.88	.89	.91	.91	.94	.99	.93	.93	1.09	1.01
Oxydol	Large	.33	.33	.34	.34	.34	.35	.37	.35	.35	.38	.39
Oxydol	Small	.13	.13	.13	.14	.14	.14	.15	.14	.14	.15	.15
Super-Suds	Giant	.88	.88	.89	.91	.92	.94	.95	.92	.94	1.01	1.01
Super-Suds	Large	.33	.33	.34	.34	.35	.36	.37	.35	.36	.38	.38
Rinso	Giant	.88	.88	.89	.91	.91	.94	.99	.91	.93	1.00	1.00
Rinso	Large	.33	.33	.34	.34	.34	.35	.37	.34	.36	.37	.38
Rinso	Small	.13	.13	.13	.14	.14	.14	.15	.14	.14	.15	.15
Wasbrite	Large	.25	.25	.26	.26	.26	.27	.29	.27	.27	.30	.30
White King	Giant	.65	.65	.65	.66	.66	.68	.71	.70	.71	.77	.72
White King	28 oz.	.42	.42	.42	.43	.43	.44	.46	.44	.45	.49	.47
White King	23 oz.	.34	.34	.34	.35	.35	.36	.38	.36	.36	.39	.39

This amendment shall become effective September 25, 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES, *Administrator.*

*Copies may be obtained from the Office of Price Administration. [1] 9 F.R. 8990, 9514, 9901.

[F. R. Doc. 44–14521; Filed, Sept. 20, 1944; 12:01 p. m.]

PART 1367—FERTILIZERS

[RMPR 205,[1] Amdt. 3]

FERTILIZER RAW MATERIAL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 20 is amended to read as follows:

SEC. 20. *Castor pomace and unground castor cake in bags.* (a) The maximum price that may be charged for castor pomace in bags, f. o. b. point of production shall be $4.50 per unit of ammonia for material produced west of the 100th meridian, and $2.90 per unit of ammonia for material produced east of the 100th meridian.

(b) The maximum price that may be charged for unground castor cake in bags, f. o. b. point of production shall be $15.50 per ton.

This amendment shall become effective September 25, 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14523; Filed, Sept 20, 1944; 12:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[2] Corr. to Amdt. 32]

CLARKSVILLE, ARK., ETC.

In Amendment 32 to the Rent Regulation for Hotels and Rooming Houses, item 19a of Schedule A is corrected by changing the date "October 1, 1943" to "January 1, 1944."

Issued and effective this 20th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14525; Filed, Sept. 20, 1944; 12:01 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[3] Corr. to Amdt. 35]

CLARKSVILLE, ARK., ETC.

In Amendment 35 to the Rent Regulation for Housing, item 19a of Schedule A is corrected by changing the date "October 1, 1943" to "January 1, 1944."

Issued and effective this 20th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14526; Filed, Sept. 20, 1944; 12:01 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7426, 8061, 8850, 9029.

[2] 9 F.R. 2165, 2290, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 5915, 6569.

[3] 9 F.R. 5807, 5915, 6950, 6969, 6819.

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 241,[1] Amdt. 8]

MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 241 is amended in the following respects:

1. Section 1421.110 (b) of Maximum Price Regulation No. 241 is amended to read as follows:

(b) Each person making a sale of malleable iron castings on or after October 21, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years, or as long as the Emergency Price Control Act of 1942, as amended, remains in effect, whichever period is shorter, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer and seller, (3) the list price or prices, if any, on the date of sale, (4) net price or prices after adjustment for discounts or other allowances, and (5) where the sale is made pursuant to a contract or agreement entered into on or after October 21, 1942, and the total selling price exceeds fifty dollars, records substantiating the maximum prices if the castings are priced under paragraph (a) or (d) of Appendix A (§ 1421.116) or summary of the calculations made in computing the maximum prices if the castings are priced under paragraph (b) of Appendix A. The data specified in (1), (2), (3) and (4) of this paragraph shall be kept for inspection by the Office of Price Administration for the same period by each person making a purchase of malleable iron castings in the course of trade or business.

2. Section 1421.114 (a) (5) (i) is amended by deleting the word "and" which precedes clause (c) of said subdivision (i) and by adding the following clause after the last word in said subdivision: "and (d) malleable iron castings sold as parts or subassemblies of the types listed in Appendix A or B of Maximum Price Regulation 136, as the same may from time to time be amended, by a 'regular reseller', that is, a purchaser of malleable iron castings for resale who customarily represents himself in the trade as a source of supply of such parts or subassemblies through the issuance of catalogues, price lists or other advertising matter circulated generally to the trade in which such parts or subassemblies are designated by name."

3. A new paragraph (f) is added to § 1421.116 to read as follows:

(f) *Computation of maximum prices for malleable iron castings where price adjustments have been granted.* In any case in which a seller has been granted or is granted an adjustment in his maximum prices for some or all of the malleable iron castings he produces pursuant to § 1421.107 (a) of this regulation and subsequent to the date of issuance of the order or authorization granting him such price adjustment (hereinafter referred to as the "relief order") an amendment to the regulation is issued increasing the maximum prices for sellers generally, which amendment would otherwise apply to the castings which are the subject of the relief order, the seller shall not be permitted to compute his maximum prices for the castings which are the subject of the relief order by adding the increase granted by such order in addition to the increase granted by such amendment to the regulation. He may, however, apply to the Office of Price Administration for permission to add these two increases in maximum prices by a relief application pursuant to the provisions of § 1421.107 (a), in which event the criteria for granting price adjustments under that section shall be used by the Office of Price Administration in determining whether such permission shall be granted. The seller may, however, without authorization from the Office of Price Administration, compute his maximum prices for the castings which are the subject of the relief order by either adding the increase granted by such order in accordance with the provisions thereof, or adding to his maximum prices for such castings prior to the issuance of the relief order the increase granted by the amendment of the regulation in accordance with the terms of such amendment.

This amendment shall become effective September 25, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14530; Filed, Sept. 20, 1944; 12:00 m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 244,[1] Amdt. 9]

GRAY IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 244 is amended in the following respects:

1. Section 1421.160 (b) of Maximum Price Regulation No. 244 is amended to read as follows:

(b) Each person making a sale of gray iron castings on or after October 26, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years, or as long as the Emergency Price Control Act of 1942, as amended, remains in effect, whichever period is shorter, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer and seller, (3) the list price or prices, if any, on the date of sale, (4) net price or prices after adjustments for discounts or other allowances, and (5) where the sale is made pursuant to a contract or agreement entered into on or after October 26, 1942, and the total selling price exceeds fifty dollars, records substantiating the maximum prices if the castings are priced under paragraph (a), (e), or (g) of Appendix A (§ 1421.166) or summary of the calculations made in computing the maximum prices if the castings are priced under paragraph (b) of Appendix A. The data specified in (1), (2), (3) and (4) of this paragraph shall be kept for inspection by the Office of Price Administration for the same period by each person making a purchase of gray iron castings in the course of trade or business.

2. Section 1421.164(a)(3)(i) is amended by deleting the word "and" which precedes clause (d) of said subdivision (i) and by adding the following clause after the last word in said subdivision: "and (e) gray iron castings sold as parts or subassemblies of the types listed in Appendix A or B of Maximum Price Regulation 136, as the same may from time to time be amended, by a 'regular reseller', that is, a purchaser of gray iron castings for resale who customarily represents himself in the trade as a source of supply of such parts or subassemblies through the issuance of catalogues, price lists or other advertising matter circulated generally to the trade in which such parts or subassemblies are designated by name."

3. A new paragraph (h) is added to § 1421.166 to read as follows:

(h) *Computation of maximum prices for gray iron castings where price adjustments have been granted.* In any case in which a seller has been granted or is granted an adjustment in his maximum prices for some or all of the gray iron castings he produces pursuant to § 1421.157 (a) of this regulation and subsequent to the date of issuance of the order or authorization granting him such price adjustment (hereinafter referred to as the "relief order") an amendment to the regulation is issued increasing the maximum prices for sellers generally, which amendment would otherwise apply to the castings which are the subject of the relief order, the seller shall not be permitted to compute his maximum prices for the castings which are the subject of the relief order by adding the increase granted by such order in addition to the increase granted by such amendment to the regulation. He may, however, apply to the Office of Price Administration for permission to add these two increases in maximum prices by a relief application pursuant to the provisions of § 1421.157 (a), in which event the criteria for granting price adjustments under that section shall be used by the Office of Price Administration in determining whether such permission shall be granted. The seller may, however, without authorization from the Office of Price Administration, compute his maximum prices for the castings which are the subject of the relief order by either adding the increase granted by such order in accordance with the provisions thereof, or adding to his maximum prices for such castings prior to the issuance of the relief order the increase granted by the amendment of the regulation in accordance with the terms of such amendment.

This amendment shall become effective September 25, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14522; Filed, Sept. 20, 1944; 12:00 m.]

[1] 9 F.R. 8797, 7077.

[1] 9 F.R. 2290, 6451.

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

AMENDMENT TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163–167 (46 U. S. C. 375, 391a, 404, 481, 489, 367, 526–526t), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the regulations and approval of equipment are prescribed:

Section 153.6a (b) (8) is amended to read as follows:

§ 153.6a *Additional equipment for lifeboats on seagoing barges of 100 gross tons or over.* * * *

(b) * * *

(8) *Hatchet.* One hatchet attached by a lanyard and readily available for use. All hatchets provided for use on merchant vessels on and after 1 October, 1944, shall be of an approved type. Hatchets provided prior to 1 October, 1944, may be continued in service provided they are in good and serviceable condition.

APPROVAL OF EQUIPMENT

BILGE PUMP FOR LIFEBOATS

Bilge pump for lifeboats (Size U. S. C. G. No. 2) (Dwg. No. 222-A, dated 24 August, 1944), submitted by Allied Marine Equipment Division, Tap-Rite Products Corp., Hackensack, N. J.

EMBARKATION-DEBARKATION LADDER

Embarkation-debarkation ladder, Type B-1, (Dwg. No. 561-81604-8, dated 28 July, 1944), submitted by the Viking Marine Company, 914 Colman Building, Seattle, Washington.

LIFE PRESERVERS

Model No. 1, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-235, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y. (For general use.)

Model No. 2, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-236, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y. (For general use.)

Model No. 3, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-238, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y. (For use with rubber lifesaving suits.)

Model No. 1, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-239, manufactured by Merit Manufacuring Co., 225-27 Powell Street, Brooklyn, N. Y. (For general use.)

Model No. 2, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-240, manufactured by Merit Manufacturing Co., 225-27 Powell Street, Brooklyn, N. Y. (For general use.)

Model No. 3, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-241, manufacured by Merit Manufacturing Co., 225-27 Powell Street, Brooklyn, N. Y. (For use with rubber lifesaving suits.)

Adult kapok life preserver (Navy Standard Type 23J1c) (Navy Bureau of Ships Dwgs. No. 83927 and No. 83928, and Navy Department Specification 23J1c). Approval No. B-243, manufactured by Cluff Fabric Products, 457-467 East 147th Street, New York, N. Y. (For general use and not for use with rubber lifesaving suits.)

Model No. 1, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-245, manufactured by Chesapeake Appliance Corp., 127 West Barre Street, Baltimore, Maryland. (For general use.)

Model No. 2, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-246, manufactured by Chesapeake Appliance Corp., 127 West Barre Street, Baltimore, Maryland. (For general use.)

Model No. 3, adult kapok life preserver (C. G. Dwg. No. F-49-6-1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B-247, manufactured by Chesapeake Appliance Corp., 127 West Barre Street, Baltimore, Maryland. (For use with rubber lifesaving suits.)

LIFE RAFTS

20-person improved type reversible life raft, plywood construction filled with cork (General Arrangement and Construction Dwg. No. L. R. 11544), submitted by the Royal Marine Equipment Corp., 310 West 68th Street, New York, N. Y.

20-person improved type reversible life raft (Los Angeles Boiler Works Dwgs. No. B-1145, dated 3 December, 1942, revised, and No. B-1146, dated 1 December, 1943, revised), constructed by the Manteo Boat Building Company, Manteo, North Carolina, for the Bell Lumber Company, 3961 Gage Avenue, Bell, California.

20-person self-righting, self-bailing, improved type life raft, Styrofoam filled (General Arrangement Dwg. No. 9505 as revised), submitted by Leyde and Leyde, Falls Church, Va.

PORTABLE ELECTRIC MEGAPHONE

Portable electric megaphone, Type M Model 100 (Assembly Dwg. No. M 100-05), submitted by the Hose-McCann Products Co., 163 Pacific Street, Brooklyn, N. Y.

WINCH

Type HC–N lifeboat winch, fitted with quick-return mechanism (General Arrangement Dwg. No. 2564–18, dated 23 March, 1943, revised 28 July, 1943) (Maximum working load of 3,400 pounds per drum, 6,800 pounds per winch), submitted by the Welin Davit & Boat Corp., Perth Amboy, N. J.

Dated: SEPTEMBER 20, 1944.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 44–14508; Filed, Sept. 20, 1944; 10:52 a. m.]

Notices

FEDERAL TRADE COMMISSION.

[Docket No. 5184]

MORRISON FOUNTAIN PEN CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of September, A. D. 1944.

In the matter of Union Fountain Pen Company, Inc., a corporation, trading as Morrison Fountain Pen Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That George Biddle, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, September 25, 1944, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44–14516; Filed, Sept. 20, 1944; 11:39 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 811]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.95, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 14, 1944, by F. E. Baldwin Company of cars PGE 19213 and 88221, potatoes, now on the C. R. I. & P. Railroad, to Nash Finch Company, Cedar Rapids, Iowa (R. I.) and to A. M. Machoca Company, St. Louis, Missouri (Wabash), respectively.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–14483; Filed, Sept. 19, 1944; 12:03 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 33 Under 2d Rev. Order A–3]

IMPERIAL DESK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; it is ordered:

(a) *Purpose of this order.* This order grants the Imperial Desk Company, Evansville, Indiana an adjustment of its maximum prices for sales and deliveries of its line of wood office furniture. This order also permits persons who purchase these articles from the manufacturer for resale to increase their maximum prices dollarwise by the amount of this increase.

(b) *Adjustment of maximum prices.* The Imperial Desk Company, Evansville, Indiana, may add a 4% uniform adjustment to its maximum prices for its line of wood office furniture which it manufactures and all the purchasers for resale of the wood office furniture may add the amount of the increase dollarwise to their maximum prices; provided the adjustment charge is separately quoted and billed, and provided they comply with the requirements for notice set forth in paragraph (c) below.

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charge provided in paragraph (b) above, the Imperial Desk Company and its purchasers for resale shall send a notice to the purchaser fully explaining the terms of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 20, 1944.

Issued this 19th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–14499; Filed, Sept. 19, 1944; 4:27 p. m.]

[RMPR 506, Order 51]

FAIRFIELD GLOVE AND MITTEN CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In F. R. Doc. 44–12278, appearing at page 10008 of the issue for Thursday, August 17, 1944, the fourteenth and thirty-third prices in Column B of the table under paragraph (a) should read: "3.07½" and "2.47½", respectively.

[MPR 188, Order 35 Under 2d Rev. Order A–3]

MILWAUKEE CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Purpose of this order.* This order grants the Milwaukee Chair Company, 3022 West Center Street, Milwaukee, Wisconsin an adjustment of its maximum prices for sales and deliveries of its line of wood office furniture. This order also permits persons who purchase these articles from the manufacturer for resale to increase their maximum prices dollarwise by the amount of this increase.

(b) *Adjustment of maximum prices.* The Milwaukee Chair Company, 3022 West Center Street, Milwaukee, Wisconsin, may add a 2.4% uniform adjustment to its maximum prices for its line of wood office furniture which it manufactures and each purchaser for resale of the wood office furniture may add the amount of the increase dollarwise to his maximum prices; provided the adjustment charge is separately quoted and billed, and provided the seller complies with the requirements for notice set forth in paragraph (c) below.

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charge provided in paragraph (b) above, the Milwaukee Chair Company and its purchasers for resale shall send a notice to the purchaser fully explaining the terms of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 20, 1944.

Issued this 19th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–14500; Filed, Sept. 19, 1944; 4:28 p. m.]

[RMPR 506, Order 53]

LIVERMORE FALLS GLOVE CO., ET AL.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In F. R. Doc. 44–12280, appearing at page 10010 of the issue for Thursday, August 17, 1944, the following changes should be made in the table under paragraph (a):

In the third line of the glove description for Style No. 235, "6 ounce flannel back" should read "8 ounce flannel back." The price in Column B for Style No. 235G should be "7.82½." The sixth style number from the end of the table should read "2318LKP."

[Gen. Order 60]

AREA RENT ATTORNEYS

DELEGATION OF AUTHORITY TO EXECUTE RELEASES OF ADMINISTRATOR'S CLAIM

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, as amended, the following order is prescribed:

(a) Each Area Rent Attorney is authorized to execute releases of the Administrator's claim under section 205(e) of the Emergency Price Control Act, as amended, in accordance with the provisions of Enforcement Instruction No. 5 (Revised).

(b) Any release executed by any Area Rent Attorney pursuant to this delegation of authority shall have the same force and effect as if executed by the Price Administrator.

(c) Nothing in this order shall be construed to limit or affect any similar authority heretofore delegated to the Regional Enforcement Executives or any enforcement attorney.

Issued and effective this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–14524; Filed, Sept. 20, 1944; 12:01 p. m.]

[MPR 120, Order 902]

BRADENVILLE FUEL CO., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Correction

In the third paragraph of F. R. Doc. 44–12064, appearing at page 10006 of the issue for Thursday, August 17, 1944, the third sentence should read: "The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order."

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54–45 and 59–48]

SOUTHERN UNION GAS CO., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of September, A. D. 1944.

Southern Union Gas Company ("Southern Union"), formerly a registered holding company and presently an operating gas utility company, its non-utility subsidiary, Southern Union Production Company ("Production Company"), and its newly formed subsidiary, Texas Southeastern Gas Company ("Texas Southeastern"), having filed certain applications and declarations, in the form of amendments (designated as Amendments No. 14 and 15) to the application originally filed herein by Southern Union and other companies of the Southern Union holding company system for approval of a plan of system reorganization submitted pursuant to section 11 (e) of the Public Utility Holding Company Act, and certain stockholders of Southern Union having filed applications, by which present applications and declarations Commission authorization is sought in respect of proposed transactions summarized as follows:

(1) The issuance and sale by Texas Southeastern and the acquisition by Southern Union of 97,170 shares of common stock, $2 par value, of Texas Southeastern in exchange for $369,000 in cash and 1,000 shares of common stock, $1 par value, of Texas Southeastern presently outstanding and owned by Southern Union;

(2) The sale by Southern Union and the acquisition by Texas Southeastern of certain natural gas transportation and distribution properties with appurtenant franchises and other rights located in southeastern Texas for a cash consideration of $800,000;

(3) The sale and transfer by Production Company and the acquisition by Texas Southeastern of certain property of Production Company, consisting of contracts and rights to purchase natural gas in southeastern Texas, for a cash consideration of $10;

(4) The issuance and sale by Texas Southeastern of $480,000 principal amount of first mortgage bonds;

(5) The declaration by Southern Union of a dividend of the 97,170 shares of common stock of Texas Southeastern distributable to the holders of its common stock in the ratio of one share of Texas Southeastern common stock for each ten shares of Southern Union common stock, payment thereof to be effected by delivery by Texas Southeastern of such stock to the persons entitled to receive such dividend, cash to be paid by Texas Southeastern in lieu of the issuance of fractional shares at the rate of $3.50 per share;

(6) The acquisition by certain stockholders, namely, Murchison Oil Company, Wofford Cain, John Dabney Murchison, Clint W. Murchison, Jr., and Lee Moor, owning five per cent or more of the voting securities of a public utility or holding company as defined in the act of such amount of new stock of Texas Southeastern as they may be entitled to receive by reason of the dividend to be declared by Southern Union, as above described;

Southern Union having requested that, upon the consummation of the several transactions presently proposed, the Commission enter an order pursuant to section 5 (d) of the act, declaring that Southern Union has ceased to be a holding company within the purview of said act and that its registration as such shall no longer be effective;

Public hearings having been held in connection with such applications and declarations, after appropriate notice, and the Commission having considered the record herein and having made and filed its findings;

It is ordered, That said applications and declarations regarding the transactions summarized in those paragraphs hereinabove designated (1), (2), (3), (4), (5), and (6) be, and they are hereby, respectively, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24 and subject to the following further terms and conditions:

(1) That Texas Southeastern shall accrue through charges to an account entitled "Miscellaneous Amortization" and concurrent credits to an account entitled "Reserve for Amortization of Utility Plant Acquisition Adjustments" each calendar year or a portion of a calendar year, beginning with the date of acquisition of the southeastern Texas properties of Southern Union, an amount not less than one-fifteenth, or aliquot portion thereof for a portion of a calendar year, of $42,942.99 less $4,294.30 in the Reserve for Depreciation, Depletion and Amortization applicable thereto as of June 30, 1944, or in such amount adjusted to the date of acquisition, as a reserve to be available for the disposition of gas plant acquisition adjustments, provided that $4,294.30 or such adjusted amount be transferred from Reserve for Depreciation, Depletion and Amortization to Reserve for Amortization of Utility Plant Acquisition Adjustments;

(2) That within six months from the date of entry of this order, Southern Union shall file with this Commission a certificate setting forth the directors elected at the meeting of the stockholders of Texas Southeastern to be held in January 1945, the affiliation, if any, of such directors with Southern Union, the officers of Texas Southeastern subsequently selected, the affiliation, if any,

of such officers with Southern Union, the servicing arrangements and charges for such services to Texas Southeastern to the date of filing such certificate and estimated to be made in the ensuing period of time in which such servicing arrangements are anticipated to be continued;

(3) That within one year from the date of entry of this order, all servicing arrangements between Southern Union and Texas Southeastern shall cease unless upon proper showing and upon application to the Commission an additional period of time is granted for the continuance of such servicing arrangements as may be necessary or appropriate for the protection of investors and consumers, as to which matters jurisdiction be, and the same hereby is, reserved;

(4) That jurisdiction be and the same hereby is specifically reserved as to all fees and expenses to be paid in connection with the proposed transactions.

It is further ordered and declared, That upon the filing by Southern Union of a certificate of notification of the consummation of the transactions proposed in the subject declarations and applications in the manner and form therein set forth, and to the further effect that no director or officer of Southern Union is a director or officer of Texas Southeastern, that pursuant to section 5 (d) of the act, Southern Union has ceased to be a holding company and that its registration as such shall from the date of filing with this Commission of said certificate of notification cease to be effective;

Provided, however, That said registration shall cease to be effective only upon the express terms and conditions that all requirements, conditions, and reservations contained in the order of this Commission entered in this proceeding under date of September 19, 1942, and particularly, but without limiting the generality of the foregoing, the requirements of said order that said Southern Union (in said order designated by the then name of said corporation "Texas Southwestern Gas Company") within one year from the date of said order (except as said period has heretofore been extended) shall take such action as may be necessary to divest itself of all interest in and of all ownership and control of the physical properties owned by said corporation located in Oklahoma, more particularly described as those properties located in and around Kingfisher, and the reservation to this Commission of jurisdiction "to entertain such further proceedings, to make such further and supplemental findings, to approve the terms and conditions, and to take such additional and further action as may be found by it to be appropriate in the premises, in connection with the disposition" of said physical properties, shall continue in full force and effect until complied with, or until, and unless this Commission shall, by subsequent order, or orders, amend, modify or revoke any such requirements or conditions or release any jurisdiction so reserved;

Southern Union, Texas Southeastern, and Production Company having requested that the order of the Commission entered in this proceeding contain the findings and recitals necessary to meet the requirements of sections 371 and 1808 (f) of the Internal Revenue Code, as amended, and the Commission having found said requests proper to be granted;

It is further ordered, That the transactions, the transfers and exchange of stock, securities and property, the acquisitions, expenditures and distributions, the sales and conveyances and the issuance of securities which are proposed in said amendments to the Plan, or otherwise ordered by the Commission herein, including particularly those described, specified and itemized below, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and that such exchanges and expenditures by each of the transferor corporations are necessary or appropriate to the integration or simplification of the holding company system of which each such transferor corporation is a member;

(a) The issue and sale by Texas Southeastern of 97,170 shares of its $2.00 par value common stock and certificates representing same to Southern Union in exchange for $369,000 in cash and the certificates representing 1,000 shares of $1.00 par value common stock of Texas Southeastern presently outstanding;

(b) The issue and sale for cash by Texas Southeastern of $480,000 principal amount of its First Mortgage Bonds, 3¾% Series due 1959, at par and accrued interest;

(c) The sale and transfer by Southern Union of its fixed property in southeastern Texas, consisting of its gas system in the Counties of Harris, Waller, Austin, Washington, Grimes and Colorado with appurtenant franchises, contracts and other rights to Texas Southeastern in exchange for $800,000 in cash to be followed by the expenditure and application of an equal amount by Southern Union toward the retirement of indebtedness represented by its First Mortgage Bonds, 3¾% Series due 1962;

(d) The sale and transfer by Production Company of its property in southeastern Texas, consisting of contracts and rights to purchase natural gas in the Counties of Harris and Colorado, to Texas Southeastern in exchange for $10.00 in cash;

(e) The distribution by Southern Union of 97,170 shares of Texas Southeastern's $2.00 par value common stock, acquired as in sub-paragraph (a) described, to its own stockholders as a dividend and for the purpose of effecting delivery thereof the retransfer of certificates representing such shares to Texas Southeastern;

(f) Following receipt of such certificates, the transfer and delivery by Texas Southeastern of its $2.00 par value common stock and certificates representing same to the common stockholders of Southern Union entitled thereto at the times and in the manner and amounts as specified in the distribution instructions of Southern Union; and

(g) The reacquisition by Texas Southeastern of its own common stock (estimated not to exceed 1,000 shares in the aggregate) to be effected by the payment of cash at the rate of $3.50 per share in lieu of issuing certificates for fractional shares to persons otherwise entitled thereto incident to the distribution above described.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14501; Filed, Sept. 19, 1944; 4:53 p. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

SALE OF CONTRACT TERMINATION INVENTORIES

STATEMENT OF POLICIES TO BE FOLLOWED BY GOVERNMENT AGENCIES

The Statement of Policies dated April 21, 1944 (9 F.R. 4559), as amended under date of July 10, 1944 (9 F.R. 7842), is hereby further amended by adding at the end thereof a new Part VI reading as follows:

VI. *Waivers and modifications.* Any agency having possession or control of termination inventories may, with respect to any individual transaction or class of transactions, apply for waiver or modification of some or all of the requirements of this Statement of Policies. If the application relates to an individual transaction, it should be made to the appropriate disposal agency (either at a regional office or at the Washington office). If the application relates to a class or group of transactions it should be made to the Surplus War Property Administration by the Washington office of the applying agency. The disposal agencies and the Administration may grant such waivers or modifications by direct action without formal amendment to this Statement of Policies. Waivers and modifications granted by disposal agencies should be reported, through their Washington offices, to the Administration as promptly as feasible.

Washington, D. C., September 16, 1944.

W. L. CLAYTON, *Administrator.*

[F. R. Doc. 44-14504; Filed, Sept. 20, 1944; 10:33 a. m.]

WAR FOOD ADMINISTRATION.

Farm Security Administration.

PERRY COUNTY, ALA.

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION V

ALABAMA, PERRY COUNTY

Locality I—Consisting of the precincts of Popes, Uniontown, and Walthalls, $2,095.

Locality II—Consisting of the precincts of Brush Creek, Cleveland, Heards, Oldtown, Pinetucky, and Severe, $1,480.

Locality III—Consisting of the precincts of Cunningham, Marion, Hamburg, Oak Grove, Perryville, Radfordville, and Scotts, $2,894.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved September 18, 1944.

FRANK HANCOCK, *Administrator.*

[F. R. Doc. 44-14495; Filed, Sept. 19, 1944; 3:31 p. m.]

WAR PRODUCTION BOARD.

[C-211]

JAMES GALLO

James Gallo, Hartford, Connecticut, in October, 1943 began construction on premises at 228 Pitkin Street, East Hartford, Connecticut, without authorization from the War Production Board. The work consisted of partial construction of a five room brick residence at an estimated cost of $2200.00 which was substantially in excess of the $200. limitation imposed by Conservation Order L-41. James Gallo admits this violation but denies that it was wilful and does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of James Gallo, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither James Gallo, his successors and assigns, nor any other person shall do any construction on the premises at 228 Pitkin Street, East Hartford, Connecticut, unless hereafter specifically authorized in writing by the Federal Housing Administration.

(b) Nothing contained in this order shall be deemed to relieve James Gallo, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance.

Issued this 19th day of September 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, *Recording Secretary.*

[F. R. Doc. 44-14496; Filed, Sept. 19, 1944; 4:21 p. m.]

[C-213]

MASSACHUSETTS APARTMENTS, INC. AND WALLACE R. MARDEN

Massachusetts Apartments, Inc., and Wallace R. Marden, formerly the President and Treasurer and person principally interested in Massachusetts Apartments, Inc., are charged by the War Production Board with a violation of Conservation Order L-41 in the respect that in November, 1943 they began and thereafter continued construction on a dwelling house located at #9 Lantern Lane, Hingham, Massachusetts at an estimated cost of $2,249. This was in excess of the $200. permitted construction allowed by Order L-41. Massachusetts Apartments, Inc., and Wallace R. Marden admit the unauthorized construction as charged.

Wherefore, upon the agreement and consent of Massachusetts Apartments, Inc. and Wallace R. Marden, the Regional Compliance Chief, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Massachusetts Apartments, Inc. or Wallace R. Marden, their successors or assigns, nor any other person, shall do any construction on the premises located at #9 Lantern Lane, Hingham, Massachusetts, including putting up or altering the structure unless hereafter specifically authorized in writing by the War Production Board or the Federal Housing Authority.

(b) The provisions of paragraph (a), above, shall not apply to the following minimum amount of work to protect the structure from the weather and from entry by unauthorized persons:

(1) Finish boarding up the roof.

(2) Tarpaper and shingle the entire roof and make the dormers tight.

(3) Board up with tarpaper and used lumber the existing window and door openings.

(c) Nothing contained in this order shall be deemed to relieve Massachusetts Apartments, Inc. or Wallace R. Marden, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the date of issuance.

Issued this 19th day of September 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, *Recording Secretary.*

[F. R. Doc. 44-14497; Filed, Sept. 19, 1944; 4:21 p. m.]

SEP 25 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 190

Washington, Friday, September 22, 1944

The President

PROCLAMATION 2621

EMERGENCY BOARD, UNION RAILWAY COMPANY (MEMPHIS, TENN.)—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Union Railway Company (Memphis, Tenn.), a carrier, and certain of its employees represented by the following labor organizations:

Brotherhood of Locomotive Firemen and Enginemen.

Brotherhood of Railroad Trainmen.

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the State of Tennessee to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars ($75.) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necesary transportation expenses, and in conformity with Public No. 373—78th Congress, approved June 28, 1944, not to exceed six dollars ($6.00) per diem in lieu of subsistence while so employed.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers property approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this nineteenth day of September in the year of our Lord one thousand nine [SEAL] hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-14572; Filed Sept. 21, 1944; 11:40 a. m.]

PROCLAMATION 2622

EMERGENCY BOARD, CHICAGO, NORTH SHORE AND MILWAUKEE RAILROAD COMPANY AND CHICAGO, AURORA & ELGIN RAILROAD COMPANY—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that disputes between the Chicago, North Shore and Milwaukee Railroad Company, the Chicago, Aurora & Elgin Railroad Company, carriers, and certain of their employees represented by the following labor organizations:

Brotherhood of Locomotive Firemen and Enginemen.

Brotherhood of Railroad Trainmen.

which disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threaten substantially to interrupt interstate commerce within the States of Illinois and Wisconsin to a degree such

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not peculiarly or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned disputes and report its findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars ($75) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373—78th Congress, approved June 28, 1944, not to exceed six dollars ($6) per diem in lieu of subsistence while so employed.

All expenditures of the board shall be allowed and paid for out of appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this nineteenth day of September in the year of our Lord one thousand
[SEAL] nine hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44–14573; Filed, Sept. 21, 1944; 11:40 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 22—THE FEDERAL LAND BANK OF BALTIMORE

NEW LOAN FEES

Section 22.2 (a) of Title 6, Code of Federal Regulations, is amended by changing the first paragraph thereof to read as follows:

§ 22.2 *Loan fees.* (a) Each application for a new loan shall be accompanied by an initial fee in the amount of $10.00. If the application for loan is approved, an additional initial fee of $15.00 must be paid prior to the examination of title. If the application results in a Federal Land Bank loan in excess of $2,000.00, there shall be deducted from the proceeds of the loan an additional fee equal to 1¼% of each $100.00 or fraction thereof in excess of $2,000.00. If the application results in a joint Land Bank and Land Bank Commissioner loan, no fee shall be charged or collected from the applicant or borrower in connection with any loan made by the Land Bank Commissioner. If the application results in a single Commissioner loan, the initial fees totaling $25.00 shall be the only fees charged and collected from the applicant or borrower.

(Sec. 4, 39 Stat. 362; sec. 13 "Ninth", 39 Stat. 372; sec. 26, 48 Stat. 44; sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 674, 781 "Ninth", 723 (e), 1016 (e) and Supp.; 6 CFR 19.326 and 19.330) [Res. Bd. of Dir. May 16, 1944, July 19, 1944 and August 22, 1944]

[SEAL] THE FEDERAL LAND BANK OF BALTIMORE,
E. W. MCSPARRAN,
Treasurer.

[F. R. Doc. 44–14551; Filed, Sept. 21, 1944; 10:15 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 255]

PART 618—REGISTRATION OUTSIDE CONTINENTAL UNITED STATES, ALASKA, HAWAII, AND PUERTO RICO

DUTY TO REGISTER IN VIRGIN ISLANDS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (b) and add paragraph (c) to § 618.2 to read as follows:

§ 618.2 *Duty to register at District of Columbia Local Board No. 1 (Foreign) or in the Virgin Islands.* • • •

(b) Unless he is a person excepted by section 5 (a) of the Selective Training and Service Act of 1940, as amended, or by section 208 of the Coast Guard Auxiliary and Reserve Act of 1941, as amended, every male alien and person, other than a citizen of the United States, residing in the Virgin Islands of the United States who has not been registered and who on October 31, 1944, shall have attained or thereafter shall attain the eighteenth anniversary of the day of his birth and who on October 31, 1944, shall not have attained the forty-fifth anniversary of the day of his birth, shall, on the day or days fixed by Proclamation of the President, present himself for and submit to registration before a registrar in the Virgin Islands of the United States.

(c) Any person subject to registration under paragraph (a) or (b) of this section who, because of circumstances over which he has no control, is prevented from presenting himself for and submitting to registration at the time and in the manner required by the Proclamation of the President, shall present himself for and submit to registration immediately upon it becoming possible for him to do so.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44–14580; Filed, Sept. 20, 1944; 2:36 p. m.]

[Amdt. 256]

PART 626—REOPENING AND CONSIDERING ANEW REGISTRANT'S CLASSIFICATION

CIRCUMSTANCES GOVERNING RECONSIDERATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 626.2 to read as follows:

§ 626.2 *When registrant's classification may be reopened and considered anew.* (a) The local board may reopen and consider anew the classification of a registrant (1) upon the written request of the registrant, the government appeal agent, any person who claims to be a dependent of the registrant, or any interested party in a case involving occupational deferment, if such request is accompanied by written information presenting facts not considered when the registrant was classified which, if true, would justify a change in the registrant's classification; or (2) upon its own motion if such action is based upon facts not considered when the registrant was classified which, if true, would justify a change in the registrant's classification; *Provided*, In either event, the classification of a registrant shall not be reopened after the local board has mailed to such registrant an Order to Report for Induction (Form 150) or an Order to Report for Work of National Importance (Form 50) unless the local board first specifically finds there has been a change in the registrant's status resulting from circumstances over which the registrant had no control.

(b) At any time before the induction of a registrant, the local board shall reopen and consider anew such registrant's classification upon the written request of the State Director of Selective Service or the Director of Selective Service; *Provided*, That after a registrant has left the local board for delivery pursuant to an Order to Report for Work of National Importance (Form 50) the local board shall reopen and consider anew the classification of such registrant only upon the written request of the Director of Selective Service.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44–14531; Filed, Sept. 20, 1944; 2:36 p. m.]

[Amdt. 257]

PART 652—ASSIGNMENT AND DELIVERY OF PERSONS TO WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

PREPARATION AND DISTRIBUTION OF ORDER TO REPORT

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 652.11 to read as follows:

§ 652.11 *Preparation and distribution of order to report; delinquency of IV-E registrants.* • • •

(b) The issuance of an Order to Report for Work of National Importance (Form 50) may be delayed or delivery under such an order may be postponed to the same extent and in the same manner as provided in § 633.2 with reference to an Order to Report for Induction (Form 150).

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44–14532; Filed, Sept. 20, 1944; 2:36 p. m.]

[Amdt. 258]

PART 653—WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

RELEASE FOR INDUCTION INTO LAND OR NAVAL FORCES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 653.15 to read as follows:

§ 653.15 *Release for induction into the land or naval forces.* (a) The Director of Selective Service may release an assignee from active participation in work of national importance under civilian direction prior to the completion of his period of service for the purpose of permitting him to be inducted into the land or naval forces.

(b) When an assignee makes an application to the Director of Selective Service to volunteer for induction into the land or naval forces for either combatant service or noncombatant service, the local board, upon the written request of the Director of Selective Service, without changing the classification of the assignee, shall (1) mail to such assignee an Order to Report—Preinduction Physical Examination (Form 215), or (2) accomplish the transfer for preinduction physical examination of the assignee to a local board designated by the Director of Selective Service in accordance with § 629.12. The Director of Selective Service will make arrangements for such assignee to be delivered to his local board or to a local board designated by the Director of Selective Service for preinduction physical examination.

(c) When an assignee has been given a preinduction physical examination pursuant to paragraph (b) of this section and has been found acceptable for general military service, the local board, upon the written request of the Director of Selective Service, shall reopen the classification of such assignee and classify him anew in accordance with the provisions of § 623.21.

(d) If an assignee is classified in Class I–A or Class I–A–O pursuant to the provisions of paragraph (c) of this section, the local board shall (1) mail to such assignee an Order to Report for Induction (Form 150), or (2) accomplish the transfer for induction of the assignee to a local board designated by the Director of Selective Service in accordance with § 633.12. The Director of Selective Service will make arrangements for such assignee to be delivered to his local board or to a local board designated by the Director of Selective Service for induction into the land or naval forces.

(e) Whenever an assignee is ordered to report for preinduction physical examination or for induction in accordance with the foregoing paragraphs of this section, he shall retain his status as an assignee until released by the Director of Selective Service and shall remain in camp except as otherwise directed by proper authority. Such assignee shall be furnished necessary Government Requests for Transportation (Standard Form No. 1030) and Government Request for Meals or Lodgings for Civilian Registrants (Form 256) for travel between camp and his local board or the local board to which he is transferred for preinduction physical examination or for induction. Provision for transportation and meals of such assignee between the local board and the induction station shall be made in the usual manner.

(f) An assignee's application to volunteer for induction into the land or naval forces either for combatant or noncombatant service shall be submitted to the Director of Selective Service through his camp director. Such application need not be in any particular form but shall contain the following information: The assignee's name, his residence address at the time of assignment, the name of the camp to which he is assigned, his order number, the number and location of his local board, a request for immediate induction, and a statement that he desires induction into the land or naval forces for combatant service or for noncombatant service, specifying which type of service he desires. The camp director is not required to approve or disapprove such request but, if he sees fit, he may submit a report concerning the assignee to the Director of Selective Service.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44–14533; Filed, Sept. 20, 1944; 2:36 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 10]

EFFECT OF CANCELLATION OF A PURCHASE ORDER ON DIRECTIVE REQUIRING ITS IMMEDIATE PRODUCTION

The following interpretation is issued with respect to Priorities Regulation 1:

In many instances, both under the Controlled Materials Plan and otherwise, the War Production Board has issued directives to producers and manufacturers requiring them to produce particular orders ahead of their normal place on the producers' or manufacturers' schedules. Typical of such directives are directives requiring them to produce certain orders by a given date, regardless of the effect of doing so on the production of other orders. If and when the particular orders are cancelled, the directives lose all effect. This is so since the reason for issuing the directives, namely, the urgent need for a particular product, no longer exists when the order for the product has been cancelled.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14564; Filed, Sept. 21, 1944; 11:21 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 9, as Amended Sept. 21, 1944]

PRIORITIES ASSISTANCE FOR THE FOREIGN PETROLEUM INDUSTRY

Section 944.30 *Priorities Regulation 9* is hereby amended to read as follows:

§ 944.30 *Priorities Regulation 9*—(a) *Scope of this regulation.* This regulation tells how an operator in the petroleum industry may obtain and use priorities assistance for the delivery of material which is to be exported. The forms which are prescribed by this regulation to secure that assistance may be filed by an operator or in his name by any person desiring the export of the material involved. Any such person will be known in this regulation as the applicant. This term shall also include any agency authorized to place delivery orders for such person.

For the purpose of this regulation the terms "MRO material", "construction operation", "natural gasoline production", "transportation", "refining", and "marketing" have the same meaning as in Form WPB–743.

(b) *Requesting priorities assistance for projects.* Form WPB–3649.1 shall be used to request priorities assistance for construction operations (having a total material cost of more than $10,000 for any one complete operation) if the operation is in connection with natural gasoline production, transportation, refining, marketing, or the following special production operations:

Gas cycling operations for condensate recovery,
Gas desulphurization operations,
Pressure maintenance operations, or
Any gas lift compression plant or field gas booster plant.

(c) *Requesting priorities assistance for materials used in other operations.* (1) Form WPB–743 shall be used to request priorities assistance for materials to be used in all operations not covered by Form WPB–3649.1. Specifically, Form WPB–743 shall be used to request priorities assistance for: (i) All MRO material; (ii) all material for use in production except for special production and natural gasoline production operations; and (iii) all other construction operations, including special production and natural gasoline production operations, if the total material cost for any one complete operation is $10,000 or less.

(2) Certain preference ratings and allotment symbols are authorized below for use in securing materials used for the operations covered by Form WPB–743. However, these preference ratings and allotment symbols may not be used to secure the items listed in Schedule I of this regulation. Schedule I items must be applied for specifically on Form WPB–743 and priorities assistance to get them will be assigned where necessary by specific authorization after approval of the application.

Form WPB–743 must also be used to list, in accordance with instructions from the Petroleum Administration for War, all items for which a preference rating assigned below has been applied.

(3) Except for the items listed on Schedule I of this regulation, an applicant may use the following preference ratings and allotment symbols to get necessary material for the operations covered by Form WPB–743. These ratings and symbols may be used, however, only after the applicant has received specific instructions from the Petroleum Administration for War as to the programs in which the material is to be used. Such instructions will be in accordance with programs approved by the Foreign Petroleum Requirements Committee or the War Production Board.

(i) To obtain MRO material or other material having a cost of no more than $500 for use in any single operation, the applicant may use the preference rating AA–1 and the appropriate allotment symbol.

This subparagraph does not apply to materials for service stations or retail outlets.

(ii) To obtain material for use in production (except in natural gasoline production or special production operations), the applicant may use the preference rating AA–2X and the appropriate allotment symbol.

(iii) To obtain material for use in a special production operation, or in natural gasoline production, transportation, refining, marketing, or to obtain MRO material for use in a service station or retail outlet, the applicant may use the preference rating AA–3 and the appropriate allotment symbol.

When using the preference rating assigned above, the applicant shall also include the appropriate allotment symbol (E or L) as directed.

(d) *Priorities assistance specifically assigned.* Where an applicant is not entitled to use the priorities assistance authorized in this regulation, one copy of Form WPB–743, Form WPB–3649.1 or other prescribed form will be returned to the applicant accompanied or followed by an authorization indicating the appropriate allotment number or symbol or the preference rating to be used by the applicant in securing delivery of those quantities of material approved on the form. Before using an allotment number or symbol or a preference rating so authorized, the applicant must first have received an export license, a statement of export clearance, or a statement of authority to export (or a copy of such document, as authorized by the issuing agency).

(e) *Use of priorities assistance.* (1) In order to use any allotment number or symbol or preference rating authorized pursuant to this regulation, the applicant must endorse upon or attach to each delivery order the allotment number or symbol and the preference rating so authorized, as well as a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7:

The undersigned purchaser certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

(2) In ordering Class A products, where the supplier requires an allotment, the applicant must make an allotment as explained in CMP Regulation No. 1.

(f) *Effect of revocation of export authority.* If the export license, statement of export clearance, or statement of authority to export any material is revoked or denied, any allotment, allotment number or symbol, or preference rating authorized pursuant to this regulation shall be considered automatically revoked as regards delivery of such material to the applicant. The applicant shall then follow the rules of Priorities Regulation 1 and CMP Regulation 1 applicable to the cancellation or revocation of priorities assistance.

(g) *Limitation on other forms of priorities assistance.* No person to the extent that he is entitled to obtain an allotment, allotment number or symbol or a preference rating pursuant to this regulation or to apply for such on forms prescribed under this regulation shall use any form of priorities assistance otherwise granted. However, this provision shall not prevent the rerating of any delivery pursuant to applicable regulations or procedures or the use of priorities assistance otherwise granted, where specific directions to this effect have been issued.

(h) *Applicability of other regulations.* None of the provisions of CMP Regulation Nos. 2, 5, 5A, 6 or 7 (or the limitations incorporated in any CMP Regulation which otherwise would subject an applicant to the provisions of CMP Regulation Nos. 2, 5, 5A, 6 or 7) shall apply to an applicant to the extent that he is entitled to use Form WPB–743, Form WPB–3649.1, or other form prescribed pursuant to this regulation and no such applicant shall obtain any material under or be limited by the provisions of such regulations or limitations.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

MATERIAL TO BE LISTED ON FORM WPB–743 OR 743–C (SPECIAL INSTRUCTIONS AS TO LISTING MAY FROM TIME TO TIME BE GIVEN BY THE PETROLEUM ADMINISTRATION FOR WAR)

1. Controlled materials as defined in CMP Regulation No. 1 in the following categories:
Carbon Steel (including wrought iron)
Alloy Steel
Copper base alloy, sheet and strip
Copper base alloy rods, bars and wires including extruded shapes
Copper base alloy tubing and pipe
Brass mill unalloyed copper products
Wire mill copper products
Foundry copper and copper-base alloy products
Aluminum

NOTE: A listing of these materials may be found in "Products and Priorities" published monthly by the War Production Board.

2. Items on Schedule A of M–328.
3. Lumber.
4. Materials on List B of Priorities Regulation No. 3.
5. Materials covered by Tables 4, 6 and 8 of Order M–293.

[F. R. Doc. 44–14560; Filed, Sept. 21, 1944; 11:21 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 9, Direction 1]

PRIORITIES ASSISTANCE FOR THE FOREIGN PETROLEUM INDUSTRY

The following direction is issued pursuant to Priorities Regulation 9:

(a) *Purpose of this direction.* This direction covers the validity of priorities assistance which has been authorized to get material to be exported and used in petroleum operations outside of the United States, its territories or possessions, or the Dominion of Canada. These petroleum operations are known as the foreign petroleum industry.

(b) *Validity of priorities assistance.* Where priorities assistance to get material to be used in the foreign petroleum industry has been authorized pursuant to Priorities Regulation 9 or any other order or regulation of the War Production Board, but has not been used on a delivery order accepted or made the subject of a War Production Board scheduling direction at the end of six months from the date of issuance of the license or release certificate covering such material, such assistance shall be deemed revoked.

(c) *Special provisions.* The provisions of this direction do not apply to priorities assistance used on delivery orders accepted or made the subject of War Production Board scheduling directions at any time before September 25, 1944. Nothing in this direction is to be construed as invalidating any other limitations on the duration of priorities assistance contained in any other order, regulation or authorization issued by the War Production Board.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14561; Filed, Sept. 21, 1944; 11:20 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended Sept. 21, 1944]

§ 944.34 *Priorities Regulation 13*—(a) *Purpose of this regulation.* This regulation describes the rules under which materials may be sold by persons who are

not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed or who cannot use the material for the purpose for which he got it, may sell off the idle or excess materials only under the rules of this regulation. If he follows this regulation he does not have to look at any other order or regulation. This regulation also controls all sales by Government Agencies, liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1). Transfers of materials from one plant or operating unit to another which is owned by the same person but which normally purchases separately are considered to be special sales.

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "materials". As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind in finished, semi-finished or raw material form.

(3) "Used materials" means any materials or products which have been put into actual use.

(4) Sales not covered by this regulation. There are six types of sales which are not covered by this regulation. They are the following:

(i) Sales of plant generated scrap meaning scrap which is generated in the course of manufacture or is the waste of industrial fabrication.

(ii) Sales of rationed products which are controlled by another Government Agency.

(iii) Sales of foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(iv) Sales of controlled materials acquired or produced by a controlled material producer for the purpose of further conversion into other controlled material forms.

(v) A sale of an entire business which is transferred as a going concern to a new owner who continues to operate it in the same or substantially the same form.

(vi) A sale made by a utility producer under Order U–1 or a petroleum operator under Order P–98–C.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. He need not look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The types of special sales which may be made are the following:

(1) *Materials and products not on List A.* A holder may make a special sale of any material or product not on List A to any producer who makes such a product in the form in which the holder has it, or to a reprocessor, or to a wholesaler or retailer whose regular business is selling that sort of product. He may also sell it to a user, but the user may not use it for a purpose prohibited by War Production Board orders and regulations or he may sell it to a user who has been authorized by the War Production Board to use it for a particular purpose. Such sales may be made without requiring the buyer to apply or extend any preference rating.

(2) *Materials and products on List A.* If the material or product that the holder wants to sell is one of the materials or products listed on List A, the following are the only kinds of special sales that can be made.

(i) Special sales may be made in accordance with List A. That list has two columns showing classes of buyers who might want to buy. Opposite each item on the list in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell any listed item freely to a producer or to a reprocessor unless a note in Column 4 states otherwise. A producer means any person who makes or produces the type of material or product which is being sold, and a reprocessor means any person who remakes, repairs or reworks new, rejected or second grade materials or products.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB–1161 (PD–470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board. If a note in List A states that another form is to be used, application should be made on that form.

(iv) A holder may sell freely to anyone if he has a total of not more than $100 worth of the particular material or product to be sold, unless it is one of the few materials or products for which special rules and amounts are stated in Column 4 of List A. In deciding how much he has and whether he may sell, a holder must count all he has of the same kind or type of material or product. In other words, the right to sell under this subparagraph depends upon the total value (at cost to holder) of the material or product the holder has, not on the quantity he may want to sell at any one time. A holder may treat the inventory of each of his separate plants and operating units separately under this subparagraph.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

> The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.

Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph against his CMP allotment account unless Direction 1 to this regulation excuses him from doing so. If the material which the holder wants to sell is steel, he may also sell it to steel warehouses, dealers or distributors as defined in M–21–b–1 and M–21–b–2 on orders bearing the endorsements described in those orders.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. The seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the regional office of the War Production Board for the region in which the material is located or to the appropriate materials division.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they may do so.

(4) *Sales to Government agencies.* For the purpose of making a settlement of a Government contract surplus materials or products may be transferred freely from any subcontractor or prime contractor to a procuring agency or disposal agency of the Government, providing the procuring agency has so directed. However, if such material is later withdrawn from the contract settlement, its disposition is controlled by this regulation. A person may also sell freely to one of the following Government Corporations or to anyone buying as agent for one of them, even if the surplus materials or products are not involved in a contract settlement: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve or Rubber Reserve Company.

(5) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A restricting the sale of the particular used material which the holder wants to sell.

(6) *Sales of materials or products as scrap.* Unless a note in List A states to the contrary or that another order governs the sale, this paragraph permits the sale as scrap of obsolete, unusable, or not readily salable materials or products which will be used or consumed principally as scrap, although some part of the material or product may possibly be salvaged by the scrap buyer. However, if a contract between the seller and the buyer specifies that the particular material or product being sold as scrap must be used or disposed of as scrap, this regulation does not relieve the buyer from compliance with that condition.

(i) Unless a note in List A states to the contrary or that another order governs the sale, a holder may sell any such material or product as scrap without stripping, disassembling or breaking it up before sale. Such sales may be made either to any consumer of scrap to be used only as scrap, or to any person regularly engaged in the collection, disassembling, sorting and disposal of that kind of scrap material, primarily for remelt or other scrap use. Subsequent sales of any salvaged materials or products by such a scrap dealer are not covered by this regulation, but are subject to any War Production Board orders or regulations which apply to the distribution of the particular material.

(ii) The sale at low prices, even as low as scrap prices, of prime or off-grade materials or products for use or resale "as is" does not constitute a sale as scrap and such sales may not be made under this paragraph. Instead such a sale is subject to all the other rules of this regulation which apply to sales of the particular materials or products.

(d) *Transfers of surplus Government owned materials or products.* (1) May be made freely to the Government Disposal Agencies, and

(2) May be made freely between and within the War Department, Navy Department, Maritime Commission, War Shipping Administration, and the Defense Plant Corporation, and from the Government Disposal Agencies to any of the above, unless a note in Column 4 of List "A" indicates otherwise.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) *Sales covered by this regulation.* (1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material, a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulation which say that this regulation does not apply may be disregarded. To find the rules for making a special sale there is no need to refer to any orders or regulations other than Priorities Regulation 13.

(3) (i) The buyer may not violate any regulation or order controlling the quantity of material which he may buy or the amount of any product he may make or the use or disposition that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) Inventories. A person buying for use may receive any item of surplus materials or products if his total inventory of that item is or will by virtue of accepting such delivery be not in excess of his succeeding six months' requirements. This permits a person to exceed applicable inventory limits only if he acquires such excess under this regulation. This limitation does not apply to receipts of capital equipment. It also does not apply to persons buying for resale.

(iii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iv) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Letters and questions.* Any letters or questions about this regulation should be sent either to the War Production Board in Washington, marked "Ref: P. R. 13", or to any of the field offices of the War Production Board.

(i) *Revisions of List A.* List A attached to this regulation will be revised from time to time. A person wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A Amended September 21, 1944.

Explanation of List A. Column (1) of List A lists the materials or products that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Columns (2) and (3) each apply to a type of possible sale. Opposite each material or product in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) refers to persons buying for uses permitted by War Production Board orders and regulations or for uses authorized by the War Production Board.

Column (3) refers to persons who are regularly engaged in distributing the material the holder has, like a dealer in chemicals or textiles. A dealer means any wholesaler or retailer whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products either to industrial users or to other persons. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such persons are not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by them.

Column (4). The provisions in Column (4) applicable to the particular material or product must be followed.

If the list shows "No," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in Column (4) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA–5", it means that the holder can sell to anyone who has an AA–5 or higher priority rating which he has extended to the holder for the particular sale. This regulation does not in any way assign priority ratings.

If the list shows "W. O. P.", it means the holder can sell to the class of buyer listed at the head of the column without any priority rating or allocation or allotment being necessary.

If the list shows "X", it means that for the particular material or product the column in which it appears is not applicable.

List A is divided into four parts as follows:
Part I—Metals and Metallic Ores.
Part II—Chemicals.
Part III—Miscellaneous Materials.
Part IV—Products.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) OF THIS REGULATION

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART I—METALS AND METALLIC ORES			
Aluminum (new and used)*:			*Sales as scrap governed by M-1-d.
In controlled material form.	No**	WOP	**Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation.
Not in controlled material form.	WOP	WOP	
Babbitt (see Tin).			
Beryllium*	No	WOP	*Includes ores, concentrates, and metal beryllium.
Bismuth	No	WOP	
Brass (see Copper).			
Brass mill and wire mill products (see Copper).			
Bronze (see Copper).			
Cadmium:			
Cadmium* (new and used).	No	WOP**	*Includes metallic cadmium in all forms, residues, dross and other cadmium bearing material. **Includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.
Chemicals (see Chemicals)			
Chromium	No	No	
Copper*.			*Sales of copper as scrap are governed by Order M-9.
In controlled material form (new and used) [1].			[1] A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in paragraph (c) (2) (iv) of this regulation) does not exceed $25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items.
Brass mill products [2]	No [2]	WOP [2]	[2] Only to fill orders under paragraph (c) (2) (v) and (vi) of this regulation.
Copper wire mill products (bare and insulated).	No [2]	WOP [2]	[2] Only to warehouses as defined in CMP Regulation 4, paragraph (c) (3) or to fill orders under paragraph (c) (2) (v) of this regulation.
Foundry copper or copper base alloy products.	No [2]	X	[2] Only to persons, including producers and reprocessors, authorized to accept delivery pursuant to Copper Order M-9 as amended.
Not in controlled material form (new and used):			
Copper raw materials (Ref. shapes and Cu. and Cu. base alloy ingots).	No [2]	No [2]	
Semifabricated or fabricated unassembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper).	PR-AA5	WOP	[2] For the purpose of this order the only reprocessors of copper controlled materials are re-roll, redraw or insulating mills. Material may be sold only to such mills as have been authorized to accept delivery of intermediate shapes pursuant to Copper Order M-9 as amended. [2] Copper base alloy rod (.0907" diameter and over) and copper and copper base alloy tube (4" O. D. and over) may not be transferred pursuant to paragraph (d) (2) of this order.
Electrical resistance material.*	PR-AA5	WOP	*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat.

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART I—METALS, ETC.—continued			
Inconel (see Nickel).			
Monel (see Nickel).			
Nickel (new and used):			
Nickel pig, ingot, cathode, pellet, shot and anode.	No	WOP	
Other nickel* (including monel and inconel).	PR-AA5	WOP	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals).			
Platinum:			
Platinum	WOP*	WOP	*May not be used for jewelry.
Solder*	WOP	WOP	*Certification required (see Schedule II, M-43).
Steel, alloy and carbon (including wrought iron)* ***.			*Pursuant to paragraph (c) (2) (iv), a holder may sell freely to anyone any item of iron or steel if the total amount of that item held by him does not exceed $50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment (hot rolled or cold finished) chemistry, specifications, finish and size. ***Sales as scrap are governed by the following applicable orders: Direction 4 to M-21-a, M-24, M-24-b, and M-21-c.
In Controlled material form:			
Alloy steel castings	WOP	WOP	
Axles (railway)	WOP	WOP	
Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	WOP	WOP	
Sheet piling	WOP	WOP	
Tin plate, terne plate, and tin mill black plate.	WOP	No**	**Only to fill orders under paragraph (c) (2) (v) and (vi) of the regulation.
Tires	WOP	WOP	
Wheels	WOP	WOP	
All other controlled material forms of steel (including wrought iron).*	No**	No**	*See CMP Regulation 1 for list of controlled material forms.
Not in controlled material form.	WOP	WOP	
Tantalum*	No	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Tin:			
Tin	No	No	
Babbitt or other high tin alloys (containing more than 12% tin).*	WOP	WOP	*Certification required (see Schedule III, M-43).
Tin solder (see Solder).			
Welding rods and electrodes.	PR-AA5	WOP	
Wrought iron (see Steel).			
PART II—CHEMICALS, CHEMICALS LISTED HEREIN WHEN SOLD UNDER TRADE NAMES MAY BE SOLD AS PROVIDED FOR THE PARTICULAR CHEMICAL			
ALLOCATED CHEMICALS*			*Any of the following allocated chemicals may be sold freely to anyone. However, if the buyers' aggregate purchases exceed the small order exemption for the particular chemical as described in the applicable order, the buyer must make application on form WPB-2945 or by letter to the Chemical Bureau, War Production Board, Washington, D. C., for permission to use the particular chemical.
Acetaldehyde	WOP	WOP	
Acetic anhydride*	WOP	WOP	*Also called ethanoic anhydride, acetyl oxide and acetic oxide.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART II—CHEMICALS, ETC.—continued			
Allocated Chemicals—Con.			
Acetone	WOP	WOP	
Acetylene black	WOP	WOP	
Acids:			
Acetic	WOP	WOP	
Adipic*	WOP	WOP	*Includes all derivatives except nylon.
Anhydrous hydrofluoric	WOP	WOP	
Arsenious*	WOP	WOP	*Also called arsenic trioxide and white arsenic.
Citric	WOP	WOP	
Lactic	WOP	WOP	
Maleic	WOP	WOP	
Naphthenic	WOP	WOP	
Nicotinic	WOP	WOP	
Phosphoric (by-product)	WOP	WOP	
Sulfuric	WOP	WOP	
Alcohols:			
Butyl*	WOP	WOP	*Includes isobutyl, secondary butyl and tertiary butyl.
Ethyl	WOP	WOP	
Hexahydric alcohols:			
d-Sorbitol	WOP	WOP	
Technical grade:			
d-Sorbitol	WOP	WOP	
Mannitol-crystalline	WOP	WOP	
Higher Aliphatic Alcohols:			
Capryl*	WOP	WOP	*Also called methyl hexyl carbinol or 2-Octanol.
Normal octanol	WOP	WOP	
Normal decanol	WOP	WOP	
Lauryl alcohol	WOP	WOP	
Mixed aliphatic alcohols.	WOP	WOP	
Octanol	WOP	WOP	
2-ethyl hexanol	WOP	WOP	
Isopropyl	WOP	WOP	
Methyl (methanol)	WOP	WOP	
Alkanolamines	WOP	WOP	
Allyl Alcohol	WOP	WOP	
Allyl Chloride	WOP	WOP	
Aluminum hydrate	WOP	WOP	
Aluminum chloride, anhydrous.	WOP	WOP	
Ammonia:			
By-product ammonia*	WOP	WOP	*Including salts and solutions.
Sulphate of ammonia*	WOP	WOP	*Containing 20.5% nitrogen or less.
Synthetic ammonia*	WOP	WOP	*Including salts and solutions.
Ammonium silicofluoride	WOP	WOP	
Aniline, aniline oil	WOP	WOP	
Aromatic solvents*	WOP	WOP	*Holder must notify purchaser whether class A or B solvent as defined in Order M-150.
Barbasco root	WOP	WOP	
Barium carbonate	WOP	WOP	
Barium chloride	WOP	WOP	
Benzaldehyde	WOP	WOP	
Benzene	WOP	WOP	
Benzene containing oils	WOP	WOP	
Beryllium chemicals	WOP	WOP	
Butadiene	WOP	WOP	
2-butanol	WOP	WOP	
Butyl phthalyl butyl glycollate.	WOP	WOP	
Cadmium pigment	WOP	WOP	
Caffeine	WOP	WOP	
Calcium carbide	WOP	WOP	
Calcium hypochlorite, high test.*	WOP	WOP	*Available chlorine content 60% or more by weight.
Calcium metal	WOP	WOP	
Other forms	WOP	WOP	
Carbolates, containing 10% or more of phenols (see Phenols).	WOP	WOP	
Carbon black	WOP	WOP	
Carbon tetrachloride	WOP	WOP	
Castor oil phthalates	WOP	WOP	
Castor oil phthalate hydrogenated.	WOP	WOP	
Charcoal	WOP	WOP	
Chlorate and perchlorate chemicals.*	WOP	WOP	*Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates, perchloric acid, and any other chlorate or perchlorate chemical.

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART II—CHEMICALS, ETC.—continued			
Chloride of lime*	WOP	WOP	*Calcium hypochlorite with available chlorine content of from 30 to 45% weight.
Chlorine	WOP	WOP	
Chlorinated hydrocarbon solvents.	WOP	WOP	
Chlorinated Rubber (see Rubber, Part III).			
Chrome pigments:			
Class A*	WOP*	WOP	*Class A products, subject to quota (see M-370).
Class B	WOP	WOP	
Chromium Chemicals:			
Ammonium bichromate	WOP	WOP	
Chromic acid	WOP	WOP	
Chromium tanning compounds:			
Sodium bichromate	WOP	WOP	
Sodium chromate	WOP	WOP	
Potassium bichromate	WOP	WOP	
Potassium chromate	WOP	WOP	
Cobalt oxide	WOP	WOP	
Copper carbonate	WOP	WOP	
Copper chloride	WOP	WOP	
Copper cyanide	WOP	WOP	
Copper oxide (except cuprous oxide).	WOP	WOP	
Copper sulphate	WOP	WOP	
Cotton pulp, chemical	WOP	WOP	
Cresols: ortho, meta, and para.	WOP	WOP	
Cuprous oxide	WOP	WOP	
Cyanamid	WOP	WOP	
Cyanide (sodium)	WOP	WOP	
DDT	WOP	WOP	
Diacetone	WOP	WOP	
Diamyl phthalate	WOP	WOP	
Di-butoxy ethyl phthalate	WOP	WOP	
Dibutyl phthalate	WOP	WOP	
Dicaprayl phthalate	WOP	WOP	
Dichlorethyl ether	WOP	WOP	
Dichlorodifluoromethane	WOP	WOP	
Dichlorostyrene	WOP	WOP	
Dicyandiamide	WOP	WOP	
Di-cyclohexyl phthalate	WOP	WOP	
Diethanolamine	WOP	WOP	
Diethel ethanolamine	WOP	WOP	
Diethel phthalate	WOP	WOP	
Di-2-ethyl heryl phthalate	WOP	WOP	
Di-othory ethyl phthalate	WOP	WOP	
Di-methylcyclohexyl phthalate.	WOP	WOP	
Dimethyl amines	WOP	WOP	
Dimethyl phthalate	WOP	WOP	
Dipentene	WOP	WOP	
Diphenylamine	WOB	WOB	*Also called phenylaniline.
Dyestuffs and organic pigments.	WOP	WOP	
E. W. naphtha	WOP	WOP	
Ethyl acetate	WOP	WOP	
Ethyl phthalyl ethyl glycollate.	WOP	WOP	
Ferro-Ferri-Cyanides:			
Sodium Ferro-cyanide	WOP	WOP	
Potassium Ferro-cyanide	WOP	WOP	
Potassium Ferri-cyanide	WOP	WOP	
Potassium-Sodium-ferricyanide.	WOP	WOP	
Formaldehyde	WOP	WOP	
Furfural	WOP	WOP	
Gasoline Gum Inhibitors	WOP	WOP	
Glycols:			
Ethylene glycol	WOP	WOP	
Triethylene glycol	WOP	WOP	
Mixed glycols	WOP	WOP	
Glycol ethers:			
Monobutyl ether of ethylene glycol.	WOP	WOP	
Monomethyl ether of ethylene glycol.	WOP	WOP	
Monoethyl ether of ethylene glycol.	WOP	WOP	
Monoethyl ether of diethylene glycol.	WOP	WOP	
Guanidine	WOP	WOP	
Hexamethylenetetramine	WOP	WOP	
Hydrogen peroxide	WOP	WOP	
Isobutyl castor oil phthalate.	WOP	WOP	
Isopropyl acetate	WOP	WOP	
Lacquer, lacquer thinners, (see protective coatings).			
Lithium chemicals*	WOP	WOP	*Excluding crude lithium sodium phosphate.
Maleic anhydride	WOP	WOP	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART II—CHEMICALS—con.			
Methanol	WOP	WOP	
Methyl ethyl ketone	WOP	WOP	
Methyl isobutyl ketone	WOP	WOP	
Methyl phthalyl ethyl glycollate	WOP	WOP	
Monochlorodifluoromethane	WOP	WOP	
Monoethanol amine	WOP	WOP	
Monomethyl amines	WOP	WOP	
Naphthalene	WOP	WOP	
Naphthenates	WOP	WOP	
Naphtha, high flash	WOP	WOP	
Nickel chemicals (salts, oxides and carbonates)	WOP	WOP	
Oleum	WOP	WOP	
Oxidised petrolatum	WOP	WOP	
Paraformaldehyde	WOP	WOP	
Pentaerythritol	WOP	WOP	
Perchlorate chemicals	WOP	WOP	
Perchlorethylene	WOP	WOP	
Perchloric acid	WOP	WOP	
Phenols**	WOP	WOP	**Includes: phenol, cresols and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	WOP	WOP	
Phthalic anhydride	WOP	WOP	
Pine oil	WOP	WOP	
Pine tar	WOP	WOP	
Plasticisers:			
Phosphate	WOP	WOP	
Phthalate	WOP	WOP	
Polydichlorostyrene	WOP	WOP	
Potash*	WOP	WOP	*Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia and run-of-the-mine potash.
Potassium tantalum fluoride	WOP	WOP	
Pyrethrum	WOP	WOP	
Pyridine	WOP	WOP	
Pyronate	WOP	WOP	
Rhodium chemicals	WOP	WOP	
Rotenone	WOP	WOP	
Rubber, synthetic (see Rubber, Part III)			
Sodium metallic	WOP	WOP	
Sodium metasilicate	WOP	WOP	
Sodium nitrate	WOP	WOP	
Sodium perborate	WOP	WOP	
Sodium phosphate	WOP	WOP	
Stabilised rosin	WOP	WOP	
Thiamine hydrochloride	WOP	WOP	
Tin chemicals	WOP	WOP	
Toluene (toluol)	WOP	WOP	
Tributyl glycerol triphthalate	WOP	WOP	
Trichlorethylene	WOP	WOP	
Tungsten chemicals	WOP	WOP	
Ultramarine blue	WOP	WOP	
Uranium chemicals	WOP	WOP	
Vanadium chemicals	WOP	WOP	
Varnishes	WOP	WOP	
Xylenols	WOP	WOP	
Xylol	WOP	WOP	
Zinc oxide	WOP	WOP	
PLASTICS, ADHESIVES AND SYNTHETIC RESINS:*			*Any of the following plastics, adhesives or synthetic resins (except phthalic alkyd resins) may be sold freely to a user. However, if the buyers' aggregate purchases exceed the small order exemption for the particular chemical as described in the applicable order, the buyer must make application on form WPB-2046 or by letter to the Chemicals Bureau, War Production Board, Washington, D. C., for permission to use the particular chemical.
Acrylic Monomers and Acrylic Resins:			
Cast sheet—std. ass.	WOP**	WOP	**Aircraft manufacturers need not apply for permission to use as described in above paragraph.
PART II—CHEMICALS—con.			
Plastics, Etc.—Continued.			
Acrylic Monomers, Etc.—Continued.			
Cast sheet—odd ass.	WOP	WOP	
Molding sheet	WOP	WOP	
Molding powder	WOP	WOP	
Cast shapes	WOP	WOP	
Tube	WOP	WOP	
Rod	WOP	WOP	
Solution	WOP	WOP	
Emulsion	WOP	WOP	
Monomer	WOP	WOP	
Granular polymers	WOP	WOP	
Acrylonitrile	WOP	X	
Casein*	WOP	WOP	*May not be scrapped.
Cellulose acetate:			
Sheet, rod and tube*	WOP	WOP	*In primary unfabricated forms.
Molding powder*	WOP	WOP	*May not be scrapped.
Cellulose acetate butyrate:			
Sheet, rod and tube*	WOP	WOP	*In primary unfabricated forms.
Molding powder*	WOP	X	*May not be scrapped.
Cellulose ester flake	WOP	WOP	
Ethyl cellulose	WOP	No	
Glue, hide, and extracted green bone.*	WOP	WOP	*May not be scrapped.
Laminated plastics	WOP	WOP	
Melamine molding compounds.*	WOP	X	*May not be scrapped.
Melamine resins	WOP	WOP	
Nitro-cellulose	WOP	WOP	
Phenolic molding compounds.*	WOP	X	*May not be scrapped.
Phenolic resins*	WOP	X	*May not be scrapped.
Phthalic alkyd resins	No	WOP	
Polyethylene	WOP	X	
Polystyrene	WOP	X	
Tapioca*	WOP	WOP	*May not be scrapped.
Urea molding compounds*	WOP	X	*May not be scrapped.
Urea resins	WOP	WOP	
Vinyl polymers	WOP	X	
Vinyl acetate*	WOP	X	*May not be scrapped.
Vulcanised fibre, sheet	WOP	X	
Vulcanised fibre, tube	WOP	X	
PROTECTIVE COATINGS:			
Paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover, and stain containing any of the ingredients listed in Column 4.**	WOP*	WOP	*A holder may sell 275 gallons monthly (aggregate of all types) to anyone for any purpose. He may also sell any quantity to anyone for the same use for which the item was originally acquired. Otherwise he may apply (on WPB-1161) for permission to sell, giving required information in full including buyer's intended use. **Acetone or diacetone, benzol, butyl alcohols or butyl acetates, cadmium pigments, chromium oxide pigment, cuprous oxide pigment, zinc chromate pigment, ethyl or isopropyl acetates, ethyl cellulose, E. W. naphtha, isopropyl alcohol, methyl isobutyl ketone, methyl ethyl ketone, paraphenyl or butyl phenol resins, phosphate plasticisers, phthalate plasticisers, phthalic alkyd resins toluene, vinyl polymers, and xylene.
Paints, other	WOP	WOP	
Tantalum chemicals*	No	No	*Potassium tantalum fluoride, tantalum oxide, tantalum carbide.
PART III—MISCELLANEOUS MATERIALS			
Agave cordage*	WOP	WOP	*See footnote.
Agave fibre:			
Suitable for cordage	No	No	*See footnote.
Not suitable for cordage*	WOP	WOP	*See footnote.
Burlap*	WOP	WOP	
Canada (see Agave fibre)			

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART III—MISCELLANEOUS—continued			
Cattlehides, calf and kip skins (raw)*	No	WOP	*This includes the whole skins or portions thereof other than splits or glue stocks.
Coir fibre*	WOP	WOP	*See footnote.
Cordage (see Rope)			
Cotton duck (see Duck)			
Cotton linters* (chemical grade)	No	WOP	*Produced after July 31, 1943.
Duck cotton (Width 15" or wider)*	No	No	*May not be sold to a producer or a reprocessor.
Feathers: Waterfowl (new or used)	No*	WOP	*Only to persons holding permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.
Flax fibre products*	WOP	WOP	*See footnote.
Flax fibre*	WOP	WOP	*See footnote.
Graphite, strategic grades	No	No	
Hemp sunn*	WOP	WOP	*See footnote.
Hennequen (see agave fibre)			
Istle raw* (unprocessed)	WOP	WOP	*See footnote.
Jute:*			*See footnote.
Raw jute	WOP	WOP	
Jute products	WOP	WOP	
Kapok*	No	No	*May be sold only to Defense Supplies Corporation.
Lacquer, lacquer thinners (see Protective Coatings, Part II)			
Leather (Purchased to fill a military order). Includes leather made from cattle hides, calf, kip skins, horse-hide fronts, goatskins, cabretta and deerskins.	No	No	
Logs (see Woods)			
Loofa sponges*	PR-AA5	WOP	*Suitable for military use.
Maguey (see Agave fibre)			*See footnote.
Manila fibre and cordage:*			
Cordage	WOP	WOP	
Fibre	No*	No	**May be sold WOP to the U. S. Navy.
Nylon, includes fibers, yarn, thread and fabrics made of nylon*	No	No	*See footnote.
Nylon waste	No	No	
Paints (see Protective Coatings, Part II)			
Plywood (see Woods)			
Rayon yarn, high tenacity*	No	No	*See footnote.
Rayon yarn reserved*	No	No	*See footnote.
Rope*	WOP	WOP	**"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns. May not be sold to a reprocessor.
Rubber:			
Latex and crude	No	No	
Balata	No	No	
Compounded latex	No	No	
Chlorinated	No	WOP	
Synthetic, except GR-S (Buna-S)	No	WOP	
Buna-S	WOP	WOP	
Reclaimed	WOP	WOP	
Rubber products:			
Cement	WOP	WOP	
Elastic thread	No	No	
Elastic fabrics	No	No	
Yarn	No	No	
Other products	WOP	WOP	
Silk:			
Raw	No	No	
Waste, noils, etc	WOP*	WOP	*Use certificate required.
Sisal (see Agave fibre)			
PART III—MISCELLANEOUS—continued			
Slide fasteners**	No*	No	*Sales of slide fasteners may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission, or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the slide fasteners in a product being manufactured by him. Otherwise may be sold only on WPB authorization. **May not be sold to a reprocessor.
Sole leather (see Leather)			
Tanning material, vegetable.*	No	No	*Only to Defense Supplies Corp. or any other agency designated by WPB.
Wood pulp	No	No	
Woods:			
Lumber:			
Softwood lumber	PR-AA5**	WOP	**Buyers must give certificate stated in paragraph (q) (1) of Order L-335 or holder may sell without rating if buyer gives certificate stated in paragraph (q) (2) of that order.
Hardwoods except mahogany	PR-AA5**	WOP	
Plywood:			
Softwood	PR-AA2X	WOP	
Zippers (see Slide fasteners)			
PART IV—PRODUCTS			
Automotive Equipment:[1]			[1] May be sold as scrap when authorized by Automotive Division, War Production Board.
Axles	WOP	WOP	
Brakes	WOP	WOP	
Clutches	WOP	WOP	
Propeller shafts	WOP	WOP	
Rims	WOP	WOP	
Transfer cases	WOP	WOP	
Transmissions	WOP	WOP	
Wheels	WOP	WOP	
Engines:			
Air-cooled gasoline engines (except aircraft propulsion)	WOP	WOP	
Diesel and gas (not gasoline) (non-marine only) over 750 revolutions per minute	WOP	WOP	
Liquid-cooled gasoline engines (except aircraft propulsion)	WOP	WOP	
Internal combustion engine components except those used on aircraft propulsion engines	WOP	WOP	
Camshafts, finished	WOP	WOP	
Carburetors, gasoline	WOP	WOP	
Connecting rods, internal combustion engine	WOP	WOP	
Crankshafts: finished drop-forged crankshafts for internal combustion engines and finished cast crankshafts for internal combustion engines of 750 revolutions per minute and up	WOP	WOP	
Electric starting motors engine mounted only	WOP	WOP	
Exhaust and intake valves and seats, internal combustion engine	WOP	WOP	

*May not be sold to a reprocessor.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (a) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART IV—PRODUCTS—CON.			
Automotive Equipment—Continued.			
Friction bearings, excluding lineshaft, pillow block vertical step, water lubricated ship stern, tube, strut, rudder shaft or railroad type.	WOP	WOP	
Fuel injection equipment.	WOP	WOP	
Generators, internal combustion engine mounted.	WOP	WOP	
Magnetic starting switches internal combustion engine.	WOP	WOP	
Magnetos	WOP	WOP	
Mechanical governors	WOP	WOP	
Piston rings	WOP	WOP	
Radiators	WOP	WOP	
Voltage regulators, internal combustion engine.	WOP	WOP	
Bearings, anti-friction, including the following component parts: Inner and outer races, alloy steel balls, and balls and rollers assembled in retainers.	No [3]	No [3]	[3] Sales of excess bearings are limited to the following: 1. To any producer of bearings, but not to a reprocessor unless the sale is specifically authorized by the War Production Board; or 2. To the original supplier; or 3. On any AAA order; or 4. On any AA-5 or higher rated order placed directly by the Army, the Navy, the Maritime Commission or the War Shipping Administration, or directly by any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 5. If the quantity to be sold in any month costs less than $250, they may be sold on any order rated AA-5 or higher regardless of order's source; or 6. Specific sales authorized by the War Production Board.
Construction Machinery (new):			
Angledozers and modifications thereof (for mounting on tractors of 25 drawbar H. P. or over).	No*	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration, or the military forces of any land-lease country; otherwise may be sold only on WPB authorization (Form WPB-1319).
Batchers, construction material.	No*	WOP	
Batching plants, construction type.	No*	WOP	
Bins, construction material, portable and stationary types.	No*	WOP	
Bulk cement handling plants.	No*	WOP	
Bulldozers and modifications thereof (for mounting on tractors of 25 drawbar H. P. or over).	No*	WOP	
Cranes, attachments for tractor mounting.	No*	WOP	
Cranes, crawler and rubber tired mounted power, and modifications thereof, except freight handling lift trucks.	No*	WOP	
PART IV—PRODUCTS—CON.			
Construction Machinery—Continued.			
Crushers, jaw (sizes 9" x 14" to 30" x 44" openings, inclusive); except those intermediate sizes as indicated in Schedule D (Ref. L-217), and except those sizes of a type designed exclusively for mining and smelting.	No*	WOP	
Crushers, roll, construction aggregates, portable types except those sizes and types as indicated in Schedule D (Ref: L-217).	No*	WOP	
Crushing plants, portable type.	No*	WOP	
Distributors, bituminous	No*	WOP	
Distributors, water (street sprinklers and flushers).	No*	WOP	
Ditchers, ladder and wheel types.	No*	WOP	
Draglines, slack line and and walking types (other types—see Cranes).	No*	WOP	
Dredges and dredge equipment, except mining.	No*	WOP	
Drilling machines, portable water well and blast hole drills, churn drill type.	No*	WOP	
Dryers, construction aggregates.	No*	WOP	
Earth boring machines, vertical auger type (except post hole diggers).	No*	WOP	
Finishers, paving (concrete or bituminous).	No*	WOP	
Graders, earth moving (motor blade and elevating types).	No*	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration, or the military forces of any land-lease country otherwise may be sold only on WPB authorization (Form WPB-1319).
Heaters and circulators, tank car.	No*	WOP	
Hoists, contractors and material handling exceeding 6,000 lbs. line pull at 250 FPM line speed or exceeding 1,300,000 foot lbs. effort based on second wrap of cable.	No*	WOP	
Jacks, mud	No*	WOP	
Loaders, portable bucket (other than drag, flight or scraper type coal conveyors).	No*	WOP	
Loaders, portable snow	No*	WOP	
Logging arches, tractor drawn.	No*	WOP	
Maintainers, road (complete machines).	No*	WOP	
Mixers, concrete construction above 7 cubic ft. except those sizes and types as indicated in Schedule D (Ref: L-217).	No*	WOP	
*Mixers, concrete truck or agitator type (with or without elevating tower) except those sizes and types as indicated in Schedule D (Ref: L-217).	No*	WOP	
Pavers, concrete	No*	WOP	
Plants, asphalt, including travel mix type.	No*	WOP	
Plants, bituminous patch, hot or cold mixer type (more than 10 tons per hour capacity).	No*	WOP	
Plants soil stabilizing	No*	WOP	
Plows, snow (rotary and blower types).	No*	WOP	
Plows, snow (V and blade types) truck, grader or railroad mounted or mounted on tractors of more than 25 horse power, including wings.	No*	WOP	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (a) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder (3)	Remarks (4)
PART IV—PRODUCTS—CON.			
Construction Machinery—Con.			
Power control units for tractors (both cable and hydraulic).	No*	WOP	
Pumps, concrete, except for well cementing.	No*	WOP	
Pumps, portable engine or electric motor driven pumping units mounted on skids, with or without handles, or trailer mounted larger than 90,000 gallons per hour, self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply, except those sizes and types as indicated in Schedule D, (Ref: L-217).	No*	WOP	*May be sold freely to the Army, Navy, Maritime Commission, War Shipping Administration, or the military forces of any land-lease country, otherwise may be sold only on WPB authorization (Form WPB-1319).
Rollers, road (pneumatic tired, portable, tandem and three wheeled types).	No*	WOP	
Scrapers, carrying and hauling both drawn and self-propelled, except sizes listed in Schedule D and those under 2 cubic yards truck capacity.	No*	WOP	
Shovels, attachments for tractor mounting.	No*	WOP	
Shovels, crawler and rubber tired mounted power, and modifications thereof.	No*	WOP	
Sprayers (maintenance units) bituminous material (over 300 gallon capacity).	No*	WOP	
Spreaders, concrete paving.	No*	WOP	
Sweepers: motor pick-up, traction driven or engine driven.	No*	WOP	
Wagons, crawler trailer (contractors', logging, cane, etc.).	No*	WOP	
Washing and screening plants, portable type.	No*	WOP	
Wheels, crawler trailer (complete assemblies).	No*	WOP	
Winches, tractor mounted.	No*	WOP	
Construction Machinery (used):			
Backhoes, power crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930).	No [1]	WOP	[1] May be sold only on WPB authorization (Form WPB-1319). Application should be made by filing four copies of Form WPB-1319 with the Construction Machinery Specialist for the WPB region in which the applicant's home office is located. This restriction does not apply to sales outside the 48 States of the United States and the District of Columbia and does not apply to the following special sales: 1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machinery for the purpose of resale. 2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer. 3. Sales by any Governmental agency to any other Governmental agency. 4. Sales by Farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use.
Cranes, power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930).	No [1]	WOP	
Draglines, power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930).	No [1]	WOP	
Motorgraders, self-propelled, earth moving, rubber tired mounted, 10,000 lbs. and heavier, tandem and four-wheel drive types.	No [1]	WOP	
Shovels, power, crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930).	No [1]	WOP	
PART IV—PRODUCTS—CON.			
Construction Machinery—Con.			
Tractors, crawler or track-laying type, all gauges, bare and including tractor mounted equipment, such as bulldozers, angle-dozers, cranes, loaders, power control units, etc. (all Diesel and semi-Diesel powered models) and the following gasoline powered models: M, WM, AG, H, T6 and R2.	No [1]	WOP	
Containers:			
V-boxes (corrugated and solid fibre).	WOP [4]	WOP	[4] A holder may only sell to a user who requires V-boxes to fill an order for the military or Lend-Lease specifying such boxes.
Compressed gas cylinders	PR-AA5 [5]	PR-AA5	[5] Liquefied Petroleum gas cylinders may be sold only if prior authorization is obtained from PAW for the installation of liq. pet. gas equipment under the terms of General Limitation Order L-86.
Diamond dies (small)*	No	No	*With hole diameter of 0.0015 and smaller. Rejected components.
Electronic parts and equipment [6]:			
Electronic equipments	PR-AA5	PR-AA5	[6] Special sales of components on this list (except test equipment) which have been rejected after inspection for failure to meet military specifications may be made without restriction, provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any person making a special sale of such components must secure and retain a written statement of Army or Navy Inspectors that the components are military rejects and must maintain records of such sales in accordance with Paragraph (g) of this regulation. [7] Electronic parts or equipments may not be sold as scrap if operable or saleable as electronic parts or units.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (f) (1).

Materials or products (1)	Persons buying for uses permitted by WPB orders and regulations (2)	Wholesalers or retailers regularly dealing in the materials or products in the form sold by the holder (3)	Remarks (4)
PART IV—PRODUCTS—CON.			
Electronic parts and equipment—Continued.			
Capacitors (variable)	PR-AA5	PR-AA5	
Capacitors (fixed):	PR-AA5	PR-AA5	
Exceptions:			
Molded mica capacitors and ceramic capacitors may be sold freely.	WOP	WOP	
Coaxial cable	PR-AA5	PR-AA5	
Crystal Assemblies	PR-AA5	PR-AA5	
Instruments, electrical indicating, combat type.[8]	PR-AA5	PR-AA5	[8] Except fire control equipment, and navigation instruments.
Insulators[9]	PR-AA5	PR-AA5	[9] Ceramic, micalex, plastic.
Loudspeakers	PR-AA5	PR-AA5	
Microphones	PR-AA5	PR-AA5	
Relays, other than motor control relays, as used in radio communication equipment.	PR-AA5	PR-AA5	
Resistors (radio and radar).	PR-AA5	PR-AA5	
Exceptions: Non-insulated fixed composition resistors and attenuators (not including standard type rheostats and potentio meters when used as attenuators) may be sold freely.	WOP	WOP	
Sockets, tube (radio and radar).	PR-AA5	PR-AA5	
Test equipment (new and used).[10]	No	No	[10] All items cleared as recognized B-1 items (standard) electronic.
Transformers and reactors.[11]	PR-AA5	PR-AA5	[11] Radio and Radar including coils and chokes other than R. F. and I. F.
Tubes (radio and radar)	PR-AA5	PR-AA5	
Vibrator[12]	PR-AA5	PR-AA5	[12] A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.
Engines, marine Diesel	No[13]	No[14]	[13] Does not apply to the sale, exchange or other transfer of marine Diesel engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-5 or higher. Otherwise may be sold only on WPB authorization using WPB Form 1319.
			[14] May be sold on WPB authorization using form WPB-1319.
PART IV—PRODUCTS—con.			
Engines, etc.—Continued.			
Mining equipment and machinery[15] (new and used).	No	No	[15] Any equipment or machinery (whether mining construction, industrial, or otherwise) acquired by a producer as defined in P-35 or which was in use in, or held in connection with a nonessential mine on the effective date, as defined in L-208, may be transferred only to a producer as defined in P-35, who holds a serial number under P-35, or with the written permission of the War Production Board applied for by letter to the Mining Division, Washington, D. C.
Paper mill machinery (new and used).	No[16]	WOP	[16] May be sold only on WPB authorization on Form WPB-1319.
Refrigerators, domestic mechanical.[17]	No[17]	No[18]	[17] May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission or the War Shipping Administration for shipboard use only, otherwise WPB Form 367 is required.
			[18] WPB Form 809 required.
			[19] No new refrigerators may be sold as scrap without WPB authorization (Apply on Form WPB-809).
Slide fasteners (See Part III).			

DIRECTION 1

SPOT AUTHORIZATIONS UNDER PRIORITIES REGULATION NO. 28

(a) A holder may make a special sale of copper, copper base alloy, aluminum or steel in a form described as a controlled material in CMP Regulation 1, to a buyer who gives him an order bearing a CMP allotment symbol whose initial letter is "Z". The buyer need not charge material bought under this paragraph against any CMP allotment account. No special permission from the War Production Board is required to make such a sale to a buyer who has been authorized to use a CMP allotment symbol whose initial letter is "Z".

(b) A holder may also make a special sale of a noncontrolled material or product which, pursuant to Priorities Regulation 13, may be sold to a user on a rating of AA-5, if the buyer furnishes an order bearing a CMP allotment symbol whose initial letter is "Z" which has been granted to him under Priorities Regulation 25.

(c) A production schedule authorized under Priorities Regulation 25 does not permit the person holding such a schedule to acquire materials or products which are limited under Priorities Regulation 13 to sales on ratings higher than AA-5 or which require special permission of the War Production Board. (Issued Aug. 30, 1944.)

[F. R. Doc. 44-14559; Filed, Sept. 21, 1944; 11:20 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Sept. 21, 1944]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Orders M-21-b-1 and M-21-b-2.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of regularly receiving steel into his stock for sale or resale in the form received or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who,

in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) A distributor must reject all orders except those which he is required or permitted to fill under paragraph (d).

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not accept an authorized controlled material order bearing a specific allotment number which requires a quarterly identification after the end of the quarter for which the allotment was issued, and he must not deliver any steel on such an order earlier than 15 days before the beginning of such period. However, he may deliver steel on an order properly accepted at any time during such quarter or any following quarter. For example, a distributor may accept an order bearing the allotment number N-1-4Q44 any time prior to January 1, 1945, but he may not deliver any material on such an order earlier than September 16, 1944. Orders bearing symbols which do not require a quarterly identification, such as MRO (see Interpretation 25 to CMP Regulation No. 1) are not subject to this provision.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which must be filled.* A distributor must fill the following kinds of orders unless he is required or permitted to reject them under paragraph (c):

(1) A distributor must fill all authorized controlled material orders except as provided in paragraph (m) (1).

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill other orders as follows, but is not required to do so regardless of whether rated or not:

(i) Orders in amounts of $25 or less. No endorsement is required on such orders.

(ii) Orders identified by the symbol Z-1E as explained in paragraph (m).

[Note: Subdivision iii formerly ii, redesignated Sept. 21, 1944.]

(iii) Orders calling for delivery to one customer during any calendar quarter of not more than 10 tons of carbon steel, 1,000 pounds of stainless steel and 2 tons of other alloy steel, providing such deliveries of any one product group and type to one customer do not exceed the amounts shown below:

	Quantities in pounds per quarter unless otherwise stated		
	Carbon (including wrought iron)	Stainless	Alloy (Other than stainless)
Tool steel, including drill rod	300	----	300
Mechanical tubing	1,000*	100*	300*
Wire rope and strand	300*	----	----
Music wire	300	----	----
All other steel products	20,000	1,000	4,000

*Feet per quarter.

Each order placed under this paragraph (d) (4) (iii) must be accompanied by or endorsed with both the standard form of certification in CMP Regulation No. 7 and the following sentence: "This order is placed under paragraph (d) (4) (iii) of CMP Regulation No. 4."

The purpose of this paragraph (d) (4) (iii) is to permit persons using small quantities of steel to obtain their requirements without the use of allotments; it is not to allow users of large quantities to obtain steel in addition to their purchases on authorized controlled material orders. Therefore, a person who buys any steel under this paragraph (d) (4) (iii) cannot receive any kind or type of steel from producers or distributors in any quarter in excess of the amounts shown in the above table whether it is received on authorized controlled material orders or otherwise. Consequently, in general, a person should plan to buy all his steel either under this paragraph or on authorized controlled material orders, but not both. Purchases of steel from persons other than producers or distributors do not affect the amount which can be bought under this paragraph. Such purchases are subject to the provisions of Priorities Regulation 13 and paragraph (u) of CMP Regulation No. 1.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products*—(1) *Delivery from warehouse stock.* (i) A warehouse shall fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In addition, a warehouse may fill orders identified by the symbol Z-1E, as explained in paragraph (m). In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) Beginning May 15, 1944 no person shall place orders for delivery from warehouse stock of any item of brass mill product to any one destination, during any calendar week which aggregates more than 500 pounds gross weight, or, effective immediately, for delivery, during any one calendar month, which aggregate more than 2,000 pounds gross weight and no person shall accept any delivery in excess of these amounts. However, the 500 pound limitation does not apply to a single continuous length of rod, tube, pipe, sheet or strip and

neither the 500 pound nor the 2,000 pound limitation applies to condenser tubes or to the resale of brass mill products obtained by brass mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, Washington 25, D. C.

(iii) No person shall place orders for delivery from warehouse stock of any item of copper wire mill product to any one destination during any one calendar month, which aggregate more than 3,000 pounds copper content and no person shall accept any such delivery in excess of this amount, except that this limitation does not apply to the resale of copper wire mill products obtained by copper wire mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, Washington 25, D. C.

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(3) *Rejection of orders.* (i) A warehouse must not fill any order for brass mill or copper wire mill products except those which it is required or permitted to fill under paragraphs (f) (1) and (f) (2) above.

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor shall, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM, and orders which he has been specifically directed in writing by the War Production Board to fill, and he may fill orders identified by the symbol Z–1E as explained in paragraph (m) (i) except that he may reject any such order calling for delivery at any one time, to any one person at any one destination, of more than 2,000 lbs. of any gage, alloy and size of aluminum sheet, or more than 900 lbs. of any alloy, shape and size of aluminum wire rod or bar, or more than 600 lbs. of any alloy, size or shape of aluminum tubing, extrusions or structural shapes and (ii) except that he also may reject any order from another distributor.

(2) No distributor shall deliver any aluminum except to fill an authorized controlled material order or pursuant to a specific direction of the War Production Board.

(3) The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding compound. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Special treatment of "Z" orders*—(1) *Authorized controlled material orders.* A distributor or warehouse must not fill any order identified by a CMP allotment symbol whose initial letter is "Z" until he has filled all other orders which he has received which he is required to fill under this regulation and which call for delivery of the same items within the next 30 days. In addition, a copper wire mill warehouse may not deliver in any month on "Z" orders more pounds of copper wire than 10% of the amount he delivered during the previous month on all orders.

(2) *Treatment of Z–1 orders identified by the letter "E".* Orders bearing the allotment symbol Z–1E (which are not authorized controlled material orders) may be placed with distributors and warehouses for certain controlled materials in their stocks. A distributor or warehouse who receives such orders may fill them, but he is not required to do so. If he elects to fill such orders he may do so only in accordance with the following:

(i) A steel or aluminum distributor or brass mill warehouse, acting as agent for the Metals Reserve Company, may deliver on Z–1E orders without limit any controlled materials owned by the Metals Reserve Company which he receives into his stock, and

(ii) A steel distributor may deliver any steel products from his stock on Z–1E orders, but he may not use such a delivery to support a stock replacement order placed with a producer or another distributor, and

(iii) A copper warehouse or aluminum distributor may sell in any three-month period a quantity of controlled materials equal to the poundage purchased by him in the preceding three-month period from consumers under the provisions of Priorities Regulation 13, or a quantity equal to the quantity purchased in the current month, whichever is greater, and

(iv) An aluminum distributor may sell items which have been in his stock for 45 days and which he has not been able to deliver on other orders permitted by this regulation.

(3) *How a consumer places a Z–1E order.* A consumer with an authorized production schedule identified by a CMP allotment symbol Z–1 who does not have an allotment or who does not wish to use it, may place orders on a distributor or warehouse for the type of controlled material described above, but must not use the symbol Z–1 without adding the letter "E". The letter "E" is added to identify the purchase as being made out of "excess" stock in a warehouse, and thus to indicate that the purchaser's allotment account does not need to be charged. If he places only the symbol "Z–1" on his order without adding the "E", it is an authorized controlled material order, and must be charged against his allotment account in accordance with CMP Regulation No. 1. A consumer may also obtain steel without using his allotment in accordance with paragraph (d) (4) (i) and (d) (4) (iii), but if he does so, he must not use either the symbol Z–1 or Z–1E on his order.

[NOTE: Paragraph (n) formerly (m) redesignated Sept. 21, 1944.]

(n) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (c) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L–158 and other applicable regulations or orders (Issued Feb. 27, 1943).

[F. R. Doc. 44–14562; Filed, Sept. 21, 1944; 11:21 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L–79, as Amended Sept. 21, 1944]

DISTRIBUTION OF PLUMBING, HEATING AND COOKING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of plumbing, heating and cooking equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3288.31 *General Limitation Order L–79*—(a) *What this order does.* The purpose of this order is to conserve the supply and direct the distribution of plumbing, cooking and heating equipment by preventing the sale of certain essential items on List A except for necessary replacements, or on rated orders. These are items, the production of which is restricted, and which can be made available to essential users only. The order provides a rating to enable sellers to get these items for necessary replacement. It permits other items of plumbing and heating equipment to be bought by sellers on unrated orders without restriction but provides a preference rating to enable sellers to buy these non-restricted items when a rating is needed. No preference ratings are assigned to consumers and deliveries to consumers for replacement and repair do not have to be on rated orders. It must be noted, however, that deliveries of certain parts for plumbing and heating equipment are also subject to applicable provisions of other limitation orders.[1] The order supersedes the previous version of L–79, as well as General Preference Order P–84.

(b) *Assignment of preference ratings.* Preference rating AA–3 is assigned to any seller to enable him to get the following:

(1) Equipment shown in List A, including repair parts.

(2) Repair parts only for items on List B.

(3) All other equipment, material and parts which are used to supply, store and heat water, to cook food (except as excluded below), to remove waste matter and water borne waste, to treat waste matter chemically, and to heat buildings (except as excluded below), including electric heat controls.

Any rating under this paragraph (b) cannot be used, however, to get equipment specifically designed for industrial processing, fire protection, the production or transmission of power, or for use by a public utility; equipment, other than water heaters, using electricity as fuel; heat exchangers subject to L–123; domestic water systems as covered by L–257 domestic cooking appliances and domestic heating stoves as defined in L–23–c; liquefied petroleum gas equipment as defined in L–86; fans, blowers and exhausters as covered by L–123 except those on List A of this order (L–79); steel or wrought iron pipe or steel sheets; industrial and domestic sump pumps; equipment specifically designed for refrigerating or dehumidifying; or portable items such as pans, domestic stove lid lifters and domestic stove pokers which are not designed to be built into or fastened to the building in which they are used. Directions will from time to time be issued specifying items which are subject to this paragraph (b) and items which are excluded.

(c) *Exception.* No rating is assigned to any delivery to which a rating is assigned by CMP Regulation 9A.

(d) *Inventory restrictions on sellers.* (1) A seller who is a repair man as defined in CMP Regulation 9A may not accept delivery of any item of parts or materials obtained by applying a rating under this order if his inventory of that item of parts or materials is or would by accepting delivery become larger than he needs to continue his repair and maintenance services for a 60-day period, according to his current method of operation. However, if the supply of any item which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item which his distributor normally sells, even if that will increase his supply beyond the amount specified.

(2) A seller who is not a repair man as defined in CMP Regulation 9A is subject to the limitation of inventory prescribed in Order L–63.

(e) *Up-rating.* In the case of ratings applied or extended by sellers under Order P–84 prior to its revocation, deliveries may be re-rated in accordance with the provisions of Priorities Regulation No. 12. However, any person with whom such an order was placed is authorized to treat it as re-rated without requiring any notice or certificate to be furnished to him by the seller: *Provided*, That any manufacturer or seller who re-rates any orders placed with him under this paragraph must so re-rate all orders placed with him which can be re-rated.

(f) *Restrictions on deliveries of items on List A.* No seller may sell or deliver to a consumer any equipment included on List A except:

(1) [Deleted July 26, 1944.]

(2) Equipment which is delivered to fill a rated order.

(3) When the delivery is to a consumer for installation to replace exist-

[1] Other orders of the War Production Board and of the Petroleum Administration for War restrict deliveries of gas and fuel oil for newly installed equipment using those fuels. These orders should be consulted before any installation of equipment is made.

ing equipment which is worn out, damaged beyond repair or destroyed, but not to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the part or parts worn out, damaged or destroyed.

(g) *Restrictions on sale and delivery of equipment using gas as fuel.* In those areas where the use of gas is restricted by War Production Board orders, no seller may sell or deliver to a consumer any equipment using gas as fuel when the installation of such equipment will increase the potential demand for gas (manufacturer's hourly input rating) unless a letter has first been obtained from the Utility Company which will deliver the gas to the consumer stating that it is authorized to provide the gas necessary to operate the equipment. However, the restrictions of this paragraph do not apply to gas fired domestic water heating equipment for a residence.

(h) *When a consumer needs a preference rating and how he gets it.* Consumers are not assigned ratings by this order and will not need ratings unless they want to buy items on List A for purposes other than replacement. When a rating is needed, application may be made as follows:

(1) *For residential use.* If the equipment is to be used for residential purposes, construction or otherwise, Form WPB–2896 should be filed with the nearest Federal Housing Administration field office.

(2) *For commercial and industrial use.* If the equipment is to be used for commercial or industrial purposes and is construction of a type which is restricted under Limitation Order L–41, Form WPB–617 should be filed with the nearest War Production Board field office. If not restricted under Limitation Order L–41, then Form WPB–1319 should be filed with the nearest War Production Board field office.

(3) *For farm use.* If the equipment is to be used for farm purposes (including farm dwellings), and is construction of a type which is restricted under Limitation Order L–41, Form WPB–617 should be filed with the County Agricultural Conservation Committee. If not restricted under Limitation Order L–41, then Form WPB–1319 should be filed with the nearest War Production Board field office.

(4) *For utilities use.* If the equipment is to be used by a utility furnishing telephone, telegraph, electric, gas, water or central steam heating service for use by the public, Form WPB–2774 should be filed with the War Production Board, Washington 25, D. C. (For utility MRO and minor plant additions applicable utilities orders should be followed).

(i) *Consumer's certificates.* No seller may deliver an item on List A to fill a consumer's unrated order unless he obtains a certificate in substantially the following form:

I need the item included in this purchase to replace equipment worn out, damaged beyond repair, or destroyed. I will not use it to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the parts which are worn out, damaged, or destroyed.

Address of installation.....

Consumer's signature.....

Address .....

Any certification is a representation to the War Production Board as well as to the seller. No one may deliver relying on a certification being true if he knows or should know it is false, but anyone who reasonably relies on the truth of a certificate is not to be held responsible if it turns out to be false. No one shall make a false statement in a certification. Sellers shall retain certificates in their files for two years for inspection by WPB representatives.

(j) *Salvage.* No person may install equipment on List A for replacement unless he takes any replaced metal parts or equipment, not coated with a fused or nonmetallic surface, and arranges for its further use, or turns it in for salvage to any authorized scrap metal dealer within thirty days after the replacement. This requirement does not mean that the installer is entitled to take old equipment without the owner's consent or without crediting him with its value.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* All persons and transactions affected by this order are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(o) *Applicability of other orders.* Insofar as any other orders heretofore or hereafter issued by the War Production Board limit the production, delivery or use of any plumbing, heating or cooking equipment to a greater extent than the restrictions imposed by this order, the restrictions of such other orders shall govern.

(p) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 (formerly PD–500) with a field office of the War Production Board.

(q) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–79.

(r) *Definitions.* For the purposes of this order:

(1) "Seller" means any person who buys plumbing, heating, or cooking equipment for resale, whether or not he makes the installation. A manufacturer who sells directly to the consumer is to be considered a seller with respect to those sales.

(2) "Consumer" means any person who buys plumbing, heating, or cooking equipment for installation or use on premises owned or occupied by him.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items of plumbing and heating equipment, when new:

1. Furnaces, heating (as defined in Order L–22), and cast iron boilers, heating (as defined in Order L–187), but excluding furnace-burner and boiler-burner units in which the boiler or furnace is designed for use of oil or gas only as a fuel.
2. Water heaters (direct fired and indirect types as defined in Order L–185), but excluding industrial and direct hand fired (solid fuel) hot water heaters of the following types: Bucket-a-day stoves, dome-type water heaters, and service water tank heaters.
3. [Deleted July 26, 1944.]
4. Cast iron radiators and cast iron convectors.
5. Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch. All types exclusive of those for marine, shipboard, or locomotive use, and also excluding boiler burner units in which the boiler is designed for use of oil or gas only as a fuel.
6. Furnace fans 16" diameter and under, less electric motors.
7. Forced draft blowers for warm air, hot water and low pressure steam systems.

LIST B

1. Commercial cooking and food and plate warming equipment as defined in Limitation Order L–182, as amended: all not electric.
   - Bakers.
   - Broilers.
   - Fryers.
   - Food warmers.
   - Griddles: commercial cooking.
   - Grills.
   - Hot plates: commercial.
   - Ovens: bake, except industrial type.
   - Ranges.
   - Roasters: commercial.
   - Steamers: oven.
   - Toasters: commercial.
   - Urns.
   - Warmers: food-plate.
2. Commercial dishwashing machines: not domestic: as defined in Limitation Order L–248 as amended.
3. Coal Stokers: grate area 36 square feet or less, as defined in Limitation Order L–75 as amended.
4. Class B oil burners: not designed specifically for shipboard use or heat processing; as defined in Limitation Order L–74 as amended.
5. Extended surface heating equipment as defined in Limitation Order L–107, as amended.
   - Unit heaters: steam or hot water.
   - Unit ventilators, heating: steam or hot water.
   - Convectors.
   - Blast heating coils: steam or hot water.
   - Special heating coils: steam or hot water.
   - Heat transfer element: metal: fin tube: for transferring heat from steam or water to air.
6. Steel boilers of types listed in Order M–299, Table 14, excluding low pressure boilers on List A of this order.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

INTERPRETATION 2

Office of Price Administration requirements not affected. Question has been raised as to whether this order dispenses with the necessity of conforming to the requirements of O. P. A. Ration Order 9–A.

The words "without restriction" as used in L–79 refer only to restrictions placed by the War Production Board, and Order L–79 is not intended in any way to affect rationing or other requirements of the Office of Price Administration or any other agency. (Issued Feb. 29, 1944.)

INTERPRETATION 3

SUBSTITUTION REQUIRING CHANGE OF DISTRIBUTION SYSTEM PROHIBITED

The restrictions of paragraph (f) (3) of Limitation Order L–79 prohibit the substitution of one type of heating system for another (e. g. cast iron heating boiler for heating furnace) if it will require the change of a useable distribution system. (Issued Apr. 13, 1944.)

[F. R. Doc. 44–14563; Filed, Sept. 21, 1944; 11:21 a. m.]

Subchapter C—Utilities, Office of the Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U–1–a, as Amended Sept. 21, 1944]

CERTAIN GOVERNMENT AGENCIES

§ 4500.2 *Supplementary Utilities Order U–1–a*—(a) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U–1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve facilities of the Army, Navy, Maritime Commission, War Shipping Administration, Civil Aeronautics Authority or Veterans' Administration, upon the direct order of such agencies when all of the following conditions are satisfied.

(1) The total cost of material for each extension, exclusive of any part built by or for the consumer, does not exceed $10,000. No job or project may be subdivided to come within these limits.

(2) [Revoked Aug. 31, 1944]

(3) The extension does not duplicate an adequate service of the same type already installed or constitute a stand-by service.

(b) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U–7 or Limitation Order L–174.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14565; Filed, Sept. 21, 1944; 11:21 a. m.]

Chapter XI—Office of Price Administration

PART 1385—NAVAL STORES

[MPR 561]

GUM ROSIN

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 561—GUM ROSIN

Sec.
1. Prohibition against buying and selling gum rosin at higher than maximum prices.
2. Less than maximum prices.
3. Adjustable pricing.
4. Applicability and relation to other price regulations.
5. Records and reports.
6. Evasion.
7. Enforcement.
8. Licensing.
9. Petitions for amendment.
10. Definitions.
11. Maximum prices for gum rosin.

AUTHORITY: Secs. 1 to 11, inclusive (§ 1385.54), issued under 56 Stat. 23, 765; 57 Stat. 566; Public Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibition against buying and selling gum rosin at higher than maximum prices.* On and after September 20, 1944, regardless of any contract or other obligation:

(a) No person shall sell or deliver gum rosin at prices higher than those established by this regulation.

(b) No person in the course of trade or business shall buy or receive gum rosin at prices higher than those established by this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

(d) If, prior to payment, a buyer of gum rosin receives from the seller a written statement that to the best of the seller's knowledge the price charged therefor does not exceed the maximum price fixed by this regulation, and if the buyer has no reason to doubt the truth of the statement, the buyer shall be deemed to have complied with this section.

SEC. 2. *Less than maximum prices.* Prices lower than the maximum prices prescribed herein may be charged and paid.

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Price Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 4. *Applicability and relation to other price regulations*—(a) *Geographical applicability.* This regulation applies in the 48 states of the United States and the District of Columbia.

(b) *Imports (Maximum Import Price Regulation[1] applicable).* The provisions of this regulation shall not apply and the Maximum Import Price Regulation shall apply to the purchases, sales or deliveries of gum rosin, if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the Maximum Import Price Regulation.

(c) *Exports (Second Revised Maximum Export Price Regulation[2] applicable).* The maximum prices at which a person may export gum rosin shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

SEC. 5. *Records and reports.* (a) Every person making sales of gum rosin shall preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to prices which he charged for sales of such gum rosin during the period January 1, 1944, to June 30, 1944, inclusive, as well as all his existing records relating to contracts for the sale of rosin which he made firm during this period or under which he made deliveries during this period.

(b) Every person selling gum rosin shall keep records which will show the name and address of the buyer, the date of the sale, the containers in which the sale was made, the grade and quantity sold, and the price. Such records must be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Customary records, such as invoices showing the above information will constitute compliance with this paragraph (b).

(c) Every person selling gum rosin other than on the Savannah, Georgia,

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 2350.

[2] 8 F.R. 4132, 8987, 7662, 9998, 15198; 9 F.R. 1036.

Cotton and Naval Stores Exchange shall:

(1) *Records.* Keep records showing as precisely as possible the basis upon which he determined maximum prices for his sales of gum rosin and shall preserve such records for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) *Reports.* File on or before October 20, 1944, with the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., a statement containing:

(i) A short description of his gum rosin business including the classes of persons from whom he buys and the classes of persons to whom he sells; the extent he is currently processing oleoresin into gum rosin, and the proportion of oleoresin processed which he produces himself.

(ii) His maximum prices for sales of each grade of gum rosin to each class of purchasers for sales to whom he can establish a maximum price under section 11 (b) (1). For each maximum price listed, the sale on which it is based should be given, including the name of the purchaser, the date of the sale, the grade and quantity sold, and the conditions of sale.

(iii) All his customary allowances, discounts, and other price differentials.

(d) Such persons shall submit such other reports to the Office of Price Administration and keep such other records in addition to or in place of the records and reports required in paragraphs (a), (b) and (c) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 6. *Evasion.* Price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to gum rosin, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, discount, premium, or other privilege, or other trade understanding, or by transactions with or through the agency of subsidiaries or affiliates or otherwise.

SEC. 7. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 8. *Licensing.* The provisions of Licensing Order No. 1 [1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[1] 8 F.R. 13240.

SEC. 9. *Petitions for amendment.* Any person seeking an amendment to any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.[1]

SEC. 10. *Definitions.* (a) As used in this regulation, the term:

"Base period" means the period January 1, 1944, to June 30, 1944, inclusive.

"Gum rosin" means the vitreous transparent or transiucent brittle mass congealed from the molten condition remaining after the extraction of gum spirits of turpentine in the distillation of oleoresin exuded from the living pine tree.

"Grade" refers to the grade as established by the Naval Stores Act of 1923 (42 Stat. 1435; 7 USC. secs. 91–99) and the regulations of the Secretary of Agriculture issued thereunder.

"Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for gum rosin for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or in different containers or under different conditions of sale.

"Closest competitor" means that seller selling gum rosin under substantially the same conditions who is in close competition with you and is located nearest to you.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

SEC. 11. *Maximum prices for gum rosin.*—(a) *Sales on the Savannah, Georgia, Cotton and Naval Stores Exchange.* Maximum prices for sales of gum rosin on the Savannah, Georgia, Cotton and Naval Stores Exchange shall be:

Grade:	*Per 100 pounds net in drums on yard, Savannah, Ga.*
X	$6.31
WW	6.31
WG	6.04
N	5.79
M	5.63
K	5.61
I	5.57
H	5.57
G	5.55
F	5.51
E	5.41
D	4.88
B	4.81

(b) *Sales other than on the Savannah, Georgia, Cotton and Naval Stores Exchange.* For sales other than on the Savannah, Georgia, Cotton and Naval Stores Exchange you are to determine your maximum price by reference to the maximum prices for sales on that Exchange. To find your maximum price per 100 pounds net for sale of any grade to any class of purchasers you proceed as explained below. This maximum price applies at a point in accordance with your customary practice. As used in this paragraph (b), "differential" means a dollar and cent difference.

(1) If, during the base period, January 1, 1944, to June 30, 1944, inclusive, you made a sale of the same grade of gum rosin to the same class of purchasers, you find your maximum price by adding to or subtracting from the maximum price per 100 pounds net established in (a) above for sales of the same grade on the Savannah Exchange your base period differential. This differential is the most favorable differential from the price for that grade listed on the Savannah Exchange which you received on any sale of the same grade to a purchaser of the same class during the base period.

You are considered to have made a sale during the base period only if:

(i) During that period you entered into a firm contract for a sale at a price specified in the contract and have actually made delivery (whether in the base period or later) under the contract since the contract was made firm. In such a case, the differential from the price on the Savannah Exchange which is appliable to the transaction is the difference between the price specified in the contract and the price listed for the same grade on the Savannah Exchange on the day on which the Exchange was open for business next preceding the day on which the contract of sale was made firm.

(ii) During the base period you made a delivery under a contract of sale entered into during or prior to the base period which provided that the price should be based on a specified differential from the Savannah Exchange price. In such a case, the differential from the Savannah price which is to be used is the differential specified in the contract of sale.

Examples: During the base period you made firm a contract of sale for K grade rosin at $3.30 per 100 pounds net which was 3 cents per 100 pounds net below the price per 100 pounds net listed on the Savannah Exchange for K grade on the day preceding that on which the contract was made firm. During the base period you also made firm a contract of sale for K grade to a purchaser of the same class at $3.25 per 100 pounds net which was 2 cents per 100 pounds net higher than the price per 100 pounds net listed on the Savannah Exchange for K grade on the preceding day. Your base period differential to be applied to a sale of K grade to a purchaser of the same class is, therefore, 2 cents per 100 pounds net premium and your maximum price for K grade to that class of purchaser is $5.61+.02 or $5.63 per 100 pounds net.

During the base period you made deliveries of K grade rosin to the same class of purchasers under two contracts providing that the price should be a specified differential from the Savannah Exchange price. On deliveries during the base period under the first contract you received the specified differential of 5 cents under the Savannah Exchange price; on deliveries during the base period under the second contract you received the specified differential of 2 cents under the Savannah price. Your base period differential to that class of purchaser for K grade is, therefore, 2 cents per 100 pounds net discount and your maximum price for K grade to that class of purchaser is $5.61−.02 or $5.59 per 100 pounds net.

(2) If during the base period your only sales of the same grade of rosin were made to a different class of purchasers, you find your maximum price by first determining your maximum price according to (1) above for sales to the different class of purchasers, and then adding to or subtracting from that maximum price your customary differential between the two classes of purchasers.

Example: In the base period your only sales of K grade were in bags, less than carload. For such sales your maximum price determined according to (1) above is $5.41 per 100 pounds net. You now wish to find your maximum price for sales in drum carloads. Customarily you charge 10 cents per 100 pounds net more for sales in drums than for sales in bags, and 6 cents per 100 pounds net less for carload than for less than carload sales. Your maximum price for drum carload sales of K grade is $5.41+.10−.05 or $5.46 per 100 pounds net.

(3) If during the base period you did not make a sale of the same grade of rosin, you find your maximum price by first determining your maximum price according to (1) and (2) above for sales to the same class of purchasers of the most nearly similar grade which you delivered during the base period and adding to or subtracting from this maximum price the differential between the Savannah Exchange maximum prices for these grades in paragraph (a) above.

Example: During the base period you made sales of only M and K grades. You now wish to make a sale of WW. The most nearly similar grade of which you made a sale in the base period is M. Your maximum price to a particular class of purchasers for M grade according to (1) and (2) above is $5.59. The maximum price for M in paragraph (a) is $5.79, for WW is $6.31. The differential is a premium of $.59 and your maximum price for WW is $5.59+$.52 or $6.11 per 100 pounds net.

(4) If you cannot determine your maximum price according to (1), (2) or (3) above, your maximum price for sales of any grade to any class of purchasers shall be the maximum price determined under (1), (2) or (3) above by your closest competitor for sales of the same grade of rosin to the same class of purchasers.

(5) If you cannot determine your maximum price according to (1), (2), (3) or (4) above, your maximum price shall be the maximum price authorized by the Office of Price Administration in response to an application therefor filed by you and in line with the level of maximum prices established by this regulation.

Applications for the establishment of such a maximum price shall be submitted by registered mail to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington 25, D. C., prior to sale, and shall be accompanied by the following information:

(i) A statement of the reasons why a maximum price cannot be established under (1), (2), (3) or (4) above.

(ii) A short description of the applicant's gum rosin business including the classes of persons from whom he buys and the classes of person to whom he sells; the extent he is currently processing oleoresin into gum rosin, and the proportion of oleoresin processed which he produces himself.

(iii) A short description of the transactions for which and class of purchasers for sales to whom a maximum price is proposed.

(iv) The proposed maximum price.

(v) An explanation of how the proposed price was determined.

Sales may be made at such proposed price after the date of mailing such application subject, however, to approval by the Office of Price Administration. If, at the expiration of 20 days from the date of mailing the application (or all additional information which may have been requested), the seller has not been advised by the Office of Price Administration of its disapproval of the proposed maximum price, such proposed price may be considered as authorized. In the event of any modification of a proposed price within the 20-day period, refund shall be made accordingly.

The Price Administrator may, at any time, by order, disapprove or modify any maximum price established under this regulation; and may, either in connection with applications under this subparagraph (5) or otherwise, issue orders establishing maximum prices or pricing methods for sales or resales of gum rosin subject to this regulation.

Effective date. This regulation shall become effective September 20, 1944.

NOTE: All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: SEPTEMBER 18, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-14536; Filed, Sept. 20, 1944; 3:10 p. m.]

[2] 9 F.R. 5791.

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] Amdt. 34]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 1341.586 is amended to read as follows:

§ 1341.586 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order and any delivery or agreement to deliver entered into pursuant to such authorization shall be made at a price no greater than the price finally established by the Office of Price Administration whether such price is greater or less than the maximum price in effect at the time of delivery.

This amendment shall become effective September 20, 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14534; Filed, Sept. 20, 1944; 3:13 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16896, 17294, 17295, 17483; 9 F.R. 287, 96, 1710, 2237, 4940, 5070, 6109, 7503, 7883, 8144.

PART 1341—CANNED AND PRESERVED FOODS

[MPR 409,[1] Amdt. 12]

FROZEN FRUITS, BERRIES AND VEGETABLES (1943 PACK AND AFTER)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 9 is amended to read as follows:

SEC. 9. *Adjutable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization. The authori-

[1] 9 F.R. 97, 1896, 9833.

zation will be given by order and any delivery or agreement to deliver entered into pursuant to such authorization shall be made at a price no greater than the price finally established by the Office of Price Administration whether such price is greater or less than the maximum price in effect at the time of delivery.

This amendment shall become effective September 20, 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14535; Filed, Sept. 20, 1944; 3:13 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 152]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. In § 1394.8112 the expression "paragraph (b)" in the second sentence of paragraph (a) is deleted and the expression "paragraph (c)" is inserted in lieu thereof and paragraph (b) of such section is redesignated paragraph (c) and a new paragraph (b) is added to read as follows:

(b) Every consumer who has in his possession or control any Class B–3 or C–3 coupons issued on Forms OPA R–527E or R–528E which were issued to him as a ration and which have not expired may surrender such coupons to the Board having jurisdiction to renew such ration or, upon good cause shown, to any Board. If such a ration is surrendered before it has expired, the Board shall issue to the consumer, in exchange for such coupons valid ration evidences of any appropriate class having the same expiration date or earliest renewal date as the rations surrendered and having a gallonage value to be determined in accordance with paragraph (c) of this section.

2. Section 1394.8153 (a) (10) is added to read as follows:

(10) On and after October 1, 1944, no transfer may be made in exchange for any Class B–3 or C–3 coupons issued on Forms OPA R–527E or R–528E.

3. Section 1394.8206b (a) (19) is added to read as follows:

(19) After October 20, 1944, any Class B–3 or C–3 coupons issued on Forms OPA R–527E or R–528E.

4. Section 1394.8207 (j) is added to read as follows:

(j) On and after October 11, 1944, no distributor shall transfer or offer to transfer gasoline to any dealer and no dealer shall accept a transfer of gasoline from any distributor in exchange for any Class B–3 or C–3 coupons issued on Forms OPA R–527E or R–528E.

5. Section 1394.8215 (m) is added to read as follows:

(m) (1) Immediately upon the close of business on September 30, 1944 each dealer who has in his possession or control Class B–3 or C–3 coupons issued on Forms OPA R–527E or R–528E which he acquired before October 1, 1944, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (OPA R–120) to which no other coupons are attached. Each dealer shall summarize such coupons on a summary form (OPA R–541) on which no other coupons are listed. On or before October 10, 1944, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having judisdiction over the area in which his place of business is located, in exchange for one or more ration checks equal in gallonage value to the coupons so surrendered.

(2) After October 10, 1944, no distributor shall accept from any dealer or distributor any Class B–3 or C–3 coupons issued on Forms OPA R–527E or R–528E nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before October 20, 1944, each distributor shall deposit in appropriate ration bank accounts maintained by him any such coupons received by him in exchange for any lawful transfer of gasoline made on or before October 10, 1944.

This amendment shall become effective September 25, 1944.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14579; Filed, Sept. 21, 1944; 11:54 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 77]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (4) is deleted.
2. Section 2.11 (a) (6) is deleted.
3. Section 2.11 (a) (7) is deleted.
4. Section 2.11 (a) (16) is amended by deleting the words "do not have a rubber sole and which" in the first line.
5. Section 2.11 (a) (19) is amended by deleting the words "which do not have a rubber sole and".
6. The definition of house slippers in section 3.13 is amended to read as follows:

"House slippers" means any footwear constructed exclusively for indoor or house wear other than athletic, sport, or gymnasium use. However, the term does not include footwear made with any cattle hide leather in the upper, or with cattle hide grain leather outsoles (other than heads, bellies, shins, and shanks of five iron or less), if such footwear was shipped from the factory in the United States after August 31, 1943, or imported into the United States after August 31, 1943.

7. The definition of shoes in section 3.13 is amended to read as follows:

"Shoes" means any footwear made in whole or in part of leather.

8. The definition of "rubber" in section 3.13 is deleted.
9. The definition of "rubber sole" in section 3.13 is deleted.

This amendment shall become effective September 25, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14578; Filed, Sept. 21, 1944; 11:54 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[3d Rev. MPR 216]

EASTERN RAILROAD TIES

Second Revised Maximum Price Regulation No. 216 is redesignated Third Revised Maximum Price Regulation 216 and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15897.

[1] 8 F.R. 15899, 16805, 16996, 9 F.R. 92, 573, 764, 2282, 2656, 2947, 2829, 3340, 3944, 4301, 4354, 5005, 6283, 6647, 6455, 7060, 7773, 8354, 8339, 8340, 8941, 9855, 9901, 10589, 10984, 10985.

3D REVISED MAXIMUM PRICE REGULATION 216—EASTERN RAILROAD TIES

Sec.
1. Sales of Eastern railroad ties at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Tie contractor's addition.
7. Special pricing.
8. Adjustable pricing.
9. Exports and imports.
10. Records.
11. Petitions for amendment and adjustment.
12. Prohibited practices.
13. Enforcement.
14. Licensing.
15. Maximum prices for Eastern railroad cross and switch ties.

AUTHORITY: Secs. 1 to 15, inclusive, (§ 1426.1), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Eastern railroad ties at higher than maximum prices prohibited.* (a) On and after September 26, 1944, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern railroad ties covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *Coverage of the regulation.* (a) This regulation covers all sales and purchases of railroad cross ties and switch ties, produced from any species in that part of the United States east of a line approximating the one-hundredth meridian, except North Dakota and South Dakota. Bridge ties and crossing timbers are not covered, but are subject to the appropriate lumber price regulation.

The price tables in Section 15 cover certain "listed" species and definite producing zone boundaries.

(b) *Definitions.* (1) "Cross tie" means a hewn or sawn forest product of specified dimension suitable for use in supporting the rails of railroad tracks. "Switch tie" means a hewn or sawn forest product of specified dimension suitable for use in supporting a switch in a railroad track.

(2) "Size", sometimes referred to as "grade", of any Eastern railroad tie, means the dimensions of a cross tie or switch tie as established by the American Railway Engineering Association. The following is a summary of the principal provisions on dimension specifications:

*Copies may be obtained from the Office of Price Administration.

(i) *Length.* Standard-gauge railroad ties shall be 8 feet, 8 feet 6 inches, or 9 feet long.

(ii) *Width and thickness.* Ties shall measure as follows throughout both sections between 20 inches and 40 inches from the middle of the tie:

Size	Sawed or hewed top, bottom, and sides	Sawed or hewed top and bottom
1	6 inches thick by 8 inches wide on top.	6 inches thick by 8 inches wide on top.
2	6 inches thick by 7 inches wide on top.	6 inches thick by 7 inches wide on top.
3	6 inches thick by 8 inches wide on top.	[6 inches thick by 8 inches wide on top. 7 inches thick by 7 inches wide on top.
4	7 inches thick by 8 inches wide on top.	7 inches thick by 8 inches wide on top.
5	7 inches thick by 9 inches wide on top.	7 inches thick by 9 inches wide on top.

1. Where the buyer requires 8 inches through the body of the tie in size 1 or 2, these sizes must be furnished at no increase over maximum prices listed.

2. Railways which specify both 6 inch by 8 inch and 7 inch by 7 inch ties, in size 3, sawed or hewed on top and bottom only, and which desire to separate the 6 inch from the 7 inch ties will designate the 7 inch by 7 inch as size 3A.

(3) "SR" means a serviceable reject cross tie or switch tie, hewn or sawn, which does not meet the tie specifications of the American Railway Engineering Association, and which, because of defects which are not such as to impair the strength of the tie for limited use, is not a first quality tie.

(4) "Cull" means a cross tie or switch tie which, because of defects, is not suitable for use under a railroad track.

(5) "Class T" cross ties and switch ties embrace the following species:

(i) Group Ta: Ash, hickory, "sap" black locust, honey locust, oak, and "sap" black walnut.

(ii) Group Tb: "Sap" cedar, "sap" cypress, hemlock, "sap" larch, "sap" pine, and spruce.

(iii) Group Tc: Beech, birch, cherry, gum, and hard maple.

(iv) Group Td: "Sap" catalpa, "sap" chestnut, elm, hackberry, magnolia, soft maple, "sap" mulberry, poplar, "sap" sassafras, sycamore, and white walnut.

(6) "Normal loading-out point" means the siding or point on a railroad, or the barge landing at which the railroad ties may be sold and to which the railroad ties can be most cheaply transported from the point of production for shipment by rail, raft, or barge.

SEC. 3. *Basic maximum prices.* The maximum prices for Eastern cross ties and switch ties are set out in section 15. These maximum prices are for switch or cross ties manufactured in accordance with the specifications of the American Railway Engineering Association. It is expected that switch or cross ties not meeting these specifications in every detail will be priced correspondingly lower.

The maximum producer's price which may be charged or paid shall be the price established for the zone in which the "normal loading-out point" of the material is located, subject only to additions for transportation permitted by section 4.

SEC. 4. *Transportation addition.* Transportation from the mill or point of production to the "normal loading-out point" must, in every instance, be provided on the seller's account. Rail, barge and towing charges paid by the seller for transportation beyond the normal loading-out point may, in every case, be added. Trucking charges may be added only when delivery is made by the seller to a destination which is not a loading-out point for railroad ties. Where such delivery is made the charge must be reduced by the cost of trucking to the seller's normal loading-out point. All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* The appropriate published rate times the actual weight is the proper transportation charge. The charge for transportation shall be evened out to the nearest quarter-dollar per M'BM or quarter-cent per piece, whichever is applicable.

(b) *Private truck.* The seller shall apply under section 7 for the proper addition.

(c) *Averaging-out and buying in the round.* (1) When a single order requires quotations of a single flat delivered price per tie and fulfillment of the order contemplates delivery with a variation in tie prices and/or a variation in freight rates, the seller may use a flat average delivered price but must show on each invoice that the particular shipment is part of a larger order for which a reconciliation invoice will be furnished.

Upon completion of the order the seller must render a final invoice showing the individual prices separately, the amount shipped from each loading-out point, the freight charge for each shipment, and reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation. Failure to make a reconciliation invoice within 30 days of completion of the order for which an average price was quoted is as much a violation of the regulation as selling at an over-ceiling price.

(2) Where a straight average price is charged (known as "buying in the round") for cross ties of more than one size, the maximum price shall be that of the lowest-priced size.

SEC. 5. *Treated products.* (a) The maximum prices for Eastern railroad ties preservatively treated by pressure process are established by Maximum Price Regulation 491.[1]

[1] 8 F.R. 15594, 9 F.R. 8182, 9955.

(b) The maximum price for any Eastern railroad ties preservatively treated by non-pressure methods shall be the maximum price established by the General Maximum Price Regulation[8] for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest price f. o. b. loading-out point, paid in March 1942 by this seller of treated ties and the maximum price established in this regulation for the same size and grade of untreated ties. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated ties. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated ties. (If the seller of a treated tie did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated tie.

SEC. 6. *Tie contractor's addition.* (a) An addition of $0.20 per tie may be made to the maximum prices specified in section 15 by all persons who have registered as tie contractors.

(b) *Registered contractors.* Any person who has been authorized to act as a tie contractor prior to August 1, 1944, must file a request for registration with the Lumber Branch of the Office of Price Administration, Washington, D. C., before November 1, 1944.

(c) The Lumber Branch of the Office of Price Administration, Washington, D. C., may by letter or telegram authorize any person not registered as a tie contractor upon presentation of proof that the granting of the authorization will supply a service needed by tie users by increasing production and availability of railroad ties in the area covered by this regulation.

SEC. 7. *Special pricing.* If a seller wishes to sell a specification of Eastern Railroad Ties not specifically priced in this regulation, or wishes to make changes for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration Washington 25, D. C. for approval of a maximum price. He must provide the following information.

(a) The requested prices;

(b) A complete description of the item for which price approval is desired;

(1) If a specification other than A. R. E. A., he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 8. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 9. *Exports and imports.* (a) The maximum price for export sales of Eastern railroad ties is governed by the Second Revised Maximum Export Price Regulation.[9]

(b) For railroad cross ties produced in Canada or Mexico and imported at points in "Eastern" territory in the United States, the maximum price is the price "f. o. b. normal loading-out point" established in this regulation for the zone in which the port of entry is located, and such port of entry shall be regarded as the "normal loading-out point". Railroad ties of Canadian or Mexican origin entered at points in "western" territory are subject to Maximum Price Regulation 556.[10]

SEC. 10. *Records.* All sellers of Eastern Railroad ties must keep records which will show a complete description of the item sold, the names and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the names and addresses of the seller. These records must be kept for any month in which the seller or buyer sold or bought $1,000.00 worth of Eastern Railroad ties. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 11. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[11] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[12] issued by the Office of Price Administration.

SEC. 12. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount longer than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(4) Selling or buying material under and according to the provisions of this regulation to be converted into products suitable for uses other than those set out in section 2 (b), "definitions."

(c) *Purchasing commissions.* No commission on Eastern railroad cross ties

[8] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[9] 8 F.R. 4132, 5087, 7662, 9966, 15193; 9 F.R. 1036, 5028, 7201, 9834, 11273.

[10] 9 F.R. 10990.

[11] 7 F.R. 5087, 5684; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256, 10628.

[12] 9 F.R. 5791, 10476.

may be paid by contractors or users unless all of the following conditions are met:

(1) The person receiving the commission is a full time employee carried on the payroll of the contractor or user.

(2) The money used in purchasing railroad ties is supplied by the contractor or user.

(3) The employee's compensation is not based on the result of final inspection of railroad ties by the user.

(4) The person receiving the commission is not a producer of railroad ties or a tie contractor.

(5) The commission or bonus is not greater than 10 cents per tie.

SEC. 13. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 14. *Licensing.* The provisions of Licensing Order No. 1,[1] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. *Maximum prices for Eastern railroad cross ties and switch ties.* The maximum prices set forth below are f. o. b. cars at the railroad loading-out point or loaded on barges at the barge landing which is the "normal loading-out point" for such ties, as defined in section 2 (b) (6), or stacked for seasoning in a treating plant's yard within the zone of production.

The maximum prices are for untreated and unseasoned cross ties and switch ties. See section 5 for treatment additions, and section 4 for transportation additions.

ZONE 1—NEW ENGLAND STATES

Zone 1 shall include the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

TABLE 1—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 1

Size	Group T ties (for use treated). Species listed in Sec. 2 (e). Ta 8'6"	Tb, Tc 8'6"	Td 8'6"	Ta 8'	Tb, Tc 8'	Td 8'	Group U ties 85% or more heart (for use untreated).—White Oak Ua 8'6"	Ua 8'
5	$1.60	$1.60	$1.60	$1.50	$1.50	$1.50	$1.70	$1.60
4	1.45	1.45	1.45	1.35	1.35	1.35	1.65	1.45
3A	1.30	1.30	1.30	1.20	1.20	1.20	1.40	1.30
3	1.25	1.25	1.25	1.15	1.15	1.15	1.35	1.25
2	1.15	1.15	1.15	1.05	1.05	1.05	1.25	1.15
1	1.05	1.05	1.05	.95	.95	.95	1.15	1.05
SR	.60	.60	.60	.55	.55	.55	.70	.65
Cull	.25	.25	.25	.25	.25	.25	.35	.35

TABLE 1 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 1

Group T switch ties (for use treated)	$43.00
Group U switch ties (for use untreated), White Oak, 85% or more heart	46.00

ZONE 2—NORTHERN BELT OF NORTHEASTERN AND CENTRAL STATES

Zone 2 shall include the States of New York, New Jersey, and Pennsylvania; that part of the State of Michigan lying between Lake Huron and Lake Michigan, south of the Straits of Mackinac (known as the Lower Peninsula of Michigan); that part of the States of Indiana and Ohio located on and north of the main line of the Pennsylvania Railroad between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois north of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough and Hancock; that part of the State of Iowa north of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass, and Pottawattamie.

[1] 8 F.R. 13240.

TABLE 2—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 2

Size	Group T ties (for use treated), species listed in sec. 2 (e). Ta 8'6"	Tb, Tc 8'6"	Td 8'6"	Ta 8'	Tb, Tc 8'	Td 8'	Group U ties 85% or more heart (for use untreated). White oak Ua 8'6"	Ua 8'	Yellow pine Ub 8'6"	Ub 8'
5	$1.55	$1.45	$1.40	$1.45	$1.35	$1.30	$1.55	$1.55	$1.55	$1.45
4	1.40	1.30	1.25	1.30	1.20	1.15	1.50	1.40	1.40	1.30
3A	1.25	1.15	1.10	1.15	1.05	1.00	1.35	1.25	1.25	1.15
3	1.20	1.10	1.05	1.10	1.00	.95	1.30	1.20	1.20	1.10
2	1.10	1.00	.95	1.00	.90	.85	1.20	1.10	1.10	1.00
1	1.00	.90	.85	.90	.80	.75	1.10	1.00	1.00	.90
SR	.65	.55	.60	.55	.50	.45	.75	.65	.65	.60
Cull	.25	.25	.25	.20	.20	.20	.35	.30	.35	.20

TABLE 2(A)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16', F.O.B. CARS, ZONE 2

Group T switch ties (for use treated)	$42
Group U switch ties (for use untreated), white oak, 85% or more heart	45
Group U switch ties (for use untreated), yellow pine, 85% or more heart	45

ZONE 3—MIDDLE BELT OF NORTHEASTERN AND CENTRAL STATES

Zone 3 shall include the States of Delaware and Maryland and the District of Columbia; that part of the State of Virginia, in Loudoun, Clarke, Warren, Frederick, Shenandoah, Page, Rockingham, Augusta, Highland, and Bath Counties; that part of the State of West Virginia except the nine counties included in Zone 4; that part of the States of Ohio and Indiana, not on, but south of, the main line of the Pennsylvania Railroad extending between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois south of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough, and Hancock, and north of the northern boundaries of Monroe, Randolph, Perry, Franklin, Saline, and Gallatin Counties; that part of the State of Iowa south of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass and Pottawattamie; the State of Nebraska; that part of the State of Missouri north of the southern boundaries of Jackson, Lafayette, and Saline Counties and on the north bank of and north of the Missouri River east of the junction of the southern boundary of Saline County and the Missouri River.

TABLE 3—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 3

Size	Group T ties (for use treated), species listed in sec. 2 (e). Ta 8'6"	Tb, Tc 8'6"	Td 8'6"	Ta 8'	Tb, Tc 8'	Td 8'	Group U ties 85% or more heart (for use untreated). White oak Ua 8'6"	Ua 8'	Yellow pine Ub 8'6"	Ub 8'
5	$1.45	$1.35	$1.30	$1.35	$1.25	$1.20	$1.55	$1.45	$1.45	$1.35
4	1.30	1.20	1.15	1.20	1.10	1.05	1.40	1.30	1.30	1.20
3A	1.20	1.10	1.05	1.10	1.00	.95	1.30	1.20	1.20	1.10
3	1.15	1.05	1.00	1.05	.95	.90	1.25	1.15	1.15	1.05
2	1.05	.95	.90	.95	.85	.80	1.15	1.05	1.05	.95
1	.95	.85	.80	.85	.75	.70	1.05	.95	.95	.85
SR	.55	.50	.50	.50	.45	.45	.65	.60	.60	.55
Cull	.25	.25	.25	.20	.20	.20	.35	.30	.35	.30

TABLE 3 (a)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' to 10' F. O. B. CARS, ZONE 3

Group T switch ties (for use treated)	$40
Group U switch ties (for use untreated), white oak, 85% or more heart	43
Group U switch ties (for use untreated), yellow pine, 85% or more heart	43

ZONE 4—SOUTHERN BELT OR EAST CENTRAL STATES

Zone 4 shall include all of the State of Virginia, except the 10 Virginia counties included in Zone 3: Greenbrier, Monroe, Summers, Raleigh, Mercer, Wyoming, McDowell, Logan, and Mingo Counties, in the State of West Virginia; and that part of the State of Kentucky north and east of the southern boundaries of Union, Webster, McLean, Ohio, Grayson, Hardin, Larue, Casey, Green, Taylor, Russell, Uvalde, Zavala, Dimmit, and Webb Counties, Texas to the Rio Grande River.

TABLE 4—MAXIMUM PRICES PER CROSS TIE, F. O. B. CARS, ZONE 4

Size	Group T ties (for use treated) species listed in Sec. 3 (a)					Group U ties 85% or more heart (for use untreated)				
	Ta, Tc 8'6"	Tb, Td 8'6"	Td 8'0"	Ta 8'	Tb, Tc 8'	White oak		Yellow pine		Red cypress, black gum, black locust
						Ua 8'6"	Ua 8'	Ub 8'6"	Ub 8'	Uc 8'6"
5	$1.15	$1.05	$1.00	$1.00	$1.00	$1.35	$1.30	$1.10	$1.05	$1.15
4	1.05	1.00	.95	.95	.95	1.25	1.20	1.00	.95	1.05
3A	1.00	.95	.90	.90	.90	1.20	1.15	.95	.90	1.00
3	.95	.90	.85	.85	.85	1.15	1.10	.90	.85	.95
2	.90	.85	.80	.80	.80	1.10	1.05	.85	.80	.90
1	.85	.80	.75	.75	.75	1.05	1.00	.80	.75	.85
SR	.75	.70	.65	.65	.65	.95	.90	.70	.65	.75
Cull	.60	.55	.50	.50	.50	.80	.75	.55	.50	.60

TABLE 4 (A)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 4

Group T switch ties (for use treated)	$40
Group T switch ties (for use untreated); white oak, 85% or more heart	43
Group U switch ties (for use untreated); yellow pine, 85% or more heart	43
Group U switch ties (for use untreated); red cypress, black cypress (tide water), black locust, 85% or more heart	34
Group U switch ties (for use untreated); yellow cypress, white cypress, 85% or more heart	34

ZONE 5—SOUTHEASTERN STATES

Zone 5 shall include the States of North Carolina, South Carolina, Georgia and Tennessee; that part of the State of Florida on the east bank of and east of the Apalachicola River; and that part of the State of Alabama, Mississippi, and Louisiana; points in the State of Arkansas on the south bank and south of the junction of the Arkansas River; points in the State of Oklahoma on the south bank of and south of the Arkansas River, but excluding points in Cimarron, Beaver, and Texas Counties, Oklahoma; points in the State of Texas on and east of a line beginning at the junction of the west boundary of Hardeman County and the Red River, and extending south along the western boundaries of Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Concho, Menard, Kimble, Kerr, Real, Uvalde, Zavala, Dimmit, and Webb Counties, Texas to the Rio Grande River.

TABLE 5—MAXIMUM PRICES PER CROSS TIE, F. O. B. CARS, ZONE 5

Size	Group T ties (for use treated) species listed in Sec. 3 (a)					Group U ties 85% or more heart (for use untreated)				
	Ta, Tc 8'6"	Tb, Td 8'6"	Td 8'0"	Ta 8'	Tb, Tc 8'	White oak		Yellow pine		Red cypress, black gum, black locust
						Ua 8'6"	Ua 8'	Ub 8'6"	Ub 8'	Uc 8'6"
5	$1.25	$1.15	$1.10	$1.10	$1.10	$1.45	$1.40	$1.20	$1.15	$1.25
4	1.15	1.10	1.05	1.05	1.05	1.35	1.30	1.10	1.05	1.15
3A	1.10	1.05	1.00	1.00	1.00	1.30	1.25	1.05	1.00	1.10
3	1.05	1.00	.95	.95	.95	1.25	1.20	1.00	.95	1.05
2	1.00	.95	.90	.90	.90	1.20	1.15	.95	.90	1.00
1	.95	.90	.85	.85	.85	1.15	1.10	.90	.85	.95
SR	.85	.80	.75	.75	.75	1.05	1.00	.80	.75	.85
Cull	.70	.65	.60	.60	.60	.90	.85	.65	.60	.70

TABLE 5 (A)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 5

Group T switch ties (for use treated)	$40
Group U switch ties (for use untreated); white oak, 85% or more heart	43
Group U switch ties (for use untreated); yellow pine, 85% or more heart	43
Group U switch ties (for use untreated); red cypress, black cypress (tide water), black locust, 85% or more heart	34
Group U switch ties (for use untreated); yellow cypress, white cypress, 85% or more heart	34

ZONE 6—SOUTHWESTERN STATES

Zone 6 shall include points in the State of Florida, on the west bank of and west of the Apalachicola River; the States of Alabama, Mississippi, and Louisiana; points in the State of Arkansas on the south bank and south of the junction of the Red River; and extending south along the western boundaries of Miller, Lafayette and Saline Counties and on the south bank of and south of the junction of the southern boundary of Saline County and the Missouri River; and that part of the State of Illinois south of the northern boundaries of Monroe, Randolph, Perry, Franklin, Saline, and Gallatin Counties.

TABLE 6—MAXIMUM PRICES PER CROSS TIE, F. O. B. CARS, ZONE 6

Size	Group T ties (for use treated), species listed in sec. 3 (a)					Group U ties 85% or more heart (for use untreated)				
	Ta, Tc 8'6"	Tb, Td 8'6"	Td 8'0"	Ta 8'	Tb, Tc 8'	White oak		Yellow pine		Red cypress, black cypress, black locust
						Ua 8'6"	Ua 8'	Ub 8'6"	Ub 8'	Uc 8'6"
5	$1.30	$1.20	$1.15	$1.15	$1.15	$1.50	$1.45	$1.25	$1.20	$1.30
4	1.20	1.15	1.10	1.10	1.10	1.40	1.35	1.15	1.10	1.20
3A	1.15	1.10	1.05	1.05	1.05	1.35	1.30	1.10	1.05	1.15
3	1.10	1.05	1.00	1.00	1.00	1.30	1.25	1.05	1.00	1.10
2	1.05	1.00	.95	.95	.95	1.25	1.20	1.00	.95	1.05
1	.95	.90	.85	.85	.85	1.15	1.10	.90	.85	.95
SR	.85	.80	.75	.75	.75	1.05	1.00	.80	.75	.85
Cull	.70	.65	.60	.60	.60	.90	.85	.65	.60	.70

TABLE 6 (A)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 6

Group T switch ties (for use treated)	$40
Group U switch ties (for use untreated); white oak, 85% or more heart	43
Group U switch ties (for use untreated); yellow pine, 85% or more heart	43
Group U switch ties (for use untreated); red cypress, black cypress (tide water), black locust, 85% or more heart	34
Group U switch ties (for use untreated); yellow cypress, white cypress, 85% or more heart	34

ZONE 7—SOUTHERN BELT OR WEST CENTRAL STATES

Zone 7 shall include the State of Kansas; that part of the State of Oklahoma on the south bank of and north of the Arkansas River; that part of the State of Arkansas on the north bank of and north of the Arkansas River; that part of the State of Missouri south of the southern boundaries of Jackson, Lafayette and Saline Counties and on the south bank of and south of the junction of the southern boundary of Saline County and the Missouri River east of the junction of the southern boundary of Saline County and the Missouri River; and that part of the State of Illinois south of the northern boundaries of Monroe, Randolph, Perry, Franklin, Saline, and Gallatin Counties.

TABLE 7—MAXIMUM PRICES PER CROSS TIE, F. O. B. CARS, ZONE 7

Size	Group T ties (for use treated), species listed in sec. 3 (a)					Group U ties 85% or more heart (for use untreated)				
	Ta, Tc 8'6"	Tb, Td 8'6"	Td 8'0"	Ta 8'	Tb, Tc 8'	White oak		Yellow pine		Red cypress, black cypress, black locust
						Ua 8'6"	Ua 8'	Ub 8'6"	Ub 8'	Uc 8'6"
5	$1.35	$1.25	$1.20	$1.20	$1.20	$1.55	$1.50	$1.30	$1.25	$1.35
4	1.25	1.20	1.15	1.15	1.15	1.45	1.40	1.20	1.15	1.25
3A	1.20	1.15	1.10	1.10	1.10	1.40	1.35	1.15	1.10	1.20
3	1.15	1.10	1.05	1.05	1.05	1.35	1.30	1.10	1.05	1.15
2	1.10	1.05	1.00	1.00	1.00	1.30	1.25	1.05	1.00	1.10
1	1.00	.95	.90	.90	.90	1.20	1.15	.95	.90	1.00
SR	.90	.85	.80	.80	.80	1.10	1.05	.85	.80	.90
Cull	.75	.70	.65	.65	.65	.95	.90	.70	.65	.75

TABLE 7 (A)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 7

Group T switch ties (for use treated)	$40
Group U switch ties (for use untreated); white oak, 85% or more heart	43
Group U switch ties (for use untreated); yellow pine, 85% or more heart	43

ZONE 8—LAKE STATES

Zone 8 shall include the States of Minnesota and Wisconsin and that part of the State of Michigan between Lake Superior and Lake Michigan lying north of the Straits of Mackinac (known as the Upper Peninsula).

TABLE 8—MAXIMUM PRICE PER CROSS TIE, F. O. B. CARS, ZONE 8

Size	Group T ties (for use treated) species listed in sec. 2 (a)				Group U ties 85% or more heart (for use untreated)—White Oak	
	Ta, Tc 8'6"	Tb, Td 8'6"	Ta, Tc 8'	Tb, Td 8'	Ua 8'6"	Ua 8'
5	$1.00	$1.40	$1.50	$1.30	$1.70	$1.60
4	1.45	1.25	1.35	1.15	1.55	1.45
3A	1.30	1.10	1.20	1.00	1.40	1.30
3	1.25	1.05	1.15	.95	1.35	1.25
2	1.15	.95	1.05	.85	1.25	1.15
1	1.05	.85	.95	.75	1.15	1.05
SR	.60	.50	.55	.45	.70	.65
Cull	.30	.25	.20	.20	.40	.30

TABLE 8 (A)—MAXIMUM PRICES PER 1,000 FEET BOARD MEASURE FOR SWITCH TIES 7" X 9" 9' TO 16' F. O. B. CARS, ZONE 8.

Group T switvh ties (for use treated)	$43
Group U switch ties (for use untreated) white oak, 85% or more heart	45

(a) *Additions.* The following additions may be made to the maximum prices set forth above in Tables 1 through 8:

(1) For 9' cross ties: add $0.05 per tie to the maximum price listed in the proper zone for the required size and species of 8'6" cross tie.

(2) For seasoning cross ties and switch ties which are to be preservatively treated:

6% may be added to Class Tb (softwoods) maximum prices if seasoned 90 days or longer.

10% may be added to Class Ta, Tc, and Td (hardwoods) maximum prices if seasoned longer than 90 days but less than 180 days.

12½% may be added to Class Ta, Tc, and Td (hardwoods) maximum prices if seasoned 180 days or longer.

(3) For switch ties longer than 16': add to the maximum prices in the proper zone:

$3.00 per 1,000 feet board measure to and including 20'.

$7.00 per 1,000 feet board measure for over 20' to and including 24'.

$15.00 per 1,000 feet board measure for over 24' to and including 28'.

$20.00 per 1,000 feet board measure for over 28'.

(4) For switch ties sold and loaded in sets in accordance with the requirements of the purchaser: add $2.50 per 1,000 feet board measure to the maximum prices listed in the proper zones.

(b) *Deductions.* If ties are not loaded on railroad cars or on barges or stacked for seasoning in a treating plant yard within the area of production by the seller, the following deductions from the prices in the above Tables 1 through 8 must be made:

(1) For 7" ties (Sizes 3A, 4 and 5): deduct 4 cents per tie.

(2) For other sizes (Culls, SR, 1, 2 and 3): deduct 3 cents per tie.

(3) For switch ties: deduct $1.00 per M'BM.

(c) *Odd sizes.* (1) The Maximum prices for narrow gauge ties shall be the same maximum prices on a per 1,000 feet board measure basis as the corresponding size of 8'0" tie.

(2) For switch ties other than 7" x 9" the maximum price shall be the same maximum price on a per 1,000 feet board measure basis as the 7" x 9" switch tie.

This regulation shall become effective September 26, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14577; Filed, Sept. 21, 1944; 11:55 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 558]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

In the judgement of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 558—EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

Sec.

1. Sales of Eastern wooden mine material and industrial blocking at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Special pricing.
7. Adjustable pricing.
8. Exports and imports.
9. Records.
10. Petitions for amendment and adjustment.
11. Prohibited practices.
12. Enforcement.
13. Licensing.
14. Maximum Prices for Eastern wooden mine materials and industrial blocking.

AUTHORITY: § 1426.257, issued under 56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

*Copies may be obtained from the Office of Price Administration.

SECTION 1. *Sales of wooden mine materials and industrial blocking at higher than maximum prices prohibited.* (a) On and after September 26, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall buy or receive in the course of trade or business any Eastern wooden mine materials and industrial blocking covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. *Coverage of the regulation.* (a) This regulation covers all sales and purchases of wooden mine materials and industrial blocking produced in that part of the United States east of a line approximating the one hundredth meridian except North Dakota and South Dakota. Mine car lumber, mine shaft guides, and brattice boards are not covered, but are subject to the appropriate lumber price regulations. Production zones are defined in the heading of each price table in section 14.

(b) *Definitions.* (1) "Wooden mine materials" means any ties, switch ties, cross bars, cribbing, lagging, post caps, wedges, or pit posts used in mines.

(2) "Industrial blocking" means mixed hardwoods that are sawn to specified sizes and of a grade meeting the require-

ments of steel mills and like users, for bracing and blocking their products in shipment.

(3) "Standard open pit mine ties" means ties 8' in length, manufactured from woods-run timber 8" or larger in top diameter. "Small" open pit mine ties are the same except that they are manufactured from timber 7" to 8" in top diameter.

(4) "Normal loading-out point" means the siding or point on a railroad at which wooden mine materials and industrial blocking may be sold and to which the forest products can be most cheaply transported from the point of production for shipment by rail.

SEC. 3. *Basic maximum prices.* The maximum prices for Eastern wooden mine materials and industrial blocking are set out in section 14.

SEC. 4. *Transportation addition.* The transportation charges set forth below may be added to the maximum "normal loading-out point" price when the seller makes delivery. Transportation from the mill or point of production to the "normal loading-out point" must, in every instance, be provided on the seller's account. Rail charges paid by the seller for transportation beyond the loading-out point may, in every case, be added, except that the case of pit posts, props and split or round lagging, the only permissible addition is the amount by which the actual freight charges paid exceed the rate of 15 cents per 100 pounds. Transportation additions for open pit mine ties delivered to mines in Zone 5 are set out in footnote 1 to Table 5 (c).

All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* When estimated weights are used, the appropriate published rate times the estimated weight is the proper transportation charge, even though the estimated weights may be higher than actual. Estimated weights higher than those set forth in section 14 may not be used.

The charge for transportation shall be evened out to the nearest quarter-dollar per M'BM, or quarter-cent per piece, whichever is applicable.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls not over 10 miles; 7 cents per 100 pounds for more than 10 but not over 20 miles; 9 cents per 100 pounds for more than 20 but not over 30 miles, and on hauls of more than 30 miles, for each mile over 30 two-tenths of a cent per 100 pounds to be added to the 30 mile charge. No addition is allowed for the return trip. In the case of poles and piling only, if the order is for less than a truck load a minimum charge for 10,000 pounds may be made.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the census of 1940. On shipments by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such hauls times the estimated weights or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

SEC. 5. *Treated products.* (a) The maximum prices for Eastern wooden mine materials and industrial blocking preservatively treated by pressure process are established by Maximum Price Regulation No. 491.[1]

(b) The maximum price for any Eastern wooden mine material and industrial blocking preservatively treated by non-pressure methods shall be the maximum price established by the General Maximum Price Regulation[2] for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest untreated price f. o. b. loading-out point, paid in March 1942 by this seller of treated products and the maximum price established in this regulation for the same size and grade of untreated product. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated product. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated product. (If the seller of a treated product did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated product.)

SEC. 6. *Special pricing.* If a seller wishes to sell a specification of Eastern Wooden Mine Materials and Industrial Blocking not specifically priced in this regulation, or wishes to make changes for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information:

(a) The requested price;

(b) A complete description of the item for which price approval is desired;

(1) If a specification other than those provided by the regulation, he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Exports and imports.* (a) The maximum price for export sales of Eastern wooden mine materials and industrial blocking is governed by the Second Revised Maximum Export Price Regulation.[3]

(b) For wooden mine materials and industrial blocking produced in Canada or Mexico and imported at points in "Eastern" territory in the United States, the Maximum price is the price "f. o. b. normal loading-out point" established in this regulation for the zone in which the port of entry is located, and such port of entry shall be regarded as the "normal loading-out point". Wooden mine materials and industrial blocking of Canadian or Mexican origin entered at points in "Western" territory are subject to Maximum Price Regulation 556.[4]

SEC. 9. *Records.* All sellers of eastern wooden mine material and industrial blocking must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the names and addresses of the seller. These records must be kept for any month in which the seller or buyer sold or bought $500.00 worth of eastern wooden mine material and industrial blocking. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 10. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[5] for adjustment provisions on certain Government contracts or sub-contracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[6] issued by the Office of Price Administration.

SEC. 11. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount larger than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(c) *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling, or locating Eastern wooden mine materials or industrial blocking.

SEC. 12. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 13. *Licensing.* The provisions of Licensing Order No. 1,[7] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Maximum prices for Eastern wooden mine materials and industrial blocking.* The maximum prices, except for pit posts and round or split lagging, shown in this section, are f. o. b. cars at the railroad loading-out point which is the "normal loading-out point" as defined in section 2(b)(4).

All diameters specified in the following tables in this section refer to measurement taken at the small end and under the bark.

ZONE 1—NORTHEASTERN AND NORTH CENTRAL STATES

Zone 1 shall include the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania; the counties of Mineral, Preston, Grant, Randolph, Upshur, Wetzel, Hampshire, Hardy, Tucker, Barbour, Monongalia, Taylor, Marion, Ohio, Marshall, Brooke, and Hancock in the State of West Virginia; the counties of Garrett and Allegany in the State of Maryland; that part of the State of Michigan, lying between Lake Huron and Lake Michigan, south of the Straits of Mackinac (known as the Lower Peninsula of Michigan); that part of the States of Indiana and Ohio located on and north of the main line of the Pennsylvania Railroad between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois north of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough and Hancock; that part of the State of Iowa north of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass, and Pottawattamie.

TABLE 1—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROPS, PRODUCED IN ZONE 1 AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per post]

Top diameters inside bark	4 inches		4½ inches		5 and 5½ inches		6 and 6½ inches		7 and 7½ inches	
Length	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
2'0" round	12	$0.045	14.75	$0.05	18	$0.06				
2'2"	13	.045	16	.05	19.5	.06				
2'4"	14	.05	17.25	.055	21	.065				
2'6"	14.75	.055	18.5	.06	22.5	.07				
2'8"	15.75	.06	19.75	.065	24	.075				
2'10"	16.75	.065	21	.07	25.5	.08				
3'0"	17.75	.07	22	.075	27	.085				
3'2"	18.75	.075	23.25	.08	28.5	.09				
3'4"	19.5	.08	24.5	.085	30	.095				
3'6"	20.5	.085	26	.09	31.5	.10				
3'8"	21.5	.09	26.5	.095	33	.105				
3'10"	22.5	.095	28	.10	34.5	.11				
4'0"	23.5	.10	29.5	.105	36	.115	51	$0.14		
4'2"	24.5	.105	30.5	.11	37.5	.12	53	.145		
4'4"	25.5	.11	32	.115	39	.125	55	.15		
4'6"	26.5	.115	33	.12	40.5	.13	57.5	.16		
4'8"	27.5	.12	34.5	.13	42	.14	58	.17		
4'10"	28.5	.13	36	.14	43.5	.15	61	.18		
5'0"	29.5	.14	37	.15	45	.16	64	.19		
5'2"	30.5	.15	38.5	.16	46.5	.17	66	.20		
5'4"	31.5	.16	40	.17	48	.18	68	.215		
5'6"	32.5	.17	41	.18	49.5	.19	70.5	.23		
5'8"	33.5	.18	42.5	.19	51	.20	73	.25		
5'10"	34.5	.19	43.5	.20	52.5	.21	75	.27		
6'0"	35.5	.20	44.5	.21	54	.22	77	.29		
6'2"	36.5	.21	46	.22	55.5	.26	79	.30		
6'4"	37.5	.22	47	.23	57	.24	81	.32		
6'6"	38.5	.23	48	.24	58.5	.255	83	.35		
6'8"	39.5	.24	49.5	.26	60	.27	85	.38		
6'10"	40.5	.25	50.5	.28	61.5	.29	87	.41		
7'0"	41.5	.26	52	.31	63	.33	89.5	.45	120	$0.47
7'6"	43.5	.29	55	.33	66.5	.36	99	.49	132	.53
8'0"	45.5	.32	59	.37	77	.44	109	.53	144	.59
8'6"			63	.40	84	.455	118	.57	156	.65
9'0"			66.5	.43	89	.47	126	.61	166	.71
9'6"			70	.47	94	.52	133	.65	175	.76
10'0"			74	.50	99	.575	139	.69	184	.81
10'6"					104	.60	146	.73	193	.86
11'0"					109	.625	153	.75	202	.91
11'6"					114	.65	160	.79	211	.96
12'0"					119	.685	167	.84	220	1.02
12'6"					124	.72	174	.89	229	1.07
13'0"					129	.76	181	.96	238	1.13
13'6"					134	.84	188	1.03	247	1.17
14'0"					139	.935	195	1.10	256	1.23
14'6"					144	1.02	202	1.17	265	1.27

NOTE: Peeled pit posts. For peeling 6" diameter and under, add $0.01 per lineal foot. For peeling over 6" diameter, add $0.015 per lineal foot.

[1] 8 F.R. 15894; 9 F.R. 8182, 9955.

[2] 9 F.R. 1335, 5120, 6106, 8150, 10199.

[3] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1034, 5923, 7201, 9634.

[4] 9 F.R. 10996.

[5] 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256.

[6] 9 F.R. 5791.

[7] 8 F.R. 13240.

TABLE 1 (A)—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROPS, PRODUCED IN ZONE 3 AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per post]

Top diameter inside bark	4"		4½"		5" and 5½"		6" and 6½"		7" and 7½"	
Length	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
2'0"	12	$0.065	14.75	$0.075	18	$0.085	22	$0.095	26	$0.11
2'3"	13	.065	16	.075	19	.085	23	.095	28	.11
2'6"	14	.065	17	.075	20	.085	24	.095	29	.11
2'9"	14	.065	17	.075	21	.085	25	.095	30	.11
3'0"	15	.065	18	.075	22	.085	26	.095	31	.11
3'3"	16	.065	19	.075	23	.085	27	.095	32	.11
3'6"	17	.065	20	.075	24	.085	28	.095	33	.11
3'9"	18	.065	21	.075	25	.085	29	.095	34	.11
4'0"	19	.065	22	.075	26	.085	30	.095	35	.11
4'3"	20	.065	23	.075	27	.085	31	.095	36	.11
4'6"	21	.065	24	.075	28	.085	32	.095	37	.11
4'9"	22	.065	25	.075	29	.085	33	.095	38	.11
5'0"	23	.065	26	.075	30	.085	34	.095	39	.11
5'3"	24	.065	27	.075	31	.085	35	.095	40	.11
5'6"	25	.065	28	.075	32	.085	36	.095	41	.11
5'9"	26	.065	29	.075	33	.085	37	.095	42	.11
6'0"	27	.065	30	.075	34	.085	38	.095	43	.11
6'3"	28	.065	31	.075	35	.085	39	.095	44	.11
6'6"	29	.065	32	.075	36	.085	40	.095	45	.11
6'9"	30	.065	33	.075	37	.085	41	.095	46	.11
7'0"	31	.065	34	.075	38	.085	42	.095	47	.11
7'3"	32	.065	35	.075	39	.085	43	.095	48	.11
7'6"	33	.065	36	.075	40	.085	44	.095	49	.11
7'9"	34	.065	37	.075	41	.085	45	.095	50	.11
8'0"	35	.065	38	.075	42	.085	46	.095	51	.11
8'3"	36	.065	39	.075	43	.085	47	.095	52	.11
8'6"	37	.065	40	.075	44	.085	48	.095	53	.11
8'9"	38	.065	41	.075	45	.085	49	.095	54	.11
9'0"	39	.065	42	.075	46	.085	50	.095	55	.11
9'3"	40	.065	43	.075	47	.085	51	.095	56	.11
9'6"	41	.065	44	.075	48	.085	52	.095	57	.11
9'9"	42	.065	45	.075	49	.085	53	.095	58	.11
10'0"	43	.065	46	.075	50	.085	54	.095	59	.11
10'3"	44	.065	47	.075	51	.085	55	.095	60	.11
10'6"	45	.065	48	.075	52	.085	56	.095	61	.11
10'9"	46	.065	49	.075	53	.085	57	.095	62	.11
11'0"	47	.065	50	.075	54	.085	58	.095	63	.11
11'3"	48	.065	51	.075	55	.085	59	.095	64	.11
11'6"	49	.065	52	.075	56	.085	60	.095	65	.11
11'9"	50	.065	53	.075	57	.085	61	.095	66	.11
12'0"	51	.065	54	.075	58	.085	62	.095	67	.11
12'3"	52	.065	55	.075	59	.085	63	.095	68	.11
12'6"	53	.065	56	.075	60	.085	64	.095	69	.11
12'9"	54	.065	57	.075	61	.085	65	.095	70	.11
13'0"	55	.065	58	.075	62	.085	66	.095	71	.11
13'3"	56	.065	59	.075	63	.085	67	.095	72	.11
13'6"	57	.065	60	.075	64	.085	68	.095	73	.11
13'9"	58	.065	61	.075	65	.085	69	.095	74	.11
14'0"	59	.065	62	.075	66	.085	70	.095	75	.11
14'3"	60	.065	63	.075	67	.085	71	.095	76	.11
14'6"	61	.065	64	.075	68	.085	72	.095	77	.11
14'9"	62	.065	65	.075	69	.085	73	.095	78	.11
15'0"	63	.065	66	.075	70	.085	74	.095	79	.11

Split quarters. 5" face split quarters same price as 5" round. 6" face split quarters same price as 6" round. 7" face split quarters same price as 7" round.

Triangular split props. 5" face 3 sides same price as 5" round. 6" face 3 sides same price as 6" round. 7" face 3 sides same price as 7" round. 8" face 3 sides same price as 8" round. 9" face 3 sides same price as 9" round.

NOTE: Peeled pit posts. For peeling 6" in diameter and under, add $0.01 per lineal foot. For peeling over 6" in diameter, add $0.015 per lineal foot.

Split halves. 7" face split halves same price as 5" round. 9" face split halves same price as 6" round. 10" face split halves same price as 7" round. 12" face split halves same price as 8" round.

TABLE 1 (B)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 1 F. O. B. LOADING-OUT POINTS

	Price each	Per M'BM		
		Price	Weight	
			Green	Dry
Mine ties and mine switch ties (mixed oak and hardwoods): all sizes		$30.00	5,400	3,900
Cross bars (collars) (mixed oak and hardwoods):				
All sizes up to and including 6" x 7"		20.00	5,400	3,900
All sizes over 6" x 7"		22.00	5,400	3,900
For specified lengths 18' and longer, add		3.00		
Short mine material (mixed oak and hardwoods):				
Post caps (headers) all sizes		20.00	5,400	3,900
Sawed cribbing blocks (lagging) all sizes		20.00	5,400	3,900
Wedges:				
14" x 1" x 5" x 12"	$0.018		5,400	3,900
14" x 1" x 5" x 12"	.018		5,400	3,900
14" x 1¼" x 5" x 12"	.021		5,400	3,900
14" x 2" x 5" x 12"	.028		5,400	3,900
14" x 3" x 5" x 12"	.041		5,400	3,900

TABLE 2—MAXIMUM PRICES FOR STANDARD PIT POSTS AND PROPS PRODUCED IN ZONE 1 AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per post]

Length:	4"		4½"		5" and 5½"		6" and 6½"		7" and 7½"	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
2'0"	12	$0.065	14.75	$0.075	18	$0.085	22	$0.095	26	$0.11
2'3"	13	.065	16	.075	19	.085	23	.095	28	.11
2'6"	14	.065	17	.075	20	.085	24	.095	29	.11
2'9"	14	.065	17	.075	21	.085	25	.095	30	.11
3'0"	15	.065	18	.075	22	.085	26	.095	31	.11
3'3"	16	.065	19	.075	23	.085	27	.095	32	.11
3'6"	17	.065	20	.075	24	.085	28	.095	33	.11
3'9"	18	.065	21	.075	25	.085	29	.095	34	.11
4'0"	19	.065	22	.075	26	.085	30	.095	35	.11
4'3"	20	.065	23	.075	27	.085	31	.095	36	.11
4'6"	21	.065	24	.075	28	.085	32	.095	37	.11
4'9"	22	.065	25	.075	29	.085	33	.095	38	.11
5'0"	23	.065	26	.075	30	.085	34	.095	39	.11
5'3"	24	.065	27	.075	31	.085	35	.095	40	.11
5'6"	25	.065	28	.075	32	.085	36	.095	41	.11
5'9"	26	.065	29	.075	33	.085	37	.095	42	.11
6'0"	27	.065	30	.075	34	.085	38	.095	43	.11
6'3"	28	.065	31	.075	35	.085	39	.095	44	.11
6'6"	29	.065	32	.075	36	.085	40	.095	45	.11
6'9"	30	.065	33	.075	37	.085	41	.095	46	.11
7'0"	31	.065	34	.075	38	.085	42	.095	47	.11
7'3"	32	.065	35	.075	39	.085	43	.095	48	.11
7'6"	33	.065	36	.075	40	.085	44	.095	49	.11
7'9"	34	.065	37	.075	41	.085	45	.095	50	.11
8'0"	35	.065	38	.075	42	.085	46	.095	51	.11
8'3"	36	.065	39	.075	43	.085	47	.095	52	.11
8'6"	37	.065	40	.075	44	.085	48	.095	53	.11
8'9"	38	.065	41	.075	45	.085	49	.095	54	.11
9'0"	39	.065	42	.075	46	.085	50	.095	55	.11
9'3"	40	.065	43	.075	47	.085	51	.095	56	.11
9'6"	41	.065	44	.075	48	.085	52	.095	57	.11
9'9"	42	.065	45	.075	49	.085	53	.095	58	.11
10'0"	43	.065	46	.075	50	.085	54	.095	59	.11
10'3"	44	.065	47	.075	51	.085	55	.095	60	.11
10'6"	45	.065	48	.075	52	.085	56	.095	61	.11
10'9"	46	.065	49	.075	53	.085	57	.095	62	.11
11'0"	47	.065	50	.075	54	.085	58	.095	63	.11
11'3"	48	.065	51	.075	55	.085	59	.095	64	.11
11'6"	49	.065	52	.075	56	.085	60	.095	65	.11
11'9"	50	.065	53	.075	57	.085	61	.095	66	.11
12'0"	51	.065	54	.075	58	.085	62	.095	67	.11
12'3"	52	.065	55	.075	59	.085	63	.095	68	.11
12'6"	53	.065	56	.075	60	.085	64	.095	69	.11
12'9"	54	.065	57	.075	61	.085	65	.095	70	.11
13'0"	55	.065	58	.075	62	.085	66	.095	71	.11
13'3"	56	.065	59	.075	63	.085	67	.095	72	.11
13'6"	57	.065	60	.075	64	.085	68	.095	73	.11
13'9"	58	.065	61	.075	65	.085	69	.095	74	.11
14'0"	59	.065	62	.075	66	.085	70	.095	75	.11
14'3"	60	.065	63	.075	67	.085	71	.095	76	.11
14'6"	61	.065	64	.075	68	.085	72	.095	77	.11
14'9"	62	.065	65	.075	69	.085	73	.095	78	.11
15'0"	63	.065	66	.075	70	.085	74	.095	79	.11

TABLE 3 (A)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 2, F. O. B. LOADING-OUT POINTS

	Price each	Per M'BM		
		Price	Weight	
			Green	Dry
Mine ties and mine switch ties (mixed oak and hardwoods) all sizes		$30.50	5,400	3,900
Cross bars (collars) (mixed oak and hardwoods):				
All sizes up to and including 6" x 7"		20.50	5,400	3,900
All sizes over 6" x 7"		22.50	5,400	3,900
For specified lengths 18' and longer, add		3.00		
Short mine material (mixed oak and hardwoods):				
Post caps (headers) all sizes		20.50	5,400	3,900
Sawed cribbing blocks (lagging) all sizes		20.50	5,400	3,900
Wedges:				
14" x 1" x 5" x 12"	$0.018		5,400	3,900
14" x 1" x 5" x 12"	.018		5,400	3,900
14" x 1¼" x 5" x 12"	.021		5,400	3,900
14" x 2" x 5" x 12"	.028		5,400	3,900
14" x 3" x 5" x 12"	.041		5,400	3,900

TABLE 3 (B)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 2, F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7" (mixed oak and hardwoods)	$30.50	5,400	3,900
All sizes over 6" x 7" (mixed oak and hardwoods)	32.50	5,400	3,900
All lengths specified shorter than 6', add $3.00.			

ZONE 3—SOUTH EASTERN STATES

Zone 3 shall include all of the State of Virginia, except the 10 Virginia counties included in Zone 2; the States of Kentucky; North Carolina; South Carolina; Georgia and Tennessee and that part of the State of Florida on the east bank of and east of the Apalachicola River.

TABLE 3—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROPS PRODUCED IN ZONE 3 AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per post]

Diameters	4 inches		5 inches		6 inches		7 inches		8 inches	
Length	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
2'0"	11	$0.065	16.5	$0.06					—	
2'3"	12	.065	17.5	.06						
2'6"	13	.06	19	.065						
2'9"	14	.06	20.5	.065						
3'0"	15	.065	21.5	.07						
3'3"	15.5	.07	23	.075						
3'6"	16	.07	24	.085						
3'9"	17	.08	25	.09						
4'0"	18	.085	27.5	.09						
4'3"	19	.085	29	.095						
4'6"	20	.09	30.5	.10	43	$0.12				
4'9"	21	.095	31.5	.105	44.5	.125				
5'0"	22	.10	33	.105	46	.13	53	$0.15	58	$0.24
5'3"	23	.10	34.5	.11	47.5	.135	61	.19	92	.25
5'6"	24	.105	35.5	.13	49.5	.14	64	.205	96	.25
5'9"	25	.11	37	.13	52	.145	67	.22	90	.27
6'0"	26	.115	38.5	.135	53	.15	70	.225	103	.28
6'3"	27	.12	39.5	.14	55	.16	73	.23	107	.29
6'6"	28	.13	41	.15	57.5	.17	76	.24	110	.30
6'9"			43	.16	59	.18	79	.25	114	.31
7'0"			44	.165	61	.185	82	.255	118	.33
7'3"			45.5	.17	63	.19	85	.26	121	.33
7'6"			47	.175	65	.195	88	.265	126	.34
7'9"			48	.18	67	.20	91	.27	129	.35
8'0"			49.5	.185	69	.205	94	.28	133	.36
8'3"			51	.19	71	.21	97	.29	136	.38
8'6"			52	.20	72.5	.22	100	.31	140	.40
8'9"			53.5	.21	75	.23	102	.33	143	.43
9'0"			55	.22	76.5	.25	105	.35	147	.46
9'3"			56	.23	78.5	.27	108	.35	151	.49
9'6"			58	.25	80.5	.30	110	.40	154	.52
9'9"					86	.33	118	.43	165	.55
10'0"					98	.35	126	.45	176	.56
10'3"					106	.38	138	.50	187	.62
10'6"					113	.41	150	.53	198	.65
10'9"					118	.44	159	.55	209	.68
11'0"					126	.47	168	.60	220	.72
11'3"					130	.53	176	.63	231	.75
11'6"					136	.55	184	.66	242	.78
11'9"					142	.58	193	.69	253	.81
12'0"					148	.60	201	.73	264	.84
12'3"					154	.63	209	.75	275	.87
12'6"							217	.78	286	.92
12'9"							225	.81	297	.96
13'0"							233	.84	308	1.00
13'6"							241	.86	319	1.04
14'0"										
14'6"										

TABLE 4—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 1 AND DELIVERED ON A 15 CENT FREIGHT RATE

	Price each	Per M'BM		
		Price	Weight	
			Green	Dry
Mine ties and mine switch ties (mixed oak and hardwoods): all sizes		$30.00	5,400	3,900
Cross bars (collars) (mixed oak and hardwoods):				
All sizes up to and including 6" x 7"		20.00	5,400	3,900
All sizes over 6" x 7"		22.00	5,400	3,900
For specified lengths 18' and longer, add		3.00		
Short mine material (mixed oak and hardwoods):				
Post caps (headers) all sizes		20.00	5,400	3,900
Sawed cribbing blocks (lagging) all sizes		20.00	5,400	3,900
Wedges:				
1¼" x 1" x 5" x 12"	$0.018		5,400	3,900
1¼" x 1" x 5" x 12"	.018		5,400	3,900
1¼" x 1¼" x 5" x 12"	.021		5,400	3,900
1¼" x 2" x 5" x 12"	.028		5,400	3,900
1¼" x 3" x 5" x 12"	.041		5,400	3,900

TABLE 5—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 2 F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7" (mixed oak and hardwoods)	$30.50	5,400	3,900
All sizes over 6" x 7" (mixed oak and hardwoods)	32.50	5,400	3,900
All lengths specified shorter than 6', add $3.00.			

ZONE 1—EAST CENTRAL AND WEST CENTRAL STATES

Zone 1 shall include the States of Delaware and Maryland except Garrett and Allegany Counties; the District of Columbia; that part of the State of Virginia, in Loudoun, Clarke, Warren, Frederick, Shenandoah, Page, Rockingham, Augusta, Highland, and Bath Counties; the State of West Virginia except the seventeen counties included in Zone 1; that part of the States of Ohio and Indiana, not on, but south of, the main line of the Pennsylvania Railroad extending between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois south of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough, and Hancock; that part of the State of Iowa south of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass and Pottawattamie; the State of Nebraska; that part of the State of Missouri; the State of Kansas; that part of the State of Oklahoma on the north bank of and north of the Arkansas River; that part of the State of Arkansas on the north bank of and north of the Arkansas River.

NOTE: Peeled pit posts. For peeling 6" in diameter and under, add $0.01 per lineal foot. For peeling over 6" in diameter, add $0.015 per lineal foot.

Split halves. 7" face split halves same price as 5" round. 9" face split halves same price as 6" round. 10" face split halves same price as 7" round. 12" face split halves same price as 8" round.

Split quarters. 5" face split quarters same price as 5" round. 6" face split quarters same price as 6" round. 7" face split quarters same price as 7" round. 8" face split quarters same price as 8" round.

Triangular split props. 5" face 3 sides same price as 4" round. 6" face 3 sides same price as 5" round. 7" face 3 sides same price as 6" round. 8" face 3 sides same price as 7" round. 9" face 3 sides same price as 8" round.

TABLE 3 (A)—MAXIMUM PRICE PER POST FOR UNPEELED PIT POSTS AND PROPS

(F. o. b. cars railroad loading-out point in the Counties of Bedford, Franklin, Campbell, Amherst, Appomattox, Prince Edward, and Charlotte in the State of Virginia)

Length	Diameters			
	5"	6"	7"	8"
	Price	*Price*	*Price*	*Price*
6'0"	$0.18	$0.20	$0.24	$0.27
6'2"	.185	.21	.245	.275
6'4"	.19	.21	.25	.28
6'6"	.195	.22	.255	.285
6'8"	.20	.23	.26	.29
6'10"	.205	.24	.27	.30
7'0"	.21	.245	.28	.31
7'6"	.225	.26	.30	.335
8'0"	.24	.28	.33	.34
8'6"	.255	.30	.34	.38
9'0"	.27	.315	.36	.40
9'6"	.285	.33	.38	.435
10'0"	.30	.35	.40	.45
10'6"	.34	.39	.44	.50
11'0"	.385	.44	.49	.55
11'6"	.40	.46	.51	.575
12'0"	.43	.49	.54	.60
12'6"	.435	.50	.56	.625
13'0"	.455	.52	.58	.65
13'6"	.47	.54	.60	.675
14'0"	.49	.56	.63	.70
14'6"	.51	.58	.64	.725

NOTE: Lengths shorter than 6'0" shall be governed by the maximum prices and provisions of Table 3.

TABLE 3 (B)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 3 F. O. B. LOADING-OUT POINTS

	Price	Per M'BM	
		Weight	
		Green	Dry
Mine ties and mine switch ties (mixed oak and hardwoods): All sizes	$30.00	5,400	3,900
Cross bars (collars) (mixed oak and hardwoods):			
All sizes up to and including 6" x 7"	20.00	5,400	3,900
All sizes over 6" x 7"	21.00	5,400	3,900
For specified lengths 18' and longer, add	3.00		
Short mine materials (mixed oak and hardwoods):			
Post caps (headers) all sizes	20.00	5,400	3,900
Cribbing (sawn lagging) all sizes	20.00	5,400	3,900
Wedges to specifications	40.00	5,400	3,900

TABLE 8 (C)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 8 F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7" (mixed oak and hardwoods)	$29.00	5,400	3,900
All sizes over 6" x 7" (mixed oak and hardwoods)	31.00	5,400	4,900
All lengths specified shorter than 6', add $3.00.			

Zone 4—South Western States

Zone 4 shall include points in the State of Florida, on the west bank of and west of the Apalachicola River; the States of Alabama, Mississippi and Louisiana; points in the State of Arkansas on the south bank and south of the Arkansas River; points in the State of Oklahoma on the south bank and south of the Arkansas River, but excluding points in Cimarron, Beaver, and Texas Counties, Oklahoma; points in the State of Texas on and east of a line beginning at the junction of the west boundary of Hardeman County and the Red River, and extending south along the western boundaries of Hardeman, Foard, Knox, Haskell, Jones, Taylor, Runnels, Concho, Menard, Kimble, Kerr, Real, Uvalde, Zavala, Dimmit, and Webb Counties, Texas to the Rio Grande River.

TABLE 4—MAXIMUM PRICE FOR UNPEELED PIT POSTS AND PROPS PRODUCED IN ZONE 4 AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per post]

Diameter	4"		5"		6"		7"		8"	
Length	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
1'3"	9	$0.05	14	$0.055						
1'10"	9.5	.05	15	.055						
2'0"	10.5	.055	15.5	.06						
2'2"	11	.055	17	.06						
2'4"	12	.06	18.5	.065						
2'6"	13	.06	19.5	.065						
2'8"	13.5	.065	21	.07						
2'10"	14.5	.065	22	.07						
3'0"	15.5	.07	23.5	.075	33.5	$0.08				
3'2"	16	.07	25	.075	35	.085				
3'4"	17	.075	26	.08	37	.085				
3'6"	18	.075	27.5	.08	39	.09				
3'8"	19	.08	29	.085	41	.095				
3'10"	20	.08	30	.085	43	.10				
4'0"	21	.085	31	.09	44.5	.105				
4'2"	21.5	.085	32.5	.09	46	.11				
4'4"	22.5	.09	34	.095	48	.11				
4'6"	23.5	.09	35	.095	50	.115				
4'8"	24	.095	36.5	.10	52	.12				
4'10"	25	.095	38	.10	54	.125				
5'0"	26	.10	39	.105	55.5	.13	74.5	$0.23	96.5	$0.33
5'2"	26.5	.10	40.5	.105	56	.135	77	.24	99	.34
5'4"	27.5	.105	42	.11	58.5	.14	79	.245	102	.35
5'6"	28.5	.105	43	.115	61	.145	82	.25	105	.36
5'8"	29	.11	44.5	.12	63	.15	84	.255	109	.37
5'10"	30	.11	46	.125	65	.155	86	.26	112	.38
6'0"	31	.115	47	.13	66.5	.16	88.5	.26	116	.39
6'2"			48.5	.13	68	.16	90	.265	119	.395
6'4"			49.5	.135	70	.165	93	.27	122	.40
6'6"			50.5	.14	72	.17	97	.275	125.5	.405
6'8"			52	.145	74	.17	99	.28	129	.41
6'9"			53	.15	76	.175	102	.29	132	.42
1'10"			54.5	.155	77.5	.185	104.5	.30	135	.435
7'0"					83	.22	112	.34	145	.47
7'6"					92	.25	124	.37	158	.51
8'0"					101	.28	136	.40	171	.54
7'6"					108	.30	144	.43	184	.57
7'0"					115	.32	152	.46	193	.60
6'6"					122	.37	160	.50	205	.64
9'0"					128	.41	168	.54	215	.68
9'6"					136	.44	176	.58	225	.72
11'6"					143	.48	184	.62	235	.76
11'6"					150	.51	193	.65	245	.80
13'6"					157	.56	200	.68	255	.84
12'6"					168	.60	208	.71	265	.88
13'0"					170	.64	216	.74	275	.92
13'6"					177	.68	224	.77	285	.96
14'0"					184	.73	233	.80	295	1.02
14'6"										

NOTE: Peeled pit posts. For peeling 6" in diameter and under, add $0.01 per lineal foot. For peeling over 6" in diameter, add $0.015 per lineal foot.

TABLE 4 (A)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 4, F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties (mixed hardwoods and pine): All sizes	$25.00	5,400	3,900
Cross bars (collars) (mixed hardwoods and pine): All sizes up to and including 6" x 7"	25.00	5,400	3,900
All sizes over 6" x 7"	27.00	5,400	3,900
For specified lengths 19' and longer, add	3.00		
Short mine materials (mixed hardwoods and pine): Post caps (headers) all sizes	25.00	5,400	3,900
Cribbing blocks (sawn lagging) all sizes	25.00	5,400	3,900
Wedges to specifications	30.00	5,400	3,900

TABLE 4 (B)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 4, F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7" (mixed oak and hardwoods)	$25.00	5,400	3,900
All sizes over 6" x 7" (mixed oak and hardwoods)	27.00	5,400	3,900
All lengths specified shorter than 6', add	3.00		

Zone 5—Lake States

Zone 5 shall include the States of Minnesota and Wisconsin and that part of the State of Michigan between Lake Superior and Lake Michigan lying north of the Straits of Mackinac (known as the Upper Peninsula).

Split halves. 7" face split halves same price as 5" round. 9" face split halves same price as 6" round. 10" face split halves same price as 7" round. 12" face split halves same price as 8" round.

Split quarters. 5" face split quarters same price as 5" round. 6" face split quarters same price as 6" round. 7" face split quarters same price as 7" round. 8" face split quarters same price as 8" round.

Triangular split props. 5" face 3 sides same price as 4" round. 6" face 3 sides same price as 5" round. 7" face 3 sides same price as 6" round. 8" face 3 sides same price as 7" round. 9" face 3 sides same price as 8" round.

TABLE 5—MAXIMUM PRICES FOR ROUND UNPEELED PIT POST, PROPS POLE TIMBER AND CRIBBING PRODUCED IN MINNESOTA AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per lineal foot]

Top diameter inside bark	Mixed hardwoods and hemlock				Tamarack				Jack, Norway, white pine and spruce			
	All lengths 8 feet and under		All lengths over 8 feet		All lengths 8 feet and under		All lengths over 8 feet		All lengths 8 feet and under		All lengths over 8 feet	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3" to 5"	10	$0.025	11	$0.03								
5" to 7"	18	.05	19	.055								
7" to 9"	29	.09	31	.10								
9" to 11"	43	.12	45	.13								
11" to 13"	59	.16	62	.17								
13" to 15"	78	.19	81	.20								
15" to 17"	97	.235	100	.245								
3" to 5"					8.5	$0.03	9.5	$0.035	7.5	$0.03	8.5	$0.025
5" to 6"					12	.045	13	.05	11	.03	12	.035
6" to 7"					16	.075	17	.085	14.5	.04	15.5	.05
7" to 8"					21	.105	22	.115	18.5	.065	19.5	.075
8" to 9"					26	.135	27	.145	23	.09	24	.10
9" to 10"					31	.17	32	.18	28	.12	29.5	.13
10" to 11"					37	.205	39	.215	34	.14	35.5	.15
11" to 12"					44	.24	46	.25	40	.17	42	.18
12" to 13"									46	.21	48	.22
13" to 14"									53	.24	55	.25
14" to 15"									61	.29	63	.30

TABLE 5 (A)—ROUND UNPEELED PIT POSTS, PROPS, POLE TIMBER AND CRIBBING PRODUCED IN WISCONSIN AND THE UPPER PENINSULA OF MICHIGAN DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per lineal foot]

Top diameter inside bark	Mixed hardwoods and hemlock				Tamarack				Jack, Norway, White Pine and Spruce			
	All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3" to 5"	10	$0.025	11	$0.03								
5" to 7"	18	.05	19	.055								
7" to 9"	29	.09	31	.10								
9" to 11"	43	.12	45	.13								
11" to 13"	59	.16	62	.17								
13" to 15"	78	.19	81	.20								
15" to 17"	97	.235	100	.245								
3" to 4"					7.5	$0.03	8.5	$0.035				
4" to 5"					9.5	.04	10.5	.045				
5" to 6"					12	.06	13	.055				
6" to 7"					16	.075	17	.085				
7" to 8"					21	.105	22	.105				
8" to 9"					26	.135	27	.125				
9" to 10"					31	.17	32	.17				
10" to 11"					37	.205	39	.205				
11" to 12"					44	.24	46	.24				
3" to 5"									7.5	$0.02	8.5	$0.025
5" to 6"									11	.03	12	.035
6" to 7"									14.5	.04	15.5	.05
7" to 8"									18.5	.055	19.5	.075
8" to 9"									23	.09	24	.10
9" to 10"									28	.12	29.5	.13
10" to 11"									34	.14	35.5	.15
11" to 12"									40	.17	42	.18
12" to 13"									46	.21	48	.22
13" to 14"									53	.24	55	.25
14" to 15"									61	.29	63	.30

NOTE: Peeled pit posts. For peeling pit posts 8" in diameter and under, add $0.01 per lineal foot. For peeling pit posts over 8" in diameter, add $0.015 per lineal foot.

TABLE 5 (B)—MAXIMUM PRICE FOR ROUND OR SPLIT LAGGING PRODUCED IN ZONE 5 DELIVERED ON A 15 CENT FREIGHT RATE

[128 cubic foot cord]

	Price per cord	Weight in lbs. per cord
Split cedar lagging	$15.00	3,200
Round or split jack pine or poplar	15.50	5,000

TABLE 5 (C)—MAXIMUM PRICE FOR OPEN-PIT MINE TIES PRODUCED IN ZONE 5 F. O. B. LOADING-OUT POINTS

	Each
8' Standard tamarack mine cross ties (manufactured from 8" and larger timber)	$1.20
8' Small tamarack mine cross ties (manufactured from 7" to 8" timber)	.70
8' Standard white oak mine cross ties (manufactured from 8" and larger timber)	1.47

TABLE 5 (C)—MAXIMUM PRICE FOR OPEN-PIT MINE TIES PRODUCED IN ZONES 5 F. O. B. LOADING-OUT POINTS—continued

	Each
8' Small white oak mine cross ties (manufactured from 7" to 8" timber)	$0.80
	Per M'BM
Tamarack mine switch ties	$42.00
White oak mine switch ties	45.00

FOR MINE SWITCH TIES SOLD AND LOADED IN SETS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PURCHASER, ADD $2.50 PER M'BM

NOTE: To figured delivered prices in Zone 5 instead of using the provisions of section 4, the following amounts may be added to above prices regardless of the production point.

	Each
Standard tamarack mine cross ties	$0.15
Small tamarack mine cross ties	.10
Standard white oak mine cross ties	.20
Small white oak mine cross ties	.15
	Per M'BM
White oak and tamarack mine switch ties	$7.50

TABLE 5 (D)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 5, F. O. B. CARS LOADING OUT POINTS

	Price	Per M'BM (weight)	
		Green	Dry
Underground mine ties and mine switch ties (mixed hardwoods): All sizes	$30.50	5,400	3,900
Cross-bars (collars) (mixed hard woods): All sizes up to and including 6" x 7"	30.50	5,400	3,900
All sizes over 6" x 7"	32.50	5,400	3,900
For specified lengths 19' and longer, add	3.00		
Short mine material (mixed hard woods): Post caps (headers): All sizes	30.50	5,400	3,900
Wedges to specifications	30.50	5,400	3,900
Mine boards (mixed hardwoods): All thickness, widths and lengths	30.50	5,400	3,900

TABLE 5 (E)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 5, F. O. B. CARS LOADING-OUT POINTS

	Price	Per M'BM (weight)	
		Green	Dry
All sizes up to and including 6" x 7" (mixed hardwoods)	$30.50	5,400	3,900
All sizes over 6" x 7" (mixed hardwoods)	32.50	5,400	3,900
All lengths specified shorter than 6', add	3.00		

This regulation shall become effective September 26, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14575; Filed, Sept. 21, 1944; 11:55 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 560]

NORTHERN WHITE CEDAR POLES AND PILING

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 560—NORTHERN WHITE CEDAR POLES AND PILING

Sec.
1. Sales of Northern White Cedar poles and piling at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Special pricing.
7. Adjustable pricing.
8. Exports and imports.
9. Records.
10. Petitions for amendment and adjustment.
11. Prohibited practices.
12. Enforcement.
13. Licensing.
14. Maximum prices for Northern White Cedar poles and piling.

AUTHORITY: Secs. 1 to 14, inclusive, (§ 1426.-260) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Northern White Cedar poles and piling at higher than maximum prices prohibited.* (a) On and after September 26, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Northern White Cedar poles and piling covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the sellers submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. *Coverage of the regulation.* (a) This regulation covers all sales and purchases of Northern White Cedar (thuja occidentalis) poles and piling produced in that part of the United States east of a line approximating the one hundredth meridian except North Dakota and South Dakota. The principal production zone is defined in Section 14, Table 1.

(b) *Definitions.* (1) "Pole" means any round peeled or unpeeled section of a tree, longer than 14 feet, suitable for use to support transmission or communication lines at varying heights above the ground.

(2) "Piling" means the same as "pole" except that it must be suited for driving in the ground to form foundation for construction such as wharves, bulkheads, buildings, and the like.

(3) "Loading-out point" means the point or siding on a railroad where the poles or piling are or normally would be loaded for shipment by rail.

SEC. 3. *Basic maximum prices.* The maximum prices for Northern White Cedar poles and piling are set out in section 14.

SEC. 4. *Transportation addition.* Transportation from the point of production to the railroad loading-out point must, in every instance, be provided on the seller's account. Rail charges paid by the seller for transportation beyond the loading-out point may, in every case, be added. If the seller finds that by making transportation additions it is more profitable to sell at a loading-out point other than the one nearest to his point of production he has wrongly applied this section. All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* When estimated weights are used, the appropriate published rate times the estimated weight is the proper transportation charge, even though the estimated weights may be higher than actual. Estimated weights must be taken for the exact type of product actually ordered.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls not over 10 miles; 7 cents per 100 pounds for more than 10 but not over 20 miles; 9 cents per 100 pounds for more than 20 but not over 30 miles; and on hauls of more than 30 miles, for each mile over 30 two-tenths of a cent per 100 pounds to be added to the 30 mile charge. No addition is allowed for the return trip. If the order is for less than a truck load a minimum charge for 10,000 pounds may be made.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the census of 1940. On shipments by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such hauls times the estimated weights. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

(c) *Basing point.* In the case of Northern White Cedar poles or piling produced in Michigan, Minnesota, Wisconsin or imported from Canada and entering the United States at points in the above named states, the transportation addition may be computed as the estimated weights shown in the table in Section 14 times the rail freight rate from Gemmel, Minnesota.

SEC. 5. *Treated products.* (a) The maximum prices for Northern White Cedar poles and piling preservatively treated by pressure process are established by Maximum Price Regulation No. 491.[1]

(b) The maximum price for Northern White Cedar poles and piling preservatively treated by non-pressure methods (except as otherwise provided herein in Table 2) shall be the maximum price established by the General Maximum Price Regulation [2] for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest untreated price f. o. b. loading-out point, paid in March 1942 by this seller of treated products and the maximum price established in this regulation for the same class and grade of untreated product. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated product. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated product. (If the seller of a treated product did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated product.)

SEC. 6. *Special pricing.* If a seller wishes to sell a specification of Northern White Cedar poles not specifically priced in this regulation or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information.

(a) The requested price.

(b) A complete description of the item for which a price approval is desired.

(1) If a specification other than ASA is to be priced, he shall furnish a copy of the specification.

(2) If any other extra is to be priced he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential existed, a detailed analysis of comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until the price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Exports and imports.* (a) The maximum price for export sales of Northern White Cedar poles and piling is governed by the Second Revised Maximum Export Price Regulation.[3]

(b) For Northern White Cedar poles and piling produced in Canada and imported at points in "Eastern" territory in the United States, the basic maximum prices is the price f. o. b. loading-out point (or basing-point) established in this regulation for the area in which the port of entry is located. For purposes of figuring transportation additions, such port of entry (or basing-point) shall be regarded as the "loading-out point."

SEC. 9. *Records.* All sellers of Northern White Cedar poles and piling products must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $500.00 worth of Northern White Cedar poles and piling. These records must be kept for inspection by the Office of Price Administration for the duration of the Emergency Price Control Act of 1942 or for two years, whichever is the shorter.

SEC. 10. *Applications for adjustment and petitions for amendment.*—(a) *Government contracts.* See Procedural Regulations No. 6 [4] for adjustment provisions on certain government contracts or sub-contracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[5] issued by the Office of Price Administration.

SEC. 11. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount longer than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited.

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(4) Paying a commission for the service of procuring, buying, selling, or locating Northern White Cedar poles and piling or for any related service if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price of the products.

SEC. 12. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 13. *Licensing.* The provisions of Licensing Order No. 1,[6] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Maximum prices for poles and piling.*

TABLE 1—MAXIMUM PRICES FOR NORTHERN WHITE CEDAR POLES PRODUCED IN THE STATES OF MICHIGAN, MINNESOTA AND WISCONSIN, AMERICAN STANDARD ASSOCIATION SPECIFICATIONS FOR CLASS POLES, NORTHERN WHITE CEDAR ASSOCIATION SPECIFICATION FOR TOP DIAMETER POLES

[F. o. b. cars at the railroad loading-out point]

A. S. A. Length	A. S. A. Class	N. W. C. A. top diameter	Price	Weight
		Inches		
16 feet	5		$2.20	250
	6		1.65	190
	7		1.35	135
	8	6	1.25	135
	9	5	1.05	105
	10	4	.80	85
18 feet	1		7.90	720
	2		5.65	600
	3		3.90	540
	4		3.50	350
	5		3.10	300
	6		2.85	230
	7		2.55	190
	8	6	2.30	190
	9	5	1.90	130
	10	4	1.05	100
20 feet	1		7.90	720
	2		5.65	600
	3		3.90	540
	4		3.50	350
	5		3.10	300
	6		2.85	230
	7		2.55	190
	8	6	2.30	190
	9	5	1.60	130
	10	4	1.05	100

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 15594, 9 F.R. 8182, 9955.

[2] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[3] 8 F.R. 4182, 5967, 7662, 9906, 15193; 9 F.R. 1096, 3923, 7201, 9634, 11278.

[4] 7 F.R. 5067, 5684; 8 F.R. 6173, 6174, 12024; 9 F.R. 3256, 10628.

[5] 9 F.R. 8791, 10476.

[6] 9 F.R. 13240.

TABLE 1—MAXIMUM PRICE FOR NORTHERN WHITE CEDAR POLES, ETC.—Continued

[F. o. b. cars at the railroad loading-out point]

A. S. A. Length	Class	N. W. C. A. top diameter (inches)	Price	Weight
		Inches		
20 feet	1		$8.75	1,020
	2		7.90	780
	3		5.90	540
	4		5.10	420
	5		4.30	345
	6		3.65	300
	7		3.45	225
	8	6	2.85	225
	9	5	2.85	200
	10	4	2.10	180
25 feet	1		9.75	1,020
	2		7.90	780
	3		5.90	540
	4		5.10	420
	5		4.30	345
	6		3.65	300
	7		3.45	250
	8	6	2.85	250
	9	5	2.85	200
	10	4	2.10	180
30 feet	1		12.00	1,230
	2		10.55	1,170
	3		8.75	870
	4		7.15	630
	5		5.90	510
	6		5.09	420
	7		5.45	360
	8	6	3.15	360
	9	5	4.05	270
	10	4	2.10	180
35 feet	1		14.00	1,620
	2		12.65	1,380
	3		10.65	1,080
	4		10.35	930
	5		9.85	720
	6		8.20	630
	7		7.00	420
40 feet	1		14.85	2,040
	2		12.70	1,575
	3		12.45	1,320
	4		11.85	1,020
	5		10.65	780
	6		8.25	740
45 feet	1		18.00	2,640
	2		14.55	1,970
	3		13.85	1,625
	4		13.40	1,315
	5		12.20	1,080
	6		10.00	1,200
50 feet	1		17.00	2,640
	2		14.20	1,860
	3		13.85	1,470
	4		12.75	1,260
	5		34.00	2,000
	6		10.10	1,080
	7		14.75	1,200
	8		13.25	1,020
	9		14.00	1,560
55 feet	1		20.00	4,800
	2		24.50	3,450
	3		19.00	2,640
	4		17.80	3,200

On all sales of White Cedar Poles produced in any area other than that described in the heading of this table, the maximum prices in this table may be increased 15%.

Notes Applying to Table 1:

1. *Piling.* The maximum price for White Cedar piling shall be the price for the closest equivalent A. S. A. size pole in the same length.

2. *Cut back allowance.* When requirements of the buyer exceed the available supply of the seller, for one or more classes or lengths of poles for delivery required, the seller may cut back the most similar Class pole in the five foot longer length and may charge the maximum price for the class and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut-back poles, shall be those additions applicable to the class and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the concentration yards. No addition may be made for the labor in such cutting back operations. The seller shall keep a record of such sales and show this charge as a separate item on the invoice.

3. *Inspection service.* On shipments where the buyer requests special inspection service, furnished by an independent inspection agency, an addition may be made to cover the actual cost of such service. This charge shall be shown separately on the invoice.

4. *Less than carload sales.* On sales by established concentration, distribution or treating plant yards of less than carload minimum weight as established by railroad tariffs and when the invoice value at the maximum prices for the untreated poles or other round material does not exceed $250.00, the seller may add a service charge of not more than 25 percent of the total invoice value of the treated or untreated material not including transportation, but including the treating and processing additions in Table 2. The transportation addition on "less than carload" sales must not exceed that permitted in section 4 for transportation from the point of origin to the concentration, distribution or treating plant yard from which the sale is made. This service charge may be made only on sales f. o. b. seller's yard, with transportation out-bound for the buyer's account.

5. *Branding and marking.* If required by the buyer, the manufacturer's brand showing the year mark, class and length of pole must be branded on the face of treated poles including butt treated at no extra charge. For any additional branding or marking on treated poles including butt treated, and for all branding on untreated poles, an addition of not more than 7½¢ may be made for each additional branding or marking operation required by the buyer and performed with one iron.

6. *Untreated poles from treating plants.* On shipments from treating plant yards of untreated poles the seller may add a charge of not more than 7½¢ per cwt. times the estimated weight for that length and size in the appropriate table.

7. *Storage.* When the buyer requires storage of treated poles for a minimum of 30 days until released for shipment as required, the seller may add a yarding charge of not more than 5 cents per cwt. times the estimated weight for the same class and length in the appropriate table.

8. *Specifications not priced.* For any specifications of pole not priced in this table a maximum price addition may be determined in accordance with section 6.

TABLE 2—MAXIMUM PRICE ADDITIONS TO POLE PRICES FOR TREATING AND PROCESSING WHITE CEDAR POLES

A. S. A. Length	Class	N. W. C. A. top diameter (inches)	Butt treatment "A. A."	Butt treatment "B"	Butt treatment Incised with ½" guaranteed penetration creosote	Full length creosote or other preservative. No butt treatment, incised groundline area and under 8 hours hot treatment[1]	Roof only	Roof and one gain	Each additional gain	Staining or painting	Hand or machine shave
16 feet	8		$0.32	$0.91	$1.10	$1.32	$0.10	$0.20	$0.05	$0.10	$0.70
	9		.32	.91	1.03	1.23	.10	.20	.05	.05	.65
	7		.37	.98	.90	.70	.15	.20	.05	.05	.65
	6	6	.37	.98	.90	.70	.15	.20	.05	.05	.65
	9	5	.30	.43	.80	.60	.10	.20	.05	.05	.65
	10	4	.28	.43	.80	.60	.10	.20	.05	.05	.65
18 feet	1		1.45	2.10	2.30	2.40	.20	.30	.05	1.80	1.00
	2		1.32	2.01	2.19	2.28	.20	.30	.05	1.80	1.00
	3		.94	1.75	1.94	1.75	.20	.30	.05	1.45	.90
	4		.71	1.15	1.48	1.50	.15	.20	.05	1.20	.70
	5		.61	1.03	1.23	1.20	.15	.20	.05	1.05	.60
	6		.55	.91	1.18	1.00	.15	.20	.05	1.05	.60
	7		.49	.77	.96	.85	.10	.20	.05	1.00	.60
	8	6	.49	.77	.96	.85	.10	.20	.05	.75	.60
	9	5	.42	.77	.96	.85	.10	.20	.05	.75	.60
	10	4	.34	.77	.96	.85	.10	.20	.05	.75	.60
20 feet	1		2.00	3.35	4.25	3.25	.25	.35	.05	1.75	1.25
	2		1.66	2.67	3.41	2.95	.25	.30	.05	1.60	1.10
	3		1.13	2.19	2.90	2.60	.25	.30	.05	1.45	.90
	4		1.08	1.99	2.70	2.50	.20	.30	.05	1.30	.70
	5		.94	1.73	2.34	2.10	.20	.30	.05	1.30	.70
	6		.79	1.40	1.80	1.60	.15	.20	.05	1.10	.60
	7		.79	1.40	1.80	1.60	.15	.20	.05	1.05	.60
	8	6	.79	1.40	1.80	1.60	.15	.20	.05	1.05	.60
	9	5	.68	.98	1.24	1.10	.15	.20	.05	1.00	.60
	10	4	.65	.77	.96	.85	.15	.20	.05	.75	.60
25 feet	1		2.00	3.35	4.25	3.25	.25	.35	.05	1.75	1.25
	2		1.66	2.67	3.41	2.95	.25	.30	.05	1.60	1.10
	3		1.32	2.22	2.90	2.60	.25	.30	.05	1.45	.90
	4		1.08	2.08	2.77	2.50	.20	.30	.05	1.30	.70
	5		.94	1.73	2.34	2.10	.20	.30	.05	1.30	.70
	6		.79	1.40	1.80	1.60	.15	.20	.05	1.10	.60
	7		.79	1.40	1.80	1.60	.15	.20	.05	1.05	.60
	8	6	.79	1.40	1.80	1.60	.15	.20	.05	1.05	.60
	9	5	.68	.98	1.24	1.10	.15	.20	.05	1.00	.60
	10	4	.65	.77	.96	.85	.15	.20	.05	.75	.60
30 feet	1		2.45	4.30	5.20	4.20	.30	.40	.05	1.90	1.30
	2		2.28	3.70	4.73	3.85	.25	.35	.05	1.80	1.15
	3		1.73	2.95	3.73	3.05	.25	.30	.05	1.45	.90
	4		1.35	2.40	3.08	2.75	.20	.30	.05	1.35	.80
	5		1.25	2.20	2.85	2.60	.20	.25	.05	1.25	.75
	6		.98	1.80	2.40	2.15	.20	.25	.05	1.20	.75
	7		.93	1.80	2.40	2.15	.20	.25	.05	1.15	.65
	8	6	.93	1.80	2.40	2.15	.20	.25	.05	1.15	.65
	9	5	.90	1.45	1.90	1.70	.20	.25	.05	1.05	.60

[1] If the buyer does not require incising with this type of treatment deduct 5% from this price.

TABLE 2—MAXIMUM PRICE ADDITIONS TO POLE PRICES TREATING AND PROCESSING WHITE CEDAR POLES—Continued

A. S. A. Length	Class	N. W. C. A. top diameter (inches)	Butt treatment "A. A."	Butt treatment "B"	Butt treatment Incised with ½" guaranteed penetration creosote	Full length creosote or other preservative. No butt treatment, incised groundline area and under 8 hours hot treatment[1]	Roof only	Roof and one gain	Each additional gain	Staining or painting	Hand or machine shave
35 feet	1		$3.15	$5.25	$6.80	$5.00	$.35	$.45	$.08	$2.10	$1.50
	2		2.45	4.20	5.30	4.40	.35	.40	.08	1.95	1.40
	3		2.05	3.40	4.40	3.95	.30	.35	.08	1.80	1.30
	4		1.75	2.76	3.51	3.15	.25	.30	.08	1.70	1.20
	5		1.65	2.50	3.20	2.90	.25	.30	.08	1.60	1.10
	6		1.35	2.20	2.90	2.60	.20	.25	.08	1.55	.95
	7		1.20	2.10	2.65	2.40	.20	.25	.08	1.50	.90
40 feet	1		4.95	6.70	8.40	7.00	.35	.45	.11	2.25	1.60
	2		3.30	5.45	7.05	6.21	.35	.45	.11	2.15	1.50
	3		2.60	4.00	5.05	4.55	.30	.35	.11	1.95	1.40
	4		2.25	3.35	4.25	3.70	.25	.30	.11	1.85	1.35
	5		2.10	3.15	4.05	3.65	.25	.30	.11	1.75	1.25
	6		1.70	2.75	3.45	3.10	.25	.30	.11	1.65	1.20
45 feet	1		5.60	8.43	11.75	9.30	.40	.55	.11	2.40	1.75
	2		4.80	6.50	9.95	8.25	.40	.50	.11	2.35	1.65
	3		3.55	5.10	8.10	7.30	.35	.45	.11	2.15	1.55
	4		2.70	3.90	7.45	7.15	.35	.40	.11	2.10	1.50
	5		2.45	3.55	7.05	6.25	.35	.40	.11	2.05	1.40
50 feet	1	A	6.30	9.35	11.75	9.50	.40	.55	.11	2.60	2.00
	2		5.40	7.90	9.95	8.25	.40	.50	.11	2.50	1.90
	3		4.60	6.35	8.10	7.50	.35	.45	.11	2.30	1.65
	4		4.45	5.90	7.45	7.15	.35	.40	.11	2.25	1.60
	5		4.25	5.60	7.05	6.25	.35	.40	.11	2.10	1.50
55 feet	1		7.25	10.75	13.45	11.40	.45	.55	.11	2.80	2.25
	2		6.10	9.00	11.50	10.25	.45	.50	.11	2.65	2.05
	3		5.55	7.35	9.25	9.25	.35	.45	.11	2.45	1.80
	4		5.15	6.60	8.30	8.25	.35	.45	.11	2.40	1.75
	5		4.70	6.30	8.00	7.40	.35	.45	.11	2.30	1.65
60 feet	1		8.00	11.85	14.80	12.50	.40	.55	.11	3.00	2.50
	2		6.80	10.05	12.60	11.00	.40	.50	.11	2.75	2.20
	3		6.30	9.35	11.75	9.75	.35	.45	.11	2.60	2.00
	4		5.85	8.65	10.90	9.00	.35	.45	.11	2.50	1.90

General notes:

1. *Bolt holes and step holes.* For the first boring in any plane of a pole add $0.05. For each additional boring in the same plane add $0.03.

2. *Continuous slab gain.* An addition may be made for each 12" or part thereof of continuous slab gain not to exceed the charge for "Each Additional Gain" above.

This regulation shall become effective September 26, 1944.

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14576; Filed, Sept. 21, 1944; 11:54 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 234]

PART 95—CAR SERVICE

REDUCTION OF FREE TIME ON LESS-THAN-CARLOAD FREIGHT AT MEXICAN BORDER POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 18th day of September, A. D. 1944.

It appearing, that the detention of less-than-carload freight in railroad cars and freight houses, due to customs clearance and other reasons, originating at points in, or moving through the United States has resulted in serious congestion at Mexican border crossings in Arizona and Texas; in the opinion of the Commission an emergency exists requiring immediate action to prevent further congestion of less-than-carload traffic, it is ordered, that:

(a) *Free time on less-than-carload freight at Mexican border points reduced.* The operation of Rule 14 of Texas Lines' Tariff No. 25-K, Agent Ira D. Dodge I.C.C. No. 569, Item No. 700 of Association of American Railroads' Tariff No. 4-X, Agent B. T. Jones' I.C.C. No. 3815 and all other tariffs are hereby suspended insofar as they authorize or provide free time in excess of three days (72 hours) at Nogales, Arizona, Brownsville, Eagle Pass, El Paso, Presidio or Laredo, Texas, for shipment of less-than-carload freight consigned or reconsigned for export.

(b) *Application.* This order shall apply on the less-than-carload freight described herein at or arriving at Nogales, Arizona, Brownsville, Eagle Pass, El Paso, Presidio or Laredo, Texas, on or after the effective date hereof.

(c) *Announcement of suspension.* Each railroad, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the suspension of any provisions in conflict with this order and establishing the provisions herein required. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 899; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., October 1, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14566; Filed, Sept. 21, 1944; 11:28 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 33]

MUEGGE-JENULL WAREHOUSE CO.

FINDING AS TO CONTRACT IN PROSECUTION OF THE WAR

In the matter of Muegge-Jenull Warehouse Co., San Antonio, Texas. No. S-1265.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub no. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943; and

Having been advised of the existence of a labor dispute involving the Muegge-Jenull Warehouse Company, San Antonio, Texas;

I find that the storing, warehousing, or transportation of food and other commodities by Muegge-Jenull Warehouse Company, San Antonio, Texas, pursuant to any contract, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C. this 19th day of September 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-14574; Filed, Sept. 21, 1944; 11:45 a. m]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO NON-GOVERNMENTAL SERVICES

NOTICE OF HEARING

In the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Notice is hereby given of the order in which the Commission will receive evidence concerning the various services. Because of the difficulty of securing hotel

and railroad reservations the Commission is endeavoring to estimate when each of the particular services will be reached. It should be emphasized, however, that it is impossible to fortell accurately in advance just when one phase of the hearing will end and another begin and all dates used are at best only approximate. However, every effort will be made to adhere to the schedule as closely as possible.

The hearings will open on September 28 at 10:30 a. m. at the Interdepartmental Auditorium. For the first three days of the hearing, September 28, 29 and 30, general information and data will be presented. The hearing will open with testimony by members of the Commission's staff concerning material which has been assembled concerning the effects of bursts, sporadic E transmission, and other propagation data about the very high frequency band. This will be followed by a statement of Dr. W. R. G. Baker, Chairman of the Radio Technical Planning Board. When Dr. Baker has completed his statement, chairman of Panels 4 through 9 and 11 through 13 of the Radio Technical Planning Board will present brief statements concerning the recommendations of their panels. Then the chairmen of Panel 1 and Panel 2 will submit their panels' reports.

The Commission will then proceed to consider the various services in the order listed below. In considering each service, the Commission will first hear testimony from the RTPB witnesses for the service in question and will then receive evidence from all other interested persons. For convenience in estimating the time to be consumed by the various services they have been divided into four groups and the time expected to be consumed by each group is set forth in the table below. (The topic number in the following table refers to the numerical designation of the services as set forth in public notice of August 17, 1944 (9 F.R. 10271)).

ORDER OF SERVICES

Topic No.	Services	Estimated Date
	GROUP I	
8	Fixed Public Service (other than Alaska).	October 2, 4, 5, 6, 7.
9	Coastal, Marine Relay, Ship, Mobile Press, and Fixed Public Service in Alaska).	
10	Aviation	
14	Amateur	
6	International Broadcast	
	GROUP II	
1	Standard Broadcast	October 9, 11, 12, 13, 14, 16.
2	High Frequency (FM) Broadcast	
3	Non-commercial Educational	
4	Television	
5	Facsimile Broadcast	
7	Other broadcast services	
	GROUP III	
11	Police, Fire and Forestry Services	October 18, 19, 20, 21, 23.
15	Special Emergency, Provisional and Motion Picture Services.	
12	Special Services (Geophysical, Relay Press).	

ORDER OF SERVICES—Continued

GROUP IV

Topic No.	Services	Estimated Date
13	Industrial, Scientific and Medical Services.	October 25, 26, 27, 28, 30.
16	Relay Systems (Program and Public and Private Communications).	
17	New Radio Services	

Upon the completion of all this testimony, the Commission will again receive evidence from the chairmen of Panels 1 and 2 of the RTPB concerning the recommendation they have to make for over-all allocation in light of the evidence adduced at the hearing. The Commission at that time will also receive evidence from any other person or group that has recommendations to make concerning over-all allocation. It is estimated that this phase of the hearing will commence November 1.

Many questions have been raised concerning the September 20 date specified in the Commission's order for the filing of exhibits. These letters indicate that in many instances it is impossible to comply with the September 20 deadline. Because of these difficulties, the Commission will receive exhibits which have not been filed by September 20. However, it is requested that five copies of these exhibits be submitted to the Commission as soon as possible. This request applies to all exhibits which it is contemplated will be used at the hearing.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-14558; Filed, Sept. 21, 1944; 11:16 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 203-A]

REROUTING OF COAL AT ALTON, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of September, A. D. 1944.

Upon further consideration of Service Order No. 203 (9 F.R. 4543) of April 27, 1944, and good cause appearing therefore: *It is ordered*, That:

Service Order No. 203 (9 F.R. 4543) of April 27, 1944, directing the Illinois Terminal Railroad Company to reroute 87 cars of coal, consigned by the Peabody Coal Company, due to flood conditions at Alton, Illinois, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this order shall become effective 12:01 a. m., September 22, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-14559; Filed, Sept. 20, 1944; 2:15 p. m.]

[S. O. 70-A, Special Permit 515]

RECONSIGNMENT OF POTATOES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, September 16, 1944, by Mike Ragatz of cars of potatoes, now on the Great Northern Railroad, WFE 49400 to Omaha, Nebraska (CB&Q), FGE 50968 to Clarinda, Iowa (CB&Q), and WFE 63350 to Des Moines, Iowa (CRIAP).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-14560; Filed, Sept. 21, 1944; 11:28 a. m.]

[S. O. 200, 7th Amended Gen. Permit 13]

REICING OF POTATOES FROM COLORADO, NEBRASKA, UTAH, AND WYOMING

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point or points in the States of Colorado, Nebraska, Utah and Wyoming, to reice in transit one time only and to accord the reicing at stations designated by shippers or, at the carriers' option, at the first icing station on either side of such designated station.

This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective at 12:01 a. m., September 19, 1944, and shall expire at 11:59 p. m., September 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-14568; Filed, Sept. 21, 1944; 11:28 a. m.]

[2d Rev. S.O. 224, Gen. Permit 3]

ICING OF PEACHES FROM UTAH

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944 (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the first or initial icing at points on the Union Pacific Railroad Company, of refrigerator cars loaded with peaches originating at points in the State of Utah located on the Union Pacific Railroad Company and its short line connections.

This general permit shall become effective at 12:01 a. m., September 17, 1944, and shall apply only to cars billed on or after the effective date hereof; and shall expire at 12:01 a. m., October 15, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-14569; Filed, Sept. 21, 1944; 11:28 a. m.]

[2d Rev. S.O. 224, Amended Gen. Permit 3]

ICING OF PEACHES FROM COLORADO AND UTAH

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Second Revised Service Order No. 224 of August 24, 1944 (9 F.R. 10429) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the first or initial icing of refrigerator cars loaded with peaches originating at points in the States of Colorado or Utah.

This general permit shall become effective at 12:01 p. m., September 18, 1944, and shall apply only to cars billed on or after the effective date hereof; and shall expire at 12:01 a. m., October 15, 1944.

The waybills shall show reference to this general permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 18th day of September 1944.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 44-14570; Filed, Sept. 21, 1944; 11:28 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3785]

KIWA UMEDA

In re: Real property, property insurance policy and a claim owned by Kiwa Umeda, also known as Kiwa Matsuoka.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kiwa Umeda, also known as Kiwa Matsuoka, is % S. Ikeda, Kosaku-mura, Watase, Toyotagun, Hiroshima-ken, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Kiwa Umeda, also known as Kiwa Matsuoka, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, and interest of Kiwa Umeda, also known as Kiwa Matsuoka, in and to fire insurance policy No. 5526, issued by the California Insurance Company of San Francisco, San Francisco, California, such policy insuring the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Kiwa Umeda, also known as Kiwa Matsuoka in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Kiwa Umeda, also known as Kiwa Matsuoka, by the National Mortgage & Finance Co., Ltd., and represented on the books of the National Mortgage & Finance Co., Ltd., as a credit balance due Kiwa Umeda, also known as Kiwa Matsuoka, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 8, 1944.

[SEAL] JAMES E. MARKHAM, *Alien Property Custodian.*

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 5715, Land Commission Award Number

10606 to Piikoi), situate, lying and being at Kewalo, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Nine (9), of the tract of land known as the "Isona Tract", a Subdivision of Lots Numbers 38, 39, 40, 41 and 42, of the "King Street Tract", and thus bounded and described:

Beginning at the East corner of this Lot and at the West corner of Cedar Street and a 15-foot Lane, the coordinates of which point are 30.33 feet South and 645.49 feet West of a Government Survey Street Monument near the North corner of King and Keeaumoku Streets, said Street Monument being set on a 10-foot offset to the Northeast side of King Street and a 10-foot offset to the Northwest side of Keeaumoku Street, and running by true azimuths:

1. 24°40' 92.5 feet along the Northwest side of Cedar Street;
2. 110°42' 40.0 feet along Lot 37 (King Street Tract);
3. 204°40' 92.5 feet along Lot 8;
4. 290°42' 40.0 feet along the Southwest side of lane to the point of beginning.

Containing an area of 3,691 Square Feet, or thereabouts.

[F. R. Doc. 44-14556; Filed, Sept. 21, 1944; 10:54 a. m.]

[Vesting Order 3848]

KUMAKI FUKUYAMA

In re: Real property, property insurance policy and claim owned by Kumaki Fukuyama, also known as Kumakichi Fukuyama.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kumaki Fukuyama, also known as Kumakichi Fukuyama, is Wakamatsu Fukuoka, Japan, and that he is a resident of Japan, and a national of a designated enemy country (Japan);

2. That Kumaki Fukuyama, also known as Kumakichi Fukuyama, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Kumaki Fukuyama, also known as Kumakichi Fukuyama, in and to fire insurance policy No. 8347, issued by The California Insurance Company of San Francisco, San Francisco, California, which policy insures the improvements to the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Kumaki Fukuyama, also known as Kumakichi Fukuyama in and to any and all obligations, contingent or otherwise and whether or not matured, which are due and owing to, and held for and in the name of, Kumaki Fukuyama, also known as Kumakichi Fukuyama, by Chieko Watanabe and Jiro Watanabe, arising by reason of rents collected from the real property described in subparagraph 3-a hereof, including particularly, but not limited to, those sums collected as rentals and deposited by Chieko Watanabe with the International Building & Loan Association, Limited, Honolulu, T. H., and held in Account No. 2000 in the name of Chieko Watanabe, and any and all security rights in and to any and all collateral for any and all of such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 6967, Land Commission Award Number 4094, Apana 1 to Robert G. Davis) situate, lying and being on the Southwest side of Kealone Lane, Kapalama, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Five (5), in Block "B", of the Tract of land known as the "Emmeluth Tract", (the Map thereof not being recorded), and thus bounded and described:

Lot number 5, block "B", of the "Emmeluth Tract", the coordinates of said point of beginning referred to Government Survey Triangulation Station "Kalaepohaku", being 1324.9 feet South and 516.9 feet West, and running by true azimuths:

1. 318°58' 50.05 feet along the Southwest side of Kealone Lane;
2. 51°51' 98.00 feet along Lot 4, Block "B", of the Emmeluth Tract;
3. 142°21' 50.00 feet along fence to a pipe;
4. 231°51' 98.00 feet along Land Court Application No. 435, to the point of beginning.

Containing an area of 4,825 square feet, or thereabouts.

[F. R. Doc. 44-14555; Filed, Sept. 21, 1944; 10:54 a. m.]

[Vesting Order 3871]

MASANOSUKE TOMITA

In re: Real property owned by Masanosuke Tomita.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Masanosuke Tomita is Yamaguchi-ken, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Masanosuke Tomita is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land situate, lying and being on the West side of Kapahulu Road, Kaiuolohe, Waikiki, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Seventeen (17), of the tract of land known as the "F. L. James Tract", as shown on the Map thereof, filed in the Office of the Registrar of Conveyances at Honolulu, as Registered Map Number Two Hundred Forty-Four (244).

Containing an Area of 6,000 Square Feet, or thereabouts.

[F. R. Doc. 44-14554; Filed, Sept. 21, 1944; 10:53 a. m.]

[Vesting Order 4036]

JAPANESE MERCANTILE CO., LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation, finding:

1. That of the outstanding capital stock of Japanese Mercantile Company, Ltd., a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States consisting of 1257 shares of capital stock having a par value of $10 a share, 595 shares (47.335%) are registered in the name of and owned by Umeichi Kinoshita and are evidence of control of said business enterprise;

2. That Umeichi Kinoshita, whose last known address is Yokohama, Japan, is a national of a designated enemy country (Japan);

and determining:

3. That Japanese Mercantile Company, Ltd., is controlled by Umeichi Kinoshita and is a national of a designated enemy country (Japan);

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including

appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 595 shares of the capital stock of Japanese Mercantile Company, Ltd., more fully described in subparagraph 1 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14553; Filed, Sept. 21, 1944; 10:53 a. m.]

[Vesting Order 4038]

H. YAMANAKA & COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(1) That all of the outstanding capital stock of H. Yamanaka & Company, Limited, a corporation organized and doing business under the laws of the Territory of Hawaii and a business enterprise within the United States consisting of 600 shares of $50 par value capital stock is registered in the names of the persons listed below, in the number appearing opposite each name, and is beneficially owned by Heiichi Yamanaka and is evidence of ownership and control of said business enterprise:

Name:	Number of shares
Heiichi Yamanaka	400
Eurasaku Fujita	80
Hosuchi Tabata	60
Katsusuke Yamamoto	35
Martha Chizuko Yamanaka	20
Taketo Teshima	5
Total	600

(2) That Heiichi Yamanaka, whose last known address is Japan, is a national of a designated enemy country (Japan);

and determining:

(3) That H. Yamanaka & Company, Limited, is controlled by Heiichi Yamanaka, and is a national of a designated enemy country (Japan);

(4) That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 600 shares of capital stock of H. Yamanaka & Company, Limited, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14552; Filed, Sept. 21, 1944; 10:55 a. m.]

ARNO BRASCH, ET AL.

ORDER FOR AND NOTICE OF HEARING

In the matter of Arno Brasch, Fritz Lange and The General Electric Company.

Whereas, by Vesting Order No. 201 of October 2, 1942 (8 F.R. 625) the Alien Property Custodian vested, among other things, the following described property:

All right, title and interest including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to United States Patents Nos. 1,931,475, 2,005,021, 2,043,733, and 2,099,327.

Whereas, Arno Brasch and Fritz Lange have filed Notices of Claims on Form APC-16 wherein it is claimed that they are the joint owners of the property so vested or an interest therein, that Arno Brasch is stateless and a resident of the United States and Fritz Lange is a citizen and resident of Russia, but is represented by Arno Brasch as his attorney-in-fact, and whereas the General Electric Company has filed its Notice of Claim No. 515 on Form APC-1 wherein it asserts it is a corporation in the State of New York and that it has an exclusive license under Patent No. 2,005,021 to make, use and sell apparatus covered by said patent for all purposes, excluding only the use of such apparatus for the manufacture of anti-rachitic or radio-active substances by means of rays.

Now therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709), that a hearing on said claims be held before the Vested Property Claims Committee or any member or members thereof on Wednesday, October 4, 1944, at 10:00 a. m. Eastern War Time, at the Office of the Alien Property Custodian, 120 Broadway, New York, N. Y., to continue thereafter at such time and place as the Committee may determine. *It is further ordered*, That copies of this notice of hearing be served by registered mail upon the claimants and upon the persons designated in paragraph 2 of the said notices of claims and be filed with the Division of the Federal Register.

Any person desiring to be heard either in support of or in opposition to the claims may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets, N. W., Washington, (25), D. C., on or before October 2, 1944.

The foregoing characterization of the claims is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

Copies of the claims and of the said vesting order are available for public inspection at the address last above stated.

By authority of the Alien Property Custodian.

[SEAL] VESTED PROPERTY CLAIMS COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

SEPTEMBER 21, 1944.

[F. R. Doc. 44-14557; Filed, Sept. 21, 1944; 10:54 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 113, Amdt. 1]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN WICHITA AND OTTAWA, KANS.

Upon consideration of a petition to substitute Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Line, as a party to Supplementary Order ODT 3, Revised-113 (8 F.R. 15996), and good cause appearing therefor, *It is hereby ordered*, That:

1. Supplementary Order ODT 3, Revised-113 be, and it hereby is, amended by substituting Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, in lieu of Benjamin Cain, doing business as Cain's Truck Line, and

2. Benjamin Cain, Eva Cain, Richard A. Jacobson, Martin S. Jacobson, Ann Jacobson, A. B. Hardy, R. J. Reed and Lena Newman, doing business as Cain's Truck Lines, on and after the effective date of this amendment, shall perform, subject to the provisions of said order, the functions of Benjamin Cain, doing business as Cain's Truck Line, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective September 21, 1944.

Issued at Washington, D. C., this 21st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14528; Filed, Sept. 20, 1944; 1:33 p. m.]

[Supp. Order ODT 3, Rev. 342]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN WISCONSIN

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4860, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

[1] Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 25, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 21st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Arthur A. McCue, doing business as Minnesota-Wisconsin Truck Line and McCue Transfer Company, 198 East Ninth St., St. Paul, Minn.

Mueller Transportation Co. (a corporation), 2424 Minnehaha Ave., Minneapolis, Minn.

A. G. Henneman, doing business as A. G. Henneman Transfer, Bloomer, Wis.

[F. R. Doc. 44-14527; Filed, Sept. 20, 1944; 1:33 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 2364]

J. C. PLATING WORKS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of five items of upholstered dinette chairs manufactured by J. C. Plating Works, 865 North Sangamon Street, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Dinette chair	1/100	$2.81	$3.31
	1/16	2.98	3.51
	1/83	3.03	3.56
	1/82	3.02	3.55
	1/80	2.98	3.50

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 3, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, Section 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Dinette chair	1/100	$3.31
	1/16	3.51
	1/83	3.56
	1/82	3.55
	1/80	3.50

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 3, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14540; Filed, Sept. 20, 1944; 3:11 p. m.]

[MPR 188, Order 2365]

GENERAL WOODCRAFT CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an occasional table and two end tables manufactured by General Woodcraft Corporation, 266 River Street, Haverhill, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Occasional table	208A	$2.92	$3.65
End table	206	2.18	2.72
	207	2.18	2.72

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of pur-

chaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (i) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Occasional table	208A	$3.65
End table	208	2.72
	207	2.72

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14541; Filed, Sept. 20, 1944; 3:11 p. m.]

[MPR 188, Order 2366]

QUALITY FURNITURE MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three items of occasional tables and three items of bunk beds manufactured by Quality Furniture Manufacturing Company, 1617 McGarry Street, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Occasional table	4237 A	$5.27	$6.20
	4237 B	5.53	6.50
	4237 C	6.33	7.45
Bunk bed	1-3 0 inch.	10.34	12.16
	1-3 6 inch.	10.48	12.33
	1-3 9 inch.	10.73	12.62

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated March 30, 1944 and completed August 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (i) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Occasional table	4237 A	$6.20
	4237 B	6.50
	4237 C	7.45
Bunk bed	1-30-inch	12.16
	1-36-inch	12.33
	1-39-inch	12.62

These prices are f. o. b. factory and are net. They are for the articles described in the manufacturer's application dated March 30, 1944, and completed August 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14542; Filed, Sept. 20, 1944; 3:14 p. m.]

[MPR 188, Order 2367]

NORTH SHORE WOODWORKERS & MANUFACTURERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a folding chair, a play pen, a teeter totter, and a buss wagon manufactured by North Shore Woodworkers & Manufacturers, 2570 Sheridan Road, Zion, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Play pen		$3.95	$4.65
Folding chair		2.00	2.35
Teeter totter	1300	3.15	3.95
Buss wagon		1.66	2.07

These prices are f. o. b. factory and are net. They are for the articles described in the manufacturer's application dated June 26, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (i) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturers stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Play pen		$4.65
Folding chair		2.35

These prices are net and are for the articles described in the manufacturer's application dated June 26, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14543; Filed, Sept. 20, 1944; 3:16 p. m.]

[MPR 188, Order 2368]

VARIETY MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a nursery chair manufactured by Variety Manufacturing Company, 1016 West Market Street, Louisville, 2, Kentucky.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Nursery chair		$2.50	$2.95

These prices are f. o. b. factory and are not subject to discount; they are for the article described in the manufacturer's application dated March 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (i) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration,

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Nursery chair		$2.95

This price is not subject to a cash discount and is for the article described in the manufacturer's application dated March 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14544; Filed, Sept. 20, 1944; 3:15 p. m.]

[MPR 188, Order 2369]

VAN PELT MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wall shelf manufactured by Van Pelt Manufacturing Co., Spring Lake, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Wall shelf	116	$0.50	$0.59

These prices are f. o. b. factory and are net and are for the article described in the manufacturer's application dated June 24, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (i) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply

to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Wall shelf	116	*Each* $0.80

This price is net and is for the article described in the manufacturer's application dated June 24, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14545; Filed, Sept. 20, 1944; 3:15 p. m.]

[MPR 188, Order 2370]

R. O. MIDDLEKAUFF

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a director's chair manufactured by R. L. Middlekauff, Palo Alto, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Director's chair		*Each* $1.56	*Each* $1.83

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated April 22, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Director's chair		*Each* $1.83

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated April 22, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14546; Filed, Sept. 20, 1944; 3:15 p. m.]

[MPR 188, Order 2371]

R. B. FERRALL

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by R. B. Ferrall, Box 53, Gresham, Wisconsin.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article and model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set	*Each* $4.08	*Each* $4.80

These prices are f. o. b. factory, and are net and for the article described in the manufacturer's application dated August 17, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and model No.	Maximum price to retailers
Juvenile set	*Each* $4.80

This price is net and is for the article described in the manufacturer's application dated August 17, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14547; Filed, Sept. 20, 1944; 3:14 p. m.]

[MPR 188, Order 2372]

NORMAC INDUSTRIES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's stool manufactured by Normac Industries, 2679 East Grand Boulevard, Detroit, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article and model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's stool	*Each* $0.98	*Each* $1.10

These prices are f. o. b. factory, are net thirty days, and are for the article described in the manufacturer's application dated July 31, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's stool		*Each* $1.10

This price is net thirty days and is for the article described in the manufacturer's application dated July 31, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14548; Filed, Sept. 20, 1944; 3:13 p. m.]

[MPR 188, Order 2373]

SHALCO

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of twenty-four items of wall sheives manufactured by Shalco, 118 Erie Street, Dorchester, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Wall shelf	101	*Each* $2.65	*Each* $3.35
	151	1.50	1.76
	201	1.26	1.51
	251	1.60	1.88
	201	1.45	1.70
	351	.96	1.12
	401	1.07	1.26
	451	1.26	1.51
	501	.54	.64
	551	.54	.64
	601	.85	1.00
	651	.96	1.13
	701	1.71	2.01
	751	2.67	3.14
	801	.46	.54
[1]	101	3.35	3.94
[1]	151	1.80	2.12
[1]	201	1.59	1.87
[1]	251	1.60	2.34
[1]	301	1.72	2.03
[1]	351	1.19	1.40
[1]	401	1.31	1.54
[1]	451	1.53	1.79
[1]	501	.78	.92

[1] Mirror back.

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated July 31, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Wall shelf	101	$1.39
	151	1.76
	201	1.51
	251	1.88
	301	1.70
	351	1.12
	401	1.36
	451	1.31
	501	.44
	551	.64
	601	1.00
	651	1.13
	701	2.01
	751	3.14
	801	.54
	[1] 101	3.94
	[1] 151	2.12
	[1] 201	1.87
	[1] 251	2.24
	[1] 301	2.02
	[1] 351	1.40
	[1] 401	1.54
	[1] 451	1.70
	[1] 501	.92

[1] Mirror back.

These prices are for the articles described in the manufacturer's application dated July 31, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1944.

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14549; Filed, Sept. 20, 1944; 3:14 p. m.]

[Rev. RO 12, 4th Rev. Admin. Exception Order 1; Rev. RO 16, 4th Rev. Admin. Exception Order 3; Gen. RO 12, 3d Rev. Admin. Exception Order 1; RO 17, 2d Rev. Admin. Exception Order 5; Gen. RO 14, 2d Rev. Admin. Exception Order 1]

WILLMARK SERVICE SYSTEM, INC. AND DALE SYSTEM, INC.

AUTHORIZATION TO OBTAIN RATION BOOKS FOR EMPLOYEES

Administrative Exception Order No. 1 under Revised Ration Order 13, Administrative Exception Order No. 3 under Revised Ration Order 16, Administrative Exception Order No. 1 under General Ration Order 12, Administrative Exception Order No. 5 under Ration Order 17, and Administrative Exception Order No. 1 under General Ration Order 14 are revised and amended to read as follows:

The Willmark Service System, Inc., and Dale System, Incorporated, are business enterprises engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the client's salesclerks. The method used involves the making of a complete purchase of an article and observing the actions of the salesclerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client, in a way to prevent revealing to the client's employees the identity of the individual making the test. These corporations, through their employees, normally make a substantial number of test purchases of shoes, processed foods and foods covered by Revised Ration Order 16 each year. They request authority to secure ration currency to enable them to continue to make test purchases of such foods and shoes in the course of their business.

The granting of the requests in these and all similar cases would not defeat or impair the effectiveness or the policy of these ration orders because it would not increase the quantity of foods and shoes withdrawn from civilian supply.

It is hereby ordered, That the applicants, Willmark Service System, Inc., of 250 West 57th Street, New York, N. Y., and Dale System, Incorporated, of 1776 Broadway, New York, N. Y., are authorized to receive from the Deputy Administrator in Charge of Rationing, Office of Price Administration, Washington, D. C., War Ration Books Three and Four which their employees may use to make purchases of shoes, processed foods and foods covered by Revised Ration Order 16 in the manner permitted by Ration Order 17,[1] Revised Ration Order 13,[2] and Revised Ration Order 16,[3] respectively. The Deputy Administrator in Charge of Rationing shall determine the number of War Ration Books Three or Four to be issued to each applicant.

Each applicant must comply with the following requirements:

Foods. The applicant must open a processed foods ration bank account and a meat and fats ration bank account in accordance with the provisions of Revised General Ration Order 34.[4] As soon as practicable after making a purchase of foods covered by Revised Ration Orders 13 or 16 the applicant shall return the foods to the client from whom the rationed commodity was purchased. However, the applicant need not return foods which have spoiled. Upon the return of the foods, the client shall issue to the applicant a ration check drawn on its appropriate bank account, for the points represented by the stamps given for the foods. The applicant shall deposit in its processed foods ration bank account all such ration checks received upon the return of processed foods to the client, and shall deposit in its meat and fats ration bank account all such ration checks received from the return of foods covered by Revised Ration Order 16 to the client. The applicant shall not use the War Ration Book Four issued to it under this order to acquire processed foods or foods covered by Revised Ration Order 16 from anyone who does not have a ration bank account under the ration order covering the particular food acquired. Between the first and tenth days of each month, the applicant shall submit a report to the Deputy Administrator in Charge of Rationing, Office of Price Administration, Washington, 25, D. C. The report shall contain the following information with respect to the applicant's operations during the preceding month, stated separately for processed foods and separately for foods covered by Revised Ration Order 16:

(1) The number of points spent;

(2) The number of points received as refunds on foods returned;

(3) The point value of any foods on hand at the end of the month;

(4) The point value of any foods spoiled and no longer salable;

(5) The number of points represented by the tokens and validated stamps which the applicant has on hand at the end of the month;

(6) The balance in its ration bank account at the end of the month.

The applicant must attach to its report for each month a ration check (payable to the Office of Price Administration) drawn on the appropriate ration bank account, for the points received for all processed foods or meat and fats which it was required to return to its clients during that month. The applicants and each of their clients shall keep complete records of the transactions entered into under these orders and the records shall show separately with respect to processed foods and foods covered by Revised Ration Order 16, the points received, the foods purchased and returned, the ration checks issued, and the date of each transaction.

Shoes. Each applicant may use the currently valid war Ration Shoe Stamps contained in War Ration Books No. Three to make test purchases of shoes from clients. If the currently valid shoe stamps contained in War Ration Books No. Three are not sufficient to enable the applicant to make the desired number of test purchases, such applicant may apply to the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington 25, D. C., for a supply of special shoe stamps, which may be used as a revolving fund to make purchases of shoes from clients in the manner permitted by Ration Order 17. The amount of special shoe stamps to be issued to an applicant shall be determined by the Director of the Miscellaneous Products Rationing Division.

As soon as practical after making a purchase of shoes the applicant shall return them unused to the client from whom they were acquired and receive special shoe stamps or a ration check for the number of pairs returned. To facilitate the handling of ration checks received from its clients, the applicant is authorized to open a shoe ration bank account or accounts, in the manner permitted by Revised General Ration Order 3A, and to obtain further supplies of special shoe stamps from a local Board in exchange for a ration check drawn to the account of the Office of Price Administration. The number and location of the shoe ration bank accounts shall be determined by the Director of the Miscellaneous Products Rationing Division, Office of Price Administration, Washington 25, D. C.

Within 15 days after the date on which each new war ration shoe stamp becomes valid for shoes, the applicant shall submit a report to the Director of Miscellaneous Products Rationing Division, Office of Price Administration, Washington 25, D. C. The report shall cover the period including the first date on which the previous war ration shoe stamp became valid for shoes to the date on which the new war ration shoe stamp became valid for shoes. The report shall contain the following information:

(1) The number of war ration shoe stamps and the number of special shoe stamps received under this order;

(2) The amount of valid shoe ration currency on hand or on deposit and the number of pairs of ration shoes on hand;

(3) The amount of ration currency, if any, which has expired; and

(4) An estimate of the amount of shoe ration currency which will be required during the following six months.

All expired currency shall be surrendered with the report. Upon receiving the report, the Director of the Miscellaneous Products Rationing Division may require the surrender of any shoe ration currency above the needs of the applicant.

No stamps in War Ration Book Three or Four, other than those which have been or shall be made valid for the purchase of shoes, processed foods or foods covered by Revised Ration Order 16 shall be used by the applicant. Those stamps which may not be used by any person for the acquisition of any rationed product shall be retained in the War Ration Book Three or in War Ration Book Four, as the case may be, and must be returned to the Office of Price Administration on demand. Those which may be used by consumers to acquire a rationed product other than foods covered by Revised Ration Orders 13 and 16 or shoes covered by Ration Order 17 shall, if they have already been validated, or, if not, as soon as they are validated, be deposited in a ration bank account for that product which the applicant must open. Between the 1st and 10th days of each month, the applicant must issue and send to the Deputy Administrator in Charge of Rationing a ration check drawn against each such account for the stamps required to be deposited in such account during the preceding month.

It is hereby further ordered, That any other person similarly situated may be authorized on similar conditions to open ration bank accounts and to be issued War Ration Books Three or Four. Such authority may be granted in writing by the Deputy Administrator in Charge of Rationing, Office of Price Administration, Washington, 25, D. C.

This order shall become effective September 21, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423, WPB Dir. No. 1, 7 F.R. 562; WPB Supp. Dir. 1-M, 7 F.R. 8234; WPB Supp. Dir. 1-T, 8 F.R. 1727, 8 F.R. 7440; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389)

Issued this 20th day of September 1944.

JEROME M. NEY,
Acting Deputy Administrator,
In Charge of Rationing.

[F. R. Doc. 44-14519; Filed, Sept. 20, 1944; 12 m.]

[MPR 409,[1] Order 39]

FROZEN FRUITS, BERRIES AND VEGETABLES (1943 PACK AND AFTER)

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 9 of Maximum Price Regulation 409, *It is ordered:*

(a) Packers covered by Maximum Price Regulation 409 are authorized to sell and deliver any item of frozen fruits, berries or vegetables covered by Maximum Price Regulation 409, packed from fresh fruits, berries or vegetables of the 1944 crop, at the maximum prices in effect at the date of delivery, subject to an agreement with the buyer, in each case to adjust such selling prices to conform with new maximum prices to be established by the Office of Price Administration after delivery thereof, whether such maximum prices are greater or less than the maximum prices in effect at the time of delivery.

In any such sale the seller shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) For each sale made under the provisions of this order, the packer, within 10 days after the new maximum prices are established by the Office of Price Administration, shall supply each wholesaler and retailer, who has purchased from him under this order, an invoice or other written notice, showing the price after action taken by the Office of Price Administration.

(c) This order shall not apply to sales and deliveries of the commodities covered by Order 27 under Maximum Price Regulation 409, namely frozen asparagus and frozen spinach, packed in containers having a capacity of 2½ pounds or more, and frozen peas and frozen strawberries, packed in containers having a capacity of 5 pounds or more, all packed from fresh fruits or vegetables of the 1944 crop.

(d) This order may be revoked or amended by the Price Administrator at any time. Except for the provisions of paragraph (b), this order shall be automatically revoked as to each frozen fruit, berry or vegetable upon the establishment by the Office of Price Administration of new maximum prices for it.

This order shall become effective September 20, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14538; Filed, Sept. 20, 1944; 3:12 p. m.]

[MPR 306,[1] Order 60]

CERTAIN PACKED FOOD PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1341.56 of Maximum Price Regulation No. 306, *It is ordered:*

(a) That sales and deliveries of any of the packed food products covered by Maximum Price Regulation No. 306 of the 1944 pack may be made by processors to purchasers other than government procurement agencies, subject to an agreement with the buyer in each case, to adjust such selling prices to conform with new maximum prices to be established by the Office of Price Administration after delivery thereof, whether such maximum prices are greater or less than the maximum prices in effect at the time of delivery.

In any such sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until permitted by action taken by the Office of Price Administration.

(b) For each sale made under the provisions of this order, the processor within 10 days after the new maximum prices are established by the Office of Price Administration shall supply each wholesaler and retailer, who has purchased from him under this order, an invoice or other written notice, showing the price after action taken by the Office of Price Administration.

This order shall be automatically revoked as to each product referred to in paragraph (a) upon the establishment by the Office of Price Administration of new maximum prices for it, except for the provisions of paragraph (b).

This order shall become effective September 20, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14537; Filed, Sept. 20, 1944; 3:12 p. m.]

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[1] 8 F.R. 1749.
[2] 9 F.R. 8.
[3] 8 F.R. 6731.
[4] 8 F.R. 11669.

[1] 8 F.R. 17290; 9 F.R. 97, 1806, 9683.

[1] 8 F.R. 16806, 17224, 17295, 17483; 9 F.R. 267, 96, 1710, 2237, 4849, 5078, 6100, 7503, 7633, 8144, 10773.

[MPR 120, Order 1016]

Hawker Coal Co.

Adjustment of Maximum Prices

Order No. 1016 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing price classifications, and adjusted maximum prices for coals of Hawker Coal Company; Docket No. 6053–120.207(a)–36.

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § § 1340.210 (a) (6) and 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Hawker Mine of Hawker Coal Company, Fayette County, Pennsylvania, operating in the Pittsburgh Seam located in Subdistrict No. 9 in District No. 2, is hereby assigned Mine Index No. 4202, and its coals are hereby classified in Price Group No. 1 for railroad fuel and Price Group No. 7 for truck shipments.

(b) The per net ton maximum prices in cents per net ton and the price classifications for coals produced at the Hawker Mine, Mine Index No. 4202 in District No. 2, of Hawker Coal Company, Fayette County, Pennsylvania, for the indicated uses and movements, are hereby established as follows:

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications	D	D	C	C	C	C	C	C	C	.....	.....
Rail shipment (including railroad fuel—all uses)	355	355	345	345	345	345	325	325	300	270	.....
Truck shipment	425	425	425	390	360	360	360	330	295	265	270

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) This order may be revoked or amended at any time.

(g) The applicant shall include a statement on all invoices in connection with the sale of coal priced under this order that the price charged includes an adjustment granted by Order No. 1016 under Maximum Price Regulation No. 120 of the Office of Price Administration.

This order shall become effective September 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

Chester Bowles,
Administrator.

[F. R. Doc. 44-14680; Filed, Sept. 21, 1944; 11:07 a. m.]

[MPR 120, Order 1017]

Elizabeth Fuel Co., et al.

Establishment of Maximum Prices and Price Classifications

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

Elizabeth Fuel Co., Elizabeth, Pa., Boco No. 3 Mine, Pittsburgh Seam, Mine Index No. 4195, Allegheny County, Pa., Subdistrict 9, Rail Shipping Point, Elizabeth, Pa., and Lock No. 3 Pa., Strip Mine, Railroad Fuel Price Group 1, Maximum Truck Price Group No. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	C	C	C	C	C	.....	.....
Rail and river shipment	310	310	310	310	310	300	275	275	255	.....	.....
Railroad fuel	310	310	310	310	310	300	275	275	255	245	.....
Truck shipment	425	425	425	390	360	360	360	330	295	265	270

Eureka Fuel Co., Smithton, Pa., No. 1 Mine, Upper Freeport Seam, Mine Index No. 4127, Westmoreland County, Pa., Subdistrict 8, Rail Shipping Point, Tarrs, Pa., Strip Mine, Railroad Fuel Price Group 6, Maximum Truck Price Group No. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	F	F	E	E	E	E	F	F	F	.....	.....
Rail shipment	365	365	360	360	360	370	350	350	325	.....	.....
Railroad fuel	300	300	300	300	300	275	350	350	325	345	.....
Truck shipment	415	415	415	395	365	365	365	335	295	295	295

Pierce & Shaw, c/o Bernard Pierce, 2939 Greensburg Pike, Wilkinsburg, Pa., Fortune Mine, Pittsburgh Seam, Mine Index No. 4102, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point, Export, Pa., Strip Mine, Railroad Fuel Price Group 1, Maximum Truck Price Group No. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	C	C	D	D	D	.....	.....
Rail shipment	310	310	310	310	310	300	270	270	245	.....	.....
Railroad fuel	310	310	310	310	310	300	270	270	245	245	.....
Truck shipment	415	415	415	395	365	365	365	335	295	295	295

Ford & Gaskill, Greensboro, Pa., Whitley Strip Mine, Sewickley Seam, Mine Index No. 4175, Greene County, Pa., Subdistrict 3, Rail Shipping Point: Poland, Pa., Moffitt Docks, Pa., Strip Mine, Railroad Fuel Price Group 6, Maximum Truck Price Group No. 11

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	H	H	H	.....	.....
Rail and river shipment	285	285	270	270	270	260	235	235	220	.....	.....
Railroad fuel	285	285	270	270	270	260	235	235	220	220	.....
Truck shipment	380	380	380	360	340	340	340	320	300	280	280

Hayes Coal Co., 312 Chestnut St., Scottdale, Pa., Hayes No. 3 Mine, Pittsburgh Seam, Mine Index No. 4140, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point, Wyano, Pa., Strip Mine, Railroad Fuel Price Group 1, Maximum Truck Price Group No. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	C	C	C	C	C	.....	.....
Rail shipment	310	310	310	310	310	300	275	275	255	.....	.....
Railroad fuel	310	310	310	310	310	300	275	275	255	245	.....
Truck shipment	415	415	415	395	365	365	365	335	295	295	295

Hillebert & King, Box 174 Mt. Morris, Pa., Davistown Mine, Sewickley Seam, Mine Index No. 4191, Green County, Pa., Subdistrict 3, Rail Shipping Point, Dilliner, Pa., Deep Mine, Railroad Fuel Price Group 6, Maximum Truck Price Group No. 11

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	J	J	J	.....	.....
Rail shipment	310	310	295	295	295	285	260	260	255	.....	.....
Railroad fuel	310	310	295	295	295	285	260	260	255	255	.....
Truck shipment	380	380	380	360	340	340	340	320	300	280	280

Samuel F. King & S. Quay King, Brennen Bldg., Scottdale, Pa., Arona Mine, Pittsburgh Seam, Mine Index No. 4168, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point: Arona, Pa., Strip Mine, Railroad Fuel Price Group 1, Maximum Truck Price Group No. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	C	C	C	C	C	.....	.....
Rail shipment	310	310	310	310	310	300	275	275	255	.....	.....
Railroad fuel	310	310	310	310	310	300	275	275	255	245	.....
Truck shipment	415	415	415	395	365	365	365	335	295	285	285

Koast Brothers Coal Co., Bobtown, Pa., Hunt No. 1 Mine, Sewickley Seam, Mine Index No. 4139, Greene County, Pa., Subdistrict 3, Rail Shipping Point: Dilliner, Pa., Deep Mine, Railroad Fuel Price Group 6, Maximum Truck Price Group No. 11

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	H	H	H	.....	.....
Rail shipment	310	310	295	295	295	285	260	260	250	.....	.....
Railroad fuel	310	310	295	295	295	285	260	260	255	255	.....
Truck shipment	380	380	380	360	340	340	340	320	300	280	280

This order shall become effective September 22, 1944.

(56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

Chester Bowles,
Administrator.

[F. R. Doc. 44-14681; Filed, Sept. 21, 1944; 11:56 a. m.]

[MPR 120, Order 1018]

Burnem and Litt, et al.

Establishment of Maximum Prices and Price Classifications

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

Burnem and Litt, Poca, W. Va., Raymond City No. 2 Mine, Pittsburgh No. 8 Seam, Mine Index No. 7171, Putnam County, W. Va. Subdistrict 4, Deep Mine, Maximum Truck Price Group No. 5

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment	380	360	335	335	320	295	260	255

Dean Fuel Company, Inc., Tinsley, Ky., Dean No. 2 Mine, Dean Seam, Mine Index No. 7191, Bell County, Ky., Subdistrict 6, Rail Shipping Point, Dade, Ky., F. O. G. 111, Deep Mine, Maximum Truck Price Group No. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21
Price classification	R	R	R	R	M	M	L	K	J	M	G	O	O	O
Rail shipment	345	340	335	335	335	330	325	310	305	355	310	280	275	270
Railroad fuel	345	340	335	335	335	330	325	310	310	355	310	280	275	270
Truck shipment	390	380	335	335	320	295	260	255	.....	.....	.....	.....	.....	.....

Hamleworth Mining Co., Box 107, London, Ky., J. D. Gross Tract Mine, Pittsburgh Seam, Mine Index No. 7164, Laurel County, Ky., Subdistrict 6, Rail Shipping Point, East Bernstadt, Ky., F. O. G. 111, Strip Mine, Maximum Truck Price Group No. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21
Price Classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail Shipments and Railroad Fuel	355	355	360	360	360	350	330	325	325	360	315	300	295	295
Truck Shipment	390	360	335	335	320	295	260	255	.....	.....	.....	.....	.....	.....

Otis Jackson, Route No. 2, Middlesboro, Ky., Jackson Mine, Mason Seam, Mine Index No. 7187, Bell County, Ky., Subdistrict 6, Rail Shipping Point, Colmar, Ky., F. O. G. 111, Maximum Truck Price Group No. 3

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21
Price Classification	O	O	O	O	K	K	J	G	E	G	E	J	J	J
Rail Shipments and Railroad Fuel	360	355	340	340	360	350	330	325	325	360	315	310	300	295
Truck Shipment	405	385	350	350	320	300	260	255	.....	.....	.....	.....	.....	.....

Millard Johnson, Pineville, Ky., Johnson Mine, Rim Seam, Mine Index No. 7206, Bell County, Ky., Subdistrict 6, Rail Shipping Point, Pineville, Ky., F. O. G. 111, Maximum Truck Price Group No. 3

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21
Price classification	H	H	H	H	F	F	E	D	C	E	D	K	K	K
Rail shipments and railroad fuel	395	390	375	375	370	355	335	335	330	365	315	300	295	295
Truck shipment	405	385	350	350	320	300	260	255	.....	.....	.....	.....	.....	.....

Dewey Rice, Jenson, Ky., Rice Mine, Rim Seam, Mine Index No. 7186, Bell County, Ky., Subdistrict 6, Rail Shipping Point, Pineville, Ky., F. O. G. 111, Maximum Truck Price Group No. 3

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21
Price classification	H	H	H	H	F	F	E	D	C	E	D	K	K	K
Rail shipments and railroad fuel	395	390	375	375	370	355	335	335	330	365	315	300	295	295
Truck shipment	405	385	350	350	320	300	260	255	.....	.....	.....	.....	.....	.....

Wilse Taylor and Sons Coal Co., Cary, Ky., Taylor Mine, Straight Creek Seam, Mine Index No. 7131, Bell County, Ky., Subdistrict 6, Deep Mine, Maximum Truck Price Group No. 3

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment	405	385	360	350	320	300	260	255

Yeager Elkhorn Coal Co., Yeager, Ky., Yeager Mine, Elkhorn No. 2 Seam, Mine Index No. 7166, Pike County, Ky., Subdistrict 1, Rail Shipping Point: Yeager, Ky., F. O. G. 61, Deep Mine, Maximum Truck Price Group No. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15–16–17	18	19	20–21
Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and R. fuel	365	360	350	350	345	335	315	315	315	370	300	295	285	280
Truck shipment	380	360	335	335	320	295	260	255	.....	.....	.....	.....	.....	.....

NOTE: The maximum prices established by this Order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120, effective August 16, 1944.

This order shall become effective September 22, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14582; Filed, Sept. 21, 1944; 11:58 a. m.]

[MPR 188, Rev. Order 1829]

REST-WELL BED BOARD CO.

APPROVAL OF MAXIMUM PRICES

Correction

In paragraph (c) of F. R. Doc. 44-12599, appearing on page 10217 of the issue for Tuesday, August 22, 1944, under the table headed "Back Rests," the price for "B-wood grain finish" should be "$3.95."

[MPR 188, Order 2374]

ROBERT P. REXROTH

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a game table manufactured by Robert P. Rexroth, 449 Franklin Street, Franklin, Indiana.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Game table		$10.62	$12.50

These prices are f. o. b. factory and are net; they are for the article described in the manufacturer's application dated May 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on the terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Game table		$12.50

This price is net and is for the article described in the manufacturer's application dated May 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14583; Filed, Sept. 21, 1944; 11:57 a. m.]

[MPR 188, Order 2375]

SECURITY MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of four unfinished chests, a student unfinished desk, an unfinished magazine stand, two unfinished drop leaf tables, an unfinished training seat manufactured by Security Manufacturing Company, 6309 S. W. Capitol Highway, Portland, Oregon.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished chest	4-24	[1] $4.71	[1] $5.55
	5-24	[1] 5.13	[1] 6.04
	4-30	[1] 4.96	[1] 5.84
	5-30	[1] 5.90	[1] 6.95
Unfinished desk	ST100	[1] 5.90	[1] 6.95
Unfinished mag. stand	MG100	[1] 2.66	[1] 3.13
Unfinished table	S18-36	[1] 2.99	[1] 3.52
	E24-36	[1] 2.84	[1] 3.35
Unfinished T-seat	TR8	[2] 9.58	[2] 11.28

[1] Each.
[2] Per dozen.

These prices are f. o. b. factory and are not subject to a discount. They are for the articles described in the manufacturer's application dated June 22, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished chest	4-24	[1] $5.55
	5-24	[1] 6.04
	4-30	[1] 5.84
	5-30	[1] 6.95
Unfinished desk	ST100	[1] 6.95
Unfinished mag. stand	MG100	[1] 3.13
Unfinished table	S18-36	[1] 3.52
	E24-36	[1] 3.35
Unfinished T-seat	TR8	[2] 11.28

[1] Each.
[2] Per dozen.

These prices are for the articles described in the manufacturer's application dated June 22, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14584; Filed, Sept. 21, 1944; 11:56 a. m.]

[MPR 188, Order 2376]

FACTORY ASSOCIATES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of five glass shelf tables manufactured by Factory Associates, Incorporated, 438 West Ontario Street, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Glass shelf table	702	$9.13	$10.75
	704	13.56	15.95
	701	8.42	9.91
	700	8.27	9.73
	703	11.43	13.45

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Glass shelf table	702	$10.75
	704	15.95
	701	9.91
	700	9.73
	703	13.45

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14585; Filed, Sept. 21, 1944; 11:58 a. m.]

[MPR 188, Order 2377]

WILLMAR PREFAB BUILDERS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Willmar Prefab Builders, Willmar, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Juvenile set		$3.35	$3.95

These prices are f. o. b. factory and are net, and are for the article described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Juvenile set		$3.95

This price is net and is for the article described in the manufacturer's application dated June 7, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufac-

turer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14586; Filed, Sept. 21, 1944; 11:58 a. m.]

[MPR 188, Order 2378]

ABBOTT ASSOCIATES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an adirondack chair manufactured by Abbott Associates, 14 Sigourney Street, Hartford 5, Connecticut.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Adirondack chair		$2.29	$2.70

These prices are f. o. b. factory and are net and are for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Adirondack chair		$2.70

This price is net and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14587; Filed, Sept. 21, 1944; 11:58 a. m.]

[MPR 188, Order 2109]

PAYNES REPAIR & UPHOLSTERY CO.

APPROVAL OF MAXIMUM PRICES

Correction

The paragraph following the table in paragraph (a) (1) (i) of F.R. Doc. 44-12467, appearing at page 10109 of the issue for Saturday, August 19, 1944 should read:

These prices are subject to a cash discount of two per cent for payment within ten days, net thirty days.

[MPR 188, Order 2379]

B. J. ROSINSKY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a cocktail table, a lamp table and an end table manufactured by B. J. Rosinsky, 879 Gates Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Cocktail table	191	$11.43	$14.28
Lamp table	193	11.43	14.28
End table	192	11.43	14.28

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within thirty days and are for the articles described in the manufacturer's application dated June 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Cocktail table	191	$14.28
Lamp table	193	14.28
End table	192	14.28

These prices are subject to a cash discount for payment within thirty days and are for the articles described in the manufacturers application dated June 10, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable

provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14588; Filed, Sept. 21, 1944; 11:59 a. m.]

[MPR 188, Order 2380]

PINELLAS ASSOCIATED INDUSTRIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of six play yards manufactured by Pinellas Associated Industries, Inc., Clearwater, Florida.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Play yard	4B-9	$2.90	$3.41
	4B-11	2.90	3.41
	4B-11	3.41	4.02
	4B-12	3.41	4.02
	4B-14	3.04	3.59
	4B-15	3.57	4.20

These prices are f. o. b. factory and are net, and are for the articles described in the manufacturer's application dated July 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Play yard	4B-9	$3.41
	4B-11	3.41
	4B-11	4.02
	4B-12	4.02
	4B-14	3.59
	4B-15	4.20

These prices are net and are for the articles described in the manufacturer's application dated July 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14589; Filed, Sept. 21, 1944; 11:59 a. m.]

[MPR 188, Order 2381]

L. J. TUCK

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a steamer chair manufactured by L. J. Tuck, 214 Forest Park Court, Pacific Grove, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Steamer chair		$1.87	$2.20

These prices are f. o. b. factory and are priced net; they are for the article described in the manufacturer's application dated July 5, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Steamer chair		$2.20

This price is net and is for the article described in the manufacturer's application dated July 5, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for

such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 22d day of September 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14590; Filed, Sept. 21, 1944; 11:59 a. m.]

Regional and District Office Orders.

[Detroit Order G-1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN DETROIT, MICH., DISTRICT

Correction

In F.R. Doc. 44-12255, appearing on page 10017 of the issue for Thursday, August 17, 1944, the restaurant maximum price regulation referred to in section 5 should be: "Restaurant Maximum Price Regulation No. 2."

WAR MANPOWER COMMISSION.

JOLIET-KANKAKEE, ILL., AREA

MINIMUM WARTIME WORKWEEK

Designation of the Joliet-Kankakee, Illinois Labor Market Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region VI by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Weekweek of 48 Hours", and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Joliet-Kankakee Labor Market Area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Joliet-Kankakee Labor Market Area shall include:

The counties of: Grundy, Kankakee and Will (except that portion of Steger that lies within Will County).

2. The effective date of this designation is October 15, 1944.

3. Not later than the effective date, each employer in the designated areas shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedule authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

"Minimum wartime workweek" as used in this order means a workweek of 48 hours, except in cases where a workweek of 48 hours (a) would be impracticable in view of the nature of the operations, (b) would not contribute to the reduction of labor requirements, or (c) would conflict with any Federal, State or local law or regulation limiting hours of work. In such cases, "minimum wartime workweek" means the greatest number of hours (less than 48) feasible in the light of the nature of the operations, the reduction of labor requirements or the applicable Federal, State and local law or regulation, as the case may be.

Date of issuance: September 2, 1944.

W. H. SPENCER,
Regional Director.

[F. R. Doc. 44-14550; Filed, Sept. 20, 1944; 4:17 p. m.]

WAR SHIPPING ADMINISTRATION.

ASSIGNMENT OF CLAIMS AGAINST AGENTS

STATEMENT OF POLICY

Whereas the Administrator, War Shipping Administration, has determined that adequate provision exists for prompt payment under all contracts executed by agents of the War Shipping Administration in behalf of the Administrator, and that therefore it is unnecessary for contractors to make assignments of claims arising under such contracts; and

Whereas the Administrator has further determined that such assignments of claims against agents are likely to involve undue complications of a fiscal, accounting and legal nature;

Now, therefore, the Administrator, War Shipping Administration, has determined that it is inconsistent with the policies of the Administration to permit contractors to assign any claims arising under contracts executed in behalf of the Administrator by agents of the War Shipping Administration, including job orders under master forms of contract. All such contractors are put on notice that the Administrator will not acknowledge or approve any such assignments.

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 20, 1944.

[F. R. Doc. 44-14571; Filed, Sept. 21, 1944; 11:30 a. m.]

SEP 25 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 191

Washington, Saturday, September 23, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

CLASSIFICATION OF ASSOCIATIONS; RETIREMENT OF STOCK UPON REPAYMENT OF LOANS

Part 11 of Title 6, Code of Federal Regulations is hereby amended as follows:

Present §§ 11.392 to 11.395, inclusive, are revoked and new §§ 11.65, 11.392, and 11.393 are added to read as follows:

§ 11.65 *Classification of associations.* The banks shall review periodically the financial condition of each association, and each completed compartment formed under the provisions of section 25 (b) of the Farm Credit Act of 1937 (12 U.S.C. 724), to determine whether its capital stock is impaired or unimpaired. For this purpose, the stock of an association shall be considered impaired if the total of its liabilities (including estimated losses on contingent liabilities) and capital stock is in excess of its total assets and such excess may not reasonably be regarded, under all the circumstances, as negligible in amount or percentage, as apparent rather than real, or as temporary only.

§ 11.392 *Disposition of stock proceeds where association stock is unimpaired.* When a mortgage loan through an association with unimpaired stock is paid in full, the bank shall retire its stock outstanding in connection with such loan and shall pay its par value in cash to the association. Upon the retirement of the bank stock, the association shall retire its stock outstanding in connection with such loan and shall pay the full proceeds thereof, less the amount of any claim of the association which may properly be offset against such stock proceeds, to the owner of, or the holder of a valid assignment of the beneficial interest in, such stock. The bank may, however, pursuant to a general resolution adopted by its board of directors and approved by the Farm Credit Administration, retire its stock and, with the consent of the association, credit an amount equal to the par value thereof as a last payment on the retiring borrower's loan. Before crediting stock of an unimpaired association to the retiring borrower's loan, the bank shall have satisfactory evidence that the person paying off the loan either owns, or holds a valid assignment of the beneficial interest in, stock issued by the association in connection with such loan and the association does not have a valid claim which properly may be offset against the proceeds of such stock upon its retirement.

§ 11.393 *Disposition of stock proceeds where association stock is impaired.* When a mortgage loan through an association with impaired stock is paid in full, the bank shall retire its stock outstanding in connection with such loan, and, if the association is indebted to the bank, it may retain the full amount of the proceeds of such stock and apply it as a credit on such indebtedness or it may pay to the association from the proceeds of such retired stock an amount sufficient to permit the association to make settlements pursuant to conservatorship proceedings, under section 29 of the Federal Farm Loan Act as amended, in which case any balance of such proceeds shall be retained by the bank and applied as a credit on the indebtedness of the association to it. Upon the retirement of the bank stock the association shall retire its stock outstanding in connection with such loan, and, unless it has been through conservatorship as provided in said section 29, it shall not make any payments to its retired shareholders of record or their heirs or assigns until it has paid, or made adequate provision for paying, its indebtedness to its creditors and has sufficient funds available to make a distribution among its retired shareholders or their heirs or assigns on a pro rata basis. Except where settlement is made pursuant to conservatorship proceedings, an association with impaired stock shall issue to each retiring shareholder, or his heirs or assigns, a certificate which recites, in effect, that the holder of the certificate is entitled to share in the distribution of any assets of the association which is

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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made after all its indebtedness to creditors has been paid or provided for; such sharing to be on the basis of the shares of stock described in the certificate, but not to exceed the par value of such shares, and pro rata with other persons having similar rights.

(Sec. 6, 47 Stat. 14, Secs. 7, 8, 39 Stat. 365, 367; 12 U.S.C. 665, 721, 733)

[SEAL] W. E. REA,
Land Bank Commissioner.

[F. R. Doc. 44–14635; Filed, Sept. 22, 1944; 11:12 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 507—SERVICE CLUBS, HOSTESSES AND LIBRARIANS

GUEST HOUSE SERVICE AND OPERATION

Section 507.8 is rescinded and the following substituted therefor:

§ 507.8 *Guest house service and operation.* (a) Guest houses are authorized at post, camps, and stations, including general hospitals.

(b) The guest house at a post other than a general hospital is designed to furnish overnight transient accommodations for immediate families, relatives, and friends of enlisted personnel. First priority to such accommodations will be allowed to the families, relatives, and friends visiting military personnel sick in the hospital.

(c) The guest house at a general hospital is designed to furnish overnight transient accommodations to:

(1) The immediate families, relatives, and friends of military personnel sick in the hospital. Families, relatives, and friends of officers may stay at the guest house. Where demand for accommodations exceeds available rooms, preference will be given to the families, relatives, and friends of enlisted personnel.

(2) Military personnel or their dependents awaiting admission to the hospital or during periods of out-patient treatment.

(d) No guest may remain at a guest house for more than 3 consecutive nights, except that guests visiting military personnel sick in a hospital and guests covered by (c) (2) of this section may remain for a longer period with the approval of the post commander.

(e) Maximum and minimum charges for the use of beds in guest houses will be determined by the Chief of the Army Exchange Service.

(f) An identification register will be maintained in the guest house. (R.S. 161; 5 U.S.C. 22) [AR 210–70 22 June 1944 as amended by C1, 24 August 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44–14603; Filed, Sept. 21, 1944; 2:29 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 20–8]

PART 20—PILOT CERTIFICATES

AERONAUTICAL SKILL

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of September 1944.

Effective September 19, 1944, § 20.127 of the Civil Air Regulations is amended by adding paragraph (g) to read as follows:

§ 20.127 *Aeronautical skill.* Applicant shall satisfactorily demonstrate his ability to pilot aircraft in solo flight and, in addition to normal take-offs, turns, and landings, to perform satisfactorily the following maneuvers: * * *

(g) When the applicant's medical certificate shows a structural defect or limitation such additional maneuvers and tests as may be found necessary by the Administrator to demonstrate the competency of the applicant to pilot aircraft safely. A pilot certificate issued under these circumstances may be limited to the operation of a particular aircraft and as to type of operation and period of reexamination.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–14639; Filed, Sept. 22, 1944; 11:37 a. m.]

[Civil Air Regs., Amdt. 29–2]

PART 29—PHYSICAL STANDARDS FOR AIRMEN

GENERAL PHYSICAL CONDITION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 19th day of September 1944.

Effective September 19, 1944, § 29.12 (c) of the Civil Air Regulations is amended to read as follows:

§ 29.12 *Third class.* * * *

(c) *General physical condition.* No applicant shall have an organic or functional disease which would interfere with the safe piloting of aircraft, or other duties of his airman certificate. Any structural defect or limitation shall be noted on the medical certificate.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44–14660; Filed, Sept. 22, 1944; 11:37 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5041]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BENJAMIN CHAITT, ET AL.

§ 3.27 (k) *Combining or conspiring—To sell products deceptively:* § 3.295 (b) *Concealing or obliterating law required marking—Wool products tags or identification.* In connection with the purchase, offering for sale, sale, or distribution of women's coats, suits, dresses, and wearing apparel, or any other "wool product" as such products are defined in and subject to the Wool Products Labeling Act of 1939, and on the part of the four respondent individuals, jointly or severally, and on the part of their respective agents, etc., causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the provisions of said act, with intent to violate the provisions thereof, and which stamp, etc., purports to show in whole or in part, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation, not exceeding 5 per centum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is 5 per centum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; and (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as defined in the Federal Trade Commission Act and said Wool Products Labeling Act of 1939; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., sec. 68) [Cease and desist order, Benjamin Chaitt, et al., Docket 5041, August 22, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 22d day of August A. D. 1944.

In the Matter of Benjamin Chaitt, Isaac Chaitt, Max Chaitt, and Mrs. Elizabeth Carl, Individuals

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939:

It is ordered, That respondents, Benjamin Chaitt, Isaac Chaitt, Max Chaitt, and Mrs. Elizabeth Carl, individuals, jointly or severally, their respective agents, representatives, and employees, directly or indirectly, in connection with the purchase, offering for sale, sale, or distribution of women's coats, suits, dresses, and wearing apparel, or any other "wool product" as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from causing or participating in the removal or mutilation of any stamp, tag, label, or other means of identification affixed to any such "wool product" pursuant to the provisions of the Wool Products Labeling Act of 1939, with intent to violate the provisions of said act, and which stamp, tag, label, or other means of identification purports to show all or any part of the following:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation, not exceeding 5 per centum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is 5 per centum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool prod-

uct; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 44-14634; Filed, Sept. 22, 1944; 11:12 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 29]

PART 1112—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF ARIZONA

WORKERS ENGAGED IN PICKING COTTON IN CERTAIN ARIZONA COUNTIES

§ 1112.1 *Wages of workers engaged in picking, pulling, bolling, snapping, and scrapping cotton in the Counties of Pima, Greenlee, Santa Cruz, Pinal, Graham and Maricopa, State of Arizona.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations", and based upon a certification of the Arizona WFA Wage Board that a majority of the producers of American Egyptian (SXP) and American Upland cotton in the area affected have requested the intervention of the War Food Administrator and based upon relevant facts submitted by the Arizona WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking, pulling, bolling, snapping and scrapping American Egyptian (SXP) and American Upland cotton in the Counties of Pima, Greenlee, Santa Cruz, Pinal, Graham and Maricopa, State of Arizona, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Wage rates; maximum wage rates for picking, pulling, bolling, snapping and scrapping American Egyptian (SXP) and American Upland cotton.*

(1) Wage rate for picking American Egyptian (SXP) cotton—$4 per 100 lbs. of well picked, clean, seed cotton.

(2) Wage rate for picking American Upland cotton:

(i) $2.25 per 100 lbs. of well picked, clean, seed cotton in Pima, Santa Cruz, Pinal and Maricopa Counties;

(ii) $2 per 100 lbs. of well picked, clean, seed cotton in Greenlee and Graham Counties.

(3) Wage rate for pulling, bolling, snapping and scrapping American Egyptian (SXP) and American Upland cotton—$1.35 per 100 lbs. of seed cotton.

(c) *Administration.* The Arizona WFA Wage Board located at Capital Annex, Phoenix, Arizona, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(d) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 29 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 29 and any violation of this specific wage ceiling regulation No. 29 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 21st day of September 1944.

PHILIP BAUTON, *Director of Labor, War Food Administration.*

[F. R. Doc. 44-14637; Filed, Sept. 22, 1944; 11:12 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1942, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-621]

GROSS PLUMBING & RUBBER CO.

Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr are partners engaged in the business of being wholesale hardware supply dealers under the name of Gross Plumbing & Rubber Company at 808 North Third Street, Philadelphia, Pennsylvania. Between June 15 and December 15, 1943, they consumed rubber or synthetic rubber in the manufacture of 6,000 gross sink stoppers and consumed 1370 pounds of rubber or synthetic rubber in the manufacture of rubber mats, in violation of Rubber Order R-1. Between December 11, 1942, and November 2, 1943, they overextended and made unauthorized extension of preference ratings on orders calling for the delivery of numerous articles, in violation of Priorities Regulation 3. Between September 27 and December 4, 1943, they delivered 160 stoves and 65 water heaters on unrated orders in violation of General Limitation Order L-79. On October 12, 1943, they ordered 500 rolls of friction tape and 102 dozen pairs of rubber gloves and applied to the order the MRO preference rating AA-5 and the certificate of CMP Regulation 5; in fact, these articles were for resale and were not for their own maintenance, repair, or operating supplies, and the application of the rating was in violation of CMP Regulation 5, and the execution of the certificates constituted false representation to the War Production Board. From October 1, 1942, to April 1, 1944, they failed to keep proper records as required by Priorities Regulation 1.

Lewis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr were aware of Rubber Order R-1, Priorities Regulation 3, General Limitation Order L-79, and CMP Regulation 5, and these violations were deliberate. These violations have diverted critical materials to uses not authorized by the War Production Board and have interfered with the controls established by the War Production Board over the distribution of scarce materials, and they have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered that:

§ 1010.621 *Suspension Order No. S-621.* (a) Deliveries of material to Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr, whether doing business as Gross Plumbing & Rubber Company or otherwise, their and its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, shall be made to Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr, whether doing business as Gross Plumbing & Rubber Company or otherwise, their and its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Louis Gross, Samuel Gross, Philip Gross, Harold Gross, and Edward Barr, whether doing business as Gross Plumbing & Rubber Company or otherwise, their and its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same

may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 21, 1944, and shall continue in effect until December 31, 1944.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14623; Filed, Sept. 21, 1944; 4:41 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-623]

CLINTON LOCK CO.

Clinton Lock Company, 78 Third Avenue North, Clinton, Iowa, is an Iowa corporation engaged in the manufacture of door locks and builders' hardware. Its products are distributed through jobbers. During the fourth quarter of 1943 and the first quarter of 1944, the corporation applied the allotment symbols W-1 and W-2 to twenty-five purchase orders for controlled materials consisting of 154,457 pounds of carbon steel and 5,489 pounds of brass. During this period, the corporation did not have any allotment of controlled materials, nor was it authorized to apply these allotment symbols to such purchase orders. The unauthorized application of these allotment symbols and the obtaining of deliveries of the foregoing amounts of controlled materials were in violation of CMP Regulation 1. In addition, the corporation failed to keep and preserve accurate and complete records of inventories of materials and of details of transactions in those materials, in violation of Priorities Regulation 1. These actions constituted grossly negligent violations of the provisions of CMP Regulation 1 and Priorities Regulation 1. These violations have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.623 *Suspension order No. S-623.* (a) During the fourth quarter of 1944, the Clinton Lock Company's allotments of carbon steel and copper base alloy shall be and are hereby reduced to 66⅔% of the amount of such carbon steel and copper base alloy allotted to it for such quarter.

(b) Clinton Lock Company shall cancel immediately all allotments of controlled materials which it has made to persons supplying it with Class A Products under the Controlled Materials Plan, except to the extent permitted by this order.

(c) Clinton Lock Company shall cancel immediately all unfilled orders which it has placed for controlled materials bearing a CMP allotment symbol (including the MRO symbol and the Symbol "SO" under the small order procedure of CMP Regulation 1), except to the extent permitted by this order.

(d) The restrictions and prohibitions contained herein shall apply to the Clinton Lock Company, its successors and assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve Clinton Lock Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on October 1, 1944 and shall expire on December 31, 1944.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14624; Filed, Sept. 21, 1944; 4:41 p. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-d as Amended Sept. 22, 1944]

ALUMINUM SCRAP

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aluminum scrap, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 921.6 *Supplementary Order M-1-d*—(a) *Definition.* For the purposes of this order "aluminum scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason, the principal ingredient of which by either weight or volume is metallic aluminum; and shall include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings and buffings: *Provided*, That the recoverable metallic aluminum content, as determined by the fire assay or other method of comparable efficiency, constitutes 50% or more by weight of such residues.

(b) *Special directions.* The War Production Board may issue special directions with respect to the use, receipt, delivery and segregation of aluminum scrap.

(c) *Records.* Each person who participates in any transaction involving aluminum scrap shall keep and preserve for at least two years complete and accurate records as to all such transactions. These records shall be subject to inspection by the War Production Board.

(d) *Reports.* (1) Any person generating 10,000 pounds or more of scrap in a plant in any month shall file a report for that plant covering the month on Form WPB-817 with the Aluminum and Magnesium Division. The report shall be filed by the fifteenth day of the month following the month covered by the report. This provision does not apply to scrap generated in the course of producing aluminum in controlled material form.

(2) Any person who melts aluminum scrap into ingot and who delivers some or all of the ingot to other persons, shall file reports on Form WPB-554 monthly with the Aluminum and Magnesium Division by the fifteenth day of the month following the month covered by the report. This is the form filed by aluminum smelters and producers of ingot.

(3) Any person who uses 2000 pounds or more of aluminum scrap in any month for the production of any aluminum product in controlled material form[1] and who is not required to file Form WPB-554 under paragraph (d) (2), shall file with the Aluminum and Magnesium Division a report on Form WPB-2685 covering that month. This report shall be filed by the tenth day of the month following the month covered by the report. This is the form filed by aluminum foundries, powder mills, and wrought product mills.

(4) All persons regularly engaged in the business of buying and selling aluminum scrap (dealers) shall file Form WPB-202 with the Bureau of Mines, College Park, Maryland, by the tenth day of each month or such other reports as the War Production Board may require.

(e) *Addressing of communications.* All reports and other communications filed pursuant to this order or concerning the subject matter hereof, with the exception of the report on Form WPB-202, should be addressed to: War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Reference M-1-d.

(f) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14652; Filed, Sept. 22, 1944; 11:16 a. m.]

PART 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M-1-d, Revocation of Direction 1]

ALUMINUM SCRAP

Direction 1 to Supplementary Order M-1-d is hereby revoked. This action shall not be construed to affect in any

[1] Aluminum in controlled material form is described in Schedule 1 of CMP Regulation 1.

way any liability or penalty incurred under said direction.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14651; Filed Sept. 22, 1944; 11:16 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation]

CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

Section 1157.20 *Limitation Order L-217*, is revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of construction machinery and equipment remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14638; Filed, Sept. 22, 1944; 11:18 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule II]

PORTABLE JAW AND ROLL CRUSHERS

Section 1157.22 *Schedule II to Limitation Order L-217*, is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of portable jaw and roll crushers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14639; Filed, Sept. 22, 1944; 11:18 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule V]

PORTABLE CONSTRUCTION CONCRETE MIXERS

Section 1157.25 *Schedule V to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of portable construction concrete mixers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14640; Filed, Sept. 22, 1944; 11:18 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule VI]

TRUCK MIXER-AGITATORS

Section 1157.26 *Schedule VI to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of truck mixer-agitators remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14641; Filed, Sept. 22, 1944; 11:18 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule VII]

PUMPS

Section 1157.28 *Schedule VII to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of pumps remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14642; Filed, Sept. 22, 1944; 11:18 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule IX]

TANK CAR HEATERS AND PUMPING BOOSTERS OR CIRCULATORS

Section 1157.29 *Schedule IX to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of tank car heaters and pumping boosters or circulators remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14643; Filed, Sept. 22, 1944; 11:19 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule X]

BITUMINOUS PAVING FINISHERS

Section 1157.30 *Schedule X to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous paving finishers remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14644; Filed, Sept. 22, 1944; 11:19 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[LIMITATION ORDER L-217, REVOCATION OF SCHEDULE XII]

BITUMINOUS HEATING KETTLES

Section 1157.32 *Schedule XII to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous heating kettles remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14645; Filed, Sept. 22, 1944; 11:19 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule XIII]

BITUMINOUS MATERIALS MAINTENANCE UNITS

Section 1157.33 *Schedule XIII to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous materials maintenance units remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14646; Filed, Sept. 22, 1944; 11:19 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule XIV]

BITUMINOUS PATCH PLANTS

Section 1157.34 *Schedule XIV to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of bituminous patch plants remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14647; Filed, Sept. 22, 1944; 11:19 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-217, Revocation of Schedule XV]

ASPHALT SURFACE HEATERS

Section 1157.35 *Schedule XV to Limitation Order L-217* is revoked. This revocation does not affect any liabilities incurred under the schedule. The manufacture and delivery of asphalt surface heaters remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14648; Filed, Sept. 22, 1944; 11:19 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-341, Direction 1]

RECEIPT OF COMMERCIAL MOTORS IN THE FOURTH QUARTER OF 1944

The following direction is issued pursuant to Limitation Order L-341:

This direction applies only to persons who are required by Order L-341 to file applications on Form WPB-3825 for receipt of commercial motors in the fourth quarter of 1944. If you apply for and receive authorization and direction on Form WPB-3825 showing the quantities of commercial motors which you are permitted to receive during the fourth calendar quarter of 1944, the following rules apply:

1. Deliveries to you which you have shown as "Required" on your WPB-3825 application may be received during the fourth quarter of 1944, unless a different quantity is indicated in the column headed "Authorized", in which event you may not receive quantities in excess of those so indicated.

2. If the quantities authorized are greater than the quantities promised by your suppliers, you may notify the suppliers as to the quantities you have been authorized to receive (although this, of course, does not permit you to receive more than the aggregate quantities permitted by other orders or regulations, or preference ratings which you are otherwise permitted to apply or extend.) If the supplier or suppliers, listed on your WPB-3825 application, are unable to meet your requirements for the quantities authorized over and above those promised, you may secure such additional motors, if possible, from other suppliers.

3. If the quantities authorized are less than the quantities which you have ordered or been promised, you must reduce, postpone or cancel your orders to the extent necessary to bring your receipts during the quarter within the quantities authorized.

4. In some instances there may be two or more suppliers of a particular rating of motor, the authorized delivery of which is lower than the manufacturers' promises. In such cases it may be left to your choice to select those suppliers who shall be asked to reduce their deliveries to you, and as an indication that the choice is left to you, the several suppliers of a particular motor will be bracketed into one authorization in the "Authorization" column, or by other suitable means. Within ten days after receipt of authorization and direction on Form WPB-3825 you shall notify your supplier, or suppliers, to reduce their deliveries to you to the extent required by the authorization and direction and a copy of your notification(s) should be sent to the Fractional Horsepower Motor Section, General Industrial Equipment Division, War Production Board, Washington 25, D. C. The notification should mention not only your purchase order number, but also the motor horsepower and speed and the "B" product code number to which the reduced authorization applies.

5. In the event that you fail to receive delivery of the authorized quantities of the authorized quantities of specific ratings of motors during the quarter covered by the authorization, the deficiency may be received during a succeeding calendar quarter, in addition to that authorized on your subsequent application for the succeeding quarter or quarters, only if this is specifically authorized on the subsequent application, and should be explained under "Remarks."

Any questions concerning this direction should be directed to the Fractional Horsepower Motor Section, General Industrial Equipment Division, War Production Board, Washington 25, D. C.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14625; Filed, Sept. 21, 1944; 4:41 p. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Revocation of General Direction 4]

TANNING OF MILITARY QUALITY CALFSKINS

General Direction 4 to General Conservation Order M-310 (tanning of military quality calfskins) is hereby revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14626; Filed, Sept. 21, 1944; 4:42 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 4, as Amended Sept. 22, 1944]

ANHYDROUS HYDROFLUORIC ACID

§ 3293.1004 *Schedule 4 to General Allocation Order M-300*—(a) *Definition.* "Anhydrous Hydrofluoric Acid" means anhydrous hydrofluoric acid in liquid or gaseous form.

(b) *General restrictions.* Anhydrous hydrofluoric acid is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is March 1, 1944. The allocation period is the calendar month, and the small order exemption is 5 tons per month.

(c) *Suppliers' applications on Form WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). The filing date is the 20th day of the month preceding the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300-4. The unit of measure is the ton. An aggregate quantity may be requested, without specifying customers' names, for delivery on small orders of 5 tons or less per person per month. Fill in Table II.

(d) *Customers' applications for authorization on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month preceding the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300-4, one copy (reverse side blank) to the supplier and retain one copy. File separate sets of forms for each different supplier. The unit of measure is the ton. In Column 3 specify each primary product, or specify "Resale" or "Export" if the anhydrous hydrofluoric acid is to be resold or exported as such. In Column 10 of Table I specify the delivery date required for such car of anhydrous hydrofluoric acid requested. Fill in the other columns of Table I, and fill in Tables II and III as indicated. Leave Tables IV and V blank.

(e) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

(f) *Communications to War Production Board.* Communications concerning this schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-4.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14656; Filed, Sept. 22, 1944; 11:17 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, as Amended Sept. 22, 1944]

Par.

(a) Purpose and scope.
(b) Definitions.
(c) General allotment procedure.
(d) Bills of materials and applications for allotments.
(e) Responsibility for statements of requirements.
(f) Forms in which allotments made.
(g) Allotments by consumers.
(h) Methods of allotment.
(i) Method of cancelling or reducing allotments.
(j) Assignment of allotments.
(k) Grouping of allotments and schedules by major programs.
(k-1) Class A products sold to distributors or for MRO.

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[2] General Preference Order M-186 also defines "district".

Sec.
(l) Small order procedure.
(m) Relationship between allotments and production schedules.
(n) Manner of authorizing production schedules.
(o) Authorized production schedules must be filled.
(p) Protection of Class A product schedules.
(q) Reconciliation of conflicting schedules.
(r) Alternative procedure for simultaneous allotments.
(s) How to place orders with controlled materials producers.
(s-1) Restrictions on placing authorized controlled material orders.
(t) Controlled materials producers.
(u) Restrictions on use of allotments and materials.
(v) Adjustments for purchases under Priorities Regulation 13.
(w) What to do if requirements change.
(x) Other War Production Board regulations and orders.
(y) Records and reports.
(z) Appeals and applications for relief.
(aa) Penalties.

PURPOSE AND SCOPE

§ 3175.1 *CMP Regulation 1.* (a) This regulation explains how allotments for manufacturing operations are made under the Controlled Materials Plan, how production schedules are authorized and how controlled materials are obtained. Other CMP regulations cover inventory restrictions, preference ratings, warehouses and distributors, maintenance, repair and operating supplies, construction and other matters.

DEFINITIONS

(b) The following definitions shall apply for the purposes of this regulation and for the purposes of any other CMP regulation unless otherwise indicated:

(1) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I attached.

(2) "Controlled Materials Division" means the Steel Division, the Copper Division or the Aluminum Division of the War Production Board.

(3) "Industry Division" means the Division, Bureau, or other unit of the War Production Board which is charged with supervision over the operations of a particular industry. The term also includes any other government agency which, by arrangement with the War Production Board, may perform similar functions with respect to a particular industry.

(4) "Claimant Agency" means the following government offices and such others as may be designated from time to time. (Identifying symbols are indicated in parentheses.)

War Department (W)—except Ordnance which is identified by the symbol (O).
Navy Department (N).
Maritime Commission (M).
Aircraft Resources Control Office (agent for Army Air Forces and Bureau of Aeronautics of United States Navy (C).
Foreign Economic Administration—Office of Lend-Lease Administration (L).
Foreign Economic Administration—Office of Economic Warfare (E).
Office of Civilian Requirements (V).
Department of Agriculture (A)
Office of Defense Transportation (T).
Office of Rubber Director (R).
Petroleum Administration for War (P).
National Housing Agency (H).
Office of War Utilities (U).

The symbol (F) will be used by several Claimant Agencies to identify certain construction programs; the symbols (B), (G), (J) and (K) will be used to identify certain B product programs; the symbol (D) will be used to identify certain programs covering items destined for the Dominion of Canada; the symbol (S) will be used to identify certain miscellaneous programs including certain B product programs and construction programs; the symbol (SO) will be used to identify small orders as defined in paragraph (l) and the symbol (Z) will be used to identify production authorized under Priorities Regulation 25 and certain other programs. The symbols (B), (D), (F), (G), (J), (K), (Z), (SO) and (RO) constitute Claimant Agency symbols for the purpose of all CMP regulations.

(5) "Allotment" means (i) a determination by the Requirements Committee of the War Production Board of the amount of controlled materials which a Claimant Agency may receive during a specified period, or (ii) a further determination pursuant thereto by a Claimant Agency, Industry Division, prime consumer or secondary consumer, as to the portion of its allotment of controlled materials which may be received by one of its prime consumers or secondary consumers, as the case may be.

(6) "Prime consumer" means any person who receives an allotment of controlled material from a Claimant Agency or an Industry Division.

(7) "Secondary consumer" means any person who receives an allotment of controlled material from a prime consumer or another secondary consumer.

(8) "Class A product" means any product which is not a Class B product (as defined in subparagraph (9) below), and which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such steel, copper or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(9) "Class B product" means any product designated as such in the "Official CMP Product List" printed in "Products and Priorities" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(10) "Program" means a plan specifying the total amount of an item or class of items to be provided in a specified period of time.

(11) "Authorized program" means a program specifically authorized by the Requirements Committee or by a Claimant Agency or Industry Division within the limits of its allotment.

(12) "Production schedule" means a plan specifying the total amount of an item or class of items to be produced by an individual consumer in a specified period of time.

(13) "Authorized production schedule" means a production schedule specifically authorized within the limits of an authorized program by a Claimant Agency or by an Industry Division with respect to a prime consumer, or specifically authorized by a prime or secondary consumer with respect to a secondary consumer producing products for it as required to meet an authorized production schedule.

(14) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(15) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph (s) of this regulation or which is specifically designated to be such an order by any regulation or order of the War Production Board.

GENERAL ALLOTMENT PROCEDURE

(c) This paragraph explains the general allotment procedure.

Allotments by Requirements Committee to Claimant Agencies

(1) The Requirements Committee of the War Production Board will distribute the available supply of controlled materials by making allotments to the Claimant Agencies or Industry Divisions for each quarter, designating the amount of each form of controlled material available, during the quarter, to each Claimant Agency or Industry Division for allotment to its prime and secondary consumers.

Allotments by Claimant Agencies to Prime Consumers Producing Class A Products

(2) Each Claimant Agency will distribute the allotments received by it by making further allotments to the prime consumers who produce Class A products for it. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to the secondary consumers producing Class A products as parts or sub-assemblies for it. A prime consumer producing Class A products for several Claimant Agencies shall obtain separate allotments from each. A Claimant Agency, may, in particular cases, make allotments through an Industry Division.

Allotments by Industry Divisions to producers of Class B products

(3) Unless otherwise specifically directed, allotments to producers of Class B products will be made only by Industry Divisions, both in the case of Class B products which are end-products and in the case of Class B products which are incorporated in other products whether Class A or Class B. Allotments made by the Requirements Committee may be made available to the Industry Divisions for this purpose by the Claimant Agencies. Each Industry Division will make allotments to the prime consumers producing Class B products under its jurisdiction. In addition, allotments for products for which application may be made under Priorities Regulation 25, will be made by the Field Offices of the War Production Board. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during the quarter, for use by it or allotment to secondary consumers producing Class A products for it. A manufacturer of several Class B products coming under the jurisdiction of different Industry Divisions shall obtain separate allotments from each. A consumer producing Class B products is always a prime consumer with respect to such production.

Allotments by Prime and Secondary Consumers

(4) Each prime consumer receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized production schedule, and shall allot the remainder to his secondary consumers producing Class A products for him, to cover their requirements for controlled materials. Allotments by secondary consumers to secondary consumers supplying them may be made in the same fashion. A secondary consumer producing Class A products for several other consumers shall obtain separate allotments from each.

Advance Allotments

(5) Advance allotments by Claimant Agencies or Industry Divisions to prime consumers may be made within specified limits before receipt of allotments from the Requirements Committee in order to assure fulfillment of long term programs and schedules. Prime consumers receiving such advance allotments may, in turn, make allotments to their secondary consumers, and secondary consumers may make further allotments, in the same manner as in the case of ordinary allotments, but no consumer shall make any allotment in advance of receiving his own allotment.

Allotment Numbers

(6) (i) Allotments to prime consumers shall usually be identified by allotment numbers consisting of a Claimant Agency letter symbol and seven digits. This seven-digit allotment number is known as a: "Full CMP allotment number." The Claimant Agency symbol is indicated after the name of each Agency in paragraph (b) (4) of this regulation. The first four digits identify the authorized program of the Claimant Agency. The next three digits identify the authorized production schedule of the prime consumer. The numerical identification of months and quarters as previously required is abolished. Allotments must show the quarter for which the allotment is valid—for example, "3rd quarter 1943" instead of "19". This may be abbreviated as "3Q43" and should appear immediately following the allotment number. Orders for controlled materials must indicate the month delivery is required instead of a month number—for example, "July, 1943." The change from the numerical system shall take effect on July 1, 1943, but shall not apply to orders placed, or allotments made, before then.

(ii) Allotments to secondary consumers shall be identified by a CMP allotment symbol consisting only of a major program identification. The major program identification shall consist of the Claimant Agency letter symbol followed by the first digit only of the program number (omitting the last three digits of the program number and the entire schedule number). For example, in the case of an allotment to a prime consumer for the third quarter of 1943, designated W-2345-687, the allotment to a secondary consumer will be simply W-2-3Q43 denoting an allotment for major program number 2 of the War Department for delivery of controlled materials in the third quarter of 1943. The term "abbreviated allotment number" will no longer be used. Instead, the term "CMP allotment symbol" will include an abbreviated allotment number, as well as any other symbol (such as, "MRO") which is so designated by any War Production Board order or regulation.

BILLS OF MATERIALS AND APPLICATIONS FOR ALLOTMENTS

(d) This paragraph explains the use of bills of materials, applications for allotments and other information, in making allotments.

General

(1) The basis for an allotment to a consumer shall be his actual requirements for controlled materials in connection with the fulfillment of an authorized production schedule. The production schedule shall be authorized as provided in paragraph (n) of this regulation. Information as to requirements shall be in the form of a bill of materials, an application for allotment and/or other information as provided below in this paragraph (d).

Bills of Materials

(2) A bill of materials shows the amounts of controlled materials required by a consumer and his secondary consumers, irrespective of time of delivery and inventory, for production of one unit or a specified number of units of his product. Bills of materials shall be prepared in the manner specified in "General Instructions on Bills of Materials," on forms CMP-1, CMP-2 and CMP-3 or on such other forms as may be prescribed. No consumer shall be required to furnish a bill of materials on any form which is not officially prescribed (as indicated by a Bureau of Budget number), but in cases where another form is in use which gives the same information as the official form, the Claimant Agency, Industry Division or consumer to whom a bill of materials is to be furnished may accept it on such other form.

Application for Allotment

(3) An application for allotment shows the aggregate amount of each form of controlled material required (after taking inventories into account to the extent required by CMP Regulation No. 2) by a consumer and his secondary consumers during each quarter for his entire production of a specified product or class of products for the same customer, in the case of Class A products, or for all customers (unless otherwise directed) in the case of Class B products. Applications are to be made by manufacturers of Class A products on Form CMP-4A as issued by the appropriate Claimant Agency, and by manufacturers of Class B products on Form CMP-4B as issued by the War Production Board, Form WPB-4000 (for production under Priorities Regulation 25) or on such other forms as may be prescribed. Allotments are to be made on a quarterly basis and applications for allotments are also to be made on a quarterly basis, in lieu of a monthly basis as originally prescribed, except as may otherwise be required in any allotment or by the applicable application form.

Class B Components Not Included

(4) A bill of materials or application for allotment shall *not* include controlled materials required for manufacture of Class B products which will be incorporated in the product with respect to which the bill of material or application is submitted, although information as to the number or value of such Class B products is to be given in bills of materials to the extent required by the instructions.

MRO Excluded

(5) Requirements for maintenance, repair or operating supplies shall *not* be included in bills of materials or applications for allotment. Requirements for such purposes are to be obtained separately as provided in CMP Regulation No. 5, CMP Regulation No. 5 A and orders in the P and U series.

Where and When to File

(6) Bills of materials and applications for allotments shall be filed with the Claimant Agency, Industry Division or other consumer by whom the allotment is to be made, as indicated in paragraph (c) of this regulation. Bills of materials shall be filed only when and as called for by such Claimant Agency, Industry Division or other consumer. Manufacturers of Class A products shall file applications for allotments only when and as called for by the Claimant Agency or other consumer for whom they make their products. Manufacturers of Class B products who will require controlled materials from controlled materials producers (or whose secondary consumers will require the same) must file applications for allotments on Form CMP–4B by such date as may be designated or approved by the appropriate Industry Division (or in special cases by a Claimant Agency). Those manufacturers of Class B products who will obtain their requirements of controlled materials entirely from warehouses or retailers, and whose secondary consumers will do the same, need not file any applications for allotments. Procedures for obtaining controlled materials from warehouses or retailers, and limitations on the amount which may be obtained are provided in CMP Regulation No. 4. Manufacturers of Class A products who sell them for use as maintenance, repair or operating supplies, or deliver them to distributors, shall obtain allotments on Form CMP–4B as provided in paragraph (k–1) of this regulation.

Additional Information

(7) Each person making an allotment may require such other information in lieu of, or in addition to, a bill of materials or application for allotment as is required to enable him to make the allotment requested or to furnish any bill of materials, application for allotment or other information that may be required of him. If the consumer from whom such other information is requested is of the opinion that compliance with such request would be unreasonably burdensome he may appeal for relief as provided in paragraph (z) of this regulation.

Waiver

(8) Any consumer making an allotment may waive the furnishing of a bill of materials or application for allotment, or both, if he has other information as to actual requirements of his secondary consumers (taking into account the inventory restrictions of CMP Regulation No. 2) which is sufficiently accurate and detailed to enable him to make the allotment and to furnish any bill of materials, application for allotment or other information that may be required of him.

RESPONSIBILITY FOR STATEMENTS OF REQUIREMENTS

(e) (1) The furnishing of any bill of materials, application for allotment or other information as to requirements by a consumer, shall constitute a representation by him to the person to whom it is furnished, to the appropriate Claimant Agency and to the War Production Board, that the statements contained therein are complete and accurate, to the best of his knowledge and belief, not only with respect to such consumer's own requirements but also with respect to those of his secondary consumers.

(2) Any person who ascertains that he has substantially overstated (whether by inadvertence or otherwise) his requirements, or those of his secondary consumers, for any form of controlled material, shall immediately report such error to the person to whom the statement of requirements was furnished. If he has already received an allotment based on such overstatement, he shall immediately cancel or reduce the same (or an equivalent amount of other allotments received for the same authorized production schedule) to the extent of such excess, and report such cancellation or reduction to the person from whom the allotment was received; or if he is unable for any reason to make such cancellation, he shall immediately make a full report to the person from whom he received the allotment, and shall send a copy of such report to the appropriate Claimant Agency or Industry Division, if the allotment was received from another consumer.

(3) If any consumer receives any statement of requirements which he knows or has reason to believe to be substantially excessive (whether by inadvertence or otherwise), he shall withhold any allotment based thereon (either entirely or in an amount sufficient to correct the maximum excess) until satisfied that the statement is not excessive or that it has been appropriately modified. If unable to obtain sufficient information or an appropriate modification, he shall promptly report the matter to the appropriate Claimant Agency or Industry Division. Failure to withhold allotments or to make such report shall be deemed participation in the offense.

(4) If, after making any allotment, a consumer ascertains or has reason to believe that the allotment was substantially in excess of actual requirements, he shall either (i) correct the excess by cancelling or reducing the allotment or other allotments made by him to the same consumer, or (ii) report the matter promptly to the appropriate Claimant Agency or Industry Division. Failure to make such correction or report shall be deemed participation in the offense.

(5) An inadvertent overstatement of requirements shall be deemed substantially excessive for purposes of subparagraphs (2), (3), and (4) of this paragraph (e) if, but only if, it exceeds actual requirements by either (i) one-third or more of actual requirements or (ii) the minimum mill quantity specified in Schedule IV attached, whichever is less.

FORMS IN WHICH ALLOTMENTS MADE

(f) Each allotment, whether made by a Claimant Agency, an Industry Division or a prime or a secondary consumer, shall specify the form of the controlled material allotted. Allotments of steel shall be in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown. Allotments of aluminum will be in terms of "aluminum", without any breakdown, instead of the breakdown formerly provided into nine forms and shapes. Allotments of copper shall be broken down as indicated in Schedule I. A consumer may make allotments only in the same forms of controlled materials in which he has received his allotment, except that a consumer may, if he desires, break allotments of aluminum down into the forms and shapes formerly provided. In such a case, however, the person receiving the allotment may ignore the breakdown and may treat it as though made in terms of "aluminum".

ALLOTMENTS BY CONSUMERS

(g) (1) No consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(2) No consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any secondary consumers supplying the latter).

(3) No consumer shall make any allotment for the production of Class B products and no person shall accept any allotment from a consumer for the production of Class B products, except as permitted by Direction 36 to CMP Regulation No. 1.

(4) No consumer who has received his allotment for an authorized production schedule shall place any delivery order (other than small orders placed pursuant to paragraph (l) of this regulation) for any Class A product required to fulfill said schedule, unless concurrently therewith, he makes an allotment to the person with whom the order is placed, in the amount required by such person to fill said order (taking such person's inventory into account to the extent required by CMP Regulation No. 2); however, if he purchases a Class A product which has been manufactured under the provisions of paragraph (k–1) of this regulation, he need make no allotment for such product.

(5) Paragraph (g) (4) does not apply in the case of any order for a Class A product required to fill an authorized production schedule identified by a CMP allotment symbol Z–1. However, in such a case, the manufacturer of the Class A product may reject the order, whether the order is rated or not, if an allotment is not made, or controlled materials furnished, in an amount required to fill the order (taking his inventory into account to the extent required by CMP Regulation 2).

METHODS OF ALLOTMENT

(h) (1) A consumer may make an allotment to his secondary consumer on such form (including Form CMP–5 set forth in Schedule II) as may be prescribed for the purpose. Allotments may be made by telegraphing the information required by the appropriate form and confirming the same with such form.

2. Every consumer shall place on each allotment made by him the CMP allotment symbol which is on the related allotment received by him, and shall indicate the quarter for which the allotment is valid, except that if the full allotment number described in subdivision (i) of paragraph (c) (6) of this regulation is on the allotment received by him, he need only place on related allotments made by him the CMP allotment symbol described in subdivision (ii) of paragraph (c) (6). If a consumer places a delivery order for which he has made an allotment by separate instrument, he shall place the appropriate number on said order, and shall indicate the quarter for which the allotment is valid.

METHOD OF CANCELLING OR REDUCING ALLOTMENTS

(i) A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If such cancellation or reduction is not practicable, he may make equivalent cancellations or reductions with respect to other allotments received by him for the same production schedule. Where such course of action is not practicable he may use or dispose of controlled materials or Class A products which he gets with an allotment in the way explained in paragraph (u) of this regulation. If at the time an authorized controlled material order is cancelled pursuant to this paragraph, the consumer would be entitled to receive the controlled material because of the provisions of paragraphs (c) (2) and (c) (4) of CMP Regulation No. 2, the allotment has been used and may not be returned, or used for another purpose, irrespective of whether the order is in fact cancelled or not.

ASSIGNMENT OF ALLOTMENTS

(j) (1) No consumer shall transfer or assign any allotment in any way unless:

(i) Delivery orders placed with him, in connection with which the allotment was made to him, have been transferred or assigned to another consumer;

(ii) The authorized production schedules of the respective consumers have been duly adjusted; and

(iii) The transfer or assignment is approved in writing by the person who made the allotment.

(2) Transfers or assignments of allotments may be made without complying with paragraph (j) (1) of this regulation in connection with the transfer or assignment of a business as a going concern where the transferee continues to operate substantially the same business in the same plant and where he uses substantially the same trade-mark or trade name. The transferee may use the allotment and ratings of the transferor but the transferee must notify the War Production Board Ref: CMP Division of the details of the transaction, giving the names of the persons involved and furnishing one extra copy of such notification for each authorized production schedule that he has received from the War Production Board.

GROUPING OF ALLOTMENTS AND SCHEDULES BY MAJOR PROGRAMS

(k) A consumer operating under several authorized production schedules may combine in a single allotment to a secondary consumer requirements for any number of different production schedules which are identified by the same CMP allotment symbol as provided in paragraph (c) (6) (ii), and he may authorize a single production schedule for the secondary consumer in connection with such allotment. If the secondary consumer has filed separate applications, and the consumer making the allotment acts on such applications separately, the secondary consumer may nevertheless treat such allotments and authorized production schedules bearing the same major program number as a single allotment and a single authorized production schedule.

CLASS A PRODUCTS TREATED AS CLASS B PRODUCTS

(k–1) (1) A distributor of Class A products who receives physical delivery thereof may, unless otherwise specifically ordered, buy and sell the same without making or receiving allotments. A manufacturer of Class A products selling them directly or indirectly to such distributors may obtain an allotment for such manufacture from the appropriate Industry Division pursuant to application on Form CMP–4B in the same manner as if they were Class B products. If physical delivery is made directly by the manufacturer to a distributor's customer, the latter (unless he is also a distributor) shall make an allotment directly to the manufacturer in the same manner and subject to the same conditions as if the distributor had no part in the transaction.

(2) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies (except items directly purchased and programmed by a Claimant Agency) shall, unless otherwise specifically ordered, obtain allotments for such manufacture in the same manner as provided in subparagraph (1) of this paragraph (k–1) for delivery to distributors. Applications pursuant to said subparagraph (1) and this subparagraph (2) may be combined in a single application on Form CMP–4B.

(3) A manufacturer who also sells purchased Class A products to round out his line, which do not represent more than 10% of his total sales, shall be deemed the manufacturer of such products and not a distributor for purposes of this paragraph (k–1).

(4) A manufacturer of a Class A product for which application may be made under Priorities Regulation 25, may obtain his allotment pursuant to application under that Regulation to the Field Offices of the War Production Board.

(5) A Class A product for which allotments are made directly by the War Production Board under this paragraph (k–1) shall be treated in all respects as a Class B product for the purpose of this regulation.

SMALL ORDER PROCEDURE

(l) This paragraph explains how orders for Class A products requiring small quantities of controlled materials may be placed without making an allotment.

Definition of Small Order

(1) A "small order" for purposes of this regulation is a delivery order for a Class A product placed with a manufacturer where the amount of any controlled material required to fill the order does not exceed the following:

Carbon steel (including wrought iron) and alloy steel	10 tons.
Copper wire mill and brass mill products	1,000 lbs.
Copper and copper base alloy foundry products	300 lbs.
Aluminum	2,000 lbs.

The small order procedure may not be used to get from all suppliers more of the same Class A product for use in the same authorized production schedule during the same calendar quarter than can be made out of the quantities of controlled materials shown above. A person may place small orders for delivery in any one calendar quarter for any number of different Class A products, provided the quantities of controlled materials for each Class A product are within these limits.

(2) A Class A product is considered different from another Class A product if

it differs from the other product by reason of one or more of its specifications such as width, thickness, temper, alloy, finish, and the like. A person must not, however, vary a minor specification just for the purpose of using the small order procedure. For example, if a person is purchasing several different kinds of springs, he may treat each different type or size of spring as a separate Class A product, and orders placed for each type or size which require controlled materials for their production within the quantity limits specified in paragraph (1) above constitute small orders, but he must not vary the specifications of the springs just to be able to place small orders.

Persons Entitled to Use the Small Order Procedure

(3) Only a prime consumer who has received an authorized production schedule from a Claimant Agency or the War Production Board, or a secondary consumer who has received an authorized production schedule from a prime consumer or from another secondary consumer, can use the small order procedure to get Class A products needed as production material to fill the authorized production schedule. A Claimant Agency may use the small order procedure to purchase Class A products for its own use.

How to Place Small Orders for Class A Products

(4) A person placing a small order does not have to make an allotment and therefore does not have to show any allotment number or quarterly designation on his order. He must endorse his order with the symbol SO, the preference rating assigned his production schedule, and either the certification set out in CMP Regulation No. 7 or the one set out in CMP Regulation No. 3. Since he does not make an allotment he does not have to account for controlled materials purchased to fill the order and does not need to make any deduction from his own allotment. A person, in filing an application for allotments, need make no adjustment for controlled materials needed to make Class A products which he may buy under the small order procedure.

(5) Where a person places orders for a particular Class A product under the small order procedure believing his total requirements for the product during the quarter will be within the small order limits and later discovers that, due to circumstances he could not reasonably have foreseen, his total requirements for the product during the quarter will not be within the small order limits, he may still use the small order procedure, but must charge his allotment account with the total quantity of controlled materials needed to fill all orders for the product to be delivered in the quarter. However, if he does not have enough controlled materials in his allotment account to cover all of his orders for the product, he must not use the small order procedure to buy the additional quantity, but may apply for an allotment to make up the difference.

How to Obtain Production Materials to Fill Small Orders

(6) A manufacturer of Class A products who receives small orders may get controlled materials needed to fill them by endorsing his purchase orders for controlled materials with the allotment symbol SO and the certification set out in paragraph (s) (3) of this regulation or the certification set out in CMP Regulation No. 7. An order so endorsed is an authorized controlled material order. The manufacturer does not have to show any quarterly designation, or preference rating on the order. He must show the date or month when he needs to have the controlled material delivered to him either for the production of the product ordered under the small order procedure or to replace in inventory controlled material so used. If a manufacturer uses controlled materials from inventory in filling small orders, he may place authorized controlled material orders, endorsed with the SO symbol, calling for delivery of controlled materials after the small orders were delivered to his customer. He may use the SO symbol and extend his customers' ratings to get Class A products needed to fill small orders. A manufacturer of Class A products may, in buying controlled materials or Class A products to be used in filling small orders for his product, combine the requirements to fill all small orders received by him. Where, in combining requirements for Class A products to fill small orders, the total amount of controlled materials required for their production is greater than the amounts shown in subparagraph (1) above, he should let his supplier know that this results from combining requirements, by endorsing on his order a statement substantially as follows:

The Class A products covered by this purchase order represent the combined requirements to fill SO orders received by me.

(7) Materials other than controlled materials, and Class B products required to fill small orders may be purchased subject to the same limits as apply to an authorized production schedule, that is they may only be ordered for delivery at the time and in the quantities necessary to meet the delivery dates specified on the small orders, subject to the inventory limits set forth in Priorities Regulation No. 1. The rating applied to deliveries of Class A products covered by a small order may be used to buy Class A products, Class B products and materials other than controlled materials, needed to fill the order. The symbol SO must be endorsed together with the rating on all orders for such production materials.

(8) If a customer placing a small order makes an allotment to cover it instead of using the symbol SO, the manufacturer who receives the order may treat the order as a small order just as though it had been endorsed with the symbol SO and no allotment had been made. He must not, however, use the allotment in such a case. In other words, a manufacturer of a Class A product receiving an allotment of controlled materials which is within the small order controlled material quantity limits has the option of either using the allotment and allotment number, or the small order procedure, but not both. A manufacturer who receives a small allotment which he chooses to treat as a small order, does not have to return the allotment or keep any record of its receipt.

Production Records

(9) A manufacturer of Class A products must keep records which will show the amount of controlled materials ordered by the use of the SO symbol, and his production records must be accurate enough to show that the quantity of Class A products produced to fill small orders is reasonably related to the amount of controlled materials bought by the use of the SO symbol.

Bill of Materials Not Required

(10) A manufacturer of a Class A product does not have to furnish his customer with a bill of materials, application for allotment, or equivalent information as to the amount of controlled materials needed to fill any particular small order. He must, however, if requested, tell his customer the number of units of the Class A product ordered which he can manufacture within the limits of the quantities of controlled materials set forth in subparagraph (1) above, or he must, at the option of his customer, inform the customer that the amount of each controlled material needed to fill the order is within the permitted small order limits.

RELATIONSHIP BETWEEN ALLOTMENTS AND PRODUCTION SCHEDULES

(m) Every allotment made by a consumer must include or be accompanied by authorization of a production schedule with respect to the products to be supplied to him, and no consumer shall authorize a production schedule for a secondary consumer unless he concurrently allots the controlled materials required to fulfill the schedule; provided, however, that this paragraph shall not apply to any delivery order bearing a symbol (such as a small order bearing the symbol SO) which may be placed without making an allotment as expressly permitted by any regulation or order of the War Production Board. Also it is not necessary to make an allotment when authorizing a production schedule identified by the CMP allotment symbol Z–1.

MANNER OF AUTHORIZING PRODUCTION SCHEDULES

(n) (1) A production schedule for each prime consumer producing a Class A product shall be authorized by the appropriate Claimant Agency on such form as may be prescribed. A Claimant Agency may, in particular cases, authorize a production schedule through an Industry Division.

(2) A production schedule for each secondary consumer producing a Class A product shall be authorized by the consumer for whom such Class A product is to be produced, on such form as may be prescribed; provided, however, that the delivery date specified on a delivery order shall constitute an authorization of the minimum production schedule required to permit delivery on such date.

(3) A production schedule for each consumer producing a Class B product shall be authorized by the appropriate Industry Division (or in special cases by a Claimant Agency) on such form as may be prescribed.

(4) A consumer receiving allotments from several persons shall obtain separate authorized production schedules from each.

(5) Prior to authorizing a production schedule, a Claimant Agency, Industry Division or consumer may furnish a tentative production schedule to be used as a basis in submitting requirements, but such action shall not constitute authorization of a schedule.

(6) A consumer ordering Class A products to fill an authorized production schedule identified by the CMP allotment symbol Z–1 must authorize a production schedule in the manner described in this paragraph (n) even though no allotment is made with the schedule. In such a case, the quarterly identification described in paragraph (c) (6) (i) need not be used. Such quarterly identification must, however, be used in any case where an allotment is made for such schedule.

AUTHORIZED PRODUCTION SCHEDULES MUST BE FILLED

(o) (1) Each consumer receiving an authorized production schedule shall fulfill the same unless prevented by circumstances beyond his control, except that a manufacturer of Class B products need not produce more than required to fill orders bearing preference ratings.

(2) No consumer who has received an authorized production schedule shall exceed such schedule in any month, except that (i) a deficiency in meeting an authorized production schedule during any month may be made up in any subsequent month or months, (ii) production authorized for any month may be completed at any time after the 15th of the preceding month and, (iii) where a delivery order calls for deliveries, on several dates, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders, the consumer may produce (and his customer may order and receive) at one time the minimum practicable quantity which may be made without such interference. A person shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling, or otherwise processing, or acquiring raw materials or parts, exceeds the practicable working minimum required to meet the authorized production schedule.

(3) [Deleted October 4, 1943]

PROTECTION OF CLASS A PRODUCT SCHEDULES

(p) (1) No person shall accept an allotment for the manufacture of a Class A product, regardless of the accompanying preference rating, if he does not expect to be able to fulfill the related authorized production schedule, subject to unexpected contingencies and to any period of grace which may be specified by the person who offers the allotment and the authorized schedule.

(2) No person who has accepted an allotment and an authorized production schedule for a Class A product shall thereafter accept any delivery order (except an order rated AAA) for any Class A, Class B or other product manufactured by him, regardless of the accompanying preference rating or allotment number or symbol, unless he expects that, subject to unexpected contingencies, he can fill the order without interfering with the fulfillment of such previously accepted authorized production schedule.

(3) A person making Class B products to fill unrated or low rated orders must accept higher rated orders to the extent and subject to the exceptions provided in Priorities Regulation No. 1, unless he is also making a Class A product on an authorized production schedule, with which such higher rated orders would interfere contrary to the provisions of subparagraph (2) above.

(4) If a person whose allotment or delivery order is rejected pursuant to this paragraph (p) is unable to find another supplier who is in a position to accept it, he should report the facts to the appropriate Claimant Agency or Industry Division. The War Production Board (or the appropriate Claimant Agency, if only orders bearing its symbol are involved, or if all Claimant Agencies concerned have stipulated a single Claimant Agency for the purpose) may make exceptions to the provisions of this paragraph (p) where necessary to assure the filling of orders bearing high preference ratings.

(5) The provisions of Priorities Regulation No. 1 with respect to the acceptance and filling of rated orders and the sequence of deliveries shall remain applicable except as otherwise specifically provided in this regulation, CMP Regulation No. 3, or any other applicable regulation or order of the War Production Board.

RECONCILIATION OF CONFLICTING SCHEDULES

(q) In any case where, for any reason, a manufacturer of Class A or Class B products is unable to fulfill conflicting authorized production schedules which he has accepted from different persons, he shall immediately report to the appropriate Industry Division for directions, except that such report shall be made to a Claimant Agency if all conflicting schedules bear its symbol or if all Claimant Agencies whose schedules conflict have stipulated a single Claimant Agency for such purposes. (See Interpretation No. 15 to CMP Regulation No. 1.)

ALTERNATIVE PROCEDURE FOR SIMULTANEOUS ALLOTMENTS

(r) A prime or secondary consumer who has several secondary consumers in different degrees of remoteness and finds it impracticable to determine the exact allotments to be made to each of his immediate secondary consumers, for their needs and those of their secondary consumers, may, at his option, make simultaneous direct allotments to each secondary consumer, of all degrees of remoteness, by adopting the following procedure:

(1) The consumer who is to make the allotment (hereafter in this paragraph (r) called the originating consumer) shall maintain a complete list of all secondary consumers making Class A products for incorporation in his product. He shall keep this list current at all times by requiring each of his immediate secondary consumers to report promptly to him any change with respect to the source of each secondary consumer's Class A purchased products.

(2) Immediately upon receiving an allotment, the originating consumer shall notify each secondary consumer on the list (either directly or through intervening secondary consumers) of the authorized schedule for which the allotment has been made to him. Such notice shall *not* include an allotment number. It shall identify the product to be delivered by the secondary consumer to whom the notice is sent and state the quantity to be delivered and the time when delivery is required.

(3) Promptly upon receipt of such preliminary notice, each secondary consumer shall report to the originating consumer directly (not through intervening secondary consumers), the amount of each form of controlled material required by him each month in order to make the deliveries indicated. Each such secondary consumer shall include only his own requirements of controlled materials, *not* those of his secondary consumers. No form is prescribed for such statement.

(4) The originating consumer shall then determine the total requirements of all his secondary consumers under the schedule, checking the list to make certain that a preliminary statement of requirements has been received from each secondary consumer.

(5) If such summary shows that the aggregate requirements of the originating consumer and all his secondary consumers for each form of controlled material do not exceed the allotment made to him for the schedule he may then allot directly to each secondary consumer on the list the amount indicated in the preliminary statement of requirements. No form is prescribed for such allotment, and it may be made by telegram, but it must include the allotment number required by paragraph (c) (6) (ii) of this regulation and must show the quarter for which the allotment is valid, and a statement substantially as follows: "This allotment is made in accordance with the alternative procedure for simul-

taneous allotments provided in paragraph (r) of CMP Regulation No. 1." Such allotment shall constitute authorization of a production schedule for the secondary consumer in the amount specified in the notice sent to him pursuant to subparagraph (2) of this paragraph (r). If aggregate requirements do not exceed his allotment, the originating consumer shall be under no obligation to check the accuracy of the preliminary statements received from his secondary consumers before making allotments to them, but otherwise he and his secondary consumers shall remain subject to the provisions of paragraph (e) of this regulation regarding responsibility for statements of requirements.

(6) If the summary shows that the aggregate requirements of the originating consumer and all his secondary consumers exceed the allotment made to him with respect to any form of controlled material, the originating consumer shall not make any allotment or place any authorized controlled material order for the production schedule covered by his allotment until and unless:

(i) Requirements have been revised by himself or by one or more of his secondary consumers to the extent necessary to eliminate such excess, or

(ii) With the express permission of the appropriate Claimant Agency or Industry Division after he has reported the facts to it, he withholds an amount sufficient to cover all adjustments which must be made in the requirements of his secondary consumers in order to bring them within his allotment.

HOW TO PLACE ORDERS WITH CONTROLLED MATERIALS PRODUCERS

(s) (1) A delivery order placed with a controlled materials producer for controlled material shall be deemed an authorized controlled material order if, but only if, it complies with the provisions of this paragraph (s) or is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board.

(2) A consumer who has received an allotment may place an authorized controlled material order with any controlled materials producer, unless otherwise specifically directed. An allotment to a prime consumer may include a direction to place delivery orders for controlled materials with one or more designated controlled materials producers. In such event the consumer shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no consumer shall impose any such restriction in any allotment made by him.

(3) Every authorized controlled material order must be identified by an endorsement including an allotment number or symbol. Unless another form of endorsement is specifically prescribed by an applicable order or regulation of the War Production Board, such endorsement shall be in substantially the following form (or in the form prescribed in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

The undersigned certifies, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he has received an allotment or allotments of controlled materials (or delivery orders not requiring allotments) authorizing him, pursuant to CMP Regulation No. 1, to place an authorized controlled material order in the amount herein indicated for delivery in the month specified, and that he is authorized to use the allotment number _____

The allotment number included in such endorsement shall be the CMP allotment symbol prescribed by paragraph (c) (6) (ii) of this regulation. Each such order must indicate a specific delivery month in the quarter for which the allotment is valid and need not show the month number as originally prescribed. For example, if a consumer receives an allotment bearing the number W-2-3Q43 and places an authorized controlled material order calling for delivery in August, 1943, the order shall bear the number W-2-3Q43. An authorized controlled material order placed under paragraph (l) of this regulation, relating to small orders, should be endorsed in the way described in paragraph (l) (6) of this regulation.

(4) A delivery order for controlled material must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III attached, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(5) [Deleted October 4, 1943. Obsolete.]

(6) [Deleted Sept. 17, 1943.]

(7) No person shall place an authorized controlled material order unless the amount of controlled material ordered is within the related allotment received by him, after deducting all allotments made by him and all orders for the controlled material placed by him pursuant to the same allotment, or unless he is expressly authorized to place such an order by any applicable regulation or order of the War Production Board.

RESTRICTIONS ON PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

(s-1) In no event shall a consumer request delivery of any controlled material in a greater amount or on an earlier date than required to fill his authorized production schedule, or in an amount so large or on a date so early that receipt of such amount on the requested date would result in his having an inventory of controlled materials in excess of the limitations prescribed by CMP Regulation No. 2 or by any other applicable regulation or order of the War Production Board. No consumer shall, however, be required by the provisions of this paragraph (s-1) to reduce a delivery order below the minimum mill quantity specified in Schedule IV. This paragraph (s-1) does not change the restrictions of CMP Regulation No. 2 relating to the acceptance of delivery of controlled material.

CONTROLLED MATERIALS PRODUCERS

(t) This paragraph deals with the obligations of controlled materials producers under the Controlled Materials Plan.

Production Directives

(1) Each controlled materials producer shall comply with such production directives as may be issued from time to time by the War Production Board.

Acceptance and Rejection of Orders

(2) A controlled materials producer shall accept authorized controlled material orders in the order in which received by him except:

(i) He may reject orders for less than the minimum mill quantities specified in Schedule IV attached, but shall not discriminate between customers in rejecting or accepting such orders.

(ii) In any case where he is of the opinion that the filling of the order would substantially reduce his over-all production owing to the large or small size of the order, unusual specifications, or otherwise, he shall apply to the appropriate Controlled Materials Division. The War Production Board may direct that the order be placed with another supplier or take other appropriate action.

(iii) He shall refuse any order for shipment of any product in any month if such order, together with all his authorized controlled material orders already on hand for delivery during that month and any orders carried over from the preceding month, plus such amounts as he may be directed by the War Production Board to deliver or set aside for delivery to warehouses or nonintegrated mills or otherwise, total 110% of the production of such product specified in his production directive, or, if no production directive is currently in effect with respect to such product, total 105% of his expected production. As soon as such limits of 110% and 105% respectively have been reached, each controlled materials producer shall promptly notify the appropriate Controlled Materials Division in writing, unless he has received contrary instructions from the War Production Board. However, if he has accepted authorized controlled material orders identified by a CMP allotment symbol whose initial letter is Z, he must remove the "Z" order from his schedule if later authorized controlled material orders or orders specifically authorized by the War Production Board are received, to the extent required by Direction 54.

(iv) He shall reject orders to the extent required by specific direction of the War Production Board.

(3) A controlled materials producer must reject any new order for any controlled material unless he is permitted to fill it under this paragraph. A controlled materials producer shall not deliver any controlled material except to fill:

(i) An authorized controlled material order;

NOTE: Paragraph (t) (3) (i) relating to sample orders revoked April 11, 1944. Persons desiring controlled materials for testing and experimental purposes may obtain them under the provisions of Order P-43.

(iii) An order which he is authorized or required to fill by any written direction of the War Production Board.

(iv) An order for steel which a distributor would be authorized to fill under paragraph (d) (4) of CMP Regulation No. 4, when the order is filled only from mill stock and the producer customarily sells steel from his own stock.

If a controlled materials producer takes controlled materials which he has produced and processes them into a form other than a controlled materials form, such processing shall be considered a delivery for the purposes of this paragraph (t). In addition, if a controlled materials producer takes aluminum produced by him and processes it into certain other forms of controlled material as provided in Direction 8 under this regulation, delivery for such processing (or such processing if there is actually no delivery) shall also be considered a delivery for the purposes of this paragraph (t).

Time for Delivery—Postponed Deliveries

(4) A controlled materials producer shall make delivery on each authorized controlled material order as close to the requested delivery date as is practicable in view of the need for maximum production and compliance with production schedules. He may make delivery during the 15 days prior to the requested delivery month, but not before then, provided such delivery does not interfere with delivery on authorized controlled material orders calling for shipment in such preceding month, or earlier months and provided production to meet such delivery would not violate any production directive. Special rules regarding the postponement of delivery on authorized controlled material orders identified by a CMP allotment symbol whose initial letter is "Z" are explained in Direction 54. If a producer, after accepting an order within the limits of paragraph (t) (2) (iii) finds that, due to contingencies which he could not reasonably have foreseen, he is obliged to postpone the delivery date, he must promptly advise his customer of the approximate date when delivery can be scheduled, and keep his customer advised of any changes in that date. Delivery of any such carry-over order for steel or copper must be scheduled and made in preference to any order for similar material originally scheduled for a later month. The time of production and delivery of any such carry-over order for aluminum is covered in Direction No. 23 to this regulation. When the new date for delivery on a carry-over order falls within a later quarter than that indicated on the original order, the producer must make delivery on the basis of the original order even if that order shows that the allotment was valid for a quarter earlier than the one in which delivery is actually to be made. When directed by the War Production Board, a controlled materials producer must promptly notify the appropriate Controlled Materials Division of all carry-over orders on his books, giving allotment numbers, names of customers and material covered by the carry-over orders.

Tentative Acceptance of Authorized Controlled Material Orders

(5) If a producer is unable to accept an order for the month requested because of the restrictions of paragraph (t) (2) (iii), but has open space available in either of the two following months, the producer must accept and schedule the order for delivery as early as possible in either of the two following months and must promptly notify the customer of the proposed delivery date and tell him that the order has been accepted subject to written confirmation within seven days. If the customer does not have written confirmation of the new delivery date in the producer's hands within seven days after the date on which the notice of tentative acceptance was sent, the producer must cancel the order. If the new delivery date falls within a later quarter than that shown on the original authorized controlled material order the confirmation has no effect unless it is accompanied by the customer's certification that he has an allotment valid for the new quarter, in which case the customer must charge the order against that allotment. The confirmation and certification may be by letter or telegram. If made by letter, the letter must be signed by a person authorized to sign the form of certification required on authorized controlled material orders and if made by telegram a copy must be signed by such a person and held in the customer's file.

Directions by the War Production Board

(6) All directions to controlled materials producers affecting production and distribution of controlled materials shall be issued by the War Production Board.

Commercial Tolerances

(7) If the controlled material delivered pursuant to an authorized controlled material order varies from the exact amount specified in the authorized controlled material order, the making and acceptance of such delivery shall not be deemed a violation of this regulation or any other CMP Regulation by the controlled materials producer or his customer, provided such variation does not exceed the commercially recognized shipping tolerance, or allowance for excess or shortage.

Authorized Controlled Material Order Is Not an Allotment

(8) An authorized controlled material order shall not constitute an allotment of controlled material to the controlled materials producer with whom it is placed. If a controlled materials producer requires delivery of controlled materials from other controlled materials producers, to be processed by him and sold to his customers in another form or shape constituting a controlled material, such delivery may be made or accepted only pursuant to a specific direction as provided in subparagraph (3) (iii) of this paragraph (t) or pursuant to allotment as provided in CMP Regulation No. 8. Specific instructions will inform a controlled materials producer whether to apply for a direction by letter or for an allotment pursuant to CMP Regulation No. 8.

RESTRICTIONS ON USE OF ALLOTMENTS AND MATERIALS

(u) This paragraph explains the restrictions on the use of allotments and controlled materials or Class A products obtained with an allotment.

Use of Allotments

(1) A consumer must not use an allotment to buy any controlled materials or Class A products except (i) what he needs to fill the authorized production schedule for which the allotment was made or (ii) what he needs to fill any of his other authorized production schedules, within the same plant or operating unit, which bear the same Claimant Agency letter symbol, or (iii) to replace in inventory controlled materials or Class A products used to fill any of such authorized production schedules. The symbols W and O are considered the same Claimant Agency letter symbol for purposes of this paragraph. However, each of the other letter symbols are considered separate Claimant Agency letter symbols. In no case may a consumer use an allotment for any purpose which would interfere with filling the schedule for which the allotment was made. Where an allotment made for one schedule is used in filling another schedule in the same plant or operating unit and identified by the same Claimant Agency letter symbol, no charge need be made against the allotment account of the second schedule, but an appropriate record must be made, on the allotment accounts or otherwise, describing the circumstances.

Return of Allotments

(2) If a consumer's needs for a controlled material or Class A product are reduced before he has ordered or received delivery of them and he does not need to use his allotment for another one of his authorized production schedules bearing the same Claimant Agency letter symbol, or for inventory replacement, as permitted in subparagraph (1) above, he must immediately return the allotment as explained in paragraph (w). If he has already placed authorized controlled material orders or made allotments on the basis of his allotment at the time he learns of the reduction in his needs, he must cancel them. If it is too late to cancel the orders, he may receive delivery of the controlled materials and Class A products, in which case his use of them is covered by subparagraph (3) below.

Use of Materials and Products Obtained With Allotments

(3) If a consumer has received physical delivery of controlled materials or Class A products pursuant to an allot-

ment, he may use them for the same purposes for which he is permitted to use the allotment as provided in subparagraph (1) above. Also, if it develops, after he has actually received delivery, or when it is too late to prevent delivery, that he does not need them for a purpose permitted under subparagraph (1) above he may (i) sell them under Priorities Regulation No. 13, relating to sales of idle or excess stocks, or under WPB Directive 16, relating to aircraft inventory transfers, or (ii) use them on any of his other authorized production schedules having an unused allotment big enough to cover the amount of materials involved. If he uses the materials on another authorized production schedule he must, unless the second schedule is filled in the same plant or operating unit and is identified by the same Claimant Agency letter symbol, charge the quantity transferred from the first schedule against the allotment account of the second schedule and an appropriate record must be made, on the allotment accounts or otherwise, describing the circumstances, or (iii) he may use them to fill an authorized production schedule identified by the CMP allotment symbol Z–1 without charge to his allotment account for such schedule.

Specific Instructions

(4) If, before using or selling controlled materials or Class A products in a way permitted by this paragraph (u), the consumer receives directions from the War Production Board as to disposition or use of the same, he must comply with such directions. Also, he must comply with any directions he receives from a Claimant Agency with respect to his use of controlled materials or Class A products which he got by use of an allotment from that Claimant Agency, in any program of the same Claimant Agency, or with respect to their sale to any other person for use in a program of the same Claimant Agency, subject always to whatever rights he may have to reimbursement.

Common Inventories

(5) A consumer need not segregate inventories of controlled materials or Class A products which he gets by use of his allotments, even though different allotment numbers are used in ordering them, nor does he have to earmark them for a particular schedule. Although a consumer must charge the appropriate allotment account when placing an authorized controlled material order or making an allotment, he may keep all controlled materials and Class A products received in a common inventory and in withdrawing from inventory he does not have to charge the withdrawal against the allotment account. A consumer who is operating under several authorized production schedules need not maintain separate records of the production obtained from the allotment received for each schedule if the records which he normally keeps show that his use of material for his respective schedules is substantially proportionate to the amounts of material allotted for each and that his aggregate production of any product does not exceed the aggregate of the production schedules authorized for that product.

ADJUSTMENTS FOR PURCHASES UNDER PRIORITIES REGULATION 13

(v) A consumer must charge his allotment account with the amount of materials acquired under Priorities Regulation 13 unless that regulation says he does not have to do so.

WHAT TO DO IF REQUIREMENTS CHANGE

(w) This paragraph explains what to do if requirements increase or decrease.

Supplementary Applications

(1) If a consumer's requirements for controlled materials or Class A products needed to fill a schedule are increased after he receives his allotment, he may apply for an additional allotment to the person who made the allotment for that schedule.

Periodic Check-up on Allotments and Return of Excess

(2) As explained in paragraph (e), if a consumer finds that he has been allotted substantially more than he needs, he must return the excess. As of the first of each month, each consumer must check up on his anticipated requirements for the quarter and determine whether he has been allotted substantially more than he anticipates he needs. If he has, he must return the excess by the tenth of the month. He need not take a physical inventory for this purpose, but must merely check up on the effect of known changes in his requirements or errors which he has discovered in his statement of requirements. As of the end of each quarter, he must determine whether he has used his entire allotment by placing authorized controlled material orders or making allotments to his secondary consumers and, if he has any excess, however small, he must return it by the tenth day after the close of the quarter.

To Whom Returns Made—Form CMP–32

(3) The return of an unneeded allotment must be made to the person from whom the allotment was received. The return of unused allotment balances to be made within ten days after the end of the quarter must be made to the Claimant Agency or Industry Division originating the allotment. Form CMP–32, available at all War Production Board offices, should be used for this purpose, but if it is impractical to get this form, the return may be made by letter. Attention is called to Direction No. 26 to CMP Regulation No. 1, which explains when allotments may be returned by a secondary consumer directly to a Claimant Agency or Industry Division rather than to the person making the allotment. The Direction also gives the addresses to which returns to Claimant Agencies or the War Production Board should be sent.

OTHER WAR PRODUCTION BOARD REGULATIONS AND ORDERS

(x) Nothing in this regulation (or any other CMP regulation) shall be construed to relieve any person from complying with any applicable priorities regulation or any order of the War Production Board (including orders in the "E", "L," "M" and "P" series). In case compliance by any person with the provisions of any such regulation or order would prevent fulfillment of an authorized production schedule, he should immediately report the matter to the appropriate Industry Division, and to the Claimant Agency whose schedule is affected. The War Production Board will thereupon take such action as is deemed appropriate, but unless and until otherwise expressly authorized or directed by the War Production Board, such person shall comply with the provisions of such regulation or order.

RECORDS AND REPORTS

(y) (1) Each consumer making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct secondary consumers. Such records shall be kept separately by CMP allotment symbols, as provided in paragraph (c) (6) (ii) of this regulation, and shall include separate entries under each number for each customer, Claimant Agency or Industry Division from whom allotments are received under such number.

(2) Each controlled materials producer shall report to the appropriate Controlled Materials Division, on the forms and for the periods prescribed, such information on production, consumption and distribution of controlled materials as may be prescribed by the War Production Board.

(3) Each prime or secondary consumer and each controlled materials producer shall retain for two years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products, segregated and available for inspection by representatives of the War Production Board, or Claimant Agencies, or filed in such manner that they can be readily segregated and made available for such inspection.

APPEALS AND APPLICATIONS FOR RELIEF

(z) (1) Any person who is subject to any requirement of any regulation, direction, order or other action under the Controlled Materials Plan, may appeal for relief by filing a letter in triplicate with the appropriate authority specified below in this paragraph (z), setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph (z) or as otherwise specifically directed, an appeal by a producer of Class A products should be filed with the appropriate Claimant Agency, and an appeal by a producer of Class B products should be filed with the appropriate Industry Division, unless the matter affects only production schedules of a single Claimant Agency or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected, in which case the appeal should be filed with such Claimant Agency.

(3) An appeal concerning the operations of a controlled materials producer (whether filed by such producer, by a consumer, or by a Claimant Agency) should be filed with the appropriate Controlled Materials Division.

(4) A producer of Class B products may apply for permission to be treated as a producer of Class A products. A producer of Class A products making a large variety of items which are sold to many customers and whose allotments originate from several Claimant Agencies, may make application to be treated as a producer of Class B products, but such permission will not be granted with reference to component parts or subassemblies, unless the necessary adjustments in bills of materials which include such component parts or sub-assemblies can be made without difficulty. Application for reclassification should be filed with the CMP Division, War Production Board, Washington, D. C., and may be filed either directly by the producer or by a Claimant Agency on his behalf.

(5) In case of any disagreement between any persons as to the interpretation of any provisions of this regulation or any other regulation, direction, or order under the Controlled Materials Plan, the matter should be referred to the CMP Division, War Production Board, Washington 25, D. C.

PENALTIES

(aa) Any person who willfully purports to make any allotment of controlled materials or to place authorized controlled material orders in excess of the amount allotted to him, or violates any other provision of this regulation, or any other regulation, direction or order under the Controlled Materials Plan, or who knowingly or willfully makes any false or fraudulent statement or representation with respect to requirements for controlled materials or in any other matter under the jurisdiction of any agency of the United States under the Controlled Materials Plan, is guilty of a crime and, upon conviction, may be punished by a fine up to $10,000 or by imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries or allotments of controlled material or from making or obtaining any further deliveries of or from processing or using, any material under priorities control, and may be deprived of priorities assistance.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE

STEEL

Carbon steel (including wrought iron)

CMP Code No.	Materials	Code also includes	Code does not include
2001	Bars, cold finished		
2005	Bars, hot rolled or forged	Concrete reinforcing bars and rolled fence posts. Angles, channels, T's and Z's under 3" maximum.	Bars forged by a nonproducer, except when sold by a distributor. After March 31, 1944, tool steel, irrespective of grinding, when cut to length and heat-treated for use as tool bits.
2011	Ingots, billets, blooms, slabs, die blocks, tube rounds, sheet and tin bar, and skelp.		
2016	Pipe, including threaded couplings of the type normally supplied on threaded pipe by pipe mills.	Galvanized. Line, oil country goods and water well tubular products. Bedstead tubing.	
2021	Plates		
2026	Rail and track accessories	Rail, rail joints, track spikes, tie plates, and track bolts.	Gage rods, mine ties, clip bolts, rail clips and nut locks. Frogs, crossings, switches, switch stands, rail anchors, rail braces, guard rails and guard rail clamps.
2031	Sheet and strip	Hot and cold rolled (includes coated products and copper clad including hoops.	Steel roofing sheets coated with bitumen, asphalt or asbestos.
2036	Steel castings	Cast steel magnets (whether magnetized or unmagnetized).	
2041	Structural shapes and piling	Steel sheet piling and bearing piles.	
2046	Tin plate, terne plate and tin mill black plate.	When coated or lithographed by a steel producer.	When coated or lithographed by other than a steel producer.
2051	Tubing	Mechanical, pressure, and brazed	
2056	Wheels, tires and axles		Resilient wheels. (After December 31, 1943, resilient wheels will be handled as a Class B product.)
2061	Wire rods, wire and wire products.	Drawn wire, barbed and twisted wire, woven wire fence fabric, wire nails, cut nails, lead-headed nails, horse shoe nails, foundry nails, wire rope, welded steel wire reinforcing mesh; fence post fasteners; wire bale ties; wire netting; coated wire (when coated by producers).	Wire tacks, wire shoe nails, cut nails made from tack plate; wire rope when fabricated into slings (including splicing loops and endless splicing) or when attachments are made (including slings with fittings such as sockets, rings, shackles, thimbles, etc.). Welded wire reforcing mesh with waterproof paper back. Coated and uncoated welding rods and welding wire. Gates. Chain link fence fabric and chain link fence, completely fabricated. Boat spikes, dock spikes and wharf spikes.

Alloy Steel (including stainless)

(See note at foot of Alloy Steel List)

2501	Bars, cold finished		
2505	Bars, hot rolled		
2511	Ingots, billets, blooms slabs, die blocks, tube rounds, sheet bar.		
2516	Pipe and couplings for threaded pipe.		
2521	Plates, all plates (including rolled armored plate in the form and shape to which it is rolled by the steel mill and prior to any subsequent fabrication) and including nickel clad and stainless clad.		
2526	Track accessories		
2531	Sheet and strip	Stainless clad	
2536	Steel castings		
2541	Structural shapes		
2551	Tubing		
2556	Wheels, tires and axles		
2561	Wire rods, wire, and wire products.		

NOTE: Alloy Steel Codes also include and exclude the items shown under the headings "Code Also Includes" and "Code Does Not Include" shown opposite comparable Carbon Steel Codes.

COPPER AND COPPER-BASE ALLOY PRODUCTS

Brass Mill Products (Copper-Base Alloy)

Alloy Sheet, Strip and Plate

3011	Alloy sheet, strip and plate	Strip equivalent of ammunition cups and discs.	

Alloy Rods, Bars and Wire, Including Extruded Shapes

3021	Alloy rods, bars and wire	Extruded shapes and rod equivalent of ammunition slugs.	

SCHEDULE I—Continued

COPPER AND COPPER-BASE ALLOY PRODUCTS—continued

Alloy Seamless Tube and Pipe

CMP Code No.	Materials	Code also includes	Code does not include
3041	Alloy seamless tube and pipe	Tube equivalent of rotating bands	Wrought seam tube.

Brass Mill Products (Unalloyed Copper)

3501	Plate, sheet and strip		
3503	Rods, bars and wire	Extruded shapes	Wire bars and ingot bars, rod and wire for electrical conduction.
3571	Tube and pipe	Tube equivalent of rotating bands	

Wire Mill Products (Copper and Copper-base Alloy)

3101	Wire and cable	Bare, insulated, armored and copper-clad steel.	

Foundry Products (Copper and Copper-base Alloy)

3301	Castings (before machining)		Machined castings, pressed metal shapes (an unclassified product).

ALUMINUM PRODUCTS

Rod, Bar, Wire and Cable

4021	Rod and bar ½"–3½"		
4031	Rod and bar over 3½"–15"		
4041	Rod and bar over 15"		
4051	Rod and bar over 9"		
4061	Wire (magnet)		
4081	Cable (electrical transmission only)		

Rivets

4121	Rivets		

Forgings, pressings, and impact extrusions

4171	Forgings and pressings (before machining)		Hooker tubing and collapsible tubes.
4701	Impact extrusions		

Castings before machining

4202	Cylinder head for air-cooled engines		Cylinder head castings for air-cooled engines.
4203	Other heat-treated sand		
4204	Non-heat-treated sand		
4205	Heat-treated permanent mold		
4206	Non-heat-treated permanent mold		
4207	Cold-Chamber Die		
4208	Gooseneck Die		
4209	Other than listed above, such as centrifugal, plaster, etc.		

SCHEDULE I—Continued

COPPER-BASE ALLOY PRODUCTS—continued

Shapes, Rolled or Extruded

CMP Code No.	Materials	Code also includes	Code does not include
4251	Rolled structural shapes (angles, channels and tees) of 4in. and 6in Alloys.		
4301	Extruded Shapes, 2S, 3S, 53S and 61S Alloys.		
4311	Extruded Shapes, all alloys other than 2S, 3S, 53S and 61S.		

Sheet, Strip, Plate and Foil

4321	Sheet, strip and plate, 2S and 3S alloys.		
4361	Sheet, strip and plate, all alloys other than 2S and 3S.		
4371	Strip		
4601	Foil		

Tubing

4401	Tubing, 2S and 3S alloys		
4411	Tubing, all alloys other than 2S and 3S.		

Tube Blooms

4421	Tube Blooms, 2S and 3S alloys		
4431	Tube Blooms, all alloys other than 2S and 3S.		

Ingot and Powder

4501	Powder (including atomized, granular, flake, paste, and pigment)		
4601	Ingot, pig, billets, slabs, etc.		

NOTE: Steel, copper and copper base alloys, and aluminum, in any of the above forms and shapes constitute controlled materials, but allotments of steel, copper and copper base alloy products are made in the terms shown in italics without further breakdown. Allotments of aluminum are made in terms of "aluminum" without further breakdown.

SCHEDULE II—SHORT FORM OF ALLOTMENT

Allotment number	Controlled Material Products allotted		

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1.

INSTRUCTIONS FOR USE OF SHORT FORM OF ALLOTMENT—FORM CMP–5

The above short form of allotment may be used by any consumer for the purpose of making an allotment to a secondary consumer producing Class A products for him. The short form of allotment must be either placed on or physically attached to the delivery order calling for delivery of the Class A products. If it is attached the delivery order number or other identification must be indicated on the form.

The form must be followed by the signature of an authorized official of the consumer making the allotment, but need not be separately signed if it is placed on the delivery order in such a position that the signature of the delivery order by such an authorized official clearly applies to the allotment as well as to the order itself.

The size of the form may be varied, but all information called for by the form must be supplied and the general arrangement and wording of the form must be followed.

Under the heading "Controlled Material Products Allotted" the person making the allotment must designate the forms which are allotted. These must be shown in the breakdown prescribed in Schedule I of CMP Regulation No. 1, and must be within the allotments received by such consumer for the same forms. Additional columns may be added depending on the number of forms of controlled material allotted. A sample form follows:

Allotment number	Controlled Material Products allotted			
	Carbon steel	Copper base alloy seamless tube and pipe	Copper sheets and strip	Aluminum castings
N-1-SQ43	*Tons* 100	*Lbs.* 10,000	*Lbs.* 8,000	*Lbs.* 100

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1.

SCHEDULE III—TIME FOR PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

STEEL—CARBON AND ALLOY (INCLUDING STAINLESS)

Product	*Number of days in advance of first day of month in which shipment is required*
Tool steel:	
Hot rolled product	60
Cold finished products	90
Cold finished bars:	
Standard sizes, grades and sections	70
Furnace treated at hot mills or special sections, odd sizes or special grades	100
Plates and shapes:	
Plates	30
Shapes	30
Pipe (carbon)	30
Sheet and strip:	
Sheet—hot rolled—16-gauge and heavier	30
Sheet—hot rolled—17-gauge and lighter	45
Sheet—cold rolled—galvanized—long terne	45
Sheet (alloy)—hot and cold rolled of special long-processed specification	60
Strip (low carbon) hot rolled	30
Strip (low carbon) cold rolled	45
Strip (alloy) hot and cold rolled (including electrical grade)	60
High carbon cold rolled strip (over .25 carbon) and other long processed special carbon hot rolled and cold rolled sheets and hot and cold rolled strip (including electrical grade)	60
Hot rolled bars and semi-finished:	
Except for bars heat treated and annealed	30
Bars heat treated and annealed	60
Tin mill products (carbon)	30
Tubing:	
Seamless tubing (carbon):	
Hot rolled	60
Cold drawn:	
1½" O. D. and larger	75
Under 1½" O. D	105
Seamless tubing (alloy, exclusive of airframe and engine tubing):	
Hot rolled	90
Cold drawn:	
1½" O. D. and larger	110
Under 1½" O. D	120
Airframe and engine tubing	120
Welded tubing (carbon):	
Mechanical:	
Hot rolled	60
Cold rolled	70

SCHEDULE III—TIME FOR PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS—Continued

STEEL—CARBON AND ALLOY (INCLUDING STAINLESS)—continued

Product	*Number of days in advance of first day of month in which shipment is required*
Tubing—Continued.	
Welded tubing (carbon)—Continued.	
Annealed:	
Hot rolled	70
Cold rolled	80
Drawn or swaged	85
Boiler tubes	60
Condenser and heat exchanger:	
1" O. D. and under	75
Over 1" O. D	60
Welded tubing (alloy, including aircraft)	90
Steel castings (provided patterns are available): [1]	
Weight per casting:	
500 pounds and under	45
Over 500 pounds to 5,000 pounds	60
Over 5,000 pounds to 30,000 pounds	75
Over 30,000 pounds	90
Wire and wire products (carbon):	
Hot rolled wire rods	30
Merchant trade products	30
Manufacturing wires:	
Low carbon .0475" and heavier	45
Low carbon under .0475"	60
High carbon (0.40 carbon and higher):	
.0475" and heavier	45
Under .0475" to .021"	60
Under .021"	75
Wire rope and strand:	
⅝" diameter and over	75
⅜" diameter and under	105
Welded wire-reinforcing fabric	45

COPPER

Brass mill copper and copper base alloy products:	
Copper and non-refractory alloys	45
Refractory alloys	60
Wire and cable products:	
Bare wire and cable	35
Weatherproof wire and cable	35
Magnet wire	35
Rubber insulated building wire	35
Paper and lead cable	40
Varnished cambric cable	35
Asbestos cable (type H–F)	60
Rubber insulated wire and cable (mold or lead cured)	45
Foundry copper and copper base alloy products:	
Castings (rough castings, not machined—assuming patterns are available):	
Small simple castings to 2t 12" by 16" flask	7
Large intricate and centrifugal castings	14

ALUMINUM

All forms and shapes	45

Where no time is specified in Schedule III for placing orders for a particular form or shape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer: *Provided*, That no producer shall discriminate between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division.

[1] Patterns are to be considered "available" only after they have been received at the foundry, checked, rigged for production, and sample castings have been approved.

SCHEDULE IV—MINIMUM MILL QUANTITIES

STEEL

Product	*Minimum mill quantity for each size and grade of any item for shipment at any one time to any one destination*
Alloy steel (other than stainless):	
Standard grades and sections:	
Rounds, squares 3" and under	5 net tons.
Hexagon and flats—all sizes	5 net tons.
Stainless steel:	
Standard grades and sections	Product of one ingot.
Tool steel	500 pounds.
Castings as established by each foundry, but in no case in excess of	5 net tons.
Cold finished bars	3 net tons.
Hot rolled carbon bars and semi-finished:	
Round bars up to 3" incl., and squares, hexagons, half rounds, ovals, half ovals, etc., of approximate equivalent sectional area	5 net tons.
Round bars over 3" to 6" (including squares within this range)	15 net tons.
Flat bars, all sizes	5 net tons.
Bar size shapes (angles, tees, channels and zees under 3")	5 net tons.
Forging billets, blooms and slabs	Product of one ingot.
Rerolling billets, slabs, sheet bars	25 gross tons.
Plates:	
Plates and shapes:	
Continuous strip mill production	10 net tons.
Sheared mill, universal mill or bar mill production	3 net tons.
Structural shapes	5 net tons.
Pipes	(1)
Sheet and strip:	
Sheets—hot and cold rolled	5 net tons.
Strip—hot and cold rolled	3 net tons.
Tin mill products (one gauge)	5,000 pounds.
Track accessories:	
Track spikes, track bolts	5 net tons.
Tubing:	
Seamless tubing	
Carbon steel	
Cold drawn	
O. D. (inches)	
Up to ¾" inclusive	1000 feet
Over ¾" to 1½" inclusive	800 feet
Over 1½" to 3" inclusive	600 feet
Over 3" to 6" inclusive	400 feet
Over 6"	250 feet
Alloy steel	
Aircraft tubing	
O. D. (inches)	
Up to ¾" inclusive	1000 feet
Over ¾" to 1½" inclusive	800 feet
Over 1½" to 3" inclusive	600 feet
Over 3"	250 feet
Welded tubing	
Carbon steel, all sizes	3 net tons
Alloy steel, all sizes	5 net tons
Stainless steel, all sizes	3 net tons
Wire and wire products:	
Hot rolled wire rods	5 net tons.
Merchant trade products (Assorted Merchant Products)	5 net tons.

[1] Published carload minimum (mixed sizes and grades).

SCHEDULE IV—MINIMUM MILL QUANTITIES—Continued

STEEL—continued

Product	*Minimum mill quantity for each size and grade of any item for shipment at any one time to any one destination*
Wire and wire products—Cont.	
Manufacturing wires (wires for further fabrication):	
Low carbon	1 net ton.
High carbon (0.40 carbon and higher) .0475" and heavier	1 net ton.
Under .0475" to .021"	1,000 pounds.
Under .021"	500 pounds.
Wire rope and strand	1,000 ft. lengths.
Welded wire reinforcing fabric	(2)

COPPER

Brass mill products	200 pounds.
Wire mill products	300 pounds.

ALUMINUM

Sheet and strip	500 pounds.
Tubing	250 pounds.
Extrusions other than extruded shapes (Extruded shapes are covered by Direction 33 to this regulation)	300 pounds.
Wire, rod and bar	200 pounds.
Rivets	50 pounds.

[2] Full rolls of manufacturer's standard stock sizes.

LIST OF INTERPRETATIONS 1 THROUGH 25 TO CMP REGULATION NO. 1

1. Discrimination.
2. Prohibition Against Duplicating Orders.
3. Controlled Materials for Use in Metal Guns, Wire Stitchers, etc.
4. "Same Class A Product" as Used in Paragraph (1) (2)—Deleted October 4, 1943.
5. Conversion of Orders not Retroactive—Deleted October 4, 1943.
6. Allotments not Required in Ordering Class A Products in Certain Cases—Deleted February 2, 1944.
7. Class A Repair Parts.
8. Period During Which Allotment Valid—Revised February 2, 1944.
9. Allotments for Minimum Production Quantities.
10. Substitution of Allotment Numbers—Revised January 10, 1944.
11. Use of Allotments to Replenish Inventory.
12. Reduction of Quantity Ordered Does Not Constitute Placing of New Order—Revoked January 10, 1944—See Interpretation 10.
13. Allotment Procedure Determines Classification of Product in Certain Cases.
14. Use of Quarterly Identification.
15. Conflict in Production Schedules of Class A Civilian Type End Products.
16. Furnishing Materials to Subcontractors.
17. Copper Flake Powder—Deleted February 2, 1944.
18. Analysis of Orders by Claimant Agency Symbols—Section A of Form CMP-4B.
19. Proper Allotment Number Must be Used in Identifying Orders.
20. Procuring Claimant Agencies.
21. Temporary Loans.
22. Rejection of Orders.
23. Definition of Steel.
24. Records of Exporters.
25. Allotment Symbols that do not Require Quarterly Identification.

INTERPRETATION 1—DISCRIMINATION

Questions have arisen as to what constitutes discrimination between customers within the meaning of paragraphs (a) (4) and (b) (2) (i) of CMP Regulation No. 1. These provisions prohibit producers of controlled materials from discriminating between customers in rejecting or accepting orders which are filed later than the prescribed time or which call for deliveries of less than the minimum mill quantities. These provisions mean that, in similar situations, different customers must receive similar treatment. A controlled materials producer who has rejected a late order or small order from one customer, is not prohibited from accepting such an order from another customer if the difference in treatment of the two orders is based in good faith on differences in the practicability of filling the orders in view of the nature of the material ordered, the condition of the production schedule at the time the orders are received, or similar factors. (Issued March 8, 1943.)

INTERPRETATION 2—PROHIBITION AGAINST DUPLICATING ORDERS

The question has been raised as to whether a consumer may place authorized controlled material orders or make allotments exceeding in the aggregate the total amount of his allotment if he intends to cancel the excess before delivery.

Under CMP Regulation No. 1 a consumer is prohibited from duplicating authorized controlled material orders or allotments even though he intends to cancel or reduce his delivery orders to the allotted amount prior to delivery. (Issued March 22, 1943.)

INTERPRETATION 3—CONTROLLED MATERIALS FOR USE IN METAL GUNS, WIRE STITCHERS, ETC.

A manufacturer of equipment who also sells controlled materials merely for use in the operation of such equipment may include such controlled materials in his application for allotment as manufacturer of the equipment, but such requirements must be separately indicated. For example, a manufacturer of a metal gun or a wire stitcher who sells rod or wire for use with his product (whether he makes such sales with the product or separately) may include his requirements for such rod or wire in his application for controlled materials needed to manufacture the gun or stitcher, but he should indicate separately on his application or in an attached note the amount of controlled material required for such purposes as distinct from the manufacture of the gun or stitcher. (Issued April 5, 1943.)

INTERPRETATION 4—"SAME CLASS A PRODUCT" AS USED IN PARAGRAPH (1) (2)

NOTE: Deleted October 4, 1943. Now covered by (1) (2).

INTERPRETATION 5 AS AMENDED—CONVERSION OF ORDERS NOT RETROACTIVE

NOTE: Deleted Oct. 4, 1943. See Interpretation 22—Rejection of Orders.

INTERPRETATION 6 AS AMENDED—ALLOTMENTS NOT REQUIRED IN ORDERING CLASS A PRODUCTS IN CERTAIN CASES

NOTE: Deleted Feb. 2, 1944. Obsolete.

INTERPRETATION 7—CLASS A REPAIR PARTS

(a) A manufacturer of Class A products who sells them for use as maintenance, repair or operating supplies is required to obtain an allotment for their manufacture from the appropriate Industry Division pursuant to application on Form CMP-4B, except where they are directly purchased and programmed by a Claimant Agency—(paragraphs (d) (6) and (k-1) (2) of CMP Regulation No. 1). Such items, with the exception noted, are handled exactly as though they were Class B products. A manufacturer is therefore prohibited by paragraph (g) (3) of CMP Regulation No. 1 from accepting an allotment from his customer, and his customer is prohibited by the same paragraph from making an allotment, for their manufacture. A variation from this rule is indicated in paragraph (b) of this interpretation.

(b) In some cases manufacturers buy class A parts such as springs, screw machine parts and stampings, for incorporation in their products and also resell some of the parts as repair parts. In such cases, if it is impracticable for the manufacturer of the part to segregate those sold for resale as repair parts from those sold for production, he should secure an allotment from his customer covering his requirements for the manufacture of both. For example, a manufacturer of electric motors (a Class B product) purchases screw machine parts (a Class A product) from another manufacturer. He uses some of the screw machine parts for building motors and resells others as repair parts. He normally orders the screw machine parts without distinction as between those which he needs for production or for resale. The motor manufacturer should make an allotment to the manufacturer of the screw machine parts to cover all the parts purchased from him. (Issued May 20, 1943.)

INTERPRETATION 8

PERIOD DURING WHICH ALLOTMENT VALID (REVISED)

(a) An allotment of controlled materials under the Controlled Materials Plan is only valid for the quarter (or other specifically designated period) for which it is made as indicated in the allotment certificate. An allotment which is valid for one quarter cannot be used for placing authorized controlled material orders calling for delivery in any other quarter.

(b) A consumer in placing an order for a controlled material must specify the month in which delivery is requested and the requested delivery month must be within the quarter for which the allotment is valid. Controlled materials producers are required to make delivery as close to the requested delivery date as is practicable and are prohibited from accepting authorized controlled material orders in excess of a specified percentage of their production directive or expected production as provided in paragraph (t) (2) (iii) of CMP Regulation No. 1.

(c) If a controlled materials producer is unable to accept an authorized controlled material order for delivery during the delivery month specified, and delivery is required in that month, the consumer may appeal, either directly or through his Claimant Agency or Industry Division, to the appropriate Controlled Materials Division for relief.

(d) The rules governing postponed deliveries of steel or copper are set out in paragraph (t) (4) of the regulation and those governing postponed deliveries of aluminum are covered in Direction No. 23 to the regulation. Rules governing the tentative acceptance of authorized controlled material orders are set out in paragraph (t) (3) of the regulation. The rules on these subjects as stated in paragraphs (c), (e) and (f) of the interpretation before this revision are obsolete. [Issued Feb. 2, 1944.]

INTERPRETATION 9—ALLOTMENTS FOR MINIMUM PRODUCTION QUANTITIES

(a) Paragraph (c) (2) (iii) of CMP Regulation No. 1 permits a manufacturer to exceed his authorized production schedule "where a delivery order calls for delivery, in successive months, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders." In such a case the manufacturer may "produce (and his customer may order) in the first month, the minimum practicable quantity which may be made without such interference."

(b) A manufacturer is entitled to apply for (and his customer is entitled to make) an allotment during a single quarter of the quantity of controlled materials required to produce a minimum practicable production quantity even though the customer's requirements for the finished product may run over several quarters.

In illustration of the above, a customer's requirements of screw machine parts for the third and fourth quarters of 1943 constitutes a minimum practicable production quantity. The manufacturer of the screw machine parts may apply for an allotment for the third quarter of 1943 of all of the controlled materials required to produce the parts. The customer should include the quantity in his application for an allotment and if an allotment is made to him, he should make a third quarter allotment to the screw machine manufacturer for the entire quantity, and should charge the total quantity so allotted to his third quarter allotment account. (Issued June 11, 1943.)

INTERPRETATION 10—CHANGES MADE BY CUSTOMERS IN ORDERS PLACED WITH PRODUCERS

(a) This interpretation deals with the procedure to be followed when a customer, having placed an authorized controlled material order with a producer, wishes to make changes in that order.

(b) The general rule is that any change in a customer's order constitutes a cancellation of the earlier order and must be considered as a new order received on the date of the change, if (but only if) the change necessitates alteration of the producers' production schedule to a point which would interfere with production. For example:

(1) The mere substitution of one allotment number for another which does not require alteration of the producer's schedule is not considered to constitute the placing of a new order. The customer must, of course, have an allotment identified by the substituted allotment number to support the change.

(2) A change in shipping destination does not constitute the placing of a new order.

(3) An increase in the total amount ordered constitutes the placing of a new order to the extent of the increase.

(4) An advancement or deferment of delivery, when made by the customer, will constitute entry of a new order.

(5) A reduction in the total amount ordered will presumably not require a change in the producer's schedule and will not constitute a new order. Of course, if the quantity is reduced below a minimum mill quantity, the producer may reject the order and remove it from his schedule, as provided in paragraph (t) (2) (i) of CMP Regulation No. 1, though he must not discriminate between customers in so doing.

(6) When the customer directs the producer to hold or suspend production on an order, without specifying a new delivery date, the order will not be considered as on a producer's books for the purpose of determining his obligation to accept other orders. When the customer instructs the producer to reinstate a suspended order, it shall be considered a new order as of the date of such instruction.

(7) Where minor variations in size, shape, gauge, etc., are requested by the customer and can be arranged by the producer without interfering with his production, such changes do not constitute a new order.

(c) In the case of changes which constitute a new order under this interpretation, the acceptance or rejection of the new order and its place on the producer's schedule shall be governed by conditions existing at the time the changes are received.

(d) This interpretation, as amended, supersedes Interpretation 12 of CMP Regulation No. 1 and CMPL letter 414, which are hereby revoked. (Issued Jan. 10, 1944.)

INTERPRETATION 11—USE OF ALLOTMENTS TO REPLENISH INVENTORY

(a) An allotment may be used to replace in inventory controlled materials used to manufacture the product for which the allotment was made. This is specifically covered in paragraph (u) (1) (iii) of CMP Regulation No. 1 [§ 3175.1]. It is not necessary for a manufacturer to delay production until he receives delivery of controlled materials ordered on the basis of the allotment.

(b) A manufacturer of Class A products need not accept an order unless he receives an allotment of enough controlled materials for its manufacture even though he has enough in inventory to fill the order. However, if his inventory is excessive (more than a practicable working minimum or the limit specified in CMP Regulation No. 2) he must fill the order out of the excess. This follows from the fact that he must take inventories into account in applying for an allotment. (However, see Direction 27—Right To Specify Allotment Quarter).

(c) It is not necessary that the quarter for which an allotment is made and the quarter in which delivery of the Class A product is to be made be the same. The allotment may be for an earlier or a later quarter depending on when the manufacturer needs the allotment.

In illustration of the above, the X Company receives an order on July 1, 1943, calling for delivery of 100 transmission assemblies on September 1, 1943. Ten tons of carbon steel and two tons of alloy steel are required to fill the order. The X Company has a sufficient quantity of steel on hand to fill the order but it is, nevertheless, entitled to an allotment of ten tons of carbon steel and two tons of alloy steel from its customer, assuming its inventory is not more than a practicable working minimum or the limit specified in CMP Regulation No. 2. The X Company may fill the order from stock on hand and obtain a fourth quarter allotment which it may use to replenish its inventory. If, in the above case, the X Company did not have controlled materials on hand to fill the order it would not be able to accept the order for delivery on September 1, 1943. If the date for delivery of the Class A products were changed to February 1, 1944, the allotment quarter would precede the quarter in which delivery of the product would be made. (Issued July 14, 1943.)

INTERPRETATION 12—REDUCTION OF QUANTITY ORDERED DOES NOT CONSTITUTE PLACING OF NEW ORDER

NOTE: Deleted Jan. 10, 1944. See Interp. 10.

INTERPRETATION 13—ALLOTMENT PROCEDURE DETERMINES CLASSIFICATION OF PRODUCT IN CERTAIN CASES

(a) When the B product allotment procedure is followed in making allotments for the manufacture of a Class A product, all of the provisions of CMP regulations governing B products apply. A good example of this is Class A repair parts which are handled on the B product basis. Under paragraph (p) of CMP-1 (§ 3175.1), an order for a Class A product, once accepted, cannot be displaced by an order received at a later time even though the later order bears a higher preference rating. However, if the product is a Class A repair part which is handled on a Class B basis, this provision does not apply. Paragraph (g) (3) provides that no consumer may make an allotment for the production of Class B products. In the case of a Class A repair part which is handled on a Class B basis, this provision does apply.

(b) On the other hand, when the A product allotment procedure is followed for making allotments for the manufacture of a Class B product, all of the provisions of CMP regulations governing A products apply. In such a case, the provision of paragraph (p) mentioned above does apply, and the provision of paragraph (g) (3) does not apply. (Issued Aug. 16, 1943.)

INTERPRETATION 14—USE OF QUARTERLY IDENTIFICATION

(a) It is not necessary to show the quarterly identification in rating orders for B components or other production materials, other than controlled materials. For example, "Preference rating AA-1, Allotment number W-1" is sufficient. Where an A product is ordered requiring an allotment, the quarterly identification must, of course, be shown.

(b) The quarterly identification, showing the quarter for which an allotment is valid, must be shown on all authorized controlled material orders, except as described in paragraph (c) below, and on all allotments, immediately following the abbreviated allotment number—for example, W-1-3Q43. The abbreviated allotment number is the same thing as the major program number, that is, the Claimant Agency symbol followed by the first digit of the program number. In the case of an allotment to a prime consumer designated W-1234-567, the abbreviated allotment number is W-1. The quarterly identification is not a part of the allotment number.

(c) It is not necessary to show any quarterly identification on orders for controlled materials where they are being bought under a blanket symbol (such as the MRO symbol assigned by CMP Regulation No. 5) where the use of the symbol is not limited to any particular quarter. This is also true in the case of orders bearing the SO symbol. (Issued Aug. 23, 1943.)

INTERPRETATION 15—CONFLICT IN PRODUCTION SCHEDULES OF CLASS A CIVILIAN TYPE END PRODUCTS

(a) Paragraph (q) of CMP Regulation No. 1 provides that where a manufacturer discovers a conflict between accepted production schedules received from different persons, he should report the matter to the appropriate Industry Division (or Claimant Agency under certain circumstances) for instructions.

(b) Under the provisions of this paragraph, a manufacturer of a Class A Civilian Type End Product who has received allotments and an authorized production schedule from various Claimant Agencies and from an Industry Division of the War Production Board, and who discovers, because of labor shortage, lack of capacity, delays in delivery of material, or other causes, that he is unable to meet all authorized production schedules, should report the details of this conflict to the appropriate Industry Division so it can furnish directions. (Issued Aug. 28, 1943.)

INTERPRETATION 16—FURNISHING MATERIALS TO SUBCONTRACTORS

(a) Instead of making an allotment of controlled material to a manufacturer of Class A products, a manufacturer operating under the Controlled Materials Plan may use any of the following alternatives with the consent of his supplier:

(1) He may sell the material to his supplier from his own inventory.

(2) He may furnish the material to his supplier on toll or processing agreement, retaining title in himself.

(3) He may place an authorized controlled material order for delivery to himself and trans-ship the material to his supplier, either by sale or under toll or processing agreement.

(4) He may place an authorized controlled material order for delivery direct to the supplier.

(b) In each of the above cases, the customer does not make any allotment, and the supplier does not have to keep any allotment records. The supplier must, however, keep sufficiently accurate records to show that he is using the material for the purpose for which it was received. The customer furnishing the material includes it in his own requirements in the same way as if he were

going to allot it, and he may not furnish it to his supplier except under conditions where he could make an allotment under CMP Regulation No. 1.

(c) The making of allotments by customers to suppliers of Class B products is forbidden by paragraph (g) of CMP Regulation 1, since these allotments are made directly to the Class B producers by the War Production Board and duplicating allotments would make inaccurate the Board's figures as to requirements and supply. For the same reason, a customer may not furnish any controlled material to the producer of a Class B products in any of the ways mentioned in paragraph (a) above without getting special permission from the War Production Board. (Issued Sept. 11, 1943.)

INTERPRETATION 17—COPPER FLAKE POWDER

NOTE: Deleted Feb. 2, 1944. Obsolete.

INTERPRETATION 18—ANALYSIS OF ORDERS BY CLAIMANT AGENCY SYMBOLS—SECTION A OF FORM CMP-4B

(a) A person applying for an allotment on FORM CMP-4B is required to show in Section A of the form an analysis of his orders or shipments by Claimant Agency symbols. The applicant must analyze his orders on the basis of the Claimant Agency symbols appearing on his customers' orders. Where no Claimant Agency symbol appears on a customer's order, the order must be reported under "unidentified".

(b) An applicant must not, in any case, attempt to trace the ultimate end-use of his product for the purpose of filling out Section A of Form CMP-4B. For example, if he receives an order with a preference rating bearing the symbol "B-1", he should report this under the symbol "B" even if he knows that that particular order is for a component of a product that eventually will be sold to the Navy. Or, if he receives an order with a preference rating but no Claimant Agency symbol, he should report this under "unidentified", even if he knows that that particular order is for a component of a product that eventually will be sold to the Navy.

(c) A person who receives a rated order must accept and fill it in accordance with Priorities Regulation No. 1 whether it is identified by a Claimant Agency symbol or not. He does not have the right to assume that his customer is required to show a symbol on his order since in many cases it is not necessary to show a Claimant Agency symbol in applying or extending a rating. There is no reason, however, why a person should not inform his customers of the provisions of paragraph (f) of CMP Regulation No. 3 (see Interpretation No. 3 to CMP Regulation No. 3) and paragraph (s) of CMP Regulation No. 6 which require the compulsory use of Claimant Agency symbols for purposes of identification on certain rated orders. (Issued Sept. 14, 1943.)

INTERPRETATION 19—PROPER ALLOTMENT NUMBER MUST BE USED IN IDENTIFYING ORDERS

(a) A manufacturer of a Class B product, in ordering production materials (whether controlled materials, Class A or B products, or other materials and products) needed to make the Class B product, must not use the allotment number appearing on orders placed with him by his customers. This is true because a person may use only the allotment number which appears on the allotment made to him with his authorized production schedule. Thus a manufacturer of a Class B product, such as electric motor controls, receives an allotment of controlled material and a preference rating from the War Production Board which, in the case of electric motor controls, will be identified by the allotment number J-9. When he orders the production material he needs to make electric motor controls, he will use the symbol J-9 on his orders. Orders for electric motor controls from his customers will bear such allotment symbols as B-4, W-3, G-6, U-1, etc. The electric motor control manufacturer may not use these symbols on his own orders for production materials for the manufacture of electric motor controls.

(b) On the other hand, a manufacturer of a Class A product receives his allotments from his customers and therefore uses the allotment numbers appearing on his customers' orders when he orders materials needed to make the Class A product. Thus, a manufacturer of a Class A product who receives an order from a customer and an allotment identified by the allotment number O-6 will use the allotment number O-6 in placing his orders for production materials needed to fill the order.

(c) An allotment number or symbol alone never constitutes an allotment of controlled materials. In making an allotment a consumer must specify the controlled material and the exact quantity allotted. Attention is called to the fact that under paragraph (f) of CMP Regulation No. 1, allotments of controlled material must be made only in the form and shape in which they are allotted to the consumer. (Issued Oct. 8, 1943.)

INTERPRETATION 20—PROCURING CLAIMANT AGENCIES

(a) The "procuring" Claimant Agencies under the Controlled Materials Plan are:

(1) War Department (including Ordnance).
(2) Navy Department.
(3) Maritime Commission.
(4) Aircraft Resources Control Office.
(5) Foreign Economic Administration.

(b) The other Claimant Agencies are sometimes referred to as "non-procuring" Claimant Agencies. (Issued Oct. 26, 1943.)

INTERPRETATION 21—TEMPORARY LOANS

(a) Paragraph (u) of CMP Regulation No. 1 (§ 3175.1), which places restrictions on the use of controlled materials and Class A products obtained pursuant to an allotment, does not forbid a short term "loan" of controlled materials or Class A products to another manufacturer for his use in filling an authorized production schedule. Whenever a loan is made, the consumer must make certain that the material loaned will be returned to him when he needs it. A loan for more than three months would generally be considered equivalent to a transfer of the materials and therefore unauthorized except as provided in paragraph (u). A consumer must never make such a loan when lending the material would prevent fulfillment of the consumer's authorized production schedule.

(b) A consumer borrowing controlled materials or Class A products does not have to reduce his allotment account under paragraph (v) of the regulation, relating to adjustments on account of controlled materials or Class A products obtained without use of allotments, since the loan is made on a temporary basis and he must be in a position to use his allotment to return, in kind, the material borrowed.

(c) Full records of the loan transaction must be kept by both persons lending and persons borrowing. (Issued Nov. 3, 1943.)

INTERPRETATION 22—REJECTION OF ORDERS

(a) Paragraph (t) (3) of CMP Regulation No. 1 [§ 3175.1] requires a controlled materials producer to reject any order other than an authorized controlled material order, a sample order or an order which he is required or authorized to fill by the War Production Board. This provision does not require a producer to refuse to receive a piece of paper on which an order is written. It does require the producer to refuse to fill an order or schedule it unless it is an order which he is specifically authorized to fill. The order must be specifically rejected and the producer may either return the paper on which the order is written or file it, as he sees fit. In any case he must let his customer know that he cannot schedule the order and that his customer should not expect delivery against it.

(b) Customers who place with a producer orders which the latter is prohibited from filling cause an unnecessary increase in the volume of paper work. It is therefore suggested that purchasers should refrain from placing unauthorized orders, even if they intend to validate the orders later.

(c) While the placing of a delivery order before an allotment is received is discouraged, it is recognized that in certain cases customers will find it necessary to place orders before they have received their allotments. This may happen, for example, in the case of long-term contracts extending beyond the period for which advance allotments have been made. In such a case, a delivery order may be converted into an authorized controlled material order either by furnishing a copy of the order conforming to the requirements of paragraph (s) of the regulation or by furnishing, in writing, the requisite information clearly identifying the order and bearing the certification required by subparagraph (3) of paragraph (s). Such an order must be treated as an authorized controlled material order as of the date on which the necessary information and certificate (including the allotment number) are received by the producer. (Issued Nov. 10, 1943.)

INTERPRETATION 23

Definition of steel. The word "steel" as used in CMP regulations has the same meaning as "steel" as defined in Order M-21, as amended from time to time, except that it includes only those forms and shapes listed in Schedule I of CMP Regulation No. 1. [Issued Aug. 4, 1944.]

INTERPRETATION 24

RECORDS OF EXPORTERS

Paragraph (y) (3) of CMP Regulation No. 1 requires each prime consumer to retain for two years all documents on which he relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have since the institution of the Controlled Materials Plan made allotments of controlled materials to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other Government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments and preference ratings on export licenses are not in a position to retain the original of the export license, and thus are not required to do so by paragraph (y) (3) except only in those cases where other Government regulations do not require the surrender to the Government of the documents referred to. [Issued April 18, 1944.]

INTERPRETATION 25

ALLOTMENT SYMBOLS THAT DO NOT REQUIRE QUARTERLY IDENTIFICATION

Paragraph (s) of CMP Regulation No. 1 explains that in placing an authorized controlled material order the quarterly identification (which is explained in paragraph (c) (6) (i)), must be added. In certain cases, where allotments are not made, a consumer is entitled to place an authorized controlled material order without using the quarterly identification. However, in such a case, the order must still bear the requested delivery date. A list of the symbols which can be used to place an authorized controlled material order without the quarterly identification, the purpose for which such symbols are used, and the related order follows:

Symbol	Use	Order
SO	Small order procedure	CMP Regulation 1.
P-1	Petroleum industry—production	P-98-b.
P-51	Petroleum industry—special production	P-98-b.
MRO	Maintenance, repair and operating supplies	CMP Regulations 5 and 5A.
MRO-P-3	do	P-98-b.
MRO-P-47	Petroleum industry MRO (Serial number) Maintenance, repair and operating supplies—civilian aircraft.	P-47.
MRO-P-98-e	Maintenance, repair and operating supplies—petroleum industry consumer accounts.	P-98-e.
MRO-P-133	Maintenance, repair and operating supplies—electronic equipment.	P-133.
MRO-P-136	Maintenance, repair and operating supplies—scrap yards (serialized).	P-136.
MRO-P-141	Maintenance, repair and operating supplies—public sanitary sewer facilities.	P-141.
S-1	Industrial repairmen	CMP Regulation 9A.
S-2	Extension of public sanitary sewer facilities	P-141.
S-5	Iron and steel producers	P-86.
T-7	(Serial number) Transportation systems	P-142.
V-9	Laboratories	P-43.
S-4	For steel only for rural water well drillers	P-146.
U-9	Utilities—under orders	U-1, U-3, U-4.
V-3	Retailers and repair shops	CMP Regulations 9 and 9A.
F-6	Construction and facilities	CMP Regulation 6, Direction 1.
W-6	Construction and facilities—Army	CMP Regulation 6, Direction 3 (CMPL-593). CMP Regulation 6, Direction 5 (CMPL-593). F-55-c (WPB-2996).
N-O	Construction and facilities—Navy	
H - (Program No.)	Construction and facilities—housing	
U-3[1]	Construction and facilities—utilities	CMP Regulation 6, Direction 4 (WPB-2774). M-21-b-1 and M-21-b-2.
WH	Orders placed by warehouses	CMP Regulation 1, Direction 6.
PX	Steel producers exchange	Direction 40 to CMP Regulation 1 and M-1-g.
AM	Purchase of aluminum ingot and powder	Direction 55 to CMP Regulation 1.
E-3	MRO purchased for foreign countries	
E-4	Discarded, offgrade, idle, and excess steel purchases	

[1] In some cases a quarterly limitation is placed on the operator who places the order. However, a controlled material supplier does not need to require a quarterly designation on any order bearing the symbol F-5.
[1] In some cases the WPB-2774 authorization gives specific quantities for specific quarters. A controlled materials supplier does not need to require a quarterly designation on any order bearing the symbol U-2.

(Issued September 12, 1944.)

LIST OF DIRECTIONS 1 THROUGH 56 TO CMP REGULATION NO. 1

1. Pursuant to paragraph (t) (6)—Steel Producers—Obsolete.
2. Pursuant to paragraph (t) (6)—Aluminum Producers—Obsolete.
3. Pursuant to paragraph (t)—Copper Wire and Cable Producers—Obsolete.
4. O-1, O-4 and N-4 Orders on Brass Mills.
5. Heat Treated and Normalized Carbon and Alloy Steel Bars for Commercial Warehouse Orders—Obsolete.
6. Rules Governing Certain Deliveries of Steel Between Producers and Others.
7. Pursuant to paragraph (t) (6)—Aluminum Producers—Obsolete.
8. Intra-Company Deliveries of Aluminum.
9. Brass Mill and Wire Mill Direction.
10. Rolled and Forged Armor Plate.
11. Delayed Delivery on April Orders—Obsolete.
12. Water Well Drillers—Revoked January 4, 1944.
13. Complete Bills of Material—Revoked October 9, 1943.
14. Rerating Not Compulsory—Obsolete.
15. Mill Stocks of Steel.
16. Replacement of Defective Controlled Material.
17. Brass Mill Direction—Obsolete.
18. Acceptance of Orders for Steel—Revoked.
19. Tin Plate, Short Ternes and Tin Mill Black Plate for Can Manufacturers.
20. BEW and Lend-Lease Orders.
21. Farmers Copper Wire Allotment Certificates.
22. Special Allotments.
23. Acceptance of Orders for Aluminum by Aluminum Producers and the Effect of Delays in Production.
24. Steel Furnished by Fabricators on Construction Projects.
25. Forgings in Controlled Material Form.
26. When Allotments may be Returned by a Secondary Consumer Directly to a Claimant Agency or Industry Division.
27. Right to Specify Allotment Quarter.
28. Controlled Material Lost or Stolen in Transit.
29. OEW and Lend-Lease Orders.
30. Copper Water Tubing—Revoked November 25, 1943.
31. Ammunition Brass Strip, Rod and Tube.
32. Production and Delivery of Less Than Minimum Mill Quantities of Brass Mill Products Ahead of Schedule.
33. Placement and Acceptance of Orders for Small Amounts of Aluminum and Aluminum Alloy Extruded Shapes.
34. Class A Facilities not Related to Construction.
35. Jigs, Dies, Molds, Fixtures and Special Tooling.
36. Cases in Which a Person who has Received an Allotment for the Manufacture of a Class B product may make Allotments or Furnish Controlled Materials to a Manufacturer of the Class B Product.
37. Consolidation of Army Ordnance Programs O-5 and O-6.
38. Galvanized Steel Products in Controlled Material Form.
39. Official Class B Product List.
40. Railroad Frogs and Switches.
41. Allotment Procedure for Manufacturers of Class A Products When Used for Ship Repairs and Bureau of Ships' Special Navy Products, When Used for Ship Repairs.
42. Copper Powder.
43. Elimination of 1943 Orders for Aluminum.
44. Applications by Producers and Distributors for Permission to Sell Rejected or Excess Steel.
45. Scheduling Provisions Applicable to M-293 Products.
46. Change in Program Numbers of the Maritime Commission.
47. Acceptance of Orders for Steel for Delivery from Mill Stock.
48. Purchases or Sales of Controlled Materials through an Intermediary.
49. Acceptance of Orders and Shipment of Aluminum Ingot.
50. Consolidation of Army Programs W-2 and W-4.
51. War Department Small Orders.
52. Application for Permission to Use Excess Materials.
53. Controlled Materials Purchased for MRO in Foreign Countries.
54. Deferred Allotments.
55. Carded Cotton Yarns.
56. Aluminum Allotment Forms.

[F. R. Doc. 44-14656; Filed, Sept. 22, 1944; 11:16 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-2, Direction 4]

STEEL PRODUCTS FOR DISASTER RELIEF

This following direction is issued pursuant to General Preference Order M-21-b-2.

(a) *What this direction does.* The purpose of this direction is to set forth the procedure under the Controlled Materials Plan which has been worked out by the War Production Board with the American Red Cross to provide steel products for local relief from disasters, such as floods, tornadoes, etc., which cause considerable damage to property.

(b) *Action to be taken by the War Production Board and the American Red Cross.* The War Production Board each quarter, through the Office of Civilian Requirements, will set aside a tonnage of steel to meet disaster relief requirements. In the event of a disaster, the American Red Cross will estimate the amount of steel products not available locally which are needed to provide relief for the community. The American Red Cross will then apply to the Office of Civilian Requirements of the War Production Board for an allotment of steel sufficient to provide the necessary relief. If the appeal is granted, the War Production Board will issue an allotment to the American Red Cross bearing the CMP symbol V-2 and a quarterly identification. The American Red Cross will then divide its allotment among distributors serving the affected area in proportion to the respective needs of each.

(c) *Action to be taken by a steel distributor.* Each steel distributor receiving a portion of this allotment should immediately place orders for the steel products he needs for disaster relief with producers or other distributors for shipment to his stock bearing the certification authorized by CMP Regulation No. 7 and, in addition, the following:

CMP Allotment No. V-2 (and quarterly identification) For Disaster Relief.

Any steel products ordered pursuant to such an allotment may be ordered by the distributor for shipment to his stock, notwithstanding the requirements of paragraph (c) in each of General Preference Orders M-21-b-1 and M-21-b-2. When the steel for disaster relief has been received by a distributor, it must be sold by him to consumers in accordance with the provisions of CMP Regulation No. 4, or to other distributors as directed by the American Red Cross. The sales of any material which was obtained by a distributor by use of the V-2 allotment, however, may not thereafter be used by him to support a stock replacement order on a producer or another distributor.

(d) *Treatment of a distributor's disaster relief orders by a supplier.* A producer who receives an order for steel products from a distributor certified in the manner outlined in paragraph (c) must accept such an order for the earliest possible delivery by deferring deliveries on distributor's regular stock replacement orders to the extent necessary. Such an order, however, must not delay deliveries on other authorized controlled material orders. A distributor who receives an order for steel products from another distributor certified in the manner outlined in paragraph (c) must accept such an order and fill it immediately from his stock if the material is available, or he must arrange for direct shipment of the order from a producer in the manner prescribed by paragraph (d) of Orders M–21–b–1 or M–21–b–2.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14660; Filed, Sept. 22, 1944; 11:16 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–81, as Amended Sept. 22, 1944]

CANS

§ 3270.31 *Conservation Order M–81—*(a) *Prohibitions on purchase, acceptance and use of cans.* No person shall purchase, accept delivery of or use any can for any other purpose than for packing a product listed in a schedule attached to this order.

(b) *Restrictions on purchase, acceptance and use of cans.* No person shall, during any calendar year (or any seasonal year when packing quota is based on a seasonal year in the schedules), purchase, accept delivery of or use for packing any product which is listed in a schedule attached to this order, more cans than his packing quota for that product. However, jobbers or retailers may obtain and sell cans in conformity with the provisions of this order.

(c) *Restrictions on cans for War Shipping Administration.* No person shall sell or deliver any product packed in cans for use on vessels under the direction of the War Shipping Administration unless authorization to acquire the cans has been obtained on Form WPB 646 (formerly PD–300).

(d) *Restrictions on cans made of waste.* Attention is called to the fact that cans made of waste are covered by the provisions of this order. Cans made of waste, as defined in this order, may only be used as follows:

1. For packing any product for which tinplate, terneplate or blackplate is specified as can materials in this order. Usage of such cans by a packer must be charged to his quota for the product.

2. As permitted in paragraph (k) (4) of this order.

3. Pursuant to the grant of an appeal.

(e) *Restrictions on can material and sizes.* No person shall purchase, accept delivery of or use for packing any listed product, cans made of any kind of plate or of any size except those permitted for that product in the schedules of this order. He may, however, use a can larger than the largest permitted size for packing a listed product. Wherever the can size is specified by weight, the weight referred to shall be net weight of the contents of the can.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. The term "0.50 tinplate" or "0.75 tinplate" wherever used in this order includes menders arising in the production of such tinplate which have been hot-dipped with a maximum tin coating of 1.25 pounds per base box, and hot-dipped waste-waste. When SCMT is specified, special coated manufacturers' terneplate is referred to.

(f) *Prohibition against repacking.* No product packed in a can shall be repacked for sale in a can or any other container by the same or different person in the same or different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Order L–103–b.

(g) *Prohibition against packing dried or frozen fruits or vegetables.* No dried or frozen fruits or vegetables shall be packed in a can except to the extent specifically permitted in the schedules attached to this order.

(h) *Restrictions on food packing.* The foods listed in Schedules I and II are limited to those which are intended and suitable for human consumption. Canning of foods for animals and pets is not permitted.

Restrictions on Manufacture, Sale and Delivery

(i) *General restriction.* No person shall manufacture, sell or deliver any cans which he knows, or has reason to believe, will be accepted or used in violation of any prohibition or restriction of this order.

(j) *Certificate.* No person shall manufacture, sell or deliver any cans except under a purchase order or contract validated by a delivery to him of a purchaser's certificate, signed manually by the purchaser as provided in Priorities Regulation No. 7. This certificate shall be in substantially the form attached hereto as Exhibit A. This certificate, once filed by a purchaser with a supplier, covers all future deliveries to him from that supplier. No certificate shall be required from a retailer who buys for resale, or from persons purchasing from retailers.

(j–1) (1) *Sales to jobbers.* During any calendar year no manufacturer shall sell or deliver more flaring and straight-sided cans, (measured by area of plate used) made to hold approximately 50 lbs. of lard or shortening, to jobbers than he delivered to jobbers during 1941.

(2) *Sales by jobbers.* No jobber shall knowingly sell or deliver any cans, as defined in this order, to be used as trash cans, garbage cans or for utility purposes.

Exceptions

(k) *Exceptions to restrictions on purchase, acceptance or use.* The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery or use of the following cans:

(1) Cans (other than for samples distributed for the purpose of advertising or promoting the sale of a product) for packing any product which is not to be sold in the same or different form. The exception granted by this subparagraph (1) shall not apply to (i) the can size and material restrictions when the cans are purchased by federal or state institutions to be packed for their own consumption and (ii) the can material for lard or shortening cans. Such cans may only be made of blackplate.

(2) [Deleted Sept. 22, 1944.]

(3) Fibre cans with ends made of sheets recovered from used cans. Permission to accept delivery of used cans or sheets recovered from used cans for this purpose must be obtained under Conservation Order M–325.

(4) Fibre cans with ends made of waste or blackplate rejects.

(5) Cans for packing any products not listed in Schedules I or II attached to this order when such cans are to be delivered either (a) packed or empty to the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD–300).

(6) Cans made of aluminum.

(l) *Inventory exceptions—*(1) *Schedules I and II.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of tinplate which was either in process at the tin mill, in the inventory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944, for packing products listed in Schedules I or II.

(2) *Schedule III.* The restrictions concerning can materials and sizes contained in paragraph (e) shall not apply to cans made of terneplate or blackplate which was either in process at the tin mill, in the inventory of the tin mill for the account of the manufacturer, or in the inventory of the can manufacturer, on or before January 3, 1944 for packing products listed in Schedule III.

(3) *Change of specifications.* Whenever the size and can material specifications for a product are changed by amendment, a can manufacturer must continue to manufacture, sell and deliver cans for that product in accordance with the superseded specifications (before making any cans conforming to the new specifications) as long as there is available to him plate made for that product which was in process at the tin mill, in the inventory of the tin mill for his account, or in his inventory, on the date of the change. Packers of that product must accept and use (within quota) such cans for packing that product.

(m) *Small user.* Nothing in this order shall prohibit any person, who, during the calendar year 1942, used cans requiring for their manufacture less than 25 base boxes from purchasing, accepting delivery of, or using during any subsequent calendar year without restriction an aggregate of cans requiring for their manufacture not more than 25 base boxes. However, if he uses the cans to pack a product listed in the schedules of this order, he must conform to the provisions of Paragraph (e) relative to sizes and can material.

Definitions

(n) For the purpose of this order:

(1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes all pails and drums made from blackplate, 29 gauge or lighter (except stripper drums having a capacity of 30 pounds or greater) and any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container or fiber or steel drum (as defined in Orders L–103, M–313 and L–197). The term does not include fluid milk shipping containers as defined in Conservation Order M–200.

(2) "Tin plate" means steel sheets coated with tin (including primes, seconds and hot-dipped waste-waste), and includes (i) electrolytic tinplate in which the tin coating is applied by electrolytic deposition, and (ii) hot-dipped tinplate in which the tin coating is applied by immersion in molten tin. The term does not include waste.

(3) "Terneplate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste). The term does not include waste.

"Terne metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead recovered from secondary sources which contains not more than 2½% residual tin.

(4) "Blackplate" means steel sheets 29-gauge or lighter other than tinplate or terneplate. The term includes "blackplate rejects," "electrolytic waste-waste" and chemically treated blackplate (CTB). The term does not include waste.

(5) "Waste" means scrap tinplate, terneplate and blackplate (including strips and circles) produced in the ordinary course of manufacturing cans, and also tinplate and terneplate strips produced in the ordinary course of manufacturing tinplate and terneplate.

(6) "Pack" unless otherwise specified, means the quantity, by area measurement of tinplate, terneplate, and blackplate required for the manufacture of all sized cans used by a person for packing a particular product during the base period specified.

(7) "Packing quota" unless otherwise specified, means the quantity by area measurement of tinplate, terneplate or blackplate that a person may use for packing a particular product during any calendar year (or any seasonal year when the packing quota is based on a seasonal year in the schedules).

(8) "Seasonal year" means the twelve-month period for packing a particular product beginning in one calendar year and ending in the next.

(9) "Frozen tinplate, terneplate or blackplate" means only tinplate, terneplate or blackplate which, since prior to January 3, 1944, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified.

Miscellaneous

(o) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(p) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M–81.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(q) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington 25, D. C., Ref: M–81.

(r) All can manufacturers shall file a monthly report on Form WPB 2707 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall execute and file with the War Production Board such other forms and questionnaires as said Board shall, from time to time, request subject to the approval of the Bureau of the Budget.

(s) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 22 day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, or blackplate. Such certificate shall cover all purchases present and future so long as Conservation Order M–81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M–81 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

Date _____

_____
(Legal name of Purchaser)

By _____
(Authorized Official)

_____
(Title of Official)

_____
(Address of Purchaser)

SCHEDULE I—FOOD CANS

The packing quota specified in this Schedule I indicates total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a Government agency. The designation FDO–22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is sometimes referred to as "set aside quotas".

NOTE: Schedule I amended Sept. 22, 1944.

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed	100% 1943-43	10	1.30 tin	0.80 tin.
2. Apple sauce, including sauce from crabapples	100% 1942-43	2-10	1.50 tin	0.50 tin.
3. Apricots. Whole apricots may be packed only when fully ripe and not less than 10 or more than 18 to the pound. (See note after Item 23).	Unlimited	2½-10	1.70 tin	1.50 tin.
4. Blackberries, black raspberries, red raspberries, boysenberries, loganberries, youngberries, blueberries, and huckleberries when packed as berries.	Unlimited	2-2½-10	1.30 tin	1.30 tin.
5. Cherries	Unlimited	2-2½-10	1.30 tin	1.30 tin.
6. Cherries, ESP—frozen only	80% of total frozen tonnage packed in all containers in 1942.	½ of pack in 30 lb. cans; ½ of pack in 80 lb. cans.	0.50 tin	0.50 tin.
7. Cranberries, including Cranberry Sauce	100% 1942 pack by weight	300	1.30 tin	1.30 tin.
8. Figs—(Kadota)	Unlimited	2½-10	1.30 tin	0.80 tin.
9. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 10 percent of the fruit cocktail.	Unlimited	2½-10	1.50 tin	0.80 tin.
10. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent Diced Peaches, and not less than 35 percent nor more than 45 percent Diced Pears; or a combination of not less than 59 percent nor more than 69 percent Diced Peaches and not less than 30 percent nor more than 40 percent Diced Pears with not less than 6 percent nor more than 10 percent Grapes. Such peaches or pears shall be peeled, pitted, or cored, and diced to a size such that no more than 20 percent of the units will pass through a 5/16" standard sieve, and no more than 20 percent of the units will have a greater edge dimension than ¾", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 23 and orders supplementary thereto.	Unlimited	2½-10	1.50 tin	0.80 tin.
11. Grapefruit, segments	WFO-22	2	1.25 tin	1.25 tin.
12. Grapefruit juice	100% 1943-44	2-3 cyl-10	1.25 tin	1.25 tin.
13. Orange juice	100% 1943-44	2-3 cyl-10	1.25 tin	1.25 tin.
14. Orange-grapefruit juice blended (50% orange—50% grapefruit)	100% 1943-44	2-3 cyl-10	1.25 tin	1.25 tin.
15. Lemon juice	50% 1941	6 oz.-8 oz. Tall-2-10	1.25 tin	1.25 tin.
16. Olives—ripe and green-ripe	20% 1941-42	10	1.50 tin	1.50 tin.
17. Peaches, halves, slices or cubes (See note after Item 22)	Unlimited	2½-10	1.30 tin	1.50 tin.
18. Pears, halves, slices, or cubes	Unlimited	2½-10	1.50 tin	0.50 tin.
19. Pineapple, slices, chunks crushed or tidbits. Spears not to be packed. (See note after Item 22).	Unlimited	2-2½-3 cyl-10	1.25 tin	1.25 tin.
20. Pineapple juice	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
21. Plums	Unlimited	2½-10	1.30 tin	1.50 tin.
22. Prunes fresh Italian	100% 1943	2½-10	1.50 tin	1.50 tin

NOTE: When required for the packing of other products, pineapple may be repacked from No. 10 cans. Apricots and peaches, solid pie pack, may be repacked from No. 10 cans or larger. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

VEGETABLES AND VEGETABLE PRODUCTS				
23. Asparagus, all-green or culturally bleached	Unlimited	2-2½-10	1.25 tin	1.25 tin.
24. Beans, green or wax	Unlimited	2-2½-10	1.25 tin	0.50 tin.
25. Fresh shelled beans (whether referred to as beans or peas), including but not limited to Lima Beans black-eyed peas or beans, field peas, soy beans.	Unlimited	2-2½-10	0.50 tin	CTB.
26. Beans, with or without pork or tomato sauce (from dried beans)	80% 1941 pack by weight	300	0.50 tin	CTB
27. Beets. Whole beets over 1¾" diameter not to be packed	120% 1942	2-2½-10	1.25 tin	1.25 tin.
28. Carrots. Whole carrots not to be packed	260% 1942	2-2½-10	1.25 tin	CTB.
29. Corn, fresh, sweet, cut cream style or whole kernel	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10.	0.50 tin	CTB.
30. Peas and carrots—fresh green peas only. Carrots not to exceed 40 percent of total drained weight. Frozen carrots may be used. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 23 and orders supplementary thereto.	Unlimited	2-2½-10	1.25 tin	CTB
31. Succotash—Provided, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 23 and orders supplementary thereto.	Unlimited	2-2½-10	0.50 tin	CTB.
32. Mixtures of vegetables (except succotash, and peas and carrots): 90% of this mixture by drained weight must consist of the following vegetables listed in this schedule, celery and onions. Provided, that the combination by drained weight shall not contain more than 60% of any one vegetable. Provided further, that no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order #23 and orders supplementary thereto.				
a. Without tomatoes	Unlimited	2-2 vacuum (307 x 306)-2½-10.	1.25 tin	CTB.
b. With tomatoes	Unlimited	2-2 vacuum (307 x 306)-2½-10.	1.25 tin	0.50 tin.
33. Mushrooms	80% 1941-42	2 oz-4 oz-8 oz.	1.25 tin	0.80 tin.
34. Okra	100% 1943	2-2½-10	1.25 tin	0.50 tin.
35. Tomatoes and okra	100% 1943	2-2½-10	1.25 tin	1.25 tin.
36. Peas, green	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10.	0.50 tin	CTB.
37. Pumpkin and squash	100% 1943	2½	1.25 tin	0.80 tin.
37a. Sauerkraut	WFO-22	2½-10	1.50 tin	1.50 tin.
38. Sweet potatoes—including yams	150% 1942	2½-3 vacuum	1.25 tin	0.80
39. Soups: Limited to the below-listed kinds of seasonal and nonseasonal soups containing, in the case of all soups except mushroom and bean, no less than the specified percentage, by weight, of dry solids from dairy products in any form, poultry or poultry products in any form, fresh, brined, or frozen meats, fish, vegetables, and other products of the kinds listed in Schedules I and II. Mushroom or bean soups shall contain no less than the specified percentage of salt free solids.				

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
VEGETABLES AND VEGETABLE PRODUCTS—Continued				
39. Soups—Continued.				
a. Seasonal soups Kinds and minimum solids: Asparagus, 7% dry solids. Pea, 7% dry solids. Spinach, 7% dry solids. Tomato, 7% dry solids. Mushroom, 18½% salt-free solids.	Unlimited	1 picnic	1.25 tin	0.50 tin.
b. Non-seasonal soups Kinds, minimum solids: Chicken, chicken gumbo, chicken noodle, gumbo creole, consommé, bouillon, chicken broth, 6% dry solids. Clam or fish, 6% dry solids, chowders, turtle. Scotch broth, vegetable, vegetable-vegetarian, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder, 10% dry solids. Beef and vegetable beef, 12% dry solids. Bean (from dried beans), 25% salt-free solids.	100% o/ total 1942 pack of specified non-seasonal soups.	1 picnic	1.25 tin	0.50 tin.
40. Green Leafy vegetables			1.25 tin	0.50 tin
Spinach	100% 1942	2-2½-10		
Other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens.	100% 1942	3-2½-10		
41. Pimientos and sweet peppers	50% 1942	2½-10	1.25 tin	0.50 tin.
42. Tomatoes	Unlimited	2-2½-10	1.25 tin	1.25 tin.
43. Tomato Catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids.	FDO-22	2½-3 cyl-10	1.25 tin	1.25 tin.
44. Tomato juice, containing no other vegetable juices	Unlimited	2-3 cyl-10	1.25 tin	0.50 tin.
45. Tomato juice, containing not more than 30% of other vegetable juices	Unlimited	2-3 cyl-10	1.25 tin	1.25 tin.
46. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037), by weight of dry tomato solids and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients. (See note after Item 48).	Unlimited	2-10 5 gal. reusable	1.25 tin	1.25 tin.
	125% 1942 pack sizes 8Z and 1 picnic.	8Z 1 picnic	1.25 tin	1.25 tin.
47. Tomato paste from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids. (See note after Item 48.)	Unlimited	2½-10-12 5 gal. reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 6Z	6Z	1.25 tin	1.25 tin.
48. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids. (See note after this item.)	Unlimited	2-2½-10 5 gal. reusable	1.25 tin	1.25 tin.
	125% 1942 pack of size 1 picnic	1 picnic	1.25 tin	1.25 tin.

NOTE: Tomato paste, tomato pulp or puree and tomato sauce, may be repacked from No. 10, or from 5 gal. or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste, or tomato pulp or puree) but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

FISH AND SHELLFISH (Processed, and in hermetically sealed cans)				
49. Clams, soft, hard or razor	Unlimited	½ flat (307 x 200.25) (307 x 201.25) 1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409)-10 (603 x 700).	0.50 tin	0.50 tin.
50. Crabmeat	Unlimited	½ flat (307 x 201.25)	0.50 tin	0.50 tin.
51. Fish flakes. Dried fish flakes not to be packed	Unlimited	300 (300 x 407)-2 (307 x 09)	0.50 tin	0.50 tin.
52. Ground fish, containing no filler and packed for human consumption only	Unlimited	300 (300 x 407)	0.50 tin	0.50 tin.
53. Fish livers and fish liver oils	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
54. Fish roe	Unlimited	300 (300 x 407) ½ oval (513 x 307 x 103).	0.50 tin	0.50 tin.
55. Herring, Atlantic Sea, by whatever name known, including sardines	Unlimited	¼ drawn (300.5 x 404 x 014.5)-¼ drawn (304 x 508 x 105)-¼ three piece (308 x 412 x 112)-300 (300 x 407).		
Oblong or round cans:				
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			0.50 tin	CTB.
Packed in mustard or tomato sauce			1.25 tin	0.80 tin.
Oval cans:				
Packed in brine			1.25 tin	1.25 tin.
Packed in oil			1.25 tin	1.25 tin.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
56. Herring, Pacific Sea	Unlimited	1 tall (301 x 411)		
Round cans:				
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			0.50 tin	0.50 tin.
Packed in mustard or tomato sauce			1.25 tin	0.50 tin.
57. Herring, river (alewives)	Unlimited	300 (300 x 407)-2 (307 x 409)	0.50 tin	0.50 tin.
58. Mackerel	Unlimited	300 (300 x 407)	0.50 tin	0.80 tin.
59. Menhaden	Unlimited	300 (300 x 407)	0.50 tin	0.80 tin.
60. Mullet	Unlimited	300 (300 x 407)	0.50 tin	0.80 tin.
61. Mussels	Unlimited	1 picnic (211 x 400)-2 (307 x 409)-10 (603 x 700).	0.50 tin	0.50 tin.
62. Oysters. No. 1 picnic cans shall contain not less than 7¼ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited	1 picnic (211 x 400)-1 tall (301 x 411)-2 (307 x 409).	0.50 tin	0.50 tin.
63. Pilchards, by whatever name known including sardines	Unlimited	4Z short (211 x 300)-½ oblong (304 x 508 x 108)-(306 x 510 x 104)-300 (300 x 407)-1 oval (607 x 405 x 108).		
Round cans:				
Packed in brine			0.50 tin	0.50 tin.
Packed in oil			0.50 tin	0.50 tin.
Packed in mustard or tomato sauce			1.25 tin	0.50 tin.
Oval cans:				
Packed in brine			1.25 tin	1.25 tin.
Packed in oil			1.25 tin	1.25 tin.
Packed in mustard or tomato sauce			1.25 tin	1.25 tin.
Oblong cans:				
Packed in brine			1.50 tin	1.25 tin.
Packed in oil			1.50 tin	CTB.
Packed in mustard or tomato sauce			1.50 tin	1.25 tin.

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
FISH AND SHELLFISH—Continued				
64. Salmon	Unlimited	½ flat (307 x 200.25) (307 x 201.25)—1 flat (401 x 410.5) (401 x 211) 1 tall (301 x 411).	1.25 tin	0.80 tin.
66. Shad	Unlimited	300 (300 x 407)	0.80 tin	0.50 tin.
66. Shrimp	Unlimited	1 picnic (211 x 400)—5 (502 x 410).	0.60 tin	0.50 tin.
67. Squid	Unlimited	300 (300 x 407)	0.80 tin	0.50 tin.
68. Tuna, bonito, and yellowtail	Unlimited	½ tuna (307 x 113)—1 tuna (401 x 205.5) 4 lb. tuna (603 x 408).	0.80 tin	0.50 tin.
69. Turtle	Unlimited	300 (300 x 407)	0.80 tin	0.50 tin.
DAIRY PRODUCTS				
70. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940—18.525, page 2644 and 18.530, page 2648, as amended, Federal Register August 8, 1941, pages 3973 and 3974.	100% 1942	14 oz.		
Until September 30, 1944			1.25 tin	1.25 t.n.
After September 30, 1944			0.75 tin	0.75 tin.
71. Evaporated milk as defined by the Federal Security Administrator, Federal Register, July 2, 1940—18.520, page 2644.	Unlimited	8 lb.		
	100% 1942 pack of 14½ oz. size.	14½ oz.		
	95% 1942 pack of 6 oz. size	6 oz.		
Until December 31, 1944			1.25 tin	1.25 tin.
After December 31, 1944			0.75 tin	0.75 tin.
72. Liquid modifications of milk, for human consumption only, including only milk treated or mixed with other edible substances; provided the packer packed the product in substantially the same form in 1942.	100% 1942 pack size 14½ oz.	14½ oz.		
	95% 1942 pack size 6 oz.	6 oz.		
Until December 31, 1944			1.25 tin	1.25 tin.
After December 31, 1944			0.75 tin	0.75 tin.

SCHEDULE II—FOOD CANS

NOTE: Schedule II amended Sept. 22, 1944.

Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941 entitled, "An Act to Promote the Defense of the United States" (Land-Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (a) pursuant to a letter of intent approved by or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD-300). The word "none" indicates that no cans shall be used for packing the applicable product except for the above mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the specified base period for the above mentioned agencies shall be excluded.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MEAT AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon	None	24 oz.	0.50 tin	CTB.
		14 lb.	1.25 tin	Btm. 0.80 tin. Top 1.25 tin.
2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat by cooked weight.	None			
Cans with all seams soldered		Any size	1.25 tin	1.25 tin.
Cans with only side seams soldered		Any size	0.50 tin	CTB.
3. Brains	125% 1942	10½ oz.	0.50 tin	CTB.
4. Meat products as follows:	125% 1942.			
a. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.		7 oz.	0.50 tin	CTB.
b. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.		3 oz.	0.80 tin	CTB.
c. Sausage in casings, containing no cereal or similar substance and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight:				
Vienna sausage, pork sausage		4 oz.	0.50 tin	CTB.
Sausage in oil, lard or rendered pork fat		No. 5	0.50 tin	CTB.
d. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.		24 oz.	0.50 tin	CTB
e. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.		12 oz.	0.50 tin	CTB.
f. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.		3½ oz.	0.50 tin	CTB.
5. Whole Hams	75% 1941	Any size	1.25 tin	1.25 tin.
6. Corned beef hash, when packed according to Food Distribution Administration standards.	50% 1941 pack by weight	300	0.50 tin	CTB.
7. Chili Con Carne with or without beans when packed according to Food Distribution Administration standards.	50% 1941 pack by weight	300	0.50 tin	0.50 tin.
8. Tongue	125% 1942	6 oz.	0.50 tin	CTB.
9. Turkey, boned, and chicken, boned	50% 1941	12 oz.	0.50 tin	CTB.

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: Ends (5)
MISCELLANEOUS FOODS				
10. Baby foods:				
a. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt, or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	125% 1943	202 BF (202 x 214)	1.50 tin	1.50 tin.
b. Milk formulas, liquid	125% 1943	14½ oz.		
Until September 30, 1944			1.25 tin	1.25 tin.
After September 30, 1944			0.75 tin	0.75 tin.
c. Soybean milk, liquid	125% 1943	300	1.25 tin	0.50 tin.
d. Milk formulas, dry or powdered	Unlimited	1 lb.	0.50 tin	CTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
11. Dehydrated vegetables	None	10	0.50 tin	CTB.
		5 gal	0.50 tin	0.50 tin.
12. Grape juice and grape pulp (See note after item 13)	100% 1943	5 gal. reusable	1.50 tin	1.50 tin.
13. Citrus pulp and citrus peel (See note after this item)	180% 1943	5 gal. reusable	1.25 tin	1.25 tin.
NOTE: When required for packing other products, grape juice, grape pulp, citrus peel and pulp may be repacked from reusable cans, 5 gallons or larger.				
14. Honey	Unlimited	60 lb. reusable	1.25 tin	1.25 tin.
15. Goat's milk	100% 1943	14½ oz.	1.25 tin	1.25 tin.
16. Milk, skimmed, dry or powdered	None	50 lb.	0.80 tin	0.50 tin.
17. Milk, whole, dry or powdered	100% 1943	1 lb.–2½ lb., 5 lb.	0.60 tin	CTB.
		25 lb.–50 lb.	0.60 tin	0.50 tin.
18. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal and edible blends of such oils.	180% 1943 pack of size 5 gal.	5 gal. reusable	1.25 tin	1.25 tin.
	125% 1943 pack of 1 gal. size in cans and glass.	1 gal.	0.80 tin	0.50 tin.
19. Citrus concentrates	Unlimited			
a. Orange				
32° Brix or higher		2–10	1.25 tin	1.25 tin.
Over 66° Brix		6 oz.–2–2½–10	1.25 tin	1.25 tin.
b. Grapefruit, lemon 32° Brix and over		10	1.25 tin	1.25 tin.
c. Blended Orange and Lemon 32° Brix and over		10	1.25 tin	1.25 tin.
NOTE: Concentrates of 32° brix must contain as a minimum equivalent 2½ volumes of single strength juice; concentrates of 65° brix must contain as a minimum equivalent 5 volumes of single strength juice.				
20. Butter and oleomargarine	None	10	0.50 tin	0.50 tin.
21. Syrups—cane, maple, molasses, sorghum, and corn syrup, including blends of these syrups.	150% 1943 pack of No. 10 size or larger in cans and glass.	10 or 10 lb	1.25 tin	1.25 tin.
22. Chocolate Syrup	100% 1943 pack of No. 10 size or larger in cans and glass.	10 or 10 lb	0.50 tin	0.50 tin.
23. Pectin, liquid only	Unlimited	5 gal. reusable	1.50 tin	1.50 tin.
24. Beer, packed for U. S. Army export or U. S. Navy off-shore use only	None	12-oz	0.50 tin	0.50 tin.
25. Salted Nuts, U. S. Army export or U. S. Navy off-shore use only	None	8-oz	0.50 tin	CTB.
FISH AND SHELLFISH				
(For refrigerated shipment, fresh)				
26. Oysters, fresh-shucked	Unlimited	1-pint, 1-gal	CTB	CTB.
27. Clams, fresh-shucked	Unlimited	1-gal	CTB	CTB.
28. Mussels, fresh-shucked	Unlimited	1-gal	CTB	CTB.
29. Fillets & Steaks, fresh	Unlimited	20-lb	CTB	CTB.
30. Crabmeat, fresh-cooked	Unlimited	1-lb	CTB	CTB.
31. Lobster meat, fresh-cooked	Unlimited	1-lb	CTB	CTB.
32. Shrimp, fresh-cooked	Unlimited			
Other than Alaska		1-gal	CTB	CTB.
Alaska only		10	1.25 tin	0.50 tin.

SCHEDULE III—NON-FOOD CANS

NOTE: Schedule III amended Sept. 23, 1944.

(a) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Land-Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (1) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for any of the foregoing agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form WPB 646 (formerly PD-300). When determining a quota for packing a product listed in this Schedule III, cans packed during the specified base period for the above mentioned agencies shall be excluded.

(b) Wherever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, special coated manufacturers' terneplate (SCMT) may be substituted for making any part or fitting of the can which is required to be soldered. Wherever blackplate is specified chemically treated black plate (CTB) may be used. Wherever special coated manufacturers' terneplate (SCMT) is specified, blackplate or chemically treated blackplate (CTB) may be used.

(c) If a person has a packing quota for a product listed in Items 10, 34, 36, 43, 44, 45, 54, 55, or 68 under this schedule, and also has one for the same product in glass containers under Order L–103–b, he shall limit his combined pack of that product in cans and glass containers in accordance with instructions contained in Direction No. 3 of this order.

(d) Fibre bodied cans with metal ends may be substituted for packing any product in this schedule for which all metal cans are permitted, *Provided*, (1) The ends of such cans are made from the type of can material specified in Column 5, and (2) the area of plate used is charged to the purchaser's packing quota.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: End (5)
1. Acid nitro-hydrochloric (outer Container)	100% 1942	1-lb	Blackplate	Blackplate.
2. Alcohol (excluding Anti-freeze)	100% 1940			
Pharmaceutical and chemically pure		1-gal	1.25 tin	1.25 tin.
Industrial		1-gal	SCMT	Blackplate.
3. Aniline	100% 1942	5-lb	1.25 tin	1.25 tin.
4. Anti-freeze, ethylene glycol type	100% 1941	1-gal	SCMT	Blackplate.
5. Bee feeder cans for use in shipping bees	Unlimited	Any size	0.50 tin	CTB.

SCHEDULE III—NON-FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials: Body (4)	Can materials: End (5)
6. Benzol, naphtha, toluene, and xylene	100% 1943	1-gal	SCMT	Blackplate.
7. Blood plasma	Unlimited	Any size	0.50 tin	CTB.
8. Calcium carbide	100% 1942	2-lbs., 10-lb	Blackplate	Blackplate.
9. Carbon bisulfide	100% 1943	1-lb	SCMT	Blackplate.
10. Caulking Compound	75% 1940	1-lb., 1-qt., 1-gal	Fibre	Blackplate.
11. Caustic soda, lye, drain cleaners	100% 1942	12-oz	Blackplate	Blackplate.
12. Cements and dressings, limited to belting, furnaces, linoleum, pipe joint, and radiator. Not to be packed dry.	100% 1942	Any size	Blackplate	Blackplate.
13. Cements; rubber, solvent, or latex	100% 1942	1-qt., 1-gal	Blackplate	Blackplate.
14. Chloroform and ether	100% 1942	Any size	1.25 tin	1.25 tin.
15. Chlorpicrin, bromacetone, monochloroacetone, and acrolein	100% 1942	1-lb	SCMT	SCMT.
16. Chromic acid, (outer container)	100% 1942	¼-lb., 1-lb	Blackplate	Blackplate.
17. Chromium trioxide	100% 1942	25-lb	Blackplate	Blackplate.
18. Cleaning fluids, inflammable	100% 1940	½-pt., 1-qt., 1-gal	SCMT	Blackplate.
19. Creosote and wood preservatives	100% 1942	1-gal	SCMT	Blackplate.
20. Cyanide, calcium, potassium sodium, and mixtures (including cyanide-chloride mixtures).	100% 1942	1-lb., 2½-lbs	SCMT	Blackplate.
21. Disinfectants and germicides, liquid	100% 1941	1-qt., 1-gal	SCMT	Blackplate.
22. Film cans	100% 1940	Any size	Blackplate	Blackplate.
23. Fire extinguisher fluid, limited to chlorinated hydrocarbon type, and foam powder extinguisher charges.	100% 1942	1-qt., 1-gal	SCMT	SCMT.
24. Gasket assembling compounds	100% 1942	1-qt., 1-gal	Blackplate	Blackplate.
25. Glues and adhesives, liquids	100% 1942	1-gal	SCMT	SCMT.
26. Grain fumigant, liquid	100% 1942	1-qt., 1-gal	SCMT	Blackplate.
27. Graphite, with liquid content	100% 1942	1-lb., 5-lb., 10-lb., 25-lb.	Blackplate	Blackplate.
28. Greases, lubricating	100% 1943	Any size	Blackplate	Blackplate.
29. Grinding and buffing compounds, industrial. Not to be packed dry	100% 1940	1-qt., 1-gal	SCMT	SCMT.
30. Hydraulic brake fluid	100% 1942	1¾ lbs., 5-lbs	SCMT	Blackplate.
31. Hypochlorite powders	80% 1942	8-oz., 1-lb., 2-lb., 5-lb., 10-lb.	Blackplate	Blackplate.
32. Inks, printing, duplicating, and lithographing	100% 1942	5-gal	SCMT	SCMT.
33. Ink, spirit aniline and rotogravure	Unlimited	1-gal	SCMT	Blackplate.
34. Insecticides and fungicides, liquid	180% of 1943 pack of 1-qt. size in cans and glass.	1-qt	SCMT	Blackplate.
35. Lubricating oils (excluding Motor Oil)	100% 1940	1-gal	Blackplate	Blackplate.
36. Motor Oil	20% 1940	1-qt., 5-qt	1.80 tin	1.80 tin.
37. Nicotine sulphate	100% 1943	5-lb	Blackplate	Blackplate.
38. Nitric acid, fuming (outer Container)	100% 1942	¼-lb., 1-lb	1.25 tin	1.25 tin.
39. Oils, essential; distilled or cold pressed	100% 1942	1-qt	0.50 tin	0.50 tin.
40. Oils, transformer	125% 1940	1-gal	Any size	Blackplate.
41. Ointment and salve	150% 1943	Any size	Blackplate	1.25 tin.
42. Paints, copper bottom or antifouling	75% 1940	1-gal	1.25 tin	
43. Paint products as follows:				
(a) Pigmented Oil or Oleoresinous, Ready-Mixed, Semi-Paste and Paste, including but not limited to white lead in oil and colors in oil.		1-qt., 1-gal	Fibre	Blackplate.
		½-pt., ½-pt., 1-pt., 1-qt., ½7 gal., ½2 gal., 14 oz., 24 oz.	SCMT	Blackplate.
(b) Paste Water Paints including Resin Emulsion		½-pt., 1-pt., 1-qt., 1-gal.	SCMT	SCMT.
(c) Varnishes—Varnish Stain, Oil Stain, Shingle Stain, and Lacquer Thinners.		¼-pt., ½-pt., 1-pt., 1-qt., 1-gal.	SCMT	Blackplate.
		½7 gal., ½2 gal., 14 oz., 24 oz.	SCMT	SCMT.
(d) Lacquer, Clear and Pigmented		¼-pt., ½-pt., 1-pt., 1-qt., 1-gal.	SCMT	Blackplate.
(e) Aluminum Paint		Any size	SCMT	Blackplate.
44. Polishes and waxes: Liquid	100% 1940	1-pt., 1-qt., 1-gal	SCMT	Blackplate.
Paste	100% 1940	¼-lb., 1-lb	SCMT	Blackplate.
45. Putty	100% 1940	1-lb	Blackplate	Blackplate.
46. Phenol	100% 1943	5-lb	1.50 tin	1.50 tin.
47. Phosphoric acid meta sticks	100% 1942	25-lb	Blackplate	Blackplate.
48. Phosphorus	100% 1942	1-oz., ¼-lb., 1 lb	1.25 tin	1.25 tin.
49. Potassium hydroxide	100% 1942	25-lb	Blackplate	Blackplate.
50. Potassium permanganate, reagent grade	100% 1942	5-lb	1.25 tin	1.25 tin.
51. Potassium sulfide	100% 1942	25-lb	Blackplate	Blackplate.
52. Liquid and Plastic Roof Cements, Fibrous and Non-Fibrous Roof Coatings (Excluding Lap Cement).	75% 1940			
Other than tar base		1-lb., 1-qt., 1-gal	Fibre	Blackplate.
Tar base		1-lb., 1-qt., 1-gal	SCMT	Blackplate.
53. [Deleted Sept. 23, 1944.]				
54. Shellac	100% 1942	1-qt., 1-gal	5# Terneplate	5# Terneplate.
55. Shoe and leather polishes, waxes, dyes, dressings, stains and saddle soap.	125% 1943	Any size	Blackplate	Blackplate.
56. Soap paste (including paste cleaners)	100% 1942	10-oz	Blackplate	Blackplate.
57. Sodium and potassium metals	100% 1943	1-oz., ¼-lb., 1-lb	1.25 tin	1.25 tin.
58. Sodium peroxide	100% 1943	1-oz., ¼-lb., 1-lb	0.50 tin	0.50 tin.
59. Sodium sulfide	100% 1943	25-lb	Blackplate	Blackplate
60. Soldering pastes, soldering and welding fluxes, and boiler scaling compounds.	100% 1942	Any size	Blackplate	Blackplate.
61. Toilet bowl cleaner, limited to cleaners containing not less than 70% bisulphate of soda.	30% 1942	10-oz	Fibre	Blackplate.
	40% 1942	10-oz	Blackplate	Blackplate.
62. Turpentine	100% 1940	1-gal	SCMT	SCMT.
63. Varnish and Paint Removers	100% 1942	½-pt., 1-qt., 1-gal	SCMT	SCMT.
64. Zinc Chloride	100% 1942	25-lb	Blackplate	Blackplate.
65. Dangerous chemicals for shipment in compliance with Interstate Commerce Commission regulations when a metal can is required by such regulations and no alternate package is permitted.	100% 1942	Any size	Blackplate	Blackplate.

INTERPRETATION 1: Revoked June 8, 1944.
INTERPRETATION 2: Revoked May 16, 1944.

SCHEDULE IV—PRODUCTS PERMITTED TO BE PACKED IN SECONDARY METALS

NOTE: Schedule IV added Sept. 22, 1944.

(a) Wherever tinplate waste-waste is specified for making the body of a can for packing a product listed in this schedule, terneplate waste-waste may be substituted.
(b) Wherever an asterisk appears with a product it indicates that the packing quota for that product is in addition to the packing quota set forth in Schedule III.
(c) The letters Blk. Rej., Tin WW and Tern. WW appearing in Columns 4 and 5 mean Blackplate Rejects, Tinplate Waste-Waste, and Terneplate Waste-Waste, respectively.

Product	Packing quota balance 1944 (1)	Packing quota 1945 (2)	Can sizes (3)	Can materials: Body (4)	Can materials: End (5)
1. Auto supplies. Limited to tire repair kits, oil filters and condensers.	25%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
2. Baking powder	35%—1941	100%—1941	1-lb. or 8m	Tin WW	Blk. Rej.
3. Bouillon cubes	35%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
4. *Caulking compound	25%—1940	100%—1940	1-lb	Blk. Rej.	Blk. Rej.
5. Cements and glues (dry)	35%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
6. Cereals, flour, cookies, biscuits, crackers (export only)	35%—1941	100%—1941	Any size	Tin WW	Blk. Rej.
7. Dehydrated vegetables containing less than 12% moisture. Not including Soups	Unlimited	Unlimited	Any size	Tin WW	Blk. Rej.
8. Dyes (dry)	35%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
9. Exterminators—rat paste, roach paste, other powders and pastes. Including traps	35%—1941	100%—1941	Any size	Tin WW	Blk. Rej.
10. Electrodes (welding rods)	35%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
11. Disinfectants and deodorizers. Limited to: Incense, Dis. and Deod. Powders, Blocks & Crystals, but incl. Moth Preventatives.	35%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
12. *Grain fumigants and seed disinfectants	Unlimited	Unlimited	Any size	Tin WW	Tern. WW.
13. Household oils	35%—1941	100%—1941	8-oz. or sm	Tin WW	Blk. Rej.
14. *Inks	25%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
15. Ink eradicator	25%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
16. Lap cement	35%—1941	100%—1941	1-pint	Tinplate or Terneplate Waste Waste or Blackplate Rejects.	
17. Lighter fluid	35%—1941	100%—1941	8-oz. or 8m	Tin WW	Blk. Rej.
18.* Lye, drain cleaner, caustic soda, toilet bowl cleaner	25%—1942	50%—1942	Any size	Blk. Rej.	Blk. Rej.
19. Plastic wood	35%—1941	100%—1941	Any size	Tin WW	Blk. Rej.
20.* Rubber cement (including solvent or latex)	25%—1942	75%—1942	1-pt., 1-qt.	Blk. Rej.	Blk. Rej.
21. Shock absorber fluid	35%—1940	100%—1940	1-qt., 1-gal.	Tin WW	Blk. Rej.
22. *Soap paste (including paste cleaners)	25%—1942	50%—1942	10-oz	Blk. Rej.	Blk. Rej.
23. Spices, salt seasoning, dry mustard	35%—1940	100%—1940	Any size	Blk. Rej.	Blk. Rej.
24. Tea	35%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.
25. *Putty	25%—1940	50%—1940	1-lb	Blk. Rej.	Blk. Rej.
26. *Liquid and plastic roof cements, fibrous and non-fibrous roof coatings, (excluding lap cements).	25%—1940	50%—1940	1-qt., 1-gal., 1-lb.	Tin WW	Blk. Rej.
27. Surgical dressings and hospital supplies (including bandages, adhesive tape, mustard plaster, sputum cups).	35%—1941	100%—1941	Any size	Blk. Rej.	Blk. Rej.

[F. R. Doc. 44-14657; Filed, Sept. 22, 1944; 11:16 a. m.]

PART 3281 [1]—PULP AND PAPER

[General Preference Order M-251, as Amended Sept. 22, 1944]

PULPWOOD

The fulfillment of requirements for the defense of the United States has created in certain areas and is expected to create in other areas a shortage in the supply for defense, for export and for private account, of wood for pulp and lumber, and has created a shortage in the supply for defense, for export and for private account of various materials and facilities required for the production of pulpwood; and the following order is deemed necessary and appropriate in the public interest and to promote national defense:

§ 3281.1 [1] *General Preference Order M-251*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Pulpwood" includes wood of any species and in any form commonly delivered to a manufacturer of woodpulp for the manufacture of woodpulp, except those species and forms defined in and subject to the following orders of the War Production Board: M-136, and M-234.

(3) A "holder of pulpwood" is any person who holds or accumulates pulpwood for manufacture by himself into woodpulp.

(4) To "hold" or "accumulate" pulpwood means to have or obtain control of a supply of pulpwood whether by production or purchase directly by the holder, by production or purchase by an affiliate or subsidiary or by one branch, division or section of a single enterprise or by production or purchase by any other person for delivery to or for the account of the holder.

(c) *Reports of monthly receipts, consumption and inventory of pulpwood.* Each producer of woodpulp shall on or before the 5th day of each month, file Form WPB-1625 with the Pulpwood Production Branch, Paper Division, WPB, Reference M-251, for each mill operated by him located elsewhere in the United States than in the States of California, Washington and Oregon, and for each mill operated by him located in the States of California, Washington and Oregon shall on or before the 10th day of each month file Form WPB-1639, showing the monthly receipts, consumption and inventory of pulpwood at and for such mill, in accordance with instructions accompanying such forms.

Quarterly estimates of pulpwood receipts. Form WPB-3565 shall be filed by each producer of woodpulp on or before the 5th day of February, May, August and November for each mill operated by him located in the United States, showing quarterly estimates of pulpwood receipts for the 2 calendar quarters following the quarter in which the report is made in accordance with the instructions accompanying said form.

(d) *Control of pulpwood in areas of shortage.* Whenever the War Production Board determines that there prevails in any area a shortage in the supply of any type or types of pulpwood required for the production of materials needed in the public interest and for national defense, he may issue a schedule defining such area and such type or types of pulpwood, and may thereupon, according to the degree of the shortage and the immediacy of the need, and as specified in such schedule.

(1) Allocate specific quantities of pulpwood of the type or types defined held or accumulated in such area from and to specific persons;

(2) Direct holders of pulpwood in such area to maintain in their holdings or accumulations of pulpwood of the type or types defined a stated quantity or percentage, either uniform for all such holders or particular for any, to be known as a "Reserve Supply", available for disposition by the War Production Board, from which the War Production Board may from time to time authorize or direct the delivery of specific quantities to specific persons and/or the manufacture of

[1] Formerly Part 3113, § 3113.1

specific quantities into the specific products, and the War Production Board may in addition from time to time allocate specific quantities of any pulpwood of the type or types defined held or accumulated in such area, although not a part of such "Reserve Supply", from and to specific persons; and provide procedures for and granting such authorizations, directions and allocations;

(3) Direct that no person, or no person of a specified class, may consume, process, deliver or accept delivery of any pulpwood of the type or types defined held or accumulated in such area except upon specific authorization or direction by the War Production Board, and provide procedures for applying for and granting such authorization or direction; and/or

(4) Limit or prohibit particular uses of pulpwood of the type or types defined held or accumulated in such area. In any allocation, authorization or direction issued by the War Production Board pursuant to clause (1), (2) or (3) of the foregoing paragraph, the War Production Board may require the person to whom such allocation, authorization or direction is issued to manufacture, from the pulpwood which is the subject thereof, particular types and quantities of woodpulp or other wood product or impose upon the use of such pulpwood by such person any other conditions necessary and appropriate in the public interest and for national defense. Such allocations, authorizations and directions and any conditions attached thereto, and any limitations or prohibitions issued pursuant to clause (4) of the foregoing paragraph, shall be made to insure the satisfaction of requirements, direct and indirect, for the defense of the United States and for essential civilian supply, may be made in consideration of the possible dislocation of labor, the effect of the local shortage on the national supply of products manufactured from pulpwood and woodpulp, the problems of transporting such products into and out of the area defined, and the necessity of keeping a plant in operation so that it may be able to fulfill war orders and essential requirements, and may be made in the discretion of the War Production Board, without regard to preference ratings.

(c) *Miscellaneous provisions* — (1) *Records.* All persons affected by this order shall keep and preserve, for not less than 2 years, complete records concerning their receipts, inventories, and consumption or other disposition of pulpwood.

(2) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Pulpwood Production Branch, Paper Division, War Production Board, Ref: M–251, Washington 25, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14653; Filed, Sept. 22, 1944; 11:17 a. m.]

PART 3281[1]—PULPWOOD

[General Conservation Order M–251, Schedule 1, as Amended Sept. 22, 1944]

§ 3281.2[2] *Schedule 1 to paragraph (d) of General Conservation Order M–251.* Pursuant to paragraph (d) of General Preference Order M–251, the War Production Board hereby determines that there prevails in the following area a shortage in the supply of the following type(s) of pulpwood required for the production of materials needed in the public interest and for national defense:

Area. That portion of the State of Washington, known as the Puget Sound area, which is described as follows: bounded on the West by the Pacific Ocean, bounded on the north by the Canadian Border, bounded on the east by the crest of the Cascade Mountain Range and bounded on the south by a line having the following course: east from the Pacific Ocean along north boundary of township 11 to range line between Townships 7 and 6 East; then south 3 miles; then east through Range 6 to Pacific County line; then south along Pacific County line to southern boundary of Lewis County line; then east along southern boundary of Lewis County line through Ranges 8 West and 4 West, and east 3 miles to center of Range 3 West; then north 3 miles through Range 3 West; then east through remainder of Range 3 West and through Range 2 West; then north on the range line between Range 2 West and Range 1 West to northern boundary of Township 11; then east along northern boundary of Township 11 through Range 1 West, Range 1 East, and Range 2 East; then south 3 miles on range line between Range 2 East and Range 3 East; then east through the center of townships in Ranges 3, 4 and 5 East; then south 3 miles to southern boundary of Lewis County line; then east on Lewis County line to the crest of the Cascade Mountain Range.

Type(s) of pulpwood. All grades and sizes of pulpwood logs of the following species (excepting cants, slabs or other sawmill waste):

(1) True firs of the botanical species: *Abies grandis* (white fir), *Abies Lasiocarpa* (balsam fir), *Abies amabilis* (silver fir) and *Abies concolor* (white fir).

(2) Sitka spruce of the botanical species: *Picea sitchensis*, except those grades of logs specified by the War Production Board under General Preference Order M–186 as "Sitka spruce logs, Grades No. 1 and 2 cants and flitches of such logs". General Preference Order M–186 defines "Grades No. 1 and No. 2, Sitka spruce logs" as such grades as understood in the particular district[3] on August 1, 1941.

(3) Engelmann spruce of the botanical species: *Picea Engelmannii.*

(4) Western Hemlock of the botanical species, *Tsuga heterophylla* and *Tsuga mertensiana.*

Pursuant to subparagraph (3) of paragraph (d) of said order, the War Production Board hereby directs that on and after the day upon which this schedule is issued, and until this schedule is revoked, no holder of pulpwood, as defined in subparagraph (3) of paragraph (b) of M–251, shall consume, process, or deliver any such pulpwood except upon specific authorization or direction by the War Production Board.

Application for authorization or direction to consume, process or transfer such pulpwood must be submitted in writing to the Paper Division, War Production Board, Washington 25, D. C., Ref: M–251.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14654; Filed, Sept. 22, 1944; 11:17 a. m.]

PART 3281[1]—PULPWOOD

[General Conservation Order M–251, Schedule 2, as Amended Sept. 22, 1944]

§ 3281.3[1] *Schedule 2 to General Conservation Order M–251.* Pursuant to paragraph (d) of General Conservation Order M–251, the War Production Board hereby determines that there prevails in the following area a shortage in the supply of the following type(s) of pulpwood required for the production of materials needed in the public interest and for national defense:

Area. That portion of the states of Washington and Oregon, known as the Columbia-Willamette area, which is described as follows: bounded on the east by the crest of the Cascade Mountain Range, bounded on the south by the California-Oregon state line, bounded on the west by the Pacific Ocean, and bounded on the north by a line having the following course: starting in the state of Washington, east from the Pacific Ocean along north boundary of Township 11 to range line between Townships 7 and 6 East; then south 3 miles; then east through Range 6 to Pacific County line; then south along Pacific County line to southern boundary of Lewis County line; then east along southern boundary of Lewis County line through Ranges 8 West and 4 West, and east 3 miles to center of Range 3 West; then north 3 miles through Range 3 West; then east through remainder of Range 3 West and through Range 2 West; then north on the range line between Range 2 West and Range 1 West to northern boundary of Township 11; then east along northern boundary of Township 11 through Range 1 West, Range 1 East, and Range 2 East; then south 3 miles on range line between Range 2 East and Range 3 East; then east through the center of townships in Ranges 3, 4 and 5 East; then south 3 miles to southern boundary of Lewis County line; then east on Lewis County line to the crest of the Cascade Mountain Range.

Types of pulpwood. All grades and sizes of pulpwood logs of the following species (excepting cants, slabs or other sawmill waste):

(1) True firs of the botanical species: *Abies grandis* (white fir), *Abies lasiocarpa* (balsam fir), *Abies amabilis* (silver fir), *Abies concolor* (white fir) and *Abies magnifica* (red fir).

(2) Sitka spruce of the botanical species: *Picea sitchensis, except* those grades of logs specified by the War Production Board under General Preference Order M–186 as "Sitka spruce logs, Grades No. 1 and 2 and cants and flitches of such logs". General Preference Order M–186 defines "Grades No. 1 and No. 2, Sitka spruce logs" as such grades as understood in the particular district[3] on August 1, 1941.

(3) Engelmann spruce of the botanical species: *Picea Engelmannii.*

(4) Western Hemlock of the botanical species, *Tsuga heterophylla* and *Tsuga mertensiana.*

The War Production Board may, pursuant to subparagraph (1) of paragraph (d) of Order M–251 by further and individual directions, allocate specific quantities of such pulpwood from and to specific persons. Meanwhile, unless and until he receives such further directions, any person may consume or dispose of such pulpwood as if this Schedule had not been issued.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14655; Filed, Sept. 22, 1944; 11:17 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 29, as Amended Sept. 22, 1944]

AMMONIUM SILICOFLUORIDE

§ 3293.1029 *Schedule 29 to General Allocation Order M–300*—(a) *Definitions.* (1) "Ammonium silicofluoride" means the chemical known by that name and also as ammonium fluosilicate. The term includes mixtures of ammonium silicofluoride with other ingredients such as sand casting compounds.

(2) "Metal caster" means a person engaged in the casting of metals such as magnesium and aluminum.

(b) *General provisions.* (1) Ammonium silicofluoride is subject to allocation under General Allocation Order M–300 as an Appendix B material. The initial allocation date is July 1, 1944, and the allocation period is the calendar month.

(2) Metal casters seeking to purchase ammonium silicofluoride or casting compounds containing ammonium silicofluoride must file a certificate with their purchase orders stating that the material is required for "aluminum casting", "magnesium casting", or other specified metal casting. In addition, metal casters must file a one time base period and inventory report on Form WPB–3442 pursuant to paragraph (e).

(3) Consumers seeking to purchase and use ammonium silicofluoride for any purpose other than metal casting are not required to obtain authorization or to file anything under this Schedule, notwithstanding paragraph (x) of Order M–300.

(4) Suppliers seeking to purchase ammonium silicofluoride for resale must file a certificate with their purchase orders. This is required whether the ammonium silicofluoride is bought and resold as such or in mixed form, except that a certificate is not required from a supplier seeking to purchase ammonium silicofluoride, packaged for retail sale and labeled as a moth-proofing compound or laundry sour or laboratory reagent chemical. The supplier's certificate must either state that the ammonium silicofluoride is required "for resale exclusively for non-metal casting purposes" or that it is required "for resale on further authorization".

(5) A supplier (unless he is a producer) is not required to apply on Form WPB–2947 or to obtain specific authorization for sale of ammonium silicofluoride exclusively to consumers other than metal casters (such as laundries or moth-proofing manufacturers) or to suppliers who sell exclusively for non-metal casting purposes, notwithstanding paragraphs (d) and (e) of Order M–300.

(6) A supplier who sells ammonium silicofluoride for metal casting purposes, whether or not he also sells it for other purposes, and each producer is required to file application on Form WPB–2947 pursuant to paragraph (c) for authorization to deliver after July 1, 1944, ammonium silicofluoride or any mixtures containing ammonium silicofluoride.

(7) Authorized deliveries to customers named individually on the supplier's form shall be made in a sequence best suited to the needs of the customers, without regard to preference ratings. Other authorized deliveries shall be made in the sequence determined by War Production Board regulations.

(c) *Suppliers' applications on Form WPB–2947.* Each supplier seeking authorization to use or deliver ammonium silicofluoride wholly or partly for metal casting purposes, and each producer seeking authorization to use or deliver for any purpose, shall file application on Form WPB–2947 (formerly PD–602). List individually all customers whose certified use is for metal casting or for resale on further authorization. All other requests shall be lumped and shall be entered as a total requested for "non-metal casting purposes". In Column 7 in Table I specify the quantity of ammonium silicofluoride shipped to each customer (other than a distributor) during the month before the month in which the application is filed. If any shipments were made to any other customers for metal casting purposes during that period, their names should be listed in Column 1, and opposite in Column 7, the amount shipped should be specified. The filing date is the 20th day of the month before the proposed delivery month. File separate sets of forms for ammonium silicofluoride as such and in mixtures (specify ammonium silicofluoride content in the grade space). Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–29. The unit of measure is the pound (total weight in case of mixtures). Fill in Table II.

(d) *Customers' certificate of use.* Each metal caster and each direct or indirect supplier of metal casters ordering ammonium silicofluoride shall furnish with or on his purchase order a certified statement of proposed use, in the form prescribed in Appendix D of General Allocation Order M–300. The certified statement should be in the hands of the supplier not later than the 15th day of the month before the requested delivery month. Specify as the proposed use "Aluminum casting", "Magnesium casting" or other specified metal casting, or "Resale on further authorization".

(e) *One time report on use and inventory*—(1) *Who must file.* Each metal caster shall file a one time use and inventory report on Form WPB–3442, on or before the date of his initial filing of a use certificate pursuant to paragraph (d) above. Separate sets of forms shall be prepared for ammonium silicofluoride as such and in the form of mixtures. A caster who purchases ammonium silicofluoride for use in a mixture should file only for the ammonium silicofluoride. Retain one copy and send one certified copy of each set to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–29.

(2) *Heading.* Specify in space (1) ammonium silicofluoride as such or ammonium silicofluoride in mixture (specify ammonium silicofluoride content or suppliers' designation), in space (2) specify "pounds", and in space (3) specify "M–300–29." Fill in the other spaces as indicated.

(3) *Section I.* Fill in Column (a) as indicated and leave Column (b) blank. In the heading of Columns (d), (e), (f) and (g) specify 1st, 2d, 3d and 4th quarters, 1944, respectively. Fill in these columns accordingly, including the bottom line of section I, giving estimates for the 2d, 3d and 4th quarters of 1944.

(4) *Section II.* Leave Columns (a) and (d) blank. In the heading of Column (b), specify April 1, 1944, and fill in accordingly. In the heading of Column (c) specify the first day of the month following the month in which the report is filed and fill in accordingly.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this Schedule shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–29.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14649; Filed, Sept. 22, 1944; 11:18 a. m.]

[1] Formerly Part 3113, § 3113.2.

[2] Formerly Part 3113, § 3113.3.

[3] General Preference Order M–186 also defines "district".

Chapter XI—Office of Price Administration

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 559]

EASTERN POLES AND PILING

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 559—EASTERN POLES AND PILING

Sec.

1. Sales of Eastern poles and piling at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Special pricing.
7. Adjustable pricing.
8. Exports and imports.
9. Records.
10. Petitions for amendment and adjustment.
11. Prohibited practices.
12. Enforcement.
13. Licensing.
14. Maximum prices for poles and piling.

AUTHORITY: Secs. 1 to 14, inclusive (§ 1426.258) issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Sales of Eastern poles and piling at higher than maximum prices prohibited.* (a) On and after September 26, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Eastern poles and piling covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of the earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. *Coverage of the regulation.* This regulation covers all sales and purchases of poles and piling of the species listed, produced in "Eastern" territory, as described below:

(a) *Products.* Eastern poles and piling.

(b) *Species.* All species commercially used for poles and piling produced within "Eastern" territory, as described below, with the exception of Northern White Cedar. (Maximum prices for Northern White Cedar poles will be found in Maximum Price Regulation 560.)

(c) *Territory.* "Eastern" territory is all that area within or east of Minnesota, Iowa, Nebraska, Kansas, Oklahoma (except the Panhandle-Cimarron, Texas, and Beaver Counties), and Texas (except West Texas—that part within or west of Lipscomb, Hemphill, Wheeler, Hollingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Green, Schleicher, Sutton, Edwards, Kinney and Maverick Counties). Tables 1, 2, and 3 in Section 14 apply only to certain production zones described in the table headings; all other price tables apply to the entire territory.

(d) *Definitions.* (1) "Pole" means any round peeled or unpeeled section of a tree, longer than 14 feet, suitable for use to support transmission or communication lines at varying heights above the ground.

(2) "Piling" means the same as "pole" except that it must be suited for driving in the ground to form foundation for construction such as wharves, bulkheads, buildings, and the like.

(3) "Normal loading-out point" means the siding or point on a railroad, the booming and rafting grounds, or the barge landing at which the poles and piling may be sold and to which they can be most cheaply transported from the point of production for shipment by rail, raft, or barge.

SEC. 3. *Basic maximum prices.* The maximum prices for Eastern poles and piling are set out in section 14. These prices are established f. o. b. towable waters, f. o. b. barges at the barge landing, or f. o. b. cars at the railroad loading-out point which is the producer's "normal loading-out point" as defined in section 2 (d) (3).

The maximum producer's price which may be charged or paid shall be the price established for the zone in which the "normal loading-out point" of the material is located, subject only to additions for transportation permitted by section 4.

SEC. 4. *Transportation addition.* The transportation charges set forth below may be added to the maximum f. o. b. loading-out point price when the seller makes delivery.

Transportation from the point of production to the railroad loading-out point, barge loading point, or booming and rafting ground must, in every instance, be provided on the seller's account. Rail, barge and towing charges paid by the seller for transportation beyond the loading-out point may, in every case, be added. Truck charges may be added only when delivery is made by the seller to a destination other than a loading-out point and in such cases the charge must be reduced by the cost of trucking to the seller's nearest loading-out point. If the seller finds that by making transportation additions it is more profitable to sell at a loading-out point other than the one nearest to his point of production he has wrongly applied this section. All additions for transportation must be shown separately on the invoice.

(a) *Common or contract carrier.* (1) When estimated weights or guaranteed mean diameters are used, the appropriate published rate times the estimated weight or mean diameter is the proper transportation charge, even though the estimated weights or diameters may be higher than actual. Estimated weights higher than those set forth in section 14 may not be used. The estimated weights must be taken for the exact type of product actually ordered. To compute mean diameters add 1" to the top or butt diameter, whichever is the controlling factor, and increase or decrease that figure by 1" for each ten lineal feet. Add the top and butt diameters thus determined and divide by two to find the mean diameter.

The charge for transportation shall be evened out to the nearest quarter-cent per lineal foot, or 5¢ per pole, whichever is applicable.

(b) *Private truck.* (1) When shipment is by truck owned or controlled by the seller, the maximum permissible addition (on hauls involving any point outside metropolitan areas) shall be computed as 5 cents per 100 pounds for hauls not over 10 miles; 7 cents per 100 pounds for more than 10 but not over 20 miles; 9 cents per 100 pounds for more than 20 but not over 30 miles; and on hauls of more than 30 miles, for each mile over 30 two-tenths of a cent per 100 pounds to be added to the 30 mile charge. No addition is allowed for the return trip. In the case of poles and piling only, if the order is for less than a truck load a minimum charge for 10,000 pounds may be made.

* Copies may be obtained from the Office of Price Administration.

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the census of 1940. On shipments by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such hauls times the estimated weights or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

(c) *Averaging-out.* When a single order requires quotations of a single flat delivered price and fulfillment of the order contemplates delivery with a variation in pole or piling prices and/or a variation in freight rates, the seller may use a flat average delivered price, but must show on each invoice that the particular shipment is part of a large order for which a reconciliation invoice will be furnished.

Upon completion of the order the seller must render a final invoice showing the quantity of each shipment or delivery, the freight charge for each if sold on a delivered basis, the total amount due on the order at the agreed average prices, and a reconciliation of the total amount so computed with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation. Failure to make reconciliation invoice within 30 days of completion of the order for which an average price was quoted is as much a violation of the regulation as selling at an over-ceiling price.

SEC. 5. *Treated products.* (a) The maximum prices for Eastern primary forest products preservatively treated by pressure process are established by Maximum Price Regulation No. 491.[1]

(b) The maximum price for any Eastern primary forest product preservatively treated by non-pressure methods (except Northern White Cedar poles) shall be the maximum price established by the General Maximum Price Regulation[2] for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest untreated price f. o. b. loading-out point, paid in March 1942 by this seller of treated products and the maximum price established in this regulation for the same size, class, and grade of untreated product. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated product. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated product. (If the seller of a treated product did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated product.)

SEC. 6. *Special pricing.* If a seller wishes to sell a species or specification of Eastern poles or piling not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington, 25, D. C., for approval of a maximum price. He must provide the following information:

(a) The requested price;

(b) A complete description of the item for which price approval is desired;

(1) If a specification other than Navy 39P–14a Class 2 for piling or A. S. A. for poles, he shall furnish a copy of the specification.

(2) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(c) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(d) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration. Such approvals may be made by letter or telegram.

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Exports and imports.* (a) The maximum price for export sales of Eastern poles and piling is governed by the Second Revised Maximum Export Price Regulation.[3]

(b) For poles and piling produced in Canada or Mexico and imported at points in "Eastern" territory in the United States, the maximum price is the appropriate price "f. o. b. normal loading-out point" established in this regulation, and such port of entry shall be regarded as the "normal loading-out point." Poles and piling of Canadian or Mexican origin entered at points in "Western" territory are subject to Maximum Price Regulation 555.[4]

SEC. 9. *Records.* All sellers of Eastern poles and piling products must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for any month in which the seller or buyer sold or bought $1,000 worth of Eastern poles and piling. These records must be kept for inspection by the Office of Price Administration for the duration of the Emergency Price Control Act of 1942 or for two years, whichever is the shorter.

SEC. 10. *Applications for adjustment and petitions for amendment*—(a) *Government contracts.* See Procedural Regulation No. 6[5] for adjustment provisions on certain government contracts or subcontracts.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1[6] issued by the Office of Price Administration.

SEC. 11. *Prohibited practices*—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount longer than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(4) Selling or buying material under and according to the provisions of this regulation to be converted into products suitable for uses other than those set out in section 2 (d), "Definitions."

(c) *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of

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[1] 8 F.R. 15594, 9 F.R. 8182, 9855.

[2] 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

[3] 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 5923, 7201, 9834, 11273.

[4] 9 F.R. 10992.

[5] 7 F.R. 5067, 5664; 8 F.R. 6173, 6174, 12024; 9 F.R. 6256, 10628.

[6] 9 F.R. 5791, 10476.

this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended, may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 11. *Maximum prices for poles and piling.* All maximum prices set forth below are f. o. b. towable waters or cars at the railroad loading-out point nearest the point of production in the normal direction of delivery to the point of destination.

TABLE 1—ROUGH PEELED YELLOW PINE PILING—PRODUCED IN THE NORTHEASTERN ZONE CONSISTING OF THAT PART OF THE UNITED STATES COVERED BY THIS REGULATION (SECTION 2 (C)) NORTH AND EAST OF THE MISSOURI RIVER, THE MISSISSIPPI RIVER, AND THE NORTHERN BOUNDARY OF THE STATES OF TENNESSEE AND NORTH CAROLINA—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P-14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED AND PREPARED FOR TOWING IN TOWABLE WATERS)

Lengths	9" minimum butt including 8'-1' to 8'-6'		10" minimum butt including 9'-1' to 9'-6'		11" minimum butt including 10'-1' to 10'-6'		12" minimum butt including 11'-1' to 11'-6'		13" minimum butt including 12'-1' to 12'-6'		14" minimum butt including 13'-1' to 13'-6'		15" minimum butt including 14'-1' to 14'-6'		16" minimum butt including 15'-1' to 15'-6'	
	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights
15' to 17' incl	$0.09	21	$0.11	26	$0.12	31	$0.13	37	$0.15	43	$0.18	50	$0.21	57	------	------
18' to 22' incl	.09	20	.11	25	.12	30	.13	36	.15	41	.18	49	.21	55	------	------
23' to 27' incl	.09	19	.11	24	.12	28	.13	34	.15	40	.18	46	.21	54	------	------
28' to 32' incl	.09	18	.11	23	.12	27	.13	32	.15	39	.18	45	.21	53	$0.25	59
33' to 37' incl	.10	17	.11	21	.12	26	.13	31	.15	37	.18	43	.21	50	.25	57
38' to 42' incl	.10	16	.11	20	.12	25	.14	30	.16	36	.19	42	.22	49	.26	55
43' to 47' incl	.11	15	.12	19	.13	23	.15	29	.17	34	.20	40	.23	47	.27	54
48' to 52' incl	.13	14	.13	18	.14	22	.17	28	.19	33	.22	39	.26	46	.29	52
53' to 57' incl	------	------	------	------	------	------	.19	26	.21	32	.24	37	.27	44	[1] .31	50
58' to 62' incl	------	------	------	------	------	------	.21	24	.23	30	.26	36	.29	42	.33	49
63' to 67' incl	------	------	------	------	------	------	------	------	.25	28	.28	34	.31	41	.35	47
68' to 72' incl	------	------	------	------	------	------	------	------	.27	27	.30	32	.33	39	.38	46
73' to 77' incl	------	------	------	------	------	------	------	------	------	------	.33	30	.36	37	.42	45
78' to 82' incl	------	------	------	------	------	------	------	------	------	------	.37	29	.40	36	.47	43

[1] For cypress produced in Northeastern Zone add 3¢ per lineal foot to above prices and use above weights.
[2] For mixed orders of pine and cypress see footnote 9.

TABLE 2—ROUGH PEELED YELLOW PINE PILING—PRODUCED IN THE SOUTHEASTERN ZONE CONSISTING OF THAT PART OF THE UNITED STATES COVERED BY THIS REGULATION (SECTION 2 (C)) SOUTH AND WEST OF THE MISSOURI RIVER, THE MISSISSIPPI RIVER AND THE NORTHERN BOUNDARIES OF THE STATES OF TENNESSEE AND NORTH CAROLINA—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P-14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED AND PREPARED FOR TOWING IN TOWABLE WATERS)

Lengths	9" minimum butt including 8'-1' to 8'-6'		10" minimum butt including 9'-1' to 9'-6'		11" minimum butt including 10'-1' to 10'-6'		12" minimum butt including 11'-1' to 11'-6'		13" minimum butt including 12'-1' to 12'-6'		14" minimum butt including 13'-1' to 13'-6'		15" minimum butt including 14'-1' to 14'-6'		16" minimum butt including 15'-1' to 15'-6'	
	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights
15' to 17' incl	$0.11	29	$0.13	35	$0.14	42	$0.16	50	$0.18	58	$0.21	68	$0.24	77	------	------
18' to 22' incl	.11	27	.13	34		40	.16	48	.18	56	.21	66	.24	75	------	------
23' to 27' incl	.11	26	.13	32		39	.16	46	.18	55	.21	63	.24	72	------	------
28' to 32' incl	.11	24	.13	31		37	.16	44	.18	53	.21	61	.24	70	$0.28	80
33' to 37' incl	.12	23	.13	29		35	.16	42	.18	50	.21	59	.24	68	.28	77
38' to 42' incl	.12	22	.13	28		34	.17	41	.19	49	.22	57	.25	66	.29	75
43' to 47' incl	.13	21	.14	26		32	.18	39	.20	47	.23	54	.26	63	.30	73
48' to 52' incl	.14	20	.15	25		31	.20	37	.22	46	.25	53	.28	61	.32	71
53' to 57' incl	------	------	------	------	------	------	.22	36	.24	42	.27	51	.30	59	.34	68
58' to 62' incl	------	------	------	------	------	------	.24	34	.26	41	.29	48	.32	57	.36	66
63' to 67' incl	------	------	------	------	------	------	.26	32	.28	39	.31	47	.34	55	.38	64
68' to 72' incl	------	------	------	------	------	------	.28	30	.30	37	.33	45	.36	53	.41	61
73' to 77' incl	------	------	------	------	------	------	.31	29	.33	36	.36	44	.39	52	.45	60

1. For maximum prices on Northern Pine piling see footnote 10.

TABLE 3—ROUGH PEELED CYPRESS PILING—PRODUCED IN THE SOUTHEASTERN ZONE CONSISTING OF THAT PART OF THE UNITED STATES COVERED BY THIS REGULATION (SECTION 2 (C)) SOUTH AND WEST OF THE MISSOURI RIVER, THE MISSISSIPPI RIVER AND THE NORTHERN BOUNDARIES OF THE STATES OF TENNESSEE AND NORTH CAROLINA—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P-14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED, AND PREPARED FOR TOWING IN TOWABLE WATERS)

Lengths	9" minimum butt including 8'-1' to 8'-6'		10" minimum butt including 9'-1' to 9'-6'		11" minimum butt including 10'-1' to 10'-6'		12" minimum butt including 11'-1' to 11'-6'		13" minimum butt including 12'-1' to 12'-6'		14" minimum butt including 13'-1' to 13'-6'		15" minimum butt including 14'-1' to 14'-6'		16" minimum butt including 15'-1' to 15'-6'	
	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights
15' to 17' incl	$0.09	21	$0.11	26	$0.12	31	$0.13	37	$0.15	43	$0.18	50	$0.21	57	------	------
18' to 22' incl	.09	20	.11	25	.12	30	.13	36	.15	41	.18	49	.21	55	------	------
23' to 27' incl	.09	19	.11	24	.12	28	.13	34	.15	40	.18	46	.21	54	------	------
28' to 32' incl	.09	18	.11	23	.12	27	.13	32	.15	39	.18	45	.21	53	$0.25	59
33' to 37' incl	.10	17	.11	21	.12	26	.13	31	.15	37	.18	43	.21	50	.25	57
38' to 42' incl	.10	16	.11	20	.12	25	.14	30	.16	36	.19	42	.22	49	.26	55
43' to 47' incl	.11	15	.12	19	.13	23	.15	29	.17	34	.20	40	.23	47	.27	54
48' to 52' incl	.13	14	.13	18	.14	22	.17	28	.19	33	.22	39	.26	46	.29	52
53' to 57' incl	------	------	------	------	------	------	.19	26	.21	32	.24	37	.27	44	[1] .31	50
58' to 62' incl	------	------	------	------	------	------	.21	24	.23	30	.26	36	.29	42	.33	49
63' to 67' incl	------	------	------	------	------	------	------	------	.25	28	.28	34	.31	41	.35	47
68' to 72' incl	------	------	------	------	------	------	------	------	.27	27	.30	32	.33	39	.38	46
73' to 77' incl	------	------	------	------	------	------	------	------	------	------	.33	30	.36	37	.42	45
78' to 82' incl	------	------	------	------	------	------	------	------	------	------	.37	29	.40	36	.47	43

[1] For cypress produced in Northeastern Zone add 3¢ per lineal foot to above prices and use above weights.
[2] For mixed orders of pine and cypress see footnote 9.

TABLE 4—ROUGH PEELED PILING OF MIXED SPECIES—(MUST INCLUDE AT LEAST FIVE SPECIES) PRODUCED IN ALL "EASTERN" TERRITORY—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P-14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED, AND PREPARED FOR TOWING IN TOWABLE WATERS)

Lengths	9" minimum butt including 8'-1' to 8'-6'		10" minimum butt including 9'-1 to 9'-6'		11" minimum butt including 10'-1' to 10'-6'		12" minimum butt including 11'-1' to 11'-6'		13" minimum butt including 12'-1' to 12'-6'		14" minimum butt including 13'-1' to 13'-6'		15" minimum butt including 14'-1' to 14'-6'		16" minimum butt including 15'-1' to 15'-6'	
	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights
15' to 17' incl	$0.11	29	$0.13	35	$0.14	42	$0.16	50	$0.18	58	$0.21	68	$0.24	77	------	------
18' to 22' incl	.11	27	.13	34		40	.16	48	.18	56	.21	66	.24	75	------	------
23' to 27' incl	.11	26	.13	32		39	.16	46	.18	55	.21	63	.24	72	------	------
28' to 32' incl	.11	24	.13	31		37	.16	44	.18	53	.21	61	.24	70	$0.28	80
33' to 37' incl	.12	23	.13	29		35	.16	42	.18	50	.21	59	.24	68	.28	77
38' to 42' incl	.12	22	.13	28		34	.17	41	.19	49	.22	57	.25	66	.29	75
43' to 47' incl	.13	21	.14	26		32	.18	39	.20	47	.23	54	.26	63	.30	73
48' to 52' incl	.14	20	.15	25		31	.20	37	.22	46	.25	53	.28	61	.32	71
53' to 57' incl	------	------	------	------	------	------	.22	36	.24	42	.27	51	.30	59	.34	68
58' to 62' incl	------	------	------	------	------	------	.24	34	.26	41	.29	48	.32	57	.36	66
63' to 67' incl	------	------	------	------	------	------	.26	32	.28	39	.31	47	.34	55	.38	64
68' to 72' incl	------	------	------	------	------	------	.28	30	.30	37	.33	45	.36	53	.41	61
73' to 77' incl	------	------	------	------	------	------	.31	29	.33	36	.36	44	.39	52	.45	60

1. For maximum prices on Northern Pine piling see footnote 10.

TABLE 5—ROUGH PEELED WHITE OAK PILING—PRODUCED IN ALL "EASTERN" TERRITORY—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P-14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED, AND PREPARED FOR TOWING IN TOWABLE WATERS)

Lengths	9" minimum butt including 8'-1' to 8'-6'		10" minimum butt including 9'-1' to 9'-6'		11" minimum butt including 10'-1' to 10'-6'		12" minimum butt including 11'-1' to 11'-6'		13" minimum butt including 12'-1' to 12'-6'		14" minimum butt including 13'-1' to 13'-6'		15" minimum butt including 14'-1' to 14'-6'		16" minimum butt including 15'-1' to 15'-6'	
	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights
15' to 17' incl	$0.13	31	$0.16	37	$0.19	45	$0.21	53	$0.23	63	$0.26	72	$0.31	83	------	------
18' to 22' incl	.13	29	.16	36	.18	43	.21	51	.23	60	.26	70	.31	80	------	------
23' to 27' incl	.13	27	.16	34	.18	41	.21	49	.23	58	.26	67	.31	77	------	------
28' to 32' incl	.13	26	.16	33	.18	39	.21	47	.23	56	.26	65	.31	75	$0.36	85
33' to 37' incl	.13	25	.16	31	.18	38	.21	45	.23	53	.26	63	.31	72	.36	85
38' to 42' incl	.16	23	.18	29	.21	36	.23	44	.25	51	.29	60	.33	70	.38	80
43' to 47' incl	.21	22	.23	28	.25	34	.28	42	.30	49	.33	59	.38	68	.43	78
48' to 52' incl	.26	21	.29	27	.31	33	.33	40	.36	48	.39	56	.44	66	.48	75
53' to 57' incl	------	------	------	------	------	------	.38	39	.40	47	.44	54	.48	63	.53	73
58' to 62' incl	------	------	------	------	------	------	.47	37	.49	45	.51	52	.58	61	.62	70
63' to 67' incl	------	------	------	------	------	------	------	------	.60	44	.63	51	.68	59	.72	68
68' to 72' incl	------	------	------	------	------	------	------	------	------	------	------	------	.78	58	.83	66

TABLE 6—ROUGH PEELED MIXED OAK PILING—PRODUCED IN ALL "EASTERN" TERRITORY—MAXIMUM PRICES AND WEIGHTS PER LINEAL FOOT; NAVY SPECIFICATIONS 39 P-14A CLASS 2 (F. O. B. CARS PRODUCER'S LOADING-OUT POINT OR DUMPED, BOOMED, RAFTED AND PREPARED FOR TOWING IN TOWABLE WATERS)

Lengths	9" minimum butt including 8'-1' to 8'-6'		10" minimum butt including 9'-1' to 9'-6'		11" minimum butt including 10'-1' to 10'-6'		12" minimum butt including 11'-1' to 11'-6'		13" minimum butt including 12'-1' to 12'-6'		14" minimum butt including 13'-1' to 13'-6'		15" minimum butt including 14'-1' to 14'-6'		16" minimum butt including 15'-1' to 15'-6'	
	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights	Price	Weights
15' to 17' incl	$0.13	31	$0.14	37	$0.16	45	$0.18	53	$0.20	63	$0.23	72	$0.27	83	------	------
18' to 22' incl	.13	29	.14	36	.16	43	.18	51	.20	60	.23	70	.27	80	------	------
23' to 27' incl	.13	27	.14	34	.16	41	.18	49	.20	58	.23	67	.27	77	------	------
28' to 32' incl	.13	26	.14	33	.16	39	.18	47	.20	56	.23	65	.27	75	$0.31	85
33' to 37' incl	.13	25	.14	31	.16	38	.18	45	.20	53	.23	62	.27	72	.31	85
38' to 42' incl	.16	23	.16	29	.18	36	.20	44	.22	51	.25	60	.29	70	.33	80
43' to 47' incl	.18	22	.20	28	.22	34	.24	42	.26	49	.29	58	.33	68	.37	78
48' to 52' incl	.23	21	.26	27	.27	33	.29	40	.31	48	.34	56	.38	66	.42	75
53' to 57' incl	------	------	------	------	------	------	.33	39	.35	47	.38	54	.42	63	.46	73
58' to 62' incl	------	------	------	------	------	------	.41	37	.43	45	.46	52	.50	61	.54	70
63' to 67' incl	------	------	------	------	------	------	------	------	.53	44	.55	51	.59	59	.63	68
68' to 72' incl	------	------	------	------	------	------	------	------	------	------	------	------	.68	58	.73	66

1. For peeling addition see footnotes 4 to 7 inclusive below.

procuring, buying, selling, or locating Eastern poles and piling.

Sec. 12. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 13. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to

NOTES: Applying to Tables 1, 2, 3, 4, 5, and 6.

1. If a top diameter is specified, or where the top diameter controls, the butt size shall be determined by adding 1 inch for each 10 feet or fraction thereof.

2. To arrive at the maximum price for piling with a minimum diameter at a specified point more than 6 feet from the butt:

(a) Convert this diameter to a diameter 6 feet from the butt by adding 1" for each 10 feet or fraction thereof by which the distance from the butt to the specified point exceeds 6 feet.

(b) Select the maximum price in the tables applicable to the diameter 6 feet from the butt determined in (a) above.

For example: (i) A pile measuring 12" 7 feet from the butt would be figured as follows:

	Inches
Diameter 7' from butt	12
7' exceeds 6' by 1'.	
Add for 1' (fraction of 10')	1
Diameter 6' from butt	13

Maximum price found under column headed 14" minimum butt, which includes price for 13" 6 feet from the butt.

(ii) A 70' pile measuring 12" one quarter of the length from the butt would be figured as follows:

Diameter 17½' from the butt (¼ of 70')	12
17½' exceeds 6' by 11½'.	
Add for 10'	1
Add for 1½' (fraction of 10')	1
Diameter 6' from butt	14

Maximum price found under column headed 15" minimum butt, which includes price for 14" 6 feet from butt.

3. For all specified length groups below, the lengths will be fairly evenly distributed in consecutive lengths within the group.

(a) For orders where the specified lengths fall within each of 4 or more consecutive length groups, no addition.

(b) For orders where the specified lengths fall within each of 3 consecutive length groups, add 0.005 per lin. ft.

(c) For orders where the specified lengths fall within each of 2 consecutive length groups, add 0.01 per lin. ft.

(d) For orders of more than one length where the specified lengths fall entirely within one length group, add 0.015 per lin. ft.

(e) For single specified length orders, add 0.02 per lin. ft.

(f) For random length orders where the purchaser specifies restricted loading, the seller may add ⅔ of the proper specified length addition above. Additions allowed must be shown separately on invoices.

4. For Clean Peeled Pine, Cypress and Mixed Woods up to and including: 13" minimum butt, add 0.01 per lin. ft. 14" minimum butt and larger, add 0.02 per lin. ft.

5. For unpeeled Pine, Cypress, and Mixed Woods up to and including: 13" minimum butt, deduct 0.01 per lin. ft. 14" minimum butt and larger, deduct 0.02 per lin. ft.

6. For Clean Peeled Oak, add 0.04 per lin. ft.

7. For unpeeled Oak, deduct 0.02 per lin. ft.

8. Heading, Pointing or Chamfering, 45¢ or under 0.25 per pile. Over 45¢ 0.40 per pile.

9. For mixed orders of Pine and Cypress containing at least 25% Pine, the Cypress prices for the appropriate zone may be used and transportation may be computed using the Pine estimated weights.

10. For Northern Pine Piling produced in Northeastern Zone, the maximum prices and weights shown in Table 4 shall apply.

TABLE 7.—YELLOW PINE ROUGH PEELED POLES—AMERICAN STANDARD ASSOCIATION SPECIFICATIONS

[Maximum prices and weights per pole. F. O. B. cars producer's loading-out point or dumped, boomed, rafted and prepared for towing in towable waters]

Length	Class	Weight per pole	Price per pole: Southeastern zone (see table No. 2)	Price per pole: Northeastern zone (see table No. 1)
16 feet	5	234	$0.80	$1.00
	6	202	.70	.90
	7	165	.55	.70
	8	188	.65	.80
	9	138	.55	.70
	10	110	.45	.60
18 feet	3	381	1.30	1.60
	4	326	1.15	1.45
	5	275	.95	1.20
	6	234	.85	1.05
	7	188	.70	.95
	8	211	.80	1.00
	9	151	.70	.90
	10	133	.60	.75
20 feet	1	719	2.00	2.50
	2	554	1.75	2.00
	3	467	1.50	1.90
	4	394	1.35	1.70
	5	330	1.15	1.45
	6	284	1.00	1.25
	7	234	.85	1.05
	8	261	.90	1.10
	9	202	.80	1.00
	10	161	.70	.90
22 feet	1	828	2.25	2.75
	2	674	2.00	2.50
	3	555	1.75	2.00
	4	463	1.60	1.90
	5	386	1.40	1.70
	6	330	1.25	1.50
	7	284	1.00	1.25
	8	307	1.15	1.45
	9	234	1.00	1.25
	10	188	.85	1.05
24 feet	1	990	2.50	3.00
	2	811	2.50	3.00
	3	674	2.25	2.75
	4	573	2.00	2.50
	5	491	1.75	2.00
	6	422	1.50	1.90
	7	344	1.35	1.60
	8	380	1.35	1.60
	9	280	1.10	1.40
	10	234	.90	1.10
26 feet	1	1,279	4.50	5.00
	2	1,082	3.75	4.00
	3	921	3.25	4.00
	4	794	3.00	3.50
	5	680	2.25	2.75
	6	580	2.00	2.50
	7	494	1.90	1.90
	8	513	1.75	2.00
	9	371	1.50	1.65
28 feet	1	1,500	5.00	5.50
	2	1,443	4.50	4.50
	3	1,156	4.25	4.00
	4	994	4.00	4.75
	5	852	3.25	4.00
	6	743	2.50	3.00
35 feet—Continued.	7	646	$2.25	$2.75
	8	667	2.50	3.00
40 feet	1	1,884	7.50	9.00
	2	1,623	6.25	7.50
	3	1,403	5.75	7.00
	4	1,219	4.75	5.75
	5	1,059	4.00	4.75
	6	921	3.50	4.25
	7	807	3.00	3.50
45 feet	1	2,223	10.00	12.00
	2	1,911	8.25	10.00
	3	1,664	7.50	9.00
	4	1,448	6.25	7.50
	5	1,274	5.50	6.50
	6	1,114	4.75	5.75
	7	978	4.25	5.00
50 feet	1	2,685	12.25	15.50
	2	2,314	10.75	11.75
	3	1,928	9.00	10.00
	4	1,667	8.50	9.50
	5	1,494	7.00	7.75
	6	1,329	6.50	7.25
	7	1,169	5.50	6.00
55 feet	1	2,993	15.75	15.75
	2	2,567	14.00	14.00
	3	2,200	12.00	12.00
	4	1,894	11.00	11.00
	5	1,719	10.00	10.00
	6	1,563	9.25	8.25
60 feet	1	3,451	20.50	20.50
	2	2,943	17.50	17.50
	3	2,512	14.00	15.00
	4	2,186	13.00	13.00
	5	1,958	14.00	14.00
	6	1,801	13.00	12.00
65 feet	1	4,015	26.25	26.25
	2	3,341	22.50	22.50
	3	2,814	20.50	20.50
	4	2,467	17.50	17.50
	5	2,227	16.50	16.50
70 feet	1	4,690	33.75	33.75
	2	3,781	28.25	28.25
	3	3,144	26.25	26.25
	4	2,732	23.50	23.50
	5	2,488	21.25	21.25
75 feet	1	4,186	42.50	42.50
	2	4,235	36.25	36.25
	3	3,506	31.75	31.75
	4	3,021	30.50	30.50
80 feet	1	6,400	51.50	51.50
	2	5,170	44.75	44.75
	3	4,240	38.75	38.75
	4	3,615	35.75	35.75
85 feet	1	7,200	64.00	64.00
	2	5,745	56.00	56.00
	3	4,650	48.50	48.50
	4	3,940	75.75	75.75
90 feet	1	6,405	65.75	65.75
	2	5,180	56.00	56.00

NOTES: Applying to Table 8. 1. In all specified length groups below, the lengths will be evenly distributed.

2. For any specification of pole other than those listed herein, the seller shall determine the size A. S. A. pole having the same or nearest larger circumference 6' from the butt. This price for an A. S. A. pole shall be the tentative price so determined for the specification pole to be priced. The tentative price so determined must be submitted to the Lumber Branch according to Section 6.

3. For specified length groups, 6 or more consecutive lengths in 5 foot multiples. No addition.

4. For specified length groups, of 4 or 5 consecutive lengths in 5 foot multiples add 0.005 per lin. ft.

5. For specified length groups, of 3 consecutive lengths in 5 foot multiples add 0.01 per lin. ft.

6. For specified length groups, of 2 consecutive lengths in 5 foot multiples add 0.015 per lin. ft.

7. For specified single length, add 0.02 per lin. ft.

8. For random length orders where the purchaser specifies restricted loading, the seller may add ⅔ of the proper specified length addition above. Additions allowed by this footnote must be shown separately on invoices.

9. *For clean peeled poles.*
Classes 1, 2, and 3 or top size equivalent, add 0.02 per lin. ft.
Classes 4 to 10 inclusive or top size equivalent, add 0.01 per lin. ft.

10. *Unpeeled poles.*
Classes 1, 2, and 3 or top size equivalent, deduct 0.02 per lin. ft.
Classes 4 to 10 inclusive or top size equivalent, deduct 0.01 per lin. ft.

11. Framing of poles including roofing and, if required, two gains and boring of holes therein.

All poles under 40' in length, regardless of class or top dimension—per pole	$0.15
For 40' length Class 6 or top dimension equivalent and smaller—per pole	.15
For 40' length Class 5 or top dimension equivalent and larger—per pole	.30
For all poles longer than 40', regardless of class or top dimension—per pole	.30
For each additional gain and boring of one hole therein—per gain	.06
For boring of each additional hole—per hole	.02

12. Continuous slab gain shall be considered as multiple gains and may be priced accordingly on basis of six cents for each twelve inches of slab-gained surface including the boring of hole therein.

13. *Cut back allowances.* When requirements of the buyer exceed the available supply of the seller, for one or more sizes or lengths of pole for delivery required, the seller may cut back the most similar size pole in the 5' longer length and may charge the maximum price for the size and length pole actually used. The additions for transportation, treatment, processing, etc., on such cut back poles, shall be those additions applicable to the size and length pole ordered by the buyer, plus an addition for inbound freight computed at the difference in estimated weights times the freight rate to the concentration yards. No addition may be made for the labor included in such cutting back operations. The seller shall keep a record of such sales and show this charge as separate item as on the invoices.

TABLE 8.—CLEAN PEELED YELLOW PINE RE-INFORCING STUBS AND ANCHOR LOGS 14' AND SHORTER

(Maximum prices and weights per lineal foot. F. o. b. loading-out point or dumped, boomed, rafted and prepared for towing in towable waters)

Minimum diameter small end	Estimated weight	Maximum price: Southeastern zone (see table 2)	Maximum price: Northeastern zone (see table 1)
5 inches	13	$0.05	$0.06
6 inches	17	.06	.07
7 inches	22	.07	.08
8 inches	27	.08	.10
9 inches	33	.09	.11
10 inches	40	.12	.14
11 inches	47	.14	.17
12 inches	55	.16	.19
13 inches	63	.19	.22
14 inches	72	.22	.25
15 inches	82	.25	.28
16 inches	92	.28	.31

Effective date. This regulation shall become effective September 26, 1944.

NOTE: All reporting and record-keeping requirments of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14618; Filed, Sept. 21, 1944; 4:08 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421[1], Amdt. 15]

FROZEN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. Section 32 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbert and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

2. In section 32 (c), the item "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more", is amended to read as follows: "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of more than 50 pounds".

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14612; Filed, Sept. 21, 1944; 4:06 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[2] Amdt. 27]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 38 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbert and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

2. In section 38 (c), the item "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more", is amended to read as follows: "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of more than 50 pounds."

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14611; Filed, Sept. 21, 1944; 4:05 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[3] Amdt. 28]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5643, 9719, 10257, 10982.

[2] 9 F.R. 5666, 6828, 6951, 7330, 7520, 7937, 9354, 9719, 10258, 10982.

[3] 9 F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259, 10982.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 27 (b) (13) is amended to read as follows:

(13) "Frozen foods" means packaged quick-frozen or cold-packed foods, sold from refrigerated cabinets or lockers, including, but not limited to all fruits, berries, fruit or berry juices, and mixtures (except any of the foregoing in containers of a capacity of more than 50 pounds), vegetables, vegetable juices and mixtures, including mushrooms, dog and cat food not prepared by you for pet food, apple sauce, macaroni and spaghetti products, chop suey, gravies, pork-and-beans, soups, food products in which meat, chicken, turkey, fish or seafood are combined with other ingredients, meat stews, and corned beef hash. Excluded are frozen pies and pastries, frozen meat, poultry, fish and seafood, ice cream, sherbet and frozen confections. Quick-frozen and cold-packed frozen foods shall be considered as separate items, and priced separately.

NOTE: The 1943 pack of canned fruits and frozen fruits shall be considered different items from the 1942 pack of fruits and you must figure separate ceiling prices for each item of the 1943 pack.

2. In section 27 (c), the item "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of 50 pounds or more", is amended to read as follows: "Frozen fruits, berries, fruit or berry juices, and mixtures, in containers of a capacity of more than 50 pounds."

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14613; Filed, Sept. 21, 1944; 4:05 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 335,[1] Amdt. 6]

PEANUTS AND PEANUT BUTTER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4 (a) is amended by adding the following sub-paragraphs:

(4) Processors may add $0.015 per pound to their maximum price figured according to preceding provisions of this paragraph for Spanish type salted peanuts in bulk, but in no event shall the maximum price so adjusted exceed $0.20 per pound.

(5) "Salted peanuts in bulk" means salted peanuts sold in containers of one pound capacity or over.

This amendment shall become effective September 21, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14615; Filed, Sept. 21, 1944; 4:06 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 153]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7901 is amended by adding the following sentence: "However, no ration for use in connection with airplanes shall be issued for a period extending beyond October 31, 1944.

2. Section 1394.7903 is amended by adding the following sentence: "However, if the use is in connection with an airplane the need shall be shown for a period beginning with the date on which the ration is required and ending October 31, 1944.

3. In § 1394.7904 (a) the text immediately preceding subparagraph (1) is amended to read as follows:

The Board shall determine the amount of gasoline required for the three or six-month period referred to in § 1394.7903 (or in the case of airplanes, for a period ending October 31, 1944), and, subject to the provisions of paragraphs (b), (c) and (d) of this section, shall issue to the applicant a sufficient number of Class E or R coupons to enable the applicant to acquire the amount of gasoline determined by the Board to be necessary for such period, subject to the following provisions:

4. Section 1394.8102 (e) is amended by adding the following sentence: "However, every non-highway ration issued for use in an airplane shall expire on November 1, 1944.

This amendment shall become effective September 21, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14616; Filed, Sept. 21, 1944; 4:06 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 27]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5726 (a) is amended by adding after the period at the end thereof the following sentence: "However, if a dealer, pursuant to § 1394.5737, has surrendered his excess evidences together with the required statement of explanation, he is not required to surrender such evidences or make a statement of explanation as to such excess under this section."

2. Section 1394.5732 (e) is amended by inserting after the phrase "are set forth in sections", the following phrase "1394.5654 (a) (1) (notice to consumers of value of unexpired coupons), 1394.5654 (d) (6) (i) (receipts for deposited coupon sheets),"

3. Section 1394.5732 (f) is added as follows:

(f) Every dealer or primary supplier who is required to keep records under the various provisions of this order for a period of two (2) years from the time when he was required to make the records shall nevertheless, keep the records until further notice by amendment of this order.

4. Section 1394.5737 is added as follows:

§ 1394.5737 *Semi-annual statement by dealers.* (a) On or before the 25th day of October 1944 and thereafter on or before the 25th day of April and October in each year every dealer, having any registered dealer establishment with a registered fuel oil storage capacity (as defined in § 1394.5703) of 1000 gallons or more, shall prepare a statement, giving the required information, on OPA Form R-1198, as of 12:01 a. m. on the first day of the month in which the statement is required, for each such establishment and shall file that statement with the District Office having jurisdiction over the Board with which each such establishment is registered. In the event that the dealer has, for any such establishment, evidences in excess of the amount he may properly have as of such date, under this order, he shall surrender to the District Office, at the time of filing this statement, evidences for each such establishment equal in gallonage value to such excess, together with a statement explaining the manner in which the excess occurred.

(b) The provisions of paragraph (a) of this section may, by order of the District Director effective in such area as he may designate, be extended to include any class (based only on registered fuel oil storage capacity) of registered dealer establishments whose registered fuel oil storage capacity is not less than 250 gallons. The order may require the statement to be filed on the dates specified in paragraph (a) or on or before the 25th day of any other months as of 12:01 a. m. of the first day of such months, but may not require any dealer to file the statement more often than once every six months.

This amendment shall become effective on October 1, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14661; Filed, Sept. 22, 1944; 11:33 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 8]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

APPLES FOR PROCESSING—1944 CROP

The War Food Administrator on September 1, 1944 and the Price Administrator on September 21, 1944, having submitted certain information and recommendations to me with reference to establishing ceiling prices for processed apples of the 1944 crop based upon grower prices, it is hereby found and determined that the purposes of the hold-the-line order, specifically, the policy, established by Executive Orders 9250 and 9328 (3 CFR Cum. Supp., pp. 1213-1267) will be effectuated by this directive.

The Office of Price Administration is authorized and directed:

1. To establish ceiling prices for processed apples of the 1944 crop based upon grower prices for apples for processing at the growers' customary delivery points, but in no case to exceed the following:

	Class A varieties	Class B varieties
	Per 100 pounds	*Per 100 pounds*
U. S. No. 1 cannery grade, 2¼ inch and up (and "C" grade as established under Washington and Oregon State grades)	$3.10	$2.50
U. S. No. 2 cannery grade, 2¼-inch and up	1.65	1.30
Apples which grade less than U. S. No. 2 cannery grade, 2¼-inch size	1.00	1.00

The term "Class A Varieties" is used to designate the following varieties:

New York—Baldwin, R. I. Greening, Northern Spy, Twenty Ounce, Northwestern Greening, Grimes Golden, Stayman, King, and Stark.

Pennsylvania, Maryland, West Virginia, and Virginia—York Imperial, Stayman, Golden Delicious, and Grimes Golden.

Oregon and Washington—Winesap, Spitzenberg, Arkansas Black, Newton, Rome Beauty, Stayman, and Jonathan.

California—Gravenstein, Bellflower, Newton, Baldwin, Northwest Greening, R. I. Greening, Arkansas Black, Black Twig, Jonathan, Golden Delicious, Rome Beauty, and Spitzenberg.

All other States—Golden Delicious Northern Spy, R. I. Greening, Grimes Golden, Stayman, Rome Beauty, Baldwin, Wegener, Northwest Greening, Twenty Ounce, and Stark.

The designation "Class B Varieties" includes all other varieties of apples used for processing.

2. To revoke that part of Maximum Price Regulation No. 425 relating to apples.

(E.O. 9250 and E.O. 9328)

Effective date: September 21, 1944.

Issued this 21st day of September 1944.

FRED M. VINSON,
Director.

[F. R. Doc. 44-14622; Filed, Sept. 21, 1944; 4:20 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Reg. T-10, Amdt.]

PART 261—TRESPASS

SETTLEMENT OF TRESPASS CASES

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), the sixth sentence of Regulation T-10 of the rules and regulations governing the occupancy, use, protection and administration of the national forests, which constitutes § 261.12, Part 261, Chapter II, Title 36, Code of Federal Regulations (as amended February 29, 1940; 5 F.R. 933 and April 27, 1944; 9 F.R. 4542), is hereby amended to read as follows:

§ 261.12 *Settlement of trespass cases.* * * * Every civil trespass requiring the institution of legal proceedings which involves a claim in any amount for forest fire damage and suppression expenditures, or which involves a new or unusual question of law or policy or a claim for more than $1000, shall be reported through the Chief of the Forest Service to the Solicitor for reference to the Attorney General for appropriate action.

* * * * *

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 21st day of September 1944.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 44-14610; Filed, Sept. 21, 1944; 3:26 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 7, Revised, Amdt. 1]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That § 502.105 of General Order ODT 7, Revised (7 F.R. 10484) be, and it hereby is, amended to read as follows:

§ 502.105 *Permit required.* (a) Unless authorized by a general or special permit issued by the Office of Defense Transportation, no person shall offer for shipment and no carrier shall accept for shipment, forward, or transport, any loaded tank car containing a commodity to be transported to any destination in the United States or a foreign country less than 100 miles from the shipping point in the United States (such distance being measured over the shortest available published rail tariff route, whether billed or transported over such route or otherwise).

(b) Application for permit shall be made in writing to the Division of Tank Car Service, Liquid Transport Department, Office of Defense Transportation, Washington 25, D. C., and shall be in such form and contain such information as the Office of Defense Transportation shall require.

(c) The provisions of this § 502.105 shall not apply to a tank car containing a commodity consigned by or to the Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration.

This Amendment 1 to General Order ODT 7, Revised, shall become effective on September 25, 1944.

(E. O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14605; Filed, Sept. 21, 1944; 2:02 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

C. G. KOONTZ

ORDER REVOKING LICENSES AND DIRECTING THEIR SURRENDER

To: C. G. Koontz, R. R. No. 2, Clarksville, Arkansas. Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On August 25, 1944, a specification of charges against you, setting forth violations of the Federal Explosives Act

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6834, 10284, 10987, 12445, 14883; 9 F.R. 10269.

[1] 8 F.R. 13987.

[1] 9 F.R. 2357.

(55 Stat. 863), as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you giving you notice to mail an answer within 15 days from August 25, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. Your answer, dated September 7, 1944, was received on September 9, 1944, and has been considered. No other communication has been received from you. You have not requested an oral hearing.

3. All of the accusations against you which are set out in the specification of charges are true.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, September 30, 1944.

2. That prior to midnight, September 30, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas.

Failure to comply with the provisions of this order or possession by you of explosives or ingredients of explosives after midnight, September 30, 1944, will constitute a violation of the Federal Explosives Act punishable by a fine of not more than five thousand dollars ($5,000), or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 18th day of September, 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-14630; Filed, Sept. 22, 1944; 9:33 a. m.]

Office of the Secretary.

[Order 1992]

LILLYBROOK COAL CO., ET AL.

POSSESSION OF COAL MINES

Pursuant to the provisions of Executive Order No. 9483, issued by the President of the United States on September 19, 1944, Government possession is hereby taken, effective forthwith, of each and all of the mines listed in the appendix attached hereto and made a part hereof, and of any and all real and personal property and other assets used in connection with the operation thereof.

The regulations for the operation of coal mines under government control, as amended (8 F.R. 6655, 10712, 11344, 17339) heretofore issued by the Secretary of the Interior shall be applicable to the properties possession of which is taken by this Order, except as may be otherwise directed.

Each of the persons whose name is listed in the appendix is hereby designated as operating manager for the United States, for the properties as indicated in the appendix. As Operating Manager for the United States, each is authorized and directed to operate any and all such properties in accordance with the aforementioned regulations for the operation of coal mines under Government control and such further directions as may from time to time be issued, and to do all things necessary and appropriate for the operation of such properties and for the production, distribution and sale of their products.

The operating manager for the United States shall forthwith fly the flag of the United States at each such property, and shall display conspicuously thereat copies of a poster, reading as follows:

NOTICE: In accordance with the proclamation of the President of the United States, Government possession of the mines, collieries and preparation facilities of this mining company has been taken by order of the Secretary of the Interior.

HAROLD L. ICKES,
Secretary of the Interior.

Dated: September 19, 1944.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX

Name of Mine and Name of Operating Manager for the United States

Affinity and Big Stick Mines, Lillybrook Coal Co., Affinity, W. Va.; E. S. Pugh.

Edwight Nos. 1 and 6, Raleigh Wyoming Mining Co., Edwight, W. Va.; L. T. Putman.

Glen White Mine, Eastern Gas and Fuel Associates, Koppers Coal Division, Glen White, W. Va; L. C. Campbell.

Jamison No. 9 Mine, Jamison Coal and Coke Co., Farmington, W. Va.; Ralph E. Jamison.

Consolidation No. 22 Mine, Consolidation Coal Co., Owings, W. Va.; Geo. H. Love.

Consolidation No. 68 Mine, Consolidation Coal Co., Monongah, W. Va.; Geo. H. Love.

Consolidation No. 93 Mine, Consolidation Coal Co., Jordan, W. Va.; Geo. H. Love.

[F. R. Doc. 44-14629; Filed, Sept. 22, 1944; 9:33 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 887]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 7, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Minnesota 30703 Hennepin	$230,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-14636; Filed, Sept. 22, 1944; 11:12 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3962), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Husin Shirt Company, 14-16 Rose Street, Ephrata, Pennsylvania; dress shirts; 10 percent (T); effective September 16, 1944, expiring September 15, 1945.

Southland Manufacturing Company, Mobile and Grady Streets, Montgomery, Alabama; Navy and civilian shirts; 15 percent (AT); effective September 19, 1944, expiring March 18, 1945.

HOSIERY INDUSTRY

Mauney Hosiery Company, Kings Mountain, North Carolina; seamless hosiery; 5 learners (T); effective September 15, 1944, expiring September 14, 1945.

TELEPHONE INDUSTRY

National Trail Telephone Company, St. Elmo, Illinois; to employ learners as commercial switchboard operators at its St. Elmo exchange, located at St. Elmo, Illinois; effective September 15, 1944, expiring September 14, 1945.

National Trail Telephone Company, Altamont, Illinois; to employ learners as commercial switchboard operators at its Altamont exchange, located at Altamont, Illinois; effective September 15, 1944, expiring September 14, 1945.

West Iowa Telephone Company, Anita, Iowa; to employ learners as commercial switchboard operators at its Anita exchange, located at Anita, Iowa; effective September 16, 1944, expiring September 15, 1945.

TEXTILE INDUSTRY

Pelzer Mills, Pelzer, South Carolina; chemical warfare cloth, wide sheeting, surgical gauze, poplin, diapers, adhesive tape backing; 8 percent (T); effective September 23, 1944, expiring September 22, 1945.

CIGAR INDUSTRY

Jose E. Reyes & Company, 108 E. Jefferson Street, Quincy, Florida; hand made cigars; 10 learners (E); hand rolling and hand bunching for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; cigar packing for a learning period of 320 hours at 30 cents per hour; effective September 19, 1944, expiring March 18, 1945.

Signed at New York, New York, this 20th day of September, 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-14627; Filed, Sept. 21, 1944; 4:42 p. m.]

FEDERAL POWER COMMISSION.

[Project No. 1256]

LOUP RIVER PUBLIC POWER DISTRICT

ORDER GRANTING REHEARING

SEPTEMBER 19, 1944.

Upon application filed September 11, 1944, by Loup River Public Power District for rehearing of the Commission's order of August 15, 1944, denying an application for exemption from payment of annual charges due under the license for Project No. 1256 for the calendar year 1943;

The Commission finds that: The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1256 for the year 1943;

It is ordered, That: (a) The application for rehearing be and it is hereby granted, and the order of August 15, 1944, requiring the payment of annual charges for the year ended December 31, 1943, in the amount of $3,948.73 be and it is hereby stayed, pending the final determination of the application for exemption;

(b) A hearing be held on the questions presented on November 28, 1944, at 10:00 a. m., in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14632; Filed, Sept. 22, 1944; 10:50 a. m.]

[Project No. 1417]

CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT

ORDER GRANTING REHEARING

SEPTEMBER 19, 1944.

Upon application filed September 12, 1944, by The Central Nebraska Public Power and Irrigation District for rehearing of the Commission's order of August 15, 1944, denying an application for exemption from payment of annual charges due under the license for Project No. 1417 for the calendar year 1943;

The Commission finds that:

The licensee should have further opportunity to state completely the grounds upon which it claims exemption from the payment of annual charges due under the license for Project No. 1417 for the calendar year 1943;

It is ordered, That: (a) The application for rehearing be and it is hereby granted, and the order of August 15, 1944, requiring the payment of annual charges for the year ended December 31, 1943, in the amount of $7,344.10 be and it is hereby stayed, pending the final determination of the application for exemption;

(b) A hearing be held on the questions presented on November 28, 1944, at 10:00 a. m., in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14633; Filed, Sept. 22, 1944; 10:51 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 341]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ABERDEEN AND IPSWICH, S. D.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be sub-

[1] Filed as part of the original document.

ject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 26, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

C. & P. Transportation Co., Inc., Aberdeen, S. Dak.

J. Howard Lass, doing business as Ipswich Truck Line, Ipswich, S. Dak.

[F. R. Doc. 44-14606; Filed, Sept. 21, 1944; 2:02 p. m.]

[Supp. Order ODT 20A-179]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN QUINCY, ILL., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Quincy, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Quincy, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-179" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Quincy, Illinois.

8. This order shall become effective September 29, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Anthony Badamo, doing business as Yellow Cab Co., 2280 State Street, Quincy, Illinois.

Douglas P. Borden, doing business as Quincy Cab Co., 511 Hampshire St., Quincy, Illinois.

[F. R. Doc. 44-14607; Filed, Sept. 21, 1944; 2:02 p. m.]

[Gen. Assignment Order ODT 7, Rev. 2, Revocation]

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, General Assignment Order ODT 7, Revised-2 (8 F.R. 16670), providing for the assignment of tank cars in eastern petroleum service, is hereby revoked, effective September 25, 1944.

(E.O. 8989, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14604; Filed, Sept. 21, 1944; 2:02 p. m.]

[Supp. Order ODT 25A-1, Amdt. 1]

COMMON CARRIERS

OPERATIONS BETWEEN ASHTABULA, OHIO, AND KENOSHA, WIS.

Pursuant to the provisions of § 502.79 of General Order ODT 25A, as amended, (8 F.R. 7778, 9 F.R. 4632), *It is hereby ordered*, That:

Supplementary Order ODT 25A-1 (9 F.R. 11550), be, and it hereby is, amended by deleting the word and figures September 25, 1944, where they appear in paragraph numbered 1 thereof and substituting therefor the word and figures October 5, 1944.

Issued at Washington, D. C., this 21st day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14631; Filed, Sept. 22, 1944; 10:38 a. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 34 Under 2d Rev. Order A-2]

GUNN FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Purpose of this order.* This order grants the Gunn Furniture Company, Grand Rapids, Michigan an adjustment of its maximum prices for sales and deliveries of its line of wood office furniture. This order also permits persons who purchase these articles from the manufacturer for resale to increase their maximum prices dollarwise by the amount of this increase.

(b) *Adjustment of maximum prices.* The Gunn Furniture Company, Grand Rapids, Michigan, may add an 11.3% uniform adjustment to its maximum prices for its line of wood office furniture which it manufactures and each purchaser for resale of the wood office furniture may add the amount of the increase dollarwise to his maximum prices; provided the adjustment charge is separately quoted and billed, and provided the seller complies with the requirements for notice set forth in paragraph (c) below.

(c) *Notice.* At the time of or prior to the first invoice to a purchaser at a price which includes the adjustment charge provided in paragraph (b) above, the Gunn Furniture Company and its purchasers for resale shall send a notice to the purchaser fully explaining the terms of this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 22, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14614; Filed, Sept. 21, 1944; 4:06 p. m.]

[MPR 188, Order 57 Under Order A-2]

SIERRA TALC COMPANY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to paragraph (a) (10) of Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) Specific authorization is hereby granted to the Sierra Talc Company, Los Angeles, California, to increase its maximum prices of certain grades of talc, and to sell these products to jobbers and consumers, respectively, at prices no higher than the maximum prices set forth for the grades of talc specified:

Grades	Present maximum prices f. o. b. plant, per ton		Adjusted maximum prices f. o. b. plant, per ton	
	Jobbers	Consumers	Jobbers	Consumers
Sierramic	$24.00	$24.00	$25.70	$25.70
New Mexico	25.50	26.70	25.50	26.70
N. S. Silver	21.25	23.80	23.45	26.70
N. S. Cosmetic	21.25	23.50	23.05	25.30
C. B. Ceramic	18.35	19.25	21.95	22.95
L. S. Silver	17.50	19.00	23.55	25.05
I. S. Silver	24.50	27.50	24.90	27.90
I. S. Cosmetic	24.50	27.00	25.75	28.25
Silver Lustre	22.50	25.00	23.45	25.95

(b) Any person who purchases for resale in the same form the grades of talc described in paragraph (a) above may increase his established maximum prices by the dollars-and-cents amount equal to his actual dollars-and-cents increase in cost resulting from the increase permitted under (a) above.

(c) The maximum prices established herein shall be subject to at least the same cash, quantity and other discounts, transportation allowances, services and other terms and conditions of sale as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Order No. 57 shall become effective September 22, 1944.

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14619; Filed, Sept. 21, 1944; 4:09 p. m.]

[MPR 409, Amdt. 1 to Order 27]

FROZEN FRUITS, BERRIES AND VEGETABLES (1943 PACK AND AFTER)

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued and filed with the Division of the Federal Register.

Order No. 27 under Maximum Price Regulation No. 409 is amended in the following respects:

1. Paragraph (b) is redesignated paragraph (c) and amended to read as follows:

(c) This order may be revoked or amended by the Price Administrator at any time. Except for the provisions of paragraph (b), this order shall be automatically revoked as to the commodities named in paragraph (a) upon the establishment by the Office of Price Administration of new maximum prices for them.

2. A new paragraph (b) is added to read as follows:

(b) For each sale made under the provisions of this order, the seller, within 10 days after the new maximum prices established by the Office of Price Administration, shall supply each wholesaler and retailer, who has purchased from him under this order, an invoice or other written notice, showing the price after action taken by the Office of Price Administration.

This amendment to Order No. 27 shall become effective September 22, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14617; Filed, Sept. 21, 1944; 4:08 p. m.]

[Max. Import Price Reg., Order 42]

PACKET CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which retailers may buy and sell, certain sterling silver windproof "Zippo" type cigarette lighters complete with flint, packing and wick, imported from Mexico by Packet Company, 1501—38th South Dearborn Street, Chicago, Illinois, hereinafter called the "importer". These lighters are identified by an inscription "Sterling Silver made in Mexico" engraved at the bottom of each lighter.

(b) *Maximum price on sales by the importer to retailers.* The importer may sell such cigarette lighters to retailers at a price not exceeding $6.00 each, 2% 10 days, delivered. No retailer may pay the importer a higher price.

(c) *Maximum retail price.* The retailer may sell such lighter to any person at a price not exceeding $10.00. No person may pay the retailer a higher price.

(d) *Importer to notify retailers.* The importer shall furnish a copy of this order to each retailer to whom such lighters are sold and shall also include on the invoice the following statement: "The enclosed Order No. 42 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling price for this lighter. Your maximum selling price for this lighter, as established by Order No. 42, is $10.00."

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on September 23, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14663; Filed, Sept. 22, 1944; 11:34 a. m.]

[MPR 120, Amdt. 1 to Order 878]

SOUTHERN COAL CORP., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued herewith and in accordance with the Emergency Price Control Act, as amended, and Maximum Price Regulation No. 120, *It is ordered:*

Order No. 878 under Maximum Price Regulation No. 120 is hereby amended in the following respect:

The maximum prices set forth in the table of prices for low volatile coals of the following mines, for rail shipment, shall read as follows:

Mine index No.	Mine name	Subdistrict	Size group No.	Maximum price
9	Ashland 6 and 9	3	1	$3.80
8	Asco No. 1	4	1	3.80
97	Lamar	3	1	3.80
117	Mead No. 2	5	1	3.80
310	Mullens	5	1	3.80
301	Wenonah Modoc	3	1	3.80
6	Arista	3	1	3.80

This Amendment No. 1 to Order No. 878 shall become effective September 23, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14664; Filed, Sept. 22, 1944; 11:36 a. m.]

[MPR 120, Order 1020]

ARJON COAL AND COKE CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

ARJON COAL & COKE CO., R. F. D. #6, GREENSBURG, PA., ARJON DEEP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4180, WESTMORELAND COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT, HUMPHREYS, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size Group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	E	E	E	C	B	B	B	----	----
Rail shipment	335	335	305	305	305	325	300	300	295	----	----
Railroad fuel	335	335	315	315	315	325	300	300	295	270	----
Truck shipment	415	415	415	365	365	365	365	305	295	295	255

ARJON COAL & COKE CO., R. F. D. #6, GREENSBURG, PA., ARJON STRIP MINE, PITTSBURGH SEAM, MINE INDEX NO. 4181, WESTMORELAND COUNTY, PA., SUB-DISTRICT 3, RAIL SHIPPING POINT, HUMPHREYS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 1, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	E	E	E	E	E	C	B	B	B	----	----
Rail shipment	310	310	290	290	290	300	275	275	260	245	----
Railroad fuel	310	310	290	290	290	300	275	275	260	245	----
Truck shipment	415	415	415	395	365	365	365	305	295	295	255

CONBRO COAL CO., 405 U. S. NATIONAL BANK BLDG., JOHNSTOWN, PA., CONBRO-VOORHEE MINE, UPPER FREEPORT SEAM, MINE INDEX NO. 4213, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, BUTLER, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 15, MAXIMUM TRUCK PRICE GROUP NO. 2

Price classification	E	E	D	D	D	C	C	D	D	D	----	----
Rail shipment	310	310	300	300	310	300	270	270	245	245	----
Railroad fuel	310	310	300	300	310	300	270	270	245	245	----
Truck shipment	435	435	425	415	405	405	405	320	290	290	270

C. & S. COAL & CLAY CO., ZELIENOPLE, PA., CUNNINGHAM NO. 4 MINE, KITTANNING SEAM, MINE INDEX NO. 4160, BEAVER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, STATION NO. 549-E, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP 15, MAXIMUM TRUCK PRICE GROUP NO. 4

Price classification	E	E	D	D	C	C	D	D	D	----	----
Rail shipment	310	310	300	300	310	300	270	270	245	245	----
Railroad fuel	310	310	300	300	310	300	270	270	245	245	----
Truck shipment	415	415	415	400	375	375	375	305	295	295	245

This order shall become effective September 23, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14665; Filed, Sept. 22, 1944; 11:35 a. m.]

[MPR 188, Order 58, Under Order A-3]

MARION TOOL CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer's maximum prices.* Marion Tool Corporation, Marion, Indiana, may sell and deliver the cast iron tools of its manufacture at prices no higher than its maximum prices for such sales in effect prior to the effective date of this order, plus five percent of each such maximum price. This adjustment applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order, and may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale of a hand tool for which the manufacturer's maximum price has been adjusted as provided in paragraph (a) may add to his properly established maximum price, in effect immediately prior to the effective date of this order, the dollars-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. Such adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials, in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statement.* After the effective date of this order, Marion Tool Corporation shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of September 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14662; Filed, Sept. 22, 1944; 11:34 a. m.]

[MPR 188, Order 2400]

SERVICE CABINET CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wardrobe, a dish cabinet, a china cabinet and a kitchen base manufactured by Service Cabinet Company, Inc., 1210 So. Morgan Street, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Wardrobe	1	$7.77	$9.15
Dish cabinet	2	6.67	7.88
China cabinet	3	6.94	8.17
Kitchen base	4	5.49	6.47

These prices are f. o. b. factory and are not subject to a discount. They are for the articles described in the manufacturer's application of March 27, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Wardrobe	1	$9.15
Dish cabinet	2	7.88
China cabinet	3	8.17
Kitchen base	4	6.47

These prices are not subject to a discount and are for the articles described in the manufacturer's application dated March 27, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 23d day of September 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14666; Filed, Sept. 22, 1944; 11:36 a. m.]

[MPR 188, Order 2401]

GIBRALTAR MFG. CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 2401 establishes maximum prices for sales of a new electric alarm clock manufactured by the Gibraltar Manufacturing Company, Inc., 403 Communipaw Ave., Jersey City, New Jersey, and described in an application dated July 17, 1944.

(1) For sales to wholesalers the maximum price is $2.47 per clock, f. o. b., Jersey City, New Jersey.

(2) For sales to retailers, the maximum price is $2.97 per clock, f. o. b., seller's city.

(3) For sales at retail, the maximum price is $4.95 per clock, exclusive of the federal excise tax.

(b) The manufacturer shall plainly mark each clock with the retail ceiling price before shipping it to a purchaser for resale. This may be done by marking the case or by attaching a tag or label.

(c) On and after September 23, 1944 at the time of the first invoice, the manufacturer shall notify in writing each wholesaler and each wholesaler shall notify in writing each retailer who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2401 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Price Regulation shall apply to the terms used herein.

This Order No. 2401 shall become effective September 23, 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14667; Filed, Sept. 22, 1944; 11:35 a. m.]

[MPR 188, Order 2402]

ALBERT G. SCHREIBER

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This Order No. 2402 establishes maximum prices for sales of a new alarm clock manufactured by Albert G. Schreiber, 1608 Center Street, Milwaukee, Wisconsin, and described in an application dated August 4, 1944.

(1) For sales to retailers, the maximum price is $1.16 f. o. b., Milwaukee, Wisconsin.

(2) For sales at retail, the maximum price is $1.65, exclusive of the federal excise tax.

(b) The manufacturer shall plainly mark each clock with the retail ceiling price before shipping it to a purchaser for resale. This may be done by marking the case or by attaching a tag or label.

(c) On and after September 23, 1944, at the time of the first invoice, the manufacturer shall notify in writing each retailer who purchases from him of the maximum prices established by this order. This written notice may be given in any convenient form.

(d) This Order No. 2402 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 2402 shall become effective September 23, 1944.

Issued this 22d of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14668; Filed Sept. 22, 1944; 11:36 a. m.]

Regional and District Office Orders.

[Connecticut Order G–1 Under MPR 154, Amdt. 1]

ICE IN CONNECTICUT

This Order No. G–1 is amended in the following respects:

1. Section (a) is amended to read as follows:

(a) The maximum prices for sales of ice cubes and shaved or crushed ice in the State of Connecticut shall be the maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, or the prices specified in the following schedule, whichever are higher. The maximum prices for sales of sized ice in the State of Connecticut are the prices specified in the following schedule:

Kind of ice	Type of sale	Price
Ice cubes	Quantity delivered sale	$0.75 per bushel.
Ice cubes	Retail delivered sale	$1.00 per bushel.
Ice cubes	Platform sale	$0.75 per bushel.
Sized ice #1	Delivered in 2-bushel bags	$0.40 per bag.
Sized ice #2	Delivered in 3-bushel bags	$0.60 per bag.
Sized ice #3	Delivered in 3-bushel bags	$0.70 per bag.
Sized ice #3 and #4	Delivered in 45-pound tubs	$0.25 per tub.
Shaved or crushed ice	Delivered in 45-pound tubs	$0.25 per tub.
Shaved or crushed ice	Delivered in 2-bushel bags	$0.50 per bag.

2. Section (c) is amended by changing the definition of Number 1 and 2 sized ice in paragraph 5 to read as follows:

No. 1 sized ice is a fine granulated ice which passes through a ¼" mesh screen.

No. 2 sized ice will not pass through a ¼" mesh screen but will pass through a 1" mesh screen.

This Amendment No. 1 to Order G–1 under Maximum Price Regulation No. 154 shall become effective August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 22d day of August 1944.

ANTHONY F. ARPAIA,
Director.

[F. R. Doc. 44–14598; Filed, Sept. 21, 1944; 12:42 p. m.]

[Region I Order G–9 Under MPR 426, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN BOSTON, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Section 8 (a) (7) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) The first sentence in paragraph (a) of this order is amended to read as follows: "The total amounts which may be added to the maximum basing point prices of the commodities listed for freight (including the transportation tax imposed by section 620 of the Revenue Act of 1942) and protective services from the basing points listed to the City of Boston, Commonwealth of Massachusetts, for the purpose of determining maximum selling prices thereof, shall be the amounts set forth in Table A hereof."

This amendment becomes effective September 9, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of September 1944.

FRANK D. O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 44–14592; Filed, Sept. 21, 1944; 12:42 p. m.]

[Region II Order G–46 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED COUNTIES IN PENNSYLVANIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices: Area covered.* If you are a dealer in "Pennsylvania anthracite," this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Commonwealth of Pennsylvania—Coal Area VIII. That area comprises four full counties and designated parts of four other counties in the Commonwealth of Pennsylvania, falling into four zones as follows:

Zone 1. Zone 1 includes all of Dauphin County except the City of Harrisburg, the Boroughs of Paxtang, Penbrook, and Steelton and the Townships of Lower Paxton, Susquehanna, and Swatara.

Zone 2. Zone 2 includes all of Mifflin and Juniata Counties: Perry County, except the Borough of Marysville; and Cumberland County, except the Boroughs of Camp Hill, Lemoyne, Mechanicsburg, New Cumberland, Shiremanstown, West Fairview and Wormleysburg, and the Townships of East Pennsboro, Hampden and Lower Allen.

Zone 3. Zone 3 includes all of Adams County; York County, except the City of York, the Boroughs of Dallastown, Dover, Jacobus, Loganville, Manchester, Mount Wolf, New Salem, North York, Seven Valleys, Spring Grove, West York and Yoe, and the Townships of Conewago, Dover, East Manchester, Jackson, Manchester, Newberry, North Codorus, Springetsbury, Springfield, Spring Garden, West Manchester and York.

Zone 4. Zone 4 includes all of Franklin County.

The excluded portions of the above counties which are included only in part are covered by Order No. 50 under Revised Maximum Price Regulation No. 122.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3, and 4 are set forth in Schedule I, II, III, and IV, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, and 4.

You shall determine the maximum price for "Direct-Delivery" sales, as hereinafter defined, by reference to the appropriate Schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the Schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I contains a separate table of prices for "direct-delivery" sales and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner Schedules II, III, and IV contain separate tables of prices for similar sales in Zones 2, 3, and 4, respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f), and Schedule IV in paragraph (g).

(2) Take the dollars-and-cents figure given in the applicable table of the applicable Schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the Schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$12.85	$6.95	$3.45	$0.75
Pea	11.20	6.10	3.05	.65
Buckwheat	9.60	5.20	2.65	----------
Rice	8.65	4.85	2.40	----------
Barley	7.65	4.35	2.15	----------
Screenings	3.50	1.75	----------	----------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

	Cents per ton
Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$12.45	$6.50	$3.45	$0.75
Pea	10.80	5.65	3.05	.65
Buckwheat	9.05	4.80	2.60	----------
Rice	8.05	4.30	2.35	----------
Barley	7.05	3.80	2.10	----------
Screenings	3.50	1.75	----------	----------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

	Cents per ton
Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "Direct-delivery" sales and "Yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$12.85	$6.95	$3.45	$0.75
Pea	11.20	6.10	3.05	.65
Buckwheat	9.60	5.20	2.65	----------
Rice	8.65	4.85	2.40	----------
Barley	7.65	4.35	2.15	----------
Screenings	3.50	1.75	----------	----------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

	Cents per ton
Special service rendered at the request of the purchaser: "Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	40

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$11.85	$6.45	$3.20	$0.65
Pea	10.20	5.60	2.80	.60
Buckwheat	8.60	4.80	2.40	----------
Rice	7.65	4.35	2.15	----------
Barley	6.65	3.85	1.90	----------
Screenings	2.60	1.25	----------	----------

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZE AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$13.10	$6.80	$3.55	$0.75
Pea	11.50	6.00	3.15	.65
Buckwheat	9.70	5.10	2.70	----------
Rice	8.65	4.60	2.40	----------
Barley	7.65	4.10	2.15	----------
Screenings	3.50	1.75	----------	----------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

	Cents per ton
Special service rendered at the request of the purchaser:	
Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$12.10	$6.30	$3.30	$0.65
Pea	10.50	5.50	2.90	.60
Buckwheat	8.70	4.60	2.45	----------
Rice	7.65	4.10	2.15	----------
Barley	6.65	3.60	1.90	----------
Screenings	2.80	1.25	----------	----------

(g) *Schedule IV.* Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$13.40	$6.95	$3.00	$0.75
Pea	11.20	5.85	3.05	.65
Buckwheat	9.60	5.05	2.65	----------
Rice	8.75	4.65	2.45	----------
Barley	7.75	4.15	2.20	----------
Screenings	3.50	1.75	----------	----------

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:	*Cents per ton*
"Carry" or "wheel" (except for sales amounting to less than one ton)	50
Carrying upstairs or downstairs for each full flight above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(2) *"Yard sales."*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. (for sales of 100 lbs. or more, but less than ¼ ton)
Broken, egg, stove, nut	$12.40	$6.45	$3.35	$0.65
Pea	10.20	5.35	2.80	.60
Buckwheat	8.00	4.55	2.40	----------
Rice	7.75	4.15	2.20	----------
Barley	6.75	3.65	1.95	----------
Screenings	2.80	1.35	----------	----------

(3) *Special addition for sales from yards located in Blue Ridge, Franklin County.* You may add to the maximum prices for "direct-delivery" sales and "yard sales" set out in tables 1 and 2 above, for sales in quantities of ¼ ton or more, 60¢ per net ton, 30¢ per net ½ ton and 15¢ per net ¼ ton where deliveries are made from yards located in Blue Ridge, Franklin County.

(h) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(i) *Ex Parte 148 Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule price on account of freight rates.

(j) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(k) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by Section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, or to the Commonwealth of Pennsylvania or any political subdivision thereof, you need not state this tax separately.

(l) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(n) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(o) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(p) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(q) *Posting of maximum prices: Sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices as set forth in the applicable Schedule or Schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(r) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Harrisburg District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(s) *Definitions and explanations.* When used in this Order No. G-46, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley, and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania—Coal Area VIII with such designations during December 1941. Under no circumstances, however, shall the anthracite contain an ash content in excess of the limits specified by Amendment No. 1 to Solid Fuels Administration for War Regulation No. 9.

(6) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or other vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in Sections 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(t) *Effect of order on Revised Maximum Price Regulation No. 122.* This Order No. G-46 shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-46 shall become effective September 20th, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of September 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-14504; Filed, Sept. 21, 1944; 12:43 p. m.]

[Birmingham Order G-1 Under MPR 426, Revocation]

ICEBERG LETTUCE IN BIRMINGHAM, ALA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Birmingham District, Office of Price Administration, by section 2(b) of Maximum Price Regulation 426, as amended, by Regional Delegation Order No. 16, issued by Region IV of the Office of Price Administration, dated September 7, 1943, and by Order No. G-1 under Maximum Price Regulation No. 426, as amended, *It is hereby ordered:*

That Order No. G-1 under Maximum Price Regulation No. 426, as amended, be, and the same is hereby, revoked.

Issued this September 7, 1944.

JOSEPH A. SHORT,
District Director.

[F. R. Doc. 44-14597; Filed, Sept. 21, 1944; 12:43 p. m.]

[Atlanta Order G-1 Under MPR 426, Revocation]

ICEBERG LETTUCE IN ATLANTA, GA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, this revocation is hereby issued:

(1) *Revocation of Order No. G-1, as amended, under Maximum Price Regulation No. 426, as amended; fresh fruits and vegetables for table use, sales except at retail.* Order No. G-1, as amended, under Maximum Price Regulation No. 426, as amended, is hereby revoked subject to the provisions of Supplementary Order No. 40. This revocation, however, of Order No. G-1, as amended, under Maximum Price Regulation No. 426, as amended, shall not have the effect of releasing or extinguishing any penalty or liability incurred under such order or any cause of action or right of action arising out of the failure of anyone subject to that order to comply with the provisions of that order. The order shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution, or proceeding with respect to any penalty or liability incurred by any person under said order and for the purpose of allowing any person to institute a suit or action based on any cause of action arising, prior to this revocation, out of failure of any person subject to that order to comply with the provisions and requirements of the order.

(2) *Effective date.* This revocation shall become effective on and after September 13, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 8, 1944.

E. A. THORNWELL,
District Director.

Approved: September 8, 1944.

FRANK V. LANHAM,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44-14595; Filed, Sept. 21, 1944; 12:45 p. m.]

[Atlanta Order G-2 Under MPR 376, Revocation]

SWEET POTATOES IN NORTH GEORGIA AREA

For the reasons set forth in an accompanying opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, and Regional Delegation Order No. 34, this revocation is hereby issued:

1. *Revocation of Order No. G-2 under Maximum Price Regulation No. 376, as amended; certain fresh fruits and vegetables.* Order No. G-2 under Maximum Price Regulation No. 376, as amended, is hereby revoked subject to the provisions of Supplementary Order No. 40. This revocation, however, of Order No. G-2 under Maximum Price Regulation No. 376 shall not have the effect of releasing or extinguishing any penalty or liability incurred under such order or any cause of action or right of action arising out of the failure of anyone subject to that order to comply with the provisions of that order. The order shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution, or proceeding with respect to any penalty or liability incurred by any person under said order and for the purpose of allowing any person to institute a suit or action based on any cause of action arising, prior to this revocation, out of failure of any person subject to that order to comply with the provisions and requirements of the order.

2. *Effective date.* This revocation shall become effective on and after September 13, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 8, 1944.

E. A. THORNWELL,
District Director.

Approved: September 8, 1944.

FRANK V. LANHAM,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44-14596; Filed, Sept. 21, 1944; 12:45 p. m.]

[Region VIII Order G-3 Under 18 (c), Amdt. 43]

FLUID MILK IN WATERVILLE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator pursuant to § 1499.75 (a) (9) (ii) (c), *It is hereby ordered,* That Order No. G-3 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Section (1) is hereby amended by adding to the schedule of prices at the end thereof, the following:

WATERVILLE

	Wholesale	Retail
Quart	0.12	0.14

This amendment shall become effective September 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of September 1944.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-14600; Filed, Sept. 21, 1944; 12:43 p. m.]

[Region VIII Order G-12 Under 18 (c), Amdt. 2]

FLUID MILK IN SEATTLE, WASH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.18 (c), as amended of the General Maximum Price Regulation, and a specific authorization issued pursuant to the provisions of § 1499.75 (a) (9) (ii) (c) of Supplementary Regulation No. 15, *It is hereby ordered:*

(a) Sections 4, 5, 6, and 7 are hereby designated as sections 5, 6, 7, and 8 respectively.

(b) A new section 4 is added to read as follows:

Maximum prices for sales of fluid milk of 3.5% milk fat content shall be as set forth below:

	Wholesale delivered	Out of store	Home delivered
Quart, glass	$0.11	$0.135	$0.135
Quart, fiber	.113		
Pint, glass	.0725		
Pint, fiber	.0775		
½ pint, glass	.03625		
½ pint, fiber	.04125		
10-oz. glass	.0565		
10-oz. fiber	.0635		

(c) This amendment may be revoked or amended at any time.

This amendment shall become effective September 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 13th day of September 1944.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-14601; Filed, Sept. 21, 1944; 12:45 p. m.]

[Charlotte Order G-1 Under MPR 426, Revocation]

LETTUCE IN CHARLOTTE, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Office of Price Administration, Charlotte, North Carolina, by Delegation Order No. 16 issued by the Atlanta Regional Office pursuant to section 2 of Maximum Price Regulation No. 426, *It is hereby ordered:*

That Order No. G-1 under Maximum Price Regulation No. 426 be, and the same hereby, is revoked.

This revocation shall become effective immediately.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of September 1944.

L. WILLIAM DRISCOLL,
District Director.

[F. R. Doc. 44-14599; Filed, Sept. 21, 1944; 12:45 p. m.]

[Region VIII Order G-100 Under 18 (c), Amdt. 1]

PULPWOOD IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region VIII of the Office of Price Administration by § 1499.18 (c), as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) Appendix A is hereby amended to read as set forth below:

(b) Paragraph (b) (3) is amended to read as follows:

"Tie mill waste", as used herein, means all waste products of tie mill operations including but not limited to slabs, edgings, and blocks. Current tie mill operators may qualify their waste as "tie mill waste" if 80% of their total manufactured products are ties.

This amendment may be revoked, amended, or corrected at any time.

This amendment shall become effective upon issuance.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued this 9th day of September 1944.

CHAS. R. BAIRD,
Regional Administrator.

APPENDIX A—TABLE 1—PUGET SOUND DISTRICT
FOR PULP MILLS LOCATED IN REGION VIII

Product description and species	Process length	Unit	Size specification	Delivery point	Maximum price
Sawmill waste					
Hemlock, spruce, white fir—block and/or slab	Bark on 4'	128 cu. ft. stacked	2" Clear wood	F. o. b. Mill conveyor	$6.00
Douglas fir—block and/or slab	Bark on 4'	128 cu. ft. stacked	2" Clear wood	F. o. b. Mill conveyor	1.25
Hemlock, spruce, white fir—block and/or slab	Bark off 4'	128 cu. ft. stacked		F. o. b. Mill conveyor	4.00
Douglas fir—block and/or slab	Bark off 24-96"	128 cu. ft. stacked		F. o. b. Trans. facilities	1.25
Hemlock, spruce, white fir—block and/or slab	Bark on 4'	128 cu. ft. stacked	2" Clear wood	F. o. b. Trans. facilities	6.00
Douglas fir—block and/or slab	Bark on 4'	128 cu. ft. stacked	2" Clear wood	F. o. b. Trans. facilities	8.00
Hemlock, spruce, white fir—block and/or slab	Bark off 4'	128 cu. ft. stacked		F. o. b. Trans. facilities	7.00
Douglas fir—block and/or slab	Bark off 24"	200 cu. ft. loose		F. o. b. Trans. facilities	5.00
	Bark off 24"	200 cu. ft. loose		F. o. b. Trans. facilities	4.00
Pulpwood					
Chips, any species	Bark off	200 cu. ft. loose		F. o. b. Trans. facilities	5.00
Forest cordwood					
All species	Bark on 4'	128 cu. ft. stacked	4" up Clear wood	F. o. b. Pulp mill	12.00
	Bark off 4'	128 cu. ft. stacked	4" up Clear wood	F. o. b. Pulp mill	14.00
Veneer mill waste					
Cores, any species	Bark off 4'	128 cu. ft. stacked	Select	F. o. b. Pulp mill	12.00
Tie mill waste					
Hemlock, white fir	Bark off 4'	128 cu. ft. stacked	2" Clear wood	F. o. b. Trans. facilities	9.00

TABLE 2—COLUMBIA RIVER DISTRICT

Sawmill waste					
Hemlock, spruce, white fir—block and/or slab	Bark on 2-4'	128 cu. ft. stacked	2" clear wood	F. o. b. mill conveyor	$7.00
Douglas fir—block and/or slab	Bark on 2-4'	128 cu. ft. stacked	2" clear wood	F. o. b. mill conveyor	1.00
Hemlock, spruce, white fir—block and/or slab	Bark off 2-4'	128 cu. ft. stacked		F. o. b. mill conveyor	2.00
Douglas fir—block and/or slab	Bark off 2-4'	128 cu. ft. stacked		F. o. b. mill conveyor	1.50
Hemlock, spruce, white fir—block and/or slab	Bark on	200 cu. ft. loose	2" clear wood	F. o. b. trans. facilities	5.00
Douglas fir—slab and/or block	Bark on	200 cu. ft. loose	2" clear wood	F. o. b. trans. facilities	7.00
Hemlock, spruce, white fir—block and/or slab	Bark off 4'	128 cu. ft. stacked		F. o. b. trans. facilities	12.00
Hemlock, spruce, white fir—block	Bark off 2-4'	128 cu. ft. stacked solid		F. o. b. trans. facilities	4.50
Douglas fir—block and/or slab	Bark off 24"	200 cu. ft. loose			

APPENDIX A—TABLE 2—COLUMBIA RIVER DISTRICT—Continued
FOR PULP MILLS LOCATED IN REGION VIII—continued

Product Description and Species	Process length	Unit	Size specification	Delivery point	Maximum price
Veneer mill waste					
Cores, any species	Bark off 4-8'	128 cu. ft. stacked		F. o. b. pulpmill	$14.00
Nubbins, any species	Bark off 24-96"	128 cu. ft. stacked		F. o. b. pulpmill	14.00
Tie mill waste					
Douglas fir	Bark on 4-8'	128 cu. ft. stacked	2" clear wood	F. o. b. pulpmill	8.00
	Bark off 4-8'	128 cu. ft. stacked	2" clear wood	F. o. b. pulpmill	10.00
All other species	Bark on 4-8'	128 cu. ft. stacked		F. o. b. pulpmill	10.00
	Bark off 4-8'	128 cu. ft. stacked		F. o. b. pulpmill	12.00
Pulpwood chips, any species	Bark off	200 cu. ft. loose		F. o. b. trans. facilities	6.25
Forest cordwood, any species	Bark on 24-96"	128 cu. ft. stacked	4" up clear wood	F. o. b. pulpmill	12.00
	Bark off 24-96"	128 cu. ft. stacked	4" up clear wood	F. o. b. pulpmill	14.00

TABLE 3—PUGET SOUND DISTRICT
SALES TO PULP MILLS LOCATED OUTSIDE REGION VIII

Product description and species	Bark	Process length	Unit of measure	Size specification	Delivery point	Maximum price
FOREST PRODUCED CORDWOOD						
Lodge pole pine, tamarack	Bark on	100"	128 cu. ft. stacked	4" Clear wood	F. o. b. rail car	[1] $8.50
White fir and spruce	Bark on	100"	128 cu. ft. stacked	4" Clear wood	F. o. b. rail car	[1] $10.50

[1] This maximum price applies to direct producer to consumer sales. An independent contractor performing such services as contracting for cutting, assembling, and shipping may add $1.00 per cord to the listed maximum price.

[F. R. Doc. 44-14603; Filed, Sept. 21, 1944; 12:50 p. m.]

[Region VIII Order G-101 Under 18 (c)]

MORTUARY SERVICES IN DESIGNATED COUNTIES IN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered as follows:*

(a) The maximum prices for funeral services furnished to the Armed Forces of the United States in the area specified hereinafter shall be as follows:

(1) For embalming, washing, shaving, clothing, and all other preparation of remains, placement in casket, and use of suitably equipped reception room and funeral parlor	$35.00
(2) For care of remains, the service to consist of transfer of remains from place of arrival to dispensary or contractor's establishment and care of remains pending burial or reshipment including use of suitably equipped reception room and funeral parlor for Chapel services when required	$10.00
(3) Transfer of remains to another casket	.50
(4) Additional service of re-embalming and re-arrangement in casket	10.00
(5) For care of remains pending burial or reshipment including use of suitably equipped reception room and funeral parlor	5.00
(6) For engraving name and date of death on metal plate of casket	1.50
(7) For all necessary Health Department Permits	1.00
(8) For opening grave, including necessary attendants at cemetery, also closing grave	5.00
(9) All transportation services (except as included in the above items), including transportation from station, dispensary, hospital, etc., or other places of death within a radius of 100 miles to contractor's establishment; delivery from contractor's establishment or dispensary, hospital, etc., to local cemetery, shipping point, home of next of kin, or cemetery within a radius of 100 miles, mileage based on one way distance	[2] .40

[2] Per mile with minimum of $10.00 for one vehicle, and $15.00 for two vehicles.

(b) This order establishes the maximum prices for mortuary services rendered to the Armed Forces of the United States in the following counties in California: Imperial, San Bernardino, Riverside, Orange, Los Angeles, Ventura, and Santa Barbara counties.

(c) This order may be revoked, amended, or corrected at any time.

(d) This order shall become effective upon its issuance.

Issued this 2d day of September 1944.

(56 Stat. 34, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-14602; Filed, Sept. 21, 1944; 12:42 p. m.]

[Memphis Order G-2 Under MPR 426, Amdt. 1]

FRESH FRUITS AND VEGETABLES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office, Region IV, Office of Price Administration, by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, Revised General Order No. 51, and Regional Delegation Orders Nos. 33, 35, 52 and 53, issued by the Atlanta Regional Office on March 22, 1944, March 31, 1944, August 2, 1944 and August 7, 1944, respectively; *It is hereby ordered:*

That section 1 of Order G-2 under Maximum Price Regulation 426, as amended, be, and the same is hereby, amended to include the following fresh fruits and vegetables:

Strawberries.
Blackberries.
Red raspberries.
Black raspberries.
Watermelons.
Cantaloupes.
Honey ball melons.
Pears.
Peaches.
Honey dew melons.
Red sour cherries.
Sweet potatoes.
Sweet cherries.
Apricots.
Plums.
Fresh Italian prunes.
Apples (except lady apples and crab apples).
Table grapes.

All other provisions of Order G-2 under Maximum Price Regulation No. 426 remain unchanged and in full force and effect.

This amendment shall become effective at 12:01 a. m. on the 21st day of August 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871,

E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R. 408)

Issued this 16th day of August 1944.

W. C. MANLEY, Jr.,
District Director.

Approved:

FRANK V. LANHAM,
Acting Regional Director,
Office of Distribution,
War Food Administration.

[F. R. Doc. 44-14621; Filed, Sept. 12, 1944; 4:07 p. m.]

[Memphis Order G-2 Under MPR 426, Amdt. 2]

FRESH FRUITS AND VEGETABLES IN MEMPHIS, TENN., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office, Region IV, Office of Price Administration, by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, Revised General Order No. 51, and Regional Delegation Orders Nos. 33, 35, 52 and 53, issued by the Atlanta Regional Office on March 22, 1944, March 31, 1944, August 2, 1944 and August 7, 1944, respectively, *It is hereby ordered*, That section 1 of Order G-2 under Maximum Price Regulation 426, as amended, be, and the same is hereby, amended to read as follows:

SECTION 1. *What this order does.* This order establishes a maximum delivery charge, as given below, for the delivery by any service wholesaler or secondary jobber located in the Memphis District Office area, when delivering

Snap beans.
Peppers.
Egg plants.
Cucumbers.
Spinach.
Carrots.
Green peas.
Oranges.
Grapefruit.
Lemons.
Tangerines.
Cabbage.
Table grapes.
Strawberries.
Blackberries.
Lettuce.
Red raspberries.
Black raspberries.
Watermelons.
Cantaloupes.
Honeyball melons.
Pears.
Peaches.
Honeydew melons.
Red sour cherries.
Sweetpotatoes.
Sweet cherries.
Apricots.
Plums.
Fresh Italian prunes.
Apples (except lady apples and crab apples).

to the premises of any purchaser located outside the free delivery zone of that service wholesaler or secondary jobber:

	Cents per container
For containers of less than 40 pounds, gross weight	10
For containers of 40 pounds to 60 pounds, gross weight	20
For containers of more than 60 pounds, gross weight	30

All other provisions of Order G-2 under Maximum Price Regulation No. 426, as amended, remain unchanged and in full force and effect.

This amendment shall become effective at 12:01 a. m. on the 31st day of August 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; R.G.O. 51, 9 F.R. 408)

Issued this 26th day of August 1944.

W. C. MANLEY, Jr.,
District Director.

Approved:

FRANK V. LANHAM,
Acting Regional Director,
Office of Distribution,
War Food Administration.

[F. R. Doc. 44-14620; Filed, Sept. 21, 1944; 4:07 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 16, 1944.

REGION I

Boston Order 1-W, covering community food prices at wholesale and retail in the Commonwealth of Massachusetts, filed 4:10 p. m.

Boston Order 1-B-W, covering community food prices at wholesale and retail in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, filed 4:09 p. m.

REGION II

Pittsburgh Order 1-F, Amendment 23, covering fresh fruit and vegetables in Pittsburgh and certain surrounding communities; filed 4:00 p. m.

Binghamton Order 2-F, covering fresh fruit and vegetables in designated areas in New York, filed 4:05 p. m.

Harrisburg Order 2-F, covering fresh fruit and vegetables in certain counties in Pennsylvania, filed 9:31 a. m.

Harrisburg Order 26, covering food items of dry groceries in Cumberland, Lebanon, Perry, and Dauphin, Pa., filed 9:19 a. m.

Scranton Order 4-F, covering fresh fruit and vegetables in designated counties in Pennsylvania, filed 9:31 a. m.

Maryland Order 4-F, Amendment 2, covering fresh fruit and vegetables in Baltimore City and suburban communities, filed 4:04 p. m.

Maryland Order 5-F, covering fresh fruit and vegetables in designated area in the Maryland district, filed 4:05 p. m.

Maryland Order 6-F, Amendment 2, covering fresh fruit and vegetables in designated area in the Maryland District, filed 4:04 p. m.

Wilmington Order 5-F, covering fresh fruit and vegetables in designated area in the Maryland district, filed 9:30 a. m.

REGION III

Charleston Order 3-F, Amendment 32, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:06 p. m.

Charleston Order 7-F, Amendment 24, covering fresh fruit and vegetables in designated areas in West Virginia, filed 4:06 p. m.

Charleston Order 8-F, Amendment 24, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:07 p. m.

Charleston Order 9-F, Amendment 23, covering fresh fruit and vegetables in Cabell County and Huntington in Wayne County, W. Va., filed 4:07 p. m.

Charleston Order 10-F, Amendment 22, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:08 p. m.

Charleston Order 12-F, Amendment 18, covering fresh fruit and vegetables in designated counties in West Virginia, filed 4:08 p. m.

Charleston Order 13-F, Amendment 8, covering fresh fruit and vegetables in designated areas in West Virginia, filed 4:08 p. m.

Cincinnati Order 1-F, Amendment 48, covering fresh fruit and vegetables in Hamilton County, Ohio, filed 9:29 a. m.

Cincinnati Order 2-F, Amendment 41, covering fresh fruit and vegetables in Butler, Clark, Montgomery and Scioto Counties in Ohio, filed 9:29 a. m.

REGION IV

Atlanta Order 3-W, covering dry groceries in the Atlanta district area, filed 3:59 p. m.

Atlanta Order 3-W, Amendment 1, covering dry groceries in the Atlanta district, filed 4:00 p. m.

Atlanta Order 18, covering community food prices in the Atlanta district, filed 4:16 p.m.

Atlanta Order 15, Amendment 1, covering community food prices in the Atlanta district, filed 4:16 p. m.

Jacksonville Order 3-F, Amendment 17, covering fresh fruit and vegetables in Tampa, Fla., filed 4:17 p. m.

Jacksonville Order 4-F, Amendment 8, covering fresh fruit and vegetables in the North Florida Area, filed 4:17 p. m.

Jacksonville Order 7-F, Amendment 19, covering fresh fruit and vegetables in designated cities and towns in Florida, filed 4:16 p. m.

Jacksonville Order 6-F, Amendment 20, covering fresh fruit and vegetables in Jacksonville, Fla., filed 4:17 p. m.

Jacksonville Order 8-W, covering dry groceries in the southern Florida area, filed 9:33 a. m.

Memphis Order 4-F, Amendment 50, covering fresh fruit and vegetables in the Memphis district, filed 4:15 p. m.

Savannah Order 1-F, Amendment 52, covering fresh fruit and vegetables in Chatham, Bryan, Effingham and Liberty, filed 4:04 p. m.

Savannah Order 2-F, Amendment 47, covering fresh fruit and vegetables in designated counties in Georgia, filed 4:04 p. m.

Savannah Order 3-F, Amendment 45, covering fresh fruit and vegetables in designated counties in Georgia, filed 4:03 p. m.

Savannah Order 5-F, Amendment 25, covering fresh fruit and vegetables in designated counties in Georgia, filed 4:02 p. m.

Raleigh Order 16, covering community food prices in the Raleigh, N. C., area, filed 9:33 a. m.

REGION V

Fort Worth Order 1-C, covering poultry in designated counties in Texas, filed 9:38 a. m.

Fort Worth Order 1-F, Amendment 34, covering fresh fruit and vegetables in Tarrant County, Tex., filed 9:33 a. m.

Fort Worth Order 2-F, Amendment 34, covering fresh fruit and vegetables in Taylor County, Tex., filed 9:33 a. m.

Fort Worth Order 3-F, Amendment 34, covering fresh fruit and vegetables in Green County, Tex., filed 4:22 p. m.

Fort Worth Order 4-F, Amendment 34, covering fresh fruit and vegetables in McLennan County, Tex., filed 4:22 p. m.

Fort Worth Order 5-F, Amendment 34, covering fresh fruit and vegetables in Wichita County, Tex., filed 4:22 p. m.

Fort Worth Order 6-F, Amendment 8, covering fresh fruit and vegetables in designated counties in Texas, filed 4:21 p. m.

Tulsa Order 5-F, Amendment 19, covering fresh fruit and vegetables in areas in Oklahoma, filed 4:14 p. m.

Tulsa Order 6-F, Amendment 19, covering fresh fruit and vegetables in certain areas in Oklahoma, filed 4:14 p. m.

Tulsa Order 12, covering dry groceries & certain perishables in designated counties in Oklahoma, filed 9:27 a. m.

REGION VI

Omaha Order 7-F, Amendment 11, covering fresh fruit and vegetables in Omaha, Nebr. and Council Bluffs, Iowa, filed 9:26 a. m.

Omaha Order 8-F, Amendment 11, covering fresh fruit and vegetables in Lincoln, Nebraska, filed 9:26 a. m.

Omaha Order 9-F, Amendment 3, covering fresh fruit and vegetables in designated counties in Nebraska, filed 9:28 a. m.

Peoria Order 2-F, Amendment 18, covering fresh fruit and vegetables in designated areas in Illinois, filed 4:21 p. m.

Peoria Order 3-F, Amendment 18, covering fresh fruit and vegetables in designated area in Illinois, filed 4:21 p. m.

Peoria Order 4-F, Amendment 13, covering fresh fruit and vegetables in designated areas in Illinois, filed 4:20 p. m.

Peoria Order 5-F, Amendment 1, covering fresh fruit and vegetables in designated areas in Illinois, filed 4:20 p. m.

Springfield Order 1-FS, Amendment 8, covering fresh fruit and vegetables in city of Springfield, Sangamon County, Illinois, filed 4:14 p. m.

REGION VII

Boise Order 2-F, covering fresh fruit and vegetables in the Boise city area, Pocatello and Twin Falls area, Idaho, filed 9:25 a. m.

REGION VIII

Los Angeles Order L. A.-5, Amendment 19, covering community food prices in the Los Angeles Metropolitan Area, filed 9:25 a. m.

Los Angeles Order L. A.-6, Amendment 19, covering community food prices in the San Bernardino-Riverside Area), filed 9:24 a. m.

Los Angeles Order L. A.-7, Amendment 19, covering community food prices in the Santa Barbara-Ventura Area, filed 9:24 a. m.

Los Angeles Order L. A.-8, Amendment 19, covering community food prices in the San Luis Obispo Area, filed 9:23 a. m.

Los Angeles Order L. A.-10, Amendment 9, covering community food prices in designated communities, filed 9:21 a. m.

Los Angeles Order L. A.-11, Amendment 8, covering community food prices in designated communities, filed 9:22 a. m.

Los Angeles Order L. A.-5, Amendment 20, covering community food prices in the Los Angeles Metropolitan Area, filed 9:26 a. m.

Los Angeles Order L. A.-6, Amendment 20, covering community food prices in the San Bernardino-Riverside Area, filed 9:26 a. m.

Los Angeles Order L. A.-7, Amendment 20, covering community food prices in the Santa Barbara-Ventura Area, filed 9:26 a. m.

Los Angeles Order L. A.-8, Amendment 20, covering community food prices in the San Luis Obispo Area, filed 9:26 a. m.

Portland Order 1-B, covering community food prices in the Portland district, filed 9:18 a. m.

Phoenix Order 1-W, Revocation, covering dry groceries in the "Phoenix-South Central Area," filed 9:36 a. m.

Phoenix Order 6-W, Revocation, covering dry groceries in the Cochise Area, filed 9:34 a. m.

Phoenix Order 7-W, Revocation, covering dry groceries in the Tucson Area, filed 9:34 a. m.

Phoenix Order 8-W, Revocation, covering dry groceries in the Gila Valley Area, filed 9:36 a. m.

Phoenix Adopting Order 9-W, covering wholesale community food prices in the Gila Valley Area, filed 9:33 a. m.

Phoenix Adopting Order 9-W, Amendment 1, covering wholesale community food prices in the Gila Valley Area, filed 9:36 a. m.

Phoenix Adopting Order 10-W, covering wholesale community food prices in the Phoenix-South Central Area, filed 9:36 a. m.

Phoenix Adopting Order 10-W, Amendment 1, covering wholesale community food prices in the Phoenix-South Central Area, filed 9:32 a. m.

Phoenix Adopting Order 11-W, covering wholesale community food prices in the Tucson Area, filed 9:35 a. m.

Phoenix Adopting Order 12-W, covering wholesale community food prices in the Cochise Area, filed 9:34 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14599; Filed, Sept. 20, 1944; 3:11 p. m.]

[Region I Order G-6 Under MPR 426, Amdt. 3]

FRESH FRUITS AND VEGETABLES IN BOSTON, MASS., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 2 (d) of Maximum Price Regulation No. 426, *It is hereby ordered:*

(a) Paragraph (a) is amended by adding to the list of sellers found to be purveyors the name of C. Sugarman & Son, 741 Tremont Street, Boston, Massachusetts.

This amendment becomes effective on August 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1944.

EDGAR J. DRISCOLL,
Acting Regional Administrator.

DALLAS E. W. GALBRAITH,
Acting Regional Director,
of Food Distribution.

[F. R. Doc. 44-14591; Filed, Sept. 21, 1944; 12:43 p. m.]

SELECTIVE SERVICE SYSTEM.

[Camp Order 139]

LOGANSPORT STATE HOSPITAL PROJECT, INDIANA

ESTABLISHMENT AS CONSCIENTIOUS OBJECTOR CAMP

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Logansport State Hospital Project is designated as work of national importance, to be known as Civilian Public Service Camp No. 139. Said project, located at Logansport, Cass County, Indiana, will be the base of operations for work at the Logansport State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

2. That the men assigned to said Logansport State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Logansport State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Logansport State Hospital. Administrative and directive control shall be under the Office of the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 19, 1944.

[F. R. Doc. 44-14609; Filed, Sept. 21, 1944; 2:55 p. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

[Regulation 4]

SURPLUS AIRCRAFT AND RELATED PROPERTY

ESTABLISHMENT OF PRICING POLICY FOR DISPOSAL

Scope of regulation. By Regulation No. 1, the Reconstruction Finance Corporation was designated as the disposal agency for aircraft and property peculiar to aircraft in the United States, U. S. Territories and Possessions. The Foreign Economic Administration was designated as the disposal agency for property located in foreign territory.

The purpose of this regulation is to establish a pricing policy for the disposal, by the Reconstruction Finance Corporation and the Foreign Economic Administration, of surplus aircraft and property peculiar to aircraft.

In order to provide for the widest possible use of aircraft, disposal by lease, terminable installment sale or cash sale is authorized in certain instances as set forth in this regulation.

For pricing purposes, all property will be classified as belonging in one of the following categories:

Class A. Tactical aircraft, or planes useful only for military purposes.

Group 1. Aircraft designed and built to perform bombing, combat, reconnaissance and other tactical and military missions.

Group 2. Basic and advanced trainers.

Class B. Transport aircraft.

Group 1. Multi-engined aircraft of 17,500 lbs. gross weight and over, primarily suitable for transportation of passengers and/or cargoes over principal commercial or military air routes.

Group 2. Single and multi-engined aircraft of less than 17,500 lbs. but more than 9,000 lbs. gross weight, primarily suitable for feeder lines and executive transport uses.

Class C. Personal aircraft.

Group 1. Single and multi-engined aircraft, other than those in Class B, primarily suitable for private flying.

Group 2. Primary training aircraft.

Group 3. Miscellaneous types, such as gliders and rotary wing aircraft which cannot be classified in any other category.

Class D. Aircraft equipment and component parts.

Class E. Unabsorbed surplus. Aircraft and equipment deemed to have no substantial commercial aviation market, to be disposed of for educational and memorial purposes, or for non-aviation purposes, salvage or scrap.

Price policy. Class A. Class A aircraft are not generally suitable for public sale and will, for the most part, be placed in Class E.

Those Class A aircraft which are convertible to Class B types will be priced under the pricing policies established for Class B aircraft.

A limited number of Class A aircraft may be sought by friendly foreign nations. Prices should be established by government-to-government negotiation. All such negotiations must have the approval of the Department of State and the War and Navy Departments.

Class A aircraft which are sold for private or industrial flight purposes in the United States will be sold at prices which are not lower than the estimated sales value of salvageable component parts plus the estimated scrap value of unsalvageable residue.

Class B. A type price shall be established for each Class B passenger or cargo model. Type prices shall be determined in accordance with the following principles:

One model in Group 1 and one model in Group 2, currently in production, and in broadest general use will be selected as the "base model" for type price determination. The approximate average manufacturing cost of the "base model" during the first six months of 1944, will be established as the type price of the model selected as "base model." Type prices of other models in the same group will be established on a basis which, for the purpose of fixing reasonably competitive prices on all models in the same group, will give due consideration to the differences in (a) earning capacity, (b) latest date of manufacture, (c) cost of operation, and (d) estimated cost of manufacture, if manufactured during the first six months of 1944 in volume equal to that achieved in the case of "base model" during that period.

A schedule of type prices shall be filed with the Surplus War Property Administration.

Individual prices of Class B aircraft offered for sale or lease will be the type prices, less reasonable allowances for (a) cost of necessary repairs, (b) general wear and tear, and (c) cost of conversion.[2]

At the option of the purchaser, disposal may be made either by lease or terminable installment sale or cash sale. A principal difference between lease and terminable installment sale is that title passes in the case of the latter, but not in the case of the former. The right to terminate the lease or installment sale contract at any time, without penalty shall be vested only in the purchaser, except that the Government may reserve the right to terminate for failure of the lessee or purchaser to carry out the terms of the lease or the contract.

Annual rentals or installments should be based on type price and may be spread over a period not to exceed five years. Reasonable initial cost of repairs, general wear and tear and conversion[2] incurred by lessee or installment purchaser shall be credited to rental or installment payments in equal amounts during the period of the lease or installment purchase. At any time the lessee or purchaser should be permitted to acquire full title by paying the difference between individual aircraft price and rental or installments paid.

The foregoing pricing policy for Class B aircraft is provisional, and is designed to meet present conditions of short supply under which transport aircraft are allocated among applicants. The disposal agencies shall so notify each applicant for Class B aircraft, indicating the possibility of downward revision in future prices.

Class C. Ceiling prices will be established for all aircraft in Group 1 in accordance with the provisions of OPA regulations currently in effect. Aircraft in this group shall be offered, in the continental United States, for competitive bidding "where is," "as is" or at ceiling prices. Group 1 aircraft located in the United States which are offered for sale outside of the continental United States may be sold at prices approximating those currently being received in the United States for similar aircraft in comparable condition. Group 1 aircraft located outside the United States may be offered for competitive bidding or sold at prices approximating those currently being received in the United States for similar aircraft in comparable condition.

Aircraft in Group 2 may be offered for competitive bidding or at uniform model prices established from time to time and appropriately adjusted to reflect the relative condition of the individual aircraft. Group 2 aircraft will not be sold at prices lower than the estimated sales value of salvageable component parts plus the estimated scrap value of unsalvageable residue.

Aircraft in Group 3 may be offered for competitive bidding or sold at fixed prices established by the disposal agencies. In no event shall the sale price be lower than the estimated sales value of salvageable component parts plus the estimated scrap value of the unsalvageable residue.

Class D. Aircraft equipment and component parts shall, whenever practicable, be priced in accordance with normal trade practices, and shall, as a general rule, be distributed through normal trade channels.

Class E. Aircraft and property peculiar to aircraft in Class E, which are considered to have little or no commercial value, may be leased, loaned, donated or sold at nominal prices by the disposal agencies to non-profit educational institutions if the powers of the original owning agency permit such disposal, or if lease, loan or donation by the disposal agency concerned is authorized by Congress.

Aircraft and property peculiar to aircraft in Class E, which are considered to have some commercial value, may be leased to non-profit educational institutions at nominal rentals, or sold for non-aviation purposes or scrap at the best prices obtainable under warranties that the property sold will not again be utilized for flight purposes.

Commissions to manufacturers, dealers, et cetera. Disposal agencies are authorized to allow reasonable commissions to manufacturers and dealers when such commissions are justified by the services performed.

Exceptions. Cases for which no provision is made in the foregoing pricing regulations should be referred to the Surplus War Property Administration, which, by direct action without amendment to this Regulation, may authorize exceptions when, in its opinion, the public interest requires.

W. L. CLAYTON,
Administrator.

By G. T. BRIDGMAN,
Deputy Administrator.

SEPTEMBER 21, 1944.

[F. R. Doc. 44-14626; Filed, Sept. 22, 1944; 9:26 a. m.]

[2] When the cost of conversion is allowed, type price will be that established for the converted airplane.

Reference

SEP 27 '44

FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

VOLUME 9 NUMBER 192

Washington, Tuesday, September 26, 1944

The President

PROCLAMATION 2623

COLUMBUS DAY, 1944

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the discoveries of Christopher Columbus and the long line of explorers who followed him have served to bring the continents and peoples of the world into an ever-narrowing circle of geographic relationship; and

WHEREAS we, the heirs to the discoveries of Columbus, have now come to realize that civilized peoples can live safely and develop fully in such an interrelated world only through association for peace and the common good; and

WHEREAS we, in our great task of achieving world peace by victory and of maintaining that peace by association with others, should take thought on the superb faith and resolution of the discoverer of America; and

WHEREAS Public Resolution 21, Seventy-third Congress, approved April 30, 1934, provides:

That the President of the United States is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate Thursday, October 12, 1944, as Columbus Day; I direct that on that day the flag of the United States be displayed on all Government buildings; and I invite the people of the United States to observe the day with appropriate ceremonies in schools and churches or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of September, in the year of our Lord nineteen hundred and [SEAL] forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-14710; Filed, Sept. 23, 1944; 12:12 p. m.]

PROCLAMATION 2624

GENERAL PULASKI'S MEMORIAL DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is especially fitting at this time, when the vandals of the western world have been pushed back to their own frontiers, that we pay homage to the indomitable spirit of the Poles who were the first to take up arms against the aggression of our common foe; and

WHEREAS that spirit is typified by Count Casimir Pulaski, a Polish patriot who came from overseas to fight for the freedom of America and gallantly gave his life on October 11, 1779 as a result of wounds received at the siege of Savannah; and

WHEREAS, by a joint resolution approved September 7, 1944 (Public Law 422, 78th Congress), the Congress has authorized me "to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1944, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski".

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim

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THE PRESIDENT

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
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October 11, 1944, the one hundred and sixty-fifth anniversary of the death of General Pulaski, as General Pulaski's Memorial Day; I call upon officials of the Government to have the American flag displayed on all governmental buildings on that day; and I invite the people of the United States to observe the day with appropriate commemorative ceremonies in schools and churches, or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of September, in the year of our Lord nineteen hundred and [SEAL] forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-14709; Filed, Sept. 23, 1944; 12:12 p. m.]

EXECUTIVE ORDER 9484

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND OPERATE THE PLANTS AND FACILITIES OF THE FARRELL CHEEK STEEL COMPANY, LOCATED AT SANDUSKY, OHIO

WHEREAS, after an investigation, I find and proclaim that the plants and facilities of the Farrell Cheek Steel Company, located in and around Sandusky, Ohio, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by such interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interests of the war effort, the operation of these plants and facilities;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892), as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Farrell Check Steel Company, located in and around Sandusky, Ohio, and, to the extent that he may deem necessary, of any real or personal property and other assets wherever situated, used in connection with the operation thereof; to operate or to arrange for the operation of the plants and facilities in any manner that he deems necessary for the successful prosecution of the war; to exercise any contractual or other rights of the Farrell Check Steel Company and to continue the employment of, or to employ, any persons, and to do any other thing that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this Order.

2. The Secretary of War shall operate the said plants and facilities pursuant to the provisions of the War Labor Disputes Act, and during his operation of the plants and facilities shall observe the terms and conditions of the interim directive order, dated March 18, 1944, and the final directive order, dated April 1, 1944, of the Fifth (Cleveland) Regional War Labor Board, as amended by the directive order of the National War Labor Board, dated July 12, 1944, provided that the Secretary of War is authorized to pay the wage increases specified in said directive orders, which accrued from the effective dates specified in said directive orders to the date possession of said plants and facilities is taken under this Order, only out of the net operating income of said plants and facilities during the period of their operation by the Secretary of War. In the event that it appears to the Secretary of War that the net operating income of said plants and facilities will be insufficient to pay the foregoing accrued wage increases, the Secretary shall make a report to the President with respect thereto.

3. The Secretary of War is authorized to take such action, if any, as he may deem necessary or desirable to provide protection for the plants and all persons employed or seeking employment therein.

4. Possession, control, and operation of any plant or facility, or part thereof, taken under this order, shall be terminated by the Secretary of War within 60 days after he determines that the productive efficiency of the plant, facility, or part thereof prevailing prior to the existing interruptions of production, referred to in the recitals of this order, has been restored.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 23, 1944.

[F. R. Doc. 44-14753; Filed, Sept. 25, 1944; 11:32 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 56—EFFICIENCY RATINGS BOARDS OF REVIEW

APPEAL PERIOD FOR "UNSATISFACTORY" EFFICIENCY RATING

Part 56 is amended by the addition of a new provision to be designated § 56.4a which reads as follows:

§ 56.4a *Appeal period when efficiency rating is "unsatisfactory".* When an employee who has completed his probational or trial period and whose efficiency rating is "unsatisfactory" appeals his rating to the appropriate Board of Review, created under the provisions of section 9 of the Classification Act of 1923, as amended, within 15 days after receiving notice of the rating, action based on

the efficiency rating shall be withheld pending the outcome of the appeal.

NOTE: This section has the effect of modifying or changing the procedure prescribed for appeals in § 56.4 of this part concerning the period during which an appeal should be taken in any case in which the employee has received an efficiency rating of "unsatisfactory" from the agency where employed.

Effective date: October 10, 1944.

(42 Stat. 1490, as amended; 5 U.S.C. 669)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

SEPTEMBER 4, 1944.

[F. R. Doc. 44-14736; Filed, Sept. 25, 1944; 9:56 a. m.]

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[WFO 9-13, Rev. 1]

PART 1220—FEED

APPROVAL OF DELIVERIES OF PROTEIN MEAL IN TEXAS, OKLAHOMA AND NEW MEXICO

Pursuant to the authority vested in me by War Food Order No. 9 (formerly Food Production Order No. 9 (8 F.R. 16960, 9 F.R. 3475, 4319, 8767)), War Food Order No. 9-13 (9 F.R. 9711) is hereby revised and amended in its entirety to read as follows:

§ 1220.16 *Approval of deliveries of protein meal in Texas, Oklahoma, and New Mexico.* Effective September 1, 1944, no processor in Texas, Oklahoma or New Mexico shall deliver to any person, including a feeder, more than 500 pounds of protein meal within any thirty-day period unless such person, including a feeder, tenders at or before the time of delivery a signed statement approved, in the case of a feeder, by the County Agricultural Conservation Committee for the county in which the farm or ranch is located and, in the case of any other person, by the County Agricultural Conservation Committee for the county in which his place of business is located: *Provided, however,* That the requirements of this order shall not apply (a) to deliveries of protein meal by a processor to a holder of a certificate of designated buyer issued pursuant to War Food Order No. 9, and (b) to deliveries of protein meal by a processor to any person located outside the States of Texas, Oklahoma, and New Mexico. The signed statement of the person receiving meal from any processor, and the approval of such statement by the County Agricultural Conservation Committee, shall be in substantially the following form:

The undersigned declares to his vendor and to the War Food Administration that he is familiar with the provisions of War Food Order No. 9 and 9.13 and that this purchase, acquisition, or acceptance of protein meal from such vendor is in compliance with the provisions of such orders.

_____
Purchaser

_____
Address

_____
Date

Approved for_____ of protein meal
(tons) (pounds)

By_____
For the County Agricultural Conservation Committee

of_____ County, _____
Date

Approval on behalf of the County Agricultural Conservation Committee as herein provided may be given by any member of the committee or by the administrative officer of the County Agricultural Conservation Association. The approval on behalf of the county committee shall be for a specified quantity of protein meal and such approval shall be given only if the delivery of such quantity is in accordance with the provisions of War Food Order No. 9.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 9, 8 F.R. 16960, 9 F.R. 3475, 4319, 8767)

Issued this 25th day of September 1944.

J. B. HUTSON,
Director of Production.

[F. R. Doc. 44-14754; Filed, Sept. 25, 1944; 11:15 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 4-7, Amdt. 2]

PART 1450—TOBACCO

1944 CROP FLUE-CURED TOBACCO

Pursuant to War Food Order No. 4 (8 F.R. 335) issued on January 7, 1943, as amended (8 F.R. 11331; 9 F.R. 4321, 4319), and to effectuate the purposes of such order, as amended, War Food Order No. 4-7 (9 F.R. 8231) issued on July 18, 1944, as amended (9 F.R. 10147), relative to the 1944 crop of flue-cured tobacco, is hereby further amended as follows:

(1) By deleting therefrom the term "88.8 percent" in § 1450.7 (b) (2) of said order and inserting, in lieu thereof, the term "96 percent."

(2) By deleting therefrom the term "135 percent" in § 1450.7 (b) (4) of said order and inserting, in lieu thereof, the term "142 percent."

The provisions in this amendment shall become effective at 12:01 a. m., e. w. t., September 23, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-7, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 4-7, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319)

Issued this 23d day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-14699; Filed, Sept. 23, 1944; 11:11 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics

PART 534—REGULATIONS GOVERNING THE DISTRIBUTION AND USE OF AVIATION GASOLINE

SEPTEMBER 16, 1944.

Acting pursuant to the authority vested in me by War Production Board Directive No. 38, dated September 14, 1944, issued pursuant to Executive Orders Nos. 9024, January 16, 1942; 9040, January 24, 1942; and 9125, April 7, 1942, and finding that my action is in the public interest, I adopt the following regulations for the distribution and use of aviation gasoline:

Sec.
534.1 Definitions.
534.2 Distribution and sale of aviation gasoline.
534.3 Use of aviation gasoline.
534.4 Reports and records.
534.5 Penalties.
534.6 Effective date.

AUTHORITY: §§ 534.1 to 534.6, inclusive, issued under WPB Dir. 38, Sept. 14, 1944; E.O. 9024, Jan. 16, 1942; E.O. 9040, Jan. 24, 1942; E.O. 9125, Apr. 7, 1942.

§ 534.1 *Definitions.* (a) "Aviation gasoline" means any finished petroleum product used in aircraft or aircraft engines, having a knock rating of 86 octane number or lower when tested by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of 85 octane number or lower when tested by the ASTM Motor Method (ASTM Designation D-357-43T), including but not limited to aviation gasolines of 73 octane number and 80 octane number hereinafter defined.

"73 Octane Number" shall include all gasoline which, after the addition of not more than 1.0cc tetraethyl lead per U. S. gallon, has a knock rating of not less than 73 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 72 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-23 and Amendment One dated October 19, 1943, for Grade 73 aircraft engine fuel.

"80 Octane Number" shall include all gasoline which, after the addition of not more than 2.00cc tetraethyl lead per U. S. gallon, has a knock rating of not less than 80 Octane Number by the ASTM Aviation Method (ASTM Designation D-614-43T) or a knock rating of not less than 79 Octane Number by the ASTM Motor Method (ASTM-D-357-43T), and which meets, in all other respects, the quality requirements imposed by Army-Navy Aeronautical Specification AN-F-24 and Amendment One dated October 19, 1943, for Grade 80 aircraft engine fuel.

(b) "Person" includes any individual, partnership, association, business trust, government or government agency or any organized group of persons, whether incorporated or not.

(c) "Consumer" means any persons acquiring aviation gasoline for use in an aircraft engine.

(d) "Aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air; and "aircraft engine" means an engine used or intended to be used for propulsion of aircraft.

§ 534.2 *Distribution and sale of aviation gasoline.* (a) No manufacturer, wholesaler, or distributor of aviation gasoline shall deliver or cause to be delivered any such gasoline to any consumer (excluding Army, Navy, Marine Corps, or Coast Guard of the United States, or any other agencies or other persons to the extent to which they require such gasoline for export to and use in any foreign country) or retail vendor without securing evidence of written permission from the Administrator of Civil Aeronautics or his duly authorized representatives.

(b) No retail vendor shall sell, transfer, deliver, or dispose of any aviation gasoline except into the tank of an aircraft or of an aircraft engine test stand. Until 12:01 a. m. November 1, 1944, any civilian user of such aviation gasoline shall surrender to the retail vendor appropriate ration coupons issued by the Office of Price Administration.

§ 534.3 *Use of aviation gasoline.* No civil pilot or operator of civil aircraft shall use or permit the use of aviation gasoline except in an aircraft or aircraft engine for the following purposes:

(a) Pilot training;

(b) Transportation of persons and cargo;

(c) Maintenance of pilot skill and aircraft and aircraft engine airworthiness; and

(d) Commercial flying, including charter operations, crop dusting, aerial seeding, soil conservation, forest patrol, power line and pipe line inspection, police missions, and similar essential activities: *Provided,* That such gasoline shall not be used for barnstorming, sightseeing and pleasure flights, and similar non-essential activities.

§ 534.4 *Reports and records.* The manufacturer, wholesaler, distributor, retail vendor and consumer of aviation gasoline shall execute, keep, and transmit such records pertaining to the disposition and consumption of such gasoline as the Administrator may prescribe.

§ 534.5 *Penalties.* Any person who violates any rule or regulation herein prescribed or any order or instruction issued pursuant thereto by the Administrator or his duly authorized representative may be deprived of further aviation gasoline allotments and shall be subject to such penalties as are prescribed by law.

§ 534.6 *Effective date.* All sections of this part shall become effective immediately, except § 534.2 (a), which shall become effective 12:01 a. m. November 1, 1944.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-14681; Filed, Sept. 23, 1944; 9:56 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4626[1]]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN ASSOCIATION OF LAW BOOK PUBLISHERS, ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* In connection with offer, etc., in commerce, of law books and related legal publications, and on the part of respondent American Association of Law Book Publishers, and some 27 corporations (constituting the entire membership of said Association, except for certain periods in the case of some), and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out, or directing, instigating or cooperating in, any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to (1) establish, fix, or maintain discounts, terms, or conditions of sale for law books and related legal publications or adhere to or promise to adhere to the discounts, terms, or conditions of sale so fixed; (2) maintain or adhere to the selling price, terms, and conditions of sale of law books and related publications fixed and established by the respondent who publishes such books; (3) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent American Association of Law Book Publishers or any other medium or agency concerning proposed or future discounts, terms, or conditions of sale or concerning bids and price quotations in advance of the submission of such bids or price quotations to purchasing officials of the Federal Government or to awarding authorities of other governmental units or subdivisions or to any buyer of law books and related legal publications; (4) arrive at the amount of any bid or the discount, terms, or conditions of sale to be submitted to purchasing officials of the Federal Government, to awarding authorities of other governmental units or subdivisions, or to any buyer of law books and related legal publications through agreement, understanding, or collusion with other bidders; (5) establish, fix, or maintain the rates of allowances to be made, used, and applied on books and other publications received in trade, or fix and maintain the prices, terms, or conditions of sale governing the resale of such law books and related legal publications taken in trade; (6) jointly or cooperatively induce or promote adherence to, or attempt to induce or promote adherence to, agreements, and understandings relative to the sale and distribution of law books and related legal publications by interchange of correspondence, by personal contact with one another individually or in groups, or by policing the bids or sales transactions of respondent members through the respondent Association or otherwise; (7) employ or utilize any of the actual practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of law books and related legal publications; and (8) employ or utilize American Association of Law Book Publishers or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order; prohibited, subject to the proviso—it appearing to the Commission that the record does not directly and specifically raise any issue of the legality of joint publication ventures and that it is not necessary to determine any such issue in the present proceeding—that the order to cease and desist herein shall not be construed as prohibiting joint publishers of any specific law book, set of law books or related legal publication, from engaging in the cooperative activities otherwise prohibited by this order: *Provided,* That such activities are pursued in good faith and solely with respect to publishing and selling such jointly published law book, set of law books, or related legal publications in the usual and ordinary course of business and are not used for the purpose of evading the terms of the order, and it being stipulated that by this action the Commission does not now pass upon the legality or illegality of joint publication ventures as such, and that this action is without prejudice to the Commission's right to institute a new proceeding at any time with respect to the legality of such ventures; to the proviso that nothing herein contained shall be construed as prohibiting a parent corporation from directing the prices or terms at which any of its subsidiary corporations shall sell any law book or related legal publication published by the parent corporation or by any of its subsidiaries when such prices or terms have been arrived at by the parent corporation acting separately and independently of any competitor of

[1] 8 F.R. 5089, 8285.

the parent corporation or of any of its subsidiary corporations; and to the further proviso that nothing in the order is to be construed as prohibiting any of said corporate respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an Act entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890 (the Sherman Act) as amended. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Modified cease and desist order, American Association of Law Book Publishers, et al., Docket 4526, August 23, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of August, A. D. 1944.

In the Matter of American Association of Law Book Publishers, an Unincorporated Association, and its Officers, James R. Spillane, President, Clifford W. Mueller, Vice President, Richard Reiner, Treasurer, R. Walter White, Secretary; and The American Law Book Company, a Corporation; The W. H. Anderson Company, a Corporation; Baker, Voorhis and Company, a Corporation; Bancroft-Whitney Company, a Corporation; Matthew Bender and Company, Inc., a Corporation; Bender-Moss Company, a Corporation; George T. Bisel, an Individual Trading as George T. Bisel Company; Clark Boardman Company, Ltd., a Corporation; Bobbs-Merrill Company, a Corporation; John Byrne and Company, a Corporation; Dennis and Company, Inc., a Corporation; The Harrison Company, a Corporation; The Lawyers Co-Operative Publishing Company, a Corporation; Little, Brown and Company, a Corporation; The Michie Company, a Corporation; National Law Book Company, a Corporation; Public Utilities Reports, Inc., a Corporation; The Frank Shepard Company, a Corporation; Burdette Smith Company, a Corporation; Soney and Sage Company, a Corporation; Thomas Law Book Company, a Corporation; Edward Thompson Company, a Corporation; Vernon Law Book Company, a Corporation; Washington Law Book Company, a Corporation; West Publishing Company, a Corporation; Williamson Law Book Company, a Corporation; Callaghan & Company, a Corporation; Fallon Law Book Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission; the answers of the respondents; a stipulation as to the facts and a supplemental stipulation as to the facts entered into between W. T. Kelley, Chief Counsel for the Federal Trade Commission, and the following corporate respondents: The W. H. Anderson Company, Baker, Voorhis and Company, Bancroft-Whitney Company, Matthew Bender and Company, Inc., Bender-Moss Company, Clark Boardman Company, Ltd., Bobbs-Merrill Company, John Byrne and Company, Dennis and Company, Inc., The Harrison Company, The Lawyers Co-Operative Publishing Company, Little, Brown and Company, The Michie Company, National Law Book Company, Public Utilities Reports, Inc., Soney and Sage Company, Thomas Law Book Company, Williamson Law Book Company, and Fallon Law Book Company, which stipulations provide, among other things, that the Commission may proceed upon said statement of facts to make its report, stating its findings as to the facts and its conclusion based thereon, and enter its order disposing of the proceeding without the presentation of further testimony, argument, filing of briefs, or other intervening procedure; and also upon testimony and other evidence taken in support of the allegations of said complaint and in opposition thereto as to the respondents American Association of Law Book Publishers, and unincorporated association, and its officers James R. Spillane, president, Clifford W. Mueller, vice president, Richard Reiner, treasurer, and R. Walter White, secretary, and The American Law Book Company, George T. Bisel, an individual trading as George T. Bisel Company, The Frank Shepard Company, Burdette Smith Company, Edward Thompson Company, Vernon Law Book Company, Washington Law Book Company, West Publishing Company, and Callaghan & Company, before a trial examiner of the Commission theretofore duly designated by it; report of the trial examiner upon the evidence and exceptions filed thereto; briefs in support of the complaint and in opposition thereto; and oral argument of counsel; and the Commission having made and entered its findings as to the facts, conclusion, and order to cease and desist April 26, 1944, and modified order to cease and desist June 26, 1944, and thereafter, upon motion by counsel for certain of the respondents, the Commission reconsidered the modified order to cease and desist heretofore entered and being of the opinion that an order modifying such modified order to cease and desist should be issued in said cause and having duly considered the record and being now fully advised in the premises issues this its order modifying its modified order to cease and desist:

It is ordered, That the respondents American Association of Law Book Publishers, an unincorporated association; The American Law Book Company, a corporation, The W. H. Anderson Company, a corporation; Baker, Voorhis and Company, a corporation; Bancroft-Whitney Company, a corporation; Matthew Bender and Company, Inc., a corporation; Bender-Moss Company, a corporation; Clark Boardman Company, Ltd., a corporation; Bobbs-Merrill Company, a corporation; John Byrne and Company, a corporation; Dennis and Company, Inc., a corporation; The Harrison Company, a corporation; The Lawyers Co-Operative Publishing Company, a corporation; Little, Brown and Company, a corporation; The Michie Company, a corporation; National Law Book Company, a corporation; Public Utilities Reports, Inc., a corporation; The Frank Shepard Company, a corporation; Burdette Smith Company, a corporation; Soney and Sage Company, a corporation; Thomas Law Book Company, a corporation; Vernon Law Book Company, a corporation; Washington Law Book Company, a corporation; West Publishing Company, a corporation; Williamson Law Book Company, a corporation; Callaghan & Company, a corporation; and Fallon Law Book Company, a corporation, and their respective officers, agents, representatives, and employees, in connection with the offering for sale, sale, and distribution of law books and related legal publications in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out, or directing, instigating, or cooperating in, any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

1. Establishing, fixing, or maintaining discounts, terms, or conditions of sale for law books and related legal publications or adhering to or promising to adhere to the discounts, terms, or conditions of sale so fixed.

2. Maintaining or adhering to the selling price, terms, and conditions of sale of law books and related publications fixed and established by the respondent who publishes such books.

3. Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of the respondent American Association of Law Book Publishers or any other medium or agency concerning proposed or future discounts, terms, or conditions of sale or concerning bids and price quotations in advance of the submission of such bids or price quotations to purchasing officials of the Federal Government or to awarding authorities of other governmental units or subdivisions or to any buyer of law books and related legal publications.

4. Arriving at the amount of any bid or the discount, terms, or conditions of sale to be submitted to purchasing officials of the Federal Government, to awarding authorities of other governmental units or subdivisions, or to any buyer of law books and related legal publications through agreement, understanding, or collusion with other bidders.

5. Establishing, fixing, or maintaining the rates of allowances to be made, used, and applied on books and other publications received in trade, or fixing and maintaining the prices, terms, or conditions of sale governing the resale of such law books and related legal publications taken in trade.

6. Jointly or cooperatively inducing or promoting adherence to, or attempting to induce or promote adherence to, agreements and understandings relative to the sale and distribution of law books and related legal publications by interchange of correspondence, by personal contact with one another individually or in groups, or by policing the bids or sales transactions of respondent members through the respondent Association or otherwise.

7. Employing or utilizing any of the actual practices specifically prohibited herein as a means or instrumentality of otherwise restricting, restraining, or eliminating competition in the sale and distribution of law books and related legal publications.

8. Employing or utilizing American Association of Law Book Publishers or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order.

It appearing to the Commission that the record herein does not directly and specifically raise any issue of the legality of joint publication ventures and that it is not necessary to determine any such issue in the present proceeding, *It is therefore further ordered*, That the order to cease and desist herein shall not be construed as prohibiting joint publishers of any specific law book, set of law books or related legal publication, from engaging in the cooperative activities otherwise prohibited by this order, provided that such activities are pursued in good faith and solely with respect to publishing and selling such jointly published law book, set of law books, or related legal publications in the usual and ordinary course of business and are not used for the purpose of evading the terms of the order. By this action the Commission does not now pass upon the legality or illegality of joint publication ventures as such, and this action is without prejudice to the Commission's right to institute a new proceeding at any time with respect to the legality of such ventures.

It is further ordered, That nothing herein contained shall be construed as prohibiting a parent corporation from directing the prices or terms at which any of its subsidiary corporations shall sell any law book or related legal publication published by the parent corporation or by any of its subsidiaries when such prices or terms have been arrived at by the parent corporation acting separately and independently of any competitor of the parent corporation or of any of its subsidiary corporations.

It is further ordered, That nothing in this order is to be construed as prohibiting any of said corporate respondents from entering into such contracts or agreements relating to the maintenance of resale prices as are not prohibited by the provisions of an Act entitled, "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890 (the Sherman Act), as amended.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to George T. Bisel, an individual trading as George T. Bisel Company.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14737; Filed, Sept. 25, 1944; 10:59 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51126]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

BAGGAGE DECLARATIONS

Section 10.20 (c) (1), Customs Regulations of 1943 (19 CFR, Cum. Supp., 10.20 (c) (1)), is hereby amended by deleting the period at the end of the first sentence and adding to that sentence the words "further than that necessarily incidental to wear and use while abroad."

(Sec. 498, 46 Stat. 728; 19 U.S.C. 1498)

W. R. JOHNSON,
Commissioner of Customs.

Approved: September 22, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14727; Filed, Sept. 23, 1944; 4:38 p. m.]

[T. D. 51127]

PART 15—RELIEF FROM DUTIES ON MERCHANDISE LOST, STOLEN, DESTROYED, INJURED, ABANDONED, OR SHORT-SHIPPED

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

ABANDONED AND FORFEITED MERCHANDISE

Section 15.6, Customs Regulations of 1943 (19 CFR, Cum. Supp., 15.6), is hereby amended to read as follows:

§ 15.6 *Disposition of abandoned merchandise and proceeds of sale.* (a) The disposition of merchandise abandoned pursuant to section 506 (1) or 563 (b), Tariff Act of 1930, as amended, and not retained for official use, shall be governed by T. D. 48105, as amended. If the merchandise is cleared for sale, it shall be sold in accordance with the applicable provisions of Part 20, unless it is worthless or it shall appear probable that the expenses of sale will exceed the proceeds. If the merchandise is sold, no part of the proceeds shall be returned to the importer.

(b) If the merchandise or any part thereof is worthless or it appears probable that the expenses of its sale would exceed the proceeds, it shall be destroyed or otherwise disposed of as the collector may direct. No credit for abandonment of such merchandise shall be given unless a customs officer, who has satisfied himself as to the quantity of the abandoned portion of the shipment and as to the destruction or removal from the control of the applicant of the entire quantity of the goods covered by the collector's instructions as to disposition, shall certify on customs Form 4613 to those facts to avoid the possibility of any part of the same goods being made the subject of another application. (Secs. 506 (a), 563 (b), 624, 46 Stat. 732, 748, 759; 19 U.S.C. 1506 (a), 1563 (b), 1624)

The caption and paragraph (a) of § 23.17, Customs Regulations of 1943 (19 CFR, Cum. Supp., 23.17 (a)) are hereby amended to read as follows:

§ 23.17 *Disposition of goods after summary forfeiture; value not exceeding $1,000.* (a) When property has been forfeited pursuant to section 609, Tariff Act of 1930, as amended,[38] the declaration of forfeiture shall be noted on the report of seizure, customs Form 5955. If no petition for relief from the forfeiture is filed or if a petition was filed and has been denied, and the property is not retained for official use, it shall be disposed of in accordance with the provisions of T. D. 48105, as amended. (Sec. 609, 46 Stat. 755; sec. 28 (b), 52 Stat. 1089; sec. 624, 46 Stat. 759; 19 U.S.C. 1609, 1624)

Section 23.19 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 23.19 (a)), is hereby amended by changing the period at the end thereof to a comma and adding the following: "provided it has been cleared for sale pursuant to T. D. 48105, as amended."

(Secs. 611, 624, 46 Stat. 755, 759; 19 U.S.C. 1611, 1624)

W. R. JOHNSON,
Commissioner of Customs.

Approved: September 22, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14726; Filed, Sept. 23, 1944; 4:38 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. 1, Sept. 22, 1944, to Revision VIII, Sept. 13, 1944]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Na-

tionals, Revision VIII of September 13, 1944 (9 F.R. 11389), is hereby promulgated.[1]

By direction of the President.

CORDELL HULL,
Secretary of State.
JESSE H. JONES,
Secretary of Commerce.
HERBERT E. GASTON,
Acting Secretary of the Treasury.
LEO T. CROWLEY,
Administrator, Foreign Economic Administration.
FRANCIS BIDDLE,
Attorney General.
NELSON A. ROCKEFELLER,
Coordinator of Inter-American Affairs.

SEPTEMBER 22, 1944.

[F. R. Doc. 44-14711; Filed, Sept. 23, 1944; 12:00 m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 324]

PART 403—PROPERTY MANAGEMENT DIVISION

PLANS AND TERMS OF SALE

Section 403.10 is amended as follows:

The first sentence of paragraph (a) (5 F.R. 4736) of § 403.10 of this Part shall be deleted and the following inserted in lieu thereof: "Unless authorized by the General Manager in the particular case, a sale to the former borrower or to his spouse shall be made only at a price equal to ledger value."

Effective: September 16, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647: 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 44-14671; Filed, Sept. 22, 1944; 1:47 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5405]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1944

PERIOD IN WHICH COMPENSATION UNDER CANCELED GOVERNMENT CONTRACT IS RETURNABLE

Section 29.42-1 (a) of Regulations 111 [Part 29, Title 26, Code of Federal Regulations, Cum. Supp.] is amended by striking out the last sentence and inserting in lieu thereof the following:

§ 29.42-1 *When included in gross income*—(a) *In general.* • • • Except as otherwise stated in this paragraph, such items as claims for compensation under canceled Government contracts constitute income for the year in which they are allowed or their value is otherwise definitely determined, if the return is rendered on the accrual basis; or for the year in which received, if the return is rendered on the basis of cash receipts and disbursements. In the case of a termination of a war contract as defined by section 3 of the Contract Settlement Act of 1944 (or the termination of any other Government contract as to which the right to compensation is definitely fixed and the measure thereof is determinable with reasonable accuracy), if the return is rendered on a basis other than cash receipts and disbursements, compensation for the termination shall, unless a different method of reporting is prescribed or approved by the Commissioner, constitute income for the taxable year in which falls the effective date of the termination, except that if any part of the compensation is attributable to cost, expenses, or losses incurred in a subsequent year such part of the compensation shall be returned as income for the subsequent year.

(Sec. 62, I.R.C. (53 Stat. 32; 26 U.S.C., 1940 ed., 62))

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: September 22, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14712; Filed, Sept. 23, 1944; 1:49 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 226]

PART 811—BLANKET LICENSE "BLT"

GENERAL PROVISIONS; MISCELLANEOUS TEXTILES

Section 811.2 *General provisions* is hereby amended by adding thereto paragraph (g) as follows:

(g) In addition to the commodities set forth in paragraph (f) of this section, the blanket license procedure shall also apply to the following commodities for export to the particular destination specified:

Commodity	Cuba (schedule B number)	Mexico (schedule B number)
Cotton semi-manufactures	3015.00, 3016.00, 3018.00, 3031.10 thru 3061.00, 3087.00 thru 3129.00, 3171.00 thru 3181.00, 3187.00 thru 3189.00.	3011.10 thru 3013.30, 3015.00, 3016.00, 3018.00, 3023.00 thru 3140.00, 3171.00 thru 3181.00, 3187.00 thru 3189.00.
Cotton manufactures		3533.00.
Wool semi-manufactures	3830.07, 3842.00, 3845.00 thru 3857.70.	3842.00, 3845.00 thru 3857.70.
Rayon, nylon and other synthetic textiles.		
Miscellaneous textile products	3011.00 thru 3018.00.	3011.00 thru 3018.00.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 16, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14716; Filed, Sept. 23, 1944; 3:04 p. m.]

[Amdt. 227]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENT

Part 802 *General Licenses* is hereby amended in the following particulars:

1. By deleting therefrom §§ 802.15, 802.18, 802.19, 802.22 and 802.23.

2. By renumbering all sections after § 802.14 as follows: § 802.16 to § 802.15, § 802.17 to § 802.16, § 802.20 to § 802.17, § 802.21 to § 802.18, §§ 802.24–802.30 to §§ 802.19–802.25 respectively.

(3) By adding thereto § 802.26 as follows:

§ 802.26 *General License "GLR".* A general license designated "GLR" is hereby granted authorizing exportations as follows:

(a) Machinery, or parts of machinery, owned and operated in Mexico and shipped to the United States for repair purposes may be returned to Mexico, as well as replacement parts which are added, and rebuilt parts which are substituted when the identical parts imported are not returned to Mexico.

(b) All articles and materials which have been imported into the Panama Canal Zone from the Republic of Panama for the purpose of being repaired or processed may be returned to the Republic of Panama.

(c) Metal drums, gas cylinders, bags and other containers used in shipping articles and materials to the United States from a destination in Country Groups K, G, V or M as set forth in paragraph (a) of § 802.3 may be returned empty.

(d) Newsprint cores made of any kind of material, whether imported into the United States separately or as a part of the packing of imported newsprint paper, may be returned to the destination in Country Groups K, G, V or M as set forth in paragraph (a) of § 802.3 from which imported.

(e) Sugar-mill machinery, or parts thereof, operated in any of the islands and independent republics listed below and sent to Puerto Rico for repair purposes, as well as replacement parts which are incorporated in or made a part of such sugar-mill machinery, and rebuilt parts for sugar-mill machinery which are substituted for imported parts which cannot be repaired, may be returned to the island or independent republic from which imported:

Cuba.
Haiti.
Antigua.
Montserrat.
St. Christopher.
Nevis.
Barbuda.
Redonda.
Anguilla.
Sombrero.
Jamaica.
Dominica.
St. Lucia.
St. Vincent.
Grenada.
The Grenadines.
Barbados.
Trinidad and Tobago.
Curacao.
Dominican Republic.
British Virgin Islands.
Aruba.
Bonaire.
St. Eustatius.
Saba.
St. Martin (southern part).
Colombia.
British Guiana.
French Guiana.
Surinam.
Venezuela.
French West Indies:
Desirade.
Guadeloupe.
Les Saintes.
Martinique.
Marie Galante.
St. Martin (northern part).
St. Bartholomew.

(Sec. 6, 54, Stat. 714; Pub. Law 75, 77th Cong.; Pub. 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: September 21, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14717; Filed, Sept. 23, 1944; 3:04 p. m.]

[Amdt. 228]

PART 802—GENERAL LICENSES

SHIPMENT OF PAPER AND PAPER PRODUCTS

Part 802 *General Licenses* is hereby amended by adding thereto § 802.27 as follows:

§ 802.27 *General License "GLQ"*—(a) *Definitions.* When used in this section:

(1) "Single shipment" shall mean all commodities classified under a single Schedule B number which move at the same time from one exporter to one importer on the same exporting carrier.

(b) A general license designated "GLQ" is hereby granted authorizing the exportation to any destination in Group K as set forth in paragraph (a) of § 802.3 of this part, of the articles and materials listed below where, in a single shipment, the net quantity of all such articles and materials classified under a single Schedule B number does not exceed the quantity limit specified for the commodity in the column headed "Quantity limit":

Commodity	Schedule B number	Quantity limits[1]
		Pounds
Blotting paper	4741.00	500
Book paper, not coated	4714.00	500
Bristols and bristolboard	4732.00	500
Cash-register and adding machine paper	4797.00	500
Cover paper	4720.00	500
Envelopes	4793.00	500
Filing folders, index cards, and other office forms, plain or printed	4780.00	500
Fine-writing (fancy writing paper)	4760.00	500
Sheathing and building paper	4735.00	500
Toilet paper	4728.00	500
Waterproof and greaseproof paper (except cellophane)	4721.00	500
Wrapping paper, except Kraft	4723.00	500
Wrapping paper, Kraft	4724.00	500
Writing paper, bond, ledger and drawing	4761.00	800
Other boxboard (paperboard and strawboard)	4731.00	500
Other paperboard	4733.00	500
Other surface coated paper	4725.98	500
Other tissue and crepe paper	4726.98	500
Other paper and paper products	4799.00	500

[1] Net weight, exclusive of weight of containers.

(c) This general license is designed to permit shipments of commodities in quantities not in excess of the limits specified for the particular commodity in paragraph (b) of this section, when such commodities have been ordered by the purchaser in small quantities not in excess of such limits. Where a purchaser orders such commodities in quantities which exceed the limits specified, the exporter or his agent may not use this general license for the fulfillment of such an order whether this is sought to be accomplished by splitting the order into two or more shipments or by any other device designed to evade the requirement of an individual license.

(d) Collectors of Customs are authorized to limit or prevent shipments of any commodity under this general license if they have cause to suspect that such exportation is being made for the purpose or with the intention of evading any of the regulations of the Foreign Economic Administration.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320; Delegation of Authority No. 55, 9 F.R. 7512)

Dated: September 21, 1944.

WALTER FREEDMAN,
Deputy Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14718; Filed, Sept. 23, 1944; 3:04 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATION OF AUTHORITY

[Supplementary Directive 1-G, Revocation]

RATIONING OF NEW ADULT BICYCLES

Section 903.8 *Supplementary Directive 1-G* is hereby revoked.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-14696; Filed, Sept. 23, 1944; 10:55 a. m.]

PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, as Amended Sept. 23, 1944]

PRIORITIES ACTION BY THE FOREIGN ECONOMIC ADMINISTRATION

§ 903.39 *Directive 27*—(a) *General rating authority.* (1) The Foreign Economic Administration may assign preference ratings up to and including AA-3 to the delivery, for export, of the following material:

(i) Any material included on any single application (other than Form FEA-471) if all of the material rated on the application has an aggregate value of less than $2500; and

(ii) Any material applied for on Form FEA-471 which is classifiable under a single Department of Commerce Schedule B Number, if all of the material classifiable under the same Schedule B Number has an aggregate value of less than $2500.

(2) As an exception to the rating authority given in subparagraph (1), ratings may not be assigned under subparagraph (1) to the following:

(i) Any material as to which there is in effect, at the time the application is acted upon, a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board which establishes an approved quantity for the Foreign Economic Administration, except where and to the extent that the Program Determination or Decision specifically states that the rating authority given by this paragraph (a) may be used;

(ii) Any material as to which an applicable regulation or order of the War Production Board provides that ratings for it may not be obtained on Form WPB-541;

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

(iii) Any material covered by an application which appears to the Foreign Economic Administration to have been subdivided for the purpose of bringing the application within the rating authority given by this paragraph (a); or

(iv) Any material which the Program Vice Chairman (by specific action or through a Program Determination or an approved Decision of a Division Requirements Committee) may except from the rating authority given by this paragraph (a).

(3) In assigning ratings under this paragraph (a), the Foreign Economic Administration shall follow such processing instructions as the Program Vice Chairman may prescribe from time to time. Furthermore, the rating policies set forth in Program Determination No. 319 (Revised) and Program Determination No. 500–B (and in their amendments and superseding Program Determinations) must also be followed. (For example, material which is required by Program Determination No. 500–B to be rated lower than AA–3 on a domestic application must be assigned the lower rating on a comparable export application.)

(b) *Rating of programmed material.* In addition, the Foreign Economic Administration may assign preference ratings to the delivery of material for export to the extent authorized by a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board, as transmitted to the Foreign Economic Administration by the War Production Board.

(c) *Form of assignment of ratings.* The Foreign Economic Administration shall assign ratings under this directive by endorsement of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision: "Under authority of the War Production Board, delivery of the material referred to herein is assigned a preference rating of ---------- Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license (including release certificate where used), or on the Lend-Lease requisition or commitment letter to the procuring agency in the case of material being procured by or on behalf of the Foreign Economic Administration, or on other appropriate instrument approved for this purpose by the War Production Board.

(d) *General provisions.* (1) The Foreign Economic Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of the Foreign Economic Administration may determine.

(2) The Foreign Economic Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Foreign Economic Administration for inspection by a representative of the War Production Board at any time.

(e) *Revocation of Priorities Directive No. 3.* Priorities Directive No. 3 is hereby revoked effective January 1, 1944.

(f) *Effective date.* This directive as amended September 23, 1944, shall become effective on October 1, 1944. Until that date, Directive 27 as amended August 9, 1944, shall remain in effect.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 23d day of September 1944.

S. W. ANDERSON,
Program Vice Chairman.

INTERPRETATION 1

EFFECT ON OUTSTANDING RATINGS

Priorities Directive 3 was revoked by Directive 27 effective January 1, 1944. At the same time Order M–149 was also revoked. Nevertheless, ratings assigned by the Foreign Economic Administration (or its predecessors, the Board of Economic Warfare and the Office of Economic Warfare) before that date may still be applied and extended. § 944.4 (a) of Priorities Regulation 1, regarding the effect of revocation of a preference rating order, does not apply since the ratings were not assigned by those instruments but by the Foreign Economic Administration or its predecessors under specific authorizations from the War Production Board, which remain in effect. The method of application and extension is now provided by Priorities Regulation 3. (Issued Feb. 25, 1944.)

INTERPRETATION 2

LENGTH OF VALIDITY OF RATINGS ASSIGNED ON EXPORT LICENSES

A rating assigned by the Foreign Economic Administration, under the authority of Directive 27, by endorsing the required legend on an export license is valid for the life of the export license in the absence of any applicable rule or restriction set forth in an order or regulation of the War Production Board governing transactions in the material covered by the rating. This means that the rating must be applied and the material covered by the rating must have been delivered to the holder of the export license before the expiration of the life of the license. Otherwise, the procedure applicable when an individually assigned rating is revoked, provided in § 944.4a of Priorities Regulation 1, will be deemed applicable. On the other hand, if the rating has been applied and the material to which it has been applied has been delivered before the expiration of the life of the export license, its subsequent expiration will not affect the right of the supplier to extend the rating in order to replenish his inventory. Such extension is, of course, subject to the provisions of paragraph (h) (1) of Priorities Regulation 3.

Revocation of an export license on which a rating has been assigned by the Foreign Economic Administration revokes the rating, and § 944.4a of Priorities Regulation 1 is consequently applicable. Extension of the life of an export license, on the other hand, extends the period for which a rating assigned on the export license is valid. (Issued July 5, 1944.)

[F. R. Doc. 44–14724; Filed, Sept. 23, 1944; 4:08 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1104—BICYCLES

[Limitation Order L–52–a, Revocation]

RESTRICTIONS ON SALES AND DELIVERIES

Section 1104.2 *Limitation Order L–52–a* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14693; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 1107—TRACK-LAYING TRACTORS AND AUXILIARY EQUIPMENT

[Limitation Order L–53–a, Revocation]

Section 1107.2 *Supplementary Limitation Order L–53–a*, is revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of track-laying tractors remain subject to Order L–53 and to all other applicable regulations and orders of the War Production Board.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14692; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L–314, as Amended Sept. 23, 1944]

LUBRICATION EQUIPMENT

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of lubrication equipment, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1226.127 *General Limitation Order L–314*—(a) *Definitions.* For the purposes of this order:

(1) "Lubrication equipment" means any new machinery, equipment, device, or appliance for dispensing grease, oil, or other lubricant, or for applying a lubricant to any machinery or equipment at any point requiring lubrication; including general and special purpose lubrication equipment, lubrication fittings, oil and grease cups and receptacles and hand oilers as well as furnishings, accessories, appliances, of the types defined in paragraph (c) (1) of this order. It includes repair parts for any of such equipment. The term "lubrication equipment" shall not, however, include any of the following types of equipment designed to be used exclusively for railway locomotives or railway track rails (i) hydrostatic lubricators for steam locomotive valve and cylinder lubrication or for steam locomotive auxiliaries; (ii) mechanical lubricators and lubricating system for steam locomotive valves, cylinders, chassis and running gear members and auxiliaries; (iii) mechanical lubricators for diesel electric and electric locomotive chassis and running gear members; (iv) journal lubricators for driving, engine truck, trailer truck or tender journals using either oil or grease as a lubricating medium; (v) rail and flange lubricators as used on railway track rails.

(2) "Manufacturer" means any person who constructs, manufactures, or assembles lubrication equipment for resale.

(3) [Deleted Sept. 23, 1944.]

(4) [Deleted Sept. 23, 1944.]

(b) [Deleted Sept. 23, 1944.]

(c) *Production restrictions.* (1) No manufacturer shall fabricate or assemble any of the following kinds of lubrication equipment:

(i) Metal shielded grease and oil barrel pumps.

(ii) Metal shielded portable grease pumps and transfers, except that metal shielding may be used in the manufacture of portable grease pumps designed to hold 25 to 50 pounds original grease containers, but only where such shielding acts as the support for the pumping mechanism.

(iii) Metallic wall batteries, compartments, liners and cabinets, whether for individual or multiple installation.

(iv) Metallic backgrounds, panels, shelving and display boards.

(v) Metallic hand gun carriers, gun boards, gun racks, service boards and gun carriages and carts which are not to be delivered to and for use by the Army, Navy, Maritime Commission, War Shipping Administration, the military forces of any Lend-Lease country, or the Veterans' Administration.

(vi) Metallic centerstands, centerwells, lubewells, service or job write-up desks, metal shielded waste oil drains, oil bars, motor oil dispensing cabinets and combination service outlet-waste oil drains.

(2) [Deleted Mar. 24, 1944]

(3) The limitations and restrictions of subparagraph (c) (1) above shall not apply to or prohibit the following:

(i) The completion of any piece of lubrication equipment, from component parts that were fabricated prior to March 24, 1944, and which constitute not less than 80% of the finished piece of equipment (according to the aggregate weight of such parts), if the manufacturer cannot reasonably anticipate that he can utilize such parts as maintenance or repair parts within six months after that date; or

(ii) The fabrication or assembly of parts to be sold for maintenance or repair of lubrication equipment, where such parts would not be interchangeable with the replaced parts, if manufactured in accordance with this order.

(4) No manufacturer shall fabricate or assemble maintenance or repair parts in any calendar quarter in an amount exceeding, in dollar resale value, 150 per cent of the dollar resale value of maintenance and repair parts sold by him during the corresponding calendar quarter in the period from July 1, 1940 to June 30, 1941. This limitation shall not apply to parts for direct use by the United States Army, Navy, Maritime Commission, War Shipping Administration, the Military Forces of any Lend-Lease country or the Veterans' Administration. As used in this paragraph (c), "maintenance" shall mean the upkeep of lubrication equipment in sound working condition, and "repair" shall mean the restoration without change of design of any portion of lubrication equipment to sound working condition when such portion has been rendered inoperative or unsafe or unfit for service by wear, or tear, damage, destruction, failure of parts, or other similar causes.

(d) *Conservation.* No manufacturer shall fabricate or assemble any lubrication equipment other than in accordance with the following restrictions:

(1) No chromium, bismuth, tin, zinc or nickel, or alloys thereof, shall be used in the fabrication of parts, finishes, or plating, except in solder or bearings, and except that:

(i) Repair parts for lubrication equipment which was fabricated prior to November 20, 1943, may be made of the same material as the part to be repaired or replaced if and to the extent that parts fabricated in accordance with the restrictions of this paragraph (d) would not be interchangeable with such existing parts because of the change in materials used.

(ii) [Deleted Dec. 20, 1943]

(iii) Zinc may be used for galvanizing, plating, and for die cast parts. (See, however, Conservation Order M–11–b for limitations on quantity.)

(iv) Chromium-stainless or chromium-nickel-stainless steel may be used for pump cylinder sleeves, pistons, valve seats or moving valve parts, and indicator rods which require free movement, for central pumping units in centralized lubricating systems.

(v) N. E. alloy steel may be used for cylinder sleeves, pistons, worm and drive shafts for central pumping units in centralized lubricating systems.

(vi) Nickel-copper alloy may be used in the manufacture of monel hydraulic fittings only for use aboard ships or amphibious equipment by the Army, Navy, Maritime Commission or War Shipping Administration where required by applicable specifications (other than performance specifications) of the agency for whose use the fittings are to be delivered.

(2) Rubber and synthetic rubber shall not be used except as permitted in Rubber Order R–1, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(3) Cadmium shall not be used except as permitted in General Preference Order M–65, as amended, or any relief granted pursuant to an appeal taken in accordance with the provisions of such order.

(4) [Deleted Sept. 23, 1944.]

(5) No metal except aluminum or magnesium shall be used (except in small hardware, such as bolts, nuts, screws, washers, cotter pins and metal corner reinforcements) in the fabrication of tool boxes or structural frames for portable grease service stations; and no metal other than rerolled rail, aluminum, magnesium or Bessemer steel shall be used in individual grease and oil containers or hose reels.

(6) The restrictions of this paragraph (d) do not apply to electric motors and switches, gas engines, and pressure gauges, or component parts of such motors, switches, engines, and gauges.

(e) [Deleted Mar. 24, 1944]

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) [Deleted Mar. 24, 1944]

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(5) [Deleted Sept. 23, 1944.]

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L–314.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to fabricate or assemble the kinds of lubrication equipment prohibited by paragraph (c) (1), and any person who wants to fabricate or assemble more maintenance or repair parts than the quota fixed in paragraph (c) (4) (including a person who has no quota under that paragraph) may apply for permission to do so as explained in Priorities Regulation 25. Similar applications may be made under that regulation by any person who wants to use metal in the fabrication of tool boxes or structural frames for portable grease service stations. Authorization under the regulation on an application will not waive the prohibition of paragraph (d) (5) against the use of metal other than rerolled rail, aluminum, magnesium or Bessemer steel in individual grease and oil containers or hose reels.

(2) *Appeals.* Any appeal from the restrictions of this order, other than the restrictions of paragraphs (c) (1), (c) (4) and (d) (5), should be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (c) (1), (c) (4) or (d) (5) except in respect of any requested use of other metal than rerolled rail, aluminum, magnesium, or Bessemer steel in individual grease and oil containers or hose reels.

NOTE: This reporting requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

NOTE: Schedules A, B, C, D, and E deleted Mar. 24, 1944.

[F. R. Doc. 44–14690; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Order L–240, Direction 4]

NEWSPAPERS; SERVICEMEN'S EDITIONS

The following direction is issued pursuant to Order L–240:

Paper consumed in "servicemen's", "overseas", "pony", or other special editions prepared by a newspaper or identified with it must be charged against the newspaper publisher's consumption quota under Order L–240, even if the edition is printed, financed and distributed entirely by advertisers or other persons.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14691; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 54, as Amended Sept. 23, 1944]

DEFERRED ALLOTMENTS

The following direction is issued pursuant to CMP Reg 1:

(a) *General.* This direction describes the operation of deferred allotments. These allotments and authorized controlled material orders based on them are identified with the letter "Z" as the initial letter of the CMP allotment symbol. In most cases, this symbol will be "Z–1". Deferred allotments and authorized controlled material orders based on them are exactly the same as regular allotments and authorized controlled material orders, except as provided in this direction or as may be provided under other regulations.

(b) *Treatment by a controlled material producer of authorized controlled materials orders based on deferred allotments.* (1) A controlled material producer must accept or reject an authorized controlled material order identified by the symbol "Z" in the same way that he must accept or reject any other authorized controlled material order. However, if after accepting orders identified by a "Z" symbol, he receives orders (other than "Z" orders), which he is otherwise required to accept but would be unable to accept because of the provision of paragraph (b) (2) (iii) or Direction 23 of CMP Regulation 1 (relating to the amount of orders that can be accepted), he must defer his most recently accepted "Z" orders to the extent necessary and accept the other order.

(2) A controlled material producer must defer production of his most recently accepted "Z" order to the extent necessary to make deliveries on time on other authorized controlled material orders or other orders which he is required to fill.

(3) If at the time a "Z" order is required to be deferred by paragraph (b) (1) or (b) (2) it is scheduled for delivery within less time than the "lead times" of Schedule III to CMP Regulation No. 1, the producer need not defer such order. For instance, if a steel producer receives an authorized controlled material order with an "N–1" symbol and, under the provisions of paragraphs (b) (1) and (b) (2) he would be required to defer a "Z" order for carbon pipe which is scheduled for delivery in less than 30 days (the lead time specified in Schedule III for carbon pipe) he need not defer such order.

(4) If a "Z" order is deferred because of the provisions of paragraph (b) (1) or (b) (2) of this direction, it may be scheduled for delivery in a later month only if a new "Z" order could be accepted for delivery in such a month under the provisions of this direction and paragraph (b) of CMP Regulation No. 1. However, if the order is scheduled for delivery in a later month and that month is in a later quarter, it is not necessary for the customer to make any change in his order or have an allotment valid for the later quarter. The provisions of paragraph (b) (4) of CMP Regulation 1 and paragraph (g) of Direction 23 to that regulation, relating to prior scheduling of past due orders, do not apply to "Z" orders.

(5) Whenever a controlled material producer finds that he will be unable to fill a "Z" order within the month promised he must promptly notify the customer, stating approximately when he expects to make delivery.

(c) *Deliveries from mill stock.* A controlled material producer must not fill from mill stock, including mill accumulations of rejected material, any "Z" order until he has filled all other orders which he has received calling for similar items which he is required to fill under CMP regulations. This paragraph does not apply to copper producers.

(d) *Deliveries of controlled material for further conversion to fill "Z" orders.* If a steel producer orders controlled material from another controlled material producer which he will convert into another controlled material form for delivery on a "Z" order, he must place his order by the use of the CMP allotment symbol (instead of the symbol "PC"). It is not necessary to obtain specific permission to use this symbol. The producer on which such an order is placed must treat it as a "Z" order under this direction, and may not schedule it as part of any production directive setting aside mill capacity for "further conversion" orders.

(e) *Reports to the War Production Board.* Producers shall treat "Z" orders separately on all reports required to be filed with the War Production Board.

(f) Treatment by steel producers of orders identified by the symbol "Z–1E" is explained in Direction No. 44 to CMP Regulation No. 1.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14697; Filed, Sept. 23, 1944; 10:55 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 15, as Amended, Sept. 23, 1944]

USE OF MRO SYMBOL AND RATING TO BUY INSTALLATION MATERIALS WHERE AUTHORIZATION TO CONSTRUCT IS NOT REQUIRED UNDER L–41

The following direction is issued pursuant to C M P Reg. 5:

(a) *Installing or relocating machinery or equipment.* (1) Any person who has obtained machinery or equipment for use in a business listed on Schedule A of CMP Regulation 5 may use the MRO symbol and rating assigned to him for maintenance, repair, and operating supplies by the regulation to get materials to install or relocate such equipment under the following conditions: (i) Where construction (as defined in Order L–41) is involved, he may get materials needed for the installation or relocation of machinery or equipment which Direction 2 to L–41 permits him to install or relocate without getting an authorization under that order. (ii) Where construction is not involved, he may get up to $500 worth of materials needed to install any piece of machinery or equipment.

(2) Any person who has obtained machinery or equipment for use in a business which is not listed on Schedule A of CMP Regulation 5 may use the MRO symbol and a preference rating of AA–5 to get up to $500 worth of materials needed to install or relocate any piece of machinery or equipment which Direction 2 to L–41 permits him to install or relocate without getting an authorization under that order or in any case where construction (as defined in L–41) is not involved.

(b) Deleted Aug. 19, 1944.

(c) *MRO quota need not be charged.* A person buying installation materials under this direction need not charge the amount he spends for them against his MRO quota under paragraph (f) of the regulation.

(d) *Relation to minor capital addition provision of CMP Regulation No. 5.* The purchase of installation materials under this direction is not affected by the restrictions on purchases of minor capital additions under paragraph (b) (3) of CMP Regulation No. 5. This direction applies only in cases where machinery or equipment which is installed or relocated is acquired without using the MRO rating for a minor capital addition under paragraph (b) (3) of the regulation. Under this direction, it does not matter whether the machinery or equipment costs more than $500. However, if machinery or equipment is acquired with the MRO rating under paragraph (b) (3) of the regulation, installation materials are considered part of the same capital addition, in which case the total must not exceed $500 and the cost of the installation materials as well as cost of the machinery or equipment must be charged to the MRO quota.

(e) *Applications.* Where permission to install or relocate machinery is required by Order L–41, application for such permission should be made on the appropriate form indicated on Schedule C of Order L–41. Also, such form should be used in applying for priorities assistance to buy installation materials where they cannot be bought under this direction, even if permission to install or relocate is not required by Order L–41.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14695; Filed, Sept. 23, 1944; 10:55 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–221, as Amended Sept. 12, 1944, Amdt. 1]

TEXTILE BAGS

Section 3270.23 *Conservation Order M–221* as amended September 12, 1944, is hereby amended as follows:

Amend the first sentence of paragraph (u), *Certification* to read as follows:

"On and after October 10, 1944, no person shall sell or deliver any textile bags in quantities of 1000 or more except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate signed manually or as provided in Priorities Regulation No. 7."

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14678; Filed, Sept. 22, 1944; 4:23 p. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Limitation Order L–215, as Amended Sept. 22, 1944]

TEXTILES, CLOTHING AND LEATHER MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of textile, clothing and leather machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.150 *General Limitation Order L–215*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Assignment and use of ratings to obtain textile, clothing and leather machinery.* Any person (including Government Agencies) applying for a rating to obtain any machinery on List A shall use Form WPB–1319, or in cases involving construction, Form WPB–617.

It will be the policy of the War Production Board not to assign any ratings except for military and extremely urgent civilian purposes.

No person shall use any preference ratings to obtain deliveries of items on List A except those assigned on Form WPB–1319 or WPB–617.

Before filing WPB–1319, applicants should consult the current instructions booklet relating to this form.

(c) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, purchases, production and sales.

(e) *Restriction on dismantling textile fabric and yarn mills.* No mill, plant or factory which at any time in the period from January 1, 1944 to August 31, 1944, inclusive, produced any textile fabric or yarn shall be dismantled without specific permission in writing from the War Production Board.

NOTE: Paragraph (f) formerly (e) redesignated Sept. 22, 1944.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 22d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Leather working machinery:
Tanning machinery.
Shoe manufacturing machinery.
Shoe repairing machinery.
Other leather working machinery.
Textile machinery and equipment (machinery and mechanical equipment used in mills for carding, combing, spinning, throwing, weaving, winding, knitting, printing, bleaching, dyeing and otherwise processing or finishing cotton, wool, silk, flax, hemp, jute and other fibers and products of these fibers).
Industrial sewing machines.
Cotton ginning and delinting machinery.

[F. R. Doc. 44–14677; Filed, Sept. 22, 1944; 4:23 p. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M–310, General Direction 9]

RELEASE OF CERTAIN GROUP I MILITARY SOLES

The following direction is issued pursuant to General Conservation Order M–310:

Notwithstanding paragraph (e) (4) of General Conservation Order M–310, any cutting shoe manufacturer who had on September 1, 1944 more than sufficient Group I military soles cut by him to make all the deliveries required under his military orders for a period of thirty days from said date may release 50 percent of such excess for his own use in civilian shoes or for sale to any other person without restrictions.

Notwithstanding paragraph (e) (4) of Conservation Order M–310 any sole cutter (except cutting shoe manufacturers) who on September 1, 1944 had more Group I military soles than he required to maintain delivery on his military orders is hereby permitted to sell and deliver such excess without restriction.

Each sole cutter (including cutting shoe manufacturers) shall include in his report on Form WPB–1303 required to be filed on or before October 10, 1944 a statement of the number of soles released by him under this direction.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14689; Filed, Sept. 23, 1944; 10:56 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–52, as Amended Sept. 23, 1944]

BICYCLES AND BICYCLE PARTS

Section 3291.215 *General Limitation Order L–52* is hereby amended to read as follows:

§ 3291.215 *General Limitation Order L–52*—(a) *Definitions.* For the purposes of this order "bicycle" means any new foot pedal propelled, non-motor, two-wheeled vehicle.

(b) *Restrictions on production.* (1) No person shall produce or assemble any bicycles except as authorized by the War Production Board on Form GA–1850. Application should be made by filing Form CMP–4B and Form WPB–3820, with the Field Office of the War Production Board for the district in which the bicycles will be produced. These forms should be executed in accordance with the instructions contained on these forms. In general, permission to manufacture bicycles will be given only if labor and materials are available and if production will not interfere with war contracts. Regardless of the restrictions contained in this paragraph a person who, as a result of having filed an appeal, has been granted permission to manufacture bicycles may continue to manufacture them to the extent that he was authorized. A person who was permitted to manufacture bicycles under Order L–52 before this amendment dated September 23, 1944 may continue to produce under that authorization until October 31, 1944.

(2) In addition to the production which may be authorized on Form GA–1850 under paragraph (b) (1), a person may produce or assemble bicycles to fill orders for delivery to or for the account of the Army or Navy of the United States. Bicycles manufactured to fill such orders may be made without regard to the restrictions contained in paragraphs (b) (3) and (b) (4).

(3) No bicycles shall be manufactured which (i) have a net weight greater than 42 pounds exclusive of tires and tubes: (ii) have a frame measurement from the center of the crank to the top of the saddle post staff of less than 18 inches.

(4) No bicycles or bicycle parts shall be manufactured which contain any crude rubber or metal other than iron, steel, aluminum, magnesium, or zinc except that (i) chromic acid may be used for plating on seat posts, handlebars and stems, cranks, pedals and adjusting nuts and screws; (ii) brass may be used if permitted by Order M–9–c; (iii) lighting and warning equipment may contain such material as is absolutely necessary to satisfy minimum safety requirements and for which there is no satisfactory substitute; (iv) casings and tubes of tires may contain such crude rubber as permitted by Rubber Order R–1, as amended from time to time; and (v) aluminum pigment may be used.

(5) No person shall produce or assemble the following bicycle accessories: Luggage carriers, tanks, truss rods, braced handlebars, and spring forks.

(c) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(d) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to produce or assemble more bicycles than the quotas fixed in paragraph (b) (1) or (b) (2) (including a person who has no quota under the order) may apply for permission to do so as explained in Priorities Regulation 25. Restrictions of paragraphs (b) (3), (b) (4), and (b) (5) relating to the production of bicycles and bicycle parts will still be applicable to any production which is authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the quota restrictions of paragraphs (b) (1) or (b) (2) should be filed on Form WPB–1477 (in triplicate), with the War Production Board, Washington 25, D. C., Ref.: L–52. No appeal should be filed from the quota restrictions of paragraphs (b) (1) or (b) (2).

(e) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of bicycles and bicycle parts to a greater extent than does this order, the other order shall govern unless it states otherwise.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L–52.

Issued this 23d day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14694; Filed, Sept. 25, 1944; 10:55 a. m.]

PART 3290 [1]—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M–102 as Amended Sept. 15, 1944, Amdt. 1]

WATERFOWL FEATHERS

Section 3290.306 [1] *Conservation Order M–102* is hereby amended in the following respects:

1. Paragraph (b) (1) is amended to read as follows:

(1) "Waterfowl feathers" means new goose and duck feathers and down, domestic and imported, separated from the fowl, except wing and tail feathers and body feathers over 3 inches in length.

2. Paragraph (b) (3) is deleted.

3. Paragraph (b) (7) is amended to read as follows:

(7) "Military order" means a contract for sleeping bags or flying suits placed directly by the Army or Navy of the United States or any subcontract thereunder.

4. Paragraph (c) (1) is amended by deleting the last two sentences in said paragraph.

5. Paragraph (d) (1) is amended by changing "PDL–2033–B" in the sixth line to read "GA–146 (formerly Form PDL–2033–B)."

6. In paragraph (d) (2) "PDL–2033–B" in the fifth line is amended to read "GA–146 (formerly Form PDL–2033–B)."

7. In paragraph (d) (4) the last two sentences (beginning "on or before September 30") are deleted.

8. In paragraph (g) "Division" in the 7th line is revised to read "Bureau."

Issued this 23d day of September, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14725; Filed, Sept. 23, 1944; 4:08 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24, Direction 1]

FILING OF FORM WPB–3940 BY MACHINE TOOL BUILDERS SUBJECT TO GENERAL PREFERENCE ORDER P–1–b

The following direction is issued pursuant to Priorities Regulation 24:

Notwithstanding the provisions of paragraph (d) of Priorities Regulation 24, machine tool producers who file monthly operations reports on Form WPB–417 or WPB–1440 are not required to file Form WPB–3940.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14745; Filed, Sept. 25, 1944; 11:18 a. m.]

[1] Formerly Part 1110, § 1110.1.

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M–63, as Amended Sept. 25, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M–63*—(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M–63.

(b) *Restrictions on imports of materials*—(1) *General restriction.* No person, except as authorized in writing by the War Production Board shall purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form WPB–1041 (formerly PD–222C) addressed to the War Production Board, Ref.: M–63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than $100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than $25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on the governing date and which, on December 28, 1942, was in transit to a point within the continental United States; or

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials* — (1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB–1039 (formerly PD–222A), which form shall be addressed to the War Production Board, Ref.: M–63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form WPB–1040 (formerly PD–222B) in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M–63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M–63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: List I amended Sept. 25, 1944, effective Oct. 1, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns	3417.010 3417.110	[1] 1/18/43 [1] 1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	[2] 7/21/42
Cordage of agave fibers, other than sisal	N. S. C.	[1] 1/18/43
Cords and twines of agave fibers	N. S. C.	[1] 1/18/43
Fabrics woven of agave fibers	N. S. C.	[3] 9/11/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	1/18/43
Alpaca llama, and vicuna hair	3535. 000–3535. 400 inc.	[2] 7/2/42
Alpargatas	0369. 500	6/28/43
Beef and mutton tallow—includes oleo stock	0036. 000	8/22/42
Beef and mutton tallow (inedible)—includes oleo stock	0618. 000	8/22/42
Brazilian pebble (quartz crystals), unmanufactured	5120. 000	10/6/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc.	N. S. C.	10/6/42
Broomcorn	2936. 000	11/23/42
Castor beans	2231. 000	4/8/42
Chrome ore (Chromite)	6213. 100 6213. 200 6213. 500	[4] 12/28/41 [4] 12/28/41 [4] 12/28/41
Cinchona bark or other bark from which quinine may be extracted	2201. 000	5/22/42
Cottonseed oil, crude, refined	1422. 100 1422. 200	5/22/42 5/22/42
Feathers for beds (including goose and duck feathers and down, and mixtures thereof, new and used)	0922. 200	6/28/43
Flaxseed (linseed)	2223. 000	5/22/42
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	5730. 100	4/8/42
Crystalline flake	5730. 300	12/28/41
Crystalline, crucible lump and chip graphite	5730. 610	4/8/42
Crystalline, dust and other crystalline lump and chip graphite	5730. 630	4/8/42
Hemp (Cannabis Sativa type only), unmanufactured:		
Hackled including "tow of hemp"	2263. 000	9/11/42
Not hackled	2263. 300	9/11/42
Tow	2263. 300	9/11/42
Hides and skins:		
Deer; buck or doe	0293. 100	[5] 9/11/42
Lard oil	N. S. C.	3/5/43
Lard (including rendered pork fat)	0088. 000	3/5/43
Lard compounds and lard substitutes made from animal or vegetable oils and fats	0088. 100	3/5/43
Leather, unmanufactured:		
Leather made from hides or skins of cattle of the bovine species	0300. 100–0317. 900 inc. 0345. 000 0345. 100	7/2/42
Leather made from hides or skins of animals of the equine species	N. S. C. 0333. 000–0338. 400 inc.	[2] 7/2/42 7/2/42
Goat and kidskin leather (except vegetable-tanned)	0335. 400 0340. 800 0345. 200 0345. 300	7/2/42 7/2/42 7/2/42 7/2/42
Linseed oil, and combinations and mixtures, in chief value of such oil	2254. 000	5/22/42
Manganese ore (including ferruginous) or concentrates, and manganiferrous iron ore, containing 35 percent and over of manganese	6211. 200 6211. 300	5/14/43 5/14/43

See footnotes at end of table.

LIST I—Continued

Material	Commerce Import Class No.	Governing date
Muru muru nut oil	N. S. C.	8/21/43
Neatsfoot oil and animal oils known as neatsfoot stock	0808. 900	5/22/42
Oleo oil	0036. 300	8/21/42
Peanut (ground nut) oil	1427. 000	5/22/42
Peanuts:		
Shelled	1367. 000	4/2/43
Not shelled	1368. 000	4/2/43
Pyrethrum or insect flowers	2202. 000	10/21/42
Pyrethrum, or insect flowers, advanced in value or condition	2220. 310	10/21/42
Rapeseed	2237. 000	[6] 5/22/42
Red squill	2210. 650	10/21/42
Rotenone bearing roots (cube root (timbo or barbasco) derris and tuba) crude and advanced	2210. 280	5/4/42
	2210. 300	5/4/42
	2220. 360	5/4/42
	2220. 370	5/4/42
Seal oil	0616. 000	7/2/43
Sesame oil, edible and inedible	1428. 300	[7] 7/21/42
	2249. 000	[7] 7/21/42
Sunflower oil, edible and denatured	1421. 600	5/22/42
	2247. 000	5/22/42
Sunflower seed	2240. 000	[6] 5/22/42
Tantalum ore (tantalite)	6270. 400	4/8/42
Tucum oil	N. S. C.	8/21/43
Whale oil (other than sperm)	0803. 500	5/22/42

[1] Moved from List II 4/28/43.
[2] Moved from List III 1/18/43.
[3] Moved from List III 4/28/42.
[4] Moved from List II 5/14/43.
[5] Moved from List III 3/5/43.
[6] Deleted Sept. 25, 1944.
[7] Moved from List III 5/17/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II amended Sept. 25, 1944, effective Oct. 1, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/5/43
Antimony	6650. 000	8/19/44
	6651. 000	8/19/44
	6651. 100	8/19/44
	8380. 180	8/19/44
	8380. 210	8/19/44
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500. 010	1/13/42
	5500. 020	1/13/42
	5500. 090	1/13/42
	5500. 300	1/13/42
	5500. 500	1/13/42
	5501. 000	1/13/42
	5501. 100	1/13/42
	5501. 900	1/13/42
	5502. 100	1/13/42
Babassu nuts and kernels	2239. 130	4/8/42
	2239. 150	4/8/42
Babassu nut oil	2257. 100	4/8/42
Beryl ore or beryllium ore	6270. 000	5/4/42
Beryllium oxide, carbonate and other beryllium salts	8380. 963	5/4/42
Bristles, hog and pig	0917. 000	[8] 3/14/43
	0979. 100	[8] 3/14/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Brushes, n. s. p. f.:		
Paint brushes (including artists)	9715. 100	[9] 9/28/43
Other (except toilet brushes and hair pencils)	9715. 900	[9] 9/28/43
Castor oil	2260. 020	4/8/43
Cattle, ox, and calf tail hair including switches	3606. 100	7/2/42
Cedar, Spanish:		
Logs	4032. 000	[1] 4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	4202. 000	[1] 4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	[1] 4/28/43
Coconut oil	2242. 500	1/13/42
Cohune nuts and kernels	N. S. C.	4/8/42
Cohune nut oil	N. S. C.	9/11/42
Coir yarn	3420. 000	[10] 11/23/42
Coir manufactures, other than pile mats, floor coverings, mattings, etc.	N. S. C.	[10] 11/23/42
Copper	6401. 800	12/28/41
	6417. 100	3/14/42
	6430. 000	3/14/42
	6418. 300	6/1/42
Copra	2232. 000	1/13/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	5460. 000	5/22/42
Cotton yarns and fabrics:		
Airplane cloth, type M M	N. S. C.	8/21/42
Balloon fabric, type B H	N. S. C.	8/21/42
Balloon fabric, type S S	N. S. C.	8/21/42
Cotton rope for spinning mules	N. S. C.	11/23/42
Decating apron fabric	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 56's and finer	N. S. C.	11/23/42
Filter cloth	N. S. C.	11/23/42
Gray tracing cloth fabric	N. S. C.	11/23/42
Lithograph moleskin cloth	N. S. C.	11/23/42
Printers molleton	N. S. C.	11/23/42
Tracing cloth	3070. 000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Cottonseed hull fiber	N. S. C.	7/21/42
Diamonds, rough or uncut (suitable for cutting into gem stones)	5950. 000	9/16/44
Diamonds, industrial (rough or uncut, not advanced in condition or value by cleaving, splitting, cutting, boring, or other process):		
Carbonado and ballas	5952. 100	9/16/44
Diamond dust	5952. 600	9/16/44
Bort (Glaziers' and engravers' diamonds, not set, and miners' diamonds, n. e. s., and other industrial diamonds)	5952. 700	9/16/44
Fine'ine and salts thereof	N. S. C.	[1] 8/5/43
Fir, other than Douglas fir:		
Logs	N. S. C.	4/28/43
Lumber, rough sawed boards, planks, deals, etc.	4104. 040	4/28/43
Lumber, dressed sawed boards, planks, deals, etc.	4104. 080	4/28/43
Glycerine, crude and refined	8290. 000	5/22/42
	8291. 100	5/22/42
Hair, curled	3606. 800	6/20/44
Hides and skins:		
Buffalo hides, dry and wet	0203. 000	1/13/42
	0203. 100	1/13/42
Buffalo hides (India water buffalo, for use in rawhide articles) dry and wet	0209. 000	9/16/44
	0209. 100	9/16/44
Cabretta skins or hair sheep skins	0235. 000	7/2/42
Calf, dry and wet	0207. 000	1/13/42
	0208. 000	1/13/42
Cattle hides, dry and wet	0201. 000	1/13/42
	0202. 000	1/13/42
Goat and kid skins, dry and wet	0241. 000	7/2/43
	0242. 000	7/2/43
Kip, dry and wet	0205. 000	1/13/42
	0206. 000	1/13/42
Horse mane and tail hair, raw and drawn, including switches	3604. 000	[2] 3/14/42
	3604. 100	[2] 3/14/42
Ipecac, crude and advanced in value or condition	2210. 450	[1] 1/18/43
	2220. 170	[1] 1/18/43
Iron and steel scrap, fit only for remanufacture	6004. 000	6/1/42
	6004. 100	6/1/42
Istle or tampico fiber, manufactured in whole or in part (dressed)	3410. 010	3/5/43
Istle or tampico fiber manufactures (incl. all products in whole or in part of istle)	N. S. C.	11/23/42

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Istle or tampico fiber, unmanufactured (including istle waste)	3405. 000	3/14/42
Jewels, for any movement, mechanism, device or instrument dutiable under paragraphs 367 and 368 of the Tariff Act of 1930, or any meter or compass (Jewel bearings)	9580. 000	1/12/44
Jute and manufacturers:		
Waste bagging and waste sugar sack cloth	3243. 000	6/10/43
Jute yarns or roving, single	3244. 000	6/10/43
	3244. 100	6/10/43
	3244. 200	6/10/43
	3244. 300	6/10/43
Jute cordage, twine and twist of 2 or more yarns twisted together, size of single yarn or roving:		
Not bleached, dyed or otherwise treated	3245. 200	6/10/43
	3245. 300	6/10/43
	3245. 400	6/10/43
	3245. 500	6/10/43
Bleached, dyed or otherwise treated	3245. 220	6/10/43
	3245. 320	6/10/43
	3245. 420	6/10/43
	3245. 520	6/10/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	3246. 000	6/10/43
	3246. 100	6/10/43
Burlaps and other woven fabrics wholly of jute, n. s. p. f.	3247. 000	6/10/43
	3247. 200	6/10/43
Plain woven fabrics of jute, weighing less than 4 ounces per square yard	3248. 000	6/10/43
Woven fabrics of jute for paddings or interlinings exceeding 30 threads in warp and filling to the square inch, weighing from 4½ to 12 ounces, inclusive, per square yard	3248. 100	6/10/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	3248. 200	6/10/43
Jute sliver	[11] 3250. 000	6/10/43
Jute webbing, not exceeding 12 inches in width	3250. 700	6/10/43
Jute manufactures, n. s. p. f.	3250. 900	6/10/43
Jute bags or sacks	3249. 000	4/2/43
	3249. 100	4/2/43
Jute butts, unmanufactured	3242. 000	10/6/42
Jute, unmanufactured	3241. 000	10/6/42
Kapok	3403. 000	7/2/42
Leather, unmanufactured:		
Chamois leather	0335. 350	[12] 7/2/43
	0335. 900	[12] 7/2/43
Rough tanned leather (incl. India-tanned):		
Vegetable-tanned goat and sheepskins	0330. 000	[1] 7/2/42
	0330. 100	[1] 7/2/42
Sheep and lamb leather (including shearlings and cabrettas):		
Leather for shoe purposes	0332. 000	[12] 7/2/43
	0332. 100	[12] 7/2/43
Glove and garment leather	0335. 300	[12] 7/2/43
Leather, n. s. p. f. cut into shoe uppers, vamps, or other forms	N. S. C.	[12] 7/2/43
Patent leather for the manufacture of footwear	N. S. C.	[12] 7/2/43
Grained, embossed, etc., or fancy leather	0345. 400	[12] 7/2/43
Skivers, n. s. p. f.	0335. 200	[12] 7/2/43
In the rough, in the white, crust or russet, partly finished or finished	N. S. C.	[12] 7/2/43
Other (except glove and garment)	0332. 500	[12] 7/2/43
Leather products made in whole or in part of bovine, equine, or goatskin leather:		
Aprons	N. S. C.	5/27/44
Belts, transmission	N. S. C.	5/27/44
Belts, designed to be worn on the person	N. S. C.	5/27/44
Chaps, work	N. S. C.	5/27/44
Flat leather goods	N. S. C.	5/27/44
Footwear (including slippers)	N. S. C.	5/27/44
Furniture	N. S. C.	5/27/44
Garments	N. S. C.	5/27/44
Gloves, work	N. S. C.	5/27/44
Handbags and purses	N. S. C.	5/27/44
Harness	N. S. C.	5/27/44

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Leather products, etc.—Con.		
Horse collars	N. S. C.	4/27/44
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	4/27/44
Laces and thongs	N. S. C.	4/27/44
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks and other luggage; and boxes, caskets, chests, baskets, rolls, brief cases, golf bags, and other cases):		
Made wholly or in part of bovine leather	N. S. C.	4/4/43
Made wholly or in part of equine leather	N. S. C.	4/27/44
Made wholly or in part of goatskin leather	N. S. C.	4/27/44
Rifle scabbards; rifle slings, pistol holsters, and pistol belts	N. S. C.	4/27/44
Saddles and saddlery	N. S. C.	4/27/44
Suspenders	N. S. C.	4/27/44
Loofa (Luffa) sponges	N. S. C.	8/21/43
Magney or cantala, unmanufactured	3409. 200	1/13/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4304. 100	7/21/42
Mahogany logs	4031. 000	7/3/43
Mahogany rough (not further manufactured than sawed)	4302. 100	7/21/42
Manila or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 3 or more yarns	3417. 095	6/28/43
	3417. 195	6/28/43
Manila or abaca fiber (except T grade tow)	3402. 300	4/28/43
Manila or abaca tow (T grade only)	3402. 800	4/28/43
Manila or abaca fiber manufactures (incl. all manila or abaca products)	N. S. C.	4/28/43
Meshta fiber	N. S. C.	10/5/42
Metallic beryllium, cesium, lithium, and potassium	3999. 570	5/4/43
Mica	5560. 510	3/14/42
	5560. 840	3/14/42
	5560. 860	3/14/42
	5560. 890	3/14/42
	5560. 910	3/14/42
	5560. 940	3/14/42
	5560. 960	3/14/42
	5560. 990	3/14/42
	5561. 000	3/14/42
	5561. 200	3/14/42
	5561. 400	3/14/42
	5561. 500	7/31/42
	5561. 600	3/14/42
	5561. 900	3/14/42
	5564. 000	3/14/42
	5564. 200	3/14/42
Milkweed	N. S. C.	1/13/43
Ouricury (uricury) nuts and kernels	2239. 610	5/22/42
	2239. 620	5/22/43
Ouricury (uricury) oil, inedible and edible	2257. 200	5/22/42
	2257. 230	5/22/42
Palm nut kernels	2230. 500	3/14/42
Palm kernel oil	2248. 000	3/14/42
Palm oil	2243. 000	1/13/43
Pine, other than Northern White or Norway pine:		
Logs	N. S. C.	4/28/43
Lumber, sawed boards, planks, deals, etc., rough and dressed	4107. 700	4/28/43
Prima Vera:		
Logs	4003. 400	[1]4/28/43
Lumber, rough, not further manufactured than sawed, and flooring	N. S. C.	[2]4/28/43
Lumber, dressed, not further manufactured than planed, tongued, and grooved	N. S. C.	4/28/43
Pulpwood, except shipped pulpwood	(4080. 000–4095. 000 inc.	1/13/44
Punga fiber	N. S. C.	3/5/43
Quebracho extract	3844. 000	[3]7/2/42
Quebracho wood	2805. 000	[3]7/2/42
Quinine salts or alkaloids from cinchona bark:		
Quinine sulphate	5102. 000	3/5/43
Quinine alkaloid	5103. 200	3/5/43
Other salts and derivatives of quinine	5103. 300	3/5/43
Cinchonidine and its salts	5103. 400	3/5/43
Cinchonine and its salts	5103. 500	3/5/43
Quinidine and its salts	5103. 600	3/5/43
Totaquine and totaquine compounds	N. S. C.	3/5/43

See footnotes at end of table.

LIST II—Continued

Material	Commerce Import Class No.	Governing date
Rapeseed oil, denatured and not denatured	2366. 000	5/22/43
	2363. 000	1/13/43
Silk:		
Cocoons	3703. 000	10/21/42
Partially manufactured silk, and silk noils exceeding 3 inches in length, not twisted or spun	3706. 000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced	3702. 000	10/21/42
Silk waste	3704. 000	10/21/42
Wild silk or tussah	3702. 100	10/21/42
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content	6810. 800	7/21/42
Bullion, refined	6810. 600	7/21/42
Coin, foreign	6810. 800	7/21/42
Sweepings and scrap, including silver sulphides	6810. 900	7/21/43
Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/31/42
Compounds, mixtures and salts, valuable chiefly for silver content	N. S. C.	7/21/43
Sisal and henequen, unmanufactured (except flume tow and bagasse waste)	N. S. C.	1/13/43
Tung oil (China wood oil)	2241. 000	1/13/42
Urena lobata fiber	N. S. C.	10/5/42
Yucca fiber	N. S. C.	3/5/43
Zinc blocks, pigs or slabs	6558. 200	12/28/41

[1] Moved from List I 1/8/44.
[2] Moved from List I 3/30/44.
[3] Moved from List I 3/30/44.
[4] Moved from List III 5/17/44.
[5] Moved from List I 6/22/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST III

NOTE: List III amended Sept. 25, 1944, effective Oct. 1, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Commerce Import Class No.	Governing date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste)	N. S. C.	5/5/43
Agave flume tow and bagasse waste not elsewhere specified on this order	N. S. C.	5/5/43
Alewives and other pickled or salted fish, n. s. p. f.	(0073. 300–0073. 900 inc.	7/2/43
Alfalfa seed	3401. 000	7/2/42
Anchovies, canned, not in oil or in oil and other substances	0067. 000	7/2/43
Anchovies, in oil or in oil and other substances	0064. 200	1/13/43
	0064. 300	1/13/43
Apples, dried, desiccated, or evaporated	1330. 010	6/28/43
Apricots, dried, desiccated, or evaporated	1330. 120	6/28/43
Argols, tartar and wine lees, and crude calcium tartrate	5328. 000	7/2/43
	5330. 000	7/2/43
	5280. 013	7/2/43
Balata, Cequiran (crude and washed)	N. S. C.	5/27/44
Balata, Massarunduba	N. S. C.	1/5/43
Balata, Peruvian chicleys, wire	N. S. C.	5/27/44
Balata, Peruvian F. A. Q., white	N. S. C.	1/5/43
Balata, not elsewhere specified on the order	N. S. C.	5/25/44
Barley	1020. 000	6/28/44
Beans, dried, except lima beans	N. S. C.	7/2/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Beef and veal, pickled or cured	0028. 000	7/2/42
Beef, canned, including corned beef	0028. 000	7/2/42
Beef, fresh, chilled or frozen	0018. 000	5/14/43
Blood, dried	8505. 000	7/2/42
Bone black, bone ebar, and blood char	0990. 120	7/2/42
Bones, crude	0911. 200	7/2/42
Bones, ground, ash, dust, meal and flour	0911. 300	7/2/42
Bran, shorts, and other wheat by-product feeds	1181. 000	7/2/43
Brazil or cream nuts	1355. 000	7/2/42
	1357. 000	7/2/42
Butter	0044. 000	7/2/42
Buttermilk, dried	0041. 300	4/2/43
Cacao butter (cocoa butter)	1420. 000	7/2/42
Canary Seed	2452. 000	7/2/42
Casein or lactarene	0943. 000	7/2/42
Cassia buds, unground	1533. 000	10/5/42
Cassia, cassia vera, unground	1535. 100	10/5/42
Cassia, cassia buds and cassia vera, ground	1550. 070	10/5/42
Castor bean pomace (castor oil cake and castor oil cake meal)	8309. 100	1/13/43
Cheese	(0045. 100–0046. 900 inc.	7/2/42
Cherries dried, desiccated, evaporated	1317. 100	6/28/43
Chickens and guineas:		
Dead, fresh, chilled or frozen, dressed or undressed	0023. 400	4/28/43
Live	N. S. C.	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Chickpeas and garbanzos, dried	1200. 000	7/2/42
Chicle, crude and refined or advanced	2131. 000	7/2/42
	2189. 300	7/2/42
Cinnamon and chips of, unground	1526. 000	10/5/42
Cinnamon and chips of, ground	1580. 080	10/5/42
Cocoa beans or cacao beans	1801. 300	7/2/42
Cocoa powder, unsweetened and sweetened	1802. 100	1/13/43
	1502. 200	1/13/43
	1502. 900	1/13/43
Coconuts, in the shell	1351. 000	10/21/42
Coconut meat, shredded and desiccated or similarly prepared	1379. 000	10/21/42
Cod, haddock, hake, pollock, and cusk, pickled or salted (not in oil etc., and not in airtight containers, weighing, with contents, not over 15 lbs. each)	0069. 000	4/2/43
	0069. 200	4/2/43
	0069. 900	4/2/43
Coffee, raw or green, roasted or processed	1811. 000	7/2/42
	1511. 100	7/2/42
Combinations and mixtures of animal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for	2290. 120	7/21/42
Congo gum copal	N. S. C.	1/12/44
Corn	1031. 000	7/2/42
Corn meal, flour, grits and similar products	1090. 190	6/29/44
	1090. 180	7/2/42
Corned beef hash	1250. 230	5/27/44
Cornstarch	3816. 000	10/25/43
Cotton linters (all grades)	3005. 000	7/2/42
Cotton, raw (all staple length)	3001. 900	7/2/42
	3002. 900	7/2/42
Cotton waste	3003. 700	7/2/42
	3003. 800	7/2/42
	3005. 250	7/2/42
	3006. 800	7/2/42
Cream, dried	0041. 300	4/2/43
Currants, dried	N. S. C.	6/28/43
Dates, dried	N. S. C.	6/28/43
Dog food	1190. 700	7/2/42
	1190. 800	7/2/42
Egg albumen, dried	0064. 000	3/5/43
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.	0095. 000	3/5/43
Eggs (chicken) whole, in the shell	0088. 100	7/2/42
Eggs, dried	0090. 000	3/5/43
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.	0091. 000	3/5/43
Eggs of poultry other than chicken, whole, in the shell	0088. 500	3/5/43
Egg yolks, dried	0092. 000	3/5/43
Egg yolks, frozen, or otherwise prepared or preserved, n. s. p. f.	0093. 000	3/5/43
Ergot	2230. 230	10/6/42
Fatty acids, not specifically provided for derived from vegetable oils, animal or fish oils, animal fats and greases, not elsewhere specified:		
Cottonseed oil	2260. 230	5/22/42
Linseed oil	2260. 210	7/21/42
Soybean oil	2260. 250	7/21/42
Other, not elsewhere specified	2260. 240	7/21/42

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified	2260. 280	7/21/42
Feeds, mixed livestock and poultry	1190. 200	6/29/44
Figs, dried	N. S. C.	6/28/43
Fish scrap and fish meal	0976. 000	7/2/43
	8509. 700	7/2/43
Fish-liver oil, n. e. s. (include halibut-liver oil)	2220. 280	1/12/44
Floor coverings:		
Pile mats and floor coverings of cocoa fiber (coir fiber)	3068. 100	10/21/43
Matting and articles of cocoa fiber (coir fiber) or rattan	3062. 000	10/21/43
Fruits, dried, not elsewhere specified on this order	N. S. C.	6/28/43
Ginger root, unground, not preserved or candied	1536. 100	10/6/43
Ginger root, ground, not preserved or candied	1580. 080	10/6/43
Glue stock, not elsewhere specified	0930. 900	5/5/43
Grapes, dried, other than raisins	1310. 300	6/28/43
Grapes, fresh (other than hothouse)	1318. 800	7/2/43
Guano	8504. 000	7/2/43
Gums, n. e. s., used in manufacture of chewing gum	N. S. C.	3/5/43
Herring (including sprats, pilchards and anchovies) all types	(0070. 000–0070. 900 inc.	7/2/43
Hide cuttings, raw	0930. 800	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather)	N. S. C.	1/12/44
Hides and skins:		
Horse, colt, and ass	0211. 100	7/2/43
	0211. 300	7/2/43
	0212. 100	7/2/43
	0212. 300	7/2/43
	0212. 300	7/2/43
	0212. 800	7/2/43
Shearlings, dry and wet (except close shorn skins with commercially worthless wool, ¼ inch and down)	N. S. C.	7/2/43
Sheep and lamb skins, except shearlings, cabrettas, etc.	0234. 000	7/2/43
Pickled skins, not split, no wool	0234. 100	7/2/43
Pickled fleshers, split, flesh side	0234. 300	7/2/43
Pickled skivers, split, grain side	0231. 800	7/2/43
Other wooled (wool on) except shearlings	2280. 100	7/21/43
Hydrogenated or hardened oils and fats, vegetable or animal	8300. 000	7/2/43
Iodine	8380. 530	7/2/43
Iron ore	8001. 000	7/2/43
Lamb, fresh, chilled or frozen	0022. 000	8/14/42
Leche caspi (including crude scrva gum)	3170. 000	3/5/43
Lentils	1199. 000	7/2/42
Lignaloe oil or Bois de Rose	2380. 270	7/2/43
Mace, unground	1560. 000	10/6/43
Mace, ground	1550. 090	10/6/43
Mace, Bombay or wild, unground	1549. 300	10/6/43
Mace, Bombay or wild, ground	1550. 100	10/6/43
Mate	2210. 670	7/2/43
Mate, Yerba, advanced in value or condition (Paraguay tea)	1770. 900	10/6/43
Meats, canned n. e. s., and prepared or preserved meats, n. s. p. f. (include liver paste; also include mutton)	0032. 900	10/21/43
Meat extracts, including fluid	0096. 000	7/2/43
Milk, condensed and evaporated	0040. 000	7/2/43
	0040. 100	7/2/43
	0040. 700	7/2/43
Milk, skimmed, dried	0041. 100	4/2/43
Milk, whole, dried	0041. 000	4/2/43
Molasses and sugar sirup, edible and inedible	(1630. 480–1640. 000 inc.	7/2/43
Muru muru nuts and kernels	2239. 630	5/22/42
	2239. 640	5/22/43
Mutton, fresh, chilled or frozen	0021. 000	8/14/43
Nitrates, Sodium and Potassium	8506. 000	7/2/43
	8527. 500	7/2/43
	8527. 900	7/2/43
Nitrogenous material, n. s. p. f. (including hoof meal and horn meal)	8509. 800	1/13/43
Nutmegs, unground	1539. 000	10/6/43
Nutmegs, ground	1550. 110	10/6/43
Oats, hulled and unhulled	(1041. 000	7/2/43
	(1041. 100	7/2/43
Offal, edible	0020. 800	7/2/43
Oil cake and oil cake meal:		
Coconut or copra	1111. 000	3/5/43
Soybean	1112. 000	3/5/43
Cottonseed	1114. 000	7/2/43
Linseed	1115. 000	3/5/43
Peanut	1119. 500	7/2/43
Hempseed	1119. 700	7/2/43
Other n. s. p. f.	1119. 900	7/2/43
Oleo stearin	0036. 300	7/2/43

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Olive oil, inedible:		
Sulphured or foots	2244. 000	9/23/43
Other	2245. 000	9/23/43
Onions, dehydrated	N. S. C.	4/28/43
Onions, edible	1208. 100	7/2/42
Peaches, dried, desiccated, or evaporated	1330. 020	6/28/43
Peaches, green, ripe, or in brine	1330. 610	7/2/42
Pearl shells or mother-of-pearl shells, unmanufactured	0981. 000	8/8/43
Pears, dried, desiccated, or evaporated	1330. 070	6/28/43
Pears, green, ripe or in brine	1330. 060	7/2/42
Peas, dried and split	1197. 000	7/2/42
	1198. 000	7/2/42
Pigeons, racing or fancy	0995. 500	7/2/42
Pigeons, other	N. S. C.	7/2/43
Pimento (allspice), unground	1543. 000	10/6/42
Pimento (allspice), ground	1550. 130	10/6/43
Pimientos, packed in brine or oil, or prepared or preserved	1244. 000	8/8/43
Pork:		
Fresh or chilled	0020. 100	5/14/43
Frozen	0020. 500	5/14/43
Pork, hams, shoulders, bacon, sausage; prepared, cooked, boned, canned, etc.	0030. 900	7/2/43
	0031. 900	7/2/43
Prunes, prunelles, and plums:		
Green or ripe, not in brine	1330. 510	6/28/43
In brine	1330. 530	6/28/43
Dried, desiccated, or evaporated	1330. 540	6/28/43
Otherwise prepared or preserved, n. s. p. f.	1330. 550	6/28/43
Raisins:		
Made from seedless grapes	1310. 100	6/28/43
Other	1310. 200	6/28/43
Ramie fiber or China grass, unmanufactured	3409. 000	9/23/43
Rice:		
Paddy	1051. 000	10/25/43
Uncleaned or brown rice	1051. 100	10/25/43
Cleaned or milled rice	1053. 000	10/26/43
Palma rice, cleaned, for use in canned soups	1054. 000	10/25/43
Rice meal, flour, polish and bran	1059. 100	10/25/43
Broken	1059. 200	7/2/42
Rye	1044. 000	7/2/42
Sardines, in oil or in oil and other substances	0063. 200	4/2/43
	0063. 300	4/2/43
Sausage casings, sheep, lamb and goat only	0034. 000	7/2/42
Sausage casings, other	0035. 500	7/2/43
Sesame seed	2284. 000	5/22/42
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.	0808. 730	1/13/44
Sisal and henequen flume tow and bagasse waste	N. S. C.	1/13/43
Soap (except Castile) and soap powder	(8713. 300–8719. 900 inc.	7/2/42
Sugar, cane	(1610. 750–1610. 000 inc.	7/2/42
Syrups and extracts for use in the manufacture of beverages	N. S. C.	3/5/43
Tankage (incl. cracklings, grease cakes, liver meal, meat meal, meat flour, meat scrap, etc.)	(0975. 000–8509. 000	7/2/42
Tapioca, tapioca flour, and cassava (including mandioca flour)	1228. 000	7/2/43
Tartaric acid	8207. 000	6/29/44
Tea, not specially provided for	1521. 000	7/21/43
Tucum nuts and kernels	(2239. 650–2239. 660	5/22/43
Tuna fish, in oil or in oil and other substances	0065. 200	4/2/43
Turkeys:		
Dead, fresh, chilled or frozen, dressed or undressed	0024. 000	4/28/43
Live	0014. 000	4/28/43
Prepared or preserved	N. S. C.	4/28/43
Veal, fresh, chilled or frozen	0019. 000	5/14/43
Wool, apparel, 40's or coarser	(3506. 000–3509. 300 inc.	7/2/42
Wool, apparel, finer than 40's, not finer than 44's and on the skin	(3514. 000–3526. 000 inc.	7/2/42
Wool, apparel, finer than 44's	3530. 000	7/2/42
	3521. 100	7/2/42
	3521. 200	7/2/42
	3521. 300	7/2/42
	3522. 000	7/2/42
	3523. 100	7/2/42
	3523. 200	7/2/42
	3523. 300	7/2/42
	3526. 000	7/2/42
	3527. 100	7/2/42
	3527. 300	7/2/42
	3527. 500	7/2/42
	3528. 000	7/2/42
	3529. 100	7/2/42
	3529. 200	7/2/42
	3529. 300	7/2/42

See footnotes at end of table.

LIST III—Continued

Material	Commerce Import Class No.	Governing Date
Wool apparel, (finer than 40's but not finer than 44's)[1]	3513. 000	7/2/42
	3514. 100	7/2/43
	3514. 200	7/2/42
	3514. 300	7/2/42
	3524. 000	7/2/42
	3525. 100	7/2/43
	3525. 200	7/2/42
	3525. 300	7/2/43
Wool, carpet	(3501. 000–3502. 300 inc.	7/2/43

[1] Moved from List II 9/23/43.
[2] Moved from List I 1/8/44.
[3] Moved from List I 3/30/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; *Provided, however*, That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to

a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or an on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63 (Issued May 14, 1943.)

[F. R. Doc. 44-14749; Filed, Sept. 25, 1944; 11:17 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L-211, Schedule 14, as Amended Sept. 25, 1944]

STEEL FENCE POSTS

§ 3102.15 *Schedule No. 14 to Limitation Order L-211*—(a) *Restrictions on production.* No person shall produce steel fence posts except from materials specified in this paragraph (a) and except in accordance with specifications set forth in List I attached hereto.

(1) No person shall produce steel fence posts (including end and corner posts and braces), for snow fence, agricultural, and railroad use, except from used rails.

(2) No person shall produce other steel fence posts, except from iron or steel in the form of re-rolled rail stock, top cuts, discard billets, bessemer pipe, or from idle or excessive inventories reported to the War Production Board.

(b) *Restrictions on delivery and acceptance.* No person shall deliver or accept delivery of any steel fence posts which he knows or has reason to believe were produced in violation of the provisions of paragraph (a).

(c) *Exceptions.* The provisions of paragraphs (a) and (b) shall not apply to any steel fence posts

(1) The production, delivery or acceptance of which is specifically authorized in writing by the War Production Board, or

(2) Which have been produced prior to July 6, 1943, or which prior to such date have been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(d) *Records.* Each person owning or possessing steel fence posts excepted by the provisions of paragraph (c) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1

Note: List 1 amended Sept. 25, 1944.

Line post:
- Number of styles (Not more than two):
  - One weighing 1.33 pounds per foot maximum.
  - One weighing 1.12 pounds per foot minimum.
- Wire fastening:
  - Optional.
- Lengths:
  - 5'0", 5'6", 6'0", 6'6", 7'0", 7'6", 8'0".

Line post—Continued.
- Anchor plate:
  - In accordance with manufacturer's standard practice.
- Paint:
  - Not more than one coat, color optional, no ornamentation.
- Bundling practice as before.

Electric fence post:
- One style, weight, and length, namely 1" x 1" angle, 4'6" long, maximum weight 3½ pounds.
- No anchor plate.
- No pointing.
- Not more than one coat of paint, color optional, no ornamentation.
- Bundling practice as before.

[F. R. Doc. 44-14736; Filed, Sept. 25, 1944; 11:19 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 4, as Amended Sept. 25, 1944]

AUTOMOTIVE DIVISION

§ 3208.5 *Table for Automotive Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule [1]	3 Application and authorization	4 Calendar months frozen [2]
1. Diesel and gas (not gasoline) engines (non-marine only): (a) Over 750 revolutions per minute.	X	878	3809.1		6
2. Gasoline engines (except aircraft propulsion): (a) Air-cooled for use in end products not built by the engine manufacturer and commonly known in the trade as "industrial engines."	X	878	3809.1		6
(b) Air-cooled, other than those defined under item 2 (a).	Undesignated	878	3809.1		6
(c) Liquid-cooled for use in end products not built by the engine manufacturer and commonly known in the trade as "industrial engines".	X	878	3809.1		6
(d) Liquid-cooled other than those defined under item 2 (c).	Undesignated	878	3809.1		6
3. Internal combustion engine components for engines over 750 revolutions per minute, except those used on aircraft propulsion engines:					
(a) Carburetors	X	3002.78	3809.2		6
(b) Crankshafts, finished drop-forged and cast	X	3002.78	3809.2		6
(c) Fuel injection equipment, Diesel engine	X	3002.78	3809.2		6
(d) Magnetos	Undesignated	3002.78	3809.2		6
(e) Radiators	Undesignated	3002.78	3809.2		6
(f) Camshafts; finished	X	3002.78	3809.2		6
(g) Connecting rods; finished	Undesignated	3002.78	3809.2		6
(h) Motors: electric starting; engine mounted only	Undesignated	3002.78	3809.2		6
(i) Valves and seats; exhaust, intake	Undesignated	3002.78	3809.2		6
(j) Bearings: lined; plain; thrust friction; not water lubricated ship stern, tube strut, rudder shafts, railroad type, main thrust marine	Undesignated	3002.78	3809.2		6
(k) Generators; electric	Undesignated	3002.78	3809.2		6
(l) Starting switches, magnetic, automotive type non-magnetic	Undesignated	3002.78	3809.2		6
(m) Governors; except hydraulic	Undesignated	3002.78	3809.2		6
(n) Piston rings	Undesignated	3002.78	3809.2		6
(o) Voltage regulators	X	3002.78	3809.2		6
(p) Flywheel ring gears	Undesignated	3002.78	3809.2		6
(q) Pistons	Undesignated	3002.78	3809.2		6
(r) Batteries: storage, automotive, dry charged, moist uncharged; storage, not automotive; wet primary	Undesignated	3002.78	3809.2		6
(s) Sleeves, cylinder	Undesignated	3002.78	3809.2		6
(t) Guides, valve	Undesignated	3002.78	3809.2		6
(u) Rubber battery containers	Undesignated	3002.78	3809.2		6
(v) Cell covers and vents for battery containers	Undesignated	3002.78	3809.2		6
4. Generator sets, electric, gas driven (not gasoline), air-cooled; diesel engine driven, gasoline; engine driven, air-cooled; gasoline driven, liquid-cooled.					

[1] Forms WPB-3401 or WPB-3003 may be used in lieu of the forms indicated.
[2] For explanation of time during which shipping schedule is frozen, see paragraph (c) of M-293.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14752; Filed, Sept. 26, 1944; 11:17 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1 to Table 4 as Amended Sept. 25, 1944]

PURCHASERS OF INTERNAL COMBUSTION ENGINES TO FURNISH MANUFACTURERS INFORMATION REGARDING USE OF ENGINES

The following direction is issued pursuant to General Scheduling Order M-293:

The demand for internal combustion engines, the shipments of which are scheduled under War Production Board General Scheduling Order M-293, Table 4, is so large that it is necessary for the War Production Board to determine the relative urgency of shipments to be made by each manufacturer of these engines. In many instances the manufacturer does not have the necessary information in sufficient detail to inform the War Production Board as to the end use of the engines, as this information is known only to the purchaser and sometimes only to the customer of that purchaser. Unless purchase orders already placed and also future orders are properly identified, the War Production Board may be compelled to postpone delivery by the manufacturer or remove the orders entirely from the manufacturer's shipping schedule.

Consequently, in order that each manufacturer of internal combustion engines may be in a position to furnish the War Production Board with the required information, all purchasers of engines listed on Order M-293, Table 4, are directed to furnish immediately to the manufacturer of the engine the following information in respect to the items he has ordered:

1. The specific use the purchaser will make of the engine: for example—tractor, generator, pump, truck, combine, truck replacement, etc.

2. The program or project for which the engine is required: for example—farm machinery, advanced Naval base, heavy truck, truck replacement, etc.

3. Government contract number (if any) identifying the prime contract placed by the claimant agency for such program or project: for example—W-04-353-Eng-339 (this indicates Army Engineer Corps—Contract No. 339). NOBs-1161 (this indicates Navy—Bureau of Ships—Contract No. 1161).

4. The claimant agency sponsoring the program or project: for example—the Army, Navy, War Food Administration, Office of Defense Transportation, etc.

The foregoing information must also be furnished by purchasers in respect to all future orders for any engines listed on Order M-293, Table 4, at the time the orders are given the manufacturer. In giving the information, purchasers should furnish a separate statement for purchase orders involving different programs or covered by more than one government contract number.

If the purchaser of the engine does not have any part of the foregoing information, he may get it from his customer and the customer likewise, if he does not have the information, may get it from his customer.

This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14739; Filed, Sept. 25, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-65, as Amended Sept. 25, 1944]

CLOSURES AND ASSOCIATED ITEMS

§ 3290.301 *General Limitation Order L-65*—(a) *Definitions.* In this order:

(1) "Copper bearing material" means "copper," "copper base alloys," "copper products" and "copper base alloy products," as defined in Conservation Order M-9-c.

(2) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc dust, scrap zinc, zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals. "Zinc" does not include such metal used as a protective coating applied to any of the items covered by this order.

(3) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings or dust.

(4) "Stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10% or more of chromium with or without nickel and/or other alloying elements.

(5) "Process" means to cut, punch, stamp, draw, mold, machine, cast, or in any manner to change the form of any metal or attach metal to tape.

(6) "Preferred order" means any purchase order, contract, or subcontract, in hand at the time of processing, from or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The exceptions in this order relating to preferred orders shall apply only for a material, and only to the extent, required by the applicable specifications.

Restrictions

(b) *General restrictions.* No person shall process any metal in the manufacture of any of the items (or parts thereof) listed on Schedule A attached to this order, except as specifically authorized in the said schedule and subject to the specific restrictions therein stated.

(c) *Restrictions on delivery and use.* No manufacturer of an item covered by this order shall sell or deliver it and no person shall commercially buy, receive, or use any such item, knowing or having reason to believe that it was manufactured or that it is or will be sold, delivered or used contrary to the purposes and requirements specified in this order.

General Exceptions

(d) *General exceptions.* (1) The restructions of this order shall not apply to:

(i) The sale, delivery or use of parts, manufactured prior to April 1, 1942, for the repair or reconditioning of used slide fasteners.

(ii) Any item covered by this order, necessary for use in safety equipment as defined and permitted by Limitation Order L-114.

(iii) [Deleted Sept. 25, 1944]

(2) Subject only to the applicable quantity restrictions of Schedule A, zinc or steel may be used to fill preferred orders for any item listed on Schedule A.

(3) Zinc or zinc products may be used without restriction for plating any item covered by this order.

Equitable Distribution

(e) *Equitable distribution.* It is the policy of the War Production Board that items covered by this order not required to fill rated orders shall be distributed equitably. In making such distribution, due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to process more metal in the manufacture of any of the items (or parts thereof) listed on Schedule A than is permitted by Schedule A, or who wants to use any iron or steel to make an item listed on Schedule A for which he is not now permitted to use it, may apply for permission to do so as explained in Priorities Regulation 25. Any person may apply under Priorities Regulation 25 to obtain controlled material to make an item on Schedule A for which he is now permitted to use it, but he may still, of course, apply under other established War Production Board procedures for allotments of controlled material to make items listed on Schedule A in amounts permitted under Schedule A. The restrictions in paragraph (b) and Schedule A on the use of metal, except iron, steel, zinc and aluminum, apply to production authorized under Priorities Regulation 25.

(2) *Appeals.* No appeal should be filed from this order with reference to the use of iron, steel, zinc or aluminum in the manufacture of items (or parts thereof) listed on Schedule A. Appeals from other restrictions of this order may

be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref. L–68, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed in writing, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington (25), D. C. Ref. L–68.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine and imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priorities control and may be deprived of priorities assistance.

(j) *Records.* Each manufacturer of an item covered by this order shall preserve for at least two years complete and accurate records of inventories and receipts of each metal and alloy used, and of the production, deliveries, and inventories of each such item, classified according to the metal or alloy from which each such item was manufactured. The record-keeping provisions of this paragraph have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A amended Sept. 25, 1944.

This schedule specifies the metals that may be used to manufacture any item listed. The word "yes" in the appropriate columns means that the metal may be used for such item. The word "no" means the metal may not be used. Reference to a note appearing in any column means that metal may be used in accordance with restrictions contained in the respective note. In the manufacture of any item listed, copper may be used only as permitted by Conservation Order M–9–c and M–9–c–1, nickel may be used only as permitted by Order M–6–b, and silver may be used only as permitted by Conservation Order M–199, by appeals or otherwise under said orders. Aluminum may be used to make any item listed on this schedule subject to the limitations contained in the column entitled "Other restrictions".

Item	Materials may be used as indicated		
	Zinc or zinc products	Steel	Other restrictions
1. Boning tips	Yes	Yes	See note 3.
2. Buckles	See note 7	Yes	See note 3.
3. Buckle molds	See note 7	See note 1.	
4. Button molds	See note 7	See note 1.	
5. Button and button tacks for use on wearing apparel:			
(a) For use on overalls, overall suits and dungarees.	See note 7	Yes	See note 2.
(b) For use on coated fabric garments	See note 7	Yes	See note 4.
(c) For use on all other wearing apparel	See note 7	No	
6. Button shanks	Yes	Yes	See note 3.
7. Corset clasps and boning	See note 7	Yes	See note 3.
8. Eyelets, grommets and grommet washers	Yes	Yes	See note 3.
9. Garter clasps and trim	See note 7	Yes	See note 3.
10. Hooks and eyes and brassiere hooks	See note 7	Yes	See note 3.
11. Hose supporters and trim	See note 7	Yes	See note 3.
12. Loops, slides, slide loops and links:			
(a) For use on overalls, overall suits and dungarees.	See note 7	Yes	See note 5.
(b) For use on all other wearing apparel	See note 7	Yes	See note 5.
13. Rivets and burrs:			
(a) For use on overalls, overall suits and dungarees.	See note 7	Yes	
(b) For all other uses	See note 7	Yes	See note 3.
14. Slide fasteners	Yes	Yes	See note 6.
15. Snap fasteners	See note 7	Yes	See note 3.
16. Suspender clasps and trim	See note 7	Yes	See note 3.

NOTE 1: Only steel obtained under the requirements of Priorities Regulation 13 from idle or excessive inventories reported to the Steel Recovery Corporation or W. P. B., or steel obtained pursuant to Direction 44 of CMP Regulation 1, may be used.

NOTE 2: Such buttons shall be limited to open top buttons consisting of not more than two pieces exclusive of the tack or fastener and limited to 22 ligne fly buttons of plain design and 27 ligne buttons with wreath design for the remainder of the garment.

NOTE 3: In manufacturing establishments located in Groups 1 or 2 of the labor market areas designated by the War Manpower Commission, the quantity of material processed by any persons for such items in any calendar quarter shall not exceed the average quarterly poundage of all metals processed by such person for such purposes during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage of metals which may be processed each pound of aluminum shall be deemed the equivalent of three pounds of any other metal.

NOTE 4: Such buttons shall be limited to open or closed top buttons consisting of not more than 4 pieces exclusive of the tack or fastener, and not exceeding 36 ligne in size.

NOTE 5: Loops, slides and slide loops for such men's garments shall be limited to one size not to exceed 1⅛" and for such boys' garments to one size not to exceed 1¾".

NOTE 6: The quantity of all metals processed by any person for slide fasteners in any calendar quarter, exclusive of materials processed to fill preferred orders, shall not exceed 66⅔% of the average quarterly poundage of all metals used for such purpose by such person during the year ending June 30, 1941. If aluminum alloy is used, for computing total poundage of metals which may be processed each pound of aluminum shall be deemed the equivalent of three pounds of any other metal. Stainless steel may be used only where required for anti-corrosive or non-magnetic properties to fill preferred orders.

NOTE 7: Zinc and zinc products may be used for these items. However, the quantity of zinc and zinc products processed by any person for such items in any calendar quarter shall not exceed 20% of the quantity by weight of zinc and zinc products used by him for the same purposes during the entire calendar year of 1941.

[F. R. Doc. 44–14742; Filed, Sept. 25, 1944; 11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M–73, Revocation of Direction 2]

WOOLENS FOR CHILDREN'S SNOW SUITS, LEGGING SETS AND SIMILAR GARMENTS

Direction No. 2 to Conservation Order M–73 is hereby revoked. This revocation does not affect any liabilities incurred under the direction, nor does it relieve any person from any obligation to fill any orders previously accepted, nor does it relieve any person from the requirements of Priorities Regulation 1 to accept and fill rated orders.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14744; Filed, Sept. 25, 1944; 11:18 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–71, as Amended Sept. 25, 1944]

DRY CELL BATTERIES AND PORTABLE ELECTRIC LIGHTS OPERATED BY DRY CELL BATTERIES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and certain facilities used in the production of dry cell batteries, zinc shells for dry cell batteries and portable electric lights for defense for private account and for export and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.125 *Limitation Order L–71*—(a) *Definitions.* For the purpose of this order:

(1) "Circular C435" means Circular C435 of the National Bureau of Standards, issued February 18, 1942, entitled "American Standard Specification for Dry Cells and Batteries."

(2) "Dry cell battery" means any primary cell or assembly of cells in which the electrolyte is nonspillable and in which electric current is produced by electrochemical action.

(3) "Portable electric light" means any flashlight or other portable electric light operated by one or more dry cell batteries. It does not include bulbs, dry cell batteries, electric flares covered by L–158, aviation ground lighting equipment covered by L–235, aircraft lighting equipment covered by L–327, or devices specifically designed and built for use in military operations, marine navigation or lifesaving.

(4) "Manufacturer" means any person engaged in the business of making or assembling dry cell batteries, zinc shells for dry cell batteries or portable electric lights.

(b) *Restrictions on use of materials in the manufacture of portable electric lights.* No manufacturer shall use any metal or crude, reclaimed or synthetic rubber in the manufacture of portable electric lights or parts for portable electric lights, except

(1) Iron and steel, provided that no steel except tin mill blackplate rejects and wasters is used in the manufacture of tubes for flashlight cases.

(2) Aluminum.

(3) Copper and copper base alloy for plating current carrying parts other than cases.

(4) Tin in solder.

(5) Zinc for plating, electrical contact fittings and reflectors.

(6) Crude, reclaimed or synthetic rubber as permitted by Rubber Order R–1.

(c) *General restrictions on production and delivery.* (1) No manufacturer shall make or deliver any dry cell batteries or portable electric lights except according to a quota authorized by the War Production Board on Form WPB–2719 (formerly PD–880).

(2) Each manufacturer must file this form with the War Production Board on or before the 10th day of March, June, September and December, showing his proposed production and delivery.

(3) Manufacture of portable electric lights will be authorized to qualified manufacturers so that total production will not exceed the approved War Production Board program and so that production in any one plant or labor requirements therefor will not interfere with the war production in that plant or in any plant located in the same area.

(4) The War Production Board when assigning quotas on Form WPB–2719 (formerly PD–880) or at any other time, may direct any manufacturer in writing to distribute specified amounts of his production for certain purposes or for certain end uses. If at any time the War Production Board finds that the supply of zinc shells for the production of dry cell batteries authorized under paragraph (c) (1) is not sufficient to complete that production, it may direct any manufacturer of dry cell batteries to reduce or cancel his orders for zinc shells, or it may limit the number and type of zinc shells which may be received and used by such manufacturer.

(d) *Special restrictions on delivery.*
(1) [Deleted Sept. 25, 1944]
(2) [Deleted Sept. 25, 1944]

(3) No manufacturer shall sell any dry cell batteries knowing or having reason to believe that they will ultimately be used in a radio set designed primarily for the reception of broadcasts on standard wave lengths 550 to 1500 KC, except (i) Batteries having cells designated "D" in Table 1 of Circular C435 with modifications as permitted in section 2.2 of that circular, or larger sized cells than those designated "D", (ii) "C" batteries as described in Table 8 of Circular C435.

(e) *Special exemptions.* The restrictions contained in paragraphs (b) and (d) do not apply to the manufacture or sale of dry cell batteries or portable electric lights made to fill specific orders calling for delivery to or for the account of the Army, Navy, Maritime Commission, War Shipping Administration, Office of Scientific Research and Development, Panama Canal, Coast and Geodetic Survey, or orders approved by the Maritime Commission on Form WPB–646 (formerly PD–300).

(f) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other orders of the War Production Board limits the use of any material in the production of dry cell batteries or portable electric lights to a greater extent than does this order, the other order shall govern unless it states otherwise.

(g) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to make more dry cell batteries or portable electric lights than he has been authorized to make on Form WPB–2719 under paragraph (c) (1), and any person who has received no such authorization may apply for permission to do so as explained in Priorities Regulation 25. Sale and other restrictions of the order and any direction to it, with the exception of the manufacturing restrictions of paragraph (c), must be complied with even when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order, other than the manufacturing restrictions of paragraph (c), should be filed on Form WPB–1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the manufacturing restrictions of paragraph (c).

(h) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L–71.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14751; Filed, Sept. 25, 1944; 11:17 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 53]

SILICA GEL (DESICCANT GRADE)

§ 3293.1053 *Schedule 53 to General Allocation Order M–300*—(a) *Definition.* "Silica gel" means any partially dehydrated form of silicic acid, excluding, however, silica gel manufactured specifically for catalytic purposes; silica gel predominately (more than 80 per cent) finer than 80 mesh; silica gel incorporated in, or forming a part of, any finished product or subassembly; and indicator gel.

(b) *General restrictions.* Silica gel is subject to allocation under General Allocation Order M–300 as an Appendix A material. The initial allocation date is November 1, 1944. The allocation period is the calendar month and the small order exemption is 550 pounds per person per month.

(c) *October shipments to be directed.* Deliveries for the month of October, 1944, may be directed on the basis of proposed shipping schedules approved by the War Production Board. On or before September 25, 1944, each producer of silica gel shall submit to the War Production Board a schedule of shipments proposed to be made during the month of October, 1944. These schedules may be changed from time to time as specifically directed by the War Production Board. Each schedule shall show the following data: Weight (in pounds), bag size, customer, shipping point, prime contract number, and customer's order number.

(d) *Suppliers' applications on WPB–2946.* Each supplier seeking authorization to deliver shall file application on Form WPB–2946 (formerly PD–601). Filing date is the 10th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–53. The unit of measure is pounds. If a supplier requires silica gel for the purpose of manufacturing in his own plant component parts of any equipment, or indicator gel, he should specify himself as a customer on Form WPB–2946 and also submit Form WPB–2945 as provided in paragraph (e). An aggregate quantity may be requested on Form WPB–2946, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB–2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB–2945 (formerly PD–600). Filing date is the 5th day of the month before the requested allocation month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–53, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In Column 1 specify container size requested and opposite in Column 2, the total poundage of silica gel for each size container. In Column 3 show prime Government contract number using two lines if necessary. In Column 4 fill in end use. If end use is "packaging," describe the material to be packaged. If end use is other than packaging, specify in terms of the following:

Ships allowance list	Refrigeration
Dehumidification of inactive ships	Export
	Inventory
Gas masks	Resale
Air conditioning	Other (specify)

In Table II specify container size in Column 11 and fill in remaining columns as indicated in heading showing all quantities in pounds of silica gel. Fill in Table III as indicated where applicable, specifying pounds of silica gel in Column 18, and container size in Column 19. Leave Tables IV and V blank. When necessary, Tables I, II and III may be extended on a separate sheet.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–53.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14743; Filed, Sept. 26, 1944; 11:18 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M–21, as Amended Sept. 25, 1944]

§ 3294.71 *General Preference Order M–21*—(a) *Purpose and scope.* This is the basic order covering the distribution of steel and iron products. Other rules for distribution, as well as for production and use, are contained in other War Production Board orders and regulations, which must also be complied with, except to the extent that their provisions are inconsistent with this order. With respect to steel, attention is called particularly to the various CMP regulations and to other orders in the M–21 series.

(b) *Definitions.* For the purposes of this order:

(1) The word "steel" means carbon steel (including wrought iron) and alloy steel in the forms and shapes listed in Schedule I of CMP Regulation No. 1. The term includes material sorted or salvaged from scrap and sold for other than remelting purposes. The term also includes all types of rejected or second quality material and shearings except:

(i) When sold as scrap for remelting; or

(ii) When sold as scrap to a scrap dealer for sorting, processing or salvaging, or for resale for remelting.

The term does not include material which has been in use or service.

"Iron products" means iron castings, gray and malleable (rough as cast), including all items of ferrous foundry manufacture not classified as steel, except cast iron pipe.

(3) "Producer" means any person who produces steel or iron products.

(c) *Deliveries of iron products and steel forgings.* Iron products and carbon or alloy steel forgings may not be delivered except:

(1) On orders bearing a preference rating of AA–5 or higher; or

(2) As permitted under Priorities Regulation No. 13; or

(3) As specifically authorized or directed in writing by the War Production Board.

(d) *Deliveries of other steel.* Other steel may not be delivered except:

(1) As permitted under CMP Regulation No. 1 of CMP Regulation No. 4; or

(2) As permitted under Priorities Regulation No. 13 or Priorities Regulation No. 19; or

(3) To distributors as permitted under Order M–21–b–1 or M–21–b–2; or

(4) As specifically authorized or directed in writing by the War Production Board.

(e) *Iron products and steel forgings.* Iron products and carbon and alloy steel forgings are obtained on preference rated orders, and purchase orders for these products must be accompanied by a certification of the applicable rating in substantially the form set forth in Priorities Regulation No. 7.

(f) *Special directions.* The War Production Board may from time to time issue special directions to any person or persons as to the type, description, amount, source, or destination of steel or iron products to be produced, delivered, or acquired by such person or persons.

(g) *Producers' reports.* Each producer shall file with the War Production Board, Washington 25, D. C., Reference: M21, reports at such times and on such forms as may from time to time be prescribed, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to Steel Division, War Production Board, Washington 25, D. C., Ref: M–21.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE 1: Deleted May 8, 1944.

INTERPRETATION 1: Deleted May 8, 1944.

[F. R. Doc. 44–14750; Filed, Sept. 25, 1944; 11:17 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M–21–b–1, as Amended Sept. 25, 1944]

GENERAL STEEL PRODUCT DISTRIBUTORS

§ 3294.81 *General Preference Order M–21–b–1*—(a) *Purpose and scope.* This order tells how a distributor obtains deliveries of general steel products for his own stock or for direct delivery to his customers. The rules governing his purchases of merchant trade products are contained in General Preference Order M–21–b–2, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

(b) *Definitions.* For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I to CMP Regulation No. 1.

(2) "Alloy steel" means alloy steel as defined in Order M–21–a.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "General steel product" means any of the steel products listed in Schedule A of this order.

(5) "Product group" means any of the 17 numbered groups of general steel products listed in Schedule A of this order.

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy steel.

(7) "Base tonnage" of a distributor for any product group and type at any location means the tonnage of that product group and type certified to that distributor for that location by the War Production Board on form GA–996. In general, the base tonnage of any product group and type for any location will be the tonnage delivered by that distributor from his stock at that location during the first three months of 1941. In no event will a base tonnage be established for a distributor at any location except for product groups and types which he was regularly receiving into stock from producer on or before August 9, 1941.

(8) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who is engaged in the business of regularly receiving steel into his stock for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale. The term "distributor" excludes any person who purchases steel for resale who does not actually take physical delivery of the material into his stock for sale or resale at a location regularly maintained by him for such purpose. The activities of such a person are governed by the terms of Direction 48 to CMP Regulation No. 1.

(9) "Delivery" includes deliveries received on consignment.

(c) *Purchases for stock*—(1) *From a producer; only replacement orders permitted.* A distributor may not order general steel products for his stock from a producer except to replace general steel products delivered from his stock at one or more locations during the previous 90 days to consumers in accordance with CMP Regulation No. 4, or to other distributors in accordance with this order, plus scrap accumulated in the course of warehouse operations and actually sold to a scrap dealer or melter and reported to the War Production Board on Form WPB–2888, and which he has not previously replaced or ordered for replacement. A distributor may not, however, use any delivery from his stock on an order bearing the allotment symbol Z–1–E, or any delivery authorized by the War Production Board pursuant to an appeal filed by him under Direction 44 to CMP Regulation No. 1, to support a stock replacement order. Within these limits, a distributor may order any general steel product for his stock from any producer.

(2) [Deleted Sept. 25, 1944]

(3) *From another distributor; replacement orders.* A distributor may order general steel products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a producer.

(4) *From another distributor; salvaged and surplus steel.* In addition, a distributor may order for his stock from another distributor any general steel product items which the latter has in stock as surplus steel or has salvaged from material purchased as scrap. For the purposes of this paragraph only, "surplus steel" means any general steel product items which a distributor has in his stock that are not needed to fill any orders he has received calling for delivery within the next 30 days which he is required to fill under CMP regulations, or material which he has purchased for his stock from a holder of idle or excess inventories in accordance with paragraph (c) (5) of this order. Salvaged and surplus steel does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.

(5) *From a holder of idle or excess inventories.* In addition, a distributor may order any idle or excess general steel products for his stock from a holder on a "special sale" as provided in Priorities Regulation No. 13, or from a producer as provided in Direction 44 to CMP Regulation No. 1. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order.

(6) *How to place orders.* Each distributor to whom the War Production Board has issued a GA–996 warehouse certificate shall file once with each of his producer suppliers of general steel products a copy of the front page of the GA–996 warehouse certificate most recently issued to him. The copy of the GA–996 certificate received by a producer from a distributor may be used by the producer to verify the existence of a base tonnage on any particular product group. Each purchase order for general steel products placed for shipment to a distributor's stock must bear the words, "For distributor's stock." On orders placed with producers for product groups for which the distributor has a base tonnage for the location where the material will be received into stock, he should also place the serial number assigned him on his GA–996 certificate; but this serial number must not be used on any other sort of order. In addition, an order placed under paragraph (c) (4) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.

(7) *Status of orders for delivery to stock.* An order placed with a producer in accordance with this paragraph (c) and bearing the distributor's serial number, or an order placed with a holder of idle or excess inventories in accordance with Priorities Regulation No. 13, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c) may, but need not, be accepted; any part of the order which is accepted will be considered an authorized controlled material order.

(d) *Purchases for direct delivery to a customer*—(1) *Placing of orders.* A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) *Status of orders.* An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through another person.

(e) *Warehouse load directives.* A distributor may place orders in accordance with paragraph (c) for any general steel product with any producer. However, when necessary to secure an equitable distribution of any scarce general steel product, the War Production Board may direct producers to reserve each month a part of their production of such product to fill authorized controlled material orders bearing distributors' serial numbers. In order to take advantage of the tonnage reserved for any month, a distributor must submit his orders in accordance with paragraph (c) to a producer not later than the expiration date stated in the warehouse load directive. A producer may fill distributors' orders for that month received after the expiration date but may not reserve any space for them. A producer may not, until after the expiration date, schedule distributors' orders which do not bear a serial number.

(f) *Earmarked warehouse stocks.* The War Production Board may establish earmarked stocks of general steel products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.

(g) *Establishing an initial stock.* This paragraph covers three groups: persons who have not previously been authorized to act as distributors of general steel products, distributors wishing to purchase for stock a product group which they have not previously handled, and

distributors who have not previously purchased general steel products from producers but who now wish to do so.

(1) *New distributors.* Hereafter, any person who wishes to become a distributor of any general steel product from stock at a location not in operation prior to April 1, 1944, may do so only by purchasing his entire working stock from holders of idle or excess inventories in accordance with paragraph (c) (5) of this order. Deliveries from such stock may be replaced in accordance with paragraph (c) of this order. The term "working stock" includes all of the tonnage deemed necessary by the distributor to maintain operations at the new location at a satisfactory level under this order. Each location established by any person pursuant to this paragraph (g) (1) shall hereafter be considered a separate distributor subject to all of the terms of this regulation even though the location may only represent the addition of another unit to a group operated by one distributor.

(2) *New product lines or sources of supply.* A distributor wishing to add a new general steel product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of this order.

(h) *General provisions*—(1) *Reports.* Each distributor must file a quarterly report on form WPB–2888 for each location at which his total base tonnage of general steel products, or his receipts of general steel products into stock from producers during the quarter, exceeds 150 tons. In addition, if his base tonnage of tool steel (product group No. 7) for any location, or his receipts of tool steel into stock at any location from producers during the quarter, exceed 25 tons, he must file this report. Each report must be filed in duplicate with the Bureau of the Census, Washington 25, D. C., on or before the 15th day of January, April, July and October. Each distributor, even though he is not required to file this report, must maintain for at least two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of each calendar quarter. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) *Appeals.* Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) *Communications to War Production Board.* All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., References: M-21-b-1.

(4) *Violations.* Any distributor or other person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

This amended order shall become effective October 1, 1944.

NOTE: The record keeping and reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—GENERAL STEEL PRODUCTS

	Types of steel included		
	Carbon	Stainless	Other alloy
1. Ingots, blooms, billets, slabs, tube rounds, die blocks, sheet and tin bars	X	X	X
2. Structural shapes and piling	X		X
3. Plates (universal and sheared including skelp)	X	X	X
4. Rails and track accessories	X		X
5. Hot rolled bars—except concrete reinforcing bars but including forged, galvanized, and wrought iron bars	X	X	X
6. Cold finished bars	X	X	X
7. Tool steel, including drill rod	X		X
8. Mechanical tubing	X	X	X
9. Pressure tubing	X	X	X
10. Wire rods (for wire drawing only)	X	X	X
11. Sheets and strip, hot rolled	X	X	X
12. Sheets and strip, cold reduced	X	X	X
13. Tin mill black plate	X		
14. Sheets and strip, all other (except tin plate, short ternes, and galvanized)	X		
15. Wheels and axles (including steel tires and rims)	X		X
16. Castings (rough castings only)	X	X	X
17. Concrete reinforcing bars (unfabricated)	X		

[F. R. Doc. 44-14740; Filed, Sept. 25, 1944; 11:19 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21-b-2, as Amended Sept. 25, 1944]

MERCHANT TRADE PRODUCTS DISTRIBUTORS

§ 3294.86 *General Preference Order M-21-b-2*—(a) *Purpose and scope.* This order tells how a distributor obtains deliveries of merchant trade products for his own stock or for direct delivery to his customers. The rules governing his purchases of general steel products are contained in Order M-21-b-1, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

(b) *Definitions.* (1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule 1 to CMP Regulation No. 1.

(2) "Merchant trade products" means any of the steel products listed in Schedule I of this order.

(3) "Product group" means any of the 12 numbered groups of merchant trade products listed in Schedule I of this order.

(4) "Base period" means

(i) For merchant trade products in product groups 20–23, inclusive, the calendar year 1940.

(ii) For merchant trade products in product groups 24–31, inclusive, the 12 months ending June 30, 1941.

(5) "Base tonnage" of a distributor for any product group at any location means the tonnage of that product group delivered by producers to his stock at that location during the base period, or such other tonnage as may be specifically established by the War Production Board. By the use of Form WPB–2889 a distributor can shift his base tonnage for any product group from one producer to another.

(6) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who is engaged in the business of regularly receiving steel into his stock for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale. The term "distributor" excludes any person who purchases steel for resale who does not actually take physical delivery of the material into his stock for sale or resale at a location regularly maintained by him for such purpose. The activities of such a person are governed by the terms of Direction 48 to CMP Regulation No. 1.

(7) "Delivery" includes deliveries received on consignment.

(8) "Minimum carload" means a carload weighing not less than 40,000 lbs.

(c) *Purchases for stock*—(1) *From a producer; only replacement orders permitted.* A distributor may not order merchant trade products for his stock from a producer except to replace merchant trade products which he delivered from his stock at one or more locations during the previous 12 months to consumers in accordance with CMP Regulation No. 4 or to other distributors in accordance with this order, and which he has not previously replaced or ordered for replacement. A distributor may not, however, use any delivery from his stock on an order bearing the allotment symbol Z–1–E, or any delivery authorized by the War Production Board pursuant to an appeal filed by him under Direction 44 to CMP Regulation No. 1, to support a stock replacement order. Within these limits, a distributor may order any merchant trade product for his stock from any producer. When placing orders with producers a distributor should, so far as possible, specify deliveries in not less than minimum carload quantities in order to save transportation.

(2) *From another distributor; replacement orders.* A distributor may order merchant trade products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a producer.

(3) *From another distributor; salvaged and surplus steel.* In addition, a distributor may order for his stock from another distributor any merchant trade steel product items which the latter has in stock as surplus steel or has salvaged from material purchased as scrap. For the purposes of this paragraph only, "surplus steel" means any merchant trade steel product items which a distributor has in his stock that are not needed to fill any orders he has received calling for delivery within the next 30 days which he is required to fill under CMP regulations, or material which he has purchased for his stock from a holder of idle or excess inventories in accordance with paragraph (c) (4) of this order. Salvaged and surplus steel does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.

(4) *From a holder of idle or excess inventories.* In addition, a distributor may order any idle or excess merchant trade steel products for his stock from a holder on a "special sale" as provided in Priorities Regulation No. 13, or from a producer as provided in Direction 44 to CMP Regulation No. 1. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order.

(5) *How to place orders.* Each order for merchant trade products for shipment to a distributor's stock must bear the words "For distributor's stock." In addition, an order placed under paragraph (c) (3) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.

(6) *Status of orders for delivery to stock.* An order placed with a producer in accordance with this paragraph (c) for delivery of a merchant trade product to stock at a location where the distributor has a base tonnage for that product group with that producer, or an order placed with a holder of idle or excess inventories in accordance with Priorities Regulation No. 13, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c) may, but need not, be accepted; any part of the order which is accepted will be considered an authorized controlled material order.

(d) *Purchases for direct delivery to a customer*—(1) *Placing of orders.* A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) *Status of orders.* An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through another person.

(e) *Warehouse load directives.* A distributor may place orders in accordance with paragraph (c) for any merchant trade product group with any producer. However, when necessary to secure an equitable distribution of any scarce merchant trade product, the War Production Board may direct producers to reserve each calendar quarter a part of their production of such product to fill authorized controlled material orders from distributors for whom they have a base tonnage covering a specific location or locations. In order to take advantage of any such reserved tonnage, a distributor must submit his orders in accordance with paragraph (c) to the producer then holding his base tonnage, not later than the expiration date stated in the warehouse load directive. A producer may fill distributors' orders for that quarter received after the expiration date, but may not reserve any space for them. A producer must consider the first orders for any product group received from any distributor for delivery in a particular calendar quarter as applicable to the tonnage of such product group reserved for that distributor during that quarter. In addition to the tonnage of any product group which a distributor may order against the amount reserved for him by a warehouse load directive, he may place other properly supported orders for that product group with the same or any other producer in accordance with paragraph (c). However, a producer may not schedule such orders for delivery until after his obligations under the warehouse load directive have been filled, or unless when the order is received he knows that he will have material for shipment to distributors over and above the tonnage required to satisfy his warehouse load directive.

(f) *Earmarked warehouse stocks.* The War Production Board may establish earmarked stocks of merchant trade products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.

(g) *Establishing an initial stock.* This paragraph covers three groups: persons who have not previously been authorized to act as distributors of merchant trade products, distributors wishing to purchase for stock a product group which they did not handle during the base period, and distributors who did not purchase merchant trade products from producers during the base period but who now wish to do so.

(1) *New distributors.* Hereafter, any person who wishes to become a distributor of any merchant trade product from stock at a location not in operation prior to April 1, 1944, may do so only by purchasing his entire working stock from holders of idle or excess inventories in accordance with paragraph (c) (4) of this order. Deliveries from such stock may be replaced in accordance with paragraph (c) of this order. The term "working stock" includes all of the tonnage deemed necessary by the distributor to maintain operations at the new location at a satisfactory level under this order. Each location established by any person pursuant to this paragraph (g) (1) shall hereafter be considered a separate distributor subject to all of the terms of this regulation even though the location may only represent the addition of another unit to a group operated by the distributor.

(2) *New product lines or sources of supply.* A distributor wishing to add a new merchant trade product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of this order.

(h) *General provisions*—(1) *Reports.* Each distributor who has a base tonnage for any of the following groups of merchant trade products at any one location in excess of that shown below must file with the Bureau of the Census, Washington, D. C., a quarterly report for such location in duplicate on Form WPB–2892.

	Net tons
Pipe (product groups 20–21)	240
Tin and terne plate (product group 22)	240
Galvanized, lead coated, or painted sheets and strip, including roofing and siding, valley, ridge roll, and flashing (product group 23)	240
Wire products (product groups 24–31)	240

This report must also be filed by a distributor for any of his warehouses which during the quarter receives into stock from producers over 100 tons of merchant trade products. Each distributor, whether or not he is required to file this report, must maintain for a period of not less than two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of his fiscal year. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) *Appeals.* Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) *Communications to War Production Board.* All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., Reference: M-21-b-2.

(4) *Violations.* Any distributor or other person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Special instructions.* The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

This amended order shall become effective October 1, 1944.

NOTE: The record keeping and reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—MERCHANT TRADE PRODUCTS

Product group number	*Description*
20	Standard and line pipe, water well tubular products, and couplings (includes steel and wrought iron pipe).
21	Oil country casing, tubing, and drill pipe, and couplings.
22	Tin plate and terne plate (short ternes).
23	[1] Galvanized, lead coated, or painted sheets and strip (including galvanized flat sheets purchased for the manufacture of roofing and siding), formed roofing and siding (painted, black, galvanized, or lead coated), valley, ridge roll, and flashing.

[1] With the approval of the producer receiving such an order, substitution of black sheets (21 gauge and lighter) may be made for galvanized flat sheets of the same gauge.

SCHEDULE I—MERCHANT TRADE PRODUCTS—Con.

Product group number	*Description*
24	Wire rope and strand.
25	Nails (cut and wire), fence and netting staples.
26	Wire, drawn.
27	Wire bale ties.
28	Wire (barbed and twisted), and wire fence (woven or welded).
29	Wire netting.
30	Fence posts.
31	Welded wire concrete reinforcing fabric.

[F. R. Doc. 44-14741; Filed, Sept. 25, 1944; 11:19 a. m.]

Subchapter C—Director of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U-1, Direction 2, as Amended Sept. 25, 1944]

Direction 2 to Utilities Order U-1 as heretofore amended is hereby amended to read as follows:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application Form WPB-2774, to authorizations issued to producers on Form WPB-2774 before the revised application form came into use. It also authorizes use of the simplified allotment procedure for all authorizations on WPB-2774 whether issued before or since June 10, 1944, even though such authorizations made allotments for specific quantities and quarters, and regardless of the size of such allotments.

(b) *Provisions applicable only to WPB-2774 authorizations in effect on June 10, 1944.* The following special provisions are hereby made applicable to all WPB-2774 authorizations issued to electric, water, gas, or central steam heat producers and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size, and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774, except that transformers, poles, crossarms and meters must not be used in quantities which exceed those specifically approved on the application. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction or installation authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1), above.

(3) The preference rating AA-3 is hereby assigned for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1) above; except that the rating must not be used to purchase transformers, poles, crossarms and meters in quantities which exceed those specifically rated for purchase on the application.

(4) The provisions of this paragraph (b) do not apply to authorizations which were revoked or on which all authorized work was completed prior to July 18, 1944. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below section V of any approved WPB-2774 application.

(5) References herein to "section III" and "section V" of Form WPB-2774 may be considered to mean "section C" and "section E", respectively, on an edition of Form WPB-2774 prior to that of February 21, 1944.

(c) *Provisions applicable only to WPB-2774 authorizations issued since June 10, 1944.* Producers may use the abbreviated allotment number U-2 for the purchase of all controlled materials and Class A products authorized for use in paragraph 1 of section V of WPB-2774 authorizations issued since June 10, 1944, irrespective of quantities of controlled materials allotted in section IV of such authorizations and quarters for which such allotments were made. Other provisions of WPB-2774 authorizations issued since June 10, 1944, are not affected by this Direction.

(d) *Provisions applicable to all WPB-2774 authorizations issued prior to the effective date of this amendment.* (1) Producers are authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments.

(2) The abbreviated allotment number and preference rating assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of minimum requirements. The allotment number and preference rating may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below minimum requirements.

(3) The abbreviated allotment number and preference rating assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction or installation authorized.

(4) Orders for controlled materials placed pursuant to this Direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment other than controlled materials to which the preference rating assigned herein is applied must also show the abbreviated allotment number U-2 for identification purposes.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14746; Filed, Sept. 25, 1944; 11:18 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U-3, Direction 1, as Amended Sept. 25, 1944]

Direction 1 to Utilities Order U-3 is hefeby amended to read as follows:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application Form WPB-2774 to all authorizations on WPB-2774 issued to telephone operators whether before or since June 10, 1944, even though such authorizations made allotments of controlled materials for specific

quantities and quarters, and regardless of the size of such allotments.

(b) *Provisions applicable only to WPB-2774 authorizations in effect on June 10, 1944.* The following special provisions are hereby made applicable to all WPB-2774 authorizations issued to telephone operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction or installation authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1), above.

(3) The applicant is hereby authorized to use the preference rating(s) assigned in his approved application for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1), above.

(4) The provisions of this paragraph (b) do not apply to authorizations which were revoked or on which all authorized work was completed prior to July 31, 1944, the effective date of the previous Direction 1 to Order U-3. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below section V of any approved WPB-2774 application.

(5) References herein to "section III" and "section V" of Form WPB-2774 may be considered to mean "section C" and "section E" respectively, on an edition of Form WPB-2774 prior to that of February 21, 1944.

(c) *Provisions applicable only to WPB-2774 authorizations issued since June 10, 1944.* Operators may use the abbreviated allotment number U-2 for the purchase of all controlled materials and Class A products authorized for use in paragraph 1 of section V of WPB-2774 authorizations issued since June 10, 1944, irrespective of quantities of controlled materials allotted in section IV of such authorizations and quarters for which such allotments were made. Other provisions of WPB-2774 authorizations issued since June 10, 1944, are not affected by this direction.

(d) *Provisions applicable to all WPB-2774 authorizations issued prior to the effective date of this amendment.* (1) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments.

(2) The abbreviated allotment number and preference rating(s) assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating(s) may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(3) The abbreviated allotment number and preference rating(s) assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction or installation authorized.

(4) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment, other than controlled materials, to which the preference rating(s) assigned herein are applied must also show the abbreviated allotment number U-2 for identification purposes.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14748; Filed, Sept. 25, 1944; 11:17 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U-4, Direction 1, as Amended Sept. 25, 1944]

Direction 1 to Utilities Order U-4 is hereby amended to read as follows:

(a) *What this direction does.* This direction makes applicable the simplified procedures provided for in the June 1944 revision of application Form WPB-2774 to all authorizations on WPB-2774 issued to telegraph operators whether before or since June 10, 1944, even though such authorizations made allotments of controlled materials for specific quantities and quarters, and regardless of the size of such allotments.

(b) *Provisions applicable only to WPB-2774 authorizations in effect on June 10, 1944.* The following special provisions are hereby made applicable to all WPB-2774 authorizations issued to telegraph operators and in effect on June 10, 1944, even though contrary provisions appear on the face of such authorizations:

(1) The applicant may use for the job authorized in his approved WPB-2774 application only materials and equipment of the kind, type, size, and capacity listed in section III of his application and approved by the War Production Board, but he may use such materials and equipment in quantities required, irrespective of the quantities authorized on WPB-2774. No change may be made in the kind, type, size, and capacity of the materials and equipment listed in section III of the application and approved by the War Production Board, unless an amendment is filed and specific approval obtained. Nor may more materials and equipment be used than are required for the construction or installation authorized.

(2) The applicant is authorized to use the abbreviated allotment number U-2 for the purchase of controlled materials and Class A products to the extent authorized for use by paragraph (b) (1), above.

(3) The applicant is hereby authorized to use the preference rating(s) assigned in his approved application for the purchase of quantities of equipment and materials (other than controlled materials) additional to those rated for purchase in the approved application, to the extent that such additional quantities are authorized for use by paragraph (b) (1), above.

(4) The provisions of this paragraph (b) do not apply to authorizations which were revoked or on which all authorized work was completed prior to July 31, 1944, the effective date of the previous Direction 1 to Order U-4. Nor do such provisions set aside or supersede any specific exceptions or conditions which were made in the blank space below Section V of any approved WPB-2774 application.

(5) References herein to "section III" and "section V" of Form WPB-2774 may be considered to mean "section C" and "section E" respectively on an edition of Form WPB-2774 prior to that of February 21, 1944.

(c) *Provisions applicable only to WPB-2774 authorizations issued since June 10, 1944.* Operators may use the abbreviated allotment number U-2 for the purchase of all controlled materials and Class A products authorized for use in paragraph 1 of section V of WPB-2774 authorizations issued since June 10, 1944, irrespective of quantities of controlled materials allotted in section IV of such authorizations and quarters for which such allotments were made. Other provisions of WPB-2774 authorizations issued since June 10, 1944, are not affected by this direction.

(d) *Provisions applicable to all WPB-2774 authorizations issued prior to the effective date of this amendment.* (1) Operators are hereby authorized, without making a formal return to the War Production Board, to cancel on their books controlled materials balances remaining from specific allotments.

(2) The abbreviated allotment number and preference rating(s) assigned herein may not be used to order materials and equipment available in the applicant's inventory in excess of a practical working minimum. The allotment number and preference rating(s) may be used to replace materials and equipment in inventory, but only to the extent that inventory has been reduced below a practical working minimum.

(3) The abbreviated allotment number and preference rating(s) assigned herein must not be used to order materials and equipment earlier or in greater quantity than is required for the construction or installation authorized.

(4) Orders for controlled materials placed pursuant to this direction must show the abbreviated allotment number U-2 and must specify the month in which delivery is requested. Orders for Class A products shall be placed as provided in Direction 4, CMP Regulation 6. Orders for materials and equipment, other than controlled materials, to which the preference rating(s) assigned herein are applied must also show the abbreviated allotment number U-2 for identification purposes.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14747; Filed, Sept. 25, 1944; 11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 37]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9652.

Section 19.5 of Maximum Price Regulation No. 53 is redesignated section 19.6 and a new section 19.5 is added to read as follows:

SEC. 19.5 *Notice to wholesalers and retailers.* On and after September 22, 1944, with the first delivery of any margarine, the maximum price of which has been changed in accordance with the provisions of this article, the processor shall supply each wholesaler and retailer with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 53. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations (see section 6 in each case). You must refigure your ceiling price on the first delivery of this item to you on and after September 22, 1944.

For a period of 60 days after September 22, 1944, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, the processor shall include in each box, carton or case containing the item the written notice set forth above.

This amendment shall become effective September 22, 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14679; Filed, Sept. 22, 1944; 4:51 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210,[1] Amdt. 16]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 210 is amended in the following respects:

Section 1372.102 (b) (2) is amended by adding the following sentence to the end thereof:

In calculating the ceiling price for sales at wholesale and sales at retail of knitted fall and winter underwear and sleeping garments listed in paragraph (i) of Appendix A, "current cost" shall in no case include the adjustment permitted to the manufacturer under § 1389.304 of Maximum Price Regulation 221 (Manufacturers' Prices for Fall and Winter Knitted Underwear).

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973, 6359, 16170, 9 F.R. 11177.

This amendment shall become effective September 22, 1944.

Issued this 22d day of Sepetmber 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14670; Filed, Sept. 22, 1944; 11:33 a. m.]

PART 1389—APPAREL

[MPR 221,[1] Amdt. 6]

MANUFACTURERS' PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 221 is amended in the following respects:

1. Section 1389.301 (a) is amended by adding at the end thereof the following sentence: "A lower price may, of course, be charged."

2. Section 1389.304 is revoked and in place thereof a new § 1389.304 is added to read as follows:

§ 1389.304 *Adjustment of maximum prices*—(a) *Amount of adjustment and when it may be made.* In the case of any garment of fall and winter knitted underwear (except one made from purchased fabric) containing at least 50% cotton by weight, the manufacturer may increase his ceiling price established under § 1389.302 (a), or his ceiling price authorized by the Office of Price Administration by order issued prior to September 22, 1944 under § 1389.303, by adding thereto an adjustment charge. This adjustment charge shall be computed by multiplying the number of pounds (gross knitting weight of the base size for the style) of the particular kind of yarn (i.e., combed or carded) in the garment by the number stated in the following table opposite the count of the particular kind of yarn used. (This adjustment charge may be rounded to the nearest cent.)

CARDED YARNS

Count	Multiplier	Plied count	Multiplier
6	2.00	6	2.00
8	2.00	8	2.00
10	2.25	10	2.25
12	2.50	12	2.50
14	2.75	14	2.25
16	3.00	16	3.25
18	3.25	18	3.75
20	3.50	20	3.00
22	3.75	22	4.25
24	4.00	24	5.00
26	4.50	26	5.50
28	4.50	28	6.00
30	4.75	30	6.75
32	5.00	32	6.50
34	5.00	34	7.00
36	5.00	36	7.00
38	5.25	38	7.25
40	5.25	40	7.75
42	5.50	42	8.50
44	5.50	44	8.50
46	5.75	46	8.75
48	6.00	48	9.00
50	6.00	50	9.00

[1] 7 F.R. 7315, 9615, 10719; 8 F.R. 12847, 4514, 9 F.R. 5174.

COMBED YARNS

Count	Multiplier	Plied count	Multiplier
6	6.00	6	6.00
8	6.00	8	6.00
10	6.00	10	6.00
12	6.00	12	6.00
14	6.50	14	7.00
16	6.75	16	7.50
18	7.00	18	8.00
20	7.50	20	8.00
22	8.00	22	8.50
24	8.00	24	9.00
26	8.00	26	9.50
28	8.50	28	10.50
30	9.00	30	11.50
32	9.50	32	11.50
34	10.00	34	12.00
36	10.00	36	12.00
38	10.00	38	12.00
40	10.00	40	12.00
42	10.00	42	12.00
44	9.50	44	11.50
46	9.00	46	11.00
48	9.00	48	11.00
50	8.00	50	10.00
52	8.00	52	10.00
54	8.00	54	10.00
56	8.00	56	10.00
58	8.00	58	10.00
60	8.00	60	10.00
62	8.00	62	10.00
64	8.00	64	10.00
66	8.00	66	10.00
68	8.00	68	10.00
70	8.00	70	10.00

NOTE: The multiplier for yarn counts not included in the above table shall be the average between the counts which are the next higher and the next lower in the table.

EXAMPLES

(1) A manufacturer wishes to adjust his ceiling price for a man's 16 lb., 50% cotton, 50% wool union suit which requires 16 pounds of 14s carded yarn to knit.

Number pounds yarn	16
Number pounds cotton (50% x 16)	8
Multiplier for 14s carded	2.75
Number of cents by which ceiling price may be adjusted (8 x 2.75)	22

(2) A manufacturer wishes to adjust his ceiling price for a man's 18 lb., 50% wool, 25% cotton and 25% rayon union suit which requires 20 pounds of 12s yarn to knit.

No adjustment permitted on such a garment because it contains less than 50% cotton.

(3) A manufacturer wishes to adjust his ceiling price for a boy's all cotton 8 lb. union suit which requires 9 pounds of 15s carded yarn to knit.

Number pounds of yarn	9
Multiplier for 15s carded average between 3.00 (for 16s) and 2.75 (for 14s)	2.875
Number of cents by which ceiling price may be adjusted (9 x 2.876)	25.875
Rounded to nearest cent	26

(4) A manufacturer wishes to adjust his ceiling price for an infant's training pant which he cuts and sews from a purchased fabric.

No adjustment permitted for such a garment because made from a purchased fabric.

(5) A manufacturer wishes to adjust his ceiling price for a garment in which he uses 2 lbs. of 18s combed yarn and 4 lbs. of 24s carded yarn and 2 lbs. of wool yarn.

Number pounds 18s combed	2
Multiplier for 18s combed (2 x 7.00)	14
Number pounds 24s carded	4
Multiplier for 24s carded (4 x 4.00)	16
Number pounds wool (no adjustment)	2
	0
Number of cents by which ceiling price may be adjusted (14+16)	30

(b) *Adjustment charge must be separately stated by manufacturer.* The adjustment charge mentioned in paragraph (a) above may be made only if the manufacturer sends to each purchaser the following statement as required below. This statement, properly completed, must appear separately on, or be annexed to, the manufacturer's invoice, billing or other statements of price accompanying every shipment of any garments on which the adjustment charge is made.

STATEMENT OF OPA ADJUSTMENT CHARGE

The Office of Price Administration has permitted us to add the following adjustment charges to our ceiling prices on the following items:

Style, Old ceiling, Adjustment charge, New ceiling.

Please note that the OPA requires you to sell these garments subject to the ceiling prices established in Maximum Price Regulation 210. The OPA has not permitted you or any other seller to increase your ceiling prices for these garments. In determining your ceiling prices for these garments OPA has ruled that you must not in any case include the above stated adjustment charges in the cost base on which your ceiling price is computed.

This amendment shall become effective as of June 30, 1944.

Issued this 22d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14669; Filed, Sept. 22, 1944; 11:33 a. m.]

PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[Rev. RO 7,[1] Amdt. 11]

NEW ADULT BICYCLES

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order No. 7 is amended in the following respects:

1. Section 1391.36 is amended to read as follows:

§ 1391.36 *Effective period of order.* Revised Ration Order No. 7 shall become effective July 9, 1942, and shall expire as of September 23, 1944, subject to section 5.1 of General Ration Order No. 8; except that any person required by §§ 1391.27 and 1391.29 to keep records shall retain such records in his possession for six months after the expiration date of the order. Suspension orders in effect on the expiration date of the order, to the extent that they prohibit any person from receiving any transfer or delivery of, or from selling, using, or otherwise disposing of bicycles, shall terminate simultaneously with the expiration of the order.

This amendment shall become effective September 23, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 5062, 5871, 8606, 9828, 10337; 8 F.R. 370, 594, 1682.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1G, 7 F.R. 3546)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14701; Filed, Sept. 23, 1944; 11:55 a. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 121]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. In § 1340.222 (b) (4), the period after the word "ton" is deleted, and a comma is inserted in its place, and the following is added to the last sentence: "except the mines listed as exceptions in the tables of production group numbers, prices and size group numbers in the above subparagraphs (b) (1) and (b) (2)."

2. In § 1340.222 (b) a new subparagraph (8) is added to read as follows:

(8) *Special price instructions.* Coals in Size Groups Nos. 17 to 25, inclusive, produced at the Chinook Mine, Mine Index No. 121, of the Ayrshire Pateka Collieries Corporation and the Victory Mine, Mine Index No. 1354 of the Pyramid Coal Corporation may be priced under Price Group No. 8 in lieu of Price Group No. 1.

This amendment shall become effective September 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14722; Filed, Sept. 23, 1944; 3:57 p. m.]

PART 1374—FURS

[MPR 541,[2] Amdt 1]

RAW, DRESSED, AND DRESSED AND DYED FURS AND PELTRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 541 is amended in the following respects:

1. Section 3 (b) is amended to read as follows:

(b) *Dressed or dressed and dyed furs and peltries.* The term "dressed or dressed and dyed furs and peltries" means raw fur skins or peltries which have been processed with the hair on and made suitable for use in the manufacture of fur garments, neckpieces, plates or trimmings. The term shall also include mouton lamb shearlings and imported fur plates.

2. Section 3 (d) is amended by adding thereto the following sentence: "The term shall also include the highest price specified in a memorandum, consignment or conditional sale of a kind of fur or peltry delivered in a kind of sale during the base period, where the price was specified during the base period and title passed to the purchaser on on before June 30, 1942."

3. Section 3 (f) (3) is amended by adding thereto the following sentence: "The term shall also include one or more skins sold for matching, repair or remodelling purposes or for the completion of a garment, neckpiece, plate or trimming; but such skins shall be excluded in determining the highest price for a matched bundle sale."

4. Section 3 (k) is amended to read as follows:

(k) *General level of prices prevailing among competitive sellers of the same class.* "General level of prices prevailing among competitive sellers of the same class" means 90 per cent of the average of the highest prices of a representative group of competitive sellers of the same class.

5. Section 4 is amended to read as follows:

SEC. 4. *Relation to other maximum price regulations.* This regulation shall apply, and the General Maximum Price Regulation, Revised Supplementary Regulation 14 thereto, and the Maximum Import Price Regulation shall not apply, to all furs and peltries covered by this regulation, except that furs or peltries pelted outside the continental United States and purchased by an importer on or before April 24, 1944, may be sold and delivered by the importer and by an intermediate distributor (both as defined in the Maximum Import Price Regulation) under the General Maximum Price Regulation, Revised Supplementary Regulation 14 thereto or the Maximum Import Price Regulation up to and including October 23, 1944: *Provided*, That the above exception shall apply to an importer only if, on or before October 23, 1944, he files a report with the Consumer Goods Price Division of the Office of Price Administration, Washington 25, D. C., stating the quantity of furs and peltries on hand and the quantity to be received and attaches thereto a copy of the contract of purchase or other written evidence received from the foreign seller showing:

(a) The date of the purchase,

(b) The kinds of furs and peltries purchased, the quantity and assortment, and

(c) The purchase price and all discounts and allowances.

6. Section 5 (a) (1) is amended by inserting after the first sentence thereof

[2] 9 F.R. 5048, 5875, 5567.

*9 F.R. 6586.

the following sentence: Where the pricing chart is mailed by registered mail, return receipt requested, the return of the requested receipt shall constitute an acknowledgment of the filing of the pricing chart.

7. Section 6 (b) is amended to read as follows:

(b) A seller whose highest price for a kind of raw fur or peltry listed in section 21, Appendix C, is higher than the exemption level price there established may not sell that kind of raw fur or peltry at a price higher than the exemption level price, except that during the period from June 19, 1944 to November 1, 1944 he may sell 70 percent of the number of skins in that kind of raw fur or peltry delivered by him (or sold through an auction company or broker) during the base period in the price range between the exemption level price and his highest price.

8. Section 10 is amended to read as follows:

SEC. 10. *Applications for increases in maximum prices or establishment of maximum prices.* Applications for increases in maximum prices or establishment of maximum prices shall be signed by the applicant and filed in duplicate with the Office of Price Administration at the District Office having jurisdiction over the area in which the applicant's main office is located. Such applications shall contain the following information:

(a) Name of applicant and address of main office;

(b) A statement of each kind of sale of each kind of fur or peltry for which applicant seeks a price or a price increase;

(c) As to each kind of sale of each kind of fur or peltry listed in (b), above, whether applicant is seeking a price increase or the establishment of a maximum price;

(d) If the applicant is seeking a price increase, his highest base period price for each kind of sale of each kind of fur or peltry listed;

(e) A statement of the price requested for each kind of sale of each kind of fur or peltry with a statement showing how the applicant determined such requested price;

(f) The names and addresses of applicant's most closely competitive sellers of the same class (five should be named, if possible);

(g) The highest price of each competitive seller listed in the application for each kind of sale of each kind of fur or peltry for which a price or price increase is requested; (the applicant may obtain such highest price either from the competitive seller or from the District Office of the Office of Price Administration having jurisdiction over the area in which the competitive seller's main office is located.)

(h) The average of the highest prices of all the competitive sellers listed for each kind of sale or each kind of fur or peltry; and

(i) The general level of prices prevailing among such competitive sellers for each kind of sale of each kind of fur or peltry (90 per cent of the amount in (h) above).

Upon receipt of written acknowledgment from the Office of Price Administration of the filing of the application, or, if the application is mailed by registered mail, return receipt requested, upon return of the requested receipt, the applicant may sell, offer for sale or deliver each kind of fur or peltry in each kind of sale at the price stated in the application to be the general level of prices prevailing among competitive sellers of the same class, as determined by him in accordance with paragraphs (g), (h) and (i), above, making downward adjustments to reflect customary differentials for lower grades, for geographical origin, and for section, in accordance with the seller's established base period practice, or, in the case of an applicant who has no highest base period price, in accordance with established trade practice.

9. Section 13 (a) is amended by deleting the last sentence thereof.

This amendment shall become effective September 23, 1944.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14720; Filed, Sept. 23, 1944; 3:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 42]

GARMENT HANGERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 188 is amended in the following respect:

Section 1499.167, Appendix B is amended by adding the following articles to the list of commodities:

Garment hangers

This amendment shall become effective September 28, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14723; Filed, Sept. 23, 1944; 3:57 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 173]

HARD CANDY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. The introductory text of section 1.25 (e) (1) is amended to read as follows:

(1) "Hard candy", as used herein, is candy averaging not less than 70 pieces per pound and consisting of individual pieces of the same flavor, shape and size or of individual pieces of various flavors, shapes and sizes. It contains principally sugar, corn syrup, flavoring extracts and U. S. Certified food colors conforming to the following specifications:

2. Subdivision (i) of section 1.25 (e) (1) is revoked and subdivisions (ii), (iii), (iv), (v), (vi), (vii) and (viii) are redesignated (i), (ii), (iii), (iv), (v), (vi) and (vii).

This amendment shall become effective September 28, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14721; Filed, Sept. 23, 1944; 3:56 p. m.]

PART 1303—ZINC

[RPS 81,[1] Amdt. 4]

PRIMARY SLAB ZINC

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 81 is amended in the following respects:

1. Section 1303.59 is amended by the addition of a new paragraph (g) to read as follows:

(g) *Special packing and loading charges.* An additional charge in an amount not in excess of 20 cents per net ton may be added to the maximum base prices established by this Regulation when any seller, at the request of a buyer, is required to provide pallets, skids, metal strapping or other special packing and loading service in order to permit handling of primary slab zinc by mechanical lift trucks. Such additional charge shall be stated separately on the sellers' invoices.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14778; Filed, Sept. 25, 1944; 11:47 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 13,[2] Amdt. 6]

WAR RATION BOOK THREE

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 601, 701, 1356, 2000, 2132, 2997; 8948; 8 F.R. 12313.

[2] 8 F.R. 7453, 11514, 17163; 9 F.R. 6504.

General Ration Order No. 12 is amended in the following respects:

1. Section 2 (a) (2) is amended to read as follows:

(2) Members of the armed forces of the United States or of the United Nations.

2. Section 2 (a) (3) is amended to read as follows:

(3) Persons brought into the Continental United States by a Federal Government Agency for the sole purpose of performing agricultural or other labor.

3. Section 4 (b) is amended by inserting the words "or at any other Board designated by the Office of Price Administration" before the period and immediately following the word "lives" in the third sentence thereof.

4. Section 6a is revoked.

5. Section 7 is amended to read as follows:

SEC. 7. *War Ration Book No. 3 for imported laborers.* (a) When a laborer ceases to perform the work for which he was brought into the Continental United States by a Federal Government Agency, his War Ration Book No. 3, if he has one, must be returned by the person who has it to the agency which issued it.

6. Section 8 (c) is amended by inserting (1) immediately following (c) and amending the text through the words "thirty days" in the first sentence to read as follows:

(c) (1) A person shall turn his War Ration Book No. 3 over to any War Price and Rationing Board when he leaves the United States for a period of more than thirty days.

7. Section 8 (c) (2) is amended to read as follows:

(2) A person shall surrender his War Ration Book No. 3 when he becomes a member of the armed forces of the United States, if he becomes a member after September 29, 1944. The books shall be surrendered to any War Price and Rationing Board. However, the books may be taken up by an authorized officer of the Army, Navy, Marine Corps or Coast Guard for the purpose of delivering them to any War Price and Rationing Board.

8. Section 8 (d) is amended by deleting the words "to a Board," after the phrase "War Ration Book No. 3".

9. Section 8 (e) is amended by inserting the phrase "as it read (immediately before its revocation) on September 28, 1944," after the words "section 6a" in the first sentence thereof.

10. The second sentence of section 9 is amended to read as follows: "However, this section does not apply to members of the armed forces of the United States or of a United Nation or to persons brought into the Continental United States by a Federal Government Agency for the sole purpose of performing agricultural or other labor."

This amendment shall become effective September 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9335, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14783; Filed, Sept. 25, 1944; 11:46 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 14,[1] Amdt. 2]

WAR RATION BOOK FOUR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 14 is amended in the following respects:

1. Section 2 (a) (2) is amended to read as follows:

(2) Members of the armed forces of the United States or a United Nation who are subsisted or authorized to be subsisted in kind or who, although not subsisted or authorized to be subsisted in kind, eat at least 14 meals a week at a mess where the rationed foods used are acquired, directly or indirectly, by the use of ration checks issued by the Army, Navy, Marine Corps or Coast Guard, or by an officer authorized to issue such checks.

2. Section 8 (a) is amended by adding a new subparagraph (3) to read as follows:

(3) Notwithstanding any other provisions of this Order, War Ration Book No. 3 need not be submitted when an application for War Ration Book Four is made by a member of the armed forces of the United States or of a United Nation.

3. Section 11 (c) is amended by inserting (1) immediately following (c) and amending the text through the word "voyages" to read as follows:

(c) (1) Any person not a member of the armed forces of the United States shall turn his War Ration Book Four over to any War Price and Rationing Board when he leaves the United States for a period of more than thirty days. This provision does not apply to members of the Merchant Marine who leave the United States temporarily while on voyages.

4. Section 11 (c) (2) is amended to read as follows:

(2) A person shall surrender his War Ration Book Four when he is or becomes a member of the armed forces of the United States and

(i) Will receive or be authorized to receive subsistence in kind or,

(ii) Although not subsisted or authorized to be subsisted in kind, eats at least 14 meals a week at a mess where the rationed foods used are acquired, directly or indirectly, by the use of ration checks issued by the Army, Navy, Marine Corps or Coast Guard, or by an officer authorized to issue such checks, or

(iii) Leaves the United States for a period of more than thirty days. The books shall be surrendered to any War Price and Rationing Board. However, the books may be taken up by an authorized officer of the Army, Navy, Marine Corps or Coast Guard for the purposes of delivering them to any War Price and Rationing Board.

5. Section 11 (d) is amended by deleting the words "to a Board," after the phrase "War Ration Book Four".

This amendment shall become effective September 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9335, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14781; Filed, Sept. 25, 1944; 11:47 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 54, Amdt. 1]

EXEMPTION OF SALES OF COMMODITIES PRODUCED AND SERVICES SUPPLIED BY CERTAIN STATE PENAL INSTITUTIONS

A statement of the considerations involved in the issuance of this Amendment No. 1 to Supplementary Order No. 54, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Order No. 54 is amended in the following respects:

1. The title of this Supplementary Order 54 is amended to read as follows: Exemption of Sales of Commodities Produced and Services Supplied by Certain State Penal Institutions.

2. In § 1305.80 the headnote is amended to read as follows: *Removal of sales by certain States of commodities produced and services supplied by their penal institutions from the operation of price regulations.*

3. Paragraph (a) of § 1305.80 is redesignated as paragraph (a) (1).

4. Section 1305.80 (a) (2) is added to read as follows:

(2) Sales and deliveries by the State of Michigan to the United States or any

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 14211.

agency thereof or to the State of Michigan or any Department, agency, institution or political subdivision thereof of any commodity produced or service supplied by the State of Michigan penal institutions shall not be subject to any price regulation heretofore issued, or which hereafter may be issued by the Office of Price Administration, unless specific provision making a price regulation applicable to such sales and deliveries shall hereafter be included in such price regulation.

This Amendment No. 1 to Supplementary Order No. 54 shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14785; Filed, Sept. 25, 1944; 11:47 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 93,[1] Amdt. 1]

ELIMINATION OF HIGHEST PRICE LINE LIMITATION FROM SPECIFIED REGULATIONS WITH RESPECT TO SELLERS OF GARMENTS AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Supplementary Order 93 is amended in the following respects:

1. Section 1305.121 (a) is amended by correcting the number "14.2" to read "142", by deleting therefrom the phrase "Revised Maximum Price Regulation 287" and by deleting the last sentence thereof.

2. Section 1305.121 (b) is added to read as follows:

(b) *Definitions*—(1) *Highest price line limitation.* For purposes of this supplementary order, the term "highest price line limitation" means any provision in any of the regulations specified in paragraph (a), which requires a seller to limit his sales with reference to any highest price line offered for sale or delivered by him at any prior time, or any provision in an order issued thereunder which places a dollar-and-cent limitation upon the highest price at which a seller may deliver any garment in a particular class, classification or category of garments.

(2) *Sellers of garments at retail.* For purposes of this supplementary order the term "sellers of garments at retail" means persons who sell to ultimate consumers garments which they purchased in substantially the same form in which they sell them. It does not include "manufacturing-retailers" or any other persons who fabricate garments from materials which they own or for whom garments are fabricated by an agent or contractor.

This amendment shall become effective November 24, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14786; Filed, Sept. 25, 1944; 11:48 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 87]

TIRES, TUBES RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.1003 (a (2) is amended to read as follows:

(2) *Part B.* The replenishment portions of certificates or receipts transferred to a manufacturer by a dealer or consumer shall be marked "void except for replenishment by _____" immediately upon receipt by the manufacturer at a tire manufacturing establishment, or by the manufacturer or his agent at premises authorized pursuant to § 1315.804 (f). The name of the first manufacturer to whom the replenishment portion is surrendered shall be inserted in the blank, and the replenishment portion may thereafter be used for replenishment only by him. Replenishment portions which are not used by the manufacturer for that purpose must be retained as his record.

When a manufacturer is unwilling or unable to transfer a tire in exchange for a replenishment portion which has been marked void in accordance with this subparagraph, he shall forward it (or the entire certificate received from a consumer), to the District Director serving the area in which the manufacturer's premises are located with a letter stating the number, type and grade of tires which have not been transferred thereon. The District Director shall thereupon issue Part B of OPA Form R-2 to the dealer, or a certificate on OPA Form R-2 to the consumer, from whom the manufacturer received the original certificate or replenishment portion, for the number, type and grade of tires not transferred by the manufacturer. The District Director shall retain the voided certificate or replenishment portion, and shall inform the manufacturer when the new certificate or replenishment portion has been issued to the consumer or dealer.

2. Section 1315.1007 is amended to read as follows:

§ 1315.1007 *Sellers' inventories of tires.* (a) Every dealer, except a "mass distributor" who files Form WPB-3438 with the War Production Board, shall take an inventory for each of his establishments on March 31, June 30, September 30 and December 31 of each year, of passenger-type tires by grade, and of all other tires by type listing new and used separately, and shall keep a record thereof. The inventory of each establishment shall consist of the following:

(1) All unmounted tires, except tires owned by others and in the establishment solely for purposes of inspection, mounting, repair or recapping, and except tires transferred to the establishment by a manufacturer pursuant to § 1315.804 (f); and

(2) All tires billed to him for the establishment but not yet received there.

"Mass distributor" means any dealer who sells tires and tubes manufactured for him under his own brand or trade mark, and whose sales volume in 1941 exceeded 50,000 tires or 100,000 tubes.

(b) Every dealer who is required to take an inventory under paragraph (a) shall file a report on OPA Form R-17 in accordance with the instructions thereon for each of his establishments to which the form is mailed by the Office of Price Administration.

This amendment shall become effective September 29, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14784; Filed, Sept. 25, 1944; 11:46 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 484,[1] Amdt. 3]

UNWASHED AND WASHED WIPING CLOTHS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 484 is amended in the following respect:

1. In section 14 (a), subparagraph (8) is amended to read as follows:

(8) "Retailer" includes an automobile supply dealer or distributor, janitor supply house, mill supply dealer, hardware dealer, paint dealer, or ship chandler who buys washed wiping cloths and resells them to a consumer. The term "retailer" does not include any person whose principal or major business is the selling or jobbing of unwashed or washed wiping cloths, waste or salvage materials or of any new textile materials sold for wiping purposes.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14777; Filed, Sept. 25, 1944; 11:47 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 35]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new section 9.4 is added to read as follows:

SEC. 9.4 *Maximum prices of imported peanut oil.* The maximum prices of imported peanut oil shall be the following prices:

(a) Crude peanut oil f. o. b. mill in tankcars:

	Cents per pound
New York, New York	13.50
Newark, New Jersey	13.50
Edgewater, New Jersey	13.50
Philadelphia, Pennsylvania	13.46
Baltimore, Maryland	13.375
California (except Los Angeles)	13.50
Los Angeles, California	13.775
Chicago, Illinois	13.50
Arizona and Virginia	13.25
Tennessee	13.125
Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, South Carolina	13.00
Texas and Oklahoma	12.875

(1) These crude imported peanut oil maximum prices shall be adjusted on a 5 percent settlement basis as provided in Rule 142 of the 1942-43 Rules of the National Cottonseed Products Association, Inc.

(2) The usual or normal location differentials for domestic crude peanut oil shall apply to other points.

(b) Refined peanut oil delivered in tank cars as follows:

[Cents per pound

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated peanut margarine oil	High titre hydrogenated peanut oil *
Albany, N. Y.	14.09	14.33	14.92	15.06	15.78	15.53
Atlanta, Ga.	14.31	14.45	14.54	14.68	15.40	15.45
Baltimore, Md.	14.60	14.74	14.83	14.97	15.69	15.74
Boston, Mass.	14.68	14.82	14.91	15.05	15.77	15.82
Buffalo, N. Y.	14.72	14.86	14.95	15.09	15.81	15.86
Charlotte, N. C.	14.43	14.57	14.66	14.80	15.52	15.57
Chattanooga, Tenn.	14.48	14.62	14.71	14.85	15.57	15.62
Chicago, Ill.	14.57	14.71	14.80	14.94	15.66	15.71
Cincinnati, Ohio	14.57	14.71	14.80	14.94	15.66	15.71
Columbus, Ohio	14.62	14.76	14.85	14.99	15.71	15.76
Cudahy, Wis.	14.59	14.73	14.82	14.96	15.68	15.73
Dallas, Tex.	14.16	14.30	14.39	14.53	15.25	15.30
Denison, Tex.	14.20	14.34	14.43	14.57	15.29	15.34
Denver, Colo.	14.62	14.76	14.85	14.99	15.71	15.76
El Paso, Tex.	14.49	14.63	14.72	14.86	15.58	15.63
Forth Worth, Tex.	14.18	14.32	14.41	14.55	15.27	15.32
Houston, Tex.	14.22	14.36	14.45	14.59	15.31	15.36
Indianapolis, Ind.	14.54	14.68	14.77	14.91	15.63	15.68
Jacksonville, Fla.	14.41	14.55	14.64	14.78	15.50	15.55
Kansas City, Mo.	14.43	14.57	14.66	14.80	15.52	15.57
Los Angeles, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Louisville, Ky.	14.53	14.67	14.76	14.90	15.62	15.67
Macon, Ga.	14.31	14.45	14.54	14.68	15.40	15.45
Memphis, Tenn.	14.33	14.47	14.56	14.70	15.42	15.47
New Orleans, La.	14.40	14.54	14.63	14.77	15.49	15.54
New York, N. Y.	14.64	14.78	14.87	15.01	15.73	15.78
Oklahoma City, Okla.	14.31	14.45	14.54	14.68	15.40	15.45
Philadelphia, Pa.	14.62	14.76	14.85	14.99	15.71	15.76
St. Louis, Mo.	14.48	14.62	14.71	14.85	15.57	15.62
San Antonio, Tex.	14.22	14.36	14.45	14.59	15.31	15.36
San Francisco, Calif.	14.84	14.98	15.07	15.21	15.93	15.98
Savannah, Ga.	14.39	14.53	14.62	14.76	15.48	15.53
Seattle, Wash.	14.84	14.98	15.07	15.21	15.93	15.98
Sherman, Tex.	14.18	14.32	14.41	14.55	15.27	15.32
Terre Haute, Ind.	14.52	14.66	14.75	14.89	15.61	15.66

(1) The usual or normal differentials applying on domestic refined peanut oil above or below these delivered prices shall apply to all other destinations.

(2) The usual or normal differentials applying on domestic refined peanut oil for grade, above or below these basic grades, shall apply to imported peanut oil.

(3) The usual or normal differential applying on domestic refined peanut oil for type of container shall apply to imported peanut oil.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14775; Filed, Sept. 25, 1944; 11:50 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,[1] Amdt. 36]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 19.1 (d) (3) is amended to read as follows:

(3) Any adjustment granted under this section 19.1 (d) will in no case exceed the increase in the direct cost of producing the margarine and the increase in the cost of distribution that is due to the change in method of manufacture or distribution and will in no case be a price above the general level of prices prevailing for similar products in the same general area as that in which the product is distributed.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14776; Filed, Sept. 25, 1944; 11:50 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,[1] Amdt. 78]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1.5 (e) is added to read as follows:

(e) No applicant may receive a stamp under this section if he is entitled to but has not received a stamp under section 1.4, or a War Ration Book 3. A stamp may not be issued under this section to a person entitled to apply for replacement of a War Ration Book 3 under Procedural Regulation No. 12 unless the applicant will suffer undue hardship if he is forced to wait for shoes until his War Ration Book is replaced or unless he has been denied replacement of the Book by the Board. When the Board subsequently issues a War Ration Book 3 to a person who has received a stamp under this paragraph, it shall remove from the War Ration Book One currently valid shoe stamp for each stamp so issued. (However, this requirement shall be deemed satisfied if all currently valid shoe stamps have been removed under this paragraph and Procedural Regulation No. 12.)

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*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 7574.

[1] 7 F.R. 9160, 9392, 9724.

[1] 8 F.R. 14220, 15190, 15455; 9 F.R. 5916, 7079.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9652, 10305, 11397.

[1] 9 F.R. 4200, 5314, 6232, 6434, 6452, 6819, 7420, 7578, 7771, 8146.

[1] 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 754, 2232, 2656, 2947, 2829, 3340, 3944, 5254, 5491, 5805, 6233, 6455, 6647, 7080, 7773, 8254, 8339, 8340, 8931, 9355, 9901.

This amendment shall become effective September 29, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14782; Filed, Sept. 25, 1944; 11:48 a. m.]

PART 1447—GLUE STOCK

[MPR 383,[1] Amdt. 1]

CERTAIN SALES OF PRAIRIE BONES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 383 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) *Definition.* "Prairie bones" means prairie or junk bones obtained from dry and bleached carcasses of fallen animals, the partially degreased cooked bones from slaughter houses not having complete facilities for drying and processing, sometimes commonly known as country bones, and kitchen bones, which are shipped from Mexico or from any point within any one of the following states: Arizona, Colorado, Idaho, Kansas, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, Montana.

Prairie bones, however, shall not include dry packing house bones, or any fresh meat bones commonly known as green bones.

2. Section 2 is amended to read as follows:

SEC. 2. *Maximum prices for prairie bones.* (a) The maximum price for sales of domestic prairie bones to industrial consumers shall be $31 per ton loaded on cars, trucks or barges, at the seller's shipping point.

(b) The maximum delivered price for sales of Mexican prairie bones to industrial consumers shall be $31 per ton plus an amount not in excess of the freight to the buyer's place of business from (1) The United States rail station in any of the states listed in section 1 (a) hereof which is nearest to the point where the shipment crosses the Mexican border, in the case of overland shipments, or (2) The port of entry, in the case of ocean shipments.

(c) The maximum prices established by this regulation shall not be increased by any charges for commissions or by any charges for the extension of credit.

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14780; Filed, Sept. 25, 1944; 11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 6116.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 80]

COMBATANT ITEMS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.3 (c) of Revised Supplementary Regulation 1 is amended to read as follows:

(c) Component parts and subassemblies of any product excepted under paragraphs (a) and (b), above, when sold pursuant to a war contract or subcontract thereunder, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated but not including raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those excepted under paragraphs (a) and (b), above.

(1) As used herein, "war contract" means any contract with the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States or for lend-lease purposes, or with the Government of any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

This amendment shall become effective September 30, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14779; Filed, Sept. 25, 1944; 11:40 a. m.]

Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1601, 1603, 1604, 1605, 1607 and 1608 of this chapter set forth below are also contained in Revision 10 of the Renegotiation Regulations, dated September 9, 1944.

ALBERT J. BROWNING,
Brigadier General,
General Staff Corps,
Chairman.

PART 1601—AUTHORITY AND ORGANIZATION FOR RENEGOTIATION

SUBPART C—ORGANIZATION AND FUNCTIONS OF THE PRICE ADJUSTMENT BOARDS AND SECTIONS

Sections 1601.132 (b) and 1601.133 (b) are amended to read as follows:

§ 1601.132 *War Department organization.* * * *

(b) *Organization and functions of War Department Price Adjustment Sections.* There has been established a Price Adjustment Section in each of the Technical Services of the Army Service Forces and in the Army Air Forces. The Army Services Forces have Sections in the Technical Services of Chemical Warfare, Engineers, Ordnance, Quartermaster, Signal Corps, Surgeon General, and Transportation. With the exception of the Price Adjustment Section of Chemical Warfare, located in Baltimore, the main Sections of the Technical Services are located in Washington. Headquarters for renegotiation in the Army Air Forces are shared by Washington and Wright Field, Dayton, Ohio. District Price Adjustment Sections have been established by the Technical Services and the Army Air Forces at various procurement centers, and this decentralization allows renegotiation to be conducted close to the location of the company involved. In the office of the War Department Power Procurement Officer, there has been established an Utilities Price Adjustment Section. [RR 132.2]

§ 1601.133 *Navy Department organization.* * * *

(b) *Services and Sales Renegotiation Section.* In the Office of the General Counsel, Navy Department, there is established a Services and Sales Renegotiation Section which specializes in the renegotiation of sales agents and brokers. This section has its headquarters in Washington and divisional offices in Washington, New York, Chicago and Los Angeles. [RR. 133.2]

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

SUBPART A—FISCAL YEAR BASIS FOR RENEGOTIATION AND EXEMPTIONS

Section 1603.301 (c) is amended by the addition of subparagraph (3) as set forth below:

§ 1603.301 *Fiscal year basis for renegotiation.* * * *

(c) *Renegotiation on a completed contract fiscal year basis; construction contracts.* * * *

(3) If the completed contract method of accounting is used for the purposes of renegotiation for any fiscal year, and if a different method of accounting was used for the purposes of renegotiation for a prior fiscal year, the provisions of § 1603.302 will be considered, and any amounts received or accrued and any costs paid or incurred which were included in such previous renegotiation will be excluded from consideration. The authority conferred by this paragraph upon the Department to which a contractor has been assigned for renegotiation to approve a request that the completed contract method of accounting be used for the purposes of renegotiation is not limited by the provisions of § 1603.301 (d). [RR. 301.3]

SUBPART D—METHODS FOR SEGREGATING SALES BETWEEN RENEGOTIABLE AND NON-RENEGOTIABLE BUSINESS

Section 1603.323 is amended to read as follows:

§ 1603.323 *Segregation with respect to contracts with RFC subsidiaries.* In connection with prime contracts between a contractor and Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company, a segregation of sales and allocation of costs is necessary in order that excessive profits, if any, attributable to such contracts may be computed. Such segregation shall not be necessary in cases in which the total amounts received or accrued under such prime contracts with any of the above named subsidiaries of the Reconstruction Finance Corporation do not exceed $50,000, since in any such case no separate determination of excessive profits under such prime contracts will be made. (See § 1605.502 (e) and note to article 4 of the Standard Form of Agreement, Form I, § 1607.741 (a), requiring repayment of such profits to the RFC Price Adjustment Board.) [RR 323]

SUBPART E—MANDATORY EXEMPTIONS AND EXCLUSIONS FROM RENEGOTIATION

Section 1603.344 (d) (2) (iii) is amended to read as follows:

§ 1603.344 *Contracts and subcontracts for certain raw materials and agricultural materials.* * * *

(d) *Profits from increment in value of excess inventories.* * * *

(2) *Interpretation and application.* * * *

(iii) *Time for determining excess inventory.* Accounting for the purposes of determining excess inventory will commence as of the beginning of the month, four weeks period, or other similar period of accounting employed by the contractor or subcontractor, in which the contractor or subcontractor entered into the first contract with a Department or subcontract under which any part of the amounts received or accrued were subject to renegotiation. Subsequently, excess inventory will be determined as of the beginning of each month, four weeks period, or other similar accounting period in which the contractor or subcontractor enters into contracts with a Department or subcontracts under which the amounts received or accrued are subject to renegotiation. If no excess inventory is found to exist at the beginning of the month, it shall be deemed that none existed throughout the month. If excess inventory is found to exist at the beginning of the month, transactions within that month shall not be deemed to increase the amount of such excess inventory as computed at the beginning of the month, until new computations at the beginning of the succeeding month shall be made. It will not be necessary to calculate actual physical inventories and orders on hand at the beginning of each month; a cumulative calculation may be made by applying the purchases made and orders taken in each month to the position at the beginning thereof, until the date of the succeeding physical inventory. The Department may in its discretion allow a contractor or subcontractor to deviate in individual cases from the monthly basis described above, if available records are considered to be such that some other basis (daily, weekly, etc.) will more accurately bring out the facts in the case. Whatever basis is approved must be used consistently throughout the fiscal year.

SUBPART B—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

1. Section 1603.352 (b) is amended to read as follows:

§ 1603.352 *Contracts and subcontracts where profits determinable when price established.* * * *

(b) *Exemptions.* (1) In the opinion of the War Contracts Price Adjustment Board, the profits from the following contracts or portions thereof can be determined with reasonable certainty when the contract price is established, and such contracts or portions thereof are accordingly exempted from the provisions of the Renegotiation Act to the extent herein provided:

(i) Contracts and subcontracts for the purchase or lease of any interest in real estate (see § 1603.335 (a)), or

(ii) Contracts for the purchase of capital assets, where the sale of such assets is not a part of or connected with the ordinary course of business of the vendor,

(iii) Contracts for the purchase of vessels and their equipment, other than contracts for the construction of vessels,

(iv) Such portion of contracts for the lease of vessels and their equipment, which provides (as in bareboat charters), for a rental for the bare use of the vessel and its equipment (herein called the "use rate"), or which provides (as in time charters) for a use rate, as distinguished from compensation for the services to be rendered by the contractor under the time charter (herein called the "service rate"), provided that where the time charter contains no segregation of the contract price between the use rate and the service rate, the apportionment of the contract price between the use rate and the service rate may be made by the Department conducting the renegotiation. In connection with such apportionment consideration may be given to the Report of the Advisory Board on Just Compensation, established by the President on October 15, 1943, by Executive Order 9387, which report dated December 7, 1943, established rules of general applicability for the guidance of the War Shipping Administration in determining just compensation to be paid for all vessels requisitioned, purchased, chartered or insured by the said Administration, and General Order 37 of the War Shipping Administration (8 F.R. 3806), and any supplements and amendments thereto, to the extent the same may be applicable to such vessels and their equipment. Nothing contained in this subdivision shall be deemed to exempt from renegotiation contracts commonly known as "space charters" or the service rate in time charters, regardless of whether the vessel involved was requisitioned by the Government or any agency thereof.

(2) The words "when the contract price is established" in subsection (i) (4) (B) of the Renegotiation Act and in the preceding subdivision of this paragraph are a qualification upon the scope of the exemption, and contemplate that the contract or subcontract price shall be established at the time the contract or subcontract is entered into. Accordingly, this exemption extends only to contracts and subcontracts under which the price is a fixed or determinable amount at the time the contract or subcontract is entered into, and does not apply to any contract or subcontract under which the price, at the time the contract or subcontract is entered into, is contingent upon a subsequent event or is thereafter to be determined by reference to a variable element (as, for example, the lessee's sales or profits).

(3) For an exemption relating to certain contracts and subcontracts involving electric power, gas, transportation and communications and subcontracts thereunder, see § 1608.842. [RR 352.2]

2. In § 1603.356 paragraph (b) (1) (ii) and (iii) are amended, and paragraph (c) is added, as follows:

§ 1603.356 *Subcontracts as to which it is not administratively feasible to determine and segregate profits.* * * *

(b) *Exemption.* (1) * * *

(ii) Subcontracts directly or indirectly under any modifying instrument of the general type described in § 1603.346 (b) (3) (regardless of whether such modifying instrument is exempted under that subparagraph) which modifies a contract to which the provisions of § 1608.346 (b) are applicable; and

(iii) Subcontracts for the construction of a building, structure, improvement or other similar facility directly or indirectly under any modifying instrument of the general type described in § 1603.355 (c) (3) (regardless of whether such modifying instrument is exempted from renegotiation under § 1603.355 (c)).

* * * * *

(c) *Cross reference.* For an exemption of subcontracts under certain public utility contracts, see § 1608.842 (e). [RR 356.3]

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1. Subparagraph (3) of § 1603.381 (d) is amended by changing "are" in the second sentence to "have been" so that the subparagraph, as amended, reads as follows:

§ 1603.381 *Statutory provisions and general regulations.* * * *

(d) *Profit, cost allocation and allowance; general.* * * *

(3) *Tax deductions.* Costs allocable to renegotiable business shall be determined in accordance with the principles set forth above. Where the full amount of an item of cost is allocable to renegotiable business, it shall be allowed in the amount estimated by the War Contracts Board, or any agency to which its functions have been delegated, to be allowable as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code. No such item of cost shall be allowable in an amount less than or in excess of that which is estimated to be deductible or excludible from income under the Internal Revenue Code, and all items of cost shall be attributed to the fiscal year in which they are allow-

able in the determination of taxable income under said Code. Where only a portion of an item of cost is allocable to renegotiable business, the War Contracts Board, or any agency to which its functions have been delegated, shall estimate the total amount allowable to the contractor, as a deduction or exclusion under Chapters 1 and 2E of the Internal Revenue Code and the portion of this estimated amount which is allocable to renegotiable business in accordance with the principles set forth above shall be allowed as a cost of renegotiable business. Where it is clear that a contractor's deductions and exclusions under the Internal Revenue Code result in allowable costs of renegotiable business which are either high or low on a comparative basis, this circumstance shall be considered in connection with the factor of the "reasonableness of costs" of the contractor and the determination of the amount of the profit adjustment to be required of the contractor.

2. Section 1603.388 (a) (3) is amended to read as follows:

§ 1603.388 *Other costs, expenses and reserves.* • • •

(a) *Patent royalties.* • • •

(3) In determining excessive profits of a licensee upon renegotiation for a period in which royalty accruals are subject to an order under the Royalty Adjustment Act, the Departments will give full effect to the rates or amounts of royalties fixed in the Royalty Adjustment Act order as fair and just under the conditions of wartime production. No allowance will be made in renegotiation for royalties paid or accruing during that period in excess of the amounts permitted to be paid under the order.

PART 1604—DETERMINATION AND ELIMINATION OF EXCESSIVE PROFITS

SUBPART B—RECOVERY OF EXCESSIVE PROFITS ALREADY REALIZED

Section 1604.422 (d) is amended to read as follows:

§ 1604.422 *Recovery by voluntary payment.* • • •

(d) *Interest.* (1) No renegotiation agreement when originally made shall require the payment of interest on installments of the refund which are not in default thereunder and which are provided to be payable within the time prescribed in paragraph (b).

(2) In cases of default, interest accrues and is payable upon each payment due under an agreement from and after the due date thereof, whether or not the agreement contains a contract provision for the payment of interest. The rate shall be that provided by law in the District of Columbia as the rate which is applicable in the absence of express contract as to the rate of interest. (See §§ 1605.502 (e) (8) and 1608.807.) [RR 422.4]

SUBPART D—RENEGOTIATION AND TAXES

1. Paragraph (e) of § 1604.442 is added as set forth below:

§ 1604.442 *Renegotiation after filing of Federal tax returns.* • • •

(e) *Determination of Federal tax credit for sole proprietor, partnership and joint venture in community property states.* If a portion of the excessive profits received or accrued by a sole proprietor, partner, or joint venturer, was included in the Federal income tax return of his or her spouse by virtue of the community property laws of the state in which they are domiciled, the tax credit allowed under section 3806 will include the amount, as determined by the Internal Revenue Agent in Charge, by which the spouse's tax is decreased by the elimination of the excessive profits. In such cases, both the husband and the wife should submit to the Internal Revenue Agent in Charge a written request for a determination of tax credit. (See §§ 1604.442 (b), 1607.732 and 1607.733.) [RR 442.5]

2. Section 1604.444 is amended to read as follows:

§ 1604.444 *Special allocations of excessive profits elimination required for Federal tax purposes.* (a) If the basis upon which the renegotiation has been conducted differs from the basis upon which the contractor has filed his Federal tax returns, the excessive profits to be eliminated must, for purposes of a proper computation of the allowable tax credit under section 3806 of the Internal Revenue Code, be allocated to the contractor's taxable year or years for which such excessive profits were reported as income in such tax returns. This is especially significant in cases where the renegotiation has been conducted on a completed contract basis although the contractor has used the cash receipts and disbursements or the percentage of completion method of accounting for Federal tax purposes in reporting his income from some or all of the contracts covered by the renegotiation. In such a case, the allocation will not be made by prorating the adjusted contract price after renegotiation to the years involved on the basis of receipts or accruals under the contract reported for tax purposes for such years, respectively, but will be made by prorating the excessive profits to those taxable years for which the contract profits reported for tax purposes exceeded non-excessive profits on the contract, as measured by the over-all margin of profit allowed on the contract. After such allocation the ratio of retained renegotiable profits to adjusted sales for each year to which excessive profits are allocated should be the same. The contractor's tax returns for the year involved and such supplementary data as may be pertinent to an analysis of the contractor's taxable income for each such year will be used as the basis of such allocation.

(b) Where a renegotiation is conducted on a consolidated basis, excessive profits to be eliminated must be allocated between the entities so consolidated. (See § 1603.311.)

(c) The allocation of excessive profits is to be made by the agency conducting the renegotiation and not by the contractor. The contractor may, however, furnish or be required to furnish such supplementary information in explanation of the sources of taxable income as reported for any year as may be pertinent to such allocation.

(d) Special allocations of excessive profits to be eliminated under (a) and (b) above should appear in the renegotiation agreement or in the order determining excessive profits and also in any request to an Internal Revenue Agent in Charge for tax credit computations. [RR 444]

PART 1605—AGREEMENTS AND STATEMENTS

SUBPART A—AGREEMENTS AND CLEARANCES

In § 1605.502, paragraph (d) (4) is added and paragraph (e) (1) is amended to read as follows:

§ 1605.502 *Standard form of agreement.* • • •

(d) *Article 3: Tax credit under section 3806 of the Internal Revenue Code.* • • •

(4) If the renegotiation is concluded with a partnership, the form of tax credit clause should be appropriately modified. In § 1607.741 (b) (3) (iii) is a form of partnership tax credit clause which may be used when it is appropriate in view of the facts. Should less than all the partners sign the renegotiation agreement (see § 1605.502 (1) (3) and (6)) such clause will have to be appropriately modified. [RR 502.4]

(e) *Article 4: Terms of payment.* (1) The schedule of the payments to be made will be set forth in Article 4. A suggested form of such schedule is set forth in § 1607.741 (b) (5). The Department which has conducted the renegotiation will also provide, in this article, for the place of payment. In the event that the profits agreed in Article 1 to be eliminated are derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation and Rubber Reserve Company, or any of such corporations, and the total amounts received or accrued under such prime contracts exceed $50,000, the payment provision, in accordance with the footnote to Article 4 on the standard form, will require payment of the excessive profits under such prime contract to the RFC Price Adjustment Board. In cases in which the total amounts received or accrued under prime contracts with any of the above named subsidiaries of the RFC do not exceed $50,000, it shall not be necessary to make a separate determination of the profits derived from such contracts and the entire refund shall be payable as though no contracts with the RFC subsidiaries were involved.

PART 1607—FORMS FOR RENEGOTIATION

SUBPART B—FORMS RELATING TO OPERATION OF RENEGOTIATION

Paragraphs 1 (b) and 3 (b) of the form in § 1607.723 are amended to read as follows:

§ 1607.723 *Contractor's request for renegotiation on completed contract basis.* • • •

1. • • •

(b) that all of the contractor's construction contracts with a Department as that term is defined in the Renegotiation Act of 1943 and all of the contractor's construction subcontracts under a contract with such a Department which have been completed or terminated within said fiscal year are as follows:

Description and date	Amount

• • • • •

3. • • •

(b) With respect to any subsequent fiscal year, all of the contractor's construction contracts with a Department as that term is defined in the Renegotiation Act of 1943, and all construction subcontracts under a contract with such a Department, may at the option of the renegotiation agency be renegotiated as a group and the powers of the War Contracts Price Adjustment Board may at such option be exercised with respect to such group, and in any such renegotiation, the principles set forth in subparagraph 3 (a) above will be applied.

• • • • •

SUBPART D—FORMS RELATING TO AGREEMENTS AND UNILATERAL DETERMINATIONS

Designated footnotes in §§ 1607.741 (a) and (b), 1607.746 (c), 1607.747 (b), and 1607.748 (b) are amended to read as follows:

§§ 1607.741 *Agreement forms*—(a) *Standard form of agreement.*

• • • • •

•• In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded $50,000, payment of the excessive profits under such prime contracts to the Reconstruction Finance Corporation Price Adjustment Board is required. If such situation exists, insert here—"to the extent of $_____, less the prorata portion of the tax credit, if any, applicable thereto, and by check to the order of and forwarded to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C., to the extent of $_____, less the prorata portion of the tax credit, if any, applicable thereto."

• • • • •

(b) *Variations in the standard form.*

• • • • •

•In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded $50,000, payment of the excessive profits under such prime contracts to the Reconstruction Finance Corporation Price Adjustment Board is required. If such situation exists, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and forwarded to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

• • • • •

§ 1607.746 *Unilateral determination; delegated authority.* • • •

(c) *Notice of order having become the determination of the War Contracts Price Adjustment Board.*

• • • • •

• In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded $50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

• • • • •

§ 1607.747 *Action by the War Contracts Price Adjustment Board after review.* • • •

(b) *Notice.*

• • • • •

• In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded $50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

• • • • •

§ 1607.748 *Withholding orders.* • • •

(b) *Direction to a contractor to pay over amounts withheld.*

• • • • •

•In the event that the profits to be eliminated were derived in part from prime contracts with Defense Plant Corporation, Metals Reserve Company, Defense Supplies Corporation or Rubber Reserve Company and the total amounts received or accrued under such prime contracts exceeded $50,000, appropriate provision should be made so that the portion of the profits eliminated allocable to such prime contracts is paid by check payable and delivered to the Reconstruction Finance Corporation Price Adjustment Board, 811 Vermont Avenue, Washington 25, D. C.

SUBPART E—FORMS OF REPORTS

Paragraphs (e), (f), (g) and (h) of § 1607.751 are amended to read as follows:

§ 1607.751 *Progress and operations report.* • • •

(e) *Form No. SPRA I–B (War Department Price Adjustment Board "Status of Renegotiation Report").*

NOTE: Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

SPRA I-B (Revised 1 August 1944). Close of Friday, _____, 1943.

NOTE: Figures in parentheses indicate net change since the previous report.

STATUS OF RENEGOTIATION REPORT 1943 FISCAL YEAR ASSIGNMENTS WAR DEPARTMENT PRICE ADJUSTMENT BOARD

Service	Net assignments	(A) Renegotiation not initiated %	(B) Statutory renegotiation begun %	(C) Bona fide oral agreements reached %	(D) Signed agreements in process %	(E) Total assignments with the Services %	(F)[1] Total assignments delivered to WDPAB %	Memorandum, total assignments in column (F) evidenced by following number of agreements
Army Air Forces								
Chemical Warfare								
Engineers								
Hawaii War Cont.								
Ordnance								
Power Procurement								
Quartermaster								
Signal Corps								
Surgeon General								
Transportation								
War Dept. PAB								
Total current report	( )	( )	( )	( )	( )	( )	( )	( )
Total last report								

[1] Details of column (F) are shown on attached Operations Report SPRA I-C.
Prepared by: Assignments and Statistics Branch, Statistics and Progress Section.

[RR 751.5]

(f) *Form No. SPRA I–BB (1943 Fiscal Year Assignments "Status of Renegotiation Report").*

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

SPRA I-BB (Revised 1 August 1944). 1943

NOTE: Figures in parentheses indicate net change since the previous report. Close of Friday _____

STATUS OF RENEGOTIATION REPORT 1943 FISCAL YEAR ASSIGNMENTS

Department	Net assignments	(A) Renegotiation not initiated %	(B) Statutory renegotiation begun %	(C) Bona Fide oral agreements reached %	(D) Signed agreements in process %	(E) Total assignments with the depts. and services %	(F)[1] Total assignments delivered or reported to WDPAB %	Memorandum total, assignments in column (F) evidenced by following number of agreements
War Dept.								
Navy PAB								
Navy OGO								
Maritime								
R. F. C.								
Treasury								
War Shipping								
Total current report	( )	( )	( )	( )	( )	( )	( )	( )
Total last report								

[1] Details of Column (F) are shown on attached Operations Report SPRA I-CC.
Prepared by: Assignments and Statistics Branch WDPAB, Statistics and Progress Section.

[RR 751.6]

(g) *Form No. SPRA I-C (War Department Price Adjustment Board "Operations Report").*

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

1943.

SPRA I-C (Revised 1 August 1944).
NOTE: Figures in parentheses indicate net change from the previous report. Close of Friday .....

OPERATIONS REPORT 1943 FISCAL YEAR ASSIGNMENTS WAR DEPARTMENT PRICE ADJUSTMENT BOARD

[Details of column (F) SPRA I-B covering 1943 fiscal year assignments delivered by services to WDPAB]

	Army Air Forces	Chemical Warfare	Engineers	Hawaii War Cont.	Ordnance	Power process of floor	Quartermaster	Signal Corps	Surgeon Gen'l.	Transportation	War Dept. PAB	Total (column F of status report)	In process at WDPAB	Completed by WDPAB
a. Completed settlements:														
For WDPAB review												( )		
For WDPAB approval												( )		
b. Impasse cases:														
In process at WDPAB												( )		
Completed—agreement												( )		
Completed—unilateral												( )		
c. Completed clearances:														
For WDPAB review												( )		
For WDPAB approval												( )		
d. Cancellations:														
Requested—pending												( )		
Approved by WDPAB												( )		
Total current report												( )		
Total previous report												( )		
Net change	( )	( )	( )	( )	( )	( )	( )	( )	( )	( )	( )	( )	( )	( )

Prepared by: Assignments and Statistics Branch, Statistics and Progress Section.

[RR 751.7]

(h) *Form No. SPRA I-CC (1943 Fiscal Year Assignments "Operations Report").*

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

1943.

SPRA I-CC (Revised 1 August 1944).
NOTE: Figures in parentheses indicate net change from the previous report. Close of Friday .....

OPERATIONS REPORT 1943 FISCAL YEAR ASSIGNMENTS

[Details of column (F) SPRA I-BB covering 1943 fiscal year assignments delivered by services and reported by departments to WDPAB]

	War Department	Navy PAB	Navy OGC	Maritime	RFC	Treasury	War Shipping	Total (Column (F) of Status Report)	In Process at WDPAB	Completed by WDPAB
a. Completed settlements								( )		
b. Impasse cases:										
In Process at WDPAB		XX	XX	XX	XX	XX	XX	( )		
Completed—Agreement		XX	XX	XX	XX	XX	XX	( )		
Completed—Unilateral								( )		
c. Completed clearances								( )		
d. Cancellations:										
Requested—pending								( )		
Approved by WDPAB								( )	XX	
Total current report								( )		
Total previous report										
Net change	( )	( )	( )	( )	( )	( )	( )	( )	( )	( )

Prepared by: Assignments and Statistics Branch WDPAB, Statistics and Progress Section.

[RR 751.8]

SUBPART I—ADDRESSES

1. In § 1607.791 (b) the names and addresses of the War Department and Maritime Commission members are changed as follows:

§ 1607.791 *War Contracts Price Adjustment Board.* • • •

(b) *Members.*

Brig. Gen. Albert J. Browning, Chairman (War Department), Room 5D675, The Pentagon, Washington 25, D. C., Tel. Republic 6700, Ext. 3119.

• • • • • •

Mr. Kenneth F. Clark (Maritime Commission), Room 512, Electrical Workers Building, 1200 15th Street, NW., Washington 5, D. C., Tel. Executive 3340, Ext. 1047.

2. Section 1607.791 (c) is amended to read as follows:

(c) *Office of General Counsel.*

War Contracts Price Adjustment Board, Attention: Mr. Frederick W. R. Pride, General Counsel, Room 112, Premier Building, 718 18th Street, NW., Washington 25, D. C., Tel. Republic 7400, Ext. 62022 or 2029.

3. In § 1607.792 the addresses of the Navy Price Adjustment Board and Maritime Commission Price Adjustment Board are changed as follows:

§ 1607.792 *Departmental Price Adjustment Boards.*

• • • • • •

Navy Price Adjustment Board, Attention: Mr. W. John Kenney, Chairman, 718 18th Street NW., Washington 25, D. C., Tel. Republic 7400, Ext. 5169 or 62729.

Maritime Commission Price Adjustment Board, Attention: Commander A. G. Rydstrom, Room 512, Electrical Workers Building, 1200 15th Street, NW., Washington 5, D. C.

4. Section 1607.794 (b) is amended to read as follows:

§ 1607.794 *Navy Department.* • • •

(b) *Services and Sales Renegotiation Section.*

(1) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Washington 25, D. C., Tel. Republic 7400, Ext. 61468.

(2) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Washington Divisional Office, Washington 25, D. C., Tel. Republic 7400, Ext. 61263.

(3) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, New York Divisional Office, Room 310, 630 Fifth Avenue, New York 20, N. Y., Tel. Columbus 53851.

(4) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Chicago Divisional Office, Room 916, 610 South Canal Street, Chicago 7, Ill., Tel. Wabash 3860.

(5) Office of the General Counsel, Navy Department, Services and Sales Renegotiation Section, Los Angeles Divisional Office, Room 907, Van Nuys Building, Seventh and Spring Streets, Los Angeles 14, Calif., Tel. Tucker 1351.

5. The headnotes to § 1607.798 and paragraph (b) of § 1607.798 are amended to read as follows:

§ 1607.798 *War Department Power Procurement Officer.* • • •

(b) *Field Offices.*

6. Section 1607.799 is added as follows:

§ 1607.799 *War Shipping Administration*—(a) *War Shipping Administration Price Adjustment Board.*

(1) New York Division, 39 Broadway, New York 6, New York, Tel. Whitehall 3-8000.

(2) Pacific Coast Division, 427 Mills Tower Building, 220 Bush Street, San Francisco 4, California, Tel. Garfield 3715.

[RR 799]

PART 1608—TEXT OF STATUTES, JOINT REGULATIONS AND DIRECTIVES

SUBPART D—EXEMPTIONS

1. In § 1608.841 *Raw material exemption*, the items "Quartz crystal, raw" and "Zeolites derived from glauconite" are added.

2. In § 1608.845 (a), subparagraph (1) is amended and subparagraphs (5), (6), (7), and (8) are added as follows:

§ 1608.845 *Standard commercial article exemption.* (a) • • •

(1) Iron scrap and steel scrap; nonferrous metal scrap; woolen waste, including woolen rags and clips, new and old; scrap rubber; waste paper; cotton or linen rags, including old bagging and old rope; and textile waste; sold by dealers or brokers.

NOTE: The exemption of these articles as standard commercial articles applies only to dealers and brokers in these articles and is not to be construed as affecting, in any way, users of these articles (in particular, manufacturers who use these articles), nor does it affect manufacturers who may produce and sell these articles as a by-product in the course of their operation. Neither does the exemption cover sales of these articles in any form other than as scrap or waste.

• • • • • •

(5) Paper of the following types and grades, sold by paper mills: Groundwood and free sheet uncoated and coated papers (including but not limiting to free sheet and groundwood offset, envelope and tablet papers); Mimeograph and duplicating (both groundwood and free sheet); Bond, writing and ledger, including opaque circular; Manifold and onion skin; Cover and text; Index and Bristol; Map paper; Post card paper; Blue print base stock.

(6) Paper and paper products sold by merchants.

NOTE: This exemption does not apply to sales of paper or paper products which have been manufactured, converted or processed by the seller or by any person under the control of or controlling or under common control with the seller.)

(7) Ready mixed concrete.

(8) Portland cement. [RR 845]

[F. R. Doc. 44-14723; Filed, Sept. 23, 1944; 4:44 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1563]

PART 160—GRAZING LEASES

FILING OF PETITIONS FOR RENEWALS

Section 160.13 of the regulations authorizing the issuance of grazing leases is amended to read as follows:

§ 160.13 *Filing of petitions for renewals.* A lessee who desires to continue to lease the lands involved must file in triplicate a petition for renewal of the lease on Form 4-725. The petition should be filed approximately ninety days prior to the expiration of the existing lease and may include a request for the consolidation of other outstanding grazing leases held by the lessee. No filing fee will be required in connection with the petition for such renewals. The filing of a petition for renewal does not confer on the lessee any preference right to a renewal. The timely filing of a petition will, however, authorize the exclusive grazing use of the lands by the lessee in accordance with the terms of the prior lease pending final action on the petition.

FRED W. JOHNSON,
Commissioner.

Approved: September 8, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-14685; Filed, Sept. 23, 1944; 9:58 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 26, Supp. 2]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY WAR SHIPPING ADMINISTRATION

PASSENGER TICKETS

General Order 26 is amended as follows:

1. By adding a new § 303.24a:

§ 303.24a *Uniform passenger ticket "Warshipticket 11/15/42," optional signature clause.* Effective October 1, 1944 all agents for vessels owned by or under bareboat charter or Warshiptime—Form 101 (Rev.) charter to the War Shipping Administration, may use the following signature clause in the place and stead of the signature clause prescribed in "Warshipticket" (§ 303.24 *Uniform passenger ticket*):

Issued at ..... dated .....
19....

FOR THE MASTER,
By .....
(Insert name of agent in print)
Agents for United States of America,
(War Shipping Administration)
By .....

2. By amending § 303.26 to read:

§ 303.26 *Consent of master required.* Prior to the issuance of tickets for the carriage of passengers on any vessel, the operator or agent shall obtain from the master of said vessel a writing authorizing said operator or agent in its capacity as agent for the United States of America (War Shipping Administration) to sign and issue tickets for the master and in his name. The authorization shall be in substantially the following form:

.....
.....
.....

You, as agent of the War Shipping Administration, and all sub-agents appointed by you, at all the vessel's ports of call, whether the same are United States ports or foreign ports, are hereby authorized to enter into and do all things necessary for the proper execution and signing on my behalf, in my name, and as my agent, of bills of lading, passenger tickets, and other documents for the carriage of goods or passengers on board the SS .....

This authorization shall remain in full force and effect as long as I remain master and as long as you continue to act as agent for the above-named vessel, unless terminated by me in writing.

Signed.....
Master of SS.....

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

SEPTEMBER 23, 1944.

[F. R. Doc. 44-14767; Filed, Sept. 25, 1944; 11:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S.O. 200, Amdt. 6]

REFRIGERATION ON POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of September A. D. 1944.

Upon further consideration of the provisions of Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622, 9 F.R. 9916, 9 F.R. 10051, 9 F.R. 11427, 9 F.R. 11015), and good cause appearing therefor:

It is ordered, That Service Order No. 200 (9 F.R. 4402) of April 22, 1944, as amended (9 F.R. 5960, 9 F.R. 9622, 9 F.R. 9916, 9 F.R. 10051, 9 F.R. 11427, 9 F.R.

11015), be, and it is hereby, further amended by substituting the following paragraph (a) (2) in lieu of paragraph (a) (2) of § 95.337 thereof:

(a) (2) *Cars of potatoes originating in certain States not to be initially iced or reiced.* No common carrier by railroad subject to the Interstate Commerce Act shall initially ice or reice any refrigerator car or cars loaded with potatoes originating in the States of North Carolina, Virginia, West Virginia, Maryland, Pennsylvania, Delaware, New Jersey or New York (Long Island only).

It is further ordered, That this order shall become effective 12:01 a. m., September 23, 1944; that a copy of this order and direction shall be served upon the State Commission of each State specified in paragraph (a) (2) herein; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-14760; Filed, Sept. 25, 1944; 11:26 a. m.]

PART 95—CAR SERVICE

[S. O. 223-A]

WEIGHING OF SAND, ETC., AT WOODLAWN, NEBR.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22d day of September A. D. 1944.

Upon further consideration of Service Order No. 223 (9 F.R. 9676-77) of August 7, 1944, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 223 of August 7, 1944, prohibiting the weighing of sand, gravel or aggregates in carloads for use on government construction at Woodlawn, Nebraska, be, and it is hereby vacated.

(40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this order shall become effective 12:01 a. m., September 25, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-14761; Filed, Sept. 25, 1944; 11:26 a. m.]

PART 95—CAR SERVICE

[Rev. S. O. 226-A]

ICING OF VEGETABLES AT DESIGNATED POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of September A. D. 1944.

Upon further consideration of Revised Service Order No. 226 (9 F.R. 10429) of August 24, 1944, and good cause appearing therefor: *It is ordered,* That:

(a) Revised Service Order No. 226 (9 F.R. 10429) of August 24, 1944, restricting the retop icing of refrigerator cars loaded with vegetables at points east of the eastern boundaries of the States of New Mexico, Colorado, Wyoming, or Montana, be, and it is hereby, vacated and set aside.

(b) *Announcement of vacation of suspension.* Each of the railroads affected by this order shall publish, file, and post a supplement to each of its tariffs affected announcing the vacation by this order on the effective date hereof, of the suspension made by Revised Service Order No. 226 and stating that the provisions in said tariffs which were in effect prior to such suspension will be applied on and after the effective date of this order. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective at 12:01 a. m., September 23, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-14762; Filed, Sept. 25, 1944; 11:26 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 3, Revocation]

PART 503—ADMINISTRATION

AMERICAN RAILROAD CO. OF PORTO RICO

Pursuant to Executive Order 9341, *It is hereby ordered,* That:

Administrative Order ODT 3 (§§ 503.85, 503.86) (8 F.R. 6484), be, and it hereby is, revoked.

This revocation shall become effective September 23, 1944.

(E.O. 9341, 8 F.R. 6323)

Issued at Washington, D. C., this 23d day of September 1944.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 44-14672; Filed, Sept. 23, 1944; 2:46 p. m.]

Notices

DEPARTMENT OF THE TREASURY.

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Circ. 752]

⅞ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES G-1945

OFFERING OF CERTIFICATES

SEPTEMBER 25, 1944.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated ⅞ percent Treasury Certificates of Indebtedness of Series G-1945, in exchange for Treasury Certificates of Indebtedness of Series F-1944, maturing October 1, 1944.

II. *Description of certificates.* 1. The certificates will be dated October 1, 1944, and will bear interest from that date at the rate of ⅞ percent per annum, payable semiannually on April 1 and October 1, 1945. They will mature October 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before October 2, 1944, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series F-1944, maturing October 1, 1944, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr., *Secretary of the Treasury.*

[F. R. Doc. 44-14759; Filed, Sept. 25, 1944; 11:29 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

TIETON PROJECT, WASH.

REVOCATION OF FIRST FORM WITHDRAWAL

AUGUST 17, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Tieton project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the Act of June 17, 1902 (32 Stat. 388), by Departmental Orders of July 20 and 27, 1908, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided,* That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

TIETON PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 13 N., R. 13 E., unsurveyed
Sec. 1, N½, N½SW¼, SE¼SW¼, SE¼;
Sec. 2, N½, SW¼, N½SE¼, SW¼SE¼;
Secs. 3, 10;
Sec. 11, NW¼NE¼, S½NE¼, NW¼, N½SW¼, SW¼SW¼, NW¼SE¼;
Sec. 13;
Sec. 14, S½N½, S½;
Sec. 15.
T. 13 N., R. 13 E., unsurveyed
Sec. 1, N½NW¼;
Sec. 2, N½N½;
Sec. 3, N½;
Sec. 4, N½;
Sec. 5, NE¼, N½NW¼;
Sec. 6, N½NE¼, NW¼, NW¼SW¼, SE¼;
Sec. 7, S½NE¼, S½;
Sec. 8, S½N½, S½;
Sec. 9, S½N½, S½;
Sec. 10, S½N½, S½;
Sec. 11, SW¼NW¼, NW¼SW¼, S½SW¼, NE¼SE¼, S½SE¼;
Sec. 12, NW¼SW¼, S½SW¼, SW¼SE¼;
Secs. 13 to 18, inclusive.
T. 14 N., R. 13 E., unsurveyed
secs. 25, 26, 35;
sec. 36, N½, SW¼, N½SE¼, SW¼SE¼.
T. 13 N., R. 14 E.,
sec. 4;
sec. 6, NE¼;
sec. 7, E½NE¼, SE¼;
secs. 9, 17;
sec. 18, NE¼, S½NW¼, S½.
T. 14 N., R. 14 E., unsurveyed
secs. 19, 20, 21, 22, 27, 28, 29;
sec. 30, N½;
secs. 32, 33, 34.

Respectfully,

[SEAL] H. W. BASHORE, *Commissioner.*

I concur: September 7, 1944.

FRED W. JOHNSON, *Commissioner of the General Land Office.*

The foregoing recommendation regarding the Tieton project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS, *Assistant Secretary.*

SEPTEMBER 11, 1944.

[F. R. Doc. 44-14683; Filed, Sept. 23, 1944; 9:57 a. m.]

YAKIMA PROJECT, WASH.

REVOCATION OF FIRST FORM WITHDRAWAL

AUGUST 17, 1944.

THE SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Yakima project, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3, of the Act of June 17, 1902 (32 Stat. 388) by Departmental Orders of September 8, 1904, December 22, 1905, April 29, 1907, March 2 and December 27, 1909, June 28 and July 22, 1913 and March 20, 1915, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided,* That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

YAKIMA PROJECT

WILLAMETTE MERIDIAN, WASHINGTON

T. 21 N., R. 11 E.
Sec. 1, N½NE¼, SE¼NE¼, NE¼SE¼;
Sec. 2, lot 3, SW¼NW¼, W½SW¼;
Sec. 11, SW¼NE¼, NW¼;
Sec. 13, N½.
T. 22 N., R. 11 E.,
Sec. 10, S½;
Sec 14, NW¼, N½SW¼, SE¼SW¼;
Sec. 15, N½, SW¼, W½SE¼;
Sec. 21, SE¼;
Sec. 22, NW¼, W½SW¼;
Sec. 23, NE¼, E½W½, SE¼;
Sec. 26, NE¼, N½SE¼, SE¼SE¼;
Sec. 27, W½NW¼;
Sec. 28, NE¼;
Sec. 34, NW¼NE¼, S½NE¼;
Sec. 35, SW¼SW¼;
Sec. 36, W½, SE¼.
T. 21 N., R. 12 E.,
Sec. 3, lots 6, 7, E½SW¼;
Sec. 10, NE¼, N½NW¼, SE¼NW¼, N½SE¼, SE¼SE¼;
Sec. 11, S½;
Sec. 12, NE¼, S½;
Sec. 13;
Sec. 14, N½NE¼, SW¼NE¼, N½NW¼, SW¼NW¼, N½SE¼NW¼, N½S½SE¼-NW¼, SW¼SW¼SE¼NW¼, SE¼SE¼-SE¼NW¼, NE¼NE¼NE¼SW¼, S½-NE¼NE¼SW¼, SW¼SW¼NE¼SW¼, SE¼NE¼SW¼, NW¼NE¼NW¼SW¼, S½NE¼NW¼SW¼, NW¼NW¼SW¼, S½NW¼SW¼, SW¼SW¼, NE¼SE¼-SW¼, W¼NW¼SE¼SW¼, S½SE¼-SW¼, SW¼SE¼;
Sec. 15, N½.
T. 13 N., R. 13 E., unsurveyed
Sec. 11, SW¼NW¼;
Sec. 12, NW¼SW¼, S½SW¼, SW¼SE¼.
T. 14 N., R. 13 E., unsurveyed
Sec. 36, SW¼, N½SE¼, SW¼SE¼.
T. 18 N., R. 13 E.,
Sec. 9, W½NE¼, SE¼NE¼, NW¼, NE¼SW¼, SE¼;
Sec. 10, SW¼NW¼, SW¼, S½SE¼;
Sec. 15, N½, N½SW¼, NW¼SE¼;
Sec. 16, E½NE¼.
T. 20 N., R. 13 E.,
Sec. 2, lots 1, 4, S½NE¼, SW¼NW¼, W½SW¼, SE¼SW¼, SE¼;
Sec. 3;
Sec. 10, NE¼NE¼, SW¼NW¼;
Sec. 11, NW¼NW¼.

T. 21 N., R. 13 E.,
Sec. 5, SE¼NE¼, NE¼SE¼;
Sec. 6, Lot 2, SW¼NE¼, W½SE¼;
Sec. 7, W½NE¼, SE¼NE¼, NW¼, S½;
Sec. 9, NW¼, N½SW¼, SE¼SW¼;
Sec. 16, NE¼, E½SE¼;
Sec. 18, N½, SE¼;
Sec. 20, NW¼NW¼, S½NW¼, SW¼SE¼;
Sec. 22, NW¼, NE¼SW¼;
Sec. 26, N½SW¼, SE¼SW¼;
Sec. 27, N½NE¼, SE¼NE¼;
Sec. 28, SW¼NW¼, SW¼;
Sec. 33, W½NE¼, SE¼;
Sec. 35, E½NW¼.
T. 22 N., R. 13 E.,
Secs. 1, 2, 3;
Sec. 8, NE¼, N½SE¼;
Sec. 9, W½;
Sec. 11, NE¼;
Sec. 12, N½;
Sec. 16, W½;
Sec. 21, NW¼;
Sec. 28, SW¼;
Sec. 32, W½NW¼, NW¼SW¼;
Sec. 33, W½.
T. 23 N., R. 13 E.,
Sec. 1, S½;
Secs. 2 and 3;
Sec. 4; Lots 1, 2, S½NE¼;
Sec. 10, NE¼;
Secs. 11 and 12;
Sec. 13, N½, SE¼;
Sec. 35, E½;
Secs. 34 and 35.
T. 24 N., R. 13 E.,
Sec. 33;
Sec. 34, S½.
T. 13 N., R. 14 E.,
Sec. 6, NE¼.
T. 14 N., R. 14 E., unsurveyed
Secs. 25 and 26.
T. 20 N., R. 14 E.,
Sec. 2, E½NW¼, NE¼SW¼, S½SW¼;
Sec. 4, W½, NW¼SE¼, S½SE¼;
Sec. 9, NE¼;
Sec. 10, S½NE¼, NW¼NW¼, S½NW¼;
Sec. 11, NW¼.
T. 21 N., R. 14 E.,
Sec. 4;
Sec. 5, W½W½;
Secs 6, 7, 9;
Sec 16, NE¼, E½W½, SE¼;
Sec 18, W½NE¼, W½, W½SE¼;
Secs. 19, 21, 27;
Sec. 28, NE¼, NE¼NW¼, E½SE¼;
Sec. 29, SW¼SW¼;
Secs. 30, 31;
Sec. 32, lots 4, 5, 6, NW¼, N½SW¼;
Sec. 34, NE¼, N½NW¼, SE¼NW¼, N½SE¼;
Sec. 35, SW¼.
T. 22 N., R. 14 E.,
Sec. 36, W½;
Sec. 29, E½;
Sec. 32, N½, W½SW¼;
Sec. 33.
T. 23 N., R. 14 E.,
Sec. 7, NW¼, S½;
Sec. 18.

Respectfully,

[SEAL] H. W. BASHORE,
Commissioner.

I concur: September 9, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Yakima project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the district land office to be noted accordingly.

MICHAEL W. STRAUS,
Assistant Secretary.

SEPTEMBER 12, 1944.

[F. R. Doc. 44-14682; Filed, Sept. 23, 1944; 9:57 a. m.]

General Land Office.

COLORADO

WITHDRAWAL OF PUBLIC LANDS

Stock Driveway Withdrawal 8, Colorado 5, Enlarged.

By virtue of the authority contained in section 7 of the Act of June 28, 1934, 48 Stat. 1272, as amended by the Act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the Act of December 29, 1916, 39 Stat. 865, as amended by the Act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300), *It is ordered as follows:*

The following-described public lands in Colorado are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 8, Colorado No. 5:

SIXTH PRINCIPAL MERIDIAN

T. 8 S., R. 76 W.,
Sec. 34, E½SW¼ and SW¼SE¼.
T. 9 S., R. 76 W.,
Sec. 3, lots 1 and 2;
Sec. 11, SW¼NW¼, NW¼SW¼, and S½SW¼;
Sec. 14, N½NW¼.

The areas described aggregate 521.54 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid Act of January 29, 1929, and such regulations as have been or may be issued thereunder.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 16, 1944.

[F. R. Doc. 44-14686; Filed, Sept. 23, 1944; 9:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6665]

AMERICAN RADIO TELEPHONE CO.

NOTICE OF HEARING

In re application of American Radio Telephone Company (KXA); date filed, April 20, 1944; for modification of license to change hours of operation; class of service, broadcast; class of station, broadcast; location, Seattle, Washington; operating assignment specified: frequency, 770 kc; power, 1 kw; hours of operation, unlimited. File No. B5-ML-1193.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing, for the following reasons:

1. To determine the areas and populations which would receive primary service from the operation proposed and what other broadcast service is available for these areas and populations.

2. To determine the nature and character of the program service and whether it will provide for the program needs of the areas and populations proposed to be served.

3. To determine whether the proposed operation will be in accordance with § 3.25 (a) of the Commission's rules and regulations.

4. To determine the interference which will result from the simultaneous operation of Station KOB as presently operated and Station KXA operating as proposed.

5. To determine the interference which will result from the simultaneous operation of Station KOB as proposed in application B5-MP-1738, Docket No. 6584 and Station KXA operating as proposed.

6. To determine whether the instant application has been filed pursuant to proper corporate authorization.

7. To determine whether the proposed antenna system complies with the Standards of Good Engineering Practice, particularly with reference to the height of the vertical lead.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: American Radio Telephone Co., Radio Station KXA, 314 Bigelow Building, Fourth Avenue and Pike Street, Seattle, Washington.

Dated at Washington, D. C., September 21, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-14700; Filed, Sept. 23, 1944; 11:24 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-576]

HANLEY AND BIRD

NOTICE OF APPLICATION

SEPTEMBER 22, 1944.

Notice is hereby given that on September 12, 1944, Hanley and Bird, a partnership having its principal offices in Bradford, Pennsylvania, filed with the Federal Power Commission an application pursuant to section 7 (b) of the Natural Gas Act, authorizing the abandonment and removal of certain gas transmission facilities described in such application to consist of approximately eight miles of 8⅝-inch pipe line extending from the Woodhull natural gas field in the State of New York through the southern portion of Steuben County, New York, to Elkland, Pennsylvania, approximately ¾ of a mile south of the New York-Pennsylvania State line.

In the application it is stated that the production of natural gas in the Woodhull field has materially decreased; that the gas presently produced by applicant is transported to Elkland, where it is sold and delivered to North Penn Gas Company; that there is available capacity in other pipe lines emanating from the Woodhull field for the transportation of natural gas produced by the applicant; that applicant has made arrangements with the New York State Natural Gas Corporation for the transportation and delivery to North Penn Gas Company of the gas now transported through the facilities sought to be abandoned.

Any person desiring to be heard or to make any protest with reference to this application should on or before the 10th day of October 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14729; Filed, Sept. 25, 1944; 9:28 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5217]

B. F. SHRIVER CO.

COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent B. F. Shriver Company is a corporation organized and existing under the laws of the State of Maryland, with its principal office and place of business located at Westminster, Maryland. The respondent also operates plants located at Westminster and New Windsor, Maryland, and Littlestown, Pennsylvania.

PAR. 2. Respondent B. F. Shriver Company is now engaged and for many years prior hereto has engaged in the business of packing, canning, distributing and selling canned corn, peas, beans, lima beans, succotash, tomatoes, asparagus, beets, and other vegetable products (all of which are hereinafter called vegetable products), in its own name and for its own account for resale, directly to buyers located in States other than the State in which respondent is established. As a result of respondent's instructions, such vegetable products are shipped and transported across State lines to such buyers, who are located in various States of the United States other than the State where the respondent is established.

The respondent, to distinguish its vegetable products from the vegetable products sold by competitors and to facilitate sales, utilizes registered trademarks and brands for the various types and grades of vegetable products it sells. Among and representative of respondent's brands are:

Blue Ridge.	New Windsor.
A No. I.	World's Favorite.
Lady Host.	Shriver.

PAR. 3. The respondent, since June 19, 1936, in connection with the interstate sale and distribution of vegetable products has been and is now paying or granting or has paid or granted, directly or indirectly, commissions, brokerage or other compensation or allowances or discounts in lieu thereof to buyers of said vegetable products sold under its own labels, unlabeled and under buyers' labels.

PAR. 4. The respondent, since June 19, 1936, has distributed and sold and distributes and sells vegetable products directly to certain buyers in interstate transactions as aforesaid and has paid to such buyers commission or brokerage fees on purchases made by them in their respective names and for their respective accounts. The respondent's method of distribution and sale, as hereinafter described, is representative of the sales methods of a number of East Coast distributors.

The buyers above referred to customarily designate themselves as "brokers," "merchandise brokers," or as "primary distributors," although they are known to the trade as "buying brokers" or "speculative brokers." Such "buying brokers" or "speculative brokers" customarily operate by placing orders for merchandise with those sellers, and only with those sellers, who will grant and pay them commissions or brokerage fees on their own purchases. Some such buyers are large scale buyers and sellers of vegetable products distributed under their own private brands, which brands usually show the name and address of the buyer, but not of the packer, and identify the merchandise as being the product of the particular buyer who owns the label.

Some such buyers customarily purchase their private brand vegetable products from respondent and many other sellers and often during a given season, after shopping the market, will purchase such commodities under the same private brands from several competing sellers, placing their orders where they are able to secure the most favorable prices and terms.

Such buyers place their order for merchandise with respondent and other sellers, who, on receiving and accepting such orders, deliver the merchandise to a common carrier for delivery, but require that the buyer pay the purchase price as a condition precedent to the delivery of the merchandise. If such merchandise is lost or damaged in transit, such buyers file claims in their own names and collect damages from the carrier for their own account.

On receipt of the merchandise, such buyers insure such merchandise and warehouse it in their own warehouses or in public warehouses, and thereafter generally utilize the warehouse receipts covering the merchandise, together with the insurance contract, as collateral or security to obtain bank loans.

Such buyers mask these buying operations under the fictionalized designation of "brokers," "merchandise brokers," or "primary distributors," for the sole purpose of coloring the name and method of their buying operations in order to collect commissions or brokerage fees from respondent and from other sellers who will pay such buyers commissions or brokerage fees on their own purchases, notwithstanding the fact that it is well known to be the custom of such buyers to invoice and sell such merchandise in their own names, for their own accounts, at their own prices, and on their own terms, and to assume full and complete credit risks.

PAR. 5. The acts and practices of the respondent in promoting sales of vegetable products by paying to buyers, directly or indirectly, commissions, brokerage or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 18th day of September, A. D., 1944, issues its complaint against said respondent.

Notice is hereby given you, B. F. Shriver Company, a corporation, respondent herein, that the 27th day of October, A. D., 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and

the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why and order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, The Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 18th day of September A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14667; Filed, Sept. 23, 1944; 10:24 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 225]

UNLOADING OF RECLAIMED COKE AT STAR JUNCTION, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of September, A. D. 1944.

It appearing, that car PMCKY 53589, containing reclaimed coke at Star Junction, Pennsylvania, on the Pittsburgh and Lake Erie Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

Reclaimed coke at Star Junction, Pennsylvania, to be unloaded. (a) The Pittsburgh and Lake Erie Railroad Company, its agents or employees, shall unload forthwith car PMCKY 53589, containing reclaimed coke loaded by Wm. J. Shaw, on hand at Star Junction, Pennsylvania, without billing.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of reclaimed coke has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Pittsburgh and Lake Erie Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14763; Filed, Sept. 25, 1944; 11:26 a. m.]

[S. O. 70-A, Special Permit No. 516]

RECONSIGNMENT OF ONIONS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, September 18 or 19, 1944, by Howard Brothers, of car WFE 61851, onions, on the Missouri Pacific Railroad, to Howard Brothers, Chicago, Illinois (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14764; Filed, Sept. 25, 1944; 11:26 a. m.]

[S. O. 70-A, Special Permit No. 517]

RECONSIGNMENT OF HONEYDEW MELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 19, 1944, by La Mantia Brothers Arrigo of car ART 16428, honeydew melons, now on the Chicago Produce Terminal, to Shippers Service Company, Detroit, Michigan (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14765; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit No. 518]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 19, 1944, by Flowaty Bergart Company of car PGE 36010, onions, now on Wood Street Terminal, to August Stoerk Company, Jacksonville, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14766; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit No. 519]

RECONSIGNMENT OF PEARS AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, September 20, 1944, by Morris Goldman Company of car PGE 31937, pears, now on the Great Northern Railway, to Schwartz Brothers, Detroit, Michigan. (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14767; Filed, Sept. 25, 1944; 11:27 a. m.]

[S.O. 70-A, Special Permit No. 520]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 20, 1944, by Bacon Brothers of car NRC 14093, potatoes, now on the CNW (Wood Street Terminal) to House of Abe, Knoxville, Tennessee (B/4).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14768; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit No. 521]

RECONSIGNMENT OF PRUNES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Milwaukee, Wisconsin, September 20, 1944, by Ben Post Company, of car NP 98599, prunes, now on the CMStP&P Railway to Steel City Fruit Company, Pittsburgh, Pennsylvania (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14769; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit 522]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by pargaraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to, the reconsignment at Chicago, Illinois, September 20, 1944, by National Produce Company, of car PFE 25149, potatoes, now on the Wood Street Terminal, to Ben Post, Milwaukee, Wisconsin (C&NW).

The waybill shall show reference to this special permit .

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14770; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 70-A, Special Permit 523]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A, of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 20, 1944, by Bacon Brothers of cars of potatoes, now on the Wood Street Terminal, URT 92877 to Commissary Officer, U. S. Naval Training Station, Great Lakes, Illinois (C&NW), and ART 21771 to Fruit Distributors, Inc., Fort Wayne, Indiana (PRR).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14771; Filed, September 25, 1944; 11:27 a. m.]

[S. O. 200, Special Permit 163]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice once at Kansas City, Missouri, PFE 94182 and 60856, potatoes, on the Union Pacific Railroad, and the Missouri Pacific, respectively, from Peterson and Company, Kimball, Nebraska, destined Memphis, Tennessee.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14772; Filed, Sept. 25, 1944; 11:27 a. m.]

[S. O. 200, Special Permit 164]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to furnishing one reicing in transit at Kansas City, Missouri, by the Union Pacific Railroad, on the following refrigerator cars loaded with potatoes, shipped by Peterson & Company, Kimball, Nebraska: IC 54995 to B. Moley Produce Company, Tulsa, Oklahoma, (U. P.-Frisco), URT 91807 to Springfield Produce Company, Springfield, Illinois, (U. P.-Wabash), and URT 19501 to Burrows Wholesale Grocery Company, Walnut Ridge, Arkansas, (U. P.-Mo. Pac.) due to a railroad error.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14773; Filed, Sept. 25, 1944; 11:28 a. m.]

[2d Rev. S. O. 224, Amended Gen. Permit 2]

ICING OF FRUITS, MELONS, OR TOMATOES FROM ARIZONA OR CALIFORNIA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (9 F.R. 10429) of Second Revised Service Order No. 224 of August 24, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing of refrigerator cars loaded with citrus fruits, deciduous fruits, melons, or tomatoes, originating at origins located in the States of Arizona or California.

This general permit shall become effective at 12:01 a. m., September 22, 1944, and shall apply only to cars billed on and after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14774; Filed, Sept. 25, 1944; 11:28 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination No. 2]

PARK TRANSPORTATION CO., AND DICK'S TRANSFER CO., INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation systems of Park Transportation Company and Dick's Transfer Company, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation systems of Park Transportation Company, 1717 Park Avenue, St. Louis, Missouri, and Dick's Transfer Company, Inc., 1915 Cherry Street, Kansas City, Missouri, including all real and personal property and other assets of said motor carriers, taken and assumed pursuant to Executive Order 9462 and the notice and order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., September 23, 1944. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 2."

Issued at Washington, D. C., this 22d day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-14688; Filed, Sept. 23, 1944; 10:26 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Max. Import Price Reg., Order 43]

WM. E. PHILLIPS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which wholesalers and retailers may buy and sell, certain sterling silver cigarette lighters designed by J. J. Williams, Los Angeles, California, imported from Mexico by Wm. E. Phillips Co., 315 West Fifth St., Los Angeles, California, hereinafter called the "importer".

(b) *Maximum prices on sales by the importer.* The importer may sell such lighters to wholesalers at a price not exceeding $7.25 each on a delivered basis, to retailers at a price not exceeding $8.50 each on a delivered basis, and to consumers at a price not exceeding $14.50 each. No wholesaler, retailer or consumer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, prices higher than the following for such lighters:

Class of sellers:	Maximum prices
Sales by wholesalers	$8.50 each, delivered
Sales by retailers	14.50 each

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such lighters are sold and shall also include on the invoice the following statement:

The enclosed Order No. 43 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling price for these lighters and requires you to notify your customers what is their maximum price, as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such lighters shall include on his invoice to each retailer the following statement:

Your maximum selling price for these lighters, as established by Order No. 43 under the Maximum Import Price Regulation issued by the Office of Price Administration, is $14.50 each.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on September 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14703; Filed, Sept. 23, 1944; 11:55 a. m.]

[Order 58 Under Order 375]

DILLING COMPANY

ADJUSTMENT OF MAXIMUM PRICES

Order No. 58 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation, Dilling & Company, Docket No. N6342-13b-160-7.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered that:*

(a) The maximum prices for the indicated sales below of "Santa Claus Boot", an inflexible, compressed paper Santa Claus Boot containing 2¼ pounds net Opera Green Chocolates manufactured by Dilling & Company of Indianapolis, Indiana, in accordance with its formula contained in its supplementary price application dated July 12, 1944 shall be the sum following:

(1) From Dilling & Company to retailers f. o. b. factory per dozen boots	$10.00
(2) From retailers to consumers, per boot	1.25

(b) The prices established in this order are the highest prices for which "Santa Claus Boots" may be sold by the respective sellers. All sellers, on sales of this item, shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable candy items. In the application of any customary differentials, the specific maximum prices established by this order shall not be exceeded.

(c) Dilling & Company shall mail or otherwise supply to its purchasers, at the time of or prior to the first delivery to such purchaser, the following notice:

The Office of Price Administration has authorized us to sell our "Santa Claus Boots" to retailers at maximum price of $10.00 f. o. b. our factory per one dozen boots. Retailers are authorized to sell this item to consumers at a maximum price of $1.25 per boot. On sales of this item all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items. In the application of any customary differential, the specific maximum prices mentioned herein must not be exceeded.

(d) This order may be revoked or amended at any time by the Price Administrator.

(e) This Order No. 58 shall become effective September 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14704; Filed, Sept. 23, 1944; 11:56 a. m.]

[RPS 60, Revocation of Order 1]

DEFENSE SUPPLIES CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered,* That:

Order No. 1 (7 F.R. 2793) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14705; Filed, Sept. 23, 1944; 11:57 a. m.]

[RPS 60, Revocation of Order 2]

DEFENSE SUPPLIES CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Order No. 2 (7 F.R. 3103) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14706; Filed, Sept. 23, 1944; 11:57 a. m.]

[RPS 60, Revocation of Order 3]

DEFENSE SUPPLIES CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Order No. 3 (7 F.R. 10500) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14707; Filed, Sept. 23, 1944; 11:57 a. m.]

[RPS 60, Revocation of Order 4]

COMMODITY CREDIT CORPORATION

REVOCATION OF ORDER WITH RESPECT TO DIRECT-CONSUMPTION SUGARS

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered,* That:

Order No. 4 (8 F.R. 6863) under paragraph (b) § 1334.61 of Revised Price Schedule 60 is hereby revoked. This order of revocation shall become effective September 3, 1944.

Issued this 23d day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14708; Filed, Sept. 23, 1944; 11:57 a. m.]

Regional and District Office Orders.

[Region VII Order G-2 Under MPR 120, Amdt. 1]

DELIVERIES OF COAL IN UINTAH COUNTY, UTAH

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.209 of Maximum Price Regulation No. 120, as amended, and for the reason set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. A new paragraph designated (f), entitled *"Special service charges"*, is hereby added to Order No. G-2, to read as follows:

(f) *Special service charges.* If in connection with the sale and delivery of coal made by you in the area covered hereby you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such special services are those stated below:

	Per ton	Per ½ ton
"Wheel-in" or "carry-in"	$0.60	$0.35
"Pull-back" or "trimming"	.35	.15
"Carrying up or down stairs"	1.00	.60
"Oil or chemical treatment"	.25	.15

2. *Effective date.* This Amendment No. 1 shall become effective on the 12th day of September, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 12th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-14660; Filed, Sept. 22, 1944; 4:51 p. m.]

[Birmingham Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN BIRMINGHAM, ALA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Birmingham District Office of the Office of Price Administration by paragraph (f) of Appendix H, paragraph (g) of Appendix I, and section (2) (b) of Maximum Price Regulation No. 426, and Regional Delegation Orders No. 33 and 35, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes maximum delivery charges that service wholesalers and secondary jobbers, whose places of business are located in the Birmingham District area, may add to their maximum prices established under Appendices B, D, H, and I of Maximum Price Regulation No. 426 for delivery of snap beans, peppers, eggplants, cucumbers, spinach, carrots, green peas, oranges, grapefruit, lemons, tangerines, cabbage and table grapes to the premises of any purchaser located outside the free delivery zone of the service wholesaler or secondary jobber.

SEC. 2. *Additions allowed for deliveries by service wholesalers and secondary jobbers to purchasers beyond the service wholesalers' or secondary jobbers' free delivery zone.* Any service wholesaler or secondary jobber, whose place of business is located in the Birmingham District area, selling any of the fresh fruits or vegetables listed in section one above may add to his maximum prices as set forth in Appendices B, D, H, and I of Maximum Price Regulation No. 426, the following amounts for delivery to purchasers located outside the service wholesaler's or secondary jobber's free delivery zone:

	Cents per container
For containers of less than 40 pounds, gross weight	10
For containers of 40 pounds to 60 pounds, gross weight	20
For containers of more than 60 pounds, gross weight	25

In no event shall any additions to the maximum prices set forth in Appendices B, D, H and I of Maximum Price Regulation No. 426, be made by any service wholesaler or secondary jobber for delivery of any of the fresh fruits and vegetables listed in section one above at the service wholesaler's or secondary jobber's platform or at any other point within his free delivery zone as hereinafter defined.

SEC. 3. *Free delivery zone.* The free delivery zone of any service wholesaler or secondary jobber subject to the provisions of this order shall include all the territory embraced in the territorial limits of the county in which the service wholesaler's or secondary jobber's place of business is located.

SEC. 4. *Geographical applicability.* This order shall apply only to service wholesalers and secondary jobbers whose places of business are located within the Birmingham district area.

SEC. 5. *Definitions.* "Birmingham district area" means all of that part of Alabama North of and including the counties of Pickens, Tuscaloosa, Bibb, Shelby, Talladega, Clay and Randolph.

"Service wholesaler" means a person who maintains a store or warehouse at which the listed commodity being priced is stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or country points which he services, and who sells to retail stores, government procurement agencies or institutional buyers.

"Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

SEC. 6. *Applicability of Maximum Price Regulation No. 426, as amended.* All sales for which maximum prices are adjusted by this order shall remain subject to all of the provisions of Maximum Price Regulation No. 426, as amended, or as it may hereafter be amended, which are not inconsistent with the provisions of this adjustment order. All sales for which maximum prices are not adjusted by this order shall be subject to Maximum Price Regulation No. 426, as amended.

SEC. 7. *Revocation.* This order may be revoked, amended, or corrected at any time.

SEC. 8. *Effective date.* This order shall become effective on the 22d day of May, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued: May 17, 1944.

JOSEPH A. SHORT,
District Director.

Approved:

FRANK V. LANHAM,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44-14596; Filed, Sept. 21, 1944; 12:46 p. m.]

[Roanoke Order G-2 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN ROANOKE, VA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Roanoke (Virginia) District Office of the Office of Price Administration by paragraph (f) (1) of Appendix H, paragraph (g) (1) of Appendix I, and the ultimate paragraph of section 2 (b) of Maximum Price Regulation No. 426, and Regional Delegation Orders No. 33 and 35, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes a maximum delivery charge, as given below, for the delivery by any service wholesaler or secondary jobber located in the Roanoke District Office area, when delivering snap beans, peppers, egg plants, cucumbers, spinach, carrots, green peas, oranges, grapefruit, lemons, tangerines, cabbage and table grapes to the premises of any purchaser located outside the free delivery zone of that service wholesaler or secondary jobber:

	Per container (cents)
For container of less than 40 pounds, gross weight	10
For containers of 40 pounds to 60 pounds, gross weight	20
For containers of more than 60 pounds, gross weight	25

SEC. 2. *Maximum charges for delivery by service wholesalers and secondary jobbers beyond the free delivery zone.* Any service wholesaler or secondary jobber located within the area served by the Roanoke District Office, handling any of the fresh fruits and vegetables heretofore listed, may add to their proper maximum prices for these fruits and vegetables a charge in an amount not to exceed the rates given above to cover transportation costs outside of their free delivery zone. In no event shall any additions to the maximum prices, as stated in Appendices B, D, H and I of Maximum Price Regulation 426, be made by any service wholesaler or secondary jobber, for delivery of any of the fresh fruits and vegetables enumerated above, within the free delivery zone.

SEC. 3. *Geographical applicability.* This order shall apply only to deliveries made outside the free delivery zones by service wholesalers and secondary jobbers, whose place of business is located within the Roanoke District Office area.

SEC. 4. *Free delivery zones.* Free delivery zones of such service wholesalers and secondary jobbers, located within the Roanoke District Office area, shall be as follows:

Location of service wholesaler or secondary jobber:	*Free delivery zone*
Bristol, Va.	The area embracing the city of Bristol, Virginia, and Washington County.
Pulaski, Va.	The area embracing the County of Pulaski.
Roanoke, Va.	The area embracing the city of Roanoke and county.
Lynchburg, Va.	The area embracing the city of Lynchburg and Campbell County.
Danville, Va.	The area embracing the city of Danville and Pittsylvania County.
Clifton Forge and Covington, Va.	The area embracing the cities of Clifton Forge and Covington and the County of Alleghany.
Staunton, Va.	The area embracing the city of Staunton, Waynesboro, and the County of Augusta.
Harrisonburg, Va.	The area embracing the city of Harrisonburg and Rockingham County.
Winchester, Va.	The area embracing the city of Winchester and Frederick County.

The free delivery zone for all wholesalers or secondary jobbers not enumerated in this order shall be the county in which the wholesaler or secondary jobber is located.

SEC. 5. *Definitions.* (a) "Service wholesaler" means a person who maintains a store or warehouse at which the listed commodity being priced is stored, or warehoused, who receives the commodity at the premises of his store or warehouse, who maintains at such store or warehouse facilities for cold storage, ripening, trimming, sorting, washing, packing and other handling of the listed commodity, who employs salesmen to call on the trade in the city or county points which he services and who sells to retail stores, government procurement agencies or institutional buyers.

(b) "Secondary jobber" means a person other than a retailer who for his own account and profit purchases the listed commodity being priced in less-than-carlots or less-than-trucklots and resells it in any quantities.

SEC. 6. *Applicability of Maximum Price Regulation No. 426, as amended.* All sales for which the maximum prices are not adjusted by this order shall be subject to Maximum Price Regulation No. 426, as amended.

SEC. 7. *Revocation.* This order may be revoked, amended, or corrected at any time by the District Director.

SEC. 8. *Effective date.* This order shall become effective at 12:01 a. m. on the 3d day of July, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of June 1944.

MARSHALL S. MCCLUNG,
Acting District Director.

Approved:

FRANK V. LANHAM,
Acting Regional Director,
War Food Administration.

[F. R. Doc. 44-14702; Filed, Sept. 23, 1944; 11:55 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order were filed with the Division of the Federal Register on September 21, 1944.

REGION II

Baltimore Order 23, Amendment 1, covering dry groceries in the Baltimore, Md. area, filed 3:51 p. m.

Trenton Order 3-W, covering dry groceries in the Trenton, N. J. District, filed 3:39 p. m.

Trenton Order 7-F, Amendment 2, covering fresh fruit and vegetables in the Trenton, N. J. District, filed 3:40 p. m.

Trenton Order 15, Amendment 1, covering dry groceries in the Trenton, N. J. District, filed 3:40 p. m.

Trenton Order 3-F, covering fresh fruit and vegetables in the Trenton, N. J. District, filed 3:41 p. m.

REGION IV

Savannah Order 6-F, Amendment 5, covering fresh fruit and vegetables in designated counties in Georgia, filed 3:31 p. m.

REGION V

Dallas Order 1-C, covering poultry in designated counties in Texas, filed 3:39 p. m.

Dallas Order 2-F, Amendment 10, covering fresh fruit and vegetables in Dallas District, filed 3:38 p. m.

Dallas Order 3F, Amendment 22, covering fresh fruit and vegetables in the Dallas District, filed 3:38 p. m.

REGION VI

Milwaukee Order 2-F, Amendment 32, covering fresh fruit and vegetables in Dane County, Wis., filed 3:30 p. m.

Milwaukee Order 3-F, Amendment 32, covering fresh fruit and vegetables in Milwaukee County, Racine and Kenosha, filed 3:30 p. m.

Springfield Order 1-FS, Amendment 9, covering fresh fruit and vegetables in City of Springfield, Sangamon County, Ill., filed 3:37 p. m.

Springfield Order 6-F, Amendment 1, covering fresh fruit and vegetables in the Springfield District, filed 3:32 p. m.

REGION VII

New Mexico Order F-1, Amendment 24, covering fresh fruit and vegetables in Albuquerque, filed 3:34 p. m.

New Mexico Order F-2, Amendment 10, covering fresh fruit and vegetables in Santa Fe, N. M., filed 3:36 p. m.

New Mexico Order F-3, Amendment 10, covering fresh fruit and vegetables in Gallup, N. M., filed 3:35 p. m.

New Mexico Order F-4, Amendment 10, covering fresh fruit and vegetables in designated areas in New Mexico, filed 3:36 p. m.

New Mexico Order F-5, Amendment 7, covering fresh fruit and vegetables in Las Vegas, N. M., filed 3:36 p. m.

New Mexico Order F-6, Amendment 7, covering fresh fruit and vegetables in designated areas in New Mexico, filed 3:36 p. m.

REGION VIII

Nevada Order 1-F, Amendment 20, covering fresh fruit and vegetables in the Reno and Sparks Area, filed 3:30 p. m.

Nevada Order 2-F, Amendment 10, covering fresh fruit and vegetables in designated counties in Nevada, filed 3:29 p. m.

Nevada Order 3-F, Amendment 10, covering fresh fruit and vegetables in designated counties in Nevada, filed 3:39 p. m.

Seattle Order 1-F, Amendment 8, covering fresh fish and seafood in Seattle, Wash., filed 3:32 p. m.

Seattle Order 150, covering community food prices in the Seattle Area, filed 3:36 p. m.

Seattle Order 150, Correction, covering community food prices in the Seattle Area, filed 3:35 p. m.

Seattle Order 151, covering community food prices in the Tacoma Area, filed 3:37 p. m.

Seattle Order 151, Correction, covering community food prices in the Tacoma Area, filed 3:36 p. m.

Seattle Order 152, covering community food prices in the Everett Area, filed 3:36 p. m.

Seattle Order 152, Correction, covering community food prices in the Tacoma Area, filed 3:36 p. m.

Seattle Order 153, covering community food prices in the Bremerton Area, filed 3:35 p. m.

Seattle Order 153, Correction, covering community food prices in the Bremerton Area, filed 3:35 p. m.

Seattle Order 154, covering community food prices in the Bellingham Area, filed 3:35 p. m.

Seattle Order 154, Correction, covering community food prices in the Bellingham Area, filed 3:34 p. m.

Seattle Order 155, covering community food prices in the Olympia Area, filed 3:34 p. m.

Seattle Order 155, Correction, covering community food prices in the Olympia Area, filed 3:34 p. m.

Seattle Order 156, covering community food prices in the Aberdeen-Hoquiam Area, filed 3:34 p. m.

Seattle Order 156, Correction, covering community food prices in the Aberdeen-Hoquiam Area, filed 3:33 p. m.

Seattle Order 157, covering community food prices in the Centralia-Chehalis Area, filed 3:33 p. m.

Seattle Order 157, Correction, covering community food prices in the Centralia-Chehalis Area, filed 3:33 p. m.

Seattle Order 158, covering community food prices in the Wenatchee Area, filed 3:33 p. m.

Seattle Order 159, covering community food prices in the Yakima Area, filed 3:33 p. m.

Seattle Order 159, Correction, covering community food prices in the Yakima Area, filed 3:32 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14719; Filed, Sept. 26, 1944; 9:56 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-933]

BIRMINGHAM ELECTRIC CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of September, A. D. 1944.

Birmingham Electric Company, a subsidiary of National Power & Light Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with Rule U-50 promulgated under the act, of $10,000,000 principal amount of First Mortgage Bonds, 1974 Series, dated August 1, 1944 and maturing August 1, 1974; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That subject to the terms and conditions contained in Rule U-24 said application, as amended, be and the same hereby is, granted forthwith, except, however, as to the price to be paid for said bonds, the underwriters' spread and its allocation and all legal fees and expenses to be paid in connection with the proposed transaction, as to which matters jurisdiction be, and the same hereby is, specifically reserved.

It is further ordered, That the 10-day period for inviting bids, as provided by Rule U-50 (b), be shortened to a period of not less than 5 days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14676; Filed, Sept. 22, 1944; 2:52 p. m.]

[File No. 70-944]

NARRAGANSETT ELECTRIC CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of September, A. D. 1944.

The Narragansett Electric Company, a public utility subsidiary of The Rhode Island Public Service Company, a subsidiary holding company of New England Power Association, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the act with respect to the issuance and sale, in accordance with Rule U-50 promulgated under the act, of $31,500,000 principal amount of 3% First Mortgage Bonds, Series A, Due 1974 and the application of the proceeds from the sale of said bonds, together with additional treasury cash, to the redemption of its presently outstanding $31,732,000 principal amount of 3½% First Mortgage Bonds, Series A, Due July 1, 1966, at 105½% of the principal amount thereof plus accrued interest to the date of redemption; and

A public hearing having been held after appropriate notice and the Commission having considered the record and made and filed its findings and opinion herein:

It is ordered, That the application be and the same is hereby granted subject, however, to the terms and conditions contained in Rule U-24, and subject further to the following term and condition:

That the proposed issuance and sale of securities shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, which order may contain further terms or conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose and to pass upon the initial offering price for the bonds, the underwriter's spread and its allocation and all legal fees and expense to be paid in connection with these transactions.

It is further ordered, That our order of July 31, 1940, wherein we granted the applicant an exemption from the provisions of section 6 (a) of the act with respect to the issuance and sale of 180,000 shares of Cumulative Preferred Stock, 4½% Series, subject to several conditions including the condition that so long as any of the shares remain outstanding, the company could not pay any cash dividends on its common stock except out of net income after deducting 15% of its gross revenues for maintenance and depreciation and at least $400,000 per year from 1942 to 1966, be modified to the extent of discontinuing the present annual charge of $400,000, and in place thereof to make an annual charge of $706,203.50 for the purpose of computing net income available for cash dividends on the common stock for a 15-year period ending June 30, 1959.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14675; Filed, Sept. 22, 1944; 2:52 p. m.]

[File No. 70-866]

POTOMAC EDISON CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of September, A. D. 1944.

Notice is hereby given that The Potomac Edison Company, a registered holding company and subsidiary of American Water Works and Electric Company, Incorporated, has made a filing with this Commission pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed which are summarized below:

The Potomac Edison Company proposes to issue and sell, at competitive bidding pursuant to Rule U-50 promulgated under the Act, $16,981,000 principal amount 3¼% Series First Mortgage and Collateral Trust Bonds, to be dated October 1, 1944 and to become due October 1, 1974. The proceeds of such sale, together with other corporate funds, are to be used to redeem at 105% of principal amount, plus accrued interest, $11,981,000 principal amount Series E 5% Bonds of The Potomac Edison Company and to redeem at 107½% of principal amount, plus accrued interest, $5,000,000 principal amount Series F Bonds 4½% of The Potomac Edison Company, these two issues being the total amount of mortgage indebtedness of said company presently outstanding. The filing has designated section 6 (b) or 7 of the act as being applicable to the proposed issue and sale.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing should not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said Act and rules of the Commission promulgated thereon be held at 10:00 a. m., e. w. t., on the 9th day of October 1944, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing is to be held. Any persons desiring to be heard in connection with these proceedings or otherwise wishing to participate, shall file with the Secretary of the Commission on or before October 7, 1944 his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention be directed at such hearing to the following matters and questions:

1. Whether the issue and sale of the proposed first mortgage collateral and trust bonds are solely for the purpose of financing the business of The Potomac Edison Company and have been expressly authorized by the Public Service Commission of Maryland;

2. Whether The Potomac Edison Company is entitled to an exemption from the provisions of section 6 (a) of the act or, in the alternative, whether the proposed issue and sale satisfies the requirements of sections 7 (c) and 7 (d);

3. Whether the accounting entries to be made in connection with the proposed transactions are proper;

4. Whether the fees, commissions, or any other remunerations to be paid directly or indirectly in connection with the proposed issue and sale are reasonable;

5. Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms or conditions in connection with the proposed transactions; and

6. Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14673; Filed, Sept. 22, 1944; 2:52 p. m.]

[File No. 70-951]

GENERAL WATER GAS & ELECTRIC CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 20th day of September, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Water Gas & Electric Company, a registered holding company and a subsidiary of International Utilities Corporation, also a registered holding company.

Notice is further given that any interested person may, not later than October 3, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

General Water Gas & Electric Company proposes to redeem 5,987 shares of its $3.00 Cumulative Preferred Stock, without par value, at the redemption price of $52.50 per share plus accumulated unpaid dividends to and including the redemption date. It is proposed that the shares to be redeemed shall be selected by lot. The funds to be used for the proposed redemption represent the balance of the proceeds remaining from the proposed sale of its subsidiary, Boise Water Corporation, after payment of its outstanding securities senior to the preferred stock. As at June 30, 1944, there were outstanding 75,174 shares of the preferred stock of which 4,255 shares are owned by International Utilities Corporation.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14674; Filed, Sept. 22, 1944; 2:52 p. m.]

[File No. 4-54]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

ORDER PROHIBITING SOLICITING REGARDING VOTING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of September, A. D. 1944.

The Commission having on August 1, 1944, issued its order calling for a hearing to be held on August 22, 1944, to determine whether or not it should issue an order under the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules thereunder, particularly section 12 (e) of the act and Rule U-100, prohibiting any person to solicit, or permit the use of his or its name to solicit, any proxy, power of attorney, consent, or authorization regarding the voting of any security of International Hydro-Electric System except by order of this Commission unless and until the United States District Court for the District of Massachusetts may determine or direct that a meeting of shareholders be held for the election of Directors or for some other purpose, and to determine whether Rule U-61 should not be withdrawn or modified in its application to any such solicitation; and

The Commission pending said hearing and its further order with respect thereto having prohibited all persons from soliciting, or permitting the use of their names to solicit, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, any proxy, power of attorney, consent or authorization regarding the voting of any security of International Hydro-Electric System unless and until the United States District Court for the District of Massachusetts may determine or direct that a meeting of shareholders be held for the election of directors or for some other purpose, and the Commission having pursuant to Rule U-100 withdrawn Rule U-61 in its application to any such solicitation; and

It appearing to the Commission that Paul H. Todd, a director and shareholder of International Hydro-Electric System, has made application to the United States District Court for the District of Massachusetts requesting, among other things, that the Court direct that a meeting of shareholders of International Hydro-Electric System for the election of directors be held; and

A hearing having been held in accordance with the order of the Commission dated August 1, 1944; the Commission having examined the record with respect thereto and being duly advised in the premises;

It is ordered and notice is also hereby given, That pending the disposition by the United States District Court for the District of Massachusetts of the application of Paul H. Todd as aforesaid and pending further order of this Commission after such determination, all persons are prohibited from soliciting, or permitting the use of their names to solicit, by the use of the mails or any means or instrumentality of interstate commerce, or otherwise, any proxy, power of attorney, consent, or authorization, regarding the voting of any security of International Hydro-Electric System, and Rule U-61 shall be and hereby is withdrawn in its application to any such solicitation; and

It is further ordered, That jurisdiction be and the same hereby is reserved for the purpose of entering an appropriate further order upon the application of any of the parties hereto or upon the motion of the Commission after the United States District Court for the District of Massachusetts disposes of said application of Paul H. Todd.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14713; Filed, Sept. 23, 1944; 2:52 p. m.]

[File No. 70-837]

OHIO-MIDLAND LIGHT AND POWER CO. AND ASSOCIATED ELECTRIC CO.

MEMORANDUM OPINION AND ORDER DENYING REHEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of September, A. D. 1944.

On September 7, 1944, we issued an order granting and permitting an application-declaration to become effective with respect to a proposed sale by Associated Electric Company (Aelec) of all the securities and indebtedness of Ohio-Midland Light and Power Company (Ohio-Midland), its wholly-owned subsidiary, under section 12 (d) of the Public Utility Holding Company Act of 1935. Ohio-Midland Light and Power Company, — S. E. C. — (1944), Holding Company Act Release No. 5266. The proposed purchasers are three rural electric cooperatives operating in Ohio.

Petitions for rehearing have been filed by certain villages in the area served by Ohio-Midland, and by Columbus and Southern Ohio Electric Company, alleging in substance that the purchasers intend, upon obtaining the Ohio-Midland securities, to effect a reorganization in contravention of the law of Ohio and without the approval of the Public Utilities Commission of that State. The petitioning villages state that they have filed a complaint with the Ohio commission requesting it to take jurisdiction and to prohibit the transactions contemplated by the purchasers.

The situation presented by the petitions is not substantially different from that existing at the time of our order of September 7. In our opinion accompanying that order we noted that three suits to enjoin the purchase of Ohio-Midland were pending in the Ohio courts. We pointed out that our order would not have the effect of requiring the transactions to be carried out in contravention of the Ohio law, since we determined only that the proposed sale by Aelec, a registered holding company, met the standards prescribed by the Holding Company Act; and we emphasized that we were not passing on the authority of the purchasers to make the purchase. Their proposed acquisition of Ohio-Midland securities is not subject to the provisions of section 10 or any other section of the act.

This determination of ours under the statute we administer in no way conflicts with or affects the jurisdiction of the Ohio commission, any more than it affects the issues pending in the Ohio courts. We see no basis under the act for withholding our approval of the sale by Aelec, upon the allegations in the petitions for rehearing. Accordingly,

It is ordered, That the petitions for rehearing be and hereby are denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14715; Filed, Sept. 23, 1944; 2:52 p. m.]

[File No. 70-984]

CENTRAL VERMONT PUBLIC SERVICE CORP.

ORDER GRANTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of September, 1944.

Central Vermont Public Service Corporation, a subsidiary of New England Public Service Company, a registered holding company, which in turn is a subsidiary of Northern New England Company, also a registered holding company, having filed an application-declaration and amendments thereto, pursuant to sections 6 (b), 7 (e), 12 (c) and 12 (e) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-50 and U-62 promulgated thereunder, in which it is proposed that:

1. Central Vermont Public Service Corporation issue and sell 37,856 shares of preferred stock, $100 par value, to refinance its presently outstanding 27,856 shares of preferred stock, no par value, $6 dividend series, by (a) offering to the present holders of such stock the opportunity to exchange each share of presently held stock for one share of the preferred stock, $100 par value, plus a cash payment equal to the difference between $107.50, the redemption price of the presently outstanding preferred stock, and the public offering price of the shares to be issued, plus an amount equal to accrued dividends on the stock to be surrendered to the exchange date; (b) providing that any shares not exchanged will be called for redemption at the redemption price of $107.50 per share plus accrued dividends; and (c) providing that the sale of the preferred stock, $100 par value, including the exchange feature, be submitted to competitive bidding pursuant to Rule U-50, the bid or bids thereon to fix the dividend rate which will not exceed 4½% and the price to be paid to the company for the unexchanged shares which will not be less than $102.50 per share nor more than $107.00 per share.

2. Central Vermont Public Service Corporation (a) amend its Articles of Association to authorize 100,000 shares of preferred stock, $100 par value, (b) amend its Articles of Association to restate the preferences and rights of the new preferred stock to be issued, (c) eliminate from its presently authorized capital stock the 50,000 shares of preferred stock, no par value, $6 dividend series, upon the retirement of the presently outstanding preferred stock, and (d) amend its By-Laws in certain respects.

3. Central Vermont Public Service Corporation solicit proxies from the holders of its common stock in connection with the amendments to its Articles of Association and By-Laws.

A public hearing having been held on said application-declaration and amendments thereto, after appropriate notice; the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is hereby ordered, That the aforesaid declaration with respect to the solicitation material be, and hereby is permitted to become effective forthwith.

It is further ordered, That the aforesaid application-declaration with respect to all other matters be, and hereby is granted and permitted to become effective, subject, however, to the terms and conditions set forth in Rule U-24 and subject also to the following additional terms and conditions:

1. That if within 60 days from the date of our order herein (a) the Vermont Public Service Commission and the New Hampshire Public Service Commission shall not have approved the foregoing transactions with respect to which they have jurisdiction, or (b) if the requisite approval of stockholders of Central Vermont Public Service Corporation shall not have been obtained, then, and in any of such events, the Commission's order herein shall be null, void and of no effect unless the Commission shall otherwise order;

2. That the proposed issuance and sale of preferred stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, jurisdiction being reserved by the Commission to impose such terms and conditions as may then be appropriate and to consider the price to be paid for the new preferred stock and the underwriters' compensation and the allocation thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 44-14714; Filed, Sept. 23, 1944; 2:52 p. m.]

[File No. 70-960]

PHILADELPHIA ELECTRIC CO.

NOTICE OF FILING OF AMENDMENT TO APPLICATION AND NOTICE OF RECONVENED HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of September 1944.

Notice is hereby given that Philadelphia Electric Company, a subsidiary of The United Corporation, a registered holding company, has filed an application requesting an exemption from the competitive bidding requirements of Rule U-50 in regard to the issuance and sale by it of $65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series due 1967, and $65,000,000 principal amount of First and Refunding Mortgage Bonds, 2¾% Series due 1974. The application is in the form of an amendment to the company's original filing with respect to the issuance of the bonds (Holding Company Act Release No. 5264) which contemplated the sale of the bonds pursuant to the competitive bidding provisions of Rule U-50.

A hearing having been held on September 22, 1944 with respect to the proposed issuance of the new bonds and related transactions and the hearing having been adjourned to 10 a. m., e. w. t., October 2, 1944 at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in room 318,

Notice is further given, and it is so ordered, that at the hearing as reconvened on October 2, 1944, consideration shall be given, in addition to such matters otherwise to be considered in connection with the refunding program, to the request for exemption from the competitive bidding requirements of Rule U-50.

It is ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the reconvened hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14730; Filed, Sept. 25, 1944; 9:28 a. m.]

[File No. 70-961]

ARKANSAS POWER & LIGHT CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of September, A. D. 1944.

Arkansas Power & Light Company, a public utility subsidiary of Electric Power & Light Corporation, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the exemption from the provisions of sections 6 (a) and 7 of said act of the issue and sale, in accordance with Rule U-50 promulgated under said act, of $30,000,000 principal amount of First Mortgage bonds; and

Arkansas Power & Light Company having requested that the ten (10) day period for inviting bids, as provided by Rule U-50 (b), be shortened to such period as will permit the opening of bids on October 2, 1944; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That said application, as amended, be, and the same hereby is, granted, except, however, as to the price to be paid for said bonds, the redemption prices thereof, the interest rate thereon, the underwriters' spread and its allocation and all legal fees to be paid in connection with the proposed transaction as to which matters jurisdiction be, and the same hereby is, reserved.

It is further ordered, That the ten (10) day period for inviting bids, as provided by Rule U-50 (b), be, and the same hereby is, shortened to a period of not less than nine (9) days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14731; Filed, Sept. 25, 1944; 9:27 a. m.]

[File Nos. 70-955 and 70-963]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

NOTICE OF FILING AND ORDER FOR AND CONSOLIDATION OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of September A. D. 1944.

In the matters of Consolidated Electric and Gas Company, Pottsville Gas Company, File No. 70-955, and John H. Ware, 3rd, File No. 70-963.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, Pottsville Gas Company ("Pottsville"), a gas utility company and a subsidiary of Consolidated, and John H. Ware, 3rd, of Oxford, Pennsylvania, have filed with this Commission applications or declarations (or both), pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations issued by this Commission thereunder.

All interested persons are referred to said documents which are on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Consolidated proposes to sell to Ware (or his nominee) all of Consolidated's investment in Bangor Gas Company ("Bangor") and Citizens Gas Company ("Citizens"), gas utility companies engaged in the manufacture and distribution at retail of manufactured gas in the municipalities and environs of Bangor, Stroudsburg and East Stroudsburg, Pennsylvania, respectively, for a basic sales price of $250,000 in cash, subject to certain adjustments to the date of sale. It is stated in the filings that all of the outstanding securities of Bangor and Citizens are owned by Consolidated, except an issue of First Mortgage Bonds, 4%, due 1962 of Citizens outstanding in the principal amount of $93,000 and owned by an insurance company.

Consolidated also proposes to cause Pottsville, a gas utility serving Pottsville and environs, to sell all of its properties and assets to said Ware for a basic sales price of $271,000 in cash, subject to certain adjustments to the date of sale. It is stated by the applicants or declarants that Consolidated owns all of the outstanding securities of Pottsville, and that certain indebtedness consisting of a 6% Demand Note in the principal amount of $9,100 owing by Pottsville to Consolidated will be surrendered to Pottsville for cancellation as a capital contribution to Pottsville immediately following the sale of the property and assets of Pottsville. It is further proposed that the proceeds of Pottsville's sale of assets will be delivered to Consolidated as the sole stockholder upon the liquidation of Pottsville.

Consolidated further proposes that since all of the securities of Bangor, Citizens and Pottsville which are owned by Consolidated are pledged under the lien of the indenture securing Consolidated's Collateral Trust Bonds, Consolidated will deposit the cash proceeds received as a result of the sales of the securities of Bangor and Citizens, and of the liquidation of Pottsville, under the lien of said Indenture. Such deposit will be made in connection with the release of such securities from pledge. Consolidated will surrender to Pottsville in connection with its liquidation all of its outstanding common stock, which will then be cancelled, and Pottsville will thereupon be dissolved.

The funds delivered as aforesaid to the Trustee under the Indenture securing the Consolidated Bonds will be used to effect the retirement of Consolidated Bonds. Consolidated will purchase such bonds in the open market or from holders thereof but without solicitation, and at the lowest price obtainable, and in no event in excess of the price Consolidated would pay in the open market, and will surrender such purchased Bonds to said Trustee for cancellation against the withdrawal from such deposited funds of cash equal to bond cost, in accordance with the terms of said Indenture.

Consolidated requests that the Commission find the proposed sale of the securities of Bangor and Citizens owned by Consolidated appropriate to effectuate the provisions of section 11 (b) of the Act and requests that an order approving the proposed transactions contain appropriate recitals and specifications as described in sections 371 (b), 371 (f) and 1808 (f) of the Internal Revenue Code.

The filings designate sections 9 (a) (2), 9 (b) (2), 10, 12 (b), 12 (c), 12 (d), and 12 (f) of the act and Rules U-42, U-43, U-44, U-45, and U-46 issued thereunder as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said applications or declarations (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission; and

It further appearing to the Commission that the issues presented by the applications or declarations (or both) of Consolidated and Pottsville (File No. 70-955) and of Ware (File No. 70-963) involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That the proceedings in these matters be and they hereby are consolidated and that a consolidated hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on October 3, 1944 at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Commission on or before September 30, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Consolidated Electric and Gas Company, Pottsville Gas Company, Bangor Gas Company, Citizens Gas Company, and John H. Ware, 3rd; and that notices of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said applications or declarations (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the consideration to be received for the securities of Bangor and Citizens and the assets of Pottsville is reasonable;

(2) Whether the proposed acquisitions by Ware comply with the requirements of section 10 of the act;

(3) Whether the proposed use of the proceeds of the sale of said securities and assets in the acquisition of Consolidated's Collateral Trust Bonds in the open market is in conformity with the applicable sections of the Act;

(4) Generally, whether in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules and regulations promulgated thereunder;

(5) Whether, if the proposed transactions are authorized, the imposition of terms and conditions is necessary and appropriate in the public interest or for the protection of investors and consumers and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14732; Filed, Sept. 25, 1944; 9:27 a. m.]

[File No. 70-956]

GULF STATES UTILITIES CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of September, A. D. 1944.

The Commission having on September 15, 1944 issued its order herein under section 7 of the Public Utility Holding Company Act of 1935 permitting to become effective a declaration, as amended, of Gulf States Utilities Company, a public-utility subsidiary of Engineers Public Service Company, a registered holding company, with respect to the issuance and sale by Gulf States Utilities Company of 120,000 shares of Cumulative Dividend Preferred Stock, par $100, to be sold in accordance with Rule U-50 promulgated under said act; and

The Commission having in said order reserved jurisdiction over the price to be paid to the company for such securities, the dividend rate thereon, the underwriters' compensation and its allocation and all legal fees and expenses to be paid in connection with the proposed transaction; and

Gulf States Utilities Company having filed a further amendment to the declaration, setting forth the action taken to comply with Rule U-50 and showing that, pursuant to the invitation for competitive bids, two bids on said securities by two groups of underwriters headed by Stone & Webster and Blodget, Incorporated, and Glore, Forgan & Co. and W. C. Langley & Co., respectively, were received as follows:

	Stone & Webster and Blodget, Incorporated	Glore, Forgan & Co. and W. C. Langley & Co.
Annual dividend rate	$4.40	$4.40
Initial offering price to public	$12,720,000	$12,420,000
Underwriters' compensation	$210,000	$300,990
Net proceeds to company	$12,510,000	$12,120,010
Per share:		
Initial offering price	$106.00	$103.50
Underwriters' compensation	$1.75	$2.50
Net proceeds to company	$104.25	$101.00

and the declarant further reporting that it has accepted the bid of the syndicate headed by Stone & Webster and Blodget, Incorporated; and

The Commission having examined said amendment and finding no basis for imposing terms and conditions with respect to the price to be paid to the company, the underwriters' compensation and the allocation thereof, or the dividend rate, and finding no basis for the imposition of additional terms and conditions:

It is ordered, That said declaration, as amended, be and the same hereby is permitted to become effective, subject to the terms and conditions contained in Rule U-24 and to Condition No. 3 and to that part of Condition No. 2 to the Commission's order of September 15, 1944 which provides that jurisdiction be reserved with respect to all legal fees and expenses incurred or to be incurred in connection with the consummation of the various transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14733; Filed, Sept. 25, 1944; 9:27 a. m.]

[File No. 70-959]

NATIONAL POWER & LIGHT CO. AND MEMPHIS GENERATING CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of September A. D. 1944.

National Power & Light Company ("National") and its subsidiary, Memphis Generating Company ("Memphis"), having filed a joint application and declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder relating to a proposal by National to sell to Memphis for a cash consideration of $300,000, 3,000 shares of the 47,000 shares of outstanding capital stock of Memphis, having a par value of $100 per share, all of which are owned by National, and a proposal by Memphis to purchase from National the said 3,000 shares, retire them and effect a reduction of its capital in the amount of $300,000; and

Said joint application and declaration having been filed on the 26th day of August, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed sale by National to Memphis of the securities hereinabove described is a step in compliance with the order of the Commission dated August 23, 1941, issued pursuant to the provisions of section 11 (b) (2) of the act, directing the dissolution of National, and is not in contravention of the provisions of the act or any rules or regulations promulgated thereunder, that the proposed transactions satisfy the requirements of sections 10 and 12 of the act and Rules U-42, U-43 and U-44 thereunder, insofar as they are applicable, and that it is appropriate in the public interest and in the interest of investors and consumers that said application be granted and said declaration be permitted to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid joint application be granted and the aforesaid declaration be permitted to become effective forthwith.

It is further ordered, That the sale and transfer by National to Memphis of said 3,000 shares of the capital stock of Memphis and the purchase and acquisition thereof by Memphis are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14734; Filed, Sept. 25, 1944; 9:27 a. m.]

[File No. 70-940]

ASSOCIATED GAS AND ELECTRIC CORP., ET AL.

NOTICE OF FILING OF AMENDMENT AND ORDER RECONVENING HEARING

In the matter of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, the United Coach Company, Associated Utilities Corporation, Associated Real Properties, Inc., The Railway and Bus Associates, Dover Casualty Insurance Co., File No. 70-940.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of September, 1944.

Notice is hereby given that, pursuant to the provisions of the Public Utility Holding Company Act of 1935, an amendment has been filed to the joint applications-declarations previously filed with this Commission by Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), a registered holding company; The United Coach Company ("United Coach"), a subsidiary of Agecorp; Associated Utilities Corporation ("Aucorp"), a registered holding company and a subsidiary of Agecorp; Dover Casualty Insurance Co. ("Dover") and Associated Real Properties, Inc. ("Areal"), both subsidiaries of Aucorp; and The Railway and Bus Associates ("Railway"), a subsidiary of Areal. All interested persons are referred to said joint applications-declarations and the amendment thereto which are on file in the office of the Commission for a statement of the purpose and nature of the transactions as now proposed, which may be summarized as follows:

(1) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will donate all the common stock of its wholly-owned subsidiary, United Coach, to Aucorp, another wholly-owned subsidiary;

(2) United Coach will file a certificate of dissolution with the Secretary of the State of Delaware and, in connection therewith, Aucorp will surrender to United Coach for cancellation all the shares of common stock of United Coach. United Coach will thereafter, as promptly as may be practicable, distribute to Aucorp all its assets, or the proceeds thereof, subject to all its liabilities other than its liability to make distributions to Aucorp as its sole stockholder at the date of dissolution. Such distribution will be made in cash or in kind except that no distribution in kind of the common stock of Schenectady Rapid Transit, Inc., will be made except upon further application to this Commission for an appropriate order authorizing the distribution of such stock by United Coach and the acquisition thereof by Aucorp;

(3) Aucorp will purchase from Areal, its wholly-owned subsidiary, 166 shares of beneficial interest in Railway for a consideration of $1,000;

(4) Railway will thereupon be liquidated pursuant to a program whereby it will from time to time and as promptly as may be practicable deliver to Aucorp as liquidating dividends all the assets of Railway or the proceeds thereof, subject to all its liabilities other than its liability to make distribution to Aucorp. Such distribution will be made in cash or in kind except that no distribution in kind of the common stock of Schenectady Railway Company will be made except upon further application to this Commission for an appropriate order authorizing the distribution of such stock by Railway and the acquisition thereof by Aucorp. Aucorp will surrender for cancellation to Railway the 166 shares of beneficial interest in Railway which Aucorp will acquire as set forth in the preceding paragraph;

(5) Dover, having outstanding 2,500 shares of common stock, will purchase 1,600 shares for retirement from Aucorp for a consideration of $450,000 and correspondingly reduce its capital from $700,000 to $250,000. Dover will pay for said shares in part by delivering to Aucorp, at the market value thereof at the date of delivery, $200,000 principal amount of 3¾% income debentures, due 1978, and $125,000 principal amount of 8% bonds, due 1940, of Agecorp; and the balance of the purchase price will be paid by Dover to Aucorp in cash;

(6) Agecorp, holding a 2% convertible obligation, due 1963, of Aucorp, amounting to $82,747,814.66 at July 1, 1944, will receive from Aucorp, as payment on account, $3,300,000 in cash; the securities of Agecorp which Aucorp will acquire, as set forth in paragraph (5) above; and certain other securities and indebtedness of Agecorp, Associated Gas and Electric Company, The Mohawk Valley Company, and NY PA NJ Utilities Company, having an aggregate carrying value of $26,527,252.76;

(7) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will make a cash donation to NY PA NJ Utilities Company in the sum of $4,000,000 to be used by the latter to discharge its bank loan of like amount from Guaranty Trust Company of New York;

(8) Subject to obtaining an appropriate order from the District Court of the United States for the Southern District of New York, Agecorp will donate to Aucorp, as a contribution to capital surplus, $50,500,000 principal amount of the 2% convertible obligation, due 1963, of Aucorp; and

(9) Aucorp will thereupon effect an accounting reorganization by (a) restating its then assets at amounts at which such assets are estimated to be worth, (b) closing out its then surplus deficit to its capital surplus account created as indicated in the preceding paragraph, and (c) creating a reserve for contingencies from the balance remaining in such capital surplus.

It is stated in the applications-declarations that the purposes of the proposed transactions, as summarized above, are to simplify the corporate structure of the Agecorp holding company system by eliminating unnecessary corporate entities and the transfer of the ownership of substantial amounts of securities to their issuers or to more logical owners. In addition, it is stated, NY PA NJ Utilities Company will be enabled to discharge its outstanding bank loan. It is further stated that the proposed program will facilitate the consummation of the plan of reorganization of Agecorp and Associated Gas and Electric Company.

Applicants-declarants have designated sections 9 (a), 10, 12 (b) and 12 (f) of the act and Rules U-42, U-43, and U-45 as applicable to the proposed transactions and state that no Federal or state commission other than this Commission has jurisdiction over the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a further hearing be held with respect to such matters and that the Trial Examiner designated to preside being engaged in another matter and unable to preside at said hearing:

It is ordered, That the hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be reconvened on the 29th day of September, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before September 28, 1944, his application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Robert P. Reeder, an officer of the Commission, be and hereby is designated to preside at such reconvened hearing in the place and stead of and with the same powers and duties as the trial examiner hereinbefore designated to preside at said hearing.

It is further ordered, That, without limiting the scope of the issues presented by said filings, particular attention will be directed at such reconvened hearing to the following matters and questions:

1. Whether the various proposed acquisitions will serve the public interest by tending towards the economical and efficient development of an integrated public utility system or systems;

2. Whether the considerations to be paid and received in connection with the various transactions, including all fees, commissions and other remuneration, are fair and reasonable.

3. The propriety of the proposed accounting treatment of the several transactions on the books of the respective applicants and declarants; and

4. Generally, whether the proposed transactions are in all respects in the public interests and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, or, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

It is further ordered, That notice of this reconvened hearing be given to applicants-declarants and to all other interested persons; said notice to be given to applicants-declarants and to the New York Public Service Commission by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14735; Filed, Sept. 25, 1944; 9:28 a. m.]

WAR FOOD ADMINISTRATION.

DESIGNATION OF PERSONS TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPOENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The name of John M. Gault is hereby added to the list of persons appearing in paragraph (a) of the "Designation of Persons to Hold Hearings, to Sign and Issue Subpoenas, and to Administer Oaths and Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592), and the said John M. Gault is authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 22d day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-14696: Filed, Sept. 23, 1944; 11:10 a. m.]

WAR MANPOWER COMMISSION.

DELAWARE, NEW JERSEY AND PENNSYLVANIA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Region III is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

Sec.
1. Control of hiring and solicitation of workers.
2. Establishment, approval, and adaptation of area plans.
3. Minimum standards.
4. Existing contracts.
5. Advertising.
6. Advance notice of lay-offs.
7. Limited statements of availability.
8. Request to remain on or return to a job.
9. Optional provisions.
10. Definitions.

In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the Regional Director of the War Manpower Commission for Region III, which comprises the States of Delaware, New Jersey, and Pennsylvania with the concurrence of the Regional War Manpower Committee, pursuant to the authority granted by WMC Regulation 7 hereby establishes the following plan for the Region with respect to the stabilization of employment throughout the region:

SECTION 1. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, Region III shall be conducted in accordance with the provisions of this employment stabilization plan.

SEC. 2. *Establishment, approval, and adaptation of area plans.* (a) *General.* All existing area employment stabilization plans shall, by not later than September 15, 1943, be amended by Area Directors in consultation with their Management-Labor Manpower Committees, so as to include the minimum standards set forth in this Employment Stabilization Plan. Existing area employment stabilization plans thus amended shall be submitted to the Regional Director for his approval. Any existing area plans not so amended and approved by October 15, 1943, shall cease to have operative effect on and after that date, and this Regional Plan shall be effective in such areas.

(b) *New area plans.* New area employment stabilization plans, in addition to those already amended and approved by September 15, 1943, may be established in accordance with the minimum standards of this plan for any WMC administrative area designated by the Regional Director for such purpose.

(c) *Adaptation to meet regional or local conditions.* This plan and any area plan may be adapted as the need arises to meet changing regional or area conditions by the Regional or Area Manpower Director after consultation with the appropriate Management-Labor Manpower Committee: *Provided,* That such adaptations are not in conflict with minimum national standards as set forth in Regulation 7 and with regional standards set forth in this plan: *And provided further,* That such adaptations are approved by the Regional Director.

(d) *Labor-Management Manpower Committee.* Regional and Area Management-Labor Manpower Committees are hereby authorized to consider questions of policy standards and safeguards in connection with the establishment and administration of this plan and of area plans, and to make recommendations on these subjects to Regional or Area Directors.

SEC. 3. *Minimum standards*—(a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of statements of availability by United States Employment Service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission Employment Stabilization Plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(2) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(3) The new employee is a male worker.

(f) *Exclusions.* No provision of the employment stabilization plan shall be applicable to:

(1) The hiring of a new employee for agricultural employment;

(2) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) The hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in this plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 4. *Existing contracts.* Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 5. *Advertising.* Advertising for employees:

(a) Shall not be of a nature which will have a disruptive effect upon the labor market in a particular area, including either the publication of wage rates which induce turnover and piracy or the solicitation of workers by employers outside an area except through arrangements with the United States Employment Service of the War Manpower Commission.

(b) Should state clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(c) Should state clearly that before employers hire employees possessing skills which appear on the list of critical occupations, clearance must be obtained from the United States Employment Service.

SEC. 6. *Advance notice of lay-offs.* Employers are required when possible to provide at least three days advance notice to the United States Employment Service whenever a lay-off of ten or more employees will occur and such notice shall contain a statement as to the number of employees to be laid off by occupation.

SEC. 7. *Limited statements of availability.* Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate Area Manpower Director, the best interests of the war effort will be served by such action, provided that such action is agreeable to both the employer and employees involved, and provided further, that such limited statements of availability shall not be issued for a period longer than 3 months.

SEC. 8. *Request to remain on or return to a job.* The United States Employment service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 9. *Optional provisions.* Area Manpower Directors after consultation with their Management-Labor Manpower Committees and approval by the Regional Director may include in Area Employment Stabilization Plans optional provisions such as those outlined in § 907.5 of Regulation 7, which are designed to meet special manpower needs in the localities affected, but, except as authorized in § 907.5 (a) (5) of Regulation 7, no such provision shall conflict with section 3 of this plan or with any State or Federal law.

SEC. 10. *Definitions.* As used in this plan:

(a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(c) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(d) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities.

(e) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(g) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

Dated: September 20, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-14755; Filed, Sept. 25, 1944; 11:22 a. m.]

[Amdt. 2]

NEWPORT, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Newport Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt Standards of Priority

Referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 9, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 11, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14758; Filed, Sept. 25, 1944; 11:22 a. m.]

[Amdt. 2]

BENNINGTON, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Bennington Area effective October 15, 1943, is hereby amended in the following respects:

1. Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt Standards of Priority Referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 16, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14757; Filed, Sept. 25, 1944; 11:22 a. m.]

[Amdt. 2]

BRATTLEBORO, VT., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Brattleboro Area effective October 15, 1943, is hereby amended in the following respects:

Section 19 *General referral policies* (originally section 18) is hereby amended by inserting the designation (a) at the beginning of the section as previously adopted and by adding the following paragraph:

(b) The Area Manpower Director, after consultation with the Area Management-Labor War Manpower Committee, shall adopt Standards of Priority Referral to be followed by the United States Employment Service Offices located within the area. Such standards shall be consistent with the policies of the War Manpower Commission and a copy of such standards as are currently in force shall be maintained available for public inspection at each area and local employment office within the area.

Dated: September 1, 1944.

E. REYNOLD JOHNSON,
State Director.

Approved: September 4, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-14756; Filed, Sept. 25, 1944; 11:22 a. m.]

SEP 27 '44

FEDERAL REGISTER

VOLUME 9 NUMBER 193

Washington, Wednesday, September 27, 1944

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4407[1]]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ULTRA-VIOLET PRODUCTS, INC.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* Order modifying paragraphs 1 (a) and 1 (f) of prior cease and desist order of Commission, which required respondent, its officers, etc., in connection with offer, etc., of respondent's "Life Lite" therapeutic lamp, or other similar product, to cease and desist from, directly or indirectly, and among other things, as in said order set forth, disseminating, etc., any advertisement by means of the United States mails, or by any means, in commerce, to induce, etc., directly or indirectly, purchase in commerce, etc., of its said product, which advertisement, among other things, directly or by implication, represents "(a) that said lamp is a sun lamp, or that it affords benefits to the skin or to the general health of the user comparable to those afforded by natural sunlight"; or "(f) that said lamp builds up in the body resistance to disease"; so as to prohibit dissemination as aforesaid of any advertisement which, among other things, represents, as aforesaid, "(a) that said lamp is a sun lamp; or that it affords benefits to the user comparable to those afforded by natural sunlight, other than the benefits resulting from the production of vitamin D, the benefits resulting from the bactericidal action of said lamp upon bacteria existing at the surface of the skin, and the benefits resulting from such stimulation of the skin as may be caused by the irritating effect of said lamp"; and "(f) that said lamp builds up in the body resistance to any diseases other than those, such as rickets, due to disorders of calcium and phosphorus metabolism arising from vitamin D. deficiency". (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45) (Order modifying cease and desist order, Ultra-Violet Products, Inc., Docket 4407, August 26, 1944)

[1] 7 F.R. 4511.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of August A. D. 1944.

The Commission having on July 20, 1944, issued and subsequently served upon the respondent and its attorney of record an order requiring the respondent to show cause, if any it had, why subsection 1 (a) and 1 (f) of the Commission's order to cease and desist issued on June 8, 1942, should not, in conformity with the decision of the United States Circuit Court of Appeals for the Ninth Circuit, be modified as set forth in said order to show cause;

And the respondent having on August 12, 1944, filed with the Commission its return to said order to show cause;

And the Commission having duly considered said return and having further considered said subsections of said order to cease and desist and the record herein, and being of the opinion that said subsections should be modified as set forth below:

It is therefore ordered, That subsections 1 (a) and 1 (f) of said order to cease and desist be, and they hereby are, modified to read as follows:

1 (a) That said lamp is a sun lamp; or that it affords benefits to the user comparable to those afforded by natural sunlight, other than the benefits resulting from the production of vitamin D, the benefits resulting from the bactericidal action of said lamp upon bacteria existing at the surface of the skin, and the benefits resulting from such stimulation of the skin as may be caused by the irritating effect of said lamp.

1 (f) That said lamp builds up in the body resistance to any diseases other than those, such as rickets, due to disorders of calcium and phosphorus me-

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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By the Commission.

[SEAL] A. N. Ross,
Acting Secretary.

[F. R. Doc. 44–14842; Filed, Sept. 26, 1944; 10:48 a. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

REGIONAL WAR LABOR BOARDS

Section 802.51 (b) has been amended to read in part as follows:

§ 802.51 *Constitution of regions and Regional War Labor Boards.* * * *

(b) * * *

In addition to the regular public, industry, and labor members, each Regional Board may have not in excess of the following members:

Four alternate representatives of labor, and four alternate representatives of industry, who shall serve on the Board only in the absence of the regular representatives of their respective groups.

Twelve substitute representatives of labor, and twelve substitute representatives of industry, who shall serve on the Board only in the absence of the regular or alternate representatives of their respective groups.

* * * * *

(E.O. 9250, Oct. 3, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Regulations of Economic Stabilization Director, Oct. 27, 1942, 7 F.R. 8748, 8 F.R. 6489, 6490, 11960, 12139, 12238, 16702; Inflation Control Act of 1942, Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

Adopted August 29, 1944.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–14824; Filed, Sept. 26, 1944; 9:48 a. m.]

PART 803—GENERAL ORDERS

WAGE ADJUSTMENT; CLEANING AND DYEING AND JEWELRY MANUFACTURING

The National War Labor Board, under paragraph (d) of § 803.4 (General Order 4) has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(39) Cleaning and Dyeing Plants in the town of Englewood, California. (Approved September 19, 1944.)

(40) Employers engaged in the manufacture of precious jewelry in the Philadelphia, Pennsylvania, area. For the purpose of this subsection this industry is defined as follows:

Establishments primarily engaged in manufacturing from precious metals with or without precious stones, jewelry and other articles to be worn on or to be carried about the person, such as cigarette cases and lighters, vanity cases, and compacts; trimmings for umbrellas, canes, etc.; and jewel settings and mountings. (Manufacturers of costume jewelry, watches and clocks are not included in the foregoing). (Adopted September 19, 1944.)

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44–14823; Filed, Sept. 26, 1944; 9:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

[SFAW Reg. 17, Amdt. 2]

CONSUMER DECLARATIONS WITH RESPECT TO CERTAIN SOLID FUELS

SFAW Regulation No. 17, as amended, is hereby amended in the following respects:

1. Paragraph (a) of § 602.304 is amended to read as follows:

(a) Subject to the provisions of paragraphs (d) and (e) of this section, during the period April 1, 1944 to December 31, 1944, inclusive, no retail dealer may deliver, and no consumer may receive from all sources combined, anthracite or eastern coke, or both, in an amount which when added to (i) the consumer's inventory of anthracite and eastern coke as of April 1, 1944, and (ii) the tonnage of anthracite and eastern coke received by the consumer after April 1, 1944 exceeds 75 per cent of the consumer's annual requirements for solid fuels. The provisions of this paragraph shall not apply to a consumer whose annual requirements amount to only one railroad car and who customarily receives anthracite or eastern coke in a railroad carlot.

2. A new section designated § 602.313 is added, to read as follows:

§ 602.313 *Evasion prohibited.* No retail dealer shall change his method of doing business nor engage in any practice for the purpose of evading any of the provisions of this regulation or which will result in hardship to consumers that he is required to supply with anthracite or eastern coke pursuant to this regulation, and no retail dealer shall continue any such evasive practice which may have been entered into subsequent to April 1, 1943. Any person who has any doubts concerning the applicability of this section to his business activities should forthwith make written inquiry of the General Counsel, Solid Fuels Administration for War, Washington 25, D. C.

3. Existing §§ 602.313, 602.314, 602.315, 602.316 and 602.317 are re-numbered §§ 602.314, 602.315, 602.316, 602.317 and 602.318, respectively.

This amendment shall become effective at 12:01 a. m. on October 1, 1944.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 64, 9 F.R. 4580; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 25th day of September 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 44–14825; Filed, Sept. 26, 1944; 10:22 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S–622]

SUN-RA FROZEN FOODS, INC.

Sun-Ra Frozen Foods, Inc., a Missouri corporation with its principal place of business in Kansas City, Missouri is engaged in the sale of frozen foods and in the manufacture, sale and servicing of refrigeration systems and equipment. Between March 31, 1943 and August 31, 1943, the corporation applied the ratings assigned under Preference Rating Order P–126 together with the serial number assigned thereunder to another company to at least thirteen separate orders for the purchase of refrigeration equipment and parts of the value of $1,000, which equipment and parts were not used for emergency repair service but which were incorporated into and delivered with new refrigeration systems in violation of Preference Rating Order P–126 and General Limitation Order L–38. Between March 27, 1943 and May 30, 1943, the corporation manufactured or assembled twenty-three frozen food cabinets of the value of $7,000, without authorization from the War Production Board and in violation of General Limitation Order L–38. Between August 2 and August 18, 1943, the company sold and delivered one new reach-in-refrigeration system of the value of $859.50 and one new 1½ H. P. compressor of the value of $350, on orders which were not authorized orders, in violation of General Limitation Order L–38. On or about August 2, 1943, the corporation began and thereafter continued construction of a frozen food locker plant without authorization from the War Production Board. The estimated cost of this construction was approximately $1,700, which amount exceeded the limit of $1,000 permitted by Conservation Order L–41 and was in violation of that order. The responsible officers of the Sun-Ra Frozen Foods, Inc., were aware of the provisions of General Limitation Order L–38, Preference Rating Order P–126, and Conservation Order L–41, and its actions constituted willful violations of these orders.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, *it is hereby ordered*, That:

§ 1010.622 *Suspension Order No. S–622.* (a) Sun-Ra Frozen Foods, Inc., shall not for two months from the effective date of this order apply or extend any preference ratings regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Sun-Ra Frozen Foods, Inc., shall cancel immediately all preference ratings which it has applied or extended to orders which have not yet been filled, except that if it has extended a customer's rating to get an item for delivery without a change in form to that customer (as distinct from replacing it in inventory) it need not cancel the rating, provided the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings presently outstanding in connection with orders for delivery of materials to Sun-Ra Frozen Foods, Inc., or placed prior to the termination date of this order are void and shall not be given any effect by suppliers of Sun-Ra Frozen Foods, Inc., or by any other person. This does not apply to material already delivered or in transit for delivery to it on the effective date of this order.

(d) Sun-Ra Frozen Foods, Inc., shall not for two months from the effective date of this order:

(1) Receive or accept delivery of any new refrigeration systems, units or parts as defined in Limitation Order L–38. This does not apply to material in transit for delivery to it on the effective date of this order.

(2) Deliver any new refrigeration systems or parts, except to the extent of delivering or using parts taken from its inventory in emergency repair service.

(3) Put into process or continue processing any materials in the manufacture of refrigeration systems or parts.

(4) Manufacture, fabricate or assemble any refrigeration systems or parts.

(e) All specific authorizations (on form WPB–1319) or otherwise, for the delivery of any material to Sun-Ra Frozen Foods, Inc., which is to be delivered before the termination date of this order, are cancelled and shall not be given any effect by suppliers of Sun-Ra

Frozen Foods, Inc., or by any other person. This does not apply to material already delivered or in transit for delivery to it on the effective date of this order.

(f) The restrictions and prohibitions contained herein shall apply to Sun-Ra Frozen Foods, Inc., its successors or assigns or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(g) Nothing contained in this order shall be deemed to relieve Sun-Ra Frozen Foods, Inc., its successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(h) This order shall take effect on September 25, 1944, and shall expire on November 25, 1944.

Issued this 14th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14808; Filed, Sept. 25, 1944; 4:01 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-227, Revocation]

FOUNTAIN PENS AND MECHANICAL PENCILS

Section 3291.210 *Limitation Order L-227* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of fountain pens and mechanical pencils remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14817; Filed, Sept. 25, 1944; 4:43 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-227-a, Revocation]

PEN NIBS

Section 3291.311 *Limitation Order L-227-a* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of pen nibs remain subject to the applicable regulations and orders of the War Production Board.

Issued this 25th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14818; Filed, Sept. 26, 1944; 4:43 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[PR 13, as Amended Sept. 21, 1944, Corr.]

Section 944.34, *Priorities Regulation No. 13*, as amended September 21, 1944, is hereby corrected in the following respects:

1. List A, Part III, under "Woods: Hardwoods except mahogany", add

Mahogany:		
Wormy grades (Pattern stock)	PR-AA1	WOP
Other grades	WOP	WOP

2. List A, Part IV, delete "Construction Machinery (used)". This includes the used construction machinery items: Used backhoes, used cranes, used draglines, used motorgraders, used shovels, and used tractors.

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14849; Filed, Sept. 26, 1944; 11:19 a. m.]

PART 1140—MOTOR VEHICLES

[Limitation Order L-69, Revocation]

Section 1140.1 *Limitation Order L-69* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The use of any plating, coating, or other metal finish containing cadmium, chromium, copper or nickel in the exterior finish or trim of any motor vehicle or chassis therefor, in the interior or exterior finish or trim of any body or cab for any motor vehicle, or in the production of accessories for any motor vehicle, or in replacement parts for any motor vehicle, chassis, body or cab therefor, remains subject to all other applicable orders and regulations of the War Production Board, including, but not limited to, Orders M-6-b, M-9-c, M-18-b and M-65.

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14854; Filed, Sept. 26, 1944; 11:19 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Order L-292, Interpretation 3]

TRANSITION FROM ONE YEARLY QUOTA SCHEDULE TO THE NEXT

The following interpretation is issued with respect to Order L-292:

Production quotas for various items of food processing machinery, based upon each manufacturer's base period use of controlled materials, are established by Quota Schedules I, II, III, VI, VII and VIII for the year ending September 30, 1944, and by Schedules I-A, II-A, III-A, VI-A, VII-A, and VIII-A for the year beginning October 1, 1944 and ending September 30, 1945.

Each manufacturer producing items (new machines or parts for new machines) subject to any of these quota schedules for the year ending September 30, 1944, and continuing in production under the corresponding quota schedule for the next year must ascertain how much of the controlled materials on hand, in process or completed on September 30, 1944 are to be charged against his quota under the applicable schedule for the year ending on that date, and how much of such materials must be charged against his quota under the schedule applicable to the year commencing October 1, 1944, in order to determine how much additional production he is permitted during the remainder of the latter year under the schedule which applies to it.

For the purposes of the schedules mentioned, controlled materials are to be considered as having been "used" during the year ending September 30, 1944 only if they have been actually put into process or actually installed or assembled. Being put into process does not include minor initial operations, such as painting, and does not include any shearing, cutting, trimming, or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Neither does it include operations such as inspection, testing and ageing, nor segregating or ear-marking for a specific job or operation.

For example, if a manufacturer who uses wire or rod cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed; and such cut pieces on hand at the end of the year may not be considered as having been "used" during that year, and if they are used during the following year they are to be charged against the quota for the following year.

Similarly, if a manufacturer shears steel sheet and stocks it in sheared form, such stock does not thereby become "used", unless such shearing is a part of a continuous fabricating or assembling operation which is already being carried on at the end of the year.

Material which is still to be treated as in inventory, in accordance with interpretation 1 to CMP Regulation 2, at the end of the year, cannot be treated as having been "used" during that year.

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14856; Filed, Sept. 26, 1944; 11:19 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 23]

SPECIAL MRO RULE FOR INTERNATIONAL, POINT-TO-POINT RADIO COMMUNICATION CARRIERS

The following direction is issued pursuant to CMP Reg. 5:

(a) Any person engaged in international point-to-point radio communication, as a commercial operation may use the preference rating AA-1 and the CMP allotment symbol MRO to rearrange, modify or expand existing facilities and equipment (but not buildings) either to maintain his regularly established services, or to provide whatever new or modified services may be necessary to render services by or for the account of the United States Army, the United States Navy, any agency of the United States Government, or any agency of any foreign government.

(b) The cost of materials for any one project undertaken under this direction must not exceed $2,500.00. In such cases the restrictions and limitations of CMP Regulation 5 (including the prohibition of paragraph (g) against getting maintenance, repair and operating supplies for export) and the rules of Conservation Order L-41 shall not apply; and an authorization to begin construction shall not be necessary.

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14850; Filed, Sept. 26, 1944; 11:19 a. m.]

PART 3289—RADIO AND RADAR

[Preference Rating Order P-133, Revocation]

Section 3289.41 *Preference Rating Order P-133* is revoked. This revocation does not affect any liability incurred under the order.[1]

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14851; Filed, Sept. 26, 1944; 11:19 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-355, Revocation]

SODIUM METASILICATE

Section 3293.556 *Allocation Order M-355* is revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14852; Filed, Sept. 26, 1944; 11:19 a. m.]

PART 3305—PAPERBOARD

[Limitation Order L-239, Interpretation 1]

DIRECT FILL FACTORY PACKED ICE CREAM

The following interpretation is issued with respect to Limitation Order L-239:

In Schedule 2, paragraph (b) (1) of Order L-239, there are restrictions on boxes for direct fill factory packed ice cream. The phrase "direct fill factory pack" as used in that paragraph means ice cream which is poured into individual containers at the ice cream factory in a semi-frozen or semi-fluid state from a spout and then put into a cold hardening process. It does not include ice cream that has been sliced from a large block of ice cream which has been cold hardened prior to slicing.

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14853; Filed, Sept. 26, 1944; 11:19 a. m.]

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[1] Provision for priorities assistance for the maintenance, repair and operating supply needs of the businesses previously under Order P-133 will now be found in CMP Regulation 5.

Subchapter C—Director of War Utilities

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Limitation Order L-102, Revocation]

Section 4500.27 *General Limitation Order L-102* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The sale, delivery and installation of used electric generating equipment remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 26th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14855; Filed, Sept. 26, 1944; 11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 10 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.[2]

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. The table in section 1 (a) is amended by adding item 11 to read as follows:

Column 1 Item No.	Column 2 Product	Column 3 Section	Column 4 Section	Column 4 Appendix
•	•	•	•	•
11	Bartlett pears, halves (peeled), quarters (peeled), and diced, (California only).	5	16	E

2. In section 16, Appendix E is added to read as follows:

APPENDIX E—BARTLETT PEARS, HALVES (PEELED), QUARTERS (PEELED), AND DICED

Explanation of how maximum prices are figured for packed Bartlett pears, halves (peeled), quarters (peeled), and diced. This appendix includes the specific pricing provisions for packed Bartlett pears, halves (peeled), quarters (peeled), and diced, produced in the state of California. It does not apply to these styles of pack of Bartlett pears produced in states other than California, nor does it apply to packed spiced, whole or pickled Bartlett pears, or Bartlett pear compote, produced in any area.

Conversions for grade, for syrup differential, and for container type and size under subparagraph (2), (3) or (4) of section 5 (a) of this supplement are to be made in the same order and in the same manner as those for packed apricots. The explanation at the beginning of Appendix B of this section applies to this appendix for that purpose.

How conversions are made for style of pack. A processor who during the base period sold Bartlett pears, halves (peeled), or quarters (peeled), but did not sell Bartlett pears, diced, and is now pricing the latter style, must convert for style of pack by adding to his constructed price $.06 per dozen, in the case of No. 2½ cans, or $.20 per dozen in the case of No. 10 cans. Similarly, a processor who during the base period sold Bartlett pears, diced, but did not sell Bartlett pears, halves (peeled), or quarters (peeled), and is now pricing one of the latter styles, must convert for style of pack by subtracting from his constructed price $.06 per dozen, in the case of No. 2½ cans, or $.20 per dozen, in the case of No. 10 cans. In either case this is done after application of the limitations of the price range to the constructed price and conversion for grade (see step 8 in the explanation at the beginning of Appendix B).

TABLE 1—AREAS

1. California.

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED BARTLETT PEARS WHO MADE SALES DURING THE BASE PERIOD

AREA 1

Style and Grade	No. 2½ Cans		No. 10 Cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Bartlett pears, halves (peeled), and quarters (peeled):				
Fancy	$1.00	$3.22-$3.44	$3.62	$11.27-$11.55
Choice	.90	2.90- 3.08	3.24	10.16- 10.42
Standard	.81	2.61- 2.77	2.92	9.16- 9.40
Seconds	.66	2.32- 2.38		
Water			2.41	6.88- 7.56
Pie			1.58	5.43- 5.61
Solid Pack Pie			2.34	7.75- 7.93

[2] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9493, 9618, 10194, 10356, 10497, 10630, 10709, 10714, 10921, 11109, 11534, 11535, 11537.

For any grade of Bartlett pears, diced, packed in No. 2½ or No. 10 cans:

The permitted increase is the same amount as that named above for the same grade and container type and size of Bartlett pears, halves (peeled) and quarters (peeled); and

The processor shall figure the limitations of the price range by adding $0.06, in the case of No. 2½ cans, or $0.20, in the case of No. 10 cans, to the bottom and top respectively of the price range named above for the same grade and container type of Bartlett pears, halves (peeled) and quarters (peeled).

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF THE NAMED STYLES OF BARTLETT PEARS DURING THE BASE PERIOD

AREA 1

Style	No. 2½ cans				No. 10 cans					
	Fancy	Choice	Standard	Seconds	Fancy	Choice	Standard	Water	Pie	Solid pack pie
Bartlett pears, halves (peeled) and quarters (peeled)	$3.33	$2.90	$2.69	$2.35	$11.41	$10.20	$9.20	$7.22	$5.52	$7.84

For any grade of Bartlett pears, diced, packed in No. 2½ or No. 10 cans, the dollars-and-cents maximum price (for processors who were not in business during 1941 or who made no sales of Bartlett pears during the base period) shall be the price named above for the same grade and container type and size of Bartlett pears, halves (peeled) and quarters (peeled), plus $0.06, in the case of No. 2½ cans, or plus $0.20, in the case of No. 10 cans.

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

To convert from a can size in this column	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				
	8 oz.	No. 1 tall	No. 2	No. 2½	No. 10
8 oz.				2.79	9.37
No. 1 tall				1.63	5.48
No. 2				1.34	4.50
No. 2½	0.36	0.61	0.74		3.36
No. 10	.11	.18	.22	.30	

TABLE 6—CONVERSION FROM TIN TO GLASS

[Dollars per dozen containers]

If you can figure a price for a can size in this column	To get a price for the glass container size at the head of a column below, add (or subtract) the indicated amount	
	No. 2½ glass	No. 303 glass
No. 2½ cans	+$0.20	−$0.30

TABLE 7—SYRUP DIFFERENTIALS

If you pack fruit in syrup of which the density does not correspond to the grade of the fruit, subtract the amount named below for the grade from the prices computed from Table 3 or 4 and add to the resulting figures the amount named for the syrup you do use.

AREA 1

[Dollars per dozen containers]

Syrup	No. 2½ cans	No. 10 cans
Extra heavy (fancy)	$0.21	$0.78
Heavy (choice)	.15	.56
Light (standard)	.10	.36
Slightly sweetened water (seconds)	.04	

The density of the syrup referred to above is defined as follows:

"Extra heavy syrup" means syrup having a cut-out density of 22°–35° Brix.

"Heavy syrup" means syrup having a cut-out density of 18°–22° Brix.

"Light syrup" means syrup having a cut-out density of 14°–18° Brix.

"Slightly sweetened water" means syrup having a cut-out density of less than 14° Brix.

TABLE 8—GRADE DIFFERENTIALS

DIFFERENCES BETWEEN SUCCESSIVE GRADES

[Dollars per dozen containers]

AREA 1

Style and grade	No. 2½ cans	No. 10 cans
Bartlett pears, halves (peeled), quarters (peeled), and diced:		
Fancy and Choice	$0.34	$1.12
Choice and Standard	.30	1.00
Standard and Seconds	.34	
Standard and Water		2.07
Standard and Pie		3.77
Standard and Solid Pack Pie		1.45

This amendment shall become effective September 25, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment, establishing maximum prices for the designated style of packed Bartlett pears grown in California, based on a raw fruit cost of $80.00 per ton, is necessary to aid in the effective prosecution of the war.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-14804; Filed, Sept. 25, 1944; 4:39 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Supp. 9]

DRIED FRUITS, 1944 AND LATER CROPS

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.[*]

SUPPLEMENT 9 TO FOOD PRODUCTS REGULATION 1—DRIED FRUITS, 1944 AND LATER CROPS

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.

1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Processor's maximum prices for dried fruits.
5. Processor's maximum prices for natural condition unpacked prunes and raisins and partially processed dried fruits in sales to other processors.
6. Processor's maximum prices for sales of items of prior years' packs which have been sold to him by government agencies.
7. Processor's base prices for use in determining maximum export prices for dried prunes and raisins.
8. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

9. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: Secs. 1 to 9 inclusive (§ 1351.399), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE 1—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for sales of the following dried fruits of the 1944 and later crops, by all persons except wholesalers and retailers:

Apricots.
Figs
Peaches (including nectarines).
Pears.
Prunes.
Grapes (raisins) and zante currants.

This supplement also covers certain sales between processors of natural condition prunes and raisins and partially processed dried fruits, and sales by processors of items of prior years' packs which have been sold to them by government agencies.

(b) This supplement applies in the 48 states of the United States and the District of Columbia.

[*] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 6711

(c) This supplement supersedes the provisions of Maximum Price Regulations Nos. 227 [2] and 475 [3] as to sales of the 1944 and later crops.

(d) This supplement becomes effective on September 30, 1944.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting maximum prices for the specified dried fruits are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "explanation of the regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parenthesis is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement, the term:

"Dried fruit" means fruit from which the major portion of moisture has been removed by natural or artificial drying.

"1944 crop" means that pack of the dried fruit being priced which is processed from fruit produced in the calendar year 1944.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement.

"Person" (section 1.1 of FPR 1).

"Processor" (sec. 1.2 of FPR 1). For this purpose, "process" means to grade; clean; sort; process with water, steam, chemicals or compressed air; sterilize; fumigate; or prepare for shipping the kind of dried fruit being priced. However, the term "processor" does not include a grower, dehydrator, or a dry-yard operator when he sells or delivers dried fruits to a processor.

"Distributor" (sec. 1.3 of FPR 1).

"Primary distributor" (sec. 1.5 of FPR 1).

"Wholesaler" and "retailer" (sec. 1.6 of FPR 1).

"Ultimate consumer" (sec. 1.7 of FPR 1).

"Item" (sec. 1.8 of FPR 1).

"Container type" (sec. 1.9 of FPR 1).

"Sale" (sec. 1.10 of FPR 1).

"Price" (sec. 1.11 of FPR 1).

"Net delivered cost" (sec. 1.12 of FPR 1).

"Records" (sec 1.14 of FPR 1).

ARTICLE II—PRICING PROVISIONS

SEC. 4. *Processor's maximum prices for dried fruits.* (a) The processor's maximum prices, f. o. b. factory, for dried fruits, shall be as follows:

(1) *Apricots.* (i) The processor's maximum prices, f. o. b. factory, for dried apricots packed in wood boxes containing 25 to 30 pounds, for sales of sizes standard to jumbo, inclusive, and of slabs and whole pitted apricots shall be as follows:

Size or style	Government sales, per ton			Other sales, per ton		
	Blenheims	Northerns	San Joaquins	Blenheims	Northerns	San Joaquins
Standard	$618.40	$590.62	$562.84	$649.32	$620.15	$590.98
Choice	636.92	609.14	581.36	668.77	639.60	610.43
Extra choice	655.44	627.66	599.88	688.21	659.04	629.87
Fancy	673.95	646.18	618.40	707.65	678.49	649.32
Extra fancy	692.47	664.69	636.92	727.09	697.92	668.77
Jumbo	710.99	683.21	655.44	746.54	717.37	688.21
Slabs and whole pitted	618.40	590.62	562.84	649.32	620.15	590.98

(ii) In sales to government procurement agencies of a variety and size or style of dried apricots of higher than commercial quality, a premium not to exceed $10.00 per ton may be charged in addition to the maximum price otherwise named above. On sales to government procurement agericies of a variety and size or style of dried apricots of lower than commercial quality, the maximum price otherwise named above is reduced by $5.00 per ton.

(iii) A maximum price for another grade, variety, or size or style shall be figured from that listed above for the most comparable item by adding or subtracting, as the case may be, the same differential in dollars and cents which existed in the processor's maximum prices in 1942. The maximum price for another container size shall be figured from that listed above for the same grade, variety, and size or style by adding 120% of the dollar-and-cents differential which existed in the processor's maximum prices in 1942 when the differential is to be added, and by subtracting 80% of the dollars-and-cents differential which existed in the processor's maximum prices in 1942 when the differential is to be subtracted.

(2) *Peaches (including nectarines).* (i) The processor's maximum prices, f. o. b. factory, for dried peaches (including nectarines) packed in wood cases containing 25 to 30 pounds shall be as follows:

Grade and variety	Government sales, per ton	Other sales, per ton
Choice yellow freestones	$500.81	$526.85

(ii) Maximum prices for other grades, varieties, sizes and container sizes of dried yellow freestone peaches shall be figured by the use of differentials from the maximum price listed above in the same manner as provided above for dried apricots in section 4 (a) (1) (iii). Maximum prices for dried clingstone peaches shall be 5¼ cents per pound less than the maximum prices for the corresponding sizes and grades of dried yellow freestone peaches. Maximum prices for dried nectarines shall be the same as the maximum prices for the corresponding sizes and grades of dried yellow freestone peaches.

(3) *Pears.* (i) The processor's maximum prices, f. o. b. factory, for dried pears packed in wood boxes containing 25 to 30 pounds, shall be as follows:

Grade	Government sales, per ton	Other sales, per ton
Extra choice Lake County	$470.38	$493.97
Choice Northern	439.58	461.56

(ii) Maximum prices for other grades, varieties, sizes and container sizes of dried pears shall be figured by the use of differentials from the maximum prices listed above in the same manner as provided above for dried apricots in section 4 (a) (1) (iii).

(4) *Prunes.* (i) The processor's maximum prices, f. o. b. factory, for dried prunes packed in wood boxes containing 25 to 30 pounds shall be as follows:

Grade size group	Packed point	Three District, per ton		California outside, per ton		Northwest, per ton		
		Government sales	Other sales	Government sales	Other sales	Government sales		Other sales
						French Prunes	Italian Prunes	
15/20	20	$305.21	$240.95	$300.28	$235.78	$300.28	$304.05	$235.78
18/24	24	301.27	236.81	296.34	231.64	296.34	300.05	231.64
20/30	29	295.36	230.61	290.43	225.44	290.43	294.05	225.44
30/40	39	282.06	217.62	277.21	212.53	277.21	284.05	212.53
35/45	44						278.55	206.92
40/50	49	271.38	206.41	266.53	201.32	266.53	273.05	201.32
50/60	59	260.70	195.20	255.85	190.10	255.85	262.05	190.10
60/70	69	250.02	183.98	245.17	178.89	245.17	251.05	178.89
70/80	79	239.34	172.77	234.49	167.67	234.49	240.05	167.67
80/90	89	228.66	161.55	223.81	156.46	223.81	229.05	156.46
90/100	99	218.95	151.37	214.10	146.27	214.10	219.05	146.27
100/120	119	199.54	130.98	194.68	125.87	194.68	199.05	125.87

(ii) The "packed point" above shows the number of packed prunes per pound in the packs for which the maximum prices are listed. The maximum price for any count between two packed points shall be figured by adding to the maximum price named for the next higher packed point (smaller fruit), $1.00 per ton for each whole point by which the count being priced is lower than that "packed point." Maximum prices for prunes in other container sizes shall be figured by the use of a differential from the maximum prices listed above in the same manner as provided above for dried apricots in section 4 (a) (1) (iii).

(iii) The maximum prices per ton, f. o. b. factory, for pitted prunes shall be as follows:

[2] 7 F.R. 7531, 8948; 8 F.R. 1971, 3197, 6445, 12747.

[3] 8 F.R. 13707, 14215, 16687; 9 F.R. 899, 7199, 7503, 11064.

Type	Large		Medium		Small	
	Government sales	Other sales	Government sales	Other sales	Government sales	Other sales
Free flow	$406.58	$426.91	$392.29	$411.91	$406.58	$426.91
Regular	401.82	421.91	387.53	406.91	401.82	421.91

(iv) Pitted prunes made from prunes of 70 or less count shall be "large"; of 100 or less count, but not within the "large" group, shall be "medium"; and of 101 or greater count, shall be "small." "Regular" pitted prunes are double-run pitted prunes substantially matted. "Free flow" pitted prunes are pitted prunes which substantially maintain their separate identity and are easily separated.

(5) *Raisins.* (i) The processor's maximum prices per ton, f. o. b. factory, for raisins packed in fibre boxes containing 25 to 30 pounds, except as otherwise indicated, shall be:

Item No.	Grade and variety	Government sales	Other sales
1	Choice Natural Thompson Seedless	$228.57	$157.16
2	Three Crown Loose Muscats	274.53	188.22
3	Three Crown London Layer Muscats (20 lb. wooden box)	304.59	319.76
4	Two Crown Choice Seeded Muscats	288.71	188.78
5	Choice Sultanas	228.57	151.47
6	Golden Bleached Choice Color Thompson Seedless	278.94	200.91
7	Golden Bleached Extra Choice Color Thompson Seedless	289.58	221.05
8	Golden Bleached Fancy Color Thompson Seedless	300.22	232.19
9	Soda Dipped Choice Color Thompson Seedless	252.35	182.06
10	Valencia Type 2 Crown Choice Seeded Muscats	359.96	263.36
11	Valencia Type 3 Crown Loose Muscats	335.17	261.72
12	Sulphur Bleached Fancy Color Thompson Seedless	308.19	240.53
13	Zante Currants	309.81	325.30
14	Zante Currants (11 oz. package)	.1469	.1547

(ii) Maximum prices for other grades, varieties and container sizes of raisins shall be figured by the use of a differential from the maximum prices listed above in the same manner as provided above for dried apricots in section 4 (a) (1) (iii).

(6) *Figs.* (i) The processor's maximum prices, f. o. b. factory, for fig paste packed in fibre cases containing 80 pounds or less, and for tray-dried Kadota figs in sacks, shall be as follows:

	Cents per pound
Bleached Black Mission paste	12½
Unbleached Black Mission paste	11½
Adriatic paste	17¼
Calimyrna paste	21⅛
Natural Kadota paste	15⅝
Tray-dried Kadota paste	16
Tray-died Kadotas in sacks (approx. 90 lbs)	14¼

(ii) The processor's maximum prices, f. o. b. factory, for bulk figs packed in boxes containing 25 to 50 pounds, shall be as follows:

Type	Maximum prices in cents per pound					
	Jumbo	Extra Fancy	Fancy	Extra Choice	Choice	Standard
Black Mission	19¾	17¼	15⅞	14	12⅛	11⅛
Adriatic	28¼	25⅛	21⅞	19⅛	17⅛	16⅛
Calimyrna	33	30⅛	28	25⅝	23⅛	20⅝

(iii) The processor's maximum prices, f. o. b. factory, for packaged figs, in dollars per dozen packages, shall be as follows:

Type	Extra Choice 6 oz. layers	Extra Choice 8 oz. layers	Extra Choice 6 oz. fingers	Fancy 8 oz. fingers	Extra Fancy 1 lb. fingers	Extra Choice 8 oz. pulled	Fancy 12 oz. carton
Black Missions	$1.08	$1.45	$1.16	$1.65	$3.30	$1.50	$1.77

Type	Extra Choice and Fancy 6 oz. layers	Extra Choice and Fancy 8 oz. layers	Extra Choice 6 oz. fingers	Fancy 1 lb. strings
Adriatics	$1.39	$1.82	$1.40	$3.70

Type	Extra Choice and Fancy 6 oz. layers	Extra Choice and Fancy 8 oz. layers	Extra Fancy 1 lb. layers	Extra Choice 6 oz. fingers	Fancy 8 oz. fingers
Calimyrnas	$1.61	$2.12	$4.54	$1.65	$2.34

Type	Extra Fancy 1 lb. fingers	Jumbo 1 lb. pulled	Fancy 12 oz. carton	Extra Fancy 5 lb. pulled
Calimyrnas	$4.71	$5.15	$2.93	$23.82

(iv) The processor's maximum prices, f. o. b. factory, for sliced figs shall be ¼ cent per pound more than the maximum prices for fig paste of the same variety.

(v) The processor's maximum prices, f. o. b. factory, for ungraded bulk packs of figs, in 25 to 50 pound boxes, shall be as follows:

	Cents per pound
Black Missions	14
Adriatics	19½
Calimyrnas	28

(vi) The processor's maximum prices, f. o. b. factory, for graded tray-dried Kadota figs, packed in boxes or sacks, shall be ½ cent per pound less than the maximum price for the same grade of Adriatic figs in bulk, and for graded natural Kadota figs, packed in boxes or sacks, one cent per pound less than the maximum price for the same grade of Adriatic figs in bulk.

(vii) The processor's maximum prices, f. o. b. factory, for packaged figs, in packages for which no maximum prices have otherwise been established by this supplement, shall be figured as follows: If the variety, grade, and style of pack are the same as a package for which a maximum price is established by this supplement, but there is a difference in weight, the maximum prices for the package being priced and the package for which a maximum price has been established shall be in the same relationship to each other as the weights of the packages are to each other. If the package being priced differs in grade or style of pack from a package of the same variety for which a maximum price has been established, the maximum prices of the packages shall be in the same proportionate relationship as they were in 1942.

(viii) If a seller sells figs which he manufactures into fig paste or sliced figs for the buyer, the sale shall be treated as a sale of the product as finally delivered to the buyer.

(b) Maximum prices per ton may be converted to maximum prices per pound by dividing by 2000.

(c) Maximum prices per pound for brands which were nationally advertised in 1941, of the dried fruits in the container sizes specified below, shall be figured by adding a premium to the maximum prices per pound figured under the foregoing paragraphs of this section, as follows:

Dried fruits	Container sizes	Premium per lb.
		Cent
Prunes	1 lb. and 2 lb. cartons	1/4
Apricots	11 oz. cartons	1/4
Peaches	11 oz. cartons	1/4

(d) All maximum prices, except those for sales to government procurement agencies, include brokerage.

(e) Differentials used to figure maximum prices shall be the same amount in dollars and cents for sales to government procurement agencies or other sales. In figuring maximum prices for sales to government procurement agencies, differentials shall be added to or subtracted from maximum prices established for sales to government procurement agencies. In figuring maximum prices for other sales, the same differential shall be added to or subtracted from the maximum prices established for other sales.

(f) Maximum prices per pound for bulk packs may be adjusted to the nearest ⅛ of a cent. Maximum prices for container sizes and packaged dried fruits obtained by the use of differentials from bulk packs may be adjusted to the nearest cent only on the total amount of the invoice.

(g) The boxes or other containers referred to are standard commercial boxes or containers.

(h) Where maximum prices are named for dried fruits packed in wood boxes, the maximum price in each case for the same product when packed in

fibre containers shall be $2.50 per ton less than the maximum price named for it when packed in wood boxes.

SEC. 5. *Processor's maximum prices for natural condition unpacked prunes and raisins and partially processed dried fruits in sales to other processors.* The pricing method of this section applies only to a seller who processes and sells as a processor at least 75% of all the natural condition unpacked dried fruit bought or sold by him. If the seller is also a producer, dehydrator, or dry-yard operator, the pricing method applies only if the amount of fruit so processed is at least equal to 100% of the natural condition unpacked dried fruit grown or handled by him as a producer, dehydrator or dry-yard operator.

The processor's maximum price, f. o. b. factory, for sales to another processor of any item of natural condition prunes or raisins, or partially processed dried fruits, shall be the processor's maximum price for the corresponding item of dried fruit when fully processed.

If the conditions of this section are not met, the maximum prices for a processor selling to another processor shall be the maximum prices, if any, established for producers, dehydrators or dry-yard operators for natural condition unpacked dried fruits.

SEC. 6. *Processor's maximum prices for sales of items of prior years' packs which have been sold to him by government agencies.* The maximum price for sales by a processor, to purchasers other than government procurement agencies, of that portion of an item packed prior to 1944 which has been sold to the processor by a government agency, shall be that processor's maximum price, f. o. b. factory, as established under this regulation for the same item when packed in 1944. However, differences in brand shall be ignored.

SEC. 7. *Processor's base prices for use in determining maximum export prices for dried prunes and raisins.* For dried prunes and raisins of the 1944 crop (other than London Layer Muscats and Zante Currants), the base prices to be used by the packer in determining his maximum export prices under Second Revised Maximum Export Price Regulation [4] shall be the maximum prices set forth in section 4 (a) (4) (i) and section 4 (a) (5) (i) of this supplement for sales to government procurement agencies, in each case plus an amount, based on those prices, equal to the discount customarily allowed in cash sales and the selling expense customarily included in prices in civilian sales, but not in excess of 5% for both selling expense and cash discounts. The provisions of this section do not apply to sales to government procurement agencies of the United States.

SEC. 8. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (sec. 2.3 of FPR 1)
(b) Individual authorization of maximum prices (sec. 2.5 of FPR 1).
(c) Maximum prices for sales by primary distributors (sec. 2.9 of FPR 1).
(d) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (sec. 2.10 of FPR 1).
(e) Payment of brokers (sec. 2.11 of FPR 1).
(f) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).
(g) Treatment of federal and state taxes (sec. 2.14 of FPR 1).
(h) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1).

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 9. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (Section 3.1 of FPR 1).
(b) Storage (sec. 3.3 of FPR 1).
(c) Export sales (sec. 3.4 of FPR 1).
(d) Records which must be kept (sec. 3.6 of FPR 1).
(e) Sales slips and receipts (sec. 3.8 of FPR 1).
(f) Transfers of business or stock in trade (sec. 3.9 of FPR 1).
(g) How a figured maximum price is established and how an established maximum price may be changed (sec. 3.10 of FPR 1).
(h) Adjustable pricing (sec. 3.11 of FPR 1).
(i) Compliance with the applicable supplement (sec. 3.12 of FPR 1).
(j) Adjustment of maximum prices for food products under "Government contracts" or subcontracts (sec. 3.13 of FPR 1).
(k) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (sec. 3.14 of FPR 1).
(l) Applications for adjustment and petitions for amendment based on wage or salary increases requiring approval of the National War Labor Board (sec. 3.15 of FPR 1).
(m) Petitions for amendment (sec. 3.16 of FPR 1).

This supplement shall become effective September 30, 1944.

NOTE: All reporting and record-keeping requirements of this supplement have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14805; Filed, Sept. 25, 1944; 4:41 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,[1] Amdt. 33]

SANTA CRUZ, CALIF., ETC.

Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. The reference to footnote 1 in item 33a is deleted.

2. Items 39a, 55c, 63b, and 253a are added to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(39a) Santa Cruz	California	Santa Cruz County except the Township of Watsonville.	Jan. 1, 1944	Oct. 1, 1944	Nov. 15, 1944
(55c) Fort Lauderdale	Florida	Broward County except the City of Hollywood and the Town of Hallandale and in Palm Beach County, Precincts 20, 21, 22, 23, 24, 25, 26, 28, and 30, including the Cities of Delray Beach and Lake Worth and the Towns of Boca Raton, Boynton, Gulf Stream, Lantana, Manalapan, and Ocean Ridge.	Aug. 1, 1944	Oct. 1, 1944	Nov. 30, 1944
(63b) Sarasota	Florida	Sarasota	Mar. 1, 1944	Oct. 1, 1944	Nov. 15, 1944
(253a) Klamath Falls	Oregon	Klamath	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944

This amendment shall become effective October 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14813; Filed, Sept. 25, 1944; 4:43 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[2] Amdt. 36]

SANTA CRUZ, CALIF., ETC.

Schedule A of the Rent Regulation for Housing is amended in the following respects:

1. The reference to footnote 1 in item 33a is deleted.

2. Items 39a, 55c, 63b, and 253a are added to read as follows:

[4] 8 F.R. 4132, 5987, 7652, 9998, 15193; 9 F.R. 1036, 5435, 5923, 7201, 9634, 11273.

[1] 9 F.R. 2164, 3231, 3421, 4194, 4541, 5002, 5806, 5828, 6915, 6569, 7329, 8054.

[2] 9 F.R. 5807, 5915, 6359, 6569, 6819, 7329, 8054, 9266, 9513.

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(39a) Santa Cruz	California	Santa Cruz County except the Township of Watsonville.	Jan. 1, 1944	Oct. 1, 1944	Nov. 15, 1944
(55c) Fort Lauderdale	Florida	Broward County except the City of Hollywood and the town of Hallandale and in Palm Beach County, Precincts 20, 21, 22, 23, 24, 25, 26, 28, and 30, including the Cities of Delray Beach and Lake Worth and the towns of Boca Raton, and Boynton, Gulf Stream, Lantana, Manalapan, and Ocean Ridge.	Aug. 1, 1944	Oct. 1, 1944	Nov. 30, 1944
(63b) Sarasota	Florida	Sarasota	Mar. 1, 1944	Oct. 1, 1944	Nov. 15, 1944
(252a) Klamath Falls	Oregon	Klamath	Oct. 1, 1943	Oct. 1, 1944	Nov. 15, 1944

This amendment shall become effective October 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14814; Filed, Sept. 25, 1944; 4:43 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[1] Amdt. 26]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1201 of Designation and Rent Declaration 25, item 27 is amended and item 269 is added to read as follows:

(27) Monterey Bay, Calif., Monterey County and in Santa Cruz County the Township of Watsonville.

(269) Santa Cruz, Calif., Santa Cruz County except the Township of Watsonville.

This amendment shall become effective October 1, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14816; Filed, Sept. 25, 1944; 4:42 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[2] Amdt. 24]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, items 6 and 33 are amended and items 110, 111, and 112 are added to read as follows:

(6) Florida, Florida, That portion of the State of Florida not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Broward, Columbia, Dade, St. Johns, St. Lucie, Santa Rosa, Sarasota, Wakulla, and Walton, and in the county of Palm Beach Precincts 20, 21, 22, 23, 24, 25, 26, 28, and 30, including the cities of Delray Beach and Lake Worth and in the towns of Boca Raton, Boynton, Gulf Stream, Lantana, Manalapan, and Ocean Ridge.

(33) Oregon, Oregon, That portion of the State of Oregon not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Klamath and Tillamook.

(110) Fort Lauderdale, Florida, Broward County except the City of Hollywood and the town of Hallandale and in Palm Beach County Precincts 20, 21, 22, 23, 24, 25, 26, 28, and 30, including the cities of Delray Beach and Lake Worth and the towns of Boca Raton, Boynton, Gulf Stream, Lantana, Manalapan, and Ocean Ridge.

(111) Sarasota, Florida, County of Sarasota.

(112) Klamath Falls, Oregon, County of Klamath.

This amendment shall become effective October 1, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14815; Filed, Sept. 25, 1944; 4:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13[1], Amdt. 55]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 15.13 (c) is added to read as follows:

(c) Any retailer who has more than one retail establishment may apply to the Washington Office for permission to surrender tokens at a place to be designated by the Washington Office and receive checks or certificates in exchange. If permission is granted, the retailer must surrender the tokens on or before October 9, 1944 in accordance with instructions given by the Washington Office.

This amendment shall become effective September 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14806; Filed, Sept. 25, 1944; 4:42 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 557, Correction]

NATURAL CONDITION UNPACKED DRIED PRUNES AND RAISINS, 1944 AND LATER CROPS

Paragraph (d) of section 4 is corrected by adding the word "not" after the word "and" in the last phrase of that paragraph so that the phrase shall read "and not on estimates of grade or on visual grading".

This correction shall become effective as of September 9, 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14862; Filed, Sept. 26, 1944; 11:28 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 525,[1] Amdt. 3]

JOBBER SALES OF STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 525 is amended in the following respects:

1. A new section 22 is added to read as follows:

SEC. 22. *Appendix J: Maximum prices for the West Central area*—(a) *Area definition.* The West Central area includes

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[1] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 6507, 9954, 10081; 8 F.R. 121, 1228, 4779, 5738, 9021, 10736, 12094, 13919, 14763, 15581, 16208, 17297; 9 F.R. 971, 3230, 4540.

[2] 9 F.R. 5823, 5915, 7329, 7431, 9265, 9513.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4475, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6647, 6951, 7070, 7081, 7202, 7257, 7345, 7437, 7773, 8793, 9169, 9954.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 3735, 7690.

the States of Kansas and Oklahoma and that part of Missouri west of a line starting in Schuyler County just east of Lancaster, and drawn straight south to the western end of the extreme southern line of Miller County and continuing on county lines between Miller and Pulaski, Maries and Pulaski, Phelps and Pulaski, Phelps and Texas, Dent and Texas, Dent and Shannon, Reynolds and Shannon, Reynolds and Carter, Carter and Wayne, Carter and Butler, Carter and Ripley, and Ripley and Oregon.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in the West Central area are all the items which meet both of the following tests:

(i) They are stock millwork items as defined in section 2 (a), and

(ii) Regardless of trade name they are a size and kind of stock millwork included in "Price Guide Number 47" and "1942 Screen Door Catalog" issued by the American Sash and Door Co. of Kansas City and St. Joseph, Missouri, which are designated as the area stock list.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "Jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the West Central area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the West Central area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the West Central area plus the percentage mark-ups in subparagraph (4) below:

(4) *Mark-ups* (i) Items covered by section 22, paragraph (c) (1):

	Percentage mark-up
Open window, sash, storm sash	70

	2 lt—top or top and bottom div "P"	All other
Glazed windows, sash, storm sash:		
Fast	40	37½
Medium	50	42½
Slow	66	58⅓
Odd	76	64
Pine doors, panel, blind, sash, and French:	*5 x pan 8 pan*	*All other*
Fast	32½	37
Medium	43	47½
Slow	52	52
Odd	90	90

	Percentage mark-up
Garage doors, W. P. pine	45
Overhead type doors, W. P. P	45
Cupboard doors, all	70
Hollow core flush doors (except fir):	
Fast	45½
Medium	52½
Slow	60½
Odd	70
Veneered doors, panel, sash, French or flush:	
Medium	72
Slow	76
Odd	90
Glazing element for all glazed doors (Glass takes same mark-up as the door into which it is glazed)	77½
Window and sash frames, W. P. P.:	
Frame wall	43
Brick veneer and box	46
Casement	70
Cellar	145

	Percentage-mark-up
Door frames, W. P. P.:	
Outside	37
Inside door jambs	85
Colonial entrance units	55⅓
Gable openings and louvres	72
Window units, casement units, Basement sash units	51
Window and sash screens:	
Fast	40
Odd	60
Porch work, W. P. P	50
Blinds and shutters:	
Fast	87
Odd	96
Cabinet and stairwork, W. P. P	47½
Sliding stairways	55½
Lock joint or mitred trim	80

(ii) All items covered by Section 22, Paragraph (c) (2).

	Percentage mark-up
Fir doors—panel, sash, French, hollow core, slab:	
Fast	60
Medium	65
Slow	75
Odd	100
Fir door—garage	50
Overhead	45
Glazing (Use basis under (c) (4) (i))	

(5) Designation of fast, medium and slow items.

(i) For all the states in the West-Central area, fast, medium and slow items are shown below by the following references:

Fast	F
Medium	M
Slow	S

[Read across for glass width; read down for glass height]

Windows—2 Lt.—1⅜"—Ck. Rl—W. P. P.—Gla SSB

	16	18	20	22	24	26	28	30	32	36
12			M		M					
14			M		M	S		S		
16	S		F		F	S		M		
18		S	M		M	S	S	M		
20	S	S	F	S	F	S	S	M		
22			S	S	S	S				
24	S	S	F	M	F	F	F	F	S	S
26			S	S	F	F	M	M		
28			M	S	F	S	M	S		
30			S		M	S	S	S		
32					S	S				

Windows—2 Lt—1⅜"—Ck Rl—W. P. P.—Gla DSB

	16	18	20	22	24	26	28	30	32	36
12			S		S					
14			S		S	S		S		
16	S		S		S	S		S		
18		S	S		S	S	S	S		
20	S	S	S	S	S	S	S	S		
22			S		S	S				
24	S	S	S	S	S	S	S	S	S	S
26			S	S	S	S	S	S		
28			S	S	S	S	S	S		
30			S		S	S				
32			S		S	S				

Windows—2 Lt—1⅜"—Ck Rl—Top Div "A"—W. P. P.—Gla SSB

	16	18	20	22	24	26	28	30	32	36
14			S		S			S		
16			S		M					
18			S		S					
20			S		M					
24			S		F	M	M	M		
26					M	M				

Windows—2 Lt—1⅜"—Ck Rl—Top Div "F"—W. P. P.—Gla SSB

	16	18	20	22	24	26	28	30	32	36
14					S					
16			S		S					
18			S		S					
20			S		M					
24			S	S	F	M	M	F	S	S
26					F	S		S		

[Read across for glass width; read down for glass height]

Windows—2 Lt—1⅜"—Ck Rl—Top & Bot Div "F"—W. P. P Gla SSB.

20			S		M			S		
24	S	S	S		F	M	M	F		
26					S	S		S		

Windows—2 Lt—1⅜"—Ck Rl—Top Div "F" Gla SSB Bot DSB WPP

20								S		
24								S	S	S
26								S	S	S

WINDOWS—4 LT.—1⅜" CK RL.—W. P. P.—GLA SSB.

	10	11
20	M	M
24	M	F
26	S	M
28	F	F
30	S	M
32	S	M

W. P. P. WINDOWS—GLA SSB.

	8-Lt. 1⅜" Ck Rl.	12-Lt. 1⅜" Ck Rl.	8-Lt. 1⅜" Pl. Rl.	12-Lt. 1⅜" Pl. Rl.
7 x 9				S
8 x 10	M	M	F	F
12	S	M	S	S
9 x 12	M	M	F	M
13				S
14			S	S
10 x 12	M	M	F	M
14	M	M	F	S
16	M	M	S	M
12 x 14	M		M	S
16	M		S	S
18				

W. P. P. SASH—GLA SSB.

	1¼" 4 lt. 2 x 2	1⅜" 6 lt. 3 x 2	1⅜" 6 lt. 2 x 3	1⅜" 8 lt. 4 x 2	1⅜" 6 lt. 3 x 2	1⅜" 2 lt.	1⅜" 3 lt.
6 x 10				F			
7 x 9					S		
8 x 10	F	F	M				S
9 x 12	F	F	F				S
14			S				
16			S				
10 x 12	F	F	F			S	S
14	M	S				S	S
16	S						S
18							S
20						S	S
12 x 14	S					S	S
16						S	S
18							S
20						S	
14 x 16						S	

STORM SASH—3 LT.—1⅜"—W. P. P.—GLA SSB.

	16	18	20	22	24	26	27	28	30	32	34	36	40	44	48
12			S		M	S			S						
14			M		F	M		S	F						
15					S				S						
16	S	S	M	S	F	M		S	F	S					
18	S	S	F	S	F	F		S	F	S	S	S			
20			F	S	F	F		M	F	F					
22			M	S	F	F		S	F	F					
24	S	M	M	M	F	F	S	F	F	S	S	F	F	M	
26			M	M	F	F		F	F	F					
28		S	M	M	F	F		F	F	S		S			
30			M	M	F	F		F	F	S					
32				S	F	F		M	F	S					
34				S	F	F		S	F	S					
36				S	S	S			F	S					

STORM SASH—3 LT.—1¼"—W. P. P.—GLA DSB.

12			S		S										
14			S		S	S			M						
15															
16	S		S		M	S		S	M						
18		S	S		M	S		S	M	S		S			
20	S	S	M	S	M	S		S	M	S					
22			S		M	S			F	S					
24	S	S	M	S	F	S	S	M	M	S	S	M	S	S	S
26			S	S	M	S		M	M	S					
28			S	S	M	S		M	M	S					
30			S	S	M	S		S	S	S					
32					M	S									
34					S	S									
36					S	S									

WINDOW SCREENS—2 LT. 1⅜"—W. P. P. GALV. WIRE

	14	15	16	18	20	22	24	26	28
14 mesh:									
20	F		F	F	F		F		
24	F	F	F	F	F		F	F	F
26	F		F	F	F		F		F
28					F		F		
30	F	F	F	F	F		F		
32							F		
36							F		
40							F		
16 mesh:									
20	F		F	F	F		F	F	F
24	F	F	F	F	F	F	F	F	
26					F		F		
27		F		F	F		F		
28					F		F		
30	F	F	F	F	F		F		
32							F		
36							F		
40							F		

ENTRANCE DOORS

Design number	1⅜"	1¾"	2-8 x 6-8				3-0 x 6-8								3-0 x 7-0							
			W. P. P.		Fir		W. P. P.		Fir		P. R. Oak		Birch		W. P. P.		Fir		P. R. Oak		Birch	
			DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP
AM. 1	x	x	S				S								S							
AM. 2		x	S				S								S							
AM. 3		x	S				S								S							
AM. 4 (leaded)		x	S				S								S							
AM. 5		x	S				S								S							
AM. 6		x	S				S								S							
AM. 7		x	S				S								S							
AM. 8*	x		S				S								S							
AM. 8*		x	S				S								S							
AM. 9 (leaded)		x	S				S								S							
AM. 10		x	S				S								S							
AM. 11	x	x	S				S								S							
AM. 12	x	x	S				S								S							
AM. 13	x	x	S				S								S							
U-104		x	S				S						M		S				M		M	
U-108		x	S				S						M	M	S				M		M	
U-110		x											M		S				M	M	M	M
U-123		x											M	M	S				M		M	
U-130	x		S				S								S							

*AM 8, 2-6 x 6-8—1-3/8 & 1-3/4—W. P. P., Gld., DS.

ENTRANCE DOORS—Continued

Design number	1⅜"	1¾"	2-6 x 6-6				3-0 x 6-8								3-0 x 7-0							
			W. P. P.		Fir		W. P. P.		Fir		P. R. Oak		Birch		W. P. P.		Fir		P. R. Oak		Birch	
			DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP	DS	BP
U-130		x	S				S								S							
U-132	x	x	S				S								S							
U-134		x	S				S								S							
U-136		x	S				S								S							
U-140	x		S	S			S	S							S	S						
U-140		x	S	S			S	S							S	S						
U-141	x	x	S	S			S	S							S	S						
U-143	x		S	S			S	S							S	S						
U-143		x	S	S			S	S							S	S						
U-148	x		S	S			S	S							S	S						
U-148		x	S	S			S	S							S	S						
U-150	x		S	S			S	S							S	S						
U-150		x	S	S			S	S							S	S						
U-156	x		S	S			S	S							S	S						
U-156		x	S	S			S	S							S	S						
U-159	x		S	S			S	S							S	S						
U-159		x	S	S			S	S							S	S						
U-160	x		S	S			S	S							S	S						
U-160		x	S	S			S	S							S	S						
U-163	x		S	S			S	S							S	S						
U-163		x	S	S			S	S							S	S						
U-166	x		S	S			S	S							S	S						
U-166		x	S	S			S	S							S	S						
U-169	x		S	S			S	S							S	S						
U-169		x	S	S			S	S							S	S						
U-174 (leaded)	x		S				S								S							
U-174 (leaded)		x	S				S								S							
U-180	x		S	S	S		S	S	S						S	S	S					
U-180		x	S	S	S		S	S	S						S	S	S					
U-183	x		S	S	S		S	S	S						S	S	S					
U-183		x	S	S	S		S	S	S						S	S	S					
U-186	x		S	S	S		S	S	S						S	S	S					
U-186		x	S	S	S		S	S	S						S	S	S					
U-188	x		S	S	S		S	S	S						S	S	S					
U-188		x	S	S	S		S	S	S						S	S	S					
U-189	x		S	S	S		S	S	S						S	S	S					
U-189		x	S	S	S		S	S	S						S	S	S					
U-190	x		S	S			S	S							S	S						
U-190		x	S	S			S	S							S	S						
U-194	x		S	S			S	S							S	S						
U-194		x	S	S			S	S							S	S						
U-196	x		S	S			S	S							S	S						
U-196		x	S	S			S	S							S	S						
U-198	x		S	S			S	S							S	S						
U-198		x	S	S			S	S							S	S						
U-200	x		S	S																		
U-200		x	S	S			S	S							S	S						
U-203	x		S	S																		
U-203		x	S	S			S	S							S	S						
U-206	x		S	S																		
U-206		x	S	S			S	S							S	S						
U-208	x		S	S			S	S							S	S						
U-208		x	S	S			S	S							S	S						
U-232	x		S	S																		
U-232		x	S	S			S	S							S	S						
U-242	x		S	S																		
U-242		F	S	S			S	S							S	S						

All items marked "x" above—thickness under which classified.

REAR DOORS—GLAZED PLAIN

		2-6 x 6-6		2-6 x 6-6		2-8 x 6-8		2-8 x 7-0		2-10 x 6-10		3-0 x 6-8		3-0 x 7-0	
		1⅜	1¾	1⅜	1¾	1⅜	1¾	1⅜	1¾	1⅜	1¾	1⅜	1¾	1⅜	1¾
U-250	WPP #1 grade	F		F	S	F	S	M	S	S	S	M	S	S	S
	WPP #2 grade	F		F	S	F	S								
	Fir #1 grade	F		F	S	F	S	S	S	S	S	M	S	S	S
	Fir #2 grade	F		F	S	F	S	S	S	S	S	M	S	S	S
	Fir #3 grade	F		F		F									
U-269	WPP #1 grade	F		F	S	F	S		S	S	S	M	S	M	S
	WPP #2 grade	F		F	S	F	S						S		S
	Fir #1 grade	F		F	S	F	S	S	S	S	S	M	S	M	S
	Fir #2 grade	F		F	S	F	S	S	S	S	S	M	S	M	S
	Fir #3 grade	F		F		F									
U-273	WPP #1 grade	M		M	S	M	S	S	S	S	S	S	S	S	S
	WPP #2 grade	M		M	S	M	S						S		
	Fir #1 grade	M		M	S	M	S		S	S	S	E	S	S	S
	Fir #2 grade	M		M	S	M	S		S	S	S		S		S
	Fir #3 grade	M		M		M									
U-274	WPP #1 grade	M		M	S	M	S	S	S	S	S	E	S	S	S
	WPP #2 grade	M		M	S	M	S						S		
	Fir #1 grade	M		M	S	M	S		S	S	S	E	S	S	S
	Fir #2 grade	M		M	S	M	S		S	S	S		S		S
	Fir #3 grade	M		M		M									

FRENCH DOORS—GLAZED PLAIN

	WPP—10 lt		Fir—10 lt		Fir—15 lt		WPP—15 lt	
	1⅜	1¾	1⅜	1¾	1⅜	1¾	1⅜	1¾
2-0 x 6-6	M							
6-8	F	F	F	F				
7-0	S		S					
2-4 x 6-8	S		M				M	
2-6 x 6-6	M		M		F		F	
6-8	F	F	F	M	F	M	S	M
7-0	S		M		S		F	S
2-8 x 6-8	F	M	F	M	F	M	S	M
7-0		S				S	S	S
3-0 x 6-8							S	S
7-0								

HOLLOW CORE DOORS

Birch, Gum or Poplar:
F 1⅜=2-0 x 6-8; 2-4 x 6-8; 2-6 x 6-8; 2-8 x 6-8.
M 1⅜=1-6 x 6-8; 1-8 x 6-8; 2-0 x 6-0; 2-0 x 7-0; 2-4 x 7-0; 2-6 x 6-6; 2-6 x 7-0.
M 1¾=2-0 x 7-0; 2-4 x 6-8; 7-0; 2-6 x 6-8, 7-0; 2-8 x 6-8, 7-0; 3-0 x 6-8, 7-0.

FLUSH DOORS (SOLID CORE)

	2-8 x 6-8	3-0 x 6-8	3-0 x 7-0
WPP, 1¾"	S	M	M
Birch and PR oak, 1¾	S	M	M

SINGLE BLIND DOORS

ND 730, 731

	2-6 x 6-0	2-8 x 6-0	3-0 x 6-0
1⅜" W. P. pine	S	M	S

PANEL DOORS

W. P. Pine	1P. #1	2 Pan. #1		5 X P. #2 #1			6 Pan. #1		8 Pan.	Miracle
	1⅜"	1⅜"	1¾"	#1 1⅜"	1⅜"	1¾"	1⅜"	1¾"	#1 1⅜"	#1 1⅜"
1-6 x 6-8	M	M					M		M	M
1-8 x 6-8	M	M					M		M	M
2-0 x 6-0	M	F		F	M		M		M	M
2-0 x 6-6	F	F		F			F		M	M
2-0 x 6-8	F	F		F			F		F	F
2-0 x 7-0	M	M		M						
2-4 x 6-4				S						
2-4 x 6-6	M	M		M			M		M	M
2-4 x 6-8	F	F		F			F		F	F
2-4 x 7-0	M			M						
2-6 x 6-0				S						
2-6 x 6-6	F	F		F	M		F		M	M
2-6 x 6-8	F	F	M	F		M	F	M	F	F
2-6 x 7-0	M	M		M		M				
2-8 x 6-8	F	F	M	F	M	M	F	M	F	F
2-8 x 7-0	M	M		M		M				
3-10 x 6-10				S		S				
3-0 x 6-8		M	M	M		M		M		
3-0 x 7-0		M	M	M		M		M		

Fir	1 P. #1	2 Pan. #1		2 Pan. #2		5X Pan. #1		5X Pan. #2		5X Pan. #3	
	1⅜"	1⅜"	1¾"	1⅜"	1¾"	1⅜"	1¾"	1⅜"	1¾"	1⅜"	1¾"
1-6 x 6-8	M	M		M							
1-8 x 6-8		M		M							
2-0 x 6-0	M	M		F		M		M	M	F	F
2-0 x 6-6	F	M		F					M		F
2-0 x 6-8	F	M		F		M			M		F
2-0 x 7-0		M							M		
2-4 x 6-4		M		M					M		S
2-4 x 6-6	M	M		F					M		M
2-4 x 6-8	F	M		F					M		F
2-6 x 6-0		M									
2-6 x 6-6	F	M		F		M		M	M	F	F
2-6 x 6-8	F	M		F		M			M		F
2-6 x 7-0		M		M					M		
2-8 x 6-8	F	M	M	F	M	M	M	M	M	F	F
2-8 x 7-0		M	M	M			M		M		M
2-10 x 6-10				M					M		M
3-0 x 6-8	M	M	M	M	M		M		M		M
3-0 x 7-0		M	M	M	M		M		M		M

BLINDS AND SHUTTERS

U-1404—2 LT., 20 x 24, 24 x 20, 24 x 24, 30 x 24, 36 x 24, 40 x 24 ..... F

Odd sizes are those items which are shown in the area stock list and which are not listed as fast, medium or slow and which are shown in or which can be built up from standard woodwork lists, catalog No. 40.

(ii) Any item on this stock list, classified as fast, medium and slow, shall not be transferred to a higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for quantity sales.* For less-than-carload sales for items covered by this regulation when shipped in full bundles, according to paragraph (f) (3) below, shall be 10 percent less than the maximum prices computed according to paragraph (c) above.

(e) *Maximum prices for carload sales.* The maximum prices for any millwork item sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) and (d) above.

(f) *Delivery and crating.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipment weighing 150 lbs. or more is made by common carrier the exact amount of the freight charges paid by consignee shall be deducted from the maximum prices. If shipped by any other means, only the common carrier rate per 100 pounds must be deducted. If dealers pick up at the jobber's warehouse, uncrated, millwork items weighing 150 lbs. or more, an extra 5% discount shall be allowed.

(3) Where shipment of a broken bundle is made by a common carrier and the broken bundle is repacked, the packing charge specified below may be added to the maximum price.

Item	Number of size and kind in a full bundle	Broken bundles packing charge
Plain rail windows, glazed	8	$0.25
Check rail windows, glazed	6	.25
Cottage windows or sash, glazed.	3	.00
Cellar sash or transoms, glazed	12	.25
Barn sash, glazed	16	.25
Storm sash, glazed	6	.50
Hot bed sash 1⅜, glazed	6	.00
Hot bed sash 1¾, glazed	4	.00
Colonial columns	2 to 4	.00
Window screens	12	.50
Softwood panel doors 1⅜"	8	.50
Softwood panel doors 1⅝"	6	.50
Softwood panel doors 1¾"	4	.50
Hardwood panel doors 1⅜"	6	.00
Hardwood panel doors 1¾"	4	.00
Softwood sash doors 1⅜"	6	.75
Softwood sash doors 1¾"	4	.75
Cupboard doors	12	.25
Garage doors (other than overhead).	1 pair or set	1.00

2. A new section 23 is added to read as follows:

SEC. 23. *Appendix K: Maximum prices for the Nebraska area*—(a) *Area definition.* The Nebraska area consists of the entire State of Nebraska.

(b) *Items covered and stock lists.* (1) The stock millwork items which are covered by this regulation in the Nebraska area are all the items which meet both of the following tests:

(i) They are stock millwork items as defined in Section 2 (a), and

(ii) Regardless of trade name they are a size and kind of stock millwork included in "Biltwell Millwork Specialties" (Dec. 1, 1941) issued by the Adams & Kelly Co., Omaha and Hastings, Nebraska, which is designated as the area stock list.

(2) Also all items of stock millwork which are listed on a stock list or price list issued or used by anyone making a "jobber's sale of stock millwork" in this area are covered by this regulation when sold in a "jobber's sale of stock millwork" by the person who issued or used the stock list or price list on which the product is listed.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Nebraska area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation No. 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) below:

(2) For stock millwork priced in Revised Price Schedule No. 44, the maximum f. o. b. mill price established by Revised Price Schedule No. 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount, adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Nebraska area, plus the percentage mark-up in subparagraph (4) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the maximum f. o. b. mill price established by the regulation plus inbound freight at the carload rate, calculated according to the provisions of section 3 (c) (3) of this regulation, to the jobber's warehouse from which deliveries are made to the Nebraska area plus the percentage mark-ups in subparagraph (4) below:

(4) *Mark-ups* (i) Items covered by section 23, paragraph (c) (1):

	Percentage mark-up
Open windows, sash, storm sash: All	70
Glazed windows, sash, storm sash:	
Fast	18
Slow	42
Odd	70
Pine doors, panel:	
Fast	22
Slow	42½
Odd	92
Pine doors, sash:	
Fast	24
Slow	38
Odd	70
Entrance frames	42½
Lock joint or mitered trim	42½
Cupboard doors—all listed sizes	47
Glazing element for glazed doors	92
(Glass takes same mark-up as the door into which it is glazed)	
Garage doors, pine, (including overhead)	31⅓
Hollow core flush doors: All	72
Veneered doors (Panel and sash):	
Slow	33⅓
Odd	92
Flush doors: All	70
Outside door and window frames:	
Fast	30⅓
Odd	61
Inside door jambs	30⅓
Gable openings and louvres	72
Sash and window units	44
Window and sash screens:	
Fast	24
Odd	70
Porch work pine	44
Blinds and shutters	92
Cabinet and stairwork	44

(ii) All items covered by section 23, paragraph (c) (2):

	Percentage mark-up
Fir doors—panel, sash and french:	
Fast	40
Slow	60
Fir doors—garage (including overhead)	43

(iii) Items covered by section 23 (c) (3):

(To lowest maximum carload price)

	Percentage mark-up
Mouldings:	
Fast	40
Slow	50
Odd	85

(5) *Designation of fast, slow and odd items.* (i) For this area, fast, slow and odd items are as shown in "Biltwell Millwork Specialties" of Dec. 1, 1941 issued by Adams & Kelly Co., Omaha and Hastings, Nebraska, and marked as follows:

Fast—designated by **
Slow—designated by *
Odd—no mark

Odd sizes are those items which are shown in the area stock list and which are not listed as fast or slow and which are shown in or which can be built up from standard woodwork lists, catalog No. 40.

(ii) Any item on this stock list, classified as fast or slow, shall not be transferred to a higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for carload sales.* The maximum prices for any millwork item sold under this regulation and included in any carload shipment shall be 15 percent less than the maximum prices computed according to paragraph (c) and (d) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in the jobber's customary free delivery zone, for any size order containing full bundles or broken bundles, the maximum prices shall be those computed according to paragraphs (c) and (d) of this section.

(2) Where shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse, with freight equalized with the following competitive points: Omaha, Nebraska; Lincoln, Nebraska; Grand Island, Nebraska; Hastings, Nebraska; Sioux City, Iowa; St. Joseph, Missouri; Denver, Colorado; Cheyenne, Wyoming.

This amendment shall become effective October 2, 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14863; Filed, Sept. 26, 1944; 11:28 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 386,[1] Amdt. 32]

EGG NOODLES AND RELATED PRODUCTS IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1418.363(w) Table XXIII is amended to read as follows:

(w) TABLE XXIII—MAXIMUM RETAIL PRICES FOR MACARONI AND NOODLE PRODUCTS

Brand	Unit	Ketchikan	Wrangell-Petersburg	Juneau-Douglas	Skagway-Haines	Sitka	Cordova-Valdez-Seward	Kodiak	Anchorage	R. R. Towns From Palmer to Curry (Incl.)	R. R. Points From Curry to Fairbanks (Incl.)	Nome
Egg Noodles												
Egg Noodles (unbranded)	1 lb. bulk	$0.24	$0.24	$0.26	$0.25	$0.25	$0.26	$0.27	$0.26	$0.27	$0.26	$0.27
Napoli Semolina	1 lb. bulk	.18	.18	.18	.19	.19	.19	.20	.20	.20	.22	.21
Mission, Sunrise, S. B. Brand, Golden Grain	1 lb. bulk	.25	.25	.25	.25	.25	.26	.27	.26	.26	.26	.27
Plain Sunset, Regal, Creamona	1 lb. bulk	.12	.12	.12	.13	.13	.13	.14	.14	.14	.16	.15
Rose Chinese	1 lb. bulk	.23	.23	.23	.23	.24	.24	.25	.25	.26	.27	.26
Amocat, I. G. A., Red and White, Three Monks.	5-ounce cello	[2]12	.12	.12	.12	.12	.12	.13	.12	.12	.13	.13
Amocat, I. G. A., Red and White, Three Monks.	8-ounce cello	.16	.16	.16	.16	.16	.16	.17	.16	.16	.17	.17
Amocat, I. G. A., Red and White, Three Monks.	16-ounce cello	.29	.29	.29	.30	.30	.31	.32	.29	.30	.31	.33
Best Bet	14-ounce cello	.23	.23	.24	.24	.24	.25	.25	.24	.24	.26	.27
Big Value	12-ounce cello	.19	.18	.19	.19	.19	.20	.21	.20	.20	.22	.22
Creamettes and Favro	5-ounce carton	.11	.11	.11	.12	.12	.12	.12	.12	.12	.12	.13
Fontana	4-ounce carton	.11	.11	.12	.12	.12	.12	.12	.12	.12	.12	.13
Fontana	8-ounce carton	.16	.16	.17	.17	.17	.17	.18	.17	.17	.18	.18
Fontana	16-ounce carton	.30	.30	.31	.31	.32	.32	.34	.31	.32	.33	.34
Fould's	5-ounce cello	.11	.11	.11	.11	.11	.11	.12	.12	.12	.12	.12
Fould's	8-ounce cello	.16	.16	.16	.16	.16	.17	.17	.16	.17	.18	.18
Golden Grain Chinese	12-ounce cello	.22	.22	.23	.24	.24	.25	.27	.21	.21	.22	.26
Manchu Chinese	8-ounce cello	.13	.13	.13	.13	.13	.14	.14	.14	.14	.14	.15
Mission	5-ounce cello	.12	.12	.12	.13	.13	.13	.14	.12	.13	.13	.14
Mission	8-ounce cello	.17	.17	.18	.18	.18	.19	.19	.17	.18	.18	.20
Mission	16-ounce cello	.30	.30	.31	.31	.32	.33	.35	.29	.30	.32	.37
Mission, Soya	16-ounce cello	.31	.30	.31	.32	.32	.34	.36	.30	.30	.32	.37
Missionette	8-ounce cello	.18	.17	.18	.18	.18	.18	.19	.18	.18	.19	.19
Missionette	16-ounce cello	.30	.30	.31	.31	.31	.32	.33	.31	.31	.33	.34
Quaker	5-ounce carton	.12	.12	.12	.13	.13	.13	.13	.13	.13	.13	.13
Reliance	5-ounce cello	.10	.10	.10	.10	.10	.10	.11	.10	.10	.11	.11
Reliance	8-ounce cello	.14	.14	.14	.15	.15	.15	.16	.15	.15	.16	.16
Reliance	16-ounce cello	.26	.26	.27	.27	.27	.28	.29	.27	.27	.29	.30
Reliance Chinese	8-ounce cello	.14	.14	.14	.14	.14	.14	.15	.14	.14	.15	.15
Reliance Egg Twistees	16-ounce cello	.30	.30	.31	.32	.32	.33	.35	.29	.30	.31	.36
Reliance Krinkled Noodle-Ettes	16-ounce cello	.32	.32	.33	.33	.33	.35	.36	.31	.31	.33	.38
Rose Chinese	8-ounce cello	.13	.13	.13	.13	.13	.14	.14	.13	.14	.14	.15
Spaghetti and macaroni												
Mission and S. B. brands	1 lb. bulk	.17	.17	.18	.18	.18	.19	.20	.19	.19	.21	.20
Napoli (Semolina)	1 lb. bulk	.17	.17	.18	.18	.18	.19	.20	.19	.19	.21	.20
Regal, Sunset, Creamona	1 lb. bulk	.12	.12	.13	.13	.13	.13	.14	.14	.14	.16	.15
Amocat, I. G. A., Mission, Red and White, Three Monks.	8-ounce cello	.12	.12	.12	.13	.13	.13	.14	.13	.13	.14	.14
Amocat, I. G. A., Mission, Red and White, Three Monks.	16-ounce cello	.20	.20	.20	.21	.21	.22	.23	.20	.21	.22	.24
Amocat, I. G. A., Mission, Red and White, Three Monks.	27-ounce cello	.30	.30	.30	.31	.31	.32	.33	.33	.33	.36	.34
Buitoni Gluten Spaghetti	8-ounce carton	.19	.19	.20	.20	.20	.20	.20	.21	.21	.22	.21
Best cut	2¼-lb. cello	.37	.37	.38	.38	.38	.39	.41	.41	.42	.46	.42
Creamettes, elbow macaroni	8-ounce carton	.12	.12	.12	.12	.12	.13	.14	.12	.13	.14	.14
Fontana, elbow and salad mac	9-ounce carton	.12	.12	.13	.13	.13	.13	.14	.12	.13	.13	.14
Fould's, elbow long seashell	8-ounce carton	.12	.12	.12	.12	.12	.13	.13	.13	.13	.14	.13
Gil-Yc-Ne spaghetti, cut	16-ounce carton	.26	.26	.27	.27	.27	.29	.31	.25	.26	.27	.32
Golden Grain, coil	16-ounce carton	.20	.20	.20	.21	.21	.22	.24	.19	.20	.21	.25
Golden Grain, elbow macaroni	8-ounce carton	.12	.12	.13	.13	.13	.13	.14	.13	.13	.14	.14
Golden Grain, long macaroni	16-ounce carton	.19	.19	.19	.20	.20	.21	.22	.19	.20	.21	.23
Golden Grain spaghetti	27-ounce carton	.28	.28	.28	.29	.29	.29	.31	.30	.31	.34	.31
Golden Grain spaghetti dinner	8-ounce carton	.26	.26	.26	.27	.27	.27	.28	.26	.27	.28	.29
Gold Spun macaroni dinner	6-ounce carton	.12	.12	.13	.13	.13	.13	.14	.13	.13	.13	.14
Kraft macaroni and cheese dinner	7¼-ounce carton	.13	.13	.14	.14	.14	.14	.15	.14	.14	.15	.15
M & C spaghetti dinner	7-ounce carton	.30	.30	.30	.31	.31	.31	.32	.30	.30	.31	.33
Merlino	16-ounce carton	.21	.21	.22	.22	.22	.23	.24	.22	.23	.24	.25
Mission, Best Bet	2¼-lb. cello	.33	.33	.34	.34	.34	.36	.37	.37	.38	.42	.38
Mother's Spaghetti	8-ounce cello	.12	.12	.12	.12	.12	.13	.14	.12	.13	.14	.14
Quaker, Long and Elbow	8-ounce cello	.13	.13	.13	.13	.13	.14	.14	.13	.13	.14	.15
Quaker, Long and Elbow	16-ounce cello	.23	.23	.23	.23	.24	.24	.26	.25	.25	.27	.25
Reliance (all kinds)	8-ounce cello	.10	.10	.11	.11	.11	.11	.13	.11	.11	.12	.13
Reliance (all kinds)	16-ounce cello	.18	.18	.19	.19	.19	.20	.21	.19	.19	.21	.22
Reliance (all kinds)	27-ounce cello	.27	.27	.28	.28	.28	.29	.31	.30	.31	.34	.32
Ronzoni Macaroni	16-ounce carton	.23	.23	.23	.24	.24	.25	.26	.24	.25	.27	.23
Van Camp's Tenderoni	6-ounce carton	.12	.12	.12	.12	.13	.13	.13	.12	.12	.13	.13

This amendment shall become effective October 2, 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14861; Filed, Sept. 26, 1944; 11:28 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 8990, 9514, 9901.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,[1] Amdt. 83]

BOTTLED BEER IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1418.363 (z) Table XXVI is added to read as follows:

(z) TABLE XXVI—MAXIMUM PRICES FOR BOTTLED BEER SOLD AT RETAIL FOR OFF-PREMISES CONSUMPTION

[Note: The prices shown in this table include Federal excise and Territorial taxes in effect on September 1, 1944]

Brand	Ketchikan, Wrangell, Petersburg		Juneau, Douglas		Skagway, Haines, Sitka		Cordova, Valdez, Seward		Kodiak		Anchorage		Palmer and points on R. R. south of Curry		Fairbanks, Curry, and points on R. R. north of Curry		Nome	
	Cents per bottle sold in quantities of—																	
	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles	5 bottles or less	6 or more bottles
11 to 19 oz. bottles																		
Acme	$0.19	$0.18	$0.19	$0.18	$0.19	$0.18	$0.20	$0.19	$0.20	$0.19	$0.22	$0.21	$0.22	$0.21	$0.25	$0.24	$0.21	$0.20
Alt Heidelberg	.20	.19	.20	.19	.20	.19	.21	.20	.21	.20	.21	.20	.21	.20	.24	.23	.22	.21
Atlas Tracer	.24	.23	.24	.23	.25	.24	.25	.24	.26	.25	.27	.26	.28	.27	.31	.30	.27	.26
Bay City	.24	.23	.24	.23	.25	.24	.25	.24	.26	.25	.27	.26	.28	.27	.31	.30	.27	.26
Blats	.24	.23	.24	.23	.25	.24	.25	.24	.26	.25	.27	.26	.28	.27	.31	.30	.27	.26
Budweiser	.22	.21	.22	.21	.23	.21	.23	.22	.24	.23	.25	.24	.26	.25	.28	.27	.25	.24
Columbia (ale)	.20	.19	.20	.19	.20	.19	.21	.20	.21	.20	.21	.20	.21	.20	.24	.23	.22	.21
Edelbrew	.22	.21	.22	.21	.22	.21	.23	.22	.24	.23	.25	.24	.26	.25	.28	.27	.25	.24
Ehrets	.22	.21	.22	.21	.23	.21	.23	.22	.24	.23	.25	.24	.26	.25	.28	.27	.25	.24
Forest Inn	.24	.23	.24	.23	.25	.24	.25	.24	.26	.25	.27	.26	.28	.27	.31	.30	.27	.26
Fortune	.24	.23	.24	.23	.25	.24	.25	.24	.26	.25	.27	.26	.28	.27	.31	.30	.27	.26
Old Dutch	.22	.21	.22	.21	.22	.21	.23	.22	.24	.23	.25	.24	.26	.25	.28	.27	.25	.24
Olympia	.19	.18	.19	.18	.19	.18	.20	.19	.20	.19	.22	.21	.22	.21	.25	.24	.21	.20
Pabst Blue Ribbon	.22	.21	.22	.21	.22	.21	.23	.22	.24	.23	.25	.24	.26	.25	.28	.27	.25	.24
Rainier	.19	.18	.19	.18	.19	.18	.20	.19	.20	.19	.22	.21	.22	.21	.25	.24	.21	.20
Schlits	.22	.21	.22	.21	.22	.21	.23	.22	.24	.23	.25	.24	.26	.25	.28	.27	.25	.24
Trommers	.22	.21	.22	.21	.22	.21	.23	.22	.24	.23	.25	.24	.26	.25	.28	.27	.25	.24
32 oz. bottles																		
Alt Heidelberg	.47	.45	.47	.45	.48	.46	.49	.47	.50	.48	.57	.54	.58	.55	.66	.63	.52	.49
Columbia (ale)	.47	.45	.47	.45	.48	.46	.49	.47	.50	.48	.57	.54	.58	.55	.66	.63	.52	.49
Olympia	.47	.45	.47	.45	.48	.46	.49	.47	.50	.48	.57	.54	.58	.55	.66	.63	.52	.49

This amendment shall become effective October 2, 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14864; Filed, Sept. 26, 1944; 11:28 a. m.]

Chapter XIII—Petroleum Administration for War

[PDO 21, Amdt. 2]

PART 1543—PETROLEUM PROCESSING, REFINING, AND MARKETING

LIMITATION ON MANUFACTURE OF PREMIUM MOTOR FUEL

1. Section 1543.1 *Petroleum Distribution Order No. 21* is hereby amended by changing paragraph (b) to read as follows:

(b) *Limitation on manufacture of premium motor fuel.* After September 30, 1944, the percentage of premium motor fuel manufactured by any person:

(1) In the States of Washington, Oregon, California, Nevada, and Arizona, and in the Territories of Alaska and Hawaii, based on his total manufacture of gasoline, shall not exceed nine-fortieths of the percentage of premium motor fuel, based upon total gasoline, which he manufactured during the base period; and

(2) In all other States of the United States, based upon his total manufacture of gasoline, shall not exceed one-quarter of the percentage of premium motor fuel, based upon total gasoline, which he manufactured during the base period.

Computation to determine that the amount of premium motor fuel manufactured by any person is within this limitation shall be made on the basis of successive periods one calendar month long, the first of which shall commence on October 1, 1944.

Premium motor fuel delivered for direct military uses in equipment owned and operated by the Army or Navy may be manufactured in addition to the quantity permitted to be manufactured under subparagraphs (b) (1) or (b) (2). When submitting monthly figures on premium motor fuel manufacture (PAW Form 48), separate figures shall be reported for any premium motor fuel manufactured and delivered for direct military uses in equipment owned and operated by the Army or Navy.

2. This amendment shall become effective on October 1, 1944.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Dir. No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of September 1944.

RALPH K. DAVIES,
Deputy Petroleum Administrator for War.

[F. R. Doc. 44-14826; Filed, Sept. 26, 1944; 10:29 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 21—BOARDS FOR THE REVIEW OF DISCHARGES AND DISMISSALS OF FORMER PERSONNEL OF THE NAVY, MARINE CORPS AND COAST GUARD

ESTABLISHMENT AND PROCEDURE

Pursuant to the authority vested in the Secretary of the Navy by the Act of June 22, 1944, Public Law 346, 78th Congress, the following regulations are prescribed to govern the review, under the authority of subject act, of discharges and dismissals of former personnel of the Navy, Marine Corps and Coast Guard:

Sec.
21.1 General provisions; jurisdiction.
21.2 Procedure.
21.3 Action by the Board.
21.4 Review by the Secretary of the Navy.
21.5 The Panel.
21.6 The Board.
21.7 Representatives.
21.8 Permanent record; journal.
21.9 Correspondence; addressing of requests.

AUTHORITY: §§ 21.1 to 21.9, inclusive, issued under Pub. Law 176, 78th Cong.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 8990, 9514, 9901.

§ 21.1 *General provisions; jurisdiction.* In accordance with the Secretary of the Navy's precept of July 22, 1944, the Navy Department Board of Review, Discharges and Dismissals, hereinafter known as the Board, has been established within the Navy Department to review, upon its own motion, or upon request by or on behalf of the individual former officer or enlisted man or woman, or if deceased, by the surviving spouse, next of kin or legal representative concerned, or if incompetent, by the guardian, the type and nature of discharge or dismissal certificate or other documentary evidence of discharge or dismissal of former member of the naval service, except a discharge or dismissal by reason of the sentence of a general court-martial. The scope of the review shall be to determine whether, under reasonable standards of naval law and discipline, the type and nature of the discharge or dismissal should be changed, corrected or modified, and, if so, to decide what change, correction or modification should be made. The Board has no authority to revoke any discharge or dismissal, to reinstate any person in the military service subsequent to his discharge or dismissal, or to recall any person to active duty.

§ 21.2 *Procedure*—(a) *Request for review.* (1) The petitioner should submit a written request for a review to the Board, with the certificate of discharge or dismissal in question, if available, and such other statements or affidavits as he desires to present.

(2) The request should state in brief: (i) the type of discharge or dismissal received; (ii) the full name, former rank or rating and the service or file number of the person whose discharge or dismissal is in question; (iii) the place to which any notices in connection with the review may be sent; (iv) the basis of the claim for review; (v) what action is desired of the Board; and (vi) whether the petitioner desires the review on basis of petition and accompanying papers or whether he desires to appear in person before the Board and/or be represented by counsel. (If counsel is desired, the petitioner should designate such counsel by name.)

(3) When the request for review is submitted by a surviving spouse, next of kin, legal representative or guardian, satisfactory evidence of the required relationship must be submitted.

(4) No request for review of a discharge or dismissal shall be valid unless filed within fifteen years after such discharge or dismissal or within fifteen years from June 22, 1944, whichever be the later.

(b) *Review on own motion.* (1) The Board shall not conduct a review on its own motion without first transmitting a written notice to the person concerned or, if such person is deceased, to his surviving spouse, next of kin, legal representative or guardian, by registered mail, return receipt requested.

(2) Such notice shall state that a review of the type and nature of this discharge or dismissal is to be held by the Board, and shall advise the addressee of his right to appear before the Board, in person or by counsel, and to present evidence before the Board in the manner herein prescribed.

(c) *Methods of presenting case.* The petitioner may present his case:

(1) By letter with certificate of discharge or dismissal, if available and affidavits.

(2) In person, with or without counsel.

(3) By counsel.

(d) *Counsel.* The term "counsel," as used herein, shall include members of the bar in good standing and accredited representatives of veterans' organizations recognized by the Veterans' Administration under section 200 of the act of June 29, 1936 (Public Law 844, 74th Congress).

(e) *Witnesses.* (1) The Board shall require that all testimony be given under oath or by affirmation.

(2) Witnesses shall be subject to examination and/or cross-examination as appropriate, by the Members of the Board, the petitioner, his counsel, or by the Government Representative.

(3) The testimony of witnesses may be presented either in person or by affidavits.

(f) *Expenses.* No expense of any nature whatsoever incurred by the petitioner, his counsel, his witnesses, or by any other person on his behalf, shall be paid by the Government.

(g) *Notice of hearing.* The Board shall give a petitioner at least thirty days' written notice of the time and the place of the hearing. Such time shall be computed from the time of mailing of the notice. The petitioner may waive such time limit and an earlier hearing date may be set by the Secretary of the Panel.

(h) *Continuances.* A continuance may be granted by the Board on its own motion, or at the request of the petitioner or Government Representative, when such continuance appears necessary in order to insure a full and fair hearing.

(i) *Failure of petitioner to appear.* A petitioner who requests a hearing and who, after being duly notified of the time and place of hearing, fails to appear at the appointed time, either in person or by counsel, thereby waives his right to be present and cannot thereafter take exception to the findings or conclusions arrived at in his absence.

(j) *Evidence.* (1) The Board, in its review, shall consider as evidence all available records of the Navy Department, the Marine Corps or the Coast Guard, together with such evidence as may be submitted by the petitioner and/or his counsel.

(2) The Board shall not be restricted by legal rules of evidence.

(3) Secret and/or confidential records in possession of the Board of Review will not be disclosed.

(k) *Records.* Records of the Board shall be open to the Veterans' Administration.

(l) *Withdrawal.* The Board may, at its discretion and for good cause shown, permit the petitioner to withdraw his request for review without prejudice at any time before the Board begins its deliberations.

§ 21.3 *Action by the Board*—(a) *Deliberations.* (1) After a full and fair review of the evidence, the Board shall deliberate in closed session, and shall be governed in its action by the vote of a majority of the Board.

(2) No persons other than members of the Board shall be present at or participate in its deliberations.

(3) Members not concurring may file a minority report.

(4) The findings, conclusions, decision and order shall be signed by the concurring majority members.

(b) *Findings.* The findings of the Board shall include:

(1) Type and nature of discharge or dismissal certificate or other documentary evidence of discharge or dismissal which was issued to the person concerned upon separation from the Naval Service.

(2) Basis for such type and nature of discharge or dismissal as disclosed by records in the custody of the Navy Department.

(3) Circumstances surrounding the discharge or dismissal as disclosed by all evidence considered by the Board.

(4) Such other ultimate facts as may be necessary and pertinent to the issue.

(c) *Conclusions.* The Board, on the basis of its findings, shall prepare written conclusions as to whether the type or nature of the discharge given should be changed, corrected or modified.

(d) *Decision.* The Board shall next record its decision. The nature of any change, correction or modification to a certificate of discharge or dismissal shall be specified with particularity.

(e) *Order.* A written order based on the decision shall be prepared for transmittal to the Chief of Navy Personnel, the Commandant of the Marine Corps or the Commandant, U. S. Coast Guard, as appropriate.

(f) *Record of proceedings.* When the Board has concluded its proceedings, the Secretary of the Panel shall prepare a complete original record thereof. Such record shall include the request for review, a transcript of the hearing, if any; affidavits, papers and documents considered by the Board; all briefs and written arguments filed in the case; the findings, conclusions, decision and order of the Board; any minority report prepared by dissenting members of the Board, and all other papers and documents necessary to reflect a true and complete history of the proceedings. The record will be authenticated by the Secretary of the Panel as being true and complete.

§ 21.4 *Review by the Secretary of the Navy*—(a) *Transmittal of record.* The original record of the proceedings in each case shall be transmitted forthwith by the President of the Board of Review, Discharges and Dismissals, to the Secretary of the Navy for final review.

(b) *Action by the Secretary of the Navy.* (1) The Secretary of the Navy will take such action in each case as he determines to be appropriate, including the return of the record to the Board for further consideration when deemed necessary.

(2) The procedure of the Board on such further consideration will conform as nearly as practicable to that heretofore prescribed, except that the scope of the action of the Board will be limited to the matters specified by the Secretary of the Navy in the directive ordering such reconsideration.

(3) The Secretary of the Navy, after his final action, will return all records to the Board of Review. After recording the final action in the journal, the Board will notify the petitioner of the action taken in his case, then forward all records to the Chief of Naval Personnel, Commandant of the Marine Corps, or Commandant, U. S. Coast Guard, whichever the case may be, for the following administrative acts:

(i) Carry out the order of the Board of Review in respect to the discharge or dismissal in question.

(ii) Place copies of the Board's order and of the record of proceedings in the service record. A reference shall be made in the copy of the Board's report of all enclosures or exhibits which are to be filed elsewhere.

(iii) Place all records in their proper files for safe custody.

§ 21.5 *The Panel*—(a) *Members.* (1) The Panel shall consist of all members of the several Boards of Review and of all officers detailed to the Office of the Board of Review.

(2) Members of the Panel shall report to and be responsible to the president of the Panel.

(b) *Changes in.* Additions to and other changes in the membership of the Panel shall be made as circumstances warrant, with the approval of the Secretary of the Navy.

(c) *Meetings.* Meetings of the Panel may be called by the president of the Panel. The Panel will meet in Washington at such times and places as designated by the president.

(d) *Administrative regulations.* The Panel shall, from time to time, initiate such changes in the Administrative Regulations and Procedures as may be deemed advisable, for the approval of the Secretary of the Navy.

(e) *Duties of Panel officers*—(1) *President.* (i) The president of the Panel shall, from time to time, constitute Boards charged with the review functions over discharges and dismissals of Navy, Marine Corps and Coast Guard personnel, as required by section 301 of Public Law 346, 78th Congress.

(ii) He shall designate a secretary for the Panel, recorders for each of the several Boards, and the government and petitioners' representatives.

(iii) He shall make provision for close liaison between the Army and Navy to include periodic joint conferences to discuss common problems and to study results of action taken.

(iv) He shall maintain close contact with the Veterans' Administration.

(v) He shall report to and be responsible to the Secretary of the Navy.

(vi) He shall prepare an annual report of the activities of the Panel and of the Boards for submission to the Secretary of the Navy.

(vii) In the absence or incapacity of the president, the next senior member of the Panel will serve as acting president for all purposes.

(2) *Secretary.* (i) The Secretary shall examine requests for review and, when necessary, obtain from the petitioner or from the records of the interested bureau or service, such additional data as may be required to furnish complete information to the Board.

(ii) He shall keep the minutes of the Panel.

(iii) He shall keep a docket of pending petitions, and record of completed reviews.

(iv) He shall assign petitions to appropriate Board for review.

(v) He shall maintain custody of all records and documents transmitted to or filed with the Board.

(vi) He shall perform such other duties as may be prescribed by the president of the Panel.

§ 21.6 *The Board*—(a) *Members.* A Board of Review shall consist of five members, and at least three of the five members of each Board should belong to the branch of the naval service (Navy, Marine Corps or Coast Guard) from which the person whose case is being reviewed was discharged or dismissed. In event of the absence or incapacity of the chairman, the next senior member of the Board shall serve as chairman for all purposes. Alternates shall be named for each Board in order to assure full membership at all times.

(b) *Reporter.* The reporter shall record the testimony of witnesses and the proceedings of a board. He shall prepare a written transcript of the proceedings in manner and form as directed by the chairman of the Board.

(c) *Time and place of meetings.* The Boards shall be convened at the call of the president of the Panel and shall recess and adjourn at his order. The Boards shall sit at a time and place to be fixed by the president of the Panel.

(d) *Duties*—(1) *Board.* (i) The Board shall review, on its own motion or upon the request of a former officer or enlisted man or woman or, if deceased, by the surviving spouse, next of kin, legal representative or guardian, the type and nature of the discharge or dismissal in question.

(ii) In the event the petitioner does not appear in person or by counsel, the Board shall review the case on the basis of documentary or oral evidence presented by or on behalf of the petitioner and by the Government Representative.

(iii) In the event the petitioner appears in person or by counsel, the Board shall assemble to hear evidence offered by or on behalf of the petitioner and by the Government Representative. After the conclusion of such hearings, the Board shall, as soon as practicable, arrive at their findings, conclusions and decision. Based thereon, the Board shall prepare its order to the Service concerned.

(2) *Senior member.* The Senior member of a Board shall serve as chairman thereof and shall rule upon matters of evidence and procedure. He may be overruled by a majority vote.

(3) *Recorder.* The recorder is a member of the Board. He shall:

(i) Carefully summarize the testimony presented at hearings.

(ii) Prepare the findings, conclusions, decision and order of the Board.

(iii) Perform such other duties as may be assigned to him by the President of the Panel.

§ 21.7 *Representatives*—(a) *Government representative.* The government representative shall:

(1) Submit to the recorder of the Board a written brief, when considered warranted, analyzing the evidence presented.

(2) In cases where the petitioner does not request to be present in person or by counsel, submit pertinent evidence in the Government's behalf in proper documentary form, or orally.

(3) In cases where the petitioner is present in person or by counsel, appear as counsel for the Government.

(4) In all cases, when he has knowledge of evidence which would substantiate the petitioner's claim, disclose such evidence to the Board.

(b) *Petitioner's representative.* In those instances where the petitioner presents his case by letter and affidavits, a member of the Panel, who is not a member of the Board reviewing the case, will be appointed to act as the petitioner's representative. The Petitioner's Representative shall:

(1) Submit pertinent evidence in the petitioner's behalf in proper documentary form or orally.

(2) Submit to the Recorder of the Board a written brief, when considered warranted, analyzing the evidence presented.

§ 21.8 *Permanent record; journal.* A journal shall be kept by the secretary of the Panel for each of the respective Boards, which journal shall constitute a permanent case record.

§ 21.9 *Correspondence; addressing of requests.* A request for review of a discharge or dismissal with the view of having it changed, corrected or modified should be addressed to:

The Secretary of the Navy
(Board of Review, Discharges and Dismissals)
Navy Department, Washington, D. C.

A request for other purposes, such as permission to reenlist, should be addressed to the appropriate address indicated below, depending on whether the person in question was formerly in the U. S. Navy, U. S. Marine Corps or U. S. Coast Guard:

The Chief of Naval Personnel, Navy Department, Washington, D. C.,

The Commandant of the Marine Corps, Washington, D. C., or

The Commandant, U. S. Coast Guard, Washington, D. C.

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 44-14844; Filed, Sept. 26, 1944; 11:06 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[G. O. 46]

PART 301—GENERAL REGULATIONS

SEAMEN'S SERVICE AWARDS

Sec.
301.61 Authority for regulations.
301.62 Citation plaque and bar.
301.63 Merchant Marine Meritorious Service Medal and Bar.
301.64 Merchant Marine Defense Bar.
301.65 Administration of awards.
301.66 Posthumous awards.
301.67 How to wear seamen's service insignia.

AUTHORITY: §§ 301.61 to 301.67, inclusive, issued under E.O. 9054, 3 CFR, Cum. Supp.; E.O. 9472, 9 F.R. 10613.

§ 301.61 *Authority for regulations.* Pursuant to the authority vested in the Administrator, War Shipping Administration, by Executive Order 9472, August 29, 1944, 9 F.R. 10613, establishing certain awards for the Merchant Marine, the regulations contained in §§ 301.62 to 301.67, inclusive, are prescribed.

§ 301.62 *Citation plaque and bar*—(a) *Plaque.* Whenever the Administrator issues a citation pursuant to paragraph 1 (a) of Executive Order 9472 to any United States ship or to any foreign ship operated by or for the account of the United States Maritime Commission or the War Shipping Administration which, subsequent to September 8, 1939, or during the present war has served or shall serve in outstanding action against attack or in gallant action in marine disasters or other emergencies at sea, a citation plaque of the following description shall be awarded to the ship: A circular metal plaque, measuring approximately 18" in diameter, showing, in relief, a merchant ship under full headway under which, in rope design, is spelled the words "Gallant Ship". This circular plaque will be mounted on the upper portion of a hardwood board measuring approximately 2' x 3'. Under this will be an oblong metal plaque upon which will be inscribed the citation for which the award is made. A replica of such plaque shall be preserved by the Seamen's Service Awards Committee as a permanent historical record.

(b) *Bar.* A dark green silk ribbon bar pin, one and three-eighths inches long by one-half inch wide, upon which will be mounted a small silver sea horse, will be awarded to the master and each person serving on board such ship at the time of the action for which the citation is made: *Provided*, That whenever such master or person would be entitled to the award of an additional citation bar, an additional small silver sea horse shall be awarded, in lieu thereof, to be attached to the ribbon originally awarded.

§ 301.63 *Merchant Marine Meritorious Service Medal and Bar*—(a) *Medal.* The Merchant Marine Meritorious Service Medal will be awarded to any master, officer, or member of the crew of any United States ship or any foreign ship operated by or for the account of the United States Maritime Commission or the War Shipping Administration who, subsequent to September 8, 1939, or during the present war has been or shall be officially commended by the Administrator for conduct or service of a meritorious character but not of such an outstanding character as would warrant an award of the Merchant Marine Distinguished Service Medal established pursuant to the Act of April 11, 1942, ch. 241 (56 Stat. 217).

(b) *Bar.* A light blue, red, white, gold, and navy blue silk ribbon bar pin, one and three-eighths inches long by one-half inch wide, will be awarded to each person to whom the Merchant Marine Meritorious Service Medal is awarded to be worn in lieu of the medal.

(c) *Successive awards.* No more than one Merchant Marine Meritorious Service Medal shall be awarded, but for each succeeding commendation justifying such an award a gold star will be awarded to be affixed to the ribbon of the medal and affixed to the ribbon bar.

§ 301.64 *Merchant Marine Defense Bar.* A black, red, white, and green silk ribbon bar pin one and three-eighths inches long by one-half inch wide will be issued to each master, officer or member of the crew of any United States ship who served at any time during the period beginning September 8, 1939, and ending December 6, 1941. This bar will not be issued subsequent to two years after the termination of the present war.

§ 301.65 *Administration of awards.* The Seamen's Service Awards Committee, War Shipping Administration, Washington, D. C., will consider and determine on behalf of the Administrator all proposals for the citations, commendations, and awards referred to in §§ 301.62 and 301.63 above. The Merchant Marine Defense Bar (§ 301.64) will not be licensed for sale, but will be issued by the Committee upon voluntary application by seamen furnishing proof of eligibility for the bar. Such applications should include the seamen's name, his license number or identification number, the name or names of ships in which he served, the dates of such service, and his permanent mailing address. All correspondence regarding the above awards shall be transmitted to the Committee in sealed envelopes.

§ 301.66 *Posthumous awards.* In case any person who is entitled to an award under §§ 301.62, 301.63 or 301.64 dies before the award can be made to him, the award may be made to such representative of the deceased as the Seamen's Service Awards Committee deems proper. In the event that such representative of the deceased is located in a foreign country, the award may be delivered to the Secretary of State of the United States for future presentation.

§ 301.67 *How to wear seamen's service insignia*—(a) *On uniform or civilian coats.* The Merchant Marine Meritorious Service Medal or Bar, the Citation Bar, and the Merchant Marine Defense Bar may be worn on either civilian or uniform coats.

(b) *Position of bars.* The Meritorious Service Bar, the Citation Bar, and the Merchant Marine Defense Bar, together with other bars awarded under §§ 301.38 to 301.41, inclusive (General Order 35), shall be worn in horizontal rows of three each, if that number or more be possessed, in rows spaced one-quarter inch apart. If not in multiples of three, the upper row shall contain the lesser number, the center of this row to be over the center of the one below it. They shall be worn on the left breast in a position approximately midway between the top and bottom of the left sleeve opening.

[SEAL] E. S. LAND, *Administrator.*

SEPTEMBER 23, 1944.

[F. R. Doc. 44-14788; Filed, Sept. 25, 1944; 11:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 174-A]

PART 95—CAR SERVICE

ACCEPTANCE OF CARLOAD SHIPMENTS OF GRAIN

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of September, A. D. 1944.

Upon further consideration of Service Order No. 174 (9 F.R. 404) of January 7, 1944, as amended (9 F.R. 1463, 9 F.R. 4728) and good cause appearing therefor: *It is ordered*, That:

(a) Service Order No. 174 of January, 1944, 49 CFR § 95.327 *Acceptance of carload shipments of grain*, prohibiting the transportation of grain and related products when consigned on order-notify or straight-advise bills of lading unless there is a party at the billed destination authorized to accept notice of arrival of the shipment and to furnish disposition orders to the carrier's agent at the billed destination, be, and it is hereby, vacated and set aside.

(b) *Announcement of vacation of suspension.* Each of the railroads affected by this order shall publish, file, and post a supplement to each of its tariffs affected announcing the vacation by this order on the effective date hereof, of the suspension made by Service Order No. 174 and stating that the provisions in said tariffs which were in effect prior to such suspension will be applied on and after the effective date of this order. (40 Stat. 101, sec. 402, 418, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective at 12:01 a. m., October 10, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-14845; Filed, Sept. 26, 1944; 11:09 a. m.]

PART 120—ANNUAL, SPECIAL, OR PERIODICAL REPORTS

FILING OF STATEMENTS WAIVED

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 21st day of September 1944.

The matter of waiving the provisions of the order of December 18, 1941 (7 F.R. 226), and amendments thereof, relating to the filing of consolidated statistical statements by steam railway companies which have annual railway operating revenues of $10,000,000 or more, being under consideration,

And it appearing, that due to a shortage of experienced personnel necessary for the preparation of such consolidated statistical statements on account of war conditions, request has been received from the Accounting Division, Association of American Railroads, that the filing of such statements be waived for the duration of the war and one year thereafter:

It is ordered, That the requirements of the order of December 18, 1941, and amendments thereof, relating to the consolidated statistical statements be, and they are, hereby waived for the year ended December 31, 1943.

And it is further ordered, That said order of December 18, 1941, and amendments thereof, shall in all other respects remain in full force and effect.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 44-14857; Filed, Sept. 26, 1944; 11:09 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 341]

RAILROAD AND PROPERTY CARRIER INDUSTRY, PUERTO RICO

ORDER DISSOLVING INDUSTRY COMMITTEE

Whereas the Administrator, in accordance with sections 5 and 8 of the Fair Labor Standards Act of 1938, by Administrative Order No. 134, dated December 9, 1941, appointed the Railroad and Property Carrier Industry Committee for Puerto Rico; and

Whereas the Industry Committee has duly investigated conditions in the industry for which it was appointed and has recommended a minimum wage rate therefor; and

Whereas the minimum wage recommendation has been approved and carried into effect by the Administrator in a wage order for the Railroad and Property Carrier Industry of Puerto Rico, Regulations, Part 618, issued in accordance with section 8 of the Fair Labor Standards Act of 1938, and

Whereas the functions of this Committee have now been completed;

Now, therefore, it is ordered, That in accordance with § 511.22 of the regulations of the Wage and Hour Division applicable to Industry Committees (Title 29, C. V, Code of Federal Regulations, Part 511), the Railroad and Property Carrier Industry Committee for Puerto Rico is hereby dissolved.

Signed at New York, New York, this 20th day of September 1944.

L. METCALFE WALLING, *Administrator.*

[F. R. Doc. 44-14789; Filed, Sept. 25, 1944; 12:18 p. m.]

[Administrative Order 342]

MISCELLANEOUS INDUSTRIES

ORDER DISSOLVING INDUSTRY COMMITTEES

Whereas the Administrator, in accordance with sections 5 and 8 of the Fair Labor Standards Act of 1938, by Administrative Order No. 84, dated February 17, 1941, appointed Industry Committee No. 21 for the Seamless Hosiery Industry; by Administrative Order No. 87, dated March 4, 1941, appointed Industry Committee No. 24 for the Clay Products Industry; by Administrative Order No. 109, dated May 17, 1941, appointed Industry Committee No. 30 for the Lumber and Timber Products Industry; by Administrative Order No. 131, dated November 21, 1941, appointed Industry Committee No. 37 for the Cigar Industry; by Administrative Order No. 132, dated December 3, 1941, appointed Industry Committee No. 38 for the Tobacco Industry; by Administrative Order No. 137, dated January 6, 1942, appointed Industry Committee No. 40 for the Gloves and Mittens Industry; by Administrative Order No. 138, dated January 10, 1942, appointed Industry Committee No. 41 for the Luggage, Leather Goods and Women's Handbag Industry; by Administrative Order No. 141, dated February 13, 1942, appointed Industry Committee No. 42 for the Grain Products Industry; by Administrative Order No. 143, dated March 14, 1942, appointed industry Committee No. 43 for the Button and Buckle Manufacturing Industry; by Administrative Order No. 147, dated April 4, 1942, appointed Industry Committee No. 44 for the Railroad Carrier Industry; by Administrative Order No. 145, dated June 6, 1942, appointed Industry Committee No. 45 for the Embroideries Industry; by Administrative Order No. 149, dated July 23, 1942, appointed Industry Committee No. 46 for the Handkerchief Manufacturing Industry; by Administrative Order No. 150, dated August 14, 1942, appointed Industry Committee No. 47 for the Candy and Related Products Manufacturing Industry; by Administrative Order No. 152, dated August 15, 1942, appointed Industry Committee No. 48 for the Converted Paper Products Industry; by Administrative Order No. 156, dated September 2, 1942, appointed Industry Committee No. 49 for the Printing and Publishing and Allied Graphic Arts Industry; by Administrative Order No. 162, dated October 5, 1942, appointed Industry Committee No. 50 for the Sugar and Related Products Industry; by Administrative Order No. 165, dated October 27, 1942, appointed Industry Committee No. 51 for the Cooking and Heating Appliances Manufacturing Industry; by Administrative Order No. 168, dated November 4, 1942, appointed Industry Committee No. 52 for the Pens and Pencils Manufacturing Industry; by Administrative Order No. 173, dated January 27, 1943, appointed Industry Committee No. 53 for the Metal, Plastics, Machinery, Instrument, and Allied Industries; by Administrative Order No. 174, dated February 11, 1943, appointed Industry Committee No. 54 for the Mattress, Bedding, and Related Products Industry; by Administrative Order No. 175, dated February 11, 1943, appointed Industry Committee No. 55 for the Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries; by Administrative Order No. 182, dated February 25, 1943, appointed Industry Committee No. 56 for the Canned Fruits and Vegetables and Related Products Industry; by Administrative Order No. 189, dated March 27, 1943, appointed Industry Committee No. 57 for the Cottonseed and Peanut Crushing Industry; by Administrative Order No. 190, dated April 6, 1943, appointed Industry Committee No. 58 for the Vegetable Fats and Oils Industry; by Administrative Order No. 192, dated April 30, 1943, appointed Industry Committee No. 59 for the Stone, Clay, Glass, and Allied Industries; by Administrative Order No. 193, dated May 12, 1943, appointed Industry Committee No. 60 for the Chemical, Petroleum and Coal Products, and Allied Manufacturing Industries; by Administrative Order No. 201, dated June 16, 1943, appointed Industry Committee No. 61 for the Meat, Poultry, and Dairy Products Industry; by Administrative Order No. 208, dated July 20, 1943, appointed Industry Committee No. 63 for the Wholesaling, Warehousing, and Other Distribution Industries; by Administrative Order No. 209, dated August 5, 1943, appointed Industry Committee No. 64 for the Logging, Lumber and Timber and Related Products Industries; by Administrative Order No. 213, dated August 21, 1943, appointed Industry Committee No. 65 for the Bakery, Beverage, and Miscellaneous Food Industries; by Administrative Order No. 214, dated August 31, 1943, appointed Industry Committee No. 66 for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries; by Administrative Order No. 216, dated September 14, 1943, appointed Industry Committee No. 67 for the Construction Industry; by Administrative Order No. 219, dated September 22, 1943, appointed Industry Committee No. 68 for the Finance, Insurance, Real Estate, Motion Picture, and Miscellaneous Industries; by Ad-

ministrative Order No. 221, dated September 28, 1943, appointed Industry Committee No. 69 for the Communication, Utilities and Miscellaneous Transportation Industries; and

Whereas each such Industry Committee has duly investigated conditions in the industry for which it was appointed and has recommended minimum wage rates therefor; and

Whereas the minimum wage recommendations of each such Industry Committee have been approved and carried into effect by the Administrator in a wage order issued in accordance with section 8 of the Fair Labor Standards Act of 1938, for each of the industries enumerated and the functions of each such Industry Committee have been completed;

Now, therefore, it is ordered, That in accordance with § 511.22 of the regulations of the Wage and Hour Division applicable to Industry Committees (Title 29, C. V, Code of Federal Regulations, Part 511), each such Industry Committee is hereby dissolved.

Signed at New York, New York, this 20th day of September 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-14790; Filed, Sept. 25, 1944; 12:18 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-488]

CITIES SERVICE TRANSPORTATION AND CHEMICAL CO., AND CITIES SERVICE GAS CO.

ORDER GRANTING APPLICATION FOR REHEARING

SEPTEMBER 21, 1944.

Upon consideration of the application filed on August 21, 1944, by Cities Service Transportation and Chemical Company for a rehearing on the Commission's order entered in the above-entitled matter on July 22, 1944, modifying a prior order issuing a certificate of public convenience and necessity in this proceeding; and

It appearing to the Commission that:

Since the application for rehearing makes suggestions and proposed modifications with respect to the plan of financing, it will be consistent with the public interest to grant the application for rehearing and to afford the applicant further opportunity to submit, in definite and more specific form for the Commission's prior consideration, any desired revisions in the proposed plan of financing.

The Commission orders that: (A) The application for rehearing on the Commission's order of July 22, 1944, entered in this proceeding be and it is hereby granted, such rehearing to be held commencing November 1, 1944, at 10 a. m., in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C.

(B) This order shall not be construed as modifying, changing or in anywise affecting any prior order of the Commission entered in this proceeding.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14821; Filed, Sept. 26, 1944; 9:47 a. m.]

[Docket No. G-580]

NATURAL GAS INVESTIGATION

ORDER INSTITUTING INVESTIGATION

SEPTEMBER 22, 1944.

It appearing to the Commission that:

(1) There are many complex and difficult problems related to the conservation and utilization of natural gas which numerous parties appearing before the Commission have urged should be considered in a proper discharge of the Commission's duties and responsibilities under the Natural Gas Act.

(2) The Commission in its 1940 annual report to Congress directed attention to certain of these problems and suggested the necessity for further investigation and additional legislation.

(3) Following submission of the above report and extensive hearings with respect to H. R. 5249, a bill to amend section 7 of the Natural Gas Act, the Committee on Interstate and Foreign Commerce of the House of Representatives reported the bill favorably. In its report (H. Rep. No. 1290, 77th Cong., 1st Sess., p. 3) the Committee pointed out that by these amendments to the act "the door is opened to the consideration by the Commission of the effect of construction and extensions upon the interests of producers of competing fuels and competitive transportation interests." In so doing, the committee deleted certain provisions of the proposed bill with the statement that "the increasingly important problems raised by the desire of several States to regulate the use of natural gas produced therein in the interest of consumers within such States, as against the Federal power to regulate interstate commerce in the interest of both interstate and intrastate consumers, are deemed by the committee to warrant further intensive study and probably a more detailed and comprehensive plan for the handling thereof than that which would have been provided by the stricken subsection."

(4) On February 7, 1942, the amendments to section 7 of the Natural Gas Act became effective and, as the Supreme Court of the United States held in *Federal Power Commission, et al.* v. *Hope Natural Gas Company*, 320 U. S. 591, 612, (1944), "considerations of conservation are material to the issuance of certificates of public convenience and necessity," under that section, as amended.

(5) Governors, regulatory commissions, and officials of certain gas-producing States have intervened in proceedings before the Commission and have advanced various contentions with respect to the exportation of natural gas from such States for consumption in areas where other energy resources are available, divergent views being expressed by the representatives of such States.

(6) Representatives of coal, railroad, labor, and other interests concerned with the production or transportation of competing fuels have intervened in proceedings held by the Commission under section 7, as amended, and have presented evidence on the economic, sociological, and technological aspects of fuel competition, and have strongly urged the Commission either to deny requested certificates of public convenience and necessity or to attach restrictions which would substantially limit the uses for which natural gas might be sold.

(7) Representatives of natural-gas companies in such proceedings have emphasized the amount of the investments heretofore made to supply markets which include domestic, commercial, industrial, and other uses of natural gas, and have contended that curtailment of the loads to industrial customers would substantially impair their ability to render adequate service to other consumers at reasonable rates. They have contended also that new or additional sources of supply are necessary to maintain adequate service in areas whose original source of supply has been or is being exhausted but where large investments in pipe lines and distribution facilities have been made.

(8) Proceedings before the Commission have shown that it is principally in the field of direct industrial sales from interstate pipe lines that natural gas comes into direct competition with other fuels, the rates at which such sales are made not being subject to regulation under the Natural Gas Act.

(9) Proceedings before the Commission have disclosed that in the industrial areas of the United States large investments have been made in plant facilities designed for the utilization of natural gas in industrial processes, and that the conversion of such facilities, or the installation of new facilities, to utilize fuels other than natural gas will require large expenditures of money, time, and materials, and may effect substantial changes in the method of operation, cost of production, and end products of many industrial establishments.

(10) The Commission, in discharging its duties and responsibilities under the act, has obtained extensive data and information with respect to various aspects of the problems involved in the conservation and utilization of natural gas, but such data and information are not sufficiently complete for adequate consideration of such problems.

The Commission finds that:

To aid in carrying out its authority and responsibilities under the Natural Gas Act, particularly sections 7, 11 and 14 thereof, including the prescribing of rules and regulations thereunder, and to obtain information to serve as a basis for determining whether further legislation should be recommended to Congress, it is appropriate in the public in-

terest that an investigation be instituted with respect to matters involved in the conservation and utilization of natural gas as hereinafter provided.

The Commission orders that:

(A) An investigation be and hereby is instituted into the extent and probable life of natural gas reserves; present and prospective measures for preventing waste and prolonging the life of such reserves; the present and probable future utilization of natural gas for domestic, commercial and industrial purposes; the extent, character and results of the competition of natural gas with other fuels; and such related matters as may be helpful in the administration of the Natural Gas Act or in determining what additional legislation, if any, should be recommended.

(B) The procedure to be followed in said investigation and the date and location of hearings shall be prescribed by subsequent order or orders of the Commission.

(C) A copy of this order be published in the FEDERAL REGISTER and sent to the Governors and regulatory and conservation commissions of each of the States, the Interstate Oil Compact Commission, each natural gas company, the coal, railroad and labor organizations, and other interested parties, and such persons be invited to file with the Commission, on or before October 31, 1944, statements of their views and suggestions concerning the matters to be covered in this investigation and the procedure which should be followed.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14819; Filed, Sept. 26, 1944; 9:47 a. m.]

[Docket No. IT-5918]

UTAH POWER & LIGHT CO.

NOTICE OF APPLICATION

SEPTEMBER 23, 1944.

Notice is hereby given that on September 21, 1944, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Utah Power & Light Company, a corporation organized under the laws of the State of Maine and doing business in the States of Utah, Idaho and Wyoming, with its principal office at Salt Lake City, Utah, seeking an order authorizing it to acquire all the properties and assets of Utah Light and Traction Company, a corporation organized under the laws of the State of Utah and doing business in said State, with its principal office at Salt Lake City, Utah, and thus to merge and consolidate their facilities, in consideration for the assumption by the Utah Power & Light Company of all the liabilities of Utah Light and Traction Company, the forgiveness of all indebtedness due to the former from the latter, and the cancellation of all of the capital stock of Utah Light and Traction Company now owned by Utah Power & Light Company; or in the alternative an order dismissing the application for lack of jurisdiction of the Commission over the subject matter; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 12th day of October 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14820; Filed, Sept. 26, 1944; 9:47 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4140]

JOHN BARNICKEL

In re: Estate of John Barnickel, deceased; File No. D-28-3648; E. T. sec. 5980.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Kathie Rebhan in and to the estate of John Barnickel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Kathie Rebhan, Germany.

That such property is in the process of administration by Peter Barnickel, as executor of the estate of John Barnickel, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14827; Filed, Sept. 26, 1944; 10:45 a. m.]

[Vesting Order 4141]

GEORGE BELSER

In re: Estate of George Belser, deceased; File D-28-8821; E. T. sec. 10832.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of George Belser, Johan Belser, Ezekiel Belser, Katharina Speidel, issue, names unknown, of Bernhard Belser and issue, names unknown, of Agnes Mader, and each of them, in and to the Estate of George Belser, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

George Belser, Germany.
Johan Belser, Germany.
Ezekiel Belser, Germany.
Katharina Speidel, Germany.
Issue, names unknown, of Bernhard Belser, Germany.
Issue, names unknown, of Agnes Mader, Germany.

That such property is in the process of administration by Paulina Metzger, as Executrix of the Estate of George Belser, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Sonoma;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14828; Filed, Sept. 26, 1944; 10:45 a. m.]

[Vesting Order 4142]

LOUIS BLUM

In re: Estate of Louis Blum, deceased; File D–28–9020; E. T. sec. 11427.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: (a) All right, title, interest and claim of any kind or character whatsoever of Lina Blum Schmitt, also known as Lena Blum, in and to the estate of Louis Blum, deceased;

(b) All and the whole of the East Half (E½) of Lot Four (4) in Block Forty-five (45) of the original townsite of Anchorage, Alaska;

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address.

Lina Blum Schmitt, also known as Lena Blum, Germany.

That such property is in the process of administration by Charles Odermatt, Anchorage, Alaska, as Executor of the Estate of Louis Blum, acting under the judicial supervision of the Probate Court for the Anchorage Precinct, Third Division, Territory of Alaska, Anchorage, Alaska;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14829; Filed, Sept. 26, 1944; 10:45 a. m.]

[Vesting Order 4143]

MORITZ W. BOEHM

In re: Estate of Moritz W. Boehm, deceased; File D–6–1003; E. T. sec. 7995.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Walter Herta in and to the Estate of Moritz W. Boehm, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Walter Herta, Germany (Austria).

That such property is in the process of administration by Ben H. Brown, as Administrator with the Will Annexed of the Estate of Moritz W. Boehm, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14830; Filed, Sept. 26, 1944; 10:45 a. m.]

[Vesting Order 4144]

FRIEDRICK AUGUST BRENNECKE

In re: Estate of Friedrick August Brennecke, also known as August Brennecke, deceased; file D–28–8892; E. T. sec. 11067.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Willy Brennecke, Otto Brennecke and Annelies Feugner, and each of them, in and to the Estate of Friedrick August Brennecke, also known as August Brennecke, deceased and in and to the Trust Estate established under the Will of Friedrich August Brennecke, also known as August Brennecke, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Willy Brennecke, Germany.
Otto Brennecke, Germany.
Annelies Fuegner, Germany.

That such property is in the process of administration by Theo. Fintzelberg and N. Steinmetz, as Executors of the Estate of Friedrick August Brennecke, also known as August Brennecke, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Diego;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14831; Filed, Sept. 26, 1944; 10:45 a. m.]

[Vesting Order 4145]

CAROLINA K. COLLINS

In re: Estate of Carolina K. Collins, also known as Mrs. K. Collins, deceased; File D–28–8268; E. T. sec. 9414.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Kirschner and Pauline Daffinger, and each of them, in and to the Estate of Carolina K. Collins, also known as Mrs. K. Collins, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Kirschner, Germany.
Pauline Daffinger, Germany.

That such property is in the process of administration by Mildred A. Riecks, Executrix of the Estate of Carolina K. Collins, also known as Mrs. K. Collins, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Santa Clara;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14832; Filed, Sept. 26, 1944; 10:45 a. m.]

[Vesting Order 4146]

WILHELM FINCK

In re: Estate of Wilhelm Finck, deceased; File F–28–9704; E. T. sec. 6403.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Minna Finck, nee Schultz, Heinrich Finck and Anna Finck, and each of them, in and to the Estate of Wilhelm Finck, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Minna Finck, nee Schultz, Germany.
Heinrich Finck, Germany.
Anna Finck, Germany.

That such property is in the process of administration by Karl L. Ratzer, as Administrator of the Estate of Wilhelm Finck, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14833; Filed, Sept. 26, 1944; 10:46 a. m.]

[Vesting Order 4147]

MICHAEL HEBER

In re: Estate of Michael Heber, deceased; File D–57–267; E. T. sec. 7036.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Adam Renno, children or their heirs, names unknown, of the two deceased sisters of Michael Heber, deceased, and Mathias Klingler, Jr., and each of them, in and to the Estate of Michael Heber, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Mrs. Adam Renno, Rumania.

Children or their heirs, names unknown, of the two deceased sisters of Michael Heber, deceased, Rumania.

Mathias Klinger, Jr., Rumania.

That such property is in the process of administration by Elma Reckziek, as Executrix of the Estate of Michael Heber, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Santa Clara;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14834; Filed, Sept. 26, 1944; 10:46 a. m.]

[Vesting Order 4148]

AUGUSTE HEYN

In re: Estate of Auguste Heyn, deceased; File No. D–28–3856; E. T. sec. 6562.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Else Raminsky and Gustav Dierking and the issue of each of them, in and to the estate of Auguste Heyn, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Else Raminsky and her issue, names unknown, Germany.

Gustav Dierking and his issue, names unknown, Germany.

That such property is in the process of administration by Lillian Wunder, as Executrix of the Estate of Auguste Heyn, deceased, acting under the judicial supervision of the Surrogate's Court, County of Kings, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14835; Filed, Sept. 26, 1944; 10:46 a. m.]

[Vesting Order 4149]

MIKE (MIHAI) HOLOVAT

In re: Estate of Mike (Mihai) Holovat, deceased; File D–67–332; E. T. sec. 8981.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Stang, also known as Anna Streng, and Eva Flores Holovat, and each of them, in and to the estate of Mike (Mihai) Holovat, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Anna Stang, also known as Anna Streng, Rumania.

Eva Flores Holovat, Rumania.

That such property is in the process of administration by Joe Revell, % Chicago Cafe, 329 Third Street, International Falls, Minnesota, Executor of the estate of Mike (Mihai) Holovat, deceased, acting under the judicial supervision of the Probate Court of Koochiching County, Minnesota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14836; Filed, Sept. 26, 1944; 10:46 a. m.]

[Vesting Order 4150]

AUGUST LINK

In re: Estate of August Link, deceased; File No. D–28–7964; E. T. sec. 8919.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Korona Hoch and Emil Hoch, and each of them, in and to the Estate of August Link, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Korona Hoch, Germany.
Emil Hoch, Germany.

That such property is in the process of administration by Edward W. Dolan, as executor of the Estate of August Link, acting under the judicial supervision of the Surrogate's Court of Monroe County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14837; Filed, Sept. 26, 1944; 10:47 a. m.]

[Vesting Order 4151]

MARIANNE PALMER

In re: Estate of Marianne Palmer, deceased; File D–28–8210; E. T. sec. 9202.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Robert Bergendahl, or his surviving children, and each of them, in and to the Estate of Marianne Palmer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Robert Bergendahl, or his surviving children, Germany.

That such property is in the process of administration by the Bank of America, National Trust and Savings Association, as Executor of the Estate of Marianne Palmer, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14838; Filed, Sept. 26, 1944; 10:47 a. m.]

[Vesting Order 4152]

JULIA K. SINKA

In re: Estate of Julia K. Sinka, deceased; File D–34–542; E. T. sec. 8401.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Julia Bodi, also known as Mrs. Andras (Andrew) Bodi, nee Julia Szanto, in and to the estate of Julia K. Sinka, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Julia Bodi, also known as Mrs. Andras (Andrew) Bodi, nee Julia Szanto, Hungary.

That such property is in the process of administration by Frank S. McKinnon, 1015 Ford Building, Detroit, Michigan, as Administrator of the estate of Julia K. Sinka, deceased, acting under the judicial supervision of the Probate Court for the County of Wayne, State of Michigan;

And determining that to the extent that such a national is a person not within a designated enemy country, the national interest of the United States requires that such a person be treated as a national of a designated enemy country, Hungary;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as

may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14839; Filed, Sept. 26, 1944; 10:47 a. m.]

[Vesting Order 4153]

KATIE TURK

In re: Estate of Katie Turk, also known as Kate Turk or Kati Turk, deceased; File No. D–28–3559; E. T. sec. 8727.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Dr. Valentin Turk in and to the estate of Katie Turk, also known as Kate Turk or Kati Turk, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Dr. Valentin Turk, Germany,

That such property is in the process of administration by Herman Richter and John Kaiser, as executors of the estate of Katie Turk, also known as Kate Turk or Kati Turk, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14840; Filed, Sept. 26, 1944; 10:47 a. m.]

[Vesting Order 4154]

WILLIAM UNKEL

In re: Estate of William Unkel, also known as William Unkle, deceased; File D–28–8585; E. T. sec. 10201.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Jrma Berta Unkel; Else Paula Unkel; Pauline Sophie Ottinger; Pauline Unkel Klopfer; and Heirs, next of kin, names unknown, of William Unkel, also known as William Unkle, deceased; and each of them, in and to the Estate of William Unkel, also known as William Unkle, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Jrma Berta Unkel, Germany.
Else Paula Unkel, Germany.
Pauline Sophie Ottinger, Germany.
Pauline Unkel Klopfer, Germany.
Heirs, next of kin, names unknown, of William Unkel, also known as William Unkle, deceased, Germany.

That such property is in the process of administration by R. E. Williams, Administrator of the Estate of William Unkel, also known as William Unkle, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Bernardino;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14841; Filed, Sept. 26, 1944; 10:47 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 2–9]

POTOMAC EDISON COMPANY

SUBSTITUTION OF MOTOR VEHICLE PASSENGER SERVICE FOR ELECTRIC RAILWAY SERVICE

Upon consideration of the application for authority to substitute motor vehicle bus service for certain electric railway passenger service filed with this Office by The Potomac Edison Company, as contemplated by General Order ODT 2 (7 F.R. 2962), and good cause appearing therefor,

1. The Potomac Edison Company is authorized to substitute motor bus service over that section of its electric railway line between Middletown, Maryland, and Myersville, Maryland, for the electric railway service now operated by it between said communities.

2. The Potomac Edison Company, if and to the extent required by law, shall apply for and obtain from the appropriate regulatory bodies authority to suspend such electric railway service and to institute the motor vehicle bus service which is to be conducted, and if and to the extent required by law, this company shall file with the appropriate regulatory bodies, and publish in accordance with law, and continue in effect until further notice, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations and practices which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory bodies for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should refer to Supplementary Order ODT 2–9 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

4. This order shall become effective September 30, 1944.

Issued at Washington, D. C., this 26th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–14801; Filed, Sept. 25, 1944; 3:35 p. m.]

[Supp. Order ODT 20A–170, Amdt. 1]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN NEPTUNE AND LONG BRANCH, N. J., AREA

Upon consideration of a petition for participation in the joint action plan embraced in Supplementary Order ODT 20A–170 (9 F.R. 10314), filed with the Office of Defense Transportation pursuant to paragraph No. 6 of said order by the Radio Cab Co., Asbury Park, New Jersey, and good cause appearing therefor:

The Radio Cab Co., 343 Cookman Avenue, Asbury Park, New Jersey, is authorized to become a party to the joint action plan embraced in Supplementary Order ODT 20A–170.

It is hereby ordered, That:

1. Supplementary Order ODT 20A–170 be, and it hereby is, amended by adding the Radio Cab Co., 343 Cookman Avenue, Asbury Park, New Jersey, to Appendix 1 and by adding said company as a signatory to Appendix 2 of said order.

2. The Radio Cab Co., on and after the effective date of this Amendment, is directed to participate in the functions of the joint action plan set forth as Appendix 2 to Supplementary Order ODT 20A–170, subject to all the provisions of said order, as amended.

This amendment shall become effective September 26, 1944.

Issued at Washington, D. C., this 26th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–14800; Filed, Sept. 25, 1944; 3:34 p. m.]

[Supp. Order ODT 20A–180]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN BAY SHORE, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Bay Shore, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, New York, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–180" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, New York, New York.

8. This order shall become effective September 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Thomas Cordingley, Bay Shore, N. Y.
Carlton Jayne, Bay Shore, N. Y.
George Leicht, Bay Shore, N. Y.
Thomas Heilbrow, Bay Shore, N. Y.
Arthur Tobish, Bay Shore, N. Y.
Miriam Schneider, Bay Shore, N. Y.
August M. Arruda, Bay Shore, N. Y.
Daniel A. Hall, Bay Shore, N. Y.
Edward Schmitzler, Bay Shore, N. Y.
Lewis L. Kuff, Bay Shore, N. Y.

[F. R. Doc. 44–14802; Filed, Sept. 25, 1944; 3:35 p. m.]

[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[Restaurant MPR 2, Order 1]

CLEVELAND REGIONAL ADMINISTRATOR

DELEGATION OF AUTHORITY

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 24 of Restaurant Maximum Price Regulation No. 2, it is ordered:

(a) *Delegation of authority to Regional Administrator of Region III.* The Regional Administrator of Region III, Cleveland Regional Office, is herewith authorized to issue a classified flat pricing beer order which shall substantially conform to the classified flat pricing beer orders hithertofore issued by Region V, Dallas Regional Office, and by the districts located in Region IV, Atlanta Regional Office.

(b) *Subdelegation of authority to district directors.* The Regional Administrator of Region III may subdelegate the authority granted to him by paragraph (a) to any district director in Region III.

This order shall become effective September 25, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–14810; Filed, Sept. 25, 1944; 4:40 p. m.]

[Max. Import Price Reg., Order 44]

DOLLAR-SAVING SALES & SERVICE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell, and maximum prices at which retailers may buy and sell certain automatic combination cigar and cigarette lighters, wind proof type, made of brass, imported from Canada by Rubin P. Macklin, doing business under the trade name and style of Dollar-Saving Sales & Service Co., 55 West 42nd Street, New York 18, New York, hereinafter called the "importer."

(b) *Maximum prices on sales by the importer.* The importer may sell such lighters to wholesalers at a price not exceeding $1.70 each on a delivered basis, to retailers at a price not exceeding $2.06 each on a delivered basis, and to consumers at a price not exceeding $3.50 each. No wholesaler, retailer or consumer may pay the importer higher prices.

(c) *Maximum wholesale and retail prices.* No wholesaler or retailer may sell, and no person buying from them may pay, prices higher than the following for such lighters:

Class of sellers:	Maximum prices
Sales by wholesalers	$2.06 each, delivered.
Sales by retailers	$3.50 each.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom such lighters are sold and shall also include on the invoice the following statement:

The enclosed Order No. 44 issued under the Maximum Import Price Regulation by the Office of Price Administration, establishes your maximum selling price for these lighters and requires you to notify your customers what is their maximum price, as stated in the order.

(e) *Wholesalers to notify retailers.* Every wholesaler selling such lighters shall include on his invoice to each retailer the following statement:

Your maximum selling price for these lighters, as established by Order No. 44 under the Maximum Import Price Regulation issued by the Office of Price Administration, is $3.50 each.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on September 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14812; Filed, Sept. 25, 1944; 4:39 p. m.]

[MPR 120, Order 1025]

ALABAMA FUEL & IRON CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The New Acton Strip Mine of Alabama Fuel & Iron Company, Birmingham, Alabama, located in St. Clair County, Alabama, in District No. 13, is hereby assigned Mine Index No. 2042, and the coals of said mine are hereby classified in Maximum Price Group No. 7 for rail shipments and for railroad fuel, and in Maximum Price Group No. 3 for truck shipments.

(b) The per net ton maximum prices in cents per net ton for coals of the New Acton Strip Mine, Mine Index No. 2042 in District No. 13, of Alabama Fuel & Iron Company, Birmingham, Alabama, are hereby established for the indicated uses and movements as follows:

	Size groups						
	1 to 5, inclusive	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 20, 21	17 and 18	22 and 23
Rail shipment (including railroad fuel)	555	515	505	440	430	430	420
Truck shipment	510	460	460	420	420	405	370

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective September 26, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14809; Filed, Sept. 25, 1944; 4:40 p. m.]

[MPR 188, Order 35 Under 3d Rev. Order A-8]

WASHINGTON MORTUARY SUPPLY CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Numbers 9250 and 9328, it is ordered:

(a) This order permits the manufacturer, The Washington Mortuary Supply Company, Washington Court House, Ohio, to adjust its maximum prices for sales of aluminum ambulance cots, stretchers, dressing tables and related items, established by Maximum Price Regulation No. 188, by the amount specified below. This order also authorizes purchasers for resale of these aluminum ambulance cots, stretchers, dressing tables and related items to adjust their maximum prices by adding the dollar and cents amount of the adjustment granted to the manufacturer and for which they have become obligated.

(1) *Manufacturer's maximum prices.* The Washington Mortuary Supply Company may adjust its maximum prices for sales and deliveries of the aluminum ambulance cots, stretchers, dressing tables and related items of its manufacture by an amount not to exceed 8.4% of its established maximum net prices for such sales. The permitted adjustment of 8.4% may be made only if separately stated and applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order. It may not exceed 8.4 percent of the maximum net price so established.

(2) *Maximum prices of purchasers for resale.* Any purchaser for resale of an aluminum ambulance cot, stretcher, dressing table or related item for which the maximum price has been adjusted as provided in paragraph (1) above may add to his properly established maximum price in effect immediately prior to the effective date of this Order the dollar and cents amount of the adjustment charge for which he has become obligated provided the amount of such adjustment is separately stated.

(b) At the time of or before the first invoice to each purchaser of an article covered by this order, the seller must furnish the purchaser with a written notice stating the number of this order and fully explaining its terms and conditions.

(c) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 35 shall become effective on the 26th day of September 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14809; Filed; Sept. 25, 1944; 4:40 p. m.]

[MPR 188, Order 2429]

GENERAL SALES CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328: *It is ordered:*

(a) The maximum prices for all sales and deliveries by the General Sales Company, 5107 Brae-Burn Drive, Houston, Texas, of a desk fan of its manufacture, as described in its application dated August 24, 1944, after such an article became subject to Maximum Price Regulation No. 188, are as follows:

Article	Model No.	Maximum price to jobber	Maximum price to retailer
Desk fan	8-inch	$3.80 each plus 35¢ tax, $3.85 each	$4.20 each plus 42¢ tax, $4.62 each.

These prices are for the sales and delivery of the article described in the manufacturer's application dated August 24, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(b) The maximum price for all sales and deliveries at wholesale for the desk fan described in paragraph (a) above shall be the prices set forth below as follows:

Article	Model	Maximum price to retailers
Desk fan	8 inch	$4.20 each plus 35¢, $4.55 each.

These prices are for the sales and delivery of the article described in the manufacturer's application dated August 24, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(c) The maximum prices for sales at retail, by any person, of the desk fan described in paragraph (a) above shall be as follows:

Article	Model	Maximum price to consumers
Desk fan	8-inch	$7.35 each including tax.

(d) On each fan shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2429 may be revoked or amended by the Price Administrator at any time.

This Order No. 2429 shall become effective on the 26th day of September 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14811; Filed, Sept. 25, 1944; 4:39 p. m.]

[MPR 445, Order 514]

DISTILLED SPIRITS AND WINES

ADJUSTMENT OF MAXIMUM PRICES

Prospective increases in processors' maximum prices for sales of bulk domestic grape spirits, bulk domestic spirits fruit, neutral brandy and high proof and high wines made from any fruits or berries except grapes have been announced by press release of the Office of Price Administration issued August 26, 1944. Maximum prices for sales by processors and other sellers are now established by section 2.4, Maximum Price Regulation 445.

The products described are used in the fortification of wine and in the blending of other alcoholic beverages. Under the circumstances, purchasers are unable to procure supplies until the issuance of the announced price, and difficulties in securing supplies threaten to delay operations of winery purchasers until too late for the current grape harvest and, in the case of rectifiers, until too late to supply fall markets in the normal manner.

Section 7.11 of Maximum Price Regulation 445 provides for the issuance of an adjustable pricing order permitting deliveries at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. The Price Administrator has found that authority to use adjustable pricing for sales of the products named, pending issuance and effective date of the announced price change, is necessary to promote production and distribution of the products. He has further found such authorization will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Therefore, in accordance with section 7.11, Maximum Price Regulation 445, *It is ordered,* that:

(a) Processors of, and dealers in bulk domestic grape spirits, bulk domestic spirits fruit, neutral brandy, and high proof and high wine made from any fruits or berries except grapes, may make sales and deliveries thereof and purchasers may buy and receive such products at prices to be adjusted upward after delivery to amounts not in excess of maximum prices established by final action to be taken by price regulation or amendment providing adjustments in maximum prices for those products. Prior to the effective date of such final action, no payment for those products shall be made or received in excess of maximum prices prevailing at the date of delivery.

(b) This order shall be revoked without further action by the Price Administrator upon the effective date of a price regulation or amendment increasing maximum prices for sales of the products described. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 26, 1944.

Issued this 25th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14807; Filed, Sept. 25, 1944; 4:42 p. m.]

[MPR 188, Order 2440]

CARR CULLEN CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a Hidee-Dor manufactured by the Carr Cullen Company, 1030 Marshall Street, N. E., Minneapolis, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Hidee-Dor	(120-20-Inch	$1.33	$1.77
	(225-25-Inch	1.47	1.94

These prices are for the sales and delivery of the article described in the manufacturer's application dated August 8, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufcturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Hidee-Dee	(120-20-inch	$1.77
	(225-25-inch	1.94

These prices are for the sales and delivery of the article described in the manufacturer's application dated August 8, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of September 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14860; Filed, Sept. 26, 1944; 11:27 a. m.]

[2d Rev. MPR 213, Order 15]

FISCHER BED SPRING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, the Stabilization Act of 1942, as amended, and Executive Order No. 9250 and 9328, and in accordance with section 9 (b) (1) of 2d Revised Maximum Price Regulation No. 213, *It is ordered:*

(a) This order establishes maximum prices for sales of new steel frame, helical top, single and double deck bedsprings equipped with an angle border, and meeting all the specifications for a Class 102 and 111 coil bedspring as set forth in 2d Revised Maximum Price Regulation No. 213 manufactured by the Fischer Bed Spring Company, 429 Lockhart Street, N. S., Pittsburgh, Pennsylvania, as follows :

(1) For all sales by the manufacturer to retailers, the maximum price of the Class 102 spring with angle border is $5.95 and the maximum price of the Class 111 spring with angle border is $7.25. This price is f. o. b. factory and is subject to a cash discount of 2% for payment within ten days, net 30 days.

(2) For all sales at retail by any person the cash maximum price of the Class 102 spring with angle border is $11.25 and the cash maximum price of the Class 111 spring with angle border is $14.00. This price is subject to the seller's customary terms, discounts, and allowances in effect during March 1942 on sales of comparable bedsprings.

(b) For sales in the "Far West Zone" described in 2d Revised Maximum Price Regulation No. 213, the following sums may be added to the prices set forth in paragraph (a) above:

For sales of the Class 102 spring with angle border by the manufacturers	$0.50
For sales of the Class 102 spring with angle border by retailers	.65
For sales of the Class 111 spring with angle border by the manufacturers	.75
For sales of the Class 111 spring with angle border by the retailers	1.25

(c) The Fischer Bed Spring Company shall notify, in writing, all retailers who purchase the bedsprings described above, of the maximum prices established by this order for sales at retail. This notice may be given in any convenient form, and shall be given at the time of or prior to the first invoice to each retailer covering a sale of the bedspring described above.

(d) Before delivering any of the bedsprings described above, Fischer Bed Spring Company must attach securely to each bedspring a durable tag containing in easily readable lettering the following, with the blank properly filled in:

O. P. A. has established a retail ceiling of $_____ for this bedspring. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(e) Unless the context otherwise requires, the definitions set forth in 2d Revised Maximum Price Regulation No. 213 shall apply to the terms used in this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 27th day of September 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14859; Filed, Sept. 25, 1944; 11:27 a. m.]

Regional and District Office Orders:

[Region II Order G-7 Under SR 15 and MPR 280, Amdt. 1]

MILK IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and § 1351.807 and 1351.817a of Maximum Price Regulation No. 280, as amended, and upon the written authorization of the Price Administrator issued pursuant to a directive from the Director of Office of Economic Stabilization, *It is hereby ordered:*

That the termination date of Order No. G-7 be extended to September 30, 1944 and that section (k) of Order No. G-7 be amended to read as follows:

(k) *Effective period of this order:* This order shall take effect June 3, 1944, and shall terminate and expire on September 30, 1944 unless earlier revoked. This order may be amended at any time.

This Amendment No. 1 to Order No. G-7 shall become effective immediately.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9528, 8 F.R. 4681)

Issued this 15th day of September 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-14793; Filed, Sept. 25, 1944; 12:20 p. m.]

[Region II Order G-45 Under RMPR 122, Amdt. 1]

SOLID FUELS IN NEW YORK AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-45 is amended in the following respects:

1. The description of Zone 2 and of Zone 4 contained in paragraph (a) (1) is amended to read as follows:

Zone 2. Zone 2 includes all of Delaware County except the towns of Andes, Davenport, Franklin, Harpersfield, Kortright, Middletown, Roxbury and Stamford, and except the village of East Meredith in the town of Meredith. It also includes the town of Unadilla in Otsego County and the towns of Afton and Bainbridge in Chenango County.

Zone 4. Zone 4 includes the towns of Andes, Davenport, Harpersfield, Kortright, Middletown, Roxbury and Stamford, and the village of East Meredith in the town of Meredith in Delaware County; the towns of Cherry Valley, Burlington, Butternuts, Edmeston, Exeter, Morris, Pittsfield, Plainfield, Richfield, Roseboom and Springfield in Otsego County, and the towns of Columbus, New Berlin, Sherburne and Smyrna in Chenango County.

This Amendment No. 1 to Order No. G-45 shall become effective September 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of September 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-14794; Filed, Sept. 25, 1944; 12:20 p. m.]

[Nashville Order G-1 Under MPR 154]

ICE IN NASHVILLE, TENN., DISTRICT

For the reasons set forth in the accompanying opinion and under the authority vested in the District Director of the Nashville District Office of the Office of Price Administration, Region IV, by § 1393.8 (e) (f) (g) of Maximum Price Regulation 154, and by Regional Delegation Order No. 4 issued by Region IV, *It is hereby ordered:*

SECTION 1. *What this order does.* This order establishes maximum dollars-and-cents prices for ice in each County in which this order applies. These maximum prices are set forth in the appendix which is attached to this order and made a part hereof.

SEC. 2. *Where this order applies.* The provisions of this order shall apply only in the following Counties in Tennessee: Knox, Sevier, Loudon, McMinn, Monroe, Anderson, and Blount.

SEC. 3. *Applicability.* No person shall sell or deliver ice at prices higher than the maximum prices established by this order applicable in the county in which such sale is made.

SEC. 4. *Posting.* Every person subject to this order shall post in a conspicuous place in his place of business and where clearly visible to the public his applicable maximum prices which are set forth in the appendix.

SEC. 5. *Sales slips and receipts.* Any seller who has customarily given a sales slip, receipt or similar evidence of purchase, must continue to do so. Furthermore, regardless of custom, every seller must give a customer who asks for it a receipt showing the date of sale, the name and address of his place of business, the customer's name, and the price charged for the ice.

SEC. 6. *Enforcement.* On and after the effective date of this order, any person subject to this order who sells or offers to sell ice at a price higher than the maximum prices permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension provisions, and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. In addition, any person, who, in the course of trade or business, buys ice from a person subject to this order, at a price higher than the maximum prices permitted by this order, is subject to the criminal penalties and civil enforcement provisions provided for by that act.

SEC. 8. *Effective date.* This order shall become effective September 15, 1944.

SEC. 9. *Revocation.* This order may be revoked, amended or corrected at any time.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

SAM M. BONEY,
District Director.

APPENDIX

(a) The maximum prices for sales, except to peddlers and wholesale buyers, at any ice producer's platform, or delivery sales within a radius of six miles of any ice producer's platform, in Knox, Sevier, Loudon, McMinn, and Monroe Counties shall be the following:

40 cents per 100 pounds
25 cents for 50 pounds
15 cents for 25 pounds

(b) The maximum prices for sales, except to peddlers and wholesale buyers, at any ice producer's platform or delivery sales within a radius of six miles of any ice producer's platform in Anderson and Blount Counties shall be the following:

50 cents per 100 pounds
25 cents for 50 pounds
15 cents for 25 pounds

(c) The maximum prices for delivery sales, except to peddlers and wholesale buyers, made six miles or more from any ice producer's platform in Knox, Sevier, Loudon, McMinn, and Monroe Counties shall be the following:

50 cents per 100 pounds
25 cents for 50 pounds
15 cents for 25 pounds

The maximum prices for delivery sales, except to peddlers and wholesale buyers, made six miles or more from any ice producer's platform in Anderson and Blount Counties shall be the following:

60 cents per 100 pounds
30 cents for 50 pounds
15 cents for 25 pounds

(d) The maximum prices of ice for all sales by producers to peddlers and wholesale buyers in Knox, Sevier, Loudon, McMinn, Monroe, Anderson, and Blount Counties shall be the following:

30 cents per 100 pounds

[F. R. Doc. 44-14791; Filed, Sept. 25, 1944; 12:18 p. m.]

[Region IV Rev. Order G-23 Under RMPR 122]

SOLID FUELS IN MEMPHIS, TENN.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, It is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall: (1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by: (i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate limits of the city of Memphis, Tennessee. Extra charges are specified for deliveries beyond the corporate limits of said city.

(i) "Direct delivery or domestic" basis:

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds
Lump or block from Mine Index No. 638 (Clover Darby Coal Co.) and Mine Index No. 5803 (Gatliff Coal Co.)	$10.25	$5.38
Lump or block from other than Mine Index Nos. 638 and 5806	9.95	5.23
Stoker	8.45	4.48
Yard screenings	6.75	3.63

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 9

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds
Lump	$7.45	$3.98
Sentry lump	7.80	4.15
No. 11 vein egg and 6" x 3" egg	7.45	3.98
Nut	7.35	3.93
Stoker	7.15	3.83
No. 6 vein stoker	7.55	4.03
Fea and slack screenings	5.60	3.05

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 10

Size	Per ton 2,000 pounds	Per ½ ton 1,000 pounds
Lump or egg:		
From mines in price group No. 31	$9.75	$5.13
From mines in price groups No. 1, 2, and 8	9.00	4.75
From mines in price group No. 11	8.80	4.65
From mines in price groups No. 14, 15, and 29	8.65	4.58
From mines in price groups No. 3 and 4	8.60	4.55
From mines in price group No. 32	8.50	4.50
From mines in price groups No. 33 and 34	8.45	4.48
From mines in price groups No. 5 and 7	8.25	4.38
From mines in price groups No. 27 and 28	8.20	4.35
From mines in price groups No. 10, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26	8.10	4.30
Nut and stoker from mines in price group No. 8	8.15	4.33

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 18

Size	Per ton, 2,000 pounds	Per 1/4 ton, 1,000 pounds
Block, lump, or double screened egg:		
(a) Coals from mines in the Jagger or Mary Lee seams and which are identified by mine index Nos. 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, or 54, or from mines in the above seams producing coal having the same maximum price, as of the date of this order, at the mine	$6.75	$4.01
(b) Coal from mine index No. 54 (Debardeleben Coal Corporation, Corona seam)	6.75	4.13
(c) Coals from mines in the Black Creek or Clark seams and which are identified by mine index Nos. 1, 2, 7, 9, 10, 11, 13, 14, 15, or 17, or from mines in the above seams producing coal having the same maximum price, as of the date of this order, at the mine	10.80	4.80
(d) Coals from mines in the Black Creek seam and which are identified by mine index Nos. 16, 18, 20, 21, 22, 23, or 1206 or from mines in the above seams producing coal having the same maximum price, as of the date of this order, at the mine	10.70	4.00
(e) Coals from mines in the Montevallo or Thompson seams and which are identified by mine index Nos. 3, 4, 6, or 8 or from mines in the above seams producing coal having the same maximum price, as of the date of this order, at the mine	11.55	4.08
Stoker	6.45	4.45

(2) *Maximum authorized service charges and required deductions*—(i) *Trimming.* If buyer requests such service, the dealer may not charge more than 30¢ per ton therefor.

(ii) *Carry or wheel from curb.* If buyer requests such service, the dealer may not charge more than 50¢ per ton therefor.

(iii) *Carry up or down stairs.* If buyer requests such service, the dealer may not charge more than $1.00 per ton therefor.

(iv) *Sacking.* If buyer requests such service, the dealer may not charge more than $2.00 per ton for the labor of sacking coal. This charge does not include sacks.

(v) *Sacked coal.* Dealer may charge not more than 60¢ for 85 lbs. of sacked coal from District No. 8, East Kentucky and Tennessee, and not more than 50¢ for 85 lbs. of sacked coal from District No. 9, West Kentucky, when sold at the yard. An additional charge of 10¢ per 85 lb. sack may be made for delivery. The prices specified do not include sack, for which no charge in excess of the applicable maximum price may be made.

(vi) *Yard sales.* When buyer picks up coal at the dealer's yard, the domestic price must be reduced at least $1.00 per ton.

(vii) *Quantity discounts.* When a buyer purchases coal in quantities of thirty (30) tons or more, the dealer must reduce the domestic price at least 75¢ per ton. This discount is not applicable to stoker or slack coals.

(viii) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 10¢ per net ton on coals from District Nos. 8, 9, and 10, and not to exceed 15¢ per net ton on coals from District No. 13. Any such treatment charge shall be stated separately from all other items on the invoice.

(ix) *Delivery zone.* The dealer may make no extra charge for delivery within the corporate limits of Memphis, Tennessee. For deliveries beyond the free delivery zone thus described, the dealer may add not more than 10¢ per ton per mile and may make a minimum charge of 50¢ for such delivery. Such delivery charge, if added, must be stated separately from all other charges on the invoice.

(x) *Terms for credit.* The prices set out in the price list are for cash sales, and if the buyer does not make payment in full for all purchases of solid fuels covered by this order within three days from the date of delivery, the dealer may add a credit charge, not to exceed 50¢ per ton.

(d) *Ex parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery."

(6) "Yard sales" means deliveries made by the dealer in his customary manner at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Revised Order No. G–23 under Revised Maximum Price Regulation No. 122 incorporates all the provisions of Order No. G–23 under Revised Maximum Price Regulation No. 122; therefore, as of the effective date hereof, this revised order supersedes said Order G–23.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued September 19, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44–14792; Filed, Sept. 25, 1944; 12:19 p. m.]

[Region VII Order G–1 Under 3 (e) (2)]

ALE IN IDAHO AND OREGON AREAS

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.3 (e) (2) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this order is issued.

All provisions of this order and their effect upon business practices, cost practices, or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

(a) *Geographical applicability.* This order shall apply only to sales in Region VII of the Office of Price Administration made in that part of the State of Idaho lying south of the northern boundary of Idaho County, and the County of Malheur in the State of Oregon.

(b) *Prohibition.* On and after the effective date of this order, all wholesale dealers in beverages are hereby authorized to sell Ballantine's XXX Ale purchased from P. Ballantine and Sons, Newark, New Jersey, delivered to retailers at a maximum selling price at wholesale, of $3.85 per case of twenty-four 12 oz. bottles, providing that 60¢ per case as bottle deposit shall be refunded to the purchaser upon return of the empty bottles to the respective wholesaler from whom purchased.

(c) *Records.* All wholesalers affected by this order shall keep this order, or a copy thereof, in their respective selling establishments, where it shall be open to inspection by the public at all reasonable times.

(d) *Taxes.* Wholesalers affected by this order may not add taxes to the maximum prices provided in paragraph (b). Existing taxes have already been taken into account in establishing these prices.

(e) *Evasion.* The maximum price established by this order shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale or trade of, or relating to the sale of Ballantine's XXX Ale alone, or in connection with any other commodity, or by way of commission, service, transportation, or any charge or discount, premium, or other privilege or by tying-agreement or by other trade understanding, or otherwise.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under Price Control, are applicable to the Nagel Beverage Company and all other wholesale beverage companies in the State of Idaho. Such sellers' licenses may be suspended for the violation of this order. No steps need be taken by the seller to procure this license. If said license is suspended, no sale of the commodity covered by this order may be made during such period of suspension.

(g) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory to the terms and provisions of this order, all the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect as to the establishment affected by this order.

(h) *Enforcement.* Any person violating a provision of this order will be subject to the criminal penalties, civil enforcement actions, suits for triple damages, and proceedings for suspension of license provided by the Emergency Price Control Act of 1942, as amended.

(i) *Right to revoke or amend.* This order may be revoked, amended, corrected or modified at any time by the Regional Administrator.

(j) *Effective date.* This Order No. G–1 shall become effective on the 11th day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681.)

Issued this 11th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44–14795; Filed, Sept. 25, 1944; 12:20 p. m.]

[Seattle Rev. Order G-5 Under 18 (c)]

SLAB WOOD IN EVERETT, WASH., AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration under § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32, *It is hereby ordered:*

(a) Weyerhaeuser Timber Company, Mill "C", Everett, Washington, may sell and deliver from Mill "C", 4-foot slab wood to dealers who purchase for resale to industrial consumers or to ultimate users in the Everett, Washington, area at prices no higher than $3.00 per cord f. o. b. the mill.

(b) Dealers purchasing 4-foot slab wood from Weyerhaeuser Timber Company, Mill "C", Everett, Washington, for resale to industrial users or ultimate users may sell and deliver said 4-foot slab wood to industrial users or ultimate users at prices no higher than $6.00 per cord delivered to the premises of the industrial user in the Everett, Washington, area.

(c) All discounts or other allowances for quantity purchases, prompt payment or otherwise, in effect during March 1942 shall be continued in effect.

(d) As used herein the area designated as "Everett, Washington, area" means that area within the corporate limits of the city of Everett, Washington, and that area within a radius of three miles of the corporate limits of said city.

(e) *Definitions.* (1) As used herein the term "cord" shall mean 128 cubic feet of stacked wood.

(f) *Invoices and records.* Every person making a sale of fire wood for which a maximum price is set by this revised order shall give the purchaser or his agent at the time of sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and the seller.

(3) The quantity of fire wood sold.

(4) Description of fire wood sold in the same manner as it is described in this order.

(5) The total price of the wood.

On the invoice or memorandum a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(g) This order supersedes the provisions of Order No. G-5, issued February 24, 1944, and all previous orders issued either by the San Francisco Regional Office or the Seattle District Office establishing adjusted maximum prices for the types of fire wood and the types of sales specified in this Revised Order No. G-5.

(h) This revised order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this revised order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order shall become effective September 6, 1944.

(56 Stat 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued: September 6, 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44-14797; Filed, Sept. 25, 1944; 12:21 p. m.]

[Seattle Order G-11 Under 18 (c)]

DRY SCRAP WOOD IN PIERCE AND THURSTON COUNTIES, WASH.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office of the Office of Price Administration under § 1499.18 (c) as amended of the General Maximum Price Regulation and Order of Delegation No. 34 under General Order No. 32, *It is hereby ordered:*

(a) The maximum prices for retail sales and deliveries by any dealer of processed dry scrap wood in 16-inch lengths or less produced by prisoner-of-war labor or salvage operation of any government agency as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation or any supplementary regulation thereto is hereby adjusted so that the maximum price therefor shall be $10.00 per cord delivered to the premises of the consumer in Pierce or Thurston Counties, Washington.

(b) *Definitions.* (1) "Cord" as used herein means 128 cubic feet of stacked, or 192 cubic feet loose measure.

(2) "Dry processed scrap wood" as used herein means dry scrap wood cut to lengths of 16 inches or less from which all nails, wire, and other metal has been removed and which is clean and suitable for use as fire wood.

(c) No seller shall evade any of the provisions of this order by changing his customary allowances, discounts, or other price differentials unless such charge results in a lower price.

(d) *Invoices and reports.* Every person making a sale of fire wood for which a maximum price is set by this order shall give the purchaser or his agent at the time of sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and the seller.

(3) The quantity of firewood sold.

(4) Description of fire wood sold in the same manner as it is described in this order.

(5) The total price of the wood.

On the invoice or memorandum a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying, stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time.

NOTE: The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective September 6, 1944.

(56 Stat 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued: September 6, 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44-14799; Filed, Sept. 25. 1944; 12:22 p. m.]

[Seattle Order G-12 Under 18 (c)]

FOREST WOOD IN KITTITAS COUNTY, WASH.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Seattle District Office by § 1499.18 (c), as amended, of the General Maximum Price Regulation, and order of Delegation No. 34 under General Order 32, *It is hereby ordered:*

(a) The maximum prices for certain sales and deliveries of specified kinds of firewood in Kittitas County, Washington, as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation or any supplementary regulation thereto, are hereby adjusted so that the maximum prices therefor shall be the maximum prices set forth in (b).

(b) The maximum prices for the sale of the specified kinds of firewood shall be:

(1) For sales to any person delivered on the grounds in the woods within Kittitas County, Washington:

	4 feet	24 inches	16 inches
(i) Forest wood, old and second growth, green or dry, per cord	$7.00	$7.75	$8.50

(2) For sales delivered to the premises of the consumer in Kittitas County, Washington:

	4 feet	24 inches	16 inches
(i) Forest wood, old and second growth, green or dry, per cord	$11.50	$12.25	$13.50

(c) *Definitions.* (1) As used herein the term "cord" shall mean 128 cu. ft. of stacked wood or 192 cu. ft. of loose wood.

(d) *Invoices and records.* Every person making sales of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of sale, an invoice or other memorandum of sale which shall show:

(1) Date of sale

(2) Name and address of buyer and seller

(3) Quantity of firewood sold

(4) Description of firewood sold in the same manner as described in this order (including the kind of wood, the length of wood and whether it is green or dry.)

(5) The place of sale (if the price is dependent upon place of delivery, then the place of delivery shall be stated.)

(6) The total price of the wood.

On the invoice or memorandum a separate statement shall be made of any discounts and of each service rendered, such as delivery, stacking and carrying and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years following the sale. Such copy shall be made available for inspection by the Office of Price Administration.

(e) No seller shall evade any of the provisions of this Order No. G-12, by changing his customary allowances, discounts or other price differentials unless such change results in a lower price.

(f) This order may be revoked, amended or corrected at any time.

NOTE: The record keeping provision of this order has been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

This order shall become effective September 6, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of September 1944.

ARTHUR J. KRAUSS,
District Director.

[F. R. Doc. 44-14798; Filed, Sept. 25, 1944; 12:21 p. m.]

[Region VIII Order G-93 Under 18 (c), Amdt. 1]

CUSTOM DRESSING OF TURKEYS IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, and under the authority reserved in paragraph (c) of Order No. G-93 under § 1499.18 (c), as amended, of the General Maximum Price Regulation, said Order No. G-93 is hereby amended to read as follows:

(a) The maximum price for the service of custom dressing live turkeys into dressed turkeys in Region VIII shall be as follows:

(1) For the service of "kill and haul", 2.8¢ per pound of the chilled dressed weight when computed on a chilled weight basis, and 2.8¢ per pound, minus 1% of the hot weight when computed on a hot weight basis.

(2) For the service of dressing turkeys in "boxed" form, 3.8¢ per pound net dressed chilled weight.

(b) *Definitions.* (1) "Custom dressing" means the service of converting live turkeys into dressed form for the owner of the live turkeys.

(2) The service of dressing turkeys "boxed" shall mean the service of assembling and/or hauling, killing, plucking, chilling, grading, head-wrapping, and boxing.

(3) The service of "kill and haul" means the service of assembling and/or hauling, killing, plucking, chilling, grading, and head-wrapping, or any combination of the above.

(4) "Region VIII" means the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Koontenai, Latah, Lewis, Nez Perce and Shoshone.

(c) *Applicability.* This order shall not apply to any processor of turkeys who dresses turkeys for individuals for their own consumption and not for resale.

(d) This amendment may be revoked, amended, or corrected at any time.

This amendment shall become effective September 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of September 1944.

GEORGE MONCHARSH,
Acting Regional Administrator.

[F. R. Doc. 44-14796; Filed, Sept. 25, 1944; 12:21 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 25, 1944.

REGION II

Buffalo Order 1-F, Amendment 23, covering fresh fruit and vegetables in designated cities in New York, filed 10:53 a. m.

Buffalo Order 2-F, Amendment 23, covering fresh fruit and vegetables in Rochester, E. Rochester, Fairport and Pittsford, filed 10:52 a. m.

District of Columbia Order 2-W, Amendment 1, covering dry groceries in the Washington, D. C., Area, filed 10:50 a. m.

District of Columbia Order 2-F, Amendment 1, covering fresh fruit and vegetables in designated areas in District of Columbia District, filed 10:49 a. m.

District of Columbia Order 11, Amendment 1, covering dry groceries in the Washington, D. C., Area, filed 10:52 a. m.

District of Columbia Order 10, Amendment 1, covering dry groceries in the Washington, D. C., Area, filed 10:52 a. m.

Newark Order 3-W, covering dry groceries in Northern New Jersey. Filed 10:49 a. m.

Williamsport Order 14, Amendment 1, covering dry groceries in named counties in Pennsylvania, filed 10:49 a. m.

Wilmington Order 4-F, Amendment 3, covering fresh fruit and vegetables in area north of Newark and New Castle to the Delaware State Line, filed 10:43 a. m.

REGION III

Detroit Order 1-F, Amendment 38, covering fresh fruit and vegetable prices in designated counties, filed 10:43 a. m.

REGION IV

Memphis Order 4-F, Amendment 52, covering fresh fruit and vegetables in the Memphis District, filed 10:48 a. m.

REGION V

New Orleans Order 1-F, Amendment 10, covering fresh fruit and vegetables in designated parishes in Louisiana, filed 10:48 a. m.

New Orleans Order 2-F, Amendment 37, covering fresh fruit and vegetables in Orleans, St. Bernard & Jefferson Parishes in Louisiana, filed 10:48 a. m.

New Orleans Order G-21, Amendment 5, covering community food prices in the New Orleans Area, Louisiana, filed 10:54 a. m.

New Orleans Order G-23, Amendment 6, covering community food prices in designated parishes in Louisiana, filed 10:54 a. m.

REGION VI

Chicago Order 2-F, Amendment 31, covering fresh fruit and vegetables in designated counties in Indiana, filed 10.54 a. m.

Des Moines Order 11, covering community poultry prices in designated counties in Iowa, filed 10:42 a. m.

Des Moines Order 12, covering poultry prices in designated counties in Iowa, filed 10:42 a. m.

Des Moines Order 13, covering community poultry prices in designated counties in Iowa, filed 10:42 a. m.

Sioux City Order 2-W, Amendment 1, covering dry groceries in Sioux City, Iowa, filed 10:41 a. m.

Sioux Falls Order 1-F (Rev.), Amendment 6, covering fresh fruit and vegetables in designated counties in South Dakota, filed 10:41 a. m.

REGION VIII

Fresno Order 1-W, covering dry groceries in Fresno and surrounding areas, filed 10:45 a. m.

Fresno Order 1-F, Amendment 36, covering fresh fruit and vegetables in Fresno, filed 10:44 a. m.

Fresno Order 2-F, Amendment 24, covering fresh fruit and vegetables in Modesto, filed 10:44 a. m.

Fresno Order 3-F, Amendment 21, covering fresh fruit and vegetables in designated cities in California, filed 10:44 a. m.

Fresno Order 6-F, Amendment 7, covering fresh fruit and vegetables in a designated area in the Fresno District, filed 10:44 a. m.

San Francisco Order F-1, Amendment 33, covering fresh fruits and vegetables in designated areas in the San Francisco District, filed 10:55 a. m.

San Francisco Order F-2, Amendment 26, covering fresh fruits and vegetables in designated cities in California, filed 10:55 a. m.

San Francisco Order F-3, Amendment 25, covering fresh fruit and vegetables in designated cities in California, filed 10:55 a. m.

San Francisco Order F-4, Amendment 24, covering fresh fruits and vegetables in designated cities in California, filed 10:56 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14358; Filed, Sept. 26, 1944; 11:27 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-103, 59-68, 70-842]

TIDE WATER POWER CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of September 1944.

In the matters of Tide Water Power Company, File No. 54-103; Tide Water Power Company, Respondent, File No. 59-68; General Gas & Electric Corporation, File No. 70-842.

Notice is hereby given that an application for approval of a "Plan of Recapitalization" has been filed with this Commission under section 11 (e) of the Public Utility Holding Company Act of 1935, by Tide Water Power Company ("the Company"), a subsidiary of General Gas & Electric Corporation, a registered holding company; and

All interested persons are referred to said application which is on file in the offices of the Commission for a statement of the transactions proposed in said "Plan of Recapitalization", which may be summarized as follows:

The plan proposes that all of the outstanding First Mortgage 5% Bonds of the Company, due 1979, aggregating $6,065,500 principal amount, shall, by call for redemption at 104% of the principal amount thereof, be paid off and retired from cash in the treasury and from the proceeds of the issue and sale, for cash, of $4,500,000 principal amount of new First Mortgage 3½% Bonds to mature in 1974 and 10,000 shares of new no par $5 Preferred Stock, having an aggregate stated value of $1,000,000. It is proposed that said refunding of the outstanding bonds, together with the issuance of said new bonds and $5 Preferred Stock shall be consummated without awaiting approval or enforcement of the plan as a whole.

It is also proposed in said plan that all of the outstanding 115,789 shares of Common Stock of the Company, held by General Gas & Electric Corporation, and all of the outstanding 23,858 shares of $6 Preferred Stock shall be retired and cancelled and in exchange therefor there shall be issued 98,893 shares of new Common Stock without par value. Said plan further provides that the holders of the present $6 Preferred Stock of the Company shall receive four shares of such new Common Stock for each share of $6 Preferred Stock, including accumulated and unpaid dividends thereon, aggregating $38 per share at June 30, 1944, and that General Gas & Electric Corporation shall receive 3,461 shares of such new Common Stock for its present holdings of all the outstanding Common Stock.

It is further proposed, in conjunction with said plan, to restate the plant and property of the company on the basis of estimated original cost thereof, as at June 30, 1944, by a write-down in the amount of $2,796,225.72; to reduce the reserve for retirements (depreciation), as at the same date, by $633,808.99, to be credited to earned surplus; to eliminate by a charge to earned surplus $501,007.72 of fixed capital and other suspense presently being amortized; and to eliminate the capital surplus and the resulting earned surplus deficit as at the same date, June 30, 1944.

The consummation of the plan is stated by the company to be dependent upon (1) the plan having been found by the Securities and Exchange Commission to be necessary to effectuate the provisions of section 11 (b) of the act and to be fair and equitable to the persons affected thereby and to have been approved by the Commission and found by a Federal court to be fair and equitable and appropriate to effectuate the provisions of section 11 of the act; (2) the change and reclassification of the existing Preferred Stock proposed in the plan having become binding upon the holders of all shares of such stock; (3) necessary authorization having been given for the plan and for the issuance of the new stock by regulatory commissions; and (4) a ruling having been made by the appropriate tax authorities to the effect, or the company having otherwise been satisfied, that the changes in and reclassification of the existing Preferred Stock into Common Stock will not result in the recognition, under the United States Internal Revenue Code, of gain or loss to the present holders of such Preferred Stock.

It is further proposed that the plan shall be carried out by corporate proceedings either to amend the certificate of incorporation of the company, to transfer the assets of the company to a new corporation organized for the purposes of the plan or to effect the consolidation or merger of the company with a new corporation organized for the purposes of the plan, or through a Federal court of competent jurisdiction acting under section 18 of the act, in a proceeding instituted by the Securities and Exchange Commission at the request of the company, pursuant to section 11 (e) of the act, or, wholly or in part, in any two or more of said methods.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said proposed "Plan of Recapitalization" and that said plan should not be effectuated except pursuant to further order of the Commission; and

The Commission having heretofore instituted proceedings (designated as File No. 59-68), under sections 11 (b) (2), 12 (c), 15 (f) and 20 (a) of the act, with respect to Tide Water Power Company; and a declaration (designated as File No. 70-842) having been filed with this Commission pursuant to section 12 (d) of the act and Rule U-44 thereunder, by General Gas & Electric Corporation; and the Commission having, on January 7, 1944, consolidated said proceedings (designated as File No. 59-68) and the proceedings in respect of said declaration (designated as File No. 70-842); and it appearing that the matters involved in said consolidated proceedings are related to, and that the evidence already offered therein may have a bearing upon, the matters to be considered in the proceedings with respect to said proposed "Plan of Recapitalization", and that substantial savings of time and expense will result if, as requested by the Company, all of such proceedings are consolidated;

It is hereby ordered, That said consolidated proceedings, designated as File Nos. 59-68 and 70-842, be, and they hereby are, consolidated with the proceedings in respect of said "Plan of Recapitalization", designated as File No. 54-103; and

It is further ordered, That a hearing on such plan under the applicable provisions of said act and the rules of the Commission thereunder be held on October 10, 1944, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceedings should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before October 7, 1944.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matters. The officer so designated to preside at such hearings is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented in said consolidated proceedings, attention will be directed at the public hearing to the following matters and questions:

1. Whether the plan, as proposed or as it may be modified, is necessary to effectuate the provisions of section 11 (b) of the act and is, in all respects, fair and equitable to the persons affected thereby;

2. The propriety of the proposed accounting treatment on the books of the company;

3. Whether any fees, expenses and other considerations which may be proposed to be paid in connection with the proposed plan and related transactions, are for necessary services or purposes, reasonable in amount, and properly allocated;

4. Whether, and in what manner, the proposed plan should be modified to ensure adequate protection of the public interest and the interest of investors and consumers and compliance with all applicable provisions of the act and rules thereunder;

5. The appropriateness of conditioning the consummation of the plan upon the absence of any gain or loss, for income tax purposes, to the present holders of Preferred Stock;

6. Whether, in all respects, the provisions of the plan and for the consummation of the transactions incidental and related thereto are not in contravention of the Commission's order dated August 25, 1944, and are in compliance with all the applicable provisions and requirements of the act and the rules and regulations promulgated thereunder.

It is further ordered, That notice of this hearing be given to Tide Water Power Company, General Gas & Electric Corporation, and all other interested persons, said notice to be given to Tide Water Power Company and General Gas & Electric Corporation by registered mail, and to all other interested persons by general release of this Commission, which shall be distributed to the press and mailed to persons on the mailing list for the releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

It is further ordered, That Tide Water Power Company give notice of this hearing by mailing a copy of this notice and order to each of the holders of its outstanding $6 Preferred Stock (insofar as the identity of such security holders is known or available) to his last known address, at least ten days prior to the date of this hearing.

It is further ordered, That jurisdiction be and hereby is reserved to separate, whether for hearing in whole or in part, or for disposition in whole or in part, any of the issues, questions, or matters embraced by these proceedings, or to consolidate with these proceedings other filings or matters pertaining thereto, or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14822; Filed, Sept. 26, 1944; 9:49 a. m.]

UNITED STATES COAST GUARD.

APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, 4491, 49 Stat. 1544, 54 Stat. 164–167 (46 U.S.C. 367, 375, 391a, 404, 474, 481, 489, 526–526t), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval and withdrawal of approval of equipment are prescribed:

APPROVAL OF EQUIPMENT

DAVIT

Barclay Gravity Davit, Type G1 (Assembly Dwg. No. 565–E, dated 12 October, 1943, revised 2 June, 1944) (Maximum working load of 7,505 pounds per arm, 15,010 pounds per set), submitted by Gunderson Bros. Engineering Corp., 4700 Northwest Front Avenue, Portland, Oregon.

FIRING ATTACHMENT FOR LINE-THROWING GUN

Firing attachment for line-throwing gun (Dwg. No. F. A. 19 dated 1 September, 1944), submitted by the Columbia Appliance Corp., Long Island City, N. Y.

LIFEBOAT

14' x 5.2' x 2.3' metallic oar-propelled lifeboat (100 cu. ft. capacity by the .6 rule, 10-person peacetime capacity) (General Arrangement Dwg. No. G–346, dated 1 September, 1944), submitted by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y.

LIFE PRESERVERS

Model No. 1, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B–242, manufactured by Jurgensen Mfg. Co., 145 W. 15th Street, New York 11, N. Y. (For general use.)

Model No. 2, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B–237, manufactured by Jurgensen Mfg. Co., 145 W. 15th Street, New York 11, N. Y. (For general use.)

Model No. 3, adult kapok life preserver (C. G. Dwg. No. F–49–6–1, Alt. 1, and Specification dated 10 June, 1944), Approval No. B–244, manufactured by Jurgensen Mfg. Co., 145 W. 15th Street, New York 11, N. Y. (For use with rubber lifesaving suits.)

Adult kapok life preserver, Model No. BB–2 (Dwg. No. BB–2, dated May, 1944), Approval No. B–216, submitted by Bogardus Brothers, New Rochelle, N. Y. (For general use and not for use with rubber lifesaving suits.)

LIFE RAFTS

20-person improved type, aluminum-plywood life raft (Arrangement and Details Dwg. No. R–205–X, dated 26 February, 1944, revised 14 August, 1944), submitted by Gunderson Bros. Engineering Corp., 4700 Northwest Front Avenue, Portland, Oregon.

20-person self-righting, self-bailing, improved type life raft, Styrofoam, Type Q103.6, filed (General Arrangement Dwg. No. 9505 as revised), submitted by Leyde & Leyde, Falls Church, Va. (Supersedes approval 20 September, 1944, 9 F.R. 11611.)

LUMINOUS MARKING FOR INTERIOR ACCOMMODATIONS

Luminous marking, Type C, submitted by the Century Lighting Company, New York, N. Y.

WINCH

Lifeboat winch for gravity davits, Type G1 (Maximum working load of 15,500 pounds at the drums, or 7,750 pounds per fall) (Assembly Dwg. No. 1172–D, dated 8 March, 1944, revised 2 June, 1944), submitted by Gunderson Bros. Engineering Corp., 4700 Northwest Front Avenue, Portland, Oregon.

WITHDRAWAL OF APPROVAL

BILGE PUMP FOR LIFEBOATS

Lifeboat bilge pump (Dwg. No. 2403, dated 13 October, 1942), submitted by the Welin Davit & Boat Corp., Perth Amboy, N. J. (Approved 26 February, 1943, 8 F.R. 2605) Bilge pumps installed in lifeboats may be continued in service so long as in serviceable condition.

WATER LIGHT

Ramsey-O'Neil electric water light (General Arrangement Dwg. dated 29 July, 1941), submitted by Sun Shipbuilding & Dry Dock Co., Chester, Pennsylvania. (Approved 24 October, 1941, 6 F.R. 5473) Water lights now in service may be continued in use so long as in serviceable condition.

Dated: September 26, 1944.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 44-14843; Filed, Sept. 26, 1944; 11:01 a. m.]

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TITLE

Chapter I

PART 18—

RECRUITMEN

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FEDERAL REGISTER

VOLUME 9 NUMBER 194

Washington, Thursday, September 28, 1944

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

RECRUITMENT AND PLACEMENT, AMENDMENT

§ 18.4 *Recruitment and placement.* • • •

(d) *Selection.* The nominating or appointing officer shall, with sole reference to merit and fitness, make selections for appointment to each vacancy from not more than the highest three names available for appointment on the certificate: *Provided*, That the appointing officer need not consider any eligible who has been within his reach in connection with three separate appointments or against whom objection shall be made and sustained for any of the reasons stated in § 18.2 (c) of this part. The second and any additional vacancies shall be filled in like manner.

An appointing officer who passes over an eligible granted five- or ten-point preference under these regulations and tentatively selects a nonpreference eligible shall file with the Commission his reasons in writing for so doing and the Commission shall determine the sufficiency or insufficiency of such submitted reasons. The nonpreference eligible tentatively selected may not legally be appointed until the appointing officer has considered the findings of the Commission as to the sufficiency or insufficiency of the reasons submitted for passing over the preference eligible. Upon receipt of a finding of the Commission that the reasons for passing over a preference eligible are sufficient, the nonpreference eligible tentatively selected may be appointed. If the Commission finds that the reasons submitted are insufficient the appointing officer may (1) submit additional information in support of his reasons, in which case the appointment of the nonpreference eligible may not be made until the appointing officer receives the findings of the Commission on the additional information; or (2) consider the findings of the Commission as to the insufficiency and appoint either the preference eligible or the tentatively selected nonpreference eligible. A copy of the appointing officer's reasons and the Commission's findings shall, upon request, be sent to the eligible or his designated representative. If upon certification reasons deemed sufficient by the Commission for passing over his name shall three times have been given by appointing officers, certification of his name for appointment will thereafter be discontinued, prior notice of which shall be sent to the eligible. Any eligible who has been within reach in connection with three separate appointments in his turn, and any preference eligible who has been passed over three times for reasons deemed sufficient by the Commission, may be subsequently selected, subject to the approval of the Commission, from the certificate on which his name last appeared if the condition of the list has not so changed as to place him in other respects beyond reach of certification.

NOTE: This section supersedes Civil Service Rule VII, 5 CFR, Part 7, with respect to positions covered by these regulations.

(E.O. 9063, 9243, 3 CFR Cum. Supp. Directive X, War Manpower Commission, Sept. 14, 1942, 7 F.R. 7298)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

SEPTEMBER 12, 1944.

[F. R. Doc. 44-14885; Filed, Sept. 26, 1944; 8:22 p. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 970—MILK IN THE CLINTON, IOWA, MARKETING AREA

ORDER REGULATING THE HANDLING OF MILK IN CLINTON, IOWA, MARKETING AREA

Sec.
970.0 Findings and determinations.
970.1 Definitions.
970.2 Market administrator.
970.3 Classification of milk.
970.4 Minimum prices.
970.5 Reports of handlers.
970.6 Application of provisions.
970.7 Determination of uniform price to producers.
970.8 Payments for milk.
970.9 Marketing service.
970.10 Expense of administration.
970.11 Effective time, suspension, or termination.
970.12 Agents.

AUTHORITY: §§ 970.0 to 970.12, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.

§ 970.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq.) a public hearing was held upon a proposed marketing agreement and proposed order regulating the handling of milk in the Clinton, Iowa, marketing area. Upon the basis of the evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The issuance of this order regulating the handling of milk in the said marketing area, and all the terms and

conditions of this order, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement, upon which a hearing has been held; and

(4) The handling of all milk sold or disposed of in the marketing area, as defined herein, is in the current of interstate commerce, or directly burdens, obstructs or affects interstate commerce in milk and its products.

(b) *Additional findings.* (1) It is hereby found and proclaimed in connection with the execution of a marketing agreement and the issuance of an order regulating the handling of milk in the said marketing area, that the purchasing power of such milk during the pre-war period August 1909–July 1914 cannot be satisfactorily determined from available statistics of the Department of Agriculture, but that the purchasing power of such milk for the period August 1924–July 1929 can be satisfactorily determined from available statistics of the Department of Agriculture and the period August 1924–July 1929 is the base period to be used in connection with the said marketing agreement and this order in determining the purchasing power of such milk.

(2) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will amount to approximately $3,600 per year; and the pro rata share of such expenses to be paid by each handler is hereby approved in the maximum amount of 5 cents per hundredweight on all milk received from producers and produced by such handler during each delivery period.

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order) of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order is the only practical means pursuant to the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the order and who, during the month of June 1944 (which month is hereby determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

It is hereby ordered, That such handling of milk in the Clinton, Iowa, marketing area as in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce shall from the effective date hereof be in compliance with the terms and conditions of this order.

§ 970.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may be authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Clinton, Iowa, marketing area," hereinafter called the "marketing area," means the territory lying within the corporate limits of the city of Clinton and that part of Camanche Township, including the city of Camanche, lying east of sections 2, 11, 14, 23, 26, and 35, all in Clinton County in the State of Iowa.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who, under certification by the health authorities of the city of Clinton, produces milk which is received at a plant from which Class I milk is disposed of in the marketing area or which is caused to be diverted by a cooperative association from a plant from which Class I milk is disposed of in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers or other handlers, all or a portion of which milk is disposed of as Class I milk in the marketing area. This definition shall include a cooperative association with respect to the milk of any producer which it causes to be diverted from a plant from which milk is disposed of as Class I milk in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(g) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided,* That (1) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk are the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (2) the processing, packaging, and distribution of the milk are the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(h) "Delivery period" means the period from the effective date hereof to and including the last day of that month. Subsequent to that month, "delivery period" means the period from the first to the last day of each month, both inclusive.

(i) "Market administrator" means the agency which is described in § 970.2 for the administration hereof.

(j) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

(k) "Emergency milk" means milk, skim milk, or cream received by a handler pursuant to § 970.6 from sources other than producers or other handlers.

§ 970.2 *Market administrator—*(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof.

(2) Investigate and report to the War Food Administrator complaints of violations of the provisions hereof.

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(2) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the War Food Administrator may designate.

(3) Submit his books and records to examination by the War Food Administrator at any and all times.

(4) Furnish such information and such verified reports as the War Food Administrator may request.

(5) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator.

(6) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name

of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 970.5 or (ii) made payments pursuant to § 970.8.

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof.

(8) Pay, out of the funds provided by § 970.9, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses necessarily incurred in the maintenance and functioning of his office.

(9) Promptly verify the information contained in reports submitted by handlers.

§ 970.3 *Classification of milk*—(a) *Basis of classification.* All milk, skim milk, or cream purchased or received by a handler or caused to be diverted by a cooperative association to a plant from which no milk is disposed of as Class I milk in the marketing area shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) and (d) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, skim milk, or cream disposed of in the form of milk, skim milk, buttermilk, flavored milk and milk drinks, and cream, for consumption as cream (including any cream product in fluid form containing 6 percent or more butterfat), and all milk not specifically accounted for as Class II milk.

(2) Class II milk shall be all milk, skim milk, and cream used to produce a milk product other than those specified in Class I milk and milk accounted for as actual plant shrinkage: *Provided*, That allowance for such plant shrinkage shall not exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Transfers of milk and cream.* (1) Milk, skim milk, and cream shall be classified as Class I milk when moved from the plant of a handler (i) to the plant of another handler who receives milk from producers: *Provided*, That if such milk, skim milk, or cream was utilized in Class II, it shall be classified accordingly subject to verification by the market administrator; (ii) to the plant of a handler who receives no milk from producers other than milk of his own production; and (iii) to the plant of a person, other than a handler, who distributes milk, skim milk, or cream in fluid form for consumption as such.

(2) Milk, skim milk, and cream received at the plant of a handler from sources other than producers or other handlers shall be Class II milk except for such milk in excess of the total Class II utilization of the receiving handler.

(3) Milk, skim milk, and cream, disposed of by a handler to the plant of a person, other than a handler, who does not distribute milk, skim milk, or cream for consumption in fluid form shall be classified as Class II milk.

(e) *Computation of the milk in each class.* For each delivery period, the market administrator shall compute in the case of each handler the amount of milk in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk received as follows: add into one sum the total pounds of milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: multiply by its average butterfat test the weight of the milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources. Add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to pounds the total quantity of milk, skim milk, and cream disposed of in each of the several products of Class I; (ii) add together the resulting amounts; and (iii) if the quantity of milk so computed when added to the pounds of Class II milk computed pursuant to (5) (iv) of this paragraph is less than the total pounds of milk received in accordance with (1) of this paragraph, an amount equal to the difference shall be added to the sum obtained in (ii) of this subparagraph.

(4) Determine the total pounds of butterfat in Class I as follows: (i) multiply the actual weight of each of the several products of Class I by its average butterfat test; (ii) add together the resulting amounts; and (iii) if the quantity of butterfat so computed, when added to the pounds of butterfat in Class II computed pursuant to (6) (iv) of this paragraph is less than the total pounds of butterfat received in accordance with (2) of this paragraph, an amount equal to the difference shall be added to the sum obtained in (ii) of this subparagraph.

(5) Determine the total pounds of milk in Class II as follows: (i) compute the total pounds of milk, skim milk, and cream which were used to produce each of the several products of Class II; (ii) add together the resulting amounts; (iii) subtract the total pounds of milk computed pursuant to (3) (ii) of this paragraph and the total pounds of milk computed pursuant to (ii) of this subparagraph from the total pounds of milk computed pursuant to (1) of this paragraph, which resulting quantity up to 3 percent of the total receipts of milk from producers, shall be allowed as plant shrinkage for the purposes of this paragraph; and (iv) add together the result obtained in (ii) of this subparagraph and the amount of plant shrinkage allowed pursuant to (iii) of this subparagraph.

(6) Determine the total pounds of butterfat in Class II as follows: (i) multiply the actual weight of each of the several products of Class II by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat computed pursuant to (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity up to 3 percent of the total receipts of butterfat from producers shall be allowed as plant shrinkage for the purposes of this paragraph; and (iv) add together the result obtained in (ii) of this subparagraph and the amount of plant shrinkage allowed pursuant to (iii) of this subparagraph.

(7) Determine the classification of milk of producers as follows: (i) subtract from the pounds of milk in each class the pounds of milk, skim milk, and cream received from other handlers and allocated to each class in accordance with (d) of this section; (ii) subtract from the remaining pounds of milk in Class II the total pounds of milk, skim milk, and cream, except emergency milk, received from sources other than producers, own farm production, and other handlers: *Provided*, That if the quantity of milk, skim milk, and cream, so received, is greater than the remaining quantity of Class II milk of such handler, an amount equal to the difference shall be subtracted from the remaining pounds of Class I milk; (iii) subtract pro rata from the remaining pounds of milk in each class the total pounds of milk which were received from the handler's own farm production and emergency milk; (iv) if the remaining quantity of milk is greater than, or contains a greater quantity of butterfat than the handler reported having received from producers, an amount equal to the difference shall be subtracted pro rata from the remaining pounds of milk or butterfat in each class; and (v) the result shall be known as the "net pooled milk" in each class.

§ 970.4 *Minimum prices*—(a) *Class prices.* Each handler shall, subject to the provisions of (b) of this section, pay at the time and in the manner set forth in § 970.8 not less than the prices set forth in this section per hundredweight of milk received during each delivery period at such handler's plant or caused by such handler to be delivered to a plant from which no milk is disposed of in the marketing area.

(1) For Class I milk—the price shall be 50 cents per hundredweight more than the price resulting from the following computation by the market administrator: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used in lieu of the above-stated price: (i) multiply by 6 the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function); (ii) add 2.4 times the average weekly prevailing price of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin (in the absence of such prices the prevailing price of "Twins" at Chicago as reported by the United States Department of Agriculture, or such other Federal agency as may be authorized to perform this price reporting function, shall be used); (iii) divide the resulting sum by 7; (iv) add 30 percent thereof; and (v) multiply the result by 3.5.

Amboy Milk Products Co., Amboy, Ill.
Borden Company, Dixon, Illinois
Borden Company, Sterling, Illinois
Carnation Milk Company, Oregon, Illinois
Dean Milk Company, Belvidere, Illinois
Dean Milk Company, Pearl City, Illinois
Dean Milk Company, Pecatonica, Illinois
Libby, McNeil and Libby Co., Morrison, Ill.
Pet Milk Company, Schullsburg, Wisconsin
United Milk Products Co., Argo Fey, Ill.

(2) For Class II milk, the price shall be the result of the following computation by the market administrator: multiply by 3.5 the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) during the delivery period in which such milk was received, add 20 percent thereof and add any plus amount resulting from the following calculation: Subtract 6 cents from the average price per pound of casein and multiply such result by 2.3. The price per pound of casein to be used shall be the average of the carlot prices for unground casein f. o. b. drying plants in the Chicago area as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) during the delivery period in which such milk was received.

(b) *Butterfat differentials to handlers.* (1) If the average butterfat content of the milk of producers disposed of as Class I by any handler computed pursuant to § 970.3 (e) is more or less than 3.5 percent, such handler shall add to the Class I price per hundredweight computed pursuant to (a) (1) of this section for each one-tenth of 1 percent that the average butterfat content of such Class I milk is above 3.5 percent, or shall subtract from such Class I price for each one-tenth of 1 percent that the average butterfat content of such Class I milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, divide the result obtained by 10, and add 1.0 cent.

(2) If the average butterfat content of the milk of producers disposed of as Class II by any handler computed pursuant to § 970.3 (e) is more or less than 3.5 percent, such handler shall add to the Class II price per hundred weight computed pursuant to (a) (2) of this section for each one-tenth of 1 percent that the average butterfat content of such Class II milk is above 3.5 percent, or shall subtract from such Class II price for each one-tenth of 1 percent that the average butterfat content of such Class II milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, and divide the result obtained by 10.

(c) *Emergency price provision.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purposes of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk or product, associated with the price specified: *Provided*, That if for any reason, the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided*, That if the specified price is not reported or published and there is no applicable maximum uniform price or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the prices specified.

(2) Whenever the War Food Administrator finds and announces that the Class I price computed for any delivery period pursuant to (a) of this section is not in the public interest, the Class I price for such delivery period shall be the same as the Class I price for the previous delivery period: *Provided*, That if the War Food Administrator for two consecutive delivery periods finds and announces that the Class I price computed pursuant to (a) of this section is not in the public interest, he shall, upon request of interested parties and pursuant to the applicable provisions of the act, issue notice of and opportunity for a hearing upon a proposed amendment to this section of the order.

§ 970.5 *Reports of handlers*—(a) *Periodic reports.* (1) On or before the 5th day after the end of each delivery period each handler, with respect to all milk or milk products which were, during such delivery period, (i) received from producers; (ii) received from other handlers; (iii) received from such handler's own farm production; (iv) received from any other sources; or (v) caused to be delivered to a plant from which no milk is disposed of in the marketing area, shall report to the market administrator, in the detail and on forms prescribed by him, as follows:

(a) The receipts at each plant from producers who are not handlers;

(b) The receipts at each plant from any other handler, including any handler who is also a producer;

(c) The receipts at each plant from such handler's own farm production;

(d) The receipts at each plant from any other source;

(e) The utilization of all milk and milk products disposed of;

(f) The quantity of milk and milk products on hand; and

(g) The respective butterfat content of each of the above.

(2) On or before the 5th day after the end of each delivery period, the receipts at each plant of emergency milk as follows: (i) the amount of such milk and the average butterfat content thereof; (ii) the date or dates upon which such milk was received during the delivery period; (iii) the plant from which such milk was shipped; (iv) the prices paid or to be paid for such milk; (v) the utilization of such milk; and (vi) such other information with respect thereto as the market administrator may request.

(b) *Reports as to producers.* Each handler shall report to the market administrator within 10 days after the market administrator's request with respect to any producer and with respect to a period of time designated by the market administrator: (i) the name and address; (ii) the total pounds of milk received; (iii) the average butterfat test of milk received; and (iv) the number of days upon which milk was received.

(c) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, each handler shall submit to the market administrator his producer pay roll for such delivery period, which shall show for each producer (i) the net amount of such producer's payments with the prices, deductions, and charges involved, and (ii) the total volume of milk received from such producer or caused by the handler to be delivered to a plant from which no milk is disposed of in the marketing area and the average butterfat test of such milk.

(d) *Reports of producer-handlers and handlers whose sole sources of supply are receipts from other handlers.* Producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(e) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audits of such handler's rec-

ords and the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in the case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in § 970.6.

§ 970.6 *Application of provisions—*(a) *Handlers who receive no milk from producers.* Sections 970.4, 970.7, 970.8, 970.9, and 970.10 shall not apply to the handling of milk by handlers (1) whose sole sources of supply are receipts from other handlers or (2) who are producer-handlers pursuant to section 1 (g) as verified by the market administrator in the manner provided in (b) of this section.

(b) *Producer-handlers.* Handlers shall furnish to the market administrator for his verification, subject to review by the War Food Administrator, evidence of their qualifications as producer-handlers pursuant to § 970.1 (g), as of the effective date hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing their milk that affect their qualification as producer-handlers; such verification by the market administrator shall be made within 15 days of the date of receipt of the evidence and shall be effective retroactively to the effective date of the provisions hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(c) *Emergency milk.* During any delivery period when the market administrator determines that the supply of milk available to any handler from producers and handlers is not sufficient to fulfill the Class I requirements of such handler, such handler, after giving notice to the market administrator of his intention to purchase milk from other than such sources, may secure milk from emergency sources on terms and conditions other than those provided in § 970.4 hereof. Emergency milk shall be reported to the market administrator by the receiving handler separately from milk received from producers and handlers in accordance with § 970.5 (a) (2). The person from whom the handler received such milk shall not be considered a handler with respect to milk disposed of in the marketing area under the circumstances described in this paragraph.

(d) *Milk received from other sources.* If a handler has disposed of milk, skim milk, or cream, except emergency milk, which was received from sources other than producers, his own farm production, or other handlers, as Class I milk within the marketing area, the market administrator, in determining the net pool obligation of the handler pursuant to § 970.7 (a), shall add an amount equal to the difference between the value of such milk at the Class I price and the value of such milk at the Class II price. This provision shall not apply if the handler can prove to the market administrator that such milk, skim milk, or cream was used only to the extent that milk of producers was not available.

(e) *Payment for excess milk or butterfat.* If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator in computing the net pool obligation of such handler pursuant to § 970.7 (a) shall add an amount equal to the value of such milk or butterfat in accordance with its utilization by the handler as determined pursuant to § 970.3 (e) (7) (iv).

§ 970.7 *Determination of uniform price to producers—*(a) *Net pool obligation of handlers.* The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of net pooled milk in each class computed pursuant to § 970.3 (e) by the class prices computed pursuant to § 970.4 (a) subject to the butterfat differentials set forth in § 970.4 (b), add together the resulting amounts, and add the value of any payments required to be made pursuant to paragraphs (d) and (e) of § 970.6.

(b) *Computation of the uniform price.* For each delivery period the market administrator shall compute the uniform price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by § 970.5 and who made the payments prescribed by § 970.8 for the previous delivery period;

(2) Add an amount equal to not less than one-half the cash balance in the producer-settlement fund;

(3) Subtract, if the average butterfat content of the net pooled milk of all handlers whose reports are included in this computation is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount computed as follows: multiply the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 970.8 (c), and multiply the result by the total hundredweight of net pooled milk of all handlers whose reports are included in this computation;

(4) Divide the resulting sum by the total quantity of net pooled milk of all handlers whose reports are included in this computation; and

(5) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payment by handlers. The result shall be known as the "uniform price" per hundredweight for milk of producers containing 3.5 percent butterfat.

(c) *Announcement of prices.* On or before the 9th day after the end of each delivery period, the market administrator shall notify all handlers and make public announcement of the computation, pursuant to (b) of this section, of the uniform price per hundredweight of milk, of the Class I and Class II prices computed pursuant to § 970.4 (a), of the butterfat differentials to handlers computed pursuant to § 970.4 (b) and of the butterfat differential to producers computed pursuant to § 970.8 (c).

(d) *Notification of handlers.* On or before the 9th day after the end of each delivery period, the market administrator shall notify each handler of the amount of his net pool obligation and of the amount by which such handler's net pool obligation is greater or less than the sum required to be paid producers by such handler pursuant to § 970.8 (a).

§ 970.8 *Payments for milk—*(a) *Time and method of payment.* Each handler shall make payment, subject to the butterfat differential set forth in (c) of this section, after deducting the amount of the payments made pursuant to (b) of this section for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer, except as set forth in (2) of this paragraph, on or before the 15th day after the end of the delivery period during which such milk was purchased or received, at not less than the uniform price per hundredweight computed pursuant to § 970.7 (b).

(2) To a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments, on or before the 12th day after the end of the delivery period during which such milk was purchased or received, of a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph.

(b) *Half delivery period payments.* (1) On or before the last day of each delivery period, each handler shall, except as set forth in (2) of this paragraph, make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of the delivery period, was received by such handler.

(2) At least 3 days before the end of each delivery period, each handler shall make payment to a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments for the approximate value of the milk which such cooperative association caused to be delivered to such handler during the first 15 days of the delivery period.

(c) *Butterfat differential to producers.* If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.5 percent, such handler, in making the payments prescribed in (a) (1) and (2) of this section, shall add to the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct from the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent not more than, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) add 20 percent, and divide the resulting sum by 10.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to (f) and (g) of this section: *Provided,* That the market administrator shall offset any such payment due to any handler against payments due from such handler.

(e) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount by which the net pool obligation of such handler is greater than the sum required to be paid producers by such handler pursuant to (a) of this section.

(f) *Payments out of the producer-settlement fund.* (1) On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum required to be paid producers by such handler pursuant to (a) of this section is greater than the net pool obligation of such handler.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (e) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (f) of this section, the market administrator shall, within 5 days, make such payment to such handlers. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

§ 970.9 *Marketing service—*(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding 5 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the War Food Administrator) from the payments made to producers pursuant to § 970.8 with respect to all milk received by such handler during each delivery period from producers, and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the War Food Administrator, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the cooperative association rendering such services of which such producers are members.

§ 970.10 *Expense of administration—*(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator a sum not exceeding 5 cents per hundredweight with respect to all milk received during such delivery period from producers or from a producers' cooperative association or produced by such handler, the exact sum to be determined by the market administrator subject to review by the War Food Administrator: *Provided,* That such handler which is a cooperative association shall pay such pro rata share of expense of administration on only that milk of producers received by such association or caused to be delivered by such association to a plant from which no milk is disposed of in the marketing area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

§ 970.11 *Effective time, suspension, or termination—*(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The War Food Administrator may suspend or terminate this order or any provision hereof, whenever he finds that this order or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* that any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(1) The market administrator, or such other person as the War Food Administrator may designate, shall (a) continue in such capacity until discharged by the War Food Administrator, (b) from time to time account for all receipts and disbursements, and, when so directed by the War Food Administrator, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person, as the War Food Administrator may direct, and (c) if so directed by the War Food Administrator, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or

termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator may designate shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 970.12 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 20th day of September 1944, to be effective on and after the 1st day of October 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

Approved: September 25, 1944.

FRED M. VINSON,
Director of Economic Stabilization.

[F. R. Doc. 44-14905; Filed, Sept. 27, 1944; 11:06 a. m.]

Chapter X—War Food Administration (Production Orders)

[WPO 14, Revocation of Supp. Order 1, Rev. 2, Amdt. 1, and Supp. Orders 2, 5, 6, and 7]

PART 1202—FARM MACHINERY AND EQUIPMENT

REVOCATION OF ORDERS

Supplementary Order No. 1 (8 F.R. 17458, 9 F.R. 1003, 5830, 7803) to War Food Order No. 14 (formerly Food Production Order No. 14 (8 F.R. 17456, 9 F.R. 4314, 7739)) is hereby amended by removal of all types of farm machinery and equipment from Schedules I and II thereof, except corn pickers which shall continue to be subject to the provisions of said War Food Order No. 14 and said Supplementary Order No. 1; and Supplementary Order No. 2 (8 F.R. 14106, 9 F.R. 1933, 9037), Supplementary Order No. 5 (8 F.R. 14112), Supplementary Order No. 6 (8 F.R. 16776, 9 F.R. 9525), and Supplementary Order No. 7 (9 F.R. 749) to said War Food Order No. 14 are hereby revoked and terminated.

This order shall become effective at 12:01 a. m., e. w. t., September 28, 1944. However, with respect to violations of said Supplementary Orders Nos. 1, 2, 5, 6, and 7, or rights accrued, or liabilities incurred thereunder, prior to the effective date of this order, said Supplementary Order No. 1 as heretofore revised and amended, and said Supplementary Orders Nos. 2, 5, 6, and 7, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or proceeding with respect to any such violation, right, or liability.

(54 Stat. 676; 55 Stat. 236; 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 27th day of September 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-14935; Filed, Sept. 27, 1944; 12:09 p. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

EXCEPTIONS FROM PROXY RULES TO SOLICITATIONS

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 14 (a) and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the said act, hereby amends § 240.14a-8 (Rule X-14A-8) of Regulation X-14 by adding after paragraph (h) thereof the following new paragraph (i):

§ 240.14a-8 *Solicitations to which rules are not applicable.* • • •

(i) A solicitation of assurances of acceptance of a plan of adjustment under section 710 (1) of Chapter XV of the Bankruptcy Act from not more than 25 holders of claims affected by the plan.

Effective: September 20, 1944.

By the Commission.

[SEAL] ORVAL DUBOIS,
Secretary.

[F. R. Doc. 44-14897; Filed, Sept. 27, 1944; 11:02 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Administration

[Docket No. FDC-41]

PART 120—TOLERANCES FOR POISONS IN FOOD

TOLERANCES FOR FLUORINE SPRAY RESIDUE ON APPLES AND PEARS

By virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act (secs. 406, 701; 52 Stat. 1046, 1055; 21 U.S.C. 346, 371, 1940 ed.); the Reorganization Act of 1939 (53 Stat. 51 ff.; 5 U.S.C. 133–133v (Supp. V. 1939); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234); and upon the basis of evidence of record at the hearing duly held pursuant to the notice issued on May 1, 1944 (9 F.R. 4654), and after consideration of exceptions filed to the proposed order issued by the Acting Federal Security Administrator on August 10, 1944 (9 F.R. 9754), the following order is hereby promulgated:

Findings of fact. 1. Fluorine is a gaseous chemical element. It and many of its compounds, among which are cryolite and other insecticides, are poisonous and deleterious substances. The fluorine in such compounds, even in small quantities, interferes with fundamental processes of living cells. Individuals vary in their susceptibility to its toxic effects.

2. When fluorine compounds are taken into the body in small amounts, most, if not all, of the fluorine is excreted, but when intake exceeds excretion storage of fluorine in the body results. When storage of fluorine occurs, injury to health may be anticipated. Fluorine is stored primarily in the bones and teeth, and its deleterious effects are most easily detected in those tissues. These effects are mottling of the enamel of the teeth, and abnormalities, including osteosclerosis, of the bones of the pelvis and the lumbar region of the spine, and of the tendenous insertions of bones.

3. During their production apples and pears are subject to a number of insect pests, and different kinds of sprays are used to control different kinds of insects. Unless the insects are controlled by sprays the fruit becomes wormy and unmarketable. The codling moth causes the greatest difficulty and requires the most spraying for effective control.

4. For control of the codling moth, sprays made from lead arsenate or from cryolite are the only ones that are effective and practical. To these mineral oil is commonly added and acts in part as a codling moth ovicide. In the Northwest, where a large proportion of the apple and pear crops are produced, lead arsenate and cryolite are equally effective, whether used alone or in split schedules using lead arsenate for some sprays and cryolite for others. The methods and equipment used are the same for both types of spray. There are certain disadvantages in the use of lead arsenate spray which do not accompany the use of cryolite spray.

5. The effectiveness of spray programs depends on the completeness of coverage of the fruit with the insecticide and the amount thereof which adheres to the fruit. Complete and sufficient coverage is obtained by repeating the sprays, and by adding oil and other materials to the spray. The number of sprays required depends on the season, geographic location, local situations, the time of ripening of the fruit, and the care used in applying the spray. A spray schedule effective for apples is also effective for pears. Ordinarily from 1 to 6 sprays are required for pears and 4 to 9 sprays are required for apples. Occasionally more than 9 sprays are required for apples.

6. The amount of fluorine in spray residue remaining on apples and pears at time of harvest increases with the number of fluorine sprays used, the decreasing length of time elapsing between the last of such sprays and harvest, and the use of substances which cause greater adherence of the spray to the fruit. The proportion of fluorine remaining on apples ranges from a few milligrams per kilogram to over 50 milligrams per kilogram. (One milligram per kilogram is approximately equivalent to .007 grain per pound.) It is possible, therefore, for one fruit to bear more than 7 milligrams of fluorine.

7. The spray residue remains on the surface of the fruit and most of it can be removed by washing processes in common use in the industry. One process uses only one washing and rinsing operation. In such process dilute hydrochloric acid is used as the washing solution. This process is efficient in removing spray residues from apples and pears grown under light spray schedules. In another process two washing and rinsing operations are used. In this process the fruit is first washed in a sodium silicate or soda ash solution and then in a dilute hydrochloric acid solution. This process is efficient in removing spray residues from such fruits grown under a heavy spray schedule or when oils and stickers are added to the spray material, or when the spraying is continued late into the growing season. In both washing processes the spray residue is removed more effectively when the washing solutions are heated. The heating of the solutions tends to cause injury to the fruit which increases as the heat is increased. When the solutions are not heated to over 100° Fahrenheit, the amount of injury to the fruit is not material. The washing processes for apples are at least equally effective for pears. Efficient washing usually removes spray residue to such extent that the fluorine remaining on apples and pears is about 5 milligrams or less per kilogram without risk of excessive injury to the fruit. It can be reduced in practically all lots to 7 milligrams per kilogram without such risk.

8. Mottling from fluorine results only when intake of toxic amounts occurs during the process of growth and calcification of the teeth. In man the teeth are in the process of calcification during the first 12 years. Mottling differs greatly in degree. Very mild degrees disclose chalky white spots without translucency. As the degree of severity increases the spots are more noticeable, become stained with a brownish color, and the enamel becomes brittle and pitted. When the ficurine intake is very low teeth are produced that are less resistant to caries than teeth produced on a somewhat higher fluorine intake. However, the margin between optimum and toxic amounts is very narrow. The toxic effect of fluorine increases as the intake is increased regardless of whether it is ingested in food or water or both. At the lower levels of fluorine intake that produce toxic effects there are no material differences in the absorption, toxicity, and storage of the fluorine of the various fluorine compounds, including cryolite. At materially higher levels the absorption and storage decrease with the decreasing solubility of such compounds.

9. Fluorine compounds may enter the body by ingestion in water and food and by industrial exposure. The water supplies of several million persons in the United States contain 1 part per million or more of fluorine. The areas having such water supplies are distributed widely over the country. About a half million persons live in areas where the fluorine content of the water is 5 parts per million or more. Fluorine is a natural component of many common foods, and in the process of cooking food in fluorine-bearing water some of the fluorine in the water is transferred to the food. However, the amount of fluorine added to the diet by cooking is not significant unless the fluorine content of the water is very high. Industrial exposure is to mists, dusts, and fumes containing fluorine. A substantial number of persons are subjected to such exposure. The exposure of some of these persons is such that they are storing fluorine. The record does not show in what proportion of those exposed storage is occurring.

10. When children ingest a sufficient amount of fluorine during the critical age period mottling results. The amount of drinking water ordinarily consumed by children during this period ranges from 390 cubic centimeters to 1,600 cubic centimeters per day. Such mottling occurs when the drinking water contains 1 part per million of fluorine or more. The ordinary adult daily diet, when the fluorine content of the water used in cooking is 0.3 part per million or less, contains approximately 0.5 milligram and not more than 1 milligram of fluorine. It is probable, therefore, that mottling of the enamel of the teeth results from a daily ingestion of somewhat less than 2 milligrams of fluorine.

11. The amount of apples and pears eaten as fresh fruit varies with the individual consumer and season of the year. Many persons consume few or no apples or pears and some consume many. Apples vary in size, but ordinarily weigh from 1/7 to 1/10 of a kilogram each. The record does not disclose the proportions of apples and pears that are peeled before consumption.

12. Whether the toxicity of fluorine to man is affected by or affects the toxicity of other substances is not known. Fluorine is rendered more toxic to rats by desiccated thyroid and the thyrotropic hormone of the anterior pituitary gland, and its toxicity is additive to that of cadmium. There is some industrial and consumer exposure to cadmium.

Conclusions. 1. Fluorine and many of its compounds, including those used as insecticides for apples and pears, are poisonous and deleterious substances.

2. The addition of fluorine-containing sprays to apples and pears is required in the production of a large proportion of such fruits and residues thereof are unavoidable.

3. With efficient spraying and the efficient use of the washing processes so far developed it is not practicable to reduce the fluorine remaining as such residue on apples and pears below 7 milligrams per kilogram of fruit.

4. A considerable portion of the population is exposed to quantities of fluorine compounds that are toxic or near-toxic and any added amount of fluorine increases the hazard or degree of injury to which they are subjected. It is necessary for the protection of public health that the fluorine remaining as insecticidal residue on apples and pears shall be as low as is practicable.

§ 120.1 *Fluorine; Limit for the quantity remaining as insecticidal residue on apples and pears.* The quantity of fluorine remaining as insecticidal residue on apples and pears is hereby limited to not more than 7 milligrams of fluorine, calculated as F, per kilogram of each such fruit.

(Secs. 406, 701; 52 Stat. 1046, 1055; 21 U.S.C. 346, 371, 1940 ed.); the Reorganization Act of 1939 (53 Stat. 51 ff.; 5 U.S.C. 133–133v (Supp. V, 1939); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234)

The regulation hereby promulgated shall become effective on the ninetieth day following the date of publication of this order in the FEDERAL REGISTER.

Dated: September 22, 1944.

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 44-14916; Filed, Sept. 27, 1944; 11:06 a. m.]

TITLE 29—LABOR

Chapter VIII—Commissioner of Internal Revenue

[T. D. 5406]

PART 1002—STABILIZATION OF SALARIES

MISCELLANEOUS AMENDMENTS

Treasury Decision 5295 (29 C.F.R., Part 1002), relating to the stabilization of salaries under the Act of October 2, 1942, is amended as follows:

PARAGRAPH 1. Section 1002.9 is amended by striking out the second sentence of the first paragraph and inserting in lieu thereof the following: "If an approval or determination made by such regional officer is subsequently modified or reversed by the Commissioner, such approval or determination shall be deemed to have been continuously in effect from its original date until the first day of the payroll period following reversal or modification, or until such other date as the Commissioner may provide in his ruling."

PAR. 2. Section 1002.10 is amended by inserting immediately before the next to the last sentence the following: "Jurisdiction, in the case of individuals who are compensated solely on a percentage basis, depends upon the amount of total compensation received by the employee for the employer's last accounting year

ended prior to the proposed adjustment. If the total compensation of the employee for the employer's next preceding accounting year is in excess of $5,000, any change in the rate of percentage in subject to the jurisdiction of the Commissioner."

PAR. 3. Section 1002.13 is amended by striking out the last sentence of the ninth paragraph and inserting in lieu thereof the following:

Employers who, prior to October 3, 1942, had an established plan of granting vacations with pay, may continue to grant vacations with pay in accordance with such established plan without obtaining prior approval. Pay in lieu of vacation does not require the prior approval of the Commissioner if computed in accordance with a vacation plan established prior to October 3, 1942, or in accordance with a plan approved thereafter by the Commissioner. Vacation pay and pay in lieu of vacation computed on the basis of the current work week may be paid without prior approval.

The adoption of a vacation plan or a change in an established vacation plan which increases the amount of vacation pay requires approval.

PAR. 4. Section 1002.14 is amended by striking out the second paragraph and inserting in lieu thereof the following two paragraphs:

Where an employer had, prior to October 3, 1942 customarily paid a salary or salaries on a fixed percentage basis, or had entered into a contractural agreement prior to that date to pay a salary or salaries on a fixed percentage basis, such employer may continue to pay, without the approval of the Commissioner of Internal Revenue, such salary or salaries determined in accordance with such custom or agreement, provided no change has been made in the percentage or method of determining the amount payable.

Employers who have customarily paid bonuses or other additional compensation may continue to pay such bonuses or other additional compensation without prior approval, subject to the following limitations:

(1) If an employee's base salary has not been increased since October 3, 1942 (in the case of salaries in excess of $5,000 per annum), or October 27, 1942 (in the case of salaries of $5,000 or less per annum), as the case may be, the employer may pay the employee a bonus in an amount which does not exceed the higher of the following:

(i) The dollar amount of the bonus paid on any basis other than a fixed percentage basis for the employer's last accounting year ended prior to October 3, 1942. (See subparagraph (5)), or

(ii) The dollar amount of bonus paid on any basis other than a fixed percentage basis authorized under the Salary Stabilization Regulations for the employer's first accounting year ending after October 3, 1942, provided the bonus does not exceed 50 per cent of the employee's base salary. Approval is necessary if the bonus exceeds 50 per cent of the employee's salary. (See subparagraph (5)).

(2) If an employee's base salary has been increased since October 3, or 27, 1942, as the case may be, the employer may pay the employee a bonus not to exceed the same fixed dollar amount of bonus paid him for the employer's first accounting year ending after October 3, 1942, provided the bonus does not exceed 20 per cent of his present salary. (See subparagraph (5)).

(3) If an employer, prior to October 3, 1942, has regularly paid an employee a bonus based upon a fixed percentage of salary (exclusive of bonuses and additional compensation) and the percentage has not been changed, the employer may pay the employee a bonus determined by such percentage of salary, even though the amount of bonus may be increased due to an increase in salary (exclusive of bonuses and additional compensation) authorized under these regulations.

(4) If the employer had, prior to October 3, 1942, customarily paid bonuses on a fixed percentage basis or had entered into a contractual agreement prior to that date to pay bonuses on a fixed percentage basis, the employer may pay a bonus determined in accordance with such custom or agreement, provided no change has been made in either the percentage or method of determining the bonus fund, and no change has been made in the percentage or method of determining the amount payable to each employee. The payment of bonuses out of a fund based on a fixed percentage of profits, sales or the like (whether or not the percentage has been changed since October 3, 1942), where the amount to be distributed to the individual employee is at the discretion of the employer, or his representative, is governed by the provisions of subparagraphs (1) and (2) above.

(5) If an employee's bonus is determined on a fixed percentage basis authorized under the regulations, the payment of any amount in excess of the bonus determined under the fixed percentage plan may not be made without prior approval, notwithstanding the provisions of subparagraph (1) and (2) above.

PAR. 5. Section 1002.14 is amended by striking out the first example in the fifth paragraph and inserting in lieu thereof the following:

The X Corporation began business in 1940. As of July 1, 1942, pursuant to a corporate resolution duly passed in January 1942, all of its salaried employees received more than $5,000 per annum. No approval of the Commissioner is required to increase the salary of the employee who is promoted in November 1942 from a salesman to a general manager and who receives a salary which is not in excess of the minimum of the salary rate range previously established for the position of general manager or in excess of 15 percent above the employee's salary at the time of promotion, whichever is greater. In no case may the salary be paid in excess of the maximum of the salary rate range without approval.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

Approved: September 26, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-14933; Filed, Sept. 27, 1944; 11:29 a. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Specific Wage Ceiling Reg. 30]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING APPLES AND WINTER PEARS IN THE WHITE SALMON AREA OF KLICKITAT AND SKAMANIA COUNTIES, WASHINGTON

§ 1111.8 *Wages of workers engaged in picking apples and winter pears in the White Salmon area of Klickitat and Skamania Counties, Washington.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), as amended on July 8, 1944 (9 F.R. 7645), entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Washington WFA Wage Board that a majority of the producers of apples and winter pears in the area affected have requested the intervention of the War Food Administrator, and based upon relevant facts submitted by the Washington WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in picking apples and winter pears in the White Salmon area of Klickitat and Skamania Counties, State of Washington, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Definitions.* When used in this Specific Wage Ceiling Regulation No. 30, the term "picking" means the removal of apples and pears from trees and placing them in boxes furnished by the producer.

(c) *Wage rates; maximum wage rates for picking apples and winter pears.* (1) Wage rates for picking all apples except Newton apples:

(i) 11¢ per apple box or Libby lug;
(ii) 12½¢ per A. G. A. lug.

(2) Wage rates for picking Newton apples:

(i) 12¢ per apple box or Libby lug;
(ii) 13½¢ per A. G. A. lug.

(3) Wage rates for picking winter pears:

(i) 12¢ per apple box or Libby lug;
(ii) 13½¢ per A. G. A. lug.

(d) *Administration.* The Washington WFA Wage Board located at 235 Liberty Building, Yakima, Washington, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645).

(e) *Applicability of specific wage ceiling regulations.* This Specific Wage Ceiling Regulation No. 30 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831), as amended July 8, 1944 (9 F.R. 7645), and the provisions of such regulations shall be applicable to this Specific Wage Ceiling Regulation No. 30 and any violation of this Specific Wage Ceiling Regulation No. 30 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 961 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 6011, 7378, 9641, 9 F.R. 831, 7645)

Issued this 26th day of September 1944.

PHILIP BRUTON,
Director of Labor,
War Food Administration.

[F. R. Doc. 44-14903; Filed, Sept. 27, 1944; 11:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 935—VINYL POLYMERS

[Allocation Order M-10, Revocation]

Section 935.1 *Allocation Order M-10* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Vinyl polymers are subject to allocation under General Allocation Order M-300 as Appendix A materials, subject to Schedule 54 issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of vinyl polymers prior to October 31, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in Order M-10.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14910; Filed, Sept. 27, 1944; 11:16 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Conservation Order M-28, as Amended Sept. 27, 1944]

DICHLORODIFLUOROMETHANE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dichlorodifluoromethane for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.27 *Conservation Order M-28.*—(a) *Definitions.* For the purpose of this order:

(1) "F-12 gas" means dichlorodifluoromethane (sometimes called "freon-12").

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of F-12 gas.

(4) "Supplier" means any person to the extent that he is engaged in the business of distributing F-12 gas to persons using the same for installation in refrigerating or air conditioning systems. The term shall include an equipment manufacturer to the extent that he engages in the sale of F-12 gas which has not been installed in such systems. "System" means any "system" as defined in General Limitation Order L-38.

(5) "Equipment manufacturer" means any person to the extent that he uses F-12 gas for charging new refrigerating or air conditioning systems or parts of systems manufactured by him. It does not include affiliates, subsidiaries, branches, divisions or sections or an enterprise, if not actually engaged in the manufacture of systems or refrigerant containing parts of systems.

(6) "Insecticide manufacturer" means any person to the extent that he uses F-12 gas in the production of insecticide.

(7) "User" means any person who installs F-12 gas in a refrigerating or air-conditioning system, other than an equipment manufacturer. It includes suppliers, service agencies, owners or lessees, to the extent that they engage in installing F-12 gas in any system.

(8) "Contract agent" means any person to whom or for whose account F-12 gas is delivered by a producer for distribution to suppliers.

(If the same person, or two or more branches, divisions or sections of the same enterprise, acts in two or more capacities as contract agent, supplier, equipment manufacturer, or insecticide manufacturer, the particular provisions of this order which apply to the respective activities must be followed, to the extent to which the various provisions are applicable to each activity.)

(b) *Systems for which no deliveries are permitted.* (1) No person (including users, dealers, and other suppliers, and producers) shall deliver, or accept delivery of, any F-12 gas for use in, or for resale for use in any new or used system which is of a type referred to in List A. Exceptions from this restriction may be authorized in the following cases (although this does not preclude appeals under paragraph (f) (4) in other cases):

(i) When the major portion of the space to be air conditioned is used as a radio broadcasting studio, auditorium, hotel, restaurant, cafeteria, school, office or office building, or department store, and one of the following conditions exists: The building is "windowless" or one in which the windows cannot be opened for ventilation (such as glass brick, or glass set in a fixed frame which was built into the surrounding wall in an immovable way); or the rooms needing air conditioning are interior ones having no other means of adequate ventilation and are either served by a separate system or constitute a major portion of the space regularly occupied by persons and are served by one central system; or

(ii) When the system is used to air condition a room or rooms in a single family residence or a single apartment and its continued operation is essential to protect the life or restore the health of a person suffering from a serious ailment or disease and under care of a licensed physician, and a statement to that effect by such physician is also furnished with the application referred to below.

Application for WPB permission to get F-12 gas for such a use should be made by the owner or operator of the system by letter in duplicate (or in an emergency, by wire confirmed immediately by letter) to War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. M-28 giving the address and a description of the building(s) in which the system is located and stating the extent to which the system comes within either of the cases described above, the quantity of F-12 gas needed, and the name and address of the probable supplier. The authorization, if granted, will be sent to the applicant, who should show it to his supplier when requesting delivery, in addition to furnishing the certification required under paragraph (c) (2) below.

(2) No person (including users, dealers, and other suppliers, and producers), shall deliver, or accept delivery of, any F-12 gas for use in, or for resale for use in any new or used system of any type (not in List A) unless the system must be operated under one or more of the following conditions:

(i) Where an air-cooled condenser is used and the ambient temperature is 110° F or higher; or

(ii) Where the saturated refrigerant temperature corresponding to the suction pressure is less than minus 10° F; or

(iii) Where aluminum or magnesium alloys or rubber (except synthetic rubber) have been used in construction of the system and come in contact with the refrigerant, and are not easily replaceable; or

(iv) Where the system is for use aboard ship, or outside of the continental United States by the Army, Navy, Maritime Commission or War Shipping Administration; or

(v) Where the total operating charge required to operate the system is ten (10) pounds or less of F–12 gas and the system was in operation on November 12, 1943, and is used for food preservation or for storage of penicillin, blood serum, blood for plasma, blood plasma, biologicals and bacteriologicals; or

(vi) Where the use of no Group 2 or Group 3 refrigerants, as defined in the American Standard Safety Code for Mechanical Refrigeration, ASRE Circular No. 15, ASA–B9–1939, as approved by the American Standards Association April 20, 1939, is permitted by that Code; or

(vii) Where the system is used in a sealed railroad car or sealed bus.

(The above restrictions apply not only to systems used for ordinary civilian purposes, but also to those owned, operated, or used within the continental United States by the Army, Navy, Maritime Commission or War Shipping Administration, including post exchanges and ships service stores, other than those used aboard ships.)

(3) Attention is called to paragraph (c) (2), which prohibits a supplier from delivering F–12 gas except on certified orders.

(c) *Deliveries by suppliers.* (1) No supplier or any other person (except a producer) shall deliver any F–12 gas for export outside of the continental United States, or for use by any of the following non-retail users (or to any ship yard or other person for use in a system to be delivered to any of them), namely: The Army, Navy, Maritime Commission, War Shipping Administration, post exchanges, ships service departments and activities, equipment and insecticide manufacturers, for new or used systems, or for use in insecticide, without specific authorization from the War Production Board. Subject to the foregoing restriction, any supplier or any other person (except a producer) may deliver F–12 gas to any other person, for use in any new or used system not referred to on List A of this order, if it must be operated under one or more of the conditions stated in (b) (2) (i) to (b) (2) (vii) both inclusive.

No person shall accept from a supplier or other person any delivery of F–12 gas which is prohibited by the restriction in this order.

(2) Whenever the owner of a system or any other user wishes to obtain F–12 gas for installation in a system or systems for which deliveries by suppliers are permitted under this order, he may place his order with any supplier for the minimum quantity, which the available cylinder or cylinders permit, necessary to bring the charge in the system or systems up to a normal operating charge. He must certify his order, or the vendor's delivery receipt, by a certificate endorsed on or attached to it, showing that the F–12 gas is to be used for such purposes only, and that he is not holding any empty cylinders not owned by him, which shall be in substantially the following form:

> The undersigned purchaser certifies to the seller and the War Production Board that he does not have any F–12 gas cylinders not owned by him, which have been empty for more than 15 days; and that the F–12 gas covered by this order will not be used or resold for any purposes not permitted by Order M–28.

The standard certification in the form described in Priorities Regulation 7 cannot be used instead of that described above. Such certificate, which must be signed by the purchaser or his authorized official, will constitute a representation that what is stated in it is true. A supplier must not deliver any F–12 gas except under certified orders; and he must not make delivery under any order which is certified if he knows, or has any reason to believe that the certificate furnished with such order is untrue, incomplete, or inaccurate. In such a case the supplier must reject the order, and should explain why he is doing so, so that the prospective purchaser can comply with this order. Each supplier must keep all accepted orders and certificates which he receives, for a period of two years, for inspection by the War Production Board. (Certificates in the form required by this order before its amendment on November 12, 1943, may continue to be used for 30 days after that date, in place of the above form.)

This restriction shall not prevent a person who services several systems for which deliveries are permitted by this order from purchasing a cylinder of F–12 gas from a supplier, if the amount purchased is the smallest quantity practicable considering the sizes of the standard commercial cylinders and the amount needed in his current operations.

(3) No "standby charge" or any other quantity of F–12 gas, over and above that needed to bring the total charge in a system or systems up to the normal operating charge, shall be delivered to or accepted by any person for use in a system which he owns, leases, or operates (except the Army, Navy, Maritime Commission or War Shipping Administration): except, however, that a "standby charge" may be maintained for a system which is operated primarily for one of the following purposes: air conditioning or refrigeration for the production and storage of penicillin, or blood serum; or refrigeration for the storage of blood for plasma, or the production or storage of blood plasma.

(d) *Deliveries by producers.* Each producer shall hold his entire inventory of F–12 gas, together with all additional quantities produced or otherwise obtained by him from time to time, for delivery under such orders and for such uses as may be authorized or directed from time to time by the War Production Board. No deliveries of F–12 gas shall be made by a producer except pursuant to specific authorizations or directions heretofore or hereafter issued by the War Production Board.

(e) The provisions of this order shall be followed by every producer, contract agent, supplier, user, equipment manufacturer, insecticide manufacturer, and any other person buying, selling or delivering F–12 gas, without any regard to any preference ratings which have been assigned or which may hereafter be assigned to particular contracts or orders.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) *Reports.*[1] (i) Each equipment manufacturer who wishes to secure delivery of F–12 gas during any month for charging systems or parts produced by him, or for factory repair and charging of sealed or hermetic condensing units, shall file with the War Production Board, on or before the 15th day of the preceding month a report on Form WPB–3326, prepared in accordance with the instructions for such form.

(ii) Any person wishing to secure F–12 gas during any month for ultimate uses (such as testing coaxial cable for leaks) other than the charging of new or used refrigeration or air conditioning systems or parts or use in insecticide, shall file with the War Production Board, on or before the 20th day of the preceding month, a report by letter, in triplicate, showing the minimum amount required for the month, the purpose for which required, and the amount used during the preceding calendar month for that purpose.

(3) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref. M–28.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[1] The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

LIST A—SYSTEMS FOR WHICH NO DELIVERIES ARE PERMITTED

Air conditioning systems. Any system, of any size operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:

Amusement parks.
Animal hospitals.
Auditoriums.
Ballrooms, dancing studios and dance halls.
Bank and loan associations.
Bars, cocktail lounges, and beer parlors.
Bowling alleys.
Concert halls.
Funeral parlors.
Golf clubs, country clubs, athletic clubs, and all other clubs and club houses.
Hotels and apartment houses.
Moving picture houses.
Night clubs.
Office buildings and offices, public or private.
Railway, streetcar and bus stations and terminals.
Residential buildings and dwellings of all kinds.
Restaurants, cafeterias, and other places selling meats, food or beverages.
Schools.
Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds.
Skating rinks.
Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).
Studios of all kinds.
Theaters.

This list does not include (i) any such system used primarily to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (ii) any system designed, necessary and used, in substantial part, for the refrigeration and storage or processing of food, ice, or other materials or products, necessary to life or health, or to be delivered to the Army, Navy, Maritime Commission or War Shipping Administration, and requiring refrigeration, temperature control, or freedom from dust or other impurities.

Refrigeration systems.

Skating rink systems.
Refrigeration systems solely for storing or dispensing carbonated or malt beverages.

INTERPRETATION 1

[Interpretation 1 revoked November 12, 1943]

INTERPRETATION 2

(a) *Quantities which may be obtained by system owner.* Subparagraphs (c) (2) permits the owner (or lessee) of a refrigerating or air conditioning system (not on List A) who does his own installation of F–12 gas, to place his order for the minimum quantity "which the available cylinder or cylinders permit", necessary to bring the charge in his system up to a normal operating charge.

The standard commercial cylinders are generally available in sizes which contain four pounds, ten pounds, twenty-five pounds, and one hundred forty-five pounds of the gas, and a particular supplier may not have all four sizes in stock at all times. Questions will therefore arise as to the number and sizes of cylinders which the owner of a system is permitted to obtain, if the particular supplier with whom his purchase order is first placed should not happen to have the sizes of cylinder from which the minimum quantity needed by the system can be furnished the owner.

In such a case, the owner of the system should make a reasonable effort to obtain the minimum quantity which he needs, from some other supplier in his locality, rather than purchase an excessive quantity from the first supplier upon whom he calls. While the order does not prescribe rigid rules as to exactly what effort the purchaser should make in every case, it is required that he do whatever is practicable, under his particular conditions, to obtain the minimum quantity which he needs, and no more.

Where he is located in a large community in which there are a number of suppliers, he should contact several, if necessary in order to obtain the quantity needed. If he happens to be located in a small community where there is only one supplier who cannot furnish the exact quantity needed and the F–12 gas must be obtained immediately in order to avoid spoilage of a substantial quantity of food, the restriction would not prevent him from obtaining a larger amount, if that is unavoidable without letting his food spoil.

As a guide to the number and size of cylinders which should normally be obtained, for the different quantities of F–12 gas which may be needed in different cases, the following table is furnished:

Pounds of F–12 gas required	Amounts which should be ordered			
	Number of cylinders			
	4 pounds	10 pounds	25 pounds	145 pounds
0–4	1			
5–9		1		
10–14	1	1		
15–24		2 or	1	
25–29	1		1	
30–39	1	1	1	
40–49	1	2	1	
50–59		1	2	
60–69		2	2	
70–79	1		3	
80–89	1	1	3	
90–110		1	4	
111–145				1
146–170			1	1
171–195			2	1
196–220			3	1
221–245			4	1
246–290				2
291–315			1	2
316–340			2	2
341–365			3	2
366–390			4	2
391–435				3

The above interpretation applies only where the system owner buys his F–12 gas from a supplier, and installs it himself. If he has a service shop install the gas, the shop will always be able to furnish no more than the amount actually needed, from its service cylinders, and there will be no problem.

(b) *Installation of F–12 gas in systems or parts held by equipment manufacturers or dealers.* Paragraph (b) (1) prohibits deliveries of F–12 gas for systems on List A; (b) (2) prohibits deliveries for any other system, unless it must be operated under one or more of the conditions specified. These restrictions are intended to prevent deliveries of F–12 gas where there is a sale or other delivery of the gas. They prevent an equipment manufacturer or other person from delivering F–12 gas in any new or used system or refrigerant-containing parts if charged with F–12 gas furnished by him after the effective date of the applicable restriction, for any prohibited use.

These restrictions do not prevent the withdrawal and reinstallation of F–12 gas in the course of repairing a used system or refrigerant-containing part, where no additional F–12 gas is added to what was already in the system or part.

Neither do they restrict the delivery of new or used systems or refrigerant-containing parts which had already been charged at the time the applicable restrictions became effective nor do they prevent the owner or lessee of any installed system who had F–12 gas in his possession on the effective date of the applicable restriction from charging the system with such gas, or having someone else do this charging for him, where no tranafer of possession or ownership is involved. (Issued November 30, 1943.)

[F. R. Doc. 44–14912; Filed, Sept. 27, 1944; 11:16 a. m.]

PART 3270—CONTAINERS

[Preference Rating Order P–146, Direction 1, as Amended June 30, 1944, Amdt. 1]

USE OF PREFERENCE RATINGS FOR U. S. NAVY DELIVERIES

Amend Direction 1 by deleting in lines 6 to 8 of paragraph (a) the following words: "on orders placed before October 1, 1944 calling for delivery before November 1, 1944:"

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14914; Filed, Sept. 27, 1944; 11:15 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L–77, as Amended Sept. 27, 1944]

METAL WINDOWS

§ 3284.16 *General Limitation Order L–77*—(a) *Definitions.* For the purposes of this order:

(1) "Metal window" means any metal sash, metal casement or other metal framework of any type produced for installation in an opening, constructed in the side of a building primarily to admit light, and any component part of such a metal sash, metal casement or metal framework.

(2) "Manufacture" means to manufacture, fabricate or assemble a metal window.

(3) "Put in process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(b) *Restrictions.* Notwithstanding any contract, agreement, or preference rating, no person shall manufacture any metal window except:

(1) To fill an order from the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration when such metal window is required by specifications (including performance specifications) applicable to such order; or

(2) To fill an order bearing a preference rating of AA–5 or better; or

(3) Metal storm windows made of aluminum or magnesium, and storm windows made of other metals, provided that such other metals are obtained

from idle or excess inventories pursuant to specific authorization from the War Production Board in accordance with Priorities Regulation 13 or CMP Regulation No. 1.

[Undesignated paragraph deleted Sept. 27, 1944]

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Reports.* Each manufacturer to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of the order shall be filed on Form WPB–1477 with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(i) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C. Ref: L–77.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14909; Filed, Sept. 27, 1944; 11:15 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L–30–d, Direction 1, as Amended Sept. 27, 1944]

ALUMINUM PRESSURE CANNERS

The following direction is issued pursuant to Limitation Order L–30–d:

(a) *What this direction does.* In order to provide for the production of aluminum pressure canners for the 1944 and 1945 canning seasons this direction tells what types of pressure canners may be made, who may make them and how many may be made.

(b) *Definition of "pressure canners".* As used in this direction, "pressure canner" means any device commonly known as a pressure cooker or pressure canner which may be used for canning food products under steam pressure, and which is equipped with a dial, indicating or weighted gauge, a venting device and a safety valve.

(c) *Production of pressure canners—(1) Authorized list of manufacturers.* The following manufacturers may produce or assemble during the periods specified, at their plants at the addresses indicated, aluminum pressure canners in quantities not exceeding the number indicated opposite their names:

[NOTE: Table amended Sept. 27, 1944.]

	Jan. 31 to Sept. 30, 1944	Oct. 1 to Dec. 31, 1944	Jan. 1 to Mar. 31, 1945	Apr. 1 to June 30, 1945
Burpee Can Sealer Co., Barrington, Ill.	40,500	35,000	35,000	35,000
National Aluminum Manufacturing Co., Peoria, Ill.	56,500	23,000	23,000	23,000
Wisconsin Aluminum Foundry Co., Manitowoc, Wis.	12,500	15,000	15,000	15,000
Pressure Cooker Co., Denver, Colo.	2,614	500	500	500
National Pressure Cooker Co., Eau Claire, Wis.	259,000	130,000	130,000	130,000
Lakeside Aluminum Co., Minneapolis, Minn.	19,886	6,500	6,500	6,500

(2) *Restriction on aluminum permanent mold castings.* No person may make any aluminum permanent mold castings for the aluminum pressure canners to be produced under this direction without first obtaining the written specific authorization of the War Production Board. Applications for authorization to make such castings should be made by letter to the War Production Board, Washington 25, D. C., Ref: L–30–d, Direction 1. Each applicant should submit complete information as to the availability of his facilities for making castings in the light of his present and potential war work and the manpower situation in his plant and in the area where it is located. The War Production Board will not issue any authorization to produce permanent mold castings if the Board finds that such production will interfere with the production and delivery of war orders, and the Board intends to change or revoke any authorization if later conditions show that such interference is likely.

(3) *Additional production.* The War Production Board may add additional manufacturers to those listed above or increase the quantities specified to the extent that materials, facilities and manpower are available and additional pressure canners are needed to meet requirements. Any person desiring to produce aluminum pressure canners in addition to those mentioned above should apply by letter to the War Production Board, Washington 25, D. C., Ref: L–30–d, Direction 1. Each applicant should submit full details of the pressure canners he proposes to make, including a bill of materials on Form CMP–1, and illustrations, designs or samples when practicable. He should also submit complete information as to the availability of his facilities for this production in the light of the war work which he is doing and the manpower situation in his plant and in the area where his plant is located. A CMP–4B application for any controlled materials needed should accompany any application under this paragraph.

(4) *Revision of quotas.* If the War Production Board finds that any manufacturer will be unable to produce his quota of pressure canners because of interference with war orders or for any other reason, the Board intends to reduce his quota and transfer the excess to another manufacturer.

(d) *What types of pressure canners may be made; sizes and permissible metals—(1) Size.* Pressure canners made under this direction may be made in any size or sizes with a capacity of 7 or more 1 qt. glass jars, but may not have a smaller capacity.

(2) *Materials which may be used.* The body, cover and insets for preparing food must be made of aluminum or aluminum alloy. Carbon steel may be used in any other parts or attachments, including wire racks. Alloy steel may be used in locking devices and safety and relief valves only. Copper and copper base alloy may be used in indicating gauges, safety and relief valves and blow-out plugs only. Tin may be used in plating wire racks only. These provisions supersede any provisions in Orders L–30–c, M–9–c, M–43 and M–126, which would prevent the use of these materials. In all other respects the use of materials in pressure canners must conform to applicable conservation orders.

(e) *Reports.* (1) Beginning March 10, 1944, each manufacturer shall file by the 10th day of each month, a report by letter with the War Production Board, Washington 25, D. C., Ref: L–30–d, Direction 1, stating the number of pressure canners which he made in the preceding calendar month by sizes.

(2) The reporting provisions in this Direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14906; Filed, Sept. 27, 1944; 11:15 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M–300, Schedule 54]

VINYL POLYMERS

§ 3293.1054 *Schedule 54 to General Allocation Order M–300—(a) Definition.* (1) "Vinyl polymers" means plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and vinylidene chloride and their condensation products. Such term shall include, but is not limited to vinyl chloride-acetate copolymers, polyvinyl chloride, polyvinyl butyral, polyvinyl acetate, polyvinyl alcohol, polyvinyl formal and polyvinyl acetal and the materials known by the trade names of Koroseal, Geon, Vinylite, Vinyon, Vinylseal, Saran, Butvar, Formvar, Alvar, Butacite, PVA, Gelva, Solva and Saflex.

The term "vinyl polymers" includes all scrap and off-grade vinyl polymers resulting from production, processing or fabrication of vinyl polymers and includes all mixtures of vinyl polymers with synthetic rubber or other materials.

The term "vinyl polymers" includes vinyl polymers in the form of uncompounded resin, powder or flake, and compounded vinyl polymers in the following forms:

Molding powder.
Emulsions, dispersions and solutions in the forms sold by resin producers.

Granules, slabs and unformed masses.
Extrusion compounds, either unformed or in the form of calendered tape.
Safety glass type film.
Cast, calendered or extruded unsupported flexible film and sheeting having a gauge of 0.050" (50 mils) or less.
Scrap or off-grade material in any of the forms resulting from production, processing or fabrication of vinyl polymers.
Unfabricated rigid sheet in the standard sizes sold by resin producers.

The term "vinyl polymers" does not include "vinyl polymer products" as defined in the next paragraph.

(2) "Vinyl polymer products" means products made from vinyl polymers, such as the following:

Unsupported flexible sheeting having a gauge of more than 0.050" (50 mils), other than safety glass type film.
Coated fabric, paper or foil.
Lacquer and adhesives, other than resin solutions, emulsions or dispersions in the forms sold by resin producers.
Molded items.
Extruded tubing and solid shapes.
Filaments.
Wire and cable.

Vinyl Polymer Restrictions

(b) *General provisions.* (1) Vinyl polymers are subject to the provisions of General Allocation Order M–300 as Appendix A materials. The initial allocation date is November 1, 1942, when these materials first became subject to allocation under Order M–10 (revoked). The allocation period is the calendar month.

(2) The small order exemption for all purposes except experimental purposes is 50 pounds (weight of resin content) per person per month. No person shall use vinyl polymers under this exemption during any month in which he has received the same kinds of vinyl polymers on specific allocation.

(3) The small order exemption for experimental purposes is 200 pounds (weight of resin content) per person per month. This may be received in addition to allocated quantities. However, the total quantity of all kinds of vinyl polymers which may be received or used under the experimental and non-experimental small order exemptions shall not exceed 200 pounds per person per month.

(4) There shall be no limitation on duration of authority for use under this schedule, notwithstanding Order M–300 (paragraph (v) of the order as amended June 6, 1944).

(5) Authorization to use vinyl polymers for any purpose carries with it authorization to perform all intermediate operations.

(6) Vinyl polymers may be delivered prior to November 30, 1944, and may be used at any time in accordance with specific authorizations issued on the basis of applications filed in the form heretofore prescribed in Order M–10 (revoked).

Scrap Exemptions

(c) *Scrap re-run exemption.* A person may re-run vinyl polymef scrap without further authorization for the same authorized purpose for which he first ran the vinyl polymer.

(d) *Disposition of scrap stocks.* Application and specific authorization shall not be required for delivery by any person of vinyl polymer scrap to, and acceptance of delivery by, any person purchasing such scrap for resale as scrap without further processing except cleaning and sorting. The person accepting delivery shall not use or process the scrap except to clean and sort it, and shall not redeliver it, without authorization under this schedule.

Applications for Vinyl Polymers

(e) *Applications by suppliers on WPB–2946.* Each supplier seeking authorization to deliver vinyl polymers (including scrap) shall file application on Form WPB–2946 (formerly PD–601). Filing date (date of receipt by War Production Board in Washington, D. C.), is the 25th day of the month before the proposed delivery month. File separate sets of forms for each different type or grade of vinyl polymer. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–54. Unit of measure is pounds, resin content basis. In Column 1 list each customer who is not ordering under small order exemption. Without specifying individual customers' names, an aggregate quantity may be requested for all exempt orders for 50 pounds or less, and a separate aggregate quantity for all exempt orders for between 50 and 200 pounds (these totals include the supplier's own exempt small use). Suppliers who purchase vinyl polymer scrap for resale without processing shall fill in only Columns 8, 10, 12 and 13 in Table II. Suppliers who produce vinyl polymers or vinyl polymer compounds from raw materials for resale shall fill in all columns of Table II as indicated.

(f) *Customers' applications on WPB–2945.* Each person seeking authorization to use or accept delivery (except in exempt quantities) of vinyl polymers, including scrap, shall file application on Form WPB–2945 (formerly PD–600).

Filing date (date of receipt by War Production Board in Washington, D. C.) is the 15th day of the month before the requested allocation month. File separate sets of forms for each type or grade of vinyl polymer. Send three certified copies to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–54. Under "name of chemical" specify the requested vinyl polymer (in terms of trade name or number or as "scrap"—do not specify compound designation). It is not necessary to fill in Column 1. Unit of measure is pounds of contained resin and not pounds of compound.

In Column 2 specify quantity requested (resin basis). Fill in Column 3 in terms of the following:

Wire and cable.
Coated fabric.
Coated paper.
Coated foil.
Lacquer.
Adhesive.
Filaments.
Rigid sheet.
Unsupported film (specify gauge).
Other product (specify).
Resale (in same form).
Export (in same form).

For military end uses show whether for Army, Navy, Aircraft, Lend-Lease or Maritime Commission. Show either industrial or civilian for non-military applications. It will not be necessary to specify customer if information in Column 3 and Column 4 clearly indicates primary product and end use.

If the material requested is to be resold or exported in the form in which it is purchased, specify "Resale" or "Export" in Column 3 and specify in Column 4 "Upon further authorization" or "Exempt small orders" for resale, and in the case of export specify end use and export license number; if Lend-Lease, specify only the contract number. Leave Columns 9 and 10 blank. Fill in Table II as indicated and leave Tables III, IV and V blank.

Each person filing application under the paragraph to accept delivery of vinyl polymers from a supplier shall advise the supplier in writing, by copy of WPB–2945 application, so that the supplier may enter his name as a proposed customer on the supplier's WPB–2946 application.

(g) *Bureau of the Budget approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–54.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–14313; Filed, Sept. 27, 1944; 11:16 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M–21–a as Amended Sept. 27, 1944]

ALLOY IRON, ALLOY STEEL AND ELECTRIC FURNACE CARBON STEEL

§ 3294.2 *Supplementary Order M–21–a*—(a) *Definitions.* For the purposes of this order:

(1) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 0.60%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, siconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(2) "Alloy iron" means any iron containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 5.00%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount speci-

fied or known to have been added to obtain a desired alloying effect.

It does not include those materials commonly known as ferro-alloys.

(3) [Revoked Jan. 21, 1944]

(4) "Producer" means person who melts alloy iron or alloy steel.

(b) *Purchasers' statements.* Each person who orders alloy iron or alloy steel from a producer must state on his order the end use (by general classification and specific part name) for which such material will be used.

(c) *Producers' melting schedules*—(1) *Castings.* Each producer of alloy iron or alloy steel castings must file for each month with the War Production Board, Ref.: M-21-a, a melting schedule on Form WPB-1770, in accordance with the official instructions for preparing that form.

(2) *Rolled and forged products.* Each producer of alloy iron or alloy steel other than castings must file for each month with the War Production Board, Ref.: M-21-a, a melting schedule on Form WPB-2933, in accordance with the official instructions for preparing that form.

(3) *Changes in producers' schedules.* The War Production Board may make such changes in any melting schedule as to it may seem appropriate and may from time to time issue supplementary directions with regard to melting of alloy iron and alloy steel.

(4) The reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the provisions of the Federal Reports Act of 1942.

(d) *Melting of alloy iron and alloy steel.* No producer shall melt any alloy iron or alloy steel which he is required to report on Form WPB-1770 or WPB-2933, except in accordance with such melting schedule as approved or modified by the War Production Board, or in accordance with specific supplementary directions or authorizations of the War Production Board.

(e) *Special directions.* The War Production Board may from time to time issue directions as to facilities to be used in production and directions specifying as to any alloying element the quantities and proportions which may be used in making alloy iron or alloy steel, and whether and in what proportions, any such element is to be the metal, a ferro-alloy, reclaimed metal, scrap, a chemical compound or any other material containing such element.

(f) *Restrictions of deliveries under toll agreements.* Except pursuant to specific authorization or direction of the War Production Board, no person shall make or accept delivery under any toll agreement whereby one person melts alloy iron or alloy steel for another person.

(g) [Deleted Sept. 27, 1944.]

(h) [Deleted December 1, 1943]

(i) [Revoked Jan. 21, 1944]

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14911; Filed, Sept. 27, 1944; 11:16 a. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-39, as Amended Sept. 27, 1944]

FIRE PROTECTIVE, SIGNAL AND ALARM EQUIPMENT

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials entering into the production of fire protective, signal and alarm equipment, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.1 *General Limitation Order L-39*—(a) *Definitions.* For the purpose of this order:

(1) "Fire protective equipment" means: sprinkler systems, couplings, playpipes and allied fittings, fire hose, fire hydrants, fire pumps, hose dryers, hose racks, indicator posts, lightning protection systems, piped extinguishing systems, portable fire extinguishers including back pack types, foam generators, stirrup pumps, water spray nozzles, and all other fire protective equipment for preventing or extinguishing fires, excepting self-propelled motorized fire apparatus and auxiliary units including trailer, skid, front mounted and portable apparatus.

(2) "Signal and alarm equipment" means the following types of equipment:

(i) All types of signal or alarm systems or equipment designed for protective purposes, such as: fire, police and burglar alarm systems, watchmen's time recording systems, intrusion systems, and boundary protection systems, whether such systems are central station, proprietary, auxiliary or local; recording locks; and portable watch clocks.

(ii) All types of paging and call systems (other than intercommunicating systems), such as doctor and nurse call systems and factory paging systems.

The term does not include air raid warning devices.

(3) "Dry-pendant sprinkler head" means a sprinkler head for use in a pendant position on a dry pipe system and permanently attached to an extension nipple so as to exclude water from the nipple.

(4) "Incendiary bomb control equipment" means any pump, device, instrument, or material designed for the removal, control or extinguishment of incendiary bombs.

(5) "Stirrup pump" means a manually operated pump used to draw water or other liquid from a separate container to extinguish or control fires.

(6) "Air raid warning device" means any siren, whistle, horn, diaphone, signal or device used or intended for use to warn or signal civilians in connection with air raids or other war hazards.

(7) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 percent of the weight of all metal in the alloy.

(b) *General restrictions*—(1) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) of this order, no person shall incorporate in any fire protective, signal or alarm equipment, air raid warning device, or parts thereof, any bismuth, cadmium, chromium, copper, monel metal, nickel, tin, or alloy of any such metals, asbestos, rubber or synthetic rubber, except to the extent permitted in Appendix A hereof.

(2) [Deleted July 13, 1944]

(3) *Restrictions on foam extinguishers.* No person shall purchase or accept delivery of any foam extinguisher except for use in the protection of inflammable liquids, and no person shall sell or deliver any foam extinguisher which he knows or has reason to believe will be used in violation of this paragraph (b) (3).

(4) *Restrictions on manufacture of alkali metal (loaded stream) extinguishers.* No person shall in any quarter complete the manufacture of any type of alkali metal salt solution (loaded stream) extinguishers in excess of 25 percent of the total of such type (irrespective of size) manufactured by such person during the twelve month period ending November 30, 1941, except to fill purchase orders or contracts from any agency or government listed in subdivisions (i), (ii), and (iii) of this paragraph (b) (4). In determining the number of extinguishers manufactured during said twelve month base period ending November 30, 1941, extinguishers manufactured to fill contracts or purchase orders from, or for delivery to any of the following shall be excluded:

(i) The Army or Navy of the United States, the Veterans' Administration, United States Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The Government of any of the following countries: the United Kingdom, Canada, and other dominions, Crown Colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for delivery to or for the account of any country listed above or any other country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(5) *Restrictions on manufacture of stirrup pumps.* No person shall manufacture any stirrup pump, or part thereof, except to fill purchase orders from the Army or Navy of the United States, the Veterans' Administration, the United States Maritime Commission, War Shipping Administration, Defense Supplies Corporation, or from any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) *Restriction on manufacture of soda-acid fire extinguishers.* No person shall manufacture any soda-acid fire extinguisher.

(7) *Restrictions on sale and delivery of signal and alarm equipment and air raid*

warning devices. (i) No person shall sell, deliver or install any signal and alarm equipment costing $200 or more or any air raid warning device costing $25 or more except to fill the following kinds of orders:

(*a*) Orders from or for the account of the Army or Navy of the United States, the Veterans' Administration, the United States Maritime Commission or the War Shipping Administration;

(*b*) Orders for equipment (signal and alarm equipment and air raid warning devices) the delivery of which has been specifically authorized by the War Production Board on Form WPB–1319. (Any person receiving specific authorization on Form WPB–1319 must notify his supplier by placing on his purchase order the following certification, in addition to the certification in Priorities Regulation 7: "Delivery approved on Form WPB–1319, case no. —, under Order L–39". The supplier may get delivery of the equipment from his supplier to fill the order, if necessary, by placing the same certification on his order.)

(*c*) Orders for equipment the delivery of which has been specifically authorized on Form GA–1456.[1] (A person receiving an authorization for this equipment on Form GA–1456 must notify his supplier by placing on his purchase order the following certification, in addition to the certification in Priorities Regulation 7: "Delivery approved on Form GA–1456 under Direction 1 to CMP Regulation 6". The supplier may get delivery of the equipment from his supplier to fill the order, if necessary, by placing the same certification on his order.)

Cost is determined under this paragraph by taking the installed cost to the purchaser. If the equipment is leased rather than sold, cost is determined by taking the price which would be charged to the building owner if the equipment were installed and sold outright.

(ii) [Revoked Feb. 16, 1944]

(iii) In conjunction with the granting of specific authorization to receive signal or alarm equipment or air raid warning devices on Form WPB–1319, the War Production Board may also assign preference ratings to the authorized deliveries on such form. Any preference rating so assigned shall be applied and extended only in accordance with the terms of Priorities Regulation 3.

[1] Authorization on Form GA–1456 is issued for approved construction projects upon application on Form WPB–617, and persons needing signal and alarm equipment or air raid warning devices for use in a project should ask for the equipment on their project application. However, when a person wishes only to get this equipment for installation in an existing structure and no other construction is involved, he should follow these rules:

1. If the cost of installation materials is not more than $500, the application should be filed on Form WPB–1319.

2. If the cost of installation materials is more than $500, the application should be filed on Form WPB–617.

"Installation materials" include such items as wire, tubing and conduit used to install the equipment in the structure, but of course the equipment itself is not included.

(8) *Restriction on the manufacture of signal or alarm equipment.* Except upon specific authorization by the War Production Board, no person shall manufacture, install, deliver or accept delivery of any smoke, fire, or intrusion detector employing photo-electric principles, except to fill purchase orders from a purchaser listed in paragraph (b) (4) of this order and unless such item is for use on board ship.

(9) *Restrictions on the manufacture of air raid warning devices.* No person shall manufacture, sell, purchase, deliver, install or accept delivery of any air raid warning device which requires for its operation a motor in excess of three (3) horse power.

(10) *Restrictions on sale and delivery of cotton rubber-lined fire hose.* No person shall sell or deliver any new cotton rubber-lined fire hose except to fill the following kinds of orders:

(i) Orders bearing a preference rating of AA–5 or higher;

(ii) Orders which had been placed prior to August 23, 1943, and which bear a preference rating of A–9 or higher; or

(iii) Orders from distributors. (Distributors may sell or deliver only to persons to whom sale or delivery is authorized to be made by this paragraph (b) (10).)

No person shall purchase or accept delivery of any cotton rubber-lined fire hose if he knows or has reason to believe that the sale or delivery of such hose is prohibited by this paragraph.

(11) *Restrictions on manufacture of incendiary bomb control equipment.* Effective thirty days after January 20, 1943, no person shall manufacture any incendiary bomb control equipment, except when and to the extent authorized by the War Production Board, or to the extent permitted by paragraph (b) (5) of this order.

(c) *Exceptions to paragraph (b) (1).* The restrictions of paragraph (b) (1) shall not apply to:

(1) Brass fire hose couplings, provided that such couplings are delivered to or for the account of:

(i) The Army or Navy of the United States, the Veterans' Administration, the United States Maritime Commission or the War Shipping Administration, and are for use on board ship; or

(ii) Any person whose purchase order bears a rating which was assigned for the specific couplings on Form WPB–646 (formerly Form PD–300); or

(iii) The Panama Canal; or

(iv) Any person for use on board ships warranted by the United States Maritime Commission.

(2) Carbon dioxide extinguishers manufactured in accordance with specifications of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(d) *Representations on orders from government agencies.* Any purchase order or contract from any agency or government named in subparagraphs (i), (ii), or (iii) of paragraph (b) (4) of this order shall constitute a representation that the conditions exist under which such purchase order or contract may be filled within the terms of this order. Said representation may be relied upon by the person with whom the purchase order or contract is placed and by his subcontractors and suppliers.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Exceptions and appeals*—(1) *Production under Priorities Regulation 25.* Any person who wants to manufacture more fire protective, signal and alarm equipment than is permitted under paragraphs (b) (4), (b) (5), (b) (8) and (b) (11) (including a person who cannot manufacture such equipment under this order), or who wants to manufacture any soda-acid fire extinguishers prohibited by paragraph (b) (6), or any air raid warning devices requiring a motor in excess of three horsepower (prohibited by paragraph (b) (9)), may apply for permission to do so as explained in Priorities Regulation 25. A person may still apply for authorization under paragraphs (b) (8) for signal or alarm equipment and (b) (11) for incendiary bomb control equipment, if he desires. The restrictions on delivery contained in paragraphs (b) (3), (b) (7) and (b) (10) and the restrictions on use of material in paragraph (b) (1) continue to apply to fire protective, signal and alarm equipment authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraphs (b) (4), (b) (5), (b) (6), (b) (8), (b) (9) and (b) (11) shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L–39, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of the above paragraphs.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L–39.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

In accordance with the provisions of paragraph (b) (1) of this order, the materials named in this Appendix A may be incorporated in the manufacture of fire protective

equipment signal or alarm equipment, and air-raid warning devices, and in component parts thereof, to the extent indicated in this Appendix A:

(1) [Deleted Sept. 2, 1944.]

(2) Bismuth:

(i) As a component of fusible link alloy;

(ii) Up to five and one-half (5½) per cent in solder.

(3) Cadmium, only to the extent permitted by General Preference Order M–65 or by any relief granted on an appeal taken under that order.

(4) Chromium, in alloy steel for any part; [1] and in plating to the extent essential to the efficient functioning of the parts plated.

(5) Copper or copper base alloys (where copper base alloys are permitted, the alloys used shall be of the lowest type and grade that are practical for the particular application) in:

(i) Pumps for vaporizing liquid extinguishers;

(ii) Lock nuts on removable hose connections;

(iii) Bodies, ends, inner chambers, valves and their component parts for vaporizing liquid and loaded stream extinguishers;

(iv) Either collars or caps (but not both) on any 2½-gallon foam extinguisher; and in any part of 2½-gallon foam extinguishers which are produced to fill orders from or for the account of the Army or Navy of the United States, the Coast Guard, the United States Maritime Commission or the War Shipping Administration, when the extinguishers are for shipboard use and when the use of copper or copper base alloy is required by the specifications (including performance specifications) applicable to the order;

(v) Fittings, strainers, syphon tubes and valves for carbon dioxide and gas operated dry powder extinguishers;

(vi) Any part of couplings for suction hose, linen hose, chemical hose, booster hose, and potable water purification plants, but in no case shall the alloy used for castings contain more than 74 per cent copper and 2 per cent tin;

(vii) The following parts of couplings for cotton rubber-lined fire hose: Any part for any type of coupling in sizes other than 1½" and 2½"; snap clamps, clamp pins, and wire springs for "Jones" type couplings in 1½" and 2½" sizes; latch assemblies for "British" type couplings in 1½" and 2½" sizes; swivels and wires for screw type couplings in 1½" and 2½" sizes; but in no case shall the alloy used for castings contain more than 74 per cent copper and 2 per cent tin;

(viii) Expansion rings for any kind of hose;

(ix) Hose and hydrant adapters;

(x) Any part of siamese connections, wyes and steamer connections; and any part of fittings for hose reels and standpipe connections; but in no case shall the alloy used for castings contain more than 74 per cent copper and 2 per cent tin;

(xi) Playpipes made only from drawn, brazed sheet or cast brass;

(xii) Nozzles, and nozzle tips, except tips and handles for portable deluge nozzles; but in no case shall the alloy used in castings contain more than 74 per cent copper and 2 per cent tin.

(xiii) The following hydrant fittings to the extent essential to their efficient functioning; valve seats, discs, guides, operating valve stems, stuffing boxes, bushings, rivets, retainer rings, and outlet nipples;

(xiv) The following indicator post and valve fittings to the extent essential to their efficient functioning: Valve stems; seats; discs; packing glands; glands of bonnet openings; extension stem operating washer, nut and target mechanism;

(xv) Parts of portable generators, engines and fixed piped systems to the extent essential to their efficient functioning (The parts referred to herein include generator bodies except bases, shut-off valves except handles, screens, check valves, inner chambers, heads, stoppies, closing and other operating mechanisms.);

(xvi) Valve seats, discs, stems, guides, and clapper arms;

(xvii) The following parts of automatic sprinkler systems and signal or alarm equipment: Actuating, indicating, and recording units of alarm or signal systems; condenser parts; contacts; diaphragm assemblies; labels of inspection laboratories; links; tubing and fittings; valves not over 2 inches; wire and cables; impellers and rings for fire pumps and for water flow alarms; deflectors on any sprinkler heads if made of casting, but the alloy shall not contain more than 74 per cent copper and 2 per cent tin; all other parts of open and closed sprinkler heads, but the alloy for frames for closed heads shall not contain more than 80 per cent copper and 6 per cent tin, the alloy for frames for open heads shall not contain more than 74 per cent copper and 2 per cent tin, and the alloy for lever arms shall contain no tin and not more than 74 per cent copper.

(xviii) Impellers, retaining rings and bushings for fire pumps;

(xix) Watchmen's time recording systems where required for efficient functioning;

(xx) The following parts of air raid warning devices: motors up to three horse power, actuating units, wire and cable, control and reducer valves only to the extent necessary to the efficient functioning thereof.

(xxi) Name and identification plates of a gauge of .03125 inch or less for fire extinguishers which are to be used in aircraft or on board ship.

(6) [Revoked.]

(7) [Deleted May 1, 1944.]

(8) Nickel, in signal or alarm systems as a component of bi-metal thermal discs for thermostats, as plating for protection against corrosion where magnetic properties of nickel are essential, as a component of wire wound resisters, as a component of thermocouple wire and as a component of permanent magnets; in signal or alarm systems for plating component parts of control mechanisms essential to the efficient functioning of the system, where less critical material as a substitute would not be suitable; and in alloy steel for any part.[1]

(9) Tin:

(i) As a component of fusible link alloy; and in dry pipe valve seat rings, but not to exceed fifty per cent in weight;

(ii) In copper base alloys the use of which is permitted by paragraph (5) hereof, but only where no tin-free alloy can be used, and only to the extent permitted by General Preference Order M–43;

(iii) Up to ten per cent by weight in metal for coating steel shells for vaporizing liquid extinguishers;

(iv) In solder, provided that the tin content does not exceed that permitted by General Preference Order M–43;

(v) As a component of foil for use in anti-intrusion and anti-sabotage systems, to the extent essential to the efficient functioning of the equipment, provided that the use of tin for this purpose is properly authorized under General Preference Order M–43.

(10a) [Deleted May 1, 1944.]

(10b) [Deleted May 1, 1944.]

(11) Monel metal:

(i) In balls for check valves in dry pipe valves, accelerating equipment, and water flow alarms for automatic sprinkler systems;

(ii) In helical springs for fire detecting thermostats;

(iii) In vanes and pressure type flexible joints for water flow alarm devices.

(iv) In screens in marine type strainers and nozzles to fill orders from or for the account of the United States Navy when required by the applicable specifications.

(12) [Deleted May 1, 1944.]

(13) Asbestos:

(i) In gaskets for hydrants, fixed or portable foam applicator pipes, and alarm systems.

(ii) As packing for vaporizing liquid extinguishers.

(14) Rubber and synthetic rubber, to the extent permitted by Rubber Order R–1, as amended, or to the extent permitted by any relief granted pursuant to an appeal taken in accordance with the provisions of that order.

[F. R. Doc. 44–14907; Filed, Sept. 27, 1944; 11:15 a. m.]

[1] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel-chromium-molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C.

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L–43, as Amended Sept. 27, 1944]

MOTORIZED FIRE APPARATUS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the materials entering into the manufacture of motorized fire apparatus for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.6 *General Limitation Order L–43*—(a) *Definitions.* For the purposes of this order:

(1) "Motorized fire apparatus" means self-propelled motorized fire apparatus and auxiliary pumping units of fire apparatus, and includes accessories therefor and equipment thereon.

The term shall not include second hand apparatus nor parts or materials for the repair or maintenance of existing apparatus.

(2) "Sedan" means self-propelled motorized fire apparatus of which more than 50% of the area behind the windshield is enclosed.

(3) "Service ladder truck" means self-propelled motorized fire apparatus on which the equipment carried consists of service or ground ladders, miscellaneous equipment, and tools.

(4) "Squad car" means self-propelled motorized fire apparatus designed to carry men.

(5) "Salvage car" means self-propelled motorized fire apparatus designed to carry canvas covers, life nets, and similar equipment.

(6) "Rescue car" means self-propelled motorized fire apparatus designed to carry first aid equipment.

(7) "Hose truck" means self-propelled motorized fire apparatus designed to carry fire hose.

(8) "Pumper" means self-propelled motorized fire apparatus carrying a booster tank, a pump, and hose, which is designed primarily to pump water from sources other than its own booster tank.

(9) "Tank truck" means self-propelled motorized fire apparatus carrying a water tank, a pump, and hose, which is designed primarily to pump water from its own water tank rather than from outside sources. The term shall include, but not by way of limitation, so-called "crash trucks".

(10) "Aerial ladder truck" means self-propelled motorized fire apparatus on the chassis of which are combined an aerial ladder and any or all of the following equipment: (i) a complement of service or ground ladders, (ii) fire hose, (iii) a booster tank, (iv) a pump. An aerial ladder truck may also carry miscellaneous equipment.

(11) "Auxiliary pumping unit" means the following types of fire apparatus:

(i) A pump designed to be mounted on the front or side of a self-propelled vehicle and designed to receive its pumping power from the motor of the self-propelled vehicle;

(ii) A pump and motor designed to be mounted on a trailer, skid, or other type of support; and

(iii) A vehicle or other support carrying a pump or a pump and motor of the types described in the preceding subparagraphs of this paragraph (a) (11).

The term does not include any pumps covered by Limitation Order L–192 or L–123, or Schedule VII to Limitation Order L–217.

(12) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 per cent of the weight of all metal in the alloy.

(13) "Specification of the War Production Board" means the specification for 500 and 750 g. p. m. pumpers on file at the offices of the Safety and Technical Equipment Division of the War Production Board, Washington, 25 D. C. (Copies of this specification may be obtained by addressing a communication to the address indicated in paragraph (k) of this order.)

(14) "Manufacturer" means any person engaged in the business of manufacturing, fabricating or assembling motorized fire apparatus.

(15) "Distributor" means any person engaged in the business of purchasing and reselling motorized fire apparatus without further fabrication of such apparatus.

(16) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(b) *Restrictions on manufacture of motorized fire apparatus.* Except as permitted by paragraph (c) of this order, no manufacturer shall take any action to commence, continue or complete the manufacture of:

(1) Any sedan, service ladder truck, squad car, salvage car, rescue car, or hose truck;

(2) Any chassis for use in connection with a pumper carrying a centrifugal pump of 500 g. p. m. capacity, as rated by the National Board of Fire Underwriters, unless such pumper is being manufactured for delivery to or for the account of the Navy of the United States, Lend-Lease, or any person to whom an export license covering the specific equipment has been issued by the Foreign Economic Administration;

(3) Any 1½ ton chassis for use in connection with a tank truck, unless such tank truck is being manufactured for delivery to or for the account of the Navy of the United States or Lend-Lease;

(4) Any pumper except the following types:

(i) Pumpers which carry centrifugal pumps of either 500 or 750 g. p. m. capacities, as rated by the National Board of Fire Underwriters, and which conform to the "Specification of the War Production Board", and

(ii) Pumpers which carry centrifugal pumps of 1000 or 1250 g. p. m. capacity, as rated by the National Board of Fire Underwriters: *Provided, however,* That the manufacture of such pumpers shall not be commenced until the specifications therefor have been submitted to the War Production Board and have been specifically approved by the War Production Board;

(5) Any tank truck except one having a pump capacity of not more than 400 g. p. m. and carrying a water tank of a capacity of 250 gallons or more, *Provided, however,* That the restrictions set forth in this subparagraph (5) shall not apply to the manufacture of tank trucks for delivery to or for the account of the Army or Navy of the United States, the Veterans' Administration, or Lend-Lease:

(6) Any aerial ladder truck except one carrying

(i) An extension ladder of not less than 65 feet nor more than 100 feet in length;

(ii) Not more than 500 feet of 2½ inch fire hose, if hose is required;

(iii) A booster tank of not less than 100 gallon nor more than 200 gallon capacity, if a booster tank is required; and (iv) A pump having a capacity of not more than 100 g. p. m., if a pump is required.

(c) *Exceptions.* (1) Notwithstanding the restrictions set forth in paragraph (b) of this order any motorized fire apparatus in the process of manufacture on April 16, 1943, may be completed to fill purchase orders bearing preference ratings which had been assigned to the person placing the order prior to April 16, 1943. Deliveries of such apparatus may be made and accepted without further authorization under paragraph (e) (5) (iii) of this order.

(2) The provisions of paragraphs (b) (2) and (b) (3) of this order shall not be construed to prohibit any alteration or further fabrication of chassis which have been obtained under the provisions of General Conservation Order M–100.

(d) *Restrictions on use of materials in motorized fire apparatus.* Except as specifically authorized by the War Production Board, no manufacturer shall incorporate in the manufacture of any motorized fire apparatus, or of any component part thereof, any aluminum, cadmium, copper, copper base alloy, chromium, nickel, tin, rubber or synthetic rubber, except to the extent permitted in Appendix A, attached to this order.

(e) *Restrictions on sale and delivery of motorized fire apparatus.* (1) No manufacturer or distributor shall install a bell on any motorized fire apparatus, and no person shall sell or deliver any bell which he knows or has reason to believe will be used in connection with motorized fire apparatus;

(2) No manufacturer or distributor shall install any new or used rubber tires on any auxiliary pumping unit, and no person shall sell or deliver any new or used rubber tires which he knows or has reason to believe will be used on an auxiliary pumping unit, except to fill "government orders" as defined in Rubber Order R–1.

(3) No manufacturer or distributor shall sell, deliver, or otherwise supply:

(i) Any accessories or equipment for use in connection with new motorized fire apparatus other than the types and kinds permitted for pumpers by paragraph D–20 of the "Specification of the War Production Board."

(ii) Any intercooler for use in connection with any auxiliary pumping unit, except where it is to be used in place of a radiator.

(iii) Any tachometer for use in connection with motorized fire apparatus, except tachometers which were completed and in the possession of manufacturers or distributors on April 16, 1943.

(4) No person shall sell or deliver any suction hose for use in connection with motorized fire apparatus except to fill purchase orders bearing preference ratings of AA–5 or higher;

(5) No person shall sell or deliver any pumper, tank truck, aerial ladder truck, or auxiliary pumping unit, except to or for the account of:

(i) The Army or Navy of the United States or the Veterans' Administration;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(iii) Any other person who has been authorized by the War Production Board on Form WPB–1319 to receive the specific motorized fire apparatus and has delivered to his supplier a copy of such form signed in the name of the War Production Board.

(6) No person shall purchase or accept delivery of any material if he knows or has reason to believe that the sale or delivery of such material is prohibited by the terms of subparagraphs (1), (2), (3), (4) or (5) of this paragraph (e).

(f) *Authorizations on Form WPB–1319.* (1) [Deleted February 16, 1944.]

(2) Any authorization by the War Production Board on Form WPB–1319 may be granted subject to any conditions which the War Production Board deems necessary. Such conditions may include the requirement that a different size or type of apparatus be obtained, or any other condition. The War Production Board may also assign a preference rat-

ing on Form WPB–1319 if such rating is deemed necessary.

(g) [Deleted May 5, 1944]

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(k) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington (25), D. C., Ref: L–43.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

In accordance with paragraph (d) of this order, the materials named in that paragraph may be incorporated in the manufacture of motorized fire apparatus, or of component parts thereof, to the extent indicated below, unless any of the uses specified herein shall conflict with the provisions of any other limitation ("L") or conservation ("M") order, in which case the more restrictive order shall control:

NOTE: Former subparagraphs (1), (2), (4) and (9) deleted; former subparagraphs (3), (5), (6), (7) and (8) redesignated (1), (3), (4), (6), and (7); a new subparagraph (2) added May 5, 1944.

(1) Aluminum, only to the extent permitted by Supplementary Order M–1–l or by any specific authorization under that order;

(2) Cadmium, only to the extent permitted by General Preference Order M–65 or by any relief granted on appeal taken under that order;

(3) Chromium, in alloy steel for any part; [1] and in plating to the extent essential to the efficient functioning of the parts plated;

(4) Copper or copper base alloy (of the lowest type and grade which is practical for the particular application), in automotive parts; intercoolers; suction tube caps; discharge valve caps; valves (not including the handles); relief valves; impellers, rings and rotors; and in fire pumps, but the alloy for the body of the pump shall not contain more than 74% copper and 2% tin;

(5) Nickel, in alloy steel for any part; [1]

(6) Rubber or synthetic rubber, only to the extent permitted by Rubber Order R–1 or by any relief granted on appeal taken under that order;

(7) Tin, in copper base alloys (where no tin-free alloy can be used); and in soldiers and babbitts to the extent permitted by Preference Order M–43.

[F. R. Doc. 44–14908 Filed, Sept. 27, 1944; 11:15 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 443, Revocation]

SOYBEAN OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

A statement of the considerations involved in the issuance of this order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 443 is revoked subject to the provisions of Supplementary Order 40.[1]

This order shall become effective October 2, 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–14869; Filed, Sept. 26, 1944; 4:39 p. m.]

PART 1315—RUBBER AND RUBBER PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200,[1] Amdt. 16]

RUBBER HEELS, RUBBER HEELS ATTACHED, AND ATTACHING OF RUBBER HEELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 200 is amended in the following respects:

1. In § 1315.1403 paragraphs (a) and (b) are amended and paragraph (c) is added, to read as follows:

(a) *Reports.* A manufacturer who introduces a new brand name for a heel or who wishes to have a certain brand name reclassified shall file a report and six pairs of the heel with the Office of Price Administration, Washington, D. C. This report shall include the following:

(1) The abrasion index and tensile strength of the heel.

(2) The classification in which he wishes the brand name to be placed.

(3) A statement indicating that all heels produced or sold by him that bear that brand name will equal or exceed the quality of the sample heels submitted.

(4) Where the manufacturer wishes a brand name reclassified, the report shall also include a statement that the reclassified heel will be marked with its appropriate V symbol (or with some other symbol or mark which must be described), as well as with its brand name, so that the reclassified heel may be readily distinguishable by the trade and by the public from the heel bearing that brand name produced under its former classification.

(b) *Approval or denial of requests for classification or reclassification.* After receipt of the report and samples, the Office of Price Administration will either classify or reclassify the heel by amending the regulation or will deny the request for classification or reclassification.

A brand name shall not be reclassified unless the reclassified heel is marked with its appropriate V symbol or in some other manner approved by the Office of Price Administration that will make the reclassified heel readily distinguishable from the heel of the same brand name produced under its former classification. This distinguishing symbol or mark shall be included in the reclassified brand name. Notwithstanding any other provision of this section, the Office of Price Administration may approve reclassification of a brand name without any such distinguishing symbol or mark if it is satisfied that no heels of the brand name's former classification are in any of the channels of trade.

(c) *Sales of heels with new or reclassified brand names.* A new heel whose brand name is to be classified or a heel whose brand name is to be reclassified may not be sold or delivered until the regulation has been amended listing such brand name in its appropriate classification. After reclassification, a heel's brand name without the V symbol or other distinguishing mark, shall continue to be listed in the same price category as before until the Office of Price Administration is satisfied that none of the heels of the brand name's former classification are in any branches of the trade.

2. In § 1315.1405 (a) (1) (ii) the brand names Columbia, Fleetwood, Fleetwood 60, and Tauko are respectively amended to read as follows:

Columbia (V–1)
Fleetwood (V–1)
Fleetwood 60 (V–1)
Tauko (V–1)

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*Copies may be obtained from the Office of Price Administration.

[1] The War Production Board is at present restricting the types and grades of alloy steel, other than National Emergency Triple Alloy Steel (nickel—chromium—molybdenum), that may be produced for particular end uses. If a manufacturer desires to have alloy steel of a restricted type or grade produced for him, the matter should be discussed with the Steel Division of the War Production Board, Washington 25, D. C.

[1] 9 F.R. 5903, 9258.

3. In § 1315.1405 (a) (1) (iii) the following brand name and manufacturer's name is added to appear in alphabetical order:

Fleetwood 60, New Jersey Rubber Company.

4. In § 1315.1405 (a) (1) (iv) the following brand name and manufacturer's name is added to appear in alphabetical order:

Fleetwood, New Jersey Rubber Company.

and the brand name Spartan is amended to read as follows:

Spartan (V-8), New Jersey Rubber Company.

5. In § 1315.1405 (a) (1) (v) the following brand names and manufacturers' names are added to appear in alphabetical order:

Columbia, New Jersey Rubber Company.
Spartan, New Jersey Rubber Company.
Tauko, New Jersey Rubber Company.

This amendment shall become effective October 2, 1944.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14917; Filed, Sept. 27, 1944; 11:38 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 68]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Sections 1315.302 (d), 1315.509, 1315.510 and 1315.602 (c) are revoked.

2. Section 1315.804 (j) is amended to read as follows:

(j) *Transfer of new truck tires by manufacturers without certificate.* A manufacturer may transfer new truck tires to any dealer without certificate by complying with the provisions of this paragraph. These transfers may be made only from a tire manufacturing establishment or a "regional branch" as defined in § 1315.804 (f).

(1) He may transfer a new truck tire with a cross-section size 7.50 or smaller or one with a cross-section size 8.25 or larger without certificate, only if the tire manufacturing establishment or "regional branch" from which the transfer is to be made has no valid replenishment portions on hand from dealers covering unfilled orders for new truck tires in the same cross-section size group (7.50 or smaller, 8.25 or larger) as that in which the tires which the manufacturer intends to transfer without certificate fall.

(2) A manufacturer who transfers new truck tires under this paragraph shall send a shipping memorandum to the dealer who is acquiring the tires showing the manufacturer's name and the address of his shipping point, the dealer's name and address (specifying the county), the date of the shipment and the number and sizes of the new truck tires being shipped. Shipping memoranda which the manufacturer sends to dealers under this paragraph shall not include any tires for which the manufacturer has received replenishment portions, and each such memorandum shall contain the following statement: "A copy of this has been sent to the OPA Inventory Branch."

(3) A manufacturer shall mail to the OPA Inventory Branch, Empire State Building, New York, New York, once each week clear copies of the shipping memoranda covering the shipments made during the preceding calendar week under this paragraph. He shall with each mailing enclose a summary of the number of shipping memoranda being forwarded, the number of new truck tires by cross-section size group covered by these shipping memoranda and a signed certification stating the following: "I certify that the shipping memoranda enclosed cover all shipments made during the week under § 1315.804 (j) of Ration Order No. 1A and that the information contained herein is true and correct."

(4) A manufacturer may not under this paragraph transfer to a dealer more than 50 new truck tires in a cross-section size group (7.50 or smaller, 8.25 or larger), nor may he transfer any new truck tires in a cross-section size group if he knows or has reason to believe that the dealer has already acquired 100 new truck tires in that size group from manufacturers under this paragraph. A dealer may not under this paragraph acquire more than 50 new truck tires in a cross-section size group from a single manufacturer nor more than 100 new truck tires in a cross-section size group from all manufacturers.

(5) A manufacturer may not transfer tires under this paragraph to an establishment unless the dealer has certified on his order that he was in the business of selling truck tires from that establishment on July 29, 1944. A dealer may not under this paragraph acquire tires for an establishment where he did not engage in the sale of truck tires on July 29, 1944.

This amendment shall become effective September 28, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14920; Filed, Sept. 27, 1944; 11:36 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Supp. 3]

SOYBEAN PRODUCTS

In the judgment of the Price Administrator, it is necessary and proper to revise the maximum prices established for the soybean products covered, prior hereto, by Maximum Price Regulation 443, in certain minor respects, to establish maximum prices for soybean millfeed, and to reissue the existing regulation as a supplement to Food Products Regulation No. 3. Accordingly, this supplement supersedes Maximum Price Regulation 443 insofar as that regulation establishes maximum prices for sales of soybean products as that term is defined herein.

Such specifications and standards as are used in this supplement were, prior to such use, in general use in the trade or industry.

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

SUPPLEMENT 3 TO FOOD PRODUCTS REGULATION 3—SOYBEAN PRODUCTS

ARTICLE I—GENERAL PROVISIONS

Sec.

1. Explanation of the relation of this supplement to Food Products Regulation No 3.
2. Applicability.
3. Sales at other than maximum prices.
4. Definitions.
5. Other provisions of general applicability.

ARTICLE II—PRICING PROVISIONS

6. Base per ton prices for soybean products.
7. Maximum prices for sales by processors.
8. Maximum prices for sales by trucker-merchants.
9. Maximum prices for sales by jobbers and car door sellers.
10. Maximum prices for sales by wholesalers and retailers.
11. Maximum prices for sales by government agencies, including the Commodity Credit Corporation.
12. Charges for sacks.

AUTHORITY: Secs. 1 to 12, inclusive (§ 1351.400), issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Explanation of the relation of this supplement to Food Products Regulation No. 3.* Not all of the provisions affecting maximum prices for sales of soybean products are stated in this supplement. Those which are not spe-

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9892, 9724.

ecifically set forth here are stated in Food Products Regulation No. 3, and they are just as much a part of this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 3 which are applicable to this supplement are listed in appropriate places in the provisions which follow. When any applicable section of the regulation is amended, the amendment is also applicable to this supplement.

SEC. 2. *Applicability.* Except for those sales exempted by paragraph (a) of this section, this supplement shall apply to all sales of soybean products within the United States and to all deliveries of such products, whether immediate or future.

(a) *Exempt sales*—(1) *Export sales.* Section 2.1 of Food Products Regulation No. 3, dealing with export sales, is applicable to this supplement.

(b) *Emergency purchases.* Section 2.2 of Food Products Regulation No. 3, dealing with emergency purchases, is applicable to this supplement.

SEC. 3. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive, any commodity covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (1) of this paragraph.

(1) *Adjustable pricing.* Section 2.3 of Food Products Regulation No. 3, dealing with adjustable pricing, is applicable to this supplement.

(b) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

SEC. 4. *Definitions*—(a) *Definitions appearing in Food Products Regulation No. 3.* Definitions of the following terms set forth in the designated sections of Food Products Regulation No. 3 are applicable to all of the provisions of this supplement:

"Person", sec. 1.1 of Food Products Regulation No. 3.
"United States", sec. 1.2 of Food Products Regulation No. 3.
"Processor", sec. 1.3 of Food Products Regulation No. 3.
"Store", sec. 1.4 of Food Products Regulation No. 3.
"Retailer", sec. 1.5 of Food Products Regulation No. 3.
"Car door seller", sec. 1.6 of Food Products Regulation No. 3.
"Trucker-merchant", sec. 1.7 of Food Products Regulation No. 3.
"Jobber", sec. 1.8 of Food Products Regulation No. 3.
"Wholesaler", sec. 1.9 of Food Products Regulation No. 3.
"Feeder", sec. 1.10 of Food Products Regulation No. 3.
"Supplier", sec. 1.11 of Food Products Regulation No. 3.
"Customer", sec. 1.12 of Food Products Regulation No. 3.
"Importer", sec. 1.13 of Food Products Regulation No. 3.
"Your supplier's maximum price on the sale to you", sec. 1.14 of Food Products Regulation No. 3.
"Commodity", sec. 1.15 of Food Products Regulation No. 3.
"Oil cake", sec. 1.16 of Food Products Regulation No. 3.
"Oil meal", sec. 1.17 of Food Products Regulation No. 3.
"Sized cake", sec. 1.18 of Food Products Regulation No. 3.
"Pellets", sec. 1.19 of Food Products Regulation No. 3.
"Transportation cost", sec. 1.20 of Food Products Regulation No. 3.
"Hauling allowance", sec. 1.21 of Food Products Regulation No. 3.
"Carload shipment", sec. 1.22 of Food Products Regulation No. 3.
"Pool car lot", sec. 1.23 of Food Products Regulation No. 3.
"Less-than-carload lot", sec. 1.24 of Food Products Regulation No. 3.
"Unit of protein", sec. 1.25 of Food Products Regulation No. 3.
"Applicable supplement", sec. 1.26 of Food Products Regulation No. 3.

(b) *Additional definitions.* When used in this supplement, the following terms shall have the following meanings:

"Soybean products" means soybean oil meal, oil cake, sized cake, pellets and soybean by-products.

"Soybean by-products" are the by-products resulting from the manufacture of soybean flour or grits and are composed of soybean hulls and the offal from the tail of the mill. They include any mixture of soybean by-products and one or more other soybean products. Soybean by-products are sometimes referred to as soybean mill feed.

"Freight allowance from Decatur, Illinois" means the appropriate one of the allowances listed below:

(a) When the point to which it is figured is within the switching limits of Decatur, Illinois—$1.00 per ton.

(b) When the point to which it is figured is any point in the area east of the Illinois-Indiana state line, thence on or north of the Ohio River to Kenova, West Virginia, thence on or north of the Norfolk and Western Railway to Roanoke, Virginia, thence on or north of the Virginia Railway from Roanoke, Virginia, to Norfolk, Virginia—The carload flat rate on grain products from Decatur, Illinois.

(c) When the point to which it is figured is any point other than one of those listed in the above paragraphs (a) and (b)—The carload flat rate on soybean oil meal from Decatur, Illinois.

"Extraction method" means that method of processing soybeans whereby ground beans are cooked and the oil content of the cooked product reduced by the use of solvents to 1% or less on a commercial basis.

SEC. 5. *Other provisions of general applicability.* Provisions relating to the following matters are set forth in Food Products Regulation No. 3 and the sections of that regulation listed below are applicable to and made a part of this supplement as though set forth herein in full.

(a) Evasion, sec. 2.4 of Food Products Regulation No. 3.
(b) Enforcement, sec. 2.5 of Food Products Regulation No. 3.
(c) Licensing, sec. 2.6 of Food Products Regulation No. 3.
(d) Documents, records and reports, sec. 2.7 of Food Products Regulation No. 3.
(e) Interpretations, protests and petitions for amendment, sec. 2.8 of Food Products Regulation No. 3.

ARTICLE II—PRICING PROVISIONS

SEC. 6. *Base per ton prices for soybean products.* Base prices for all soybean products are set forth below. These prices depend upon the giving and fulfilling of a guarantee of minimum protein content. "Standard protein content" for soybean oil meal, oil cake, sized cake and pellets is 44 per cent when those products are the result exclusively of the extraction method of production, and 41 per cent when any other method or combination of methods is used. "Standard protein content" for soybean by-products (soybean millfeed) is 15 per cent.

The base prices set forth in this section are for sales or deliveries of 60,000 pounds or more, for carload shipments, and for pool carlots. In the event you deliver a less than carload lot of any soybean product, you may add $1.00 per ton to the price listed below in arriving at your base price.

(a) If you guarantee, at the time of sale, that the lot will contain, at a minimum, the standard protein content, and you fulfill such guarantee by delivering a lot with at least that protein content, your base price, at any point, is the freight allowance to such point plus the appropriate one of the following:

Oil meal and oil cake [1]	$45.00
Sized cake and pellets	46.50
Soybean by-products	30.00

[1] For soybean oil meal which is manufactured by a special process different from that used in manufacturing soybean oil meal for feed, and which is sold by the processor to a manufacturer of adhesives for further processing into adhesives, use a price of $48.00. If soybean oil meal is thus specially produced and either sold to a manufacturer of adhesives by someone other than the processor, or sold by the processor to anyone other than a manufacturer of adhesives, the $45.00 price is applicable for such oil meal.

(b) If you guarantee, at the time of sale, that the lot will contain, at a minimum, any specified protein content less than the standard protein content for the commodity, and you fulfill such guarantee by delivering a lot with at least the minimum protein content guaranteed, you determine your base price by deducting from the price for the commodity listed in paragraph (a) above, 55 cents per ton for each one-half unit of protein or fraction thereof by which the actual protein content of the lot is under the standard for the commodity.

(c) If, at the time of sale, you guarantee any minimum protein content, and you deliver a lot that falls short of your guarantee, you determine your base price by dividing the base price that would be applicable if the guarantee had been fulfilled by the number of units guaranteed, and multiply that result by the number of full units of protein in the lot, but not by more than the number of units in the standard protein content for the commodity.

(d) If, at the time of sale, you do not guarantee any minimum protein con-

tent, you determine your base price at any point by multiplying the actual number of full units of protein in the lot by $1.05 and adding the freight allowance to that point, except that in no case may the price exceed that set forth in paragraph (a) for the same commodity at the same point sold with a guarantee of standard protein content.

(c) *Base prices for importers.* The base price for an importer at any point is the same as the base price for any other person selling and delivering the same commodity under the same circumstances.

SEC. 7. *Maximum prices for sales by processors.* If you are a processor, you figure your maximum per ton price, bulk, for all sales of soybean products by adding to the appropriate base price the applicable maximum markup, if any.

(a) *Base price.* The appropriate base price is the base price for the point at which you deliver to your customer, as set forth in section 6 of this supplement.

(b) *Maximum markup.* As a processor you are not permitted to add a maximum markup in figuring the maximum price for the sale of any lot unless you have unloaded such lot into a warehouse or store operated by you as a separate place of business not located at the production plant, and you sell from such warehouse or store. If, as to any lot, you comply with this requirement, you may add the appropriate one of the following markups:

	Per ton
If you sell to a feeder from a store	$4.50
In all other cases	1.50

SEC. 8. *Maximum prices for sales by trucker-merchants.* Section 3.2 of Food Products Regulation No. 3, which provides a pricing method for trucker-merchants, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.2 refers to "your supplier's maximum price on the sale to you." It is defined in section 1.14 of Food Products Regulation No. 3. If you are the importer, "your supplier's maximum price on the sale to you" is the base price for the point of entry.

(b) *Hauling allowance.* Section 3.2 of Food Products Regulation No. 3 also refers to "hauling allowance". That term is defined in section 1.21 of Food Products Regulation No. 3. If you are the importer, you may consider only the distance from the point of entry to the point at which you deliver to your customer, in determining the amount of the hauling allowance.

SEC. 9. *Maximum prices for sales by jobbers and car door sellers.* If you are a jobber or a car door seller, you figure your maximum per ton price, bulk, for all sales of soybean products by adding to the appropriate base price, the applicable maximum markup, if any.

(a) *Base price.* The appropriate base price is the base price for the point at which you deliver to your customer, as set forth in section 6 of this supplement.

(b) *Maximum markup*—(1) *Jobbers.* If no other jobber has already handled the same lot, you may add one of the following maximum markups:

	Per ton
For deliveries in pool car lots	$1.00
For all other deliveries	.75

(2) *Car door sellers.* If you are a car door seller, you may add a maximum markup of $3.50 per ton. If you purchased the lot you are pricing from a jobber, you may also add $.75 per ton, which represents his lawful markup on the sale to you.

SEC. 10. *Maximum prices for sales by wholesalers and retailers.* Section 3.4 of Food Products Regulation No. 3, which provides a pricing method for wholesalers and retailers, and section 3.5 of Food Products Regulation No. 3, which provides base prices for wholesalers and retailers, are applicable to this supplement.

(a) *Base prices.* The base prices referred to in section 3.4 are the base prices set out in section 3.5 of Food Products Regulation No. 3. However, as a wholesaler or retailer of soybean products, in figuring these wholesale and retail base prices, you must make one substitution in connection with "your supplier's maximum price" and the specified transportation cost. As to any soybean products which you bought as a lot of 60,000 pounds or more, or as a carload shipment, or which you received as part of a pool car lot, you may not use your supplier's maximum price on the sale to you plus transportation cost as specified in section 3.5; you must substitute in its place the appropriate base price for the soybean product at your warehouse or store. This base price is determined under section 6 of this supplement. In the case of any such substitution, you may, if you purchased such a lot from a jobber, add $1.00 or $.75 per ton, whichever represents the jobber's markup on the sale to you. You must make this substitution regardless of which method of figuring a wholesaler's or retailer's base price you use.

(b) *Maximum markups.* This regulation aims to prevent the inclusion in any maximum price of more than one markup for any class of seller. As a retailer you can always add a retailer's maximum markup, since a seller can qualify as a retailer only when he is selling a particular lot to a person who will use the lot and will not resell it. It is therefore impossible for two retailers to handle the same lot. As a wholesaler, however, you are permitted to add the maximum markup set out below in figuring the maximum price for the sale of any lot, only if no other wholesaler has already handled the lot. On this condition the following maximum markups may be added.

	Per ton
Wholesaler	$2.50
Retailer	5.50

SEC. 11. *Maximum prices for sales by government agencies, including the Commodity Credit Corporation.* The maximum price which a government agency, including the Commodity Credit Corporation, may charge is the same price the processor could charge for the same sale.

SEC. 12. *Charges for sacks and sacking.* Section 3.6 of Food Products Regulation No. 3, dealing with increases for sacks and section 3.7 of Food Products Regulation No. 3, dealing with charges for sacking, are applicable to this supplement.

This supplement shall become effective on the 2d day of October 1944.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14888; Filed, Sept. 26, 1944; 4:44 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND COSMETICS

[MPR 472,[1] Amdt. 4]

CERTAIN ESSENTIAL OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Appendix C is amended by adding a new paragraph designated (d) to read as follows:

(d) *Pre-existing contracts.* Any person who, prior to June 15, 1944, had purchased, contracted to purchase or had established an irrevocable letter of credit pursuant to a contract to purchase, oil of lemon to be imported into the continental United States at a total landed cost higher than the maximum prices specified in paragraph (a) for domestic sales may apply to the Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., for approval of a selling price above that permitted under paragraph (a). Such application shall be made in writing and shall include the following:

(1) The date of purchase.
(2) The price paid and terms of sale.
(3) The total quantity received or to be received.
(4) An itemized statement of all import expenses.
(5) A copy of the irrevocable letter of credit or contract of purchase.

This amendment shall become effective October 2, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14922; Filed, Sept. 27, 1944; 11:36 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 13126; 9 F.R. 3426, 4197, 6710.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,[1] Amdt. 47]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.71a is amended to read as follows:

§ 1407.71a *Home processing for sale—*(a) *Sugar for producing foods having a point value greater than zero—*(1) *Who may apply.* A person registered as a consumer may obtain from the Board certificates with which to get sugar to produce, from fresh fruits and fruit juices, "home processed foods" (as defined in section 26.1 of Revised Ration Order 13), other than those having a zero point value, which he intends to transfer for points in accordance with section 26.3 of 26.4a of Revised Ration Order 13.

(2) *How application is made.* Applications under this paragraph shall be made to the Board, on OPA Form R–315, personally by the consumer applying for the family unit. The application shall state:

(i) The number of pounds of "home processed foods" (other than those having a zero point value) he intends to produce from fresh fruits and fruit juices.

(ii) The address at which the processing will be done.

(iii) The type of facilities to be used.

(iv) The number of pounds of sugar applied for.

(v) If any member of his family unit has obtained sugar under this section before March 1, 1944. Before the application may be granted, he must account for the "home processed" foods produced with such sugar by submitting either an inventory of such foods or a statement that he has made the reports and surrendered the points required by Revised Ration Order 13 for their transfer, or both.

(vi) If any member of his family unit has received an allowance under this section after March 1, 1944; if so,

(*a*) The name of the member who applied;

(*b*) The address of the Board at which the application was filed; and

(c) The number of pounds of sugar so obtained.

(b) *Sugar for producing certain other products—*(1) *Who may apply.* A person registered as a consumer may obtain from the Board certificates with which to get sugar to produce from fresh fruits and fruit juices "home processed foods" (as defined in section 26.1 of Revised Ration Order 13) having a zero point value, and to produce, in a "kitchen", from fresh fruit and fruit juices for sale or transfer, jams, jellies, preserves, marmalades and fruit butters, if he used sugar to produce those products during 1941, for sale or transfer. (Sections 26.1 and 26.4 of Revised Ration Order 13 apply in determining whether the place where the item is produced is considered a "kitchen".)

(2) *How application is made.* Application under this paragraph shall be made to the Board on OPA Form R–315 personally by the consumer applying for the family unit. The applicant shall state:

(i) The number of pounds of "home processed foods", having a zero point value, he intends to produce from fruits and fruit juices.

(ii) The number of pounds of prepared fruit he intends to use in making jams, preserves and marmalades.

(iii) The number of pounds of prepared fruit (or pints of fruit juices) he intends to use in making jellies.

(iv) The number of pounds of prepared fruit (pulp) he intends to use in making fruit butter.

(v) The address at which the processing will be done.

(vi) The type of facilities to be used.

(vii) The number of pounds of sugar applied for.

(viii) The number of pounds of sugar he and the members of his family unit used in 1941 in producing these products. (If this figure is an estimate, he must so state and describe the method on which it is based.)

(ix) If any member of his family unit has obtained sugar under this section before March 1, 1944. Before the application may be granted, he must account for the "home processed" foods produced with such sugar by submitting either an inventory of such foods or a statement that he has made the reports and surrendered the points required by Revised Ration Order 13 for their transfer, or both.

(x) The amount of sugar, if any, he and members of his family unit have obtained after March 1, 1944 for making these products, and if so:

(*a*) The name of the member who applied;

(*b*) The address of the Board at which the application was filed; and

(*c*) The number of pounds of sugar so obtained.

(c) If an applicant applies for sugar under paragraphs (a) and (b) at the same time, he may file one Form R–315 covering the total amount of sugar he needs.

(d) *The amounts that may be obtained.* Sugar may be obtained and used at the rate of not more than

(1) One pound per 4 quarts or 8 pounds of finished home processed foods produced from fruits and fruit juices.

(2) One pound per pound of prepared fruit used for making jams, preserves and marmalades.

(3) One pound per 2 pounds of prepared fruit (or one pint of fruit juice) used for making jelly.

(4) One pound per 2 pounds of prepared fruit (pulp) used for making fruit butter.

However, the total amount of sugar which may be obtained by a family unit under this section for the period from March 1, 1944, to February 28, 1945, inclusive, shall not exceed two hundred fifty pounds, or the total amount of sugar used by the members of his family unit in 1941 for the purposes covered by this section, whichever is greater. In any event, the amount of sugar that he may obtain under this section to produce "home processed foods" having a zero point value and jams, jellies, preserves, marmalades, and fruit butters, may not exceed the amount he and the members of his family unit used in producing such items for sale or transfer in 1941.

(e) *When application may be made.* Applications under this section may be made at any time from March 1, 1944, to February 28, 1945, inclusive.

(f) *The Board may issue certificates.* If the Board finds that the facts stated in the application are true and if all sugar granted to the applicant or to a member of his family unit under this section before March 1, 1944, has been accounted for as provided in paragraph (a) (2) (v) or (b) (2) or (ix) it shall grant the application to the extent permitted under the provisions of this section and shall issue a certificate for the amount of sugar allowed.

(g) *The applicant must make reports and keep records.* The applicant shall make the reports and keep the records required of him by Revised Ration Order 13.

(h) *How sugar may be used and home processed foods transferred.* Sugar obtained under this section may be used only for the purposes for which it was granted and at a rate no higher than that permitted by paragraph (d). "Home processed foods" produced with such sugar may be delivered, sold or transferred only in accordance with the provisions of Revised Ration Order 13.

2. Section 1407.87 (d) is amended to read as follows:

(d) A provisional allowance of sugar may not be granted for producing "home processed foods" (as defined in section 26.1 of Revised Ration Order 13), or for producing jams, jellies, preserves, marmalades or fruit butters, in a "kitchen", or for processing, curing or packing meat to be delivered point free under section 3.3 of Revised Ration Order 16. (Sections 26.1 and 26.4 of Revised Ration Order 13 apply in determining whether the place where the item is produced is considered a "kitchen".)

3. Section 1407.89 (d) is amended to read as follows:

(d) A provisional allowance of sugar may not be used for producing "home processed foods" (as defined in section 26.1 of Revised Ration Order 13) or for producing jams, jellies, preserves, marmalades or fruit butters in a "kitchen", or for processing, curing or packing meat to be delivered point free under section 3.3 of Revised Ration Order 16. (Sections 26.1 and 26.4 of Revised Ration Order 13 apply in determining whether the place where the item is produced is considered a "kitchen").

This amendment shall become effective September 27, 1944.

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 1433, 1594, 2233, 2626, 3031, 3513, 3570, 3647, 3944, 4099, 4350, 4474, 4580, 5220, 5254, 5166, 5426, 5346.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14919; Filed, Sept. 27, 1944; 11:37 a. m.]

PART 1427—MAGNESIUM

[MPR 314,[1] Amdt. 6]

MAGNESIUM AND MAGNESIUM ALLOY INGOT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 314 is amended in the following respects:

1. Section 1427.51 (a) is amended to read as follows:

(a) (1) *Maximum base prices.* The maximum base prices for magnesium and magnesium alloy ingot shall be the following:

	Maximum base price (Cents per pound)
Magnesium ingot (commercially pure)	20.50
Selected magnesium crystals, crowns and muffs[1]	23.50
Magnesium alloy ingot:	
Incendiary bomb alloy	23.40
50-50 magnesium-aluminum alloy	23.75
ASTM B93-41T:	
No. 2	23.00
No. 3	23.00
No. 4	23.00
No. 4x	25.00
No. 11	25.00
No. 12	23.00
No. 13	23.00
No. 13x	25.00
No. 14	23.00
No. 17	23.00
No. 17x	25.00
ASTM B107-41T or B90-41T:	
No. 8x	23.00
No. 18	23.50
No. 18x	25.00

[1] Shall include all packing, screening, barrelling, handling, and other preparation charges.

(2) *Maximum prices for sales or deliveries of magnesium alloys in standard ingot form not included in paragraph (a) (1).* (i) The maximum price for any grade of magnesium alloy ingot, other than a grade for which a maximum price is established in paragraph (a) (1) of this section, shall be a price in line with the prices established by paragraph (a) (1), shall be approved by the Office of Price Administration, and when once approved shall be the maximum price for all subsequent sales of such ingot by the seller to whom such price approval is given unless the Administrator thereafter specifically withdraws such approval.

(ii) On and after October 2, 1944, the seller of any such ingot shall report the first sale of such ingot made to the Office of Price Administration, Washington, D. C., within five days from the date thereof, stating (a) the name of the buyer, (b) the quantity sold, (c) the alloy content, including specific mention of any impurity limitations and physical specifications when relevant, (d) the proposed price in lots of 100 pounds or more, and (e) the cost breakdown, including metal cost, conversion cost and allowance for overhead.

(iii) Pending action by the Office of Price Administration on prices submitted for approval under this paragraph (a) (2), any such seller may sell or deliver and any person may buy, offer to buy or receive from such seller any such ingot at the price submitted for approval. If, however, the price submitted is disapproved the selling price shall be revised downward to the maximum price which shall be approved and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the establishment of such revised price: *Provided*, That the price submitted by the seller for approval shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price and establishes an approved price within fifteen days from the date on which the price submitted is received by the Office of Price Administration, or if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration. A price once approved shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

2. A new § 1427.51 (d) is added to read as follows:

(d) *Sales for experimental or laboratory purposes.* The provisions of this Maximum Price Regulation No. 314, other than § 1427.56, shall not apply to the sale or delivery of any magnesium alloy ingot which is not listed in § 1427.51 (a) (1) when such alloy is sold in lots of less than 500 pounds for experimental or laboratory purposes. However, a duplicate invoice of every such sale shall be delivered by the seller to the Non-Ferrous Metals Branch of the Office of Price Administration, Washington, D. C., within five days after such sale or delivery.

This amendment shall become effective October 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14921; Filed, Sept. 27, 1944; 11:36 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,[1] Amdt. 15]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 9A is amended in the following respects:

1. Section 2.2 is amended to read as follows:

SEC. 2.2 *Consumer orders.* (a) The manner in which a consumer's order may be placed and accepted is set forth in section 6.3 (a).

2. Section 6.3 (a) (2) is amended by substituting a comma for the period at the end of the first sentence and by adding the following phrase: "or unless the order comes within the conditions of subparagraph (4)."

3. Section 6.3 (a) (3) is amended by adding thereto the following sentence: "An order, unaccompanied by a certificate, for a stove which is not to be transferred until its transfer without a certificate is permitted by this ration order, may not be accepted by setting aside or ear-marking such stove."

4. Section 6.3 (a) (4) is added as follows:

(4) An offer or order for a stove by a dealer, distributor or manufacturer, not accompanied by a certificate, may be placed and accepted if it specifies that the stove is not to be transferred until its transfer without a certificate is permitted by this ration order.

5. Section 6.4 (a) is amended by substituting a comma for the period at the end of the first sentence and by adding the following phrase: "if the offer or order is accompanied by a certificate."

6. Section 6.4 (b) is amended by inserting the phrase "is accompanied by a certificate and" after the phrase "to acquire stoves" in the first sentence.

This amendment shall become effective on September 27, 1944.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14918; Filed, Sept. 27, 1944; 11:37 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165,[1] Supp. Service Reg. 37]

CONTRACT SERVICES RENDERED IN CONNECTION WITH HARVESTING AND BALING OF ALFALFA HAY AND FLAX STRAW IN THE IMPERIAL VALLEY AREA

The statement of considerations involved in the issuance of this Supplementary Service Regulation No. 37 has been

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 1367, 2040, 2154, 7105, 10667, 17298; 9 F.R. 2563.

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 11564, 12749, 13060, 14049, 15254, 9 F.R. 92, 348, 906, 3234, 3946, 6952, 9017, 9356, 9721, 10499, 11000.

[1] 9 F.R. 7439, 9107, 9411, 11173.

filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 37 is hereby issued.

§ 1499.2272 *Contract services rendered in connection with harvesting and baling of alfalfa hay and flax straw in the Imperial Valley area.* (a) Dollars and cents maximum prices established for certain contract services rendered in connection with harvesting and baling of alfalfa hay and flax straw in the Imperial Valley area.

(1) The maximum prices for contract services performed in connection with harvesting and baling of alfalfa hay and flax straw in the Imperial Valley area shall be the prices set forth in Table I below. These prices include all labor and equipment necessary for the performance of the contract. When any equipment or labor is furnished by the buyer the contractor must deduct from the applicable maximum price the reasonable value of the use of such labor or equipment. Each contractor must file the adjusted price with the San Diego District Office of the Office of Price Administration before performing such contract service.

TABLE I

ALFALFA HAY

	Per acre
Mowing:	
When performed in conjunction with baling	$0.75
When performed for grower who does own baling	0.85
Raking:	
When performed in conjunction with baling	1.00
When performed for grower who does own baling	1.15
	Per ton
Baling:	
From beginning of season until July 1	3.75
After July 1	4.00
	Per bale
Hauling and Piling:	
From beginning of season until June 1:	
(1) Where piling is not to exceed 9 bales high	0.08
(2) Where piling is in excess of 9 bales high, or into R. R. cars	0.09
After June 1:	
(1) Where piling is not to exceed 9 bales high	0.09
(2) Where piling is in excess of 9 bales high, or into R. R. cars	0.10

FLAX STRAW

	Per ton
Baling	4.75

(2) The Regional Administrator of Region VIII and the District Director of the San Diego District Office of the Office of Price Administration, are hereby authorized to approve, disapprove, or modify the adjusted prices filed pursuant to paragraph (a) (1) above. Such adjusted prices shall be the contractor's maximum prices five days after they are received for filing by the District Office unless within that time the contractor is advised that the prices have been disapproved or modified by the Regional Administrator or the District Director of the San Diego District Office. These prices are subject to revision or modification at any time by the OPA.

(3) Definitions as used in this supplementary service regulation:

"Imperial Valley area" means that area of Imperial County, California, bounded on the south by the International Boundary Line; on the east by the East High Line Canal to the point at which it intersects the main line of the Southern Pacific, four miles east of Niland; on the north by the main line (transcontinental route) of the Southern Pacific Station of Wister to Kane Springs on U. S. Highway No. 99, thence south to Plaster City on U. S. Highway No. 80, thence south to the International Boundary.

This Supplementary Service Regulation No. 37 shall become effective September 26, 1944.

Issued this 26th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14890; Filed, Sept. 26, 1944; 4:38 p. m.]

*Copies may be obtained from the Office of Price Administration.

Chapter XX—Office of Contract Settlement

[Gen. Reg. 8]

PART 8006—TERMINATIONS

SUBPART A—PRE-TERMINATION AGREEMENTS

SEPTEMBER 27, 1944.

Pursuant to the authority conferred upon me by section 4 (b), section 8 (c), and section 20 (d) of the Contract Settlement Act of 1944, the following policies, principles, methods, procedures, and standards relating to pre-termination agreements are prescribed for all contracting agencies:

§ 8006.1 *General policies.* Directive Order 2[1] of the Office of War Mobilization is amended by the addition of paragraph 5 as follows:

5. Any department or agency of the Government may embody in any contract a special agreement to pay the contractor, as fair compensation for the termination of the contract, amounts specified in the contract or to be readily computed according to specific methods, standards or bases appropriate to the particular contract and set out therein, in lieu of any other compensation therefor, whenever the department or agency determines (1) that the available data permits a reasonable forecast, consistent with sound commercial standards, of the factors involved in determining what will be fair compensation for termination in the case or class of cases and (2) that such agreement will substantially facilitate settlements, plant clearance, reconversion from war to civilian production or the efficient use of materials, manpower and facilities or will otherwise promote the objectives of the Contract Settlement Act of 1944. Such special agreements may be included in original contracts or may be inserted in contracts by amendment made before their termination; and, when so included or inserted, are hereby determined to provide a method for determining fair compensation for the termination of such contracts.

ROBERT H. HINCKLEY,
Director.

[F. R. Doc. 44-14938; Filed, Sept. 27, 1944; 1:03 p. m.]

[1] 9 F.R. 2251.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 222, Supp. 1]

PART 97—ROUTING OF TRAFFIC

ROUTING OF NON-TRANSIT GRAIN AND RELATED ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of September, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Committee to the Office of Defense Transportation that certain routes now maintained in tariffs on non-transit carload shipments of grain, grain products, and related articles, also seeds described in Appendix A[1] attached hereto and made a part hereof, be closed because of the time consumed in transporting this traffic over such routes as compared with more direct routes, the Office of Defense Transportation recommends that this Commission take such action as it deems necessary; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people, it is ordered, that:

Routing of non-transit grain, grain products, and related articles, also seeds in carloads over certain routes prohibited. (a) No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move, carload shipments of non-transit grain, grain products, and related articles, also seeds from and to the points and over the routes specified in Appendix A, attached hereto and made a part hereof, until further order of the Commission, but not for a longer period than the present war and six (6) months thereafter.

(b) *Application.* The provisions of this order shall not apply to any carload of non-transit grain, grain products, or related articles or seeds loaded for transportation or movement or being transported or moved from and to the points and over the routes specified in Appendix A prior to the effective date of this order.

[1] Filed as part of the original document.

(c) *Notice of prohibited routing.* Each railroad, or its agent, 5 days before the effective date of this order, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the prohibition on routing specified in paragraph (a) of this section. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, that this order shall become effective at 12:01 a. m., October 20, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14846; Filed, Sept. 26, 1944; 11:09 a. m.]

[S. O. 222, Supp. 2]

PART 97—ROUTING OF TRAFFIC

ROUTING OF NON-TRANSIT GRAIN AND RELATED ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of September, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee to the Office of Defense Transportation that certain routes now maintained in tariffs on non-transit carload shipments of grain, grain products, and related articles, also seeds described in Appendix A[1] attached hereto and made a part hereof, be closed because of the time consumed in transporting this traffic over such routes as compared with more direct routes, the Office of Defense Transportation recommends that this Commission take such action as it deems necessary; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people, it is ordered, that:

Routing of non-transit grain, grain products, and related articles, also seeds in carloads over certain routes prohibited. (a) No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move, carload shipments of non-transit grain, grain products, and related articles, also seeds from and to the points and over the routes specified in Appendix A, attached hereto and made a part hereof, until further order of the Commission, but not for a longer period than the present war and six (6) months thereafter.

(b) *Application.* The provisions of this order shall not apply to any carload of non-transit grain, grain products, or related articles or seeds loaded for transportation or movement or being transported or moved from and to the points and over the routes specified in Appendix A prior to the effective date of this order.

(c) *Notice of prohibited routing.* Each railroad, or its agent, 5 days before the effective date of this order, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the prohibition on routing specified in paragraph (a) of this section. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, that this order shall become effective at 12:01 a. m., October 20, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14847; Filed, Sept. 26, 1944; 11:09 a. m.]

[1] Filed as part of the original document.

[S. O. 222, Supp. 3]

PART 97—ROUTING OF TRAFFIC

ROUTING OF NON-TRANSIT GRAIN AND RELATED ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 22nd day of September, A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee to the Office of Defense Transportation that certain routes now maintained in tariffs on non-transit carload shipments of grain, grain products, and related articles, also seeds described in Appendix A[1] attached hereto and made a part hereof, be closed because of the time consumed in transporting this traffic over such routes as compared with more direct routes, the Office of Defense Transportation recommends that this Commission take such action as it deems necessary; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people, it is ordered, that:

Routing of non-transit grain, grain products, and related articles, also seeds in carloads over certain routes prohibited. (a) No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move, carload shipments of non-transit grain, grain products, and related articles, also seeds from and to the points and over the routes specified in Appendix A, attached hereto and made a part hereof, until further order of the Commission, but not for a longer period than the present war and six (6) months thereafter.

(b) *Application.* The provisions of this order shall not apply to any carload of non-transit grain, grain products, or related articles or seeds loaded for transportation or movement or being transported or moved from and to the points and over the routes specified in Appendix A prior to the effective date of this order.

(c) *Notice of prohibited routing.* Each railroad, or its agent, 5 days before the effective date of this order, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the prohibition on routing specified in paragraph (a) of this section. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, that this order shall become effective at 12:01 a. m., October 20, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14848; Filed, Sept. 26, 1944; 11:09 a. m.]

[1] Filed as part of the original document.

[S. O. 222-Supp. 4]

PART 97—ROUTING OF TRAFFIC

ROUTING OF NON-TRANSIT GRAIN AND RELATED ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of September A. D. 1944.

Upon recommendation of the ODT-ICC Grain and Grain Products Transportation Conservation Committee to the Office of Defense Transportation that certain routes now maintained in tariffs on non-transit carload shipments of grain, grain products, and related articles, also seeds described in Appendix A attached hereto and made a part hereof, be closed because of the time consumed in transporting this traffic over such routes as compared with more direct routes, the Office of Defense Transportation recommends that this Commission take such action as it deems necessary; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and

the commerce of the people, it is ordered, that,

Routing of non-transit grain, grain products, and related articles, also seeds in carloads over certain routes prohibited. (a) No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move, carload shipments of non-transit grain, grain products, and related articles, also seeds from and to the points and over the routes specified in Appendix A, attached hereto and made a part hereof, until further order of the Commission, but not for a longer period than the present war and six (6) months thereafter.

(b) *Application.* The provisions of this order shall not apply to any carload of non-transit grain, grain products, or related articles or seeds loaded for transportation or movement or being transported or moved from and to the points and over the routes specified in Appendix A[1] prior to the effective date of this order.

(c) *Notice of prohibited routing.* Each railroad or its agent, 5 days before the effective date of this order, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the prohibition on routing specified in paragraph (a) of this section. (40 Stat. 101, secs. 402, 413, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, that this order shall become effective at 12:01 a. m., October 20, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F.-R. Doc. 44-14929; Filed, Sept. 27, 1944; 11:39 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

CHARLES SHELDON ANTELOPE RANGE, NEV.

Under authority of section 84 of the act of March 4, 1909 (35 Stat. 1088; 18 U.S.C. 145), as amended, the following is ordered:

§ 21.154 *Hunting within the Charles Sheldon Antelope Range, Nevada.* Hunting for antelope with rifled firearms, except guns using 22-caliber rim fire ammunition, will be permitted on the Charles Sheldon Antelope Range during that part of the State's open season and to the extent prescribed and announced by the Director of the Fish and Wildlife Service in cooperation with the State Fish and Game Commission of Nevada. However, hunting will not be permitted on that portion of the range lying east of the trail passing Big Spring Reservoir to Hawks Valley and north of a line following the main east-west road through the range from its intersection with the Hawks Valley Trail to the road leading to the old CCC camp, the road to the old CCC camp, and a line due east from the camp to the east boundary of the range.

Entry on and use of the range for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. In addition all hunters must comply with State hunting laws and regulations, and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

It should be noted that the hunting privileges granted herein do not apply to the Charles Sheldon Antelope Refuge.

OSCAR L. CHAPMAN,
Assistant Secretary.

SEPTEMBER 23, 1944.

[F. R. Doc. 44-14893; Filed, Sept. 27, 1944; 9:33 a. m.]

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

CARLSBAD NATIONAL WILDLIFE REFUGE, N. MEX.

Under authority of section 84 of the act of March 4, 1909 (35 Stat. 1088), as amended, the following is ordered:

§ 23.141 *Hunting within the Carlsbad National Wildlife Refuge, New Mexico.* The hunting of migratory waterfowl will be permitted in accordance with regulations under the Migratory Bird Treaty Act within that portion of the MacMillan Reservoir in the Carlsbad National Wildlife Refuge, New Mexico, lying south of the township line between T. 18 and 19 S., R. 26 and 27 E., New Mexico Meridian.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. Not to exceed two hunting dogs may be used by each hunter but such dogs shall not be permitted to run unattended on the refuge.

Hunters shall follow such routes of travel within the refuge as are designated by posting. In addition, all hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

OSCAR L. CHAPMAN,
Assistant Secretary.

SEPTEMBER 23, 1944.

[F. R. Doc. 44-14895; Filed, Sept. 27, 1944; 9:33 a. m.]

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

SALT RIVER NATIONAL WILDLIFE REFUGE, ARIZ.

Under authority of section 84 of the act of March 4, 1909 (35 Stat. 1088), as amended, the following is ordered:

§ 23.798 *Hunting within the Salt River National Wildlife Refuge, Arizona.* The hunting of migratory waterfowl will be permitted in accordance with regulations under the Migratory Bird Treaty Act within that portion of the Salt River National Wildlife Refuge, Arizona, lying east of a line extending from the Roosevelt boat landing, northeast and north through sections 21, 16, and 9, R. 12 E., T. 4 N., as posted.

Entry on and use of the refuge for any purpose is governed by the regulations of the Secretary dated December 19, 1940 (5 F.R. 5284), and strict compliance therewith is required. Not to exceed two hunting dogs may be used by each hunter but such dogs shall not be permitted to run unattended on the refuge.

Hunters shall follow such routes of travel within the refuge as are designated by posting. In addition, all hunters must comply with the State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license is required by such laws and regulations.

OSCAR L. CHAPMAN,
Assistant Secretary.

SEPTEMBER 23, 1944.

[F. R. Doc. 44-14894; Filed, Sept. 27, 1944; 9:33 a. m.]

Notices

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

EXCESS PROFITS TAX

RELIEF BECAUSE OF INADEQUATE EXCESS PROFITS CREDIT

Subchapter E of Chapter 2 of the Internal Revenue Code imposes an excess profits tax on corporations for taxable years beginning after December 31, 1939. Under the provisions of this subchapter, excess profits are measured by comparing the earnings for the current taxable year with a statutory excess profits credit.

Section 722 of Subchapter E reflects the recognition by Congress of the desirability and necessity of granting relief in meritorious cases to corporations which bear an excessive tax burden because of an inadequate excess profits credit. This section provides for the recomputation of excess profits tax on the basis of a reconstructed excess profits credit.

As required by section 722 (g) the following lists, containing the cases arranged alphabetically by internal revenue districts, show the name and address of each corporation to which relief has been allowed, business, taxable years involved, excess profits credit before al-

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[1] Filed as part of the original document.

lowance of relief, increase in excess profits credit claimed, increase in excess profits credit allowed, decrease in excess profits tax, and increase in income tax. No allowances under section 722 have been made by The Tax Court of the United States as of June 30, 1943.

In order to determine the relief granted and the relevant data required to be published, intermediate computations of the excess profits tax and the income tax showing the amounts of taxes which would have been due without the benefits of section 722 were made. Comparison of the pertinent items and figures appearing in the application for relief and the tax computations after the allowance of relief with those appearing in the intermediate tax computations developed the required data.

Explanations of certain of the items, as displayed in their respective column headings of the lists, and the data evolved, follow:

Business in which engaged, column 2. The business in which taxpayer is engaged is that reported in the income tax return of the corporation for the taxable year or years involved, therefore, it does not necessarily correspond with the business during the base period. In those instances where the return for the year involved failed to disclose the nature of business, information from other sources was utilized. Moreover, since the nature of business shown usually represents a general description of the predominant business activity, it does not necessarily represent or reflect the business activity with respect to which an inadequate excess profits credit was established.

Excess profits credit before allowance of relief, column 4. The excess profits credit before allowance of relief is the credit originally claimed by the taxpayer, as corrected, whether based on income or capital.

Increase in the amount of excess profits credit claimed by taxpayer, column 5. The increase in the amount of excess profits credit claimed by taxpayer is the excess of the credit based on the constructive income claimed by the taxpayer over the credit before allowance of relief shown in column 4.

Increase in the amount of excess profits credit allowed, column 6. The increase in the amount of excess profits credit allowed is the excess of the recomputed credit based on constructive income finally allowed over the credit before allowance of relief shown in column 4.

Gross reduction in the excess profits tax, column 7; gross increase in the income tax, column 8. The gross reduction in the excess profits tax and the gross increase in the income tax resulting from the operation of section 722 are the differences between the gross taxes which would have been due without the benefits of section 722 and the gross taxes due after relief had been granted. The gross excess profits tax is the tax due prior to the deferment under section 710 (a) (5), the foreign tax credit under section 729, the credit for debt retirement under section 783, and the adjustment under section 734. The gross income tax is the tax due prior to the foreign tax credit under section 131.

The changes in the income and excess profits taxes shown reflect the effect of the increases attributable to section 722 in the unused excess profits credit carried forward from prior taxable years as well as the effect of the increase in unused excess profits credit carried back from subsequent taxable years to the extent that claims with respect to carrybacks and with respect to section 722 were allowed within the same fiscal year.

While the decrease in excess profits tax is directly related to the increase in excess profits credit allowed, a number of factors serve to invalidate a comparison of the relationship of these two items applicable to a corporation for different taxable years or to different corporations for the same taxable year. Among the most important factors affecting this comparison are (1) increase in excess profits tax rates, (2) changes in rate structure from a graduated to a flat rate system, (3) effect of unused excess profits credits of prior and subsequent years attributable to section 722, (4) variation of provisions applicable to fiscal years, (5) limitation of excess profits tax to the amount by which 80 percent of net income exceeds the income tax, applicable to certain taxable years, and (6) relation of excess profits before the application of section 722 to the increase in excess profits credit allowed.

For taxable years beginning after December 31, 1940, a portion of the amount by which the excess profits tax is reduced by reason of the application of section 722 is offset by an increase in income tax. This offset arises from the provisions which permit the deduction of the income subject to excess profits tax (or excess profits tax in certain taxable years) in arriving at income subject to income tax.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE

FISCAL YEAR ENDED JUNE 30, 1942

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of Section 722	Gross increase in the income (chapter 1) tax resulting from the operation of Section 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
GEORGIA							
Thompson, Weinman & Co., Inc., Cartersville, Ga.	Mining and grinding limestone-talc-marble and barytes fillers.	12-31-1940	$126,344.66	$37,888.88	$27,027.78	$4,944.79	None
9TH DISTRICT ILLINOIS							
Kuehne Manufacturing Co., Matton, Ill.	Furniture manufacture	12-31-1940	33,668.96	32,726.32	21,913.28	5,321.65	None
National Radio Personalities, Inc., 200 Alliance Bldg., Peoria, Ill.	Selling radio advertising and publishing radio station booklets.	12-31-1940	1,585.21	9,170.68	9,176.08	818.28	None
Nokomis Coal Co., Nokomis, Ill.	Coal mining	6-30-1941	61,195.96	45,035.48	26,770.72	3,921.65	None
INDIANA							
South Bend Tribune, 225 West Colfax Ave., South Bend, Ind.	Publishing newspaper	12-31-1940	101,425.25	62,946.68	70,407.58	18,718.34	None
THIRD DISTRICT OF NEW YORK							
Riddell Petroleum Corporation, 30 Rockefeller Plaza, New York, N. Y.	Petroleum	12-31-1940	14,600.90	88,865.83	88,865.83	8,582.82	None
TWENTY-FIRST DISTRICT OF NEW YORK							
The Herald Co., 220 Herald Pl., Syracuse, N. Y.	Newspaper publishers	12-31-1940	110,866.33	214,382.91	153,190.42	86,800.62	None
NORTH CAROLINA							
Ecusta Paper Corporation, Pisgah Forest, N. C.	Manufactures cigarette paper	12-31-1940	206,920.54	176,079.39	176,079.39	21,965.37	None
Hugh Grey Hosiery Co., 286 Ann St., Concord, N. C.	Hosiery manufacture	12-31-1940	61,209.47	40,823.21	36,824.71	6,351.96	None
OKLAHOMA							
Liberty Glass Co., Sapulpa, Okla.	Glass manufacture	12-31-1940	61,302.06	102,757.78	57,813.90	9,053.36	None

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE—Continued

FISCAL YEAR ENDED JUNE 30, 1943—continued

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed) (1)	Business in which engaged (2)	Taxable year ended (3)	Excess profits credit before allowance of relief (4)	Increase in the amount of excess profits credit claimed by taxpayer (5)	Increase in the amount of excess profits credit allowed (6)	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of Section 722 (7)	Gross increase in the income (chapter 1) tax resulting from the operation of Section 722 (8)
TWELFTH DISTRICT OF PENNSYLVANIA							
Central Pennsylvania Quarry Stripping & Construction Co., Hazleton, Pa.	Contractor (anthracite coal stripping, etc.).	12-31-1940	$103,998.94	$16,311.42	$12,809.32	$2,468.08	None
VIRGINIA							
Wytheville Knitting Mills, Inc., Wytheville, Va.	Full-fashioned hosiery mill	12-31-1940	37,515.08	94,221.36	93,232.96	12,163.40	None
WISCONSIN							
The Kempsmith Machine Co., 1819 South 71st St., West Allis, Wis.	Milling machines and replacement parts, general jobbing, etc.	12-31-1940	1,911.13	27,896.07	3,044.17	1,099.42	None
FISCAL YEAR ENDED JUNE 30, 1943							
ARKANSAS							
Harding Glass Co., Fort Smith, Ark.	Manufacturing of flat drawn window glass.	12-31-1940	$93,065.35	$74,721.02	$58,155.28	$17,098.17	None
FIRST DISTRICT OF CALIFORNIA							
F. A. B. Manufacturing Co., Inc., 1249 67th St., Oakland, Calif.	Manufacturing—automotive transportation equipment.	12-31-1940	15,093.33	8,255.70	6,004.90	1,052.33	None
James A. Gray, Inc., Ferry Bldg., San Francisco, Calif.	Bridge terminal, lunch counter, newsstand drug store, etc.	12-31-1940	4,214.17	10,061.64	3,856.43	764.61	None
SIXTH DISTRICT OF CALIFORNIA							
Harvill Aircraft Die Castings Corporation (now Harvill Corporation), 6251 West Century Blvd., Los Angeles, Calif.	Manufactures die castings and die machines.	1-1-1940 to 10-31-1940	38,320.94	19,664.09	11,727.06	2,931.77	None
Nesbitt Fruit Products, Inc., 2946 East 11th St., Los Angeles, Calif.	Manufacturing citrus fruit juices and soda fountain syrups.	12-31-1940	70,189.71	64,530.34	14,776.18	4,567.18	None
Schumacher Wallboard Corporation, South Gate, Calif.	Manufacture plaster wallboard	12-31-1941	95,558.33	64,530.33	15,837.94	7,894.42	$2,447.26
Louis Tabak, Inc., 860 South Los Angeles St., Los Angeles, Calif.	Womens sportwear manufacturer	4-30-1941	154,709.00	53,252.73	23,556.13	3,848.23	None
		10-31-1941	1,169.13	10,925.55	2,901.70	526.40	None
GEORGIA							
Colonia. Baking Co. of Columbus, Columbus, Ga.	Baking	12-31-1941	9,231.57	13,154.65	10,276.14	4,110.45	1,497.34
Dixie Asphalt Products Corporation, Savannah, Ga.	Asphalt shingle, and roll roofing manufacturers.	12-31-1940	20,533.23	9,079.47	9,704.28	1,615.81	None
		12-31-1941	34,637.21	13,654.32	12,668.19	3,774.79	1,170.16
FIRST DISTRICT OF ILLINOIS							
Apex Railway Products Co., 310 South Michigan Ave., Chicago, Ill.	Manufacture and sale of railway appliances.	12-31-1940	8,198.31	70,179.06	54,919.10	12,498.86	None
Standard Process Corporation, 734 Lexington St., Chicago, Ill.	Rotogravure process	12-31-1941	36,732.77	24,216.91	23,543.60	10,215.88	2,105.90
Standard Silica Corporation, Ottawa, Ill.	Mining and quarrying silica sand	12-31-1941	61,454.05	16,238.21	13,661.90	6,890.95	2,117.09
The Wheeler Corporation, 208 West Washington St., Chicago, Ill.	Cheese processing	12-31-1940	44,980.71	26,411.86	19,331.89	4,031.53	None
		12-31-1941	80,707.00	18,208.17	18,208.17	10,366.99	3,213.77
EIGHTH DISTRICT OF ILLINOIS							
Mississippi Lime Co. of Missouri, Alton, Ill.	Lime producers	12-31-1941	175,287.89	80,848.27	80,848.27	17,464.71	5,414.06
LOUISIANA							
Bayou State Oil Corporation, Shreveport, La.	Petroleum producers and refiners	4-30-1942	60,200.00	18,067.89	13,830.78	6,223.85	1,929.39
MARYLAND							
The Baltimore Transfer Co., Baltimore, Md.	Class 1, motor carrier of freight	12-31-1941	62,679.25	44,858.20	34,708.73	10,225.61	3,169.94
Regal Laundry, Inc., Gilmor and Mosher Sts., Baltimore, Md.	Laundry	12-31-1941	49,866.54	23,796.64	13,473.27	6,053.01	1,879.44
MASSACHUSETTS							
Atlantic Steel & Iron Co., Springfield, Mass.	Manufacture hydraulic compressed bundle and scrap steel.	12-31-1941	8,661.76	10,164.60	11,053.37	6,116.11	1,907.13
Fred M. Blanchard, Inc., 222 Summer St., Boston, Mass.	Wool brokers, dealers, and top makers.	9-31-1941	28,604.49	70,730.07	50,955.51	16,949.56	None
Byfield Felting Co., 217 Jackson St., Lowell, Mass.	Manufacturers of hair and wool sheet felt and wheels.	12-31-1940	3,920.84	33,206.41	18,735.43	1,295.11	None
		12-31-1941	3,920.00	33,206.25	18,532.48	9,130.25	4,021.33
Stanley Home Products, Inc., 42 Arnold St., Westfield, Mass.	Manufacture brushes and liquid polishes.	12-31-1940	32,245.27	6,408.74	6,408.74	1,175.76	None
MICHIGAN							
Detroit Surfacing Machine Co., 7438 West Davidson Ave., Detroit, Mich.	Manufacture and sale of electric sanding machines.	12-31-1941	1,614.49	37,987.93	26,548.47	8,128.08	2,874.61
MINNESOTA							
Stainless & Steel Products Co., 1600 Berry Ave., St. Paul, Minn.	Manufacture of steel and stainless products.	12-31-1940	4,949.63	10,177.67	5,108.82	222.98	None

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE—Continued

FISCAL YEAR ENDED JUNE 30, 1943—continued

Name and address of taxpayer (arranged by internal revenue districts in which excess profits tax returns were filed) (1)	Business in which engaged (2)	Taxable year ended (3)	Excess profits credit before allowance of relief (4)	Increase in the amount of excess profits credit claimed by taxpayer (5)	Increase in the amount of excess profits credit allowed (6)	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of Section 722 (7)	Gross increase in the income (chapter 1) tax resulting from the operation of Section 722 (8)
FIRST DISTRICT OF NEW YORK							
Paper Novelty Manufacturing Co., 626 Carroll St. Brooklyn, N. Y.	Paper novelties	2-28-1941	$99,595.76	$30,611.47	$13,601.99	$2,555.89	None
SECOND DISTRICT OF NEW YORK							
Lamar Slide Fastener Corporation, 120 East 16th St., New York, N. Y.	Manufacture of zippers	12-31-1940	4,997.52	35,620.78	26,994.55	2,620.20	None
THIRD DISTRICT OF NEW YORK							
Livingston & Co., 420 Lexington Ave., New York, N. Y.	Electrical contractors	12-31-1941	38,088.21	80,253.09	67,577.01	15,970.67	$4,980.91
Pitman and Dreitzer & Co., Inc., 1107 Broadway, New York, N. Y.	Wholesale glassware—fancy goods	12-31-1941	7,901.71	11,704.48	11,704.48	5,267.01	1,622.76
Julius Schmid, Inc., 423 West 55th St., New York, N. Y.	Manufacture druggists sundries	12-31-1940	45,290.44	95,934.36	77,402.65	10,325.75	None
NORTH CAROLINA							
Standard Hosiery Mills, Inc., Burlington, N. C.	Hosiery manufacturing	10-31-1941	145,560.33	23,503.30	14,248.07	5,809.23	None
1ST DISTRICT OF OHIO							
The Bradford Machine Tool Co., Cincinnati, Ohio.	Metal-working machinery including machine tools.	12-31-1940	11,616.92	97,222.07	76,869.13	25,476.83	None
10TH DISTRICT OF OHIO							
Underwriters Service Co., 749 Edison Bldg., Toledo, Ohio.	Safety engineering and claim service	12-31-1940	61.79	23,160.83	21,886.82	3,642.04	None
19TH DISTRICT OF OHIO							
The Alliance Manufacturing Co., Alliance, Ohio.	Electric specialties and hardware	12-31-1940	16,033.67	5,679.93	5,679.93	1,703.98	None
The Jupiter Steamship Co., Cleveland, Ohio.	Marine transportation	12-31-1941	30,840.96	17,401.47	17,401.47	5,700.74	2,607.34
The Merit Machine Tool & Container Co., 3860 East 91st St., Cleveland, Ohio.	Pail manufacturing	12-31-1941	6,780.00	19,371.36	19,713.28	7,885.31	3,444.45
		12-31-1941	4,733.40	11,351.34	2,672.95	980.75	225.57
OKLAHOMA							
Noble Drilling Co., 209 Stanolind Bldg., Tulsa, Okla.	Contract drilling	11-30-1941	190,027.30	470,366.73	290,065.30	17,008.30	None
OREGON							
Crater Lake Box & Lumber Co., Sprague River, Oreg.	Manufacture of pine lumber and box shook	12-31-1941	19,866.90	62,218.21	None	2,432.48	734.39
R. M. Wade & Co., Tractor Sales Division, Portland, Oreg.	Tractor and accessory sales and service	12-31-1940	6,774.29	36,107.16	7,149.32	1,787.33	None
TWELFTH DISTRICT OF PENNSYLVANIA							
Central Pennsylvania Quarry Stripping & Construction Co., Hazleton, Pa.	Contractors (anthracite coal stripping, etc.).	12-31-1940	116,500.36	None	None	1,968.13	None
Wilkes-Barre Publishing Co., 15 North Main Street, Wilkes-Barre, Pa.	Newspaper publishers	12-31-1941	126,418.76	15,426.20	15,426.20	7,718.10	2,201.83
		3-30-1941	66,525.80	145,273.90	130,357.79	26,763.56	None
FIRST DISTRICT OF TEXAS							
Process Oil Co., Littlefield Bldg., Austin Tex.	Oil (natural gasoline manufacturers)	1-1-1940 to 10-31-1940	1,265.37	11,184.06	11,184.06	2,796.02	None
		10-31-1941	3,037.60	9,412.74	9,412.74	2,589.25	None
SECOND DISTRICT OF TEXAS							
Oklahoma Contracting Co. of Texas, 1515 Magnolia Bldg., Dallas, Tex.	Pipeline construction	12-31-1940	6,873.39	189,306.34	51,742.41	19,167.96	5,942.06
Portland Gasoline Co., P. O. Box 2143, Pampa, Tex.	Extraction of casing-head gasoline and related products from natural gas.	12-31-1940	39,762.45	16,876.81	6,714.36	615.81	None
		12-31-1941	37,322.70	12,257.85	8,498.94	3,386.78	1,049.89
VERMONT							
E. B. & A. C. Whiting Co., Burlington, Vt.	Manufacture of and dealers in brush fibres and tuftatex pads.	5-31-1941	145,321.85	64,618.17	64,618.17	25,927.27	None
VIRGINIA							
E. C. Arey & Co., Inc., Danville, Va.	Wine bottlers and distributors	5-31-1941	3,209.54	1,226.57	1,226.57	163.27	None
Norfolk Shipbuilding & Dry Dock Corporation, Claiborne Ave., Norfolk, Va.	Ship repairs	12-31-1940	88,193.17	61,715.60	8,076.13	3,290.06	None
WASHINGTON							
Stebco, Inc., Vancouver, Wash.	Saw and planing mill, logging	7-31-1941	41,800.06	46,886.85	8,530.73	2,962.25	None
WISCONSIN							
Hoberg Paper Mills, Inc., 809 Elm St., Green Bay, Wis.	Manufacture of paper products	12-31-1940	198,974.06	68,015.06	58,786.06	14,352.02	None

[1] Refer to compilation of excess profits tax relief for fiscal year ended June 30, 1943, for statement of relief previously allowed for taxable year ended December 31, 1940.

[SEAL]

HAROLD N. GRAVES,
Acting Commissioner of Internal Revenue.

[F. R. Doc. 44-14865; Filed, Sept. 26, 1944; 11:50 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 858]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 16, 1944.

I hereby amend:

(a) Administrative Order No. 853, dated August 21, 1944, by reducing the allocation of $250,000 therein made for "Missouri 5023C3 Lewis" by $10,000, so that the reduced allocation shall be $240,000.

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-14867; Filed, Sept. 26, 1944; 3:22 p. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-94]

ATLAS SUPPLY CO., ET AL.

FINDING AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Atlas Supply Company, et al., Cincinnati, Ohio (Case No. S-1284).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving Local No. 100 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, and certain concerns engaged in transportation activities in and around Cincinnati, Ohio,

I find, as to the concerns involved in the above labor dispute with Local 100 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, that transportation of goods, articles and commodities, except retail deliveries thereof, by any such concern, pursuant to any contract, whether or not with the United States, to or from any plant, mine or facility equipped for manufacturing, producing or mining articles or materials which may be required or useful in connection with the prosecution of the war, or to or from any establishment engaged in wholesaling or storing any such articles or materials, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 26th day of September 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-14932; Filed, Sept. 27, 1944; 11:44 a. m.]

BUREAU OF THE BUDGET.

DISPOSITION OF THE FUNCTIONS OF THE DIVISION OF CENTRAL ADMINISTRATIVE SERVICES OF THE OFFICE FOR EMERGENCY MANAGEMENT

SEPTEMBER 26, 1944.

Pursuant to the authority conferred upon me as Director of the Bureau of the Budget by the provisions of Executive Order No. 9471, of August 25, 1944, I hereby make administrative determinations with respect to the disposition to be made of the functions now performed by the Division of Central Administrative Services of the Office for Emergency Management (hereinafter referred to as the Division) for the respective constituent agencies of the Office for Emergency Management and for the Office of Price Administration, and order the transfer or other disposition of such functions as follows:

1. *Fiscal services.* The fiscal services, including accounting, payrolling, auditing, scheduling, certifying, and reporting, related to appropriations made for the fiscal years 1944 and 1945, are transferred to the respective constituent agencies, effective as of the close of business October 31, 1944.

2. *Duplicating services.* The duplicating services financed from the "Working Capital Fund, Division of Central Administrative Services, Office for Emergency Management" (Pub. Law 139, 78th Congress) are transferred to the Procurement Division of the Treasury Department, effective as of the close of business September 30, 1944, together with such working capital fund and all assets and liabilities related to said fund. The Procurement Division shall (a) continue operation of such services in the District of Columbia, all regional offices, and the Detroit, Minneapolis, Seattle, and Los Angeles district offices, (b) furnish such services to the respective constituent agencies in accordance with the operating policies and agreements now in effect except that it may adjust such policies and agreements to the extent it may find necessary in the public interest, and (c) discontinue such services in all other district offices of the Division, effective as of September 30, 1944. After the discontinuation of services under item (c) of this paragraph, services in lieu thereof shall be furnished by the nearest or most conveniently accessible office retained in operation under the Procurement Division, or furnished by the agencies themselves under arrangements made with the Procurement Division.

3. *Distribution services.* The services with respect to storing and distributing printed and duplicated materials in the District of Columbia and in the field are transferred to the respective constituent agencies, effective as of the close of business September 30, 1944, except that the Procurement Division shall, upon request of the ordering agency, dispatch by mail or otherwise any such materials reproduced by its facilities, immediately after reproduction, to recipients indicated by such agency, in which event the Procurement Division shall promptly forward to the ordering agency any of such materials remaining after such initial dispatching. The services transferred by this paragraph shall be deemed to include addressograph and graphotype services in connection with mailing lists, including the cutting, maintenance, and reproduction thereof. From and after June 30, 1945, the services provided constituent agencies by the Procurement Division pursuant to this paragraph shall be financed in the first instance from the working capital fund referred to in paragraph 2 hereof, subject to subsequent collection of charges from the agencies concerned for the purpose of reimbursing such working capital fund.

4. *Communications and space services.* The communications services in the District of Columbia and in the field, and the services with respect to securing, assigning, and maintaining office and other space for the constituent agencies in the field (including the execution and clearance of contracts for building alterations and maintenance, and the execution of public utility contracts) are transferred to the Public Buildings Administration of the Federal Works Agency, effective as of the close of business September 30, 1944. The Public Buildings Administration shall administer such services consistent with the operating policies and agreements now in effect, except that the Administration may adjust existing arrangements with respect to communications and space to the extent it may find necessary in the public interest. The agencies concerned shall, upon the request of the Public Buildings Administration, make funds available to the Administration three months in advance for expenses for communications, rental of space, and utility contracts, in accordance with the liabilities involved in existing contracts. Such of the rental liabilities of the agencies concerned as will not be liquidated from funds so advanced shall be liquidated by the Public Buildings Administration from funds earmarked in Schedule B, attached, for such purpose.

5. *Purchase and supply services.* (a) The warehousing and stores issue services now performed in the regional offices and the Minneapolis, Detroit, Seattle and Los Angeles district offices of the Division are transferred to the Procurement Division of the Treasury Department, effective as of the close of business September 30, 1944, except in the Philadelphia and Cleveland regional offices and the Detroit district office where the transfer shall take place as of the close of business October 15, 1944.

(b) Effective as of the respective effective dates of transfer named in subparagraph (a) above, services with respect to the ordering of materials, supplies, and equipment are transferred to the respective constituent agencies. Such agencies shall order all necessary items in the manner prescribed by law or regulations governing Federal procurement, and shall utilize the following sources of supply in the sequence stated:

1. *Items carried in stock by the Procurement Division.* General office supplies and equipment and other items listed in the Procurement Division stock catalogues shall be ordered from the nearest Procurement Division supply facility. The Procurement Division shall issue material without surcharge or mark up to the agencies now served by the Division, including the Office of Price Administration, through June 30, 1945, after which surcharges currently in effect may be added: *Prpvided*, That surcharges may be added to issues made prior to June 30, 1945, from Procurement Division supply facilities located in the District of Columbia and in New York City.

2. *General schedule of supplies.* The constituent agencies shall order directly from contractors any items included in the general schedule of supplies which are not included in the Procurement Division stock catalogues referred to in item (1) above.

3. *General Government contracts.* The constituent agencies shall order directly from the contractors items included in applicable general government contracts but not procurable from the sources indicated in items (1) and (2) above.

4. *Open market purchases.* The constituent agencies may, when the amount of individual purchase does not exceed $200 in value, procure in the open market any items which are not procurable from the sources indicated in items 1, 2, and 3 above, or which may be procured in the open market at a price lower than that applicable to such sources, or which are required to meet emergency or unforeseen circumstances. Items in excess of $200 in value not procurable from the sources indicated in items 1, 2, and 3 above, shall be ordered through the Procurement Division, except that the Office of War Information, the Office of Coordinator of Inter-American Affairs, and the Office of Scientific Research and Development may procure in the open market or by contract such special and technical items as they may require regardless of the dollar value of such items. The constitutent agencies may elect to order items of less than $200 in value through the Procurement Division.

(c) The duty of executing all contracts for continuing services for the constituent agencies is transferred to the Procurement Division, except contracts relating to space, communications, and other utilities, which contracts shall be executed by the Public Buildings Administration.

(d) The open market and contract purchases made by the Procurement Division for the constituent agencies pursuant to paragraph (5) of this order shall be made without a surcharge through June 30, 1945, after which date the normal surcharge then in effect shall be added: *Provided*, That such surcharges may be added to purchases made prior to June 30, 1945, through the Procurement Offices located in the District of Columbia, New York City, Kansas City, Fort Worth, and San Francisco.

6. *Library services.* The library services in the District of Columbia are transferred to the War Production Board effective as of the close of business September 30, 1944. The War Production Board shall maintain such services for its own purposes and for the use of the Office of Civilian Defense and the National War Labor Board; in other respects such services are discontinued effective as of September 30, 1944.

7. *Conference reporting services.* The conference reporting services in the District of Columbia are transferred to the National War Labor Board, the War Manpower Commission, and the War Production Board, effective as of the close of business September 30, 1944. The services so transferred shall be maintained by the said transferee agencies for their own respective purposes, and in other respects the conference reporting services of the Division are discontinued, effective as of September 30, 1944.

8. *Health services.* The health services heretofore maintained for the Duplicating and Distribution Division in the District of Columbia are transferred to the Procurement Division of the Treasury Department, effective as of September 30, 1944. The health services in the field are transferred, effective as of September 30, 1944, as follows: (a) to the War Production Board in the case of the New York City, Cleveland, and San Francisco regional offices and the Los Angeles district office, (b) to the National War Labor Board in the case of the Philadelphia regional office (Stephen-Girard Building), and (c) to the Office of Price Administration in the case of the Boston, Philadelphia (Broad Street Station Building), Atlanta, Chicago, Dallas, and Denver regional offices and the Seattle district office. Such services shall be maintained for the purposes of the Duplicating and Distribution Division and of the transferee agencies in the field. The health services not transferred by this paragraph shall be discontinued as the need ceases to exist, but in no event later than November 30, 1944.

9. *Mail and messenger services.* The mail and messenger services in the District of Columbia, regional, and district offices of the Division are discontinued as of the close of business September 30, 1944. In the District of Columbia, so much of such services as comes within the provisions of Executive Order No. 8427 of June 3, 1940, shall be provided by the Post Office Department, subject to the provisions of said Executive order. In the field, the hauling of mail to and from the city post office shall be performed under arrangements made with the local postmaster by the respective agencies.

10. *Automotive services.* The automotive storage, repair, and maintenance services in the District of Columbia are transferred to the Federal Works Agency, effective as of the close of business September 30, 1944. Thereafter the Federal Works Agency shall furnish the respective constituent agencies such services on a reimbursable basis.

11. *Truck and labor services.* The truck and labor services in the District of Columbia are transferred, effective as of the close of business September 30, 1944, to the respective constituent agencies, the Procurement Division of the Treasury Department, and the Public Buildings Administration of the Federal Works Agency. Thereafter such of the constituent agencies as have not heretofore operated their own trucking and labor services in connection with the moving of office furniture and equipment in the District of Columbia shall secure from the Public Buildings Administration the trucking and labor services required therefor, in accordance with policies of the Buildings Administration. In the field, the constituent agencies shall continue to procure trucking service by contract.

12. *Automobile and chauffeur services.* The automobile and chauffeur services in the District of Columbia are transferred to the respective constituent agencies and the Smaller War Plants Corporation, effective as of the close of business September 30, 1944.

13. *Services in the Territories.* The services performed in the territories of Puerto Rico and Hawaii are transferred to the Office of Price Administration, effective as of the close of business September 30, 1944. The said Office shall thereafter furnish the respective constituent agencies such services.

14. *Liquidation of residual affairs.* Effective as of the close of business November 30, 1944, the Division is terminated and abolished and such of its affairs as are not otherwise transferred or disposed of by this order are transferred to the Bureau of Accounts, Treasury Department, for final liquidation. In order to effectuate such liquidation promptly, the Bureau of Accounts, under the general supervision and direction of the Secretary of the Treasury, and acting through the Commissioner of accounts and such personnel as is transferred to the said Bureau by this order, or through such other personnel of the Bureau of Accounts as the Commissioner may designate, shall (a) take custody of all remaining records and property of the Division, and upon completion of their use shall dispose of them in accordance with current governing regulations, (b) process payment vouchers, certify claims, clear General Accounting Office exceptions and disallowances, account for and dispose of all special deposits, and keep all required fiscal records and reports, (c) exercise all residual rights, responsibilities, and authorities heretofore vested in the Division (and not specifically excluded by the provisions of the aforesaid Executive Order No. 9471), and (d) take all other steps necessary to wind up the affairs transferred by this paragraph. All unexpended balances of the appropriations of the Division remaining as of the close of business November 30, 1944, and not otherwise transferred by this order, are transferred to the Bureau of Accounts, Treasury Department, as of said date. Such balances shall be available

for the payment of all outstanding liabilities of the Division and for the expenses incident to the liquidation of the affairs of the Division during the fiscal year 1945.

15. *Authority, records and property.* All functions, powers, and duties of the Division, including those of the Director of the Division, and all the records, property, and facilities of the Division, pertaining to the respective services and affairs transferred by the above paragraphs (including in appropriate cases fiscal and other services directly incidental to the services and affairs so transferred, any other paragraph of this order notwithstanding), are, to the extent they so pertain, transferred to and vested in the respective agencies to which such services and affairs are so transferred, as of the respective effective dates of such transfers. The automotive equipment of the Division heretofore utilized in connection with the services transferred by paragraphs 11 and 12 of this order is transferred to the agencies to which services are so transferred, as set forth in Schedule C[1] attached to this order, effective as of September 30, 1944.

16. *Personnel.* Effective as of the respective effective dates of transfers of services and affairs to the respective agencies, except in the case of the transfer of personnel to the Office of Price Administration in Hawaii and Puerto Rico which shall be effective as of September 30, 1944, the personnel of the Division are transferred to the respective agencies to which services and affairs are transferred by the above paragraphs as set forth in Schedule A[1] attached to this order. In the event that the status of any employee named in Schedule A changes so that he is unavailable for transfer in conformity with Schedule A the Director of the Division may substitute the name of another employee at the time of the transfer and shall report any such substitution to the receiving agency, the Civil Service Commission, and the Bureau of the Budget.

17. *Funds.* Funds of the Division available for the services transferred to the respective agencies by this order (other than the funds specifically transferred by paragraphs 2 and 14 hereof) are transferred to the respective agencies to which services are so transferred, as set forth in Schedule B[1] attached to this order. Such funds shall be used for the payment of obligations incurred by the transferee agencies subsequent to the respective effective dates of transfers of services.

18. *Schedules.* Schedules A, B, and C, attached to this order are hereby made a part of this order.

19. *Detail of personnel.* Any of the personnel transferred to constituent or other agencies by the provisions of this order may, if their services are required on a part time basis by the Division to complete its activities, be detailed to the Division on a non-reimbursable basis, for which purpose the provisions of Bureau of the Budget Circular A-32, dated July 1, 1944, are waived.

[1] Filed as part of the original document.

20. *Definitions.* The term "constituent agencies," as used in the enumerated paragraphs of this order, shall, except where the context otherwise requires, be deemed to include the following agencies in the Office for Emergency Management, and also the Office of Price Administration: the Office of War Mobilization, the Office of Economic Stabilization, the War Manpower Commission, the Office of War Information, the War Production Board, the Office of Defense Transportation, the Office of the Coordinator of Inter-American Affairs, the Foreign Economic Administration, the Office of Civilian Defense, the Committee on Fair Employment Practice, the National War Labor Board, and the Office of Scientific Research and Development. The phrase "in the District of Columbia" shall be deemed to include areas in the vicinity of the District of Columbia.

HAROLD D. SMITH,
Director.

[F. R. Doc. 44-14891 Filed, Sept. 27, 1944; 9:12 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 651, et al.]

KANSAS CITY—TULSA—NEW ORLEANS SERVICE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Mid-Continent Airlines, Inc., Delta Air Corporation and National Airlines, Inc., for certificates and amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938 as amended, particularly sections 401 and 1001 of said Act, that oral argument in the above-entitled proceeding is assigned to be held on October 9, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before the Board.

Dated Washington, D. C., September 25, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-14915; Filed, Sept. 27, 1944; 11:24 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6651]

ALLOCATION OF FREQUENCIES TO NON-GOVERNMENTAL SERVICES

NOTICE OF HEARING

In the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

There is set forth below a corrected schedule of the order in which the Commission will receive evidence concerning the various services.

As is set forth in the Commission Public Notice Mimeograph No. 77820 (9 F.R. 11653), the hearings will open on September 28, 1944, at 10:30 a. m. at the Interdepartmental Auditorium. The subject matter for the first three days of the hearing, September 28, 29 and 30, is set forth in the earlier public notice.

The Commission will then proceed to consider the various services in the order listed below:

ORDER OF SERVICES

Topic No.	Service	Estimated Date
	GROUP I	
8	Fixed Public Service (other than Alaska).	October 3, 4, 5, 6, 7.
9	Coastal, Marine Relay, Ship, Mobile Press, and Fixed Public Service in Alaska.	
10	Aviation	
14	Amateur	
6	International Broadcast	
	GROUP II	
1	Standard Broadcast	October 10, 11, 12, 13, 14, 17.
2	High Frequency (FM) Broadcast.	
3	Non-commercial Educational	
4	Television	
5	Facsimile Broadcast	
7	Other broadcast services	
	GROUP III	
11	Police, Fire and Forestry Services.	October 18, 19, 20, 21, 24.
12	Special Emergency, Provisional and Motion Picture Services.	
13	Special Services (Geophysical, Relay Press).	
	GROUP IV	
15	Industrial, Scientific and Medical Services.	October 25, 26, 27, 28, 31.
16	Relay Systems (Program and Public and Private Communications).	
17	New Radio Services	

As indicated in the earlier public notice, upon completion of this testimony the Commission will then again receive evidence from the chairmen of Panels 1 and 2 of the RTPB concerning the recommendations they have to make for over-all allocations in light of the evidence adduced at the hearing. The Commission at that time will also receive evidence from any other person or group that has recommendations to make concerning over-all allocations. It is estimated that this phase of the hearing will commence November 1.

The above schedule differs from that set forth in the earlier public notice only in that hearings will be held on Tuesday, Wednesday, Thursday, Friday and Saturday of each week instead of Monday, Wednesday, Thursday, Friday and Saturday as set forth in the earlier notice.

Dated: September 21, 1944.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-14896; Filed, Sept. 27, 1944; 10:33 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5762]

EL PASO ELECTRIC CO.

NOTICE OF APPLICATION FOR MODIFICATION OF AUTHORIZATION TO EXPORT ELECTRIC ENERGY

SEPTEMBER 26, 1944.

Notice is hereby given that pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U.S.C. 791-825r), El Paso Electric Company, of El Paso, Texas, has filed an application for modification of the authorization previously granted by the Commission under said Act to increase the amount of electric energy exported from a point in the City of El Paso, Texas, to Juarez, Chihuahua, Mexico, to 1,300,000 kilowatt-hours per month, at a rate not to exceed 2,500 kilowatts of demand. The present exportation is limited to 900,000 kilowatt-hours per month, at a rate not to exceed 1,300 kilowatts on a month to month basis, subject to the requirements of applicant's system.

Any person desiring to be heard or to make any protest with reference to said proposed modification should, on or before October 10, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations (under the Federal Power Act).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-14893; Filed, Sept. 27, 1944; 9:34 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 236]

UNLOADING OF COAL AT JERSEY CITY, N. J.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C. on the 25th day of September, A. D. 1944.

It appearing, that car DL&W 78703, containing chestnut anthracite coal at Pier 18, Jersey City, New Jersey, on the Central Railroad Company of New Jersey, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

Coal at Pier 18, Jersey City, New Jersey, be unloaded. (a) The Central Railroad Company of New Jersey, its agents or employees, shall unload forthwith car DL&W 78703, containing coal at Pier 18, Jersey City, New Jersey, consigned to Whitley & Buckalew, Inc., 19 Rector Street, New York, New York.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C. when such carload of coal has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Central Railroad Company of New Jersey, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14890; Filed, Sept. 27, 1944; 11:39 a. m.]

[S. O. 237]

UNLOADING OF STEEL NUTS AT ELIZABETH, N. J.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of September, A. D. 1944.

It appearing that car T&P 40048, containing steel nuts at Elizabeth, New Jersey, on The Central Railroad Company of New Jersey, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

Steel nuts at Elizabeth, New Jersey, to be unloaded. (a) The Central Railroad Company of New Jersey, its agents or employees, shall unload forthwith car T&P 40048, containing steel nuts from Lockheed Aircraft Corporation, Burbank, California, consigned to J. M. McCurdy, care of Elastic Stock Nut Company, now on hand at Elizabeth, New Jersey.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload of steel nuts has been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Central Railroad Company of New Jersey, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-14931; Filed, Sept. 27, 1944; 11:40 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 436, Order 27]

BATEMAN RANCH POOL, TEX.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after September 1, 1944, and produced in—

Pool	County	State
Bateman Ranch	King	Texas.

shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436. The increase heretofore granted to this pool by section 12 of Revised Maximum Price Regulation No. 436 is hereby revoked.

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of September 1, 1944.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14923; Filed, Sept. 27, 1944; 11:34 a. m.]

[MPR 188, Order 2448]

OKLA H. SMITH

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a knee hole desk, a bed and a chest manufactured by Okla H. Smith, 823 North Second Street, Fort Smith, Arkansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model number	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Knee hole desk	11	$12.32	$14.50
Bed	9	9.30	10.95
Chest	6	8.79	10.35

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days. They are for the articles described in the manufacturer's application dated July 29, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model number	Maximum price to retailers
		Each
Knee hole desk	11	$14.50
Bed	9	10.95
Chest	6	10.35

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days; they are for the articles described in the manufacturer's application dated July 29, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of September 1944.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14926; Filed, Sept. 27, 1944; 11:34 a. m.]

[MPR 188, Order 59 Under Order A-2]

NICHOLLS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 59 under paragraph (a) (16) under Order No. A-2 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturer's maximum prices for specified building materials and consumers' goods other than apparel. Adjustment of maximum prices for sales of carpenters' squares and cement and plastering trowels manufactured by Nicholls Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer's maximum prices.* Nicholls Manufacturing Company, Qttumwa, Iowa, may sell and deliver the carpenters' squares and cement and plastering trowels of its manufacture, at prices no higher than its maximum prices for such sales in effect prior to the effective date of this order, plus two percent of each such maximum price. This adjustment applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order, and may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials, in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, other than sellers at retail, of a carpenters' square or trowel for which the manufacturer's maximum price has been adjusted as provided in paragraph (a) above, may add to his properly established maximum price in effect immediately prior to the effective date of this order the dollar-and-cents amount of the adjustment charge which he is required to pay to the manufacturer, provided such amount is separately stated. Such adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials, in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statement.* After the effective date of this order, Nicholls Manufacturing Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of September 1944.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14925; Filed, Sept. 27, 1944; 11:34 a. m.]

[MPR 136, Rev. Order 237]

CUSHMAN MOTOR WORKS

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 237 under Maximum Price Regulation No. 136, as amended. Machines and parts, and machinery services. Cushman Motor Works. Docket No. 3136-458.

Order No. 237 under Maximum Price Regulation 136, as amended, is redesignated Revised Order No. 237 under Maximum Price Regulation 136, as amended, and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and Section 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) Cushman Motor Works, 920 North 21st Street, Lincoln, Nebraska, shall determine its maximum prices for the 2 H. P. water-cooled gasoline engine that it manufactures, by adding the sum of $1.00 to the maximum price to each class of purchasers established by Order 113 under Maximum Price Regulation 136, as amended.

(b) Resellers of the 2 H. P. water-cooled gasoline engines manufactured by the Cushman Motor Works shall determine their maximum prices by adding to their maximum prices to each class of purchasers, duly in effect just prior to the issuance of this revised order, the dollars-and-cents amounts by which the resellers' costs have been increased due to the adjustments in maximum prices granted to the Cushman Motor Works by this order as well as by Order No. 113 under Maximum Price Regulation 136, as amended.

(c) Cushman Motor Works shall give written notification to its customers who buy the 2 H. P. water-cooled gasoline engines for resale, of the amounts by which this revised order permits resellers to increase their maximum prices.

(d) Within 30 days after the issuance of this revised order, the Cushman Motor Works shall file with the Office of Price Administration, Washington, D. C., a copy of the written notification required to be given in pursuance of paragraph (c).

(e) All requests not granted herein are denied.

(f) This revised order may be amended or revoked by the Administrator at any time.

This revised order shall become effective September 28, 1944.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14924; Filed, Sept. 27, 1944; 11:35 a. m.]

[MPR 188, Order 2447]

PAT JOHNSON MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a bench, manufactured by Pat Johnson Manufacturing Company, 700 South Ewing Street, Dallas, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model number	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Bench		$2.80	$2.95

These prices are f. o. b. factory and are subject to a cash discount of one percent for payment within thirty days, and are for the article described in the manufacturer's application dated June 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model number	Maximum price to retailers
		Each
Bench		$2.95

This price is subject to a cash discount of one percent for payment within thirty days, and is for the article described in the manufacturer's application dated June 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of September 1944.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14927; Filed, Sept. 27, 1944; 11:35 a. m.]

[MPR 188, Order 2446]

VENTNOR BOAT WORKS, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of cellarette manufactured by Ventnor Boat Works Inc., West Atlantic City, New Jersey.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model number	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		Each	*Each*
Cellarette	12, 13, 14	$40.80	$48.00

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated June 22, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
		Each
Cellarette	12, 13, 14	$48.00

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated June 22, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall

notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of September 1944.

Issued this 27th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14926; Filed, Sept. 27, 1944; 11:36 a. m.]

Regional and District Office Orders.

[Atlanta Order G-1 Under Gen. Order 50, Amdt. 2]

MALT AND CEREAL BEVERAGES IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, the following amendment is hereby issued:

(A) Appendix A, Part I, of Order No. G-1 under General Order No. 50 is amended as follows:

(1) Under Group 1 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Silver Fox DeLuxe Beer	Cents 25	Cents 60

(2) Under Group 2 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Silver Fox DeLuxe Beer	Cents 20	Cents 50

(3) Under Group 3 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12-ounce	32-ounce
Silver Fox DeLuxe Beer	Cents 18	Cents 45

(4) Under Group 1 B, at the end thereof, the following sentence is added: "The amount of any municipal sales tax on retail sales actually paid by the seller may be added to the above price."

(5) Under Group 2 B, at the end thereof, the following sentence is added: "The amount of any municipal sales tax on retail sales actually paid by the seller may be added to the above price."

(6) Under Group 3 B, at the end thereof, the following sentence is added: "The amount of any municipal sales tax on retail sales actually paid by the seller may be added to the above price."

(B) Appendix A, Part II, of Order G-1 under General Order No. 50 is amended by adding a sentence at the end thereof to read as follows: "The amount of any municipal sales tax on retail sales actually paid by the seller may be added to the above price."

(C) This Amendment No. 2 to Order No. G-1, as amended, under General Order No. 50 shall become effective on and after August 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808)

Issued August 29, 1944.

E. A. THORNWELL,
District Director.

[F. R. Doc. 44-14868; Filed, Sept. 26, 1944; 1:14 p. m.]

[Atlanta Order G-1 Under Gen. Order 50, Amdt. 3]

MAXIMUM PRICES FOR MALT AND CEREAL BEVERAGES IN ATLANTA, GA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Atlanta District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, and pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, the following amendment is hereby issued:

(A) Appendix A, Part I, of Order No. G-1 under General Order No. 50 is amended as follows:

(1) Under Group 1 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12 ounce	32 ounce
Fredrick's Four Crown Special	Cents 20	Cents 50

(2) Under Group 2 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12 ounce	32 ounce
Fredrick's Four Crown Special	Cents 18	Cents 45

(3) Under Group 3 B, in alphabetical order, the following brand or trade name of beer and the maximum price per bottle is added:

Brand or trade name of beer	Maximum price per bottle	
	12 ounce	32 ounce
Fredrick's Four Crown Special	Cents 16	Cents 40

(B) This Amendment No. 2 to Order No. G-1, as amended, under General Order No. 50 shall become effective on and after August 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order No. 50, 8 F.R. 4808)

Issued August 29, 1944.

E. A. THORNWELL,
District Director.

[F. R. Doc. 44-14869; Filed, Sept. 26, 1944; 1:15 p. m.]

[Region IV Order G-8 Under MPR 280, Amdt. 3]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1351.-817a of Maximum Price Regulation 280 as amended, it is hereby ordered that a new paragraph (h) (4) be added following paragraph (h) (3), to read as set forth below:

(4) Any handler (primary or intermediate) able to establish a maximum price in accordance with the provisions of paragraph (b) above who has not sold or delivered fluid milk on or after April 20, 1944, shall file the report or reports required by paragraph (h) (3) of handlers within thirty days after the first sale or delivery made by such handler subsequent to April 20, 1944.

This amendment shall become effective September 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued September 20, 1944.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 44-14870; Filed, Sept. 26, 1944; 1:12 p. m.]

[Charlotte Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN CHARLOTTE, N. C., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Charlotte District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order 50 issued by the District Director of the Charlotte District Office of the Office of Price Administration on the 30th day of June, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order 50 is redesignated Revised Order No. G-1 under General Order 50, and is revised and amended as herein set forth and issued for the same purpose and for the further purpose of clarifying and strengthening the order.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of North Carolina:

Alexander.	Lincoln.
Alleghany.	Macon.
Anson.	Madison.
Ashe.	McDowell.
Avery.	Mecklenburg.
Buncombe.	Mitchell.
Burke.	Montgomery.
Cabarrus.	Polk.
Caldwell.	Randolph.
Catawba.	Richmond.
Cherokee.	Rockingham.
Clay.	Rowan.
Cleveland.	Rutherford.
Davidson.	Stanly.
Davie.	Stokes.
Forsyth.	Surry.
Gaston.	Swain.
Graham.	Transylvania.
Guilford.	Union.
Haywood.	Watauga.
Henderson.	Wilkes.
Iredell.	Yadkin.
Jackson.	Yancey.

SEC. 3. *Ceiling prices.* (a) On and after August 21, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Charlotte District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Charlotte District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1–B.* Your establishment belongs to Group 1–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1–B establishments.

(2) *Group 2–B.* Your establishment belongs to Group 2–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2–B establishments, but were less than those provided in Appendix A for Group 1–B establishments.

(3) *Group 3–B.* Your establishment belongs to Group 3–B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2–B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3–B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and, if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1–B or Group 2–B, you may, but not later than the first day of October, 1944, file an application with the Charlotte District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3–B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3–B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3–B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1–B or Group 2–B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Charlotte District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3–B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above, you must, on or before September 15, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group

to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required you are hereby classified as a Group 3–B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling prices listed for Group 3–B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order, properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the armed forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the armed forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment, you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order, you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating or drinking establishment, you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught, or

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

(c) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3–B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order, you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA–1B", "OPA–2B", or "OPA–3B", whichever is

applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3–B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips, you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order, your license is suspended for violation of the license or of the order. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "Selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverage for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets, or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transaction prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance of the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Charlotte District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective on August 21, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566., Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, G.O. 50, 8 F.R. 4808)

Issued at Charlotte, North Carolina this August 19, 1944.

JAMES J. KILROY,
Acting District Director.

APPENDIX A

GROUP 1–B

Brand or trade name:	*Maximum price per bottle (cents)*
Carta Blanca	35
Champ Ale	30
Indian Ale	30

Beer and ale	Brewers	12-ounce (cents)	32-ounce (cents)
Ballantine	P. Ballantine & Sons	25	50
Ballantine Ale	P. Ballantine & Sons	25	50
Barbarossa	Red Top Brewing Co.	25	50
Blatz Pilsner	Blatz Brewing Co.	25	50
Budweiser	Anheuser-Busch, Inc.	25	50
Canadian Ace	Manhattan Brewing Co.	25	50
Canadian Ace Ale	Manhattan Brewing Co.	25	50
Carling's Red Cap Ale.	Brewing Corp. of America.	25	50
Kreuger Cream Ale	G. Kreuger Brewing Co.	25	50
Loewers	Loewers-Gambrines Brewing Co.	25	50
Miller's High Life	Miller Brewing Company.	25	50
National Premium	National Brewing Company.	25	50
Pabst Blue Ribbon	Pabst Brewing Company.	25	50
Red Top Ale	Red Top Brewing Company.	25	50
Schlitz	Jos. Schlitz Brewing Company.	25	50
Trim	Genesee Brewing Company.	25	50
Tru-Blu	Northampton Brewing Corp.	25	50
Tru-Blu Old Fashioned.	Northampton Brewing Corp.	25	50
All other brands not listed above including unlabelled beer and ale.		20	45

Draught beer (State and Federal tax):	*Cents*
8-ounce glass	13
10-ounce glass	15
12-ounce glass	17
14-ounce glass	19
16-ounce glass	21
20-ounce glass	25
24-ounce glass	29

All other sizes 1 cent per ounce.

The above prices include the 3 percent North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2-B

Brand or trade name:	Maximum price per bottle (cents)
Carta Blanca	30
Champ Ale	27
Indian Ale	27

Beer and ale	Brewer	12-ounce (cents)	32-ounce (cents)
Ballantine	P. Ballantine & Sons	20	45
Ballantine Ale	P. Ballantine & Sons	20	45
Barbarossa	Red Top Brewing Company	20	45
Blatz Pilsner	Blatz Brewing Company	20	45
Budweiser	Anheuser-Busch, Inc	20	45
Canadian Ace	Manhattan Brewing Company	20	45
Canadian Ace Ale	Manhattan Brewing Company	20	45
Carling's Red Cap Ale	Brewing Corp. of America	20	45
Kreuger Cream Ale	G. Kreuger Brewing Company	20	45
Loewers	Loewers-Gambrines Brewing Co.	20	45
Miller's High Life	Miller Brewing Company	20	45
National Premium	National Brewing Company	20	45
Pabst Blue Ribbon	Pabst Brewing Company	20	45
Red Top Ale	Red Top Brewing Company	20	45
Schlitz	Jos. Schlitz Brewing Company	20	45
Trim	Genesee Brewing Company	20	45
Tru-Blu	Northampton Brewing Corp.	20	45
Tru-Blu Old Fashioned	Northampton Brewing Corp.	20	45
All other brands not listed above, including unlabelled beer and ale		15	40

Draught beer (State and Federal tax):	Cents
8 ounce glass	10
10 ounce glass	12
12 ounce glass	14
14 ounce glass	16
16 ounce glass	18
20 ounce glass	22
24 ounce glass	26
All other sizes 1½ per ounce.	

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2-B

Brand or trade name:	Maximum price per bottle (cents)
Carta Blanca	35
Champ Ale	32
Indian Ale	32

Beer and ale	Brewer	12-ounce (cents)	32-ounce (cents)
Ballantine	P. Ballantine & Sons	16	42
Ballantine Ale	P. Ballantine & Sons	16	42
Barbarossa	Red Top Brewing Company	15	40
Blatz Pilsner	Blatz Brewing Company	15	40
Budweiser	Anheuser-Busch, Inc	16	42
Canadian Ace	Manhattan Brewing Company	15	40
Canadian Ace Ale	Manhattan Brewing Company	15	40
Carling's Red Cap Ale	Brewing Corp. of America	15	40
Kreuger Cream Ale	G. Kreuger Brewing Company	15	40
Loewers	Loewers-Gambrines Brewing Co.	15	40
Miller's High Life	Miller Brewing Company	15	40
National Premium	National Brewing Company	15	40
Pabst Blue Ribbon	Pabst Brewing Company	15	40
Red Top Ale	Red Top Brewing Company	15	40
Schlitz	Jos. Schlitz Brewing Company	15	40
Trim	Genesee Brewing Company	15	40
Tru-Blu	Northampton Brewing Co.	15	40
Tru-Blu Old Fashioned	Northampton Brewing Co.	15	40
All other beers not listed above, including unlabelled beer and ale		13	37

Draught beer (State and Federal tax):	Cents
8 ounce glass	9
10 ounce glass	11
12 ounce glass	13
14 ounce glass	15
16 ounce glass	17
20 ounce glass	21
24 ounce glass	25
All other sizes 1¼ per ounce.	

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

APPENDIX B

The brands listed herein are not to be used for the purpose of classification into groups as provided in section 4 of the order.

GROUP 2-B

Beer and ale	Brewer	12-ounce (cents)	32-ounce (cents)
Bay State	Commonwealth Brewing Co.	15	40
Bay State ale	do	15	40
Burger Brau	Burger Brewing Company	15	40
Ehrets	Geo. Ehrets Brewing Company	15	40
Esslinger	Esslinger, Inc	15	40
Esslinger (Little Man) ale	do	15	40
Gold Medal	Commonwealth Brewing Company	15	40
Hornung	Jacob Hornung Brewery	15	40
Kreuger	O. Kreuger Brewing Co	15	40
Lion	Greater New York Brewing Co.	15	40
Oxford	Commonwealth Brewing Company	15	40
Oxford ale	do	15	40
Victory	do	15	40

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

GROUP 2-B

Beer and ale	Brewer	12-ounce (cents)	32-ounce (cents)
Bay State	Commonwealth Brewing Company	15	40
Bay State ale	Commonwealth Brewing Company	15	40
Burger Brau	Burger Brewing Company	15	40
Ehrets	Geo. Ehrets Brewing Company	15	40
Esslinger	Esslinger, Inc	15	40
Esslinger (Little Man) ale	Esslinger, Inc	15	40
Gold Medal	Commonwealth Brewing Company	15	40
Hornung	Jacob Hornung Brewery	15	40
Kreuger	G. Kreuger Brewing Company	15	40
Lion	Greater New York Brewing Co.	15	40
Oxford	Commonwealth Brewing Company	15	40
Oxford ale	Commonwealth Brewing Company	15	40
Victory	Commonwealth Brewing Company	15	40

The above prices include the 3% North Carolina State Sales Tax, and if prices are advertised, should be advertised as including tax.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above prices if such tax is separately stated and collected.

[F. R. Doc. 44-14871; Filed, Sept. 26, 1944; 1:12 p. m.]

[Jacksonville Order G-1 Under Gen. Order 50, Amdt. 1]

MALT & CEREAL BEVERAGES IN FLORIDA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jacksonville District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV, Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered that Appendix A is amended to read as follows:

APPENDIX A

GROUP 1-B

Brand or trade name		Maximum price per bottle: 12 ounce	32 ounce
Ace Hi.	Gold Medal.		
All American.	Kingsbury Regular.		
American Pilsner.	Kingsbury Pale.		
Ballantine.	Koenig Brau.		
Barbarossa.	Krueger.		
Beverwyck.	Lion.		
Beverwyck Big 10.	Maltz Brau.		
Blatz Pilsner.	Millers High Life.		
Buckingham.	Namar Premium.		
Budweiser.	Old Gold.		
Burger Brau.	Pabst Blue Ribbon.		
Canadian Ace.	Red Cap.		
Doerchuck.	Red Top.		
Dorquest.	Ruby.		
Edelbrew.	Silver Fox DeLuxe.		
Edelbrew-Edelweiss.	Schlitz.		
Ehret.	Trim.		
Silver Fox.	Trommer's Light.		
Genesee.	Trommer's White		
Gold Coast.	Label.		
Gold Label.	Tru-Blu.	*Cents*	*Cents*
All beer listed above		25	50
All other brands not listed above		20	40
Down's Arf & Arf, Van Merritt		30	60
Carta Blanca (imported), Doran's Export Lager (imported)		35	65
Ale:			
Ballentine.	Kreuger Cream.		
Ballentine Porter.	Maltz Brau.		
Bay State.	Old Timers.		
Bruck's Pale.	Red Top.		
Buckingham.	Silver Fox Deluxe.		
Canadian Ace.	Spearman's English		
Carling's Red Cap.	Type.		
Fox Deluxe.	Tru-Blu.		
All ale listed above		25	50
All other brands not listed above		20	40
Ballentine India Pale		30	60
Draught beer:			
8 oz. glass		10	------
10 oz. glass		13	------
12 oz. glass		15	------
All other size glasses		[1] 1¼	------

[1] Per ounce.

Sellers, who are required to pay a Federal excise tax on cabarets, may add same to above price if such tax is separately stated and collected.

GROUP 2-B

Brand or trade name		Maximum price per bottle: 12 ounce	32 ounce
Ace Hi.	Gold Medal.		
All American.	Kingsbury Regular.		
American Pilsner.	Kingsbury Pale.		
Ballentine.	Koenig Brau.		
Barbarossa.	Krueger.		
Beverwyck.	Lion.		
Beverwyck Big 10.	Maltz Brau.		
Blatz Pilsner.	Millers High Life.		
Buckingham.	Namar Premium.		
Budweiser.	Old Gold.		
Burger Brau.	Pabst Blue Ribbon.		
Canadian Ace.	Red Cap.		
Doerchuck.	Red Top.		
Dorquest.	Ruby.		
Edelbrew.	Silver Fox Deluxe.		
Edelbrew-Edelweiss.	Schlitz.		
Ehret.	Trim.		
Silver Fox.	Trommer's Light.		
Genesee.	Trommer's White.		
Gold Coast.	Label.		
Gold Label.	Tru Blu.	*Cents*	*Cents*
All beer listed above		20	42
All other brands not listed above		15	37
Down's Arf & Arf, Van Merritt		25	50
Carta Blanca (Imported), Doran's Export Lager (Imported)		30	60
ALE			
Ballantine.	Kreuger Cream.		
Ballantine Porter.	Maltz Brau.		
Bay State.	Old Timers.		
Bruck's Pale.	Red Top.		
Buckingham.	Silver Fox Deluxe.		
Canadian Ace.	Spearman's English		
Carling's Red Cap.	Type.		
Fox Deluxe.	Tru-Blu.		
All ale listed above		20	42
All other brands not listed above		15	37
Ballantine India Pale		25	50
Draught beer:			
8 oz. glass		10	------
10 oz. glass		11	------
12 oz. glass		12	------
All other size glasses		[1] 1	------

[1] Per ounce.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2-B

Brand or trade name		Maximum price per bottle: 12 ounce	32 ounce
Ace Hi.	Gold Medal.		
All American.	Kingsbury Regular.		
American Pilsner.	Kingsbury Pale.		
Ballentine.	Koenig Brau.		
Barbarossa.	Krueger.		
Beverwyck.	Lion.		
Beverwyck Big 10.	Maltz Brau.		
Blatz Pilsner.	Millers High Life.		
Buckingham.	Namar Premium.		
Budweiser.	Old Gold.		
Burger Brau.	Pabst Blue Ribbon.		
Canadian Ace.	Red Cap.		
Doerchuck.	Red Top.		
Dorquest.	Ruby.		
Edelbrew.	Silver Fox Deluxe.		
Edelbrew-Edelweiss.	Schlitz.		
Ehret.	Trim.		
Silver Fox.	Trommer's Light.		
Genesee.	Trommer's White.		
Gold Coast.	Label.		
Gold Label.	Tru Blu.	*Cents*	*Cents*
All beer listed above		17	37
All other brands not listed above		12	30
Down's Arf & Arf, Van Merritt		21	40
Carta Blanca (imported), Doren's Export Lager (imported)		27	55
ALE			
Ballantine	Kreuger Cream		
Ballantine Porter	Maltz Brau		
Bay State	Old Timers		
Bruck's Pale	Red Top		
Buckingham	Silver Fox Deluxe		
Canadian Ace	Spearman's English		
Carling's Red Cap	Type		
Fox Deluxe	Tru-Blu.		
All ale listed above		17	37
All other brands not listed above		12	30
Ballantine India Pale		21	45
Draught beer:			
8 oz. glass		10	------
10 oz. glass		11	------
12 oz. glass		12	------
All other size glasses		[1] 1	------

[1] Per ounce.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

This Amendment No. 1 to Order No. G-1 under General Order No. 50 shall become effective August 29th 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4808)

Issued this 25th day of August 1944.

W. F. KEEHAN,
Acting District Director.

[F. R. Doc. 44-14873; Filed, Sept. 26, 1944; 1:14 p. m.]

[Jackson Order G-1 Under Gen. Order 50, Amdt. 5]

MALT AND CEREAL BEVERAGES IN MISSISSIPPI

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50 issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, this Amendment 5 to Order No. G-1, issued by the Jackson (Mississippi) District Office of the Office of Price Administration under General Order No. 50, is hereby issued.

SECTION 1. *Amendment of Appendix A.* (a) Appendix A, as amended, is hereby further amended so that the Group 1-B maximum price for all brands of imported Mexican beer shall be fixed as follows instead of as heretofore ordered, to wit:

All brands of imported Mexican beer, 10½ to 13 ounce bottles, both inclusive, maximum price per bottle, 25 cents.

(b) Appendix A, as amended, is hereby further amended so that the Group 2-B maximum price for all brands of imported Mexican beer shall be fixed as follows instead of as heretofore ordered, to wit:

All brands of imported Mexican beer, 10½ to 13 ounce bottles, both inclusive, maximum price per bottle, 32 cents.

(c) Appendix A, as amended, is hereby further amended so that the Group 3-B maximum price for all brands of imported Mexican beer shall be fixed as follows instead of as heretofore ordered, to wit:

All brands of imported Mexican beer, 10½ to 13 ounce bottles, both inclusive, maximum price per bottle, 40 cents.

SEC. 2. *Effective date.* This amendment becomes effective on and after September 5, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued this the 5th day of September 1944.

WILLIAM E. HOLCOMB,
District Director.

[F. R. Doc. 44-14872; Filed, Sept. 26, 1944; 1:15 p. m.]

[Raleigh Rev. Order G-1 Under Gen. Order 50]

MALT AND CEREAL BEVERAGES IN DESIGNATED COUNTIES IN NORTH CAROLINA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Raleigh, North Carolina District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Region IV Revised Delegation Order No. 17, issued May 5, 1944, it is hereby ordered:

SECTION 1. *Purpose of order.* Order No. G-1 under General Order 50 issued by the District Director of the Raleigh, North Carolina District Office of the Office of Price Administration on the 27th day of June, 1944, was issued for the purpose of establishing specific maximum prices for malt and cereal beverages, including those commonly known as ale, beer and near-beer, either in containers or on draught when sold or offered for sale at retail by any eating or drinking establishment, either for consumption on the premises or when carried away. Order No. G-1 under General Order 50 is redesignated Revised Order No. G-1 under General Order 50, and is revised and amended as herein set forth and issued for the same purpose and for the further purpose of clarifying and strengthening the order.

SEC. 2. *Geographical applicability.* The provisions of this order extend to all eating and drinking places or establishments located within the limits of the following named counties in the State of North Carolina: Alamance, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Sampson, Scotland, Tyrrell, Robeson, Vance, Wake, Warren, Washington, Wayne and Wilson.

SEC. 3. *Ceiling prices.* (a) On and after September 11, 1944, if you operate an eating or drinking establishment, you may not sell or offer for sale any beverage subject to this order at prices higher than

the applicable ceiling prices listed in the appendices hereof. You may, of course, charge lower prices at any time.

(b) If you sell any beverage subject to this order which is not specifically listed herein, and if you believe that the maximum price specified herein for such beverage is not appropriate to such beverage, you may make application to the Raleigh North Carolina District Office of the Office of Price Administration requesting that such beverage be specifically included in the appendices hereof. With or without such application, the Raleigh, North Carolina District Office of the Office of Price Administration may, at any time, and from time to time, add new or unlisted beverages, brands, types or sizes together with maximum prices for same to the lists set forth in the appendices hereof.

(c) You may not add any taxes to your ceiling prices set forth in the appendices hereof except those specifically provided therein, as all other taxes were taken into consideration in establishing the ceiling prices for each group of sellers.

SEC. 4. *How to figure your ceiling prices.* (a) This order divides eating and drinking establishments into three different groups and gives each group a different ceiling price. The group to which you belong depends on your legal ceiling prices in effect during the base period of April 4–10, 1943. You must figure the group to which you belong on the basis of your correct legal ceiling prices for that period.

(b) The group to which you belong depends on your legal ceiling prices for the beverages subject to this order in effect during the base period of April 4–10, 1943. If your legal ceiling prices for various brands and types of beverages subject to this order vary so that your ceiling prices on some brands or types seem to place you in one particular group and ceiling prices on others seem to classify you into a different group, you must classify yourself into the particular group representative of the prices at which the greater number of your sales were made. For the purpose of determining your classification as herein provided, no consideration may be given to sales of beverages listed in appendices other than Appendix A hereof. You must figure the group to which you belong as follows:

(1) *Group 1B.* Your establishment belongs to Group 1B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 1B establishments.

(2) *Group 2B.* Your establishment belongs to Group 2B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were the same as, or more than, the prices listed in Appendix A hereof for Group 2B establishments, but were less than those provided in Appendix A for Group 1B establishments.

(3) *Group 3B.* Your establishment belongs to Group 3B if, during the base period of April 4–10, 1943, your legally established ceiling prices for beverages subject to this order were less than the prices listed in Appendix A hereof for Group 2B establishments. All establishments not in operation during the base period of April 4–10, 1943, and all establishments which begin operating after the effective date of this order also belong to Group 3B.

(c) If your eating or drinking establishment was not in operation during the base period of April 4–10, 1943, but was in operation prior to the effective date of this order, and if the nearest similar eating or drinking establishment of the same type is one which is properly classified in Group 1B or Group 2B, you may, but not later than the first day of October, 1944, file an application with the Raleigh, North Carolina District Office of the Office of Price Administration, requesting that your establishment be reclassified into the same group to which its nearest similar eating or drinking establishment of the same type belongs. Until your application is acted upon, and unless your establishment is reclassified, it must retain the classification of a Group 3B seller, and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the following information:

(1) Name and address of the establishment and of its owner or owners.

(2) A description of the establishment showing its type (such as night club, hotel, restaurant, tavern) and the date it began operating.

(3) The selling prices by brand name of all beverages sold since the beginning of its operation.

(4) The names of the three nearest eating and drinking establishments of the same type, and their group number as determined under this order.

(5) Any other information pertinent to such application or which may be requested by the Office of Price Administration.

(d) If your eating and drinking establishment begins operation after the effective date of this order, you are classified as a Group 3B seller and may not sell or offer for sale beverages subject to this order at prices higher than those set forth for Group 3B sellers in the appendices hereof. However, if your nearest eating and drinking establishment of the same type is one which is properly classified as a Group 1B or Group 2B seller, you may, within and not later than 30 days from the time you begin operating, file an application with the Raleigh, North Carolina District Office, requesting that your establishment be reclassified into the same group in which its nearest eating and drinking establishment of the same type belongs. Until your application is acted upon and unless your establishment is reclassified, it must retain the classification of Group 3B and must observe the ceiling prices as provided for that group in the appendices hereof. All such applications for reclassification must contain the same information required by paragraph (c) of this section.

(e) After you have figured your proper group number under this section and have filed the required statement with your War Price and Rationing Board as provided in section 5, you may not change your group classification except as otherwise provided by this order.

SEC. 5. *Filing with War Price and Rationing Board.* (a) When you have figured your proper group under section 4 above you must, on or before September 11, 1944, file with your War Price and Rationing Board a signed statement with the name and address of your establishment, its type (such as night club, hotel, restaurant, tavern) and the group to which it belongs. Thereupon the War Price and Rationing Board will send you a card bearing your group number. If you begin operating your establishment after the effective date of this order, you must likewise file said signed statement in this manner as soon as you begin operating.

(b) If you are now in operation and have not filed the signed statement showing the group number to which you belong as provided in paragraph (a) above, you must do so immediately. If you have failed to file said signed statement as herein required, you are hereby classified as a Group 3B seller and you may not sell or offer for sale any beverage subject to this order at prices higher than the applicable ceiling price listed for Group 3B sellers in the appendices hereof. Failure to file said signed statement as herein provided is a violation of this order and also subjects you to the other penalties herein provided.

SEC. 6. *Modification of prices.* After you have determined your group and have put into effect the ceiling prices provided in this order for that group, the Office of Price Administration District Director for the District in which your establishment is located may direct you to charge lower ceiling prices:

(a) If, on the basis of your April 4–10, 1943 legal ceiling prices, this order properly applied, requires you to be placed into a group with lower ceiling prices.

(b) If, as a result of speculative, unwarranted, or abnormal increases, contrary to the purpose of the Emergency Price Control Act, as amended, your legal ceiling prices on April 4–10, 1943 were excessive in relation to the legal ceiling prices of other comparable establishments in the District.

SEC. 7. *Exempt sales.* The following sales are exempt from the operation of this order. However, unless they are otherwise exempt from price control, they shall remain subject to the appropriate maximum price regulation or order:

(a) Sales by persons on board common carriers (when operated as such), including railroad dining cars, club cars, bar cars, and buffet cars, or sales otherwise governed by Restaurant Maximum Price Regulation 1 (Dining Car Regulation).

(b) Sales by public and private hospitals insofar as they serve to patients.

(c) Sales by eating cooperatives formed by members of the Armed Forces (as, for example, officers' mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual) which sells food items or meals on a cost basis (or

as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to members of the Armed Forces who are members of the cooperative.

(d) Sales where the beverages subject to this order are included in, and sold as part of, a meal and where the price of such beverage is included in the price of the meal. (Such sales remain under Restaurant Maximum Price Regulation 2.)

(e) Sales by the War Department or the Department of Navy of the United States through such Departments' sales stores, including commissaries, ships' stores ashore, and by stores operated as army canteens, post exchanges, or ships' activities.

(f) Bona fide private clubs insofar as such clubs sell only to members or bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking establishment and subject to this order. No club shall be considered to be exempt as a private club, within the meaning of this subparagraph, unless such club is a nonprofit organization and is recognized as such by the Bureau of Internal Revenue and unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this order shall be exempt unless and until it has filed a request for exemption with the District Office of the Office of Price Administration of the area in which it is located, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

SEC. 8. *Evasion.* If you are an operator of an eating or drinking establishment you must not evade the ceiling prices established by this order by any type of scheme or device; among other things (this is not an attempt to list all evasive practices) you must not:

(a) Institute any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you did not have in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(b) Increase any cover, minimum, bread and butter, service, corkage, entertainment, check-room, parking or other special charges which you had in effect on any corresponding day during the seven-day period from April 4–10, 1943, or

(c) Require as a condition of sale of a beverage the purchase of other items or meals, except that during the hours from 11:30 a. m. to 1:30 p. m. and the hours from 6:00 p. m. to 8:00 p. m., any eating or drinking establishment which derives not less than 70% of its gross revenue from the sales of prepared food items (not including beverage items) sold for consumption on the premises may refuse to sell beverages subject to this order for consumption on the premises during those hours to persons who do not also purchase food items.

SEC. 9. *Records and menus.* If you are an operator of an eating or drinking establishment subject to this order you must observe the requirements of General Order 50, as well as Restaurant Maximum Price Regulation No. 2, either as revised and amended or as may be revised and amended, with reference to the filing and keeping of menus and the preservation and keeping of customary and future records. Among other provisions of General Order 50, are the following:

(a) Preserve all existing records relating to prices, cost and sales of food items, meals and beverages;

(b) Continue to prepare and maintain such records as have been ordinarily kept;

(c) Keep for examination by the Office of Price Administration two copies of each menu used by the establishment each day, or a daily record in duplicate of the prices charged for food items, beverages and meals. If the establishment has customarily used menus, it must continue to do so.

SEC. 10. *Posting of prices.* If you are an operator of an eating or drinking establishment you must post and keep posted, the ceiling prices of the beverages subject to this order sold by your establishment, either by:

(a) Supplying the customers menus or bills of fare showing the beverages subject to this order which are sold by the establishment; and showing the brand name, quantity and ceiling price of each kind and type of bottled beverage, and the quantity and ceiling price of all beverages sold on draught, or

(b) Posting a sign giving the same information as required on menus or bills of fare by subparagraph (a) above. Such a sign must be posted in the establishment at a place where it can easily be read by the customers. If you prefer you may use a similar sign furnished by the Office of Price Administration.

(c) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3B sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 11. *Posting of group number.* (a) If you operate an eating or drinking establishment selling at retail beverages subject to this order you must post, and keep posted, in the premises a card or cards clearly visible to all purchasers showing the group number of your establishment as classified under this order. The card must read "OPA 1B", "OPA 2B", or "OPA 3B", whichever is applicable. You may use the card or cards furnished you for this purpose by the War Price and Rationing Board.

(b) No establishment which fails to comply with the posting requirements of this section may sell any beverage subject to this order at a higher price than provided for Group 3 sellers in the appendices hereof during such time as such establishment is not in compliance with this section.

SEC. 12. *Receipts and sales slips.* Regardless of whether or not receipts have customarily been issued, upon request by any customer at the time of payment, a receipt containing a full description of the beverage sold and the price of same must be issued. Such receipts must show the date of issue and bear the signature of the person issuing same. If you have customarily issued receipts or sales slips you may not now discontinue the practice.

SEC. 13. *Operation of several places.* If you own or operate more than one place selling beverages subject to this order, you must do everything required by this regulation for each place separately.

SEC. 14. *Enforcement.* If you violate any provision of this regulation you are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspensions of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1 licensing all persons who make sales under price control, are applicable to all sellers subject to this order. If you are a seller subject to this order your license is suspended for violation of the license or of the order. If your license is suspended you may not, during the period of suspension, make any sale for which your license has been suspended.

SEC. 16. *Relation to other maximum price regulations.* This order supersedes the provisions of Maximum Price Regulation No. 259 and the General Maximum Price Regulation insofar as such provisions were applicable to sales at retail by eating and drinking establishments of beverages subject to this order. Sales of beverages subject to this order when sold as part of a meal and when the price of same is included in the price of the meal remain subject to the provisions of Restaurant Maximum Price Regulation 2.

SEC. 17. *Definitions.* (a) "Malt beverage" is any malt beverage produced either within or without the Continental United States, and includes those commonly designated as beer, lager beer, ale, porter and stout.

(b) "Cereal beverage" is any beverage produced from cereals either within or without the Continental United States and commonly known as "near-beer".

(c) "On draught" means dispensed by a seller at retail from any container of ⅛ barrel or larger size.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "Sales at retail" or "Selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(f) "Eating or drinking establishment" shall include any place, establishment or location, whether temporary or permanent, in which any prepared food item or meal, or any beverage is sold for immediate consumption on the premises or to be carried away without substantial change in form or substance. However, grocery and other stores that do not sell food items or meals, or beverage for immediate consumption on the premises are specifically excluded from this definition.

(g) "Other definitions". Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in § 1499.20 of the General Maximum Price Regulation, shall apply to the other terms used herein.

SEC. 18. *Transfers of business or stock in trade.* If the business assets; or stock in trade of any establishment are hereafter sold or otherwise transferred, or have been sold or transferred subsequent to April 10, 1943, and the transferee carries on the business or continues to sell malt beverages covered by this order in the same location, the maximum prices of the transferee shall be the same as those to which its transferor would have been subject if no such transfer had taken place, and its obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record-keeping requirements of this order. If there is a lapse of business operations in connection with such a transfer for a period of sixty days, selling prices shall be determined as provided in section 4 for a new seller.

SEC. 19. *Changes in location.* If any establishment is hereinafter moved to a new location, the establishment shall be considered a new seller under this order and shall determine its ceiling prices under the provisions of section 4.

SEC. 20. *Petitions for amendment.* Any person dissatisfied with any of the provisions of this order may request the Office of Price Administration to amend the order. Such petition for amendment must be filed in pursuance to the provisions of Revised Procedural Regulation No. 1, except that the petition for amendment shall be directed to, filed with, and acted upon, by the District Director of the Raleigh, North Carolina District Office.

SEC. 21. *Revocation and amendment.* This order may be revoked, amended, or corrected at any time.

SEC. 22. *Effective date.* This order shall become effective September 11, 1944.

NOTE: The reporting and record keeping requirements of this order have been approved by the Bureau of the Budget and in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Raleigh, North Carolina this 1st day of September 1944.

THEODORE S. JOHNSON,
District Director.

APPENDIX A

PART I—BOTTLED BEERS AND ALES: GROUP 1B

Commodity and brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
Beer:		
Ballantine	$0.25	$0.50
Barbarossa	.25	.50
Blatz Pilsner	.25	.50
Budweiser	.25	.50
Canadian Ace	.25	.50
Loewers	.25	.50
Miller's High Life	.25	.50
Namar Premium	.25	.50
National Premium	.25	.50
Pabst Blue Ribbon	.25	.50
Schlitz	.25	.50
Trim	.25	.50
Tru-Blu Old Fashioned	.25	.50
Ale:		
Ballantine	.25	.50
Canadian Ace	.25	.50
Carling's Red Cap	.25	.50
Krueger Cream	.25	.50
Red Top	.25	.50
Imported beer:		
Carta Blanca	.35	
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix B hereof including unlabeled beer and ale	.20	.40

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above price if such tax is separately stated and collected.

(See Part II of this Appendix A for draft beer and ale.)

GROUP 2B

Commodity and brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
Beer:		
Ballantine	$0.20	$0.45
Barbarossa	.20	.45
Blatz Pilsner	.20	.45
Budweiser	.20	.45
Canadian Ace	.20	.45
Loewers	.20	.45
Miller's High Life	.20	.45
Namar Premium	.20	.45
National Premium	.20	.45
Pabst Blue Ribbon	.20	.45
Schlitz	.20	.45
Trim	.20	.45
Tru-Blu Old Fashioned	.20	.45
Ale:		
Ballantine	.20	.45
Canadian Ace	.20	.45
Carling's Red Cap	.20	.45
Krueger Cream	.20	.45
Red Top	.20	.45
Imported beer:		
Carta Blanca	.30	
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix B hereof including unlabeled beer and ale	.15	.40

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this Appendix A for draft beer and ale.)

GROUP 3B

Commodity and brand or trade name	Maximum price per bottle	
	12 ounce	32 ounce
Beer:		
Ballantine	$0.17	$0.42
Barbarossa	.17	.42
Blatz Pilsner	.17	.42
Budweiser	.17	.42
Canadian Ace	.17	.42
Loewers	.17	.42
Miller's High Life	.17	.42
Namar Premium	.17	.42
National Premium	.17	.42
Pabst Blue Ribbon	.17	.42
Schlitz	.17	.42
Trim	.17	.42
Tru-Blu Old Fashioned	.17	.42
Ale:		
Ballantine	.17	.42
Canadian Ace	.17	.42
Carling's Red Cap	.17	.42
Krueger Cream	.17	.42
Red Top	.17	.42
Imported beer:		
Carta Blanca	.27	
All other brands of domestic or imported beer and ale not listed above and not listed in Appendix B hereof including unlabeled beer and ale	.13	.37

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

(See Part II of this Appendix A for draft beer and ale.)

PART II—DRAFT BEERS AND ALES

Commodity and brand or trade name	Contents of container	Maximum prices for groups		
		1B	2B	3B
Draft beer and ale: All brands	8 oz.	$0.10	$0.09	$0.09
	10 oz.	.13	.11	.11

NOTE: For any size of container other than those set forth above the maximum price for sellers of all groups shall be 1¢ per ounce.

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above price if such taxes separately stated and collected.

APPENDIX B

NOTE: This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but must determine his group on the basis of prices given for the other brands covered by Appendix A.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
Beer:	Ounces			
Bay State	12	$0.20	$0.17	$0.17
Burger Brau	12	.20	.17	.17
Dover	12	.20	.17	.17
Ehret	12	.20	.17	.17
Esslinger's	12	.20	.17	.17
Genesee	12	.20	.17	.17
Gold Label	12	.20	.17	.17
Gold Medal Tivoli	12	.20	.17	.17
Holland	12	.20	.17	.17
Hornung's	12	.20	.17	.17
Koenig Brau	12	.20	.17	.17
Krueger	12	.20	.17	.17
Lion	12	.20	.17	.17
P. O. S.	12	.20	.17	.17
Bay State	32	.45	.42	.42
Burger Brau	32	.45	.42	.42
Dover	32	.45	.42	.42
Ehret	32	.45	.42	.42
Esslinger's	32	.45	.42	.42
Genesee	32	.45	.42	.42
Gold Label	32	.45	.42	.42
Gold Medal Tivoli	32	.45	.42	.42
Holland	32	.45	.42	.42
Hornung's	32	.45	.42	.42
Koenig Brau	32	.45	.42	.42
Krueger	32	.45	.42	.42
Lion	32	.45	.42	.42
P. O. S.	32	.45	.42	.42

Commodity and brand or trade name	Size of bottle	Maximum prices for groups		
		1B	2B	3B
Ale:	*Ounces*			
Bay State	12	$0.20	$0.17	$0.17
Dover	12	.20	.17	.17
New England	12	.20	.17	.17
Esslinger's Little Man	12	.20	.17	.17
Bay State	32	.45	.42	.42
Dover	32	.45	.42	.42
New England	32	.45	.42	.42
Esslinger's Little Man	32	.45	.42	.42

The above prices include all State taxes, sales or otherwise, and all Federal taxes with the exception of the Federal excise tax on cabarets. Sellers who are required to pay the Federal excise tax on cabarets may add the same to the above prices if such tax is separately stated and collected.

[F. R. Doc. 44-14874; Filed, Sept. 26, 1944; 1:15 p. m.]

[Roanoke Order 1 Under Restaurant MPR 2]

Posting Requirements in Roanoke, Va., District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Roanoke (Virginia) District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered.

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944.

Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

Sec. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. *Geographical applicability.* The provisions of this order extend to all eating and drinking establishments located within the Roanoke (Virginia) District of the Office of Price Administration.

Sec. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

Marshall S. McClung,
Acting District Director.

Appendix A

Appetizer:
- Tomato or fruit juice.

Soup:
- Chicken broth.
- Vegetable soup.

Egg dishes:
- Two eggs, any style.
- Ham and eggs.

Fish entrees:
- Fried fish.
- Fried oysters.
- Oyster stew.

Meat entrees:
- Liver and bacon.
- Pork chops.
- Roast beef.
- Roast pork or ham.
- Lamb stew or any meat stew.
- Corned beef hash or any meat hash.
- Veal cutlet.
- Fried chicken.
- Meat pies.
- Virginia ham.
- Cold cuts.
- Hot meat sandwiches.
- Hamburger steak.
- Steaks (sirloin, T-bone, etc.).

Sandwiches:
- Ham.
- Hamburger.
- American cheese.
- Lettuce and tomato.

Salad:
- Combination salad.
- Fruit salad.
- Vegetable salad.

Beverages:
- Coffee.
- Tea.
- Milk.

Miscellaneous items:
- Frankfurters.
- Hot cakes and syrup.
- Cereals—hot or cold.
- Baked spaghetti or macaroni.
- Vegetable plate.

Desserts:
- Ice cream.
- Pie.

Meals:
- Club breakfast (one or more).

[F. R. Doc. 44-14875; Filed, Sept. 26, 1944; 1:08 p. m.]

[Region V Order G-1 Under Gen. Order 50, Amdt. 3]

Maximum Prices for Malt Beverages in Designated Southern States

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator by Revised General Order No. 50, the Region V Order G-1 under General Order 50, Maximum Prices for Malt Beverages in Designated Southern States, is amended as follows:

(1) Table I in section 20, Appendix A, is amended by adding the following brand names to the list of brands:

Goebels.
Oltimer Beer.
Four Crown Special.

(2) Table I in section 20, Appendix A, is amended by deleting the following brand from the list of brands:

Medford Lager.

(3) Table II in section 20, Appendix A, is amended by adding the following brand name to the list of brands:

Medford Lager.

(4) Table II in section 20, Appendix A, is amended by deleting the following name brands from the list of brands:

Old Timer.
4 Crown X.

(5) Table III in section 20, Appendix A, is amended by adding the following brand names and group prices thereof:

Brand	Group 1B		Group 2B		Group 3B	
	12 oz.	7 oz.	12 oz.	7 oz.	12 oz.	7 oz.
	Ct.	Ct.	Ct.	Ct.	Ct.	Ct.
Champ Ale	30	------	25	------	20	------
Acme Ale	30	------	25	------	20	------

(6) Section 21, Appendix B, is amended as follows:

(a) The following brand names are added to the table "Brands of Beer Listed in Table I":

Goebels.
Oltimer Beer.
Four Crown Special.

(b) The following brand name is deleted from the table "Brands of Beer Listed in Table I":

Medford Lager.

(c) The following brand name is added to the table "Brands of Beer Listed in Table II":

Medford Lager.

(d) The following brand names are deleted from the table "Brands of Beer Listed in Table II":

Old Timer.
4 Crown X.

This amendment shall become effective September 13, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; General Order 50, 8 F.R. 4806)

Issued at Dallas, Texas, this the 12th day of September 1944.

W. A. Orth,
Acting Regional Administrator.

[F. R. Doc. 44-14876; Filed, Sept. 26, 1944; 1:16 p. m.]

[Springfield Order 1 Under Restaurant MPR 2]

Posting Requirements in Springfield, Ill., District

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Springfield District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

Section 1. *Posting requirements.* If you own or operate an eating or drinking establishment of any kind or type, or both, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly and easily visible to your customers.

Sec. 2. *Filing of lists of posted prices.* When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference so that corrections can be made.

Sec. 3. *Replacement of posters.* If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

Sec. 4. *Geographical applicability.* The provisions of this order extend to all eating and/or drinking establishments located within the Springfield District of the Office of Price Administration.

Sec. 5. *Exemptions.* All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

Note: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of July 1944.

Carter Jenkins,
District Director.

Appendix A

1. Coffee.
2. Milk.
3. Tomato juice.
4. Orange juice.
5. Cornflakes.
6. Oatmeal.
7. Two fried eggs.
8. Ham and eggs.
9. Toast.
10. Sweet rolls.
11. Wheat cakes.
12. Waffles.
13. Vegetable soup.
14. Tomato soup.
15. Pot roast of beef (dinner or luncheon).
16. Veal cutlet.
17. Pork chops.
18. Lamb chops.
19. Stews (any kind).
20. Fried chicken (dinner).
21. Cat fish.
22. Chilli.
23. Spaghetti and meat balls.
24. Baked beans.
25. Chop suey.
26. French fries.
27. Combination salad.
28. Apple pie.
29. Layer cake.
30. Ice cream.
31. Chocolate milk shake.
32. Chocolate soda.
33. Chocolate sundae.
34. Grape fruit.
35. Rice pudding.
36. Ham sandwiches.
37. Cheese sandwiches.
38. Hot pork sandwiches.
39. Egg sandwiches.
40. Hamburger sandwiches.

[F. R. Doc. 44-14877; Filed, Sept. 26, 1944; 1:08 p. m.]

[Region VII Order G-27 Under RMPR 122]

Solid Fuels in Designated Sections in Idaho

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Order No. G-27 is issued.

This order adjusts the present maximum prices for the kinds and sizes of coal specified in sixteen small trade areas throughout that part of the State of Idaho lying south of the southern boundary of Idaho County, which said trade areas have populations ranging from 450 to 7,300, and eleven of which have populations of less than 2,500. This action is taken under § 1340.259 (a) (1) on a local shortage basis.

(a) *What this order does.* This order takes cognizance of specific situations actually existing in the small trade areas covered hereby and maintains and perpetuates the present maximum prices as established under Revised Maximum Price Regulation No. 122, with such essential adjusted increases as have been found to be necessary to maintain the local supply of coal, but in no event does such adjusted increase exceed 30¢ per ton.

(b) *To what sales this order applies.* If you sell coal of the kind specified in any one or more of the trade areas named in paragraph (c) hereof and make delivery thereof, either by truck direct from the mine or from or at your yard, to any person within any one of such trade areas, the maximum prices which you may charge therefor are your present maximum prices as established under Revised Maximum Price Regulation No. 122, plus the specific increase per ton specified in paragraph (c) hereof.

(c) *Trade areas and adjusted increases.* The trade areas covered and the adjusted increases for bituminous coal produced

in District 20, Sub-district 1, authorized by this Order No. G–27 are as follows:

Trade area	Size	Per ton increase
		Cents
(1) Wendell, Idaho	1¼" & 1" x 0" slack	20
(2) Hagerman, Idaho	1¼" & 1" x 0" slack	20
(3) Burley, Idaho	1¼" & 1" x 0" slack	20
(4) Rupert, Idaho	8" x 10" lump	20
	3" lump	20
	10" x 3" stove	20
	8" x 3" stove	20
	3" x 1¼" nut	20
	1¼" x 1" pea	20
	1" x 5/16" stoker	20
	1¼" & 1" x 0" slack	20
(5) Kimberly, Idaho	1" x 5/16" stoker	20
	1¼" & 1" x 0" slack	25
(6) Fairfield, Idaho	8" & 10" lump	20
	3" lump	20
	10" x 3" stove	20
	8" x 3" stove	20
	3" x 1¼" nut	20
	1¼" x 1" pea	20
	1" x 5/16" stoker	20
(7) Bellevue, Idaho	1¼" x 1" x 0" slack	20
(8) Hailey, Idaho	1" x 5/16" stoker	20
	1¼" & 1" x 0" slack	20
(9) Richfield, Idaho	8" & 10" lump	20
	3" lump	20
	10" x 3" stove	20
	8" x 3" stove	20
	3" x 1¼" nut	20
	1" x 5/16" stoker	20
	1¼" & 1" x 0" slack	20
(10) Arimo, Idaho	8" & 10" lump	20
	3" lump	20
	10" x 3" stove	20
	8" x 3" stove	20
	3" x 1¼" nut	20
	1¼" & 1" x 0" slack	10
(11) Downey, Idaho	3" x 1¼" nut	15
(12) McCammon, Idaho	1¼" & 1" x 0" slack	20
(13) Preston, Idaho	8" & 10" lump	20
	3" lump	20
	3" x 1¼" nut	20
	1¼" & 1" x 0" slack	20
(14) Malad, Idaho	1¼" x 1" pea	25
(15) Rexburg, Idaho	8" & 10" lump	20
	3" lump	20
	10" x 3" stove	20
	8" x 3" stove	20
	1" x 5/16" stoker	20
	1¼" & 1" x 0" slack	15
16) Shelley, Idaho	8" & 10" lump	20
	3" lump	15
	10" x 3" stove	15
	8" x 3" stove	15
	3" x 1¼" nut	5
	1¼" & 1" x 0" slack	5

(d) *Determination of mixed coal prices.* If you mix sizes or kinds of coal, your maximum prices shall be the proportionate sum of your maximum price per net ton as adjusted by this order for each of the coals so mixed, adjusted to the nearest five cents.

(e) *Applicability of other regulations.* Except as to the adjusted increases established by this Order No. G–27, you remain subject to all the terms and provisions of Revised Maximum Price Regulation No. 122 and must comply therewith.

(f) *Right to revoke or amend.* This Order No. G–27 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(g) *Effective date.* This Order No. G–27 shall become effective on the 14th day of September 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44–14878; Filed, Sept. 26, 1944; 1:09 p. m.]

No. 194——7

[Region VII Order G–35 Under 18 (c), Amdt. 2]

IMITATION FRUIT PRESERVES, ETC., IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Subparagraphs (1) and (2) of paragraph (a) are amended to read as follows:

(1) Manufacturers' and packers' maximum prices f. o. b. plant for imitation fruit preserves and jams in 15-ounce, 1-pound, 31-ounce, 2-pound, 4-pound 8-ounce, 5-pound, 5-pound 4-ounce, and 30-pound kit containers shall from and after the effective date of this Amendment No. 2 be as follows:

	15 Ounces		1 Pound	
	25% fruit 20% pectin 55% sugar	30% fruit 15% pectin 55% sugar	25% fruit 20% pectin 55% sugar	30% fruit 15% pectin 55% sugar
	Per dozen	*Per dozen*	*Per dozen*	*Per dozen*
Treefruits—assorted	$1.41	$1.92	$1.51	$2.04
Tree and berry—assorted	1.56	2.09	1.67	2.28
Berry—assorted	1.69	2.16	1.80	2.31
Strawberry	1.73	2.21	1.85	2.35
Youngberry	1.79	2.27	1.90	2.42
Blackberry	1.75	2.23	1.87	2.38
Peach	1.50	1.95	1.60	2.08
Plum	1.58	2.04	1.68	2.18
Cherry	1.65	2.13	1.76	2.28
Black raspberry	1.77	2.26	1.89	2.41
Raspberry	1.77	2.26	1.89	2.41

	31 Ounces		2 Pounds	
	Per dozen	*Per dozen*	*Per dozen*	*Per dozen*
Treefruits—assorted	$2.55	$3.42	$2.63	$3.53
Tree and berry—assorted	2.85	3.77	2.94	3.89
Berry—assorted	3.04	4.02	3.21	4.15
Strawberry	3.17	4.05	3.28	4.18
Youngberry	3.29	4.19	3.39	4.32
Blackberry	3.22	4.10	3.32	4.23
Peach	2.81	3.68	2.90	3.80
Plum	2.97	3.86	3.07	4.00
Cherry	3.13	4.06	3.23	4.19
Black raspberry	3.27	4.16	3.37	4.29
Raspberry	3.27	4.16	3.37	4.29
Boysenberry	----------	----------	----------	3.60
Apricot	----------	----------	----------	3.60
Pineapple	----------	----------	----------	3.60
Pine cot	----------	----------	----------	3.80
Loganberry	----------	----------	----------	3.85

	4 Lbs. 8 Oz.		5 Pounds	
	Per dozen	*Per dozen*	*Per dozen*	*Per dozen*
Treefruits—assorted	$5.71	$7.33	$6.62	$8.41
Tree and berry—assorted	6.65	8.31	7.66	9.80
Berry—assorted	7.10	----------	8.16	----------
Strawberry	7.42	9.15	8.52	10.43
Youngberry	7.69	9.47	8.81	10.79
Blackberry	7.52	9.28	8.62	10.56
Peach	6.25	7.85	7.21	8.99
Plum	6.63	8.20	7.63	9.49
Cherry	6.99	8.73	8.03	9.97
Black raspberry	7.63	9.40	8.75	10.72
Raspberry	7.63	9.40	8.75	10.72
Boysenberry	6.35	7.85	----------	----------
Apricot	5.75	7.85	----------	----------
Pear	5.75	----------	----------	----------
Pineapple	6.80	8.40	----------	----------
Pine cot	6.80	8.40	----------	----------
Loganberry	6.80	8.40	----------	----------

	5 Lbs. 4 Oz.		30-Pound Kit	
	Per dozen	*Per dozen*	*Each*	*Each*
Treefruits—assorted	$6.88	$8.71	----------	----------
Tree and [berry—assorted	7.92	9.86	----------	----------
Berry—assorted	8.45	----------	----------	----------
Strawberry	8.82	10.84	$3.85	$4.92
Youngberry	9.14	11.21	3.79	4.84
Blackberry	8.94	10.97	3.70	4.73
Peach	7.46	9.32	3.30	4.25
Plum	7.90	9.85	3.51	4.50
Cherry	8.32	10.35	3.71	4.74
Black raspberry	9.07	11.13	3.96	5.06
Raspberry	9.07	11.13	3.96	5.06
Boysenberry	----------	----------	----------	----------
Apricot	----------	----------	----------	----------
Pear	----------	----------	----------	----------
Pineapple	----------	----------	3.50	4.50
Pine cot	----------	----------	----------	----------
Loganberry	----------	----------	----------	----------

(3) Manufacturers' and packers' maximum prices f. o. b. plant for imitation fruit jellies shall, from and after the effective date of this Amendment No. 2, be as follows:

Jelly, 12½% Fruit Juice, 32½% Pectin, 55% Sugar	*Per dozen*
10 Oz. Tumblers, assorted	$1.20
13 Oz. Tumblers, assorted	$1.60

2. Paragraph (c) is amended to read as follows:

(c) *Notification of change in maximum prices.* With the first delivery after the effective date of Amendment No. 2 to this Order No. G-35 of an item of fruit preserves, jams, or jellies in any case where a seller determines his maximum price pursuant to this regulation, he shall supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

OUR OPA ceiling price for _____
(describe item by kind, flavor, brand and container type and size)
has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulations Nos. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification on or after September 20, 1944. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422, or 423, whichever is applicable to you.

For a period of 60 days after making such change in the maximum price of an item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each packer shall include in each case or carton containing the item the written notice set forth above.

3. This Amendment No. 2 shall become effective on September 20, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of September 1944.

J. W. PENFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-14879; Filed, Sept. 26, 1944; 1:09 p. m.]

[Region VIII, Orders G-2, G-4, G-6, G-7, G-9, G-10, and G-11 Under MPR 333, Revocation]

EGG AND EGG PRODUCTS IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by the authority reserved in paragraph (b) of Order No. G-3, paragraph (c) of Order No. G-4, paragraph (d) of Order No. G-6, paragraph (e) of Order No. G-7, paragraph (b) of Order No. G-9, paragraph (d) of Order No. G-10, and paragraph (c) of Order No. G-11 under Maximum Price Regulation No. 333, as amended, Orders Nos. G-3, G-4, G-6, G-7, G-9, G-10 and G-11 under Maximum Price Regulation No. 333, as amended, are hereby revoked.

This order shall become effective September 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of September 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-14860; Filed, Sept. 26, 1944; 1:10 p. m.]

[Region VIII Rev. Order G-6 Under 3 (c)]

NASH & KINSELLA LABORATORIES, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator of the Office of Price Administration by § 1499.3 (c), as amended, of the General Maximum Price Regulation, it is ordered that Order No. G-3 under § 1499.3 (c), as amended, of the General Maximum Price Regulation, be amended and revised in its entirety to read as follows:

(a) The maximum prices for sales at wholesale and at retail of the articles hereafter listed, manufactured by Nash & Kinsella Laboratories, Inc., 1218 Olive Street, St. Louis, Missouri, or manufactured by its predecessor or any successor in business, by resellers subject to the General Maximum Price Regulation who cannot determine their maximum prices under sections 2 or 3 (a) of the General Maximum Price Regulation shall be as follows:

(1) TWO-WAY INSECTICIDE

Screen paint	Sales at wholesale	Sales at retail
4 oz. bottle	$3.83 dozen	$0.40 each.
8 oz. bottle	$6.94 dozen	$0.75 each.
16 oz. bottle	$10.94 dozen	$1.20 each.
32 oz. bottle	$16.83 dozen	$1.80 each.
Gallon	$16.38 case of 4 gallons	

(2) TWO-WAY INSECT REPELLENT

	Sales to jobbers	Sales at wholesale (except to jobbers)	Sales at retail
2 oz. bottle	$6.45—6 dozen	$6.10—6 dozen	$12.60—6 dozen or $0.25 each.

(b) This order shall apply to sales in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho;

(c) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(d) This order shall become effective September 25, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of September 1944.

GEORGE MONCHARSH,
Acting Regional Administrator.

[F. R. Doc. 44-14881; Filed, Sept. 26, 1944; 1:11 p. m.]

[Region VIII Rev. Order G-7 Under MPR 280, Amdt. 1]

FLUID MILK AND CREAM IN WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, Paragraph (a) (3) of Revised Order No. G-7 under Maximum Price Regulation No. 280 is hereby amended as follows:

(a) Notwithstanding any of the foregoing provisions of this paragraph, the maximum prices at which the Skagit County Dairymen's Association may sell milk as a handler f. o. b. its plant located in Burlington, Washington, to any purchaser located within the counties of Skagit and Island, shall be 82¢ per pound milkfat.

(b) This amendment shall become effective September 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of September 1944.

GEORGE MONCHARSH,
Acting Regional Administrator.

[F. R. Doc. 44-14882; Filed, Sept. 26, 1944; 1:11 p. m.]

[Region VIII Order G-1 Under SR 15, Amdt. 2]

FLUID MILK IN OREGON AND CERTAIN PORTIONS OF WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by special authorization from the Price Administrator dated September 16, 1944, it is hereby ordered that paragraph (a) of Order G-1 under § 1499.75 (a) (2) of Supplementary Regulation No. 15 to the General Maximum Price Regulation be amended by adding at the end thereof the following:

THE TOWN OF MAUPIN IN THE STATE OF OREGON

Quantity	Retail	Wholesale
Quart	$0.155	$0.1375

THE TOWN OF ELKTON IN THE STATE OF OREGON

Quantity	Retail	Wholesale
Quart	$0.145	$0.13

This amendment shall become effective September 21, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of September 1944.

CHARLES R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-14883; Filed, Sept. 26, 1944; 1:11 p. m.]

[Region VIII Order G-2 Under MPR 329, Amdt. 8]

FLUID MILK IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation 329, as amended, paragraph (k) (1) is amended to read as follows:

(a) The permitted addition must be paid on or before October 7, 1944.

This amendment may be revoked, amended, or corrected at any time.

This amendment shall become effective September 23rd, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of September 1944.

GEORGE MONCHARSH,
Acting Regional Administrator.

[F. R. Doc. 44-14884; Filed, Sept. 26, 1944; 1:12 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-953]

ELECTRIC POWER & LIGHT CORP. AND ARKANSAS POWER & LIGHT CO.

SUPPLEMENTAL ORDER APPROVING SALE OF STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of September A. D. 1944.

Electric Power & Light Corporation, a registered holding company, and its subsidiary, Arkansas Power & Light Company, a public utility company, having filed a joint declaration and application proposing inter alia the surrender by Electric to Arkansas of all of the securities of the latter held by Electric, consisting of 7,697 shares of $7 Preferred Stock and 1,233,638 shares of no par value common stock, and the payment by Electric to Arkansas of $4,000,000 in cash, being part of the proceeds of the sale by Electric of the common stock of Idaho Power Company, and further proposing that Arkansas issue to Electric 1,070,000 shares of new $12.50 par value common stock of Arkansas in exchange for such securities and cash; and

Arkansas and Electric having requested in said joint application and declaration that the transactions therein proposed be found necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and

This Commission having by order dated September 16, 1944 granted said application and permitted said declaration to become effective and having found the transactions to be necessary and appropriate to effectuate the provisions of section 11 (b) but not having included in its order a recital in the form prescribed in section 371 (b) of the Internal Revenue Code, as amended;

It is hereby ordered, nunc pro tunc, That the expenditure by Electric of $4,000,000 of the proceeds of the sale of the common stock of Idaho Power Company and the surrender by Electric to Arkansas of 7,697 shares of $7 Preferred Stock and 1,233,638 shares of no par value common stock of the latter company and the receipt of such cash and stock by Arkansas and its issuance to Electric of 1,070,000 shares of new $12.50 par value common stock are necessary and appropriate to the integration or simplification of the holding company system of which Electric is a member and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 (49 Stat. 870; U.S.C., Title 15, sec. 79K (b)) in accordance with the meaning and requirements of section 371 (b) of the Internal Revenue Code, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14890; Filed, Sept. 27, 1944; 11:02 a. m.]

[File No. 70-933]

BIRMINGHAM ELECTRIC CO.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of September A. D. 1944.

Birmingham Electric Company, a subsidiary of National Power & Light Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with Rule U-50 promulgated under the act, of $10,000,000 principal amount of First Mortgage Bonds, 1974 Series, dated August 1, 1944 and maturing August 1, 1974; and

The Commission having by order dated September 19, 1944 granted said application except as to the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon, the underwriters' spread and its allocation, and all legal fees and expenses to be paid in connection with the proposed transactions as to which matters jurisdiction was reserved; and

Birmingham Electric Company having filed a further amendment to the application in which it is stated that in accordance with the permission granted by the said order of the Commission dated September 19, 1944, it offered said bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Price to company	Interest rate	Cost to company
		Percent	
Smith, Barney & Co. and Blyth & Co., Inc.	100.13	3	2.993408
Lehman Bros.	102.101	3¼	3.018951
Kidder, Peabody & Co.	102.039	3¼	3.021165
Halsey, Stuart & Co. Inc.	101.888	3¼	3.028760
The First Boston Corporation	101.539	3¼	3.046275

The said amendment having further stated that Birmingham Electric Company has accepted the bid of the group headed by Smith, Barney & Co. and Blyth & Co., Inc. for the bonds as set out above and that the bonds will be offered for sale to the public at 101% of principal amount resulting in an underwriters' spread of .87; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon and the underwriters' spread and allocation thereof;

It is ordered, That the jurisdiction heretofore reserved over the price to be paid for said bonds, the redemption prices therefor, the interest rate thereon, and the underwriters' spread and its allocation thereof be, and the same hereby is released and said application be and hereby is granted, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved over the legal fees to be paid in connection with the proposed transactions be continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-14901; Filed, Sept. 27, 1944; 11:02 a. m.]

[File No. 68-42]

INTERNATIONAL UTILITIES CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of September A. D. 1944.

International Utilities Corporation having filed a declaration and amendments thereto regarding the solicitation of proxies in connection with the election of persons to its Board of Directors at a special stockholders' meeting to be held on October 24, 1944, which solicitation is stated to follow the nomination and election procedure contained in the stipulation dated June 22, 1944 between Counsel for the Commission, declarant, and certain stockholders of declarant and approved by the United States District Court for the Southern District of New York by order dated July 1, 1944; and

The last amendment to said declaration having been filed on September 23, 1944 and declarant having requested that the effective date of such declaration be accelerated; and

The Commission being fully advised in the premises and finding that it is in the public interest and in the interest of investors and consumers to permit said declaration to become effective and to accelerate the effective date thereof;

It is ordered, That said declaration be and become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14900; Filed, Sept. 27, 1944; 11:02 a. m.]

[File No. 70-960]

OHIO EDISON CO. AND THE COMMONWEALTH & SOUTHERN CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of September A. D. 1944.

Ohio Edison Company, a public utility company, and its parent, The Commonwealth & Southern Corporation, a registered holding company, having filed a joint application-declaration pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-44, U-45 and U-50 thereunder, regarding the issue and sale by competitive bidding pursuant to Rule U-50, of $30,962,000 principal amount of First Mortgage Bonds due 1974, and 180,000 shares of preferred stock with a par value of $100 per share, the interest rate on the bonds and the dividend rate on the preferred stock to be determined by the results of the competitive bidding, but in respect of the bonds not to exceed 3¼% and in respect of the preferred stock not to exceed 4½%; and

The Commission having by order dated September 14, 1944 granted the application and permitted the declaration to become effective except as to the price to be paid for the bonds and preferred stock, the redemption prices therefor, the coupon rate of the bonds and the dividend rate on the preferred stock, the underwriters' spread and its allocation, jurisdiction as to such matters having been reserved pending submission of the results of the competitive bidding; and

Ohio Edison Company and The Commonwealth & Southern Corporation having on September 26, 1944 filed a further amendment to the application and declaration stating that in accordance with the permission granted by the order of the Commission dated September 14, 1944, Ohio Edison Company offered the bonds and preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

FOR THE BONDS

Bidder	Price to company	Coupon rate	Cost to company
	Percent	*Percent*	*Percent*
Morgan Stanley & Co.	101.417	3	2.9267
Halsey, Stuart & Co., Inc.	101.199671	3	2.94
Lazard Freres & Co.	100.7099	3	2.9611

FOR PREFERRED STOCK

Bidder	Price per share to company	Dividend rate	Cost to company
		Percent	*Percent*
Morgan Stanley & Co.	$100.717	4.40	4.3698
W. C. Langley & Co.	101.80	4.50	4.4204

The amendment further stating that Ohio Edison Company has accepted the bid of Morgan Stanley & Co. for the bonds as set out above and that the bonds will be offered for sale to the public at a price of 102.50% resulting in an underwriters' spread of 1.083% and

The amendment further stating that Ohio Edison Company has accepted the bid of Morgan Stanley & Co. for the preferred stock as set out above and that the preferred stock will be offered for sale to the public at a price of $103 per share resulting in an underwriters' spread of $2.283 per share; and

The Commission having examined the amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the matters as to which jurisdiction was reserved; and

The applicants-declarants having requested that the second condition contained in the order entered in this matter on September 14, 1944 be restated;

It is ordered, That the jurisdiction heretofore reserved over the price to be paid for the bonds and preferred stock, the redemption prices therefor, the coupon rate on the bonds and the dividend rate on preferred stock, the underwriters' spread and its allocation be, and the same hereby is, released and that the amendment filed on September 26, 1944 to the application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24;

It is further ordered, That the second of the two conditions set forth in the order herein dated September 14, 1944 be restated to read as follows:

2. That so long as any of the new bonds or new preferred stock shall remain outstanding, Ohio Edison Company shall not declare or pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution of assets to holders of common stock by purchase of shares or otherwise, in an amount which, when added to the aggregate of all such dividends and distributions subsequent to the last day of the month in which the new bonds and new preferred stock are issued, would exceed 75% of the consolidated net income of Ohio and subsidiary companies earned subsequent to said date, if, at the time of the declaration of any such dividend or the making of any such distribution, the aggregate of the par value of, or stated capital represented by, the outstanding shares of common stock of Ohio and of the consolidated surplus of Ohio and subsidiary companies would be less than an amount equal to 25% of the total consolidated capitalization and consolidated surplus of Ohio and subsidiary companies. For the purpose of the foregoing provision, the terms "consolidated net income of Ohio and subsidiary companies earned subsequent to said date," "subsidiary company," "total consolidated capitalization" and "consolidated surplus of Ohio and subsidiary companies" shall have the meanings set forth in the registration statement in respect of the bonds and preferred stock filed by Ohio Edison Company under the Securities Act of 1933, as amended.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14902; Filed, Sept. 27, 1944; 11:02 a. m.]

CHICAGO STOCK EXCHANGE

DECLARATION OF EFFECTIVENESS OF AMENDED PLAN

The Securities and Exchange Commission, having previously declared effective a plan for special offerings filed pursuant to Rule X-10B-2 (d) (§ 240.10 B-2 (d)) by the Chicago Stock Exchange; and the Chicago Stock Exchange, on September 14, 1944, having filed amendments to its plan for such special offerings;

The Securities and Exchange Commission having given due consideration to the special offering plan of the Chicago Stock Exchange, as amended, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof, and Rule X-10B-2 thereunder, hereby declares the amended special offering plan of the Chicago Stock Exchange as filed on September 14, 1944 to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective: September 21, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14898; Filed, Sept. 27, 1944; 11:02 a. m.]

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FEDERAL REGISTER

VOLUME 9 NUMBER 195

Washington, Friday, September 29, 1944

The President

PROCLAMATION 2625

AMENDMENTS TO REGULATIONS RELATING TO MIGRATORY BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Secretary of the Interior has adopted and submitted to me the following amendments of the regulations approved by Proclamation No. 2616 of July 27, 1944, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of migratory birds and parts, nests and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936:

Amendment of Migratory Bird Treaty Act Regulations Adopted by the Secretary of the Interior

Under authority and direction of section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), the administration of which said act as amended was transferred to the Secretary of the Interior on July 1, 1939 by Reorganization Plan II (53 Stat. 1431), I, HAROLD L. ICKES, Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of said conventions and act to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend, as specified, the regulations approved by Proclamation No. 2616 of July 27, 1944, and as so amended do hereby adopt such regulations as suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

The thirteenth paragraph of the subdivision entitled "Mourning or turtle dove" of Regulation 4 is deleted and the second sentence of the said subdivision is amended to read as follows:

Alabama, Georgia, North Carolina, and South Carolina, September 16 to October 15 and from December 25 to January 20.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 22d day of September 1944.

[SEAL] HAROLD L. ICKES, *Secretary of the Interior.*

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 26th day of September in the year of our Lord nineteen hundred and

[SEAL] forty-four, and of the Independence of the United States of

(Continued on next page)

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
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America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President,

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44–14904; Filed, Sept. 28, 1944; 11:37 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 15–10]

PART 1401—DAIRY PRODUCTS

CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, as amended (8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319), it is hereby ordered, as follows:

§ 1401.187 *Percentage of Cheddar cheese to be set aside in October 1944*—(a) *Definitions.* (1) "WFO 15" means War Food Order No. 15, as amended.

(2) Each term defined in WFO 15 shall, when used herein, have the same meaning as set forth for such term in WFO 15.

(b) *Percentage.* Each person who is required by WFO 15 to set aside Cheddar cheese during October 1944 shall set aside, in said month, a quantity of Cheddar cheese equal at least to 40 percent of all Cheddar cheese produced by him in that month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., October 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 15, 8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319)

Issued this 25th day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–14866; Filed, Sept. 26, 1944; 12:23 p. m.]

[WFO 75–3, Amdt. 2]

PART 1410—LIVESTOCK AND MEATS

PORK REQUIRED TO BE SET ASIDE

War Food Order No. 75–3, as amended, § 1410.20 (9 F.R. 10287, 11309), is further amended as follows:

1. By inserting after paragraph (3) (iii) the following:

(iv) Any person who is under contract to sell or deliver set aside meat or products prepared in whole or in part therefrom, to an authorized purchaser as defined in (3) (i) and (ii).

2. By deleting the table under the heading "Type and Description of Product", in paragraph (c) (2) and substituting in lieu thereof the following:

TYPE AND DESCRIPTION OF PRODUCT	Conversion factors (multiplier)	
	Not boned	Bone
Cuts:		
Fresh (chilled)	1.00	1.15
Pork sides	1.00	------
Wiltshire sides, fresh and cured	1.08	------
Cured	1.08	1.15
Smoked	1.10	1.20
Cooked	1.30	1.45
Pork loins	1.00	------
Pork loins (semiboneless)	------	1.33
Fatted, skinless hams and shoulders	------	1.33
Fatted, skinless picnics	------	1.45
Overseas Hams, 96 hours smoke	1.25	------
Army Hams, 48 hours smoke	1.15	------
Standard domestic smoked hams	1.10	------
Trimmings: Fresh (chilled) or frozen	------	1.00

3. By amending paragraph (e) thereof to read as follows:

(e) *Certificates.* No set aside meat shall be delivered to any authorized purchaser, no credit shall be allowed for any such delivery, and no such delivery shall be accepted unless within 10 days after delivery the slaughterer or authorized purchaser making delivery obtains and the authorized purchaser accepting delivery furnishes a certificate signed by the authorized purchaser accepting delivery acknowledging receipt of the meat and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser or the person with whom the authorized purchaser has a contract and the governmental agency; and a statement by the authorized purchaser that the set aside meat so delivered, or an equivalent amount of the same kind and type of set aside meat, will be or has been used or delivered for use in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such meat, together with a description permitting conversion in accordance with (c) of this order. The slaughterer and the authorized purchaser shall each retain an original or duplicate of such certificate for delivery to the Director upon request. All statements contained in or accompanying such certificate shall be deemed made to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

4. By inserting in paragraph (g) between the words "equivalent amount of" and the words "set aside meat" the words "the same kind and type of".

This order shall become effective at 12:01 a. m., e. w. t., Sept. 27, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 75–3, as amended, prior to said date, all provisions of said War Food Order No. 75–3, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 8 F.R. 11119)

Issued this 25th day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44–14887; Filed, Sept. 26, 1944; 12:22 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 142—PREEXAMINATION OF ALIENS WITHIN UNITED STATES

PART 150—ARREST AND DEPORTATION

CHANGES IN PREEXAMINATION PROCEDURE

SEPTEMBER 19, 1944.

The following changes are made in Title 8, Chapter I, Code of Federal Regulations:

Sections 142.3 to 142.7, inclusive, are amended to read as follows:

§ 142.3 *Preexamination; application; where deportation proceedings have not been instituted.* Application for preexamination shall be filed in triplicate on Forms I–255 and I–55 by the applicant at any office of the Immigration and Naturalization Service. The application may be filed separately or in conjunction with a petition on Form I–123 for nonquota or preference quota status under § 165.1 of this chapter. Where the application for preexamination is filed at a field office, either separately or with Form I–138, the field office shall retain the triplicate copies of Forms I–255 and I–55 and forward the rest of the forms to the Central Office.

§ 142.4 *Preexamination; application; where deportation proceedings have been instituted.* Where the applicant is the subject of deportation proceedings, the application shall be filed as provided in § 150.6 (g) of this chapter.

§ 142.5 *Preexamination; authorization; where deportation proceedings have not been instituted.* A designated official in the Central Office shall have authority to authorize the preexamination of any alien eligible under the provisions of § 142.2 against whom a warrant of arrest in deportation proceedings has not been issued.

§ 142.6 *Preexamination; authorization; where deportation proceedings have been instituted.* The Board of Immigration Appeals shall have authority, subject to the provisions of § 90.12 of this chapter, to authorize preexamination of any alien eligible under the provisions of this part against whom deportation proceedings are pending and to whom the privilege of departure at his own expense in lieu of deportation has been granted in accordance with the provisions of section 19 (c) of the Immigration Act of 1917, as amended (39 Stat. 889, 54 Stat. 671, 56 Stat. 1044; 8 U.S.C. 155 (c)).

§ 142.7 *Preexamination; notification of authorization.* The Central Office shall in all cases furnish notice of the decision to the field office, which shall in turn notify the applicant in writing of the decision and shall, where the decision is that preexamination is authorized, at the same time notify him that preexamination will not be accorded him unless or until he has submitted to the United States consul to whom he intends to apply for a visa the necessary documents in support of his visa application and has received from the consular officer written assurance that such documents appear sufficient and satisfactory on their face and that a visa will be promptly available if, upon personal examination by the consul, he is found to be eligible for a visa.

In § 142.8, the term "§ 142.3," which occurs twice, is changed to read "§ 142.7."

Section 142.9 (a) is amended to read as follows:

(a) The notification in writing that preexamination has been authorized.

Section 150.6 (g) is amended to read as follows:

(g) *Hearing; application for suspension of deportation, for departure in lieu of deportation, or for preexamination.* At any time during the hearing the alien may apply, under the provisions of section 19 (c) of the Immigration Act of 1917, as amended (39 Stat. 889, 54 Stat. 671, 56 Stat. 1044; 8 U.S.C. 155 (c)):

(1) On Form I–55 in triplicate, for suspension of deportation; or

(2) On Form I–255 in triplicate, for the privilege of departing the United States at his own expense in lieu of deportation; or

(3) On Form I–255 in triplicate, for the privilege of departing the United States at his own expense in lieu of deportation and the privilege of preexamination under Part 142 of this chapter.

The alien may apply simultaneously for more than one of these three reliefs.

The alien shall be warned that any statements made by him in such applications may be considered as evidence in any proceedings to determine his right to enter, reenter, pass through, or reside in the United States, and that false answers to any of the questions in such applications may bar him from the relief which he requests. Any such applications shall then be introduced into evidence and made a part of the record.

Section 150.6 (h) is amended to read as follows:

(h) *Hearing; order in which evidence shall be presented.* The presiding inspector or examining inspector, when interrogating the alien at the hearing, shall develop in order (1) the facts relating to alienage and nationality; (2) the facts relating to the charges in the warrant of arrest or to any additional charges applicable; (3) the facts relating to the alien's eligibility for any relief applied for under paragraph (g) of this section; (4) the personal history data required by paragraph (j) of this section; and (5) other pertinent information not already obtained for the record.

JOSEPH SAVORETTI,
Acting Commissioner of Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-14943; Filed, Sept. 27, 1944; 4:46 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

PART 93—SPECIAL REGULATIONS GOVERNING EXPORT AND IMPORT OF LIVESTOCK TO AND FROM MEXICO

ACCOMMODATIONS FOR ANIMALS TRANSPORTED ON VESSELS

Pursuant to the authority conferred upon me by § 93.16 (9 F.R. 10844) (B.A.I. Order 368), *It is hereby ordered*, That livestock offered for exportation to Mexico by sea shall be provided with feed, water, space, and ventilation, and ships used in their transportation shall be equipped with fittings and other facilities, as required by §§ 91.8 to 91.20, inclusive, of Part 91, Chapter 1, Title 9, Code of Federal Regulations, for waterborne shipments of livestock to countries other than Mexico; and no export certificates shall be issued by Bureau Inspectors for livestock intended for such exportation unless and until such requirements have been met.

In the case of shipments of livestock to Mexico by sea involving voyages ordinarily made in 72 hours or less, modifications of the above described accommodations may be permitted by the inspector in charge but not to such an extent or in such manner as to endanger the safe transportation or humane handling of the animals.

(Art. XII of Treaty between United States and Mexico ratified January 17, 1930, 46 Stat. 2458; 46 U.S.C. 1940 ed. 466 (a) and (b))

Done at Washington, D. C., this 23d day of September 1944.

A. W. MILLER,
Chief, Bureau of Animal Industry.

[F. R. Doc. 44-14970; Filed, Sept. 26, 1944; 11:14 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 20-4]

PART 20—PILOT CERTIFICATES

DUAL CONTROL AIRPLANES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of September 1944.

Effective October 20, 1944, § 20.724 of the Civil Air Regulations is repealed.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-14964; Filed, Sept. 26, 1944; 11:01 a. m.]

[Civil Air Regs., Amdt. 60-1]

PART 60—AIR TRAFFIC RULES

ACROBATICS WHILE CARRYING PERSONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of September 1944.

Effective October 20, 1944, § 60.71 of the Civil Air Regulations is amended to read as follows:

§ 60.71 *Acrobatics while carrying persons.* No person shall acrobatically fly an aircraft while carrying:

(a) Any other person or persons for hire, or

(b) Any other person seated at operative dual controls who is not the holder of at least a private pilot certificate: *Provided*, That these provisions do not apply to the giving of instruction in acrobatic flying by a rated instructor.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-14965; Filed, Sept. 26, 1944; 11:01 a. m.]

Chapter II—Administrator of Civil Aeronautics

[Amdt. 86]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AIRWAYS

SEPTEMBER 12, 1944.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Civil Airways: Green Civil Airway No. 5 and Red Civil Airway No. 27

1. By inserting in § 600.10004 *Green civil airway No. 5 (Los Angeles, Calif., to Washington, D. C.)* after the words: "Nashville, Tenn., radio range station;" the following: "the intersection of the center lines of the on course signals of the northeast leg of the Nashville, Tenn., radio range and the northwest leg of the Smithville, Tenn., radio range;"

2. By striking in § 600.10226 *Red civil airway No. 27 (Dayton, Ohio to U. S.—Canadian Border)* the following portion of the caption: "Dayton, Ohio" and substituting in lieu thereof the following: "Knoxville, Tenn." and inserting before the words: "From the intersection of the center lines of the on course signals of the northeast leg of the Dayton, Ohio radio range and the west leg of the Columbus, Ohio radio range" the following: "From the Knoxville, Tenn., radio range station via a point located at latitude 36°25' north and longitude 83°50' west and the center of the city of Lexington, Ky., to the Cincinnati, Ohio radio range station."

This amendment shall become effective 0001 e. w. t., September 30, 1944.

J. E. SOMMERS,
Deputy Administrator.

[F. R. Doc. 44-14968; Filed, Sept. 26, 1944; 10:46 a. m.]

[Amdt. 82]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

MISCELLANEOUS AIRWAYS

SEPTEMBER 12, 1944.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

Redesignation of Airway Traffic Control Areas: Red Civil Airway No. 27, Redesignation of Radio Fixes: Red Civil Airway No. 27

1. By amending § 601.10227 *Red civil airway No. 27 airway traffic control areas (Dayton, Ohio to U. S.-Canadian Border)* to read as follows:

§ 601.10227 *Red civil airway No. 27 airway traffic control areas (Knoxville, Tenn., to U. S.-Canadian Border).* All of Red civil airway No. 27 between the intersection of the center lines of the on course signals of the northeast leg of the Dayton, Ohio radio range and the west leg of the Columbus, Ohio radio range and the intersection of the center lines of the on course signals of the northeast leg of the Toledo, Ohio radio range and the U. S.-Canadian Border.

2. By striking in § 601.46227 *Red civil airway No. 27 (Dayton, Ohio to U. S.-Canadian Border)* the following portion of the caption: "Dayton, Ohio" and substituting in lieu thereof the following: "Knoxville, Tenn."

This amendment shall become effective 0001 e. w. t., September 30, 1944.

J. E. SOMMERS,
Deputy Administrator.

[F. R. Doc. 44-14969; Filed, Sept. 26, 1944; 10:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4775]

PART 2—DIGEST OF CEASE AND DESIST ORDERS

RUB-R-LYFE CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with offer, etc., in commerce, of respondents' "Rub-R-Lyfe", or any other similar product, representing, directly or indirectly, that said product (1) softens hardest rubber for commercial use; (2) preserves or renovates rubber against atmospheric conditions, or stops checking, cracking, oxidation, or frictional heat in rubber; or (3) restores the original resiliency or original elasticity of rubber; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Rub-R-Lyfe Company, Docket 4775, August 26, 1944]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 26th day of August, A. D. 1944.

In the Matter of Frederick J. Schenck and Mary V. Schenck, Trading as Rub-R-Lyfe Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, and a stipulation as to the facts entered into between the respondents herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides among other things that, without further evidence or other intervening procedure, the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Frederick J. Schenck and Mary V. Schenck, individually and trading as Rub-R-Lyfe Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' product designated "Rub-R-Lyfe," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from representing, directly or indirectly:

1. That said product softens hardest rubber for commercial use.

2. That said product preserves or renovates rubber against atmospheric conditions, or that it stops checking, cracking, oxidation, or frictional heat in rubber.

3. That said product restores the original resiliency or original elasticity of rubber.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14967; Filed, Sept. 26, 1944; 11:13 a. m.]

[Docket 5147]

PART 2—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN FOOD SHIPPING CO.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Plant and equipment:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Qualifications:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Stock:* § 3.6 (y5) *Advertising falsely or misleadingly—Sample, offer or order conformance:* § 3.72 (m10) *Offering deceptive inducements to purchase or deal—Sample, offer or order conformance.* In connection with offer, etc., in commerce, of combination packages of food and other merchandise, (1) representing that the combination packages of food and merchandise supplied and shipped by him contain certain specified articles or articles of specified value unless such packages when shipped actually contain all of the articles listed and of the value specified; (2) substituting in packages articles of lesser value than those represented as being placed in such packages; or (3) representing that he is experienced in, and equipped for, the handling of combination packages of food and other merchandise for shipment to soldiers and other members of the armed services; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, American Food Shipping Company, Docket 5147, September 7, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of September, A. D. 1944.

In the Matter of Alfred Ungar, an Individual Trading as American Food Shipping Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Alfred Ungar, an individual trading as American Food Shipping Company, or under any other trade name, his representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of combination packages of food and other merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing that the combination packages of food and merchandise supplied and shipped by him contain certain specified articles or articles of specified value unless such packages when shipped actually contain all of the articles listed and of the value specified.

2. Substituting in packages articles of lesser value than those represented as being placed in such packages.

3. Representing that he is experienced in, and equipped for, the handling of combination packages of food and other merchandise for shipment to soldiers and other members of the armed services.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-14966; Filed, Sept. 26, 1944; 11:13 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 229]

PART 802—GENERAL LICENSES

SHIPMENTS NOT EXCEEDING SPECIFIED VALUE

Section 802.10 *General license "GLV"* (9 F.R. 9043) is hereby amended to read as follows:

§ 802.10 *General license "GLV"*—(a) *Definitions.* When used in this section:

(1) "Net value" shall mean the actual selling price less shipping charges or the domestic market price at the time and place of shipment whichever is the larger.

(2) "Domestic market price" shall mean the Office of Price Administration ceiling price which may be charged to the same type of purchaser in the United States or, where no ceiling price has been established, the current market price.

(3) "Single shipment" shall mean all commodities classified under a single Department of Commerce Schedule B Number which move at the same time from one exporter to one importer on the same exporting carrier.

(4) "Medicinal" shall mean any pharmaceutical, drug, or chemical usable for the preventing, healing, curing, alleviating or treating of disease and for which there is no accepted industrial use.

(5) "Group K" and "Group G" shall mean those destinations designated as such in paragraph (a) of § 802.3 of this part except that for the purpose of this general license only, Argentina shall be included in the destinations designated as Group G.

(6) "Chemicals, drugs, pharmaceuticals and health supplies" shall mean those commodities designated under the Processing Code "CHEM" in section I of Comprehensive Export Schedule Number 15 issued September 1, 1944 by the Foreign Economic Administration.

(b) A general license designated "GLV" is hereby granted subject to the "Special Provisions for Mexico" prescribed in paragraph (d) of this section, authorizing exportations as follows:

(1) *Provisions for commodities other than chemicals, drugs, pharmaceuticals and health supplies.* (i) All commodities may be exported under this general license to any destination in Group K where, in a single shipment, the net value of all commodities classified under a single Schedule B number does not exceed $100 with the exception of:

(a) Commodities listed in subdivision (iii) of this subparagraph,

(b) Commodities listed in subparagraph (3) of this paragraph,

(c) Commodities exportable under general license "GLQ" as prescribed in § 802.27 of this part, and

(d) Chemicals, drugs, pharmaceuticals and health supplies.

(ii) All commodities with the exception of those commodities listed in subparagraph (3) of this paragraph may be exported to any destination in Group G where, in a single shipment, the net value of all commodities classified under a single Schedule B number does not exceed $25.00: *Provided*, That any commodity listed in subdivision (ii) of this subparagraph with a value limit of less than $25.00 may not be exported to any destination in Group G in quantities in excess of the value limit specified.

(iii) The articles and materials listed below may be exported to any destination in Group K where, in a single shipment, the net value of all commodities classified under a single Schedule B number does not exceed the value limit specified for the commodity in the column headed "value limit." When preceded by an asterisk such commodities shall be construed to include their forms, conversions and derivatives:

Commodity	Schedule B No.	Value limits
Aluminum, metal (except finished articles)	6290.00 through 6305.98, 6308.50.	$1.00
Animal and game traps	6209.98	1.00
Animal oils and fats, edible	0050.00 through 0059.00	1.00
Animal oils and greases, inedible	0803.00 through 0858.05	1.00
Animal oils and greases, inedible	6645.01, 6649.01, 6670.00	1.00
Antimony, metal	9840.98	25.00
Apparel findings, metal (include metal buckles, eyelets, hooks, fasteners and zippers).		1.00
Asbestos fiber ½" or more in length	5451.06	25.00
Asbestos manufactures	5455.10, 5455.50, 5457.10, 5458.30, 5459.06.	
Babbitt metal	6630.00	1.00
Batteries dry cell	7015.00 through 7017.00	1.00
Bearings, antifriction, ball and roller, and parts including automotive.[1]	7091.00, 7092.00, 7093.00	25.00
Beds, metal and bedsprings except used	6138.00	25.00
Beef suet, inedible	0858.98	1.00
Belting, woven, for machinery (include duck woven 12" and narrower).	3140.00	25.00
Beryllium metal	6645.05, 6649.05	1.00
Bicycles and parts	7950.00, 7952.00	25.00
Bismuth, metal	6649.10	1.00
Boiler gauge glass tubes	7139.05	1.00
Bookbinding machinery repair parts only (not for assembly) [1]	7798.00	500.00
Brooms	2935.00	25.00
Brushes	9822.00 through 9826.91	25.00
Bristles, pig	0035.00	1.00
Butadiene, polymers and copolymers of	8258.19	1.00
Butcher's and kitchen knives, forks, cleavers and steels	6116.00	25.00
Cadmium metal	6645.15, 6649.15	1.00
Calcium cyanamide, as a fertilizer	8500.02	1.00
Capacitors:[1]		25.00
Capacitors: ceramic, electrolytic, mica, (except radio) paper.	7019.00	
Capacitors, power factor correction	7019.02	25.00
Capacitors, mica, variable for radio receiving and transmitting sets.	7079.01, 7079.03	1.00
Capacitors, not containing mica, variable for radio receiving sets	7079.98	25.00
Capacitors, not containing mica, variable for radio transmitting sets.	7079.98	1.00
Condensers: electric, mica for radio receiving and transmitting sets.	7079.01, 7079.05	1.00
Condensers: electric, not containing mica for radio receiving sets.	7079.98	25.00
Condensers: electric, not containing mica for radio transmitting sets.	7079.98	1.00
Condensers static: electric except radio	7099.98	25.00
Suppressors: spark plug for motor radio receiving sets.	7079.98	25.00
Trimmers: air, capacitors	7079.98	25.00
*Cashew nut shell oil	1446.98	1.00
Castor beans and oil	2220.01, 2240.01	1.00
Cerium, metal	6645.18, 6649.18	1.00
Chains: not stud link anchor Cast Steel, power transmission [1]	6192.00	$25.00
Chains and chain parts, non-power transmission agricultural, binding, boom, bridle, coil crane, deck lashing, dredge, halter, harness, jack ladder, loading, log, loom friction, mine car, pump, rafting, railroad, register, sash, shackle, sling, tow, trace, wagon, well, winch line.		25.00
Chains, automobile and truck line	7927.00	25.00
Chains, tractor tire and other than tire	6192.00, 7389.05	1.00
*Chaulmoogra oil	2240.98	25.00
Chestnut extract	2231.00	1.00
Chromium, metal	6645.20, 6649.20	1.00
Coaxial cable and parts, radio frequency [1]	7076.05, 7076.98	1.00
Cobalt, metal	6645.25, 6649.25	1.00
Cocoa	1401.00 through 1408.00	1.00
Coconut oil	1420.00, 2230.00	1.00
Clocks and watches (except all watch crystals)	9570.00 through 9601.05	25.00
Columbium, metal	6645.30, 6649.30	1.00
Confectionery	1634.00 through 1637.00	1.00
Copper, copper base alloy, manufactures	6401.00 through 6479.98	25.00
Corn milling machines and parts	7905.00	1.00
Corundum	5405.00, 5409.98, 5419.00, 5409.20, 5411.98.	
Cotton manufactures	3015.00 through 3129.00, 3171.00 through 3181.00, 3187.00 through 3189.00, 3199.00.	25.00
Cotton yarn	3011.10 through 3013.20	25.00
Cryolite, natural and artificial	5980.10, 5980.15	200.00
Cutlery, table, including forks	6115.00	25.00
Cutlery, other and parts	6119.00	25.00
Dairy products (excepting fresh and sterilized milk, infants' food, malted milk).	0061.00 through 0097.70	1.00
Egg products, n. e. s., dried	0096.05	1.00
Electric domestic vacuum cleaners	7069.10	25.00
Electric flatirons	7071.05, 7071.98	25.00
Electric cooking ranges, domestic	7072.00	25.00
Electric incandescent and fluorescent lamps	7068.05 through 7085.55	25.00
Electric indicating, measuring, and recording instruments.	7086.05 through 7088.98, 7099.93.	1.00
Electric transformers, specialty: natural draft dry type, not nonpower electronic: [1]		
Ballasts: fluorescent lamps	7096.01	25.00
Specialty transformers: natural draft dry type: not nonpower electronic.	7021.00, 7023.00	25.00
Transformers: sate, primary 600 volts and below.	7023.00	25.00
Transformers: dry type: primary 600 volts and below.	7023.00	25.00
Transformers: fluorescent lamps	7096.01	25.00
Transformers: furnace: primary 600 volts and below.	7022.00	25.00
Transformers: general purpose: pipe thawing, transtats.	7024.00	

See footnotes at end of table.

Commodity	Schedule B No.	Value limits
Electrodes, carbon (over 1 inch)	6473.01	$500.00
Electrodes, graphite (over 1 inch)	6473.05	500.00
Enameled ware: table household, kitchen, hospital utensils and hollow or flatware (except pressure cookers).	6198.00	25.00
Feathers and down, including pillows	0928.00, 0930.00	1.00
Ferrochrome	6220.80	1.00
Ferromanganese	6213.05	1.00
Ferrosilicon	6220.98	1.00
Fish and fish products	0070.00 through 0080.98	1.00
Flashlights with or without batteries	7060.00	25.00
Flourspar, acid grade	5980.20	1.00
Flourspar, other	5980.30	500.00
Fruit juices	1772.00 through 1779.00	1.00
Fruits and preparations	1302.00 through 1305.00, 1310.00 through 1312.00, 1321.00 through 1328.00, 1330.05 through 1347.00.	1.00
Gold manufactures, n. e. s	6997.00	25.00
Graphite and graphite manufactures (except 97-98% Ceylon lump, 92.5% and higher Madagscar flake, and graphite electrodes).	5472.01, 5472.03, 5480.55	250.00
Hemp	3399.30, 3419.05 [2]	25.00
Hops, concentrated hops, and hop extract	1259.98, 2951.00, 2999.91	1.00
Industrial indicating, recording and controlling instruments and apparatus.	7740.98 [3]	1.00
Intercommunication equipment: wire: electronic [1]:		
Interoffice equipment	7087.00	25.00
Recording machines, radio recording and telephone conference (not AVC unit, AT model, voice writer).	7087.90	25.00
Jewel bearings	8999.98	1.00
Jute, yarn, cordage, twine, and empty bags	3205.09, 3311.00, 3224.00, 3229.05.	25.00
Kapok fiber, except used or waste	3205.11	1.00
Kapok manufactures	3499.11 through 3499.18, 3970.05.	1.00
Kitchen utensils, steel (except enameled)	6209.98	25.00
Kyanite	5980.98	1.00
Laboratory equipment:		
Balances, analytical (sensitivity 1/5 mg. or more sensitive).	6197.90	25.00
Calorimeters	9180.98	25.00
Centrifuges	9190.98	25.00
Hydrogen ion meters (electrometric)	9190.98	25.00
Metalloscopes	9180.98	25.00
Microscopes (except Brinell and tool makers)	9149.50	25.00
Microtomes	9190.98	25.00
Potentiometers, wheatstone bridges and resistance boxes.	7038.98	1.00
Pumps, vacuum (1 micron or higher vacuum)	9190.98	25.00
Refractometers	9190.01	25.00
Spectographs, spectrometers and spectrophotometers.	9190.98	25.00
Spectroscopes	9149.98	25.00
Lamps, gasoline pressure, and parts	9798.99	25.00
Lamps, other, except electric	9794.09	25.00
*Lanolin	0858.05	1.00
Lanterns, wick	9792.00	25.00
Lead and lead manufacturers:		
Cables (all types)	6515.21	1.00
Foil lead and lead tin	6515.30	1.00
Ore, matte and base bullion	6645.35	1.00
Scrap and residues including battery mud	6515.50	1.00
Solder	6513.00	1.00
Leather manufactures	0645.10 through 0656.10, 0685.00.	25.00
Magnesite, crude	5980.98	500.00
Malleable castings, iron	6102.00	25.00
Manila hemp, fiber and cordage	3205.15, 3414.00	1.00
Meat products	0020.00, 0021.00, 0027.00 through 0036.18, 0037.00, 0038.00, 0039.00.	1.00
Mercury metal	6635.00	1,200.00
*Mesothorium	6649.65	1.00
Meters and parts, gas and water	7741.00, 7742.00	1.00
Mica, ground or pulverized	5512.00	500.00
Mica, unmanufactured	5510.00	1.00
Mica manufactures, other (except book pack splittings and good stained and better block or film).	5513.00	150.00
Microphones and speakers:[3]		
Horns, loud speakers	7081.98	25.00
Loudspeakers: military	7080.00	25.00
Loudspeakers: nonmilitary	7080.00	25.00
Microphones and parts containing mica	7076.05	1.00
Microphones and parts not containing mica	7076.98	1.00
Speakers: dynamic permanent magnet	7080.00	25.00
Molybdenum content of ferromolybdenum	6220.55	1.00
Molybdenum, metal	6635.05, 6649.45, 6691.07, 6691.08.	1.00
Neat's foot oil	0803.00	1.00
Nickel-chrome, electric resistance wire	6630.00	1.00
Nickel, metals	6345.01 through 6549.98	1.00
Nylon and nylon manufactures	3830.05, 3840.05, 3842.00, 3864.10, 3868.05, 9813.05, 9813.06.	1.00
Oiticica oil	2240.05	1.00
Optical glass, except ophthalmic	5230.05	1.00
Palm kernels, nuts, and oil	1449.05, 2230.30, 2240.35	1.00
Paper base stocks	4800.00 through 4809.98	25.00
Paper, related products and manufactures:		
Boxes and cartons	4781.00, 4782.00	25.00
Paper bags	4777.00, 4778.00	25.00
Paper towels and napkins	4759.00	25.00
Paper, related products and manufactures—Con.		
Paperboard, other, including Kraft container board.	4730.00	$25.00
Overissue and old newspapers	4732.08 through 4732.98	25.00
Surface coated paper	4725.01 through 4725.98	25.00
Paper clips, clamps, fasteners pencil sharpeners (desk), punches and perforators, staple removers, thumbtacks.	9399.00	25.00
Peanuts and peanut butter	1375.00, 1379.95	1.00
Pencils, mechanical and not mechanical	9031.00, 9302.00, 9304.10, 9304.30.	25.00
Pens, fountain and stylographic, and nibassemblies with nibs of gold.	9309.00, 9810.00, 9812.00	25.00
Pen points, metallic, except gold	9815.00	25.00
Peppermint, essential oil of	2266.00	1.00
Perilla seed and oil	2220.20, 2240.04	1.00
Petroleum blending agents	5013.10	1.00
Pins, bobby, hair, safety, bank and common straight pins.	9840.98	25.00
Platinum group metals	6920.00, 6922.05, 6922.09, 6929.05, 6929.98.	1.00
Portable electric tools	7066.05, 7056.98	1.00
Printing and typesetting machinery accessories and repair parts only (not for assembly). [1]	7796.00	500.00
*Quartz crystals	5980.01 through 5980.09	1.00
Radio mica condensers, and capacitors	7079.01	1.00
Radio transmitting sets, tubes, and parts	7076.05, 7076.98, 7948.07, 7948.06.	1.00
Radio tubes or valves for receiving sets	7078.05, 7078.98	1.00
Radio and radar repair parts: [1]		
Replacement parts for radio receiving sets (not aircraft) not including mica condensers and capacitors or tubes.	7079.98, 7081.98	25.00
Replacement parts for radar, not aircraft	9190.73	25.00
Replacement parts for radio transmitting sets (not aircraft) not including mica condensers and capacitors or tubes.	7076.05, 7076.98	1.00
Radio hardware: [1]		
Radio hardware for receiving sets	7079.98, 7081.98	25.00
Radio hardware for transmitting sets	7076.98	1.00
Radio receiving sets [1]	7077.05, 7077.98	25.00
Rapeseed oil	1449.04, 2220.20, 2240.06	1.00
Rayon yarn	3830.07, 3840.07, 3840.08, 3840.11.	1.00
Razors, safety, metal	6112.00	25.00
Rennets	0099.00	1.00
Resistors: electric: carbon, wire wound: fixed, variable: [1]		
Resistors, discharge, not radio	7089.00	25.00
Resistors for industrial motors	7048.98	25.00
Resistors for radio receiving sets	7079.98	25.00
Resistors containing mica for radio transmitting sets.	7076.05	1.00
Resistors not containing mica, for radio transmitting sets.	7076.98	1.00
Rice:		
Paddy or rough rice	1055.00	1.00
Milled rice, including brown rice, broken rice and rice screenings.	1057.00	1.00
Rice flour, meal and polish	1058.00	1.00
Rubber	2001.00, 2099.90	1.00
Rubberlike compounds, synthetic, unfabricated, include polymers and copolymers of butadiene, acrylonitrile, butylene, styrene, and vinylidene chloride.	8258.10	1.00
Safety razor blades	6113.00	25.00
Sago	1259.98	1.00
Scissors, shears, and snips	6114.00	25.00
Seeds, field and flower, include grass seed	2401.00 through 2419.00	1.00
Seeds, vegetable, include carrot seed	2468.50, 2468.90	15.00
Shoe findings (except leathers and rubbers)	9833.00	25.00
*Silk	3702.00 through 3799.00	1.00
Sisal and henequen cordage	3419.09	1.00
Soap	8710.00 through 8720.00	1.00
Sockets: radio tube: [1]		
Sockets, radio tube, for receiving sets	7079.98	25.00
Sockets, radio tube, for transmitting sets	7076.98	1.00
Sperm oil	0809.05	1.00
Spices (include pepper, nutmeg, cloves, cassia, etc.	1549.01 through 1549.98	1.00
Staples and staplers for office use	7777.00	25.00
Strontium, metal	6649.98	1.00
Sugar	1619.05	1.00
Synthetic textiles and manufactures	3830.05 through 3842.00, 3848.00, 3849.30 through 3857.70, 3859.00.	25.00
Tacks and nails (made from tack plate or wire) to be used in the manufacture of shoes.	6094.00	25.00
Talc, ground (except block talc)	5736.00	2000.00
Tantalum metal	6645.60, 6649.00	1.00
Tapioca	1269.05	1.00
Tea	1505.00	1.00
Tetraethyl lead, ethyl fluid, and any mixture containing more than 3-cc. tetraethyl lead per gallon.	8299.15, 8299.19	1.00
Textile products, miscellaneous: waterproof outer garment.	3018.00	25.00
Tin and galvanized hollow ware	6121.00	25.00
Tin, metal	6565.01 thru 6565.98	1.00
Tinplate and terneplate, unfabricated	6041.00, 6042.00	1.00
Tinplate, circles, strips, cobbles and scroll-shear butts.	6013.00	1.00
Tinplate, waste-waste	6014.00	1.00
Titanium, metal	6649.70, 6645.70	1.00
Tobacco, unmanufactured leaf (bright flue-cured)	2501.00	1.00
*Tools, incorporating industrial diamonds	6499.05, 6156.15, 6156.05, 6178.91, 7455.03, 7485.12.	1.00

See footnotes at end of table.

Commodity	Schedule B No.	Value limits
Transformers including reactors, chokes and coils, not D F, R F for nonpower electronic applications, radio, radar, communications: [1]		
Transformers, chokes, reactors and coils for radio receiving sets (not aircraft).	7079.98	$25.00
Transformers, chokes, reactors and coils for transmitting sets (not aircraft).	7070.05, 7076.98	1.00
Transformers, chokes, reactors and coils, radar, except aircraft.	9190.73	25.00
Tubes, special purpose (welding, control devices, diathermy, cathode ray: not X-ray).	7081.98, 7090.98	25.00
Tubes for radar equipment, except aircraft	9190.72	25.00
Tung oil	2249.10	1.00
Tungsten, metal	6691.98, 6630.00, 6645.90	1.00
*Uranium	6645.85	1.00
Vanadium, metals	6220.87, 6637.00, 6640.90, 6691.98	1.00
Vanilla beans	1549.15	1.00
Vegetable fiber yarns, cordage, and twine	3211.00, 3209.05, 3306.20, 3411.00, 3419.01 through 3499.09.	25.00
Vegetable oils	2230.00 through 2249.98	$1.00
Vegetable oils and fats, edible	1429.00 through 1441.00, 1447.00 through 1449.98.	1.00
Vegetables and preparations, other beans and peas:	1201.10 through 1202.50	1.00
Vegetables canned	1241.60 through 1249.00	1.00
Pickles, cucumber; ketchup, chili sauce and other tomato table sauces; olives; vinegar.	1250.00, 1251.00, 1252.95, 1253.00.	1.00
Dehydrated vegetables except soups	1239.03	1.00
Vegetable tallow and wax except candelilla, carnauba and ouricury.	2999.05	1.00
Vibrators, electronic [1]	7079.98	25.00
Wool yarns	3033.00	25.00
Wool felts	3063.00, 3064.00	1.00
*Yeast	1256.00, 1259.98	1.00
Zinc, metal (except finished articles)	6570.00 through 6589.98	1.00
Zirconium, metal	6645.95, 6691.98, 6220.98	1.00

[1] In determining whether commodities under this heading are exportable under this general license, the description and not the Schedule B number shall govern.

[2] Shipments of this commodity to Brazil are limited to quantities not in excess of $25.00.

(2) *Provisions relating to chemicals, drugs, pharmaceuticals and health supplies.* (i) All chemicals, drugs, pharmaceuticals and health supplies with the exception of those commodities listed in subdivision (iii) of this subparagraph and the commodities listed in subparagraph (3) of this paragraph may be exported under this general license to any destination in Group K and Group G where, in a single shipment, the net value of all commodities classified under a single Schedule B number does not exceed $25.00.

(ii) The chemicals, drugs, pharmaceuticals and health supplies listed in subdivision (iii) of this subparagraph may be exported under this general license to any destination in Group K where, in a single shipment, the net value of all commodities classified under a single Schedule B number does not exceed the value limit specified for the commodity in the column headed "Value Limits". Such commodities may also be exported to any destination in Group G where, in a single shipment, the net value of all commodities classified under a single Schedule B number does not exceed $25.00; *Provided*, That any commodity on said list with a value limit of less than $25.00 may not be exported to any destination in Group G in quantities in excess of the value limit specified.

(iii) Medicinal preparations or mixtures containing any commodity which is preceded by an asterisk in the list below may be exported under this general license to any destination in Group K and Group G where, in a single shipment, the value of each restricted commodity contained in such medicinal preparation or mixture does not exceed the value limit specified for such commodity in the column headed "value limits"; *Provided*, That in the case of exportations to any destination in Group G the total net value of such medicinal preparations or mixtures in a single shipment shall not exceed $25.00:

Commodity	Schedule B No.	Value limits
Acetaldehyde	8329.98	$100.00
Acetaldol	8329.98	100.00
*Acetanilid	8135.98	1.00
*Acetarsone (Stovarsol)	8135.98	100.00
Acetic acid (100% acetic acid)	8300.00	1.00
Acetic aldehyde	8329.91	1.00
*Acetic anhydride	8301.00	1.00
Acetone	8316.00	1.00
*Acetophenetidin	8135.98	1.00
Acetyln chloride	8329.98	1.00
Acetylene black	8423.00	1.00
Acetylene tetrachloride	8329.98	1.00
*Acetylsalicylic acid (aspirin)	8127.92, 8135.30	1.00
*Acetyltannic acid (tannigen)	8135.98	1.00
Acid, hydrofluoric	8309.98	100.00
*Aconite root and leaves	2209.37	1.00
Acrylic monomer	8258.09	1.00
Acrylic resins	8258.09, 9135.90	1.00
Acrylonitrile	8329.81, 8258.19	100.00
Adipic acid	8329.98	1.00
Aerosols OT	8258.00	1.00
*Agar agar, crude, including powdered crude	2999.98	100.00
*Agar	8135.98	1.00
Alcohol (methyl)	8310.00	1.00
Alkyl amide sulfuric esters	8329.98	1.00
Alkyl aryl sulfonates	8329.98	100.00
Alkyl amines	8329.98	100.00
Alkanolamine	8258.00	1.00
Alkyd resins, in powder, flake, or liquid form	8253.00	1.00
Allyl alcohol and polymers and copolymers	8315.98	1.00
Allyl chloride and polymers and copolymers	8329.98	1.00
*Alpha amyl cinnamic aldehyde	8329.98	1.00
Aluminum chlorides anhydrous	8329.05	100.00
Aluminum sulfate	8306.00	100.00
Ammonia anhydrous, compressed and liquefied	8390.00	100.00
Ammonium bicarbonate	8385.02	100.00
Ammonium bichromate	8385.98	1.00
Ammonium carbonate	8385.04	100.00
Ammonium chloride	8385.00	100.00
Ammonium fluo silicate	8398.87	100.00*00
Ammonium hydroxide	8385.01	100.00
Ammonium nitrate (report ammonium nitrate for fertilizer in 8509.98).	8385.17	100.00
Ammonium perchlorate	8385.20	1.00
Ammonium picrate	8609.98	1.00
Ammonium silico fluoride	8385.98	100.00
Ammonium sulfate	8385.98	100.00
Amyl acetate	8322.00	1.00
Amyl alcohols	8315.98	1.00
Amyl phenol	8069.98	100.00
Aniline	8025.15	$1.00
Aniline chloride	8025.19	1.00
Aniline sulfate	8025.19	1.00
Animal charcoal or bone char, decolorizing, decolorising and gas absorbing, n. e. s.	8297.98	100.00
Animal and veterinary biologicals	8120.00	1.00
Anthracene	8025.98	1.00
*Anthraquinone or substituted anthraquinones	8025.98	1.00
Antimony, salts and compounds	8396.01 through 8396.08	100.00
Antitoxins for human use	8121.00	1.00
Aperitol	8135.98	1.00
Aqua ammonia (ammonium hydroxide or ammonia liquor).	8385.01	100.00
*Arnica, flowers, leaves or root, whole, granulated or powdered.	2309.33	100.00
Arsenious oxide (white arsenic)	8309.90	1.00
*Atropine	8135.01 through 8135.10	1.00
*Barbituric acid and derivatives	All	1.00
Barium carbonate	8398.90	100.00
Barium chloride	8398.87	100.00
Barium chlorate	8398.98	1.00
Barium nitrate	8398.98	100.00
Battery mix (manganese dioxide) except as a battery part.	8400.15	100.00
Battery mix (manganese dioxide) as part of batteries.	7099.91	100.00
Battery mud	6515.50	100.00
*Belladonna and belladonna leaves and root	2209.01	100.00
*Belladonna, extract of, and belladonna ointment and plaster U. S. P. nonproprietary.	8127.98	100.00
*Belladonna, extract and fluid extract of belladonna leaf, N. F. and root U. S. P., tincture of belladonna U. S. P. and belladonna liniment N. F. nonproprietary.	8124.03	100.00
Belladonna, extract and fluid extract of belladonna leaf and root, tincture of belladonna U. S. P. belladonna ointment U. S. P. homatropine or belladonna root, proprietary.	8180.03	100.00
Belladonna liniments, proprietary	8151.01	100.00
Belladonna plasters, proprietary	8150.01	100.00
Benzene	8006.00	1.00
Benzidine	8025.98	1.00
*Benzoate of soda	8069.98	1.00
Benzoic acid	8025.98	1.00
*Benzocaine (anaesthesin)	8135.25	1.00
Benzyl alcohol	8069.98	1.00
Benzyl benzoate	8069.98	1.00
Beryllium salts and compounds	8396.20	100.00
Bix phenol	8069.98	1.00
*Bismuth iodide	8346.01	

See footnotes at end of table.

Commodity	Schedule B No.	Value limits
*Bismuth salts and compounds	8185.98, 8396.30 through 8396.36.	$1.00
Black Powder, propellant	3359.17	1.00
Bordeaux mixtures	8305.98	100.00
*Bromural	8344.98	1.00
Butanol (butyl or butyric alcohol)	8315.00	1.00
Butyl acetate	8317.00	1.00
Butyl phenol	8069.98	1.00
Butyl phthalyl butyl glycollate	8025.98	1.00
Butyric acid	8308.98	1.00
*Cacodylic acid and salts	8135.98	1.00
*Cadmium, salts and compounds	8396.51 through 8396.56, 8429.01, 8429.02.	100.00
*Caffein	8135.11, 8135.12	1.00
Calcium arsenate	8308.00	100.00
Calcium carbide	8341.00	100.00
Calcium carbonate, precipitated	8396.98	100.00
Calcium hypochlorite	8340.00	1.00
*Calcium gluconate	8135.98	1.00
Calcium phosphide	8398.98	1.00
*Camphor	8329.98	1.00
Caprylic alcohol	8315.98	100.00
*Carbarsone	8127.95, 8180.98	1.00
Carbon bisulfide	8319.00	100.00
Carbon, black, furnace type	8423.00	100.00
Carbon, black, channel type	8423.00	100.00
*Carbon tetrachloride	8329.10	1.00
Carbons, activated known as Norit S. G. Darco, G-60 and Nuchar C-190.	8297.98	100.00
*Carbromal	8217.98, 8180.98	1.00
Carotene	8119.98	1.00
*Cascara bark and derivatives	2201.00, 8134.98, 8127.98	100.00
Casein	0999.05, 8358.01	100.00
Casein in powder or liquid form	8359.01	100.00
Castor oil phthalate	8025.93	1.00
Catgut, crude	0999.98	1.00
Cellulose acetate butyrate molding compounds and powder plasticized.	8365.05	100.00
Cellulose acetate butyrate sheets, rods, tubes, and other unfinished forms, plasticised.	8365.98	100.00
Cellulose acetate butyrate, in solution	8366.98	100.00
Cellulose acetate butyrate, not in solution	8269.98	100.00
Cellulose acetate molding compounds and powder plasticised.	8365.05	100.00
Cellulose acetate sheets, rods, tubes, and other unfinished forms, plasticised.	8365.98	100.00
Cellulose acetate, in solution	8366.98	100.00
Cellulose acetate, not in solution	8269.98	100.00
Cellulose acetate butyrate	8329.98	100.00
Cellulose acetate flake, waste and scrap, not plasticised.	8329.00	100.00
*Cerium, salts and compounds	8366.98	100.00
Charcoal	8080.00	100.00
*Chiniofon (yatren)	8135.98	1.00
Chloramine B and T	8185.98	1.00
Chloride of lime	8343.00	100.00
Chlorinated ether	8329.98	1.00
Chlorine compressed and liquified	8362.00	100.00
Chloro phenol	8025.98	1.00
Chloro toluidene	8025.98	1.00
Chloroform	8329.98	1.00
Chloropicrin	8069.05, 8305.98	1.00
Chloroprene, including polymers and copolymers of.	8269.19	1.00
Chrome pigments containing 10% or more chromium, including chromium oxide, chromic oxide (chrome green), lead chromate (chrome yellow) and zinc chromate.	8429.05	1.00
Chromic acid	8309.10	1.00
Chromium chemicals	8306.71-78 inclusive	1.00
Chromium tanning mixtures (state ingredients)	8269.01	1.00
Cinnamic ether	8329.98	1.00
*Citric acid	8393.07	1.00
Coal tar acid oil	8020.98	100.00
Coal tar acids, n. e. s	8079.98	100.00
Coal-tar chemicals used in connection with explosives, n. e. s.	8026.01	1.00
Coal-tar colors, dyes, stains and color lakes	8059.00	1.00
Coal-tar, crude and refined	8006.02	100.00
Coal-tar pitch	8007.00	100.00
Cobalt naphthenate	8398.98	100.00
Coconut shell char in any form	8397.05	100.00
*Colchicum seeds and colchicum roots	2209.20	1.00
*Colchicum and derivatives	2209.20, 8124.98, 8127.98, 8135.98.	1.00
Columbium, salts and compounds	8366.98	1.00
Copal, lobs	2189.05	1.00
Copal, manila	2189.95	1.00
Copal, Pontianak	2189.95	1.00
Copal fossils, Boea, Congo, and Kauri	2189.95	1.00
Copper fungicides (include copper arsenate) (state ingredients).	8204.98	100.00
Copper salts and compounds	8397.66 through 8397.67, 8397.15 through 8397.18	100.00
Copper sulphate (blue vitriol)	8201.05	100.00
Cottonseed hull fiber	2004.00, 8004.01	100.00
Cottonseed hull fiber pulp	8006.05	100.00
*Coumarin	8069.98	1.00
Coumarone indene resins	8069.98	100.00
Cresyl para toluene sulfonate	8069.98	1.00
Cresylic acid and cresols	8024.05	1.00
Cupric acetoarsenite (paris green)	8204.01	100.00
Cyanides	ALL	1.00
Cyclo hexane	8329.98	1.00
Cyclo hexanol	8329.98	1.00
Cyclo heranone	8329.98	$1.00
D Di: (parachlorophenyl)	8206.00, 8305.98	1.00
Damar gum, refined or modified	2189.95	1.00
Decanol, normal	8315.98	100.00
Dehydrolo	8329.98	100.00
Denatured alcohol	9312.00	1.00
Dental instruments (burrs, hand-pieces, and contra-angles only).	9150.00	1.00
Derris (Tuba) root, derris powder and derris root extract.	2209.07	1.00
Di chloro amine BT	8329.98	1.00
Di sodium phosphate	8377.00	100.00
Diacetone alcohol	8329.98	100.00
Diamyl phthalate	8025.93	1.00
Dibutoxy ethyl phthalate	8025.93	1.00
Dibutyl amine	8329.98	1.00
Dibutyl phthalate	8025.93	1.00
Dibutyl sebacate	8329.98	1.00
Dicapryl phthalate	8025.93	1.00
Dichlorophenol	8069.98	1.00
Dichlorethylether	8329.98	100.00
Dichlorostyrene	8069.98	1.00
Dicyanodiamide	8385.07	100.00
Dicyclohexylphthalate	8025.93	1.00
Diethanolamine	8329.98	100.00
Diethoxy ethyl phthalate	8025.93	1.00
Diethyl amine	8329.98	1.00
Diethyl ethanol amine	8329.98	100.00
Diethyl phthalate	8025.93	1.00
Diethylene glycol	8315.98	100.00
Diglycol chlorophthalate	8069.98	1.00
Dimethyl phthalate	8025.93	1.00
Dimethoxyethyl phthalate	8025.93	1.00
Dimethylaniline	8025.50	1.00
Dimethylcyclohexyl phthalate	8025.93	1.00
Dinitro chlorobenzene	8025.94	1.00
Dioctyl phthalate	8069.98	1.00
Dipentene from wood turpentine	2116.10	100.00
Dipentene other than from wood turpentine	2116.10	100.00
Diphenyl mono phosphate	8069.98	100.00
Diphenyl phthalate	8069.98	1.00
Diphenylamine	8025.70	100.00
Dipropylene glycol	8315.98	100.00
Dipropylphthalate	8025.93	1.00
Disobutyladipate	8329.98	1.00
Dodecanol	8315.98	100.00
Dow Corning fluid	8329.98	1.00
Dowicide	8206.00	1.00
Drugs, crude, vegetable, other	2209.98	100.00
Dupont MP 136 and MP 646	8329.98	1.00
Elixirs, tinctures, fluid extracts, ampoules and similar liquid solutions, n. e. s. (state ingredients).	8124.98	100.00
*Ephedrine and salts	8135.98	1.00
*Ethocaine	8135.25	1.00
*Ethodin (Rivanol)	8135.98	1.00
Ethyl acetate	8320.30	100.00
Ethyl alcohol	8315.98	1.00
Ethyl aniline	8329.98	1.00
Ethyl aldehyde	8329.98	1.00
Ethyl cellulose	8329.98	100.00
Ethyl chloride	8329.98	1.00
Ethyl hexanol	8329.98	100.00
Ethyl phthalyl ethyl glycollate	8325.93	1.00
Ethylene glycol	8311.00	100.00
Ferric oxide yellow	8401.00	1.00
Ferric sulfate anhydrous	8308.98	1.00
*Fish oils & fish liver & concentrates thereof (medicinal grade).	8119.05	1.00
Formaldehyde	8320.01	100.00
Formaldehyde gas	8320.05	100.00
Furfural	8329.98	100.00
G C 78	8329.98	100.00
Gadolinium salts	8368.98	1.00
*Ginseng	2205.00	100.00
*Glandular products, organotherapeutics, enzymes, ferments, and culture media.	8123.00	1.00
Glue of animal origin, other than casein	0042.98	100.00
Glue, casein	0042.05	100.00
Glue, tapioca	2999.98	1.00
Glue, vegetable	2999.98	1.00
Glycol ethers	8315.98	100.00
Glycols	8315.98	100.00
Guanidine nitrate	8385.11	1.00
Guanidine carbonate	8385.99	1.00
Guanidine	8389.00	1.00
*Gum benzoin	2189.93	1.00
Gums and resins, refined and modified	2189.95	100.00
*Gums and resins, n. e. s	2189.98	1.00
Halowax	8069.98	1.00
Hexachlor ethane	8329.98	1.00
Hexachloro benzene	8329.98	1.00
Hexalin	8329.98	1.00
Hexamethylene diamine	8329.98	1.00
*Hexamethylenetetramine and compounds	8329.98, 8329.98	100.00
Hexone	8329.98	100.00
*Homatropine (belladonna root), including salts and compounds.	8180.03	100.00
*Hormones: glandular products, etc	8123.00, 8135.98	1.00
Hydrogen peroxide	8396.98	100.00
Hydroxy benzoic acid	8069.98	1.00
Hydrated yellow iron oxide	8401.00	1.00
Hydroxine hydrate	8329.98	1.00
Hydro quinone	8069.98	1.00
Hydroxy quinoline	8069.98	1.00

See footnotes at end of table.

Commodity	Schedule B No.	Value limits
*Hyoscine (scopolamine)	8127.96, 8180.19	$1.00
*Hyoscyamus (Henbane) dried leaves and flowering tops.	2909.11	100.00
*Hyoscyamus henbane extracts, tablets, pills, capsules and powders.	8127.94	100.00
Hyoscyamus extract, fluid extract and tincture proprietary.	8180.09	100.00
*Hyoscyamus fluid extract and tincture, non-proprietary.	8124.13	100.00
Hypodermic needles, and surgeons' needles	9157.00	1.00
*Ichthyol	8135.98	100.00
Inulin	8138.00	100.00
Iodine, crude and sublimed	8346.98	100.00
Iodides and iodates, other	2899.98	1.00
*Ipecac	8348.70	1.00
Iridium, salts and compounds	8300.33	1.00
Iron carbonyl	8401.00	1.00
Iron oxide yellow	9025.93	1.00
Isobutyl castor oil phthalate	8329.96	100.00
Isopropyl acetate	8315.96	100.00
Isopropyl alcohol	8303.98	1.00
Lactic acid	8089.00	1.00
*Lactose (milk sugar)	8398.98	1.00
Lanthanum oxide	8398.98	1.00
Lanthanum salts	8315.96	100.00
Lauryl alcohol	8202.00	100.00
Lead arsenate	8398.98	100.00
Lead nitrate	8099.00	1.00
Lead oxide	9147.00, 9149.98	1.00
Lenses, optical	3004.00, 3004.01	100.00
Linters, cotton	3006.00	100.00
Linters, cotton, bleached and purified	8399.30	100.00
Liquid gum inhibitors for treating petroleum distillates (state ingredients) inhibitor oil only.	8414.00	100.00
Lithopone	8398.98	1.00
Lithium compounds	8399.30	1.00
Lubricating oil additives	8025.98	1.00
Maleic acid	9026.98	1.00
Maleic anhydride	2906.00	100.00
*Mandrake root (Mayapple root or podophyllum).	8307.21	100.00
Manganese chloride	8397.23	100.00
Manganese dioxide	8329.98	1.00
Mannitol	8127.98	1.00
Mannitol hexanitrate	8127.98	1.00
Mannitol mono borate	3924.96, 8138.98	1.00
Maphersan	2189.05	1.00
Mastic	9800.00	1.00
Matches	8180.98	100.00
Medicinal preparations, proprietary, n. o. s.	8135.98	100.00
*Medicinal chemicals for prescription use, n. o. s. (include pharmaceutical dextrose [glucose] report other glucose in 1643.00 and 1644.00) not including Epsom salts, (magnesium sulphate) and Glauber salts (sodium sulphate).		
Melamine	8320.98	100.00
Melamine resin	8257.07, 8260.07, 8261.07, 8257.98.	100.00
*Menthol, natural	8125.00	1.00
*Mercury salts and compounds	8297.41 through 8297.49	1.00
Mesothorium	8436.20, 8398.91	1.00
Metaxylene	8012.00	1.00
Methanol	8310.00	1.00
Methyl alcohol	8310.00	1.00
Methyl cyclo hexanol	8315.96	1.00
Methyl cyclohexanone	8329.98	1.00
Methyl ortho toluidine	8069.95	1.00
Methyl bromide	8344.98	1.00
Methyl chloride	8391.00	100.00
Methyl-ethyl ketone	8329.00	100.00
Methyl hexyl carbinol	8315.98	100.00
Methyl isobutyl ketone	8329.96	1.00
Methyl methacrylate, fabricated	8261.03	1.00
Methyl methacrylate for dental use	9155.90	1.00
Methyl methacrylate, unfabricated	8238.03	1.00
Methyl phthalyl ethyl glycollate	8025.93	1.00
Methyl salicylate	8099.98	100.00
Methylamine	8329.92	100.00
Methylene blue	8059.00	1.00
Methylene chloride	8069.98	100.00
Mixed Glycols	8315.98	100.00
Molybdenum, salts and compounds	8397.58	1.00
Mono chlor benzene	8025.98	100.00
Mono ethanol amine	8329.98	1.00
Mono ethyl aniline	8025.19	1.00
Mono nitrophenol	8069.98	100.00
Monomeric furfuryl aldehyde	8329.98	1.00
Morpholine	8069.98	100.00
Naphtha, high flash	8020.98	100.00
Naphthalene and naphthalene balls & flakes	8020.05, 8208.00	100.00
Napthenate salts	ALL	100.00
Napthenic acid	8303.98	1.00
Neoarsphenamine	8124.98, 8135.98	1.00
Neodymium salts	8398.98	1.00
Nickel, salts and compounds	8397.61 through 8397.69	1.00
Nicotine alkaloid	8205.98	1.00
Nicotine sulphate (report nicotine mixture and free nicotine in 8205.98)	8200.00	1.00
Nikethamide	8124.03, 8135.98	1.00
Nitroderivatives of benzene, toluene, ylene, naphthalene, and phenols.	8025.94	1.00
*Novocaine	8135.26	1.00
Novsalgin	8135.98	1.00
*Nux vomica	2209.15	100.00
Octanol	8315.98	1.00
Ortho amido phenol	9025.98	1.00
Ortho nitro phenol	8069.98	1.00

Commodity	Schedule B No.	Value limits
Ortho phenyl phenol	8025.00	$100.00
Osmium, salts and compounds	8398.72	1.00
Other crude vegetable drugs	2209.98	100.00
Pamaquine naphtoate (plasmochin)	8127.96, 8135.98	1.00
Paraformaldehyde	8320.03	100.00
Para-toluidene	8025.98	100.00
Paris Green (Cupric acetoarsenite)	8205.91, 8397.02	100.00
Para-nitro-toluene	8025.94	1.00
Para phenyl phenol	8025.00	100.00
*Patchouli leaves	2209.98	100.00
Pieramic paste	8024.05	1.00
Pentachlorphenol	8329.98	1.00
Pentaerythritol	8329.94	100.00
Perchloric acid	8328.10	1.00
Perchlorethylene	8329.98	1.00
Phenol (carbolic acid)	8023.00	1.00
*Phenobarbital	8135.98	1.00
Phenol-formaldehyde resins, fabricated, sheets, plates or rods, tubes and other unfinished forms, laminated or not laminated.	8240.01, 8261.01	100.00
Phenol-formaldehyde resins, unfabricated, in powder, flake or liquid form.	8260.01	100.00
*Phenolphthalein	8135.98	1.00
Phenothioxide	8180.98	100.00
Phenyl aniline	8026.98	1.00
*Phosphoric acid and anhydride	8329.93	1.00
Phosphorus elemental	8398.87	100.00
Phosphorus oxy chloride	8398.98	1.00
Phosphorus penta sulfide	8398.98	1.00
Phosphorus pentoxide	8309.93	1.00
Phthalic alkyd, maleic, and succinic anhydride resins, in powder, flake or liquid form.	8260.03	100.00
Phthalic anhydride	8025.90	1.00
Picric acid	8024.05	1.00
Pigments, organic	8059.00	1.00
Pine oil, pine oil products and derivatives	2117.10	100.00
Pine tar	2118.00	100.00
Pitch coke	5004.00–5005.00	100.00
Platinum group, salts, and compounds	8398.70 through 8398.78	1.00
Poly dichlorostyrene	8258.19	1.00
Poly styrene	8258.19	100.00
Poly vinyl compounds	8258.19	100.00
Polyethylene	8260.05	1.00
Polyethylene molding powder sheets, rods, tubes	8260.98	1.00
Polyethylene polymers	8258.09	1.00
Polyglycol fatty acid esters	8329.98	100.00
*Polyvinyl chloride	8258.19	100.00
Potassium aluminum sulfate	8338.98	100.00
Potassium antimonate	8398.05	100.00
Potassium bromide	8344.02	100.00
Potassium chlorate and perchlorate	8359.98, 8359.21	1.00
Potassium chloride	8359.98	100.00
Potassium chromate and bichromate	8357.00	1.00
Potassium chromium sulphate (chrome alum)	8359.11	1.00
Potassium cyanide	8359.13	1.00
Potassium ferro cyanide	8359.98	1.00
Potassium ferri cyanide	8359.98	1.00
Potassium magnesium sulfate	8359.98	100.00
Potassium nitrate and mixtures, n. o. s.	8359.15	100.00
Potassium oxide	8359.98	100.00
Potassium permanganate	8359.25	1.00
Potassium salts, crude	5399.98	100.00
Potassium sodium ferri cyanide	8359.98	1.00
Potassium sulfate	8359.98	100.00
Potassium tantalium fluoride	8398.80	100.00
Potassium thio cyanate	8359.98	1.00
*Procaine (including novocaine, etc.)	8135.25	1.00
*Prominal	8135.98	1.00
Propylene dichloride	8329.98	100.00
Propylene glycol	8315.98	100.00
Pulp cotton, cottonseed hull	3006.00	100.00
Pyridine	8020.98	1.00
Pyrocatlic acid	8303.98	1.00
Psyllium seeds	2209.98	1.00
Pyrethrum	2209.19, 8205.30, 8205.03	1.00
Rare earth salts	8398.98	1.00
Quinacrine hydrochloride (atabrine)	8127.98, 8135.98	1.00
*Radium salts and compounds	8138.15, 8367.75	1.00
Red Squill	2209.21	100.00
Rosin, gum	2110.00	100.00
Rosin stabilized	2111.00	100.00
Rosin, wood	2111.00	100.00
Rotenone	8205.93	1.00
Rubber accelerators	3296.00	1.00
Rubber antioxidants	3296.00	1.00
*Salicylic acid	8303.98	1.00
*Sanjarac	2189.95	1.00
Santicisers	9026.98	100.00
*Santonin	8135.98	1.00
Scandium salts	8398.98	1.00
*Senna	2909.98	100.00
Serums and antitoxins	8121.00	1.00
*Silver salts and compounds	8124.98, 8135.98, 8142.00, 8180.98, 8398.98.	1.00
Smokeless powder	8601.01	100.00
Sodium aluminate	8350.98	100.00
Sodium antimonate	8379.98	100.00
Sodium arsenate	8379.98	100.00
Sodium arsenite	8205.98	1.00
*Sodium bromide	8344.03	1.00
*Sodium cacodylate	8135.98	1.00
Sodium chlorate	8379.08	1.00
Sodium chromate and bichromate	8368.00	1.00
Sodium cyanide	8369.00	1.00
Sodium ferro cyanide	8379.98	100.00
Sodium meta silicate	8364.00	100.00
Sodium oxide	8379.15	1.00

See footnotes at end of table.

Commodity	Schedule B No.	Value limits
Sodium penta chlorphenate	8379.98	$1.00
Sodium perborate	8379.09	1.00
Sodium peroxide	8379.98	1.00
*Sodium phosphate (mono-, di-, tri-meta-, or pyro-).	8377.00	1.00
*Sodium salicylate	8379.98	1.00
Sodium sulfhydrate	8379.98	1.00
Sorbide mono stearate	8329.98	1.00
Sorbitan mono laureate	8329.98	1.00
Sorbitan mono stearate	8329.98	1.00
Sorbitol	8315.98	1.00
Sorbitol isomeric mixtures	8315.98	1.00
Sorbose	8119.98	1.00
S T 116	8329.98	1.00
Stramonium extract in tablets pills, capsules, powders, ointments, and similar manufactures.	8127.96	100.00
*Stramonium (Jimson weed) extract and fluid extract of (Proprietary preparations).	8180.14	100.00
*Stramonium (Jimson weed) dried leaves and flowering tops.	2909.25	100.00
*Stramonium and stramonium ointment, fluid extract of, tincture of (nonproprietary preparations).	8134.19	100.00
*Stramonium, tincture, and ointments and scapolamine, or Hyoscine stramonium.	8180.19	100.00
Strontium nitrate	8397.94	1.00
Styrene	8025.98	1.00
*Strychnine	8135.17	1.00
Sulfarsphenamine	8124.98, 8135.98	1.00
*Sulfonamides (include all sulfa drugs)	8135.98	1.00
Superphosphate	8359.98	100.00
Synthetic collecting reagents for concentration of ores, metals, or minerals (include Minerec, xanthates, and derivatives (ethyl, butyl, amyl), diecresyldithiophosphoric and sodium diecresyl-dithiriphosphate, sodium diethyl-dithiophosphate and thio-carbonilide) (state ingredients).	8325.00	100.00
Tablets, pills, capsules, powders, ointments and similar manufactures, n. e. s. nonproprietary.	8127.98	1.00
Tall oil (liquid sulphate wood resin)	2125.00	100.00
Tartaric acid	8302.00	1.00
Tantalium, salts and compounds	8398.80	1.00
Tetra chlorethylene	8329.98	1.00
Tetra Chloroethane	8329.98	1.00
Tetra hydro (furfuryl) alcohol	8315.98	1.00
Tetralin	8299.90	1.00
Thallium sulfate	8206.07	1.00
*Theobromine	8135.18	1.00
*Theophylline	8135.19	1.00
Thio di glycol	8318.05	100.00
Thionyl, thionyl chloride	8398.98	1.00
Thio urea	8398.98	$1.00
Thorium salts	8398.85	1.00
Thymol	8329.98	1.00
*Thyroid	8138.00	1.00
Tin, salts, and compounds	8361.01 through 8361.98	1.00
Titanium dioxide	5428.00	1.00
Titanium tetra chloride	8398.10	1.00
Toluene (toluol) report quantities on basis of 100% toluene.	8011.00	1.00
Toluidene red	8050.09	1.00
*Totaquine	8157.05	1.00
T P 95	8329.98	100.00
Trinitro toluene	8609.55	1.00
Tributyl glycol tri phthalate	8069.98	1.00
Trichlorethylene	8329.98	1.00
Trichlorophenol	8025.98	1.00
Tricresyl phosphate	9025.91	1.00
Triglycol di hexoate	8329.98	1.00
Triglycol di octoate	8329.98	1.00
Triethylene glycols	8315.98	100.00
Triphenyl phosphate	8025.92	1.00
Trparamide	8135.98	1.00
Tungsten, salts and compounds	8398.20 through 8398.29	1.00
*Uranium	8398.30	1.00
Urea ammonium salts, for industrial use, except synthetic resins.	8385.25	100.00
Urea-formaldehyde resins in powder, flake or liquid form.	8257.07	100.00
Urea-formaldehyde resins, fabricated, sheets, plates, rods, tubes and other finished forms, laminated and not laminated.	8260.07, 8361.07	100.00
Vaccines for human use	8122.00	1.00
Vanadium, salts and compounds	8398.35 through 8398.39	1.00
*Vanillin	8090.00	1.00
Vegetable tallow and wax, candelilla cafrauba and curicury, only.	2099.05	1.00
Vinyl cyanide	8329.98	1.00
Vinyl resins polymers and copolymers	8258.09, 8260.98, 8261.98	1,100.00
Vinylidene chloride	8329.85	1.00
*Vitamins and vitasterols (all)	8119.98	1.00
Vulcanized fiber sheets strips, rods and tapes	4795.00	1.00
Wax bees	0999.98	1.00
Wax spermaceti U. S. P.	0999.98	1.00
Xanthates	8325.00	1.00
Xylene (Xylol)	8012.00	1.00
Xylenols	8012.00	1.00
Yttrium salts	8398.98	1.00
Zinc ammonium chloride	8385.35	100.00
Zinc arsenate	8398.48	100.00
Zinc Oxide	8411.00	1.00
Zinc sulphide	8429.19	1.00

*When preceded by an asterisk such commodities shall be construed to include their forms, conversions and derivatives.
† Shipments of this commodity to Brazil are limited to quantities not in excess of $25.00.

(2) The following articles and materials may not be exported in any amount to any destination under this general license:

Aircraft parts, equipment, and accessories other than those listed in the President's Proclamation of April 9, 1942.
Air raid sirens and alarms.
Ammunition for small arms, .22 caliber or less.
Cinchona bark, all forms.
Cinchonidine, all forms.
Cinchonine, all forms.
Cookers, pressure, iron or steel, enamelled and not enamelled.
Components for small arms ammunition, .22 caliber or less.
Diamonds, industrial.
Digitalis seeds.
Electric fans.
Emetine, all forms.
Equipment and parts which can be used or adapted to use for the production of aviation motor fuel or tetraethyl lead.
Equipment for the production of aviation lubricating oil.
Fire control instruments, military searchlights, aerial cameras, and other types of military equipment containing optical elements.
Firearms.
Gas masks.
Gauges, precision.
Hempseeds.
Household electrical and mechanical refrigerators.
Metal drums, containers and gas cylinders, except those that may be exported under general license GEC (Comprehensive Export Schedule No. 15, page 110).
Narcotics and narcotic preparations.
Optical elements for fire-control instruments, aircraft instruments, etc.
Paraffin wax, refined or unrefined.
Penicillin.
Petroleum products as follows:
Natural gasoline.
Aviation motor fuels, all.
Other motor fuels and gasoline.
Kerosene.
Platinum jewelry.
Quinidine, all forms.
Quinine and quinine preparations, all.
Radio transmitting sets.
Shotgun shells.
Telephone, telegraph, equipment and repair parts, including telephone resistors.
Wood and wood manufactures except as specifically authorized under general license.

(g) The provisions of this section shall not be construed as limiting the use of any other general licenses. Any person making an exportation pursuant to this general license shall enter on the Shipper's Export Declaration, whenever the filing of said declaration is required, the following statement:

The domestic market price of the commodities declared herein for exportation under GLV does not exceed the sum of $ ---------- (Insert the general license value limit applicable to the commodity.)

(d) *Special provisions for Mexico.* (1) Exportations to Mexico under the provisions of general license "GLV" are permitted only when such shipments are made in conformity with one of the following two conditions:

(i) The shipment is a "single shipment" as defined in paragraph (a) of this section, provided that such shipment is transported by a common carrier or is a mail shipment; or

(ii) If the shipment is not a mail shipment or is transported otherwise than by a common carrier, not more than one such shipment may be made by or on behalf of the same exporter to or for the account of the same ultimate consignee during the same calendar week.

(2) Any person making an exportation to Mexico under this general license which is not a mail shipment and which is to be transported otherwise than by common carrier shall enter on his Shipper's Export Declaration covering such shipment a certification in the following form:

The undersigned certifies to the Foreign Economic Administration that the merchandise above described is the only shipment of the commodity(ies) classified under the Schedule B number(s) set forth herein

to be exported under the provisions of general license "GLV" by the undersigned exporter to the consignee named herein during the current calendar week.

Signed

(3) Collectors of customs are authorized to limit or prevent altogether the exportation of any commodity to Mexico under this general license whenever they shall have cause to suspect that such exportation is being made for the purpose or with the intent of evading any of the regulations of the Foreign Economic Administration.

(4) In any case where the collector of customs determines that the limitations in subdivision (ii) of subparagraph (1) of this paragraph will create an unnecessary hardship or that an emergency exists in a particular case he is authorized to permit more than one such shipment per calendar week under this general license: *Provided*, That the value of each such shipment does not exceed the value limitation set forth in paragraph (b) of this section.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 25, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14934; Filed, Sept. 27, 1944; 11:46 a. m.]

[Amdt. 230]

PART 810—PROGRAM LICENSES

REVOCATION OF CERTAIN PROGRAM LICENSES

Amendment No. 215 *Order revoking certain program licenses* (9 F.R. 10763) is hereby amended to read as follows:

It is hereby ordered, That:

(1) All program licenses issued by the Foreign Economic Administration, the Office of Economic Warfare, or the Board of Economic Warfare under the provisions of Part 810 of the regulations issued under the authority of Section 6 of the Act of July 2, 1940, as amended, to any agency, and which are outstanding on the effective date of this order, shall be and the same are hereby revoked effective October 1, 1944; *Provided*, That any release certificate issued under the authority of any program license, regardless of whether such release certificate is dated prior to or after October 1, 1944, shall continue to be valid to authorize the exportation of the commodities in the quantity and to the destination stated therein until the date on which such release certificate would normally expire if the program license under which it was issued had not been revoked; *And provided further*, That no release certificate issued under the authority of any program license shall be valid to authorize any exportation thereunder after September 30, 1945.

(2) All release certificates which remain valid and outstanding on and after October 1, 1944, in accordance with the provisions of paragraph 1 of this Order, shall be subject to amendment, extension, cancellation or revocation at any time by the Foreign Economic Administration.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 26, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-14939; Filed, Sept. 27, 1944; 2:36 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-634]

ALLAN H. W. HIGGINS AND LOU C. HIGGINS

Allan H. W. Higgins and his wife, Lou C. Higgins, in November 1943 began construction at 6 Joy Street, Boston without authorization from the War Production Board. The premises at 6 Joy Street was a large four story house which had been most recently occupied as a one-family residence. The construction first initiated by the respondents was limited to the first floor and was for the purpose of preparing an apartment for the respondents' personal use. The construction thus initiated exceeded the $200 limitation imposed by Conservation Order L-41. In January 1944 the respondents decided to convert the upper floors into nine or ten additional apartments for the purpose of leasing to others. The construction initiated in January 1944 was greatly in excess of the $1000 limitation permitted by Conservation Order L-41. Allan H. W. Higgins and Lou C. Higgins were aware of War Production Board restrictions on construction and doing this construction without authorization constituted wilful violations of Conservation Order L-41. These violations of Conservation Order L-41 have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered that:

§ 1010.634 *Suspension Order No. S-634.* (a) Neither Allan H. W. Higgins nor Lou C. Higgins their successors or assigns, nor any other person, shall do any construction on the premises at 6 Joy Street, Boston, Massachusetts, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board and the Federal Housing Administration.

(b) Nothing contained in this order shall be deemed to relieve Allan H. W. Higgins or Lou C. Higgins, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 27th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-14940; Filed, Sept. 27, 1944; 3:41 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 54]

VINYL POLYMERS

Correction

The Federal Register serial number for the document appearing at page 11842 of the issue for Thursday, September 28, 1944, should read "F. R. Doc. 44-14913."

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-196, Revocation]

Section 1157.15 *Limitation Order L-196* is revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15027; Filed, Sept. 28, 1944; 12:14 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, as Amended Sept. 25, 1944]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3175.5 *CMP Regulation 5*—(a) *Purpose and scope.* (1) The purpose of this regulation is to provide a uniform procedure for obtaining maintenance, repair and operating supplies, both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products obtained by preference ratings. Persons requiring maintenance, repair and operating supplies, in any form, in such quantities as are available from warehouses or distributors under CMP Regulation No. 4, or at retail without preference ratings or allotments, may obtain the same without using the procedure provided in this regulation, but subject to all applicable limitations in War Production Board regulations and orders.

(2) The provisions of this regulation shall not apply to any governmental agency (other than Claimant Agencies) or to any institution, as the same are defined in paragraphs (b) (1) and (b) (2) of CMP Regulation No. 5A, regardless of whether it is engaged in the production of any product or in any activity or service listed in any schedule attached to this regulation or not. Procedures for the obtaining of maintenance, repair and operating supplies by such governmental agencies and by such persons and institutions are provided under CMP Regulation No. 5A. This regulation is also inapplicable to certain purchases by Claimant Agencies or for export as more fully provided in paragraph (g).

(3) [Deleted Feb. 26, 1944]

NOTE: Canadians will obtain MRO in the United States under Canadian Order PO 5 B.

(b) *Definitions.* Maintenance, repair and operating supplies and minor capital additions (which are sometimes collectively referred to as "MRO") have the following meanings in this regulation and in other War Production Board regulations and orders unless otherwise indicated:

(1) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design, except as provided in paragraph (b) (3) of this regulation.[1]

(2) "Operating supplies" means any materials or products which are normally carried by a person as operating supplies according to established accounting practice and are not included in his finished product, except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies. The term also includes such items as hand tools purchased by their employer for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge.[2]

(3) Minor capital additions may be obtained under the procedures provided for in this regulation for obtaining maintenance, repair and operating supplies where the cost of the minor capital addition does not exceed $500 (excluding the purchaser's cost of labor[3]) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph, and where the capital addition involves construction, authorization to construct must be obtained to the extent required by Conservation Order L-41 or by any other applicable order or regulation of the War Production Board.[4]

(4) Production materials required by a manufacturer for physical incorporation in his products, which products he sells for use as maintenance, repair or operating supplies, may be obtained as provided in CMP Regulation No. 1 and in CMP Regulation No. 3, and such production materials shall not be deemed maintenance, repair or operating supplies, as to such manufacturer.

(c) *Controlled materials.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, any person engaged in the business of producing any product or conducting any business listed in Schedule A, requiring delivery of any controlled material, for maintenance, repair or operating supplies in the conduct of such business,[5] may obtain the same by placing on his delivery order substantially the following certification (or the alternative form of certification provided in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

CMP allotments symbol MRO—The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled materials covered by this order are required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5 and that delivery thereof will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

An order bearing such certification shall constitute an authorized controlled material order.

(2) [Deleted Feb. 26, 1944]

(3) [Deleted Feb. 26, 1944]

(d) *Preference ratings for maintenance, repair and operating supplies.* (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, orders calling for delivery of maintenance, repair or operating supplies other than controlled materials (regardless of whether such supplies be Class A products, Class B products, or other products or materials) are hereby assigned preference ratings as indicated in Schedule A for maintenance or repair of facilities required for producing any product or conducting any business listed in that schedule or for necessary operating supplies for such production or business.

(i) [Deleted Sept. 28, 1944.]

(ii) [Deleted Sept. 28, 1944.]

(iii) [Deleted Sept. 28, 1944.]

(2) A preference rating of AA-5 is hereby assigned for necessary maintenance or repair of facilities required for producing any product or conducting any business not listed in Schedule A, or for necessary operating supplies for any such purpose.

NOTE: Subparagraph (3), formerly (2), redesignated Sept. 28, 1944.

(3) A preference rating assigned under this paragraph (d) shall be applied only by use of the following certification (or the alternative form of certification provided in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

Preference rating ..... (specify rating)—MRO. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are required for essential maintenance repair or operating supplies; that this order is rated and placed in compliance with CMP Regulation No. 5; and that the delivery requested will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

(e) *Plants engaged in several activities.* If a single plant or operating unit is engaged in several activities which are not all listed on the same schedule (or if some are so listed and others are unlisted), and it is impracticable to apportion requirements for maintenance, repair and operating supplies between such activities, the principal activity alone shall be considered for purposes of determining whether controlled materials may be obtained under paragraph (c) of this regulation and also for determining which preference ratings may be applied under paragraph (d).

(f) *Quantity restrictions.* A person who uses the MRO rating or symbol assigned by this regulation must not buy any more material and products than is permitted under this paragraph.

(1) *General quota.* A person must not order for delivery[6] in any calendar quarter MRO (maintenance, repair and operating supplies) costing more than one-

[1] See also Interpretation No. 8: Repairs which are capitalized must be treated as capital additions.

[2] See also Direction No. 2: Steel shoe wire is to be treated as an operating supply; Direction No. 4: Stitching wire is to be treated as an operating supply; Direction No. 7: Welding rod is not an operating supply when used in manufacturing; Direction 16: Broom wire is to be treated as an operating supply; Direction No. 19: Blueprint materials are to be treated as operating supplies; Direction No. 22: Stevedores may get certain items as operating supplies; Direction No. 4 to Priorities Regulation No. 3: Employees may use their employer's rating to buy hand tools and safety equipment.

[3] See Interpretation 11 explaining what cost of labor can be excluded from the cost of a minor capital addition.

[4] See also Interpretation No. 9: Relationship of L-41 and CMP Regulation No. 5. Direction No. 15: MRO Symbol and Rating may be used to buy installation materials where authorization to construct is not required under L-41.

[5] See also Interpretation No. 5: Conduct of business includes general offices, branch offices, salesrooms, et cetera.

[6] See also Direction No. 8: Quota may be determined on a receipt basis.

fourth of what he spent for MRO in 1942 (or his fiscal year ending nearest to December 31, 1942).

(2) *Seasonal quota.* A person engaged in a seasonal business must not order MRO for delivery[1] in any calendar quarter in an amount more than the amount he spent for MRO in the corresponding quarter of 1942. A person may choose either the seasonal quota explained in this paragraph or the general quota explained in sub-paragraph (1) above, but he may not afterwards change to the other quota without special authorization by the War Production Board.

(3) *Quota for new businesses.* In the case of a plant or other operating unit which was not in operation during the base periods mentioned in subparagraphs (1) or (2) above, the person operating the plant may take as a quota the amount he spent for MRO during the first quarter of 1943 (or during the part of the quarter the plant was in operation) reasonably adjusted for seasonal or other variable factors. However, he must first notify the War Production Board, in writing, of the base which he is taking, why he is selecting that base, and what adjustments he has made. In the case of a plant starting operations after February 28, 1943, MRO may be bought under this regulation in the minimum amounts necessary for operation up to $5,000 per quarter. If more than this amount is needed, application may be made to the War Production Board as provided in paragraph (f) (8).

(4) *When increased quotas can be used as a base.* If a person's quota has been increased by specific authorization of the War Production Board pursuant to application, he may continue to operate on the basis of the increased quota. However, if a substantial part of the increase was to take care of an abnormal situation, as for example, where he required a large amount of special tools and equipment in order to produce a new product, he may not use that increased quota as a base.[1]

(5) *How to figure the quota.* In figuring his quota, a person must include every expenditure during the base period which he charged to a maintenance, repair or operating supplies account. He must not include any expenditure which was charged to a capital account. In each quarter he must charge against his quota (i) everything he buys for MRO, whether he uses the MRO rating and symbol, or another rating or symbol, or no rating; and (ii) material and products he buys for minor capital additions for which he uses the MRO rating or symbol. (Note, that in deciding whether a single capital addition falls within the cost limits of paragraph (b) (3), the cost of all material and products must be included whether a preference rating or symbol is used or not). In figuring his quota, a person may at his option exclude the cost of his own labor, or the cost of any item on List A or B of Priorities Regulation No. 3, as long as he excludes cost of such items both from the computation of the quota and from charges against the quota.

(6) *Records.* Each person who is subject to this paragraph (f) must figure his quota and must keep his computation and supporting work sheets in his files for two years after his last purchase under the regulation. He must indicate on his computation any election which he makes under this paragraph (f), and in the case of paragraph (f) (3) "Quota for new businesses" or (f) (4) "When increased quotas can be used as a base", he must indicate the base which he selects. He must also maintain a record of his expenditure for a period of not less than two years.

(7) *Treatment of separate plants.* A person who has several plants or other operating units which maintain separate records of maintenance, repair and operating supplies shall treat each of them separately for purposes of complying with the provisions of this paragraph (f).

(8) *Applications for increased quota.* In any case where the quota provided in this paragraph (f) is not enough for necessary operations, a person may apply for a larger quota by letter in triplicate sent to the War Production Board, Washington 25, D. C., Reference: CMP Regulation 5, stating the relevant facts. Direction No. 18 explains what facts should be set forth in the letter of application.

(9) *Persons who use less than $5,000 a year worth of MRO not limited.* The quantity restrictions in this paragraph (f) shall not apply to persons whose aggregate requirements of maintenance, repair and operating supplies do not exceed $5,000 per year.

(10) *Further reports and limitations in special cases.* The War Production Board may, by further regulations or orders, require specified persons or classes of persons to file applications or reports regarding their requirements of maintenance, repair and operating supplies and may prescribe specific quantitative limits for the same, either larger or smaller than the limits provided above in this paragraph (f).

(g) *Special provisions for Claimant Agencies, exports and ship repairs.* Maintenance, repair, and operating supplies required for export (except to the extent authorized under Direction 20), or by Claimant Agencies as regular procurement items covered by specific programs (except for the purposes mentioned in Schedule A), or material required for ship repairs programmed by the Maritime Commission, shall not be obtained under this regulation, but, if they are controlled materials or Class A products, shall be obtained only by the use of allotments in the same manner as production materials under CMP Regulation No. 1, and, if they are other materials or products, shall be obtained only by such preference ratings as may be specifically assigned for the purpose.

(g–1) *Use of customer's or tenant's MRO symbol and rating.* (1) Any person (such as a service repair shop) engaged in the business of doing maintenance or repair work, or the installing of minor capital additions, for others may use the same allotment symbol and preference rating (including any allotment symbol or preference rating assigned for MRO by CMP Regulation 5A or any P or U order) to obtain materials needed in the performance of the work which his customer would be entitled to use if the customer did the work himself. The cost of materials used in the performance of maintenance or repair work, or the installing of minor capital additions, shall be treated as expenditures of the customer for the purpose of computing his quantity restrictions under paragraph (f). A person engaged in such business may, instead, request an allotment of controlled materials and a preference rating by applying to the War Production Board on Form CMP-4B, but, if he does so, he must use that method exclusively and may not use a customer's rating or symbol.

(2) A landlord may use his tenant's allotment symbol and rating to obtain maintenance, repair and operating supplies (including controlled materials) for the leased property if the tenant is engaged in the production of a product or in a business listed in Schedule I or II or if the tenant is assigned a rating or symbol for MRO CMP Regulation 5A or by any P or U order; but if the same property is occupied by several tenants and the supplies are not for the exclusive benefit of a single tenant the landlord may only use a tenant's rating if 75 percent or more of the leased property is leased to tenants on Schedule I or II and, in such case, if any are on Schedule II, he can only use the AA–2 rating.

(3) A person who leases equipment to others which he agrees to keep in good order may use either his own or his customer's rating and symbol (regardless of whether the rating is assigned by this regulation or CMP Regulation 5A or any order in the P or U series) to get materials needed to repair and maintain the equipment.

(h) *Restrictions on use of MRO symbol, rating, and materials*—(1) *Use of symbol and rating.* No person shall use the MRO symbol or the preference rating assigned to him by this regulation to get anything except materials which he needs for essential maintenance, repair or operating supplies, or minor capital additions as permitted by paragraph (b) (3). If he is assigned different ratings by this regulation for different businesses and it is practicable to segregate his purchases, he must not use a higher rating to get material for a purpose for which he is assigned a lower rating. If it is not practicable for him to segregate his purchases, paragraph (e) explains what rating he may use.

(2) *Use of material.* If a person has bought material under this regulation for MRO and then finds that he has another use for it, he may use the material for the other purpose if a preference rating or allotment symbol is assigned to him by any certificate or order for that purpose. However, if he uses the material for another use he may not replace it in inventory by use of the rating or symbol assigned by this regulation. If he replaces it, he must use the rating or symbol assigned for the purpose for which the materials were used. Also, if he uses material bought under this regulation for another use, his records must be adequate to show that his purchases of material are substantially proportionate to his authorized uses. For example, a manufacturer has a rating of AA–2 under this regulation for MRO and also has a rating of AA–3 for a construction project. He may take lumber from his MRO inventory which he bought on the AA–2 rating and use it on the construction job, but if he replaces it in his inventory he must use the AA–3 rating for this purpose, so that he will not, in effect, have filled both his MRO and his construction requirements at the AA–2 rating. Exchanges of this kind may be made only where the material is acquired in good faith for use as MRO. The manufacturer may not use the AA–2 ratings to get lumber if he is getting it specifically for use in the construction project.

(i) *Inventory restrictions.* Nothing in this regulation shall be deemed to authorize any person to receive any delivery of maintenance, repair or operating supplies if acceptance thereof would increase his inventory above a practicable working minimum as provided in § 944.14 of Priorities Regulation No. 1 or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2, or by any other applicable regulation or order of the War Production Board.

(j) *Additional assistance in individual cases.* Any person requiring maintenance, repair or operating supplies who is unable to obtain them with the rating assigned to him by this regulation, and any person requiring any controlled material for maintenance, repair or operating supplies who is not listed in Schedule A and who is unable to obtain it from a warehouse or distributor under CMP Regulation No. 4 may apply to the nearest local office of War Production Board on Form WPB–541 (formerly PD–1A) for a higher rating, or the right to use the MRO symbol to obtain controlled materials. Application for an increase in the quantity of expenditures for maintenance, repair and operating supplies permitted by paragraph (f) of this regulation shall, however, be filed in the manner specified in subparagraph (8) of paragraph (f).

(k) *Effect on other orders and procedures.* (1) The preference ratings and allotment symbols assigned by this regulation may be used by any person, unless he is engaged in an activity or business which is covered by an order in the P or U series which specifically provide that the ratings assigned by CMP Regulation No. 5 may not be used.

(2) [Deleted Feb. 26, 1944]

(3) [Deleted Feb. 26, 1944]

(4) When an order in the "E", "L" or "M" series assigns a specific preference rating to deliveries of any particular material to be used by a particular industry or for a specific purpose, such preference rating shall control and the preference ratings hereby assigned may not be applied.

(5) Nothing in this regulation shall be construed to relieve any person from complying with any applicable priorities regulation or order of the War Production Board (including orders in the "E," "L" and "M" series) or with any order of any other competent authority.

(l) *Industry reclassification.* Any person who is of the opinion that the business activity in which he is engaged should be assigned a higher preference rating for its MRO than it is assigned by this regulation may apply to have such higher rating assigned by filing a letter, in triplicate, with the appropriate Industry Division setting forth the relevant facts and the reasons why he considers such request should be granted.

The War Production Board may assign the higher rating to such activity by appropriate amendment to Schedule A or, in special cases, may permit the applicant to operate under this regulation to the same extent as though his business activity were so listed in Schedule A.

(m) *Records.* Each person acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Communications.* All communications concerning this regulation should be addressed to: War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 5.

(o) *Restriction on use of ratings.* The preference rating assigned by this regulation cannot be used to get any of the items shown on List A or B of Priorities Regulation No. 3.

(p) *Penalties for misrepresentation.* The placing of any order bearing a certification or symbol as provided by this regulation shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the person placing the order is entitled, under the terms of this regulation to use of the symbol or preference rating indicated thereon.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A formerly Schedules I and II amended Sept. 28, 1944.

Preference rating AA–1 may be used for MRO by those businesses listed with 'AA–1' preceding them, AA–2 by those with 'AA–2', AA–3, by those with 'AA–3'; others who are not listed may use AA–5.

Manufacture of the following products:

Unfabricated and semi-fabricated metal products

Rating	
AA–1	Ferro-alloys (except producers to whom serial numbers have been issued under Order P–68).
AA–1	Iron products including pig iron, pipe, wire, wrought iron and foundry products (except producers to whom serial numbers have been issued under Order P–68).
AA–1	Non-ferrous metal and non-ferrous metal alloy unfabricated and semi-fabricated products, including castings, ingots, shot, bar, forgings, sheet, strip, tubing, extrusions and wire and wire products.
AA–1	Steel rolling mill and foundry products, including semi-finished steel, bars, pipe, plates, sheets, strip, castings, forgings, structural shapes, piling, tin plate, terne plate, black plate, tubing, rails, track accessories, wheels, tires, axles, wire and wire products (except producers to whom serial numbers have been issued under Order P–68).

Intermediate metal products

AA–1	Bearings, ball and roller.
AA–1	Bolts, nuts, rivets, washers, screws and pins.
AA–1	Bushings, journal bearings and sleeve bearings.
AA–1	Crankshafts.
AA–1	Cylinders, hydraulic actuating.
AA–1	Fittings, pipe.
AA–1	Gaskets, packings and grease retainers.
AA–2	Metal stampings.
AA–1	Nails, brads, staples and tacks.
AA–1	Pipe, fabricated.
AA–1	Plate, fabricated (steel).
AA–1	Railroad frogs, switches and crossings.
AA–1	Screw machine products.
AA–1	Springs.
AA–2	Strapping, metal, round and flat (including seals).
AA–1	Structural steel (fabricated).
AA–1	Tanks, metal storage.
AA–1	Tubing and hose, flexible (metallic).
AA–1	Valves.

[1] See also Interpretation No. 12: An increased quota for a seasonal business may be used only in the same quarter.

Chemical products

Rating	
AA-1	Chemicals and allied products for industrial and military use (excluding automobile body polish and top dressing; candles; cleaning and polishing preparations for metal, leather, floors and furniture; household dyes; ink and ink eradicators; incense; toiletries and cosmetics, perfumes, powders and creams, manicure preparations, hair dressings, dyes, shampoos and tonics; dentrifices and depilatories).
AA-1	Colors and pigments.
AA-1	Drugs, medicinals, pharmaceuticals and biologicals.
AA-2	Dry cleaning preparations.
AA-1	Paints, varnishes and lacquers.
AA-2	Printing ink.
AA-2	Soap, soap chips, flakes and powders.

General industrial equipment

AA-1	Air conditioning and refrigeration equipment; industrial and commercial.
AA-1	Boilers, 100 lbs. pressure and over.
AA-2	Boilers, below 100 lbs. pressure.
AA-2	Bottling machines.
AA-1	Compressors and dry vacuum pumps.
AA-1	Condensers: steam, surface, jet and barometric.
AA-1	Control valves and regulators, industrial type.
AA-1	Conveyors and conveyor systems.
AA-1	Cranes, hoists, winches and derricks.
AA-2	Dust collecting equipment, industrial.
AA-1	Fans, blowers and exhausters, excluding propeller type and commercial ventilating fans.
AA-1	Furnaces and ovens, industrial.
AA-1	Heat exchangers, as defined in official CMP B Product List.
AA-1	Instruments, industrial types.
AA-1	Lubricating equipment, industrial.
AA-1	Metal working machinery, equipment, attachments and accessories; including machine tools, bending, die casting, die molding, extruding and forging machines; foundry machinery, equipment and supplies; heat treating equipment; hydraulic and mechanical presses; rolling mills and allied equipment; shears, punches and nibblers; welding equipment and apparatus; wire drawing and wire-working machinery; diamond dies; metal cutting tools; and welding rods and electrodes.
AA-1	Meters, gas and water.
AA-2	Packaging machinery; including packaging machines, bag filling and closing machines, case packers and case sealing machines, wrapping machines.
AA-1	Power transmission equipment, mechanical and hydraulic.
AA-1	Pulverizers, coal.
AA-1	Pumps.
AA-2	Presses, baling.
AA-1	Pressure vessels, as defined in official CMP B Product List.
AA-1	Safety equipment, industrial.
AA-2	Sewing machines, industrial.
AA-1	Speed changers.
AA-2	Spraying equipment, industrial.
AA-1	Stokers.
AA-1	Trucks and tractors, industrial; hand and power operated.
AA-1	Tube cleaners and expanders.
AA-1	Turbo-blowers and turbo-exhausters.
AA-2	Vacuum cleaners, industrial.

Special industry machinery

Rating	
AA-2	Automotive maintenance equipment.
AA-2	Broom, brush and mop making machinery.
AA-1	Ceramics manufacturing machinery.
AA-1	Chemicals producing machinery.
AA-2	Cooperage machinery.
AA-2	Cotton ginning, compressing and delinting machinery.
AA-2	Distillery machinery (except beverage).
AA-1	Drilling equipment, oil field, including rigs and accessories.
AA-1	Drilling machinery, water well.
AA-1	Drug and pharmaceutical machinery.
AA-1	Dry kilns and redriers for wood treatment.
AA-1	Fertilizer machinery and equipment.
AA-2	Food and food processing machinery and equipment, except food dehydration machinery.
AA-1	Food dehydration machinery.
AA-1	Gas generating, conditioning and gas producing equipment and apparatus.
AA-1	Glass container making machinery.
AA-1	Glass making machinery.
AA-2	Hemp, flax and similar fibre decorticating machinery.
AA-2	Leather working machinery.
AA-1	Logging and sawmill machinery and equipment.
AA-2	Metal container and closure making machinery.
AA-1	Mining machinery and equipment.
AA-1	Oil machinery and equipment: animal, fish, vegetable.
AA-1	Ore milling machinery and equipment.
AA-2	Optical and opthalmic goods making machinery.
AA-1	Paint and varnish making machinery.
AA-2	Paper and fiber container making machinery.
AA-2	Papermill, pulp mill and paper products machinery.
AA-1	Petroleum refinery machinery and equipment.
AA-1	Plastics molding machinery.
AA-2	Printing trades machinery and equipment.
AA-1	Rubber working and tire making, retreading, recapping and repairing machinery.
AA-2	Sewer cleaning machinery and equipment.
AA-1	Smelting and refining equipment.
AA-1	Stone products manufacturing machinery.
AA-2	Textile machinery.
AA-1	Water conditioning equipment.
AA-2	Wood boxmaking machinery.
AA-1	Woodworking machinery.
AA-2	Special industry machinery not elsewhere listed, excluding tobacco manufacturing machinery and equipment and cosmetics machinery.

Construction machinery and equipment

AA-1	Drilling and boring machinery, earth and rock.
AA-1	Power cranes and shovels, draglines, buckets, stiff-leg derricks, and dredges.
AA-1	Scrapers, maintainers and graders.
AA-1	Tractors, track-laying and wheel types.
AA-1	Tractor mounted construction equipment, including angledozers, bull-dozers, and power control units.
AA-1	Winches and hoists, contractors elevating.
AA-2	Other construction machinery and equipment, not elsewhere listed.

Military type products

Rating	
AA-1	Aircraft, including airframes, engines, propellors, instruments, components, maintenance, and concurrent spares, and air borne equipment.
AA-1	Airplane landing mats.
AA-1	Ammunition.
AA-1	Ammunition boxes and chests.
AA-1	Ammunition and explosive loading machinery and equipment.
AA-1	Artillery, including railway and seacoast.
AA-1	Barrage balloon equipment.
AA-1	Bombs, depth charges, mines and torpedoes.
AA-1	Combat tanks and parts, including engines.
AA-1	Communication equipment, military.
AA-1	Explosives.
AA-1	Fire control and other combat instruments.
AA-2	Insignia, military.
AA-1	Machine guns, ground and hand arm.
AA-1	Motor cycles, side cars and parts, including power cycles.
AA-1	Motor vehicles, military, including armored cars, scout cars, half-tracks and other military motor vehicles, including bodies, engines, parts and accessories.
AA-1	Naval armament and weapons.
AA-1	Navigation instruments.
AA-1	Pyrotechnics, including flares and signals.
AA-1	Radio and radar equipment and components.
AA-1	Safety equipment, military, including masks, inhalators, rescue breathing apparatus, goggles, helmets, protective clothing and footwear, and decontamination apparatus.
AA-1	Searchlights, anti-aircraft.
AA-1	Ships, vessels, and other watercraft, including elevators, turbines, engines, equipment and parts.
AA-1	Tanks and anti-tank armament and weapons.
AA-1	Weapons, anti-aircraft.
AA-1	Weapons, not elsewhere listed.
AA-2	Products for military use not elsewhere listed.

Electrical products

AA-1	Anodizing equipment.
AA-1	Batteries, dry cell.
AA-1	Batteries, storage.
AA-2	Bells, buzzers, chimes, gongs, horns and other sound signalling devices (electric).
AA-1	Capacitors.
AA-1	Carbon brushes.
AA-1	Cut-outs and fuse links, electric (heavy duty).
AA-2	Electric appliances, commercial and domestic, all types.
AA-1	Electrical apparatus for internal combustion engines.
AA-1	Electrical connectors.
AA-1	Electroplating equipment.
AA-2	Flashlight cases.
AA-1	Fuses.
AA-1	Infra-red heating and drying equipment.
AA-1	Instruments, electrical measuring.
AA-2	Lamp bulbs and tubes, except aircraft.
AA-2	Lamps and lanterns.
AA-1	Lighting equipment and accessories, aircraft, airport and marine.
AA-2	Lighting equipment and accessories other than aircraft, airport and marine.
AA-2	Lighting fixtures.
AA-1	Magnets, electrical lifting.
AA-1	Motor controls and control equipment.

Electrical Products—Continued

Rating	
AA-1	Motors, generators and motor generator sets.
AA-1	Physio-therapy apparatus.
AA-1	Pole-line hardware and insulators.
AA-1	Rectifiers, mercury arc.
AA-1	Regulators.
AA-1	Searchlights and floodlights.
AA-1	Sparkplugs.
AA-2	Street and highway traffic control signals and controllers.
AA-1	Switchgear, panel and distribution boards.
AA-1	Synchronous condensers and frequency changers.
AA-1	Transformers.
AA-1	Tubes, electronic and rectifier.
AA-1	Wire and cable, insulated.
AA-1	Wiring devices and conduits (electric).
AA-1	X-ray apparatus and tubes.

Engines, turbines and generator sets

AA-1	Engines, internal combustion, and accessories.
AA-1	Engines, steam.
AA-1	Generator sets.
AA-1	Turbines.

Communication equipment

AA-1	Alarm and signal systems, protective.
AA-1	Radio equipment and components.
AA-1	Wire communication equipment.
AA-1	Other communication equipment.

Transportation equipment

AA-1	Bicycles.
AA-1	Brakes, air, and airbrake actuating mechanism.
AA-1	Hardware, transportation equipment.
AA-1	Locomotives, railroad; parts and accessories.
AA-1	Motor vehicles, bodies, engines, parts and accessories, nonmilitary; including buses, motorized fire apparatus and automobile trailers for attachment to passenger cars.
AA-1	Railroad cars, parts and accessories.
AA-1	Railroad and transit maintenance-of-way equipment.
AA-1	Railroad and transit signal equipment.
AA-1	Railroad and transit track equipment.
AA-1	Street and rapid transit cars, parts and accessories.
AA-2	Wagons, carts, sleds, sleighs and other non-motorized vehicles.

Building materials

AA-1	Asbestos building materials.
AA-2	Asphaltic building products.
AA-2	Building mesh.
AA-2	Cement, Portland.
AA-2	Concrete building products.
AA-2	Doors and windows.
AA-2	Gypsum building products.
AA-1	Hard board.
AA-2	Hardware, builders.
AA-2	Metal moulding and trim.
AA-2	Mineral wool, industrial.
AA-2	Plumbing fixtures, fittings and trim, and sanitary ware.
AA-2	Radiators, convectors and blast heating coils.
AA-2	Screen cloth.
AA-2	Sheet metal building products.
AA-2	Structural insulation and fibre board.
AA-2	Weatherstripping.
AA-2	Wire fence, posts and gates.
AA-2	Products for structural use not elsewhere listed.[1]

[1] See also Interpretation 10: Other products includes light weight aggregates, ready mixed concrete and ready mixed bituminous cement; and Direction 14: Manufacturers of roll roofing, shingles and corkboard may use MRO symbol to buy steel nails.

Miscellaneous products

Rating	
AA-3	Manufacturer of any product under the terms of Priorities Regulation 35.
AA-1	Abrasive products.
AA-1	Agricultural machinery, implements and equipment, excluding farm and garden hand tools.
AA-1	Asbestos textiles.
AA-2	Baby carriages and similar equipment.
AA-2	Bag and bale ties.
AA-2	Beds, bedsprings and mattresses.
AA-2	Bells, gongs and other non-electric signalling devices.
AA-2	Beverages of all types.
AA-1	Blast detonating equipment, industrial.
AA-1	Blue printing developing and drying machines.
AA-2	Brooms, brushes, mops.
AA-1	Buoys.
AA-2	Burners, gas, oil and combination.
AA-1	Carbon products, industrial.
AA-2	Caskets, coffins, burial cases and vaults.
AA-2	Ceramic and clay products.
AA-1	Chains.
AA-3	Chewing gum.
AA-2	Church goods.
AA-2	Clocks and watches, including chronometers, except aircraft.
AA-2	Closures, all types.
AA-1	Coke and coke oven by-products (except producers to whom a serial number has been issued under Order P-68).
AA-2	Containers: all types except fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates.
AA-1	Containers; fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates only.
AA-1	Cooking stoves and ranges, domestic, including laundry stoves, hot plates, and portable ovens.
AA-1	Cooking equipment, commercial.
AA-2	Cork products.
AA-2	Cutlery.
AA-2	Dishwashing machinery, commercial.
AA-2	Elevators and escalators.
AA-2	Fans, ventilating (commercial).
AA-2	Findings, apparel and shoe.
AA-1	Fire extinguishers, carbon dioxide.
AA-2	Fire protection equipment, including portable and fixed fire extinguishers and systems other than carbon dioxide types; stirrup pumps; automatic sprinkler systems; fire hose, hose dryers, racks, reels and related products; and fire hydrant indicator posts and stand pipe equipment.
AA-1	Fishing equipment, commercial.
AA-2	Floor coverings, linoleum and felt base.
AA-2	Floor finishing and floor maintenance machines, as defined by WPB Order L-222.
AA-2	Food preparation and serving fixtures, equipment and appliances, commercial.
AA-2	Furniture.
AA-1	Glass products: fibrous glass products for military, industrial and structural use, and technical glass for military and industrial use.
AA-2	Glass products: not elsewhere listed, excluding ornamental and novelty glass.

Note: Mirrors are included in the above item by the amendment of Sept. 26, 1944.

Miscellaneous products—Continued

Rating	
AA-2	Hairpins, bob pins and hair curlers.
AA-2	Hardware, not elsewhere listed.
AA-1	Heating equipment (except electric) including heating system controls and hot water equipment.
AA-2	Hooks and eyes, slide and snap fasteners, buckles, buttons and miscellaneous apparel findings.
AA-2	Houses, mobile and prefabricated.
AA-1	Ice.
AA-2	Identification badges, emblems, pin tickets, plates, tags not military.
AA-1	Instruments, apparatus, equipment, supplies and appliances; dental.
AA-1	Instruments and apparatus; laboratory.
AA-1	Instruments and equipment; engineering (including surveyors' drawing and mathematical).
AA-1	Instruments and apparatus; analytical and industrial testing.
AA-1	Instruments, equipment, supplies; surgical and medical, including orthopedic appliances.
AA-1	Instruments and lenses; optical.
AA-2	Instruments; musical.
AA-1	Jewel bearings.
AA-2	Kitchen, household and other miscellaneous articles, as defined in WPB Order L-30.
AA-2	Lamps and lanterns, non-electric.
AA-2	Laundry, dry cleaning and pressing machinery, commercial.
AA-2	Laundry machinery, domestic.
AA-2	Lawn mowers, hand and power.
AA-2	Leather and leather products.
AA-1	Lenses and instruments; optical.
AA-2	Loose leaf binders.
AA-2	Morticians' goods.
AA-2	Needles.
AA-2	Office machinery.
AA-2	Office supplies, including marking devices.
AA-2	Ophthalmic goods.
AA-2	Pens and pencils.
AA-1	Photographic equipment, apparatus and materials, excluding projection apparatus.
AA-2	Phonographs, parts, records and needles.
AA-2	Pins, common and safety.
AA-1	Plastic products: moulding and laminating.
AA-2	Projection apparatus.
AA-2	Pulp and paper and paper products.
AA-2	Razors and blades.
AA-1	Refractories.
AA-1	Refrigerators and parts (domestic).
AA-2	Rope.
AA-1	Rubber and rubber products.
AA-2	Scales and balances, industrial and commercial.
AA-1	Sensitised film and paper.
AA-2	Sewing machines.
AA-1	Textiles: High-tenacity tire type rayon yarn; cotton, rayon and nylon tire cord and tire fabric.
AA-2	Textiles and clothing.
AA-2	Time stamps and recording devices.
AA-3	Tobacco products.
AA-2	Tools, farm and garden, edge and hand.
AA-1	Tools; including edge tools, hand tools, mechanics hand service tools, gauges and machinists precision measuring tools, files and rasps; excluding farm and garden edge and hand tools.
AA-2	Traps and cages, animal.
AA-2	Unit heaters and unit ventilators.
AA-2	Vitreous enameled products.
AA-2	Wood products.
AA-2	Products for military, industrial and structural use not elsewhere listed.

Conduct of the following businesses or activities	
Rating	
AA-1	Air services operating exclusively for crop dusting, seeding and spraying.
AA-1	Civil Air Patrol "A" category: Operation of airplanes exclusively for tow target and tracting units and bomber-search activities.[9]
AA-2	Cotton ginning and compressing.
AA-2	Commercial sound recording.
AA-2	Construction.
AA-1	Delinning.
AA-2	Drainage and irrigation.
AA-1	Electrical and mechanical repair shops for industrial, commercial and agricultural equipment; and public, industrial and commercial transportation equipment.[10]
AA-1	Electro-plating, galvanizing and other metal treating and finishing.
AA-2	Engraving on metal.
AA-1	Fabricating and rifling mica.
AA-1	Feed and grain (stock and poultry) processing and storage.
AA-1	Fishing, commercial.
AA-2	Hemp, flax, and similar fiber decortication.
AA-1	Industrial food manufacturing, processing, packaging, preservation and storage, (except soft drink and alcoholic beverages, and chewing gum). Restaurants, hotels, retail stores, and farms are not included in this category.[11]
AA-1	Logging operations, sawmills, veneer mills, plywood mills, planing mills, shingle mills, and dry kilns operated in connection with sawmills.[12]
AA-1	Military and Naval establishments: camps, posts, bases, stations, air fields and depots.
AA-2	Motion picture production.[13]
AA-1	Operation of ships, vessels and other craft, except pleasure vessels.[14]
AA-2	Printing and publishing, including blueprinting and allied reproduction.
AA-1	Public utilities: gas, light, power, water and central heating and sanitation (except producers as defined in Utilities Order U-1)
AA-1	Public transportation, terminal and dock facilities including stevedoring.[15]

[9] Airline operators and certain foreign aircraft operators may obtain priorities assistance under Order P-47. Government agencies operating aircraft will obtain preference rating assistance under CMP Regulation No. 5A. Other businesses operating aircraft obtain preference rating assistance under this regulation.

[10] See also Interpretation No. 6: Public transportation means common carriers: Direction No. 10: Welding rods for service repair shops.

[11] See also Interpretation No. 7 relating to distribution of food products.

[12] See also Interpretation No. 13: Manufacturers of staves, heading and hoops are classified as "saw mills and planing mills."

[13] See also Direction No. 17: Motion picture theatres may use AA-2 rating and MRO symbol for electronic equipment repair.

[14] See also Direction No. 6: ships of friendly foreign nations.

[15] See also Interpretation No. 6: Public transportation means common carriers.

Conduct of the following businesses or activities—Continued	
Rating	
AA-1	Petroleum and natural gas production, transportation, refining and marketing (except to the extent covered by P-98 (b).
AA-1	Radio communication or broadcasting.
AA-2	Refrigeration (commercial) other than food.
AA-2	Scrap salvage, sorting and processing.
AA-1	Seed processing, packaging, preservation and storage.
AA-1	Ship repair and maintenance.
AA-1	Slag recovery and disposal.
AA-1	Smelting and refining (except producers to whom a serial number has been issued under P-73).
AA-2	Solid fuel distribution and marketing including only those dealers with equipped yards (a dealer with an equipped yard is one who regularly maintains storage and sorting facilities as a part of his own operations, and loading, carrying and other machinery for handling and weighing.
AA-2	Tire and tube recapping, retreading and vulcanizing.
AA-1	Vegetable oil extraction.
AA-2	Warehousing, metal.
AA-2	Warehouses: public: dry and open storage.
AA-1	Warehouses, refrigerated; perishable food products.
AA-1	Wire communications industries (except operators as defined in Utilities Order U-3 and U-4).

List of Directions 1 through 22 to CMP Regulation No. 5 as revised:

(1) How to Obtain Aluminum Pattern Equipment under CMP.
(2) Steel Shoe Wire.
(3) Rerating not Compulsory—Obsolete.
(4) Stitching Wire for the Printing and Publishing Industry.
(5) Farmers.
(6) Ships of Friendly Foreign Nations.
(7) Welding Rod.
(8) Determining Quantity Restrictions on a Receipt Basis.
(9) Hand Tools Purchased by Employees—Revoked December 20, 1943. Covered by Direction 4 to Priorities Regulation No. 3.
(10) Welding Rod for Repair Shops—Revoked January 28, 1944. Covered by CMP Regulation No. 9A.
(11) Safety Equipment Purchased by Employees—Revoked December 20, 1943. Covered by Direction 4 to Priorities Regulation No. 3.
(12) Rerating not Compulsory—Obsolete.
(13) Quota and Expenditure Records—Revoked February 26, 1944. Superseded by paragraphs (f) (5) and (f) (6).
(14) Use of MRO Symbol by Manufacturers of Roll Roofing, Shingles and Corkboard.
(15) Use of MRO Symbol and Rating to Buy Installation Materials where Authorization to Construct is not Required under L-41.
(16) Broom Wire.
(17) Motion Picture Theaters.
(18) How to apply for an increase in quota.
(19) Blueprint Materials.
(20) MRO for Persons Abroad Producing for the United States Government.
(21) Revoked, September 28, 1944.
(22) Stevedores and Stevedoring Companies.

Interpretation 1: Obsolete Sept. 28, 1944.

Interpretation 2

A person who is permitted to get controlled materials under paragraph (c) (1) of CMP Regulation No. 5 for maintenance, repair and operating supplies is not entitled to use the MRO symbol for purposes of allotting controlled materials to others. For example, a manufacturer of a product listed in Schedule A of the regulation requires a spring as a repair part. He may use the MRO symbol to place an authorized controlled material order for steel which he will fabricate into the spring which he requires, but if he buys the spring from a spring manufacturer, he may not make an allotment with the MRO symbol to the spring manufacturer. The spring manufacturer receives his allotment direct from the War Production Board as provided in paragraph (k-1) of CMP Regulation No. 1. (Issued April 20, 1943.)

Interpretation 3

NOTE: Interpretation 3 superseded by subsequent amendments.

Interpretation 4

NOTE: Interpretation 4 was revoked Nov. 19, 1943.

Interpretation 5

GENERAL OFFICES, BRANCH OFFICES, SALESROOMS, ETC.

The ratings and symbol assigned by CMP Regulation No. 5 to a particular business may be used to obtain maintenance, repair and operating supplies for general offices, branch offices, salesrooms and other facilities essential to the conduct of the business. (Issued May 20, 1943.)

Interpretation 6

COMMON CARRIERS

Persons engaged in "public transportation" are included in Schedule A of CMP Regulation No. 5. This term includes any person who holds himself out to the general public as engaged in transportation, regardless of how he is classified under any Federal or State statute. Any person who would be considered a common carrier under common law is included within the term.

A private or contract carrier is not included. (Issued May 20, 1943.)

Interpretation 7

MANUFACTURE AND DISTRIBUTION OF FOOD PRODUCTS

(a) "Industrial food manufacturing, processing, packaging, preservation and storage" is included in Schedule A of CMP Regulation No. 5 and persons engaged in such occupation are entitled to use a rating of AA-1 and the MRO symbol in purchasing maintenance, repair and operating supplies needed in connection with the conduct of their business.

(b) Distribution of food products, as distinct from their production, does not constitute industrial food manufacturing or processing under Schedule A and is not included elsewhere in Schedule A of the regulation. Persons engaged in selling food products which they do not produce are only entitled to use the AA-5 rating to obtain maintenance, repair and operating supplies for their business.

(c) In those cases where a person is engaged in both producing and distributing food products he may, under paragraph (e) of the regulation, obtain his entire maintenance, repair and operating supply requirements at the rating assigned to the principal activity in which he is engaged where, and only where, it is impracticable to apportion requirements to his several activities. (Issued May 27, 1943.)

Interpretation 8

CAPITALIZED REPAIRS

Products or materials needed for repairs or replacements which are capitalized cannot be obtained under CMP Regulation No. 5 [§ 3175.5] except to the extent permitted by paragraph (b) (3) of the regulation relating to minor capital additions costing less than $500. (Issued July 17, 1943.)

Interpretation 9

RELATIONSHIP BETWEEN CMP REGULATION NO. 5 AND CONSERVATION ORDER L-41

(a) Order L-41 requires War Production Board authorization before beginning any construction work except in those cases where the order expressly states that authorization is not necessary.

(b) CMP Regulation No. 5 (§ 3175.5) may not be used to get materials or products for any construction work of the type which requires authorization under Order L-41, unless the authorization specifically says that CMP Regulation No. 5 may be used.

(c) In those cases where specific War Production Board authorization is not required before beginning construction, and where the materials needed for the construction cost no more than $500, CMP Regulation No. 5 may be used to buy materials and products needed for the construction. (Issued July 29, 1943.)

Interpretation 10

CONCRETE AND AGGREGATES

The term "products for structural use not elsewhere listed" appearing under "Building Materials" on Schedule A of CMP Regulation No. 5 includes light-weight aggregates, ready-mixed concrete and pre-mixed bituminous concrete. (Issued Nov. 9, 1943.)

Interpretation 11

PURCHASER'S COST OF LABOR FOR MINOR CAPITAL ADDITIONS

Interpretation No. 11 to CMP Regulation No. 5 is amended to read as follows: (a) Paragraph (b) (3) of CMP Regulation No. 5 permits the use of the MRO symbol and rating to get materials or equipment for a minor capital addition, where the cost of the minor capital addition does not exceed $500 "excluding the purchaser's cost of labor."

(b) This means that the cost of the materials or equipment going into the minor capital addition must not exceed $500. The cost of labor for the manufacture of the materials or equipment must be included in figuring their cost. The cost of labor used in construction or installation of the minor capital addition need not be included.

(c) This applies whether the owner of the plant uses his own employees to do the construction or installation work or hires an independent contractor to supply this construction or installation labor.

(d) It also applies where the owner of the plant gets an independent contractor to furnish the materials and the labor for the job, and where the owner of the plant buys a machine or other article and has the seller do the work of installation.

(e) Direction 15 to CMP Regulation 5 explains the rules for buying $500 worth of materials needed for installation or relocation of equipment which is not bought by use of the MRO rating or symbol. In that case, the same principles apply in determining what labor costs are to be included. Issued May 22, 1944.)

Interpretation 12

INCREASED QUOTAS FOR SEASONAL SUBDIVISIONS

(a) Paragraph (f) (4) of CMP Regulation No. 5 as amended on February 26, 1944, permits the use of a specific quota authorization as an increased quota for all following quarters. Thus if a particular company's quota has been increased by specific authorization during the fourth quarter of 1943 from $100,000 to $125,000 the company has a quota for each succeeding quarter of $125,000.

(b) In the case of a person operating under a seasonal quota under paragraph (f) (2), his quarterly quota varies from quarter to quarter based on the similar quarter of 1942. Consequently, when a seasonal quota has been increased by specific authorization for any one quarter, that increase does not increase all succeeding quarters, but may only be used as an increased quota during the same quarter of the following year. Thus if a company operating on a seasonal basis had a quota during the third quarter of 1943 of $10,000, and during the fourth quarter of 1943 of $50,000 and received an increase of the fourth quarter's quota from $50,000 to $60,000, its quota for the third quarter of 1944 would remain at $10,000, although its fourth quarter quota of 1944 would become $60,000.

(c) Where a company has received succeeding special authorizations increasing a quota, and where it is not on a seasonal basis, the last special authorization determines the company's quota during each following quarter. (Issued April 10, 1944.)

Interpretation 13

STAVES, HEADING, AND HOOPS

(a) Persons manufacturing wooden staves, heading, and hoops for barrels are included under the item "logging operations, saw mills, veneer mills, plywood mills, planing mills, shingle mills, and dry kilns operated in connection with saw mills" appearing in Schedule A of the regulation. They are, therefore, entitled to use the allotment symbol MRO and the preference rating AA-1 in buying MRO.

(b) Persons who make barrels as such are engaged in manufacturing "containers, all types except fibre containers, gas cylinders and ton containers, and nailed wooden boxes and crates" which appears in Schedule A of CMP Regulation 5. They may use, therefore, the MRO symbol and preference rating AA-2 in buying MRO. A person who makes both staves and barrels must segregate his purchases, unless impracticable to do so as explained in paragraph (e) of the regulation. (Issued April 18, 1944.)

Interpretation 14

PLANTS ENGAGED IN SEVERAL ACTIVITIES

Where a plant is engaged for the majority of a year principally in the production of a certain item listed in a schedule of CMP Regulation No. 5, and for a brief period during that year produces an item listed in another schedule of CMP Regulation No. 5, or produces an item which is unlisted, that plant, pursuant to paragraph (e) of CMP Regulation No. 5, may at all times use the rating assigned to the principal activity to procure maintenance, repair and operating supplies.

Example. A distillery which is producing industrial alcohol under Order M-69 may use the AA-1 MRO rating, assigned in Schedule A under Chemicals and Allied Products for the procurement of maintenance, repair and operating supplies. If that distillery has been authorized to operate its facilities exempt from the provisions of paragraph (b) and (e) of Order M-69 for the month of August, 1944, it may continue to use the AA-1 MRO rating for maintenance, repair and operating supplies. Similarly, if an industrial alcohol plant has been authorized under M-30 to tax pay or to deliver in bond for the purpose of tax paying, a portion of his production, such an authorization will not affect his right to use an AA-1 rating for maintenance, repair and operating supplies. (Issued July 22, 1944.)

[F. R. Doc. 44-15017; Filed, Sept. 26, 1944; 12:12 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Revocation of Direction 21]

Direction 21 to CMP Regulation 5 is hereby revoked. The items formerly covered by this direction are included in CMP Regulation 5 as amended September 28, 1944.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15018; Filed, Sept. 28, 1944; 12:12 p. m.]

PART 3281—PULP AND PAPER

[General Preference Order M-93, as Amended Sept. 28, 1944]

Section 3281.6 *General Preference Order M-93* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wood pulp for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3281.6 *General Preference Order M-93*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Wood pulp" means pulp manufactured either by mechanical or chemical means from coniferous or broadleaf trees.

(2) "Other fibrous material" means any waste material or virgin material of a fibrous nature other than wood pulp used in the manufacture of paper and paperboard or paper products.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(4) "Producer" means any person producing wood pulp as hereinbefore defined.

(5) "Consumer" means any person who uses, accepts or has accepted delivery of wood pulp.

(c) *Producers.* (1) No producer or other person shall deliver wood pulp except as authorized by the War Production Board on Form WPB-699 or by letter or telegram.

(2) On or before the 8th day of February, May, August and November, each producer shall file with the War Production Board Form WPB-699, Part I, showing his orders and proposed shipping schedule for the following calendar quarter in accordance with the instructions accompanying that form.

(3) On or before the 10th day of each month each producer shall file with the War Production Board Form WPB-699, Part II, showing his monthly production

and shipments of wood pulp in accordance with the instructions accompanying that form.

(d) *Consumers.* (1) No consumer shall accept delivery of or use wood pulp except as authorized by the War Production Board on Forms WPB–2973, WPB–2974 or by letter or telegram.

(2) On or before the 5th day of February, May, August and November

(i) Each consumer shall file with the War Production Board an application for authority to accept delivery of and use wood pulp for the following quarter on either Form WPB–2973 or WPB–2974, in accordance with the instructions accompanying those forms.

(ii) Each consumer (other than the Army, Navy and other agencies and governments referred to in paragraph (b) of section 944.1 of Priorities Regulation No. 1, as amended, and countries eligible to receive material or equipment under the Lend-Lease Act or under licenses or release certificates issued by the Foreign Economic Administration) shall file with the producer his orders for wood pulp to be delivered during the following quarter on Form WPB–697 in accordance with the instructions accompanying that form.

(3) On or before the 12th day of January, April, July and October, each consumer shall file with the War Production Board his quarterly report of machine production of paper and paperboard on Form WPB–3563 in accordance with the instructions accompanying those forms.

(4) On or before the 10th day of each month, each consumer shall file with the War Production Board a report of his receipts, use and inventory of wood pulp and other fibrous materials on either Form WPB–698 or WPB–3365 in accordance with the instructions accompanying those forms.

(e) *Manufacturers of paper or paperboard from waste materials only.* Manufacturers of paper or paperboard from waste materials only shall file with the War Production Board Forms WPB–698, WPB–2973 and WPB–3563 in accordance with the instructions accompanying those forms.

(f) *Special provisions as to deliveries*—(1) *Small quantities.* Notwithstanding the provisions of paragraphs (c) and (d) of this order, any person may deliver wood pulp to any other person or persons in an amount not exceeding five tons of any one grade to each such person during any calendar quarter, and any person may accept deliveries of and use wood pulp from any other person or persons in an amount not exceeding five tons during any calendar quarter.

(2) *Intra-company deliveries.* The prohibitions and restrictions contained in this order shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single business enterprise to another branch, division, or section of the same or any other business enterprise under common ownership or control; and each such affiliate, subsidiary, branch, division or section shall for the purposes of this order be deemed a separate person.

(g) *Records.* All persons affected by this order shall keep for 2 years accurate and complete records concerning inventories, purchases, production and sales.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeals.

(j) *Communications.* All reports required to be filed under this order, and all communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Washington 25, D. C., *Ref*: M–93.

(k) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–15019; Filed, Sept. 28, 1944; 12:12 p. m.]

PART 3281—PULP AND PAPER

[General Preference Order M–93, Direction 1, as Amended Sept. 28, 1944]

PREFERRED STATUS OF CERTAIN DELIVERIES AND USES OF WOOD PULP

The following direction is issued pursuant to General Preference Order M–93:

(a) *Reasons for this direction.* A producer's output of wood pulp is allocated by the War Production Board for his own uses and for delivery to other consumers on the basis of the amount which he reports to the War Production Board as his estimated output. If he over-estimates his production, it is necessary and appropriate in the public interest and to promote the national defense to assure that this does not result in cutting off wood pulp from the consumers to whom it was allocated and who have no other source of supply for the continuance of their minimum operations, and to assure that any necessary reductions are made in those grades of paper and paperboard not listed in paragraph (d) below.

(b) *Producers.* If a producer is unable during any calendar quarter to make all deliveries which he has been directed on Form WPB–699 to make, he shall reduce his deliveries to himself to the extent necessary to complete all deliveries to consumers other than himself.

(c) *Consumers.* If a consumer during any calendar quarter has, or anticipates that he will have, inventory and receipts of wood pulp less than the amount of wood pulp he is authorized on Form WPB–2973 to consume, he shall not use in the production of grades of paper and paperboard other than those listed in paragraph (d) below more wood pulp than the amount calculated by subtracting (1) the amount of his above-mentioned shortage of wood pulp from (2) the total amount of wood pulp he is authorized on Form WPB–2973 to use in the production of grades of paper and paperboard other than those listed in paragraph (d) below.

(d) *Grades of paper and paperboard having preferred production status:*

NOTE: Items 041161, 043190, 043290, 053600, 060160, and 225004 deleted September 28, 1944. Item 053600 absorbed in Item 224004 and Item 225004 absorbed in Item 224003.

Item No. from WPB–2973	Grades of Paper or Paperboard
021120	Mimeograph
021930	Target paper
031600	Offset
053000	Postal card (Government)
041130	Rag manifold
041141	Mimeograph (rag)
041169	Rag, map, and chart paper other than wet strength map paper
041230	Chemical wood pulp manifold
041241	Mimeograph (chemical)
041261	Chemical wood pulp wet strength map paper
041269	Chemical wood pulp chart and map paper other than wet strength map paper
043110	Rag content blueprint, brownprint, and similar base stock
043130	Rag content photographic and similar sensitising stock
043210	Chemical wood pulp blueprint, brownprint, and similar base stock
043220	Chemical wood pulp photographic baryta stock
043230	Chemical wood pulp photographic, other than baryta
047100	Carbonizing paper
047200	Condenser tissue
051200	Greaseproof
051300	Glassine
051400	Vegetable parchment
051600	Unbleached kraft wrapping
053110	Asphalting, including creped or creping stock for asphalting
053120	Creping, including creped or creping stock not for asphalting and not including toweling
053310	Gumming stock (sulphate)
053320	Gumming stock (sulphite)
053400	Twisting and spinning (over #18)
053500	Waxing (18# and up)
053900	Base Stock for Ordnance Wrap
054100	Multi-wall bag and shipping sack paper
054900	Other specifications shipping sack paper
060100	Abrasive paper backing
060200	Cable paper
060300	Electrical insulation and armature paper and paperboard
060400	Gasket paper and paperboard (except dense fibre)
060700	Tabulating card stock
060820	Tag stock including light manila board
071000	Sanitary napkin stock
072001	Industrial toweling stock
073100	Toilet tissue stock, regular
074001	Industrial napkin stock
080500	Twisting tissue
080800	Fruit and vegetable wrapping tissue
114000	Vulcanizing fibre stock
115000	Resin impregnating stock

All items in Subschedule F–1, all grades of container board (211000 through 219000)

Item No. from WPB–2973	Grades of Paper or Paperboard
224001	Milk bottle stock
224002	Milk bottle hood and lip cover stock
224003	Liquid tight container stock
224004	Cup and round nested food container stock
224005	Cup lid stock
224006	Ice cream and frozen food container stock
224007	Butter carton stock
224008	Milk bottle plug cap stock
228200	Double kraft lined arsenal board and similar specifications
251100	Ammunition container board and similar specifications for armed forces
256000	Dense fibre

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–15020; Filed, Sept. 28, 1944; 12:12 p. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 2 to Supp. 6]

CERTAIN FROZEN FRUITS, BERRIES AND VEGETABLES AND RELATED PRODUCTS (1944 AND LATER PACKS)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 12 (e) is amended by adding the following sentence: "The establishment for the first time of maximum prices or a pricing method for an item in this supplement does not require notification."

This amendment shall become effective September 27, 1944.

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–14945; Filed, Sept. 27, 1944; 4:44 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,[1] Amdt. 11 to Supp. 7]

PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Supplement 7 to Food Products Regulation No. 1 is amended in the following respects:

1. Section 14 (d) is amended by adding the following sentence: "The establishment for the first time of maximum prices or a pricing method for an item in this supplement does not require notification."

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 8057.

[1] 8 F.R. 9493, 9612, 10194, 10356, 10497, 10630, 10709, 10714.

2. In Appendix C to section 15, the "Explanation of how maximum prices for packed peas are figured" is amended in the following respects:

a. The phrase "section 5 (a) 2" at the end of the first sentence is amended to read "section 5 (a) (2)".

b. The following sentence is added to the second undesignated paragraph:

However, this rule does not apply when the only grade of packed peas sold during the base period was substandard grade.

c. The first sentence in the seventh undesignated paragraph is amended to read as follows:

The order in which the steps are to be taken in figuring the maximum price for an item of packed peas under subparagraph (2), (3) or (4) of section 5 (a) is as follows (however, note Exceptions below):

d. Step 8 in the seventh undesignated paragraph is amended by inserting a parenthesis after the figure "5" and deleting the parenthesis after the word "agencies".

e. The following text is added to the seventh undesignated paragraph:

Exception 1: If the processor sold only substandard grade of packed peas in the base period, the steps and the order in which they are to be taken differ from those set forth above. In this situation, the steps are as follows:

First, convert for container size;
Next, convert to Standard grade;
Next, add the appropriate permitted increase for Standard grade;
Then, proceed with step 8 and the following steps in the usual order as specified above.

Exception 2: If the processor is pricing substandard grade, the steps and order in which they are to be taken differ from those set forth above. In this situation, step 4 must follow step 6 instead of preceding step 5; otherwise, steps are to be taken in the usual order as set forth above.

NOTE: Both Exceptions 1 and 2 apply where the processor sold only substandard grade in the base period and is now pricing substandard grade. In this situation the usual procedure is varied in the manner indicated by both Exceptions.

3. In Table 3, Area 1, of Appendix B to section 16, the figures "2.07–2.39" in the column headed "Price ranges" under the column headed "No. 2½ Cans", and opposite the word "Standard" under "Halves, unpeeled" in the column headed "Style and grade", are amended to read "2.15–2.31".

This amendment shall become effective September 27, 1944.

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–14951; Filed, Sept. 27, 1944; 4:45 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 16]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 421 is amended in the following respects:

1. Section 13 (d) is added to read as follows:

(d) *1944 pack of "canned" and frozen fruits and vegetables.* Each item of the 1944 pack of "canned" fruits and vegetables and frozen fruits and vegetables shall be considered a different item from the 1943 and earlier packs, and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

However, if that first delivery is received by you before the date on which maximum prices are established by the OPA for sales of the item by processors, and another delivery is received by you after that date, you shall refigure your ceiling price for such item, basing your "net cost" on the first delivery of the item to you after that date.

The receipt of any of the above items of the 1944 pack, at a price to be adjusted after delivery in accordance with action to be taken by the OPA shall not be deemed a delivery, for the purpose of this section, until the receipt of an invoice or other written notice from your supplier showing the price after adjustment. Until the receipt of such an invoice or notice, you may not sell or deliver or offer to sell or deliver the item at a price higher than your ceiling price for the same item of the 1943 pack.

2. Section 32 (b) (12) is amended to read as follows:

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack. The 1944 pack shall also be considered a different item from the 1943 and earlier packs, and you must figure separate ceiling prices for each item of the 1944 pack.

This amendment shall become effective September 27, 1944.

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44–14947; Filed, Sept. 27, 1944; 4:42 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 28]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amend-

[1] 9 F.R. 5656, 6628, 6951, 7839, 7880, 7937, 9384, 9719, 10258.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 422 is amended in the following respects:

1. Section 16(e) is added to read as follows:

(e) *1944 pack of "canned" and frozen fruits and vegetables.* Each item of the 1944 pack of "canned" fruits and vegetables and frozen fruits and vegetables shall be considered a different item from the 1943 and earlier packs, and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

However, if that first delivery is received by you from a person other than a wholesaler pricing the item under Maximum Price Regulation No. 421,[1] before the date on which maximum prices are established by the OPA for sales of the item by processors, and another delivery is received by you after that date, you shall refigure your ceiling price for such item, basing your "net cost" on the first delivery of the item to you after that date.

That first delivery may be from a wholesaler (pricing under Maximum Price Regulation No. 421), whose ceiling price for the item is figured on the basis of a delivery received by him before the date on which maximum prices are established by the OPA for sales of the item by processors. In that event, and if you receive a later delivery of the item, you must refigure your ceiling price for such item; you must base your "net cost" upon the first delivery to you from your supplier after he has figured his ceiling price for the item on the basis of a delivery received by him after the date on which maximum prices are established by the OPA for sales by processors of the 1944 pack of the item.

The receipt of any of the above items of the 1944 pack, at a price to be adjusted after delivery in accordance with action to be taken by the OPA shall not be deemed a delivery, for the purpose of this section, until the receipt of an invoice or other written notice from your supplier showing the price after adjustment. Until the receipt of such an invoice or notice, you may not sell or deliver or offer to sell or deliver at a price higher than your ceiling price for the same item of the 1943 pack.

2. Section 38 (b) (12) is amended to read as follows:

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack. The 1944 pack shall also be considered a different item from the 1943 and earlier packs, and you must figure separate ceiling prices for each item of the 1944 pack.

This amendment shall become effective September 27, 1944.

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14946; Filed, Sept. 27, 1944; 4:42 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 29]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 423 is amended in the following respects:

1. Section 17 (e) is added to read as follows:

(e) *1944 pack of "canned" and frozen fruits and vegetables.* Each item of the 1944 pack of "canned" fruits and vegetables and frozen fruits and vegetables shall be considered a different item from the 1943 and earlier packs, and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

However, if that first delivery is received by you from a person other than a wholesaler pricing the item under Maximum Price Regulation No. 421[2], before the date on which maximum prices are established by the OPA for sales of the item by processors, and another delivery is received by you after that date, you shall refigure your ceiling price for such item, basing your "net cost" on the first delivery of the item to you after that date.

That first delivery may be from a wholesaler (pricing under Maximum Price Regulation No. 421), whose ceiling price for the item is figured on the basis of a delivery received by him before the date on which maximum prices are established by the OPA for sales of the item by processors. In that event, and if you receive a later delivery of the item, you must refigure your ceiling price for such item; you must base your "net cost" upon the first delivery to you from your supplier after he has figured his ceiling price for the item on the basis of a delivery received by him after the date on which maximum prices are established by the OPA for sales by processors of the 1944 pack of the item.

The receipt of any of the above items of the 1944 pack, at a price to be adjusted after delivery in accordance with action to be taken by the OPA shall not be deemed a delivery, for the purpose of this section, until the receipt of an invoice or other written notice from your supplier showing the price after adjustment. Until the receipt of such an invoice or notice, you may not sell or deliver or offer to sell or deliver at a price higher than your ceiling price for the same item of the 1943 pack.

2. Section 27 (b) (12) is amended to read as follows:

(12) "Fruits, dried and dehydrated" (packaged or bulk) includes, but is not limited to, fresh dates, stuffed dried fruits, dried dates and figs, pitted dates, and macerated dates. Excluded are fruit confections, candied or glaced fruits and peels, and date products.

NOTE: The 1943 pack of dried fruits shall be considered a different item from the 1942 pack of dried fruits, and you must figure separate ceiling prices for each item of the 1943 pack. The 1944 pack shall also be considered a different item from the 1943 and earlier packs, and you must figure separate ceiling prices for each item of the 1944 pack.

This amendment shall become effective September 27, 1944.

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14949; Filed, Sept. 27, 1944; 4:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 56]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 15.13 is amended to read as follows:

SEC. 15.13. *Special provisions for exchanging and depositing tokens between September 27, and October 9, 1944.* Notwithstanding the provisions of any other section of this order:

(a) Between September 27 and October 9, 1944, inclusive, any retailer, wholesaler, country shipper, or processor who has a ration bank account may deposit tokens in that account:

(1) In quantities of less than 250 in sealed envelopes (OPA Form R-132);

(2) In quantities of 250 in sealed envelopes (OPA Form R-132) if containers provided for such tokens by the Office of Price Administration are not available; and

(3) In quantities of more than 250 but not over 1,000 in bulk envelopes (described in section 1.2 (a) (2) and (3) of General Ration Order 7).

(b) Between September 27 and October 9, 1944, inclusive, any person, other than a consumer, who does not have and is not required to have a ration bank account may exchange tokens for a ration check at any ration bank or he may exchange tokens for certificates or ration coupons at his board;

(1) In quantities of less than 250 in sealed envelopes (OPA Form R-132);

(2) In quantities of 250 in the containers provided for them by the Office of Price Administration, or in sealed envelopes (OPA Form R-132) if such containers are not available; and

(3) In quantities of more than 250 but not over 1000 in bulk envelopes (described in section 1.2 (a) (2) and (3) of General Ration Order 7).

(c) Any person who uses sealed envelopes or bulk envelopes in the way permitted by this section, must write on the face of the envelope his business name and address, that the tokens are deposited (or exchanged, as the case may be) under the processed foods rationing program, and the number of tokens enclosed. He must also sign his name on the face of the envelope. His signature shall constitute a certification as to the truth of the statements written on the envelope.

(d) Any retailer who has more than one retail establishment may apply to the Washington Office for permission to surrender tokens at a place to be designated by the Washington Office and receive checks or certificates in exchange. If permission is granted, the retailer must surrender the tokens on or before October 9, 1944, in accordance with instructions given by the Washington Office.

This amendment shall become effective September 27, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., and by Pub. Law 383, 78th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14944; Filed, Sept. 27, 1944; 4:44 p. m.]

PART 1441—TANNING MATERIALS

[MPR 581, Amdt. 8]

IMPORTED VEGETABLE TANNING MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 5648, 9719, 10257.

[1] 9 F.R. 5671, 6820, 7340, 7820, 7937, 9354, 9720, 10259.

[2] 8 F.R. 5443, 9719, 10257.

[1] 9 F.R. 3, 104, 695, 765, 848, 1397, 1227, 1817, 1908, 2233, 2234, 2240, 2567, 2791, 3082, 3073, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4181, 4475, 4804, 4818, 4876, 5074, 5254, 5436, 5696, 5839, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7348, 7437, 7773, 8798, 9109, 9954, 10067, 10686, 11113.

Maximum Price Regulation 531 is amended in the following respects:

1. By changing the prices listed for wattle bark in paragraph (b) of section 12, Appendix A to read as follows:

South African chopped prime	$56.00
South African chopped average	55.50
South African chopped merchantable	53.00
East African chopped, all grades	53.00

2. By changing the prices listed for solid wattle extract in paragraph (c) of section 12, Appendix A to read as follows:

	Carload	Less than carload
South African, guaranteed 63 per cent tannin	5.72	5.97
East African, guaranteed 61 per cent tannin	5.595	5.845

3. By changing the prices listed for deliveries of solid wattle extract from warehouses in subparagraph (c) (1) of section 12, Appendix A to read as follows:

	Carload	Less than carload
South African, guaranteed 62 per cent tannin	7.19	7.37
East African, guaranteed 61 per cent tannin	6.97	7.22

4. By changing the prices listed for ground or powdered wattle extract in subparagraph (b) (1) of section 12, Appendix B to read as follows:

	Carload	Less than carload	Less than 20 bags
F. O. B. Newark, N. J. and Staten Island, N. Y.	9.20	9.45	9.70
F. O. B. Chester, Pa., Camden, N. J. Peabody and Salem, Mass.	9.45	9.70	9.95

5. By changing the prices listed for liquid wattle extract in subparagraph (b) (2) of section 12, Appendix B to read as follows:

	Tank cars or tank trucks	Barrels		
		Minimum 50 bbls.	Minimum 10 bbls.	Less than 10 bbls.
F. O. B. Staten Island, N. Y., and Newark, N. J.	4.75	5.25	5.50	5.75
F. O. B. Chester, Pa., Camden, N. J., Peabody and Salem, Mass.	5.25	5.75	6.00	6.25

This amendment shall become effective October 2, 1944.

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14950; Filed, Sept. 27, 1944; 4:45 p. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[RPS 7,[1] Amdt. 15]

COMBED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 7 is amended in the following respects:

1. In § 1307.9 (g) the specification listed under "Cotton Content" opposite yarn numbers "25s to 30s" is amended to read "1¾₃₂".

2. Section 1307.12 (c) (5) (i) is amended to read as follows:

(i) For put-ups other than, or for twist slacker than, those included in the definition of base-grade yarn, a premium not exceeding the additional cost, if any, over base-grade put-ups or twist, respectively, may be charged.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1221.

3. In § 1307.12 (c) (5) (iii) the premium of "six per cent" is changed to "5.4 per cent".

This amendment shall become effective October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14981; Filed, Sept. 28, 1944; 11:20 a. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

[MPR 33,[1] Amdt. 7]

CARDED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 33 is amended in the following respects:

1. Section 1307.67 (d) is amended to read as follows:

(d) *Premiums for knotless and lapless yarns.* The maximum prices for carded cotton yarns which are both knotless and lapless shall be the applicable maximum price for the base-grade yarn adjusted in accordance with the following premiums:

	Cents per lb.
Up to and including 16s	3.0
Above 16s	3.0

[1] 7 F.R. 7557, 9048, 10070; 8 F.R. 2345, 3526, 9750, 13497; 9 F.R. 10578.

The premiums permissible hereunder are applicable only where the yarn is to be used for products in the manufacture of which knotless and lapless yarns were used prior to January 1, 1942, and where the seller receives a written statement to that effect from the buyer. The seller shall preserve the statement for not less than two years.

2. Section 1307.67 (f) (1) is amended to read as follows:

(1) *Discounts for yarns containing low-grade*[1] *cotton and/or cotton waste.* The maximum price for carded cotton yarn which contains low-grade cotton and/or cotton waste shall be a price in line with the maximum price set forth herein for base-grade yarn of the same number and ply. As used herein, the term "in line with" means having a justifiable relation to the maximum price for the base-grade yarn of the same number and ply with a decrease in price commensurate with the decrease in his material costs[2] resulting from his use of the low-grade cotton and/or cotton waste. In determining his "in line with" price, allowance may be made by the producer for increased manufacturing costs which he may incur in producing such yarns. Solely for the purposes of computing an "in line with" price under this paragraph a producer shall employ the following maximum prices for base-grade yarns of numbers less than 6:

[Cents per pound]

Yarn No.	Single	Ply
1s	37.25	39.75
2s	37.50	40.00
3s	37.75	40.25
4s	38.00	40.50
5s	38.25	40.75

3. In § 1307.67 (j) the premium of "6%" is changed to "5.4%".

4. In § 1307.67 (k) the premiums of "10", "7½" and "5" percent are changed to "9", "6¾" and "4½" percent, respectively.

NOTE: The record-keeping provision of this amendment to Maximum Price Regulation No. 33 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14982; Filed, Sept. 28, 1944; 11:20 a. m.]

PART 1337—RAYON

[MPR 167,[1] Amdt. 6]

RAYON YARN AND STAPLE FIBRE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.[*]

Maximum Price Regulation No. 167 is amended by adding § 1337.37a to read as follows:

§ 1337.37a *Applications for adjustment.* (a) Any producer of 1100 denier high tenacity rayon yarn who is subject to a War Production Board direction pertaining to that yarn may file an application for adjustment of its maximum price in accordance with Subpart (b) of Revised Procedural Regulation No. 1. The word "direction" here means any order to produce stated quantities within specified periods, excluding purchase orders or contracts bearing preference ratings.

(b) If the existing maximum price is found by the Administrator to be lower than the applicant's average total cost per unit of producing and selling the yarn computed on the basis of the applicant's total production thereof an adjusted price will be granted which shall not exceed the applicant's total cost per unit so computed.

This amendment shall become effective October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14990; Filed, Sept. 28, 1944; 11:23 a. m.]

PART 1340—FUEL

[RMPR 436, Amdt. 5]

CRUDE PETROLEUM AND NATURAL AND PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Division of the Federal Register.[*]

Revised Maximum Price Regulation No. 436 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *To what transactions and persons this regulation is applicable.* This regulation covers all sales and deliveries of crude petroleum and natural and petroleum gas either by producers, sellers, refiners or by any other person except:

(a) Crude petroleum when sold to a processor as gas enrichment oil;

(b) Crude petroleum transported through the War Emergency Pipelines System and sold by Defense Supplies Corporation at the terminal;

(c) Crude petroleum when sold to a consumer for a purpose other than the production of more than one petroleum fraction; or

(d) Crude petroleum when sold to a tank wagon reseller by sellers, other than crude oil producers, for resale to a consumer for a purpose other than the production of more than one petroleum fraction therefrom.

Provided, however, This regulation shall in all cases be applicable to sales of crude petroleum to a refiner or to a person using such crude petroleum in oil and gas field operations.

Nothing in this price regulation shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Administration under the Emergency Price Control Act of 1942, as amended.

2. Section 10 (1) is amended to read as follows:

(1) *Oklahoma.* On and after August 1, 1944, the maximum price at the receiving tank for crude petroleum produced from all pools in the State of Oklahoma shall be as follows:[1]

API gravity:	Dollars per 42-gallon barrel
Below 20	$0.83
20–20.9	.85
21–21.9	.87
22–22.9	.89
23–23.9	.91
24–24.9	.93
25–25.9	.95
26–26.9	.97
27–27.9	.99
28–28.9	1.01
29–29.9	1.03
30–30.9	1.05
31–31.9	1.07
32–32.9	1.09
33–33.9	1.11
34–34.9	1.13
35–35.9	1.15
36–36.9	1.17
37–37.9	1.19
38–38.9	1.21
39–39.9	1.23
40 and above	1.25

[1] The maximum price for the Cement Pool in Caddo County, Oklahoma, and the Oklahoma City Pool, Oklahoma County, Oklahoma, shall be according to the above scale but shall be reduced 3¢ for each degree of gravity below 20 down to 16 degrees.

3. Section 10 (m) is amended as follows:

Paragraphs (1) and (2) are renumbered (2) and (3) and new paragraph (1) is added to read as follows:

(1) On and after August 1, 1944, the maximum price at the receiving tank for Zanesville Pennsylvania Grade crude petroleum produced in Morgan, Muskingum and Perry Counties, Ohio, and Pennsylvania Grade crude oil produced in Blue Rock Township, Muskingum County, Ohio, shall be $2.25 per barrel.

4. Section 10 (p) is added to read as follows:

(p) *Kansas*—(1) *Morel pool.* On and after August 1, 1944, the maximum price at the receiving tank for crude petroleum produced from the Morel Pool, Graham County, Kansas, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 29	$1.01
29–29.9	1.03
30–30.9	1.05
31–31.9	1.07
32–32.9	1.09
33–33.9	1.11
34–34.9	1.13
35–35.9	1.15
36–36.9	1.17
37–37.9	1.19
38–38.9	1.21
39–39.9	1.23
40 and above	1.25

(2) On and after August 1, 1944 the maximum price at the receiving tank for crude petroleum produced from all pools in the State of Kansas, with the exception of the pool listed in (1) above, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 20	$0.83
20–20.9	.85
21–21.9	.87
22–22.9	.89
23–23.9	.91
24–24.9	.93
25–25.9	.95
26–26.9	.97
27–27.9	.99
28–28.9	1.01
29–29.9	1.03
30–30.9	1.05
31–31.9	1.07
32–32.9	1.09
33–33.9	1.11
34–34.9	1.13
35–35.9	1.15
36–36.9	1.17
37–37.9	1.19
38–38.9	1.21
39–39.9	1.23
40 and above	1.25

5. Section 15 (a) is amended to read as follows:

(a) Where a contract for the sale of dry gas was in effect on May 1, 1942, the seller's maximum price to the same purchaser for deliveries of dry gas produced from the same source or sources as the dry gas covered by the contract shall not exceed the price that could be charged for such deliveries under the terms of the contract that was in effect on May 1, 1942: *Provided, however,* (1) That where under the terms of any contract in effect on May 1, 1942, between a seller and a purchaser, the price for dry gas was adjustable to the price of fuel oil, the seller's maximum price to such purchaser shall be computed by regarding the maximum price of fuel oil on May 1, 1942, as the price of such fuel oil; (2) That this provision shall be inapplicable where a seller was on May 1, 1942 in the process of renegotiating contracts and had negotiated contracts covering a substantial part of the total volume of his sales during the month of April 1942 in accordance with a uniform price schedule which does not exceed the prevailing price in the same marketing area.

This amendment shall become effective October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14989; Filed, Sept. 28, 1944; 11:23 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 495,[1] Amdt. 1]

MISCELLANEOUS BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.[*]

Revised Maximum Price Regulation 495 is amended in the following respects:

1. Section 10 (a) (1) is amended, by deleting, therefrom, the following words which appear in parentheses in the regulation: "but not a wholesaler who is subject to Maximum Price Regulation No. 421."

2. Section 10 (d) (1) is amended to read as follows:

(1) If you are a producer, or if you are a distributor not subject to Maximum Price Regulations Nos. 421, 422 or 423, and you sold Christmas cookies, raisin filled or topped biscuits and crackers, pretzels or non-Passover Matzo products, prior to the effective date of this regulation, your maximum prices for such sales have been determined under Maximum Price Regulation No. 262, or under Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation. This regulation continues those maximum prices without change.

If you are a wholesaler or a retailer subject to Maximum Price Regulations Nos. 421, 422 or 423, and you make a sale of any of the commodities described in this paragraph, you shall continue to determine your maximum prices on such sales pursuant to said regulations.

3. Section 10 (d) (2) is amended to read as follows:

(2) If you are a producer or if you are a distributor not subject to Maximum Price Regulations Nos. 421, 422 or 423, and you sold cracknells (egg biscuits), figbars, or Trenton oyster crackers, prior to the effective date of this regulation, or if you are a producer, wholesaler, retailer or other distributor and you sold ice cream cones (except chocolate coated ice cream cones), prior to the effective date of this regulation, your maximum prices for such sales have been determined by (i) taking your appropriate maximum price, in each case, in accordance with the provisions of the General Maximum Price Regulation, and (ii) adding thereto, the following increases in accordance with the provisions of Maximum Price Regulation No. 262:

Commodity:	Permitted increase
Cracknells (egg biscuits).	2¢ per pound.
Fig bars:	
Packaged (2 pounds or under).	4¢ per pound.
Packaged (over 2 pounds) and bulk.	3¢ per pound.
Ice Cream cones (except chocolate coated ice cream cones):	
Cake cones	25¢ per thousand.
Sugar rolled cones	40¢ per thousand.
Cups	40¢ per thousand.
Trenton oyster crackers	2½¢ per pound.

(Maximum prices for Trenton oyster crackers shall in no case exceed 18½¢ per pound if sold in bulk (over 1 pound); $2.46 per dozen packages if sold in one pound packages, or $1.23 per dozen packages if sold in one-half pound packages.)

This regulation continues such maximum prices, computed as aforesaid, without change.

If you are a wholesaler or a retailer subject to Maximum Price Regulations Nos. 421, 422 or 423, and you make a sale of any of the commodities described in this paragraph (except of ice cream cones) you shall continue to determine your maximum price on such sales pursuant to said regulations.

4. Section 10 (d) (3) is amended to read as follows:

(3) If you are a producer, or a distributor not subject to Maximum Price Regulations Nos. 421, 422 or 423, and you did not determine your maximum price for the sale of any of the products listed or described in paragraph (d) of this section prior to the effective date of this regulation, then, before you make a sale of any of said commodities, you shall determine your maximum price on such sale in accordance with the provisions of Order No. 375 under § 1499.3 of the General Maximum Price Regulation.

This amendment shall become effective on October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14983; Filed, Sept. 28, 1944; 11:21 a. m.]

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[1] For the purposes of this Maximum Price Regulation No. 33, any cotton is "low-grade" which is quoted at a price lower than the replacement price quoted for strict low middling (white) cotton of the same staple length in such weekly quotations, appropriately adjusted for location, as are or may hereafter be published by the War Food Administration.

[2] The producer shall determine the decrease in his material costs in the following ways: (a) When he uses low-grade cotton he shall determine the difference in replacement price between the low-grade cotton and strict low middling (white) cotton of the same staple length set forth in such weekly quotations, appropriately adjusted for location, as are or may hereafter be published by the War Food Administration; and (b) when he uses cotton waste, he shall use the difference between the replacement cost for such cotton waste, and the replacement price quoted for strict low middling (white) cotton of the staple length specified for the same yarn number in footnote 11 (paragraph (g) of this § 1307.67) in such weekly quotations, appropriately adjusted for location, as are or may hereafter be published by the War Food Administration.

[*] Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4662, 6895, 7403 and 8948.

[*] Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9783.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 88 to 2d Rev. Supp. 1]

PROCESSED FOODS

The Official Table of Point Values (No. 20), referred to in § 1407.1102 (a), is amended in the following respects:

1. The words "Thru Sept. 30", in the bracket in the upper right corner, are deleted.

2. The sentence directly below the table is amended by deleting the words "or tokens".

This amendment shall become effective September 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong., and by Pub. Law 383, 78th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14984; Filed, Sept. 28, 1944; 11:21 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[2] Amdt. 16 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 20), referred to in § 1407.3027 (a), is amended by deleting the words "thru Sept. 30", from the bracket in the upper right corner.

2. The Official Table of Consumer Point Values for Kosher Meats (No. 19), referred to in § 1407.3027 (a), is amended by deleting the words "through Sept. 30", from the bracket in the upper right corner.

This amendment shall become effective September 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th Cong., and by Pub. Law 383, 78th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14985; Filed, Sept. 28, 1944; 11:21 a. m.]

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2680, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5056, 6108, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278.

[2] 9 F.R. 6773, 6825, 7262, 7433, 8147, 8931, 9266, 9278, 9785, 9898, 10425, 10497, 10675, 10777, 11426, 11513.

PART 1440—PROCESSED FOOD COMMODITIES

[MPR 562]

CERTAIN MANUFACTURED POPCORN PRODUCTS

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.*

MAXIMUM PRICE REGULATION 562—CERTAIN MANUFACTURED PRODUCTS

Sec.
1. Explanation of the regulation.
2. Maximum prices.
3. Definitions.
4. Price Labeling requirement.
5. Geographical applicability.
6. Compliance with the regulation.
7. Petitions for amendment.

AUTHORITY: Secs. 1 to 7, inclusive, (§ 1440.-54) issued under 56 Stat. 765; 57 Stat. 556; Pub. Law 383; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681.

SECTION 1. *Explanation of the regulation.* This regulation is issued for the purpose of establishing flat dollars and cents maximum prices for all sales of certain manufactured popcorn products. These maximum prices, which are in effect on and after October 2, 1944, vary according to the class of purchaser in a particular sale.

In each case, transportation costs to the point where the individual buyer has customarily taken receipt of the goods are included. Thus, maximum prices do not vary by locality or according to the distance between seller and buyer.

SEC. 2. *Maximum prices*—(a) *Maximum prices for cheese coated popcorn.* (1) The maximum delivered prices which sellers may charge for cheese coated popcorn packed in specified package sizes are as follows:

Size of package	Column 1: Maximum delivered price per dozen packages to wholesalers and other distributors	Column 2: Maximum delivered price per dozen packages to retailers	Column 3: Maximum delivered price per package to consumers, as marked on the package (or label attached to it)
½ ounce	$0.36	$0.45	$0.05
¾ ounce	.43	.54	.06
1 ounce	.50	.63	.07
1¼ ounces	.65	.81	.09
1½ ounces	.72	.90	.10
1¾ ounces	.79	.99	.11
2 ounces	.86	1.08	.12
2¼ ounces	.94	1.17	.13
2½ ounces	1.01	1.26	.14
2¾ ounces	1.08	1.35	.15
3 ounces	1.15	1.44	.16
3¼ ounces	1.22	1.53	.17
3½ ounces	1.30	1.62	.18
3¾ ounces	1.37	1.71	.19
4 ounces	1.44	1.80	.20
4½ ounces	1.61	1.99	.22
5 ounces	1.79	2.25	.25
5½ ounces	1.97	2.43	.27
6 ounces	2.15	2.70	.30
6½ ounces	2.33	2.88	.32
7 ounces	2.51	3.15	.35
7½ ounces	2.69	3.33	.37
8 ounces	2.87	3.60	.40
8½ ounces	3.05	3.78	.42
9 ounces	3.23	4.05	.45
9½ ounces	3.41	4.23	.47
10 ounces	3.59	4.50	.50
10½ ounces	3.77	4.68	.52
11 ounces	3.95	4.95	.55
11½ ounces	4.13	5.13	.57
12 ounces	4.31	5.40	.60
12½ ounces	4.49	5.58	.62
13 ounces	4.67	5.85	.65
13½ ounces	4.85	6.03	.67
14 ounces	5.03	6.30	.70
14½ ounces	5.21	6.48	.72
15 ounces	5.39	6.75	.75
15½ ounces	5.57	6.93	.77
16 ounces	5.75	7.20	.80

(2) The maximum delivered prices which sellers may charge for cheese coated popcorn for sales in bulk are as follows:

	Cents per pound
Persons selling to wholesalers	36
Persons selling to other distributors	36
Persons selling to retailers	45
Persons selling to consumers	60

For fractions of a pound, maximum prices shall be proportionate to the appropriate per pound price.

(b) *Maximum prices for seasoned popcorn.* (1) The maximum delivered prices which sellers may charge for seasoned popcorn packed in specified package sizes are as follows:

Size of package	Column 1: Maximum delivered price per dozen packages to wholesalers and other distributors	Column 2: Maximum delivered price per dozen packages to retailers	Column 3: Maximum delivered price per package to consumers, as marked on the package (or label attached to it)
½ ounce	$0.36	$0.45	$0.05
¾ ounce	.43	.54	.06
1 ounce	.50	.63	.07
1¼ ounces	.80	.63	.07
1½ ounces	.88	.72	.08
1¾ ounces	.65	.81	.09
2 ounces	.72	.90	.10
2¼ ounces	.79	.99	.11
2½ ounces	.86	1.08	.12
2¾ ounces	.94	1.17	.13
3 ounces	1.01	1.26	.14
3¼ ounces	1.08	1.35	.15
3½ ounces	1.15	1.44	.16
3¾ ounces	1.22	1.53	.17
4 ounces	1.30	1.62	.18
4½ ounces	1.37	1.71	.19
4¾ ounces	1.44	1.80	.20
5 ounces	1.61	1.99	.22

*Copies may be obtained from the Office of Price Administration.

Size of package	Column 1: Maximum delivered price per dozen packages to wholesalers and other distributors	Column 2: Maximum delivered price per dozen packages to retailers	Column 3: Maximum delivered price per package to consumers, as marked on the package (or label attached to it)
5¼ ounces	$1.58	$1.98	$0.22
5½ ounces	1.66	2.07	.23
6 ounces	1.73	2.16	.24
6¼ ounces	1.80	2.25	.25
6½ ounces	1.87	2.34	.26
6¾ ounces	1.94	2.43	.27
7 ounces	2.02	2.52	.28
7¼ ounces	2.09	2.61	.29
7½ ounces	2.16	2.70	.30
8 ounces	2.23	2.79	.31
8¼ ounces	2.30	2.88	.32
8½ ounces	2.38	2.97	.33
9 ounces	2.45	3.06	.34
9¼ ounces	2.52	3.15	.35
9½ ounces	2.59	3.24	.36
10 ounces	2.66	3.33	.37
10¼ ounces	2.74	3.42	.38
10½ ounces	2.81	3.51	.39
11 ounces	2.88	3.60	.40
11¼ ounces	2.95	3.69	.41
11½ ounces	3.02	3.78	.42
12 ounces	3.10	3.87	.43
12¼ ounces	3.17	3.96	.44
12½ ounces	3.24	4.05	.45
13 ounces	3.31	4.14	.46
13¼ ounces	3.38	4.23	.47
13½ ounces	3.46	4.32	.48
14 ounces	3.53	4.41	.49
14¼ ounces	3.60	4.50	.50
14½ ounces	3.67	4.59	.51
15 ounces	3.74	4.68	.52
15¼ ounces	3.82	4.77	.53
15½ ounces	3.89	4.86	.54
16 ounces	3.96	4.95	.55

(2) The maximum delivered prices which sellers may charge for seasoned popcorn for sales in bulk are as follows:

	Cents per pound
Persons selling to wholesalers	30
Persons selling to other distributors	30
Persons selling to retailers	37½
Persons selling to consumers	50

For fractions of a pound, maximum prices shall be proportionate to the appropriate per pound price.

(c) *Maximum prices for caramel popcorn.* (1) The maximum delivered prices which sellers may charge for caramel popcorn packed in specified package sizes are as follows:

Size of package	Column 1: Maximum delivered price per dozen packages to wholesalers and other distributors	Column 2: Maximum delivered price per dozen packages to retailers	Column 3: Maximum delivered price per package to consumers, as marked on the package (or label attached to it)
7¼ ounces	$1.51	$1.89	$0.21
8¼ ounces	1.58	1.98	.22
8½ ounces	1.66	2.07	.23
9¼ ounces	1.73	2.16	.24
9½ ounces	1.80	2.25	.25
10¼ ounces	1.87	2.34	.26
10½ ounces	1.94	2.43	.27
11¼ ounces	2.02	2.52	.28
11½ ounces	2.09	2.61	.29
12¼ ounces	2.16	2.70	.30
12½ ounces	2.23	2.79	.31
13 ounces	2.23	2.79	.31
13¼ ounces	2.30	2.88	.32
14¼ ounces	2.38	2.97	.33
15¼ ounces	2.45	3.06	.34
16 ounces	2.52	3.15	.35

(2) The maximum delivered price which sellers may charge for caramel popcorn for sales in bulk are as follows:

	Cents per pound
Persons selling to wholesalers	18
Persons selling to distributors	18
Persons selling to retailers	22½
Persons selling to consumers	30

For fractions of a pound, maximum prices shall be proportionate to the appropriate per pound price.

(d) *Maximum prices for sales by automatic vending machines.* A seller's maximum price for sales of cheese coated popcorn, seasoned popcorn, or caramel popcorn, by an automatic vending machine shall be as follows:

For cheese coated popcorn	5¢ per ½ ounce
For seasoned popcorn	5¢ per ¾ ounce
For caramel popcorn	5¢ per 1¼ ounces

The seller shall securely attach and maintain on each vending machine a readily visible sign or label stating the kind and the quantity of manufactured popcorn product dispensed for each denomination of coin for which the product is returned.

(e) *Maximum prices applicable in cases where persons sell to wholesalers, other distributors, or retailers, at or below ceiling prices provided in paragraphs (a), (b), and (c).* When a person who packs a manufactured popcorn product and sells to a wholesaler or other distributor at or less than the appropriate figure listed in Columns 1 (but in excess of the price listed immediately above that figure) or sells to a retailer at or less than the appropriate figure listed in Columns 2 (but in excess of the price listed immediately above that figure), he shall mark on the individual retail package or label attached to it the consumer price listed in Columns 3 opposite the greater of the two listed figures.

When a person who packs a manufactured popcorn product has marked on the individual retail package a consumer price listed in Columns 3 of this section, no person may charge a consumer more than that price; no person may charge a retailer more than that figure listed on the same line of Columns 2, and no person may charge a wholesaler or other distributor more than the figure listed on the same line of Columns 1.

These maximum prices shall prevail regardless of the actual weight of the package; however, in any case, the actual weight of the package must not be lower than the weight specified in paragraphs (a), (b), or (c) for the particular maximum price named therein. No person shall increase the consumer price marked on the package after it has been sold by the person who packed it, but any person selling to a consumer may reduce that price.

Directions for retailers. If the consumer price marked on the retail package is a figure listed in Columns 3 of this section, you must not pay more than the figure listed on the same line in Columns 2 and you may not charge more than the price marked on the package. For example, if the retail package is marked "8 cents" you may not pay more than 72 cents per dozen nor charge more than 8 cents per package.

Directions for wholesalers and other distributors. If the consumer price marked on the retail package is a figure listed in Columns 3 of this section, you must not pay more than the figure listed on the same line in Columns 1, and you may not charge more than the figure listed on the same line in Columns 2. For example, if the retail package is marked "8 cents" you may not pay more than 58 cents per dozen nor charge more than 72 cents per dozen.

(f) *Maximum prices for all other manufactured popcorn products.* The maximum price for any manufactured popcorn product, of a size, kind, or package, not specifically covered by this regulation or any other maximum price regulation, shall continue to be governed by the General Maximum Price Regulation.

SEC. 3. *Definitions.* (a) "Popped popcorn" means the product produced by applying heat to raw shelled popcorn sufficient to burst and expand the kernels.

(b) "Seasoned popcorn" means popcorn popped in an edible oil or fat, or sprayed with an edible oil or fat after popping. For the purpose of this regulation plain popped popcorn to which butter or other seasoning has been added shall be deemed seasoned popcorn.

(c) "Cheese coated popcorn" means popped popcorn coated with cheese, in the proportion of one-fourth or more of cheese to three-fourths popcorn by weight.

(d) "Caramel popcorn" means popped popcorn coated with confection, in the proportion of not more than three-fourths confection to one-fourth popcorn by weight.

(e) *Meaning of "delivered to the customary receiving point."* "Delivered to the customary receiving point" means delivered to the place where the particular buyer has customarily received the

product. In any case where the buyer has no customary receiving point, "delivered to the customary receiving point" means delivered to that point where it is customary in the industry to receive the product. (Maximum prices named at the customary receiving point include all transportation to that point. Any amount the buyer himself pays to get the goods to that point must be subtracted from the maximum price named. Any amount the seller pays to move the goods beyond that point may be added to the maximum price.)

(f) *Meaning of "ultimate consumer."* "Ultimate consumer" means a person who buys the popcorn product to eat.

(g) *Meaning of "retailer."* "Retailer" means a person who buys the popcorn product and resells it to an ultimate consumer. The term also includes institutional and commercial users.

(h) *Meaning of "wholesaler."* "Wholesaler" means a person who buys the popcorn product and resells it to a retailer.

(i) *Meaning of "other distributor."* "Other distributor" means a person who buys the popcorn product and resells it to a wholesaler.

(j) *Meaning of "package size" and "sale in bulk."* "Package size" means the net contents of the package. "Sale in bulk" means a sale of a popcorn product in containers holding more than one pound. It includes a popcorn product purchased in bulk and sold to an ultimate consumer in less than one pound packages prepared at point of sale.

(k) *Meaning of other terms.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to the other terms used in this regulation.

SEC. 4. *Price labeling requirement.* Any person who packs a manufactured popcorn product in individual retail packages shall state in a conspicuous place on each package (or label attached to it) the price named for sales of that size package to consumers.

Any person who sells a manufactured popcorn product in bulk to an ultimate consumer shall display in a prominent place in his place of business the maximum selling price applicable to each kind of manufactured popcorn product he offers for sale, as set forth in paragraphs (a) (2), (b) (2), and (c) (2) of section 2.

SEC. 5. *Geographical applicability.* This regulation applies in the forty-eight states of the United States and the District of Columbia.

SEC. 6. *Compliance with the regulation*—(a) *No selling or buying above maximum prices.* Regardless of any contract or obligation, on and after October 3, 1944, no person shall sell or deliver a manufactured popcorn product, or buy or receive a manufactured popcorn product in the course of trade or business, at prices higher than the maximum prices established by this regulation, and no person shall offer, solicit, attempt or agree to do any of the foregoing.

(b) *Evasion.* No person shall evade a maximum price, directly or indirectly, whether by commission, service, transportation or other charge or discount, premium or other privilege; by tying-agreement or other trade understanding; by any change of product; by a business practice relating to labeling or packaging, or in any other way.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, and enforcement acts, license suspension provisions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sales for which his license has been suspended.

SEC. 7. *Petition for Amendment.* Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

This regulation shall become effective October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14988; Filed, Sept. 28, 1944; 11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR. Amdt. 174]

STORAGE OF DRY, EDIBLE BEANS AND PEAS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 8.2 (g) is added to read as follows:

(g) *Storage of beans and peas, dry, edible*—(1) *Kansas City Area.* The maximum prices that may be charged by warehousemen in Clay and Jackson Counties, Missouri, and Wyandotte County, Kansas may not exceed the following amounts in cents per 100 pounds:

(i) When performed for War Food Administration:

For handling in-and-out and first month's storage	6
For subsequent storage per month	2

(ii) When performed for other customers:

For handling in-and-out and first month's storage	7
For subsequent storage per month	2

*Copies may be obtained from the Office of Price Administration.

This amendment shall become effective October 2, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14987; Filed, Sept. 28, 1944; 11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Amdt. 83]

CONTRACT CARRIER, STORAGE AND TERMINAL SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1499.75 (a) (3) of Supplementary Regulation No. 15 is amended to read as follows:

(3) *Contract carrier, storage and terminal services.* The Office of Price Administration, or any regional office thereof, may adjust the maximum prices (rates) established under the General Maximum Price Regulation for any person supplying service as a contract carrier, or for any person supplying storage or terminal services,[1] if it finds (i) that such maximum price subjects such person to substantial hardship and (ii) that the adjustment requested is necessary to permit the continuance of the supply of an essential service for which there is no adequate substitute available at a price lower than the maximum price requested.

A contract carrier who has applied, or is about to apply, for an adjustment under this sub-paragraph may agree to supply services from the date on which the application is filed with the Office of Price Administration at a price no higher than the maximum price for which he has applied. However, no payment above the existing maximum price may be made or received until a higher price has been authorized by an order of the Office of Price Administration containing no restriction against such payment. A contract carrier wishing to make any such agreement must advise the shipper that he has applied, or is about to apply, to the Office of Price Administration for a specified increase in his existing maximum price and that he may not receive any payment above his existing maximum price until a higher price has been authorized by the Office of Price Administration.

Applications for adjustment shall be filed with the regional office of the Office of Price Administration in the region in which the service or services involved in the application are performed except that where an applicant supplies service in more than one region, or supplies service in interstate commerce as a contract carrier, an application shall be filed with the Office of Price Administration, Washington, D. C.

The Regional Administrator of Region IX may delegate to any Territorial Director within his region the functions, duties, powers, and authority conferred on such Regional Administrator by this sub-paragraph.

A list of the regional offices with an enumeration of the states included in each region is set forth in Appendix A, (c), to this regulation.

Applications for adjustment under this sub-paragraph submitted by contract carriers shall be filed on and contain the information required by O. P. A. Forms 644-602 and 603. No form is prescribed for application for adjustment of prices for storage and terminal services but such applications shall contain the following information:

(a) Description of applicant's business, including services performed, locations, principal commodities involved, names and addresses of companies financially or otherwise affiliated, if any.

(b) Present and requested maximum rates, present and requested rules or conditions. If the terms used to identify the rates do not adequately show just what services are performed for these charges, additional descriptions of the services should be furnished.

(c) Detailed annual profit and loss statements in the form customarily prepared and supported by balance sheets in customary form for the calendar years 1939, 1940, 1941, or for fiscal years ending within these calendar years, if such fiscal years are customary, or if these are unavailable, OPA Financial Reporting Form A for these years. Profit and loss statement for the most recent 12 month period which is available, supported by a detailed balance sheet as at the end of that 12 month period. Revenue accounts should be supported by statements of volume of business in terms of tons, square feet occupied, or other units which may be customary. Any substantial changes in property or equipment accounts should be explained.

If any increase in rates has been granted by the Office of Price Administration during the most recent 12 month period, applicant should show as nearly as possible the amount of additional revenue derived from such increase. Applicant should also furnish his best estimate of the revenue to be derived from the proposed increase.

If only part of applicant's business is involved in the requested increase, revenue accounts should be shown separately for the principal divisions of revenue customarily made. Minor amounts may be shown as "other revenues". In addition, if the revenues from the particular services, charges for which are sought to be increased, are not separately stated in the customary division, they should be estimated as closely as practicable.

Insofar as practicable, expenses for the services involved should also be shown separately. Expenses which are charged directly to these services should be distinguished from those which are allocated, and the methods whereby portions of joint expenses are charged against the services involved should be explained. Property and equipment or portions thereof devoted to the involved services should also be identified.

If any of this information has already been furnished in connection with other applications for adjustment or on Forms A and B, such information need not be repeated but may be incorporated into the application by reference.

(d) Statement of the names and addresses of applicant's principal competitors, together with their rates, if available, for similar services. An explanation of any significant differences in these services.

(e) If applicant has any other applications for price or rate increases affecting any part of his business pending or recently granted, reference should be made to the offices where filed and docket or order numbers. Increases made in portions of applicant's business as a regulated common carrier or public utility, if any, should be identified by reference to notices filed with the Office of Price Administration under Procedural Regulation No. 11. In suitable cases, this requirement would be met by such statements as "Notices filed by the ------ Freight Bureau in whose tariffs we participate."

(f) Applicant is free to supply other information which, in his opinion, will support the findings required by this sub-paragraph.

This amendment shall become effective October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14986; Filed, Sept. 28, 1944; 11:22 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Corr. to Amdt. 78]

FLAT WOVEN NAVAJO TYPE RUGS

Amendment 78 to Revised Supplementary Regulation No. 1 added § 2.12 (p) in error. The section added is corrected to read 2.12 (q).

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14992; Filed, Sept. 28, 1944; 11:24 a. m.]

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[1] See Supplementary Regulation 11 for exemption from the General Maximum Price Regulation of storage and terminal services rendered by persons classified as Public Utilities whose rates are established or otherwise regulated by a Federal, State or Municipal authority.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Oklahoma Baptist University, Shawnee, Oklahoma; printing and publishing; 16 learners; printing and bookbinding for a learning period of 1000 hours at 30 cents per hour for the first 500 hours and 35 cents per hour for the following 500 hours; effective September 23, 1944, expiring August 31, 1945.

Signed at New York, New York, this 26th day of September 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-14963; Filed, Sept. 28, 1944; 10:48 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943, (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3380), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, July 17, 1944, (9 F.R. 7125).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3963), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 28, 1940 (5 F.R. 3393, 3398).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 80, 1940 (5 F.R. 4003).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 30, 1941 (6 F.R. 3758).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, BOSES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

The H. A. Austin Company, Incorporated 18 Union Street, Worcester, Massachusetts; sanitary belts, panties, bandos; 10 percent (T); effective September 25, 1944, expiring September 24, 1945.

Blue Buckle Overall Company, Inc., Crewe, Virginia; trousers, dungarees; 80 learners (E); effective September 27, 1944, expiring March 26, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Glidden, Iowa; to employ learners as commercial switchboard operators at its Glidden exchange located at Glidden, Iowa; effective September 21, 1944, expiring September 20, 1945.

Central Iowa Telephone Company, Manchester, Iowa; to employ learners as commercial switchboard operators at its Manchester, Iowa exchange, located at Manchester, Iowa; effective September 21, 1944, expiring September 20, 1945.

Central Iowa Telephone Company, Marengo, Iowa; to employ learners as commercial switchboard operators at its Marengo exchange, located at Marengo, Iowa; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Barron, Wisconsin; to employ learners as commercial switchboard operators at its Barron exchange, located at Barron, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Denmark, Wisconsin; to employ learners as commercial switchboard operators at its Denmark exchange, located at Denmark, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Dodgeville, Wisconsin; to employ learners as commercial switchboard operators at its Dodgeville exchange, located at Dodgeville, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Eagle River, Wisconsin; to employ learners as commercial switchboard operators at its Eagle River exchange, located at Eagle River, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Edgerton, Wisconsin; to employ learners as commercial switchboard operators at its Edgerton exchange located at Edgerton, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Kiel, Wisconsin; to employ learners as commercial switchboard operators at its Kiel exchange, located at Kiel, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Mauston, Wisconsin; to employ learners as commercial switchboard operators at its Mauston exchange, located at Mauston, Wisconsin; effective September 21, 1944; expiring September 20, 1945.

Commonwealth Telephone Company, Mineral Point, Wisconsin; to employ learners as commercial switchboard operators at its Mineral Point exchange, located at Mineral Point, Wisconsin, effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Oostburg, Wisconsin; to employ learners as commercial switchboard operators at its Oostburg exchange, located at Oostburg, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Park Falls, Wisconsin; to employ learners as commercial switchboard operators at its Park Falls exchange, located at Park Falls, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Prairie du Chien, Wisconsin; to employ learners as commercial switchboard operators at its Prairie du Chien exchange, located at Prairie du Chien, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Reedsburg, Wisconsin; to employ learners as commercial switchboard operators at its Reedsburg exchange, located at Reedsburg, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Richland Center, Wisconsin; to employ learners as commercial switchboard operators at its Richland exchange location at Richland Center, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Sauk City, Wisconsin; to employ learners as commercial switchboard operators at its Sauk City exchange, located at Sauk City, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Seymour, Wisconsin; to employ learners as commercial switchboard operators at its Seymour exchange, located at Seymour, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Sun Prairie, Wisconsin; to employ learners as commercial switchboard operators at its Sun Prairie exchange, located at Sun Prairie, Wisconsin, effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Tomahawk, Wisconsin; to employ learners as commercial switchboard operators at its Tomahawk exchange, located at Tomahawk, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Waterloo, Wisconsin; to employ learners as commercial switchboard operators at its Waterloo exchange, located at Waterloo, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Commonwealth Telephone Company, Wisconsin Dells, Wisconsin; to employ learners as commercial switchboard operators at its Wisconsin Dells exchange, located at Wisconsin Dells, Wisconsin; effective September 21, 1944, expiring September 20, 1945.

Signed at New York, New York, this 26th day of September 1944.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 44-14962; Filed, Sept. 28, 1944; 10:46 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Divesting Order 68]

DAVID BESBORODKO AND CHARLES ZUCKER

In re: Patent application of David Besborodko and Charles Zucker.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned:

1. Having, on March 4, 1943, vested, by Vesting Order No. 1028, as property of David Besborodko and Charles Zucker, the property identified as follows:

Patent application identified as follows:

Serial Number, Filing date, Inventor, and Title

386,384; 5-27-41; D. Besborodko, et al.; Combined machine for surface grinding and polishing glass and other materials;

2. Having found in said Vesting Order No. 1028 that David Besborodko and Charles Zucker were citizens and residents of France and were nationals of a foreign country (France);

3. Having thereafter received executed claims by or on behalf of David Besborodko and Charles Zucker, both residing at New York, New York, hereinafter called claimants, in which it was recited that the above entitled property was on the date of vesting owned by said claimants;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claims, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimants, and that the said claimants were at that time, and at all times since then have been and now are individuals residing in the United States; and that claimants are not nationals of a designated enemy country; and that the aforesaid vesting was effected under mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimants, and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimants.

Now, therefore, the undersigned, without warranty, assigns, transfers, and conveys to claimants the property identified in subparagraph 1 hereof.

Executed at Washington, D. C., on February 17, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-14975; Filed, Sept. 28, 1944; 11:18 a. m.]

[Divesting Order 69]

ROBERT HONIGSBERG

In re: Patent of Robert Honigsberg.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

1. Having, on October 2, 1942, vested, by Vesting Order No. 201, as property in which a national or nationals of a foreign country or countries had interests, the property identified as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

2,180,758; 11-21-39; Robert Honigsberg, Oswald Ebner; Article of linen or garment.

2. Having determined, before issuing said Vesting Order No. 201, that the said property was property of Robert Honigsberg and that Robert Honigsberg was a resident of Austria, and was a national of a foreign country (Austria);

3. Having thereafter received an executed claim by or on behalf of Robert Honigsberg, residing at Montreal, Canada, hereinafter called claimant, in which it was recited that the above entitled property was on the date of vesting owned by the said claimant;

4. Having been advised of the summary determination issued by the Vested Property Claims Committee with respect to said claim, wherein it was determined upon the basis of the facts represented to said Committee that said property was at the time of vesting owned by claimant, as assignee of record in the United States Patent Office, and that the said claimant was at that time, and at all times since then has been and now is an individual residing in Canada; and that claimant is not a national of a designated enemy country; and that therefore the aforesaid vesting was effected upon mistake of fact;

5. Having neither assigned, transferred, or conveyed to anyone the said property or any part thereof or any interest therein, nor issued any license with respect thereto, nor in any manner created any right or interest in any person whomsoever;

6. Determining that the error committed in vesting said property should be corrected by assigning and conveying said property to said claimant and that such disposition of the said claim, being for the purpose of correcting a mistake in vesting such property originally, does not require the filing of any further claim, nor any further hearing;

Having made all determinations and taken all action required by law; and

Determining that under the aforesaid circumstances the disposition hereinafter effected is in the interest of and for the benefit of the United States, hereby orders that the aforesaid property be assigned to claimant.

Now, therefore, the Alien Property Custodian, without warranty, assigns, transfers and conveys to claimant the property identified in subparagraph 1 hereof.

Executed at Washington, D. C. on May 23, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-14980; Filed, Sept. 28, 1944; 11:18 a. m.]

[Vesting Order 1089, Amdt.]

JOSEPH ROHMER AND EMMA ROHMER

In re: Real and personal property owned by Joseph Rohmer and Emma Rohmer.

Vesting Order Number 1089, dated March 22, 1943, as amended, is hereby further amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of both Joseph Rohmer and Emma Rohmer, his wife, is 19 Ekkebertster., Littenweiler, Freiburg, Baden, ermany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Joseph Rohmer and Emma Rohmer, his wife, are the owners of the property described in subparagraph 4-a hereof;

3. That Joseph Rohmer is the owner of the property described in subparagraphs 4-b to 4-d, inclusive, hereof;

4. That the property described as follows:

a. Real property situated in the Borough and County of Queens, State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. An undivided one-half interest in the real property situated in the Borough of Brooklyn, County of Kings, State of New York, particularly described in Exhibit B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. All right, title, interest, estate and claim of any name or nature whatsoever, contingent or otherwise and whether or not matured, of Joseph Rohmer in and to any and all obligations secured by certain tax liens, evidenced by tax lien certificates Nos. 61714, 61718 and 61716, on the lot and improvements owned by Joseph Rohmer and Oscar Jacobs, situated in the Borough of Brooklyn, County of Kings, State of New York, which lot is particularly described in said Exhibit B, including but not limited to any and all collateral (including the aforesaid tax liens) for any or all such obligations and the right to enforce and collect such obligations, and

d. All right, title, interest and claim of any name or nature whatsoever in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Joseph Rohmer by, and represented on the books of, Richter and Kaiser, Inc., 186 Remsen Street, Brooklyn, New York, as a credit balance due Joseph Rohmer, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 4-c and 4-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 4-a and 4-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 4-a and 4-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, intending hereby to effect the merger of that certain mortgage particularly described in Exhibit C, attached hereto and by reference made a part hereof, into the fee of the real property particularly described in subparagraph 4-a hereof, and hereby vests in the Alien Property Custodian the property described in subparagraphs 4-c and 4-d hereof, all such property so vested to be held, used, administered liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States, and hereby undertakes the direction, management, supervision and control of the property described in subparagraph 4-b hereof, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to limit the power of the Alien Property Custodian to vary the extent of, or terminate, such direction, management, supervision or control, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land situated, lying or being in the Fourth Ward, Borough and County of Queens, City and State of New York, described as follows:

Beginning at a point on the easterly side of 200th Street, distant Two hundred eighteen and 5/8 (218.5) feet southerly from the corner formed by the intersection of the easterly side of 200th Street, with the southerly side of 113th avenue, running thence easterly at right angles to 200th Street, One hundred (100) feet; thence southerly parallel with 200th Street, Thirty-one (31) feet; running thence westerly at right angles to 200th Street One-Hundred (100) feet; to the easterly side of 200th Street, and thence northerly along the easterly side of 200th Street, Thirty-one (31) feet; to the point or place of beginning.

Together with all the right, title, and interest of the party of the first part of, in and to the land lying in the bed of 200th Street in front of and adjoining said premises to the centre line thereof.

EXHIBIT B

All that lot or parcel of land situated, lying or being in the Borough of Brooklyn, County of Kings, City and State of New York, described as follows:

Beginning at a point on the southerly side of Douglas Street distant 114'6" westerly from the corner formed by the intersection of the southerly side of Douglas Street with the westerly line of Hoyt Street, running thence southerly and parallel with Hoyt Street and partly through a party wall there standing 70 feet; thence, westerly 45 feet; thence, northwesterly parallel with Hoyt Street, partly through a party wall there standing 70 feet to the southerly side of Douglas Street, thence, easterly along the southerly side of Douglas Street 45 feet to the point or place of beginning.

NOTE: "Douglas" Street and "Douglass" Street are the same.

EXHIBIT C

That certain mortgage executed on April 14, 1936, between Albert Rohmer of 106 Douglas Street, in the Borough of Brooklyn, City and State of New York, as mortgagor, and John Holst and Catharine Holst, his wife, as joint tenants, upon death of either, entire ownership to pass to survivor, of 188 Foxhall Street, Ridgewood, Long Island, as mortgagees, which mortgage was recorded in the Office of the Register of the County of Queens, State of New York, on April 20, 1936, in Liber 4368, Page 7, of Mortgages, and indexed under Section 88, Block 13201; and thereafter assigned by John Holst and Catharine Holst, his wife, to Joseph Rohmer and Emma Rohmer, his wife, by assignment dated October 4, 1939, and any and all obligations secured by said mortgage, including but not limited to any and all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations.

[F. R. Doc. 44–14979; Filed, Sept. 28, 1944; 11:18 a. m.]

[Vesting Order 4045]

SIEMENS-SCHUCKERTWERKE A. G. AND SIEMENS & HALSKE A. G.

In re: Interest of Siemens-Schuckertwerke A. G. and Siemens & Halske A. G. in an agreement dated November 10, 1934 with Westinghouse Electric & Manufacturing Company and Westinghouse Electric International Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That Siemens-Schuckertwerke Aktiengesellschaft and Siemens & Halske Aktiengesellschaft are corporations organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens-Schuckertwerke Aktiengesellschaft and Siemens & Halske Aktiengesellschaft;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens-Schuckertwerke Aktiengesellschaft and Siemens & Halske Aktiengesellschaft, and each of them, by virtue of an agreement dated November 10, 1934 (including all modifications thereof and supplements thereto, if any) by and between Siemens-Schuckertwerke Aktiengesellschaft and Westinghouse Electric & Manufacturing Company and Westinghouse Electric International Company, which agreement relates, among other things, to Patent No. 2,288,050,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 21, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14974; Filed, Sept. 28, 1944; 11:17 a. m.]

[Vesting Order 4079]

SIEMENS AND HALSKE A. G. AND LANGBEIN-PFANHAUSER-WERKE A. G.

In re: Interest of Siemens & Halske A. G. and Langbein-Pfanhauser-Werke A. G. in an agreement with United Chromium, Incorporated.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Siemens & Halske A. G. and Langbein-Pfanhauser-Werke A. G. are corporations organized and existing under the laws of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Siemens & Halske A. G. and Langbein-Pfanhauser-Werke A. G.;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Siemens & Halske A. G. and Langbein-Pfanhauser-Werke A. G., and each of them, by virtue of an agreement dated January 2, 1929 (including all modifications thereof and supplements thereto, if any) by and between the said Siemens & Halske A. G. and Longbein-Pfanhauser-Werke A. G. and United Chromium, Incorporated, which agreement relates, among other things, to United States Letters Patent No. 1,975,239,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14973; Filed, Sept. 28, 1944; 11:17 a. m.]

[Vesting Order 4139]

THE RESINOUS PRODUCTS & CHEMICAL CO.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 130, dated August 28, 1942, as amended, that The Resinous Products & Chemical Company is a business enterprise within the United States and is a national of a designated enemy country (Germany);

2. Having found in Vesting Order Number 1046, dated March 11, 1943, that Chemie Holding, A. G., of Luxembourg, is acting for and on behalf of nationals of a designated enemy country (Germany) and is a national of a designated enemy country (Germany);

3. Finding that Chemie Holding, A. G. has an interest in a certain agreement dated November 20, 1931, between The Resinous Products & Chemical Company, Mr. Otto Haas and Chemie Holding, A. G., which represents an interest in The Resinous Products & Chemical Company;

and determining:

4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Chemie Holding, A. G., in the agreement dated November 20, 1931, more fully described in subparagraph 3 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14978; Filed, Sept. 28, 1944; 11:17 a. m.]

[Vesting Order 4155]

ANTHONY WEISHAAR

In re: Estate of Anthony Weishaar, also known as Anthony Schweitzer, deceased; file D–66–1558; E. T. sec. 9739.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Carl Weishaar, Paul Weishaar, Jacob Weishaar, Katherine Werts, and Clara Schoendienst, and each of them, in and to the Estate of Anthony Weishaar, also known as Anthony Schweitzer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Carl Weishaar, Germany.
Paul Weishaar, Germany.
Jacob Weishaar, Germany.
Katherine Werts, Germany.
Clara Schoendienst, Germany.

That such property is in the process of administration by B. J. Russell, as Administrator of the Estate of Anthony Weishaar, also known as Anthony Schweitzer, acting under the judicial supervision of the Superior Court of Maricopa County, Arizona;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14976; Filed, Sept. 28, 1944; 11:18 a. m.]

[Supplemental Vesting Order 4160]

TAIYO TRADING CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Orders Number 147 and 387, dated September 17 and November 19, 1942 respectively, that Taiyo Trading Company, Inc., is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that 2 shares of $50 par value capital stock of Taiyo Trading Company, Inc., are owned by, and registered in the name of Shigeru Susukida and are evidence of an interest in said business enterprise;

(3) Finding that the following persons have claims against Taiyo Trading Company, Inc., in the amounts appearing opposite each name, which are represented on the books and records of Taiyo Trading Company, Inc., as accounts payable in the aggregate amount of $19,114.81 as of April 7, 1944, subject, however, to any accruals or de-

ductions thereafter, and which represent interests in Taiyo Trading Company, Inc.

Mitsujiro Ito	$1,248.84
Nobuo Masudo	914.56
Shigeru Sasse	1,117.92
Magojiro Yamada	601.00
Shigeru Susukida	159.36
Morujoshi Hara	250.00
Takito, Gomei, Kaisha, Ltd.	14,759.10
Certain persons living in Japan, names unknown, and their heirs, legatees, and assigns	76.15

4. Finding that Mitsujiro Ito, Nobuo Masudo, Shigeru Sasse, Magojira Yamada, Shigeru Susukida, Morujoshi Hara, Takito, Gomei, Kaisha, Ltd. residents of Japan, and certain persons living in Japan, names unknown, and their heirs, legatees and assigns, referred to in subparagraph 3 above, all of whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 2 shares of capital stock owned by, and registered in the name of Shigeru Susukida, described in subparagraph 2 above, and the interest of Mitsujiro Ito, Nobuo Masudo, Shigeru Sasse, Magojira Yamada, Shigeru Susukida, Morujoshi Hara, Takito, Gomei, Kaisha, Ltd., and certain persons living in Japan, names unknown, and their heirs, legatees and assigns, more fully described in subparagraph 3 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian, to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44–14977; Filed, Sept. 28, 1944; 11:18 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 345]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KNOXVILLE AND CHATTANOOGA, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6680, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 2, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Dixie Ohio Express Co., Inc., 1031 Sweitzer Avenue, Akron, Ohio.
Central Motor Express, Inc., 16th at Market Street, Chattanooga, Tenn.

[F. R. Doc. 44–14941; Filed, Sept. 27, 1944; 3:49 p. m.]

[Supp. Order ODT 20A–181]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MANCHESTER, N. H. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Manchester, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–181" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective October 5, 1944 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Robert G. Annan, doing business as Temple Taxi, Manchester, N. H.
Ernest J. LeBlond, doing business as LeBlond's Taxi, Manchester, N. H.

[F. R. Doc. 44–14942; Filed, Sept. 27, 1944; 3:49 p. m.]

[Notice and Order of Termination 3]

TRI-STATE MOTOR TRANSPORT, INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Tri-State Motor Transport, Incorporated, by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Tri-State Motor Transport, Incorporated, 210 W. 9th Street, Joplin, Missouri, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock a. m., September 29, 1944. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 3."

Issued at Washington, D. C., this 28th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44–14955; Filed, Sept. 28, 1944; 10:15 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1032]

MILSOM COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons given in the opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Peterson No. 1 Deep Mine and the Peterson No. 1 Strip Mine of the Milsom Coal Company, located in Clearfield County, Pennsylvania, in Subdistrict No. 14, District No. 1, are hereby assigned Mine Index Nos. 5204 and 4076, respectively.

(b) Coals produced at the Peterson No. 1 Deep Mine and Peterson No. 1 Strip Mine, Mine Index Nos. 5204 and 4076, respectively, of the Milsom Coal Company, located in Clearfield County, Pennsylvania, in Subdistrict No. 14, District No. 1, for the uses indicated and by methods of transportation appearing herein may be sold and purchased at per net ton prices in cents not exceeding the following:

	Size groups				
	1	2	3	4	5
Price classifications	C	C	C	C	C
Rail shipments	370	365	345	330	330
Truck shipments	375	350	350	340	330
Railroad locomotive fuel	320	320	306	296	296

(c) The maximum prices established herein f. o. b. the mine for truck shipment and f. o. b. the rail shipping point for rail shipment and for railroad locomotive fuel use.

(d) All prayers not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective September 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14982; Filed, Sept. 27, 1944; 4:45 p. m.]

[MPR 88, Order 50]

PETROLEUM PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 1.2 (a) (3) of Maximum Price Regulation No. 88; *It is hereby ordered:*

(a) That maximum prices for the petroleum products listed below in bulk lots f. o. b. shipping points in Zone 6 of Petroleum Administration for War District One for sales between Original Suppliers made pursuant to assignments under Petroleum Directive No. 59 of the Petroleum Administration for War shall be as follows: *Provided, however,* That such maximum prices shall not be applicable if the seller has a Normal Method of Transportation as defined and determined under Petroleum Compensatory Adjustments Regulation No. 1, as amended and revised:

[Cents per gallon]

Area	80-82 octane A.S.T.M. and ethyl grade gasoline [1]	70-74 octane A.S.T.M. gasoline [1]	Kerosene, range or stove oil and No. 1 fuel oil [2]	No. 2 and 3 and 30/40 gravity distillate fuel oil [1]
New York: All counties within Zone 6	8.7	7.6	6.5	------
New York: Counties of Allegany, Cattaraugus, Chautauqua, Schuyler, and Steuben	------	------	------	6.125
Counties of Erie, Genesee, Livingston, Monroe, Niagara, Orleans, and Wyoming	------	------	------	6.075
Counties of Ontario, Seneca, Wayne, and Yates	------	------	------	5.975
Pennsylvania: All counties within Zone 6	8.7	7.6	6.5	------
Pennsylvania: Counties of Cameron, Elk, McKean, Potter, Tioga and Warren	------	------	------	6.125
Counties of Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Jefferson, Lawrence, Mercer, Venango, Washington, and Westmoreland	------	------	------	5.975
West Virginia: All counties within Zone 6	8.9	7.9	6.5	6.5

[1] If the seller is a claimant under Petroleum Compensatory Adjustments Regulation No. 1 as amended and revised, add the same increase as is provided for the particular product in either Section 6.3 (a) (1) or 6.5 (a) (1) of Maximum Price Regulation No. 88.

[2] If the seller is a claimant under Petroleum Compensatory Adjustments Regulation No. 1 as amended and revised, add the same increase as is provided for these products in Section 6.3 (a) (1) of Maximum Price Regulation No. 88 less 0.3 of a cent per gallon.

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective September 28, 1944.

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14946; Filed, Sept. 27, 1944; 4:48 p. m.]

[MPR 120, Order 1033]

NEW RIVER & POCAHONTAS CONSOLIDATED COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons given in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) ⅜" x 0 refuse screenings obtained from the air table of the Berwind Nos. 1 and 5 Mines, Mine Index Nos. 17 and 18 respectively of New River & Pocahontas Consolidated Coal Company, located in McDowell County, West Virginia, Subdistrict No. 4, District No. 7 for the uses indicated by methods of transportation appearing herein may be sold and purchased at per net ton prices in cents not exceeding the following:

Rail shipment, ⅜" x 0 refuse screenings, 278.

(b) The maximum price established herein is f. o. b. the rail shipping point for rail shipment.

(c) This order may be revoked or amended at any time.

(d) All prayers of the applicant not granted herein are hereby denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective September 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14983; Filed, Sept. 27, 1944; 4:46 p. m.]

[MPR 120, Order 1034]

MEADOR, YOUNG & HOLT CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Wheatcroft Storage Pile of Meador, Young & Holt Company of Kentucky, Inc., Clay, Kentucky, located in Webster County, Kentucky in District No. 9, is hereby assigned Mine Index No. 2022, and the coals thereof are hereby classified in Maximum Price Group No. 3 for all uses and movements except shipments by truck or wagon.

(b) The per net ton maximum prices in cents per net ton for coals of the Wheatcroft Storage Pile of Meador, Young & Holt Company of Kentucky, Inc., Clay, Kentucky, located in Webster County, Kentucky in District No. 9, are hereby established for the indicated uses and movements as follows:

	Size group No.							
	1-6	7	8-12	17-22	13-14	23-24	26-29	15-16	25
Rail shipments (including railroad fuel)	220	210	300	290	175	230	180	125	165

TRUCK SHIPMENTS

All single-screened lump coals, bottom size larger than 1¼" and all double-screened raw, washed or air cleaned coals, bottom size larger than 1¼"	280
All single-screened lump coals, bottom size 1¼" and smaller, and all double screened coals, bottom size 1¼" and smaller	245
Mine run, modified mine run and mine run resultants larger than 2"	235
Screenings, top size not exceeding 2"	200

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This Order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in §1340.206 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective September 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of September 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-14954; Filed, Sept. 27, 1944; 4:43 p. m.]

[RMPR 436, Order 28]

CRUDE PETROLEUM IN KANSAS, MICHIGAN AND TEXAS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after October 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Pool, County, State:	*Amount of increase (dollars per 42-gallon barrel)*
Brown, Cowley, Kansas	.25
Geneva, Van Buren, Michigan	.35
Powell, Navarro, Texas	.20

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective October 1, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-14991; Filed, Sept. 28, 1944; 11:23 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 26, 1944.

REGION I & REGION II

Augusta Order 1-W, Amendment 1, covering dry groceries in Maine, filed 12:32 p. m.

Erie Order 14-F Amendment 4, covering fresh fruit and vegetables in designated areas in the Erie District, filed 11:22 a. m.

Binghamton Order 1-W, covering dry groceries in the Binghamton District, filed 12:33 p. m.

Newark Order 11, Amendment 1, covering dry groceries in Northern New Jersey, filed 2:33 p. m.

Pittsburgh Order 2-W, covering dry groceries in the Pittsburgh Marketing Area, filed 12:58 p. m.

Pittsburgh Order 8, covering dry groceries in designated counties in Pennsylvania, filed 2:31 p. m.

Pittsburgh Order 9, covering dry groceries in designated counties in Pennsylvania, filed 2:31 p. m.

Syracuse Order 5-W, covering revocation of Orders 1W, 2W, 3W, and 4W, filed 12:51 p. m.

REGION III

Columbus Order 8, Amendment 13, covering community food prices in certain areas in Columbus District, filed 2:32 p. m.

Columbus Order 9, Amendment 11, covering community food prices in certain areas in Columbus District, filed 2:32 p. m.

Columbus Order 12, Amendment 4, covering community food prices in certain areas in Columbus District, filed 2:32 p. m.

Cincinnati Order 1-F, Amendment 49, covering fresh fruit and vegetables in Hamilton County, Ohio, filed 12:33 p. m.

Cincinnati Order 2-F, Amendment 42, covering fresh fruit and vegetables in designated counties in Ohio, filed 12:33 p. m.

Charleston Order 10-F, Amendment 21, covering fresh fruit and vegetables in designated counties in West Virginia, filed 11:40 a. m.

Cleveland Order 2-W, Amendment 4, covering community food prices in the Cleveland District, filed 11:41 a. m.

Cleveland Order 20, Amendment 4, covering community food prices in the Cleveland District, filed 11:41 a. m.

Cleveland Order 21, Amendment 2, covering community food prices in the Cleveland District, filed 11:41 a. m.

Lexington Order 3-W, covering community food prices at wholesale in the Lexington District, filed 12:47 p. m.

Lexington Order 4-W, covering community food prices at wholesale in the Lexington District, filed 12:34 p. m.

Grand Rapids Order F-14-A, Amendment 36, covering fresh fruit and vegetables in Urban Area A, filed 2:36 p. m.

Grand Rapids Order F-14-B, Amendment 36, covering fresh fruit and vegetables in Urban Area B, filed 2:37 p. m.

Grand Rapids Order F-14-C, Amendment 13, covering fresh fruit and vegetables in Urban Area C, filed 2:37 p. m.

Detroit Order 1-F, Amendment 37, covering fresh fruit and vegetables in designated counties in Michigan, filed 12:49 p. m.

REGION IV

Atlanta Order 14, Amendment 1, covering eggs in the Atlanta District, filed 2:34 p. m.

Atlanta Order 15, Amendment 2, covering eggs in the Atlanta District, filed 2:34 p. m.

Savannah Order 1-F, Amendment 53, covering fresh fruit and vegetables in Chatham, Bryan, Effingham and Liberty Counties, Ga., filed 12:29 p. m.

Savannah Order 2-F, Amendment 48, covering fresh fruit and vegetables in designated counties in Georgia, filed 12:30 p. m.

Savannah Order 3-F, Amendment 46, covering fresh fruit and vegetables in designated counties in Georgia, filed 12:30 p. m.

Savannah Order 4-F, Amendment 44, covering designated fresh fruit and vegetables in certain counties in Georgia, filed 12:30 p. m.

Savannah Order 5-F, Amendment 26, covering fresh fruit and vegetables in designated counties in Georgia, filed 12:30 p. m.

Raleigh Order 3-W, Amendment 1, covering certain food items in the Raleigh District, filed 12:27 p. m.

REGION V

Fort Worth Order 1-F, Amendment 35, covering fresh fruit and vegetables in Tarrant County, Tex., filed 11:43 a. m.

Fort Worth Order 2-F, Amendment 35, covering fresh fruit and vegetables in Taylor County, Tex., filed 11:43 a. m.

Fort Worth Order 3-F, Amendment 35, covering fresh fruit and vegetables in Green County, Tex., filed 11:44 a. m.

Fort Worth Order 4-F, Amendment 35, covering fresh fruit and vegetables in McLennan County, Tex., filed 11:44 a. m.

Fort Worth Order 5-F, Amendment 35, covering fresh fruit and vegetables in Wichita County, Tex., filed 11:44 a. m.

New Orleans Order 2-F, Amendment 30, covering fresh fruit and vegetables in Orleans, St. Bernard and Jefferson Parishes in Louisiana, filed 11:22 a. m.

New Orleans Order G-22, Amendment 5, covering community food prices in the New Orleans Area, Louisiana, filed 11:15 a. m.

New Orleans Order G-23, Amendment 7, covering community food prices in designated parishes in Louisiana, filed 11:15 a. m.

New Orleans Order G-24, Amendment 6, covering community food prices in designated parishes in Louisiana, filed 10:58 a. m.

REGION VI

Des Moines Order 1-F, Amendment 34, covering fresh fruit and vegetables in the Des Moines Area, filed 11:32 a. m.

Duluth-Superior Order 1-F, Amendment 35, covering fresh fruit and vegetables in designated areas in the Duluth-Superior District, filed 11:23 a. m.

Moline Order 4-W, covering dry groceries in designated counties in Iowa and Illinois, filed 11:36 a. m.

Moline Order 39, covering dry groceries in designated counties in Iowa and Illinois, filed 11:36 a. m.

Moline Order 39, covering dry groceries, Amendment 1, in certain counties in Iowa and Illinois, filed 10:58 a. m.

Milwaukee Order 4-F, Amendment 11, covering fresh fruit and vegetables in designated counties in Milwaukee District, filed 11:38 a. m.

Milwaukee Order 5-F, Amendment 31, covering fresh fruit and vegetables in Sheboygan and Fond Du Lac Counties, filed 11:32 a. m.

Twin Cities Order 1-F, Amendment 21, covering fresh fruit and vegetables in Minneapolis and adjoining municipalities, filed 12:36 p. m.

Twin Cities Order 2-F, Amendment 9, covering fresh fruit and vegetables in designated counties in Minneapolis and Wisconsin, filed 12:26 p. m.

REGION VII

Boise Order 25, Amendment 1, covering community food prices in Pocatello, Idaho, filed 2:34 p. m.

REGION VIII

Phoenix Order 4-F, Amendment 20, covering fresh fruit and vegetables in the Tucson Area, filed 11:42 a. m.

San Francisco Order 1-F (Rev.), Amendment 1, covering fresh fish and seafood in designated counties in Calif., filed 11:42 a. m.

Nevada Order 5-F, Amendment 8, covering fresh fruit and vegetables in designated areas in Nevada, filed 2:36 p. m.

Nevada Order 4-F, Amendment 10, covering fresh fruit and vegetables in designated areas in Nevada, filed 2:35 p. m.

Seattle Order 1-W, Amendment 3, covering community food prices in designated counties in Washington, filed 11:21 a. m.

Seattle Order 2-W, Amendment 1, covering dry groceries in Chelan, Kittitas and Yakima, filed 11:16 a. m.

Seattle Order 22, Amendment 6, covering community food prices in designated areas in Washington, filed 11:15 a. m.

Seattle Order 23, Amendment 6, covering community food prices in certain counties in Central and Western Washington, filed 11:21 a. m.

Seattle Order 24, Amendment 6, covering community food prices in certain areas in Washington, filed 10:55 a. m.

Seattle Order No. 25, Amendment 6, covering community food prices in certain areas in Western Washington, filed 10:57 a. m.

Seattle Order 158, Correction, covering community food prices in the Wenatchee Area, filed 2:31 p. m.

Spokane Order 1-F, Amendment 26, covering fresh fruit and vegetables in Spokane County, Wash., filed 11:35 a. m.

Spokane Order 2-F, Amendment 23, covering fresh fruit and vegetables in Kootenai County, Idaho, filed 11:34 a. m.

Spokane Order 3-F, Amendment 3, covering fresh fruit and vegetables in certain areas in Shoshone & Kootenai Counties, Idaho, filed 11:35 a. m.

Spokane Order 5-F, Amendment 6, covering fresh fruit and vegetables in certain areas in Washington and Idaho, filed 11:33 a. m.

Spokane Order 6-F, Amendment 7, covering fresh fruit and vegetables in Columbia and Walla Walla Counties, Wash., filed 11:32 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-14993; Filed, Sept. 28, 1944; 11:24 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-971]

CALIFORNIA OREGON POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 26th day of September, 1944.

Notice is hereby given that The California Oregon Power Company, a subsidiary of Standard Gas and Electric Company, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof and Rule U–50 promulgated thereunder. All interested persons are referred to said application which is on file in the office of the Commission for a statement of the transactions therein proposed which are summarized as follows:

The California Oregon Power Company proposes to issue and sell, at a price to be determined by competitive bidding but not less than the principal amount thereof, $13,500,000 principal amount of its First Mortgage Bonds, Series due November 1, 1974. Net proceeds from the sale of such bonds, together with general funds of the company presently on hand, will be applied to the redemption of the $13,500,000 principal amount of the First Mortgage Bonds, 4% Series due 1966, now outstanding, at the redemption price of 105½% of the principal amount thereof ($14,242,500) plus accrued interest.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, and that said application shall not be granted, except pursuant to further order of this Commission.

It is ordered, That a hearing on such matters under the applicable provisions of said act and the rules and regulations promulgated thereunder be held on October 13, 1944, at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why said application shall be granted. Notice is hereby given of said hearing to the above-named applicant and to all interested persons, said notice to be given to the applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed sale and issue of the new bonds is solely for the purpose of financing the business of the applicant and will have been expressly authorized by the State commission of the State in which the applicant is organized and doing business.

2. Whether the accounting entries proposed in connection with the proposed transactions are appropriate and in accordance with sound accounting principles and practice.

3. Whether the fees, commission or other remuneration to whomsoever paid, directly or indirectly, in connection with the issuance, sale or distribution of the securities are reasonable.

4. Whether and to what extent it is appropriate in the public interest or for the protection of investors and consumers to attach terms and conditions with respect to the proposed issue and sale.

5. Whether, in general, the proposed transactions meet the requirements of the act and the rules and regulations and orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–14959; Filed, Sept. 28, 1944; 10:45 a. m.]

[File No. 70–910]

CONSOLIDATED ELECTRIC AND GAS CO., AND PORTSMOUTH GAS CO.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of September 1944.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company and its subsidiary, Portsmouth Gas Company ("Portsmouth"), having filed declarations pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 12 (c), 12 (d), and 12 (f) thereof and the rules promulgated thereunder, regarding the sale of all of the assets of Portsmouth to Allied New Hampshire Gas Company for a cash consideration of $160,000 plus an amount of $38,849 for the net current assets as of April 30, 1944, the surrender by Consolidated to Portsmouth of the preferred and common stock of Portsmouth for cancellation, the liquidation and dissolution of Portsmouth, the use of the proceeds of said sale in the retirement of Consolidated's Collateral Trust Bonds by the purchase of such bonds in the open market or from holders thereof, and the surrender of the bonds so purchased to the trustee under the indenture securing same for cancellation;

A public hearing having been held upon said declarations, after appropriate notice, and the Commission having considered the record and made and filed its findings herein;

It is hereby ordered, That said declarations be, and the same are hereby permitted to become effective forthwith, subject to the terms and conditions set forth in Rule U–24, and, in respect of the proposed acquisition and retirement by Consolidated of its own bonds as proposed, subject to the following additional terms and conditions:

(1) That Consolidated shall not solicit or cause to be solicited from individual bondholders the sale of any bonds to the company;

(2) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated; and

(3) That Consolidated shall furnish to the Commission promptly after the last day of each month, a schedule showing for each day covered by such report the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–14961; Filed, Sept. 28, 1944; 10:45 a. m.]

[File Nos. 59–10; 54–93]

NORTH AMERICAN CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of September, 1944.

In the matter of The North American Co. and Its Subsidiary Companies, File No. 59–10; Northern Natural Gas Co., Argus Natural Gas Co., Inc., Peoples Natural Gas Co., File No. 54–93.

Northern Natural Gas Company, a registered holding company, Argus Natural Gas Company, Inc., and Peoples Natural Gas Company, wholly-owned subsidiary public-utility companies of Northern Natural Gas Company, having filed a joint declaration and application (File No. 54–93) pursuant to sections 9, 10, 11 and 12 of the Public Utility Holding Company Act of 1935, proposing that Peoples Natural Gas Company acquire all of the properties and business of Argus Natural Gas Company, Inc., which properties consist of gas distribution systems in 15 towns and communities in southern Kansas, and that thereafter Argus Natural Gas Company, Inc., be dissolved; and

Northern Natural Gas Company, Argus Natural Gas Company, Inc., and Peoples Natural Gas Company, concurrently with the filing of the last-mentioned declaration and application, having filed a joint application requesting the Commission to reopen the proceedings in the matter of The North American Company and Its Subsidiary Companies (File No. 59–10) and to modify further the Commission's order dated April 14, 1942, as modified by the Commission's order dated April 9, 1943, issued therein pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directing Northern Natural Gas Company to divest itself of its direct or indirect ownership, control and holding of securities issued and properties owned, controlled or operated by Argus Natural Gas Company, Inc., so as to permit Peoples Natural Gas Company to acquire the properties and business of Argus Natural Gas Company, Inc.; a Motion to dismiss said last-mentioned application to reopen said proceedings and to modify said order having been filed by the Public Utilities Division of the Commission; and the Commission having heard and denied said Motion and having ordered a hearing to be held on said declaration and applications;

Notice is hereby given that the foregoing joint declaration and applications have been filed, and all interested persons are referred to the declaration and applications, as amended, which are on file in the office of the Commission for a full statement of the transactions therein proposed, which may be summarized as follows:

(1) Applicants propose that the Commission reopen the proceedings (File No. 59–10) and modify further its order issued therein and dated April 14, 1942, as modified by its order of April 9, 1943, so as to permit Peoples Natural Gas Company to acquire the properties and business of Argus Natural Gas Company, Inc.

(2) Argus Natural Gas Company, Inc. proposes to reduce its common capital stock from $1,000,000 to $626,556, thereby creating a capital surplus of $373,444, against which it proposes to charge a write-off of intangible items in its plant account in equal amount.

(3) Northern Natural Gas Company proposes to reduce its recorded investment in the common capital stock of Argus Natural Gas Company, Inc. from $1,000,000 to $626,556, and charge the amount of such reduction, namely $373,444, against earned surplus.

(4) Northern Natural Gas Company proposes to then make a capital contribution of the common capital stock of Argus Natural Gas Company, Inc., to Peoples Natural Gas Company and to increase its investment in the latter company by the amount of $626,556.

(5) Peoples Natural Gas Company proposes to give effect to the aforesaid capital contribution by crediting its capital surplus account with the amount of $626,556 and charging an equal amount to investments in subsidiary companies.

(6) Argus Natural Gas Company, Inc., proposes to then transfer all of its assets to Peoples Natural Gas Company and to dissolve.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said applications and declaration and that said applications and declaration shall not be granted or be permitted to become effective except pursuant to further order of the Commission; and

It appearing to the Commission that the application to modify further the order of April 14, 1942, as modified by the order of April 9, 1943, and the application and declaration respecting the acquisition by Peoples Natural Gas Company of the properties of Argus Natural Gas Company, Inc., and the transactions incident thereto, involve common questions of law and fact, making it appropriate that the hearings on said matters be consolidated;

It is ordered, That hearings to be held on (a) the joint application of Northern Natural Gas Company, Argus Natural Gas Company, Inc., and Peoples Natural Gas Company to modify further the order of April 14, 1942, as modified by the order of April 9, 1943, and (b) the joint application and declaration of the aforesaid companies respecting the acquisition by Peoples Natural Gas Company of the properties of Argus Natural Gas Company, Inc., and the transactions incident thereto; that the hearings be and are hereby consolidated, and that the consolidated hearing be held on the 17th day of October 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Jurisdiction to separate either for hearing or disposition, in whole or in part, the matters so consolidated is hereby reserved.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the secretary of this Commission shall serve notice of said hearing by mailing a copy of this order to Northern Natural Gas Company, Argus Natural Gas Company, Inc., Peoples Natural Gas Company and The North American Company by registered mail; and that notice of said hearing be given to all other persons by publication of a copy of this order in the FEDERAL REGISTER. Any persons desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Secretary of the Commission on or before October 15, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said applications and declaration, particular attention shall be directed at the hearing to the following matters and questions:

1. Whether the Commission's order of April 14, 1942, as modified, should be further modified as requested by applicants.

2. Whether, if said order is modified as requested, the proposed acquisition by Peoples Natural Gas Company of the properties and business of Argus Natural Gas Company, Inc., will serve the public interest by tending toward the economical and efficient development of an integrated public-utility system; and whether said acquisition is detrimental to the proper functioning of the Northern Natural Gas Company holding company system or the carrying out of the provisions of section 11 of the Act.

3. Whether the accounting treatment proposed in connection with the proposed acquisition is proper and is in accordance with sound accounting practices.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44–14960; Filed, Sept. 28, 1944; 10:45 a. m.]

[File No. 70–969]

NY PA NJ UTILITIES CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of September, 1944.

In the Matter of NY PA NJ Utilities Company, Metropolitan Edison Company, Staten Island Edison Corporation, File No. 70–969.

Notice is hereby given that joint applications-declarations have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by NY PA NJ Utilities Company (NY PA NJ), a registered holding company and its subsidiaries, Metropolitan Edison Company (Met Ed.) and Staten Island Edison Corporation (Staten Island). All interested persons are referred to said applications-declarations which are on file in the offices of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

1. NY PA NJ will borrow $9,500,000 on an unsecured note from Guaranty Trust Company of New York at an interest rate not to exceed 2¼% per annum. The note will provide for payment of $3,000,000 at the end of the first year $3,250,000 at the end of the second year, and $3,250,000 at the end of the third year. Prepayments may be made at any time without premium.

2. From the proceeds of such loan, NY PA NJ will pay Met Ed. $9,049,900 in cash, and, in addition, will transfer to Met Ed., for cancellation, 5,097 shares of Met Ed.'s $5 no par value Cumulative Preferred Stock, 81,220 shares of its $6 no par value Cumulative Preferred stock, and 9,412 shares of its $7 no par value Cumulative Preferred Stock.

3. In consideration of the cash payment and the transfer to it of shares of its Cumulative Preferred Stock, as described in paragraph 2 above, Met Ed. will transfer to NY PA NJ $15,778,500 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Gold Bonds, due 1981 (which have been assumed by NY PA NJ), and will transfer to Staten Island, without cost to Staten Island, 100,000 shares of the outstanding 360,000 shares of no par value nonvoting common stock of Staten Island, the remaining 260,000 shares being held by NY PA NJ. Staten Island will hold such 100,000 shares in its treasury or make such disposition thereof as may be permitted in accordance with law. If said 100,000 shares of the no par value

non-voting stock of Staten Island are reclassified, Met Ed. will transfer the reclassified shares.

4. Met Ed. will thereupon issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $24,500,000 principal amount of First Mortgage Bonds, due 1974, and 125,000 shares of $100 par value Cumulative Preferred Stock, the interest rate and dividend rate, respectively, to be fixed by competitive bidding.

5. Met Ed. will call for redemption certain outstanding securities as follows:

Security	Principal amount or shares to be redeemed	Redemption price	Aggregate redemption price	To be redeemed not later than—
Metropolitan Edison Company:				
First 4¼'s, Series D, due 1968	$30,330,500	107½ percent	$21,555,258	Mar. 1, 1945.
First 4's, Series E, due 1971	$4,684,000	103½ percent	4,847,940	60 days after issuance and sale of the new bonds and new stock.
First 4's, Series G, due 1965	$11,710,900	105 percent	12,296,445	
$7 Prior Preferred Stock, cumulative, no par	5,734 shs	$105	602,070	
$6 Prior Preferred Stock, cumulative, no par	91,802 shs	$105	9,639,210	Jan. 1, 1945.
$7 Cumulative Preferred Stock, no par	2,100 shs	$110	231,000	
$6 Cumulative Preferred Stock, no par	14,656 shs	$110	1,612,260	
$5 Cumulative Preferred Stock, no par	580 shs	$110	64,790	
			51,150,053	

The redemption of said securities, together with the cancellation of the securities which it will receive from NY PA NJ, as described in paragraph 2 above, will result in the retirement of all the presently outstanding bonds and preferred stocks of Met Ed., except $1,247,500 principal amount of the non-callable 5% Gold Bonds, due 1951, of York Haven Water & Power Company (a constituent company of Met Ed.).

6. Met Ed. will reduce the stated value of its no par value common stock and effect an accounting reorganization, the details of which will be filed by amendment.

Applicants-declarants have designated sections 6 (a), 6 (b), 7, 12 (c), 12 (d) and 12 (f) of the act and Rules U-42, U-43, U-45, and U-50 as applicable to the proposed transactions, and state that no Federal commission other than this Commission has jurisdiction over the proposed transactions and that the Pennsylvania Public Utility Commission, but no other state commission, has jurisdiction over certain of the transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be held on the 17th day of October, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before October 14, 1944, his application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale by NY PA NJ Utilities Company of its unsecured note comply with applicable requirements of section 7 of the act.

2. Whether the various considerations to be paid and received, in connection with the proposed transactions, by the applicants-declarants are reasonable.

3. Whether the transfer to Staten Island Edison Corporation of shares of its outstanding common stock complies with the applicable provisions of the act and rules thereunder.

4. Whether the proposed issue and sale by Metropolitan Edison Company of First Mortgage Bonds and Cumulative Preferred Stock are solely for the purpose of financing its business, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in connection therewith.

5. Whether the proposed reduction in the stated value of the outstanding no par value common stock and the proposed accounting reorganization of Metropolitan Edison Company will result in an unfair or inequitable distribution of voting power among its security holders or is otherwise detrimental to the public interest or the interest of investors or consumers.

6. The propriety of the proposed accounting treatment of the several transactions on the books of the respective applicants-declarants.

7. Whether the fees, commissions, and other expenses to be incurred are for necessary services and reasonable in amount.

8. Generally, whether the proposed transactions comply with all applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, and, if not, whether and what modifications or terms and conditions should be required or imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing be given to applicants-declarants and to all other interested persons; said notice to be given to applicants-declarants, the New York Public Service Commission, and Pennsylvania Public Utility Commission, by registered mail, and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14956; Filed, Sept. 28, 1944; 10:46 a. m.]

[File No. 70-932]

NY PA NJ UTILITIES CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of September, 1944.

NY PA NJ Utilities Company, a registered holding company, having filed an application, as amended, pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 wherein it proposes to submit a bid of $5,365,000 in cash for the purpose of acquiring 712,411 shares of the common stock of Jersey Central Power & Light Company to be sold at public auction; and

The Commission having issued a notice of filing and order for hearing in respect to the proposed transaction, and hearings having been held in such proceeding in which all security holders of the applicant and other interested persons were given opportunity to be heard; and requests for findings, briefs, and oral argument having been waived; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the application, as amended;

It is hereby ordered, That the aforesaid application, as amended, be and hereby is granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-14957; Filed, Sept. 28, 1944; 10:46 a. m.]

WAR MANPOWER COMMISSION.

PITTSFIELD, MASS., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Pittsfield area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F.R. 11340).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of management-labor committee.
5. Encouragement of local initiative and use of existing hiring channels.
6. General.
7. Issuance of statements of availability by employers.
8. Issuance of statements of availability by United States Employment Service.
9. Referrals in case of under-utilization.
10. Workers who may be hired only upon referral by the United States Employment Service.
11. Hiring contrary to the program.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Pittsfield Area, with the approval of the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities.

(b) The reduction of unnecessary labor migration.

(c) The direction of the flow of scarce labor where most needed in the war program.

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Pittsfield Area" is comprised of the territory designated in Appendix A.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Additional controlled occupation" means any occupation found by the area manpower director for the Pittsfield area to be either (1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in such area exceeds the available supply.

A list of the additional controlled occupations designated by the area manpower director may be amended from time to time by the area manpower director.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439).

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Pittsfield area shall be conducted in accordance with this employment stabilization program.

This shall include any hiring or solicitation, whether conducted within or outside the area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of Management-Labor Committee.* The Area Management-Labor War Manpower Committee for the Pittsfield area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the area manpower director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an area appeals committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *Encouragement of local initiative and use of existing hiring channels.* The War Manpower Commission shall encourage local initiative and cooperative efforts to the end that the maximum use shall be made of existing hiring channels, such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

This section shall not be interpreted or deemed to be a waiver of any of the provisions of this program.

SEC. 6. *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 7. *Issuance of statements of availability by employers.* An individual whose last employment is or was an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 8. *Issuance of statements of availability by United States Employment Service.* (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 7 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement of availability, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual. Pending such finding the United States Employment Service shall either request the worker to remain on his present job, or to return to it in instances where the worker has voluntarily terminated his employment.

When none of the circumstances set forth in section 7 is found to exist in an individual's case, the United States Employment Service shall attempt to persuade such individual to return to his

former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer whom the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding.

An employer who continues to be in non-compliance after notice, hearing and final decision, may not hire any new employee, whether or not such person has a statement of availability.

(c) A statement of availability shall be issued by the United States Employment Service to an individual upon his request, when it is found that he has received from a former employer with whom he has reemployment rights under an existing collective bargaining agreement a notice that he must return to his former employment in order to preserve his seniority status.

(d) A temporary statement of availability, valid for a period not in excess of 60 days, may be issued by the United States Employment Service to an individual at his request, who because of a seasonal or temporary lay-off is not employed at his customary work. In such cases, an employer may hire such a worker for the period designated in the temporary statement of availability and shall release such worker at the end of such period. Upon release of such a worker, the employer shall not issue a statement of availability to him but shall instruct him to return to his former employment.

A temporary statement of availability shall contain in addition to the provisions of the regular form:

> The employer hiring the above-named worker shall not retain such worker in his employ after ---------- and shall not issue a statement of availability to such worker upon his release.

SEC. 9. *Referrals in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort. For the purposes of this section, a forty hour week shall be deemed to constitute full time employment.

SEC. 10. *Workers who may be hired only upon referral by the United States Employment Service.* Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation, or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability, or

(e) The new employee is a male worker.[1]

SEC. 11. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service promptly release from employment any worker hired:

(a) In violation of this program, or

(b) Upon referral by the United States Employment Service, if such referral resulted from any misrepresentation on the part of such worker when otherwise a referral would not have been made.

SEC. 12. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's last employment for the purposes of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any territory or possession of the United States except Alaska and Hawaii, or

(d) The hiring by a foreign state, county, or municipal government or their political subdivisions or agency or instrumentality, or to the hiring of any of their employees, unless such foreign state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. *Statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the area manpower director or his representative upon request.

SEC. 15. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which will recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. *Representation.* Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program, except section 10 (e) shall become effective as of October 15, 1943 and is in substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: September 13, 1944.

H. R. REDDEN,
Area Manpower Director.

Approved: September 22, 1944.

DAVID G. NAGLE,
Acting Regional Manpower Director.

APPENDIX A—DESIGNATION OF THE PITTSFIELD AREA

The Pittsfield Area is comprised of the territories included in the following city and towns in the Commonwealth of Massachusetts, County of Berkshire:

City: Pittsfield.

Towns: Alford, Becket, Cheshire, Dalton, Egremont, Great Barrington, Hancock, Hinsdale, Lanesborough, Lee, Lenox, Monterey, Mt. Washington, New Marlborough, Otis, Peru, Richmond, Sandisfield, Sheffield, Stockbridge, Tyringham, Washington, West Stockbridge, and Windsor.

[F. R. Doc. 44-14936; Filed, Sept. 27, 1944; 12:07 p. m.]

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[1] This amendment became effective June 8, 1944.

WATERBURY, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Waterbury area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective May 1, 1944 (8 F.R. 11340).

Sec.
1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of labor-management committee.
5. General.
6. Issuance of statements of availability by employers.
7. Referrals by the United States Employment Service.
8. Referral by unions.
9. Seniority.
10. Hiring contrary to the programs.
11. Exclusions.
12. Appeals.
13. Contents of statements of availability.
14. Solicitation of workers.
15. Hiring.
16. Representation.
17. General referral policies.
18. Standards governing referrals.
19. Establishment of employment ceilings.
20. Effective date.

SECTION 1. *Purpose.* This employment stabilization program has been adopted in the Waterbury area, subject to approval by the Regional Director. Its purpose is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

(a) The elimination of wasteful labor turnover in essential activities,

(b) The reduction of unnecessary labor migration,

(c) The direction of the flow of scarce labor where most needed in the war program,

(d) The maximum utilization of manpower resources.

SEC. 2. *Definitions.* As used in this employment stabilization program:

(a) The "Waterbury Area" is the area comprised of the towns of Beacon Falls, Bethlehem, Cheshire, Middlebury, Naugatuck, Prospect, Southbury, Thomaston, Waterbury, Watertown, Wolcott and Woodbury.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the chairman of the War Manpower Commission.

(f) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439)

(g) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(h) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

(i) "Workers referred or transferred with statements of availability" as used in section 9 does not include those persons who voluntarily separate or are discharged from their home plant.

SEC. 3. *Control of hiring and solicitation of workers.* All hiring and solicitation of workers in, or for work in, the Waterbury area shall be conducted in accordance with this Employment Stabilization Program.

"All hiring and solicitation of workers • • • for work in the Waterbury area" as used in this section shall include hiring and solicitation, whether within or outside the Waterbury area, if the work is to be performed within the area.

SEC. 4. *Authority and responsibilities of labor-management committee.* The Area Labor-Management War Manpower Committee for the Waterbury area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this Employment Stabilization Program, and to make recommendations concerning the same to the Area War Manpower Director.

It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. *General.* A new employee who during the preceding 60-day period was engaged in a controlled referral activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if such individual is hired for work to which he has been referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent as provided herein.

No employer in the Waterbury area shall hire any workers except upon referral by or in accordance with arrangements with the United States Employment Service.

Notices of referral received by any employer pursuant to this employment stabilization program shall be retained during the continuance of this program and a reasonable time thereafter. They shall be made accessible to the Area War Manpower Director or his representative upon request.

SEC. 6. *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State of Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

Workers receiving statements of availability from their employers may not be

hired upon presentation of the statement of availability to a new employer. A worker shall present the statement of availability to the local office of the United States Employment Service of the War Manpower Commission for referral by it to a new job.

SEC. 7. *Referrals by the United States Employment Service.* (a) When any of the circumstances set forth in section 6 are found to exist in an individual's case and the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall refer such individual to a job opening. Pending such finding the United States Employment Service shall either request the worker to remain on his job or return to it in instances where the worker has voluntarily terminated his employment. When none of the circumstances set forth in section 6 are found to exist in an individual's case the United States Employment Service shall attempt to persuade such individual to return to his former employment in an essential or locally needed activity providing the employer will reemploy the worker without prejudice.

(b) The United States Employment Service shall refer any individual in the employ of an employer who the War Manpower Commission finds after notice, hearing and final decision has not complied with any War Manpower Commission employment stabilization program, regulation, or policy, or has not made a reasonable effort to comply with a recommendation of a duly authorized representative of the War Manpower Commission with respect to the more effective utilization of labor and for so long as such employer continues his noncompliance after such finding. An employer who continues to be in non-compliance after notice, hearing and final decision shall not receive any referrals of labor from the United States Employment Service.

(c) If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(d) The United States Employment Service, upon the request of an individual, shall refer him to a former employer, when it is found that he has received from such employer with whom he has reemployment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

(e) If a worker's last regular employment was in agriculture, he shall not be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral.

SEC. 8. *Referral by unions.* The area director may after consultation with the Area Labor-Management Committee authorize the United States Employment Service to designate a union or unions as hiring halls, with the right to make referrals to specific job openings.

SEC. 9. *Seniority.* Workers referred or transferred under the terms of this area stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom; and

(b) Be re-employed by their home employer according to the seniority agreement or custom in effect providing they apply for re-employment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the U. S. government declares an end to the war emergency, whichever is sooner.

Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for re-employment with their home employer as provided in (a) and (b).

SEC. 10. *Hiring contrary to the program.* An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 11. *Exclusions.* No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political sub-division or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 12. *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with the regulations and procedures of the War Manpower Commission.

SEC. 13. *Contents of statements of availability.* A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

SEC. 14. *Solicitation of workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program except in a manner consistent with such restrictions.

SEC. 15. *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purposes of this program, and all hiring for departments and agencies of the Federal Government subject to the Civil Service Act, rules and regulations, shall be conducted by the U. S. Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 16. *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 17. *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 18. *Standards governing referrals.* Applicants subject to priority referral who apply at a local office of the United States Employment Service for referral to a job opening shall be referred to job openings in accordance with the standards of referral adopted by the labor-management committee for the area and attached hereto as Appendix A.

SEC. 19. *Establishment of employment ceilings.* The Area Manpower Director may set for all or any establishments in the Waterbury area, fair and reasonable employment ceilings fixing the number of employees or specified types of employees which such establishments may not exceed. Such ceilings will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area (or State) Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling applicable to it.

Each employer for whom an employment ceiling has not been established by the Manpower Priorities Committee will file with the United States Employment Service a statement indicating the number of full-time workers and the number of part-time and supplemental workers on his payroll as of February 1, 1944.

The number of full-time workers so reported by employers for whom ceilings have not been established by the Manpower Priorities Committee will become the ceiling of employment for that company. No employer shall exceed this ceiling of employment without the consent of the Area Manpower Director who shall consult with the Area Labor-Management War Manpower Committee.

SEC. 20. *Effective date.* This program shall become effective August 28, 1944, and is in substitution for and supersedes the employment stabilization program in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: August 28, 1944.

MARY M. DEWEY,
Area Director.

Approved: September 22, 1944.

DAVID G. NAGLE,
Acting Regional Director.

APPENDIX A—STANDARDS GOVERNING REFERRALS

1. *Use of priorities.* The Manpower Priorities shall be distributed to all authorised referral agencies. These agencies shall be governed by these priorities in referring workers to employers.

2. *Standards governing referrals by the War Manpower Commission.* a. *Order of referral.* (1) Based on occupational qualifications a worker possessing skills for which there is demand for the war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph 2, hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

(a) To job openings in occupations using his highest skill.

(b) To job openings in occupations which require closely related skills.

(c) To other types of job openings for which he may be qualified.

(2) Based on importance in connection with the war effort the order of referral to job openings shall be as follows:

(a) To establishments having manpower priorities, in the order of their relative priority.

(b) To establishments in essential or locally needed activities, not on the priority list.

(c) To establishments in less essential activities, and only if there are no job openings in a priority establishment or an essential or locally needed activity for which the worker is qualified and which the worker may not decline except as hereinafter provided.

(3) In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job openings to which he wishes to be referred.

b. *Refusal or referral without prejudice.* (1) A worker may refuse a referral to a job opening and continue to be eligible for further referral if: (a) The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(b) The referral is not a job opening in an occupation which will use a closely related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(c) As a condition of accepting or continuing in the offered employment, he would be required to join, resign from or refrain from joining a labor organization.

(d) The wages or working conditions of the job offered are below standards fixed by applicable law.

(e) The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

(f) He can show that acceptance of the job offered would involve for him an undue personal hardship.

(2) If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph 2, he shall be advised of his rights under the Manpower Program.

c. *Unjustified refusal.* If a worker refuses a referral on grounds other than those listed in paragraph 2, he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

d. *Reporting.* Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

3. *Use of other organizations as referral agencies; Union hiring halls.* Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

a. In their referral activities the unions shall observe all of the Area Employment Stabilization Plan and all determinations with respect to manpower priorities.

b. The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

c. The union shall maintain records of its referrals and hires and shall permit review of these records by the War Manpower Commission or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

Approved by the Area Labor-Management War Manpower Committee on May 1, 1944, and re-approved by the committee on August 28, 1944.

[F. R. Doc. 44-14937; Filed, Sept. 27, 1944; 12:07 p. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

SALE OF CONTRACT TERMINATION INVENTORIES

STATEMENT OF POLICIES TO BE FOLLOWED BY GOVERNMENT AGENCIES

The Statement of Policies dated April 21, 1944 (9 F.R. 4559), as amended under dates of July 10, 1944 and September 16, 1944 (9 F.R. 7842, 11614), is hereby further amended in the two following respects:

1. Subparagraph 2 (d) of paragraph B of Part IV is amended to read as follows:

(d) All sales of such scrap which are made without competitive bidding shall be subject to the buyers' warranty that the property will in fact be used as scrap. The agency in charge of the sale may, if it chooses, require such warranty in cases where the sale is made on competitive bidding. A warranty substantially as follows is recommended:

The purchaser represents and warrants to the United States that the property covered by this agreement was offered as scrap, purchased by him as scrap, and that he will sell and ship or use it as scrap either in its existing condition or after further preparation and only in conformity with all applicable regulations and orders of the Office of Price Administration and the War Production Board.

2. Subparagraph (b) (1) of paragraph 2 of Part V is amended to read as follows:

(1) Sales of nominal quantities (single items, or groups of items where the cost, estimated if not known, of all substantially similar items at any one location does not exceed $2,500) should be made at the best price obtainable.

Washington, D. C., September 28, 1944.

W. L. CLAYTON,
Administrator.

[F. R. Doc. 44-14956; Filed, Sept. 28, 1944; 10:44 a. m.]

WAR FOOD ADMINISTRATION.

MERCER COUNTY STOCKYARDS, HARRODSBURG, KY.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that The Harrodsburg Stock Yards, Harrodsburg, Kentucky, posted under the name of Mercer County Stockyards on February 26, 1931, as coming within the jurisdiction of the Packers and Stockyards Act,

1921, as amended, and changed to The Harrodsburg Stock Yards on May 14, 1942, is now owned and operated by Mr. Lawrence Lay, doing business as Mercer County Stockyards, and that the name of the yard is now the Mercer County Stockyards. Therefore, the posted name of the stockyard is changed to Mercer County Stockyards and notice of such fact is given to its owner, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 26th day of September 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-14904; Filed, Sept. 27, 1944; 11:08 a. m.]

Farm Security Administration.

BEDFORD COUNTY, PA.

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION I

PENNSYLVANIA, BEDFORD COUNTY

Locality I—Consisting of the townships of Bedford, Bloomfield, Colerain, Cumberland Valley, Snake Spring Valley, South Woodbury, and Woodbury; boroughs of Bedford, Rainsburg, and Woodbury, $4,838.

Locality II—Consisting of the townships of Broad Top, East Providence, Hopewell, Liberty, Mann, Monroe, Southampton, and West St. Clair; boroughs of Coaldale, Everett, Hopewell, and Saxton, $2,549.

Locality III—Consisting of the townships of East St. Clair, Harrison, Juniata, Kimmell, King, Lincoln, Londonderry, Napier, Union, and West Providence; boroughs of Hyndman, Manns Choice, New Paris, Pleasantville, St. Clairsville, and Schellsburg, $3,177.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: September 23, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-14886; Filed, Sept. 26, 1944; 3:22 p. m.]

FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — 1934 — OF THE UNITED STATES

VOLUME 9 NUMBER 196

Washington, Saturday, September 30, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 81-1, Amdt. 1]

PART 1440—ESSENTIAL OILS

DELEGATION OF AUTHORITY

War Food Order No. 81-1 (9 F.R. 937, 4321, 4319) is amended as follows:

By deleting § 1440.2 (b) (2) and inserting, in lieu thereof, the following:

(2) The Order Administrator may prescribe use quotas, in accordance with the provisions of § 1440.1 (b) (2) of the order, if each such quota is approved by the War Production Board: *Provided*, That the aggregate amount of oil of peppermint thus allocated by the Order Administrator, in accordance with § 1440.1 (b) (2) of the order, shall not exceed 400,000 pounds of oil of peppermint (including that obtained from foreign, as well as from domestic, sources) per year.

This amendment shall become effective at 12:01 a. m., e. w. t., October 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 81-1 prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 81-1 in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 81, as amended, 8 F.R. 12525, 9 F.R. 152, 4321, 4319, 7297, 9584)

Issued this 27th day of September 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-14972; Filed, Sept. 28, 1944; 11:14 a. m.]

[WFO 54-4, Amdt. 4]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, as amended (9 F.R. 4675, 7040, 9526, 10239), is hereby further amended by inserting at the end of § 1401.179 (b) the following additional sentence: "Each producer shall set aside in the calendar month of October 1944 a quantity of spray dried skim milk equal to 50 percent of all spray dried skim milk produced by him during that month."

This order shall become effective at 12:01 a. m., e. w. t., October 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 54-4, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 54-4, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 54, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319)

Issued this 28th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-15041; Filed, Sept. 28, 1944; 3:55 p. m.]

[WFO 81, Amdt. 4]

PART 1440—ESSENTIAL OILS

OIL OF PEPPERMINT

War Food Order No. 81, as amended (8 F.R. 12525; 9 F.R. 152, 4321, 4319, 7297, 9584), is further amended as follows:

By deleting the table in § 1440.1 (b) (1) and inserting, in lieu thereof, the following table:

Class of use:	*Permitted percentages of 1941 use*
Manufacture of chewing gum	80
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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per unit. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.
Book 2: Titles 4–9, with index.
Book 3: Titles 10–17, with index.
Book 4: Titles 18–25, with index.
Book 5, Part 1: Title 26, Parts 2–178.
Book 5, Part 2: Title 26, completed; Title 27; with index.
Book 6: Titles 28–32, with index.

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This amendment shall become effective at 12:01 a. m., e. w. t., October 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 81, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 81, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 27th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–14971; Filed, Sept. 26, 1944; 11:14 a. m.]

[WFO 66, Amdt. 5]

PART 1468—GRAINS

MALTED GRAINS, MALT SYRUP, RICE, HOPS, AND HOP PRODUCTS

War Food Order No. 66, as amended (8 F.R. 10480, 13841; 9 F.R. 1084, 4321, 4319, 9584, 11461), is further amended as follows:

1. By deleting § 1468.2 (a) (5) and inserting, in lieu thereof, the following:

(5) The term "hops" means the pistillate cones, in the dried or green state, of the vine Humulus lupulus or Humulus americanus produced in 1944 or previous years.

2. By deleting §§ 1468.2 (f) (1) and (2) and inserting, in lieu thereof, the following:

(f) *Restrictions on acquirement of hops and hop products.* (1) After September 1, 1944, no brewer shall acquire (by purchase or otherwise) or accept delivery of a quantity of hops in excess of his purchase quota as provided for in the following sentence of this paragraph. Each brewer's purchase quota of hops after September 1, 1944, shall be 150 percent of the quantity of hops which he used in the manufacture of malt beverages in 1943, minus the quantity of hops which he owned, possessed, or in any other manner controlled on September 1, 1944.

(2) After September 1, 1944, no brewer shall acquire (by purchase or otherwise) or accept delivery of a quantity of hop products in excess of his purchase quota as provided for in the following sentence of this paragraph. Each brewer's purchase quota of hop products after September 1, 1944, shall be 150 percent of the quantity of hop products which he used in the manufacture of malt beverages in 1943, minus the quantity of hop products which he owned, possessed, or in any other manner controlled on September 1, 1944.

This amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 66, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 66, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44–15042; Filed, Sept. 28, 1944; 3:55 p. m.]

[WFO 79–39, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SEATTLE, WASH., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79, 9 F.R. 4321, 4319 (previously issued by the War Food Administrator on September 7, 1943 as Food Distribution Order No. 79, 8 F.R. 12426, as amended, 8 F.R. 13283), War Food Order No. 79–39 (8 F.R. 13873, 9 F.R. 4321, 4319, 5329) relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Seattle, Washington, metropolitan milk sales area, is further amended by deleting the description of the sales area in § 1401.77 (b) and inserting, in lieu thereof, the following:

The city of Seattle and those election precincts within the counties of King and Snohomish, all in the State of Washington, as shown on the map on page 1139 and listed in Table 7, page 1135 of the Sixteenth Census of the United States: 1940 (Population, Volume 1); and, also the election precincts of Hillcrest, Elliot, Lake, McMicken, Orillia, White River, Meeker, Russell; the four precincts of Kent, Star Lake, Christopher, Buenna, and Redondo in King County, State of Washington, as defined and established by the King County Board of Commissioners effective January 1, 1943.

The provisions of this amendment shall become effective as of 12:01 a. m., e. w. t., October 1, 1944. With respect to violations of said War Food Order No. 79–39, rights accrued, or liabilities incurred thereunder prior to the effective time of this amendment, said War Food Order No. 79–39 shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 28th day of September 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44–15073; Filed, Sept. 29, 1944; 11:14 a. m.]

[WFO 75, Amdt. 17]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

War Food Order No. 75, as amended (8 F.R. 11119, 14508, 15684, 15772, 16353, 16587, 16675, 16887, 17290; 9 F.R. 51, 937, 1499, 2939, 3063, 4973, 5767, 10033), is further amended by amending paragraph (l) thereof to read as follows:

(l) *Support prices.* (1) All Class 1 and Class 2 slaughterers shall pay for good to choice butcher hogs (barrows and gilts), within the weight range of from 200 to 240 pounds, both inclusive, not less than the support price of $12.50 per hundred weight, Chicago basis.

(2) For hogs which produce soft or oily pork, applicable support prices may be reduced by the amount of the normal discount at the market. The discount for hogs which produce oily pork shall not exceed $1.50 per hundred weight, and the discount for hogs which produce soft pork shall reflect not less than the normal difference between such discounts. Unless purchased "subject to kill", not less than the applicable support price shall be paid in all cases where a certificate is furnished by any county agent, vocational agricultural representative, or person acting in a similar capacity, to the effect that the hogs have been raised and fed in accordance with a production and feeding program that will insure firm pork.

This order shall become effective at 12:01 a. m., e. w. t., October 1, 1944. With respect to violations, rights accrued,

liabilities incurred, or appeals taken under War Food Order No. 75, as amended, prior to said date, all provisions of said War Food Order No. 45, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 29th day of September 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-15102; Filed, Sept. 29, 1944; 12:15 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 110—PRIMARY INSPECTION AND DETENTION

DISCONTINUANCE OF SAULT STE. MARIE AIRPORT AS TEMPORARY AIRPORT OF ENTRY

SEPTEMBER 23, 1944.

Pursuant to the authority contained in section 7 (d) of the Air Commerce Act of 1926 (44 Stat. 572; 49 U.S.C. 177 (d)) and section 1 of Reorganization Plan No. V (5 F.R. 2223), the designation of Sault Ste. Marie Airport, Sault Ste. Marie, Michigan, as a temporary port of entry for aliens arriving in the United States by aircraft is hereby rescinded.

Section 110.3 (b), Title 8, Chapter I, Code of Federal Regulations is amended by striking Sault Ste. Marie, Michigan, Sault Ste. Marie Airport, from the list of temporary ports of entry for aliens arriving by aircraft.

FRANCIS BIDDLE,
Attorney General.

Approval recommended:

JOSEPH SAVORETTI,
Acting Commissioner, Immigration and Naturalization.

[F. R. Doc. 44-15085; Filed, Sept. 29, 1944; 10:10 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 502—REGULATIONS AFFECTING MILITARY RESERVATIONS

PAYMENTS

Section 502.14 is amended to read as follows:

§ 502.14 *Payments.* Payments made by private interests for privileges granted by leases, licenses, easements, or permits will be collected by the Chief of Engineers or his duly authorized representative. The initial payment, which will be made at the time the instrument is signed by the grantee, and all deferred payments will be collected by the authorized representative of the Chief of Engineers and will be promptly turned over to the nearest Army disbursing officer with appropriate instructions as to the disposition of such funds, i. e., for credit to "miscellaneous receipts" or to be held as special deposits. Collections will be scheduled on Standard Form No. 1044, Revised (Schedule of Collections), prior to forwarding to the disbursing officer. The Chief of Engineers or his authorized representative will advise at the proper time of the final disposition to be made of funds held as special deposits by preparation and submission of Standard Form No. 1046 Revised (Schedule of Transfers-Special Deposits) or Standard Form No. 1049 (Public Voucher for Refunds) whichever is applicable. All payments made by the grantee will be made payable to the Treasurer of the United States. (R.S. 161; 5 U.S.C. 22) [AR 100-62 as amended by C4, 19 September 1944]

[SEAL] J. A. ULIO,
Major General, The Adjutant General.

[F. R. Doc. 44-15064; Filed, Sept. 29, 1944; 9:57 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 8]

PART 8—CERTIFICATES OF AUTHENTICATION

DELEGATION OF AUTHORITY

Pursuant to the authority contained in R.S. 161 (5 U.S.C. 22), § 8.1 of Title 22 of the Code of Federal Regulations, as amended on February 8, 1944 (9 F.R. 1611), is hereby superseded by the following section:

§ 8.1 *Officers authorized to sign and issue certificates of authentication.* The Chief or Acting Chief, Division of Administrative Services, is hereby authorized to sign and issue certificates of authentication under the Seal of the Department of State for and in the name of the Secretary of State or Acting Secretary of State. The form of authentication shall be as follows:

In testimony whereof, I, ----------, Secretary of State (or Acting Secretary of State), have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the Chief (or Acting Chief), Division of Administrative Services, of the said Department, at the city of Washington, in the District of Columbia, this ---------- day of ----------, 19---. ----------, Secretary of State. By ----------, Chief (or Acting Chief), Division of Administrative Services.

(R.S. 161; 5 U.S.C. 22)

This regulation shall become effective immediately upon registration in the Division of the Federal Register.

[SEAL] CORDELL HULL,
Secretary of State.

SEPTEMBER 29, 1944.

[F. R. Doc. 44-15091; Filed, Sept. 29, 1944; 11:41 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter E—Credit to Indians

PART 21—LOANS TO AND BY INDIAN CHARTERED CORPORATIONS, AND UNINCORPORATED TRIBES

MISCELLANEOUS AMENDMENTS

The following sections are amended to read:

§ 21.17 *Transfer of tribal funds to corporation's or tribe's credit fund.* When a tribe has been incorporated, balances remaining in tribal revolving funds, accruals from repayments on loans from such funds, and other applicable moneys, may be transferred to the corporation when such transfers are consented to by the corporation and authorized by Congress. Tribal funds so transferred may be loaned or used in the operation of corporate enterprises in accordance with the regulations in this part governing the use of corporation credit funds.

Tribal industrial funds of an unincorporated tribe may be transferred to the tribe when consented to by the tribe and authorized by Congress. Tribal funds so transferred may be loaned or used in the operation of tribal enterprises in accordance with the regulations in this part governing the use of tribal credit funds and the operation of corporate and tribal enterprises.

No carrying charge shall be paid to the United States on tribal funds.

§ 21.19 *Corporate and tribal enterprises.* A corporate enterprise is a business operated by a corporation. A tribal enterprise is a business operated by an unincorporated tribe. Applications for loans and requests to use tribal funds for the operation of corporate and tribal enterprises must be approved by the Commissioner of Indian Affairs. The application or request shall set forth the use to be made of the funds, proposed management and operating plans, schedule of advances and repayments, regulations governing the enterprise, how title to purchases shall be taken, and plans for disposal of the property.

(Sec. 10, 48 Stat. 986, sec. 9, 49 Stat. 1968, 57 Stat. 451-459; 25 U. S. C. 470, 509, 1940 Ed.)

Dated: September 23, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 44-15071; Filed, Sept. 29, 1944; 11:12 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Rev. Reg. 5]

PART 602—GENERAL ORDERS AND DIRECTIVES

DISTRIBUTION OF ANTHRACITE FOR POULTRY BROODERS AND HATCHERIES

To correlate the provisions of Regulation No. 5 with the provisions of Regulations No. 17 and No. 18, as amended, it is necessary to revise it to read as follows:

Sec.
602.81 Definitions.
602.82 Conditions imposed upon distribution of anthracite for use in poultry brooders and hatcheries.
602.83 Information to be furnished by purchasers and retail dealers.
602.84 Preferred deliveries.
602.85 Sequence of deliveries.
602.86 Appeals.
602.87 Damages for breach of contract.
602.88 Other regulations.
602.89 Records.
602.90 Audit and inspection.
602.91 Reporting requirements.
602.92 Violations.
602.93 Regulation No. 5 superseded.

AUTHORITY: §§ 602.81 to 602.93, inclusive, issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat 236 and 56 Stat. 176.

§ 602.81 *Definitions.* For purposes of this regulation:

(a) "Anthracite" means that coal which (i) is generally referred to as Pennsylvania anthracite, (ii) is produced in the following counties in Pennsylvania: Carbon, Columbia, Dauphin, Lebanon, Lackawanna, Luzerne, Northumberland, Schuylkill, Susquehanna and Wayne, and (iii) is limited to the sizes generally known as chestnut and pea.

(b) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons.

(c) "Producer" means any person engaged in the business of mining or preparing anthracite.

(d) "Wholesaler" means any producer to the extent that he ships, distributes or sells anthracite to retail dealers, and any person to the extent that he receives or purchases anthracite for shipment, distribution or resale to retail dealers.

(e) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or lake dock operator) to the extent that he acts in the capacity of a supplier, shipper or seller of anthracite in any transaction, except a wholesale transaction, involving a shipment, sale, or sale and delivery, of broken bulk anthracite physically handled in a truck, wagon, or other less than carload facility, without regard to quantity or frequency of delivery.

(f) "Order" means any request or contract for the purchase of anthracite or any requisition or other arrangement designed to procure anthracite from a producer, wholesaler or retail dealer for use in a poultry brooder or hatchery located at any place within the continental United States.

(g) "Day's supply" means the amount of anthracite which it is reasonably expected will be consumed in a particular poultry brooder or hatchery each day during the 30 days next following the placing of an order for anthracite.

§ 602.82 *Conditions imposed upon distribution of anthracite for use in poultry brooders and hatcheries.* (a) No producer, wholesaler, or retail dealer may distribute, ship or deliver anthracite to the owner or operator of a poultry brooder or hatchery for use therein and no such owner or operator may receive anthracite for such use unless at, or prior to, the time of the first delivery such owner or operator shall have filed with the same producer, wholesaler, or retail dealer who supplied anthracite to him for such use during the period April 1, 1942 to March 31, 1943, inclusive, the written statement required by paragraph (a) of § 602.83. In the event that such producer, wholesaler, or retail dealer has discontinued business or is unable to fill such order, or in the event that the owner or operator of a poultry brooder or hatchery did not purchase anthracite for such use during the period April 1, 1942 to March 31, 1943, inclusive, then such owner or operator may file such statement with any other producer, wholesaler, or retail dealer.

(b) No retail dealer may obtain or receive a shipment of anthracite for resale for use in a poultry brooder or hatchery unless and until he shall have filed with the Regional Office of SFAW for the region in which he is located, the written statement required by paragraph (b) of § 602.83.

§ 602.83 *Information to be furnished by purchasers and retail dealers.* (a) Each owner or operator of a poultry brooder or hatchery who seeks to obtain anthracite pursuant to § 602.82, shall file a written statement, signed by the purchaser, on a form referred to as "Statement of Owner or Operator of Poultry Brooder or Hatchery," to be reproduced and furnished by the supplier of anthracite. Such statement shall set forth, among other things, the owner's estimated annual needs for anthracite, the amount of anthracite on hand as of April 1, 1944, the number of broods expected to be made prior to March 31, 1945, the number of brooder stoves in which it is expected that anthracite will be used, an estimate of the number of pounds of anthracite that constitutes a day's supply, and the location of the brooder or hatchery for which the statement is filed. The owner or operator of a poultry brooder or hatchery shall be required to file only one such statement with each supplier prior to March 31, 1945 and the statements contained therein shall be deemed to have been made to SFAW. The prescribed form of the statement, marked Appendix A, is attached to this regulation and made a part hereof.

(b) Each retail dealer who seeks to obtain a shipment of anthracite for resale for use in a poultry brooder or hatchery shall file with the nearest Regional Office of SFAW a statement in writing, setting forth, among other things, the total number of tons of anthracite sold and delivered by him for such use during each of the periods April 1, 1942 to March 31, 1943, inclusive, April 1, 1943 to March 31, 1944, inclusive, and April 1, 1944 to the date of filing said statement, and the name and address of the producers or wholesalers who supplied such tonnage. The prescribed form of such statement, marked Appendix B, is attached to this regulation and made a part hereof.

§ 602.84 *Preferred deliveries.* Without regard to other orders but subject to the provisions of §§ 602.82 and 602.83 of this regulation and subject to the specific direction of the Solid Fuels Administrator for War, each producer and wholesaler shall accord preference in the delivery of anthracite in railroad carload lots or truckload lots, depending upon the customary transportation facilities of the shipper, to any operator of a poultry brooder or hatchery for use therein or to any retail dealer for resale for such use; and each retail dealer shall accord preference in delivery of anthracite in any quantity to any operator of a poultry brooder or hatchery for use therein: *Provided, however,* That no preference in delivery shall be given to an order of an operator of a poultry brooder of hatchery when the delivery of such tonnage added to the tonnage which the purchaser has on hand will exceed 90 days' supply.

§ 602.85 *Sequence of deliveries.* Each producer, wholesaler or retail dealer shall make deliveries pursuant to the provisions of §§ 602.82 and 602.84 of this regulation in accordance with (a) the order of the purchaser who has on hand the least number of days' supply; or (b) the delivery dates specified in the orders, or (c) if it is impracticable to make such deliveries on the dates specified, then in accordance with the dates on which such orders have been received.

§ 602.86 *Appeals.* Each person participating in any transaction to which any portion of this regulation applies may appeal to the Solid Fuels Administrator for War, Department of the Interior, Washington 25, D. C., regarding (a) failure to accord preference in the delivery of anthracite in violation of § 602.84 hereof, or (b) failure to observe the sequence in deliveries prescribed in § 602.85 which results in unreasonable delay in making deliveries. The Administrator may take such action as he deems appropriate or necessary with regard to such appeal.

§ 602.87 *Damages for breach of contract.* No person shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.88 *Other regulations.* (a) Except for the provisions of § 602.344 of SFAW Regulation No. 18, as amended, nothing contained in that regulation shall be deemed to exclude compliance with the provisions of this regulation.

(b) Nothing contained in this regulation shall be deemed to preclude any action by the Solid Fuels Administrator for War under SFAW Regulation No. 1.

§ 602.89 *Records.* Each person participating in any transaction to which any portion of this regulation applies shall keep and preserve for a period of not less than two years accurate and complete records of the details of all such transactions.

§ 602.90 *Audit and inspection.* All records required to be kept by this regulation shall, upon request, be submitted for inspection, copy and audit by duly authorized representatives of the Solid Fuels Administrator for War.

§ 602.91 *Reporting requirements.* The reporting requirements of this regulation

have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

NOTE: Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

§ 602.92 *Violations.* Any person who wilfully violates any provision of this regulation, or who, by any act or omission, wilfully falsifies certifications or records kept or information furnished in connection with this regulation, may be prohibited from delivering or receiving any material under priority control. The Solid Fuels Administrator for War may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80), or under the Second War Powers Act (50 U.S.C. 633).

§ 602.93 *Regulation No. 5 superseded.* This Revised Regulation supersedes Regulation No. 5, which was issued October 11, 1943: *Provided, however,* That civil or criminal liabilities resulting from violation of the provisions of that regulation shall not be affected by this section.

This regulation shall take effect 12:01 a. m. on October 15, 1944.

Issued this 28th day of September 1944.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

APPENDIX A

Bureau of the Budget No. 42–R706
Approval Expires April 30, 1945.

UNITED STATES DEPARTMENT OF THE INTERIOR
SOLID FUELS ADMINISTRATION FOR WAR
WASHINGTON

Statement of Owner or Operator of a Poultry Brooder or Hatchery

As the owner (or operator) of a poultry brooder or hatchery, I make this statement for the purpose of securing a preference in the delivery of anthracite to be used exclusively in the brooding of poultry or the hatching of eggs. I do hereby certify to the Solid Fuels Administration for War that the statements contained herein are true to the best of my knowledge and belief and I understand that if I make any false statement or false representation herein I am subject to criminal prosecution under the laws of the United States, and that I may be prohibited from receiving any further deliveries of certain kinds of solid fuels.

1. Assuming normal weather conditions during the period April 1, 1944 to March 31, 1945, I expect to burn _____ tons of anthracite in the operation of the poultry brooder or hatchery designated below.

2. On April 1, 1944 I had on hand _____ tons of anthracite for the operation of the designated poultry brooder or hatchery.

3. I used or expect to use anthracite in making the following number of broods during the following periods:

April, May, June, 1944_____broods
July, Aug., Sept., 1944_____broods
Oct., Nov., Dec., 1944_____broods
Jan., Feb., March, 1945_____broods

4. In making the broods set forth above, I used or expect to use anthracite in _____ brooder stoves.
(number)

5. I estimate that _____ pounds of anthracite constitutes a day's supply.

6. The brooder or hatchery for which this statement is filed is located at _____

_____

7. I am filing this statement with _____
(Name of producer, wholesaler or retail dealer)
and I have no outstanding statement or order for anthracite for brooders or hatcheries with any other producer, wholesaler or retail dealer except _____
_____
(Name and tonnage ordered)

_____
(Corporate or firm name, if any)
(signed) _____
(Owner or operator)
_____
(Address)
_____

Date: _____

This statement should be filed with the retail dealer, producer or wholesaler from whom the anthracite referred to herein is to be purchased.

APPENDIX B

Form S. F. A. No. 306
Bureau of the Budget No. 42–R705
Approval Expires April 30, 1945.

UNITED STATES DEPARTMENT OF THE INTERIOR
SOLIDS FUELS ADMINISTRATION FOR WAR
WASHINGTON

Date _____

Name of Dealer _____
Address_____ City_____ State_____

Tonnage of anthracite delivered for use only in poultry brooders and hatcheries

Apr. 1, 1942, to Mar. 31, 1943		Apr. 1, 1943, to Mar. 31, 1944		Apr. 1, 1944, to date of filing		Producer or wholesaler who supplied such tonnage
Net	Pea	Net	Pea	Net	Pea	

Did you file a Form S. F. A. No. 29 setting forth tonnages of excluded deliveries made during the base period and commitments to be excluded during the period April 1, 1943 to March 31, 1944? _____
(Yes or No)

Since June 1, 1944, have you filed any request for additional tonnage for brooder or hatchery use pursuant to Section 602.944 (b) or SFAW Regulation No. 18, as amended?
_____
(Yes or No)

If answer is YES, state date and name of Regional Representative with whom it was filed, _____

I certify to SFAW that the statements contained herein are true to the best of my knowledge and belief. I make this certification with knowledge that if I make any false statement or representation herein, I am subject to criminal prosecution under the laws of the United States and that I may be prohibited from receiving any further shipments or deliveries of solid fuels.

_____
(Signature)
_____
(Title)

[F. R. Doc. 44–15078; Filed, Sept. 29, 1944; 11:40 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 231]

PART 801—GENERAL REGULATIONS

EXPORTING OF GOLD

Part 801 General Regulations is hereby amended by adding thereto § 801.17 as follows:

§ 801.17 *Exportation of gold.* The Provisional Regulations promulgated by the Secretary of the Treasury under the authority of the Gold Reserve Act of 1934 (CFR Title 31, Part 54) as amended or as the same may be amended from time to time shall govern the exportation of gold except that the exportation of fabricated gold (as defined in said Provisional Regulations, except dental gold) of which not more than 80% of the total value is attributable to the gold content shall also be subject to the regulations prescribed in this subchapter. For the purpose of this section "fabricated gold" shall be construed to include ceramic gold, gold wire, gold leaf, gold foil, and other similar types of fabricated gold (as defined in said Provisional Regulations) of which not more than 80% of the total value is attributable to the gold content, but shall not include dental gold.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated September 25, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch
Bureau of Supplies.

[F. R. Doc. 44–15069; Filed, Sept. 29, 1944; 11:08 a. m.]

[Amdt. 232]

PART 808—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO THE OTHER AMERICAN REPUBLICS

SHIPMENTS MADE BY SEA FREIGHT

Section 808.1 *Applicability* is hereby amended by deleting the countries Bolivia, Colombia, Chile, Ecuador, Peru and Venezuela from the destinations listed in paragraph (a) thereof and by adding said countries to the destinations listed in paragraph (b) thereof.

This amendment shall become effective October 15, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: September 26, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44–15068; Filed, Sept. 29, 1944; 11:03 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E. O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24, as amended Sept. 28, 1944]

PURCHASE OF MACHINE TOOLS, MANUFACTURING MACHINERY, AND SIMILAR EQUIPMENT NEEDED FOR CIVILIAN PRODUCTION

§ 944.45 *Priorities Regulation 24*—(a) *What this regulation does.* This regulation tells how purchase orders for machine tools, manufacturing machinery, and similar equipment may be placed by companies who wish to get ready for the resumption or expansion of civilian production when this is possible without interfering with war or essential civilian production. Where suitable existing equipment is not available, this regulation modifies the restrictions on the acceptance and filing of unrated purchase orders which are imposed by the WPB orders listed at the end of this regulation. It is the policy of the War Production Board to encourage the purchase of such equipment primarily from existing excess stocks as they may be made available in order to avoid using scarce materials in making additional new equipment. When these are not available, it is the policy of the War Production Board to permit the placing of unrated orders for new equipment which will be needed for civilian production as long as the filling of these orders does not interfere in any way with direct or indirect war production. This regulation also explains when ratings may be assigned to orders for equipment needed for civilian production.

(b) *Removal of restrictions on placing, acceptance and delivery of certain purchase orders.* The various WPB orders shown on List A at the end of this regulation forbid the sale of items which they cover to fill unrated orders. Some of them require a rating before a purchase order may be placed and accepted, while others require a rating before an item may be produced or delivered to fill a purchase order. Many of them contain both kinds of restrictions. They may also require a special WPB form. This regulation overrides these restrictions and unrated purchase orders may now be placed, accepted and filled for items covered by the WPB orders mentioned on List A. However, the approval of the War Production Board must be obtained, as explained in paragraph (c), before the unrated purchase order is placed.

(c) *How a purchaser gets WPB approval to place unrated orders.* A person who wishes to place an unrated order in spite of the restrictions of the WPB order on List A may apply for War Production Board approval by filing a letter in triplicate with his nearest War Production Board field office with a list in triplicate attached giving a description of the equipment which he wishes to get including make, type, size, and approximate price. Approval of the War Production Board will be given on Form GA–1977 if it finds that no suitable existing excess equipment is available. Upon receiving War Production Board approval, the person placing the unrated order must endorse the following statement on his purchase order, signed either manually or as provided in Priorities Regulation 7: "This order approved by the War Production Board in accordance with Priorities Regulation 24." The standard form of certification contained in Priorities Regulation 7 may not be used. Approval by the War Production Board under this paragraph does not give the purchase order a rating of AA–5 under § 944.1 (b) of Priorities Regulation 1.

(d) *Report of unrated orders.* Producers of equipment subject to any WPB order on List A must file Form WPB–3940 monthly in accordance with the instructions printed on the form, showing the quantity of their rated and unrated shipments. However, if the dollar value of a producer's monthly shipments of unrated orders does not exceed 10 percent of his total shipments he need not file this report, although he must keep unrated purchase orders placed under this regulation filed so that they can be readily segregated and examined.

(e) *Effect of other WPB orders and regulations.* (1) This regulation does not relieve anyone from complying with the requirements of Priorities Regulation 1 with respect to the compulsory acceptance and filling of rated orders in preference to unrated orders.

(2) If an unrated order under this regulation is put into a production schedule it shall not become a part of any "frozen" schedule in spite of Priorities Regulation 18 or other War Production Board order, but shall be subject to postponement in favor of rated orders in accordance with Priorities Regulation 1.

(3) Attention is called to the fact that this regulation does not authorize any construction contrary to the provisions of Construction Order L–41. Direction 2 to L–41 tells when you may install or relocate machinery or equipment without getting permission under that order. Direction 15 to CMP Regulation 5 tells how to get materials needed to install or relocate machinery or equipment.

(4) Except to the extent specifically provided in this regulation, it does not waive the restrictions or conditions of any other order or regulation of the War Production Board.

(f) *Other cases where unrated orders allowed.* Many types of machinery and equipment, including most jigs, dies, fixtures and special tooling, are not subject to a WPB order limiting or restricting the placing or filling of orders. Consequently, unrated orders for these items have always been permissible where they can be filled without interference with rated orders as provided in Priorities Regulation 1. Many types of machinery and equipment may be bought under Priorities Regulation 13 from somebody who is not in the business of selling such machinery and equipment without any preference rating or other authorization. Permission under this regulation is not required in the case of such purchases.

(g) *Ratings for equipment required for civilian production.* (1) The policy of the War Production Board is not to grant any ratings for equipment needed for resumption or expansion of civilian production where this equipment can be obtained out of existing available stocks or where unrated orders for it can be filled within a reasonable time. However, where this is not the case, and the equipment takes a long time to produce, the War Production Board will consider applications for ratings both for equipment covered by the WPB orders mentioned in List A and for other types of equipment.

(2) If you need equipment for war production or for civilian production which is currently authorized by the War Production Board during the war, you may apply for a rating in accordance with existing procedures and without regard to this regulation. However, if you want equipment for operations which are neither directly related to the war effort nor currently authorized by the War Production Board, you cannot get a rating except by applying on Form WPB–1319 to your War Production Board field office in accordance with the instructions printed in the WPB–1319 Instruction Pamphlet. This is so whether the equipment you need is covered by the WPB orders on List A or not. An exception to this rule is explained in Direction 2 to L–41 which points out that you must apply on the appropriate form specified in L–41 if it is necessary to construct a new building or make an addition to an existing building or if priorities assistance is required for the materials needed for the installation or alteration permitted by that direction in addition to that given by Direction 15 to CMP Regulation 5 or other blanket preference rating orders. If an application under L–41 is necessary it should cover the materials required for the construction and the machinery or equipment which is to be installed.

(3) If the War Production Board grants a rating under this regulation, it may be applied only for the make of equipment shown in the application Form WPB–1319. The rating may be applied by use of the standard certification in Priorities Regulation 7 but the following statement must be added: "This rating applied pursuant to Priorities Regulation 24." Such an order may be accepted and filled in spite of any War Production Board order requiring approval on a special form.

NOTE: The reporting provisions of this regulation have been approved by the Bureau

of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: References to L-268 and L-314 deleted Sept. 28, 1944.

E-1-b Machine tools.
E-9 Precision measuring instruments and testing machines.
E-11 Foundry equipment and metal melting furnaces.
L-69 Elevators and escalators.
L-123 General industrial equipment.
L-193 Conveying machinery and mechanical power transmission equipment.
L-221 Electric motors and generators.
L-226 Printing trades machinery.
L-250 Electric motor controllers.
L-287 Portable conveyors.
L-298 Resistance welding equipment.
L-311 Logging, lumber and wood products machinery and equipment.
L-332 Container machinery.

NOTE: Instructions for filing Form WPB-1319 in accordance with paragraph (g) of Priorities Regulation 24 now appear in the WPB-1319 Instruction Pamphlet.

[F. R. Doc. 44-15015; Filed, Sept. 28, 1944; 12:12 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-b, Direction 2, as Amended Sept. 28, 1944]

USE OF PREFERENCE RATINGS IN PETROLEUM MARKETING

The following direction is issued pursuant to Preference Rating Order P-98-B:

(a) *What this direction covers.* This direction tells petroleum operators when they may use a preference rating of AA-3, instead of the MRO rating of AA-5, to secure material for the maintenance and repair of service stations and retail outlets. The use of the AA-3 rating is covered by paragraph (b) of this direction.

In paragraph (c), this direction also permits the use of an MRO rating and symbol by operators to secure limited quantities of materials to make authorized installations or replacements of "equipment" at service stations and other retail outlets and at consumer accounts. This latter permission establishes an exception to the limitation of Order P-98-b that the MRO ratings and symbol may not be used to secure material for the installation or replacement in marketing of "equipment."

(b) *AA-3 rating available for maintenance and repair of service stations or retail outlets.* An operator who does any maintenance or repair work for an operator of a service station or retail outlet and an operator of a service station or retail outlet who does any maintenance or repair work for consumers (such as the servicing or lubrication of automotive vehicles or the maintenance of petroleum consuming apparatus) may use a rating of AA-3 instead of the MRO rating of AA-5. The AA-3 rating may be used only to secure material for the upkeep or restoration of structures, equipment, or material of a service station or retail outlet. The AA-3 rating may not be used to secure operating supplies for a service station or retail outlet, and only the AA-5 MRO rating may be used for that purpose. Allotment symbol MRO-P-3 remains available to secure controlled materials for MRO purposes.

(c) *Rating and symbol available to operators for installation of "equipment."* A petroleum operator may use a preference rating of AA-3 and allotment symbol MRO-P-3 to secure up to $100 worth of material to make each installation or replacement of "equipment," as defined in Petroleum Administrative Order 12 (PAO-12). However, the AA-3 rating and the symbol may be used to secure material only to make an installation or replacement of "equipment" which has been authorized by the provisions of PAO-12 or by an exception to PAO-12 and which is to be made at a service station or other retail outlet or at a consumer account. The AA-3 rating and the symbol may not be used to secure the "equipment" which is authorized to be installed or replaced. Any operator is permitted to make this use of the above rating and symbol, and not merely an operator of a service station or retail outlet. By permitting the use of the above rating and symbol for such a purpose, this direction makes a limited exception to the provision of Order P-98-b which excludes from the definition of "maintenance and repair" the installation or replacement in marketing of such "equipment."

(d) Except as provided in this direction, the AA-3 rating and the MRO-P-3 symbol may be used only in accordance with the procedure of Order P-98-b applicable to the AA-5 MRO rating.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15029; Filed, Sept. 28, 1944; 12:14 p. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-192, as Amended Sept. 28, 1944]

CONSTRUCTION MACHINERY AND EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export, of materials used in the production of construction machinery and equipment and repair parts; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.10 *Limitation Order L-192—*(a) *What this order does.* This order regulates the production and delivery of construction equipment and certain repair parts. The items of equipment covered by the order are listed in Schedules A, B and D. The order provides for scheduling the production and delivery of Schedule A equipment, prohibits sales and deliveries of Schedule A equipment except upon specific authorization of the War Production Board, and regulates the sales of repair parts for Schedule A equipment. With respect to Schedule B equipment, the order provides for the control of total production and restricts sales and deliveries to orders rated AA-5 or higher but does not regulate repair parts. It prohibits the production of Schedule D equipment.

(b) *Definitions.* For the purpose of this order:

(1) "Producer" means any person engaged in the manufacture of equipment.

(2) "Equipment" means that construction machinery and equipment listed in Schedules A, B and D attached hereto but not any equipment on rubber tired chassis or running gear built for or usable for the transportation of commodities or persons.

(3) "New", when applied to equipment, means any equipment which has never been delivered to and put into regular use by a person acquiring it for use.

(4) "Repair part" means any part manufactured for use in the repair and maintenance of equipment; but does not include components or attachments which change the functional operations of the equipment as originally shipped.

(5) "War agency" means the Army, Navy, Maritime Commission, War Shipping Administration, Veterans' Administration, and the military forces of any foreign country entitled to receive deliveries pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) "United States" means the United States of America and its territories and possessions.

(7) "Supplier" means any producer, dealer or distributor engaged in the business of selling equipment or repair parts.

(8) "Dealer or distributor" means any person who is engaged in the business of purchasing equipment or repair parts for the purposes of resale.

Schedule A Equipment

(c) *Procedure for placing and receiving orders for Schedule A equipment.* (1) No person shall sell or deliver any new equipment listed in Schedule A, except to a war agency, unless the purchase or delivery order is accompanied by authorization on Form WPB-1319 or by a certification as explained below. Application for such authorization and for a preference rating must be made by filing the required number of copies of Form WPB-1319 with the War Production Board regional office in the region in which the purchaser desires to use such equipment, in accordance with the current instructions for the form. When a person receives authorization on Form WPB-1319 to purchase Schedule A equipment, he may give his supplier the authorization along with his purchase order, or, if he prefers, he may give the supplier a certification in substantially the following form: "Authorized under Order L-192—on Form WPB-1319, Case No._____." This certification shall constitute a representation to the War Production Board that the purchase or delivery of the Schedule A equipment ordered has been specifically authorized by the War Production Board on Form WPB-1319.

(2) A war agency shall furnish the Construction Machinery Division, War Production Board, Washington 25, D. C., with information copies of Form WPB-1319 made out in duplicate (or other written notice in duplicate) at the time that any order for such equipment is placed with a supplier.

(d) *Restrictions on production of Schedule A equipment.* Producers must not use or put into process any materials for the production or assembly of (1) any new Schedule A equipment except in accordance with such production schedules as may be approved by the War Production Board under paragraph (e), or (2) any parts to be physically incorporated into new Schedule A equipment in excess of those required by approved production schedules.

(e) *Production schedules.* On or before the 15th day of each calendar month, every producer must file on Form WPB-1689, in accordance with the instructions on the form, a statement of his production of Schedule A equipment for the previous month and his proposed production schedule of all new Schedule A equipment projected for all additional monthly periods for which production may be planned. Approval or modification of such production schedule for the period planned or for a shorter period will be indicated on an approved copy of the Form WPB-1689 returned to the producer prior to the first day of the calendar month succeeding such filing. No producer shall change his production schedules as approved or changed by the War Production Board without specific authorization of the War Production Board. When actual production in any month is less than production authorized for that month, the items not produced may be produced in any subsequent month unless the authorization is revoked or modified by the War Production Board. Therefore, such items must not be shown again as planned production on any subsequent production schedule.

(f) *Prohibiting transfer and use of new equipment.* (1) On or before the 15th day of each calendar month, every producer must file on Form WPB-1689, in accordance with the instructions on the form, a statement showing his proposed delivery schedule of all unfilled orders for new Schedule A equipment, his shipments made during the calendar month previous to filing, his shipments during the current month to the date of filing, and inventory of finished items on hand at the end of the month previous to filing. Approval of a delivery schedule of all new Schedule A equipment for the calendar month succeeding such filing will be indicated on an approved copy of the form returned to the producer prior to the first day of that month, and the sequence of deliveries will remain in force whether or not the equipment is actually shipped during that month unless the schedule is subsequently changed by the War Production Board. In addition to the requirement of authorization on Form WPB-1319 for sales or deliveries under paragraph (c), no producer shall use for other than experimental or demonstration purposes, or sell or deliver any new Schedule A equipment unless the use, sale or delivery has been specifically approved by the War Production Board on Form WPB-1689.

(2) The War Production Board may at any time revoke any delivery authorization provided for in subparagraph (1) above as to any or all new Schedule A equipment included therein, direct or change the schedule for deliveries of any such equipment, allocate any order for that equipment listed on a producer's Form WPB-1689 to any other producer, or direct the delivery of any such equipment to any other person, at regularly established prices and terms.

(3) Notwithstanding any preference rating heretofore or hereafter granted, no producer shall change his schedule of deliveries of any new Schedule A equipment as approved or changed by the War Production Board, without specific authorization of the War Production Board.

(g) *Restrictions on resale, rental and use.* Every person, except a war agency, to whom delivery of any new equipment listed in Schedule A has been authorized pursuant to this order, must use such equipment on the project described in the authorization to purchase. In addition, every person except a war agency, thirty days prior to the sale, lease or use on any other project of such equipment, shall notify in writing the Used Construction Machinery Regional Specialist of the War Production Board Regional Office in the region in which the equipment is located. The War Production Board at any time on two weeks' written notice, may require any such person who owns such equipment to sell, lease, or use such equipment as directed.

Repair Parts for Schedule A Equipment

(h) *Restrictions on sale and delivery of repair parts for Schedule A equipment.* A supplier must not sell or deliver repair parts for Schedule A equipment to any person unless the sale or delivery is permitted by one of the following subparagraphs:

(1) *Repairs for current use.* A supplier may sell or deliver repair parts to any person for current use if the purchaser certifies that he will need the parts to replace worn out parts within 30 days after receiving them. The certification must be in substantially the following form: "Authorized under Order L-192—current use". This certification shall constitute a representation to the War Production Board that the repair parts ordered are required to replace worn out parts within 30 days after receipt of the parts ordered and are not for stock; and that the purchaser does not have other parts on hand or on order with any other supplier for this purpose. The purpose of this subparagraph (1) is to release by certification repair parts which will be put immediately (or within 30 days after receipt) into construction machinery in order that such machinery may be kept operating or put into condition to operate. This subparagraph (1) is not intended to permit the purchase of repair parts for stock. Paragraph (h) (4) tells how an equipment owner can get authorization on Form WPB-1319 from the War Production Board to purchase a stock of repair parts.

Exception. The above certification for current use must not be used for parts orders over $1000 if such parts are to be used for crawler, walker, or truck type shovels, cranes or draglines, with a rated capacity of less than 2½ cubic yards. Parts orders over $1000 for current use for such machines must be approved on Form WPB-1319, in accordance with subparagraph (4) below, before the sale or delivery can be made. Repair parts purchase or delivery orders must not be subdivided for the purpose of coming within this $1000 limitation.

(2) *War agencies and persons repairing war agency equipment.* (i) This paragraph (h) does not restrict the sale or delivery of repair parts to war agencies for direct use by them.

(ii) A supplier may sell or deliver repair parts to any person who has contracted to repair equipment owned by a war agency if the purchaser certifies that the parts will be used only to repair equipment owned by the war agency. The certification must be given in substantially the following form: "Authorized under Order L-192—war agency contract." This certification shall constitute a representation to the War Production Board that the buyer has contracted to repair equipment owned by a war agency and that the parts ordered will be used only for the repair of that equipment.

(3) *Exports.* A supplier may sell or deliver repair parts for export on any purchase order for $100 or less if the purchaser certifies that the parts are for export. The certification must be given in substantially the following form: "Authorized under Order L-192—for export." This certification shall constitute a representation to the War Production Board that the parts ordered are for export. If the purchase order is for more than $100, it must be approved on Form WPB-1319, as explained in the next subparagraph. However, nothing in this order shall be deemed to relieve any person from the necessity of getting an export license from the Foreign Economic Administration where such license is required.

(4) *Specific authorization to buy repair parts.* A supplier may sell or deliver repair parts for stock or any other purpose not provided for above if the purchase or delivery of the repair parts has been specifically authorized by the War Production Board. Application for this authorization and for a preference rating, if none has been previously assigned, may be made by filing the required number of copies of Form WPB-1319 in accordance with the current instructions for the form. When a person receives authorization on Form WPB-1319, to purchase repair parts, he may give his supplier the authorization along with his purchase order or, if he prefers, he may give the supplier a certification in substantially the following form: "Authorized under Order L-192—on Form WPB-1319." This certification shall constitute a representation to the War Production Board that the purchase or delivery of the repair parts ordered has been specifically authorized by the War Production Board on Form WPB-1319.

(5) *Sales to producers.* This paragraph (h) does not restrict the sale or delivery of repair parts to producers.

(6) *Sales to dealers and distributors.* Unless otherwise specifically directed by the War Production Board, this paragraph (h) shall not restrict the sale or delivery of repair parts to dealers or distributors located in the United States or Canada.[1] However, a dealer or distributor located in the United States must not purchase repair parts under this exemption to repair construction equipment owned by him. If he wants to use repair parts for that purpose, he may do so by following the procedure of paragraph (h) (1) above. For example, if he is getting repair parts from another supplier for the repair of his own equipment, he must give the certification of paragraph (h) (1) or the WPB-1319 authorization to the other supplier; if he wants to repair his equipment with parts which he originally acquired for resale, he may do so and, in that case, the certification or the WPB-1319 authorization must be placed in his file.

(i) *Certification.* Each L-192 certification provided for in paragraph (h) must be signed manually or as provided in Priorities Regulation 7. If the person signing an L-192 certification is using a preference rating on his order, he may add the L-192 certification to any certification used to apply the preference rating instead of giving two separate certifications. The standard certification of Priorities Regulation 7 must not be used instead of the L-192 certification, although the standard certification may be used along with it in applying a preference rating. A supplier may rely on any such L-192 certification unless he knows or has reason to believe it to be false. The L-192 certification may be waived in the manner provided in Priorities Regulation 7, and the one-time certification of Priorities Regulation 7 may be used instead of the L-192 certification.

(j) *Spares.* Orders for repair parts intended to be used as spares for new equipment listed in Schedule A must be placed with the supplier at the same time as the order for such new equipment.

(k) *Allocation of production of repair parts for Schedule A equipment.* No producer shall deliver to war agencies in any one month any repair parts for Schedule A equipment whatsoever in excess of 75% of his sales of that repair part during the month, if the delivery would prevent deliveries of such repair part to fill orders properly placed by other persons. Similarly, no producer shall deliver to other persons in any month more than 25% of his sales of any repair part for Schedule A equipment if the delivery would prevent the filling of orders for delivery of such repair part to war agencies. "Other persons", as used in this paragraph, shall not include dealers or distributors who have ordered repair parts for their stock or inventory. A dealer or distributor, in placing a purchase order with a producer for repair parts for which he has received a customer's order that he is unable to fill out of his stock, may state on his purchase order to the producer whether the repair part is being ordered for a war agency or not. If the repair part is being ordered for a war agency, delivery by the producer on such order shall be considered a delivery to a war agency for the purpose of this paragraph. If the repair part is being ordered for a person other than a war agency, delivery by the producer on the order shall be considered a delivery to "other persons" for the purposes of this paragraph.

(l) *Filling repair parts orders upon specific direction of the War Production Board.* A producer shall, upon the specific direction of the War Production Board on Form WPB-1319, make delivery of any repair part for Schedule A equipment to fill any order specified in such direction: When application has not previously been filed, the person authorized to receive such repair part shall return to the War Production Board a signed copy of Form WPB-1319 as confirmation of the application. However, confirmation copies need not be filed by war agencies.

Schedule B Equipment

(m) *Restrictions on sale and delivery of Schedule B equipment.* After August 3, 1944, no person shall sell or deliver any new equipment listed on Schedule B unless the sale or delivery bears a preference rating of AA-5 or higher. This restriction does not apply to deliveries on orders placed before August 3, 1944.

(n) *Restrictions on production of Schedule B equipment.* On or before the 15th day of August 1944, and on or before the 15th day of October, January, April and July thereafter, every producer must file on Form WPB-1689, in accordance with the instructions on the form, a statement of his deliveries of new Schedule B equipment for the previous three months and his proposed production of all new Schedule B equipment for all succeeding calendar quarters for which production may be planned. Approval or modification of the quantity of such equipment to be produced in the calendar quarter succeeding such filing or for a longer period will be indicated on a copy of the Form WPB-1689 returned to the producer prior to the first day of the calendar month succeeding such filing. A producer must not during any period produce more units of any type of Schedule B equipment than the quantity approved for that period by the War Production Board of Form WPB-1689 without a specific authorization from the War Production Board. When actual production in any quarter is less than production authorized for that quarter, the quantity not produced may be produced in any subsequent quarter unless the authorization is revoked or modified by the War Production Board. Therefore, such items must not be shown again as planned production on any subsequent report. Production schedules of Schedule B equipment are not "frozen schedules" under Priorities Regulation 18.

(o) *Repair parts for Schedule B equipment.* This order does not restrict the sale or delivery of repair parts for Schedule B equipment.

Schedule D Equipment

(p) *Restrictions on production of Schedule D equipment.* Producers must not use or put into process any materials for the production or assembly of any equipment listed in Schedule D.

(q) *Sales and delivery of Schedule D equipment and repair parts therefor.* Except as provided in paragraph (p) above, this order does not restrict the sale or delivery of any equipment listed in Schedule D or repair parts therefor.

Miscellaneous Provisions

(r) *Production authorizations.* (1) Production will be authorized so that labor requirements therefor in any one plant will not interfere with war production in that plant or in any other plant located in the same area.

(2) In approving a producer's total production of equipment for delivery to persons other than war agencies, the War Production Board may, with respect to any particular type of equipment, take into consideration the producer's total production of that type of equipment during the years 1937-1941 so that each producer will get approximately his proportion of the total non-military production of the industry on the basis of his production during the years 1937-1941. In addition, the War Production Board will take into consideration, among other factors, the availability of materials and components.

(s) *Substitution and conservation of critical materials.* In the manufacture of any item of equipment or repair parts, no producer shall use any alloy steel, stainless steel, copper, brass, bronze, nickel, tin or cadmium, where the use of other less critical materials will not impair the efficiency of operation of such item.

(t) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(u) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(v) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(w) *Communications.* All communications concerning this order, except where specific reference is made herein to the contrary, shall be addressed to Construction Machinery Division, War Production Board, Washington 25, D. C., Ref: L-192.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Angledozers and modifications thereof (for mounting on tractors of more than 25 drawbar H. P.)
Batchers, construction material.
Batching plants, construction type.
Bins, construction material, portable and stationary types.
Bulk cement handling plants.
Bulldozers and modifications thereof (for mounting on tractors of more than 25 drawbar H. P.)
Cranes, attachments for tractor mounting.
Cranes, crawler and rubber tired mounted power, and modifications thereof, except freight handling lift trucks.
Crushers, jaw (sizes 9" x 14" to 30" x 44" openings, inclusive); except those sizes of a type designed exclusively for mining and smelting.
Crushers, roll, construction aggregates, portable type.
Crushing plants, portable type.
Distributors, bituminous.
Distributors, water (street sprinklers and flushers).
Ditchers, ladder and wheel types.
Draglines, slack line and walking types (other types—see Cranes).
Dredges and dredge equipment, except mining.
Drilling machines, portable water well and blast hole drills, churn drill type.
Dryers, construction aggregates.
Earth boring machines, vertical auger type (except post hole diggers).
Finishers, paving (concrete or bituminous).
Graders, earth moving (motor, blade and elevating types).
Heaters and circulators, tank car.
Hoists, contractors and material handling exceeding 6,000 pounds line pull at 250 FPM line speed or exceeding 1,300,000 foot pounds effort based on second wrap of cable.
Jacks, mud.
Loaders, portable bucket (other than drag, flight or scraper type coal conveyors).
Loaders, portable snow.
Logging arches, tractor drawn.
Maintainers, road (complete machines).
Mixers, concrete construction, above 7 cubic feet.
Mixers, concrete truck or agitator type (with or without elevating towers).
Pavers, concrete.
Plants, asphalt, including travel mix type.
Plants, bituminous patch, hot or cold mixer type (more than 10 tons per hour capacity).
Plants, soil stabilizing.
Plows, snow (rotary and blower types).
Plows, snow (V and blade types), truck, grader or railroad mounted or mounted on tractors of more than 25 H. P., including wings.
Power control units for tractors (both cable and hydraulic).
Pumps, concrete, except for well cementing.
Pumps, portable engine or electric-motor-driven pumping units mounted on skids, with or without handles, or trailer mounted larger than 90,000 gallons per hour, self priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractor's purposes or by contractors for dewatering and supply.
Rollers, road (pneumatic tired, portable, tandem and three wheeled types).
Scrapers, carrying and hauling, both drawn and self-propelled, except those under 2 cubic yards struck capacity.
Shovels, attachments for tractor mounting.
Shovels, crawler and rubber-tired mounted power, and modifications thereof.
Sprayers, (maintenance units) bituminous material (over 300 gallon capacity).
Spreaders, concrete paving.
Sweepers, motor pick-up, traction driven or engine driven.
Wagons, crawler trailer (contractors, logging, cane, etc.).
Washing and screening plants, portable type.
Wheels, crawler trailer (complete assemblies).
Winches, tractor mounted.

SCHEDULE B

Angledozers, and modifications thereof (for mounting on tractors of 25 drawbar H. P. or less).
Backfill tampers.
Breakers, paving.
Brooms, rotary, tractor or truck mounted.
Buckets, clamshell, concrete, dragline and orange peel.[1]
Buckets, scraper (bottomless for dragline operation).[1]
Buggies and carts, concrete (hand operated and power propelled).
Bulldozers, and modifications thereof (for mounting on tractors of 25 drawbar H. P. or less.)
Cement guns.
Chutes, concrete handling.
Clay diggers.
Concrete surfacing machines, hand carried and highway types.
Conveyors, construction material, portable belt type and for portable plants.
Derricks, contractors and material handling, stiff leg, guy, pole, tripod, and setter types (portable or stationary).
Discs, road, wheel mounted and harrow type for construction work.
Ditchers, blade.
Drilling machines, rock, and modifications thereof hand held or portable mounted (except electric coal and core drills).
Finegraders and subgraders, self-propelled type.
Finishers and rodding machines for wet concrete.
Form tamping and pulling machines.
Forms, concrete road.
Graders, under truck type.
Grapples, rock type.
Hammers, pile.
Heaters, asphalt surface and concrete mixer types.
Hoists, contractors and material handling, hand type and power driven having specifications not exceeding 6,000 pounds line pull at 250 FPM, line speed or not exceeding 1,300,000 foot pounds effort based on second wrap of cable.
Hoppers, portable concrete.
Joint and crack filling machines.
Kettles, bituminous heating.
Mixers, aggregate pulverizer.
Mixers, concrete construction, 7 cubic feet and smaller.
Mixers, plaster and mortar.
Plants, bituminous patch, hot or cold mixer type (10 ton per hour capacity and under).
Plows, cable laying.
Plows, snow (for mounting on tractors of 25 H. P. or less).
Pumps, portable engine or electric motor driven pumping units, mounted on skids, with or without handles, or trailer mounted 90,000 gallons per hour and smaller self-priming centrifugal pumps, plunger pumps, or diaphragm pumps ordinarily used for contractors purposes or by contractors for dewatering and supply, excluding farm type, industrial type and underwriters approved fire fighting pumps.
Rippers, road.
Rollers, tamping and sheepsfoot.
Scarifiers, complete machines, not attachments.
Screens, rotary, vibrator and gravity types, other than coal, mining, industrial or those for screening mud on well drilling, used as a component part of or replacement for a portable crushing, screening, or washing plant.
Screening plants, portable type.
Sprayer, (maintenance units) bituminous material (300 gallon capacity and smaller).
Spreaders, construction material.
Towers, concrete placing and material elevating.
Vibrators, concrete.
Wagons, logging (wheel type).
Wellpoint systems.
Winches, contractors (see Hoists).

SCHEDULE D

NOTE: Schedule D amended Sept. 28, 1944.

The manufacture of items of equipment appearing in Schedule D is prohibited in accordance with paragraph (q).

Finegraders and subgraders, drawn type.
Joint levellers.
Scrapers, drag, fresno, and rotary over 27 cubic feet (or one cubic yard) capacity except those scheduled under Order L-257 or Order L-257-a.

[1] This item may be purchased as a repair part if it is being purchased to replace a similar item that is worn out.

[F. R. Doc. 44-15026; Filed, Sept. 28, 1944; 12:14 p. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Table 14, as Amended Sept. 28, 1944]

PLUMBING AND HEATING DIVISION

§ 3208.15 *Table for Plumbing and Heating Division.* The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

[1] If a dealer or distributor located in the United States wants a preference rating to increase the size of his stock of repair parts, or to establish a new stock of repair parts for resale, he may apply for a preference rating on Form WPB-547 (formerly PD-1X) for repair parts to be obtained from a manufacturer. Such a dealer or distributor may, of course, extend any preference ratings received from his customers.

Type of M-293 product	Designation	Applicable forms columns 1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen [1]
1. Metal pipe fabricated beyond rolling mill shapes for resale to installers for incorporation into a piping system including but not limited to pipe which has been subjected to the following processes: banding, flanging, van stoning, welding, coiling, and beveling but not including pipe which has been threaded only or cut to a specific length only or which has been beveled by the manufacturer or welding fittings sold as such			3401 or 3003		(?)
Boilers and boiler units, exclusive of those for marine shipment or locomotive use, as follows:					
(a) Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch, all types			3002.83	1790	(?)
(b) Steel boilers designed for steam pressure over 15 pounds per square inch, having less than 500 square feet of boiler heating surface, of the following types: [2]					
(i) Water tube					
(ii) Scotch marine					
(iii) Horizontal return tubular			3002.82	1790	(?)
(iv) Refractory lined firebox					
(v) Oil country					
(c) Steel boilers designed for steam pressure over 15 pounds per square inch all sizes, of the following types:					
(i) Steel Fire box					
(ii) Vertical			3002.83	1790	(?)
(iii) Miniature					

[1] For explanation of time during which shipping schedule is frozen see paragraph (c) (3) of M-293.
[2] For all boilers of types listed above under (2b) having 500 square feet of boiler heating surface and more and boilers of Dowtherm, Mercury, Waste Heat and Electric types—see table #8 of this order.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15022; Filed, Sept. 28, 1944; 12:13 p. m.]

PART 3216—MATERIALS ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, Direction 5]

LUMBER QUOTAS

The following direction is issued pursuant to Preference Rating Order P-142:

The 110% quota established by paragraph (b) (1) of Order P-142 does not apply to lumber with respect to any operator who is a Class I consumer under Order L-335. He may use the rating assigned by that paragraph, but may order for delivery and receive lumber in any quarter only to the extent authorized on Form WPB-3640 pursuant to the provisions of Order L-335.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15030; Filed, Sept. 28, 1944; 12:14 p. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b, as Amended Sept. 28, 1944]

GLASS CONTAINER AND CLOSURE QUOTAS

§ 3270.36 *Supplementary Order L-103-b.* This order lists the only products which may be commercially packed in new machine-made, glass containers or with new metal closures. It specifies closure materials and sets forth the number of glass packages and metal closures which may be used for each listed product. In addition, some restrictions are placed upon the manufacture of closures.

The order limits "commercial packs" only. Although there are certain manufacturing restrictions, the use of glass containers or metal closures for home canning purposes is not affected.

Likewise, the provisions of this order cover only new glass containers and closures. Used containers or closures are not limited. However, closures which are fabricated from used closures—that is, where the used closures are a production material—are regarded as new closures made of "waste" and are governed by the pertinent provisions of this order.

Definitions of the various terms used in this order appear in paragraph (x) hereof.

Restrictions on Use of Glass Containers and Closures

(Note exceptions from these restrictions in paragraphs (p) through (v)).

(a) *Prohibited acceptances and uses of glass containers and closures.* No packer shall accept delivery of or use any new glass container, or any new metal closure for packing any product not listed in a schedule of this order.

(b) *Limitations on acceptance and use of glass containers and closures.* (1) During any calendar year beginning with 1944, no packer shall accept delivery of or use, for packing any product which is listed in a schedule of this order, more new glass containers or more new metal closures (other than closures made of blackplate rejects, waste or aluminum) than his quota for that product.

(2) The limitations of subparagraph (1) shall not apply in the following cases:

(i) Jobbers or retailers may obtain closures and glass containers without restriction but must resell them in conformity with the provisions of this order.

(ii) In addition to his quota, any packer may, after November 1st of each year, accept delivery of new glass containers and new metal closures (within applicable inventory limitations) in an amount no greater than that which is required to provide him with a practicable minimum working inventory on January 1st of the following year. Containers and closures accepted under this paragraph may not be used until the following year and they must be charged to the following year's quota.

(iii) During any calendar year, a packer, (other than a person who operates under the exceptions in paragraph (r)), may accept, in each of his plants, a maximum of $5000 worth (cost price to him) of empty new glass containers, and $1500 worth (cost price to him) of new metal closures. These containers and closures may be acquired and used in addition to those which the packer would be permitted to accept and use under the other provisions of this order, provided that they are packed in the plant which is entitled to accept them as above, with a product (listed or unlisted) for which he does not have a quota under this order.

NOTE: Subdivision (iv) formerly (iii) redesignated Sept. 28, 1944.

(iv) Certain other exceptions are set forth in paragraphs (p), (q), (r), (s) and (u) (1) and also in the schedules of this order.

(c) *Closure materials.* No packer shall accept delivery of or use, for packing any listed product, new metal closures made of any material except those permitted for that product in the schedules of this order. However, blackplate (including rejects) may be used wherever tinplate or terneplate is specified, and frozen plate may be used wherever tinplate, terneplate or blackplate is specified. Likewise, closures made of waste may be used in accordance with the following paragraph:

(d) *Closures made of waste.* Closures made of waste shall not be used for packing any product not listed in the schedules attached to this order. Closures made of waste may be used in addition to specified quotas for listed products.

(e) [Deleted Sept. 22, 1944.]

Quotas

(f) *General.* Closure and glass quotas are stated separately in the attached schedules, and are not necessarily the same for any given product.

Quotas are not interchangeable as between listed products. That is, a packer who packs two products, product A and product B, must compute his quota (in the manner described in the following paragraph (g)) for each product separately. He cannot allot any portion of his quota for product A to product B, even if he does not pack his full quota of product A.

Furthermore, quotas may not be transferred from one packer to another except as provided in Priorities Regulation 7A.

(g) *Computation of quotas.* Glass container and closure quotas which are based on past usage (for instance, where a percentage figure followed by a calendar year—as 130% 1943—appears in a quota column) are computed as follows:

(1) The packer takes the number of new glass containers (or the number of new metal closures if he is computing his closure quota) which he used for packing that product during the named base year.

(2) He subtracts the number of new glass containers (or new metal closures) which he used for packing that product during the base year, and which were quota exempt under the provisions of any prior order of the War Production Board or under any previous amendment of this order.

(3) He multiplies the resultant figure by the applicable percentage. The glass container quotas for malt and non-alcoholic beverages (Schedule VI) are based on the number of new glass containers accepted rather than those used during the specified base period. In these cases the method of computation described in this paragraph applies, except that the word "accepted" should be substituted for the word "used" in steps (1) and (2) above. Only the new glass containers which a packer actually accepted delivery of and those which were invoiced to him during the applicable base period may be included in his quota base. But, for the purpose of making charges against quota, a packer must include the new glass containers which he actually accepts delivery of, and those which are set aside for him or held by another party for his account—whether or not they are actually invoiced to him. In a few cases, the schedules of this order set forth special rules, not covered by the above, for the computation of quotas for particular products. Such rules must be followed, and supersede the general statements contained in this paragraph (g) to the extent that they conflict with them.

(h) *Use of quotas.* As indicated above, most quotas are based on past use. The word "use" refers only to the actual filling operation in the case of glass and the actual capping operation in the case of closures. Therefore, to the extent that a person did not do this directly during the base period, he has no quota, despite the fact that he may have supplied the actual packer with the product, closures, containers, etc. After December 31, 1943, any packing done for him must be within the quota of the person performing the actual filling and capping operation.

In the case of products whose quotas are based upon acceptances, a person is deemed to have "accepted" glass containers or closures (for the purpose of computing quotas) only to the extent that he himself actually took possession of them or had them invoiced to him. If he did not do this during the base period, he has no quota, and the rules stated in the preceding paragraph of this paragraph (h) apply.

Packers who use or accept new glass containers or metal closures for packing products for the account of others, as well as for their own account, must conduct both operations within their own quotas. Without a special appeals grant under this order, they cannot regard their use or acceptances of glass containers and metal closures for the account of others as an addition to their quotas. This is true even where the other person may represent to the packer that he has a quota which he is not using himself.

On the other hand, packers are entitled to include, in their own quota bases, their use or acceptances of new glass containers or new metal closures, for the account of others during the specified base periods.

Restrictions on Sale and Delivery of Glass Containers and Closures

(i) *General restrictions.* No person shall sell or deliver any glass containers or closures which he knows, or has reason to believe, will be accepted or used in violation of any provision of this order.

(j) *Export.* The provisions of this order do not affect or restrict the manufacture, sale or delivery of empty new glass containers or unused closures for shipment outside the continental United States.

(k) *Certificates.* No person shall sell or deliver any new glass containers or new metal closures except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate, signed manually, or as provided in Priorities Regulation 7.

This certificate shall be in substantially the form attached hereto as Exhibit A in the case of sales or deliveries of all glass containers, and of all metal closures except malt and non-alcoholic beverage closures. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

The certificate should be in substantially the form attached hereto as Exhibit B, where sales or deliveries of malt or non-alcoholic beverage closures are concerned. This certificate differs from Exhibit A in that it must be filed with each purchase order for beverage closures in order to validate the order.

Jobbers as well as packers must file certificates in accordance with this paragraph (k). However, in Exhibit B, jobbers need only supply the information called for in sections (b) and (d) of that certificate.

(l) *Outstanding certificates.* Certificates previously filed with a supplier under any previous amendment of this order, shall remain valid insofar as sales or deliveries of glass containers are concerned. Exhibit A certificates previously filed under order M-104, shall remain valid insofar as closure (other than malt or non-alcoholic beverage), deliveries are concerned. In either of the above cases, no new certificate need be filed by any purchaser to validate his orders placed with the supplier to whom the previous certification was made.

(m) *Cases where certificates need not be filed.* No certificates shall be required for the sale or delivery of the following:

(1) Home canning jars except when sold to a packer
(2) Home canning closures except when sold to a packer
(3) Returnable glass containers for packing miscellaneous dairy products
(4) Prescription bottles and ointment jars for prescription use
(5) Closures for prescription and ointment jars for prescription use
(6) Glass containers or closures of any kind to retailers for resale empty or unused or to persons purchasing them from retailers.
(7) Glass containers or closures on shipments, empty or unused, to persons outside the continental United States.

(n) *Standard certifications.* The standard certification provided for in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certifications provided by this order; nor may the certifications provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Restrictions Relating Solely to Manufacture of Closures

(o) *Closure material.* (1) No person shall use any zinc, tinplate, terneplate, blackplate, frozen plate, waste-waste or waste for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium (other than paraffin) such as another closure.

(ii) Double shell or semi-double shell caps except where one part is made of aluminum.

(iii) Two-piece closures when both pieces are made of metal (other than aluminum) except for home canning closures conforming to paragraph (o) (2).

(2) No person shall use any zinc, tinplate, terneplate, blackplate or wire (except aluminum wire) for the manufacture of any closure of the home canning type except as follows: For jelly glass lids—blackplate; for all other home canning closures—0.50 tinplate, zinc, and wire (for bales).

A manufacturer may make home canning closures of the permitted materials without restriction as to quota. No two-piece all-metal closure manufactured pursuant to this subparagraph shall knowingly be sold to or used by any person for packing any product for sale.

(3) No person shall use any tinplate, terneplate or blackplate heavier than 90 pounds per base box for the manufacture of crown caps. This restriction does not apply to rejects, frozen plate waste-waste, or waste.

(4) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 0.50 lb. per base box except as otherwise specified in Schedule I, where in a few instances the figure 1.50 appears in the tinplate closure material column. In those cases tinplate with a tin coating of 1.50 lbs. per base box may be used.

(5) No person shall use any wire for the manufacture of paperboard disc plug caps, except that wire may be used for such caps having a diameter of two inches or larger. This restriction shall not apply to aluminum wire.

Exceptions Pertaining to Both Glass Containers and Closures

(p) *Deliveries to certain agencies and persons.* Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of glass containers or closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon), or the United Seamen's Service, Inc.

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy Camps, are not operated for private profit and are established primarily for the use of Army or Navy personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other nonprofit Defense Recreation Committees, engaged in the operation of recreation centers in the United States, its territories or island possessions, solely for military personnel, as are certified to be within the exemption provided by this paragraph (p) (3) by the Office of Community War Services under the Federal Security Agency.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(q) *Special provisions in schedules relative to exempt deliveries to certain agencies and persons.* The schedules of this order contain certain limitations on the exception provided by the preceding paragraph (p) in the case of certain products—as, for instance, malt and nonalcoholic beverages. In such cases, the provisions of the schedules are controlling and supersede paragraph (p) to the extent that they conflict therewith.

(r) *Small users.* The restrictions of this order shall not apply to any packer during any calendar year in which he neither accepts nor uses more than a total of $5,000 worth (cost price to him) of empty new glass containers and $1,500 worth (cost price to him) of new tinplate, terneplate or blackplate closures for all products. A packer who accepts glass containers or closures under the provisions of this paragraph, must use them in his own plant and may not deliver them for packing by anyone else. All packers owned or controlled directly or indirectly by the same person shall be deemed to be a single packer for the purposes of this paragraph.

Exceptions Relative to Glass Containers Only

(s) *Large size glass containers.* The restrictions of this order which pertain to glass containers shall not apply to any glass container with a capacity larger than 140 fluid ounces.

(t) *Glass containers of non-permitted sizes manufactured prior to January 4, 1944.* A packer may accept and use, for packing any product listed in the schedules of this order, any glass container which was manufactured before January 4, 1944, even though the container is of a size which is not permitted for that product by the schedules. Such acceptance and use must be in accordance with the quota provisions of this order and with the provisions of Order L-103.

(u) *Quota status of glass containers in inventory as of January 1, 1944.* Glass containers in the possession of a packer as of January 1, 1944, may be used by him for packing any listed product as follows:

(1) Quota free, if accepted for packing a product which had a limited quota in 1943, (unless "borrowed" as described in point 3 of this paragraph).

(2) Within quota, if accepted for packing a product which had an unlimited quota in 1943.

(3) Within quota, if borrowed against anticipated 1944 use as permitted in paragraph (e) of this order as amended November 1, 1943.

(v) [Deleted July 18, 1944.]

Prior Appeals

(w) *Appeals granted prior to December 31, 1943 under Order M-104 and Order L-103-b.* All appeals granted prior to December 31, 1943 under orders L-103-b and M-104 are cancelled and shall be ineffective on and after January 1, 1944. Therefore, after that date, no person shall accept delivery of or use or shall manufacture, sell or deliver any new glass container or any new metal closure except in accordance with the provisions of this order—unless he receives a new grant on appeal after January 1, 1944.

Definitions

(x) *Definitions.* For the purposes of this order:

(1) "Glass container" means any empty new machine-made bottle, jar or tumbler, with a capacity of 140 fluid ounces or less, which is made of glass and which is suitable for packing any product. It shall not include ampoules or vials made from glass tubing.

(2) "Packer" means any person who uses glass containers or closures for commercially packing any product in the continental United States.

(3) "Home canning jar" means a glass container which is specifically made for use as a home canning jar (that is, for the purpose of packing or preserving food or food products in the home) and which carries some lettering or other marking identifying it as such.

(4) "Closure" means any new sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container. The term shall not include bulbs or droppers for medicinal bottles.

(5) "Metal closure" means any closure which is made of zinc, tinplate, terneplate, blackplate, frozen plate, waste-waste, or waste.

(6) "Tinplate" means sheet steel coated with tin, and includes "primes", "seconds", and all other forms of tinplate except waste and waste-waste.

(7) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", and all other forms of terneplate except waste and waste-waste.

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, and includes "rejects", and all other forms of blackplate except waste.

(9) "Frozen plate" means only tinplate, terneplate or blackplate which, since before August 9, 1943, has been held in the owner's inventory because, for any reason, it was not suitable for manufacture by the owner into articles permitted the use of steel under the provisions of War Production Board orders.

(10) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(11) Tinmill blackplate "rejects" means steel sheets rejected during processing by the producer because of imperfections which disqualify such sheets for sale as prime blackplate.

(12) "Waste", means:

(i) Used closures made of tinplate, terneplate or blackplate;

(ii) [Deleted Sept. 28, 1944.]

(iii) Tinplate, terneplate or blackplate discs produced in the ordinary course of manufacturing screw bands for home canning closures;

(iv) Slitter or shear trimmings, or lithographing lay sheets, produced in the ordinary course of manufacturing closures or cans.

(13) The term "0.50 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box.

(14) Continental United States means the 48 states of the United States and the District of Columbia.

Miscellaneous

(y) *Multiple unit users.* Any packer who uses glass containers at more than one plant may choose to compute and apply a separate quota for each plant (or group of plants) or a collective quota for all such plants. Any organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single packer for purposes of this paragraph.

(z) *Applicability of regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(aa) *Appeals.* Appeals from this order shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: L-103-b.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(bb) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref.: L-103-b.

(cc) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—PURCHASER'S CERTIFICATE FOR ALL GLASS CONTAINER DELIVERIES AND ALL CLOSURE DELIVERIES EXCEPT MALT AND NON-ALCOHOLIC BEVERAGE CLOSURES

One copy of this certificate is to be delivered to each person from whom purchases of new glass containers or new metal closures (other than malt and non-alcoholic beverage closures) are made. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b and that he will not use or sell any glass containers or any closures purchased from _____
Name of seller
_____
Address of seller

pursuant to this or future purchase orders or contracts in violation of the terms of such order.

Date _____
_____
Legal name of purchaser
By _____
Authorized official
_____
Title of official
_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

EXHIBIT B

Certificate required by Order L-103-b to validate each purchase of new metal closures for malt or non-alcoholic beverages. Execute in duplicate, one copy to be retained by the purchaser, and one to be filed with the seller.

INVENTORY

(a) Permitted inventory for quota use (30% of the 1944 quota of closures for packing malt or non-alcoholic beverages) plus the number of closures used in the preceding three calendar months for purposes described in Paragraph (p) of this order _____ gross.

(b) Inventory on date of this certification (exclusive of aluminum closures and closures which are permitted to be used without regard to quota as stated in paragraphs (d) (1), (2) and (3) of Schedule VI under Malt and Nonalcoholic Beverages) _____ gross.

(c) Permitted delivery as of date of this certification from all sellers. Line (a) minus Line (b) _____ gross.

(d) Requested delivery from _____
Seller
_____ gross.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b, that the foregoing statements of inventory are true and correct, and that he will not use or sell any closures for malt beverages or non-alcoholic beverages received from the seller pursuant to the above-described "requested delivery" in violation of the terms of such order.

Date _____
_____
Legal name of purchaser
By _____
Authorized official
_____
Title of official
_____
Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

SCHEDULES—GENERAL EXPLANATION

Schedules I through VI list the only products which may be packed in new glass containers or with new metal closures.

The data set forth in the two "quota" columns, opposite each product, indicate the number of new glass containers and new metal closures (determined in accordance with the general rules set forth in paragraph (g) of Order L-103-b), which may be used for packing that product. However, any special quota provisions which these schedules make applicable to any product, are controlling to the extent that they conflict with paragraph (g).

Where the "x" mark appears opposite a product in one of the columns headed "Closure Material", it indicates that, except as listed hereafter, only closures made of that material may be used to pack that product. The general exceptions from this rule are:

(i) Closures made of blackplate may be used, within quotas, wherever tinplate or terneplate is specified.

(ii) Closures made of frozen plate may be used, within quota, wherever either tinplate, terneplate or blackplate is specified.

(iii) Closures made of waste may be used in addition to specified quotas for listed products.

All special provisions of these schedules relating to closure materials for specific products must be followed, and control to the extent that they conflict with the above.

All size specifications for glass containers set forth in these schedules must be followed in addition to the provisions of Order L-103 and its schedules.

Attention is called to Paragraphs (p) through (u) of this order which establish limited exceptions to its provisions. Here again any special provisions which these schedules contain relative to quota exemptions, as in the case of certain beverages, must be observed.

SCHEDULE I—FOODS

NOTE: Schedule I amended in its entirety Sept. 28, 1944.
Closures made of aluminum or blackplate rejects may be used without regard to quota or material restriction.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material: Tin plate	Closure material: Black plate
1. All foods for human consumption except as otherwise listed in this schedule.	Unlimited	Unlimited	-------	X
2. Coffee, bean or ground	Unlimited	50% of glass use	-------	X
3. Shortening	Unlimited	None	-------	-------
4. Meat and fish and products made from them, ice cream mix, apple cider, and juice, fruits (only crushed, fountain fruit and ice cream toppings), soup mix, cheese spreads, spaghetti and macaroni products, corn beef hash and sauerkraut.	Unlimited	Unlimited	X	-------
5. Olives, pickles, relishes, sauces, vinegar, French dressing, flavoring, extracts, spices, mustard, horse-radish, cherries.	Unlimited	Unlimited	1.50	-------
6. All other foods for human consumption if preserved in a hermetically sealed container made sterile by heat.	Unlimited	Unlimited	1.50	-------

SCHEDULE II—DRUG AND HEALTH SUPPLY PRODUCTS

(Except products listed in other schedules of this order)

Closures made of aluminum or blackplate rejects may be used for any product listed in this Schedule.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Drug and health supply products	Unlimited	Unlimited		X
2. Biologicals, blood plasma, chemicals, dental supplies packed exclusively for use in the practice of dentistry, glycerites, liniments of ammonia, magmas, oils, ointments, penicillin, prescriptions, medicinal soaps and aromatic spirits of ammonia.	Unlimited	Unlimited	X	

SCHEDULE III—CHEMICALS

NOTE: Schedule III amended in its entirety Sept. 28, 1944.

Closures made of aluminum or blackplate rejects may be used without regard to quota or material restriction.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Ammonia products, aromatic chemicals, reagent chemicals, dental supplies, deodorants, liquid or paste (not for use on human body), dyes, germicides, hypochloride powders, phenols, photographic supplies and other liquid chemicals not specified herein.	Unlimited	Unlimited	X	
2. All other chemicals	Unlimited	Unlimited		X

SCHEDULE IV—COSMETICS AND TOILETRIES

NOTE: Schedule IV amended in its entirety Sept. 28, 1944.

Closures made of aluminum or blackplate rejects may be used without regard to quota or material restriction.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Cosmetics, solid and semi-solid types such as face creams, hand creams, vanishing creams, deodorant and antiperspirant creams and cream rouges.	Note 1	85% of glass use		X
2. Cosmetics and toiletries, fluid or powder; such as deodorants, antiperspirants, shampoos, hair tonics, hair dyes, wave solutions, hair rinses, after shave lotions, liquid soaps, perfumes, toilet waters, face and hand preparations, lotions, fingernail preparations.	Note 1	80% of glass use		X
3. Soaps, hand	Note 1	100% of glass use		X
4. Shaving cream	Note 1	100% of glass use		X

NOTE 1: The total number of new glass containers which may be used during any calendar year for packing all products in this schedule is 130% of the number of new glass containers a packer used for that purpose during 1943, after deducting the quota-exempt glass used, in accordance with paragraph (g). The quota may be used for packing any one or mass of the products in this schedule.

SCHEDULE V—MISCELLANEOUS PRODUCTS

NOTE: Schedule V amended Sept. 28, 1944.

Closures made of aluminum or blackplate rejects may be used without regard to quota.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Artist supplies	130% 1943	100% quota glass containers.		X
2. Candle tumblers	Unlimited	Unlimited		X
3. Dental floss	130% 1943	100% quota glass containers		X
4. Lighter fluids	130% 1943	100% quota glass containers.		X
5. Oils, lubricating and machine. Motor oils to be packed in quarts or larger	130% 1943	None		
6. Tobacco and snuff not including cigars and cigarettes	130% 1943	None		

SCHEDULE VI—BEVERAGES

(The rules set forth in this schedule are controlling wherever they conflict with any other provisions of Order L–103–b. However, except as modified herein, all provisions of Order L–103–b are applicable)

MALT BEVERAGES

Product: Malt beverages, including only beer, ale, porter, near beer and mixtures thereof.

Glass Containers

(a) *Glass container quota.* 130% of the number of new returnable glass containers which the packer accepted delivery of for malt beverages during 1943—less the number of quota exempt returnable glass containers which were accepted during the period between July 1, 1943 and December 31, 1943.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for malt beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering malt beverages to or for any of the persons listed under paragraph (p) of this order:

(1) *Export shipments and domestic shipments in non-returnable bottles.* The full amount of glass containers (of all types) for delivering malt beverages to or for any such person for shipment to points outside the continental United States; and the full amount of non-returnable glass containers for delivering malt beverages to or for any such person for use or distribution within the continental United States.

(2) *Domestic shipments in multiple-trip bottles.* Fifteen per cent of the full amount of multiple-trip glass containers for delivering malt beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Note 3).* 115% of the number of new metal closures used for malt beverages during 1943. (Quota exempt closures may not be included in base.)

(d) *Closure material.* Blackplate, electrolytic waste-waste and frozen plate, for use within quota.

Only closures made of the following materials may be used in addition to quota:

1. Closures made of blackplate rejects without any lettering or design printed thereon.
2. Closures made of used closures.
3. Closures made of used cans and discs which were in the inventory of the crown manufacturer or user on September 28, 1944 and which are made into crowns before January 1, 1945.

(e) *Closure material for armed forces.* Closures for overseas shipments of malt beverages or closures for shipments unused to overseas bottling plants, when the beverage is for delivery to the United States Army or Navy, may be made of 0.50 lb. electrolytic tinplate of 103 basis weight.

NON-ALCOHOLIC BEVERAGES

Product. Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters and unflavored naturally carbonated and still waters (See Note 2); drinks consisting of fruit juices, vegetable juices and combinations thereof, where less than 85% by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk.

Glass Containers

(a) *Glass container quota.* 110% of the number of new glass containers which the packer accepted delivery of for non-alcoholic beverage during 1941.

(b) *Exceptions from glass quota provisions.* In addition to his quota of glass containers for non-alcoholic beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering non-alcoholic beverages to or for any of the persons listed in paragraph (p) of this order.

(1) *Export shipment.* The full amount of glass containers for delivering non-alcoholic beverages to or for any such person for shipment to points outside the continental United States.

(2) *Domestic consumption.* 15% of the full amount of glass containers for delivering non-alcoholic beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) *Closure quota (See Notes 2 and 3).* 115% of the number of new metal closures used for non-alcoholic beverages during 1943 (Quota exempt closures are not to be included in base).

Closure material. Blackplate, electrolytic waste-waste and frozen plate, for use within quota.

Only closures made of the following materials may be used in addition to quota:

1. Closures made of blackplate rejects without any lettering or design printed thereon.
2. Closures made of used closures.
3. Closures made of used cans and discs which were in the inventory of the crown manufacturer or user on September 28, 1944 and which are made into crowns before January 1, 1945.

(e) *Closure material for armed forces.* Closures for overseas shipments of non-alcoholic beverages or closures for shipments unused to overseas bottling plants, when the beverage is for delivery to the United States Army or Navy, may be made of 0.50 lb, electrolytic tinplate of 103 basis weight.

WINES

Product. Wines.

Glass container quota. 130% of 1943.

Closure quota. 50% quota glass containers.

Closure material. Blackplate within quota. Closures made of aluminum or blackplate rejects may be used without regard to quota.

DISTILLED SPIRITS

Product. Distilled spirits, including cordials.

Glass container quota. 130% of 1943. (See Note 4.)

Closure quota. 50% quota glass containers.

Closure material. Blackplate within quota. Closures made of aluminum or blackplate rejects may be used without regard to quota.

NOTE 1: Deleted Sept. 28, 1944.

NOTE 2: Except with regard to items listed in Schedule II, no new metal closures shall be affixed to glass containers smaller than 12 fl. oz. for packing unflavored carbonated natural or mineral waters unless such glass containers were manufactured on or before June 1, 1942.

NOTE 3: No person other than a jobber purchasing for resale shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory beyond 30% of his 1944 quota of such closures plus the number of closures used in the preceding three calendar months for purposes described in paragraph (p) of this order. This restriction does not apply to closures which are permitted to be used without regard to quota under paragraphs (d) (1) (2) and (3) for Malt and Non-alcoholic Beverages under this schedule.

NOTE 4: As an alternative to computing his glass quota on the basis of 130% of 1943, any packer of distilled spirits may elect to compute his quota for the calendar year 1944 as follows: 100% of 1943 plus 6 bottles for each proof gallon of distilled spirits manufactured during August of 1944 that he uses for packing for beverage purposes.

SCHEDULE VII: Revoked Sept. 28, 1944.

INTERPRETATION 1: Revoked Jan. 4, 1944.

INTERPRETATION 2

GLASS CONTAINER AND CLOSURE QUOTAS

Paragraph (g) sets forth the method for computing a packer's quota of new glass containers or new metal closures. The first step in the process (subparagraph (1) of paragraph (g)) is to take the number of new glass containers or new metal closures used or accepted for packing that product during the named base period. In arriving at this number a packer may not include more containers or closures than he was permitted to accept or use under the provisions of the applicable order in existence at the time. New glass containers or new metal closures accepted or used pursuant to the grant of an appeal are properly included in making the computation. (Issued Apr. 3, 1944.)

INTERPRETATION 3

A caterer or restaurateur, who fills glass containers with food which is ready for consumption, for the purpose of delivering it to a plant to be served in in-plant feeding operations, is not a packer within the meaning of the term as defined in paragraph (x) (2) of this order and therefore not subject to the restrictions contained in it. He may properly use the certification contained in Exhibit A in placing his purchase orders if the glass containers are to be used for this purpose only. (Issued May 15, 1944.)

[F. R. Doc. 44–15024; Filed, Sept. 28, 1944; 12:13 p. m.]

PART 3270—CONTAINERS

[Limitation Order L–103, Schedule B, as Amended Sept. 28, 1944]

GLASS CONTAINERS AND CLOSURE SIMPLIFICATION; MALT BEVERAGES

§ 3270.48 *Schedule B to Limitation Order L–103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Malt beverages" means beer, ale, stout, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted barley with or without other food products, and with hops or hop extracts.

(2) A "standard glass container for malt beverages" means a glass container described in Exhibits B–1, B–2, B–3–a, B–4, B–5–a, B–6 to B–9, inclusive, B–10–a, and B–11 to B–14, inclusive of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L–103.

(b) *Restrictions.* (1) Only standard glass containers for malt beverages may be produced for bottling malt beverages.

(2) No molds may be manufactured for a glass container for malt beverages which do not conform to the specifications of a standard glass container for malt beverages.

(3) The standard glass containers described in Exhibits 12, 13 and 14 shall be manufactured only for malt beverages to be shipped (i) outside of the forty-eight states of the United States and the District of Columbia, and (ii) to points within the forty-eight states of the United States and the District of Columbia to or for the account of any of the persons listed under paragraphs (p) (1) and (2) of Order L–103–b.

(4) No provision of this schedule shall be construed to restrict the sale, delivery or use of glass containers which were completely manufactured on or before September 12, 1942.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule the lettering on standard glass containers for malt beverages shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT B-1

Standard Glass Container—Steinie Shape Beer Bottle for Unpasteurized Beer 64 ounce capacity, 66½ overflow

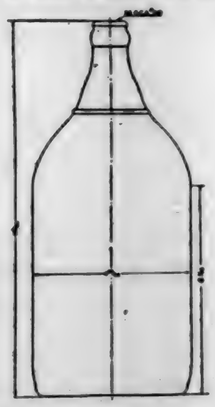

Bottles must be round—64 oz. wt.

EXHIBIT B-2

Standard Glass Container—Steinie Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow

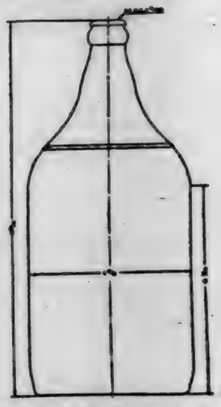

Bottles must be round—60 oz. wt.

EXHIBIT B-3-A

Standard Glass Container—Steinie Shape Beer Bottle, 32 ounce capacity, 33¾ overflow

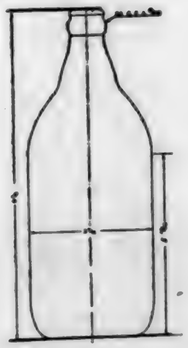

Any interchangeable finish may be used.
Optional weights 20 and 24 oz.—adjust diameter to make capacity.
Bottles must be round.

EXHIBIT B-4

Standard Glass Container—Steinie Shape Beer Bottle, 12 ounce capacity, 12$\frac{13}{16}$ overflow

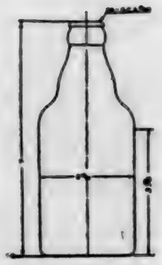

Bottles must be round 9¾ oz. wt.

EXHIBIT B-5-A

Standard Glass Container—Export Shape Beer Bottle, 32 ounce capacity, 33¼ overflow

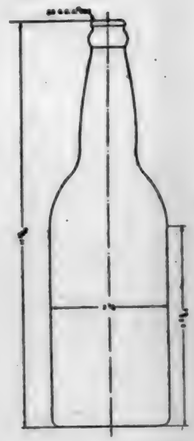

Bottles must be round—28 oz. wt.
Any interchangeable finish may be used

EXHIBIT B-6

Standard Glass Container—Export Shape Beer Bottle, 12 ounce capacity, 12$\frac{13}{16}$ overflow

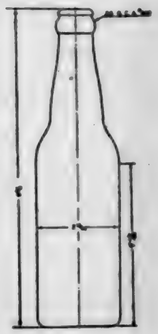

Bottles must be round—12 oz. wt.

EXHIBIT B-7

Standard Glass Container—Select Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow

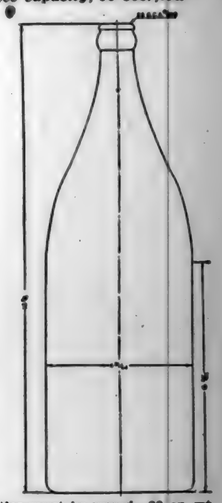

Bottles must be round—39 oz. wt.

EXHIBIT B-8

Standard Glass Container—Select Shape Beer Bottle for Unpasteurized Beer, 64 ounce capacity, 66½ overflow

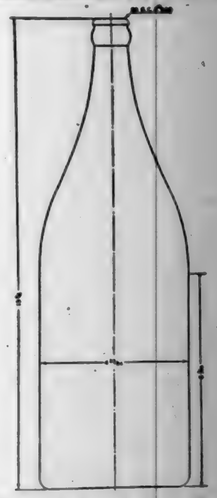

Bottles must be round—36 oz. wt.

EXHIBIT B-9

Standard Glass Container—Select Shape Beer Bottle, 12 ounce capacity, 12$\frac{13}{16}$ overflow

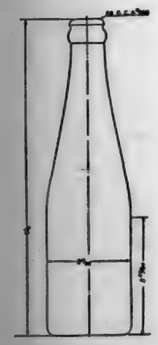

Bottles must be round—12 oz. wt.

EXHIBIT B-10-A

Standard Glass Container—Ale Bottle, 32 ounce capacity, 33¼ overflow

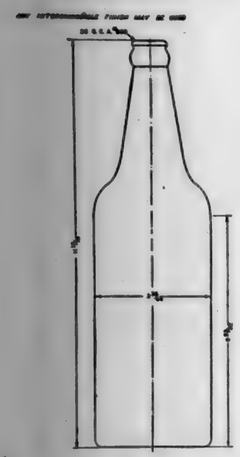

Bottles must be round—28 oz. wt.

EXHIBIT B-11

Standard Glass Container—Ale Bottle, 12 ounce capacity, 12$\frac{13}{16}$ overflow

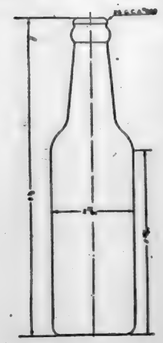

Bottles must be round—12 oz. wt.

EXHIBIT B-12

Standard Glass Container—Single Trip Beer Bottle, 12 ounce capacity, 12$\frac{13}{16}$ overflow

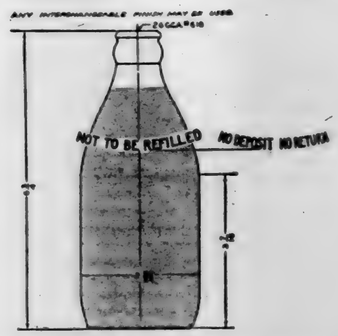

The bottle shall be round with stippling and lettering as shown—8 oz. max. weight.

EXHIBIT B-13

Standard Glass Container—Single Trip Beer Bottle, 32 ounce capacity, 33¾ overflow

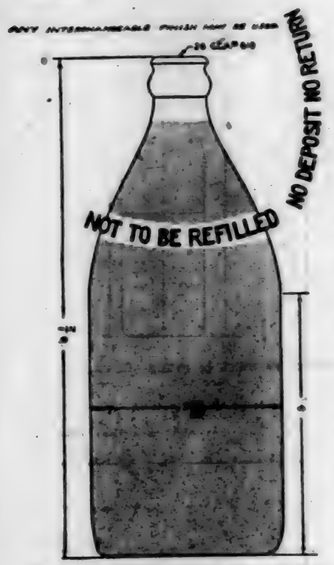

The bottle shall be round with stippling and lettering as shown—18 oz. max. weight.

EXHIBIT B-14

Standard Glass Container—Single Trip Beer Bottle, 12 ounce capacity, ounce overflow

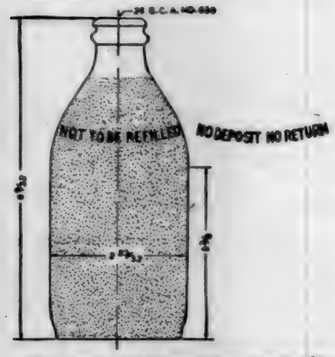

The bottle must be plain round, except for stippling and lettering shown—6½ oz. max. weight.

[F. R. Doc. 44-15025; Filed, Sept. 28, 1944; 12:13 p. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-1-b, as Amended Sept. 28, 1944]

PRODUCTION AND DELIVERY OF MACHINE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of machine tools and components used in producing machine tools for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.1 *General Preference Order E-1-b.*—(a) *Definitions.* For the purposes of this order:

(1) "Machine tool" means any new, non-portable, power driven, metal-working machine listed on the attached Exhibit A except light power driven tools subject to Limitation Order L-237.

The word "machine" means a machine tool. It includes all fixtures, equipment and tooling covered by the original purchase order which are required to be delivered with the machine to make it usable in production for the purposes intended. It does not include replacements, spare parts or equipment, or extra tooling.

(2) "Producer" means any person engaged in producing machine tools.

(3) "Service purchasers" means those whose purchase orders for machines call for delivery to a supply arm or bureau of the Army or Navy, to the United States Maritime Commission, to one of their prime contractors, or to a subcontractor of such a prime contractor. However, no such purchaser shall be considered a service purchaser unless his preference rating certificate or endorsement accompanying his purchase order shows that the preference rating being applied to the purchase was assigned on Form WPB-542, CMPL-224, or GA-1456, or that the rating was assigned and certified in accordance with paragraph (e) (3) of War Production Board Directive 31.

(4) "Foreign purchasers" means those whose purchase orders show that the machine is to be delivered to or for the account of a foreign country, other than Canada, or a subdivision, agency, or instrumentality thereof.

(5) "Other purchasers" means all purchasers other than service purchasers and foreign purchasers, whose purchase orders have been assigned a preference rating of AA-5 or higher. Other purchasers include all Canadian purchasers except those who are service purchasers by reason of their purchasing machines for use on direct United States prime contracts or subcontracts.

(6) "Size" includes all of those dimensions or variations of a particular type of machine which can be used interchangeably for production purposes. Size classification shall be that used by each producer on June 22, 1944 unless he is hereafter authorized to use a different classification. Producers may apply for such permission by writing to the Tools Division, War Production Board, Ref.: E-1-b.

(b) *Delivery of machine tools until September 1, 1944.* Until September 1, 1944 each producer shall maintain his production and delivery schedules as established on June 22, 1944. An exception to this is any change in schedules required by a diversion or by any other specific direction of the War Production Board issued after June 22, 1944.

(c) *Allocation of production to service purchasers and to foreign purchasers and other purchasers.* (1) Starting September 1, 1944, each producer shall schedule his deliveries for each calendar month so as to deliver 75 percent of his production of each size in that month to service purchasers and 25 percent of each size to foreign purchasers and other purchasers combined.

(2) To the extent that a producer has not received orders from service purchasers for 75 percent of his production of a given size by sixty days prior to the first of the month being scheduled, he may schedule more than 25 percent for delivery to foreign purchasers and other purchasers combined. To the extent that he has not received orders from foreign and other purchasers combined for 25 percent he may schedule more than 75 percent for delivery to service purchasers.

(d) *Distribution of 75 percent of production among service purchasers.* Each producer shall schedule deliveries to service purchasers as follows:

(1) Service purchasers are subdivided into seven groups, consisting of the following and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Forces, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Forces," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Office of The Surgeon General (Army Medical Department), the Chemical Warfare Service, the Transportation Corps (Transportation Service), the Bureau of Yards and Docks, and the Marine Corps, together with any other corps, department, bureau or service of the Army or Navy not heretofore designated as a separate group, and their respective prime contractors and subcontractors.

(2) (i) Each producer shall figure the number of orders on his books for each size from each of the seven service purchaser groups as of sixty days prior to the first day of the month being scheduled or, at the producer's option, the nearest date within ten days thereof on which he may have compiled his record of orders. Only orders which require delivery in the month being scheduled or in a previous month shall be counted. This figure shall be termed the net backlog of each service purchaser group. No order shall be counted unless it is a firm order accompanied by specifications or other description of the machine in sufficient detail to enable the producer to place the machine in his production schedule and by the information required by paragraph (f) of this order.

(ii) He shall then distribute the number of machines of this size allocated to all service purchasers for the month being scheduled among each of the seven service purchaser groups according to each group's quota. The quota of this size for each service group shall be the ratio of:

(a) Net backlog in this size of the service group to

(b) The total of all net backlogs in such size of all the service groups,

multiplied by the total number of machines of this size allocated for the month being scheduled to all service purchasers. An example of the calculation required by this paragraph is attached, marked "Illustration of paragraph (d) (2)."

(iii) The quota shall be determined monthly for the third ensuing month. For example: On the 1st of July quotas shall be determined for September, on the first of August quotas shall be determined for October, and on the first of September quotas shall be determined for November, etc.

(3) Commencing with the month of September 1944 and each month thereafter, a producer shall deliver to each service group the number of machines of that size equal to its quota for that month. However, no producer shall schedule delivery of any machine earlier than the date on which the purchaser requires delivery unless all required delivery dates on other orders are being met.

(e) *Treatment of fractions.* Where the number of machines which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole machine. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole machine) for any one month, and such fraction is less than one-half, it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half, and there is only one remaining machine to which such fractions can apply, such machine shall be allotted to the group having the largest quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(f) *Necessity for preference rating.* No producer shall place any order for a machine in his production schedule and no producer or other person shall deliver or accept delivery of any machine unless it is rated AA-5 or higher. However, a producer who has filled all rated orders on their required delivery dates may deliver a total of not more than ten machines (irrespective of size and type) to his different dealers within the continental United States without ratings. A producer may distribute these ten machines among his dealers in any way he wishes. Upon the sale of any of these machines, if he has then fulfilled all rated orders, he may deliver additional machines to maintain a total of not more than ten machines among his different dealers.

Any dealer so receiving a machine may resell it only on a rating of AA-5 or higher and may not extend the rating received from his customer to replace it in his inventory.

In applying a preference rating to an order for a machine tool, the purchaser must supply the following information in addition to his regular endorsement or certification applying the rating:

(1) The form of preference rating certificate or the number of the order or regulation by which the rating was assigned to the purchaser. For example: Form WPB-541, WPB-542, WPB-1319, CMPL-224, GA-1456, P-68, CMP Regulation 5.

(2) The urgency standing assigned to the delivery of the machine, if any.

(3) The required delivery date of the machine.

(4) A statement as to whether the purchaser is a service purchaser, a foreign purchaser, or other purchaser, and if a foreign purchaser the foreign country to which the machine is to be delivered.

(5) In the case of service purchasers the supply arm or bureau of the Army or Navy, or the Maritime Commission which placed the prime or subcontract on which the machine being purchased is to be used, the number of the prime contract and the name of the prime contractor.

(g) *Operation of Numerical Master Preference List.* Numerical Master Preference List, Revision No. 6, designated "Restricted," has been supplied to machine tool builders (Exhibit B to this order). This list determines the sequence of deliveries as between service purchasers as follows:

(1) The sequence of deliveries among each group of service purchasers within its respective quota shall be determined each month without regard to preference ratings.

(2) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall take precedence over service purchasers who are not on the list.

(3) As between deliveries having conflicting required delivery dates and to be made to service purchasers on the list, priority shall be given to the service purchaser with the higher urgency standing in that service group. The highest urgency standing is No. 1.

(4) The sequence of conflicting deliveries to service purchasers not on the list shall be determined by the respective dates on which the producer receives the preference rating together with the information called for by paragraph (f).

(5) Delivery to a subcontractor not specifically named on the list shall take the urgency standing of his prime contractor. However, no subcontractor may use the urgency standing of his prime contractor unless it has been endorsed on the instrument assigning the preference rating by the supply arm or bureau concerned.

(6) If the urgency standing certified to by the purchaser differs from the urgency standing shown for the particular contractor in question on the Numerical Master Preference List, Revision No. 6, the latter shall govern.

(h) *Additions to list.* Changes may be made in the Numerical Master Preference List from time to time by the War Production Board. Where an urgency standing between existing urgency standings is assigned, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standard 792.1 will be scheduled after 792 and before 793.

(i) *Sequence of deliveries among foreign purchasers and other purchasers.* The sequence of deliveries among foreign purchasers and other purchasers within the proportion of production allocated to them shall be determined in accordance with the provisions of § 944.7 of Priorities Regulation No. 1.

(j) *"Frozen" period.* Unless the War Production Board specifically orders otherwise, no higher preference rating or urgency standing which may be received by a producer shall operate to postpone or in any way affect any delivery under a purchase order which is scheduled for delivery within sixty days of receipt of such higher preference rating or urgency standing.

(k) *Replacement parts.* Nothing in this order shall be construed to prohibit the delivery by any producer of repair and replacement parts for machine tools in accordance with applicable regulations and orders of the War Production Board concerning maintenance, repair and replacement items.

(l) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of machines, allocate any order for machines to any other producer, divert or otherwise direct the delivery of any machine to any other person.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This appeal should be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(o) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regula-

tions of the War Production Board, as amended from time to time.

(p) *Communications.* All reports required to be filed hereunder, and all appeals and other communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E-1-b.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

NOTE: Exhibit A, amended Sept. 28, 1944.

All types of the following:
Ammunition machinery.
Bending machines.
Bending rolls.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die sinkers.
Draw benches.
Drilling machines.
Duplicators.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear cutting machines.
Gear finishing machines.
Grinding machines.
Hammers.
Headers.
Honing machines.
Keyseaters.
Lapping machines.
Lathes.
Levelers.
Marking machines.
Milling machines.
Nibbling machines.
Oil grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishers.
Presses
Profilers.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Sawing machines.
Screw and bar machines.
Shapers.
Shearing machines.
Slotters.
Swagers.
Tapping machines.
Thread rollers.
Threading machines.
Tube reducers.
Upsetters.

Illustration of paragraph (d) of E-1-b for September 1944.

Producer's scheduled production for September	40
Service quota (75% if that many orders)	30

Item	Total service	Bureau of Ships	Bureau of Ordnance	Ordnance Department	Air Forces	Miscellaneous branches and bureaus	Maritime Commission	Signal Corps
1. Net backlog by Service Groups (orders on hand June 1 requiring delivery in September or prior to September	50	10	5	20	15	0	0	0
2. Proportion of total service deliveries (net backlog of each service group divided by total net backlog for all service groups)	100%	1/5	1/10	2/5	1/10	0	0	0
3. Service group quota—Total service quota (30) times line 2	30	6	3	12	9	0	0	0

[F. R. Doc. 44-15016; Filed, Sept. 28, 1944; 12:12 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-124 as Amended Sept. 28, 1944]

RUBBER YARN AND ELASTIC THREAD

§ 3290.36 *Conservation Order M-124*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Restrictions on use and delivery.* No person shall knit, weave or otherwise process or use, sell, deliver, purchase, order or accept any rubber yarn, latex yarn or elastic thread including all types of synthetic rubber yarn or synthetic rubber thread, except:

(1) As specifically authorized by letter or telegram of the War Production Board.

(2) For sale or delivery by or to the Defense Supplies Corporation or its representatives;

(3) Any rubber yarn, latex yarn or elastic thread in a retail merchant's stock as such on March 29, 1942.

Until December 1, 1944, the restrictions of this paragraph (b) shall not apply to synthetic rubber yarn or synthetic rubber thread.

(c) *Authorizations.* Any authorization requested under paragraph (b) (1) shall be filed on Form WPB-1319 (formerly PD-556), including inventory data and the prime contractor's name and prime contract number if a Government contract is involved. These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All reports required to be filed under, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing, and Leather Division, Washington, (25) D. C., Ref: M-124.

(f) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Equitable distribution.* It is the policy of the War Production Board that rubber yarn, latex yarn, elastic thread and all types of synthetic rubber yarn and thread not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such products, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15021; Filed, Sept. 28, 1944; 12:13 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-98, as Amended Sept. 28, 1944]

DOMESTIC SEWING MACHINES

§ 3291.280 *Limitation Order L-98*—(a) *Definitions.* For the purposes of this order:

(1) "Domestic sewing machine" means any sewing machine designed for household use.

(2) "Attachment" means any special purpose detachable device which is designed for use with a domestic sewing machine but which is not essential to the most simplified operation of such machine.

(3) "Part" means any part manufactured for incorporation into an attachment or into a domestic sewing machine. It includes, for example, a needle, cabinet, portable base, cover, table and stand. It does not include attachments, electric motors, or motor controllers.

(4) "Manufacturer" means any person in the business of making new domestic sewing machines, attachments or parts, and any person who was in that business in 1940.

(b) *Restrictions on production.* (1) No person shall manufacture or assemble any new domestic sewing machine or any new attachment.

(2) No manufacturer shall make or transfer any new domestic sewing machine part if he knows or has reason to believe that that part will be used for any other purpose than the repairing of a used domestic sewing machine.

(3) No manufacturer shall make any part if by making that part he would have more parts of that type in his inventory than twice the number he sold in the second preceding calendar quarter. However, a manufacturer making parts in order to bring his inventory of that type of part up to twice the number he sold in the second preceding calendar quarter, need not make less than a minimum practical run of that part in order to comply with this paragraph (b) (3).

(4) It will be the general policy of the War Production Board to allocate controlled materials and give priorities assistance for the purchase of all other materials for the manufacture of parts under the Controlled Materials Plan, only to the extent that the manufacture of parts in any one plant or labor requirements therefor will not interfere with war production in that plant or any other plant located in the same area.

(c) *Electrification prohibited but other renovations and repair allowed.* No person shall commercially convert a non-electric domestic sewing machine, whether new or used, so as to make it operate by electricity. Any other repair, rebuilding, renovation or reconditioning (including the final assembly of a new domestic sewing machine into a cabinet, portable base and cover, or table and stand) is allowed.

(d) *Restrictions on transfer of domestic sewing machines.* No manufacturer shall transfer physical possession of or title to any new domestic sewing machine, except

(1) As specifically authorized by the War Production Board in writing. Applications for such authorization should be made by filing a letter with the War Production Board, Washington, 25, D. C. Ref: L-98.

(2) For delivery to or for the account of the Army, Navy, War Shipping Administration, or Veterans' Administration; on Lend-Lease and export orders, and on orders stating on their face that the domestic sewing machines are for ship board use.

(e) *Reports.* All manufacturers must file with the War Production Board, on or before the twentieth day of April, July, October and January, Form WPB-1600 (formerly PD-655) showing all new domestic sewing machines shipped or delivered in the preceding calendar quarter.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) (1) *Exceptions and appeals.* Any person who wants to manufacture or assemble new domestic sewing machines or new attachments; or any person who wants to make or transfer any parts, the production or transfer of which is prohibited or restricted by paragraph (b) (2) or (b) (3) of this order, may apply for permission to do so as provided in Priorities Regulation 25. The transfer of physical possession or title to any new domestic sewing machine is not subject to the distribution restrictions of paragraph (d) when authorization to manufacture is obtained under Priorities Regulation 25.

(2) *Appeals.* Any appeals from the restrictions of this order, other than the restrictions of paragraph (b), should be filed on Form WPB-1477 (in triplicate) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. No appeal should be filed from the restrictions of paragraph (b).

(h) *Applicability of other orders and regulations.* The provisions of this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of domestic sewing machines, attachments or parts to a greater extent than this order does, the other order shall govern unless it states otherwise.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-98.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15023; Filed, Sept. 28, 1944; 12:13 p. m.]

PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-206, as Amended Sept. 28, 1944]

X-RAY EQUIPMENT

§ 3296.61 *General Limitation Order L-206*—(a) *Purpose of this amended order.* This order is a complete revision of Order L-206 as it stood prior to November 29, 1943. The provisions of this order take the place of the provisions of the older editions of L-206. The principal purpose of this revised order is to eliminate the paper work required heretofore and to establish maximum dollar quotas for shipments of medical X-ray equipment to civilians, based on a normal pre-war base period. Shipments to persons and agencies other than civilians (as defined in paragraph (e) (8) below) will not be counted against the quota and therefore will be unrestricted. The provisions of the older editions of the order which required the filing of Form PD-774 by the manufacturers and PD-556 by prospective purchasers have been taken out of the order. Furthermore, the restrictions on models and types of X-ray equipment heretofore contained in the order have been removed by deleting Schedule A and the provisions pertaining to that schedule.

(b) *Restrictions on shipments of medical X-ray equipment.* (1) During the 12 months' period beginning October 1, 1943, and during every 12 months' period beginning October 1st thereafter, no manufacturer shall ship to civilians more medical X-ray equipment (by dollar value) than 75 per cent of his base period shipments. (The terms "manufacturer", "civilians", "medical X-ray equipment", and "base period shipments" are defined in paragraph (e).) Shipments to civilians during the calendar quarter beginning October 1, 1943, and during any calendar quarter thereafter, must not exceed 35 per cent of the quota permitted for the entire 12 months' period. (Shipments to civilians include shipments to distributors and dealers for resale to civilians.) In charging off shipments against the permitted quota, dollar values must be calculated on the basis of the manufacturer's published list price for the item as of November 29, 1943. If the manufacturer had no published list price for the item on November 29, 1943, the first legally authorized list price published after that date must be the basis.

(i) As an illustration of the foregoing restrictions, assume that a manufacturer's base period shipments amounted to $1,000,000. His quota for the entire 12 months' period would then be $750,000 (75 per cent of his base period shipments); and he would not be permitted to make shipments amounting to more than $262,500 (35 per cent of $750,000) during any calendar quarter.

(2) There is no restriction on the dollar value of shipments of medical X-ray equipment which may be made to the Army or Navy of the United States, the Veterans' Administration, the United States Maritime Commission, any agency of the United States Government purchasing for Lend-Lease purposes, the Canadian Army and Air Force, the Canadian Navy, or persons holding export licenses issued by the Office of Economic Warfare or the Foreign Economic Administration. Nor is there any restriction on the dollar value of shipments of industrial X-ray equipment which may

be made, regardless of who the purchaser may be.

(c) *Special directions.* The War Production Board, at its discretion, may at any time issue special directions to any manufacturer with respect to production or shipments of X-ray equipment.

(d) *Reports.* On or before December 10, 1943, and on or before the 10th day of every month thereafter, each manufacturer shall file with the War Production Board, Washington 25, D. C., three copies of a letter containing a report of shipments of X-ray equipment (by dollar value) made during the preceding calendar month. (However, the first report should show the shipments made during October and November, 1943, and shipments for each month should be reported separately.) Shipments should be reported separately for each of the following: (1) Army of the United States; (2) Navy of the United States; (3) the Veterans' Administration; (4) United States Maritime Commission; (5) Lend-Lease; (6) Canadian Army, Navy and Air Force; (7) Office of Economic Warfare and Foreign Economic Administration; (8) Canadian (civilian); and (9) Office of Civilian Requirements (all persons in the United States, its territories and possessions except the Army, Navy and Maritime Commission). Separate reports should be made for shipments of medical X-ray equipment and industrial X-ray equipment. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Definitions.* The meaning of various terms used in this order is set forth below:

(1) "X-ray equipment" means the following radiographic equipment, fluoroscopic equipment and therapy equipment: power units; radiographic, fluoroscopic, and therapy tables; photo-fluorographic units; cassette changers; and tube stands. The terms shall not include (i) any parts, accessories, or appliances used in connection with radiography, fluoroscopy or therapy, other than the items specifically named above; (ii) rebuilt equipment; nor (iii) any equipment which has at any time been sold to an ultimate user. "Medical X-ray equipment" means X-ray equipment designed for medical (including dental) use; and "industrial X-ray equipment" means X-ray equipment designed for non-medical industrial use. However, if a piece of X-ray equipment is designed for medical use but is sold for non-medical industrial use, it shall be regarded as industrial X-ray equipment; likewise if it is designed for non-medical industrial use but is sold for medical use, it shall be regarded as medical X-ray equipment. Finally, if it is designed for either medical or industrial use, its classification shall depend on the use for which it is sold.

(2) "Power unit" means a high-voltage transformer (with or without rectifying tubes) and control for X-ray use.

(3) "Radiographic, fluoroscopic or therapy table" means a table adapted for placing a patient in a position for radiography, fluoroscopy or therapy, and may be either stationary or tilting.

(4) "Photo-fluorographic unit" means an instrument for photographing the image cast by X-rays through a patient on a fluoroscopic screen. It includes a camera, supporting stand, and fluoroscopic screen. It is also known as a "photo-roentgen unit" or a "photo-fluorograph."

(5) "Cassette changer" means equipment designed to hold two cassettes (one protected from X-rays by a lead shield, and one in the radiographic field) which is constructed to interchange the position of the cassettes.

(6) "Tube stand" means a tubular or frame support (mounted on a base which is either mobile or stationary) which is designed to hold the carriage of an X-ray tube head and allow its vertical movement.

(7) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of X-ray equipment.

(8) "Civilians" means all persons other than (i) the Army or Navy of the United States, (ii) the Veterans' Administration, (iii) the United States Maritime Commission, (iv) any agency of the United States Government purchasing for Lend-Lease purposes, (v) the Canadian Army and Air Force, (vi) the Canadian Navy, and (vii) persons required to obtain export licenses from the Office of Economic Warfare or the Foreign Economic Administration. In other words, the term "civilians" includes so-called domestic civilians, all agencies of the United States Government other than the agencies named above, and Canadian civilians.

(9) "Base period shipments" means a manufacturer's average annual shipments (by dollar value) of medical X-ray equipment during the years 1937, 1938 and 1939 to all persons located in the United States, its territories or possessions or located in the Dominion of Canada, but excluding shipments to the Army and Navy of the United States. (In other words, shipments to all persons located outside of the United States, its territories and possessions (except Canadians) and shipments to the Army and Navy of the United States should not be counted in determining base period shipments.) To illustrate how base period shipments are calculated, assume that a manufacturer's shipments of medical X-ray equipment to all persons located in the United States, its territories or possessions (except the Army and Navy) or located in the Dominion of Canada amounted to $1,075,000 in 1937, $900,000 in 1938 and $1,025,000 in 1939; his base period shipments would then be $1,000,000. In determining base period shipments, dollar values must be calculated on the basis of the manufacturer's published list prices at the time the shipments were made. Furthermore, in determining dollar values of shipments of medical X-ray equipment, it should be remembered that the term "X-ray equipment" is defined in paragraph (e) (1) of this order to include only certain named items. Other items not included in that definition (such as bucky diaphragms, stationary grids, and X-ray accessories and appliances) should not be counted in determining base period shipments and should not be counted in determining the dollar value of shipments permitted under paragraph (b) of this order.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L-206.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18038; Filed, Sept. 28, 1944; 12:14 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended Sept. 26, 1944]

§ 1075.1 *Conservation Order L-41.*—(a) *What this order does.* This order limits construction. It is necessary in order to conserve materials, construction equipment, labor and transportation. In most cases, except where the construction is of a special kind, you must get permission from the War Production Board for construction. This permission (sometimes called "authorization to begin construction") must not be confused with preference ratings or priorities. If a construction job is allowed, either because it is not of the kind restricted by this order or because permission has been obtained, it may still be necessary to get preference ratings for the materials and fixtures which are needed. On the other hand, if you have ratings for materials, or materials on hand, you may still have to get permission to use them for a particular construction job.

(b) *What is meant by construction.* Construction covered by this order includes putting up or altering any sort of a structure, including a building, road, bridge, dam, sewer, and similar jobs; also the installing of equipment or fixtures. Certain special kinds of construction are excepted, as explained in paragraphs (c) and (d) below and in certain directions to this order.

(c) *How much construction is allowed without getting permission.* You need not get permission under this order for construction which does not total more than the limits shown in the following list for all jobs begun in the same year. For an explanation of how to figure "cost," see paragraph (i). If a utility connection (electric, gas, water or central steam heating) will be required, it may be necessary to get War Production Board approval for the connection. If so, approval for the connection must be obtained before beginning construction, even if the cost of construction comes within the limits. The limits for all jobs begun in the same year are as follows:

(1) $200 for a house, including the entire residential property.

(2) $1,000 for a farm including the farmhouses. However, not more than $200 of this sum may be spent on any farmhouse on the farm. A "farm" means a place used primarily for raising crops, livestock, dairy products, poultry, etc., for the market. A "farm-house" means a building on a farm used for residential purposes.

(3) $1,000 for a hotel, apartment building or other residence for six or more families. Any residence for five or less families is considered a house under (1) above.

(4) $200 for an office, bank, store, laundry, garage, restaurant, or other retail service establishment, except that the limit is $1,000 for a unit containing more than five establishments of this kind.

(5) $1,000 for a church, hospital, school, college, U. S. O. Club, public playground for children, or for a publicly owned building or group of buildings used for public purposes.

(6) $1,000 for a bridge, overpass, underpass, tunnel, dock, pier, airport, bus terminal, truck terminal operated by a common or contract carrier by truck, or for a railroad or street railway building or group of buildings.

(7) $1,000 for an irrigation or drainage system serving more than one farm.

(8) $1,000 for a building or group of buildings which will be used for warehouse or for off-farm storage purposes, except that the limit is $200 for a frozen food locker plant.

(9) $1,000 for all monuments and structures on the same cemetery lot or for all cemetery buildings or structures in the same cemetery.

(10) $1,000 for a military exchange situated on a reservation of the Army or Navy.

(11) $1,000 for a building or group of buildings which will be used directly for a sewage system and owned by a sewage system operator as defined in Order P-141.

(12) $5,000 for a factory, plant or other industrial unit which is used for the manufacture, processing or assembling of any goods, except that the limit is $200 if the goods are listed on Schedule A at the end of this order or if the productive floor area of the unit upon completion of construction is less than 10,000 square feet.

(13) $200 for any other kind of construction.

(d) *Special kinds of construction which do not require permission.* It is not necessary to get War Production Board permission under this order for the following kinds of construction, and the cost of such construction need not be charged against the cost limits stated in paragraph (c).

(1) Maintenance and repair; that is, work necessary to keep a building or structure in sound working condition or fix it when it has become unsafe or unfit for service because of wear and tear; also the minimum work necessary to prevent more damage to a building or structure (or its contents) which has been damaged by fire, flood, tornado, earthquake, acts of war, or the like. Changes in material are permitted in doing maintenance and repair work. Additions, structural alterations, or the completion of unfinished parts of buildings are not considered maintenance and repair. Rebuilding or restoring after damage caused by fire, flood, tornado, earthquake, acts of war, or the like, is not permitted as maintenance and repair, but is permitted in some cases as explained below.

(2) The rebuilding or restoring of a house (including a farm house) or other residential building damaged or destroyed after July 1, 1943, by fire, flood, tornado, earthquake, acts of war, or the like, if the cost of rebuilding or restoring is less than $5,000.

(3) The rebuilding or restoring of farm buildings damaged or destroyed by fire, flood, tornado, earthquake, acts of war or the like, if the cost of rebuilding or restoring is less than $5,000, where the immediate reconstruction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(4) The rebuilding or restoring of a building or structure damaged or destroyed by disaster, where the Red Cross has been given priority assistance to restore the disaster area, and where the rebuilding or restoring has been determined by the Red Cross to be essential.

(5) Construction necessary to prevent threatened loss of farm products, where immediate construction is determined by the United States Department of Agriculture to be essential to the agricultural program.

(6) Construction owned by the United States Army, Navy, Maritime Commission, War Shipping Administration, Coast Guard, Marine Corps, Civil Aeronautics Authority, Coast and Geodetic Survey, or Panama Canal.

(7) Insulating existing buildings with materials such as storm windows and doors, pipe covering, loose fill, blanket or bat insulation, plain or granule surfaced rigid insulation and weather stripping. Also the application of masonry veneer to existing houses. (This paragraph does not exempt the use of the above materials for any purpose other than the insulation of an existing building against exterior cold or heat without change in the function of the building. It does not apply to the use of insulation materials in the original construction of a building or in the conversion of a building from one purpose to another, or to the use of insulation materials to make an alteration to a building. The cost of new insulating materials used in building a new building or in making alterations to or converting to a new purpose an old building must be included in the cost of the job.) Also any installation of heating and combustion equipment resulting in a saving of the fuel formerly used (not including a change to a new kind of fuel) where the total cost of the installation including the cost of the equipment does not exceed $25,000 and where the cost of installation excluding the cost of equipment does not exceed $5,000. Also the installation of conversion units designed for burning gas in a furnace or boiler formerly burning coal where the use of the fuel involved is not restricted for that purpose by Order U-7 or Order L-174 or where permission has been obtained for the use of the fuel from the War Production Board, Office of War Utilities.

(8) [Deleted Mar. 7, 1944]

(9) Grading, ditch-digging or similar earth-moving operations, if no cement, lumber or other building materials are used, except clay tile and non-reinforced concrete pipe. This applies only to projects which can be completed without the use of any other materials. It does not apply to earth moving operations which are part of a construction job in which other materials will be incorporated before completion.

(10) Various kinds of construction connected with farms, public roads, railroad tracks, utilities, mines, smelters, wells, the petroleum industry, the lumber industry, the chemical industry, steel mills, broadcasting facilities, laboratories, and civilian aircraft facilities as described in Schedule B.

(11) A construction job which began before this order originally became effective (April 9, 1942), or at a time when the job was not limited by this order, and has gone on without interruption.

(12) Construction jobs which are classed as minor capital additions under CMP Regulation No. 5 or under CMP Regulation No. 5A. This exception applies only to:

(i) Additions to factories, plants and other industrial units which will have a productive floor area of 10,000 square feet or more, and which are for the manufacturing, processing or assembling of goods which are not listed in Schedule A.

(ii) Hospitals.

(e) *All other construction forbidden without WPB permission.* No person shall do any construction which has not been permitted by the War Production Board, unless it is of a kind described

in paragraph (c) or (d) above. This prohibition applies to a person who does his own construction work, to one who gets a contractor to do it for him, and to any contractor or subcontractor who works on the job or gets others to work on it. It also applies to any supplier who furnishes material for the job if he knows or has reason to know that the construction has not been permitted.

(f) *How to apply for permission.* (1) Schedule C at the end of this order shows the various types of application forms, and where they should be filed.

(2) In case of emergency, application may be made by wire or in person instead of on a printed form. It must be made to the office in which a written application for the same construction should be filed. The following information must be given:

(i) Cause of the emergency (fire, flood, etc.).

(ii) What the building or structure is used for.

(iii) Type of construction.

(iv) Why immediate construction is necessary.

(v) Estimated cost of construction.

(g) *Preference rating includes permission in some cases only.* There are some forms of preference rating orders and certificates which are issued or have been issued for special kinds of construction and which include permission for construction although they do not say so. These are listed in Schedule D at the end of this order. In all other cases, a preference rating is not enough, unless the instrument which assigns the rating also states that construction is permitted under this order.

(h) *Other restrictions on use of some items.* Permission for construction or the exception of any construction from this order does not relieve any one from complying with the various WPB orders or directives which restrict the use of copper and other scarce materials or fixtures. If you do not know about these restrictions, consult the nearest War Production Board District Office.

(i) *How to figure cost.* (1) For the purpose of determining whether a construction job may be started without getting permission from the War Production Board, "cost" means the cost of the whole construction job as estimated at the time of beginning construction, including the cost of all paid labor, regardless of who pays for it, and including the cost or value of new machinery, equipment, fixtures and materials incorporated in the construction (whether or not obtained without paying for them), but excluding the cost or value of previously used machinery, equipment, fixtures, and materials, the value of unpaid labor, and architects' and engineers' fees (contractors' fees must be included).

(2) [Deleted Sept. 28, 1944]

(3) [Deleted Aug. 19, 1944]

(4) [Deleted Sept. 28, 1944]

(5) All construction on the same unit must be included. The word "unit" means any group of buildings or structures (including roadways, pipelines, etc.) which are situated near to each other, and which serve the same general purpose, or closely related purposes. For example, each of the following is a unit: a house, together with a detached garage, tennis court, swimming pool, etc.; a farm, including the farm house, barn, hen house, dairy, etc.; a manufacturing plant with a number of buildings used for the same or different processes, together with administration buildings, cafeterias, etc. In no case may a single building or structure be treated as more than one unit.

(6) The cost per year must be determined on a calendar year basis, beginning with January 1, 1943, except that a company which regularly keeps its books on a fiscal year basis may use the fiscal year.

(j) *Penalties for violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This schedule is referred to in paragraphs (c) (12) and (d) (12). In the case of a unit principally designed for the manufacture, processing or assembling of any of the following articles, the cost limit is $200 in any one year without getting permission:

(i) Athletic supplies, sporting goods, or toys or games.

(ii) Beverages, except milk.

(iii) Books, magazines, newspapers, greeting cards, or other printed or engraved matter.

(iv) Candy or chewing gum.

(v) Cigars, cigarettes, smoking or chewing tobacco or snuff.

(vi) Jewelry, watches, luggage, brushes, razors, pipes, and like articles for personal use or adornment.

(vii) Furniture, store fixtures, barroom fixtures, bowling alleys and the like.

(viii) Silverware, woodenware, household electrical appliances, draperies, rugs, and all other household appliances and equipment, but not including china and glassware.

(ix) Musical instruments.

(x) Stationery or office supplies.

(xi) Toiletries or cosmetic products.

(xii) Wearing apparel of every sort, except for the Army or Navy and their auxiliaries, and except safety equipment or safety clothing as defined in Order L-114.

SCHEDULE B

Permission under this order is not necessary for the following kinds of construction which are referred to generally in paragraph (d) (10).

1. Construction of structures which are to be used directly in the discovery, development or depletion of mineral deposits; also maintenance work, repairs and minor capital additions given priorities assistance under order P-56 (relating to mines and smelters).

2. Construction which is regulated by any petroleum administrative order or other order issued or administered by the Petroleum Administration for War (construction of this kind is permitted only to the extent authorized by the applicable petroleum administrative order or other order).

3. Construction of facilities which will be used directly in furnishing wire communications services, and which will be owned by an operator as defined in Orders U-3 and U-4.

4. Laying of railroad tracks, together with the construction of necessary railroad operating facilities; also the construction of tunnels, overpasses, underpasses or bridges where the cost of those materials to be incorporated in the project which will be acquired under P-142 or will be withdrawn from inventory materials acquired with priorities assistance (excluding the cost of other materials and excluding the labor cost) is $2,500 or less. The above types of construction are controlled by P-142. The construction of tunnels, overpasses, underpasses or bridges where the cost of the materials acquired as stated above is more than $2,500 and the construction of railroad stations, warehouses, loading platforms and other similar structures are not excepted by this paragraph.

5. Construction of facilities which will be used directly in furnishing electric, gas, water, or central steam heating utility services and which will be owned by a utility producer as defined in Order U-1.

6. Construction of facilities (other than buildings) which will be used directly for a sewerage system and will be owned by a sewerage system "operator" as defined in Order P-141.

7. Installation or erection of rationed farm machinery, or mechanical equipment, which has been obtained on a purchase certificate issued by a County Farm Rationing Committee under Food Production Order 14 of the War Food Administration, or of wire fencing which has been obtained on P.R. 19 certification, also the erection of farm silos which have been manufactured by a producer as defined in Order L-257.

8. Drilling and casing of water wells, but excluding any use of pipe to conduct water on the surface.

9. Use by any logger or lumber manufacturer of lumber, nails, gravel, or clay products in construction needed to change the site of logging or lumbering operations.

10. Construction which is given priorities assistance under Order P-80 (relating to facilities for the manufacture of chemicals).

11. Construction which is given priorities assistance under Order P-68 (relating to facilities for the manufacture of steel).

12. Rearrangement or expansion of facilities or equipment, other than buildings, by an international point-to-point radio communication carrier to the extent that priorities assistance is granted for such work under P-133 or any corresponding direction to CMP Regulation 5.

13. Construction which is given priorities assistance under paragraph (e) (2) of Order P-43 (relating to laboratories).

14. Construction of public highways and public streets owned by a Government Agency (construction of this kind is controlled by Order L-41-e).

15. Construction which is given priorities assistance under P-47 (relating to civilian aircraft facilities).

SCHEDULE C

Application forms to be used in obtaining permission to begin construction under L-41 and where to file them, unless otherwise instructed. These forms are to be used whether or not priorities assistance or controlled material allotments are required.

Types of construction	Application form	Where filed
Farm construction, including farm dwellings	WPB-617 (formerly PD-200).	County Agricultural Conservation Committee having jurisdiction over the site.
Housing covered by W. P. B. Directive 24	WPB-3998 (formerly PD-105).	FHA Field Office having jurisdiction over the site.
Public roads	PR 1 PA	State Highway Department having jurisdiction over the site.
All other construction restricted under L-41	WPB-617 (formerly PD-200).	Consult instruction form WPB-617.

NOTE: The application forms specified in Schedule C have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SCHEDULE D

The following preference rating orders or certificates are referred to in paragraph (g). If you have received or are entitled to use one of these orders or certificates for your construction, the construction is permitted by the WPB:

P-19-h, CMPL-224, GA-1456	Relating to projects important to the war effort or essential civilian needs.
P-55-c	Housing.
WPB-2774	Relating to utility facilities.
WPB-542, PD-3A, CMPL-593, Navy (Army)	Relating to command construction and certain other construction carried on under the supervision of the Armed Services.
P-14-a, P-14-b, P-19, P-19-a, P-19-d, P-19-e, P-19-f, P-19-i, P-41, P-55-b, P-55-amended, P-110, PD-3, CMPL-127	These orders and certificates are no longer used, but jobs which were authorized by them may go on.

INTERPRETATION 1

[Superseded by L-41, as amended November 1, 1943, which incorporates the substance of the interpretation.]

INTERPRETATION 2

Conservation Order L-41 (§ 1075.1) does not apply to the construction or erection of temporary motion picture sets of a kind which may be stored between the taking of pictures, nor to the incorporation of such temporary sets into permanent sets for the taking of a single motion picture. However it does apply to the construction of permanent outdoor motion picture sets and foundations for sets of a kind which are designed for use in more than a single picture at one location. (Issued Nov. 18, 1943)

INTERPRETATION 4

PORTABLE STRUCTURES ON SKIDS

The erection of a portable or pre-fabricated building is construction and, consequently, is limited by Order L-41 whenever the building is either placed on a foundation constructed on the site or is placed on skids in a spot where it is intended to remain for an undetermined time. The only case in which the erection of a portable or pre-fabricated building is not "construction", is when it is placed on what is intended to be a temporary site with the purpose of moving it from time to time and without affixing it to the land by plumbing, public utilities connection, or in any other way. For example, the erection of a portable structure for use as a garage on a house lot is generally construction, but the erection of a shelter to be moved around for use on different parts of a farm from time to time is not construction. (Issued Mar. 24, 1944.)

INTERPRETATION 6

MAINTENANCE AND REPAIR OF SIDINGS

Paragraph (d) (1) of L-41 excepts maintenance and repair work necessary to keep a building or structure in sound working condition. If an existing siding or roof needs repair, the minimum amount of repair work may be done to put the siding or roof in suitable condition. Thus if a siding can be put in proper condition by putting on paint it should be done in this way. If, on the other hand, the siding has so deteriorated that a paint job will not provide adequate protection a new siding may be put on the building. The new siding need not be of the same material as the old siding. This interpretation is not applicable where asbestos materials are used for re-siding or re-roofing as the use of these materials is governed by Order L-41-d. (Issued Apr. 4, 1944)

INTERPRETATION 8

[Revoked Aug. 19, 1944]

INTERPRETATION 10

INSTALLATION OF MACHINERY AND EQUIPMENT RATED ON WPB-541 AND WPB-542

Interpretation 9 to L-41 explains the circumstances under which an installation of a piece of equipment is restricted by L-41. If the installation of a piece of equipment is restricted by L-41 and is not within the appropriate exemption allowed by paragraph (c) of L-41 and not permitted under Direction 2 to L-41, permission under L-41 to make the installation must be obtained even though the machinery has been rated on Form WPB-541 or Form WPB-542. The reference to WPB-542, PD-3A and CMPL-593 Navy (Army) in Schedule D of L-41 applies only to those forms when used for command construction, Engineers Corps construction, Panama Canal construction, and CAA construction, as defined in paragraphs (c) (3), (4), (5), (6) of WPB Directive 31, when carried on under the supervision of the Armed Services. Paragraph (d) (6) of L-41 also exempts certain construction for which these forms may have been issued. (Issued Aug. 19, 1944.)

DIRECTION 1

[Superseded by Schedule C as amended, which gives instructions for filing applications]

DIRECTION 3

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

(a) The War Production Board has been issuing blanket authorizations to applicants permitting them to carry on miscellaneous construction over a fixed period. Instructions as to how to apply for blanket authorizations have been described in WPBI-43 (formerly PDL-362). The need for blanket authorizations has been largely eliminated by the recent transfer of processing of small construction applications to the Field offices, by the simplification of War Production Board procedures under Direction 1 to CMP 6, and by the exception of certain types of minor capital additions under paragraph (d) (12) of L-41. For this reason blanket authorizations will no longer be issued generally but only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) In these circumstances applications for blanket authorization may be made on form WPB-617. Separate applications must be made for each "unit" as defined in paragraph (i) (5) of L-41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to Form WPB-617. The need for a blanket authorization must be firmly established.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction but no materials may be acquired or used contrary to the Limitations which will be made a part of the authorization. In the case of equipment items which must be listed on the application, the builder may use only those which are specifically approved. The use of such items or deviations from the Construction Limitations will be approved only in exceptional cases. The applicant will be permitted to use the allotment symbol P-6 and the rating assigned for the procurement of material. While the blanket authorization will cover a number of jobs, no one job costing more than $10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No reports of materials used will be required. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made.

(d) This direction supersedes WPBI-43 (formerly PDL-362). (Issued April 19, 1944.)

DIRECTION 4

PRISONER OF WAR HOUSING

It is not necessary to get War Production Board permission under Order L-41 to construct facilities to house prisoners of war assigned by the Army to the builder if priorities assistance for the construction has been granted on Form CMPL-593 Navy (Army), pursuant to Direction 2 to CMP Regulation 6 and WPB Directive 31. (Issued July 18, 1944.)

[F. R. Doc. 44-15049; Filed, Sept. 28, 1944; 4:39 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Revocation of Interpretation 3]

Interpretation No. 3 to Conservation Order L-41 is superseded by paragraph (d) (9) of L-41, as amended September 28, 1944, which incorporates the substance of this interpretation.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15045; Filed, Sept. 28, 1944; 4:40 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Revocation of Interpretation 5]

Interpretation No. 5 to Conservation Order L-41 is superseded by paragraph (c) (2) of L-41, as amended September 28th, 1944, which incorporates the substance of this interpretation.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15046; Filed, Sept. 28, 1944; 4:40 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Revocation of Interpretation 7]

Interpretation No. 7 to Conservation Order L-41 is superseded by paragraph (d) (7) of L-41, as amended September 28th, 1944, which incorporates the substance of this interpretation.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15047; Filed, Sept. 28, 1944; 4:39 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, Interpretation 9, as Amended Sept. 28th, 1944]

INSTALLATION OF EQUIPMENT AND FIXTURES

The following interpretation is issued with respect to Conservation Order L-41:

Paragraph (b) of L-41 describes the kind of work which is covered by the order under the term construction. It specifically states that "the installing of equipment or fixtures" is construction and is covered by L-41.

This means that if a piece of equipment or a fixture is attached to a building and used as a part of the building, or if a piece of equipment or a fixture is so firmly attached to the building that removal would result in material injury to the building or the fixture, construction under L-41 is involved and the limitations of L-41 apply.

The following kinds of installations are construction under L-41:

The installation of any piece of equipment or fixture which is attached to the plumbing system of a building; the installation of any piece of equipment or fixture which involves putting new wiring in a building; the installation of any piece of equipment or fixture for which a base or foundation must be built; the installation of any piece of equipment or fixture cemented to a floor or wall of a building; the installation of a furnace or stoker connected by pipes or flues or wiring to the building.

The following kinds of installations are not construction under L-41:

The installation of a counter, table or booth which is attached to the building only by nails or screws and which can be removed as a unit and will only make it necessary to fill up the holes left by the nails or screws (however, if the counter contains equipment which is attached to the plumbing system, construction is involved); the installation of a piece of equipment or fixture which requires only making a connection to an existing wiring outlet (if new wires must be run or a new outlet built into the wall or ceiling, construction is involved).

These examples illustrate the general principles. In case of doubt as to a particular installation, consult the nearest WPB office or file an application for permission to do the work, if the cost of the work plus the cost of other construction already done on the building during the calendar year exceeds the allowance given under the applicable paragraph of section (c) of L-41 and if the installation is not permitted under Direction 2 to L-41.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15048; Filed, Sept. 28, 1944; 4:39 p. m.]

PART 1075—CONSTRUCTION

[Conservation Order L-41, as Amended Sept. 28, 1944, Direction 2]

INSTALLATION OR RELOCATION OF MACHINERY OR EQUIPMENT

The following direction is issued pursuant to Conservation Order L-41:

It is not necessary to get War Production Board permission to install or relocate in existing buildings any piece of: (1) processing or service machinery or equipment, or (2) other machinery or equipment (including building service equipment) rated or authorized on a special form (including WPB-541 and WPB-542). Building alterations required in connection with the installation may be made but no new buildings or additions to existing buildings may be constructed under this direction. If it is necessary to construct a new building or make an addition to an existing building, or if priorities assistance is required for materials needed for an installation and alteration permitted by this direction in addition to that given by Direction 15 to CMP Regulation 5 or other blanket preference rating orders, application for permission to begin construction must be made in accordance with L-41. The application should include both the construction and the machinery or equipment which is to be installed.

The term "processing or service machinery or equipment" as used above includes all processing machinery and equipment and all service machinery and equipment installed in a building to make it possible to render a particular service in the building, such as X-ray equipment and the like in hospitals, projectors and screens in theatres, or cold storage enclosures or coolers in stores. The term "building service equipment" as used above means equipment installed in a building for the purpose of making the building function as such regardless of the purpose of the building, such as heating, lighting, plumbing and air-conditioning equipment and systems, and elevators and escalators.

Issued this 28th day of September 1944

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15044; Filed, Sept. 28, 1944; 4:40 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-628]

MECHANICS CONTRACTING CO

A. G. Fleming and A. A. Zeigler, copartners doing business as Mechanics Contracting Company, are contractors and builders located at 1325 Main Street, Columbia, South Carolina. In July 1943, they began construction as building contractors, and thereafter continued construction consisting of altering, remodeling and converting into apartments a two and one-half story residence owned by William M. Burney, and located at 1714 College Street, Columbia, South Carolina. The cost of this construction was $19,000.00 which amount exceeded the limit of $200.00 permitted by Conservation Order L-41, and was in violation of that order. A. G. Fleming and A. A. Zeigler were aware of the War Production Board restrictions on construction, and the beginning and completion of this construction without authorization constituted a wilful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.628 *Suspension Order No. S-628.* (a) A. G. Fleming and A. A. Zeigler shall not for three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotments symbols are used.

(b) The restrictions and prohibitions contained herein shall apply to A. G. Fleming and A. A. Zeigler, doing business as Mechanics Contracting Company, their and its successors and assigns or persons acting on their or its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve A. G. Fleming and A. A. Zeigler, doing business as Mechanics Contracting Company, their and its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 28, 1944, and shall expire on December 28, 1944.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15052; Filed, Sept. 28, 1944; 4:39 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-629]

WILLIAM M. BURNEY

William M. Burney, Columbia, South Carolina, in July of 1943 began and thereafter continued construction, consisting of altering and remodeling, and converting into apartments a two and one-half story residence located at 1714 College Street, Columbia, South Carolina. The cost of this construction was $19,000.00 which amount exceeded the limit of $200.00 permitted by Conservation Order L-41, and was in violation of that order. William M. Burney was aware of the War Production Board restrictions on construction, and the beginning and completion of this construction without authorization constituted a wilful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has diverted critical materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.629 *Suspension Order No. S-629.* (a) William M. Burney shall not for a period of three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) The restrictions and prohibitions contained herein shall apply to William M. Burney, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve William M. Burney, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on September 28 1944, and shall expire on December 28, 1944.

Issued this 21st day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15053; Filed, Sept. 28, 1944; 4:39 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-379, Direction 1 as Amended Sept. 28, 1944]

The following amended direction is issued pursuant to Conservation Order M-379:

1. Notwithstanding the provisions of paragraph (b) (2) of Conservation Order M-379, no manufacturer may cut or use any denim (2.90 yard or heavier on a 26" width basis), heretofore or hereafter acquired by him, except for incorporation into the following products:

Garments manufactured to fill orders of U. S. Army or Navy.

Men's bib overalls, sizes 30 and larger.

Men's waistband overalls or dungarees, sizes 28 and larger.

Men's overall jackets (lined and unlined), sizes 34 and larger.

2. No manufacturer may use any denim (2.20 yard or heavier on a 26" width basis) after October 15, 1944, unless he complies with the following:

Of the denim he uses in each calendar month for civilian work clothing, he must use not less than 70% for the production of men's bib overalls or men's overall jackets, and he may not use more than 30% for the production of men's waistband overalls or dungarees.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15050; Filed, Sept. 28, 1944; 4:39 p. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-30-c, Revocation]

CAST IRON WARE

Section 3291.160 *Limitation Order L-30-c* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of cast iron ware remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 29th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15092; Filed, Sept. 29, 1944; 11:45 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-36, Revocation]

UMBRELLA FRAMES

Section 3291.185 *Limitation Order L-36* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of umbrella frames remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 29th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15093; Filed, Sept 29, 1944; 11:45 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-308, Revocation]

DOMESTIC FOOD DEHYDRATORS

Section 3291.296 *Limitation Order L-308* is hereby revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of domestic food dehydrators remain subject to the applicable regulations and orders of the War Production Board..

Issued this 29th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15094; Filed, Sept. 29, 1944; 11:45 a. m.]

Chapter XI—Office of Price Administration

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 17 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Second Revised Supplement 1 to Revised Ration Order 16 is amended in the following respects:

1. The Official Table of Consumer Point Values (No. 20), referred to in § 1407.3027 (a), is amended by increasing the point value of "creamery butter" to 20 points per pound.

2. Section C—Fats, Oils, and Dairy Products of the Official Table of Trade Point Values (No. 20), referred to in § 1407.3027 (a), is amended by increasing the point value of "creamery butter" to 19.6 points per pound.

This amendment shall become effective at 12:01 a. m., October 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., and by Pub. Law 383, 78th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15060; Filed, Sept. 28, 1944; 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 175]

AMMUNITION

A statement of considerations accompanying this Amendment No. 175 to Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 to the Maximum Price Regulation is amended in the following respects:

Section 6.24 is amended to read as follows:

SEC. 6.24 *Ammunition.* This section establishes maximum prices of ammunition, other than hand loaded or military

[1] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931.

items, for sales at wholesale and retail, including sales by individuals. Ammunition consists of a casing of metal or paper loaded with gun powder and containing a metallic bullet or metallic shot, designed to be fired in a pistol, revolver, rifle, or shot gun.

(a) *Maximum prices of jobbers.* (1) The maximum price inclusive of Federal Excise Tax, for a sale at wholesale of an item listed below shall be the price listed for that item in the zone in which the purchaser is located. The proper zone may be determined by reference to the listing of distributing points in the price lists of the Federal Cartridge Corporation, Peters Cartridge Division, Remington Arms Company, Inc., Western Cartridge Company, and Winchester Repeating Arms Company.

TABLE OF MAXIMUM PRICES FOR SALES TO RETAILERS

LONG RANGE SHOTGUN SHELLS

Gauge	Shell length	Powder drams	Ounces shot	Maximum price per 1000 Zone 1	Zone 2	Zone 3	Zone 4	Zone 5
10	2⅞"	4¾	1⅝ ch	$51.24	$51.62	$52.00	$52.37	$52.76
10	3½"	5	2 ch	62.56	62.94	63.33	63.70	64.08
12	2¾"	3¾	1¼ ch	41.78	42.17	42.55	42.93	43.31
12	3"	3¾	1¼ ch	51.24	51.62	52.00	52.37	52.76
12	3"	3¾	1⅛ ch	55.14	55.51	55.89	56.26	56.65
12	3"	4¼	1⅛ ch	39.89	40.20	40.52	40.85	41.16
16	2⅝"	3	1⅛ ch	41.72	42.04	42.36	42.67	43.00
16	2¾"	3¼	1⅛ ch	39.89	40.20	40.52	40.85	41.16
20	2¾"	2¾	1 ch	37.89	38.14	38.38	38.62	38.85
28	2⅞"	2¼	¾ ch	26.55	26.73	26.90	27.08	27.25
410	2½"		½ ch	30.37	30.54	30.71	30.89	31.06
410	3"		¾ ch					

REGULAR SHOTGUN SHELLS

10	2⅞"	4¼	1¼ soft	$39.96	$40.33	$40.72	$41.10	$41.48
10	2⅞"	4¼	1¼ ch	41.78	42.17	42.55	42.93	43.31
12	2¾"	3	1 soft	29.39	29.77	30.16	30.53	30.91
12	2¾"	3	1⅛ soft	30.26	30.65	31.04	31.73	32.10
12	2¾"	3	1⅛ ch	32.41	32.79	33.17	33.56	33.94
12	2¾"	3	1⅛ soft	32.41	32.79	33.17	33.56	33.94
12	2¾"	3¼	1⅛ soft	34.33	34.69	35.08	35.46	35.84
16	2⅝"	2½	1 soft	28.60	28.93	29.24	29.56	29.87
16	2⅝"	2½	1 soft	30.51	30.83	31.14	31.47	31.78
20	2½"	2¼	⅞ soft	26.60	26.93	29.24	29.56	29.87
20	2½"	2¼	⅞ ch	30.51	30.83	31.14	31.47	31.78
28	2½"	1¾	¾ ch	27.97	28.21	28.44	28.69	28.93

RIFLED SLUG SHOTGUN SHELLS

12	2¾"	3¼	1	$67.13	$67.50	$67.89	$68.27	$68.65
16	2⅝"	3	⅞	65.43	65.79	66.11	66.42	66.75
20	2½"	2¼	⅝	63.88	64.21	64.52	64.84	65.15
410	2½"		⅛	55.79	55.98	56.14	56.32	56.49

HIGH VELOCITY RIM FIRE CARTRIDGES

	Maximum price per 1000 Zone 1	Zone 2	Zone 3	Zone 4	Zone 5
.22 Short	$3.17	$3.19	$3.21	$3.23	$3.25
.22 Short, hollow point	3.88	3.89	3.91	3.94	3.96
.22 Long	4.07	4.10	4.12	4.14	4.16
.22 Long, hollow point	4.78	4.78	4.80	4.82	4.84
.22 Long rifle, hollow point	5.46	5.49	5.51	5.54	5.57
.22 W. R. F.	8.44	8.47	8.50	8.53	8.56
.22 W. R. F., hollow point	8.80	8.84	8.87	8.90	8.93

TABLE OF MAXIMUM PRICES FOR SALES TO RETAILERS—Con.

MEDIUM VELOCITY RIM FIRE CARTRIDGES

	Maximum price per 1000 Zone 1	Zone 2	Zone 3	Zone 4	Zone 5
.22 Short	$3.17	$3.19	$3.21	$3.23	$3.25
.22 Long	4.07	4.10	4.12	4.14	4.16
.22 Long Rifle	5.12	5.14	5.17	5.19	5.21

STANDARD VELOCITY RIM FIRE CARTRIDGES

.22 Short	$3.36	$3.36	$3.38	$3.39	$3.40
.22 Long Rifle	5.12	5.14	5.17	5.19	5.21
.22 W. R. F. and Automatic	8.44	8.47	8.50	8.52	8.56

CENTER FIRE CARTRIDGES

.22 Hornet	$25.47	$25.53	$25.58	$25.64	$25.70
.220 Swift	57.65	57.80	57.93	58.07	58.21
.22 Savage Highspeed	51.60	51.73	51.87	52.00	52.14
.25 Remington	53.12	53.26	53.43	53.58	53.73
.25–20 Winchester (lead)	25.66	25.74	25.81	25.89	25.97
.250 Savage	61.49	61.64	61.80	61.95	62.10
.25–35 Winchester	53.12	53.28	53.43	53.58	53.73
.257 Roberts	68.31	68.50	68.70	68.89	69.09
.270 Winchester	79.05	79.25	79.44	79.64	79.84
.30–30 Winchester	54.94	55.11	55.29	55.47	55.66
.30 Remington	54.94	55.11	55.29	55.47	55.66
.30–40 Krag	72.52	72.74	72.97	73.19	73.41
.30–06 Springfield	79.05	79.25	79.44	79.64	79.84
.300 Savage	69.40	69.57	69.75	69.93	70.12
.303 Savage	54.98	55.16	55.35	55.55	55.74
.32 Special, Winchester	54.94	55.13	55.31	55.50	55.68
.32 Remington	54.94	55.13	55.31	55.50	55.68
.32 Smith & Wesson	16.17	16.24	16.31	16.36	16.41
.32 Smith & Wesson, Long	18.13	18.20	18.27	18.34	18.41
.32 Short Colt	16.17	16.23	16.29	16.35	16.41
.32 Long Colt	18.12	18.18	18.25	18.29	18.35
.32 Colt New Police	18.13	18.20	18.27	18.34	18.41
.32 Automatic Pistol	24.43	24.49	24.55	24.62	24.69
.32 Winchester, Marlin, Remington (lead)	28.47	28.57	28.67	28.76	28.85
.22 Special	54.94	55.13	55.31	55.50	55.68
.348 Winchester	79.11	79.37	79.62	79.88	80.14
.35 Remington	61.53	61.74	61.94	62.15	62.37
.357 Magnum	32.52	32.65	32.78	32.88	32.91
.380 Automatic Pistol	30.34	30.41	30.49	30.56	30.63
.38 Automatic Colt Pistol	32.64	32.74	32.84	32.94	33.04
.38 Super Automatic Colt Pistol	32.64	32.74	32.84	32.94	33.04
.38 Smith & Wesson	21.13	21.23	21.33	21.43	21.53
.38 Special (Lead)	24.99	25.10	25.21	25.33	25.44
.38 Colt New Police	22.80	22.90	23.02	23.13	23.23
.38 Short Colt	21.12	21.22	21.31	21.40	21.49
.38 Long Colt	23.95	24.05	24.17	24.27	24.37
.38 Colt Special	24.99	25.10	25.21	25.33	25.44
.38 (38/40)	32.56	32.70	32.84	32.98	33.13
.44 (44/40)	33.08	33.22	33.37	33.52	33.67
.45 Colt	33.47	33.64	33.81	33.98	34.15
.45 Automatic (Metal Case)	40.47	40.63	40.78	40.95	41.11
.45 Auto Rim (Metal Case)	40.47	40.63	40.78	40.95	41.11
.45 Auto Rim (Lead)	39.89	39.76	39.93	40.09	40.25
.45–70 Government	61.63	61.92	62.23	62.53	62.83

*Copies may be obtained from the Office of Price Administration.

(2) The maximum price for all sales at wholesale of articles of ammunition not listed in the above table shall be the prices contained in the manufacturers' wholesale price lists in effect during March 1942, for the zone in which the purchaser is located. All maximum prices established by this paragraph (a) for sales at wholesale shall be subject to the sellers' transportation terms and discounts off manufacturers' suggested wholesale prices which were in effect during March 1942.

(b) *Maximum prices of retailers and others.* (1) The maximum price, inclusive of Federal Excise Tax, for a sale by any person to an ultimate consumer of an item listed below shall be the price listed below for that item. For sales in quantities of less than one box, the price per shell or per cartridge shall be determined by dividing the price per box by the number of shells or cartridges in the standard box.

TABLE OF MAXIMUM PRICES FOR SALES TO CONSUMERS

LONG RANGE SHOTGUN SHELLS

Gauge	Length of shell	Powder drams	Ounces shot	Shells per box	Maximum price per box
10	2⅞"	4¾	1⅝ ch	25	$1.70
10	3½"	5	2 ch	25	2.07
12	2¾"	3¾	1¼ ch	25	1.38
12	3"	3¾	1¼ ch	25	1.70
12	3"	4¼	1⅛ ch	25	1.83
16	2⅝"	3	1⅛ ch	25	1.32
16	2¾"	3¼	1⅛ ch	25	1.38
20	2¾"	2¾	1 ch	25	1.32
28	2⅞"	2¼	¾ ch	25	1.26
410	2½"		½ ch	25	.88
410	3"		¾ ch	25	1.01

REGULAR SHOTGUN SHELLS

10	2⅞"	4¼	1¼ soft	25	$1.32
10	2⅞"	4¼	1¼ ch	25	1.38
12	2¾"	3	1 soft	25	.97
12	2¾"	3	1⅛ soft	25	1.01
12	2¾"	3	1⅛ ch	25	1.07
12	2¾"	3¼	1⅛ soft	25	1.07
12	2¾"	3¼	1⅛ ch	25	1.13
16	2⅝"	2½	1 soft	25	.94
16	2⅝"	2½	1 ch	25	1.01
20	2½"	2¼	⅞ soft	25	.94
20	2½"	2¼	⅞ ch	25	1.01
28	2½"	1¾	¾ ch	25	.92

RIFLED SLUG

12	2¾"	3¼	1	5	$0.45
16	2⅝"	3	⅞	5	.43
20	2½"	2¼	⅝	5	.42
410	2½"		⅛	5	.37

TABLE OF MAXIMUM PRICES FOR SALES TO CONSUMERS—Continued.

HIGH VELOCITY RIM FIRE CARTRIDGES

Caliber	Description	Shells per box	Maximum price per box
.22	Short	50	$0.21
.22	Short hollow point	50	.26
.22	Long	50	.27
.22	Long hollow point	50	.32
.22	Long rifle hollow point	50	.36
.22	W. R. F.	50	.56
.22	W. R. F. hollow point	50	.58

MEDIUM VELOCITY RIM FIRE CARTRIDGES

.22	Short	50	$0.21
.22	Long	50	.27
.22	Long rifle	50	.34

STANDARD VELOCITY RIM FIRE CARTRIDGES

.22	Short	50	$0.22
.22	Long rifle	50	.34
.22	W. R. F. and automatic	50	.56

CENTER FIRE CARTRIDGES

.22	Hornet	50	$1.69
.220	Swift	20	1.53
.22	Savage Hi-Speed	20	1.37
.25	Remington	20	1.41
.25–20	Winchester (lead)	50	1.70
.250	Savage	20	1.64
.25–35	Winchester	20	1.41
.257	Roberts	20	1.82
.270	Winchester	20	2.10
.30–30	Winchester	20	1.46
.30	Remington	20	1.46
.30–40	Krag	20	1.96
.30–06	Springfield	20	2.10
.300	Savage	20	1.86
.303	Savage	20	1.46
.32	Special Winchester	20	1.46
.32	Remington	20	1.46
.32	Smith & Wesson	50	1.08
.32	Smith & Wesson Long	50	1.20
.32	Short Colt	50	1.08
.32	Long Colt	50	1.20
.32	Colt New Police	50	1.20
.32	Automatic Pistol	50	1.63
.32	Winchester, Marlin	50	1.80
.32	Remington (lead) Special	20	1.46
.348	Winchester	20	2.10
.35	Remington	20	1.64
.357	Magnum	50	2.16
.380	Automatic Pistol	50	2.02
.38	Automatic Colt Pistol	50	2.17
.38	Super Automatic Colt Pistol	50	2.17
.38	Smith & Wesson	50	1.40
.38	Special (lead)	50	1.66
.38	Colt New Police	50	1.51
.38	Short Colt	50	1.40
.38	Long Colt	50	1.59
.38	Colt Special	50	1.66
.38	.38/40	50	2.16
.44	.44/40	50	2.20
.45	Colt	50	2.22
.45	Automatic M. C.	50	2.69
.45	Auto. Rim, M. C.	50	2.69
.45	Auto. Rim (lead)	50	2.63
.45–70	Government	20	1.64

(2) The maximum price for sales to an ultimate consumer of a box of ammunition not listed above shall be the price per thousand contained in the manufacturers' price lists, in effect during March 1942, divided by the number of boxes in the thousand. The maximum price per shell or cartridge for sales to an ultimate consumer of less than one box shall be the price per box, divided by the number of shells or cartridges in the standard box.

The following are examples of how to determine the maximum price of a box of shells or cartridges and a single shell or cartridge; 12 gauge long range shot shells are packaged 25 in a standard box. Dividing 1000 by 25 equals 40, the number of boxes per thousand. The manufacturers' list price of $55.20 per thousand, divided by 40, the number of boxes per thousand, equals $1.38 per box. To determine the price per shell, the maximum price per box $1.38 divided by 25, the number of shells per box, equals $.055, the maximum price per shell.

(c) *Addition of state and local taxes.* State and local sales taxes imposed upon the sale of ammunition at wholesale or retail may be added to the maximum prices established under this section provided they are stated as a separate charge on the invoice or sales slip.

(d) *Notification.* (1) The manufacturer shall forward to each of his customers a copy of this amendment immediately after its issuance.

(2) The jobber shall forward a copy of this amendment to each of his customers at the time of or prior to the first invoice of sale.

(e) *Posting.* Retailers must keep posted a copy of the table contained in paragraph (b) (1) of this section at the place in his business establishment where ammunition is offered for sale, so that it is clearly visible to purchasers of ammunition.

(f) *Applicability.* The provisions of this section shall be applicable to the 48 states of the United States and to the District of Columbia.

This amendment shall become effective the 30th day of September 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15056; Filed, Sept. 28, 1944; 4:43 p. m.]

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 115]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 115 to Maximum Price Regulation No. 120 (§ 1340.219) is hereby corrected as follows:

(1) In paragraph (b) (1) of § 1340.219 in the table entitled "Prices and size group numbers" the word "deducted" in the column headed "18" is deleted and the word "dedusted" is inserted in lieu thereof.

(2) In paragraph (b) (2) headed "Specific description of size group numbers", after the description of Size Group No. 6 and before the description of Size Group No. 8 the numeral 7 is inserted in front of the paragraph beginning with the words "All double-screened egg coals, top size larger than 3"." In this same paragraph, in Size Group No. 18, the word "deducted" is deleted and the word "dedusted" is inserted in lieu thereof.

(3) In paragraph (b) (5) in the table which identifies mines by states and counties in which they are located and seams and price groups in which they operate, in the column headed "seam", Harlan County, Kentucky seams in Price Group No. 1 between "High Splint" and "No. 5", "High Cliff" is inserted. In the same table further on in the column headed "seam", Morgan County, Tennessee seams in Price Group No. 5, after the word "Hooper", between the words "all" and "seams" the word "other" is inserted. In the same table further on in the column headed "seam", Tazewell County, Virginia seams in Price Group No. 6, after the words "Raven and Red Ash" the words "and all other low volatile seams" are inserted.

(4) In paragraph (b) (12) in the description of Size Group No. 4 coal, after the words "but not exceeding" and before the numeral "¼" the numeral "1" is inserted.

These corrections to Amendment No. 115 to Maximum Price Regulation No. 120 (§ 1340.219) shall be effective as of August 16, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15085; Filed, Sept 29, 1944; 11:37 a. m.]

PART 1340—FUEL

[RMPR 137, Corr. to Amdt. 5]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

Pennsylvania area as set forth in section 11 (b) (1) (i) is corrected to read as follows:

Pennsylvania—Excepting Schedule D area comprising the Counties of Allegheny; Armstrong; Beaver; Butler; Cameron; Clarion; the township of Sandy in Clearfield County; the townships of Chapman, East Keating, Leidy, Noyes, and West Keating in Clinton County; Crawford; Elk; Erie; Fayette; Forest; Greene; Jefferson; Lawrence; McKean; Mercer; Potter; Tioga; Venango; Warren; Washington; and all of Westmoreland except the townships of Derry, Fairfield, Ligonier and St. Clair.

This correction shall become effective September 29, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15086; Filed, Sept. 29, 1944; 11:37 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2A,[1] Amdt. 27]

PASSENGER AUTOMOBILE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 2A is amended in the following respects:

1. Section 1360.310 (f) is amended to read as follows:

(f) "Passenger automobile" means any 1941 model passenger car which has been driven less than a 1,000 miles and any 1942 passenger car regardless of mileage. It includes the chassis of such cars and also includes taxicabs, but not ambulances, hearses, station wagons or cars with a seating capacity of more than ten persons.

2. Sections 1360.310 (s) and (t) are added to read as follows:

(s) "New 1942 car" means any 1942 model passenger automobile (regardless of mileage) which has not been transferred to any person for use.

(t) "Used 1942 car" means any 1942 model passenger automobile (regardless of mileage) which has been transferred for use at any time to a person other than a dealer, or which a dealer has registered for his own use or for which he has obtained a clearance statement.

3. Sections 1360.310 (h), (j) and (r), 1360.336, 1360.337, 1360.338, 1360.339, 1360.340, 1360.342, 1360.343, 1360.344, 1360.361 (c), 1360.365, 1360.374, 1360.375, 1360.393, 1360.394, 1360.395, 1360.403, 1360.404, 1360.405 and 1360.407 (f) are revoked.

4. Section 1360.310 (d) and the title to Chapter IV are amended by deleting the phrase "passenger automobiles" and "passenger automobile" and substituting in lieu thereof the phrase "1942 cars" and "1942 car", respectively.

5. Sections 1360.310 (o), 1360.335, 1360.361, 1360.362 (b) and (d), the text of § 1360.364 and § 1360.364 (c), the title to Chapter VII, the text of § 1360.372 and § 1360.372 (e), (f), (g), (h) and (o), § 1360.373, the text of § 1360.381 and § 1360.381 (a), the title to Chapter X, the text of § 1360.407, § 1360.408 (a) and (e), § 1360.421, §1360.422 (a) and § 1360.432 are amended by deleting the phrases "new passenger automobile" or "new passenger automobiles" wherever they may appear and substituting in lieu thereof the phrases "1942 car" or "1942 cars", respectively.

6. Section 1360.321 is amended to read as follows:

§ 1360.321 *Personnel.* The rationing program established in these regulations shall be administered by the local War Price and Rationing Boards and the Territorial Directors.

7. Section 1360.322 is amended to read as follows:

§ 1360.322 *Duties.* The local War Price and Rationing Boards and the Territorial Director shall have such duties and responsibilities in the administration of these regulations as the Office of Price Administration may assign.

8. Section 1360.323 is amended to read as follows:

§ 1360.323 *Jurisdiction.* For the purposes of this order, each local War Price and Rationing Board shall have jurisdiction over each application for a 1942 car which will ordinarily be garaged in the area served by the Board, except in those instances where such jurisdiction has been conferred on Plant Area Boards by the Territorial Director.

9. Section 1360.331 is amended to read as follows:

§ 1360.331 *This order governs the transfer, registration, alteration and use of all 1942 cars.* No person shall transfer or acquire (or offer to transfer or acquire) a 1942 car, or shall alter, register, or use or permit alteration, registration or use of a 1942 car except as permitted by the provisions of this order. These provisions apply regardless of any conflicting private agreement or obligation.

10. Section 1360.332 is revoked and a new § 1360.332 is added to read as follows:

§ 1360.332 *Acts prohibited by General Ration Order 8.* General Ration Order 8 (General Prohibitions, Penalties and Conditions) contains provisions, applicable to this and all other ration orders, which prohibit, among other matters:

(a) Making false or misleading statements in a ration document or to the Office of Price Administration;

(b) Altering, defacing, mutilating or destroying a ration document;

(c) Acquiring, using, transferring or possessing an altered, defaced or mutilated ration document;

(d) Counterfeiting or forging a ration document;

(e) Acquiring, using, transferring or possessing a counterfeited or forged ration document;

(f) Wrongfully withholding a ration document;

(g) Transferring a rationed commodity in exchange for an invalid or improperly acquired ration document;

(h) Bribing, hindering or interfering with rationing officials;

(i) Offering or attempting to violate a ration order;

(j) Reproducing a ration document without authority of the Price Administrator or other proper officer of the United States;

(k) Possessing or using distinctive safety paper or vulcanized fiber.

11. Section 1360.333 is revoked and a new § 1360.333 is added to read as follows:

§ 1360.333 *Additional prohibited acts relating to 1942 cars.* (a) No person shall possess, use, or permit the use of any 1941 or 1942 car which he obtained in violation of this order.

(b) No 1941 or 1942 car shall be used in violation of any order of the Office of Price Administration or of any order, rule or regulation of the Office of Defense Transportation.

(c) No person shall deliver a new 1942 car on a certificate authorizing the acquisition of a used 1942 car.

12. Section 1360.334 is revoked and a new § 1360.334 is added to read as follows:

§ 1360.334 *Conditions under which 1942 cars may be altered.* The term "alteration" means any structural change in an automobile and includes the removal of its parts and accessories. No person shall alter any 1942 car except as follows:

(a) *1942 cars held for resale.* A 1942 car held for resale may be altered in the following cases:

(1) Any 1942 car held for resale may be altered into any other model or type of conveyance only upon specific authorization granted by the District Director of the Office of Price Administration. Application for authorization shall be made to that office by letter, stating the make, body type, serial number and engine number of the car, the details of the proposed alteration and the purpose for which the altered vehicle is to be used. Authorization will be granted if the Office of Price Administration is satisfied that the proposed alteration will result in a greater usefulness of the car in the war effort or the public welfare. An alteration of this kind shall be reported on Form R-203 (Revised 4-15-43) to the Office of the District Director granting the authorization within five days after its completion.

(2) A part or accessory not essential to the operation of the altered vehicle may be removed without authorization. Any part or accessory may also be removed from any car for the purpose of repair or upon authorization of the War Production Board or the Office of Price Administration.

(3) If any 1942 car held for resale is in such condition that its repair is not practicable, it may be junked or dismantled for the purpose of scrap or salvage. Any person who junks a 1942 car held for resale shall report within five days on Form R-203 (Revised 4-15-43) to the District Director of the Office of Price Administration, giving the make, body type, serial number and engine number of the junked car. It is not necessary to report the junking of any 1942 car which was held for use and not for resale.

(b) *Other 1942 cars.* Any 1942 car which is held for use may be altered in any manner.

13. Section 1360.335 (c) is amended by deleting the phrase "R-202" wherever it appears and substituting the phrase "R-214" in lieu thereof.

14. Section 1360.341 is amended to read as follows:

§ 1360.341 *Establishment of quotas.* The Office of Price Administration will from time to time set quotas and reserve quotas stating the maximum number of new 1942 cars for the transfer of which certificates may be issued, which quotas may be altered or revoked as the occasion may demand. No certificate for the transfer of a new 1942 car shall be issued in excess of this quota.

15. The title to § 1360.362 is amended to read as follows: *"Persons eligible to acquire for purposes other than use."*

16. The text of § 1360.362 is amended to read as follows:

"Any of the following persons may acquire any 1942 car or an interest in it without a certificate, but may not use the car or register it for use unless he is permitted to do so by other provisions of this order".

17. Section 1360.362 (e) is added to read as follows:

(e) Any junk company, salvage company, or persons in the business of repairing damaged automobiles or adjusting losses may, in the regular course of business, acquire a 1942 car which has been damaged. A salvage company or a person in the business of adjusting losses may also acquire a 1942 car which is in danger of being damaged or is part of a damaged stock.

18. Section 1360.363 is amended to read as follows:

§ 1360.363 *Procedure for transfers under §§ 1360.361 and 1360.362*—(a) *Transfers under § 1360.361.* Whenever any person acquires a 1942 car for use pursuant to this section, he shall, within five days thereafter, complete and file Form R-203 (revised) in accordance with the instructions thereon.

(b) *Transfers under § 1360.362.* Whenever any person acquires or scraps a 1942 car or salvages its parts pursuant to this section, he shall, within five days thereafter, complete and file Form R-203 (revised 4-15-43) in accordance with the instructions thereon.

19. The text of § 1360.407 and §1364.408 (b), (c) and (e) are amended by deleting the phrase "state or".

20. Section 1360.372 (a) (1) is amended to read as follows:

(1) Certificates shall be issued only to those physicians, surgeons and farm veterinarians who are licensed as such by the appropriate government authority, whose practice requires regular calls outside their offices, who must use the automobile to make such calls, and who will use it principally for that purpose.

21. The second sentence of § 1360.372 (d) is amended by inserting the phrase "or District Director" immediately following the word "Board."

22. Section 1360.372 (e) (1) is amended to read as follows:

(1) In issuing certificates the Board or District Director shall be governed by the necessity of enabling the uniformed and non-uniformed personnel of a federal, territorial or local police force to render efficient service in the prevention and detection of crime.

23. Sections 1360.372 (f) (3) and (k) are amended by deleting the word "state" and the comma immediately preceding it.

24. Section 1360.372 (q) is added to read as follows:

(q) The United Service Organizations, Inc. The application must be accompanied by the certification of a duly authorized official of the organizations' Territorial Office stating that the car is needed for travel in conducting the activities of that agency.

25. The last paragraph of § 1360.381 (b) is designated paragraph (c).

26. Section 1360.391 is amended to read as follows:

§ 1360.391 *Where and how to apply for a certificate for a 1942 car.* (a) Application for a certificate for a 1942 car shall be made either in person or by mail to the Board serving the area in which the person applying will ordinarily keep his car, or to the Plant Area Board or Plant Area Panel serving the establishment in which he works, if jurisdiction to act upon automobile applications has been conferred on the Plant Area Board or Panel by the District Director. Exceptions to this are the American National Red Cross, agencies of the Federal Government, persons who require cars for experimental purposes and body builders who propose to alter the cars obtained. These persons must file applications directly with the Office of Price Administration, Washington, D. C., as provided in §§ 1360.373 and 1360.381.

(b) A separate application shall be filed on Form R-213 for each 1942 car whether new or used. The applicant shall personally sign the application unless he is physically unable to do so. He shall supply all the information required by the application and any other information which the Board may need to verify statements on his application in regard to his need or eligibility for a 1942 car or to the serviceability of his present car.

(c) In the case of a used 1942 car only, an applicant must also submit a written statement with his application, giving the following information about the specific used 1942 car he wishes to acquire: Make, body type; serial number; engine number; current or previous license plate number and where last registered. In the case of a dealer-owned car which has not been operated on individual private plates, the applicant must also submit the clearance statement issued to the dealer for that specific car.

27. Section 1360.392 is amended to read as follows:

§ 1360.392 *When and how a certificate is issued and used.* (a) If the applicant is applying for a new 1942 car and the Board determines that he is eligible, it shall indicate its approval on the application and shall forward it to the appropriate District Director for his action. The District Director may, within the limits of the monthly quota set for his district by the Office of Price Administration, issue a certificate on Form R-214.

(b) If the applicant is applying for a used 1942 car and the Board determines that he is eligible, it shall issue a certificate to him on Form R-214.

(c) The person to whom a ration certificate has been issued shall use it within thirty days from the date on the certificate but not thereafter, unless additional time is allowed by the Board or the District Director. The allowance of any additional time shall be noted on the face of the certificate.

(d) A certificate for a used 1942 car may be used only to acquire the specific car described.

(e) Any person may deliver a 1942 car to anyone permitted to acquire it under this Ration Order 2A.

(f) The parts of the certificate shall be signed and disposed of in accordance with the instructions thereon.

28. Section 1360.401 is amended to read as follows:

§ 1360.401 *Notification.* The appropriate Board or District Director shall notify the applicant of his decision. If the application is approved, a certificate on OPA Form R-214 shall be issued immediately for the type of 1942 car (new or used) approved.

29. Section 1360.402 is revoked and a new § 1360.402 is added to read as follows:

§ 1360.402 *How 1942 cars are registered*—(a) *1942 cars held for use.* A person who has registered a 1942 car may re-register it in any Territory if there is no change in the designation of the registered owner. As a condition to the registration of other 1942 cars for use, the person shall present to the registrar of automobiles a ration certificate or a clearance statement issued for the car sought to be registered.

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1542, 1647, 1756, 2108, 2242, 2905, 2908, 3097, 3482, 4343, 5484, 6049, 6062, 6424, 6601, 6775, 6964, 7149, 8806, 8895, 9316, 10228; 8 F.R. 38, 363, 1138, 1365.

(b) *1942 cars held for resale.* The District Director may authorize the registration of title to 1942 cars held for resale without a clearance statement or ration certificate in any Territory whose law requires such registration. If the District Director has authorized such registration, any person holding a 1942 car in the Territory for resale may register its title. However, no person shall register a 1942 car for use, except as provided in paragraph (a) of this section.

30. Sections 1360.411, 1360.431 and 1360.435 are amended by deleting the word "state" wherever that word appears therein and substituting in lieu thereof the word "District".

31. Sections 1360.433 and 1360.434 are amended by deleting the word "state" and the commas immediately preceding or following it.

This amendment shall become effective October 13, 1944.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15084; Filed, Sept. 29, 1944; 11:37 a. m.]

PART 1389—APPAREL

[RMPR 208,[1] Amdt. 2]

STAPLE WORK CLOTHING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 208 is amended in the following respects:

1. Section 2.7 (a) is amended to read as follows:

SEC. 2.7 *Special quota rule on deliveries made by manufacturers*—(a) *Explanation of the special quota rule.* Each manufacturer who delivered staple work clothing at "wholesale prices" (this term is defined in (b) (1) below) in 1941 must, during the remainder of 1944 and during each subsequent calendar year, make at least a certain quota of his deliveries of staple work clothing (including "war models" and "thirty yard minimum boys' bib overalls") at "wholesale prices." During the period from August 26, 1944 to the end of 1944, this quota is that percentage of his total deliveries during this period of garments covered by this regulation which is equal to his "wholesale percentage" (found under paragraph (b) below). During each subsequent calendar year, this quota is that percentage of his total deliveries during that year of garments covered by this regulation which is equal to his "wholesale percentage" (found under paragraph (b) below).

Example: X, a manufacturer of overalls, has a "wholesale percentage" of 40%, and he expects to deliver 300,000 dozen garments of staple work clothing during the period from August 26, 1944 to the end of 1944. Accordingly, during this period, at least 120,000 dozen garments (40% of 300,000=120,000) must be delivered at "wholesale prices." 180,000 dozen garments or less may be delivered at other than "wholesale prices."

X also expects to deliver certain additional quantities of work clothing garments to the Department of the Navy during the remainder of 1944. He is not permitted to include these garments in calculating the total number of garments delivered during 1944, nor does he include these deliveries in figuring whether he has met his quota, since deliveries of garments made to military specifications to war procurement agencies are not covered by this regulation but are covered by Maximum Price Regulation 157.

If, at the end of a year, a manufacturer fails to meet his quota, he has exceeded his ceiling prices to the extent of the deficiency, and will be liable to civil and criminal penalties accordingly.

2. The first undesignated paragraph of section 2.7 (b) (1) is amended to read as follows:

(b) *How a manufacturer finds his "wholesale percentage"*—(1) *Definitions of "wholesale percentage" and "wholesale price."* A manufacturer's "wholesale percentage" is the percent of his 1941 deliveries of staple work clothing which were made at "wholesale prices." Deliveries to any agency or department of the United States Government shall not be included.

3. Section 2.7 (b) (2) (i) is amended to read as follows:

(i) Find the number of dozens of staple work clothing garments covered by this regulation delivered in 1941 to all purchasers other than agencies or departments of the United States Government.

4. The last sentence of example 3 in section 2.7 (b) (2) (iii) is amended to read as follows:

S's "wholesale percentage" is 40% (20,000÷50,000).

5. A new paragraph (c) is added to section 3.2 to read as follows:

(c) *Purchase by wholesalers of identical lot number from different manufacturers.* If a wholesaler purchases the same garment with the identical lot number from different manufacturers at different prices, the wholesaler may, at his option, compute an "average supplier's price" for the garment according to the instructions set forth in section 4.2 (b) (3) for such computation by Group I retail sellers.

6. Section 4.2 (b) (4) is amended to read as follows:

(4) *Where retail sale is made by manufacturer.* Where a sale at retail is made by a manufacturer, the seller's ceiling price is determined as follows:

(i) Determine the ceiling price for the particular garment for sales to each class of purchaser under the applicable pricing rule in Article II.

(ii) If a ceiling price for sales to ultimate consumers can be found under (i), the ceiling price for a sale at retail is the price found in (i) for sales to ultimate consumers.

(iii) If a ceiling price for sales to ultimate consumers cannot be found under (i) above, the ceiling price for a sale at retail is found from Column (3) of the tables in Appendix C (Sales at retail by Group I retail sellers) by taking as the "supplier's net selling price" the lowest ceiling price for the garment found under (i) above.

7. At the end of the first paragraph of the example in section 4.4 (b), the figures "(.35+1.98=17.7%)" are deleted and the following figures "(.35+1.98=17.7%)" are substituted.

8. In the third and fourth sentences of section 5.2 (b) (1) (ii) the date "September 25, 1944" is amended to read "November 1, 1944."

9. Paragraph (a) of Appendix B is amended to read as follows:

(a) For all garments made from materials other than denim, chambray, or shirting coverts, Table I must be used.

10. In paragraph (c) of Appendix B the introductory phrase is amended to read as follows:

(c) For all garments made from shirting covert:

11. In Table I of Appendix B, the word "Army" in the twentieth line in Column 1 (Type of Cloth) is deleted, and the word "Government" is substituted.

12. In Column 1 of Table III in Appendix C, the figures "$24.98—24.05+" are amended to read "$23.98—24.05+."

13. In the headings to the table in section 6.4 the word "class" in Parts 1 and 2 of Columns A, B and C is amended to read "group."

14. The following footnote is added to the table in section 7.3:

NOTE: The ceiling price of a thirty yard minimum boys' bib overall which is of substandard quality, i. e., a "second" or "imperfect," is found by taking the ceiling price of a first quality garment found in the table above and deducting 10%.

15. The headnote to section 7.4 is amended to read as follows:

SEC. 7.4 *Marking and informational requirements.*

16. The text of section 7.4 is redesignated paragraph (a) of section 7.4, and a headnote to paragraph (a) is added to read as follows:

(a) *Notification to be furnished to purchasers for resale.*

17. A new paragraph (b) is added to section 7.4 to read as follows:

(b) *Marking of thirty yard minimum boys' bib overalls*—(1) *Marking required at retail.* On and after October 16, 1944, every person is forbidden to sell or offer to sell at retail or display in a retail

*Copies may be obtained from the Office of Price Administration.

[1] 9 F.R. 9078, 10493.

store any thirty yard minimum boys' bib overall which is not marked as required by this section. The marking must contain the following elements:

(i) The manufacturer's lot number or brand name for the garment.
(ii) The retail ceiling price.
(iii) A statement of defects (if any).

(2) *Marking required by manufacturers.* On and after September 29, 1944, every manufacturer is forbidden to deliver a thirty yard minimum boys' bib overall unless the garment is marked with the manufacturer's lot number or brand name and a statement of defects (if any).

(3) *Elements and manner of marking.* The provisions of paragraphs (d) and (e) of section 5.1 relating to the explanation of the elements and manner of marking shall apply to the marking of thirty yard minimum boys' bib overalls.

18. The heading and the first undesignated paragraph of Appendix F are amended to read as follows:

APPENDIX F—HOW GROUP I RETAIL SELLERS AND WHOLESALERS MAY COMPUTE "AVERAGE SUPPLIER'S PRICE"

A Group I retail seller or a wholesaler may, at his option, compute the "average supplier's price" for a garment as follows:

This amendment shall become effective September 29, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15088; Filed, Sept. 29, 1944; 11:36 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 6A,[1] Amdt. 14]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.14 (a) is amended by deleting the last sentence and substituting instead the following: "These records and reports must be kept until further notice by amendment to the order and shall be available for inspection by the Office of Price Administration."

This amendment shall become effective September 29, 1944.

NOTE: The reporting provisions and recordkeeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15089; Filed, Sept. 29, 1944; 11:36 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9458, 11685, 15704; 9 F.R. 604, 946, 2232, 2320, 3943, 5379, 6361, 7202.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 34 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (8) is added to read as follows:

(8) M5, N5, P5, Q5, and R5 are valid beginning October 1, 1944.

This amendment shall become effective October 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15082; Filed, Sept. 29, 1944; 11:38 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[2] Amdt. 18 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (e) (12) is added to read as follows:

(12) H5, J5, K5 are valid beginning October 1, 1944.

This amendment shall become effective October 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15083; Filed, Sept. 29, 1944; 11:38 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288, Corr. to Amdt. 31]

CRYSTAL WHITE SOAP IN ALASKA

The price of Crystal White Soap, giant family size, at retail in Ketchikan, Wrangell, and Petersburg should be $0.07 instead of $0.06.

This correction shall become effective as of September 25, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15090; Filed, Sept. 29, 1944; 11:36 a. m.]

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[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278.

[2] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 81]

FOOTWEAR IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 47 is amended to read as follows:

SEC. 47. *Ceiling prices for sales of imported shoes and slippers at wholesale and retail*—(a) *Scope of this section.* This section applies to sales at wholesale and sales at retail of all shoes and slippers which are imported into the Territory of Hawaii. Imported shoes and slippers are classified as follows:

(1) *Women's and misses' shoes and slippers.* This applies to all feminine footwear commonly known as ladies', women's, girls' and misses' shoes and slippers, in size 4 and over, including, but not limited to, street, evening, play, sport, uniform, sandals, and like types.

(2) *Men's and boys' shoes and slippers.* This applies to all masculine footwear commonly known as men's and boys' shoes and slippers, in size 4 and over, including, but not limited to, street, work, sport, play, boots, slippers, and like types.

(3) *Children's shoes and slippers.* This applies to all footwear commonly known as children's shoes and slippers, in sizes up to and including size 3½.

(4) *Infants' shoes and slippers.* This applies to all infants' shoes and slippers, including, but not limited to, both hardsoled and softsoled shoes and slippers.

(b) *Wholesaler's ceiling prices.* If you are a wholesaler, you calculate your ceiling prices for imported shoes and slippers in the following manner:

(1) *For out of stock sales.* First, add your manufacturer's or original importer's selling price and your landing costs Then multiply this amount by 1.20. The resulting price is your ceiling price.

(2) *For sales on a drop shipment basis.* Multiply your manufacturer's or original importer's selling price by 1.12. The resulting price is your ceiling price.

(3) *For sales of articles purchased from a local wholesaler.* If you purchased an article from another local wholesaler whose ceiling price is established under sub-paragraph (1) or (2) above, you must secure a written record of your supplier's ceiling price. Your ceiling price shall be your supplier's ceiling price.

(c) *Retailer's ceiling prices.* If you are a retailer, you calculate your ceiling prices for imported shoes and slippers in the following manner:

(1) For sales of articles purchased directly from mainland manufacturers.

(i) *Women's and misses' shoes and slippers.* Multiply your manufacturer's

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[1] 9 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139, 14305, 14688, 15253, 15369, 15851, 15852, 15862, 16866, 16097, 17201; 9 F.R. 173, 393, 580, 585, 1158, 1487, 1489, 1528, 1530, 2177, 2177, 2177, 2659, 2660, 3153, 3232, 3341, 3967, 3947, 3945, 4351, 4783, 4821, 4785, 4819, 5168, 5438, 5482.

selling price by 1.80. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* Multiply your manufacturer's selling price by 1.75. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* Multiply your manufacturer's selling price by 1.85. The resulting price is your ceiling price.

(iv) *Infants' shoes and slippers.* Multiply your manufacturer's selling price by 1.85. The resulting price is your ceiling price.

(2) For sales of articles purchased directly from mainland wholesalers.

(i) *Women's and misses' shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.55. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.50. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.60. The resulting price is your ceiling price:

(iv) *Infants' shoes and slippers.* First add your wholesaler's selling price and your landing costs. Then multiply this amount by 1.60. The resulting price is your ceiling price.

(3) For sales of articles purchased from local wholesalers out of locally warehoused stock.

(i) *Women's and misses' shoes and slippers.* Multiply your wholesaler's selling price by 1.55. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* Multiply your wholesaler's selling price by 1.50. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* Multiply your wholesaler's selling price by 1.60. The resulting price is your ceiling price.

(iv) *Infants' shoes and slippers.* Multiply your wholesaler's selling price by 1.60. The resulting price is your ceiling price.

(4) For sales of articles purchased from local wholesalers on a drop shipment basis.

(i) *Women's and misses' shoes and slippers.* Multiply your wholesaler's selling price by 1.80. The resulting price is your ceiling price.

(ii) *Men's and boys' shoes and slippers.* Multiply your wholesaler's selling price by 1.75. The resulting price is your ceiling price.

(iii) *Children's shoes and slippers.* Multiply your wholesaler's selling price by 1.85. The resulting price is your ceiling price.

(iv) *Infants' shoes and slippers.* Multiply your wholesaler's selling price by 1.85. The resulting price is your ceiling price.

(5) Any maximum retail price calculated under this paragraph (c) may be adjusted to the nearest nickel.

(d) *Ceiling prices for articles having a nationally advertised or a manufacturer's established and maintained price*—(1) *Nationally advertised prices.* Application may be made for approval of a price for an article listed and described in paragraph (a) which is nationally advertised by the manufacturer thereof, and who requires that such article be sold at the prices established by such manufacturer. The applicant must set forth:

(i) Description of the article or line to be priced.

(ii) Proof that the manufacturer has established a resale price and that such price is so marked on the article that any purchaser can know that it is a nationally advertised price.

(iii) A statement that the seller will not sell such article at a higher price than such nationally advertised price. Such application, of course, need not be made where such nationally advertised price is not in excess of the maximum price as calculated under this section.

(2) *Manufacturer's established and maintained price.* Application may be made for approval of a price for any article covered by this section which is established and maintained by the manufacturer thereof, and who requires that such article be sold at the price established and maintained by such manufacturer. The applicant must set forth:

(i) Description of the article or line to be priced.

(ii) Proof that the manufacturer has established and maintained a resale price, and that the manufacturer will not sell to a wholesaler or a retailer who does not maintain this price.

(iii) A statement that the seller will not sell such article at a price higher than such established and maintained price. Such application, of course, need not be made where such established and maintained price is not in excess of the maximum price as calculated under this section.

(e) *Ceiling prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the resulting wholesaler or retail ceiling price determined on the basis of such allocated costs.

(f) *Ceiling prices for certain merchandise purchased at lower than manufacturer's ceiling price.* In cases where a wholesaler or retailer purchases from a manufacturer or wholesaler located outside the Territory of Hawaii, any article covered by this section, at a price lower than the manufacturer's ceiling price and lower than a price which the purchaser previously paid for the same merchandise, and where such lesser price was paid by reason of the size of the purchase of the seasonal nature of the goods, application may be made to the Office of Price Administration for a ceiling price for resale of the merchandise, which ceiling price is based upon the higher price previously paid to such manufacturer, and the appropriate multiple provided by this section. Any such application must be accompanied by the invoice for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature.

(g) *Inability to determine ceiling prices.* Any person who is unable to determine his ceiling price for the sale of any article covered by this section shall apply the provisions of section 9a of this regulation to determine his ceiling price.

(h) *Landing cost.* (1) Landing cost for articles imported from the mainland shall be the total of the following amounts:

(i) An amount equal to the transportation charges, if any, actually incurred by the purchaser for transportation from the mainland point at which the purchaser received delivery to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(ii) An amount equal to mainland storage charges and insurance in connection therewith actually incurred by the purchaser. The charges for storage and insurance in connection therewith in excess of six months shall not be included.

(iii) An amount equal to cartage charges actually incurred by the purchaser for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(iv) An amount equal to charges for ocean freight, War Risk and Marine Insurance actually incurred by the purchaser, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of War Risk insurance exceeds the rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(v) An amount equal to cartage charges in the port of entry in the Territory of Hawaii ffom dock to the establishment of the purchaser, computed at a rate not in excess of $1.20 per ton weight or measurement; Provided, that the commodity is moved from a dock at the purchaser's expense.

(2) Landing cost in cases of inter-island shipments: In cases where the article has been shipped from one island to another island in the Territory of Hawaii, the following additional charges may be added to those set forth in subparagraph (1), above:

(i) An amount equal to the actual transportation cost to be computed in accordance with the applicable provisions of sub-divisions (iii), (iv), and (v), of sub-paragraph (1) above.

(i) *Records and reports.* For the purposes of this section this paragraph supersedes the provisions of section 10 of this regulation.

(1) *Required of persons making sales at wholesale*—(i) *Purchase records.* If you make sales of any article covered by this section at wholesale, you must keep and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article, showing:

(a) The date of purchase and the date of receipt.

(b) The name and address of the seller.

(c) Description of the article purchased, including the manufacturer's stock number (if available).

(d) The price paid or charged.

(e) The quantity purchased.

(f) The manufacturer's or original importer's selling price.

If you did not purchase the article from the manufacturer, but relied upon the seller's written statement of the manufacturer's selling price, you shall keep such statement.

(g) All data including purchase, freight, and other invoices or material reflecting the charges incurred by you in arriving at your landing costs.

(ii) *Sales records.* If you make sales of any article covered by this section at wholesale you shall invoice each sale of each such article. A copy of this invoice shall be made and kept by you for examination by this Office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

The original invoice shall be delivered to the buyer, and shall state:

(a) The date of sale.

(b) Itemized list of articles sold.

(c) Description of the article sold, including the manufacturer's stock number (if available).

(d) Wholesaler's selling price of each article.

(e) Retailer's ceiling price for each article as calculated under paragraph (c). (Use by the wholesaler of a rubber stamp stating in effect "Your retail ceiling price is ____ times the wholesaler's selling price" will be considered compliance with this requirement. Blank spaces should, of course, be filled in with the appropriate multiple.)

(2) *Required of persons making sales at retail.* The retailer may list the information required below on each purchase invoice covering the article.

If the retailer did not purchase the article from the manufacturer but is relying upon his supplier's written statement of the manufacturer's selling price, he shall keep such statement and make it available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. The retailer shall likewise keep and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his purchase invoice covering the article.

(i) *Purchase records.* If you make sales at retail of any article covered by this section, you must complete and make available for examination by this office for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase of each such article, showing:

(a) The date of purchase and the date of receipt.

(b) The name and address of the seller.

(c) A description of the article purchased, including the manufacturer's stock number (if available).

(d) The manufacturer's selling price if priced under (c) (1).

(e) If priced under (c) (2), all data including purchase, freight, and other invoices or material reflecting the charges incurred by you in arriving at your landing costs.

(f) The wholesaler's selling price if priced under (c) (2), (c) (3), or (c) (4).

(g) Price paid or received.

(h) The retailer's ceiling price.

(i) The retailer's stock number, if any.

(j) The multiple used in determining the retail ceiling price.

(ii) *Sales records.* (a) Any retailer who has customarily given a purchaser a sales slip, receipt, or other evidence of purchase, shall continue to do so. Upon a request from a purchaser, any retailer regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the retailer, a description of the article sold, and the price received for it.

(b) Every retailer shall keep and make available for examination by this office, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind he has customarily kept relating to the price charged for such article, and in addition, records showing as precisely as possible the basis upon which he determined the ceiling price for such article.

(j) *Posting and marking of prices.* For the purposes of this section this paragraph supersedes the provisions of section 10 (b) of this Maximum Price Regulation No. 373.

(1) *Posting.* On and after the effective date of this section every person who sells or offers to sell at retail any article covered by this section shall post in a conspicuous place in a manner plainly visible to and understandable by the purchasing public in the department or portion of the premises where any such article is sold or offered for sale, a sign stating "Each pair of shoes and slippers in this store (or in this counter, shelf, or in this case, bin, or rack) is marked and sold at our ceiling price or less."

(2) *Marking.* On and after the effective date of this section no person shall sell or deliver or offer for sale at retail any article covered by this section unless there is firmly attached to such article a stamp, tag, or other marking showing the selling price. Such selling price must be plainly visible to and understandable by the purchasing public.

(k) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it f. o. b. factory, less all discounts and allowances except cash discounts up to 5% and quantity pairage discounts, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(2) "Original importer's selling price" means the price at which the original importer of the article from outside continental United States sold and invoiced it, less all discounts and allowances except cash discounts up to 2%, and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(3) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer, less all discounts and allowances, except cash discount up to 2% and before the addition of any premium or other charge permitted under the Second Revised Maximum Export Price Regulation.

(4) "Out of stock sales" means sales of articles which are sold out of the seller's stock and which are invoiced and shipped to the establishment of the seller.

(5) "Sales on a drop shipment basis" means sales of articles which are consigned to the seller, but not shipped to his establishment, and which are not delivered out of stock.

(l) *Revocation of orders affecting commodities covered by this section.* Any orders issued prior to August 28, 1944, pursuant to the provisions of sections 9 or 9a of this Maximum Price Regulation No. 373 affecting commodities covered by this section are revoked as of August 28, 1944.

This amendment shall become effective as of August 28, 1944.

NOTE: The reporting and record-keeping requirements of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15067; Filed, Sept. 29, 1944; 11:87 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 9]

PART 4003—SUBSIDIES

LOUISIANA SUGARCANE 1944 SUPPORT PAYMENT PROGRAM

Pursuant to the authority vested in me as Economic Stabilization Director, I hereby approve the making of support payments by the Commodity Credit Corporation with respect to 1944-crop Louisiana sugarcane on the basis of 85 cents per ton of standard cane.

(E.O. 9250 and E.O. 9328)

Dated this 26th day of September 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-15039; Filed, Sept. 26, 1944; 3:52 p. m.]

[Directive 10]

PART 4003—SUBSIDIES

LOUISIANA RAW SUGAR, 1944; ABSORPTION OF CERTAIN TRANSPORTATION COSTS

The War Food Administrator has requested my approval of a program to be carried out by the Commodity Credit Corporation for the absorption of certain costs in connection with the transportation of 1944-crop Louisiana raw sugar to refineries in order to enable the allocation of raw sugar in such manner as to take full advantage of available refining capacity. This proposed program is fully described in the War Food Administrator's letter of September 26, 1944, to me and in the memorandum enclosed therewith.

Pursuant to the authority vested in me as Economic Stabilization Director, I hereby approve the carrying out by the Commodity Credit Corporation of the proposed program as described in the War Food Administrator's letter and in the enclosed memorandum.

(E.O. 9250 and E.O. 9328)

Dated this 26th day of September 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-15040; Filed, Sept. 28, 1944; 8:52 p. m.]

Chapter XX—Office of Contract Settlement

[Gen. Reg. 4]

PART 8012—PLANT CLEARANCE AND PROPERTY

SUBPART B—MACHINERY, TOOLS AND EQUIPMENT

SEPTEMBER 28, 1944.

Pursuant to the authority conferred upon me by section 4 (b) and section 12 (g) of the Contract Settlement Act of 1944, the following policies, principles, methods, procedures, and standards relating to removal of government-owned plant equipment from private plants of war contractors are prescribed for all contracting agencies:

Sec.
8012.51 General policies.
8012.52 Procedure for plant clearance.
8012.53 Matters for negotiation and agreement.
8012.54 Storage.
8012.55 Facilities subcontractors.
8012.56 Restoration expenses not to be paid by the Government.
8012.57 Initiation of action by owning agencies.
8012.58 Advance planning.

AUTHORITY: §§ 8012.51 to 8012.58, inclusive, issued under sec. 4 (b) and sec. 12 (g), Contract Settlement Act of 1944, 58 Stat. 649.

§ 8012.51 *General policies.* It shall be the policy of the owning agencies[1] of the Government to assure the orderly and expeditious removal from the private plants[2] of war contractors of Government-owned machinery, tools and equipment (hereinafter called "plant equipment") which by reason of termination of war contracts at the option, or for the convenience, of the Government or otherwise are no longer required by the contractors for war production or for the national defense and which are not to be retained by them. Much plant equipment is now held by war contractors under contracts or contract provisions specifically governing its use, retention, storage, maintenance or disposition (hereinafter called "facilities contracts") which obligate the war contractors to maintain the plant equipment in standby condition after it has become excess to the needs of the war contractors for war production, or which may otherwise impede orderly and expeditious plant clearance if enforced. To the extent found necessary to effectuate the policy of orderly and expeditious plant clearance, and consistent with the determination of the owning agencies as to the retention at contractors' plants of plant equipment necessary for the national defense, the owning agencies will waive or release, upon such terms and conditions as they may deem appropriate, any existing obligations of the war contractors under facilities contracts.

§ 8012.52 *Procedure for plant clearance.* The following general procedure will be observed by war contractors and the owning agencies in effecting plant clearance:

(a) Whenever a war contractor is of the opinion that he no longer requires for the performance of any war contract any plant equipment installed in his plant covered by an option to purchase or lease which he is then entitled to exercise, he will promptly notify the owning agency whether he desires to exercise the option or is willing to waive it. If he indicates that he desires to exercise the option and the owning agency determines the option provisions are operative, disposition of the plant equipment will be made accordingly.

(b) With respect to plant equipment which the war contractor considers no longer required for war production, (i) not covered by such an option, or (ii) covered by an option which the war contractor is willing to waive, he will promptly[3] submit to the owning agency:

(1) A list of the plant equipment, adequately itemized and described, showing:

(i) The plant equipment which the war contractor desires to retain;

(ii) The plant equipment which, in the opinion of the war contractor, must be removed from its then location in order to make room for other production (specifying the production for which the space occupied by this plant equipment is immediately needed); and

(2) A statement of the amount of space that is or can be made available, in the plant or plants of the war contractor or elsewhere in the vicinity, for the temporary storage of plant equipment; and

(3) A statement of whether the war contractor can arrange to use his own personnel to dismantle and prepare the plant equipment for removal and shipment, or intends to use outside contractors for this purpose.

(c) Unless the war contractor is notified within 10 days after receipt by the owning agency of the list and data that they are not satisfactory, then, within 20 days following such receipt:

(1) The war contractor will be notified whether any plant equipment on the list has been determined by the government to be necessary for his war production or for the national defense; and

(2) With respect to the balance of plant equipment on the list, the war contractor will be notified:

(i) Whether the government is willing to dispose of any plant equipment to the war contractor which he desires to retain;

(ii) Whether it is desired that the war contractor (a) store plant equipment in available storage space in his own plant or plants, or (b) dismantle and prepare plant equipment for removal and shipment. The war contractor will be furnished with specifications, standardized so far as may be practicable, regarding methods of storage, or preparation for removal and shipment.

(d) Subject to the provisions of § 8012.53 below, the following will be accomplished within 60 days (or less if feasible) after receipt by the owning agency of a satisfactory list and data, with respect to all plant equipment on the list not determined by the Government to be necessary for the war contractor's war production or for the national defense:

(1) The Government will dispose of any or all of the plant equipment to the war contractor which the Government is willing to release.

(2) As to the balance of plant equipment:

(i) The war contractor, in accordance with specifications, will temporarily store in available storage space in his own plant or plants the plant equipment which has been designated by the owning agency for such storage.

(ii) The war contractor with his own personnel, or personnel under outside contract, will dismantle the plant equipment not retained for storage and prepare it for removal and shipment in accordance with specifications. The plant equipment will thereupon be removed by or on behalf of the Government.

(3) Prior to or at the time of storage or removal, the war contractor will furnish the Government with an undertaking to waive all option and similar contract rights with respect to this plant equipment whenever requested by the Government.

[1] The term "owning agency" refers to the Government agency which owns or holds title for the United States to the plant equipment located in the plant of the war contractor.

[2] The terms "private plants" and "his plant" refer to buildings or other structures owned by the contractor or leased by him from a party other than the Government and do not refer to contiguous separate buildings, extension to buildings, or other structures owned by the Government.

[3] In aid of sound administration, war contractors should not make repeated submissions covering minor amounts of plant equipment.

§ 8012.53 *Matters for negotiation and agreement.* It is recognized that the provisions of existing facilities contracts may be inconsistent with the procedures set forth in § 8012.52 (d). It is also recognized that existing facilities contracts do not in all cases indicate who is to bear the costs of dismantling and preparation, removal, or storage. Such matters (including the terms and conditions of the waiver or release of any existing obligations of the war contractors under facilities contracts) will be made the subject of negotiation and agreement. Such agreement will normally be reached within the time prescribed in § 8012.52 (d) for final action. In other cases it may be feasible to carry out the physical steps prescribed in § 8012.52 (d) within the time there allowed, postponing agreement on such matters as division of costs until a later date (for example, the date of any related termination settlement). Where agreement on essential terms cannot be reached and the war contractor is not willing in the absence of such agreement to carry out the physical steps prescribed in § 8012.52 (d), the parties will be remitted to their respective rights under the existing facilities contract or any applicable provisions of law.

§ 8012.54 *Storage*—(a) *Contractor's right to store at his own expense.* Except where the applicable facilities contract contains inconsistent provisions and such provisions have not been waived, a war contractor may at any time remove from his plant and store on his own premises or elsewhere at his own expense and risk, any plant equipment which has not been theretofore determined by the Government to be necessary for the war contractor's war production or for the national defense. The war contractor will use reasonable care in the transportation and preservation of plant equipment so removed and stored, and will comply with any standardized specifications covering removal, preservation, transportation, and storage which may be issued by the owning agency and will notify the owning agency of the action taken.

(b) *Contractor's right to store at Government expense.* Except where the applicable facilities contract contains inconsistent provisions and such provisions have not been waived, a war contractor who has (so far as permitted by the Government) carried out the procedure prescribed in this statement, may, at any time after the lapse of 60 days from the date of receipt by the owning agency of a satisfactory list and data, and upon 20 days' prior written notice to the owning agency, remove from his plant and store on his premises or elsewhere, for the account and at the risk and expense of the Government, any plant equipment included in such list which has not been theretofore determined by the Government to be necessary for his war production or for the national defense, and which has not been disposed of, stored or removed as provided in § 8012.52 (d). War contractors will use reasonable care in the transportation and preservation of plant equipment so removed and stored, and will comply with any standardized specifications covering removal, preservation, transportation and storage which may be issued by the owning agency and will notify the owning agency of the action taken.

(c) *Cooperation in providing storage.* War contractors will be expected to cooperate in the securing of storage space by making space in their plants available for storage on suitable terms so long as their production requirements permit.

§ 8012.55 *Facilities subcontractors.* War contractors are empowered by certain outstanding facilities contracts to permit the plant equipment covered thereby to be installed in the plants of other war contractors (usually under arrangements which are in form subcontracts under the facilities contracts). In general, the procedures for clearance of plant equipment from the plants of such facilities subcontractors will be the same as those set forth above, except that lists and data will be routed to the owning agency through the war contractor with whom the owning agency has executed the applicable facilities contract, and in the negotiation of terms (see § 8012.53) it may become necessary to consider and adjust, among other things, the rights and obligations of the two war contractors as between themselves. The owning agencies may issue specific instructions covering this subject matter and describing the cases, if any, in which the facilities subcontractors may be permitted to present their lists and data direct to the owning agency.

§ 8012.56 *Restoration expenses not to be paid by the Government.* Except where the facilities contracts otherwise provide and such provisions have not been superseded by agreement of the parties, the Government, in making arrangements with war contractors under this statement, will not undertake to reimburse or pay any expenses of restoring, rehabilitating or reconverting the war contractor's plants.

§ 8012.57 *Initiation of action by owning agencies.* While the procedures set forth above assume that the steps looking toward removal of plant equipment will be initiated by war contractors, it is not intended that the owning agencies will necessarily delay action until war contractors present lists and data. Whenever plant equipment is determined by the Government to be excess to the war contractor's needs for war production, the owning agency, without awaiting a request from the war contractor, may avail itself of any existing contract rights and of applicable procedures, or enter into any additional arrangements which may be required, to cause such plant equipment to be removed.

§ 8012.58 *Advance planning.* It is important that war contractors be made aware of the functions which they will be expected to assume under this regulation. War contractors should be encouraged without relaxing war production to plan ahead for plant clearance and in particular to work out time schedules for clearance of the most urgently needed space in their plants. The owning agencies, so far as their personnel may from time to time be available for the purpose, will review war contractor's plans for plant clearance to the end that mutually satisfactory mechanics for handling the problems may be arrived at before substantial amounts of plant equipment are required to be removed.

ROBERT H. HINCKLEY,
Director.

[F. R. Doc. 44-15067; Filed, Sept. 29, 1944; 10:05 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

NATIONAL SERVICE LIFE INSURANCE—CHANGE IN PLAN

Sections 10.3433, 10.3434 and 10.3435 are revised to read as follows:

§ 10.3433 *Exchange of a five-year level premium term policy as of a current effective date.* National Service Life Insurance on the five-year level premium term plan which has been in force at least one year may be exchanged, effective as of the date any premium becomes due within the five-year term period, for insurance of the same amount on any other plan issued by the Veterans Administration under the National Service Life Insurance Act, 1940, upon payment by the insured (except where premium waiver is effective) of the current monthly premium at the attained age of the insured for the plan of insurance selected. The reserve (if any) on the policy will be allowed as a credit on the current monthly premium except where premium waiver is effective. Such exchange will be made without medical examination and upon complete surrender of the policy while in force by payment or waiver of premiums.

§ 10.3434 *Exchange of a five-year level premium term policy as of a date prior to the current month.* National Service Life Insurance on the five-year level premium term plan which has been in force at least one year may be exchanged, effective as of the date any premium has become due within the five-year term period, for insurance of the same amount on any other plan issued by the Veterans Administration under the National Service Life Insurance Act, 1940, upon payment by the insured of the difference between the reserve on the new policy and the reserve on the old policy and payment by the insured (except where premium waiver is effective) of the current monthly premium at the attained age of the insured as of the effective date of the new policy. Such exchange will be made without medical examination and upon complete surrender of the policy while in force by payment or waiver of premiums: provided waiver of the premiums on the new policy shall not be effective prior to the date such policy change was made.

§ 10.3435 *To a policy at a higher rate of premium as of original effective date.* If the insured be not totally disabled National Service Life Insurance on any

plan other than five-year level premium term may be changed to insurance of the same amount, as of the same date and based on the same age, on any plan of insurance issued by the Veterans Administration under the National Service Life Insurance Act of 1940 at a higher rate of premium, upon payment by the insured of the difference between the reserve on the new policy and the reserve on the old policy. Such exchange will be made without medical examination except when deemed necessary to determine whether the insured be totally disabled and upon the complete surrender of the policy while in force by payment of premiums.

(54 Stat. 1008–1014; 38 U.S.C. 801–818)

FRANK T. HINES,
Administrator of Veterans' Affairs.

SEPTEMBER 30, 1944.

[F. R. Doc. 44-15043; Filed, Sept. 28, 1944; 4:02 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order ODT 35-1]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

LOCAL PASSENGER TRANSPORTATION EQUIPMENT; SUSPENSIONS AND PERMITS

Pursuant to Executive Orders 8989, as amended, 9156, and 9294, *It is hereby ordered*, That:

§ 521.5203 *Suspension of § 501.307 of General Order ODT 35.* Section 501.307 of General Order ODT 35 (8 F.R. 3451) providing for the physical transfer of equipment, shall be, and the same hereby is, suspended until further order of this Office.

This Suspension Order ODT 35–1 shall become effective October 15, 1944.

(E.O. 8989, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9294, 8 F.R. 221)

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-15083; Filed, Sept. 28, 1944; 3:40 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order 1994]

HUNGRY HORSE DAM PROJECT

ASSIGNMENT OF FUNCTIONS TO BUREAU OF RECLAMATION AND BONNEVILLE POWER ADMINISTRATOR

Pending the issuance of an order making complete provision for carrying out the purposes of Public Law 329, 78th Congress, 2d Session, approved June 5, 1944, entitled "An Act to Provide for the Partial Construction of the Hungry Horse Dam on the South Fork of the Flathead River in the State of Montana and for other Purposes," and in accordance with the terms of that act it is ordered as follows:

1. The Bureau of Reclamation is hereby designated as the Agency under the direction and supervision of the Secretary of the Interior, to carry out the funtions and duties of the Secretary under Public Law 329, 78th Congress, 2d Session, with respect to the design, construction, operation and maintenance of the Hungry Horse Dam project in accordance with the terms of the above act. The Bureau in the design of the power generating facilities to be installed at the Dam shall cooperate and consult with the Bonneville Power Administration.

2. The Bonneville Power Administrator is hereby designated as the Agent, under the direction and supervision of the Secretary, to sell and dispose of electric power and energy generated at the Hungry Horse Dam project and not required for the construction, operation and maintenance of the project, including the irrigation works that may be authorized and constructed in connection therewith.

3. Pending the issuance of a final order fixing the responsibilities of the Bureau and the Administrator, each is authorized to proceed with necessary investigations and plans and with the submission of appropriate budget estimates to enable it to prepare to meet its responsibilities as herein outlined.

HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 26, 1944.

[F. R. Doc. 44-15070; Filed, Sept. 29, 1944; 11:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 860]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 22, 1944.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Florida 5016C2 Sumter	$25,000
Iowa 5002B3 Sioux	40,000
Iowa 5003B3 Plymouth	50,000
Iowa 5019B3 Adams	30,000
Iowa 5023C3 Crawford	50,000
Iowa 5034E3 Jones	100,000
Iowa 5043C3 Greene	50,000
Iowa 5069B3 Henry	60,000
Iowa 5071B4 Buchanan	50,000
Kansas 5034G1 Barton	430,000
Louisiana 5011C1 Bossier	80,000
Louisiana 5020C1 Concordia	80,000
Missouri 5040B1 Pettis	85,000
Missouri 5043D1 Laclede	40,000
New Mexico 5009C6 Curry	25,000
Project designation—Con.	Amount
Oklahoma 5022F1 Cotton	$232,000
Oklahoma 5023C1 Okmulgee	147,000
South Carolina 5022E2 Fairfield	20,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-15072; Filed, Sept. 29, 1944; 11:14 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 343]

APPOINTMENT OF AUTHORIZED REPRESENTATIVES

SPECIAL CERTIFICATES FOR EMPLOYMENT OF HANDICAPPED WORKERS

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, hereby designate and appoint John R. Dille and John J. Brauner as my authorized representatives with full power and authority to grant or deny applications for special certificates for the employment of handicapped workers and to sign, issue, and cancel such special certificates authorizing the employment of handicapped workers pursuant to the provisions of section 14 of the Fair Labor Standards Act of 1938 and Regulations, Title 29—Labor, Chapter V—Wage and Hour Division, Parts 524 and 525.

This order supersedes all previous orders heretofore issued by me or my predecessors in office insofar as such orders authorize certain designated officials of the national office of these Divisions to grant or deny applications for special certificates for the employment of handicapped workers and to sign, issue, and cancel such certificates authorizing the employment of handicapped workers under section 14 of the Fair Labor Standards Act of 1938 and of the Regulations, Parts 524 and 525.

Effective September 30, 1944.

Signed at New York, New York, this 26th day of September 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-15104; Filed, Sept. 29, 1944; 12:16 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 1408 and 1496]

LIMA—IQUITOS SERVICE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Pan American-Grace Airways, Inc., for amendment to its certificate of public convenience and necessity under section 401 of the Civil Aeronautics Act, as amended, to permit permanent scheduled operations for passengers, property and mail between Lima, Peru, and Iquitos, Peru, via the intermediate point Juanjui, Peru.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that hearing in the matter of Docket No. 1403, assigned to be heard on October 2, 1944, is hereby postponed to October 16, at 10 a. m. (e. w. t.) in the Foyer, Commerce Auditorium, Commerce Building at 14th Street and Constitution Avenue NW., Washington, D. C., before Examiners Francis W. Brown and James S. Keith; that hearing in the matter of Docket No. 1496, assigned to be heard on October 2, 1944, is hereby postponed indefinitely.

Dated: Washington, D. C., September 27, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc 44-15077; Filed, Sept. 29, 1944; 11:40 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6655]

SOUTHERN TIER RADIO SERVICE, INC.

NOTICE OF HEARING

In re application of Southern Tier Radio Service, Inc., (new); date filed, May 19, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Binghamton, New York; operating assignment specified: frequency, 1490 kc; power, 250 w; hours of operation, unlimited time. File No. B1–P–3620.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Binghamton Press Company, Inc., Docket No. 6656; and Joseph H. McGillvra et al d/b as Binghamton Broadcasting Company, Docket No. 6657, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed area in whole or in part.

4. To determine the applicant's proposals with respect to employment of personnel to construct and operate the proposed station.

5. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

6. To determine whether the granting of this application would be otherwise consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942, or any subsequent modification thereof.

7. To determine whether public interest, convenience or necessity would be served by a grant of this application, the application of Binghamton Press Company, Inc. (File No. B1–P–3672; Docket No. 6656), and the application of Joseph H. McGillvra, Agnes I. McGillvra and Adam J. Young, Jr., d/b as Binghamton Broadcasting Company (B1–P–3653; Docket No. 6657), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Southern Tier Radio Service, Inc., Attention: Donald W. Kramer, 316 Security Mutual Building, Binghamton, New York.

Dated at Washington, D. C., September 25, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-15096; Filed, Sept. 29, 1944; 11:52 a. m.]

[Docket 6656]

BINGHAMTON PRESS CO., INC.

NOTICE OF HEARING

In re application of Binghamton Press Company, Inc. (new); date filed, August 5, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Binghamton, New York; operating assignment specified: frequency, 1490 kc; power, 250 w; hours of operation, unlimited time. File No. B1–P–3672.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Southern Tier Radio Service, Inc., Docket No. 6655; and Joseph H. McGillvra et al, d/b as Binghamton Broadcasting Company, Docket No. 6657, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed area in whole or in part.

4. To determine the applicant's proposals with respect to employment of personnel to construct and operate the proposed station.

5. To determine whether the granting of this application would serve an outstanding public need or national interest, within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

6. To determine whether the granting of this application would be otherwise consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942, or any subsequent modification thereof.

7. To determine whether the proposed antenna site would be in compliance with the Commission's standards of good engineering practice.

8. To determine whether the operation of the station at the proposed transmitter site would be consistent with the Commission's standards of good engineering practice, and, in particular, whether the population within the proposed 250 mv/m contour would exceed 1 per cent of the population of the city of Binghamton, New York.

9. To determine whether public interest, convenience and necessity would be served by a grant of this application, the application of Southern Tier Radio Service, Inc. (B1–P–3620; Docket No. 6655), and the application of Joseph H. McGillvra, Agnes I. McGillvra and Adam J. Young, Jr., d/b as Binghamton Broadcasting Company (File No. B1–P–3653; Docket No. 6657), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Binghamton Press Company, Inc., Atten-

tion: Albert B. Engelbert, 19 Chenango Street, Binghamton, New York.

Dated at Washington, D. C., September 25, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-15097; Filed, Sept. 29, 1944; 11:52 a. m.]

[Docket 6657]

BINGHAMTON BROADCASTING CO.

NOTICE OF HEARING

In re application of Joseph H. McGillvra, Agnes I. McGillvra and Adam J. Young, Jr., d/b as Binghamton Broadcasting Company, (New); date filed, July 3, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Binghamton, New York; operating assignment specified; frequency 1450 kc; power, 250 w; hours of operation, unlimited time. File No. B1-P-3653.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Southern Tier Radio Service, Inc., Docket No. 6655; and Binghamton Press Company, Inc., Docket No. 6656, for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership, and of its members, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed area in whole or in part.

4. To determine the applicant's proposals with respect to employment of personnel to construct and operate the proposed station.

5. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

6. To determine whether the granting of this application would be otherwise consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942, or any subsequent modification thereof.

7. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the applicant's proposed station and from the operation of new stations at Utica, New York, as proposed in the applications of (1) The Utica Observer Dispatch (File No. B1-P-2702, Docket No. 6043); (2) the Midstate Radio Corporation (File No. B1-P-3171, Docket No. 6141); and (3) Ronald B. Woodyard (File No. B1-P-3636), as well as the areas and populations affected thereby, and the nature of other broadcast service available to those areas and populations.

8. To determine whether public interest, convenience or necessity would be served by a grant of this application, the application of Southern Tier Radio Service, Inc. (File No. B1-P-3620; Docket No. 6655), the application of Binghamton Press Company, Inc., (File No. B1-P-3672; Docket No. 6656), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Joseph H. McGillvra, Agnes I. McGillvra and Adam J. Young, Jr., d/b as Binghamton Broadcasting Company, Room 724, Stewart Mutual Building, Binghamton, New York.

Dated at Washington, D. C., September 25, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc 44-15096; Filed, Sept. 29, 1944; 11:52 a. m.]

[Docket 6664]

CALCASIEU BROADCASTING CO.

NOTICE OF HEARING

In re application of Calcasieu Broadcasting Company (T. B. Lanford, R. M. Dean and L. M. Sepaugh) (KPLC); date filed, May 24, 1944; for construction permit to change frequency, increase power, install new transmitter, and make changes in antenna; class of service, broadcast; class of station, broadcast; location, Lake Charles, Louisiana; operating assignment specified; frequency, 1470 kc; power, 1 kw; hours of operation, unlimited time. File No. B3-P-3623.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the areas and populations which would receive primary service from the proposed operation and what other broadcast services are available to these areas and populations.

2. To determine the extent of any interference which would result from the simultaneous operation of KPLC as proposed and Station WMBD.

3. To determine the areas and populations which may be expected to lose primary service, particularly from Station WMBD as a result of the proposed operation, and what other broadcast services are available to these areas and populations.

4. To determine whether the proposed antenna system complies with the standards of good engineering practice, particularly with reference to the height of the vertical lead.

5. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion of April 27, 1942 or any subsequent modification thereof.

6. To determine the extent and effect of any interference which would result from the simultaneous operation of Station KPLC as proposed and the proposed operation of San Jacinto Broadcasting Company (File No. B3-P-3661).

7. To determine whether the granting of this application would tend towards a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

8. To determine whether, in view of the facts adduced under the foregoing issues public interest, convenience and necessity would be served by the granting of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Calcasieu Broadcasting Company (KPLC), a partnership composed of T. B. Lanford, R. M. Dean and L. M. Sepaugh, Majestic Hotel, 333 Pujo Street, Lake Charles, Louisiana.

Dated at Washington, D. C., September 25, 1944.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-15099; Filed, Sept. 29, 1944; 11:52 a. m.]

[Docket 6668]

CENTRAL NEW YORK BROADCASTING CORP.

NOTICE OF HEARING

In re application of Central New York Broadcasting Corporation (WSYR); date

filed, June 15, 1944; for construction permit to make changes in directional antenna; class of service, broadcast; class of station, broadcast; location, Syracuse, New York; operating assignment specified: frequency 570 kc; power, 5 kw; hours of operation, unlimited time, directional antenna—night and day. File No. B1–P–3640.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the areas and population which may be expected to gain service from the operation of Station WSYR operating as proposed, and what other broadcast services are available to these areas and populations.

2. To determine the extent of any daytime interference which might be caused by the simultaneous operation of Station WSYR, as proposed, and Stations WMCA and WKBN.

3. To determine the areas and populations which would be expected to lose primary daytime service, particularly for Stations WMCA and WKBN as the result of the proposed operation of Station WSYR and what other broadcast services are available to those areas and populations.

4. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Central New York Broadcasting Corp., Radio Station WSYR, Starrett-Syracuse Building, 224 Harrison St., Syracuse, New York.

Dated at Washington, D. C., September 25, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44–15100; Filed, Sept. 29, 1944; 11:58 a. m.]

[Docket No. 6672]

SPONSORED PROGRAMS

ORDER SETTING DATE FOR ORAL ARGUMENT

In the matter of promulgation of rules and regulations under section 317 of the Communications Act.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 26th day of September 1944;

Whereas, the Commission is of the opinion that public interest, convenience and necessity may be served by adoption of the following proposed rule:

Sponsored programs, announcement of. (a) In the case of each program for which money, services or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, any radio broadcast station, the station broadcasting such program shall announce, or cause to be announced, both at the beginning and conclusion thereof that the program is paid for or furnished, either in whole or in part, *Provided, however,* That in the case of programs of five minutes duration or less, a single such announcement only, either at the beginning or conclusion of the program, shall be required. The announcement shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised or from whom or in whose behalf such services or other valuable consideration are received. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting.

(b) Valuable consideration for the broadcasting of any program, as used in this section, includes the furnishing, either directly or indirectly, of records, transcriptions, talent, script material, performing rights, or any other material or services of any kind for use in connection with such programs.

Whereas, The Commission is of the opinion that it will best conduce to the proper dispatch of business and to the ends of justice that all interested persons be given an opportunity to file briefs and to appear before the Commission and argue orally why the above proposal should not be adopted or why it should not be adopted in the form proposed by this order.

Now, therefore, it is hereby ordered, That, upon the written request of any interested person, oral argument be held before the Commission en banc on November 10, 1944, at 10:30 a. m., as to why the above proposed rule should not be adopted or why it should not be adopted in the form proposed by this order. Such requests for oral argument shall be filed by all persons desiring to appear on or before November 1, 1944, and each such request shall be accompanied by a brief.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44–15095; Filed, Sept. 29, 1944; 11:58 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70–A, Special Permit 524]

RECONSIGNMENT OF APPLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 21, 1944, by La Mantia Brothers Arrigo of car PGE 32598, apples, now on the Baltimore & Ohio Railroad, to United States Fruit Company, Minneapolis, Minnesota (R. I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–14995; Filed, Sept. 28, 1944; 12:01 p. m.]

[S. O. 70–A, Special Permit 525]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 21, 1944, by Robert L. Berner Company of car PGE 37657, onions, now on the Wood Street Terminal, to Jacksonville, Florida.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14996; Filed, Sept. 28, 1944; 12:01 p. m.]

[S. O. 70-A, Special Permit 526]

RECONSIGNMENT OF PEACHES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, September 21, 1944, by Cochrane Brokerage Company, of car ART 16457, peaches, now on the Missouri Pacific Railroad, to Louis Fruit Market, Omaha, Nebraska (MoPac).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14997; Filed, Sept. 28, 1944; 12:01 p. m.]

[S. O. 70-A, Special Permit 527]

RECONSIGNMENT OF MELONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 22, 1944, by La Mantia Brothers Arrigo, of car SFRD 24210, melons, now on the Chicago Produce Terminal, to C & C Produce Company, Cleveland, Ohio. (N. K. P. Railway).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-14998; Filed, Sept. 28, 1944; 12:01 p. m.]

[S. O. 70-A, Special Permit 528]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 22, 1944, by Bacon Brothers of cars of potatoes, now on the C. & N. W. Railroad (Proviso Yards), NRC 3084, to House of Abe, Knoxville, Tennessee, (C&O-L&N), and NRC 19855, to A. B. Rains, Jr., Louisville, Kentucky. (C&EI-L&N).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service

[F. R. Doc. 44-14999; Filed, Sept. 28, 1944; 12:01 p. m.]

[S. O. 70-A, Special Permit 529]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 22, 1944, by Justman Frankenthal Company, of car SFRD 20234, lettuce, from Salinas, California, September 9, (SP-UP-CB&Q) to Justman Frankenthal Company, New York, New York (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15000; Filed Sept. 28, 1944; 12:01 p. m.]

[S. O. 70-A, Special Permit 530]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 23, 1944, by Bacon Brothers of car ART 72199, potatoes, now on the Wood Street Terminal to Plowaty Bergart Company, Evansville, Indiana (NYC).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15001; Filed, Sept. 28, 1944; 12:02 p. m.]

[S. O. 70-A, Special Permit 531]

RECONSIGNMENT OF PLUMS AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943,

permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, September 23, 1944, by Defco Fruit Company of car PFE 90810, plums, now on the Union Pacific Railroad, to Joplin, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–15002; Filed, Sept. 28, 1944; 12:02 p. m.]

[S. O. 70–A, Special Permit 532]

RECONSIGNMENT OF CARROTS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Chicago, Illinois, September 23, 1944, by L. Gilliarde Company of car PGE 50480, carrots, now on the Chicago Produce Terminal, to Zimmerman Brothers, Baltimore, Maryland.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–15003; Filed, Sept. 28, 1944; 12:02 p. m.]

[S. O. 70–A, Special Permit 533]

RECONSIGNMENT OF PEARS AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at Milwaukee, Wisconsin, September 25, 1944, by Gianukos & Bemis, of car BREX 75822, pears, now on the C. M. St. P. & P. Railway, to Gianukos & Bemis, Chicago, Illinois, via C. M. St. P. & P. Railway.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–15004; Filed, Sept. 28, 1944; 12:02 p. m.]

[S. O. 70–A, Special Permit 534]

RECONSIGNMENT OF PRUNES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70–A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70–A insofar as it applies to the reconsignment at St. Louis, Missouri, September 25, 1944, of car PFE 22893, prunes, now on the Wabash Railroad, to Sam Rinelli, Buffalo, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–15005; Filed, Sept. 28, 1944; 12:02 p. m.]

[S. O. 200, 3d Amended Gen. Permit 4]

REICING OF POTATOES FROM CALIFORNIA OR ARIZONA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes in California, or Arizona, to reice once in transit when destined west of the Mississippi River and to reice twice in transit when destined east of the Mississippi River; and to accord the first or initial icing or the reicing at stations designated by shippers or at the carriers' option, at the first icing station west or east of such designated station. This general permit shall apply to all such cars billed or moving on the effective date hereof.

This general permit shall become effective 12:01 a. m., September 26, 1944, and shall expire at 12:01 a. m., October 15, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44–15006; Filed, Sept. 28, 1944; 12:02 p. m.]

[S. O. 200, Amended Gen. Permit 16]

REICING OF POTATOES FROM NORTH DAKOTA, SOUTH DAKOTA, MINNESOTA OR WISCONSIN

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord one reicing in transit, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point or points in the states of North Dakota, South Dakota, Minnesota or Wisconsin.

This general permit shall become effective at 12:01 a. m., September 24, 1944, and shall expire at 12:01 a. m., October 15, 1944.

This general permit shall apply to cars billed or rolling on or after the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice

of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15007; Filed, Sept. 26, 1944; 12:02 p. m.]

[S. O. 200, Special Permit 165]

REICING OF POTATOES FROM OLENE AND WOCUS, OREG.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the furnishing of reicings in transit, ordered by George C. Burger, on refrigerator cars loaded with potatoes as follows: On cars SFRD 22422 and 35586, shipped September 19, 1944, by George C. Burger from Olene, Oregon, to Smiling Jim Potato Company, Philadelphia, Pennsylvania, (OC&E-Gr. Nor.-CB&Q-PRR), reice at Minneapolis, Minnesota, and Chicago, Illinois; On car PFE 50314, shipped September 20, 1944, by George C. Burger from Wocus, Oregon, to L. Damico & Sons, New Orleans, Louisiana (SP-UP-Mo. Pac.-IC), reice at North Platte, Nebraska, and St. Louis, Missouri; On car WFE 49995, shipped September 20, 1944, by George C. Burger from Olene, Oregon, to C. H. Robinson Company, Omaha, Nebraska, (OC&E-SP-UP), reice at Ogden, Utah; On car GARX 68473, shipped September 20, 1944, by George C. Burger, from Wocus, Oregon, to Duluth Wholesale Grocery Company, Duluth, Minnesota, (Gr. Nor.), reice at Minot, North Dakota.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of September, 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15008; Filed, Sept. 28, 1944; 12:02 p. m.]

[S. O. 200, Special Permit 166]

REICING OF POTATOES AT OGDEN, UTAH

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the furnishing of reicings in transit ordered by California Oregon Packing Company on refrigerator cars loaded with potatoes, as follows: On car PFE 27686, shipped September 18, 1944, by California Oregon Packing Company, from Hatfield, California, to Brown & Loe, Kansas City, Missouri, (SP-UP), reice at Ogden, Utah: On car PFE 90892, shipped September 19, 1944, by California Oregon Packing Company from Hatfield, Oregon, to Brown & Loe, Kansas City, Missouri (SP-UP), reice at Ogden, Utah.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15009; Filed, Sept. 28, 1944; 12:03 p. m.]

[S. O. 200, Special Permit 167]

REICING OF POTATOES AT SALT LAKE CITY, UTAH

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the furnishing of one reicing in transit at Salt Lake City, Utah, by the Western Pacific Railroad as ordered by California Oregon Packing Company, on car SFRD 22430, potatoes, shipped from Malin, Oregon, September 20, 1944, diverted to Brown & Loe at Salt Lake City for their further diversion (G. N.-W. P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15010; Filed, Sept. 28, 1944; 12:03 p. m.]

[S. O. 200, Special Permit 168]

REICING OF POTATOES AT WHITEFISH, MONT. AND CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the furnishing of two reicings in transit at Whitefish, Montana, and Chicago, Illinois, to car PFE 96152, potatoes, shipped September 21, 1944, by George C. Burger, from Klamath Falls, Oregon, to Smiling Jim Potato Company, Philadelphia, Pennsylvania (OC&E-GN-CB&Q-PRR).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15011; Filed, Sept. 28, 1944; 12:03 p. m.]

[S. O. 200, Special Permit 169]

REICING OF POTATOES FROM OREGON AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the reicing in transit of refrigerator cars loaded with potatoes, shipped by George C. Berger, as follows:

PFE 14011, from Olene, Oregon, September 22, 1944, to Smiling Jim Potato Company, Philadelphia, Pennsylvania (routed OC&E-SP-UP-IC-PRR) reice at Ogden, Utah, and Chicago, Illinois;

MDT 17263 and PFE 92038, from Wocus, Oregon, September 22, 1944, to Market Dealers Service Co., Detroit, Michigan (SP-UP-Wab.) reice at Ogden, Utah, and Council Bluffs, Iowa;

MDT 3601, from Wocus, Oregon, September 22, 1944, to Produce Distributors, Inc., Detroit, Michigan (SP-UP-Wab.) reice at Ogden, Utah, and Council Bluffs, Iowa;

PFE 20,000, from Tule Lake, Calif., September 23, 1944, to Produce Distributors, Inc., Detroit, Mich. (SP-UP-Wab.), reice at Green River, Wyo., and Council Bluffs, Iowa;

NRC 5953, from Wocus, Oregon, September 22, 1944, to Dan Lapanta, Duluth, Minnesota (GN), reice at Williston, N. Dak.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15012; Filed, Sept. 30, 1944; 12:03 p. m.]

[S. O. 200, Special Permit 170]

REICING OF POTATOES FROM OREGON AND CALIFORNIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 200 insofar as it applies to the reicing in transit of refrigerator cars, loaded with potatoes, shipped by George C. Burger, as follows:

MDT 22641, from Olene, Oregon, September 23, 1944, to Smiling Jim Potato Company, Philadelphia, Pennsylvania, (OC&E-SP-UP-IC-PRR), reice at Green River, Wyoming, or Ogden, Utah, and Chicago, Illinois;

GARX 67012, from Wocus, Oregon, September 23, 1944, to Market Dealers Service Co., Detroit, Mich (SP-UP-Wab.) reice at Ogden, Utah and Council Bluffs, Iowa;

PFE 36387, from Wocus, Oregon, September 23, 1944, to Produce Distributors, Inc., Detroit, Mich. (SP-UP-Wab.) reice at Ogden, Utah and Council Bluffs, Iowa;

PFE 76219, from Olene, Oregon, September 23, 1944, to C. H. Robinson Co., Minneapolis, Minn. (OC&E-GN), reice at Whitefish, Montana;

ART 19837, from Hatfield, California, September 23, 1944, to Dan Lapanta, Duluth, Minnesota (SP-GN) reice at Williston, North Dakota.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15013; Filed, Sept. 28, 1944; 12:03 p. m.]

[2d Rev. S. O. 224, Gen. Permit 4]

ICING OF FRUITS FROM WASHINGTON, OREGON, OR IDAHO

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (9 F.R. 10429) of Second Revised Service Order No. 224 of August 24, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 224 insofar as it applies to the initial icing of refrigerator cars, loaded with deciduous fruits, originating at origins located in the State of Washington, or in Oregon Groups A and C, or in Idaho Group A, as defined in Perishable Protective Tariff No. 13, Agent J. J. Quinn's I. C. C. No. 22; or loaded with prunes originating at origins located in Oregon Group B or in Idaho Groups B or C, as defined in Agent J. J. Quinn's I. C. C. No. 22.

This general permit shall become effective at 12:01 p. m., September 25, 1944, and shall apply only to cars billed on and after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of September 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-15014; Filed, Sept. 28, 1944; 12:03 p. m.]

[S. O. 80, Amdt. 21]

DESIGNATION OF ALTERNATE AGENT WITH RESPECT TO GRAIN AND RICE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of September, A. D. 1944.

Upon further consideration of the provisions of Service Order No. 80, as amended (codified as § 95.19 of Title 49 CFR):

It is ordered, That D. C. King, Superintendent of Wharves, Port of Beaumont, is hereby designated and appointed as alternate agent of the Commission to issue permits for the movement of grain and rice under the terms of this order at Beaumont, Texas. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17))

And it is further ordered, That this amendment shall become effective October 3, 1944; that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-15074; Filed, Sept. 29, 1944; 11:14 a. m.]

[S. O. 236]

UNLOADING OF STEEL BARS AT DETROIT, MICH.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of September A.D. 1944.

It apearing that cars PMCKY 80473, CBQ 40939 and LV 5339, containing steel bars at Detroit, Michigan, on the New York Central Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered that:

Steel bars at Detroit, Michigan, to be unloaded. (a) The New York Central Railroad Company, its agents or employees, shall unload forthwith cars PMCKY 80473, CBQ 40939, and LV 5339, containing steel bars, on hand at Detroit, Michigan, consigned to H. R. Noack.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of steel bars have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the New York Central Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-15075; Filed, Sept. 29, 1944; 11:14 a. m.]

NATIONAL HOUSING AGENCY.

Federal Housing Administration.

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B AND E

NOTICE OF CALL FOR PARTIAL REDEMPTION, BEFORE MATURITY

SEPTEMBER 25, 1944.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246;

U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund Debentures, Series B and E, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on January 1, 1945, on which date interest on such debentures shall cease:

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

Denomination:	*Serial numbers (all numbers inclusive)*
$50	1,556 to 1,563
$100	5,786 to 5,786
$500	1,824 to 1,831
$1,000	7,006 to 7,036
$5,000	515 to 517

2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E

Denomination:	*Serial numbers (all numbers inclusive)*
$50	22
$100	84 to 90
$500	21 to 23
$1,000	97 to 115

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after October 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after October 1, 1944, and provision will be made for the payment of final interest due January 1, 1945, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from October 1, 1944 to December 31, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after January 1, 1945, or for purchase prior to that date will be given by the Secretary of the Treasury.

ABNER H. FERGUSON,
Commissioner.

Approved: September 27, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-15031; Filed, Sept. 28, 1944; 1:58 p. m.]

2¾ PERCENT HOUSING INSURANCE FUND DEBENTURES, SERIES C AND D

NOTICE OF CALL FOR PARTIAL REDEMPTION, BEFORE MATURITY

SEPTEMBER 25, 1944.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Housing Insurance Fund Debentures, Series C and D, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on January 1, 1945, on which date interest on such debentures shall cease:

2¾ PERCENT HOUSING INSURANCE FUND DEBENTURES, SERIES C

Denomination:	*Serial numbers (all numbers inclusive)*
$100	1 to 4
$500	1
$5,000	1
$10,000	1 to 4

2¾ PERCENT HOUSING INSURANCE FUND DEBENTURES, SERIES D

Denomination:	*Serial numbers (all numbers inclusive)*
$100	4 to 7
$1,000	4 to 6
$5,000	2
$10,000	162 to 508

The debentures first issued as determined by the serial numbers were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after October 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after October 1, 1944, and provision will be made for the payment of final interest due on January 1, 1945, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from October 1, 1944 to December 31, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after January 1, 1945, or for purchase prior to that date will be given by the Secretary of the Treasury.

ABNER H. FERGUSON,
Commissioner.

Approved: September 27, 1944.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 44-15032, Filed, Sept. 28, 1944; 1:58 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 346]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHATTANOOGA, TENN., AND ROME, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14562; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the car-

[1] Filed as part of the original document.

riers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Great Southern Trucking Co. (a corporation), Jacksonville, Fla.

Cecil Hunt, doing business as Hunt Freight Lines, LaFayette, Ga.

[F. R. Doc. 44-15034; Filed, Sept. 28, 1944; 3:41 p. m.]

[Supp. Order ODT 3, Rev. 347]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN SOUTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264; 3357; 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

J. D. Williams, doing business as Textile Warehouse Co., 511 Rhett Street, Greenville, S. C.

Smith Dray Line and Storage Co., Inc., 120 North Markley Street, Greenville, S. C.

[F. R. Doc. 44-15035; Filed, Sept. 28, 1944; 3:41 p. m.]

[Supp. Order ODT 3, Rev. 348]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ASHEVILLE, N. C. AND CHATTANOOGA, TENN.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital

[1] Filed as part of the original document.

equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Great Southern Trucking Co. (a corporation), 1803 Clarkson Street, Jacksonville, Fla.
E. T. & WNC Transportation Co. (a corporation), 111 Tipton Street, Johnson City, Tenn.

[F. R. Doc. 44-15036; Filed, Sept. 28, 1944; 3:40 p. m.]

[Supp. Order ODT 3, Rev. 349]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN TELL CITY AND CHRISNEY, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation

[1] Filed as part of the original document.

of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Hargis Truck Line, Inc., Tell City, Ind.
A & H Truck Line, Inc., Tell City, Ind.

[F. R. Doc. 44-15037; Filed, Sept. 28, 1944; 8:40 p. m.]

[Supp. Order ODT 3, Rev. 350]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHARLOTTE, N. C., AND ATLANTA, GA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order: Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 29th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Akers Motor Lines, Inc., Gastonia, N. C.
W. W. Raper, doing business as American Trucking Co., intersection 10A and Probur Street, High Point, N. C.
Apex Transportation, Inc., Lessee and Operator of C. S. Schaub, doing business as Apex Motor Line, 525 North Smith Street, Charlotte, N. C.
Associated Transport, Inc., 1775 Broadway, New York, N. Y.
Atlantic States Motor Lines, Inc., High Point, N. C.
Carolina Freight Carriers Corporation, Cherryville, N. C.
Great Southern Trucking Co. (a corporation), 1863 Clarkson Street, Jacksonville, Fla.
Jocie Motor Lines, Inc., 2115 North Tryon Street, Charlotte, N. C.
Lewis & Holmes Motor Freight Corporation, High Point, N. C.
W. W. Miller, Jr., doing business as Miller Motor Express, 2209 Dowd Road, Charlotte, N. C.

[F. R. Doc. 44-15038; Filed, Sept. 28, 1944; 3:40 p. m.]

[ODT Certificate S-5]

COMMON CARRIERS

SUBSTITUTION OF RAIL FOR MOTOR SERVICE IN COLORADO

Pursuant to Executive Orders 8989, as amended, and 9156, and in order to provide for the conservation and more efficient utilization of vital transportation facilities, and to prevent and alleviate traffic congestion,

I hereby find and certify that the substitution of rail transportation for that of motor common carrier between Denver, Colorado, and Glenwood Springs, Colorado, and between Denver, Colorado, and Grand Junction, Colorado, by Rio Grande Motor Way, Inc., a motor common carrier, will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities.

Issued at Washington, D. C., this 28th day of September 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-15066; Filed, Sept. 29, 1944; 10:32 a. m.]

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[1] Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1035]

HOFFMAN COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

HOFFMAN COAL CO., 700 12TH ST., WINDBER, PA., HOFFMAN COAL CO. MINE, C' SEAM, MINE INDEX NO. 2706, SOMERSET COUNTY, PA., SUBDISTRICT 38, RAIL SHIPPING POINT: WINDBER, PA.

	Size group Nos.				
	1	2	3	4	5
Price classification	E	E	E	E	E
Rail shipment	355	335	335	315	315
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	365	340	*340	320	320
	*Previously established				

CAMARCO & MILLER, P. O. BOX 44, PUNXSUTAWNEY, PA., NO. 3-E MINE, E SEAM, MINE INDEX NO. 5108, INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT: SIDING 116, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	365	330	330	320	310

CAMARCO & MILLER, P. O. BOX 44, PUNXSUTAWNEY, PA., NO. 3-C MINE, C' SEAM, MINE INDEX NO. 5108, INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT: SIDING 116, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	G	G	G	G	G
Rail shipment	330	330	315	305	305
R. R. locomotive fuel	320	320	305	295	295
Truck shipment	365	330	330	320	310

N. B. PUTMAN CO., HONESDALE, PA., PUTMAN #2F MINE, FULTON SEAM, MINE INDEX NO. 5202, BEDFORD COUNTY, PA., SUBDISTRICT 30, RAIL SHIPPING POINT: SANDY RUN, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	B	B	B	B	C
For all methods of transportation and all uses	425	425	390	365	350

N. B. PUTMAN CO., HONESDALE, PA., PUTMAN NO. 2-B MINE, BARNETT SEAM, MINE INDEX NO. 5201, BEDFORD COUNTY, PA., SUBDISTRICT 30, RAIL SHIPPING POINT; SANDY RUN, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	B	B	B	B	C
For all methods of transportation and all uses	425	425	390	365	350

N. B. PUTMAN CO., HONESDALE, PA., PUTMAN NO. 1-B MINE, BARNETT SEAM, MINE INDEX NO. 5199, HUNTINGDON COUNTY, PA., SUBDISTRICT 30, RAIL SHIPPING POINT, MILLER RUN SIDING, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	B	B	B	B	C
For all methods of transportation and all uses	425	425	390	365	350

N. B. PUTMAN CO., HONESDALE, PA., PUTMAN NO. 1-F MINE, FULTON SEAM, MINE INDEX NO. 5200, HUNTINGDON COUNTY, PA., SUBDISTRICT 30, RAIL SHIPPING POINT, MILLER RUN SIDING, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	B	B	B	B	C
For all methods of transportation and all uses	425	425	390	365	350

N. B. PUTMAN CO., HONESDALE, PA., PUTMAN NO. 2-K MINE, KELLY SEAM, MINE INDEX NO. 5203, BEDFORD COUNTY, PA., SUBDISTRICT 30, RAIL SHIPPING POINT, SANDY RUN, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification	F	F	F	F	F
For all methods of transportation and all uses	425	425	390	365	350

BROWN BROS. COAL CO., 308 POPLAR ST., GROVE CITY, PA., BROWN BROS. MINE, BROOKVILLE SEAM, MINE INDEX NO. 4186, BUTLER COUNTY, PA., SUBDISTRICT 1, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Truck shipment	425	425	425	415	405	405	405	330	300	290	270

BULGER BLOCK COAL CO., UNION TRUST BLDG., PITTSBURGH, PA., BULGER #2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4113, WASHINGTON COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: BULGER, PA., STRIP MINE, R. R. FUEL PRICE GROUP 2, MAXIMUM TRUCK PRICE GROUP NO. 6

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	A	A	C	C	F	F	H	H	H	------	------
Rail shipment	330	330	310	310	275	265	225	225	225	------	------
Railroad fuel	330	330	310	310	290	275	235	235	235	285	------
Truck shipment	425	425	425	395	375	375	375	325	290	290	265

This order shall become effective September 29, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15061; Filed, Sept. 28, 1944; 4:45, p. m.]

[MPR 120, Order 1036]

BROWN BROS. COAL CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classification and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. The mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

C. C. Coal Co., Clinton, Pa., Ruth Mine, Pittsburgh Seam, Mine Index No. 4033, Allegheny County, Pa., Sub District 7, Rail Shipping Point: Imperial, Pa., Deep Mine, R. R. Fuel Price Group 2, Maximum Truck Price Group No. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	D	D	C	C	F	F	G	G	G	------	------
Rail shipment	335	335	335	335	300	290	270	270	255	------	------
Railroad fuel	335	335	335	335	315	300	270	270	260	260	------
Truck shipment	425	425	425	390	360	360	360	325	285	285	270

Samuel F. King and S. Quay King, Brennen Bldg., Scottdale, Pa., Arona Mine, Pittsburgh Seam, Mine Index No. 4217, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point: Arona, Pa., Deep Mine, R. R. Fuel Price Group 1, Maximum Truck Price Group No. 8

Price classification	D	D	C	C	C	C	C	C	C	------	------
Rail shipment	335	335	335	335	335	325	300	300	280	------	------
Railroad fuel	335	335	335	335	335	325	300	300	280	270	------
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

Steve Potoka, 117 Morewood St., Mt. Pleasant, Pa., Potoka No. 2 Mine, Upper Freeport Seam, Mine Index No. 2630, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point, Tarrs, Pa., Deep Mine R. R. Fuel Price Group 6

Price classification	F	F	E	E	E	E	F	F	F	------	------
Rail shipment	310	310	305	305	305	295	275	275	260	------	------
Railroad fuel	315	315	315	315	315	300	275	275	270	270	------
Truck shipment [1]	415	415	415	395	365	365	365	305	285	285	255

[1] Previously established.

Steve Potoka, 117 Morewood St., Mt. Pleasant, Pa., Potoka No. 1 Mine, Pittsburgh Seam, Mine Index No. 4169, Westmoreland County, Pa., Subdistrict 3, Rail Shipping Point: Tarrs, Pa., Deep Mine, R. R. Fuel Price Group 6, Maximum Truck Price Group No. 8

Price classification	E	E	C	C	B	B	C	C	C	------	------
Rail shipment	335	335	335	335	335	325	300	300	280	------	------
Railroad fuel	335	335	335	335	335	325	300	300	280	270	------
Truck shipment	415	415	415	395	365	365	365	305	285	285	255

This order shall become effective September 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of September 1944.

Chester Bowles,
Administrator.

[F. R. Doc. 44-15062; Filed, Sept. 28, 1944; 4:45 p. m.]

[MPR 120, Order 1037]

Elbert Botkins, et al.

Adjustment of Maximum Prices

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (A) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the District in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

Elbert Botkins, Flat Lick, Ky., Botkins Mine, Jellico Seam, Mine Index No. 5491, Knox County, Ky., Subdist. 6, Rail Shipping Point: Flat Lick, Ky., F. O. G. 111, Deep Mine, Maximum Truck Price Group No. 5

	Size Group Nos.													
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification	O	O	O	O	J	J	H	G	E	G	C	K	K	K
Rail shipments and railroad fuel	360	355	340	340	360	350	330	325	325	360	315	300	295	295
Truck shipment	380	360	335	335	320	295	260	255	------	------	------	------	------	------

Leonard Chaney, East Lynn, W. Va., Chaney Mine, No. 5 Block Seam, Mine Index No. 7198, Wayne County, W. Va., Subdist. 8, Rail Shipping Point: Kenova, W. Va., F. O. G. 130, Deep Mine, Maximum Truck Price Group No. 5

Price classification	Q	Q	Q	Q	O	O	L	L	J	L	G	M	M	M
Rail shipment	330	325	320	320	310	300	310	295	290	340	295	265	260	255
Railroad fuel	330	325	320	320	310	310	310	310	310	340	295	265	260	255
Truck shipment	380	360	335	335	320	295	260	255	------	------	------	------	------	------

Gibson Fuel Co., Blackwood, Va., Darby Mine, No. 5 Seam, Mine Index No. 7211, Lee County, Va., Sub-Dist. 7, Rail Shipping Point: Bundy, Va., F. O. G. 202, Deep Mine, Maximum Truck Price Group No. 8

	Size group nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification	A	A	A	A	A	A	A	A	A	A	A	E	E	E	E
Rail shipments and railroad fuel	435	435	435	415	395	370	350	335	325	405	305	295	290	290	280
Truck shipment	405	385	350	350	320	300	260	255	------	------	------	------	------	------	------

Ford Huffman Coal Co., Pikeville, Ky., No. 1 Mine, Elkhorn No. 1 Seam, Mine Index No. 7144, Pike County, Ky., Sub-Dist. 1, Rail Shipping Point: Pikeville, Ky., F. O. G. 61, Deep Mine, Maximum Truck Price Group No. 5

	Size group nos.													
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and railroad fuel	365	360	350	350	345	335	315	315	315	370	300	295	295	280
Truck shipment	380	360	335	335	320	295	260	255	------	------	------	------	------	------

Ratliff Coal Co., Regina, Ky., Ratliff No. 1 Mine, Elkhorn No. 1 and/or Elkhorn No. 2 Seam, Mine Index No. 7212, Pike County, Ky., Sub-Dist. 1, Rail Shipping Point: Regina, Ky., F. O. G. 61, Deep Mine, Maximum Truck Price Group No. 5

Price classification	K	K	K	K	H	H	G	E	C	C	D	G	G	G
Rail shipments and railroad fuel	365	360	350	350	345	335	315	315	315	370	300	295	295	280
Truck shipment	380	360	335	335	320	295	260	255	------	------	------	------	------	------

This order shall become effective September 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15063; Filed, Sept. 28, 1944; 4:48 p. m.]

[MPR 188, Amdt. 53 to Order A-1]

BUILDING BLOCKS, ETC.

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying Amendment No. 53 to Order A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (32) is amended to read as follows:

(32) *Modification of producers' maximum prices for certain crushed stone aggregates, concrete building blocks, and ready-mixed concrete produced in Southern Florida.* (i) The maximum prices for certain sizes of Miami Oolite Limestone, all of which are hereinafter specifically described, when produced within a radius of 50 air-miles of the Dade County (Florida) Court House and when used in the building of roads, dams, buildings, and other structures, or when used as aggregates in ready-mixed concrete or job-mixed concrete or in bituminous binder mixtures, or in concrete building blocks, and other cast concrete products, shall be as follows:

Grade "C" crushed stone, no abrasion requirement	Maximum prices f.o.b plant	Maximum prices delivered to job site within the Miami area
Ballast (minus 2½ plus ¾ inches)	$0.95	$1.70
Concrete rock (minus 1½ plus ¾ inch)	1.20	2.00
Pea rock (minus ¾ inch plus No. 4)	1.50	2.25
Rice rock (or chats) (minus ¾ inch plus No. 4)	1.90	2.75
Screenings—no abrasion requirement: Minus ⅜ inch	1.00	1.75
Mason sand or screenings—no abrasion requirement: Minus ⅛ inch	1.00	1.75
Lime rock-pit run:		
Grade No. 1	.90	1.65
Grade No. 2	.80	1.55

All of the above maximum prices are per cubic yard when sold for delivery by truck or barge, and are per net ton when sold aboard railroad cars, f. o. b. plant or nearest railroad siding.

The gradations of "Miami Oolite Limestone" specified in this paragraph (a) (32) refer to the Dade and Broward County "Standard Classification for Crushed Stone and Screenings" filed with the Office of Price Administration on July 29, 1944. "Grade C Crushed Stone, Rock Screenings, and Mason Sand and Screenings" are not required to meet an abrasion test. "Lime Rock-Pit Run" must meet the specifications of the Florida State Road Department for Grades Nos. 1 and 2.

(ii) Any person producing an aggregate from Miami Oolite Limestone not comparable with any of the aggregates hereinbefore specified by reason of a gradation requiring extra or special screenings, or because such aggregate is from a deposit composed of stone having especially valuable properties, or for any other reason, provided such material is produced for commercial use in construction or for use as an aggregate and cannot be produced and sold at the maximum prices herein established without hardship to the producer, shall file an application for the establishment of a maximum price for such material under § 1499.156 of Maximum Price Regulation No. 188. Such application shall be filed with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., and shall contain a description of the special aggregate, with a detailed statement showing:

(*a*) A comparison between the aggregate for which a maximum price is fixed herein and the aggregate for which a price is requested, with definite information showing the claimed superior qualities.

(*b*) The extra production process used in producing the special aggregate and the extra cost of such process.

(*c*) The need of a maximum price differing from the maximum prices fixed herein.

(iii) The maximum prices for certain ready-mixed concrete, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

[*Maximum prices, per cubic yard, delivered to job site within the Miami area*]

Bags of cement per cubic yard of ready-mixed concrete:	
4	$6.60
4½	6.95
5	7.30
5½	7.65
6	8.00
7	8.70
8	9.40
9	10.10
10	10.80

(iv) The maximum prices for certain concrete building blocks, as hereinafter specified, produced within a radius of 15 air-miles of the Dade County (Florida) Court House, shall be as follows:

Size	Maximum prices per block f. o. b. plant	Maximum prices per block, delivered within the Miami area
8 x 8 x 16	$0.0950	$0.1180
8 x 12 x 16	.1650	.19
4 x 8 x 16	.0675	.0775
6 x 8 x 16 (corners and jams)	.0950	.1180
8 x 12 x 16 (corners)	.1650	.19
8 x 8 x 8 (single corners and half jams)	.0675	.0775
8 x 4 x 16 or 8 x 8 x 16 partition tile	.0675	.0775

(v) Delivery areas for which no additional charges may be made and the conditions under which such charges may be made are to be determined according to the following methods:

(*a*) *Delivery within the Miami area.* Maximum prices established by this paragraph (a) (32) for delivery "Within the Miami Area" include delivery by each producer within the area recognized by him during March 1942 as his normal delivery area or zone for the commodity to be delivered. No extra charge may be for delivery within such area or zone. Any producer who did not have a normal delivery area or zone during March 1942, shall regard the delivery area or zone of his most comparable seller as his in-area territory covered by the term "within the Miami Area."

(*b*) *Delivery outside the Miami Area.* For delivery outside the Miami area, as described in subdivision (a) above, each producer may add to the maximum prices established herein an amount not in excess of the charge in effect by him during March 1942 for each particular destination. If a producer does not have an established maximum delivery charge for delivery outside the Miami area because he was not in business during March 1942, or, if was then in business, because he did not deliver outside the Miami area, or for any other reason, he must file a schedule of proposed delivery charges to be added to the maximum prices established by this paragraph (a) (32) with the Jacksonville District Office of the Office of Price Administration. Such charges shall not exceed the charges established for other manufacturers for the same or similar service and shall be subject to approval or disapproval within 20 days of the date of filing.

Before the expiration of the 20-day period the District Director of the Jacksonville District Office either will approve or disapprove the requested charges. In the absence of such approval or disapproval within the 20-day period, the reported delivery charges, if properly filed, shall be deemed to have been approved by that Office.

(vi) *Discounts and other price differentials and services.* All cash, quantity, and other price differentials and services at least as great as those extended by each seller during March 1942 must be continued.

This Amendment No. 53 shall become effective October 3, 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15065; Filed, Sept. 28, 1944; 4:42 p. m.]

[MPR 188, Order 2451]

ROCKAWAY CABINET CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two items of unfinished wardrobes manufactured by Rockaway Cabinet Company, 622 Rockaway Avenue, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished wardrobe	(Single door	Each $6.53	Each $8.03
	(Double door	8.29	9.75

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated February 11, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished wardrobe	(Single door	Each $8.03
	(Double door	9.75

These prices are for the articles described in the manufacturer's application dated February 11, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of September 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15057; Filed, Sept. 28, 1944; 4:43 p. m.]

[MPR 188, Order 2452]

HOULE BROS.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an unfinished bookcase manufactured by Houle Bros., 56 Norfolk Street, Auburn, Rhode Island.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Bookcase	Unfinished	Each $3.64	Each $4.26

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated January 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Bookcase	Unfinished	Each $4.26

This price is for the article described in the manufacturer's application dated January 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulations.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of September 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15058; Filed, Sept. 28, 1944; 4:44 p. m.]

[MPR 188, Order 2453]

AUTO-BYE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an Auto-Bye Chair manufactured by Auto-Bye Company, 1151 South Broadway, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's

stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Auto-bye chair.....	710	*Each* $1.74	*Each* $2.05

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated July 5, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Auto-bye chair.....	710	*Each* $2.05

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated July 5, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of September 1944.

Issued this 28th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15069; Filed, Sept. 28, 1944; 4:44 p. m.]

[RMPR 436, Order 29]

CRUDE PETROLEUM FROM DESIGNATED POOLS IN KANSAS, OKLAHOMA, WYOMING AND WEST VIRGINIA

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after October 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Pool	County	State	Amount of increase (dollars per 42-gallon barrel)
All pools.....	Crawford..	Kansas.....	$0.35
Kruse.....	Rooks.....	Kansas.....	.25
Hollow-Nikkel.....	Harvey.....	Kansas.....	.20
Platter.....	Osage.....	Oklahoma..	.25
Sams (Pennsylvanian).	Noble.....	Oklahoma.	.35
Sams (Oswego).....	Noble.....	Oklahoma.	.35
Reed.....	Garfield...	Oklahoma.	.25
North La Barge Unit Area.	Sublette..	Wyoming.	.35
All pools in West Virginia except those producing Pennsylvania Grade crude oil.			.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective October 1, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15079; Filed, Sept. 29, 1944; 11:38 a. m.]

[RMPR 436, Order 30]

CRUDE PETROLEUM FROM DESIGNATED POOLS IN INDIANA AND ILLINOIS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after October 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Pool	County	State	Amount of increase (dollars per 42-gallon barrel)
Rockport.....	Spencer.....	Indiana..	0.35
Dundas Consolidated.	Richland and Jasper.	Illinois..	.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective October 1, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-15081; Filed, Sept. 29, 1944; 11:36 a. m.]

[Rev. Gen. Order 51,[1] Amdt. 1]

AUTHORIZATION TO FIX COMMUNITY CEILING PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (b) (2) is amended to read as follows:

(2) *Ceiling prices.* Every person selling food items at retail must obtain from the Office of Price Administration one or more copies (as many copies as may be needed to satisfy the requirements of this subparagraph) of each list of the applicable dollars-and-cents ceiling prices fixed hereunder for such food items. Unless a list contains a statement that it need not be posted, the following rules shall apply: One copy of each list of the dollars-and-cents ceiling prices fixed for dry groceries must be posted for each 1500 square feet or part thereof of selling space. If more than one copy of a list of dry groceries is required, they must be posted at least 25 feet apart. One copy of each list of the dollars-and-cents ceiling prices fixed for all items other than "dry groceries" must

[1] 9 F.R. 408.

be posted at or near the place where the item or items are offered for sale.

Each list must be posted in such a manner that it can be easily read and so that customers can approach it within a distance of two feet. If the dollars-and-cents ceiling prices established hereunder do not replace the ceiling prices of a seller, he must continue to post his ceiling prices as required by any other applicable regulation.

This amendment shall become effective October 4, 1944.

Issued this 29th day of September 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–15080; Filed, Sept. 29, 1944; 11:39 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 27, 1944.

REGION I

Connecticut Order 1–P, covering fresh fish and seafood items in Connecticut, filed 11:51 a. m.

Connecticut Order 4–F, Amendment 3, covering fresh fruit and vegetables in the Connecticut district, filed 11:42 a. m.

REGION II

Albany Order 15, covering community food prices in designated areas in New York, filed 11:44 a. m.

Albany Order 16, covering community food prices in designated areas in New York, filed 11:47 a. m.

Albany Order 17, covering community food prices in designated counties in the Albany district, filed 11:47 a. m.

Pittsburgh Order 2–W, Amendment 1, covering dry groceries in the Pittsburgh marketing area, filed 11:49 a. m.

Pittsburgh Order 8, Amendment 2, covering community food prices in designated counties in Pennsylvania, filed 11:48 a. m.

Pittsburgh Order 9, Amendment 2, covering community food prices in designated counties in Pennsylvania, filed 11:48 a. m.

New York Order 1–F, Amendment 26, covering fresh fruit and vegetables in the five boroughs of New York City, filed 11:43 a. m.

New York Order 3–F, Amendment 13, covering fresh fruit and vegetables in designated cities in New York, filed 11:43 a. m.

New York Order 6–F, Amendment 8, covering fresh fruit and vegetables in Nassau and Westchester Counties, N. Y., filed 11:43 a. m.

New York Orders 16 and 17, Amendments 1, covering community food prices in designated counties in New York, filed 11:51 a. m.

New York Order 18, Amendment 1, covering community food prices in designated areas in New York, filed 11:51 a. m.

REGION IV

Birmingham Order 1–F, Amendment 15, covering fresh fruit and vegetables in Jefferson County, Alabama, filed 4:34 p. m.

Jackson Order 2–F, Amendment 29, covering fresh fruit and vegetables in designated counties in Mississippi, filed 4:39 p. m.

Jackson Order 3–W, Amendment 1, covering community food prices in the Mississippi area, filed 4:34 p. m.

Memphis Order 5–F, Amendment 9, covering fresh fruit and vegetables in the Memphis district, filed 4:38 p. m.

Memphis Order 19, Amendment 2, covering community food prices in the Memphis district, filed 3:15 p. m.

Memphis Order 20, Amendment 2, covering community food prices in the Memphis area, filed 3:15 p. m.

Montgomery Order 17–F, Amendment 7, covering fresh fruit and vegetables in Houston County, Alabama, filed 4:37 p. m.

Montgomery Order 18–F, Amendment 6, covering fresh fruit and vegetables in Dallas County, Ala., filed 4:37 p. m.

Montgomery Order 19–F, Amendment 8, covering fresh fruit and vegetables in Mobile County, Alabama, filed 4:38 p. m.

Raleigh Order 9–F, covering fresh fruit and vegetables in the Raleigh, N. C., district, filed 4:39 p. m.

REGION V

Dallas Order 1–F, Amendment 33, covering fresh fruit and vegetables in certain areas in the Dallas district, filed 3:25 p. m.

Dallas Order 3–W, Amendment 2, covering community food prices in certain areas in the Dallas district, filed 4:36 p. m.

Fort Worth Order 1–F, Amendment 36, covering fresh fruit and vegetables in Tarrant County, Tex., filed 3:17 p. m.

Fort Worth Order 2–F, Amendment 36, covering fresh fruit and vegetables in Taylor County, Tex., filed 3:18 p. m.

Fort Worth Order 3–F, Amendment 36, covering fresh fruit and vegetables in Green County, Tex., filed 3:18 p. m.

Fort Worth Order 4–F, Amendment 36, covering fresh fruit and vegetables in McLennan County, Tex., filed 3:18 p. m.

Fort Worth Order 5–F, Amendment 36, covering fresh fruit and vegetables in Wichita County, Tex., filed 3:18 p. m.

Fort Worth Order 3–W, Amendment 1, covering community food prices in certain areas in Texas, filed 3:15 p. m.

Fort Worth Order 15, Amendment 1, covering community food prices in certain areas in Texas, filed 3:16 p. m.

Fort Worth Order 16, Amendment 1, covering community food prices in certain areas in Texas, filed 3:16 p. m.

Lubbock Order 3–F, Amendment 20, covering fresh fruit and vegetables in the Lubbock, Texas, district, filed 3:25 p. m.

REGION VI

Des Moines Order 1–F, Amendment 35, covering fresh fruit and vegetables in the Des Moines area, filed 3:19 p. m.

Peoria Order 1–F, Amendment 14, covering fresh fruit and vegetables in certain areas in Illinois, filed 3:24 p. m.

Peoria Order 2–F, Amendment 20, covering fresh fruit and vegetables in certain areas in Illinois, filed 3:24 p. m.

Peoria Order 3–F, Amendment 20, covering fresh fruit and vegetables in certain areas in Illinois, filed 3:24 p. m.

Peoria Order 4–F, Amendment 15, covering fresh fruit and vegetables in Bloomington and Normal, Illinois, filed 3:24 p. m.

Peoria Order 5–F, Amendment 3, covering fresh fruit and vegetables in Knoxville and Galesburg, Illinois, filed 3:24 p. m.

REGION VIII

Los Angeles Order 1–P, covering fresh fish and seafood in designated portion of Los Angeles County, filed 11:54 a. m.

Los Angeles Order 1–F, Amendment 33, covering fresh fruit and vegetables in the Los Angeles district, filed 11:53 a. m.

Los Angeles Order L.A.–5, Amendment 21, covering food items at retail in the Los Angeles Metropolitan area, filed 4:37 p. m.

Los Angeles Order L.A.–6, Amendment 21, covering certain food items in the San Bernardino-Riverside area, filed 4:33 p. m.

Los Angeles Order L.A.–7, Amendment 21, covering certain food items in the Santa Barbara-Ventura area, filed 4:33 p. m.

Los Angeles Order L.A.–8, Amendment 21, covering certain food items in the San Luis Obispo area, filed 4:33 p. m.

Los Angeles Order L.A.–10, Amendment 10, covering certain food items in certain areas in California, filed 4:34 p. m.

Los Angeles Order L.A.–11, Amendment 9, covering certain food items in certain areas in California, filed 4:34 p. m.

Phoenix Order 3–F, Amendment 39, covering fresh fruit and vegetables within a 25-mile radius of the post office of Phoenix, filed 3:16 p. m.

San Diego Order 2–F, Amendment 10, covering fresh fruit and vegetables in the San Diego district, filed 3:21 p. m.

San Diego Order 3–F, Amendment 7, covering fresh fruit and vegetables in the San Diego district, filed 3:20 p. m.

San Diego Order 1–F, Amendment 66, covering fresh fruit and vegetables in the San Diego district, filed 3:22 p. m.

San Francisco Order F–1, Amendment 34, covering fresh fruit and vegetables in designated areas in San Francisco district, filed 3:22 p. m.

San Francisco Order F–2, Amendment 27, covering fresh fruit and vegetables in San Jose, Santa Clara, Mayfair, Berryessa, and Burbank, filed 3:22 p. m.

San Francisco Order F–3, Amendment 26, covering fresh fruit and vegetables in designated cities in the San Francisco district, filed 3:21 p. m.

San Francisco Order F–4, Amendment 25, covering fresh fruit and vegetables in named cities in the San Francisco district, filed 3:21 p. m.

San Francisco Order F–5, Amendment 24, covering fresh fruit and vegetables in designated cities in the San Francisco district. Filed 3:21 p. m.

San Francisco Order F–6, Amendment 20, covering fresh fruit and vegetables in designated cities in the San Francisco district, filed 3:21 p. m.

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on June 22, 1944.

Charleston Order 34, Amendment 3, covering community food prices in certain areas in West Virginia, filed 4:30 p. m.

Charleston Order 37, Amendment 3, covering community food prices in certain areas in West Virginia, filed 4:30 p. m.

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on July 5, 1944.

Charleston Order 1–F, Amendment 33, covering fresh fruit and vegetables in designated areas in West Virginia, filed 1:40 p. m.

Charleston Order 3–F, Amendment 28, covering fresh fruit and vegetables in certain areas in West Virginia, filed 1:40 p. m.

Charleston Order 7–F, Amendment 14, covering fresh fruit and vegetables in certain areas in West Virginia, filed 1:39 p. m.

Copies of any of the above orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–15054; Filed, Sept. 28, 1944; 4:42 p. m.]

WAR MANPOWER COMMISSION.

PHILADELPHIA, PA., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Philadelphia area is hereby prescribed, pursuant to § 907.3 (g) of the War Manpower Commission Regulation No. 7, "Governing Employ-

ment Stabilization Programs," effective August 16, 1943 (8 F.R. 11338).

In furtherance of the war effort and for the purpose of achieving the most effective utilization of the services of labor in essential and locally needed activities, the area director of the War Manpower Commission for the Philadelphia area, which comprises all of Philadelphia and Delaware Counties and Bucks County, except the extreme northwestern part, all of Montgomery County south of Pottstown, and all of Chester County except the extreme western part, with the concurrence of the Area War Manpower Committee and with the approval of the Regional Director hereby establishes the following plan for the Philadelphia area with respect to the stabilization of employment throughout the area:

Sec.
1. Utilization of local labor supply.
2. Control of hiring and solicitation of workers.
3. Standards.
4. Existing contracts.
5. Advertising.
6. Advance notice of lay-offs.
7. Limited statements of availability.
8. Request to remain on or return to a job.
9. Definitions—as used in this plan.

SECTION 1. *Utilization of local labor supply.* All employers will make every reasonable effort to utilize the available local labor supply before resorting to the employment of workers from outside the commuting areas of their establishments and will recruit workers outside such areas only through the facilities of the U. S. Employment Service of the War Manpower Commission.

SEC. 2. *Control of hiring and solicitation of workers.* (a) All hiring and solicitation of workers in, or for work in, the Philadelphia area shall be conducted in accordance with the provisions of this employment stabilization plan.

(b) The area manpower director may fix for all or any establishments in the Philadelphia area, fair and reasonable employment ceilings and/or allowances, limiting the number of employees, or specified types of employees, which such establishments may employ during specified periods. Such ceilings and/or allowances will be determined on the basis of establishments' actual labor requirements, the available labor supply, and/or the relative urgency of establishments' products or services to the war effort. Except as authorized by the area manpower director, no employer shall hire any new employee if the hiring of such employee would result in the establishment's exceeding the employment ceiling and/or manpower allowance currently applicable to it.

SEC. 3. *Standards*—(a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of statements of availability by employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of statements of availability by United States Employment service.* (1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who, the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization plan, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in case of under-utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers who may be hired only upon referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or with the consent of, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided,* That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided,* That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(4) The new employee is a male worker.

(f) *Exclusions.* No provision of the employment stabilization shall be applicable to:

(1) The hiring of a new employee for agricultural employment:

(2) The hiring of a new employee for work of less than seven days duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days duration:

(3) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii:

(4) The hiring by a foreign, state, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or the hiring of any of their employees, unless such foreign, state, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program:

(5) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service:

(6) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) *Appeals.* Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization plan, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of statements of availability.* A statement of availability issued to an individual pursuant to this plan shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment

was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of workers.* (1) No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization plan, except in a manner consistent with such restrictions.

(2) No employer shall interview for employment, any person unless such person presents either:

(i) A statement of availability from his or her last employer.

(ii) A referral card from the United States Employment Service.

(iii) A statement on an authorized form stating that he or she has not been engaged in essential or locally needed work during the previous 60 days.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in plan shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of this plan.

(l) *General referral policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 4. *Existing contracts.* Nothing in this plan shall be construed to prejudice existing seniority rights of an employee under any agreement with his employer.

SEC. 5. *Advertising.* Advertising for employees:

(a) Shall not be of a nature which will have a disruptive effect upon the labor market in a particular area, including either the publication of wage rates which induce turnover and piracy or the solicitation of workers by employers outside an area except through arrangements with the United States Employment Service of the War Manpower Commission.

(b) Should state clearly that employees now employed in essential activity cannot be considered without a statement of availability.

(c) Should state clearly that before employers hire employees possessing skills which appear on the List of critical occupations, clearance must be obtained from the United States Employment Service.

SEC. 6. *Advance notice of lay-offs.* When possible at least three (3) days in advance of the anticipated date of any layoff, an employer shall submit to the local office of the United States Employment Service of the War Manpower Commission for the area in which the employer's establishment is located, a list containing the names, addresses and occupational classification of workers to be laid off. As used in this section layoff means a separation of a worker for a period of seven (7) or more days because of lack of work. This definition excludes the reporting of the name of workers who (1) voluntarily quit or (2) are separated from employment for reasons other than lack of work.

SEC. 7. *Limited statements of availability.* Limited statements of availability specifying a particular date on which employees shall be returned to their previous employer shall be issued by the United States Employment Service of the War Manpower Commission, whenever, in the judgment of the appropriate area manpower director, the best interests of the war effort will be served by such action: *Provided*, That such action is agreeable to both the employer and employees involved: *And provided further*, That such limited statements of availability shall not be issued for a period longer than 3 months.

SEC. 8. *Request to remain on or return to a job.* The United States Employment Service of the War Manpower Commission shall request any employee to return to or remain on his job and shall request any employer to retain such employee in his employ:

(a) Pending any determination on the employee's request for a statement of availability.

(b) Pending decision on the employee's appeal from a determination denying him a statement of availability.

(c) Upon a final determination that the employee is not entitled to a statement of availability.

SEC. 9. *Definitions as used in this plan.* (a) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(c) "Critical occupation" means any occupation designated as a critical occupation by the chairman of the War Manpower Commission.

(d) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439).

(e) "Locally needed activity" means any activity approved by the regional manpower director as a locally needed activity.

(f) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(g) "Employment stabilization plan" includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

Dated: September 1, 1944.

CARL B. HARR,
Area Director.

Approved: September 25, 1944.

FRANK L. MCNAMEE,
Regional Director.

[F. R. Doc. 44-15076; Filed, Sept. 29, 1944; 11:20 a. m.]

WAR PRODUCTION BOARD.

[C-214]

ATLAS DISTRIBUTING CORP.

Atlas Distributing Corporation, a Massachusetts corporation, is charged by the War Production Board with a violation of Conservation Order L-41 in that in December, 1943, it began and thereafter continued construction on a warehouse located at the corner of Sherman, Kansas, and Pitt Streets, Worcester, Massachusetts, at an estimated cost of $25,000. The purpose of the construction was to convert the warehouse into a bottling plant for wines and a store and distributing center for wines, liquor, and beer. Atlas Distributing Corporation admits this violation but denies that it was wilful and does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Atlas Distributing Corporation, the Regional Compliance Chief and the Acting Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Atlas Distributing Corporation shall not do any construction work on the premises at the corner of Sherman, Kansas, and Pitt Streets, Worcester, Massachusetts, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) The prohibitions contained herein shall apply to Atlas Distributing Corporation, its successors or assigns, or any persons acting on its behalf. Prohibitions against any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Atlas Distributing Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of September 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-15051; Filed, Sept. 28, 1944; 4:39 p. m.]